

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


APPLICANTS: James & Renita Stancil

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2024-0163-V

COUNCILMANIC DISTRICT: 3

HEARING DATE: November 7, 2024

PREPARED BY: Donnie Dyott Jr. 
Planner

REQUEST

The applicants are requesting a variance to allow reconstruction of the dwelling foundation and repairs to the porch and access stairs with less setbacks than required and with disturbance to slopes of 15% or greater on property located at 8034 Forest Glen Drive in Pasadena.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 13,288 square feet of land and is identified as Lots 292-295 of Parcel 79 in Block 21 on Tax Map 18 in the Forest Glen subdivision. This waterfront property on Main Creek is zoned R2 - Residential District and lies within the Chesapeake Bay Critical Area with a designation of LDA - Limited Development Area. The site is mapped within a BMA - Buffer Modification Area and is currently improved with a single family detached dwelling and associated facilities.

APPLICANT'S PROPOSAL

The applicant proposes to make repairs to the existing dwelling and access steps as a result of damage caused by a falling tree. The proposal includes reconstruction of a 15 foot portion of the foundation, repairs to the porch and roof and replacement of existing concrete riparian access steps. The proposed work represents replacement in kind of existing improvements with no expansion of structures or lot coverage.

REQUESTED VARIANCES

§ 17-8-201(a) of the Anne Arundel County Subdivision and Development Code states that development in the LDA or RCA designated areas may not occur within slopes of 15% or greater unless development will facilitate stabilization of the slope; is to allow connection to a public utility; or is to provide direct access to the shoreline. The limit of disturbance associated with the proposed work disturbs approximately 118 square feet of slopes 15% or greater necessitating a variance to this provision. Exact slope disturbance will be determined at the time of permit.

No setback variances are required.

FINDINGS

The applicant describes that the dwelling and adjacent improvements abut steep slopes and that the existing topography and location of the improvements are the unique conditions that warrant relief. Due to these factors, repairs and replacement of the damage from the falling tree cannot be

2024-0163-V

accomplished without variance relief. The proposal is necessary because the damaged assessment done by the insurance company has indicated that a portion of the foundation needs to be reconstructed along with repairs to the dwelling. All improvements are in-kind replacement and there is no expansion of the structures or lot coverage.

The existing lot coverage of 3,661 square feet will remain unchanged with the proposal and is within the allowable 4,152 square feet in the LDA for a lot this size. Exact lot coverage calculations to be determined at the time of permit.

The **Health Department** commented that it reviewed the on-site sewage disposal and well water supply systems for the property and determined that the proposal does not adversely affect these systems. The Health Department has no objection to the request.

The **Development Division (Critical Area Team)** commented that they have no objection to the request.

The **Critical Area Commission** did not take a position on the request but commented that appropriate mitigation is required.

For the granting of a critical area variance, a determination must be made on the following:

Because of certain unique physical conditions, such as exceptional topographical conditions peculiar to and inherent in the particular lot or irregularity, narrowness, or shallowness of lot size and shape, strict implementation of the County's critical area program would result in an unwarranted hardship or practical difficulty. In this case the presence of steep slopes and the existing location of the improvements relative to these slopes makes the repairs and replacement impossible without variance relief. As such, relief is warranted to allow the applicant to make necessary repairs to the damaged structures.

A literal interpretation of the County's critical area program will deprive the applicant of rights that are commonly enjoyed by other properties in similar areas by denying the applicant the right to repair existing structures that were damaged by a falling tree. The granting of the variance will not confer on the applicant a special privilege that would be denied by COMAR, Title 27. This request is not a result of actions by the applicant and does not arise from any condition relating to land or building use on any neighboring property. There is no evidence that the granting of the variances will adversely affect water quality or impact fish, wildlife or plant habitat and the proposal is in harmony with the general spirit and intent of the County's critical area program. The applicant has overcome the presumption that the specific development does not conform to the general purpose and intent of the critical area law and has evaluated site planning alternatives.

With regard to the requirements for all variances:

The variances as proposed are considered the minimum necessary to afford relief by this Office. The proposal consists of repairing and replacing in-kind existing structures. There is no expansion of structures or lot coverage.

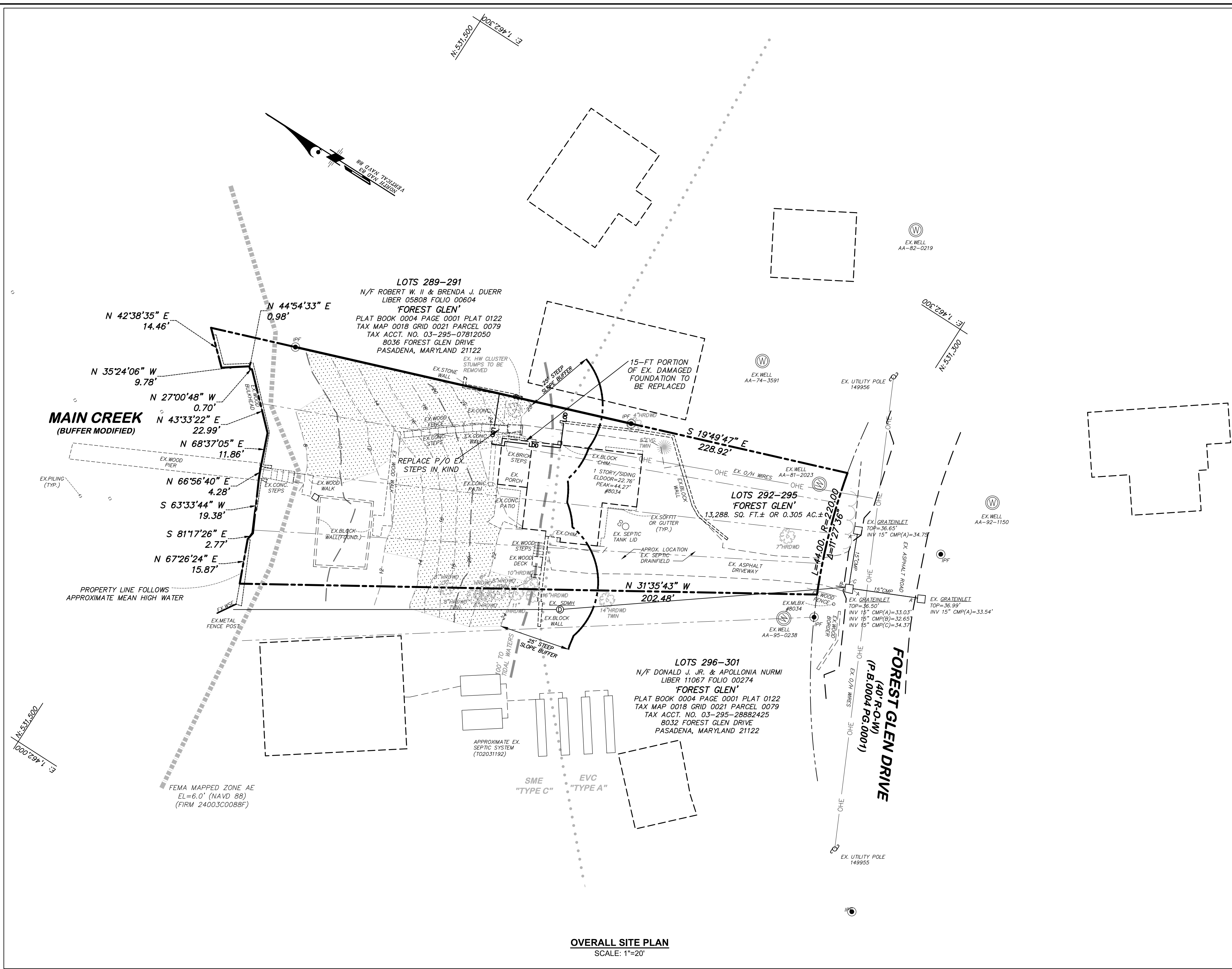
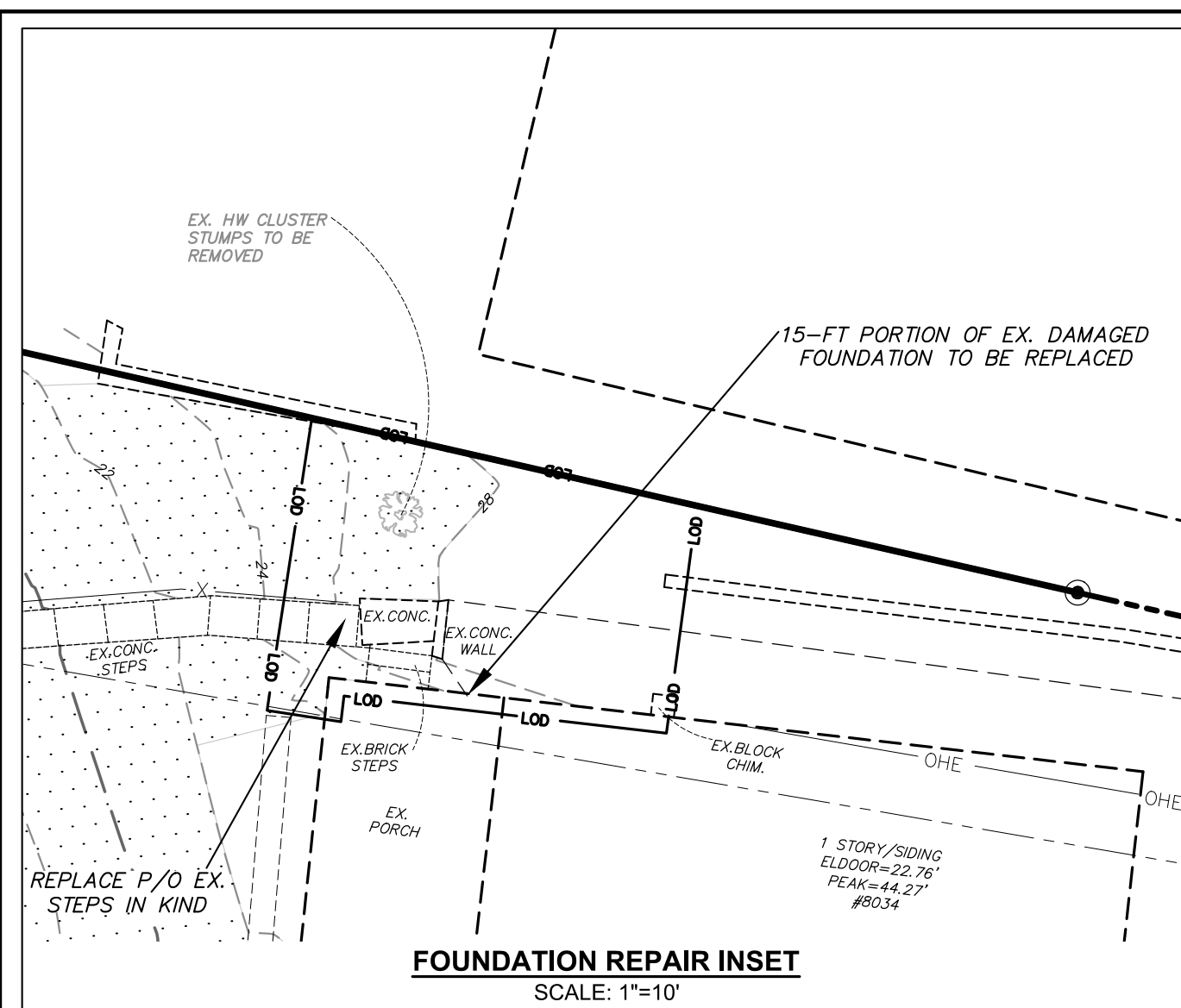
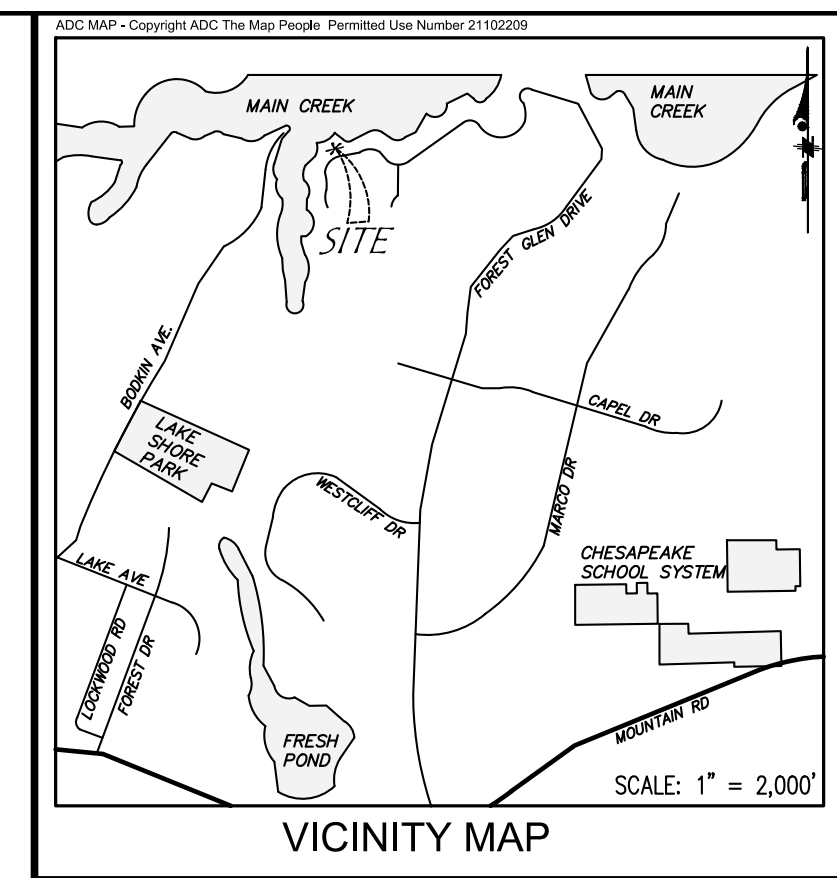
There is no evidence that the proposal will alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the public welfare. The proposal will not reduce forest cover in the LDA and will not be contrary to acceptable clearing and replanting practices.

2024-0163-V

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends ***approval*** of the variance to construct the improvements as shown on the site plan.

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.



LEGEND

	Existing Contour
	Existing Woods Line
	Existing fence Line
	Existing Overhead Electric Line
	Existing Power Pole
	100' Tidal Water Line
	FEMA Floodline
	Limit of Disturbance
	Existing 25' Steep Slope Buffer
	Existing 15% Steep Slopes

SITE TABULATIONS

• TOTAL SITE AREA:	13,288 S.F. (0.30 Ac.)
• TOTAL DISTURBED AREA:	369 S.F. (0.01 Ac.)
• LOT COVERAGE:	
-EXISTING LOT COVERAGE:	3,661 S.F. (0.08 Ac.)
-ALLOWABLE LOT COVERAGE:	4,153 S.F. (0.10 Ac.)
-PROPOSED LOT COVERAGE:	3,661 S.F. (0.08 Ac.)
• CRITICAL AREA DESIGNATION:	LDA
• ZONING:	R-2
SETBACKS: R2 Residential	
-PRINCIPAL STRUCTURE	
FRONT=30', REAR=25', SIDE=7', CORNER =20'	
HEIGHT	
-EX. DWELLING HEIGHT = ±15'	
-PROP. DWELLING HEIGHT = ±15'	

P:\FP10324\CADD-24-FP10324\Eng Drawings\FP10324-VAR.dwg 08/08/24_10:22

DESIGNED: GDM DRAWN: GDM

ORIG. DATE: 6/12/2024

MODIFIED BY/DATE:

CADD DWG # FP10324-BP

DLA PROJECT # FP10324

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REVISIONS TO APPROVED PLANS			
No.	DATE	BY	DESCRIPTION

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

"Professional Certification, I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland.
 license no. _____
 expiration date: _____

OWNERS:
JAMES E. STANCIL & RENITA W. STANCIL
 8034 FOREST GLEN DRIVE
 PASADENA, MARYLAND 21122
 JESLAWGROUP@GMAIL.COM

VARIANCE SITE PLAN
FOREST GLEN ~ LOTS 292-295
 8034 FOREST GLEN DRIVE, PASADENA, MARYLAND 21122
 TAX MAP 18 GRID 21 PARCEL 79 DISTRICT 3RD
 TAX ACCT. NO. 03-295-02553100
 ANNE ARUNDEL COUNTY, MARYLAND

SCALE: AS LABELED DATE: 8/6/2024 PROJ. NO: FP10324 SHEET 1 OF 1

August 6, 2024

Anne Arundel County
Office of Planning
2664 Riva Road, 1st Floor
Annapolis MD 21401

Re: Variance Application
Article 17, Section 8-201 Steep Slope Disturbance
Forest Glen – Lots 292-295
8034 Forest Glen Drive
Pasadena, Maryland 21122

Dear Sir/Madam:

On behalf the property owners Mr. James E. Stancil and Mrs. Renita W. Stancil of 8034 Forest Glen Drive, Pasadena; Drum, Loyka & Associates, LLC hereby request a Chesapeake Bay Critical Area variance to allow relief to **Article 17, Section 8-201** to allow development to occur within steep slopes 15% or greater. The proposed disturbance is necessary to make repairs to the existing dwelling as a result of damage caused by tree falling on the house. The proposed disturbance is the minimum necessary as per the enclosed proposed site plan dated August 6, 2024.

The subject property is approximately 13,288 square feet (0.30 Ac) in area. The property is located entirely within the limits of the Chesapeake Bay Critical Area with a Limited Development Area (LDA) land use designation, and is zoned R2- Residential. Currently, the property is developed with an existing 1-story single-family dwelling with basement, screened porch, wood deck, concrete patio, asphalt driveway, and associated improvements. The property has frontage the tidal waters of Main Creek and the shoreline is mapped within the Buffer Modified Area. Steep slopes 15% and greater are present on the north side of the property between the shoreline and abut the existing house. There are concrete steps and a wood walk which provide riparian access through the steep slopes. An existing block foundation ruins are located at the water frontage near the pier. The shoreline is stabilized with wood bulkhead and scrub vegetation. The remainder of the site is vegetated with turf lawn and several hardwood trees. The site is served by a private well for potable water and an on-site private sewage disposal system.

A large 42” hardwood cluster tree stump remains located near the northeast corner of the dwelling. The tree had fallen onto the existing dwelling, damaging a portion of the dwelling’s foundation wall and the screened porch roof. The remains of the fallen tree have been removed but the large stump is still present. The owner’s insurance company performed a damage assessment of the structure and has determined that a 15-ft portion of the existing dwelling foundation must be reconstructed and repairs to the porch and roof are necessary. To perform the repairs, the tree stump will need to be removed and a portion of the existing concrete riparian access steps will need to be replaced. No expansion to the

existing structures and lot coverage is proposed. Since the house and adjacent improvements about the steep slopes, in order to make the repairs we are requesting relief to **Article 17, Section 8-201** to allow development to occur within steep slopes 15% or greater. It is our opinion that a code Modification to Article 17, Section 6-404 will also be necessary for the disturbance to the 25-ft steep slope buffer, the Modification request will be submitted under separate cover during the permitting process.

A pre-file review by the Office of Planning and Zoning was issued on July 8, 2024, the Confirmation of Pre-file comments are enclosed for review. The Critical Area Team had no objection and Zoning confirmed the requested variance is required and that the zoning setback noted for the rear needed to be corrected. Subsequent to the pre-file, the plan has been updated to correct the rear setback noted, no other changes have been made to the plan.

The applicant proposes to make in-kind repairs to the existing single-family dwelling; resulting in approximately 118 square feet of steep slope disturbance and 250 square feet of disturbance in the 25-ft buffer to the steep slopes. The need for the anticipated variance arises from the unique physical conditions of the site, specifically the topography, an existing tree which has fallen, and their relation to the existing improvements. It is not possible to complete these repairs without disturbance to the slopes or their buffer. We believe that the variance request meets all the requirements for a Critical Area variance:

Code Article 18-16-305

(b) Requirements for Critical Area Variances.

- (1) Unwarranted Hardship- Unique physical conditions including topography, the proximity of steep slopes requiring the slope and slope buffer disturbance. A strict implementation of the code would deprive the applicant of the right to make the necessary repairs to their existing dwelling.
- (2) Rights commonly enjoyed - the proposed repairs are in character with the existing dwelling and other dwellings in the neighborhood and surrounding properties. To deny applicants the ability to perform these modest repairs deprives applicants of rights commonly enjoyed by other property owners in the area.
- (3) Will not confer special privilege - granting this variance would not confer a special privilege to the applicants.
- (4) The variance is not based on actions by the applicant, and will not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program.
- (5) Water Quality, Intent of the Critical Area Program. The requested variance will not adversely affect water quality, impact fish, wildlife or plant habitat and be in harmony with the critical area program. Disturbance is minimized to only what is necessary to complete the project. With the implementation of sediment and erosion controls, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program.
- (6) Due to the proximity of the existing dwelling to the tidal waters, it is not possible to perform the proposed repairs outside the 100-ft setback to the tidal waters of Main

- Creek. No new lot coverage is proposed and the configuration of the structures and improvements will remain in-kind.
- (7) Presumption – In light of all the factors discussed above, it is evident that the applicants have overcome the presumption contained in the Natural Resources Article 8-1808.
- (8) Site Planning Alternatives – Due to the location of the existing dwelling there are no alternatives feasible to repair the structure to avoid the need for a variance.

(c) Requirements for all variances.

1. Minimum necessary to afford relief - The proposed variance allows for modest in-kind repairs which not only meets the “significant and reasonable standard” but also are the minimal necessary to afford relief.
2. The granting of the variance will not:
 - i. alter the essential character of the neighborhood, and all proposed development will be harmonious with the architectural styles and scale of the surrounding area.
 - ii. substantially impair the appropriate use or development of adjacent properties.
 - iii. reduce forest cover in the LDA. The fallen tree has resulted in the sites reduction of the developed woodland to naturally occur and no actual tree canopy removal will occur with proposed repairs. The site disturbance is the minimum necessary to construct the proposed repairs.
 - iv. be contrary to acceptable clearing or replanting practices required for development of the Critical Area or Bog Protection Area. No actual tree canopy clearing is proposed, only 30 square feet of low-level vegetation removal is necessary for construction and access, and the property is not located within a Bog Protection Area.
 - v. be detrimental to the public welfare as in-kind repairs to an existing single-family dwelling on a residentially zoned property will not impose harm to adjacent property owners or the public.

Thank you for your consideration of this requested variance. Please contact us if we may be of further services during your review.

Sincerely,

DRUM, LOYKA AND ASSOCIATES, LLC



Lisette C. Groen
Civil Engineering Senior Designer



East corner of existing dwelling damaged and remaining hardwood tree cluster stumps.

Forest Glen Lots 292-295
Variance Application
August 6, 2024



East corner of existing dwelling damaged roof.

NO TITLE SEARCH
NO CONSIDERATION

DEED

THIS DEED Made This 16th day of Oct in the year One

Thousand and Nine Hundred and Ninety Six, by and
between James E. Stancil, party of the first part and
James E. Stancil, Renita W. Stancil, his wife,
parties of the second part.

Witnesseth, that in consideration of the sum of Zero
dollars (\$0) and mutual love and affection, the said
party of the first part do hereby grant and convey into
the said parties of the second part, their heirs
sucessors, personal representative and assign the
following described land and premises, situate in the
county of Anne Arundel and State of Maryland to wit:

Being Known as lot No's. 292, 293, 294 and 295
shown on the Plat of Forest Glenn recorded among the
land Records of Anne Arundel County formerly in Plat
Book W.N.W No. 3, Folio 18, but now recorded in Plat
book no 4. Folio 1. The lots being situate on the
northwest side of Forest Glen Drive. The improvements
there on as being known as 8034 Forest Glen Drive.

Being the same property which by Deed of even date
herewith and recorded or intended to be recorded among
the land records of Anne Arundel immediately prior
hereto which was granted and conveyed by Daphere Bratt
to James E. Stancil.

98 OCT 23 PM 3:43

IMPT SURE \$ 5.00
RECORDING FEE 20.00
TOTAL 25.00
Rest AA15 Recd # 21862
RFB Bk # 3287
Oct 23, 1998 03:38 PM

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) RPD 8762, p. 0013, MSA_CE59_9106. Date available 06/18/2005. Printed 05/16/2024.

Law Offices of
STANCIL & RHINES
Atrium Building
723 S. Charles Street
Baltimore, Md. 21230

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
For Anne Arundel County
WILLIAM E. SMOUSE
3rd 10-23-98

ACCT. 3295-0255-3100
ALL LIENS ARE PAID AS
OF 10-23-98 A.A. COUNTY.
CONTROLLER BY _____

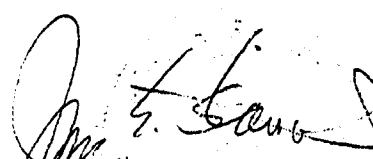
Together with the building and improvement thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in any wise appertaining.

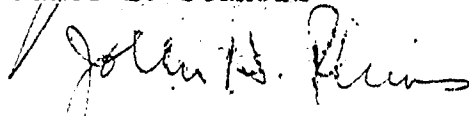
To have and to hold the said described lot of ground and premises above described and mentioned and hereby intended to be converted: together with the rights, privileges, appurtences and advantages thereto belonging or appertaining into and the proper use and benefit of the said parties of the second part, their heirs sucessors, assigns and personal representative, in fee simple.


And the said party of the first party hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted and that they will execute such further assurances of the same as may be requisite.

IN WITNESS WHEREOF, the hands and seal of said grantor.

TEST:


James E. Stancil



This is to certify that the within instrument was prepared by me under the supervision of an attorney duly admitted to practice before the Court of Appeals of Maryland 

Law Offices of
STANCIL & RHINES
Atrium Building
723 S. Charles Street
Baltimore, Md. 21230

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) RPD 8762, p. 0014, MSA_CE59_9106. Date available 06/18/2005. Printed 05/16/2024.

Chesapeake Bay Critical Area Report

Forest Glen ~ Lots 292-295

Tax map 18, Grid 0021, Parcel 79

Tax Account # 03-295-02553100

Property Address: 8034 Forest Glen Drive, Pasadena, MD

Owner & Variance Applicant: Mr. James Stancil and Mrs. Renita Stancil

Critical Area Designation: LDA **Zoning:** R-2 **Lot Area:** 0.30Ac.

Site Description

The subject property is approximately 13,288 square feet (0.30 Ac) in area. The property is located entirely within the limits of the Chesapeake Bay Critical Area with an LDA land use designation, and zoned R2. Currently, the property is developed with an existing 1-story single-family dwelling with basement, screened porch, wood deck, concrete patio, asphalt driveway, and associated improvements. The property has frontage to the tidal waters of Main Creek and the shoreline is mapped within the Buffer Modified Area. The 100-foot buffer to tidal waters runs through the existing dwelling. Steep slopes 15% and greater are present on the north side of the property between the shoreline and abut the existing dwelling. There are concrete steps and a wood walk which provide riparian access through the steep slopes. An existing block foundation ruins are located at the water frontage near the pier. The shoreline is stabilized with wood bulkhead and scrub vegetation. The remainder of the site is vegetated with turf lawn and several hardwood trees. One of the 42" hardwood clusters had fallen in a storm and severely damaged the existing dwelling. The tree debris were removed from the site but the large stump remains near the northeast corner of the house. The site is served by a private well for potable water and an on-site private sewage disposal system.

Description and Purpose of Variance Request

The property owners propose to make repairs to 15-ft section of the house foundation as a result of the 42" tree which had fallen onto the existing dwelling. The owner's insurance company performed a damage assessment of the structure and has determined that a 15-ft portion of the existing dwelling foundation must be reconstructed and repairs to the porch roof are necessary. To perform the repairs, the tree stump will need to be removed and a portion of the existing concrete riparian access steps will need to be replaced.

The proposed repairs are to be in-kind and no expansion to the existing structures and lot coverage is proposed. Since the house and adjacent improvements abuts the steep slopes, in order to make the repairs we are requesting relief to **Article 17, Section 8-201** to allow development to occur within steep slopes 15% or greater. It is our opinion that a code Modification to Article 17, Section 6-404 will also be necessary for the disturbance to the 25-ft steep slope buffer.

The need for the requested Critical Area variance arises from the unique nature, topography, and existing constraints of the property. Specifically, the location of the existing dwelling to the steep slopes and the large tree which fell on the house.

Buffers

The property has frontage to the tidal waters of Main Creek and the shoreline is mapped within the Buffer Modified Area. The 100-foot buffer to tidal waters runs through the existing dwelling. Steep slopes 15% and greater are present on the north side of the property between the shoreline and about the existing dwelling. The 25-ft buffer to steep slopes also runs through the existing dwelling. The proposed site disturbance is only 396 s.f., all of which is located in the 25-ft buffer to steep slopes and mostly within 100-ft to tidal waters.

Vegetative Coverage

The property is mostly turf lawn and developed woodland with sparse areas of ornamental shrubs, hardwood trees and shrub. Steep slope areas are mostly stabilized with turf lawn and scrub. The existing tree canopy area is approximately 2,139 s.f. (0.05 ac.). Tree canopy located within the limit of disturbance is approximately 30 s.f..

Lot Coverage

The site currently has approximately 3,661 s.f (0.08 Ac.) of lot coverage, all of which is within the Chesapeake Bay Critical Area Limited Development Area (LDA). There is no new proposed impervious lot coverage and will remain the same in the ultimate site conditions after the in-kind repairs. The site will remain below the allowable lot coverage of 4,153 s.f. (0.10 Ac).

Steep Slopes (slopes > 15%)

Approximately 28% (3,703 s.f.) of the subject property is encumbered with steep slopes of 15% or greater. These steep slopes are mostly lawn, and extend up from the shoreline and abut the existing improvements. Portions of the existing dwelling are located within the 25 ft buffer to steep slopes. Most of the slope buffer disturbance is within areas which are already developed. The proposed slope and slope buffer is the minimum necessary to repair the dwelling.

Predominant Soils

The predominant soil types in the area are of Sassafras and Croom soils, 15 to 25 percent slopes (SME), Evesboro and Galestown soils, 5 to 10 percent slopes (EVC). SME soils have type "C" hydrologic classifications and EVC are classified as "A". Neither of these soils are considered to be hydric or highly erodible.

FEMA Floodplain

The subject property appears on FEMA Firm panel no. 24003C0088F. The existing dwelling is located in zone X. The shoreline is mapped in Zone AE with a floodplain a base flood elevation of 6.0-ft (NAVD88). No disturbance is proposed within the flood zone.

Drainage and Rainwater Control

There does not appear to be any existing stormwater management on site. No new impervious surface is proposed and drainage patterns will remain relatively unchanged. Sediment and Erosion control will be achieved through perimeter controls in accordance to the Soil Conservation District standards, which are adequate to handle the small drainage areas to them. The development will have no adverse effect on the sensitive environmental features of the site and surrounding areas and site disturbance and woodland clearing will be stabilized and mitigated onsite during the permitting process in order to meet Anne Arundel County code criteria.

Conclusions – Variance Standards

The applicant proposes to make in-kind repairs to the existing single-family dwelling; resulting in approximately 118 square feet of steep slope disturbance and 250 square feet of disturbance in the 25-ft buffer to the steep slopes. The need for the requested Critical Area Variance arises from the existing unique nature and constraints of this property, specifically the location of the existing dwelling and tree stump to the shoreline and steep slopes. It is not possible to complete this project without disturbance to the slopes or their buffer. The proposed repairs will not alter the essential character of the neighborhood, impair development of adjacent properties, or be detrimental to the public welfare. To deny the requested variance would deprive the applicant of rights commonly enjoyed by other properties in the immediate area and to maintain their existing improvements. With the implementation of mitigation, and sediment and erosion control practices, the proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area.

Reference:

Anne Arundel County Office of Planning & Zoning, Critical Area Map

Anne Arundel County Office of Planning & Zoning, Zoning Map

Anne Arundel County Office of Planning & Zoning, Buffer Exemption Map

Anne Arundel County, Maryland; Chesapeake Bay Critical Area Mapping Program, Critical Area Map

Federal Emergency Management Agency, 2016. Flood Insurance Rate Map

First American Real Estate Solutions, 2002, Realty Atlas: Anne Arundel County Maryland

Drum, Loyka and Associates LLC, August 2024 Variance Plan

U.S. Department of Agriculture, Natural Resource Conservation Service –2016 Soil Survey of Anne Arundel County Maryland.

CRITICAL AREA COMMISSION
 FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS
 1804 WEST STREET, SUITE 100
 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Anne Arundel County Date August 6, 2024

Tax Map #	Parcel #	Block #	Lot #	Section
0018	0079	0021	293-295	

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

* Complete only Page 1
 General Project Information

Tax ID 03-295-02553100

Project Name (site name, subdivision name, or other) Forest Glen ~ Lots 292-295

Project location/Address 8034 Forest Glen Drive

City Pasadena, Maryland Zip 21122

Local case number

Applicant: Last name Stancil First name James & Renita

Company n/a

Application Type (check all that apply):

- | | | | |
|---------------------------|-------------------------------------|-------------------|-------------------------------------|
| Building Permit | <input checked="" type="checkbox"/> | Variance | <input checked="" type="checkbox"/> |
| Buffer Management Plan | <input type="checkbox"/> | Rezoning | <input type="checkbox"/> |
| Conditional Use | <input type="checkbox"/> | Site Plan | <input type="checkbox"/> |
| Consistency Report | <input type="checkbox"/> | Special Exception | <input type="checkbox"/> |
| Disturbance > 5,000 sq ft | <input type="checkbox"/> | Subdivision | <input type="checkbox"/> |
| Grading Permit | <input type="checkbox"/> | Other | <input type="checkbox"/> |

Local Jurisdiction Contact Information:

Last name: First name

Phone # Response from Commission Required By

Fax # Hearing date

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

A 15-ft portion of the existing dwelling foundation is to be reconstructed and repairs to the porch roof. To perform the repairs, the tree stump will need to be removed and a portion of the existing concrete riparian access steps will need to be replaced in kind.

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

Project Type (check all that apply)

Commercial	<input type="checkbox"/>	Recreational	<input type="checkbox"/>
Consistency Report	<input type="checkbox"/>	Redevelopment	<input checked="" 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)

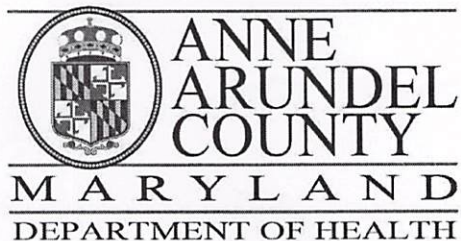
	Acres	Sq Ft		Acres	Sq Ft
	0.00		Total Disturbed Area	0.01	
IDA Area	0.00		# of Lots Created	n/a	
LDA Area	0.30				
RCA Area	0.00				
Total Disturbed Area	0.01				

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.049	2,139	Existing Lot Coverage	0.08	
Created Forest/Woodland/Trees	TBD	TBD	New Lot Coverage	0.00	
Removed Forest/Woodland/Trees	0.001	30	Removed Lot Coverage	0.00	
			Total Lot Coverage	0.08	

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.00		Buffer Forest Clearing	0.0	
Non-Buffer Disturbance	0.00		Mitigation	TBD	

<u>Variance Type</u>	<u>Structure</u>
Buffer	Acc. Structure Addition
Forest Clearing	Barn
HPA Impact	Deck
Impervious Surface	Dwelling
Expanded Buffer	Dwelling Addition
Nontidal Wetlands	Garage
Steep Slopes	Gazebo
Setback	Patio
Other	Pool
	Shed
	Other



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 *BC*

DATE: September 3, 2024

RE: Lisette Green
8034 Forest Glen Drive
Pasadena, MD 21122

NUMBER: 2024-0163-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow reconstruction of the dwelling foundation and repairs to the porch and access stairs with less setbacks than required and with disturbance to slopes of 15% or greater.

The Health Department has reviewed the on-site sewage disposal and well water supply system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal and well water supply systems. 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

2024-0163-V

Menu Cancel Help

Task Details OPZ Critical Area Team

Assigned Date	08/22/2024	Due Date	09/12/2024
Assigned to	Kelly Krinetz	Assigned to Department	OPZ Critical Area
Current Status	Complete w/ Comments	Status Date	08/29/2024
Action By	Kelly Krinetz	Overtime	No
Comments	No objection.		
End Time		Start Time	
		Hours Spent	0.0
Billable	No	Action by Department	OPZ Critical Area
Time Tracking Start Date		Est. Completion Date	
In Possession Time (hrs)	0.0	<input type="checkbox"/> Display E-mail Address in ACA	
Estimated Hours	0.0	<input checked="" type="checkbox"/> Display Comment in ACA	
Comment Display in ACA			
<input checked="" type="checkbox"/> All ACA Users			
<input checked="" type="checkbox"/> Record Creator			
<input checked="" type="checkbox"/> Licensed Professional			
<input checked="" type="checkbox"/> Contact			
<input checked="" type="checkbox"/> Owner			

Task Specific Information

Expiration Date	Review Notes	Reviewer Name
Reviewer Phone Number	Reviewer Email	



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

CAC Comments_Cole 2024-0155-V; Pellicano 2024-0156-V; Harmon Fetcho 2024-0162-V; Stancil 2024-0163-V

1 message

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

Wed, Sep 4, 2024 at 4:11 PM

Good afternoon,

The Critical Area Commission has reviewed the following variances and we provide the following comments:

- 2024-0155-V; Cole (AA 198-24): The process of subdividing two grandfathered dwellings on one parcel within the Resource Conservation Area of the Critical Area triggers the delineation of a 200-foot Critical Area Buffer. It appears that dwellings will be located within the 200-foot Buffer and expanded Buffer. Therefore, any proposed improvements to the existing improvements will require a Critical Area variance. Additionally, the subdivision will trigger a Buffer establishment requirement for both lots based on the total amount of lot coverage located outside of the critical Area Buffer.
- 2024-0156-V; Pellicano (AA 2024-24): We note that the Zoning Pre-File comments state that the applicant must show that the use has not ceased for the last three years. However, in order to meet the Critical Area grandfathering provisions that would allow for the legal nonconforming accessory dwelling unit to be reconstructed within the Critical Area Buffer and on lands designated as a Resource Conservation Area, the County must verify and determine that the use has been in continuous use since the Critical Area local program inception and has not been abandoned for more than one year in that time. If the County verifies the use has been in continuous use and has not been abandoned for more than one year, and the Administrative Hearing Officer finds that each and every one of the Critical Area variance standards have been met, then appropriate mitigation is required.
- 2024-0162-V; Harman Fetcho (AA 211-24): Appropriate mitigation is required.
- 2024-0163-V; Stancil (AA 212-24): Appropriate mitigation is required.

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

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



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 [twitter_logo.jpg](#)

dnr.maryland.gov/criticalarea

Jennifer Esposito

Critical Area Commission for the
Chesapeake & Atlantic Coastal Bays

1804 West Street, Suite 100

Annapolis, MD 21401

Office: [410-260-3468](tel:410-260-3468)

(In office: Mon., Wed., Friday)

Cell: [443-569-1361](tel:443-569-1361)

(Teleworking: Tues., Thurs.)

jennifer.esposito@maryland.gov

Map Title



Legend

Foundation


Addressing



Parcels



Parcels - Annapolis City



0 45 90 ft

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none

Notes