

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

**APPLICANT:** Barnett A. & Francine K. Rattner

**ASSESSMENT DISTRICT:** 2<sup>nd</sup>

**CASE NUMBER:** 2024-0081-V

**COUNCILMANIC DISTRICT:** 6<sup>th</sup>

**HEARING DATE:** July 30, 2024

**PREPARED BY:** Sara Anzelmo  
Planner



**REQUEST**

The applicants are requesting variances to allow accessory structures (deck and pavilion) with less setbacks and buffer than required and with disturbance to slopes of 15% or greater on property located at 424 Forelands Road in Annapolis.

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**LOCATION AND DESCRIPTION OF SITE**

The subject property consists of approximately 2.72 acres of land and is accessed via a private right-of-way extending from the north side of Forelands Road. It is identified as Parcel 154 in Grid 11 on Tax Map 50.

The property is split zoned. The vast majority of the parcel is zoned R2 – Residential District; however, there is a tiny area that is zoned OS – Open Space District located at the shoreline. The current zoning was adopted by the comprehensive zoning for Council District 6, effective October 7, 2011.

The lot fronts Broad Creek, lies entirely within the Chesapeake Bay Critical Area overlay, and is designated as primarily LDA – Limited Development Area with a tiny portion of RCA – Resource Conservation Area located at the shoreline. The shoreline is not mapped as buffer modified and is subject to the standard buffer regulations. The property is currently improved with a single-family detached dwelling and associated facilities, including a pool with a surrounding deck and gazebo. The property is served by a private septic system and water well.

**PROPOSAL**

The applicants intend to remove an irregularly-shaped elevated deck that partially surrounds the existing pool and to replace it with a new deck in a smaller footprint. They also wish to replace the existing 162 square foot gazebo, which is located on top of the deck, with a rectangular pavilion that is 168 square feet in size (12' by 14').

**REQUESTED VARIANCES**

§ 18-13-104(a) of the Anne Arundel County Zoning Code requires that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams, and tidal wetlands. § 18-13-104(b) provides for an expanded buffer where there are, among other

things, steep slopes. Section 17-8-301 of the Subdivision and Development Code states that development on properties containing buffers shall meet the requirements of Title 27 of the State Code of Maryland (COMAR). Section 27.01.01(B)(8)(ii) of COMAR states a buffer exists “to protect a stream, tidal wetland, tidal waters, or terrestrial environment from human disturbance.” Section 27.01.09 E.(1)(a)(ii) of COMAR authorizes disturbance to the buffer for a new development activity or redevelopment activity by variance. The proposal would necessitate a variance to disturb approximately 4,045 square feet of the expanded buffer, which includes the area required for access during construction.

§ 17-8-201(a) provides 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. The proposal would necessitate a variance to disturb slopes of 15% or greater. If approved, the actual amount of slope disturbance would be determined at the time of permitting.

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

## **FINDINGS**

The subject property is irregular in shape and far exceeds the minimum 20,000 square foot area and minimum 80-foot width required for a lot not served by public sewer in an R2 District. The existing critical area lot coverage is 17,658 square feet. The post-construction coverage would be reduced to 17,408 square feet, which falls below the maximum 17,814 square feet (15%) allowed.

The applicants’ letter explains that the deck is in need of replacement due to its age. They also note that the new deck would match the footprint of the existing deck; however, it would be reduced in size by 250 square feet.

The **Critical Area Commission** took no position on the variance request, but commented that appropriate mitigation must be provided.

The **Development Division (Critical Area Team)** has no objection to in-kind replacement/reduction of the existing improvements provided required mitigation occurs on site to enhance the existing buffer to the extent possible.

The **Department of Health** has reviewed the onsite sewage disposal and well water supply system for the subject property and has determined that the request would not adversely affect these systems. The Department has no objection to the proposed zoning variance. However, the applicants must also submit a Health Department variance request to allow the proposed deck with less than the required 30’ distance between the deck and the water well.

The **Soil Conservation District** reviewed the proposal and provided no comment.

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. In this case, the property is subject to standard buffer/expanded buffer requirements, and the lot is

encumbered with steep slopes and their buffers throughout, especially in the area between the existing improvements and the shoreline. It is impossible to replace the failing deck without buffer and slope disturbance. As such, a literal interpretation of the County's Critical Area Program would deprive the applicants of rights that are commonly enjoyed by other properties in similar areas by preventing much-needed repairs of their existing improvements.

The granting of a critical area variance would not confer on the applicants a special privilege that would be denied by COMAR, Title 27. 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 proper mitigation, the variance would not adversely affect water quality or impact fish, wildlife, or plant habitat and would be in harmony with the general spirit and intent of the County's Critical Area Program. The applicants have overcome the presumption that the specific development does not conform to the general purpose and intent of the Critical Area law and have evaluated and implemented site planning alternatives by reducing the deck size in response to County pre-file comments.

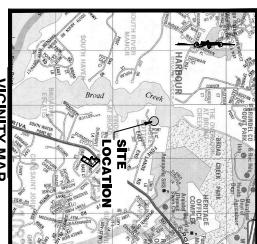
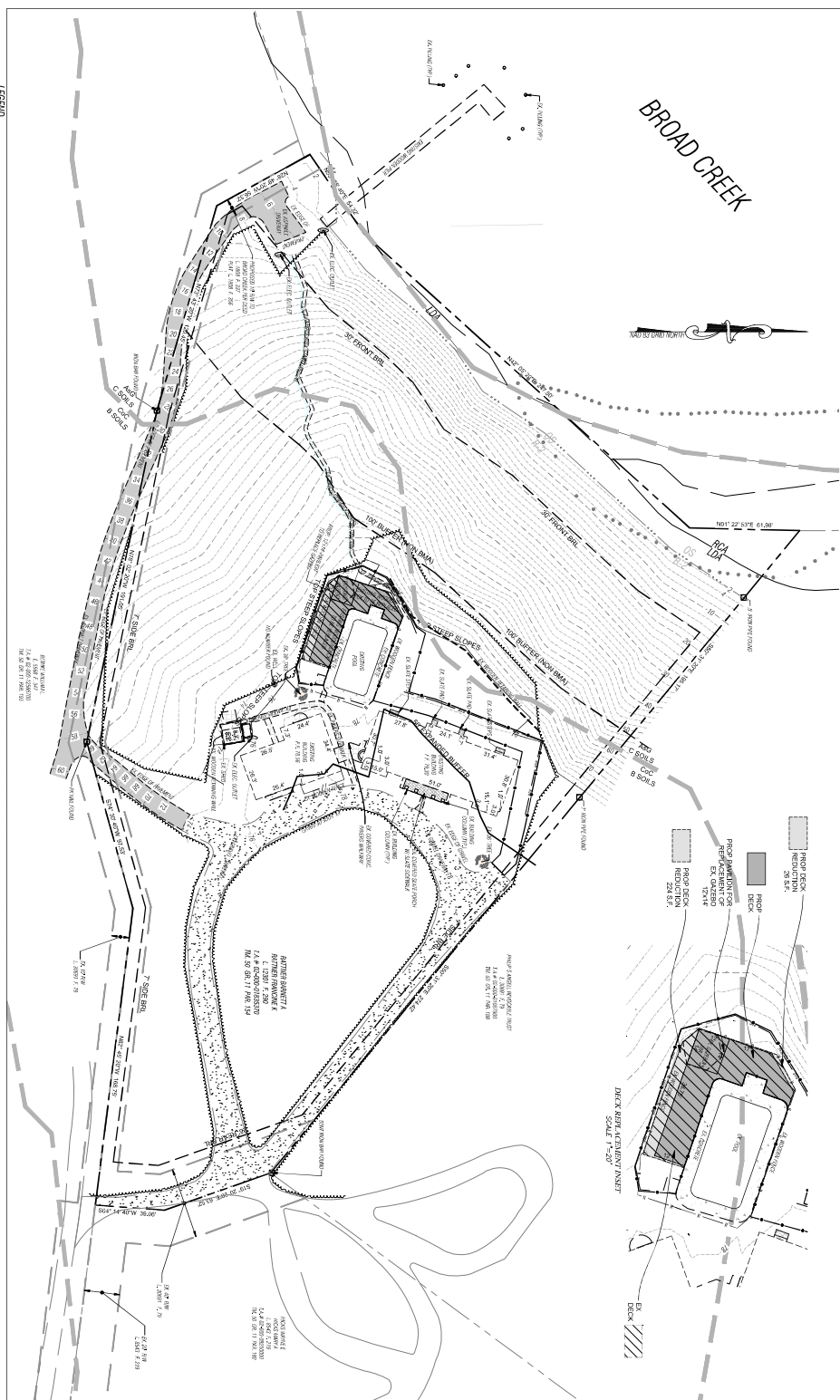
With regard to the requirements for all variances, approval would not alter the essential character of the neighborhood, substantially impair the appropriate use or development of the adjacent properties, reduce forest cover in the limited development area, be contrary to acceptable clearing and replanting practices, or be detrimental to the public welfare.

There is no way to replace the deteriorating deck and associated gazebo without expanded buffer and slope disturbance. The applicants' proposal would reduce the existing deck size by 250 square feet, improving upon the existing conditions and minimizing the requested variances. As such, the proposal is considered to be the minimum necessary to afford relief.

### **RECOMMENDATION**

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends ***approval*** of the proposed Critical Area variances to § 17-8-301 and § 17-8-201(a) to allow accessory structures (deck and pavilion) with less buffer than required and with disturbance to slopes of 15% or greater.

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.

[illegible][illegible]

**MESSICK & ASSOCIATES \***  
CONSULTING ENGINEERS,  
PLANNERS AND SURVEYORS



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ANAPOLIS, MARYLAND 21401  
(410) 286-2312 • FAX (410) 286-3502  
email: [eng@messickandassociates.com](mailto:eng@messickandassociates.com)

\*MEMBER OF THE CONSULTING ENGINEERS' ASSOCIATION OF MARYLAND

**PROFESSOR, GENTLE, THE LIBRARY CARRY THAT THESE COORDINATES WERE PREPARED ON APPROPRIATE BY THE AND HAVE /MA CARRY THESE PROFESSOR, LIBRARY UNDER THE LIVES OF THE STATE OF MASSACHUSETTS.**

**LIBRARY NO. 27911, LIBRARY NO. 105, 10525**

**OWNERS:** BARNETT & PHILLIPS PARTNERS  
424 FORELAND ROAD  
ANNAPOLIS, MD 21401  
TEL: 410-555-5555  
E: [barnettph@bnp.com](mailto:barnettph@bnp.com)

**DEVELOPER:** BARNETT & PHILLIPS PARTNERS  
424 FORELAND ROAD  
ANNAPOLIS, MD 21401  
TEL: 410-555-5555  
E: [barnettph@bnp.com](mailto:barnettph@bnp.com)

**VARIANCE SITE PLAN**

**RATIFIER PROPERTY**

VARIANCE SITE PLAN  
424 FORELANDS RD  
ANNAPOLIS, MD 21401

TAX MAP: 05 0810, 11 PARCELS: 154  
SECOND ASSESSMENT DISTRICT: 0  
SCHOOL DISTRICT: 05 08100

TAX ACCOUNT: 05081001540037  
ANNE ARUNDEL COUNTY, MARYLAND  
DATE: APRIL 2024  
SHEET: 1 OF 1

### VARIANCE REQUESTS

- (2) (b) DEVELOPMENT ON PROPERTIES CONTAINING BUFFERS. DEVELOPMENT ON PROPERTIES CONTAINING BUFFERS SHALL MEET THE REQUIREMENTS OF COMAR TITLE 27, DISTURBANCE IN THE BUFFER OR EXPANDED BUFFER IS NOT PERMITTED.

(ii) DEVELOPMENT IN THE LID, DEVELOPMENT IN THE LIMITED DEVELOPMENT AREA (LDA) OR IN

DEVELOPMENT WILL FACILITATE STABILIZATION OF THE SLOPE, IS TO ALLOW CONNECTION TO A PUBLIC UTILITY, OR IS TO PROVIDE DIRECT ACCESS TO THE SHORELINE. ALL DISTURBANCE SHALL BE LIMITED TO THE AREA OF THE PROJECT.

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SECRET - EYES

VARIANCE EST. DI AN  
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424 FORELANDS RD

ANIRAPOLIS, MD 21401

[illegible]

SECOND ASSESSMENT DISTRICT

ANNE ARUNDEL COUNTY, MD

項目	金額	金額	金額
1. 基本情報	1.1 会社名	1.2 業種	1.3 業態
2. 経営方針	2.1 経営理念	2.2 経営方針	2.3 経営戦略
3. 経営体制	3.1 経営体制	3.2 経営体制	3.3 経営体制
4. 経営成果	4.1 経営成果	4.2 経営成果	4.3 経営成果
5. 経営課題	5.1 経営課題	5.2 経営課題	5.3 経営課題
6. 経営展望	6.1 経営展望	6.2 経営展望	6.3 経営展望
7. 経営評価	7.1 経営評価	7.2 経営評価	7.3 経営評価
8. 経営改善	8.1 経営改善	8.2 経営改善	8.3 経営改善
9. 経営支援	9.1 経営支援	9.2 経営支援	9.3 経営支援
10. 経営その他	10.1 経営その他	10.2 経営その他	10.3 経営その他



April 19, 2024

Anne Arundel County  
Office of Planning & Zoning  
2664 Riva Road  
Annapolis, Maryland 21401  
Attention: Ms. Sterling Seay

Re: VARIANCE REQUEST  
RATTNER PROPERTY  
424 FORELANDS ROAD  
ANNAPOLIS, MD 21401

Dear Ms. Seay:

On behalf of the applicants, we respectfully request a variance to Article 17-8-201(a) which states in part that 15% slopes or greater in the LDA shall not be disturbed. A variance is also requested to Article 18-12-104(b)(1) which states there is an expanded buffer to the top of steep slopes in a non buffer modified area. The lot is developed with dwelling and associated improvements. This lot meets the definition of a buildable lot, subject to the approvals of the County. The property is 118,761 square feet in area. The site is served by well and septic. It is served by private rights of way from Forelands Road, a variable width private right of way. The site drains to the tidal waters of Broad Creek. The site is waterfront. The site is located in the LDA (Limited Development Area) of the Chesapeake Bay Critical Area. A small portion of RCA (Resource Conservation Area) is located in the northwest corner of the lot, however it appears that erosion has eliminated this area so there is no RCA on the site. The site is not located in a Buffer Modification area and is subject to a 50' expanded buffer due to the presence of steep slopes. The site is zoned R2 with a small portion of OS that is by the water and will not be impacted by this proposal.

The applicant wishes to remove an existing elevated deck that partially surrounds the existing pool, and replace with a new deck in a smaller footprint. They also wish to replace the 162 square foot gazebo which is on top of the deck with a different shaped gazebo that is approximately 168 square feet in size. The deck is in need of replacement due to age. To perform this work, there will be steep slope disturbance for slopes under and near the existing deck, and the deck is located in the expanded buffer. Construction access to the deck is also located in the expanded buffer. This disturbance is for access only and will provide no grading, cutting or filling in the expanded buffer. The new deck will match the footprint of the existing deck, however it will be reduced in size by 250 square feet. The deck is 1,179 square feet in size, and is considered lot coverage as it is not connected to the principal dwelling. The new deck will be 929 square feet in size. The southerly side of the deck, the owner is reducing the width by 4' along the entire length, for a reduction of 224 square feet. The deck on the northwest side will be reduced 1.46' to allow the owners better access to an existing path to the water. The site currently meets the underlying lot coverage requirements for a lot of this size in the LDA. Existing lot coverage is 17,658 square feet, and the allowable lot coverage is 17,814 square feet. As such, no reduction in lot coverage is required for this project. The disturbance required for replacement of the deck is under 5,000 square feet, and a Standard Grading Plan should suffice for the proposed work, should the variance be granted.

In regards to the Agency responses to the prefile, dated February 2024, the following is offered. Zoning noted that it was questionable that replacing an 'oversized' deck generally in kind is the minimum relief necessary. Replacing a failing deck, while does require variances, is really a safety and maintenance issue. However, the owners agreed to reduce the size of the deck by 250 square feet. The Critical Area Team noted that they had no objection to the replacement of the deck,

provided there was no expansion of the footprint. Initially the owners wished to square off the south west corner of the deck. This expansion has been removed from the proposal. It should be noted that under current code, as the deck is not attached to the principal dwelling it is considered lot coverage. It will be a drip through deck upon completion of the project, but is still lot coverage. There is a gazebo currently in place on the deck. The owners wish to replace this with what is essentially a roof on posts to give cover from the sun while enjoying this outdoor amenity. The current gazebo is 162 square feet in size, and the replacement structure would be 168 square feet in size. By Code, there is no increase in lot coverage due to the modest expansion of the gazebo. But if one were to consider this feature lot coverage, the overall reduction of 250 square feet of deck more than offsets a 6 square foot covered replacement structure.

The clients have been good stewards of the environment on their property, and only wish to replace the features noted above as they are failing. The owners in 2022 did some slope remediation procedures, and planted 1,000 square feet of mitigation planting to help stabilize and vegetatively improve the slope near the proposed work. This work helped stabilize the slope and add vegetation to the expanded buffer. The proposed work is part of keeping their property functioning in a positive manner.

This plan meets the intent of 18-16-305(a):

1. The subject property is 118,761 square feet in size, and it is zoned R2 and is encumbered by steep slopes over much of the waterfront portion of the site. The property has steep slopes from roughly the rear of the existing dwelling down to the community property. The site is subject to an expanded buffer. As such, there is no reasonable possibility of developing this property without relief to the Code.

2. The exceptional circumstances and practical difficulties in redeveloping the deck have been noted in #1 above to a large degree. The deck is old, potentially unsafe and in need of repair. Replacing it is the most ideal remediation due to the age and condition of the deck.

This plan also meets the intent of 18-16-305(b) for critical area variances.

1. What is peculiar about and inherent to this lot is that it is subject to an expanded buffer and is located almost entirely in steep slopes and their expanded buffer from the house to the water. Denial of a variance would be a hardship for the owners, as the deck has met its life expectancy and cannot be enjoyed by the owners in its current state. The work proposed creates a replacement for the existing deck with the minimal amount of disturbance.

2. A literal interpretation of COMAR would deny the owners use of the property enjoyed by others as the site has steep slopes and is subject to the expanded buffer, and there is no way to do the proposed work without disturbing the expanded buffer or steep slopes. As this deck is existing, for the owners to not be allowed to proceed would be a denial of rights commonly enjoyed by others. This proposal also will reduce lot coverage in the expanded buffer.

The site is not in a bog area.

3. This project will not confer special privileges to the owner, as the deck is old, and in need of replacement.

4. The request is not a result of actions of the owner. The steep slopes were there, the expanded buffer encumbers the portion of the site in which the deck is located, and the owners have not started work prior to the issuance of any permits.

5. This project will not result in a denigration of forest or water quality. The deck is considered lot coverage, but will be replaced in the same general footprint, and reduce lot coverage in the slopes and expanded buffer. as stormwater management will be provided as required by the Code, most likely by planting for stormwater mitigation, and any clearing must be mitigated for as per the Code. The amount of new lot coverage is -250 square feet.

6. This site is not in the bog buffer.

7. This plan meets the presumption, as the denial of this variance would deny the owners rights of other owners in the County. The development is not detrimental to the environment as there is no increase in lot coverage, and modern construction will make the project a benefit not a detriment to the area.

8. The applicant has tried alternative design. However, as this is replacement of a failing existing feature, the design alternatives are limited.

This plan meets the requirements of 18-16-305(c), as the proposal is the minimum relief necessary. The development will not impair the use of adjoining properties, nor reduce forest cover in the LDA or RCA. The work performed will not be contrary to clearing and replacement practices, and will not alter the character of the neighborhood or be detrimental to the public welfare.

1. The variance request is the minimum to afford relief. The request is the minimum to allow for construction of a replacement deck, with a reduction in lot coverage proposed.

2. i. This variance will not alter the essential character of the neighborhood. The new deck is in the same general footprint as the existing deck and will be located in the same general footprint.

ii. This variance will not impair the use of adjoining properties. The proposal will not impact neighbors. The new deck will be in the same location as the current deck.

iii. No tree clearing is proposed and any mitigation necessary during the permit process will not decrease tree cover in the LDA or RCA.

iv. No work will be performed contrary to approved clearing practices, as a permit will be required, and this permit must meet those requirements.

v. The project will not be detrimental to the public welfare, as it is located on private property.

This plan proposes the minimum relief necessary. The development will not impair the use of adjoining properties, nor reduce forest cover in the LDA or RCA. The work performed will not be contrary to clearing and replacement practices and will not alter the character of the neighborhood or be detrimental to the public welfare.

As this proposal is for construction in the same footprint, and disturbance has been minimized. A grading permit should not be required. It appears that this request is consistent with other development in this area. Denial of this request would not allow the owner to enjoy property rights common to other properties in this area.

The enclosed plan represents the location of the proposed work to the deck. In closing, the variances requested are the minimum necessary to afford relief, and is not based on conditions or circumstances that are a result of actions by the applicant. We thank for in advance for your consideration to this request.

If you have any questions, or if you require additional information, please feel free to contact me at 410-266-3212.

Sincerely,  
Messick and Associates

*Mike Gillespie*

Mike Gillespie  
Project Manager

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: 4-19-24

Tax Map #	Parcel #	Block #	Lot #	Section
50	11	154	—	—

FOR RESUBMITTAL ONLY

Corrections ☐

Redesign ☐

No Change ☐

Non-Critical Area ☐

\*Complete Only Page 1  
General Project Information

Tax ID: 02-000-01835370

Project Name (site name, subdivision name, or other) Rafter Property 424 Forelands

Project location/Address 424 Forelands Rd

City Annapolis Zip 21401

Local case number

Applicant: Last name Rafter First name Darne H. Rafter

Company

Application Type (check all that apply):

Building Permit ☐  
Buffer Management Plan ☐  
Conditional Use ☐  
Consistency Report ☐  
Disturbance > 5,000 sq ft ☐  
Grading Permit ☐

Variance ☒  
Rezoning ☐  
Site Plan ☐  
Special Exception ☐  
Subdivision ☐  
Other ☐

Local Jurisdiction Contact Information:

Last name AACo Zoning Administration Section First name

Phone # 410-222-7437 Response from Commission Required By TBD

Fax # Hearing date TBD

## SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Replace failing deck not attached to the dwelling with a new  
smaller deck

Yes  
Intra-Family Transfer ☐  
Grandfathered Lot ☒

Yes  
Growth Allocation ☐  
Buffer Exemption Area ☐

### Project Type (check all that apply)

Commercial ☐  
Consistency Report ☐  
Industrial ☐  
Institutional ☐  
Mixed Use ☐  
Other ☐

Recreational ☐  
Redevelopment ☐  
Residential ☒  
Shore Erosion Control ☐  
Water-Dependent Facility ☐

## SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area	-	-
LDA Area	2.726	118,761
RCA Area	-	-
Total Area	2.726	118,761

Total Disturbed Area 

Acres	Sq Ft
0.093	4,045

# of Lots Created 6

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	1.861	81,084	Existing Lot Coverage	0.405	17,658
Created Forest/Woodland/Trees	TBD	TBD	New Lot Coverage	0.021	929
Removed Forest/Woodland/Trees	0	0	Removed Lot Coverage	0.027	1,189
			Total Lot Coverage	17,408	0.420

## VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.093	4,045	Buffer Forest Clearing	0	0
Non-Buffer Disturbance	0	0	Mitigation	TBD	TBD

### Variance Type

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

### Structure

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

***CRITICAL AREA  
REPORT***

**424 FORELANDS ROAD  
ANNAPOLIS, MD 21401**

**April 2024**

Prepared for:  
Barnett & Francine Rattner

Prepared by:  
Messick and Associates  
7 Old Solomons Island Road  
Suite 202  
Annapolis, MD 21401



## INTRODUCTION

This site is a 118,761 square foot property that is located on the north and west of Forelands Road in Annapolis, MD. The proposal is to replace a failing wood deck on the property. The site is served by septic and well. The property is completely inside the Chesapeake Bay Critical Area Boundary and is designated as Limited Development Area (LDA) predominantly with a portion of RCA (Resource Conservation Area) that appears to have eroded away. The property is zoned residential, R-2 with a tiny portion of OS down near the shoreline.

## EXISTING USE

The property consists of 118,761 square foot property. The site is currently developed. The property is currently a residential lot developed with a house, driveway, deck, pool and associated improvements. The property is a corner lot located off a private right of way to Forelands Road.

## SURROUNDING LAND USE

The properties that abut the site are relatively large, developed as single-family lots. The general area is developed as single-family lots. The site is bounded by a developed property to the north, south and east with tidal waters of Broad Creek to the west.

## PROPOSED WORK

The owners wish to replace an existing failing wood deck on the property. The deck is not attached to the dwelling, and as such is lot coverage. The work to replace the deck and to access it for construction will require disturbance to a small area of steep slopes. All work is taking place in the expanded buffer. The owners have reduced the size of the deck from what currently exists.

## SOILS

The U.S. Department of Agriculture Soil Survey, defines the property to have a soil type of AsG – Annapolis Fine Sandy Loam, 40 TO 80% Slopes (C Soils) and CoC – Collington-Wist complex 5-10% slopes.

## FLOODPLAIN

The property described hereon is located in the flood hazard zones "X" - (area of minimal flood hazard) and zone AE EI=5' as delineated on the firm flood insurance map #24003C0227F dated February 18, 2015 for said county and distributed by the Federal Emergency Management facility.

## NON-TIDAL WETLANDS

There appear to be no Non Tidal Wetlands on the site.

## TIDAL WETLANDS

There appear to be no Tidal Wetlands on this site.

## BODIES OF WATER

The site drains into Broad Creek.

## STEEP SLOPES

A large portion of the site, predominantly between the dwelling and the shoreline is steep slopes.

## RARE AND ENDANGERED SPECIES

A review of Federal and/or State listed species of rare, threatened or endangered species of plants or animals has been requested via the enclosed letter to Lori Byrne of the Maryland Department of Natural Resources Fish, Heritage and Wildlife Administration.

## STORMWATER MANAGEMENT

Stormwater management will be provided as required during the permit process.

## FOREST COVER

The existing forest cover is limited to a few overstory trees. The understory is mostly lawn. The following are typical trees of areas such as this site:

<u>Common Name</u>	<u>Scientific Name</u>
Black Locust	<i>Robinia pseudoacacia</i>
Eastern Sycamore	<i>Platanus occidentalis</i>
American Holly	<i>Ilex opaca</i>
Beech	<i>Fagus grandifolia</i>
White Poplar	<i>Populus alba</i>
Mountain Laurel	<i>Kalmia latifolia</i>

## WILDLIFE TYPICAL OF THIS AREA

<u>Common Name</u>	<u>Scientific Name</u>
--------------------	------------------------

Eastern Gray Squirrel  
Blue Jay

*Sciurus Carolinensis*  
*Cyanocitta Cristata*

Common Crow

*Corvus Brachythynchos*

Northern Cardinal

*Richmondia Cardinalis*

## SITE CALCULATIONS

1. Total Site area.....118,761 sq. ft.
2. Site area in Critical area.....118,761 sq. ft.
3. Existing lot coverage .....17,658 sq. ft.
4. Lot coverage to be removed.....1,179 sq. ft.
4. Proposed lot coverage .....929 sq. ft.
5. Total Lot Coverage after Construction...17,408 sq. ft.
6. Proposed Disturbed Area.....4,045 sq. ft.

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 - 02 Subdivision - 000 Account Number - 01835370

**Owner Information**

Owner Name: RATTNER BARNETT A Use: RESIDENTIAL  
RATTNER FRANCINE K Principal Residence: YES  
Mailing Address: 424 FORELANDS RD Deed Reference: /12301/ 00290  
ANNAPOLIS MD 21401-7246

**Location & Structure Information**

Premises Address: 424 FORELANDS RD Legal Description: 2.83 ACRES  
ANNAPOLIS 21401-0000 424 FORELANDS RD  
Waterfront RIVA

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:  
0050 0011 0154 2070050.02 000 2024 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use  
1967 3,293 SF 2.8300 AC

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements  
1 NO STANDARD UNITBRICK/ 4 3 full/ 1 half

**Value Information**

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2024	07/01/2023	07/01/2024
Land:	728,400	728,400		
Improvements	261,800	363,200		
Total:	990,200	1,091,600	990,200	1,024,000
Preferential Land:	0	0		

**Transfer Information**

Seller: CURIMBABA, LUIS R Date: 12/19/2002 Price: \$879,993  
Type: ARMS LENGTH IMPROVED Deed1: /12301/ 00290 Deed2:  
Seller: GILBERT, ELZIE Date: 01/26/1998 Price: \$449,850  
Type: ARMS LENGTH IMPROVED Deed1: /08260/ 00290 Deed2:  
Seller: Date: Price:  
Type: Deed1: 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

**Special Tax Recapture: None****Homestead Application Information**

Homestead Application Status: Approved 01/13/2009

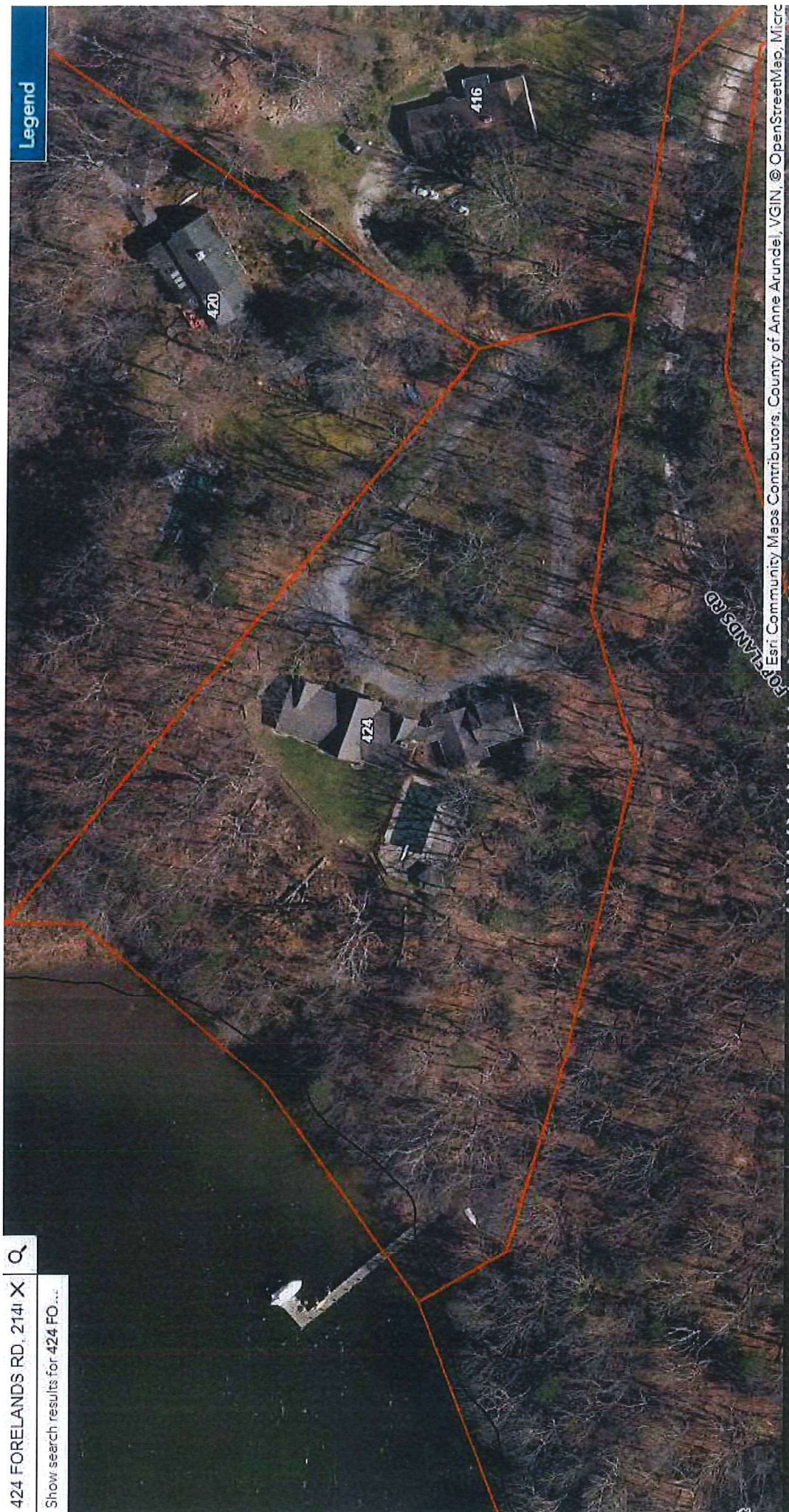
**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application Date:



424 FORELANDS RD, 2141 X Q

Show search results for 424 FO...



Legend

Esri Community Maps Contributors, County of Anne Arundel, VGIN, © OpenStreetMap, Micro



♂

♂



♂



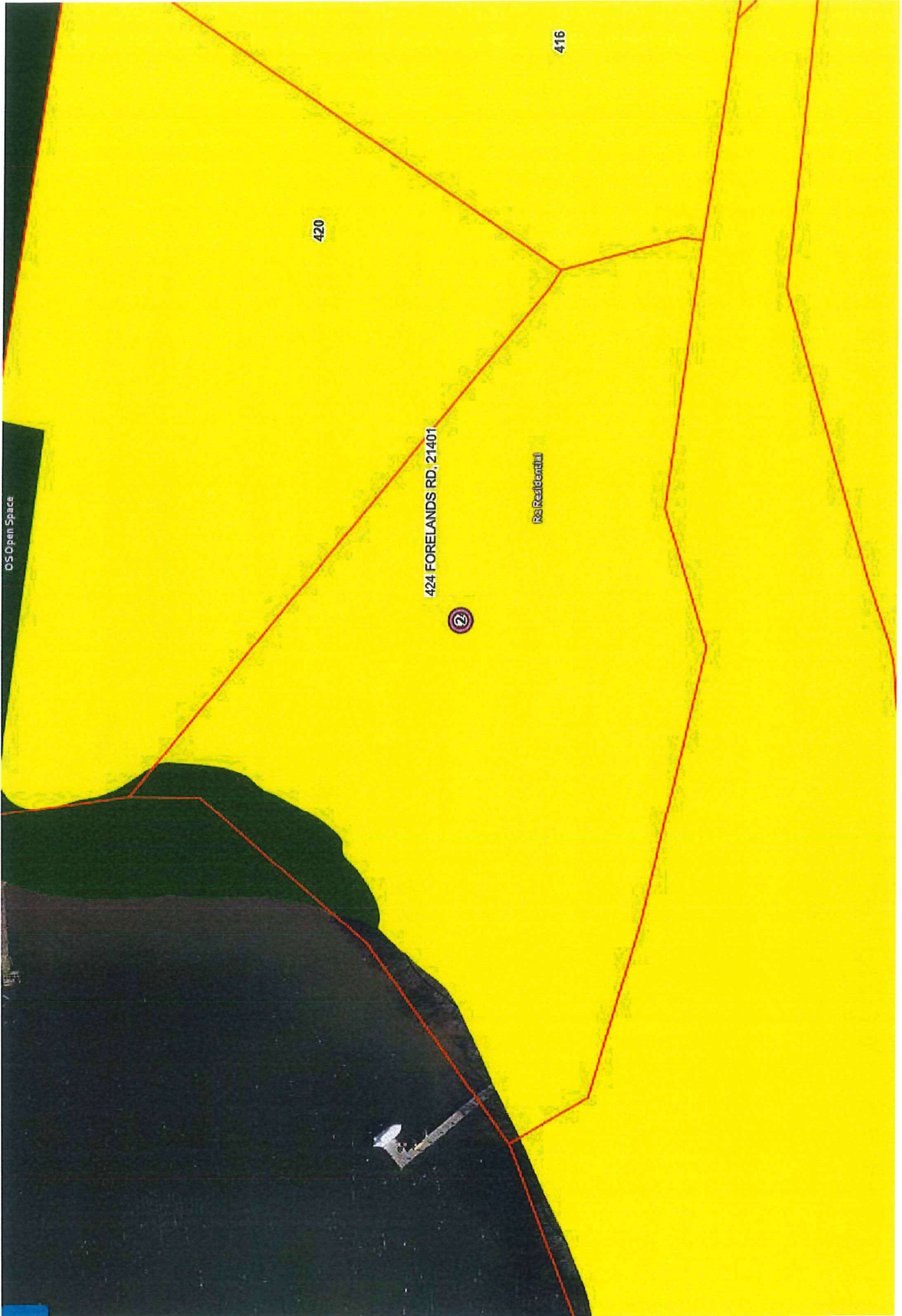
OS Open Space

420

416

424 FORELANDS RD, 21401

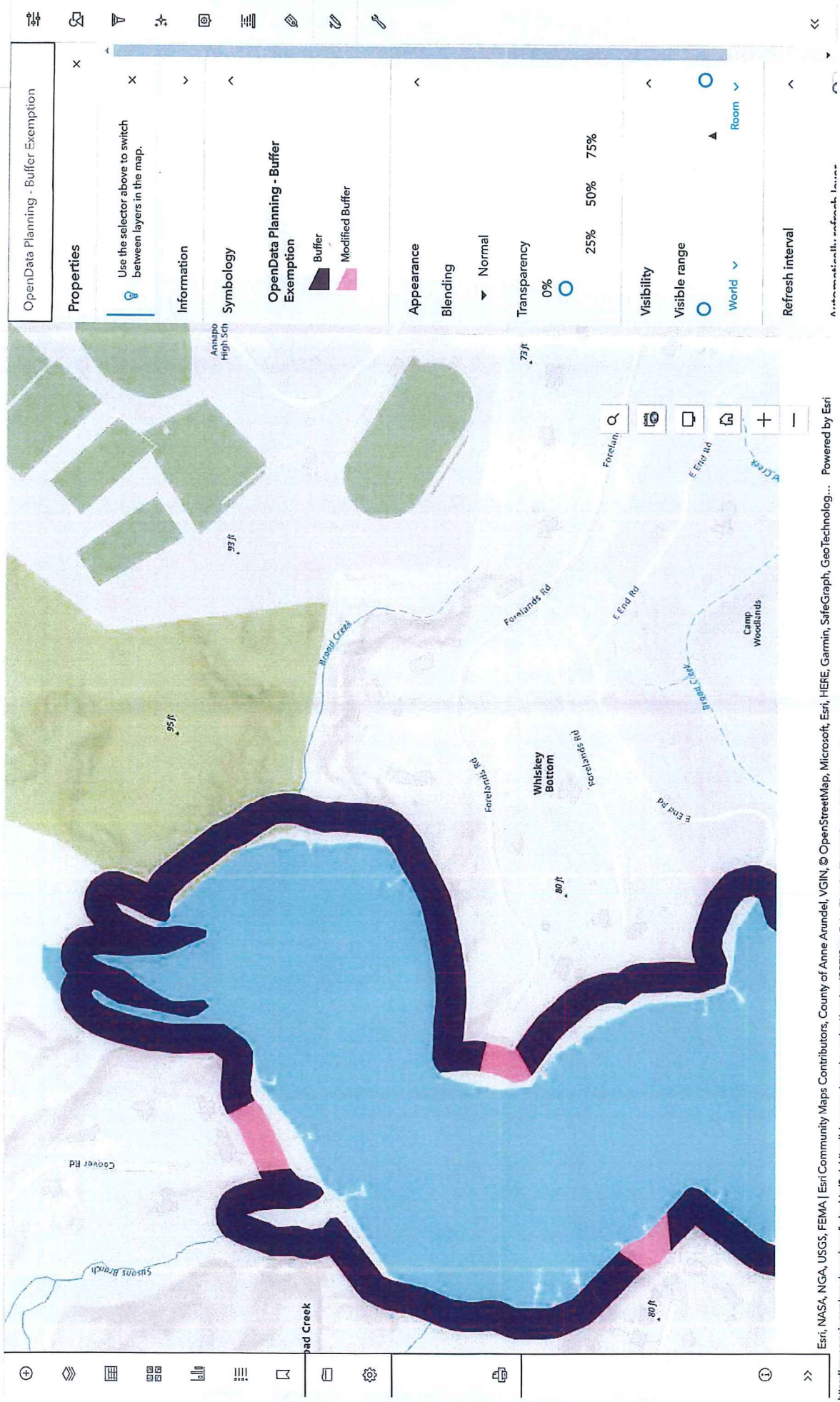
R2 Residential













# National Flood Hazard Layer FIRMette



76°34'35"W 38°58'37"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Without Base Flood Elevation (BFE)  
*Zone A, V, A99*

With BFE or Depth *Zone AE, AO, AH, VE, AR*

Regulatory Floodway

SPECIAL FLOOD HAZARD AREAS

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*

Future Conditions 1% Annual Chance Flood Hazard *Zone X*

Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*

Area with Flood Risk due to Levee *Zone D*

NO SCREEN

Area of Minimal Flood Hazard *Zone X*

Effective LOMRS

Area of Undetermined Flood Hazard *Zone D*

Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance

Water Surface Elevation

Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

OTHER FEATURES

Digital Data Available

No Digital Data Available

Unmapped

MAP PANELS

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

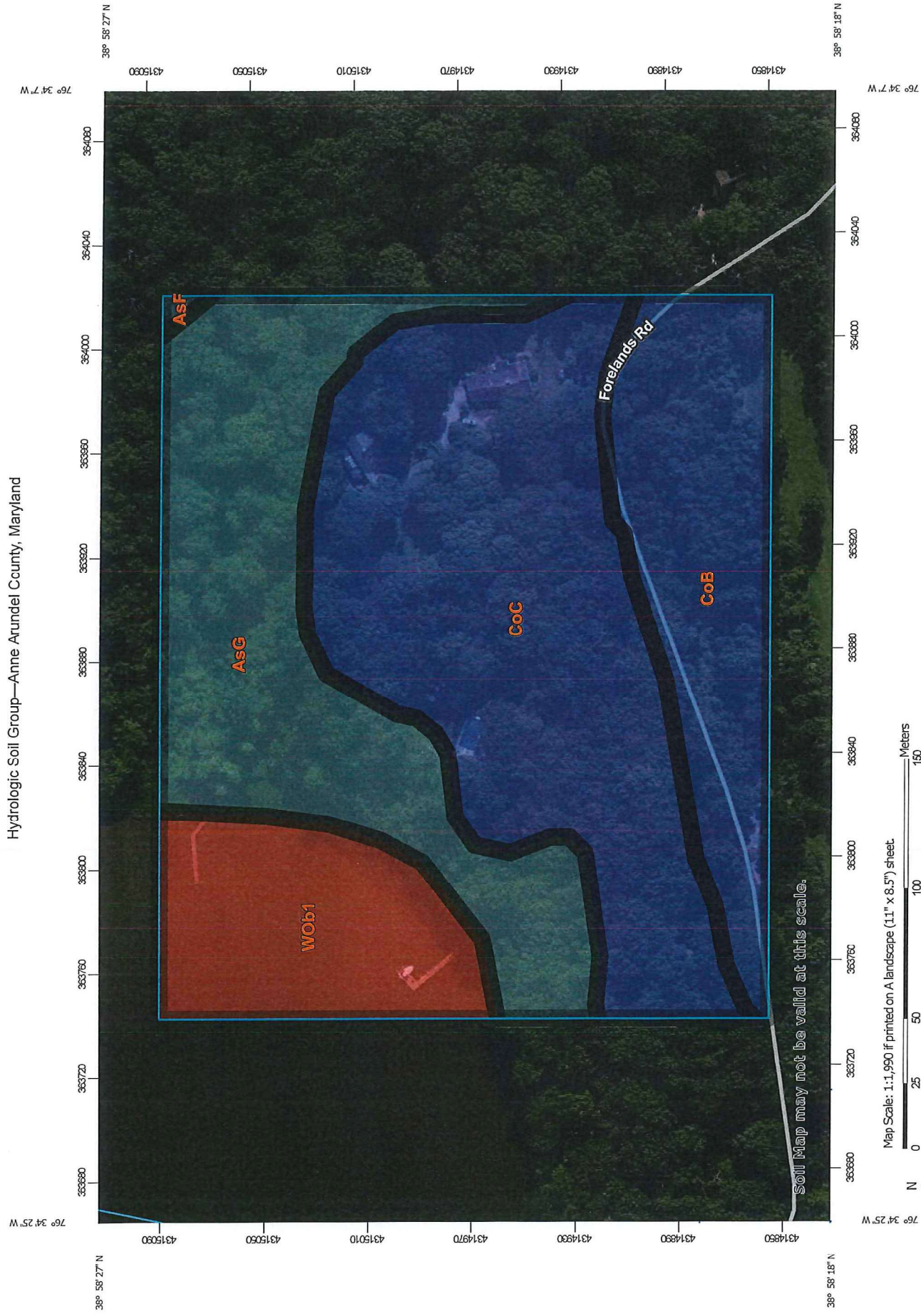
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/9/2024 at 10:27 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



# Hydrologic Soil Group—Anne Arundel County, Maryland

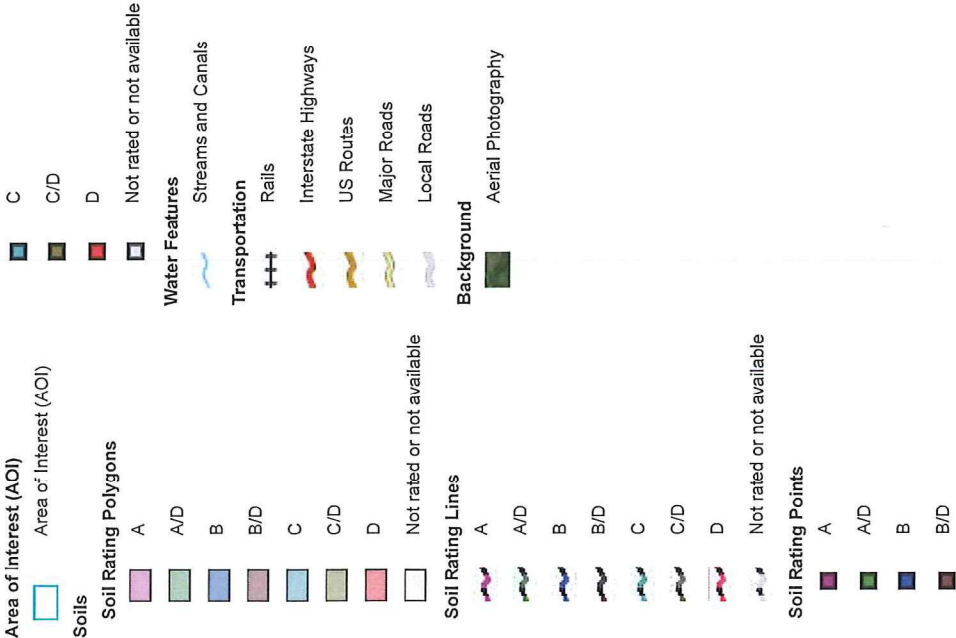


Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

2/9/2024  
Page 1 of 4

MAP LEGEND



MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Anne Arundel County, Maryland  
Survey Area Data: Version 22, Sep 12, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 20, 2022—Aug 13, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
AsF	Annapolis fine sandy loam, 25 to 40 percent slopes	C	0.0	0.2%
AsG	Annapolis fine sandy loam, 40 to 80 percent slopes	C	4.7	28.8%
CoB	Collington-Wist complex, 2 to 5 percent slopes	B	2.9	18.1%
CoC	Collington-Wist complex, 5 to 10 percent slopes	B	6.4	39.5%
WOb1	Overboard loam, 0 to 1 meter water depth	D	2.2	13.3%
<b>Totals for Area of Interest</b>			<b>16.2</b>	<b>100.0%</b>

## Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher



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

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## CAC Comments: 2024-0078-V Bentley, 2024-0080-V Beatley, 2024-0081-V Rattner, 2024-0085-V Beer

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Jennifer Esposito <jennifer.esposito@maryland.gov>

Fri, May 10, 2024 at 4:01 PM

To: Sadé Medina <pzmedi22@aacounty.org>

Good afternoon,

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

- 2024-0078-V; Bentley (AA 102-24);
- 2024-0080-V; Beatley (AA 103-24);
- 2024-0081-V; Rattner (AA 104-24); and
- 2027-0085-V; Beer (AA 110-24)

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](https://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)

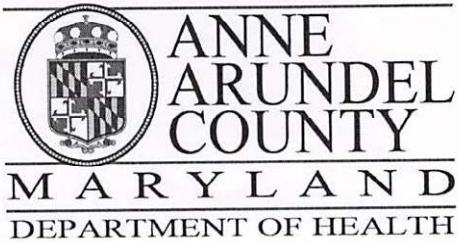
Cell: 443-569-1361

(Teleworking: Tues., Thurs.)

[jennifer.esposito@maryland.gov](mailto:jennifer.esposito@maryland.gov)

2024-0081-V

<div>Menu</div>		<div>Cancel</div>	<div>Help</div>
<div>Task</div> <div>OPZ Critical Area Team</div> <div>Assigned to Department</div> <div>OPZ Critical Area</div> <div>Action by Department</div> <div>OPZ Critical Area</div> <div>Start Time</div>		<div>Due Date</div> <div>05/15/2024</div> <div>Assigned to</div> <div>Kelly Krinetz</div> <div>Action By</div> <div>Kelly Krinetz</div> <div>End Time</div>	<div>Assigned Date</div> <div>04/24/2024</div> <div>Status</div> <div>Complete w/ Comments</div> <div>Status Date</div> <div>04/25/2024</div> <div>Hours Spent</div> <div>0.0</div> <div>Comments</div> <div>No objection to in kind replacement/reduction of the existing improvements provided required mitigation occurs on site to enhance the existing buffer to the extent possible.</div> <div>In Possession Time (hrs)</div> <div>Comment Display in ACA</div> <div><div><input checked="" type="checkbox"/> All ACA Users</div><div><input checked="" type="checkbox"/> Record Creator</div><div><input checked="" type="checkbox"/> Licensed Professional</div><div><input checked="" type="checkbox"/> Contact</div><div><input checked="" type="checkbox"/> Owner</div></div> <div>Workflow Calendar</div>
<div>Billable</div> <div>No</div>	<div>Overtime</div> <div>No</div>		
<div>Time Tracking Start Date</div> <div>Display E-mail Address in ACA</div> <div>No</div>	<div>Est. Completion Date</div> <div><input checked="" type="checkbox"/> Display Comment in ACA</div>		
<div>Estimated Hours</div> <div>0.0</div>	<div>Action</div> <div>Updated</div>		
<div>Task Specific Information</div>			
<div>Expiration Date</div> <div>Reviewer Phone Number</div>		<div>Review Notes</div> <div>Reviewer Email</div>	<div>Reviewer Name</div>



J. Howard Beard Health Services Building  
3 Harry S. Truman Parkway  
Annapolis, Maryland 21401  
Phone: 410-222-7193 Fax: 410-222-7479  
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 *BC*  
Sanitary Engineering Program

DATE: May 1, 2024

CASE  
NUMBER: 2024-0081-V  
Barnett A. Rattner  
424 Forelands Road  
Annapolis, MD 21401

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow an accessory structure with less setbacks and buffer than required and with disturbance to slopes of 15% or greater. The Health Department offers the following comments:

The Health Department has reviewed the on-site sewage disposal and well water supply system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal and well water supply systems. The Health Department has no objection to the above referenced request. The Health Department will need a variance request for the deck not meeting the minimum separation of 30' to the water well.

If you have further questions or comments, please contact Brian Chew at 410-222-7024.

cc: Sterling Seay



to...

