



Benjamin S. Wechsler ✦ 443-949-3041 ✦ bwechsler@yvslaw.com

June 12, 2024

Ms. Sterling Seay, Planning Administrator  
Zoning Division  
Anne Arundel County  
Office of Planning and Zoning  
2664 Riva Road, Third Floor (MS 6301)  
Annapolis MD 21401

Re: 1054 Trails End Road – Critical Area and Zoning Variances  
Letter of Explanation in Support of Variance Applications

Dear Ms. Seay:

This Firm represents Kavita Krishnakant Patel and Basit Iqbal Chaudhry, Trustees of The Basit Iqbal Chaudhry Living Trust Dated July 31, 2019 (collectively, the “Applicant”), the owners of the property known as 1054 Trails End Road, Pasadena, Maryland (the “Property”).<sup>1</sup> The Applicant is seeking to construct modest improvements to their home to enhance its current use as a family home.

We are filing the enclosed application pursuant to § 18-16-305(b) and (c) of the Anne Arundel County Code (the “Code”) for the purpose of requesting critical area variances (for impacts to the buffer), as well as a zoning variance associated with a rear yard setback. The proposed improvements consist of adding roof dormers, adding and reconfiguring deck support posts, reconfiguring and expanding the deck, and enclosing an existing porch.

This variance request is extremely small. The Property currently is improved by a home that was custom designed and built for a retired couple. The Applicant is the new owner and seeks to make modest improvements to the home to make it safer and more appropriate for their young family. Specifically, the Applicant proposes to reconfigure a deck (requiring new footers for support), to enclose a patio that is already completely impervious, and to make some changes to the roof (changes that will not add any lot coverage). The development proposal consists of adding less than 4.29 square feet of new impervious surfaces, all of which will be offset by a reduction of lot coverage elsewhere on the Property, resulting in a net **reduction** of approximately 63 square feet of lot coverage.

### **THE PROPERTY**

The Property is zoned R2 with a lot size of 26,810 square feet (0.62 acres). The current home footprint is approximately 4,643.4 square feet, an overage of 621.9 square feet. The Property is waterfront on the Magothy River, just before Broad Creek and is located entirely within the Critical Area with a designation as LDA – Limited Development Area and a small portion of RCA –

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<sup>1</sup> This home is widely known as the “Becker Residence” that was the subject of *Becker v. Anne Arundel County*, 174 Md. App. 114 at 132-33 (2007).

Resource Conservation Area (which will remain unimproved). The Property is mapped as both Buffer Modification Area and Non-Buffer Modification Area, the entirety of both the existing and proposed improvements are within the Non-BMA portion of the site as shown on the site plan attached hereto as Exhibit A. In addition, the Applicant is proposing to remove a large portion of a concrete walkway under the existing deck, resulting in an overall reduction in lot coverage.

### **THE PROPOSED IMPROVEMENTS AND REQUIRED VARIANCE RELIEF**

The Applicant is proposing to improve the Property with a few modest changes. A site plan and renderings of the proposed addition are included in Exhibit A. The site plan also contains details regarding the proposed variances. As further explained below, several of the proposed improvements only require a variance due to the fact that the entire Property is located within the 100-foot buffer: no actual new disturbance or lot coverage is actually being proposed in several areas. Rather, it is the internal reconfiguration (such as changing an existing roof line) that is triggering the need for a variance.

The proposed improvements will result in a reduction of lot coverage of +/-63 square feet. The improvements will not result in an increase in lot coverage. The proposed improvements are no closer to the water than the existing improvements and will not negatively impact forest, habitat, or water quality.

The Applicant is requesting the following variance relief:

1. A critical area variance request for 2.72 square feet of permanent buffer disturbance pursuant to 18-13-104(a) of the Code, as shown on the attached site plan for concrete footings to support the deck.
2. A critical area variance request for 1.56 square feet of permanent buffer disturbance pursuant to 18-13-104(a) of the Code, as shown on the attached site plan for concrete footings to support the modest deck expansion.
3. A critical area variance request for 12.5 square feet of permanent buffer disturbance pursuant to 18-13-104(a) of the Code, as shown on the attached site plan for a modest deck expansion.
4. A critical area variance request for 26 feet of permanent buffer disturbance pursuant to 18-13-104(a) of the Code, as shown on the attached site plan for enclose the existing covered porch on the roadside of the home (a porch that is already entirely impervious).
5. A variance request of 7.9 feet to the 25-foot rear setback requirement pursuant to 18-4-602 of the Code, as shown on the attached site plan to enclose the existing covered porch on the roadside of the home.
6. A variance request of 6.2 feet to the 25-foot rear setback requirement pursuant to 18-4-602 of the Code, as shown on the attached site plan to modify the existing dormers and roofline of the home.
7. A critical area variance to modify 400.1 square feet of existing second floor roof resulting in a permanent buffer disturbance pursuant to 18-13-104(a) of the Code (even though no new lot coverage or earth disturbance is required).

In its prefile application, the Applicant also requested a critical area variance for 36 square feet of permanent buffer disturbance for concrete pavers under the deck, the Applicant has further evaluated and determined that it can install a pervious material such as woodchips in this location

rather than requesting a variance for the installation of additional impervious surface in the buffer. This request has now been removed from this application.

A variance to a local jurisdiction's critical area program may not be granted unless: (1) due to special features of a site, or special conditions or circumstances peculiar to the Property or structure, a literal enforcement of the critical area program would result in unwarranted hardship; (2) the local jurisdiction finds that the Applicant has satisfied each one of the variance provisions; and (3) without the variance, the Applicant would be deprived of a use of land or a structure permitted to others in accordance with the provisions of the critical area program. Nat. Res. § 8-1808(d)(5).

Pursuant to Maryland law, “‘unwarranted hardship’ means that, without a variance, the Applicant would be denied reasonable and significant use of the entire parcel or lot for which the variance is requested.” Nat. Res. § 8-1808(d)(1); COMAR 27.01.12.01. The Court of Appeals, in defining the term “unwarranted hardship,” recently explained that “in order to establish an unwarranted hardship, the Applicant has the burden of demonstrating that, without a variance, the Applicant would be denied a use of the property that is both significant and reasonable.” *Assateague Coastal Trust, Inc. v. Schwalbach*, 448 Md. 112, 139 (2016). A “showing of ‘unwarranted hardship,’” emphasized the Court of Appeals, “is not whether, without the variance, the Applicant is denied ‘all reasonable and significant use’ of the property, but whether, without the variance, the Applicant is denied ‘a reasonable and significant use’ that cannot be accomplished somewhere else on the property.” *Id.* at 138–39 (emphasis in original).

For a property located in the critical area, variances to the requirements of the County’s critical area program may be granted if the AHO makes the findings listed in § 18-16-305(b) and (c). *See also* COMAR 27.01.12.04.

### **Compliance with the County’s Critical Area Variance Requirements**

- (1) *Because of certain unique physical conditions, such as exceptional topographical conditions peculiar to and inherent in the particular lot or irregularity, narrowness, or shallowness of lot size and shape, strict implementation of the County's critical area program would result in an unwarranted hardship. Code § 18-16-305(b)(1).*

The entire Property is within the Critical Area buffer. Without variance relief, the unique conditions of the Property make almost any improvement or modification to the Property nearly impossible. Denial of the requested variances to enclose an existing covered porch, add roof dormers, reconfigure/add deck supports, and expand the deck would constitute an unwarranted hardship and deny the Applicant the use of the entire property.<sup>2</sup>

- (2) *A literal interpretation of COMAR, Title 27, Criteria for Local Critical Area Program Development or the County's critical area program and related ordinances will deprive*

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<sup>2</sup> In *Becker v. Anne Arundel County*, 174 Md. App. 114 at 132-33 (2007), Appellate Court of Maryland discussed the definition of unwarranted hardship found in the MD Natural Resources Article “The amendment changed the definition of unwarranted hardship to mean that, 'without a variance, an applicant would be denied reasonable and significant use of the entire parcel or lot for which the variance is requested.’” The Property subject to this application is the same property that was at issue in the *Becker* case.

*the applicant of rights commonly enjoyed by other properties in similar areas as permitted in accordance with the provisions of the critical area program within the critical area of the County. Code § 18-16-305(b)(2).*

A literal interpretation of the regulations governing the Critical Area Program will deprive the Applicant of rights commonly enjoyed by nearby property owners. While this Property is the infamous *Becker* house, the proposed improvements are minimal and allow the owners to properly accommodate for their growing young family. The Applicant is proposing to reduce the lot coverage and is simply seeking to modestly modify the home to further fit the family's needs.

The limited deck expansion is requested for safety reasons. Currently, a standard grill can only comfortably fit on the eastern corner of the deck closest to the main living level entryway and porch stairs. The Applicant wishes to slightly expand the deck, by 12.5 square feet in order to ensure a safer location for a standard sized grill.<sup>3</sup> The current configuration of the deck not only limits the placement of a standard grill, but the location of the grill imposes safety concerns, especially when entertaining with additional guests on the deck. The minor deck expansion will allow for the Applicant to safely entertain on the deck as it will be able to properly accommodate a grill as well as a table and chairs. The modest expansion will allow for an alcove type area for the grill away from the main living level access area of the deck and permit safer access to and from the kitchen for adults and children alike. Additionally, the Applicant proposes to remove a 6.34 square foot portion of the existing deck, as shown on the attached site plan which will further the Applicant's intention to create a safer, wider, access path for their family and guests.

The proposed expansion of the deck requires minimal changes to the deck supports. One existing deck support will be moved approximately 10 feet to the northwest as shown on the attached site plan. Additionally, three new deck posts will be added, one to further support the eastern section of the deck and two to support the new deck expansion area. The deck post footings vary in size, the two (2) deck posts supporting the existing eastern section of the deck are approximately 1.36 square feet each and the two (2) posts to support the proposed small deck expansion are approximately 0.78 square feet. The changes in deck posts will only result in approximately 4.29 square feet of additional lot coverage.

The Applicant wishes to replace the basement level wall length windows with a "NanaWall" system. The NanaWall is a moving glass wall system that consists of separate glass panels hinged together (<https://www.nanawall.com/>). The panels can be folded, much like an accordion. The reconfiguration of one deck post (shown on the attached site plan and labeled "Exist Deck Post to be Removed") and the addition of one deck post in this area will allow the Applicant to utilize the doors safely for purposes of ingress and egress. The existing deck post is currently located directly in the middle of the basement level, which effectively obstructs the most direct access in and out of the basement level to the water, the new configuration allows for more direct and open access as the posts will be located to the sides of the NanaWall system. The proposed new configuration, as shown on the attached site plan, allows for necessary deck support without compromising the Applicant's most direct access path from the basement to the water, an absolute necessity while raising young kids in close proximity to open water.

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<sup>3</sup> While the gapped deck itself is not considered to be "lot coverage", it is considered to be "development" within the Critical Area buffer requiring a variance. The footers needed for the deck support do constitute new lot coverage.



The NanaWall system will allow for more light and ventilation in the basement level of the home and will allow for easy and quick access to the yard and water. The Applicant has young children and needs to have many unobstructed access routes to the water. The NanaWall system and changes to the deck posts will allow for better access to and from the water, larger/wider entryways and access points, and a clear view of the children from the water.

- (3) *The granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, Title 27, the County's critical area program to other lands or structures within the County critical area. Code § 18-16-305(b)(3).*

Granting the variances to enclose an existing covered porch, add roof dormers, reconfigure and add deck supports, and expand the deck will not confer any special privilege that would be denied to others. The surrounding properties are developed with large single-family dwellings within the Critical Area. The variance requests regarding enclosing the existing porch (to expand the existing dining room) and adding modified dormers on the second floor (to allow for more storage and egress windows) are completely within the existing footprint of the home.

- (4) *The variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development before an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property. Code § 18-16-305(b)(4).*

The variance requests are not based on conditions or circumstances that are the result of the the Applicant's action. The Applicant has not started any development on the Property prior to submitting this application. Similarly, the circumstances do not arise from any condition relating to land or building use on any neighboring properties.

- (5) *The granting of the variances will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area and will be in harmony with the general spirit and intent of the County's critical area program. Code § 18-16-305(b)(5).*

The granting of the variances will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's Critical Area. Furthermore, the modest proposed improvements will be in harmony with the general spirit and intent of the Critical Area program. As stated above, Applicant intends to enhance and improve water quality by reducing on-site lot coverage. There will be no increase in lot coverage, conversely, the Applicant is willing to replace +/- 63 square feet of the current stone walkway under the deck with a pervious material such as woodchips resulting in a net decrease in lot coverage (on the water side of the home). The entire Property is located within the buffer and no proposed improvement will result in further coverage and/or improvements between the existing dwelling and the water.

- (6) *The applicant for a variance to allow development in the 100-foot upland buffer has maximized the distance between the bog and each structure, taking into account natural features and the replacement of utilities, and has met the requirements of § 17-9-208 of this Code. Code § 18-16-305(b)(6).*

The Applicant is not requesting to develop closer to the water than the current structure. The distance between the existing structure and the mean high-water line will remain the same. No bogs are affected by this application.

(7) *The applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code. Code § 18-16-305(b)(7).*

The proposed modifications will have no impacts given that there will be no additional lot coverage. The existing walkway underneath the deck will be entirely replaced with a pervious material. Based on the foregoing, and the evidence and testimony that will be provided at the hearing, the Applicant will overcome the presumption in the State Code.

(8) *The applicant has evaluated and implemented site planning alternatives in accordance with § 18-16-201(c). Code § 18-16-305(b)(8).*

Applicant has consulted with the Office of Planning and Zoning via prefile and complied with this requirement. The Office of Planning and Zoning provided comments dated April 1, 2024. Please note the Applicant submitted a prior prefile for more extensive improvements in 2023 and received comments from the Office of Planning and Zoning on April 24, 2023, the proposed improvements and site plan have changed drastically since the Applicant's initial prefile submission in 2023 so a second prefile was appropriate.

#### **Requirements for All Variances**

A variance may not be granted unless it is found that:

- (1) the variance is the minimum variance necessary to afford relief; and
- (2) the granting of the variance will not:
  - (i) alter the essential character of the neighborhood or district in which the lot is located;
  - (ii) substantially impair the appropriate use or development of adjacent property;
  - (iii) reduce forest cover in the limited development and resource conservation areas of the critical area;
  - (iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area; nor
  - (v) be detrimental to the public welfare.

Code, § 18-16-305(c).

#### **Critical Area Variances**

*The variances are the minimum variance necessary to afford relief. Code, § 18-17-305(c)(1).*

Applicant's proposed plan minimizes impacts as it is entirely within the existing footprint, with a decrease in lot coverage. The modest proposed improvements do not extend past the existing

structure, maximizing the setback from tidal waters as well as the road on the rear side of the Property. Applicant has minimized the variance requests.

The proposed improvements are small adjustments that will positively impact the daily life of the Applicant. The footprint is exactly the same. The road-side porch will become enclosed, without a single additional square foot of coverage. The porch enclosure is aligned with the home's existing facade. Raising the roofline (modified dormers) allows for reasonable reconfiguration of closet and storage space while also providing for better egress windows. The roof modification also allows for more functional placement of bedroom furniture without expanding the footprint of the home.

*The variances will not alter the essential character of the neighborhood or district in which the lot is located.*

The proposed improvements are minimal and will be entirely constructed within the current footprint. The proposed improvements will not alter the essential character of the neighborhood. The proposed improvements are aligned with the surrounding neighborhood.

*The variances will not substantially impair the appropriate use or development of adjacent property.*

The proposed addition will not affect in any way the appropriate use or development of adjacent properties. With the improvements, the size of the dwelling is compatible with other dwellings located in the Critical Area and will be completely contained within the perimeter of the Property and the existing footprint of the home, no proposed improvement extends past the existing porch on the road side or the existing deck on the water side.

*The variances would not be contrary to acceptable clearing and replanting practices required for development in the critical area.*

The Applicant will comply with Critical Area regulations regarding clearing and replanting.

*The variances will not be detrimental to the public welfare.*

The proposed dwelling addition will not negatively affect the public welfare.

### **Zoning Variance**

*The variance is the minimum variance necessary to afford relief. Code, § 18-17-305(c)(1).*

Enclosure of the existing porch is within the existing footprint and will not further impact the existing rear yard setback variance. The proposed improvement will not be any closer to the property line than currently exists. The setback variance is necessary to minimize buffer impacts as the proposed porch enclosure will be constructed on the roadside of the home, not the water side. The rear-yard proposed enclosure maximizes the setback from tidal waters. The proposed porch enclosure will not increase the footprint of the house. The existing square footage to be enclosed has a concrete foundation and will not extend past the current roofline. The proposed

improvements will not result in a home excessive in size in relation to the dwellings in the neighborhood. Applicant has minimized the setback variance request.

The enclosure of the existing small 2-foot wide porch, while a modest request, will have great impacts on the family's everyday life. The Applicant's wish for the enclosure to result in a three-panel bay window with a window seat. Not only will this allow for more light and ventilation into the main living area of the home, but also provide a multi-use space that can be utilized as a dining table seat. Currently, the Applicant is not able to seat more than eight (8) people in the dining room. The bay window and window seat will provide for a built-in end seat at the dining room table and permit a dining room table more compatible with the Applicant's needs. This addition will not add any square footage to the home and will not increase lot coverage by a single square inch.

As stated above, the modest roof modification allows for more functional placement of bedroom furniture, provides better egress windows, and storage space, all without expanding the footprint of the home. The roof modifications also permit more functional living for the Applicant's growing family.

*The variances will not alter the essential character of the neighborhood or district in which the lot is located.*

The rear setback variances are minor, as the improvements are within the existing footprint, and is in keeping with the essential character of the neighborhood. The proposed improvements are aligned with the dwelling's existing facade. The home will be comparable to other upgraded homes in the area and the improvements will not be any closer to the road than currently exists. Therefore, the proposed improvements will have no impact on the streetscape. There are no changes to the side setbacks and all proposed improvements are well away from the dwellings on neighboring lots.

*The variance will not substantially impair the appropriate use or development of adjacent property.*

The proposed improvements will not affect in any way the appropriate use or development of adjacent properties. The resulting dwelling size is compatible with other dwellings in the surrounding area and will be completely contained within the perimeter of the Property.

*The variance would not be contrary to acceptable clearing and replanting practices required for development in the critical area.*

Applicant will comply with all Critical Area regulations.

*The variance will not be detrimental to the public welfare.*

The proposed dwelling addition will not negatively affect the public welfare.

## **CONCLUSION**

The Property is entirely within the Critical Area and severely impacted by physical constraints related to the buffer that prevent the construction of the reasonable improvements in strict conformance of the law.

In summary, the proposed improvements include the following:

- The construction of modified and improved roof dormers;
- Reconfiguring and adding deck support posts and small expansion of deck; and
- Enclosing existing porch to extend existing dining room.

Granting variance approval to allow the Applicant to make the modest proposed improvements will conform to the spirit of the Critical Area program, as the house will not negatively affect sensitive environments or wildlife, the entirety of the proposed improvements will be within the existing footprint and result in a decrease of lot coverage. The variance approvals will not alter the character of the single-family neighborhood. The requested variances are the minimum necessary to afford relief. The proposed improvements will result in a reduction of lot coverage and will not expand the footprint of the home. These modest improvements will improve the functionality of the home for the Applicants' young family.

We request that the County and State Critical Area Commission recommend approval of the variances as requested.

Thank you for your consideration of this matter. I look forward to receiving your response and may be reached via telephone at 443-949-3041, via email at [bwechsler@yvslaw.com](mailto:bwechsler@yvslaw.com), and via mail at 185 Admiral Cochrane Drive, Suite 130, Annapolis, MD 21401.

Very truly yours,

YVS LAW, LLC

A handwritten signature in black ink, appearing to read "Ben S. Wechsler". The signature is fluid and cursive, written over a light blue horizontal line.

Benjamin S. Wechsler, Esq.

Enclosures



**INDEX OF STANDARD SYMBOLS**

Standard Symbols	
	Yard Set Back
	Limits of Non-Buffer / Buffer Exempt
	100' Buffer
	Existing Portion of Deck to Remain
	Limits of Disturbance

LIMITS OF DISTURBANCE FRONT YARD: 584 SF  
REAR YARD: 361 SF  
TOTAL LIMITS OF DISTURBANCE: 945 SF

**ZONING SUMMARY:**

LOT DESCRIPTION: 1054 TRAILS END ROAD,  
PASADENA, MD 21122  
3RD/ DISTRICT ANNE ARUNDEL COUNTY, MD  
TAX MAP 33; GRID 2; PARCEL 15

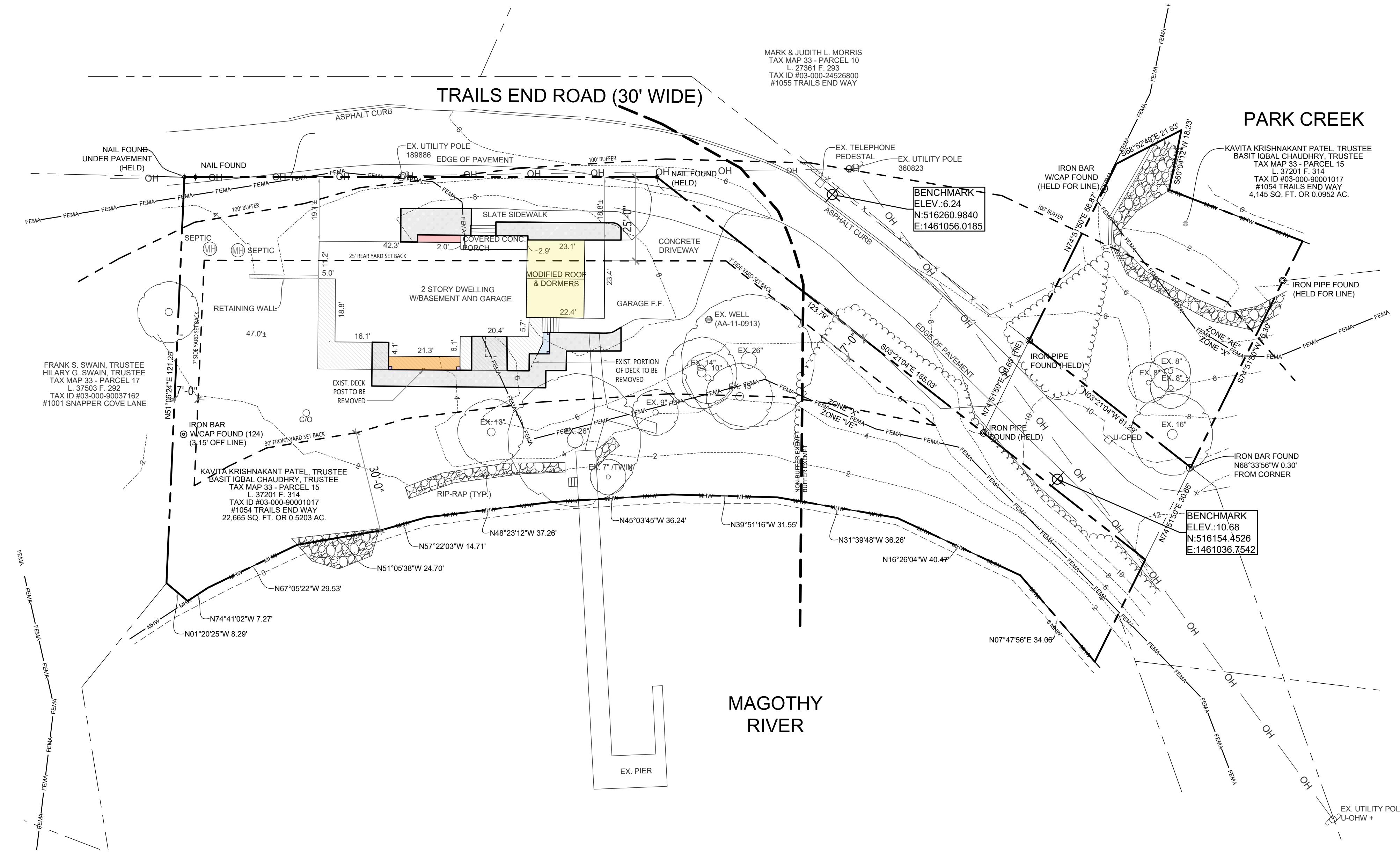
ZONE: R2  
EXISTING LOT AREA: 0.62 acres = 26,810 SF  
REQUIRED SETBACKS: FRONT: 30 FT  
REAR: 25 FT  
SIDES: 7 FT

LOT COVERAGE		MAX. ALLOWED	EXISTING	OVERAGE	MAX. ALLOWED W/ 10% REDUCTION	PROPOSED
TOTAL LOT COVERAGE		15%MAX.=4021.5 SF	4643.4 SF	621.9 SF	4581.2 SF	4580.8 SF
BREAKDOWN OF LOT COVERAGE	MAIN BLDG.		2317 SF			2342 SF
	PORCH & STEPS		106.5 SF			78.5 SF
	FRONT SIDEWALK		191 SF			191 SF
	CONCRETE DRIVE		1130 SF			1130 SF
	RETAINING WALL		19 SF			19 SF
	RIP RAP		816 SF			816 SF
	WALKWAY UNDER DECK TO BE REMOVED		64 SF			0 SF
	DECK POST TO BE REMOVED		1.36 SF			0 SF
	NEW POSTS FOR DECK					4.29 SF

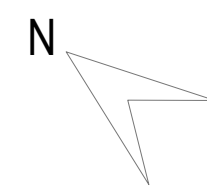
BLDG. HEIGHT: MAX. ALLOWED: 35 FT.  
EXISTING: 35 FT./2 STORIES ON FULL BASEMENT  
PROPOSED: NO CHANGE

**VARIANCE KEY**

Standard Symbols	
	A variance to modify 400.14 square feet of existing second floor roof 18.8 feet from the rear property line, requiring a reduction of 6.2 feet to the 25 feet rear yard set forth in Code Section 18-4-601" and a variance to modify 400.14 square feet of existing second floor roof line 77 feet from the mean high water within the 100-foot buffer, requiring a reduction of 23 feet to the 100-foot Critical Area Buffer set forth in Code Section 18-13-104(a)
	A variance to enclose 26 square feet of existing rear covered porch 17.1 feet from the rear property line, requiring a reduction of 7.9 feet to the 25 feet rear yard set forth in Code Section 18-4-601" and a variance to enclose 26 square feet of existing rear covered porch 82 feet from the mean high water within the 100-foot buffer, requiring a reduction of 18 feet to the 100-foot Critical Area Buffer set forth in Code Section 18-13-104(a)
	A variance for 12.5 square feet of deck extension with a 1.56 square feet of 2 bored post footings (shown in purple) 50.75 feet from the mean high water within the 100-foot buffer, requiring a reduction of 49.25 feet to the 100-foot Critical Area Buffer set forth in Code Section 18-13-104(a)
	A variance to place 2.72 square feet of 2 bored post footings for deck posts 45.75 feet from the mean high water within the 100-foot buffer, requiring a reduction of 54.25 feet to the 100-foot Critical Area Buffer set forth in Code Section 18-13-104(a)
	Impervious surface underneath existing deck to be removed.



1 SITE PLAN  
SP002 SCALE: 1" = 20'



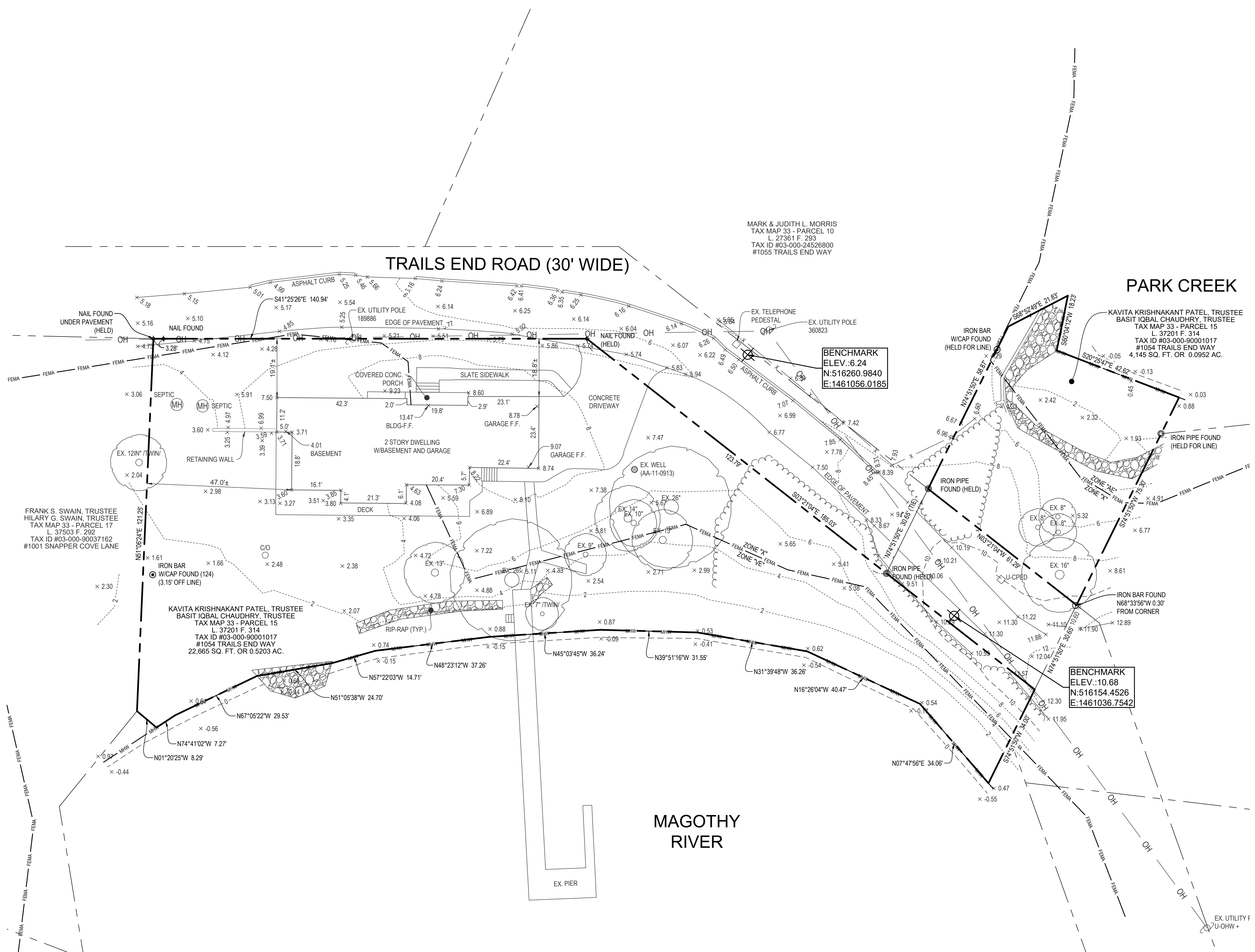
KRISTA M. SCHAUER,  
ARCHITECT, PLLC  
KRISTA MINOTTI SCHAUER, AIA  
2201 WISCONSIN AVE, NW  
SUITE 200  
WASHINGTON, DC 20007  
202.403.4600  
WWW.KMSARCHITECTURE.COM

ADDITION TO AND RENOVATION OF THE  
**CHAUDHRY RESIDENCE**  
1054 TRAILS END ROAD PASADENA, MD 21122

PROFILE CONSULTATION 04.13.2023  
PROGRESS SET 02.12.2024  
PROFILE CONSULTATION 03.11.2024  
APPLICATION FOR VARIANCE  
05.23.2024

**SP002**  
PROPOSED SITE PLAN





MARK & JUDITH L. MORRIS  
 TAX MAP 33 - PARCEL 10  
 L. 27361 F. 293  
 TAX ID #03-000-24526800  
 #1055 TRAILS END WAY

BENCHMARK  
 ELEV.: 6.24  
 N: 516260.9840  
 E: 1461056.0185

BENCHMARK  
 ELEV.: 10.68  
 N: 516154.4526  
 E: 1461036.7542

FRANK S. SWAIN, TRUSTEE  
 HILARY G. SWAIN, TRUSTEE  
 TAX MAP 33 - PARCEL 17  
 L. 37503 F. 292  
 TAX ID #03-000-90037162  
 #1001 SNAPPER COVE LANE

KAVITA KRISHNAKANT PATEL, TRUSTEE  
 BASIT IQBAL CHAUDHRY, TRUSTEE  
 TAX MAP 33 - PARCEL 15  
 L. 37201 F. 314  
 TAX ID #03-000-90001017  
 #1054 TRAILS END WAY  
 22,665 SQ. FT. OR 0.5203 AC.

KAVITA KRISHNAKANT PATEL, TRUSTEE  
 BASIT IQBAL CHAUDHRY, TRUSTEE  
 TAX MAP 33 - PARCEL 15  
 L. 37201 F. 314  
 TAX ID #03-000-90001017  
 #1054 TRAILS END WAY  
 4,145 SQ. FT. OR 0.0952 AC.

**GENERAL NOTES**

1. THE BEARINGS, COORDINATES AND ELEVATIONS SHOWN HEREON ARE BASED ON RTK (REAL TIME KINEMATIC) OBSERVATIONS UTILIZING SMARTNET GPS NETWORK. THE HORIZONTAL DATUM IS REFERENCED TO MARYLAND STATE PLANE (NAD 83/2011) AND THE VERTICAL DATUM IS REFERENCED TO NAVD 88.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH MAY REVEAL EASEMENTS, TAKINGS OR OTHER SERVITUDES THAT MAY AFFECT THE SUBJECT PROPERTY.
3. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE X (AREA OF MINIMAL FLOODING) AND ZONE AE (EL. 7) AS SHOWN ON FEMA FLOOD PLAIN MAP 24003C0178F, DATED FEBRUARY 18, 2015.
4. THE PROPERTY IS ZONED R2.
5. EX. ON-SITE IMPERVIOUS = 4,839 SQ. FT.

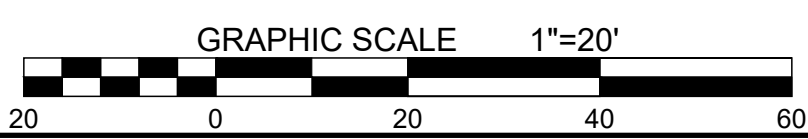
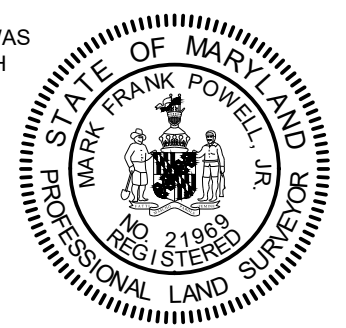
**Bay Engineering Inc.**  
 Engineers, Planners and Surveyors  
 2661 Riva Road, Building 800  
 Annapolis, Maryland 21401  
 410.887.9290  
 410.887.9295 fax  
 email: info@BayEngineering.com  
 www.BayEngineering.com

DATE: NOVEMBER, 2022  
 JOB NUMBER: 22-8656  
 SCALE: 1" = 20'  
 DRAWN BY: M.F.P., JR.  
 CHECKED BY: M. MEEKINS  
 FOLDER REFERENCE:

**BOUNDARY & TOPOGRAPHIC SURVEY**  
 THE LANDS OF  
**KAVITA KRISHNAKANT PATEL, TRUSTEE**  
**BASIT IQBAL CHAUDHRY, TRUSTEE**  
 1028 WEST STREET  
 TAX MAP 33 ~ GRID 2 ~ PARCEL 15  
 PASADENA, MARYLAND  
 3RD DISTRICT ANNE ARUNDEL COUNTY, MD 21122



THIS BOUNDARY & TOPOGRAPHIC SURVEY AND THE SURVEYING WORK REFLECTED IN IT WERE PREPARED BY THE SURVEYOR OR THE SURVEYOR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN COMAR REGULATION 09.13.06.12.

*Mark F. Powell, Jr.*  
 11/01/2022 DATE  
 MARK FRANK POWELL, JR.  
 MARYLAND PROFESSIONAL LAND SURVEYOR  
 REGISTRATION # 21969  
 EXPIRATION/RENEWAL DATE: DECEMBER 17, 2023  
 DATE OF LATEST FIELD NOTES: SEPTEMBER 27, 2022





**DEMOLITION FLOOR PLAN KEY:**

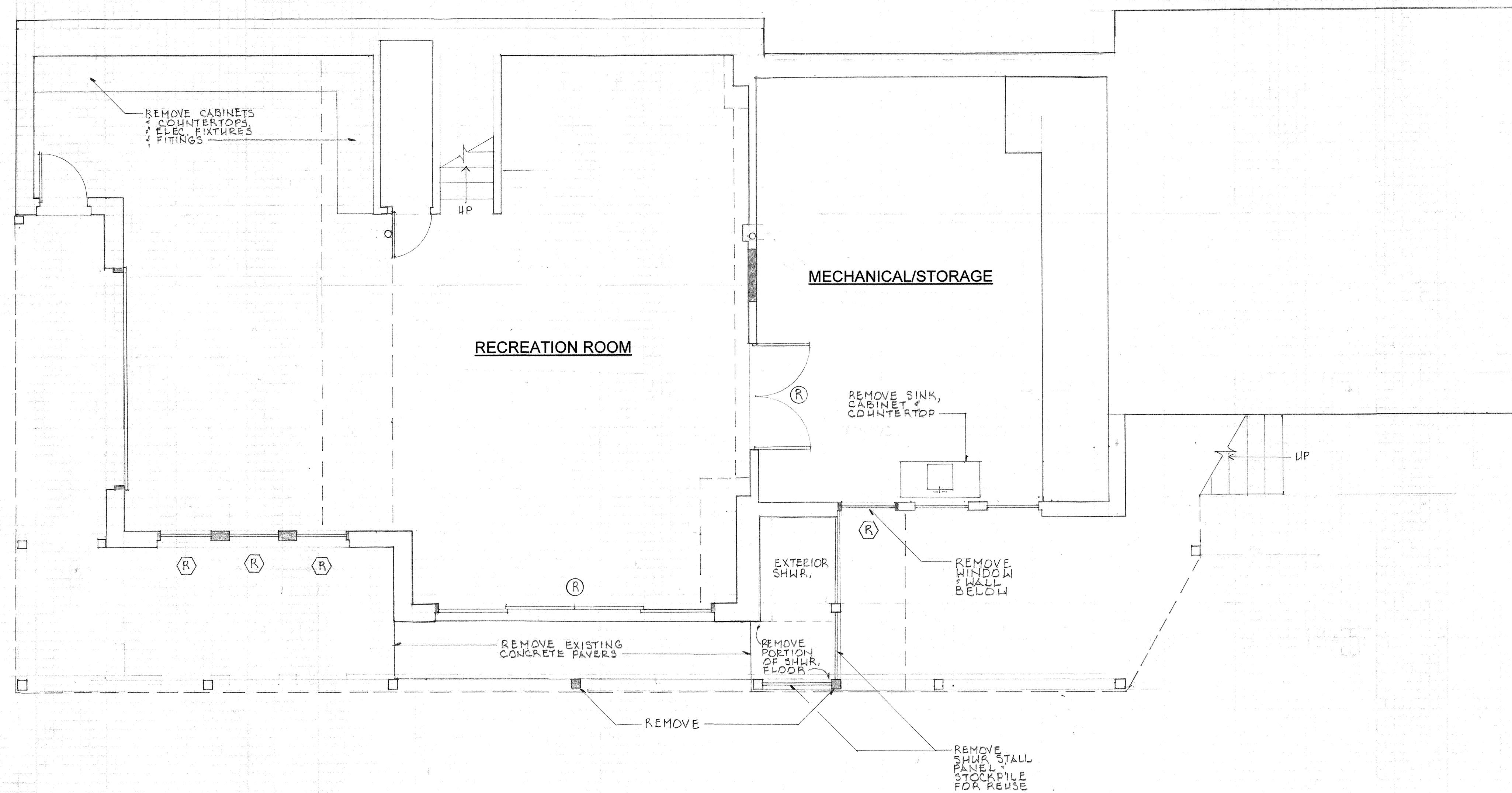
EXISTING CONSTRUCTION TO REMAIN   
EXISTING STRUCTURE & FINISHES TO BE DEMOLISHED 

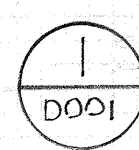
**DEMOLITION NOTES:**

1. Remove shaded portion of existing walls, typical. Coordinate with new work.
2. Provide temporary shoring and bracing as required of interior and exterior structure, for removal of bearing elements to prevent movement, settlement, or collapse of the structure and adjacent facilities or work to remain until permanent support is completed.
3. Provide temporary weather protection for the duration of construction to ensure no water leakage or damage to existing construction.
4. Remove all windows and doors noted to be removed. All others to remain, typical.
5. Remove all fixtures and finishes according to the drawings and salvage those noted for reuse.
6. Special care shall be taken to prevent damage to existing construction scheduled to remain, typical.
7. Provide protection of vegetation required to prevent damage during construction, typical.
8. Any removed portion of the house shall be patched to match existing surface as required, typical.

**KRISTA M. SCHAUER,  
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 **EXISTING BASEMENT PLAN**  
SCALE: 1/4" = 1'-0"



ADDITION TO & RENOVATION OF THE  
**CHAUDHRY RESIDENCE**  
1054 TRAILS END ROAD PASADENA, MD 21122

PREFILE  
CONSULTATION  
04.13.23  
APPLICATION FOR  
VARIANCE  
04.15.24

**D001**  
BASEMENT FLOOR  
PLAN

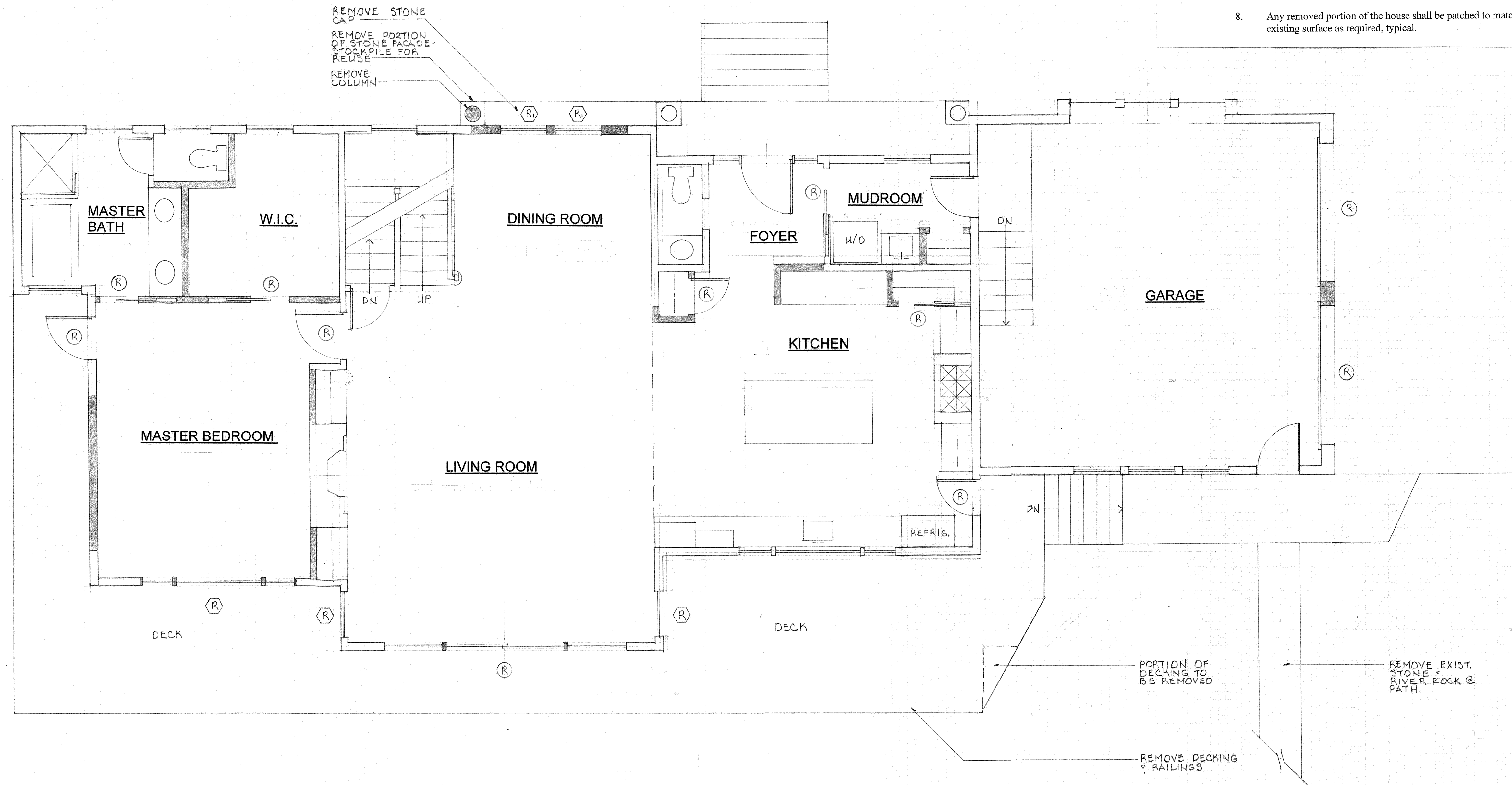


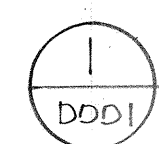
**DEMOLITION FLOOR PLAN KEY:**

EXISTING CONSTRUCTION TO REMAIN   
EXISTING STRUCTURE & FINISHES TO BE DEMOLISHED 

**DEMOLITION NOTES:**

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 EXISTING FIRST FLOOR PLAN  
SCALE: 1/4" = 1'-0"

**KRISTA M. SCHAUER,  
ARCHITECT, PLLC**

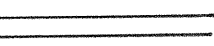

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04.13.23  
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VARIANCE  
04.15.24

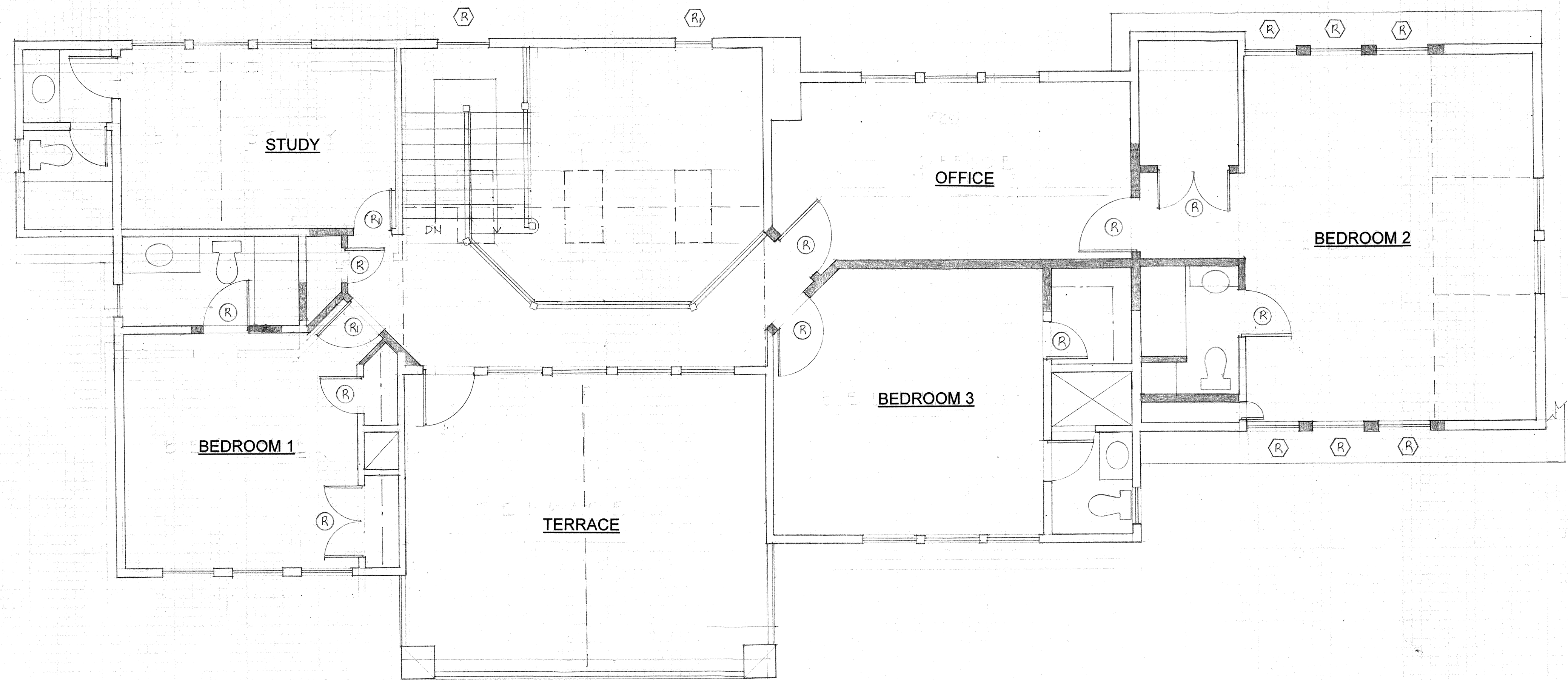
**D002**  
FIRST FLOOR PLAN

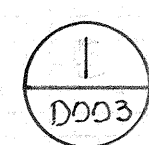
**DEMOLITION FLOOR PLAN KEY:**

EXISTING CONSTRUCTION TO REMAIN   
EXISTING STRUCTURE & FINISHES TO BE DEMOLISHED 

**DEMOLITION NOTES:**

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 EXISTING SECOND FLOOR PLAN  
SCALE: 1/4" = 1'-0"

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ADDITION TO & RENOVATION OF THE  
**CHAUDHRY RESIDENCE**  
1054 TRAILS END ROAD PASADENA, MD 21122

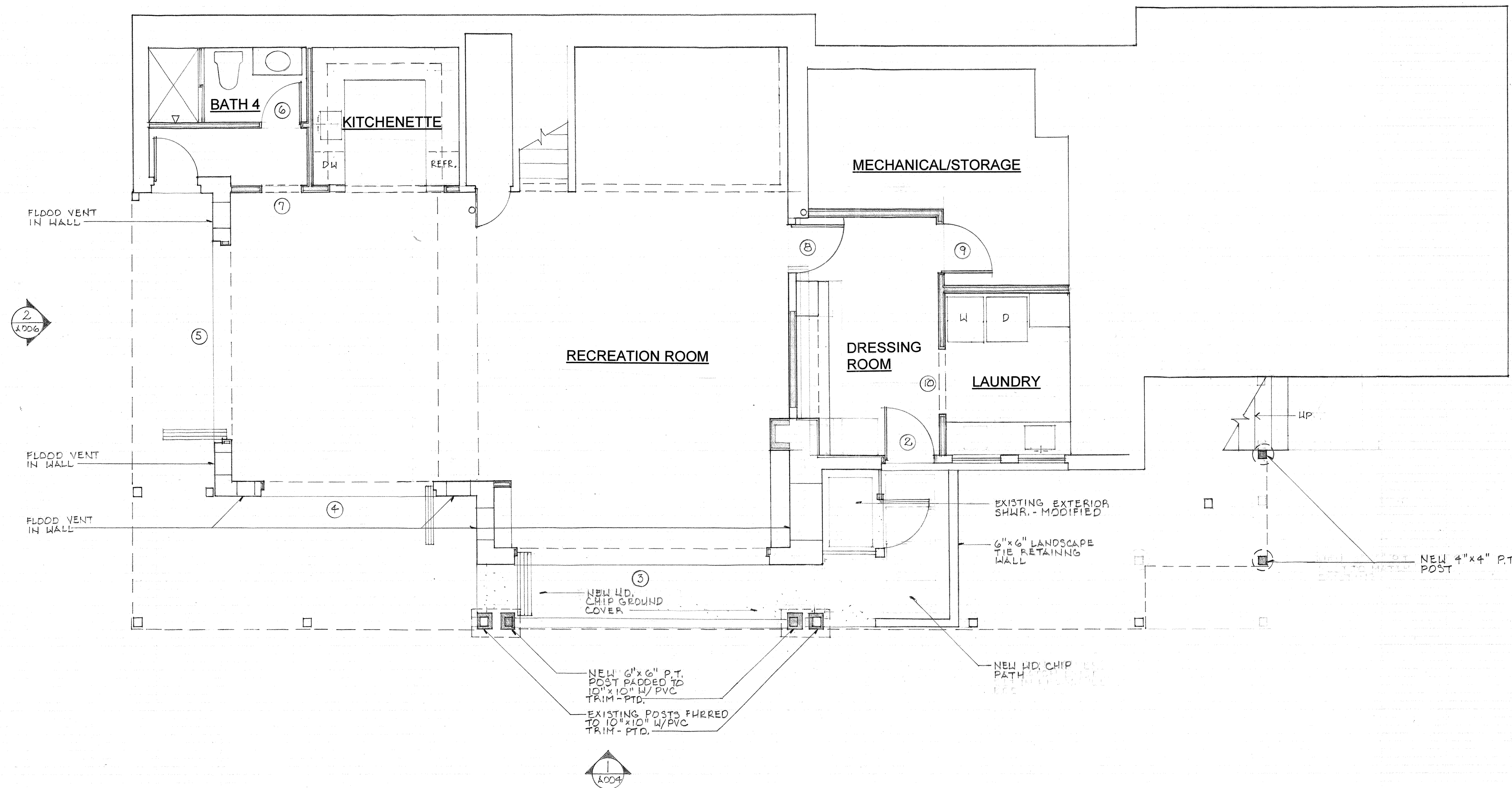
PRELIMINARY  
CONSULTATION  
04.13.23  
APPLICATION FOR  
VARIANCE  
04.15.24

**D003**  
SECOND FLOOR  
PLAN



**PROPOSED FLOOR PLAN KEY:**

EXISTING PARTITIONS TO REMAIN   
 NEW CONSTRUCTION 



**1**  
 A003  
**BASEMENT FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

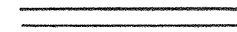

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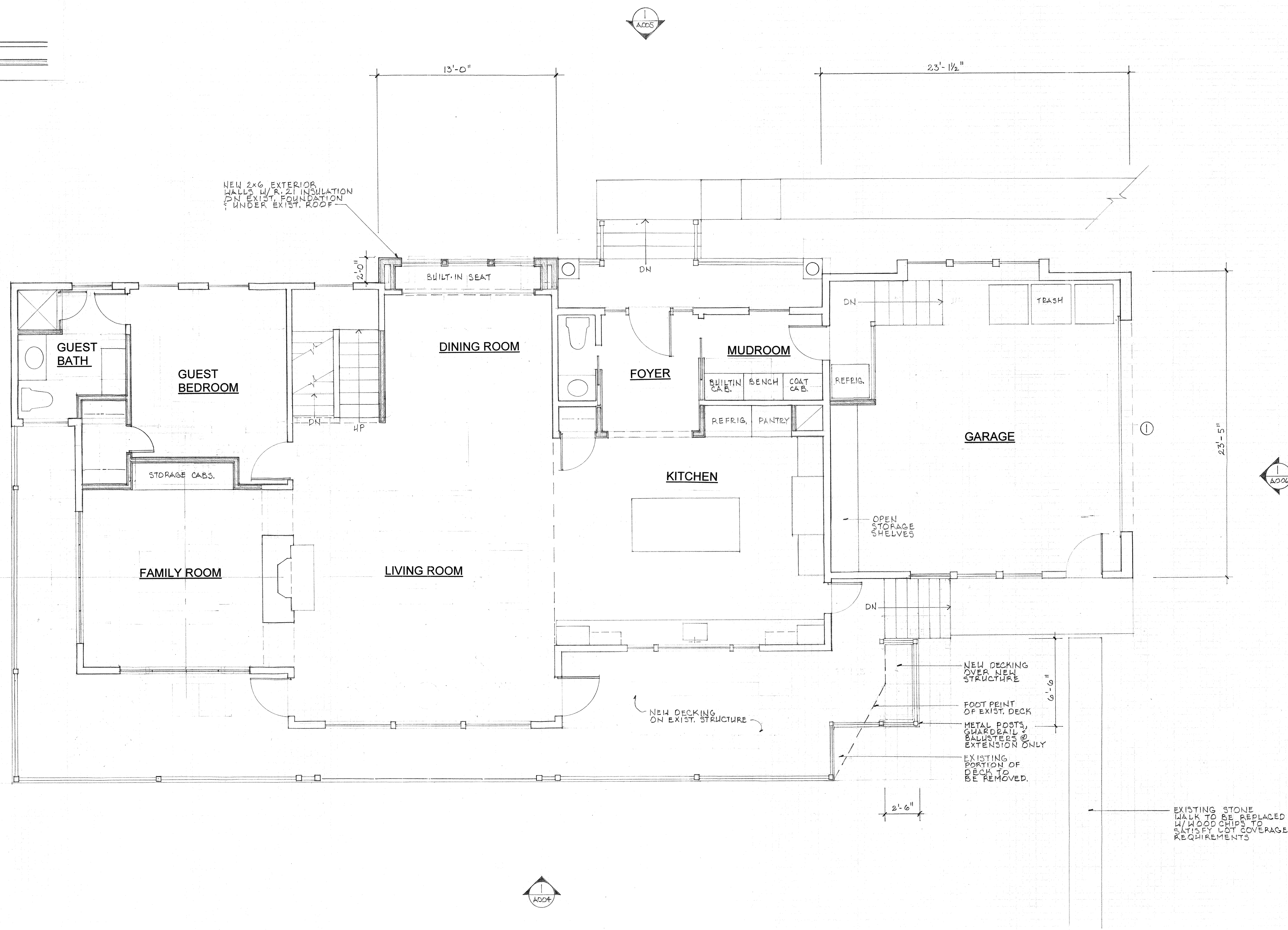
ADDITION TO & RENOVATION OF THE  
**CHAUDHRY RESIDENCE**  
 1054 TRAILS END ROAD PASADENA, MD 21122

PREFILE  
 CONSULTATION  
 04.13.23  
 APPLICATION FOR  
 VARIANCE  
 04.15.24

**A001**  
 BASEMENT FLOOR  
 PLAN

**PROPOSED FLOOR PLAN KEY:**

EXISTING PARTITIONS TO REMAIN   
NEW CONSTRUCTION 



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**CHAUDHRY RESIDENCE**  
1054 TRAILS END ROAD PASADENA, MD 21122

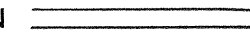

PROFILE  
CONSULTATION  
04.13.23  
APPLICATION FOR  
VARIANCE  
04.15.24

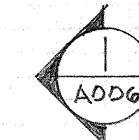
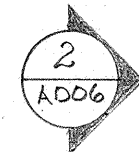
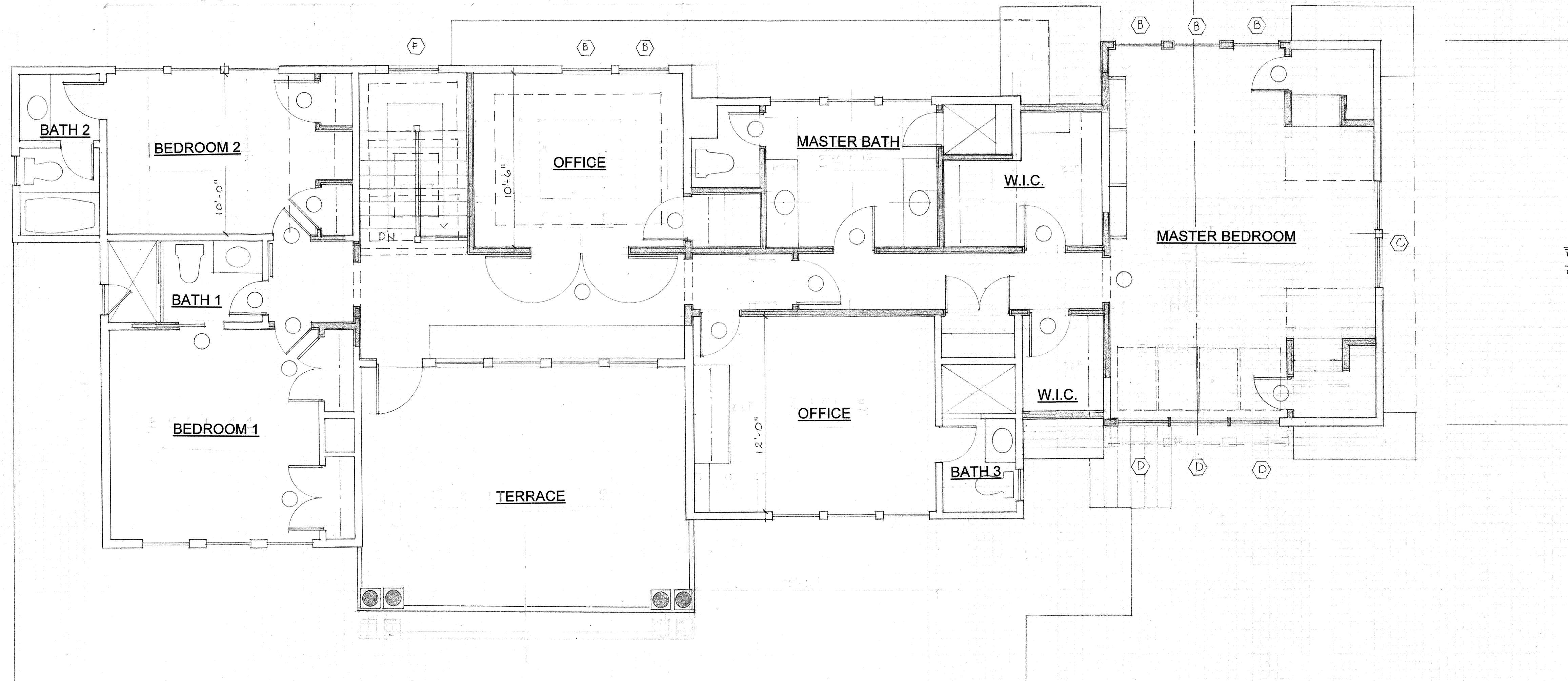
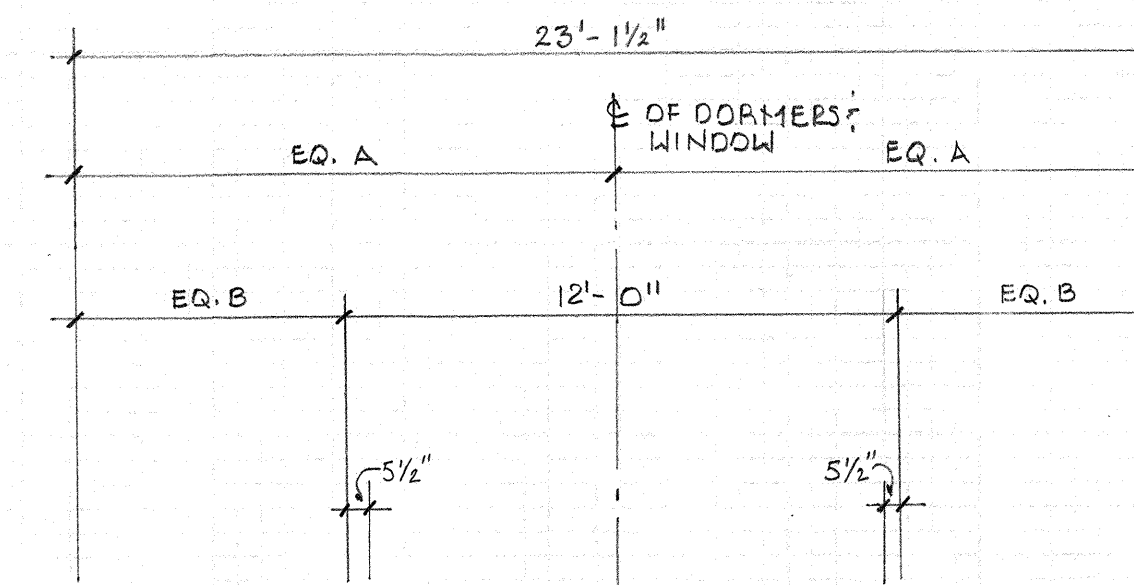
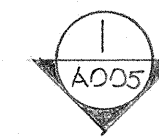
**A002**  
FIRST FLOOR PLAN

**FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**PROPOSED FLOOR PLAN KEY:**

EXISTING PARTITIONS TO REMAIN   
 NEW CONSTRUCTION 

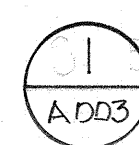


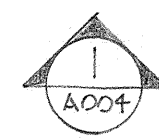
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ADDITION TO & RENOVATION OF THE  
**CHAUDHRY RESIDENCE**  
 1054 TRAILS END ROAD PASADENA, MD 21122

PREFILE  
 CONSULTATION  
 04.13.23  
 APPLICATION FOR  
 VARIANCE  
 04.15.24

 **SECOND FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

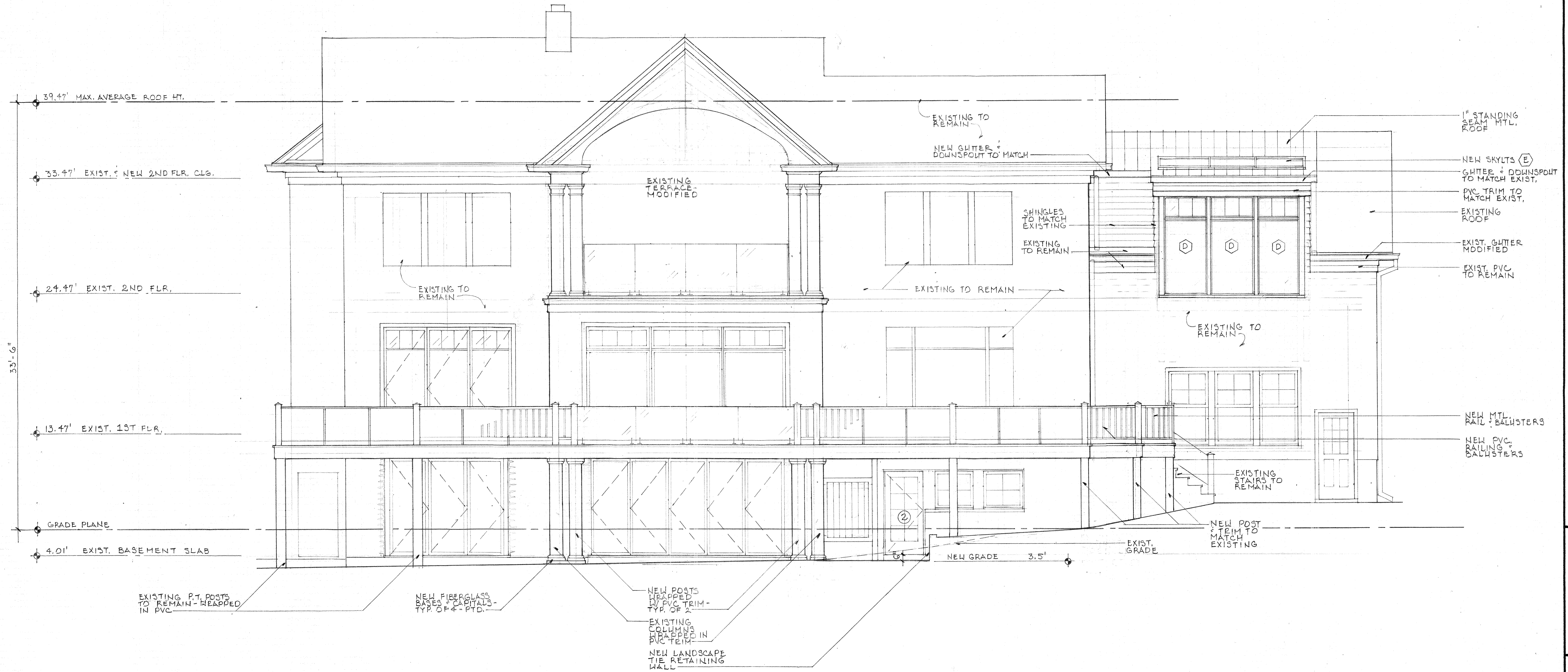


**A003**  
 SECOND FLOOR  
 PLAN

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ADDITION TO & RENOVATION OF THE  
**CHAUDHRY RESIDENCE**  
1054 TRAILS END ROAD PASADENA, MD 21122



1  
A004+  
SOUTHWEST ELEVATION (FRONT)  
SCALE: 1/4" = 1'-0"

PREFILE  
CONSULTATION  
04.13.23  
APPLICATION FOR  
VARIANCE  
04.15.24

**A004**  
FRONT ELEVATION



EXISTING SKYLTS,  
TO REMAIN

EXIST. RIDGE TO REMAIN

39.47' MAX. AVERAGE ROOF HT.

1" STANDING  
BEAM MTL,  
ROOFING

33.47' EXIST. NEW 2ND FLR. CUS.

EXISTING  
ROOF

PVC TO MATCH  
EXIST.  
EGRESS WINDOWS

AVERAGE ROOF HT.  
OVER GARAGE

EXISTING ROOF

EXISTING  
ROOF TO  
REMAIN

SHINGLES TO  
MATCH EXIST.

EXISTING  
TO REMAIN

EGRESS  
WINDOWS

EXISTING GUTTER  
& DOWNSPOUT  
TO REMAIN

EXISTING  
TO REMAIN

24.47' EXIST. 2ND FLR.

EXISTING

EXISTING TO REMAIN

EXISTING  
ROOF & TRIM  
TO REMAIN

PVC TRIM TO  
MATCH EXIST.

SYNTHETIC  
SHINGLES TO  
MATCH EXIST.

LINE OF EXIST. STONE  
FOUNDATION WALL

13.47' EXIST. 1ST FLR.

NEW STONE TO  
MATCH EXISTING  
& EXISTING  
FOUNDATION  
TOOTH IN FOR  
SEAMLESS  
TRANSITION

8.78' EXIST. GARAGE

EXIST. STONE

6.1' GRADE PLANE

4.01' EXIST. BASEMENT

33'-6"

N O R T H E A S T E L E V A T I O N

**NORTHEAST ELEVATION (REAR)**  
SCALE: 1/4" = 1'-0"

**WINDOW SCHEDULE**

SYM.	LOCATION	DESCRIPTION	LITE CUT	NOMINAL FRAME SIZE	REMARKS	U-FACTOR/SHGC
A	Dining Room	DOUBLE HUNG: Pella, 3W, Match existing specifications & size	2/2 top sash	3'-0" x 6'-1"	Match glass size of existing 1st floor windows Field mull to match existing	
B	Primary Bedroom	DOUBLE HUNG: Pella, 3W, Match existing specifications & size	2/2 top sash	3'-0" x 5'-7"	Match glass size of existing 2nd floor windows Field mull to match existing Egress Windows	
C	Primary Bedroom	OPERABLE AWNING: Pella, 2W spread mull to match existing, aluminum clad w/ Kynar finish, insulating glass w/Low E w/ argon gas, primed wood interior, 7/8" SDL w/ interior wood screens	2/2	3'-0 x 3'-0" each window	Match glass size to top sash of double hung B Provide tempered glass	
D	Primary Bedroom	FIXED PICTURE UNIT: Pella, 3W spread mull, aluminum clad w/ Kynar finish, insulating glass w/Low E w/ argon gas, primed wood interior, 7/8" SDL w/ custom pattern	3/1	3'-0 x 8'-0" each window	Provide tempered glass	
E	Primary Bedroom	FIXED SKYLIGHT: Velux, 3W fixed modular longlights		1000mm x 1200mm each		
F	Stair Landing	FIXED CIRCULAR: Reuse existing circular				
G	Office	DOUBLE HUNG: Reuse existing double hungs from Bedroom 2		3'-0" x 5'-7"	Egress window	

NOTES:

1. CONTRACTOR TO FIELD VERIFY DIMENSIONS IN THE FIELD.
2. ALL WINDOWS TO BE PRIMED INTERIOR.
3. ALL WINDOW GLASS LESS THAN 18" A.F.F. TO BE TEMPERED.
4. ALL WINDOW GLASS WITHIN 24" OF OPERABLE DOORS TO BE TEMPERED.
5. WINDOW ELEVATIONS FROM WINDOW MANUFACTURER WILL BE REQUIRED FOR ALL WINDOWS.
6. PROVIDE FOLDING CRANK HARDWARE IN WHITE FOR OPERABLE AWNINGS AND CASEMENTS.

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1054 TRAILS END ROAD PASADENA, MD 21122

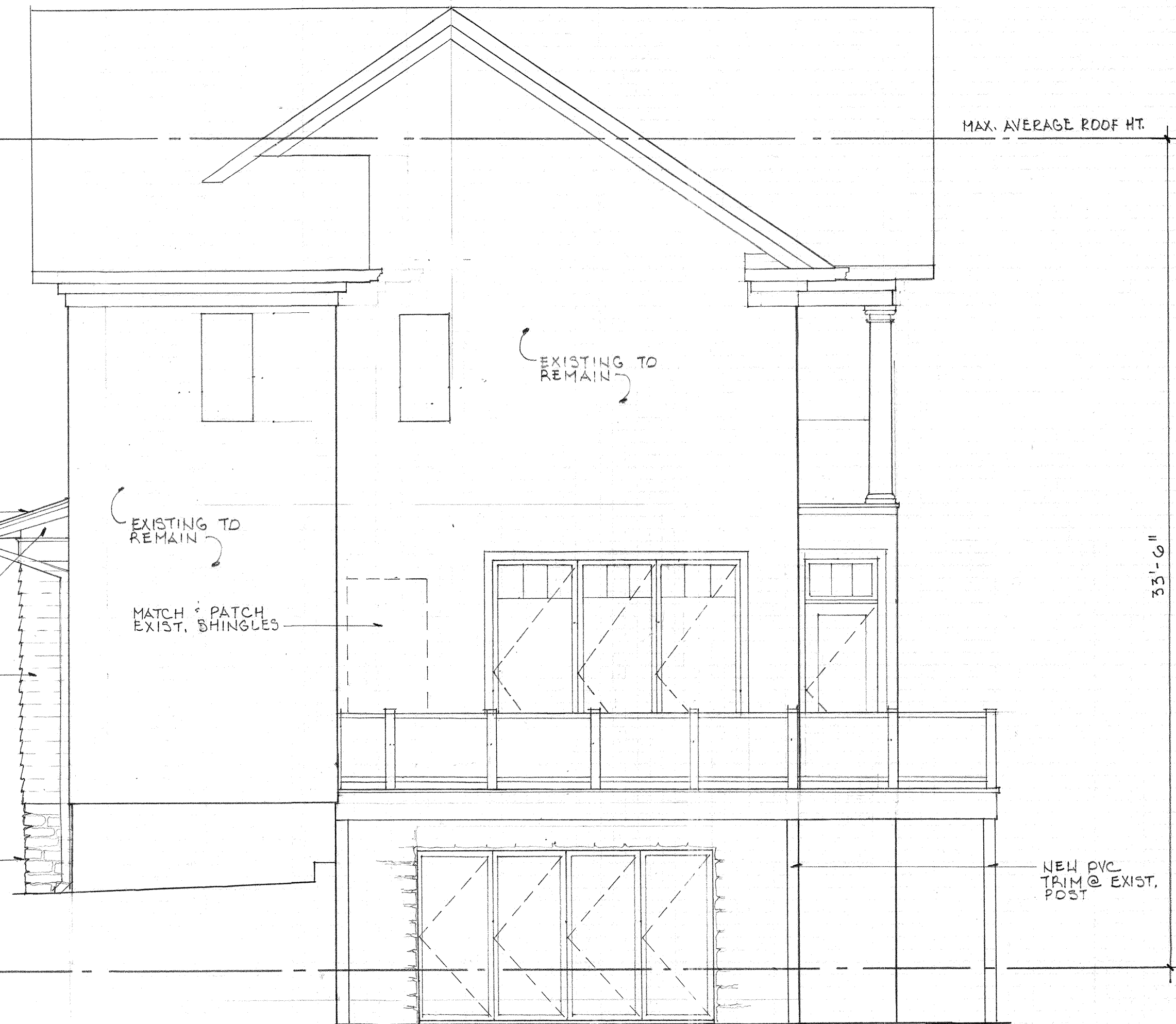
PREFILE  
CONSULTATION  
04.13.23  
APPLICATION FOR  
VARIANCE  
04.15.24

**A005**  
REAR ELEVATION



1  
A006  
SOUTHEAST ELEVATION  
SCALE: 1/2" = 1'-0"

- MAX. AVERAGE ROOF HT. 39.47'
- PVC TRIM TO MATCH EXIST. - TYP.
- EXIST. & NEW 2ND FLR. CLG. 33.47'
- SHINGLES TO MATCH EXIST. - TYP.
- EXISTING TRIM TO REMAIN - TYP.
- EXIST. GUTTER & DOWNSPOUTS TO REMAIN - TYP.
- EXIST. 2ND FLR. 29.47'
- EXIST. 1ST FLR. 13.47'
- EXIST. GARAGE 8.78'
- GRADE PLANE 6.1'
- EXIST. BASEMT. SLAB 4.01'



2  
A006  
NORTHWEST ELEVATION  
SCALE: 1/2" = 1'-0"

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PREFILE  
 CONSULTATION  
 04.13.23  
 VARIANCE SET  
 02.12.24

**A006**  
 SIDE ELEVATIONS  
 & SCHEDULES



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
33	15			

**FOR RESUBMITTAL ONLY**

- Corrections
- Redesign
- No Change
- Non-Critical Area

\*Complete Only Page 1  
 General Project Information

Tax ID: 03-000-90001017

Project Name (site name, subdivision name, or other) Patel/Chaudhry, 1054 Trails End Rd., Parcel 15

Project location/Address 1054 Trails End Rd.

City Pasadena Zip 21122

Local case number

Applicant: Last name Patel & Chaudhry First name Kavita K. & Basit I.

Company Trustees of the Basit Iqbal Chaudhry Living Trust, Dated July 31, 2019

**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 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:

Modify and construct minor modifications to the existing single family dwelling by reconfiguring a deck, enclosing a porch, and making some changes to the roof that does not add any lot coverage.

	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	0.022	945
LDA Area	0.62	26810			
RCA Area			# of Lots Created		
Total Area	0.62	26810			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.44	19,033	Existing Lot Coverage	0.11	4643.4
Created Forest/Woodland/Trees	0		New Lot Coverage	0.105	4580.8
Removed Forest/Woodland/Trees	0		Removed Lot Coverage	0.001	62.6
			Total Lot Coverage	0.105	4580.8

**VARIANCE INFORMATION (Check all that apply)**

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.022	945	Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		

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

## CRITICAL AREA NARRATIVE

Park Point

Tax Map 33, Grid 2, Parcel 15

Tax Account #: 03-000-90001017

Property Address: 1054 Trails End Road, Pasadena, MD 21122

Property Owner & Variance Applicant: Kavita Patel & Basit Chaudhry

Critical Area Designation: LDA Zoning: R-2 Lot Area: 26,810 SF; 0.62 Acres

### Site Description

The subject property is a 0.62 acre legal building lot located on Trails End Road in Pasadena, MD adjacent to the Magothy River. The site is currently improved with a single-family dwelling, deck and associated improvements. A private septic system and a property well serve the property. The lot is zoned R2 and is completely within the 100' buffer, with an LDA land use designation.

### Description and Purpose of Variance Request

The homeowners propose to modify and construct minor modifications to the existing single-family dwelling by reconfiguring a deck (requiring new footers for support), enclosing a porch that is already completely impervious, and to make some changes to the roof (changes that will not add any lot coverage). The property falls completely within the 100' buffer and the existing improvements encroach the 25-foot rear setback by 7.9 feet. Therefore, the proposed improvements will require the following variances to the Anne Arundel County Code: **Article 18 section 13-104(a)** for 945 SF of buffer disturbance and **Article 18 Section 4-602** for the encroachment of 25-foot rear setback by 7.9 feet for the proposed modifications.

### Vegetation Coverage and Clearing

The property's primary vegetative covering is a combination of lawn areas and mature trees/vegetation closer to the shoreline and toward the outer edges of the property. There will be no vegetative clearing for this project. Mitigation requirements for this property will be reviewed and addressed during the permit phase of this project.

### Impervious Lot coverage

The site currently has 4643.4 SF of lot coverage. The proposed impervious lot coverage is 4580.8 SF, which is less than the allowable of 4581.2 SF.

### Predominant Soils

The predominant soil types are Collington, Wist and Westphalia soil. These soils have a type B hydrologic classification.

### Drainage and Rainwater Control

Stormwater management is currently accomplished on site by directing downspouts to splash blocks directed to swales for treatment in gravel wetlands. The proposed improvements will reuse existing downspout locations. Additional stormwater management is not required for the proposed improvements as the limit of disturbance will be less than 5,000 square feet and the impervious area will be reduced. Sediment and erosion control 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 within the critical buffer zone and the shoreline along the Magothy River. The proposed modifications will not result in any addition of lot coverage, the lot coverage is being reduced overall as a result of this project. The variance request is not based on actions of 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. 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 legislation. The granting of these variances 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.

**INDEX OF STANDARD SYMBOLS**

Standard Symbols	
	Yard Set Back
	Limits of Non-Buffer / Buffer Exempt
	100' Buffer
	Existing Portion of Deck to Remain
	Limits of Disturbance
LIMITS OF DISTURBANCE	FRONT YARD: 384 SF REAR YARD: 761 SF
TOTAL LIMITS OF DISTURBANCE:	945 SF

**VARIANCE KEY**

Standard Symbols	
	A variance to modify 400.14 square feet of existing second floor roof 18.8 feet from the rear property line, requiring a reduction of 5.2 feet to the 25 feet rear yard set forth in Code Section 18-4-601 and a variance to modify 400.14 square feet of existing second floor roof line 17 feet from the mean high water within the 100-foot buffer, requiring a reduction of 23 feet to the 100-foot Critical Area Buffer set forth in Code Section 18-13-104(a).
	A variance to enclose 26 square feet of existing rear covered porch 17.1 feet from the rear property line, requiring a reduction of 7.9 feet to the 25 feet rear yard set forth in Code Section 18-4-601 and a variance to enclose 26 square feet of existing rear covered porch 82 feet from the mean high water within the 100-foot buffer, requiring a reduction of 18 feet to the 100-foot Critical Area Buffer set forth in Code Section 18-13-104(a).
	A variance for 12.5 square feet of deck extension with a 1.36 square feet of 2 bored post footings (shown in purple) 50.75 feet from the mean high water within the 100-foot buffer, requiring a reduction of 49.25 feet to the 100-foot Critical Area Buffer set forth in Code Section 18-13-104(a).
	A variance to place 2.72 square feet of 2 bored post footings for deck posts 45.75 feet from the mean high water within the 100-foot buffer, requiring a reduction of 54.25 feet to the 100-foot Critical Area Buffer set forth in Code Section 18-13-104(a).
	Impervious surface underneath existing deck to be removed.

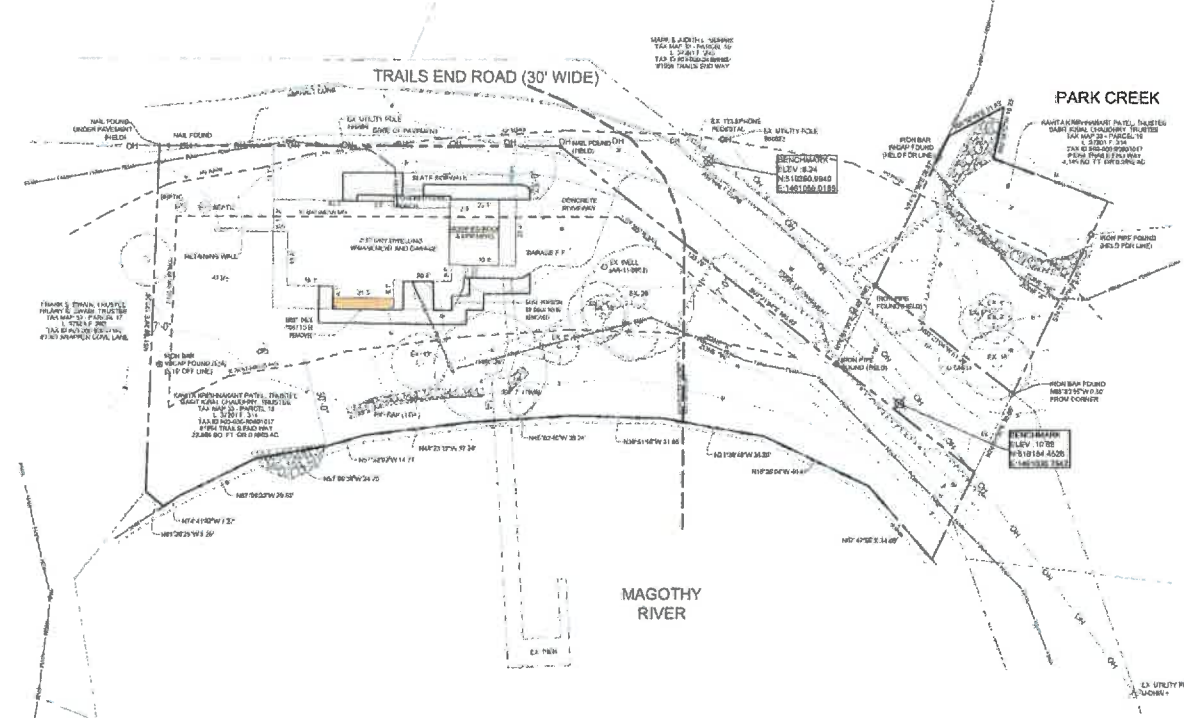
**ZONING SUMMARY:**

LOT DESCRIPTION: 1054 TRAILS END ROAD,  
PASADENA, MD 21122  
3RD DISTRICT ANNE ARUNDEL COUNTY, MD  
TAX MAP 33; GRID 2, PARCEL 15

ZONE: R2  
EXISTING LOT AREA: 0.62 ACRES = 26,610 SF  
REQUIRED SETBACKS: FRONT: 30 FT  
REAR: 25 FT  
SIDES: 7 FT

LDT COVERAGE	MAX. ALLOWED 15% MAX = 4021.5 SF	EXISTING COVERAGE	MAX. ALLOWED W/ 10% REDUCTION 4581.2 SF	PROPOSED
TOTAL LOT COVERAGE		4643.4 SF	621.9 SF	4580.8 SF
BREAKDOWN OF LOT COVERAGE				
MAIN BLDG.		2317 SF		2342 SF
PORCH & STEPS		106.5 SF		78.6 SF
FRONT SIDEWALK		181 SF		181 SF
CONCRETE DRIVE		1130 SF		1130 SF
RETAINING WALL		18 SF		19 SF
RIP RAP		818 SF		818 SF
WALKWAY UNDER DECK TO BE REMOVED		64 SF		0 SF
DECK POST TO BE REMOVED		1.30 SF		0 SF
NEW POSTS FOR DECK				4.29 SF

BLDG. HEIGHT, MAX. ALLOWED: 35 FT.  
EXISTING: 35 FT./2 STORIES ON FULL BASEMENT  
PROPOSED: NO CHANGE



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202.403.4800  
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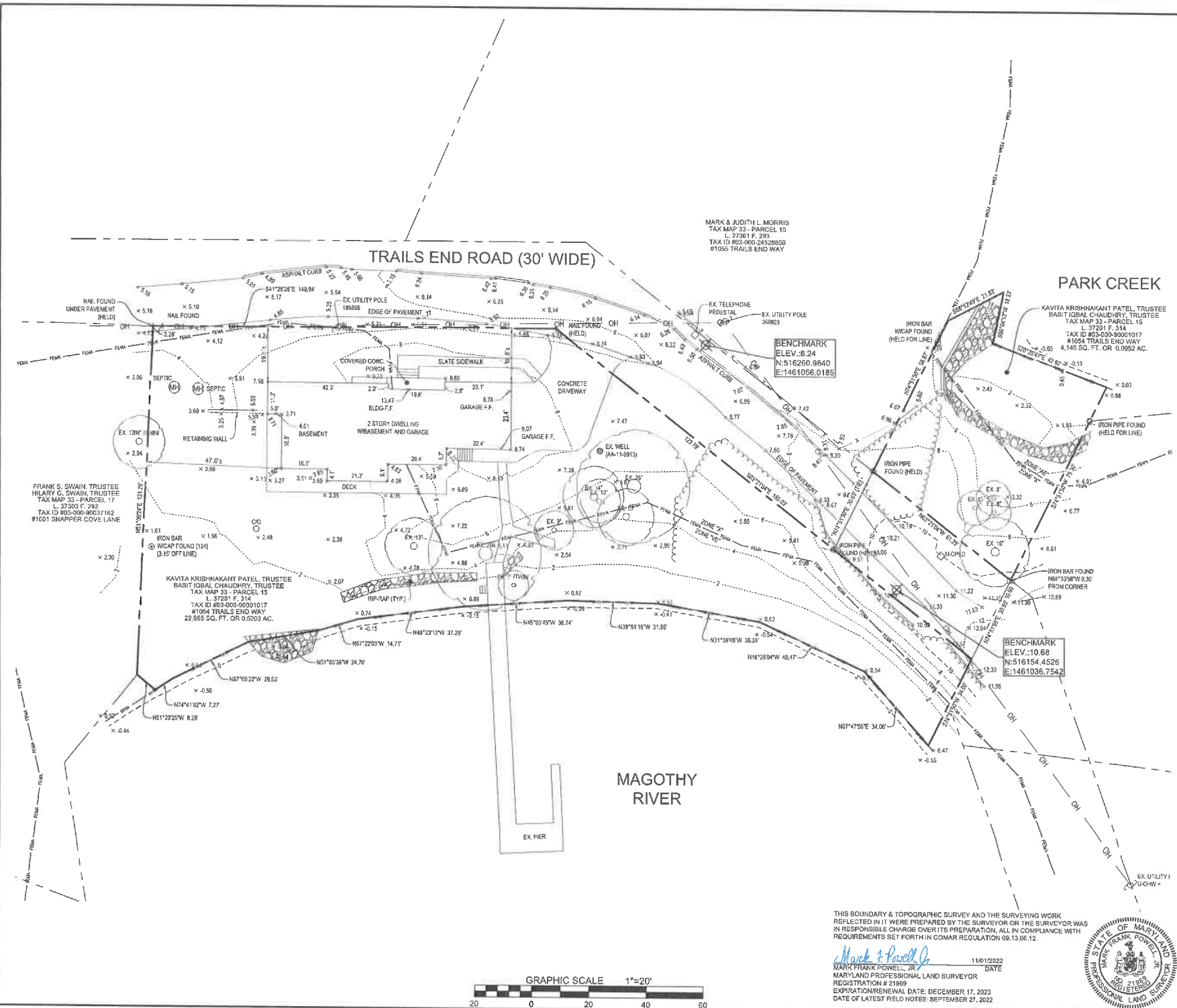
NAVA K. PATEL, TRUSTEE  
BASIT I. CHAUDHRY, TRUSTEE  
TRUSTEES OF THE BASIT I. CHAUDHRY LIVING TRUST  
7117 FAIRFAX ROAD  
BETHESDA, MD 20814

APPLICANTS AND BENEFICIARIES OF THE  
**CHAUDHRY RESIDENCE**  
380 TRAILS END ROAD PASADENA, MD 21122  
TAX MAP 33, GRID 2, PARCEL 15



FILE CONSULTATION 04.12.2024  
PROGRESS SET 02.12.2024  
REFILE CONSULTATION 03.11.2024  
APPLICATION FOR VARIANCE  
06.23.2024

**SP002**  
PROPOSED SITE PLAN



MARK & JUDITH L. MORRIS  
 TAX MAP 33 - PARCEL 10  
 L. 27361 F. 293  
 TAX ID #03-000-24528600  
 #1055 TRAILS END WAY

BENCHMARK  
 ELEV.: 6.24  
 N: 516260.9840  
 E: 1461056.0185

PARK CREEK

BENCHMARK  
 ELEV.: 10.68  
 N: 516154.4526  
 E: 1461036.7542

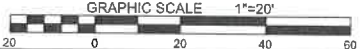
FRANK S. SWAIN, TRUSTEE  
 HILARY G. SWAIN, TRUSTEE  
 TAX MAP 33 - PARCEL 17  
 L. 37503 F. 292  
 TAX ID #03-000-90037162  
 #1001 SNAPPER COVE LANE

KAVITA KRISHNAKANT PATEL, TRUSTEE  
 BASIT IQBAL CHAUDHRY, TRUSTEE  
 TAX MAP 33 - PARCEL 15  
 L. 37291 F. 314  
 TAX ID #03-000-90001017  
 #1054 TRAILS END WAY  
 22,665 SQ. FT. OR 0.5203 AC.

KAVITA KRISHNAKANT PATEL, TRUSTEE  
 BASIT IQBAL CHAUDHRY, TRUSTEE  
 TAX MAP 33 - PARCEL 15  
 L. 37291 F. 314  
 TAX ID #03-000-90001017  
 #1054 TRAILS END WAY  
 4,145 SQ. FT. OR 0.0952 AC.

THIS BOUNDARY & TOPOGRAPHIC SURVEY AND THE SURVEYING WORK REFLECTED IN IT WERE PREPARED BY THE SURVEYOR OR THE SURVEYOR'S IN RESPONSIBLE CHARGE OVER ITS PREPARATION, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN COMAR REGULATION 09.15.06.12.

*Mark & Powell, Jr.*  
 11/01/2022 DATE  
 MARK FRANK POWELL, JR.  
 MARYLAND PROFESSIONAL LAND SURVEYOR  
 REGISTRATION # 21869  
 EXPIRATION/RENEWAL DATE: DECEMBER 17, 2023  
 DATE OF LATEST FIELD NOTES: SEPTEMBER 27, 2022



- GENERAL NOTES**
- THE BEARINGS, COORDINATES AND ELEVATIONS SHOWN ON THIS SURVEY WERE OBTAINED BY MEANS OF A GPS NETWORK. THE HORIZONTAL DATUM IS REFERENCED TO MARYLAND STATE PLANE COORDINATE SYSTEM (NAD 83) AND THE VERTICAL DATUM IS REFERENCED TO NAVD 83.
  - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH MAY REVEAL EASEMENTS, ENCUMBRANCES OR OTHER SERVITUDES THAT MAY AFFECT THE SUBJECT PROPERTY.
  - THE SURVEYOR'S OFFICE IS LOCATED AT 2651 RIVE ROAD, ANNAPOLIS, MARYLAND 21401. THE SURVEYOR'S LICENSE NUMBER IS 21869. THE SURVEY WAS CONDUCTED ON FEMA FLOOD PLAN MAP 240603071E DATED FEBRUARY 16, 2015.
  - THE PROPERTY IS ZONED R2.
  - EX. ON-SITE IMPERVIOUS = 4,899 SQ. FT.

**Bay Engineering Inc.**  
 Engineers, Planners and Surveyors

2651 Rive Road, Building 600  
 Annapolis, Maryland 21401  
 410.897.5250 fax  
 410.897.5255 fax  
 email: info@bayengineering.com  
 www.bayengineering.com

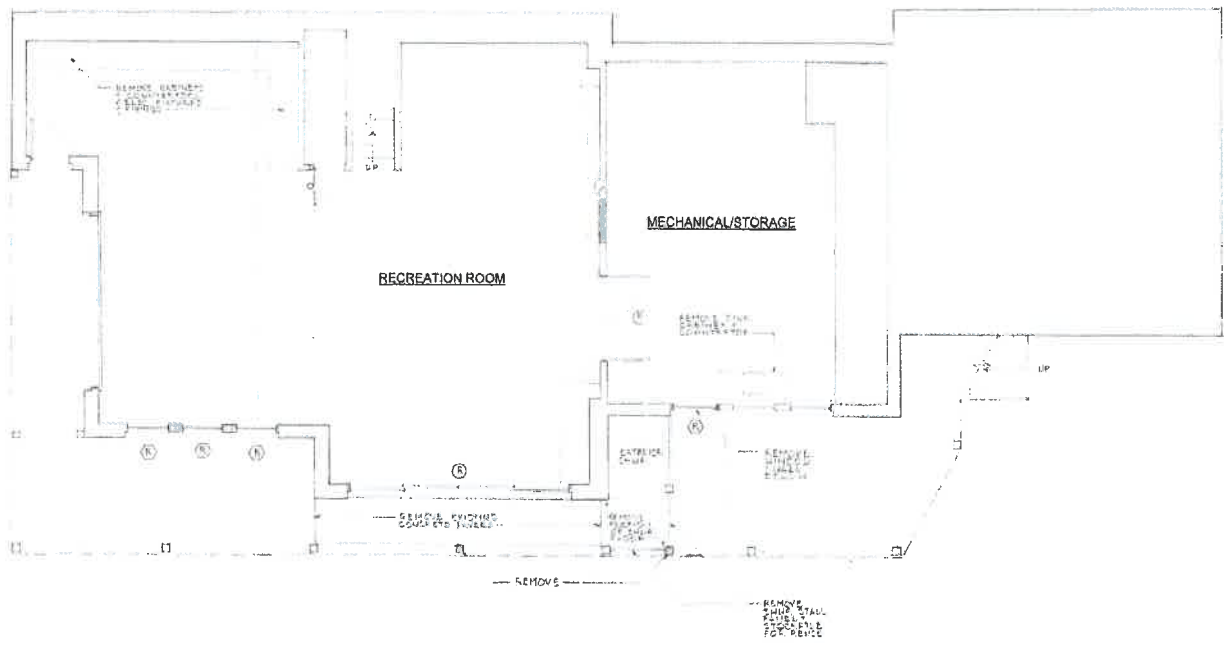
DATE: NOVEMBER, 2022  
 JOB NUMBER: 22-8656  
 SCALE: 1" = 20'  
 DRAWN BY: M.F.P., JR.  
 CHECKED BY: M. MEEKINS

FOLDER REFERENCE:

**BOUNDARY & TOPOGRAPHIC SURVEY**

THE LANDS OF  
**KAVITA KRISHNAKANT PATEL, TRUSTEE**  
**BASIT IQBAL CHAUDHRY, TRUSTEE**  
 1028 WEST STREET  
 TAX MAP 33 ~ GRID 2 ~ PARCEL 15  
 PASADENA, MARYLAND  
 3RD DISTRICT  
 ANNE ARUNDEL COUNTY, MD 21122

Sheet No. 1 of 1  
 File No.



**DEMOLITION FLOOR PLAN KEY:**

EXISTING CONSTRUCTION TO REMAIN  
 EXISTING STRUCTURE & FINISHES TO BE DEMOLISHED

**DEMOLITION NOTES:**

1. Remove shaded portion of existing walls, typical. Coordinate with new work.
2. Provide temporary shoring and bracing as required of interior and exterior structure. For removal of bearing elements to prevent movement, settlement, or collapse of the structure and adjacent facilities or work to remain until permanent support is completed.
3. Provide temporary weather protection for the duration of construction to ensure no water leakage or damage to existing construction.
4. Remove all windows and doors noted to be removed. All others to remain, typical.
5. Remove all fixtures and finishes according to the drawings and salvage those noted for reuse.
6. Special care shall be taken to prevent damage to existing construction scheduled to remain, typical.
7. Provide protection of vegetation required to prevent damage during construction, typical.
8. Any removed portion of the house shall be patched to match existing surface as required, typical.

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 202 403 4600  
 WWW.KMARCHITECTURE.COM

ADDITION TO & RENOVATION OF THE  
**CHAUDHRY RESIDENCE**  
 1084 TRAILS END ROAD PASADENA, MD 21122

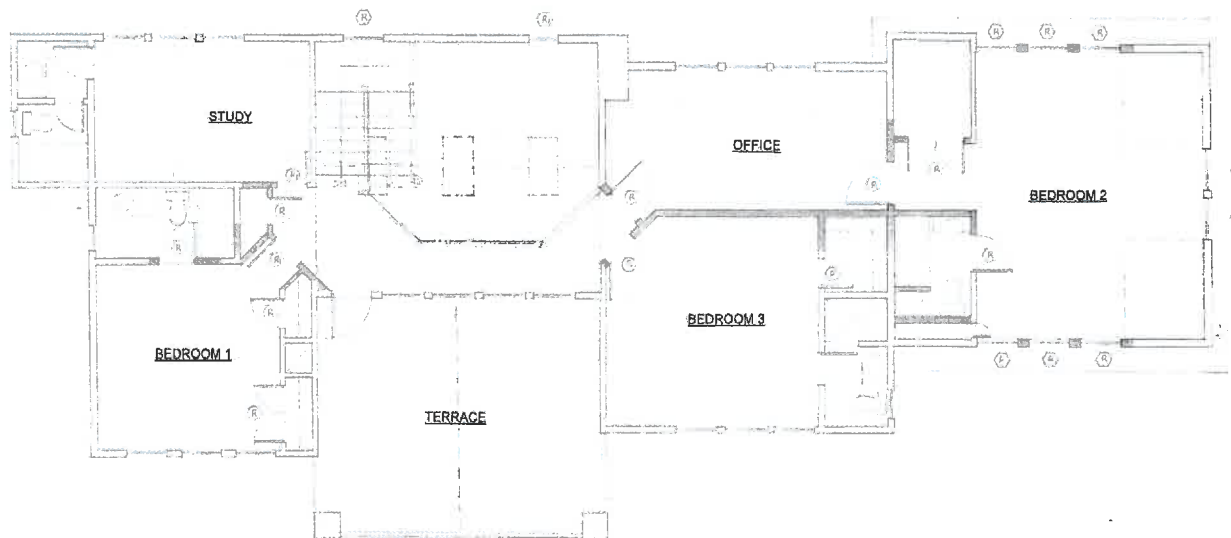
PREFILE  
 CONSULTATION  
 04.13.23  
 APPLICATION FOR  
 VARIANCE  
 04.16.24

**EXISTING BASEMENT PLAN**  
 SCALE: 1/4" = 1'-0"

**D001**  
 BASEMENT FLOOR  
 PLAN







**DEMOLITION FLOOR PLAN KEY:**

EXISTING CONSTRUCTION TO REMAIN: \_\_\_\_\_  
 EXISTING STRUCTURE & FINISHES TO BE DEMOLISHED: \_\_\_\_\_

**DEMOLITION NOTES:**

1. Remove shaded portion of existing walls, typical. Coordinate with new work.
2. Provide temporary dewatering and bracing as required of interior and exterior structure, for removal of bearing elements to prevent movement, settlement, or collapse of the structure and adjacent facilities or work to remain until permanent support is completed.
3. Provide temporary weather protection for the duration of construction to ensure no water leakage or damage to existing construction.
4. Remove all windows and doors noted to be removed. All others to remain, typical.
5. Remove all fixtures and finishes according to the drawings and salvage those noted for reuse.
6. Special care shall be taken to prevent damage to existing construction scheduled to remain, typical.
7. Provide protection of vegetation required to prevent damage during construction, typical.
8. Any removed portion of the house shall be patched to match existing surface as required, typical.

1 EXISTING SECOND FLOOR PLAN  
 D003 SCALE: 1/4" = 1'-0"

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 ARCHITECT, PLLC**

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ADDITION TO & RENOVATION OF THE  
**CHAUDRY RESIDENCE**  
 1064 TRAILS END ROAD PASADENA, MD 21122


PREFILE  
 CONSULTATION  
 04.13.23  
 APPLICATION FOR  
 VARIANCE  
 04.13.24

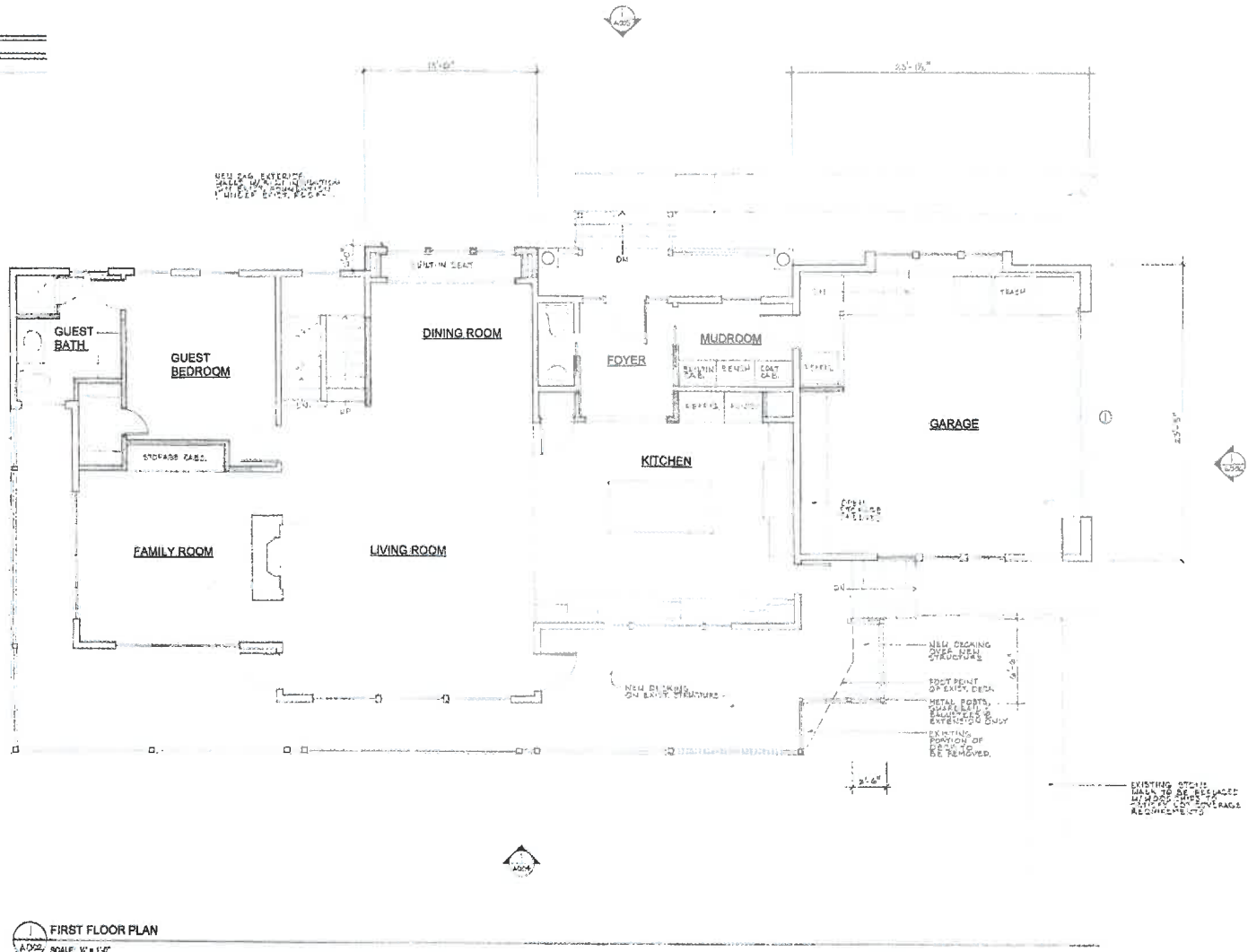
**D003**  
 SECOND FLOOR  
 PLAN



**PROPOSED FLOOR PLAN KEY:**

EXISTING PARTITIONS TO REMAIN 

NEW CONSTRUCTION 



**FIRST FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

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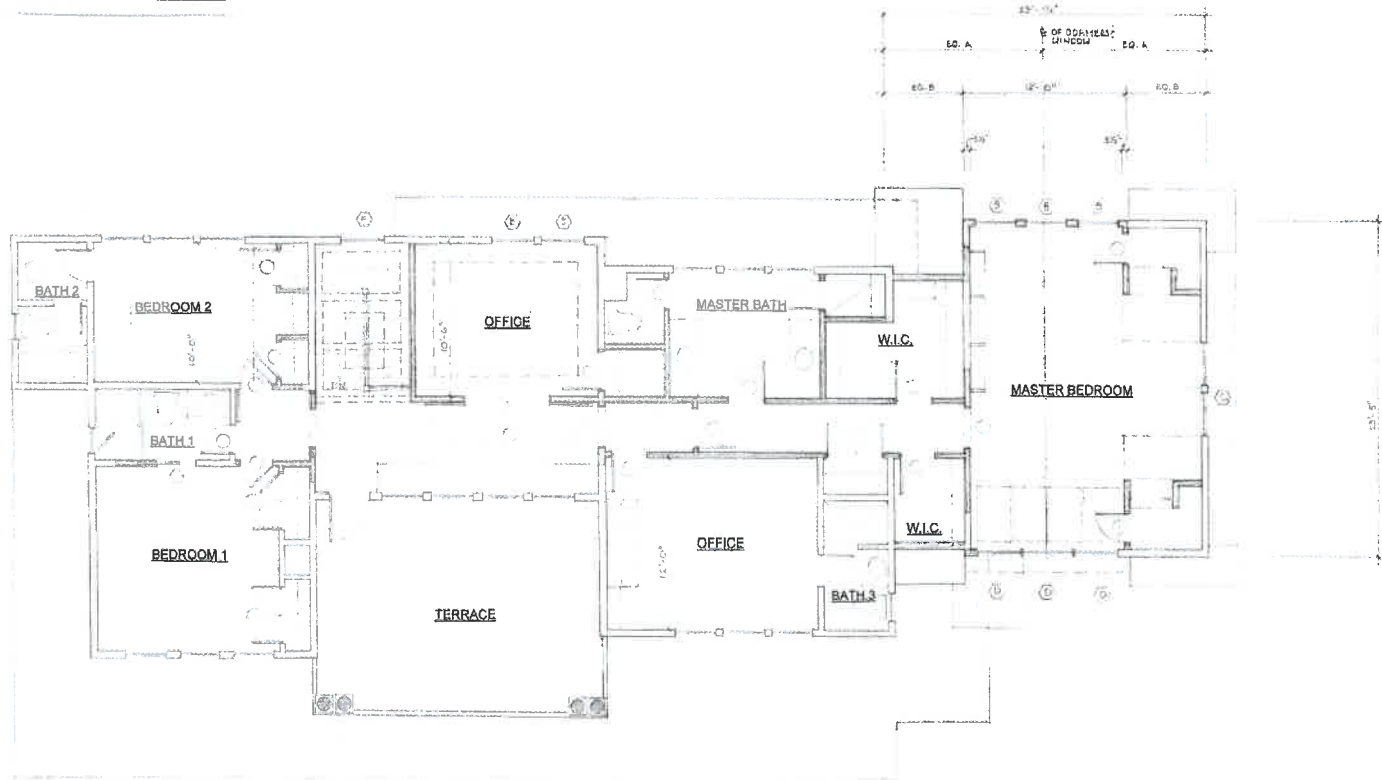
ARCHITECT TO & RENOVATION OF THE  
**CHAUDRY RESIDENCE**  
1051 TRAILS END ROAD PASADENA, MD 21112

PROJECT  
CONSULTATION  
04.13.23  
APPLICATION FOR  
VARIANCE  
04.15.24

**A002**  
FIRST FLOOR PLAN

PROPOSED FLOOR PLAN KEY:

EXISTING PARTITIONS TO REMAIN  
NEW CONSTRUCTION



1 SECOND FLOOR PLAN  
A.003 SCALE: 1/4" = 1'-0"

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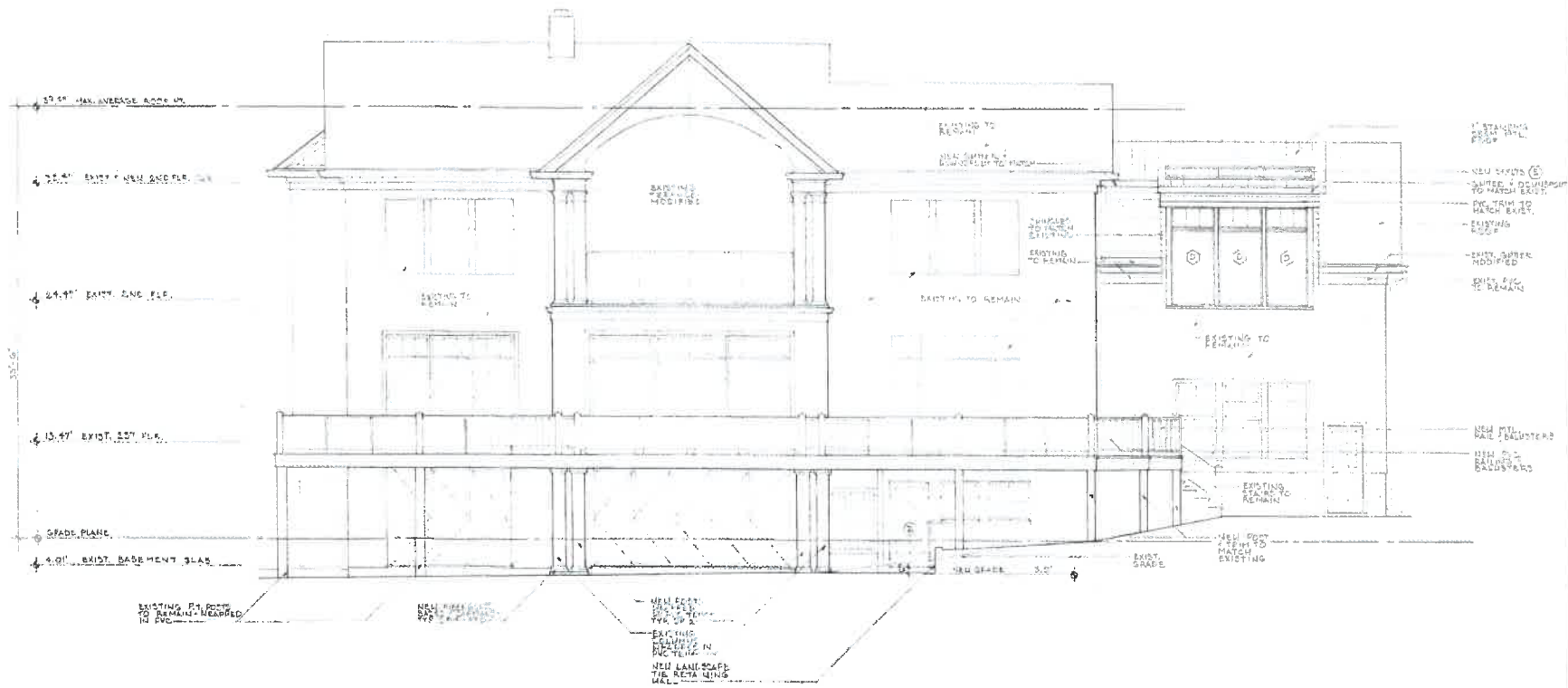
ADDITION TO & RENOVATION OF THE  
**CHAUDHRY RESIDENCE**  
1054 TRAILS END ROAD PASADENA, MD 21122

PRELIMINARY  
CONSULTATION  
04.13.23  
APPLICATION FOR  
VARIANCE  
04.15.24

**A003**  
SECOND FLOOR  
PLAN

KRISTA M. SCHAUER,  
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 KRISTA MINOTTI SCHAUER, AIA  
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ADDITION TO & RENOVATION OF THE  
**CHAUDRY RESIDENCE**  
 1054 TRAILS END ROAD PASADENA, MD 21122



**SOUTHWEST ELEVATION (FRONT)**  
 SCALE 1/4" = 1'-0"

PREFILE  
 CONSULTATION  
 04.13.23  
 APPLICATION FOR  
 VARIANCE  
 04.18.24

**A004**  
 FRONT ELEVATION

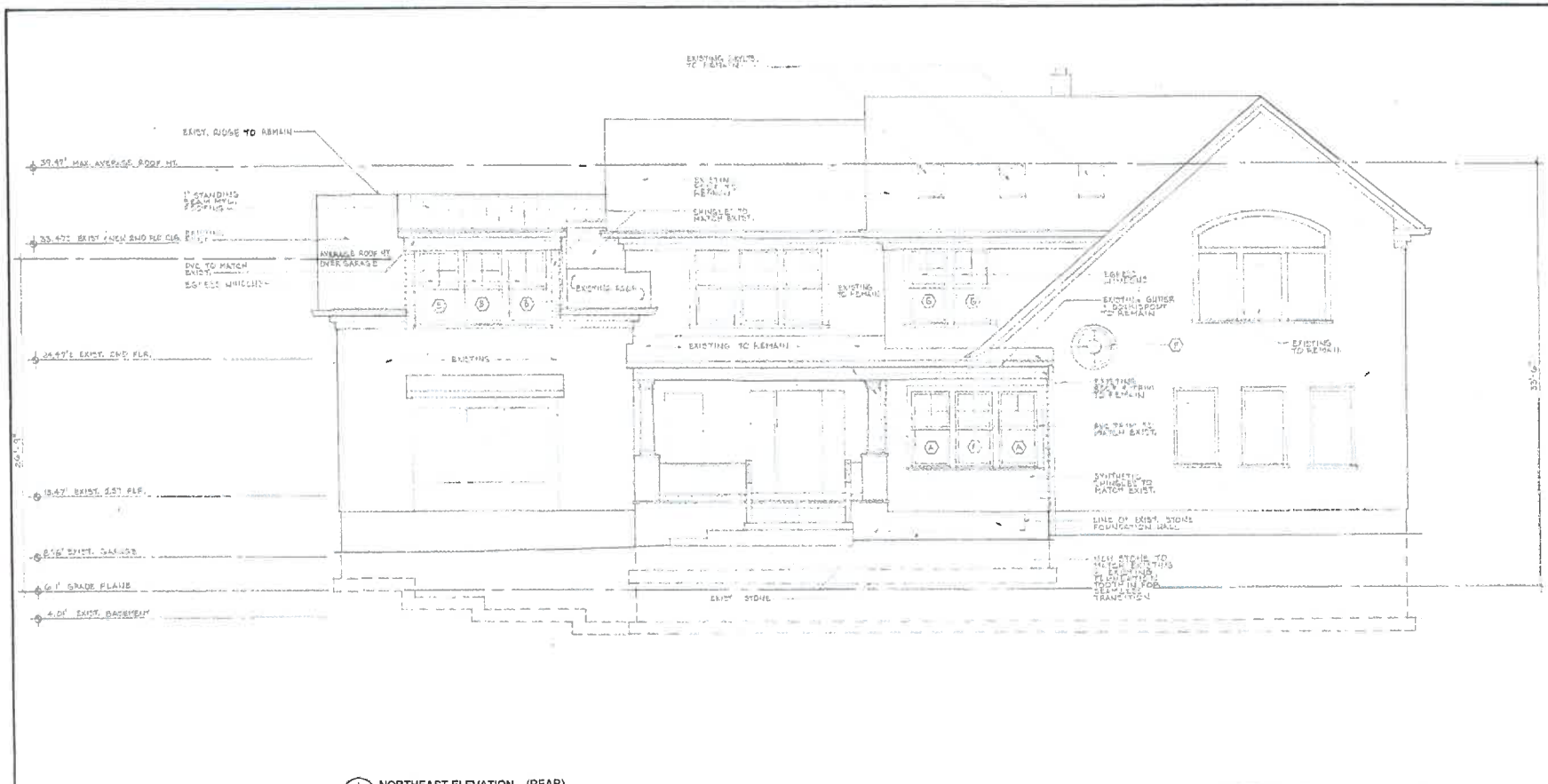
KRISTA M. SCHAUER,  
ARCHITECT, PLLC

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WASHINGTON, DC 20007  
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WWW.KMSARCHITECTURE.COM

ADDITION TO & RENOVATION OF THE  
**CHAUDRY RESIDENCE**  
1664 TRULLETT ROAD PARADISE, MD 21122

PRELIMINARY  
CONSULTATION  
04.13.23  
APPLICATION FOR  
VARIANCE  
04.18.24

**A005**  
REAR ELEVATION



**NORTHEAST ELEVATION (REAR)**  
SCALE: 1/4" = 1'-0"

**WINDOW SCHEDULE**

SYM.	LOCATION	DESCRIPTION	LITE CUT	NOMINAL FRAME SIZE	REMARKS	FACTOR SNGC
A	Dining Room	DOUBLE HUNG: Pctls. 1W, Match existing specifications & size	1/2 top sash	3'-0" x 6'-0"	Match glass size of existing 1st floor windows Field mull to match existing	
B	Primary Bedroom	DOUBLE HUNG: Pctls. 1W, Match existing specifications & size	2/2 top sash	3'-0" x 5'-0"	Match glass size of existing 2nd floor windows Field mull to match existing	
C	Primary Bedroom	OPERABLE AWNING: Pctls. 2W, glass mull to match existing, aluminum clad w/ Kynar finish, insulating glass w/ Low E w/ argon gas, printed wood grange, 1/8" SDI w/ printed wood grange	1/2	3'-6" x 3'-0" each window	Match glass size to top sash of double hung B Provide tempered glass	
D	Primary Bedroom	FIXED PICTURE LITE: Pctls. 2W, glass mull, aluminum clad w/ Kynar finish, insulating glass w/ Low E w/ argon gas, printed wood grange, 1/8" SDI w/ printed wood grange	1/1	3'-0" x 8'-0" each window	Provide tempered glass	
E	Primary Bedroom	FIXED SKYLIGHT: Yes, 1W, fixed medium length gable.		1000mm x 1200mm each		
F	Stair Landing	FIXED CURTAIN AIR: None existing gable				
G	Office	DOUBLE HUNG: Rear entrance, double hung from Bedroom 2		3'-0" x 5'-0"	1 glass window	

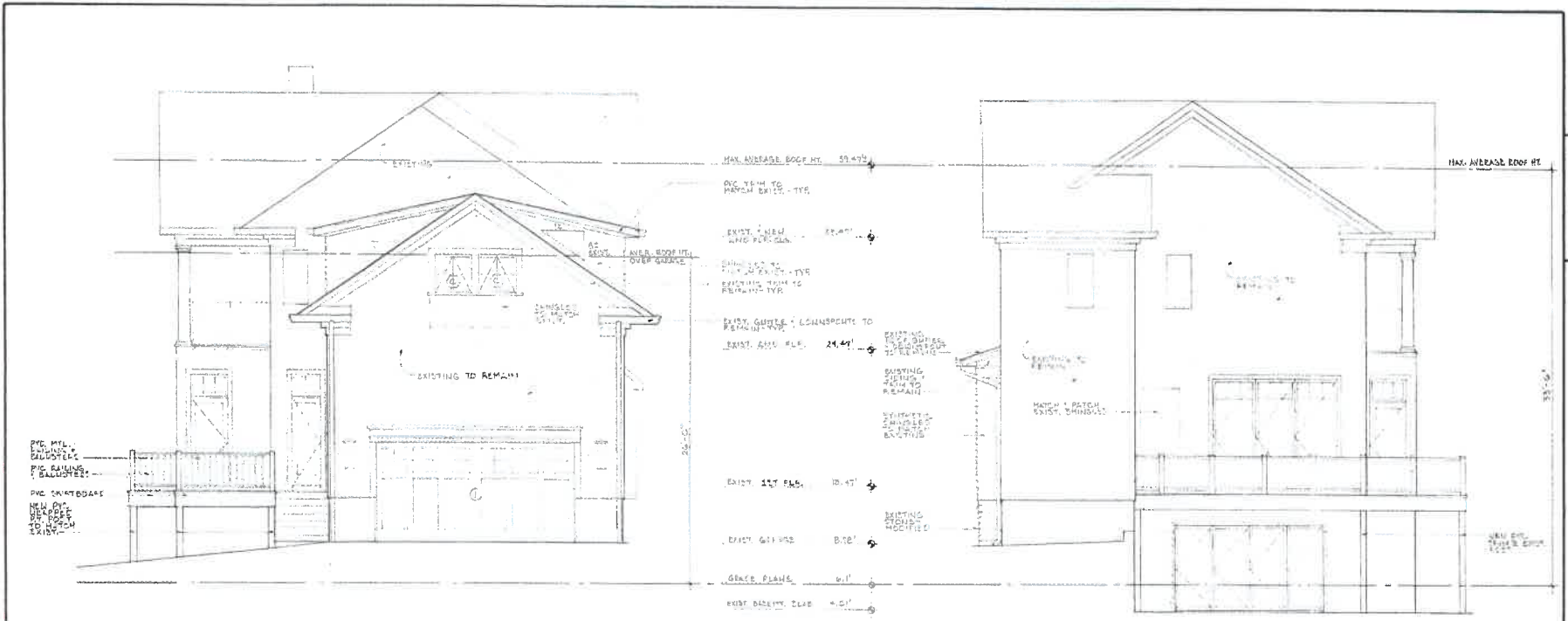
- NOTES:
1. CONTRACTOR TO FIELD VERIFY DIMENSIONS IN THE FIELD.
  2. ALL WINDOWS TO BE PINNED OUTSIDE.
  3. ALL WINDOW GLASS LESS THAN 1/4" A.F.F. TO BE TEMPERED.
  4. ALL WINDOW GLASS WITHIN 24" OF OPERABLE DOORS TO BE TEMPERED.
  5. WINDOW ELEVATIONS FROM WINDOW MANUFACTURER WILL BE REQUIRED FOR ALL WINDOWS.
  6. PROVIDE FOLDING CRANK HARDWARE IN WHITE FOR OPERABLE WINDOWS AND CASEMENTS.

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 WWW.KMARCHITECTURE.COM

ADDITION TO & RENOVATION OF THE  
**CHAUDRY RESIDENCE**  
 1504 TRAILS END ROAD / ARLINGTON, VA 22202

PROFILE  
 CONSULTATION  
 04.13.23  
 VARIANCE SET  
 02.12.24

**A006**  
 SIDE ELEVATIONS  
 & SCHEDULES



**SOUTHEAST ELEVATION**  
 SCALE: 1/2" = 1'-0"

**NORTHWEST ELEVATION**  
 SCALE: 1/2" = 1'-0"



## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE (202-0027-P)

DATE OF MEETING: 4/1/2024

P&Z STAFF: Sara Anzelmo, Kelly Krinetz

APPLICANT/REPRESENTATIVE: K. Patel & B. Chaudhry/Ben Wechsler EMAIL: bwechsler@yvslaw.com

SITE LOCATION: 1054 Trails End Road, Pasadena LOT SIZE: 26,810 sf ZONING: R2

CA DESIGNATION: LDA/RCA BMA: Partial or BUFFER: Partial APPLICATION TYPE: Critical Area Variance

The proposed improvements consist of adding roof dormers, reconfiguring deck support posts, adding a small portion of concrete, expanding the deck, and enclosing an existing porch. The Applicant is requesting the following variances:

- A critical area variance request for 36 square feet of permanent buffer disturbance pursuant to 18-13-104(a) of the Code, as shown on the attached site plan for concrete pavers under an existing deck.
- A critical area variance request for 3 square feet of permanent buffer disturbance pursuant to 18-13-104(a) of the Code, as shown on the attached site plan for concrete footing to support the deck.
- A critical area variance request for 1.33 square feet of permanent buffer disturbance pursuant to 18-13-104(a) of the Code, as shown on the attached site plan for concrete footing to support the modest deck expansion.
- A critical area variance request for 12.5 square feet of permanent buffer disturbance pursuant to 18-13-104(a) of the Code, as shown on the attached site plan for a modest deck expansion.

The Applicant contends that the following variance requests are not necessary as the proposed improvements do not extend past the existing footprint of the home. Despite these assertions, the Applicant has provided support and justification for all variance requests.

- A critical area variance request for 18 feet of permanent buffer disturbance pursuant to 18-13-104(a) of the Code, as shown on the attached site plan to enclose the existing covered porch on the roadside of the home.
- A variance request of 7.9 feet to the 25-foot rear setback requirement pursuant to 18-4-602 of the Code, as shown on the attached site plan to enclose the existing covered porch on the roadside of the home.
- A variance request of 6.2 feet to the 25-foot rear setback requirement pursuant to 18-4-602 of the Code, as shown on the attached site plan to modify the existing dormers and roofline of the home.
- A critical area variance to modify 400.1 square feet of existing second floor roof resulting in a permanent buffer disturbance pursuant to 18-13-104(a) of the Code.

#### COMMENTS

The **Critical Area Team** noted that the existing dwelling is located entirely within the 100' buffer based on a previously approved variance decision that found that the existing 4,643 sq ft footprint was the minimum necessary to afford the applicant relief. All of the areas shown in gray on the site plan constitute buffer disturbance and therefore require a variance, even those for the porch on the rear of the home. The justification provided fails to demonstrate why additional relief is necessary and does not provide the necessary details needed to make an appropriate recommendation. At this point, the Team does not see just cause to recommend approval of this request.

The **Zoning Administration Section** concurs with the comments provided by the Critical Area Team. The existing dwelling is substantial in size, and the applicants will need to demonstrate why the existing improvements constructed via the previously approved variance do not already provide the minimum relief necessary to afford reasonable use of the property. In order for a Critical Area variance to be approved, the applicant must demonstrate and the Hearing Officer must find that the proposal complies with each and every variance standard provided under Section 18-16-305 (b) & (c) of the Anne Arundel County Zoning Ordinance. NOTE: The proposed roof modification area should be labeled with the proposed height and number of stories.



## INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

\*\*\* A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence. A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.