



Atlantic Development Services Group, LLC
P.O. Box 567
Crownsville, Maryland 21032-1218

Anne Arundel County
Office of Planning and Zoning
2664 Riva Road
Annapolis, Maryland 21401

RE: Variance - Everett Property Tax Acct. 3692-2266-7312
377 Valley Stream Dr.
Severna Park, Md. 21146

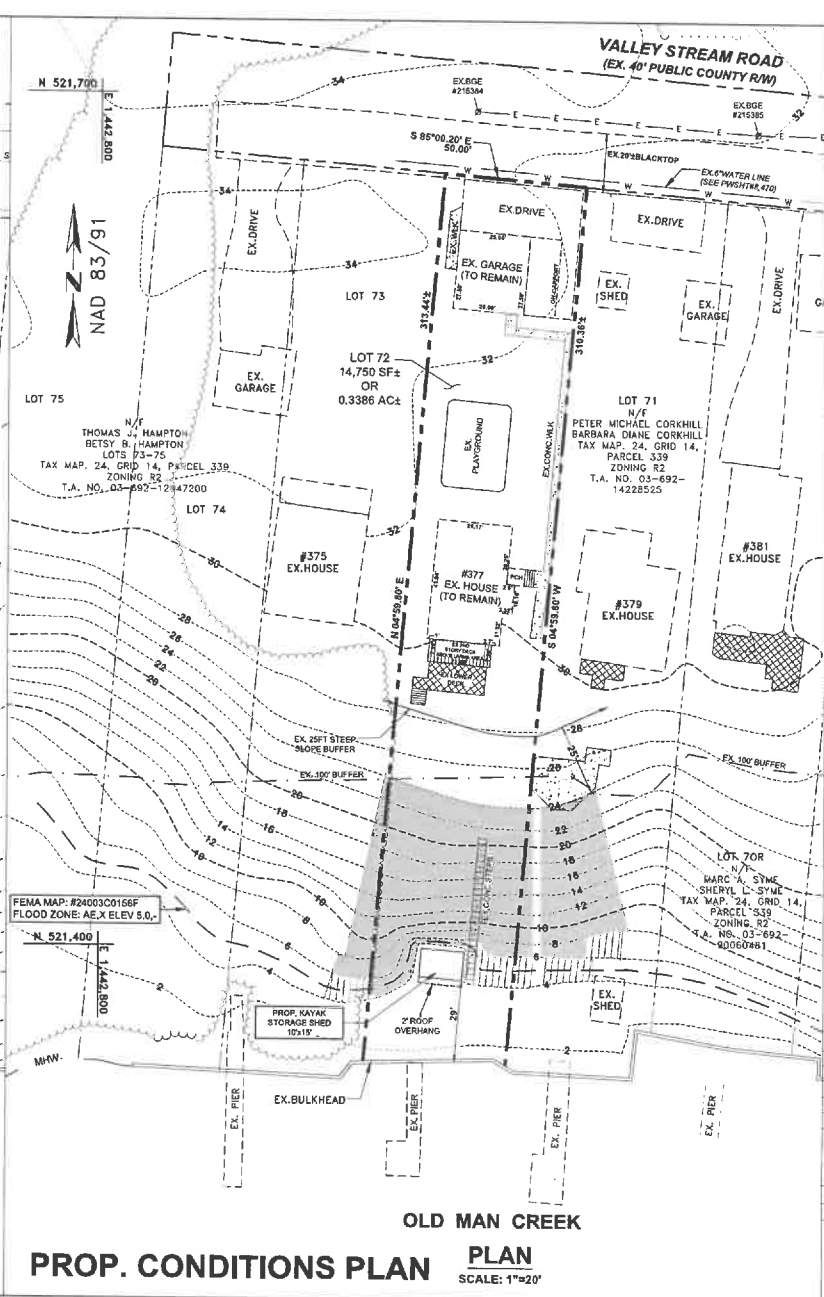
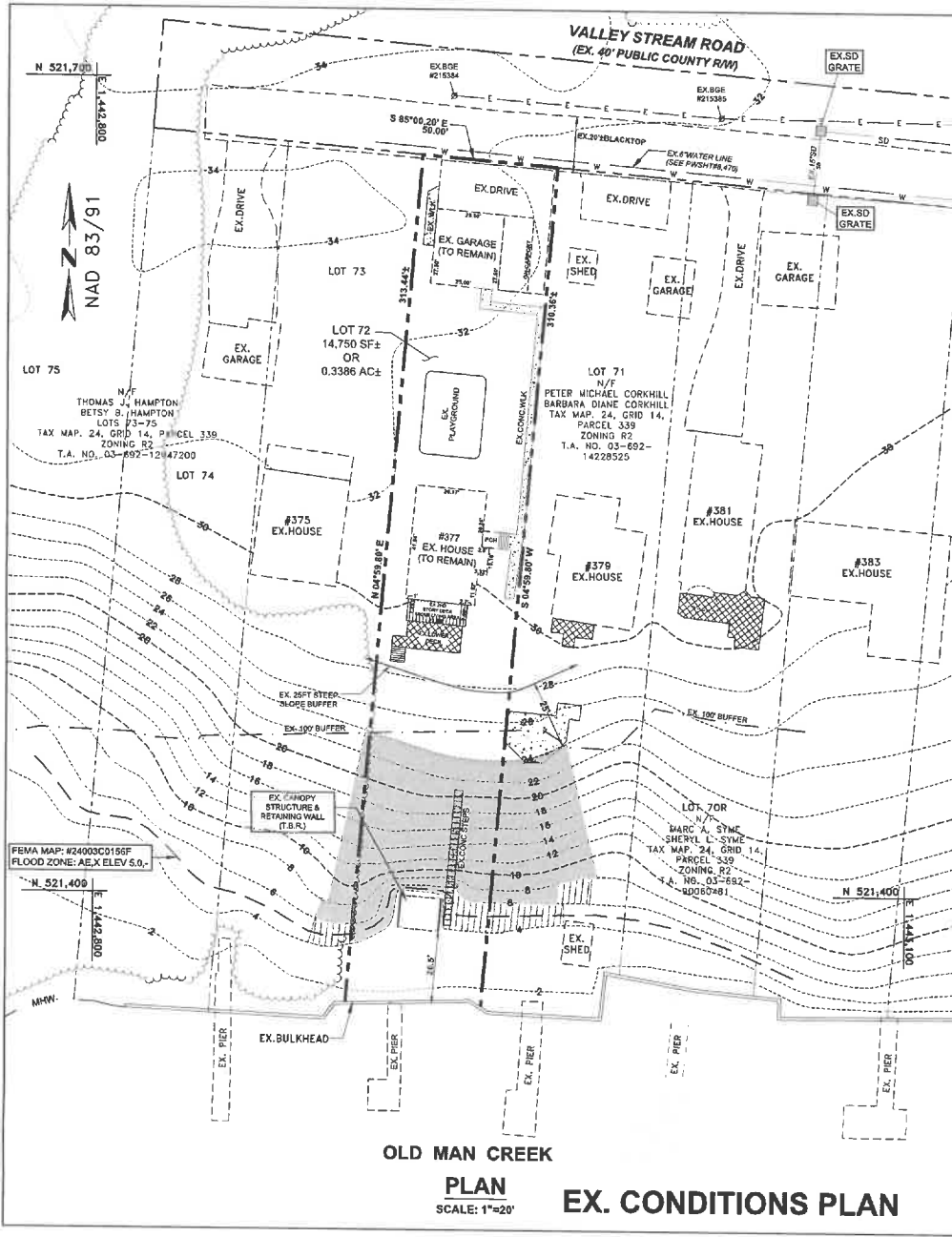
Dear Sir or Madam:

We are applying for a variance to allow for the construction of a 10'X15' shed within the 100 ft buffer. . The lot is located in the Riverdale subdivision and is in critical area. The lot is 14,750 square feet , zoned R-2 with a LDA critical area designation and is buffer modified. The house constructed in 1950, is a two story structure on a basement. There has been changes to the lot over the years and there is a recently constructed garage where a smaller one existed. The two car garage was constructed under permit # B02400416. This permit was issued September 13,2021 and at that time included the 10x15 shed, The shed was completed with a footer inspection in place with the final inspection with held due to the question of the validity of the shed inclusion to the permit.After construction the county department of inspections and permits received a compliant and investigated. The date according to the code compliance site inspection report was 5/12/23. Subsequent to that date a note was added that the shed was not a replacement in kind and then the shed was removed from that permit. The shed part of the permit was deemed not a "replacement in kind then required the owner to obtain a building permit for the shed. The compliant was B-2023-220 issued by Inspector Kessler with the Code Compliance division. The owner had hired a permit expeditor to apply for his permits and he was told that the fact there was a concrete slab that the shed could be considered a replacement in kind. Mr. Everett was not given any indication by the permit expeditor, the county inspectors or all reviews performed that it wasn't. This is to say that while it is considered a violation,the approval agencies that looked at and reviewed the project did not at anytime inform him that this was the case. We have attached a photo of the property when it was for sale and how that area was presented. The main reason for the shed was to store his kayaks, and stablize the slope.Upon review of this project it was apparent that at minimum a variance would be needed. If the client prevails and is granted a variance then a building permit will be applied for and pursued to

Phone 443-871-3340 Email Damon@adsgonline.com

issuance. The shed already constructed is appox. 37' from the bulkhead. Constructed according to the approved plans and is basically completed(see photos) Should you have any questions please feel free to contact me. Thank you ,Damon Cogar





OWNERS
 TRISTY R. EVERETT
 BEAUGA C. EVERETT
 377 VALLEY STREAM ROAD
 SEVERNA PARK, MD 21144

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GRADING PLAN AND SEDIMENT EROSION CONTROL PLAN
 RIVERDALE ON HAGOWAY
 PB. 15, PG. 25, PLAT B-175
 377 VALLEY STREAM ROAD
 LOT 72, LOT 73
 SEVERNA PARK, MD 21144

TAX MAP: 24
 GRID: 11
 PARCEL: 339
 TAX ACCT#95-483-2567312
 180 TAX DISTRICT
 A.A. COUNTY, MARYLAND

ATLANTIC DESIGN GROUP, LLC
 SERVICES GROUP, LLC

ADSG

REVISION BLOCK

SHEET TITLE:
SITE PLAN

DATE: AUGUST, 2023
 SCALE: AS SHOWN
 SHEET NUMBER:
1 of 1

CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS
1804 WEST STREET, SUITE 100
ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Anne Arundel County

Date: 11-8-23

Tax Map #	Parcel #	Block #	Lot #	Section
24	339		72	

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

*Complete Only Page 1
General Project Information

Tax ID: 3692 2266 7312

Project Name (site name, subdivision name, or other) EVERETT PROPERTY

Project location/Address 377 VALLEY STREAM RD.

City SEVERNA PARK MD. Zip 21146

Local case number _____

Applicant: Last name EVERETT First name TIMOTHY

Company _____

Application Type (check all that apply):

- | | |
|-----------------------------------------------------|----------------------------------------------|
| Building Permit <input checked="" type="checkbox"/> | Variance <input checked="" type="checkbox"/> |
| Buffer Management Plan <input type="checkbox"/> | Rezoning <input type="checkbox"/> |
| Conditional Use <input type="checkbox"/> | Site Plan <input type="checkbox"/> |
| Consistency Report <input type="checkbox"/> | Special Exception <input type="checkbox"/> |
| Disturbance > 5,000 sq ft <input type="checkbox"/> | Subdivision <input type="checkbox"/> |
| Grading Permit <input type="checkbox"/> | Other <input type="checkbox"/> |

Local Jurisdiction Contact Information:

Last name AACo Zoning Administration Section First name _____

Phone # 410-222-7437 Response from Commission Required By TBD

Fax # _____ Hearing date TBD

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

RESIDENTIAL -

Intra-Family Transfer	<input type="checkbox"/>	Yes	Growth Allocation	<input type="checkbox"/>	Yes
Grandfathered Lot	<input type="checkbox"/>		Buffer Exemption Area	<input type="checkbox"/>	

Project Type (check all that apply)

Commercial	<input type="checkbox"/>	Recreational	<input type="checkbox"/>
Consistency Report	<input type="checkbox"/>	Redevelopment	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	Residential	<input checked="" type="checkbox"/>
Institutional	<input type="checkbox"/>	Shore Erosion Control	<input type="checkbox"/>
Mixed Use	<input type="checkbox"/>	Water-Dependent Facility	<input type="checkbox"/>
Other	<input type="checkbox"/>		

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area		
LDA Area		14,750
RCA Area		
Total Area		14,750

Total Disturbed Area

Acres	
Sq Ft	170

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		2200	Existing Lot Coverage		2633
Created Forest/Woodland/Trees			New Lot Coverage		
Removed Forest/Woodland/Trees			Removed Lot Coverage		
			Total Lot Coverage		2633

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		170	Buffer Forest Clearing		0
Non-Buffer Disturbance			Mitigation		

Variance Type

Buffer
 Forest Clearing
 HPA Impact
 Lot Coverage
 Expanded Buffer
 Nontidal Wetlands
 Setback
 Steep Slopes
 Other

Structure

Acc. Structure Addition
 Barn
 Deck
 Dwelling
 Dwelling Addition
 Garage
 Gazebo
 Patio
 Pool
 Shed
 Other



Atlantic Development Services Group
P.O. Box 567
Crownsville, Maryland 21032-1218

CHESAPEAKE BAY CRITICAL AREA REPORT

Everett Property
377 Valley Stream Rd.
Severna Park, Md. 21146

Tax Map 24; Grid 14; Parcel 0339
Anne Arundel County Zoning :R-2 Critical Area Designation: LDA

Purpose of Variances

The applicant owns a 14,750 sq. ft. lot in the Riverdale subdivision in Severna Park. The entire property is located within the Chesapeake Bay Critical Area (is waterfront) and has an LDA land use designation. The property owner wishes to legitimize an 10'x15' kayak storage shed initially approved under permit #B02400416. It was later determined after several inspections were completed that the permit did not actually represent a "replacement in kind" status and as a result the part of the permit which had approved the shed was then rescinded and Mr. Everett was required to file for a variance in order to keep the structure.

Critical area site description

The applicant's lot 14,750 Sq. Ft. in size. (Site plan attached). The site consists of mowed lawn mature and growth trees and shrubs surrounding the property.

The applicant's lot contains a two-story dwelling with a driveway; newly constructed garage, the remainder of the site is mowed lawn with numerous plantings and mature trees surrounding the lot. The lot is mostly stabilized.

The County Soil Survey has the site mapped with the Rumford Urban Land Complex which is a low eroding material. No tidal or non-tidal wetlands are located on the lot.

III. Critical Area Narrative

A. Existing and Proposed Vegetation Coverage:

* Mobile (443) 871-3340 * E-Mail: damon@adsgonline.com

III. Critical Area Narrative

A. Existing and Proposed Vegetation Coverage:

Existing Conditions: The lot has a small lawn with mostly large trees and shrubs

Proposed Conditions: No tree clearing will be required for the construction of shed construction. Any SWM will be required at permit review.

B. Stormwater and Water Quality:

Existing Conditions: Stormwater management is not currently present on this site.

Proposed Conditions: The shed exists so no additional clearing will occur. Any stormwater management requirement would be determined at time of building permit. The fact is the construction of the shed served to correct an erosive condition in which a sloped area was eroding prior to the shed construction but has now stopped..

C. Aquatic Resources:

Existing Conditions: Water quality and aquatic resources in the area are probably somewhat degraded by existing surrounding development.

Proposed Conditions: With the construction of the shed, utilizing the walls of the shed has stabilized the slope stopping the erosive condition. Including proper stabilization, no adverse impacts on aquatic resources are anticipated as a result of this construction.

D. Forest Clearing and Impervious Coverage

Existing Conditions: "forest" cover is present on the site.

Proposed Conditions: No tree clearing will be necessary

IV. Conclusions

The requested variance is for construction of a 10'X15' shed in the 100' in the 100' buffer. No adverse impacts to fish, wildlife, and plant habitat and water quality are anticipated.

V. Site Investigation

A site investigation to obtain data to prepare this Critical Area Report was conducted on August 14, 2023 by Damon F. Cogar of Atlantic Development Services Group.



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE (2023-0038-P)

DATE OF MEETING: 10/2/2023

P&Z STAFF: Sara Anzelmo and Kelly Krinetz

APPLICANT/REPRESENTATIVE: Timothy Everett/Damon Cogar EMAIL: DAMON@ADSGONLINE.COM

SITE LOCATION: 377 Valley Stream Road, Severna Park LOT SIZE: 14,750 sf ZONING: R2

CA DESIGNATION: LDA BMA: YES or BUFFER: NO APPLICATION TYPE: Critical Area Variance

The applicant seeks a Critical Area variance to perfect the construction of a 10' by 15' shed in the BMA - Buffer Modification Area with new Critical Area lot coverage nearer to the shoreline than the closest facade of the existing principal structure.

The applicant obtained a building permit (B02400416) for construction of a two-car garage. That permit also included the subject shed in place of an existing structure. The shed was constructed in accordance with the approved permit; however, approval of the final inspection was withheld when a County Inspector visited the property in response to a complaint and determined that the shed was not an in-kind replacement. A compliance case was opened (B-2023-220). The applicant contends that he had hired a permit expeditor to apply for his permits and was told that, because there was an existing concrete slab, the shed could be considered an in-kind replacement. He was not given any indication that it wasn't an in-kind replacement by the permit expeditor, the County Inspectors, or throughout all the reviews performed.

The main reason for the shed is to store kayaks and to stabilize the slope.

COMMENTS

The **Critical Area Team** commented that the structure does not qualify as an in-kind replacement; therefore, it is not qualified by right under the BMA requirements. However, the reconstruction did not result in additional lot coverage. Provided that the applicant can comply with all of the standards for approval of a variance application, the Team has no objection.

The **Zoning Administration Section** notes that it is not entirely clear whether the new shed was constructed entirely over existing coverage. In order for the County to perform a proper review, the site plan should indicate the location and dimensions of the previously existing structure and concrete pad vs. the newly erected shed. The applicant must demonstrate how the proposal meets ALL of the Critical Area variance standards provided under Section 18-16-305(b) and (c) of the Anne Arundel County Zoning Code.

INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

*** A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land to provide SWM to control new development runoff from the start of the development process.

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.