



Messick & Associates

Consulting Engineers,
Planners, Surveyors
& Landscape Architects
"Designing Success Since 1951"

December 20, 2023

Ms. Sterling Seay, Zoning Administrator
Anne Arundel County
Planning & Zoning
2664 Riva Road
Annapolis, MD 21401

Re: Linstead on the Severn Lot 41 Variance Application
13 Cedar Point Road, Severna Park Maryland 21146
Tax Map 31, Block 18, Parcel 84 (Lot 41)
Explanation Letter

Dear Ms. Seay:

Attached for your review and processing is a variance application for the above referenced site. The site is located on the south side of Cedar Point Road approximately 675' south of the intersection with Boone Trail in central Anne Arundel County. The entire site is located in the Chesapeake Bay Critical Area / Limited Development Area overlay zone (CBCA/LDA) and is located in a Buffer Modification Area (BMA). The site consists of 1.13 acres (49,185 sq.ft.) of land zoned R-2 and the lot is served by public water and sewer. The applicant is seeking a permit for an addition to an existing single-family detached residential dwelling on the waterfront lot.

The purpose of this project is to renovate, update and expand the existing single-story dwelling that was built in the 1960's to allow for expanded family needs as a parent ages. The property is owned by the revocable Patricia Accinelli Living Trust. Patricia Accinelli (Mom/Grandmother) and Christopher Accinelli (Son/Husband/Father) are the trustees for the Trust and plan to reside in the home with their expanded family. Christopher (Chris) is a married Certified Financial Planner and Financial Advisor with 3 children. Chris and his family have moved into the home to care for Patricia as she continues to age and requires more assistance. The home was not built for 6 people, especially an elderly resident who would typically require special accommodations, so they now require additional space to accommodate the expanded family. Chris also has the ability to work from home but needs a separate area away from the home to have private conversations with his clients which is why they are proposing an office area above the existing garage. Chris can work from home and be near Mom but have the private space he needs for zoom calls and conference calls with his clients.

The subject property is the family home that has been in the family for nearly 50 years. Chris grew up in the home and his wife Kelly and their family are coming home to care for his mother as she ages.

The applicant has gone to great lengths to minimize the additions, specifically the areas that encumber additional land area. To that end, the applicant is reducing the existing impervious area on the lot.

Specifically, the applicant is requesting the following variances:



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1. **A variance to allow new accessways into the home from the driveway on the north side of the structure and stairs out of the house on the south side of the existing single family detached dwelling.** - The proposed dwelling additions have been designed to comply with Article 17-8-702 (b) with the exception of a new/reconfigured accessways into the home. This section of the code says *“No new lot coverage shall be placed nearer to the shoreline than the closest facade of the existing principal structure;”*

Planning & Zoning’s interpretation of this code in this case says any new work outside the existing exterior walls of the home requires a variance. We believe the code speaks to the closest portion of the façade, which would mean all proposed work with the exception of one small stair from the screened porch would comply with the code requirement. We have added a setback line to both the northern and southern sides of the house showing the distance from the shoreline to the closest portion of the existing facades. Please note, this lot has a peculiarity not typically found, in that the lot is a peninsula, effectively creating a shoreline setback on each side of the house. All proposed additions are further away from the shoreline than the closest portion of the façade, except for a small stair required to provide emergency egress from the screened porch. This stair is over top an existing stone patio which is being removed, effectively reducing the impervious area.

However, Planning & Zoning interprets the code to say anything outside the existing walls requires a variance. Therefore, in this case, the applicant is requesting a variance to allow access stairs and a new entryway into the home as shown on the proposed conditions plan. Many of these stairs are located over existing impervious coverage, thereby minimizing the overall coverage.

The applicant has even proposed removing much of the existing coverage on the site including existing sidewalks and proposes to install stepping stones to replace those sidewalks to reduce coverage.

2. **A variance to allow a second story expansion to the existing single-story garage to allow for a home office for Chris.** – The existing garage/accessory structure is closer to the shoreline than the closest façade of the principal structure. Therefore, any addition to the structure requires a variance. In this case, the applicant is adding a second story over the existing garage and constructing a minor addition to allow access without reducing storage space within the structure. The proposed stair to the second floor will be constructed within the existing garage, but that will encumber areas currently used to store and maintain yard and home maintenance equipment. The applicant is therefore proposing a small addition on the landward side of the garage (further away from the shoreline). This addition is being constructed in place of existing coverage that is used for car parking. The remainder of the parking area is being removed to again reduce the onsite coverage. The driveway in front of the garage is also being changed to allow adequate access into the existing garage bays which is inadequate today.
3. A variance to Article 18-4-601 to allow the second floor addition to match the exterior dimensions and location of the existing first floor. Given the peculiarity of the lot (peninsula), the lot has 2 front (waterside) yards. That configuration renders the Cedar Point Rd line a rear yard wherein it



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would otherwise be considered a side or front yard. The location of the existing home is 17' from this property line which helps to maximize the distance from the waterside yard as suggested by the code, but creates a non-conforming condition. The applicant is proposing to construct a second floor over the existing home, thereby requiring a variance. The second floor addition will match the existing home outline, and will be no closer to the property line than the existing home, but given the existing non-conforming condition, requires a variance.

4. A variance to Article 18-4-601 to allow the second story addition on the accessory structure to be built above the existing garage. Like the dwelling, the existing garage is non-conforming with the current code requirement. The current code requires accessory structure other than sheds that do not exceed 64 square feet in area and eight feet in height to be setback 40' from a front lot line. The existing garage is approximately 18' from the existing north side waterfront lot line. Therefore the construction of the second floor although directly above the existing footprint requires a variance.

(In response to the variance pre-file comments from the Office of Planning & Zoning, we offer the following:

1. Given OPZ's interpretation of Article 17-8-702, no improvements may be made to the exterior of the existing house can be accomplished without the proposed variance. The applicant has gone to great lengths to minimize the expansion and believes the proposal meets the requirements of the historic interpretation of this code section wherein the closest portion of the façade sets the setback line. However, given OPZ's interpretation, we have modified our request to include all new access areas into the dwelling. The applicant is also reducing the overall coverage on the lot including reducing coverage closer to the shoreline than the façade of the existing principal structure. Given this, we believe the proposal meets the spirit and intent of the code and will be an environmental betterment once completed. The variance is the minimum necessary to afford relief given the new family dynamic and the need for additional space and health considerations

We believe the proposed variance meets all applicable approval criteria in accordance with the Anne Arundel County Code. Specifically;

Requirements for critical area variances (Art. 18-16-305):

- (b)(1) *Because of certain unique physical conditions, such as exceptional topographical conditions peculiar to and inherent in the particular lot or irregularity, narrowness, or shallowness of lot size and shape, strict implementation of the County's critical area program would result in unwarranted hardship.*

The lot is a tapered (triangular) lot on a peninsula surrounded by water on three sides and the existing house is partially located within the 100' Critical Area Buffer Modification Area (CBCA/BMA) and rear yard setback (Cedar Point Road). It is a legally buildable R-2 zoned grandfathered lot but it is unable to be improved in strict conformance with the County's Critical Area and Zoning regulations. Without a variance, the Applicant will not be able to obtain permits for any exterior improvement or modification. The proposed renovation/upgrade/expansion will reduce impervious coverage on the



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lot and will be an environmental improvement by that reduction as well as the implementation of SWM where none exists today. Denial of the variance deny him reasonable use of the Property and will not allow him to upgrade the on site improvements to be in conformance with the current upgraded neighborhood.

- (b)(2) *A literal interpretation of the County's critical area program and related ordinances will deprive the applicant of rights commonly enjoyed by other properties in similar areas.*

The Lot is a legally buildable grandfathered lot in the Chesapeake Bay Critical Area and a literal interpretation of the critical area program would deny the Applicant the right to improve the property for residential purposes, as are other legally buildable grandfathered properties in the area.

- (b)(3) *The granting of a variance will not confer on an applicant any special privilege that would be denied by the County's critical area program to other lands or structures within the County critical area.*

Granting of a variance to allow the improvement of the property for residential purposes will not grant any special privileges that are not enjoyed by all residential lot owners within the neighborhood and the critical area.

- (b)(4) *The variance request is not based on conditions or circumstances that are the result of the actions by the applicant, including the commencement of development before an*

application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property.

The conditions and circumstances that gave rise to this variance application are the result of the existing lot configuration and existing house location. They are not in any way based on actions caused by the Applicant, and do not arise from conditions relating to land or building use on any neighboring property.

- (b)(5) *The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area and will be in harmony with the spirit and intent of the County's critical area program.*

The Applicant proposes a single-family residential house addition, which is similar to or smaller than typical for the neighborhood. The proposed limit of disturbance is less than 5,000; therefore, storm water management and mitigation for new impervious area in the Buffer Modification Area will be provided with additional buffer planting on-site; therefore, the variance will have no adverse impact to water quality or fish, wildlife, or plant habitat. It is also in harmony with the spirit and intent of the critical area program to allow reasonable use of a legally buildable grandfathered lot in the critical area that predate the critical area law and regulations.

- (b)(6) *The applicant for a variance to allow development in the 100-foot upland buffer has maximized the distance between the bog and each structure.*



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A majority of the proposed house is located outside the 100-foot upland buffer. The proposed development envelope is reasonably small for a waterfront lot and the distance between the tidal water and the proposed house is maximized in so far as possible given the location of the existing house.

- (b)(7) *The applicant, by competent and substantial evidence, has overcome the presumption contained in Natural Resources Article, § 8-1808.*

For reasons set forth herein and the evidence presented in the attached application, the Applicant has overcome the presumption contained in Natural Resources Article § 8-1808.

- (b)(8) *The applicant has evaluated and implemented site-planning alternatives.*

Site planning alternatives have been considered and the variance requests have been minimized in so far as possible; however, development of the site is impossible in strict

conformance with the zoning and critical area criteria. The applicant is proposing a modest house addition which is consistent with the other waterfront houses in the neighborhood.

Requirements for all variances:

- (c)(1) *The variance is the minimum variance necessary to afford relief.*

The site is a legally buildable, grandfathered single-family residential lot and the proposed house footprint is smaller than typical for the neighborhood and the variance is the minimum necessary to afford relief. The Applicant is only seeking reasonable use of the lot for residential purposes.

- (c)(2) *The granting of a variance will not (i) alter the essential character of the neighborhood or district in which it is located; (ii) substantially impair the appropriate use or development of adjacent property; (iii) reduce forest cover in the limited development and resource conservation areas of the critical area; (iv) be contrary to acceptable*

clearing and replanting practices required for development in the critical area; nor (v) be detrimental to the public welfare.

Granting of the variance will allow the Property to be used in a manner that is consistent with all surrounding properties in the neighborhood. It will have no impact on the use or development of adjacent properties. Storm water management and new coverage mitigation is proposed so it will have no impact on forest cover or be contrary to acceptable clearing and replanting practices. Granting of the variance will not be detrimental to the public health, safety or welfare.

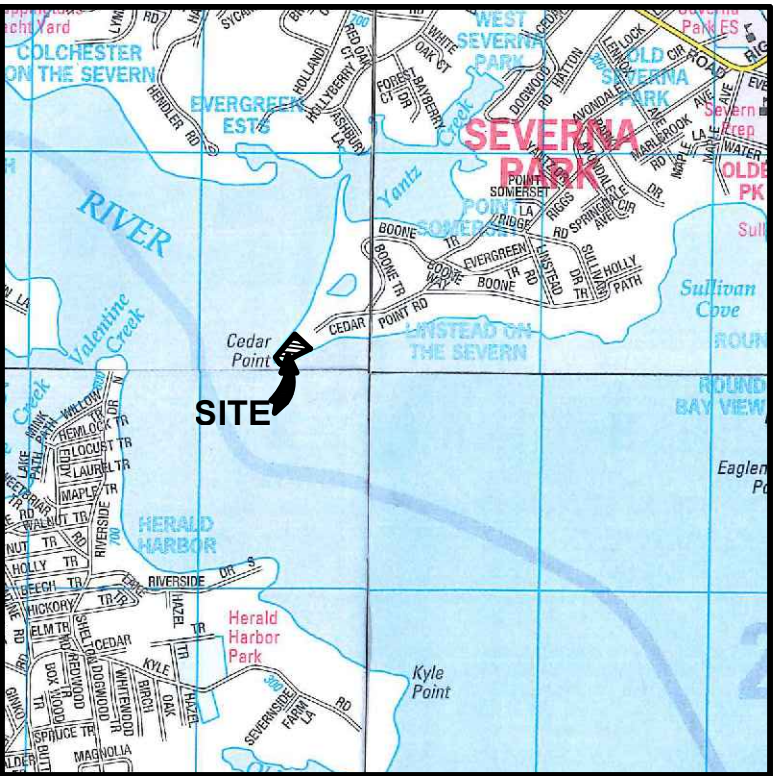
If there are any questions concerning this application, please do not hesitate to contact me.



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Sincerely,
MESSICK GROUP, INC.
T/A MESSICK & ASSOCIATES

Timothy J. Brenza, R.L.A.
Vice President, Planning & Landscape Architecture



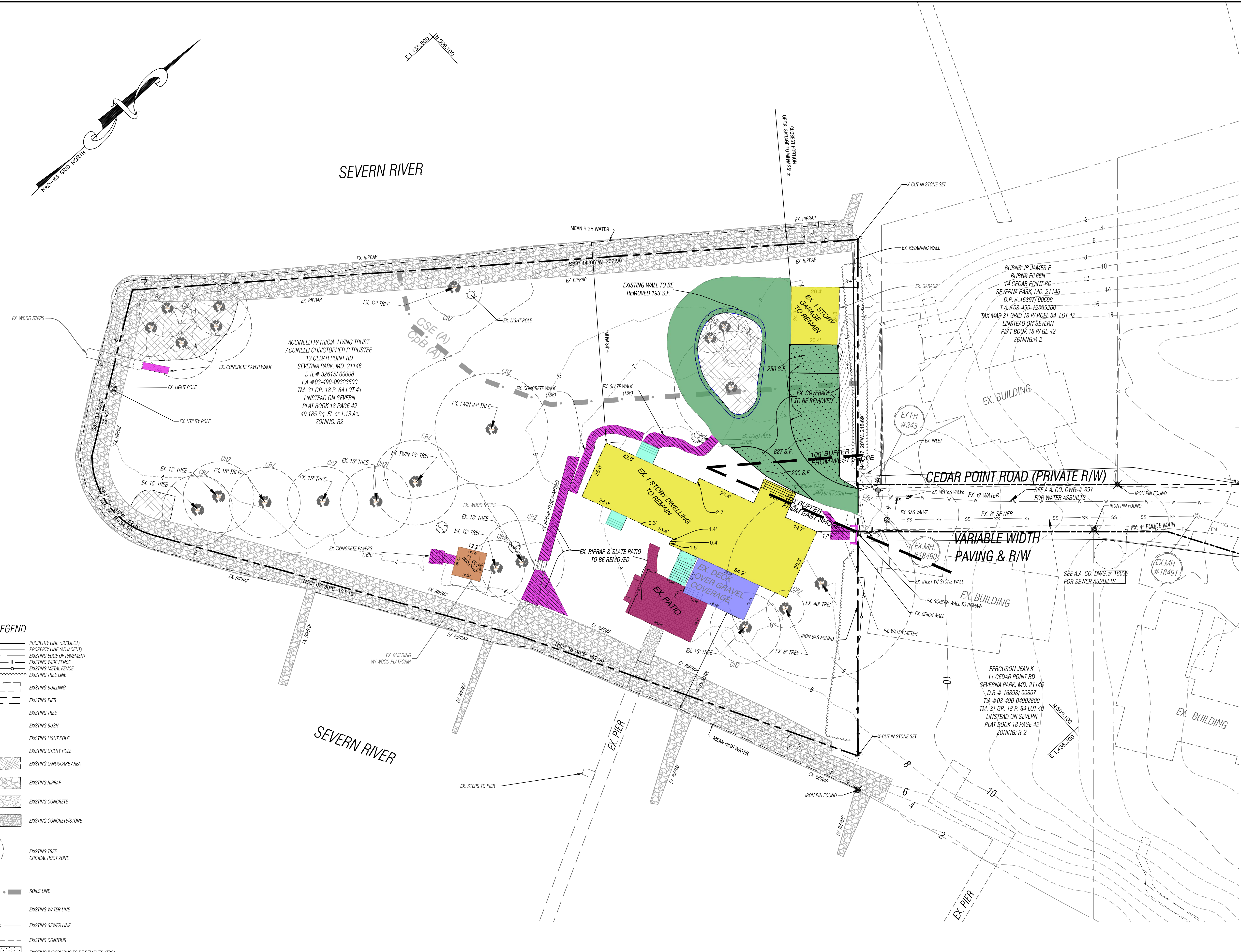
VICINITY MAP
SCALE: 1" = 200'
ADC PERMITTED USE NUMBER 21003176

SITE DATA	
PROPERTY ADDRESS:	13 CEDAR POINT ROAD SEVERNA PARK, MD. 21146
OWNER ADDRESS:	PATRICIA ANN & CHRISTOPHER P. ACCINELLI TRUSTEES 13 CEDAR POINT ROAD SEVERNA PARK, MD. 21146 BLOCK: 18 PARCEL: 84
TAX MAP: 31	INSTEAD ON SEVERN PLAT BOOK 18 PAGE 42 ZONING: R-2
ASSESSMENT DISTRICT:	THIRD
TAX ACCOUNT NUMBER:	03-490-09323500
EXISTING ZONING:	R2
FEMA RATE MAP NUMBER:	24003C0154F FEB. 18, 2015
FEMA RATE MAP ZONE:	AE EL=5, 6 & 7
CRITICAL AREA MAP:	18 (LDA) LIMITED DEVELOPMENT AREA- ENTIRE SITE
PREDOMINANT SOILS:	CpB: COLLINGTON-WEST-URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPES (A SOILS) CSE: COLLINGTON, WEST AND WESTPHALIA SOILS, 15 TO 25 PERCENT SLOPES W: WATER
EXISTING USE:	SINGLE FAMILY DWELLING PROPOSED USE: SINGLE FAMILY DWELLING
PROPOSED HEIGHT / # OF STORIES:	PRINCIPAL STRUCTURE = 2-1/2 STORIES / 35' HT. ACCESSORY STRUCTURE = 2 STORIES / 25' HT.

TOTAL EXISTING IMPERVIOUS COVERAGE	
EX. GARAGE	488 S.F. 0.01 - AC.
EX. DWELLING	2,908 S.F. 0.07 - AC.
EX. OUT BUILDING	149 S.F. 0.00 - AC.
EX. DECK	454 S.F. 0.01 - AC.
EX. PATIO	666 S.F. 0.02 - AC.
EX. ACCESS STAIRS	198 S.F. 0.00 - AC.
EX. DRIVEWAY	4,030 S.F. 0.09 - AC.
EX. WALKS/ WALLS	820 S.F. 0.02 - AC.
EX. IMPERVIOUS TOTAL	9,713 S.F. 0.22 - AC.
SITE AREA	49,185 S.F. 1.13 - AC.
15% COVERAGE PERMITTED	7,378 S.F. 0.17 - AC.
AMOUNT OF COVERAGE OVER 15%	2,335 S.F. 0.05 - AC.
10% REDUCTION IN COVERAGE OVER 15%	234 S.F. 0.01 - AC.
TOTAL COVERAGE PERMITTED	9,480 S.F. 0.22 - AC.

BENCHMARK DATA	
BM-1: IRON BAR FOUND-IBF-1000=2005	
NORTHING	509,110.8500
EASTING	1,436,067.5420
ELEVATION	8.64'
(NAD83/91 & NAVD88)	
BM-2: IRON BAR FOUND-IBF-1015-BOLT+2005	
NORTHING	509,068.6430
EASTING	1,436,099.4030
ELEVATION	9.64'
(NAD83/91 & NAVD88)	

EXISTING CONDITIONS PLAN	
INSTEAD ON SEVERN	
VARIANCE PLAN	
LOT 41 (PLAT BOOK 18 PAGE 42)	
13 CEDAR POINT ROAD	
SEVERNA PARK, MD 21146	
TAX MAP: 31 GRID: 18 PARCELS: 84	TAX ACCOUNT: 03-490-09323500 ZONING: R-2
THIRD ASSESSMENT DISTRICT	ANNE ARUNDEL COUNTY, MARYLAND 21144
SCALE: 1" = 20'	DATE: MARCH 2024 SHEET: 1 OF 2



LEGEND	
	PROPERTY LINE (SUBJECT)
	PROPERTY LINE (ADJACENT)
	EXISTING EDGE OF PAVEMENT
	EXISTING WIRE FENCE
	EXISTING METAL FENCE
	EXISTING TREE LINE
	EXISTING BUILDING
	EXISTING PIER
	EXISTING TREE
	EXISTING BUSH
	EXISTING LIGHT POLE
	EXISTING UTILITY POLE
	EXISTING LANDSCAPE AREA
	EXISTING RIPRAP
	EXISTING CONCRETE
	EXISTING CONCRETE/STONE
	EXISTING TREE CRITICAL ROOT ZONE
	SOILS LINE
	EXISTING WATER LINE
	EXISTING SEWER LINE
	EXISTING CONTOUR
	EXISTING IMPERVIOUS TO BE REMOVED (TBR)

REVISION DESCRIPTION	BY	DATE

MESSICK & ASSOCIATES*
CONSULTING ENGINEERS,
PLANNERS AND SURVEYORS

7 OLD SOLOMONS ISLAND ROAD, SUITE 202
ANNAPOLIS, MARYLAND 21401
(410) 266-3212 * FAX (410) 266-3502
email: engr@messickandassociates.com

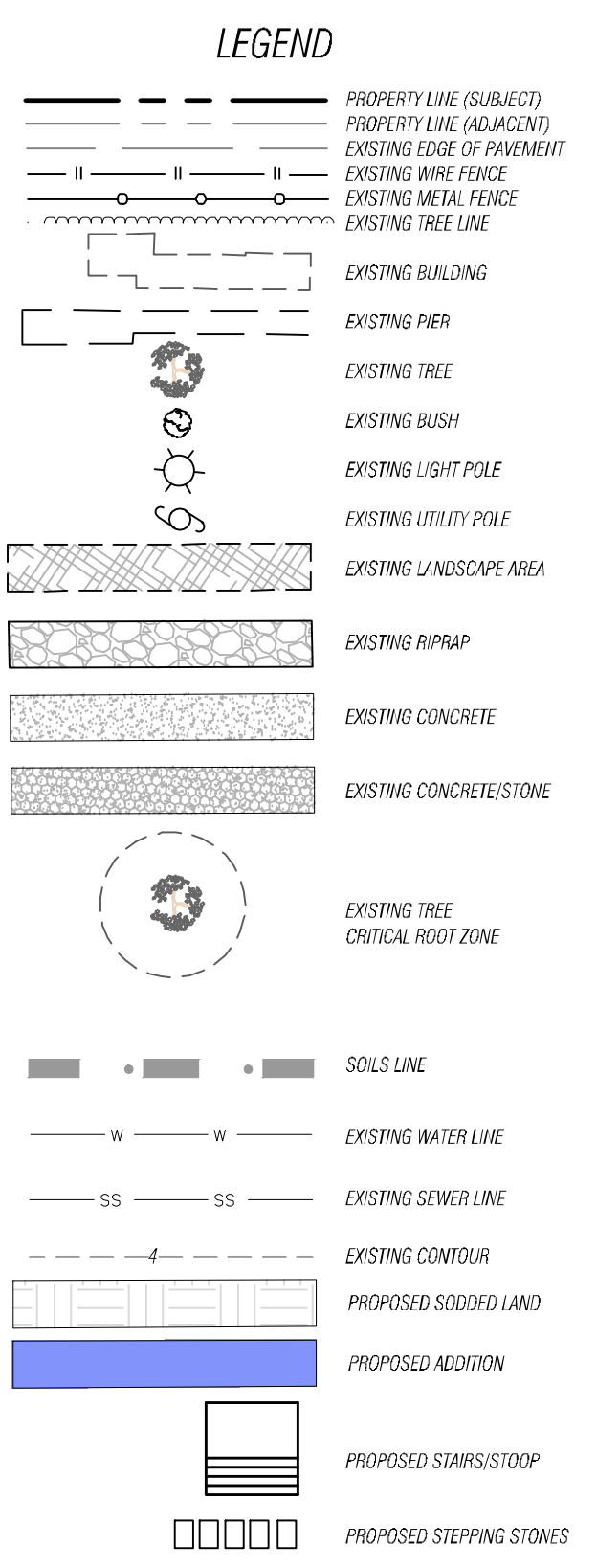
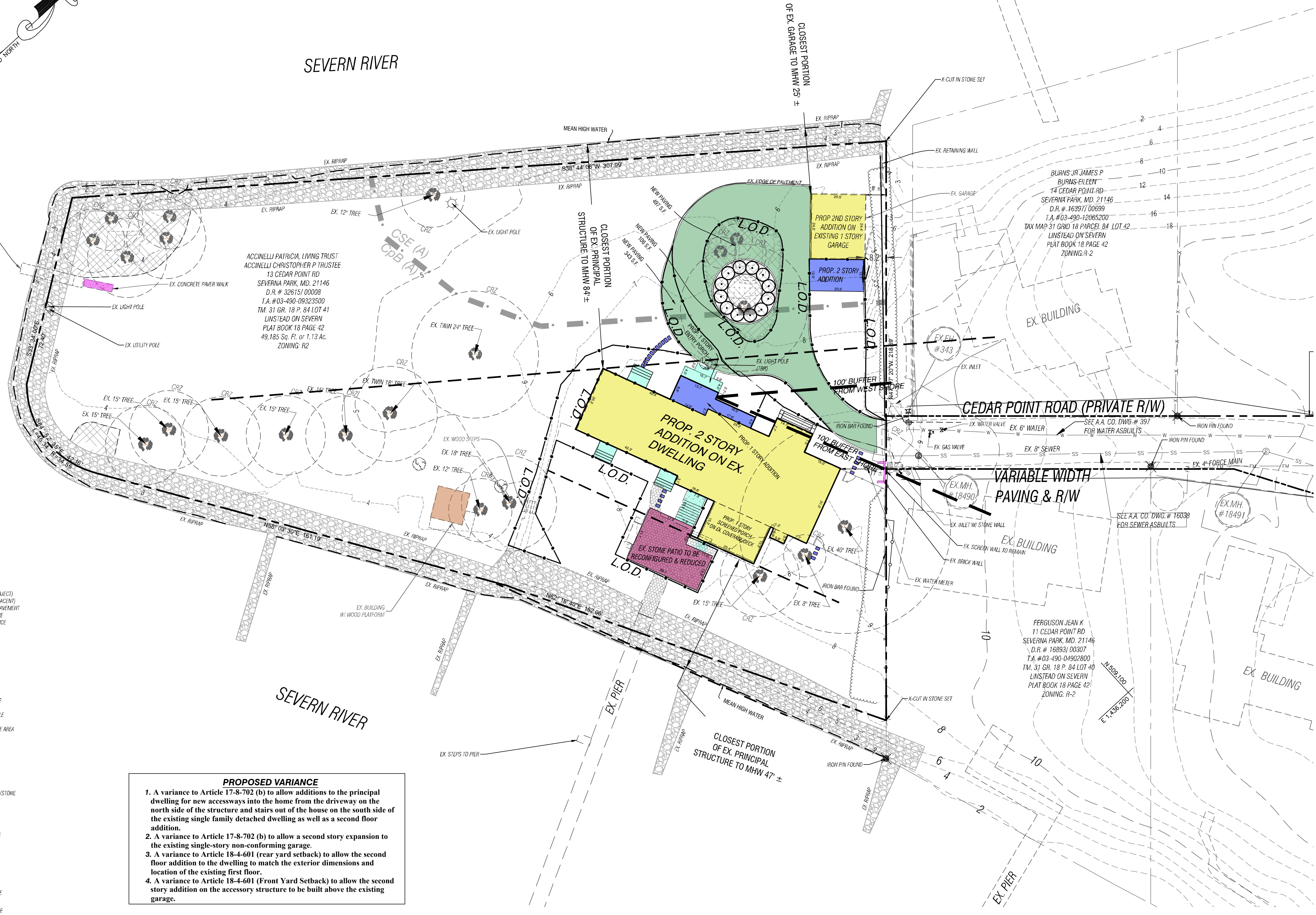
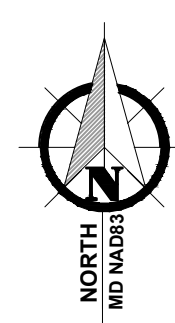
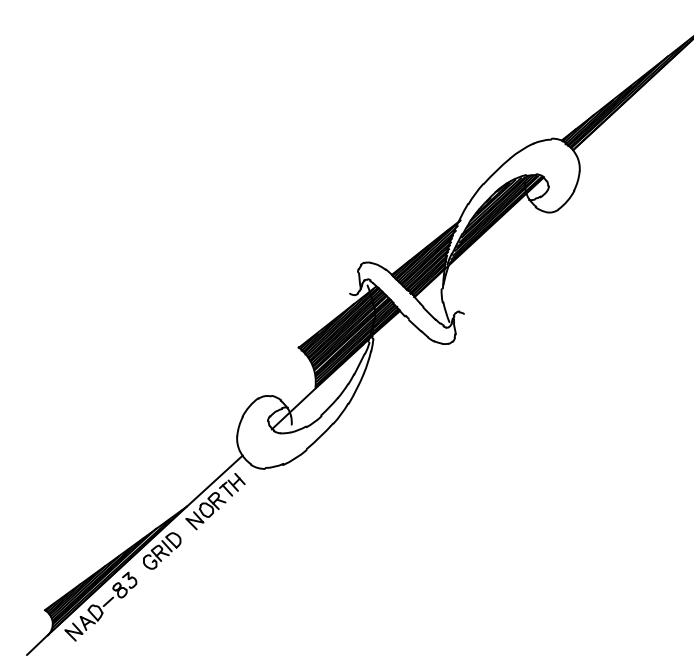
* MESSICK GROUP INC. T/A MESSICK AND ASSOCIATES

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21591, EXPIRATION DATE: 03-21-24

OWNER/DEVELOPER
PATRICIA ACCINELLI LIVING TRUST
CHRISTOPHER P. ACCINELLI TRUSTEE
13 CEDAR POINT ROAD
SEVERNA PARK, MD. 21146-4505
c/o PHONE: 410-266-3212
c/o EMAIL: ENGR@MESSICKANDASSOCIATES.COM



VICINITY MAP
SCALE: 1" = 200'
ADC PERMITTED USE NUMBER 21003176



PROPOSED VARIANCE

1. A variance to Article 17-8-702 (b) to allow additions to the principal dwelling for new accessways into the home from the driveway on the north side of the structure and stairs out of the house on the south side of the existing single family detached dwelling as well as a second floor addition.
2. A variance to Article 17-8-702 (b) to allow a second story expansion to the existing single-story non-conforming garage.
3. A variance to Article 18-4-601 (rear yard setback) to allow the second floor addition to the dwelling to match the exterior dimensions and location of the existing first floor.
4. A variance to Article 18-4-601 (Front Yard Setback) to allow the second story addition on the accessory structure to be built above the existing garage.

TOTAL PROPOSED IMPERVIOUS COVERAGE

EX. GARAGE	502 S.F.	0.01 - AC.
PROP. GARAGE ADDITION	247 S.F.	0.01 - AC.
EX. DWELLING	3,251 S.F.	0.07 - AC.
PROP. HOUSE ADDITION	227 S.F.	0.01 - AC.
EX. OUT BUILDING	149 S.F.	0.00 - AC.
RECONFIGURED PATIO	538 S.F.	0.01 - AC.
ACCESS STAIRS	332 S.F.	0.01 - AC.
DRIVEWAY	3,467 S.F.	0.08 - AC.
EX. WALK/WALL	41 S.F.	0.00 - AC.
COVERAGE PROP. TOTAL	8,789 S.F.	0.20 - AC.
COVERAGE PERMITTED	9,459 S.F.	0.22 - AC.

*SEE EXISTING CONDITIONS PLAN

L.O.D. = 4,984
AREA TO BE VEGETATIVELY STABILIZED = 2,000
AREA TO BE STRUCTURALLY STABILIZED = 2,984
NOTE: L.O.D. LESS THAN 5,000 S.F.
STORMWATER MANAGEMENT TO BE PROVIDED BY PLANTINGS PER ARTICLE 17 OF THE CODE

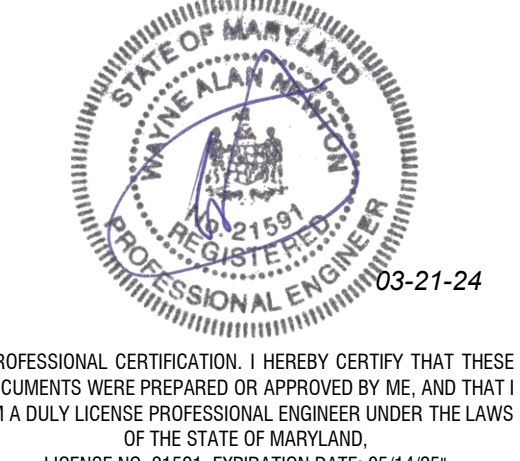
March 22, 2024 FILE: 014 CD21-1383 13 Cedar Point Road/DWG/VARIANCE PLANS/VARIANCE PL AN.V2.dwg

REVISION DESCRIPTION	BY	DATE

MESSICK & ASSOCIATES*
CONSULTING ENGINEERS,
PLANNERS AND SURVEYORS

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* MESSICK GROUP INC. T/A MESSICK AND ASSOCIATES



OWNER/DEVELOPER
PATRICIA ACCINELLI LIVING TRUST
CHRISTOPHER P. ACCINELLI TRUSTEE
13 CEDAR POINT ROAD
SEVERNA PARK, MD. 21146-4505
c/o PHONE: 410-266-3212
c/o EMAIL: ENGR@MESSICKANDASSOCIATES.COM

PROPOSED CONDITIONS PLAN

LINSTEAD ON SEVERN
VARIANCE PLAN
LOT 41 (PLAT BOOK 18 PAGE 42)
13 CEDAR POINT ROAD
SEVERNA PARK, MD 21146

TAX MAP: 31 GRID: 18 PARCELS: 84
THIRD ASSESSMENT DISTRICT
SCALE: 1" = 20'

TAX ACCOUNT: 03-490-09323500 ZONING: R-2
ANNE ARUNDEL COUNTY, MARYLAND 21144
DATE: MARCH 2024 SHEET: 2 OF 2

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: 12/20/2023

Tax Map #	Parcel #	Block #	Lot #	Section
41	84	18	41	N/A

FOR RESUBMITTAL ONLY

- Corrections
- Redesign
- No Change
- Non-Critical Area

*Complete Only Page 1
General Project Information

Tax ID: 03-490-09323500

Project Name (site name, subdivision name, or other) LINSTEAD ON THE SEVERNA; LOT 41

Project location/Address 13 CEDAR POINT ROAD

City SEVERNA PARK, MD. Zip 21146

Local case number _____

Applicant: Last name ACCINELLI First name PATRICIA

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 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: EXPANSION OF AN EXISTING SINGLE FAMILY RESIDENTIAL HOUSE AND DETACHED GARAGE

Intra-Family Transfer	Yes <input type="checkbox"/>	Growth Allocation	Yes <input type="checkbox"/>
Grandfathered Lot	<input checked="" type="checkbox"/>	Buffer Exemption Area	<input checked="" 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	0.0	0
LDA Area	1.13	49,185
RCA Area	0	0
Total Area	1.13	49,185

Total Disturbed Area Acres Sq Ft
0.114 4984

of Lots Created - 0 -

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.21	9345	Existing Lot Coverage	0.22	9713
Created Forest/Woodland/Trees	0	0	New Lot Coverage	0	0
Removed Forest/Woodland/Trees	0	0	Removed Lot Coverage	0.02	959
			Total Lot Coverage	0.20	2754

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.11	4984	Buffer Forest Clearing	0	0
Non-Buffer Disturbance	0	0	Mitigation	0	0

Variance Type

Buffer	<input type="checkbox"/>
Forest Clearing	<input type="checkbox"/>
HPA Impact	<input type="checkbox"/>
Lot Coverage	<input type="checkbox"/>
Expanded Buffer	<input type="checkbox"/>
Nontidal Wetlands	<input type="checkbox"/>
Setback	<input checked="" type="checkbox"/>
Steep Slopes	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/> <u>NEW COVERAGE CLOSER TO MHW THAN PRINCIPAL STRUCTURE</u>

Structure

Acc. Structure Addition	<input type="checkbox"/>
Barn	<input type="checkbox"/>
Deck	<input type="checkbox"/>
Dwelling	<input type="checkbox"/>
Dwelling Addition	<input checked="" type="checkbox"/>
Garage	<input checked="" type="checkbox"/>
Gazebo	<input type="checkbox"/>
Patio	<input type="checkbox"/>
Pool	<input type="checkbox"/>
Shed	<input type="checkbox"/>
Other	<input type="checkbox"/>

**Critical Area Narrative Statement
For: 13 Cedar Point Road
Severna Park, Md. 21146
AACo. Tax Map 31, Grid 18, Parcel 84, Lot 41**

December 15, 2023

PREPARED BY:
MESSICK AND ASSOCIATES.
7 OLD SOLOMONS ISLAND ROAD, SUITE 202
ANNAPOLIS, MARYLAND 21401
410-266-3212

PREPARED FOR:
THE PARTICIA A. ACCINELLI LIVING TRUST
13 CEDAR POINT ROAD
SEVERNA PARK, MD 21146



In accordance with the Anne Arundel County's Critical Area Report Criteria for a variance application, attached is a description of the subject property, proposed use, description of existing vegetation, proposed development, mitigation requirements, impervious area calculation and description of the habitat protection areas on-site.

A. Project Location, Use and Relevant History:

The Property consists of approximately 1.13 acres of land and is identified on Tax Map 31, Grid 18, Parcel 84 as Lot 41 (Tax Account Number 03-490-09323500). It is a waterfront parcel located on west side of Cedar Point Road. It is a grandfathered lot created before 1952 and shown on the Plat of Linstead on the Severn in Plat Book 18, folio 42. The site is zoned R2-(Residential) and is improved with an existing single story wood frame residential structure, driveway, patio and an accessory structure (a detached garage) on the northeast corner of the site. The entire property is located in the Chesapeake Bay Critical Area / Limited Development Area / Buffer Modification Area overlay zone (CBCA/LDA/BMA overlay) and is served by public water and sewer systems.

The applicant (the owner) has owned this property since July of 1977. The applicant (Patricia Anne Accinelli) is the elderly owner of the property, with an increasing need for assistance and handicap accessibility as she ages. The applicant's son and wife's family (Chris and Kelly Accinelli and their children) have agreed to help their mother by making improvements to the existing house to accommodate their mother and family so as to provide that assistance. The existing house is a modest 1,700 +/- s.f. single-story home and the site exceeds the critical area coverage limitations in the LDA Critical Area; therefore, a second story addition and home office are required to reduce the existing site coverage by 10% and provide sufficient area necessary to meet the applicant's needs. It should be noted that the existing house is smaller than the average for the neighborhood and two-story residential structures are typical for the neighborhood.

B. Description of Vegetative & Proposed Disturbance:

Approximately 19% of the site is vegetated by aerial extent. The existing vegetation consists of individual trees including Red Maples, Willow Oaks, Spruce, White Pine and Dogwoods between 2-26" DBH. Soils on site consist of Patapsco-Fort-Mott and Sassafras soils and are not hydric or highly erodible. In general, the site is gently sloped toward the southeast corner of the site.

The proposed disturbance is limited the minimum area necessary to construct the addition to the existing house and detached garage (under 5,000 square feet). Since the limit of disturbance is less than 5,000 square feet, storm water management is being provided by additional native plantings on-site in accordance with Article 17-8-405.

C. Potential Impacts and Mitigation:

Since native plantings are being proposed to address storm water management, no significant environmental impacts are anticipated. The existing single-family detached dwelling and accessory structure are an existing use. In order to mitigate for the additional coverage, the applicant proposes additional plantings in accordance with Article 17-8-702(e) of the County Code.

D. Coverage Calculation:

Total existing coverage on-site is approximately 9,713 sq. ft. or 19.75 % of the overall property. The coverage includes the existing residential structure, an asphalt driveway, concrete and slate pavers/sidewalk and the existing accessory structure on site. Since the site exceeds the 15% typically allowed in the CBCA/LDA/BMA overlay, the existing coverage is being reduced by 10% of that area exceeding the maximum allowed lot coverage in accordance with Article 17-8403.

E. Description of Habitat Protection Areas:

The entire site is located within the LDA Critical Area and a majority of the site is within the 100' Critical Area Buffer Modification Area. The Chesapeake Bay Critical Area Project Notification Application Form, Site Plan, Topographic map and associated supporting documents are attached. The attached narrative statement was prepared by Timothy Brenza, RLA of Messick and Associates on December 15, 2023.



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING 7.15.2022

P&Z STAFF Sumner Handy, Kelly Krinetz

APPLICANT/REPRESENTATIVE Tim Brenza EMAIL tim@messickandassociates.com

SITE LOCATION 13 Cedar Point Road, Severna Park LOT SIZE 49,185 sf ZONING R2

CA DESIGNATION IDA BMA X or BUFFER APPLICATION TYPE variance

The applicant proposes a second story addition to the existing dwelling, an expansion of the dwelling's footprint, and a second story addition to the detached garage.

COMMENTS

The Critical Area Team notes that the applicants should provide adequate justification for the expansion proposed, especially the need to add a second story.

The Zoning Division notes that the following variances are required:

1. to the rear setback requirement for principal structures in the R2 District.
2. to the front setback requirement for accessory structures in the R2 District.
3. to Section 17-8-702(b) to allow new lot coverage nearer to the shoreline than the closest façade of the principal structure for each of the dwelling's expansion/second story addition and the second story addition to the detached garage.

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 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.



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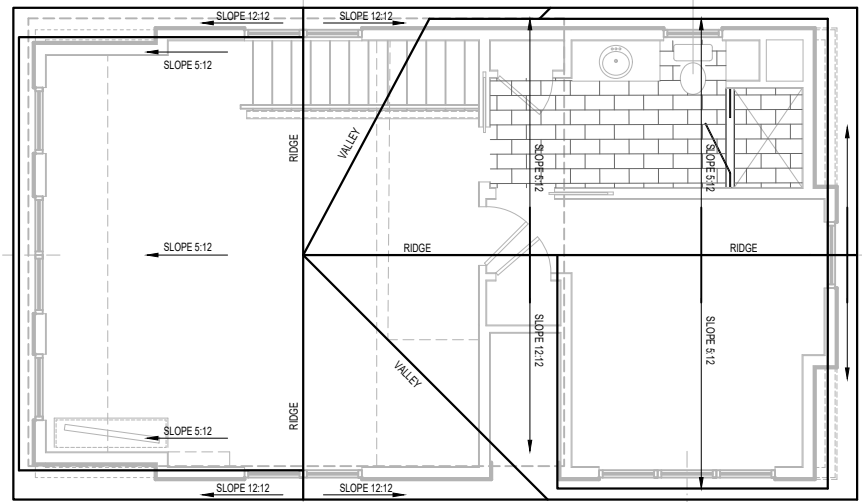
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DWG INFO

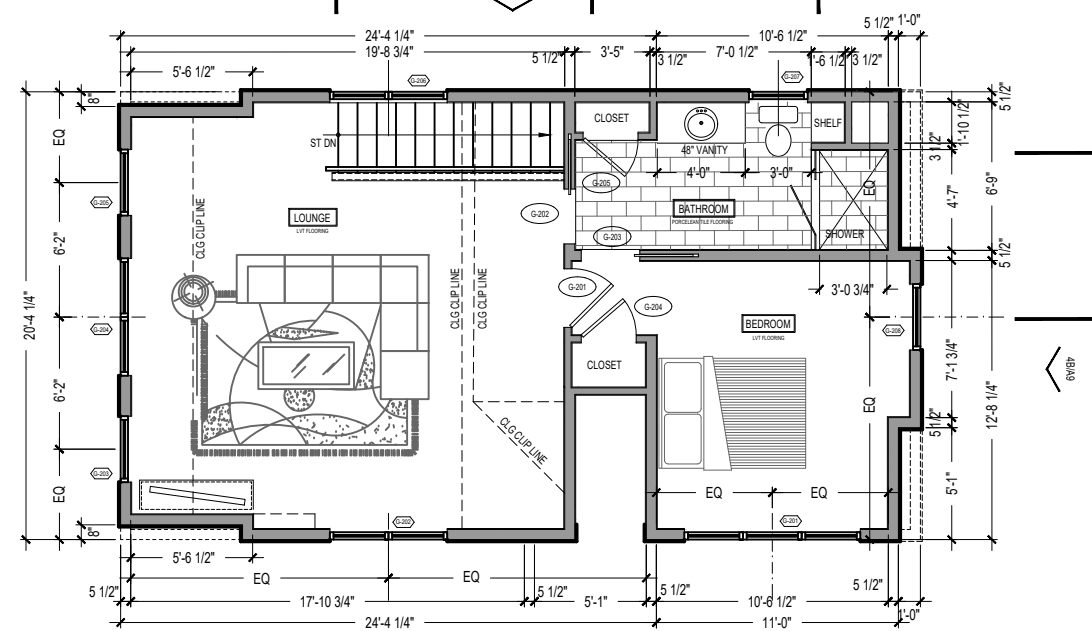
August 3rd, 2023 - 529 Pricing (Ply Garage)

NOTES

A.4



4B ROOF PLAN - GARAGE
SCALE: 1/4"=1'-0"



4G LEVEL 2 PLAN - GARAGE
SCALE: 1/4"=1'-0"

GENERAL NOTES:

- WINDOWS TO BE SELECTED AS ADDRESSED AND SIZED, HULLA OR ALUMINUM SYSTEMS
- PROVIDE WINDOW SCHEDULES FOR ALL GARAGE WINDOWS AND DOORS
- CONFIRM WINDOW HARDWARE SELECTIONS WITH OWNER
- ALL INTERIORS AND EXTERIORS SHALL TO BE FINISHED TO MATCH DATE LINE WITH - SEE EXHIBIT FOR FINISHES
- CONFIRM FINAL WINDOW AND DOOR SCHEDULES WITH ARCHITECT AND OWNER PRIOR TO FINAL ORDER
- PROVIDE SCHEDULES FOR GARAGE WINDOWS PER ANY REQUIREMENTS
- SEE ELEVATION SECTIONS FOR WINDOW HEAD HEIGHTS
- PROVIDE SCHEDULES FOR ALL GARAGE WINDOWS, DOORS, AND AS REQUIRED BY CODE
- ALL SCHEDULES TO BE COORDINATED WITH ALL OTHER SCHEDULES
- REFER TO PLANS FOR DOOR AND CURTAIN WINDOW HANG COORDINATIONS
- ALL WINDOW DOORS TO BE 5/8" MINIMUM GLASS THICKNESS - COORDINATE REQUIREMENTS FOR WINDOW DOORS WITH WINDOW MANUFACTURER
- NOTE THAT SECOND FLOOR WINDOWS ARE NOT ALL HANG AT SAME HEIGHT - PLEASE REFER TO SCHEDULES AND ELEVATIONS FOR HEAD HEIGHT COORDINATIONS

NOTE:
WINDOW AND DOOR SCHEDULES SUPPLEMENTARY TO WINDOW TYPES AND SIZES
DIMENSIONS ON SCHEDULES ARE NOMINAL, SEE WITH FINAL UNIT AND WINDOW OPENING SIZES TO BE DETERMINED BASED ON SELECTED MANUFACTURER. CONTRACTOR IS RESPONSIBLE TO COORDINATE MANUFACTURER'S DIMENSIONS WITH DESIGNER BEFORE ORDERING.

DOOR SCHEDULE: GARAGE FIRST FLOOR

NO.	SIZE	DOOR TYPE	NOTES-REMARKS
G-101	2'-0" X 8'-0"	STANDARD PREHUNG GARAGE - HINGED	2'-0" X 8'-0" HINGED EXTERIOR SWING GARAGE DOOR WITH 24" GLASS GLAZING
G-102	2'-0" X 8'-0"	STANDARD PREHUNG GARAGE - HINGED	2'-0" X 8'-0" HINGED EXTERIOR SWING GARAGE DOOR WITH 24" GLASS GLAZING
G-103	2'-0" X 8'-0"	STANDARD PREHUNG EXTERIOR DOOR WITH GLASS GLAZING	2'-0" X 8'-0" HINGED EXTERIOR SWING DOOR WITH 24" GLASS GLAZING
G-104	2'-0" X 8'-0"	SOLID CORE INTERIOR SWING PASSAGE DOOR	2'-0" X 8'-0" SWING INTERIOR SWING DOOR WITH 1 1/2" CORE
G-105	2'-0" X 8'-0"	SOLID CORE INTERIOR SWING DOOR	2'-0" X 8'-0" SWING INTERIOR SWING DOOR WITH 1 1/2" CORE

DOOR SCHEDULE: GARAGE FIRST FLOOR

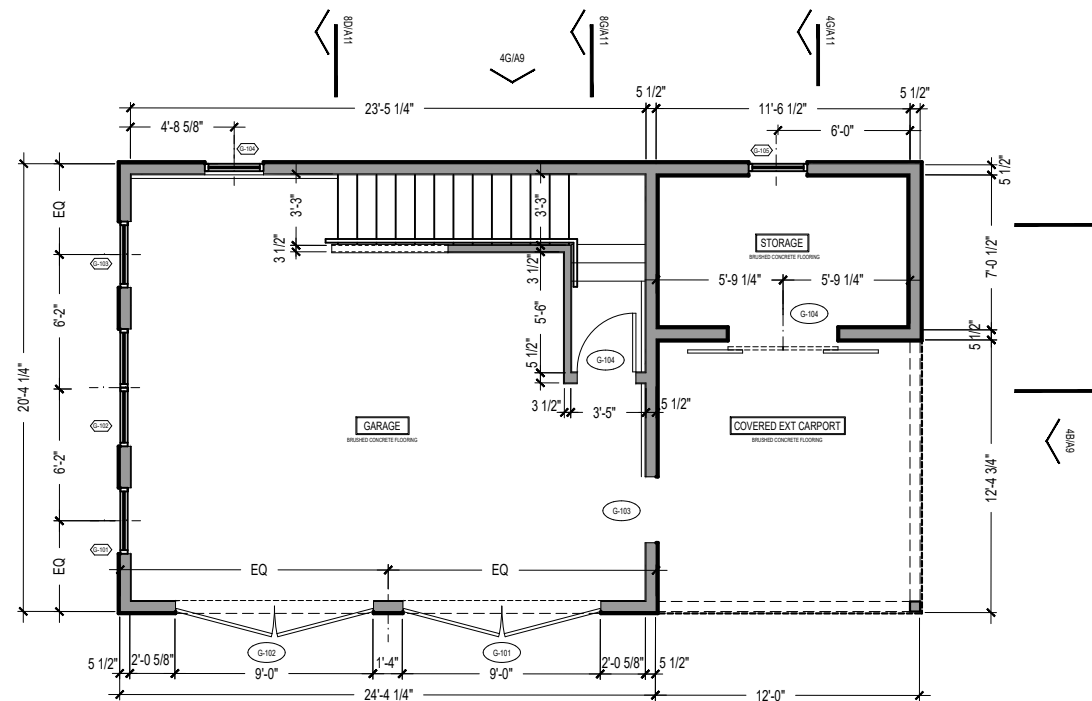
NO.	SIZE	DOOR TYPE	NOTES-REMARKS
G-201	2'-0" X 8'-0"	SOLID CORE INTERIOR SWING PASSAGE DOOR	4" STAINED PANEL, W/PLATE FINISHING
G-202	2'-0" X 8'-0"	SOLID CORE INTERIOR SWING DOOR	4" STAINED PANEL, W/PLATE FINISHING
G-203	2'-0" X 8'-0"	SOLID CORE INTERIOR SWING DOOR	4" STAINED PANEL, W/PLATE FINISHING
G-204	2'-0" X 8'-0"	SOLID CORE INTERIOR SWING DOOR	4" STAINED PANEL, W/PLATE FINISHING
G-205	2'-0" X 8'-0"	SOLID CORE INTERIOR SWING DOOR	4" STAINED PANEL, W/PLATE FINISHING
G-206	2'-0" X 8'-0"	SOLID CORE INTERIOR SWING DOOR	4" STAINED PANEL, W/PLATE FINISHING

WINDOW SCHEDULE: GARAGE FIRST FLOOR

NO.	FRAME SIZE	WINDOW TYPE	NOTES-REMARKS	TEMPRD	EGRESS
G-101	2'-0" X 8'-0"	CASSETTE			
G-102	2'-0" X 8'-0"	CASSETTE	2'-0" X 8'-0" CASSETTES - FACTORY WELDED		
G-103	2'-0" X 8'-0"	CASSETTE			
G-104	2'-0" X 8'-0"	CASSETTE			
G-105	2'-0" X 8'-0"	CASSETTE			
G-106	2'-0" X 8'-0"	CASSETTE			
G-107	2'-0" X 8'-0"	CASSETTE			

WINDOW SCHEDULE: GARAGE SECOND FLOOR

NO.	FRAME SIZE	WINDOW TYPE	NOTES-REMARKS	TEMPRD	EGRESS
G-201	2'-0" X 8'-0"	CASSETTE	2'-0" X 8'-0" CASSETTES - FACTORY WELDED		
G-202	2'-0" X 8'-0"	CASSETTE	2'-0" X 8'-0" CASSETTES - FACTORY WELDED		
G-203	2'-0" X 8'-0"	CASSETTE	2'-0" X 8'-0" CASSETTES - FACTORY WELDED		
G-204	2'-0" X 8'-0"	CASSETTE	2'-0" X 8'-0" CASSETTES - FACTORY WELDED		
G-205	2'-0" X 8'-0"	CASSETTE	2'-0" X 8'-0" CASSETTES - FACTORY WELDED		
G-206	2'-0" X 8'-0"	CASSETTE	2'-0" X 8'-0" CASSETTES - FACTORY WELDED		
G-207	2'-0" X 8'-0"	CASSETTE	2'-0" X 8'-0" CASSETTES - FACTORY WELDED		
G-208	2'-0" X 8'-0"	CASSETTE	2'-0" X 8'-0" CASSETTES - FACTORY WELDED		



8G LEVEL 1 PLAN - GARAGE
SCALE: 1/4"=1'-0"



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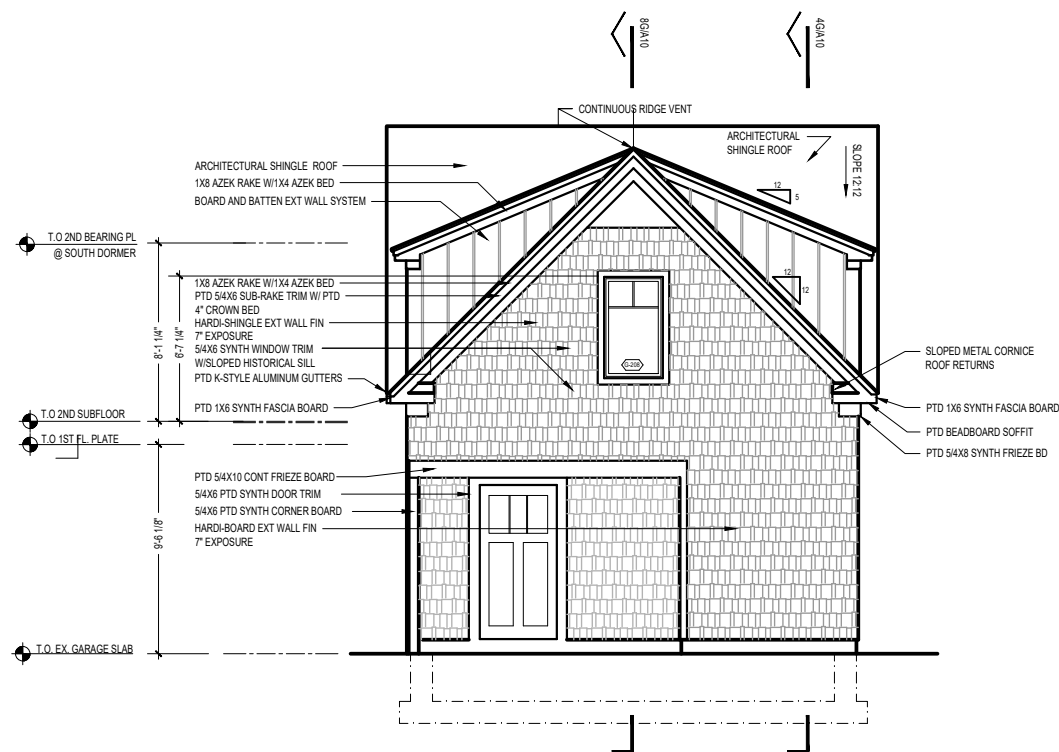
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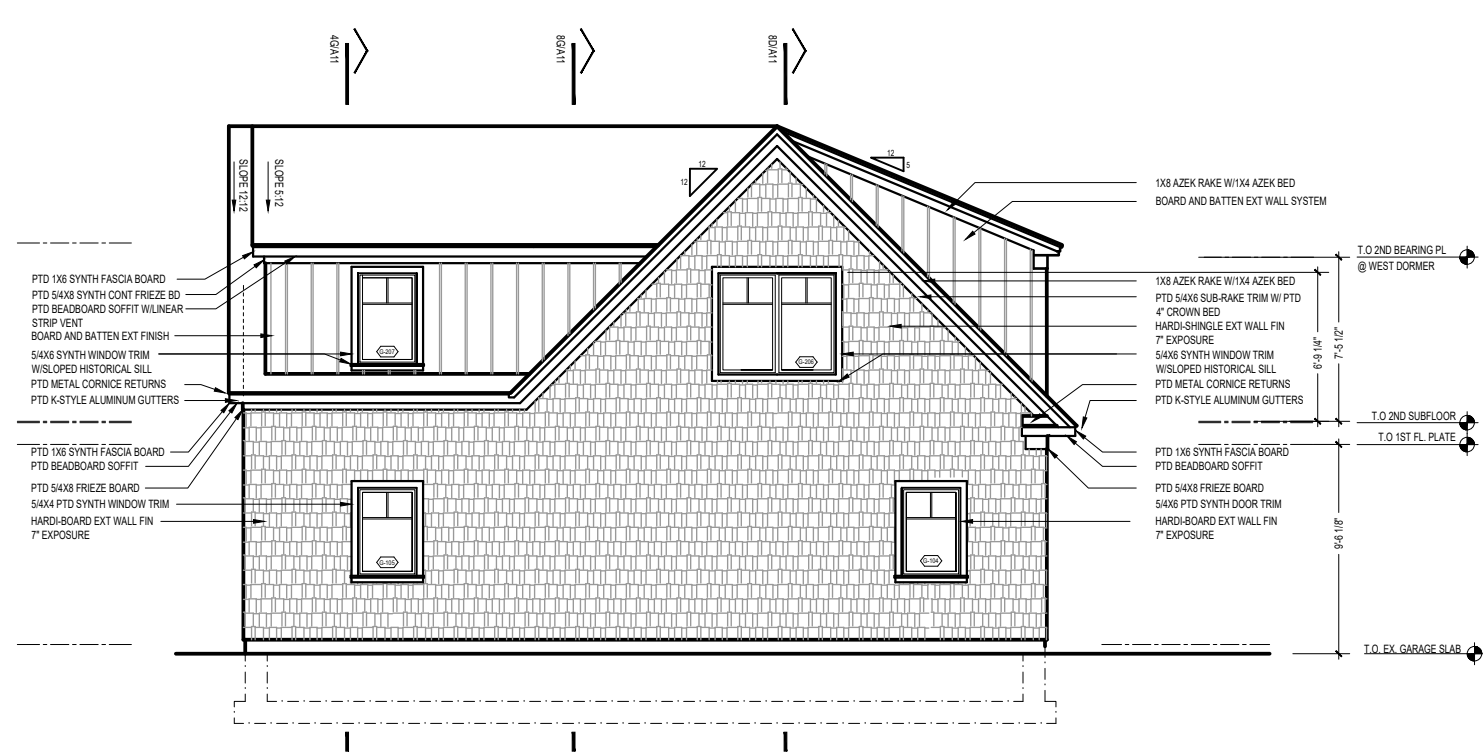
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NOTES

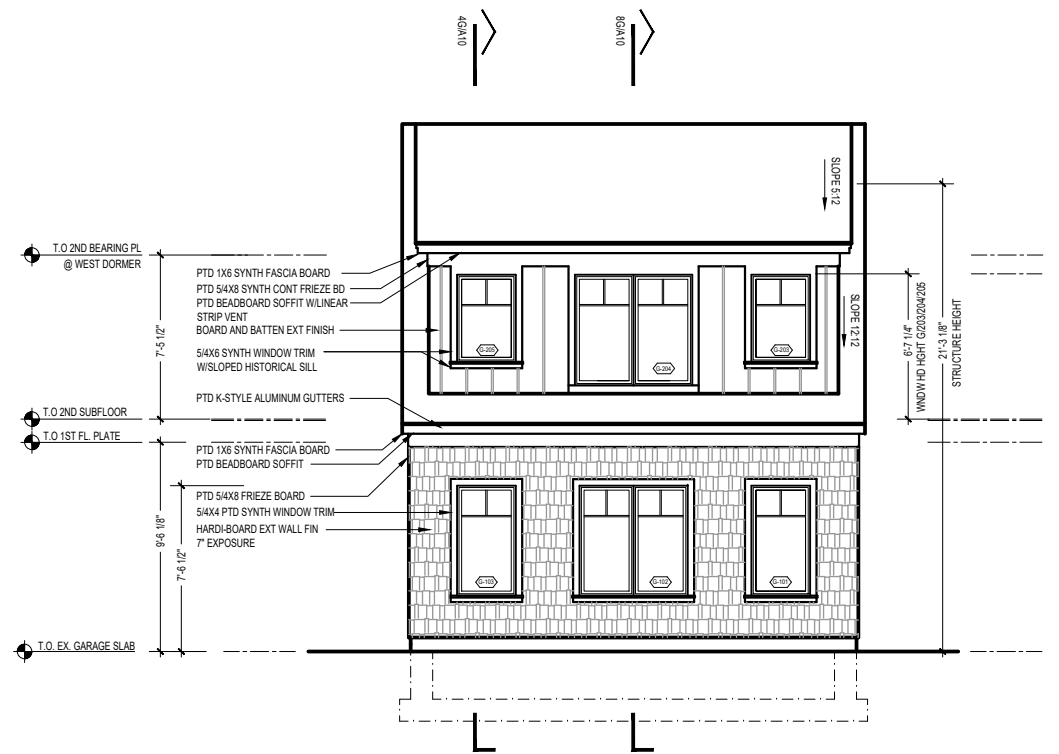
A.9



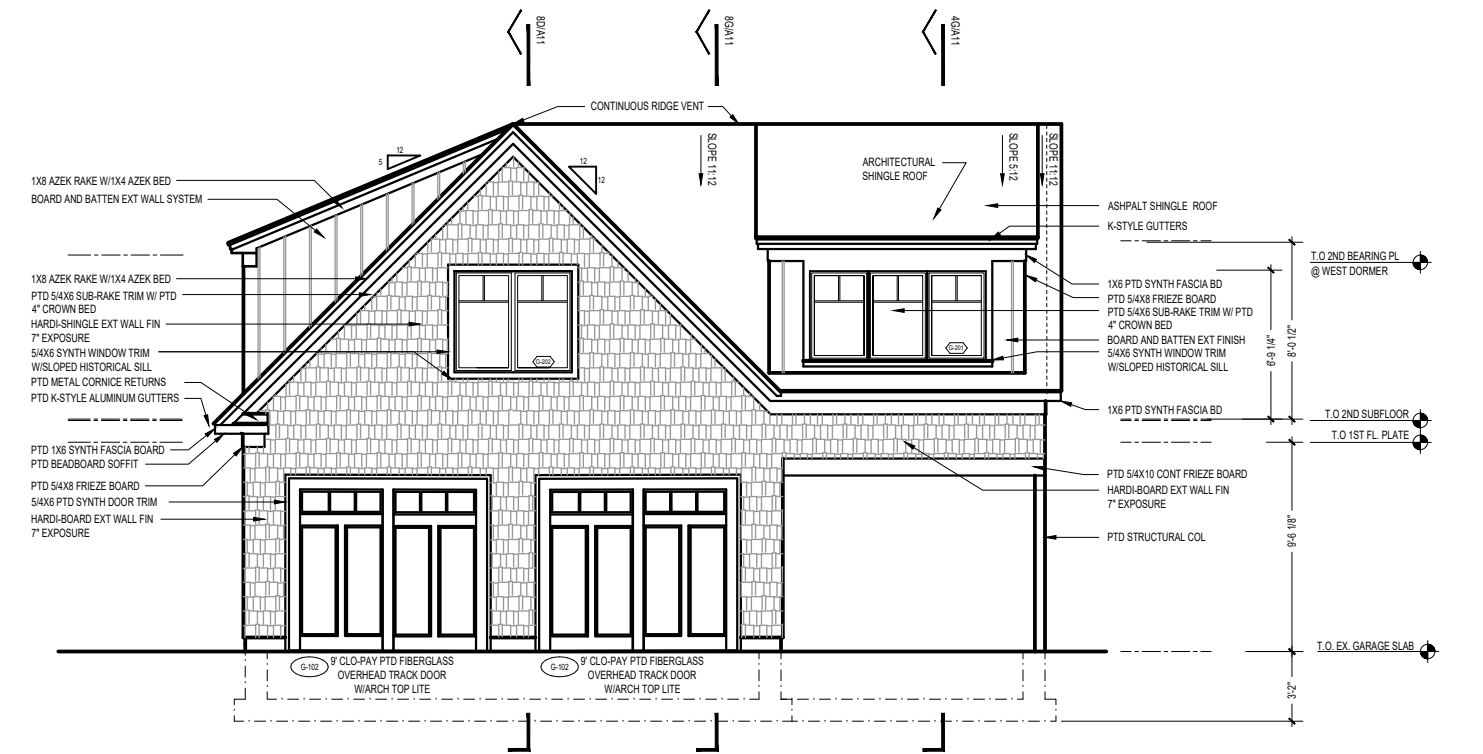
4B ELEVATION - GARAGE SIDE (EAST)
SCALE: 1/4"=1'-0" DATE: 07.28.23



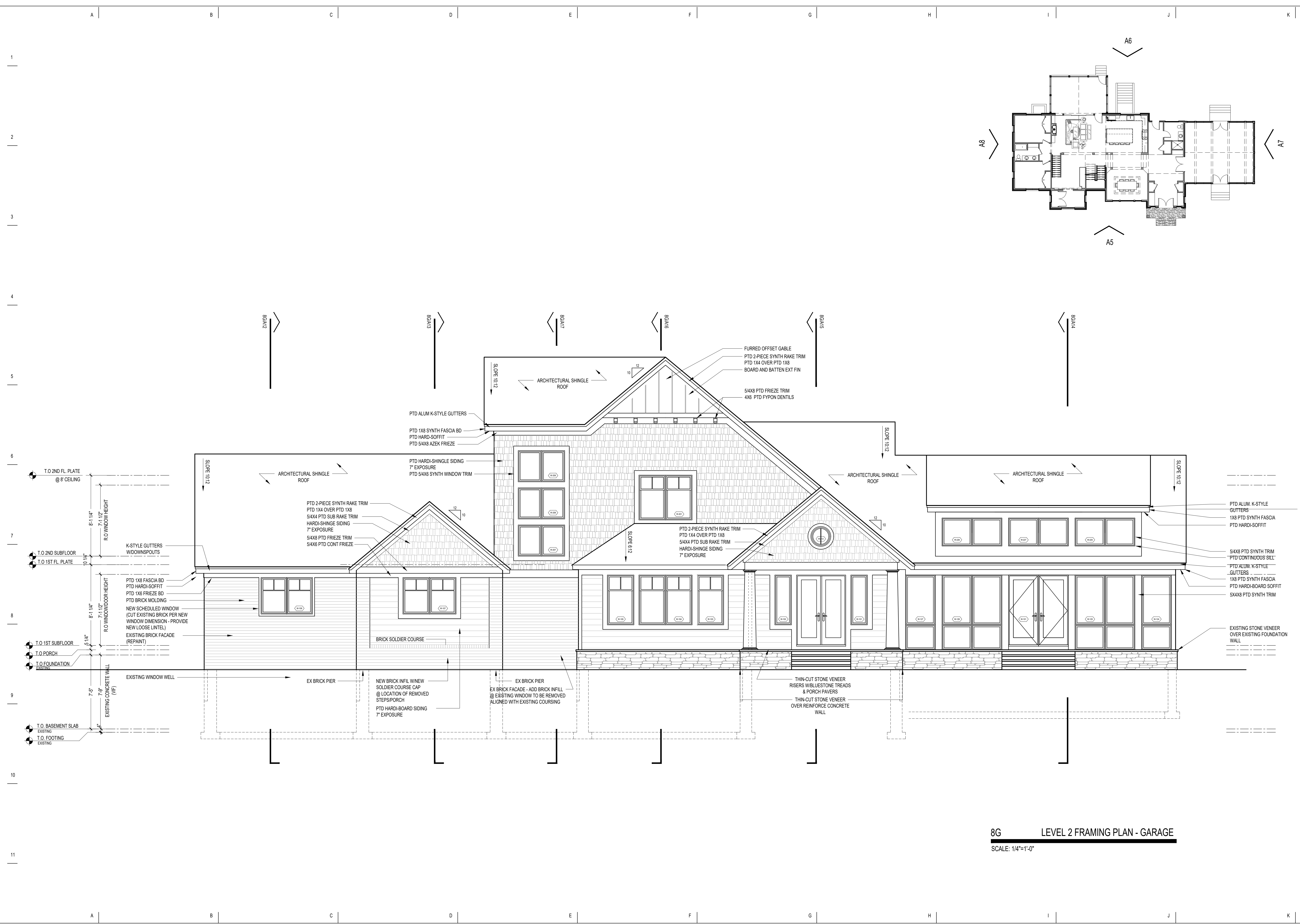
4G ELEVATION - GARAGE REAR
SCALE: 1/4"=1'-0" DATE: 07.28.23



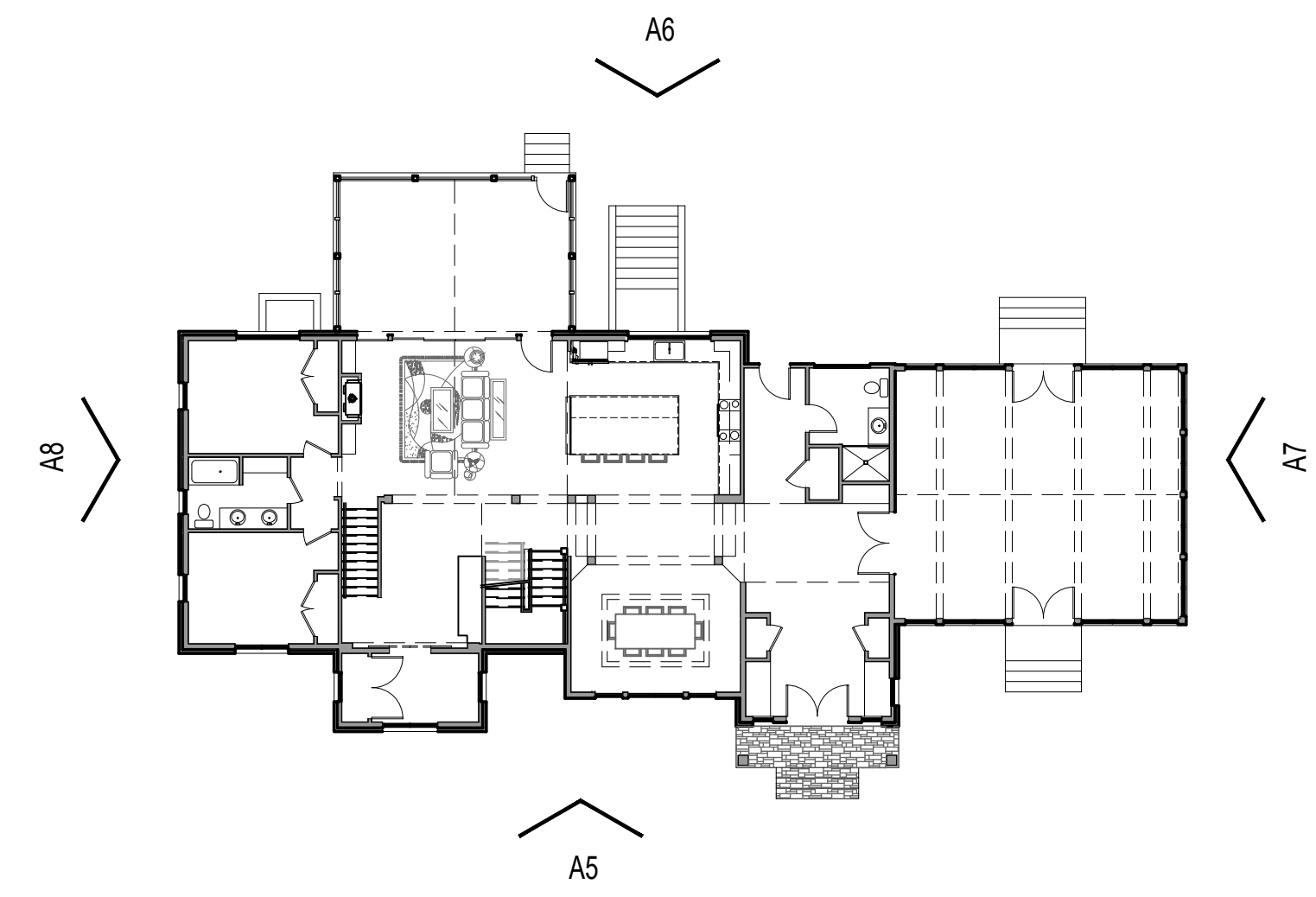
8B ELEVATION - GARAGE SIDE (WEST)
SCALE: 1/4"=1'-0" DATE: 07.28.23



8G ELEVATION - GARAGE FRONT
SCALE: 1/4"=1'-0" DATE: 07.28.23



8G LEVEL 2 FRAMING PLAN - GARAGE
SCALE: 1/4"=1'-0"



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DWG INFO	
August 3rd, 2023	- SD/Pring Pkg (Garage)
August 22, 2023	- SD/Pring Pkg (House)

NOTES

A.5



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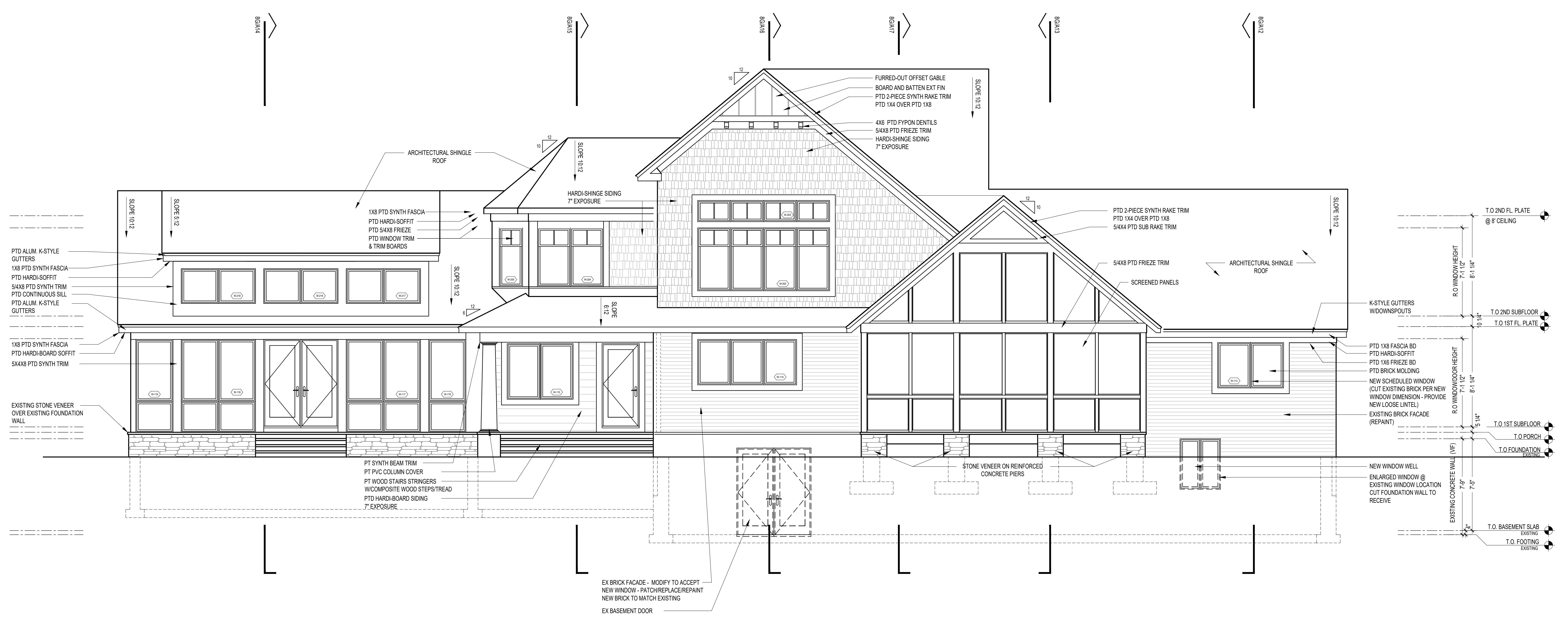
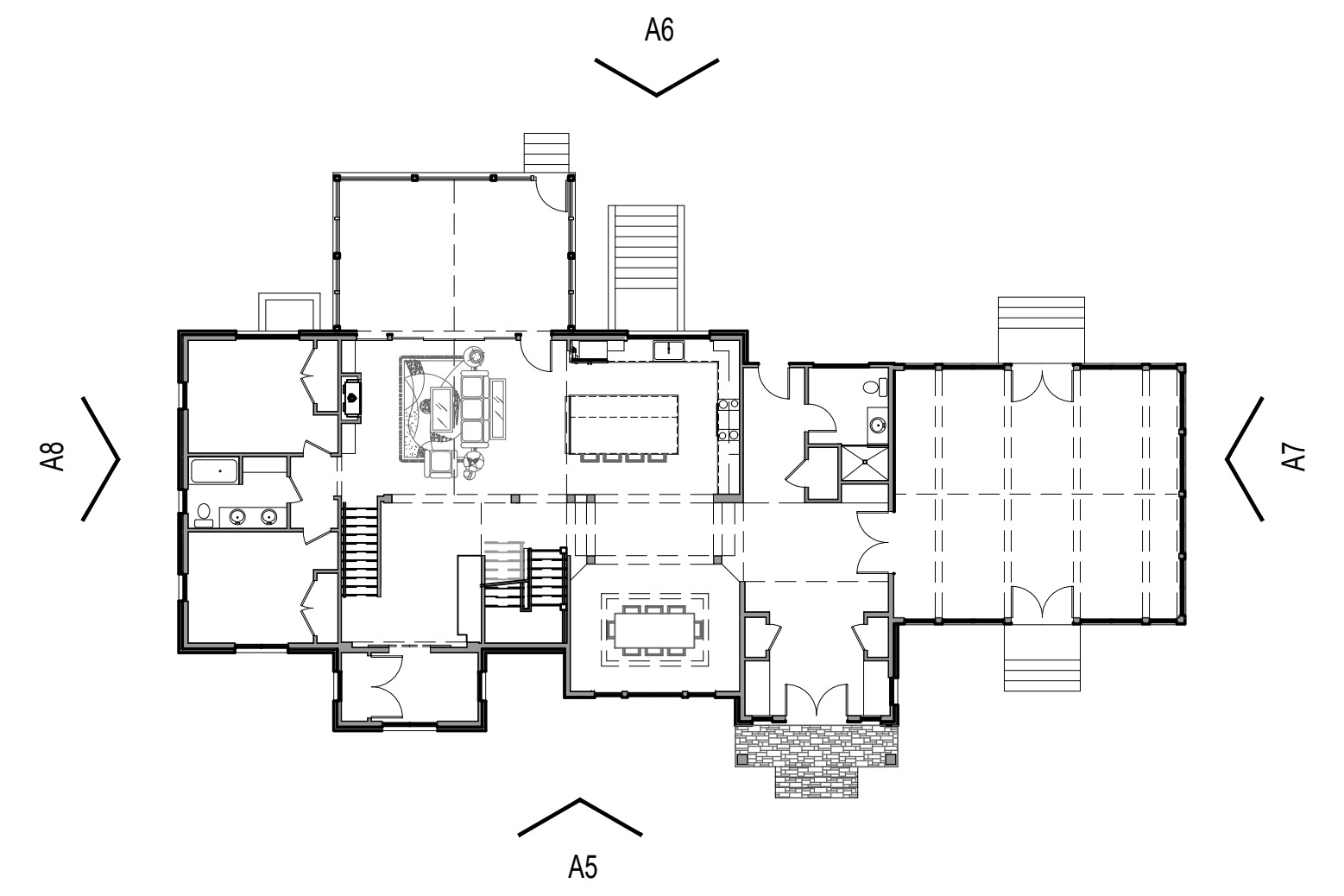
NOT FOR
CONSTRUCTION

DWG INFO

August 3rd, 2023 - SD/Pring Pkg (Garage)
August 22, 2023 - SD/Pring Pkg (House)

NOTES

A.6



8G ELEVATION - EAST
SCALE: 1/4"=1'-0"



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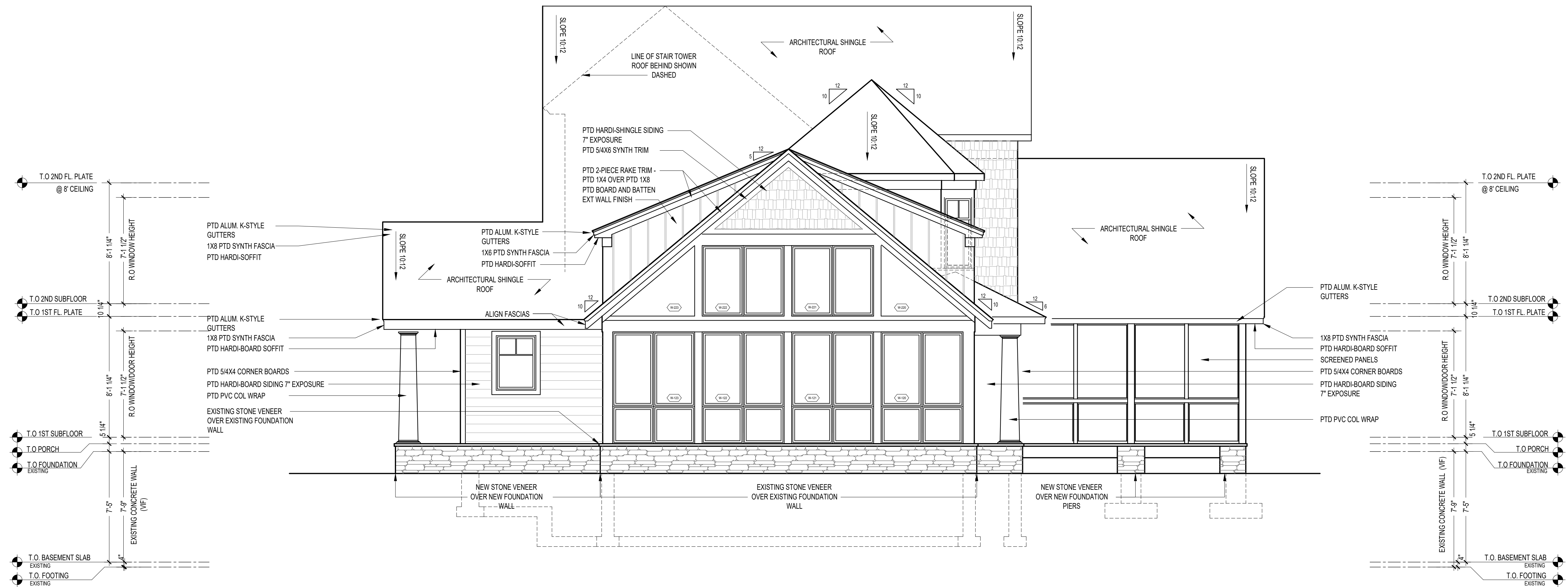
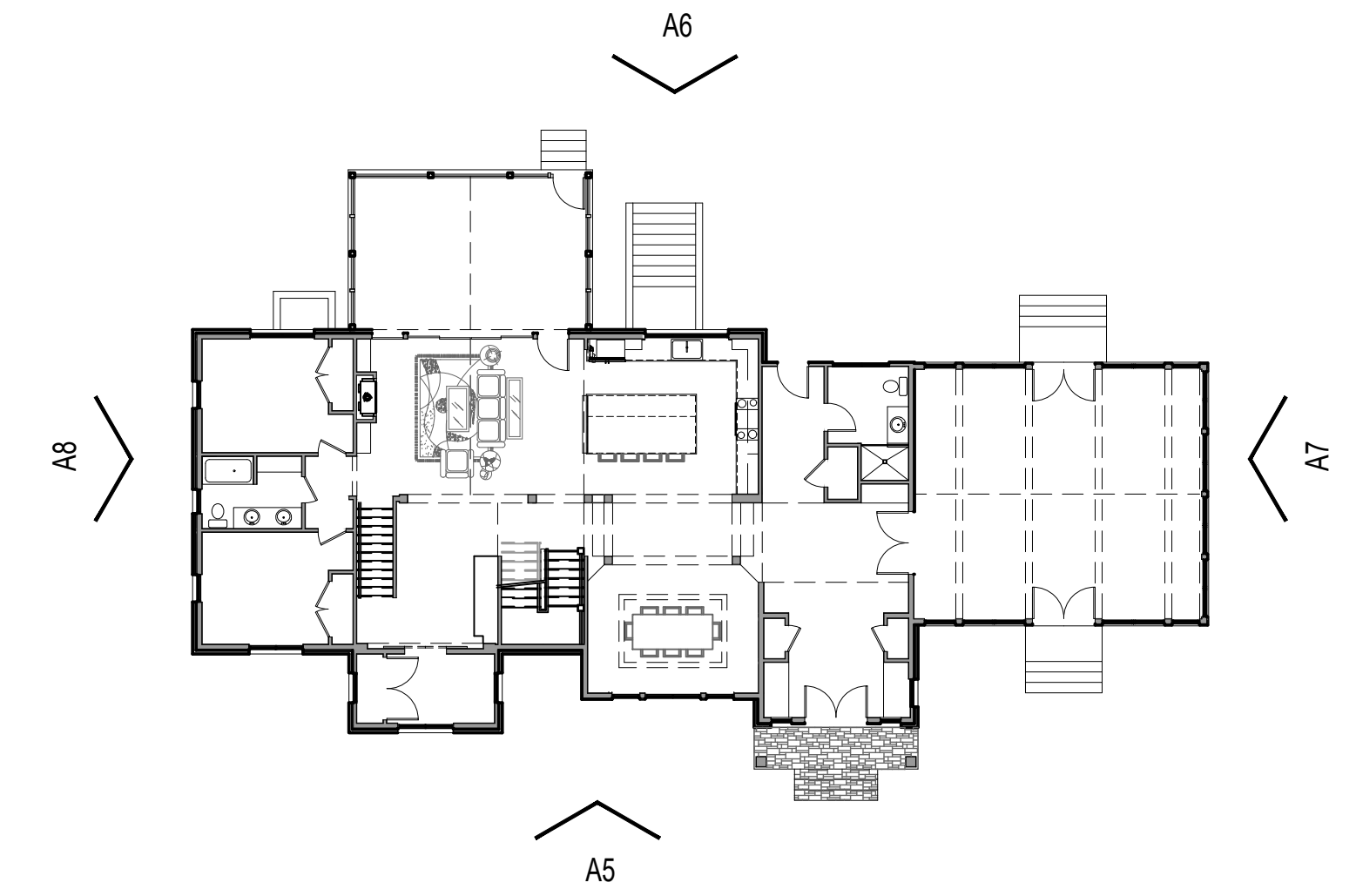
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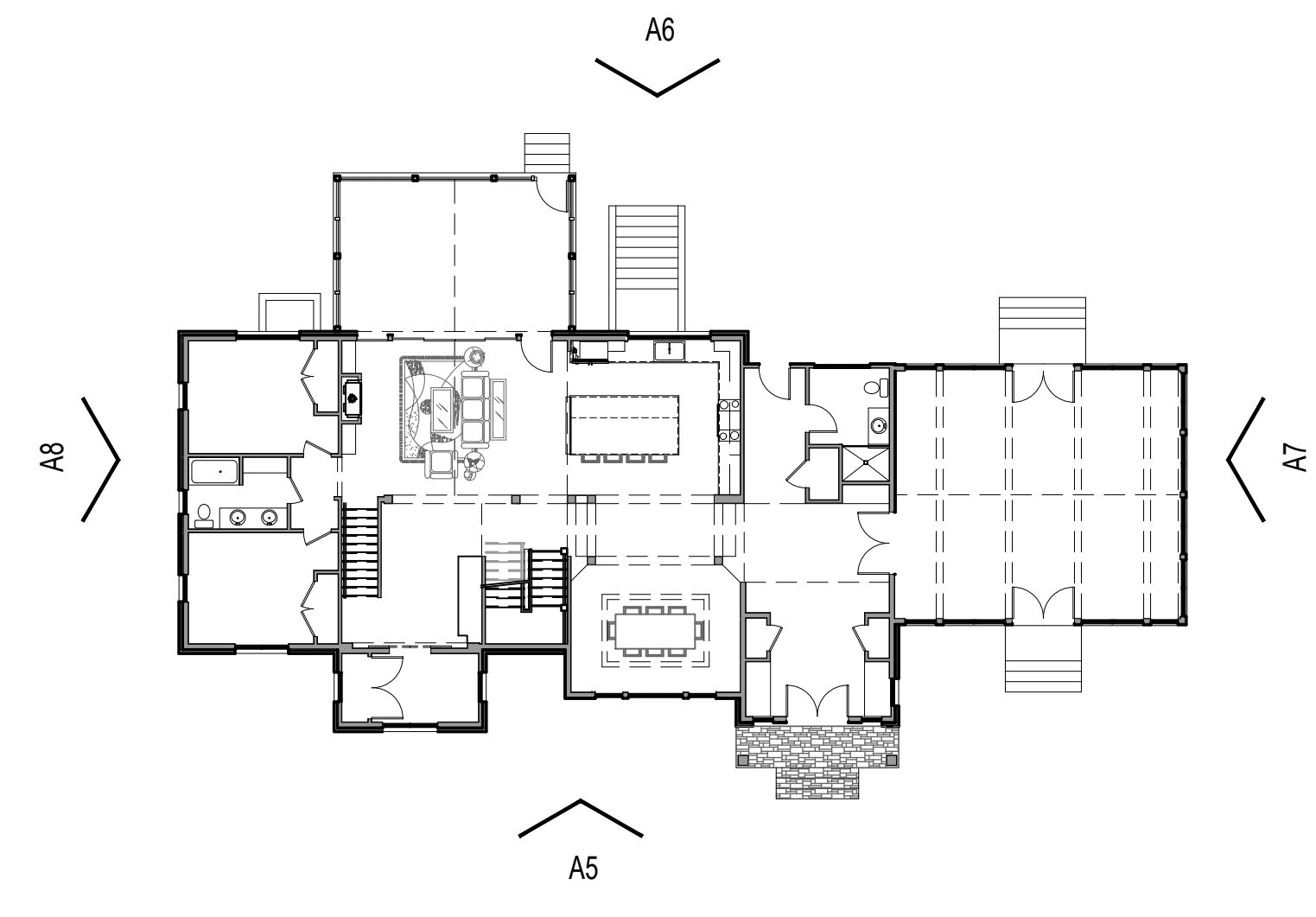
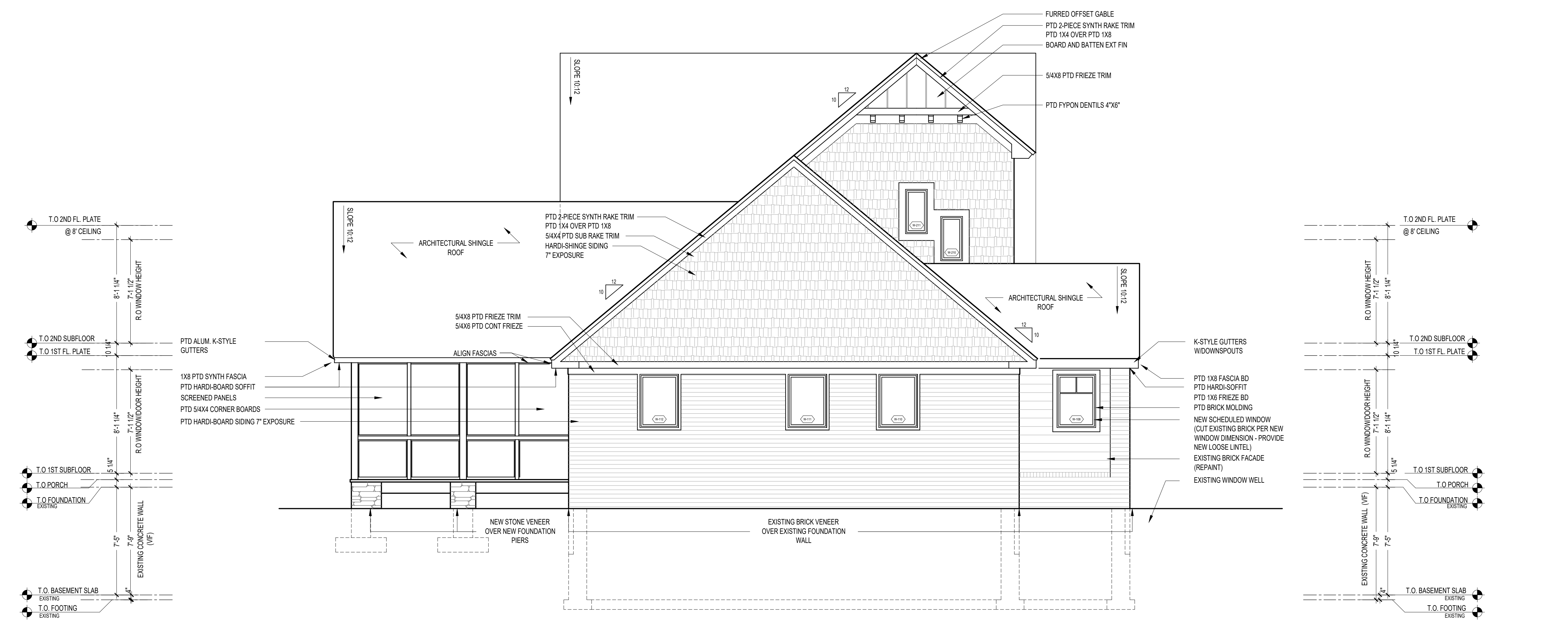
August 3rd, 2023 - SD/Pring Pkg (Garage)
August 22, 2023 - SD/Pring Pkg (House)

NOTES

A.7



8G ELEVATION - SOUTH
SCALE: 1/4"=1'-0"



8G ELEVATION - NORTH
SCALE: 1/4"=1'-0"



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DWG INFO	
August 04, 2023	- SD/Pring Plg (Garage)
August 22, 2023	- SD/Pring Plg (House)

NOTES

A.8