

M.A.F. & Associates, LLC
Matthew A. Forgen
55 Jones Station Road, W.
Severna Park, MD 21146
Phone: 443-864-8589

January 29, 2025

Planner
Department of Planning & Zoning
2664 Riva Road
Annapolis MD 21401

RE: Carrollton Manor, Lots 55 and 56, Block 4, B02422588
669 Arleigh Road, Severna Park, MD 21146
TM 31 BLK 4 P 38, R-5 Zoning, Council District 5

Dear Planner:

Please accept this submittal of a variance for the above-mentioned project. The property owner is proposing to remove the existing multi-level wood deck and replace it with a new two levels of deck with the addition of a portico/privacy structure within the same footprint. This proposed work impacts steep slopes greater than 15% grade within the Chesapeake Bay Critical Area (IDA) because the existing wood deck falls within steep slopes. The existing wood deck crosses the western property line and lies within an existing easement. Since the replacement deck crosses the property line, the proposal will require a variance to allow the deck to have a zero-foot side yard setback. The wood deck will have a footprint of approximately 653 square feet. The wood deck is setback 25' from the southern rear property line (Shore Road right of way), 12.43' from the eastern property line, and a close as 7.50' from the existing use in common easement area.

Please note this is an undersized R5 zoned property and therefore required to meet the setbacks as required in 18-2-301 (f) of the County Code. For a principal structure, this section of the County Code requires a front setback of 25', a side lot line setback of 7', and a rear lot line setback of 25'. The deck is required to have a 7' side lot line setback

Variance request: We are requesting a variance request to 18-2-301(f) to allow a 0' side lot line setback for a proposed replacement multi-level deck within the same footprint as the existing multi-level wood deck.

Prefile Comments:

Critical Area Team:

The Critical Area Team reviewed the proposal and has no objection. The Team noted a discrepancy between the actual proposed structures and those described in the leer of explanation. This proposal isn't just a replacement in the same footprint; rather, it is the reconstruction of two levels of deck and the addition of a portico/privacy structure within the same footprint.

Our response: We have revised the description of the proposed work within the variance request.

Zoning Administration Section:

The Zoning Administration Section advises the applicant that, per Seccon 17-8-201(b) Development in the IDA, "the Planning and Zoning Officer may grant modification to the prohibition of this subsection for slopes outside of the buffer and buffer modification area." Therefore, a Critical Area Variance is NOT required for this proposal. However, a Modification IS required. Any future applications should clarify the

aforementioned discrepancy by accurately describing the proposed additions in the letter of explanation and associated site plan.

The applicant has not provided any information regarding the “use in common” easement. It is unclear whether the applicant has a right to construct anything within the easement. However, even if they do, the lot line is the lot line. A zoning variance may be required to construct a structure closer than the required seven feet from the actual side lot line. Any future permit application should include clear details of the allowances within the easement area.

Our response:

The variance application has been revised to be only a zoning variance to allow a 0’ side lot line setback.

We feel this zoning variance request meets the requirements of Article 18-16-305 (a) (b) & (c) and therefore the variances should be granted. Below is the justification for granting the above noted variances.

18-16-305(a)(1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or:

This site is an existing, undersized, legally platted, R5 lot. The lot is developed with a single-family dwelling, wood deck and multiple retaining walls. The existing multi-level wood deck was constructed over the property line. The owner has an easement that allows the deck within this area. Since the replacement multi-level wood deck will be in the same footprint as the existing a variance is required.

The existing multi-level wood deck crossing the property line is the unique characteristics of the lot with regards to this variance request.

18-16-305(a)(2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot:

There is no way to rebuild the deck without crossing the lot line. If the variance is not granted, the property owner would not be permitted to rebuild the multi-level wood deck within the same footprint. The granting of the variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

18-16-305(b) (1) Because of certain unique physical conditions, such as exceptional topographical conditions peculiar to and inherent in the particular lot or irregularity, narrowness, or shallowness of lot size and shape, strict implementation of the County's critical area program or bog protection program would result in an unwarranted hardship, as that term is defined in the Natural Resources Article, § 8-1808, of the State Code, to the applicant;

Because of the location of the existing wood deck that must be rebuilt being located across the western property line, strict implementation of the County's critical area program would result in an unwarranted hardship, as that term is defined in the Natural Resources Article, § 8-1808, of the State Code, to the applicant.

18-16-305(b) (2) (i) A literal interpretation of COMAR, Title 27, Criteria for Local Critical Area Program Development or the County's critical area program and related ordinances will deprive the applicant of rights commonly enjoyed by other properties in similar areas as permitted in accordance with the provisions of the critical area program within the critical area of the County; or

The applicant would not be able to replace the multi-level wood deck if this variance is not approved. The applicant should have the right to rebuild the deck within the existing footprint.

18-16-305(b) (ii) The County's bog protection program will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the bog protection area of the County;

This property is not within the County's bog protection area.

18-16-305(b) (3) The granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, Title 27, the County's critical area program to other lands or structures within the County critical area, or the County's bog protection program to other lands or structures within a bog protection area;

This proposal is within the existing footprint of the existing multi-level wood deck. The granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, Title 27, the County's critical area program to other lands or structures within the County critical area.

18-16-305(b) (4) The variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development before an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property;

The existing multi-level wood deck falls across the property line. There is no way to rebuild the deck without the need for a side lot line setback variance. This variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development before an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property.

18-16-305(b) (5) The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area or a bog protection area and will be in harmony with the general spirit and intent of the County's critical area program or bog protection program;

This proposal will not increase the total site lot coverage. The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area or a bog protection area and will be in harmony with the general spirit and intent of the County's critical area program or bog protection program.

18-16-305(b) (6) The applicant for a variance to allow development in the 100-foot upland buffer has maximized the distance between the bog and each structure, taking into account natural features and the replacement of utilities, and has met the requirements of § 17-9-208 of this Code;

This site is not within a bog protection area.

18-16-305(b) (7) The applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code; and

We feel that the applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code.

18-16-305(b) (8) The applicant has evaluated and implemented site planning alternatives in accordance with § 18-16-201(c).

The applicant is proposing to rebuild a multi-level wood deck in the existing deck footprint with the addition of a portico/privacy structure. Any site planning alternatives would increase the site disturbance and possibly additional slope disturbance.

18-16-305(c)(1): the variance is the minimum variance necessary to afford relief:

This variance is the minimum variance necessary to afford relief in that the proposed multi-level wood deck with the addition of a portico/privacy structure, will be constructed in the same footprint as the existing multi-level wood deck, therefore only having the same side lot line setback. We feel this request is the minimum variance necessary to afford relief

18-16-305(c)(2) the granting of the variance will not:

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

The approval of these variances will not alter the essential character of the neighborhood. The proposed multi-level wood deck with the addition of a portico/privacy structure is within the same area as the existing multi-level wood deck. Many other homes in the neighborhood have wood decks similar in size.

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

This proposed development would not impair the appropriate use or development of adjacent properties. The neighboring properties are currently developed with a single-family dwelling. This proposal does not have an impact on these dwellings nor the ability of the owner to improve or further develop their property.

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

The proposed development will not decrease forest cover within Chesapeake Bay Critical Area. There is no clearing required for this improvement.

(iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area:

The property is not located within a bog protection area and is not contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area.

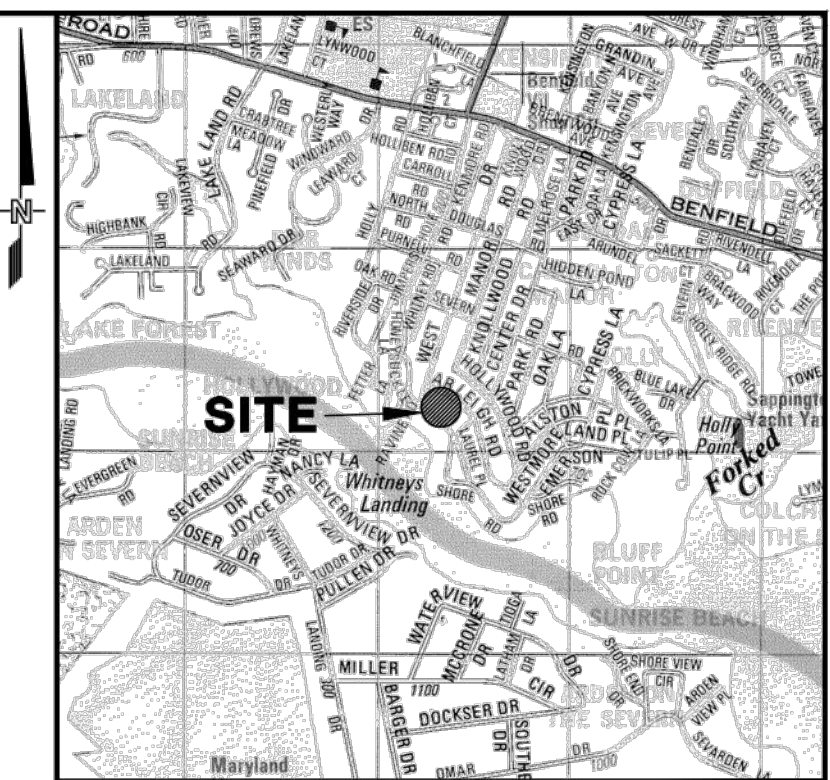
(v) be detrimental to the public welfare:

This development is not detrimental to the health and welfare of the community. There will be storm water management and mitigation planting requirements that will be part of the permitting process. This benefits public welfare.

If you should have any questions regarding this submittal, please feel free to contact me at the number above.

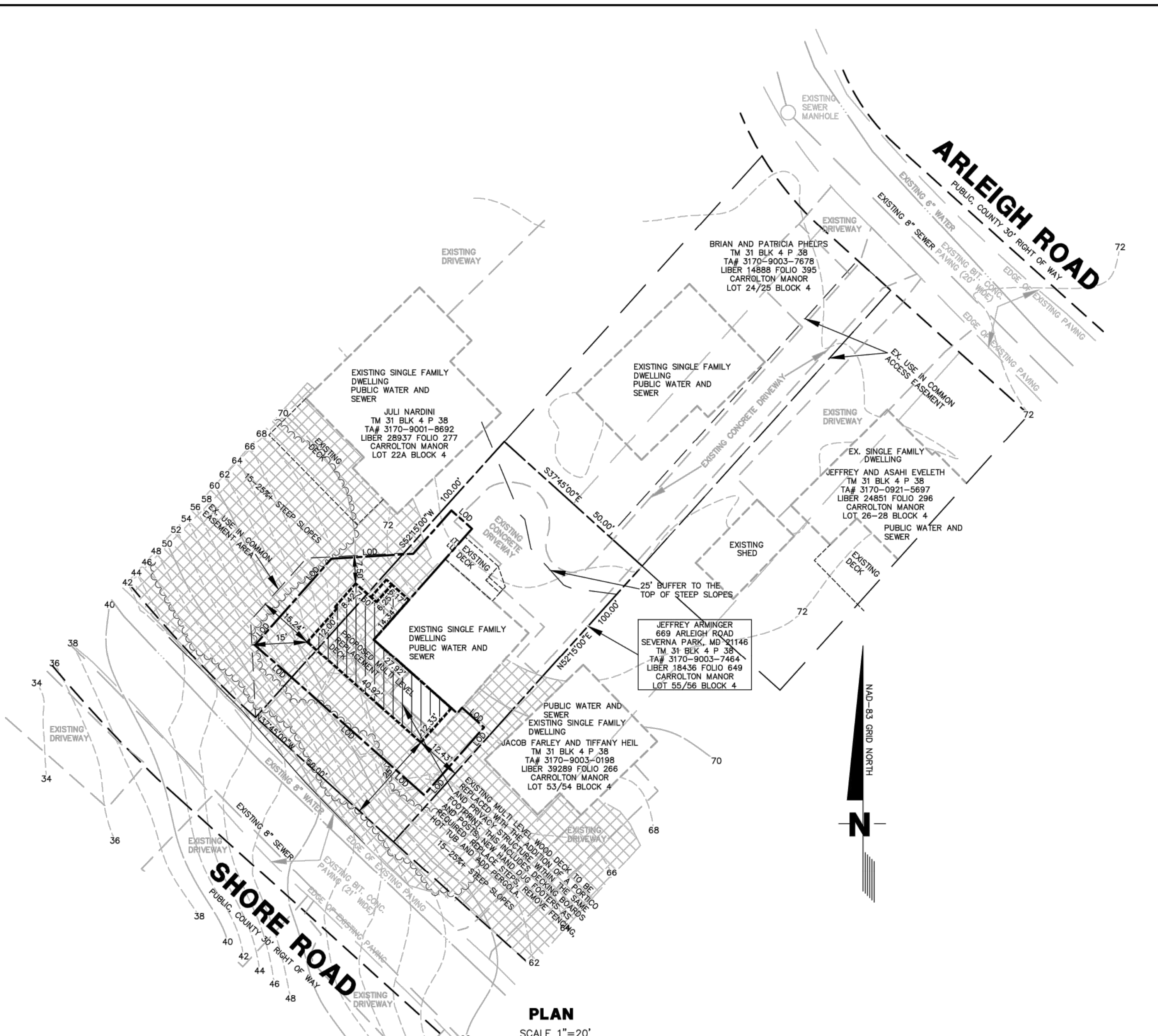
Sincerely,


Matthew A. Forgen



VICINITY MAP

SCALE: 1" = 2,000'
 ADC MAP: 14, GRID: F5
 Copyright ADC The Map People
 Permitted Use Number 20811204



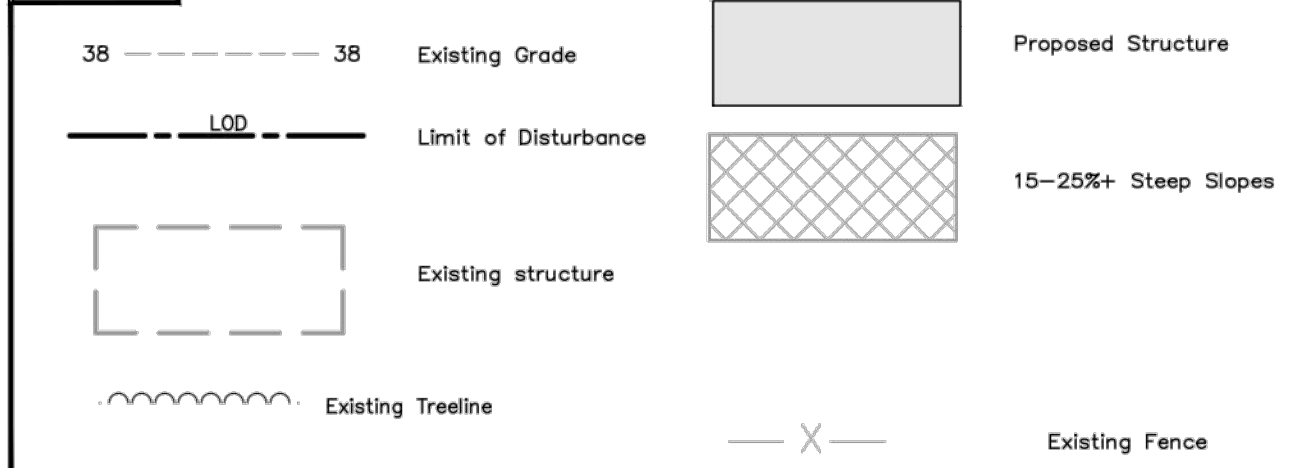
PLAN
 SCALE 1"=20'

SITE DATA	
PROPERTY ADDRESS:	669 ARLEIGH ROAD SEVERNA PARK, MD 21146
OWNER:	JEFFREY S ARMINGER 669 ARLEIGH ROAD SEVERNA PARK, MD 21146
DEVELOPER:	JEFFREY S ARMINGER 669 ARLEIGH ROAD SEVERNA PARK, MD 21146
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	RESIDENTIAL
EXISTING ZONING:	R5
SETBACKS:	FRONT: 25', SIDE: 7', REAR: 20'
TAX MAP:	31 BLOCK: 4 PARCEL: 38 LOT: 55 AND 56 BLOCK 4
ASSESSMENT DISTRICT:	THIRD
TAX ACCOUNT NUMBER:	3170-9003-7464
CRITICAL AREA:	IDA
TOTAL SITE AREA:	0.1148 ACRES 5,000 SQUARE FEET
EXISTING LOT COVERAGE:	0.0671 ACRES 2,923 SQUARE FEET
PROPOSED LOT COVERAGE:	0 ACRES 0 SQUARE FEET
TOTAL DISTURBED AREA:	0.0443 ACRES 1,930 SQUARE FEET

CRITICAL AREA CALCULATIONS (IDA)

- 1) Total site area: 5,000 s.f. or 0.1148 AC.
- 2) Total lot coverage allowed: No limitation within the IDA
- 3) Total woods on site: 650 +/- square feet
- 4) Total woods to be cleared in 100' buffer: 0 square feet
- 5) Total woods to be cleared out of 100' buffer: 0 square feet
- 7) Total existing lot coverage: House 1,006 s.f.
 Drive: 1,861 s.f.
 Hot Tub: 56 s.f.
 Total: 2,923 s.f.
- 8) Total proposed lot coverage: 0 s.f.
- 9) Total lot coverage after construction: 2,923 s.f.

LEGEND



ADMINISTRATIVE SITE PLAN

CARROLTON MANOR
LOTS 55 AND 56, BLOCK 4
669 ARLEIGH ROAD, SEVERNA PARK, MD 21146
 TAX MAP 31 BLOCK 04 PARCEL 38 TAX ACCOUNT #: 3170-9003-7464 ZONING: R5
 DATE: FEBRUARY 7, 2025
 3RD ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND

M.A.F. & ASSOCIATES, LLC
 55 JONES STATION ROAD. W.
 SEVERNA PARK, MD 21146
 PHONE: 443-864-8589
 EMAIL: MFORGEN@AOL.COM

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
31	38	4	55&56	

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
 General Project Information

Tax ID: 3170-9003-7464

Project Name (site name, subdivision name, or other) CARROLLTON Manor

Project location/Address 669 ARLEIGH ROAD

City SEVERNA PARK MD. Zip 21146

Local case number

Applicant: Last name ARDINGER First name JEFFREY

Company

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 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:

DEMO/REBUILD MULTI-LEVEL WOOD DECK WITHIN A SIDE LOT LINE SETBACK

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

Project Type (check all that apply)

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

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft	Total Disturbed Area	Acres	Sq Ft
IDA Area		5000			1930
LDA Area		0			
RCA Area		0			
Total Area		5000	# of Lots Created		

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		650 +/-	Existing Lot Coverage		2923
Created Forest/Woodland/Trees		0	New Lot Coverage		0
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		0
			Total Lot Coverage		2923

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		0	Buffer Forest Clearing		0
Non-Buffer Disturbance		1930	Mitigation		0

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

Carrollton Manor
Lots 55 and 56, Block 4
669 Arleigh Road, Severna Park, MD 21146

CRITICAL AREA REPORT

PREPARED BY:
M.A.F. & ASSOCIATES, LLC
55 Jones Station Road, W.
Severna Park, MD 21146

443-864-8589

January 29, 2025

INTRODUCTION

The property is located at 669 Arleigh Road, Severna Park, MD 21146. This is a legal lot as defined by Article 17-1-101 (63).

The property is improved with a single-family dwelling with a wood deck as well as a concrete driveway.

The lot is in R5 zoning district. This lot lies entirely within the IDA portion of the Chesapeake Bay Critical Area.

The property slopes steeply towards the Shore Road right of way. These slopes are 15% or greater and therefore considered steep slopes.

VICINITY MAP

Included in this report and shown on the attached plan is a vicinity map designating the location of the subject site. Also included in the report is a portion of the Critical Area Map with the site located.

NARRATIVE

EXISTING CONDITIONS

The lot is currently an improved single-family dwelling with a multi-level wood deck crossing a property line within an existing easement. The lot is in R5 zoning district. The property slopes from the existing dwelling to the public right of way. The slopes are approximately 25%+ in the location of the existing multi-level wood deck.

There was no wildlife seen around the property at the time of inspection. It is expected that there is very little wildlife use on the property since it is currently developed with a single-family dwelling.

PROPOSED DEVELOPMENT

The property owner is proposing to remove the existing multi-level wood deck and replace it with a new multi-level wood deck with a portico/privacy structure in the same footprint. This proposed work impacts steep slopes greater than 15% grade within the Chesapeake Bay Critical Area (IDA) because the existing wood deck falls within steep slopes as well as crossing the western property line. This proposal will require a variance to allow the multi-level wood deck with a portico/privacy structure within the side lot line setback. The wood deck will have a footprint of approximately 653 square feet. The wood deck is setback 25' from the southern rear property line (Shore Road right

of way), 12.43' from the eastern property line, and a close as 7.50' from the existing use in common easement area.

SEDIMENT CONTROL AND STORMWATER MANAGEMENT

During construction, sediment and erosion control measures will be employed. Storm water management is not required for this application.

IMPACT MINIMIZATION

Due to the location of the existing dwelling and wood deck, rebuilding the deck in the same location minimizes the environmental impact to the property. We feel that this development plan demonstrates a minimal impact on the environment.

HABITAT PROTECTION AREAS

There is no habitat protection area on this property.

AFTER CONSTRUCTION CONDITIONS AND SITE CALCULATIONS

The proposed conditions of the site include the construction of a new house and driveway. The site calculations are as follows:

Total site area	5,000 sf
Existing woodland	650 sf +/-
Proposed clearing	0 sf
Proposed planting	to be determined
Existing impervious coverage prior to the proposed lot coverage	2,923 sf
Allowed lot coverage	No limitation within the IDA
Proposed lot coverage	0 sf
Proposed lot coverage reduction	0 sf
Existing and proposed lot coverage	2,923 sf

CONCLUSIONS

The lot in question is a legal lot located in an established community. It's not possible to demo/rebuild the wood deck without the need for the requested variance based on the location of the existing dwelling and deck.

As proposed, the development of the lot does not have an adverse impact on the plant or wildlife habitat of the Critical Area. The proposed wood deck will not adversely impact adjacent properties.

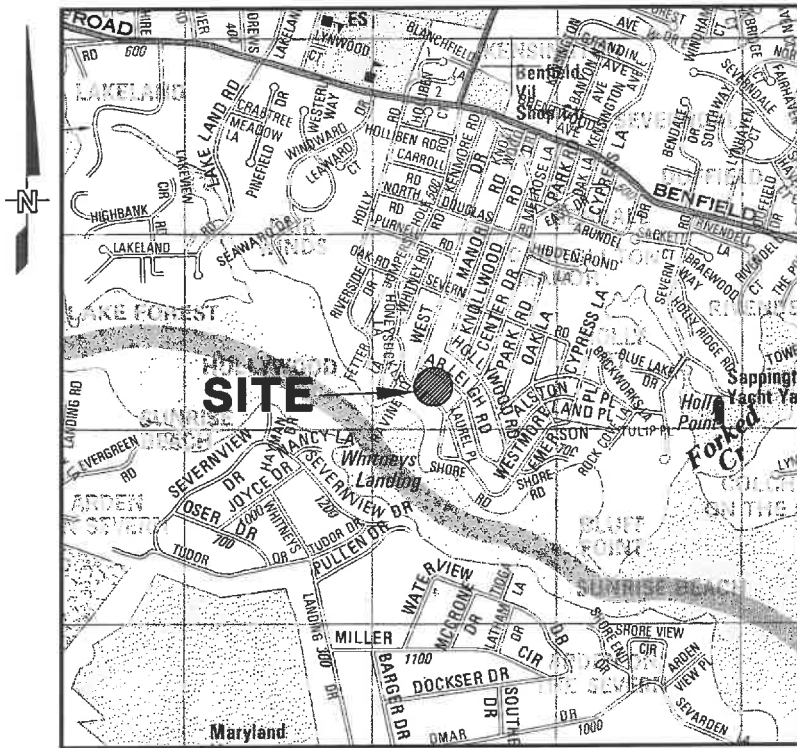
PLANS

A plan showing the site and its improvements is attached to this report.

ADDITIONAL INFORMATION

A Notification of Project Application for the Critical Area Commission is included in this package.

The fieldwork was conducted on June 10, 2024



VICINITY MAP

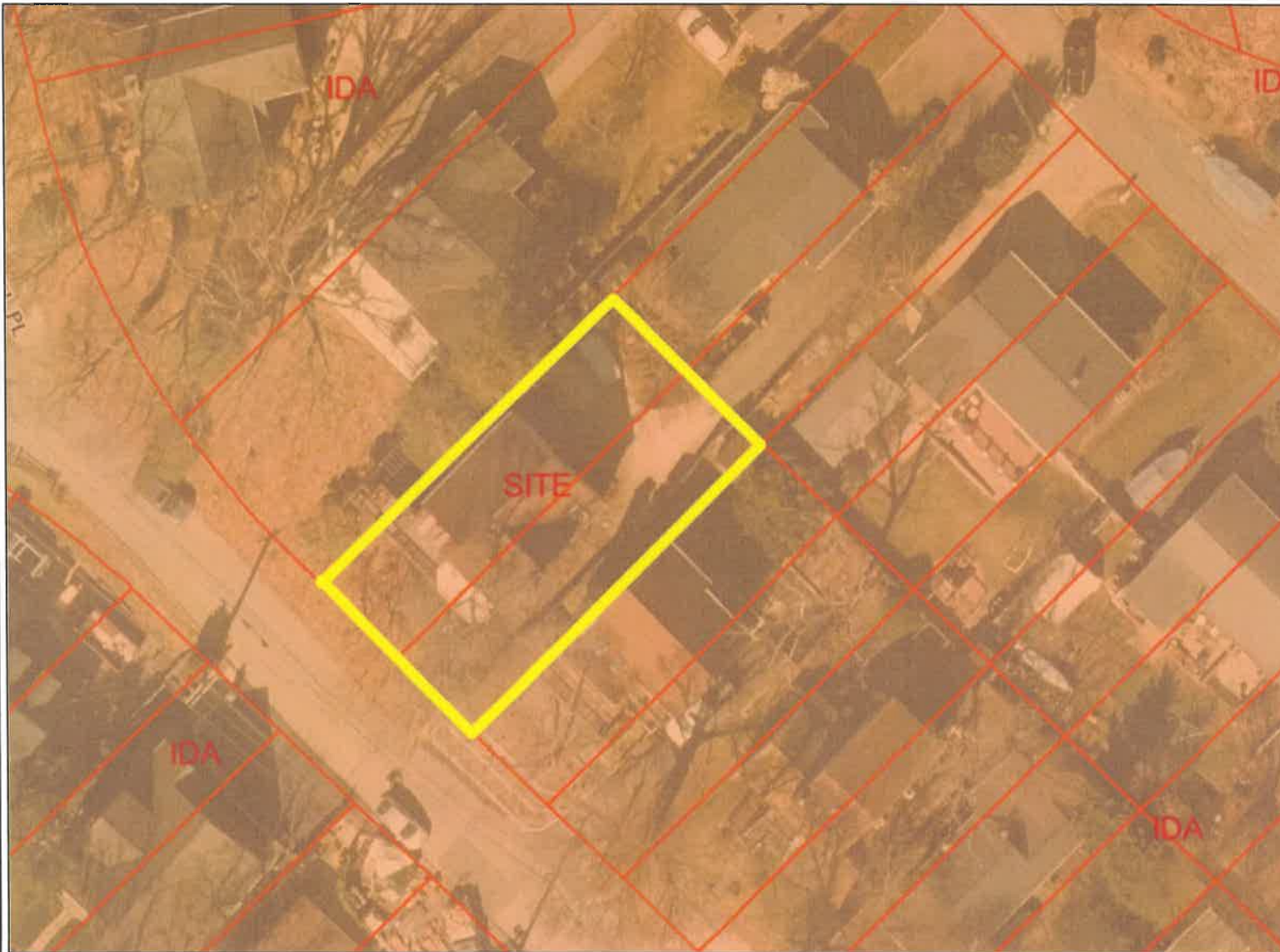
SCALE: 1" = 2,000'

ADC MAP: 14, GRID: F5

Copyright ADC The Map People

Permitted Use Number 20811204

CRITICAL AREA MAP



Legend

Parcels



Critical Areas

- IDA - Intensely Developed Area (light orange)
- IDA - Intensely Developed Area (medium orange)
- LDA - Limited Development Area (yellow)
- RCA - Resource Conservation Area (green)

Labels

- State Road Label
- Interstate US Road Label
- Local Road Label
- Fire Police Label
- Streams Label

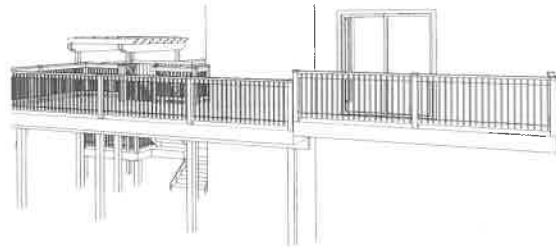
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Esri, NASA, NGA, USGS, FEMA

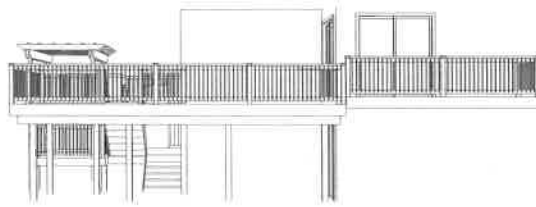


THIS MAP IS NOT TO BE USED FOR NAVIGATION

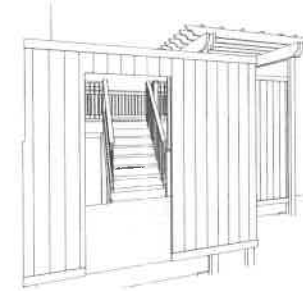
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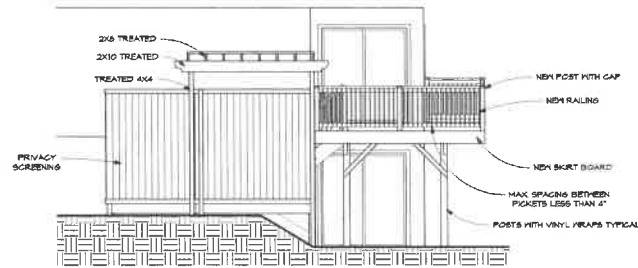
7 3D View 3



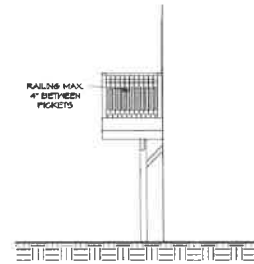
6 3D View 2



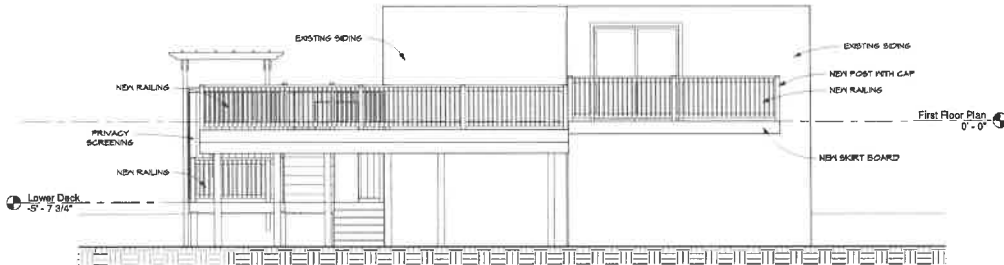
5 3D View 1



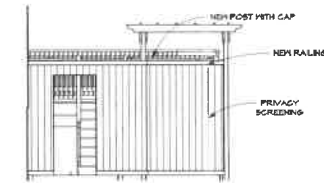
4 Right Side Elevation
1/4\" = 1'-0"



3 Left Side Elevation
1/4\" = 1'-0"



2 Rear Elevation
1/4\" = 1'-0"



1 Front Elevation
1/4\" = 1'-0"

**DeGonia
Designs
LLC**

346 Topside West
Hardeeville, SC 29927
410-518-6736

EMAIL:
Scott@DeGoniaDesigns.com

Armiger Residence
669 Atleigh Rd., Severna Park, MD 21146

Rev.	Description	Date

Elevations

Project number	2023-7
Date	10-4-23
Drawn by	S.G.
Checked by	S.G.
A 2	
Scale	1/4\" = 1'-0"

**DeGonia
Designs
LLC**

346 Topside West
Hardesville, SC 29927
410-518-6736

EMAIL:
Scott@DeGoniaDesigns.com

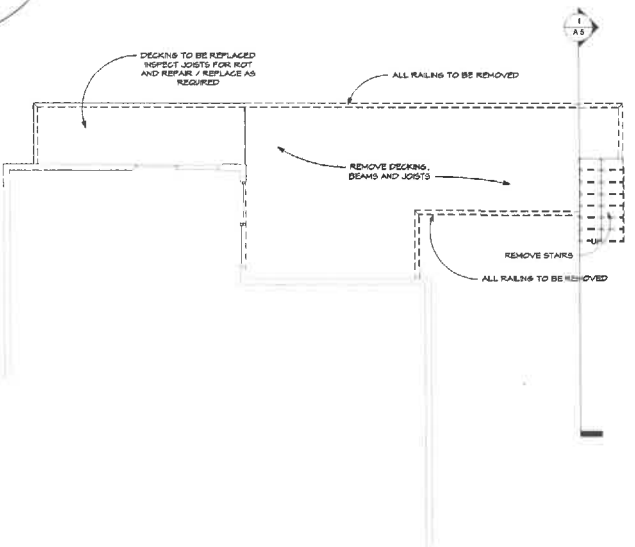
Armiger Residence
669 Aiteigh Rd., Severna Park, MD 21146

No.	Description	Date

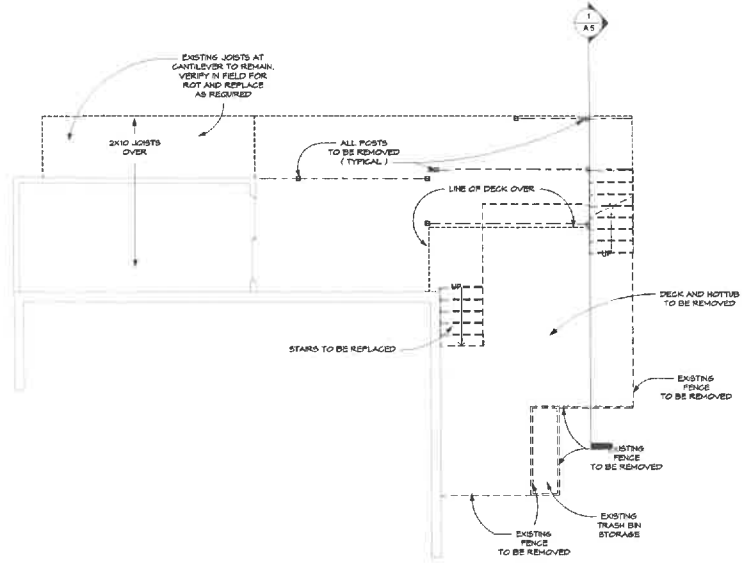
**Existing &
Demo. Plans**

Project number	2023-7
Date	10-4-23
Drawn by	S.C.
Checked by	S.C.
A 3	
Scale	1/4" = 1'-0"

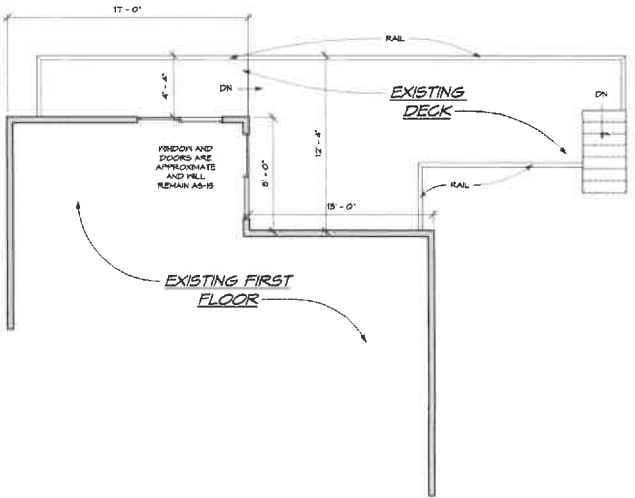
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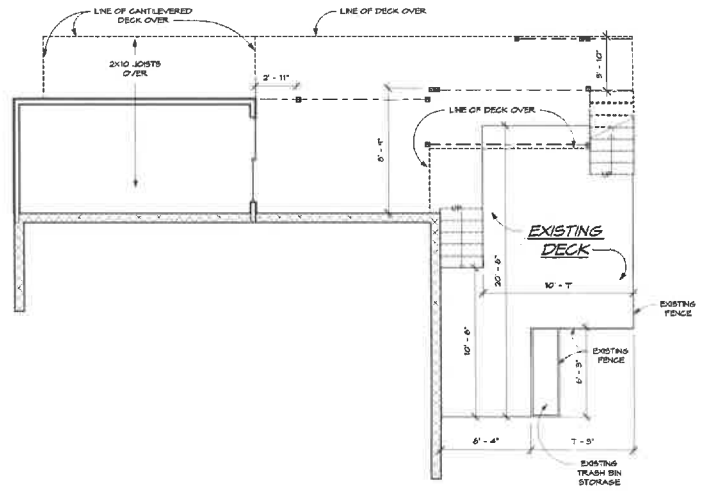
4 First Floor Demo.
1/4" = 1'-0"



3 Foundation Plan Demo.
1/4" = 1'-0"



2 First Floor Plan Existing
1/4" = 1'-0"



1 Foundation Plan Existing
1/4" = 1'-0"

**DeGonia
Designs
LLC**

346 Topside West
Hardeeville, SC 29927
410-518-6736

EMAIL:
Scott@DeGoniaDesigns.com

Armiger Residence
669 Atleigh Rd., Severna Park, MD 21146

No.	Description	Date

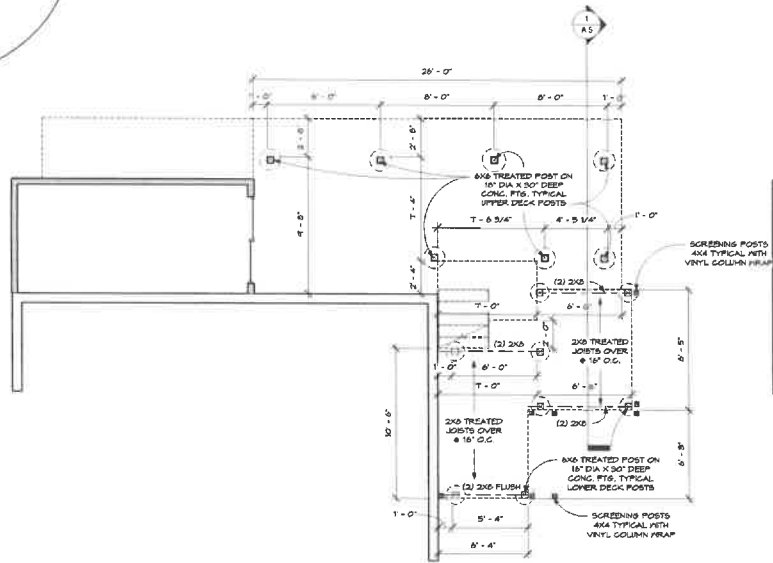
Proposed Plans

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Date 10-4-23
Drawn by S.D.
Checked by S.D.

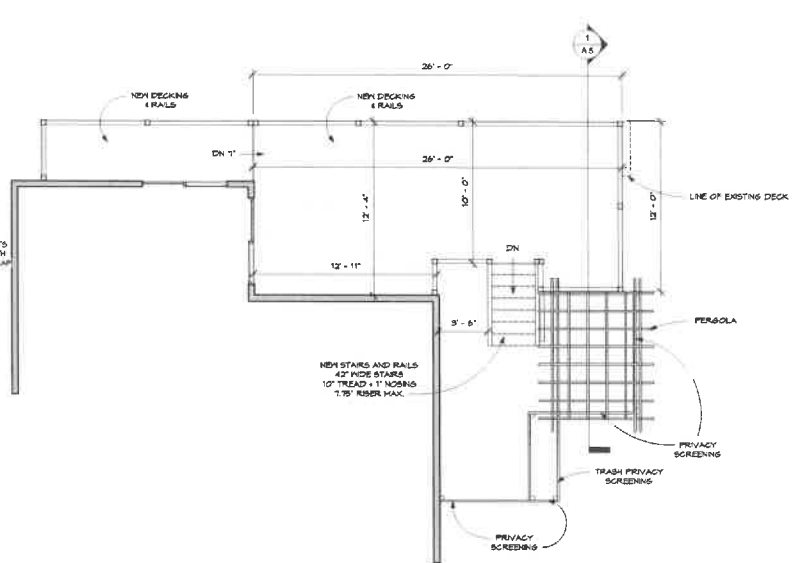
A 4

Scale 1/4" = 1'-0"

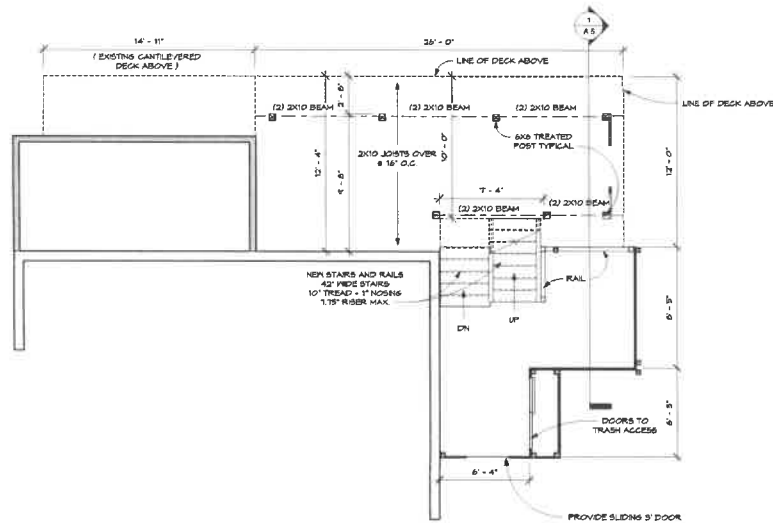
11/09/2023 3:12:52 PM



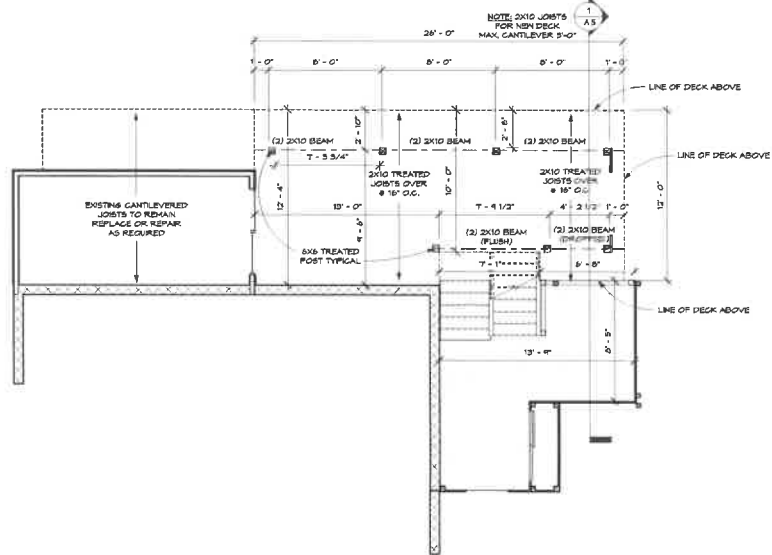
4 Footings Plan
1/4" = 1'-0"



3 First Floor Plan
1/4" = 1'-0"

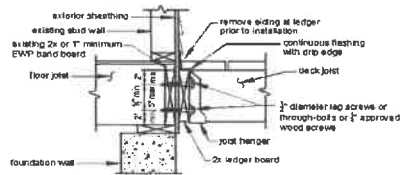


2 Lower Deck
1/4" = 1'-0"

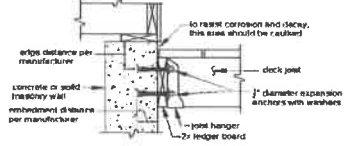


1 Foundation Plan
1/4" = 1'-0"

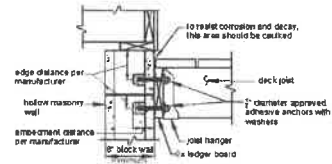
LEDGER BOARD-TO-BAND BOARD ATTACHMENT



LEDGER BOARD-TO-SOLID FOUNDATION ATTACHMENT



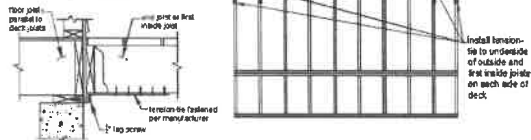
LEDGER BOARD-TO-HOLLOW FOUNDATION ATTACHMENT



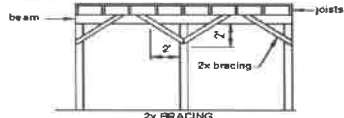
LATERAL SUPPORT

All decks greater than 30 inches above grade must resist lateral load using one of the applicable methods noted below:

METHOD 1) Tendon-ties:

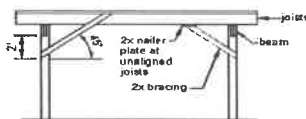


METHOD 2) Diagonal bracing:

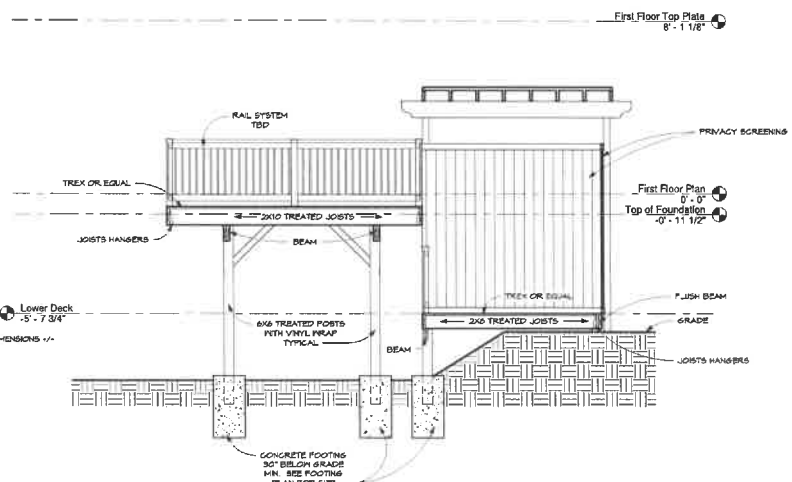
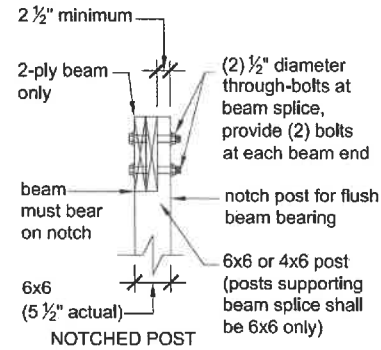
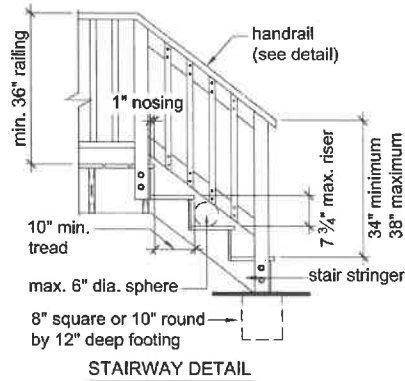


- Place 2x bracing at all beam-post locations.
- Alternate bracing between front and back of 4x4 or 4x6 posts.

DIAGONAL BRACING AT BEAM-POST LOCATION



DIAGONAL BRACING AT JOIST-POST LOCATION



1 Section 1
3/8" = 1'-0"

DeGonia Designs LLC
 346 Topside West
 Hartsville, SC 29927
 410-518-6738
 EMAIL:
 Scott@DeGoniaDesigns.com

Armiger Residence
 669 Atleigh Rd., Severna Park, MD 21146

No.	Description	Date

Section 1 & Details

Project number	2023-7
Date	10-4-23
Drawn by	S.D.
Checked by	S.D.
A 5	
Scale	3/8" = 1'-0"

11/02/2023 10:28 AM



**ANNE
ARUNDEL
COUNTY**

MARYLAND
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.aahhealth.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: January 31, 2025

RE: Jeffrey Aminger
669 Arleigh Road
Severna Park, MD 21146

NUMBER: 2025-0015-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow dwelling additions (multi-level decks and portico) with less setbacks than required.

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



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE (2024-0056-P)

DATE OF MEETING: 6/24/2024

P&Z STAFF: Sara Anzelmo, Kelly Krinetz

APPLICANT/REPRESENTATIVE: Jeffrey Armiger/Matt Forgen, M.A.F. & Associates EMAIL: mforgen@aol.com

SITE LOCATION: 669 Arleigh Road, Severna Park LOT SIZE: 5,000 sf ZONING: R5

CA DESIGNATION: IDA BMA: N/A or BUFFER: N/A APPLICATION TYPE: Critical Area Variance

From the applicant's letter of explanation:

Please accept this submittal of a variance for the above referenced project. The property owner is proposing to remove the existing wood deck and replace it with a new wood deck in the same footprint. This proposed work impacts steep slopes greater than 15% grade within the Chesapeake Bay Critical Area (IDA) because the existing wood deck falls within steep slopes. This proposal will require a variance to allow development within slopes greater than 15% in the Chesapeake Bay Critical Area. The wood deck will have a footprint of approximately 653 square feet. The wood deck is setback 25' from the southern rear property line (Shore Road right of way), 12.43' from the eastern property line, and a close as 7.50' from the existing use in common easement area.

Please note this is an undersized R5 zoned property and therefore required to meet the setbacks as required in 18-2-301 (f) of the County Code. For a principal structure, this section of the County Code requires a front setback of 25', a side setback of 7', and a rear setback of 25'.

Please note that disturbance to slopes greater than 15% in the critical area is prohibited per 17-8-201 of the County Code. We are proposing 1,814 square feet of disturbance to slopes greater than 15% in the critical area, necessitating a critical area variance. Of the 1,814 square feet of steep slope disturbance, approximately 15 square feet is permanent for the proposed post footers. The remaining 1,799 square feet are temporary for the construction of the wood deck. Please note that the proposed wood deck is being constructed in the same footprint as the existing wood deck.

COMMENTS

The **Critical Area Team** reviewed the proposal and has no objection. The Team noted a discrepancy between the actual proposed structures and those described in the letter of explanation. This proposal isn't just a replacement in the same footprint; rather, it is the reconstruction of two levels of deck and the addition of a portico/privacy structure within the same footprint.

The **Zoning Administration Section** advises the applicant that, per Section 17-8-201(b) Development in the IDA, "the Planning and Zoning Officer may grant modification to the prohibition of this subsection for slopes outside of the buffer and buffer modification area." Therefore, a Critical Area Variance is NOT required for this proposal. However, a Modification IS required. Any future applications should clarify the aforementioned discrepancy by accurately describing the proposed additions in the letter of explanation and associated site plan.

The applicant has not provided any information regarding the "use in common" easement. It is unclear whether the applicant has a right to construct anything within the easement. However, even if they do, the lot line is the lot line. A zoning variance may be required to construct a structure closer than the required seven feet from the actual side lot line. Any future permit application should include clear details of the allowances within the easement area.