



December 17, 2024

Anne Arundel County
Office of Planning & Zoning
Zoning Administration Section
2664 Riva Road
Annapolis, MD 21401

Re: Eagles Passages Sec 5 Lot 44
Single Lot Development
2500 Howard Grove Road
Davidsonville, MD 21035
Request for Variance

Dear All:

On behalf of our client William Manley, please find enclosed the following Letter of Explanation for a request for variance of the above referenced lot. The owner is requesting a variance for disturbance to the expanded buffer and disturbance to steep slopes.

Site Description

The site is a developed waterfront residential 15.85 ac lot in Davidsonville, Maryland. The lot is adjacent to the South River and located at the end of a cul-de-sac at Howard Grove Rd. The proposed development is construction of a single family home, septic system, stormwater management and driveway. The stormwater management measures are conceptual as they are still under review with the county. The existing house and structures will be razed, and the existing house is to be replaced in the same location.

Existing Structures (to be removed):

- 3,070 ± SF house, 2-story, ± 20' high, ± 127' to the north eastern property line, ± 297' to the M.HW.
- 1,340 ± SF structure, 1-story, ± 10' high, ± 352' to the western property line, ± 169' to the northern property line
- 600 ± SF structure, 1-story, ± 10' high, ± 5' to the northern property line, ± 388' to the southern property line
- 250 ± SF structure, 1-story, ± 10' high, ± 352' to the north eastern property line, ± 66' to the northern property line

LAND DEVELOPMENT CONSULTANTS

53 Old Solomon's Island Rd., Suite D
Annapolis, MD 21401
Phone 410-956-7020 Fax 410-956-7026

Proposed Structure:

- 4,979 SF house, 2-story, ± 20' high, ± 127' to the north eastern property line, ± 312' to the southern property line, ± 307' to the M.H.W.

Requirement for Critical Area Variances:

(1) Because of unique physical conditions such as exceptional topographic conditions and lot shape, strict implementation of the County's critical area program would result in unwarranted hardship. The only location to build the proposed house is where the existing house is already located. The remaining area on site is either forested or septic reservation area. The proposed house will not be located any closer to the South River than the existing house.

(2) (i) A literal interpretation of COMAR, Title 27 or the County's critical area program and related ordinances will deprive the applicant of rights commonly enjoyed by properties in similar areas, namely to build a livable home.

(3) The granting of a variance will not confer on the applicant any special privilege that would be denied by COMAR, Title 27 or the County's critical area program.

(4) The variance request is not based on conditions or circumstances that are a 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.

(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 program. Stormwater Management best management practices are proposed, as well as erosion and sediment control during construction. Clearing is kept to a minimum. The applicant has constructed a living shoreline and stone revetment for shoreline protection.

(6) There are no known bogs on this site.

(7) The applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, 8-1808 of the State Code.

(8) As a part of 18-16-201(c), the applicant met with the Office of Planning and Zoning to review a concept plan and discuss any alternatives.

Requirement for all Variances:

(1) The variance is the minimum variance necessary to afford relief, namely construction of a livable home.

(2) The granting of the variance:

- (i) will not alter the essential character of the neighborhood. An existing home is already located on the site and the disturbance is kept to a minimum.

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- (ii) will not have an impact on the use or development of the adjacent property.
- (iii) will not significantly reduce forest cover. The disturbance is kept to a minimum and the applicant is proposing reforestation mitigation under an Approved Forestation Agreement.
- (iv) will not be contrary to acceptable clearing and replanting practices required for development in the critical area. Disturbance and clearing is kept to a minimum and reforestation mitigation is proposed under an Approved Forestation Agreement.
- (v) will not be detrimental to the public welfare. Revetment and living shoreline have been constructed by the applicant to protect the existing shoreline of the South River.

Should you require additional information, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'M. Swallop', with a long horizontal stroke extending to the right.

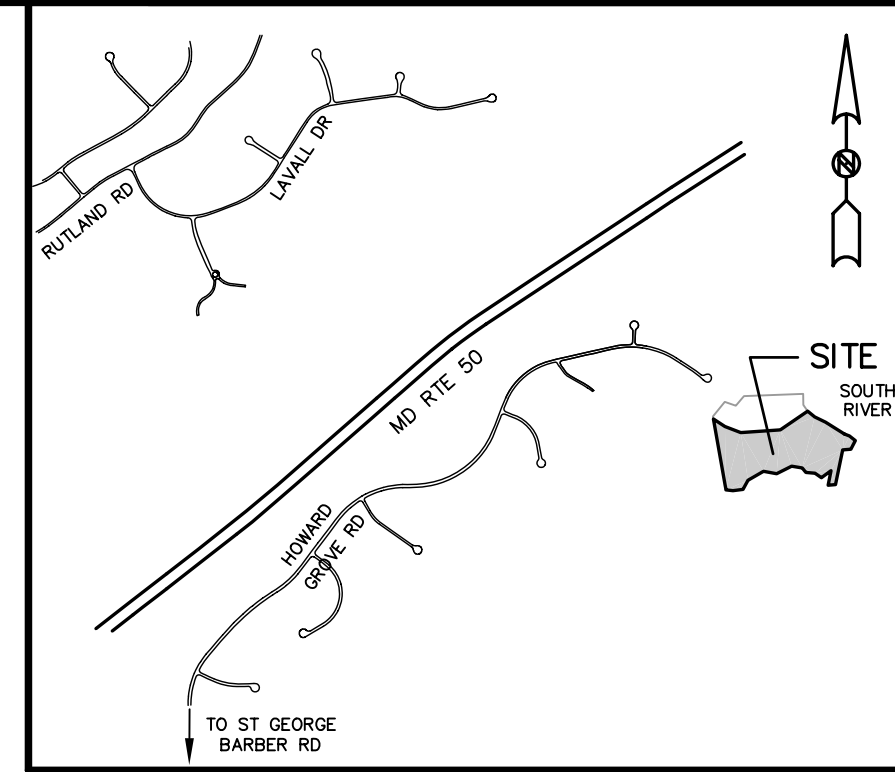
Michael B. Swallop, P.E.

Cc: William Manley

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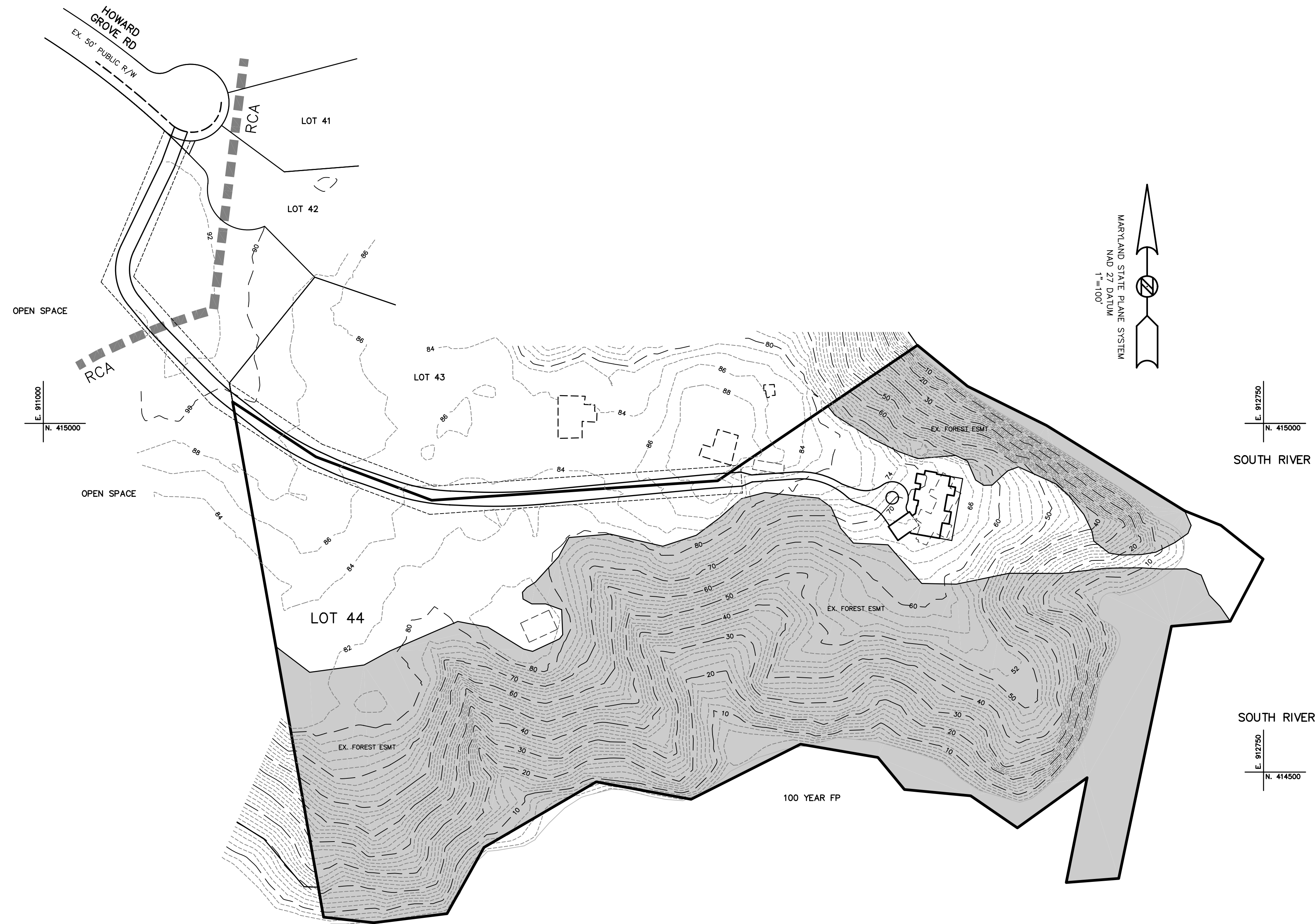
EAGLES PASSAGES, SECTION 5, LOT 44 ADMINISTRATIVE SITE PLAN



VICINITY MAP 1"=2000'

- NOTES**
1. SITE AREA: 15.85 AC.
 2. DISTURBED AREA: 3.06 AC.
 3. AREA VEGETATIVELY STABILIZED: 42266 SF OR 0.97 AC.
 4. AREA MECHANICALLY STABILIZED: 28000 SF OR 0.64 AC.
 5. PREDOMINANT SOIL TYPE: ANNAPOLIS
 6. SITE ZONING: RA

NOTE:
THE EXISTING CONDITIONS AND TOPOGRAPHY IS AERIAL TOPOGRAPHY FLOWN & COMPILED IN SEPTEMBER, 2022.



MARYLAND STATE PLANE SYSTEM
NAD 27 DATUM
1"=100'

E. 911000
N. 415000

E. 912750
N. 415000

SOUTH RIVER

SOUTH RIVER

E. 912750
N. 414500

INDEX OF SHEETS

SHEET	DESCRIPTION
1	LOCATION PLAN/NOTES
2	ADMINISTRATIVE SITE PLAN
3	ADMINISTRATIVE SITE PLAN

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NO.	BY	DATE	REVISIONS

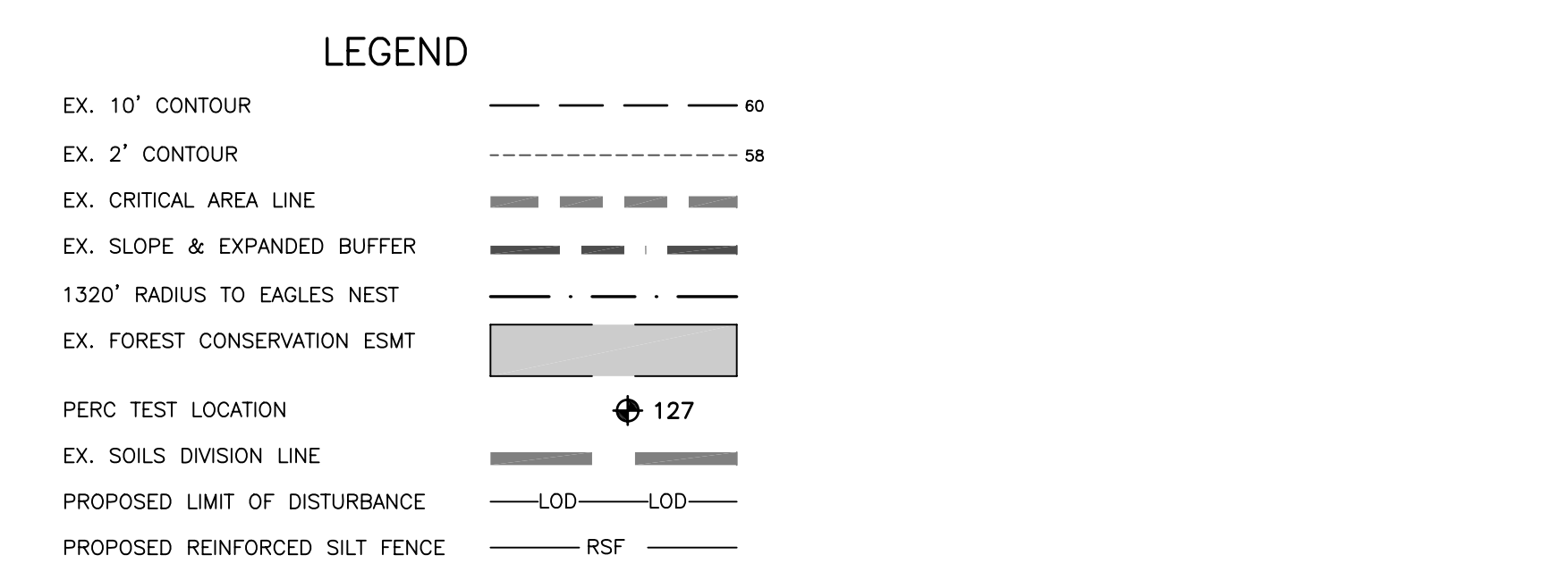
J.A. CHISHOLM, P.E., L.L.C.
LAND DEVELOPMENT CONSULTANTS
ENGINEERING • PLANNING • SURVEYING
53 OLD SOLOMON'S ISLAND ROAD, SUITE D
ANNAPOLIS, MARYLAND 21401
HURSHDL@AOL.COM
PHONE (410) 956-7020 FAX (410) 956-7026

ADMINISTRATIVE SITE PLAN
EAGLES PASSAGES, SECTION 5, LOT 44
A SINGLE FAMILY DETACHED RESIDENTIAL SUBDIVISION
#2500 HOWARD GROVE RD
SUBDIVISION #86-263
TAX MAP 50 BLOCK 7 PARCEL 387
SITE ZIP CODE 21035 ZONED RA NAD 27 DATUM SCALE AS SHOWN DATE: NOV., 2024
SECOND TAX ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND

OWNER: **WILLIAM MANLEY**
1006 LIBERTY NEST COURT
DAVIDSONVILLE, MD 21035
301-802-1503
BROVEND@AOL.COM

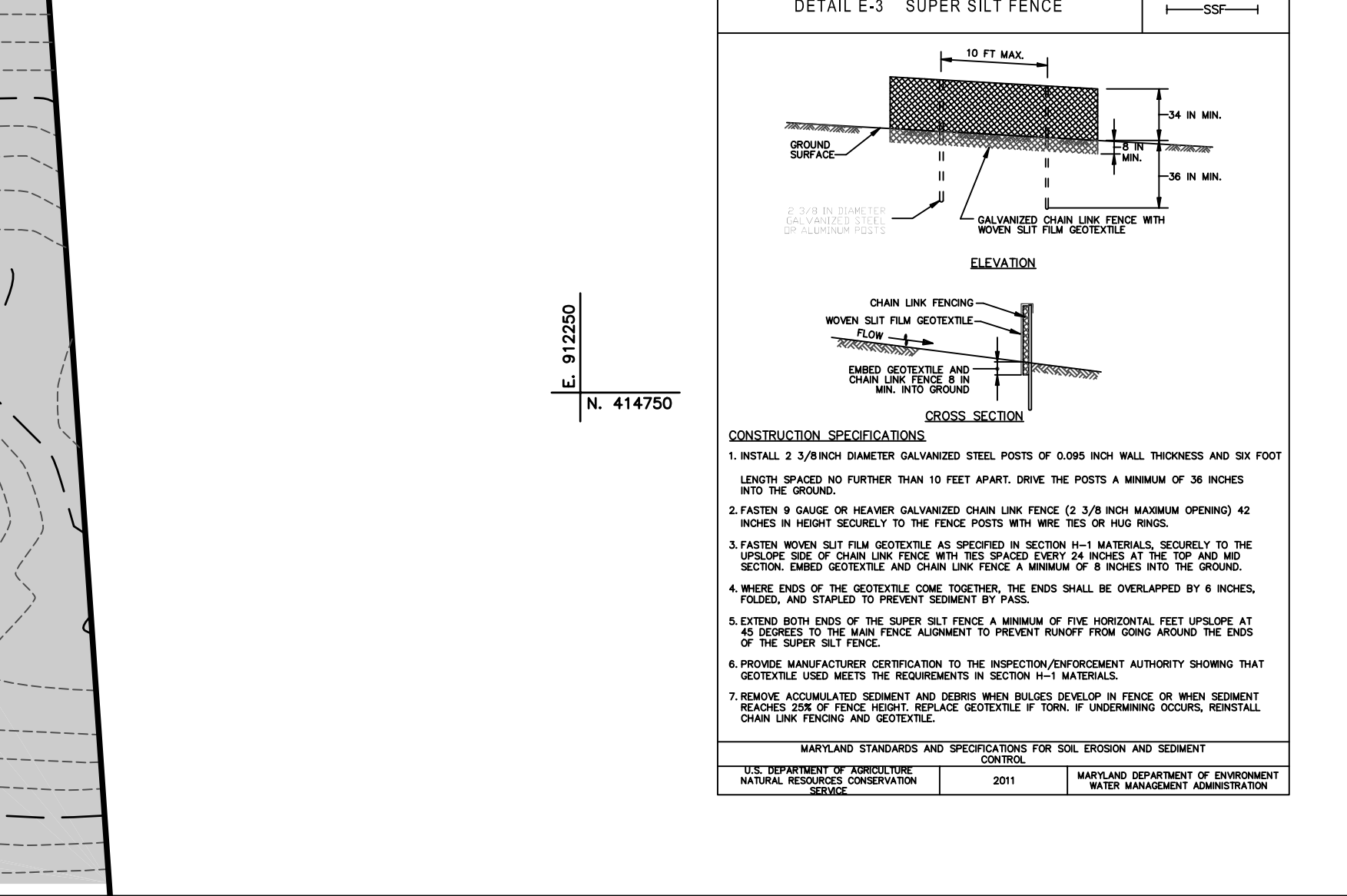
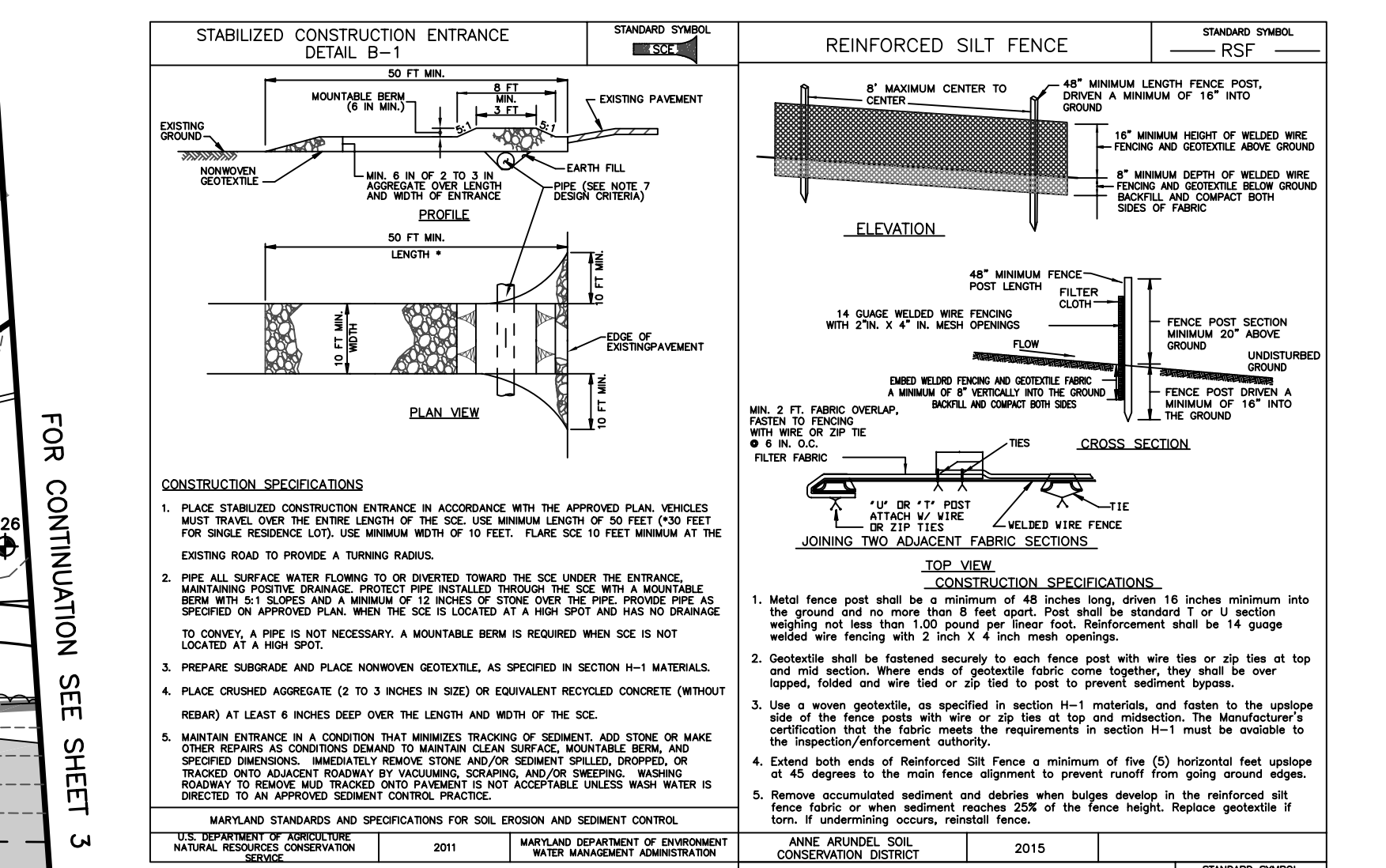
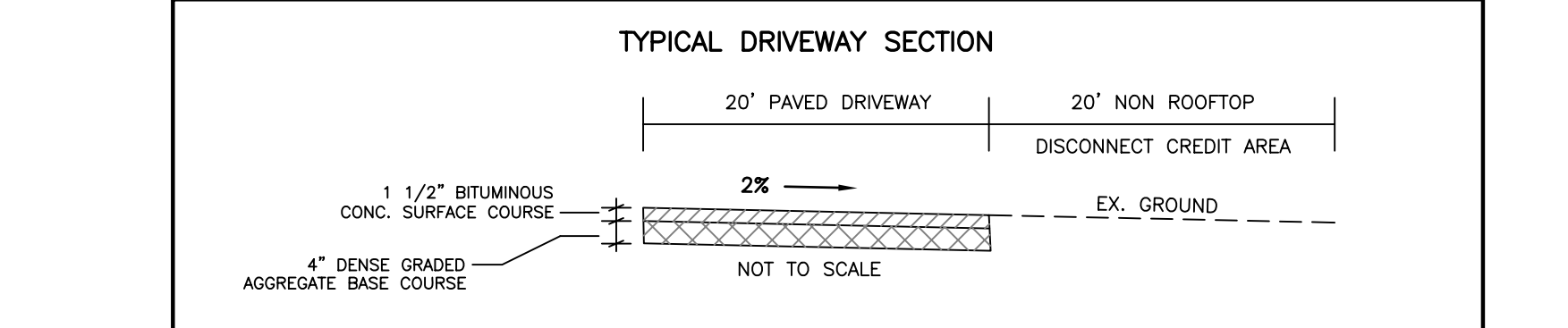
SHEET 1 OF 3

DESIGN: MBS DRAFT: CK APPROVED: MBS



SOIL TABULATION

SYMBOL	DESCRIPTION	HYDROLOGIC SOIL GROUP
AsB	ANNAPOLIS LOAMY SAND, 2-5% SLOPES	C
AsE	ANNAPOLIS FINE SANDY LOAM, 2-5% SLOPES	C
AsF	ANNAPOLIS FINE SANDY LOAM, 15-25% SLOPES	C
AsG	ANNAPOLIS FINE SANDY LOAM, 25-40% SLOPES	C
AsH	ANNAPOLIS FINE SANDY LOAM, 40-80% SLOPES	C



NO.	BY	DATE	REVISIONS

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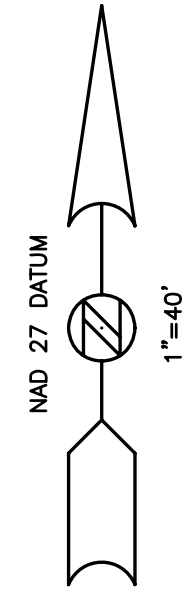
TAX MAP 50 BLOCK 7 PARCEL 387
 SITE ZIP CODE 21035 ZONED RA NAD 27 DATUM SCALE 1"=40' DATE: NOV, 2024
 SECOND TAX ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND

OWNER: **WILLIAM MANLEY**
 1006 LIBERTY NEST COURT
 DAVIDSONVILLE, MD 21035
 301-802-1503
 BROVDEN@AOL.COM

SHEET 2 OF 3

DESIGN: MBS DRAFT: CK APPROVED: MBS

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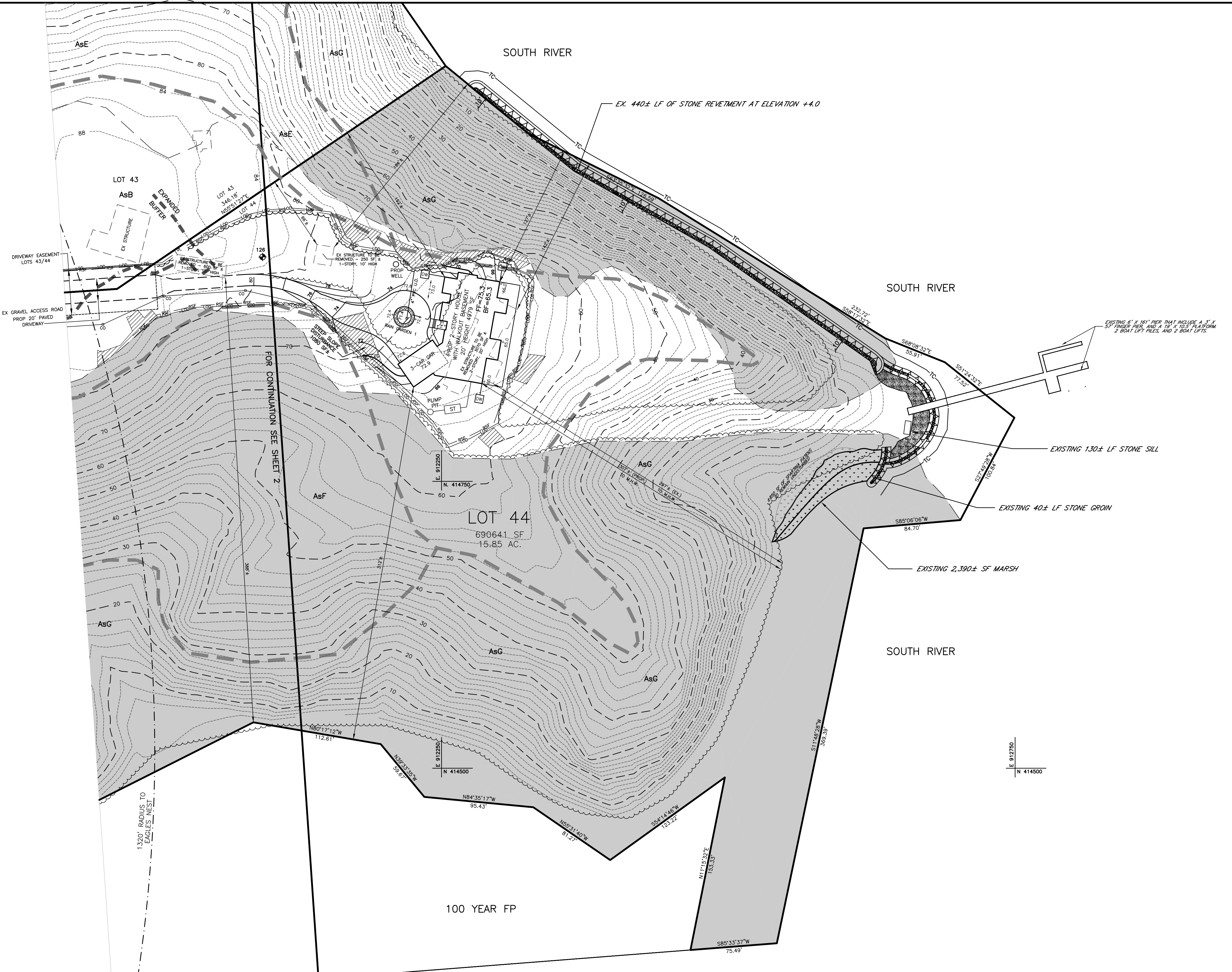


LEGEND

- EX. 10' CONTOUR --- 80
- EX. 2' CONTOUR --- 58
- EX. CRITICAL AREA LINE ---
- EX. SLOPE & EXPANDED BUFFER ---
- 1320' RADIUS TO EAGLES NEST ---
- EX. FOREST CONSERVATION ESMT ---
- PERC TEST LOCATION + 127
- EX. SOILS DIVISION LINE ---
- PROPOSED LIMIT OF DISTURBANCE ---
- PROPOSED REINFORCED SILT FENCE ---
- PROPOSED SUPER SILT FENCE ---
- TURBIDITY CURTAIN ---
- STEEP SLOPES ---

SOIL TABULATION

SYMBOL	DESCRIPTION	HYDROLOGIC SOIL GROUP
AsB	ANNAPOLIS LOAMY SAND, 2-5% SLOPES	C
AsB	ANNAPOLIS FINE SANDY LOAM, 2-5% SLOPES	C
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AsF	ANNAPOLIS FINE SANDY LOAM, 25-40% SLOPES	C
AsG	ANNAPOLIS FINE SANDY LOAM, 40-80% SLOPES	C



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NO.	BY	DATE	REVISIONS

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OWNER: **WILLIAM MANLEY**
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 BROVEND@AOL.COM

SHEET 3 OF 3

DESIGN: MBS DRAFT: CK APPROVED: MBS

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: 11-26-24

Tax Map #	Parcel #	Block #	Lot #	Section
50	387	7	44	5

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

**Complete Only Page 1
General Project Information*

Tax ID: 2-231-90092556

Project Name (site name, subdivision name, or other) Eagles Passages Sec 5 Lot 44

Project location/Address 2500 Howard Grove Road

City Davidsonville Zip 21035

Local case number _____

Applicant: Last name Manley First name William

Company JA Chisholm, PE, LLC

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 - Construction/replacement in kind of Single Family Dwelling and associated septic system, stormwater management and driveway

Intra-Family Transfer <input type="checkbox"/>	Growth Allocation <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		Acres	Sq Ft
IDA Area			Total Disturbed Area	133,294	
LDA Area					
RCA Area		690,641	# of Lots Created	0	
Total Area		690,641			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		548,919	Existing Lot Coverage		18,378
Created Forest/Woodland/Trees		12,560	New Lot Coverage		19,729
Removed Forest/Woodland/Trees		24,631	Removed Lot Coverage		5,260
			Total Lot Coverage		19,729

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		71,280	Buffer Forest Clearing		13,147
Non-Buffer Disturbance		62,014	Mitigation		12,560

<p><u>Variance Type</u></p> <p>Buffer <input type="checkbox"/></p> <p>Forest Clearing <input type="checkbox"/></p> <p>HPA Impact <input type="checkbox"/></p> <p>Lot Coverage <input type="checkbox"/></p> <p>Expanded Buffer <input checked="" type="checkbox"/></p> <p>Nontidal Wetlands <input type="checkbox"/></p> <p>Setback <input type="checkbox"/></p> <p>Steep Slopes <input type="checkbox"/></p> <p>Other <input type="checkbox"/></p>	<p><u>Structure</u></p> <p>Acc. Structure Addition <input type="checkbox"/></p> <p>Barn <input type="checkbox"/></p> <p>Deck <input type="checkbox"/></p> <p>Dwelling <input checked="" type="checkbox"/></p> <p>Dwelling Addition <input type="checkbox"/></p> <p>Garage <input type="checkbox"/></p> <p>Gazebo <input type="checkbox"/></p> <p>Patio <input type="checkbox"/></p> <p>Pool <input type="checkbox"/></p> <p>Shed <input type="checkbox"/></p> <p>Other <input type="checkbox"/></p>
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EAGLES PASSAGES LOT 44

CRITICAL AREA REPORT NARRATIVE

Single Lot

NOVEMBER 2024

**FOR: WILLIAM MANLEY
1006 LIBERTY NEST COURT
DAVIDSONVILLE MD, 21035**

**BY: J.A. CHISHOLM, P.E., LLC
55 OLD SOLOMON'S ISLAND ROAD, STE D
ANNAPOLIS, MD 21401**

Narrative:

1. The subject property is a waterfront residential site that will be used for construction of a single family dwelling to replace an existing house, and installation of associated septic system, stormwater management and driveway.
2. The site is predominately mixed hardwoods. The site is a total of 690, 641 SF. Of that area, approximately 548,919 SF is forested. The total disturbance is 133,294 SF, of which 24,631 is disturbed forest. There is mitigation in the form of canopy trees and understory trees in the amount of 12,560 SF.
3. The following methods have been used to minimize impacts on water quality and habitat from proposed construction: stormwater management best management practices including installation of a rain garden and dry wells as well as rooftop and non-rooftop disconnection areas, erosion and sediment control measures during construction including reinforced silt fence, super silt fence and temporary seeding.
4. The total existing impervious surface before construction is 18,378 SF. The total impervious surface after construction is 19,729 SF.
5. The project site includes expanded buffers and steep slopes of 15% or greater.



STEUART PITTMAN, COUNTY EXECUTIVE
JESSICA LEYS, DIRECTOR
RECREATION AND PARKS
1 HARRY S. TRUMAN PKWY
ANNAPOLIS, MD 21401
AACOUNTY.ORG/RECPARKS



MEMORANDUM

TO: Sadé Medina, Zoning Division
Office of Planning and Zoning

FROM: Pat Slayton
Capital Projects Division

SUBJECT: Variance Case 2024-0218-V

DATE:

The Department of Recreation and Parks has reviewed the above plans to determine if there may be impacts to the Anne Arundel County Green Infrastructure Network, parks, and trails. Please note our recommendations according to those findings below.

- This site lies within the Anne Arundel County Green Infrastructure Network, a proposed preservation area considered in the Anne Arundel County Green Infrastructure Master Plan. The proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

The Department of Recreation and Parks has no further comments.

cc: File

2024-0218-V Pre-file Waived

1 message

Sara Anzelmo <pzanze99@aacounty.org>
To: David Hursh <dlhursh@gmail.com>

Tue, Dec 3, 2024 at 4:36

Good afternoon, David. I consulted with my Planning Administrator and with Kelly Krinetz (Critical Area Team Planning Administrator), and we have determined that we can proceed with your variance application without a formal pre-file. Between the in-person consultation that you had with Kelly and the preliminary Engineering feedback that you said you have received for your grading permit application, we feel that you have received the same communication that would be intended by a pre-file review.

That said, Kelly noted that it appears that a small portion of the northern section of the LOD impacts an area of steep slopes. Unless the plan is modified to eliminate that encroachment, the applicant will need a steep slope variance in addition to the expanded buffer variance. The slopes of 15% or greater should be shaded on the site plan for a proper review. If any portion of the development or the proposed LOD disturbs the slopes, then a steep slope disturbance variance is also required. Please revise the site plan to show the slopes of 15% or greater, and revise the letter of explanation if a steep slope variance is also being sought.

Please submit any revised documents to me directly. I will replace them in the LUN system. Let me know if you have any questions. Thank you.

—



Sara Anzelmo
Office of Planning and Zoning
Planner, Zoning Administration Section
410-222-7437

www.aacounty.org



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For All**