



Dominic J. Souza, Esquire
Managing Principal

Email: dsouza@souzalaw.com

February 3, 2025

Anne Arundel County Office of Planning and Zoning
Zoning Division
2664 Riva Road MS 6301
Annapolis, MD 21401

RE: Bayard Road, Lothian, MD 20711
Tax Account # 1-000-90042993
Matter: Special Exception – Landscaping and tree contracting
S File No.: 113190-0141

Dear Ms. Jenkins:

Please be advised that Donald H. Entzian, sole member of Entzian Investments, LLC, is applying for a special exception to permit a landscaping operation on the real property located at Bayard Road, Lothian, MD 20711 (tax account number 1-000-90042993) (the "Property").

The Property is currently used to store various landscaping construction materials and vehicles.

The current use of the Property complies with the special exception requirements set forth in Anne Arundel County Code §18-16-304. Use of the property will not be detrimental to the public health, safety, or welfare. The location, nature, and height of each building, and the extent of landscaping on the Property, and the location, size, nature, and intensity of the use of the Property and its access roads is compatible with the appropriate and orderly development of the district in which the Property is located. Operations on the Property related to the landscaping operation will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed under this article and does not conflict with an existing or programmed public facility, public service, school, or road. The attached site plan reflects the Property's compliance with the Landscape Manual requirements.

The Property is not within a critical area and thus is not required to conform to the criteria for sites located in a critical area.

Additionally, the use of the Property complies with the standards set forth in Anne Arundel County Code §18-11-132. The Property contains approximately 50 acres, all located within the Rural Agricultural district. All vehicular access to the Property is directly from S. Polling House Road, a collector or higher classification road. Buildings and outdoor areas used for parking, loading or storage of vehicles, equipment, tools, and supplies are delineated on the attached site development plan and located at least 50 feet from all property lines and public roads. The maximum coverage for outdoor storage does not exceed 20% of the total lot area of the Property. Mr. Entzian will continue to restrict the hours of operation to 7:00 a.m. to 6:00 p.m. All outdoor

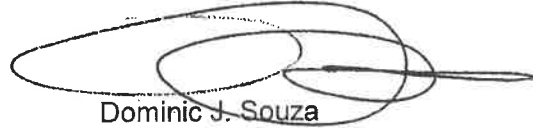
Anne Arundel County Office of Planning and Zoning
Zoning Division
February 3, 2025
Page 2 of 2

storage and parking areas are screened from neighboring properties in accordance with the Landscape Manual. If any minor repairs to vehicles or equipment are necessary, said repairs will occur inside a building.

Considering the above, we believe that the current use satisfies the special exception conditions set forth in Anne Arundel County Code §18-11-132 for landscaping and tree contractors and request approval of such special exception.

Please feel free to contact me if you have any questions. Thank you for your time and help with this matter.

Very truly yours,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

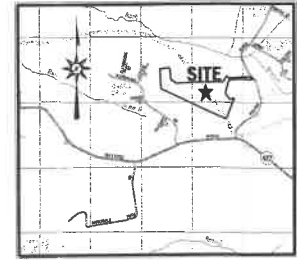
Dominic J. Souza

cc: Client

Via Email

PRE-FILE ADMINISTRATIVE SITE PLAN FOR ENTZIAN INVESTMENTS LLC

TAX MAP 67, GRID 11, PARCEL 51
FIRST DISTRICT ANNE ARUNDEL COUNTY
TAX ID #01-000-90042993



VICINITY MAP
SCALE: 1"=2000'
COPYRIGHT AND THE MAP PEOPLE
PERMITTED USE NO. 09301200

GENERAL NOTES

PROPERTY IS SHOWN ON TAX MAP 67, GRID 11, PARCEL 51, IN LOT 444, ANNE ARUNDEL COUNTY, MARYLAND.
OWNER/APPLICANT: ENTZIAN INVESTMENTS LLC
PO BOX 1398
10705 MARLBOROUGH RD, SUITE 210
LOTHIAN, MD 21111

CONSULTANT: BAY ENGINEERING INC.
2091 BAYVIEW ROAD, BUILDING 900
LOTHIAN, MD 21111
GEO BRUNTY J. MARTIN
P.L.L.C.

- EXISTING ZONING IS SA - RURAL AGRICULTURAL DISTRICT
- SITE ADDRESS: BAYVARD ROAD, LOT 11A, MD 20711
- SITE AREA IS 2.137,382 SQ. FT., OR 49.99 AC.
- EXISTING TOPOGRAPHY AND FEATURES SHOWN HEREON WERE TAKEN FROM A FIELD SURVEY COMPLETED BY BAY ENGINEERING INC. COURTESY UTILITIES AND FEATURES OF SURROUNDING PROPERTIES WERE TAKEN FROM A COMBINATION OF EXISTING COUNTY PUBLIC DRAWINGS AND SITE RECORDS.
- THE SITE IS LOCATED WITHIN THE OVERSICUTAGE BAY CRITICAL AREA.
- EXISTING SITE UTILITIES ARE AS FOLLOWS:
 - WATER - PRIVATE WELLS
 - SEWERAGE - PRIVATE SEPTIC AREA
- THE PROPERTY DESCRIBED HEREON IS LOCATED IN THE FLOOD HAZARD ZONE "F" AS DELINEATED BY THE FIRM FLOOD INSURANCE RATE PROGRAM DATED OCTOBER 15, 2015 FOR SAO COUNTY AND DISTRIBUTED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- THE EXISTING UTILITIES AND OBSTRUCTIONS SHOWN WERE FROM THE BEST AVAILABLE RECORDS.
- THE FIELD TEST APPLICATION HANDBOOK IS FROM 2016.
- SPECIAL ERECTION BLUE PLAN REQUEST IS FOR LANDSCAPING AND TREE CONTRACTOR AREA.

SURVEY CONTROL NOTE

THE COORDINATES AND ELEVATIONS SHOWN HEREON ARE BASED ON RTK (REAL TIME KINEMATIC) OBSERVATIONS USING A NETWORK GPS NETWORK. THE HORIZONTAL DATUM IS REFERENCED TO MARYLAND STATE PLANE (NAD 83) AND THE VERTICAL DATUM IS REFERENCED TO NAVD 83.

LEGEND

PROPERTY LINE / RIGHT-OF-WAY	
EXISTING FENCE	
EXISTING CONTOUR	
EXISTING SPOT ELEVATION	
EXISTING TREE PINK HUB	
EXISTING ZONING DESIGNATION	
EXISTING UTILITY POLE W/ OVERHEAD WIRE	
EXISTING PUBLIC SEWER	
EXISTING CONTOUR	
EXISTING EDGE OF PAVEMENT	
EXISTING WOODS LINE	
EXISTING HOUSE	
EXISTING PAVING	
EXISTING WELL	
WADING RESTRICTION LINE	
PROPOSED CONTOUR	
PROPOSED SPOT ELEVATION	
LIMIT OF DISTURBANCE	
REINFORCED S/T FENCE	
STONE CONSTRUCTION ENTRANCE	
PROPOSED EARTH	



OVERALL SITE BOUNDARY PLAN
SCALE: 1"=200'



CALL "MISS UTILITY"
TELEPHONE 1-800-337-7777
FOR UTILITY LOCATION AT
LEAST 48 HOURS BEFORE
BEGINNING CONSTRUCTION.

PLOTTED: Feb 03, 2025 - 11:28am

Rev. #	By	Date	Description

Change 01 018
Bay Engineering Inc.
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Warning: This document is an instrument of professional work prepared by the Engineering firm. Absolution of the engineer by any party other than the Engineering firm is a violation of the EITC Act as promulgated by the Board of Engineers and Architects.

Bay Engineering Inc.
Engineering, Surveying, Planning, Architecture, Environmental
2091 Bayview Road, Building 900
Lothian, MD 21111
Phone: 410-872-2020
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www.bayengr.com
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Date	FEBRUARY, 2025
Job Number	20-7958
Scale	AS SHOWN
Drawn By	JLS
Approved By	JLM
Folder Reference	ENTZIAN 502 BAYVARD ROAD

COVER SHEET
ADMINISTRATIVE SITE PLAN
FOR THE
ENTZIAN INVESTMENTS, LLC
BAYVARD ROAD
LOTHIAN, MD 20711
TAX ID #01-000-90042993
TAX MAP 67, GRID 11 -
FIRST DISTRICT - ANNE ARUNDEL COUNTY

Sheet No. 1 OF 2

F:\32075945 Entzian - Valvet Hammer Investments Inc - 362 Bayvard Road - Subdivision (See 17-5957)\Drawing Files\ADMIN SITE PLAN\32075945 ADMIN SITE PLAN.dwg OVERALL TOPO



STEUART PITTMAN, COUNTY EXECUTIVE
JESSICA LEYS, DIRECTOR
RECREATION AND PARKS
1 HARRY S. TRUMAN PKWY
ANNAPOLIS, MD 21401
AACOUNTY.ORG/RECPARKS



MEMORANDUM

TO: Sadé Medina, Zoning Division
Office of Planning and Zoning

FROM: Pat Slayton
Capital Projects Division

SUBJECT: Special Exception Case 2024-0060-S

DATE: February 12, 2025

The Department of Recreation and Parks has reviewed the above plans to determine if there may be impacts to the Anne Arundel County Green Infrastructure Network, parks, and trails. Please note our recommendations according to those findings below.

- A portion of this site lies within the Anne Arundel County Green Infrastructure Network in the Middle Patuxent Watershed, a proposed preservation area considered in the Anne Arundel County Green Infrastructure Master Plan

The Department of Recreation and Parks has no further comments.

cc: File



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE MEETING

DATE OF COMMENTS 6/8/2023

P&Z STAFF Joan Jenkins/Donna Aulds

APPLICANT/REPRESENTATIVE Denise Anderson EMAIL danderson@souzalaw.com

SITE LOCATION Bayard Rd, Lothia (Tax ID 1000-9004-2993) LOT SIZE 50.1 AC ZONING RA

CA DESIGNATION n/a BMA n/a or BUFFER n/a APPLICATION TYPE Special Exception

Applicant proposes a landscaping and tree contracting use on the property. Property is currently under zoning violation Z-2020-956.

COMMENTS

§ 18-11-132. Landscaping and tree contracting.

Landscaping and tree contracting facilities shall comply with all of the following requirements.

- (2) All vehicular access to the site shall be directly from a collector or higher classification road.

Access from S. Polling House Rd (collector). Aerial photos seem to show access from Bayard Rd perhaps over an easement on the property to the south. Address this in your explanation letter.

(3) Buildings and outdoor areas to be used for parking, loading or storage of vehicles, equipment, tools, and supplies shall be delineated on a site development plan and located at least 50 feet from all property lines and public roads, and maximum coverage for outdoor storage may not exceed 20% of the total lot area.

The southernmost existing building is shown as 50' from the lot line. Parking is slightly closer than 50'. On the site plan for the special exception the parking must be shown 50+/- feet or a variance is required to this provision.

(6) Accessory outdoor storage and parking areas shall be screened from neighboring properties in accordance with the Landscape Manual.

There was no comment on this from the Development Division.

The Development Division commented:

The following is noted as existing on-site:

1. Historical, Cemetery Easement;
2. Rock Branch 3 Stream, Type "Not Assessed" per County records, although if a Development Application is processed then the stream located onsite may require an assessment to determine if there is a stream buffer onsite. Existing disturbance is shown and it looks like the applicant may be operating the business per violation in #3.
3. Violation Open Z-2020-956.

Zoning: Particular Special Exception requirements under 18-11-132 must be addressed in the letter of explanation as well as the requirements for all special exceptions under 18-16-304.

INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

*** A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

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

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