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

APPLICANT: Kelly & John Christropher Elliott **ASSESSMENT DISTRICT**: 2

CASE NUMBER: 2024-0129-V COUNCILMANIC DISTRICT: 6

HEARING DATE: September 12, 2024 PREPARED BY: Sara Anzelmo

Planner

REQUEST

The applicants are requesting a variance to allow a dwelling with less setbacks than required on property located at 1205 Garnett Drive in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 7,500 square feet of land and is located with approximately 45 feet of frontage on the southwest side of Garnett Drive. It is identified as Lot 102 of Parcel 14 in Block 15 on Tax Map 57 in the Bay Highlands subdivision.

The property is zoned R2 – Residential District, as adopted by the comprehensive zoning for Region 7, effective June 23, 2024. The lot is not waterfront, but it is located entirely within the Chesapeake Bay Critical Area overlay and is designated as LDA - Limited Development Area. It is currently unimproved and wooded.

PROPOSAL

The applicants seek approval to construct a two-story, single-family, detached dwelling with a basement. The proposed house footprint would measure 30 feet by 55 feet (1,650 square feet) with an average height of 30.55 feet and a maximum height of 34.55 feet.

REQUESTED VARIANCES

§ 18-4-601 of the Anne Arundel County Zoning Code provides that a principal structure in an R2 District shall be set back a minimum of 20 feet from a corner side lot line. The proposed dwelling would be constructed eight feet from the corner side lot line, necessitating a variance of 12 feet.

FINDINGS

The subject property is irregular in shape and is both undersized and narrow for the district. More specifically, the 7,500 square foot lot is smaller than the minimum 15,000 square foot area required, and the 45.35 foot width is narrower than the minimum 80 foot width required for new lots served by public sewer in an R2 District. A review of the 2024 County aerial photograph shows an eclectic mix of dwellings in this older waterfront community. While many dwellings

have been constructed on two or more lots, some nearby houses have been constructed on similar, single, narrow, undersized lots. The neighborhood also contains dwellings located on corner lots that do not meet the minimum required 20' corner side setback.

The applicants' letter explains that Prout Avenue is a paper road and is unlikely to be developed because all of the other surrounding lots are developed/merged and have access to other existing streets (Henson Road, Garnett Drive, or Bay Highlands Avenue). The applicants note that, if the sewer were ever extended through Prout Avenue to tie into the sewer in Garnett Drive (highly unlikely), the lot has been designed to provide the required setbacks to the sewer (such as 50' to a well). The owners attempted to purchase the abutting Lot 103, in order to merge the lots and meet the setback, but the asking price of \$100k was cost prohibitive.

The Office of Inspections and Permits Engineering Division noted that stormwater management will be addressed through dry wells, roof top disconnections, and non-rooftop disconnection. The stormwater management for the site shall be addressed during the grading permit stage. Based on the above, the Engineering Division has no objection to the variance request from either an engineering and/or utility standpoint.

The **Health Department** does not have an approved plan for this project, but has no objection to the proposal as long as a plan is submitted and approved by the Department.

For the granting of a zoning variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to or inherent in the particular lot or because of exceptional circumstances, strict implementation of the Code would result in practical difficulties or an unnecessary hardship. In this particular case, development of the site is constrained by the practical limitations of an existing residentially zoned lot that is undersized, narrow, and at a corner location. Construction of a dwelling would be problematic without setback relief, as the Code would only allow for a width of 18 feet without a variance.

Approval of the variance would not alter the essential character of the neighborhood or substantially impair the appropriate use or development of any adjacent property. The required seven-foot setback from Lot 103 is being met, and the variance relief is only being sought to the corner side lot line that abuts an unimproved private right-of-way. There is no evidence to indicate that the proposed variance would be detrimental to the public welfare. The 30-foot dwelling width is not considered to be excessive; therefore, the variance is considered to be the minimum necessary to afford relief.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends *approval* of the proposed zoning variance to § 18-4-601 to allow a dwelling to be constructed eight feet from the corner side lot line, as shown on the site plan submitted by the applicant.

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

STANDARD RESPONSIBILITY NOTES

BAY HIGHLANDS LOT 102

VARIANCE PLANS

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- THE APPROVAL OF THIS PLAN FOR SEDIMENT AND EROSION CONTROL DOES NOT RELIEVE THE DEVELOPER/CONSULTANT FROM COMPLYING WITH FEDERAL, STATE OR COUNTY REQUIREMENTS PERTAINING TO ENVIRONMENTAL ISSUES.
- THE DEVELOPER MUST REQUEST THAT THE SEDMENT AND EROSION CONTROL INSPECTOR APPROVE WORK COMPLETED IN ACCORPANCE WITH THE APPROVED EROSION AND SEDMENT CONTROL PLAN, THE GRADING OR BUILDING PERMIT, AND THE GODDWAYCE.

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- 7. ALL MATERIAL SHALL BE TAKEN TO A SITE WITH AN APPROVED SEDIMENT AND EROSION CONTROL PLAN.
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STORMWATER MANAGEMENT NOTE

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LDA = CRTICAL AREA AuB = SOIL TYPE 'C'

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PRINCIPAL STRUCTURE SETBACKS.

GENERAL NOTES

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SITE TABULATIONS

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STRUCTURE/ PARKING ANALYSIS

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- PRINT NAME LERLINY GIOFFRE
 AFFILATION IN INITY CUSTOM BUILDERS. LLC
 AFFILATION IN INITY CUSTOM CREEK MALL #6577
 SIEVENSVILLE, MD 21666
 EMAIL AU
 TELEPHONE NUMBER, 443-699-6008
 EMAIL AU URE OF DEVELOPER/OWNER AND AND DATE TITLE: MEMBER
- EMAIL ADDRESS. jeremy@infinitycustomhomes.com

CONSULTANT'S CERTIFICATION

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ROY C. LITTLE, PE (ENGINEER)

























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INEERING & DEVELOPMENT SERVICES
DLOMON'S ISLAND ROAD, SUITE I
JS, MARYLAND 21401
305-1100 *FAX (410) 2606129* EMAIL: TERRAINGCOM

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18 BENCHMARKS

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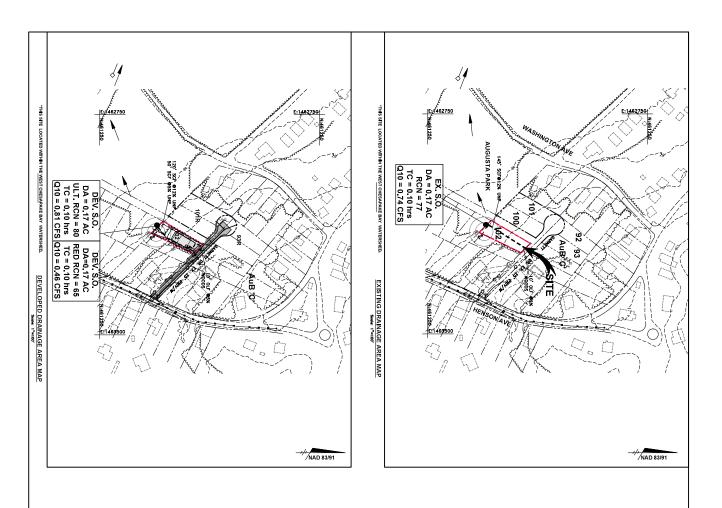
2 EXIDENC MANAGE AREA MAPS
3 EXISTING CONNITIONS/RESOURCE MAP
4 DEVELOPED CONDITIONS
5 SEDIMENT CONTROL NOTES AND DETAILS
6 SWIM NOTES AND DETAILS SHEET

VARIANCE PLANS

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RRAIZ

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2ND TAX DISTRICT * ZONING R2 * ND NAD 8381 * AACC, MD BAY HIGHLANDS 'LOT 102'
RECORDED IN P.B. 9, PG. 49
TAX MAP 57, GRID 15, P/O PARCEL 14





STUDY POINT SOILS LINE/TYPE

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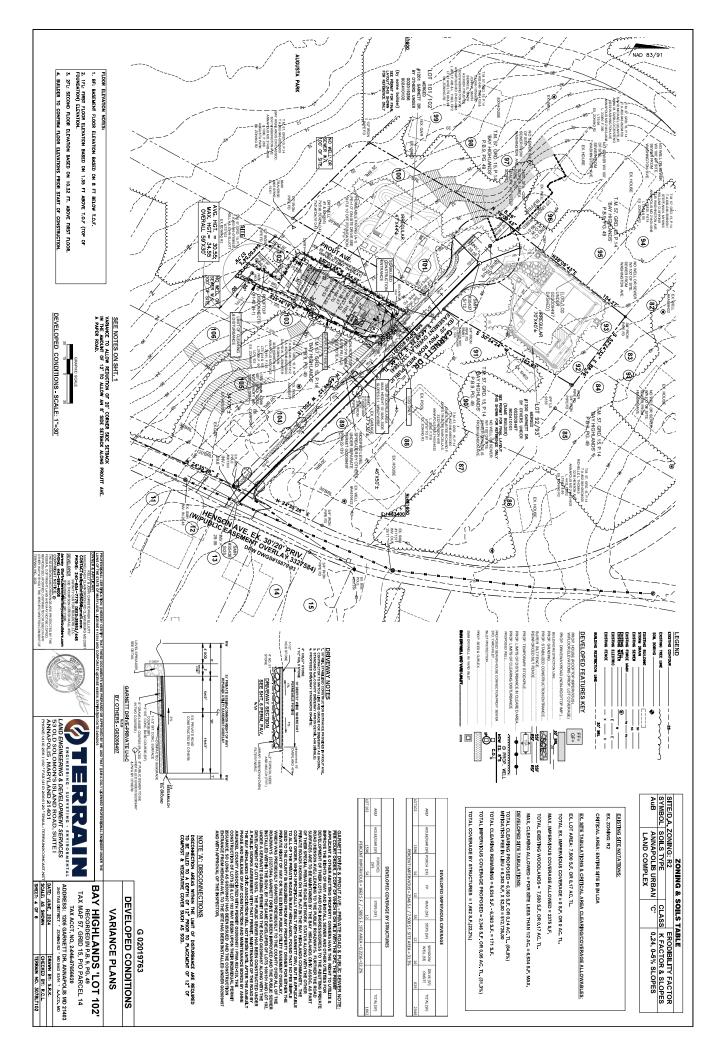
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DRAINAGE AREA MAPS VARIANCE PLANS G 02019763

BAY HIGHLANDS 'LOT 102'
RECORDED IN P.B. 9, PG. 49
TAX MAP 57, GRD 15, PD PARCEL 14
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SOIL PREPARATION, TOPSOILING, AND SOIL AMENDMENTS B-4-2 STANDARDS AND SPECIFICATIONS

THE PROCESS OF PREPARING THE SOLLS TO SUSTAIN ADEQUATE VEGETATIVE STABILIZATION.
PROVIDE A SUITABLE SOIL MEDIUM FOR VEGETATIVE GROWTH.

CONDITIONS WHERE PRACTICE APPLIES WHERE VEGETATIVE STABILIZATION IS TO BE ESTABLISHED.

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- B. APPLY FERTILIZER AND LIME AS PRESCRIBED ON THE PLANS.
 C. INCORPORATE LIME AND FERTILIZER INTO THE TOP 3 TO 5 INCHES OF SOIL BY DISKING OR OTHER SUITABLE WEARS.
- . A SOIL TEST IS REQUIRED FOR ANY EARTH DISTURBANCE OF 5 ACRES OR MORE. THE MINIMUM SOIL CONDITIONS REQUIRED FOR PERMANENT VEGETATURE ESTABLISHMENT ARE:
- SOLUBLE SALTS LESS THAN 500 PARTS PER MILLION (PPM).
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 L. SOLL COMMINES LES PERENT MINIMAN GAMERO MATERE DE WEIGHT.
- NSOIL CONTAINS SUFFICIENT FORE SPACE TO PERMIT ADEQUATE ROOT PENETRATION.

 APPLICATION OF AMENDMENTS OR TOPSOIL IS REQUIRED IF ON-SITE SOILS DO NOT MEET THE ABOVE CONDITIONS.
- . GRADED AREAS MUST BE MAINTAINED IN A TRUE AND EVEN GRADE AS SPECIFED ON THE APPROVED PLAN, THEN SCARFED OR OTHERWISE LOOSENED TO A DEPTH OF 3 TO 5 INCHES. D. APPLY SOIL AMENDMENTS AS SPECIFIED ON THE APPROVED PLAN OR AS INDICATED BY THE RESULTS OF A SOIL TEST.
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- THE NETTING MILL BE STAPLED TO SECURE MULCH. THE NETTING WILL BE STAPLED TO THE ORDUME.

 ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.

- LIME: 100 POUNDS OF DOLONTIC LIMESTONE PER 1,000 SQUARE FEET, FERTILIZER: 15 POUNDS OF 10-110-10 PER 1,000 SQUARE FEET.

 SEED: PERSONAL RYE 0.82 POUNDS PER 1,000 SQUARE FEET (FERRUARY 1 THROUGH APRIL 50 OR AUGUST
- IS THROUGH OCTOBER 31).
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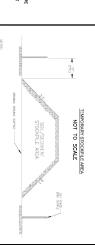
6. TOPSOIL SHALL BE APPLIED AS PER THE STANDARD AND SPECIFICATIONS FOR SOIL PREPARATION, TOPSOILING, AND SOIL

AMENDMENTS FROM THE 2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL.

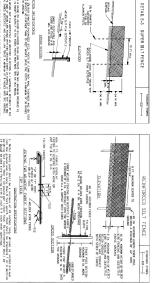
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IF TEMPORARY SEEDING IS TO BE UTILIZED, THE FOLLOWING APPLIES

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- SECURING STRAM MULCH: STRAM MULCH SHALL BE SECURED IMMEDIATELY FOLLOWING MULCH APPLICATION TO MINIMIZE MOVEMENT BY WIND OR WATER. THE FOLLOWING METHODS ARE PERMITTED:
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uiched sediment and debris when bulges develop in the reinforced it or when sediment reches 25% of the fence height limploce orn if undermining occurs, reinsfall hence.

CONSERVATION DESTRUCT

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- CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPAR TATE OF MARYLAND, LICENSE # 13354 AND CORPORATE LICENSE #48856, EXP



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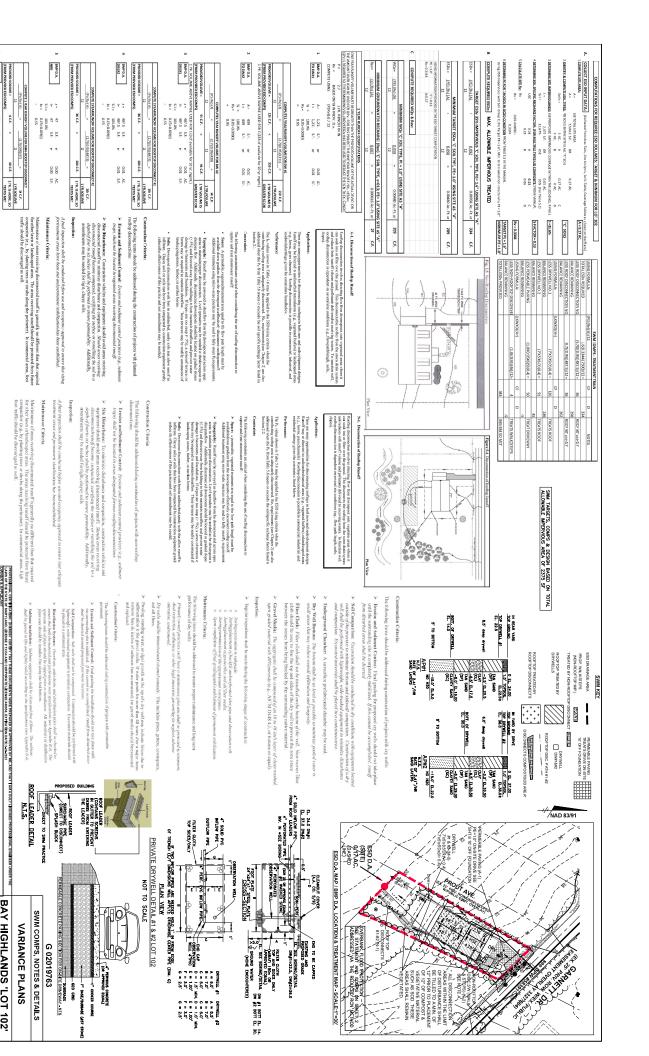
BAY HIGHLANDS 'LOT 102' VARIANCE PLANS

NOTES & DETAILS

G 02019763

TAX MAP 57, GRID 15, P/O PARCEL 14 TAX ACCT NO 2-046-07656620

ADDRESS: 1205 GARNETT DR. ANNAPOLIS MD 21403 2ND TAX DISTRICT . ZONING R2 . MD NAD 83/91 . AA.CO., MD



COMPUTE 1/EAR RUNOFF VOLUME FOR PERM
[P) (Rv) (A) = |2.7|[0.95](629)

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MALING 2143 CLARKSROOE RD CLARKSROOM CONTACTIC Religibility 808 gamail.com
CONTACTIC Religibility 808 gamail.com
PHONE: 240-554-7779 DEED:3993/448
INNWITT CHISTON BRILDERS, LCA

BAY HIGHLANDS 'LOT 102'
RECORDED IN P.B. 9, PG. 49
TAX MAP 57, GRID 15, PD PARCEL 14
TAX MAP 57, GRID 15, PD PARCEL 14
TAX ACCT. NO. 2446-0758622
ADDRESS. 130 CARRETT DR. ANUNAPOLIS ND 21493
200 TAX SETTING - 20080587 - NO NOO 8391 - AACO, NO



July 5, 2024

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

Re: G02019763 - Lot 102 Bay Highlands - Variance Request

To Whom It May Concern:

In order to recognize the Site Development as proposed, we are requesting a Variance as follows:

§ 18-4-601. Bulk regulations R2 Zoning – to the Corner Side Setback of 20', to allow a variance. of 12' to this setback.

Existing Conditions:

- 1. As shown on the Resource Map Sheet 3, the site is a legally buildable lot located in the LDA designation of the Critical Area and contains 7,500 s.f. The lot borders Garnett Dr. to the north and is 45.35' wide along this private road, which has recently been constructed and improved with a sewer by others. The rear width of the lot is 57.79' wide. The lot borders Prout Ave. to the west, which is a paper road with no sewer. The length of the lot along this roadway is 154.92' with the opposing lot line abutting undeveloped Lot 103 being 158.47' long.
- 2. The front BRL is 30' along Garnett Drive and the standard side setbacks of 7' and rear setback of 25' are shown on the plan, along with the 20' corner side setback along Prout Ave. for which we are seeking relief.
- 3. Bay Highlands is an old subdivision with many of the surrounding lots having been merged with other lots. Lots 100/101 on the opposite side of Prout Ave. is merged and is under permit review and Lots 92/93 on the other side of Garnett Dr. have also been merged and are under permit review. Lot 103 is an existing building lot to the east of the site and fronts Garnett Dr. This lot is owned by the owner to east who has merged with other lots around their existing home fronting on Henson Ave. The remaining lots on Prout Ave. south of the site are merged with other lots, except for two lots located closer to Bay Highlands Road and are owned by the builder of Lot 102 who plans to access the lots via that roadway. Augusta Park is located on the west side of Prout Ave. abutting Lot 100/101.
- 4. The lot is presently undeveloped and wooded and subject to clearing and impervious limitations as noted on Sheet 3 and 4 of the plans.
- 5. Garnett Dr. and Prout Ave. are private roads with public utility easement overlays. While most of the private roads in Bay Highlands are owned by the BHCA civic association, Garnett and Prout are owned by the abutting owners as was previously established with the development of Garnett Dr. by others. Therefore, the property owner of Lot 102 owns to the center of these streets along their frontage.

Developed Conditions:

- 1. The proposed house has been designed to fit within the standard front, rear and standard 7' side setbacks with the rear basement floor and first floor decks (with gaps) also being located outside the 25' rear setback as shown on Sheet 4. The house is modest in size and is in keeping with the size of houses on similar lots in the neighborhood. Note: the house has been reduced in size from the Prefile plan, which allows for the driveway to come off Garnett Drive and the previous stub road/turnaround on Prout Ave. to be eliminated based on comments from the Engineering Section. Also, the minimum relief to the side setback being requested is now only 12' not 13' since the house has gone from 32' wide to 30' wide.
- 2. Clearing and impervious limitations have been met.
- 3. Stormwater management and sediment controls have been designed and reviewed by the County.

 Reviewers under the referenced grading permit and demonstrate the site can meet these requirements.

Justification:

- The relief is the minimum necessary to allow the property owner to develop this non-conforming legally buildable lot.
- 2. The County Code allows relief to the corner side setback when a private road intersects a public road but does not provide this relief to a private road intersecting a private road.
- 3. The A.A. Co. Design Manual requirements specifically say the standards are a general guide for private road design and the Manual states that it was developed in coordination with the GDP General Development Plan and Article 18 of the Code. A specific requirement of intersection setbacks is covered in the Manual and requires more restrictive setbacks in certain conditions. It is our belief that this is why the Code provided specific relief to the public/private intersection since it involved a public road which must seek relief via variances or modifications if not in compliance with the Manual, while it is only a guide for a private road so there would have been no need to put formal relief in the Code for a private'/private intersections. Only those provisions specifically related to private roads in the Code would require relief through the modification and/or variance process.
- 4. The previous Assistant Planning and Zoning Officer (Christopher Soldano) stated in an email in 2006 that setbacks do not apply to private roads because they are not shown on the GDP and that only a 5' setback or 18' setback if parking was to be provided in front of the house on the private road would be necessary. These are the same setbacks that the Code applies to standard cluster lots as described in the Code. As stated in the email, it was being forwarded to the Planning and Zoning Officer (Joseph Rutter), the head planner (Steve Callahan) and Gary Maragos (currently Planning Maps).
- 5. Prout Ave. is a paper road and unlikely to be developed as all of the other surrounding lots are developed/merged and have access to other existing streets (Henson Rd, Garnett Dr., Bay Highlands Ave). If the sewer were ever extended thru Prout Ave. to tie into the sewer in Garnett Dr. (highly unlikely) the lot has been designed to provide the required setbacks to the sewer (such as 50' to a well).
- 6. The owner attempted to purchase the abutting Lot 103 in order to merge the lots and meet the setback, but the asking price of \$100k was cost prohibitive.

Requirements for All Variances:

- 1. The Site Design is the minimum relief necessary because the house is 32' wide and the lot in the area of the house (set at the limit of the 30' front setback) sonly approximately 46' wide
- 2. The granting of the Variances will not:
 - i. Alter the essential character of the neighborhood or district in which the Lot is located because the lot and house will be in keeping with the character of the neighborhood and will be of similar size with regards to both. Placement on the lot will be in line with the house on Lot 100/101.
 - ii. Substantially impairs the appropriate use or development of adjacent property. Adjacent properties are currently developed or being developed. Lot 103 is a separate building lot which will require variances of its own to be developed if the property owner does not merge it with his developed abutting lot. The design uses the minimum buildable area necessary to build the house, drive, utilities well and sewer (from ex. sewer cleanout) and stormwater management and maintain necessary setbacks. The lot development has been designed so that if a permit is sought by the abutting owner for Lot 103, then our development would not interfere with their ability to meet utility setbacks and the house would likely be very similar to the one being proposed on Lot 102 since it is also a narrow single lot.
 - iii. reduce forest cover in the limited development and resource conservation areas of the critical area as a reforestation fee will be paid prior to permit approval for planting elsewhere in the critical area as allowed for by Code.
 - iv. be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area; as stated above the site meets the clearing allowed requirement for its lot size and a fee in lieu of reforestation will be provided prior to permit approval. The site is not in a bog area.
 - v. nor be detrimental to the public welfare, because the lot is being developed off of an 18' wide roadway with a tee turnaround which allows for fire/police access and all building codes for the house will be followed (sprinklers, etc.)

In summary, we believe the Variance is necessary to Allow Development of the Lot in accordance with all Critical Area and other criteria as outlined in the Code. If you should have any questions or comments or need additional information, please do not hesitate to call our office at (410) 266-1160 x307or email stacy@terrainmd.com

Sincerely,

Stacy R. Kimmett

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:	JULY 8, 2024
T	D 1//	D1 1 //	T . !!			FOR RESUBMITTAL ONLY
Tax Map #	Parcel #	Block #	Lot #	Section		Corrections
57	14	15	102	N/A		Redesign No Change
		-	-			Non-Critical Area
						*Complete Only Page 1
Tax ID: 02-	046-07656620					General Project Information
						<u> </u>
Project Name	(site name, sub	division name	e, or other)	BAY HIGHL	ANDS, LO	T 102
Project location	on/Address	1205 GARNE	TT DRIVE			
City ANNAF	POLIS				Zip 2	1403
City 7 a a a	32.0				Zip Z	. 100
Local case nu	mber					
Applicant:	Last name	ELLIOTT			First na	me KELLY & JOHN
Company T	ERRAIN INC.					
company 1						
A 1						
Application	Type (check al	that apply):				
Building Pern	nit	X		Variance	X	
Buffer Manag	gement Plan			Rezoning		
Conditional U				Site Plan	📙	
Consistency F Disturbance >				Special Exception Subdivision	tion [
Grading Perm	_	X		Other	H	
511111128				3 3222	Ш_	
Local Jurisdi	iction Contact	Information:				
Last name	AACo Zoning	Administration	n Section	_ First name		
Phone #	410-222-7437		Respo	onse from Comm	nission Req	uired By TBD
Fax #				_ Hearing date	TBD	

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site: REQUESTING A REDUCTION TO THE 20' CORNER SIDE SETBACK OF 12' TO ALLOW IT TO BE 8' THE HOUSE HAS REDUCED IN SIZE FROM PRE-FILE Yes Yes Intra-Family Transfer **Growth Allocation** Grandfathered Lot **Buffer Exemption Area** Project Type (check all that apply) Commercial Recreational Consistency Report Redevelopment Residential Industrial Institutional **Shore Erosion Control** Mixed Use Water-Dependent Facility Other SITE INVENTORY (Enter acres or square feet) Acres Sq Ft Acres Sq Ft Total Disturbed Area 0.15 6,563 0.17 7,500 IDA Area LDA Area 0 0 0 RCA Area 0 0 # of Lots Created 0.17 7,500 Total Area Sq Ft Acres Sq Ft Acres Existing Forest/Woodland/Trees 0.17 7,500 **Existing Lot Coverage** 0 0 Created Forest/Woodland/Trees New Lot Coverage 0.05 2,346 0 0 Removed Forest/Woodland/Trees 0.14 6,363 Removed Lot Coverage 0 0 Total Lot Coverage 0.05 2,346 VARIANCE INFORMATION (Check all that apply) Acres Sq Ft Acres Sq Ft Buffer Disturbance 0 0 **Buffer Forest Clearing** 0 0 Non-Buffer Disturbance 0.15 6,563 Mitigation 0 0 Variance Type Structure Buffer Acc. Structure Addition Forest Clearing Barn **HPA** Impact Deck Lot Coverage **Dwelling Expanded Buffer Dwelling Addition** Nontidal Wetlands Garage Setback Gazebo Steep Slopes Patio Other Pool Shed

Other

CRITICAL AREA REPORT-1205 GARNETT DR. LOT 102 BAY HIGHLANDS

PREPARED BY TERRAIN FOR VARIANCE – JULY 2024

NARRATIVE:

Existing Conditions:

- 1. As shown on the Resource Map Sheet 3, the site is a legally buildable lot located in the LDA designation of the Critical Area and contains 7,500 s.f. The lot borders Garnett Dr. to the north and is 45.35' wide along this private road, which has recently been constructed and improved with a sewer by others. The rear width of the lot is 57.79' wide. The lot borders Prout Ave. to the west, which is a paper road with no sewer. The length of the lot along this roadway is 154.92' with the opposing lot line abutting undeveloped Lot 103 being 158.47' long.
- 2. The front BRL is 30' along Garnett Drive and the standard side setbacks of 7' and rear setback of 25' are shown on the plan, along with the 20' corner side setback along Prout Ave. for which we are seeking relief.
- 3. Bay Highlands is an old subdivision with many of the surrounding lots having been merged with other lots. Lots 100/101 on the opposite side of Prout Ave. is merged and is under permit review and Lots 92/93 on the other side of Garnett Dr. have also been merged and are under permit review. Lot 103 is an existing building lot to the east of the site and fronts Garnett Dr. This lot is owned by the owner to east who has merged with other lots around their existing home fronting on Henson Ave. The remaining lots on Prout Ave. south of the site are merged with other lots, except for two lots located closer to Bay Highlands Road and are owned by the builder of Lot 102 who plans to access the lots via that roadway. Augusta Park is located on the west side of Prout Ave. abutting Lot 100/101.
- 4. The lot is presently undeveloped and wooded and subject to clearing and impervious limitations as noted on Sheet 3 and 4 of the plans.
- 5. Garnett Dr. and Prout Ave. are private roads with public utility easement overlays. While most of the private roads in Bay Highlands are owned by the BHCA civic association, Garnett and Prout are owned by the abutting owners as was previously established with the development of Garnett Dr. by others. Therefore, the property owner of Lot 102 owns to the center of these streets along their frontage.

Developed Conditions:

- 1. The proposed house has been designed to fit within the standard front, rear and standard 7' side setbacks with the rear basement floor and first floor decks (with gaps) also being located outside the 25' rear setback as shown on Sheet 4. The house is modest in size and is in keeping with the size of houses on similar lots in the neighborhood. Note: the house has been reduced in size from the Pre-file plan, which allows for the driveway to come off Garnett Drive and the previous stub road/turnaround on Prout Ave. to be eliminated based on comments from the Engineering Section. Also, the minimum relief to the side setback being requested is now only 12' not 13' since the house has gone from 32' wide to 20' wide.
- 2. Clearing and impervious limitations have been met.
- 3. Stormwater management and sediment controls have been designed and reviewed by the County. Reviewers under the referenced grading permit and demonstrate

SEE RESOURCE NOTES & CRITICAL AREA TABULATIONS NEXT PAGES.

	ZONING & SOILS TABLE							
SITE/D.A.	ZONING: R2	ERODIBILITY FACTOR						
SYMBOL	SOILS TYPE	CLASS	K FACTOR & SLOPES					
AuB	ANNAPOLIS URBAN	'C'	0.24, 0-5% SLOPES					
	LAND COMPLEX							

RESOURCE MAPPING NOTES

- 1. THE SUBJECT SITE CONSISTS OF A LEGAL LOT TS KNOWN AS LOTS 102 OF BAY HIGHLANDS CREATED PRIOR TO 1985 AND IS A LEGAL BUILDABLE LOT ENTITLED TO CLEARING AND IMPERVIOUS AS PER CODE.
- 2. TOPOGRAPHY AND SITE PROPERTY LINES FOR THE SUBJECT SITE IS BASED A FIELD SURVEY FOR LOT 102 AND ADJOINING LOTS $\frac{100}{101}$ AND PHYSICAL FEATURES PAVING, SEWER, POLES, ETC. ALONG GARNETT DR. AND FOR OFFSITE AREA USING ANNE ARUNDEL COUNTY DIGITAL AERIAL TOPOGRAPHY AND BEST AVAILABLE PUBLIC RECORDS.
- 3. LOT 102 LIES IN THE LDA DESIGNATION OF THE CRITICAL AREA. IT DOES NOT LIE WITHIN A BOG AREA OR BOG DRAINAGE AREA. THE SITE LIES WITHIN ZONE X, AN AREA OF LESS THAN 0.2% CHANCE FLOODING AS SHOWN ON FIRM MAP 24003C0262F.
- 4. THERE ARE NO EXISTING STREAMS ON THE PROPERTY. THERE ARE NO STEEP SLOPES OR THEIR BUFFERS AFFECTING THE PROPERTY, BUT THERE IS A SMALL AREA OF STEEP SLOPES ON THE NEIGHBORING LOTS TO THE EAST ALTHOUGH THEY ARE NOT A LARGE ENOUGH OF AN AREA TO MEET THE DEFINITION OF STEEP SLOPES. THESE AREAS ARE OUTSIDE THE LIMITS OF DISTURBANCE.
- THIS SITE DRAINS TO BLACK WALNUT CREEK / WEST CHESAPEAKE BAY WATERSHED NO. 02-13-10-02 AND THE BAY.
- 6. SOIL TYPES ARE 'C' ON-SITE AuB ANNAPOLIS URBAN LAND COMPLEX, 0-5% SLOPES. SEE TABLE THIS SHEET.
- 7. GARNETT DRIVE IS AN EX. 25' PRIVATE RIGHT OF WAY WITH A PUBLIC UTILITY EASEMENT OVERLAY. A PUBLIC WORKS AGREEMENT AND GRADING PERMIT ARE IN PLACE AND THE IMPROVEMENTS HAVE BEEN CONSTRUCTED AS OF MAY 2024 UNDER G02009497.
- 8. THERE ARE NO EXISTING STRUCTURES ON LOT 102.
- 9. LOT 102 CONSISTS OF DEVELOPED WOODLAND AS THE BAY HIGHLANDS SUBDIVISION, WHICH THIS LOT IS A PART, CONTAINS AN AREA OF TREES & NATURAL VEGETATION INTERSPERSED WITH RESIDENTIAL DEVELOPMENT. CLEARING SHALL BE THE MINIMUM NECESSARY TO CONSTRUCT THE HOUSE, DRIVE, WELL, SEWER, STORMWATER MANAGEMENT AND REASONABLE YARD AREA.
- 10. LOT DEVELOPMENT WILL UTILIZE PUBLIC SEWER AND PRIVATE WELL.

EXISTING SITE NOTATIONS:

EX. ZONING: R2

CRITICAL AREA: ENTIRE SITE IS IN LDA

EX. SITE TABULATIONS & CRITICAL AREA CLEARING/COVERAGE ALLOWABLES:

EX. LOT AREA: 7,500 S.F. OR 0.17 AC. TL.

TOTAL EX. IMPERVIOUS COVERAGE = 0 S.F. OR 0 AC. TL.

MAX. IMPERVIOUS COVERAGE ALLOWED = 2375 S.F.

TOTAL EXISTING WOODLANDS = 7,500 S.F. OR 0.17 AC. TL.

MAX. CLEARING ALLOWED = FOR SITE LESS THAN 1/2 AC. = 6,534 S.F. MAX.

DEVELOPED SITE TABULATIONS:

TOTAL CLEARING PROPOSED = 6,363 S.F. OR 0.14 AC. TL. (84.8%) MITIGATION FEE IN LIEU = 6,363 S.F. X \$2.00 = \$12,726.00

TOTAL CLEARING REMAINING = 6,534 S.F. - 6,363 S.F. = 171 S.F.

TOTAL IMPERVIOUS COVERAGE PROPOSED = 2,346 S.F. OR 0.05 AC. TL. (31.3%)

TOTAL COVERAGE BY STRUCTURES = 1,662 S.F.(22.2%)

DEVELOPED IMPERVIOUS COVERAGE									
AREA	HOUSE/GAR (SF)	PORCH (SF)	FP	WALK (SF)	STEPS (SF)	WINDOW WELL (Sf)	DRIVE (SF) ONSITE	TOTAL (SF)	
LOT102	1596	54	10	35	12	10	629	2346	
	PEI	RCENT IMPE	RVIOUS = 23	46 S.F. / 7,50	00 S.F. SITE <i>A</i>	AREA = 31.3%			

DEVELOPED COVERAGE BY STRUCTURES								
AREA	AREA HOUSE/GAR (SF) PORCHES (SF) STEPS (SF) TOTAL (SF)							
LOT 102	1596	54		12				1662
	PERCEN	NT IMPERVIO	OUS = 1662 S	s.F. / 7,500 S	.F. SITE AREA	A = 0.2216 =2	2.2%	



Mark Wedemeyer, Director

Memorandum

To: Sara Anzelmo, Office of Planning and Zoning

From: Subhash Dhir, Engineering Division, Department of Inspections & Permits

Date: August 30, 2024

Subject: 1205 Garnett Drive, Annapolis, MD.

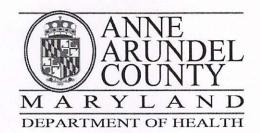
Variance Case # 2024-0129-V

Variance Request – Variance request for bulk regulations R2 zoning-to the Corner Side Setback of 20', to allow a variance of 12' to this setback. The site is approximately 7,500 sf. and located in Critical area.

Review - This office has received the subject application, reviewed for engineering (utilities, stormwater) issues and has the following comments:

- 1. Based on the plan provided, it appears that the property will be served by public sewer and water well.
- 2. Stormwater management will be addressed through Dry wells, roof top disconnections and non-rooftop disconnection.
- 3. The stormwater management for the site shall be addressed during grading permit.

Determination/Recommendation – Based on the above, this office has no objection to the above referenced variance request from either an engineering and/or utility standpoint.



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

Tonii Gedin, RN, DNP Health Officer

MEMORANDUM

TO:

Sadé Medina, Zoning Applications

Planning and Zoning Department, MS-6301

FROM:

Brian Chew, Program Manager

Bureau of Environmental Health

DATE:

July 11, 2024

RE:

Kelly Elliott

1205 Garnett Drive Annapolis, MD 21403

NUMBER:

2024-0129-V

SUBJECT:

Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling with less setbacks than required.

The Health Department does not have an approved plan for this project. The Health Department has no objection to the above referenced variance request as long as a plan is submitted and approved by the Health Department.

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

cc:

Sterling Seay

