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

APPLICANT: William J. Mullin ASSESSMENT DISTRICT: 2

CASE NUMBER: 2024-0053-V COUNCIL DISTRICT: 6

HEARING DATE: May 30, 2024 **PREPARED BY**: Jennifer Lechner

Planner

REQUEST

The applicants are requesting a variance to allow a dwelling with less setbacks than required on property located at 3424 Narragansett Avenue in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 7,525 square feet of land and is located with frontage on the west side of Narragansett Avenue and on the north side of Sycamore Avenue. The property is identified as Lot A in Block 21 of Parcel 15 in Grid 21 on Tax Map 57 in the Arundel on the Bay subdivision.

The property is zoned R2 – Residential District, as adopted by the comprehensive zoning for Council District 6, effective October 7, 2011. This unimproved, corner lot lies entirely within the Chesapeake Bay Critical Area LDA – Limited Development Area.

PROPOSAL

The applicant is proposing the construction of a new 3-story dwelling (approximately 42' x 34' with a mean height of 33.54'), including an attached one car garage and covered multi-level front porch, and associated site improvements.

REQUESTED VARIANCES

§ 18-4-601 of the Anne Arundel County Zoning Ordinance states that a principal structure in the R2 District must be 20 feet from the corner side lot line. The proposed dwelling will be as close as 8.8 feet from the corner side lot line, necessitating a variance of 12 feet.

FINDINGS

The subject property is rectangular in shape and is undersized at 7,525 square feet in area and 50 feet in width, with regard to the 15,000 square foot minimum area required for new lots served by public sewer, and to the minimum width of 80 feet, in an R2 District. A review of the County 2024 aerial photography shows an eclectic mix of house and lot sizes in this waterfront community.

The property was the subject of several past decisions and permits.

- A zoning variance, 2019-0183-V, to allow a 2.5-story dwelling to be constructed as close as 8 feet from the corner side lot line was granted on November 7, 2019 and expired on May 7, 2021.
- Grading permit G02018189, for the construction of a single family dwelling and associated improvements, expired on October 26, 2023.
- Building permit B02380353, for the construction of a 2.5-story single family dwelling was submitted on February 18, 2020, and remains pending.
- A Deed of Easement, granting a variable width private permanent use easement within the side yard of 3424 Narragansett Avenue to 3422 Narragansett Avenue, was recorded September 20, 2023.

The proposed post-construction critical area lot coverage is 1,788 square feet, which is below the lot coverage allowed under § 17-8-402 (25% plus 500 square feet or 2,381.75 square feet). The proposed post-construction coverage by structures is 1,343 square feet, which is below the 30% (2,257.50 square feet) maximum coverage by structures allowed under §18-4-601.

The applicants' letter explains that due to the size of the corner lot, and the setbacks for wells (its own and neighboring), public sewer lines, and stormwater devices, constructing a dwelling while meeting the bulk regulations is difficult. The letter further explains that the proposed dwelling conforms to the general size of other dwellings in the neighborhood, and is smaller than the dwelling which had been granted under 2019-0183-V.

Agency Comments

The **Health Department** does not have an approved plan for this project, but has no objection to the variance request as long as a plan is submitted and approved by their department.

The Inspections & Permits Engineering Section does not support the requested variance. ¹

Variance Criteria

For the granting of a variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular lot, or because of exceptional circumstances other than financial considerations, strict implementation of the Code would result in practical difficulties or an unnecessary hardship in developing the lot.

While it is true that the lot is undersized for the district and is subject to an increased corner side setback, this is not a unique condition of this particular lot within the subdivision; and, the restrictions of the Code do not appear to have a disproportionate effect on the subject property. As evidenced by the other new houses approved by variances on similar nearby corner lots, there is opportunity to design a narrower dwelling that reduces the requested side setback variance while still allowing for a reasonably sized house that is comparable to many others in the neighborhood.

¹ Refer to the Inspections & Permits Engineering Section's comments for their detailed objection.

Approval of the variances would not necessarily impair the appropriate use or development of adjacent properties or be detrimental to the public welfare. However, given the height and the close proximity to the corner side lot line, the development as proposed would alter the essential character of the neighborhood. The proposed dwelling is too large for this small corner lot, and, given the other new houses and additions constructed in Arundel on the Bay via lesser side setback variances, the request cannot be considered the minimum necessary to afford relief in this case.

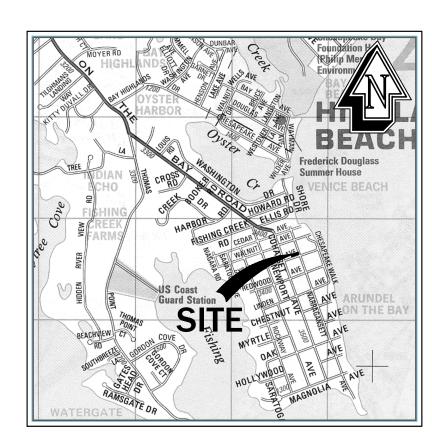
This Office recognizes that a variance does not necessarily require pre-approval of stormwater management and that, if approved, those items would still have to be addressed at the time of permitting. The applicant is advised that, if a zoning variance is approved, any change to the proposed improvements shown on the site plan that are necessary to address the storm water management issues raised would require a new variance.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the County Code under which a variance may be granted, this Office recommends <u>denial</u> of a zoning variance to § 18-4-601 to allow a dwelling as close as 8 feet to the corner side lot line, as proposed.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant to construct the structure(s) as proposed, the applicant 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.





VICINITY MAP SCALE: 1" = 2,000'
COPYRIGHT ADC THE MAP PEOPLE
PERMITTED USE NO. 08301200

GENERAL NOTES

1. OWNER: WILLIAM J. MULLIN 2 MILHAVEN COURT ANNAPOLIS, MD 21403

ENGINEER: MESSICK & ASSOCIATES 7 OLD SOLOMONS ISLAND RD SUITE 202 ANNAPOLIS, MD 21401 410.266.3212

C/O MIKE GILLESPIE

- 2. THE SITE ADDRESS IS: 3424 NARRAGANSETT AVENUE, ANNAPOLIS, MD 21403 3. THE PROPERTY IS KNOWN AS:
- TAX MAP 57, GRID 21, PARCEL 15, LOT A; TOTAL AREA = 7,525 SQ. FT. OR 0.172 AC.; DEED REF: 40077/418 4. TAX ACCOUNT NO.: 02-02-00138660
- 5. EXISTING BOUNDARY AND FEATURES SHOWN HEREON WERE TAKEN FROM DEED AND PLATS OF RECORD AUGMENTED WITH ANNE ARUNDEL COUNTY GIS DATA, AND A FIELD TURN BOUNDARY AND TOPOGRAPHICAL SURVEY PERFORMED BY BAY ENGINEERING, INC. DATED JULY, 2019.
- 6. THIS PLAN WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT, WHICH MAY SHOW ADDITIONAL CONVEYANCES, EASEMENTS, COVENANTS, RIGHT OF WAYS OR MORE STRINGENT BUILDING RESTRICTIONS NOT SHOWN HEREON.
- 7. EXISTING ZONING OF THE SITE IS R2 (RESIDENTIAL DISTRICT) SETBACKS PRINCIPAL STRUCTURE: SE SETBACKS ACCESSORY STRUCTURE: FRONT = 30'

FRONT = 40' SIDE = 7' CORNER SIDE = 20' REAR = 7' CORNER SIDE = 20'

- 8. THE SITE <u>IS</u> LOCATED WITHIN THE LDA (LIMITED DEVELOPMENT AREA) OF THE CHESAPEAKE BAY CRITICAL AREA.
- 9. PROPOSED SITE UTILITIES ARE PRIVATE WELL (W-9, FUTURE SERVICE BROAD CREEK) AND PUBLIC SEWER (S-9, EXISTING SERVICE ANNAPOLIS).
- 10. THE PROPERTY DESCRIBED HEREON IS LOCATED IN THE FLOOD HAZARD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DELINEATED ON THE FIRM FLOOD INSURANCE MAP #24003C0262F DATED FEBRUARY 18, 2015 FOR ANNE ARUNDEL COUNTY AND DISTRIBUTED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- 11. THERE ARE NO STEEP SLOPES ON THE SITE.

SURVEY CONTROL NOTE

THE COORDINATES AND ELEVATIONS SHOWN HEREON ARE BASED ON RTK (REAL TIME KINEMATIC) OBSERVATIONS UTILIZING KEYNET GPS NETWORK. THE HORIZONTAL DATUM IS REFERENCED TO MARYLAND STATE PLANE NAD (83/91) AND THE VERTICAL DATUM IS

LOT COVERAGE SUMMARY

DESCRIPTION AREA EXISTING LOT AREA... 7,525 SQ. FT. OR 0.127 AC. 2,381 SQ. FT. OR 0.054 AC. 0 SQ. FT. OR 0.000 AC. 6,023 SQ. FT. OR 0.138 AC. ALLOWABLE COVERAGE (25% + 500 SF).... EXISTING LOT COVERAGE... EXISTING WOODLANDS ON SITE.. EXISTING WOODLANDS TO BE REMOVED... 4,973 SQ. FT. OR 0.114 AC. EXISTING WOODLANDS TO REMAIN.... 1,050 SQ. FT. OR 0.024 AC. PROPOSED LOT COVERAGE.... 1,788 SQ. FT. OR 0.041 AC. - PR. HOUSE / GARAGE..... 1,343 SQ. FT. 445 SQ. FT. - PR. DRIVEWAY... TOTAL PROPOSED LOT COVERAGE... 1,788 SQ FT. OR 0.041 AC. PROPOSED LIMIT OF DISTURBANCE... 5,292 SQ. FT. OR 0.121 AC.

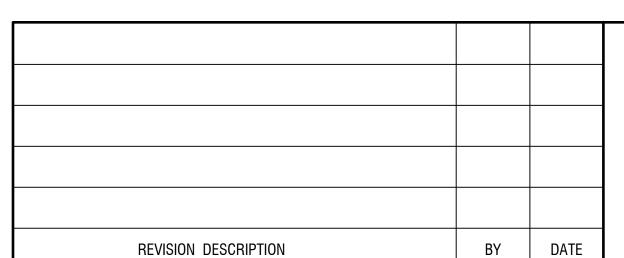
DISTURBANCE SUMMARY

TOTAL PROPOSED DISTURBED AREA = 5,292 SQ. FT. OR 0.121 AC. 15% SLOPE DISTURBANCE = 0 SQ. FT. OR 0.000 ACRES

25% SLOPE DISTURBANCE = 0 SQ. FT. OR 0.000 ACRES

VARIANCE REQUEST

§ 18-4-601. BULK REGULATIONS. STATES IN PART THAT THE MINIMUM SETBACKS FOR PRINCIPLE STRUCTURES ARE 30' FOR FRONT SETBACKS, 7' FOR SIDE SETBACKS, 20' FOR CORNER SIDE SETBACKS,



* MESSICK GROUP INC. T/A MESSICK AND ASSOCIATES

MESSICK & ASSOCIATES * CONSULTING ENGINEERS, PLANNERS AND SURVEYORS

7 OLD SOLOMONS ISLAND ROAD, SUITE 202 ANNAPOLIS, MARYLAND 21401 (410) 266-3212 * FAX (410) 266-3502 email: engr@messickandassociates.com

WILLIAM J. MULLIN 2 MILLHAVEN COURT EDGEWATER, MD 21037

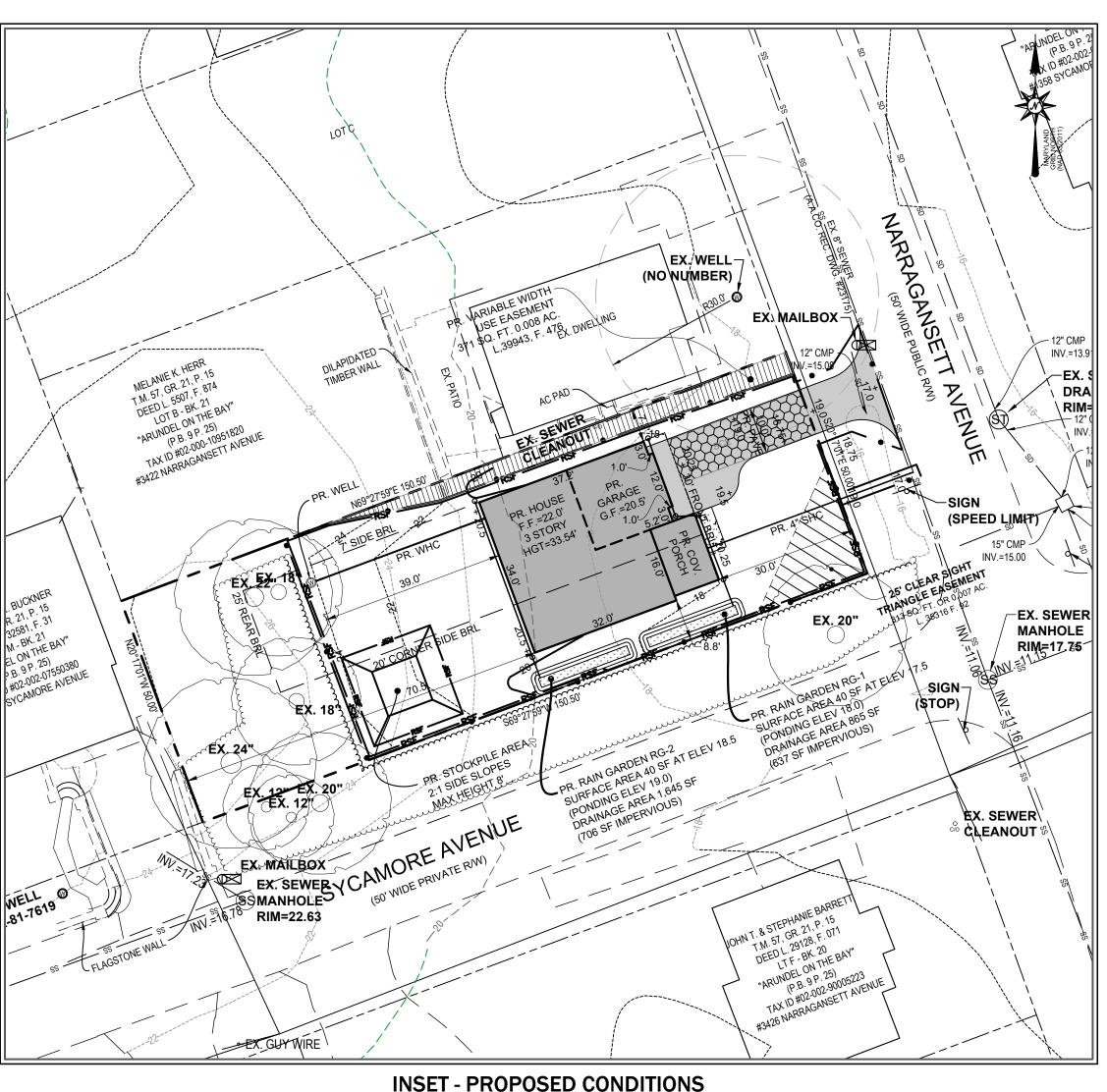
DEVELOPER: WHITEHALL BUILDING COMPANY INC. 216 NORTH CRAIN HIGHWAY SUITE 201 GLEN BURNIE, MD 21061 410-977-7059 WHITEHALLBUILDINGCO@GMAIL.COM

VARIANCE LOCATION MAP

MULLIN PROPERTY **GRADING PERMIT** 3424 NARRAGANSETT AVENUE ANNAPOLIS, MD 21403

TAX MAP: 57 GRID: 21 PARCEL: 15 SECOND ASSESSMENT DISTRICT

TAX ACCOUNT: 02-002-00138660 ZONING: R-2/LDA ANNE ARUNDEL COUNTY, MARYLAND 21403 DATE: MAY 2024 1 20F



INSET - PROPOSED CONDITIONS
SCALE: 1" = 20'

SOILS TABLE

SYMBOL	NAME	HYDROLOGIC SOIL TYPE	PERCENT COVERAGE	HYDRIC SOIL	HIGHLY ERODABLE SOIL	
AuB	ANNAPOLIS-URBAN LAND COMPLEX, 0-5% SOILS	"C"	100.0%	NO	NO	

EX. UTILITY POLE 334284 (NO NUMBER) EX. STORM

DRAIN MANHOLE MANHOLE RIM=17.75 SIGN (DEAD END) EX. SEWERY CAMORE AVENUE

SS MANHOLE

SO MANHOLE

RIM=22.63 EX. SEWER\ EXISTING CONDITIONS PLAN
SCALE: 1" = 20' EXISTING & PROPOSED CONDITIONS VARIANCE SITE PLAN

REVISION DESCRIPTION DATE

* MESSICK GROUP INC. T/A MESSICK AND ASSOCIATES

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WILLIAM J. MULLIN 2 MILLHAVEN COURT EDGEWATER, MD 21037

<u>DEVELOPER:</u>
WHITEHALL BUILDING COMPANY INC. 216 NORTH CRAIN HIGHWAY SUITE 201 GLEN BURNIE, MD 21061 410-977-7059 WHITEHALLBUILDINGCO@GMAIL.COM

MULLIN PROPERTY **GRADING PERMIT** 3424 NARRAGANSETT AVENUE

ANNAPOLIS, MD 21403

TAX MAP: 57 GRID: 21 PARCEL: 15 SECOND ASSESSMENT DISTRICT

TAX ACCOUNT: 02-002-00138660 ZONING: R-2/LDA ANNE ARUNDEL COUNTY, MARYLAND 21403 24 2 0F 2 DATE: MAY 2024



March 8, 2024

Department of Planning and Zoning 2664 Riva Road Annapolis, MD 21401 Attention: Sterling Seay

RE: MULLIN PROPERTY

3424 NARRAGANSETT AVENUE

ANNAPOLIS, MD 21403

VARIANCE REQUEST LETTER OF EXPLANATION

Dear Ms. Seay:

The purpose of this letter is to outline the applicant's request for a variance for the above referenced property. The property is located at 3424 Narragansett Avenue in Annapolis, MD. It consists of 7,525 square feet. The site is located in the LDA, Limited Development Area of the Chesapeake Bay Critical Area. The site is zoned R-2. The site is not waterfront. No expanded buffers impact this property. The site is fairly flat and does not appear to contain steep slopes. The site is currently undeveloped. The site will be served by well and existing public sewer. The site is served by Narragansett Avenue, a 50' wide public right of way. It is a corner lot, with Sycamore Avenue. There was a previous variance granted for a similar development, per 2019-0183-V. This variance was for different owners at the time, this request is on behalf of the new owners.

The owners wish to construct a dwelling. The proposed dwelling will require a variance to the corner side yard setback. this is the only variance request. No critical area variances are requested. As such, the owner is requesting relief to Article 18-4-601:

§ 18-4-601. Bulk Regulations R-2 (In Part)
Minimum setbacks for principal structure:
Corner Side Lot Line 20 feet

The current owner wishes to construct a new dwelling. The property, Lot A, Block 21 of Arundel on the Bay is a corner lot, located at the corner of Narragansett Avenue and Sycamore Avenue. As noted, the lot is an undeveloped lot. The lot is small for its zoning, 7,525 square feet, where an R2 lot on sewer under the current code should be 15,000 square feet. The undersized lot, and restrictions on setbacks to

Page 2
 March 8, 2024

neighboring wells as well as the proposed well to existing and proposed structures and its setback to the existing public sewer lines requires some creativity on the layout of a proposed dwelling. The lot size restricts the amount of lot coverage available to develop the property (25%+500 sq. ft. = 2,381 sq. ft. allowable lot coverage) and the well setbacks (30' from existing and new structures, 50' from a public sewer line, 50' from a stormwater device) combined with the corner side yard setback requirements make it extremely difficult to construct a dwelling that would meet these setbacks and conform with the general size of dwellings in the neighborhood. The proposed dwelling, at 1,343 square feet (compared to the previously approved variance (2019-0183-V) house size of 1,705 square feet), is in line with the size of other structures in the area. It also appears, looking at aerial photography that other structures on corner lots in Arundel on the Bay may not meet the corner side yard setbacks.

It should be noted that grading permit G02018189 was issued for the subject property on October 26, 2020. The property was subsequently cleared, and reinforced silt fence was installed, which is still in place. Stormwater management was approved with the original issuance of the grading permit, however, the revision submitted for the new house footprint is currently under review. Also, an agreement between the neighbor, Melanie Herr and the owners was agreed upon, and recorded in book 39943, page 476.

In regards to the prefile letter dated January 2024, the following responses are provided, and how they are addressed. The height and number of stories is noted on the plan. Elevations will be provided. In regards to the engineering comments, the sewer line has been moved away from the swm devices. The well is further than 50' from the swm devices also. A concern was raised about the proximity of the BMP's to the property line. They are along the right of way of Sycamore Avenue. There is a large grassed area between the BMP's, which are rain gardens, and the edge of the pavement. Once the project is completed this will look like part of the yard of the property. They are located 25' from the edge of the street, leaving plenty of room for access from the property. This location is downstream of the dwelling, which allows any overflow to discharge into the swales in the right of way and be safely conveyed. It also should be noted that Chapter 5 of the stormwater manual does not prescribe specific setbacks to a property line for rain gardens.

This plan meets the intent of 18-16-305(a):

- 1. The subject property is small, and undersized for its zoning. Due to this, and the modest nature of the variance request, it would be virtually impossible to construct a comparable dwelling without a variance.
- 2. The practical difficulties in developing the lot are several. The site is undersized, a corner lot, and is subject to well setbacks. The lot is vacant, and these issues will allow a dwelling to be constructed in character of the area.

No Critical Area variances are requested.

This plan meets the requirements of \$\sqrt{8}\$ 16-305(c), as the proposal is the minimum relief necessary. The development will not impain the use of adjoining properties, nor reduce forest cover in the LDA. The work performed will not be contrary to clearing and replacement practices and will not alter the character of the neighborhood or be detrimental to the public welfare.

- 1. The variance request is the minimum to afford relief. The request is to construct on a vacant lot. Underlying lot coverage requirements are being met.
- 2. i. This variance will not alter the essential character of the neighborhood. The proposed house is of comparable size of other dwellings in the neighborhood.
- ii. This variance will not impair the use of adjoining properties. The variance request is to a right of way line. The other side setback to the neighbor will be met. The neighbor to the north was granted an easement onto the subject property for her use, and this easement is being honored.
- iii. Tree clearing is required and any mitigation necessary during the permit process will be provided to not decrease cover in the LDA.
- iv. No work will be performed contrary to approved clearing practices, as a permit will be required, and this permit must meet those requirements.
- v. The project will not be detrimental to the public welfare, as it is located on private property.

The development shown will provide the least amount of environmental impacts, while allowing the owners to improve their property in a manner in keeping with other houses in the neighborhood and their impervious coverages.

In closing, the variances requested are the minimum necessary to afford relief. This garage will cause no ill effects to the environment or the neighborhood, as stormwater mitigation will be provided. This variance will provide the owner with a use that is in harmony with this existing pattern of development.

Should you have any questions, comments, or require any additional information, please do not hesitate to contact me directly at 410-266-3212.

Sincerely,

Messick and Associates

Mike Gillespie

Mike Gillespie

cc. client, file

CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS 1804 WEST STREET, SUITE 100 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction:	Anne Arunde	el County			Date:
					FOR RESUBMITTAL ONLY
Tax Map #	Parcel #	Block #	Lot #	Section	Corrections
57	15	21	A	Blk 21	Redesign
<u> </u>	1.0				No Change
					Non-Critical Area
					*C 1. O 1 P 1
Tax ID: 02-0	02-00138660				*Complete Only Page 1
LL					General Project Information
Project Name	e (site name, si	abdivision nan	ne, or other) Mu <mark>llin Property L</mark>	ot A Blk 21 Arundel on the Bay
	-			,	
Project locati	on/Address	3424 Narragans	ett Ave		
1 Toject Tocati	Oll/Addiess	0+2+ Narragans	CILTIVO		
G:					7.
City					Zip
Local case nu	ımber Annapo	lis, MD 21403			
	•				
Applicant:	Last name	Mullin			First name William
Аррисант.	Last Harric	IVIGIIII I			1 list hame windin
Company					
Application	Tyne (check s	all that apply)	•		
Application	Type (eneck a	ш шас арргу <i>)</i>	•		
D '11' D	•,			T 7 .	
Building Peri		\square		Variance	<u>X</u>
Buffer Manag	_			Rezoning	
Conditional U	Jse			Site Plan	
Consistency 1	Report			Special Exce	ption
Disturbance >		\Box		Subdivision	
Grading Pern	-	H		Other	H
Grading 1 cm	ilit	Ш		Other	LJ
		. T. C			
Local Jurisd	liction Contac	t Information	1:		
Last name	AACo Zonin	g Administrati	on Section	First name	
Phone #	410-222-743	7	Resna	onse from Com	mission Required By TBD
I HOHE #			resp		imposion required by
T "				TT . 1 .	TRD
Fax #				_ Hearing date	שעמו

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:											
Construct a new single family dwelling on a vacant lot											
	Yes						Yes				
Intra-Family Transfer						Growth Allocation					
Grandfathered Lot	X					Buffer Exemption Ar					
Grandrathered Lot						Burier Exemption Ar	са 🔛				
Project Type (check al	ll that app	ply)									
Commercial						Recreational					
Consistency Report						Redevelopment	H				
Industrial						Residential					
							1				
Institutional						Shore Erosion Contro	=				
Mixed Use						Water-Dependent Fac	cility [_]				
Other											
SITE INVENTORY (Enter acres or square feet) Acres Sq Ft											
IDA A	Acr	es	0	Sq Ft		Total Disturbed Area	0.121	5,292			
IDA Area	0		_		_						
LDA Area	0.127		7,525		_	-					
RCA Area	0		0			# of Lots Created 0					
Total Area	0.127		7,525								
		Acr	es	Sq Ft			Acres	Sq Ft			
Existing Forest/Woodland	1/Trees	0.138		6,023		Existing Lot Coverage	0	0			
Created Forest/Woodland		TBD			rBD	New Lot Coverage	0.041	1,788			
Removed Forest/Woodlar		0.114		4,973	טט	Removed Lot Coverage	0	0			
Removed Polest/ woodian	iu/ i i ccs	0.114		4,575			-				
						Total Lot Coverage	0.041	1,788			
VARIANCE INFORM	IATION	(Check	all th	at apply))						
		Α .		O., E4			A	O = 174			
D CC D' 1		Acr	es	Sq Ft		D & E + C1 :	Acres	Sq Ft			
Buffer Disturbance		0		ŭ		Buffer Forest Clearing					
Non-Buffer Disturbance		0.121		5,292		Mitigation	TBD	TBD			
Variance Type						Structure					
	\neg				۸ -						
Buffer						cc. Structure Addition					
Forest Clearing Barn											
HPA Impact					De	=					
Lot Coverage					Dv	velling X					
Expanded Buffer [Dv	velling Addition					
Nontidal Wetlands Garage Garage											
Setback	X					zebo 🗍					
Steep Slopes	Ħ				Pa						
Other	╡					ool					
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CRITICAL AREA REPORT

3424 NARRAGANSETT AVENUE ANNAPOLIS, MD 21403

March 2024

Prepared for: William J. Mullin

Prepared by:
Messick and Associates
7 Old Solomons Island Road
Suite 202
Annapolis, MD 21401

INTRODUCTION

This site is a 7,525 square foot property that is located on the west side of Narragansett Avenue in the Arundel on the Bay neighborhood of Annapolis, MD. The proposal is to construct a dwelling on the property. The site is served by public sewer and well. The property is completely inside the Chesapeake Bay Critical Area Boundary and is designated as Limited Development Area (LDA). The property is zoned residential, R-2.

EXISTING USE

The property consists of 7,525 square foot property, Lot A, block 21 of the Arundel on the Bay subdivision. The site is currently undeveloped. The property is currently a residential lot developed with a house, driveway, deck, and associated improvements. The property is a corner lot located at the corner of Narragansett and Sycamore Avenues.

SURROUNDING LAND USE

The properties that abut the site are developed as single-family lots. The general area is developed as single-family lots that are part of the Arundel on the Bay subdivision. The site is bounded by a developed property to the north and west.

SOILS

The U.S. Department of Agriculture Soil Survey, defines the property to have a soil type of AuB – Annapolis Urban Land Complex 0 TO 5% Slopes (C Soils)

FLOODPLAIN

The property described hereon is located in the flood hazard zones "X" - (area of minimal flood hazard) as delineated on the firm flood insurance map #24003C0262F dated February 18, 2015 for said county and distributed by the Federal Emergency Management facility.

NON-TIDAL WETLANDS

There appear to be no Non Tidal Wetlands on the site.

TIDAL WETLANDS

There appear to be no Tidal Wetlands on this site.

BODIES OF WATER

The site drains into the Chesapeake Bay.

STEEP SLOPES

There are no steep slopes on the property.

RARE AND ENDANGERED SPECIES

A review of Federal and/or State listed species of rare, threatened or endangered species of plants or animals has been requested via the enclosed letter to Lori Byrne of the Maryland Department of Natural Resources Fish, Heritage and Wildlife Administration.

STORMWATER MANAGEMENT

Stormwater management will be provided as required during the permit process.

FOREST COVER

The existing forest cover is limited to a few overstory trees. The understory is mostly lawn. The following are typical trees of areas such as this site:

Common Name	Scientific Name
Black Locust	Robinia pseudoacaia
Eastern Sycamore	Platanus occidentalis
American Holly	Ilex opaca
Beech	Fagus grandifolia
White Poplar	Populus alba
Mountain Laurel	Kalmia latifolia

WILDLIFE TYPICAL OF THIS AREA

Common Name	Scientific Name
Eastern Gray Squirrel Blue Jay	Sciurus Carolinensis Cyanocitta Cristata
Common Crow	Corvus Brachythynchos
Northern Cardinal	Richmondena Cardinalis

SITE CALCULATIONS

- 1. Total Site area......7,525 sq. ft.
- 2. Site area in Critical area.....7,525 sq. ft
- 3. Existing lot coverage0 sq. ft.
- 4. Proposed lot coverage1,788 sq. ft.
- 5. Total Lot Coverage after Construction...1,788 sq. ft.
- 6. Proposed Disturbed Area.....5,292 sq. ft.

Real Property Data Search () Search Result for ANNE ARUNDEL COUNTY

View GroundRent Redemption View Map Special Tax Recapture: None Account Identifier: District - 02 Subdivision - 002 Account Number - 00138660

View GroundRent Registration

Owner Information

Owner Name:

MULLIN WILLIAM J

RESIDENTIAL

Principal Residence:NO

Mailing Address:

2 MILLHAVEN CT

Deed Reference: /40077/ 00418

EDGEWATER MD 21037-

Location & Structure Information

Premises Address:

3424 NARRAGANSETT AVE Legal Description: LT A BK 21 3424 NARRAGANSETT AVE ANNAPOLIS 21403-0000

ARUNDEL ON THE BAY

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:

A 2024

Town: None

Plat Ref: 0009/ 0025

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

Value Information

	Base Value	Value Phase-in Asse		essments		
		As of 01/01/2024	As of 07/01/2023	As of 07/01/2024		
Land:	175,500	200,500				
Improvements	0	0				
Total:	175,500	200,500	175,500	183,833		
Preferential Land:	0	0				

Transfer Information

Seller: SMITH JUWANN ARNOLD Type: ARMS LENGTH VACANT	Date: 11/22/2023 Deed1: /40077/ 00418	Price: \$250,000 Deed2:
Seller: ALSTON BARBARA H TRUSTEE Type: ARMS LENGTH IMPROVED	Date: 04/19/2018 Deed1: /32023/ 00113	Price: \$167,500 Deed2:
Seller: ALSTON BARBARA H Type: NON-ARMS LENGTH OTHER	Date: 11/21/2013 Deed1: /26851/ 00264	Price: \$0 Deed2:

Exemption Information

Partial Exempt Asse	ssments: Class	07/01/2023	07/01/2024	
County:	000	0.00		
State:	000	0.00		
Municipal:	000	0.0010.00	0.00 0.00	

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No ApplicationDate:





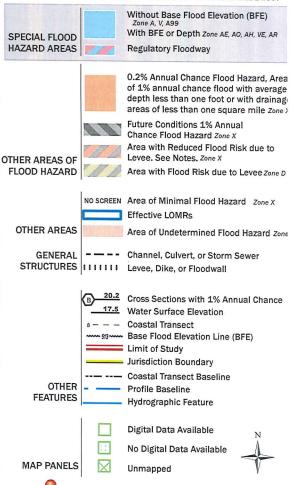
National Flood Hazard Layer FIRMette





Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



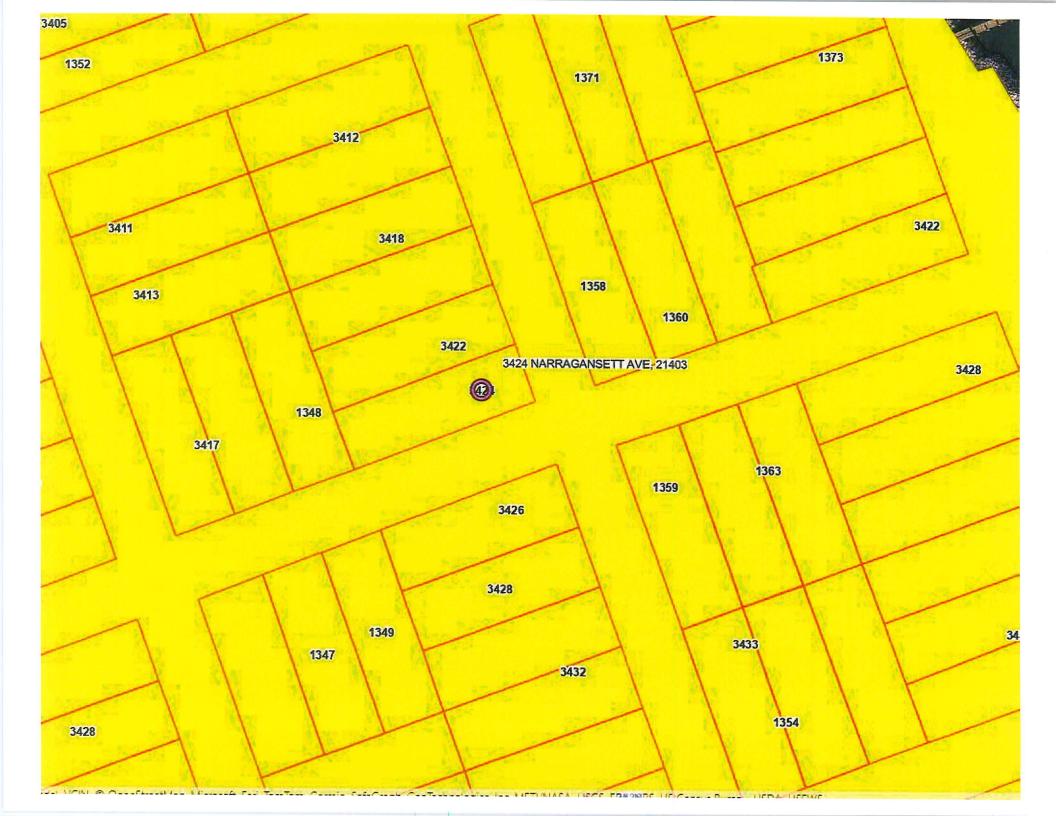
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The pin displayed on the map is an approximate point selected by the user and does not represe

an authoritative property location.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/6/2024 at 4:05 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels. legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





MAP LEGEND MAP INFORMATION Area of Interest (AOI) C The soil surveys that comprise your AOI were mapped at 1:12,000. Area of Interest (AOI) C/D Soils Warning: Soil Map may not be valid at this scale. Soil Rating Polygons Enlargement of maps beyond the scale of mapping can cause Not rated or not available Α misunderstanding of the detail of mapping and accuracy of soil Water Features A/D line placement. The maps do not show the small areas of Streams and Canals contrasting soils that could have been shown at a more detailed scale. Transportation B/D Rails Please rely on the bar scale on each map sheet for map C measurements. Interstate Highways C/D Source of Map: Natural Resources Conservation Service **US Routes** Web Soil Survey URL: Major Roads Coordinate System: Web Mercator (EPSG:3857) Not rated or not available Local Roads Maps from the Web Soil Survey are based on the Web Mercator Soil Rating Lines projection, which preserves direction and shape but distorts Background distance and area. A projection that preserves area, such as the Aerial Photography Albers equal-area conic projection, should be used if more A/D accurate calculations of distance or area are required. В This product is generated from the USDA-NRCS certified data as of the version date(s) listed below. Soil Survey Area: Anne Arundel County, Maryland Survey Area Data: Version 22, Sep 12, 2023 Soil map units are labeled (as space allows) for map scales 1:50,000 or larger. Not rated or not available Date(s) aerial images were photographed: Jun 20, 2022—Aug 13, 2022 Soil Rating Points The orthophoto or other base map on which the soil lines were Α compiled and digitized probably differs from the background A/D imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident. В B/D

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI	
AuB Annapolis-Urban land complex, 0 to 5 percent slopes		С	4.6	100.0%	
Totals for Area of Intere	st	4.6	100.0%		

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition



WHITEHALL BUILDING & COMPANY

MULLIN RESIDENCE CHESSIE: FRONT ELEVATION SCALE: 1/8" = 1'0"

LR - Deed (w Taxes) Recording only ST20.00 Name: smith DEED OF EASEMENT LR - Deed (with Taxes) ____, 2022, by and between Luwanarge This easement, made this ___ day of Smith and Renee Smith, the owners of 3424 Narragansett Avenue, Annapolis, Maryland 2 1469 State (hereinafter referred to as "Grantors"), parties of the first part, and the Melanie Herr, owner and resident of 3422 Narragansett Avenue, Annapolis, Maryland 21403 (hereinafter refer to tas) the 185.00 "Grantee"), party of the second part. Total: 185.00 09/20/2023 03:10 Attached and incorporated herein as Exhibit A is a survey conducted of both properties by CCØ2-TedT surveyor Bay Engineering, Inc.; said survey has been marked to reflect this easement 13 1343 46 CC 10501 -County/CC05.01.10 ~ Engineering, Inc. and the parties. Register 10

WITNESSETH

WHEREAS, the Grantors are the fee simple owners of the property located at 3424 Narragansett Avenue, Annapolis, Maryland 21403 (hereinafter referred to as the "Smith Lot" or "Lot A")

WHEREAS, the Grantee is the fee simple owner of the property located at 3422 Narragansett Avenue, Annapolis, Maryland 21403 (hereinafter referred to as the "Herr Property" or "Lot B");

WHEREAS, the Smith Lot and Herr Property are contiguous and thereby share a property line;

WHEREAS, a dispute arose between the parties over the actual location of the property line and a complaint was filed in Anne Arundel Circuit County in the matter of Herr v. Smith, case number C-02-CV-20-001384;

WHEREAS, to avoid further costs of litigation, both parties reached an agreement that would benefit both parties (hereinafter referred as the "Settlement Agreement") concerning the location of the property line and an easement (a copy of which is attached as Exhibit C);

WHEREAS, the property line between the Smith Lot and the Herr Property has been agreed to be as set forth on the attached survey (see Exhibit B hereto) as North 69°27'59" East 103.59', from Narragansett Avenue to North 20° 17'01" West 50.00';

WHEREAS, the parties also agreed that the Grantee wishes is hereby granted an easement over a strip of land that runs 103.59" along the shared property line, to which the Grantors have voluntarily agreed; the area covered by the easement is identified on Exhibit A and B attached hereto; CONSIDERATION 25, 000, 00

NOW, THEREFORE, in compliance with the Settlement Agreement, and for other valuable

consideration, the Grantor hereby grants to the Grantee and her assigns, a permanent and exclusive easement (hereinafter referred to as the "Side Yard Easement") of unlimited use and access upon the portion of the servient estate, the Smith Lot, described as follows (description contained in Exhibit A and visually depicted in Exhibit B):

BEGINNING for the same at a point located on the southwestern side of Narragansett Avenue, a 50' wide public right of way, said point being further located at the easternmost common corner of Lot A and Lot B, Block 21, as shown on the plat entitled

No Taxes Nedessary Tax Division

Val #: 0001-041803 County Transfer

"Arundel on the Bay," recorded among the Land Records of Anne Arundel County, Maryland, in Play Book 9, Page 25;

THENCE leaving said point of beginning and said Lot B and binding on a portion of the division line of the southwestern side of said Narragansett Avenue and the eastern outline of said Lot A, with bearings referenced to NAD 83/2011, and now described;

1. South 20°17'01" East 4.85' to a point;

THENCE leaving said line and running through a portion of said Lot A, the following three (3) courses and distances;

- 2. South 70°47'52" West 37.33' to a point;
- 3. South 69°51'16" West 42.41' to a point, and;
- 4. South 78°16'23" West 24.12' to a point on the division line of aforesaid Lot A and Lot B, Block 21;

THENCE binding on said line;

5. North 69°27'59" East 103.59' to the point of beginning.

CONTAINING 371 square feet or 0.009 acres of land more or less.

BEING part of the conveyance from Frank H. Alston, III, and Linda D. Alston, Trustees of the Barbara H. Alston Revocable Trust dated June 4, 1999 as amended by First Amendment and First Restatement dated November 8, 2013 to Juwann Arnold Smith and Renee Smith by deed dated April 12, 2018 and recorded among the Land Records of Anne Arundel County, Maryland, in Book 32023, Page 113.

The Grantee shall be solely responsible for the maintenance, repairs, and upkeep of the Side Yard Easement. The Grantee shall determine the use and function of the Side Yard Easement.

To have and to hold the easement granting the right of ingress and egress across the Side Yard, and hereby intended to be conveyed, together with the rights, privileges, and appurtenances advantages thereto belonging or appertaining unto and to the proper use and benefit of the Grantee and her assigns

And the Grantors hereby covenant that they have not done or suffered to be done any act, matter, or thing whatsoever, to encumber the property hereby conveyed.

As witness, the hands and seals of said Grantors, the day and year first above written.

WITNESS:					
GRANTORS			_		
Daniel a	<u> </u>		- Suit	<u>L</u>	
Dunit G		Rence :	n Smith Smith		
GRANTEE	, (/	211/2		
_ Gu	VIRR	Melanie	My Merr	"IR	
	ST	TATE OF MAR	RYLAND		
•	COUN	NTY OF ANNE	E ARUNDEL		
On this 2	_ day of, known, and know	, 2022, be	fore me persona	Illy came and app	peared
Renle Smith	, known, and knov	vn to me, to be	the individuals	described in and	who
executed the fore	going instrument, and	d who duly ack	inowledged to m	ie that he execute	ed same for
the purpose there					
IN WITNESS W	HEREOF, I hereunt	to set my hand	and official seal	l.	
M					
7					
My Commission	Expires: <u>1012</u> 4	r 			
				•	
	RICARDO DINKINS				
b	NOTARY PUBLIC	11.177.4			
	RINCE GEORGE'S COU MARYLAND				
One thin IHY	Commission Expires December day of,	10, 2024		-11	
One this II					
	, known	to me to be	the individu	ual desc£ibed	in and who
executed the f	foregoingiinstrum	ent, and wh	o duly acknow	wledged to me	that she
executed same	for the purpose	therin cont	ained.		
IN WITNESS WHE	EREOF, I hereunto	set me han	d and officia	al seal	
My Commission	Evninge	,-			
My Commission	cxpires:				

State of Maryland County of Anne Arundel

On this 11th day of September of 2023, before me the undersigned officer, personally appeared Melanie K. Herr known to me satisfactorily or proven to be the persons whose names are subscribed to within the instrument and acknowledged that they executed the same for the purposes therein contained.

In witness thereof I hereunto set my hand and official seal.

Olga L. Cortez Contreras Notary Public My Commission expires on September 27, 2025

OLGAL CORTEZ CONTRERA
NOTARY PUBLIC
NNE ARUNDEL COUNTY
MARYLAND
Y COMMISSION EXPIRES
SEPTEMBER 27 2025

Olga L Conty Southers

EXHIBIT B

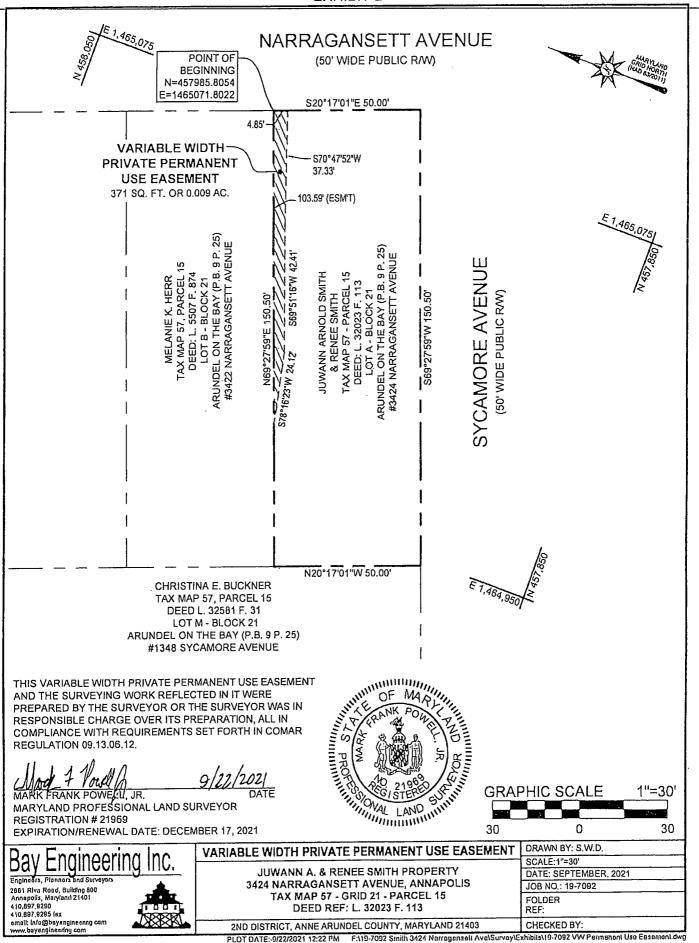


Exhibit C

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

THIS SETTLEMENT AGREEMENT AND MUTUAL RELEASE (the "Agreement"), effective this 20 th day of August, 2021, is by and between Melanie K. Herr (the "Plaintiff"), and Juwann Smith and Renee Smith (the "Defendants").

WHEREAS, the Plaintiff filed suit against the Defendants claiming adverse possession of the property known as the "Side Yard" between 3422 and 3424 Narragansett Avenue, Annapolis, Maryland 21403, as set forth in the Circuit Court for Anne Arundel County civil case number C-02-CV-20-001384 (the "Lawsuit");

WHEREAS, the Defendants dispute the Plaintiff's claim for adverse possession and all other claims for relief set forth in the Plaintiff's complaint;

WHEREAS, the Plaintiff and Defendants, upon the advice of their respective attorneys, have agreed to a resolution of the Plaintiff's claims against the Defendants, and desire to fully and finally settle and compromise all such claims without any admission of wrongdoing and with both parties agreeing to release any potential claims arising from the "Side Yard" dispute; and

IN CONSIDERATION of the mutual covenants contained herein and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed as follows:

- 1. The Defendants will pay the Plaintiff a total of twenty-five thousand dollars (\$25,000.00) as set out herein. Within two (2) business days from the date of this Agreement, the Defendants will pay fifteen thousand dollars (\$15,000.00). The Defendants shall pay the remaining ten thousand dollars (\$10,000.00), pursuant to the Confessed Judgment Promissory Note attached as Exhibit I, in two consecutive payments of five thousand dollars (\$5,000.00) each, with the first payment of five thousand dollar (\$5,000.00) to be paid on or before September 25, 2021, and the second payment of five thousand dollars (\$5,000.00) to be paid on or before October 25, 2021. All payments shall be made by check, payable to the Plaintiff's law firm, Hartman Attorneys at Law;
- 2. The Defendants will grant an Easement as set forth in Exhibit 2, which is to be recorded among the land records. The Easement is intended to be a buffer between the Plaintiff's and the Defendants' respective properties at 3422 and 3424 Narragansett Avenue, Annapolis, Maryland 21403, and the Easement shall be used by the Plaintiff only in a manner consistent with prior use (i.e., mowing the grass, keeping the air conditioning unit in place, maintaining the property, and using it as a buffer);
- 3. The Plaintiff, in consideration of the premises and other good and valuable consideration, has remised, released and forever discharged, and does by these premises, remise, release and forever discharge the Defendants, their successors and assigns, and all of the Defendants' agents, and altorneys, of all claims, demands of whatever nature, actions, causes of action, damages, controversies, debts, liens, and sums of money whatsoever which she may have

against them, or any of their successors and assigns, agents, and attorneys, known or unknown, whether or not they are now in contemplation of the parties, or whether they should arise after the execution of this Agreement, from the beginning of the world to the date hereof. This release is not a release of the obligations of the Defendants under this Agreement. This release is not a release of any future disputes unrelated to the establishment of the Easement (Exhibit 2) that may arise during the Defendants' construction of their home at 3424 Narragansett Avenue.

- The Defendants, in consideration of the premises and other good and valuable consideration, have remised, released and forever discharged, and do by these premises, remise, release and forever discharge the Plaintiff, her successors and assigns, and all of the Plaintiff's agents, and attorneys, of all claims, demands of whatever nature, actions, causes of action, damages, controversies, debts, liens, and sums of money whatsoever which they may have against her, or any of her successors and assigns, agents, and attorneys, known or unknown, whether or not they are now in contemplation of the parties, or whether they should arise after the execution of this Agreement, from the beginning of the world to the date hereof. This release is not a release of any future disputes unrelated to the establishment of the Easement (Exhibit 2) that may arise during the Defendants' construction of their home at 3424 Narragansett Avenue.
- Other than the Lawsuit, both parties represent that they have no pending charges, complaints, lawsuits, or claims of any type against the other party before any federal, state or local agency, commission, court, or other entity, which processes, hears, or determines any claims. Further, both parties agree that they will not file any charges, complaints, appeals, lawsuits, or claims with any court, federal agency, or commission, or any agency or commission or court of any state, or locality or subdivision thereof, against the other party, except in the event the Defendants fails to pay the settlement payment set forth in paragraph 1 above or the event that Plaintiff uses the easement in a manner inconsistent with prior use as set forth in paragraph 2 above.
- 6. Plaintiff warrants that she has not assigned to any third parties any claims or choses in action which would otherwise be subject to this release.
- 7. This Agreement constitutes the complete and entire understanding between the Plaintiff and Defendants on the subject matter hereof. No other promises or agreements shall be binding unless in writing and signed by the parties hereto. The Defendants represent and acknowledge that in executing this Agreement they have not relied upon any representation or statement not set forth herein made by the Plaintiff or any of its agents, representatives or attorneys with respect to the subject matter of this Agreement.
- 8. The parties represent and state that they have been fully informed and have knowledge of the terms, conditions and effects of this Agreement. The parties further represent and state that no promise or inducement has been made or offered except as is set forth in this Agreement. In the event of any question or dispute under this Agreement, the parties agree that the terms of this Agreement shall not be construed against the drafter, but shall be construed as though both parties were the drafter.

- This Agreement shall be governed by, and be construed in accordance with, the laws of the State of Maryland, including, without limitation, in relation to all matters of formation, interpretation, construction validity, performance, and enforcement.
- This Agreement constitutes the entire agreement between the parties in relation to the subject matter. No term or provision of this Agreement may be varied, changed, modified, waived or terminated orally, but only by an instrument in writing signed by the party against whom the enforcement of the variation, change, modification, waiver, or termination is sought. The waiver by any party hereto of any breach of any provision of this Agreement shall not constitute or operate as a waiver of any other breach of such provision or of any other provision hereof, nor shall any failure to enforce any provision hereof operate as a waiver at such time or at any future time of such provision, or of any other provision hereof.
- 11. This Agreement may be executed in counterparts with the same effect as if the signatures hereto and thereto were upon the same instrument.
- 12. Except for this Agreement, the parties agree that all other agreements between them are terminated.
- This Agreement shall be binding upon and shall ensure to the benefit of the parties hereto and to their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the parties have executed this Settlement Agreement and Mutual Release the day and year first above written.

WITNESS:	PLAINTIFF
Olga J. Carty Contrees	Melanie K. Herr
	DEFENDANTS
	Javann Smith
#	Renew Smith

1)

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applicable information.				Le	cati	on/Address of Prope	rty B	leing Conv	eyed (2)			
A maximum of 40	Other Property Identifiers (if applicable) Water Meter Account No.											
characters will be indexed in accordance												
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То	New Owner's (Grantee) Mailing Address											
	Doc 1 - Additional Names to be Indexed (Ontional) Doc 2 - Additional Names to be Indexed (Ontional)											
Other Names	Doc. 1 – Additional Names to be Indexed (Optional) Doc. 2 – Additional Names to be Indexed (Optional)								Optional			
to Be Indexed												
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Instrument Type: Deed

BOOK: 35316 PAGE: 92

OTHER THAN THE COMPLETION OF BLANKS, DO NOT MAKE CHANGES TO THIS FORM

2002-0013-8660

DEED OF EASEMENT AND AGREEMENT

Clear Sight Triangle Easement

THIS DEED OF EASEMENT AND AGREEMENT made this 10 day of Aptimber, 2020, by and between Juwann Arnold Smith and Renee Smith - Government

(hereinafter the "Property Owners") and ANNE ARUNDEL COUNTY, MARY THE ECTIONS & PERMITS (hereinafter the "County").

WHEREAS, the Property Owner owns certain property located at the intersection NARRAGANSETT of Narragansett Avenue and Sycamore Avenue; and

WHEREAS, the Anne Arundel County Code defines a "clear sight triangge" ผู้จุดิวิติวิติ CCØ2-RM "an area of unobstructed vision at a road intersection"; and Anne Arundel

WHEREAS, Article 17, Title 6 of the County Code requires that property of the code requires that the code requires the code requires that the code requires that the code requires the code require convey a clear sight triangle easement to the County prior to the development of property located at the intersection of existing roads.

NOW, THEREFORE, in consideration of the premises hereof and other good and valuable consideration (no monetary value), the receipt of which is hereby acknowledged, and subject to the use in common with the Property Owner and Property Owner's heirs, personal representatives, successors and assigns, and the covenants and conditions hereafter set forth, the said Property Owner does hereby grant and convey unto the County, its successors and assigns, a perpetual clear sight triangle easement across, over and through a part of Property Owner's property and described as:

All that area shown and designated as "clear sight triangle" on Exhibit "A" and shown on Exhibit "B" attached hereto and recorded herewith (the "Easement Area").

BEING part of the Property Owner's property described in a deed dated April 12, 2018 and recorded in the Land Records of Anne Arundel County, Maryland at Liber 32023, Folio 113 (the "Property").

TO HAVE AND TO HOLD the said perpetual easement unto the County, its successors and assigns, for the purposes hereinbefore set forth and further subject to the covenants and conditions hereinafter set forth, and the Property Owner covenants and agrees with the County (1) to do and refrain from doing upon the Easement Area, all and

Page 1 of 6

No Taxes Necessary Tax Division

[March 2013]

OTHER THAN THE COMPLETION OF BLANKS, DO NOT MAKE CHANGES TO THIS FORM

any of the various acts set forth below, and (2) that the covenants, conditions, limitations and restrictions contained in this Deed of Easement and Agreement are intended to run with the land and limit the use of the Easement Area, and the Property Owner further declares that the Easement Area shall now and forever be held, sold and conveyed subject to all the covenants, conditions, restrictions set forth below:

- 1. No structures, fences, plantings, signs, walls, or objects of any kind will be placed, erected or permitted by Property Owner to remain in the Easement Area that exceed a height of twelve (12) inches.
- 2. The general topography of the Easement Area shall be maintained in its present condition and no berms, mounds, hills, excavation, filling, or other topographic changes may be made, except as required to provide a clear sight triangle and pursuant to prior written approval by the County.
- 3. The Property Owner shall maintain the Easement Area as a clear sight triangle, as defined by County Code.
- 4. In addition to any and all remedies the County may have at law or in equity, in the event of the property Owner's failure to maintain the Easement Area as a clear sight triangle, the County shall have the right, but not the obligation, to enter upon the Easement Area as necessary for maintenance of the Easement Area as a clear sight triangle, and all costs associated with such maintenance shall be borne by the Property Owner.

AND the Property Owner hereby covenants to warrant specially the Easement herein granted and to indemnify and hold the County harmless from any loss suffered as a result of any sale of the subject property (judicial or otherwise) that affects the validity or enforceability of this Easement. Property Owner further covenants to provide such further assurances and to execute, acknowledge and deliver to or for the County such further instruments and take such further actions as may be reasonably required to carry out and effectuate the intent and purpose of this Easement, or to confirm or perfect any rights created hereunder.

BOOK: 35316 PAGE: 94

PROPERTY OWNER:

OTHER THAN THE COMPLETION OF BLANKS, DO NOT MAKE CHANGES TO THIS FORM

WITNESS:	PROPERTY OWNER:	
nim	Jawann Arnold Smith	(Seal)

STATE OF MARYLAND, anne, county, to wit:

I HEREBY CERTIFY that on this 12 day of august before me, a notary public in and for the State and county aforesaid, personally appeared Juwann Arnold Smith known to me or satisfactorily proven to be the Property Owner whose name is subscribed to the foregoing and in my presence executed the same for the purpose s therein contained and acknowledged the same to be his act and deed of easement.

Witness my hand and Notarial Seal.

My Commission Expires: || || || >1

BOOK: 35316 PAGE: 95

OTHER THAN THE COMPLETION OF BLANKS, DO NOT MAKE CHANGES TO THIS FORM

WITNESS:	PROPERTY OWNER:
Sum	Kenel Myrus (Seal)
	Renee Smith

STATE OF MARYLAND, under County, to wit:

before me, a notary public in and for the State and county aforesaid, personally appeared Renee Smith known to me or satisfactorily proven to be the Property Owner whose name is subscribed to the foregoing and in my presence executed the same for the purposes therein contained and acknowledged the same to be his act and deed of easement.

Witness my hand and Notarial Seal.

Notary Public

My Commission Expires: // 11/21

· . . · . .

BOOK: 35316 PAGE: 96

ANNE ARUNDEL COUNTY,

OTHER THAN THE COMPLETION OF BLANKS, DO NOT MAKE CHANGES TO THIS FORM

	MARYLAND
· · · · · · · · · · · · · · · · · · ·	Greg Africa, Director Department of Inspections and Permits

Reviewed For Form And Legal Sufficiency:

APPROVED FOR FORM AND LEGAL SUFFICIENC

GREGORY J. SWAIN, COUNTY ATTORNEY

Date

Kelly Phillips Kenney Supervising County Attorney

STATE OF MARYLAND, Anne Arundel, County, to wit:

I HEREBY CERTIFY that on this 10 day of September, 2020, before me, a notary public in and for the State and county aforesaid, personally appeared Greg Africa, Director, Department of Inspections and Permits and known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing and in my presence executed the same for the purposes therein contained and acknowledged the same to be his act and deed.

Witness my hand and Notarial Seal.

Notary Public

My Commission Expires: 5/22/2023

Holly A Velez NOTARY PUBLIC Prince George's County, Maryland My Commission Expires 5/22/2023

BOOK: 35316 PAGE: 97

OTHER THAN THE COMPLETION OF BLANKS, DO NOT MAKE CHANGES TO THIS FORM

I HEREBY CERTIFY that this deed was prepared by Anne Arundel County, Maryland, one of the parties to this instrument.

Vicla Heins

B 14 20

AFTER RECORDATION RETURN TO INSPECTION DIVISION - MS 6202

BOOK: 35316 PAGE: 98



EXHIBIT A

25' Clear Sight Triangle Easement
Juwann A. & Renee Smith Property
3424 Narragansett Avenue, Annapolis
Tax Map 57 – Grid 21 – Parcel 15
Deed Ref: Book 32023, Page 113
2nd Assessment District
Anne Arundel County, Maryland 21403
Tax ID #02-002-00138660

BEGINNING for the same at a point located at the northwestern intersection of Narragansett Avenue (50' wide public right of way) and Sycamore Avenue (50' wide public right of way), said point being further located at the southeastern most corner of Lot A – Block 21 as shown on the plat entitled "Arundel on the Bay", recorded among the Land Records of Anne Arundel County, Maryland in Plat Book 9, Page 25;

THENCE leaving said point of beginning and said Narragansett Avenue and binding on a portion of the northern right of way line of said Sycamore Avenue and the southern outline of said Lot A, with bearings referenced to NAD 83/2011, and as now described;

1. South 69°27'59" West 25.00' to a point;

THENCE leaving said line and running through a portion of said Lot A;

2. North 24°35'29" East 35.43' to a point on the western right of way line of said Narragansett Avenue;

THENCE binding on said line;

South 20°17'01" East 25.00' to the point of beginning.

CONTAINING 313 square feet or 0.007 acres of land more or less.

BEING part of the conveyance from Frank H. Alston, III and Linda D. Alston, Trustees of the Barbara H. Alston Revocable Trust dated June 4, 1999 As amended by First Amendment and First Restatement dated November 8, 2013 to Juwann Arnold Smith and Renee Smith by deed dated April 12, 2018 and recorded among the Land Records of Anne Arundel County, Maryland in Book 32023, Page 113.

THIS description was prepared under my responsible charge and is in compliance with the requirements set forth in COMAR, Regulation 09.13.06.12.

Expiration/Renewal Date: August 3, 2020

F:\19-7092 Smith 3424 Narragansett Ave\Survey\Descriptions\19-7092 C S T Easement.doc 2661 Riva Road, Building 800 - Annapolis, MD 21401 Ph. 410-897-9290 Fax 410-897-9295

www.BayEngineering.com

EXHIBIT "B" E 1,485,075 NARRAGANSETT AVENUE POINT OF (50' WIDE PUBLIC R/W) **BEGINNING** N=457938.9060 S20°17'01'E 50.00' E=1465089.1357 25' CLEAR SIGHT TRIANGLE EASEMENT 313 SQ. FT. OR 0.007 AC. ARUNDEL ON THE BAY (P.B. 9 P. 25) #3422 NARRAGANSETT AVENUE 9 P. 25) SYCAMORE AVENUE #3424 NARRAGANSETT AVENUE TAX MAP 57, PARCEL DEED: L. 5507 F. 874 MELANIE K. HERR JUWANN ARNOLD SMITH LOT B - BLOCK 21 TAX MAP 57 - PARCEL 1 DEED: L. 32023 F. 113 ARUNDEL ON THE BAY (P.B. S69°27'59"W 150.50 (50' WIDE PUBLIC R/W) N69"27"59"E 150.50 LOT A - BLOCK 21 RENEE SMITH 125.50 N20°17'01'W 50.00' 1,464,950 WILLIAM J. LOVE TAX MAP 57, PARCEL 15 DEED L. 21693 F. 200 LOT M - BLOCK 21 ARUNDEL ON THE BAY (P.B. 9 P. 25) #1348 SYCAMORE AVENUE THIS 25' CLEAR SIGHT TRIANGLE EASEMENT EXHIBIT AND THE SURVEYING WORK REFLECTED IN IT WERE PREPARED BY THE SURVEYOR OR THE SURVEYOR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTHUN COMAR REGULATION 09.13.06.12. **Engineering Inc.** /2-/2-19 1"=30 2661 Rive Road, Building 800 Annepolis, Maryland 21401 DATE GRAPHIC SCALE TIMOTHY J. MARTIN MARYLAND PROFESSIONAL LAND SURVEYOR 410.897.9290 410.897.9295 fax **REGISTRATION #10989** email: info@bayengineering.com www.bayengineering.com EXPIRATION/RENEWAL DATE: AUGUST 3, 2020 30 30 0 **REVISIONS** ANNE ARUNDEL COUNTY SCALE: 1"=30" DRAWN BY: S.W.D. **DEPARTMENT OF INSPECTIONS & PERMITS** DATE BY DATE: DECEMBER, 2019 25' CLEAR SIGHT TRIANGLE EASEMENT EXHIBIT TRACED BY: PROJECT NO.: Car. 1918 JUWANN A. & RENEE SMITH PROPERTY CHECKED BY: R.A.I. 3424 NARRAGANSETT AVENUE, ANNAPOLIS TAX MAP 57 - GRID 21, PARCEL 15 **APPROVED** SHEET 1 OF 1 2ND DISTRICT, ANNE ARUNDEL COUNTY, MARYLAND 21403

□ Ba	tate of Mary altimore City nation provided is Assessments an	y Za Cou s for the use of a d Taxation, an	nty: Anne the Clerk's d County Fi	Arui Offic nan	ndel ce, Sta ce Ofj	ite Department fice Only.	of		Lus- sale [8]	n			
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Firm Anne Arundel County Dept. of Inspections & Permits													
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Phone: ()													
Yes No Will the property being conveyed be the grantee's principal residence?													
Assessment Yes No Does transfer include personal property? If yes, identify:													
		Yes	No V	Vas r	propert	y surveyed? If v	es. a	ttach conv	of survey (if rec	orde	d. no conv requi	red)	
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Assessment Use Only – Do Not Write Below This Line Terminal Verification Agricultural Verification Whole Part Tran. Process Verification Transfer Number Date Received: Deed Reference: Assigned Property No.: Year 20 20 Geo. Map Sub Block Land Zoning Grid Plat Lot Buildings Use Parcel Section Occ. Cd. Total Town Cd. Ex. St. Ex. Cd.													
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J. Howard Beard Health Services Building 3 Harry S. Truman Parkway Annapolis, Maryland 21401 Phone: 410-222-7193 Fax: 410-222-7479 Maryland Relay (TTY): 711 www.aahealth.org

Tonii Gedin, RN, DNP Health Officer

MEMORANDUM

TO: Sadé Medina, Zoning Applications

Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager

Sanitary Engineering Program

DATE: April 5, 2024

CASE

NUMBER: 2024-0053-V

William J. Mullin. 3424 Narragansett Ave. Annapolis, MD 21403

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance request to allow a dwelling and associated facilities with less setbacks than required. The Health Department offers the following comments:

The Health Department does not have an approved plan for this project. The Health Department has no objection to the above reference variance a request as long as a plan is submitted and approved by the Health Department.

If you have further questions or comments, please contact Brian Chew at 410-222-7024.

cc: Sterling Seay

Menu Cancel Help

Task Details I and P Engineering
Assigned Date
03/21/2024
Assigned to
Habtamu Zeleke
Current Status
Complete w/ Comments
Action By
Habtamu Zeleke
Comments
1. Please ensure that the rain gardens area is setback/offset from property lines so that if it needs maintenance/reconstruction, easements do not need to be

Due Date 04/09/2024 Assigned to Dep Engineering Status Date 04/09/2024 Overtime No Start Time

- so that if it needs maintenance/reconstruction, easements do not need to be obtained from neighboring properties or impact rights-of-way.

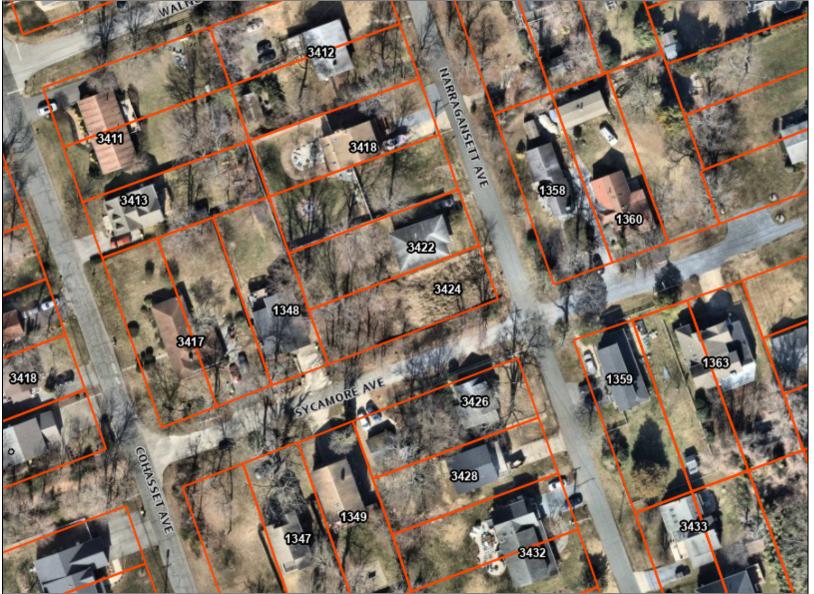
 2. How is the runoff from the rain gardens conveyed? How is the overflow for
- 2. How is the runoff from the rain gardens conveyed? How is the overflow to higher storms handled?
- 3. Please provide overland relief paths in the 10-yr and 100-yr events. Ensure that no structures, or properties are negatively impacted during these storm events.
- 4. Infiltration/filtration devices, including individual lot devices, shall be located a minimum of 10 feet horizontally from house and property lines.
- 5. Please provide soil boring on the facility footprint to review the suitability and sting of the proposed facility(ies). Describe the site's hydrologic, and topographic characteristics and provide recommendations on the feasibility of various BMPs.
- 6. Based on the above comments and proposed site design, this office does not support this request.

support this request.	
End Time	Hours Spent 0.0
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Licensed Professional	
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Owner	
Task Specific Information	

Expiration Date
Reviewer Phone Number

Review Notes Reviewer Email **Reviewer Name**

2024-0053-V - 3424 Narragansett Avenue





Legend

Foundation

Addressing

0

Parcels



Parcels - Annapolis City



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.

Nearma

Notes 2024 aerial

100 200

THIS MAP IS NOT TO BE USED FOR NAVIGATION