

January 15, 2024

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

**Re: Thompson Property, Pcl 3
5597 Nutwell Sudley Road
Deale, MD 20751
Variance Application – Letter of Explanation**

The subject property is located at 5597 Nutwell Sudley Road in Deale. The property was created by plat on the 16th of August 1990, which was recorded among the Maryland Plat Records of Anne Arundel County in book 131 page 19. The property is currently improved with an existing dwelling, existing sheds, and existing barn, and other associated residential and agricultural amenities. The property is mapped within the RA – Rural Agricultural zoning district and is currently serviced with a private well and private septic. Nutwell Sudley Road is listed as a Scenic and Historic road, and it is reported that a historic cemetery may be on site; though the exact location is unknown. The Cultural Resources Division has visited the site and found that no resources are present within the LOD, and no additional information is required at this time. Development will comply with requirements found in articles 17-6-503 & 17-6-504 of the Anne Arundel County Code. There are no steep slopes present on site, and the property is not located within the Chesapeake Bay Critical Area Overlay. There is an existing agricultural easement associated with the property, recorded among the Maryland Land Records of Anne Arundel County in book 23614 page 321.

Environmental features in the developable area of interest for this site have been verified by Holly Oak Consulting, LLC, and located by CPJA's survey division. Forested non-tidal wetlands exist on site, encumbering the eastern portion of the subject property. Streams are mapped on the interior of the wetlands. Other environmental features outside of the area of interest exist on site according to Anne Arundel County GIS data. Rockhold Creek intersects the northeastern portion of the property, away from any proposed development.

The property owners wish to build a new single-family dwelling, with other accessory residential structures. The existing dwelling on site is to remain and will be converted to an accessory structure for agricultural use, as the administrative office for the farm operation, prior to grading permit issuance. The owners have constructed a new barn under agricultural standard grading plan, 2022-182-AG, which has been subsequently completed. The proposed dwelling is sited behind the existing dwelling and the barn.

In order to construct the proposed improvements, a variance to **Article 18-2-204(b)** of the Anne Arundel County Code is required to allow the existing dwelling, to be converted to an office to support the farming operations, to remain and be located in the front yard. While the structure will be used in the operation of the farm, it is not a barn; therefore, a variance is required.

The requested variance is necessary to site the new dwelling behind the existing dwelling. The Agricultural Easement expressly prohibits a Farm Tenant house on the property. Therefore, in order to avoid the practical difficulty of having to demolish the existing dwelling, the owners request the variance to allow the existing

dwelling to remain. The proposed dwelling is sited to minimize its visibility from Nutwell-Sudley Road, a scenic & historic road. In accordance with Article 17-6-504, new structures on scenic & historic roads shall be sited to retain the open character of the site and minimize the impact of the development on views from the road. Additionally, structures and uses are required to be located away from the road right-of-way unless sufficiently screened by topography. The siting of the new dwelling was chosen precisely to comport with these two criteria. The house is sited as far back from the road right-of-way as possible, without disturbing the wetland buffer, and is placed at a lower elevation to obscure the view of the dwelling from the road behind the agricultural structures and the existing knoll. Keeping the existing dwelling as an administrative office for the farm will preserve the existing viewshed from the road to the greatest extent.

In accordance with Article 18-16-305(a), the following discourse addresses the criteria for the granting of a zoning variance:

- (1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or

Due to the existing conditions of the lot, and the location of the existing improvements, there is no reasonable possibility of developing the lot in strict accordance with the Anne Arundel County Code. The adjacent road, Nutwell Sudley Road, is classified as a Scenic and Historic Road, and certain development regulations apply. There are 14 additional development criteria that development along Scenic and Historic Roads must adhere to, while still maintaining compliance with the remainder of the County Code, which should not be discussed here. The Cultural Resources Division of OPZ has reviewed the proposal, and found that it is generally in compliance with the 14 additional regulations required for this development. Denial of this modification would require relocation of the proposed dwelling, to be between Nutwell Sudley Road and the existing dwelling (which will be converted to an office to support the farming operation), which would significantly alter the open agricultural character the of the area and site, and be counter to the 14 additional development regulations previously mentioned.

- (2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

Denial of this variance would result in the demolition of the existing farm house, and would impose practical difficulties on the developer. Granting of this variance will allow the development to keep the existing dwelling, after being converted to an office, preserving the open agricultural nature of the area and site.

In accordance with Article 18-16-305(c), the following discourse addresses the criteria for the granting of all variances:

- (1) The variance is the minimum variance necessary to afford relief; and
Article 18-2-204(b) does not contain provisions for an allowable range therefore, this variance is the minimum variance able to be requested. While previously stated, it should be noted again that, denial of this modification would result in the relocation of the proposed dwelling, which would significantly alter the character of the area and site.

- (2) The granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located, substantially impair the appropriate use or development of adjacent property, reduce forest cover in the limited development and resources conservation areas of the critical area, be contrary to acceptable clearing and replanting practices required for development in the critical area of a bog protection area, or be detrimental to the public welfare.

Thompson Property, Pcl 3
Variance Letter of Explanation
January 24, 2024

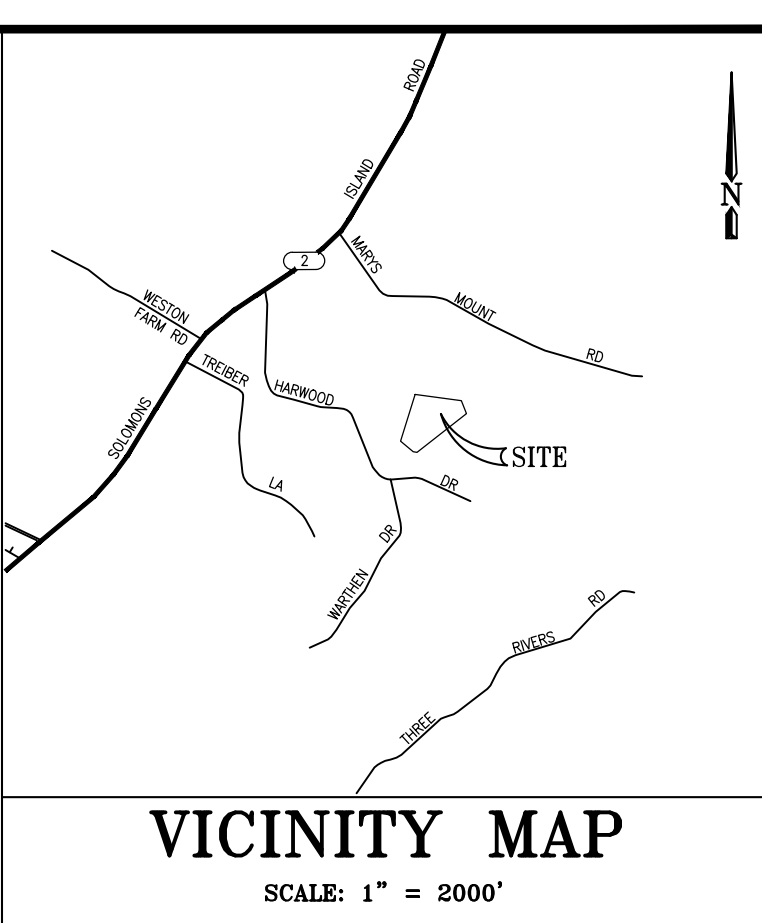
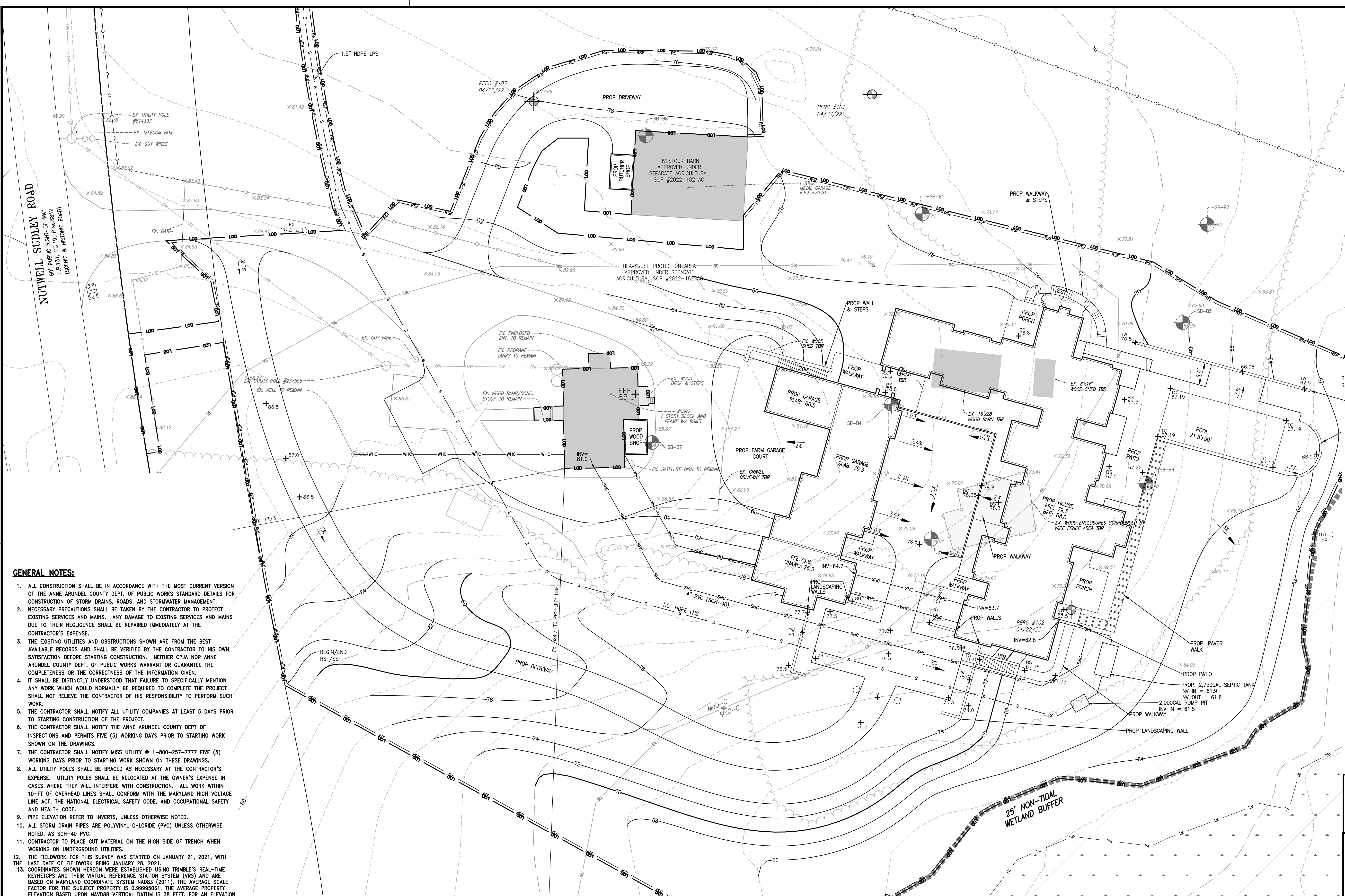
This variance request is directly aligned with keeping the essential character of the area. The developer wishes to keep the existing dwelling that is located onsite, while converting it to an office that will aid in the operation of the farm. The developer also wishes to maintain the open character of Nutwell Sudley Road, in accordance with §17-6-504. This development will also in no way affect the adjacent properties, and will not impair the use or development of the properties. This site is not located within the Chesapeake Bay Critical Area Overlay, and thus this development will in no way affect the forest cover in the LDA or RCA districts, or be contrary to the clearing and replanting practices in the Critical Area. As this development is a private development, on private land, and the use is allowable by code, this development will not be detrimental to the public welfare, in fact approval of this variance would be beneficial to the public welfare. Scenic and Historic Roads in Anne Arundel County are a valuable resource, and protecting them by adhering to the 14 additional development criteria in the County Code, is important for the public welfare.

Please contact me if you have any questions regarding this submittal at 410-266-5599 or thall@cpja.com.

Sincerely,

Thomas Hall

Thomas Hall, PE
Division Manager
CHARLES P. JOHNSON & ASSOCIATES, INC.



SITE TABULATIONS:

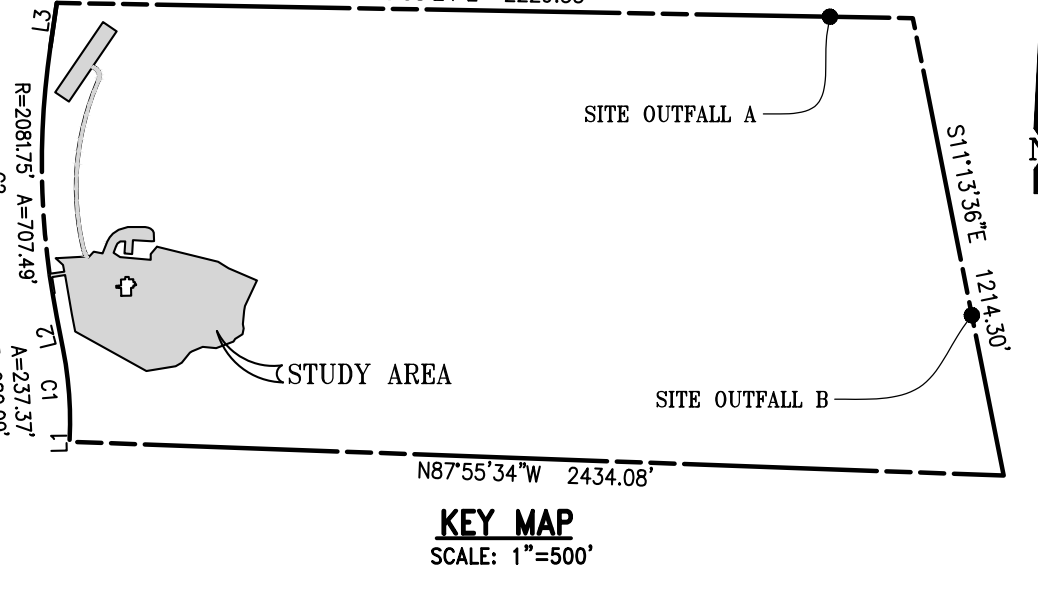
TOTAL SITE AREA:	2,743,606 SF (62.98 AC.)
ZONING DISTRICT:	RA (RURAL AGRICULTURE)
LIMIT OF DISTURBANCE:	137,039 SF (5.15 AC.)
EX. COV. BY STRUCTURES:	3,978 SF (0.09 AC.) (0.14%)
EX. HOUSE:	1,300 SF
EX. BARN:	874 SF
EX. DECK:	65 SF
EX. GARAGE:	1,739 SF
MAX. COV. BY STRUCTURES:	685,902 SF (15.75 AC.) (25.00%)
PROP. COV. BY STRUCTURES:	15,613 SF (0.36 AC.) (0.57%)
PROP. HOUSE:	6,907 SF
PROP. BARN:	3,453 SF
PROP. PORCH:	575 SF
PROP. GARAGE:	3,585 SF
PROP. POOL:	1,093 SF
ZONING SETBACKS RA:	
PRINCIPAL STRUCTURE	ACCESSORY STRUCTURE
FRONT: 40'	50'
SIDE: 15'/40'	15'
REAR: 35'	15'
HEIGHT: 45'	
EXISTING FOREST:	2,384,407 SF (54.74 AC.)
PROPOSED FOREST CLEARING:	45,230 SF (1.04 AC.)

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N02°47'00"E	4.98'
L2	N11°05'36"W	85.05'
L3	N08°22'44"E	115.67'

CURVE TABLE

CURVE	RADIUS	ARC	DELTA	TANGENT	BEARING	CHORD
C1	980.09'	237.37'	01°52'36"	119.27'	N04°09'18"W	236.79'
C2	2081.75'	707.49'	01°28'20"	357.19'	N01°21'28"W	704.09'



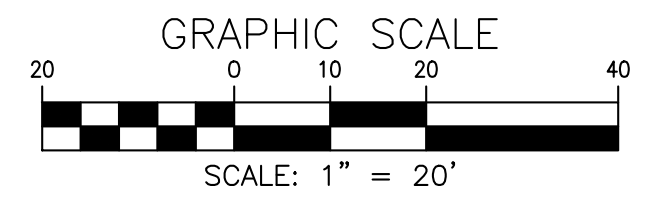
- GENERAL NOTES:**
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MOST CURRENT VERSION OF THE ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS STANDARD DETAILS FOR CONSTRUCTION OF STORM DRAINS, ROADS, AND STORMWATER MANAGEMENT.
 - NECESSARY PRECAUTIONS SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT EXISTING SERVICES AND MAINS. ANY DAMAGE TO EXISTING SERVICES AND MAINS DUE TO THEIR NEGLIGENCE SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE.
 - THE EXISTING UTILITIES AND OBSTRUCTIONS SHOWN ARE FROM THE BEST AVAILABLE RECORDS AND SHALL BE VERIFIED BY THE CONTRACTOR TO HIS OWN SATISFACTION BEFORE STARTING CONSTRUCTION. NEITHER CPJ NOR ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS WARRANT OR GUARANTEE THE COMPLETENESS OR THE CORRECTNESS OF THE INFORMATION GIVEN.
 - IT SHALL BE DISTINCTLY UNDERSTOOD THAT FAILURE TO SPECIFICALLY MENTION ANY WORK WHICH WOULD NORMALLY BE REQUIRED TO COMPLETE THE PROJECT SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PERFORM SUCH WORK.
 - THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES AT LEAST 5 DAYS PRIOR TO STARTING CONSTRUCTION OF THE PROJECT.
 - THE CONTRACTOR SHALL NOTIFY THE ANNE ARUNDEL COUNTY DEPT OF INSPECTIONS AND PERMITS FIVE (5) WORKING DAYS PRIOR TO STARTING WORK SHOWN ON THE DRAWINGS.
 - THE CONTRACTOR SHALL NOTIFY MISS UTILITY @ 1-800-257-7777 FIVE (5) WORKING DAYS PRIOR TO STARTING WORK SHOWN ON THESE DRAWINGS.
 - ALL UTILITY POLES SHALL BE BRACED AS NECESSARY AT THE CONTRACTOR'S EXPENSE. UTILITY POLES SHALL BE RELOCATED AT THE OWNER'S EXPENSE IN CASES WHERE THEY WILL INTERFERE WITH CONSTRUCTION. ALL WORK WITHIN 10-FT OF OVERHEAD LINES SHALL CONFORM WITH THE MARYLAND HIGH VOLTAGE LINE ACT, THE NATIONAL ELECTRICAL SAFETY CODE, AND OCCUPATIONAL SAFETY AND HEALTH CODE.
 - PIPE ELEVATION REFER TO INVERTS, UNLESS OTHERWISE NOTED.
 - ALL STORM DRAIN PIPES ARE POLYVINYL CHLORIDE (PVC) UNLESS OTHERWISE NOTED. AS SCH-40 PVC.
 - CONTRACTOR TO PLACE OUT MATERIAL ON THE HIGH SIDE OF TRENCH WHEN WORKING ON UNDERGROUND UTILITIES.
 - THE FIELDWORK FOR THIS SURVEY WAS STARTED ON JANUARY 21, 2021, WITH THE LAST DATE OF FIELDWORK BEING JANUARY 28, 2021.
 - COORDINATES SHOWN HEREON WERE ESTABLISHED USING TRIMBLE'S REAL-TIME KINETIC POS AND THEIR VIRTUAL REFERENCE STATION SYSTEM (VRS) AND ARE BASED ON MARYLAND COORDINATE SYSTEM NAD83 (2011). THE AVERAGE SCALE FACTOR FOR THE SUBJECT PROPERTY IS 0.99995061. THE AVERAGE PROPERTY ELEVATION BASED UPON NAVD83 VERTICAL DATUM IS 38 FEET. FOR AN ELEVATION FACTOR OF 1.0000324. THE COMBINED FACTOR FOR THE SUBJECT PROPERTY IS 0.99995385. ALL BEARINGS AND DISTANCES SHOWN ARE BASED ON GRID COORDINATES.
 - DEED: L33712 F.146, PLAT REFERENCE: #6842 L.131 F.19 RECORDED: 05/16/1990

UTILITY STATEMENT:
THE UNDERGROUND UTILITIES SHOWN HEREON (IF ANY) HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, MAPS AS MAY BE AVAILABLE FROM MUNICIPALITIES OR UTILITY COMPANIES, AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. UNLESS OTHERWISE NOTED, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

LEGEND

—	PROPERTY LINE	— WL —	NON-TIDAL WETLAND BOUNDARY	IPF	IRON PIPE FOUND
---	ADJOINER PROPERTY LINE	---	STREAM LINE	RCF	REBAR & CAP FOUND
—	EXISTING TREE LINE	---	LIMIT OF DISTURBANCE	RCS	REBAR & CAP SET (CPJ#181)
---	EXISTING CONTOURS	---	SUPER SILT FENCE	ENT.	ENTRANCE
---	WETLAND BUFFER LINE	---	REINFORCED SILT FENCE	B.R.L.	BUILDING RESTRICTION LINE
---	BUILDING RESTRICTION LINE	L. F.	LIBER ; FOLIO		EXISTING SPECIMEN TREE
---	EXISTING SOILS DELINEATION	N/F	NOW OR FORMERLY		UTILITY POLE
---	OVERHEAD WIRES	MB	MAIL BOX		EXISTING BUILDING
---	WIRE FENCE	P.B., P.G., P.N.O.	PLAT BOOK, PAGE, PLAT NUMBER		EXISTING IMPERVIOUS
---	METAL FENCE	IBF	IRON BAR FOUND		WETLAND AREA
---	CRZ				SEWER HOUSE CONNECTION
					WATER HOUSE CONNECTION
					LOW PRESSURE SEWER LINE

- GENERAL NOTES:**
- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE ANNE ARUNDEL COUNTY DEPT. OF HEALTH PRIVATE SEWAGE DISPOSAL CODE, JULY 2012, AND THE AA COUNTY DPW DESIGN MANUAL.
 - ALL PRECAST STRUCTURES SHALL CONFORM WITH SECTION 03400 OF THE AA COUNTY DPW STANDARD SPECIFICATIONS.
 - ALL WATERPROOFING SHALL CONFORM WITH SECTION 07100 OF THE AA COUNTY DPW STANDARD SPECIFICATIONS.
 - ALL PIPING SHALL BE 4IN SDR-35 PVC OR BETTER, UNLESS SPECIFIED OTHERWISE. CLEANOUTS SHALL BE PROVIDED, PER CODE. CLEANOUTS IN PAVED AREAS SHALL BE INSTALLED IN ACCORDANCE WITH AA COUNTY DPW STANDARD DETAIL S-10.
 - PIPE INCASEMENT, IF REQUIRED SHALL CONFORM WITH AA COUNTY DPW STANDARD DETAIL S-2.
 - GRAVEL OR SELECT BACKFILL TO BE PLACED IN UTILITY TRENCH FOR PIPE BEDDING.
 - IT SHALL BE DISTINCTLY UNDERSTOOD THAT FAILURE TO MENTION SPECIFICALLY ANY WORK WHICH WOULD NORMALLY BE REQUIRED TO COMPLETE THE PROJECT SHALL NOT RELIEVE THE CONTRACTOR OF THEIR RESPONSIBILITY TO PERFORM SUCH WORK.
 - THE CONTRACTOR SHALL NOTIFY "MISS UTILITY" (800) 257-7777 FIVE WORKING DAYS PRIOR TO STARTING WRK.
 - THE CONTRACTOR IS SOLELY RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNOLOGIES, SEQUENCES, PROCEDURES, AND PROGRAMS.
 - THE CONTRACTOR IS RESPONSIBLE, AND MUST ENSURE THAT ALL O.S.H.A./M.O.S.H.A REGULATIONS ARE ADHERED TO DURING CONSTRUCTION.



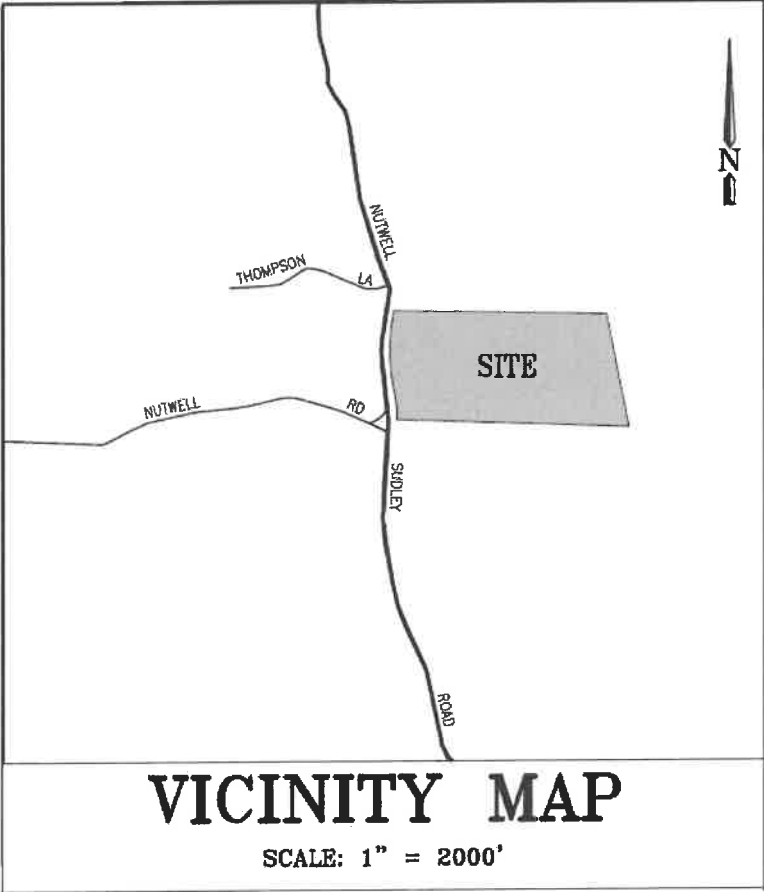
UPDATES/REVISIONS:

VARIANCE SITE PLAN
5597 NUTWELL SUDLEY ROAD
TAX MAP 73, GRID 11, TAX PARCEL 119
PARCEL 3
THOMPSON PROPERTY
SEVENTH (7th) ASSESSMENT DISTRICT
ANNE ARUNDEL COUNTY, MD

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
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www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT:	Alissa & Bilal Abdullah 5597 Nutwell Sudley Road Deale, MD 20751	TAX ACCOUNT NO:	07-000-90073016	GRADING PERMIT NO:	G02019579
DESIGN:	RMF	SHEET:	01	OF:	01
DRAFT:	RMF	DATE:	1/11/2024	FILE NO.:	
SCALE:	AS SHOWN				

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VICINITY MAP

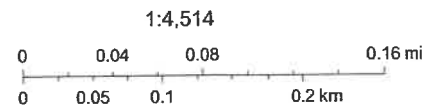
SCALE: 1" = 2000'

Anne Arundel County Engineering Record Drawing and Monuments



4/3/2023, 4:54:23 PM

Topo_2020	2021 Photos	Blue: Blue
— Index	Red: Red	Red: Red
Intermediate	Green: Green	Parcels



County of Anne Arundel, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA