

Anne Arundel County

June 4, 2024

2662 Riva Road
Annapolis, Maryland 21401

RE: Variance for Decks at 773 Rolling View Drive, Annapolis, MD

To whom it may concern,

We are writing today to request a variance for permit B0242671, which is to replace the side and back decks on our home. Both decks are in poor condition, and we have contracted with Fence and Deck Connection to replace them.

We are requesting a variance due to the back slope of our property. The Pre-file number is 2024-0035-P. The back of our property falls into a ravine behind our house. The house is not on the water, and the maps provide dimensions of the log, topography and plans. The deck plans have been submitted to the county, and an updated plan with a smaller back deck is attached. Our neighborhood association, Cape Saint Claire, has approved our request to rebuild the decks. The well check was also approved.

The following items have been addressed since submitting the Pre-file letter:

- An older permit from 2018, B02364334, has been closed.
- The new back deck site plan is the same size as the current deck.

Our variance request will not adversely affect the water quality of the ravine behind our house or impact our neighbors or community. Our goal is to replace the back deck, as the supports for the deck had shifted before we moved in due to the eroding retaining wall, which we addressed when we moved in. The decking and railing on the side deck are rotting due to improper installation and age. Fence and Deck Connection have inspected the infrastructure of the side deck and agree that it is solid and safe. They will only be replacing the decking, steps and railing. No trees or vegetation will be impacted.

Pictures of decks on the next page.

Kind regards,



Suzy and Dan Sundius
Homeowner
773 Rolling View Drive
Annapolis, MD 21409
443-540-9928 (Suzy's cell)
suzy@flame.digital (email)

dsundius@gmail.com (email)

BACK DECK:



LEFT SIDE DECK - MAIN ENTRANCE INTO OUR HOUSE





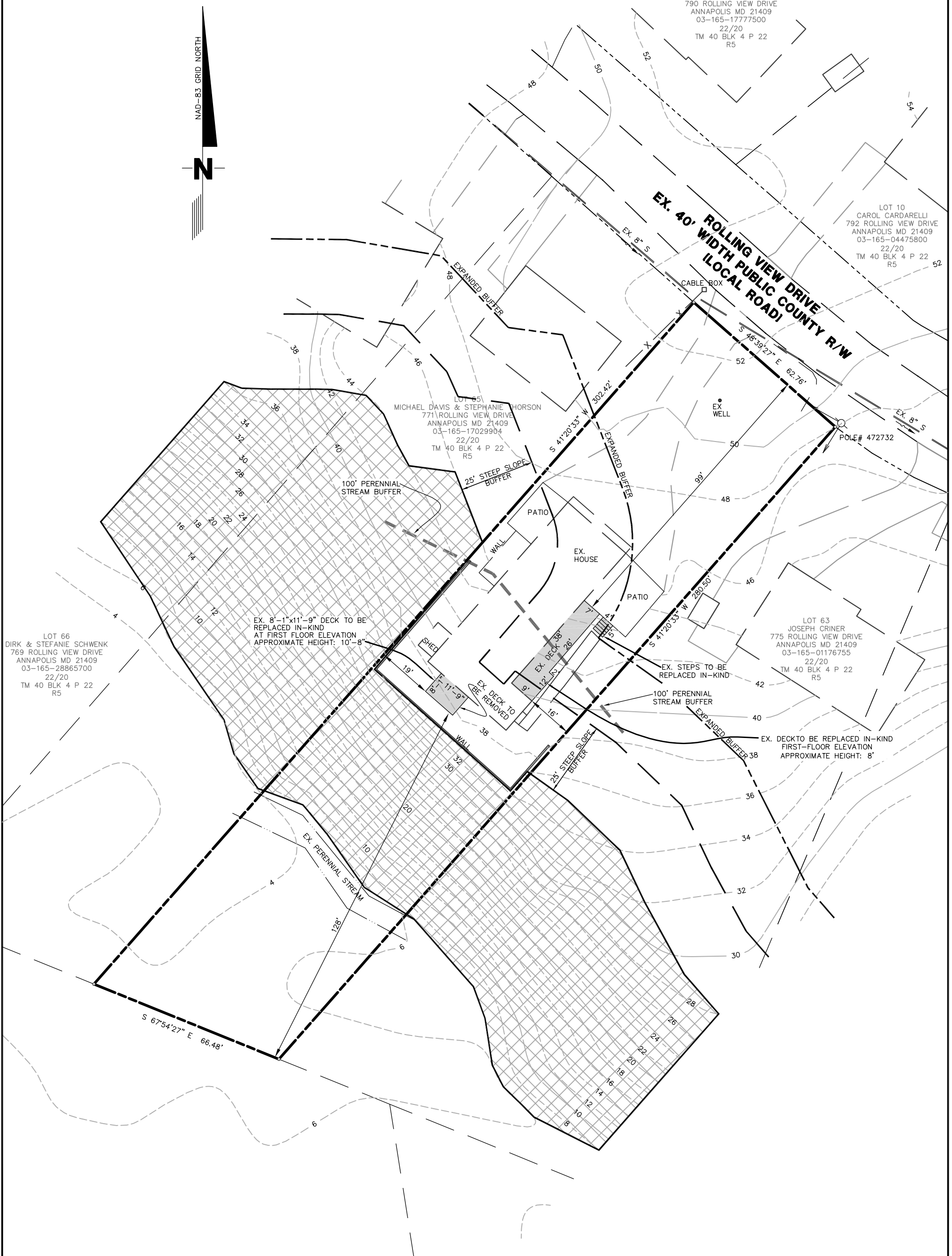
LOT 1
CHRISTOPHER SABITINO
790 ROLLING VIEW DRIVE
ANNAPOLIS MD 21409
03-165-1777500
22/20
TM 40 BLK 4 P 22
R5

LOT 10
CAROL CARDARELLI
792 ROLLING VIEW DRIVE
ANNAPOLIS MD 21409
03-165-04475800
22/20
TM 40 BLK 4 P 22
R5

LOT 65
MICHAEL DAVIS & STEPHANIE HORSON
771 ROLLING VIEW DRIVE
ANNAPOLIS MD 21409
03-165-17029904
22/20
TM 40 BLK 4 P 22
R5

LOT 63
JOSEPH CRINER
775 ROLLING VIEW DRIVE
ANNAPOLIS MD 21409
03-165-01176755
22/20
TM 40 BLK 4 P 22
R5

LOT 66
DIRK & STEFANIE SCHWENK
769 ROLLING VIEW DRIVE
ANNAPOLIS MD 21409
03-165-28865700
22/20
TM 40 BLK 4 P 22
R5



NOTE: NO NEIGHBORING WELLS WITHIN 30' OF PROPOSED CONSTRUCTION

ANAREX, INC.
ENGINEERS SURVEYORS
EXPEDITERS PLANNERS
303 NAJOLLES ROAD
SUITE 114
MILLERSVILLE, MD. 21108-2506
PHONE: (410) 987-6901

PARTIAL TOPOGRAPHY SURVEY
LOT 64
SECTION 1 - BLOCK G
773 ROLLING VIEW DRIVE
CAPE ST. CLAIRE
3rd District, Anne Arundel County, Md.
See Plat Records A.A. Co.
Plat Book 22 Page 20
Scale: 1"=30' Date MAY, 2024

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:

Tax Map #	Parcel #	Block #	Lot #	Section
40	0022	G	64	1

Tax ID: 10691830

FOR RESUBMITTAL ONLY	
Corrections	<input type="checkbox"/>
Redesign	<input type="checkbox"/>
No Change	<input type="checkbox"/>
Non-Critical Area	<input type="checkbox"/>
*Complete Only Page 1 General Project Information	

Project Name (site name, subdivision name, or other) <u>Replace decks</u>	
Project location/Address	<u>773 Rolling View Drive</u>
City <u>Annapolis</u>	Zip <u>21409</u>
Local case number	
Applicant: Last name <u>Sundius</u>	First name <u>Suzy & Dan</u>
Company	

Application Type (check all that apply):

Building Permit	<input 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 checked="" type="checkbox"/> <u>Deck permit</u>

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:

We are writing today to request a variance for permit B0242671, which is to replace the side and back decks on our home. Both decks are in poor condition, and we have contracted with Fence and Deck Connection to replace them.

	Yes		Yes
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			Total Disturbed Area		
LDA Area					
RCA Area			# of Lots Created		
Total Area					

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

VARIANCE INFORMATION (Check all that apply)

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

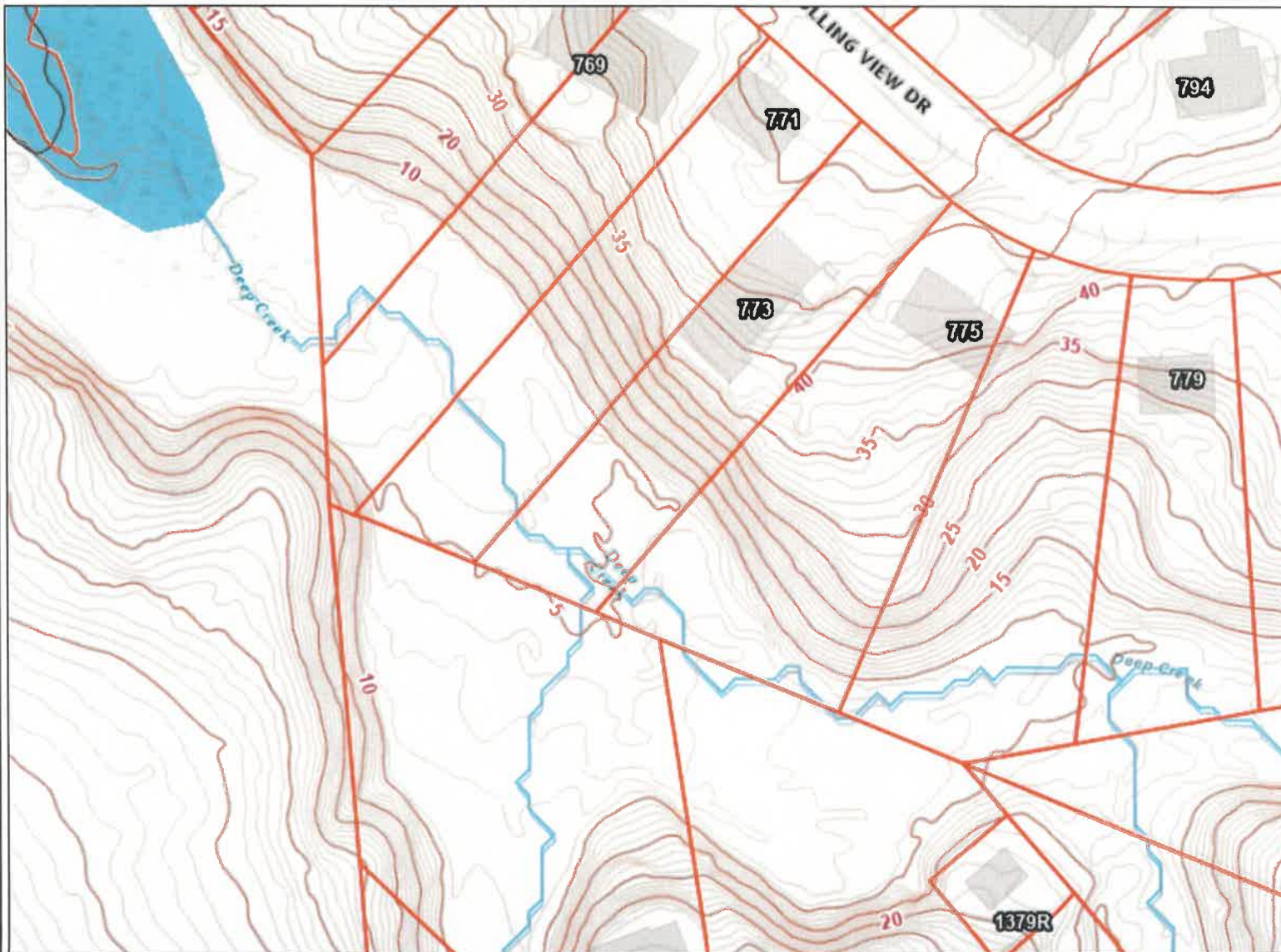
<p><u>Variance Type</u></p> <p>Buffer <input checked="" type="checkbox"/></p> <p>Forest Clearing <input type="checkbox"/></p> <p>HPA Impact <input type="checkbox"/></p> <p>Lot Coverage <input type="checkbox"/></p> <p>Expanded Buffer <input type="checkbox"/></p> <p>Nontidal Wetlands <input type="checkbox"/>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

Suzy and Dan Sundius, owners and residents of 773 Rolling View Drive, Annapolis, are seeking a variance to replace deteriorating decks on the side and back of our house. Our house backs up to a ravine with a small stream. There is a retaining wall that separates the critical area from the back of the house and the location of the back deck. There will be no disturbance of the slope, retaining wall, or vegetation. There will be no change in the runoff or water quality since we are only replacing what is already there.

Thank you for your help in this matter,
Suzy Sundius


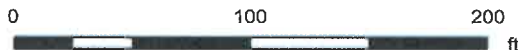
Topographic Map - Lot outline ref only not exact




Legend

- Foundation
 - Addressing
 - Parcels
 - Parcels - Annapolis City
- Elevation
 - Topo 2020
 - Index
 - Intermediate

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Notes 1" = 100' Topographic Map - Lot outline ref only not exact

Topographic Map - Lot outline ref only not exact



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



Elevation

Topo 2020

— Index

— Intermediate



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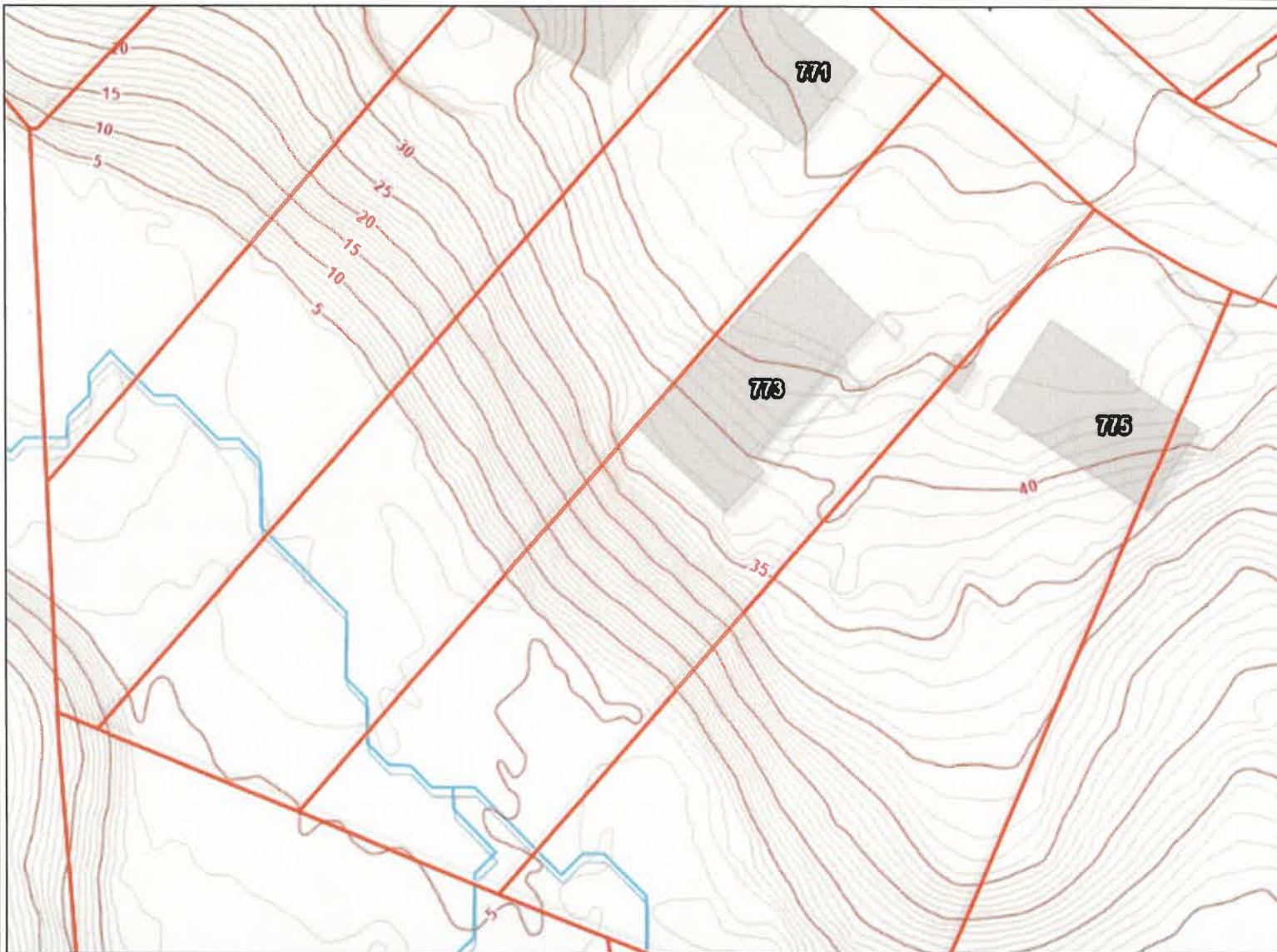
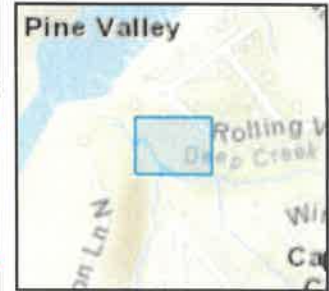
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Notes 1" = 30' Topographic Map - Lot outline ref only not exact

Topographic Map - Lot outline ref only not exact



Legend

Foundation

Addressing

-

Parcels

- ▭ (orange outline)

Parcels - Annapolis City

- ▭ (purple outline)

Elevation

Topo 2020

- (brown line) Index
- (light brown line) Intermediate

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Topographic Map - Lot outline ref only not exact



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



Elevation

Topo 2020

Index

Intermediate

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Notes 1" = 30' Topographic Map - Lot outline ref only not exact





OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2024-0035-P
DATE: 04/25/2024
OPZ STAFF: Jennifer Lechner
Kelly Krinetz

APPLICANT/REPRESENTATIVE: Susan Royal Sundius **EMAIL:** suzy@flame.digital

SITE LOCATION: 773 Rolling View Drive, Annapolis

LOT SIZE: 18,042 SF

ZONING: R5/OS **CA DESIGNATION:** LDA **BMA:** n/a **BUFFER:** YES **APPLICATION TYPE:** Variance

The applicants are proposing to replace the existing decks on the house which will disturb the expanded buffer.

§ 18-13-104. Buffers, expanded buffers, and buffer modification areas.

(a) Buffer. 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.

(b) Expanded buffer. Except as provided in subsection (c), the 100-foot buffer shall be expanded beyond 100 feet to include slopes of 15% or greater, nontidal wetlands, nontidal wetlands of special State concern, and hydric soils or highly erodible soils. The buffer shall be expanded as follows:

(1) 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.

COMMENTS

Critical Area Team:

No objection to in kind repair/replacement of the existing improvements.

Expansion would need to comply with approval standards and would likely not be supported.

Zoning Administration Section:

Prior to submission of the variance, revise the Administrative Site Plan to correctly identify the expanded buffer (50 feet from the top of the slopes). In addition, please revise the site plan to include the dimensions of the decks, the setback dimensions of the decks from all property lines, and the height/floor level of the proposed decks.

The Letter of Explanation appears to contradict the Administrative Site Plan. The letter states that "Plans for the back deck hug the house and do not expand the size towards the retaining wall." However, the site plan appears to show that the existing deck to be removed is smaller than and within the footprint of the proposed deck, which does appear to be closer to the retaining wall.

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 each of the variances required.

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 Bog Protection 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(b).

Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.