

Date: October 23, 2024

Zoning Division of the Office of Planning & Zoning  
Anne Arundel County  
Heritage Office Complex  
2664 Riva Road  
Annapolis, Maryland 21401  
Zoning Division - (410) 222-7437

**RE: VARIANCE REQUEST**

APPLICANT: RICKY S. HERRON & PHUOC V. LE  
MAILING ADDRESS: 2994 VALLEY VIEW RD., ANNAPOLIS, MD 21401  
SITE ADDRESS (FOR VARIANCE): 2994 VALLEY VIEW RD., ANNAPOLIS, MD 21401  
TAX ID: 215407530300

Dear Zoning Office:

This letter explains the request by Ricky S. Herron and Phuoc V. Le for zoning variances for the installation of a pier replacement and lift piles that encroach into the 15 ft. setback areas at 2994 valley View Rd., Annapolis, MD 21401. This property contains 10,836 SF of area and is located on Maccubin's Cove. The lot is approximately 62 ft. wide at the street and approximately 62 ft. wide at the shoreline. The property currently contains an existing 72 ft. long pier and six (6) mooring piles and is situated along a section of Maccubin's Cove where all the piers generally face a shared center of cove.

Based on the provisions of the Code relating to setbacks, the applicant must maintain 15 ft. on either side of the property line extensions into water. Cove sites have property line extensions and associated setback areas that create unique and small pie slices in the water. This small pie slice allowable for construction of a pier is not large enough to install a pier long enough to reach navigable water. The physical uniqueness of this property makes it impossible for the applicant to build a pier that would conform to the Code creating an unnecessary hardship.

The replacement pier will take up a similar area as the current pier and does not encroach any further than the current channelward extent. The proposed 13 ft. wide x 10 ft. long boat lift will go in the current southerly mooring slip with reduced length dimensions – a decrease from 24 ft. to 10 ft. A 10.6 ft. wide (16.5 ft. when you count the 6 ft. wide pier area) x 12 ft. platform is proposed in the current 12 ft. wide x 18 ft. long mooring slip on the northern side of the pier. The current pier has been in its existing configuration since at least 1995 (see exhibit #1). Therefore, it would not appear that the proposed pier would be in any way a navigational concern for the adjacent waterfront property owners now or in the future due to the historic use of the area to ingress and egress the existing mooring slip areas.

The uniqueness of the applicant's lot creates a hardship for which relief from the Code is warranted. Variance requests are for the following:

1. A zoning variance of 10 ft. for platform areas in the northern setback area, as close as 5 ft. to the northern PLE.
2. A zoning variance of 1 ft. for pier areas in the northern setback area, as close as 14 ft. to the northern PLE.
3. A zoning variance of 6 ft. for pier and lift pile areas in the southern setback area, as close as 9 ft. to the southern PLE.
4. A zoning variance of 15 ft. for one (1) lift pile in the southern setback area, as close as 0 ft. to the southern PLE.
5. A zoning variance of 12 ft. for one (1) lift pile in the southern setback area, as close as 3 ft. to the southern PLE.

**The granting of the variance will not:**

- (a) Alter the essential character of the neighborhood or district in which the lot is located

It appears that most every property in the cove contains a pier. Both adjacent property owners have piers. This proposal is similar to other piers in the area and would not alter the essential character of the area.

- (b) Substantially impair the appropriate use or development of adjacent property

The proposed pier and platform are approx. 25 ft. and 14.5 ft. from the neighboring pier to the north (2992 Valley View Rd.) and the proposed lift piles are at least 25 ft. from the mooring piles to the south (located at 2996 Valley View Rd.). Neither of these distances provide a navigational issue for the adjacent property owners and allow neighbors to continue to utilize their piers in the same manner as now. The mooring slip at the pier at 2992 Valley View Rd. is located on the north side of their pier and access will remain uninhibited to this slip area.

- (c) Reduce forest cover in the Limited Development and Resource Conservation areas of the Critical Area

This does not apply to this proposal.

- (d) Be contrary to acceptable clearing and replanting practices required for development in the of the Critical Area or a Bog Protection Area; or be detrimental to the public welfare

This does not apply to this proposal.

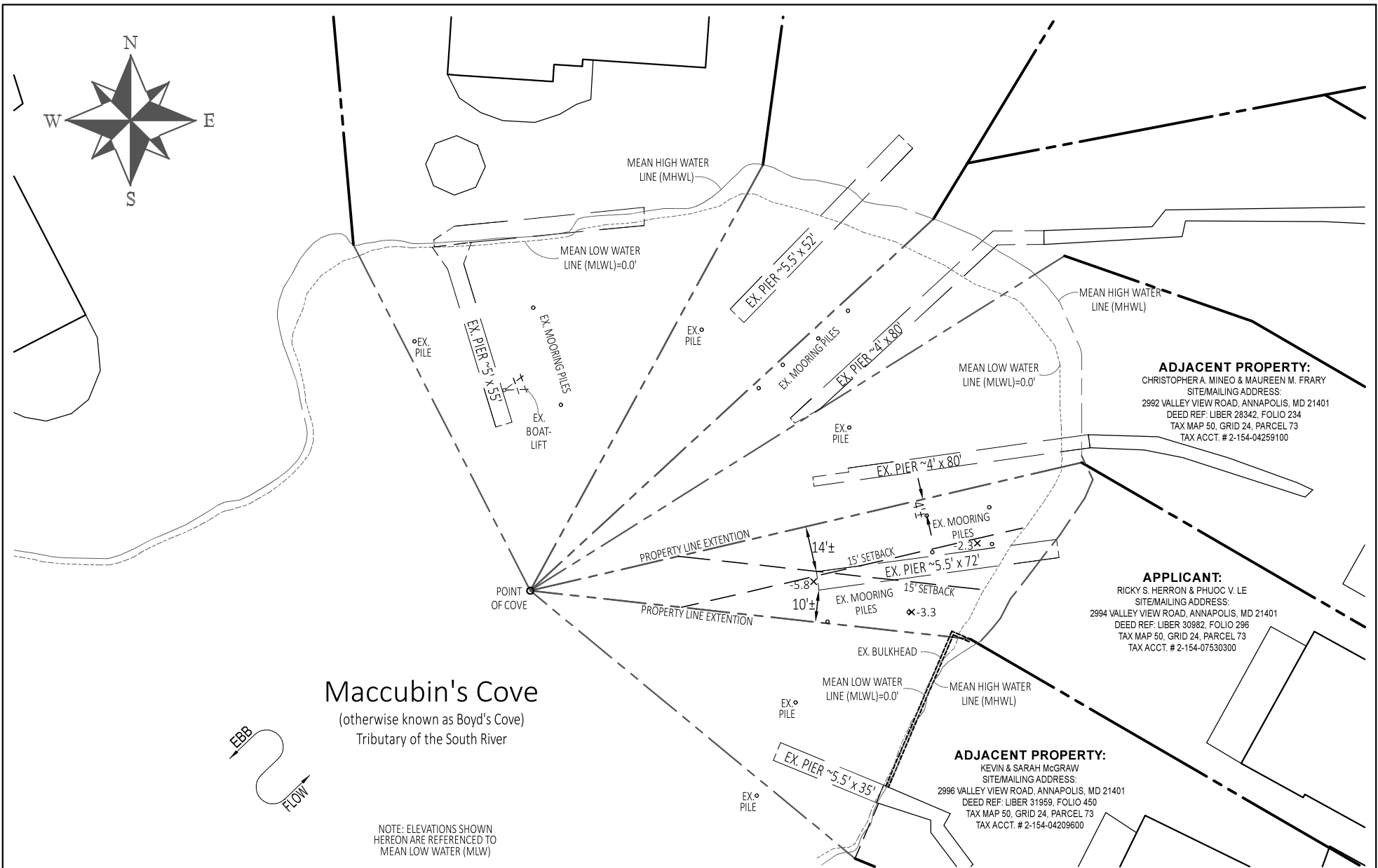
The proposal conforms with Maryland Department of the Environment (COMAR, Title 27) & Army Corp. of Engineers regulations and all appropriate state and federal permitting have been submitted.

It is our belief based on the usable property area that the proposed location of all structures is the minimum necessary to afford relief to applicant. We look forward to hearing from you upon acceptance of these explanations.

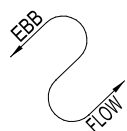
Thank you,



Lauren Heinsohn, Principal  
Fetch Consulting Group



**Maccubin's Cove**  
 (otherwise known as Boyd's Cove)  
 Tributary of the South River



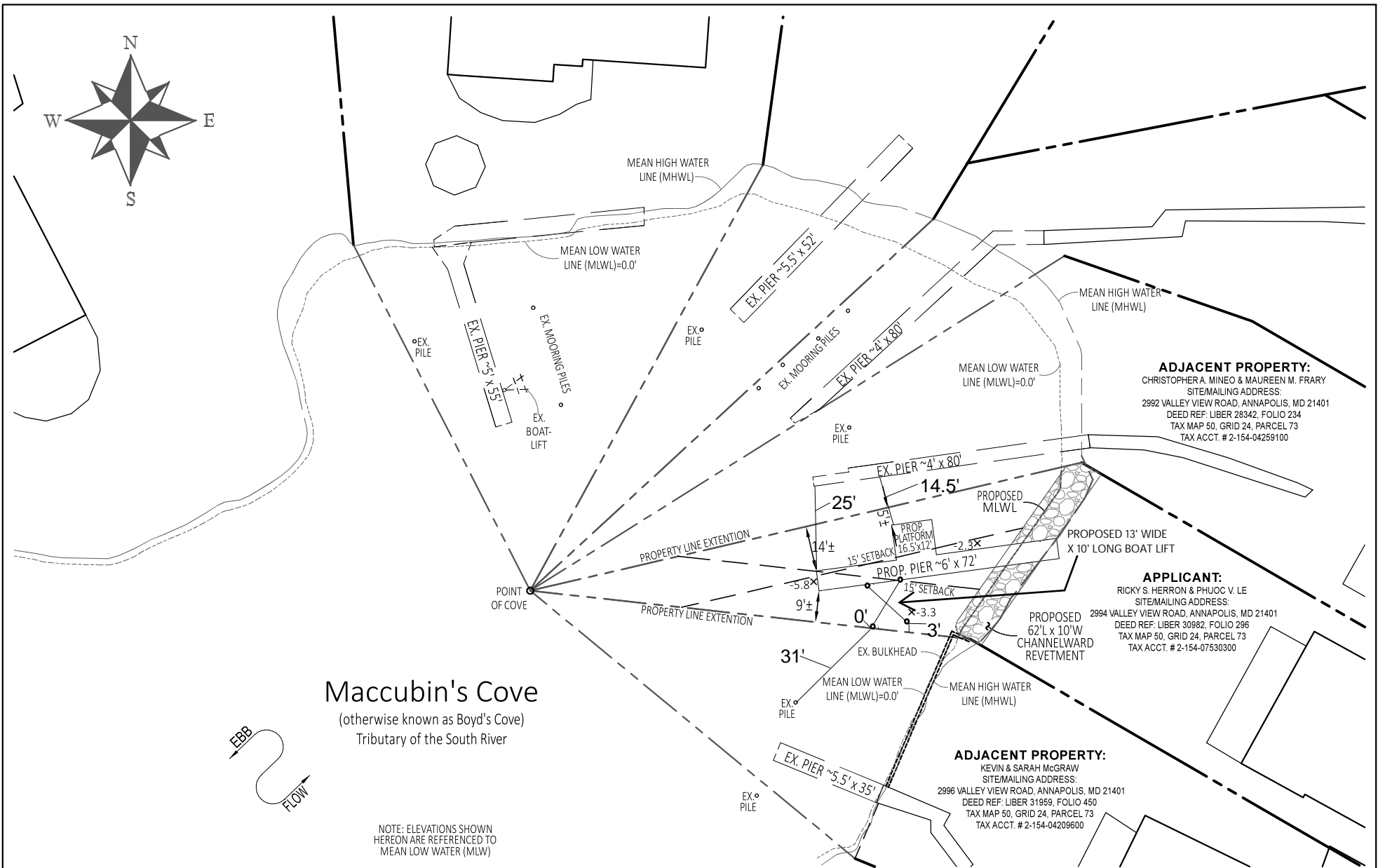
NOTE: ELEVATIONS SHOWN  
 HEREON ARE REFERENCED TO  
 MEAN LOW WATER (MLW)

**ADJACENT PROPERTY:**  
 CHRISTOPHER A. MINEO & MAUREEN M. FRARY  
 SITE/MAILING ADDRESS:  
 2992 VALLEY VIEW ROAD, ANNAPOLIS, MD 21401  
 DEED REF: LIBER 28342, FOLIO 234  
 TAX MAP 50, GRID 24, PARCEL 73  
 TAX ACCT. # 2-154-04259100

**APPLICANT:**  
 RICKY S. HERRON & PHUOC V. LE  
 SITE/MAILING ADDRESS:  
 2994 VALLEY VIEW ROAD, ANNAPOLIS, MD 21401  
 DEED REF: LIBER 30982, FOLIO 296  
 TAX MAP 50, GRID 24, PARCEL 73  
 TAX ACCT. # 2-154-07530300

**ADJACENT PROPERTY:**  
 KEVIN & SARAH McGRAW  
 SITE/MAILING ADDRESS:  
 2996 VALLEY VIEW ROAD, ANNAPOLIS, MD 21401  
 DEED REF: LIBER 31959, FOLIO 450  
 TAX MAP 50, GRID 24, PARCEL 73  
 TAX ACCT. # 2-154-04209600

<p><b>EXISTING CONDITIONS PLAN</b></p> <p>Scale: 1"=40'</p> <p>By: Fetch, LLC          326 First Street, Suite 16          Annapolis, MD 21403</p>	<p><b>APPLICANT/OWNER:</b>          Ricky S. Herron &amp; Phuoc V. Le</p> <p><b>SITE ADDRESS:</b>          2994 Valley View Rd, Annapolis, MD 21401</p> <p><b>MAILING ADDRESS:</b>          2994 Valley View Rd, Annapolis, MD 21401</p>	<p><b>PROPERTY DETAILS:</b>          Anne Arundel County, MD          Tax Map: 50, Grid 24, Parcel 73          Tax Account # 2-154-07530300          Deed Ref.: L.30982, F.296          Plat Ref.: Book 21, Page 15          Cape St. John, Lot 98, Sec. 'C'          Area: 10,836± s.f. or 0.2487± ac.          Date: 25 July 2024          Page: 2 of 6</p>	<p><b>PROPOSED WORK:</b> Pier (Replace), Platform, Boat Lift, &amp; Stone Revet.</p> <p>ALL OF THE INFORMATION INCLUDED IN THIS PLAN IS FROM FIELD NOTES, AVAILABLE PLANS, AND PUBLIC PLATS. DIMENSIONS ABOVE APPROXIMATE. THIS PLAN IS NOT TO BE CONSIDERED A BOUNDARY SURVEY, AND DOES NOT INCLUDE EXISTING IMPEDIMENTS ON SITE OR NEIGHBORING PROPERTIES. OWNER SHOULD PERFORM PROPERTY BOUNDARY SURVEY FOR CORRECT DELINEATIONS. PROPERTY LINE EXTENSIONS AND SETBACKS ARE APPROXIMATED.</p> <p>COPYRIGHT © FETCH, LLC 2024</p> <p>THIS PLAN IS THE SOLE PROPERTY OF FETCH, LLC, WHICH OWNS THE COPYRIGHT TO THE USE OF THE PLAN. NO PERSON OR ENTITY MAY USE ALL OR ANY PART OF THE PLAN, INCLUDING THE OWNER OF THE PROPERTY SHOWN ON THE PLAN, OR ANY THIRD PARTY, EXCEPT FOR THE EXPRESS PURPOSE OF APPLYING FOR PERMITS TO PERFORM THE WORK DESCRIBED IN THE PLAN.</p>
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**PROPOSED CONDITIONS PLAN**

Scale: 1"=40'

By: Fetch, LLC  
326 First Street, Suite 16  
Annapolis, MD 21403

**APPLICANT/OWNER:**  
Ricky S. Herron & Phuoc V. Le

**SITE ADDRESS:**  
2994 Valley View Rd, Annapolis, MD 21401

**MAILING ADDRESS:**  
2994 Valley View Rd, Annapolis, MD 21401

**PROPERTY DETAILS:**  
Anne Arundel County, MD  
Tax Map: 50, Grid 24, Parcel 73  
Tax Account # 2-154-07530300  
Deed Ref.: L 30982, F 296  
Plat Ref.: Book 21, Page 15  
Cape St. John, Lot 98, Sec. 'C'  
Area: 10,836± s.f. or 0.2487± ac.  
Date: 10-23-24  
Page: 3 of 6

**PROPOSED WORK:** Pier (Replace), Platform, Boat Lift, & Stone Revet.

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ANNE  
ARUNDEL  
COUNTY

MARYLAND

DEPARTMENT OF HEALTH

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

A handwritten signature in blue ink, appearing to be 'BC', written over the printed name of Brian Chew.

DATE: August 14, 2024

RE: Ricky S. Herron  
2994 Valley View Rd.  
Annapolis, MD 21401

NUMBER: 2024-0154-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a pier, platform and pilings with less setbacks than required.

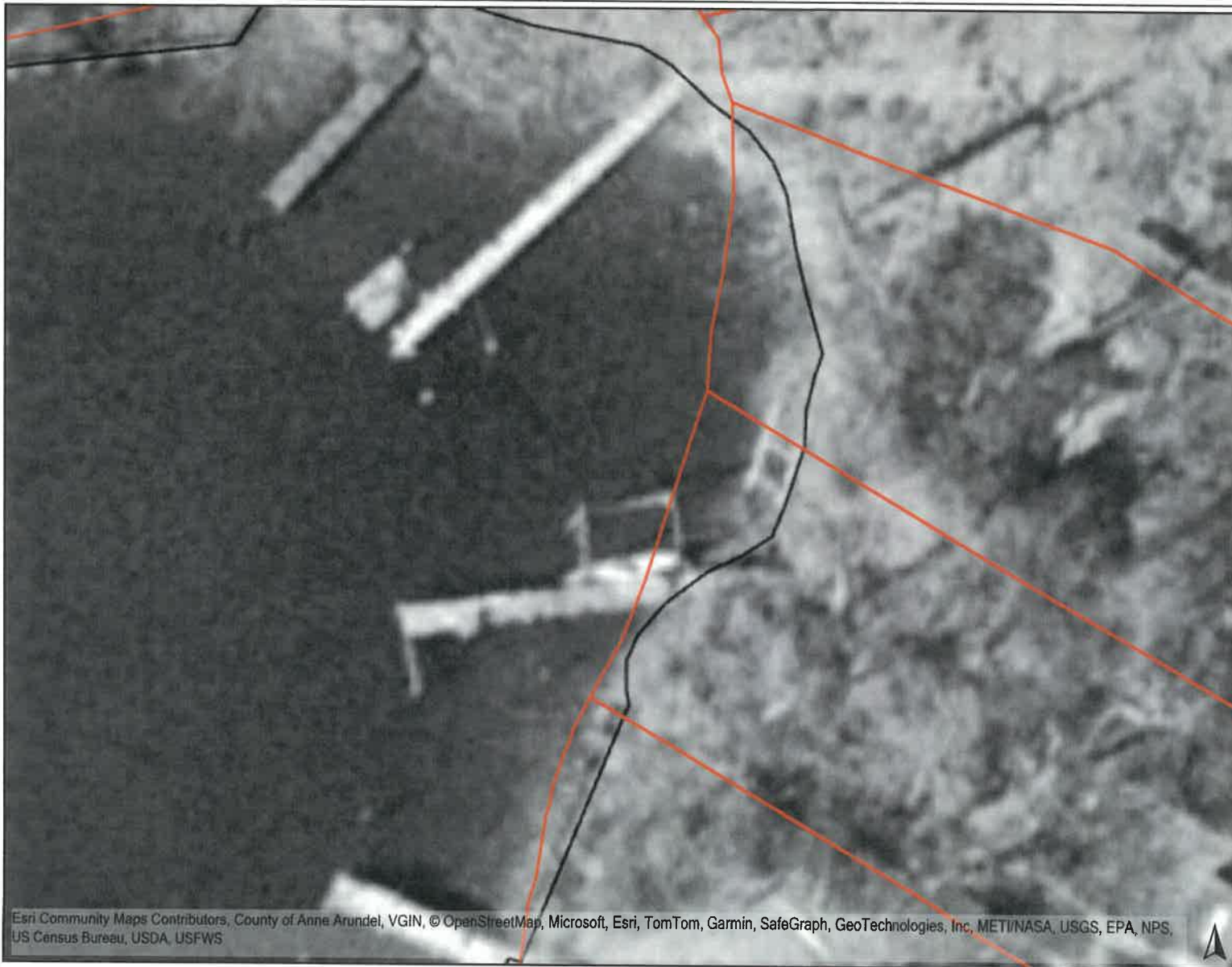
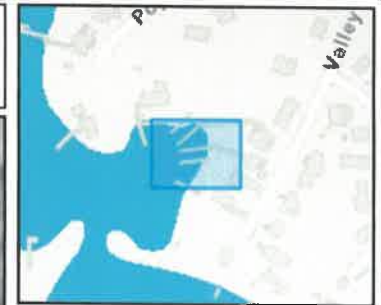
The Health Department has reviewed the above-referenced request. The property is served by public water and sewer facilities. The Health Department has no objection to the above-referenced request.

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

cc: Sterling Seay



# 1995 Aerial Image - 2994 Valley View Rd., Annapolis, MD 21401



## Legend

### Foundation

Addressing



Parcels






City of Annapolis Parcels



### Imagery

B/W 1995

-  Red: Red
-  Green: Green
-  Blue: Blue

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## Notes

# Exhibit #1