

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

**APPLICANT:** David Hoff & Maria Schrum

**ASSESSMENT DISTRICT:** 3

**CASE NUMBER:** 2024-0222-V

**COUNCIL DISTRICT:** 3

**HEARING DATE:** February 11, 2025

**PREPARED BY:** Jennifer Lechner  
Planner



**REQUEST**

The applicants are requesting a variance to allow an accessory structure (freestanding deck) with lot coverage nearer to the shoreline than the existing principal structure on slopes greater than 15% and with less setbacks than required on property located at 942 Long Cove Road in Glen Burnie.

**LOCATION AND DESCRIPTION OF SITE**

The subject site consists of 10,824 square feet of land and is located with frontage on the east side of Long Cove Road. The property is identified as Lot 20 in Block 1 of the Locust Grove subdivision, Parcel 39 in Grid 19 on Tax Map 11. The property is zoned R2 – Residential District, lies entirely within the Chesapeake Bay Critical Area, is designated LDA – Limited Development Area, and is mapped as a BMA – Buffer Modification Area. It is currently improved with a one and a half-story dwelling, sheds, pier with platforms/decks, and associated facilities.

**PROPOSAL**

The applicants are proposing to construct a freestanding, detached deck at the top of the tiered, waterfront slope.

**REQUESTED VARIANCES**

§ 18-4-601 of the Anne Arundel County Zoning Ordinance provides that the minimum setbacks for accessory structures in an R2 District is 40 feet from the front lot line<sup>1</sup>, and 7 feet from the side lot lines<sup>2</sup>. The deck will be as close as 20 feet from the mean high water line, and 5 feet from the side lot line, necessitating variances of 20 feet and 2 feet, respectively.

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<sup>1</sup> Per § 18-1-101(78) “Lot line, front” means the boundary of a lot that abuts the road right-of-way or, for a waterfront lot, the mean high-water line.

<sup>2</sup> For accessory structures less than 8 feet in height, the minimum setback to the side lot line may be 5 feet. All parts of the detached deck, including the deck boards and railing, must be less than eight feet above grade. Because no documentation was provided to indicate the total height above grade, the greater setback will be applied.

§ 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 detached deck will create 200 square feet of new lot coverage<sup>3</sup> nearer to the shoreline than the principal structure, necessitating a variance.

§ 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 detached deck will disturb slopes of 15% or greater, necessitating a variance. The final amount of disturbance will be determined during permit review.

## **FINDINGS**

The subject property is rectangular in shape and is undersized for lots in an R2 District at 10,824 square feet in area and 50 feet in width, with regard to the 20,000 square foot minimum area required for new lots not served by public sewer, and to the minimum width of 80 feet. The property is encumbered by steep slopes<sup>4</sup> along the waterfront which has been developed with tiered retaining walls. The site plan shows a deck running the width of the waterfront facade of the dwelling, however, aerials show only steps to grade from the center sliding glass door.

The existing critical area lot coverage<sup>5</sup> shown on the site plan is 3,109 square feet. The proposed post-construction lot coverage is 3,309 square feet, which is below the lot coverage allowed under §17-8-402 (31.25%, or 3,382.5 square feet). The existing coverage by structures shown on the site plan is 1,343 square feet. The proposed post-construction coverage by structures is 1,543 square feet, which is below the 30% (3,247.2 square feet) maximum coverage by structures allowed under § 18-4-601. However, these coverage amounts may not be accurate as there appears to be gravel and an unpermitted shed along the shoreline that have not been accounted for on the site plan or in the tabulations.

The property was the subject of previous building permits.

- B02371242, to replace in kind the 5' x 65' pier with covered slip and 4 mooring piles.
- B02381539, to replace approximately 138 linear feet of retaining walls.
- B02404016, to construct a 6' x 20' pier extension with 1 additional mooring pile.

Building permit B02426580, to construct a freestanding deck, was submitted on May 17, 2024. Variance approval must be obtained prior to the permit being issued.

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<sup>3</sup> Per COMAR, any decking material that is not attached to a dwelling is considered lot coverage.

<sup>4</sup> Per § 17-1-101 (95), in the critical area, "steep slope" means a 15% or greater slope that is over six feet vertically as measured before development. Because the change in grade of the tiered area along the waterfront measures approximately twenty feet vertical, this area is considered steep slopes.

<sup>5</sup> The lot coverage totals don't correspond between the site plan tabulations and the Critical Area Project Notification Form. It appears the math is incorrect on the site plan.

The applicants' letter explains that the proposed deck will be situated on the top of retaining walls which had been approved under a previous building permit. The letter further explains that the location of their BAT system prevents the construction of a deck attached to the dwelling, and that there is nowhere else to construct a deck on the water side of their property.

### Agency Comments

The **Critical Area Commission** notes that the applicant has reasonable and significant use of the entire parcel with the existing improvements, including a number of outdoor amenities. 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 in the Buffer. If this request were to be denied, they would still have reasonable and significant use of their lot. The Commission 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.

The **Development Division (Critical Area Team)** commented that the request does not meet the requirements for the approval of a variance. The site currently has an elevated deck on the pier for the use and enjoyment of the property owner. In addition, an attached deck can be constructed in accordance with BMA requirements without the need for a variance. The proposed location should not be supported.

The **Health Department** has determined that the proposed request does not adversely affect the on-site sewage disposal and well water supply systems and has no objection.

### Variance Requirements

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.

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, pier, multi-level decks over the water, sheds (including an unpermitted waterfront shed), 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 Buffer Modification Area 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.

Although this Office recognizes that many of the nearby properties have similar amenities and the granting of the variances may not alter the essential character of the neighborhood, those other structures appear to have been constructed without approval. Existing, illegal structures do not set a precedent to disregard the Critical Area laws. Allowing new lot coverage within the Buffer Modification Area would undermine the laws which were enacted to protect environmentally sensitive areas of the Chesapeake Bay. 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 the applicants already enjoy reasonable and significant use of the property, in particular the elevated deck platforms over the water, and no property within the BMA may add new lot coverage nearer to the shoreline than the closest facade of the principal structure, the requested variances are not considered the minimum necessary to afford relief. As such, this Office cannot support the variance requests.

### **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 zoning variance to § 18-4-601 to allow an accessory structure as close as 20 feet from the front lot line and as close as 5 feet from the side lot line,
- ***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 Critical Area variance to § 17-8-201(a) to allow disturbance within slopes of 15% or greater in the LDA.

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

In accordance with § 17-8-702(e), mitigation for new 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.

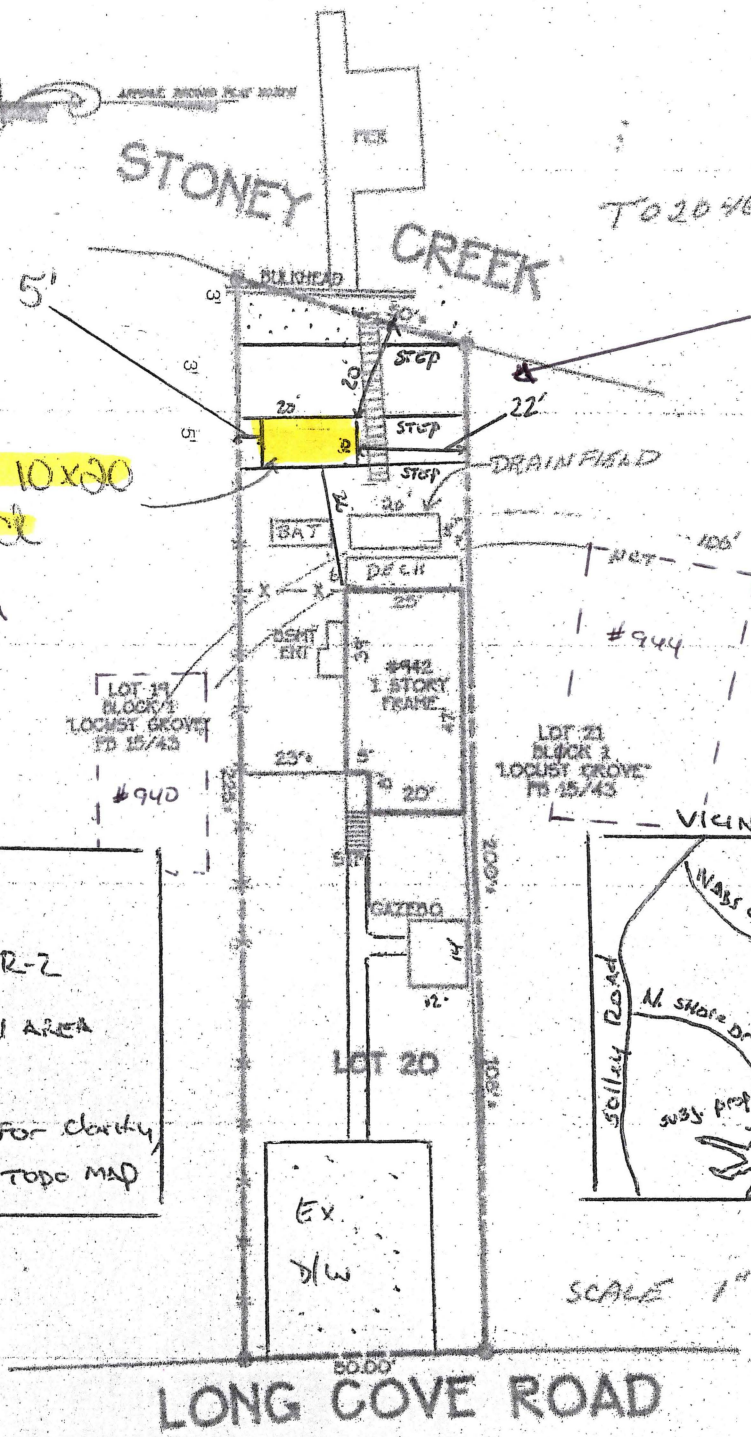
DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant to construct the structure(s) as proposed, the applicant shall apply for and obtain the necessary building permits, and obtain any other approvals required to perform the work described herein. This includes 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.

LOT COVERAGE  
 EX. HOUSES = 1175 SF  
 EX GARAGE = 168 SF  
 EX DRIVE = 1462 SF  
 EX S/W = 304 SF  
 TOTAL EX = 3709 SF  
 Prop. DECK = 200 SF  
 TOTAL EX/PROP = 3909 SF

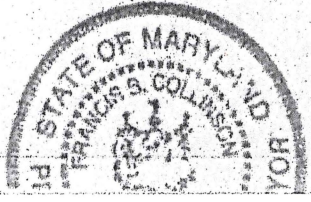
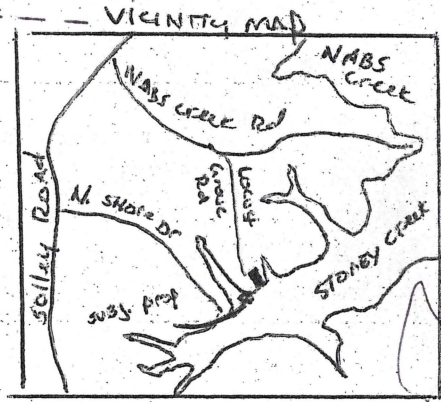
Proposed 10x30  
open deck

OWNER: DAVID HOFF • MARIA SZURUM  
 942 Long Cove Rd  
 Glen Burnie MD 21060  
 CONTRACTOR: ALL MASTERS Home SVCS  
 7609 Energy Pkwy #801  
 Baltimore MD 21226

- NOTES
1. ENTIRE LOT Zoned R-2
  2. ENTIRE LOT CRITICAL AREA Designation IS LDA
  3. Topography omitted for clarity please SEE provided TOPO MAP



SLOPES HAVE BEEN STEPPED AND LEVELLED - NO TOPOGRAPHY TO SHOW SLOPES



I hereby certify that the improvement hereon, to the best of my knowledge...

TITLE BLOCK  
 Project: HOFF DECK  
 Map: 0011  
 Block: 1  
 Parcel: 0039  
 District: 03  
 Date: 11/1/2024

## **Letter of Explanation**

Please accept this letter as explanation and justification for the variance application being made to permit a 10' x 20' open deck in the physical rear yard, waterfront yard, of the existing dwelling located at 942 Long Cove Road, Glen Burnie MD 21060. The proposed deck is free-standing, not attached to the house and approximately 26' behind the existing dwelling.

The proposed deck will be situated on a stair-stepped piece of land that has a 5-foot high retaining wall on the back side, and another 5-foot high retaining wall which is 5 feet lower on the front side. In other words, there is no railing on the 20-foot long side closest to the existing dwelling as that side of the deck is level with grade and access will be made by just walking onto the deck. Directly under that side is the 5-foot high retaining wall as the grade drops down five feet and remains that five feet lower level for the entire area under the deck (thus the other three sides of the deck have a railing). On the front side of the deck, another 5-foot high retaining wall exists again as the ground drops five feet once again (creating the level stair-step area on the lot).

This stair-stepped area of ground was graded and stabilized by retaining walls under all approved and appropriate permits and inspections from the County. However, upon applying for the building permit for this project, the applicant received comments directing the need for three difference variances for this deck. First, a variance is required for the setbacks. In the R2 zoning, the accessory structure needs 7 feet to the side yard and 40 feet to the front yard. Since this is a waterfront lot, the rear lot line is considered the front. The proposed deck will be 5 feet from the side lot line, thus a 2-foot variance is requested. The proposed deck will also be 20 feet from front property line, thus a 20-foot variance is requested. The comments do go on to say that if the deck is less than 8 feet in height, a side setback of 5 feet can be considered. This deck as stated is only 5 feet high, thus if a 5-foot setback is allowed, a variance to the site lot line is not necessary.

The second variance is required pursuant to Article 17-8-702 of County Code which states that no new lot coverage is permitted nearer to the shoreline than the closest façade of the existing dwelling. We will include this in this variance request despite the fact that there is some confusion as to why a 200 square foot, pervious deck is being considered as lot coverage.

Finally, the reviewer stated that the site plan shows the proposed scope of work to cause disturbance to steep slopes and that disturbance within slopes of 15% or greater is prohibited in the critical area (LDA). Again, we will include that variance request here despite showing that the slopes on the property have been removed and graded flat, reinforced and stabilized by engineered retaining walls.

If the fact that the slopes have been removed, the open pervious deck is not considered lot coverage, and the height allows the side setback to be 5 feet, then we would only be requesting a singular variance for the setback reduction from the required 40 feet to the front lot line down to 20 feet.

The Administrative Hearing Officer may vary or modify the provisions of the zoning code when it is alleged that practical difficulties or unnecessary hardships prevent conformance with the strict letter of the article, provided the spirit of law is observed, public safety secured, and

substantial justice done. Each of those provisions apply to this case and the following findings are being presented.

There are certainly unique physical conditions that exist on this lot. Most importantly, the lot, being waterfront, previously had very steep slopes leading to the water. That topography creates the environmental condition that affects the approval of the deck. However, as has been shown and is evidenced by reviewing the site plan, the owner took exceptional expense to grade those slopes in a stair-stepped manner. These areas are now completely flat and level, reinforced and stabilized by engineered retaining walls.

Furthermore, the owner was previously forced to install a non-traditional septic disposal system. This system is a BAT system which does not employ traditional drain fields due to the fact that the lot is too narrow and has no place to put the system. The system was just required in 2019. As you can see from reviewing the site plan, that system blocks any usable area of the water side of the property. The owner therefore cannot place a deck on their existing dwelling like almost every other homeowner can; and this ultimately was due to the lot's narrowness. Because of this, the open stair-stepped location is literally the only location that an open deck could be placed, thus requiring the setback variance. This septic disposal location and condition is completely peculiar and inherent in this particular lot, and there is no reasonable possibility of constructing a deck in conformance with the article.

This peculiarity creates an exceptional circumstance. Because of this circumstance, which is not a financial consideration, the granting of this variance is necessary to avoid practical difficulties and unnecessary hardships. Not granting the variance would confer upon the owner a constriction that nearly no other homeowner would have. Nearly everyone can improve upon their physical rear amenity space by constructing a similar structure. Specifically on waterfront properties, decks are nearly ubiquitous in order to enjoy the very environmental feature they paid for. Yet in this case, the only way to do that is by requesting the variance.

As this property is waterfront and thus in the critical area, the critical area requirements for a variance are discussed here as well. The explanation above suffices to address the first requirement, which is the fact that the slopes platted on this property no longer exist. Furthermore, the deck is only 200 square feet and pervious in that there are gaps between the deck boards. Therefore, this should not be counted as lot coverage and the need for the variance for lot coverage nearer to the water than the closest façade of the dwelling should not be required. Regardless, if it were required, it is only needed because there is no other place to put the deck due to the other restrictions discussed. The variance for the setback only applies because of the consideration of the water side to be the front yard; otherwise setbacks could be met.

A literal interpretation of COMAR, Title 27, Criteria for Local Critical Area Program Development or the County's critical area program and related ordinances would absolutely 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 county. This is because this property was confined by the septic standards and now has no location to place an open deck like nearly all other owners can. Furthermore, the owner took the expense on themselves to grade and stabilize the slopes; a process that the county reviewed, approved, and inspected, in order to



no longer consider the slopes to exist. This newly flattened stable area is the only place the deck can go.

Conversely, the granting of this variance will not confer on this 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. Mainly this is because very few would have the need for the same variance as very few would find their lot in this circumstance. Most other land owners in the critical area would have the opportunity to construct a similar structure somewhere on their lot without the need to obtain a variance for environmental impact. Furthermore, few have taken the steps to grade their steep slopes.

The variance request is not based on conditions or circumstances that are the result of actions by the applicant. As stated, the owner went through several permit processes to bring the property up to current code. This includes the upgrade to the septic disposal as well as the grading for environmental features. The grading included expensive, engineered retaining walls. But it is the expensive, alternative septic disposal system location that precludes any logical deck location that would not require a variance. None of those unique constrictions are due to the desire of the property owner.

The granting of the variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area in any way. The project will be in harmony with the general spirit and intent of the County's critical area program as it is an open deck structure that is approved on nearly every other property, even those in the critical area. It will be constructed on post and pier foundation specifically to minimize ground disturbance and will be located in a newly graded and level stabilized and reinforced area.

There is no bog or expanded buffer, and has been shown, there are no longer steep slopes on the property. And the applicant has shown here that they have overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code in that they have minimized their request to the maximum extent possible. This has been evidenced by the minimized design with little to no ground impact, as well as a location chosen specifically due to its stability which was created and reinforced by the owners themselves. Finally, the applicant did in fact evaluate site planning alternatives in accordance with § 18-16-201 (c), but no alternatives at all exist.

As required for any variance, not just critical area ones, this variance is in fact the minimum necessary to afford relief. The proposed deck is open and pervious, and modest in size. The owner has also chosen a location that is less than ideal. Any homeowner would prefer their deck amenity to be attached to their house, but the applicant cannot place it there. They have instead responsibly chosen the best location for the structure.

The granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located. This is a residential neighborhood and decks are the norm, not the exception. The variance will also not substantially impair the appropriate use or development of adjacent property. As this is an ordinary open deck on a residential property, adjacent properties are not affected in any way. This is not a large boat house or addition which would block light and air; it is an open deck with no effect.



The variance will not reduce forest cover in the limited development area of the critical area in any way. There are no trees or shrubs at all on the rear of the property which can be seen on aerial views, so no trees or shrubs of any kind need to be removed for this project. Furthermore, the granting of the variance will also not be contrary to acceptable clearing and replanting practices required for development in the critical area mainly because as has already been stated, no clearing is necessary. Should more planting be required due to this project, the applicant will adhere to whatever is required.

Finally, the granting of the variance will not be detrimental to the public welfare in any way. Again, this is a residential deck. The public have no access to the property and will not be affected by the deck construction.

To note, the property does not have any outstanding violation so the provisions accompanying variance approvals for critical area properties that have violations does not apply to this case. Furthermore, should the Office of Planning and Zoning require planting, any provisions of that requirement such as timing as related to planting seasons will be adhered to by the applicant. There will be no lapse to any critical area requirements made under a variance approval, and this property is entirely in the LDA with no parts in the RCA designation (so no density considerations apply). Also, this property is not within the Odenton Growth Management Area District.

Thank you in advance for your consideration and for the reasons contained herein, we respectfully request your support for this variance application.

We just submitted this variance application and it will not let me go back in and modify the description.

For the setback variance, we need to add that the proposed deck does not meet the required 40' front setback either....we only included the 7' side setback.

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: \_\_\_\_\_

Tax Map #	Parcel #	Block #	Lot #	Section
0011	0039	1	20	N/A

Tax ID: \_\_\_\_\_

**FOR RESUBMITTAL ONLY**

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

\*Complete Only Page 1  
 General Project Information

Project Name (site name, subdivision name, or other) HOFF DECK

Project location/Address 942 Long Cove Road

City Glen Burnie Zip 21060

Local case number \_\_\_\_\_

Applicant: Last name CLANCY First name Michelle

Company Applied and Approved Permits

**Application Type (check all that apply):**

- |  |  |
|--|--|
| Building Permit <input type="checkbox"/>           | Variance <input checked="" type="checkbox"/> |
| Buffer Management Plan <input type="checkbox"/>    | Rezoning <input type="checkbox"/>            |
| Conditional Use <input type="checkbox"/>           | Site Plan <input type="checkbox"/>           |
| Consistency Report <input type="checkbox"/>        | Special Exception <input type="checkbox"/>   |
| Disturbance > 5,000 sq ft <input type="checkbox"/> | Subdivision <input type="checkbox"/>         |
| Grading Permit <input type="checkbox"/>            | Other <input type="checkbox"/>               |

**Local Jurisdiction Contact Information:**

Last name AACo Zoning Administration Section First name \_\_\_\_\_

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

Fax # \_\_\_\_\_ Hearing date TBD

# SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Construct 10x20 open deck that does not meet the 40' front setback (waterfront) and which is new lot coverage closer to the water than the closest facade of the ex. dwelling

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	—	—
LDA Area	0.248	10,824
RCA Area	—	—
Total Area	0.248	10,824

Total Disturbed Area 

Acres	Sq Ft
0.005	200

# of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.007	300	Existing Lot Coverage	0.071	3109
Created Forest/Woodland/Trees	—	—	New Lot Coverage	0.005	200
Removed Forest/Woodland/Trees	—	—	Removed Lot Coverage	—	—
			Total Lot Coverage	0.076	3309

## VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.05	200	Buffer Forest Clearing	—	—
Non-Buffer Disturbance	—	—	Mitigation	—	—

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

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

## Critical Area Report Narrative

- 1. Describe the proposed use of the subject property and include if the project is residential, commercial, industrial, or maritime.**

The existing and proposed use of the subject property is residential. There is an existing single family dwelling with an alternative BAT septic disposal area directly behind the dwelling. Thus the proposed open 10x20 deck will be detached and beyond that system, in the physical rear of the property which is the waterfront side.

- 2. Describe the type of predominant trees and shrubs on the subject property. Include a statement addressing the square footage of the property that is vegetated with trees and shrubs, how much of the property will be disturbed by the proposed development, and how the disturbance will be mitigated.**

The predominant vegetation on the subject property are all native to the county. Most of the vegetation are shrubs such as azaleas. The property is 10,824 square feet with very little vegetation coverage. It is calculated that there are 300 square feet of vegetation. No trees or shrubs will need to be cleared for this replacement project.

- 3. Describe the methods to minimize impacts on water quality and habitat from proposed construction (i.e. stormwater management, sediment control, and silt fence).**

There will be no impact on water quality and habitat from the proposed construction. The new deck is proposed to occupy a recently graded, stabilized and reinforced level area created by retaining walls. The deck will utilize post/pier foundation to minimize ground disturbance. Regardless, should silt fence or other methods be required, the owner will comply.

- 4. Calculate the impervious surface before and after construction, including all structures, gravel areas, driveways, and concrete areas.**

The existing impervious surface calculation is 3,109 square feet. The 10x20 proposed open deck is pervious, thus no new impervious is proposed.

- 5. If applicable, describe any habitat protection areas on the subject property including expanded buffers, steep slopes of 15% or greater, rare and endangered species, anadromous fish propagation waters, colonial waterbird nesting sites, historic**

**waterfowl staging and concentration areas, riparian forests, natural heritage areas, and plant and wildlife habitats of local significance.**

The lot has platted steep slopes of 15% or greater, however these have been graded and removed. The retaining walls and grading was reviewed, approved, and inspected by the county. Beyond this there are no areas of rare and endangered species, anadromous fish propagation waters, colonial waterbird nesting sites, historic waterfowl staging and concentration areas, riparian forests, natural heritage areas, or plant and wildlife habitats of local significance.

# Topographic Map - Lot outline ref only NOT exact



## Legend

### Foundation

Addressing



Parcels



### Elevation

Topo 2023

Index

Intermediate

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GeoTechnologies, Inc, METI/NASA,

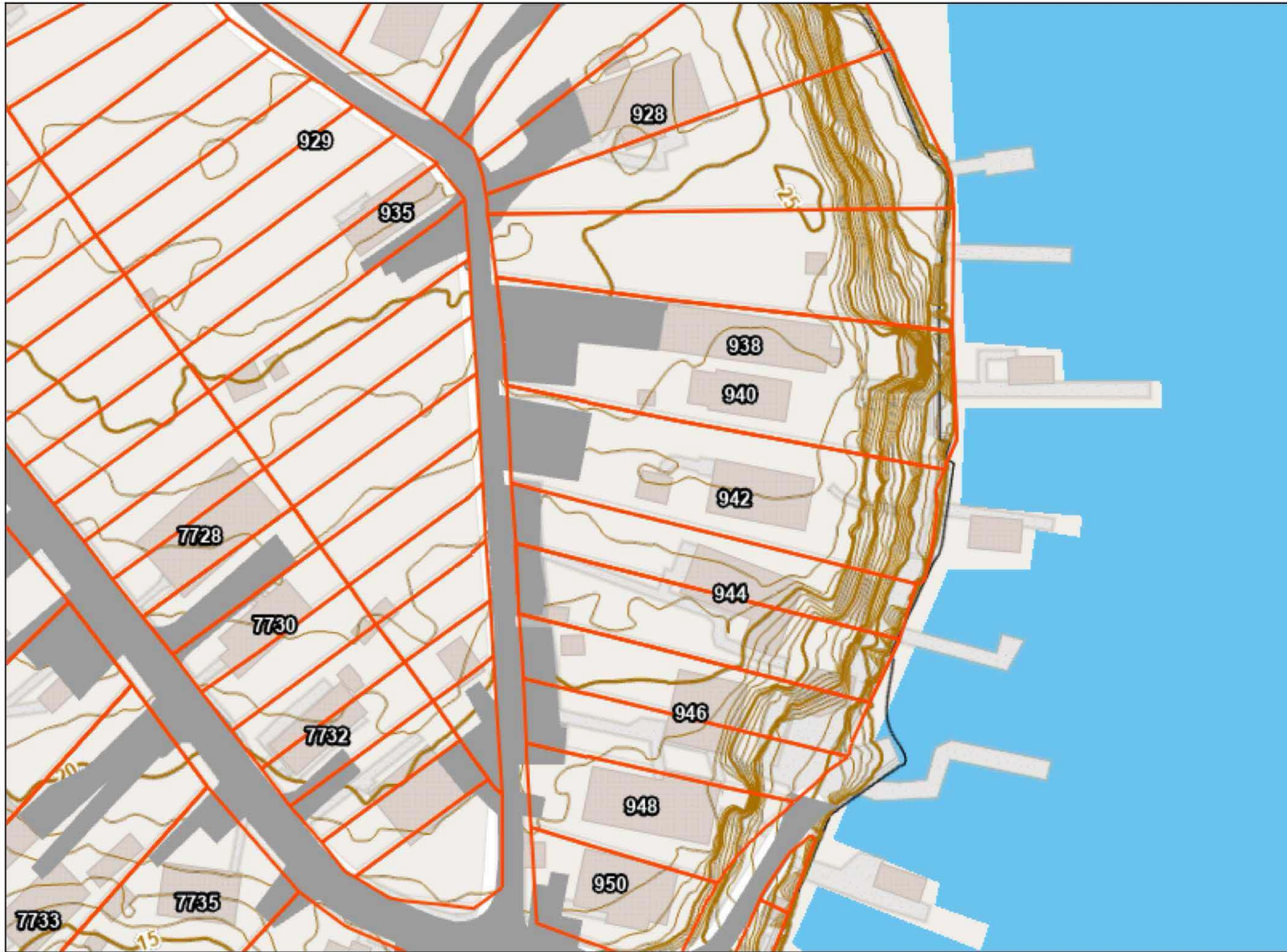
Notes 1" = 20 ft



THIS MAP IS NOT TO BE  
USED FOR NAVIGATION



# Topographic Map - Lot outline ref only NOT exact



## Legend

Foundation

Addressing



Parcels



Structure

County Structure



Elevation

Topo 2023

Index

Intermediate



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Notes 1" = 100 ft



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# Topographic Map - Lot outline ref only NOT exact



## Legend

Foundation

Addressing



Parcels



Structure

County Structure



Elevation

Topo 2023

Index

Intermediate



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Notes 1" = 200 ft



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

**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- &lt;jamileh.soueidan@maryland.gov&gt;

Tue, Dec 31, 2024 at 11:19 AM

To: Sadé Medina &lt;pzmedi22@aacounty.org&gt;

Cc: Jennifer Esposito -DNR- &lt;jennifer.esposito@maryland.gov&gt;

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

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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)

# 2024-0222-V

Menu Cancel Help

## Task Details **OPZ Critical Area Team**

### Assigned Date

12/06/2024

### Assigned to

Kelly Krinetz

### Current Status

Complete w/ Comments

### Action By

Kelly Krinetz

### Comments

This request does not meet the requirements for the approval of a variance. The site currently has an elevated deck on the pier for the use and enjoyment of the property owner.

In addition, a deck that is attached to the dwelling at the top of the hill can be constructed in accordance with BMA requirements without the need for a variance. It should be noted that there was an existing deck attached to the dwelling at the top of the hill prior to 2020.

The proposed location should not be supported.

### End Time

### Billable

No

### Time Tracking Start Date

### In Possession Time (hrs)

### Estimated Hours

0.0

### Comment Display in ACA

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

### Due Date

12/27/2024

### Assigned to Depart

OPZ Critical Area

### Status Date

12/27/2024

### Overtime

No

### Start Time

### Hours Spent

0.0

### Action by Departme

OPZ Critical Area

### Est. Completion Da

Display E-mail A

Display Comme

### Task Specific Information

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### Expiration Date

### Reviewer Phone Number

### Review Notes

### Reviewer Email

### Reviewer Name





**M A R Y L A N D**  
**DEPARTMENT OF HEALTH**

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

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

**MEMORANDUM**

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

FROM: Brian Chew, Program Manager  
Bureau of Environmental Health

DATE: December 11, 2024

RE: David Hoff  
942 Long Cove Road  
Glen Burnie, MD 21060

NUMBER: 2024-0222-V

SUBJECT: Variance/Special Exception/Rezoning

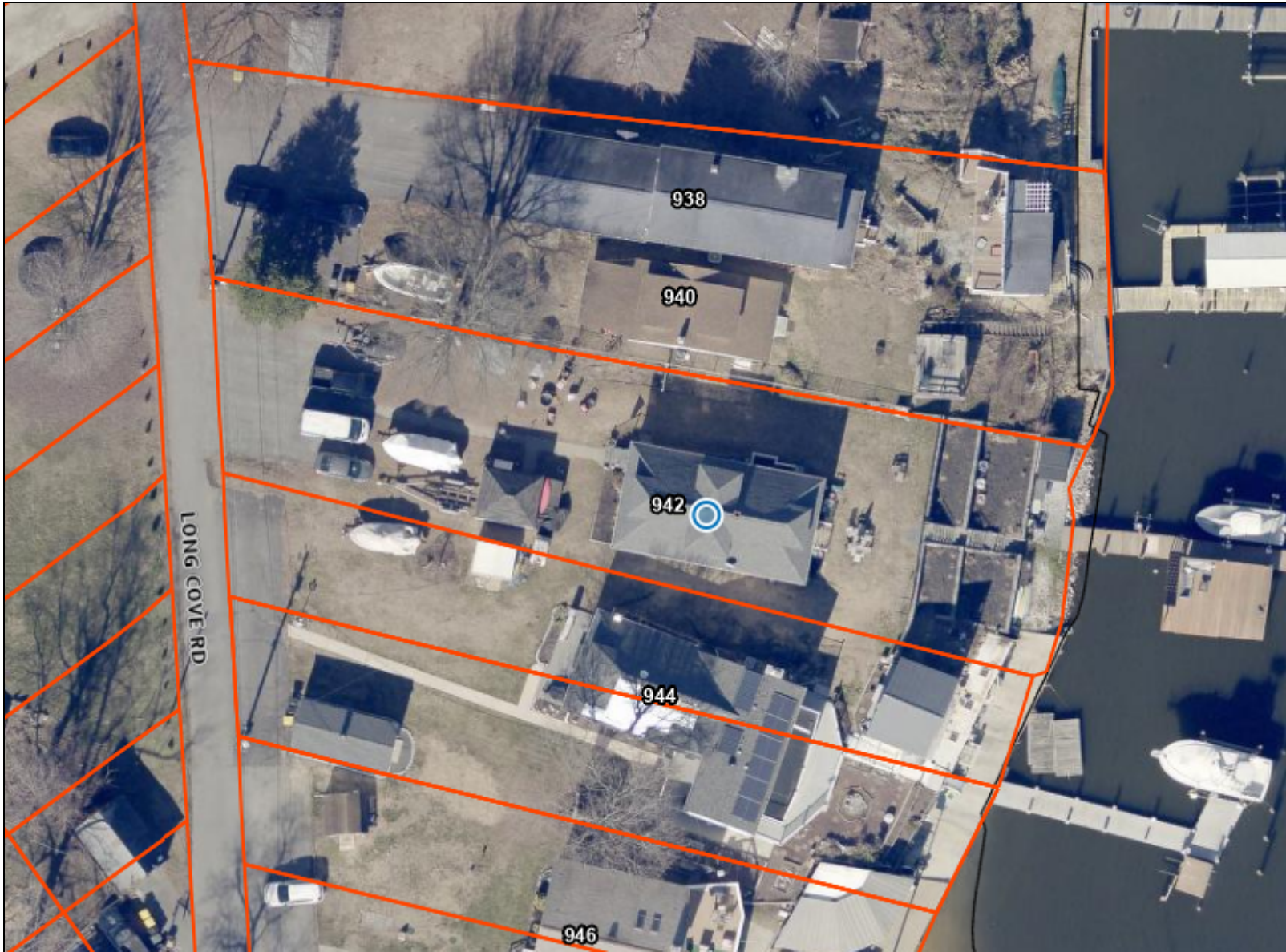
The Health Department has reviewed the above referenced variance to allow an accessory structure (freestanding deck) with lot coverage nearer to the shoreline than the existing principal structure on slopes greater than 15% and with less setbacks than required.

The Health Department has reviewed the on-site sewage disposal and well water supply system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal and well water supply systems. 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

# 924 Long Cove Road (2024-0222-V)



## Legend

Foundation

Addressing



Parcels



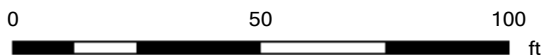
Parcels - Annapolis City



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

none

Notes



THIS MAP IS NOT TO BE USED FOR NAVIGATION

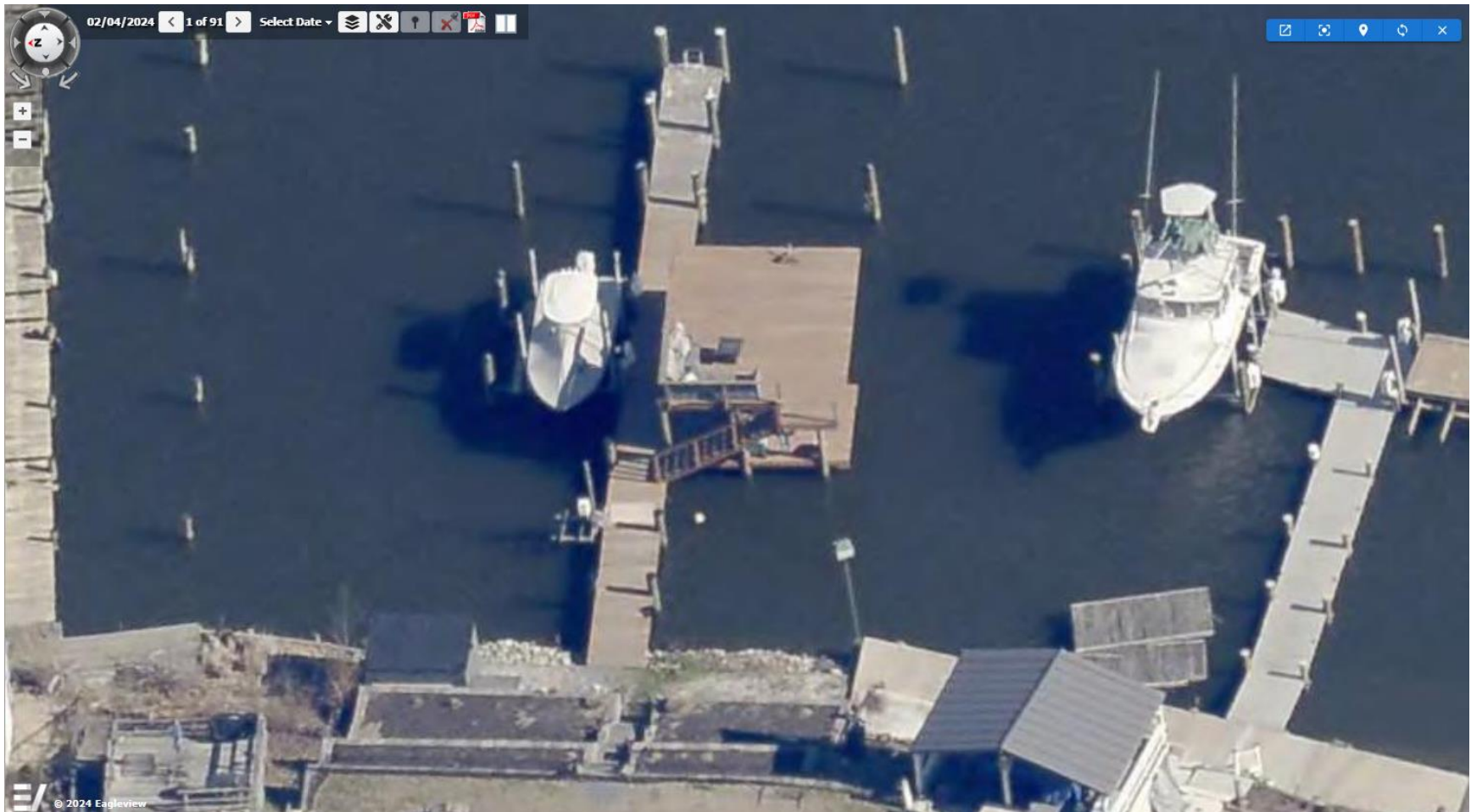




942 Long Cove Road - 2024-0222-V – view of waterfront, facing west

County Exhibit





942 Long Cove Road - 2024-0222-V – view of waterfront amenities/multi-level decks, facing east

County Exhibit



942 Long Cove Road - 2024-0222-V – view of waterfront, facing south

County Exhibit