

Pen Mar Environmental Services, LLC

for your environmental permit needs

P.O. Box 6809

Annapolis, MD 21401

443.875.3955

July 18, 2023

Anne Arundel County
Planning and Zoning Division
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

Re: LETTER OF EXPLANATION
Proposed Pier Reconfiguration
852 North Shore Drive
Glen Burnie, MD 21060
Tax ID #3750-0667-7100

Dear Zoning Analyst,

On behalf of the property owner, Reece Eikenberg, I am submitting a variance request for 14 feet to the required 15-foot setback of the extended northwest property line for two proposed boat lift piles and a variance request of 11 feet to the 15-foot setback of the extended northeast property line for 2 proposed boat lift piles for the use of the property owner at 850 North Shore Drive. A legal agreement has been prepared and executed for the use of the piles for the owners of 850 North Shore Drive and is attached for reference. Additionally, it appears the previous owner of 852 North Shore Drive installed 2 existing lift piles within the 15-foot setback of the extended southeast property line. Therefore, a variance of 6 feet to the required 15-foot setback is requested to allow the existing lift piles to remain. In order to further improve the navigation, the Owner, Mr. Eikenberg, is proposing a 15-foot long by 5-foot wide pier extension which does not require a variance.

The subject property is located at 852 North Shore Drive, Glen Burnie in northern Anne Arundel County (Fig. 1). It is within the Silver Sands subdivision (Fig. 2) which was created in May of 1949. The property is zoned R2 Residential (Fig. 3) and is developed with a single-family home on 5,800 square feet (0.13 ac.) of land area. It exhibits 50 feet of riparian frontage on Long Cove in northern Anne Arundel County and lies within a Limited Development Area (LDA) of the State regulated Critical Area (Fig. 4).

Historically, the subject property included Lots 27 and 28 as is indicated in the attached 1998 and 2011 Aerial Photos (Figs. 5-6). These photos also show the existing pier, boat lift and platform (proposed for removal) that is now used by 850 North Shore Drive. Per the tax records, in 2013 the home at 850 North Shore Drive was constructed on Lot 27. Subsequently, in 2018 a building permit for a new pier to be constructed at 852 North Shore Drive was granted and the constructed pier can be seen on the attached 2020 Aerial Photo (Fig.7). This Variance request is in concert with a Variance request being filed by Mrs. Kelly Fleischer, owner of 850 North Shore Drive, Glen Burnie.

Currently the property enjoys the use of 50 feet of waterfront (Fig 8). This includes a 6' wide 80' long pier with a boat lift with 2 lift piles and 2 mooring piles located 15' channel-ward of the pier. A 3' wide

x 6' long set of access steps exist on the pier near the shore. The existing boat lift and lift piles on the east side of the pier platform on 850 North Shore Drive are currently located within the extended property lines of 852 North Shore Drive.

As proposed, the plan (Fig. 9) uses the existing pier locations on 850 and 852 North Shore Drive. The pier at 850 North Shore Drive exhibits a 9' wide x 10' long platform and boat lift with 2 piles on its' east side. By removing this existing 9' wide x 10' long platform and boat lift with piles on the pier at 850 North Shore Drive, and installing two boat lift piles within the 15-foot setback of the subject property; it creates 10 feet of navigable width to reach the shore where there is currently 4 feet. By adding a 5' wide x 15' long pier extension on the 80-foot long subject pier to where 2 mooring piles exist at 95' feet from the shoreline, along with a proposed boat lift with 2 lift piles; a minimum navigable width of 15' is expected between each of the finished, perfected piers. This will allow the owners of 850 North Shore Drive access to a proposed 14' wide replacement lift on the east side of their pier.

The requested variances will allow for improved navigation between the owners of 850 and 852 North Shore Drive. No other new improvements are requested on the 854 North Shore Drive side of the subject pier. As previously stated, the owners of 850 and 852 North Shore Drive have worked with their legal counsel to reach an Agreement for the owners of each adjacent property to equally enjoy their riparian rights. A copy of this Agreement is attached for reference.

The 50 feet of riparian waterfront combined with the neighboring 30 feet of water-frontage from Lot 27, which was formerly part of the original property, is a limiting factor. It is felt that the proposed plan is less intrusive to the setbacks and offers better navigability for the subject property owner and the owners of 850 North Shore Drive. No changes are proposed that would affect the neighboring property at 854 North Shore Drive. It is also not inconsistent with the surrounding properties within the Silver Sands subdivision. The waterfront lots within the subdivision are generally between 40 to 50 feet wide. As indicated on the attached aerial photo (Fig. 10) many of the piers located along the shore of Long Cove appear to be within the setbacks and include various forms of platforms catwalks and multiple boat lifts per pier. Therefore, it is believed this proposed layout would not alter the character of the neighborhood. Given the existing crowded nature of the shoreline, coupled with the fact that the navigation has been improved for the two impacted neighbors, it is felt this is the minimal relief necessary to alleviate congestion while still not denying the subject property owner the use of his property such as is commonly enjoyed by others along this shoreline.

In closing, the proposed pier extension and 6 boat lift piles (Fig. 5) would not impair navigation to either adjacent pier and does not extend beyond the allowable $\frac{1}{4}$ distance across the waterway. The proposed improvements do not come any closer to the adjacent property at 854 North Shore Drive. It would increase the distance from those existing improvements by 6 feet on each side, improving the navigable width to reach the shoreline from 4' to 10'. The proposed pier improvements do not extend any further than the existing channel-ward piles. The proposed pier improvements have been designed with consideration to both of the immediately, adjacent properties.

Eikenberg LOE
Page 3
07/18/2023

Finally, proposed improvements will not reduce forest cover in a LDA or RCA as all work will occur in tidal waters. No clearing or new impervious surfaces are proposed as a part of this project and therefore it is not subject to replanting requirements. It is not believed that the proposed improvements are detrimental to the public welfare. Given the hardship of the property's minimal width at the water's edge, and the high percentage of existing piers with lifts and/or mooring piles, it is believed this is a minimal request and is not out of character with this waterfront neighborhood. It does not provide for any special privileges to the owner beyond what the surrounding properties with piers currently have. The two impacted neighbors do have a legal agreement in place.

Please review the attached plans and call me at 443.875.3955 or email at 2dmusser1@gmail.com if you have any questions or need any additional information.

Sincerely,



Doug Musser, F.P.O.#011373
Environmental Consultant

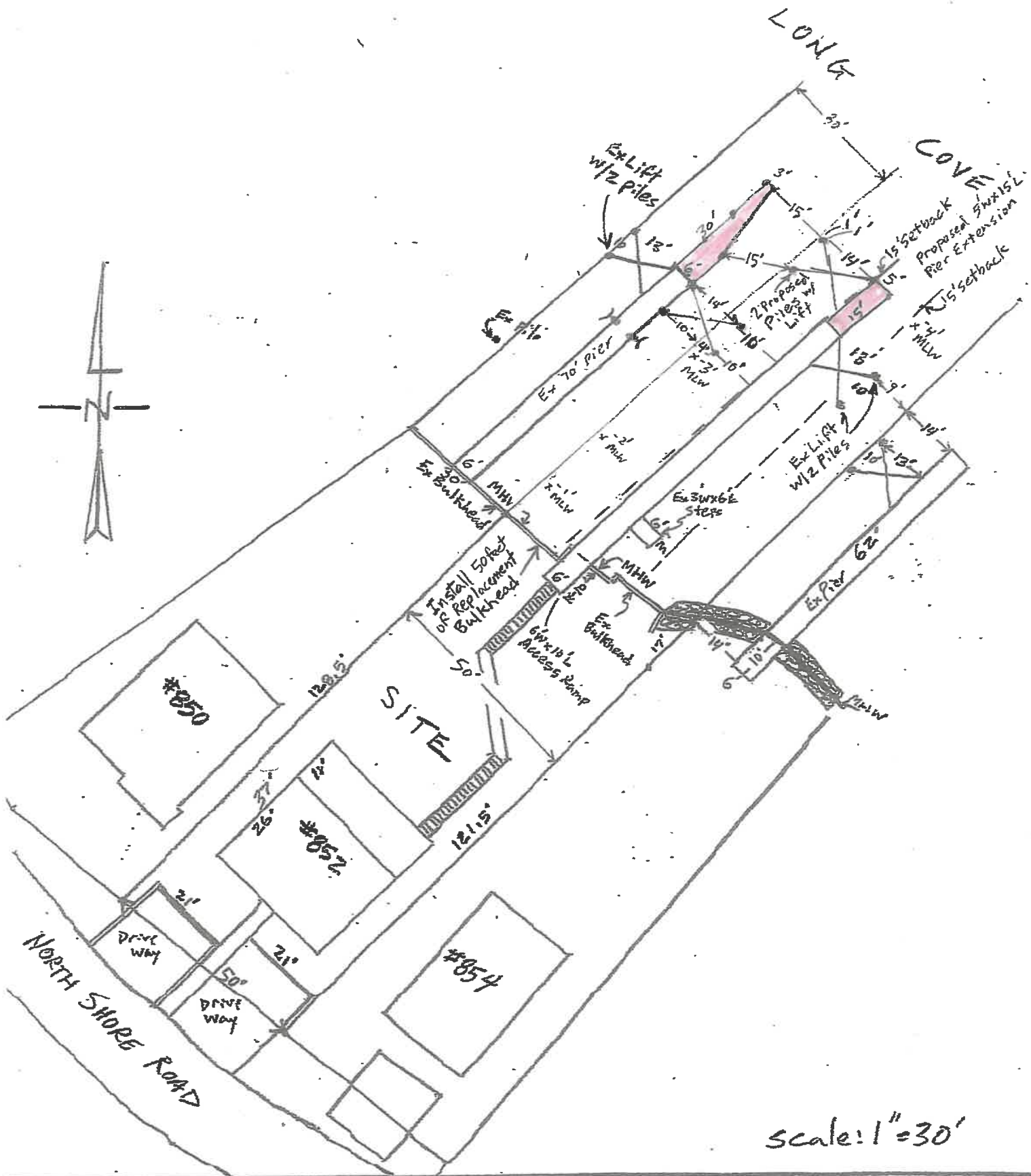
CC: Reece Eikenberg, Owner
Robert Ross, Shoreline Marine Construction

Figures:

- Figure 1 – Vicinity Map
- Figure 2 – Subdivision Map
- Figure 3 – Zoning Map
- Figure 4 – Critical Area Map
- Figure 5 – 1998 Aerial Photo
- Figure 6 – 2011 Aerial Photo
- Figure 7 – 2020 Aerial Photo
- Figure 8 – Existing Conditions Plan
- Figure 9 – Proposed Conditions Plan
- Figure 10 – Aerial Photo of Long Cove

Attachment:

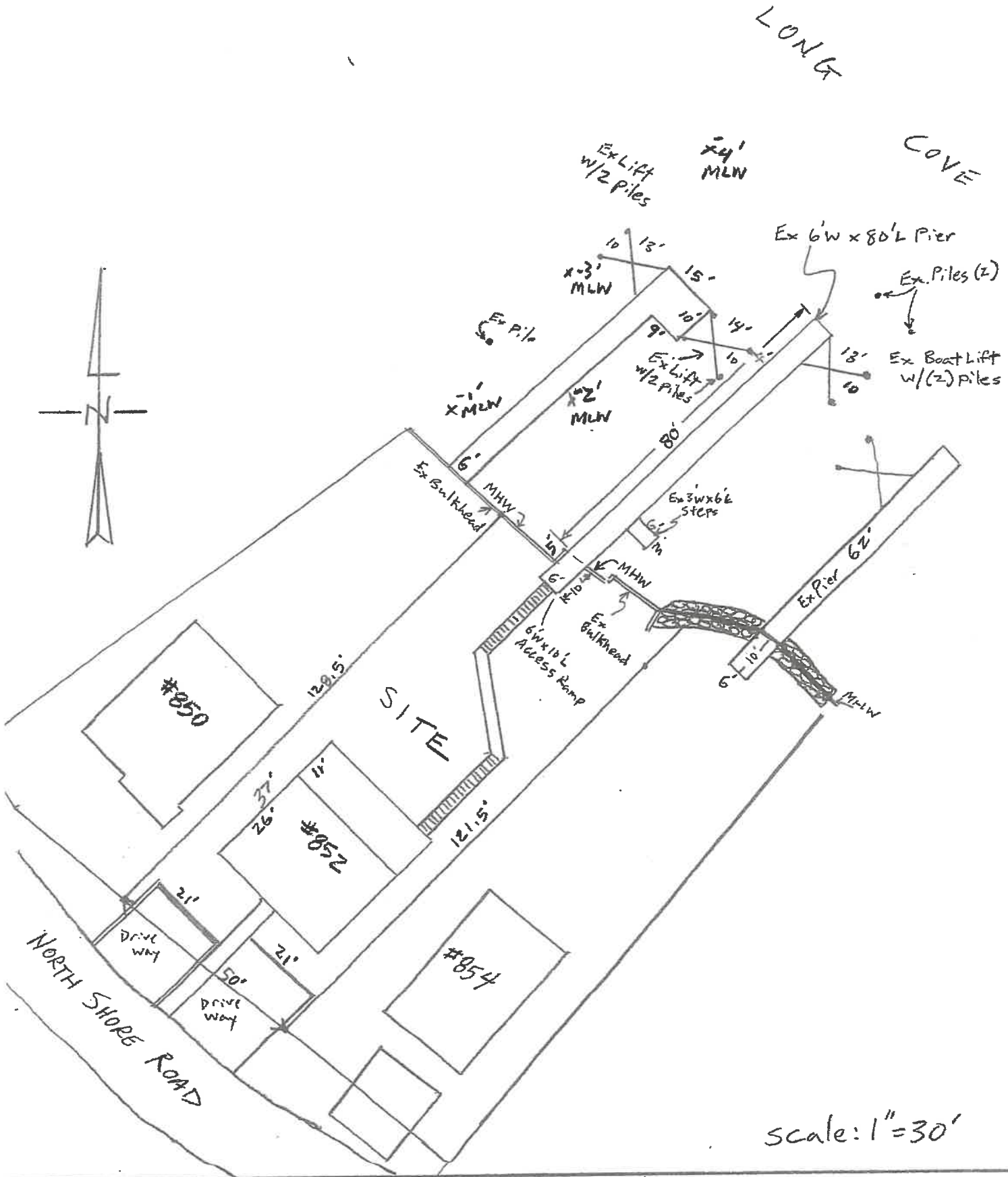
Legal Agreement



Proposed: Pier Extension
 County: Anne Arundel
 Waterway: Long Cove
 Date: 12/7/2022

PROPOSED CONDITIONS
 SITE PLAN
 852 North Shore Rd
 Glen Burnie, MD 21060

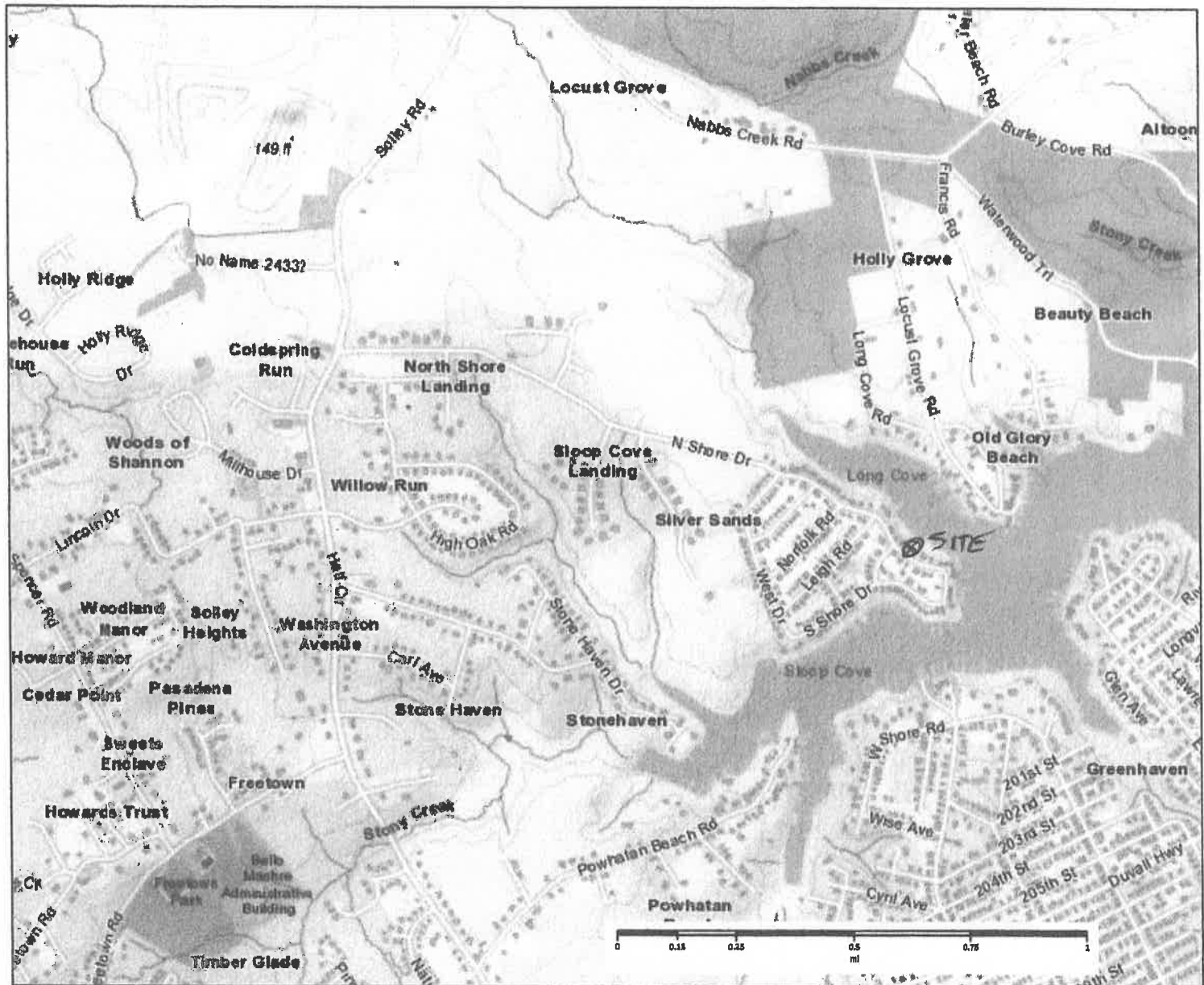
Owner: Reece Eikenberg
 852 North Shore Rd
 Glen Burnie, MD 21060
 File 9 of 10



Proposed: Pier Extension
 County: Anne Arundel
 Waterway: Long Cove
 Date: 12/7/2022

EXISTING CONDITIONS
 SITE PLAN
 852 North Shore Rd
 Glen Burnie, MD 21060

Owner: Reece Eikenberg
 852 North Shore Rd
 Glen Burnie, MD 21060
 Fig 8 of 10



Features

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Vicinity Map - 852 N. Shore Road

Fig. 1

COORDINATES			
SECTION	PLAT	DATE	DESCRIPTION
1	1000.00	1000.00	1000.00
2	1000.00	1000.00	1000.00
3	1000.00	1000.00	1000.00
4	1000.00	1000.00	1000.00
5	1000.00	1000.00	1000.00
6	1000.00	1000.00	1000.00
7	1000.00	1000.00	1000.00
8	1000.00	1000.00	1000.00
9	1000.00	1000.00	1000.00
10	1000.00	1000.00	1000.00
11	1000.00	1000.00	1000.00
12	1000.00	1000.00	1000.00
13	1000.00	1000.00	1000.00
14	1000.00	1000.00	1000.00
15	1000.00	1000.00	1000.00
16	1000.00	1000.00	1000.00
17	1000.00	1000.00	1000.00
18	1000.00	1000.00	1000.00
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20	1000.00	1000.00	1000.00
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24	1000.00	1000.00	1000.00
25	1000.00	1000.00	1000.00
26	1000.00	1000.00	1000.00
27	1000.00	1000.00	1000.00
28	1000.00	1000.00	1000.00
29	1000.00	1000.00	1000.00
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37	1000.00	1000.00	1000.00
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78	1000.00	1000.00	1000.00
79	1000.00	1000.00	1000.00
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82	1000.00	1000.00	1000.00
83	1000.00	1000.00	1000.00
84	1000.00	1000.00	1000.00
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89	1000.00	1000.00	1000.00
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91	1000.00	1000.00	1000.00
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94	1000.00	1000.00	1000.00
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97	1000.00	1000.00	1000.00
98	1000.00	1000.00	1000.00
99	1000.00	1000.00	1000.00
100	1000.00	1000.00	1000.00



The documents of Books 12A, 12D, 12C, 12D of
 Aerial 17 of the Annotated Code of Maryland,
 1959 Edition (Title, Clerks, & Court, Qualifica-
 tion of Circuit Courts) as well as their relation
 to the number of their plat and entries of the records
 have been compared and found correct.

William Schumann
 J. R. Schumann

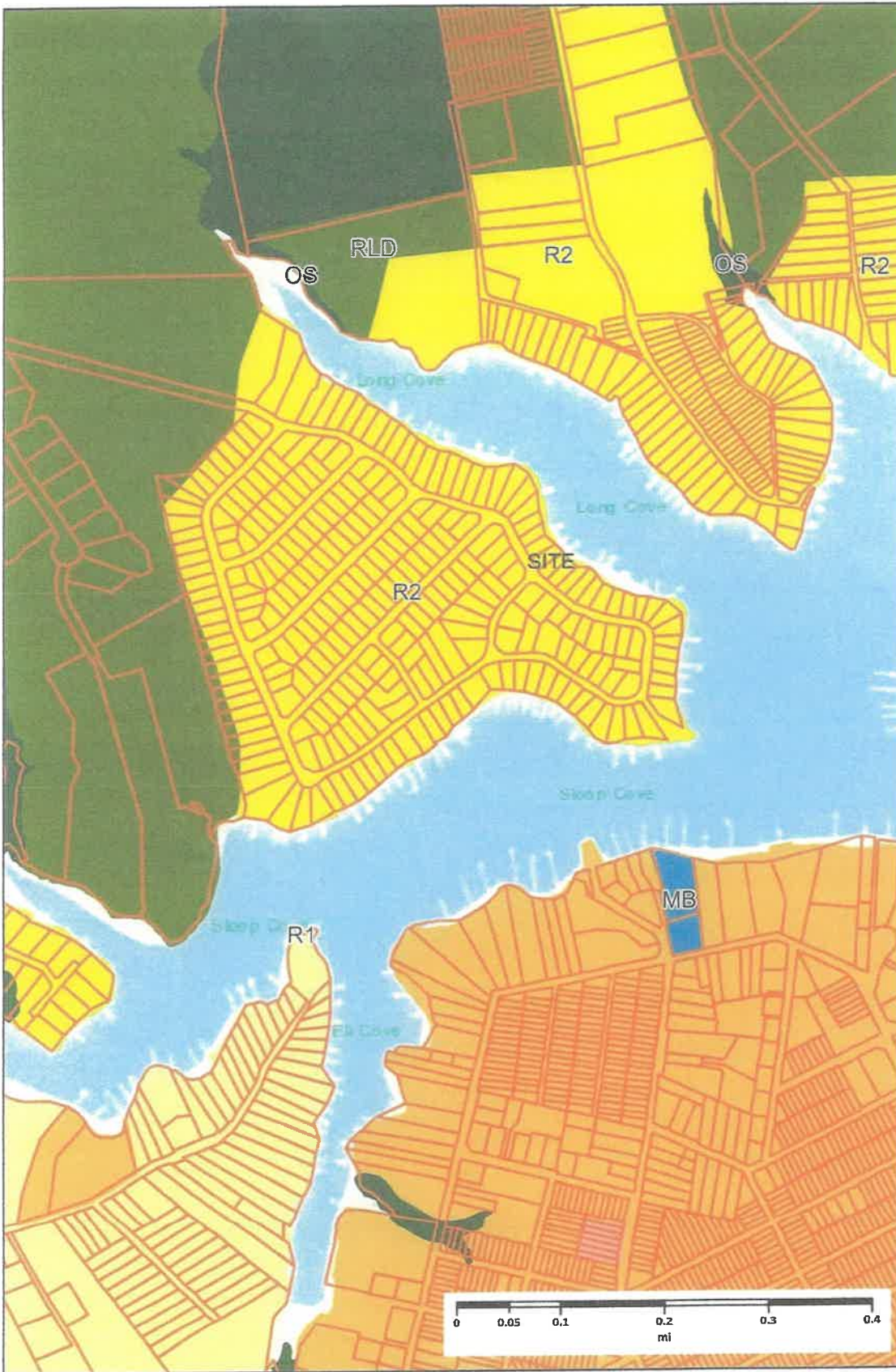
SILVER SANDS.
 ON
STONEY CREEK
 3RD DISTRICT
 A.A. Co., MD.

SCALE: 1" = 100' DATE: MAY, 1949

J. R. McCRENS, JR.
 ANNAPOLIS, MD.

Fig: 2





- Parcels**
- Zoning**
- C1 Commercial - Local
 - C2 Commercial - Office
 - C3 Commercial - General
 - C4 Commercial - Highway
 - City of Annapolis
 - MAL-Community Marina
 - MA2-Light Commercial Marina
 - MA3-Yacht Club
 - MB-General Commercial Marina
 - MC-Heavy Commercial Marina
 - MCD-C Mixed Use Commercial
 - MDD-R Mixed Use Residential
 - MDD-T Mixed Use Transit
 - MDD-E Mixed Use Employment
 - O-COR Odenton Core
 - O-EOD East Odenton
- Features**
- O-HIS Odenton Historic
 - O-IOD Odenton Industrial
 - O-NOD North Odenton
 - O-TRA Odenton Transition
 - OS Open Space
 - R1 Residential
 - R10 Residential
 - R15 Residential
 - R2 Residential
 - R22 Residential
 - RS Residential
 - RA Rural Agricultural
 - RLD Residential Low Density
 - SB Small Business
 - TC Town Center
 - W1 Industrial Park
 - W2 Industrial - Light
 - W3 Industrial - Heavy
 - Water

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Zoning Map - 852 North Shore Dr.

Date: 7/18/2023

Time: 10:08 AM







Fig. 3

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere



Anne Arundel County Critical Area Map

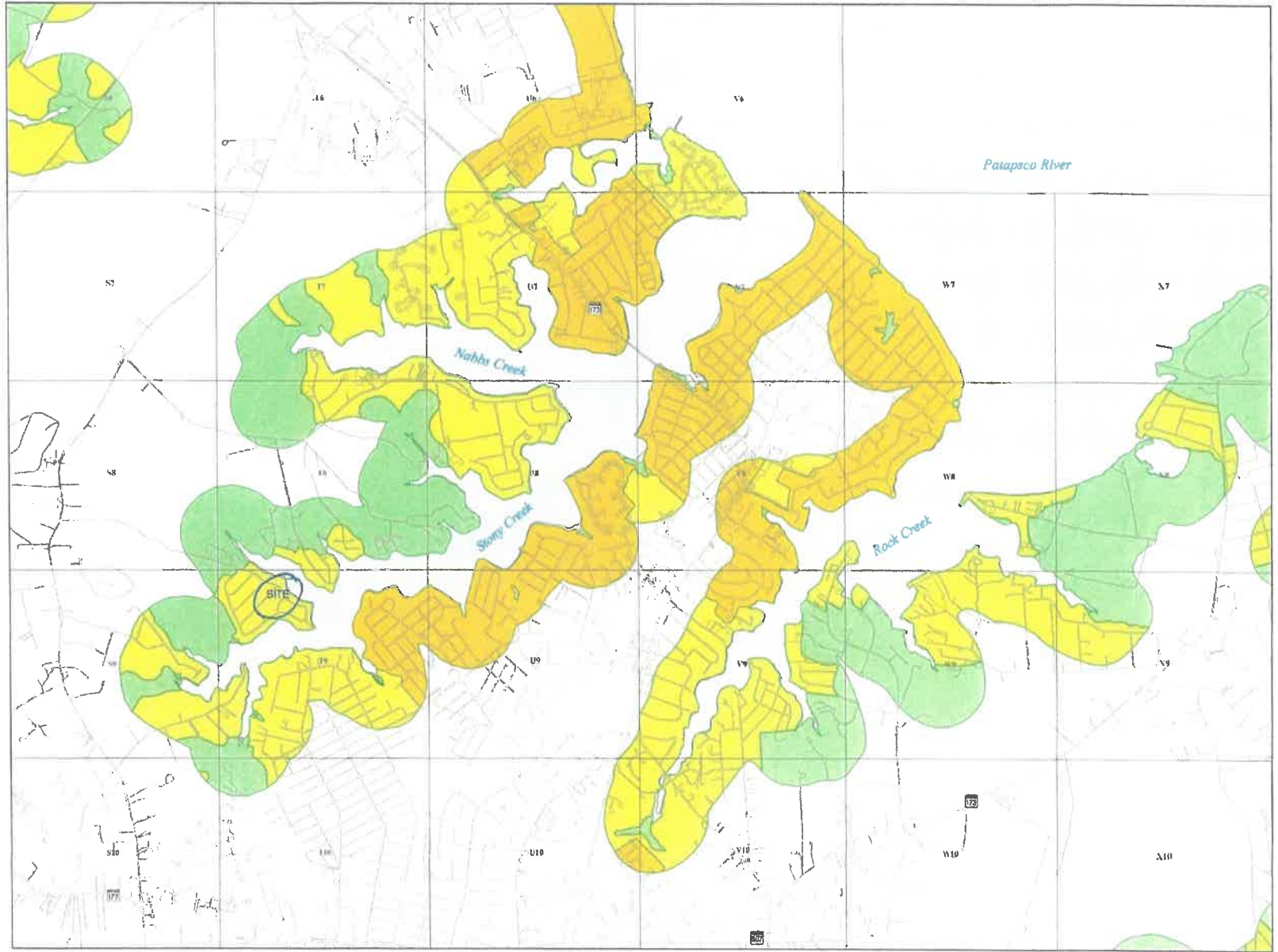
Legend

-  Road Edge
-  Building Foot Print
-  Water
- Critical Areas**
-  RCA - Resource Conservation Area
-  LDA - Limited Development Area
-  IDA - Intensely Developed Area

1	2	3
4	5	6
7	8	9
10	11	12
13	14	15
16	17	18
19	20	21
22	23	24
25	26	27
28	29	30
31	32	33
34	35	36



Sheet No. 7



Date: January 23, 2007
 File: C:\Users\2007\GIS\Map Documents\0406\Critical Area Map\Public\Sheet7.pdf
 Map Producer: Office of Environmental and Cultural Resources
 Copyright 2007
 2004 Planning Act and 2003 Ordinance 20-03 (Revised February 17, 2002)
 *Original drawings available in GIS to support the Office of Planning and Zoning

Fig. 4.

1998 Aerial



Legend

Foundation

Parcels - Annapolis City



Imagery - Color

Color 1998

Red: Red

Green: Green

Blue: Blue

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Notes 1" = 50 ft

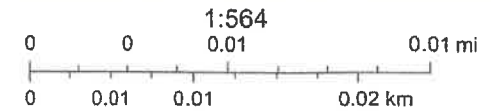
Fig. 5

2011 Photo 850-852 North Shore Dr.



7/18/2023, 9:25:55 AM

- Local Road Label
- County Boundary
- Structure Address
- Parcels
- Orthophoto 2011
- Red: Red
- Green: Green
- Blue: Blue



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodataslyrselen, Rijkswaterstaat, GSA, Geoland, FEMA,

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Fig. 6

2020 Aerial



Legend

Foundation

Parcels - Annapolis City



Imagery - Color

Color 2020

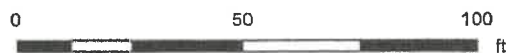
Red: Red

Green: Green

Blue: Blue



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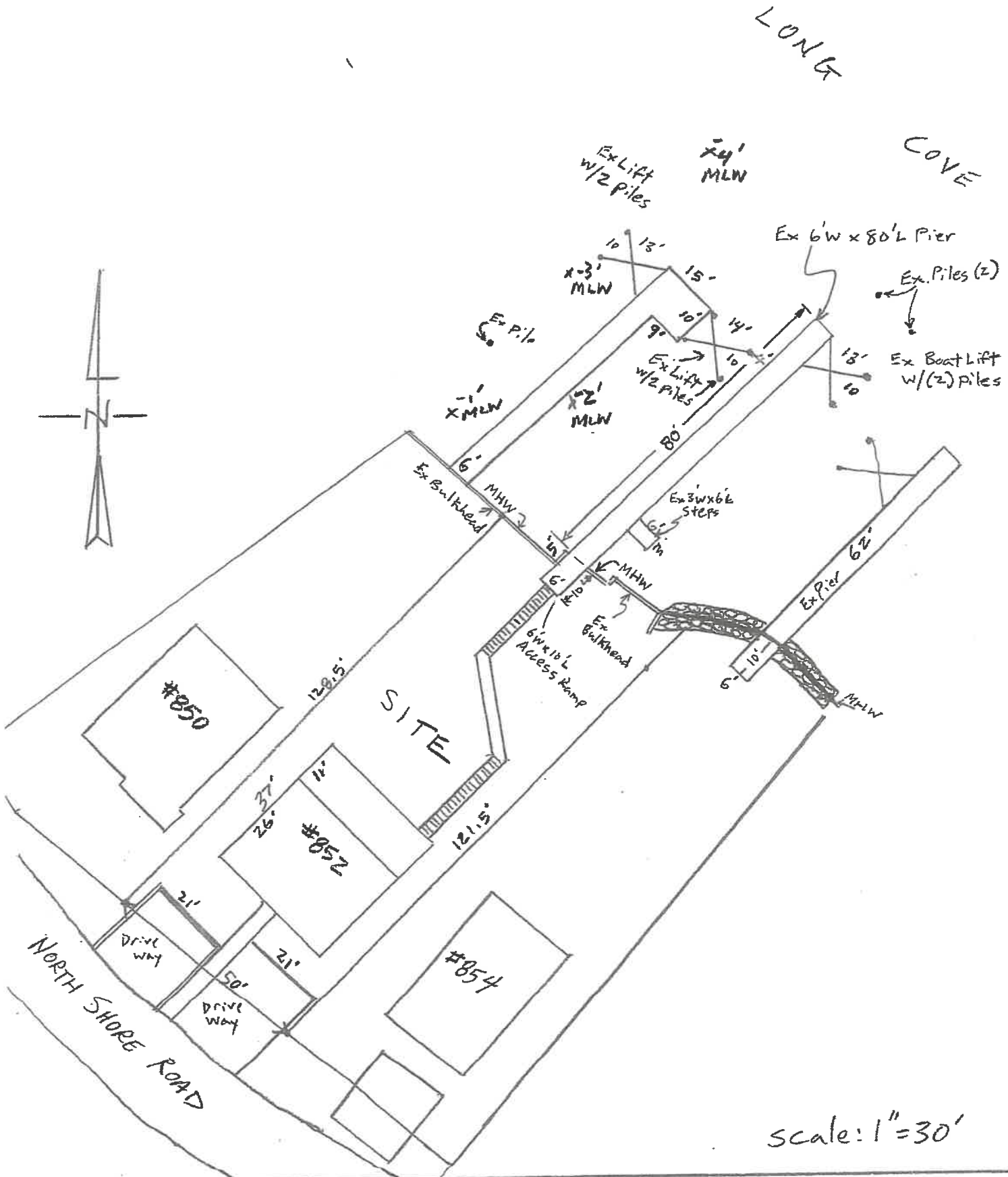
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HERE, Garmin, SafeGraph,
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USED FOR NAVIGATION

Notes 1" = 50 ft

Fig. 7



scale: 1"=30'

Proposed: Pier Extension
 County: Anne Arundel
 Waterway: Long Cove
 Date: 12/1/2022

EXISTING CONDITIONS
 SITE PLAN
 852 North Shore Rd
 Glen Burnie, MD 21060

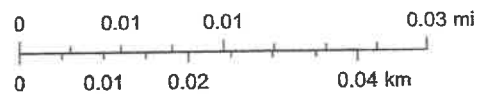
Owner: Reece Eikenberg
 852 North Shore Rd
 Glen Burnie, MD 21060
 Fig 8 of 10

Aerial Photo - Long Cove



7/18/2023, 3:37:03 PM

1:1,128



- Local Road Label
- County Boundary
- Orthophoto 2021
- Red: Red
- Green: Green
- Blue: Blue
- Structure Address
- Parcels

Fig. 10

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, County of Anne Arundel, VGIN, OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc. METI/NASA, USGS, EPA, NPS.

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: 12-18-2023

Tax Map #	Parcel #	Block #	Lot #	Section
17	474	01	28	L

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

*Complete Only Page 1
General Project Information

Tax ID: 3750-0667-7100

Project Name (site name, subdivision name, or other) Reece Eikenberg Property

Project location/Address 852 North Shore Dr

City Glen Burnie Zip 21060

Local case number _____

Applicant: Last name Eikenberg First name Reece

Company _____

Application Type (check all that apply):

- | | |
|--|---|
| Building Permit <input type="checkbox"/> | <u>Pre</u> 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 Home

Proposed pier Variance

Intra-Family Transfer Yes
 Grandfathered Lot

Growth Allocation Yes
 Buffer Exemption Area

Project Type (check all that apply)

Commercial
 Consistency Report
 Industrial
 Institutional
 Mixed Use
 Other

Recreational
 Redevelopment
 Residential
 Shore Erosion Control
 Water-Dependent Facility Pier

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area		
LDA Area		<u>5,800</u>
RCA Area		
Total Area		

Total Disturbed Area

Acres	Sq Ft

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees			Existing Lot Coverage		
Created Forest/Woodland/Trees			New Lot Coverage		
Removed Forest/Woodland/Trees		<u>N/A</u>	Removed Lot Coverage		<u>N/A</u>
			Total Lot Coverage		

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		<u>0</u>	Buffer Forest Clearing		<u>0</u>
Non-Buffer Disturbance		<u>0</u>	Mitigation		<u>0</u>

Variance Type

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

Structure

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