

January 2, 2025

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

**RE: Point Field Landing, Lot 34R**

**Variance Application submittal**

523 Point Field Drive  
Millersville, MD. 21108  
Tax Map 31, Grid 1, Parcel 371

Dear Mrs. Anzelmo:

This is a formal **Variance Application** submittal for the demolition of an existing home, bridge walkway, associated decking and construction of a new 2-story single-family home for the above referenced project. Two variance requests would be necessary including a variance to **Article 17-8-201(a)** to disturb 15% and greater slopes and a variance to **Article 18-2-402(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.

The property is an existing legal building site fronting the Severn River, is located in the (LDA) Limited Development Area Designation of the Critical Area and is within the Buffer Modification Area mapping. The property is 39,425 sq. ft. or 0.90 acres, is zoned R-2 Residential, is connected to Public Water and will propose a Public Simplex Grinder Pump for Sewer. The existing principal structure and covered upper level deck are located within and at the toe of 15% steep slopes.

A pre-file review #**2024-0114-P** was completed by the Office of Planning and Zoning including comments from the Critical Area Team and were issued on December 9<sup>th</sup>, 2024. A complete topographic and location survey has been conducted to produce an accurate depiction of the sites' conditions, slopes, buffers and woodland canopy.

Per **Article 17-8-403**, the permitted lot coverage in the critical area after the required 10% reduction of what is existing verses what is permitted for this site is 9,647 sq. ft. The proposed lot coverage will be 9,465 sq. ft. which results in a reduction of lot coverage on site of 597 sq. ft. The combination of reduced coverage and water quality storage ultimately reduces impacts to adjacent properties and the shoreline post development.

Per **Article 17-8-601(b)(2) Lots greater than one-half acre up to one acre**. Developed woodland clearing on lots in the LDA and RCA that are greater than one-half acre and up to one acre in size that were in existence on or before December 1, 1985 shall be limited to the minimum necessary to accommodate a house or other structure, initial septic system, driveway, and reasonable amount of yard or required parking, and may not exceed 30% without a modification by the Planning and Zoning Officer.

The subject site has a majority of existing woodland canopy directly in the middle of 15% steep slopes and the central portion of the site, hugging the perimeter of the existing home. Existing trees of note are a 24" Tulip Poplar and a 48" Tulip Poplar establishing a rather large canopy over the existing home. The existing canopy coverage on site is 15,600 sq. ft. The permitted clearing of existing canopy per the Code is up to 30% or 4,680 sq. ft. The total proposed canopy clearing is 8,407 sq. ft. or 54% of the existing canopy. As referenced in the Code above, a Modification will be applied for to receive relief from the Code to exceed 30% clearing. Mitigation plantings will be addressed on site where possible and any remaining mitigation would be addressed via fee paid to an Off-site Land Bank.

### **Code Article 18-16-305:**

**(a) Requirements for zoning variances.** The Administrative Hearing Officer may vary or modify the provisions of this article when it is alleged that practical difficulties or unnecessary hardships prevent conformance with the strict letter of this article, provided the spirit of law is observed, public safety secured, and substantial justice done. A variance may be granted only if the Administrative Hearing Officer makes the following affirmative findings:

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

(2) Because of exceptional circumstances other than financial considerations, the granting of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

### **(b) Requirements for Critical Area Variances.**

(1) Unwarranted Hardship and Practical Difficulty- There are several hardships and practical difficulties related to the re-development of the site. **First**, steep slopes of 15% and greater including the 25-foot buffer associated with those slopes cover 5,697 sq. ft. or 14.5% of the total lot area and 23% of surface area "outside" the initial 100-foot buffer which totals 24,670 sq. ft. When subtracting the steep slopes and associated buffer from the remaining 71% of available non-buffer area, the sum leaves only 18,973 sq. ft. or 48% of the site area for development, less than half. Also, the existing contiguous steep slopes block access to flatter, available surface area outside the buffer. **Second**, of the 39,425 sq. ft. total site area, the 100-foot buffer covers 14,755 sq. ft. or 37%. It is physically impossible to avoid the steep slopes and remain outside the 100-foot buffer in order to re-develop the property without relief from the code. **Third**, in regards to the requirement for a home to be relatively in line with adjacent waterfront homes, the existing homes located adjacent to the north at 517 & 519 Point Field Drive are an anomaly when comparing the position to the water with 12 other homes within the neighborhood along the east side of Point Field Drive, running south. The curvature of the roadway bends northwest and the lots those homes are developed on are tapered toward the water, establishing the position further from the shoreline. Please refer to the Waterfront Setback Exhibit.

- (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. The proposed principal structure will be located entirely outside the initial 100-foot buffer, increasing the distance from 102.6'-feet to 114.4-feet from the shoreline and will have a total height of approximately 27-feet. The associated proposed upper level decking and accessory pool/decking will be located outside the 100-foot buffer, do not impact the contiguous 15% steep slopes and as an accessory use, the pool is not forward of the principal structure. When referring to the integrity of the neighborhood, rights and privileges enjoyed by others, the aforementioned Waterfront Setback Exhibit demonstrates the average setback for the immediate neighborhood, incorporating (14 homes), "excluding" the subject property to be **99.9'** from the shoreline, well below the proposed setback of 114.4'. (*County aerial mapping was utilized for the approximate setbacks to the water for adjacent homes*).
- (3) Will not confer special privilege - granting this variance would not confer a special privilege to the applicants. The placement of the new home is in character with the neighborhood as mentioned above.
- (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.
- (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. 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. The required ESD volume to be addressed with non-structural practices is 1,125 cu. ft. There will be (1) "M-6" Micro Bio retention Area to address a portion of the roof area of the home and "A-2" Permeable Pavers for the majority of the new driveway. The total provided volume is 1,166 cf. ft. All storm water management applications are outside the 100-foot buffer and do not encroach the 25-foot buffer to the top of steep slopes. (2) Geotechnical soil borings were performed to determine subsurface conditions.
- (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.**

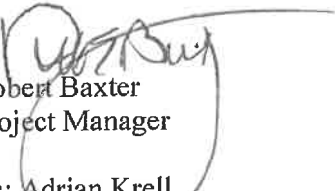
1. Minimum necessary to afford relief - The proposed variances allow for modest uses that not only meets the "significant and reasonable standard" but also are the minimal necessary development to afford relief. Disturbance to the 15% steep is the minimum necessary to construct the proposed improvements and to reduce the impervious surface area within the property's boundary.

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. Clearing is 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 the Severn River.

Sincerely,

**DRUM, LOYKA AND ASSOCIATES, LLC**



Robert Baxter  
Project Manager

Cc: Adrian Krell  
Jay Schwarz  
Angela Phelan  
Michael Ogle  
Grant Mays

MAPPED SOIL TYPES ON-SITE				
Source: <a href="http://websoilsurvey.nrcs.usda.gov">http://websoilsurvey.nrcs.usda.gov</a> (May 2011)				
MAP SYMBOL	SOIL MAPPING UNIT	HYDRIC	HIGHLY ERODIBLE	HYDRO GROUP
SME	Sassafras and Croom Soils, 15% to 25% slopes	No	No	Type 'C'
PgB	Patapsco-Fort Mott-Urban Land Complex, 0% to 5% slopes	No	No	Type 'A'

**NOTE:**

- Entire site lies within R-2 zoning and has Type A & C soils
- Site lies within the Critical Area with an LDA land use designation
- Entire site lies within the Glen Burnie Low water service area with existing service (W-4)
- Entire site lies within the Broadneck sewer service area with existing service (S-4)
- Entire site lies within the Severn River Watershed
- Point Field Drive is not a scenic or historic road
- The site does not lie within or impact a bog drainage area

**Outfall Statement**

A field investigation of the outfall of this site was performed in June of 2024 by Drum, Loyka & Associates, LLC. The subject property located on the east side of Point Field Drive. The property is currently improved with a single family dwelling & associated improvements.

Under existing conditions, there is one main site outfall area where development of the property will have an impact. The site outfall is linear and located at the east end of the site at the shoreline of the Severn River. The existing steep slopes on site are in good conditions with no signs of erosion, sluffing or channelization present. The entirety of the steep slopes are vegetatively stabilized with a mixture of shrubs & ground cover.

Under proposed conditions, (1) single-family home will be developed within the vicinity of the existing dwelling. ESD to the MEP will be addressed via (1) "M-6" Microbioretention Facility & Permeable Pavers.

Peak management is not required for the development as the Site Outfall discharges to the tidal waters of the Severn River. This development does not impact adjacent properties.

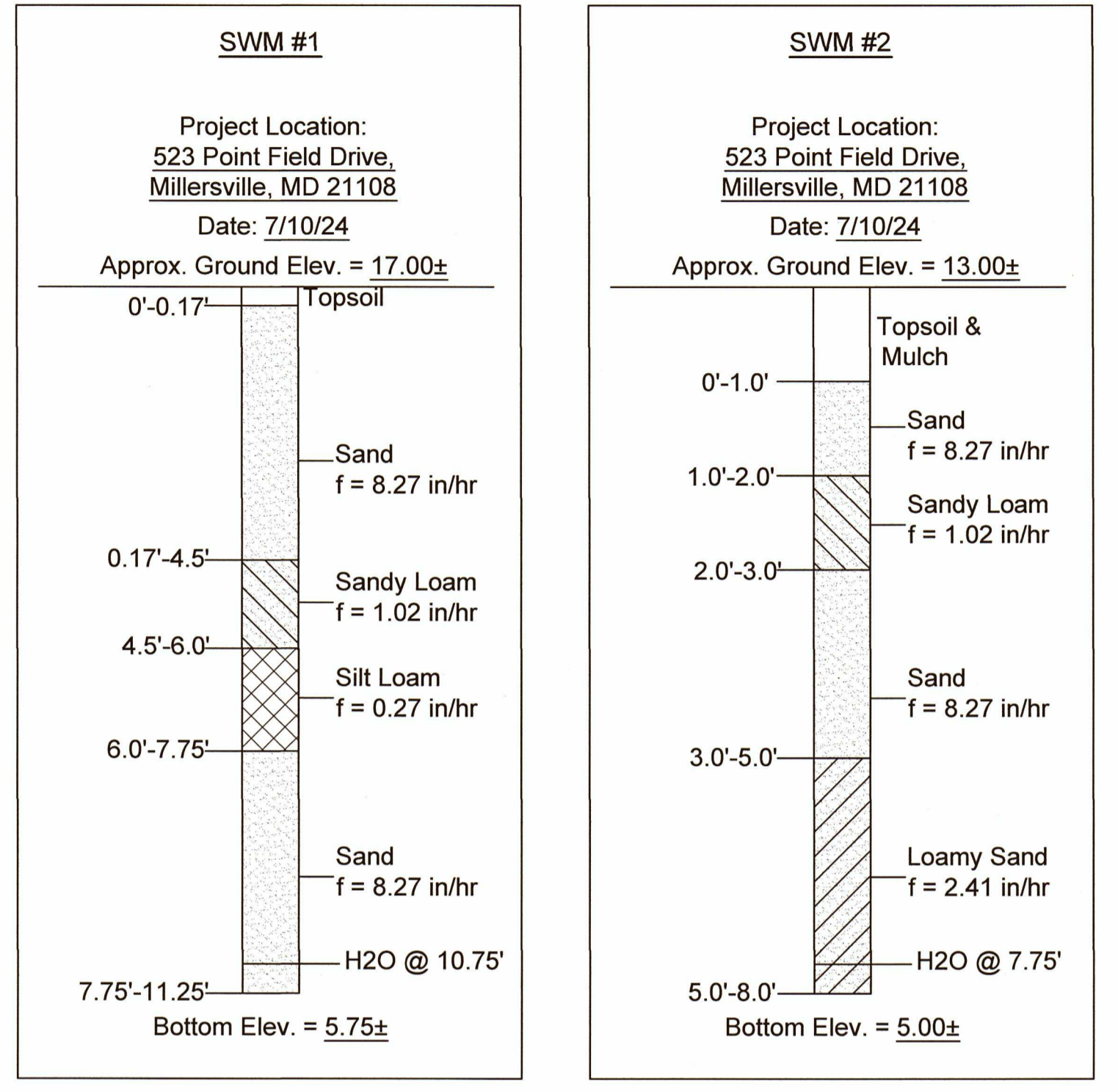
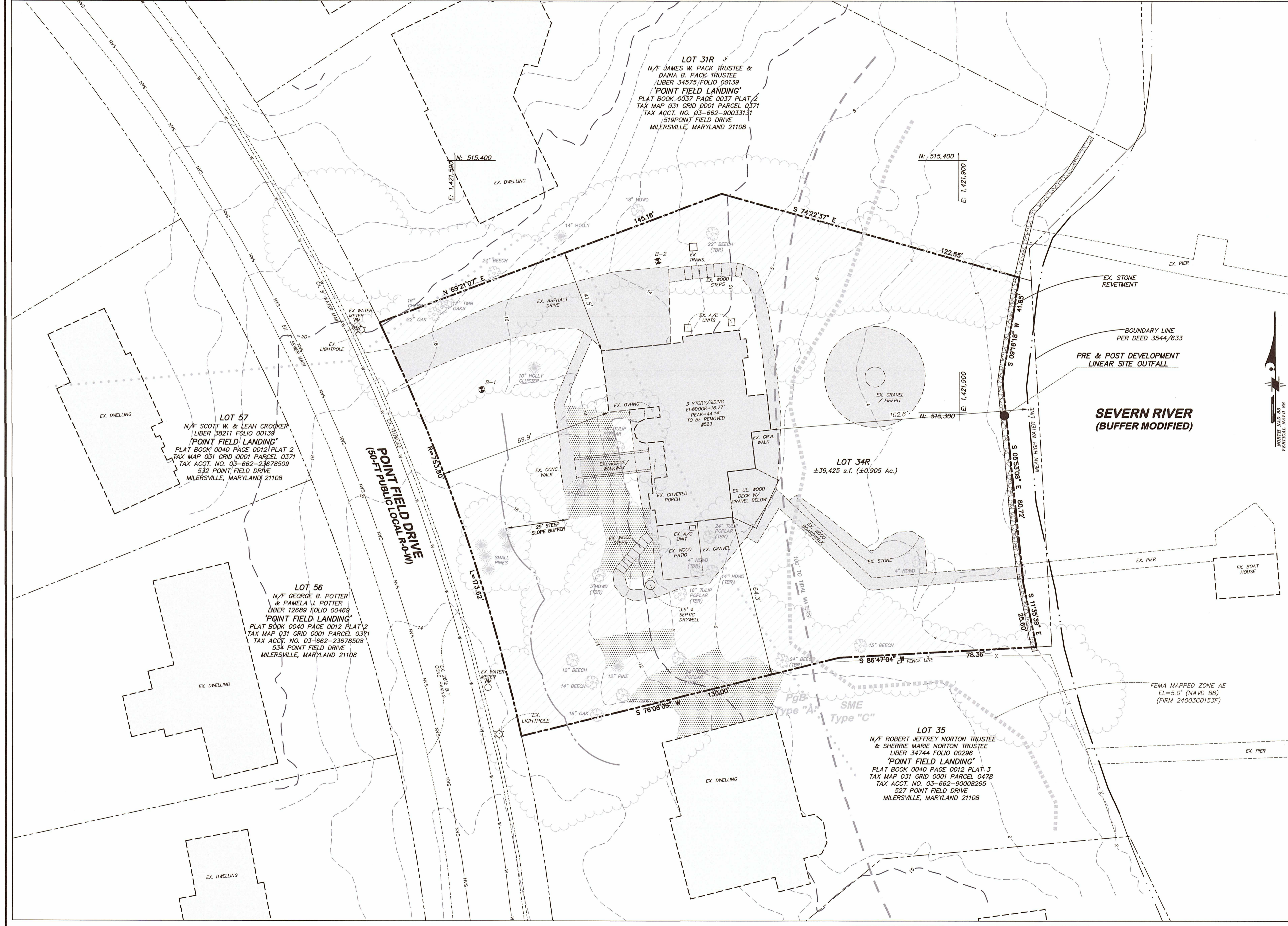
**ENVIRONMENTAL CONSERVATION NOTES:**

**PRIMARY ENVIRONMENTAL FEATURES:**

- Streams: There are no streams on the subject property.
- Stream Buffers: There are no stream buffers on the subject property.
- Wetlands and Wetland Buffers: There are no wetlands on the subject property.
- Floodplains: The subject property is affected by a floodplain as established by the Federal Emergency Management Agency, FEMA Mapped Zone AE EL=5.0 (NAVD 88) (Firm 24003CO153F) (FEMA).

**SECONDARY ENVIRONMENTAL FEATURES:**

- Critical Areas Boundary: The subject property is within the Chesapeake Bay Critical Area. With an LDA designation.
- Soils Types: The subject property is comprised of two soil types Sassafras & Croom Soil (SME) 15 to 25% slopes, with a type 'C' hydrological rating. Patapsco-Fort Mott-Urban land complex (DwB) 0 to 5% slopes, with type 'A' hydrological rating. [per US Department of Agriculture's Natural Resource Conservation Service (NRCS)].
- Forest: There is developed woodlands on the subject property.
- Steep Slopes: There are steep slopes & associated buffers on the subject property.
- Cultural Resources: There are no known cultural resources associated with the subject property.



**LEGEND**

	Existing Contour
	Existing Woods Line
	Existing fence Line
	Existing Power Pole
	Existing Overhead Electric Line
	Existing Septic System
	100' Tidal Water Line
	FEMA Floodline
	Existing Improvements
	Areas That Should Be Protected From Development
	Existing 15% Steep Slopes
	Existing 25' Steep Slope Buffer
	Soil Boring Location

**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 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.

**SHEET INDEX**

SHEET 1 - EXISTING CONDITIONS VARIANCE PLAN  
SHEET 2 - DEVELOPED CONDITIONS VARIANCE PLAN  
SHEET 3 - AVERAGE WATERFRONT SETBACK EXHIBIT

DESIGNED:	DRAWN:
ORIG. DATE: 6/27/2024	
MODIFIED BY/DATE:	
CADD DWG #: PK14324	
DLA PROJECT #: PK14323	
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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

I hereby certify that the features shown on the map have been field verified and combined with the best available information.

\*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

CLIENT

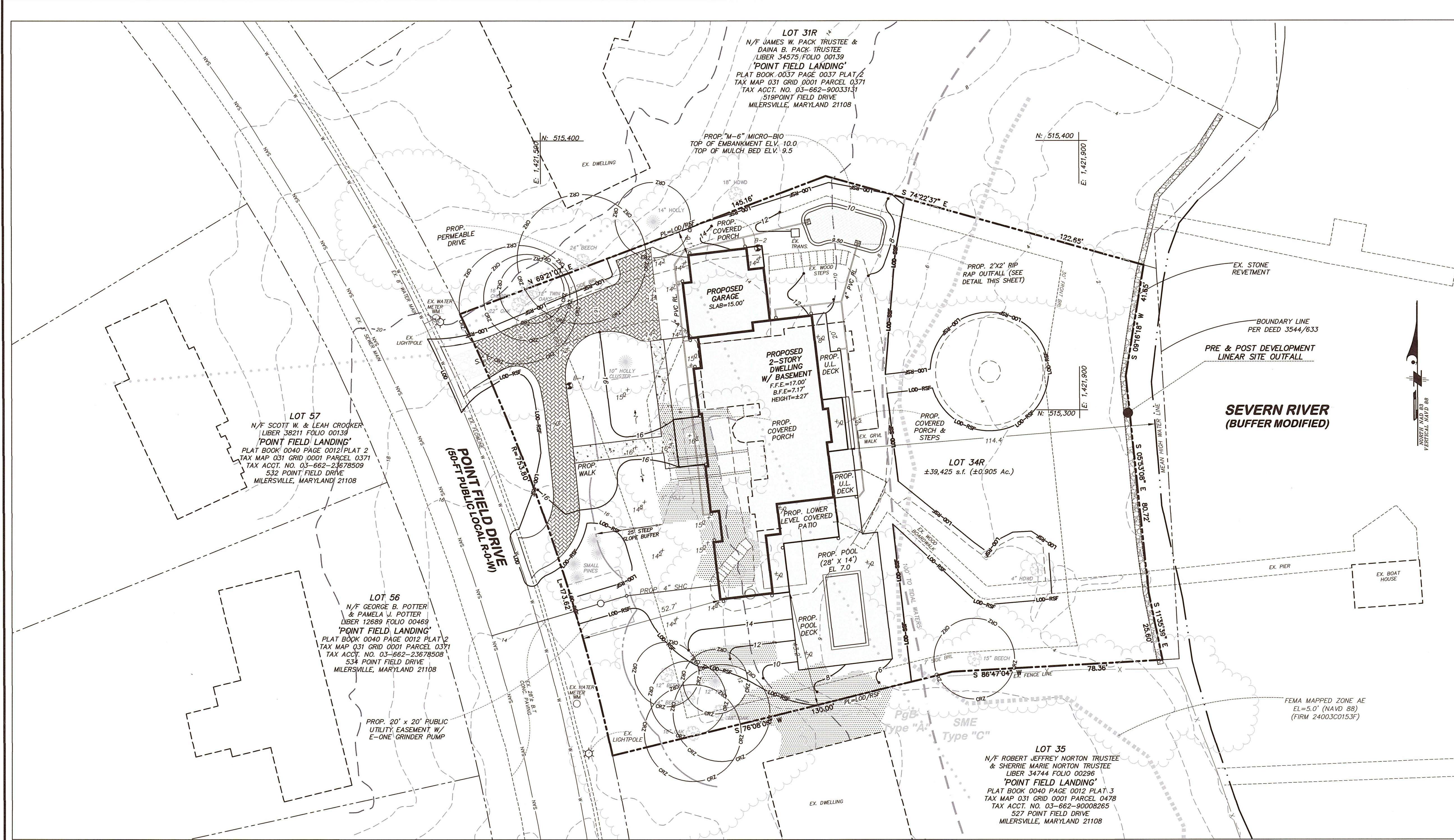
TREY KRELL  
1107 KATHY ANNE LANE  
MILLERSVILLE, MARYLAND 21108  
443-845-5373

EXISTING CONDITIONS VARIANCE PLAN  
**POINT FIELD LANDING ~ LOT 34R**  
523 POINT FIELD DRIVE, MILLERSVILLE, MARYLAND 21108

TAX MAP 31 GRID 1 PARCEL 371 DISTRICT 3RD  
TAX ACCT. NO. 03-662-29927701  
ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1" = 20' DATE: 12/30/2024 PROJ. NO: PK14324 SHEET 1 OF 3

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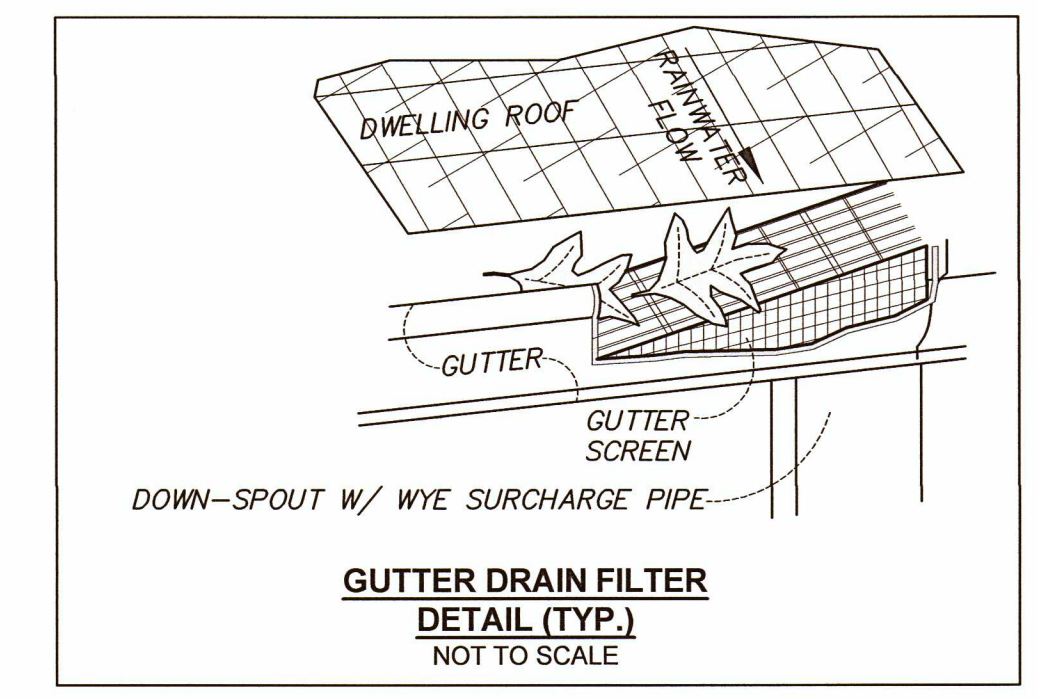


E. Compute PE Value & ESDv for Drainage Area: (SITE)

Drainage Area SITE						
DA Name	ESD Practice	Drainage Area	Total Storage	ESD Volume	Recharge Volume	Pe
DA-1	Permeable Drive	1951 sf	402 cf	402 cf	37 cf	2.60 in
DA-2	Micro-bioretentation	12000 sf	764 cf	764 cf	74 cf	2.46 in
DA-3	Disconnection of Non-Rooftop Runoff	638 sf	n/a cf	n/a cf	12 cf	1.00 in
Totals:		14589 sf	1166 cf	1166 cf	123 cf	1.42 in
Targets:				1,125 cf	197 cf	1.37 in

Target PE = 1.37 in Achieved PE = 1.42 in  
 Target ESDv = 1125 cf Achieved ESDv = 1166 cf  
 Target Rev = 197 cf Achieved Rev = 123 cf

ESD Storage Provided is greater than the target volume. ESD has been applied to the MEP. An additional 0 cf of Peak Management storage has been provided.

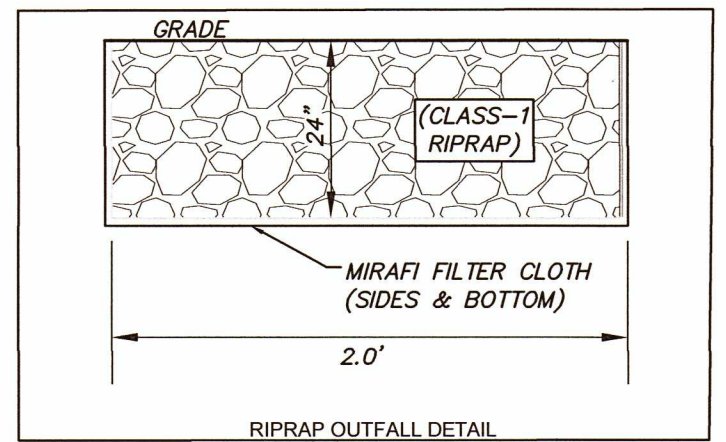
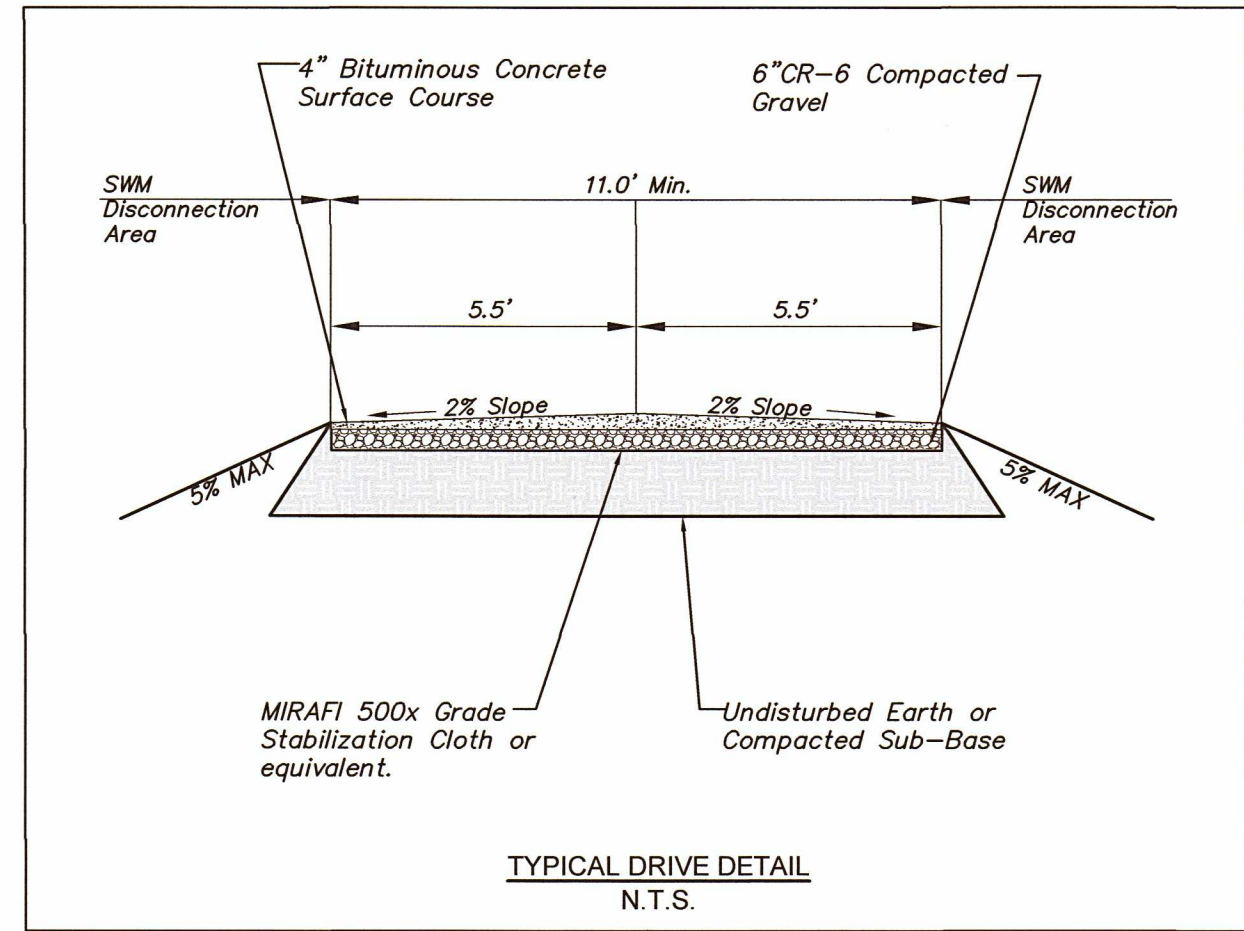


**LEGEND**

- Existing Contour
- Existing Woods Line
- Reinforced Silt Fence
- Limit of Disturbance
- Limit of Disturbance /Super Silt Fence
- Existing Power Pole
- Existing Overhead Electric Line
- Proposed Contour
- 100' Tidal Water Line
- FEMA Floodline
- Soil Boring Location
- Existing 15% Steep Slopes
- Existing 25' Steep Slope Buffer
- Proposed Improvements
- Proposed Permeable Pavement

**SITE TABULATIONS**

- TOTAL SITE AREA: 39,425 S.F. (0.90 Ac.)
- TOTAL CRITICAL AREA LOT COVERAGE: 10,062 S.F. (0.23 Ac.)
- EXISTING LOT COVERAGE: 9,647 S.F. (0.22 Ac.)
- ALLOWABLE LOT COVERAGE [ Per 17-8-403]: 9,647 S.F. (0.22 Ac.)
- PROPOSED LOT COVERAGE: 9,465 S.F. (0.22 Ac.)
- PROPOSED STRUCTURES: 4,151 S.F. (0.10 Ac.)
- PROPOSED DRIVES / WALKS / STEPS: 3,840 S.F. (0.08 Ac.)
- PROPOSED PATIO / POOL: 2,324 S.F. (0.05 Ac.)
- TOTAL AREA OF DISTURBANCE: 24,522 S.F. (0.56 Ac.)
- TOTAL 15% STEEP SLOPES / 25' BUFFER ON SITE: 5,697 S.F. (0.13 Ac.)
- TOTAL SLEEP SLOPES DISTURBED: 2,043 S.F. (0.05 Ac.)
- PERMANENT DISTURBANCE: 889 S.F. (0.02 Ac.)
- TEMPORARY DISTURBANCE: 1,154 S.F. (0.03 Ac.)
- TOTAL SITE AREA WITHIN 100' TO TIDAL WATERS: 14,755 S.F. (0.34 Ac.)
- TOTAL CANOPY ON SITE: 15,600 S.F. (0.47 Ac.)
- PROPOSED CANOPY DISTURBANCE: 8,407 S.F. (0.19 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'
- ACCESSORY STRUCTURE: -FRONT=40', REAR=10', SIDE=10'



DESIGNED: DRAWN: 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. 19521, expiration date: 12/06/25

CLIENT  
**TREY KRELL**  
 1107 KATHY ANNE LANE  
 MILLERSVILLE, MARYLAND 21108  
 443-845-5373

DEVELOPED CONDITIONS VARIANCE SITE PLAN  
**POINT FIELD LANDING ~ LOT 34R**  
 523 POINT FIELD DRIVE, MILLERSVILLE, MARYLAND 21108  
 TAX MAP 31 GRID 1 PARCEL 371 DISTRICT 3RD  
 ANNE ARUNDEL COUNTY, MARYLAND  
 SCALE: 1" = 20' DATE: 12/30/2024 PROJ. NO: PK14324 SHEET 2 OF 3

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**SEVERN RIVER**

**SUBJECT PROPERTY & ADJACENT PROPERTIES PRINCIPAL STRUCTURES WATERWAY SETBACK TABULATIONS**

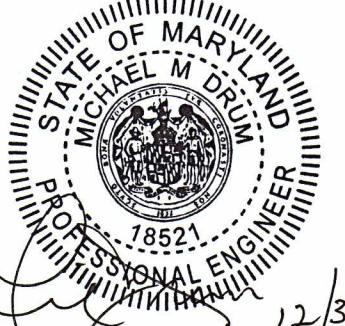
• Lot 1R:	229.2 - FT
• Lot 30R:	301.9 - FT
• Lot 31R:	215.5 - FT
• *Lot 34R (Proposed):	114.4 - FT
• Lot 35:	111.3 - FT
• Lot 36:	41.1 - FT
• Lot 37:	78.6 - FT
• Lot 38:	41.1 - FT
• Lot 39:	50.8 - FT
• Lot 40:	57.2 - FT
• Lot 41:	51.0 - FT
• Lot 42:	50.1 - FT
• Lot 43:	65.0 - FT
• Lot 44:	37.4 - FT
• Lot 45:	68.5 - FT
<b>Avg. Waterfront Setback Of Adjacent Structures: 99.90 - FT</b>	
*Subject Property	

DESIGNED: \_\_\_\_\_ DRAWN: \_\_\_\_\_  
 ORIG. DATE: 6/27/2024  
 MODIFIED BY/DATE: \_\_\_\_\_  
 CADD DWG #: PK14324  
 DLA PROJECT #: PK14323  
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No.	DATE	BY	DESCRIPTION	


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 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

  
 MICHAEL M. DRUM  
 PROFESSIONAL ENGINEER  
 STATE OF MARYLAND  
 LICENSE NO. 18521  
 EXPIRES 12/06/25

CLIENT

**TREY KRELL**  
 1107 KATHY ANNE LANE  
 MILLERSVILLE, MARYLAND 21108  
 443-845-5373

**WATERFRONT SETBACK EXHIBIT**  
**POINT FIELD LANDING ~ LOT 34R**  
 523 POINT FIELD DRIVE, MILLERSVILLE, MARYLAND 21108  
 TAX ACCT. NO. 03-662-29927701  
 TAX MAP 31 GRID 1 PARCEL 371 DISTRICT 3RD  
 ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1" = 100'    DATE: 12/23/2024    PROJ. NO: PK14324    SHEET 3 OF 3

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CRITICAL AREA COMMISSION  
FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS  
1804 WEST STREET, SUITE 100  
ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

**GENERAL PROJECT INFORMATION**

Jurisdiction: Anne Arundel County Date December 19<sup>th</sup> 2024

Tax Map #	Parcel #	Block #	Lot #	Section
31	371	1	34R	-

Tax ID 3-662-29927701

**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) Point Field Landing

Project location/Address 523 Point Field Drive

City Millersville, MD Zip 21108

Local case number  

Applicant: Last name Krell First name Adrian

Company Drum Loyka and Associates, LLC

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

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

**Local Jurisdiction Contact Information:**

Last name:   First name  

Phone #   Response from Commission Required By  

Fax #   Hearing date



**SPECIFIC PROJECT INFORMATION**

Describe Proposed use of project site:

Demolition of an existing structure and construction of (1) single-family home, pool, decking and covered porch

Intra-Family Transfer	<input type="checkbox"/>	Growth Allocation	<input type="checkbox"/>
Grandfathered Lot	<input type="checkbox"/>	Buffer Exemption Area	<input checked="" type="checkbox"/>

**Project Type (check all that apply)**

Commercial	<input type="checkbox"/>	Recreational	<input type="checkbox"/>
Consistency Report	<input type="checkbox"/>	Redevelopment	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	Residential	<input checked="" type="checkbox"/>
Institutional	<input type="checkbox"/>	Shore Erosion Control	<input type="checkbox"/>
Mixed Use	<input type="checkbox"/>	Water-Dependent Facility	<input type="checkbox"/>
Other	<input type="checkbox"/>		

**SITE INVENTORY (Enter acres or square feet)**

	Acres	Sq Ft		Acres	Sq Ft
IDA Area	0	0	Total Disturbed Area	0.56	24,522
LDA Area	0.90	39,425	# of Lots Created	1	
RCA Area	0	0			
Total Disturbed Area	0.56	24,522			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.47	15,600	Existing Impervious Surface	0.23	10,062
Created Forest/Woodland/Trees			New Impervious Surface	0.22	9,465
Removed Forest/Woodland/Trees	0.19	8,407	Removed Impervious Surface	0.01	597
			Total Impervious Surface	0.22	9,465

**VARIANCE INFORMATION (Check all that apply)**

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0		Buffer Forest Clearing	0	
Non-Buffer Disturbance	0		Mitigation	0	

**Variance Type**

Buffer	<input type="checkbox"/>	
Forest Clearing	<input type="checkbox"/>	
HPA Impact	<input type="checkbox"/>	
Impervious Surface Expanded Buffer	<input type="checkbox"/>	
Nontidal Wetlands	<input type="checkbox"/>	
Setback	<input type="checkbox"/>	
Steep Slopes	<input checked="" type="checkbox"/>	
Other	<input checked="" type="checkbox"/>	Relatively in-line

**Structure**

Acc. Structure Addition	<input type="checkbox"/>
Barn	<input type="checkbox"/>
Deck	<input type="checkbox"/>
Dwelling	<input checked="" type="checkbox"/>
Dwelling Addition	<input type="checkbox"/>
Garage	<input type="checkbox"/>
Gazebo	<input type="checkbox"/>
Patio	<input checked="" type="checkbox"/>
Pool	<input checked="" type="checkbox"/>
Shed	<input type="checkbox"/>
Other	<input type="checkbox"/>

# Chesapeake Bay Critical Area Report

## Point Field Landing Lot 34R

Tax Map 31, Grid 01, Parcel 371

Tax Account No. 03-662-29927701

**Property Address:** 523 Point Field Drive  
Millersville, Maryland 21108

**Property Owner & Variance Applicant:** Mr. Trey Krell

**Critical Area Designation:** LDA      **Zoning:** R-2      **Lot Area:** 0.90 Ac.

### Site Description

The subject property is located off Point Field Drive in the Point Field Landing Subdivision. The property is irregular in shape, legal building lot consisting of approximately 0.90 acres in area and is currently improved with a single-family dwelling which is to be razed and removed. The property is zoned R-2, is within the (LDA) Limited Development Area designation of the Critical Area and is within the Buffer Modification Program. A portion of the existing improvements on site are within the 100' Critical Area buffer to tidal waters. The existing dwelling is located 102.6 feet from the shoreline. The site is currently served by public water and private septic. There are several hardships and practical difficulties regarding the redevelopment of the subject property. More than a third of the site is within the 100-ft Critical Area Buffer to tidal waters, which encumbers 14,755 sq. ft. or 37.47% of the total lot area. Additionally, the steep slopes of 15% or greater & their associated 25-ft buffer cover 5,697 sq. ft. or 14.45% of the total lot area. It is extremely difficult to avoid the 15% and greater steep slopes and the associated 25-foot buffer due to their proximity on site. 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 a new 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 pool area along the southern 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 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 December 9th, 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 15,600 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 8,407 s.f. (0.19 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 10,062 s.f. (0.23 Ac.) of impervious coverage. The proposed impervious area for this property is 9,465 s.f. (0.22 Ac.), a reduction of 597 s.f. from the existing impervious and below the allowable 9,647 (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 14,755 s.f. of the subject property falls within the 100-ft Critical Area Buffer to tidal waters, over 37% of the property is within the buffer. Disturbance of this area was unavoidable as a portion of the existing improvements which are slated to be removed are within the 100-ft Critical Area Buffer.

### **Steep Slopes (slopes > 15%)**

The site has approximately 5,697 s.f. of steep slopes & buffer, which is roughly 14.45% of property being encumbered with steep slopes & steep slope buffer. Approximately 2,043 s.f. (0.05 Ac.) of the steep slopes 15% or greater shall be disturbed during the proposed construction. Of that disturbance 889 s.f. of disturbance is proposed permanent disturbance to construct the site improvements and the remaining 1,154 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; most 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 Sassafras and Croom soils, 15 to 25 percent slopes (SME). This soil has a type "C" 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) Micro-Bioretention Facility along the northern property line and (1) Area of Permeable Pavers to treat a portion of the proposed driveway.

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 demolish an existing structure and construct (1) single-family dwelling, covered porch, garage, reconfigured driveway, pool area, 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, location of the existing dwelling in relation to the steep slopes, and the irregular shape of the lot. It is not possible to construct the proposed dwelling without disturbance to 15% + steep slopes in the (LDA) Limited Development Area designation of the Critical Area and to be slightly closer to the shoreline than the established relatively in line criteria in the Code. The proposed improvements are consistent in size and nature with other homes in the Point Field Landing subdivision and therefore will not alter the essential character of the neighborhood, impair development of adjacent properties, or be detrimental to 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, 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

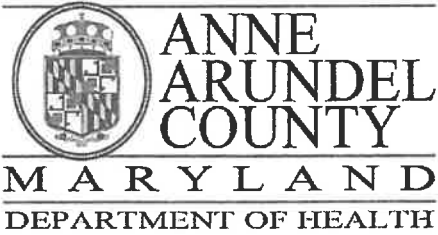
Federal Emergency Management Agency, 2016. Flood Insurance Rate Map

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




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**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: January 15, 2025

RE: Adrian Raymond Krell III  
523 Point Field Drive  
Millersville, MD 21108

NUMBER: 2025-0001-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling, accessory structure (pool), and associated facilities with less setbacks than required, with disturbance to slopes of 15% or greater, and that does not comply with the designated location of a principal structure of a waterfront lot.

The Health Department has reviewed the above referenced request. Additional information is needed on showing the location of the existing on-site sewage disposal system and labeled to be abandoned. Also required is documentation from the Department of Public Works that the property can connect to public sewer.

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay



## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE

**PRE-FILE #:** 2024-0114-P  
**DATE:** 12/9/2024  
**STAFF:** Joan A. Jenkins (OPZ)  
Kelly Krinetz (OPZ)  
Habtmu Zeleke (I&P)

**APPLICANT/REPRESENTATIVE:** Bob Baxter/Drum Loyka

**EMAIL:** rbaxter@drumloyka.com

**SITE LOCATION:** 523 Point Field Dr, Millersville

**LOT SIZE:** 39,425sf

**ZONING:** R2      **CA DESIGNATION:** LDA      **BMA:** yes    **or**    **BUFFER:** no      **APPLICATION TYPE:** VAR

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#### DESCRIPTION:

The applicant proposes a demo/rebuild of a single-family dwelling. Variance request to steep slopes and the 'relatively in line' provision regarding location of principal structures on waterfront.

#### COMMENTS:

##### **I & P Engineering:**

Variance: Variances request Article 17-8-201(a) to disturb 15% and greater slopes and a variance to Article 18-2-402(1), relatively in line along the waterfront in the critical area.

Comments:

1. Stormwater management will be addressed through three micro-practices: micro-bioretenion, permeable pavement, and non-rooftop disconnections.
2. Specify the type of permeable pavement and add this to the cost estimate. Only permeable concrete or pavers are allowed. Bituminous/asphalt permeable pavement is not allowed due to the risk of accidental sealing.
3. Permeable pavements shall be located down the gradient of building structures and be setback at least 10 feet from buildings.
4. All stormwater conveyance systems shall be designed so that no building or habitable structure, either proposed or existing, is flooded or has water impounded against it during the 100-year storm event.
5. Microscale stormwater facility(ies) design should incorporate safe conveyance for overflow discharges from 2, 10, 100-yr 24-hr storm events; plans should show overland relief paths for these storm events and ensure that no structures, or properties are negatively impacted or have water impounded against during these storm events.
6. Design professionals should review site runoff and potential (negative, adverse) impacts to neighboring properties, due to changed grades/elevation on a proposed project.
7. Please ensure that the minimum well and septic setbacks to proposed SWM practices are achieved.
8. Ensure the proposed improvement including runoff, seepage, and slope saturation does not adversely impact the integrity of the slope and potential impact of slope failure.
9. This reviewer is not clear on what type of SWM practice (s) proposed. Per 6.1.4 (G) of the County Stormwater Practices and Procedures manual, SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resources including steep slopes and buffers.
10. 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.

11. A soil boring is required per practice. The suitability, and siting of proposed SWM practices should be reviewed. Soil boring information including verification of the suitability of in-situ soils for infiltration shall be submitted. Describe the site's hydrologic, and topographic characteristics and provide a recommendation on the feasibility of various BMPs.
12. Based on the plan provided, it appears that the property will be served by a public water and sewer.
13. The stormwater management, and utility/Engineering design review approval for the site shall occur at the grading permit stage.
14. The above is provided as a courtesy review as information for review and consideration comments at the pre-file.

**Critical Area Team:**

No objection to the generally in line or slope variance provided the applicant can demonstrate compliance with all applicable criteria for approval.

A steep slope buffer modification will be required prior to permit approval.

The clearing appears to exceed the limitations allowed in Article 17-8-601(b)(2)

**Zoning Administration Section:**

Applicant's letter of explanation should address requirements for a variance under 18-16-305 (a), (b), and (c)

**INFORMATION FOR THE APPLICANT**

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

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