

March 6, 2025

Anne Arundel County
Office of Planning and Zoning
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

RE: Variance Extension Request 2023.130V
Article 18, Section 16-405(a)
LINDAMOOD ON THE SEVERN, P/O LOT 6 & ACCRETION LAND
1829 Cove Point Road
Annapolis, Maryland 21401
Tax Account #02-485-11240900

Dear Sir or Madam:

On behalf of the owners Mr. Thomas Heyer and Mrs. Deborah Odell; our firm Drum, Loyka, & Associates, LLC is requesting a variance extension for the above referenced property. Specifically, a variance is requested to Article 18, Section 16-405(a) for a time extension to the variance expiration of April 3, 2025 for case number 2023.130V.


On October 3, 2023, the property owners received variance approval to demolish the existing house and to construct a new one-story dwelling with partial basement and crawl space, utilizing the same foundation with several modest dwelling and porch expansions and a reconfigured driveway, the Order of which is included as Attachment 1. The Hearing Officer approved a critical area variance to Anne Arundel County code §17-8-301 to allow the disturbance of the buffer and/or expanded buffer for the proposed improvements.

While the grading permit G02020062 is ready for approval pending securities, due to unforeseen delays, and building permit requirements the applicants have not been able to receive approvals and proceed with construction. An extension of 18 months is being requested in order to give the property owners the time needed to continue with the project requirements and obtain permits needed for construction.

Thank you for your consideration to this matter. If you have any questions, please contact me at your earliest convenience at 410-280-3122 or via e-mail lgroen@drumloyka.com.

Sincerely,

DRUM, LOYKA AND ASSOCIATES, LLC



Lisette C. Groen
Civil Engineering Senior Designer

Cc: Thomas Heyer
Deborah Odell

Clock Tower Place, 1410 Forest Drive, Suite 35 • Annapolis, Maryland 21403
Phone (410) 280-3122 • Fax (410) 280-1952 • www.drumloyka.com

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER: 2023-0130-V

THOMAS N. HEYER AND DEBORAH A. ODELL

SECOND ASSESSMENT DISTRICT

DATE HEARD: SEPTEMBER 21, 2023

ORDERED BY:

DOUGLAS CLARK HOLLMANN
ADMINISTRATIVE HEARING OFFICER

PLANNER: **SARA ANZELMO**

DATE FILED: **OCTOBER 3, 2023**

PLEADINGS

Thomas N. Heyer and Deborah A. Odell, the applicants, seek a variance (2023-0130-V) to allow a dwelling and associated facilities with less setbacks and buffer than required on property with a street address of 1829 Cove Point Road, Annapolis, MD 21401.

PUBLIC NOTIFICATION

The hearing notice was posted on the County's website in accordance with the County Code. The file contains the certification of mailing to community associations and interested persons. Each person designated in the application as owning land that is located within 300 feet of the subject property was notified by mail, sent to the address furnished with the application. Mark Evans testified that the property was posted for more than 14 days prior to the hearing. An affidavit of Wes Carlsen confirmed the testimony of the witness (Applicants' Exhibit 1). Therefore, I find and conclude that there has been compliance with the notice requirements.

FINDINGS

A hearing was held on September 21, 2023, in which the witnesses were sworn and the following was presented regarding the proposed variance requested by the applicants.

The Property

The applicants own the subject property which has 50 feet of frontage on the south side of Cove Point Road (Tax ID: 2485-1124-0900). It is known as Part

of Lot 6 of Parcel 100 in Block 8 on Tax Map 45F in the Lindamoor on the Severn subdivision. The property comprises 1.4 acres and is split-zoned R2–Residential District and OS – Open Space District. This waterfront lot fronts the Severn River to the north and Cove of Cork to the southeast. The subject property is designated in the Chesapeake Bay Critical Area as limited development area (LDA) and part Resource Conservation Area (RCA). The property is not mapped as buffer modified and is subject to the standard buffer regulations.

The site is currently developed with a single-family dwelling with a basement/garage, a pier, and other associated facilities.

The Proposed Work

The proposal calls to demolish the existing house and to construct a new one-story¹ dwelling with a partial basement and crawl space, using the same foundation as shown on the site plan admitted into evidence at the hearing as County Exhibit 2. Several modest dwelling and porch expansions and a new driveway are also proposed. The dwelling would be 19.6 feet high.

The Anne Arundel County Code

§ 18-13-104(a) requires that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams, and tidal wetlands. § 18-13-104(b) provides for an expanded buffer where there are,

¹ The letter of explanation and site plan indicate that the new dwelling will remain one story with a partial basement and partial crawl space. However, the construction drawings appear to show a one-and-a-half story dwelling. The applicants' representative indicated that there will be no living floor space above the first level. Some areas above the first level will have vaulted ceilings and others will be attic space and HVAC/mechanical.

among other things, steep slopes. § 17-8-301 of the Subdivision Code states that development on properties containing buffers shall meet the requirements of Title 27 of the State Code of Maryland (COMAR). Section 27.01.01(B)(8)(ii) of COMAR states a buffer exists “to protect a stream, tidal wetland, tidal waters, or terrestrial environment from human disturbance.” Section 27.01.09 E.(1)(a)(ii) of COMAR authorizes disturbance to the buffer for a new development activity or redevelopment activity by variance. In the case of the subject property, the site is encumbered by the buffer to tidal water/wetlands, which expands to include 50 feet beyond the top of the steep slopes. The existing dwelling is located almost entirely within the expanded buffer. The proposed redevelopment would necessitate a variance to disturb approximately 3,736 square feet of the expanded buffer. If approved, the actual amount of buffer disturbance would be determined at the time of permitting.

The Variance Requested

The proposed work will require a critical area variance from the prohibition in § 17-8-301 against disturbing the expanded buffer to allow the applicants to construct the proposed dwelling as shown on County Exhibit 2, with the actual disturbance to be determined at the time of permitting.

The Evidence Submitted At The Hearing

Findings and Recommendations of the Office of Planning and Zoning (OPZ)

Sara Anzelmo, a zoning analyst with the OPZ, presented the following findings:

- The subject site is irregular in shape and far exceeds the minimum 20,000 square foot lot area and 80-foot lot width required for a lot not served by public sewer in an R2 district. The existing critical area lot coverage is 8,544 square feet. The proposed coverage would decrease to 7,147 square feet, which falls below the maximum coverage allowed.
- The Office of Inspections and Permits (Engineering Division) provided a list of items to be addressed at permitting, but offers no objection as long as those items are addressed with the grading permit application.
- The Development Division (Critical Area Team) commented that, based on the proposed method of construction within the existing area of development, the Team offers no objection. Mitigation and SWM [stormwater management] must be addressed with the permit application. The Team also notes that a modification will not be required for the disturbance of the required slope buffer since the variance for the expanded buffer provides the necessary relief.
- The Critical Area Commission took no position on the variance request, but commented that appropriate mitigation is required.

- The Department of Health does not have an approved plan for this project, but has no objection to the request as long as a plan is submitted to and approved by the Department.
- For the granting of a critical area variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular property, strict implementation of the County's Critical Area Program would result in an unwarranted hardship. In this particular case, steep slopes are present near the shoreline, causing the buffer to expand to include a significant portion of the property. The existing house is already located almost entirely within the expanded buffer, preventing any redevelopment without a critical area variance. As such, a literal interpretation of the County's Critical Area Program would deprive the applicants of rights that are commonly enjoyed by other properties in similar areas by denying a replacement of/upgrade to the modest, outdated (c. 1961) dwelling on this existing residentially zoned lot.
- The granting of the variance would not confer on the applicants a special privilege that would be denied by COMAR, Title 27. The variance request is not based on conditions or circumstances that are the result of actions by the applicants and does not arise from any condition relating to land or building use on any neighboring property. With proper mitigation and stormwater management, the granting of the variance would not adversely affect water quality or impact fish, wildlife, or plant habitat and would be in harmony with

the general spirit and intent of the County's Critical Area Program. The applicants have evaluated and implemented site planning alternatives and have overcome the presumption that the specific development does not conform to the general purpose and intent of the critical area law.

- With regard to the requirements for all variances, approval would not alter the essential character of the neighborhood nor would it substantially impair the appropriate use or development of adjacent property. The proposed dwelling would be in keeping with the surrounding area and would exceed the minimum setbacks required from all property lines. The variance would not reduce forest cover in the limited development area or resource conservation area, would not be contrary to acceptable clearing and replanting practices, and would not be detrimental to the public welfare.
- The proposed dwelling is not considered to be excessive, and the applicants have worked to minimize the disturbance by keeping the development primarily within the already developed areas. As such, the requested variance is justified and is deemed to be the minimum necessary to afford relief in this case.
- Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, OPZ recommends approval of the critical area variance.

Other Testimony and Exhibits

The applicants were assisted at the hearing by Mark Evans and Lisette Groen of Drum, Loyka & Associates, LLC, the applicants' engineers, and Terry Averill, Barbara Sweeney, and Kyle Pessagno of T. Averill Architect, LLC, the applicants' architects. Evidence was presented that the applicants wish to raze the existing dwelling on their property and replace it with a new structure that will use the existing foundation. The existing dwelling that will be removed is entirely within the expanded buffer, necessitating a critical area variance to allow the applicants to replace their existing home.

There was no other testimony taken or exhibits received in the matter. The Hearing Officer did not visit the property.

DECISION

State Requirements for Critical Area Variances

§ 8-1808(d)(2) of the Natural Resources Article, Annotated Code of Maryland, provides in subsection (ii), that "[i]n considering an application for a variance [to the critical area requirements], a local jurisdiction shall presume that the specific development in the critical area that is subject to the application and for which a variance is required does not conform to the general purpose and intent of this subtitle, regulations adopted under this subtitle, and the requirements of the jurisdiction's program." (Emphasis added.) "Given these provisions of the State criteria for the grant of a variance, the burden on the applicant is very high."

Becker v. Anne Arundel County, 174 Md. App. 114, 124; 920 A.2d 1118, 1124 (2007).

In *Becker v. Anne Arundel County*, *supra*, 174 Md. App. at 131; 920 A.2d at 1128, the Court of Special Appeals discussed the history of the critical area law in reviewing a decision from this County. The court's discussion of the recent amendments to the critical area law in 2002 and 2004, and the elements that must be satisfied in order for an applicant to be granted a variance to the critical area, is worth quoting at length:

In 2002, the General Assembly amended the [critical area] law. ... The amendments to subsection (d) provided that, (1) in order to grant a variance, the Board had to find that the applicant had satisfied each one of the variance provisions, and (2) in order to grant a variance, the Board had to find that, without a variance, the applicant would be deprived of a use permitted to others in accordance with the provisions in the critical area program. ... The preambles to the bills expressly stated that it was the intent of the General Assembly to overrule recent decisions of the Court of Appeals, in which the Court had ruled that, (1) when determining if the denial of a variance would deny an applicant rights commonly enjoyed by others in the critical area, a board may compare it to uses or development that predated the critical area program; (2) an applicant for a variance may generally satisfy variance standards rather than satisfy all standards; and, (3) a board could grant a variance if the critical area program would deny development on a specific portion of the applicant's property rather than considering the parcel as a whole.

...

In 2003, the Court of Appeals decided *Lewis v. Dept. of Natural Res.*, 377 Md. 382, 833 A.2d 563 (2003). *Lewis* was decided under the law as it existed prior to the 2002 amendments (citation omitted), and held, *inter alia*, that (1) with respect to variances in buffer areas, the correct standard was not whether the property owner retained reasonable and significant use of the property outside of the buffer, but whether he or she was being denied reasonable use within the buffer, and (2) that the unwarranted hardship factor was the determinative consideration and the other factors merely provided the board with guidance. *Id.* at 419-23, 833 A.2d 563.

Notwithstanding the fact that the Court of Appeals expressly stated that *Lewis* was decided under the law as it existed prior to the 2002 amendments, in 2004 Laws of Maryland, chapter 526, the General Assembly again amended State law by enacting the substance of Senate Bill 694 and House Bill 1009. The General Assembly expressly stated that its intent in amending the law was to overrule *Lewis* and reestablish the understanding of unwarranted hardship that existed before being “weakened by the Court of Appeals.” In the preambles, the General Assembly recited the history of the 2002 amendments and the *Lewis* decision. The amendment changed the definition of unwarranted hardship [found in § 8-1808(d)(2)(i)] to mean that, “without a variance, an applicant would be denied reasonable and significant use of the entire parcel or lot for which the variance is requested.” (Emphasis added.)

The question of whether the applicants are entitled to the variance requested begins, therefore, with the understanding that, in addition to the other specific factors that must be considered, the applicants must overcome the presumption,

“that the specific development in the critical area that is subject to the application ... does not conform to the general purpose and intent of [the critical area law].”² Furthermore, the applicants carry the burden of convincing the Hearing Officer “that the applicant has satisfied each one of the variance provisions.”³ (Emphasis added.) “*Anne Arundel County’s local critical area variance program contains ... separate criteria. ...Each of these individual criteria must be met.*” *Becker v. Anne Arundel County, supra*, 174 Md. App. at 124; 920 A.2d at 1124. (Emphasis in original.) In other words, if the applicants fail to meet just *one* of these criteria, the variance is *required* to be denied.

In *Assateague Coastal Trust, Inc. v. Roy T. Schwalbach, et al.*, 448 Md. 112, 2016, the Court of Appeals considered an appeal claiming that a variance granted by the Worcester County Board of Appeals to allow a property owner to extend a pier across state-owned marshland from his property should not have been granted. The pier would be 80 feet longer than allowed by the Worcester County ordinance. The variance was granted. The Court of Appeals visited the history of the critical area law and efforts by the Legislature to amend and clarify the law. The Court grappled with the phrase “unwarranted hardship,” and asked if “an applicant [must] demonstrate a denial of *all* reasonable and significant use of

² § 8-1808(d) (2) (ii) of the Natural Resources Article. References to State law do not imply that the provisions of the County Code are being ignored or are not being enforced. If any difference exists between County law and State law, or if some State criteria were omitted from County law, State law would prevail. *See*, discussion on this subject in *Becker v. Anne Arundel County, supra*, 174 Md. App. at 135; 920 A.2d at 1131.

³ § 8-1808(d) (4) (ii).

the entire property [which was the then-existing standard], or must the applicant show a denial of a reasonable and significant use of the entire property?” (At page 14.) The Court concluded, on page 28, that:

In summary, in order to establish an unwarranted hardship, the applicant has the burden of demonstrating that, without a variance, the applicant would be denied a use of the property that is both significant and reasonable. In addition, the applicant has the burden of showing that such a use cannot be accomplished elsewhere on the property without a variance. (Emphasis added.)

County Requirements for Critical Area Variances

§ 18-16-305(b) sets forth six separate requirements (in this case) that must be met for a variance to be issued for property in the critical area. They are (1) whether a denial of the requested variance would constitute an unwarranted hardship, (2) whether a denial of the requested variance would deprive the applicants of rights commonly enjoyed by other property owners, (3) whether granting the variance would confer a special privilege on the applicants, (4) whether the application arises from actions of the applicants, or from conditions or use on neighboring properties, (5) whether granting the application would not adversely affect the environment and be in harmony with the critical area program, and (6) whether the applicants have overcome the presumption in Natural Resources Article, § 8-1808(d)(2)(ii), of the State law that the variance request should be denied.

Provided that the applicants meet the above requirements, a variance may not be granted unless six additional factors are found: (1) the variance is the minimum variance necessary to afford relief; (2) the granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located; (3) the variance will not substantially impair the appropriate use or development of adjacent property; (4) the variance will not reduce forest cover in the limited development and resource conservation areas of the critical area; (5) the variance will not be contrary to acceptable clearing and replanting practices required for development in the critical area; or (6) the variance will not be detrimental to the public welfare.

Findings – Critical Area Variance

Subsection (b)(1) - Unwarranted Hardship.

As explained in the *Assateague Coastal Trust* case discussed above, an unwarranted hardship is something that would deny a property owner a use of his or her property “that is both significant and reasonable” and “which cannot be accomplished elsewhere on the property without a variance.” The applicants wish to replace their existing home, which is in the expanded buffer. They cannot rebuild their home without a critical area variance because it is located in the expanded buffer. They cannot build a new home elsewhere on their property. Therefore, I find that the proposed replacement dwelling is a “significant and reasonable” use of the applicants’ property “which cannot be accomplished

elsewhere on the property without a variance.” Therefore, I find that, the applicants **have met** the requirements of subsection (b)(1).

Subsection (b)(2) - Deprive Applicants of Rights

I find that the applicants would be deprived of rights commonly enjoyed by other properties in similar areas as permitted in accordance with the provisions of the Critical Area Program, i.e., the right, on these facts, to replace their home as proposed. Therefore, I find that the applicants **have met** the requirements of subsection (b)(2).

Subsection (b)(3) - Special Privilege

I further find that the granting of the requested critical area variance would not confer on the applicant a special privilege that would be denied by COMAR, 27.01, the County’s Critical Area Program, to other lands or structures within the County’s critical area. Therefore, I find that the applicants **have met** the requirements of subsection (b)(3).

Subsection (b)(4) - Actions By Applicants Or Neighboring Property

I find that the requested critical area variance is not based on conditions or circumstances that are the result of actions by the applicants, 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. Therefore, I find that the applicants **have met** the requirements of subsection (b)(4).

Subsection (b)(5) - Water Quality, Intent of Critical Area Program

The granting of the requested critical area 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. The property is developed and the applicants will install stormwater management devices that are not on the property now. This will be in harmony with the general spirit and intent of the County's Critical Area Program. Therefore, I find that the applicants **have met** the requirements of subsection (b)(5).⁴

Subsection (b)(7) - § 8-1808(d)(2)(ii) Presumption

In *Becker v. Anne Arundel County*, *supra*, 174 Md. App. at 133; 920 A.2d at 1129, the Court of Special Appeals discussed the presumption found in § 8-1808(d)(2)(ii) of the Natural Resources Article: "The amendment also created a presumption that the use for which the variance was being requested was not in conformity with the purpose and intent of the Critical Area Program."

I find that the applicants have overcome the presumption contained in the Natural Resources Article, § 8-1808(d)(2), of the State law (which is incorporated into § 18-16-305 subsection (b)(7)) for the reasons set forth above. Therefore, I find that the applicants **have met** the requirements of subsection (b)(7).⁵

⁴ Subsection (b)(6) relates to bogs which are not a factor in this decision.

⁵ Subsection (b)(8) relates to § 18-16-201 which sets out requirements for a pre-filing plan and administrative site plan, and other things not relevant here.

Accordingly, the request for a variance to disturb the expanded buffer will be granted.

ORDER

PURSUANT to the application of Thomas N. Heyer and Deborah A. Odell, petitioning for a variance to allow a dwelling and associated facilities with less setbacks and buffer than required on property with a street address 1829 Cove Point Road, Annapolis, MD 21401;

PURSUANT to the notice, posting of the property, and public hearing and in accordance with the provisions of law, it is this **3rd day of October, 2023**,

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicants are **granted** a critical area variance from the prohibition in § 17-8-301 against disturbing the expanded buffer to allow the applicants to construct the proposed dwelling as shown on County Exhibit 2, with the actual disturbance to be determined at the time of permitting.

The foregoing variance is subject to the applicants complying with any instructions and necessary approvals from the Office of Planning and Zoning and/or the Department of Inspections and Permits, the Department of Inspections and Permits, the Department of Health, and/or the Critical Area Commission.

This Order does not constitute a building permit. In order for the applicants to construct the structures permitted in this decision, they must apply for and obtain the necessary building permits, along with any other approvals required to perform the work described herein.

Furthermore, County Exhibit 2, referenced in this decision, is incorporated herein as if fully set forth and made a part of this Order.⁶ The proposed improvements shown on County Exhibit 2 shall be constructed on the subject property in the locations shown therein. The decision and order shall not prohibit the applicants from making minor changes to the facilities as presently shown on County Exhibit 2 to adjust for changes made necessary by comments or requirements that arise during plan review or construction, provided those minor changes do not exceed the variance granted herein. The reasonableness of any such change shall be determined by the Office of Planning and Zoning and/or the Department of Inspections and Permits.



Douglas Clark Hollmann
Administrative Hearing Officer

NOTICE TO APPLICANTS

This Order does not constitute a building permit. In order for the applicants to perform the work permitted in this decision, the applicants must apply for and obtain the necessary building permits, along with any other approvals required to perform the work described herein.

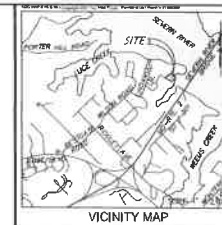
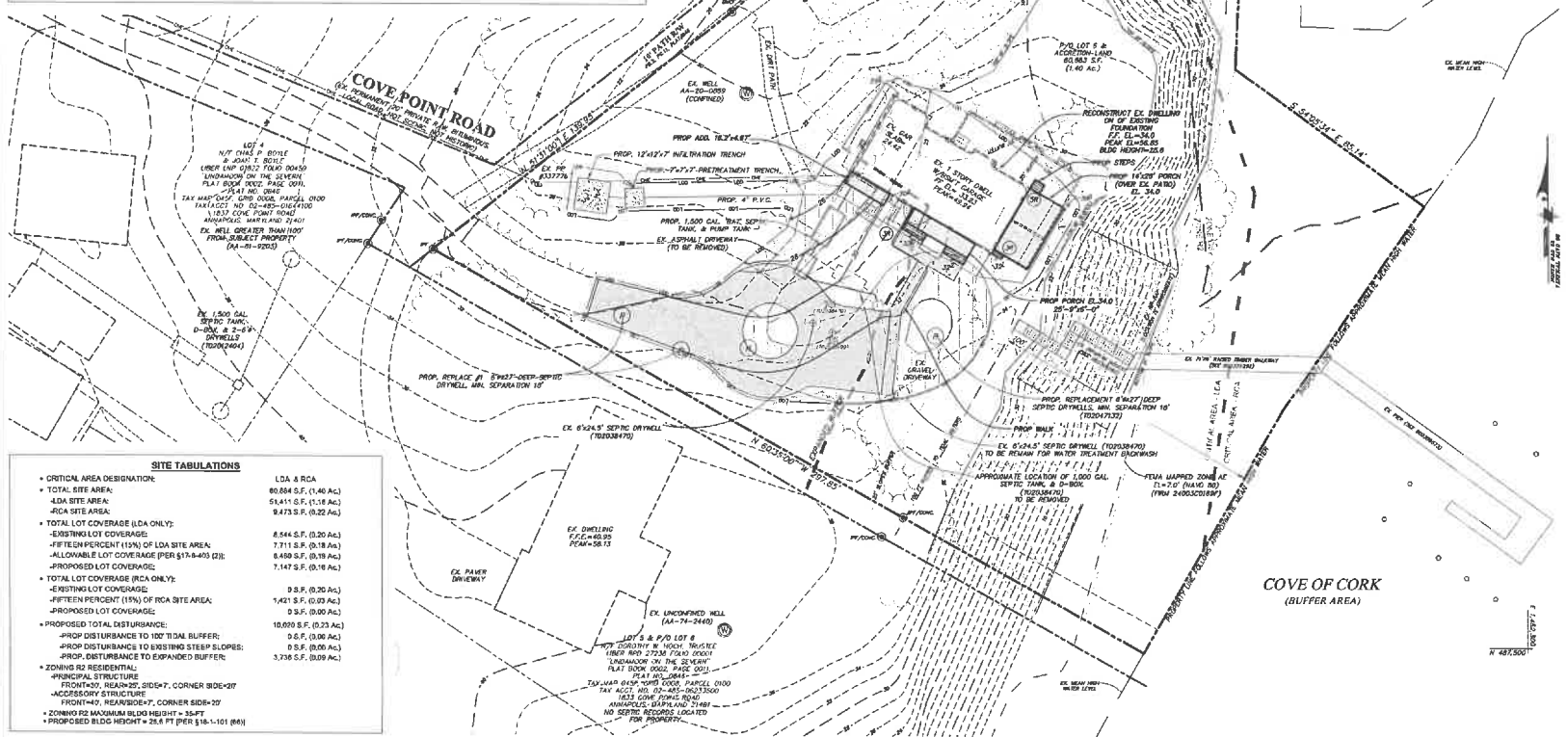
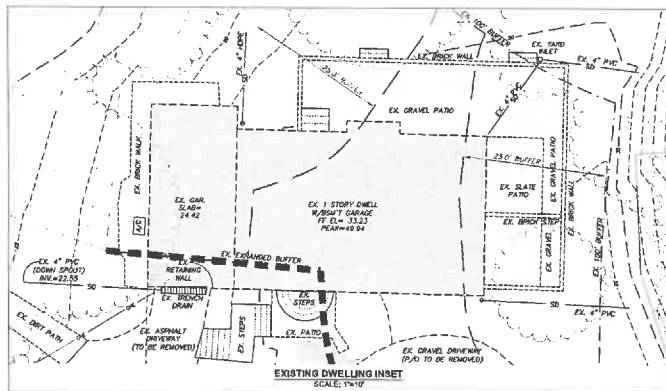
Any person, firm, corporation, or governmental agency having an interest in this Decision and aggrieved thereby may file a Notice of Appeal with the County Board of Appeals within thirty (30) days from the date of this Decision. If the variance or variances granted in this case relate to work in the critical area, a permit for the activity that was the subject of this variance application will not be issued until the appeal period has elapsed.

⁶ A new site plan marked County Exhibit 2 and dated September 21, 2023 was provided after the hearing to include information regarding the height of the proposed new dwelling.

Further, § 18-16-405(a) provides that a variance or special exception that is not extended or tolled **expires by operation of law** unless the applicants **within 18 months** of the granting of the variance or special exception (1) obtain a building permit or (2) files an application for subdivision. Thereafter, the variance or special exception shall not expire so long as (1) construction proceeds in accordance with the permit or (2) a record plat is recorded among the land records pursuant to the application for subdivision, the applicants obtain a building permit within one year after recordation of the plat, and construction proceeds in accordance with the permit.

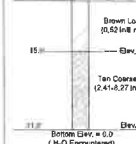
If this case is not appealed, exhibits must be claimed within 60 days of the date of this Order, or they may be discarded.

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PERC TEST 101 BORING LOG
Project Location:
1828 Cove Point Road
Annapolis, MD 21401
Date: 06-15-20

Existing Ground Elev. = 1.04'



EXISTING SEPTIC SYSTEM NOTE

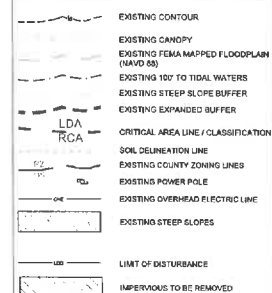
The existing septic system was installed on 1/10/2008 for an existing dwelling with 1,744 sf of living space. Two (2) 6-8 Diameter Drywells 25.5-ft deep with an effective depth of 14.5 ft were installed and are currently sized for a maximum house size up to 2,499 sf.

OUTFALL STATEMENT

A field investigation of the site outfall was performed by Drum, Loyka, & Associates, LLC on January 8th, 2020. Site topography allows the site to drain radially along the shoreline. However, the majority of the property, including all of the temporary disturbance resulting from this permit, drain to the Northwest portion of the property. For this reason, a single site outfall in this region was selected for analysis. Specifically, the site outfall is a tidal outfall into the Severn River. On-site topography disposes runoff by shallow concentrated flow to the site outfall. The shoreline appears and will remain in stable condition after development. The shoreline has been further stabilized by a series of breakwaters in conjunction with various wetland, shoreline vegetation.

STORMWATER MANAGEMENT REGULATION NOTE

This plan was prepared under the 2010 regulations for stormwater management. Stormwater management practices will be provided for this site in accordance with Article 15, Section 4 of the Anne Arundel County Code. ESD to the MSP is achieved through infiltration trenches.



SITE TABULATIONS	
• CRITICAL AREA DESIGNATIONS:	LDA & RCA
• TOTAL SITE AREA:	80,884 S.F. (1.46 AC)
• LDA SITE AREA:	55,411 S.F. (1.18 AC)
• RCA SITE AREA:	8,473 S.F. (0.22 AC)
• TOTAL LOT COVERAGE (LDA ONLY):	
-EXISTING LOT COVERAGE:	5,541 S.F. (0.20 AC)
-FIFTEEN PERCENT (15%) OF LDA SITE AREA:	7,711 S.F. (0.18 AC)
-ALLOWABLE LOT COVERAGE (PER §17-8-403 (2)):	8,489 S.F. (0.19 AC)
-PROPOSED LOT COVERAGE:	7,147 S.F. (0.16 AC)
• TOTAL LOT COVERAGE (RCA ONLY):	
-EXISTING LOT COVERAGE:	0 S.F. (0.00 AC)
-FIFTEEN PERCENT (15%) OF RCA SITE AREA:	1,421 S.F. (0.03 AC)
-PROPOSED LOT COVERAGE:	0 S.F. (0.00 AC)
• PROPOSED TOTAL DISTURBANCE:	15,000 S.F. (0.35 AC)
-PROP DISTURBANCE TO 100' TIDAL BUFFER:	0 S.F. (0.00 AC)
-PROP DISTURBANCE TO EXISTING STEEP SLOPES:	0 S.F. (0.00 AC)
-PROP DISTURBANCE TO EXPANDED BUFFER:	5,738 S.F. (0.09 AC)
• ZONING IS RESIDENTIAL:	
-PRINCIPAL STRUCTURE:	FRONTYARD, HAZARD-RESIDENT, CORNER SIDE-30'
-ACCESSORY STRUCTURE:	FRONTYARD, HAZARD-RESIDENT, CORNER SIDE-30'
• ZONING IS MAXIMUM BUILDING HEIGHT = 35 FT:	
-PROPOSED BLDG HEIGHT = 28.6 FT (PER §18-1-101 (B))	

DESIGNED: LG
DATE: 8/7/2023
DRAWN BY: WMC
CHECKED BY: WMC
CADD FILE: LV2117-Variance
DIA PROJECT: # 141222

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: 410-280-5122 • Fax: 410-280-1992
www.drummyl.com

OWNER:
THOMAS HEYER & DEBORAH ODELL
1828 COVE POINT ROAD
ANNAPOLIS, MD 21401

VARIANCE PLAN
LINDAMOR ON THE SEVERN, p/o LOT 6
1829 COVE POINT ROAD, ANNAPOLIS, MD 21401
TAX ACCT. NO. 02-485-11240900 GRADING PERMIT NO. G202016357 PERC NO. PAT02651005
TAX MAP 45F GRID 08 PARCEL 100 DISTRICT 2nd
ANNE ARUNDEL COUNTY, MARYLAND