

November 12, 2024

Mrs. Sara Anzelmo
Office of Planning and Zoning
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

RE: Linstead on the Severn Lot 56
115 Boone Trail
Severna Park, MD. 21146
Tax Account #03-490-26074898

Dear Mrs. Anzelmo:

On behalf of the applicant/owners Mr. and Mrs. Daniel & Ginger Clark, please find the enclosed Concept Variance Site Plan dated November 8, 2024. The applicants are seeking variances to three sections of the Code. The sections include **Article 17, Section 8-201(a)** related to disturbance of 15% and greater steep slopes in the critical area, **Article 17 Section 8-702(1)** to permit new lot coverage placed nearer to the shoreline than the closest façade of the existing principal structure and to **Article 18 Section 2-402(1)** to the location of a principal structure on a waterfront lot based on an approximate average of the location of principal structures on abutting lots intended to keep structures relatively in line with one another to renovate the existing single-family dwelling with a screened porch, proposed decking and limited addition.

The subject property is located off the west side of Boone Trail in Severna Park, Maryland. The property is irregular in shape tapered toward Boone Trail, a legal building lot in the Linstead on the Severn subdivision consisting of approximately **0.80** acres in area and is currently improved with a single-family dwelling, driveway, walks, decking, accessory sheds, pool, retaining walls, a fish pond and extensive patio area. The property is zoned R-2 Residential, is Buffer Modified, served with public water, sewer and located in the Limited Development Area designation of the Critical Area.

The homeowners propose to renovate the single-family dwelling which was originally built in 1956 that included a basement level single-car garage. The unique “split level” design has the official access to the home entering on the second floor where bedrooms occupy the majority of the level. Existing topography also generated a challenge to the original development. The home could be demolished and a new home built in the exact footprint which would have more of a negative impact to the environmental features of the site. However, the applicants prefer to renovate the existing footprint, interior layout and add a (2) car garage to the landward side of the home which would not require relief from the Code.

A pre-file review was completed by the Office of Planning and Zoning including comments from the Critical Area Team and were issued on May 6th, 2024. A complete topographic and location survey has been conducted to produce an accurate depiction of the sites’ conditions, slopes and buffers.

Under existing conditions, storm water runoff from the site sheet flows in multiple directions. There are (2) Site Outfall locations, one being at the shoreline of the Severn River to the west and (1) to the neighboring property to the south. The existing lot coverage of 10,689 sq. ft. exceeds the maximum coverage permitted based on **Article 17-8-402** for a lot sized at 35,022 sq. ft. which is 5,445 sq. ft. With the required reduction as established in **Article 17-8-403**, *538 sq. ft.* or 5% of the existing coverage will be reduced on site.

These variance requests are directly related to the screened porch addition which represents the minimum buffer disturbance necessary to construct the improvements without creating a substantial permanent disturbance to steep slopes and results in a significant reduction of lot coverage in the 100-foot buffer. A Reforestation Plan will be provided for on-site mitigation plantings in accordance with code requirements for new lot coverage in the buffer which again increases stabilization in the buffer.

Code Article 18-16-305

(b) Requirements for Critical Area Variances.

- (1) Unwarranted Hardship and Practical Difficulty- The applicants propose to remove a portion of an existing fish pond, its' associated concrete pad, channel and replace it with a screened porch to be measured 54-feet from the shoreline. The current closest façade to the shoreline is 63-feet. Unique physical conditions that generate an unwarranted hardship include the coverage of the 100-foot buffer on site. Approximately *24,577 sq. ft.* or **70.2%** of the subject property falls within the 100-ft Buffer to tidal waters. Disturbance of this area is unavoidable as a large portion of the site is encumbered by the buffer; the majority of the proposed improvements have been sited overtop of existing lot coverage to minimize new coverage mitigation. Secondly, 15% and greater steep slopes and their associated 25-foot buffer encompass *18,786 sq. ft.* or **54%** of the total site area. Of those actual steep slopes, *836 sq. ft.* are being temporarily disturbed with only *3 sq. ft.* of permanent disturbance proposed. Third, the lot is similar to a peninsula where there is waterfront not only to the west but also to the south. The steep slopes follow the shoreline that wraps around the southern portion of the lot.
- (2) Deprive the applicant of rights commonly enjoyed by other properties- the proposed improvements are in character with other dwellings in the neighborhood and surrounding properties. Specifically, there is an existing home built in 1979 on a similar lot north of the site, with the subject principal structures separated by approximately 280-feet at 121B Boone Trail. The existing principal structure is approximately 28-feet from the shoreline/bulkhead that also includes a 12-foot deck, which is even closer to the shoreline due to similar circumstances where the tapered lot forced original development closer to the water. Another home to the south located at 14 Cedar Point Road which is 470-feet away is approximately 51-feet from the bulkhead/shoreline that also includes a waterfront pool. The two examples are in the same subdivision along the same waterfront.

- (3) Will not confer special privilege - granting this variance would not confer a special privilege to the applicants. Nearby properties enjoy similar improvements along Boone Trail and the waterfront. The applicant has made extensive efforts to lay this proposed project out in a responsible manner that places portions of the proposed improvements over top of existing permanent buffer disturbance, removes a large portion of the driveway from the buffer, and reduces the ultimate lot coverage in the buffer.
- (4) Actions by Applicants and Neighbors- The variance is not based on conditions or circumstances that are the result of actions by the applicants or conditions or use on neighboring properties- conditions and circumstances are based on the unique physical characteristics of the lot and the outdated home to be renovated.
- (5) Water Quality, Intent of the Critical Area Program. The requested variances will not adversely affect water quality, impact fish, and wildlife or plant habitat and be in harmony with the critical area program. Disturbance is minimized to only what is necessary to complete the project. The majority of the buffer disturbance is only temporary and in harmony with the general spirit and intent of the County's Critical Area Program by removing existing driveway and patio impervious coverage from the buffer, siting the proposed improvement in a location which minimizes clearing of the existing woodland and avoids a significant amount of remaining developed woodland. Mitigation will occur in accordance with county regulations at a 3:1 ratio for new lot coverage in the buffer and will be addressed during the permitting process via a Reforestation Planting Plan. Sediment and erosion controls including a stabilized construction entrance, super silt fence, reinforced silt fence and filter log will be utilized to ensure that construction and grading will not adversely affect the surrounding environmental features located within the Critical Area. The proposed project will address Environmental Site Design to the Maximum Extent Practicable for the site with non-structural storm water management where none currently exists. In addition, through the development of the project, *1,471 sq. ft.* of existing lot coverage in the buffer is being removed. The existing coverage within the buffer is 7,179 sq. ft. Post Development conditions will result in only *5,708 sq. ft.* of coverage within the buffer. The adjacent neighbor to the south will clearly benefit from reduced runoff where the current parking pad is located and to be removed. The pad is adjacent to the common property line Approval of the requested variances will clearly benefit the buffer with reduced runoff, increased vegetation and water quality management. These precautions will ensure that water quality, fish, wildlife, and plant habitat will not be adversely affected.
- (6) Presumption Sec 8-1808(d)(2)(ii) – The applicants have overcome the presumption that the use for which the variances were requested were not in conformity with the purpose and intent of the Critical Area Program.

(c) Requirements for all variances.

1. Minimum necessary to afford relief - The proposed variances allow for modest uses that not only meets the “significant and reasonable standard” but also are the minimal necessary development to afford relief. Disturbance to the buffer is the minimum necessary to construct the proposed improvements and to “greatly reduce” the impervious surface area within the buffer by relocating the driveway.

2. The granting of the variance will not:
- i. alter the essential character of the neighborhood, and all proposed development will be harmonious with the architectural styles and scale of the surrounding area.
 - ii. substantially impair the appropriate use or development of adjacent properties.
 - iii. reduce forest cover in the LDA. Vegetative clearing is reduced to the minimum necessary to construct the proposed improvements and will be mitigated appropriately during the permit process with a Reforestation Plan.
 - iv. be contrary to acceptable clearing or replanting practices required for development of the Critical Area or Bog Protection Area. Clearing is minimal and only for what is necessary for construction and access, and the property is not located within a Bog Protection Area.
 - v. be detrimental to the public welfare as constructing a single-family dwelling and associated improvements on a residentially zoned property will not impose harm to adjacent property owners or the public.

Denial of the requested variances and a strict implementation of the County's Zoning and Critical Area Program would constitute an unwarranted hardship and practical difficulty on the applicant and deprive them of the same rights and privileges others enjoy in the immediate neighborhood along the waterfront side of Boone Trail.

Sincerely,
DRUM, LOYKA AND ASSOCIATES, LLC


Robert Baxter
Project Manager

Cc: Daniel and Ginger Clark

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: 11/19/24

Tax Map #	Parcel #	Block #	Lot #	Section
31	84	End 18	56	

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
 General Project Information

Tax ID: 03-490-2607-26074898

Project Name (site name, subdivision name, or other) Linstead on the Severn

Project location/Address 115 Boone Trail

City Severna Park Zip 21146

Local case number _____

Applicant: Last name Clark First name Ginger

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:

Residential

Intra-Family Transfer	Yes <input type="checkbox"/>	Growth Allocation	Yes <input type="checkbox"/>
Grandfathered Lot	<input type="checkbox"/>	Buffer Exemption Area	<input 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		35,022			13,845
LDA Area					
RCA Area			# of Lots Created		
Total Area					

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		14,025	Existing Lot Coverage		10,689
Created Forest/Woodland/Trees			New Lot Coverage		10,151
Removed Forest/Woodland/Trees		3,195	Removed Lot Coverage		538
			Total Lot Coverage		10,151

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		

Variance Type		Structure	
Buffer	<input type="checkbox"/>	Acc. Structure Addition	<input type="checkbox"/>
Forest Clearing	<input type="checkbox"/>	Barn	<input type="checkbox"/>
HPA Impact	<input type="checkbox"/>	Deck	<input checked="" type="checkbox"/>
Lot Coverage	<input type="checkbox"/>	Dwelling	<input type="checkbox"/>
Expanded Buffer	<input type="checkbox"/>	Dwelling Addition	<input type="checkbox"/>
Nontidal Wetlands	<input type="checkbox"/>	Garage	<input checked="" type="checkbox"/>
Setback	<input type="checkbox"/>	Gazebo	<input type="checkbox"/>
Steep Slopes	<input checked="" type="checkbox"/>	Patio	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/> <u>BMA</u>	Pool	<input type="checkbox"/>
		Shed	<input type="checkbox"/>
		Other	<input checked="" type="checkbox"/> <u>porch/entrance</u>

Chesapeake Bay Critical Area Report

Linstead On The Severn ~ Lot 56

Tax Map 31, Grid 18, Parcel 84

Tax Account No. 03-490-26074898

Property Address: 115 Boone Trail
Annapolis, Maryland 21146

Property Owner & Variance Applicant: Ms. Ginger Clark

Critical Area Designation: LDA **Zoning:** R-2 **Lot Area:** 0.80 Ac.

Site Description

The subject property is located off Boone Trail in the Linstead on the Severn Subdivision. The property is irregular in shape, legal building lot consisting of approximately 0.80 acres in area and is currently improved with a single-family dwelling which is to remain. The property is zoned R-2, and is within the Chesapeake Bay Critical Area land use designation of (LDA) Limited Development Area. A portion of the existing dwellings footprint is within the 100' buffer to tidal waters. The existing dwelling is located 63 feet from the shoreline. The site is currently served by public water and sewer. There are several hardships and practical difficulties regarding the redevelopment of the subject property. More than half of the site is within the 100-ft Buffer to tidal waters, which encumbers 24,577 sq. ft. or 70.17% of the total lot area.

Additionally, the steep slopes of 15% or greater & their associated 25-ft buffer cover 18,786 sq. ft. or 53.55% of the total lot area. It is extremely difficult to avoid the 100-ft to tidal waters, 15% and greater steep slopes and the associated 25-foot buffer. The unimproved portion of the site is vegetated with numerous hardwood, evergreens trees and mowed lawn in good condition.

Description and Purpose of Variance Request

The homeowners propose to construct an addition to the existing single-family dwelling, covered porch, garage, side entry deck, walk, and associated improvements. A majority of the proposed improvements within the 100-ft to tidal waters line are to be sited overtop of existing lot coverage aside from the proposed screen porch along the northwest property line. The proposed improvements are in line with the size and character of other dwellings in the neighborhood.

Due to the proximity of the 100-ft buffer to tidal waters and significant presence and extent of 15% and greater steep slopes on the property, development isn't possible without disturbing the slopes, 100-ft to tidal waters line and relief from the Code. While disturbance to the 100-ft buffer to tidal waters is impossible to avoid, the disturbance to the slopes is minimized by locating the proposed improvements outside of the steep slopes. Therefore, the proposed improvements require variances to **Article 17, Section 8-201(a)** of the Anne Arundel County Code for disturbance and development of slopes 15% or greater in the LDA, to **Article 17 Section 8-702(b)(1)** of the County Code to permit new lot coverage to be placed nearer to the shoreline than the closest facade of the existing principal structure and requesting a variance to **Article 18 Section 2-402(1)** of the County Code to the location of a principal structure on a waterfront lot based on an approximate average of the location of principal structures on abutting lots intended to keep structures relatively in line with one another.

A Pre-File review was conducted by the Office of Planning and Zoning and comments were issued on June 6, 2024, by Ms. Sara Anzelmo and Ms. Kelly Krinetz of Planning and Zoning's Critical Area team. The comments were considered, and the site plan was revised accordingly. A copy of the Pre-File comments is included with the required submittal.

Vegetative Coverage and Clearing

This property is vegetatively stabilized with developed woodland, including a variety of mature hardwood & evergreen trees, ornamental landscaping & lawn in good condition. The existing on-site wooded area totals roughly 14,025 s.f. (0.32 Ac.). Removal of vegetation has been minimized to only that which is necessary to construct the proposed improvements. Removal of vegetation onsite for the proposed redevelopment is approximately 3,195 s.f. (0.07 Ac.). Reforestation requirements for this property will be addressed during the grading permit phase of this project in accordance with Code requirements.

Lot Coverage

The site currently has 10,689 s.f. (0.25 Ac.) of impervious coverage. The proposed impervious area for this property is 10,151 s.f. (0.23 Ac.), a reduction of 538 s.f. from the existing impervious and below the allowable 10,165 (0.23) s.f. of lot coverage for this site per **Article 17 Section 8-403**. Per the County Code, a reduction of 10% of the difference between what is existing on site and what is permitted must be achieved.

100-Ft Buffer to Tidal Waters

Approximately 24,577 s.f of the subject property falls within the 100-ft Buffer to tidal waters, over 70% of the property is within the 100-ft Tidal Waters Line. Disturbance of this area was unavoidable as a large portion of the site is encumbered by it; most of the proposed improvements have been sited overtop of existing lot coverage to minimize new coverage mitigation.

Steep Slopes (slopes > 15%)

The site has approximately 18,786 s.f of steep slopes & buffer, over one third of property is encumbered with steep slopes. Approximately 836 s.f. (0.02 Ac.) of the steep slopes 15% or greater shall be disturbed during the proposed construction. Of that disturbance 3 s.f. of disturbance is proposed permanent disturbance to construct the site improvements and the remaining 833 s.f. of temporary disturbance is for grading and construction access. Disturbance of these slopes was unavoidable as a large portion of the site is encumbered by them; the majority of the proposed improvements have been sited overtop to existing lot coverage to minimize the disturbance to the slopes to construct the improvements.

Predominant Soils

The predominant soil type is Collington, Wist, and Westphalia soils, 15 to 25 percent slopes (CSE). This soil has a type "A" hydrologic classification and is not a hydric soil (soils characteristic of wetlands).

Drainage and Rainwater Control

Runoff from the site sheet flows down the steep slopes and ultimately drains to the tidal waters of the Severn River. The proposed redevelopment addresses stormwater management environmental site design to the maximum extent practicable via (1) Rain Harvesting Cistern under the drive and (1) Landscape Infiltration Area to treat a portion of the existing dwelling and the entire roof area of the garage.

Storm water management, sediment and erosion control standards will be further addressed during the permitting phase of the project in order to meet Anne Arundel County design criteria.

Conclusions – Variance Standards

The applicant proposes to renovate an existing single-family dwelling, covered porch, garage, reconfigured parking pad, side yard deck, walk, and associated improvements. The need for the requested Critical Area Variances arises from the existing unique nature and constraints of this property, specifically the topography, and location of the existing dwelling in relation to the steep slopes, 100-ft Buffer to tidal waters and the irregular shape of the lot. It is not possible to improve the existing home without disturbance to the 100-ft Buffer to tidal waters or steep slopes 15% or greater in the LDA. The proposed improvements are consistent in size and nature with other homes in the Linstead on The Severn subdivision and therefore will not alter the essential character of the neighborhood, impair development of adjacent properties, or be detrimental to the public welfare. To deny the requested variance would deprive the applicant of rights commonly enjoyed by other properties in the immediate area. With the implementation of mitigation, and sediment and erosion control practices, to be addressed during permitting, the proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area.

Reference:

ADC: The Map People, 2002 Anne Arundel County, Maryland, Street Map Book

Anne Arundel County Office of Planning & Zoning, 2007 Critical Area Map

Anne Arundel County Office of Planning & Zoning, 2007 Buffer Exemption Map

Anne Arundel County, Maryland; Chesapeake Bay Critical Area Mapping Program, 2007, Critical Area Map

Federal Emergency Management Agency, 2016. Flood Insurance Rate Map

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

Drum, Loyka and Associates LLC, 2021 Variance Plan

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

State Highway Administration of Maryland, 1989. Generalized Comprehensive Zoning Map: Third Assessment District



1410 Forest Drive, Suite 35
Annapolis MD 21403
Phone: 410-280-3122
Fax: 410-280-1952

Linstead On The Severn ~ Lot 56

Slope Stability Investigation Report

Tax Map: 31, Grid 18, Parcel 84
Prepared for: Ms. Ginger Clark
Date: October 2024

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I. Existing Conditions

The property is an existing legal building site fronting the Severn River, is in the (LDA) Limited Development Area Designation of the Chesapeake Bay Critical Area and is within the Buffer Modification Area mapping. The property is 35,022 sq. ft. or 0.80 acres, is zoned R-2 Residential and is connected to public sewer & water. The existing principal structure and covered deck are located at the top of steep slopes and approximately 63-feet from the shoreline.

There are several hardships and practical difficulties related to the re-development of the site. First, the 100-ft to tidal waters line extends to the northeast end of the site which encumbers 24,577 sq. ft. or 70.17% of the total lot area. The steep slopes of 15% and greater and their associated 25-ft buffer cover 18,786 sq. ft. or 53.55% of the total lot area.

The existing steep slopes on site are in good condition with no signs of erosion, sluffing, or channelization present. The entirety of the steep slopes is vegetatively stabilized with a mixture of Hardwood Trees, Shrubs & Creeping Ivy Ground Cover common to the community of Linstead on The Severn. Sheetflow from the existing on lot improvements is dispersed across the slope and slowed down allowing for infiltration to native soils. There are no sediment deposits present at the toe of slopes and the area is in generally good condition.



II. Proposed Condition

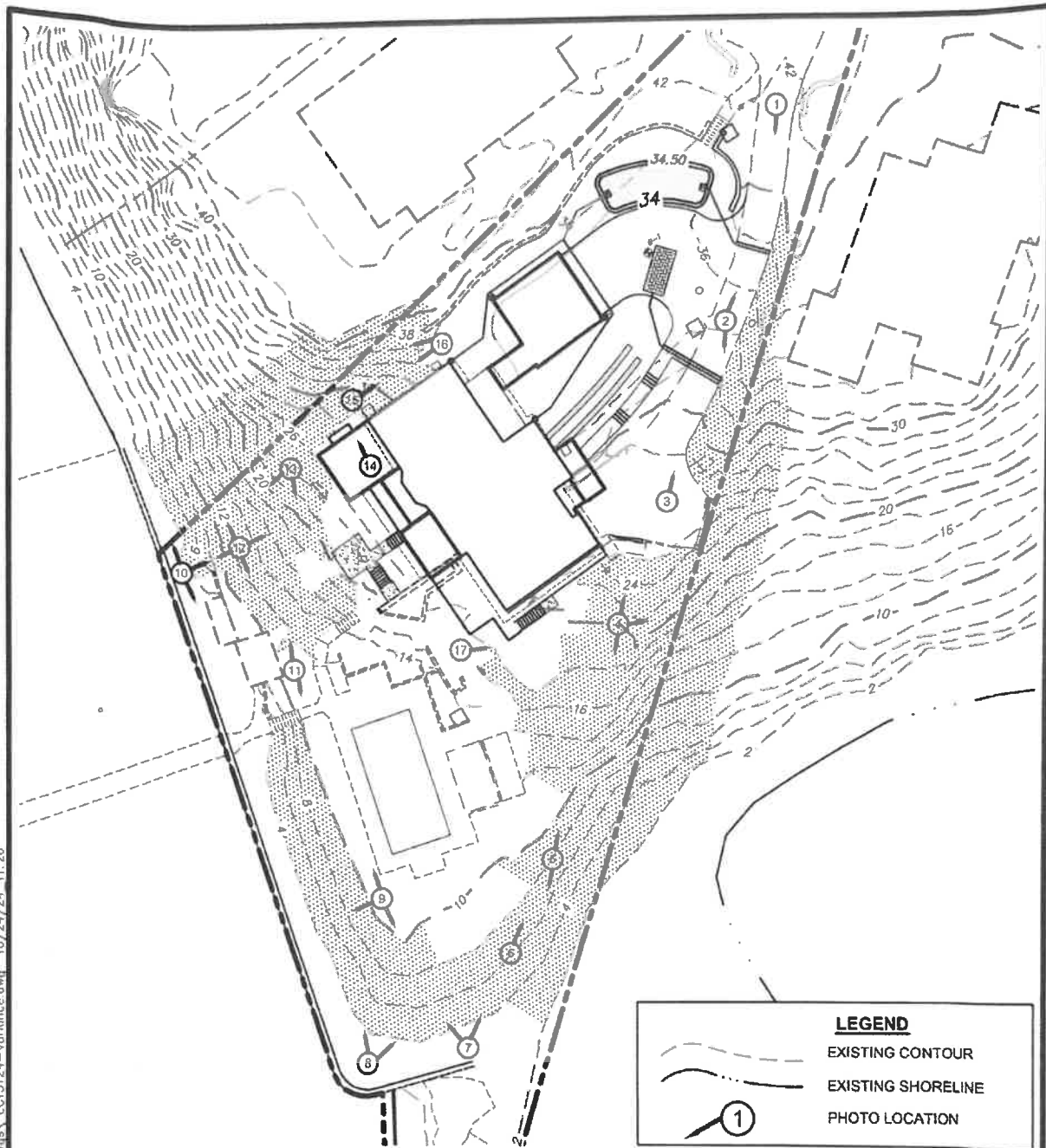
The homeowners propose to construct an addition to the existing single-family dwelling, covered porch, garage, side entry deck, walk, and associated improvements. Most of the proposed improvements within the 100-ft to tidal waters line are to be sited overtop of existing lot coverage aside from the proposed screen porch along the northwest property line. The proposed waterfront screened porch is within the 100' buffer however it is located outside of the existing steep slopes roughly 54.1' from the shoreline. The proposed work provides a decrease of 531 square feet of impervious lot coverage from the existing conditions.

Currently, the existing improvements have no means of storm water management. Environmental Site Design to the Maximum Extent Practicable will be addressed via multiple applications. There will be (1) Landscape Infiltration Facility on the east side of the proposed garage and (1) Rain Harvesting Tank (SWM Cistern) located under the driveway. All storm water management applications are outside the steep slopes and 100-foot buffer to tidal waters. However, disturbance within the 100-ft to tidal waters line which encumbers roughly 70.17% of the subject property is unavoidable for this redevelopment.

Natural flow paths on the site will be maintained, the proposed SWM practices will bode well for the steep slopes on site as runoff from a large portion of both the existing and proposed improvements will either be captured by the rainwater harvesting cistern or the landscape infiltration facility. It is our opinion that the existing slopes on site will not be adversely affected by the proposed development.

Due to the existing conditions of the slopes and location of the proposed improvements we believe that no slope stabilization methods are necessary. The areas are all adequately stabilized with no signs of erosion or sluffing present.

Appendix A- Flow Path Exhibit



P:\LC15124\CA00-24-LC15124-Eng Dwg\LC15124-Variance.dwg 10/24/24 11:26

Exhibit #1



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

STEEP SLOPE INVESTIGATION EXHIBIT
LINSTEAD ON THE SEVERN ~ LOT 56
 TAX ACCT. NO. 03-490-26074898
 T.M. 31 GRID 18 PARCEL 84 DISTRICT 3RD
 115 JUMPERS HOLE ROAD, SEVERNA PARK, MD 21146
 ANNE ARUNDEL COUNTY, MARYLAND
 DATE: OCTOBER 2024 SCALE: 1"=40'

Drawn by: GDM

Appendix B- Photo Tour



Photo Location #1 Looking Southwest Down Existing Drive Abutting Steep Slopes



Photo Location #2 Looking Northeast Up Existing Drive, Slopes Stable With No Erosion Present



Photo Location #2 Looking Southwest Towards Existing Steep Slopes, Stable With Vegetation & Existing Flagstone Wall



Photo Location #3 Looking Northeast Up Existing Drive, Area Stable With Erosion Or Sloughing Present

PH



Photo Location #4 Looking East, Area Stable With Understory Trees & Ground Cover



Photo Location #4 Looking South Down Existing Slopes, Area Stable With No Channelization Or Erosion Present



Photo Location #4 Looking Northeast Up Steep Slopes



Photo Location #5 Looking South Across Steep Slopes, Area Stable With No Erosion Present



Photo Location #5 Looking Northeast Up Steep Slopes, Area Stable With Vegetation



Photo Location #6 Looking Northeast Across Slopes, Area Stable With No Erosion Or Sloughing Present



Photo Location #7 Looking North Across Existing Slopes, Area Stable With Lawn In Good Condition

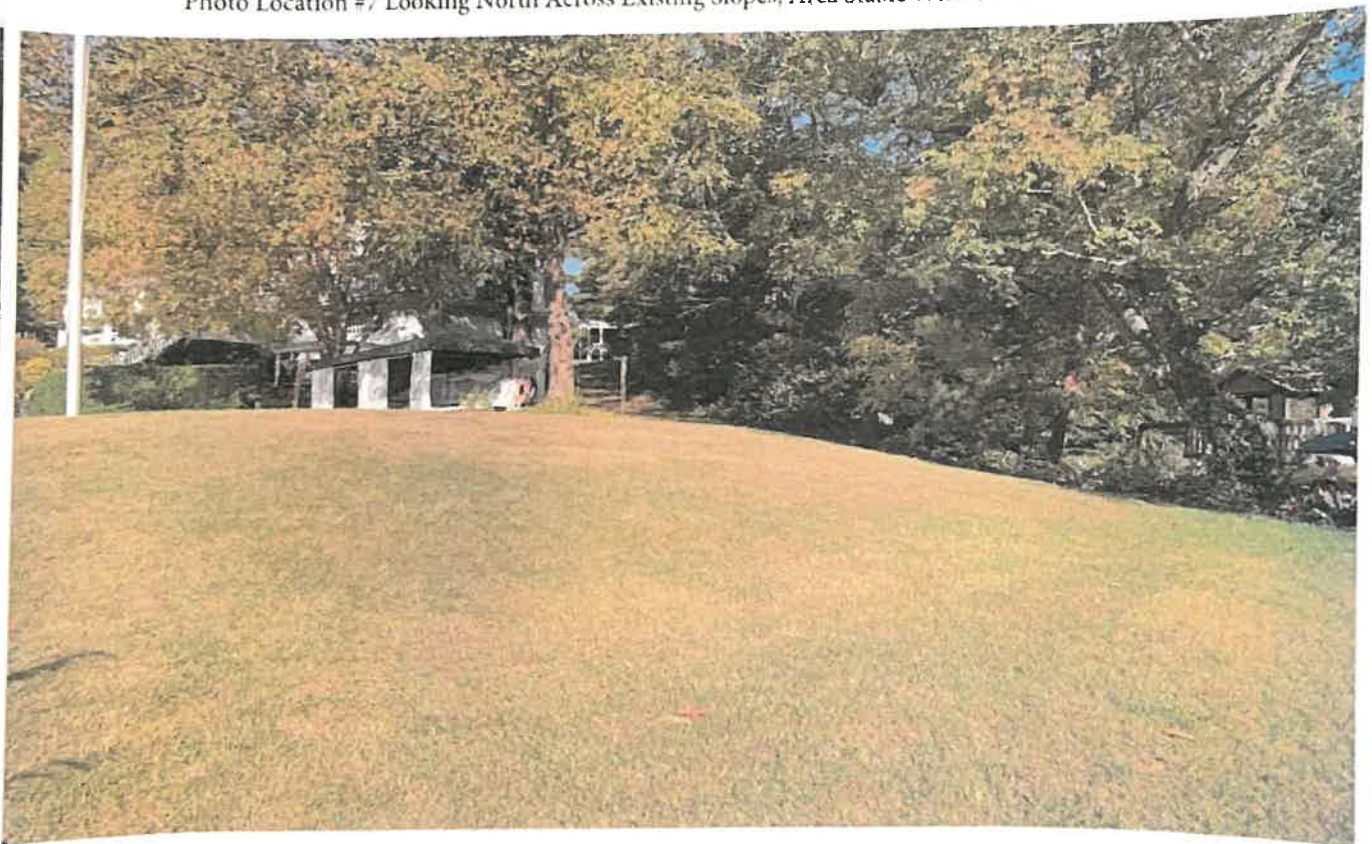


Photo Location #8 Looking Northeast Across Steep Slopes, Area In Stable Condition



Photo Location #8 Looking North, Steep Slopes Stable With Lawn & No Erosion Present



Photo Location #9 Looking South Towards Toe Of Slope, Area Stable With No Erosion Present



Photo Location #9 Looking Northwest From Top Of Slopes, Area Stable With Lawn In Good Condition



Photo Location #9 Looking West Towards Toe Of Slope, No Erosion Or Channelization Present



Photo Location #10 Looking Across Bulkhead Towards Toe Of Slope, Area Stable With No Erosion Or Sediment Present

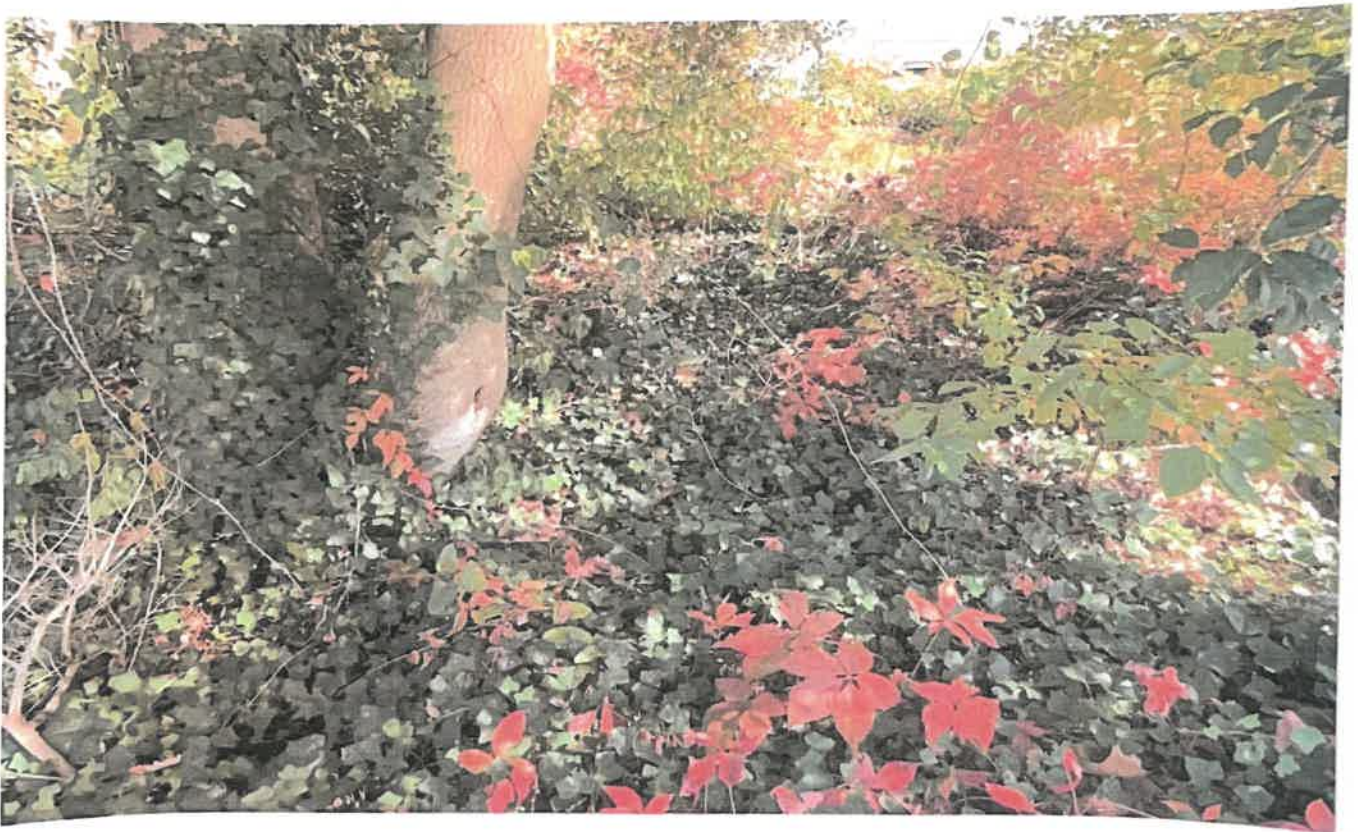


Photo Location #10 Looking East From Toe Of Slope, Area Stable With English Ivy & Canopy Trees

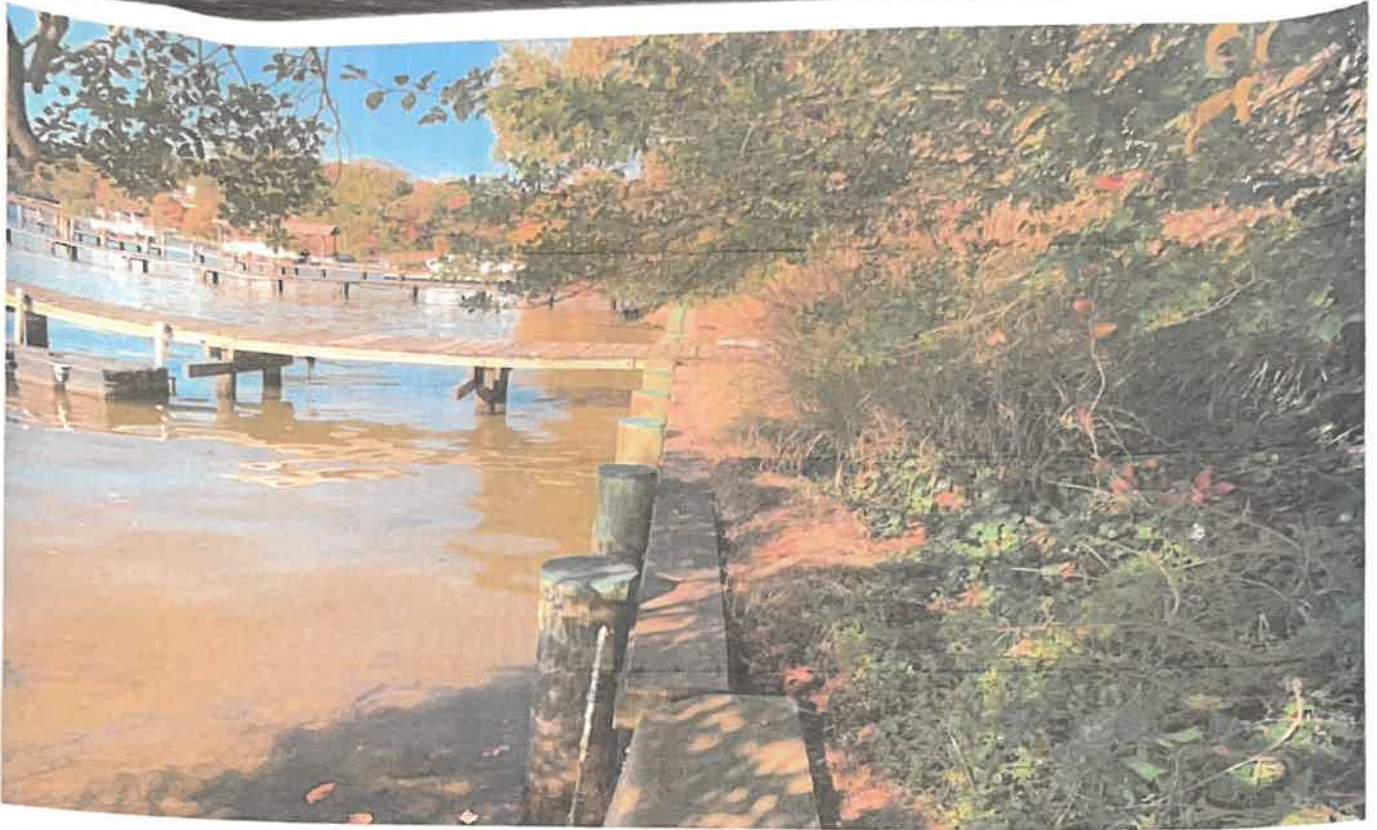


Photo Location #10 Looking North Towards Adjacent Property Bulkhead, Area Stable



Photo Location #11 Looking South Across Top Of Slope, Area Stable With Slope In Good Condition



Photo Location #11 Looking North, Area Stable With Shrubs & Ground Cover

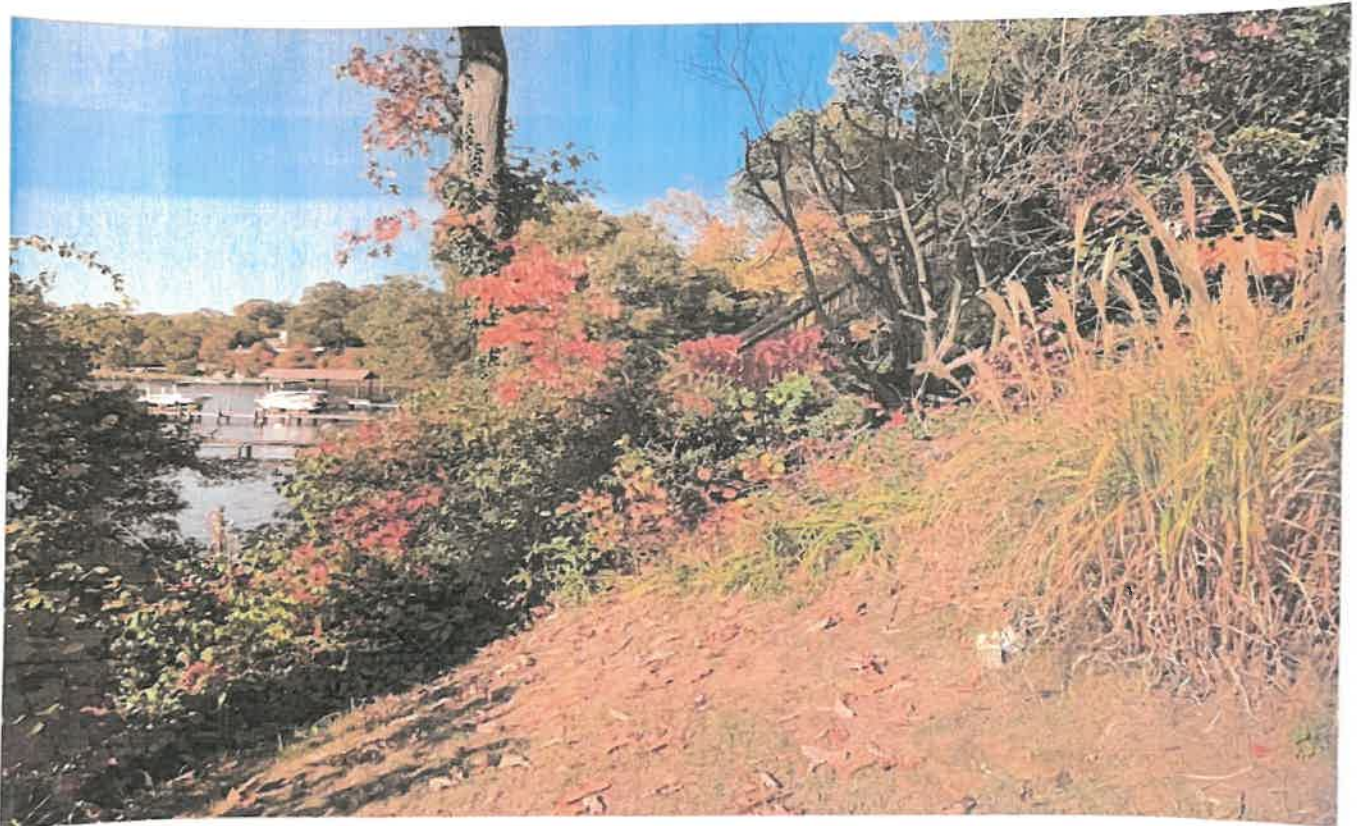


Photo Location #12 Looking North, Slopes Stable With No Erosion Or Sloughing Present



Photo Location #12 Looking East Up Slope, Area Stable With Ground Cover & Shrubs



Photo Location #12 Looking South Across Slope, Area Stable With No Erosion Present

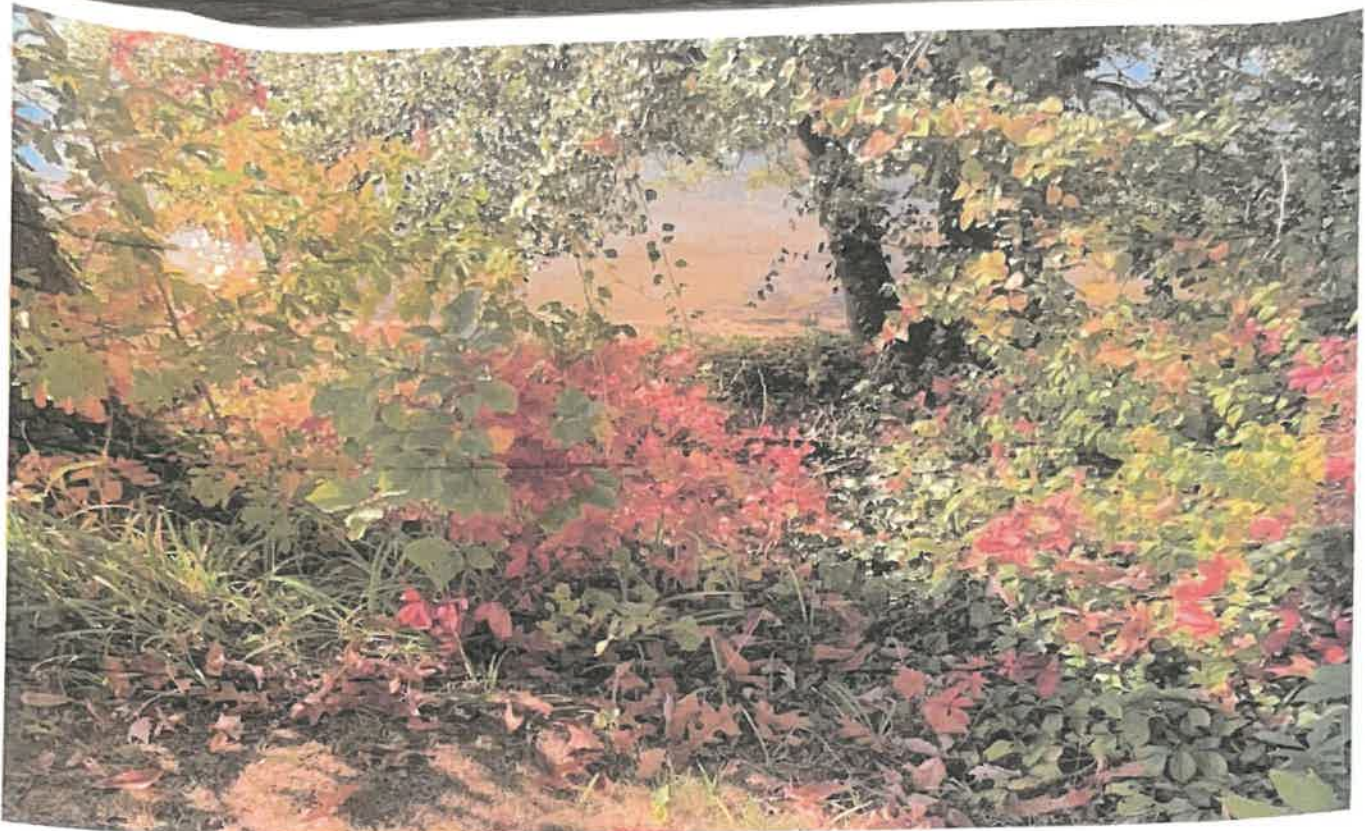


Photo Location #12 Looking West Towards Existing Bulkhead & Toe Of Slope, No Erosion Present

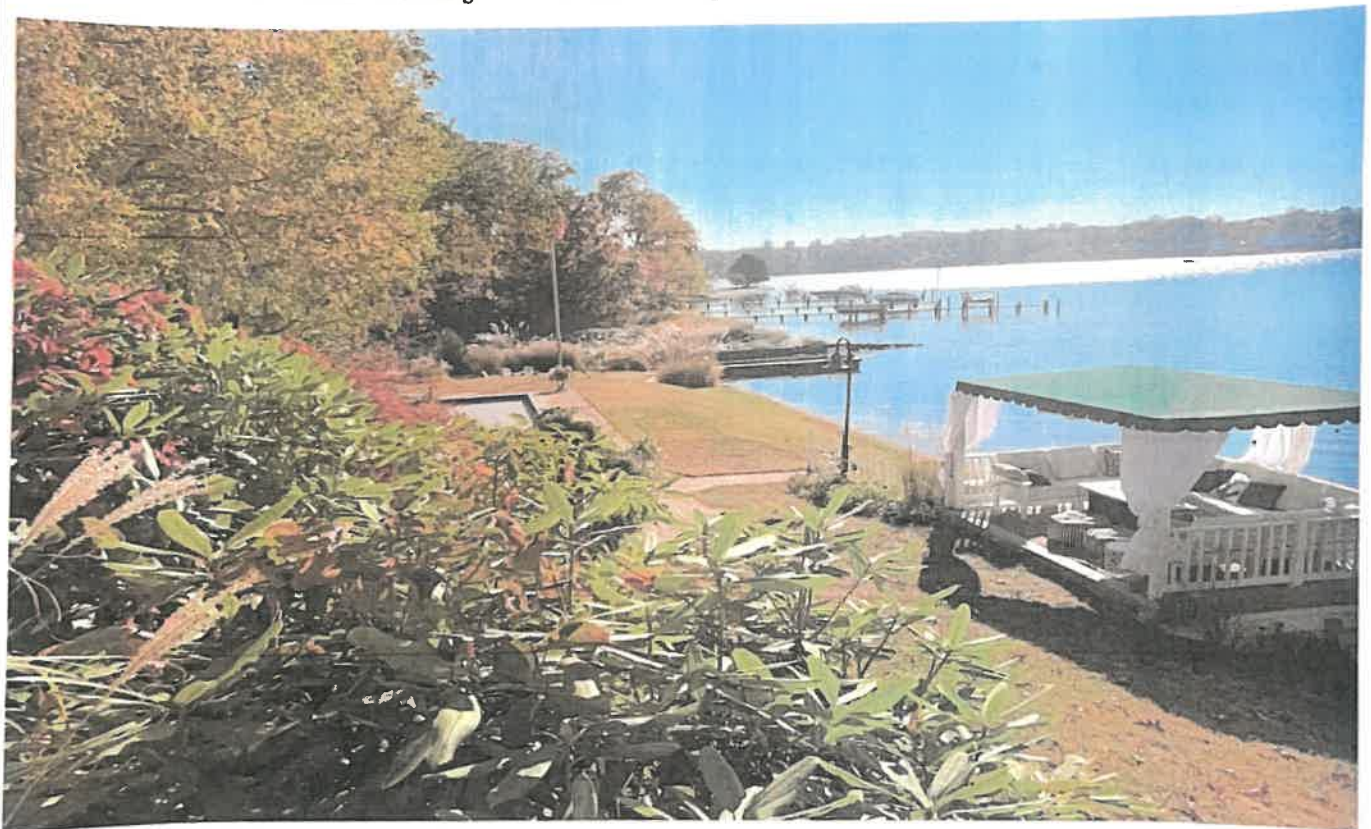


Photo Location #13 Looking South Across Existing Steep Slopes



Photo Location #13 Looking West Down Slope, Area In Good Condition With No Erosion Present



Photo Location #14 Looking North From Existing Wood Deck, Area Stable With No Erosion Present



Photo Location #15 Looking East Up Existing Slope, Area Stable & In Good Condition



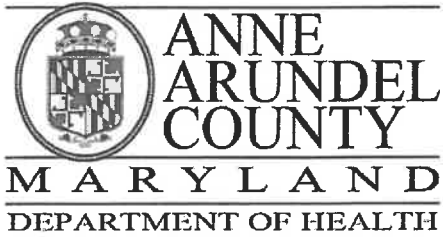
Photo Location #16 Looking Northwest Across Slope, Area Vegetatively Stabilized



Photo Location #16 Looking West Down Slope, Area In Good Condition With No Erosion Present



Photo Location #17 Looking East Across Slope, Area Stable With Lawn In Good Condition




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: December 3, 2024

RE: Daniel Clark
115 Boone Trail
Severna Park, MD 21146

NUMBER: 2024-0216-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow dwelling additions (one-story screen porch, living space, covered porch, balcony, deck and steps to grade) with less setbacks than required, disturbance to slopes of 15% or greater, new lot coverage nearer to the shoreline than the principal structure, and that does not comply with the designated location of a principal structure on a waterfront lot.

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



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE (2024-0041-P)

DATE OF MEETING: 5/6/2024

P&Z STAFF: Sara Anzelmo, Kelly Kringetz

APPLICANT/REPRESENTATIVE: Ginger & Daniel Clark EMAIL: gingerclark7@gmail.com, dclark@uspools.net

SITE LOCATION: 115 Boone Trail, Severna Park LOT SIZE: 33,500 sf ZONING: R2

CA DESIGNATION: LDA BMA: Yes or BUFFER: N/A APPLICATION TYPE: Critical Area Variance

From the applicants:

"The proposed renovation is a small alteration to an existing 70 years old, waterfront home located in Linstead on the Severn, 115 Boone Trail, Severna Park. The home is set between Yantz cove and the Linstead lagoon and sits on 33,500 sq ft of land. Specifically, we are requesting the following variances:

1. A variance to allow two additions, a covered screened porch and an elevated wood deck, (Article 18-2-402(1)).
2. A variance to allow a covered screened porch within 25 feet of the top of the steep slope (Article 17-6-404).

The proposed new structures are consistent with the character of the community and variances being requested are the minimum necessary to afford relief, as further outlined [in the letter of explanation]. We believe the proposed variances meet all applicable criteria in accordance with the Anne Arundel County code."

COMMENTS

The Critical Area Team commented that relief to allow the disturbance of the 25' buffer to steep slopes must occur through the modification process, not the variance process. The proposal will also require a variance to the BMA [Buffer Modification Area] standards to allow new lot coverage forward of the front facade of the existing dwelling as well as a variance to allow the disturbance of the actual steep slopes. The site plan must be updated to show the 100' buffer, areas of steep slopes, all improvements on site including the rooftop deck on the utility building and the poolside structure. The site plan is difficult to read in terms of existing and proposed improvements. Architectural plans would be helpful. Reconfiguration of the existing spaces can be justified in terms of relief; however, it would be difficult to support improvements that encroach into the buffer or disturb steep slopes on the property.

The Zoning Administration Section concurs with the Critical Area Team's comments. The site plan is insufficient and must be updated to include the items mentioned above. Additionally, all proposed structures must be labeled and must include dimensions, height, and number of stories on the variance site plan. The applicants are reminded that, in order for a variance to be granted, the Hearing Officer must find that the applicants have demonstrated compliance with each and every critical area variance standard provided under Section 18-16-305 (b) & (c). Given the fact that substantial waterfront amenities for outdoor use and enjoyment already exist (i.e. large waterfront porch, deck, patio, poolside covered structure, waterside structure with rooftop deck, etc.), it may be difficult to make the case that the variances are warranted and that, without the requested variances, the applicants would be denied reasonable use of the property.

INFORMATION FOR THE APPLICANT

Section 18-16-203 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

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

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

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