

Date: May 22, 2024

Zoning Division of the Office of Planning & Zoning  
Anne Arundel County  
Heritage Office Complex  
2664 Riva Road  
Annapolis, Maryland 21401  
Zoning Division - (410) 222-7437

**RE: VARIANCE REQUEST**

APPLICANT: KRISTOPHER KRAMER  
MAILING ADDRESS: 1228 WASHINGTON DR., ANNAPOLIS, MD 21403  
SITE ADDRESS (FOR VARIANCE): 1228 WASHINGTON DR., ANNAPOLIS, MD 21403  
TAX ID: 259707552500

Dear Zoning Office:

This letter explains the request by Kristopher Kramer for variances for the installation of a pier extension and lift piles that encroach into the 15 ft. setback areas at 1228 Washington Dr., Annapolis, MD 21403. This property contains 8,485 SF of area and is located on Oyster Creek. The lot is approximately 50 ft. wide at the street and approx. 33 ft. wide at the shoreline. The property contains an existing 6 ft. wide x approx. 60 ft. long pier without any mooring or lift piles and is situated along a section of Oyster Creek with shallow water. The property line extensions and 15 ft. setbacks shown on the plans have been confirmed by the Office of Planning & Zoning.

Based on the provisions of the Code relating to setbacks, the applicant must maintain 15 ft. on either side of the property line extensions into water. This lot is particularly narrow – only 33 ft. at the shoreline. The northerly property line extension into water angles inward creating a similar situation to a cove site giving the applicant even less room to develop the property in accordance with the Code. Typical (standard) waterfront lots are at least 45+ feet wide at the shoreline. The small pie slice here which is available for construction of a pier and pilings for a single boat slip is not large enough to install a pier and pilings that reach navigable water without encroaching the setback. The physical uniqueness of this property makes it impossible for the applicant to build a pier that would conform to the Code creating an unnecessary hardship.

Variances have been granted to neighboring property owners for pier replacements and expansions in recent years. The lots are narrow and the neighborhood contains many cove-like areas bringing hardship to many residents. Water depths decrease drastically towards the shoreline at this property (approx. 1 ft.) and the applicant seeks to get to deep enough water to simply dock a single boat at his pier. The neighboring properties both contain piers, platforms, and assoc. piles/boat lifts. The neighbor to the north extended their pier to deeper water (identical to this application) and installed a slip area with mooring piles on the southerly side of their pier. It would not make practical sense for the applicant to attempt to moor or lift a vessel on the same side (applicant's northerly side of their pier) given

the location of the neighbor's pier and slip area. The only location for a vessel at the applicant's pier is on the south where it is proposed. The neighbor to the south has a lift slip at the end of their pier which is approx. 44 ft. from the applicant's proposed lift piles. Therefore, it would not appear that the proposed pier and piles would be in any way a navigational concern for the adjacent waterfront property owners now or in the future.

The uniqueness of the applicant's lot creates a hardship for which relief from the Code is warranted. Variance requests are for the following:

1. A zoning variance of 15 ft. for pier and piles in the southern setback area, as close as 0 ft. to the southern PLE.
2. A zoning variance of 11.5 ft. for pier and piles in the northern setback area, as close as 3.5 ft. to the northern PLE.

The proposed length (approx. 70 ft.) from MHWL is the original historic extent of the piles at this location (see exhibit). The extension allows the applicant to reach 3 ft. of water at low tide – same or less than neighbors. A boat lift is a much more environmentally friendly option for docking a boat at a pier so the bottom paint does not leech into the water versus if it was simply moored at the pier. The lift pile configuration (12 ft. wide) is also a smaller, narrower configuration requirement than a mooring configuration which is typically 16 ft. – 20 ft. wide. Many piers contain two or more slips. The allowance per Maryland Department of the Environment's is four (4) main slips - all of which could be lift slips. This site proposes only one (1).

**The granting of the variance will not:**

- (a) Alter the essential character of the neighborhood or district in which the lot is located

Most every property on Washington Drive contains a pier. Each of the adjacent properties has an existing longer pier. Many along this creek have similar style piers with main pier stems and platforms seeking viable water depths to moor a vessel. This proposal is similar to other piers in the area and would not alter the essential character of the area.

- (b) Substantially impair the appropriate use or development of adjacent property

The most channelward end of the proposed pier and piles is 8 ft. and 36.5 ft. away from the neighbor's closest piles or pier structures. The neighbor to the north has clear access (ingress and egress) to their boat slip. The proposed structures will not impede navigation for the neighbors and adjacent properties can continue to enjoy use of their pier facilities with this request without any disturbances.

- (c) Reduce forest cover in the Limited Development and Resource Conservation areas of the Critical Area

This does not apply to this proposal.

- (d) Be contrary to acceptable clearing and replanting practices required for development in the of the Critical Area or a Bog Protection Area; or be detrimental to the public welfare

This does not apply to this proposal.

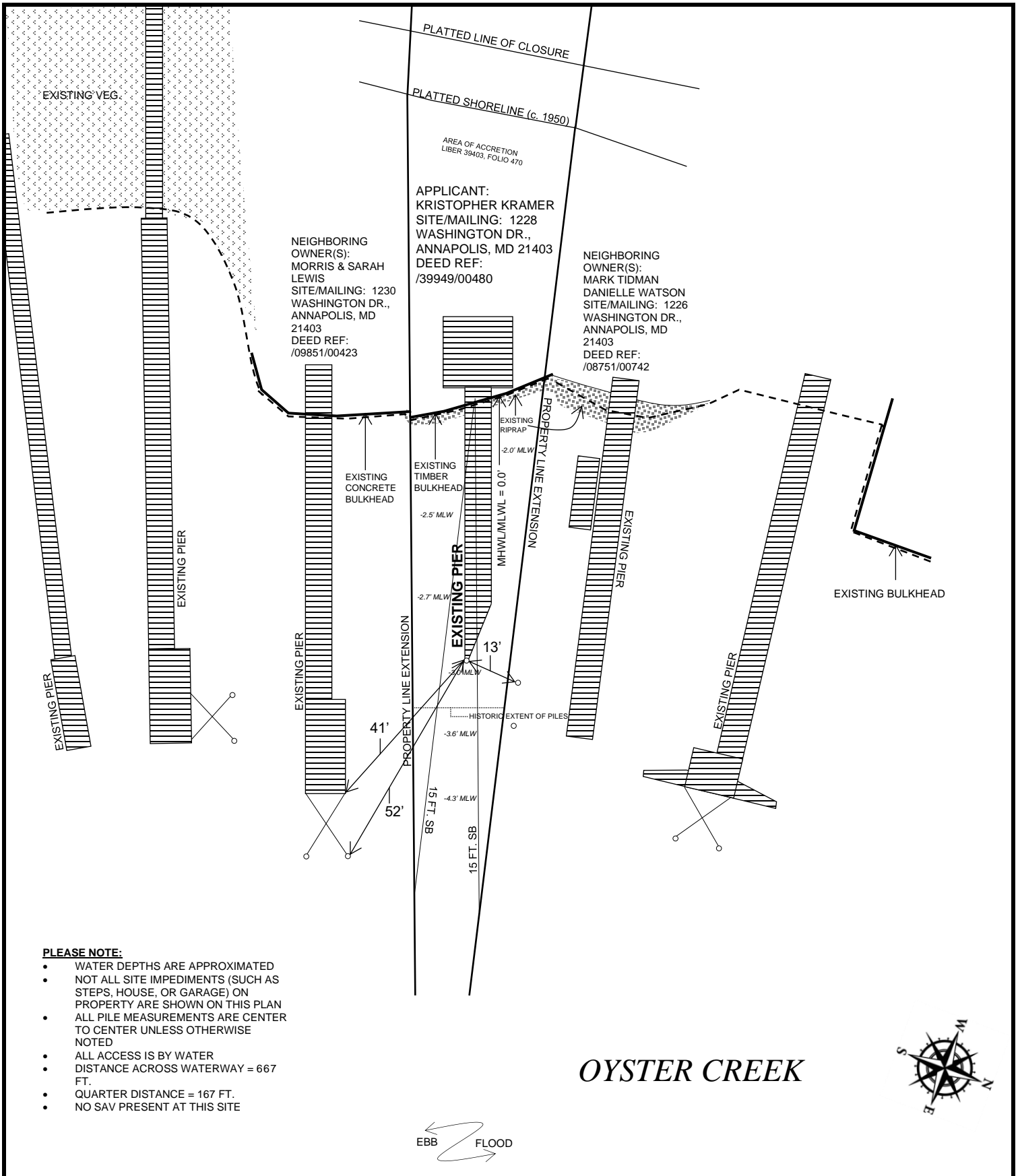
The proposal conforms with Maryland Department of the Environment (COMAR, Title 27) & Army Corp. of Engineers regulations and all appropriate state and federal permitting have been submitted.

It is our belief based on the usable property area that the proposed location of all structures is the minimum necessary to afford relief to applicant. We look forward to hearing from you upon acceptance of these explanations.

Thank you,

A handwritten signature in black ink that reads "Lauren Heinsohn". The signature is written in a cursive, flowing style.

Lauren Heinsohn, Principal  
Fetch Consulting Group



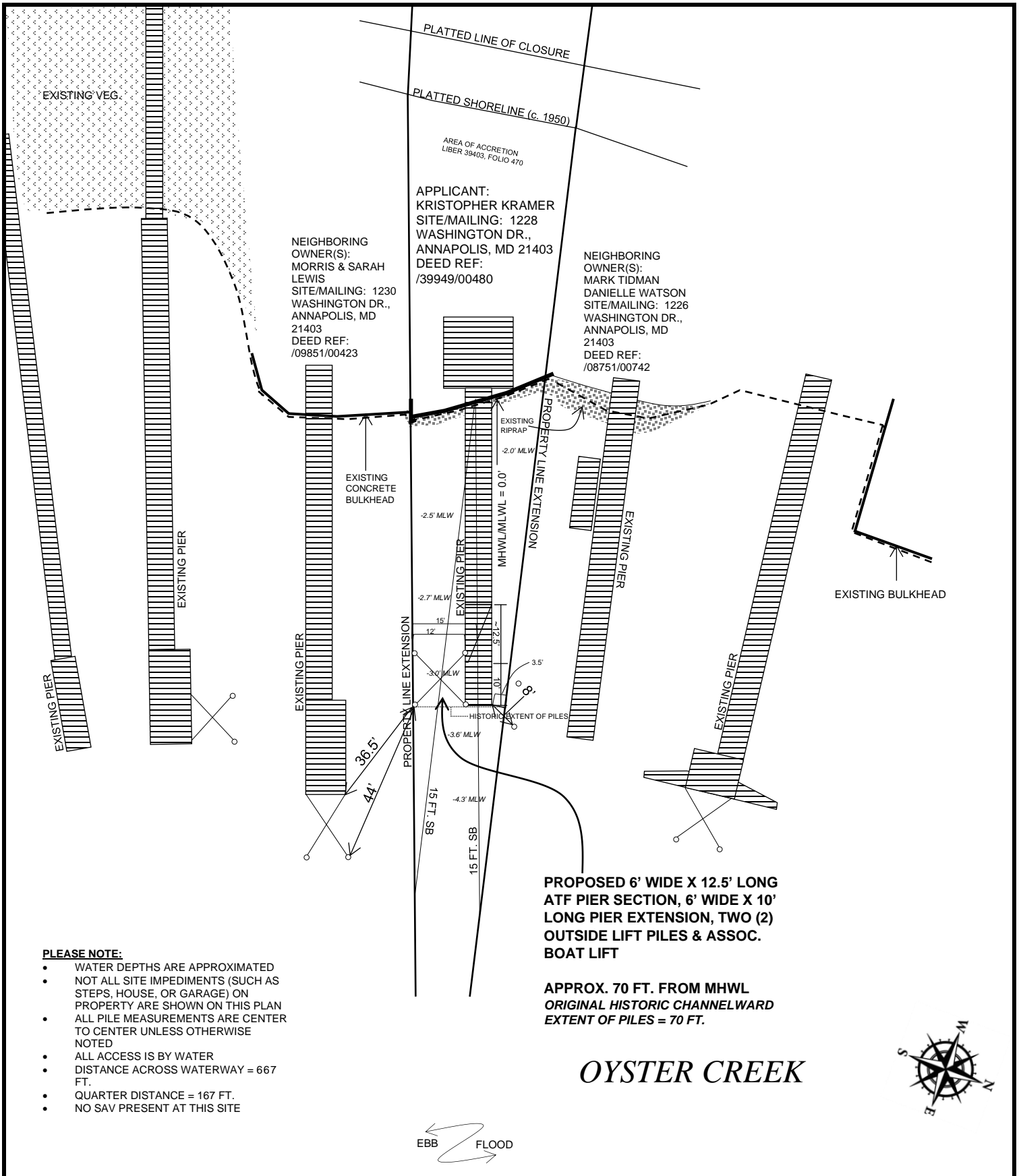
**PLEASE NOTE:**

- WATER DEPTHS ARE APPROXIMATED
- NOT ALL SITE IMPEDIMENTS (SUCH AS STEPS, HOUSE, OR GARAGE) ON PROPERTY ARE SHOWN ON THIS PLAN
- ALL PILE MEASUREMENTS ARE CENTER TO CENTER UNLESS OTHERWISE NOTED
- ALL ACCESS IS BY WATER
- DISTANCE ACROSS WATERWAY = 667 FT.
- QUARTER DISTANCE = 167 FT.
- NO SAV PRESENT AT THIS SITE

**OYSTER CREEK**



<p><b>Existing Condition Plan</b></p> <p>SCALE 1" = 30'</p> <p>FETCH, LLC 574-E RITCHIE HWY., #273 SEVERNA PARK, MD 21146 410-756-0885</p>	<p><b>APPLICANT/OWNER:</b> KRISTOPHER KRAMER</p> <p><b>SITE ADDRESS:</b> 1228 WASHINGTON DR. ANNAPOLIS, MD 21403</p> <p><b>MAILING ADDRESS:</b> 1228 WASHINGTON DR. ANNAPOLIS, MD 21403</p>	<p><b>PROPERTY DETAILS:</b> DISTRICT: 02 SUBDIVISION: 597 ACCT. NUMBER: 07552500 LOT(S): 54 MAP: 57 GRID: 21 PARCEL: 8 DEED REF: /39949/00480 PLAT REF.: 1 PROPERTY LAND AREA: 5,602 SF <b>DATE: 5-9-24</b> <b>PAGE 2 OF 4</b></p>	<p><b>PROPOSED WORK:</b> PIER</p> <p><small>ALL OF THE INFORMATION INCLUDED IN THIS PLAN IS FROM FIELD NOTES, AVAILABLE PLANS, AND PUBLIC PLATS. DIMENSIONS ABOVE APPROXIMATE. THIS PLAN IS NOT TO BE CONSIDERED A BOUNDARY SURVEY, AND DOES NOT INCLUDE EXISTING IMPEDIMENTS ON SITE OR NEIGHBORING PROPERTIES. OWNER SHOULD PERFORM PROPERTY BOUNDARY SURVEY FOR CORRECT DELINEATIONS. PROPERTY LINE EXTENSIONS AND SETBACKS ARE APPROXIMATED.</small></p> <p><small>COPYRIGHT © FETCH, LLC 2024</small></p> <p><small>THIS PLAN IS THE SOLE PROPERTY OF FETCH, LLC, WHICH OWNS THE COPYRIGHT TO THE USE OF THE PLAN. NO PERSON OR ENTITY MAY USE ALL OR ANY PART OF THE PLAN, INCLUDING THE OWNER OF THE PROPERTY SHOWN ON THE PLAN, OR ANY THIRD PARTY, EXCEPT FOR THE EXPRESS PURPOSE OF APPLYING FOR PERMITS TO PERFORM THE WORK DESCRIBED IN THE PLAN.</small></p>
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**PROPOSED 6' WIDE X 12.5' LONG ATF PIER SECTION, 6' WIDE X 10' LONG PIER EXTENSION, TWO (2) OUTSIDE LIFT PILES & ASSOC. BOAT LIFT**

**APPROX. 70 FT. FROM MHWL ORIGINAL HISTORIC CHANNELWARD EXTENT OF PILES = 70 FT.**

**OYSTER CREEK**



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## EXHIBIT – VARIANCE APPLICATION

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*Image is from Google Earth – Date 5/2023*