

July 11, 2024

Anne Arundel County
Office of Planning and Zoning
Zoning Administration

RE: 555 Broadwater Road - Buffer Restriction Variance

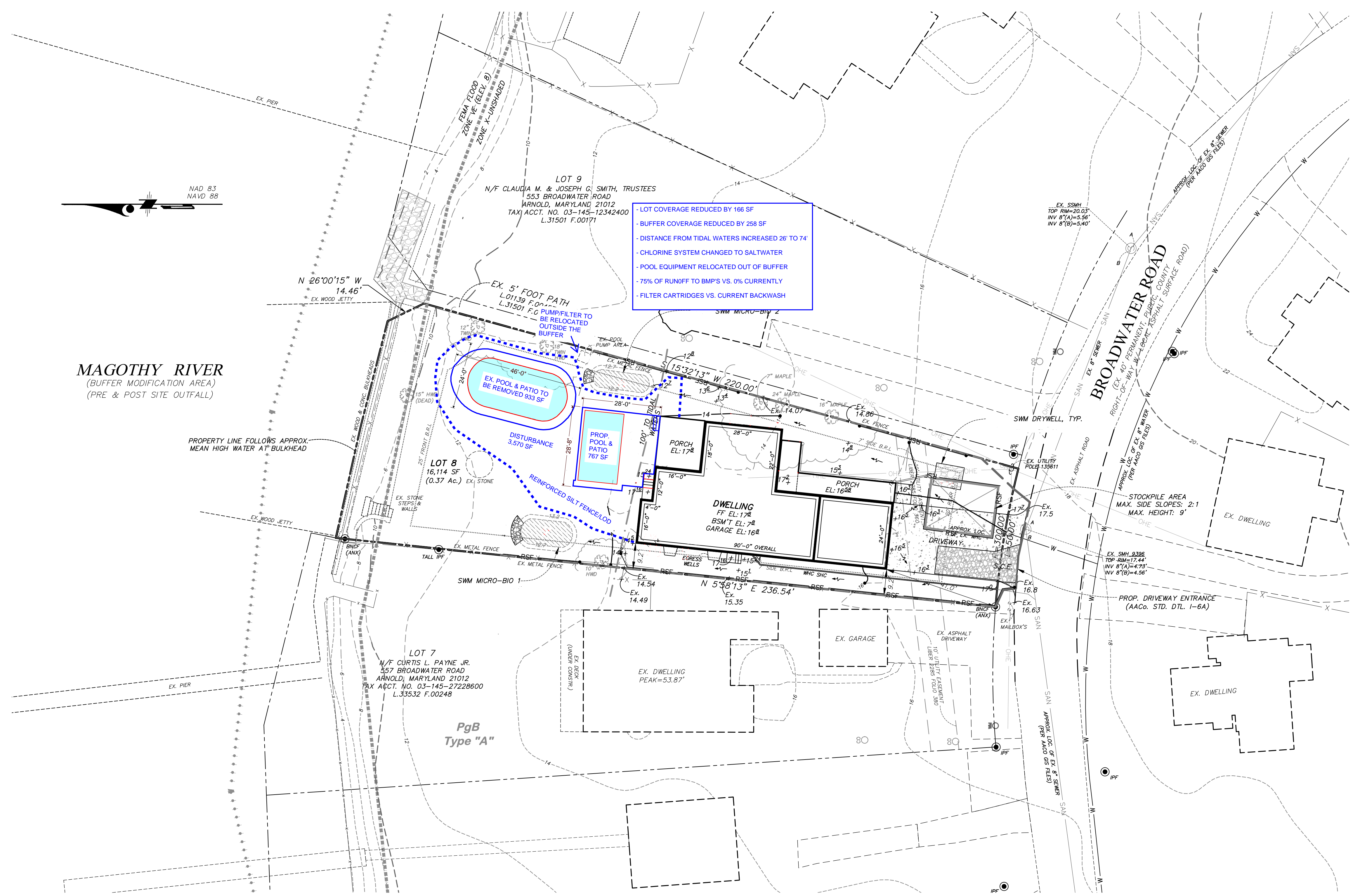
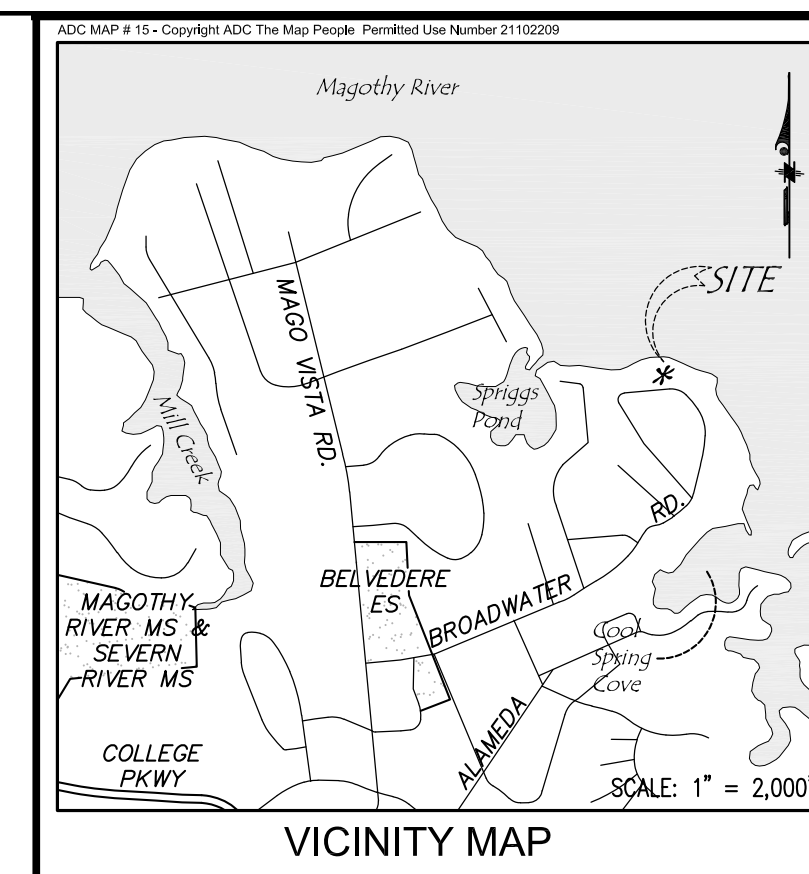
To whom it may concern:

I am writing this Letter of Explanation to outline the specifics of my application for a variance to the requirements for work in the 100' buffer. We would like permission to remove an existing in-ground pool and replace it with a smaller in-ground pool located further from the river than the pool that is being removed. My belief is that this request is justified as it will result in reduced coverage in the buffer, reduced overall lot coverage, reduced chlorine use, most run-off into BMP's and reduced visibility from the waterway and neighboring properties.

The existing pool and patio is located approximately 26' from the high water line and the proposed relocation will be approximately 74' from the high water line. Coverage of the existing pool and patio is 933 square feet and is all within the 100' buffer. The proposed location will have 675 square feet of coverage in the 100' buffer and 92 square feet of new coverage outside the buffer. Coverage in the buffer is reduced by 258 square feet and overall coverage is reduced by 166 square feet. Run-off from the existing pool flows directly into the waterway, while the majority of run-off from the relocated pool will flow into two existing micro-bio BMP's. The existing pool is a chlorine system with a backwash filter that flows into the waterway with pumps and filters located in the buffer. The proposed system will be a saltwater pool with filter cartridges, pumps and filters located outside of the 100' buffer. Both adjacent properties have in-ground pools located up close to the buildings similar to what we are proposing. The site plan included with this application has detailed dimensions and locations of both the existing and proposed structures. Feel free to contact me if further information is needed.

Sincerely,

David Burt
Owner
(301) 525-1706



MAGOTHY RIVER
(BUFFER MODIFICATION AREA)
(PRE & POST SITE OUTFALL)

PROPERTY LINE FOLLOWS APPROX.
MEAN HIGH WATER AT BULKHEAD

- LOT COVERAGE REDUCED BY 166 SF
- BUFFER COVERAGE REDUCED BY 258 SF
- DISTANCE FROM TIDAL WATERS INCREASED 26' TO 74'
- CHLORINE SYSTEM CHANGED TO SALTWATER
- POOL EQUIPMENT RELOCATED OUT OF BUFFER
- 75% OF RUNOFF TO BMP'S VS. 0% CURRENTLY
- FILTER CARTRIDGES VS. CURRENT BACKWASH

FLOODPLAIN NOTES
The property shown hereon lies in the FEMA Flood Zones VE (Base flood elevation 8.0), as shown on the FEMA Flood Insurance Rate Maps, Community Panel Number FM24003C0178F bearing an effective date of 18 February 2015. Any flood zone lines shown hereon are depicted from the FEMA maps and are for interpretation only.

STORMWATER MANAGEMENT REGULATION NOTE
This grading permit #G02018882 was reviewed under the 2010 regulations for stormwater management. Stormwater management practices will be provided for this site in accordance with Article 16, Section 4 and the Final Plan on file with the Office of Planning and Zoning. ESD to the MEP was achieved through: Disconnects, micro-bioretenation areas, and a drywell.

SITE DATA	
Total Site Area	0.37 Ac.
Site Area of Patapsco-Fort Mott-Urban land complex (PgB), 0-5% slopes - Type A	100%
Total Existing Impervious Coverage	0.09 Ac.
Total Proposed Impervious Coverage	0.14 Ac.
Percentage of Existing Impervious Coverage to Total Lot Area	24%
Percentage of Proposed Impervious Coverage to Total Lot Area	37%

- LEGEND**
- - - - - Existing Contour
 - - - - - Existing Woods Line
 - - - - - Existing Power Pole
 - - - - - Existing Overhead Electric
 - - - - - Existing Soils Delineation
 - ⊙ Existing Well
 - EX. 27.7 + Existing Spot Elev.
 - - - - - Anne Arundel County Zoning Setbacks
 - ⊙ Proposed Well
 - - - - - Limit of Disturbance
 - - - - - Proposed Grade
 - 27.2 + Proposed Spot Elev.
 - - - - - RSF Reinforced Silt Fence

C:\Users\jvetman\appdata\local\temp\AcPublish_3436\BB06120-Sheet_2-5.dwg 10/26/23 5:32

DESIGNED: MMD/JLL DRAWN: KLY
 ORIG. DATE: 04-28-2020
 MODIFIED BY/DATE:
 CADD DWG # BB06120
 DLA PROJECT # BB06120

No.	DATE	BY	REVISIONS TO APPROVED PLANS	DESCRIPTION

No.	DATE	BY	REVISIONS TO APPROVED PLANS	DESCRIPTION

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

CLIENT:
 MR. & MRS. DAVID BURT
 555 BROADWATER ROAD
 ARNOLD, MARYLAND 21012

SITE DEVELOPMENT PLAN
SITE, GRADING & SEDIMENT CONTROL PLAN
BROADWATER BEACH ~ LOT 8
 555 BROADWATER ROAD, ARNOLD, 21012
 TAX ACCT. NO. 03-145-25050108 ~ GP NO. G02018882
 TAX MAP 0033 GRID 0013 PARCEL 0018 DISTRICT 3RD
 ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1"=20'	DATE: MAY 24, 2021	PROJ. NO: BB06120	SHEET 3 OF 5
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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: 07/11/2024

Tax Map #	Parcel #	Block #	Lot #	Section
33	0018	18	8	

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
 General Project Information

Tax ID: 314525050108

Project Name (site name, subdivision name, or other) Burt Residence Pool Relocation

Project location/Address 555 Broadwater Road

City Arnold Zip 21012

Local case number _____

Applicant: Last name Burt First name David

Company Owner

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:

Current use is an in-ground chlorine pool and concrete deck located within the buffer. Proposed use is a smaller in-ground saltwater pool resulting in reduced coverage in the buffer and reduced overall lot coverage.

Intra-Family Transfer	Yes <input type="checkbox"/>	Growth Allocation	Yes <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 checked="" type="checkbox"/> <u>Pool Relocation</u>		

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft	Total Disturbed Area	Acres	Sq Ft
IDA Area	0.37	16,114		0.082	3,570
LDA Area					
RCA Area					
Total Area	0.37	16,114	# of Lots Created		

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0	0	Existing Lot Coverage	0.138	6,017
Created Forest/Woodland/Trees	0	0	New Lot Coverage	0.018	767
Removed Forest/Woodland/Trees	0	0	Removed Lot Coverage	0.022	933
			Total Lot Coverage	0.134	5,851

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.075	3,292	Buffer Forest Clearing	0	0
Non-Buffer Disturbance	0.006	278	Mitigation	0	0

<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 type="checkbox"/>	Gazebo	<input type="checkbox"/>
Steep Slopes	<input type="checkbox"/>	Patio	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/> _____	Pool	<input checked="" type="checkbox"/>
		Shed	<input type="checkbox"/>
		Other	<input checked="" type="checkbox"/> <u>Acc. Structure Relocation</u>

Critical Area Report Narrative for 555 Broadwater Road, Arnold, MD 21012

The proposed use for the property is a Residential Accessory Structure in the form of an existing in-ground pool and patio which is being relocated and reduced in size.

There are a handful of hardwood maple trees on the property as well as two micro-bio retention BMP's with native plants and shrubs. Further landscaping and shrubs are planned outside the 100' buffer following completion of the project. Approximately 2,000 square feet of the property is vegetated with trees and shrubs, none of which will be impacted by the project works. Approximately 3,570 square feet of the property will be disturbed by the project which is currently turf and the existing pool. The plan is to stabilize all disturbed areas with sod upon completion and prior to removal of the silt fence.

Disturbed areas will be enclosed with reinforced silt fence and then stabilized with sod upon completion. Silt fence will also be used to protect the existing micro-bio BMP's during the project. Access is limited so small track machines will be utilized and concrete will be pumped from the road. Access is downhill across existing turf that will also be replaced with sod and other landscaping following completion of the project.

Current impervious surface prior to the project is 6,017 square feet and will be reduced to 5,851 square feet upon completion of the project due to the smaller size of the relocated pool and patio.

There are not any habitat protection areas or steep slopes on the site.



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

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

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

Mon, Jun 10, 2024 at 3:19 PM

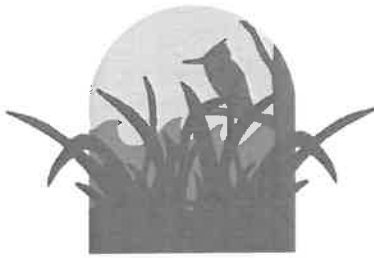
Good afternoon,

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


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

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

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



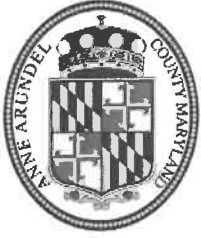
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dnr.maryland.gov/criticalarea

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



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING June 2024

P&Z STAFF Rob Konowal, Kelly Krinetz

APPLICANT/REPRESENTATIVE David Burt EMAIL dburt59@gmail.com

SITE LOCATION 555 Broadwater Rd (2024-0062-P) LOT SIZE 14,500 sf ZONING R5

CA DESIGNATION IDA BMA X or BUFFER APPLICATION TYPE Variance

Proposes to remove an existing in-ground pool and replace it with a smaller in-ground pool located further from the river than the pool that is being removed. The existing pool and deck are approximately 26 feet from the river and the proposed new location is approximately 75' from the river. The existing pool is a chlorine pool with an old school diatomaceous earth filter located within the buffer. The proposed pool would be a saltwater system with cartridge filters, and the equipment would be located outside the buffer. Surface area of the existing pool and deck within the buffer is approximately 933 square feet and surface area of the proposed pool within the buffer would be approximately 764 square feet.

COMMENTS

Critical Area Team - The Critical Area Team offers no objection to the relocation of the pool further from the shoreline. Based on the numbers submitted with this plan, the relocation will result in additional coverage in the buffer. While the CA Team can support the relocation, we will not support additional coverage forward of the front facade of the existing home.

Zoning – Site Plan appears to meet info requirements. Request is subject to criteria for granting a variance. Ref 18-16-305 of the AA County Code

INFORMATION FOR THE APPLICANT

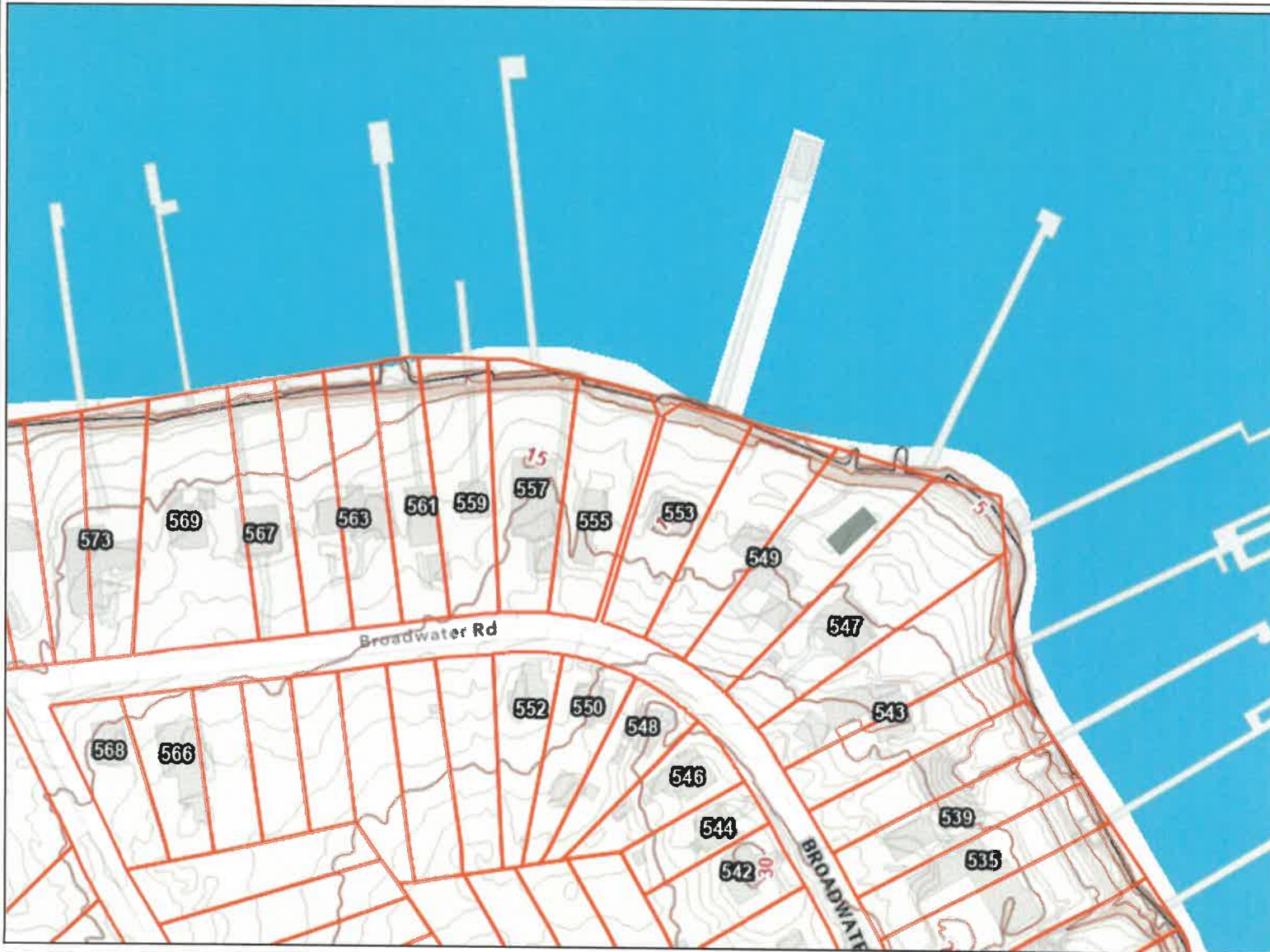
Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office 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.

555 Broadwater Road topo map



Legend

Foundation
Addressing



Parcels



Elevation

Topo 2020

— Index

— Intermediate

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



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Notes 1"=200'