

**FINDINGS AND RECOMMENDATION
OFFICE OF PLANNING AND ZONING
ANNE ARUNDEL COUNTY, MARYLAND**

APPLICANT: C. R. Massey, III & Celia A. Massey

ASSESSMENT DISTRICT: 2nd

CASE NUMBER: 2023-0208-V

COUNCILMANIC DISTRICT: 6th

HEARING DATE: February 8, 2024

PREPARED BY: Sara Anzelmo
Planner



REQUEST

The applicants are requesting a variance to allow a dwelling addition with less setbacks than required and with disturbance to slopes of 15% or greater on property located at 341 Thorsby Hill in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 8,314 square feet of land and is located on the west side of Thorsby Hill. It is identified as Lot 341 of Parcel 295 in Block 19 on Tax Map 39 in the Sherwood Forest subdivision.

The property is zoned R2 – Residential District, as adopted by the comprehensive zoning for Council District 6, effective October 7, 2011. The site is not waterfront, but it lies entirely within the Chesapeake Bay Critical Area overlay and is designated as LDA – Limited Development Area. It is improved with a one-story single-family detached dwelling with a basement and other associated facilities.

PROPOSAL

The applicants propose to construct a one-story dwelling addition with a basement, measuring 14' by 22' (308 square feet) with a 4' wrap-around deck, onto the north side of the house. The existing steps and deck on the north side would be removed.

REQUESTED VARIANCES

§ 17-8-201(a) of the Anne Arundel County Subdivision and Development Code provides that development in the Limited Development Area (LDA) may not occur within slopes of 15% or greater unless development will facilitate stabilization of the slope; is to allow connection to a public utility; or is to provide direct access to the shoreline. The proposed addition would necessitate a variance to disturb approximately 371 square feet of slopes of 15% or greater. If approved, the actual amount of slope disturbance would be determined at the time of permitting.

§ 18-4-601 of the Anne Arundel County Zoning Ordinance provides that a principal structure in an R2 District shall be set back a minimum of 20 feet from the corner side lot line. The proposed

addition would be set back 12 feet from the corner side lot line¹ with the deck set back eight feet from the corner side lot line, necessitating variances of eight feet and 12 feet, respectively.

FINDINGS

The subject property is undersized. While the site meets the minimum 80-foot width at the front building restriction line, the 8,314 square foot area is less than half of the minimum 20,000 square foot area required for lots not served by public sewer in an R2 District. A review of the County 2023 aerial photograph shows an eclectic mix of dwellings in this older waterfront community. The homes occupy a wide variety of lot shapes and sizes. Similar to the subject property, most nearby lots are encumbered with steep slopes. Many of the neighborhood houses were constructed prior to the enactment of critical area laws; however, the subject dwelling was constructed in 2001.

The property was the subject of a prior variance application (#2000-0028-V) under which approval was granted to allow construction of a new dwelling with less setbacks and buffer than required and with disturbance to slopes of 15% or greater.² The existing dwelling appears to have been constructed in accordance with the variance site plan; however, the deck, patios, gravel areas, and two sets of steps exceed the scope of what was shown on the variance plan.

The engineer's letter explains that the addition would allow for a needed interior dwelling renovation to include kitchen expansion and handicap accessibility [plus an additional bedroom, per a supplemental letter from the applicant]. The current plan proposes to expand the dwelling footprint in an area that has been previously disturbed and is improved with stairs, a wall, and decking. The temporary disturbance around the addition would account for the majority of the steep slope disturbance. The applicant attests that the second story addition previously proposed at the pre-file stage was not approved by the Sherwood Forest Design and Review Committee, due to the objection of their neighbors.

The **Soil Conservation District** provided no comment.

The **Cultural Resources Section** commented that this project involves a non-contributing structure in the AA-941, Sherwood Forest District, and proposes no adverse effect.

The **Health Department** does not have an approved plan for this project but has no objection to the request as long as a plan is submitted and approved by the Department.

The **Development Division (Critical Area Team)** commented that, provided the applicant can demonstrate compliance with all of the required variance standards for approval, the Team has no objection to the proposed addition shown by the heavy black line as it is located primarily over existing improvements. Expansion beyond this area for additional deck would impact areas of vegetated slopes and cannot be supported as the minimum necessary.

¹ The original variance (#2000-0028-V) designated the northeastern lot line as a front lot line (based on the "lot line, front" definition in the Code at that time) and required the associated front lot line setback variance. However, Bill #88-23, effective February 3, 2024, added a "lot line, corner" definition, which also provides that "a road with angles that are 135 degrees or less, measured from the centerline of the road, is considered two intersecting roads." Therefore, the northeastern lot line is now considered a corner side lot line rather than a front lot line.

² The Critical Area regulations have changed since the prior variance. The nearby shoreline is mapped as BMA - Buffer Modification Area, and the current Code does not require the BMA buffer to expand to include the contiguous steep slopes. Therefore, the addition is not located within the expanded buffer and does not require a buffer variance.

The **Critical Area Commission** commented that appropriate mitigation is required.

For the granting of a critical area variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular property, strict implementation of the County's critical area program would result in an unwarranted hardship. In this case, approximately 27% of the site is encumbered by slopes of 15% or greater. While this condition is not particularly unique relative to other properties within the neighborhood, it is clear that any addition would require some disturbance to the slopes. However, a second story addition would only require temporary slope disturbance, while the proposed one-story addition would necessitate new permanent slope disturbance.

The previous variance approval was based on a determination that the proposed disturbance was the minimum necessary to afford relief. With the approved dwelling already constructed, a literal interpretation of the County's critical area program would not deprive the applicants of rights that are commonly enjoyed by other properties in similar areas. The granting of the variance for additional disturbance would confer on the applicants a special privilege that would be denied by COMAR, Title 27. The variance request is not based on conditions or circumstances that are the result of actions by the applicants and does not arise from any condition relating to land or building use on any neighboring property. The variance may adversely affect water quality or impact fish, wildlife, or plant habitat and would not be in harmony with the general spirit and intent of the County's critical area program. The applicants have not overcome the presumption that the specific development does not conform to the general purpose and intent of the critical area law and have not implemented site planning alternatives. At the pre-file stage, the applicants were instructed that a second story addition could be supported and that there was no justification to support additional relief [for the first floor addition]. While the applicants have explained that the Sherwood Forest Design and Review Committee did not approve a second story addition, that does not constitute a unique physical characteristic of the property that warrants a critical area variance. Allowing a homeowners association design committee to dictate what development should or should not take place on properties containing environmental features would severely undermine the critical area regulations.

With regard to the requirements for all variances, approval would not necessarily alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent property, reduce forest cover in the limited development area, be contrary to acceptable clearing and replanting practices, or be detrimental to the public welfare. However, given that a second story addition could be constructed with only temporary slope disturbance and with less of a corner side setback variance, the request for relief cannot be supported.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends ***denial*** of the proposed variances to § 17-8-201(a) and § 18-4-601 to construct a dwelling addition and deck onto the north side of the existing dwelling. However, this Office would support the critical area and zoning relief necessary to construct a second story addition over the existing first floor, should the applicants gain the design committee's support.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) shall apply for and obtain the necessary building permits and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.

November 14, 2023

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

RE: SHERWOOD FOREST ~ LOT 341
341 Thorsby Hill
Annapolis MD, 21405
Variance Application

Sir/Madam:

Attached is a variance request application and associated submittal documents for the above referenced property. To allow for modest improvements to the subject property, variances to the Anne Arundel County Code are required. The requested variance to the Code relates to **Article 17, Section 8-201** for redevelopment on slopes 15% or greater in the LDA.

The subject property is a legal non-conforming building lot located in the community of Sherwood Forest, Maryland. The property is currently improved with a single-family dwelling and associated improvements. The lot is zoned R-2 and is served by community water and a private septic system. The property is located entirely within the Chesapeake Bay Critical Area with an LDA land use designation. The existing dwelling is surrounded by steep slopes, which encumber approximately 27% of the lot area, severely limiting and restricting the areas that allow redevelopment. Primary vegetation consists of hardwood and evergreen trees, ornamental shrubs, and creeping ground cover common to wooded areas and the community.

The applicants propose to construct a small addition to the existing dwelling. The building addition is modest in size and allows for needed interior dwelling renovation to include kitchen expansion and handicap accessibility. A prior Variance to the Code was approved 23 years ago for the subject property. The variance allowed the initial summer cottage to be rebuilt and the small dwelling was adequate for the family at the time. The applicant for the prior variance was the mother of the current residence. The current plan proposes to expand the dwelling footprint in an area that has been previously disturbed and is improved with stairs, a wall and decking. To construct the proposed dwelling addition, temporary disturbance is necessary around the building addition. The temporary disturbance accounts for the majority of the steep slope disturbance.

Due to the unique physical conditions inherent to the property, the following variance to the Anne Arundel County Code is being requested: **Article 17, Section 8-201(a)** of approximately 371-sf of disturbance on slopes 15% or greater in the LDA. The slope disturbance is needed to remove existing structures, associated improvements, and construct new property improvements.

The need for the requested variance arises from the unique physical conditions of the site, specifically the location of the existing structure, and the presence of steep slopes. The community of Sherwood Forest is encumbered with steep slopes and other environmental challenges.

The addition is proposed in the only viable location on the property and does not require any zoning variances, even with the diminutive lot size. It is within the limits of existing improvements and does not require any more disturbance than if the existing improvements were to be removed or maintained. Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant, and would not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the implementation of stormwater management and the nitrogen reducing septic system, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare.

We believe that these requests meet all the requirements for variance, per Article 18-16-305:

Requirements for Critical Area Variances.

1. Unique physical conditions - Specifically topography, the irregularly shaped lot, the size of the lot, as well as the location of the existing dwelling in relation to the property lines and slopes. Denial of the requested variance would constitute an unwarranted hardship on the applicant and deprive them of the right to redevelop and deny reasonable and significant use of the entire property.
2. Rights commonly enjoyed - The proposed improvements are similar and in character to those of surrounding properties. To deny the requested variance would deprive the applicant of rights commonly enjoyed by other properties in the area.
3. Will not confer special privilege - Granting this variance would not confer a special privilege to the applicant. Nearby properties maintain improvements comparable to what is proposed for this project. The applicants have made extensive efforts to design this proposed project in a manner that considers the placement of the existing dwelling and location of surrounding environmental features.
4. Not based on conditions or circumstances that are the result of actions by the applicant - Conditions and circumstances are based on the small and irregular shape of the site, the presence of steep slopes, and the location of the existing improvements, and are not because of actions by the applicant.
5. Will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area – The proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area. Disturbance is

minimized only to what is necessary to complete the project. Mitigation will occur in accordance with county regulations and will be addressed during the permitting process. Sediment and erosion controls will be utilized to ensure that construction and grading will not adversely affect the surrounding environmental features located within the Critical Area. These precautions will ensure that water quality, fish, wildlife, and plant habitat will not be adversely affected.

Requirements for all variances.

1. Minimum necessary - The improvements are minimal and are sited to utilize the footprint of the existing improvements to minimize disturbance.
2. The granting of the variance will not:
 - i. alter the essential character of the neighborhood, and all proposed development will be harmonious with other properties of the surrounding area.
 - ii. substantially impair the appropriate use or development of adjacent properties.
 - iii. reduce forest cover in the LDA as appropriate mitigation will be required as part of the permit process.
 - iv. be contrary to acceptable clearing or replanting practices required for development of the Critical Area or Bog Protection Area.
 - v. be detrimental to the public welfare.

Thank you for your attention to this matter. Please contact us if we may be of further service during your review of this variance request.

Sincerely,
DRUM, LOYKA & ASSOCIATES, LLC



Michael Drum, P.E.
Principal



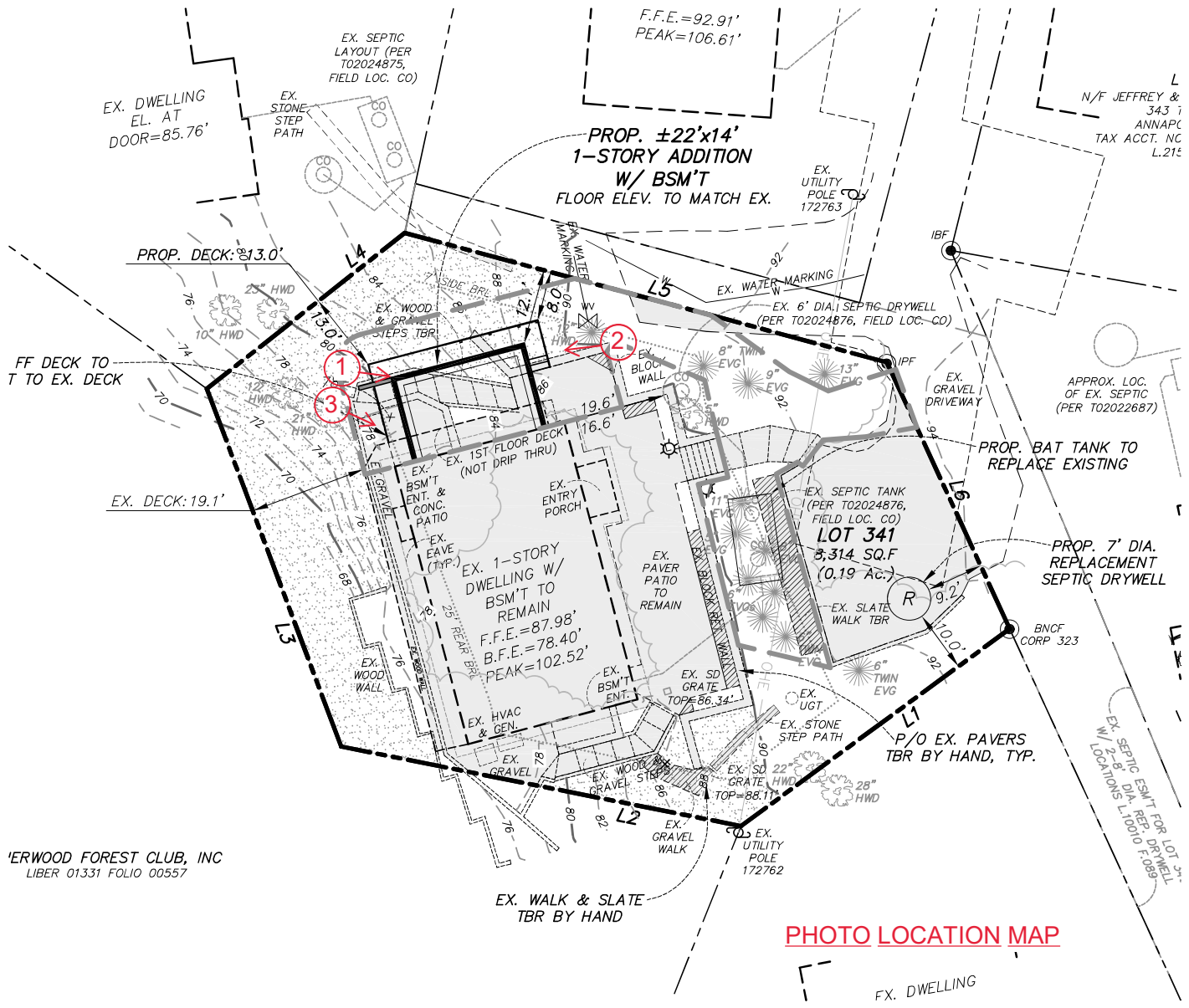
Sherwood Forest was developed as a vacation community where its inhabitants shared facilities such as dining halls. Amenities were provided only from June to September. The cottages were not inhabited during the winter. The character of the community has evolved so that now cottages have been "winterized" and a large percentage are primary residences.

Multiple interior changes were made over time that did not change the overall footprint to a significant degree. The original furnace and wiring remained until the property was rebuilt in the year 2000-2001. The new dwelling was built with minimal change to the footprint in order to avoid delaying the project due to need for neighbor approval.

The present owners' father, the original owner died in 1990 and the house was inherited by his wife, Kathryn Massey. The dwelling had served as a vacation home for her family which included four children and 11 grandchildren. At age 86 she was in progressively poor health and deeded the property as inheritance, a gift, to the present owners, with the understanding that the home would still be made available to family members as a vacation home, consistent with intent of the original developers of Sherwood Forest.

With the recent retirement of the present owner, Caleb R Massey, III, at age 75, the utilization of the property has changed. In the intervening 23 years since it was rebuilt, family dynamics have changed making it possible for the present owners to spend more time while the extended family spends less time. The goal of the present renovation/addition is to expand the kitchen, and provide storage, while maintaining the availability of use by the family, as understood when the property was deeded by Kathryn Massey. The addition of a bedroom will facilitate use as a vacation property by the family. The interior will be renovated to be more handicapped accessible.

A preliminary hearing with Anne Arundel County approved a second story, but this was not approved by the Sherwood Forest Design and Review Committee, due to the objection of the neighbors.



WATERWOOD FOREST CLUB, INC
LIBER 01331 FOLIO 00557

PHOTO LOCATION MAP

L
N/F JEFFREY &
343 1
ANNAPC
TAX ACCT. NC
L.215

APPROX. LOC.
OF EX. SEPTIC
(PER T02022687)

PROP. 7' DIA.
REPLACEMENT
SEPTIC DRYWELL

EX. SEPTIC EMNT FOR LOT 341
W/ 2'-2" DIA. PIPE REPOSED
LOCATIONS L.100010 F.O.088981010

EX. DWELLING

PROP. ±22'x14'
1-STORY ADDITION
W/ BSM'T
FLOOR ELEV. TO MATCH EX.

EX. SEPTIC TANK
(PER T02024876,
FIELD LOC. CO)
LOT 341
3,314 SQ.F
(0.19 AC.)

EX. SEPTIC
LAYOUT (PER
T02024875,
FIELD LOC. CO)

EX. DWELLING
EL. AT
DOOR=85.76'

F.F.E.=92.91'
PEAK=106.61'

PROP. DECK: ±13.0'

FF DECK TO
T TO EX. DECK

EX. DECK: 19.1'

EX. 1ST FLOOR DECK
(NOT DRIP THRU)

EX. 1-STORY
DWELLING W/
BSM'T TO
REMAIN
F.F.E.=87.98'
B.F.E.=78.40'
PEAK=102.52'

PROP. BAT TANK TO
REPLACE EXISTING

P/O EX. PAVERS
TBR BY HAND, TYP.

EX. WALK & SLATE
TBR BY HAND

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172763

EX. 6" DIA. SEPTIC DRYWELL
(PER T02024876, FIELD LOC. CO)

BNCF
CORP 323

EX. SD 22"
GRATE HWD
TOP=88.11'

EX. SD
GRATE
TOP=86.34'

EX. UGT

EX. STONE
STEP PATH

EX. SD 22"
GRATE HWD
TOP=88.11'

EX. SD 22"
GRATE HWD
TOP=88.11'

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762

EX. UTILITY
POLE
172762



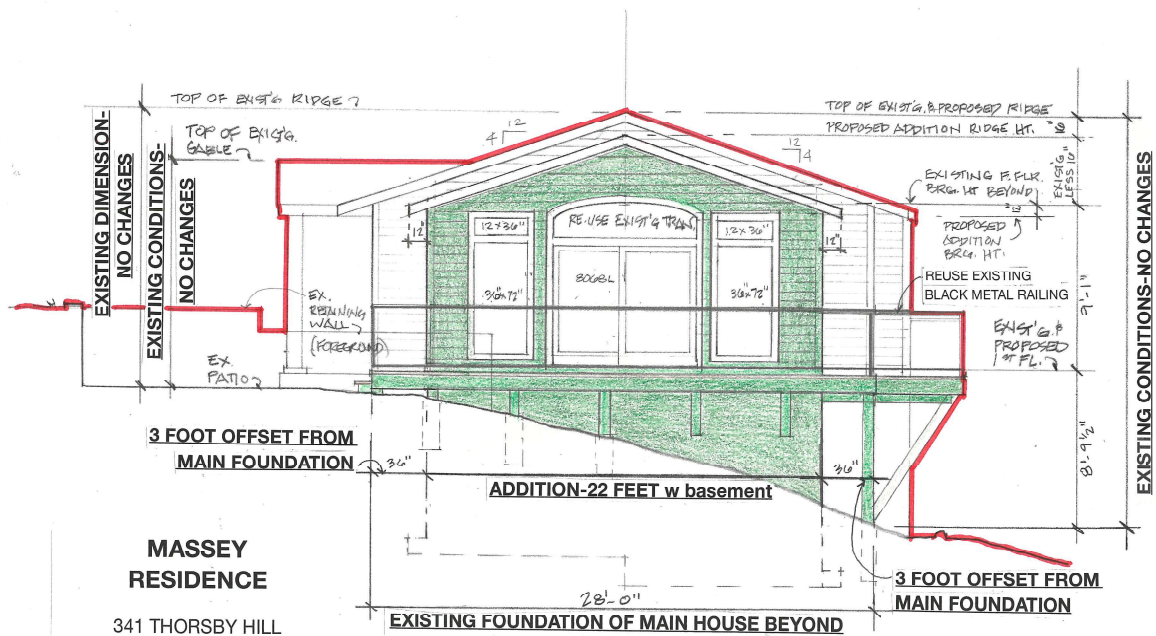
PHOTO LOCATION 1



PHOTO LOCATION 2



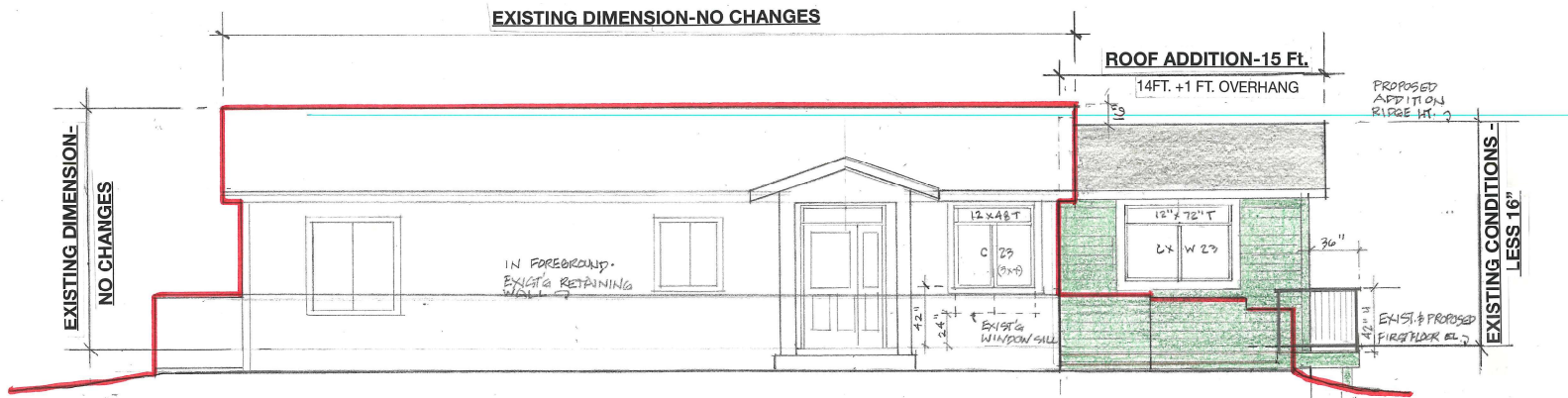
PHOTO LOCATION 3



MASSEY RESIDENCE
 341 THORSBY HILL
 SHERWOOD FOREST, MD. 21405

4.24.23

③ NORTH ELEVATION
 SCALE: 3/16"=1'-0"



EXISTING DIMENSION-
NO CHANGES

EXISTING DIMENSION-NO CHANGES

ROOF ADDITION-15 Ft.

14 FT. + 1 FT. OVERHANG

PROPOSED
ADDITION
RIDGE HT.

EXISTING CONDITIONS -
LESS 16"

**MASSEY
RESIDENCE**

341 THORSBY HILL
SHERWOOD FOREST, MD. 21405

4.4.23

④ EAST ELEVATION
SCALE: 3/16" = 1'-0"

EXISTING CONDITIONS-NO CHANGES

ADDITION-14 FEET

Chesapeake Bay Critical Area Report

Sherwood Forest ~ Lot 341

Tax Map 39, Grid 19, Parcel 295
Tax Account No. 02-720-07953410

Property Address: 341 Thorsby Hill
Annapolis, Maryland 21405

November 14, 2023

Property Owners & Variance Applicant: Mr. and Mrs. Caleb Massey

Critical Area Designation: LDA **Zoning:** R-2 **Lot Area:** 0.19 Ac.

Site Description

The subject property is a legal building lot located off of Thorsby Hill in the community of Sherwood Forest. The site is currently improved with a single-family dwelling and associated improvements, which are surrounded by steep slopes. The lot is zoned R-2 and is completely within the Chesapeake Bay Critical Area, with an LDA land use designation. Private septic and Sherwood Forest public water service the property.

Description and Purpose of Variance Request

The applicants propose to construct an attached addition to the existing single-family dwelling with the associated improvements. Due to the unique physical conditions inherent to the property, the following variances to the Anne Arundel County Code are being requested: **Article 17, Section 8-201(a)** of 371-sf of disturbance on slopes 15% or greater in the LDA. The slope disturbance is needed to remove existing structures, associated improvements, and construct the new property improvements.

The applicants propose to construct a small addition to the existing dwelling. The building addition is modest in size and allows for needed interior dwelling renovation to include kitchen expansion and handicap accessibility. A prior Variance to the Code was approved 23 years ago for the subject property. The variance allowed the initial summer cottage to be rebuilt and the small dwelling was adequate for the family at the time. The applicant for the prior variance was the mother of the current residence. The current plan proposes to expand the dwelling footprint in an area that has been previously disturbed and is improved with stairs, a wall and decking. To construct the proposed dwelling addition, temporary disturbance is necessary around the building addition. The temporary disturbance accounts for the majority of the steep slope disturbance.

Vegetative Coverage and Clearing

The property's primary vegetative covering is a creeping ivy that is common to wooded areas in the community. Some ornamental shrubs and decorative landscaping surround the existing dwelling. The remainder, and majority, of the lot is covered in trees. The existing wooded area totals roughly 6,500-sf. The proposed vegetative clearing is approximately 1,800-sf., the majority of which is necessary for access. Reforestation and afforestation requirements for this property will be addressed during the permit phase of this project.

Impervious Lot Coverage

The site currently has 4,312-sf of lot coverage. The proposed impervious lot coverage for this property is 4,141-sf, which is the allowable. The site currently has 1,827-sf of coverage by structures. The proposed coverage by structures is 2,174-sf, which is within the allowable amount.

Steep Slopes (slopes > 15%)

The subject property contains approximately 2,211-sf of steep slopes, or 27% of the site area, all of which are concentrated around the existing improvements. Approximately, 371-sf of slopes will be disturbed as part of the proposed construction. The majority of this disturbance is necessary for access.

Predominant Soils

The predominant soil type is Collington-Wist complex, 5 to 10 percent slopes (CoC). This soil has a type "B" hydrologic classification, and is not considered a hydric soil (soils characteristic of wetlands).

Drainage and Rainwater Control

There appear to be no visible stormwater management devices on site. Stormwater management and sediment and erosion control will be provided for the proposed improvements and the specific design computations will be addressed during the permit phase of the project in accordance with Anne Arundel County design criteria.

Conclusions – Variance Standards

The need for the requested variances arises from the unique physical conditions of the site, specifically the diminutive size of the lot and the presence of steep slopes. The addition is proposed in the only viable location on the property and does not require any zoning variances, even with the diminutive lot size. It is within the limits of existing improvements and does not require any more disturbance than if the existing improvements were to be removed or maintained. The entire community of Sherwood Forest is inhibited by steep slopes and the majority of the lots in Sherwood are well under the required 20,000-sf minimum for lots served by a private septic system. Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant, and will not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the implementation of stormwater management and the nitrogen reducing septic system, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare. Stormwater Management and reforestation requirements will be addressed during the permit phase of the project. Reforestation will be provided on-site to the extent practicable.

Reference:

ADC: The Map People, 2002 Anne Arundel County, Maryland, Street Map Book

Anne Arundel County Office of Planning & Zoning, 2007 Critical Area Map

Anne Arundel County Office of Planning & Zoning, 2007 Buffer Exemption Map

Anne Arundel County, Maryland; Chesapeake Bay Critical Area Mapping Program, 2007, Critical Area Map

Federal Emergency Management Agency, 2015. Flood Insurance Rate Map

First American Real Estate Solutions, 2002, Realty Atlas: Anne Arundel County Maryland

Drum, Loyka and Associates LLC, 2023 Variance Plan

U.S. Department of Agriculture, Natural Resource Conservation Service –2003 Soil Survey of Anne Arundel County Maryland.

State Highway Administration of Maryland, 1989. Generalized Comprehensive Zoning Map: Third Assessment District

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

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: _____ Date _____

Tax Map #	Parcel #	Block #	Lot #	Section
0039	0295	0019	341	

FOR RESUBMITTAL ONLY	
Corrections	<input type="checkbox"/>
Redesign	<input type="checkbox"/>
No Change	<input type="checkbox"/>
Non-Critical Area	<input type="checkbox"/>
* Complete only Page 1 General Project Information	

Tax ID

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

Project location/Address

City Zip

Local case number

Applicant: Last name First name

Company

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: _____ First name _____

Phone # _____ Response from Commission Required By _____

Fax # _____ Hearing date _____

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Construct attached addition to existing single-family dwelling with associated improvements

<table style="width:100%; border: none;"> <tr> <td style="width: 150px;">Intra-Family Transfer</td> <td style="text-align: center;">Yes <input type="checkbox"/></td> </tr> <tr> <td>Grandfathered Lot</td> <td style="text-align: center;">X <input checked="" type="checkbox"/></td> </tr> </table>	Intra-Family Transfer	Yes <input type="checkbox"/>	Grandfathered Lot	X <input checked="" type="checkbox"/>	<table style="width:100%; border: none;"> <tr> <td style="width: 150px;">Growth Allocation</td> <td style="text-align: center;">Yes <input type="checkbox"/></td> </tr> <tr> <td>Buffer Exemption Area</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Growth Allocation	Yes <input type="checkbox"/>	Buffer Exemption Area	<input type="checkbox"/>
Intra-Family Transfer	Yes <input type="checkbox"/>								
Grandfathered Lot	X <input checked="" type="checkbox"/>								
Growth Allocation	Yes <input type="checkbox"/>								
Buffer Exemption Area	<input type="checkbox"/>								

Project Type (check all that apply)

<table style="width:100%; border: none;"> <tr><td>Commercial</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Consistency Report</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Industrial</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Institutional</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Mixed Use</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Other</td><td style="text-align: center;"><input type="checkbox"/> _____</td></tr> </table>	Commercial	<input type="checkbox"/>	Consistency Report	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Institutional	<input type="checkbox"/>	Mixed Use	<input type="checkbox"/>	Other	<input type="checkbox"/> _____	<table style="width:100%; border: none;"> <tr><td>Recreational</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Redevelopment</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Residential</td><td style="text-align: center;">X <input checked="" type="checkbox"/></td></tr> <tr><td>Shore Erosion Control</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Water-Dependent Facility</td><td style="text-align: center;"><input type="checkbox"/></td></tr> </table>	Recreational	<input type="checkbox"/>	Redevelopment	<input type="checkbox"/>	Residential	X <input checked="" type="checkbox"/>	Shore Erosion Control	<input type="checkbox"/>	Water-Dependent Facility	<input type="checkbox"/>
Commercial	<input type="checkbox"/>																						
Consistency Report	<input type="checkbox"/>																						
Industrial	<input type="checkbox"/>																						
Institutional	<input type="checkbox"/>																						
Mixed Use	<input type="checkbox"/>																						
Other	<input type="checkbox"/> _____																						
Recreational	<input type="checkbox"/>																						
Redevelopment	<input type="checkbox"/>																						
Residential	X <input checked="" type="checkbox"/>																						
Shore Erosion Control	<input type="checkbox"/>																						
Water-Dependent Facility	<input type="checkbox"/>																						

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft		Acres	Sq Ft
IDA Area			Total Disturbed Area	0.04	
LDA Area	0.19		# of Lots Created	0	
RCA Area					
Total Area	0.19				

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.15		Existing Impervious Surface	0.10	
Created Forest/Woodland/Trees	0.00		New Impervious Surface	0.002	
Removed Forest/Woodland/Trees	0.04		Removed Impervious Surface	0.005	
			Total Impervious Surface	0.10	

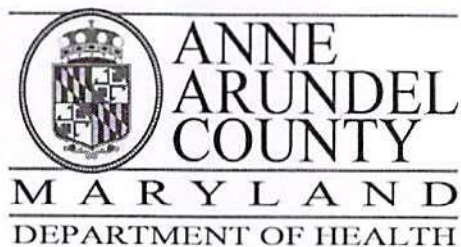
VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.00		Buffer Forest Clearing		
Non-Buffer Disturbance	0.04		Mitigation		

<p style="text-align: center;"><u>Variance Type</u></p> <table style="width:100%; border: none;"> <tr><td>Buffer</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Forest Clearing</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>HPA Impact</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Impervious Surface</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Expanded Buffer</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Nontidal Wetlands</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Steep Slopes</td><td style="text-align: center;">X <input checked="" type="checkbox"/></td></tr> <tr><td>Setback</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Other</td><td style="text-align: center;"><input type="checkbox"/> _____</td></tr> </table>	Buffer	<input type="checkbox"/>	Forest Clearing	<input type="checkbox"/>	HPA Impact	<input type="checkbox"/>	Impervious Surface	<input type="checkbox"/>	Expanded Buffer	<input type="checkbox"/>	Nontidal Wetlands	<input type="checkbox"/>	Steep Slopes	X <input checked="" type="checkbox"/>	Setback	<input type="checkbox"/>	Other	<input type="checkbox"/> _____	<p style="text-align: center;"><u>Structure</u></p> <table style="width:100%; border: none;"> <tr><td>Acc. Structure Addition</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Barn</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Deck</td><td style="text-align: center;">X <input checked="" type="checkbox"/></td></tr> <tr><td>Dwelling</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Dwelling Addition</td><td style="text-align: center;">X <input checked="" type="checkbox"/></td></tr> <tr><td>Garage</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Gazebo</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Patio</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Pool</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Shed</td><td style="text-align: center;"><input type="checkbox"/></td></tr> <tr><td>Other</td><td style="text-align: center;"><input type="checkbox"/> _____</td></tr> </table>	Acc. Structure Addition	<input type="checkbox"/>	Barn	<input type="checkbox"/>	Deck	X <input checked="" type="checkbox"/>	Dwelling	<input type="checkbox"/>	Dwelling Addition	X <input checked="" type="checkbox"/>	Garage	<input type="checkbox"/>	Gazebo	<input type="checkbox"/>	Patio	<input type="checkbox"/>	Pool	<input type="checkbox"/>	Shed	<input type="checkbox"/>	Other	<input type="checkbox"/> _____
Buffer	<input type="checkbox"/>																																								
Forest Clearing	<input type="checkbox"/>																																								
HPA Impact	<input type="checkbox"/>																																								
Impervious Surface	<input type="checkbox"/>																																								
Expanded Buffer	<input type="checkbox"/>																																								
Nontidal Wetlands	<input type="checkbox"/>																																								
Steep Slopes	X <input checked="" type="checkbox"/>																																								
Setback	<input type="checkbox"/>																																								
Other	<input type="checkbox"/> _____																																								
Acc. Structure Addition	<input type="checkbox"/>																																								
Barn	<input type="checkbox"/>																																								
Deck	X <input checked="" type="checkbox"/>																																								
Dwelling	<input type="checkbox"/>																																								
Dwelling Addition	X <input checked="" type="checkbox"/>																																								
Garage	<input type="checkbox"/>																																								
Gazebo	<input type="checkbox"/>																																								
Patio	<input type="checkbox"/>																																								
Pool	<input type="checkbox"/>																																								
Shed	<input type="checkbox"/>																																								
Other	<input type="checkbox"/> _____																																								

Menu	Cancel	Help
Task OPZ Cultural Resources	Due Date 12/07/2023	Assigned Date 11/16/2023
Assigned to Department OPZ Cultural Resources	Assigned to Stacy Poulos	Status Complete w/ Comments
Action by Department OPZ Cultural Resources	Action By Stacy Poulos	Status Date 12/05/2023
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments This project involves a non-contributing structure in the AA-941, Sherwood Forest District and proposes no adverse effect.
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA	<input checked="" type="checkbox"/> Display Comment in ACA	Comment Display in ACA
No		<input checked="" type="checkbox"/> All ACA Users <input checked="" type="checkbox"/> Record Creator <input checked="" type="checkbox"/> Licensed Professional <input checked="" type="checkbox"/> Contact <input checked="" type="checkbox"/> Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar
Task Specific Information		

Review Notes	Reviewer Name	Reviewer Phone Number
Reviewer Email		



J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

Tonii Gedin, RN, DNP
Health Officer

MEMORANDUM

TO: Sadé Medina, Zoning Applications
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager
Bureau of Environmental Health *BC*

DATE: November 29, 2023

RE: C.R. Massey III
Celia A. Massey
341 Thorsby
Annapolis, MD 21405

NUMBER: 2023-0208-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling addition with less setbacks than required and with disturbance to slopes 15% or greater.

The Health Department does not have an approved plan for this project. The Health Department has no objection to the above referenced variance request as long as a plan is submitted and approved by the Health Department.

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay

Menu Cancel Help

Task
OPZ Critical Area Team
Assigned to Department
OPZ Critical Area
Action by Department
OPZ Critical Area
Start Time

Due Date
12/07/2023
Assigned to
Kelly Krinetz
Action By
Kelly Krinetz
End Time

Assigned Date
11/16/2023
Status
Complete w/ Comments
Status Date
11/16/2023
Hours Spent
0.0

Billable
No

Overtime
No

Comments
Provided the applicant can demonstrate compliance with all of the required variance standard for approval, this office has no objection to the proposed addition shown by the heavy black line as it is located primarily over existing improvements. Expansion beyond this area for additional deck would impact areas of vegetated slopes and cannot be supported as the minimum necessary.

Time Tracking Start Date
Display E-mail Address in ACA

Est. Completion Date
 Display Comment in ACA

In Possession Time (hrs)
Comment Display in ACA

- All ACA Users
- Record Creator
- Licensed Professional
- Contact
- Owner

Estimated Hours
0.0

Action
Updated

Workflow Calendar

Task Specific Information

Review Notes	Reviewer Name	Reviewer Phone Number
Reviewer Email		



Jennifer Esposito -DNR- <jennifer.esposito@maryland.gov>

CAC Comments_2023-0195-V Downey, 2023-208-V Massey, 2023-0213-V Richards

Jennifer Esposito <jennifer.esposito@maryland.gov>
To: Sadé Medina <pzmedi22@aacounty.org>
Cc: Charlotte Shearin -DNR- <charlotte.shearin@maryland.gov>

Wed, Dec 20, 2023 at 4:28 PM

Good afternoon,

The Critical Area Commission has reviewed the following variances and appropriate mitigation is required:

- 2023-0195-V; Downey (AA 398-23);
- 2023-0208-V; Massey (AA 379-23); and
- 2023-0213-V; Richards (AA 384-23)

Thank you for the opportunity to provide comments. If you have any questions or concerns, please let me know.

The above comments have been uploaded to the County's online portal.



 [facebook_logo.jpg](#)

 [twitter_logo.jpg](#)

dnr.maryland.gov/criticalarea

Jennifer Esposito

Critical Area Commission for the
Chesapeake & Atlantic Coastal Bays

1804 West Street, Suite 100

Annapolis, MD 21401

Office: 410-260-3468

(In office: Mon., Wed., Friday)

Cell: 443-569-1361

(Teleworking: Tues., Thurs.)

jennifer.esposito@maryland.gov

