

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

APPLICANT: Bancroft Association, Inc.

ASSESSMENT DISTRICT: 3rd

CASE NUMBER: 2023-0237-S

COUNCILMANIC DISTRICT: 5th

HEARING DATE: March 14, 2024

PREPARED BY: Sara Anzelmo
Planner



REQUEST

The applicant is requesting a special exception to modify a previously approved special exception in order to perfect and replace a community pier in an R2 – Residential District on property located at 1510 Severncroft Road in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of approximately 1.139 acres of land and is located on the west side of Severncroft Road. It is identified as a platted “Recreation Area” within Parcel 663 in Block 6 on Tax Map 45 in the Bancroft subdivision.

The property is zoned R2 – Residential District, as adopted by the comprehensive zoning for Council District 5, effective January 29, 2012. The parcel fronts the Severn River, lies within the Chesapeake Bay Critical Area overlay, is designated as LDA – Limited Development Area, and is not mapped as buffer modified. It is currently improved with a nine-slip community pier, a paved parking lot, and a walkway.

PROPOSAL

The applicant seeks approval to modify a previously approved special exception in order to perfect (and ultimately replace) an existing community pier in an R2 - Residential District. The applicant intends to reconstruct the existing pier and associated slips in their current configuration.

SPECIAL EXCEPTION STANDARDS

The specific criteria by which a special exception for a community pier may be granted are set forth under § 18-11-142 of the Anne Arundel County Zoning Ordinance. Additionally, all special exceptions are subject to the general standards contained in § 18-16-304.

FINDINGS

The subject property is irregular in shape and far exceeds the minimum 20,000 square foot area and minimum 80-foot width required for a lot not served by public sewer in an R2 District. A review of the County 2023 aerial photograph shows that the existing community pier is somewhat isolated, with the nearest residential pier and boat slip located more than 300 feet to the south.

The property was the subject of a prior special exception application (1989-0285-S) and sister variance application (1989-0284-V) under which approval was granted to allow a nine-slip community pier without the required on-site sanitation facilities. It appears that the community pier was initially constructed in accordance with the special exception approval. However, during the time between the 1998 and 2000 County aerial photographs, the portion of the pier that is perpendicular to the shoreline was relocated approximately 35 feet to the south.

Over the years, several finger piers have been extended in length, and several boat lift pilings have been added. However, the number of slips has not increased. Building permit B02228861 approved 8 pilings for boat lifts to the existing pier. The permit was issued June 5, 2006, but was never finalized and was subsequently canceled. Building permit B02277305 approved a 4' x 40' finger pier, boatlift, 2 boatlift piles, and 2 mooring piles in 2011. Building permit B02276802 approved removal of an existing finger pier and replacement with a 3' x 40' finger pier and 2 boatlift pilings in 2012. Building permit B02313075 approved the removal of an existing finger pier and the construction of a new 3' x 40' finger pier and installation of 2 boat lift pilings in 2015. The permit was never finalized and was closed by expiration.

The aforementioned permits were approved without requiring a special exception to modify, as they were deemed to be within the approved area and would not change, intensify, or expand the approved special exception. However, this Office could not find evidence of an approved building permit or special exception allowing for the relocation of the main pier section running perpendicular to the shoreline. Building permit B02129411 was applied for on August 21, 1998. A note indicates that MDE approval was required; however, the building permit was never issued and was subsequently canceled. Therefore, a special exception to modify the previously approved special exception in order to perfect the existing community pier is required before the current building permit to replace it can be approved.

With regard to the specific special exception requirements of § 18-11-142, this Office submits the following findings:

- (1) *The facility shall be located on a lot of at least 30,000 square feet that is owned by a homeowner's association.* The facility is located on a lot of approximately 1.139 acres that is owned by the Bancroft Association, Inc.
- (2) *Adverse effects on water quality and fish, plant, and wildlife habitat shall be minimized.* The applicant attests that the work will be performed from the water, and efforts will be made to avoid adverse impacts on water quality and fish, plant, and wildlife habitat.
- (3) *Non water-dependent structures or operations associated with water-dependent projects or activities shall be located outside the buffer to the extent possible.* While it appears that the existing parking lot and walkway are located within the expanded buffer, no new structures or operations (other than the pier replacement) are currently being proposed.
- (4) *Disturbance to the buffer shall be the minimum necessary to provide a single point of access to the facility.* The applicant attests that there is and will continue to be only a single point of access to the water, which will be retained.

- (5) *Food, fuel, or other goods and services may not be offered for sale, and adequate and clean sanitary facilities shall be provided.* No food, fuel, or other services are existing or proposed. A variance was granted (1989-0284-V) to allow a community pier without the required on-site sanitation facilities. Therefore, a variance is not currently required.
- (6) *Boarding ladders shall be located along the sides of a pier and along each bulkhead where the water depth at the bulkhead exceeds four feet in depth at mean high water. Ladders along piers shall be 100 feet apart on each side of the pier and staggered so that the ladders alternate sides every 50 feet. Ladders along bulkheads shall be placed no more than 50 feet apart.* Ladders will be provided as required.
- (7) *United States Coast Guard approved personal flotation devices shall be located along each pier or bulkhead at intervals not exceeding 100 feet.* The floatation devices will be provided as required.
- (8) *When a community pier with slips is provided as part of a new residential riparian subdivision, private piers in the subdivision are prohibited.* The Bancroft subdivision was approved on December 30, 1987. At that time, the subdivision was served by a recreational pier (without slips). The community pier special exception was approved almost two years later on September 30, 1989. Therefore, this provision does not apply.
- (9) *The number of slips allowed with a community pier shall be the lesser of the following:*
 - (i) *one slip for each 50 feet of shoreline in a subdivision located in an intense or limited development area, and one slip for each 300 feet of shoreline in a subdivision located in a resource conservation area; or*
 - (ii) *a density of slips to platted lots or dwellings in the critical area in accordance with the chart listed in the Code.*

With approximately 2,700 linear feet +/- of shoreline in the limited development area and only nine platted lots in the critical area, the maximum number of slips allowed is determined based on (ii) above. Both the existing pier and the proposed community pier contain nine slips, which corresponds to the number of platted lots (9) located in the critical area and complies with this maximum.

- (10) *In the event the parcel or lot has riparian rights and the proposed development is located on a portion of the parcel or lot that is out of the critical area, these rights may be utilized in accordance with permitted use criteria established for the critical area classification through the use of a community facility established in accordance with § 18-10-124, based on the actual length of shoreline or potential density that would have been permitted within the critical area portion of the parcel or lot.* The proposed improvements are located within the Critical Area; therefore, this provision does not apply.

The **Development Division (Critical Area Team)** commented that the property line extensions have been drawn correctly according to Article 18-2-404 requirements. As the community desires to repair the existing pier structures that have existed since the year 2000 and earlier, the Critical Area Team supports a special exception approval to bring the structures into compliance with the requirements of Article 18-4-106 for a community pier in a residential district.

The **Long Range Planning Section** noted that the site is located in the Plan2040 Neighborhood Preservation Development Policy Area and the Low Density Residential, Planned Land Use category. The site is located within the Priority Funding Area. The Plan2040 General Development Plan does not have recommendations that are specific to this site. The proposal is generally consistent with the overall goals and policies of Plan2040; including, but not limited to:

- Policy BE3.2: Ensure infill development and redevelopment in existing residential neighborhoods are compatible in scale, use, form and intensity with the surrounding neighborhood character.
- Policy HC8.2: Improve and expand recreational opportunities for all communities to have facilities and programs nearby.

This proposal is within Region Planning Area 4. The Region Plan process for Region 4 is currently underway. The Region Plan is anticipated to be adopted in the spring of 2024. No applications were submitted during the 2011 Comprehensive Rezoning process. 2022 Water and Sewer Master Plan: The site is in the Future Service category in the Broadneck Service Area and the Existing Service category in the Broadneck Water Pressure Zone. The proposal is consistent with the 2022 Water and Sewer Master Plan.

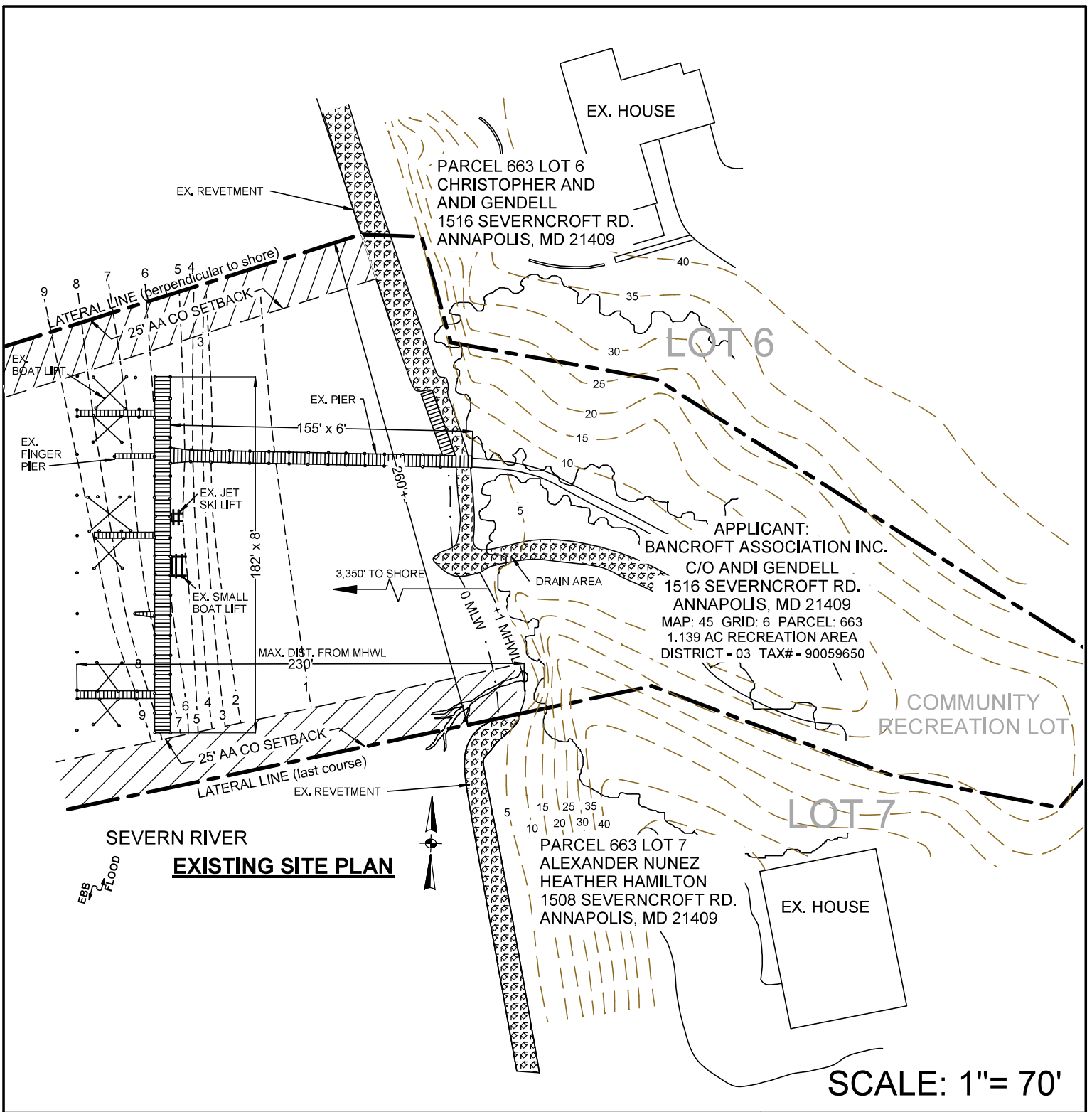
The **Health Department** has reviewed the on-site sewage disposal and well water supply system and has determined that the proposal does not adversely affect these systems. Therefore, the Department has no objection to the variance request.

Concerning the general special exception standards of § 18-16-304, it is the opinion of this Office that the community pier use would not be detrimental to the public health, safety, or welfare and that it would be compatible with the appropriate and orderly development of the R2 District. The operations related to the facility would be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed in the R2 District. Similarly, the use at the location proposed would not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district. There is no evidence to indicate that the proposed use would conflict with an existing or programmed public facility, public service, school, or road. The proposed use is generally consistent with the goals, policies, and strategies of the County General Development Plan. Public need for the use has already been established with the previous special exception approval. While the current pier location represents a slight deviation from the initial approval, the relocation did not increase the number of slips or change the nature or character of the previous special exception approval. The proposed pier reconstruction would be in the same location and configuration as the pier that has existed since approximately 1998-2000. If approved, the applicant will be required to demonstrate compliance with the requirements of the County Landscape Manual.

RECOMMENDATION

Based upon the standards set forth in § 18-16-304 and § 18-11-142 of the Code under which a special exception for a community pier may be granted, the Office of Planning and Zoning recommends **approval** of the proposed special exception as shown on the applicant's site plan.

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.



OWNER : BANCROFT ASSOC. INC.
MAILING : C/O ANDI GENDELL
1516 SEVERNCREFT RD.
ANNAPOLIS, MD 21409
SITE : RECREATION AREA
BANCROFT COMM.
ANNAPOLIS, MD 21409

MAP: 45 GRID: 6 PARCEL: 663 1.139 AC RECREATION AREA
DEED REFERENCE: 04608 / 00772
DISTRICT - 03 TAX# - 90059650
ZONING: R2 CRITICAL AREA - LDA

EXISTING SITE PLAN

Civil Engineer/Marine Contractor

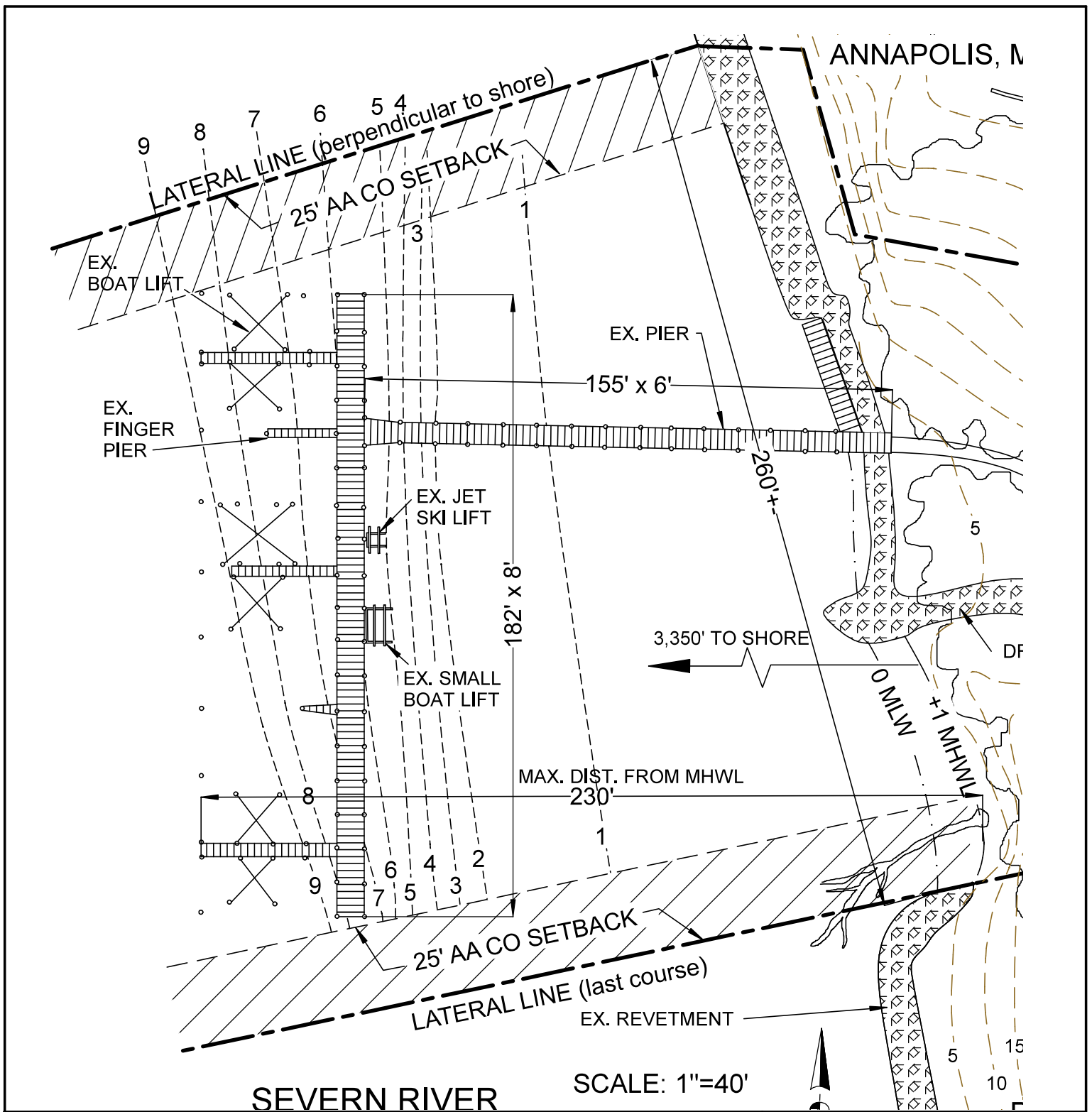
DAN LERIAN

10555 Lake Road
Easton, MD 21601

410-822-7777 MHIC# 101234
Maryland Marine Contractor # 020E

- NOTES:**
1. TIDAL WATERS, TIDE RANGE IS +1.0', MAX. DIST. FROM MHW IS 230' +-
 2. ELEVATIONS BASED ON 0 MLW, USING THE NOAA TIDE GAUGE ANNAPOLIS
 3. PROPOSED WORK: REMOVE & RESET 1 JET SKI LIFT, 1 SMALL BOAT LIFT. REMOVE & RESET THE BOAT LIFT IN SLIP #8, REMOVE AND REPLACE "IN-KIND" EX. "T" HEAD 8'X182'. REMOVE AND REPLACE "IN-KIND" 5 FINGER PIERS. REPLACE DECKING ON THE MAIN PIER 6' X 145' AND REPAIR SELECTED FRAMING AS NEEDED.
 4. ALL ACCESS IS BY WATER AND THE ADJACENT PROPERTY.
 5. THIS DRAWING IS FOR OUTLINE PURPOSES ONLY.

IN: SEVERN RIVER
TOWN: ANNAPOLIS
COUNTY: ANNE ARUNDEL
STATE: MARYLAND
APPL. BY: BANCROFT ASSOC. INC.
C/O ANDI GENDELL
1516 SEVERNCREFT RD.
ANNAPOLIS, MD 21409
DATE: REV 1-25-24 DRAWING 3



OWNER: BANCROFT ASSOC. INC.
 MAILING: C/O ANDI GENDELL
 1516 SEVERN CROFT RD.
 ANNAPOLIS, MD 21409

SITE: RECREATION AREA
 BANCROFT COMM.
 ANNAPOLIS, MD 21409

MAP: 45 GRID: 6 PARCEL: 663 1.139 AC RECREATION AREA
 DEED REFERENCE: 04608 / 00772
 DISTRICT - 03 TAX# - 90059650
 ZONING: R2 CRITICAL AREA - LDA

**EXISTING SITE
 ZOOMED IN**

Civil Engineer/Marine Contractor

DAN LERIAN
 10555 Lake Road
 Easton, MD 21601

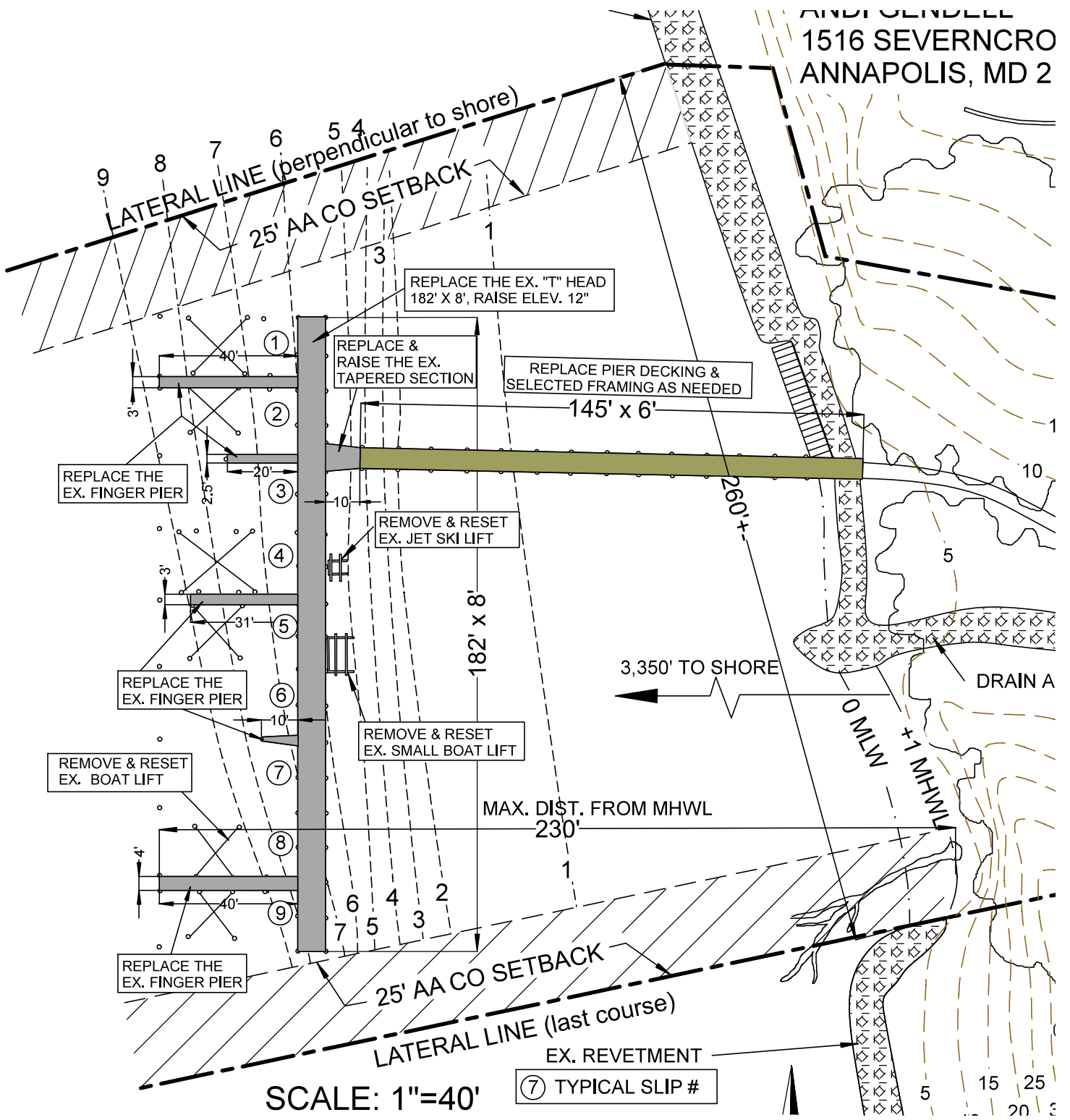
410-822-7777 MHIC# 101234
 Maryland Marine Contractor # 020E

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 STATE: MARYLAND
 APPL. BY: BANCROFT ASSOC. INC.
 C/O ANDI GENDELL
 1516 SEVERN CROFT RD.
 ANNAPOLIS, MD 21409

DATE: REV 1-25-24 DRAWING 4

ANDI GENDELL
1516 SEVERN CROFT RD.
ANNAPOLIS, MD 21409



OWNER : BANCROFT ASSOC. INC.
MAILING : C/O ANDI GENDELL
1516 SEVERN CROFT RD.
ANNAPOLIS, MD 21409
SITE : RECREATION AREA
BANCROFT COMM.
ANNAPOLIS, MD 21409

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DEED REFERENCE: 04608 / 00772
DISTRICT - 03 TAX# - 90059650
ZONING: R2 CRITICAL AREA - LDA

PROPOSED WORK

Civil Engineer/Marine Contractor

DAN LERIAN
10555 Lake Road
Easton, MD 21601

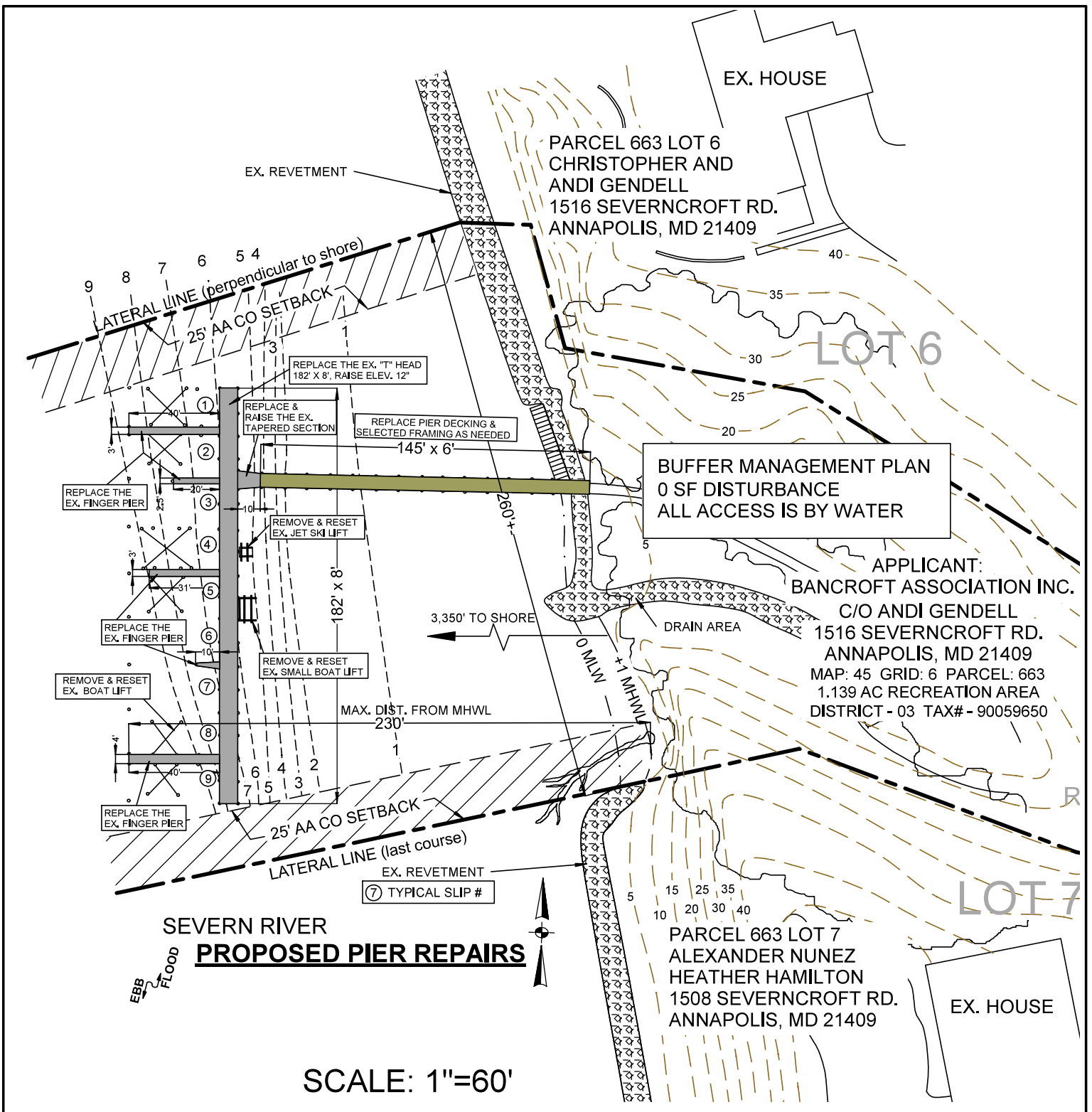
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TOWN: ANNAPOLIS
COUNTY: ANNE ARUNDEL
STATE: MARYLAND
APPL. BY: BANCROFT ASSOC. INC.
C/O ANDI GENDELL
1516 SEVERN CROFT RD.
ANNAPOLIS, MD 21409

DATE: REV 1-25-24 DRAWING 5



OWNER : BANCROFT ASSOC. INC.
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1516 SEVERNCROFT RD.
ANNAPOLIS, MD 21409
SITE : RECREATION AREA
BANCROFT COMM.
ANNAPOLIS, MD 21409

MAP: 45 GRID: 6 PARCEL: 663 1.139 AC RECREATION AREA
DEED REFERENCE: 04608 / 00772
DISTRICT - 03 TAX# - 90059650
ZONING: R2 CRITICAL AREA - LDA

**BUFFER
MANAGEMENT
PLAN**

Civil Engineer/Marine Contractor
DAN LERIAN
10555 Lake Road
Easton, MD 21601
410-822-7777 MHIC# 101234
Maryland Marine Contractor # 020E

- NOTES:**
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TOWN: ANNAPOLIS
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APPL. BY: BANCROFT ASSOC. INC.
C/O ANDI GENDELL
1516 SEVERNCROFT RD.
ANNAPOLIS, MD 21409
DATE: REV 1-25-24 **DRAWING 7**

PETER D. SCHELLIE, ESQUIRE
ATTORNEY AT LAW

1524 SEVERNCROFT ROAD
ANNAPOLIS, MD 21409-5811

410.757.9299
peter.schellie@gmail.com

December 20, 2023

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

RE: Letter of Explanation,
Request For Special Exception To
Rebuild Bancroft Community Pier

ATTN: Jennifer Lechner

Dear Ms. Lechner:

This is a request for a Special Exception, or, in the alternative, an amendment to an existing Special Exception, to rebuild a long-existing community pier located on the Severn River in the Bancroft on the Severn community ("Bancroft"). Bancroft is a nine-lot subdivision comprised of approximately 26 acres and is located on the Broadneck Peninsula on the Eastern side of the Severn River, approximately one mile north of Route 50.

Bancroft was platted as a subdivision in 1987 and is governed by a home owners association, Bancroft Association, Inc., a Maryland corporation (the "Association"). A copy of the plat is attached as Attachment A to this letter. As contemplated by the plat and required by Maryland law, in 1988 a recreational area was transferred from the developer, Severn River Limited Partnership, to the Association. A copy of the deed from Severn River Limited Partnership to the Association is attached as Attachment B.

In connection with the development of Bancroft, a community pier was constructed in the late 1980s, extending out from the recreation area. Although the Association does not have records from that period, it is strongly believed that the community pier when constructed was done with the proper permits and was permitted when it was

built. In fact, we believe that, at least at that time, there was a strong public policy in favor of community piers. It is our understanding that in the late 1980s, a variance and a Special Exception were sought and granted to construct a community pier at Bancroft. Those were filed as 1989-0284-V and 1989-0285-S (the "Prior Approvals"). Please accept this application as being either for a Special Exception or as an amendment to the Special Exception granted in 1989.

We have been advised that, sometime in the late 1990s, the portion of the pier extended from the shore was shifted slightly southerly, such that that the pier no longer intersected the slips pier making an "L" shape, instead producing the current "T" shape. No one currently in the community was aware of that change or the rationale behind it. However, we believe that the section of the pier with slips, which is generally parallel to the shoreline, has been in the same location since its initial construction and certainly since at least the early 1990s. Since at least 2000, the community pier has been comprised of a main pier extending from the shoreline out to a "T" pier that has nine slips, one slip for each lot owner in Bancroft. The Bancroft community pier is owned by the Association and is operated only for the benefit of the nine lot owners in Bancroft. A copy of the site plan is attached as Attachment C to this letter of explanation.

The community pier extends out from the Association's undeveloped recreational area. The property with respect to which the Special Exception is sought is the community pier. Except for the pier and a related shore platform, there are no other improvements involved in the property for which the designation is being sought. The property is adjacent to the Association's recreation area, which is comprised of 1.139 acres or 49,608 square feet and has a nine-space paved parking lot (involving approximately 5,100 square feet), and a minimal disturbance access foot path from the parking lot to the base of the pier. The recreational area has some scattered vegetation, comprised of some trees and shrubs, which will not be affected or disturbed by the pier replacement. As noted elsewhere, the pier reconstruction will be done from the water and there will be no disturbance or impact on the land comprising Bancroft's recreation area or the vegetation. Except for the pier and related platform, there are no structures or other improvements on or extending from the recreational area. There are no enforcement actions related to the pier or recreational area.

The existing community pier and the proposed replacement will not be detrimental to the public health, safety or welfare. In fact, replacing the existing, and increasingly challenged, community pier with a current, sound structure will enhance those factors. The proposed replacement, as a replacement, is wholly consistent with the operation of the property. As a pier, the work will be done over the water and will not disturb or affect the land or landscaping. The pier reconstruction will be undertaken from the water side and not from the land side. The proposed pier will not generate

noise, fumes, vibration or, except for conventional pier safety lighting, light. There will be no adverse effects beyond those of any pier, which we view as being minimal if not non-existent, and no public aspect is affected and so there could not be a conflict. There will be no change in the impervious surface before and after rebuilding of the pier.

All nine lot owners and members of the Association support the replacement of the community pier. That includes those owners who are within 300 feet of the proposed replacement, whose names and mailing addresses are contained on Attachment D to this letter. Included are Andi Gendell, who is the President of the Association, and Alex Nunez, who is the Secretary of the Association


Both the existing and the proposed replacement community pier extend from land that is in the Critical Area. Although the form does not seem to contemplate piers, we have completed a Critical Area Project Notification Application with such information as we could determine would apply to a pier. It is attached as Attachment E. In addition, attached as Attachment F is a topographic map of the property from which the community pier does, and the replacement is proposed to, extend, as provided by the Anne Arundel County Planning and Zoning Map Room.

The community pier has been in existence and in continuous use since, at least, the mid-1990s, as demonstrated in previous filings with the County. In addition, we believe that Anne Arundel County has aerial photographs showing the community pier, both in existence and in use, from at least the mid-1990s. No commercial activities are conducted on or from the community pier or recreational area, including no slip rentals, no food or beverage service, and no fuel or other goods or services are offered for sale, and sanitation facilities will be as addressed in the Prior Approvals.

Subject to receiving a Special Exception from Anne Arundel County, the Association is now in the process of replacing the current community pier with a new pier. The existing pier, while still serviceable, has deteriorated, in part due to age and the substantial increase in large boat traffic on the Severn River. In addition, the existing pier is, basically, at too low an elevation, which results in increasing instances of flooding, introducing significant safety issues. The increased water level produces frequent over-topping of the pier, even outside of coastal flood conditions. The new replacement pier will comply with all governmental safety requirements, including those imposed by Anne Arundel County, using equipment with appropriate United States Coast Guard approvals. That equipment will include boarding ladders at prescribed intervals and locations and personal floatation devices at prescribed intervals and locations.

We believe that the foregoing and the related attachments satisfy the requirements to obtain a Special Exception for the Bancroft Association community pier. Please let us know if further information is required or would be helpful. Thank you for your assistance.

Respectfully yours,



Peter D. Schellie

Cc: Andi Gendell, President
Charles M. Ruland, M.D., Vice President

ATTACHMENTS

- A. Plat of Bancroft Subdivision
- B. Deed from Severn River Limited Partnership to Bancroft Association, Inc.
- C. Site Plan of Community Pier
- D. List of Owners within 300 feet, and their Mailing Addresses
- E. Critical Area Project Notification Application Form
- F. Topographic map provided by the Anne Arundel County Map Room

**March 14, 2024 Hearing on
Bancroft Association, Inc.
Request for Special Exception**

Case Number 2023-0237-S

The Applicant, Bancroft Association, Inc., respectfully submits that its application for a Special Exception (the "Application") in order to replace its existing community pier with a new community pier satisfies all of the applicable requirements for a Special Exception, both the general requirements and the requirements specific to a community pier. That compliance is detailed below.

§ 18-16-304. Special exceptions.

(a) **Requirements.** A special exception use may be granted only if the Administrative Hearing Officer makes each of the following affirmative findings:

(1) The use will not be detrimental to the public health, safety, or welfare;

The proposed community pier replacement will improve public health, safety and welfare by replacing a failing structure with a sound one. It will not be detrimental to the public health, safety, or welfare and the replacement community pier will comply with all requirements regarding safety ladders and personal floatation devices.

(2) The location, nature, and height of each building, wall, and fence, the nature and extent of landscaping on the site, and the location, size, nature, and intensity of each phase of the use and its access roads will be compatible with the appropriate and orderly development of the district in which it is located;

The proposed community pier replacement is a pier, with no building, wall or fence, and will be constructed of upgraded materials and construction techniques and, except for a modest increase of elevation above the water to reflect water level and usage changes, it will be in the same configuration as the existing community pier. Since all work will be from the water, landscaping will not be affected and there will be no access roads. The rebuilt community pier is consistent with the orderly development in the district.

(3) Operations related to the use will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed under this article;

The proposed community pier will continue to be a conventional community pier and will not generate noise, fumes, vibration or, except for conventional pier safety lighting, light.

- (4) The use at the location proposed will not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district;

There will be no adverse effects beyond those of any community pier, which we view as being minimal if not non-existent.

- (5) The proposed use will not conflict with an existing or programmed public facility, public service, school, or road;

The proposed community pier does not conflict with, or even affect, any public service, school, or road.

- (6) The proposed use has the written recommendations and comments of the Health Department and the Office of Planning and Zoning;

We assume these will be provided in due course and we will respond to them accordingly. One comment was received January 23, 2024 expressing a concern about the northerly property line extension on the site plan originally filed with the Application. On January 26, 2024 we filed a revised site plan, which we have been advised satisfied the concern that had been expressed.

- (7) The proposed use is consistent with the County General Development Plan;

We believe that, as a continuing use as community pier over decades, this use is consistent with the Plan, but we assume that if there is any question it will be raised in the review process.

- (8) The applicant has presented sufficient evidence of public need for the use;

The need is to replace a deteriorating community pier and we believe is consistent with a policy that favors sound and safe community piers.

- (9) The applicant has presented sufficient evidence that the use will meet and be able to maintain adherence to the criteria for the specific use;

The following description outlines the adherence to the specific criteria for community piers set forth in Section 18-11-142. Both the existing and the proposed community pier are, and will be, used for resident boat dockage and resident

recreational use and no other purpose. The Association commits to continuing to adhere to the specific use criteria.

- (10) The application will conform to the critical area criteria for sites located in the critical area; and

The proposed replacement is a pier over the water and it will be done from the water, so there will be no critical area land impacts. If any concerns are raised in this respect, we will respond to them, as was done with regard to the lot line projection issue.

- (11) The administrative site plan demonstrates the applicant's ability to comply with the requirements of the Landscape Manual.

No land disturbance is involved in replacing the community pier from the water and no trees, shrubs, or other landscaping will be affected. Accordingly, we do not believe this requirement applies to the Application.

§ 18-11-142. Piers and launching ramps, community.

A community pier or launching ramp shall comply with all of the following requirements.

- (1) The facility shall be located on a lot of at least 30,000 square feet that is owned by a homeowner's association.

The recreational area, which is contiguous to the current and proposed community pier, is 1.139 acres or 49,608 square feet and is owned by Bancroft Association, Inc., the applicant, as demonstrated by the copy of the deed filed with the Application.

- (2) Adverse effects on water quality and fish, plant, and wildlife habitat shall be minimized.

The work will be performed from the water and efforts will be made to avoid adverse impacts on water quality and fish, plant and wildlife habitat.

- (3) Nonwater-dependent structures or operations associated with water-dependent projects or activities shall be located outside the buffer to the extent possible.

There will be no such operations and the pier replacement will be done from the water, so we do not believe that this requirement applies to the Application.

- (4) Disturbance to the buffer shall be the minimum necessary to provide a single point of access to the facility.

As noted, the community pier replacement will be done from the water. There is and will continue to be only a single point of pedestrian access to the water, which will be retained.

- (5) Food, fuel, or other goods and services may not be offered for sale, and adequate and clean sanitary facilities shall be provided.

No food, fuel, or other goods or services will be offered for sale and this is small community pier with all residences nearby, and any sanitary facilities are addressed as in the Prior Approvals referred to in the Explanation Letter.

- (6) Boarding ladders shall be located along the sides of a pier and along each bulkhead where the water depth at the bulkhead exceeds four feet in depth at mean high water. Ladders along piers shall be 100 feet apart on each side of the pier and staggered so that the ladders alternate sides every 50 feet. Ladders along bulkheads shall be placed no more than 50 feet apart.

The replacement pier will have boarding ladders in accordance with these requirements and a site plan showing locations has been provided to Planning and Zoning.

- (7) United States Coast Guard approved personal flotation devices shall be located along each pier or bulkhead at intervals not exceeding 100 feet.

The proposed pier will have personal floatation devices in accordance with this requirement and a site plan showing locations has been provided to Planning and Zoning.

- (8) When a community pier with slips is provided as part of a new residential riparian subdivision, private piers in the subdivision are prohibited.

This requirement does not apply since Bancroft is an existing subdivision and we are seeking to replace an existing a community pier with another community pier.

- (9) The number of slips allowed with a community pier shall be the lesser of the following:

- (i) one slip for each 50 feet of shoreline in a subdivision located in an intense or limited development area, and one slip for each 300 feet of shoreline in a subdivision located in a resource conservation area; or

- (ii) a density of slips to platted lots or dwellings in the critical area in accordance with the following chart:

Platted Lots or Dwellings in the Critical Area	Slips
Up to 15	1 for each lot
16 to 40	15 or 75%, whichever is greater
41 to 100	30 or 50%, whichever is greater
101 to 300	50 or 25%, whichever is greater
More than 300	75 or 15%, whichever is greater

There are nine (9) platted lots in Bancroft and the proposed new community pier will have nine (9) slips.

(10) In the event the parcel or lot has riparian rights and the proposed development is located on a portion of the parcel or lot that is out of the critical area, these rights may be utilized in accordance with permitted use criteria established for the critical area classification through the use of a community facility established in accordance with § [18-10-144](#), based on the actual length of shoreline or potential density that would have been permitted within the critical area portion of the parcel or lot.

This provision does not apply to the Bancroft Application.

Menu Cancel Help

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

Due Date
02/02/2024
Assigned to
Melanie Mathews
Action By
Melanie Mathews
End Time

Assigned Date
12/22/2023
Status
Complete w/ Comments
Status Date
02/02/2024
Hours Spent
0.0

Billable
No

Overtime
No

Comments
The property line extensions have been drawn correctly according to Article 18-2-404 requirements. As the community desires to repair the existing pier structures that have existed since the year 2000 and earlier, the critical area team supports a special exception approval to bring the structures into compliance with the requirements of Article 18-4-106 for a community pier in a residential district.

Time Tracking Start Date
Display E-mail Address in ACA
No

Est. Completion Date
 Display Comment in ACA

In Possession Time (hrs)
Comment Display in ACA
 All ACA Users
 Record Creator
 Licensed Professional
 Contact
 Owner
Workflow Calendar

Estimated Hours
0.0

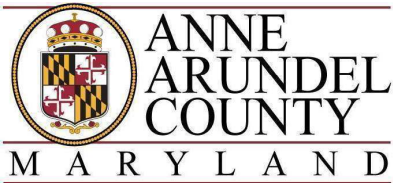
Action
Updated

Task Specific Information

Review Notes
Reviewer Email
PZMATH20@aacounty.org

Reviewer Name
MELANIE MATHEWS

Reviewer Phone Number
410-222-7960



Office of Planning and Zoning

Jenny B. Jarkowski
Planning and Zoning Officer

MEMORANDUM

TO: Zoning Division

FROM: Jessica Levy Long Range Planner

THROUGH: Cindy Carrier, Planning Administrator, Long Range Planning

SUBJECT: Long Range Planning Comments

DATE: December 26, 2023

Name of Project: Bancroft Associates Inc
Case#: 2023-0237-S
Location: 1510 Severncroft Rd, Annapolis
Tax Map 45, Parcel 0663
Region Planning Area: Region 4
Community: Broadneck

Summary:
The applicant requests to expand a previously approved Special Exception (1989285-S) to allow replacement of an existing community pier.

The approximately 1.13-acre site is located in the Plan2040 Neighborhood Preservation Development Policy Area and the Low Density Residential, Planned Land Use category. Surrounding properties are in the Low Density Residential Planned Land Use categories. Zoning for the site is R2 and surrounding properties are zoned R2. The site is located within the Priority Funding Area.

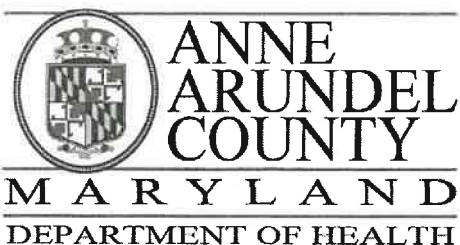
Findings:
Plan2040 General Development Plan Plan2040 does not have recommendations that are specific to this site. The proposal is generally consistent with the overall goals and policies of Plan2040; including, but not limited to:

- Policy BE3.2: Ensure infill development and redevelopment in existing residential neighborhoods are compatible in scale, use, form and intensity with the surrounding neighborhood character.
- Policy HC8.2: Improve and expand recreational opportunities for all communities to have facilities and programs nearby.

This proposal is within Region Planning Area 4. The Region Plan process for Region 4 is currently underway. The Region Plan is anticipated to be adopted in the spring of 2024.

No applications were submitted during the 2011 Comprehensive Rezoning process.

2022 Water and Sewer Master Plan the site is in the Future Service category in the Broadneck Service Area and the Existing Service category in the Broadneck Water Pressure Zone. The proposal is consistent with the 2022 Water and Sewer Master Plan.





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 

THROUGH: Don Curtian, Director
Bureau of Environmental Health 

DATE: January 5, 2024

RE: Bancroft Associates Inc., C/O Peter Schellie
1510 Severncroft Road
Annapolis, MD 21409

NUMBER: 2023-0237-S

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced special exception to perfect a community pier in the R2-Residential District.

The Health Department has reviewed the on-site sewage disposal and well water supply system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal and well water supply systems. The Health Department has no objection to the above referenced request.

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

cc: Sterling Seay

Tax Account Number: 305890059650

