


APP. EXHIBIT# 1  
CASE: 2023-0182-V  
DATE: 12/19/23

**CASE NO. 2023-0182-V  
VARIANCE HEARING**

**AFFIDAVIT OF POSTING**

I, **Matt Morgan**, the undersigned, being competent to testify to the matters contained herein do solemnly declare and affirm under the penalties of perjury the following:

1. That I posted the notice signs in Case Nos. 2023-0182-V for, 366 Friar Trail, Annapolis MD, respectively.
2. That the signs were posted on the 4th day of December 2023
3. That the location of the signs that I posted is as follows:
  - a. One along Friar Trail in front of 366 Friar Trail.
  - b. One along Overlook Trail, along side of 366 Friar Trail.
  - c. One along Hickory-Trail, along side of 366 Friar Trail.

Signature of Affiant:  
  
\_\_\_\_\_  
Matt Morgan  
Date: 12/4/2023

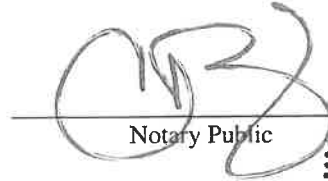
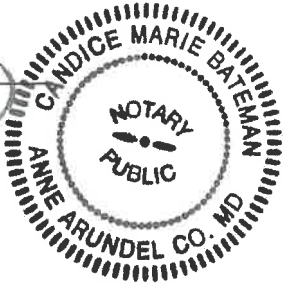
Printed Name of Affiant:

Mr. Matt Morgan  
Development Facilitators, Inc.  
1127 Benfield Blvd. Suite K  
Millersville, Md 21108  
443-308-2100

STATE OF MARYLAND, County of Anne Arundel, to wit:

I HEREBY CERTIFY, That on this 4th day of December 2023, before me, a Notary Public, in and for the State and County aforesaid, personally appeared Matt Morgan, who acknowledged that his/her execution of this Agreement is in fact his/her act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public  


My commission expires:

5.21.26

# NOTICE

AN APPLICATION HAS BEEN FILED FOR VARIANCE TO  
ALLOW DWELLING ADDITIONS (LIVING SPACE  
DECK SCREENED PORCH AND STAIRS) WITH LESS  
SETBACKS AND BUFFER THAN REQUIRED AND  
WITH DISTURBANCE TO SLOPES OF 15%.  
OR GREATER.

LOCATION: 366 FRIAR TRAIL ANNAPOLIS

CASE NO: 2023-0182-V

STEPHEN MAZER

PENDING A PUBLIC ZOOM MEETING. FOR INFO CONTACT  
THE ZONING DIVISION AT 410-222-7437 OR VIEW WEBSITE  
[WWW.AACOUNTY.ORG/ADMINHEAR/INDEX.CFM](http://WWW.AACOUNTY.ORG/ADMINHEAR/INDEX.CFM)



**NOTICE**

AN APPLICATION HAS BEEN FILED FOR MODIFICATION OF  
PLANS TO ALTERNATE FOUNDATION FOR  
DECK, SCREENED PORCH AND PATIO. PERMITTED  
SETBACKS AND OTHER RULES REQUIRED FOR  
WATER DISTURBANCE TO SLOPES OF 15%  
OR GREATER IS  
LOCATION: 204 CEDAR TRAIL, ANDERSON, SC  
CASE NO. 2024-00001  
SHELDON, TAZER  
PENDING A PUBLIC ZONING MEETING. FOR INFO CONTACT  
THE ZONING DIVISION AT 410-204-7437 OR VIEW WEBSITE  
[WWW.ARCOUNTY.GOV/ADMIN/NEAR/NOEL.CFM](http://WWW.ARCOUNTY.GOV/ADMIN/NEAR/NOEL.CFM)

# NOTICE

AN APPLICATION HAS BEEN FILED FOR VARIANCE TO  
ALLOW DWELLING ADDITIONS (LIVING SPACE,  
DECK, SCREENED PORCH AND STAIRS) WITH LESS  
SETBACKS AND BUFFER THAN REQUIRED AND  
WITH DISTURBANCE TO SLOPES OF 15%.  
OR GREATER.

LOCATION: 366 FRIAR TRAIL ANNAPOLIS

CASE NO: 2023-0182-V

STEPHEN MAZER

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# NOTICE

AN APPLICATION HAS BEEN FILED FOR AMENDMENT TO:  
EXISTING DWELLING ADDITIONS (LIVING ROOM  
DECK SCREENED PORCH AND STAIRS) WITH LEAK  
SEPARATORS AND RAINFALL TRENCHES REQUIRED PER  
WITH DISTANCE TO SIDES OF 2 FT.  
OR LESS.  
LOCATION 304 LINDA LANE, PHOENIX, AZ  
# CASE NO. 2022-0001-4  
# PERMITS 12022A  
PENDING A PUBLIC ZONING MEETING. FOR INFO CONTACT  
THE ZONING DIVISION AT 410-222-7437 OR VIEW WEBSITE  
[WWW.AACOUNTY.ORG/ADMINHEAR/INDEX.CFM](http://WWW.AACOUNTY.ORG/ADMINHEAR/INDEX.CFM)

# NOTICE

AN APPLICATION HAS BEEN FILED FOR VARIANCE TO  
ALLOW DWELLING ADDITIONS (LIVING SPACE,  
DECK, SCREENED PORCH AND STAIRS) WITH LESS  
SETBACKS AND BUFFER THAN REQUIRED AND  
WITH DISTURBANCE TO SLOPES OF 15°  
OR GREATER.

LOCATION: 366 FRIAR TRAIL ANNAPOLIS

CASE NO: 2023-0182-V

STEPHEN MAZER

PENDING A PUBLIC ZOOM MEETING. FOR INFO CONTACT  
THE ZONING DIVISION AT 410-222-7437 OR VIEW WEBSITE  
[WWW.AACOUNTY.ORG/ADMINHEAR/INDEX.CFM](http://WWW.AACOUNTY.ORG/ADMINHEAR/INDEX.CFM)

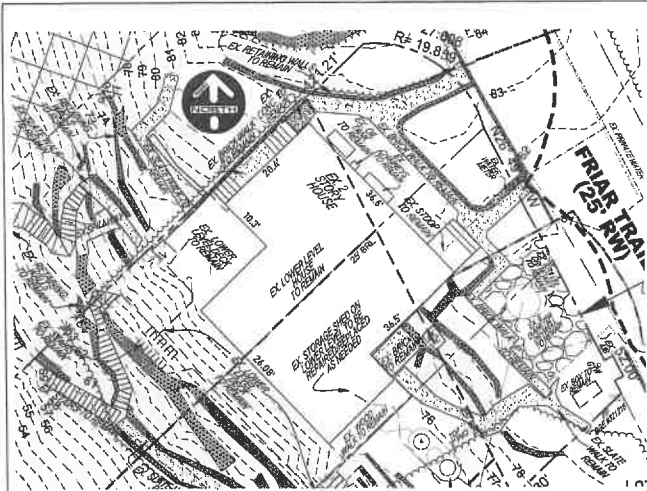


# NOTICE

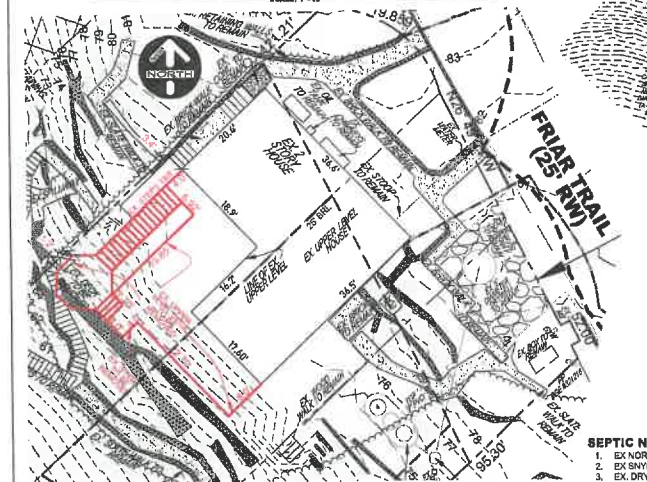
AN APPLICATION HAS BEEN FILED FOR VARIANCE TO  
ALLOW REMOVAL OF EXISTING (LIVING ROOM)  
POLE STRUCTURE (POND STAKE) WITH 14.8  
SETBACKS AND BUFFER FROM ROADS AND  
WITH DISTURBANCE TO SLACKS OF 15.4.  
THE VARIANCE  
LOCATION: 360 E. 14TH ST. ANN ARBOR MI  
CASE NO. 2024-00000-00000  
SUFFICIENT CONTACT  
PLEASE CONTACT



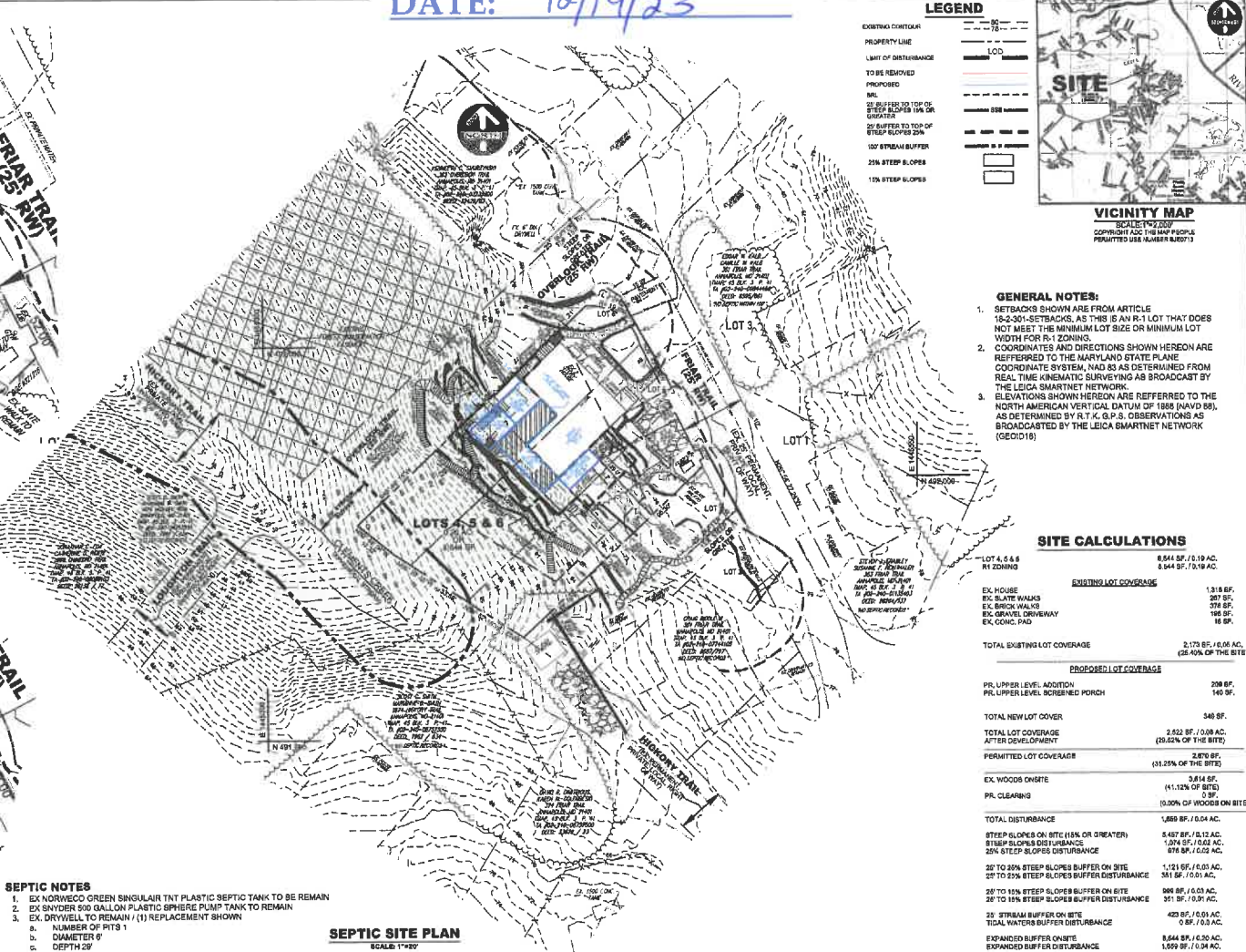




EXISTING LOWER LEVEL SITE CONDITIONS DETAIL  
SCALE: 1"=10'



EXISTING UPPER LEVEL SITE CONDITIONS DETAIL  
SCALE: 1"=10'



SEPTIC SITE PLAN  
SCALE: 1"=40'

- SEPTIC NOTES**
- EX NORWECO GREEN SINGULAR TIT PLASTIC SEPTIC TANK TO BE REMAIN
  - EX SNYDER 500 GALLON PLASTIC SPHERE PUMP TANK TO REMAIN
  - EX DRYWELL TO REMAIN / (1) REPLACEMENT SHOWN
    - NUMBER OF RIS 1
    - DIAMETER 6"
    - DEPTH 28"
  - EXISTING HOUSE
    - TOTAL = 1,897 SF
    - 3 BEDROOMS
  - PROPOSED HOUSE
    - ALLOWED UP TO 2,896 SF
    - 3 BEDROOMS

**NOTE:**  
TOPOGRAPHY SHOWN IS A COMBINATION OF  
ONSITE FIELD RUN DATA COLLECTED BY DFI IN  
FEBRUARY 2023 AND OFFSITE AERIAL TOPO  
2020 WHICH IS IN NAD 83. THESE PLANS WERE  
PREPARED USING A LOCATION SURVEY BY DFI  
IN MARCH 2023.

**LEGEND**

- EXISTING CONTOUR
- PROPERTY LINE
- LIMIT OF DISTURBANCE
- TO BE REMOVED
- PROPOSED
- MFL
- 20' BUFFER TO TOP OF STEEP SLOPES 15% OR GREATER
- 25' BUFFER TO TOP OF STEEP SLOPES 25%
- 10' STREAM BUFFER
- 25% STEEP SLOPES
- 15% STEEP SLOPES



- GENERAL NOTES:**
- SETBACKS SHOWN ARE FROM ARTICLE 18-5-301-SETBACKS, AS THIS IS AN R-1 LOT THAT DOES NOT MEET THE MINIMUM LOT SIZE OR MINIMUM LOT WIDTH FOR R-1 ZONING.
  - COORDINATES AND DIRECTIONS SHOWN HEREON ARE REFERRED TO THE MARYLAND STATE PLANE COORDINATE SYSTEM, NAD 83 AS DETERMINED FROM REAL TIME KINEMATIC SURVEYING AS BROADCAST BY THE LEICA SMARTNET NETWORK.
  - ELEVATIONS SHOWN HEREON ARE REFERRED TO THE NORTH AMERICAN VERTICAL DATUM OF 1989 (NAVD 89), AS DETERMINED BY R.T.K.G.P.S. OBSERVATIONS AS BROADCAST BY THE LEICA SMARTNET NETWORK (GEOID18).

**SITE CALCULATIONS**

EXISTING LOT COVERAGE	PROPOSED LOT COVERAGE
EX. HOUSE 1,318 SF	PR. UPPER LEVEL ADDED 758 SF
EX. SLATE WALKS 297 SF	PR. UPPER LEVEL SCREENED PORCH 140 SF
EX. BRICK WALKS 278 SF	TOTAL NEW LOT COVER 548 SF
EX. GRAVEL DRIVEWAY 166 SF	TOTAL LOT COVERAGE 2,822 SF / 0.08 AC. (23.02% OF THE SITE)
EX. CONC. PAD 84 SF	AFTER DEVELOPMENT
TOTAL EXISTING LOT COVERAGE 2,173 SF / 0.06 AC. (25.40% OF THE SITE)	PERMITTED LOT COVERAGE 2,870 SF (31.25% OF THE SITE)
	EX. WOODS ONSITE 3,814 SF (41.12% OF SITE)
	PR. CLEARING 2 SF (0.00% OF WOODS ON SITE)
	TOTAL DISTURBANCE 1,869 SF / 0.04 AC.
	8% STEEP SLOPES ON SITE (15% OR GREATER) 5,457 SF / 0.12 AC.
	8% STEEP SLOPES DISTURBANCE 1,204 SF / 0.02 AC.
	25% STEEP SLOPES DISTURBANCE 978 SF / 0.02 AC.
	20' TO 25% STEEP SLOPES BUFFER ON SITE 1,131 SF / 0.03 AC.
	20' TO 25% STEEP SLOPES BUFFER DISTURBANCE 551 SF / 0.01 AC.
	20' TO 15% STEEP SLOPES BUFFER ON SITE 986 SF / 0.02 AC.
	20' TO 15% STEEP SLOPES BUFFER DISTURBANCE 0 SF / 0.00 AC.
	3' STREAM BUFFER ON SITE 423 SF / 0.01 AC.
	TOTAL WATERS BUFFER DISTURBANCE 0 SF / 0.00 AC.
	EXPANDED BUFFER ONSITE 8,644 SF / 0.20 AC.
	EXPANDED BUFFER DISTURBANCE 1,859 SF / 0.04 AC.

EXISTING USE: SINGLE FAMILY DWELLING  
PROPOSED USE: SINGLE FAMILY DWELLING  
THE SITE IS WITHIN THE CRITICAL AREA (LCA)  
PROPOSED HEIGHT: MAX HEIGHT 35.0'



PAT02050833  
(OLD) T02046099  
SEPTIC SITE PLAN

**366 FRIAR TRAIL**  
MAP OF EPPING FOREST  
LOTS 4, 5 & 6 ; BLOCK 36 SECTION A  
ZONING R1  
TAX MAP AS BLOCK 36 PARCEL 41  
SCALE: AS SHOWN DATE: DECEMBER, 2023  
ZIP CODE: 21101

**SHEET**  
1  
OF  
2

**OWNER:** STEPHEN A. MAZER  
SUZANNE K. MAZER  
380 FRIAR TRAIL  
ANNAPOLIS, MD 21401

**DEVELOPER:** CREATIVE SPACES REMODELING  
RICH CAN  
819 E. COLLEGE PARKWAY  
ANNAPOLIS, MD 21403  
443-771-1259  
RICHARD@CREMOTHEBY.COM

DESIGNED	CMB	12/23
DRAWN	CMB	12/23
CHECKED	CMB	12/23
APPROVED	STA	12/23

REVISIONS			
DATE	BY	DESCRIPTION	

**DFI** ENGINEERS-SURVEYORS-PLANNERS  
CONSTRUCTION MANAGERS  
147 BUSINESS PARK  
1127 SENFIELD BLVD, SUITE K  
MILLERSVILLE, MD 21108  
WWW.DFIENGINEERING.COM  
443-308-2100 FAX 443-308-2108







August 10, 2023  
Revised October 2, 2023  
Revised December 14, 2023

APP. EXHIBIT# 3  
CASE: 2023-0182-V  
DATE: 12/19/23

Anne Arundel County  
Department of Planning and Zoning  
2664 Riva Road  
Annapolis, MD. 21401

**RE: Variance Application – Explanatory Letter  
366 Friar Trail, Annapolis MD, 21401  
Map of Epping Forest, Block 36, Section A, Lots 4-6  
Tax Map 45 Block 3, Parcel 41**

To whom it may concern.

Please find submitted herewith the variance application and associated required submittal materials requesting a variance to permit an addition to a primary structure, a deck and screen porch with less setbacks than required for a dwelling on a non-conforming R1 lot; and to permit disturbance to 15% slopes or greater in the Chesapeake Bay Critical Area; and to permit disturbance to the Expanded Buffer in the Chesapeake Bay Critical Area.

The site is identified as 366 Friar Trail, Annapolis, Maryland, also known as Lots 4-6, Block 36 on the recorded plat of “Map of Epping Forest, Section A”. This site is a 0.20-acre lot, zoned R1. This lot is non-conforming as it does not meet the minimum lot size of 40,000 SF or a width of 125’ of an R1 lot. The site is located within the Chesapeake Bay Critical Area (LDA). The property fronts a Private 25’ foot improved right-of-way, known as Friar Trail and (2) existing 25’ Private unimproved right of ways known as Overlook Trail and Hickory Trail.

This site is currently developed with an existing two-level single-family home, driveway, walkways, staircases, retaining walls, and two-level deck. The site contains steep slopes and their 25’ buffers, the expanded buffer and is mostly wooded lot in the Chesapeake Bay Critical area (LDA).

The site is served by an existing private waterline and private onsite sewer disposal system. This site utilizes an existing B.A.T. septic tank as required for development in the Chesapeake Bay Critical Area. Please note, the septic site plan for this development has been **approved** by the Health Department.

**Slopes over 15% or greater in the Critical Area**

The applicant is seeking a variance to permit disturbance to 15% or greater slopes in the Chesapeake Bay Critical Area, LDA, (Article 17-8-201 (a)). The proposed site plan indicates **1,074 square feet** of disturbance to slopes over 15% or greater. About 64% of the site is



encumbered by 15% slopes or greater, there is a small portion of the site not encumbered by slopes 15% or greater but this is where the existing septic and driveway are located. The disturbance to the steep slopes is for the removal of the upper-level deck and existing stairs, which are being replaced with a new upper level addition (partially over the lower deck and partially over a portion of the existing home on the lower level), a new screen porch, a new smaller deck, and a new set of stairs leading from the new upper deck to the existing lower-level deck. All of the new upper-level additions to the home are located entirely within the footprint of the existing upper deck or lower level of the existing home, even the existing footings are being utilized from the deck for the addition as to not create any actual disturbance to the ground. A majority of the new deck, new screen porch and new steps are within the same location as the existing deck and stairs that are being removed. The new steps to the lower level will require new footing as well as one side of the new screen porch due to how they shifted. But some of the existing footings are being utilized for these also, to lessen the disturbance to the actual ground/grade.

We feel this relief is minimal, as the contractor has designed the addition to utilize as many of the existing footers as possible and is necessary to construct the proposed addition, screen porch and deck on this existing lot and while utilizing the spaces that are already technically disturbed by existing features onsite. Epping Forest is a subdivision where a majority of the lots fight the same battle with the steep slopes, steep slope buffers, and Variances are often required due to this issue.

#### **Expanded Buffer in the Critical Area**

The applicant is also seeking a variance to permit disturbance to the Expanded Buffer per Article 18-13-104(b). The 100' buffer is not shown on this site plan but has been expanded to include the many natural features of this site, including the Slopes of 15% or greater, and the 25' Buffer to 15% Slopes or greater. Therefore, the entire site is within the expanded buffer. The proposed site plan indicates **1,659 square feet** of disturbance to Expanded Buffer which is only 19.4% of the total Expanded Buffer on this site. Please note, 100% of the site is encumbered by the expanded buffer and the site could not be redeveloped or improved in any way without some relief to disturbance to the expanded buffer. The expanded buffer is being disturbed for the removal of the upper-level deck and stairs, which are being replaced with a 2<sup>nd</sup> level addition (partially over the lower deck and partially over a portion of the existing home on the lower level), a new screen porch, a new smaller deck, and a new set of stairs leading from the new upper deck to the existing lower-level deck. All of the new upper-level additions to the home are located entirely within the footprint of the prior deck or lower level of the home, even the existing footings are being utilized from the deck for the addition as to not create any actual disturbance to the ground. A majority of the new deck, new screen porch and new steps are within the same location as the existing deck and stairs that are being removed. The new steps to the lower level will require new footing as well as one side of the new screen porch due to how they shifted. But some of the existing footings are being utilized for these also, to lessen the disturbance to the actual ground/grade. The existing home is entirely in the expanded buffer at this time, the upper-level deck and screen porch only expands past the existing upper-level deck of the house for very small portion. We feel this relief is minimal, as the contractor has designed the addition to utilize as many of the existing footers as possible and is necessary to construct the

proposed addition, screen porch and deck on this existing lot and while utilizing the spaces that are already technically disturbed by existing features onsite. Epping Forest is a subdivision where a majority of the lots fight the same battle with being within the expanded buffer, and Variances are often required due to this issue.

### **Setbacks (Dwellings on Nonconforming Lots)**

The applicant is also seeking a variance to permit a structure to have less front yard setback than required. The required setback for this particular lot comes from Article 18.2.301(d) Dwellings on non-conforming lots, from a front (Overlook Trail, Side Street, Unimproved) is 25 feet. We are requesting a variance of **21.6 feet to the front yard setback**, allowing the new screen porch to be constructed as close as **3.4 feet to the Northwest to the property line**, and the new upper-level deck and steps to be constructed as close as **3.6 feet to the Northwest to the property line**. This property line abuts a 25' unimproved private right of way, which contains improvements (ie. walkway and retaining walls) that were assumed to be associated with this home when the owners purchased it until such time that the survey was prepared and revealed those improvements were actually in the unimproved right of way, and then on the opposite site of this right of way the portion of the adjacent property abutting this right of way is entirely preserved under a Forest Conservation Easement. Therefore, even with the proposed additions being close to the front property line (Overlook Trail, side street), this variance would have no bearing on the neighboring property in this location as there is a 25' right of way between them and the property adjacent is under Forest Conservation. We feel this relief is minimal, as the contractor has designed the addition to utilize as many of the existing footers as possible and is necessary to construct the proposed addition, screen porch and deck on this existing lot and while utilizing the spaces that are already technically disturbed by existing features onsite. This lot is very unique due to the slopes and the existing home already being very close to the property line.

We feel that the variances requested above will not alter the essential character of the existing neighborhood, but in fact will mimic the existing character of the neighborhood and provide for a home that is suited for the neighborhood. We feel that granting these variances will not confer on the applicant any special privileges, as the Epping Forest consist of Lots of the same uniqueness throughout the community. We also feel that denial of the variances will deprive the applicant of the rights commonly enjoyed by other properties in the neighborhood and cause unwarranted hardship that would deny the applicant reasonable and significant use of the lot. The owner is not requesting these variances based on conditions or circumstances that are the result of actions by the applicant. Lastly, the granting of these variances will not adversely affect water quality or adversely impact fish, wildlife or plant habitat in the Chesapeake Bay Critical Area, as all new lot coverage is providing stormwater management by way of plantings.

Below are a few Variances granted for similar issues in the nearby area for reference and to show that this is a common occurrence in this neighborhood:

- 2012-0197-V, 371 Friar Trail, Setback and Slope Variances for additions and porches.
- 2016-0200-V, 1656 Chinford Trail, Setbacks, expanded buffer and slopes for dwelling, garage and shed.
- 2007-0316-V, Friar Trail, Setback for deck and porches.



- 2015-0099-V, 357 Sherwood Trail, Setback for addition.
- 2015-0190-V, Overlook Trail, Setbacks and slopes for a deck and screen porch.
- 2008-0287-V, 365 Friar Trail, Setback for Deck.
- 2008-0280-V, 360 Sherwood Trail, Setbacks and Slope Disturbance for deck addition.

Calculations for lot coverage, existing woods / clearing and disturbances to the buffers onsite are provided on the site plan. The site is served by private water and a private onsite sewage disposal system.

The existing and proposed lot coverage will total 2,522 square feet, which equates to 29.52% of the site, which is well under the permitted lot coverage of 31.25% of the site or 2,670 square feet.

Thank you for your consideration of this request and please do not hesitate to contact me if you have any questions or if you require any additional information.

Sincerely,  
**Development Facilitators, Inc.**



**Candice Bateman**  
Project Manager

*Cc: Steve Andraka, P.E., DFI  
Stephen and Suzanne Mazer, Owner*