

## Letter of Explanation – 2037 Shore Drive

### Background

We are requesting approval to increase the interior ceiling heights and replace the flat roof of an existing 28' by 54' by 15.5' two store dwelling. The existing dwelling was built in 1970 and prior to us having any contractual interest in the property. This existing dwelling currently has habitable spaces with ceiling heights less than 7'. To bring the structure into compliance with the current International Building Code (IBC) we must increase the overall elevation of the structure from 15.5' to 21.5'. Additionally, the existing flat roof is beyond repair and requires replacement. To replace the roof and bring the property in line with similar properties in the surrounding neighborhood, the roof will be replaced with a new pitched roof bringing the total elevation of the property to 29.5'.

This property is zoned R5 and is in the IDA critical infrastructure area. While the proposed renovations themselves fall within the zoning maximum elevation of 35', the property as built by previous owners is not conforming to the current setbacks.

### Specific Request

- A variance of 23' from the 25' front setback
  - When considering the 16' right-of-way there will be 18' from the front of the structure to the roadway.

### Justification

We believe the following unique conditions warrant the issuance of a variance:

- There is an additional 16' of grass right-of-way between the property line and the roadway.
- No structures exist or can be built in front of this property due to the size of the land on the opposite side of the road as well as the proximity of the high-water mark.
- An existing pool is immediately behind the existing house restricting the ability to build outside of the setbacks without disturbing a significant amount of soil.
- An existing dwelling has been in place for more than 20 years. This existing structure currently has habitable spaces with ceiling heights less than 7'. To bring the structure into compliance with the current International Building Code (IBC) we must change the elevation of the property.
- To achieve IBC compliant ceiling heights while strictly applying the zoning regulation would require disturbance of a significant portion of the

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foundation, foundation walls, and surrounding soil to build a new structure and demolish portions of the existing structure within the existing setbacks.

### Compliance with 18-16-305

Article 18-16-305(b)(6) requires the applicant to “maximized the distance between the bog and each structure.” If approved, in addition to increasing the elevation of the existing dwelling, we will reduce the overall lot coverage from 42.73% to 40.12%. This includes removing 2’ of already existing structures from the front of the property reducing the amount of coverage inside front setback.

Article 18-16-305(b)(5) requires that “will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat...” This plan will allow us to achieve code compliant ceiling heights while also reducing the existing property’s non-conformity to the current setback requirements without the need for significant soil and foundation disruptions. There will be an overall reduction in coverage and no addition of square footage of the existing dwelling. This means we will not need to disturb much if any soil whereas attempting to bring the existing dwelling into strict adherence to the zoning requirements would result in a significant amount of excavation and soil disruption. We believe that the proposed plan is significantly more environmentally responsible.

Finally, Article 18-16-305(b)(2) states that one requirement to a variance is that “a literal interpretation... will deprive the applicant of rights commonly enjoyed by other properties in similar areas...” The proposed development is in-line with similar properties in the same community which either already exist or are currently being developed and do not meet the setback requirements. The proposed construction will bring the house in-line with the style of similar properties, and we expect will have a positive impact on property value in the immediate vicinity. Examples of similar properties and an appraisal of the existing property are attached.

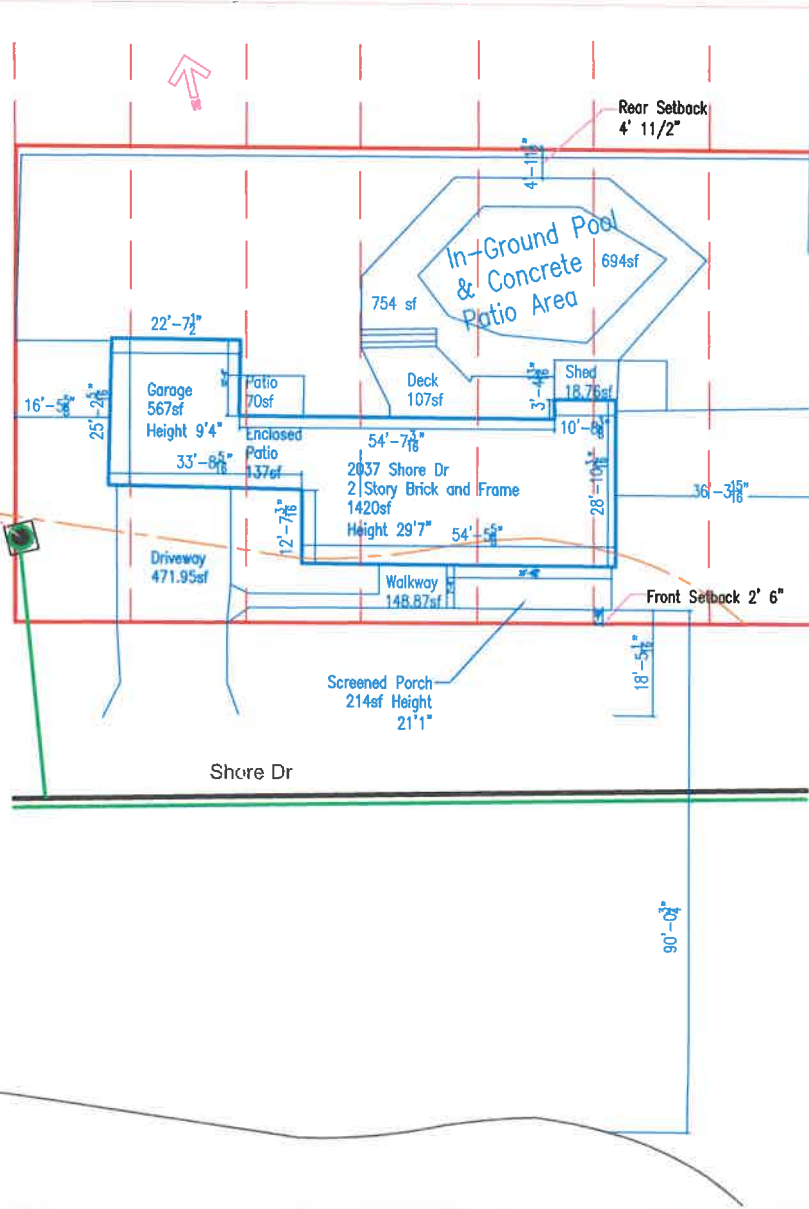
### Conclusion

Thank you for taking the time to review this request. We hope that you will find that granting a variance will allow us to make the best use of the existing property, while simultaneously minimizing the impact to the community and surrounding critical area.

PROPOSED SITE PLAN OF:  
 #2037 SHORE DRIVE  
 LOTS 1915 Thru 1912  
 WOODLAND BEACH  
 PLAT BOOK 8, PLAT 9  
 ZONING: R5  
 CRITICAL IMPACT AREA: IDA  
 FLOOD ZONE: N/A  
 Scale: 1"=40'  
 Date: 9/10/2024

SHC  
 Sewer  
 Cleanout

LEGEND:  
 Lot Lines (Red Dashed)  
 Parcel Boundary (Red Solid)  
 Improvements (Blue)  
 100' Buffer (Orange Dashed)  
 Sewer Lines (Green)  
 Mean High Water Mark (Black)



EXISTING COVERAGE:  
 House 2,370sf  
 Driveway 460  
 Pool 694sf  
 Concrete Patio 1,047sf  
 Shed 18.76sf  
 Walks 148.87sf  
 Deck 107sf  
 Total Coverage: 4845.63sf  
 Coverage by Structures: 3,189.76sf

Lot Size: 11,340sf  
 Coverage Pct: 42.73%  
 Coverage by Structure Pct: 28.13%

PROPOSED COVERAGE:

House 2,338sf  
 Driveway 460  
 Pool 694sf  
 Concrete Patio 824sf  
 Shed 18.76sf  
 Walks 148.87sf  
 Deck 107sf

Total Coverage: 4,590.63  
 Coverage by Structures: 3157.76sf

Increase in Coverage: -255.5sf

Lot Size: 11,340sf  
 Coverage Pct: 40.48%  
 Coverage by Structure Pct: 27.84%

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

PROJECT NOTIFICATION APPLICATION

**GENERAL PROJECT INFORMATION**

Jurisdiction: Anne Arundel County

Date:

Tax Map #	Parcel #	Block #	Lot #	Section
0056	0129		1915	

Tax ID: 190404317604

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

Project Name (site name, subdivision name, or other) 2037 Shore Drive

Project location/Address 2037 Shore Drive

City Edgewater Zip 21037

Local case number

Applicant: Last name Khaloughi First name Khaloughi

Company

**Application Type (check all that apply):**

- |                           |                          |                   |                                     |
|---------------------------|--------------------------|-------------------|-------------------------------------|
| Building Permit           | <input type="checkbox"/> | Variance          | <input checked="" type="checkbox"/> |
| Buffer Management Plan    | <input type="checkbox"/> | Rezoning          | <input type="checkbox"/>            |
| Conditional Use           | <input type="checkbox"/> | Site Plan         | <input type="checkbox"/>            |
| Consistency Report        | <input type="checkbox"/> | Special Exception | <input type="checkbox"/>            |
| Disturbance > 5,000 sq ft | <input type="checkbox"/> | Subdivision       | <input type="checkbox"/>            |
| Grading Permit            | <input type="checkbox"/> | Other             | <input type="checkbox"/>            |

**Local Jurisdiction Contact Information:**

Last name AACo Zoning Administration Section First name

Phone # 410-222-7437 Response from Commission Required By TBD

Fax # Hearing date TBD

**SPECIFIC PROJECT INFORMATION**

Describe Proposed use of project site:

Single Family Dwelling
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Intra-Family Transfer <input type="checkbox"/> Yes Grandfathered Lot <input type="checkbox"/>	Growth Allocation <input type="checkbox"/> Yes Buffer Exemption Area <input type="checkbox"/>
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**Project Type (check all that apply)**

Commercial <input type="checkbox"/> Consistency Report <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Mixed Use <input type="checkbox"/> Other <input type="checkbox"/>	Recreational <input type="checkbox"/> Redevelopment <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Shore Erosion Control <input type="checkbox"/> Water-Dependent Facility <input type="checkbox"/>
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**SITE INVENTORY (Enter acres or square feet)**

	Acres	Sq Ft		Acres	Sq Ft
IDA Area		11,340	Total Disturbed Area		0
LDA Area					
RCA Area					
Total Area			# of Lots Created		

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		2872	Existing Lot Coverage		4,845
Created Forest/Woodland/Trees		0	New Lot Coverage		0
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		295
			Total Lot Coverage		4,550

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

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		0	Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		

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

## Critical Area Narrative – 2037 Shore Drive

### Proposed Use

The proposed use of the subject property will be as a primary residence. The property is currently a single-family residential dwelling and will remain as such.

### Predominant trees and Shrubs

The property's vegetation is primarily made up of oak trees and boxwood shrubs. Approximately 2,872 square feet of the property is vegetated with trees and shrubs. Only routine landscaping will be conducted to clear overgrowth and if necessary, some tree limbs may be trimmed to increase access for renovations. No vegetation will be completely removed.

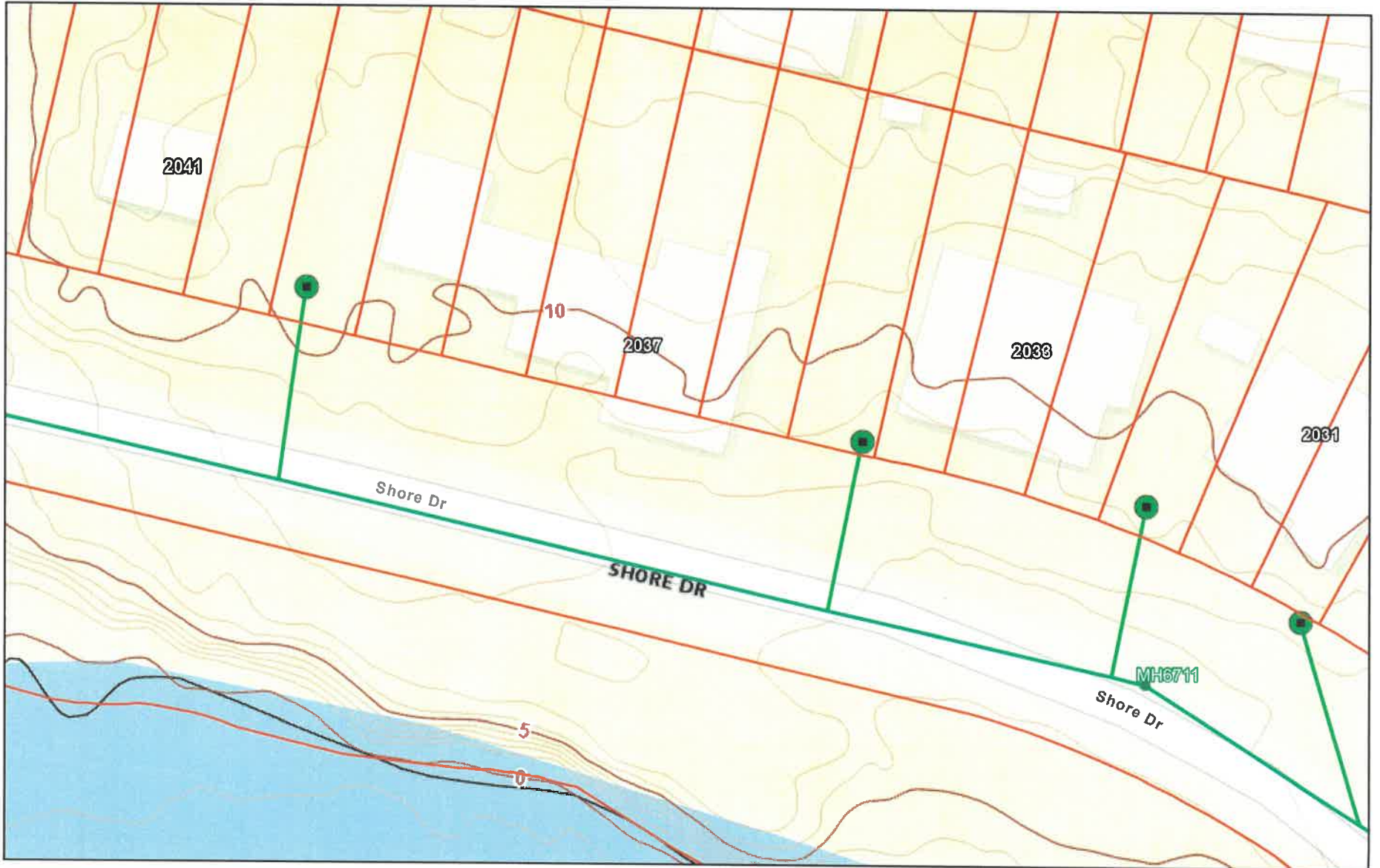
### Impacts on Water Quality and Habitat

The requested variance does not include any changes to elevation, grade, or disturbance of area that is currently undeveloped. If approved, we will also remove 295 square feet of impervious surface to improve stormwater management and reduce the current structure's impact on the critical area.

### Impervious Surface

The existing structure has a lot coverage of 4845 square feet of impervious surfaces. As part of the renovations, we will be removing portions of the existing concrete patios and reducing the size of an existing porch. This will bring the lot coverage down to 4,550 square feet.

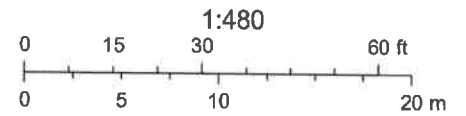
# Anne Arundel County Engineering Record Drawing and Monuments



9/10/2024, 7:01:52 PM

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- |              |                  |                  |                   |                 |
|--------------|------------------|------------------|-------------------|-----------------|
| — Index      | Local Road Label | ○ Address Points | ● Sewer Cleanouts | Sewer Pipes     |
| Intermediate | County Boundary  | ▭ Parcels        | ● Sewer Manholes  | — Gravity       |
|              |                  |                  |                   | — Sewer Service |



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Anne Arundel County

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