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443-404-5284

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February 4, 2025

Anne Arundel County, Maryland  
Office of Planning & Zoning  
Zoning Administration  
2664 Riva Road  
Annapolis MD 21401

Re: Variance Application for Eric Bergendahl  
Building Permit B02431701  
3538 Oak Drive Edgewater MD 21037  
Lots 17 & 18 Block S, Section Two  
Loch Haven Beach

To whom it may concern:

The applicant, Eric Bergendahl, is requesting a variance to allow a two-story addition to an existing single-family dwelling. The R5-Residential Bulk regulations require a 20 setback from a structure to a side street property line. The addition is proposed to be located 13 feet from the side street property line of Magnolia Drive, therefore necessitating a variance request of seven feet.

The subject property consists of Lots 17 & 18, Block S, Section 2 in the subdivision of Loch Haven Beach. It is shown on Tax Map 60 in Block 04 part of Parcel 22. The site has a combined area of 17,800 square feet. It is located on the corner of Oak Drive and Magnolia Drive and is currently improved with an existing one-story frame single family dwelling, driveway, in-ground pool and concrete area, and two sheds.

The dwelling was constructed in 1963. The proposed addition to the dwelling will consist

of a first-floor garage with a second floor living room and bedroom. The applicant's father has recently moved into the home and one of his children has recently started driving. This has resulted in the number of household vehicles doubling in the last two years. Additionally, the family owns a few recreational vehicles. The location of the existing driveway cannot accommodate all the family vehicles. As a result, several of the family vehicles must park on the local street abutting the dwelling. The relocated driveway and the first level of the proposed dwelling addition will provide parking for all the family vehicles. The second floor of the proposed addition will also provide the applicant with much more needed additional living space for his family.

A review of the neighborhood indicates that it is comprised of an eclectic mix of one- and two-story homes with both attached and detached garages. Many of the homes were built prior to the enactment of the current R5 zoning setbacks. As previously noted, the dwelling and pool were constructed prior to the current zoning setback requirements. Based upon the location of the existing structures on the subject property, the property owner is severely limited as to where the proposed addition can be added to the dwelling.

It is our opinion that the granting of the subject variance is the minimum necessary to afford relief and to allow the applicant to further develop the subject property.

Furthermore, it does not appear that the approval of this variance request will alter the essential character of the neighborhood, nor will it impact adjacent properties.

It is our hope that you will consider these factors in your review and recommend the approval of the variance request of seven feet to the twenty-foot side street setback. Thank you in advance for your assistance with this matter. If you have any questions, please do not hesitate to call or email me

Sincerely,

*John Krause*

John Krause, President  
John Krause Construction, Inc.



# OAK DRIVE

N28°10'10"E 100.03'

THE LEVEL OF ACCURACY OF DISTANCES TO APPARENT PROPERTY LINES IS **1'±**



**MAGNOLIA DRIVE**  
R=874.00'  
L=134.07'

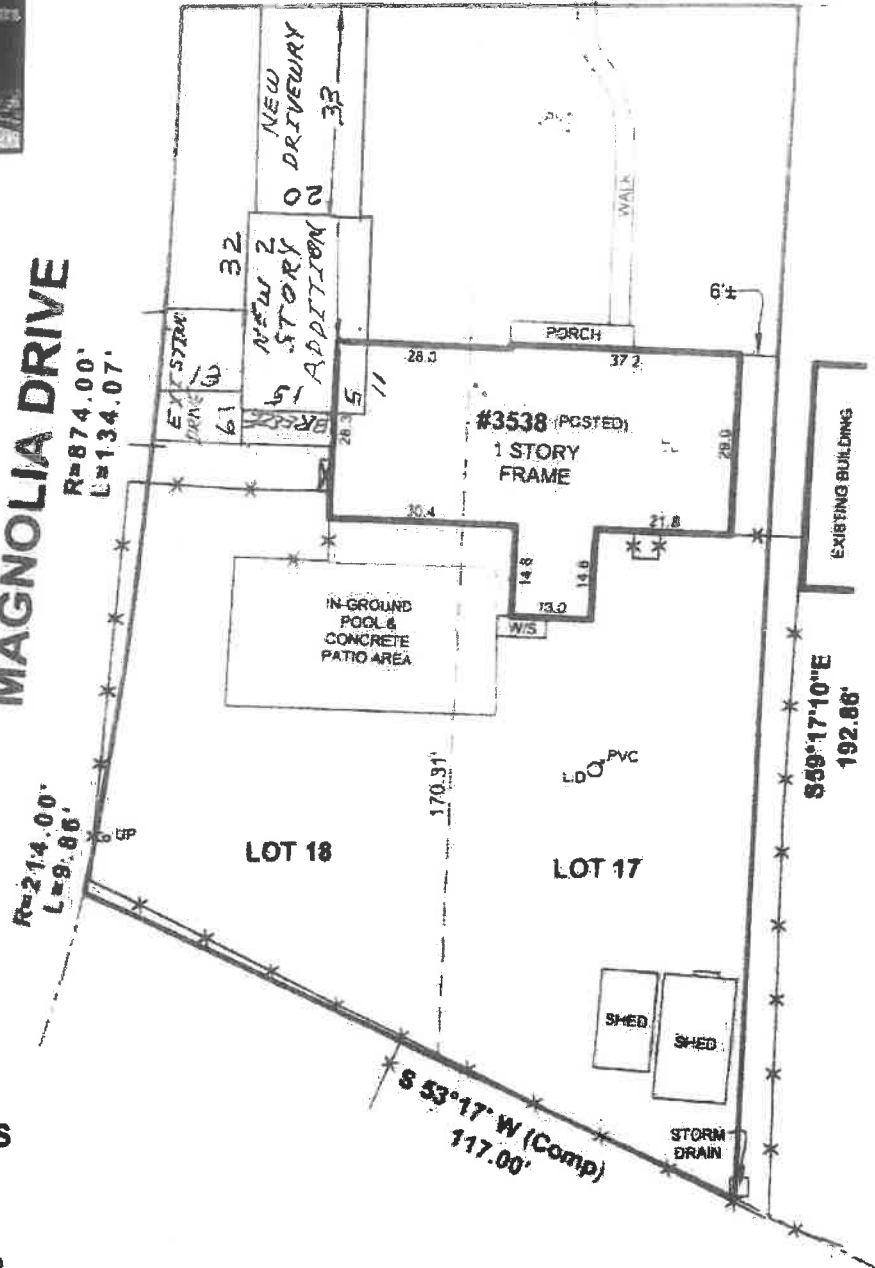
**LEGEND:**

- \* - FENCE
- BE - BASEMENT ENTRANCE
- BW - BAY WINDOW
- BR - BRICK
- BRL - BLDG. RESTRICTION LINE
- BSMT - BASEMENT
- C/S - CONCRETE STOOP
- CONC - CONCRETE
- DAW - DRIVEWAY
- UP - UTILITY POLE
- FR - FRAME
- MAC - MACADAM
- WW - WINDOW WELL
- OH - OVERHANG
- PUE - PUBLIC UTILITY ESMT.
- PIE - PUBLIC IMPROVEMENT ESMT.

**COLOR KEY:**

- (RED) - RECORD INFORMATION
- (BLUE) - IMPROVEMENTS
- (GREEN) - ESMTS & RESTRICTION LINES

LOCATION DRAWING OF:  
**#3538 & 3540 OAK DRIVE**  
**LOTS 17 & 18 BLOCK S**  
**SECOND SECTION OF**  
**LOCH HAVEN BEACH**  
**PLAT BOOK 19, PLAT 47**  
**ANNE ARUNDEL COUNTY, MARYLAND**  
**SCALE: 1"=30' DATE: 10-07-2024**  
**DRAWN BY: AP FILE #: 249102-200**



R=214.00'  
L=9.86'

S 53°17' W (Comp)  
117.00'

S 89°17'10"E  
192.86'

**SURVEYOR'S CERTIFICATE**

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 08.13.08 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS. THIS PLAN DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS PLAN IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1". NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.



A Land Surveying Company

**DULEY**  
and  
Associates, Inc.

Serving D.C. and MD.

14504 Elm Street, Upper Marlboro, MD 20772  
 Phone: 301-888-1111 Fax: 301-888-1114  
 Email: orders@duley.biz On the web: www.duley.biz

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: February 4, 2025

| Tax Map # | Parcel # | Block # | Lot # | Section |
|-----------|----------|---------|-------|---------|
| 60        | 22       | 04      | 17    |         |
| 60        | 22       | 04      | 18    |         |
|           |          |         |       |         |

| FOR RESUBMITTAL ONLY                                 |                          |
|--|--------------------------|
| Corrections  | <input type="checkbox"/> |
| Redesign   | <input type="checkbox"/> |
| No Change  | <input type="checkbox"/> |
| Non-Critical Area                                    | <input type="checkbox"/> |
| *Complete Only Page 1<br>General Project Information |                          |

Tax ID: 1480-0471-3500                      1480-0471-3450

Project Name (site name, subdivision name, or other)      Eric Bergendahl

Project location/Address      3538 Oak Drive

City      Edgewater                      Zip      21037

Local case number

Applicant:      Last name      Bergendahl                      First name      Eric

Company

**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:

Two story addition to a single family dwelling

|  |  |
|--|--|
| Intra-Family Transfer <input type="checkbox"/> | Yes <input type="checkbox"/>                   |
| Grandfathered Lot <input type="checkbox"/>     | Growth Allocation <input 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  |
|------------|-------|--------|
| IDA Area   |       |        |
| LDA Area   |       | 17,800 |
| RCA Area   |       |        |
| Total Area |       |        |

Total Disturbed Area Acres Sq Ft

|  |       |
|--|-------|
|  | 3,220 |
|--|-------|

1020 Sq Ft addition with 10' surrounding area for construction.  
# of Lots Created

|                                | Acres | Sq Ft |                       | Acres | Sq Ft |
|--------------------------------|-------|-------|-----------------------|-------|-------|
| Existing Forest/Woodland/Trees |       | 2,000 | Existing Lot Coverage |       | 4275  |
| Created Forest/Woodland/Trees  |       | 800   | New Lot Coverage      |       | 1020  |
| Removed Forest/Woodland/Trees  |       | 800   | Removed Lot Coverage  |       |       |
|                                |       |       | Total Lot Coverage    |       | 5295  |

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

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

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

**CRITICAL AREA REPORT WORKSHEET TO ACCOMPANY THE SITE PLAN**

Permit Number B02430609

Total Site Area 17,800 Square Feet (1 Acre = 43,560 Square Feet)

Total Wooded Area 2,000 Square Feet- 'Wooded' MEANS A BIOLOGICAL COMMUNITY DOMINATED BY TREES AND OTHER WOODY PLANTS (SHRUBS AND UNDERGROWTH), INCLUDING FORESTS THAT HAVE BEEN CUT BUT NOT CLEARED.

\* Please Indicate Square Footage of Woodland Removed for the following:

- |                                  |  |
|----------------------------------|--|
| 1. House _____ Sq. Ft.           | 5. Accessory Structure _____ Sq. Ft.                                 |
| 2. Septic or sewer _____ Sq. Ft. | 6. Additions <u>800</u> Sq. Ft.                                      |
| 3. Well _____ Sq. Ft.            | 7. Storm Water Management _____ Sq. Ft.                              |
| 4. Driveway _____ Sq. Ft.        | 8. Other Clearing: work area; access; stockpiles, etc. _____ Sq. Ft. |

\* Total Woodland Removed = 800 Sq. Ft.

"Impervious Coverage" IS ANY SURFACE THAT WILL NOT ABSORB LIQUID. THIS INCLUDES ROOFS, SIDEWALKS, DRIVEWAYS, AND ANY TYPE OF PAVEMENT. COMPACTED GRAVAEL IS CONSIDERED AN IMPERVIOUS SURFACE.

\* Please Indicate Square Footage of Impervious Coverage for the following:

- | <u>Existing Impervious</u>                  | <u>Proposed Impervious</u>            |
|---|---------------------------------------|
| 1. House (roof area) <u>1851</u> Sq. Ft.    | 1. House (roof area) _____ Sq. Ft.    |
| 2. Driveway + Sidewalks <u>750</u> Sq. Ft.  | 2. Driveway + Sidewalks _____ Sq. Ft. |
| 3. Accessory Structures <u>1674</u> Sq. Ft. | 3. Accessory Structures _____ Sq. Ft. |
|   | 4. Additions <u>1,020</u> Sq. Ft.     |

\* Total Existing and Proposed Impervious Coverage 5,295 Sq. Ft.

Ⓢ PLEASE INCLUDE ALL EXISTING AND PROPOSED SQUARE FOOTAGE.

I Eric Bergendahl (property owner), (property owner and contract purchaser, if applicable) hereby certify that the above critical area worksheet is true and correct based upon personal knowledge. I further declare that a copy of the foregoing document will be transferred to any purchaser of this property from me (or corporation, if applicable) at the time of settlement. I hereby understand that these computations shall be a binding part of issuance of a building permit for lot # 17 & 18, block # S Section 2 of Subdivision Loch Haven Beach.

I hereby certify that I have seen and read the record plat (if approved after 1986 and subject to Critical Area requirements) and have indicated on the attached site plan any easements, buffers, or other restrictions declared on said plat.

[Signature] (Signature) 2/5/25 (Date)

Owner - Schalkhouse Construction (Title)

\_\_\_\_ (Signature) \_\_\_\_\_ (Date)

\_\_\_\_ (Title)

## CRITICAL AREA REPORT NARRATIVE – VARIANCE APPLICATION

Eric Bergendahl  
3538 Oak Drive  
Edgewater, MD 21037  
Lot 17 & 18, Block S, Section Two Loch Haven Beach  
BP #B02430609

- The subject property is improved with a one-story single family residential dwelling and other residential improvements. The applicant is proposing a two-story addition to the dwelling.
- The property has an evergreen tree and a few shrubs in the front yard and a black gum tree and a small evergreen tree in the rear yard. The subject property has a total of approximately 2,000 square feet of tree and shrub canopy coverage. One tree located in the front yard with a canopy of approximately 800 square feet will be removed in order to construct the proposed addition. Upon completion of the proposed addition the applicant plans to replace the tree with another tree that is an approved native species tree.
- In order to minimize the impacts of the proposed construction on the environment and on water quality, the applicant will utilize proper stormwater management practices. Silt fences will be utilized to address sediment control and prevent stormwater runoff during construction.
- The subject property contains 4,275 square feet of impervious coverage. The proposed dwelling addition equals 1,300 square feet; however, 280 square feet of the proposed addition is proposed to be constructed over existing impervious surfaces. Therefore, the total impervious coverage after construction of the proposed addition will be **5,295 square feet**.



# 3538 Oak Drive topographic map



### Legend

- Foundation
  - Addressing
    - Parcels
      - Structure
        - County Structure
          - Elevation
            - Topo 2023
              - Index
                - Intermediate

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.

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes 1"=100'





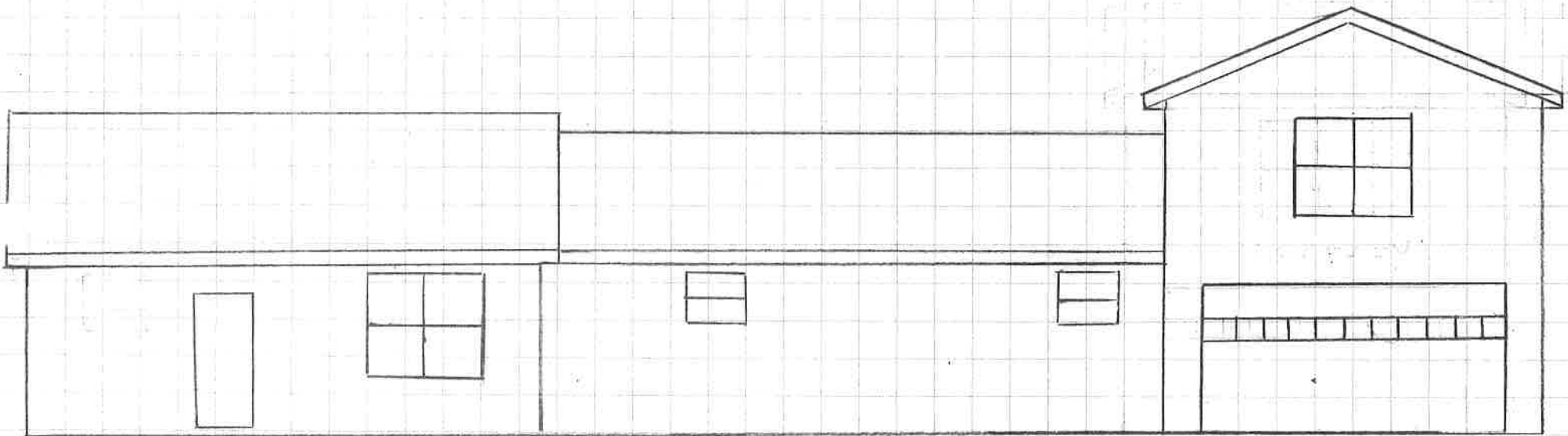
PAMALA BERKANDAKL  
3538 OAK DR  
EDGEWATER MD 21037  
SCALE: 1/8" = 1'



15'

80'

REAR



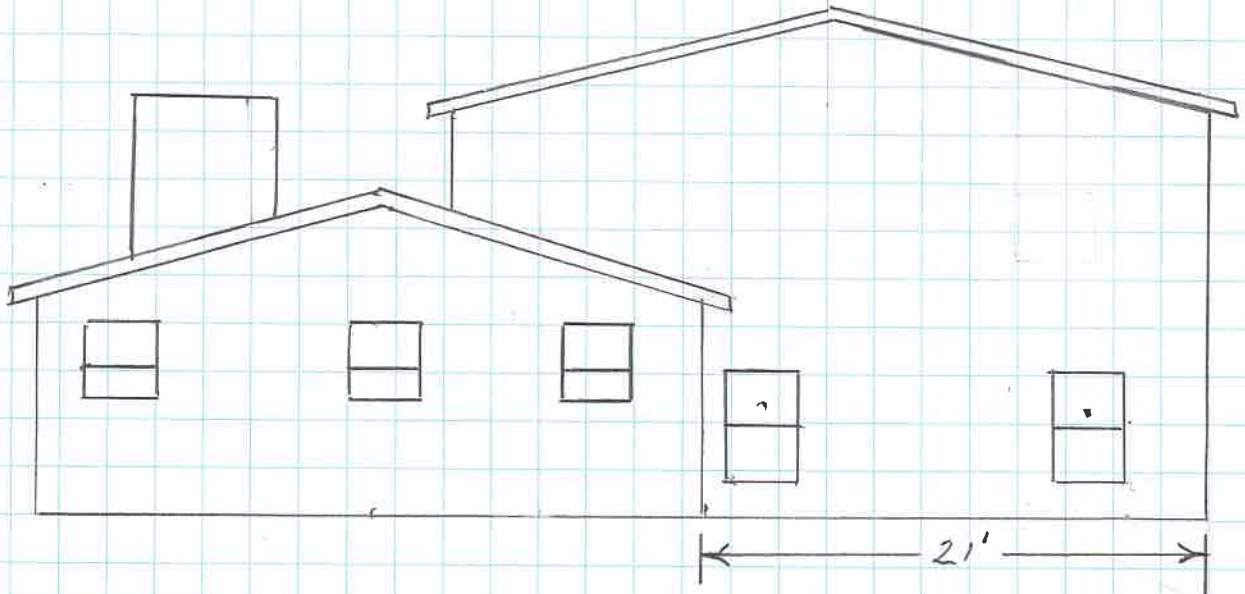
FRONT

80'

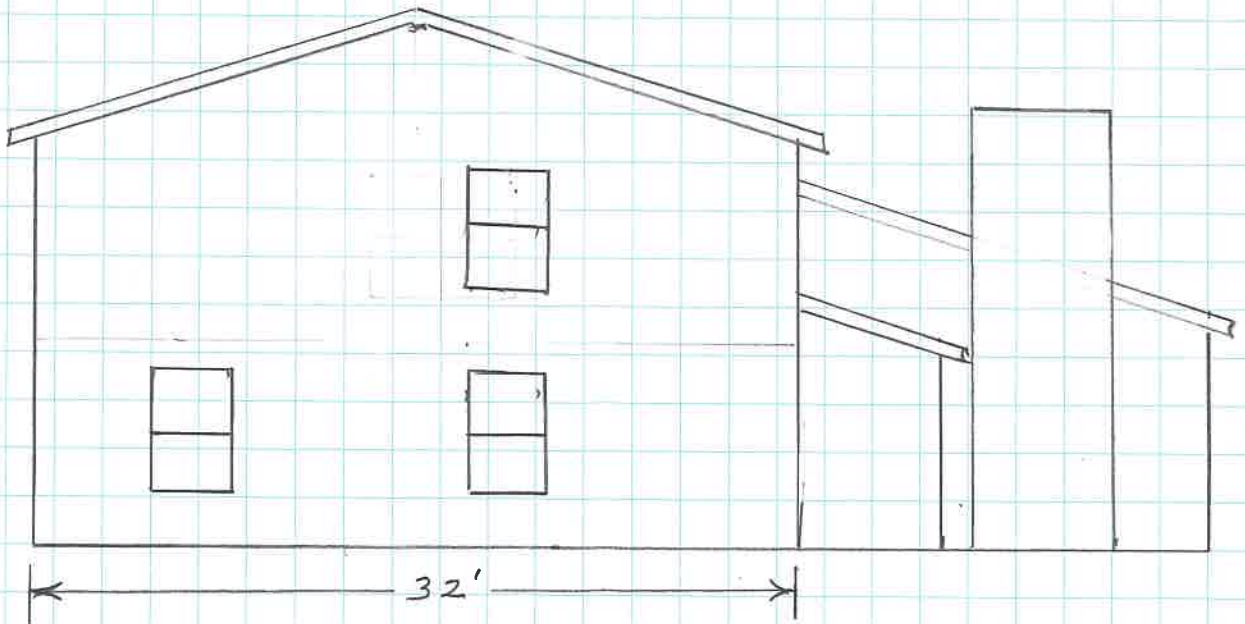
20'

PAMALA BERGANDAKL  
3538 OAK DR  
EDGEWATE MD 21037

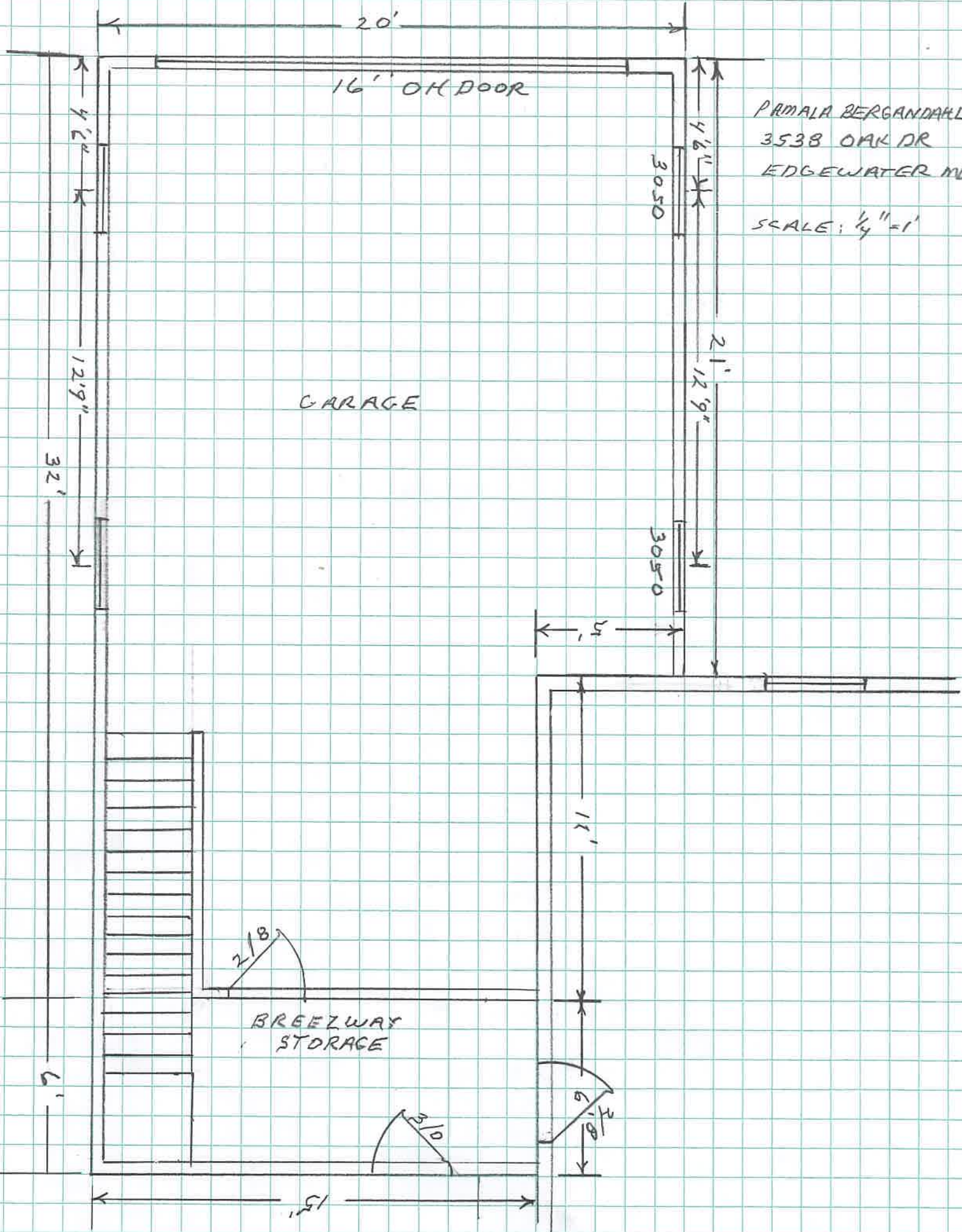
SCALE:  $\frac{1}{8}'' = 1'$



LEFT SIDE



RIGHT SIDE



PRMALA BERGANDAH  
 3538 OAK DR  
 EDGEWATER MD

SCALE: 1/4" = 1'

GARAGE

BREEZWAY  
 STORAGE

16" OH DOOR

20'

3050

4 1/2"

21' 12 9"

3050

5"

11'

6 7/8

3 1/10

2 1/8

15'

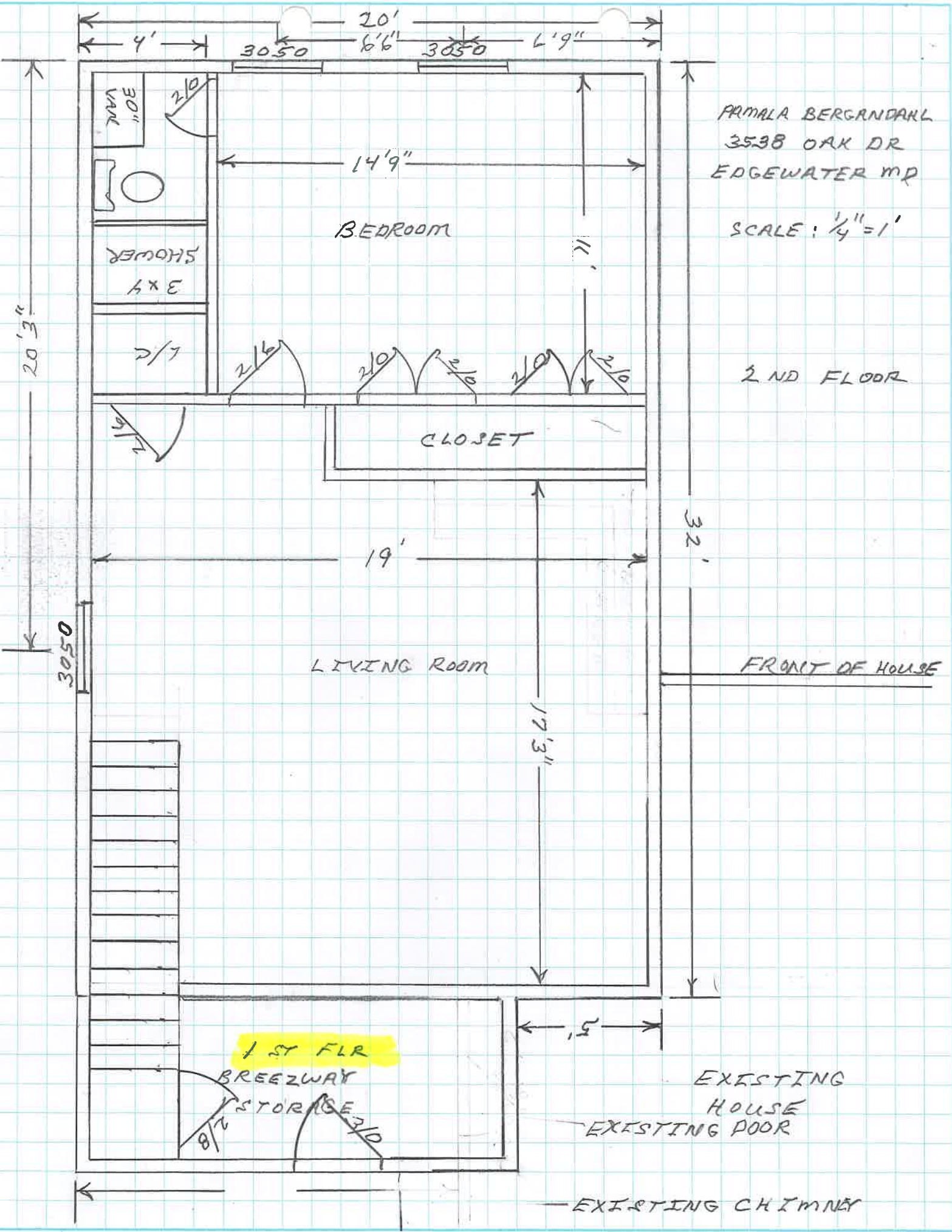
32'

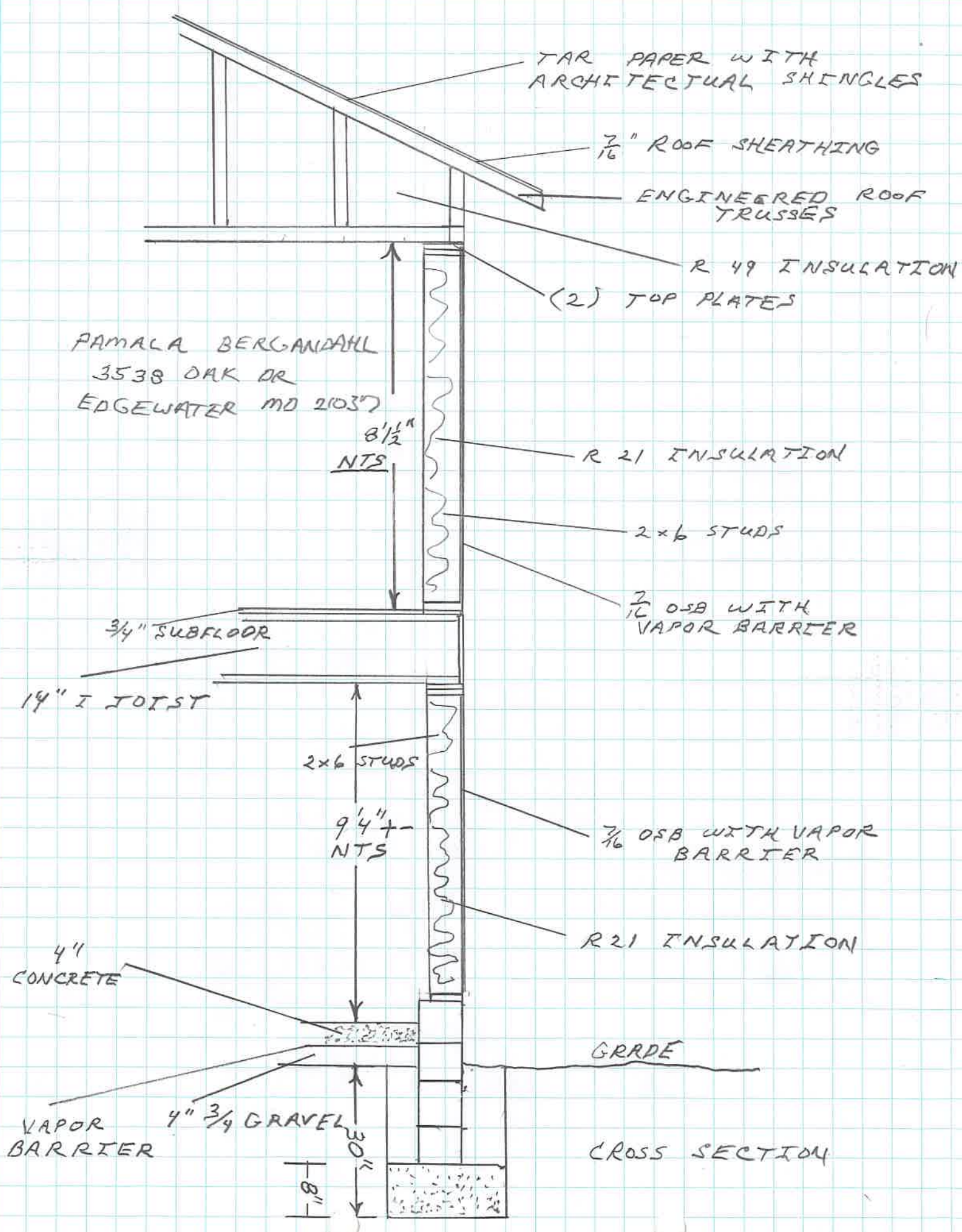
6'

4 1/2"

12 9"







TAR PAPER WITH ARCHITECTURAL SHINGLES

$\frac{7}{16}$ " ROOF SHEATHING

ENGINEERED ROOF TRUSSES

R 49 INSULATION

(2) TOP PLATES

PAMALA BERGANDAHLL  
3538 OAK DR  
EDGEWATER MD 21037

$8\frac{1}{2}$ "  
NTS

R 21 INSULATION

2x6 STUDS

$\frac{7}{16}$  OSB WITH VAPOR BARRIER

$\frac{3}{4}$ " SUBFLOOR

14" I JOIST

2x6 STUDS

$9\frac{1}{4}$ "  
NTS

$\frac{7}{16}$  OSB WITH VAPOR BARRIER

R 21 INSULATION

4" CONCRETE

GRADE

VAPOR BARRIER

4"  $\frac{3}{4}$  GRAVEL

30"

8"

CROSS SECTION