

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

APPLICANT: Denise J. Pelletier, Trustee
Mario J. Pelletier, Trustee

ASSESSMENT DISTRICT: 2

CASE NUMBER: 2024-0190-V

COUNCIL DISTRICT: 6

HEARING DATE: January 14, 2025

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicants are requesting a variance to allow pilings (2 mooring and 2 boat lift) with less setbacks than required on property located at 684 North Riverside Drive in Crownsville.

LOCATION AND DESCRIPTION OF SITE

The waterfront site consists of 3,818 square feet of land and is located on the east side of North Riverside Drive. It is identified as Lot 2 in the Herald Harbor subdivision, Parcel 392 in Grid 17 on Tax Map 31. The property is zoned R5 - Residential District, lies entirely within the Chesapeake Bay Critical Area IDA – Intensely Developed Area, and is mapped as a BMA – Buffer Modification Area. It is currently improved with a single-family detached dwelling with associated facilities, including a pier, pilings and boat lifts.

PROPOSAL

The applicants propose to remove the existing deck along the shoreline, pier, and pilings, and to install a new pier (6' x 54'), two (2) mooring pilings, and two (2) boat lift pilings.

REQUESTED VARIANCES

§ 18-2-404(b) of the Anne Arundel County Zoning Ordinance provides that a private pier or mooring piling shall be located at least 15 feet from a lot line extended.

As proposed:

- On the north side of the pier, the outermost mooring piling will be as close as 9 feet to the northern side lot line extended, and the innermost mooring piling will be as close as 6 feet to the northern side lot line extended, necessitating variances of 6 feet and 9 feet, respectively.
- On the south side of the pier, the outermost boat lift piling will be as close as 6 feet to the southern side lot line extended, and the innermost boat lift piling will be as close as 9 feet to the southern side lot line extended, necessitating variances of 9 feet and 6 feet, respectively.

FINDINGS

The subject property is undersized and narrow for a lot in the R5 District with regards to the minimum lot size of 7,000 square feet and the minimum lot width of 60 feet. A review of the County aerial photography shows that the subject property and other nearby waterfront lots on Valentine Creek contain piers, boat lifts and other associated improvements. As many of the lots along this shoreline are narrow, the piers are all in close proximity to each other.

Building permit, B02430995, for the installation of a timber bulkhead, and to remove and install a pier and four (4) pilings, was submitted on October 10, 2024. Variance approval must be obtained prior to the building permit being issued.

The applicants' letter states that the existing pier has multiple size docks, two boat lifts and one slip, which are over 30 years old, and are located within the setbacks. They explain that their proposal will reduce the overall footprint and the encroachment of the pier and mooring pilings.

Agency Comments

The **Development Division (Critical Area Team)** noted that the proposed marine construction has been reviewed under building permit B02430995, the property line extensions have been extended correctly, and has no objection to the variance request.

The **Health Department** has determined that the proposed request does not adversely affect the on-site sewage disposal system, and has no objection.

Variance Criteria

For the granting of a variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular lot, or because of exceptional circumstances other than financial considerations, strict implementation of the Code would result in practical difficulties or an unnecessary hardship.

In this particular case, the subject property is narrow with a pier made up of irregularly shaped platforms to create three slips, two with boat lifts. The existing pier and pilings are as close as four feet to the northern lot line extended and as close as two feet to the southern lot line extended. The applicants wish to replace the existing pier and pilings with a linear pier, generally centered along the shoreline, and mooring pilings along either side to provide two slips, one with a boat lift. The proposed pier will not encroach into the setbacks, and while the proposed pilings on either side will, their encroachment will be less than that of the existing pilings.

Piers with associated slips are a common feature of waterfront properties, and this neighborhood contains many piers and pilings which appear to be nonconforming with regard to setbacks. Based on the applicants' proposal, additional space will be provided between the applicants' and the adjacent piers and slips. Therefore, the proposed variance will not alter the essential character of the neighborhood, will not be detrimental to the public welfare, will not impair the appropriate

use or development of adjacent property, and will not impede navigation to any abutting property. As such, this Office supports the requested variances.

RECOMMENDATION

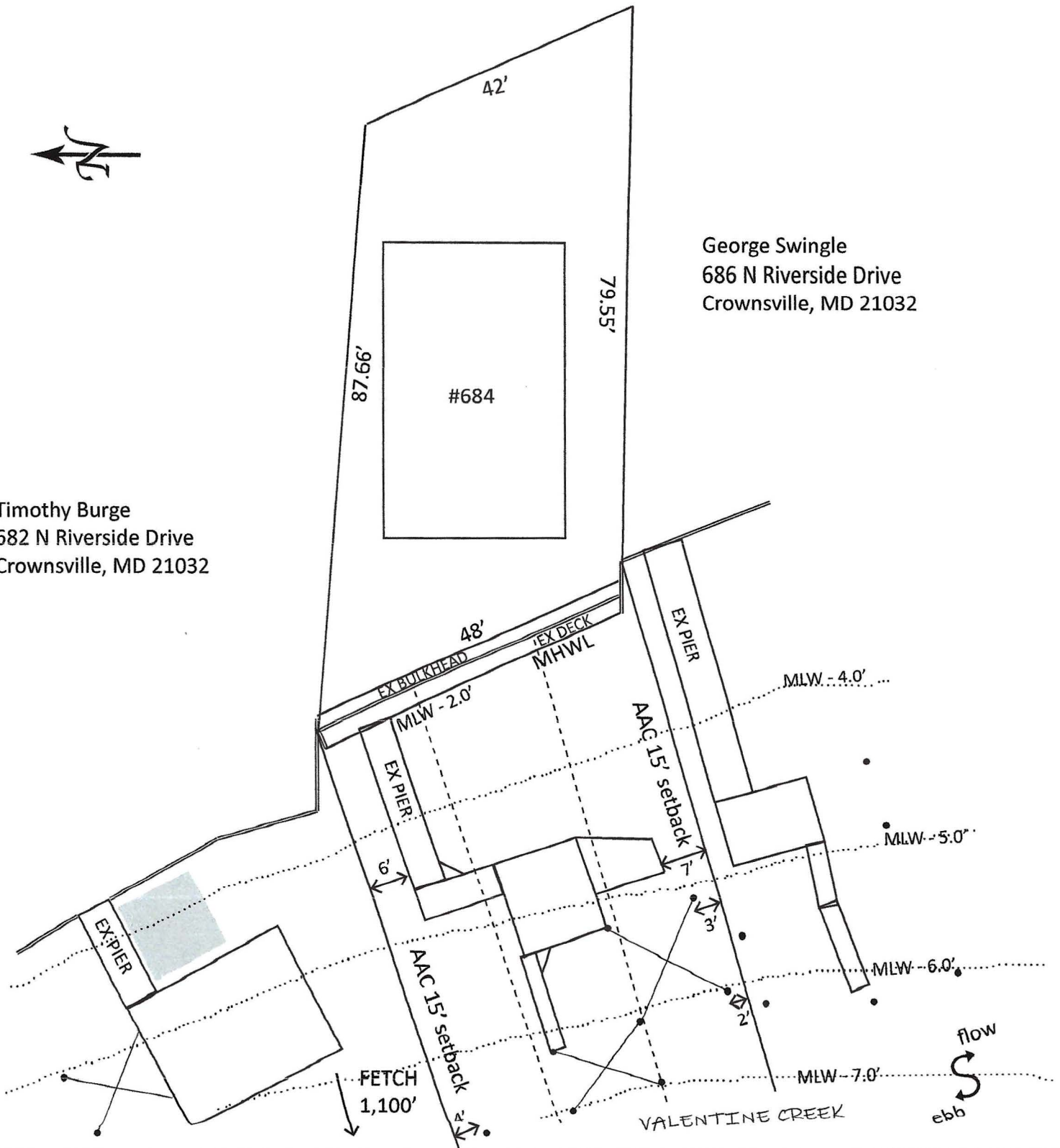
Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends *approval* of the requested variances to § 18-2-404(b) to allow four (4) mooring pilings with less setbacks than required, as shown on the site plan.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) shall apply for and obtain the necessary building permits and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.



George Swingle
686 N Riverside Drive
Crownsville, MD 21032

Timothy Burge
682 N Riverside Drive
Crownsville, MD 21032



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SCALE 1" = 20'

EXISTING CONDITIONS - AAC VARIANCE

NOTES: No mapped SAV are present.
All construction is by water access.
All pile measurements are center to center.

This plan is for permit use only by RKN Marine Permits & Services.
All measurements, water depths, extended property lines, and setbacks are approximate.
For precise property boundary measurements, owner should conduct a boundary survey.

FOR PERMIT USE ONLY BY:

RKN
Marine Permits & Services
1160 Indian Landing Road
Millersville, MD 21108
renee.norris@rknmarinepermits.com
410-923-0262

OWNER/APPLICANT:

Mario Pelletier, Trustee
684 N Riverside Drive
Crownsville, MD 21032
02-413-07372400
AAC/Valentine Creek
9/26/2024

PROPOSED CONSTRUCTION:

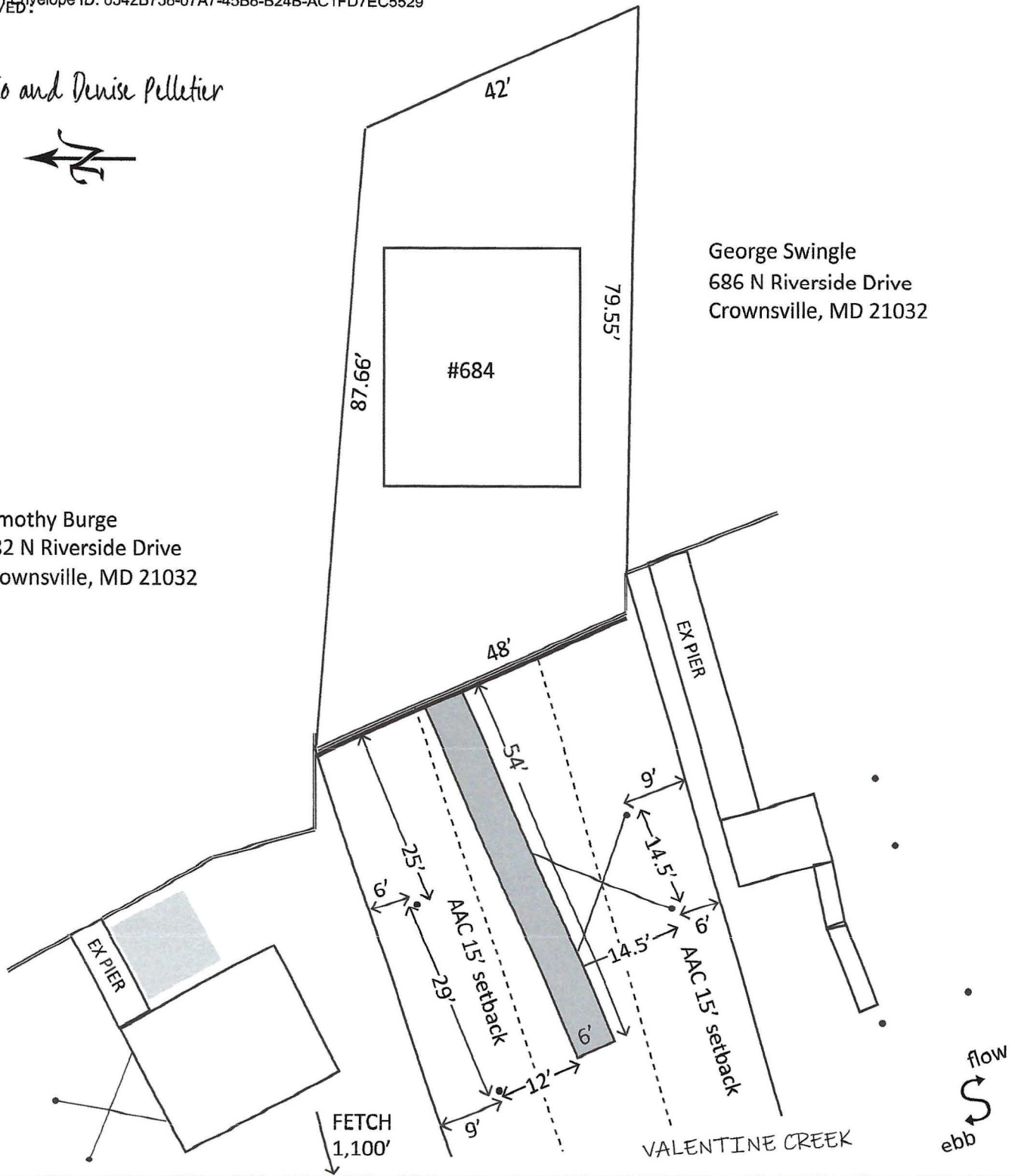
Install 48' timber bulkhead 18" channelward of existing timber bulkhead.
Remove land deck, existing pier, and pilings.
Install 6' x 54' pier. Install 2 mooring piles.
Install 2 boat lift piles.

Mario and Denise Pelletier



George Swingle
 686 N Riverside Drive
 Crownsville, MD 21032

Timothy Burge
 682 N Riverside Drive
 Crownsville, MD 21032



PAGE 10 OF 13

SCALE 1" = 20'

PROPOSED CONSTRUCTION - AAC VARIANCE

NOTES: No mapped SAV are present.
 All construction is by water access.
 All pile measurements are center to center.

This plan is for permit use only by RKN Marine Permits & Services.
 All measurements, water depths, extended property lines, and setbacks are approximate.
 For precise property boundary measurements, owner should conduct a boundary survey.

FOR PERMIT USE ONLY BY:

RKN Marine Permits & Services
 1160 Indian Landing Road
 Millersville, MD 21108
 renee.norris@rknmarinepermits.com
 410-923-0262

OWNER/APPLICANT:
 Mario Pelletier, Trustee
 684 N Riverside Drive
 Crownsville, MD 21032
 02-413-07372400
 AAC/Valentine Creek
 9/26/2024

PROPOSED CONSTRUCTION:
 Install 48' timber bulkhead 18" channelward of existing timber bulkhead.
 Remove land deck, existing pier, and pilings.
 Install 6' x 54' pier. Install 2 mooring piles.
 Install 2 boat lift piles.



Renee Norris
1160 Indian Landing Road
Millersville, MD 21108
410-923-0262 - renee.norris@comcast.net

LETTER OF EXPLANATION
AAC Variance Application
OWNER: Mario and Denise Pelletier, Trustees
684 N Riverside Drive, Crownsville, MD 21032
9/26/2024

Property Information: Parcel 392, Block 17, Lot 2, Map 31, Subdivision –Herald Harbor.
Zoned R5 Residential District. The waterfront lot is located on Valentine Creek, off the Severn River.
Chesapeake Bay Critical Area – Intensely Developed Area (IDA).

Existing Conditions: The lot has 48 feet of water frontage. There is an existing pier with multiple size decks, two boat lifts, and one slip. The pier is over 30 years old. The existing piers on both sides are located inside the Anne Arundel County 15-foot setback. The extended property lines on both sides were drawn using the method, Generally Parallel with Existing Piers.

Proposed Construction: Install 48’ timber bulkhead 18” channelward of the existing timber bulkhead. Remove existing land deck, pier, and pilings. Install 6’ x 54’ pier. Install 2 mooring piles. Install 2 boat lift piles.

Variance Requested: North side - Variance of 6 feet and 9 feet for mooring piles.
South side – Variance of 9 feet and 6 feet for boat lift piles.

Adjacent Property Owners:

Timothy Burge – 682 N Riverside Drive, Crownsville, MD 21032 (North)
George Swingle – 686 N Riverside Drive, Crownsville, MD 21032 (South)

Justification:

- The community is zoned Intensely Developed Area, causing the neighboring piers to be located inside the AAC 15-foot setback and requiring this proposed pier to do the same.
- The existing pier has multiple size docks, two boat lifts and one slip. The proposed pier will reduce the footprint down to one 6-foot x 54-foot pier, with one boat lift and one slip.
- The existing boat lift piles are currently located as close as 2 feet from the extended property line to the South. The proposed boat lift piles will be located 6 feet and 9 feet from the EPL to the South.
- The existing mooring pile to the North is located 4 feet from the EPL to the North. The proposed mooring piles will be located 6 feet and 9 feet from the extended property line.
- Therefore, the homeowner is asking for the minimum necessary to afford relief – one 6-foot by 54-foot straight pier, one boat lift, and one slip, thereby significantly reducing the existing footprint of the pier and pilings.

Critical Area Report: This is a residential property. The proposed pier will be located channelward of the MHWL. Therefore, no land disturbance will occur. No trees or shrubs will be removed. Impact on water quality and habitat – N/A. Impervious surface will increase by 0 SF after proposed construction. There are no wildlife habitats of local significance.

Mario and Denise Pelletier

10/2/2024 | 3:43 PM EDT

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Menu Cancel Help

Task Details **OPZ Critical Area Team**

Assigned Date

10/14/2024

Assigned to

Melanie Mathews

Current Status

Complete w/ Comments

Action By

Melanie Mathews

Comments

The proposed marine construction has been reviewed under building permit B02430995. The property line extensions have been extended correctly based on the most current conditions. The critical area section of OPZ has no objection to the variance request.

End Time**Billable**

No

Time Tracking Start Date**In Possession Time (hrs)****Estimated Hours**

0.0

Comment Display in ACA

- All ACA Users
- Record Creator
- Licensed Professional
- Contact
- Owner

Due Date

11/01/2024

Assigned to Department

OPZ Critical Area

Status Date

10/14/2024

Overtime

No

Start Time**Hours Spent**

0.0

Action by Department

OPZ Critical Area

Est. Completion Date

Display E-mail Alerts

Display Comments

Task Specific Information

Expiration Date**Reviewer Phone Number**

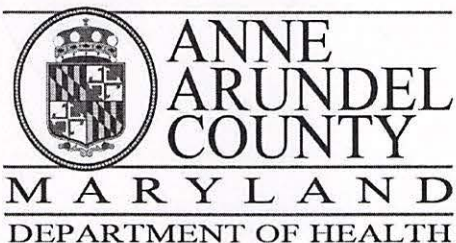
410-222-6136

Review Notes**Reviewer Email**

PZMATH20@aaacounty.org

Reviewer Name

Melanie Mathews



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

Tonii Gedin, RN, DNP
Health Officer

MEMORANDUM

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

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

DATE: October 21, 2024

RE: Denise J. Pelletier
684 North Riverside Drive
Crownsville, MD 21032

NUMBER: 2024-0190-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow pilings (2 mooring and 2 boat lift) with less setbacks than required.

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

684 N Riverside Drive (2024-0190-V)



Legend

Foundation


Addressing



Parcels



Parcels - Annapolis City



0 35 70 ft

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. DO NOT USE FOR NAVIGATION.

none

Notes