

Date: January 16, 2024

Zoning Division of the Office of Planning & Zoning  
Anne Arundel County  
Heritage Office Complex  
2664 Riva Road  
Annapolis, Maryland 21401  
Zoning Division - (410) 222-7437

**RE: VARIANCE REQUEST**

APPLICANT: JONATHAN NELSON  
MAILING ADDRESS: 2631 GREENBRIAR LANE, ANNAPOLIS, MD 21401  
SITE ADDRESS (FOR VARIANCE): 2631 GREENBRIAR LANE, ANNAPOLIS, MD 21401  
TAX ID: 200090004124

Dear Zoning Office:

This letter explains the request by Jonathan Nelson for a variance for the installation of a pier that extends past the ½ distance from the mean high-water line to the cove center and that encroaches into the 15 ft. setback area at 2631 Greenbriar Lane, Annapolis, MD 21401. This property contains 6.92 AC. of area and is located on Crab Creek. The lot is approximately 435 ft. wide at the street and approx. 144 ft. wide at the shoreline. The property does not contain an existing pier and is situated on a designated cove with very shallow water. The cove center has been established by the Office of Planning & Zoning for this part of the creek and the site plan depicts the property area and associated 15 ft. setbacks as defined by the Zoning Office.

Based on the provisions of the Code relating to the length of piers, the applicant is only allowed to encroach ½ distance from the mean high-water line (MHWL) to the designated cove center. Based on the provisions of the Code relating to setbacks, the applicant must maintain 15 ft. on either side of the property line extensions into water. Cove sites have property line extensions and associated setback areas that create unique and small pie slices in the water. This small pie slice allowable for construction of a pier is not large enough to install a pier long enough to reach navigable water. The physical uniqueness of this property makes it impossible for the applicant to build a pier that would conform to the Code creating an unnecessary hardship.

Water depths decrease drastically towards the shoreline at this property (less than 1 ft.) and the applicant seeks to get to deep enough water to simply dock a boat on a boat lift. The neighboring properties both contain piers, platforms and assoc. piles/boat lifts which are situated *at least* 150 ft. from the applicant's proposed pier. It would not make practical sense for these neighbors (say, in the future) to relocate these piers closer to the proposed pier at the applicant property for one main reason: water depths. Therefore, it would not appear that the proposed pier would be in any way a navigational concern for the adjacent waterfront property owners now or in the future.

The uniqueness of the applicant's lot creates a hardship for which relief from the Code is warranted. Variance requests are for 15 ft. for pier areas in the eastern setback area, 94 ft. for pier, walkway, platform and lift piles past the ½ distance and 181 ft. from the MHWL.

The area also continues to fill in with silt because of run off and the goal for the applicant is to reach deeper water now and in the future as the cove continues to fill in with silt. Silting is a common issue along the Chesapeake Bay and creates shallower water depths at piers, making navigation to a slip or pier more difficult. The proposed length (181') from MHWL allows the applicant to reach 2 ft. of water at low tide, which is the minimum required for the Maryland Department of the Environment to authorize a boat lift. Two ft. is also a typical shallow boat draft. A boat lift is a much more environmentally friendly option for docking a boat at a pier so the bottom paint does not leech into the water versus if it was simply moored at the pier. The lift pile configuration (13' wide x 10' long) is also a smaller, narrower configuration requirement than a mooring configuration which is typically 16' - 20' wide.

The applicant's proposed plan shows a pier that extends through the center of cove at an angle (not directly) because the deepest water is around the channel of the creek and the lift has been placed near this location to access the most viable depths. Many piers contain two or more slips. The allowance per Maryland Department of the Environment's is four (4) main slips - all of which could be lift slips. This site proposes only one (1).

**The granting of the variance will not:**

- (a) Alter the essential character of the neighborhood or district in which the lot is located

Every property on Greenbriar Lane contains a pier. The adjacent property owner at 921 Wagon Trail Road has a pier. Many along this creek have similar style piers with main pier stems and platforms seeking viable water depths to moor a vessel. This proposal is similar to other piers in the area and would not alter the essential character of the area.

- (b) Substantially impair the appropriate use or development of adjacent property

The most channelward end of the proposed pier is approximately 207 ft. away from the neighbor's pier at 921 Wagon Trail and approx. 167 ft. away from the pier at 2635 Greenbriar Lane. The proposed structures will not impede navigation for the neighbors and adjacent properties can continue to enjoy use of their pier facilities with this request without any disturbances.

- (c) Reduce forest cover in the Limited Development and Resource Conservation areas of the Critical Area

This does not apply to this proposal.

- (d) Be contrary to acceptable clearing and replanting practices required for development in the of the Critical Area or a Bog Protection Area; or be detrimental to the public welfare

This does not apply to this proposal.

The proposal conforms with Maryland Department of the Environment (COMAR, Title 27) & Army Corp. of Engineers regulations and all appropriate state and federal permitting have been submitted.

It is our belief based on the usable property area that the proposed location of all structures is the minimum necessary to afford relief to applicant. We look forward to hearing from you upon acceptance of these explanations.

Thank you,

Lauren Heinsohn, Principal  
Fetch Consulting Group

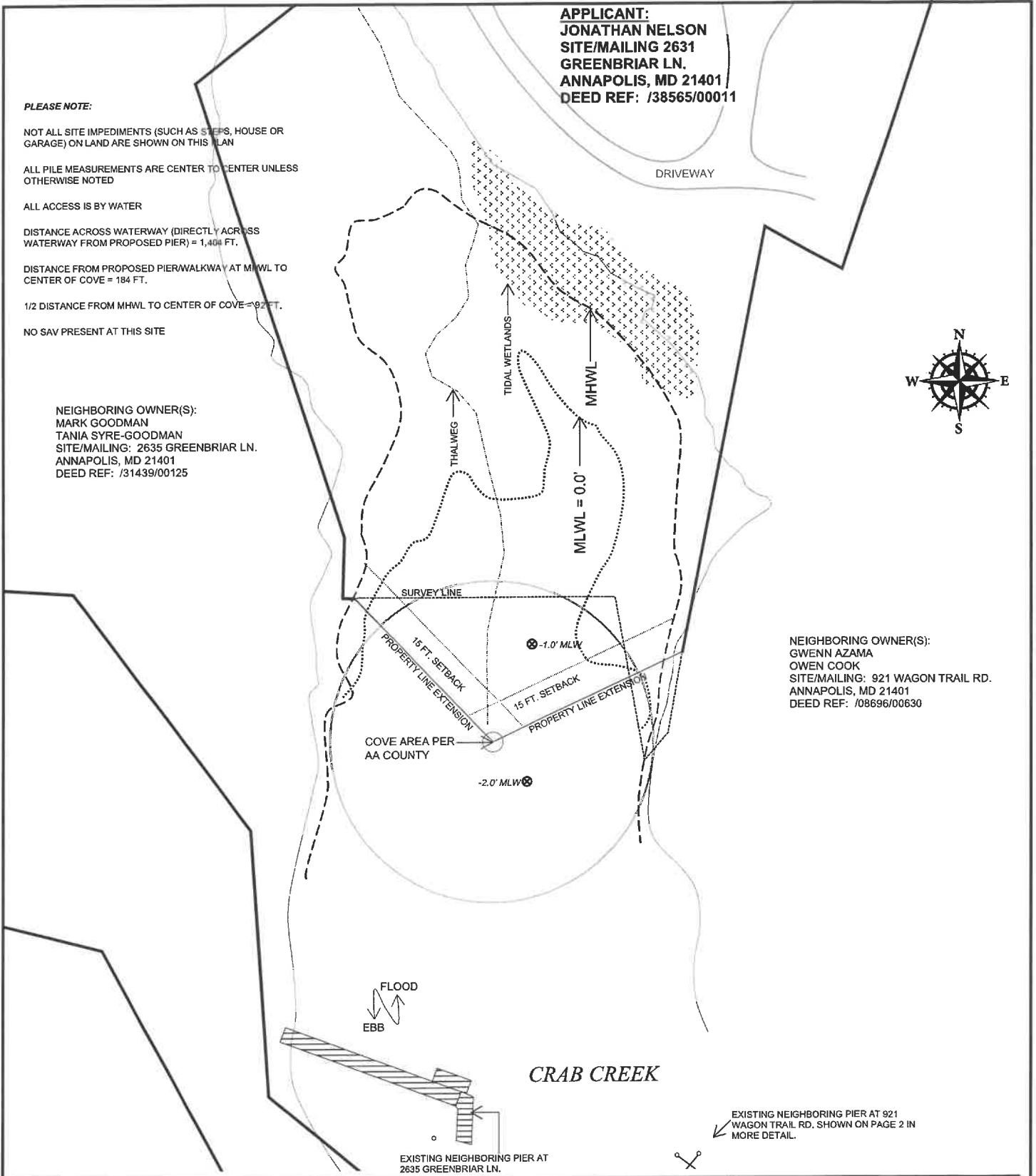
**APPLICANT:  
 JONATHAN NELSON  
 SITE/MAILING 2631  
 GREENBRIAR LN.  
 ANNAPOLIS, MD 21401  
 DEED REF: /38565/00011**

**PLEASE NOTE:**

NOT ALL SITE IMPEDIMENTS (SUCH AS STEPS, HOUSE OR GARAGE) ON LAND ARE SHOWN ON THIS PLAN  
 ALL PILE MEASUREMENTS ARE CENTER TO CENTER UNLESS OTHERWISE NOTED  
 ALL ACCESS IS BY WATER  
 DISTANCE ACROSS WATERWAY (DIRECTLY ACROSS WATERWAY FROM PROPOSED PIER) = 1,404 FT.  
 DISTANCE FROM PROPOSED PIERWALKWAY AT MHWL TO CENTER OF COVE = 184 FT.  
 1/2 DISTANCE FROM MHWL TO CENTER OF COVE = 92 FT.  
 NO SAV PRESENT AT THIS SITE

**NEIGHBORING OWNER(S):**  
 MARK GOODMAN  
 TANIA SYRE-GOODMAN  
 SITE/MAILING: 2635 GREENBRIAR LN.  
 ANNAPOLIS, MD 21401  
 DEED REF: /31439/00125

**NEIGHBORING OWNER(S):**  
 GWENN AZAMA  
 OWEN COOK  
 SITE/MAILING: 921 WAGON TRAIL RD.  
 ANNAPOLIS, MD 21401  
 DEED REF: /08696/00630



**Existing Condition Plan**

SCALE  
 1" = 60'

FETCH, LLC  
 574-E RITCHIE HWY., #273  
 SEVERNA PARK, MD 21146  
 410-756-0885

**APPLICANT/OWNER:**  
 JONATHAN NELSON

**SITE ADDRESS:**  
 2631 GREENBRIAR LN.  
 ANNAPOLIS, MD 21401

**MAILING ADDRESS:**  
 2631 GREENBRIAR LN.  
 ANNAPOLIS, MD 21401

**PROPERTY DETAILS:**

DISTRICT: 02  
 SUBDIVISION: 000  
 ACCT. NUMBER: 90004124  
 LOT(S): --- MAP: 51H  
 GRID: 3 PARCEL: 187  
 DEED REF: /38565/00011  
 PLAT REF.: ---  
 PROPERTY LAND AREA: 6.92 AC.  
 DATE: 10-27-23  
 PAGE 3 OF 7

**PROPOSED WORK:  
 PIER**

ALL OF THE INFORMATION INCLUDED IN THIS PLAN IS FROM FIELD NOTES, AVAILABLE PLANS, AND PUBLIC PLATS. DIMENSIONS ABOVE APPROXIMATE. THIS PLAN IS NOT TO BE CONSIDERED A BOUNDARY SURVEY, AND DOES NOT INCLUDE EXISTING IMPEDIMENTS ON SITE OR NEIGHBORING PROPERTIES. OWNER SHOULD PERFORM PROPERTY BOUNDARY SURVEY FOR CORRECT DELINEATIONS. PROPERTY LINE EXTENSIONS AND SETBACKS ARE APPROXIMATED.

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THIS PLAN IS THE SOLE PROPERTY OF FETCH, LLC, WHICH OWNS THE COPYRIGHT TO THE USE OF THE PLAN. NO PERSON OR ENTITY MAY USE ALL OR ANY PART OF THE PLAN, INCLUDING THE OWNER OF THE PROPERTY SHOWN ON THE PLAN, OR ANY THIRD PARTY, EXCEPT FOR THE EXPRESS PURPOSE OF APPLYING FOR PERMITS TO PERFORM THE WORK DESCRIBED IN THE PLAN

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**SITE/MAILING 2631**  
**GREENBRIAR LN.**  
**ANNAPOLIS, MD 21401**  
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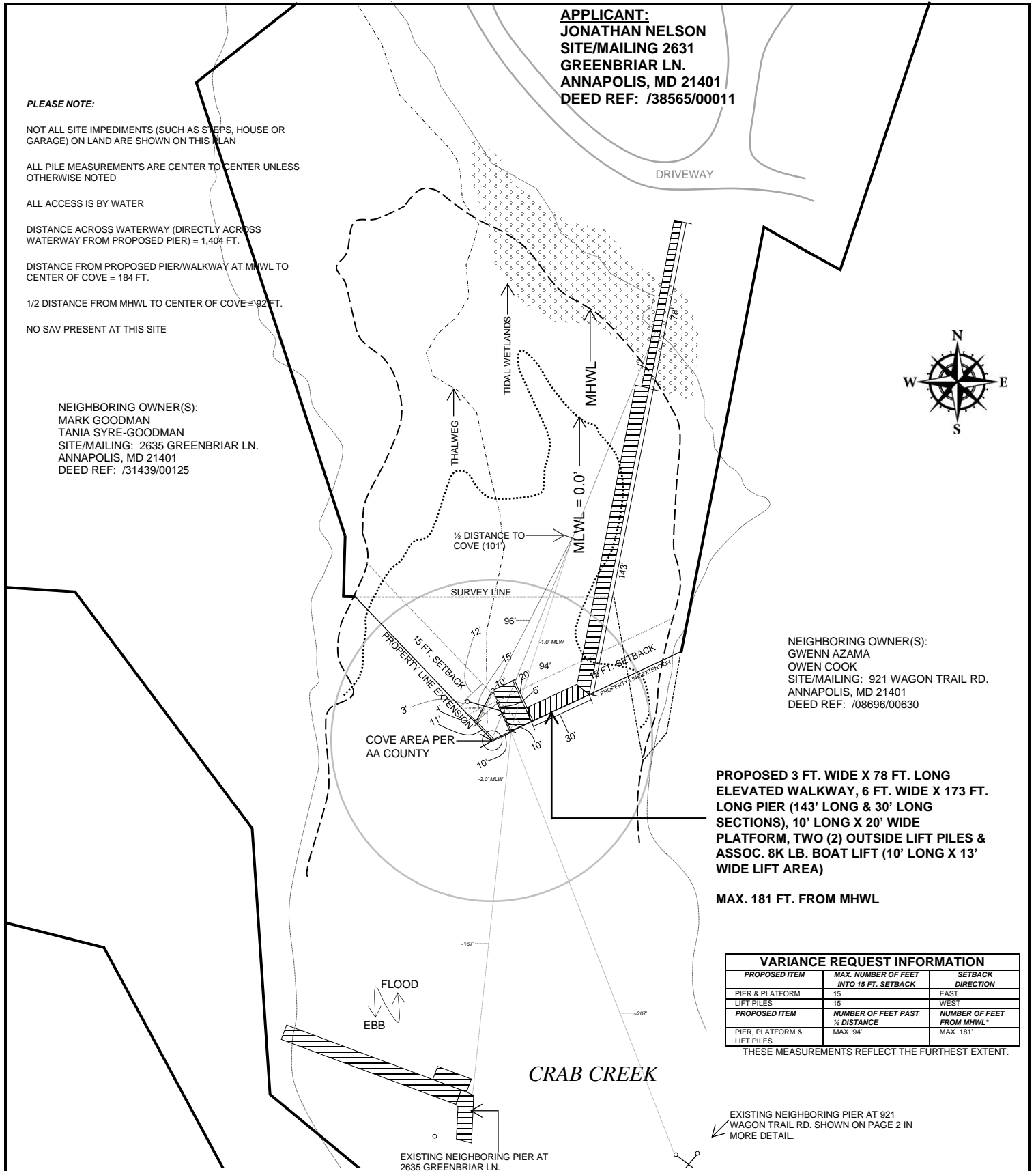
**PROPOSED 3 FT. WIDE X 78 FT. LONG ELEVATED WALKWAY, 6 FT. WIDE X 173 FT. LONG PIER (143' LONG & 30' LONG SECTIONS), 10' LONG X 20' WIDE PLATFORM, TWO (2) OUTSIDE LIFT PILES & ASSOC. 8K LB. BOAT LIFT (10' LONG X 13' WIDE LIFT AREA)**

**MAX. 181 FT. FROM MHWL**

VARIANCE REQUEST INFORMATION		
PROPOSED ITEM	MAX. NUMBER OF FEET INTO 15 FT. SETBACK	SETBACK DIRECTION
PIER & PLATFORM	15	EAST
LIFT PILES	15	WEST
PROPOSED ITEM	NUMBER OF FEET PAST 1/2 DISTANCE	NUMBER OF FEET FROM MHWL*
PIER, PLATFORM & LIFT PILES	MAX. 94'	MAX. 181'

THESE MEASUREMENTS REFLECT THE FURTHEST EXTENT.

EXISTING NEIGHBORING PIER AT 921 WAGON TRAIL RD. SHOWN ON PAGE 2 IN MORE DETAIL.



**Proposed Condition Plan**

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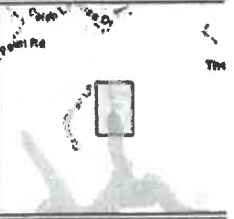
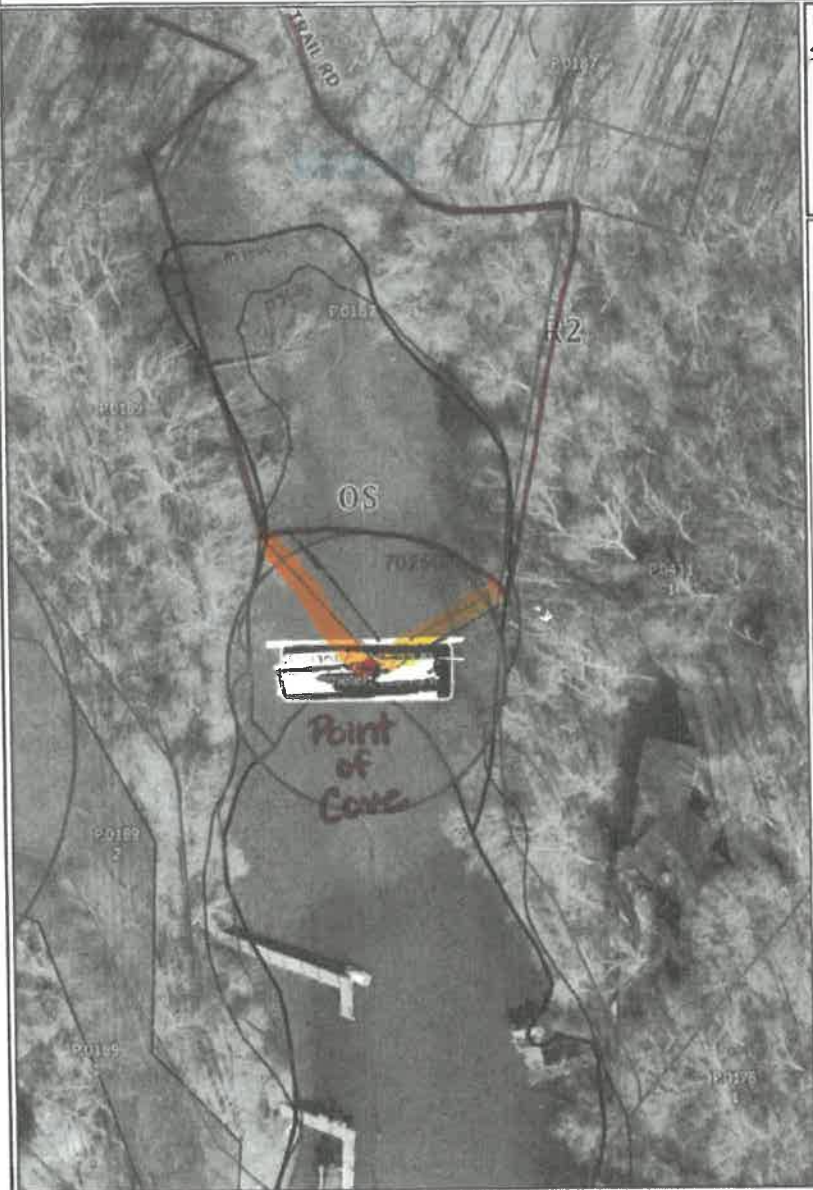
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Map Title

W



Legend

- Planning: Parcels
  - Parcels
- Political
  - Census Tracts 2010
- Index
  - Index 1000 Scale
  - Index 200 Scale P and Z
- Planning
  - Zoning ADOPTED Labels
  - Forest Conservation Easements
- Color 2020
  - Red: Red
  - Green: Green
  - Blue: Blue

0 50 100 ft

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Notes

Nelson Variance Application  
 2631 Greenbriar Lane, Annapolis, MD 21401  
**EXHIBIT #1**