



November 29, 2023

Zoning Administration
Planning and Zoning

RE: Zoning Variance
3550 South River Terrace, Edgewater
Tax Map 60, Grid 04, Tax Parcel 22
Lots 3 & 25, Block L, Section 2
Tax ID # 01-480-04029100
Loch Haven Beach
First Assessment District
Anne Arundel County, Maryland

Letter of Explanation

We are asking for a variance to reduce the 20.0' corner side yard setback by 10.5' to 9.5' at the above noted property. We ask for this variance because of the unique shape of the property, several setback requirements that severely limit where we can develop on the site, and to reduce the amount of structure within the setback for top of steep slopes. We believe these conditions create practical difficulties that are unique to this property and the relief requested is the minimum to provide relief.

The subject property is a platted property created long before my clients' purchase. The property is 21,279 square feet and is in the critical area, (LDA) along Brewer Creek. A portion of the property is in flood zone "X" and flood zone "AE-5". The existing structures on the property are believed to have been developed in 1974. The development on the property consists of a single-family residence, swimming pool, pool deck and patio, access stairs and walkway to dock, shed, and a driveway. Existing lot coverage is 5,921 square feet (27.83%). Allowable lot coverage is 6,650 square feet (31.25%). The lot is zoned R5 (Residential). There are steep slopes on the property and there is a 25.0' setback from the top of the steep slopes. The site is on well and public sewer.

The site starts with a narrow width of 14.20' at South River Road and widens to 129.99' along the community owned land along the water. The largest and widest portion of the site is towards the water, almost entirely within the Critical Area setback and is entirely in the flood zones. The only development in that area of the site is the access stairs for the dock. The middle portion of the site, as it narrows, is taken up with the steep slopes and the setback from the top of those slopes. Most of the pool, pool deck, and patios are either over the steep slopes or within the 25.0' setback from the top of slope. They were all existing when the current owner purchased the property. A portion of the existing house is also within that setback. Lastly, we have the narrowest portion of the site forming a kind of triangle at the top of the site. That is where most of the development has occurred.

The triangle at the top of the site has several setback requirements further limiting the amount of site that can be developed. There is a rear yard setback from the street of 20.0', a side setback of 7.0', and a corner setback of 20.0'. There is also a well in that rear yard that has a setback of 25.0'. The house was built so that a portion of the house and a side patio are within the 20.0' corner side setback. This was done before the current owner purchased the property and we do not know if a variance was granted when construction occurred or if construction occurred prior to the current zoning requirements. It is this corner yard setback that we are asking in our variance to be reduced.

Proposed work within the side yard setback:

- 196 square feet of the existing house sits within the side yard setback.
- We would like to build a new second floor over the existing first floor with 196 square feet of that new second floor within the side yard setback. At its deepest, the new second floor will project 10.0' into the side yard setback.
- There is also an existing 80 square foot shed that is adjacent to the house and is entirely within the side yard setback. We are looking to remove that shed.
- 40 square feet of new wood stair down to grade from the first floor would be located in a portion of the area where the shed is being removed. That proposed stair is 3'-0" wide and is a straight run to keep it to a minimum. At its furthest, the new stair would be 10.5" into the side yard setback.
- There is also an existing wood deck and wood stair down to the pool patio off the first floor that is entirely within the side yard setback. We would like to remove both the deck and the stair and they together are 80 square feet in area.
- We are proposing a new 40 square foot addition at the first floor and new second floor above where the existing wood deck is to be removed. At its furthest, this addition will extend 6.0' into the side yard setback.
- Lastly, we would like to build a new wood deck and wood stair down to grade within the side yard setback. To keep this to a minimum, we are proposing a 3.0' wide deck and stair to keep it to a minimum. The new deck and stair will have a combined area of 80 square feet, with 40 square feet of that area occurring over a portion of the area where the shed was removed. While the deepest part of the stair and deck addition will be 10.5' into the side yard setback, the shed that is being removed in that location is actually 12.5' into the side yard setback, so we are actually pulling back 2.0" from the existing. This new stair is also being proposed in this location in order to remove it from the top of steep slope setback where the existing stair is located.

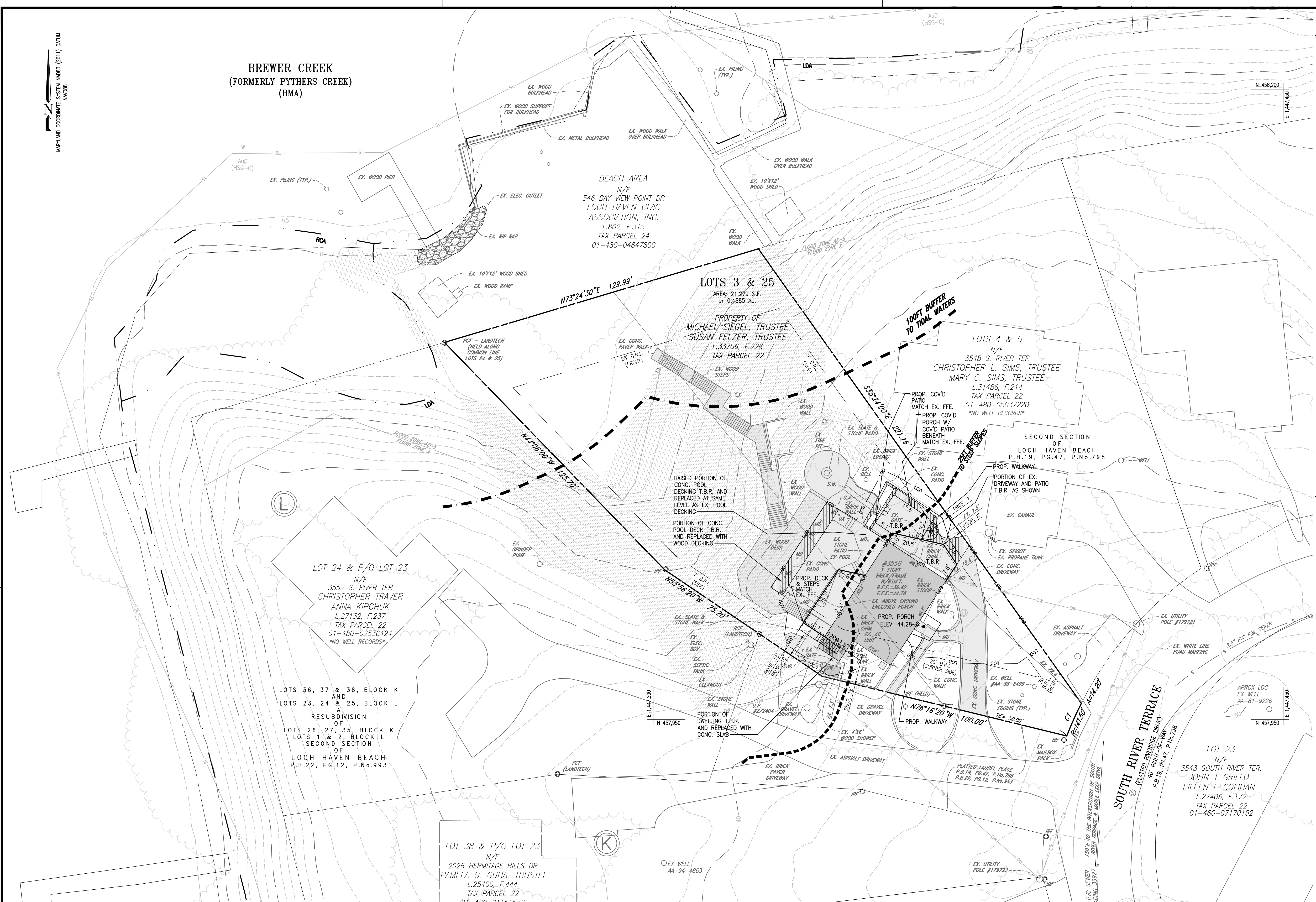
Because of the interior layout of the existing house and the restrictions on the site, the only way we could enlarge an existing kitchen and maintain access to the site from the kitchen is to ask for relief from the setback. Likewise, the only way we could get extra bedrooms is to go up on the existing footprint, part of which is in the setback, as there isn't adjacent site space for the extra bedrooms. While we would be able to expand impervious coverage without having to ask for any variance, the extra square feet would not be where it is needed within the existing floor plan, and it would reduce the



overall health of the site by increasing impervious coverage, even if we would still be below the allowed maximum.

While we are asking for variances from the corner side yard setback, we are asking only for the minimum needed to remove the hardships created by the irregular lot shape and the large number of setbacks that eat away at the allowable buildable area. We believe that granting the variance will not alter the essential character of the area or impair the appropriate use or development of adjacent property as it will still be a single-family residence that will not be substantially different in size from its neighbors even after the additional square feet are built. We will not be removing any forest cover on the site, we will be removing development from the steep slope setback, and we will be reducing the amount of impervious coverage in the steep slope setback by changing the pool patio finish from concrete to wood decking. We will most certainly not be detrimental to the public welfare as we will be leaving the site healthier after the project is complete by overall reducing the impervious coverage on the site and reducing the amount of development in the top of steep slope setback. While most of the improvements that make the site healthier are not tied to the approval of the variance, we none the less are showing by our actions that we have been very conscious of only asking for the minimum relief needed.

**BREWER CREEK
(FORMERLY PYTHERS CREEK)
(BMA)**



LEGEND

	PROPERTY LINE	B.F.E.	BASEMENT FLOOR ELEVATION		STEEP SLOPES ≥ 25%
	ADJOINING PROPERTY LINE	F.F.E.	FIRST FLOOR ELEVATION		EXISTING RIP RAP
	CRITICAL AREA LINE	AC	AIR CONDITIONER		AREA TO BE REMOVED
	SOIL TYPE	MD	METAL DRAIN		PROPOSED HOUSE ADDITION
	ZONING	G.A.	GRAVEL AREA		LIMITS OF DISTURBANCE
	EXISTING CONTOURS	UX	UTILITY BOX		TO BE REMOVED
	FEMA FLOOD ZONE	CW	GUY WIRE		
	ROOF DRAIN SPOUT	U.P.	UTILITY POLE		
	SANITARY SEWER MANHOLE	S.W.	SLATE WALK		
	UTILITY MANHOLE	P.B., PG., P.NO.	PLAT BOOK, PAGE, PLAT NUMBER		
	LIGHT		DRIFLINE		
	IRON PIPE FOUND		METAL FENCE		
	IRON BAR FOUND		OVERHEAD WIRES		
	REBAR AND CAP FOUND		SINGLE TREE WITH SIZE		
	NOW OR FORMERLY		EXISTING IMPERVIOUS AREAS		
	LIBER; FOLIO		EXISTING STRUCTURE		
			STEEP SLOPES 15-25%		

GENERAL NOTES:

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MOST CURRENT VERSION OF THE ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS STANDARD DETAILS FOR CONSTRUCTION OF STORM DRAINS, ROADS, AND STORMWATER MANAGEMENT.
- NECESSARY PRECAUTIONS SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT EXISTING SERVICES AND MAINS. ANY DAMAGE TO EXISTING SERVICES AND MAINS DUE TO THEIR NEGLIGENCE SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE.
- THE EXISTING UTILITIES AND OBSTRUCTIONS SHOWN ARE FROM THE BEST AVAILABLE RECORDS AND SHALL BE VERIFIED BY THE CONTRACTOR TO HIS OWN SATISFACTION BEFORE STARTING CONSTRUCTION. NEITHER CPJA NOR ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS WARRANT OR GUARANTEE THE COMPLETENESS OR THE CORRECTNESS OF THE INFORMATION GIVEN.
- IT SHALL BE DISTINCTLY UNDERSTOOD THAT FAILURE TO SPECIFICALLY MENTION ANY WORK WHICH WOULD NORMALLY BE REQUIRED TO COMPLETE THE PROJECT SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PERFORM SUCH WORK.
- THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES AT LEAST 5 DAYS PRIOR TO STARTING CONSTRUCTION OF THE PROJECT.
- THE CONTRACTOR SHALL NOTIFY THE ANNE ARUNDEL COUNTY DEPT OF INSPECTIONS AND PERMITS FIVE (5) WORKING DAYS PRIOR TO STARTING WORK SHOWN ON THE DRAWINGS.
- THE CONTRACTOR SHALL NOTIFY MISS UTILITY @ 1-800-257-7777 FIVE (5) WORKING DAYS PRIOR TO STARTING WORK SHOWN ON THESE DRAWINGS.
- ALL UTILITY POLES SHALL BE BRACED AS NECESSARY AT THE CONTRACTOR'S EXPENSE. UTILITY POLES SHALL BE RELOCATED AT THE OWNER'S EXPENSE IN CASES WHERE THEY WILL INTERFERE WITH CONSTRUCTION. ALL WORK WITHIN 10-FT OF OVERHEAD LINES SHALL CONFORM WITH THE MARYLAND HIGH VOLTAGE LINE ACT, THE NATIONAL ELECTRICAL SAFETY CODE, AND OCCUPATIONAL SAFETY AND HEALTH CODE.
- PIPE ELEVATION REFER TO INVERTS, UNLESS OTHERWISE NOTED.
- ALL STORM DRAIN PIPES ARE POLYVINYL CHLORIDE (PVC) UNLESS OTHERWISE NOTED, AS SCH-40 PVC.
- CONTRACTOR TO PLACE CUT MATERIAL ON THE HIGH SIDE OF TRENCH WHEN WORKING ON UNDERGROUND UTILITIES.
- THE FIELDWORK FOR THIS SURVEY WAS STARTED ON APRIL 06, 2021, WITH THE LAST DATE OF FIELDWORK BEING JUNE 21, 2023.
- COORDINATES SHOWN HEREON WERE ESTABLISHED USING TRIMBLE'S REAL-TIME KEYNETORS AND THEIR VIRTUAL REFERENCE STATION SYSTEM (VRS) AND ARE BASED ON MARYLAND COORDINATE SYSTEM NAD83 (2011). THE AVERAGE SCALE FACTOR FOR THE SUBJECT PROPERTY IS 0.99995019. THE AVERAGE PROPERTY ELEVATION BASED UPON NAVD83 VERTICAL DATUM IS 36 FEET, FOR AN ELEVATION FACTOR OF 1.00000349. THE COMBINED FACTOR FOR THE SUBJECT PROPERTY IS 0.99995368. ALL BEARINGS AND DISTANCES SHOWN ARE BASED ON GRID COORDINATES.
- DEED REFERENCE L:33706 F:228

SOILS TABLE

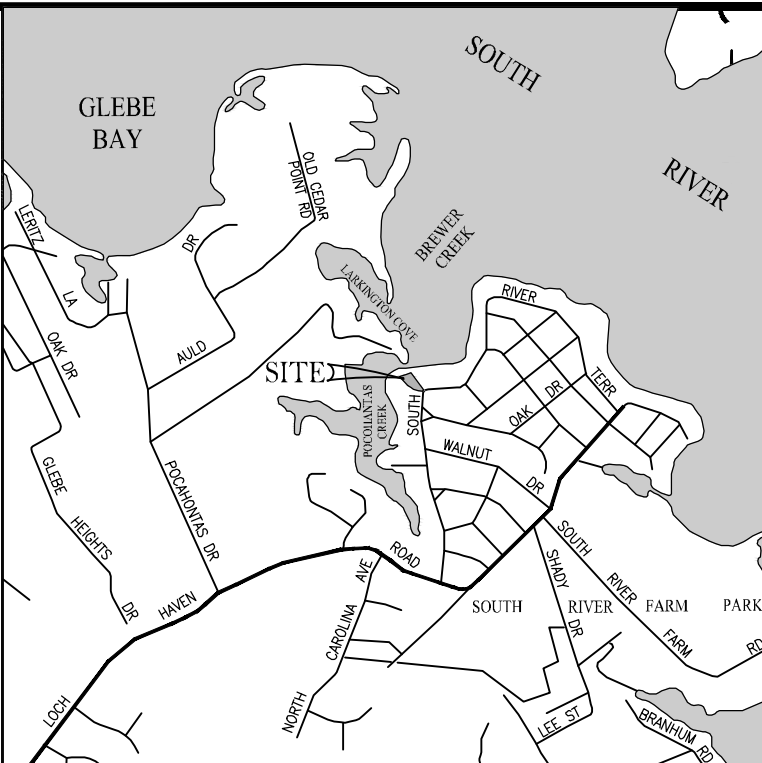
MAP UNIT SYMBOL	MAP UNIT NAME	HSG TYPE	K FACTOR, WHOLE SOIL	POTENTIALLY HYDRIC
AuD	Annapolis-Urban land complex, 5 to 15 percent slopes	C	0.24	NO

CURVE TABLE

CURVE	RADIUS	ARC	DELTA	TANGENT	BEARING	CHORD
C1	141.50'	14.20'	005°44'54"	7.10'	S24°01'49"W	14.19'

SEDIMENT & EROSION CONTROL NOTES:

SEDIMENT AND EROSION CONTROLS WILL BE ADDRESSED BY THE USE OF PERIMETER CONTROLS AND A STABILIZED CONSTRUCTION ENTRANCE.



VICINITY MAP

SCALE: 1" = 2000'

SITE TABULATIONS:

SITE AREA:	21,279 SF (0.4885 AC.)
CRITICAL AREA DESIGNATION:	LDA (LIMITED DEVELOPMENT AREA)
LIMIT OF DISTURBANCE:	3,975 SF (0.09 AC)
EXISTING C.A. LOT COVERAGE:	5,885 SF (0.14 AC.) (27.7%)
HOUSE:	1,230 SF
WALKWAYS:	1,521 SF
DECKS:	652 SF
WALLS:	77 SF
DRIVEWAY:	859 SF
PATIOS:	638 SF
POOL:	467 SF
MISC.:	450 SF
ALLOWABLE C.A. LOT COVERAGE:	6,650 SF (0.15 AC.) (31.25%)
PROPOSED C.A. LOT COVERAGE:	5,842 SF (0.13 AC.) (27.45%)
HOUSE & ADDITIONS:	1,682 SF
WALKWAYS:	1,276 SF
DECKS:	877 SF
WALLS:	30 SF
DRIVEWAY:	611 SF
PATIOS:	283 SF
PORCHES:	279 SF
POOL:	440 SF
MISC.:	354 SF
ZONING DISTRICT:	ZONED R5 (RESIDENTIAL)
ZONING SETBACKS:	FRONT: 40'
PRINCIPAL STRUCTURE	ACCESSORY STRUCTURE
REAR: 7'	7'
SIDE: 7'	7'
REAR: 20'	15'
HEIGHT: 35'	
EXISTING ONSITE CANOPY:	14,688 SF (0.34 AC.) (69.03%)

UTILITY STATEMENT:

THE UNDERGROUND UTILITIES SHOWN HEREON (IF ANY) HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, MAPS AS MAY BE AVAILABLE FROM MUNICIPALITIES OR UTILITY COMPANIES, AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. UNLESS OTHERWISE NOTED, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

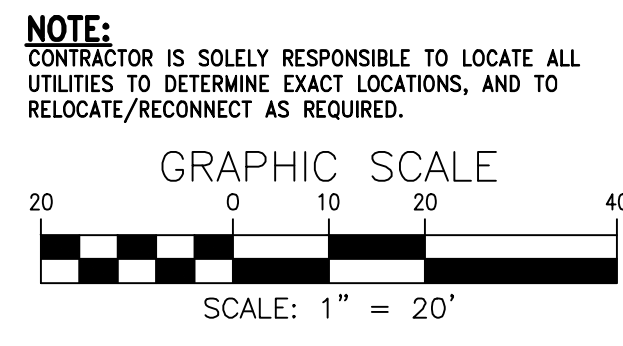
UPDATES/REVISIONS:

NO.	DATE	DESCRIPTION

VARIANCE SITE PLAN
 3550 SOUTH RIVER TERRACE
 TAX MAP 60, GRID 04, TAX PARCEL 22
 LOTS 3 & 25, BLOCK L, SECTION 2
LOCH HAVEN BEACH
 FIRST (1st) ASSESSMENT DISTRICT
 ANNE ARUNDEL COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 Associates
 45 Old Solomons Island Rd., Ste. 204 Annapolis, MD 410-266-5599 Fax: 410-266-3871
 www.cpja.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT:	TAX ACCOUNT NO.	STANDARD GRADING PLAN NO.
Michael Siegel	01-480-04029100	
13805 Ginkgo Terrace	DESIGN: TMH	SHEET: 01 OF 01
Rockville, Maryland 20850	DRAFT: JCL	
	DATE: 11/1/2023	FILE NO.:
	SCALE: AS SHOWN	2021-5050-90-01



11-01-2023

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: 11/30/2023

Tax Map #	Parcel #	Block #	Lot #	Section
60	22	L	3 & 25	2

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

**Complete Only Page 1
 General Project Information*

Tax ID: 01-480-04029100

Project Name (site name, subdivision name, or other) LOCH HAVEN BEACH

Project location/Address 2550 SOUTH RIVER TERRACE

City EDGEWATER Zip

Local case number

Applicant: Last name PLITT First name JOEL

Company PLITT DESIGN & CONSULTING, LLC

Application Type (check all that apply):

- | | |
|--|--|
| Building Permit <input 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:

SINGLE-FAMILY RESIDENCE

- | | | | | | |
|-----------------------|--------------------------|-----|-----------------------|--------------------------|-----|
| 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	Total Disturbed Area	Acres	Sq Ft
IDA Area			0.09		3,975
LDA Area	0.4885	21,279			
RCA Area					
Total Area	0.4885	21,279			

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.74	14,088	Existing Lot Coverage	0.14	5,885
Created Forest/Woodland/Trees	0	0	New Lot Coverage		
Removed Forest/Woodland/Trees	0	0	Removed Lot Coverage		43
			Total Lot Coverage	0.13	5,842

VARIANCE INFORMATION (Check all that apply)

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

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



November 30, 2023

Zoning Administration
Planning and Zoning

RE: Zoning Variance
3550 South River Terrace, Edgewater
Tax Map 60, Grid 04, Tax Parcel 22
Lots 3 & 25, Block L, Section 2
Tax ID # 01-480-04029100
Loch Haven Beach
First Assessment District
Anne Arundel County, Maryland

Critical Area Report Narrative

The subject property is a single-family residential property and has been since at least 1974, per SDAT. The intention is to keep the property a single-family residence.

The property is 21,279 square feet (0.4885 AC.), is zoned R5, and is in the Critical Area (LDA). The allowed lot coverage is 31.25%, which is 6,650 SF. The existing lot coverage is 5,885 SF, which is 27.7%. The proposed lot coverage is 5,842 SF, which would be 27.45%. That is a reduction in lot coverage of 43 SF. Both the existing and proposed coverage are below the allowed maximum coverage. The breakdown is as follows:

Existing Impervious

House	1,230 SF
Walkways	1,521 SF
Decks	652 SF
Walls	77 SF
Driveway	859 SF
Patios	658 SF
Pool	467 SF
Misc.	450 SF

Proposed Impervious

House & Additions	1,682 SF	(+452 SF)
Walkways	1,276 SF	(-245 SF)
Decks	877 SF	
Walls	30 SF	(-47 SF)

2016 Mount Royal Terrace
Baltimore, MD 21217
410-991-1637
Plittdesign.com



Driveway	611 SF	(-248 SF)
Patios	293 SF	(-365 SF)
Porches	279 SF	(+279 SF)
Pool	440 SF	(-27 SF)
Misc.	354 SF	(-196 SF)

The site is vegetated with trees and shrubs on 69.03 % (14,688 SF). None of that vegetated area is within the Limit of Disturbance (LOD) and none will be removed for the project or during construction. As for the LOD, that will be 3,943 SF. The LOD will have a reinforced silt fence according to the county guidelines and that is called out in the site plan. We believe that we are not only minimizing impacts on water quality and habitat from proposed construction with the silt fence and sediment control, but also by lowering the overall impervious on the site.

The subject property does have steep slopes of greater than 15% and that area and the setback from the top of slope is called out in the site plan. There are no expanded buffers, rare and endangered species, anadromous fish propagation waters, colonial waterbird nesting sites, historic waterfowl staging and concentration areas, riparian forests, natural heritage areas or plant and wildlife habitats of local significance on the subject property.



Donald Dyott Jr. <pzdyot22@aacounty.org>

Zoning Contact Info

Joel Plitt <joel@plittdesign.com>
To: "Donald Dyott Jr." <pzdyot22@aacounty.org>

Thu, Nov 30, 2023 at 4:27 PM

Hello Donnie,

Thank you so much for your call earlier. It brings peace of mind to know that there are people in the county actually doing their job and looking out for things.

I spoke with my civil engineer and he said that if we were doing any disturbance of the actual steep slopes themselves, then yes, I would need a variance. But he said that the top of the steep slopes stops short of the pool deck and patio and everything else we are planning on doing. All the work around the pool and some of the work on the house itself occur entirely within the setback from the top of the steep slope. That is why we only need the modification.

If you think the site plan does not show that clearly enough, then I can ask him to make that line heavier, to be more apparent. Let me know.

And again, thank you for looking out Donnie. I greatly appreciate it.

Joel Plitt, AIA

Principal

Plitt Design

410-991-1637

2016 Mount Royal Terrace

Baltimore, MD 21217

joel@plittdesign.com

From: Donald Dyott Jr. <pzdyot22@aacounty.org>

Sent: Thursday, November 30, 2023 2:00 PM

To: Joel Plitt <joel@plittdesign.com>

Subject: Zoning Contact Info

[Quoted text hidden]

12/4/23, 2:53 PM

Anne Arundel County Mail - Zoning Contact Info

This email message arrived from outside of your organization. Do not click on any links, open any attachments, or reply until you have carefully reviewed the sender email address.

3550 South River Terrace topographic map



Legend

Foundation

Addressing



Parcels



Structure

County Structure



Elevation

Topo 2020



Index



Intermediate

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes 1"=100'



0 100 200
ft