

March 1, 2024

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

RE: Sunrise Beach Lot 11
Var. Case #2022-0144
922 Waterview Drive
Crownsville, Maryland 21032
Tax Account #2-748-01928925

Dear Mr. Konowal:

On behalf of the new owners of the subject property, this is a formal request for an *extension* to the variance approval granted on November 29th, 2022 for the above referenced case. Attached with this request is the previous variance decision which includes all narrative and plans that were part of the approval. The current variance approval decision expires by operation of law on *May 29th, 2024*.

The previous owner attempted to sell the property to a developer and after a lengthy negotiation process, the property was sold to another party in November, 2023. The field survey, engineering and design documents must be re-established in order to move forward as the previous contract purchaser owned the engineering that was executed. It would be impossible to obtain building permit approval prior to the expiration date. The scope of the project will remain unchanged.

We appreciate your consideration of the enclosed variance extension request and we remain available to answer any questions you may have.

Sincerely,
DRUM, LOYKA AND ASSOCIATES, LLC


Robert E. Baxter, Jr.
Project Manager

Cc: James W. Jeffcoat

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER: 2022-0144-V

DAWN MCWILLIAMS

SECOND ASSESSMENT DISTRICT

DATE HEARD: NOVEMBER 15, 2022

ORDERED BY:

**DOUGLAS CLARK HOLLMANN
ADMINISTRATIVE HEARING OFFICER**

PLANNER: ROBERT KONOWAL

DATE FILED: NOVEMBER 29, 2022

PLEADINGS

Dawn McWilliams, the applicant, seeks a variance (2022-0144-V) to allow a dwelling with less setbacks than required and with disturbance to slopes of 15% or greater on property with a street address of 922 Waterview Drive, Crownsville, MD 21032.

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. Michael Helfrich testified that the property was posted for more than 14 days prior to the hearing. Therefore, I find and conclude that there has been compliance with the notice requirements.

FINDINGS

A hearing was held on November 15, 2022, in which the witnesses were sworn and the following was presented regarding the proposed variance requested by the applicant.

The Property

The applicant owns the subject property which has 23 feet of frontage on the north side of Waterview Drive, 520 feet west of McCrone Drive, Crownsville. It is known as Lot 11 of Parcel 389 in Block 16 on Tax Map 31 in the Sunrise Beach subdivision. The property comprises 15,180 square feet and is zoned R2-

Residential District. This waterfront lot on the Severn River is designated in the Chesapeake Bay Critical Area as limited development area (LDA) with a modified buffer shoreline. A water well is to be provided off-site, also on an adjacent lot to the west via an easement. The site is currently an undeveloped lot.

The Proposed Work

The proposal calls to construct a two-story, single-family dwelling with a front attached deck, a rear covered porch, and associated facilities (driveway and septic) on the subject property as shown on the site plan admitted into evidence at the hearing as County Exhibit 2.

The Anne Arundel County Code

§ 17-8-201(a) states that development in LDA designated areas may not occur on slopes of 15% or greater. A portion of the new dwelling and front attached deck will disturb some 543 square feet of lands with a slope of 15% or greater. Approval of a variance is required to undertake this disturbance.¹

The Variance Requested

The proposal will require a critical area variance to the requirement of § 17-8-201(a) to allow disturbance to steep slopes of 15% or greater to allow the applicant to construct a dwelling and associated facilities as shown on County Exhibit 2 (actual disturbance to be determined at the time of permitting).

¹ A review of the site plan indicates no variances are required for setbacks.

The Evidence Submitted At The Hearing

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

Robert Konowal, a zoning analyst with the OPZ, presented the following findings:

- OPZ finds that the subject property does not meet both the minimum lot width and area requirements of the Code for a lot without public sewer in a R2 district. More importantly, the site is significantly encumbered by lands with a slope of 15% or greater that comprise almost half of the lot. Notwithstanding the above, it does appear the proposed dwelling, which has a footprint of 2,288 square feet and measures 44 feet in width and 52 feet in length including the deck and covered porch, could be reduced in size so as to eliminate the need for a variance to disturb lands with a slope of 15% or greater. Consequently the variance is not considered to be warranted and denial of the variance would not cause hardship in the use of these lands.
- Since the variance is not deemed to be warranted it cannot be the minimum necessary to afford relief.
- A literal interpretation of the County's Critical Area Program in this case would not deprive the applicant of rights that are commonly enjoyed by other properties in similar areas. The granting of the variance would confer on the applicant a special privilege that would normally be denied by COMAR, Title 27. This request is not the result of actions by the applicant including commencement of development before obtaining required approvals. The

variance does not arise from any condition relating to land or building use on any neighboring property.

- OPZ does not believe the variance minimizes potential adverse effect on water quality, and it would not be in harmony with the general spirit and intent of the County's Critical Area Program. The applicant has not overcome the presumption that the specific development does not conform to the general purpose and intent of the critical area law. The applicant has not adequately evaluated and implemented site planning alternatives such as reducing the size of the dwelling.
- Approval of the variance would not alter the essential character of the neighborhood nor negatively impact the use of any adjacent property as the improvements do not violate any established set back pattern and are located well enough away from dwellings on abutting lands so as to not negatively impact these properties. The applicant has not however provided the necessary information regarding stormwater management. Consequently there is insufficient evidence to suggest that the variance will not be detrimental to the public welfare.
- In conclusion, the variance is not considered to be warranted as a slightly smaller dwelling could be constructed without the need for variance nor can it be determined at this time that the variance will not be detrimental to the public welfare (i.e. adequate stormwater management).

- The Department of Health indicated they do not have an approved plan for this project. The Health Department has no objection to the request as long as a plan is submitted and approved by them.
- The Development Division agrees that the site is severely constrained. In order to develop, both the septic and well need to be located on a separate lot, the entire house will be located within the steep slope buffer and 543 square feet of steep slopes on the site will be disturbed. The applicant has argued that the house is modest and it very well may be when located on a flat site that can accommodate a home, well and septic. But truth be told, this modest home is currently being advertised as a 4 BR 3/1 BATH home with combined interior square footage of 3,600 square feet with a 12' by 43' deck across the front, over the steep slopes. The home should be reduced in size to fit within the constraints of the lot. Permanent disturbance to the steep slopes should be limited, at most, to the temporary disturbance necessary for the construction of the dwelling. A modification will be required for the disturbance of the required slope buffer. Approval of a variance does not guarantee the approval of the modification. The modification decision will be subject to the requirements of § 17-2-108. Mitigation and stormwater management must be addressed with the permit application.
- The Engineering Division of the Department Of Inspections and Permits advised the subject application does not have the information necessary for a complete review of stormwater management. The Department provided a list

of information required but not provided. Consequently, the Department cannot recommend approval of the variance.

- The Critical Area Commission had no objection to the application but did indicate appropriate mitigation should be provided.
- The Soil Conservation District had no objection to the application.
- With regard to the standards by which a variance may be granted as set forth in § 18-16-305 under the County Code, OPZ recommends denial of the variance.

Other Testimony and Exhibits

The applicant was represented at the hearing by her engineer, Michael Helfrich of Gamma Engineering. Evidence was presented that the applicant's property is a waterfront grandfathered lot in the subdivision of Sunrise Beach, Crownsville on the Severn River. The applicant wishes to develop her lot with a new home. However, it is severely undersized at 15,180 square feet (20,000 square feet required for a lot in the R2 district) and 23 feet wide at the road (80 feet required). The lot is burdened with steep slopes along the shoreline. The site is so small that the required septic system and well must be located on adjoining lots. The house cannot be pushed away from the slopes because of septic facilities on the street side of the property. No zoning or other critical area variances are needed. The proposed dwelling at 44' by 52' is standard size for the neighborhood. The deck on the water side of the dwelling will be pervious.

Colleen Caswell and Jennifer Yacovissi testified that they live nearby and thought the proposed dwelling is too large for the site and recommended that the requested variance be denied.

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 applicant is entitled to the variance requested begins, therefore, with the understanding that, in addition to the other specific factors that must be considered, the applicant 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

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.

Furthermore, the applicant carries 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 applicant fails 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 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 the entire property, 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.)

³ § 8-1808(d) (4) (ii).

County Requirements for Critical Area Variances

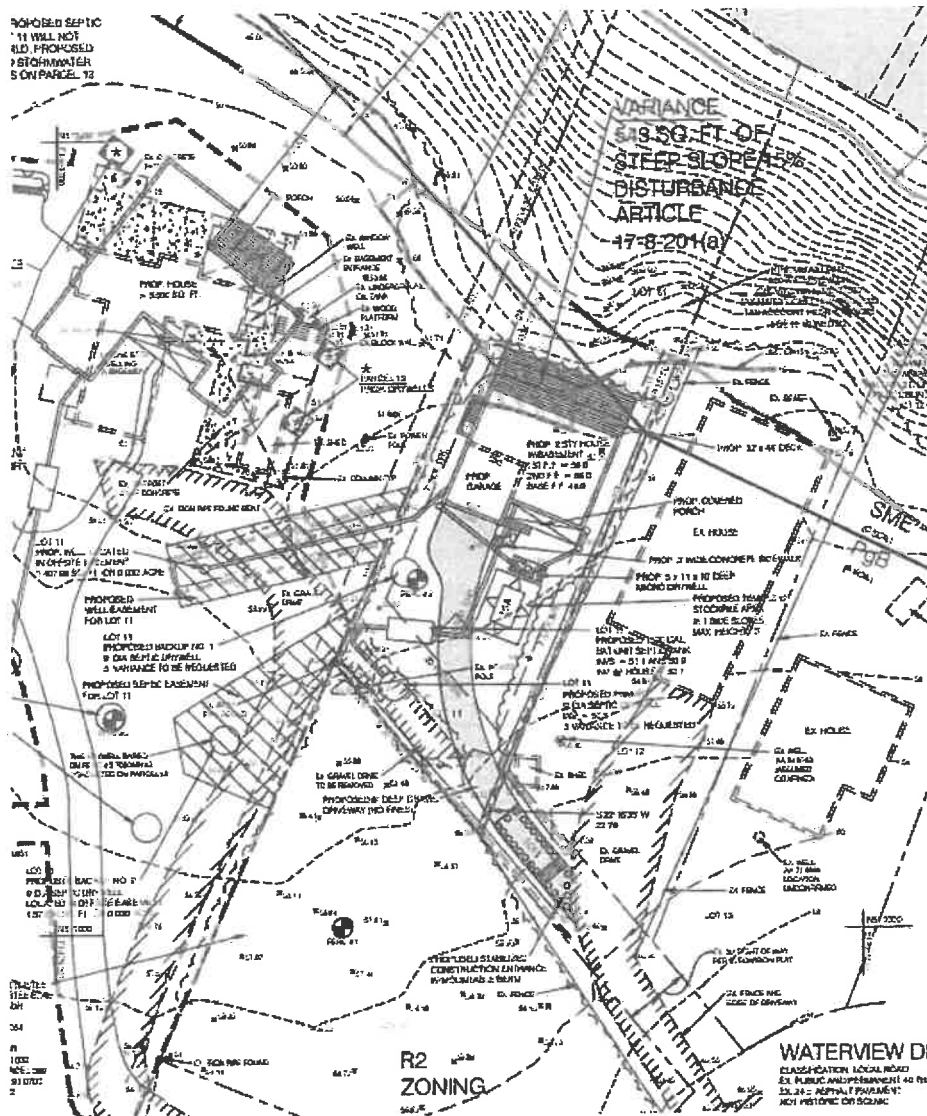
§ 18-16-305(b) sets forth six separate requirements (in this case) that must be met for a variance to be issued for property in the critical area. They are (1) whether a denial of the requested variance would constitute an unwarranted hardship, (2) whether a denial of the requested variance would deprive the applicant of rights commonly enjoyed by other property owners, (3) whether granting the variance would confer a special privilege on the applicant, (4) whether the application arises from actions of the applicant, 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 applicant has 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 applicant met 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

Upon review of the facts and circumstances, I find and conclude that the applicant is entitled to relief from the Code. The property is grandfathered and substandard in width and area, such that necessary septic and well facilities must be placed on adjoining properties, as shown by the following exhibit:



The location of the proposed dwelling cannot be pushed away from the shoreline to reduce the impact to steep slopes. The lot is grandfathered, i.e., it was platted prior to the imposition of the critical area law in 1988. To deny the applicant the requested variance would deny her the right to build a home on her property, which would be an unwarranted hardship under the critical area law.

The only question is whether the proposed home is too large. There was testimony that it was standard for the neighborhood. Given that the waterside deck will be pervious and no other variances are required, the variance will be granted.

Furthermore, the granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located; the variance will not substantially impair the appropriate use or development of adjacent property; the variance will not reduce forest cover in the limited development and resource conservation areas of the critical area; the variance will not be contrary to acceptable clearing and replanting practices required for development in the critical area; and the variance will not be detrimental to the public welfare.

ORDER

PURSUANT to the application of Dawn McWilliams, petitioning for a variance to allow a dwelling with less setbacks than required and with disturbance to slopes of 15% or greater on property with a street address of 922 Waterview Drive, Crownsville;

PURSUANT to the notice, posting of the property, and public hearing and in accordance with the provisions of law, it is this **29th day of November, 2022,**

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicant is **granted** a critical area variance to the requirement of § 17-8-201(a) to allow disturbance to steep slopes of 15% or greater to allow the applicant to construct a dwelling and associated facilities as shown on County Exhibit 2 (actual disturbance to be determined at the time of permitting).

The foregoing variance is subject to the condition that the applicant shall comply with any instructions and necessary approvals from the Office of Planning and Zoning, the Department of Inspections and Permits, the Department of Health, and/or the Critical Area Commission, including easements on adjoining properties for necessary septic and well facilities as shown on County Exhibit 2.

This Order does not constitute a building permit. In order for the applicant to construct the structures permitted in this decision, the applicant 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. 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 applicant 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 APPLICANT

This Order does not constitute a building permit. In order for the applicant to perform the work permitted in this decision, the applicant 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.**

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 applicant **within 18 months** of the granting of the variance or special exception (1) obtains 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 applicant obtains 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.

**FINDINGS AND RECOMMENDATION
OFFICE OF PLANNING AND ZONING
ANNE ARUNDEL COUNTY, MARYLAND**

CO. EXHIBIT#: 1
CASE: 2022-0144-V
DATE: 11/15/22

APPLICANT: Dawn McWilliams

ASSESSMENT DISTRICT: 2nd

CASE NUMBER: 2022-144-V

COUNCILMANIC DISTRICT: 6th

HEARING DATE: November 15, 2022

PREPARED BY: Robert Konowal
Planner

REQUEST

The applicant is requesting variances to allow a dwelling with less setbacks than required and disturbance to lands with a slope of 15% or greater at 922 Waterview Drive in the subdivision of Sunrise Beach, Crownsville.

LOCATION AND DESCRIPTION OF SITE

The subject property has 23 feet of road frontage on the north side of Waterview Drive, 520 feet west of McCrone Drive. These lands have an area of 0.35 acres or 15,180 square feet. The site is described as Lot 11 in Parcel 389, Block 16, on Tax Map 31 and is zoned "R2-Residential District". The current zoning of the site was adopted by the Comprehensive rezoning for the Sixth Council District, October 7, 2011.

These lands are a waterfront lot located on the Severn River in the Chesapeake Bay Critical Area with a modified buffer shoreline and are designated "LDA-Limited Development Area". A water well is to be provided off-site on an adjacent lot to the west via an easement. Septic facilities will be provided both on-site and off-site, also on an adjacent lot to the west via an easement.

The site is currently an undeveloped lot.

APPLICANT'S PROPOSAL

The applicant wishes to construct a two-story, single family detached dwelling with a front attached deck, a rear covered porch, and associated facilities (driveway and septic) on the subject property.

REQUESTED VARIANCES

Section 17-8-201.(a) of the Anne Arundel Subdivision and Development Code states that development in LDA or RCA designated areas may not occur on slopes of 15% or greater. A portion of the new dwelling and front attached deck will disturb some 543 square feet of lands with a slope of 15% or greater. Approval of a variance is required to undertake this disturbance.

A review of the site plan indicates no variances are required for setbacks.

FINDINGS

This Office finds that the subject property does not meet both the minimum lot width and area requirements of the Code for a lot without public sewer in a R2 District. More importantly, the site is significantly encumbered by lands with a slope of 15% or greater that comprise almost half of the lot. Notwithstanding the above, it does appear the proposed dwelling, which has a footprint of 2,288 square feet and measures 44 feet in width and 52 feet in length including the deck and covered porch, could be reduced in size so as to eliminate the need for a variance to disturb lands with a slope of 15% or greater. Consequently the variance is not considered to be warranted and denial of the variance would not cause hardship in the use of these lands.

Since the variance is not deemed to be warranted it cannot be the minimum necessary to afford relief.

A literal interpretation of the County's Critical Area program in this case would not deprive the applicant of rights that are commonly enjoyed by other properties in similar areas. The granting of the variances would confer on the applicant a special privilege that would normally be denied by COMAR, Title 27. This request is not the result of actions by the applicant including commencement of development before obtaining required approvals. The variances do not arise from any condition relating to land or building use on any neighboring property.

This Office does not believe the variance minimizes potential adverse effect on water quality, and it would not be in harmony with the general spirit and intent of the County's Critical Area program. The applicant has not overcome the presumption that the specific development does not conform to the general purpose and intent of the Critical Area law. The applicant has not adequately evaluated and implemented site planning alternatives such as reducing the size of the dwelling.

Approval of the variance would not alter the essential character of the neighborhood nor negatively impact the use of any adjacent property as the improvements do not violate any established set back pattern and are located well enough away from dwellings on abutting lands so as to not negatively impact these properties. The applicant has not however provided the necessary information regarding stormwater management. Consequently there is insufficient evidence to suggest that the variance will not be detrimental to the public welfare.

In conclusion, the variance is not considered to be warranted as a slightly smaller dwelling could be constructed without the need for variances nor can it be determined at this time that the variance will not be detrimental to the public welfare (i.e. adequate stormwater management).

Agency Comments

The **Anne Arundel County Department of Health** indicated they do not have an approved plan for this project. The Health Department has no objection to the request as long as a plan is submitted and approved by them.

The **Development Division** agrees that the site is severely constrained. In order to develop, both the septic and well need to be located on a separate lot, the entire house will be located within the steep slope buffer and 543 square feet of steep slopes on the site will be disturbed. The applicant has argued that the house is modest and it very well may be when located on a flat site that can accommodate a home, well and septic. But truth be told, this modest home is currently being advertised as a 4 BR 3/1 BATH home with combined interior square footage of 3600 square feet with a 12'x43' deck across the front, over the steep slopes. The home should be reduced in size to fit within the constraints of the lot. Permanent disturbance to the steep slopes should be limited, at most, to the temporary disturbance necessary for the construction of the dwelling. A modification will be required for the disturbance of the required slope buffer. Approval of a variance does not guarantee the approval of the modification. The modification decision will be subject to the requirements of 17-2-108. Mitigation and SWM must be addressed with the permit application.

The **Engineering Division of the Department Of Inspections and Permits** advised the subject application does not have the information necessary for a complete review of stormwater management. The Department provided a list of information required but not provided. Consequently, the Department cannot recommend approval of the variance.

The **State of Maryland Critical Area Commission** had no objection to the application but did indicate appropriate mitigation should be provided.

The **Soil Conservation District** had no objection to the application.

RECOMMENDATION

With regard to the standards by which a variance may be granted as set forth in Section 18-16-305 under the Anne Arundel County Code, the Office of Planning and Zoning recommends ***denial*** of the variance to allow 543 square feet of lands with a slope of 15% or greater to be disturbed as shown on the attached site plan.

Disclaimer: This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) shall apply for and obtain the necessary building permits, and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.

For Office Use Only
 CASE # 2022-0144-V
 FEE PAID 250-
 DATE 9/13/22



For Office Use Only
 ZONE R2
 CRITICAL AREA: IDA LDA RCA
 BMA: Yes No
 NO. OF SIGNS 2

VARIANCE APPLICATION

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): (Kirk McWilliams - deceased) Dawn McWilliams (spouse + adm of estate *see attached)
 (Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: 922 Waterview Drive, Crownsville, MD 21032

Property Location: 23 21.5 feet of frontage on the (N) S, E, W) side of Waterview Dr.
(Enter Street Name)
520 1500 feet (S) (W)) of (Nearest intersecting street) Miller Circle McCrone Drive
(Enter Street Name)

12-digit Tax Account Number 2748-0192-8925 Tax District (2nd) Council District (6th)

Waterfront Lot: Y N Corner Lot: Y N Deed Title Reference 9471/415

Zoning District R2 Lot # 11 Tax Map 31 Block/Grid 16 Parcel 389

Area 0.35 ac (Sq Ft, or Acres) Subdivision Name Sunrise Beach

Description of Proposed Project and Variance Requested (Brief, detail fully in letter of explanation)
A variance to disturb 543 sf of steep slopes is requested (Article 17-8-20(a))

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest in the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature Dawn McWilliams Owner's Signature Dawn McWilliams, Adm of Estate

Print Name Dawn McWilliams Print Name Dawn McWilliams

Mailing Address 920 Waterview Dr. Mailing Address 920 Waterview Dr.

City, State, Zip Crownsville, MD 21032 City, State, Zip Crownsville, MD 21032

Work Phone Work Phone

Home Phone c/o: (410)626-1070 Home Phone c/o: (410)626-1070

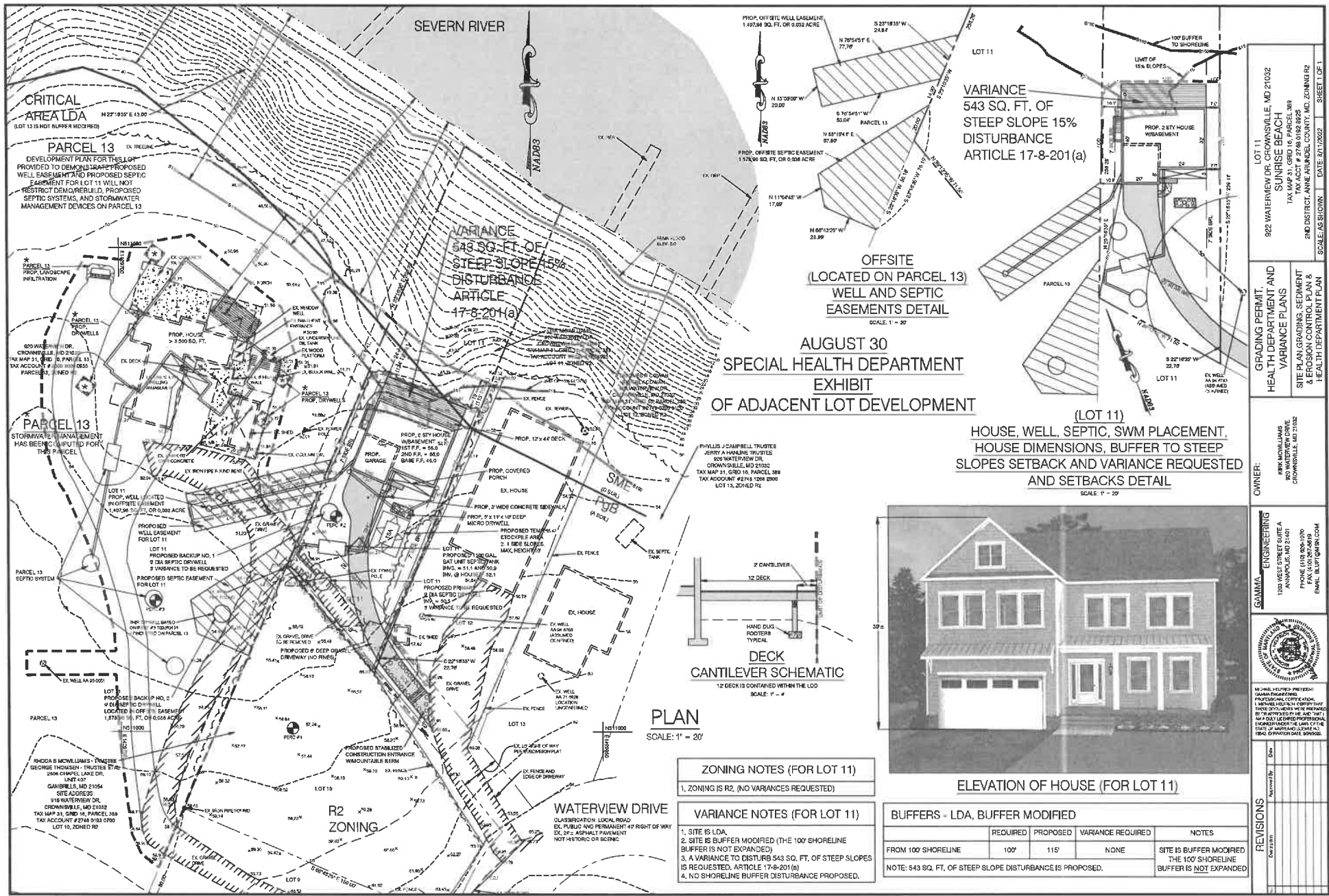
Cell Phone Cell Phone

Email Address c/o: bluapt@icloud.com Email Address c/o: bluapt@icloud.com

***** Below For Office Use Only *****

Application accepted by Anne Arundel County Office of Planning and Zoning: JAG 9/14/22
Initials Date

Variance to allow a dwelling with less setbacks than required and with disturbance to slopes of 15% or greater



SEVERN RIVER

CRITICAL AREA LDA
(LOT 13 IS NOT BUFFER MODIFIED)

PARCEL 13
DEVELOPMENT PLAN FOR THIS LOT PROVIDED TO DEMONSTRATE PROPOSED WELL, EASEMENT AND PROPOSED SEPTIC EASEMENT FOR LOT 11 WILL NOT RESTRICT DEMONSTRATED, PROPOSED SEPTIC SYSTEMS, AND STORMWATER MANAGEMENT DEVICES ON PARCEL 13

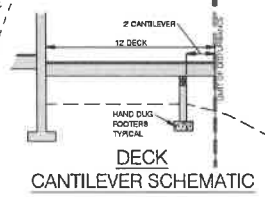
VARIANCE
543 SQ. FT. OF STEEP SLOPE 15% DISTURBANCE
ARTICLE 17-8-201(a)

OFFSITE
(LOCATED ON PARCEL 13)
WELL AND SEPTIC EASEMENTS DETAIL
SCALE: 1" = 20'

AUGUST 30
SPECIAL HEALTH DEPARTMENT
EXHIBIT
OF ADJACENT LOT DEVELOPMENT

VARIANCE
543 SQ. FT. OF STEEP SLOPE 15% DISTURBANCE
ARTICLE 17-8-201(a)

(LOT 11)
HOUSE, WELL, SEPTIC, SWM PLACEMENT,
HOUSE DIMENSIONS, BUFFER TO STEEP SLOPES SETBACK AND VARIANCE REQUESTED AND SETBACKS DETAIL
SCALE: 1" = 20'



PLAN
SCALE: 1" = 20'



ELEVATION OF HOUSE (FOR LOT 11)

ZONING NOTES (FOR LOT 11)

1. ZONING IS R2, (NO VARIANCES REQUESTED)

VARIANCE NOTES (FOR LOT 11)

1. SITE IS LDA.
2. SITE IS BUFFER MODIFIED (THE 100' SHORELINE BUFFER IS NOT EXPANDED)
3. A VARIANCE TO DISTURB 543 SQ. FT. OF STEEP SLOPES IS REQUESTED, ARTICLE 17-8-201(a)
4. NO SHORELINE BUFFER DISTURBANCE PROPOSED.

BUFFERS - LDA, BUFFER MODIFIED

	REQUIRED	PROPOSED	VARIANCE REQUIRED	NOTES
FROM 100' SHORELINE	100'	115'	NONE	SITE IS BUFFER MODIFIED THE 100' SHORELINE BUFFER IS NOT EXPANDED

NOTE: 543 SQ. FT. OF STEEP SLOPE DISTURBANCE IS PROPOSED.

GRADING PERMIT.
HEALTH DEPARTMENT AND VARIANCE PLANS
SITE PLAN, GRADING, SEDIMENT EROSION CONTROL PLAN & HEALTH DEPARTMENT PLAN

LOT 11
922 WATERVIEW DR. CROWNSVILLE, MD 21032
SUNRISE BEACH
TAX MAP 31, GRID 16, PARCELS 389
2ND DISTRICT ANNE ARUNDEL COUNTY, MD, ZONING R2

OWNER:
PHILIP J CAMPBELL TRUSTEE
SERV A TRUSTEE
922 WATERVIEW DR.
CROWNSVILLE, MD 21032
TAX MAP 31, GRID 16, PARCEL 389
LOT 11, ZONED R2

OWNER:
GAMMA ENGINEERING
1300 WEST STREET SUITE A
ANNAPOLIS, MD 21401
PHONE (410) 800-0700
FAX (410) 800-0701
EMAIL: B.L.P@GAMMA.COM

REVISIONS

DATE: 08/11/2022
SCALE: AS SHOWN
DATE: 08/11/2022
SHEET 1 OF 1