

**FINDINGS AND RECOMMENDATION
OFFICE OF PLANNING AND ZONING
ANNE ARUNDEL COUNTY, MARYLAND**

APPLICANT: David P. Klink

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2024-0102-V

COUNCILMANIC DISTRICT: 3

HEARING DATE: August 8, 2024

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicant is seeking a variance to allow a dwelling with disturbance to slopes of 15% or greater and with less setbacks than required on property located at 509 Norwich Road in Severna Park.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 16,258 square feet of land and is located on the south side of Norwich Road. The property is identified as Lots 52 and half of 51 of Parcel 339 in Grid 14 on Tax Map 24 in the Riverdale subdivision.

The property is zoned R2 – Residential District, as adopted by the comprehensive zoning for Council District 3, effective January 29, 2012. This waterfront lot along Old Man Creek lies entirely within the Chesapeake Bay Critical Area LDA – Limited Development Area, and is mapped as BMA - Buffer Modified Area. It is currently improved with a one and a half-story dwelling, a residential pier, and associated facilities.

PROPOSAL

The applicant proposes to raze and remove the existing dwelling, and to construct a new dwelling in the same general location.

REQUESTED VARIANCES

§ 17-8-201 of the Anne Arundel County Code states that development in the Limited Development Area (LDA) may not occur within slopes of 15% or greater unless development will facilitate stabilization of the slope; is to allow connection to a public utility; or is to provide direct access to the shoreline; and, all disturbance shall be limited to the minimum necessary. The proposed construction will disturb approximately 199 square feet of slopes of 15% or greater, necessitating a variance. The final amount of disturbance will be determined during permit review.

A review of the bulk regulations for development within the R2 District reveals that a setback variance is not required.

FINDINGS

The subject property is generally rectangular in shape and, at 16,258 square feet and 75 feet wide, is undersized with regards to the minimum lot area requirement of 20,000 square feet for lots not served by private sewer and the minimum lot width requirement of 80 feet for a lot in the R2 District. A review of the County aerial photography shows an eclectic mix of dwellings and lots in this waterfront community.

The existing critical area lot coverage of the site is 5,663 square feet. The proposed post-construction lot coverage is 5,365 square feet, which exceeds the lot coverage allowed under §17-8-402 (31.25% or 5,080.625 square feet). However, the proposed reduction of 298 square feet exceeds the reduction required under § 17-8-403 (10% of 582.375 square feet or 58.2375 square feet).¹

The existing coverage by structures is 1,737 square feet. The proposed post-construction coverage by structures is 3,127 square feet, which is below the 30% (4,877.4 square feet) maximum coverage by structures allowed under §18-4-601.

The applicants' letter states that the need for the requested variance arises from the unique physical conditions of the site, specifically the location of the existing structures in relation to the steep slopes. The letter further explains that the new dwelling is positioned to take advantage of the disturbance to remove the existing improvements and is set further from tidal waters than the existing dwelling.

Agency Comments

The **Critical Area Commission** noted that, if granted, appropriate mitigation is required.

The **Critical Area Team** noted that while a variance is not required for the disturbance necessary to remove a structure from steep slopes and its associated buffers, the removal does not justify future development. Their Office believes that the proposed expansion of the home could be designed to avoid disturbance to the slopes and the required buffer, and therefore cannot support the variance request.

The **Cultural Resources Section** noted that the subject property includes an undocumented, historic structure from the early 20th century, and that their Office will need to conduct a review once the demolition permit application is submitted.²

The **Health Department** has determined that the proposed request adversely affects the on-site sewage disposal, and recommends denial of the above referenced request as the proposed addition eliminates the future septic replacement area.

¹ Per § 17-8-403(2), reconfiguration of lot coverage shall result in a 10% reduction of the amount of impervious surfaces that exceed the maximum permitted lot coverage.

² Refer to the OPZ Cultural Resources comments for more information.

The **Inspections & Permits Engineering Section** does not support the requested variance.³

Variance Criteria

For the granting of a Critical Area variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular property, strict implementation of the County's Critical Area Program would result in an unwarranted hardship. COMAR defines unwarranted hardship as that, without a variance, an applicant shall be denied reasonable and significant use of the entire parcel or lot for which the variance is requested. The need sufficient to justify a variance must be substantial and urgent and not merely for the convenience of the applicant.

In this particular case, the property is encumbered by steep slopes along the waterfront portion of the property and the existing septic area along the roadside. However, there is an opportunity to design the new dwelling so that it will not encroach into the septic area, nor require disturbance to the steep slopes, thereby eliminating the need for relief.

The variance request is not based on conditions or circumstances that are the result of actions by the applicants, and does not arise from any condition relating to land or building use on any neighboring property.

With mitigation, the granting of the variance should not adversely affect water quality or impact fish, wildlife or plant habitat, should be in harmony with the general spirit and intent of the County's critical area program, and will not be contrary to acceptable clearing and replanting practices, nor reduce forest cover in the limited development area.

The granting of the variance would not alter the essential character of the neighborhood or district in which the lot is located, nor substantially impair the appropriate use or development of adjacent property. Based on the Health Department comments, however, it may be detrimental to the public welfare.

The Health Department and the Inspections & Permits Engineering Section have indicated that this site plan cannot be approved as proposed. This Office recognizes that a variance does not necessarily require pre-approval by either department and that, if granted, their concerns would still have to be addressed at the time of permitting. The applicant is advised that, if a critical area variance is approved, any change to the proposed improvements shown on the site plan, that are necessary to address any issues raised during the permit review process, would require a new variance.⁴

Because design alternatives exist which would accommodate a dwelling on the proposed lot, rather than making the lot accommodate the proposed dwelling, the requested critical area variance cannot be considered the minimum necessary to afford relief.

³ Refer to the Inspections & Permits Engineering Section's comments for their detailed objection.

⁴ This refers to, for example, changes to the footprint or location of the dwelling to accommodate stormwater management or the septic system which shifts the dwelling closer to the shoreline or the lot lines.

RECOMMENDATION

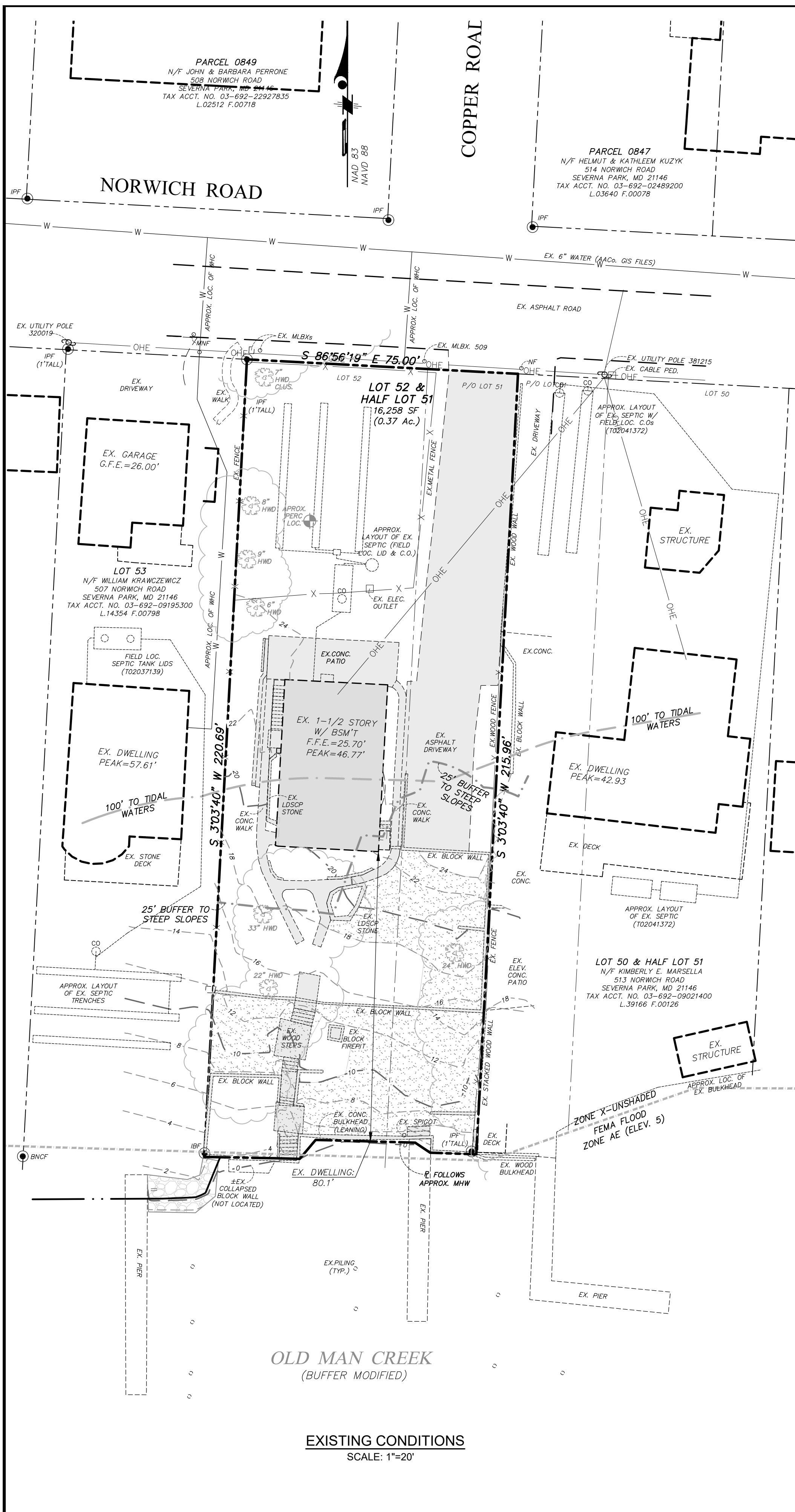
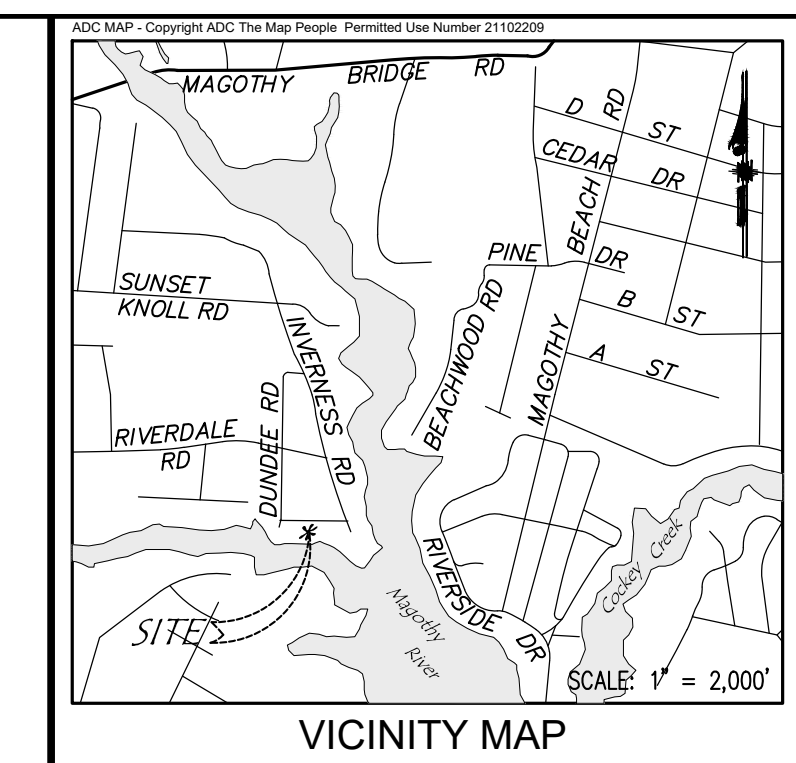
Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends ***denial*** of a Critical Area variance to § 17-8-201 to disturb steep slopes.

If granted, the final amount of disturbances will be determined during permit review.

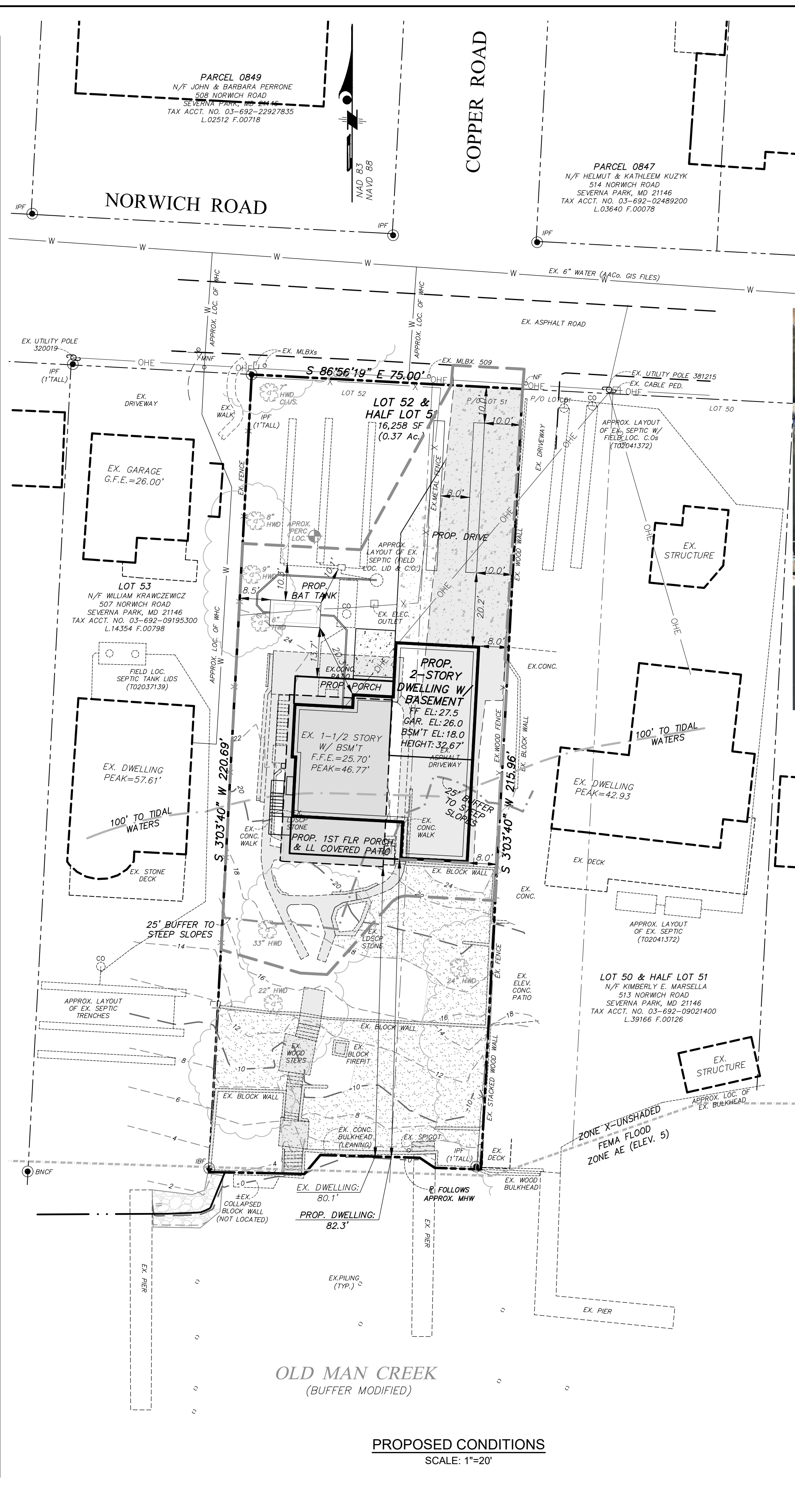
In addition, if granted, per § 17-8-702(e), mitigation for new lot coverage or for replacement of existing lot coverage in the buffer modification area is required as follows:

- (1) For every square foot of additional lot coverage within 100 feet of the mean high water line, a vegetated buffer shall be planted within the buffer modification area at a ratio of two times the amount of lot coverage.
- (2) If a variance is required, a vegetated buffer shall be planted within the buffer modification area at a ratio of 3:1 for the additional area of disturbance granted under the variance.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant to construct the structure(s) as proposed, the applicant shall apply for and obtain the necessary building permits, and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.



EXISTING CONDITIONS
SCALE: 1"=20'



PROPOSED CONDITIONS
SCALE: 1"=20'



LEGEND

- Existing Contour
- Existing Woods Line
- Existing Power Pole
- Existing Overhead Electric Line
- Existing Waterline
- Existing Spot Elev.
- 100' to Tidal Waters
- Steep Slopes 15% or Greater
- Existing Improvements
- Limit of Disturbance

SITE TABULATIONS

- Total Site Area: 16,258 S.F. (0.37 Ac.)
- Critical Area Designation: LDA
- Site Zoning: R-2
- Principal Structure Setbacks:
 - Front: 30'
 - Rear: 25'
 - Side: 7'
- Lot Coverage:
 - Existing Lot Coverage: 5,663 S.F. (0.13 Ac.)
 - Allowable Lot Coverage (17-8-403): 5,605 S.F. (0.13 Ac.)
 - Proposed Lot Coverage: 5,365 S.F. (0.12 Ac.)
- Coverage by Structures:
 - Existing Coverage by Structures: 1,737 S.F. (+11%)
 - Allowable Coverage by Structures: 4,877 S.F. (30%)
 - Proposed Coverage by Structures: 3,127 S.F. (+19%)
- Steep Slopes:
 - Total On-Site Steep Slopes: 3,211 S.F. (0.07 Ac.)
 - Total On-Site Steep Slopes Disturbed: 199 S.F. (0.00 Ac.)
 - Total Off-Site Steep Slopes Disturbed: 0 S.F. (0.00 Ac.)

P:\R\03020\CA00-24-RK03020\Eng Dwg\ RK03020-V.dwg 05/22/24-12:26

DESIGNED:	DRAWN: KLY
ORIG. DATE: 12-20-22	
MODIFIED BY/DATE:	
CADD DWG # RK03020	
DLA PROJECT # RK03020	

REVISIONS TO APPROVED PLANS			
No.	DATE	BY	DESCRIPTION

Drum, Loyka & Associates, LLC
 CIVIL ENGINEERS - LAND SURVEYORS
 1410 Forest Drive, Suite 35
 Annapolis, Maryland 21403
 Phone: 410-280-3122 • Fax: 410-280-1952
 www.drumloyka.com

OWNER:
 MR. DAVID KLINK
 509 NORWICH ROAD
 SEVERNA PARK, MARYLAND 21146

VARIANCE PLAN
RIVERDALE O/T MAGOTHY ~ LOT 52 & HALF LOT 51
 509 NORWICH ROAD, SEVERNA PARK, MARYLAND 21146
 TAX ACCT. NO. 03-692-3202100
 TAX MAP 0024 GRID 0014 PARCEL 0339 DISTRICT 3RD
 ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1"=20' DATE: MAY 22, 2024 PROJ. NO: RK03020 SHEET 1 OF 1

May 22, 2024

Anne Arundel County, Office of Planning and Zoning
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

**RE: RIVERDALE ON THE MAGOTHY ~ Lot 52 & HALF 51
509 NORWICH ROAD
SEVERNA PARK, MD 21146
Variance Application**

Sir/Madam:

Attached is a variance request application and associated submittal documents for the above referenced property. To allow for a modest replacement home and associated improvements to the subject property, a variance to the Anne Arundel County Code is required. The requested variance to the Code relates to **Article 17, Section 8-201(a)** for redevelopment on slopes 15% or greater in the LDA.

The subject property is a legal non-conforming building lot located in the community of Severna Park, Maryland. The property is currently improved with a single-family dwelling and associated improvements. The lot is zoned R-2 and is served by public water and a private septic system. The property is located entirely within the Chesapeake Bay Critical Area with an LDA land use designation. Steep slopes abut the existing driveway and improvements, which limit redevelopment without a variance. Primary vegetation consists of multiple hardwood trees and lawn area.

The applicant proposes to raze and remove the existing dwelling and construct a new dwelling in almost the same location as the existing dwelling. The new house is modest in size, is generally in the same footprint as the existing structures and is in relation to the surrounding homes in the neighborhood. Plans have been submitted to the Department of Health and there has been coordination on the septic design and proposed improvements.

Due to the unique physical conditions inherent to the property, the following variance to the Anne Arundel County Code is being requested: **Article 17, Section 8-201(a)** of approximately 199-sf of disturbance on slopes 15% or greater in the LDA.

The need for the requested variance arises from the unique physical conditions of the site, specifically the location of the existing structures in relation to the steep slopes. The new dwelling is positioned to take advantage of the disturbance to remove the existing

improvements and is set further from tidal waters than the existing dwelling. It does not require any more disturbance than if the existing improvements were to be removed or maintained. Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant and would not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the implementation of stormwater management and the nitrogen reducing septic system, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare.

We believe that these requests meet all the requirements for variance, per Article 18-16-305:

Requirements for Critical Area Variances.

1. Unique physical conditions – Specifically, the existing dwelling and improvements in relation to steep slopes. Denial of the requested variance would constitute an unwarranted hardship on the applicant and deprive them of the right to redevelop and deny reasonable and significant use of the entire property.
2. Rights commonly enjoyed - The proposed improvements are similar and in character to those of surrounding properties. To deny the requested variance would deprive the applicant of rights commonly enjoyed by other properties in the area.
3. Will not confer special privilege - Granting this variance would not confer a special privilege to the applicant. Nearby properties maintain improvements comparable to what is proposed for this project. The applicants have made extensive efforts to design this proposed project in a manner that considers the placement of the existing dwelling and location of surrounding environmental features.
4. Not based on conditions or circumstances that are the result of actions by the applicant - Conditions and circumstances are based on the presence of steep slopes and the location of the existing improvements, and are not because of actions by the applicant.
5. Will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area – The proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area. Disturbance is minimized only to what is necessary to complete the project. Mitigation will occur in accordance with county regulations and will be addressed during the permitting process. Sediment and erosion controls will be utilized to ensure that construction and grading will not adversely affect the surrounding environmental features

located within the Critical Area. The addition of stormwater management and a nitrogen reducing septic system will also enhance the environmental quality of the development. These precautions will ensure that water quality, fish, wildlife, and plant habitat will not be adversely affected.

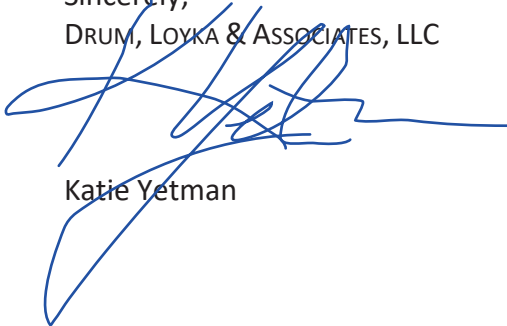
Requirements for all variances.

1. Minimum necessary - The improvements are minimal and are sited to utilize the footprint of the existing improvements to minimize disturbance.
2. The granting of the variance will not:
 - i. alter the essential character of the neighborhood, and all proposed development will be harmonious with other properties of the surrounding area.
 - ii. substantially impair the appropriate use or development of adjacent properties.
 - iii. reduce forest cover in the LDA as appropriate mitigation will be required as part of the permit process.
 - iv. be contrary to acceptable clearing or replanting practices required for development of the Critical Area or Bog Protection Area.
 - v. be detrimental to the public welfare.

Thank you for your attention to this matter. Please contact us if we may be of further service during your review of this variance request.

Sincerely,

DRUM, LOYKA & ASSOCIATES, LLC



Katie Yetman

CRITICAL AREA COMMISSION
 FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS
 1804 WEST STREET, SUITE 100
 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: _____ Date _____

Tax Map #	Parcel #	Block #	Lot #	Section
0024	0339	0014	835	

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

* Complete only Page 1
 General Project Information

Tax ID

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

Project location/Address

City Zip

Local case number

Applicant: Last name First name

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 type="checkbox"/> |

Local Jurisdiction Contact Information:

Last name: _____ First name _____

Phone # _____ Response from Commission Required By _____

Fax # _____ Hearing date _____

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Raze and remove existing single-family dwelling and construct new single-family dwelling
With associated improvements

Intra-Family Transfer	Yes <input type="checkbox"/>	Growth Allocation	Yes <input type="checkbox"/>
Grandfathered Lot	X <input checked="" type="checkbox"/>	Buffer Exemption Area	X <input checked="" 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	X <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				0.22	
LDA Area	0.37		# of Lots Created	0	
RCA Area					
Total Area	0.37				

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.09		Existing Impervious Surface	0.13	
Created Forest/Woodland/Trees	0.00		New Impervious Surface	0.07	
Removed Forest/Woodland/Trees	0.01		Removed Impervious Surface	0.08	
			Total Impervious Surface	0.12	

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		
Non-Buffer Disturbance	0.22		Mitigation		

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

Chesapeake Bay Critical Area Report
Riverdale on the Magothy ~ Lot 52 & Half of Lot 51
Tax Map 24, Grid 14, Parcel 339
Tax Account No. 03-692-32072100

Property Address: 509 Norwich Road
Severna Park, Maryland 21146

May 22, 2024

Property Owners & Variance Applicant: David Klink

Critical Area Designation: LDA

Zoning: R-2

Lot Area: 0.37 Ac.

Site Description

The subject property is a legal non-conforming building lot located in the community of Severna Park, Maryland. The property is currently improved with a single-family dwelling and associated improvements. The lot is zoned R-2 and is served by public water and a private septic system. The property is located entirely within the Chesapeake Bay Critical Area with an LDA land use designation. Steep slopes about the existing driveway and improvements, which limit redevelopment without a variance. Primary vegetation consists of multiple hardwood trees and lawn area.

Description and Purpose of Variance Request

The applicant proposes to raze and remove the existing single-family dwelling and construct a new single-family dwelling with associated improvements. Due to the unique physical conditions inherent to the property, the following variance to the Anne Arundel County Code is being requested: **Article 17, Section 8-201(a)** of approximately 199-sf of disturbance on slopes 15% or greater in the LDA.

The applicant proposes to raze and remove the existing dwelling and construct a new dwelling in almost the same location as the existing dwelling. The new house is modest in size, is generally in the same footprint as the existing structures and is in relation to the surrounding homes in the neighborhood. Plans have been submitted to the Department of Health and there has been coordination on the septic design and proposed improvements.

Vegetative Coverage and Clearing

The property's primary vegetation is lawn area with multiple hardwood trees. The existing wooded area totals roughly 3,800-sf. The proposed clearing is approximately 380-sf., the majority of which is necessary for the septic tank upgrade. Reforestation and afforestation requirements for this property will be addressed during the permit phase of this project.

Impervious Lot Coverage

The site currently has 5,663-sf of lot coverage. The proposed impervious lot coverage for this property is 5,365-sf, which is below the allowable. The site currently has 1,737-sf of coverage by structures. The proposed coverage by structures is 3,127-sf, which is within the allowable amount.

Steep Slopes (slopes > 15%)

The subject property contains approximately 3,211-sf of steep slopes, all of which are concentrated around the existing improvements. Approximately, 199-sf of slopes will be disturbed as part of the proposed construction. Most of this disturbance is necessary for access and removal of the existing improvements.

Predominant Soils

The predominant soil types are Evesboro-Galestown-Urban land complex, 15 to 25 percent slopes (EuE) and Patapsco-Fort Mott-Urban land complex, 0 to 5 percent slopes (PgB). These soils have a type "A" hydrologic classification and are not considered hydric soil.

Drainage and Rainwater Control

There appear to be no visible stormwater management devices on site. Stormwater management and sediment and erosion control will be provided for the proposed improvements and the specific design computations will be addressed during the permit phase of the project in accordance with Anne Arundel County design criteria.

Conclusions – Variance Standards

The need for the requested variances arises from the unique physical conditions of the site, specifically the location of the existing improvements in relation to the steep slopes. The new dwelling is proposed in the same location as the existing improvements. It does not require any more disturbance than if the existing improvements were to be removed or maintained. The proposed dwelling is also set further from tidal waters than the existing dwelling. Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant and will not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the habitat and on of stormwater management and the nitrogen reducing septic system, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare. Stormwater Management and reforestation requirements will be addressed during the permit phase of the project. Reforestation will be provided on-site to the extent practicable.

Reference:

ADC: The Map People, 2002 Anne Arundel County, Maryland, Street Map Book

Anne Arundel County Office of Planning & Zoning, 2007 Critical Area Map

Anne Arundel County Office of Planning & Zoning, 2007 Buffer Exemption Map

Anne Arundel County, Maryland; Chesapeake Bay Critical Area Mapping Program, 2007, Critical Area Map

Federal Emergency Management Agency, 2015. Flood Insurance Rate Map

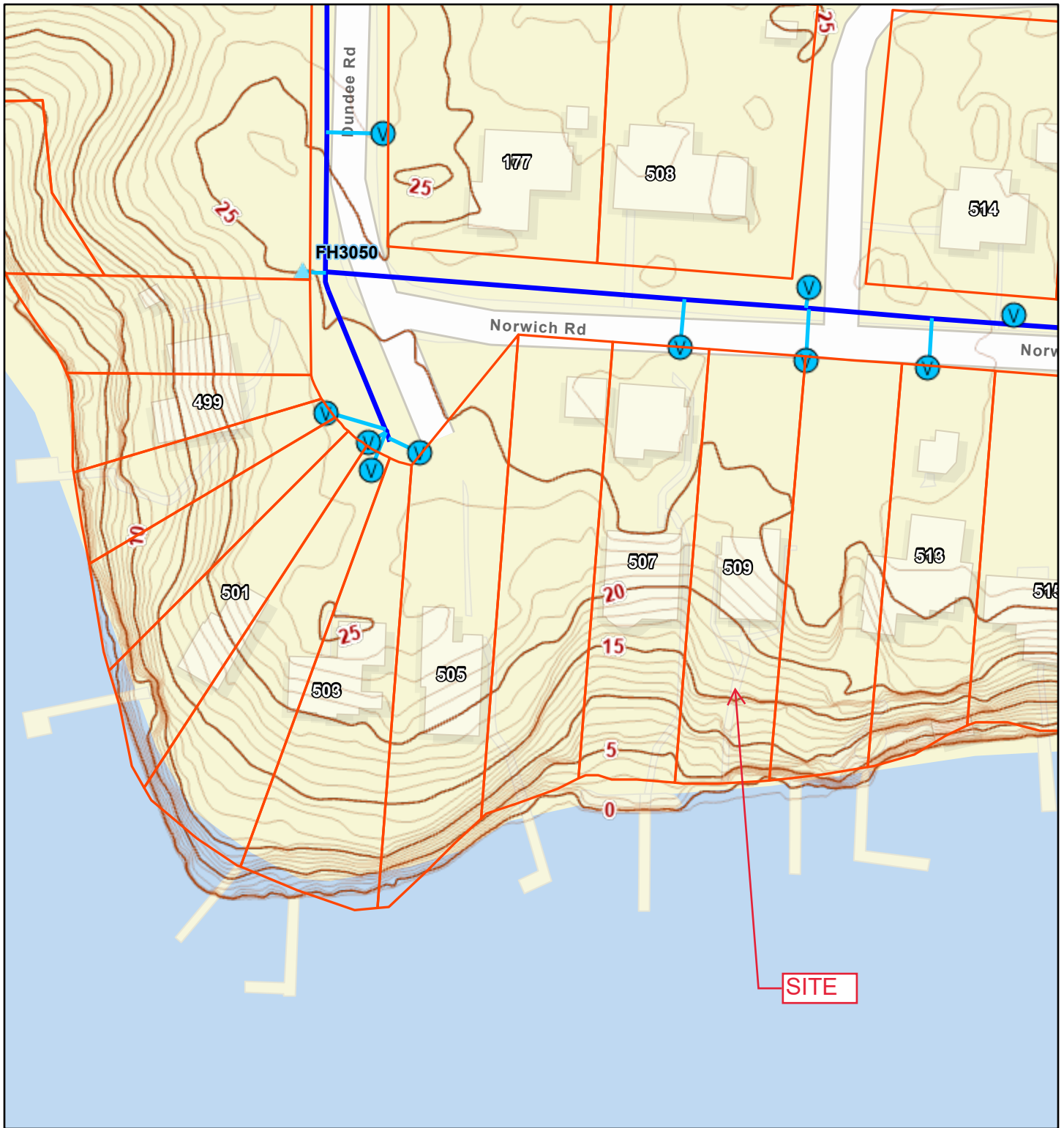
First American Real Estate Solutions, 2002, Realty Atlas: Anne Arundel County Maryland

Drum, Loyka and Associates LLC, 2024 Variance Plan

U.S. Department of Agriculture, Natural Resource Conservation Service –2003 Soil Survey of Anne Arundel County Maryland.

State Highway Administration of Maryland, 1989. Generalized Comprehensive Zoning Map: Third Assessment District

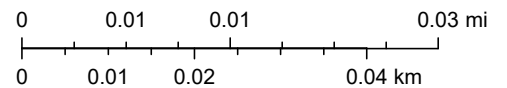
Anne Arundel County Engineering Record Drawing and Monuments



5/24/2024, 3:20:26 PM

1:1,128

- | | | |
|-------------------|-----------------------|-----------------|
| Topo_2020 | ○ Address Points | — Water Service |
| — Index | ▭ Parcels | — Water Pipes |
| — Intermediate | Water (Fire) Hydrants | |
| Local Road Label | ▲ Public Hydrant | |
| ▭ County Boundary | ⊙ Water Meter Vaults | |



Esri Community Maps Contributors, County of Anne Arundel, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Anne Arundel County

THE COUNTY MAKES NO AND DISCLAIMS ALL EXPRESS AND IMPLIED WARRANTIES RELATING TO THE MATERIAL, INCLUDING WARRANTIES OF MERCHANTABILITY, INTEGRATION,



Jennifer Esposito -DNR- <jennifer.esposito@maryland.gov>

CAC Comments_2024-0089-V Evans (AA 128-24); 2024-0102-V Klink (AA 132-24)

Jennifer Esposito <jennifer.esposito@maryland.gov>
To: Sadé Medina <pzmedi22@aacounty.org>
Cc: Charlotte Shearin -DNR- <charlotte.shearin@maryland.gov>

Mon, Jun 10, 2024 at 3:19 PM

Good afternoon,

The Critical Area Commission has reviewed the following variances and appropriate mitigation is required:

- 2024-0089-V; Evans (AA 128-24);
- 2024-0102-V; Klink (AA 132-24);

Thank you for the opportunity to provide comments. If you have any questions or concerns, please let me know.

The above comments have been uploaded to the County's online portal.



 facebook_logo.jpg

 twitter_logo.jpg

dnr.maryland.gov/criticalarea

Jennifer Esposito

Critical Area Commission for the
Chesapeake & Atlantic Coastal Bays

1804 West Street, Suite 100

Annapolis, MD 21401

Office: 410-260-3468

(In office: Mon., Wed., Friday)

Cell: 443-569-1361

(Teleworking: Tues., Thurs.)

jennifer.esposito@maryland.gov

2024-0102-V - steep slopes

Menu Cancel Help

Task Details **OPZ Critical Area Team**

Assigned Date

05/31/2024

Assigned to

Kelly Krinetz

Current Status

Complete w/ Comments

Action By

Kelly Krinetz

Comments

A variance is not required for the disturbance necessary to remove a structure from steep slopes and associated buffers nor does the removal justify future development. The proposed expansion of the home could be designed to avoid disturbance to the slopes and and required buffer and therefore cannot be supported.

End Time

Billable

No

Time Tracking Start Date

In Possession Time (hrs)

Estimated Hours

0.0

Comment Display in ACA

- All ACA Users
- Record Creator
- Licensed Professional
- Contact
- Owner

Due Date

06/21/2024

Assigned to Department

OPZ Critical Area

Status Date

06/10/2024

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

OPZ Critical Area

Est. Completion Date

Display E-mail Alerts

Display Comments

Task Specific Information

Expiration Date

Reviewer Phone Number

Review Notes

Reviewer Email

Reviewer Name

2024-0102-V - steep slopes

Menu Cancel Help

Task Details **OPZ Cultural Resources**

Assigned Date

05/31/2024

Assigned to

Stacy Poulos

Current Status

Complete w/ Comments

Action By

Stacy Poulos

Comments

This property includes an undocumented, historic structure from the early 20th century. Our office will need to conduct our review once the demolition permit application is submitted. A site visit with photo-documentation may be required prior to approval. Please contact the Historic Sites Planner, Darian Beverungen, pzbeve19@aacounty.org with any questions.

End Time

Billable

No

Time Tracking Start Date

In Possession Time (hrs)

Estimated Hours

0.0

Comment Display in ACA

- All ACA Users
- Record Creator
- Licensed Professional
- Contact
- Owner

Due Date

06/21/2024

Assigned to Department

OPZ Cultural Resources

Status Date

06/14/2024

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

OPZ Cultural Resources

Est. Completion Date

Display E-mail Alerts

Display Comments

Task Specific Information

Expiration Date

Reviewer Phone Number

Review Notes

Reviewer Email

Reviewer Name



ANNE
ARUNDEL
COUNTY


MARYLAND
DEPARTMENT OF HEALTH

J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

Tonii Gedin, RN, DNP
Health Officer

MEMORANDUM

TO: Sadé Medina, Zoning Applications
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager
Bureau of Environmental Health 

DATE: June 5, 2024

RE: David Klink
509 Norwich Road
Severna Park, MD 21146

NUMBER: 2024-0102-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling with disturbance to slopes of 15% or greater and with less setbacks than required.

The Health Department has reviewed the on-site sewage disposal and water supply system for the above referenced property. The Health Department has determined that the proposed request adversely affects the on-site sewage disposal. The Health Department recommends denial of the above referenced request. The proposed addition eliminates future septic replacement area

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay

2024-0102-V - steep slopes

Menu Cancel Help

Task Details **Land P Engineering**

Assigned Date

06/02/2024

Assigned to

Habtamu Zeleke

Current Status

Complete w/ Comments

Action By

Habtamu Zeleke

Comments

Variance Requested: Variance to allow a dwelling with disturbance to slopes of 15% or greater and with less setbacks than required.

Comments:

1. This reviewer is unclear what type of SWM practice (s) are proposed. Per 6.1.4 (G) of the County Stormwater Practices and
2. Procedure's manual, SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resources including, steep slopes and buffers.
3. Please review existing vegetation (or lack thereof) within the steep slopes; opportunities to supplement vegetation or replanting buffers with native vegetation should be reviewed and provided to enhance water quality.
4. Provide a qualified professional review of the condition of suitability steep slopes; ensure the proposed improvement including
5. quality and other limits do not adversely impact the intensity of the slope and can cause slope failure.
6. A soil boring is required per practice. The suitability, and siting of proposed SWM practices should be reviewed. Soil boring
7. information including verification of the suitability of in-situ soils for infiltration shall be submitted. Describe the site's hydrologic, and topographic characteristics and provide recommendations on the feasibility of various BMPs.
8. Based on the plan provided, it appears that the property will be served by private septic and public water.
9. The stormwater management, utility/Engineering design review approval for the site shall occur at the grading permit stage.
10. Based on the above comments and proposed site design, this office does not support this request.

End Time

Billable

No

Time Tracking Start Date

In Possession Time (hrs)

Estimated Hours

0.0

Comment Display in ACA

- All ACA Users
- Record Creator
- Licensed Professional
- Contact
- Owner

Task Specific Information

Due Date

06/21/2024

Assigned to Department

Engineering

Status Date

06/20/2024

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

Engineering

Est. Completion Date

Display E-mail Alerts

Display Comments

Expiration Date

Reviewer Phone Number

Review Notes

Reviewer Email

Reviewer Name

509 Norwich Road (2024-0102-V)



Legend

Foundation


Addressing



Parcels



Parcels - Annapolis City



0 50 100 ft

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. DO NOT USE FOR NAVIGATION.

none

Notes