



April 25, 2024

Anne Arundel County  
Zoning Division  
Office of Planning and Zoning  
2664 Riva Road, 3<sup>rd</sup> Floor  
Annapolis, MD 21401

Re: 2691 Solomons Island Road - Lot 35  
G02017966  
T.A. 2000-9025-4788

To Whom It May Concern:

In order to recognize the Site Development as proposed, we will need to obtain a Variance to 18-4-301; RA, Bulk Regulations to reduce an Interior Side Setback from 15 ft to 8 ft. The Site Specific Conditions are as follows:

A. Existing Conditions:

1. The Site is known as 2687 Solomons Island Road, Lot 35 (L38488, F34).
2. The Site Area is 2.5942 ac or 113,049 SF and is a waterfront lot on Church Creek.
3. The Site is located on a point which is encumbered by Expanded Buffers (i.e. 50 ft from top of slopes 15% or greater).
4. The area outside of the Buffers gently slopes at approximately 3% to 4%.
5. The Site has received passing Perc Tests.
6. The area of House Construction is lightly wooded.

B. Proposed Conditions:

1. The House is sited to avoid Buffer Disturbance and Maximizing View Lines
2. Mr. Thomas DeBacco is the owner of all three (3) Sites; Lots 34, 35 and 36.
3. The Septic System has been designed to address a house size larger than 3,500 SF.
4. Based on the house design, the Variance Request does not impede future development of Lot 34.

C. Requested Variance

1. Based on R1 Zoning, the minimum Interior Side Setback is reducing the 15 ft to 8 ft, or a Variance of 7 ft.
2. The Variance is necessary to maximize View Lines across Church Creek and as such the House Rotation creates the need for the Setback Variance.
3. The Variance is not a Critical Area Variance but only a Variance to Bulk Regulations.

D. Justification:

1. As previously stated above, Lots 34, 35 and 36 are all owned by Mr. DeBacco. Therefore, he is aware of Site Design Impacts on future development.
2. The Variance will not impede development of Lot 34 or Lot 36 as both Lots are of sufficient size to accommodate development characteristic of surrounding areas.
3. The House Rotation as shown, is based on careful consideration of View Lines to minimize vegetation removal. A Buffer Management Plan will be provided with future permitting. The development avoids Buffer Impacts.

4. The expansion has been maximized away from the waterfront to the limits allowed by the Well Setback and required Setback to Septic components.
5. The development of the Site will provide Stormwater Management.
6. The development of the Site will provide Buffer Establishment.
7. The proposed development establishes Lot Coverage well below the maximum limits.

E. Article 18-16-305: Variances:

The Site meets the requirements for Zoning Variances because Practical Difficulties and Hardships are created as follows:

1. The Site exhibits Unique Physical Conditions of Extreme Irregularity as the Site is characteristic of a Point of Land. Thus, the application of Side Yard Setbacks for the Principal Structure is restricted. The Site is restricted by the Expanded Buffer (i.e. 50ft from the top of the Slope). Therefore, the Setback Variance Request assists with avoiding disturbance of the Buffers.
2. An unnecessary hardship exists because the Potential Impacts to Buffers are eliminated, and the Request does not impact adjoining future development.

F. Requirements for All Variances:

1. The Site Design is the minimum relief necessary because the House is adjoining the Buffer and the requested Setback Variance avoids Buffer Disturbance.
2. The granting of the Variances **will not**:
  - i.) Alter the essential character of the neighborhood or district in which the Lot is located because the Lot adjoins two lots which are in sole ownership of the Applicant.
  - ii.) Substantially impairs the appropriate use or development of adjacent property. Adjacent properties are currently undeveloped and under ownership of the Applicant.
  - iii.) The design uses the minimum buildable area necessary and will avoid Buffer Disturbance.
  - iv.) Be contrary to acceptable clearing and replanting practices required for development in the Critical Area or Bog Protection Area; or be detrimental to the public welfare. The Site Layout minimizes clearing and maintains values less than allowable.
  - v.) Be consistent with the spirit and intent of the Critical Area Program or Bog Protection Program and will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat as the Site will be developed in accordance with the County Criteria and not impact the conditions as stated.

In summary, we believe the Variance is necessary to Allow Development of the Lot in accordance with all Critical Area and other criteria as outlined in the Code.

If you should have any questions or comments or need additional information, please do not hesitate to call our office at (410) 266-1160 or email [terrain@comcast.net](mailto:terrain@comcast.net).

Sincerely,  
TERRAIN



Roy C. Little P.E.  
Director of Engineering  
RCL/II.1739



**SWM DESIGN**  
 SWM SHALL BE PROVIDED FOR THIS CRITICAL AREA DEVELOPMENT BY ESD METHODS TO PROVIDE WATER QUALITY, RECHARGE AND CHANNEL PROTECTION. THE ESD METHODS USED WERE NON-ROOFTOP DISCONNECT, AND TWO MICRO BIO-RETENTION DEVICES. GP IS NOT REQUIRED DUE TO SITE OUTFLOW FLOWING TO TIDAL WATERS (CHURCH CREEK).

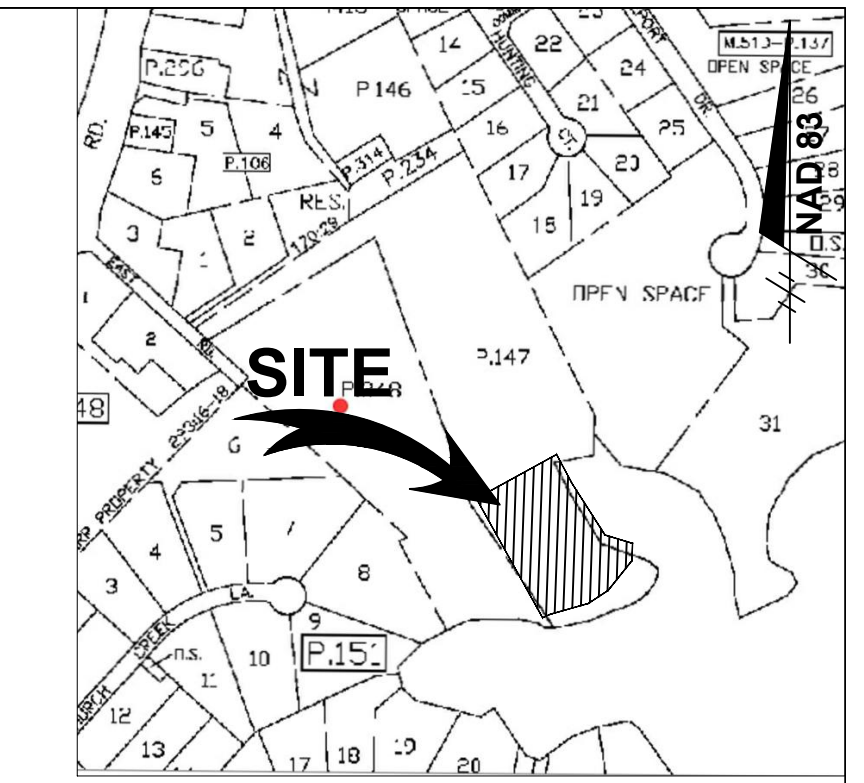
SITE AREA= 113,049 SF  
 EX. LC= 0 SF  
 PROP. LC= 14,246 SF  
 I= 13,791/113,049 = 12.2%  
 RV= 0.05+0.009I= 0.159  
 SOILS: TAB-A & AaE-C TAB. 5.3 I=12.6% TARGET PE= 1.0"(FOR BOTH SOILS A&C)  
 TARGET ESDV= (PERVA)/12= [1.0"/(0.159)]/12=1,500 CF

**MICRO BIO-RETENTION DEVICE#1**  
 MAX DA= 20,000 FT<sup>2</sup>  
 IMP. AREA TO DEVICE=6,432 SF  
 WITH PE=1" DEVICE SURFACE AREA= 280 SF  
 ESDV=(280X.5)+.4(3.5X280)+(280X.4X1)=644 CF  
 ESD MAX TREATED ALLOWED= (2.7)(.95)(6,432)/12=1,375 CF  
 644 CF (PROVIDED) IS LESS THAN 1,375 CF (ALLOWED)

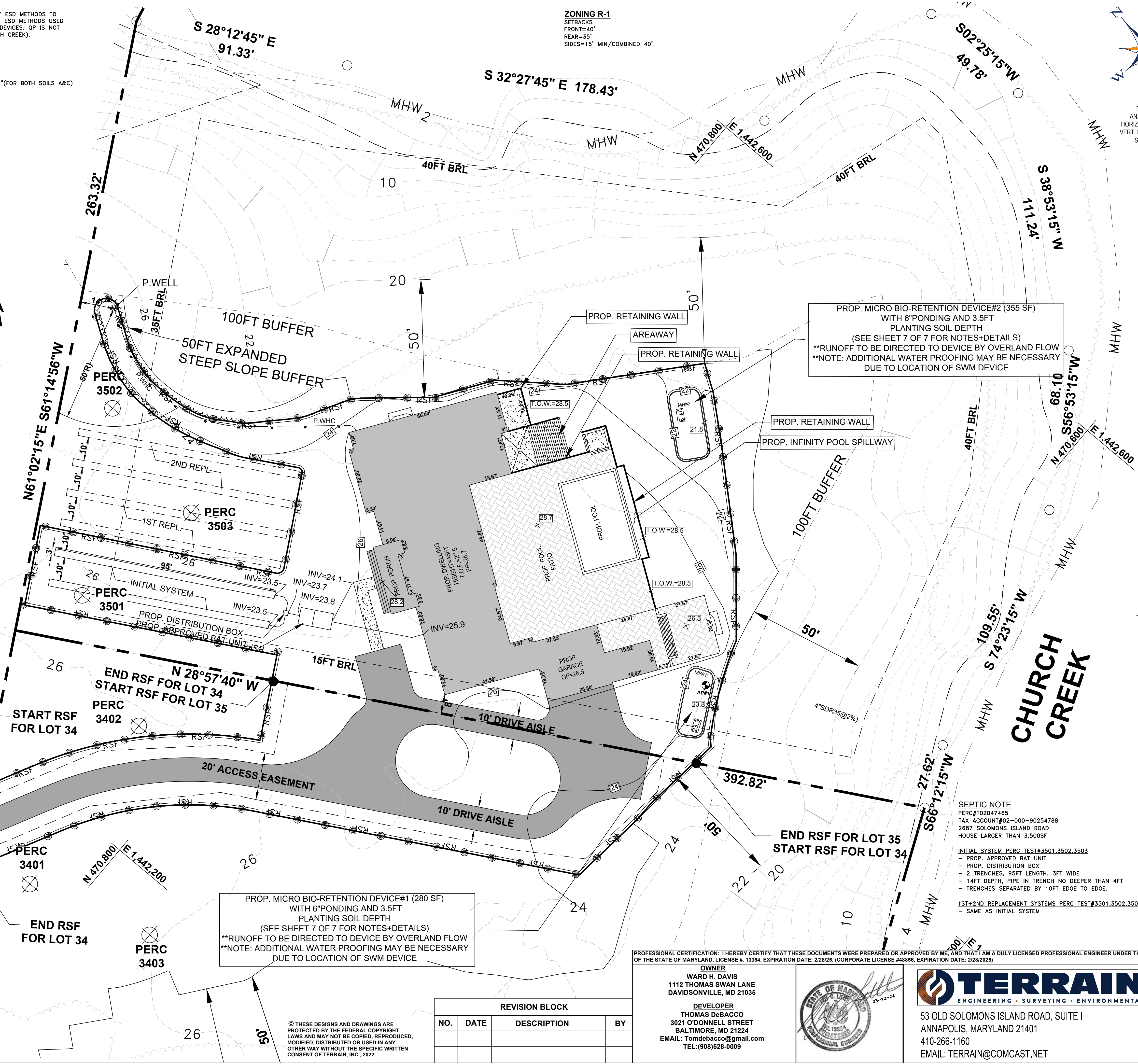
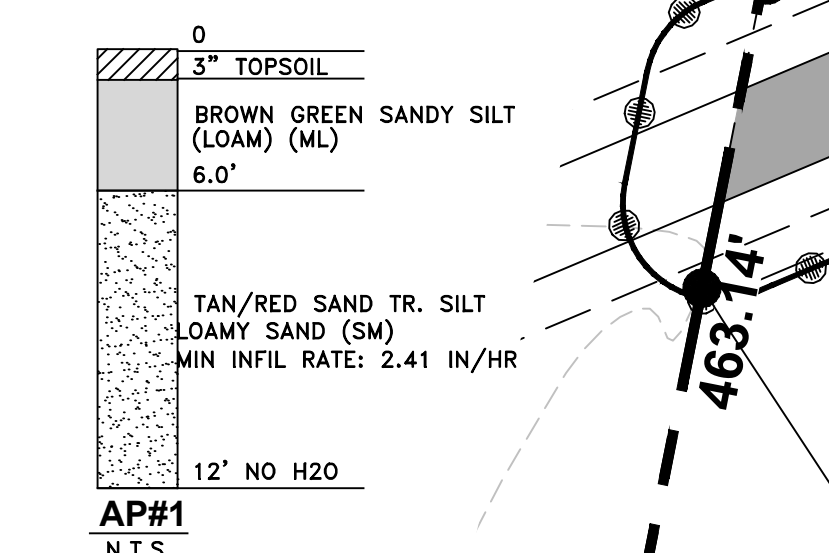
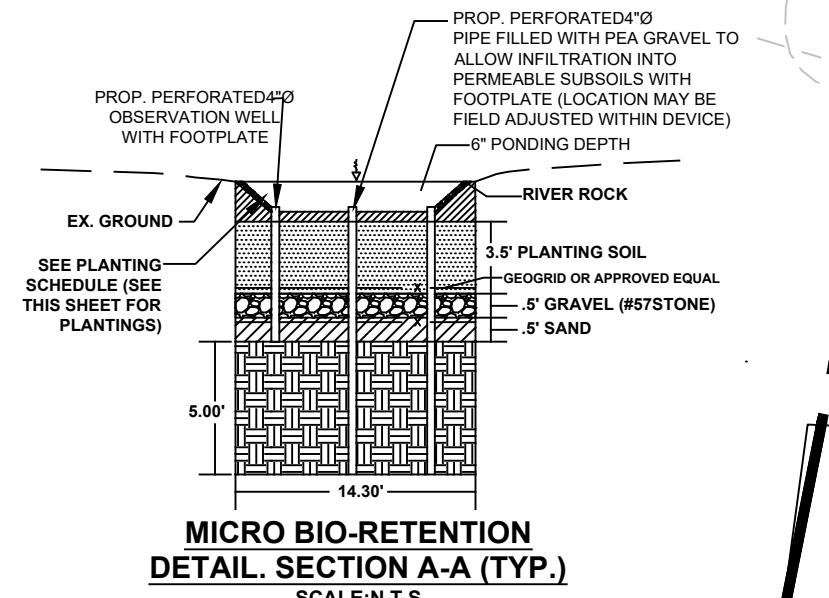
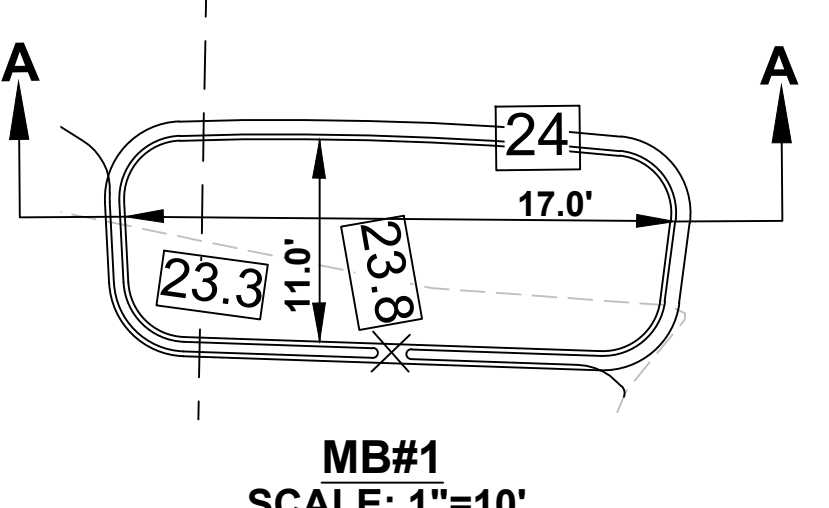
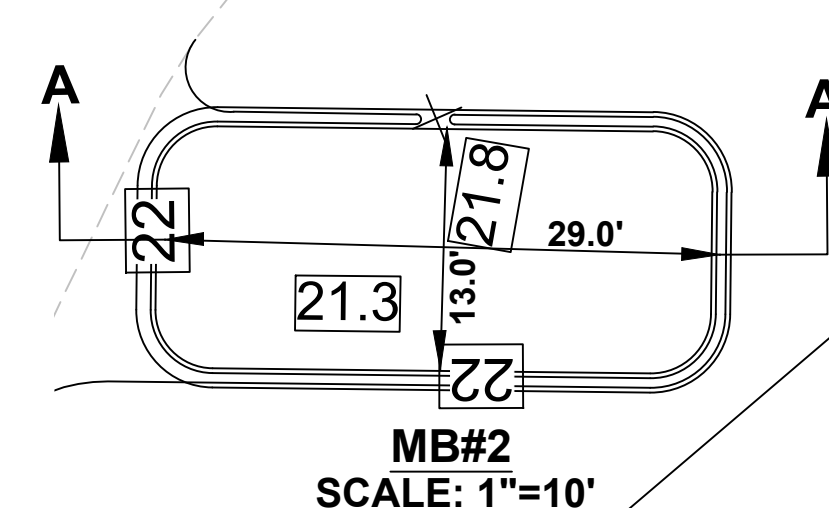
**MICRO BIO-RETENTION DEVICE#2**  
 MAX DA= 20,000 FT<sup>2</sup>  
 IMP. AREA TO DEVICE=7,359 SF  
 WITH PE=1" DEVICE SURFACE AREA= 355 SF  
 ESDV=(355X.5)+.4(3.5X355)+(355X.4X1)=817 CF  
 ESD MAX TREATED ALLOWED= (2.7)(.95)(7,359)/12=1,573 CF  
 817 CF (PROVIDED) IS LESS THAN 1,573 CF (ALLOWED)

TOTAL ESD REQUIRED= 1,500 CF  
 TOTAL ESD PROVIDED= 1,508 CF

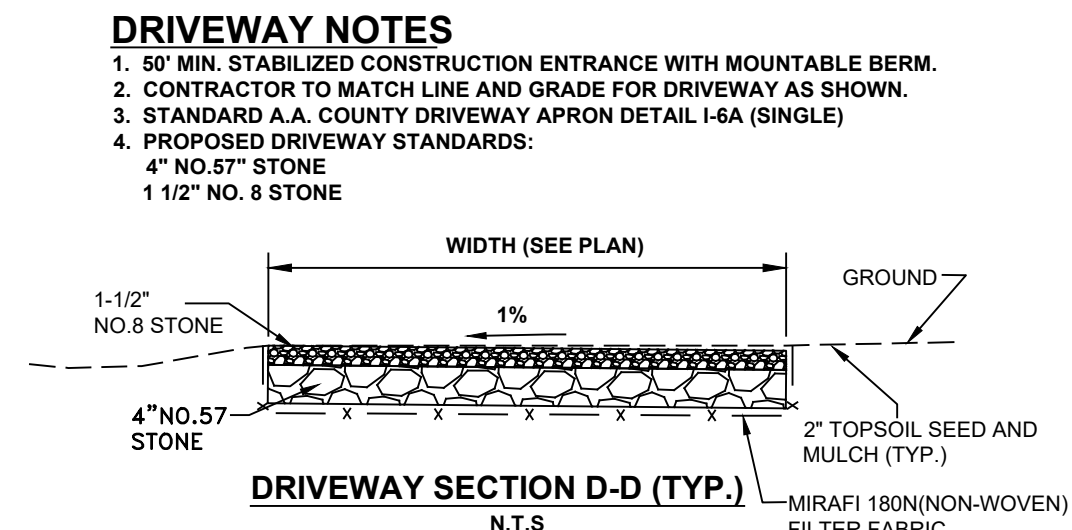
**ZONING R-1**  
 SETBACKS  
 FRONT=40'  
 REAR=35'  
 SIDES=15' MIN/COMBINED 40'



**VICINITY MAP**  
 Scale: 1"=2000'  
 ADC MAP: 5416;C/D7



- LEGEND**
- EXISTING CONTOUR ——— 42
  - PROPOSED CONTOUR ——— 40
  - 15% < 25% STEEP SLOPES [Symbol]
  - 25% > STEEP SLOPES [Symbol]
  - PROPOSED SPOT ELEVATION 45.00
  - EXISTING TREE LINE [Symbol]
  - STABILIZED CONSTRUCTION ENTRANCE [Symbol]
  - REINFORCED SILT FENCE [Symbol]
  - TEMPORARY STOCKPILE AREA [Symbol]
  - LIMIT OF DISTURBANCE [Symbol]
  - PERC TEST [Symbol]
  - PROPOSED BUILDING [Symbol]
  - BUILDING RESTRICTION LINE ——— 40FT BRL
  - EX. MEAN HIGH WATER ——— MHW



**PROP. LOD COVERAGE**

LOD WITHIN LOT 35	32,325 SF
LOD WITHIN LOT 34	20,020 SF

**PROP. LOT 34 COVERAGE**

PROP. DRIVEWAY	4,979 SF
PROP. TOTAL	4,979 SF

**PROP. LOT 35 COVERAGE**

PROP. HOUSE+GARAGES	6,374 SF
PROP. POOL/POOL PATIO	5,361 SF
PROP. STEPS+WALKWAYS	800 SF
PROP. DRIVEWAY	1,256 SF
PROP. TOTAL	13,791 SF

**LOT COVERAGE (RCA)**

SITE AREA	113,049 SF
EX. LC AREA(0%)	0 SF
PROP. LC AREA(12.2%)	13,791 SF
MAX. LC ALLOWED(15%)	16,957 SF
EX. DEVELOPED WOODLANDS	42,922 SF
PROP. WOODLANDS CLEARING	2,003 SF
ALLOWABLE CLEARING(30%)	12,877 SF

**VARIANCE PLAN**

**GRADING, EROSION AND SEDIMENT CONTROL PLAN**

**SOUTH RIVER**  
 LOT 35  
 L.38488, F. 34  
 2691 SOLOMONS ISLAND ROAD  
 EDGEWATER, MD 21037

TAX MAP 51, GRID 20, PARCEL 147 TAX ACCT#02-000-90254788 ZONING:R-1  
 SECOND TAX DISTRICT ANNE ARUNDEL COUNTY, MARYLAND

DATE: APRIL 2024	DRAWN BY: Z.A.W.
SCALE: AS SHOWN	CHECKED BY: R.C.L.
SHEET: 1 OF 1	TERRAIN JOB NO. 1739

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 #. 13354, EXPIRATION DATE: 2/28/25. (CORPORATE LICENSE #48856, EXPIRATION DATE: 2/28/2025)

**OWNER**  
 WARD H. DAVIS  
 1112 THOMAS SWAN LANE  
 DAVIDSONVILLE, MD 21035

**DEVELOPER**  
 THOMAS DeBACCO  
 3021 O'DONNELL STREET  
 BALTIMORE, MD 21224  
 EMAIL: Tomdebacco@gmail.com  
 TEL: (908)528-0009

**TERRAIN**  
 ENGINEERING · SURVEYING · ENVIRONMENTAL

53 OLD SOLOMONS ISLAND ROAD, SUITE I  
 ANNAPOLIS, MARYLAND 21401  
 410-266-1160  
 EMAIL: TERRAIN@COMCAST.NET

**REVISION BLOCK**

NO.	DATE	DESCRIPTION	BY

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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: APRIL 29, 2024

Tax Map #	Parcel #	Block #	Lot #	Section
51	147	20	35	N/A

Tax ID: 02-000-90254788

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	

Project Name (site name, subdivision name, or other) SOUTH RIVER, LOT 35

Project location/Address 2691 SOLOMONS ISLAND ROAD

City EDGEWATER Zip 21037

Local case number 2024-0025-P

Applicant: Last name LITTLE, P.E. First name ROY

Company TERRAIN

**Application Type (check all that apply):**

- |                           |                                     |                   |  |
|---------------------------|-------------------------------------|-------------------|--|
| Building Permit           | <input checked="" type="checkbox"/> | Variance          | <input 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 checked="" type="checkbox"/> | Other             | <input checked="" type="checkbox"/> <u>VARIANCE REQUEST SETBACKS</u> |

**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:

REQUESTING VARIANCE FOR SIDE SETBACK FROM 15FT. TO 8FT.

Intra-Family Transfer <input type="checkbox"/> Yes Grandfathered Lot <input type="checkbox"/>	Growth Allocation <input type="checkbox"/> Yes Buffer Exemption Area <input type="checkbox"/>
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**Project Type (check all that apply)**

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 <input checked="" type="checkbox"/> Shore Erosion Control <input type="checkbox"/> Water-Dependent Facility <input type="checkbox"/>
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**SITE INVENTORY (Enter acres or square feet)**

	Acres	Sq Ft		Acres	Sq Ft
IDA Area	0	0	Total Disturbed Area	1.201	52,345
LDA Area	0	0			
RCA Area	2.595	113,049	N/A # of Lots Created		
Total Area	2.595	113,049			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.985	42,922	Existing Lot Coverage	0	0
Created Forest/Woodland/Trees	0	0	New Lot Coverage	0.316	13,791
Removed Forest/Woodland/Trees	0.0459	2,003	Removed Lot Coverage	0	0
			Total Lot Coverage	0.316	13,791

**VARIANCE INFORMATION (Check all that apply)**

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0	0	Buffer Forest Clearing	0	0
Non-Buffer Disturbance	1.201	53,345	Mitigation	0.0459	2,003

<p><u>Variance Type</u></p> 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 type="checkbox"/> _____	<p><u>Structure</u></p> Acc. Structure Addition <input type="checkbox"/> Barn <input type="checkbox"/> Deck <input type="checkbox"/> Dwelling <input checked="" type="checkbox"/> Dwelling Addition <input 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"/> _____
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***Critical Area Report***  
***For:***  
***2691 Solomons Island Road***  
***Edgewater, MD 21037***  
***Tax Map 51, Block 20, Parcel 147***

*April, 2024*

*Prepared By:*  
***Terrain, Inc.***  
*53 Old Solomons Island Road, Ste. I*  
*Annapolis, MD 21401*  
*(410) 266-1160*  
*terrain@comcast.net*

**CHESAPEAKE BAY CRITICAL AREA REPORT**  
**2691 Solomons Island Road, Edgewater, MD 21037**  
**TAX MAP 51, BLOCK 20, PARCEL 147**

**INTRODUCTION**

This is a 2.5 AC., waterfront property, and is located at 2691 Solomons Island Road, Edgewater, Maryland 21037. The property fronts on Church Creek. The property is completely inside the Chesapeake Bay Critical Area Boundary and is designated as a Resource Conservation Area (RCA). The property is zoned R1.

**EXISTING LAND USE**

The existing land use is vacant residential property.

**PROPOSED LAND USE**

Single Family Dwelling, with garage, pool/pool patio, steps walks and driveway.

**SURROUNDING LAND USE**

This is a waterfront property with the surrounding parcels being waterfront or non-waterfront.

**FLOODPLAIN**

The property is shown on the Federal Emergency Management Agency (FEMA) panel 24003C0189F, Zone AE/X, Elevation 6.

**BUFFER MODIFICATION**

The property is not mapped buffer modified.

**TIDAL WETLANDS**

This site is waterfront and there are no tidal – wetlands.

### **BODIES OF WATER**

The property is a waterfront lot which fronts Church Creek.

### **STEEP SLOPES**

There are no steep slopes on-site that will be disturbed during this project.

### **RARE AND ENDANGERED SPECIES**

There are no federally or state listed species of rare, threatened or endangered species of plants or animals on this site.

### **DATES OF FIELD WORK**

April, 2024





April 26, 2024

Anne Arundel County  
Zoning Division  
Office of Planning and Zoning  
2664 Riva Road, 3<sup>rd</sup> Floor  
Annapolis, MD 21401

Re: 2687 Solomons Island Road  
(2024-0025-P)  
Pre-File Explanations

To Whom It May Concern:

We are in receipt of the Pre-File Comments and have revised the Plan accordingly for the Variance Filing and note the following:

A. Zoning:

We have revised the Plan to reflect the corrected R1 Zoning and Setbacks. The Variance Request has been revised accordingly.

B. Cultural Resources:

As noted, this Department has Approved based on prior studies.

C. Engineering Comments:

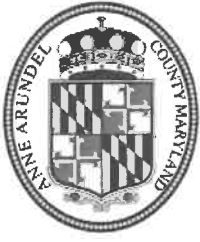
1. We have reviewed the Plan for Disturbance to the 100 ft. Buffer and/or Expanded Buffer. At this time, the Plan as presented does not disturb either Buffer.
2. As noted, ESD is being addressed by two (2) Micro-Bio Retention Devices.
3. There is a Soil Boring on the Plan which identifies the Soils as a Loamy Sand with the minimum Infiltration Rate noted.
4. As noted, the Site is served by Private Well and Septic.
5. It is noted and understood that Final Engineering Design will be Reviewed and Approved during the Grading Permit Process.
6. We believe the Variance Plan addresses all criteria for this stage of Review.

We believe the Plan as now revised should be acceptable for Final Review and Approval. If you should have any questions or comments or need additional information, please do not hesitate to call our office at (410) 266-1160 or email [roy@comcast.net](mailto:roy@comcast.net).

Sincerely,  
TERRAIN

Roy C. Little P.E.  
Director of Engineering  
RCL/IL.1739





# OFFICE OF PLANNING AND ZONING

## CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING March 2024

P&Z STAFF Rob Konowal, Engineering

APPLICANT/REPRESENTATIVE Terrain EMAIL terrain@comcast.net

SITE LOCATION 2687 aka 2691 Solomons Island Rd (2024-0025-P) LOT SIZE 2.59 acres ZONING R1

CA DESIGNATION RCA BMA    or BUFFER X APPLICATION TYPE Setback Variance

Variances required to construct new dwelling with attached garage, patio and pool with less setbacks than required.

Side (south) lot line setback variance of 7 feet required 8 feet provided (Code requires 15 feet)

### COMMENTS

Zoning – Site is addressed 2691 not 2687, zoned R1 not RA as in letter. Side lot line setback variance still required for R1 zone. Plan needs to indicate number of stories. Setback variance preferable to buffer variance.

### Cultural Resources

The Cultural Resources Section reviewed this plan and determined it will not adversely impact cultural resources. The subject property contains a recorded archaeological site, 18AN788, "Johnson Site," recorded on the Maryland State registry. A Phase I survey was required for this property to enable review of G02017966 per Article 17-6-502 [see the report, "Phase I Archaeological Survey of 2687 and 2689 Solomons Island Rd., Anne Arundel County, MD (2022)," by Applied Archaeology]. The Cultural Resources Section concurred with the survey findings that portions of 18AN788 within the subject parcel are not locally significant and no further work is required within this property boundary.

### Engineering Comments:

1. Given the disturbance to sensitive resources (100 feet steep slopes buffer), the proposed design adversely affects the water quality within the Critical Area. Please clarify.
2. Per the proposed design, ESDv is being addressed through two Micro-Bio retention.
3. The Suitability and siting of proposed SWM practices should be reviewed. Soil boring information including verification of the suitability of in-situ soils for infiltration shall be submitted.
4. Based on the plan provided, it appears that the property will be served by a private well and septic.
5. The stormwater management, and utility/Engineering design review approval for the site shall occur at the grading permit stage.
6. The above is provided as courtesy review comments at the pre-file stage to review and consider the design plan; additional reviews and detailed reviews are at the grading permit stage.

### 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.