

Atlantic Development Services Group
P.O. Box 567
Crownsville, Maryland 21032-1218

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

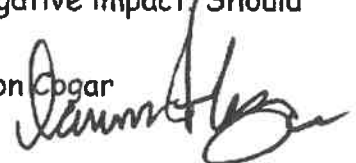
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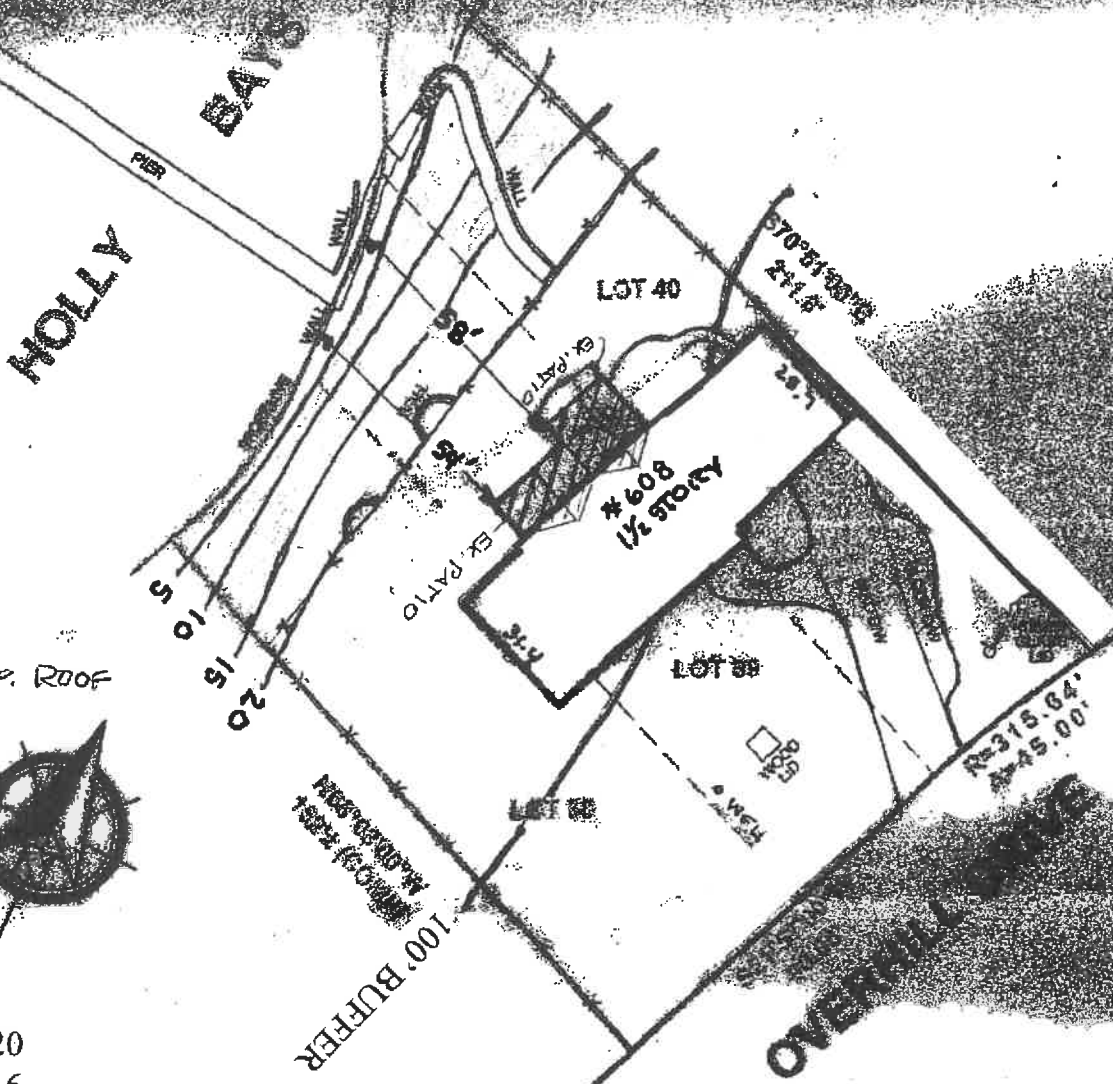
RE: Variance- Beatley Property
608 Overhill Dr. Edgewater, Md. 21037
Tax Account# 1411-9003-5617
Zoning R-2 CA Designation: LDA BMA : Yes

Dear Sir or Madam:

We are applying for a variance to allow for construction of a 15'X16' and a 10'X20' roof over an existing stone patio in the 100' buffer and close to steep slopes.. The house was constructed in 1952 and has been updated over the years. The house is approximately 58' from the MHW. The house and the adjacent properties were constructed to allow for the most part ,a clear view of the waterfront causing them to be close to the "slope" The house location placed in 1952,put the structure close to the slope at a time that "steep slopes" were not an issue they present today. The location of the house causes the water view only to be allowed on the front side of the structure. The site at some point was upgraded with stone patio that allowed for "outdoor living" and a water view. During the life of the patio a pergola was added to assist to block out the sun rays which are very strong at certain times of the day.The pergola does not provide sufficient protection and the owners had hoped to construct a solid roof over the the affected patio area in an effort to be able to use that area during the day. There was consideration to having a retractable canopy but that was rejected as winds on the waterfront property create a somewhat hazardous condition. The adjacent properties have covered decks in order to allow their properties to enjoy the outdoors sans harsh sun rays. The proposed roof will not cover the entire patio but most of it. The lot well cared for,has a substantial vegetative slope with shrubs and plantings designed to protect and enhance the existing slope area which will not be affected in any way.The roof construction will consist of approximately eight post holes about 16" in diameter. The area under the roof over the patio will remain open. There will be no work outside of that area that could affect the slpe area and with appropriate sediment controls there will be no negative impact. Should you have any questions please feel free to contact me.

Thank you, Damon Cogar





PROP. ROOF



10 X 20
 15 X 16
 (440 sq.ft) COVERED PATIO LDA WELL PUBLIC R-2 1" - 40'

LOCATION DRAWING OF:

3835 OVERHILL DRIVE
LOTS 38-40
HOLLY HILL SECTION OF
SELEY ON THE BAY
PLAT BOOK 9, PLAT 6
ANNE ARUNDEL COUNTY, MARYLAND
SCALE: 1"=40' DATE: 10-19-18
DRAWN BY: CP FILE #: 187533-035

LEGEND:
 [Illegible text]

A Land Surveying Company

DUNN

BMA

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: 4-22-24

Tax Map #	Parcel #	Block #	Lot #	Section
60	43		3B	

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
 General Project Information

Tax ID: 1411-9003-5617

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

Project location/Address 608 OVERHILL DR

City GODFWATER Zip _____

Local case number _____

Applicant: Last name BEATLEY First name GERALD

Company _____

Application Type (check all that apply):

- | | |
|---|--|
| Building Permit <input checked="" 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:

RESIDENT

Intra-Family Transfer	Yes <input type="checkbox"/>	Growth Allocation	Yes <input type="checkbox"/>
Grandfathered Lot	<input type="checkbox"/>	Buffer Exemption Area	<input 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	Total Disturbed Area	Acres	Sq Ft
IDA Area					18'
LDA Area		22,737			
RCA Area					
Total Area			# of Lots Created		

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		12,000	Existing Lot Coverage		5,202
Created Forest/Woodland/Trees			New Lot Coverage		NA
Removed Forest/Woodland/Trees			Removed Lot Coverage		NA
			Total Lot Coverage		5,202

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		500	Buffer Forest Clearing		NA
Non-Buffer Disturbance			Mitigation		NA

Variance Type

Buffer	<input checked="" 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 type="checkbox"/>
Steep Slopes	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

Structure

Acc. Structure Addition	<input type="checkbox"/>
Barn	<input type="checkbox"/>
Deck	<input type="checkbox"/>
Dwelling	<input 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 checked="" type="checkbox"/>

ROOF OVER EX. PATIO



Atlantic Development Services Group
P.O. Box 567
Crownsville, Maryland 21032-1218

CHESAPEAKE BAY CRITICAL AREA REPORT

Beatley Property

608 Overhill Rd.
Edgewater, Maryland 21037

Tax Map 60; Grid 15; Parcel 43
Anne Arundel County Zoning: R2
Critical Area Designation: LDA
Tax Account #1411-9003-5617

March 3, 2024

I. Purpose of Variances

The applicant owns a 22,737 square foot lot in Holly Hill Harbor in Edgewater. The entire property is located within the Chesapeake Bay Critical Area and has an LDA land use designation. See the County Critical Map at the end of this report. While this site is in critical area, it is also waterfront.

The property owner desires construct a covered roof over a portion of the existing stone patio. Due to zoning setback regulations, a variance is necessary. The existing structure does not conform to County zoning setbacks requiring a variance to the steep slope buffer requirements for any new construction in the 100 foot buffer.

II. Critical Area Narrative - Site Description

The applicant's lot is irregular in shape - 152.0x 135.0x 211.8 x 126.0(see site plan attached) with 1.5-story single family dwelling. The site is mostly mowed lawn with numerous plantings and one large tree.

The County Soil Survey has the site mapped with Keyport Silt Loam complex that is well draining but highly erodable soil complex. No tidal or nontidal wetlands are located directly on the lot.

III. Critical Area Narrative

A. Existing and Proposed Vegetation Coverage:

Existing Conditions: The lot is mostly lawn with numerous plantings.

Proposed Conditions: Grading performed (basically 8 post holes) to construct the proposed structure will be regulated by local jurisdiction and proper sediment controls will be implemented. Grading performed will be minimized to provide strict sediment control. Any planting will be implemented as necessary.

B. Stormwater Management and Water Quality:

Existing Conditions: No stormwater management is currently present on this site.

Proposed Conditions: There is no increase of impervious area is proposed. Any stormwater management requirement would be determined at time of permit issuance process.

C. Aquatic Resources:

Existing Conditions: Water quality and aquatic resources in the Holly Bays are somewhat degraded by existing surrounding development.

Proposed Conditions: While this is a waterfront lot with local regulations and proper sediment control installation and maintenance, no adverse impact on aquatic resources are anticipated as a result of improvement of this lot.

D. Forest Clearing and Impervious Coverage

Existing Conditions: No "forest" cover is present on the site. Impervious area is currently approximately 4,895 square feet.

Proposed Conditions: No tree clearing is proposed. Impervious coverage will not be increased , which remains below maximum allowed.

IV. Conclusions

The requested variance is necessary to allow construction of the proposed patio roofs . No adverse impacts to fish, wildlife, and plant habitat and water quality are anticipated.

V. Site Investigation

A site investigation to obtain data to prepare this Critical Area Report was conducted on March 1,2024 by Damon F. Cogar of Atlantic Development Services Group.







OFFICE OF PLANNING AND ZONING
CONFIRMATION OF PRE-FILE

PRE-FILE #: 2024-0010-P
DATE: 02/02/2023
OPZ STAFF: Jennifer Lechner
Kelly Krinetz

APPLICANT/REPRESENTATIVE: Gerald A. & Deborah K. Beatley, Trustees / Damon Cogar

EMAIL: Dkbeatley@verizon.net / DAMON@ADSGONLINE.COM

SITE LOCATION: 608 Overhill Drive, Edgewater

LOT SIZE: 22,737 sqft

ZONING: R2 **CA DESIGNATION:** LDA **BMA:** YES **BUFFER:** NO **APPLICATION TYPE:** Variance

The applicants are proposing to remove an existing gazebo (pergola), and construct a 10 x 20 roof and a 15 x 16 roof over the existing waterfront patios.

The proposed construction will create 440 square feet of new lot coverage nearer to the shoreline than the closest facade of the existing principal structure in the Buffer Modification Area requiring a variance to §17-8-702(b)(1).

The construction will also disturb the 25ft buffer to the top of the steep slopes. In addition to the variance, a modification may also be required during permit review.

COMMENTS

Critical Area Team:

No objection provided the development is limited to a roof structure only with no enclosure and does not expand beyond the existing patio area.

The disturbance will fall within the required steep slope buffer and a modification will be required.

Zoning Administration Section:

The Administrative Site Plan should clearly indicate the dimensions (including the height) and setbacks for the proposed development. Please be sure that the setbacks are measured perpendicular to the shoreline, rather than perpendicular to the structure. The site plan indicates 60' to the shoreline wall, but the shortest distance measures closer to 51' for the 10 x 20 roof and 53' for the 15 x 16 roof.

The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must address and meet all of the applicable variance standards provided under Section 18-16-305. The Letter of explanation should address each of those standards and provide adequate justification for the request. The Draft does not.

INFORMATION FOR THE APPLICANT

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.