

BARKS ROAD

Jan 16, 2024

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

Re: Variance Pre-Filing Letter of Explanation, Dr. Robert Beer Residence, 1313 St. Josephs Court, Crownsville, MD 21032 (Permit No: B02422311 – review comments attached)

To whom it may concern,

The following pre-file information and description is submitted to request a variance to Environmentally Sensitive Areas; however, we strongly believe that the scope of work should be allowed under the provisions of the Code to avoid the need for a variance.

The subject property, located at 1313 St. Josephs Court, Crownsville, MD (the “Beer” residence) is entirely within steep slopes or their buffers. The proposed scope of work would be limited to areas between the house and the street to “replace in kind” deteriorating and failing brick paver walkways and timber retaining walls with Techo Bloc manufactured concrete pavers, steps and wall systems.

Existing stairway timbers are rotting/splitting and pavers have settled, creating tripping hazards and serious liability issues for ingress and egress to and from the home’s front entrance. The existing grade currently slopes from the street toward the front of the house. Surface water runoff from street to front house foundation is compounded by poorly constructed paver walkway and wall systems that pitch and direct surface drainage towards the house, foundation and framing.

It is our intention to correct these deficiencies while implementing additional drainage improvement measures during the new construction work. We are proposing a reduction of impervious area within our work area by removing existing river rock in plant bed areas and replacing it with mulch. In addition, we are proposing native plant material in all areas within our LOD work area. All work is proposed to be completed by hand with no use of heavy machinery.

It is our position that a variance should not be required for this work. A mechanism should be available to issue permits for safety and maintenance-related cases where a legally existing



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LANDSCAPE ARCHITECTURE LTD.

structure requires "in-kind" replacement. No disturbance to steep slopes is proposed, nor is any clearing or tree removal.

Sincerely,

Eric J. Blamphin, ASLA

President, Barks Road Landscape-Architecture Ltd.

BRLA License #3452/MHIC #148166

cc: Dr. Robert Beer

Allocation Review

Septic Review

Due on 12/12/2023, assigned to Eric Olmscheid
Marked as Revision Needed on 12/08/2023 by Eric Olmscheid

Show the entire septic system including the BAT unit, surrounding disposal bed, and existing septic tank per installation diagram T02047435 on the site plan. For a copy of health department records that may be used as reference please visit <https://www.aahhealth.org/environmental-health/wells-and-septic-systems/request-copies-septic-or-well-records-online>

Comment: Clearly show on the site plan that no excavation will take place closer than the existing retaining walls to the existing septic system on site.

The existing septic system must be fenced off prior to septic review approval of this building permit. Please contact me for a site visit once this has been completed

For questions regarding the specific review comments above, please contact hdohts00@aaacounty.org

Well Review

Due on 12/12/2023, assigned to Eric Olmscheid
Marked as Revision Needed on 12/08/2023 by Eric Olmscheid

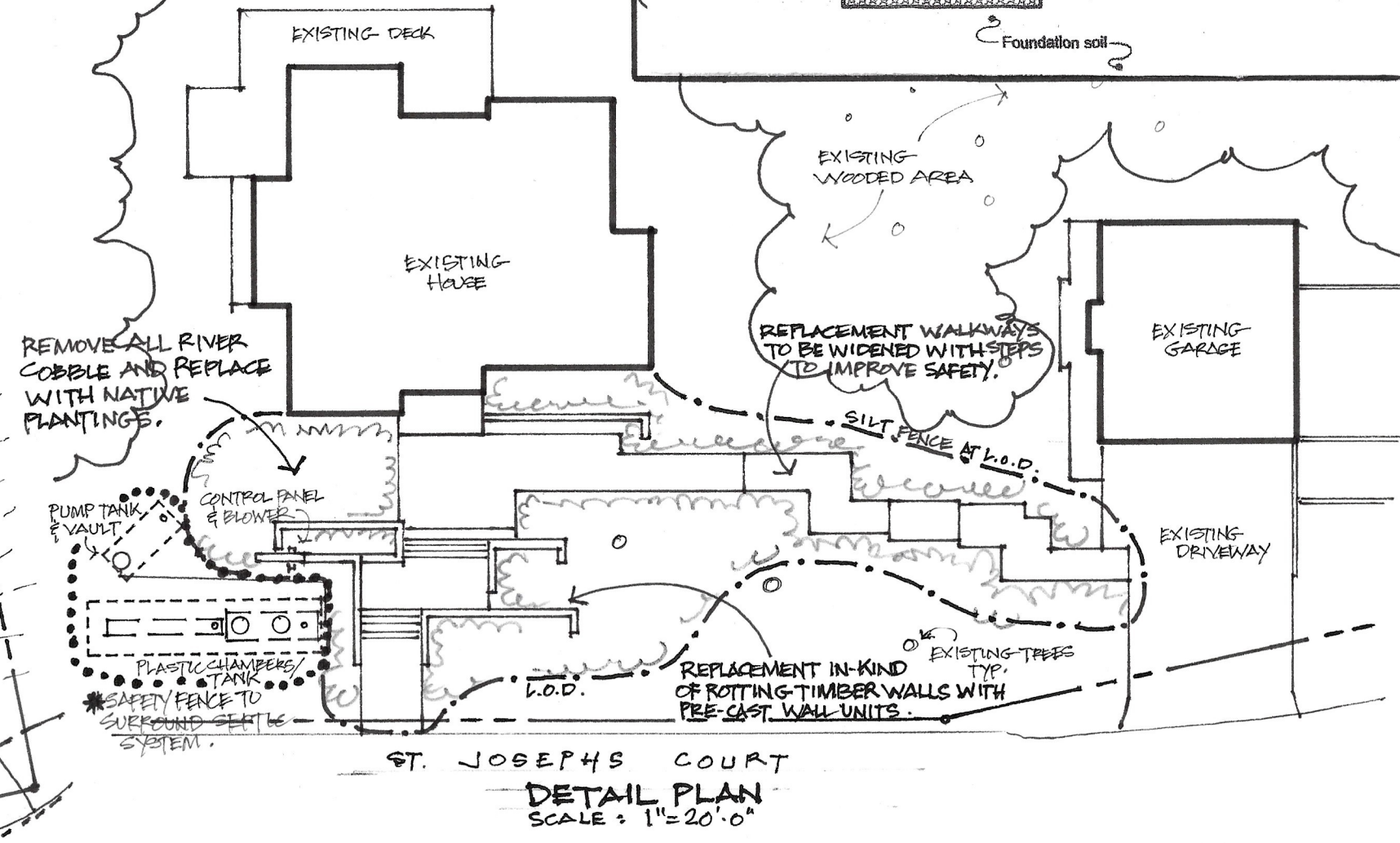
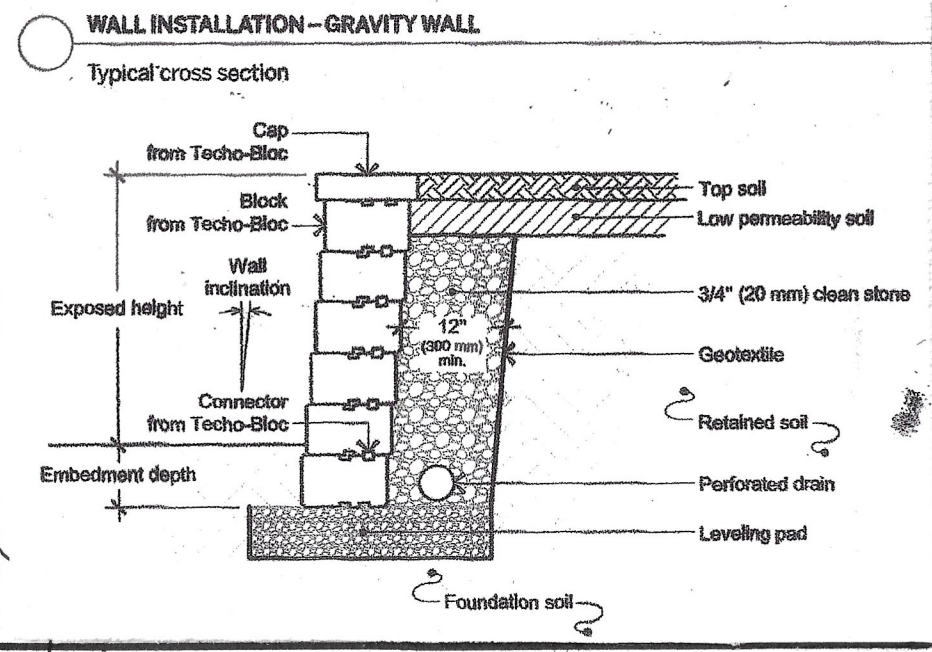
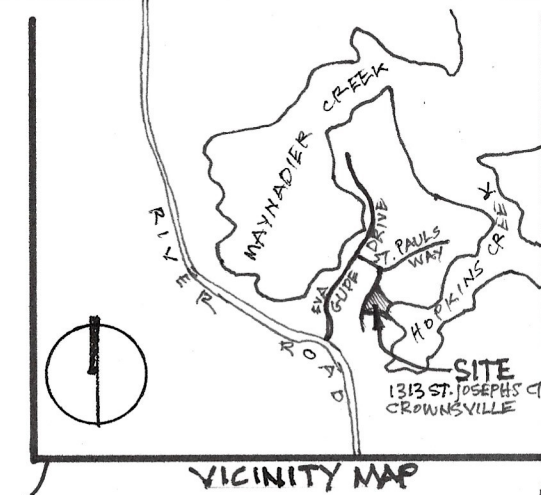
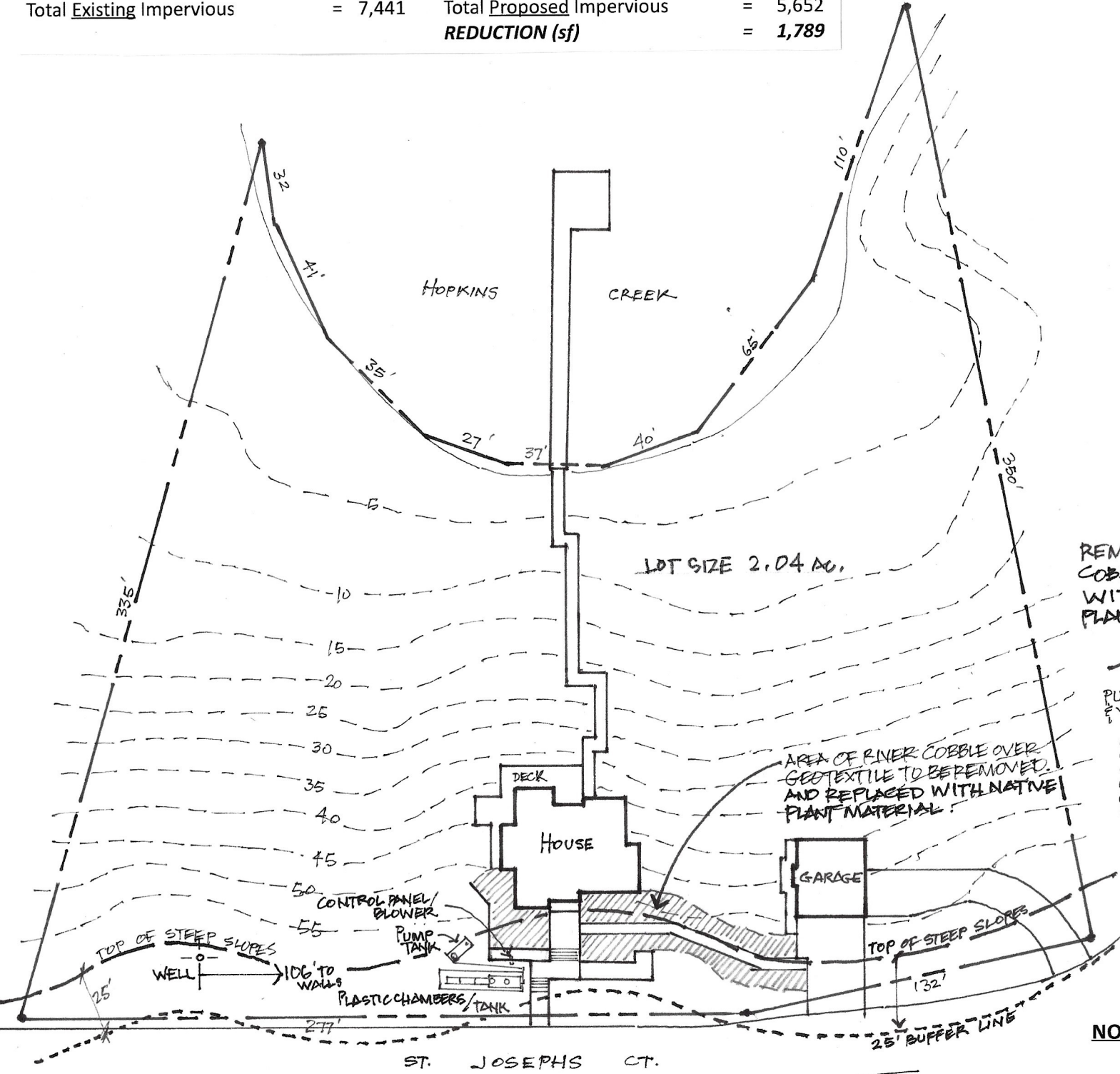
Show the existing well AA-81-3662 on the site plan. The proposed retaining walls must be 30' or no closer than existing to the well on site.

Comment: The existing well (AA-81-3662) must be raised to at least 8" above grade and fitted with a two-piece (Water Systems Council PAS 97) vermin-proof cap prior to Health Department approval of this permit. Two-piece caps held to the casing with horizontal bolts/screws are not permitted. Once the work has been completed, please submit pictures of the wellhead to hdohts00@aaacounty.org to show compliance so that the well review may be approved

Additional Information

IMPERVIOUS COVERAGES (square feet):

| | | | |
|-----------------------------------|---------|---------------------------------|----------------|
| Ex. House | = 1,826 | Ex. House | = 1,826 |
| Ex. Detached Garage | = 700 | Ex. Detached Garage | = 700 |
| Ex. Driveway/Sidewalks/Ret. Walls | = 4,915 | Prop. Drives/Walks/Walls/Cobble | = 3,126 |
| Total Existing Impervious | = 7,441 | Total Proposed Impervious | = 5,652 |
| | | REDUCTION (sf) | = 1,789 |



NOTES:

- No forest clearing or tree removal is proposed.
- Design changes proposed and shown for the walkway connecting the house to the garage have been made for safety and aesthetic reasons. A significant reduction of impervious coverage (1,500 sf +/-) will result from the removal of river cobble areas within L.O.D.
- River cobble to be removed and replaced with native groundcovers and shrubs
- New walkways will be reconstructed to correct water flow away from house foundation.
- Rotting timber walls and steps to be replaced in-kind with dry-set precast concrete wall units. See construction details.
- New walls not to exceed height of existing walls.
- Area within L.O.D. is 2,980 sf.



BEER RESIDENCE APRIL 2024
1313 ST. JOSEPHS CT. CROWNSVILLE 21032

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: 5-2-24

| Tax Map # | Parcel # | Block # | Lot # | Section |
|-----------|----------|---------|-------|---------|
| 38 | 337 | | 5 | |
| | | | | |
| | | | | |

Tax ID: 2-044-9002-3567

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
 General Project Information

Project Name (site name, subdivision name, or other) Bayberry Hill

Project location/Address 1313 ST Joseph Ct

City Crownsville Zip 21032

Local case number

Applicant: Last name Blamphin First name ERIC

Company BARKS ROAD Landscape

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:

Replace Failing Retaining walls & walk ways

Intra-Family Transfer
Grandfathered Lot

Growth Allocation
Buffer Exemption Area

Project Type (check all that apply)

Commercial
Consistency Report
Industrial
Institutional
Mixed Use
Other

Recreational
Redevelopment
Residential
Shore Erosion Control
Water-Dependent Facility

SITE INVENTORY (Enter acres or square feet)

| | Acres | Sq Ft |
|------------|-------|--------|
| IDA Area | | |
| LDA Area | 2.04 | 87,120 |
| RCA Area | | |
| Total Area | | |

Total Disturbed Area

| | |
|-------|-------|
| Acres | Sq Ft |
| | 2,980 |

of Lots Created

| | Acres | Sq Ft | | Acres | Sq Ft |
|--------------------------------|-------|--------|-----------------------|-------|--------|
| Existing Forest/Woodland/Trees | | 62,000 | Existing Lot Coverage | | 7,441 |
| Created Forest/Woodland/Trees | | | New Lot Coverage | | |
| Removed Forest/Woodland/Trees | | 0 | Removed Lot Coverage | | -1,789 |
| | | | Total Lot Coverage | | 5,652 |

VARIANCE INFORMATION (Check all that apply)

| | Acres | Sq Ft | | Acres | Sq Ft |
|-------------------------------|-------|-------|------------------------|-------|-------|
| Buffer Disturbance (Expanded) | | 2,980 | Buffer Forest Clearing | | 0 |
| Non-Buffer Disturbance | | | Mitigation | | |

Variance Type

Buffer
Forest Clearing
HPA Impact
Lot Coverage
Expanded Buffer
Nontidal Wetlands
Setback
Steep Slopes
Other

Structure

Acc. Structure Addition
Barn
Deck
Dwelling
Dwelling Addition
Garage
Gazebo
Patio
Pool
Shed
Other

Retaining wall
 Sidewalks



BARKS ROAD
Landscape Architecture Ltd.

CRITICAL AREA REPORT

1313 St. Josephs Court
Crownsville, MD 21032
Tax Map 38, Parcel 0337
Tax Account #2-044-9002-3567
Critical Area LDA - RLD
Lot 5

INTRODUCTION

This site is in the LDA area of Anne Arundel County Critical Area program. The site is known as 1313 St. Josephs Court. The property is zoned RLD. The lot consists of 2.04 acres. The lot is residential and improved with a single family home and detached garage. The property is served by well and septic.

PURPOSE

The proposed scope of work would be limited to areas between the house and the street to “replace in kind” deteriorating and failing timber retaining walls with dry-set precast concrete wall units. New walls not to exceed the height of existing walls. Area within L.O.D. is 2,980 square feet.

Walkways to connect the existing house to the detached garage will be replaced and modified. Design changes proposed and shown for the walkway connecting the house to the garage have been made for safety and aesthetic reasons. New walkways will be reconstructed to direct water flow away from the house foundation.

River cobble to be removed and replaced with native groundcovers and shrubs. A significant reduction of impervious coverage (1,500 square feet +/-) will result from the removal of river cobble areas within L.O.D.

No disturbance to steep slopes is proposed.

PROPERTY CHARACTERISTICS

The property has approximately 62,000 square feet of woodland (70% of the property). All woodlands will remain with no forest clearing or tree removal. The existing Lot coverage on this site is 7,441 square feet. The new Lot coverage will be reduced to 5,652 square feet. Lot coverage allowed is 13,329 square feet.



There are existing stairway timbers that are rotting/splitting and pavers have settled, creating tripping hazards and serious liability issues for ingress and egress to and from the home’s front entrance. The existing grade currently slopes from the street toward the front of the house. Surface water runoff from street to front house foundation is compounded by poorly constructed paver walkway and wall systems that pitch and direct surface drainage towards the house, foundation and framing.

STORMWATER MANAGEMENT

It is our intention to correct these deficiencies while implementing additional drainage improvement measures during the new construction work. We are proposing a reduction of impervious area within our work area by removing existing river rock in plant bed areas and replacing it with mulch. In addition, we are proposing native plant material in all areas within our LOD work area. All work is proposed to be completed by hand with no use of heavy machinery.

IMPERVIOUS COVERAGES (square feet)

| | | | |
|-----------------------------------|---------|----------------------------------|---------|
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| | | REDUCTION (sqft) | = 1,789 |

HABITAT PROTECTION

The lot is heavily wooded. There will be no woodland disturbance in order to protect the wildlife.

BAYBERRY HILL PROPERTY OWNERS ASSOCIATION, INC.

1318 Saint Josephs Court, Crownsville, MD 21032

March 25, 2024

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

Re: Bayberry Hill Property Owners Association Support of Variance, Dr. Robert Beer
Residence, 1313 St. Josephs Court, Crownsville, MD 21032 (Permit No: B02422311;
Pre-file#: 2024-0007-P

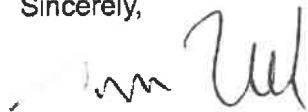
To whom it may concern,

The Bayberry Hill Property Owners Association (BHPOA) is aware of Dr. Robert Beer's intention to remove four (4) existing failing retaining walls and construct four (4) retaining walls in addition to replacement of the failing walkways on his property located at 1313 St. Josephs Court, Crownsville, MD 21032.

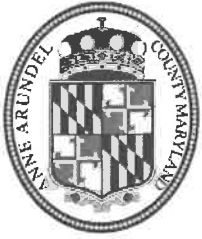
The BHPOA supports these replacements and will not oppose the issuance of a variance to allow him to perform this work.

If you have any questions, please feel free to contact me.

Sincerely,



Tim Zulick
Head, Architectural Review Committee
Bayberry Hill Property Owners Association
tzulick2@gmail.com



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2024-0007-P(revised)
DATE: 1/23/2024
OPZ STAFF: Jennifer Lechner
Kelly Krinitz

APPLICANT/REPRESENTATIVE: Robert Beer / Permit Services, Inc.

EMAIL: permitservicesinc00@gmail.com

SITE LOCATION: 1313 Saint Josephs Court, Crownsville

LOT SIZE: 2.04 acres

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

The applicants are proposing to disturb the expanded buffer to replace the existing retaining walls and walkways. A building permit, B02422311, to remove (4) existing retaining walls and construct (4) retaining walls was submitted on 11/20/2023, and Environmental Review comments required a variance for the replacement of the walkways in the expanded buffer.

§ 18-13-104(a) - There shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams, and tidal wetlands. Specific development criteria apply as set forth in Article 17 of this Code and COMAR; and, (b)(1) - The 100-foot buffer shall be expanded if there are contiguous slopes of 15% or greater, the buffer shall be expanded by the greater of four feet for every 1% of slope or to the top of the slope and shall include all land within 50 feet of the top of the slopes.

COMAR 27.01.09.01E(2) - Except as authorized under §E(1) of this regulation, a local jurisdiction may not authorize disturbance in the buffer.

COMAR 27.01.09.01E(1)(a)(ii) - In conjunction with mitigation performed in accordance with an approved buffer management plan under Regulation .01-3 of this chapter, a local jurisdiction may authorize disturbance in the buffer for development activity authorized under a variance.

A variance is required for the proposed disturbance to the expanded buffer in order to replace the walkways per §17-8-301 - development on properties containing buffers shall meet the requirements of COMAR, Title 27.

COMMENTS

Critical Area Team:

No objection to this proposal.

Zoning Administration Section:

Replacement of the failing retaining walls do not require a variance per §17-8-201(a) Development in the limited development area (LDA) may not occur within slopes of 15% or greater unless development will facilitate stabilization of the slope. However, the walkways do not fall under that category, therefore, a variance is required.

The expanded buffer should be indicated on the site plan.

There is a discrepancy between the overall site plan (showing the whole property) and the detail (project enlargement). The enlargement appears to indicate an increase to the lot coverage for the replacement of the existing walkway from the garage (what is shown with 3 steps noted). Therefore, this does not appear to be an in kind replacement of the walls and walkways. The Letter and plans should not refer to this as a replacement in kind.

Detail-enlargements for both the existing and the proposed improvements are recommended for clarification. Any lot coverage to be removed should also be shown on the existing site plan, and noted in the Critical Area Notification Form and the Narrative, for verification.

The Administrative Site Plan, and any associated documents, should be uploaded as pdf's, or Word docs if necessary, rather than jpeg's.

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.