



May 10, 2024

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

Re: 1409 Circle Drive  
Variance Request

To Whom It May Concern:

We are requesting a Variance to Setbacks for the above referenced Site to Allow Construction of a Modest Dwelling on an Irregularly Shaped Lot.

In accordance with Article 18, section 18-4-601; R2 Bulk Regulations, the Setbacks for a Corner Side is 20 ft. We are requesting a reduction in the Corner Side Setback as noted below.

A. Existing Site Conditions:

1. The Site is .1959 acres or 8,533 SF.
2. The Site is zoned R2 and Critical Area Designation IDA.
3. The Site is irregularly shaped and contains a small house.
4. The House, which is currently located on the property is in need of modernization and it has been determined that demolition is the best alternative.
5. The current house does not meet Zoning Setbacks.
6. The Site is constrained by Existing Wells with Radii as shown on the Site Plan.

B. Proposed Site Conditions:

1. The New House will be constructed to accommodate the needs of the Owners' handicapped daughter, providing her independent living via handicap accessibility (i.e. handicap ramp(s), etc.
2. Access will be via the Existing Public Road, which is the current access point.
3. Because the Site abuts Circle Drive (front), the Circle Drive (corner side) and the side and rear yards, a Variance to the corner side is necessary.
4. The New House has been located to minimize Impacts to neighboring properties and is similarly located to the Existing House.

C. Requested Variance:

1. The House has been oriented to minimize the Variance Request. The location conforms to the Front and Side Setbacks.
2. The Variance is necessary to the Corner Side Setback. The Required Setback is 20 ft. and the Proposed Setback is 14 ft., requiring a Variance of 6 ft.
3. The House Design and Orientation allow Offstreet Parking to provide Safe Ingress and Egress from the Handicap Ramp.

D. Justification for the Variance:

1. As the Well creates the restrictions as shown, the buildable area for the Lot is substantially reduced. (See Plan.)
2. A Modest Size Dwelling with the Requirement for Offstreet Parking and Handicap Access limit the orientation of the House.

3. Based on the Irregular Lot Shape creates a small buildable area which creates the need for Variance Relief.
4. The Lot is a Non-Conforming Size for the Zone and is an Irregular Shape, as noted above.

E. Article 18-16-305: Variances:

The Site meets the requirements for Variances because Practical Difficulties and Hardships are as follows:

1. The Site exhibits Unique Physical Conditions of Extreme Irregularity as the Site is characteristic of an Arrowhead. Thus, the application of the Setback for Corner Side restricts the use of the Lot.
2. An unnecessary hardship exists because of the implementation of the Setbacks on the Irregular Lot which create a very Limited Buildable Area.

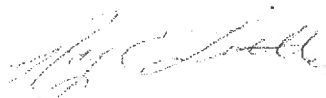
F. Requirements for all Variances:

1. The Variance is the minimum necessary to afford relief due to the Irregular Shape of the Lot.
2. The granting of this Variance will not:
  - (i). Alter the essential character of the neighborhood as this is a Replacement of an Existing House.
  - (ii). The adjacent Lots are currently developed and will not be impacted as the Proposed House moves to the southeast allowing additional space between dwellings.
  - (iii). The development as proposed does not impact vegetation as no clearing is proposed.
  - (iv). As no clearing is proposed, the Proposed Development is not contrary to Acceptable Environmental Practices.
  - (v). The proposed redevelopment will not impact Public Welfare as the New House is a Replacement Dwelling.

We believe the Proposed Placement of the New House is consistent with Infill Development and should receive support and subsequent Approval.

Should you require any additional information, please do not hesitate to contact our office at (410) 266-1160 or at [roy@terrainmd.com](mailto:roy@terrainmd.com).

Sincerely,  
TERRAIN



Roy C. Little, P.E.  
Director of Engineering  
RCL/II.3274





July 08, 2024

Permit Center

2664 Riva Road, 1st Floor

Annapolis, MD 21401

Re: 1409 Circle Drive

Edgewater, MD

Variance Request

To Whom It May Concern,

The Plans have been revised in accordance with the profile comments received and we note the following:

A. I&P Engineering:

1. The provided site plan now shows and labels existing, removed, and proposed.
2. All stormwater conveyance systems will be designed such that no proposed or existing structures are flooded or have water impounded against them during the 100-year storm event.
3. Grading plans will show overland relief paths for storm events such that no structures or properties are negatively impacted or have water impounded during 2, 10, and 100-year storm events.
4. Design professionals will review the site runoff to determine whether there are potential adverse impacts to neighboring properties due to changed grades/elevations during the grading permit phase of this project.
5. The proposed improvement does not adversely affect the integrity of any slope as there are none located on the site.
6. A soil boring will be provided, along with a description of the site's hydrologic and topographic characteristics and a recommendation on the feasibility of various BMPs during the final project design.
7. The site will be served by a private well and a public sewer.

We believe the Plans as now revised should be acceptable for Final Review and Approval. If you have questions, comments, or any need for additional information, please do not hesitate to contact our office at (410) 266-1160.



Sincerely,

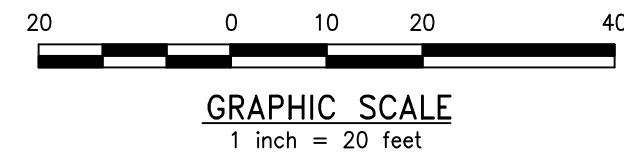
TERRAIN, INC.



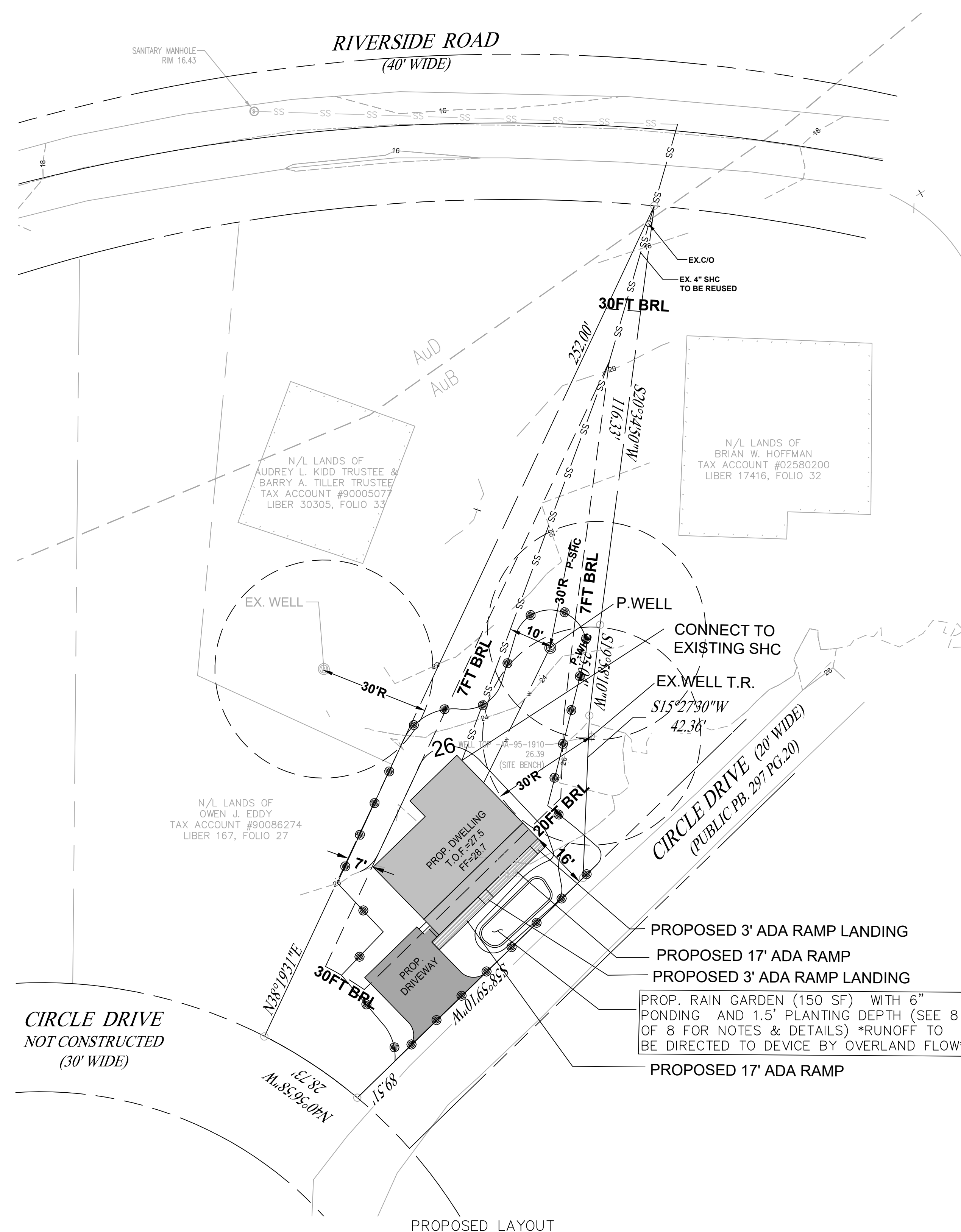
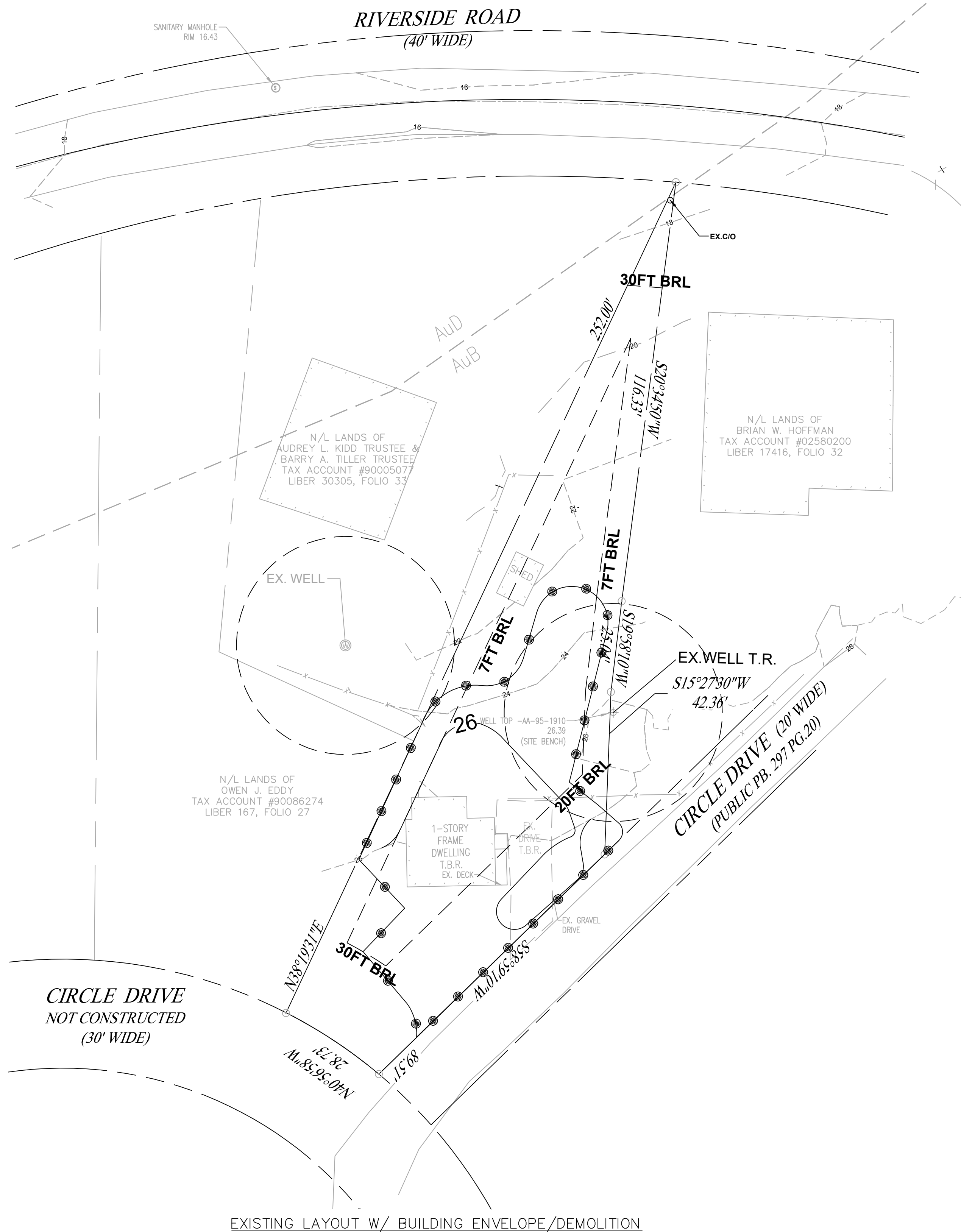
Roy C. Little, P.E.

Director of Engineering

RCL/II.311



VICINITY MAP  
SCALE: 1"=1000'



- SITE**  
ZONING: R2  
SETBACKS:  
FRONT-30FT  
REAR-25FT  
SIDE-7FT  
CORNER SIDE-20FT  
MAX HEIGHT: 35'  
PROP. HEIGHT: 32'
- GENERAL NOTES**
- RECORD OWNER/SITE: MARK HOUSTON-LUDLAM TRUSTEE & GENEVIEVE HOUSTON-LUDLAM TRUSTEE 1409 CIRCLE DRIVE EDGEWATER, MD, 21037
  - SOURCE OF TITLE: LIBER 6589, FOLIO 261
  - TAX PARCEL: TAX MAP 56, GRID 7, PARCEL 113
  4. LOT AREA: 0.1959 ACRE
  - BOUNDARY INFORMATION SHOWN IS FROM FIELD SURVEY BY TERRAIN PERFORMED ON: 10/11/2023.
  - TOPOGRAPHIC INFORMATION SHOWN IS FROM FIELD SURVEY BY TERRAIN PERFORMED ON: 10/11/2023.
  - CONTOURS PLOTTED FROM FIELD RUND TOPOGRAPHIC SURVEY BY TERRAIN, DATUM: APPROX. USGS. SITE BENCH= TOP OF WELL LOCATED ON PROPERTY, ELEVATION= 26.39', CONTOUR INTERVAL: 2'
  - THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, WHICH WOULD DISCLOSE ANY RIGHTS, RESERVATIONS, EASEMENTS, ETC., OF RECORD.
  - THE 30' WIDE RIGHT-OF-WAY OF CIRCLE ROAD WAS TAKEN FROM PLANS OF RECORD.
  - THIS PROPERTY IS LOCATED WITHIN FLOOD HAZARD ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN INSURANCE RATE MAP FOR ANNE ARUNDEL COUNTY, MD, MAP NO. 240030223F, PANEL 233 OF 385, DATED FEBRUARY 18, 2015.

**REFERENCE PLAT(S) FOR ADJOINING PROPERTIES**

PLAT ENTITLED, "RESUBDIVISION OF SOUTH RIVER PARK - LOTS 12 & 13, SECTION C", PREPARED BY DRUM, LOYKA & ASSOCIATES, LLC, ANNAPOLIS, MD, DATED DECEMBER 2008, PLAT BOOK #: 297, PG. 20, PLAT #15396.

PLAT ENTITLED, "ADMINISTRATIVE PLAT SHOWING RESUBDIVISION OF LOT 10 AND PART OF LOT 9, SECTION C, REVISED PLAT - SOUTH RIVER PARK", PREPARED BY ADVANCED SURVEYS, INC., LOTHIAN, MD, DATED OCTOBER 1993, PLAT BOOK #: 167, PG. 28, PLAT #8902.

**SWM DESIGN**  
SITE AREA= 8,532 SF  
EX. LC= 1,175 SF  
PROP. LC= 1,663 SF  
I= 1.663 / 8,532 = 19.5%  
RV= 0.05+0.009= 0.2255  
SOILS: "C" (DEVELOPMENT AREA) I=19.50% TARGET PE= 1.0"  
TARGET ESDV= (PERVA)/12= (1.0\*(0.2255)\*8,532)/12=160 CF

**RAIN GARDEN**  
MAX DA= 2,000 FT<sup>2</sup>  
IMP AREA TO DEVICE= 1,663 SF  
WITH PE=1" DEVICE SURFACE AREA= 150 SF  
ESDV PROVIDED=(150x0.5)\*4(150x1.5)=165 CF  
1YR CHECK (2.7)\*1,663 SF/12=374 CF > 165 (PROVIDED) OK

TOTAL ESD REQUIRED= 160 CF  
TOTAL ESD PROVIDED= 165 CF

EX. LOT COVERAGE	
EX. HOUSE	543 SF
EX. DRIVEWAY	480 SF
EX. SHED	105 SF
EX. PORCH	47 SF
EX. TOTAL	1,175 SF

PROP. LOT COVERAGE (CA-IDA)	
PROP. HOUSE	868 SF
PROP. PORCH	228 SF
PROP. 3' WIDE ADA RAMP	122 SF
PROP. DRIVEWAY	445 SF
PROP. TOTAL	1,663 SF

SITE TABULATIONS	
SITE AREA	8,532 SF
EX. LC AREA(13.8%)	1,175 SF
PROP. LC AREA(19.5%)	1,663 SF
MAX. LC ALLOWED(31.25%)	2,666 SF
EX. DEVELOPED WOODLANDS	0 SF
PROP. WOODLANDS CLEARING	0 SF
PROP. AREA OF DISTURBANCE	4,646 SF

REVISION BLOCK			
NO.	DATE	DESCRIPTION	BY
1	-	-	-
2	-	-	-
3	-	-	-
4	-	-	-
5	-	-	-

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE # 13354, EXPIRATION DATE: 2/28/25, (CORPORATE LICENSE #46886, EXPIRATION DATE: 2/28/2025)

**OWNER**  
MARK HOUSTON-LUDLAM  
1409 CIRCLE DRIVE  
EDGEWATER, MD 21037  
TEL:  
EMAIL: mark.hl@runningspringsfarm.com

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**TERRAIN**  
ENGINEERING • SURVEYING • ENVIRONMENTAL  
A HOWELL COMPANY

53 OLD SOLOMONS ISLAND ROAD  
SUITE "I"  
ANNAPOLIS, MARYLAND 21401  
TEL: 410-266-1160 FAX: (410) 266-6129

**VARIANCE SITE PLAN**  
**GRADING, EROSION AND SEDIMENT CONTROL PLAN**

1409 CIRCLE DRIVE EDGEWATER, MD 21037  
COUNTY: ANNE ARUNDEL  
LOT: 11 BLOCK:  
PB: 297 PG: 20 PLAT NO: 15396  
TAX MAP: 56 GRID: 07 PARCEL: 113  
TAX ACCT#: 90069314 TAX DISTRICT: FIRST

ZONING DISTRICT:  
DATE: MAY 2024 DRAWN BY: Z.A.W.  
SCALE: AS SHOWN CHECKED BY: R.C.L.  
SHEET: 1 OF 1 TERRAIN JOB NO: 3274

NOTE: NEITHER TERRAIN NOR THE SURVEYOR IS RESPONSIBLE FOR THE CONTENTS OF THIS DOCUMENT IF NOT ACCOMPANIED BY AN ORIGINAL SIGNATURE AND PROFESSIONAL SEAL.

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: 7/10/2024

Tax Map #	Parcel #	Block #	Lot #	Section
56	113	7	P/O 11	C

Tax ID: 01-746-90069314

FOR RESUBMITTAL ONLY	
Corrections	<input type="checkbox"/>
Redesign	<input type="checkbox"/>
No Change	<input type="checkbox"/>
Non-Critical Area	<input type="checkbox"/>

\*Complete Only Page 1  
General Project Information

Project Name (site name, subdivision name, or other) 1409 CIRCLE DRIVE, EDGEWATER

Project location/Address 1409 CIRCLE DRIVE, EDGEWATER

City EDGEWATER Zip 21037

Local case number

Applicant: Last name HOUSTON-LUDLAM First name MARK & GENEVIEVE, TRUSTEES

Company TERRAIN (ROY C. LITTLE, P.E.)

**Application Type (check all that apply):**

- |                           |                                     |                   |                                     |
|---------------------------|-------------------------------------|-------------------|-------------------------------------|
| Building Permit           | <input checked="" 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 checked="" 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:

VARIANCE REQUEST TO SETBACKS FOR CORNER SIDE IS 20FT

Intra-Family Transfer <input type="checkbox"/> Yes Grandfathered Lot <input type="checkbox"/>	Growth Allocation <input type="checkbox"/> Yes Buffer Exemption Area <input type="checkbox"/>
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**Project Type (check all that apply)**

Commercial <input type="checkbox"/> Consistency Report <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Mixed Use <input type="checkbox"/> Other <input type="checkbox"/>	Recreational <input type="checkbox"/> Redevelopment <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Shore Erosion Control <input type="checkbox"/> Water-Dependent Facility <input type="checkbox"/>
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**SITE INVENTORY (Enter acres or square feet)**

	Acres	Sq Ft		Acres	Sq Ft
IDA Area	0.19	8,532	Total Disturbed Area	0.10	4,646
LDA Area	0	0			
RCA Area	0	0	0 # of Lots Created		
Total Area	0.19	8,532			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0	0	Existing Lot Coverage	0.02	1,175
Created Forest/Woodland/Trees	0	0	New Lot Coverage	0.03	1,663
Removed Forest/Woodland/Trees	0	0	Removed Lot Coverage	0.02	1,175
			Total Lot Coverage	0.03	1,663

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

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0	0	Buffer Forest Clearing	0	0
Non-Buffer Disturbance	0.10	4,646	Mitigation	0	0

<p><u>Variance Type</u></p> Buffer <input type="checkbox"/> Forest Clearing <input type="checkbox"/> HPA Impact <input type="checkbox"/> Lot Coverage <input type="checkbox"/> Expanded Buffer <input type="checkbox"/> Nontidal Wetlands <input type="checkbox"/> Setback <input checked="" type="checkbox"/> Steep Slopes <input type="checkbox"/> Other <input type="checkbox"/>	<p><u>Structure</u></p> Acc. Structure Addition <input type="checkbox"/> Barn <input type="checkbox"/> Deck <input type="checkbox"/> Dwelling <input checked="" type="checkbox"/> Dwelling Addition <input type="checkbox"/> Garage <input type="checkbox"/> Gazebo <input type="checkbox"/> Patio <input type="checkbox"/> Pool <input type="checkbox"/> Shed <input type="checkbox"/> Other <input type="checkbox"/>
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***Critical Area Report***  
***For:***  
***1409 Circle Drive***  
***Edgewater, MD 21037***  
***Tax Map 56, Block 7, Parcel 113***

*July, 2024*

*Prepared By:*  
***Terrain, Inc.***  
*53 Old Solomons Island Road, Ste. I*  
*Annapolis, MD 21401*  
*(410) 266-1160*  
*terrain@comcast.net*



**CHESAPEAKE BAY CRITICAL AREA REPORT  
1409 CIRCLE DRIVE  
TAX MAP 56, BLOCK 7, PARCEL 113**

**INTRODUCTION**

This is an 8,532sf. property, and is located at 1409 Circle Drive, Edgewater, Maryland 21037. The property fronts on Church Creek. The property is completely inside the Chesapeake Bay Critical Area Boundary and is designated as a Intense Development Area (IDA). The property is zoned R2.

**EXISTING LAND USE**

The existing use is residential with an existing single-family dwelling with a porch, driveway, and a shed (all to be demolished).

**PROPOSED LAND USE**

The proposed use is residential and to build a single family dwelling with a porch, driveway and 3' wide ADA ramp.

**SURROUNDING LAND USE**

This is a waterfront property with the surrounding parcels being waterfront or non-waterfront.

**BUFFER MODIFICATION**

The property is not mapped buffer modified.

**TIDAL WETLANDS**

This site is not waterfront and there are no tidal – wetlands.

**BODIES OF WATER**

The property is not waterfront.

### **STEEP SLOPES**

There are no steep slopes on-site that will be disturbed during this project.

### **RARE AND ENDANGERED SPECIES**

There are no federally or state listed species of rare, threatened or endangered species of plants or animals on this site.

### **DATES OF FIELD WORK**

July, 2024



## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE

**PRE-FILE #:** 2024-0049-P  
**DATE:** 06/06/2024  
**OPZ STAFF:** Jennifer Lechner  
**I&P STAFF:** Habtamu Zeleke

**APPLICANT/REPRESENTATIVE:** Mark & Genevieve Houston-Ludlam / Terrain Inc.

**EMAIL:** [mark.hl@runningspringdfarm.com](mailto:mark.hl@runningspringdfarm.com) / [terrain@comcast.net](mailto:terrain@comcast.net)

**SITE LOCATION:** 1409 Circle Dr, Edgewater

**LOT SIZE:** 8,532 SF

**ZONING:** R5      **CA DESIGNATION:** IDA      **BMA:** n/a      **BUFFER:** n/a      **APPLICATION TYPE:** Variance

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The applicants are proposing to demo the existing dwelling and to construct a new dwelling. The new dwelling will be as close as 16 feet to the corner side lot line, necessitating a variance of 4 feet to Article 18-4-701.

#### **COMMENTS**

**Zoning Administration Section:** The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must address and meet all of the applicable variance standards provided under Section 18-16-305. The Letter of Explanation should address each of those standards and provide adequate justification for each of the variances required.

**I&P Engineering:** Variance request: requesting a variance to setbacks for a corner side setback.

1. Stormwater management will be addressed through a rain garden.
2. The provided site plan did not show and label existing, removed, and proposed
3. All stormwater conveyance systems shall be designed so that no building or habitable structure, either proposed or existing, is flooded or has water impounded against it during the 100-year storm event.
4. Microscale stormwater facility(ies) design should incorporate safe conveyance for overflow discharges from 2, 10, 100-yr 24-hr storm events; plans should show overland relief paths for these storm events and ensure that no structures, or properties are negatively impacted or have water impounded against during these storm events.
5. Design professionals should review site runoff and potential (negative, adverse) impacts to neighboring properties, due to changed grades/elevation on a proposed project.
6. Ensure the proposed improvement including runoff, seepage, and slope saturation does not adversely impact the integrity of the slope and potential impact of slope failure.
7. A soil boring is required per practice. The suitability, and siting of proposed SWM practices should be reviewed. Soil boring information including verification of the suitability of in-situ soils for infiltration shall be submitted. Describe the site's hydrologic, and topographic characteristics and provide a recommendation on the feasibility of various BMPs.
8. Based on the plan provided, it appears that the property will be served by a private well and a public sewer.
9. The above is provided as a courtesy review as information for review and consideration comments at the pre-file.

#### **INFORMATION FOR THE APPLICANT**

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A 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.

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