



Matthew S. Evans, III Owner
Jonathon Scruggs Partner
Michael Von Sas Associate
Caterina Sorrento Associate
Jessica Chandler Paralegal
Geniya Seager-Gilliam Paralegal

113 Cathedral Street Annapolis, MD 21401
410.626.6009
msevenslaw.com

May 7, 2024

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

Re: Variance Application
Requested Deviation from 100' Tributary Stream Buffer
Letter of Explanation

Sir or Madam,

My office has been retained to assist Mr. Philip W. Evans, Jr. with a request for a variance to the 100' Tributary Stream Buffer for the replacement of an in-kind, previously approved, existing deck structure. The subject property is located at 306 Elm Street, Edgewater, Maryland 21037, is located within an Intensely Developed Area of the Critical Area Map of Anne Arundel County. The requested deviation to the Tributary Stream Buffer is approximately twenty-two (22) feet+/- as the entirety of Mr. Evans lot sits within the stream buffer.

Specifically, the property herein referenced is identified as follows:

Lot 27 and Lot 28
.23 Acres/10,050 sq ft
306 Elm Street,
Edgewater, MD 21037
Tax Map: 65 Grid: 11 Lot: 27/28 Parcel: 241

LTS 27 28 SC 0
306 ELM ST
BEVERLEY BEACH

By way of background, there are three principal structures located on the property at 306 Elm St; a single-family home erected in 1956, a free-standing garage erected sometime between 1956-1960, and an attached 12x18/22x16 deck structure that was erected pursuant to building permit B02238567, issued May 17, 2007. At the time, a site plan was filed and accepted showing the deck structure in relation to the other structures on the property. Exhibit 1 is attached hereto. At the time of construction, the applicant (Susan Blais) was required by Anne Arundel County to enter into a reforestation agreement and file an appropriate

reforestation security. Exhibit 2 is attached hereto. The Reforestation was completed to the satisfaction of the County and the security was ultimately released. Exhibit 3 is attached hereto.

Mr. Philip W. Evans, Jr., purchased the property in the summer of 2013 where he has resided since. In the spring of 2023 Mr. Evans contacted Fence and Deck Connections to assist with the replacement of the deck structure as it had fallen into a state of disrepair. Mr. Evans engaged their services to erect an in-kind replacement of the deck as it currently exists.

During the process of obtaining a building permit, Fence and Deck Connection was informed that a variance to the 100' Tributary Stream Buffer would be required despite the deck being a replacement to a previously approved structure and not new construction. Mr. Evans now submits this request for a deviation from the critical area buffer (approximately twenty-two (22) feet+/-) in order to complete his anticipated project.

To support his application, Mr. Evans attaches to this letter of explanation a copy of the previously approved and accepted site plan (Exhibit 1), and a copy of the engineering plans for the erection of the deck (Exhibit 4).

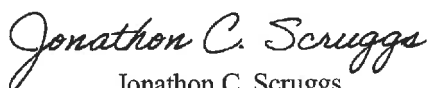
The proposed variance is in keeping with the overall nature of the community, does not impose any hardship or undue imposition on the surrounding properties, and is the least restrictive measure to allow for the Applicant to proceed with his proposed construction. Again, it is worth noting that Mr. Evans is replacing a previously approved structure with one that is functionally identical.

The applicant further asserts that without a variance as requested, an undue hardship will be imposed. Specifically, that Mr. Evans will not be permitted to replace or repair a structure on his home that is in dire need of care.

All relevant documents, including the application for a variance, the attendant site plan, the list of adjoining properties, and the deed to the subject property have been attached for your review and reference.

Please direct all correspondence regarding this matter directly to my office at my attention.

Sincerely,



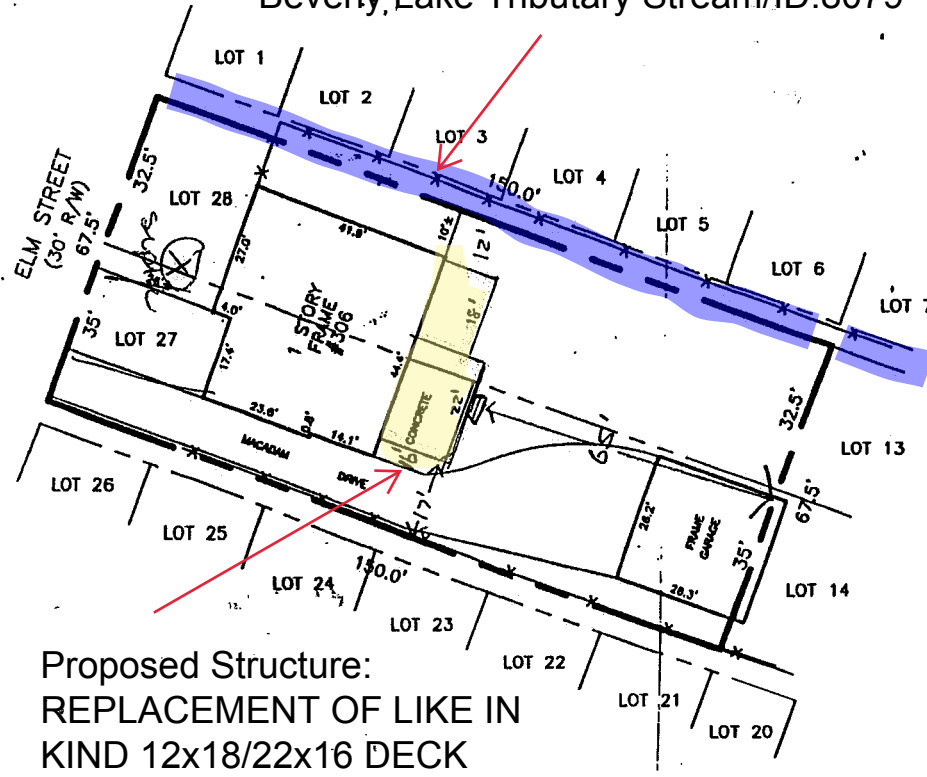
Jonathon C. Scruggs

Attorney at Law

LOCATION DRAWING
 BEVERLY BEACH
 LOTS 27 & 28, BLOCK 'O'
 ELECTION (1st.) DISTRICT
 ANNE ARUNDEL COUNTY, MARYLAND

NORTH

Beverly Lake Tributary Stream/ID:8079



Proposed Structure:
 REPLACEMENT OF LIKE IN
 KIND 12x18/22x16 DECK

THE PROPERTY SHOWN HEREON, LIES WITHIN THE ZONE A-B, AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED, AND ALSO ZONE 'B', AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OF CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD, ACCORDING TO NATIONAL FLOOD INSURANCE PROGRAM F.I.R.M. MAP COMMUNITY PANEL NUMBER 240006-0048 C, 05/02/1983.

PROPERTY ADDRESS: 306 ELM STREET			
I HEREBY DECLARE THAT THE POSITION OF ALL THE VISIBLE EXISTING IMPROVEMENTS SHOWN ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN ESTABLISHED BY PROPER FIELD METHODS. NO TITLE REPORT HAS BEEN OBTAINED, SUBJECT TO ANY AND ALL RESTRICTIONS AND ENCUMBRANCES OF RECORD.	REFERENCES		ALL COUNTY LOCATION SURVEYS, INC 2813 PATENT RIVER ROAD, DAVENPORT, MD. 21033 PHONE (410) 798-9701 FAX (410) 798-9705
	PLAT BK. 11	FOLIO 15	
	LIBER	DATE:	SCALE: 1" = 30'
	FOLIO	WALL CHECK:	DRAWN BY: RDF
		HSE. LOC.: 02/27/05	JOB NO.: 0361-05
		BOUNDARY:	

- NOTES:
- 1) This location drawing is of benefit to a consumer only in so far as it is required by a lender, or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing.
 - 2) This location drawing is not to be used for the building of fences or other improvements. No boundary survey has been performed.
 - 3) This location drawing is not to be relied upon for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.
 - 4) B.R.L. information, if shown was obtained from existing record plat or was provided to ACLS, and is not guaranteed by ACLS, Inc.
 - 5) Flood Zone information is subject to the interpretation of the originator.
 - 6) Adjoiner deed research has not been undertaken with the Location Drawing.
 - 7) ACLS, Inc. does not certify to unknown or unrecorded encroachments or overlaps.
 - 8) Level of accuracy 5'±.

NO REPRODUCTION WITHOUT EXPRESS PERMISSION

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: May 1, 2024

Tax Map #	Parcel #	Block #	Lot #	Section
0065	0241	O	27	0

Tax ID: 0104605358900

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) Philip W. Evans, Jr.

Project location/Address 306 Elm Street

City Edgewater Zip 21037-4830

Local case number B02238567

Applicant: Last name Evans, Jr. First name Philip

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:

Repair and replace in kind an existing deck structure constructed pursuant to building permit dated May 23, 2007 (B02238567)

Intra-Family Transfer <input type="checkbox"/>	Growth Allocation <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		Acres	Sq Ft
IDA Area		10,050	Total Disturbed Area		636
LDA Area			# of Lots Created		
RCA Area					
Total Area		10,050			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		5000	Existing Lot Coverage		3099.46
Created Forest/Woodland/Trees		0.00	New Lot Coverage		3099.46
Removed Forest/Woodland/Trees		0.00	Removed Lot Coverage		0.00
			Total Lot Coverage		3099.46

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		636	Buffer Forest Clearing		0.00
Non-Buffer Disturbance		0.00	Mitigation		0.00

<u>Variance Type</u>	<u>Structure</u>
Buffer <input checked="" type="checkbox"/>	Acc. Structure Addition <input type="checkbox"/>
Forest Clearing <input type="checkbox"/>	Barn <input type="checkbox"/>
HPA Impact <input type="checkbox"/>	Deck <input checked="" type="checkbox"/>
Lot Coverage <input type="checkbox"/>	Dwelling <input type="checkbox"/>
Expanded Buffer <input type="checkbox"/>	Dwelling Addition <input type="checkbox"/>
Nontidal Wetlands <input type="checkbox"/>	Garage <input type="checkbox"/>
Setback <input type="checkbox"/>	Gazebo <input type="checkbox"/>
Steep Slopes <input type="checkbox"/>	Patio <input type="checkbox"/>
Other <input type="checkbox"/>	Pool <input type="checkbox"/>
	Shed <input type="checkbox"/>
	Other <input type="checkbox"/>



Matthew S. Evans, III Owner
Jonathon Scruggs Partner
Michael Von Sas Associate
Caterina Sorrento Associate

May 21, 2024

CHESAPEAKE BAY CRITICAL AREA REPORT
Evans Property
306 Elm St. Edgewater, MD 21037

Tax Map 65/Grid O/Parcel 241/R5/IDA

VARIANCE NARRATIVE:

By way of background, there are three (3) principal structures located on the property at 306 Elm Street; a single-family home erected in 1956, a free-standing garage erected sometime between 1956-1960, and an attached 12x18/22x16 deck structure that was erected pursuant to building permit B02238567, issued May 17, 2007. At the time, a site plan was filed and accepted showing the deck structure in relation to the other structures on the property. Exhibit 1 is attached hereto. At the time of construction, the applicant (Susan Blais) was required by Anne Arundel County to enter into a reforestation agreement and file an appropriate reforestation security. Exhibit 2 is attached hereto. The Reforestation was completed to the satisfaction of the County and the security was ultimately released. Exhibit 3 is attached hereto.

Mr. Philip W. Evans, Jr., purchased the property in the summer of 2013 where he has resided since. In the spring of 2023 Mr. Evans contacted Fence and Deck Connections to assist with the replacement of the deck structure as it had fallen into a state of disrepair. Mr. Evans engaged their services to erect an in-kind replacement of the deck as it currently exists.

During the process of obtaining a building permit, Fence and Deck Connection was informed that a variance to the 100' Tributary Stream Buffer would be required despite the deck being a replacement to a previously approved structure and not new construction. Mr. Evans now submits this request for a maximum of ten (10) feet from the critical area buffer in order to complete his anticipated project.

The proposed variance is in keeping with the overall nature of the community, does not impose any hardship or undue imposition on the surrounding properties, and is the least restrictive measure to allow for the Applicant to proceed with his proposed construction. Again, it is worth noting that Mr. Evans is replacing a previously approved structure with one that is functionally identical.

|||||||

SITE DESCRIPTION:

Mr. Evans's lot is approximately 10,050. sq ft in size (site plan attached). The site consists of mowed lawn, mature and growth trees, and shrubs surrounding the property.

As stated, there are three improvements on the lot: a single-family home, a deck, and a detached garage. The spoil is stabilized. No tidal or non-tidal wetlands are located on the lot.

CRITICAL AREA NARRATIVE:

Existing and Proposed Vegetation Coverage:

As it currently exists, the lot has a small lawn with mostly large trees and shrubs. No tree clearing will be required for the construction of the replacement deck, Any stormwater management will be required at permit review.

Existing and Proposed Stormwater and Water Quality:

As it currently exists the property was subject to planting/mitigation during the erection of the original deck. All plantings were performed as requested and passed inspection. All plantings have remained on the property. No additional clearing will be required.

Existing and Proposed Aquatic Resources:

There will be no impact on the water quality or aquatic resources present within the stream buffer.

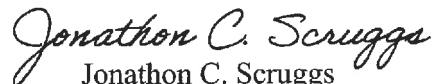
Existing and Proposed Forest Clearing and Impervious Coverage:

There will be no tree clearing or tree removal on the project. Forest cover is present on site.

AFFIRMATION:

The requested variance is for the construction of a replacement in-kind deck located within the 100 ft stream buffer. No adverse impact to fish, wildlife, and or plant habitat or water quality will occur.

Sincerely,


Jonathon C. Scruggs
Attorney at Law

NO. 105-051

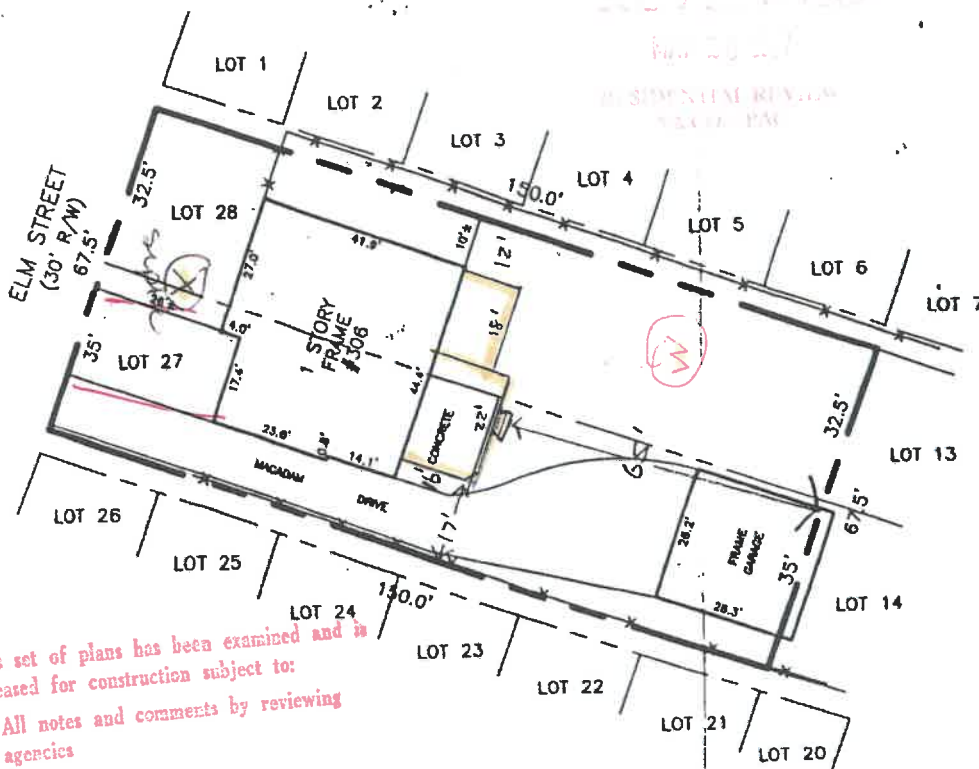
LOCATION DRAWING
BEVERLY BEACH
LOTS 27 & 28, BLOCK 'O'
ELECTION (1st.) DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND

INSPECTOR
COPY

RECEIVED

RESIDENTIAL REVIEW
2007.04

NORTH



This set of plans has been examined and is released for construction subject to:

1. All notes and comments by reviewing agencies
2. Field inspections
3. Full compliance with Building Code adopted by Anne Arundel County

Permit #

Date 5/23/07

By: *[Signature]*

CELL 1
205
2107

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PROPERTY ADDRESS: 306 ELM STREET

I HEREBY DECLARE AND MAKE THE POSITION OF ALL THE VISIBLE EXISTING IMPROVEMENTS SHOWN ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN ESTABLISHED BY PROPER FIELD METHODS. NO TITLE REPORT HAS BEEN OBTAINED, SUBJECT TO ANY AND ALL RESTRICTIONS AND ENCUMBRANCES OF RECORD.

REFERENCES

PLAT BK. 11
FOLIO 15
PLAT No. 627

LIBER
FOLIO

ALL COUNTY
LOCATION SURVEYS, INC

2813 PROLENTY RIVER ROAD, DAVENPORTVILLE, MD. 21035
PHONE (410) 788-9701 FAX (410) 788-9700

DATES:

SCALE: 1" = 30'

WALL CHECK:

DRAWN BY: RDF

HSE. LOC.: 02/27/05

JOB NO.: 0361-05

BOUNDARY:

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- 1:1 level of accuracy 5'±.

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Department of Inspections and Permits
 264 River Road, Annapolis, MD 21403
 Telephone: (410) 322-2706
 Fax: (410) 322-2926
 www.aacounty.org

October 16, 2008

Suzanne M Elias
 306 Elm St
 Edgewater, MD 21037

RE: Initial Inspection of Reforestation / Storm Water Management Requirements
 Permit #: B02238567
 Site Address: 306 Elm St., Beverley Beach

Dear Suzanne M Elias:

Thank you for fulfilling your reforestation requirements. The County has inspected the above property and determined that the plantings have been completed. As per your reforestation agreement, the county shall retain the security for a period to end not less than two (2) years after installation and acceptance of the plant materials.

Please be advised, a County Forester will need to conduct a Final Inspection Fall 2009 to ensure all plant materials have survived for the required two years. Please call the Forestry Program Office at 410-222-7441 to be sure your final inspection has been scheduled. Prior to security release, all building and trade permits are also subject to final inspections. You may check permit status at www.aacounty.org or call the inspection desk at 410-222-7784 to verify this matter has been resolved for your property.

If you have any other questions, please call the Forestry Program at 410-222-7441.
 Thank you again for fulfilling your requirements.

Sincerely,

 Jennifer Coody
 Forestry Program

cc: revegetation file
 Jim Johnson, Environmental Specialist - Forestry
 Jennifer Carriser, Forestry Program Specialist
 Paul Bud Reaves, Forestry Program Specialist



Department of Inspections and Permits
2004 River Road, Annapolis, MD 21403
Telephone: (410) 222-7790
Fax: (410) 222-7970
www.aacounty.org

10/19/2007

Thomas M. Bink
200 Elm Street
Edgewater, MD 21037

Re: Release of Reforestation Security
Site Address: 178 Elm Street, Edgewater
Permit/Suspension Number: B00226517
Security Amount: \$46,166

Dear Sir or Madam:

On 10/19/07, you posted a reforestation security for the above address/permit number. The site has been inspected and found to be in compliance with the reforestation requirements. Approximately 9 weeks from the date of this letter, you should receive your reforestation security refund check in the mail from the County's Office of Finance. Should you not receive your check, please call the Office of Finance at 410.222.1414.

Should you have any questions concerning this correspondence, please contact the Forestry Program at 410.222.7444. Thank you for completing your reforestation requirements.

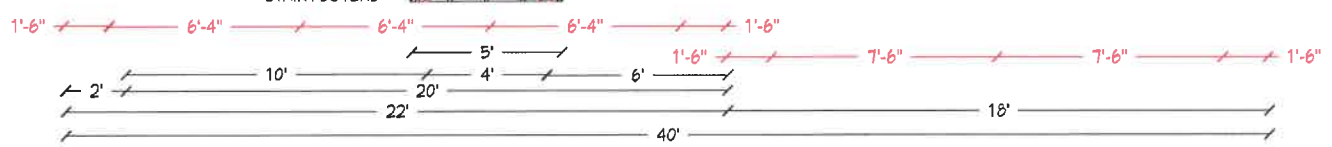
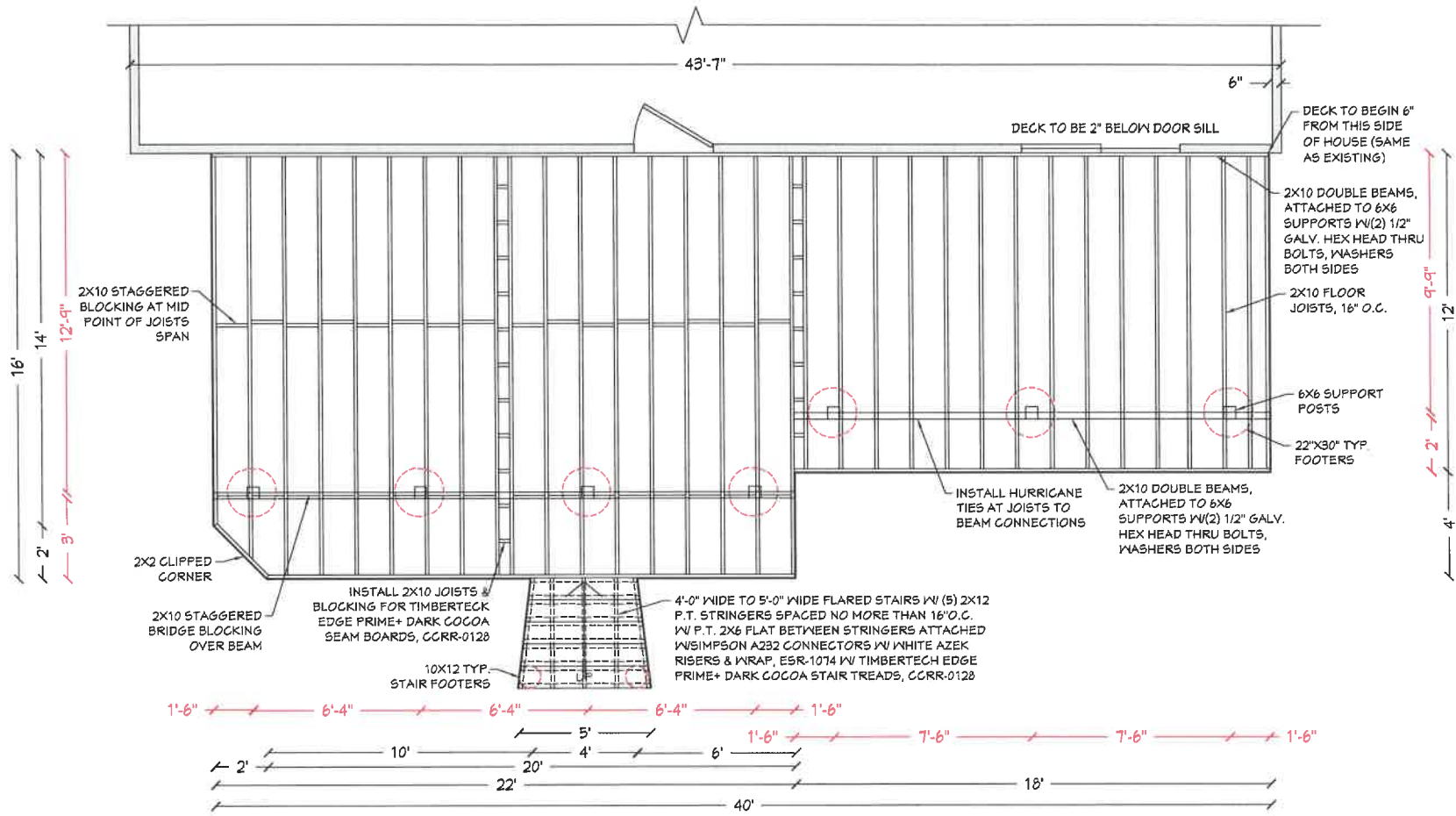
Sincerely,

George F. Clarke

George F. Clarke, P.E.
Assistant Director

Jim Johnson, Environmental Specialist - Forestry
Justin Currier, Forestry Program Specialist
Paul Brad-Russell, Forestry Program Specialist

cc: information file



FRAMING LAYOUT
Scale: 1/4" = 1'-0"

SHEET INDEX

1	FRAMING
2	DECK
3	FR. FR. FRAMING
4	FR. FR. DECK
5	LT. ELEVATION
6	FT. ELEVATION
7	RT. ELEVATION
8	FR. FR. FT. ELEV.
9	FR. FR. RT. ELEV.
10	BRACING DETAILS
11	CAD DETAILS

PROJECT DESCRIPTION:
Evans Deck Layout
Warren Evans
306 Elm Street,
Edgewater, MD 21037

DRAWINGS PROVIDED BY:
Fence & Deck Connection, Inc.
8057 Veterans Highway
Millersville, MD, 21108
410-969-4444
www.fencedeckconnection.com

DATE:
03/01/2023

SCALE:
PER PLAN

SHEET:
A-1

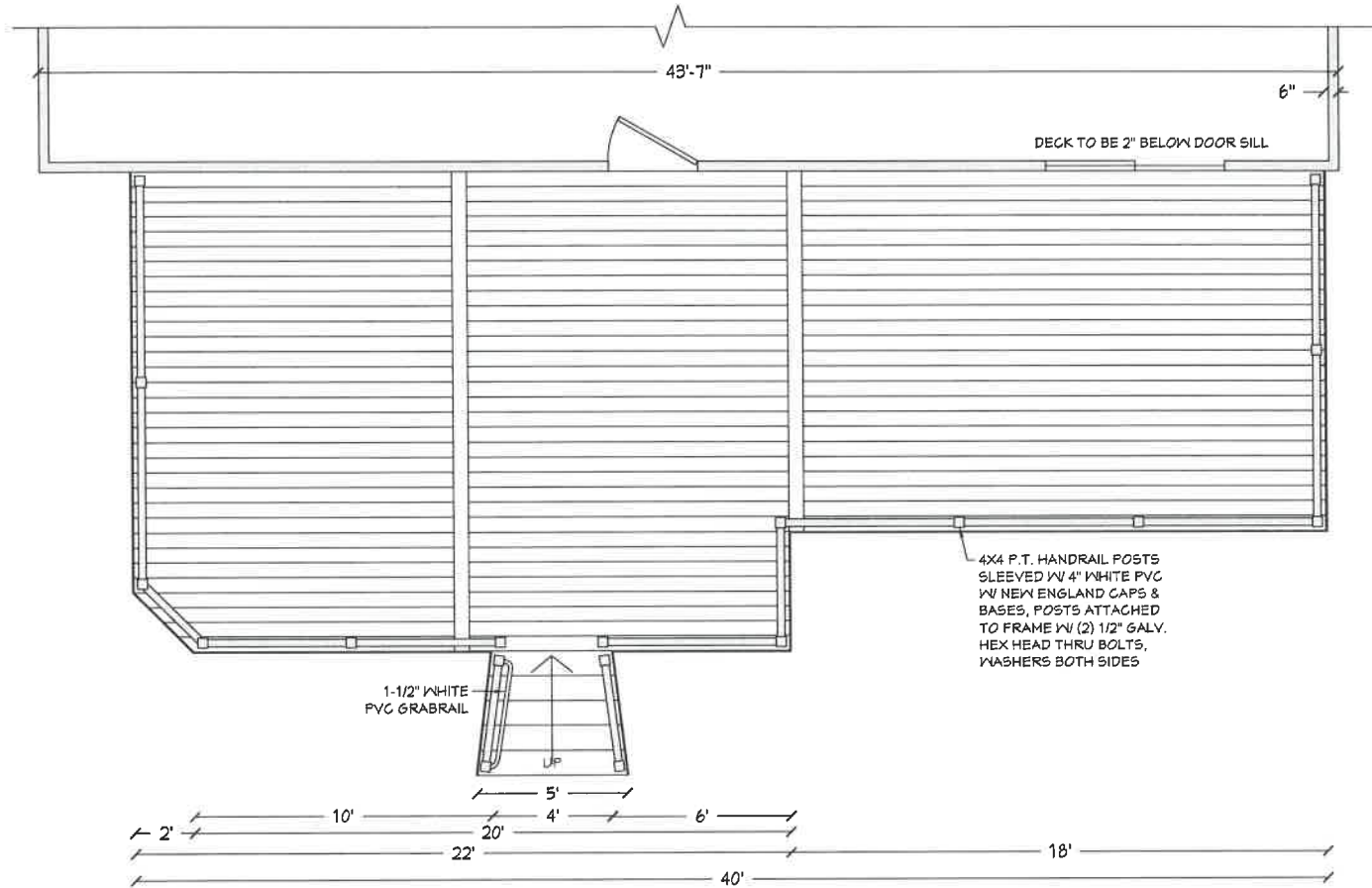
JOB NOTES:

1. REMOVE EXISTING REAR DECKS & STAIRS, APPROX. 588 SQ. FT. COMPLETE AND HAUL AWAY ALL DEBRIS.
2. REMOVE EXISTING FRONT PORCH & STAIRS, APPROX. 84 SQ. FT. COMPLETE AND HAUL AWAY ALL DEBRIS.

DECK MATERIALS:

1. DECKING- TIMBERTECK EDGE PRIME+ DARK COCOA, CGRR-0128.
2. SEAM BOARDS- TIMBERTECK EDGE PRIME+ DARK COCOA, CGRR-0128.
3. RAILING- 36" WHITE VINYL WASHINGTON RAILING W/ BLACK ROUND ROUND ALUMINUM BALUSTERS, ESR-5074.
4. WRAP- WHITE AZEK TEXTURED SIDE OUT, ESR-1074.

16'
14'
2'



DECK LAYOUT
Scale: 1/4" = 1'-0"

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- 1 FRAMING
- 2 DECK
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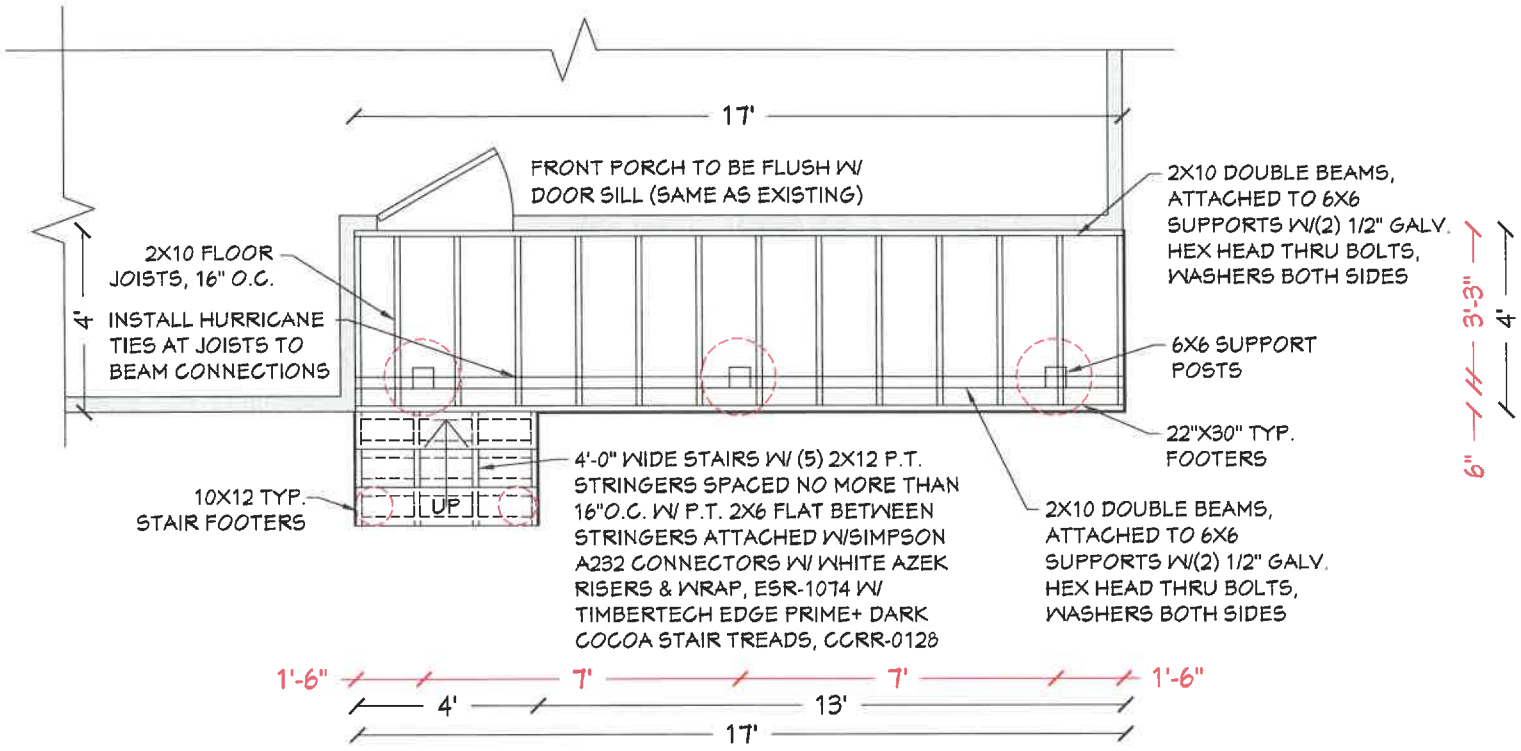
DATE:
03/01/2023

SCALE:
PER PLAN

SHEET:
A-2

SHEET INDEX

- 1 FRAMING
- 2 DECK
- 3 FR. FR. FRAMING
- 4 FR. FR. DECK
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FRONT PORCH FRAMING LAYOUT

Scale : 3/8" = 1'-0"

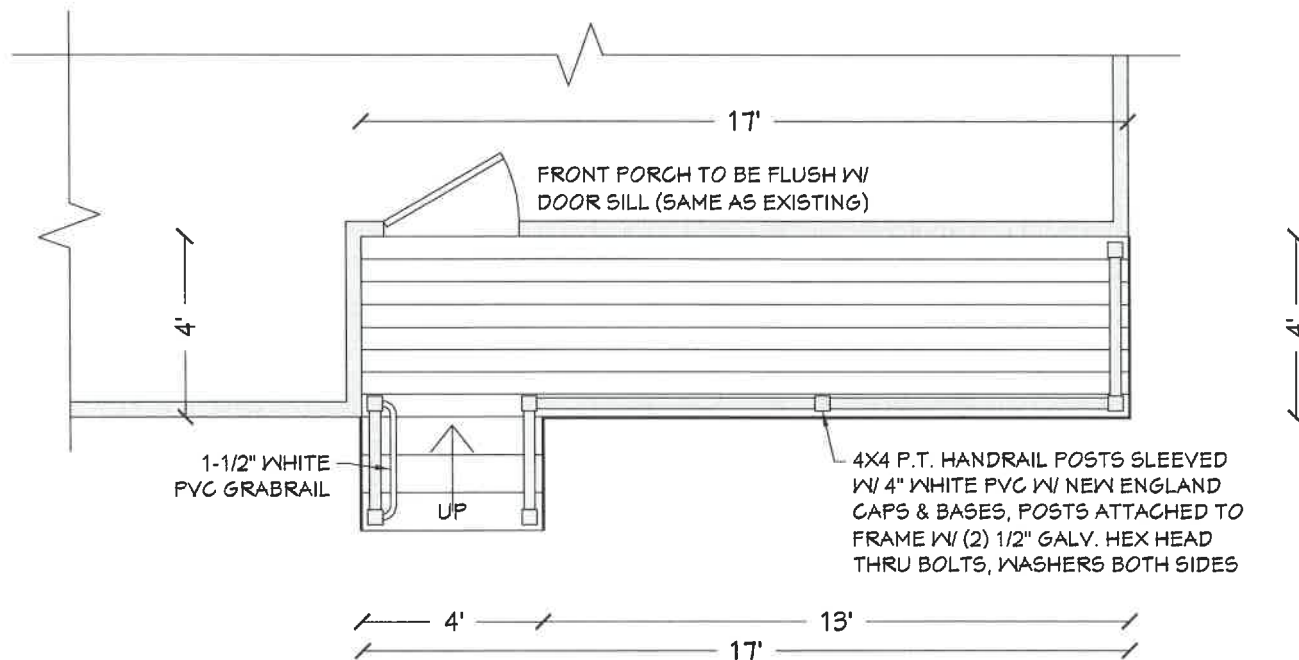
PROJECT DESCRIPTION:
 Evans Deck Layout
 Warren Evans
 306 Elm Street,
 Edgewater, MD 21037

DRAWINGS PROVIDED BY:
 Fence & Deck Connection, Inc.
 8057 Veterans Highway
 Millersville, MD, 21108
 410-964-4444
 www.fencedeckconnection.com

DATE:
03/01/2023

SCALE:
PER PLAN

SHEET:
A-3



FRONT PORCH DECK LAYOUT

Scale : 3/8" = 1'-0"

SHEET INDEX

- 1 FRAMING
- 2 DECK
- 3 FR. PR. FRAMING
- 4 FR. PR. DECK
- 5 LT. ELEVATION
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- 7 RT. ELEVATION
- 8 FR. PR. FT. ELEV.
- 9 FR. PR. RT. ELEV.
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- 11 CAD DETAILS

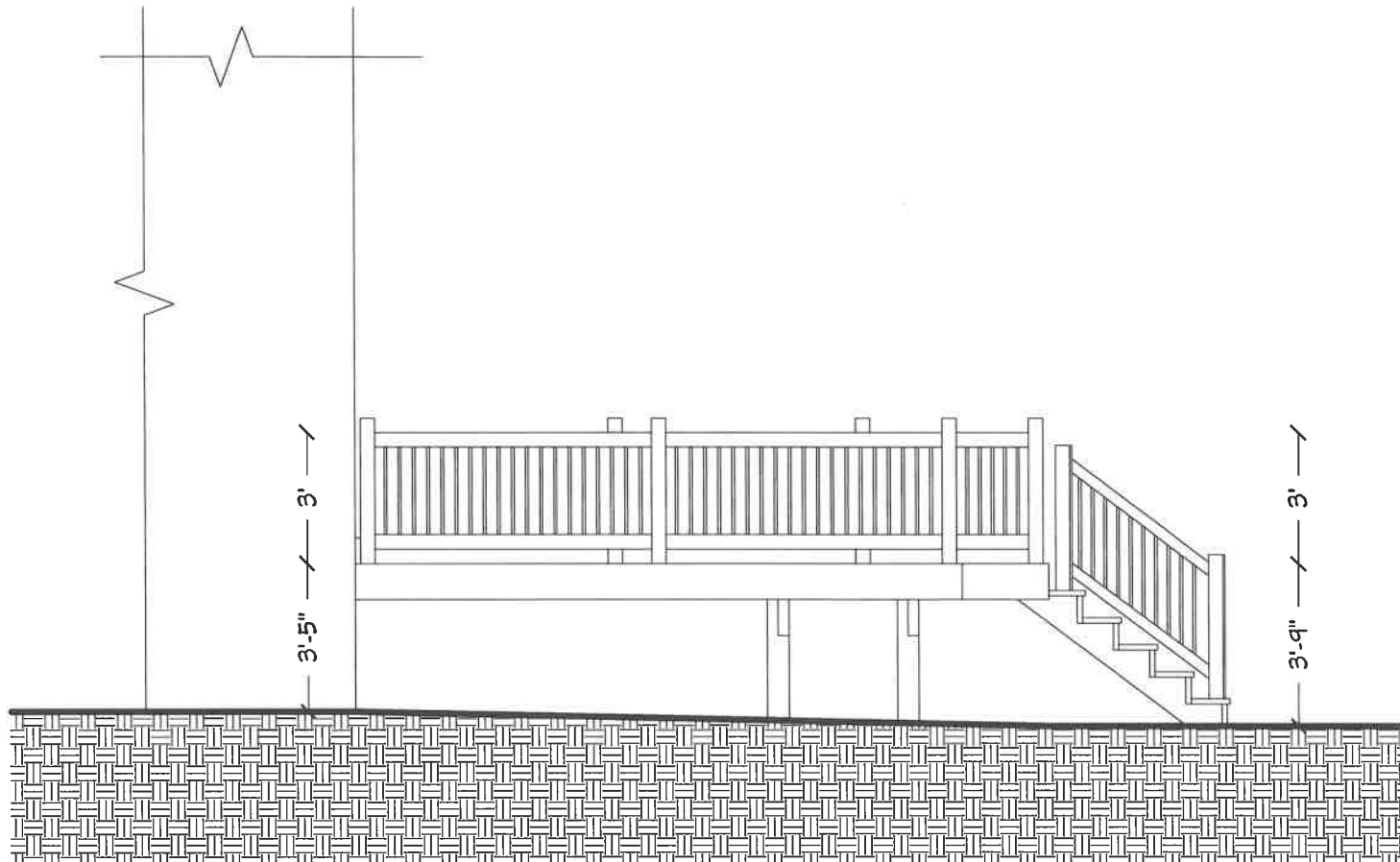
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 Millersville, MD, 21108
 410-969-4444
www.fenceanddeckconnection.com

DATE:
 03/01/2023

SCALE:
 PER PLAN

SHEET:
 A-4



LEFT ELEVATION

Scale : 3/8" = 1'-0"

SHEET INDEX

- 1 FRAMING
- 2 DECK
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- 4 FR. FR. DECK
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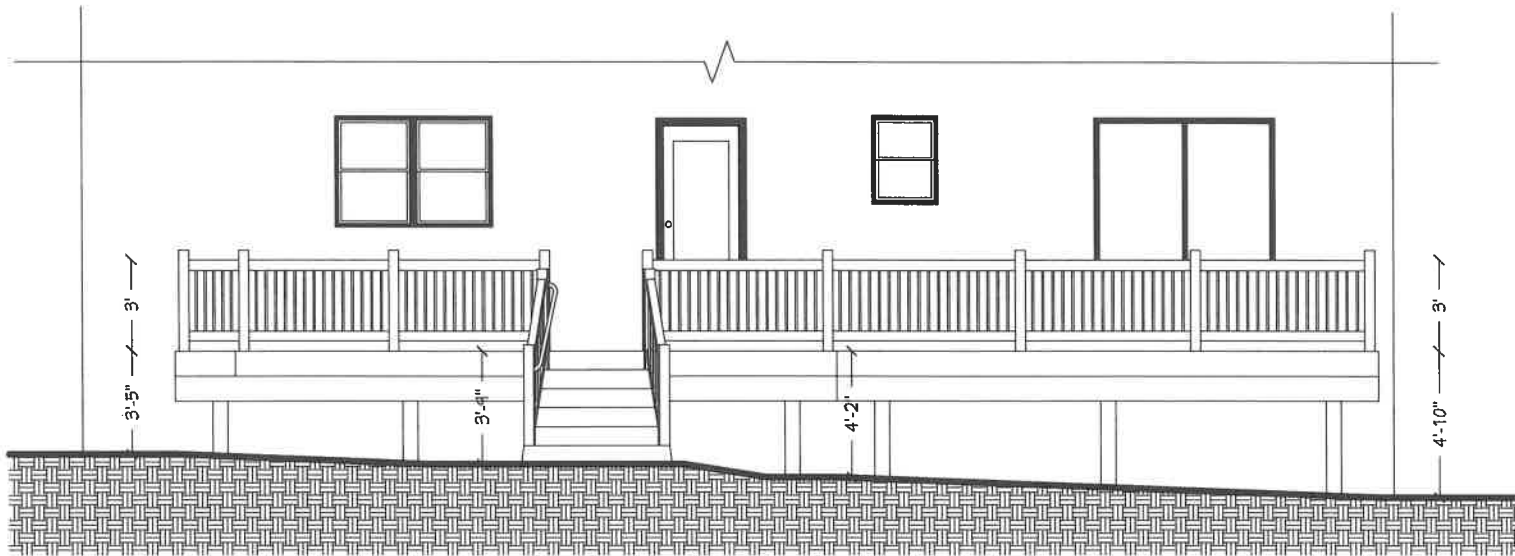
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DATE:
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SCALE:
 PER PLAN

SHEET:
 A-5



FRONT ELEVATION

Scale: 1/4" = 1'-0"

SHEET INDEX

- 1 FRAMING
- 2 DECK
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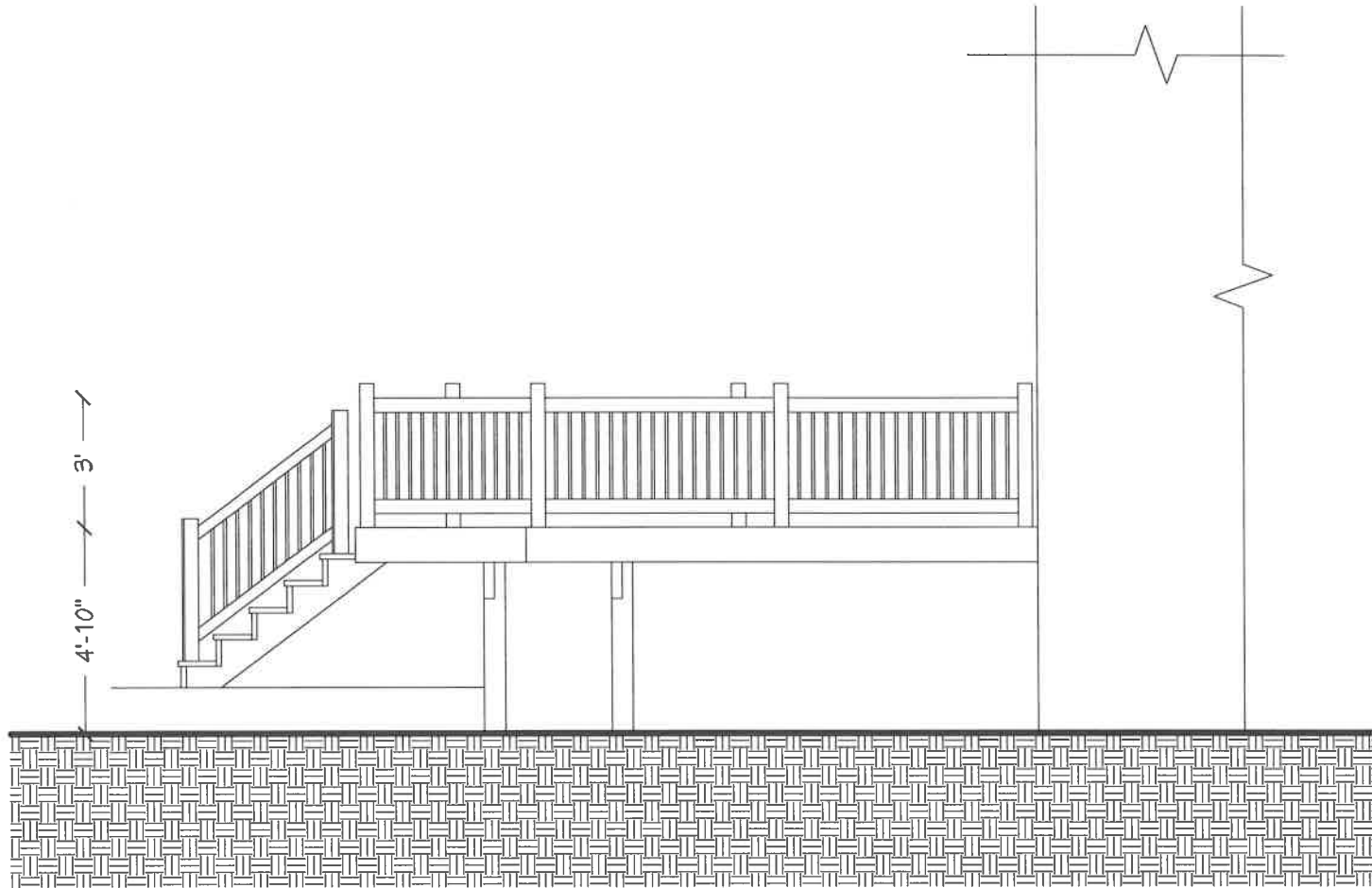
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www.fencedeckconnection.com

DATE:
 03/01/2023

SCALE:
 PER PLAN

SHEET:
 A-6



RIGHT ELEVATION

Scale : 3/8" = 1'-0"

SHEET INDEX

- 1 FRAMING
- 2 DECK
- 3 FR. PR. FRAMING
- 4 FR. PR. DECK
- 5 LT. ELEVATION
- 6 FT. ELEVATION
- 7 RT. ELEVATION
- 8 FR. PR. FT. ELEV.
- 9 FR. PR. RT. ELEV.
- 10 BRACING DETAILS
- 11 CAD DETAILS

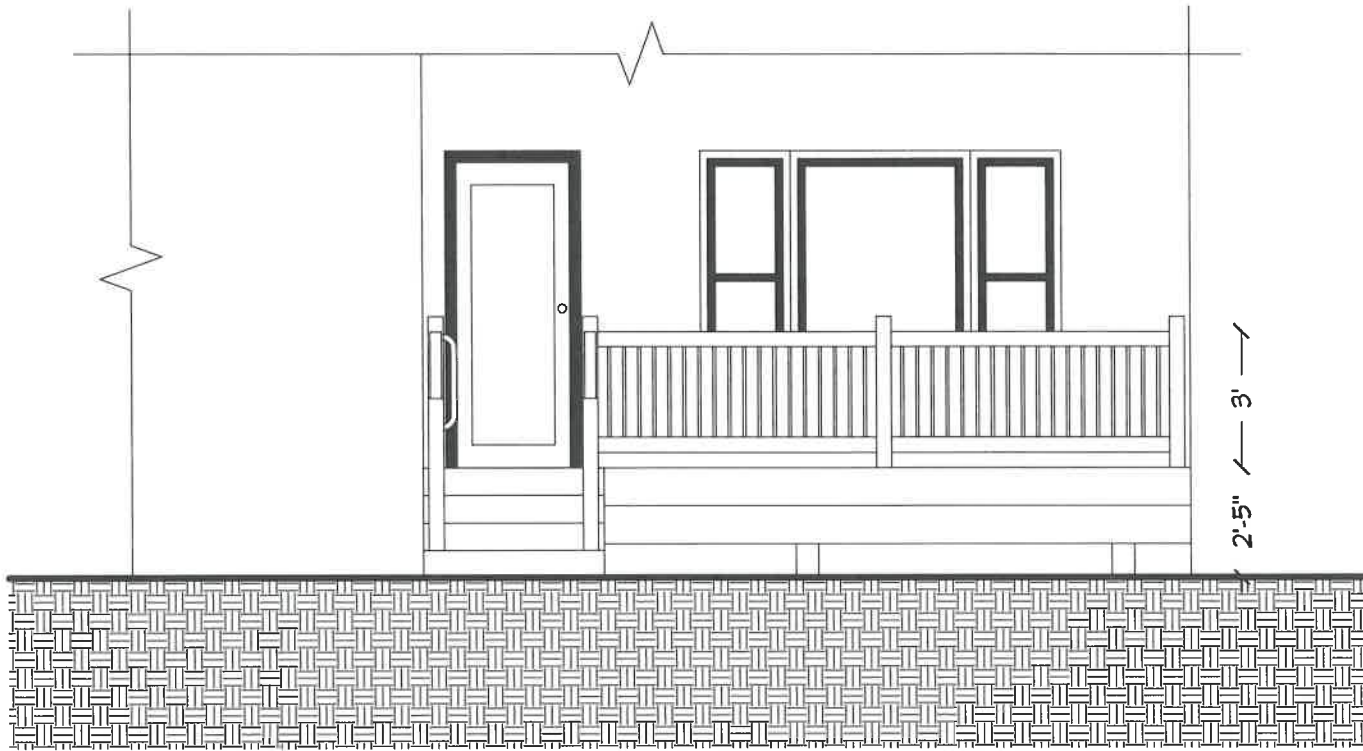
PROJECT DESCRIPTION:
 Evans Deck Layout
 Warren Evans
 306 Elm Street,
 Edgewater, MD 21037

DRAWINGS PROVIDED BY:
 Fence & Deck Connection, Inc.
 805T Veterans Highway
 Millersville, MD, 21108
 410-964-4444
www.fenceanddeckconnection.com

DATE:
 03/01/2023

SCALE:
 PER PLAN

SHEET:
 A-7



FRONT PORCH FRONT ELEVATION

Scale : 3/8" = 1'-0"

SHEET INDEX

- 1 FRAMING
- 2 DECK
- 3 FR. FR. FRAMING
- 4 FR. FR. DECK
- 5 LT. ELEVATION
- 6 FT. ELEVATION
- 7 RT. ELEVATION
- 8 FR. FR. FT. ELEV.
- 9 FR. FR. RT. ELEV.
- 10 BRACING DETAILS
- 11 CAD DETAILS

PROJECT DESCRIPTION:

Evans Deck Layout
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DATE:

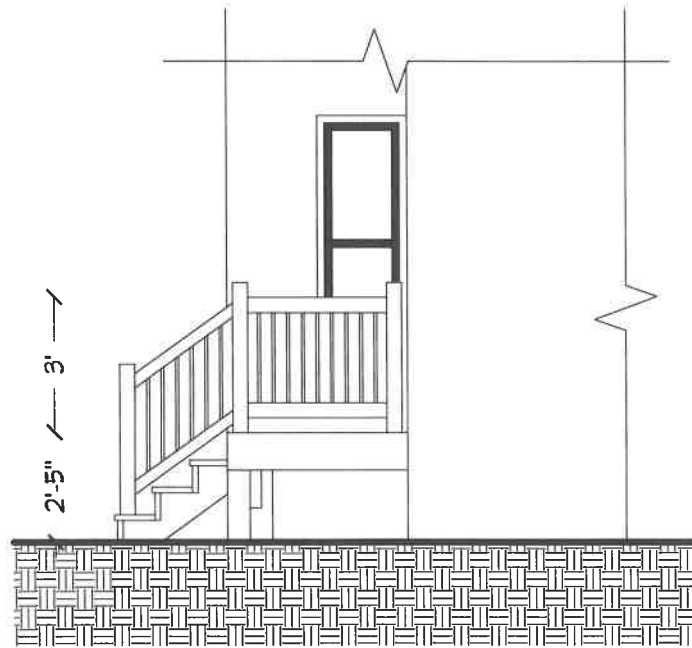
03/01/2023

SCALE:

PER PLAN

SHEET:

A-8



FRONT PORCH RIGHT ELEVATION

Scale : 3/8" = 1'-0"

SHEET INDEX

- 1 FRAMING
- 2 DECK
- 3 FR. FR. FRAMING
- 4 FR. FR. DECK
- 5 LT. ELEVATION
- 6 FT. ELEVATION
- 7 RT. ELEVATION
- 8 FR. FR. FT. ELEV.
- 9 FR. FR. RT. ELEV.
- 10 RACINGS DETAILS
- 11 CAD DETAILS

PROJECT DESCRIPTION:
 Evans Deck Layout
 Warren Evans
 306 Elm Street,
 Edgewater, MD 21037

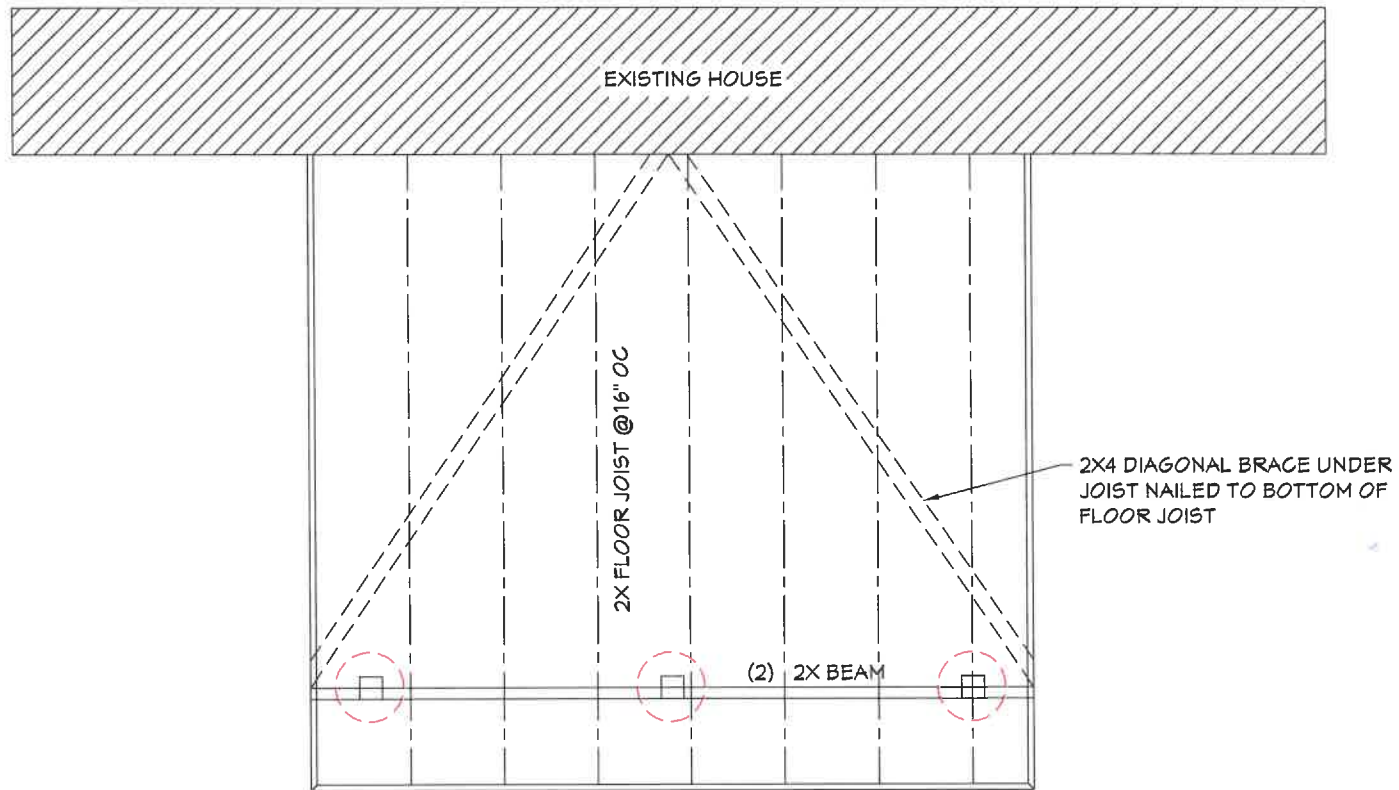
DRAWINGS PROVIDED BY:
 Fence & Deck Connection, Inc.
 8051 Veterans Highway
 Millersville, MD, 21108
 410-964-4444
www.fenceanddeckconnection.com

DATE:
 03/01/2023

SCALE:
 PER PLAN

SHEET:
 A-9

BRACING DETAIL



SHEET INDEX

- 1 FRAMING
- 2 DECK
- 3 FR. PR. FRAMING
- 4 FR. PR. DECK
- 5 LT. ELEVATION
- 6 FT. ELEVATION
- 7 RT. ELEVATION
- 8 FR. PR. FT. ELEV.
- 9 FR. PR. RT. ELEV.
- 10 BRACING DETAILS
- 11 CAD DETAILS

PROJECT DESCRIPTION:

Evans Deck Layout
 Warren Evans
 306 Elm Street,
 Edgewater, MD 21037

DRAWINGS PROVIDED BY:

Fence & Deck Connection, Inc.
 8057 Veterans Highway
 Millersville, MD, 21108
 410-969-4444
www.fencedeckconnection.com

DATE:
 03/01/2023

SCALE:
 PER PLAN

SHEET:
 A-10

BK 26329PG001

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) RPD 26329, p. 0001, MSA_CE59_26769. Date available 07/08/2013. Printed 05/08/2013. R 0002
06/26/13 09:48 AM C 0002 R 0002
Val #: 0002-085958 \$2,590.00
Deed - Recordation Tax
Instrument Type: Deed
2013 JUN 27 A 11:43

AFTER RECORDING RETURN TO:
Philip Warren Evans, Jr.
306 Elm St
Edgewater, MD 21037

DOCUMENT PREPARED BY:
Sage Title Group, LLC
479 Jumpers Hole Road, Suite 206B
Chart Towne Professional Building
Severna Park, MD 21146
File Number: 99286SEPS

TAX ID No. 01-046-05358900

This Deed, MADE THIS 20th day of April 2013, by and between **Suzanne M. Blais**, party of the first part, and **Philip Warren Evans, Jr.**, party of the second part.

WITNESSETH, That in consideration of the sum of **THREE HUNDRED SEVENTY THOUSAND AND 00/100 DOLLARS (\$370,000.00)**, the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said party of the second part, in fee simple, all that parcel of ground situated in **Anne Arundel County, Maryland** and as described as follows, that is to say:

BEING KNOWN AND DESIGNATED as all of Lots Numbered Twenty-Seven (27) and Twenty-Eight (28), Section O, **BEVERLEY BEACH**, as shown on a plat of said subdivision recorded among the plat records of Anne Arundel County in Plat Book 10, page 9, other improvements thereon being commonly known as No. 306 Elm Street, Edgewater, Maryland.

LR - Deed (with Taxes) 20.00
Recording Fee 40.00
Grantor/Grantee Name: blais
Reference/Control #: 10-9
LR - Additional Recording Fee - linked 0.00
LR - Deed State Transfer Tax 925.00

TAX ID No. 01-046-05358900

SUBJECT TO AND TOGETHER WITH a Right of Way Agreement dated June 26, 1998 and recorded among the Land Records of Anne Arundel County in Liber 8629, folio 656, as to Garage Easement.

Total: 1,045.00
#1729254-1
06/27/2013 10:25 CC02-DM3
#1729254 CC0501 - Anne Arundel County/CC05.01.12 - of record 2 18

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

SUBJECT TO all rights, easements, restrictions, covenants and reservations of record.

TO HAVE AND TO HOLD the said described lot(s) of ground and premises to the said party of the second part, as sole owner, his personal representatives, and assigns, in fee simple.

BUYERS' INITIALS: PLW

AND the said party of the first part does hereby covenant that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

06/26/13 09:48 AM C 0002 R 0002
Val #: 0002-085958 \$3,700.00
County Transfer Tax

ACCT. 1046-0535-8900
ALL LIENS ARE PAID AS OF 6/25/13
BY: [Signature] ANNE ARUNDEL COUNTY

BK 26329 PG 002

WITNESS the hand and seal of the said party of the first part:

WITNESS:

Suzanne M. Blais (SEAL)
Suzanne M. Blais

STATE OF MD, CITY/COUNTY OF Anne Arundel to wit:

I HEREBY CERTIFY, that on this 20th day of June, 2013, before me, the subscriber, a Notary Public of the State of MD in and for QA, County/City, personally appeared Suzanne M. Blais, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal

Notary Public

My Commission Expires: 5-23-13



ATTORNEY CERTIFICATION

This is to certify that the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals in the State of Maryland.

Michael Grace
F. Michael Grace, Esq.

BK 26329 PG 003

AFFIDAVIT OF INDIVIDUAL(S)
TO QUALIFY FOR TAX EXEMPTION FOR FIRST TIME MARYLAND HOMEBUYER(S)

Grantee(s) hereby make oath or affirm under penalties of perjury that the following statements are true:

1. The undersigned individuals and each of them has/have never before owned an interest in residential real property located in the State of Maryland that has been the individual's principal residence; and
2. The property described in the Deed to which this affidavit is attached is improved by a residence which will be occupied as my/our principal residence; and
3. I/we am/are fully qualified to make this affidavit.
4. This affidavit is made to qualify Grantee(s) for benefits under TP section 13-203.
5. In the event the hereinabove statements are being certified by an agent pursuant to Tax-Property Section 13-409(b), said Agent certifies:
 - a. That the representations are based on a diligent inquiry made by the agent; and
 - b. Are true to the best knowledge information and belief of the agent.

WITNESS the hand and seal of the said party of the second part:

WITNESS:

_____ *PWE* (SEAL)
Philip Warren Evans, Jr.

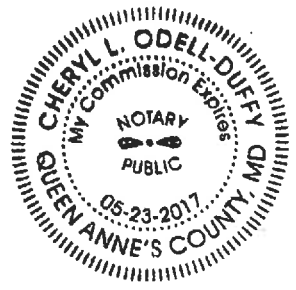
STATE OF *MD*, CITY/COUNTY OF *Anne Arundel* to wit:

I HEREBY CERTIFY, that on this *20* day of *June*, *2013*, before me, the subscriber, a Notary Public of the State of *MD* in and for *Q.A.* County/City, personally appeared Philip Warren Evans, Jr., known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:

[Signature]
Notary Public

My Commission Expires: *5-23-13*



OWNER OCCUPANCY AFFIDAVIT

THE WITHIN GRANTEE DO HEREBY CERTIFY UNDER THE PENALTY OF PERJURY THAT THE LAND CONVEYED HEREIN IS RESIDENTIALLY IMPROVED OWNER-OCCUPIED REAL PROPERTY AND THAT THE RESIDENCE WILL BE OCCUPIED BY MYSELF AT LEAST 7 OUT OF 12 MONTHS IMMEDIATELY AFTER THE PROPERTY IS CONVEYED AS EVIDENCED BY THE SIGNATURE BELOW

WITNESS the hand and seal of the said party of the second part:

WITNESS:

Philip Warren Evans, Jr. (SEAL)

STATE OF MD, CITY/COUNTY OF Anne Arundel to wit:

I HEREBY CERTIFY, that on this 20 day of June, 2013, before me, the subscriber, a Notary Public of the State of MD in and for QA County/City, personally appeared Philip Warren Evans, Jr., known to me (or satisfactorily proved) to be the person whose name is subscribed to the within instrument and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal

[Signature]
Notary Public

My Commission Expires: 5-23-13



2013

MARYLAND
FORM

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

Based on the certification below, Transferor claims exemption from the tax withholding requirements of 10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change in ownership of real property is presented for recordation. The requirements of 10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor: Suzanne M. Blais

2. Reason for Exemption

Resident Status

I, Transferor, am a resident of the State of Maryland
Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR) 03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 and is recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness Name _____

Suzanne M. Blais
Suzanne M. Blais

3b Entity Transferors

Witness/Attest _____

Name of Entity _____
By _____
Name _____
Title _____

State of Maryland Land Instrument Intake Sheet

Baltimore City County: Anne Arundel

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only. (Type or Print in Black Ink Only-All Copies Must Be Legible)

Form section for Type(s) of Instruments, Conveyance Type Check Box, Tax Exemptions, and Citation/Authority.

Table with columns for Consideration Amount and Finance Office Use Only, including rows for Purchase Price/Consideration, Mortgage, and Transfer Tax.

Table for Fees, categorized by Doc 1 and Doc 2, including Recording Charge, State Recordation Tax, and State Transfer Tax.

Description of Property section including SDAT requirements, Property Tax ID No., Grantor/Liber/Folio, Map, Parcel No., and Location/Address of Property Being Conveyed.

Transferred From section with fields for Grantor(s) Name(s) and Doc 2 - Grantor(s) Name(s).

Transferred To section with fields for Doc 1 Grantee(s) Name(s), Doc 2 - Grantee(s) Name(s), and New Owner's (Grantee) Mailing Address.

Other Names to Be Indexed section with fields for Doc 1 and Doc 2 - Additional Names to be indexed (Optional).

Contact/Mail information section including Name, Firm, Address, and Phone, with checkboxes for Return to Contact Person, Hold for Pickup, and Return Address Provided.

Assessment Information section with checkboxes for Yes/No regarding property principal, personal property, and survey requirements, followed by a table for Assessment Use Only.

REMARKS section and Grantor's Mailing Address: 306 eLM st Edgewater, MD 21037.

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) RPD 26329, p. 0006, MSA_CE59_26769, Date available 07/08/2013, Printed 05/08/2024.

Real Property Data Search ()
 Search Result for ANNE ARUNDEL COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 01 Subdivision - 046 Account Number - 05358900

Owner Information

Owner Name:	EVANS JR PHILIP W	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	306 ELM ST EDGEWATER MD 21037-4830	Deed Reference:	/26329/ 00001

Location & Structure Information

Premises Address:	306 ELM ST EDGEWATER 21037-0000	Legal Description:	LTS 27 28 SC 0 306 ELM ST BEVERLEY BEACH
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Map: 0065	Grid: 0011	Parcel: 0241	Neighborhood: 1070003.02	Subdivision: 046	Section: 0	Block: O	Lot: 27	Assessment Year: 2024	Plat No:	Plat Ref: 0011/ 0015
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Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1956	1,722 SF		10,050 SF	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	NO	STANDARD UNIT	SIDING/	3	1 full	1 Detached	

Value Information

	Base Value	Value	Phase-In Assessments	
		As of	As of	As of
		01/01/2024	07/01/2023	07/01/2024
Land:	208,600	208,600		
Improvements	144,600	229,100		
Total:	353,200	437,700	353,200	381,367
Preferential Land:	0	0		

Transfer Information

Seller: BLAIS SUZANNE M	Date: 06/27/2013	Price: \$370,000
Type: ARMS LENGTH IMPROVED	Deed1: /26329/ 00001	Deed2:
Seller: KREISCHER, MICHAEL T	Date: 05/03/2007	Price: \$424,900
Type: ARMS LENGTH IMPROVED	Deed1: /19043/ 00379	Deed2:
Seller: HURBIAK, JOHN	Date: 03/15/2005	Price: \$390,000
Type: ARMS LENGTH IMPROVED	Deed1: /16053/ 00369	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 03/27/2014

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE (2024-0046-P)

DATE OF MEETING: 5/21/2024

P&Z STAFF: Sara Anzelmo, Kelly Krinetz

APPLICANT/REPRESENTATIVE: P. Evans / Jonathon Scruggs EMAIL: pwevans@gmail.com, jscruggs@msevanslaw.com

SITE LOCATION: 306 Elm Street, Edgewater LOT SIZE: 10,050 sf ZONING: R5

CA DESIGNATION: IDA BMA: N/A or BUFFER: Yes APPLICATION TYPE: Critical Area Variance

The applicant proposes to replace in-kind an existing two-part deck (12' by 18' and 16' by 22') that is located within the 100-foot buffer to a tributary stream.

The existing deck was constructed via an approved building permit (B02238567) issued in May of 2007. The applicant was not required to obtain a variance at that time. The letter states that the replacement is necessary due to the condition of the deck, which is in dire need of care.

COMMENTS

The **Critical Area Team** reviewed the proposal and has no objection to the in-kind repair/replacement of the existing structure.

The **Zoning Administration Section** advises that the site plan must label the proposed work (example: "proposed one-story replacement deck" or the like). It is unclear what is meant in the letter of explanation by the statement, "Mr. Evans now submits this request for a maximum of ten (10) feet from the critical area buffer in order to complete his anticipated project." The stream is located to the immediate north of the subject lot. The entire property is located within the 100' stream buffer, and the deck appears to be located approximately 22 feet +/- from the stream. The letter of explanation should accurately describe the site conditions and the variance being sought.

The applicant is reminded that the variance application previously submitted is missing the Critical Area Report Narrative Statement, as described in the email on May 13th. The application cannot be accepted and processed without the labeled site plan and the required Critical Area Report Narrative Statement. The applicant is reminded that, in order for a critical area variance to be granted, the applicant must demonstrate and the Hearing Officer must find that the proposal complies with each and every variance standard provided under Section 18-16-305 (b) & (c) of the Anne Arundel County Zoning Ordinance.

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.