



November 11, 2024

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

Re: VARIANCE REQUEST  
CUBELLO/PULLER PROPERTY  
202 BAR HARBOR ROAD  
PASADENA, MD 21122  
G02019582

Dear Ms. Seay:

On behalf of the applicants, we respectfully request a variance to Article 17-8-201(b) which states in part that 15% slopes or greater in the Intensely Developed Area (IDA) shall not be disturbed. A variance is also requested to Article 17-8-702(b) which states in part that no new lot coverage shall be placed nearer to the shoreline than the façade of the existing structure. The lot is developed with dwelling and associated improvements. This lot meets the definition of a buildable lot, subject to the approvals of the County. The property is 10,193 square feet in area. The site is served by public water and public sewer. It is served by Bar Harbor Road, a 30' right of way. The site drains to the tidal waters of Rock Creek. The site is waterfront. The site is located in the IDA of the Chesapeake Bay Critical Area. The site is located in a Buffer Modification area. The site was in fact zoned MB and proposed under Plan 2040 to change from Maritime to Low-Medium Density Residential. It appears the GIS maps on Anne Arundel County's website, coincidentally, were updated the same day the applicant's pre-file confirmation was received on September 12, 2024. The letter dated September 26, 2024 from the Office of Planning and Zoning has requested the applicant to rewrite the letter as it is now zoned R5. This change should be noted since the original grading permit submitted November 21, 2022 and comments from the county reference the MB zoning. Additionally, the adjacent neighbor's zoning changed as well.

The applicant wishes to raze the existing structures and construct a new dwelling and accessory dwelling unit (ADU). The dwellings were constructed circa 1940 and need to be replaced. The ADU does not require a variance per 18-2-303, a replacement in kind which is smaller than the existing non conforming structure. The need for the ADU is partially due to the fact no basement will be constructed. The clients have heard from neighbors there may be underground springs in the area, and as a precaution are not constructing a basement. The ADU will provide storage needed for lawn care, additional vehicles, a boat, and water dependent use storage. It will also provide a workshop area for the owners. The new structure will be closer to the shoreline than the façade of

the existing structure. To perform this work, there will be a small amount of temporary steep slope disturbance for slopes near the water to install an underdrain for the stormwater device. No slope disturbance is necessary for the construction of the home, nor is disturbance to the steep slope buffer required. The new dwelling will be situated in the 100' buffer, forward of the façade of the existing structure. However, it appears that the new dwelling is approximately in line with the neighboring structures, taking into account variations in the location of the shore line. The neighbor on Lot 45 already blocks any cross-view from Lot 43, and it appears that the location of the dwelling will not impact the light air and view of the neighbor on Lot 43. The bulk of the proposed structure is much less than what currently exists on the subject property. Article 17-8-702(b) further states the design and location take into account the natural features to enhance and protect the environmentally sensitive features on the site. This is why the applicants designed the site for the proposed house to be positioned between the existing trees which are home to squirrels, birds, and other wildlife at the recommended twenty feet distance from the maple tree. The ADU is currently in the rear setback and on both west and east side setbacks of the property. Since the lot is so narrow, the ADU must be demolished in order to construct either dwelling. The applicant's proposed the ADU in-kind to the east side within the current setbacks to allow enough space for construction equipment to access the property without any disturbance to either neighbor and complete the project with a driveway wide enough to accommodate the side load garage doors on the ADU. This will take advantage of the redevelopment opportunity and put the entire west side of the property in compliance with the code with seven foot side setbacks for non-conforming use and now R5 zoning. The construction for the new dwelling will require a revision to the existing grading permit, G02019582.

It should be noted that a variance, 2009-0223-V, was granted for the adjacent neighbor. The owners at the time were granted a variance to 47' to the average setback within the buffer. Variances were granted to the side and front yard setbacks. This case has bearing on the applicant's request, as the dwelling under consideration here was used as part of the reasoning for that variance, and the applicants are requesting much less relief to the Code.

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

1. The subject property is rectangular in shape and is narrow for the district. When the property was zoned MB it was very undersized for the zoning district as outlined in 18-7-106. Now that the property is zoned R5, it is still narrow and does not meet the minimum width of 60 feet as outlined in 18-4-701. The property is waterfront, narrow (50' wide) and subject to a buffer to steep slopes. The owners are also trying to keep the large maple tree shown on the plans. As such, there is no reasonable possibility of developing this property without relief to the Code.

2. The exceptional circumstances and practical difficulties in developing the property have been noted in #1 above to a large degree. As the site is small and narrow, stormwater management is required, and space needs to be available for its installation, even while being MB and IDA (now R5 and IDA), it would not be possible to construct the proposed dwelling without a variance.

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

1. What is peculiar about and inherent to this lot is the size and location of the property. The lot is narrow and undersized, and the owners cannot construct a dwelling in conformance with the neighborhood without relief to the Code.

2. A literal interpretation of COMAR would deny the owners use of the property enjoyed by others. The proposed dwelling is in general conformance with development patterns in this neighborhood. They are meeting the zoning setbacks. 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 owners. Similar variances were granted to the adjoiner per the variance case noted above.

4. The request is not a result of actions of the owner. 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. The overall lot coverage will be decreased, and as the site is located in the IDA, there are no lot coverage limitations per se. The owners designed this program to minimize environmental impacts, by using pervious decking and providing stormwater management where none exists.

6. This site is not in the bog buffer.

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

8. The applicant has tried alternative design. However, due to the size of the lot and the stormwater management requirements, design options are limited.

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

1. The variance request is the minimum to afford relief. The request is the minimum to allow for construction of a dwelling, with a decrease in lot coverage proposed.

2. i. This variance will not alter the essential character of the neighborhood. The proposal is consistent with this densely develop area, and will not have an impact on the character of the neighborhood.

ii. This variance will not impair the use of adjoining properties. The proposal will not impact neighbors. The proposed work meets all underlying zoning requirements, and will not impede air light and view of the neighbors.

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

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 (or IDA). The work performed will not be contrary to clearing and replacement practices and will not alter the character of the neighborhood or be detrimental to the public welfare.

As this proposal is for construction of a new home, and disturbance has been minimized. A grading permit revision will be required. It appears that this request is consistent with other development in this area. Denial of this request would not allow the owner to enjoy property rights common to other properties in this area.

The enclosed plan represents the location of the proposed work of additions to the dwelling. 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.

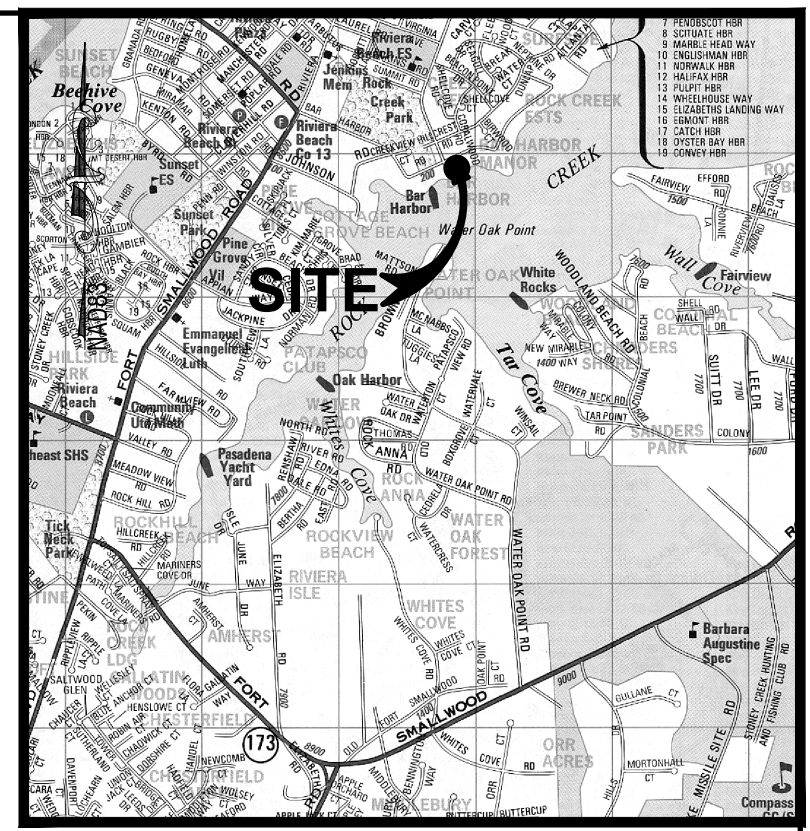
Sincerely,  
Messick and Associates

*Mike Gillespie*

Mike Gillespie  
Project Manager

# 202 BAR HARBOR ROAD

## VARIANCE PLAN



ADC PERMITTED USE NUMBER 21003176  
**VICINITY MAP**

SCALE: 1"=2,000'

### SITE DATA

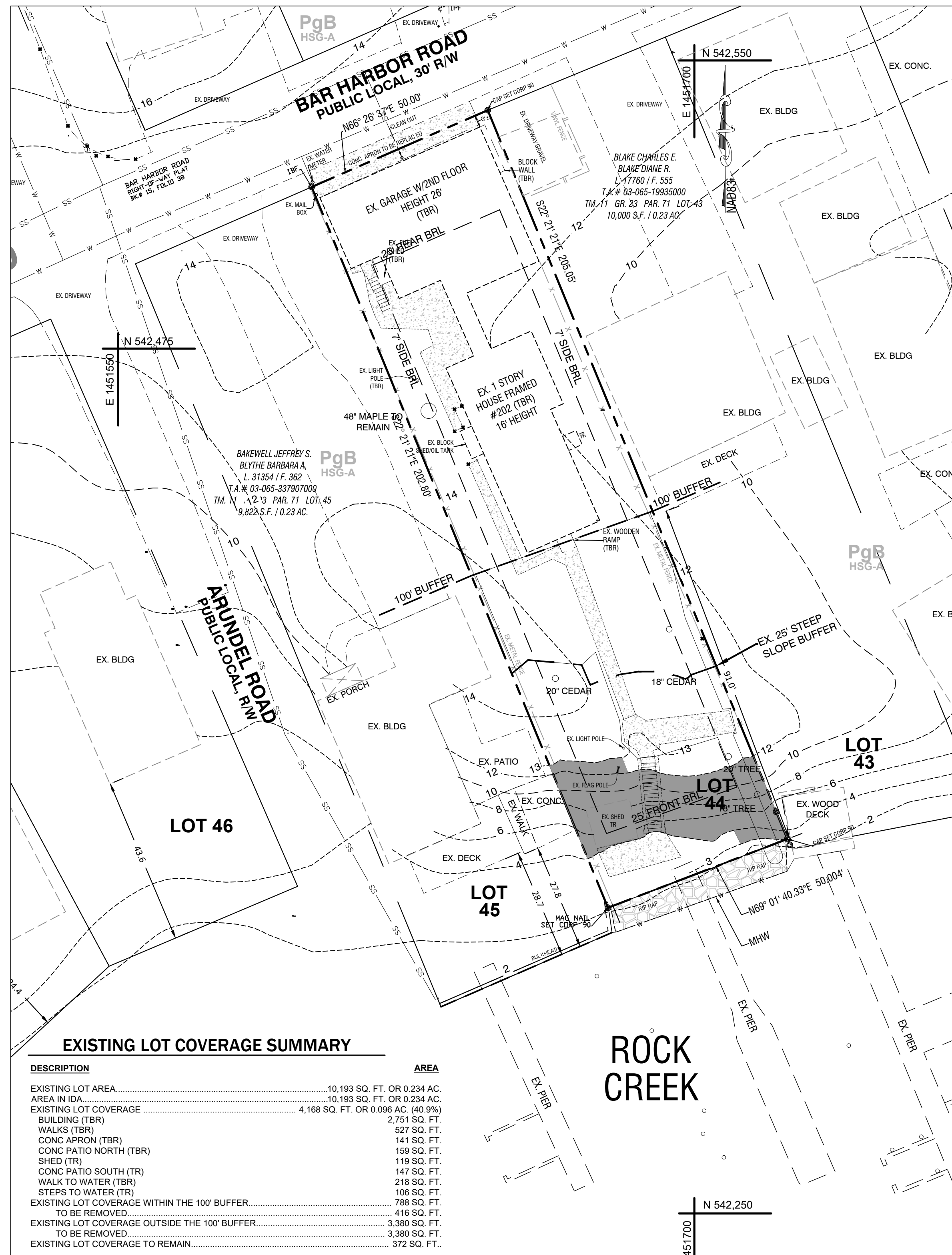
PROPERTY ADDRESS:	202 BAR HARBOR ROAD PASADENA, MD. 21122-0000 WATERFENT	
OWNER ADDRESS:	STEVE CUBELLO & JEAN CUBELLO 202 BAR HARBOR ROAD PASADENA, MD. 21122-3021	
TAX MAP:	11 GRID: 23 PARCEL: 71	DEED L: 19863, F: 233
ASSESSMENT DISTRICT:	THIRD	
TAX ACCOUNT NUMBER:	03-065-23689505	
EXISTING ZONING:	R-5	PROPOSED ZONING: R-5 COV. BY STRUCTURE 40%
SETBACK:	FRONT: 25'	REAR: 20' SIDES: 7'
MAX BUILDING HEIGHT:		
FEMA RATE MAP NUMBERS:	24003C0069F	DATED: 02/18/2015
FEMA RATE MAP ZONE:	ZONE AE, EL. = 6' ZONE 'X' MAP 24003C0069F	
CRITICAL AREA MAP:	IDA	
PREDOMINANT SOIL TYPES:		
SYMBOL	HSG	TYPE
PgB	A	Patapsco-Fort Mott-Urban Land Complex, 0 to 5 Percent Slopes
EXISTING USE:	R-5 RESIDENTIAL	
PROPOSED USE:	R-5 RESIDENTIAL	
WATERSHED AREA:	ROCK CREEK	
TOTAL SITE AREA:	10,193 S.F.	-0.23 AC.
PROPOSED CLEARING:	0 S.F.	-0.00 AC.
EXISTING IMPERVIOUS AREA:	4,168 S.F.	-0.10 AC.
PROPOSED IMPERVIOUS AREA:	4,085 S.F.	-0.09 AC.
TOTAL DISTURBED AREA:	7,503 S.F.	-0.17 AC.
AREA VEG. STABILIZED:	3,418 S.F.	-0.08 AC.
AREA STRUCT. STABILIZED:	4,085 S.F.	-0.09 AC.
CUT:	120 CY.	CONTRACTOR IS ADVISED TO CHECK QUANTITIES
FILL:	120 CY.	
BORROW:	0 CY.	

### SOIL TABLE

ID	HSG	DESCRIPTION
PgB	A	Patapsco-Fort Mott-Urban Land Complex, 0 to 5 Percent Slopes
TOTAL SITE AREA:		0.23 AC.

### VARIANCE REQUESTS

§ 17-8-702. DEVELOPMENT REQUIREMENTS FOR SINGLE FAMILY RESIDENTIAL USES.  
(a) SCOPE. THIS SECTION APPLIES TO ALL SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT IN A BUFFER MODIFICATION AREA.  
(b) EXPANSION OF EXISTING LOT COVERAGE. LOT COVERAGE ADDED DURING THE EXPANSION OR REPLACEMENT OF AN EXISTING STRUCTURE SHALL MEET THE FOLLOWING CRITERIA:  
(1) NO NEW LOT COVERAGE SHALL BE PLACED NEARER TO THE SHORELINE THAN THE CLOSEST FACADE OF THE EXISTING PRINCIPAL STRUCTURE. LANDSCAPE OR RETAINING WALLS, PERGOLAS, PATIOS, AND SWIMMING POOLS MAY NOT BE CONSIDERED AS PART OF THE PRINCIPAL STRUCTURE.  
(2) THE STRUCTURE OR EXPANSION SHALL BE DESIGNED AND LOCATED TO MAXIMIZE THE DISTANCE FROM THE SHORELINE AND TO ENHANCE AND PROTECT THE ENVIRONMENTALLY SENSITIVE FEATURES ON THE SITE, TAKING INTO ACCOUNT THE NATURAL FEATURES.  
(3) VARIANCES TO THE SETBACK REQUIREMENTS OF THE UNDERLYING ZONING SHALL BE CONSIDERED BEFORE BUFFER DISTURBANCE.  
17-8-201. DEVELOPMENT ON SLOPES OF 15% OR GREATER.  
(b) DEVELOPMENT IN THE IDA. DEVELOPMENT IN THE INTENSELY DEVELOPED AREA (IDA) MAY NOT OCCUR WITHIN SLOPES OF 15% OR GREATER UNLESS DEVELOPMENT WILL FACILITATE STABILIZATION OF THE SLOPE OR THE DISTURBANCE IS NECESSARY TO ALLOW CONNECTION TO A PUBLIC UTILITY. THE PLANNING AND ZONING OFFICER MAY GRANT MODIFICATION TO THE PROHIBITION OF THIS SUBSECTION FOR SLOPES OUTSIDE OF THE BUFFER AND BUFFER MODIFICATION AREA.

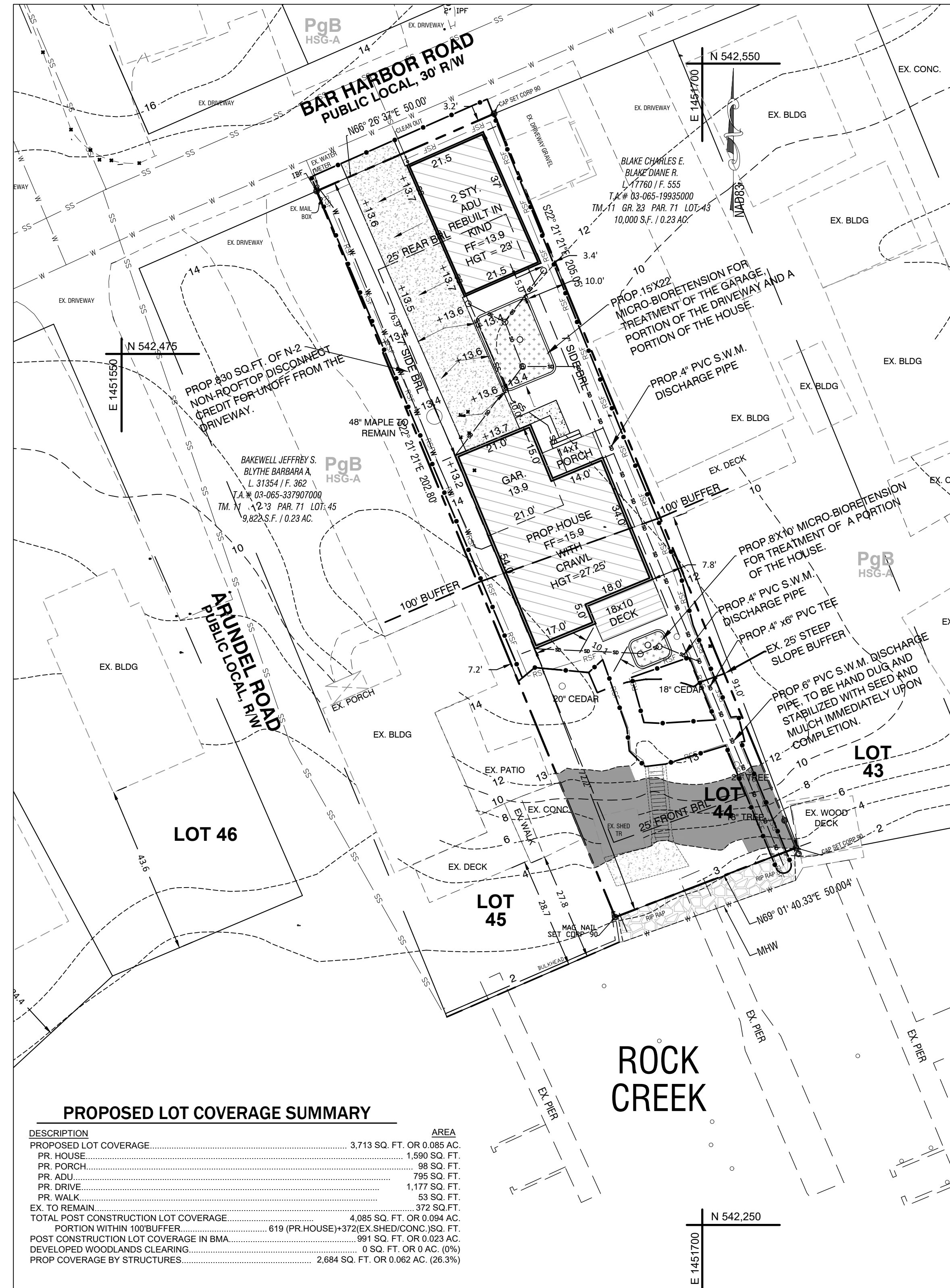


### EXISTING LOT COVERAGE SUMMARY

DESCRIPTION	AREA
EXISTING LOT AREA	10,193 SQ. FT. OR 0.234 AC.
AREA IN IDA	10,193 SQ. FT. OR 0.234 AC. (40.9%)
EXISTING LOT COVERAGE	4,168 SQ. FT. OR 0.096 AC. (40.9%)
BUILDING (TBR)	2,751 SQ. FT.
WALKS (TBR)	627 SQ. FT.
CONC APRON (TBR)	141 SQ. FT.
CONC PATIO NORTH (TBR)	159 SQ. FT.
SHED (TR)	119 SQ. FT.
CONC PATIO SOUTH (TR)	147 SQ. FT.
WALK TO WATER (TBR)	218 SQ. FT.
STEPS TO WATER (TR)	106 SQ. FT.
EXISTING LOT COVERAGE WITHIN THE 100' BUFFER TO BE REMOVED	768 SQ. FT.
EXISTING LOT COVERAGE OUTSIDE THE 100' BUFFER TO BE REMOVED	416 SQ. FT.
EXISTING LOT COVERAGE OUTSIDE THE 100' BUFFER TO REMAIN	3,380 SQ. FT.
EXISTING LOT COVERAGE TO REMAIN	372 SQ. FT.

### EXISTING SITE PLAN

SCALE: 1" = 20'



### PROPOSED LOT COVERAGE SUMMARY

DESCRIPTION	AREA
PROPOSED LOT COVERAGE	3,713 SQ. FT. OR 0.085 AC.
PR. HOUSE	1,590 SQ. FT.
PR. PORCH	98 SQ. FT.
PR. ADU	795 SQ. FT.
PR. DRIVE	1,177 SQ. FT.
PR. WALK	53 SQ. FT.
EX. TO REMAIN	372 SQ. FT.
TOTAL POST CONSTRUCTION LOT COVERAGE	4,085 SQ. FT. OR 0.094 AC.
PORTION WITHIN 100' BUFFER	619 (PR. HOUSE)+372 (EX. SHED/CONC. ISQ. FT.)
POST CONSTRUCTION LOT COVERAGE IN BMA	991 SQ. FT. OR 0.023 AC.
DEVELOPED WOODLANDS CLEARING	0 SQ. FT. OR 0 AC. (0%)
PROF. COVERAGE BY STRUCTURES	2,894 SQ. FT. OR 0.062 AC. (26.3%)

### PROPOSED SITE PLAN

SCALE: 1" = 20'

**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: engr@messickandassociates.com

**OWNER/DEVELOPER:**  
**EDWARD PULLER, JR.**  
**JEAN PULLER**  
202 BAR HARBOR ROAD  
PASADENA, MD. 21122-3021

### VARIANCE PLAN

**CUBELLO PROPERTY - GRADING PERMIT**  
202 BAR HARBOR ROAD  
PASADENA, MD 21122  
DEED REF.: 19863/233  
TAX ACC. NO.: 03-065-23689505

TM: 11 GRID: 23 PARCEL: 71 ZONING: R5 IDA  
THIRD ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND  
SCALE: AS SHOWN DATE: NOVEMBER 2024 SHEET: 1 OF

REVISION	DESCRIPTION	BY	DATE

\* MESSICK GROUP INC. T/A MESSICK AND ASSOCIATES

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
16	23	71	44	

Tax ID: \_\_\_\_\_

**FOR RESUBMITTAL ONLY**

Corrections

Redesign

No Change

Non-Critical Area

\*Complete Only Page 1  
General Project Information

Project Name (site name, subdivision name, or other) 202 Bar Harbor

Project location/Address 202 Bar Harbor Rd

City Pasadena MD Zip 21122

Local case number \_\_\_\_\_

Applicant: Last name Cubello First name Jean

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:

*Repl. Ex Structure Construct New Dwelling and ADU as replacement in kind*

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 type="checkbox"/>
Industrial	<input type="checkbox"/>	Residential	<input checked="" type="checkbox"/>
Institutional	<input type="checkbox"/>	Shore Erosion Control	<input type="checkbox"/>
Mixed Use	<input type="checkbox"/>	Water-Dependent Facility	<input type="checkbox"/>
Other	<input type="checkbox"/>		

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

	Acres	Sq Ft	Total Disturbed Area	Acres	Sq Ft
IDA Area	0.234	10,193		0.17	7,523
LDA Area	0	0			
RCA Area	0	0			
Total Area			# of Lots Created	0	

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	6.109	4,754	Existing Lot Coverage	0.096	4,168
Created Forest/Woodland/Trees	0.784	137	New Lot Coverage	0.085	3,713
Removed Forest/Woodland/Trees	0.061	56	Removed Lot Coverage	0.887	3,796
			Total Lot Coverage	0.894	4,085
	4.693				

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

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.124	3,294	Buffer Forest Clearing	0.065	223
Non-Buffer Disturbance	0.124	5,409	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***

**202 BAR HARBOR ROAD  
PASADENA, MD 21122**

**November 2024**

**Prepared for:  
Steve and Jean Cubello**

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



## INTRODUCTION

This site is a 10,193 square foot property that is located on the south side of Bar Harbor Road in Pasadena, MD. The proposal is to raze the existing structure and construct a new dwelling. The site is served by public sewer and water. The property is completely inside the Chesapeake Bay Critical Area Boundary and is designated as Intensely Developed Area (IDA). The property is zoned residential, R-5 and is waterfront on Rock Creek.

## EXISTING USE

The property consists of 10,193 square foot property. The site is currently developed with a structure covering about half the lot. The property is currently a residential lot developed with a house, shed, and associated improvements. The property is not a corner lot and gains access from Bar Harbor Road.

## SURROUNDING LAND USE

The properties that abut the site are relatively small, with the subject property being about the same size as abutting lots, which are also developed as single-family lots. The general area is developed as single-family lots, however east of the site is a commercial marina. The site is bounded by a developed property to the east and west, north with Bar Harbor Road and south the tidal waters of Rock Creek.

## PROPOSED WORK

The owners wish to raze the existing dwelling and construct a new dwelling. Part of the non conforming existing structure would be rebuilt 'in kind' as an ADU. This construction will require disturbance to a small area of steep slopes to install an underdrain for the proposed stormwater management. Part of the footprint would be forward of the existing dwelling, which would also require variance. The site is buffer modified.

## SOILS

The U.S. Department of Agriculture Soil Survey, defines the property to have a soil type of PgB – Patapsco-Fort Mott Urban Land Complex 0-5% Slopes (A Soils)

## FLOODPLAIN

The property described hereon is located in the flood hazard zones "X" - (area of minimal flood hazard) and zone "AE" EI=6' as delineated on the firm flood insurance map #24003C0069F dated February 18, 2015 for said county and distributed by the Federal Emergency Management facility.

## NON-TIDAL WETLANDS

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

## TIDAL WETLANDS

There are no Tidal Wetlands on this site.

## BODIES OF WATER

The site drains to Rock Creek.

## STEEP SLOPES

An area of steep slopes exists towards the waterfront. This area will be partially disturbed for installation of an underdrain for the stormwater management devices.

## 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 via two micro bioretention devices.

## FOREST COVER

The existing forest cover is limited to overstory trees mostly on the waterfront side of the property. A very large maple in the middle of the property is intended to be saved.

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 Brachythynchos</i>
Northern Cardinal	<i>Richmondena Cardinalis</i>

**SITE CALCULATIONS**

1. Total Site area.....10,193 sq. ft.
2. Site area in IDA Critical area.....10,193 sq. ft
3. Existing lot coverage .....4,168 sq. ft.
4. Lot coverage to be removed.....3,796 sq. ft.
4. Proposed lot coverage .....3,73 sq. ft.
5. Total Lot Coverage after Construction...4,085 sq. ft.
6. Proposed Disturbed Area.....7,963 sq. ft.
7. Woodland Clearing.....0 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 - 065 Account Number - 23689505

**Owner Information**

**Owner Name:** PULLER JR EDWARD D      **Use:** RESIDENTIAL  
 PULLER JEAN M      **Principal Residence:** YES  
**Mailing Address:** 202 BAR HARBOR RD      **Deed Reference:** /19863/ 00233  
 PASADENA MD 21122-3021

**Location & Structure Information**

**Premises Address:** 202 BAR HARBOR RD      **Legal Description:** LT 44  
 PASADENA 21122-0000      202 BAR HARBOR RD  
 Waterfront      BAR HARBOR

**Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:**  
 0011 0023 0071 3130050.02 065      44 2022      Plat Ref: 0015/ 0038

**Town:** None

**Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use**  
 1940      3,792 SF      10,694 SF

**StoriesBasementType      ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements**  
 1      YES      STANDARD UNITFRAME/2      4 full

**Value Information**

	Base Value	Value		
		As of 01/01/2022	As of 07/01/2023	As of 07/01/2024
<b>Land:</b>	343,400	343,400		
<b>Improvements</b>	142,100	166,300		
<b>Total:</b>	485,500	509,700	501,633	509,700
<b>Preferential Land:</b>	0	0		

**Transfer Information**

**Seller:** PULLER JR, EDWARD D      **Date:** 02/07/2008      **Price:** \$0  
**Type:** NON-ARMS LENGTH OTHER      **Deed1:** /19863/ 00233      **Deed2:**  
**Seller:** PULLER, MARY E      **Date:** 11/05/1998      **Price:** \$0  
**Type:** NON-ARMS LENGTH OTHER      **Deed1:** /08787/ 00054      **Deed2:**  
**Seller:** PULLER, MARY E      **Date:** 06/30/1998      **Price:** \$0  
**Type:** NON-ARMS LENGTH OTHER      **Deed1:** /03451/ 00629      **Deed2:**

**Exemption Information**

**Partial Exempt Assessments: Class      07/01/2023      07/01/2024**  
**County:** 000      0.00  
**State:** 000      0.00  
**Municipal:** 000      0.00/0.00      0.00/0.00

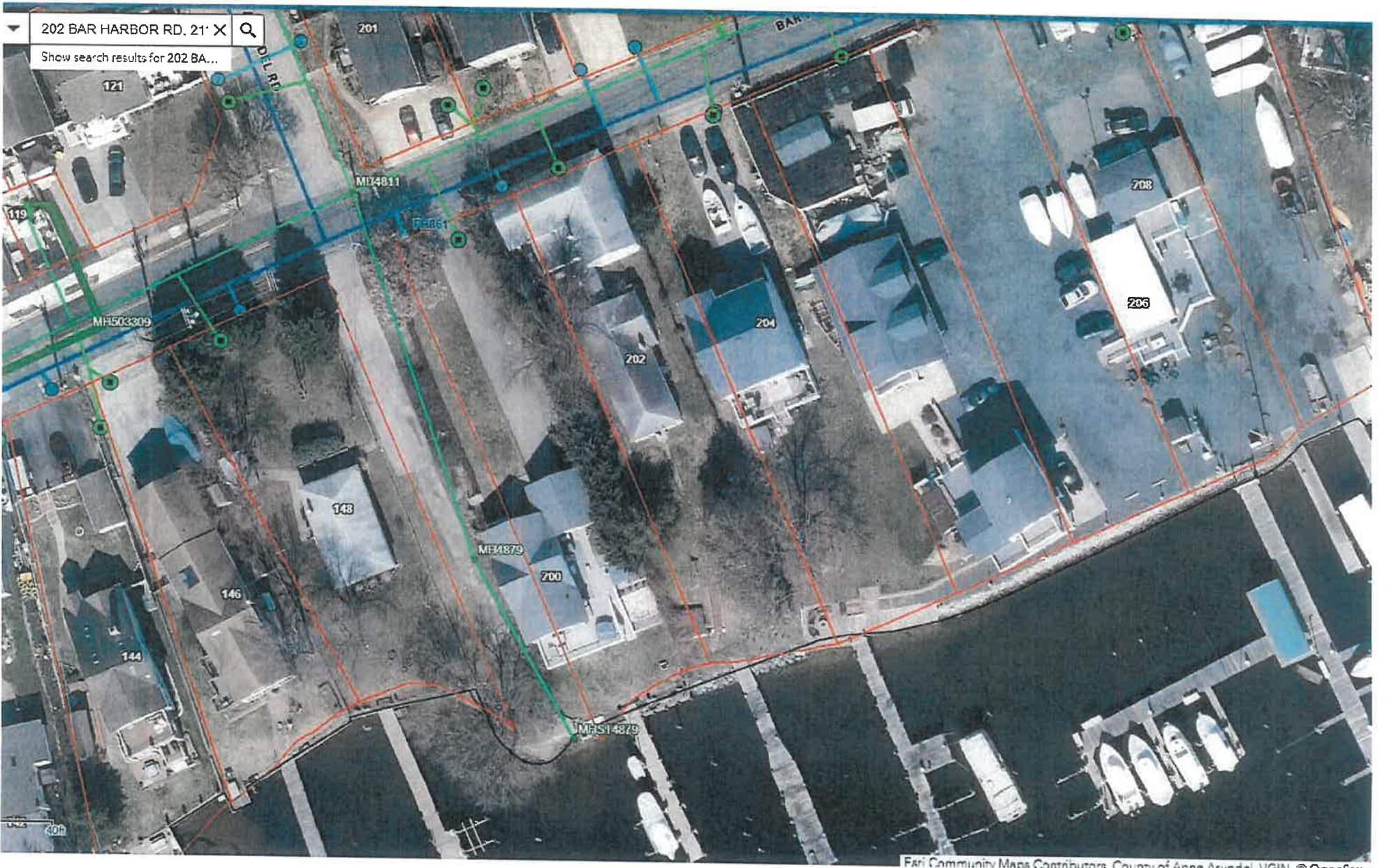
**Special Tax Recapture: None**

**Homestead Application Information**

**Homestead Application Status:** Approved 02/16/2010

**Homeowners' Tax Credit Application Information**

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

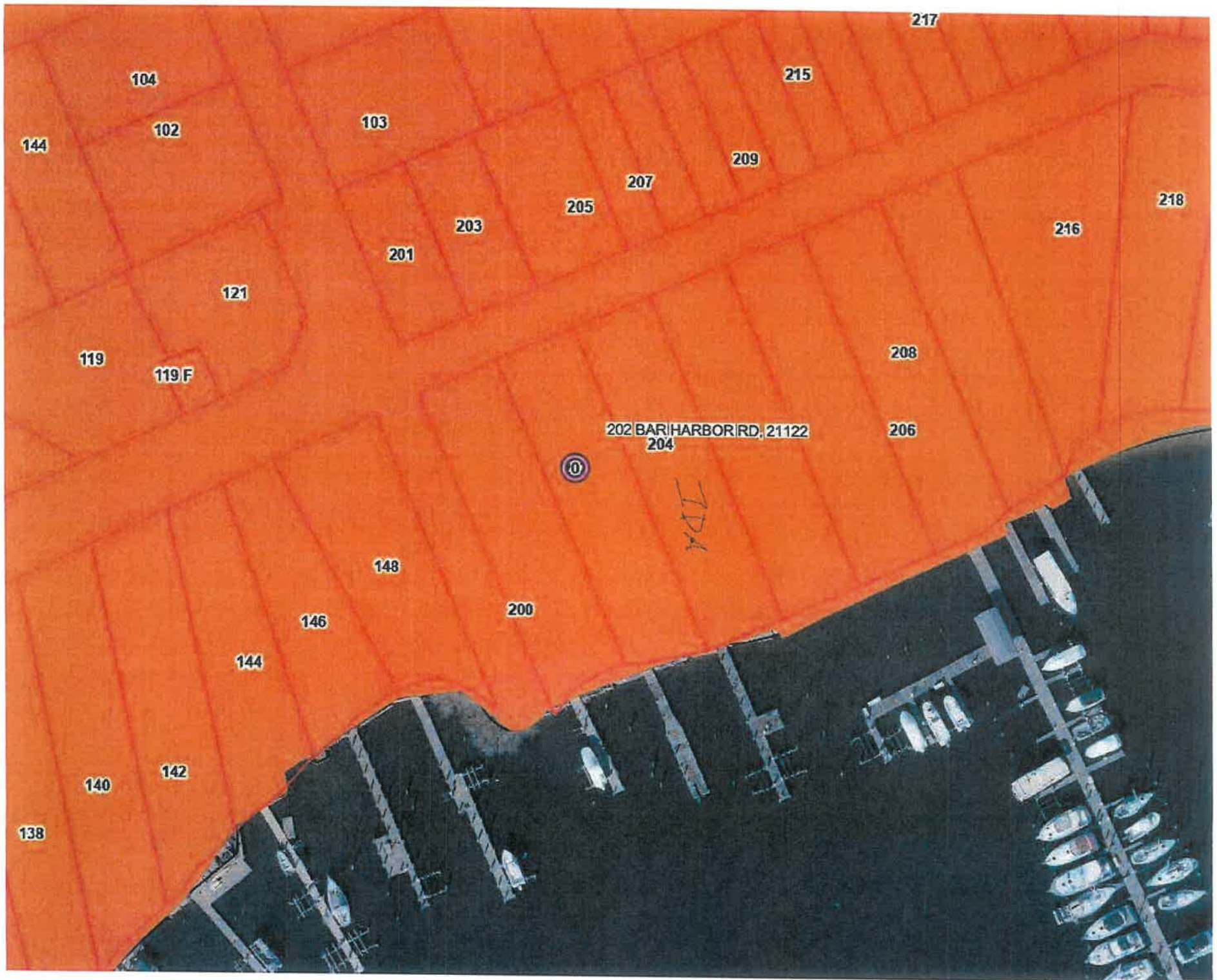


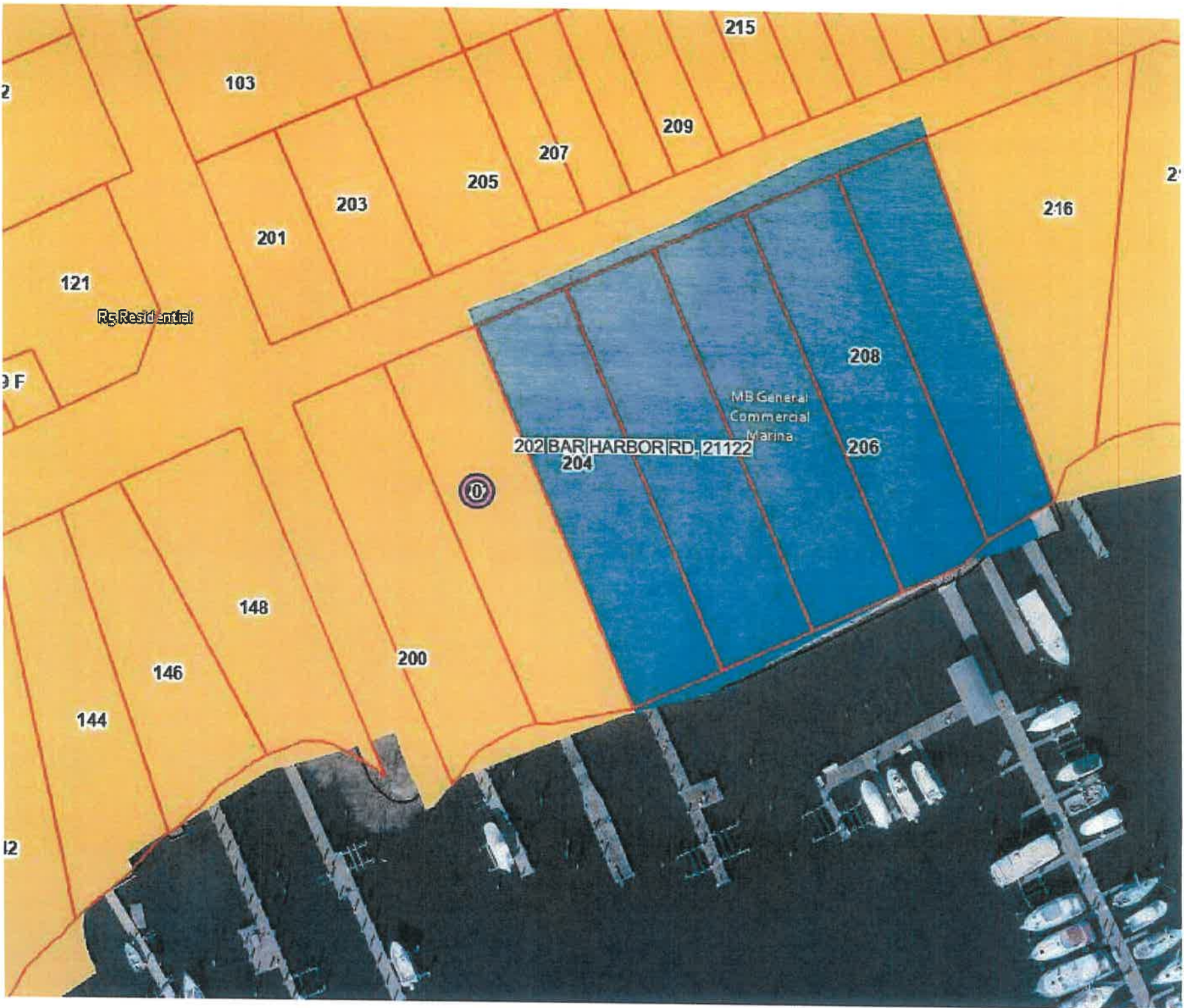
202 BAR HARBOR RD, 21' X



Show search results for 202 BA...









# National Flood Hazard Layer FIRMette



76°30'50"W 39°9'32"N



## Legend

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

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

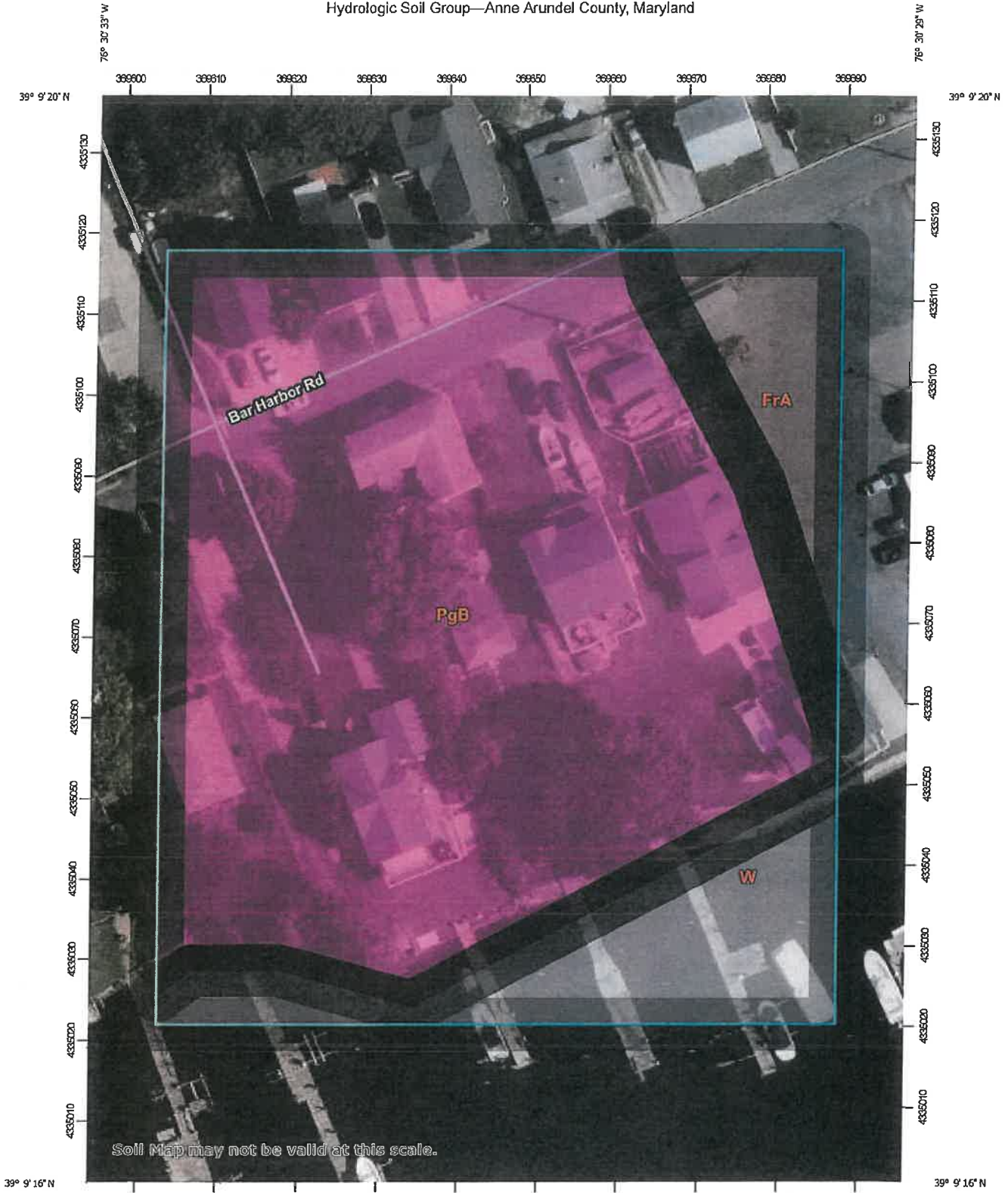
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 10/30/2024 at 8:04 PM 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



Map Scale: 1:656 if printed on A portrait (8.5" x 11") sheet.

































0 5 10 20 30 Meters

0 30 60 120 180 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84



### 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 23, Sep 6, 2024

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
FrA	Fallsington-Urban land complex, 0 to 2 percent slopes	B/D	0.2	8.3%
PgB	Patapsco-Fort Mott-Urban land complex, 0 to 5 percent slopes	A	1.6	79.1%
W	Water		0.3	12.5%
<b>Totals for Area of Interest</b>			<b>2.0</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*



**ANNE  
ARUNDEL  
COUNTY**

**MARYLAND**

**DEPARTMENT OF HEALTH**

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

**Tonii Gedin, RN, DNP**  
**Health Officer**

**MEMORANDUM**

**TO:** Sadé Medina, Zoning Applications  
Planning and Zoning Department, MS-6301

**FROM:** Brian Chew, Program Manager  
Bureau of Environmental Health

A handwritten signature in blue ink, appearing to be 'BC'.

**DATE:** December 4, 2024

**RE:** Jean Marie Cubello  
202 Bar Harbor Road  
Pasadena, MD 21122

**NUMBER:** 2024-0208-V

**SUBJECT:** Variance/Special Exception/Rezoning

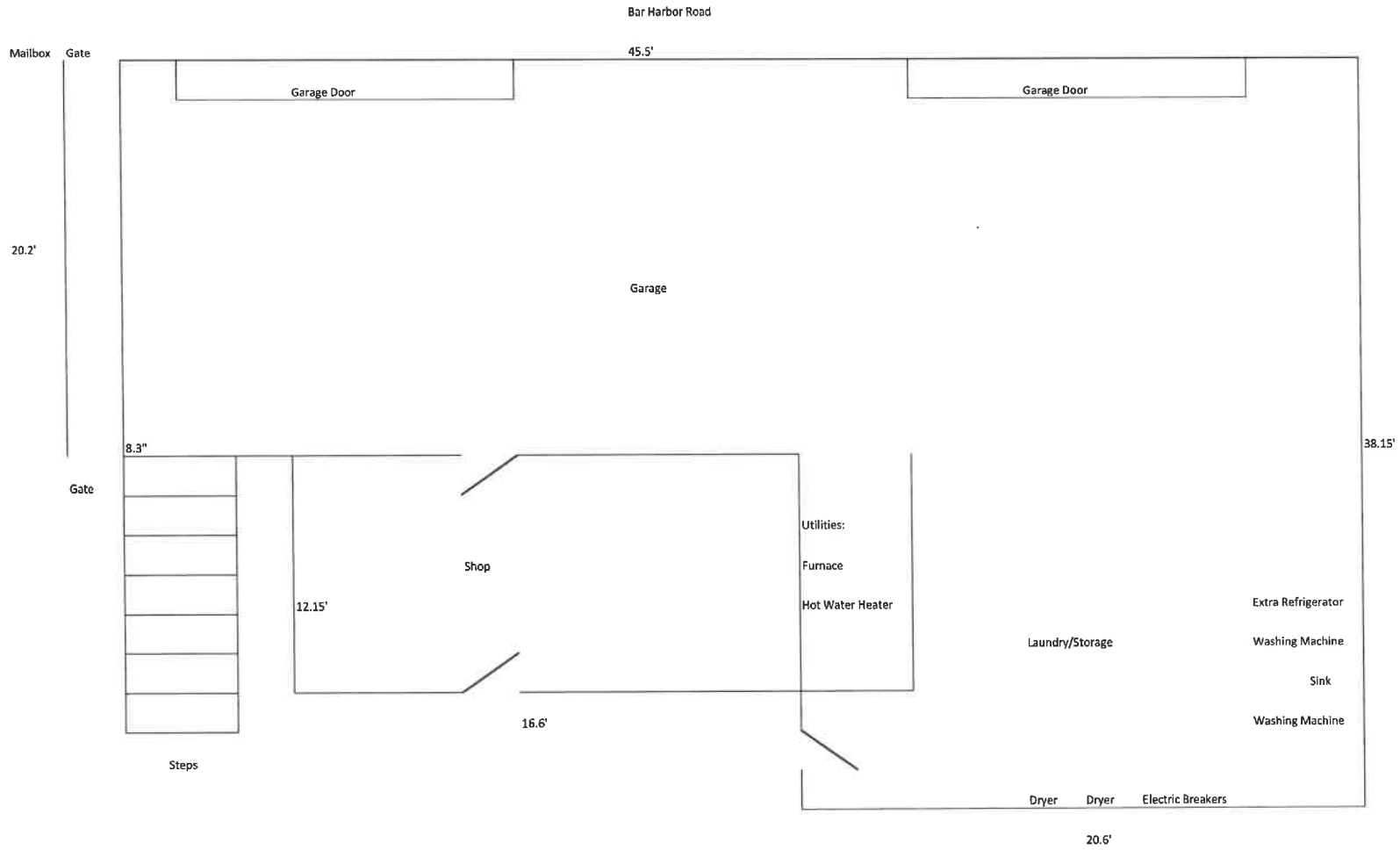
The Health Department has reviewed the above referenced variance to allow a dwelling and associated facilities with less setbacks than required, disturbance to slopes of 15% or greater and with new lot coverage nearer to the shoreline than the principal structure, and to allow an accessory structure (2-story garage with ADU) with less setbacks than required.

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

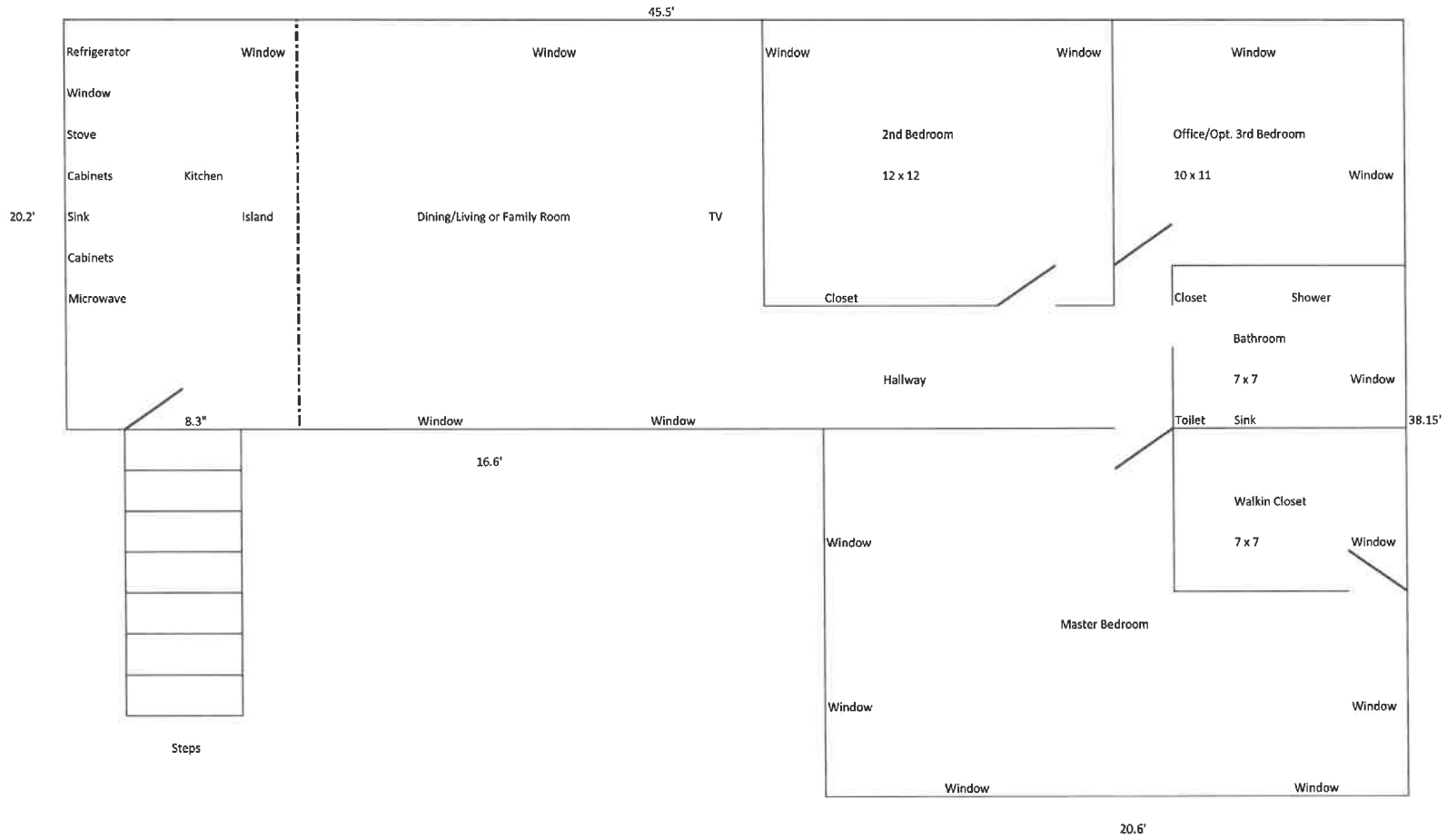
If you have further questions or comments, please contact Brian Chew at 410-222-7413.

**cc:** Sterling Seay

1st Floor



2nd Floor



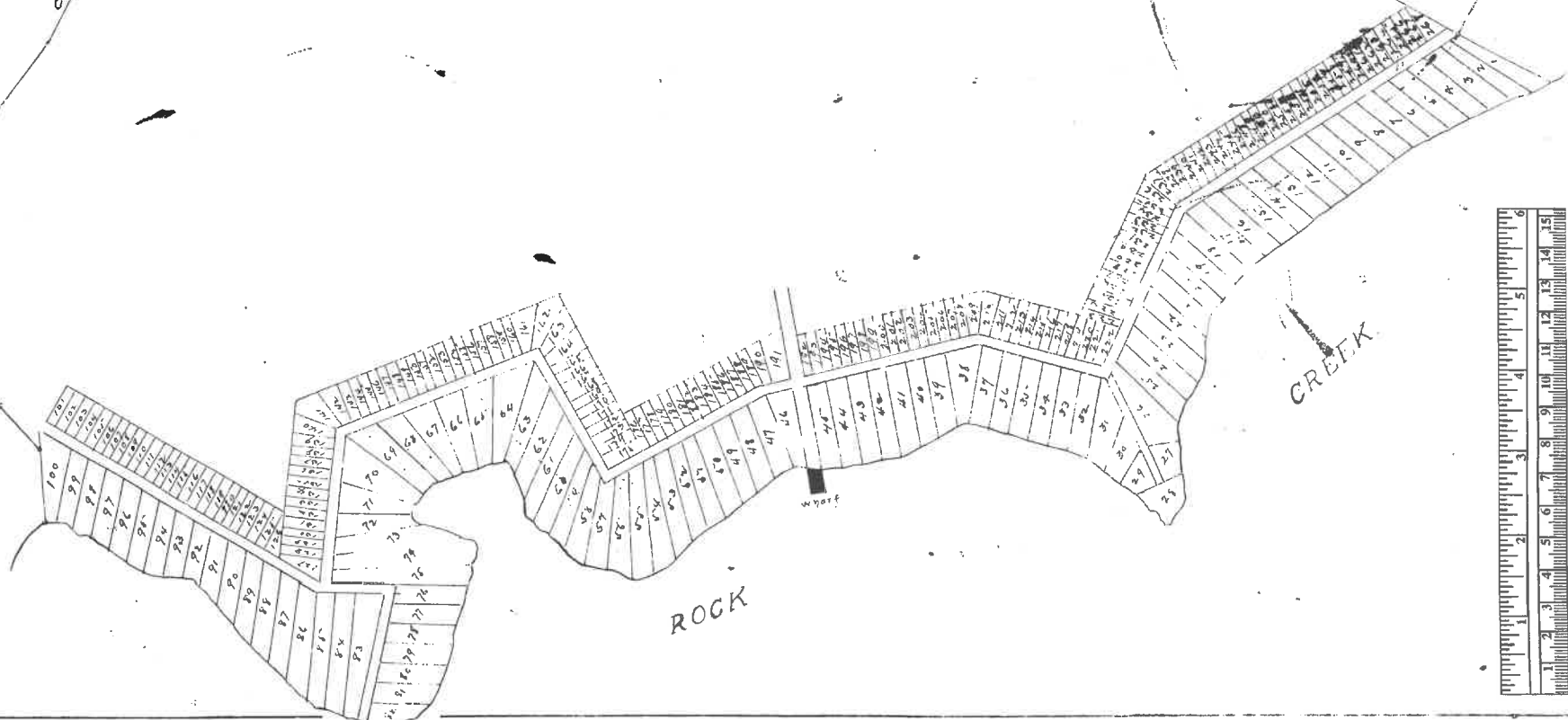


# BAR HARBOR

ENOCH P. JOHNSON,  
10 DISTRICT ANNE ARUNDEL CO., MD.  
Scale 1" = 200'  
J. Corson Boush  
County Surveyor  
12/13/20.

COUNTY

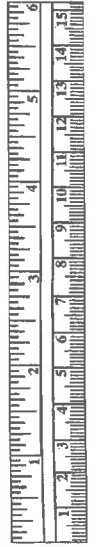
ROAD



ROCK

CREEK

wharf





## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE

**PRE-FILE #:** 2024-0091-P  
**DATE:** 09/26/2024  
**STAFF:** Joan A. Jenkins (OPZ)  
Kelly Krinetz (OPZ)  
Subhash Dhr (I&P)

**APPLICANT/REPRESENTATIVE:** Jean Cubello/Mike Gillespie (Messick & Assoc)

**EMAIL:** mgillespie@messicandassociates.com

**SITE LOCATION:** 202 Bar Harbor Rd, Pasadena

**LOT SIZE:** 10,193

**ZONING:** MB

**CA DESIGNATION:** IDA

**BMA:** yes or **BUFFER:**

**APPLICATION TYPE:** Variance

---

#### DESCRIPTION:

The applicant proposes to raze the existing building and 1-story house and construct a new dwelling with an integrated garage and waterside deck, and also to construct a detached garage 22'x38' labeled as 'in kind' on the site plan. The detached garage is in the place of part of an existing building. The new dwelling will be within the 100-foot BMA buffer, forward of an adjacent house and the construction will create temporary disturbance of steep slopes to install an underdrain for SWM.

#### COMMENTS:

##### **I & P Engineering:**

1. The site is located in the IDA of the Chesapeake Critical Area and in a Buffer Modification area.
  2. Approximately 50% of the proposed house is located in the 100 feet modified buffer Area.
  3. Two micro bio facilities are proposed for the stormwater management and one micro bio facility is located in the modified buffer area.
  4. The SWM, utility/Engineering design review for the site shall occur at the grading permit stage.
- Determination. We recommend that the development should be redesigned to remain outside of the buffer area. The decision is deferred to the Zoning Administration.

**Critical Area Team:** Defer to Zoning Administration with regard to all nonconforming and in-kind replacement determinations.

The existing dwelling on site is located outside of the 100 foot buffer. Article 17-8-702(b) states that an applicant shall not locate new coverage nearer to the shoreline than the existing dwelling and must design the proposed structures in order to maximize the buffer. The proposed development of this site does neither. The home is not pushed forward due to size, topography or unique characteristics of the lot but because a significant portion of the site will be encumbered by a proposed 22'x38' detached garage.

The improvements should be redesigned to remain outside of the buffer.

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

The letter of explanation for the pre-file indicates that this property is zoned MB when in fact it is zoned R5. The letter of explanation will need to be rewritten for the variance application.

Redevelopment of a site is an opportunity to comply with the Code.

“In-kind replacement” means the removal of a permanent structure and the construction of another permanent structure in the same location that is smaller than or identical to the original structure in use, footprint, area, height, width and length.

The applicant must verify how the entire structure is currently used so that we can determine if this is indeed an in-kind replacement. Please provide an existing floor plan. Replacement in kind must be of the same or a less intense use. If the use is different then the new detached garage will require a variance to the rear and side setbacks for R5 accessory structures. Additionally, the applicant should indicate in the letter of explanation why a new structure would not be able to meet the current setbacks on the lot and why an additional detached garage is necessary when there is an integrated garage in the dwelling. Of course, the garage could be moved to meet setbacks without any explanation.

Site Plan: Indicate the number of stories and the height (in feet) in the area of both the proposed house and the detached garage.

Provide calculations for coverage by structure and percentage. The R5 district allows a maximum of 40% coverage by structure. The IDA does not have an impervious cover limitation so it is unnecessary.

The proposed use says MB (General Commercial Marine). Is this not a residence/dwelling? The use of the property must conform to the use chart in 18-4-106 for the R5 District.

#### **INFORMATION FOR THE APPLICANT**

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

A variance to the requirements of the County’s Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.