

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


APPLICANT: Maureen O’Neill

ASSESSMENT DISTRICT: 3rd

CASE NUMBER: 2024-0200-V

COUNCILMANIC DISTRICT: 5th

HEARING DATE: January 21, 2025

PREPARED BY: Donnie Dyott Jr. 
Planner

REQUEST

The applicant is requesting a variance to allow dwelling additions (deck and porch) with less setbacks and buffer than required and with disturbance to slopes of 15% or greater on property located at 490 Old Orchard Circle in Millersville.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 20,422 square feet of land and is identified as Lot 11 of Parcel 370 in Block 1 on Tax Map 31 in the Point Field Landing subdivision. The subject property is zoned R2 - Residential District and is a non-waterfront property located within the Chesapeake Bay Critical Area with a designation of LDA - Limited Development Area. The site is currently improved with a single family detached dwelling and associated facilities.

APPLICANT’S PROPOSAL

The applicant proposes to remove an existing deck and access steps and to construct a new deck and porch with access steps on the rear of the existing dwelling. Also proposed to be removed is an existing shed.

REQUESTED VARIANCES

§ 17-8-201(a) of the Code stipulates that development in the Limited Development Area (LDA) may not occur within slopes of 15% or greater unless development will facilitate stabilization of the slope; is to allow connection to a public utility; or is to provide direct access to the shoreline. The proposed deck and porch will disturb approximately 44 square feet of steep slopes, necessitating a variance to this provision. Exact slope disturbance will be determined at the time of permit.

§ 18-13-104(a) of the Code requires that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams and tidal wetlands. § 18-13-104 (b) provides for an expanded buffer where there are contiguous steep slopes of 15% or more and is to 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 from the top of the slopes. § 17-8-301 of the Subdivision Code states that development on properties containing buffers shall meet the requirements of Title 27 of the State Code of Maryland (COMAR). § 27.01.01 (B) (8) (ii) of COMAR states a buffer exists “to protect a stream tidal wetland tidal waters or terrestrial environment from human disturbance.” § 27.01.09 E. (1) (a) (ii) of COMAR authorizes disturbance to the buffer for a new development activity or redevelopment activity by variance. The proposed improvements are located within the expanded buffer to Bear Branch stream,

necessitating a variance to this provision. Exact buffer disturbance will be determined at the time of permit.

No setback variances are required.

FINDINGS

The property is of adequate size and width for a lot in the R2 District. According to the site plan, the total lot coverage after development will be 3,440 square feet which is within the allowable limit and represents a decrease of 17 square feet from the existing lot coverage. Exact lot coverage calculations will be determined at the time of permit.

The applicant describes that the current deck is unsafe due to rot and needs to be replaced. It is argued that the presence of steep slopes makes a variance necessary to replace the existing deck and the proposed improvements are smaller than what is existing. Additionally the proposal results in a reduction of the Critical Area lot coverage onsite.

The **Health Department** commented that it has no objection to the variance request as the proposal does not adversely affect the on-site sewage disposal system.

The **Development Division (Critical Area Team)** has no objection to the request and commented that the proposed deck is smaller than the current deck and remains inside the footprint of the existing improvements.

The **Critical Area Commission** had no comment other than appropriate mitigation is required.

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

Because of certain unique physical conditions, such as exceptional topographical conditions peculiar to and inherent in the particular lot or irregularity, narrowness, or shallowness of lot size and shape, strict implementation of the County's critical area program would result in an unwarranted hardship or practical difficulty. In this case a large portion of the property is encumbered by steep slopes and the buffer to the stream. Due to these factors, any work on the rear of the dwelling would be impossible without relief from the Code and some relief is warranted.

A literal interpretation of the County's critical area program may deprive the applicant of rights that are commonly enjoyed by other properties in similar areas. The granting of the variance will not confer on the applicant a special privilege that would be denied by COMAR, Title 27. This request is not a result of actions by the applicant and does not arise from any condition relating to land or building use on any neighboring property. There is no evidence that the proposal will adversely affect water quality, impact fish, wildlife or plant habitat and the proposal is in harmony with the general spirit and intent of the County's critical area program.

With regard to the requirements for all variances:

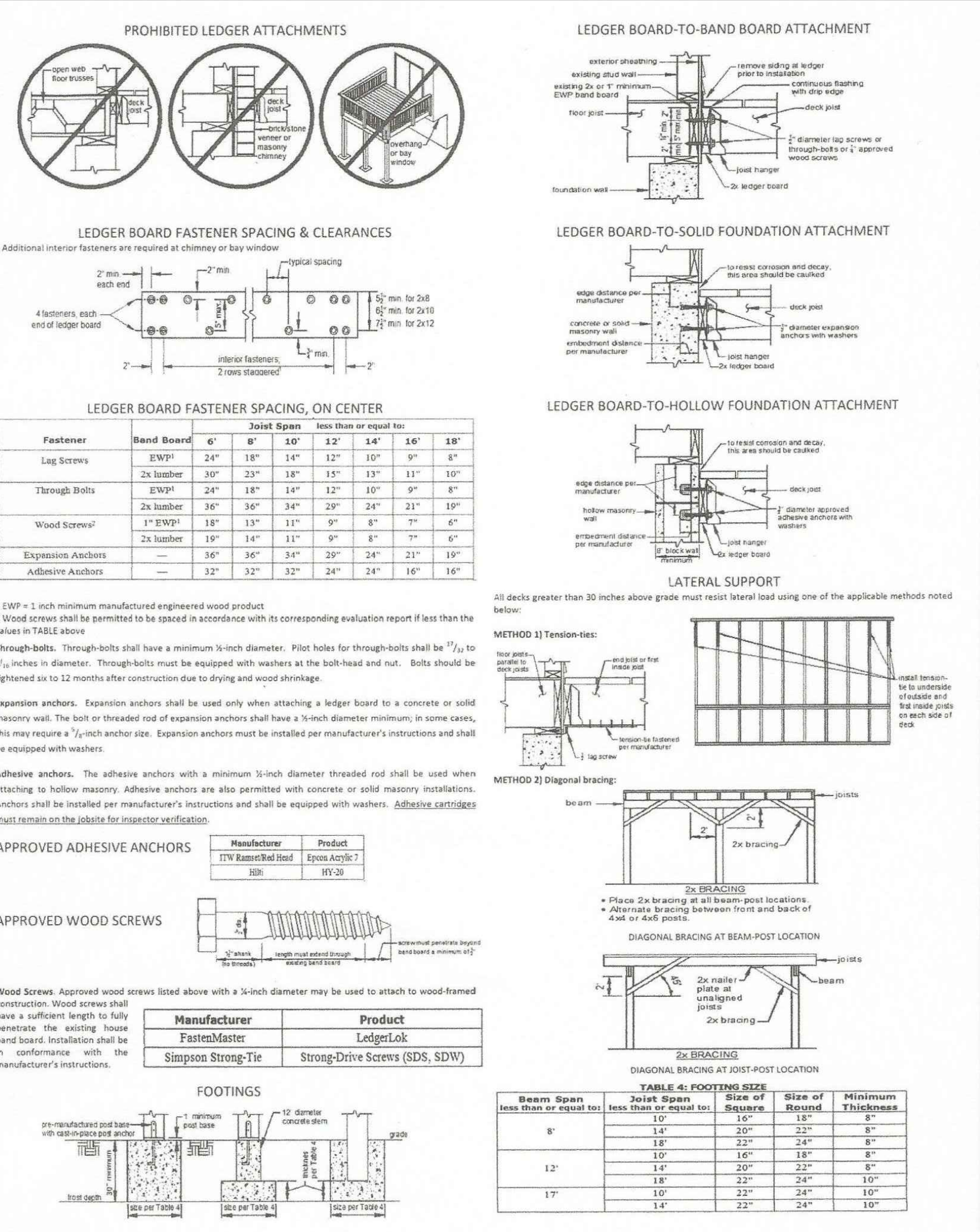
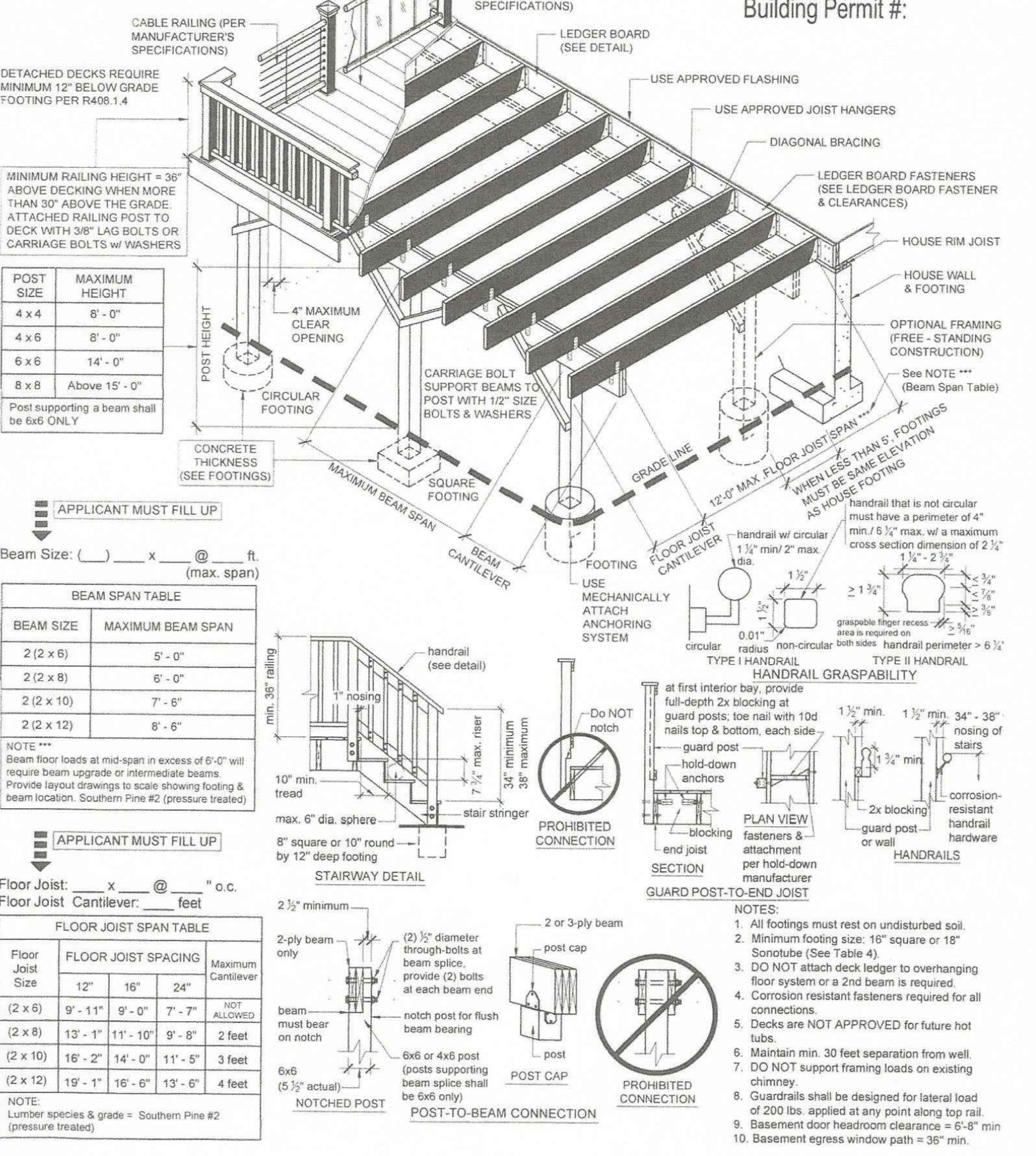
There is no evidence that the proposal will alter the essential character of the neighborhood, impair the appropriate use or development of adjacent property or be detrimental to the public welfare. Additionally, the proposal is considered to be the minimum necessary by this Office. The proposed improvements are located within the footprint of the existing improvements and results in a reduction of lot coverage.

2024-0200-V

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends *approval* of the proposed variances for the construction of the dwelling additions 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.



OVERALL ONSITE AREA TABULATION

| HOUSE | EX. REMOVED | PROPOSED | TOTAL |
|------------|-------------|----------|-------|
| HOUSE | 1,948 | 0 | 1,948 |
| COV. PORCH | 38 | 0 | 227 |
| DRIVEWAY | 775 | 0 | 775 |
| SIDEWALK | 92 | 0 | 92 |
| GRAVEL | 398 | 0 | 398 |
| CONC. PAD | 150 | 0 | 0 |
| SHED | 56 | 0 | 0 |
| TOTAL | 3,457 | 56 | 3,440 |

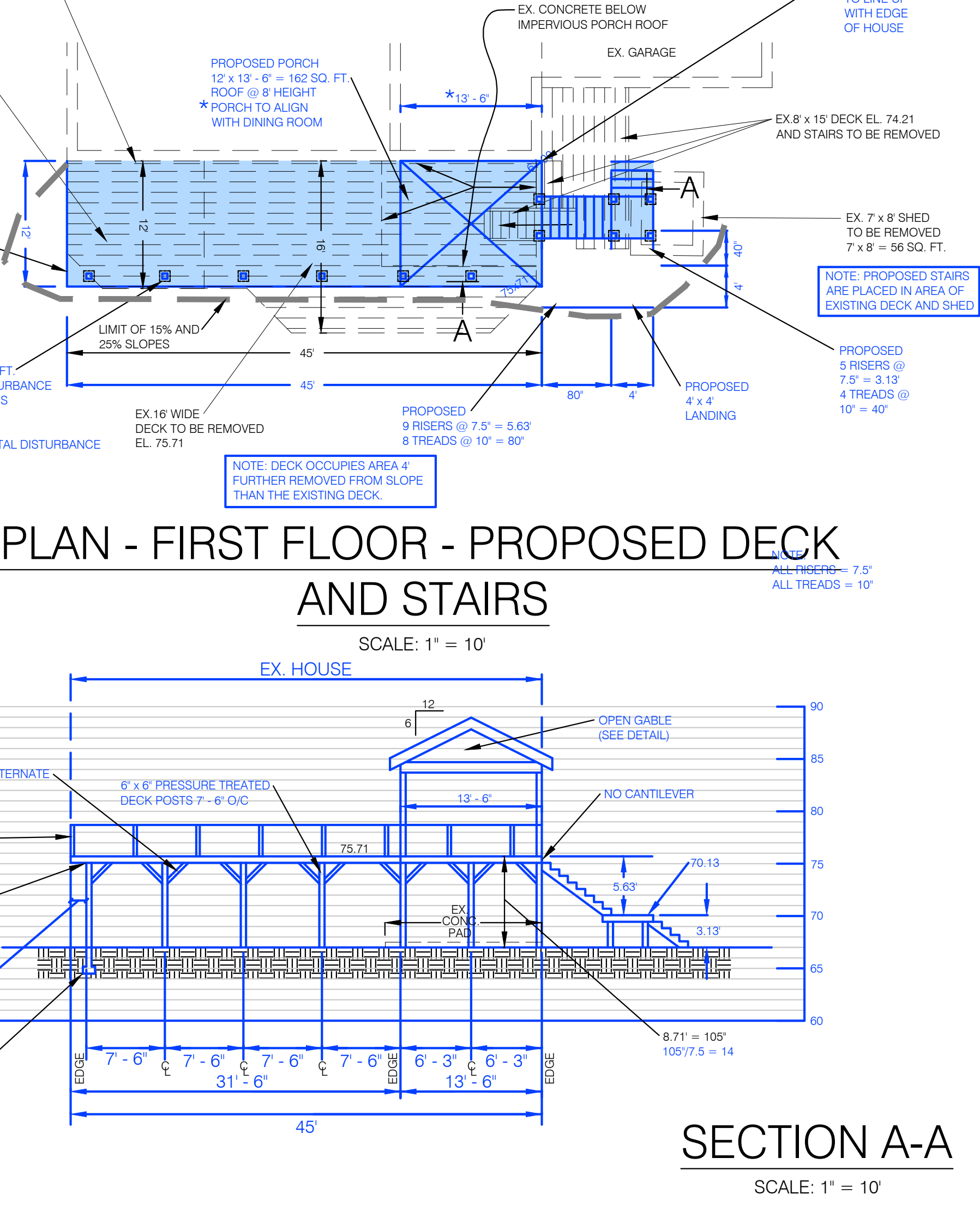
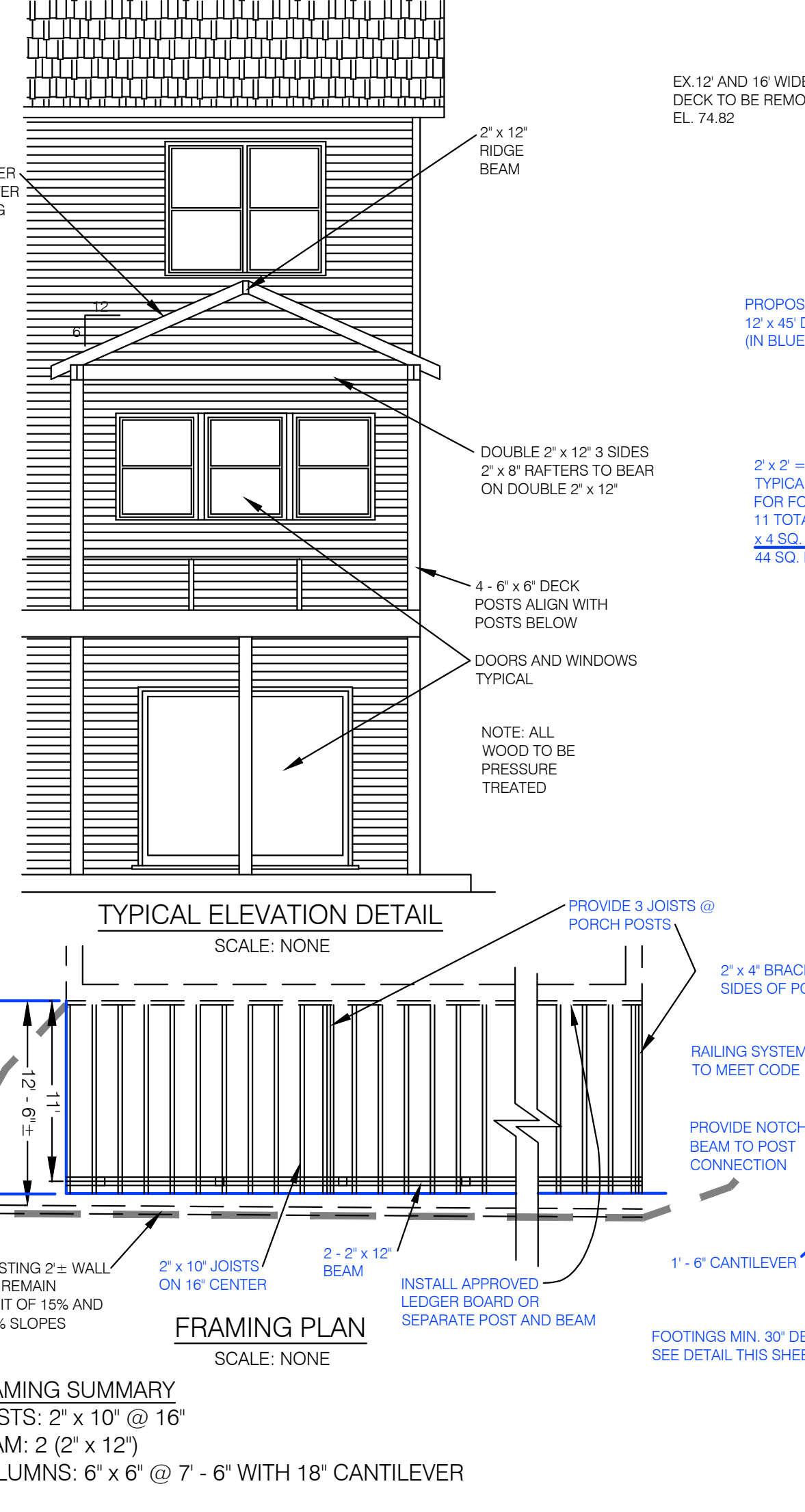
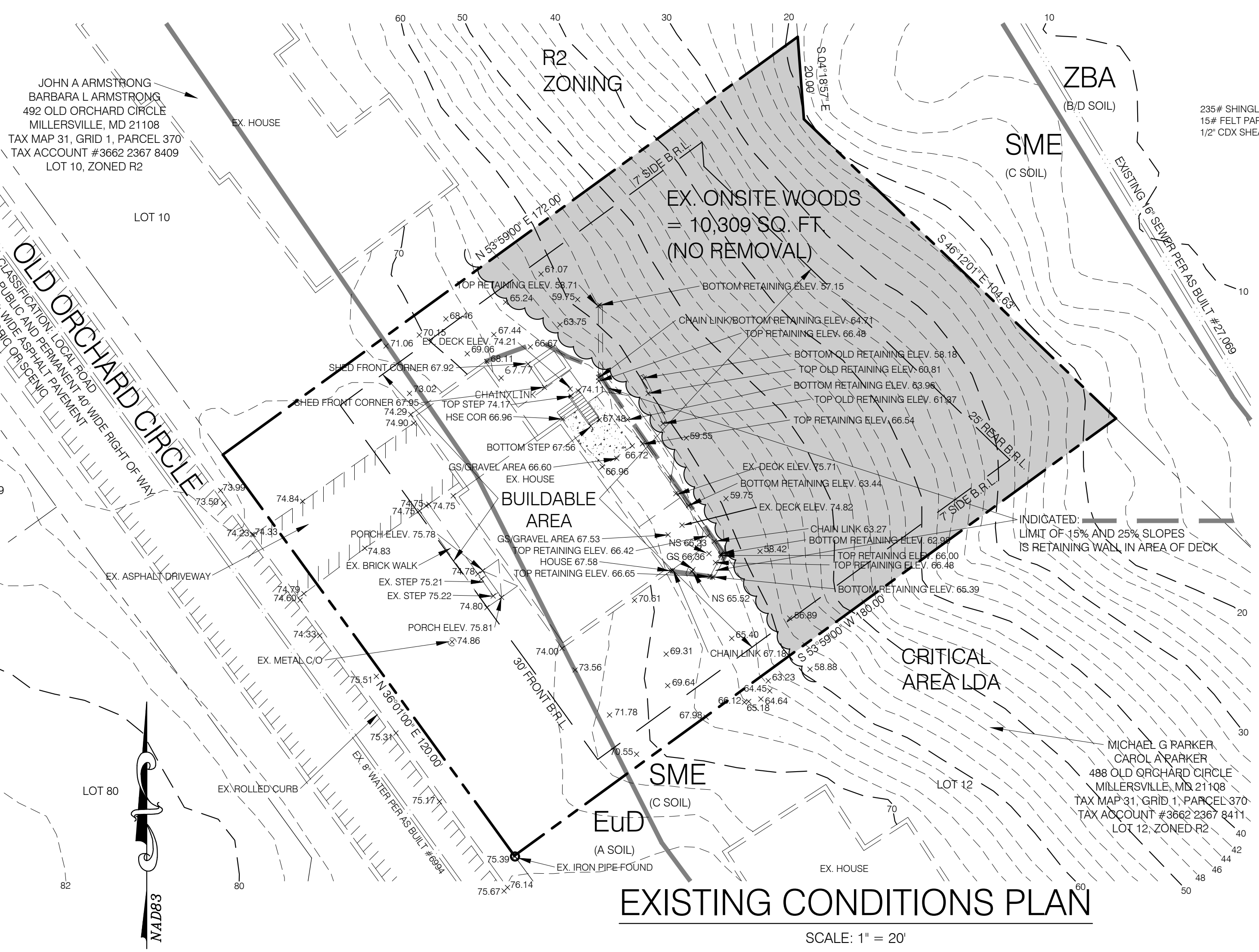
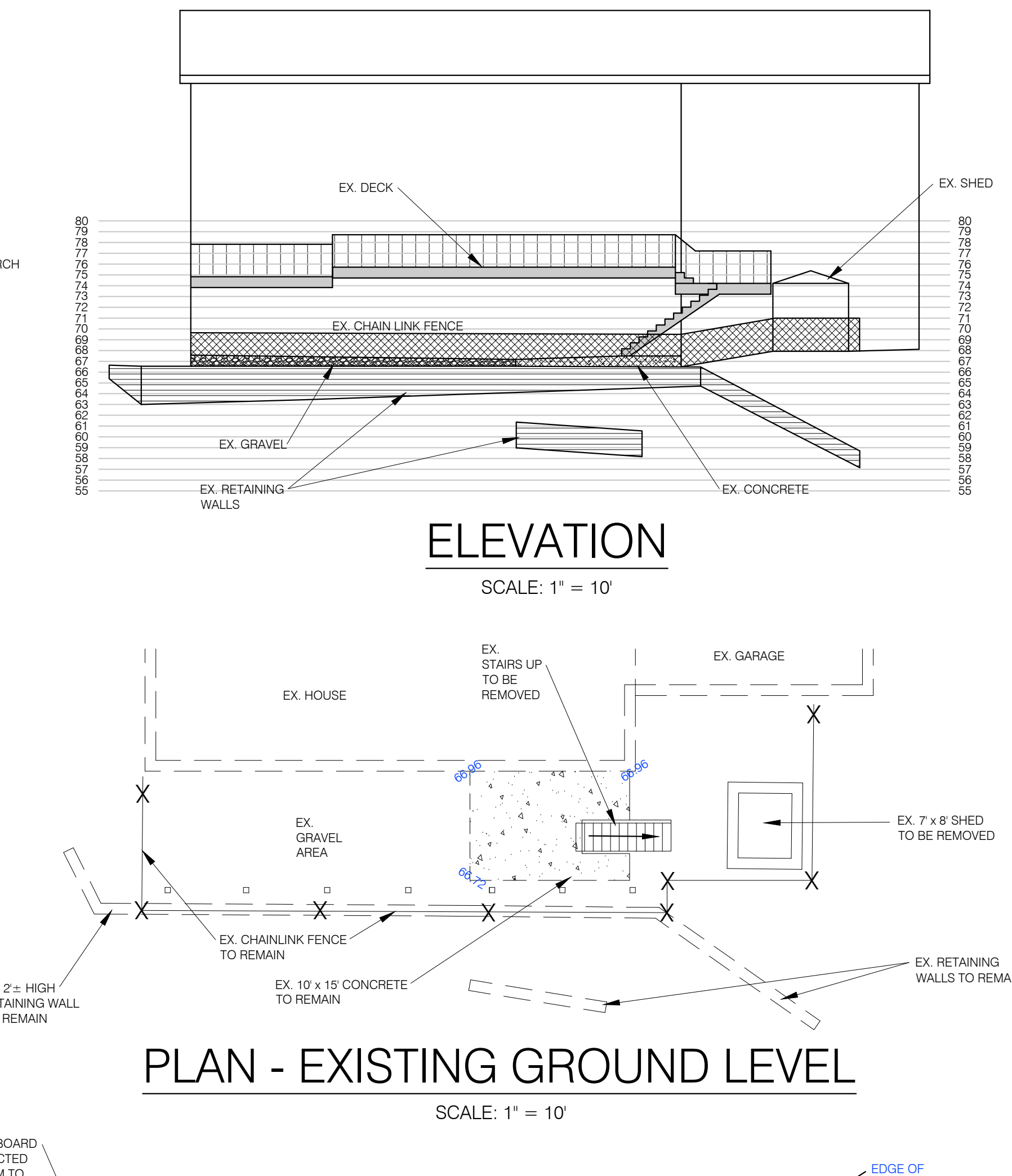
EX. TO BE REMOVED: 16.9% OF SITE
PROPOSED: 16.8% OF SITE

CRITICAL AREA NOTES

- CRITICAL AREA LDA
- PROJECT IS APPROXIMATELY REPLACEMENT IN KIND TO BE REMOVED: 12' x 20' = 240 SQ. FT., 16' x 25' = 400 SQ. FT., 8' x 15' = 120 SQ. FT. TOTAL REMOVED IS 760 SQ. FT. PROPOSED: 14' x 45' = 630 SQ. FT. THE DECREASE IN DECK AREA IS 130 SQ. FT.
- NO INCREASE IN IMPERVIOUS AREA: PROPOSED PORCH: 12' x 13.5' = 162 SQ. FT. EX. IMPERVIOUS CONCRETE BELOW: 10' x 15' = 150 SQ. FT. NET PORCH INCREASE: 12 SQ. FT. EX. SHED TO BE REMOVED: 7' x 8' = 56 SQ. FT. THE DECREASE IN IMPERVIOUS AREA IS 44 SQ. FT.
- TOTAL DISTURBANCE = 44 SQ. FT. 11 FOOTINGS x 4 SQ. FT./FOOTING = 44 SQ. FT.

VARIANCE REQUEST

CONSTRUCT 12x45 DECK 'IN KIND'
CONSTRUCT 12x13' 6" COVERED ROOF OVER DECK. CONSTRUCT 4' WIDE STEPS WITH A 4x4 LANDING.



GAMMA ENGINEERING

1203A West Street, Annapolis, Md.21401

410.626.1070

email blupt@icloud.com

October 20, 2024

Office of Planning & Zoning

2664 Riva Rd.

Annapolis, MD 21401

VARIANCE

Letter of Explanation: Deck Replacement (in kind) 12' x 45 w/steps and Construction of 12' x 13-6" open sided porch roof.

Lot 11 Point Field Landing on Severn

Owner: Maureen O'Neill Christopher Littlejohn

Tax Account: 3662 2367 8410

Map 31, Parcel 370

B02420955

This letter of explanation pertains to the above referenced property that is being required to obtain a MODIFICATION in conjunction with the review of building permit B02420955.

A variance to article 17-8-201 and 17-8-301(b) is requested to disturb 44 square feet of critical area slopes and 100' buffer to tidal stream. As the plans indicate, the only disturbance is installation of footings for the replacement deck. (The existing footers will be cut flush to grade so there will be no earth disturbance in conjunction with the removal.) The site area is 20,422 square feet, zoned R2, served by both public water and sewer and is in critical area is LDA. The rear of the existing lot is occupied by English ivy dominated understory and a canopy of red and white oak trees; (*Quercus rubra*, *Quercus Alba*).

In summary a variance is requested to allow installation of a smaller than existing deck as indicated on the plans. (The overall deck area is smaller in dimension and area). Additionally, the overall scope due to removal of an existing shed and placement of the porch over an existing concrete pad (impervious area) results in a reduction in the impervious area of 17 square feet. Both of these measurements are demonstrated on the plans.

The following addresses the conditions for granting a variance per section 18-16-305 (b):

1. *Because of certain unique physical conditions, such as exceptional topographical conditions peculiar to and inherent in the particular lot or irregularity*, The presence of the slopes are inherent topographical feature of the site.
2. *A literal interpretation of COMAR, Title 27, Criteria for Local Critical Area Program Development or the County's critical area program and related ordinances will deprive the applicant of rights commonly enjoyed by other properties in similar areas as permitted in accordance with the provisions of the critical area program within the critical area of the County*; Most if not all of the surrounding properties in the immediate area; all existing homes have decks the existing deck is nearing the unsafe condition due to rot.
3. *The granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, Title 27, the County's critical area program to other lands or structures within the County critical area, or the County's bog protection program to other lands or structures within a bog protection area* See Exhibit surrounding properties in this neighborhood most if not all have decks. The ability to replace the existing deck and add a porch roof does not confer any special privilege and is similar to that occurring on the immediate neighboring properties.
4. *The variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development before an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property*; See site plan that indicates the site is developed and there have been no physical activities on the site or adjacent neighbors that caused the need for the variance.
5. *The Granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area or a bog protection area and will be in harmony with the general spirit and intent of the County's critical area program or bog protection program*; See the attached site plan, which indicates that there is a reduction in impervious area such that runoff can be expected to decrease after development.
6. *The applicant for a variance to allow development in the 100-foot upland buffer has maximized the distance between the bog and each structure, taking into account natural features and the replacement of utilities, and has met the requirements of § 17-9-208 of this Code*; See the attached site plan, There is development although proposed within a 100 foot shoreline buffer is only replacement of an existing deck and is all within 12 feet of an existing house. There is no

disturbance of a buffer to a bog.

7 *The applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code;* See the attached site plan, and attachments provided to address the requirements.

8 *The applicant has evaluated and implemented site planning alternatives in accordance with § 18-16-201(c).* See the attached site plan, replacement of an existing deck cannot be substituted by any other practice other than replacing the deck. .

(c) **Requirements for all variances.** *A variance may not be granted unless it is found that:*

(1) *the variance is the minimum variance necessary to afford relief; and* See the attached site plan indicating that the development scope and size is consistent with the deck being replaced.

(2) *the granting of the variance will not:*

(i) *alter the essential character of the neighborhood or district in which the lot is located;* Replacement of an existing deck is a form of development is consistent with the character of the immediate neighborhood in which the lot is located.

(ii) *substantially impair the appropriate use or development of adjacent property;* See the attached site plan that indicates there is no impact on adjacent properties.

(iii) *reduce forest cover in the limited development and resource conservation areas of the critical area;* See the attached site plan that indicates there is no forest removal.

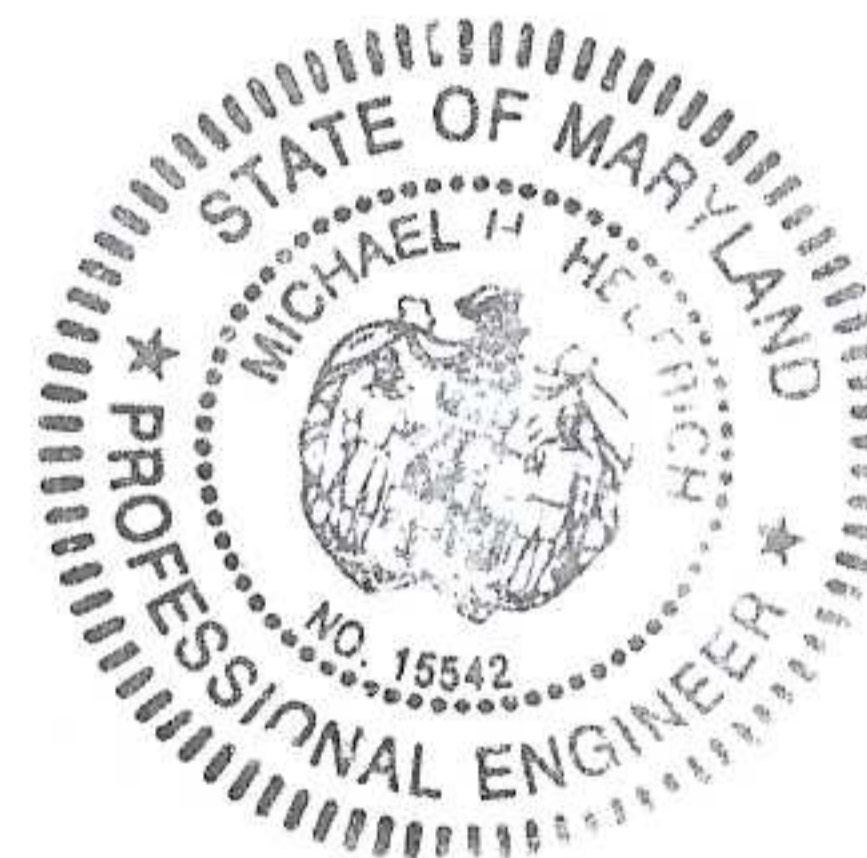
(iv) *be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area; nor* See the attached site plan, which has been prepared to meet the acceptable clearing and replanning practices.

(v) *be detrimental to the public welfare.* See the attached site plan, which indicates that the impervious area is decreased therefore there is no requirement for stormwater management.

If there are any questions or additional information is needed, please contact this office at (410) 626-1070.

Sincerely,


Michael Helfrich, P.E.



1/2

Anne Arundel Cty Finance Office
County Transfer Tax \$6,800.00
County Recordation Tax \$4,760.00
08/11/2020 13:56 PM DJB

AFTER RECORDING RETURN TO:
Maureen O'Neill
490 Old Orchard Circle
Millersville, MD 21108

DOCUMENT PREPARED BY:
Sage Title Group, LLC
183 Harry S. Truman Parkway, Suite 116
Annapolis, MD 21401
File Number: 293273SEPS

Tax ID#: 03-662-23678410

This Deed, MADE THIS 21st day of July, 2020, by and between Patrick P. Peyser and Roberta T. Peyser,, parties of the first part, and Maureen O'Neill and Christopher Littlejohn, parties of the second part.

WITNESSETH, That in consideration of the sum of **SIX HUNDRED EIGHTY THOUSAND AND 00/100 DOLLARS (\$680,000.00)**, the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey to the said parties of the second part, in fee simple, as joint tenants, all that parcel of ground situated in **Anne Arundel County, Maryland** and as described as follows, that is to say:

BEGINNING for the same and being known and designated as Lot No. 11, as shown on the Plat entitled, "Point Field Landing on the Severn, Plat I", which Plat is recorded among the Land Records of Anne Arundel County, Maryland in Plat Book 37, folio 36.

The improvements thereon being known as 490 Old Orchard Circle, Millersville, Maryland 21108.

Tax ID#: 03-662-23678410

BEING the same property which by deed dated April 30, 1984 and recorded among the Land Records of Anne Arundel County, Maryland in Liber No. 3727, folio 588, was granted and conveyed by Edwin Bradley King and Marybeth F. King unto Patrick P. Peyser and Roberta T. Peyser.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

SUBJECT TO all rights, easements, restrictions, covenants and reservations of record.

TO HAVE AND TO HOLD the said described lot(s) of ground and premises to the said parties of the second part, as joint tenants, their assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple.

Buyers' Initials: MD CL

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

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 35030, p. 0054, MSA_CE59_35472. Date available 08/14/2020. Printed 10/27/2022.

Semi-Annual Payments
08-11-2020 DJB

ACCT. 03-662-23678410
ALL LIENS ARE PAID AS
OF 08-11-2020 A.A. COUNTY
BY: DJB

Anne Arundel Cty Cir Crt
IMP FD SURE \$40.00
RECORDING FEE \$20.00
TR TAX STATE \$1,700.00
TOTAL \$1,760.00
SAP SB
Aug 11, 2020 03:52 pm

WITNESS the hands and seals of the said parties of the first part:

WITNESS:

Denise A. Meason

Patrick P. Peyser (SEAL)
Patrick P. Peyser

Roberta T. Peyser (SEAL)
Roberta T. Peyser

STATE OF MD, CITY/COUNTY OF Carroll to wit:

I HEREBY CERTIFY, that on this 20 day of July, 2020, before me, the subscriber, a Notary Public of the State of MD in and for Carroll County/City, personally appeared **Patrick P. Peyser and Roberta T. Peyser** known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:

Denise A. Meason
Notary Public

My Commission Expires: 11/6/23



DENISE A. MEASON
Notary Public State of Maryland
Carroll County

ATTORNEY CERTIFICATION

This is to certify that the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals in the State of Maryland.

Stephen McClung, Esq.
Stephen McClung, Esq.

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 35030, p. 0055, MSA_CE59_35472. Date available 08/14/2020. Printed 10/27/2022.

OCCUPANCY AFFIDAVIT

I/We, Maureen O'Neill and Christopher Littlejohn, Grantee(s) in the Deed dated 24th day of July, 2020, from Patrick P. Peyser and Roberta T. Peyser,, Grantor(s), Hereby certify under penalty of perjury, that the property conveyed in the said Deed is residentially improved owner occupied real property and the residence hereon will be occupied by me/us for at least seven of the next twelve months.

As Witness, our hands and seals this 24th day of July, 2020.

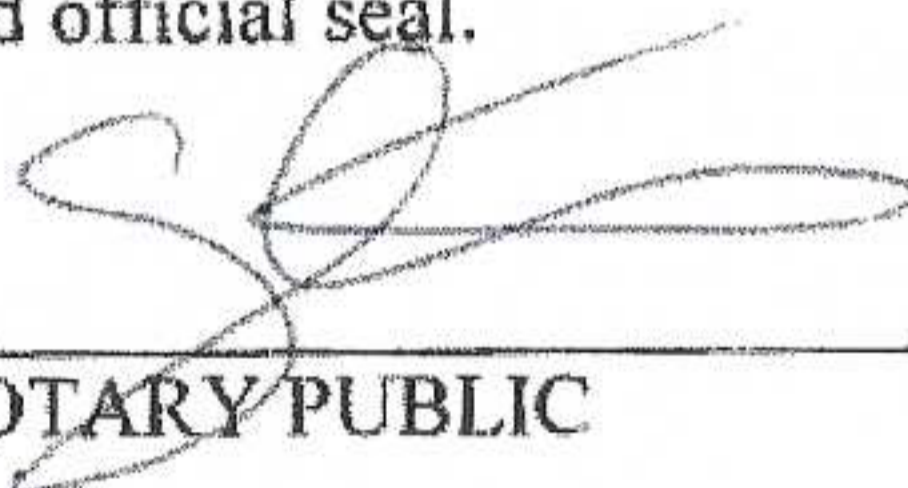

Maureen O'Neill


Christopher Littlejohn

State of Maryland
County of Anne Arundel :

I hereby certify that on this 24th day of July, 2020, before me, the subscriber, a notary in the State aforesaid, personally appeared, Maureen O'Neill and Christopher Littlejohn, known to me or satisfactorily proven to be the person(s) whose name(s) is/are subscribed to the within affidavit, and having been duly sworn, executed the same in my presence.

In Witness Whereof I hereunto set me hand and official seal.


NOTARY PUBLIC

My Commission Expires:
293273SEPS

STEPHEN DAVID MCCLUNG
Notary Public-Maryland
Anne Arundel County
My Commission Expires
July 27, 2024

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 35030, p. 0056, MSA_CE59_35472. Date available 08/14/2020. Printed 10/27/2022.

AFFIDAVIT OF INDIVIDUAL(S)
TO QUALIFY FOR TAX EXEMPTION FOR FIRST TIME MARYLAND HOMEBUYER(S)

Grantee(s) hereby make oath or affirm under penalties of perjury that the following statements are true:

1. The undersigned individuals and each of them has/have never before owned an interest in residential real property located in the State of Maryland that has been the individual's principal residence; and
2. The property described in the Deed to which this affidavit is attached is improved by a residence which will be occupied as my/our principal residence for at least 7 of the 12 months immediately following the conveyance herein; and
3. I/we am/are fully qualified to make this affidavit.
4. This affidavit is made to qualify Grantee(s) for benefits under TP section 13-203.
5. In the event the hereinabove statements are being certified by an agent pursuant to Tax-Property Section 13-409(b), said Agent certifies:
 - a. That the representations are based on a diligent inquiry made by the agent; and
 - b. Are true to the best knowledge information and belief of the agent.

WITNESS the hands and seals of the said parties of the second part:

WITNESS:

_____ *Maureen O'Neill* (SEAL)
Maureen O'Neill

_____ *Christopher Littlejohn* (SEAL)
Christopher Littlejohn

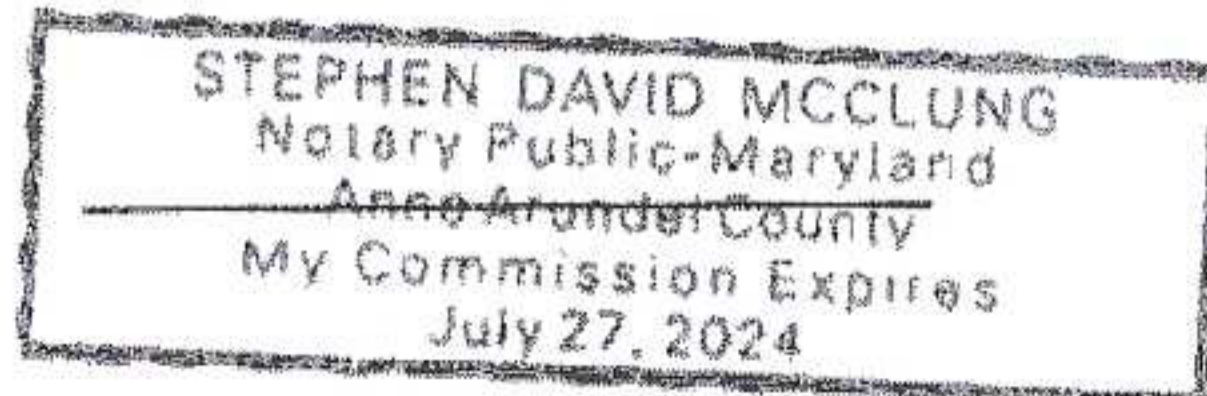
STATE OF Maryland, CITY/COUNTY OF Anne Arundel to wit:

I HEREBY CERTIFY, that on this 24 day of July, 2020, before me, the subscriber, a Notary Public of the State of Maryland in and for Anne Arundel County/City, personally appeared **Maureen O'Neill and Christopher Littlejohn** known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:

Stephen David McClung
Notary Public

My Commission Expires:



2020

MARYLAND FORM WH-AR Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Roberta T. Peyser

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers.)

490 Old Orchard Circle, Millersville MD

3. Reasons for Exemption

- Resident Status [X] As of the date this form is signed, I, Transferor, am a resident of the State of Maryland
[] Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.
Principal Residence [] Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Roberta T. Peyser
Name

7/24/20
**Date

Witness

Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

MARYLAND
FORM
WH-AR

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2020

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence

1. Transferor Information

Name of Transferor Patrick P. Peyser

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers.)

490 Old Orchard Circle, Millersville MD

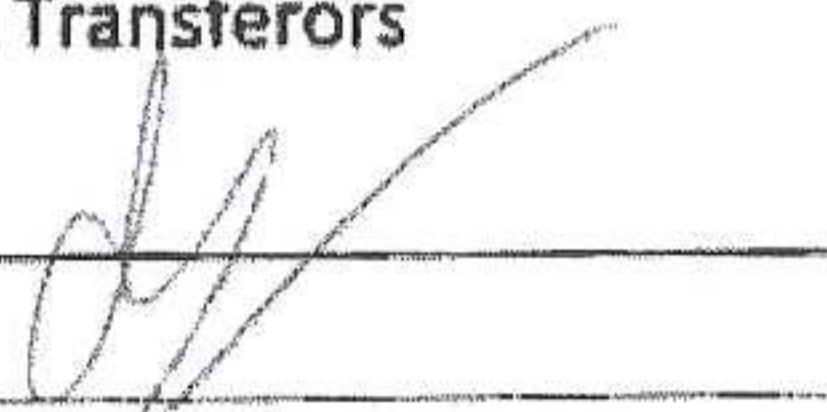
3. Reasons for Exemption

- Resident Status** As of the date this form is signed, I, Transferor, am a resident of the State of Maryland
- Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.
- Principal Residence** Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

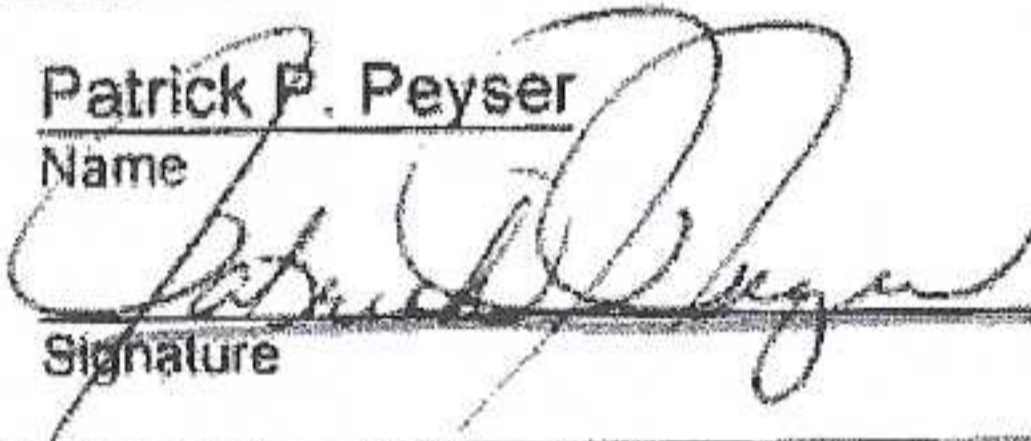
Witness



Patrick P. Peyser

Name

Signature



4/24/2020

**Date

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

Title

**Date

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

20-49

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 35030, p. 0059, MSA_CE59_35472. Date available 08/14/2020. Printed 10/27/2022.

State of Maryland Land Instrument Intake Sheet

Baltimore City County: Anne Arundel

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.
(Type or Print in Black Ink Only-All Copies Must Be Legible)

| | | | | | |
|---|--------------------------------|---|---|---|---|
| 1 | Type(s) of Instruments | <input type="checkbox"/> Check Box if Addendum Intake Form is Attached. | | | |
| | | 1 Deed | Mortgage | Other _____ | Other _____ |
| 2 | Conveyance Type Check Box | <input checked="" type="checkbox"/> Improved Sale Arms-Length(1) | <input type="checkbox"/> Unimproved Sale Arms-Length(2) | <input type="checkbox"/> Multiple Accounts Arms-Length(3) | <input type="checkbox"/> Not an Arms-Length Sale(9) |
| | | 2 Deed of Trust | Lease | | |
| 3 | Tax Exemptions (if Applicable) | Recordation | | | |
| | Cite or Explain Authority | State Transfer | | | |
| | | County Transfer | | | |

| | | | | | | |
|---|------------------------------------|------------------------------|--------------|---|----|--|
| 4 | Consideration and Tax Calculations | Consideration Amount | | Finance Office Use Only | | |
| | | Purchase Price/Consideration | \$680,000.00 | Transfer and Recordation Tax Consideration | | |
| | | Any New Mortgage | \$380,000.00 | Transfer Tax Consideration | \$ | |
| | | Balance of Existing Mortgage | | X ()% = | \$ | |
| | | Other: | \$ | Less Exemption Amount - Total Transfer Tax = | \$ | |
| | | Other: | \$ | Recordation Tax Consideration X()per \$500 = | \$ | |
| | Full Cash Value | \$ | TOTAL DUE | \$ | | |

| | | | | | | |
|---|------|-----------------------|------------|---------|-------|--------------|
| 5 | Fees | Amount of Fees | | Doc 1 | Doc 2 | Agent |
| | | Recording Charge | \$20.00 | \$20.00 | | Tax Bill |
| | | Surcharge | \$40.00 | \$40.00 | | |
| | | State Recordation Tax | \$4,760.00 | \$ | | C B Credit |
| | | State Transfer Tax | \$1,700.00 | \$ | | |
| | | County Transfer Tax | \$6,800.00 | \$ | | Ag Tax/Other |
| | | Other | \$ | \$ | | |
| | | Other | \$ | \$ | | |

| | | | | | | | | | |
|---|---|--|------------------------|---------------------|------------|------------|---------------------------------------|---------------------|--|
| 6 | Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i). | District | Property Tax ID No.(1) | Grantor Liber/Folio | Map | Parcel No. | Var. Log <input type="checkbox"/> (5) | | |
| | | | 03-662-23678410 | 3727/588 | | | | | |
| | | Subdivision Name | | Lot (3a) | Block (3b) | SECTAR(3c) | Plat Ref. | SqFt/Acreage(4) | |
| | | Point Field Landing on the Severn | | 11 | | | | | |
| | | Location/Address of Property Being Conveyed (2) | | | | | | Water meter Account | |
| | | 490 Old Orchard Circle, Millersville, MD 21108 | | | | | | | |
| Other Property Identifiers (if applicable) | | | | | | | | | |
| Residential <input checked="" type="checkbox"/> or Non-Residential <input type="checkbox"/> | | Fee Simple <input checked="" type="checkbox"/> Ground Rent <input type="checkbox"/> Amount | | | | | | | |
| Partial Conveyance <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | Description/Amt. Of SqFt/Acreage Transferred: | | | | | | | |
| If Partial Conveyance, List Improvements Conveyed- | | | | | | | | | |

| | | | | | |
|--|------------------|--|--|----------------------------|--|
| 7 | Transferred From | Grantor(s) Name(s) | | Doc 2 - Grantor(s) Name(s) | |
| | | Patrick P. Peyser | | Maureen O'Neill | |
| | | Roberta T. Peyser | | Christopher Littlejohn | |
| Doc 1 - Owner(s) of Record, if Different from Grantor(s) | | Doc 2 - Owner(s) of Record, if Different from Grantor(s) | | | |

| | | | | | |
|--|----------------|--------------------------|--|----------------------------|--|
| 8 | Transferred To | Doc 1 Grantee(s) Name(s) | | Doc 2 - Grantee(s) Name(s) | |
| | | Maureen O'Neill | | Stefania Holland | |
| | | Christopher Littlejohn | | | |
| New Owner's (Grantee) Mailing Address | | | | | |
| 490 Old Orchard Circle, Millersville, MD 21108 | | | | | |

| | | | |
|---|---------------------------|---|---|
| 9 | Other Names to Be Indexed | Doc 1 - Additional Names to be indexed (Optional) | Doc 2 - Additional Names to be indexed (Optional) |
| | | | BNY Mellon, NA. |

| | | | | |
|----|--------------------------|---|---------------------|---|
| 10 | Contact/Mail information | Instrument Submitted By or Contact Person | | <input type="checkbox"/> Return to Contact Person |
| | | Name: Diane Meyer | | <input type="checkbox"/> Hold for Pickup |
| | | Firm: Sage Title Group, LLC | | <input checked="" type="checkbox"/> Return Address Provided |
| | | Address: 183 Harry S. Truman Parkway, Suite 116 Annapolis, MD 21401 | Phone: 410-266-7566 | |

IMPORTANT NOTE: THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER

| | |
|------------------------|--|
| Assessment Information | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Will the property being conveyed be the grantee's principal residence? |
| | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Does transfer include personal property? If yes, identify |
| | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required) |

Assessment Use Only - Do Not Write Below This Line

| | | | | |
|--|---------------------------------------|--------------------------------|-------------------------------|--|
| <input type="checkbox"/> Terminal Verification | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Whole | <input type="checkbox"/> Part | <input type="checkbox"/> Tran Process Verification |
| Transfer Number: | Date Received: | Deed Reference: | | Assigned Property No. |
| Year | | Gen | Map | Sub |
| Land | | Zoning | Grid | Plat |
| Buildings | | Use | Parcel | Section |
| Total | | Town Cd | Ex St | Ex Cd |

REMARKS:

Grantor's Mailing Address:
2006 Peggy Stewart Way
Annapolis, MD 21401

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 35030, p. 0060, MSA_CE59_35472. Date available 08/14/2020. Printed 10/27/2022.

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: 9/17/24

| Tax Map # | Parcel # | Block # | Lot # | Section |
|-----------|----------|---------|-------|---------|
| 31 | 370 | 1 | 11 | — |
| | | | | |
| | | | | |

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

**Complete Only Page 1
 General Project Information*

Tax ID: 3662-2367-8410

Project Name (site name, subdivision name, or other) Point Field Landing, Lot 11

Project location/Address 490 Old Orchard Circle

City Millersville Zip 21108

Local case number

Applicant: Last name O'Neill First name Maureen

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:

construct 12' x 45' deck "in kind", 12' x 13' 6" covered roof over deck and 4' wide steps with a 4' x 4' landing

Intra-Family Transfer Yes
 Grandfathered Lot

Growth Allocation Yes
 Buffer Exemption Area

Project Type (check all that apply)

Commercial
 Consistency Report
 Industrial
 Institutional
 Mixed Use
 Other

Recreational
 Redevelopment
 Residential
 Shore Erosion Control
 Water-Dependent Facility

SITE INVENTORY (Enter acres or square feet)

| | Acres | Sq Ft |
|------------|-------|--------|
| IDA Area | 0 | 0 |
| LDA Area | 0.468 | 20,422 |
| RCA Area | 0 | 0 |
| Total Area | 0 | 0 |

Total Disturbed Area

| | |
|-------|-------|
| Acres | 0.001 |
| Sq Ft | 44 |

of Lots Created

| | Acres | Sq Ft | | Acres | Sq Ft |
|--------------------------------|-------|--------|-----------------------|-------|-------|
| Existing Forest/Woodland/Trees | | 10,309 | Existing Lot Coverage | | 3457 |
| Created Forest/Woodland/Trees | 0 | 0 | New Lot Coverage | | 189 |
| Removed Forest/Woodland/Trees | 0 | 0 | Removed Lot Coverage | | 56 |
| | | | Total Lot Coverage | | 3490 |

* see site plan - ex. concrete under porch

VARIANCE INFORMATION (Check all that apply)

| | Acres | Sq Ft | | Acres | Sq Ft |
|------------------------|-------|-------|------------------------|-------|-------|
| Buffer Disturbance | | .44 | Buffer Forest Clearing | | |
| Non-Buffer Disturbance | | | Mitigation | | |

Variance Type

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

± 4' buffer

Structure

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

CRITICAL AREA REPORT

FOR

POINT FIELD LANDING
LOT 11

PREPARED BY:

Gamma Engineering
1203 West Street, Suite A
Annapolis, MD 21401

OCTOBER 2024

GAMMA ENGINEERING

1203 West Street, Suite A
Annapolis, MD 21401
(410)626-1070 Fax (410)267-8619
Email blupt@icloud.com

Critical Area Report
Office of Planning & Zoning
2664 Riva Rd.
Annapolis, MD 21401

October 19, 2024

Applicant: Maureen O'Neill & Christopher LittleJohn
490 Old Orchard Circle
Millersville, MD 21108

Site Address: 490 Old Orchard Circle
Millersville, MD 21108
Lot 11, Point Field Landing

RE: Information required for submission of Critical Area Report

- I. **Site Description and Explanation:** The subject property is Lot 11 in the subdivision of "Point Field Landing". The site contains approximately 20,422 square feet or 0.468 acres. The site is part of parcel 370 in block 1 of Tax Map 31. The lot is zoned R-2 and is in the 3rd Assessment District of Anne Arundel County. The lot is in the Critical Area and is designated as a Limited Development Area (LDA).

The applicant is requesting variances to allow disturbance (44sf) of steep slopes and their buffer (Article 17-8-201 & Article 17-8-301) to construct:

12' x 45' deck "in kind", 12' x 13'6" covered roof over deck and 4' wide steps with a 4' x 4' landing.

The proposed development will not alter the essential character of the neighborhood, will not impair similar development of adjacent properties, will not significantly reduce forest cover and will not be detrimental to the public welfare. The proposed development will not be inconsistent with the intent of the critical area program.

II. See enclosed site plan for vicinity map.

III. Narrative Statements:

- The proposed construction will have minimal or no effect on water quality.
- All impervious area for the site will not exceed allowed amounts.

There are none of the following designated habitat protection areas on site: riparian forests 300' or more in length, forested blocks greater than 100 acres, or natural heritage areas. The following designated

protection areas do not exist on site: non-tidal wetlands, water bird nesting sites, historical waterfowl nesting, staging or concentration areas.

IV. Site Plan

The enclosed site plan shows, if applicable, all of the following: existing vegetated area and all proposed structures. The clearing proposed is as designated, no wetlands disturbance is proposed.

V. See enclosed Notification of Project application.

Sincerely,

Michael Helfrich, P.E.

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: 9/17/24

| Tax Map # | Parcel # | Block # | Lot # | Section |
|-----------|----------|---------|-------|---------|
| 31 | 370 | 1 | 11 | — |
| | | | | |
| | | | | |

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
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Project location/Address 490 Old Orchard Circle

City Millersville Zip 21108

Local case number

Applicant: Last name O'Neill First name Maureen

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

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 Redevelopment
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 Water-Dependent Facility

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|------------|-------|--------|
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| LDA Area | 0.468 | 20,422 |
| RCA Area | 0 | 0 |
| Total Area | 0 | 0 |

| Total Disturbed Area | Acres | Sq Ft |
|----------------------|-------|-------|
| | 0.001 | 44 |

of Lots Created

| | Acres | Sq Ft | | Acres | Sq Ft |
|--------------------------------|-------|--------|-----------------------|-------|-------|
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| Removed Forest/Woodland/Trees | 0 | 0 | Removed Lot Coverage | | 56 |
| | | | Total Lot Coverage | | 3490 |

* see site plan - ex. concrete under porch

VARIANCE INFORMATION (Check all that apply)

| | Acres | Sq Ft | | Acres | Sq Ft |
|------------------------|-------|-------|------------------------|-------|-------|
| Buffer Disturbance | | .44 | Buffer Forest Clearing | | |
| Non-Buffer Disturbance | | | Mitigation | | |

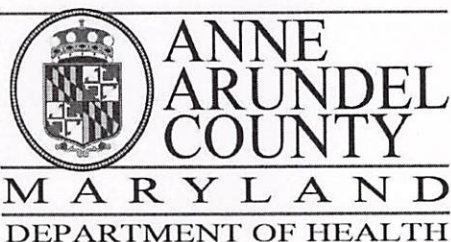
Variance Type

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

± their buffer

Structure

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




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

Tonii Gedin, RN, DNP
Health Officer

MEMORANDUM

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

FROM: Brian Chew, Program Manager
Bureau of Environmental Health 

DATE: November 13, 2024

RE: Paul Anthony Coffin, Trustee
490 Old Orchard Drive
Millersville, MD 21108

NUMBER: 2024-0200-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling addition (deck) with disturbance to slopes of 15% or greater and 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

2024-0200-V

Menu Cancel Help

Task Details OPZ Critical Area Team

Assigned Date

11/04/2024

Assigned to

Kelly Krinetz

Current Status

Complete w/ Comments

Action By

Kelly Krinetz

Comments

No objection. The proposed deck is smaller than the current deck and remains inside the footprint of the existing improvements.

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

11/25/2024

Assigned to Department

OPZ Critical Area

Status Date

11/06/2024

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

OPZ Critical Area

Est. Completion Date

Display E-mail Address in ACA

Display Comment in ACA

Task Specific Information

Expiration Date
Reviewer Phone Number

Review Notes
Reviewer Email

Reviewer Name



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

CAC Comments: 2024-0198-V; Brookwood Corporation (AA 0284-24), 2024-0199-V; Coffin (AA 0285-24), 2024-0200-V; O'Neill (AA 0293-24)

Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>

Wed, Nov 20, 2024 at 8:43 AM

To: "pzmedi22@aacounty.org" <pzmedi22@aacounty.org>

Cc: Jennifer Esposito <jennifer.esposito@maryland.gov>

Good morning,

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

- 2024-0198-V; Brookwood Corporation (AA 0284-24): Appropriate mitigation required.
- 2024-0199-V; Coffin (AA 0285-24): It appears that the applicant has reasonable and significant use of the entire parcel with the existing improvements. It does not appear that this request meets each and every one of the Critical Area variance standards including unwarranted hardship or that this variance would not adversely affect water quality and wildlife or plant habitat. The existing dwelling on this grandfathered lot is located on steep slopes and within the expanded Critical Area Buffer. The project would result in 57 square feet of forest clearing within the Buffer and 192 square feet of disturbance within the Buffer. If this request were to be denied for the construction within the Buffer, the applicant will still enjoy reasonable and significant use of the entire property and may continue with current plans for improvements outside of the Buffer.
- 2024-0200-V; O'Neill (AA 0293-24): Appropriate mitigation required.

Best,
Jamileh

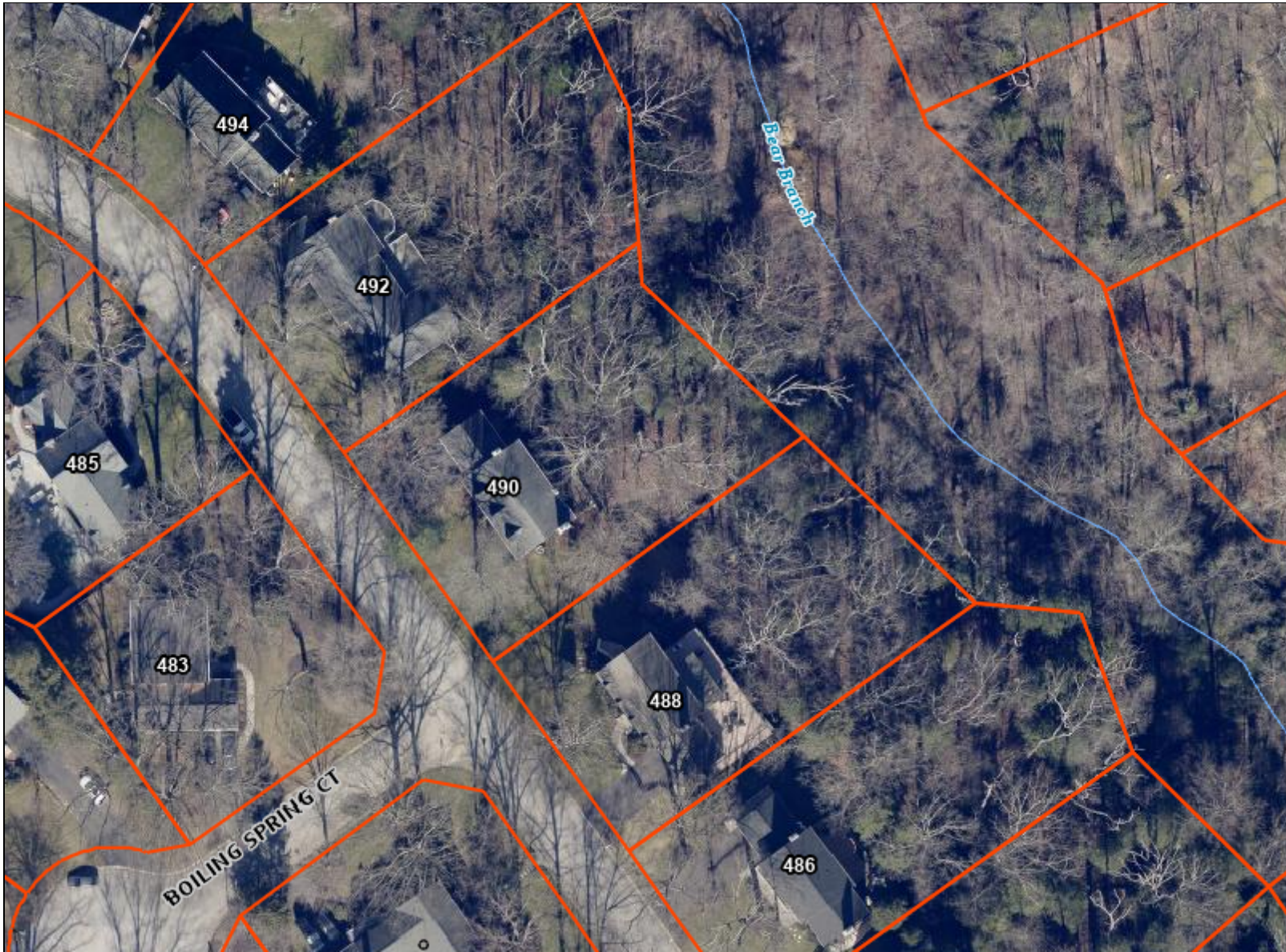
--



Critical Area Commission for the
Chesapeake & Atlantic Coastal Bays
dnr.maryland.gov/criticalarea

Jamileh Soueidan (she/her)
Natural Resources Planner
1804 West Street, Suite 100
Annapolis, MD 21401
Office: 410-260-3462
Cell: 667-500-4994 (preferred)
jamileh.soueidan@maryland.gov

Map Title



Legend

Foundation

Addressing



Parcels



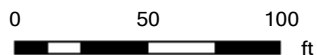
Parcels - Annapolis City



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.

none

Notes



THIS MAP IS NOT TO BE
USED FOR NAVIGATION