

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

APPLICANT: Daniel and Ginger Clark

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2024-0216-V

COUNCIL DISTRICT: 5

HEARING DATE: February 11, 2025

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicants are requesting a 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 on property located at 115 Boone Trail in Severna Park.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 35,022 square feet of land and is located with frontage on the west side of Boone Trail. It is identified as Lot 56 of the Linstead on the Severn subdivision, Parcel 84 in Grid 18 on Tax Map 31. The waterfront property is zoned R2 - Residential District, is located within the Chesapeake Bay Critical Area LDA - Limited Development Area, and is mapped as a BMA - Buffer Modification Area. The subject property is currently developed with a two-story single-family detached dwelling with basement, sheds, an inground pool, patios, piers, and other associated facilities.

PROPOSAL

The applicants are proposing to renovate the existing single-family dwelling with a screened porch, decks, additions, and a garage attached by an open breezeway.

REQUESTED VARIANCES

§ 17-8-201(a) provides that development in the limited development area (LDA) may not occur within slopes of 15% or greater unless development will facilitate stabilization of the slope; is to allow connection to a public utility; or is to provide direct access to the shoreline; and, all disturbance shall be limited to the minimum necessary. The proposed additions will disturb approximately 836 square feet of slopes of 15% or greater, necessitating a variance. The final amount of disturbance will be determined during permit review.

§ 17-8-702(b)(1) provides that, in a BMA - Buffer Modification Area, no new lot coverage shall be placed nearer to the shoreline than the closest facade of the existing principal structure. The proposed additions will create approximately 570 square feet¹ of new lot coverage nearer to the shoreline than the principal structure, necessitating a variance.

§ 18-2-402(1) allows the Office of Planning and Zoning to designate 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. With the proposed additions, the dwelling will not be relatively in line with principal structures on abutting lots, necessitating a variance.

A review of the bulk regulations for development within the R2 District reveals that a setback variance is not required.

FINDINGS

The subject property is irregularly shaped and is oversized with regard to the 15,000 square foot minimum area required for lots served by public sewer, but is undersized with regard to the minimum width of 80 feet, for lots in an R2 District. A review of the County aerial photography shows an eclectic mix of dwellings and lots in this waterfront community. The dwellings on either side of the subject property are located farther from the shoreline than the subject dwelling.

The existing critical area lot coverage of the site is 10,689 square feet, which far exceeds the lot coverage allowed under § 17-8-402 (5,445 square feet). The reconfiguration of lot coverage will be subject to a 10% reduction in accordance with § 17-8-403 (10% of 5,244 square feet, or 524.4 square feet)². The proposed post-construction coverage by structures is approximately 6,475 square feet, which is below the 30% (10,506.6 square feet) maximum coverage by structures allowed under § 18-4-601.

Building permit B02422054, to construct an addition, garage with a breezeway, porch and deck, with interior alterations, was submitted on November 11, 2023. Variance approval must be obtained prior to the permit being issued.

The applicants' believe that having a large part of their property located within the 100 foot buffer to tidal waters and steep slopes along the shoreline creates an unwarranted hardship. Their letter explains that they have designed the improvements, which they believe are in character with other dwellings in the neighborhood, over the existing permanent buffer disturbance,

¹ The proposed new lot coverage in the BMA was not specifically provided; 570sqft was calculated from the dimensions provided on the site plan.

² Per § 17-8-403, existing impervious surfaces outside the buffer and expanded buffer may be reconfigured if the reconfiguration of lot coverage shall result in a 10% reduction of the amount of impervious surfaces that exceed the maximum permitted lot coverage. The reduction will be verified during permit review.

removed a large portion of the driveway from the buffer, and reduced the overall lot coverage in the buffer.

Agency Comments

The **Health Department** notes that the property is served by public water and sewer facilities, and has no objection to the variance request.

The **Critical Area Commission** notes that the applicants have reasonable and significant use of the entire parcel with the existing improvements, including a number of outdoor amenities, such as three concrete patios, a stone patio, two covered porches, and a pool and pool deck. It does not appear that the request meets each and every one of the Critical Area variance standards including unwarranted hardship or that this variance would not adversely affect water quality and wildlife or plant habitat. While the proposed project would result in a 10% decrease in lot coverage that exceeds the permitted lot coverage, the lot remains nonconforming, with the proposed development located nearer to the shoreline than the closest facade. Furthermore, the project would result in disturbance to the buffer, including 3,195sqft of vegetation. If this request were to be denied, they would still have reasonable and significant use of their lot.

The **Critical Area Team** notes that, while the proposed lot coverage reduction is in accordance with the requirements of 17-8-403, the remaining coverage will still exceed the amount listed in 17-8-402 by 4,706 sq. ft.

Details for the existing structure indicate that it is a 4,096 square foot home, with 5 bedrooms and 6 baths. The applicant has indicated that the variance requests are specific to the screened porch addition which will result in a reduction of coverage on the site. While this is true, the site remains significantly over what it should be. The home currently has a covered porch on the waterside of the dwelling which can be renovated to serve as a screened porch. Conversion of this portion of the structure would reduce the amount of relief requested with this application. In addition, there are two separate accessory structures, one by the pool and one nearer to the shoreline that can be utilized as outdoor amenities without a structural addition at the top of a 46% slope. The proposed addition does not meet the requirements for approval and their Office recommends denial.

The **Inspections & Permits Engineering Section**, also, does not support this request.³

Variance Criteria

For the granting of a Critical Area variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular property, strict implementation of the County's Critical Area Program would result in an unwarranted hardship preventing development of the lot. COMAR defines unwarranted hardship as that, without a variance, an applicant shall be denied reasonable and significant use of the entire parcel or lot for which the variance is requested.

³ Refer to the Inspections & Permits Engineering Section's comments for their detailed objection.

There is nothing unique about the subject property as it relates to other nearby residential lots with similar zoning and environmental features and, there are no unique circumstances preventing the applicant from complying with the Code.

In this particular case, the existing house, decks and patios, covered decks and patios, pool, shed, shed with covered rooftop deck, and other associated improvements provide the applicants with reasonable and significant use of the property. A literal interpretation of the County's Critical Area program will not deprive the applicant of rights that are commonly enjoyed by other properties in similar areas within the Critical Area because no property in the BMA may place new lot coverage nearer to the shoreline than the closest facade of the existing principal structure. As such, the granting of the variance will confer on the applicant special privileges that would be denied by COMAR, Title 27.

The property is wedge shaped, with the western shoreline wrapping around to the south, which limited the location of the existing dwelling in relation to the dwellings on the abutting lots. The light, air, and view of the adjacent dwellings are already impacted by the location of the subject dwelling, and the addition will increase the impacts to the abutting properties. No justification was provided to explain why the existing floorplan could not accommodate a reconfiguration, rather than an expansion. The additions, as proposed, seem excessive when the applicants already have reasonable use of their property. Therefore, the granting of the variance will alter the essential character of the neighborhood or district in which the lot is located, will substantially impair the appropriate use or development of adjacent property, and may be detrimental to the public welfare.

While the applicants are proposing to eliminate lot coverage in the buffer, it appears to be in an effort to reduce the amount of mitigation, rather than to bring the lot more into conformance. The post-construction lot coverage will still be nearly double what is allowed under § 17-8-402, and 3,195 square feet of tree canopy will be disturbed. As a result, the granting of the variances will adversely affect water quality, will adversely impact fish, wildlife, and plant habitat within the County's critical area, and will not be in harmony with the general spirit and intent of the County's critical area program.

Because alternatives exist which would eliminate or reduce the relief requested, the variances are not considered the minimum necessary to afford relief. As such, this Office cannot support the variance requests.

The Inspections & Permits Engineering Section has indicated that they cannot support the request as proposed. This Office recognizes that a variance does not necessarily require pre-approval of stormwater management and that, if granted, those items would still have to be addressed at the time of permitting. The applicant is advised that, if a critical area variance is granted, changes to the proposed improvements shown on the site plan that are necessary to address any issues raised during the permit review process may require a new variance.⁴

⁴ For example, this refers to changes to the footprint or location of the additions to accommodate stormwater management which shifts the additions closer to the property lines, shoreline or steep slopes.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends:

- ***denial*** of a Critical Area variance to § 17-8-201(a) to disturb steep slopes,
- ***denial*** of a Critical Area variance to § 17-8-702(b)(1) to allow new lot coverage nearer to the shoreline than the principal structure, and
- ***denial*** of a zoning variance to § 18-2-402(1) to allow a dwelling that does not comply with the designated location of a principal structure.

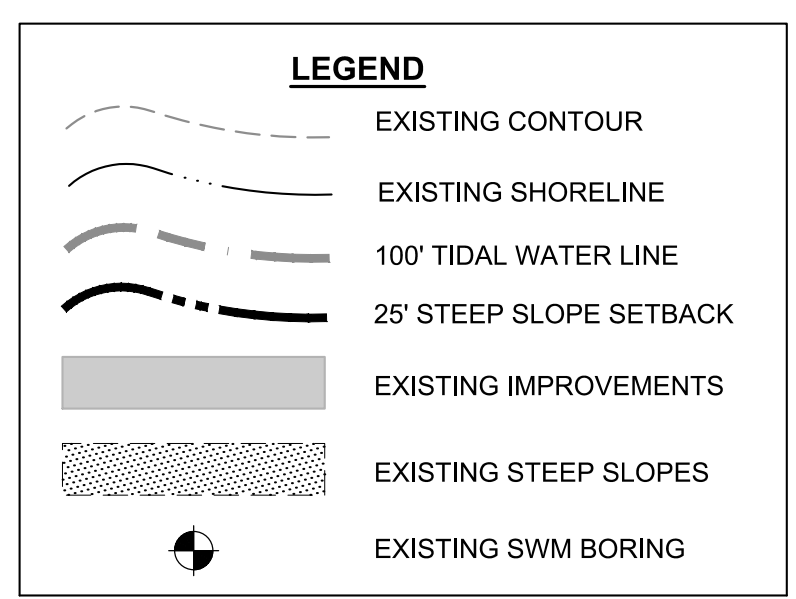
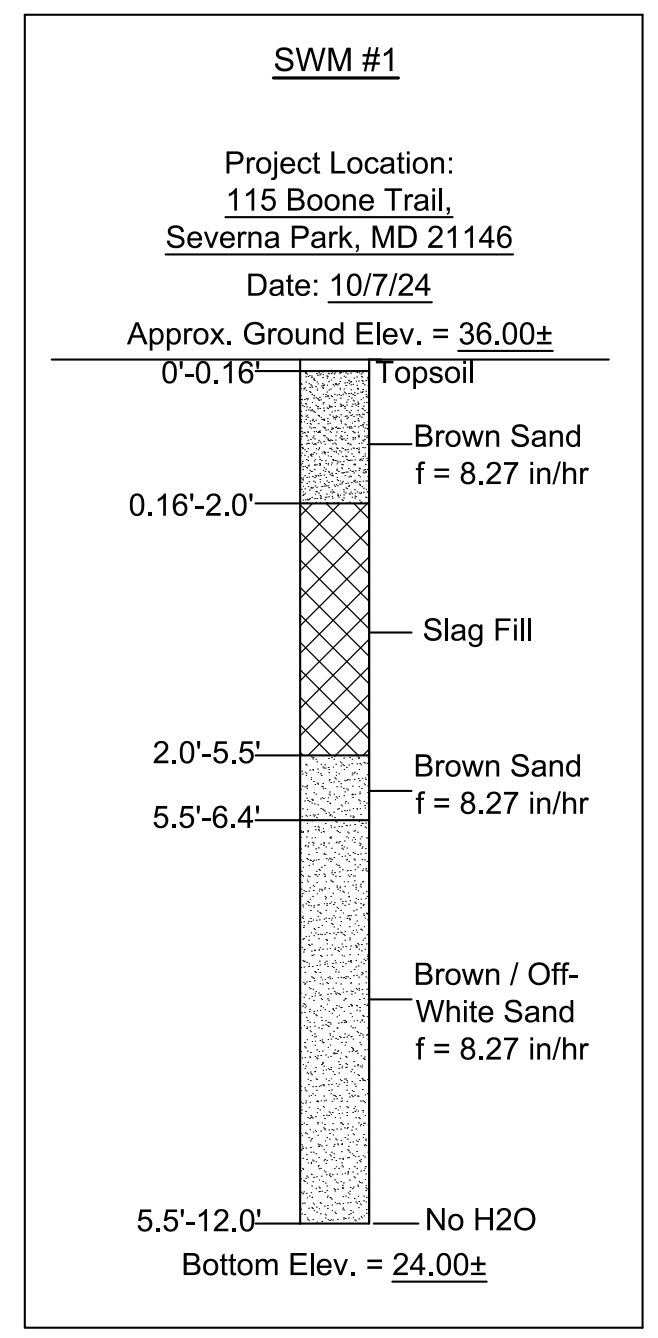
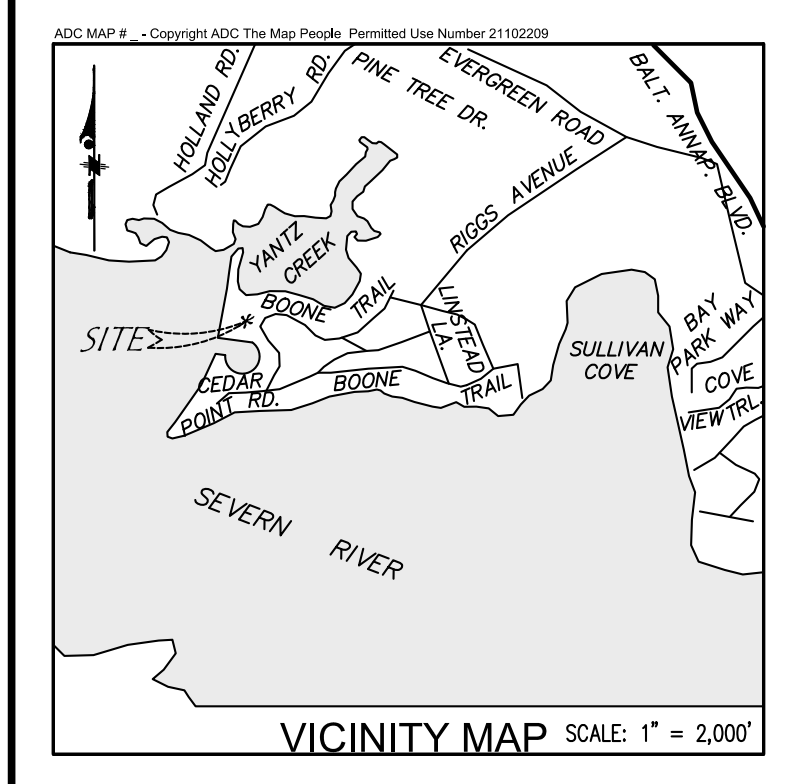
If granted, the amount of disturbance will be determined at permitting.

In accordance with § 17-8-702(e), mitigation for new lot coverage or for replacement of existing lot coverage in the buffer modification area is required, if granted, as follows:

(1) For every square foot of additional lot coverage within 100 feet of the mean high water line, a vegetated buffer shall be planted within the buffer modification area at a ratio of two times the amount of lot coverage.

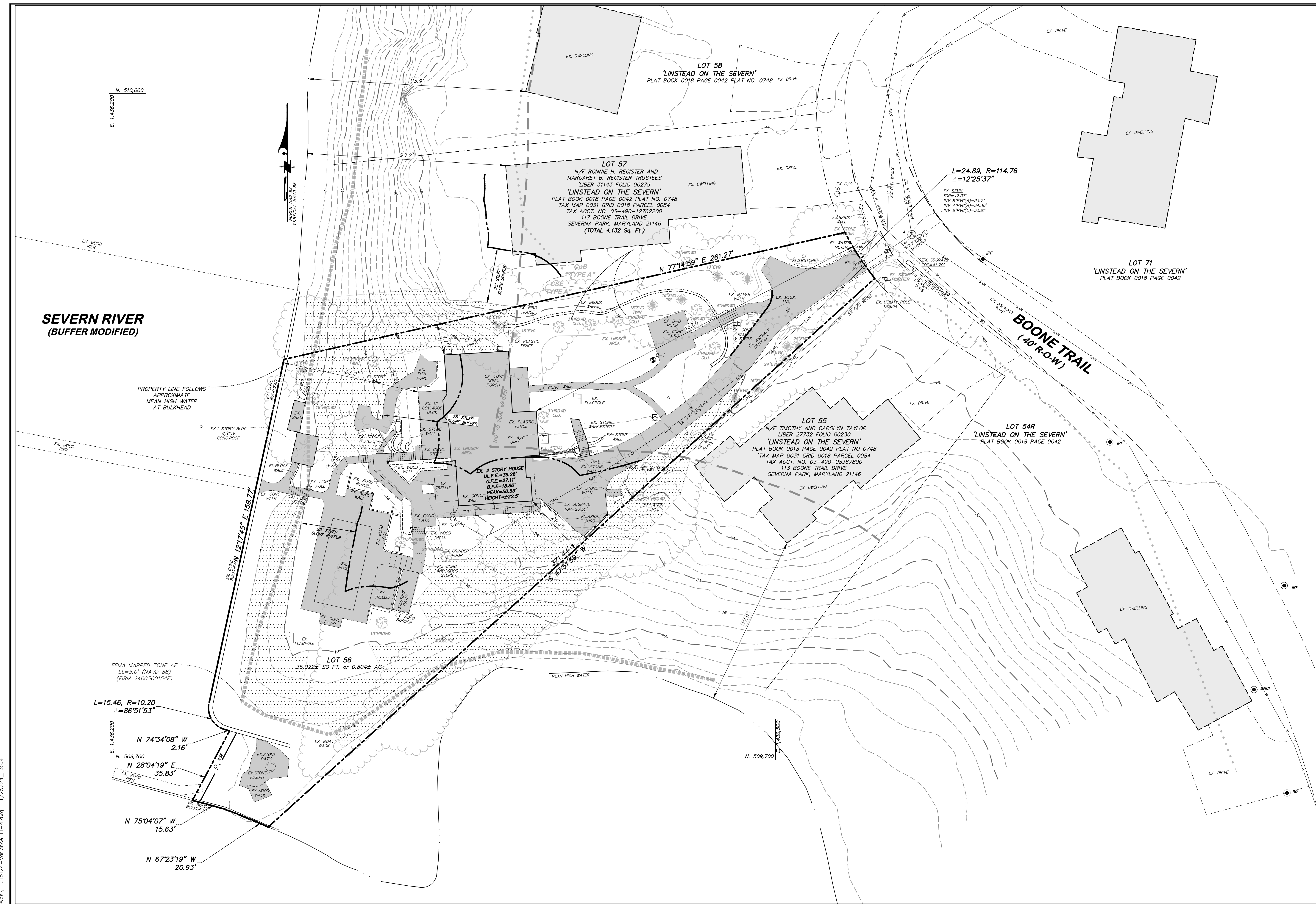
(2) If a variance is required, a vegetated buffer shall be planted within the buffer modification area at a ratio of 3:1 for the additional area of disturbance granted under the variance.

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



NATURE OF VARIANCE

- Requesting a variance to **Article 17, Section 8-201(a)** of the Anne County Code for development on slopes 15% or greater in the LDA.
- Requesting a variance 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.
- 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.



DESIGNED: REB
ORIG. DATE: 9/2024
MODIFIED BY/DATE:
CADD DWG # LC15124-VARIANCE
DLA PROJECT # LC15124

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REVISIONS TO APPROVED PLANS			
No.	DATE	BY	DESCRIPTION

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

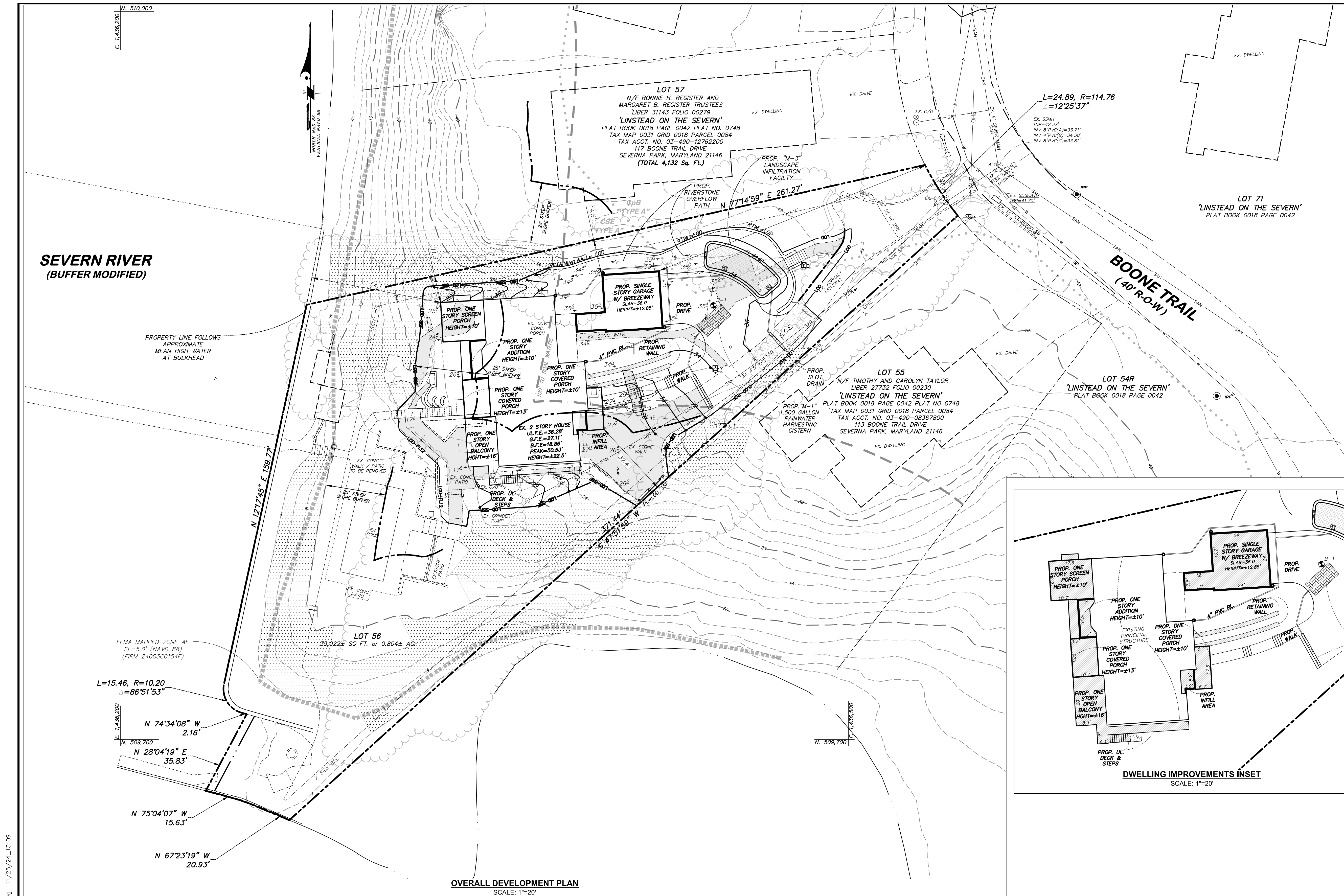
*Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland, license no. 18521, expiration date: 12-06-25

OWNER
MR. DANIEL & GINGER CLARK
115 BOONE TRAIL
SEVERNA PARK, MARYLAND 21146
410-446-9754

EXISTING CONDITIONS & ENVIRONMENTAL RESOURCE PLAN
VARIANCE PLAN
LINSTEAD ON THE SEVERN ~ LOT 56
115 BOONE TRAIL, SEVERNA PARK, MARYLAND 21146
TAX ACCT. NO. 03-490-26074898
TAX MAP 31 GRID 18 PARCEL 84 DISTRICT 3RD
ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1" = 20'
DATE: 11/4/2024
PROJ. NO: LC15124
SHEET 1 OF 2

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Drainage Area Site						
DA Name	ESD Practice	Drainage Area	Total Storage	ESD Volume	Recharge Volume	PE
DA-1	Landscape Infiltration	7050 sf	808 cf	793 cf	112 cf	2.70 in
DA-2	Rainwater Harvesting	1160 sf	201 cf	201 cf	35 cf	2.19 in
Totals:		8210 sf	1009 cf	994 cf	147 cf	1.14 in
Targets:				982 cf	333 cf	1.6 in
Target PE	= 1.85 in	Achieved PE	= 1.14 in			
Target ESDv	= 982 cf	Achieved ESDv	= 994 cf			
Target Rev	= 207 cf	Achieved Rev	= 147 cf			

ESD Storage Provided is **greater than** the target volume. ESD has been applied to the MEP. An additional **15 cf** of Peak Management storage has been provided.

Outfall Statement
 A field investigation of the outfall of this site was performed in August of 2024 by Drum, Loyka & Associates, LLC. The subject property is located off of Boone Trail in Severna Park. The property is currently improved with a single-family dwelling, and associated improvements. It is vegetatively stabilized with hardwood trees, decorative landscaping, and mowed lawn in good condition.

In the existing condition, the property has one site outfall: Site outfall "A" is more of a linear site outfall located at the existing bulkhead along the Severn River.

In the proposed condition, drainage patterns to the site outfall will remain relatively unchanged and ESD is achieved to the MEP through the use of (1) "M-3" Landscape Infiltration Facility & (1) Rainwater Harvesting Cistern. All other drainage patterns remain the same.

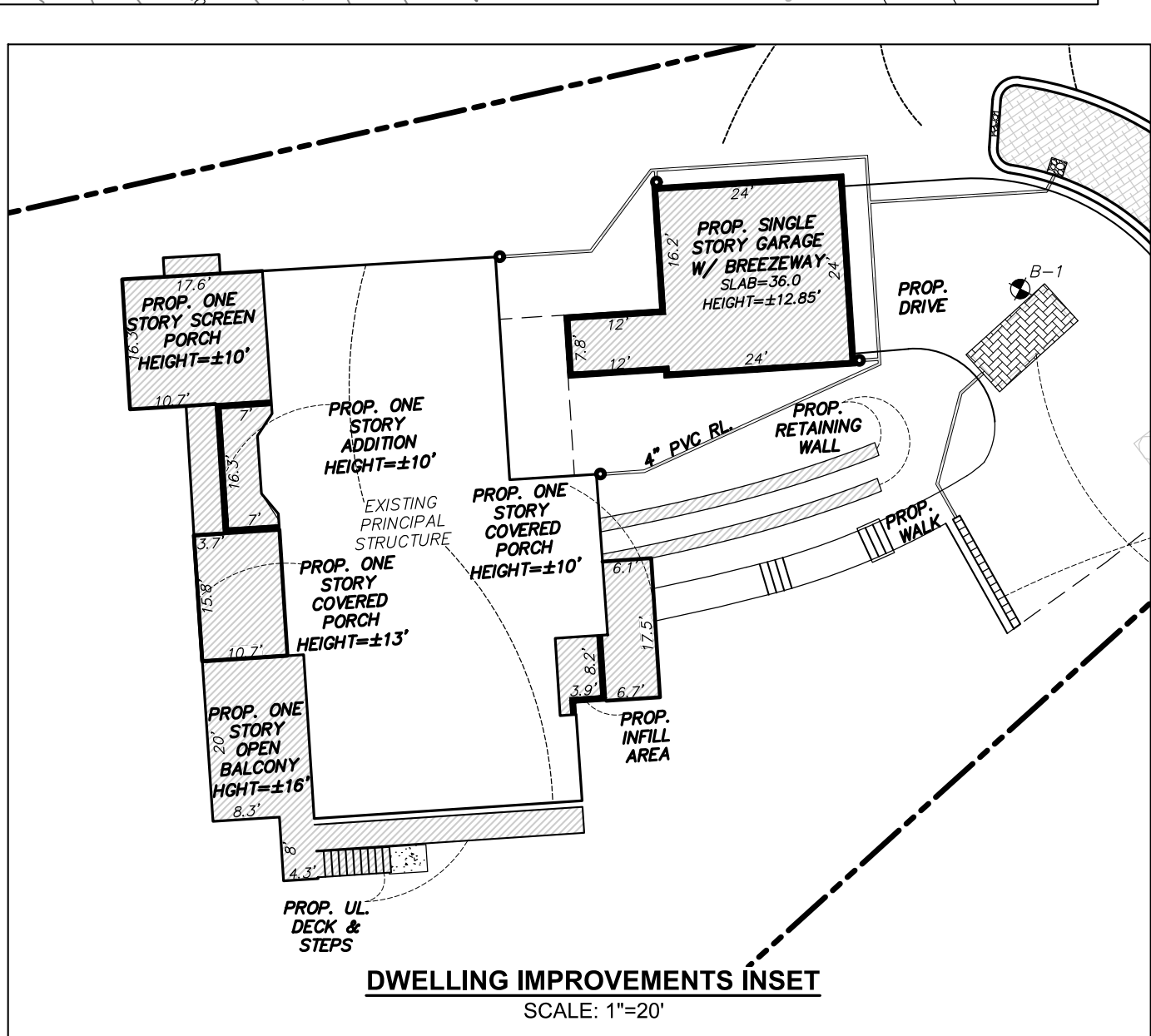
The design represents a 538 square foot decrease in lot coverage for the site, there will also be stormwater management practices, where previously none existed. The site outfall is considered adequate to receive runoff from a residential lot improved with a single-family dwelling. Peak Management is not required for the development, as the site has direct discharge to tidal waters.

LEGEND

- EXISTING CONTOUR
- LIMIT OF DISTURBANCE
- LIMIT OF DISTURBANCE / REINFORCED SILT FENCE
- LIMIT OF DISTURBANCE / SUPER SILT FENCE
- LIMIT OF DISTURBANCE / 12" FILTER LOG
- 100' TIDAL WATER BUFFER
- 25' STEEP SLOPE SETBACK
- PROPOSED CONTOUR
- PROPOSED SPOT GRADE
- PROPOSED FLOW ARROW
- EXISTING STEEP SLOPES
- EXISTING LOT COVERAGE TO BE REMOVED
- PROPOSED RENOVATIONS

SITE TABULATIONS

- TOTAL SITE AREA: 35,022 S.F. (0.80 Ac.)
- TOTAL CRITICAL AREA LOT COVERAGE: 10,689 S.F. (0.25 Ac.)
- EXISTING LOT COVERAGE: 10,165 S.F. (0.23 Ac.)
- ALLOWABLE LOT COVERAGE [Per 17-8-403]: 10,151 S.F. (0.23 Ac.)
- PROPOSED LOT COVERAGE: 4,151 S.F. (0.10 Ac.)
- PROPOSED STRUCTURES: 3,676 S.F. (0.08 Ac.)
- PROPOSED DRIVES / WALKS / STEPS: 2,324 S.F. (0.05 Ac.)
- PROPOSED PATIO / POOL: 13,845 S.F. (0.32 Ac.)
- TOTAL AREA OF DISTURBANCE: 18,786 S.F. (0.43 Ac.)
- TOTAL 15% STEEP SLOPES / 25' BUFFER ON SITE: 836 S.F. (0.02 Ac.)
- TOTAL SLEEP SLOPES DISTURBED: 3 S.F. (0.00 Ac.)
- PERMANENT DISTURBANCE: 833 S.F. (0.02 Ac.)
- TEMPORARY DISTURBANCE: 24,577 S.F. (0.56 Ac.)
- TOTAL SITE AREA WITHIN 100' TO TIDAL WATERS: 14,025 S.F. (0.32 Ac.)
- PROPOSED CANOPY DISTURBANCE: 3,195 S.F. (0.07 Ac.)
- CHESAPEAKE BAY CRITICAL AREA DESIGNATION: LDA
- SEVERN RIVER (BUFFER MODIFIED)
- SETBACKS: R2 Residential
- PRINCIPAL STRUCTURE: -FRONT=30', REAR=25', SIDE=7'
- MAX HEIGHT=35'
- PROPOSED HEIGHT= ± 22.5'
- SETBACKS: R2 Residential
- ACCESSORY STRUCTURE: -FRONT=40', REAR=10', SIDE=10'



DESIGNED: REB		DRAWN: GDM	
REVISIONS TO APPROVED PLANS			
No.	DATE	BY	DESCRIPTION

Drum, Loyka & Associates, LLC
 CIVIL ENGINEERS - LAND SURVEYORS
 1410 Forest Drive, Suite 35
 Annapolis, Maryland 21403
 Phone: 410-280-3122
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"Professional Certification, I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland, license no. 18521, expiration date: 12-06-25"

OWNER
 MR. DANIEL & GINGER CLARK
 115 BOONE TRAIL
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DEVELOPED CONDITIONS PLAN
 VARIANCE PLAN
LINSTEAD ON THE SEVERN ~ LOT 56
 115 BOONE TRAIL, SEVERNA PARK, MARYLAND 21146
 TAX ACCT. NO. 03-490-26074898
 TAX MAP 31 GRID 18 PARCEL 84 DISTRICT 3RD
 ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1" = 20' DATE: 11/8/2024 PROJ. NO: LC15124 SHEET 2 OF 2

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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	Grid 18	56	

FOR RESUBMITTAL ONLY

Corrections
Redesign
No Change
Non-Critical Area

Tax ID: 03-490-2607-26074898

*Complete Only Page 1
General Project Information

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
Buffer Management Plan
Conditional Use
Consistency Report
Disturbance > 5,000 sq ft
Grading Permit

Variance
Rezoning
Site Plan
Special Exception
Subdivision
Other

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
 Grandfathered Lot

Growth Allocation Yes
 Buffer Exemption Area

Project Type (check all that apply)

Commercial
 Consistency Report
 Industrial
 Institutional
 Mixed Use
 Other

Recreational
 Redevelopment
 Residential
 Shore Erosion Control
 Water-Dependent Facility

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area		35,022
LDA Area		
RCA Area		
Total Area		

Total Disturbed Area Acres Sq Ft 13,845

of Lots Created

	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

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

BMA

Structure

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

porch / entrance

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

Table of Contents

<u>Part:</u>	<u>Pages:</u>
I. Existing Conditions	1
II. Proposed Conditions	2
Appendix A – Flow Path Exhibit	3-4
Appendix B – Photo Tour	5-21


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.

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.



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.

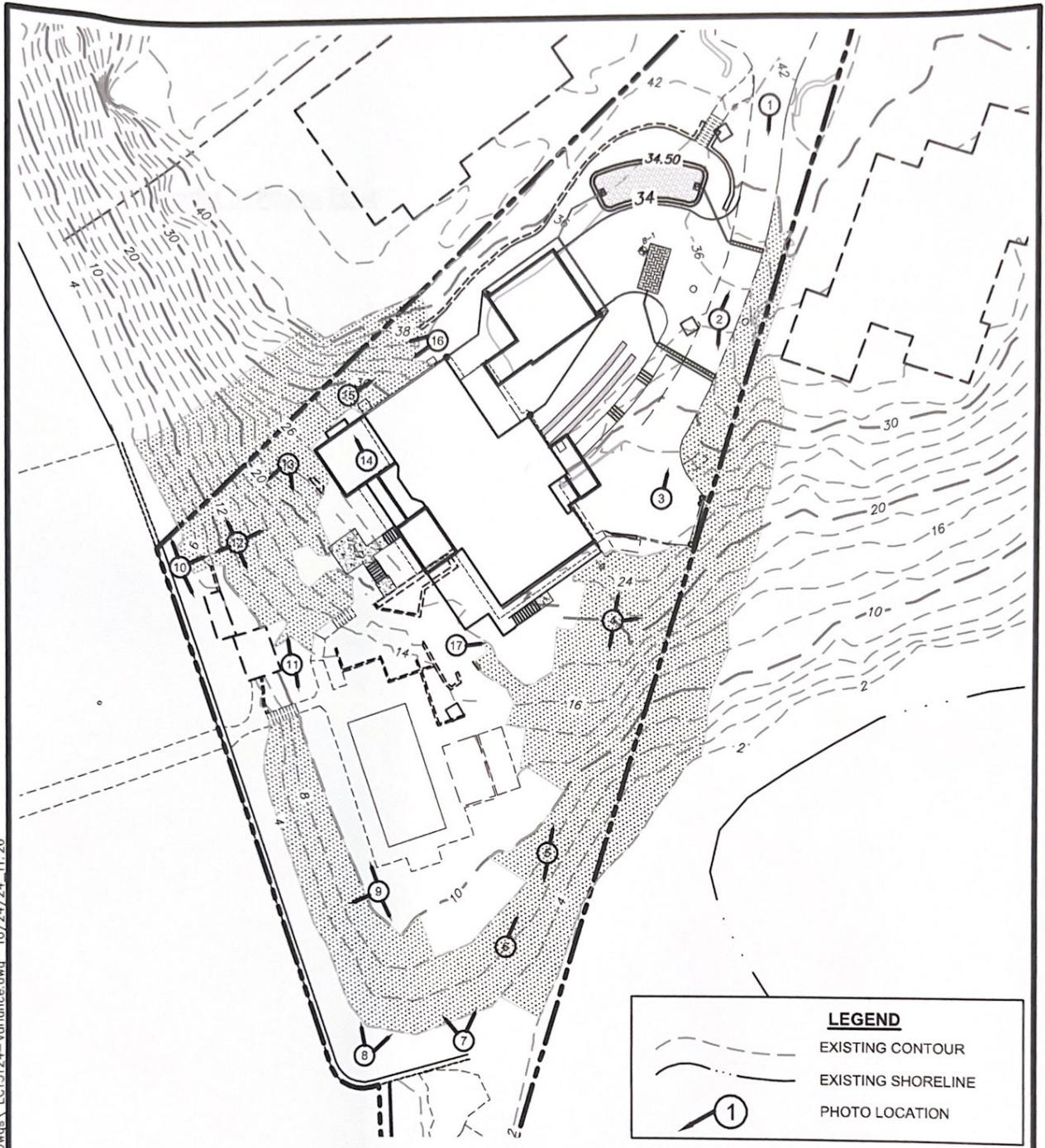
Currently, the existing improvements have no means of storm water management. Environmental Site Design to the Maximum Extent Practicable will be addressed via multiple applications. There will be (1) Landscape Infiltration Facility on the east side of the proposed garage and (1) Rain Harvesting Tank (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\CADD-24-LC15124\Eng. Dwgs\LC15124-Variance.dwg 10/24/24 11:26



LEGEND




-  EXISTING CONTOUR
-  EXISTING SHORELINE
-  PHOTO LOCATION

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

View of the Landing Southwest Down

View of the Landing North of the Landing Area, No Evidence



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



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

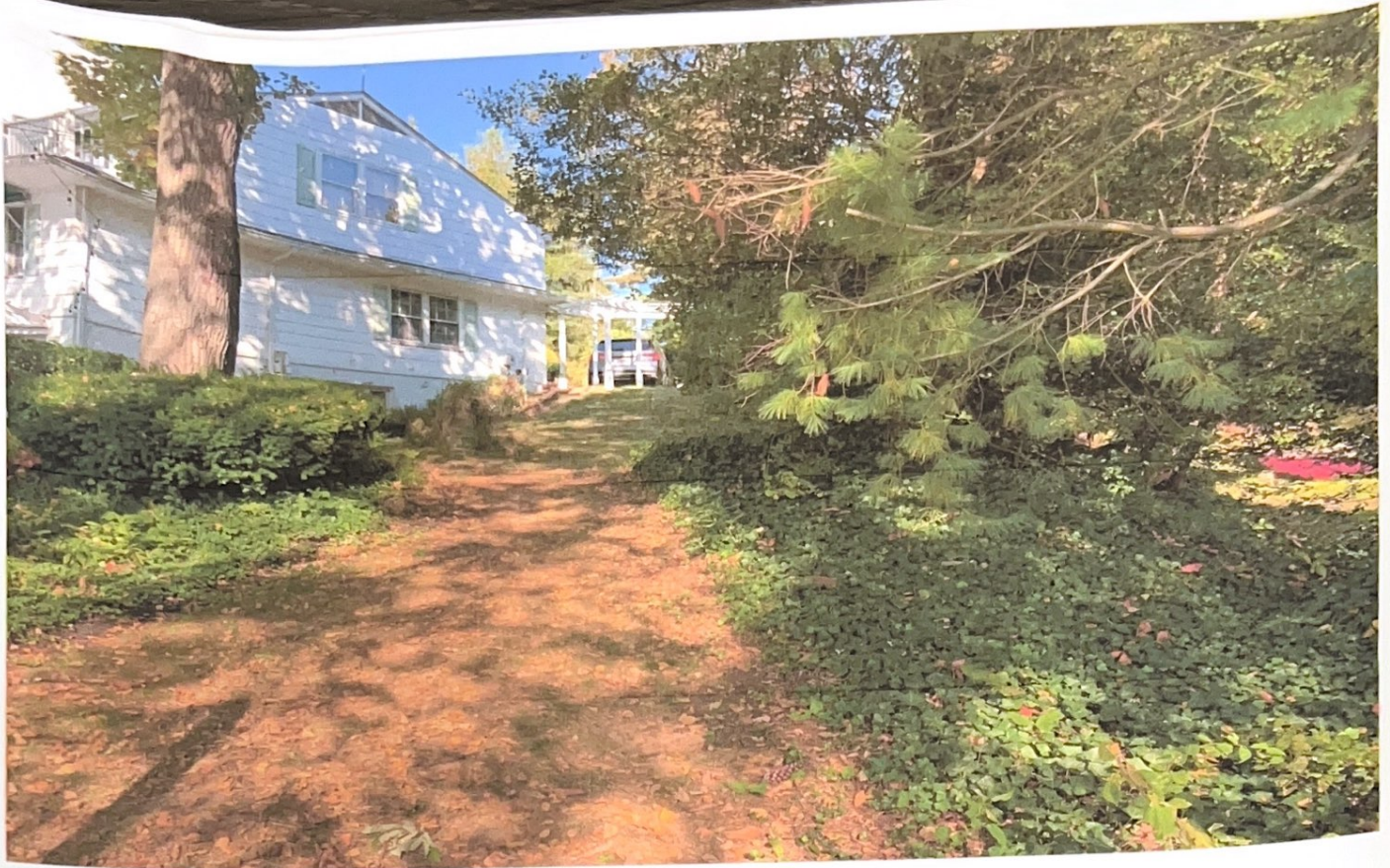


Photo Location #5 Looking Northeast Up Steep Slopes, Area Stable With Vegetation



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

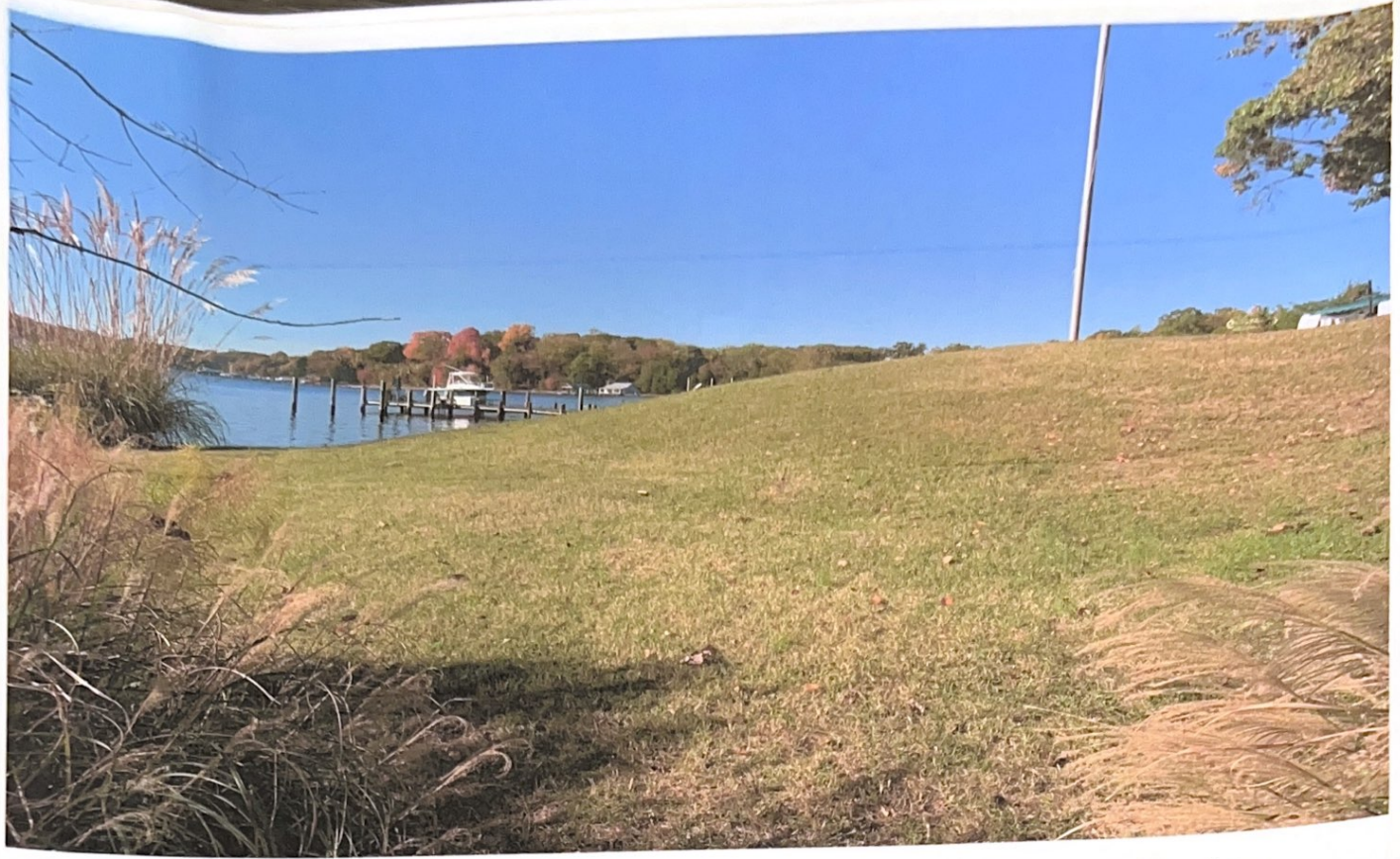


Photo Location #7 Looking North Across Existing Slopes, Area Stable With Lawn In Good Condition



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

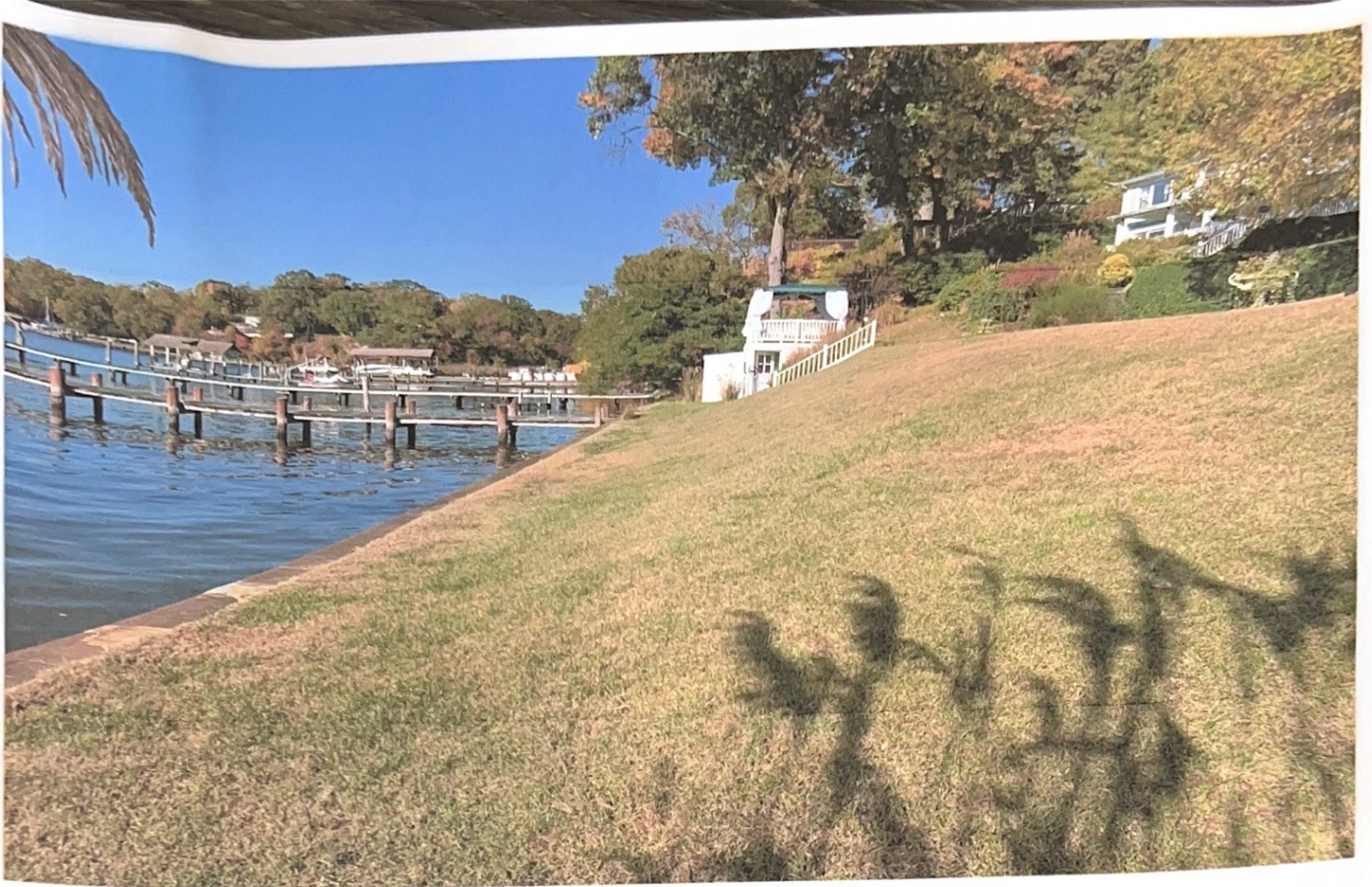


Photo Location #8 Looking North, Steep Slopes Stable With Lawn & No Erosion Present



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

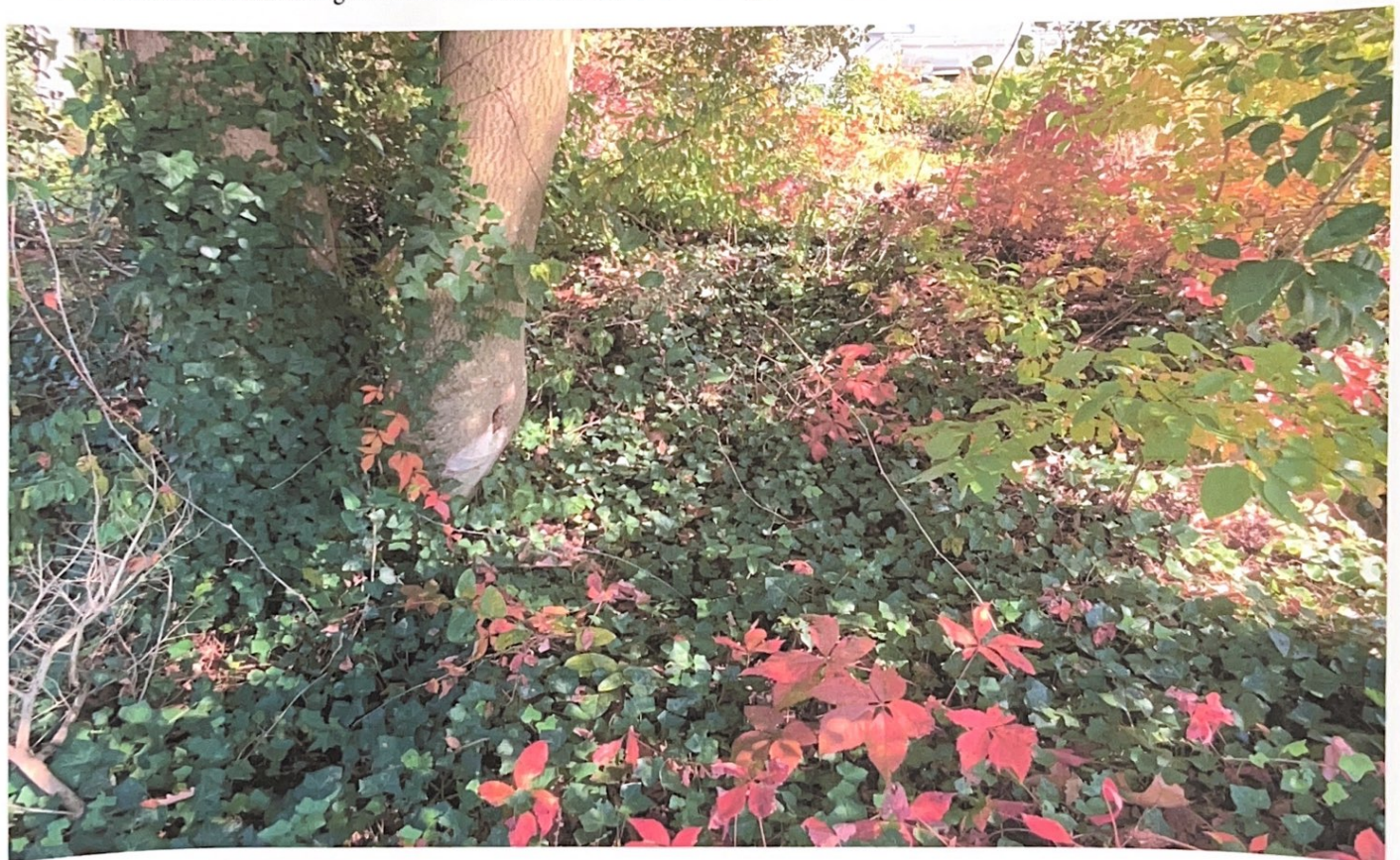


Photo Location #10 Looking East From Toe Of Slope, Area Stable With English Ivy & Canopy Trees



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



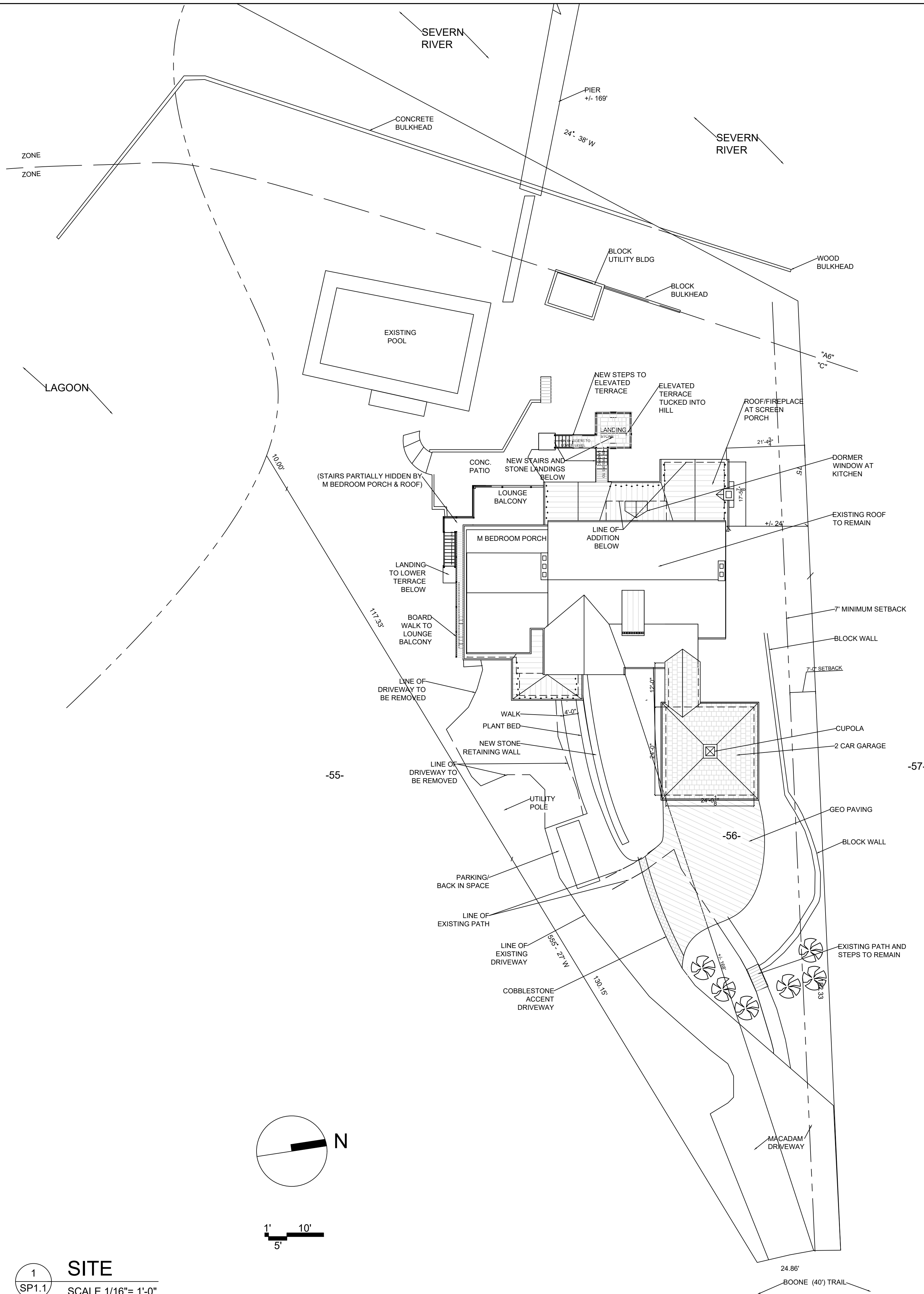
Photo Location #17 Looking East Across Slope, Area Stable With Lawn In Good Condition

2015 IECC CODE COMPLIANCE

- R401.2 Compliance Method:
Mandatory and Prescriptive Provisions
- R402.1.1 Vapor Retarder:
Wall assemblies in the building thermal envelope shall comply with vapor retarder requirements of Section R702.7 of the International Residential Code, 2015 Edition.
- R402.1.2 Attic Insulation: Raised Heel Trusses
R-49
- R402.1.2 Wood Frame Wall:
R-20 or R13 + RS continuous insulation.
- R402.1.2 Basement Wall Insulation:
R-13/R-10 Foil Faced Continuous, uninterrupted Batts Full Height
- R402.1.2 Crawl Space Wall Insulation:
R-13/R-10 Foil faced Continuous Batts Full Height extending from floor above to finish grade level and then vertically or horizontally an additional 2' -0".
- R402.1.2 Floor Insulation over Unconditioned Space:
R-19 batt insulation.
- R402.1.2 Window U-Value/SHGC
.35 (U-Value)
.40 (SHGC)
- R402.2.10 Slab on Grade Floors Less Than 12" Below Grade:
R-10 Rigid Foam Board Under Slab Extending Either 2' -0" Horizontally or 2'-0" Vertically
- R402.2.4 Attic Access:
Attic access scuttle will be weatherstripped and insulated R-49
- R402.4 Building Thermal Envelope (air leakage):
Exterior walls and penetrations will be sealed per this section of the 2015 IECC with caulk, gaskets, weatherstripping or an air barrier of suitable material. Sealing methods between dissimilar materials shall allow sealing for differential expansion and contraction.
- R402.4.1.2 Building Thermal Envelope Tightness Test:
Building envelope shall be tested and verified as having an air leakage rate of not exceeding 3 air changes per hour. Testing shall be conducted in accordance with ASTM E 779 or ASTM E 1 827 with (blower door) at a pressure of 0.2 inches w.g. (50 pascals). Testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building inspector.
- R402.4.2 Fireplaces: New wood burning fireplaces will have tight-fitting flue dampers or doors, and outdoor combustion air. Fireplace doors shall be listed and labeled in accordance with UL 127 (factory built fireplace) and UL 907 (masonry fireplace).
- R402.4.4 Rooms containing fuel-burning appliances where open combustion air ducts provide combustion air to open combustion fuel burning appliances, the appliances and combustion air shall be located outside the building thermal envelope or enclosed in a room isolated from inside the thermal envelope.
Exceptions: 1. Direct vent appliances with both intake and exhaust pipes installed continuous to the outside. 2. Fireplaces and stoves complying with Section R402.4.2 and Section R1006 of the IRC.
- R402.4.5 Recessed Lighting
Recessed luminaires installed in the building thermal envelope shall be sealed to limit air leakage.
- R403.1.1 Thermostat
All dwelling units will have at least (1) programmable thermostat for each separate heating and cooling system per 2015 IECC Section 403.1.1.
- R403.1.2 Where a Heat pump system having supplementary electric resistance heat is used the thermostat shall prevent the supplementary heat from coming on when heat pump can meet heating load.
- R403.3.1 Mechanical Duct Insulation
Supply and Return Ducts in Attic R-8 minimum, R-6 when less than 3 inches. Supply and Return Ducts outside of conditioned spaces R-8 minimum. All other ducts except those located completely inside the building thermal envelope R-6 minimum. Ducts located under concrete slabs must be R-6 minimum.
- R403.3.2 Duct Sealing
All ducts, air handlers, filter boxes will be sealed. Joints and seams will comply with section M1601.4.1 of the IRC.

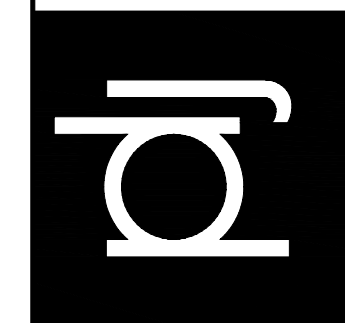
A duct tightness test ("Duct Blaster" duct total leakage test) will be performed on all homes and shall be verified by either a post construction test or a rough-in test. Duct tightness test is not required if the air handler and all ducts are located within the conditioned space.
- R403.6 Mechanical Ventilation
Outdoor (make-up and exhausts) air ducts to be provided with automatic or gravity damper that close when the ventilation system is not operating.
- R403.6.1 Whole-house mechanical ventilation system fan efficiency to comply with TABLE R403.6.1.
- R403.7 Equipment Sizing shall comply with R403.7.
- R404.1 Lighting Equipment
A minimum of 75% of all lamps (lights) must be high-efficacy lamps.

This contractor also responsible for generating Certificate of Compliance and affixing to electrical panel or within 6 feet of the electrical panel and be readily visible.



1 SITE
SP1.1 SCALE 1/16" = 1'-0"

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ADDITIONS AND RENOVATIONS TO
THE CLARK RESIDENCE
115 BOONE TRAIL
SEVERNA PARK, MD 21146

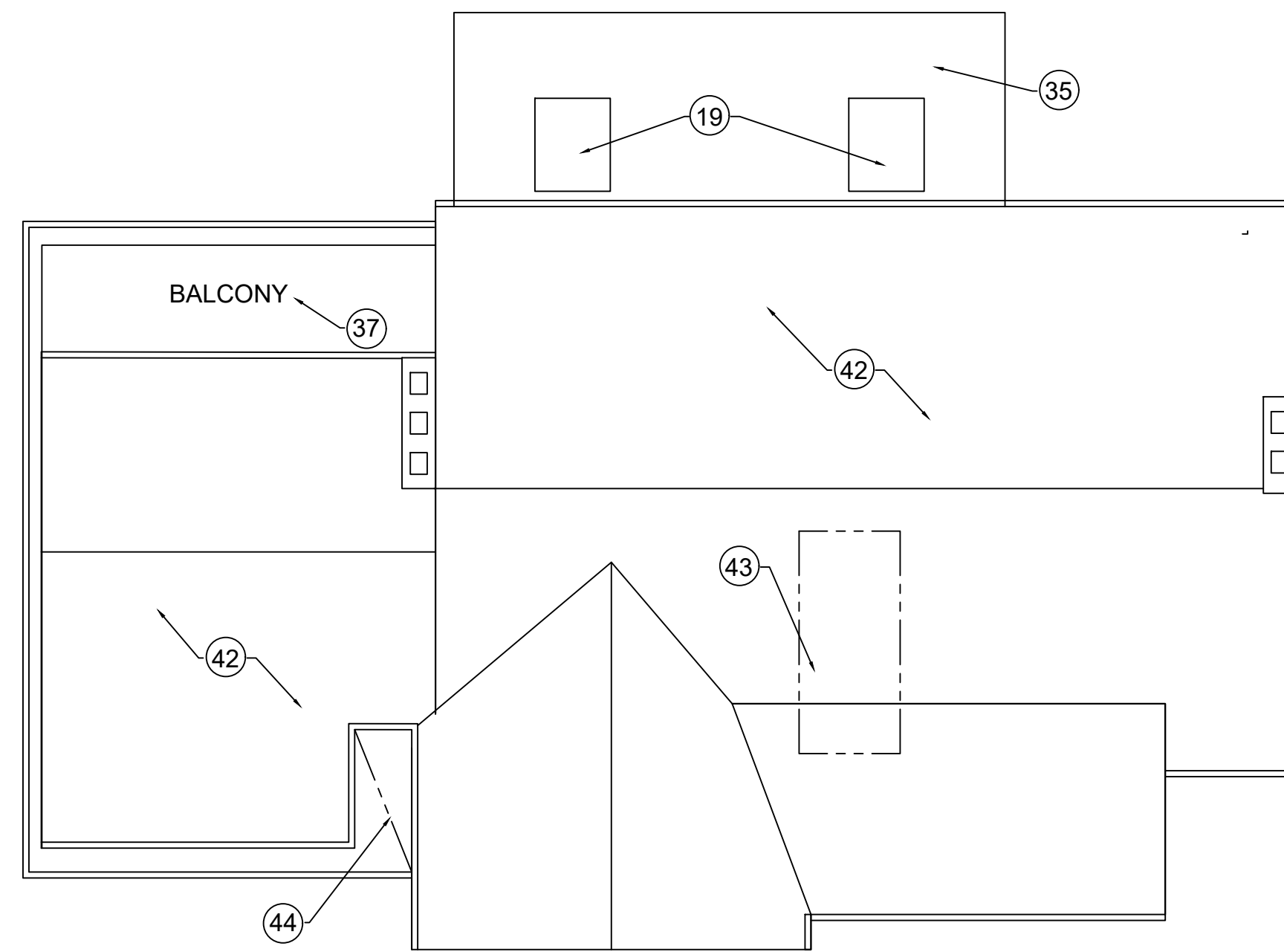
DESIGN DEVELOPMENT/PRICING
SHEET NO.:

SP1.1
SITE PLANS

SCALE: 1/16" = 1'-0"
DATE: 03-24-23

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O. 410-494-1017 C. 410-262-6708
www.pdjasociates.com

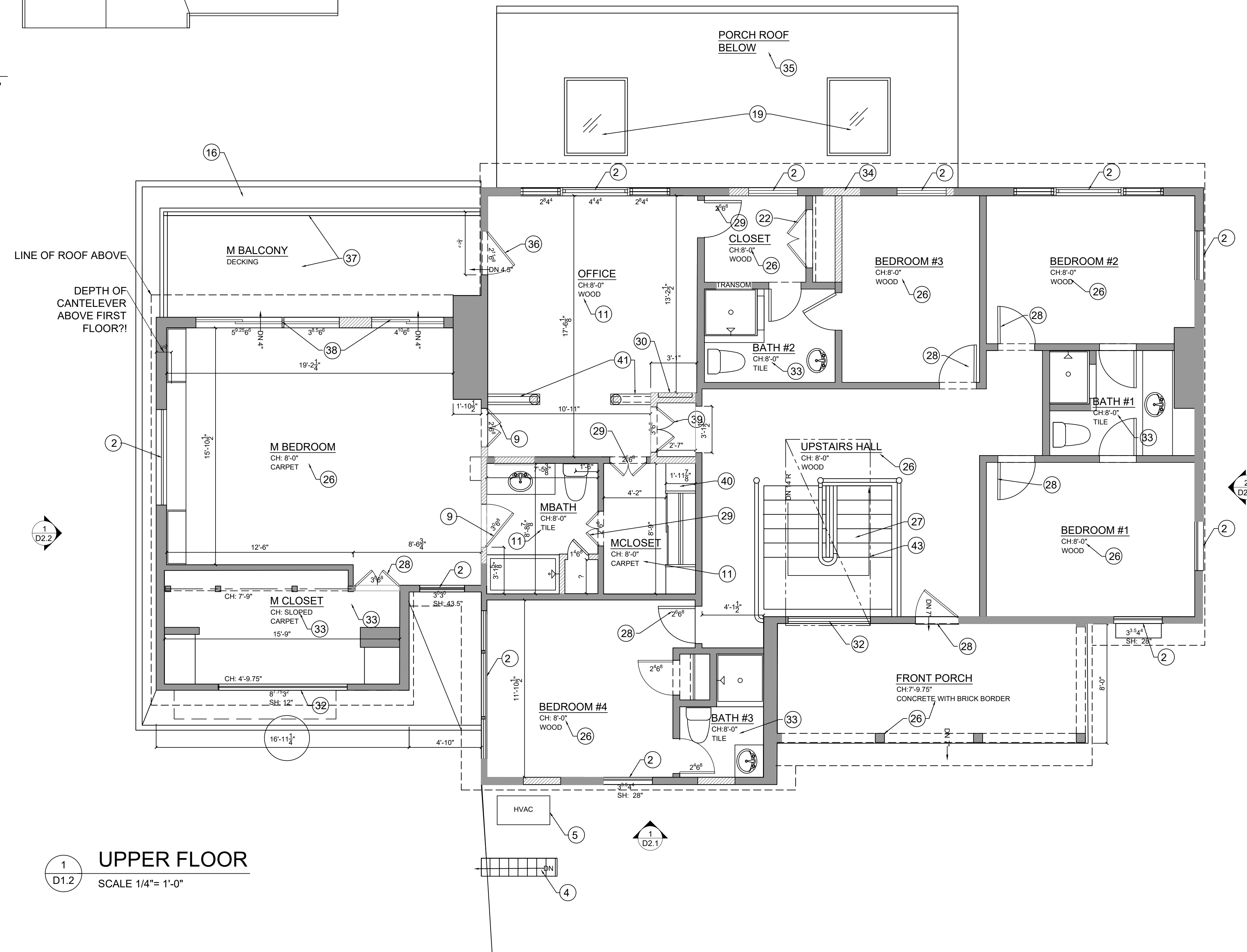
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2 ROOF
D1.2 SCALE 1/8"= 1'-0"

DEMOLITION NOTES

1. Remove door unit and save for donation or discard. Prepare opening per the proposed design.
2. Remove windows and save for donation or discard. Prepare new masonry or rough opening for replacement or new window.
3. Rework driveway as necessary per the proposed plan.
4. Remove retaining wall to the extent necessary for proposed design. Remove steps to upper level complete and discard. Shore up earth until new retaining wall is installed.
5. Relocate condenser to new location per the proposed plan.
6. Remove window complete and save for donation or discard. Create masonry opening for new cased opening per the proposed plan.
7. Remove garage door and save for donation or discard. Remove trims and create masonry opening for new window unit per the proposed design.
8. Rework trellis structure and steps as necessary for proposed design.
9. Remove door and save for reuse or donation. Prepare opening as necessary for proposed design.
10. Remove all racking, finishes and systems complete and prepare space for new conditioned interior space per the proposed plans.
11. **Remove finishes, fixtures and cabinetry (if applicable) and lighting complete and prepare space for new per the proposed design.**
12. Beam to remain. Prepare for new facing per the proposed design.
13. Stair to remain. Protect during construction.
14. Remove closet complete. Save doors and hardware for reuse or donation. Rework cased opening per the proposed design.
15. Remove wall per the proposed design. Shore up 2nd floor until new beam is installed per the structural drawings.
16. Roof overhang to remain. Protect during construction.
17. Remove railings complete and discard. Prepare area per the proposed design.
18. Remove steps to the extent necessary for new terraced steps and landing per the proposed design.
19. **Remove skylights and save for donation or discard. Infill opening or rework roof as necessary for proposed design.**
20. Remove posts and shore up existing roof as required until new structure is installed per the proposed design. Rework roof and overhangs as necessary.
21. Remove bay window complete and prepare for addition per the proposed design.
22. Remove doors and hardware complete and save for reuse or donation. Prepare new rough opening as required for proposed design.
23. Fireplace to remain. Protect during construction.
24. Remove wood trim and infill wall as necessary per the proposed design. Match adjacent finishes.
25. Create rough opening as required for the proposed plan.
26. **Space to remain except as noted. Protect during construction.**
27. Stair to remain. Protect during construction.
28. Door to remain. Protect during construction.
29. Remove door and hardware and save for reuse or donation. Infill opening and match adjacent finishes.
30. Remove appliances, plumbing and light fixtures and cabinetry complete and save for reuse or donation. Remove bulkheads and finishes and discard.
31. Remove shelving niche complete and prepare rough opening for new cased opening per the proposed design.
32. Window to remain. Protect during construction.
33. Room to remain. Protect during construction.
34. Create rough opening for new window per the proposed design.
35. Rework roof as required for proposed design.
36. Remove door unit complete and save for donation. Prepare rough opening for new window per the proposed design.
37. Balcony to remain. Remove railing complete and discard. Prepare for new per the proposed design.
38. Remove door units complete and save for donation or discard. Shore up roof as required until new beam is installed per the structural drawings. Prepare rough opening for new door unit. Infill openings as required and match adjacent finishes.
39. Remove doors and hardware and save for possible reuse. Remove walls as shown and prepare area per the proposed design.
40. Create rough opening for new door.
41. Remove columns and low walls complete and discard. Shore up roof as necessary and determine if additional structural components are required. Prepare area for new framing per the proposed design.
42. **Roof to remain. Protect during construction.**
43. Rework roof as necessary for dormer windows per the proposed design.
44. Rework roof as necessary for proposed front porch addition.
45. Chimney to remain. Protect during construction.
46. **Siding to remain. Protect during construction.**
47. **Gable vent to remain. Protect during construction.**
48. Remove trellis structure complete and save components for reused or donation.
49. **Rework retaining wall as necessary for proposed design.**
50. **Rework vent as required.**
51. Remove steps up to porch as necessary.

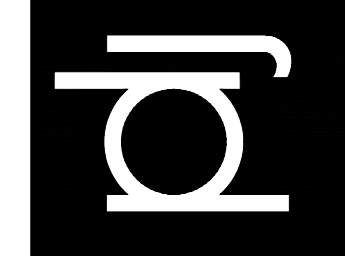


1 UPPER FLOOR
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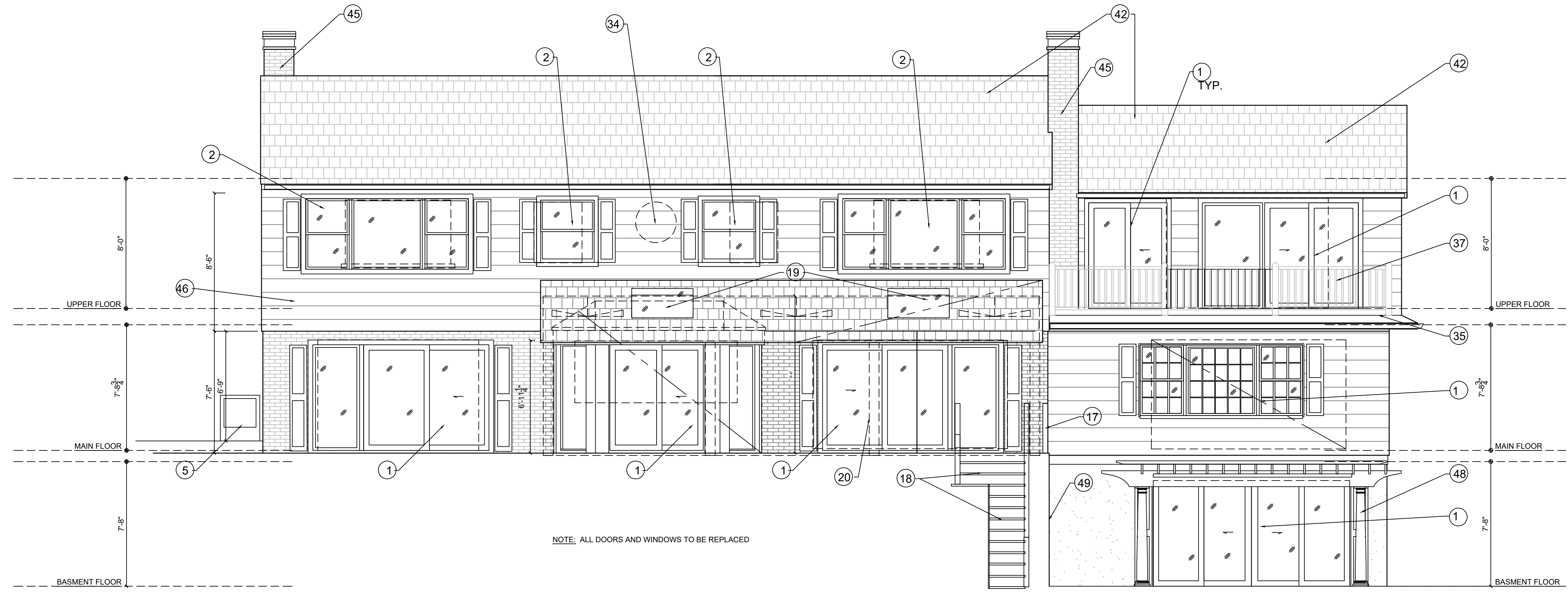
ADDITIONS AND RENOVATIONS TO
THE CLARK RESIDENCE
 115 BOONE TRAIL
 SEVERNA PARK, MD 21146

DESIGN DEVELOPMENT/PRICING	DEMOLITION PLANS	DATE: 03-24-23
SHEET NO: D1.2	SCALE: AS NOTED	

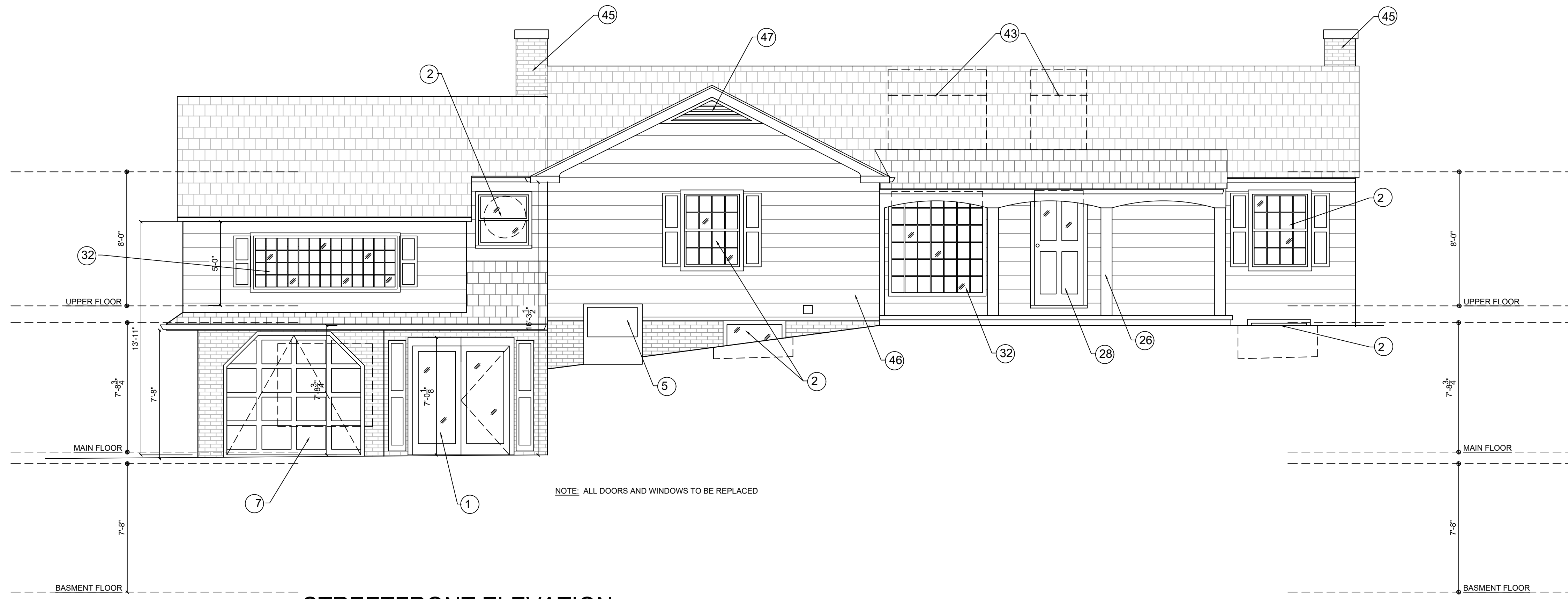
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 O. 410-494-1017 C. 410-262-6708
 www.pdja.com



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2
D2.1 WATERFRONT ELEVATION
SCALE 1/4" = 1'-0"

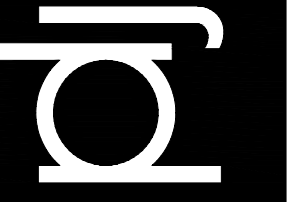


1
D2.1 STREETFRONT ELEVATION
SCALE 1/4" = 1'-0"

ADDITIONS AND RENOVATIONS TO
THE CLARK RESIDENCE
115 BOONE TRAIL
SEVERNA PARK, MD 21146

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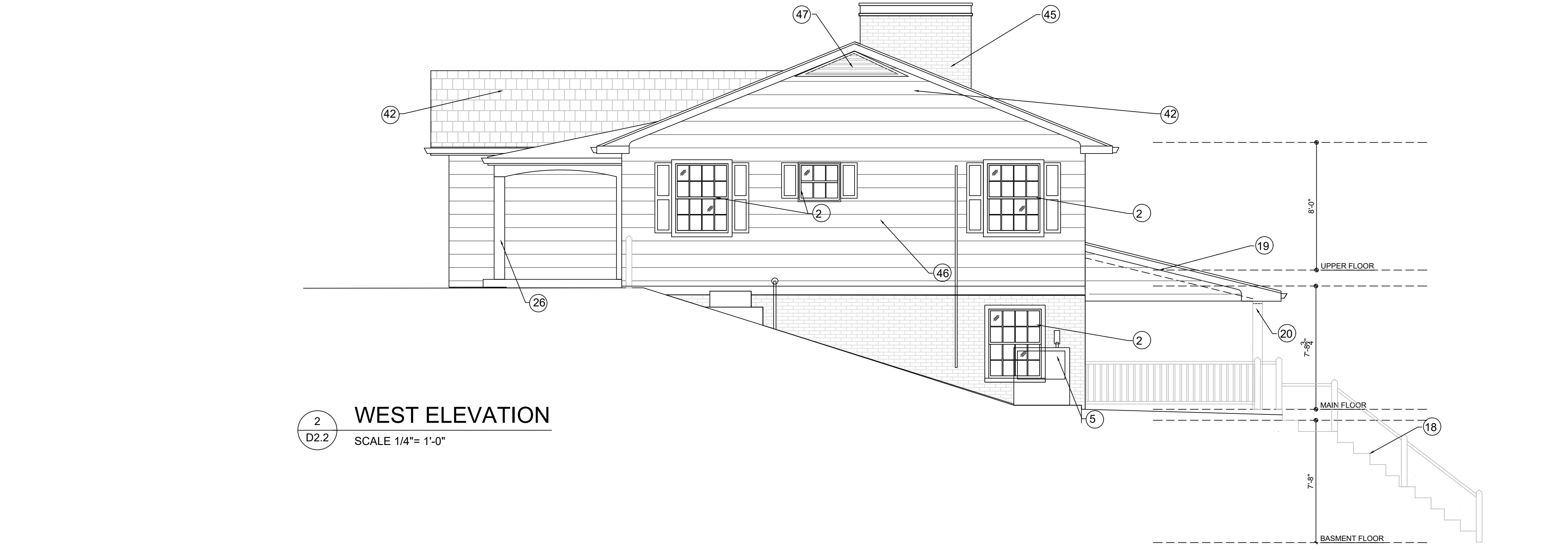
DESIGN DEVELOPMENT/PRICING

SHEET NO.:
D2.1

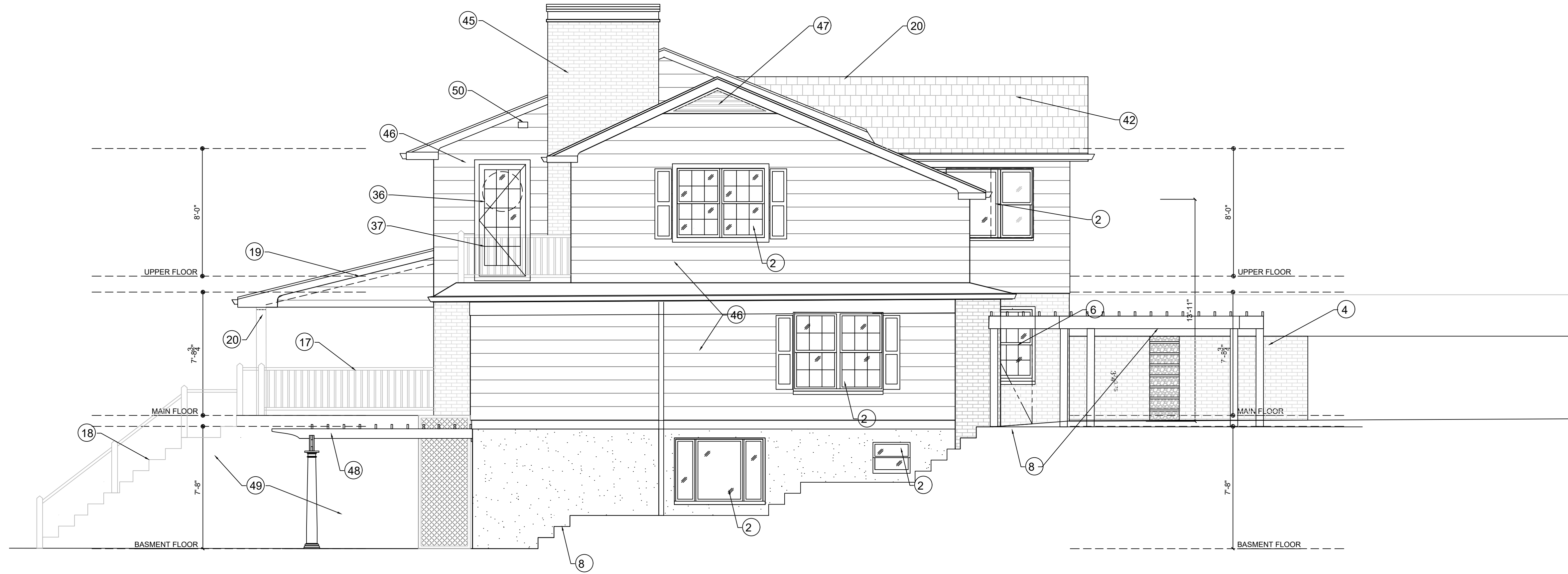
DEMOLITION
ELEVATIONS

SCALE:
1/4" = 1'-0"

DATE:
03-24-23



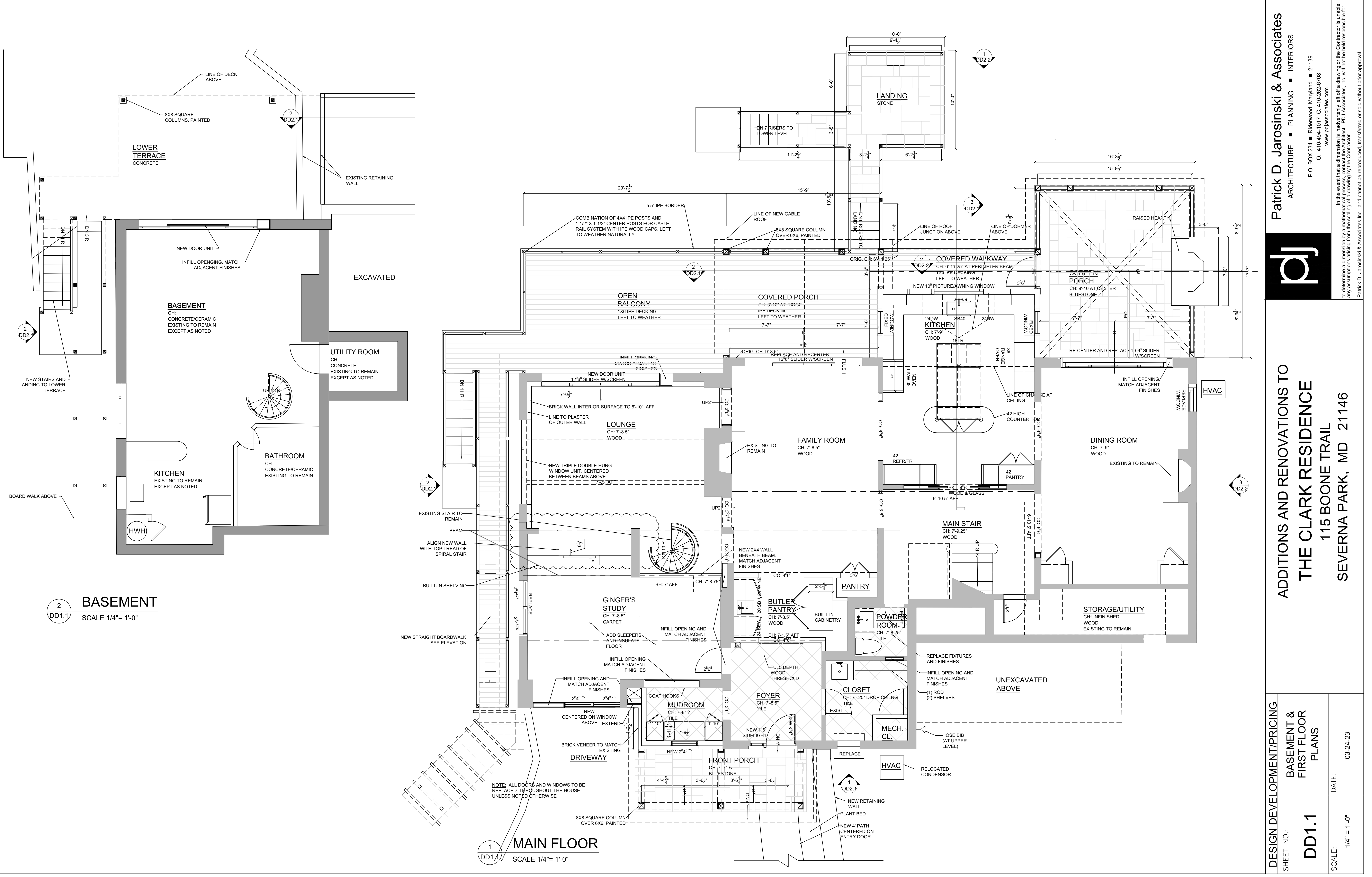
2
D2.2 WEST ELEVATION
SCALE 1/4" = 1'-0"



1
D2.2 EAST ELEVATION
SCALE 1/4" = 1'-0"

DESIGN DEVELOPMENT/PRICING	DEMOLITION ELEVATIONS	DATE: 03-24-23
SHEET NO.: D2.2		
SCALE: 1/4" = 1'-0"		

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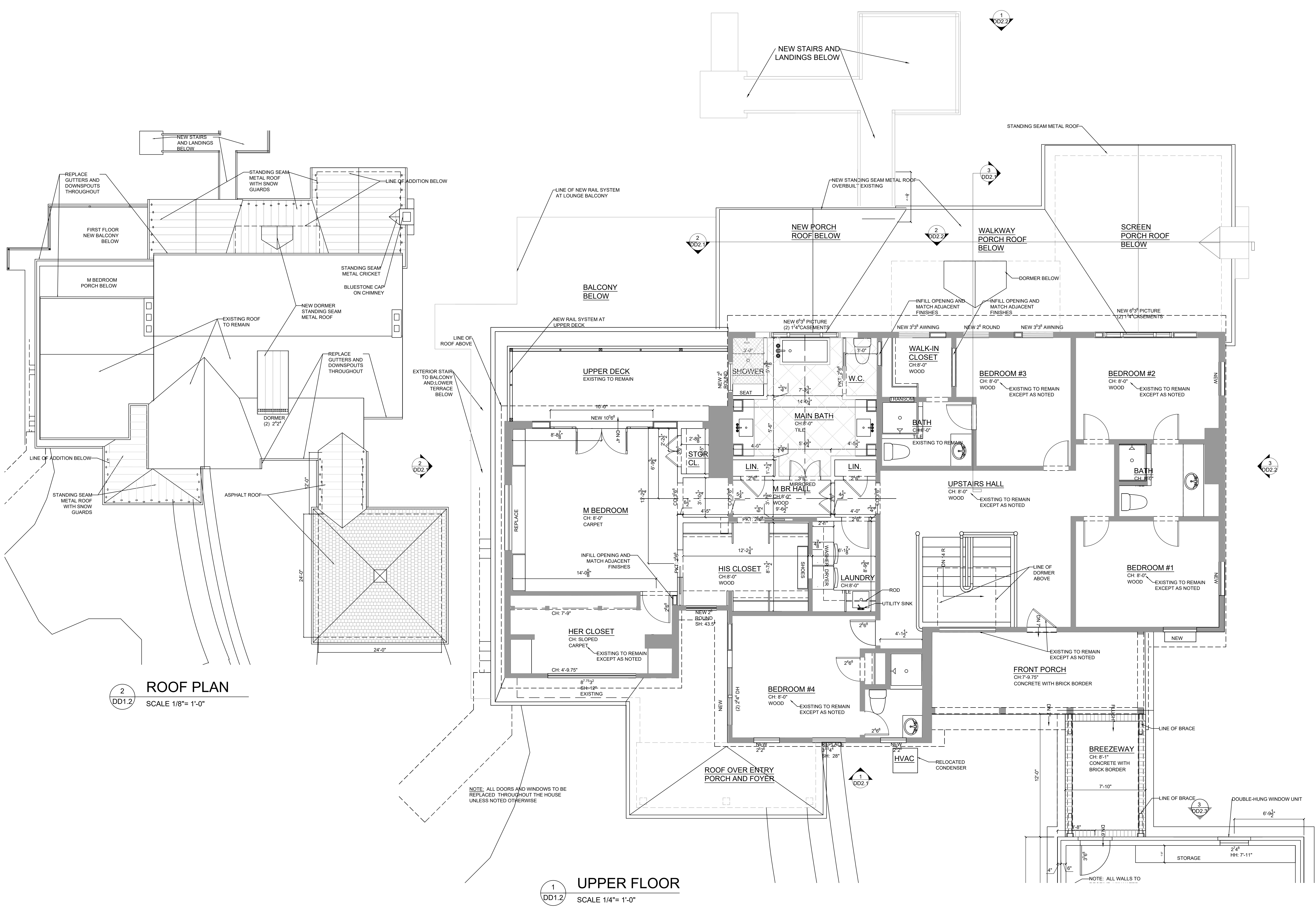
2 DD1.1 **BASEMENT**
SCALE 1/4" = 1'-0"

1 DD1.1 **MAIN FLOOR**
SCALE 1/4" = 1'-0"

NOTE: ALL DOORS AND WINDOWS TO BE REPLACED THROUGHOUT THE HOUSE UNLESS NOTED OTHERWISE

**ADDITIONS AND RENOVATIONS TO
THE CLARK RESIDENCE
115 BOONE TRAIL
SEVERNA PARK, MD 21146**

DESIGN DEVELOPMENT/PRICING	BASEMENT & FIRST FLOOR PLANS	DATE: 03-24-23
SHEET NO:	DD1.1	SCALE: 1/4" = 1'-0"



2
DD1.2
ROOF PLAN
SCALE 1/8" = 1'-0"

1
DD1.1
UPPER FLOOR
SCALE 1/4" = 1'-0"

NOTE: ALL DOORS AND WINDOWS TO BE REPLACED THROUGHOUT THE HOUSE UNLESS NOTED OTHERWISE

NOTE: ALL WALLS TO

**ADDITIONS AND RENOVATIONS TO
THE CLARK RESIDENCE
115 BOONE TRAIL
SEVERNA PARK, MD 21146**

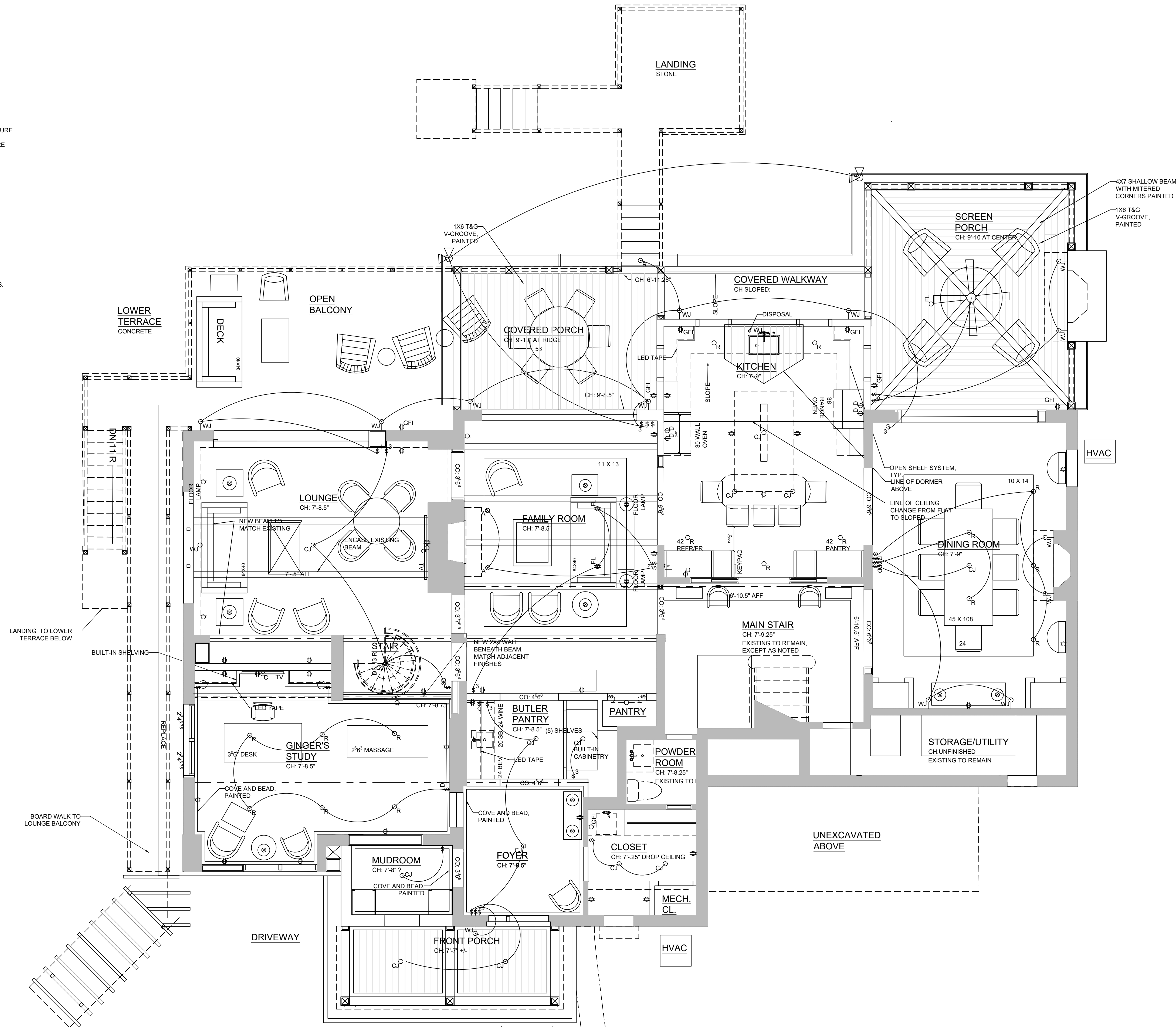
DESIGN DEVELOPMENT/PRICING	SECOND FLOOR AND ROOF PLANS	DATE: 03-24-23
SHEET NO.: DD1.2		
SCALE: 1/4" = 1'-0"		

ELECTRICAL LEGEND

- ⊕ DUPLEX RECEPTACLE, MATCH EXISTING
- ⊕ QUAD RECEPTACLE, MATCH EXISTING
- ⊕ DEDICATED RECEPTACLE, MATCH EXISTING
- ⊕ GF1 GROUNDED WR RECEPTACLE, MATCH EXISTING
- ⊕ FL FLOOR RECEPTACLE
- ⊕ USB RECEPTACLE
- ⊕ SINGLE POLE LIGHT SWITCH, MATCH EXISTING
- ⊕ 3 THREE WAY LIGHT SWITCH, MATCH EXISTING
- ⊕ D LIGHT SWITCH/DIMMER
- ⊕ F CEILING FAN SWITCH
- ⊕ C₁ CEILING MOUNTED JUNCTION BOX FOR DECORATIVE FIXTURE
- ⊕ W₁ WALL MOUNTED JUNCTION BOX FOR DECORATIVE FIXTURE
- ⊕ A 4" RECESSED ADJUSTABLE DOWNLIGHT
- ⊕ PIC WALL MOUNTED PICTURE LIGHT
- ⊕ C CABLE
- ⊕ SD SMOKE DETECTOR
- ⊕ BATTERY BACKUP
- ⊕ SECURITY LIGHT

NOTE:

- PROVIDE ELECTRICAL OUTLETS & SMOKE DETECTORS AS SHOWN AS WELL AS THOSE REQUIRED TO MEET BUILDING CODES.
- DIMMER SWITCHES MUST BE APPROPRIATE FOR LED FIXTURES.
- ALL LIGHTING TO HAVE DIMMERS

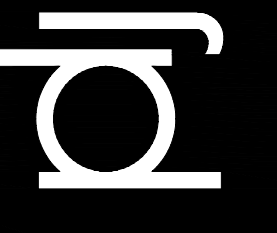


1
DD1.3
MAIN FLOOR
SCALE 1/4" = 1'-0"

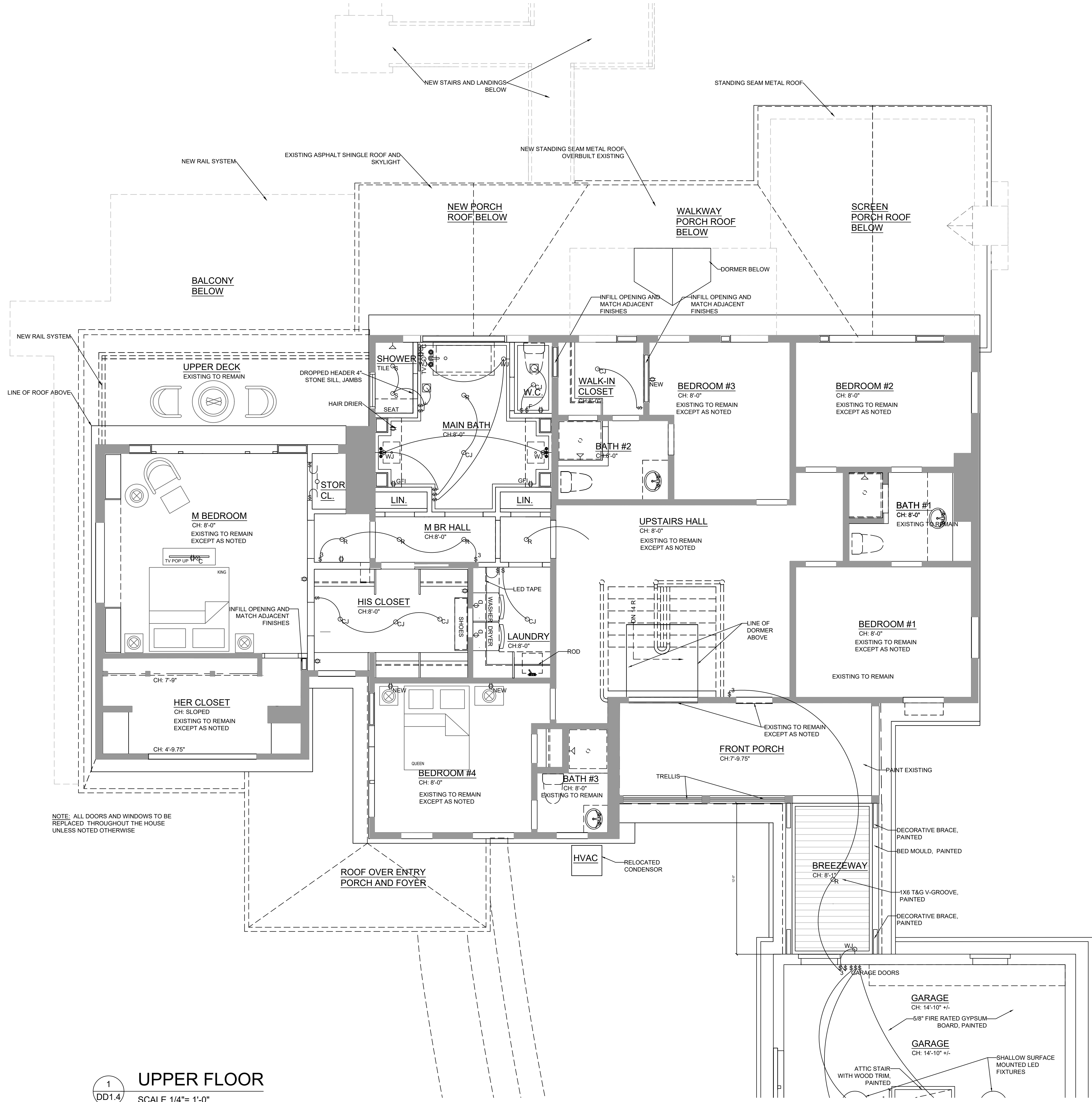
**ADDITIONS AND RENOVATIONS TO
THE CLARK RESIDENCE**
115 BOONE TRAIL
SEVERNA PARK, MD 21146

DESIGN DEVELOPMENT/PRICING
SHEET NO.: **DD1.3**
SCALE: 1/4" = 1'-0"
DATE: 03-24-23

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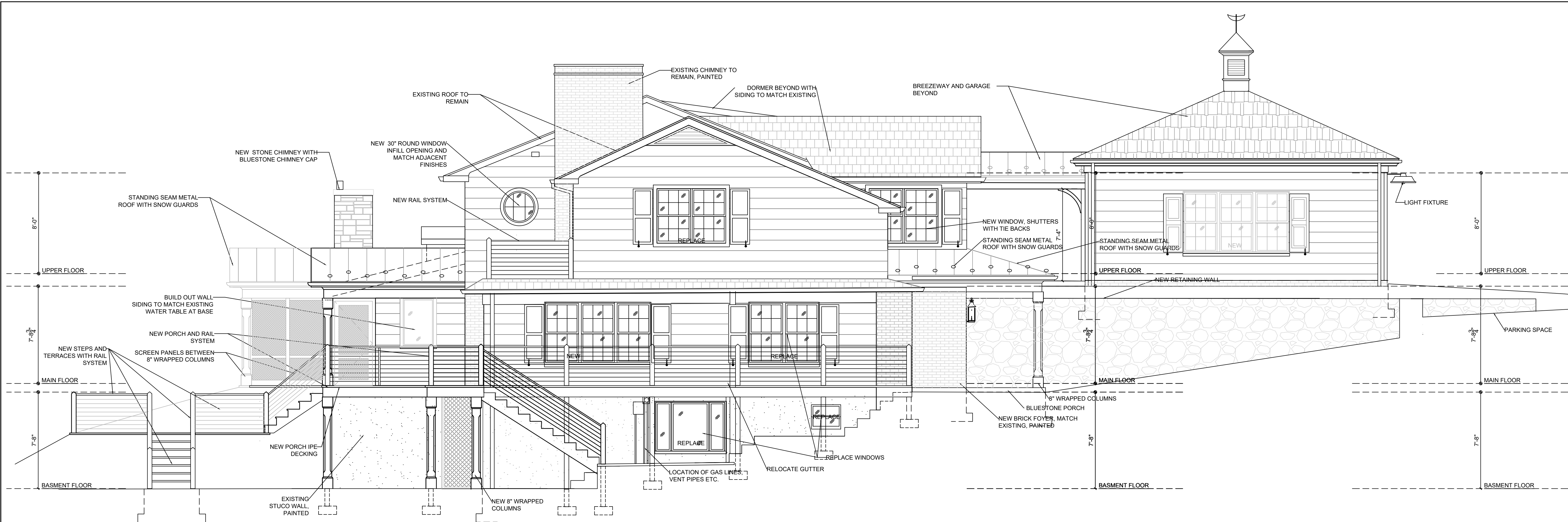


1
DD1.4
UPPER FLOOR
SCALE 1/4" = 1'-0"

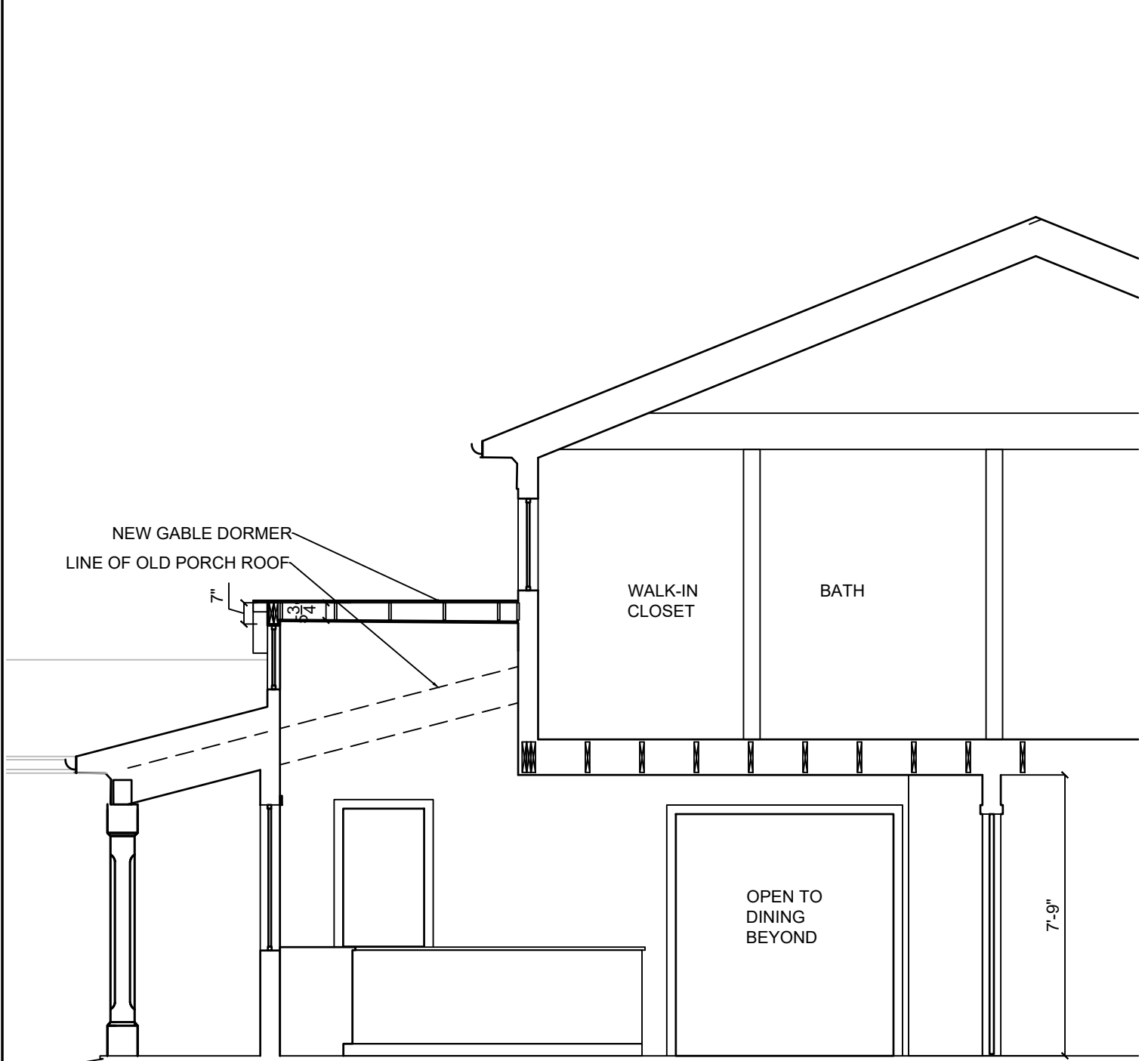
**ADDITIONS AND RENOVATIONS TO
THE CLARK RESIDENCE**
115 BOONE TRAIL
SEVERNA PARK, MD 21146

DESIGN DEVELOPMENT/PRICING	SECOND FLOOR REFLECTED CEILING PLAN	DATE: 03-24-23
SHEET NO.: DD1.4	SCALE: 1/4" = 1'-0"	

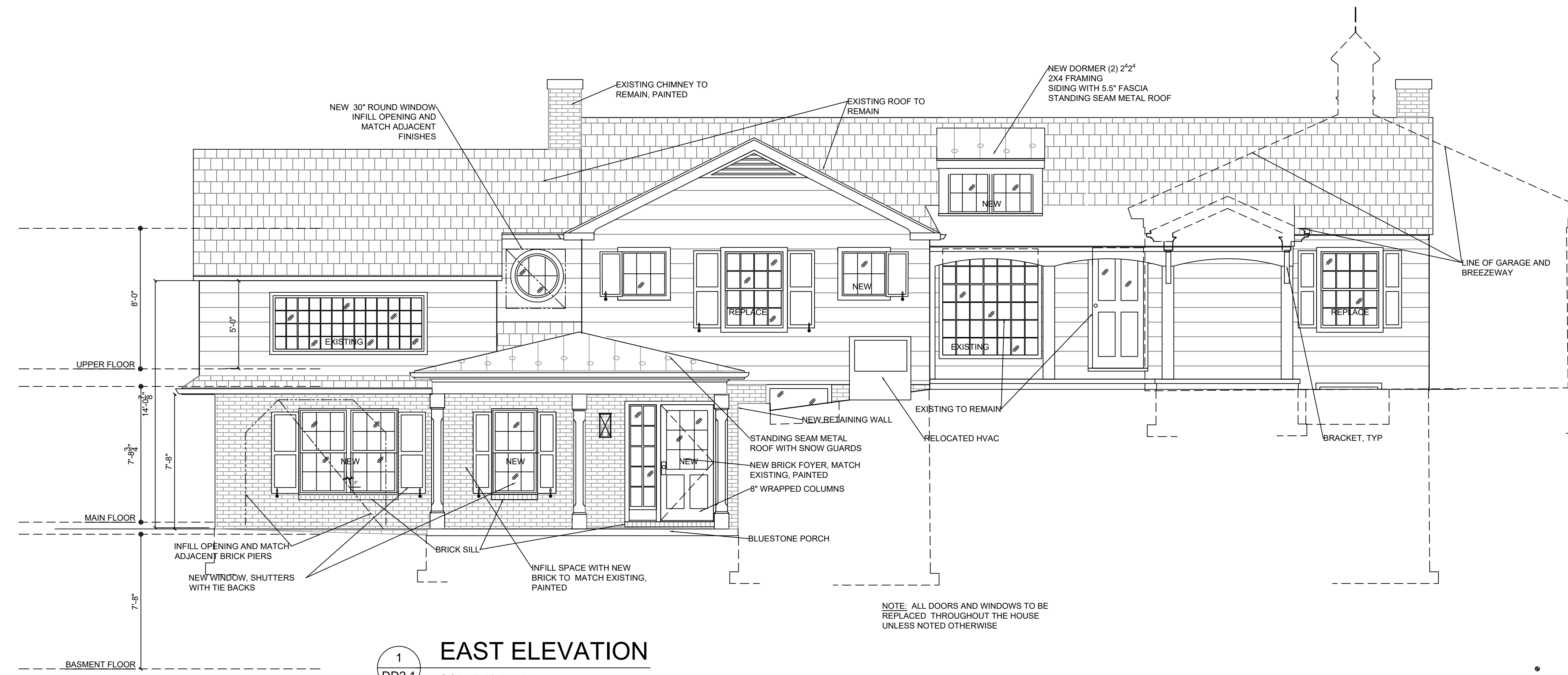
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2 SOUTH ELEVATION
 DD2.1 SCALE 1/4" = 1'-0"



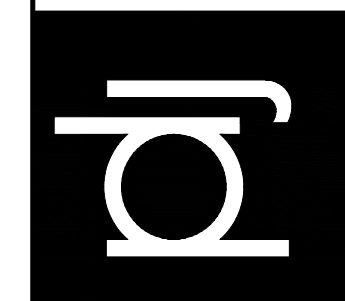
3 KITCHEN CROSS SECTION
 DD2.1 SCALE 1/4" = 1'-0"



1 EAST ELEVATION
 DD2.1 SCALE 1/4" = 1'-0"

NOTE: ALL DOORS AND WINDOWS TO BE REPLACED THROUGHOUT THE HOUSE UNLESS NOTED OTHERWISE

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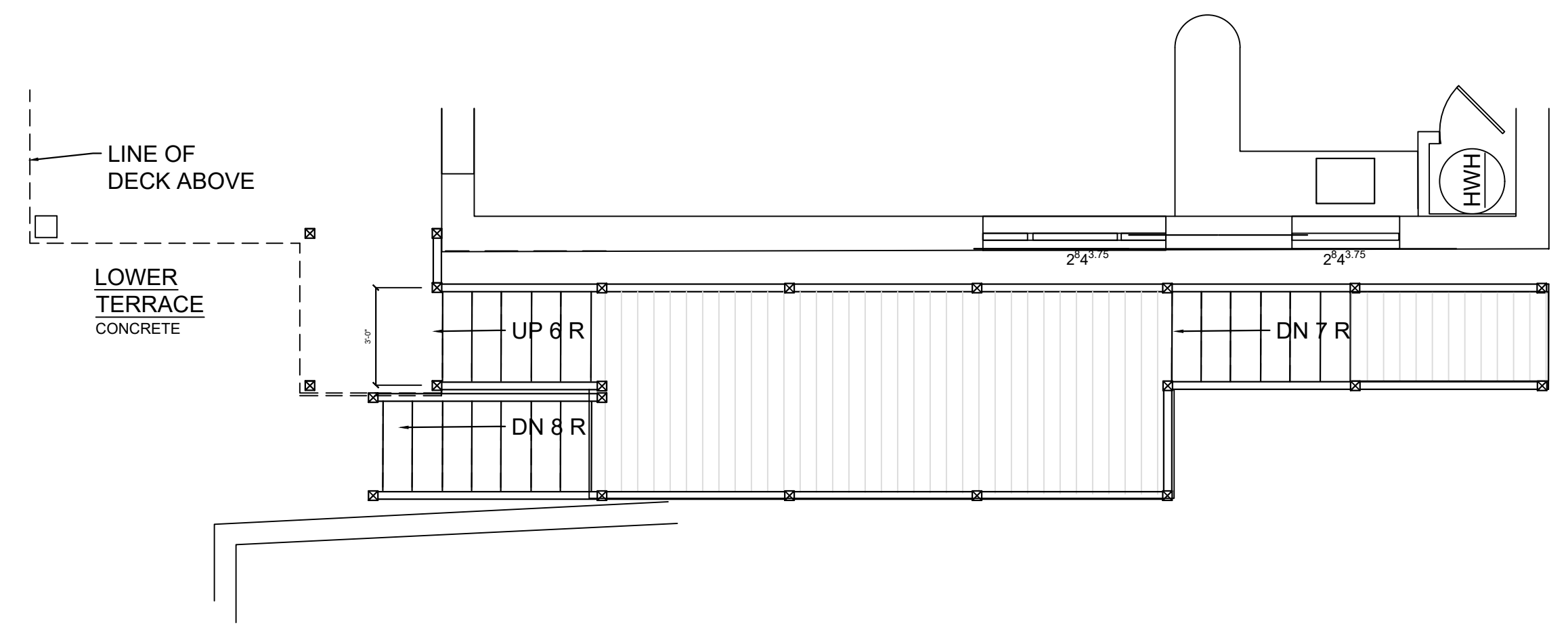
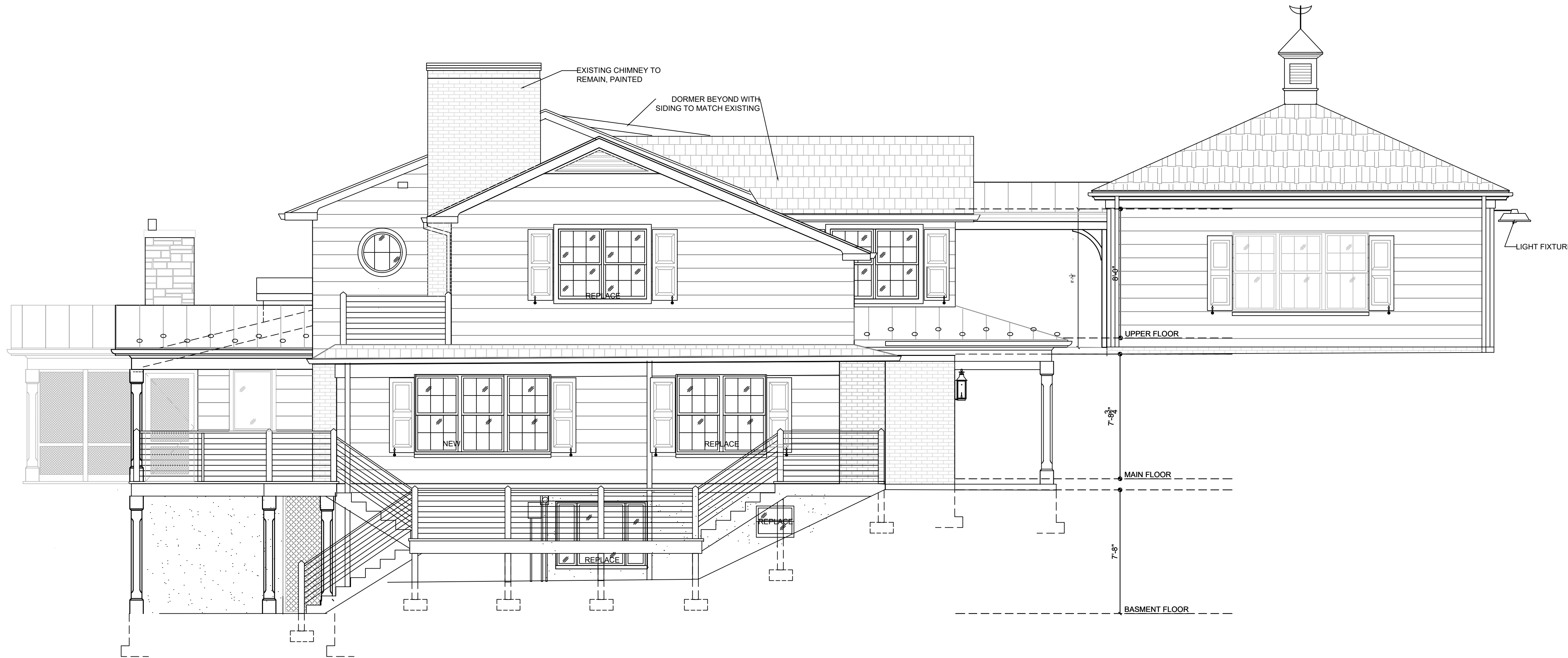
ADDITIONS AND RENOVATIONS TO
 THE CLARK RESIDENCE
 115 BOONE TRAIL
 SEVERNA PARK, MD 21146

DESIGN DEVELOPMENT/PRICING
 SHEET NO.:

DD2.1
 ELEVATIONS

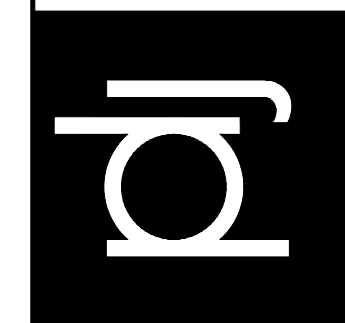
SCALE: 1/4" = 1'-0"
 DATE: 03-24-23

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1
DD2.1A SOUTH ELEVATION: OPTION ALTERNATE A
SCALE 1/4" = 1'-0"

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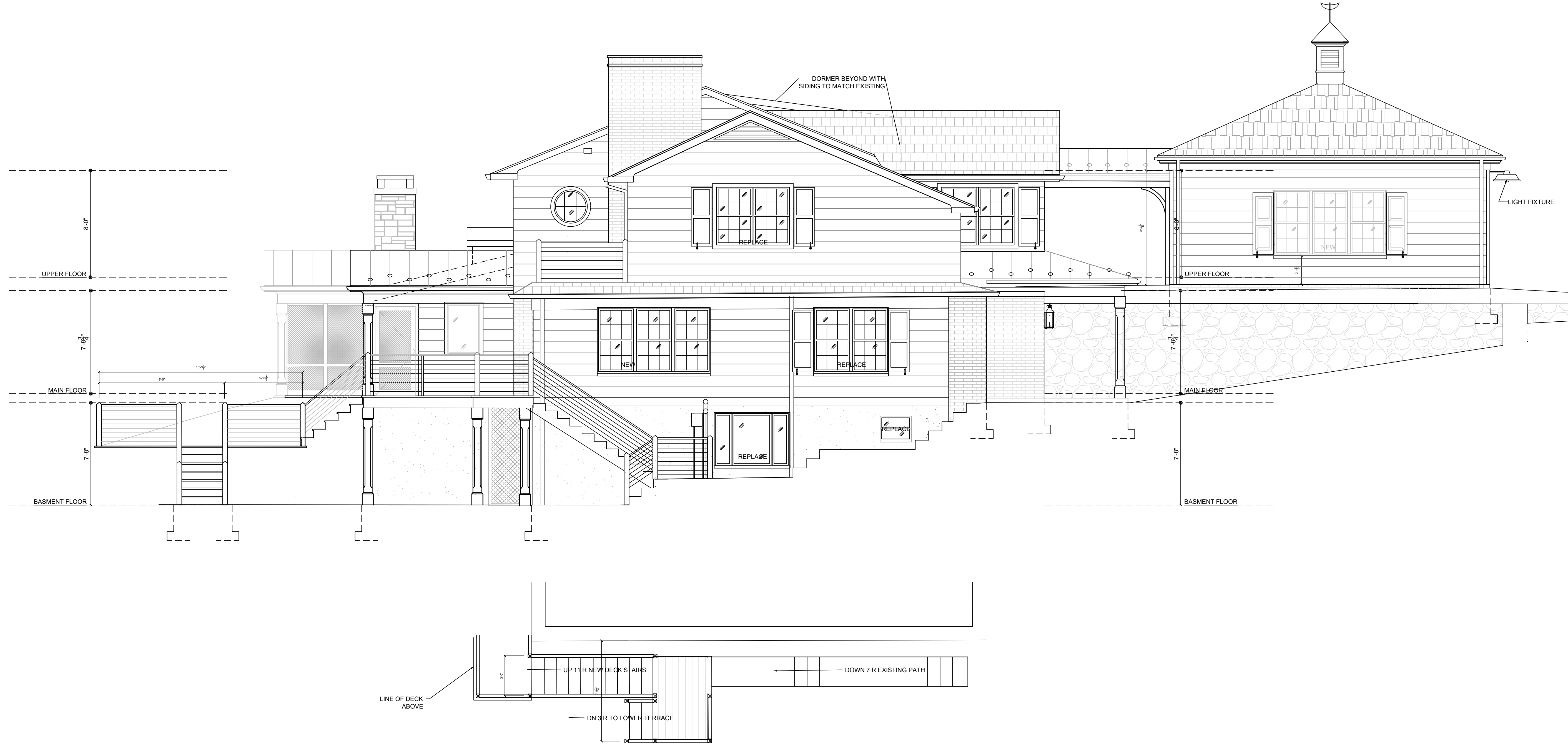
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THE CLARK RESIDENCE
115 BOONE TRAIL
SEVERNA PARK, MD 21146

DESIGN DEVELOPMENT/PRICING
SHEET NO.:

DD2.1A ELEVATIONS

SCALE: 1/4" = 1'-0"
DATE: 03-24-23

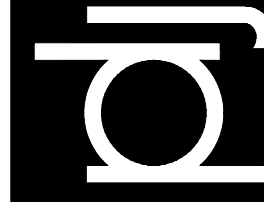


1 SOUTH ELEVATION: OPTION ALTERNATE B
 DD2.1B SCALE 1/4" = 1'-0"

ADDITIONS AND RENOVATIONS TO
 THE CLARK RESIDENCE
 115 BOONE TRAIL
 SEVERNA PARK, MD 21146

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DESIGN DEVELOPMENT/PRICING

SHEET NO.:

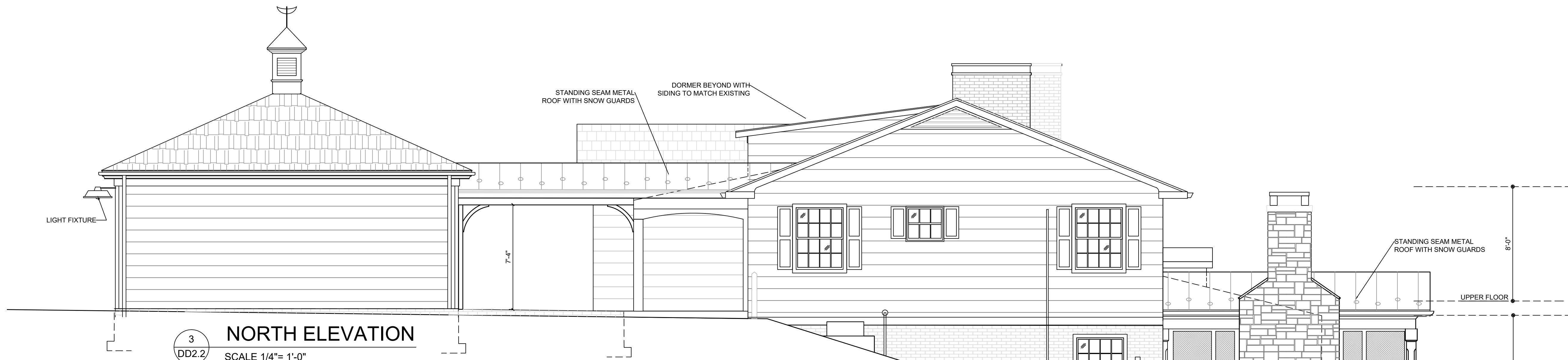
DD2.1B

OPTION B
 ELEVATION

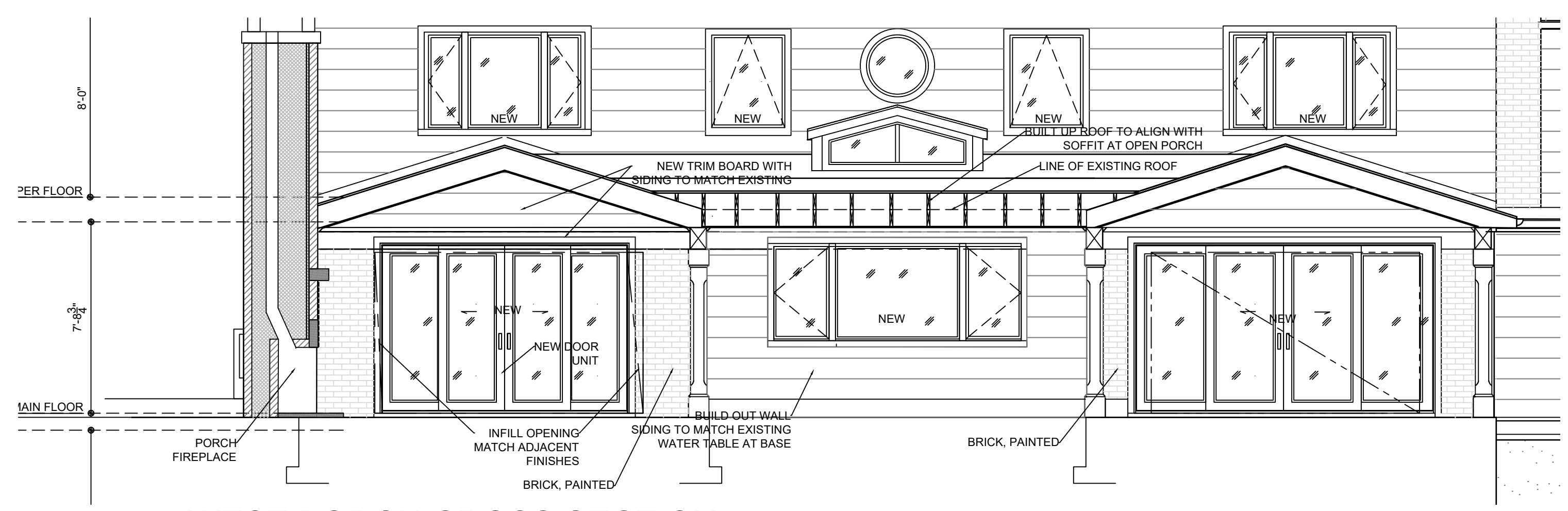
SCALE:
 1/4" = 1'-0"

DATE:

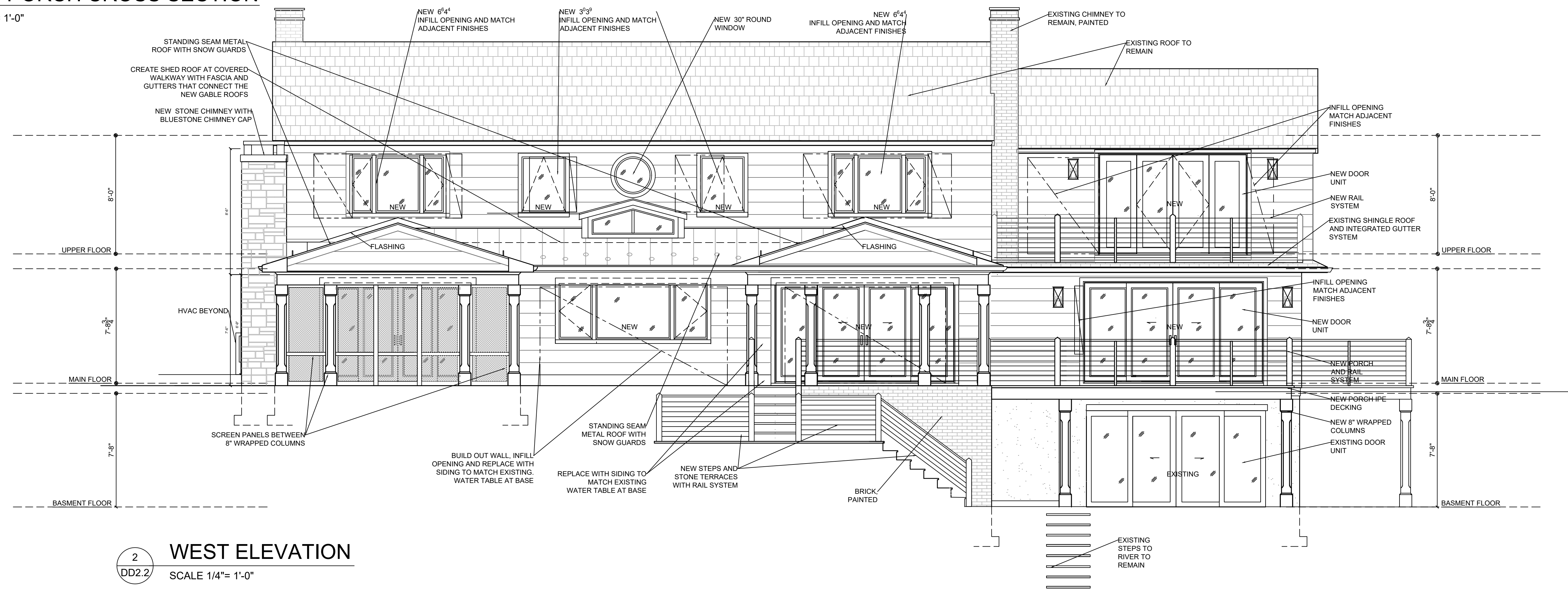
03-24-23



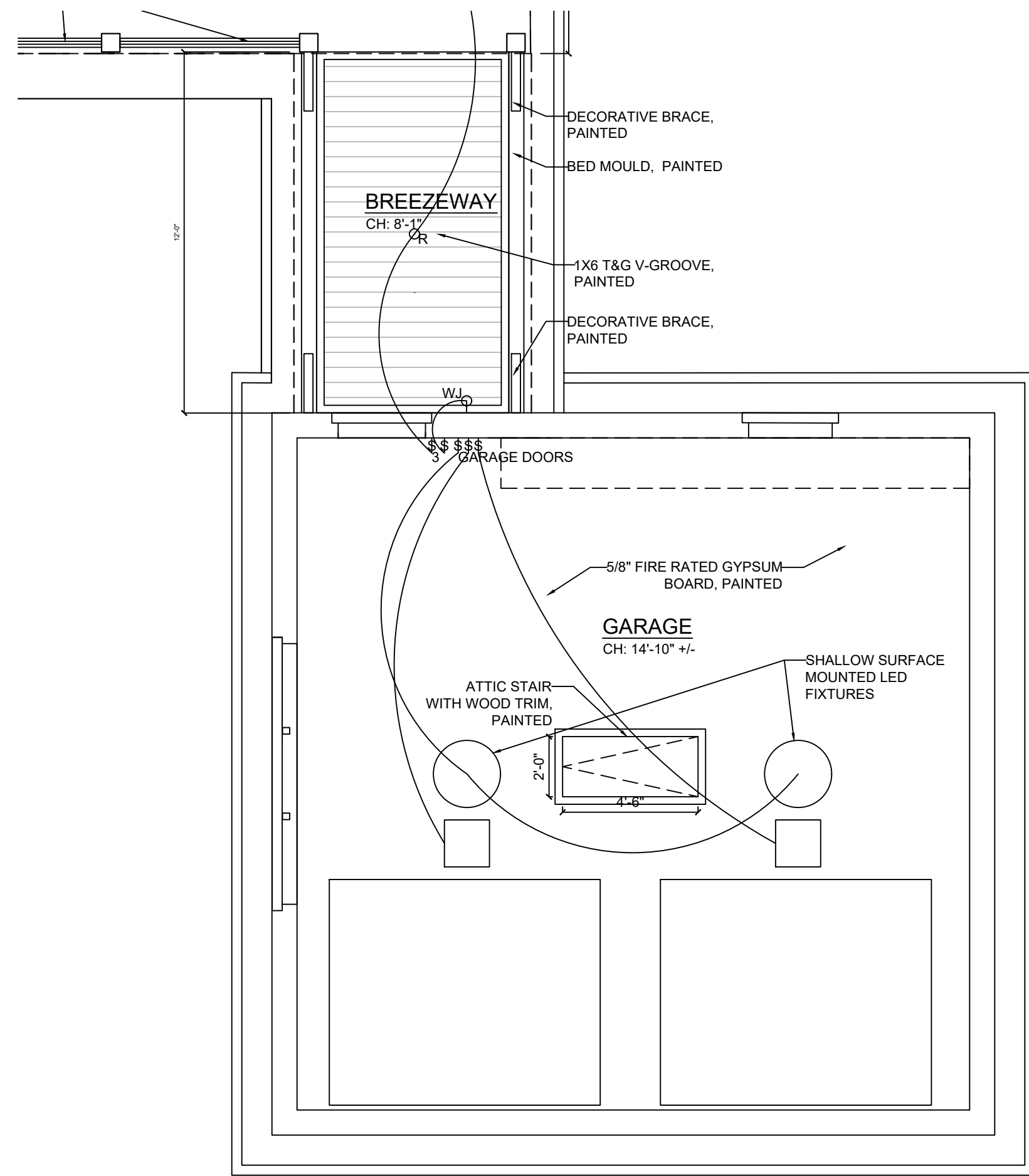
3
DD2.2
NORTH ELEVATION
SCALE 1/4" = 1'-0"



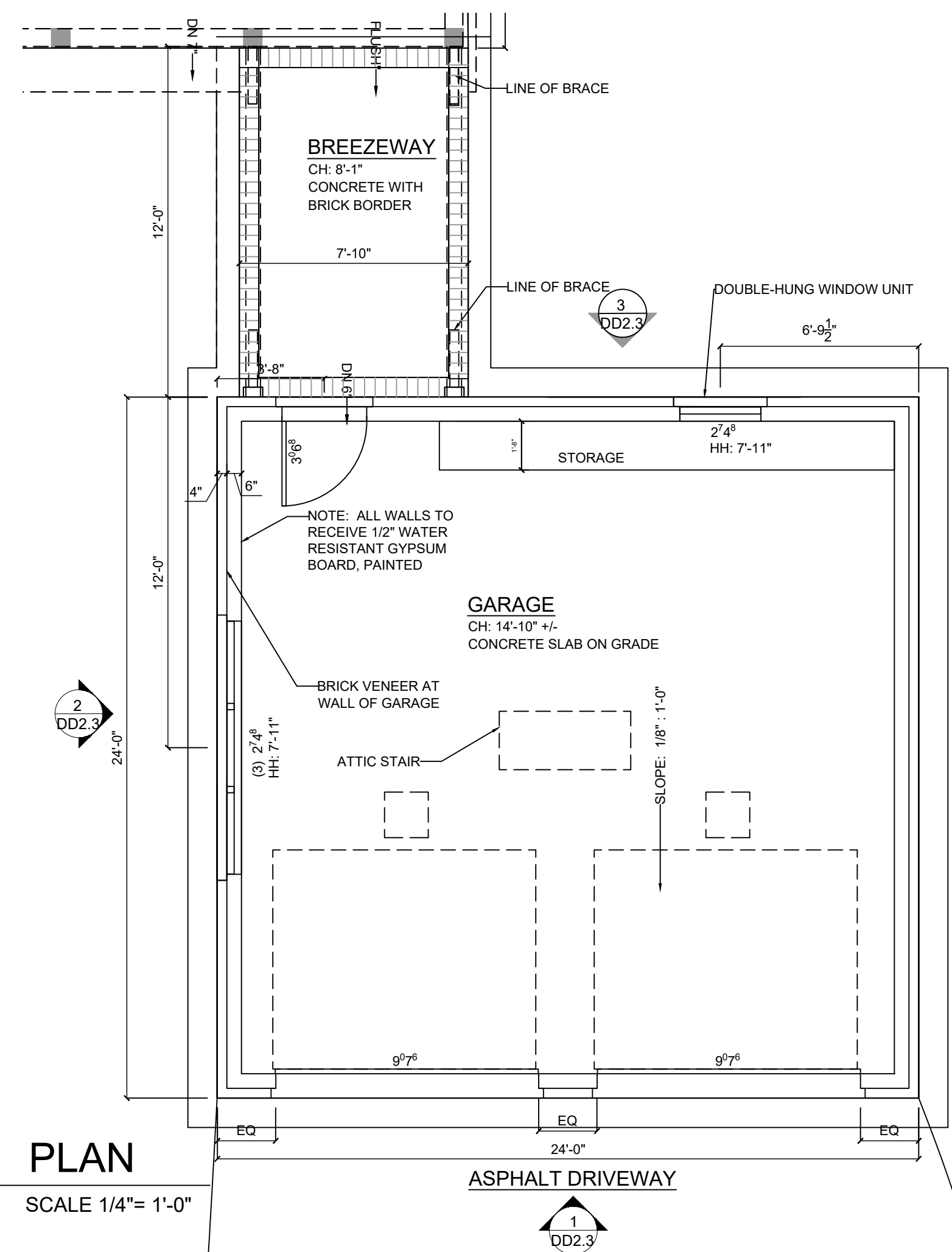
2
DD2.2
WEST PORCH CROSS SECTION
SCALE 1/4" = 1'-0"



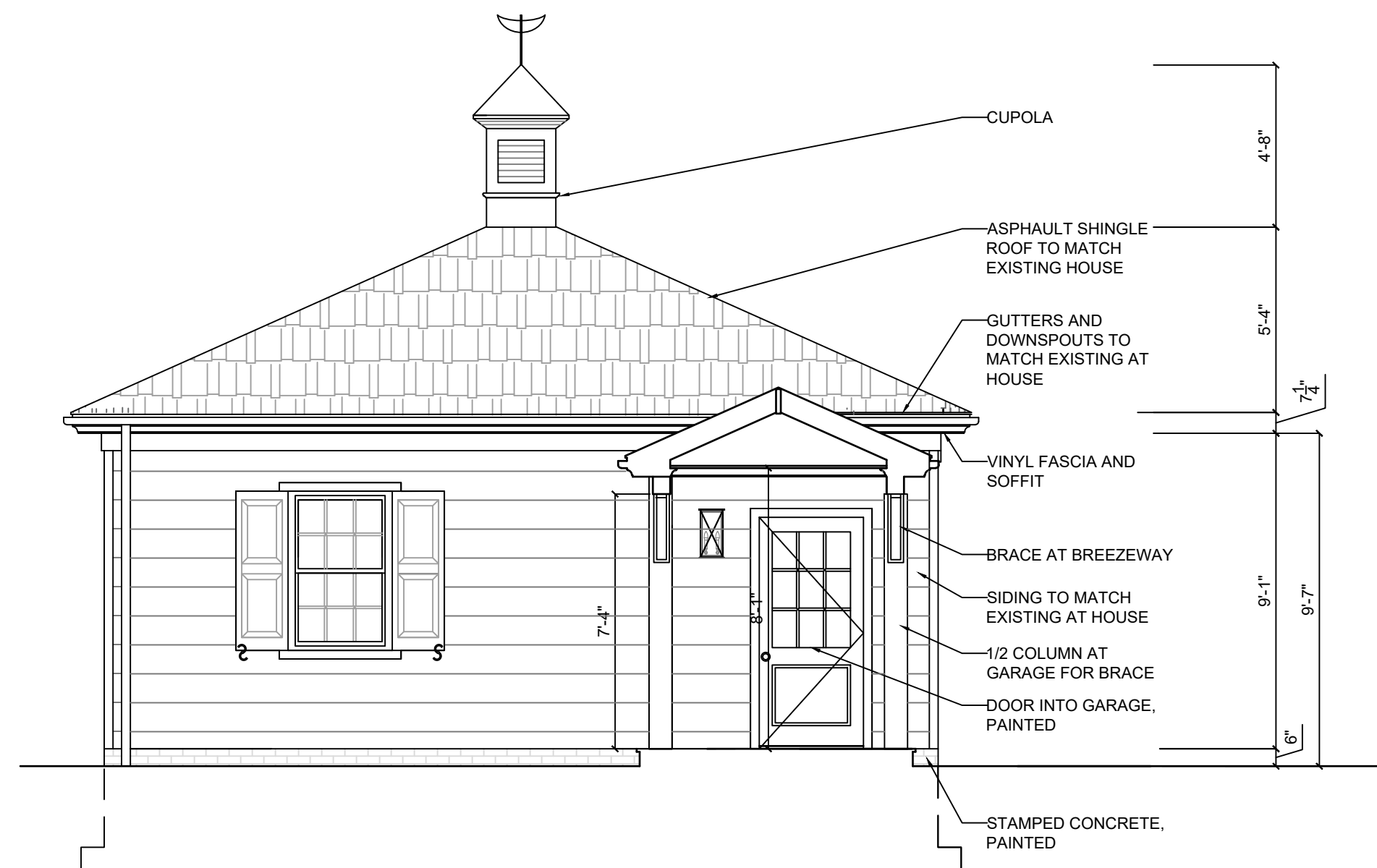
2
DD2.2
WEST ELEVATION
SCALE 1/4" = 1'-0"



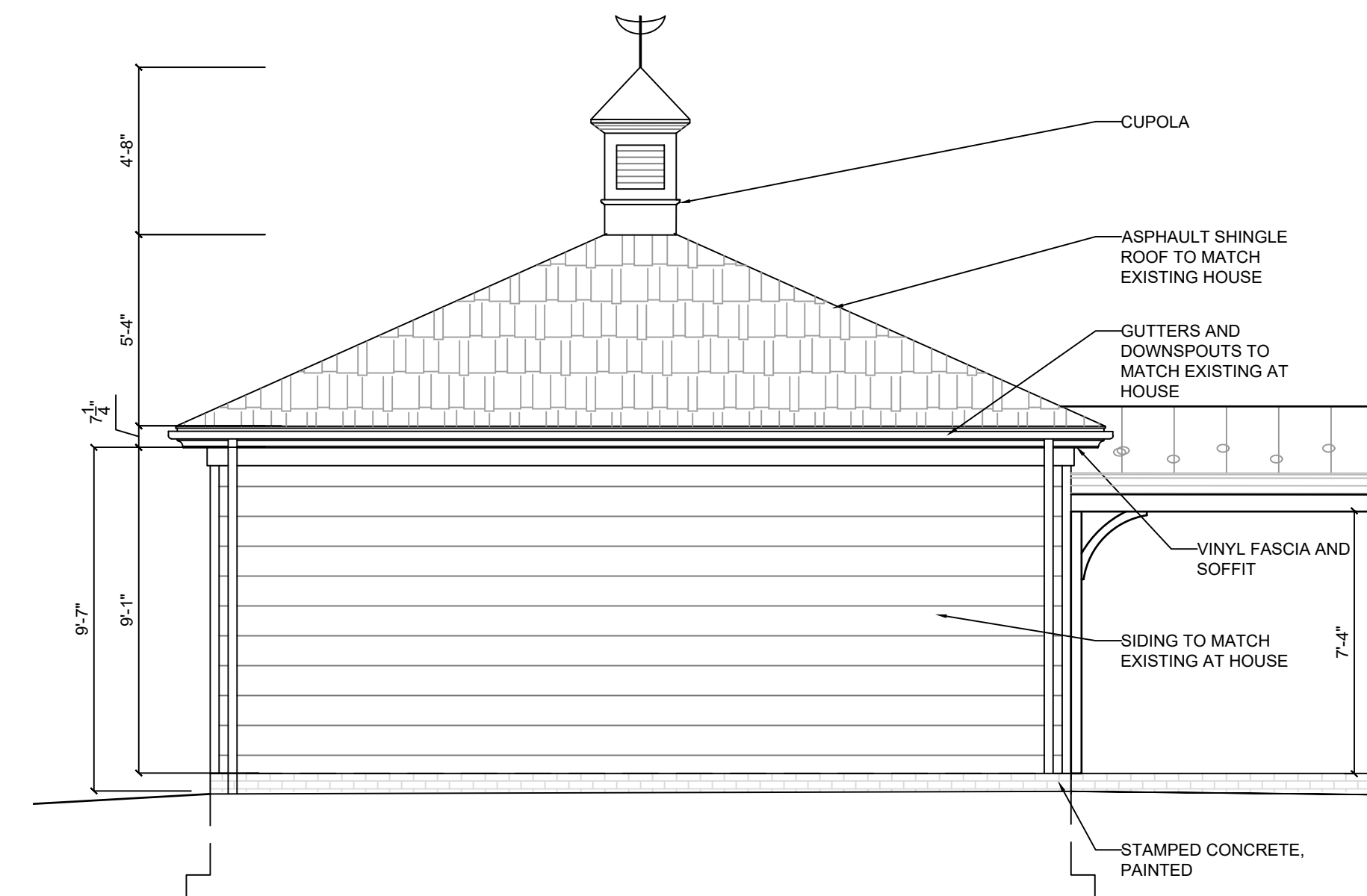
6 REFLECTED CEILING PLAN
SCALE 1/4" = 1'-0"



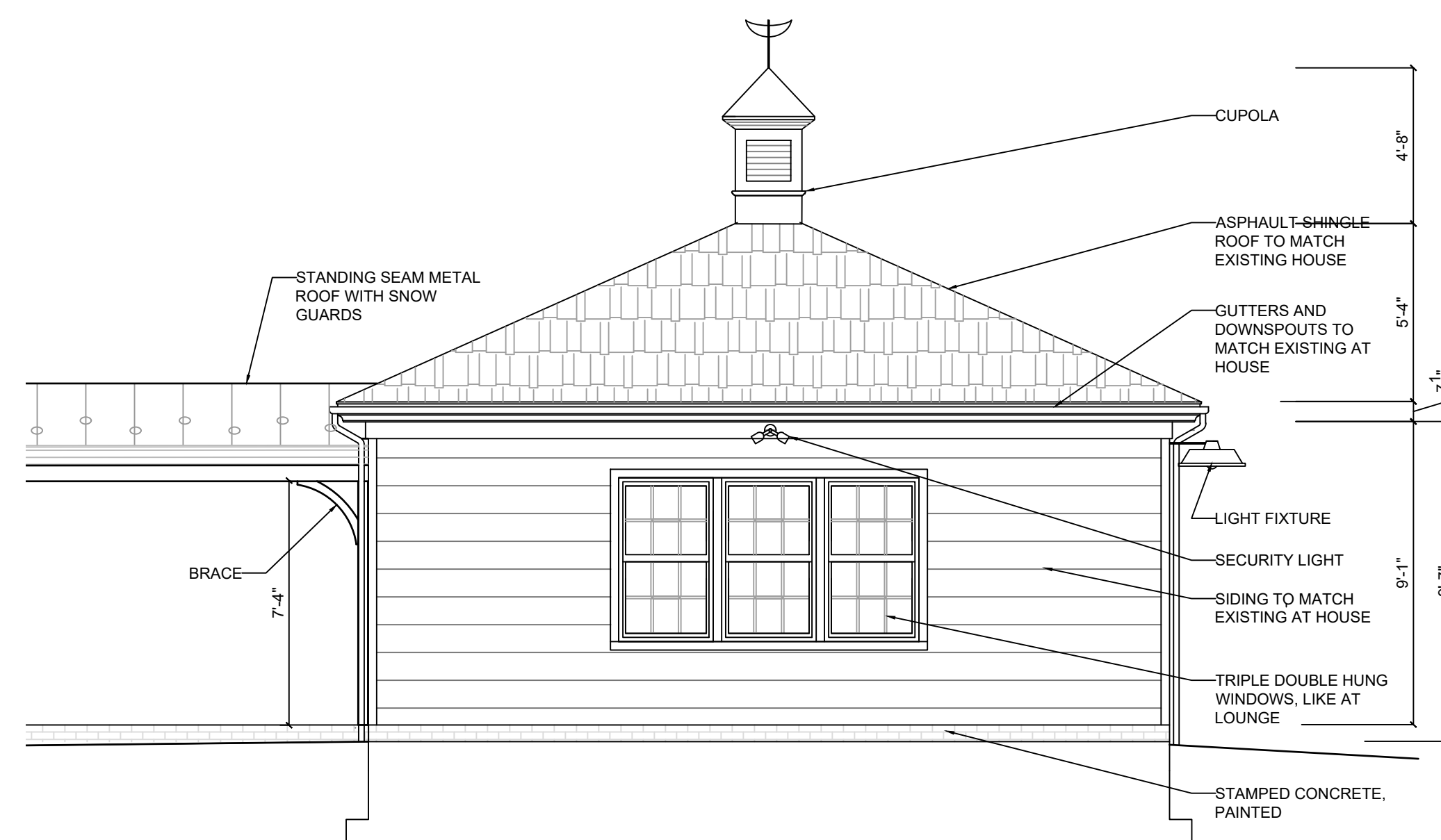
5 PLAN
SCALE 1/4" = 1'-0"



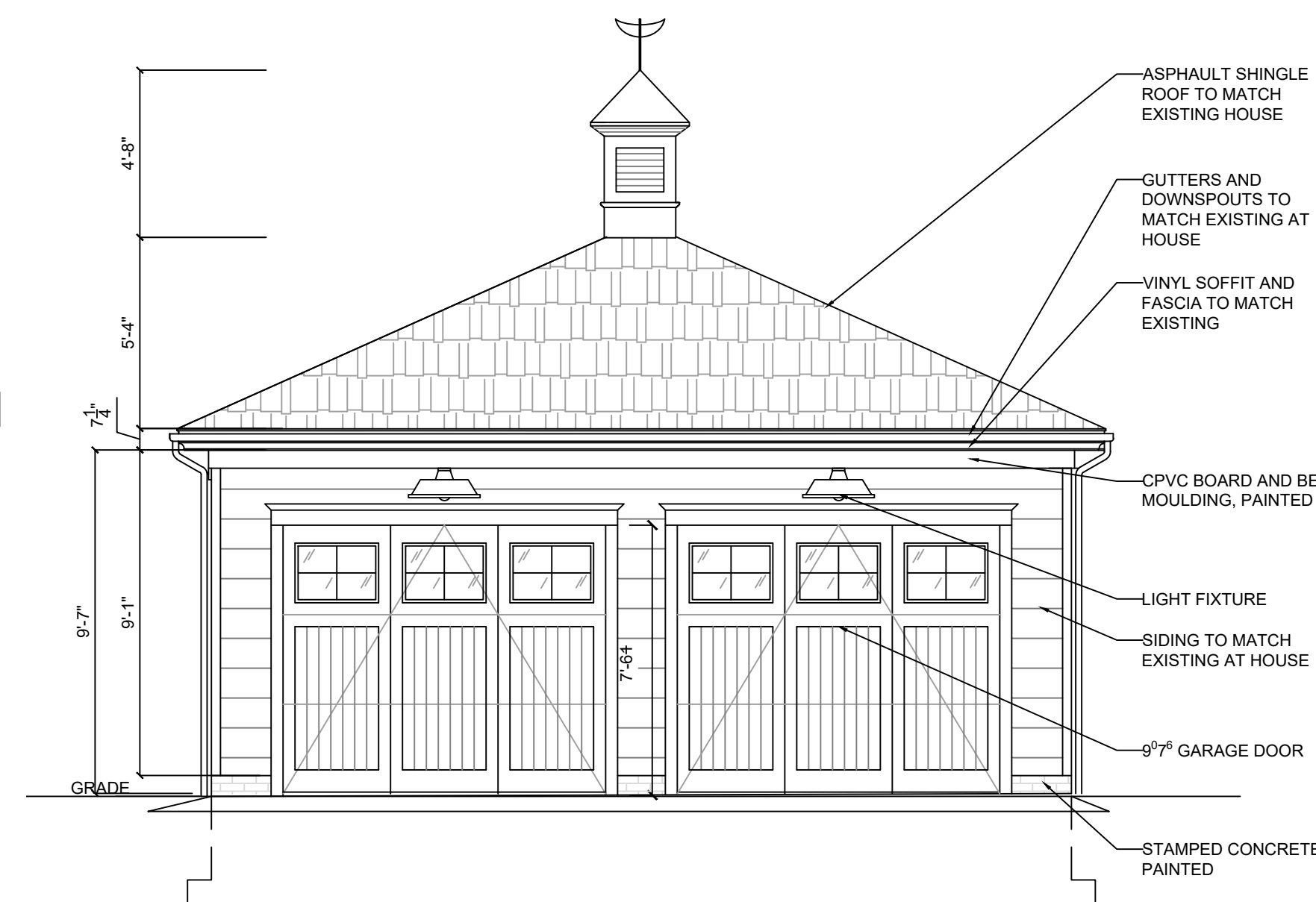
2 WEST ELEVATION
SCALE 1/4" = 1'-0"



4 NORTH ELEVATION
SCALE 1/4" = 1'-0"



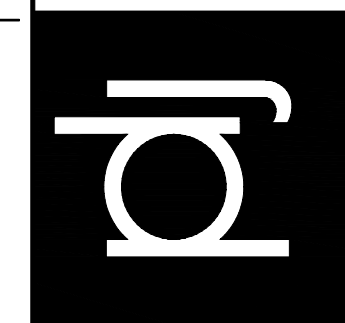
2 SOUTH ELEVATION
SCALE 1/4" = 1'-0"



1 EAST ELEVATION
SCALE 1/4" = 1'-0"

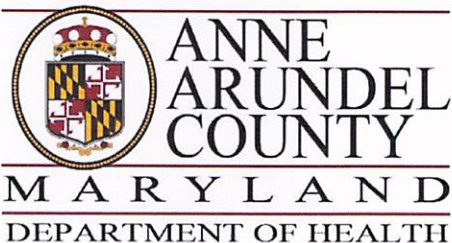
ADDITIONS AND RENOVATIONS TO
THE CLARK RESIDENCE
115 BOONE TRAIL
SEVERNA PARK, MD 21146

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DESIGN DEVELOPMENT/PRICING	GARAGE PLANS AND ELEVATIONS	DATE: 03-24-23
SHEET NO.: DD2.3		SCALE: 1/4" = 1'-0"

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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

A handwritten signature in blue ink, appearing to be "BC", written over the printed name of Brian Chew.

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



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

CAC Comments: 2024-0222-V; Hoff (AA 0327-24), 2024-0216-V; Clark (AA 0328-24), 2024-0084-V; O'Donovan (AA 0330-24)

1 message

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

Tue, Dec 31, 2024 at 11:19 AM

To: Sadé Medina <pzmedi22@aacounty.org>

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

Good Morning.

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

2024-0222-V; Hoff (AA 0327-24): It appears that the applicant has reasonable and significant use of the entire parcel with the existing improvements, including a number of outdoor amenities, such as a gazebo. It does not appear that the construction of a detached deck within the Critical Area Buffer 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. The project would result in an increase in lot coverage within the Buffer. 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 an attached deck constructed outside of the Critical Area buffer and in a manner that allows water to flow freely as to not count as lot coverage.

2024-0216-V; Clark (AA 0328-24): It appears that the applicant has reasonable and significant use of the entire parcel with the existing improvements, including a number of outdoor amenities, such as three concrete patios, a stone patio, two covered porches, and a pool and pool deck. It does not appear that this request meets each and every one of the Critical Area variance standards including unwarranted hardship or that this variance would not adversely affect water quality and wildlife or plant habitat. The existing dwelling on this grandfathered within the Critical Area Buffer and within the Buffer Modified Area. While the proposed project would result in a 10% decrease in lot coverage that exceeds the permitted lot coverage, the lot remains nonconforming, with the proposed development located nearer to the shoreline than the closest façade. Furthermore, the project would result in disturbance to the Buffer, including the clearing of 3,195 sf of vegetation. If this request were to be denied, they would still have reasonable and significant use of their lot

2024-0084-V; O'Donovan (AA 0330-24): 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. If the AHO finds that each and every one of the Critical Area variance standards have been addressed, appropriate mitigation is required.

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

Best,
Jamileh

--



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

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

2024-0216-V

Menu Cancel Help

Task Details **OPZ Critical Area Team**

Assigned Date

12/02/2024

Assigned to

Kelly Krinetz

Current Status

Complete w/ Comments

Action By

Kelly Krinetz

Comments

The site is 35,022 square feet in size with an allowable lot coverage limit of 5445 square feet per 17-8-402. The existing lot coverage is 10,689 sq. ft. and the proposed lot coverage will be 10,151 square feet. While this reduction is in accordance with the requirements of 17-8-403 it should be noted that the remaining coverage will still exceed the amount listed in 17-8-402 by 4,706 sq. ft.

Details for the existing structure indicate that it is a 4,096 sq. ft. home with 5 bedrooms and 6 baths. The applicant has indicated that the variance requests are specific to the screened porch addition which will result in a reduction of coverage on the site. While this is true, the site remains significantly over what it should be. The home currently has a covered porch on the waterside of the dwelling which can be renovated to serve as a screened porch. Conversion of this portion of the structure would reduce the amount of relief requested with this application. In addition, there are two separate accessory structures, one by the pool and one nearer to the shoreline that can be utilized as outdoor amenities without a structural addition at the top of a 46% slope.

The proposed addition does not meet the requirements for approval and this Office recommends denial.

End Time

Billable

No

Time Tracking Start Date

In Possession Time (hrs)

Estimated Hours

0.0

Comment Display in ACA

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

Task Specific Information

Due Date

12/23/2024

Assigned to Department

OPZ Critical Area

Status Date

12/27/2024

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

OPZ Critical Area

Est. Completion Date

Display E-mail Address

Display Comments

Expiration Date

Reviewer Phone Number

Review Notes

Reviewer Email

Reviewer Name

Task Details **Land P Engineering**

Assigned Date

12/03/2024

Assigned to

Habtamu Zeleke

Current Status

Complete w/ Comments

Action By

Habtamu Zeleke

Comments

Variance Requested: 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.

Comments:

1. Label the existing grinder pump public or private. If electing to make it public, it must be placed in a 20 ft x 20 ft PUE adjacent to the public ROW or mainline PUE.
2. A rainwater harvesting cistern is proposed for this project. How is the water re-used and show the area of the dedicated use? For example, if the water is used for irrigation purposes, we need to call out the area on the plan and it should be a dedicated use. The water shall not cause downstream flooding or nuisance flooding to neighboring properties.
3. The proposed rainwater harvesting cistern operation and Maintenance details, typically from the manufacturer, shall be added to the plan. Generic details from the state manual should be evaluated and revised if they do not apply to a particular system.
4. The proposed rainwater harvesting cistern details of the pipes and irrigation (if that is the dedicated use) should be on the plans for the benefit of the inspector and owner.
5. The proposed landscape infiltration and underdrain pipe underneath the driveway and sidewalk should be revised - this office is concerned with the potential maintenance issues a homeowner would face given the driveway and utility connections. How is the maintenance handled if the underdrain is clogged or needs to be replaced?
6. Per the Procedure's manual, SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resources including, steep slopes and buffers.
7. Please review existing vegetation (or lack thereof) within the steep slopes; opportunities to supplement vegetation or replanting buffers with native vegetation should be reviewed and provided to enhance water quality.
8. Provide a qualified professional review of the condition of suitability steep slopes; ensure the proposed improvement including quality and other limits do not adversely impact the intensity of the slope and can cause slope failure.
9. Separate building permits are required for retaining walls exceeding 2 feet in height.
10. Based on the plan provided, it appears that the property will be served by a public water and sewer system.
11. The stormwater management, utility/Engineering design additional review and comments shall occur at the grading permit stage.
12. Based on the above comments and proposed site design, this office does not support this request.

End Time

Billable

No

Time Tracking Start Date

In Possession Time (hrs)

Estimated Hours

0.0

Comment Display in ACA

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

Task Specific Information

Due Date

12/23/2024

Assigned to Depart

Engineering

Status Date

12/23/2024

Overtime

No

Start Time

Hours Spent

0.0

Action by Departme

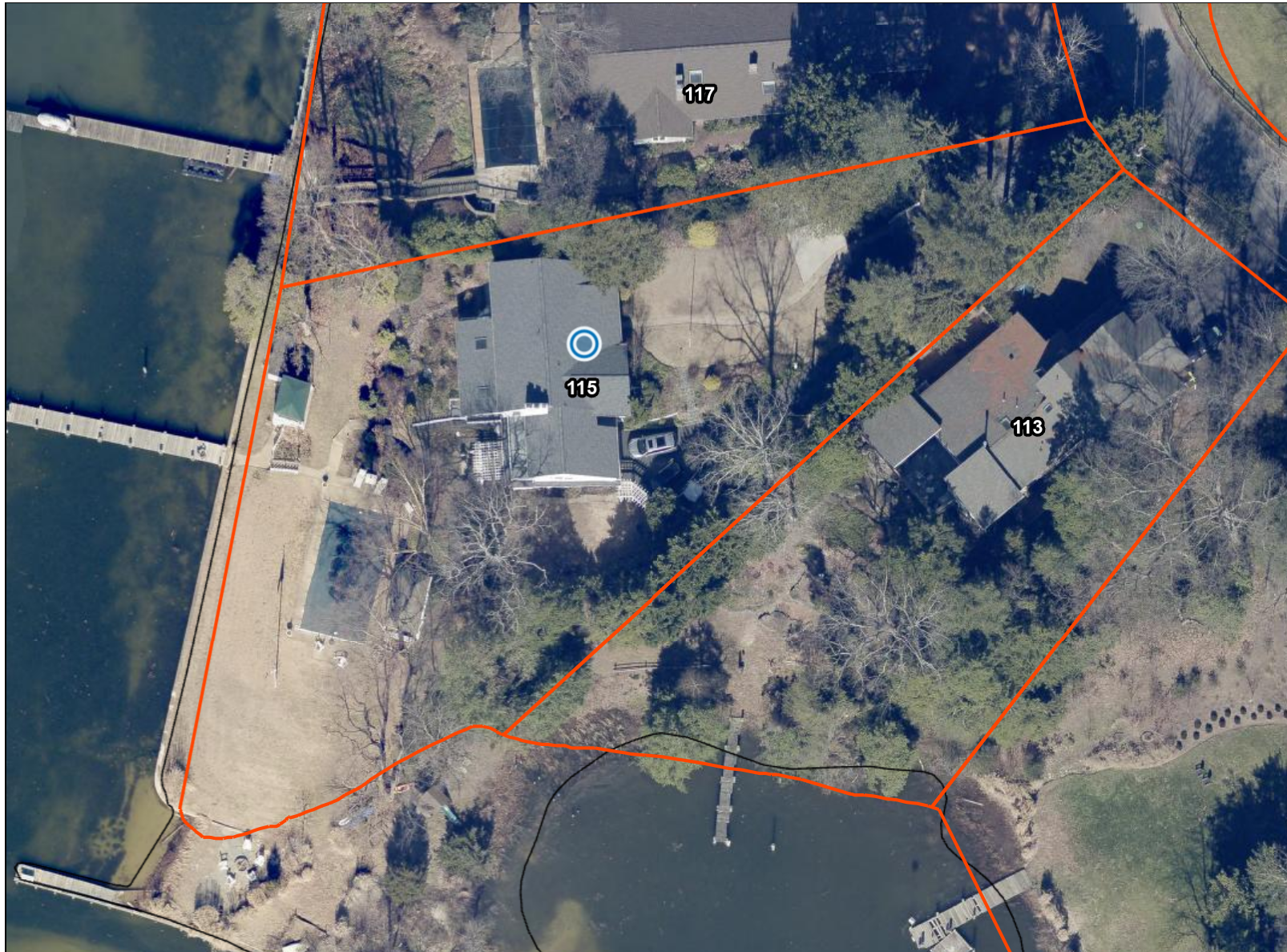
Engineering

Est. Completion Da

Display E-mail #

Display Comme

Map Title



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



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

none

Notes



0 50 100
ft



THIS MAP IS NOT TO BE
USED FOR NAVIGATION