



December 23, 2024

Anne Arundel County  
Office of Planning & Zoning  
2664 Riva Road  
Annapolis, Maryland 21401

Attention: Ms. Sterling Seay

Re: Variance Request  
215 Nottingham Hill Sherwood Forest  
Tax Map 39 Grid 19 Parcel 295

Dear Ms. Seay:

On behalf of the applicants, Stephen & Barbara Palmer, we respectfully request a variance to

1. Article 18 Section 4-601 to allow a deck/screen porch addition closer to the side yard than the 7-foot setback required and less than 25-feet from a rear lot line.
2. Article 17-8-402 to allow coverage on a lot to exceed the allowable coverage of 25% of the parcel size plus 500 square feet.
3. Article 17-8-403 to allow impervious coverage on the lot without the 10% reduction required by 17-8-403(2)
4. Article 17-8-201 to allow disturbance to slopes greater than 15% to allow the installation of deck posts to construct the elevated deck & porch

The community of Sherwood Forest was platted in 1929, and pre-dates the Anne Arundel County Zoning regulations. While the minimum lot size for a lot in the R-2 Zone is 20,000 square feet, 215 Nottingham Hill is a mere 5,901 square feet, or 29% of the minimum lot size for this zone. It is obvious that it is a severely undersized lot. Not only is it uniquely small for general zoning considerations, it is also oddly-shaped, with seven lot lines, making it even more challenging to meet the guidelines set forth in the Code.

Sherwood Forest is comprised of 519 acres, and is developed with 341 residences, which are clustered on generally undersized lots, with over 250 acres of undeveloped and undevelopable community property. Much of the undevelopable property is densely wooded with waterfrontage, providing habitat for a variety of local species. As a result, the community as a whole, meets the spirit and intent of the Critical Area laws, even though the majority of the individual lots fail to comply with the current criteria.

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

- a. **(1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article:**

The subject property is 5,902 sf in size, and it is zoned R2. This site size is roughly 30% of the minimum lot size required for lots in the R2 district. Given the limited lot size, there are clearly irregularities with the lot size. Knowing screen porches and deck similar in nature to that proposed is proliferate throughout the community, we believe this request is in keeping with the character of the neighborhood. The neighborhood by design has small lots which were intended for development while the natural environment surrounds the development area. The outdoor living spaces like decks and screen porches allow the residents to enjoy and connect to the natural resources of the site.

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

- b. **(1) 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 or bog protection program would result in an unwarranted hardship, as that term is defined in the Natural Resources Article, § 8-1808, of the State Code, to the applicant;**

The exceptional circumstances and practical difficulties in this application have been noted in #1 above to a large degree. The lot is small and restrictive. The community itself by its original design sets aside conservation properties outside the individual lot areas intentionally to preserve open areas. Typical R2 lots would incorporate a larger lot area which would allow larger coverage areas from a percentage perspective. However, given the limited lot sizes in this community, meeting the coverage ratios is nearly impossible. The limited lot sizes in this community conflict with the code minimums there by requiring the variances requested.

**(2) (i) 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;**

A literal interpretation of COMAR would deny the owners use of the property enjoyed by others as the site is much smaller than the code minimum lot size. Also given the proliferation of similar facilities in the neighborhood, we believe denial of this request would deprive the applicant of rights commonly enjoyed by others in the neighborhood.

**(ii) The County's bog protection program will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the bog protection area of the County;**

The site is not in a bog area.

**(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**

This project will not confer special privileges to the owner, as the updated structure with the outdoor living area will be consistent with the character of the neighborhood and the overall subdivision coverage is within the spirit and intent of the Critical Area legislation.

**(4) The variance request is not based on conditions or circumstances that are the result of actions by the applicant**

The request is not the result of actions of the owner. The lot size was created with the original subdivision which pre-dates zoning regulations and the house location on the lot has existed prior to the Palmers ownership. No work has started on the project prior to gaining authorization.

**(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**

This project will result in a net benefit in planting on the site due to the critical area disturbance mitigation required on the site due to this request. Disturbance mitigation at a higher ratio of planting will be required since this project is the subject of this variance. This project will therefore provide net water quality and plant/wildlife habitat benefit.

**(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**

This site is not in the bog buffer.

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

This plan overcomes the presumption, as the denial of this variance would deny the owners rights of other owners in the community. The development is not detrimental to the environment as stormwater management and modern construction will make the project a benefit not a detriment to the area. The Critical area code is not a confiscatory code. Its intent is to allow reasonable and significant development that is in harmony with the environment. The improvement requested is smaller than would be allowed on most R2 LDA lots in the County that meet the minimum lot size.

**(8) The applicant has evaluated and implemented site planning alternatives in accordance with § 18-16-201(c).**

The applicant has tried alternative design. However, as this site is so small, other alternatives would place the screen porch in a front yard which would require the same or increased relief, and would not meet the project goals.

This plan meets the requirements of 18-16-305(c):

**(1) The variance is the minimum variance necessary to afford relief**

The majority of the proposed screen porch is above the existing basement areaway/patio and therefore does not add coverage. The 40 sf of coverage added by this project is required to square off the screen porch and connect it to the house. The remainder of the deck is not coverage and

is built above the ground to allow connectivity to the other side of the house. Elevating the deck and porch above existing coverage minimizes the environmental impact. The disturbed area will simply be that area required to install the posts. The deck/porch size has been minimized to that area required to have a small table and chairs.

(2) The grant of the variance will not:

(i) **alter the essential character of the neighborhood or district in which the lot is located;**

The request will make the dwelling more in keeping with the character of the neighborhood since most homes in the community have similar amenities to allow them to connect with the natural environment of the community.

(ii) **substantially impair the appropriate use or development of adjacent property;**

This request will bring the dwelling more in keeping with the character of the neighborhood given that most homes in the neighborhood have similar amenities.

(iii) **reduce forest cover in the limited development and resource conservation areas of the critical area;**

This project will increase forest cover in the critical area due to the plant mitigation required for the critical area disturbance.

(iv) **be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area; nor**

No clearing is required for this request, yet the final project will create additional planting in the critical area. It is therefore consistent with the clearing and replanting practices.

(v) **be detrimental to the public welfare.**

This project will not be detrimental to the public welfare.

The enclosed plan represents the location of the proposed work to the deck/screen porch. In closing, the variances requested are the minimum necessary to afford relief and are not based on conditions or circumstances that are a result of actions by the applicant. We thank you in advance for your consideration of this request.

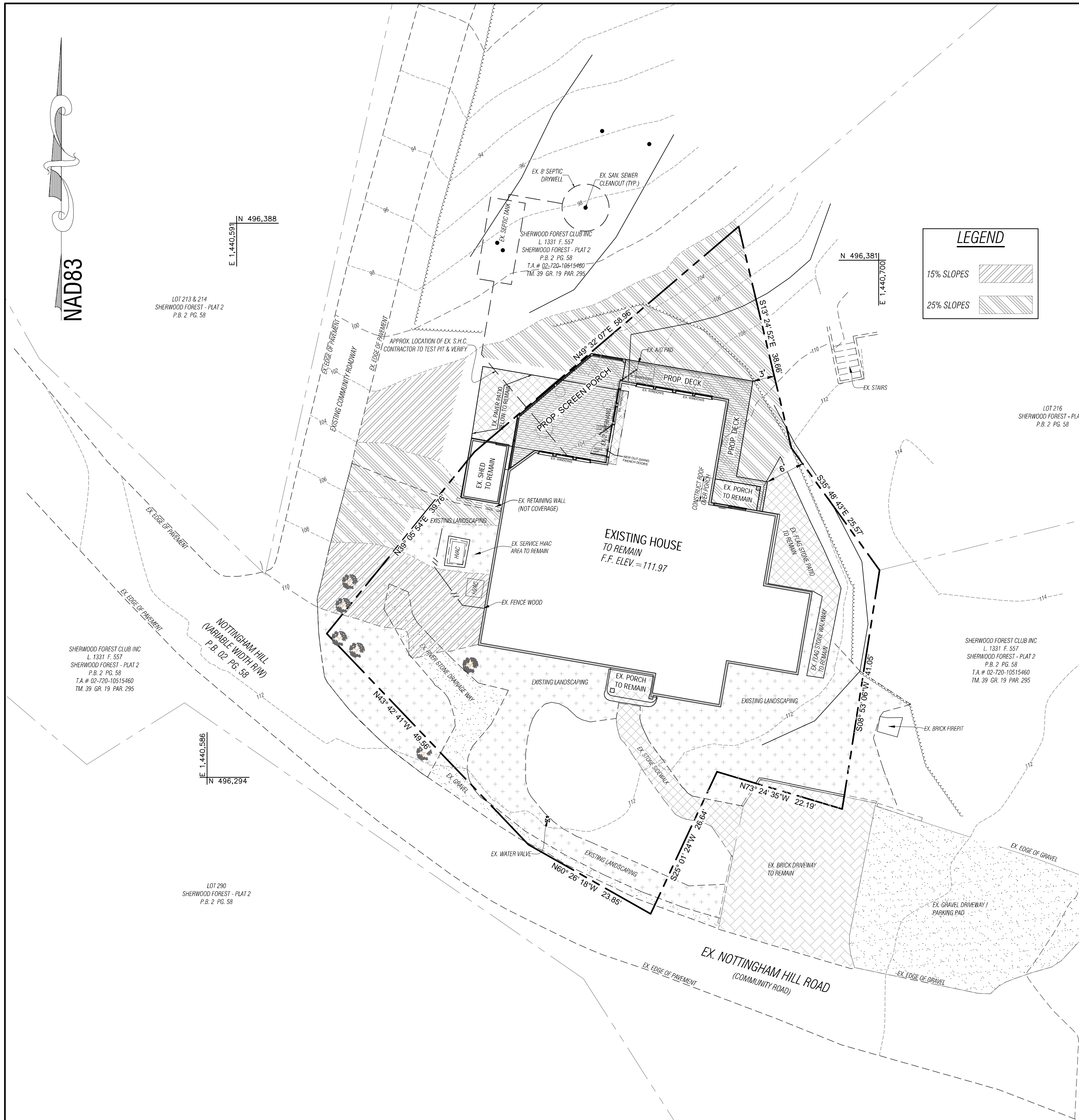
If you have any questions, or if you require additional information, please feel free to contact me at 410-266-3212.

Sincerely,  
Messick Group, Inc  
T/A Messick and Associates

*Wayne A. Newton*

215 Nottingham Hill  
Variance Letter of Explanation  
December 23, 2024  
Page 4  
Wayne A. Newton, P.E.  
President





**PLAN**  
SCALE: 1" = 10'

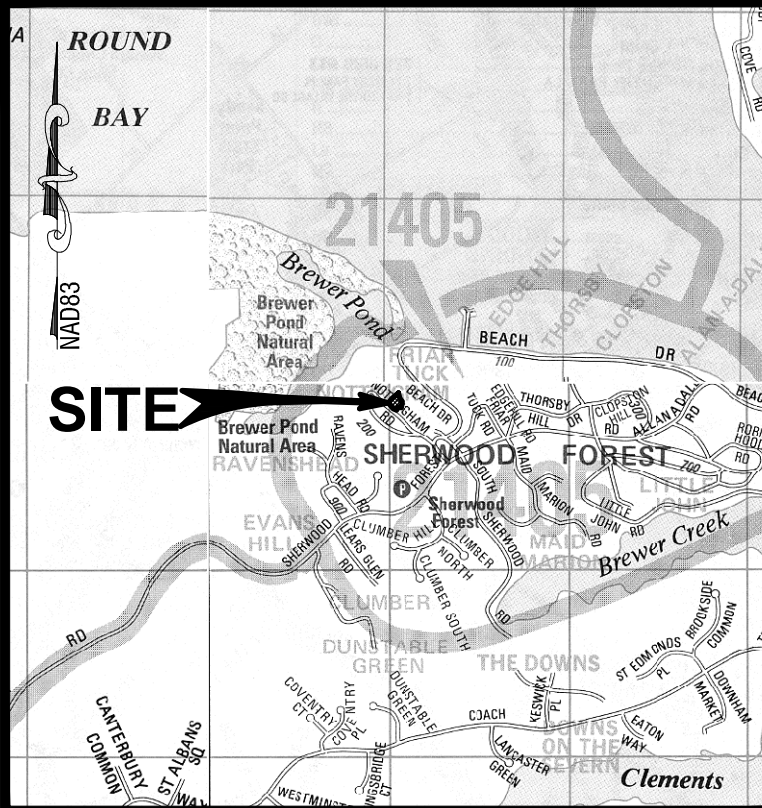
AREA CALCULATION	
TOTAL LOT AREA	5,902 S.F.
EXISTING COVERAGE	
HOUSE	1,920 S.F.
PORCH	34 S.F.
SHED	62 S.F.
BRICK DRIVEWAY	22 S.F.
PATIO / SIDEWALKS	636 S.F.
RETAINING WALLS	12 S.F.
A/C UNITS	17 S.F.
TOTAL	2,703 S.F. (45.7%)
PROPOSED SCREEN PORCH (NOT OVER EXISTING COVERAGE)	42 S.F.
TOTAL PROPOSED COVERAGE	2,745 S.F. (46.5%)

**LEGEND**

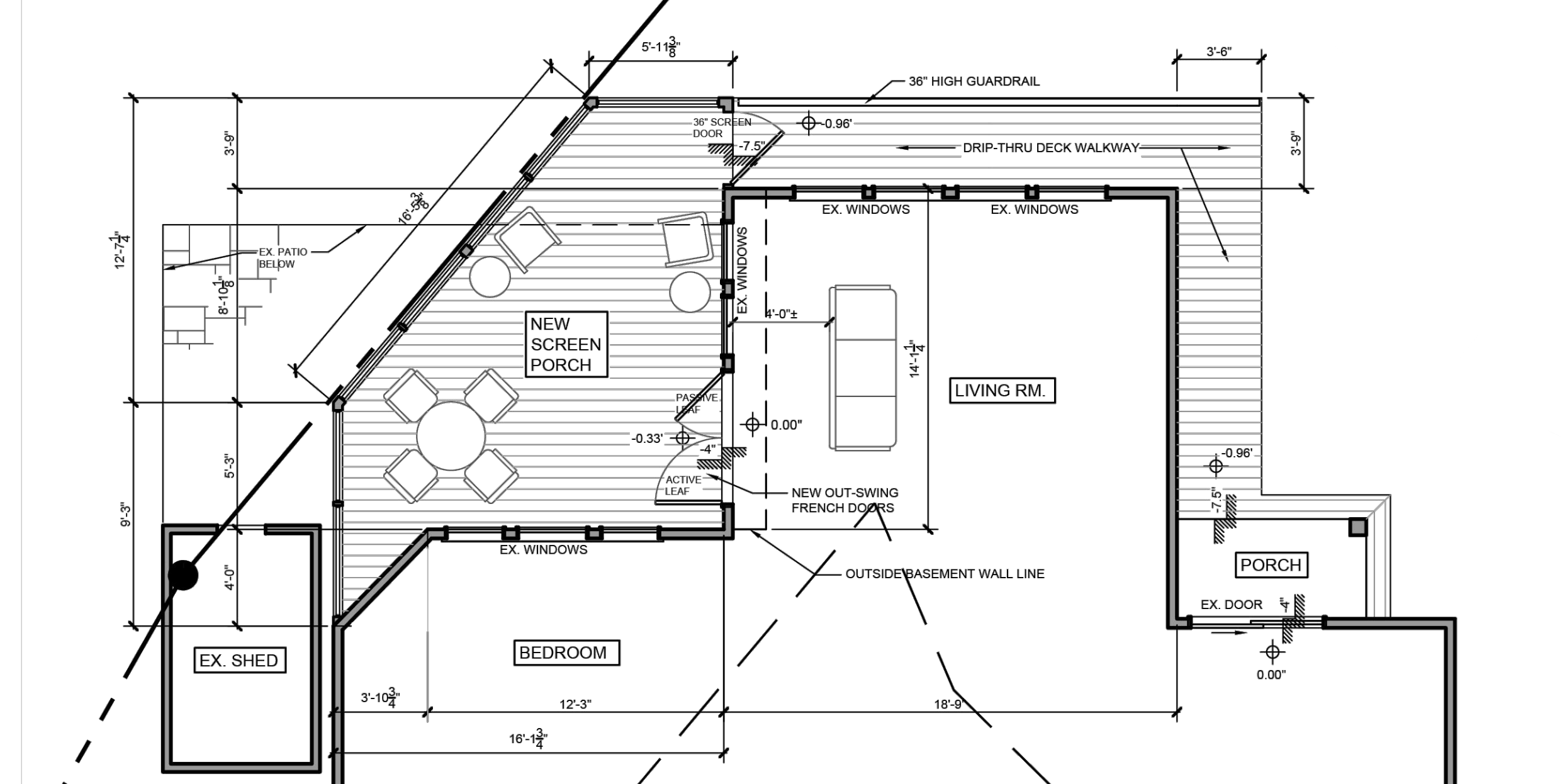
15% SLOPES

25% SLOPES

SITE DATA	
PROPERTY ADDRESS:	215 NOTTINGHAM HILL ANNAPOLIS, MD. 21405-0000
OWNER ADDRESS:	PALMER STEPHEN D. PALMER BARBARA J. 215 NOTTINGHAM HILL GENERAL DELIVERY SHERWOOD FOREST, MD. 21405-9999
TAX MAP: 39 GRID: 19 PARCEL: 295	DEED: L: 04039, F: 00829
ASSESSMENT DISTRICT:	SECOND
TAX ACCOUNT NUMBER:	02-720-03883606
EXISTING ZONING:	R-2
PROPOSED ZONING:	R-2 (NO CHANGE)
SETBACK:	FRONT: 30' REAR: 25' SIDES: 7'
MAX BUILDING HEIGHT:	35'
FEMA RATE MAP NUMBERS:	24003C0168F DATED: 2/18/2015
FEMA RATE MAP ZONE:	16
CRITICAL AREA MAP:	
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	RESIDENTIAL
WATERSHED AREA:	SEVERN RIVER
TOTAL SITE AREA:	5,902 S.F. - 0.135 AC.
PROPOSED CLEARING:	0 S.F. - 0.000 AC.
EXISTING IMPERVIOUS AREA:	2,703 S.F. - 0.062 AC.
PROPOSED IMPERVIOUS AREA:	2,745 S.F. - 0.063 AC.
TOTAL DISTURBED AREA:	150 S.F. - 0.003 AC.
AREA VEG. STABILIZED:	75 S.F. - 0.002 AC.
AREA STRUCT. STABILIZED:	75 S.F. - 0.002 AC.
CUT:	0 CY.
FILL:	0 CY.
BORROW:	0 CY.
CONTRACTOR IS ADVISED TO CHECK QUANTITIES	



ADC PERMITTED USE NUMBER 21003176  
**VICINITY MAP**  
SCALE: 1" = 2,000'



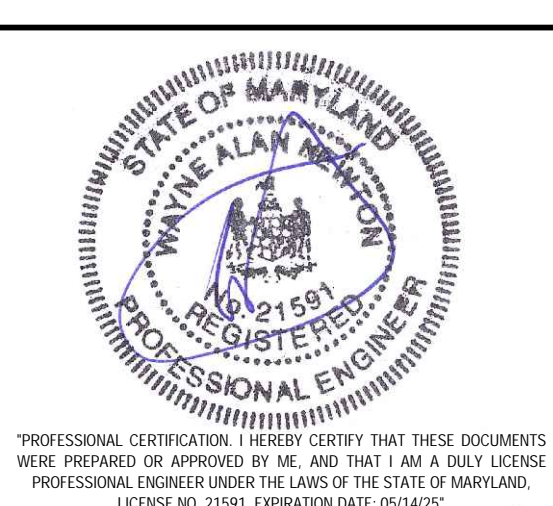
**DETAILED DIMENSION PLAN**  
SCALE: 1" = 5'

- VARIANCES REQUEST TO:**
- ARTICLE 18 SECTION 4-601 TO ALLOW A DECK/SCREEN PORCH ADDITION TO THE CLOSER TO THE SIDE YARD THAN THE 7-FOOT SETBACK REQUIRED AND LESS THAN 25-FEET FROM A REAR LOT LINE.
  - ARTICLE 17-8-402 TO ALLOW COVERAGE ON A LOT TO EXCEED THE ALLOWABLE COVERAGE OF 25% OF THE PARCEL SIZE PLUS 500 SQUARE FEET.
  - ARTICLE 17-8-403 TO ALLOW IMPERVIOUS COVERAGE ON THE LOT WITHOUT THE 10% REDUCTION REQUIRED BY 17-8-403(2)
  - ARTICLE 17-8-201 TO ALLOW DISTURBANCE TO SLOPES GREATER THAN 15% TO ALLOW THE INSTALLATION OF DECK POSTS TO CONSTRUCT THE ELEVATED DECK & PORCH

**SWM NOTE**  
THE STORM WATER MANAGEMENT & MITIGATION REQUIREMENTS FOR THIS PROJECT WILL BE ADDRESSED WITH VEGETATIVE PLANTINGS IN ACCORDANCE WITH ARTICLE 17-8-102(e) OF THE ANNE ARUNDEL COUNTY CODE.

REVISION DESCRIPTION	BY	DATE

**MESSICK & ASSOCIATES\***  
CONSULTING ENGINEERS,  
PLANNERS AND SURVEYORS  
7 OLD SOLOMONS ISLAND ROAD, SUITE 202  
ANNAPOLIS, MARYLAND 21401  
(410) 266-3212 \* FAX (410) 266-3502  
email: eng@messickandassociates.com



**OWNER/DEVELOPER:**  
PALMER STEPHEN D.  
PALMER BARBARA J.  
215 NOTTINGHAM HILL  
SHERWOOD FOREST, MD. 21405  
ANNAPOLIS, MD. 21041

**VARIANCE PLAN**  
**PROPOSED DECK / SCREEN PORCH**  
215 NOTTINGHAM HILL  
ANNAPOLIS, MD. 21405-0000

TM.: 39 GRID: 19 PARCEL: 295  
SECOND ASSESSMENT DISTRICT  
SCALE: AS SHOWN

ZONING: R-2  
ANNE ARUNDEL COUNTY, MARYLAND  
DATE: DECEMBER 2024  
SHEET: 1 OF 1



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: December 27, 2024

Tax Map #	Parcel #	Block #	Lot #	Section
0039	0295		215	

**FOR RESUBMITTAL ONLY**

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

\*Complete Only Page 1  
 General Project Information

Tax ID: 2720 0388 3606

Project Name (site name, subdivision name, or other) Palmer Porch Variance

Project location/Address 215 Nottingham Hill

City Annapolis Zip 21405

Local case number

Applicant: Last name Palmer First name Stephen and Barbara

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 checked="" type="checkbox"/> | Subdivision <input type="checkbox"/>         |
| Grading Permit <input type="checkbox"/>                       | Other <input type="checkbox"/>               |

**Local Jurisdiction Contact Information:**

Last name AACo Zoning Admin Sec. First name

Phone # 410-222-7437 Response from Commission Required By

Fax # Hearing date TBD

**SPECIFIC PROJECT INFORMATION**

Describe Proposed use of project site:

Request for setback and steep slope variance for screened porch addition for our Sherwood Forest home

Intra-Family Transfer <input type="checkbox"/> Yes Grandfathered Lot <input type="checkbox"/>	Growth Allocation <input type="checkbox"/> Yes Buffer Exemption Area <input type="checkbox"/>
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**Project Type (check all that apply)**

Commercial <input type="checkbox"/> Consistency Report <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Mixed Use <input type="checkbox"/> Other <input type="checkbox"/> _____	Recreational <input type="checkbox"/> Redevelopment <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Shore Erosion Control <input type="checkbox"/> Water-Dependent Facility <input type="checkbox"/>
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**SITE INVENTORY (Enter acres or square feet)**

	Acres	Sq Ft		Acres	Sq Ft
IDA Area			Total Disturbed Area		150 sq. ft.
LDA Area					
RCA Area		5,902 sq. ft.	# of Lots Created		
Total Area		5,902 sq. ft.			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees			Existing Lot Coverage		2,703 sq. ft.
Created Forest/Woodland/Trees			New Lot Coverage		42 sq. ft.
Removed Forest/Woodland/Trees		-0-	Removed Lot Coverage		-0-
			Total Lot Coverage		2,745 sq. ft.

**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 type="checkbox"/>
Lot Coverage	<input checked="" type="checkbox"/>	Dwelling	<input type="checkbox"/>
Expanded Buffer	<input type="checkbox"/>	Dwelling Addition	<input type="checkbox"/>
Nontidal Wetlands	<input type="checkbox"/>	Garage	<input type="checkbox"/>
Setback	<input checked="" type="checkbox"/>	Gazebo	<input type="checkbox"/>
Steep Slopes	<input checked="" type="checkbox"/>	Patio	<input type="checkbox"/>
Other	<input type="checkbox"/> _____	Pool	<input type="checkbox"/>
		Shed	<input type="checkbox"/>
		Other	<input checked="" type="checkbox"/> Screened Porch



To: Anne Arundel County Critical Area Commission

From: Steve and Barbara Palmer  
215 Nottingham Hill  
Annapolis, MD 21405

Date: December 27, 2024

Re: Narrative Statement for Variance for Screened Porch Addition

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This is a request for a setback and lot coverage variance for a screened porch addition to our residential dwelling, located in the R-2 Zoning District, in the Sherwood Forest community. The property is located in the Chesapeake Bay Critical Area, with an LDA designation. The proposed use of the property will not change with the proposed addition.

The community of Sherwood Forest was platted in 1929, and pre-dates the Anne Arundel County Zoning regulations. While the minimum lot size for a lot in the R-2 Zone is 20,000 square feet, 215 Nottingham Hill is a mere 5,902 square feet, or 29% of the minimum lot size for this zone. It clearly is a severely undersized lot. Not only is it uniquely small for general zoning considerations, it is also oddly-shaped, with seven lot lines, making it even more challenging to meet the guidelines set forth in the Code.

The house on the lot, even with the proposed screened porch addition, would result in only 2,745 sq. ft. of impervious coverage. Were 215 Nottingham actually the size of a minimum R-2 lot, less than 14% of the lot would be impervious. The issue for the Critical Area Commission to consider then, is not whether this variance request for lot coverage is excessive or reasonable, it is the applicant's position that this request should be reviewed through a wider lens, and include a consideration for the unique community of Sherwood Forest, with its extensive property which is in the Critical Area, and permanently restricted from any development. Sherwood Forest was platted as a "cluster development", prior to the imposition of zoning regulations. It originated as a summer community, with small lots and a great deal of community open space for all to enjoy. One of the reasons the lots and houses were so small is because the houses did not have kitchens—there were "dining halls" on each hill, so that all meals were taken together. So, while there is no issue that the subsequent zoning overlay for the community is R-2, very few of the lots are conforming, and the majority of those which meet the minimum size are the result of the merger of two or more undersized lots.

Sherwood Forest is comprised of 519 acres, and is developed with 341 residences, which are clustered on generally undersized lots, with over 250 acres of undeveloped and undevelopable community property. Much of the undevelopable property is densely wooded with waterfrontage, providing habitat for a variety of local species. As a result, the community as a whole, meets the intentions of the Critical Area laws, even though the majority of the individual lots fail to comply with the criteria.

The Applicants are requesting a 7-foot variance to the side setback, from the property line shared with community-owned property, which is undevelopable and provides a driveway to two other houses. The Sherwood Forest Board and all neighboring property owners support the requested variances. As proposed, the applicants are seeking 42 sq. ft. of additional coverage.

The proposed screened porch is not on-grade but would extend from the second level of the back of the residence. Therefore, although there would be minimal disturbance in the Critical Area during construction, the proposed design includes support columns in the area affected by this requested variance, so the disturbance would be minimal.

The Sherwood Forest Club property adjacent to this proposed porch is already encumbered with a recorded easement for the benefit of the septic system for 215 Nottingham, because of the size constraints of our lot.

The subject property is wooded, with native trees including holly and tulip poplar. There is a small patch of grass which serves as a front yard. It is anticipated that one holly tree would likely be removed as a result of the proposed construction, however the applicant has already agreed to the planting of three native shrubs, as requested by the community. The applicants also agree to any additional planting required by Anne Arundel County.

The proposed construction will not have any adverse impacts on the watershed or habitat. Sediment control devices and silt fences will be installed prior to any disturbance.

There are no habitat protection areas designated on the subject property; it is not in the expanded buffer however it is located adjacent to steep slopes of 15% or greater. There are no rare or endangered species, anadromous fish propagation waters, colonial waterbird nesting sites, historic waterfowl staging and concentration areas on the site. Although Sherwood Forest contains riparian forest areas, the subject property is not located in the riparian forest. The site does not contain natural heritage areas or plant and wildlife habitats of local significance.



Jamileh Soueidan -DNR- &lt;jamileh.soueidan@maryland.gov&gt;

**CAC Comments: 2024-0223-V; Beer (AA 0350 - 24), 2024-0236-V; Buckley (AA 0001 - 25), 2024-0237-V; Palmer (AA 0002-25), 2024-0101-V; Bahen (AA 0329-24), 2024-0220-V; Tucker (AA 0354-24)**

1 message

Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>  
To: Sadé Medina <pzmedi22@aacounty.org>  
Cc: Jennifer Esposito -DNR- <jennifer.esposito@maryland.gov>

Tue, Jan 14, 2025 at 3:18 PM

Good Afternoon,

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

- **2024-0223-V; Beer (AA 0350 - 24):** It appears that the applicant has reasonable and significant use of the entire parcel with existing improvements, including a deck and screened porch and a recently permitted walkway for riparian access. The proposed project would result in disturbance to the Critical Area Buffer. Were this proposed deck expansion to be denied, the applicant will still enjoy reasonable and significant use of the entire property with the existing improvements. Additionally, the Administrative Hearing Officer (AHO) must find that each and every one of the Critical Area Variance standards have been met, including that the proposal meets unwarranted hardship, and that this variance would not adversely affect water quality and wildlife or plant habitat.
- **2024-0236-V; Buckley (AA 0001 - 25):** The project proposes an in-kind replacement of an existing deck and the addition of access stairs within the 25' steep slope buffer. It appears that the applicant has reasonable and significant use of the entire parcel with existing improvements, including a deck and porch. Furthermore, the parcel is currently non-conforming, exceeding the allowable lot coverage limit. The Administrative Hearing Officer (AHO) must find that each and every one of the Critical Area Variance standards have been met, including that the proposal meets unwarranted hardship, and that this variance would not adversely affect water quality and wildlife or plant habitat.
- **2024-0237-V; Palmer (AA 0002-25):** It appears that the applicant has reasonable and significant use of the entire parcel with the existing improvements, including outdoor amenity space, such as a patio. Additionally, the parcel is already non-conforming, as the property exceeds its allowed lot coverage limit by 300 square feet. It does not appear that the construction of a screened porch with added lot coverage would meet 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, including disturbance to steep slopes. If this request were to be denied, they would still have reasonable and significant use of their lot. Our office would not oppose the siting of the screened porch constructed within the existing footprint of the current lot coverage.
- **2024-0101-V; Bahen (AA 0329-24):** See Attached Letter
- **2024-0220-V; Tucker (AA 0354-24):** See Attached Letter

The above comments and attached letters have been uploaded to the County's online portal.

Best,  
Jamileh

—



Critical Area Commission for the  
Chesapeake & Atlantic Coastal Bays  
[dnr.maryland.gov/criticalarea](http://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](mailto:jamileh.soueidan@maryland.gov)

1/14/25, 3:18 PM

State of Maryland Mail - CAC Comments: 2024-0223-V; Beer (AA 0350 - 24), 2024-0236-V; Buckley (AA 0001 - 25), 2024-0237-V; ...

**2 attachments**



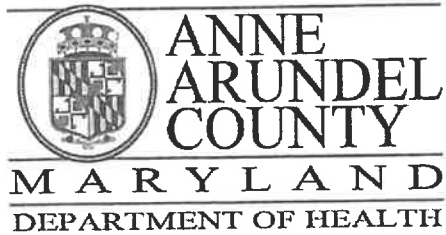
**2024-0101-V Bahen (AA 0329 - 24) Variance Letter.pdf**

146K



**2024-0220-V; Tucker (AA 0354 - 24) Variance Letter.pdf**

153K



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

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

**MEMORANDUM**

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

FROM: Brian Chew, Program Manager  
Bureau of Environmental Health *BC 1/9/25*

DATE: January 8, 2025

RE: Stephen D. Palmer  
215 Nottingham Hill  
Annapolis, MD 21405

NUMBER: 2024-0237-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow dwelling additions (porch and deck) with less setbacks than required and greater coverage than allowed and with disturbance to slopes 15% or greater.

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



To: Anne Arundel County Planning & Zoning

From: Steve and Barbara Palmer  
215 Nottingham Hill  
Annapolis, MD 21405

Date: September 4, 2024

Re: Pre-File Letter of Explanation for Variance for Screened Porch Addition

---

This is a request for a setback and lot coverage variance for a screened porch addition to our residential dwelling, located in the R-2 Zoning District, in the Sherwood Forest community. The property is located in the Chesapeake Bay Critical Area, with an LDA designation.

The community of Sherwood Forest was platted in 1929, and pre-dates the Anne Arundel County Zoning regulations. While the minimum lot size for a lot in the R-2 Zone is 20,000 square feet, 215 Nottingham Hill is a mere 5,901 square feet, or 29% of the minimum lot size for this zone. It is obvious that it is a severely undersized lot. Not only is it uniquely small for general zoning considerations, it is also oddly-shaped, with seven lot lines, making it even more challenging to meet the guidelines set forth in the Code.

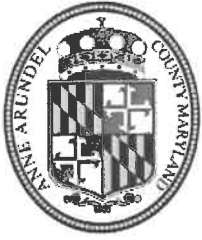
Sherwood Forest is comprised of 519 acres, and is developed with 341 residences, which are clustered on generally undersized lots, with over 250 acres of undeveloped and undevelopable community property. Much of the undevelopable property is densely wooded with waterfrontage, providing habitat for a variety of local species. As a result, the community as a whole, meets the intentions of the Critical Area laws, even though the majority of the individual lots fail to comply with the criteria.

The Applicants are requesting a 7-foot variance to the side setback, from the property line shared with community-owned property, which is undevelopable and provides a driveway to two other houses. We also seek a critical area variance for an additional 43 square feet of impervious coverage on our undersized lot, bringing the total lot coverage to 2,300 square feet.

The proposed screened porch is not on-grade but would extend from the second level of the back side of the residence. Therefore, although there would be disturbance in the Critical Area during construction, the proposed design just includes a support column in the area affected by this requested variance.

The Sherwood Forest Club property adjacent to which this proposed porch would be located is already encumbered with a recorded easement for the benefit of the septic system for 215 Nottingham, because of the size constraints of our lot.

The community and the adjoining neighbors have all provided preliminary approval and overall support for our proposed plans.



## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE (2024-0087-P)

DATE OF MEETING: 09/11/2024

P&Z STAFF: Sara Anzelmo, Kelly Krinetz

APPLICANT/REPRESENTATIVE: Stephen & Barbara Palmer EMAIL: sdpalmer215@gmail.com, bpalmer2150@gmail.com

SITE LOCATION: 215 Nottingham Hill, Annapolis LOT SIZE: 5,901 sf ZONING: R2

CA DESIGNATION: LDA BMA: No or BUFFER: Yes APPLICATION TYPE: Critical Area Variance

The Applicants are proposing a setback and lot coverage variance for a screened porch addition to their residential dwelling, located in the R-2 Zoning District, in the Sherwood Forest community. The property is located in the Chesapeake Bay Critical Area, with an LDA designation. The Applicants are requesting a 7-foot variance to the side setback, from the property line shared with community-owned property, which is undevelopable and provides a driveway to two other houses. They also seek a critical area variance for an additional 43 square feet of impervious coverage on their undersized lot, bringing the total lot coverage to 2,300 square feet. The proposed screened porch is not on-grade but would extend from the second level of the back side of the residence. Therefore, although there would be disturbance in the Critical Area during construction, the proposed design just includes a support column in the area affected by this requested variance. The Sherwood Forest Club property adjacent to which this proposed porch would be located is already encumbered with a recorded easement for the benefit of the septic system for 215 Nottingham, because of the size constraints of this lot. The community and the adjoining neighbors have all provided preliminary approval and overall support for our proposed plans.

#### COMMENTS

The **Critical Area Team** commented that this property was the subject of a variance approval in 2011 for the construction of the area depicted as living room on the site plan submitted with this application. At that time, the Hearing Officer found that the proposed addition met the standard for minimum relief with regard to steep slope disturbance. This current application includes a proposed walkway which would further encroach into the steep slopes. The sealed site plan submitted with the 2011 variance indicated that the lot coverage for the site at the conclusion of that project would equal 2300 square feet. The cover letter for this application indicates this project will add 43 sq ft of coverage for an overall total of 2300 sq ft. Please verify coverage information. The lot size is 5855 with an allowable lot coverage of 25% of the area of the lot plus 500 sq ft or 1963.75 sq ft. The current coverage is approximately 300 sq ft over that amount. Article 17-8-403 would require the applicant to remove 10% of the coverage or 30 sq ft. This office cannot support additional coverage or slope disturbance on this site and recommends that, at a minimum, the applicant eliminate the walkway and reduce the size of the proposed screened porch to no larger than the footprint of the existing ground level patio. This recommendation does not constitute approval of this request, and the applicant must demonstrate compliance with all applicable standards for approval at the time of application.

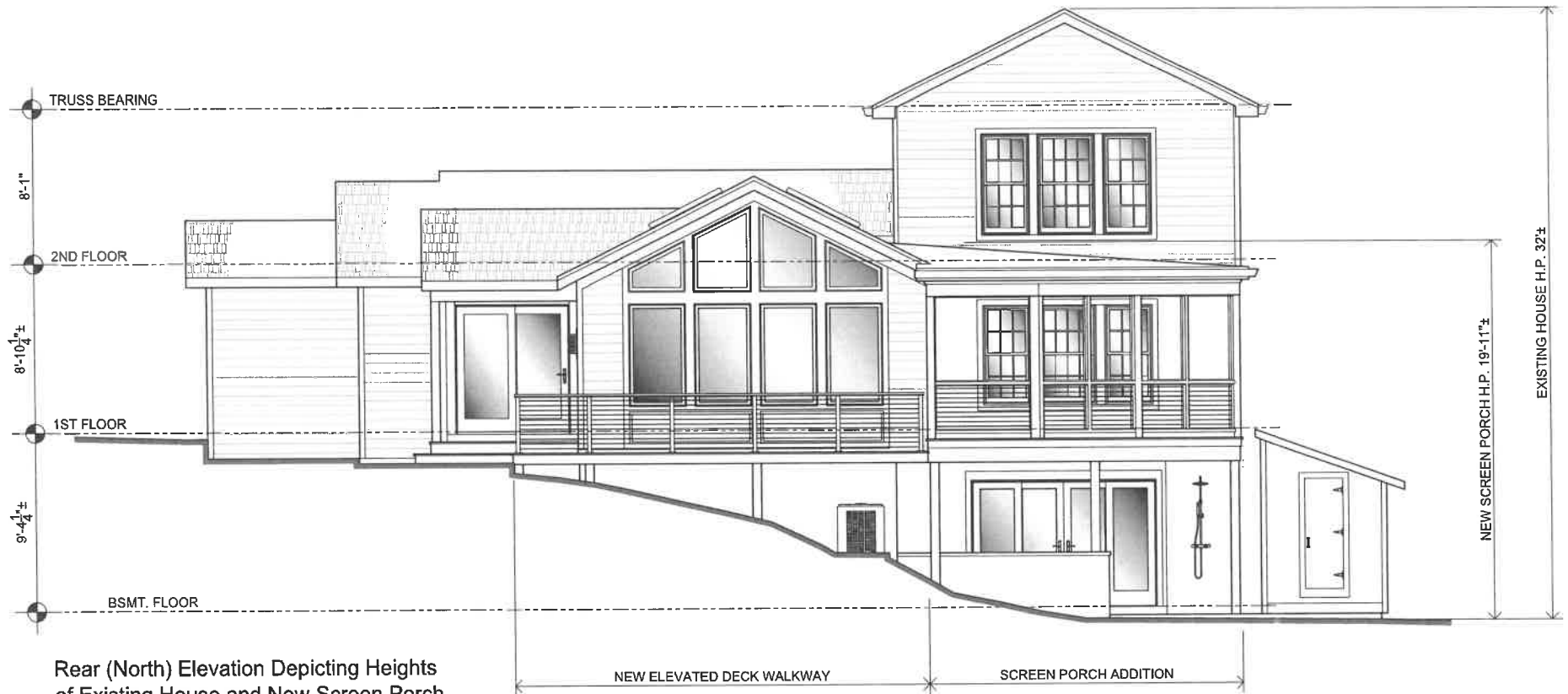
The **Zoning Administration Section** concurs with the Critical Area Team regarding the proposed critical area variance. Furthermore, this Office does not typically recommend approval of structures zero feet from a property line because there would not be enough room to maintain the exterior of the structure on site. The variance site plan must show the steep slopes and their associated 25-foot slope buffer in order to properly review for a steep slope variance or modification to the slope buffer. The site plan must also label the proposed height and number of stories for the proposed screened porch addition. The applicant is advised that, in order for a Critical Area variance to be approved, the applicant must demonstrate and the Hearing Officer must find that the proposal complies with each and every variance standard provided under Section 18-16-305(b) and (c), including that the variance is the minimum necessary.

## INFORMATION FOR THE APPLICANT

Section 18-16-201 (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.



Rear (North) Elevation Depicting Heights of Existing House and New Screen Porch

Owners: Stephen D. and Barbara J. Palmer			FLOOR PLAN OPTION	
Tax Acct. Identifier: District - 02 Subdivision - 720 Account Number - 03883606			Palmer Screen Porch Addition	
LOT: 215			215 NOTTINGHAM HILL	
ZONING: R2		PLAT REF: 0007/0031	SHERWOOD FOREST, MD 21405	
CRITICAL AREA DESIGNATION: LDA		WATER: Public	SEPTIC: Private	DATE: 04 September 2024
BUFFER EXEMPT: N/A				SCALE: 1/4" = 1'-0"
				DWG. <b>A-3</b>

# 215 Nottingham Hill topo map



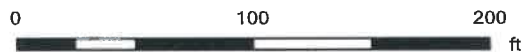
## Legend

- Foundation
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Notes 1"=100'



THIS MAP IS NOT TO BE USED FOR NAVIGATION