



September 24, 2024

Anne Arundel County  
Office of Planning & Zoning  
2664 Riva Road  
Annapolis, Maryland 21401

Attention: Ms. Sterling Seay

Re: SPECIAL EXCEPTION REQUEST  
1712 WINCHESTER ROAD  
ANNAPOLIS, MD 21409

Dear Ms. Seay:

On behalf of the applicants, we respectfully request a special exception per 18-15-103(a) to

- Expand the floor area of the existing cottage 30% by adding an interior loft to the dwelling and reconfiguring basement and first floor

Per Non Conforming Case 2000-0020-B, and through the variance and appeal process, it was determined that the specific first floor area of 1,106.25 square feet and the basement is 546.25 square feet. This request is to increase the floor area up to 30% of the existing.

The lot is developed with two dwellings, an inhabited 1-story, single-family residence with a walk-out basement and associated improvements (the cottage), and a larger dwelling and its associated improvements that is the main house. The focus of this request is the smaller dwelling (the cottage). This lot meets the definition of a buildable lot, subject to the approvals of the County. The site is served by private well and septic. The site is served by a 40' width private right-of-way easement from N Winchester Road. Access to the site will be via N Winchester Road. The property is waterfront and drains to the tidal waters of Cool Spring Cove. The entire site is in the Resource Conservation Area (RCA) of the Chesapeake Bay Critical Area. The portion of the site where the cottage is located is not located in a Buffer Modification area and is subject to a 50' expanded buffer due to the presence of steep slopes. The site is zoned R1. The cottage sits on a flat portion of the property with steep slopes down to tidal waters. This slope is failing and the existing retaining walls are old and in need of replacement for structural safety and stability. The dwelling will be replaced in the same footprint. The cottage site has passing perc tests, and a drywell was installed at the time of perc testing. A BAT tank will be required.

The applicant wishes to raze the existing cottage and construct a new cottage in the same general footprint, albeit slightly smaller in footprint. The new cottage footprint will be slightly smaller than the existing cottage footprint, the existing cottage is 1,201 square feet, including a covered

porch. The proposed cottage is 1,065.3 square feet in size. Adequate existing vehicular access is via a paved driveway that transitions into a gravel driveway as it extends west into the site from the southwestern terminus of Winchester Road. The proposed cottage replacement will require a variance.

Per Board of Appeals decision BA 96-03S & BA 97-03V, the non conforming square footage is, first floor, 1,106.25 square feet, and a basement of 546.35 square feet. The total non-conforming square footage is 1,652.6 per the findings of this decision. The proposal is to modify the first floor from 1,106.25 square feet to 1,069.9 square feet, the basement from 546.35 square feet to 551.1 square feet and provide a loft of 516.6 square feet, for a total of 2,137.6 square feet after development. This is a 29.34% expansion. A 30% expansion would allow for a square footage of 2,148.3 square feet.

In response to the prefile comments, it should be noted that evidence of the use not ceasing for 3 years. Copies of recent BGE bills were enclosed. As requested by the prefile letter, the existing and proposed building heights have been added to the site plan. The standards of 18-15-103 and 18-16-304 have been addressed in this letter. The comments of I&P Engineering have been taken into account with the design of the site.

This plan meets the intent of 18-15-103(a):

**1. A proposed expansion of floor area, land area, or water area may not exceed 30% of the area authorized under the nonconforming status of the property, except that each type of area is to be considered separately and no area may be substituted for another area**

This expansion is slightly less than 30% of the approved non-conforming area of the dwelling only.

**2. Existing and proposed facilities shall meet the lot area, screening, land-to-water ratio, height, parking, lot coverage, and, to the extent feasible, setbacks for the use specified in the zoning district in which the use is allowed.**

This proposal meets the underlying lot area, height, parking, lot coverage and setbacks required by the zoning district.

**3. Construction shall be designed to be as inoffensive as practicable in appearance and location to other properties in the area and, whenever practical, similarity in design to other buildings in the area and appropriate landscaping shall be provided; and**

This construction is designed by a professional architect, who took into account the above requirements, and will fit with other designs in the area.

**4. construction shall be undertaken in accordance with the requirements of this section and of the Administrative Hearing Officer concurrently so that each change or improvement is completed at or near the same time.**

All work is proposed to be undertaken concurrently, should the Special Exception and Variance be granted. A grading permit for the replacement cottage will be required, and all work would be done under that grading permit.

This plan meets the intent of 18-16-304(a):

**1. The use will not be detrimental to the public health, safety or welfare.**

This expansion will not affect the public in any manner as it is all contained in the interior of the dwelling.

**2. The location, nature, and height of each building, wall, and fence, the nature and extent of landscaping on the site, and the location, size, nature, and intensity of each phase of the use and its access roads will be compatible with the appropriate and orderly development of the district in which it is located.**

The only change to the site will be the replacement of the cottage. The footprint will be generally the same, slightly smaller, and the height in compatibility with the existing structure.

**3. Operations related to the use will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed under this article.**

As the proposed use is interior the expansion of the floor area, and overall reduction in the footprint of the dwelling, it will not be objectionable in regard to any of these issues.

**4. The use at the location proposed will not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district.**

Since the expansion is limited to the interior, there will be no adverse effects.

**5. The proposed use will not conflict with an existing or programmed public facility, public service, school, or road**

This proposed expansion will not conflict with existing or programmed public facility, public service, school or road.

**6. The proposed use has the written recommendations and comments of the Health Department and the Office of Planning and Zoning**

The pre file has the recommendations for this project. The Health Department allowed installation of a new drywell as a perc and install, and there are passing perc tests.

**7. The proposed use is consistent with the County General Development Plan**

The plan is consistent with the County General Development Plan.

**8. The applicant has presented sufficient evidence of public need for the use.**

There is no public need for this expansion, however the owners would like to have additional space for guests and other visitors.

**9. The applicant has presented sufficient evidence that the use will meet and be able to maintain adherence to the criteria for the specific use**

This expansion will meet and adhere to the criteria for a residential structure.

**10. The application will conform to the critical area criteria for sites located in the critical area**

The site is in the critical area, and critical area variances are being requested simultaneously with this application. As such, all critical area criteria must be met.

**11. The administrative site plan demonstrates the applicant's ability to comply with the requirements of the Landscape Manual.**

As this is a single lot residential project, the Landscape Manual does not apply.

This plan proposes the maximum expansion allowance. This project meets the requirements of 18-16-304(a) as noted above. 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.

We thank for in advance for your consideration to 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  
cc: owner, File





December 2, 2024

Anne Arundel County  
Office of Planning & Zoning  
2664 Riva Road  
Annapolis, Maryland 21401

Attention: Ms. Sterling Seay

Re: VARIANCE REQUEST  
1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409

Dear Ms. Seay:

On behalf of the applicants, Mark S. Pellicano and Jerren E. Pellicano, we respectfully request a variance to

- Article 17-8-201 which states that development in the Limited Development Area (LDA) or in the Resource Conservation Area (RCA) 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. All disturbance shall be limited to the minimum necessary.
- Article 18-13-104 which states that there shall be a there is an expanded buffer 50' from the top of steep slopes in a non-buffer modified area.

The lot is developed with two dwellings, an inhabited 1-story, single-family residence with a walk-out basement and associated improvements (the cottage), and a larger dwelling and its associated improvements that is the main house. The focus of this request is the smaller dwelling (the cottage). This lot meets the definition of a buildable lot, subject to the approvals of the County. The site is served by private well and septic. The site is served by a 40' width private right-of-way easement from N Winchester Road. Access to the site will be via N Winchester Road. The property is waterfront and drains to the tidal waters of Cool Spring Cove. The entire site is in the Resource Conservation Area (RCA) of the Chesapeake Bay Critical Area. The portion of the site where the cottage is located is not located in a Buffer Modification area and is subject to a 50' expanded buffer due to the presence of steep slopes. The site is zoned R1. The cottage sits on a flat portion of the property with steep slopes down to tidal waters. This slope is failing and the existing retaining walls are old and in need of replacement for structural safety and stability. Soil nails are proposed to stabilize the slope on the north side of the cottage. The cottage site has passing perc tests, and a drywell was installed at the time of perc testing. A BAT tank will be required.

The applicant wishes to raze the existing cottage and construct a new cottage in the same general footprint. They also wish to raze an existing shed in disrepair built on top of the hill and replace it with a new shed. The new cottage footprint will be slightly smaller than the existing cottage footprint, the existing cottage is 1,201 square feet, including a covered porch. The proposed cottage is 1,161 square feet in size. Adequate existing vehicular access is via a paved driveway that transitions into a gravel driveway as it extends west into the site from the southwestern terminus of Winchester Road. A large portion of the cottage site is largely encumbered by steep slopes and expanded buffer. The lot size is 176,351 square feet per a Terrain, Inc. boundary survey. This proposal would require a total of 9,656 square feet of expanded buffer disturbance, and 3,255 square feet that disturbance is for the steep slope buffer disturbance. Of this steep slope buffer disturbance 1,644 square feet of the proposed disturbance are to facilitate stabilization of the slope. The proposal includes the removal of 1,239 square feet of existing lot coverage. The existing house was constructed some time ago and does not appear to be fixable. It appears the foundation could be unsound, though we are not structural engineers. There are two sheds along the access drive to the cottage. The smaller one will be removed in total. The larger one will be replaced with the same footprint square footage as the two existing sheds combined. The sheds have reached their life expectancy, and combining the square footage allows the owners to have the same amount of storage in one place, without the additional disturbance of replacing both sheds.

The proposed cottage replacement will require a variance. As the site is in expanded buffer and on septic, almost any work on the site would require a variance, including the rebuilding of the existing cottage. A review of the site plan will show the disturbance is minimized, and only the area necessary to perform the work. No zoning setback variances are requested.

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

1. The subject property is 176,352 square feet in size, and it is zoned R1 and is encumbered by steep slopes over most of the cottage site and expanded buffer over the entire cottage site. The cottage site is surrounded by steep slopes. The site is subject to an expanded buffer over the entire cottage site. As such, there is no reasonable possibility of developing this property without relief to the Code.
2. The exceptional circumstances and practical difficulties in redeveloping the property have been noted in #1 above to a large degree. The house is old, in disrepair and cannot be replaced without a variance. Replacing it is the most ideal remediation due to the age and condition of the dwelling, as well as rectifying the slope failure issues present on the property.

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

1. What is peculiar about and inherent to the cottage site is that it is entirely in the expanded buffer and is located and largely encumbered by steep slopes and their buffer. The expanded buffer goes through the existing and proposed house, and is on septic. Denial of a variance would be a hardship for the owners, as the house has met its life expectancy and cannot be enjoyed by the owners in its current state. The structural walls keeping the house up are in need of repair, and the failing slope will be addressed. The work proposed creates a modern 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 steep slopes and is subject to the expanded buffer, and there is no way to do the proposed work without disturbing the expanded buffer or steep slopes. As this structure is existing, 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 structure is old, and in disrepair. The proposed dwelling is modest in size. No setback variances are required.

4. The request is not a result of actions of the owner. The steep slopes were there, the expanded buffer encumbers the site, and the owners have not started work prior to the issuance of any permits.

5. This project will not result in a denigration of forest or water quality as stormwater management will be provided as required by the Code, and any clearing must be mitigated for as per the Code. The amount of clearing is small. The amount of new lot coverage will be reduced. Stormwater management will be provided as necessary at permit should the variance be granted. A modern septic system with a BAT tank will be installed. This proposal would decrease runoff and erosion and on site stormwater management will provide an overall benefit to the environment. It will also prevent sediment from the failing slope from entering tidal waters, and will keep the house from sliding down the hill.

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 stormwater management 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 site is a registered non conforming use, the expansion of the dwelling is limited. Due to septic setbacks, and the fact that this entire point is in the expanded buffer and surrounded by slopes, there is no reasonable way to replace the cottage except in its existing footprint.

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 construct a new cottage with a more modern and environmentally friendly structure.

2. i. This variance will not alter the essential character of the neighborhood. The new cottage will utilize the area of the property that has already been developed and the new cottage will be located in almost the exact same footprint and does not appear to affect the view of others.

ii. This variance will not impair the use of adjoining properties. The proposal will not impact neighbors. The new cottage is mostly in the same footprint as the existing dwelling.

iii. A small amount of tree clearing may be required for the multiple slope stabilization areas, for the cottage replacement, and any mitigation necessary during the permit process will increase 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 in the relative area of existing development, and disturbance has been minimized. A grading permit will be required, and stormwater management is

| shown on the plan. 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 to the deck. 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 to this request.

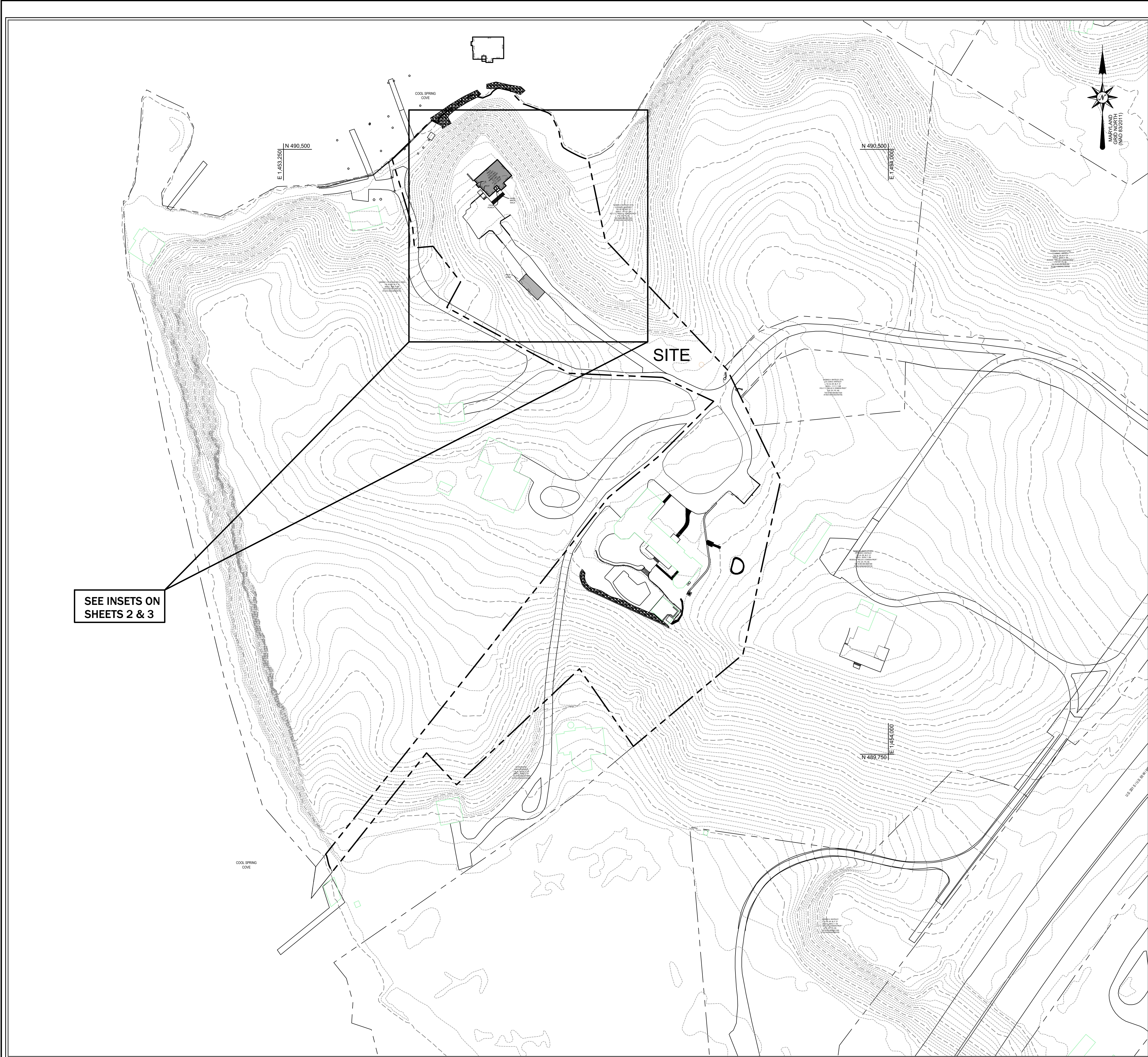
If you have any questions, or if you require additional information, please feel free to contact me at 410-266-3212.

Sincerely,  
Messick and Associates

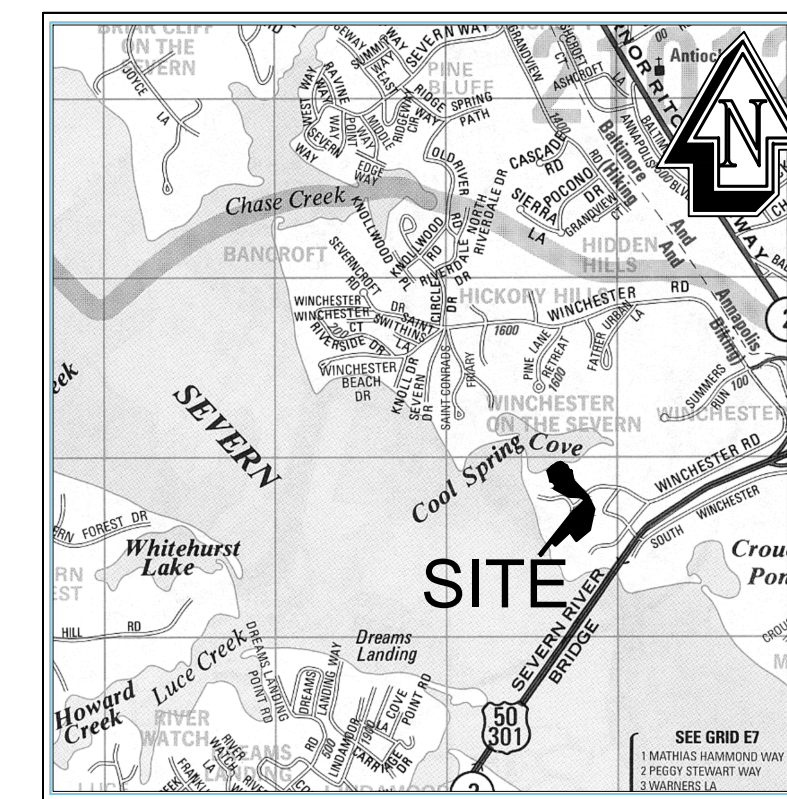
*Mike Gillespie*

Mike Gillespie  
Project Manager





**OVERALL LOCATION PLAN**  
SCALE: 1" = 60'



**VICINITY MAP**  
SCALE: 1" = 2,000'  
COPYRIGHT ADC THE MAP PEOPLE  
PERMITTED USE NO. 06301200

**GENERAL NOTES**

- OWNER: MARK S. AND JERREN PELLICANO, 1712 N WINCHESTER ROAD, ANNAPOLIS, MD 21409. ENGINEER: MESSICK & ASSOCIATES, 7 OLD SOLOMONS ISL RD ST 202, ANNAPOLIS, MD 21401. PHONE: (703) 606-7441. EMAIL: christorence6@gmail.com.
- THE SITE ADDRESS IS: 1714 WINCHESTER ROAD, ANNAPOLIS, MD 21409.
- THE PROPERTY IS KNOWN AS: TAX MAP 45, GRID 06, PARCEL 568, TOTAL AREA = 176,351 SQ. FT. OR 4.048 AC. DEED REF: 36849 / 469.
- TAX ACCOUNT NO.: 03-000-28318055.
- THIS PLAN DOES NOT REFLECT A BOUNDARY SURVEY. THE EXISTING TOPOGRAPHIC AND PROPERTY LINE INFORMATION WAS PROVIDED BY BAY ENGINEERING, AND DRUM LOYKA.
- THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, WHICH MAY SHOW ADDITIONAL CONVEYANCES, EASEMENTS, COVENANTS, RIGHTS-OF-WAYS, OR MORE STRINGENT BUILDING RESTRICTION LINES NOT SHOWN HEREON.
- EXISTING ZONING IS R1 - RESIDENTIAL DISTRICT. SETBACKS PRINCIPAL STRUCTURE: FRONT = 50', SIDE = 15'/40', REAR = 35'. SETBACKS ACCESSORY STRUCTURE: FRONT = 50', SIDE = 15', REAR = 15'.
- PROPOSED SITE UTILITIES ARE PRIVATE WELL (W-7, FUTURE SERVICE - BROADNECK) AND PRIVATE SEPTIC (S-7, FUTURE SERVICE - BROADNECK).
- TOPOGRAPHICAL INFORMATION SHOWN IS PER A FIELD SURVEY BY OTHERS. BOUNDARY AND LOCATIONS PER SAME SURVEY AND AUGMENTED WITH ANNE ARUNDEL COUNTY GIS DATA.
- THE SITE IS LOCATED WITHIN THE RCA (RESOURCE CONSERVATION AREA) OF THE CHESAPEAKE BAY CRITICAL AREA.
- THE SITE IS ENCUMBERED BY 117,017 SQUARE FEET OF STEEP SLOPES. IN THE SPECIFIC AREA OF INTEREST, STEEP SLOPES ARE: S15-25% SLOPES: 7,984 SQ. FT. OR 0.183 AC. > 25% SLOPES: 42,409 OR 0.973 AC.
- THE PROPERTY DESCRIBED HEREON IS LOCATED IN THE FLOOD HAZARD ZONES "AE" (AREA WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN WITH BASE FLOOD ELEVATION OF 6 FEET) AND "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DELINEATED ON THE FIRM FLOOD INSURANCE MAP #240030169F DATED FEBRUARY 18, 2015 FOR ANNE ARUNDEL COUNTY AND DISTRIBUTED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- NOTE: ENTIRE AREA OF WORK IN EXPANDED BUFFER. PROPOSED WORK INCLUDES SLOPE STABILIZATION, REPLACEMENT OF RETAINING WALLS AND INSTALLATION OF SOILS NAILS AND WIRE MESH.

**LOT COVERAGE SUMMARY**

DESCRIPTION	AREA
EXISTING LOT AREA.....	176,352 SQ. FT. OR 4.048 AC.
ALLOWABLE LOT COVERAGE BY LOT SIZE (15%).....	26,453 SQ. FT. OR 0.607 AC.
EXISTING LOT COVERAGE.....	30,145 SQ. FT. OR 0.692 AC.
ALLOWABLE LOT COVERAGE (10% REDUCTION).....	23,779 SQ. FT. OR 0.585 AC.
EXISTING LOT COVERAGE WITHIN THE 100' BUFFER.....	2,652 SQ. FT. OR 0.060 AC.
EXISTING LOT COVERAGE OUTSIDE THE 100' BUFFER.....	27,493 SQ. FT. OR 0.631 AC.
EXISTING DEVELOPED WOODS.....	92,852 SQ. FT. OR 2.132 AC.
EXISTING DEVELOPED WOODS TO BE REMOVED.....	1,383 SQ. FT. OR 0.032 AC.
ALLOWED CLEARING (30%).....	28,252 SQ. FT. OR 0.648 AC.
LIMIT OF DISTURBANCE.....	11,435 SQ. FT. OR 0.263 AC.

NOTE: BREAKDOWN OF LOT COVERAGES ARE AS FOLLOWS

- EX. DWELLINGS = 5,206 SF
- EX. SHEDS AND GAZEBO = 1,100 SF
- EX. DRIVEWAY = 16,428 SF
- EX. POOL = 1,037 SF
- EX. RIVERSTONE = 635 SF
- EX. WALKS, WALLS, & CONC. PADS = 5,729 SF
- TOTAL = 30,145 SF

- EXISTING LOT COVERAGE TO BE REMOVED:
- EX. 1-STORY DWELLING = 1,201 SF
- EX. WALKS & CONC. PADS = 446 SF
- EX. SHEDS = 438 SF
- TOTAL TBR = 2,083 SF

- TOTAL TO REMAIN = 28,062 SF
- PROPOSED LOT COVERAGE:
- PR. 1-STORY DWELLING = 1,065.3 SF
- PR. WALK = 98 SF
- PR. SHED = 438 SF
- TOTAL PROPOSED = 1,599.3 SF
- TOTAL PROPOSED LOT COVERAGE = 29,661.3 SF

**DISTURBANCE SUMMARY**

TOTAL PROPOSED DISTURBED AREA = 11,435 SQ. FT. OR 0.263 ACRES (ALL IN EXPANDED BUFFER)  
 PROPOSED DISTURBANCE WITHIN THE 100' BUFFER = 4,330 SQ. FT. OR 0.099 ACRES  
 PROPOSED DISTURBANCE OUTSIDE THE 100' BUFFER = 7,105 SQ. FT. OR 0.163 ACRES  
 15% SLOPE DISTURBANCE = 699 SQ. FT. OR 0.016 ACRES  
 25% SLOPE DISTURBANCE = 1,550 SQ. FT. OR 0.036 ACRES  
 SLOPE & BUFFER DISTURBANCE FOR SLOPE STABILIZATION = TBD AT PERMIT

**VARIANCE REQUEST**

- § 18-15-103. Special exceptions.
- Expansion or combination of floor area. Subject to the requirements of this section and § 18-16-304, the Administrative Hearing Officer may grant a special exception for expansion of a nonconforming use or a special exception for combining floor area when more than one structure on the same property is used for the nonconforming use, subject to compliance with the following:
    - a proposed expansion of floor area, land area, or water area may not exceed 30% of the area authorized under the nonconforming status of the property, except that each type of area is to be considered separately and no area may be substituted for another area;
    - existing and proposed facilities shall meet the lot area, screening, land-to-water ratio, height, parking, lot coverage, and, to the extent feasible, setbacks in the use specified in the zoning district in which the use is allowed;
    - construction shall be designed to be as inoffensive in appearance and location to other properties in the area and, whenever practical, similarity in design to other buildings in the area and appropriate landscaping shall be provided; and
    - construction shall be undertaken in accordance with the requirements of this section and of the Administrative Hearing Officer concurrently so that each change or improvement is completed at or near the same time.

**MESSICK & ASSOCIATES**  
CONSULTING ENGINEERS,  
PLANNERS AND SURVEYORS

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

**SPECIAL EXCEPTION LOCATION PLAN**

PELLICANO PROPERTY COTTAGE  
SPECIAL EXCEPTION PLAN  
1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409  
WINCHESTER

TAX MAP: 45, GRID: 6, PARCEL: 568, ZONING: R1/RCA  
TAX ACCOUNT: 03-000-28318055  
THIRD ELECTION DISTRICT: ANNE ARUNDEL COUNTY, MARYLAND  
SCALE: AS SHOWN

DATE: DECEMBER 2024

OWNER/DEVELOPER  
MARK S. PELLICANO  
JARREN E. PELLICANO  
1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409  
610 CHRIS LORENCE BRIAN ETERSON  
703-606-7441  
christorence6@gmail.com

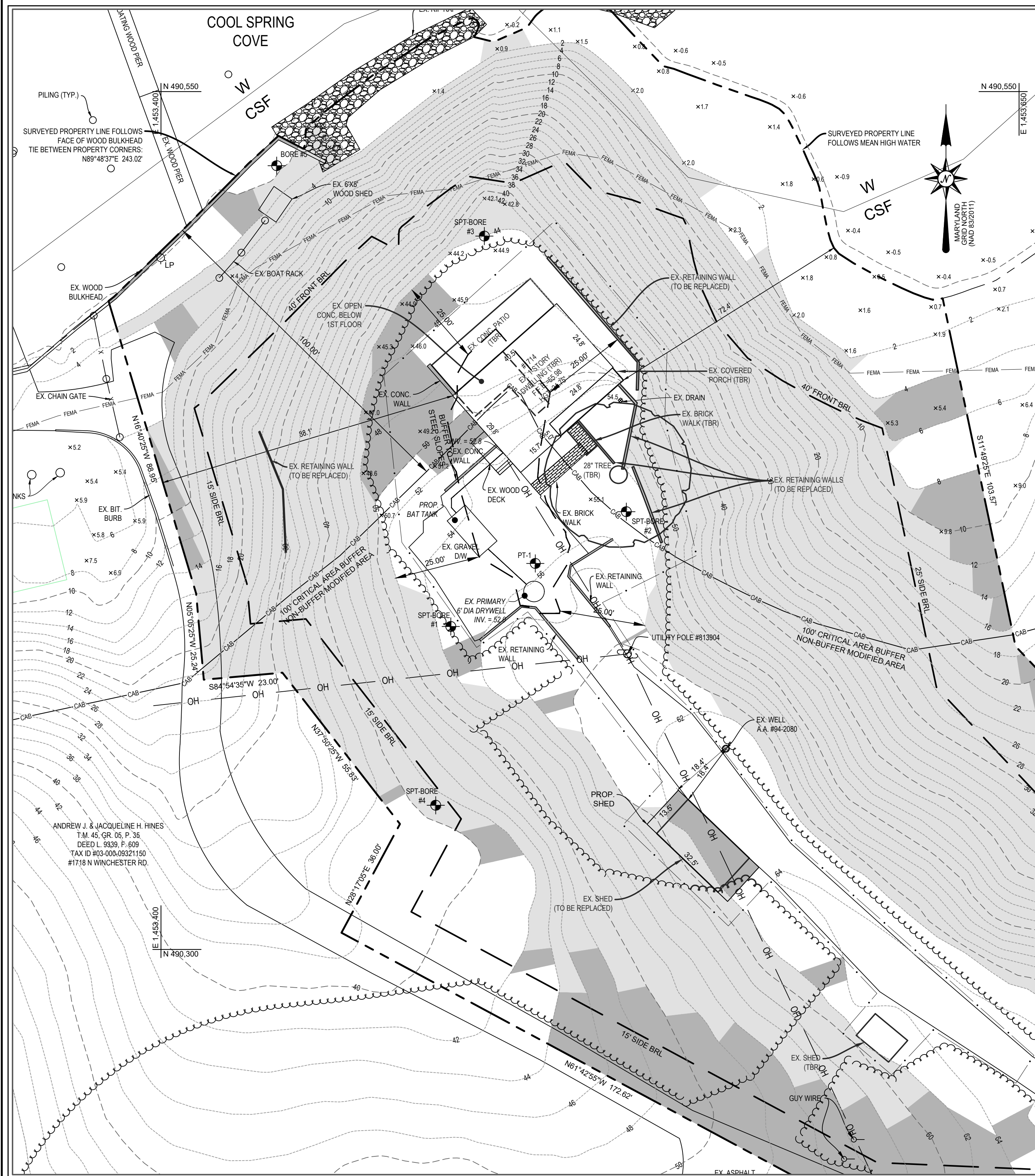
REVISION DESCRIPTION

BY

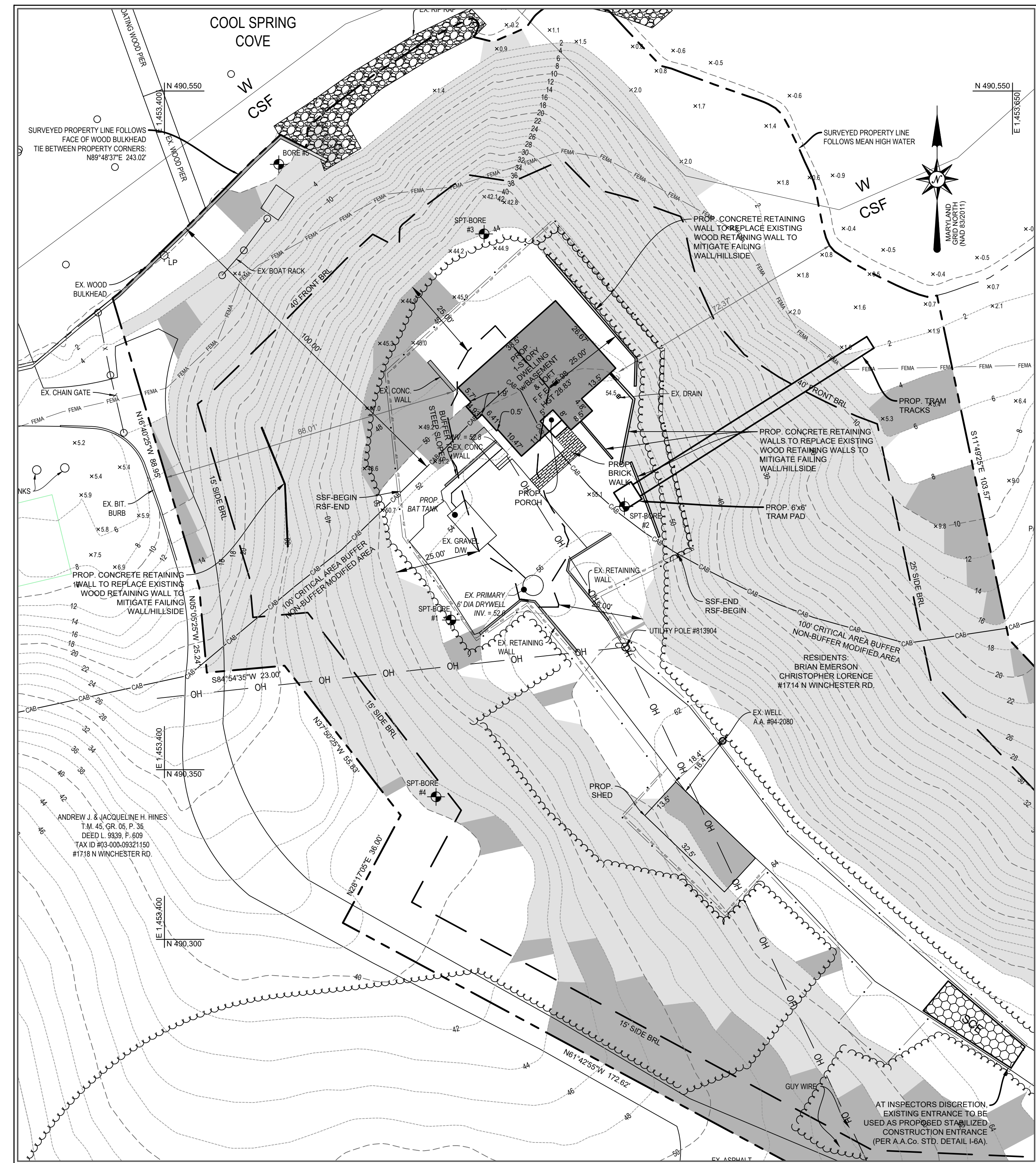
DATE

SHEET 1 OF 3





**EXISTING CONDITIONS PLAN**  
SCALE: 1" = 20'



**PROPOSED CONDITIONS PLAN**  
SCALE: 1" = 20'

**SOILS TABLE**

SYMBOL	NAME	HYDROLOGIC SOIL TYPE	PERCENT COVERAGE	HYDRIC SOIL	HIGHLY ERODABLE SOIL
CoC	COLLINGTON-WIST COMPLEX	'B'	36.1%	NO	NO
CRD	COLLINGTON AND ANNAPOLIS SOILS	'B'	3.7%	NO	NO
CSF	COLLINGTON, WIST, AND WESTPHALIA SOILS	'A'	59.0%	YES	NO
W	WATER	-	1.1%	-	-

**MESSICK & ASSOCIATES**  
CONSULTING ENGINEERS,  
PLANNERS AND SURVEYORS

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

REVISION	DESCRIPTION	BY	DATE

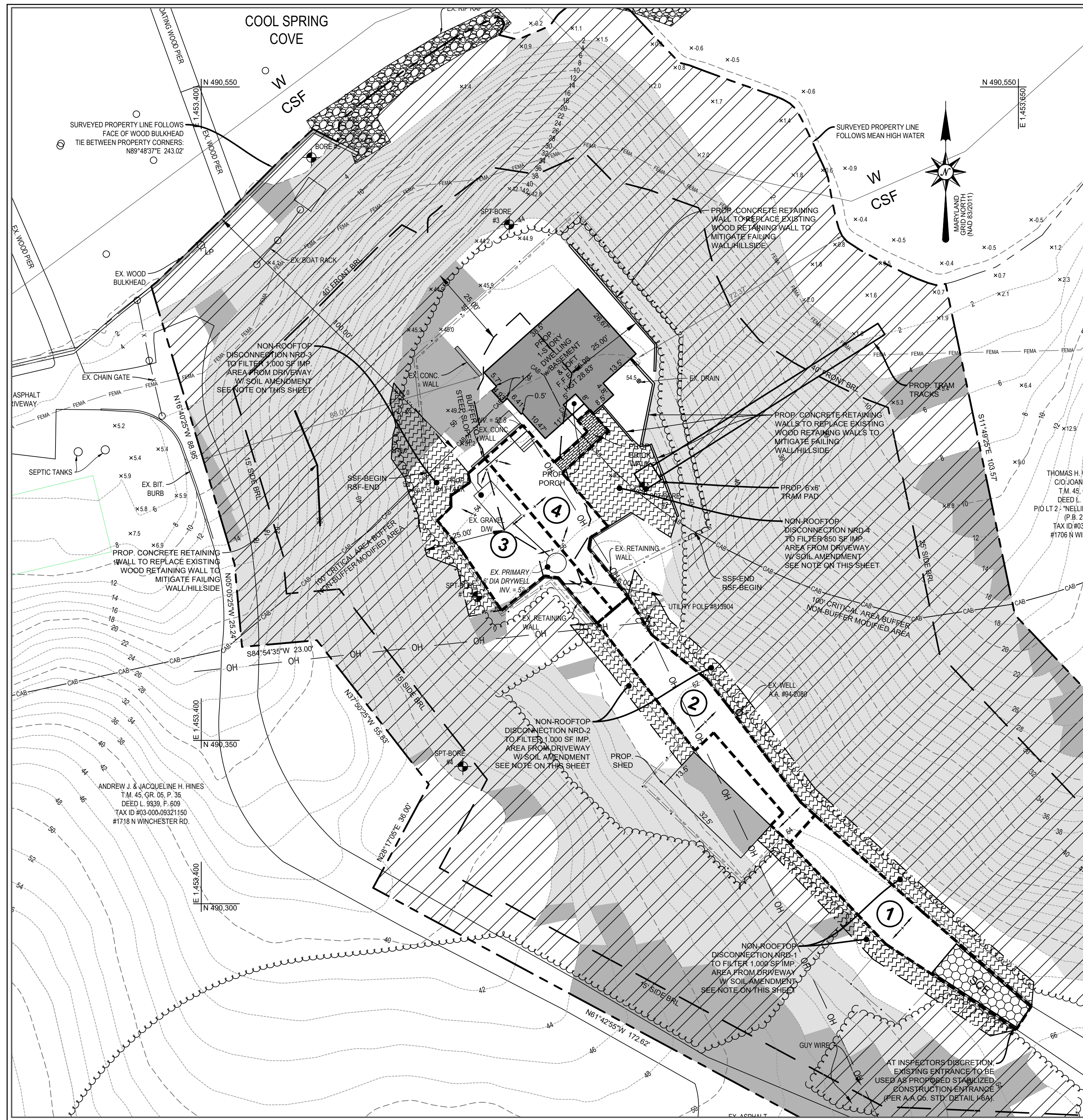
OWNER/DEVELOPER  
MARK S. PELLICANO  
JAREN E. PELLICANO  
1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409  
60 CHRIS LORENCE BRIAN EMERSON  
703-905-7441  
[christopherl6@gmail.com](mailto:christopherl6@gmail.com)

EXISTING & PROPOSED CONDITIONS SPECIAL EXCEPTION SITE PLAN  
PELLICANO PROPERTY COTTAGE  
SPECIAL EXCEPTION PLAN  
1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409  
WINCHESTER

TAX MAP: 45 GRID: 6 PARCEL: 568 ZONING: R1/RCA  
TAX ACCOUNT: 03-000-283-8055  
THIRD ELECTION DISTRICT ANNE ARUNDEL COUNTY, MARYLAND  
DATE: DECEMBER 2024

SHEET 2 OF 3





**DRAINAGE AREAS TO ESD FACILITIES**  
SCALE: 1" = 20'

**SOILS TABLE**

SYMBOL	NAME	HYDROLOGIC SOIL TYPE	PERCENT COVERAGE	HYDRIC SOIL	HIGHLY ERODABLE SOIL
CoC	COLLINGTON-WIST COMPLEX	'B'	36.1%	NO	NO
CRD	COLLINGTON AND ANNAPOLIS SOILS	'B'	3.7%	NO	NO
CSF	COLLINGTON, WIST, AND WESTPHALIA SOILS	'A'	59.0%	YES	NO
W	WATER	-	1.1%	-	-

**NON-ROOFTOP DISCONNECTION - CONSTRUCTION CRITERIA & MAINTENANCE NOTES**

**CONSTRUCTION CRITERIA:**  
THE FOLLOWING ITEMS SHOULD BE ADDRESSED DURING THE CONSTRUCTION OF PROJECTS WITH PLANNED NON-ROOFTOP DISCONNECTIONS:

- EROSION AND SEDIMENT CONTROL: EROSION AND SEDIMENT CONTROL PRACTICES (E.G., SEDIMENT TRAPS) SHALL NOT BE LOCATED IN AREAS DESIGNATED FOR NON-ROOFTOP DISCONNECTIONS.
- SITE DISTURBANCE: CONSTRUCTION VEHICLES AND EQUIPMENT SHOULD AVOID AREAS RECEIVING DISCONNECTED RUNOFF TO MINIMIZE DISTURBANCE AND COMPACTION. SHOULD AREAS RECEIVING DISCONNECTED RUNOFF BECOME COMPACTED, SCARIFYING THE SURFACE OR ROTOTILLING THE SOILS TO A DEPTH OF FOUR TO SIX INCHES SHALL BE PERFORMED TO ENSURE PERMEABILITY. ADDITIONALLY, AMENDMENTS MAY BE NEEDED FOR TIGHT, CLAYEY SOILS.
- THE PROPOSED INCORPORATION AREA SHALL BE DEEP TILLED TO A DEPTH OF 2 TO 3 FEET USING A TRACTOR AND SUB-SOILER WITH TWO DEEP SHANKS (CURVED METAL BARS) TO CREATE RIPS PERPENDICULAR TO THE DIRECTION OF FLOW. THIS DEEP-TILLING STEP MAY BE OMITTED WHEN SOIL AMENDMENT IS USED FOR FILTER STRIP WIDTHS OF 20 FEET OR LESS IN THE DIFFERENT DIRECTION OF FLOW. THE EXISTING SOILS SHALL BE IN DRY CONDITION PRIOR TO INCORPORATING COMPOST. THE COMPOST LAYER SHALL BE PLACED ON SURFACE OF PROPOSED AMENDMENT AREA TO THE DEPTH SPECIFIED AND THEN INCORPORATED INTO THE SOIL USING A ROTO-TILLER OR SIMILAR EQUIPMENT. CONDUCT SOIL TEST TO DETERMINE WHETHER ANY FURTHER NUTRITIONAL REQUIREMENTS, PH ADJUSTMENT, AND ORGANIC MATTER ADJUSTMENTS ARE NECESSARY FOR PLANT GROWTH.

**MAINTENANCE CRITERIA:**  
MAINTENANCE OF AREAS RECEIVING DISCONNECTED RUNOFF IS GENERALLY NO DIFFERENT THAN THAT OF REQUIRED FOR OTHER LAWN OR LANDSCAPED AREAS. THE AREAS RECEIVING RUNOFF SHOULD BE PROTECTED FROM FUTURE COMPACTION (E.G., BY PLANTING TREES OF SHRUBS ALONG THE PERIMETER). IN COMMERCIAL AREAS, FOOT TRAFFIC SHOULD BE DISCOURAGED AS WELL.

**ESD DRAINAGE AREA TABLE**

DRAINAGE DESIGNATION	FACILITY	AREA (SF)	IMP. (SF)
①	NON-ROOFTOP DISCONNECTION (NRD-1)	1,000	1,000
②	NON-ROOFTOP DISCONNECTION (NRD-2)	1,000	1,000
③	NON-ROOFTOP DISCONNECTION (NRD-3)	1,000	1,000
④	NON-ROOFTOP DISCONNECTION (NRD-4)	850	850

\*TOTAL DISCONNECTED = 3,850 SQ. FT.

**STORMWATER MANAGEMENT STRUCTURE SUMMARY TABLE**

Project Name: Emerson Property		Project No.:		Subdiv. No.:					
Bay Eng. No.: 22-8688		Design By: JS		Date: 10/26/2023					
Tax Map/Block/Parcel:		45/6/568							
Overall DA	Practice	Structure No.	Type	Location	Drainage Area Treated (acres)	Maximum Volume for 1-Yr 24-Hr Storm (Cu. Ft.)	Water Quality Volume (Cu. Ft.)	Actual Device Volume (Cu. Ft.)	Pe Provided (in.)
1	Non-Rooftop Disconnect	NRD-1	N-2	N490296 E1453610	0.023	213.75	79.17	79.17	1.00
	Non-Rooftop Disconnect	NRD-2	N-2	N490360 E1453551	0.023	213.75	79.17	79.17	1.00
	Non-Rooftop Disconnect	NRD-3	N-2	N490410 E1453492	0.023	213.75	79.17	79.17	1.00
	Non-Rooftop Disconnect	NRD-4	N-2	N490419 E1453509	0.020	181.69	67.29	67.29	1.00
<b>Total</b>					0.088	822.94	304.79	304.79	
<b>ESD, Required</b>							<b>223.68</b>		

Total Site Pe Provided:

Where:

$ESD_v = 223.68 \text{ ft}^3$

SWM Provided for: Redevelopment Conditions

$R_v = 0.20$

$A = 11,435 \text{ ft}^2$

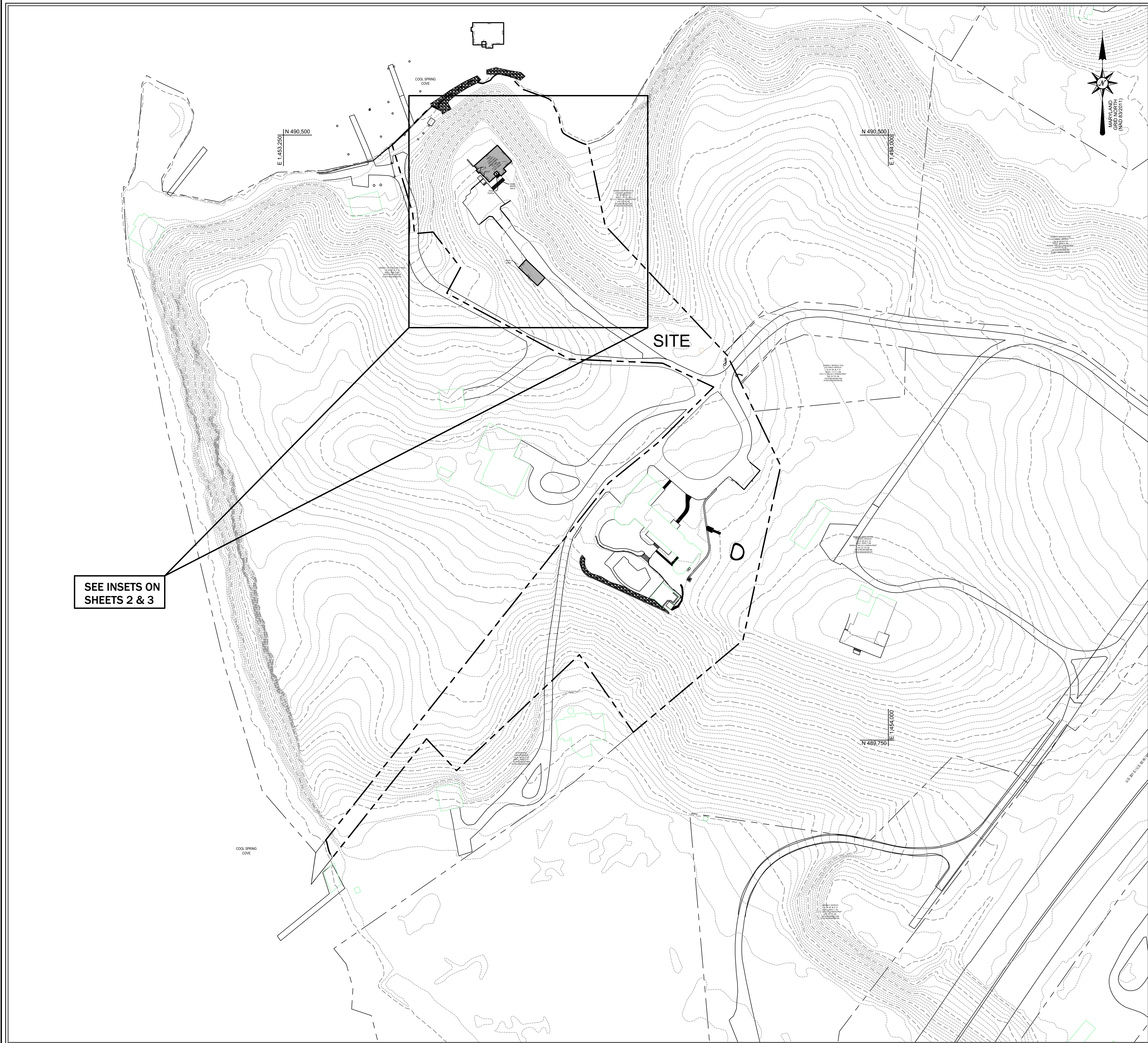
$P_e = 1.20 \text{ in.}$

\*Note: These values taken from the Stormwater Management Requirements sheet of these computations.

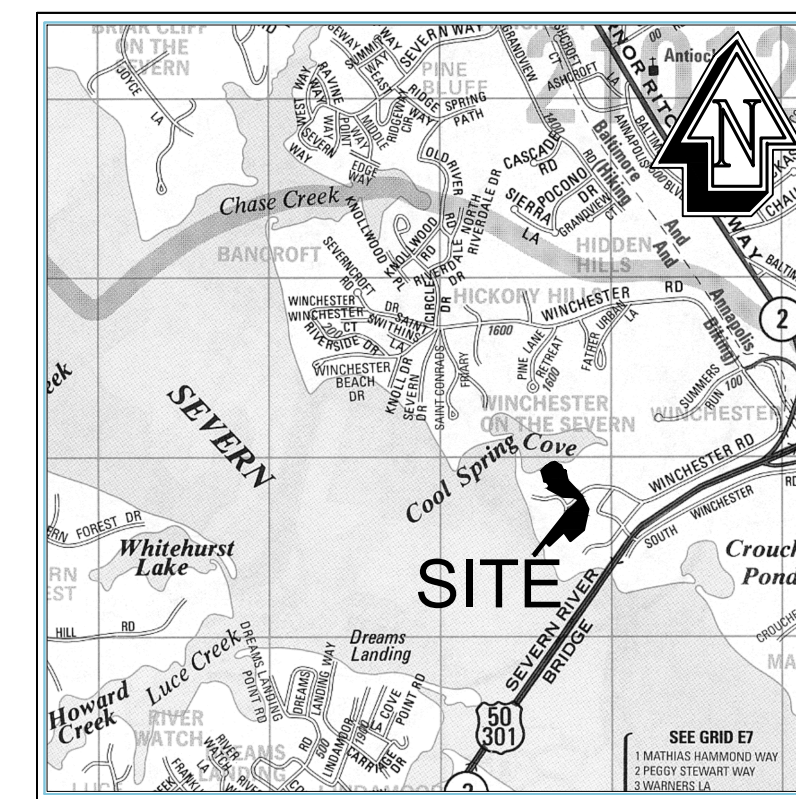
REVISION	DESCRIPTION	BY	DATE

OWNER/DEVELOPER  
MARK S. PELLICANO  
JAREN E. PELLICANO  
1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409  
606 CHRIS LOREGE BRAN ETHERSON  
703-905-7441  
cmisorence68@gmail.com





**OVERALL LOCATION PLAN**  
SCALE: 1" = 60'



**VICINITY MAP**  
SCALE: 1" = 2,000'  
COPYRIGHT ADC THE MAP PEOPLE  
PERMITTED USE NO. 06301200

**GENERAL NOTES**

- OWNER: MARK S. AND JERREN PELLICANO, 1712 N WINCHESTER ROAD, ANNAPOLIS, MD 21409. ENGINEER: MESSICK & ASSOCIATES, 7 OLD SOLOMONS ISL RD ST 202, ANNAPOLIS, MD 21401. PHONE: (703) 606-7441. EMAIL: christorence6@gmail.com.
- THE SITE ADDRESS IS: 1714 WINCHESTER ROAD, ANNAPOLIS, MD 21409.
- THE PROPERTY IS KNOWN AS: TAX MAP 45, GRID 06, PARCEL 568, TOTAL AREA = 176,351 SQ. FT. OR 4.048 AC. DEED REF: 36849 / 469.
- TAX ACCOUNT NO.: 03-000-28318055.
- THIS PLAN DOES NOT REFLECT A BOUNDARY SURVEY. THE EXISTING TOPOGRAPHIC AND PROPERTY LINE INFORMATION WAS PROVIDED BY BAY ENGINEERING, AND DRUM LOYKA.
- THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, WHICH MAY SHOW ADDITIONAL CONVEYANCES, EASEMENTS, COVENANTS, RIGHTS-OF-WAYS, OR MORE STRINGENT BUILDING RESTRICTION LINES NOT SHOWN HEREON.
- EXISTING ZONING IS R1 - RESIDENTIAL DISTRICT. SETBACKS PRINCIPAL STRUCTURE: FRONT = 50', SIDE = 15', REAR = 35'. SETBACKS ACCESSORY STRUCTURE: FRONT = 50', SIDE = 15', REAR = 15'.
- PROPOSED SITE UTILITIES ARE PRIVATE WELL (W-7, FUTURE SERVICE - BROADNECK) AND PRIVATE SEPTIC (S-7, FUTURE SERVICE - BROADNECK).
- TOPOGRAPHICAL INFORMATION SHOWN IS PER A FIELD SURVEY BY OTHERS. BOUNDARY AND LOCATIONS PER SAME SURVEY AND AUGMENTED WITH ANNE ARUNDEL COUNTY GIS DATA.
- THE SITE IS LOCATED WITHIN THE RCA (RESOURCE CONSERVATION AREA) OF THE CHESAPEAKE BAY CRITICAL AREA.
- THE SITE IS ENCUMBERED BY 117,017 SQUARE FEET OF STEEP SLOPES. IN THE SPECIFIC AREA OF INTEREST, STEEP SLOPES ARE - S15-25% SLOPES: 7,984 SQ. FT. OR 0.183 AC. ; > 25% SLOPES: 42,409 OR 0.973 AC.
- THE PROPERTY DESCRIBED HEREON IS LOCATED IN THE FLOOD HAZARD ZONES "AE" (AREA WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN WITH BASE FLOOD ELEVATION OF FEET) AND "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS DELINEATED ON THE FIRM FLOOD INSURANCE MAP #540030169F DATED FEBRUARY 18, 2015 FOR ANNE ARUNDEL COUNTY AND DISTRIBUTED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY).
- NOTE: ENTIRE AREA OF WORK IN EXPANDED BUFFER. PROPOSED WORK INCLUDES SLOPE STABILIZATION, REPLACEMENT OF RETAINING WALLS AND INSTALLATION OF SOILS NAILS AND WIRE MESH.

**LOT COVERAGE SUMMARY**

DESCRIPTION	AREA
EXISTING LOT AREA.....	176,352 SQ. FT. OR 4.048 AC.
ALLOWABLE LOT COVERAGE BY LOT SIZE (15%).....	26,453 SQ. FT. OR 0.607 AC.
EXISTING LOT COVERAGE.....	30,145 SQ. FT. OR 0.692 AC.
ALLOWABLE LOT COVERAGE (10% REDUCTION).....	28,779 SQ. FT. OR 0.685 AC.
EXISTING LOT COVERAGE WITHIN THE 100' BUFFER.....	2,652 SQ. FT. OR 0.060 AC.
EXISTING LOT COVERAGE OUTSIDE THE 100' BUFFER.....	27,493 SQ. FT. OR 0.631 AC.
EXISTING DEVELOPED WOODS.....	92,852 SQ. FT. OR 2.132 AC.
EXISTING DEVELOPED WOODS TO BE REMOVED.....	1,383 SQ. FT. OR 0.032 AC.
ALLOWED CLEARING (30%).....	28,252 SQ. FT. OR 0.648 AC.
LIMIT OF DISTURBANCE.....	11,435 SQ. FT. OR 0.263 AC.

NOTE: BREAKDOWN OF LOT COVERAGES ARE AS FOLLOWS

- EX. DWELLINGS = 5,206 SF
- EX. SHEDS AND GAZEBO = 1,100 SF
- EX. DRIVEWAY = 16,428 SF
- EX. POOL = 1,037 SF
- EX. RIVERSTONE = 635 SF
- EX. WALKS, WALLS, & CONC. PADS = 5,729 SF
- TOTAL = 30,145 SF

- EXISTING LOT COVERAGE TO BE REMOVED:
- EX. 1-STORY DWELLING = 1,201 SF
- EX. WALKS & CONC. PADS = 446 SF
- EX. SHEDS = 438 SF
- TOTAL TBR = 2,083 SF

- TOTAL TO REMAIN = 28,062 SF
- PROPOSED LOT COVERAGE:
- PR. 1-STORY DWELLING = 1,065.3 SF
- PR. WALK = 98 SF
- PR. SHED = 438 SF
- TOTAL PROPOSED = 1,599.3 SF
- TOTAL PROPOSED LOT COVERAGE = 29,661.3 SF

**DISTURBANCE SUMMARY**

- TOTAL PROPOSED DISTURBED AREA = 11,435 SQ. FT. OR 0.263 ACRES (ALL IN EXPANDED BUFFER)
- PROPOSED DISTURBANCE WITHIN THE 100' BUFFER = 4,330 SQ. FT. OR 0.099 ACRES
- PROPOSED DISTURBANCE OUTSIDE THE 100' BUFFER = 7,105 SQ. FT. OR 0.163 ACRES
- 15% SLOPE DISTURBANCE = 699 SQ. FT. OR 0.016 ACRES
- 25% SLOPE DISTURBANCE = 1,550 SQ. FT. OR 0.036 ACRES
- SLOPE & BUFFER DISTURBANCE FOR SLOPE STABILIZATION = TBD AT PERMIT

**VARIANCE REQUEST**

- § 17-8-201. DEVELOPMENT ON SLOPES OF 15% OR GREATER (A) DEVELOPMENT IN THE LDA, DEVELOPMENT IN THE LIMITED DEVELOPMENT AREA (LDA) OR IN THE RESOURCE CONSERVATION AREA (RCA) 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. ALL DISTURBANCE SHALL BE LIMITED TO THE MINIMUM NECESSARY.
- § 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 SLOPE. (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.

**MESSICK & ASSOCIATES**  
CONSULTING ENGINEERS,  
PLANNERS AND SURVEYORS  
7 OLD SOLOMONS ISLAND ROAD, SUITE 202  
ANNAPOLIS, MARYLAND 21401  
(410) 266-3212 \* FAX (410) 266-3502 email: [engi@messickandassociates.com](mailto:engi@messickandassociates.com)

REVISION	DESCRIPTION	BY	DATE

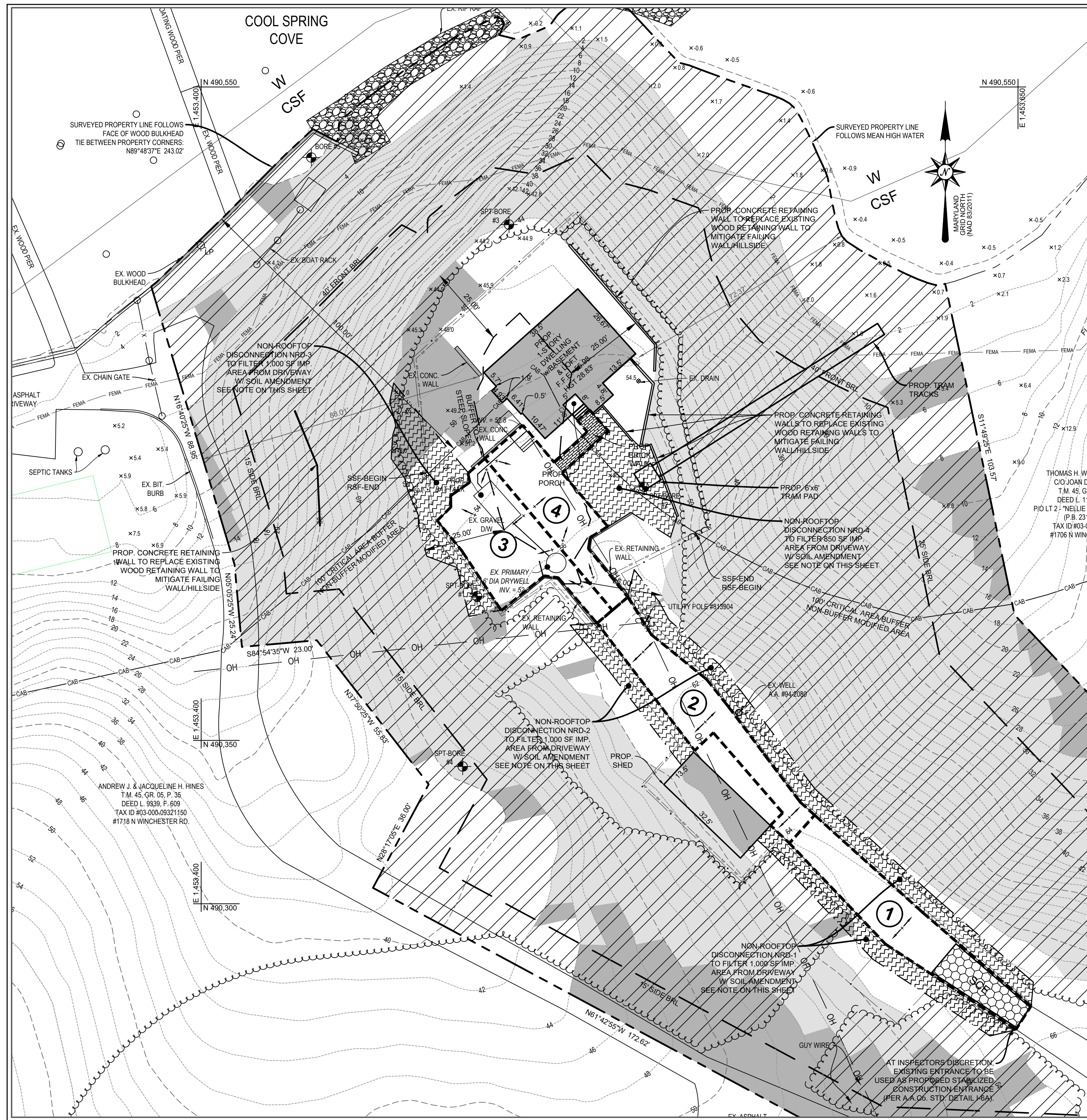
OWNER/DEVELOPER  
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1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409  
60 CHRIS LORENCE BRIAN EBERSON  
703-606-7441  
christorence6@gmail.com

**VARIANCE LOCATION PLAN**  
PELLICANO PROPERTY COTTAGE  
GRADING AND VARIANCE PLAN  
1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409  
WINCHESTER  
TAX MAP: 45, GRID: 6, PARCEL: 568, ZONING: R1/RCA  
TAX ACCOUNT: 03-000-28318055  
THIRD ELECTION DISTRICT ANNE ARUNDEL COUNTY, MARYLAND  
DATE: DECEMBER 2024  
SCALE: AS SHOWN SHEET 1 OF 3









**DRAINAGE AREAS TO ESD FACILITIES**  
SCALE: 1" = 20'

**SOILS TABLE**

SYMBOL	NAME	HYDROLOGIC SOIL TYPE	PERCENT COVERAGE	HYDRIC SOIL	HIGHLY ERODABLE SOIL
CoC	COLLINGTON-WIST COMPLEX	'B'	36.1%	NO	NO
CRD	COLLINGTON AND ANNAPOLIS SOILS	'B'	3.7%	NO	NO
CSF	COLLINGTON, WIST, AND WESTPHALIA SOILS	'A'	59.0%	YES	NO
W	WATER	-	1.1%	-	-

**NON-ROOFTOP DISCONNECTION - CONSTRUCTION CRITERIA & MAINTENANCE NOTES**

**CONSTRUCTION CRITERIA:**  
THE FOLLOWING ITEMS SHOULD BE ADDRESSED DURING THE CONSTRUCTION OF PROJECTS WITH PLANNED NON-ROOFTOP DISCONNECTIONS:

- EROSION AND SEDIMENT CONTROL: EROSION AND SEDIMENT CONTROL PRACTICES (E.G., SEDIMENT TRAPS) SHALL NOT BE LOCATED IN AREAS DESIGNATED FOR NON-ROOFTOP DISCONNECTIONS.
- SITE DISTURBANCE: CONSTRUCTION VEHICLES AND EQUIPMENT SHOULD AVOID AREAS RECEIVING DISCONNECTED RUNOFF TO MINIMIZE DISTURBANCE AND COMPACTION. SHOULD AREAS RECEIVING DISCONNECTED RUNOFF BECOME COMPACTED, SCARIFYING THE SURFACE OR ROTOTILLING THE SOILS TO A DEPTH OF FOUR TO SIX INCHES SHALL BE PERFORMED TO ENSURE PERMEABILITY. ADDITIONALLY, AMENDMENTS MAY BE NEEDED FOR TIGHT, CLAYEY SOILS.
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**MAINTENANCE CRITERIA:**  
MAINTENANCE OF AREAS RECEIVING DISCONNECTED RUNOFF IS GENERALLY NO DIFFERENT THAN THAT OF REQUIRED FOR OTHER LAWN OR LANDSCAPED AREAS. THE AREAS RECEIVING RUNOFF SHOULD BE PROTECTED FROM FUTURE COMPACTION (E.G., BY PLANTING TREES OF SHRUBS ALONG THE PERIMETER). IN COMMERCIAL AREAS, FOOT TRAFFIC SHOULD BE DISCOURAGED AS WELL.

**ESD DRAINAGE AREA TABLE**

DRAINAGE DESIGNATION	FACILITY	AREA (SF)	IMP. (SF)
①	NON-ROOFTOP DISCONNECTION (NRD-1)	1,000	1,000
②	NON-ROOFTOP DISCONNECTION (NRD-2)	1,000	1,000
③	NON-ROOFTOP DISCONNECTION (NRD-3)	1,000	1,000
④	NON-ROOFTOP DISCONNECTION (NRD-4)	850	850

\*TOTAL DISCONNECTED = 3,850 SQ. FT.

**STORMWATER MANAGEMENT STRUCTURE SUMMARY TABLE**

Project Name: Emerson Property		Project No.:		Subdiv. No.:					
Bay Eng. No.: 22-8688		Design By: JS		Date: 10/26/2023					
		Tax Map/Block/Parcel:		45/6/568					
Overall DA	Practice	Structure No.	Type	Location	Drainage Area Treated (acres)	Maximum Volume for 1-Yr 24-Hr Storm (Cu. Ft.)	Water Quality Volume (Cu. Ft.)	Actual Device Volume (Cu. Ft.)	Pe Provided (in.)
1	Non-Rooftop Disconnect	NRD-1	N-2	N490296 E1453610	0.023	213.75	79.17	79.17	1.00
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	Non-Rooftop Disconnect	NRD-4	N-2	N490419 E1453509	0.020	181.69	67.29	67.29	1.00
<b>Total</b>					0.088	822.94	304.79	304.79	
<b>ESD, Required</b>							<b>223.68</b>		

Total Site  $P_e$  Provided: Where:  $ESD_v = 223.68 \text{ ft}^3$   
 $R_v = 0.20$   
 $A = 11,435 \text{ ft}^2$   
 $P_e = 1.20 \text{ in.}$   
 \*Note: These values taken from the Stormwater Management Requirements sheet of these computations.

**MESSICK & ASSOCIATES**  
CONSULTING ENGINEERS,  
PLANNERS AND SURVEYORS  
7 OLD SOLOMONS ISLAND ROAD, SUITE 202  
ANNAPOLIS, MARYLAND 21401  
(410) 266-3212 \* FAX (410) 266-3502 email: emgr@messickandassociates.com

REVISION	DESCRIPTION	BY	DATE

OWNER/DEVELOPER  
MARK S. PELLICANO  
JAREN E. PELLICANO  
1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409  
60 CHRIS LOREGE BRAN ETHERSON  
703-905-7441  
cmstorenc68@gmail.com

STORMWATER MANAGEMENT FOR VARIANCE SITE PLAN  
PELLICANO PROPERTY COTTAGE  
GRADING AND VARIANCE PLAN  
1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409  
WINCHESTER  
TAX MAP: 45, GRID: 6, PARCEL: 568, ZONING: R1/RCA  
TAX ACCOUNT: 03-000-283-8055  
THIRD ELECTION DISTRICT ANNE ARUNDEL COUNTY, MARYLAND  
SCALE: AS SHOWN DATE: DECEMBER 2024 SHEET 3 OF 3



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
45	568	6		

**FOR RESUBMITTAL ONLY**

- Corrections
- Redesign
- No Change
- Non-Critical Area

\*Complete Only Page 1  
 General Project Information

Tax ID: 3-000-28318055

Project Name (site name, subdivision name, or other) Cottage 1714 Winchester

Project location/Address 1714 Winchester Rd

City Annapolis MD Zip 21409

Local case number

Applicant: Last name Christopher Lorence Brian Emerald First name

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:

*Raze ex cottage & retaining walls around it, Construct New Cottage and retaining walls*

Intra-Family Transfer  Yes  
 Grandfathered Lot  Yes  
 Growth Allocation  Yes  
 Buffer Exemption Area  Yes

**Project Type (check all that apply)**

Commercial  Recreational   
 Consistency Report  Redevelopment   
 Industrial  Residential   
 Institutional  Shore Erosion Control   
 Mixed Use  Water-Dependent Facility   
 Other

**SITE INVENTORY (Enter acres or square feet)**

	Acres	Sq Ft	Total Disturbed Area	Acres	Sq Ft
IDA Area	0	0		0.263	11,435
LDA Area	0	0			
RCA Area	4,048	176,352	# of Lots Created		
Total Area	4,048	176,352			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	2.132	92,852	Existing Lot Coverage	0.692	30,145
Created Forest/Woodland/Trees	TBD	TBD	New Lot Coverage	0.038	1,657
Removed Forest/Woodland/Trees	0.032	1,583	Removed Lot Coverage	0.048	2,083
			Total Lot Coverage	0.681	29,669

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

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.263	11,435	Buffer Forest Clearing		
Non-Buffer Disturbance	0	0	Mitigation	TBD	TBD

Variance Type

Buffer   
 Forest Clearing   
 HPA Impact   
 Lot Coverage   
 Expanded Buffer   
 Nontidal Wetlands   
 Setback   
 Steep Slopes   
 Other

Structure

Acc. Structure Addition   
 Barn   
 Deck   
 Dwelling   
 Dwelling Addition   
 Garage   
 Gazebo   
 Patio   
 Pool   
 Shed   
 Other

***CRITICAL AREA  
REPORT***

**1714 WINCHESTER ROAD  
ANNAPOLIS, MD 21409**

**May 2024**

Prepared for:  
Brian Emerson and Christopher Lorence  
1714 Winchester Road  
Annapolis, MD 21409

Prepared by:  
Messick & Associates  
7 Old Solomons Island Rd, Suite 202  
Annapolis, MD 21401

## INTRODUCTION

This site is a 176,351 square foot property that is located off N Winchester Road in Annapolis, MD in the Cool Spring Cove neighborhood. The proposal is to raze the existing dwelling and construct a new dwelling in the same footprint. The property is completely inside the Chesapeake Bay Critical Area Boundary and is designated as Resource Conservation Area (RCA). The property is zoned R1.

## EXISTING USE

The property consists of 176,351 square foot property. The site is currently developed with an inhabited dwelling. The property is served by a private well and septic. The property is waterfront, contains steep slopes, and drains to Cool Spring Cove. The site is served by a 16' width right-of-way easement leading to Cool Spring Cove and a 16' width right-of-way leading to Winchester Road.

## SURROUNDING LAND USE

The properties that are about the site are developed as single-family lots. The general area is developed as single-family lots that are part of the Cool Spring Cove neighborhood. The site is bounded by a developed property to the west, east and south, and Cool Spring Cove to the north.

## SOILS

The U.S. Department of Agriculture Soil Survey defines the property to have a soil type of CoC – Collington-Wist Complex, 5 to 10% slopes (B Soils), CRD – Collington and Annapolis soils, 10-15% slopes (B Soils), and CSF – Collington, Wist, and Westphalia soils, 25-40% slopes (A Soils).

## FLOODPLAIN

The property is located in the Flood Hazard Zone "AE" (area within the 1% annual chance floodplain with base flood elevation of 6 feet) and Zone "X" (area outside the 0.2% annual chance floodplain) as delineated on the FIRM Flood Insurance Map #24003C0169F dated February 18, 2015, for Anne Arundel County and distributed by the Federal Emergency Management Agency Map (FEMA).

## NON-TIDAL WETLANDS

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

## TIDAL WETLANDS

There appear to be no Tidal Wetlands on this site.

## BODIES OF WATER

The site drains overland to Cool Spring Cove.

## STEEP SLOPES

Topographically, the site can be described as a peninsula/ridge with moderately to very steep surrounding slopes. More specifically, the top of the ridge and the areas immediately adjacent to the existing driveway and residence can be characterized as relatively flat to gently sloping, with grades generally sloping downward in a northwesterly direction towards Cool Spring Cove. The entire area of proposed work will occur in the expanded steep slope buffer with 699 square feet of disturbance occurring to the 15-25% steep slopes and 2,556 square feet of disturbance occurring to the >25% steep slopes.

Within this proposed steep slope disturbance, 1,082 square feet are set aside to facilitate stabilization of the slope. A geotechnical study was performed by Geo-Technology Associates, Inc. and a report was produced on December 8, 2021 recommending the best methods of practice to achieve slope stabilization. The recommendation has been incorporated into the proposed work.

## 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 requested via the enclosed letter to Lori Byrne of the Maryland Department of Natural Resources Fish, Heritage and Wildlife Administration.

## STORMWATER MANAGEMENT

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

## FOREST COVER

The existing forest cover is limited to over story trees which occur throughout the site. 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	<i>Kalmia latifolia</i>

## 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 Brachyrynchos</i>
Northern Cardinal	<i>Richmondena Cardinalis</i>

## SITE CALCULATIONS

1. Total Site area.....176,352 sq. ft.
2. Site area in Critical area.....176,352 sq. ft.
3. Existing Lot Coverage.....30,145 sq. ft.
4. Existing Lot Coverage to be Removed.....2,083 sq. ft.
5. Existing Lot Coverage to Remain.....28,062 sq. ft.
6. Proposed Impervious area.....1,637 sq. ft.
7. Total Lot Coverage After Construction.....29,669 sq. ft.
8. Total Impervious Coverage Allowed by Lot Size (15%).....26,453 sq. ft.
9. Total Impervious Coverage Allowed (10% Reduction).....29,776 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 - 03 Subdivision - 000 **Account Number - 28318055**

**Owner Information**

**Owner Name:** PELLICANO MARK S **Use:** RESIDENTIAL  
 PELLICANO JERREN **Principal Residence:** YES  
**Mailing Address:** 1712 N WINCHESTER RD **Deed Reference:** /28836/ 00071  
 ANNAPOLIS MD 21409-5851

**Location & Structure Information**

**Premises Address:** 1712 WINCHESTER RD **Legal Description:** 4.061 ACRES  
 ANNAPOLIS 21409-0000 1712 WINCHESTER RD  
 Waterfront COOL SPRING COVE

**Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:**  
 0045 0006 0568 3080050.02 000 2022 **Plat Ref:**

**Town:** None

**Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use**  
 1968 5,469 SF 880 SF 4.0600 AC

**StoriesBasementType ExteriorQualityFull/Half BathGarage Last Notice of Major Improvements**  
 1 NO STANDARD UNITBRICK/ 4 3 full/1 half 1 Attached  
 SIDING

**Value Information**

	Base Value	Value		Phase-in Assessments	
		As of 01/01/2022	As of 07/01/2022	As of 07/01/2022	As of 07/01/2023
<b>Land:</b>	995,600	995,600			
<b>Improvements</b>	520,300	560,900			
<b>Total:</b>	1,515,900	1,556,500	1,529,433		1,542,967
<b>Preferential Land:</b>	0	0			

**Transfer Information**

<b>Seller:</b> DUDLEY SR TRUSTEE JOHN A	<b>Date:</b> 09/24/2015	<b>Price:</b> \$1,573,325
<b>Type:</b> ARMS LENGTH IMPROVED	<b>Deed1:</b> /28836/ 00071	<b>Deed2:</b>
<b>Seller:</b> DUDLEY SR, JOHN A	<b>Date:</b> 03/30/2006	<b>Price:</b> \$0
<b>Type:</b> NON-ARMS LENGTH OTHER	<b>Deed1:</b> /17642/ 00545	<b>Deed2:</b>
<b>Seller:</b> SMITH EARL G	<b>Date:</b> 06/17/1986	<b>Price:</b> \$475,000
<b>Type:</b> ARMS LENGTH IMPROVED	<b>Deed1:</b> /04092/ 00048	<b>Deed2:</b>

**Exemption Information**

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
<b>County:</b>	000	0.00	
<b>State:</b>	000	0.00	
<b>Municipal:</b>	000	0.00 0.00	0.00 0.00

**Special Tax Recapture: None**

**Homestead Application Information**

**Homestead Application Status:** Approved 01/21/2016

**Homeowners' Tax Credit Application Information**

**Homeowners' Tax Credit Application Status:** No Application **Date:**

1714 WINCHESTER RD, 2 X



Show search results for 1714 ...



200ft



1714 WINCHESTER RD, 2 X



Show search results for 1714 ...







1714 WINCHESTER RD 21409

61

R. Resford

1718

1712

0 ft

1714 WINCHESTER RD, 21409



1718

1712





Buffer

Modified Buffer

Buffer

Buffer

200ft



# National Flood Hazard Layer FIRMMette



76°30'28"W 39°0'54"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, Areas 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 D

GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer	Levee, Dike, or Floodwall

OTHER FEATURES	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



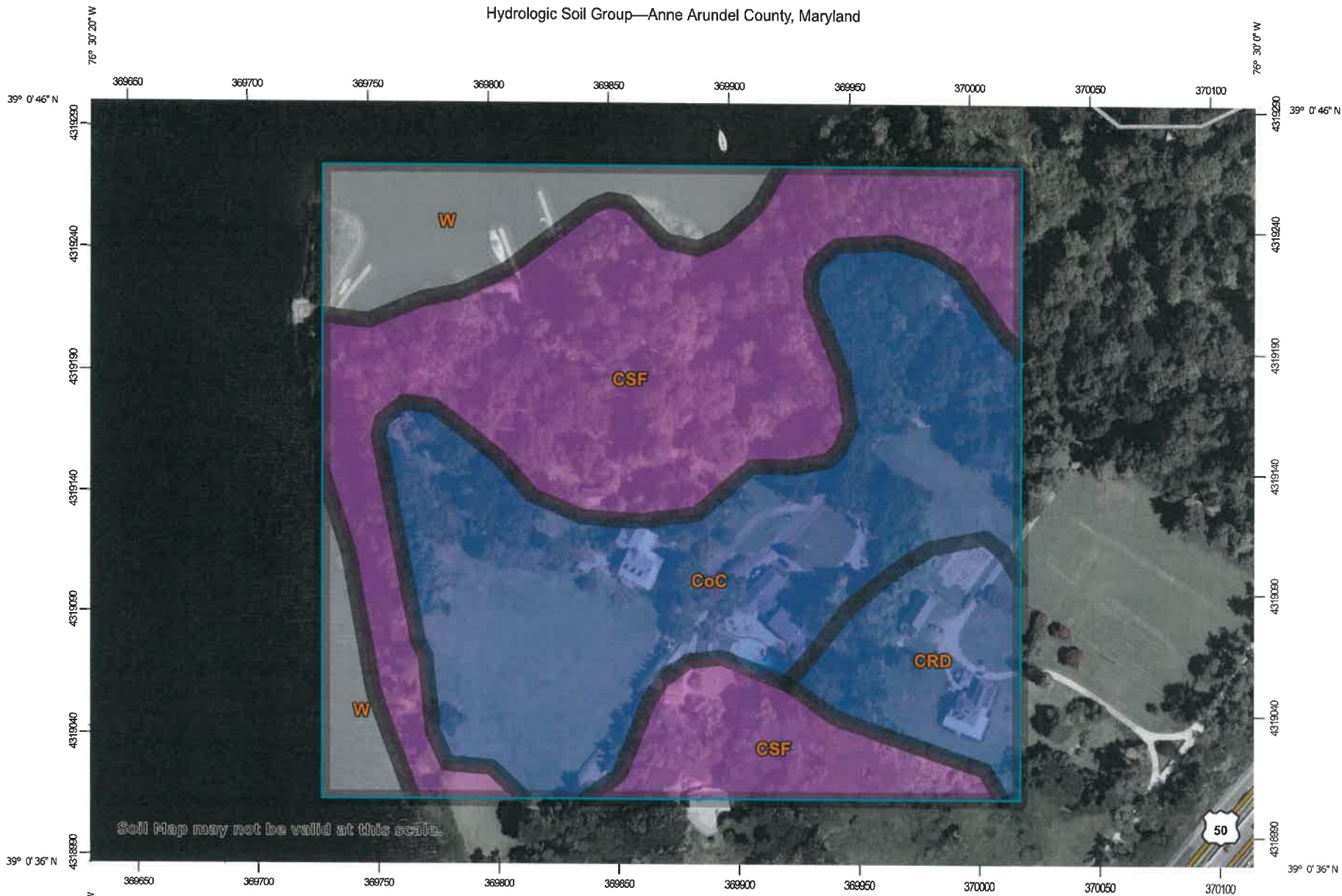
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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

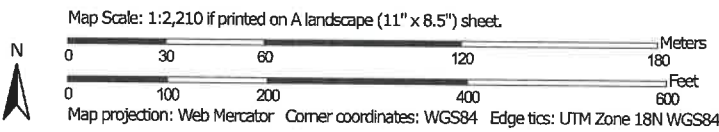
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/28/2024 at 9:06 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by 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.

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
- Other**
  -  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
CoC	Collington-Wist complex, 5 to 10 percent slopes	B	6.9	36.6%
CRD	Collington and Annapolis soils, 10 to 15 percent slopes	B	1.6	8.4%
CSF	Collington, Wist, and Westphalia soils, 25 to 40 percent slopes	A	8.0	42.5%
W	Water		2.4	12.6%
<b>Totals for Area of Interest</b>			<b>18.8</b>	<b>100.0%</b>

## 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.

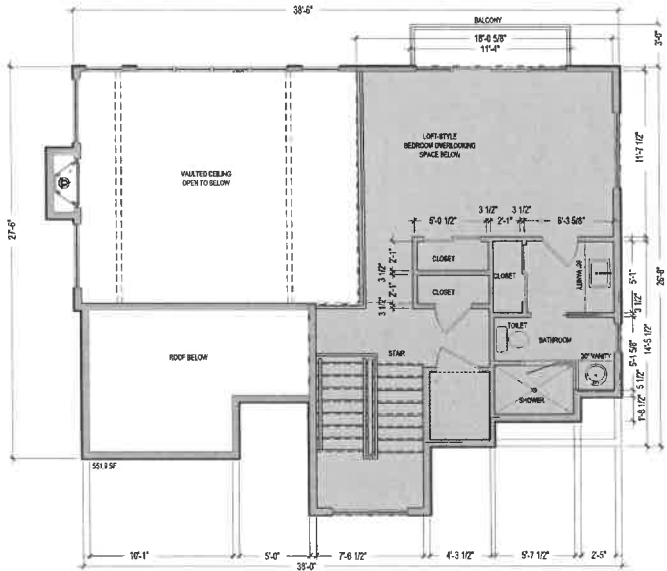
If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

## Rating Options

*Aggregation Method: Dominant Condition*

*Component Percent Cutoff: None Specified*

*Tie-break Rule: Higher*



LEVEL 2 LOFT  
SCALE: 1/4"=1'-0" DATE: SEP10, 2014

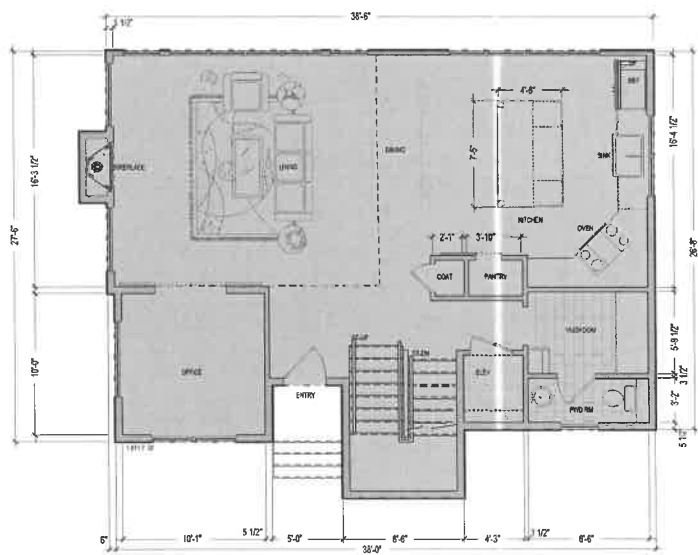
PROPOSED AREAS:

LVL 0: 551.9 SF  
LVL 1: 1,071.7 SF  
LVL 2: 517.3 SF  
TOTAL: 2,140.9 SF

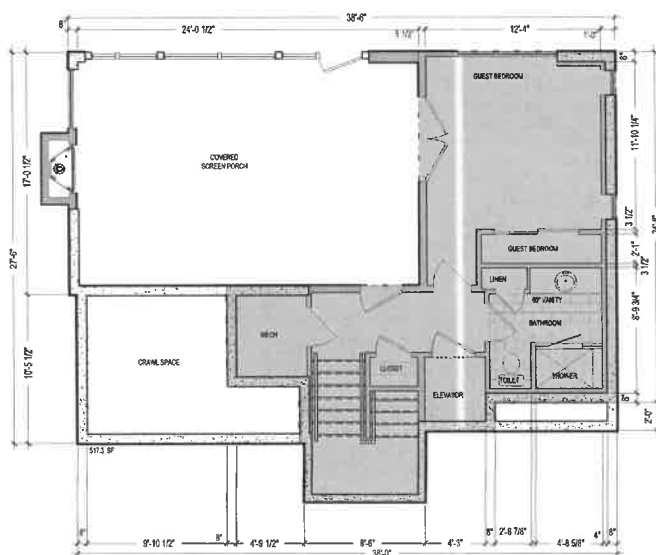
EXISTING AREAS:

LVL 0: 548.95 SF  
LVL 1: 1168.25 SF  
TOTAL: 1652.6

W30% EXPANSION ALLOWABLE  
(1652.6 X 1.3) = 2,148.3



LEVEL 1 PLAN  
SCALE: 1/8"=1'-0" DATE: SEP10, 2014



LEVEL 0 PLAN  
SCALE: 1/8"=1'-0" DATE: SEP10, 2014



THREE B ARCHITECTURE

Robert B. Berry Jr, AIA  
WWW.THREEBARCHITECTURE.COM  
443.791.6180  
1110 WILSON ST. SUITE 301  
ANNAPOLIS, MARYLAND 21401

ARCHITECT  
CLIENT

**Emerson/Lorraine Residence**  
1712-1714 N Winchester Road  
Annapolis, Maryland

DWG INFO

NO. 001	DATE: 08/14/14
NO. 002	DATE: 08/14/14
NO. 003	DATE: 08/14/14
NO. 004	DATE: 08/14/14
NO. 005	DATE: 08/14/14
NO. 006	DATE: 08/14/14
NO. 007	DATE: 08/14/14
NO. 008	DATE: 08/14/14
NO. 009	DATE: 08/14/14
NO. 010	DATE: 08/14/14

A.AR



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

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**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

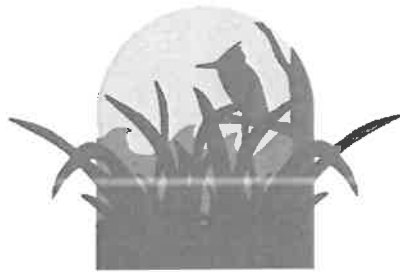
Good afternoon,

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.



 facebook\_logo.jpg

 twitter\_logo.jpg

[dnr.maryland.gov/criticalarea](http://dnr.maryland.gov/criticalarea)

*Jennifer Esposito*

Critical Area Commission for the  
Chesapeake & Atlantic Coastal Bays

1804 West Street, Suite 100

Annapolis, MD 21401

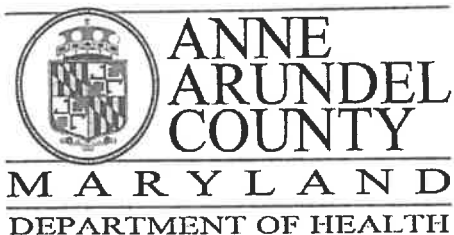
Office: 410-260-3468

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

Cell: 443-569-1361

(Teleworking: Tues., Thurs.)

[jennifer.esposito@maryland.gov](mailto:jennifer.esposito@maryland.gov)



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

THROUGH: Don Curtian, Director  
Bureau of Environmental Health

DATE: August 26, 2024

RE: Mark S. Pellicano  
1714 Winchester Road  
Annapolis, MD 21409

NUMBER: 2024-0156-S

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced special exception to allow the expansion of a registered nonconforming use (guest cottage) in the R 1 Residential District.

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

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

cc: Sterling Seay



M A R Y L A N D

Office of Planning and Zoning

*Jenny B. Dempsey*  
*Planning and Zoning Officer*

## MEMORANDUM

TO: Zoning Division

FROM: Jessica Levy, Long Range Planner

THROUGH: Cindy Carrier, Planning Administrator, Long Range Planning

SUBJECT: Long Range Planning Comments

DATE: August 22, 2024

---

**Name of Project:** 1714 Winchester Road  
**Case#:** 2024-0055-P  
**Location:** 1714 Winchester Rd, Annapolis  
Tax Map 45, Grid 6, Parcel 0568  
**Region Planning Area:** Region 4  
**Community:** Broadneck

### Summary:

The applicant requests a Special Exception to demolish an existing residence and construct a new residence in the same general footprint with a floor area expanded by 30%. This site has a Nonconforming Use (2000-0020-B) certificate and is developed with two residences - a main residence and a cottage. The main residence is to remain undisturbed.

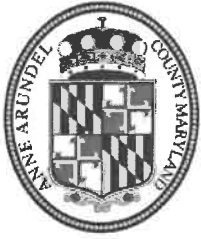
The approximately 4-acre site is located in the Plan2040 Neighborhood Preservation Policy Area and the Low Density Residential Planned Land Use category. Surrounding properties are in the Low Density Residential Planned Land Use category. Zoning for the site is R1 and surrounding properties are zoned R1 and OS. The site is not located within the Priority Funding Area nor is it within the Green Infrastructure Network. The south eastern portion of the site is within the highway buffer for noise mitigation.

### Findings:

**Plan2040 General Development Plan:** Plan2040 does not have recommendations that are specific to this site and the proposal is generally consistent with the goals, policies and strategies of Plan2040 including Policy BE3.2: Ensure infill development and redevelopment in existing residential neighborhoods are compatible in scale, use, form and intensity with the surrounding neighborhood character. This proposal is within Region Planning Area 4. The Region 4 Plan was adopted in July 2024 (effective September 7, 2024). No applications were submitted during the Comprehensive Zoning Process. The R1 Zoning was retained.



**2022 Water and Sewer Master Plan:** The site is in the Future Service category in the Broadneck Sewer Service Area and the Future Service category in the 220 Water Pressure Zone. The proposal is consistent with the 2022 Water and Sewer Master Plan.



## OFFICE OF PLANNING AND ZONING CONFIRMATION OF PRE-FILE

**PRE-FILE #:** 2024-0055-P  
**DATE:** 07/18/2024  
**OPZ STAFF:** Jennifer Lechner  
Kelly Krinitz  
Jessica Levy  
**I&P STAFF:** Habtamu Zeleke

**APPLICANT/REPRESENTATIVE:** Mark & Jerren Pellicano / Messick & Associates

**EMAIL:** [enr@messickandassociates.com](mailto:enr@messickandassociates.com)

**SITE LOCATION:** 1714 Winchester Road, Annapolis

**LOT SIZE:** 4.06 acres

**ZONING:** R1      **CA DESIGNATION:** RCA      **BMA:** NO      **BUFFER:** YES      **APPLICATION TYPE:** Special Exception

---

The property is the subject of non-conforming use 2000-0020-N which registered two principal structures on one lot, with the cottage comprising 1,653sqft per the BOA Decision #BA 1-01A. The applicants are proposing to replace the cottage (2nd dwelling) in the same footprint, and to expand the floor area by 30%.

A variance application, 2024-0109-V, has been submitted to allow a dwelling, an accessory structure (shed), and associated facilities with less setbacks and buffer than required and with disturbance to slopes of 15% or greater.

A Special Exception to expand the Non-conforming Use is required.

A previous Special Exception request, 2003-0202-S, to expand the Non-Conforming Use was denied by the Board of Appeals (BA 96-03S, and also BA 97-03V).

### **COMMENTS**

#### **Zoning Administration Section:**

- (1) Provide evidence that the nonconforming use has not ceased for the last three years.
- (2) Include the height of both the existing dwelling and the proposed dwelling on the Administrative Site Plan.
- (3) The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval of the special exception, the proposal must address and meet all of the applicable standards provided under Sections 18-15-103 and 18-16-304. The Letter of Explanation should address each of those standards and provide adequate justification.

#### **OPZ Critical Area Team:**

No objection. Although the floor area will increase, the lot coverage and footprint will decrease. Since the cottage exists, there is no impact to the overall density on the site. The proposed development is within the expanded buffer and all applicable regulations must be addressed.

#### **OPZ Long Range Planning:**

**Plan2040 General Development Plan:** Plan2040 does not have recommendations that are specific to this site and the proposal is generally consistent with the goals, policies and strategies of Plan2040. This proposal is within Region Planning Area 4. The Region 4 Plan is anticipated to be adopted in July 2024. No applications were submitted during the 2011 Comprehensive Rezoning process or the Region Plans Comprehensive Zoning Process. The zoning is recommended to remain R1.

**2022 Water and Sewer Master Plan:** The site is in the Future Service category in the Broadneck Sewer Service Area and the Future Service category in the 220 Water Pressure Zone. The proposal is consistent with the 2022 Water and Sewer Master Plan.

**I&P Engineering:**

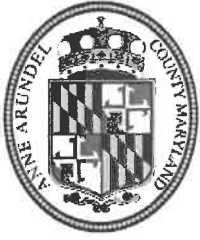
1. Stormwater management will be addressed through four non-rooftop disconnections.
2. All stormwater conveyance systems shall be designed so that no building or habitable structure, either proposed or existing, is flooded or has water impounded against it during the 100-year storm event.
3. Per 6.1.4 (G) of the County Stormwater Practices and Procedures manual, SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resource areas and their steep slopes and buffers.
4. Ensure the proposed improvement including runoff, seepage, and slope saturation does not adversely impact the integrity of the slope and potential impact of slope failure.
5. Retaining walls that are 4 ft or higher requires a separate retaining wall permit.
6. Based on the plan provided, it appears that the property will be served by a private septic and well.
7. The above is provided as a courtesy review as information for review and consideration comments at the pre-file.

**INFORMATION FOR THE APPLICANT**

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

A special exception may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Articles 18-15-103 and 18-16-304. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the special exception request.

A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.



## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE (2023-0041-P)

DATE OF MEETING: 10/3/2023

P&Z STAFF: Sara Anzelmo, Hala Flores, Kelly Krinetz

APPLICANT/REPRESENTATIVE: Mark Pellicano/Bay Engineering EMAIL: khayley@bayengineering.com

SITE LOCATION: 1712 N Winchester Road, Annapolis LOT SIZE: 4.048 acres ZONING: R1

CA DESIGNATION: RCA BMA: NO or BUFFER: YES APPLICATION TYPE: Critical Area Variance

The applicant wishes to raze the existing cottage and construct a new cottage in the same general footprint. They also wish to raze an existing shed in disrepair built on top of the hill and replace it with a new shed. The new cottage footprint will be slightly smaller than the existing cottage footprint, the existing cottage is 1,201 square feet, including a covered porch. The proposed cottage is 1,161 square feet in size. A large portion of the cottage site is largely encumbered by steep slopes and expanded buffer. This proposal would require a total of 7,928 square feet of expanded buffer disturbance, and 2,249 square feet that disturbance is for the steep slope buffer disturbance. The proposal includes the removal of 1,239 square feet of existing lot coverage. The existing house was constructed some time ago and does not appear to be fixable. It appears the foundation could be unsound, though we are not structural engineers. The proposed cottage replacement will require a variance. As the site is in expanded buffer and on septic, almost any work on the site would require a variance, including the rebuilding of the existing cottage. A review of the site plan will show the disturbance is minimized, and only the area necessary to perform the work.

#### COMMENTS

The **Critical Area Team** offers no objection, provided there is no expansion of either the dwelling or the shed or any further encroachment into the slopes or the buffer.

The **Zoning Administration Section** noted that the property was the subject of a nonconforming use case (2000-0020-N) which registered a "Guest House" more specifically a one story structure without a basement that measures 24' x 22' and comprising 528 sf of floor area. The decision was appealed to the Board of Appeals (BA 1-01A), which ultimately recognized the guest house as a cottage having a first floor area comprising 1,106.25 sf with a basement comprising 546.25 sf for a total floor area of 1,652.6 sf. The property was also the subject of a subsequent special exception application (2003-0202-S) for after-the-fact approval to expand the nonconforming use cottage and other associated variances (2003-0204-V). The summary of this case indicates that, while the earlier Board decision approved greater floor area than was initially approved by OPZ, it still fell short of the actual floor area that existed at that time. The special exception and variance cases were approved by the Administrative Hearing Officer, but they were appealed and ultimately denied by the Board of Appeals under BA 96-03S and BA 97-03V. Therefore, the nonconforming use registration is limited to the specific floor area as approved by the Board, 1,106.25 sf first floor with a basement of 546.25 sf. If either the first floor area or the basement floor area exceeds what was permitted, a special exception would be required for the expansion. The applicant must demonstrate that the proposal meets all of the Critical Area variance standards provided under 18-16-305(b) and (c).

The **Engineering Division** provided comments via the attached letter.

#### INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

\*\*\* A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

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.



*Mark Wedemeyer, Director*

## Memorandum

TO: Sumner Handy, OPZ Zoning Division

FROM: Hala Flores, P.E., Engineer Manager, Department of Inspections and Permits

SUBJECT: 1712 Winchester Road  
2023-0041-P

DATE: September 28, 2023

### **Engineering and Utility Review**

The above-referenced pre-file has/have been reviewed for Engineering and Utility issues, and the following comments apply:

**Project Information:** The lot is developed with two dwellings. This request focus on the removal and reconstruction of the smaller dwelling (cottage). The new cottage will be smaller than the existing cottage at 1,161 SF versus the existing 1,201 SF. The portion of the site where the cottage is located is not located in the BMA and is subject to the expanded buffer due to steep slopes. The cottage is encumbered by steep slope buffers. The proposed work will also include a septic system and slope stabilization to address slope failure.

This office has received the subject application and has the following comments that should be addressed with the formal variance application:

- 1- Two types of LOD calculations need to be performed. The overall LOD, which will determine if a grading plan is required or not and the LOD for determining the level of SWM treatment. The LOD for SWM treatment may subtract the slope stabilization work and the septic work. Also, please confirm that no new impervious surface is being created and the drain pattern will not be changed. This work on will be considered a modification to an existing Single family dwelling for an accessory structure. The slope stabilization work may be considered acceptable SWM mitigation for the modification work. This needs to be documented in a SWM report for the project.
- 2- Provide photographs of the slope and a geotechnical report by a certified geotechnical or structural engineer with a condition assessment of the steep slopes, recommendations regarding construction methods in that area, and more detail regarding the proposed nature of the slope stabilization.
- 3- This office defer to the zoning review regarding the allowance of two dwellings in R1 zone.