



September 11, 2024

Anne Arundel County
Office of Planning & Zoning
2664 Riva Road
Annapolis, Maryland 21401
Attention: Ms. Sterling Seay

Re: VARIANCE REQUEST
MOYNIHAN PROPERTY
1345 ELLICOTT AVENUE
CHURCHTON, MD 20733
B02422511
Violation B-2023-605

Dear Ms. Seay:

On behalf of the applicants, we respectfully request a variance to Article 17-8-301(a) which states in part the expanded buffer shall not be disturbed. A variance is also requested to Article 18-13-104(a) and (b) which states there is an expanded buffer to the tidal wetlands. A variance is requested to Article 18-2-301 which states that a lot located in more than one zoning district shall comply with the setback requirements applicable to the district in which the majority of the property is located. As the majority of the site is in the OS, a variance is also requested to Article 18-9-203, the OS bulk regulations. The property is developed with dwelling and associated improvements. The property meets the definition of a buildable lot, subject to the approvals of the County. Ultimately, lots 21A, 20, 22 and 24 will be combined as one property. The property in total would be 30,064 square feet in area. The site is served by well and public sewer. It is served by right of way Ellicott Avenue. The site drains to a marsh of Deep Cove Creek, and ultimately to the tidal waters of the Chesapeake Bay. The site is waterfront. The site is located in the LDA (Limited Development Area) and the of RCA (Resource Conservation Area) of the Chesapeake Bay Critical Area. The site is not located in a Buffer Modification area and is subject to a 100' expanded buffer due to the presence of tidal wetlands. The site is zoned R5 and OS.

The applicant did an addition without a permit and was issued a violation. The applicant subsequently applied for building permit to perfect the addition to the existing dwelling. The work was done as part of an overall renovation of the home. The additions include a 6'x21' unpermitted addition on the east side of the dwelling. The applicant is also proposing a set of steps for ingress/egress, and a landing and stair to relocated a removed stoop and stair on the west side of the dwelling. This relocation will place the new landing and stair further from the tidal wetlands. To perform this work, there will be disturbance to the 100' tidal wetlands buffer. The improvements, while minimal, are located in the wetlands buffer. Construction access to the work area is also located partially in the expanded buffer. This disturbance is for access only and will provide no grading,

cutting or filling in the expanded buffer. All lot coverage and disturbance is located in the R5 zoning portion of the property. The site exceeds the underlying lot coverage requirements for the LDA area of the lot, requiring a 50 sq. ft. reduction in lot coverage. The owner intends to remove 130 square feet of existing LDA lot coverage. Existing lot coverage in the LDA is 1,783 square feet, and the allowable lot coverage is 1,280 square feet. Lot coverage in the LDA is being reduced from 1,783 square feet to 1,680 square feet. Existing lot coverage in the RCA is 30 square feet, and the amount of proposed lot coverage in the RCA is 99 square feet, for a total proposed in the RCA of 129 square feet, well under the allowable coverage of 5,445 square feet. As the LDA portion exceeds the allowable, a reduction in lot coverage is required for this project. The post development lot coverage of 1,809 square feet is less than the existing lot coverage of 1,813 square feet. The disturbance required for the proposed work is under 5,000 square feet, and a Standard Grading Plan should suffice for the proposed work, should the variance be granted.

The existing area of R5 on the property is 7,416 square feet, and the area of OS zoning is 22,648 square feet. By Code, the property is considered OS. However, it should be noted that all the proposed work and lot coverage is located in the R5 zoning portion of the lot. The proposed work is part of keeping their property functioning in a positive manner.

The owner is also willing to combine the four lots into one large lot. It is noted that the three lots being combined with the fourth lot on which the house is located have their own environmental issues. However, there may be potential to develop one of the lots, and the owner is willing to cede any future development rights for these lots by combining them into one larger lot, thereby removing any possibility that someone could try to develop them in the future.

In response to the prefile comments, the following is offered. The critical area team noted concerns. The site is located in a sensitive species protected area and split zoned R5/OS. The client obtained an email (included in submittal package) from Lori Byrne at the DNR Wildlife and Heritage Service that notes that the site is in a habitat protection area, but in summary, it is noted that due to the scope of work and the distance from areas of rare species records, they do not have concern with the project. The site is split zoned, however all the proposed work takes place in the R5 zoning portion of the property. It is noted that the site is subject to a stop work order. The owner admits he did the work without proper permitting, not knowing that it was needed for such a small renovation, and with this application is diligently working towards proper permitting and resolution of the stop work order. The client has submitted a building permit, which generated comments that the variance is necessary. It was noted that the expansion puts the addition within 60' of the tidal wetland. Dimensioning has been added to the site plan noting the existing dwelling at the addition is 67.24' from the tidal wetland, and the addition is 68.40' from the tidal wetland. It is also noted that the request is the result of unpermitted action by the client. The client admits his error, and as noted above, has been working to rectify this situation.

This plan meets the intent of 18-16-305(a):

1. The subject property consists of three lots, all encumbered by the 100' tidal wetlands buffer and OS zoning in some capacity. Please see the variance site plan for detailed calculations. Because of these encumbrances it is not possible to improve the dwelling without some relief to the Code.

2. The exceptional circumstances and practical difficulties in improving the property have been noted in #1 above to a large degree. Due to the location of the expanded buffer, and the underlying zoning of the property, it would not be possible to improve the property without a variance.

This plan also meets the intent of 18-16-305(b) for critical area variances.

1. What is peculiar about and inherent to this lot is that it is subject to an 100' tidal wetland buffer which encumbers a majority of the site, and due to the split zoning making the property fall under the OS requirements of the zoning code. Denial of a variance would be a hardship for the

owners, as the house needs improvements, and cannot be enjoyed by the owners in its current state. The work proposed provides minor improvements to the dwelling, with the minimal amount of disturbance.

2. A literal interpretation of COMAR would deny the owners use of the property enjoyed by others as the site has a 100' tidal wetlands buffer, and split zoning being OS. and there is no way to do the proposed work without disturbing the buffer and doing improvements on a property that is technically zoned OS by Code, but all work is taking place in the R5. Due to these situations, for the owners to not be allowed to proceed would be a denial of rights commonly enjoyed by others.

The site is not in a bog area.

3. This project will not confer special privileges to the owner, as the home needs improvement, much like most smaller older homes in the Critical Area.

4. The request is not a result of actions of the owner. The location of the 100' tidal wetlands buffer, and the fact it is considered OS zoning, are unrelated to their ownership of the property.

5. This project will not result in a denigration of forest or water quality. The additions are relatively modest, lot coverage is being reduced in the LDA. As stormwater management will be provided as required by the Code, most likely by planting for stormwater mitigation, and any clearing must be mitigated for as per the Code. The amount of new lot coverage is 19 square feet, located entirely in the RCA and well under the allowable lot coverage. Lot coverage in the LDA will be reduced by 50 square feet. It should also be noted that no tree clearing is proposed.

6. This site is not in the bog buffer.

7. This plan meets the presumption, as the denial of this variance would deny the owners rights of other owners in the County. The development is not detrimental to the environment as there is a reduction in lot coverage in the LDA, and lot coverage in the RCA is well under the allowable amount, and modern construction will make the project a benefit not a detriment to the area.

8. The applicant has tried alternative design. However, as this is for additions to an existing structure, the design alternatives are limited.

This plan meets the requirements of 18-16-305(c), as the proposal is the minimum relief necessary. The development will not impair the use of adjoining properties, nor reduce forest cover in the LDA or RCA. The work performed will not be contrary to clearing and replacement practices, and will not alter the character of the neighborhood or be detrimental to the public welfare.

1. The variance request is the minimum to afford relief. The request is the minimum to allow for construction of additions with a small increase in RCA coverage (19 sq. ft.), with a reduction in lot coverage proposed in the LDA.

2. i. This variance will not alter the essential character of the neighborhood. Additions are modest, and the home is existing.

ii. This variance will not impair the use of adjoining properties. The proposal will not impact neighbors. The additions will be attached to an existing dwelling.

iii. No tree clearing is proposed and any mitigation necessary during the permit process will not decrease tree cover in the LDA or RCA.

iv. No work will be performed contrary to approved clearing practices, as a permit will be required, and this permit must meet those requirements.

v. The project will not be detrimental to the public welfare, as it is located on private property.

This plan proposes the minimum relief necessary. The development will not impair the use of adjoining properties, nor reduce forest cover in the LDA or RCA. The work performed will not

be contrary to clearing and replacement practices and will not alter the character of the neighborhood or be detrimental to the public welfare.

As this proposal is for construction of modest additions to an existing dwelling, and disturbance has been minimized. A grading permit should not be required. It appears that this request is consistent with other development in this area. Denial of this request would not allow the owner to enjoy property rights common to other properties in this area.

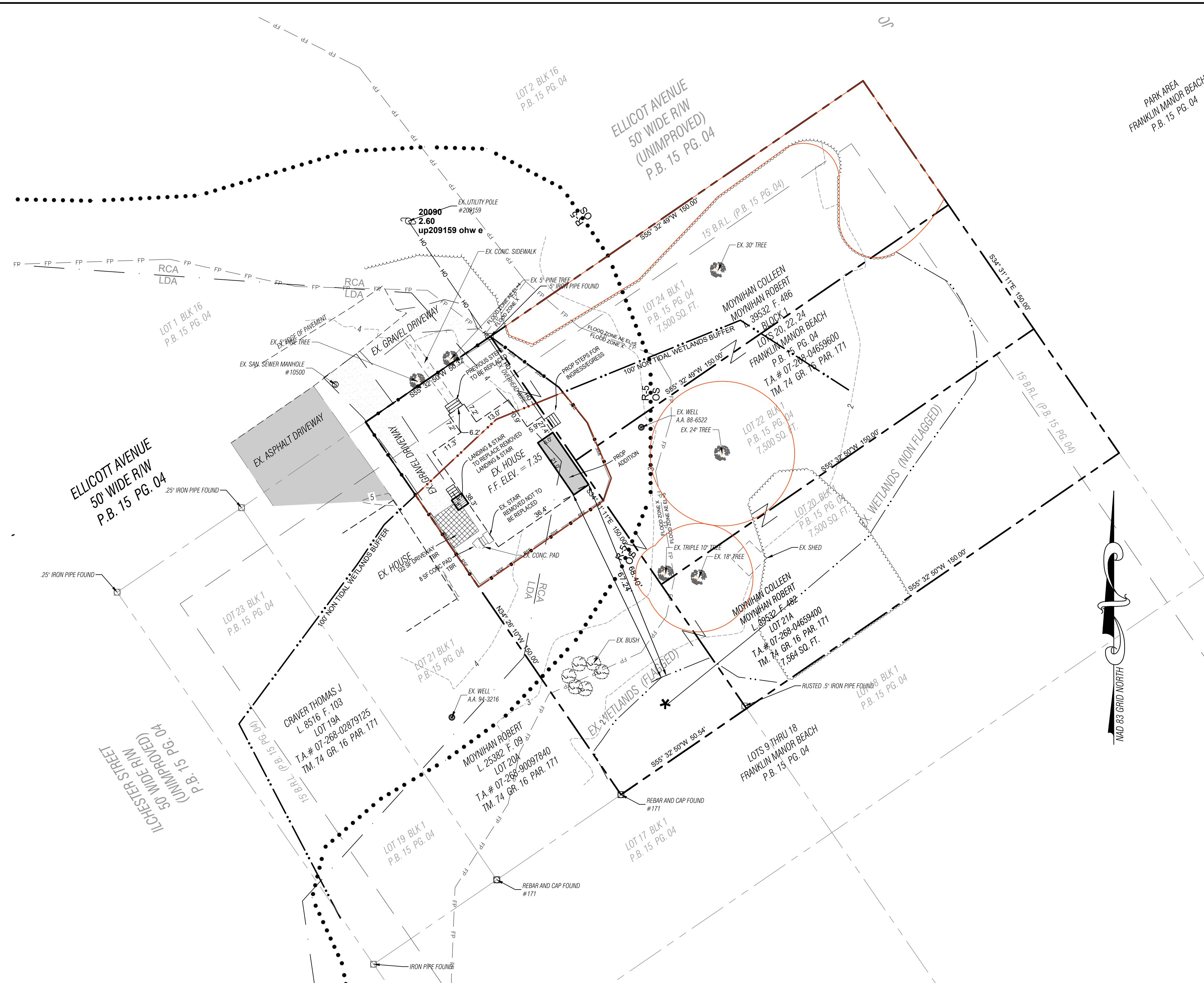
The enclosed plan represents the location of the proposed work. In closing, the variances requested are the minimum necessary to afford relief and is not based on conditions or circumstances that are a result of actions by the applicant. We thank for in advance for your consideration of this request.

If you have any questions, or if you require additional information, please feel free to contact me at 410-266-3212.

Sincerely,
Messick and Associates

Mike Gillespie

Mike Gillespie
Project Manager



VARIANCE SITE PLAN
SCALE 1"=20'

EXISTING LOT CALCULATIONS SUMMARY

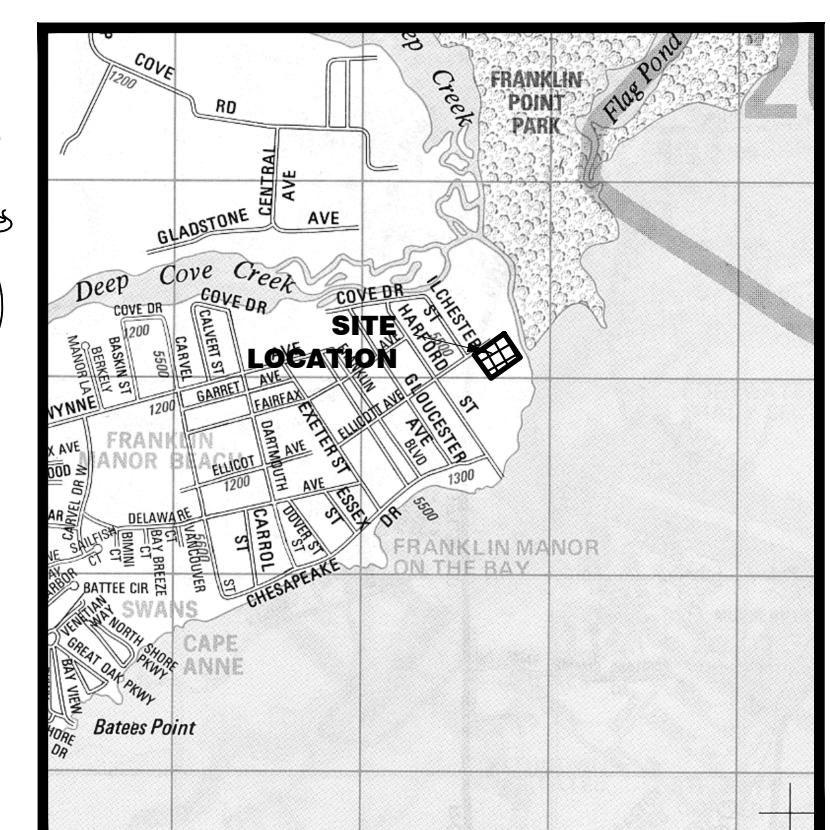
DESCRIPTION	AREA
EXISTING LOT AREA.....	30,064 SQ. FT. OR 0.690 AC.
LOT 21A.....	7,564 SQ. FT. OR 0.174 AC.
LOT 22.....	7,500 SQ. FT. OR 0.172 AC.
LOT 24.....	7,500 SQ. FT. OR 0.172 AC.
LOT 20.....	7,500 SQ. FT. OR 0.172 AC.
EXISTING RS ZONING	7,416 SQ. FT. OR 0.170 AC.
LOT 21A.....	4,782 SQ. FT. OR 0.110 AC.
LOT 22.....	586 SQ. FT. OR 0.013 AC.
LOT 24.....	2,048 SQ. FT. OR 0.047 AC.
LOT 20.....	0 SQ. FT. OR 0.0 AC.
EXISTING OS ZONING	22,648 SQ. FT. OR 0.520 AC.
LOT 21A.....	2,784 SQ. FT. OR 0.064 AC.
LOT 22.....	6,914 SQ. FT. OR 0.159 AC.
LOT 24.....	5,440 SQ. FT. OR 0.125 AC.
LOT 20.....	7,500 SQ. FT. OR 0.172 AC.
EXISTING LDA	3,118 SQ. FT. OR 0.072 AC.
LOT 21A.....	3,118 SQ. FT. OR 0.072 AC.
LOT 22.....	0 SQ. FT. OR 0.0 AC.
LOT 24.....	0 SQ. FT. OR 0.0 AC.
LOT 20.....	0 SQ. FT. OR 0.0 AC.
EXISTING RCA	26,848 SQ. FT. OR 0.619 AC.
LOT 21A.....	4,448 SQ. FT. OR 0.102 AC.
LOT 22.....	7,500 SQ. FT. OR 0.172 AC.
LOT 24.....	7,500 SQ. FT. OR 0.172 AC.
LOT 20.....	7,500 SQ. FT. OR 0.172 AC.
ALLOWABLE LOT COVERAGE LDA (25+500SF%).....	1,280 SQ. FT. OR 0.029 AC.
ALLOWABLE LOT COVERAGE LDA (w/10% REDUCTION).....	1,733 SQ. FT. OR 0.040 AC.
ALLOWABLE LOT COVERAGE RCA.....	5,445 SQ. FT. OR 0.125 AC.
EXISTING LOT COVERAGE.....	1,813 SQ. FT. OR 0.042 AC.
HOUSE.....	1,248 SQ. FT. OR 0.029 AC.
DRIVE.....	516 SQ. FT. OR 0.012 AC.
WALK.....	41 SQ. FT. OR 0.001 AC.
CONC PAD.....	8 SQ. FT. OR 0.001 AC.
EXISTING LOT COVERAGE WITHIN THE 100' BUFFER.....	1,295 SQ. FT. OR 0.030 AC.
HOUSE.....	1,063 SQ. FT. OR 0.024 AC.
DRIVE.....	224 SQ. FT. OR 0.005 AC.
CONC PAD.....	8 SQ. FT. OR 0.001 AC.
EXISTING LOT COVERAGE IN LDA.....	1,783 SQ. FT. OR 0.041 AC.
HOUSE.....	1,218 SQ. FT. OR 0.028 AC.
DRIVE.....	516 SQ. FT. OR 0.012 AC.
WALK.....	41 SQ. FT. OR 0.001 AC.
CONC PAD.....	8 SQ. FT. OR 0.001 AC.
EXISTING LOT COVERAGE IN RCA.....	30 SQ. FT. OR 0.001 AC.
HOUSE.....	30 SQ. FT. OR 0.001 AC.

PROPOSED LOT COVERAGE SUMMARY

DESCRIPTION	AREA
EXISTING LOT COVERAGE TO BE REMOVED IN LDA.....	130 SQ. FT. OR 0.002 AC.
DRIVEWAY.....	122 SQ. FT. OR 0.002 AC.
CONC PAD.....	8 SQ. FT. OR 0.001 AC.
PROP LOT COVERAGE.....	126 SQ. FT. OR 0.003 AC.
PROP LOT COVERAGE LDA.....	27 SQ. FT. OR 0.001 AC.
PROP ADDITION.....	27 SQ. FT.
PROP LOT COVERAGE RCA.....	99 SQ. FT. OR 0.002 AC.
PROP ADDITION.....	99 SQ. FT.
TOTAL LOT COVERAGE POST DEVELOPMENT LDA.....	1,680 SQ. FT. OR 0.039 AC.
TOTAL LOT COVERAGE POST DEVELOPMENT RCA.....	129 SQ. FT. OR 0.003 AC.
TOTAL LOT COVERAGE POST DEVELOPMENT.....	1,809 SQ. FT. OR 0.042 AC.

NOTE: ALL EXISTING LOT COVERAGE IS LOCATED IN THE RS ZONING DISTRICT

WOODLANDS CLEARING NOTE:
THE SITE CONTAINS APPROXIMATELY 7,484 SQ. FT. OF DEVELOPED WOODLANDS. NO WOODLANDS WILL BE DISTURBED OR CLEARED UNDER THIS PROPOSAL



GENERAL NOTES

- OWNER:** ROBERT & COLLEEN MOYNIHAN, 1345 ELLICOTT AVE, CHURCHTON, MD 20733
ENGINEER: MESSICK & ASSOCIATES, SUITE 202, ANNAPOLIS, MD 21401, 410.266.3212, C/O MIKE GILLESPIE
- THE SITE ADDRESS IS: 1345 ELLICOTT AVE CHURCHTON, MD 20733
- THE PROPERTY IS KNOWN AS: TAX MAP 74, GRID 16, PARCEL 171, LOT 21A, 20, 22, 24. DEED REF LOT 21A, 39532/482. DEED REF LOT 20, 22, 24: 39532/486
- TAX ACCOUNT NO. LOT 21A: 07-268-04659400. TAX ACCOUNT NO. LOT 20, 22, 24: 07-268-04659600
- EXISTING BOUNDARY AND FEATURES SHOWN HEREON WERE TAKEN FROM DEED AND PLATS OF RECORD AUGMENTED WITH ANNE ARUNDEL COUNTY GIS DATA, AND A FIELD RUN BOUNDARY AND TOPOGRAPHICAL SURVEY PERFORMED BY MESSICK & ASSOCIATES JULY 2024.
- THIS PLAN WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT, WHICH MAY SHOW ADDITIONAL CONVEYANCES, EASEMENTS, COVENANTS, RIGHT OF WAYS OR MORE STRINGENT BUILDING RESTRICTIONS NOT SHOWN HEREON.
- EXISTING ZONING OF THE SITE IS RS (RESIDENTIAL DISTRICT) AND OS (OPEN SPACE). RS SETBACKS ACCESSORY STRUCTURE: FRONT = 25', SIDE = 7', CORNER SIDE = 20', REAR = 20'. OS (OPEN SPACE) RS SETBACKS ACCESSORY STRUCTURE: FRONT = 40', CORNER SIDE = 15', REAR = 7'.
- THE SITE IS LOCATED WITHIN THE LDA (LIMITED DEVELOPMENT AREA) AND THE RCA (RESOURCE CONSERVATION AREA) OF THE CHESAPEAKE BAY CRITICAL AREA.
- PROPOSED SITE UTILITIES ARE PRIVATE WELL (W-11, NO PUBLIC SERVICE - RURAL) AND PUBLIC SEWER (S-11, EXISTING SERVICE - BROOKWATER).
- THE PROPERTY DESCRIBED HEREON IS LOCATED IN THE FLOOD HAZARD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD ZONE) AS ELEVATIONS AS DELINEATED ON THE FIRM FLOOD INSURANCE MAP #24003C0317 DATED FEBRUARY 18, 2015 FOR ANNE ARUNDEL COUNTY AND DISTRIBUTED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- THERE ARE NO STEEP SLOPES ON THE SITE.

VARIANCE REQUEST

- § 18-9-203. OS DISTRICT BULK REGULATIONS.
- (a) SETBACKS, EXCEPT AS PROVIDED OTHERWISE IN THIS ARTICLE, A USE OR STRUCTURE OTHER THAN A PIER, CONSERVATION USE, PASSIVE RECREATIONAL USE, OR BEACH SHALL BE LOCATED AT LEAST 50 FEET FROM ANY LOT LINE AND 75 FEET FROM ANY ROAD RIGHT-OF-WAY.
- (b) HEIGHT LIMITATION. THE MAXIMUM HEIGHT FOR A PRINCIPAL STRUCTURE IS 45 FEET. THE MAXIMUM HEIGHT FOR AN ACCESSORY STRUCTURE IS 25 FEET.
- (c) COVERAGE. THE MAXIMUM COVERAGE BY STRUCTURES AND PARKING IS 20% OF THE GROSS AREA.
- § 18-2-301. SETBACKS.
- (a) LOT IN MORE THAN ONE DISTRICT. A LOT LOCATED IN MORE THAN ONE ZONING DISTRICT SHALL COMPLY WITH THE SETBACK REQUIREMENTS APPLICABLE TO THE DISTRICT IN WHICH THE MAJORITY OF THE PROPERTY IS LOCATED.
- 17-8-301. BUFFERS
- (1) SCOPE. THIS SECTION DOES NOT APPLY TO A BUFFER MODIFICATION AREA.
- (2) DEVELOPMENT ON PROPERTIES CONTAINING BUFFERS. DEVELOPMENT ON PROPERTIES CONTAINING BUFFERS SHALL MEET THE REQUIREMENTS OF COMAR, TITLE 27. DISTURBANCE IN THE BUFFER OR EXPANDED BUFFER IS NOT PERMITTED.
- § 18-13-104. BUFFERS, EXPANDED BUFFERS, AND BUFFER MODIFICATION AREAS.
- (a) BUFFER. THERE SHALL BE A MINIMUM 100-FOOT BUFFER LANDWARD FROM THE MEAN HIGH-WATER LINE OF TIDAL WATERS, TRIBUTARY STREAMS, AND TIDAL WETLANDS. SPECIFIC DEVELOPMENT CRITERIA APPLY AS SET FORTH IN ARTICLE 17 OF THIS CODE AND COMAR.
- (b) EXPANDED BUFFER. EXCEPT AS PROVIDED IN SUBSECTION (C), THE 100-FOOT BUFFER SHALL BE EXPANDED BEYOND 100 FEET TO INCLUDE SLOPES OF 15% OR GREATER, NONTIDAL WETLANDS, NONTIDAL WETLANDS OF SPECIAL STATE CONCERN, AND HYDRIC SOILS OR HIGHLY ERODIBLE SOILS. THE BUFFER SHALL BE EXPANDED AS FOLLOWS:
- (1) IF THERE ARE CONTIGUOUS SLOPES OF 15% OR GREATER, THE BUFFER SHALL BE EXPANDED BY THE GREATER OF FOUR FEET FOR EVERY 1% OF SLOPE OR TO THE TOP OF THE SLOPE AND SHALL INCLUDE ALL LAND WITHIN 50 FEET OF THE TOP OF THE SLOPES.
- (2) IF THERE ARE NONTIDAL WETLANDS, NONTIDAL WETLANDS OF SPECIAL STATE CONCERN, HYDRIC SOILS OR HIGHLY ERODIBLE SOILS, THE BUFFER SHALL BE EXPANDED IN ACCORDANCE WITH COMAR, TITLE 27.
- (c) BUFFER MODIFICATION AREAS. THERE SHALL BE A BUFFER MODIFICATION AREA ESTABLISHED ON A MAP MAINTAINED BY THE OFFICE OF PLANNING AND ZONING WITH RESPECT TO ALL OR PART OF A LOT CREATED BEFORE DECEMBER 1, 1986 ON WHICH THE EXISTING PATTERN OF DEVELOPMENT PREVENTS THE 100-FOOT BUFFER FROM PERFORMING ITS PROTECTIVE FUNCTIONS. IN BUFFER MODIFICATION AREAS, THE BUFFER IS NOT EXPANDED, AND SPECIFIC DEVELOPMENT CRITERIA APPLY AS SET FORTH IN ARTICLE 17 OF THIS CODE AND COMAR.

REVISION	DESCRIPTION	BY	DATE

MESSICK & ASSOCIATES *
CONSULTING ENGINEERS,
PLANNERS AND SURVEYORS

M&A

7 OLD SOLOMONS ISLAND ROAD, SUITE 202
ANNAPOLIS, MARYLAND 21401
(410) 266-3212 * FAX (410) 266-3502
email: engr@messickandassociates.com

* MESSICK GROUP INC. T/A MESSICK AND ASSOCIATES

OWNER/DEVELOPER:
ROBERT & COLLEEN MOYNIHAN
1345 ELLICOTT AVENUE
CHURCHTON, MD 20733
(T): 443-607-8388
(E): WALDOF16@EARTHLINK.NET

VARIANCE SITE PLAN

FOR THE
MOYNIHAN PROPERTY
VARIANCE SITE PLAN
1345 ELLICOTT AVENUE
CHURCHTON, MD 20733

TAX MAP: 74 GRID: 16 PARCEL: 171
SEVENTH ASSESSMENT DISTRICT
SCALE: AS SHOWN

TAX ACCOUNT: 07-268-04659400
ANN ARUNDEL COUNTY, MARYLAND 20733
DATE: AUGUST 2024

ZONING: R-5, OS / LDA, RCA
SHEET: 1 OF 1

September 5, 2024. FILE: C:\A\0204-1702-1545-Ellicott\variance\DWG\24-1702_1545-Ellicott var COP 24-14-24.dwg

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
74	171	10	20, 24, 22	
			24	

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	

Tax ID: 1.7 21A-7-268-04659400
Lots 20, 22, 24 - 7-268-04659600

Project Name (site name, subdivision name, or other) Moynihan Property

Project location/Address 1345 Ellicott Ave

City Churchton Zip 20733

Local case number

Applicant: Last name Moynihan First name Robert

Company

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:

*Perfect a small addition, relocate landing + stairs, add stair for
ingress / egress combine lots*

Intra-Family Transfer	<input type="checkbox"/>	Growth Allocation	<input type="checkbox"/>
Grandfathered Lot	<input checked="" 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	Total Disturbed Area	Acres	Sq Ft
IDA Area	0	0	0.687	3,788	
LDA Area	0.072	3,118			
RCA Area	0.619	26,946			
Total Area	0.690	30,064	# of Lots Created	0	

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.172	7,484	Existing Lot Coverage	0.042	1,813
Created Forest/Woodland/Trees	TBD	TBD	New Lot Coverage	0.053	126
Removed Forest/Woodland/Trees	0	0	Removed Lot Coverage	0.002	130
			Total Lot Coverage	0.097	1,809

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.054	2,332	Buffer Forest Clearing	0	0
Non-Buffer Disturbance	0.033	1,456	Mitigation	TBD	TBD

Variance Type		Structure	
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 checked="" 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 type="checkbox"/>
Other	<input type="checkbox"/>	Pool	<input type="checkbox"/>
		Shed	<input type="checkbox"/>
		Other	<input type="checkbox"/>

***CRITICAL AREA
REPORT***

**1345 ELLICOTT AVENUE
CHURCHTON, MD 20733**

September 2024

Prepared for:
Robert & Colleen Moynihan

Prepared by:
Messick and Associates
7 Old Solomons Island Road
Suite 202
Annapolis, MD 21401

INTRODUCTION

This site is a 30,064 square foot property that is located on the southeast side of Ellicott Avenue in Churchton, MD. The proposal is to perfect an addition and replace a landing and stair, and add stairs for ingress and egress. The site is served by public sewer and well. The property is completely inside the Chesapeake Bay Critical Area Boundary and is designated as Limited Development Area (LDA) and predominantly with the RCA (Resource Conservation Area). The property is zoned residential, R-5 and OS, OS being the predominate zoning. All work and impervious coverage is located in the R-5. The site is impacted by tidal wetlands and their buffers, which necessitates this variance request. The client owns four adjoining lots, and as part of this process, will combine the four lots into one lot.

EXISTING USE

The property consists of 30,064 square foot property. The site is currently developed with a cottage and a driveway. It is served by public sewer and a water well. The property is a not a corner lot. It is located off a 50' right of way Ellicott Avenue.

SURROUNDING LAND USE

The properties that abut the site are relatively small, developed as single-family lots. The general area is developed as single-family lots consistent with the Franklin Manor Beach subdivision. The site is bounded by a developed property to the west, Ellicott Avenue to the north, and tidal wetlands to the east and south. The site drains to the tidal wetlands, ultimately to the Chesapeake Bay.

PROPOSED WORK

The owners wish to perfect a small addition done to the dwelling as part of an overall renovation of the property. The small addition was done without permits, unknowingly by the owner. As part of the renovation, an existing landing and stair will be replace, and ingress/egress stairs added to the west side of the dwelling. A portion of the driveway will be removed to meet the underlying lot coverage. All work is taking place in the expanded buffer.

SOILS

The U.S. Department of Agriculture Soil Survey, defines the property to have a soil type of DeA – Deale-Shadyoak-Urban Land Complex, 0 TO 2% Slopes (C/D Soils), MZA Mispillion and Transquaking Soils 0-1% Slopes (A/D Soils) and CoC – Shadyoak-Elkton Urban Land Complex 0-2% slopes (B/D Soils).

FLOODPLAIN

The property described hereon is located in the flood hazard zones "X" - (area of minimal flood hazard) and zone AE E1=4' as delineated on the firm flood insurance map #24003C0317F dated February 18, 2015 for said county and distributed by the Federal Emergency Management facility. All work is in zone X.

NON-TIDAL WETLANDS

There appear to be no Non Tidal Wetlands on the site.

TIDAL WETLANDS

There are Tidal Wetlands and their buffer on this site. The tidal wetlands were delineated by Atwell LLC.

BODIES OF WATER

The site drains into the tidal wetlands to the Chesapeake Bay.

STEEP SLOPES

There are no steep slopes on the property.

RARE AND ENDANGERED SPECIES

A review of Federal and/or State listed species of rare, threatened or endangered species of plants or animals has been provided via the enclosed email from Lori Byrne of the Maryland Department of Natural Resources Fish, Heritage and Wildlife Administration, indicating the project site is within a habitat protection area, however they have no concerns that the project will impact rare, threatened or endangered species or their habitat.

STORMWATER MANAGEMENT

Stormwater management will be provided as required during the permit process.

FOREST COVER

The existing forest cover is limited to a few overstory trees. The understory is mostly lawn. The following are typical trees of areas such as this site:

<u>Common Name</u>	<u>Scientific Name</u>
Black Locust	<i>Robinia pseudoacacia</i>
Eastern Sycamore	<i>Platanus occidentalis</i>
American Holly	<i>Ilex opaca</i>
Beech	<i>Fagus grandifolia</i>
White Poplar	<i>Populus alba</i>

Mountain Laurel *Kalmia latifolia*
WILDLIFE TYPICAL OF THIS AREA

<u>Common Name</u>	<u>Scientific Name</u>
Eastern Gray Squirrel	<i>Sciurus Carolinensis</i>
Blue Jay	<i>Cyanocitta Cristata</i>
Common Crow	<i>Corvus Brachythynchos</i>
Northern Cardinal	<i>Richmondena Cardinalis</i>

SITE CALCULATIONS

1. Total Site area.....30,064 sq. ft.
2. Site area in Critical area.....30,064 sq. ft.
LDA – 3,118 sq. ft.
RCA – 26,946 sq. ft.
3. Existing lot coverage1,813 sq. ft.
LDA – 1,783 sq. ft.
RCA – 30 sq. ft.
4. Lot coverage to be removed.....130 sq. ft. (LDA)
5. Proposed lot coverage126 sq. ft.
LDA – 27 sq. ft.
RCA – 99 sq. ft.
6. Total Lot Coverage after Construction...1,809 sq. ft.
LDA – 1,680 sq. ft.
RCA – 129 sq. ft.
7. Proposed Disturbed Area.....3,788 sq. ft.

Real Property Data Search ()
 Search Result for ANNE ARUNDEL COUNTY

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 07 Subdivision - 268 Account Number - 04659400

Owner Information

Owner Name: MOYNIHAN COLLEEN **Use:** RESIDENTIAL
 MOYNIHAN ROBERT **Principal Residence:** YES
Mailing Address: 1345 ELLICOTT AVE **Deed Reference:** /39532/ 00482
 CHURCHTON MD 20733-

Location & Structure Information

Premises Address: 1345 ELLICOTT AVE **Legal Description:** LT 21A BK 1
 CHURCHTON 20733-0000 1345 ELLICOTT AVE
 Waterview FRANKLIN MANOR BEACH

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
 0074 0016 0171 7010002.02 268 1 21A 2024 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 1955 900 SF 7,500 SF

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
 1 NO STANDARD UNITSIDING/3 1 full

Value Information

	Base Value	Value		
		As of 01/01/2024	Phase-In Assessments As of 07/01/2024	As of 07/01/2025
Land:	141,100	141,100		
Improvements	84,800	108,600		
Total:	225,700	247,700	233,033	240,367
Preferential Land:	0	0		

Transfer Information

Seller: MACKEY KENNETH W **Date:** 03/22/2023 **Price:** \$160,000
Type: ARMS LENGTH IMPROVED **Deed1:** /39532/ 00482 **Deed2:**

Seller: MACKEY KENNETH W **Date:** 01/28/2023 **Price:** \$0
Type: NON-ARMS LENGTH OTHER **Deed1:** /39419/ 00144 **Deed2:**

Seller: TALBERT, EDWARD S **Date:** 04/15/2010 **Price:** \$0
Type: NON-ARMS LENGTH OTHER **Deed1:** /22186/ 00211 **Deed2:**

Exemption Information

Partial Exempt Assessments: Class 07/01/2024 07/01/2025
County: 000 0.00
State: 000 0.00
Municipal: 000 0.00|0.00 0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No ApplicationDate:

Real Property Data Search ()
 Search Result for ANNE ARUNDEL COUNTY

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 07 Subdivision - 288 Account Number - 04659800

Owner Information

Owner Name: MOYNIHAN COLLEEN **Use:** MARSH LAND
 MOYNIHAN ROBERT **Principal Residence:** NO
Mailing Address: 1345 ELLICOTT AVE **Deed Reference:** /39532/ 00486
 CHURCHTON MD 20733-

Location & Structure Information

Premises Address: 1347 ELLICOTT AVE **Legal Description:** LTS 20 22 24 BK 1
 CHURCHTON 20733-0000 1347 ELLICOTT AVE
 Waterview FRANKLIN MANOR BEACH

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
 0074 0016 0171 7010002.02 288 1 20 2024 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
 0.5100 AC

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements
 /

Value Information

	Base Value	Value		
		As of 01/01/2024	Phase-In Assessments As of 07/01/2024	As of 07/01/2025
Land:	0	0		
Improvements	0	0		
Total:	0	0	0	0
Preferential Land:	0	0		

Transfer Information

Seller: MACKEY KENNETH W	Date: 03/22/2023	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /39532/ 00486	Deed2:
Seller: MACKEY KENNETH W	Date: 01/28/2023	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /39419/ 00384	Deed2:
Seller: TALBERT, EDWARD S	Date: 04/15/2010	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /22186/ 00207	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2024	07/01/2025
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No ApplicationDate:

1345 ELLICOTT AVE, 2073 X



Show search results for 1345 E...



▼ 1345 ELLICOTT AVE. 2073 X 🔍

Show search results for 1345 E...



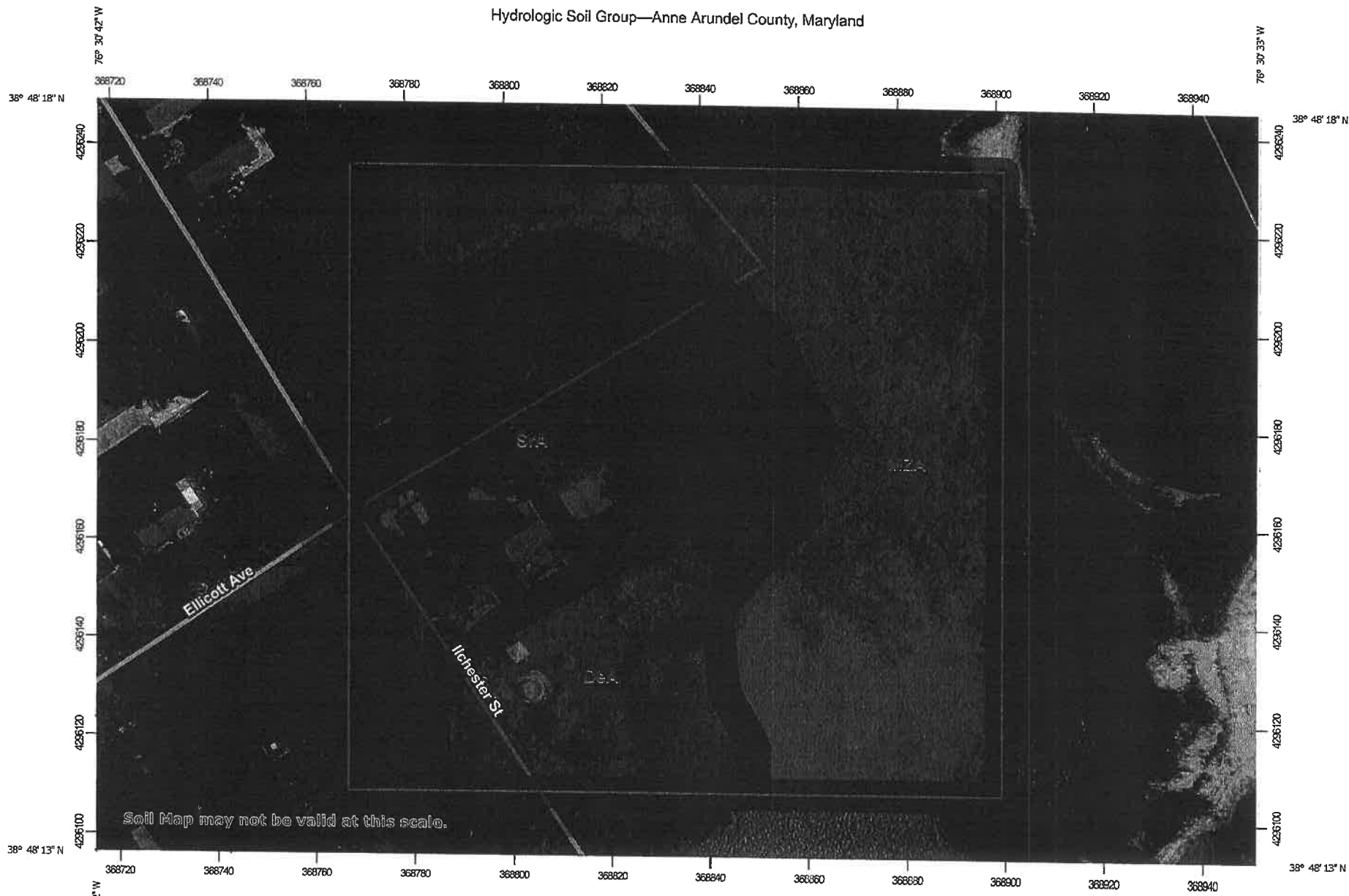


Zoning

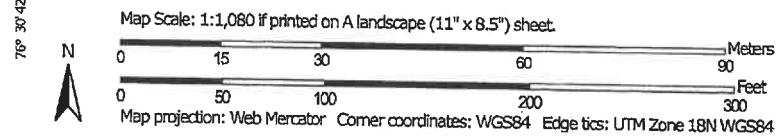


Critical Area

































Hydrologic Soil Group—Anne Arundel County, Maryland



Soil Map may not be valid at this scale.



MAP LEGEND

- Area of Interest (AOI)**
 -  Area of Interest (AOI)
- Soils**
 - Soil Rating Polygons**
 -  A
 -  A/D
 -  B
 -  B/D
 -  C
 -  C/D
 -  D
 -  Not rated or not available
 - Soil Rating Lines**
 -  A
 -  A/D
 -  B
 -  B/D
 -  C
 -  C/D
 -  D
 -  Not rated or not available
 - Soil Rating Points**
 -  A
 -  A/D
 -  B
 -  B/D
- Water Features**
 -  Streams and Canals
- Transportation**
 -  Rails
 -  Interstate Highways
 -  US Routes
 -  Major Roads
 -  Local Roads
- Background**
 -  Aerial Photography
- Soil Rating**
 -  C
 -  C/D
 -  D
 -  Not rated or not available

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Anne Arundel County, Maryland
 Survey Area Data: Version 22, Sep 12, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 20, 2022—Aug 13, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
DeA	Deale-Shadyoak-Urban land complex, 0 to 2 percent slopes	C/D	0.8	18.0%
MZA	Mispillion and Transquaking soils, 0 to 1 percent slopes, tidally flooded	A/D	1.9	45.8%
SrA	Shadyoak-Elkton-Urban land complex, 0 to 2 percent slopes	B/D	1.5	36.3%
Totals for Area of Interest			4.2	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

National Flood Hazard Layer FIRMette



76°30'58"W 38°48'30"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | | |
|-----------------------------|--|--|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE)
Zone A, V, A99 |
| | | With BFE or Depth Zone AE, AO, AH, VE, AR |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| | | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| | | Area with Reduced Flood Risk due to Levee, See Notes, Zone X |
| | | Area with Flood Risk due to Levee Zone D |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard Zone X |
| | | Effective LOMRs |
| | | Area of Undetermined Flood Hazard Zone |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2
17.5
Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| MAP PANELS | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/2/2024 at 11:19 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



76°30'20"W 38°48'2"N

----- Forwarded Message -----

From: Lori Byrne -DNR- <lori.byrne@maryland.gov <mailto:lori.byrne@maryland.gov> >
To: moynihancolleen@yahoo.com <mailto:moynihancolleen@yahoo.com> <moynihancolleen@yahoo.com <mailto:moynihancolleen@yahoo.com> >
Cc: Claudia Jones -DNR- <claudia.jones@maryland.gov <mailto:claudia.jones@maryland.gov> >
Sent: Friday, May 31, 2024 at 11:54:06 AM EDT
Subject: Re: follow up 1345 Ellicott Ave Churchton

Dear Ms. Moynihan,

I have reviewed your project site and it does fall within a habitat protection area known as an Anne Arundel Listed Species Site. These are regulated by the local jurisdiction's Critical Area Program for the presence of rare species and significant habitats. Having said that, the Wildlife and Heritage Service does not have any concerns for impacts to rare, threatened or endangered species or their habitats, given the scope of work and the distance to current rare species records. Thank you for the opportunity to review and comment, and feel free to contact me again if there are any further questions regarding this information.

Lori Byrne

<<https://www.facebook.com/MarylandDNR/>>

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
74	171	10	20, 22, 24	
			24	

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	

Tax ID: LA 21A-7268-04659400
 Lots 20, 22, 24 - 7-268-04659600

Project Name (site name, subdivision name, or other) Moynihan Property

Project location/Address 1345 Ellicott Ave

City Chesapeake Zip 20733

Local case number

Applicant: Last name Moynihan First name Robert

Company

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:

*Perfect a small addition, relocate landing + stairs, add stair for
ingress/egress combine lots*

Intra-Family Transfer	Yes <input type="checkbox"/>	Growth Allocation	Yes <input type="checkbox"/>
Grandfathered Lot	<input checked="" 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)

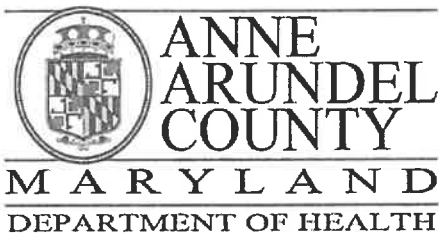
	Acres	Sq Ft	Total Disturbed Area	Acres	Sq Ft
IDA Area	0	0	0.587	3,788	
LDA Area	0.072	3,118			
RCA Area	0.619	26,946			
Total Area	0.690	30,064	# of Lots Created	0	

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.172	7,484	Existing Lot Coverage	0.042	1,813
Created Forest/Woodland/Trees	TBD	TBD	New Lot Coverage	0.053	126
Removed Forest/Woodland/Trees	0	0	Removed Lot Coverage	0.502	130
			Total Lot Coverage	0.042	1,809

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.054	2,352	Buffer Forest Clearing	0	0
Non-Buffer Disturbance	0.033	1,456	Mitigation	TBD	TBD

<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 checked="" 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 type="checkbox"/>
Other	<input type="checkbox"/>	Pool	<input type="checkbox"/>
		Shed	<input type="checkbox"/>
		Other	<input type="checkbox"/>




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: September 16, 2024

RE: Robert Moynihan
1345 Ellicott Ave.
Churchton, MD 20733

NUMBER: 2024-0171-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow dwelling additions with less setbacks and buffer thsn required.

The Health Department has reviewed the water supply system for the above referenced property. The Health Department has determined that the proposed request adversely affects the well water supply system. The current well (AA-88-6522) is not located on the property. The Health Department recomends denial of the above referenced request.

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

cc: Sterling Seay



STEUART PITTMAN, COUNTY EXECUTIVE
JESSICA LEYS, DIRECTOR
RECREATION AND PARKS
1 HARRY S. TRUMAN PKWY
ANNAPOLIS, MD 21401
AACOUNTY.ORG/RECPARKS



MEMORANDUM

TO: Sadé Medina, Zoning Division
Office of Planning and Zoning

FROM: Pat Slayton
Capital Projects Division

SUBJECT: Variance Case 2024-0171-V

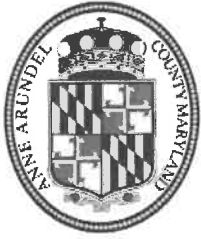
DATE: September 16, 2024

The Department of Recreation and Parks has reviewed the above plans to determine if there may be impacts to the Anne Arundel County Green Infrastructure Network, parks, and trails. Please note our recommendations according to those findings below.

- A portion of this site lies within the Anne Arundel County Green Infrastructure Network, a proposed preservation area considered in the Anne Arundel County Green Infrastructure Master Plan. The proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

The Department of Recreation and Parks has no further comments.

cc: File



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2024-0076-P
DATE: 08/13/2024
STAFF: Joan A. Jenkins (OPZ)
Kelly Krinetz (OPZ)

APPLICANT/REPRESENTATIVE: Messick & Assoc.

EMAIL: engr@messickandassociates.com

SITE LOCATION: 1345 Ellicott Ave, Churchton

LOT SIZE: 7,500sf

ZONING: R5,OS **CA DESIGNATION:** LDA,RCA **BMA:** or **BUFFER:** expanded **APPLICATION TYPE:** VAR

DESCRIPTION:

The applicant proposes a dwelling addition and a deck with stairs that would disturb the 100' nontidal wetlands buffer and the expanded buffer

COMMENTS:

Critical Area Team:

This site is located within the Sensitive Species Protected Area and is split zoned OS/R5.
The site is under a stop work order and the exterior additions are in place.
The expansion of the home puts it within 60 feet of a protected tidal wetland.
The request is a result of an unpermitted action by the applicant.
This Office cannot support this application.

Zoning Administration Section:

Variance required to perfect the additions.
Submit the variance application through the LUN system.

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 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.