

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

APPLICANT: Robert & Kimberly Price, Jr.

ASSESSMENT DISTRICT: 2

CASE NUMBER: 2025-0025-V

COUNCIL DISTRICT: 6

HEARING DATE: April 8, 2025

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicants are requesting a variance to allow a private residential pier that is not accessory to a dwelling unit on property located at 327 South Riverside Drive in Crownsville.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of approximately 41,647 square feet of land and is bisected by South Riverside Drive. It is identified as Lot 18R (to the south) and Lot 13, part of Lot 14 and part of “Algren’s Folly” (to the north) of Block 49, Section B in the Herald Harbor subdivision, Parcel 149, Grid 23, Tax Map 31. This waterfront property is dual zoned R5 – Residential District and OS - Open Space, lies entirely within the Chesapeake Bay Critical Area IDA – Intensely Developed Area and the RCA - Resource Conservation Area, and is mapped as a BMA – Buffer Modification Area. It is improved with a one-story dwelling on the south side of South Riverside Drive and a private residential pier on the north side of South Riverside Drive.

PROPOSAL

The applicants are proposing to install, on the west side, four (4) mooring pilings for a boat lift (15’ x 10’), and, on the east side, two personal watercraft lifts (each 3’ x 5’) on an existing private residential pier.

REQUESTED VARIANCE(S)

§ 18-4-106 of the Anne Arundel County Zoning Ordinance permits a private residential pier in an R5 District if it is accessory to a dwelling unit. § 18-2-204(c) provides that an accessory structure or use may not be located on a lot other than the lot on which a principal structure is located. The proposed pilings and lifts will be installed on an existing pier where no principal structure exists, necessitating a variance.

FINDINGS

The subject property is irregularly shaped, split into two separate sections on either side of South Riverside Drive. Plat number 8081 (book 15 , page 8) combined Lot 18R with Lot 13, part of Lot 14 and part of “Algren’s Folly” to create one waterfront lot in May of 1992. The resulting lot area far exceeds the minimum lot area of 7,000 square feet and the lot width of 60 feet for lots in the R5 District. However, taken separately, the northern portion (Lots 13 & 14, and Algren’s Folly) would be substandard with regard to lot area, as “Algren’s Folly” is largely underwater, and lot width at 50 feet along Lots 13 & 14. A review of the County aerial photography shows that piers, boat slips, and lifts are common amenities in this neighborhood, and that the subject property has had a pier in its current location since at least 1995.

Building permit B02433396, to install four (4) pilings and remove two (2) pilings, was submitted on January 30, 2025. Variance approval must be obtained prior to the permit being issued.

The applicants’ letter explains that the principal structure for the pier is located directly across South Riverside Drive, and that the boat lift is proposed within the footprint of the existing wet slip on the western side of the pier. The applicants contend that the addition of the boat lifts will not change the character of the neighborhood because numerous residents have multiple boat lifts or slips.

Agency Comments

The **Development Division (Critical Area Team)** has no objection to the proposed variance.

The **Health Department** has no objection.

Variance Criteria

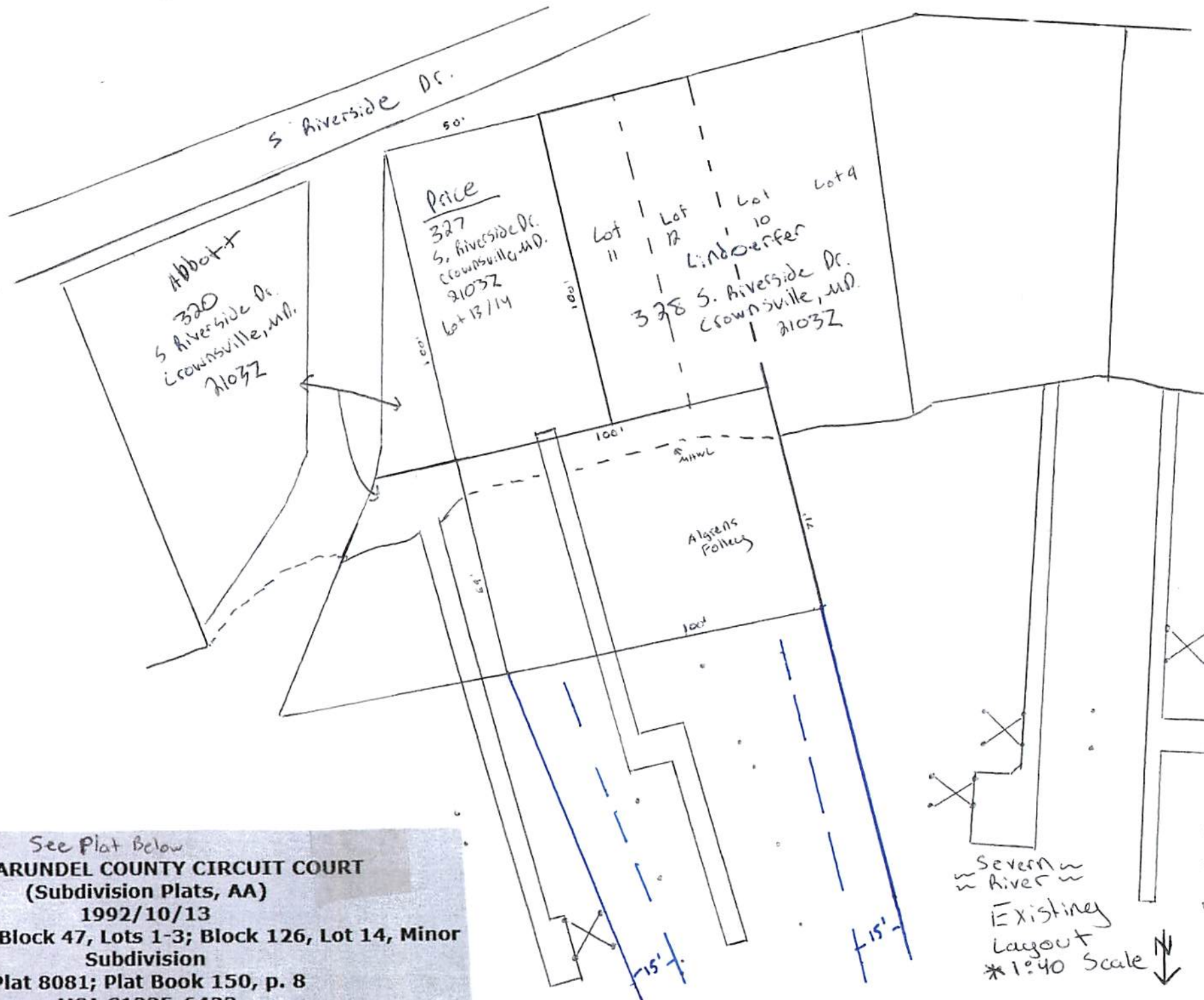
For the granting of a variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular lot, or because of exceptional circumstances other than financial considerations, strict implementation of the Code would result in practical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

In this particular case, the pier and wet slip are existing, and have always been accessory to the dwelling at 327 South Riverside Drive, creating a practical difficulty in complying with the Code. The granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located, because piers and boat lifts are common amenities for waterfront lots. As the mooring pilings and boat lift will replace the existing pilings and wet slip, and there appears to be adequate separation between the existing piers on either side of the applicants’ pier, the variance should not impair the appropriate use or development of adjacent properties nor be detrimental to the public welfare. In addition, it appears that their request should not impact the navigation or use and enjoyment of the adjacent waterfront lots.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends **approval** of the requested variance to § 18-2-204(c) to allow four (4) mooring pilings to be installed on an accessory structure (pier) located on a lot without a principal structure, as shown on the 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.



See Plat Below

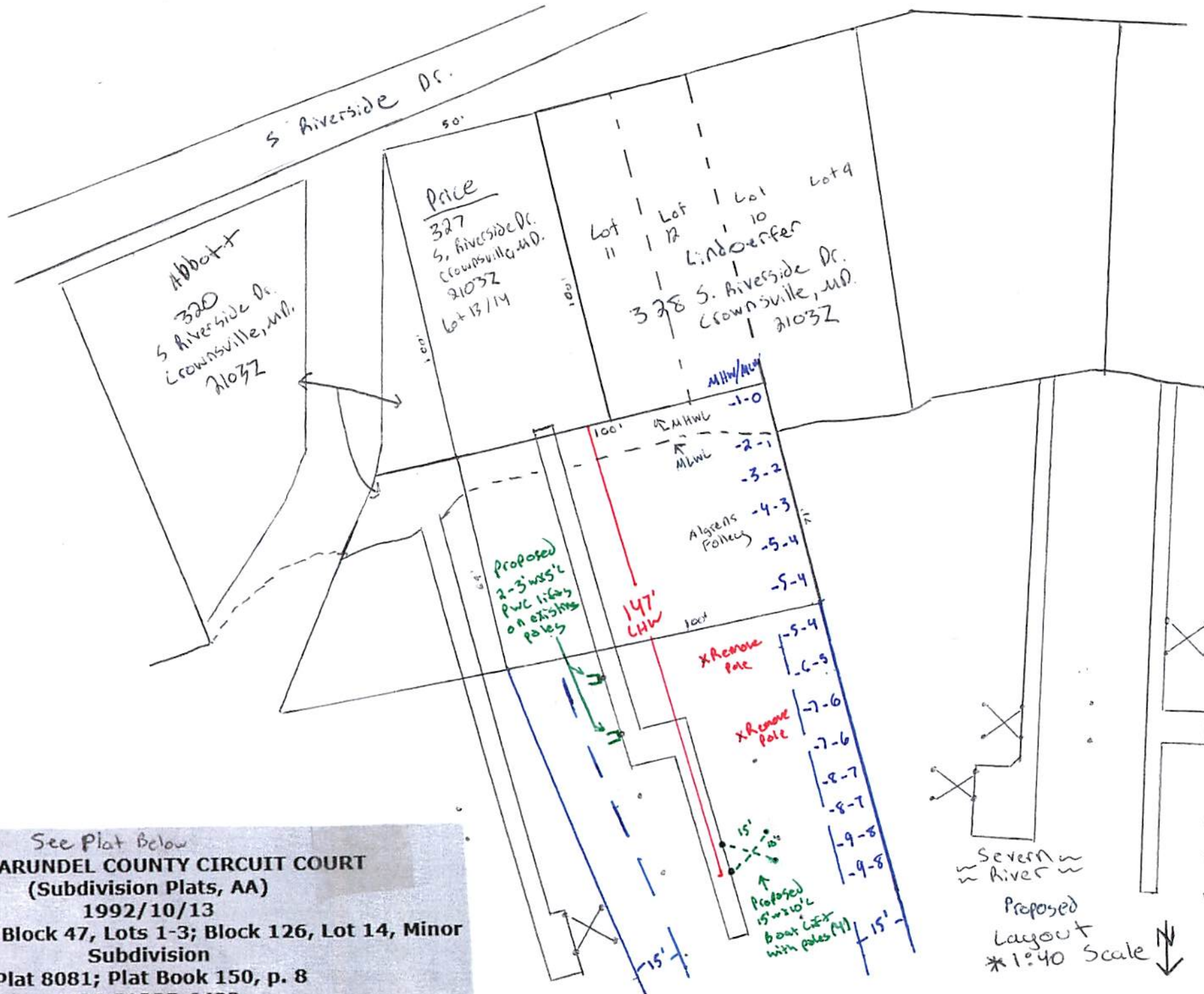
ANNE ARUNDEL COUNTY CIRCUIT COURT
(Subdivision Plats, AA)

1992/10/13

Herald Harbor, Block 47, Lots 1-3; Block 126, Lot 14, Minor
Subdivision

Plat 8081; Plat Book 150, p. 8

MSA S1235-6423



See Plat Below
ANNE ARUNDEL COUNTY CIRCUIT COURT
 (Subdivision Plats, AA)
 1992/10/13
 Herald Harbor, Block 47, Lots 1-3; Block 126, Lot 14, Minor
 Subdivision
 Plat 8081; Plat Book 150, p. 8
 MSA S1235-6423

Letter of Explanation

327 S Riverside Dr. Crownsville, MD. 21032

Kimberly Price

Proposed Work

We are seeking a variance for a 15'w x 10'l boat lift with associated poles (4) on an accessory structure with no principal structure located on the lot. The accessory structure we are looking to modify with a boat lift is the pier located at 327 S Riverside Dr. Crownsville, MD. 21032. All work a max of 147' channel ward of the mean high-water line.

Hardship

The principal structure for the Price's pier is located directly across S Riverside Dr. The piers ownership belonged to the two previous owners of 327 S Riverside Dr. The pier has been present in this community since at least 1994, with the previous homeowner Carl Benson completing a permit for a 50'l pier extension in 2004. With the previous modification of a pier extension being granted a precedent has been set to allow modification to this accessory structure. The modification we are seeking is minimal to the previous pier extension. The addition of a boat lift does not change the use of the structure. Currently on the western side of the pier there is a wet slip where we are requesting to install a 15'w x 10'l boat lift that is within the current footprint of said wet slip. The addition of the boat lifts/slips does not change the character of the Herald Harbor Subdivision as numerous residents have multiple boat lifts/slips.

Thank you,

Tim Glaser

Please contact Tim Glaser with any questions or information

tim@magnumlift.com

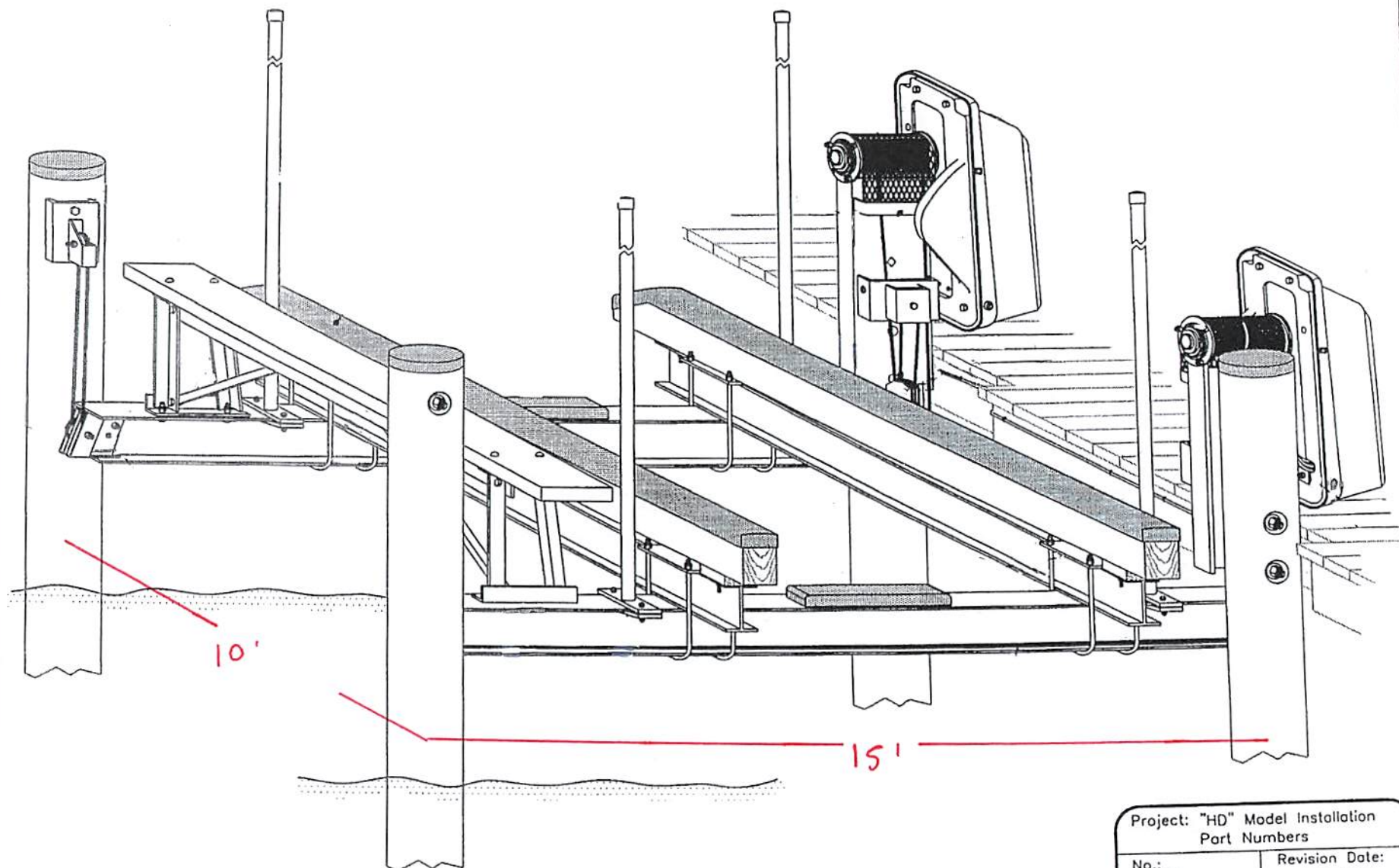
1-800-268-5911

1901 Betson Ct.

Odenton, MD. 21113

GENERAL NOTES:

1. FOR LIST OF MATERIALS RELATED TO PART NUMBERS, SEE PARTS LIST.



Project: "HD" Model Installation
Part Numbers

No.:
002

Revision Date:

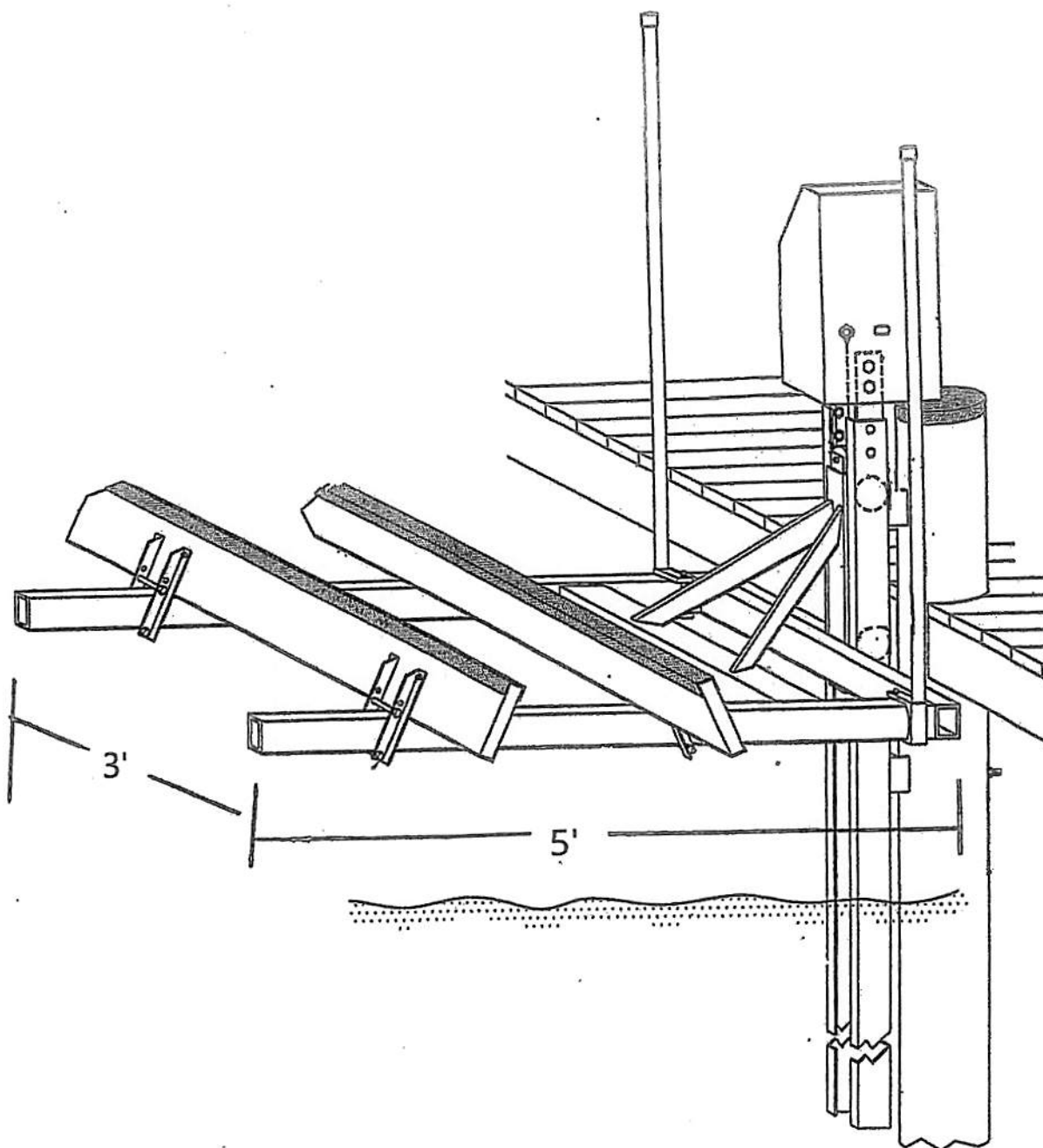
Scale:
None

Date:
02-22-01

Sheet:
1 of 1

GENERAL NOTE:

1. FOR LIST OF MATERIALS RELATED TO PART NUMBERS, SEE PARTS LIST 1500E OR 1500M.
FIND NUMBERS 4, 5, AND 7, AS SHOWN ON THIS ILLUSTRATION, ARE SPECIFIC TO 1500E;
HOWEVER, FOR MANUAL OPERATION, REFER TO 1500M, FIND NUMBERS 4, 5, AND 7.



Project: 1500 Installation
Part Numbers

No.:
003

Revision Date:

Scale:
None

Date:
08-28-00

Sheet:
1 of 1



Joins Map 5173

Price
327 S. Riverside Pl.
Crownsville, MD.
21032



2025-0025-V

Menu Cancel Help

Task Details **OPZ Critical Area Team**

Assigned Date

02/19/2025

Assigned to

Melanie Mathews

Current Status

Complete w/ Comments

Action By

Melanie Mathews

Comments

The Critical Area section of OPZ has no objection to the proposed variance.

End Time

Billable

No

Time Tracking Start Date

In Possession Time (hrs)

Estimated Hours

0.0

Comment Display in ACA

- ☒ All ACA Users
- ☒ Record Creator
- ☒ Licensed Professional
- ☒ Contact
- ☒ Owner

Task Specific Information

Expiration Date

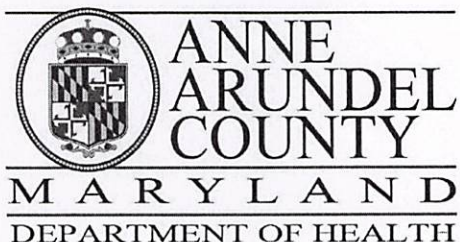
Review Notes

Reviewer Phone Number

410-222-6136

Reviewer Email

PZMATH20@aacounty.org



J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
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 *BC*
Bureau of Environmental Health

DATE: February 26, 2025

RE: Robert L. Price Jr.
327 Riverside Drive
Crownsville, MD 21032

NUMBER: 2025-0025-V

SUBJECT: Variance/Special Exception/Rezoning

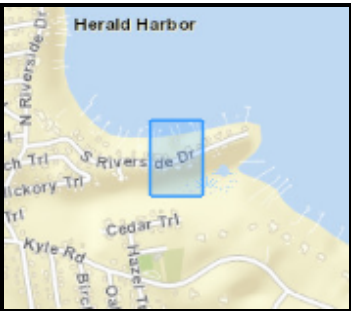
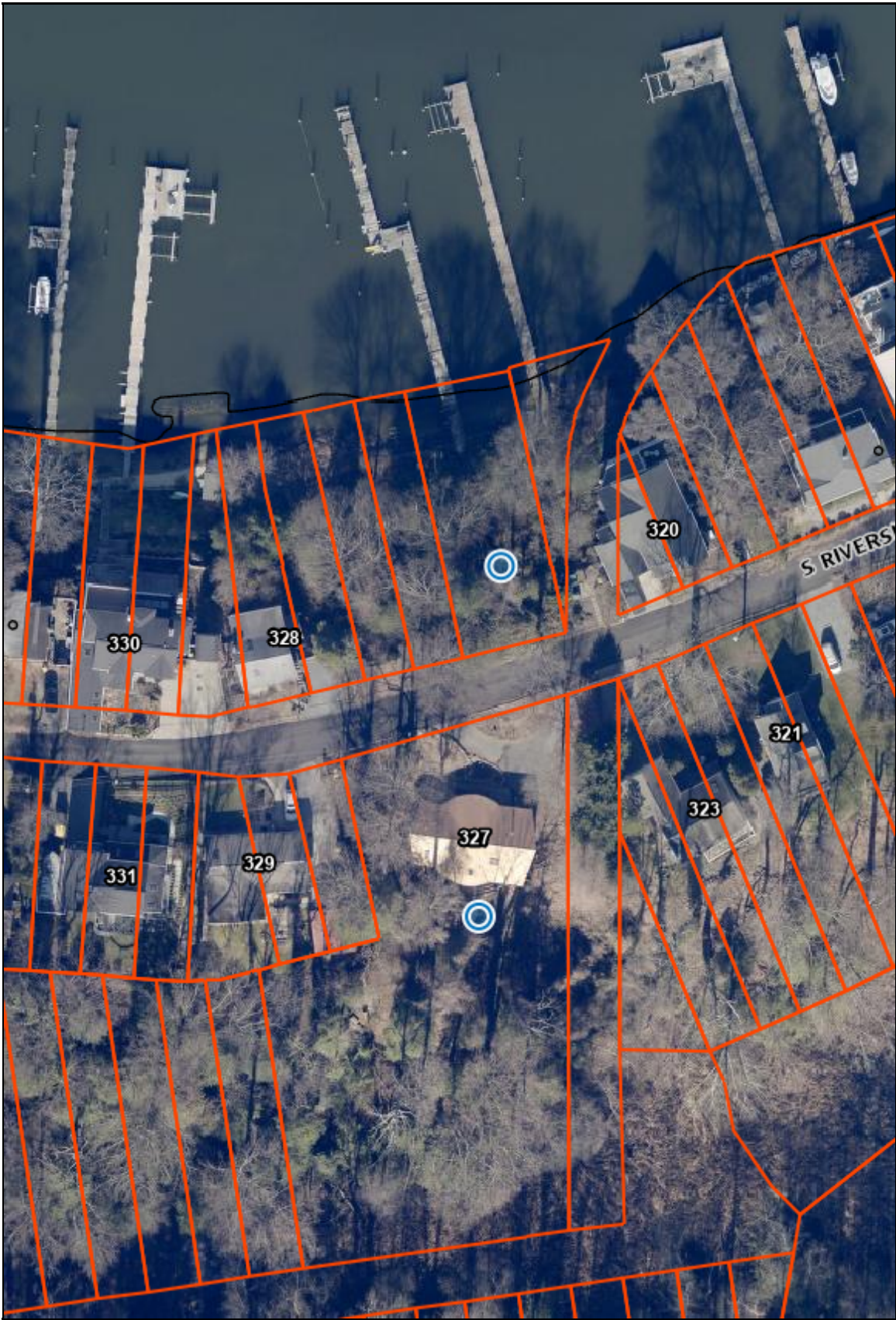
The Health Department has reviewed the above referenced variance to allow a private residential pier that is not accessory to a dwelling unit.

The Health Department has reviewed the on-site sewage disposal system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal system. The Health Department has no objection to the above referenced request.


If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay

327 Riverside Dr (2025-0025-V)



- Legend
- Foundation
- Addressing
-
- Parcels
- ▭
- Parcels - Annapolis City
- ▭



050100

ft

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. DO NOT USE FOR NAVIGATION.

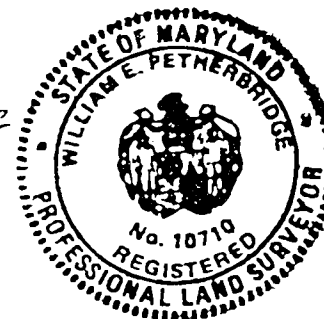
none

Notes

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT SHOWN IS CORRECT; THAT IT IS A SUBDIVISION OF ALL OF THE LANDS CONVEYED BY AND BETWEEN MATILDA MATTE CREAMER, PARTY OF THE FIRST PART, GRANTOR AND ROBERT F. LUBBERT AND CHARLOTTE C. LUBBERT, PARTIES OF THE SECOND PART, GRANTEE, AS SHOWN ON THE PLAT IS RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY BY DEED DATED DEC. 27, 1991, IN LIBER 5487 OF FOLIO 893 FOR LOT 13, PART OF LOT 14, AND ALL OF "ALGREN'S FOLLY" ABUTTING LOTS 11, 12, 13, AND PART OF 14, BLOCK 126, SECTION "B", IN HERALD HARBOR; AND BY DEED DATED OCTOBER 24, 1970, IN LIBER 2370 OF FOLIO 175 FOR LOTS 18 - 22, 44 - 47 IN BLOCK 49, OF SECTION "B", HERALD HARBOR.

William E. Petherbridge 6/24/92
 WILLIAM E. PETHERBRIDGE DATE
 PROFESSIONAL LAND SURVEYOR
 MARYLAND REG. # 10710



I FURTHER CERTIFY THAT IRON PIPES MARKED THIS AND CONCRETE MONUMENTS MARKED THIS WILL BE SET IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF ANNE ARUNDEL CO., MD. THE REQUIREMENTS OF SECTION 3-10B, THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MD., 1988 REPLACEMENT VOLUME, (AS SUPPLEMENTED) AS FAR AS THEY RELATE TO THE MARKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.

Robert F. Lubbert
 ROBERT F. LUBBERT
Charlotte C. Lubbert
 CHARLOTTE C. LUBBERT
Matilda Mattie Creamer
 MATILDA MATTIE CREAMER

OFFICE OF PLANNING AND ZONING
 ANNE ARUNDEL COUNTY, MARYLAND
 APPROVED:

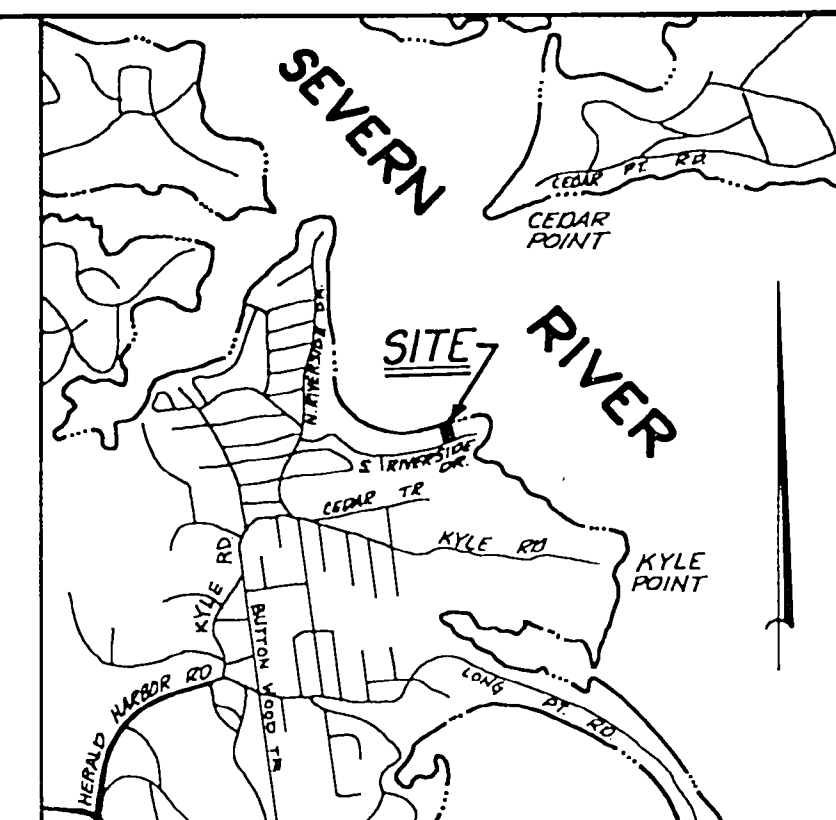
Walter M. Case 10-9-92
 PLANNING AND ZONING OFFICER (DATE)

HEALTH DEPARTMENT
 ANNE ARUNDEL COUNTY, MARYLAND
 APPROVED:

William E. Petherbridge 9/28/92
 HEALTH OFFICER (DATE)
 PRIVATE SEPTIC AND PUBLIC WATER

ALLOCATION NOTE AND PUBLIC IMPROVEMENT STATEMENT
 APPROVAL OF THIS PLAT DOES NOT GUARANTEE AN ALLOCATION OF SEWER OR WATER CAPACITY. THE AVAILABILITY OF WATER OR SEWER CAPACITY AS WELL AS ROAD, UTILITY OR STORM DRAINAGE REQUIREMENTS WILL BE ADDRESSED AND MUST BE MET, AS REQUIRED, PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

NOTE: SITE IS SUBJECT TO THE CRITICAL AREA CRITERIA.
 L.D.A. - LIMITED DEVELOPMENT AREA.



VICINITY MAP

SCALE: 1"=2000'

OWNER'S DEDICATION

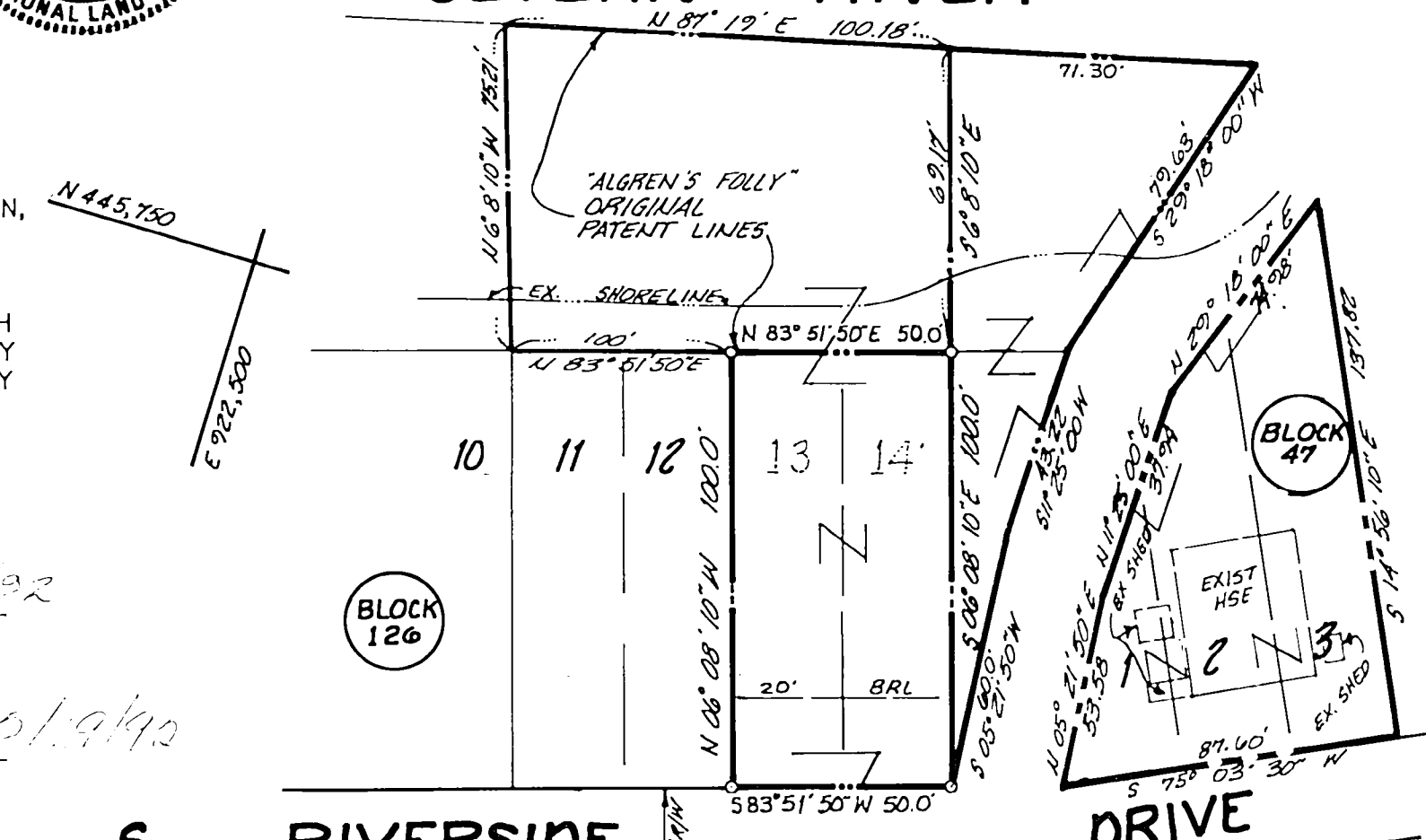
WE, ROBERT F. LUBBERT AND CHARLOTTE C. LUBBERT, OWNERS OF THE PROPERTY AS SHOWN HEREON ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE THE STREETS, ALLEYS, WALKWAYS, AND OTHER EASEMENTS, WIDENING STRIPS, AND FLOODPLAINS, TO PUBLIC USE; SUCH LANDS TO BE DEEDED TO ANNE ARUNDEL COUNTY OR THE STATE HIGHWAY ADMINISTRATION, AS MAY BE APPROPRIATE, ON REQUEST. THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, TRUST, EASEMENTS, OR RIGHTS-OF-WAY AFFECTING THE PROPERTY INCLUDED IN THIS PLAN OF SUBDIVISION.

Robert F. Lubbert 5/21/92
 ROBERT F. LUBBERT DATE

Charlotte C. Lubbert 5/21/92
 CHARLOTTE C. LUBBERT DATE

Matilda Mattie Creamer 4/23/92
 MATILDA MATTIE CREAMER DATE
 OWNER OF LOTS 1, 2, & 3 OF BLOCK 47 AND P/O LOT 14 OF BLOCK 126, AND ALGREN'S FOLLY ABUTTING SAID P/O LOT 14 OF BLOCK 126, ALSO ADOPTS THIS PLAN OF SUBDIVISION.

SEVERN RIVER



SURROUNDING PROPERTY OWNERS

BLOCK: 47 LOTS: 1, 2, 3
 MATILDA CREAMER
 322 RIVERSIDE DRIVE S.
 CROWNSVILLE, MD 21032
 2-413-0276/9400

BLOCK: 47 LOTS: 41-47
 ROBERT C. BRADY JR.
 5800 INMAN PARK CIR. #110
 ROCKVILLE, MD 28052
 2-413-9002/2352
 3814 / 243

BLOCK: 49 LOTS: 41-43
 CECIL R. ADAMS JR.
 329 RIVERSIDE DRIVE S.
 CROWNSVILLE, MD 21032
 2-413-1100/6420
 5204 / 36

BLOCK: 126 LOTS 11, 12
 EDWARD J. BREYER JR.
 MARIE HEROLD
 15115 INTERLACHEN DRIVE
 SILVER SPRING, MD 20910
 2-413-0171/3625
 5164 / 540

SETBACK REQUIREMENTS

EXISTING ZONING: R-5
 PROPOSED ZONING: R-5
 FRONT: 25'
 SIDE: 7' ; COMB: 20'
 REAR: 20'

NOTE:
 THE EXISTING 25' BUILDING RESTRICTION LINE ALONG PALM TRAIL OF LOT 18R, PLAT 4751/10, HAS BEEN SHORTENED TO 20' SINCE THE LOT IS A CORNER LOT AND PALM TRAIL IS A SIDE STREET.

PURPOSE NOTE:
 TO COMBINE LOT 18R, BLOCK 49, WITH LOTS 13 AND 14 IN ORDER TO CREATE ONE WATER FRONT LOT AND LOTS 1, 2, 3 BLK 47 1/2 1A-ALGREN'S FOLLY

P/O "ALGREN'S FOLLY" = 7,218 SQ. FT.

LOT AREA: 18R = 29,431 SQ. FT.

13 & 14 = 5,000 SQ. FT.

TOTAL AREA = 41,647 SQ. FT.

P/O "ALGREN'S FOLLY" = 3,272.52 SQ. FT.

P/O LOT 14 = 1,113.07 SQ. FT.

LOTS 1, 2, 3 BLK 47 = 7,391.90 SQ. FT.

TOTAL AREA = 11,777.49 SQ. FT.

M.S. 1992-III

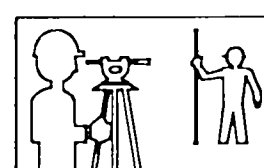
Administrative
 Minor Subdivision

Herald Harbor

LOT 1, 2, & 3 BLK 47, P/O LOT 14 BLK 126, P/O ALGREN'S FOLLY
 Lot 18R, of Plat 4751/10, Block 49, Section B
 Lot 13 & 14, Block 126, Section B
 South Riverside Drive, Platbook 1 Page 9
 Second District Anne Arundel Co., MD
 Scale 1"=40' Date: May 1992
 Tax Map: 31 Block: 23 Parcel: 149

SEVERN SURVEYS, INC.

LAND DEVELOPMENT, LAND PLANNING
 LAND SURVEYING
 SUN VALLEY BUSINESS CENTER
 8009 JUMPERS HOLE ROAD
 SUITE J
 PASADENA, MARYLAND 21122
 410-760-9817
 FAX 410-760-9821



NOTE: (FOR CRITICAL AREA)
 1. THERE SHALL BE NO BREEDING OF SHALLOW WATER HABITAT.
 2. CLEARING SHALL BE REPLACED ON AN EQUAL AREA BASIS OR AT \$0.40 SQUARE FOOT NOT TO EXCEED 1,000 SQUARE FEET.
 3. THERE SHALL BE NO DISTURBANCE WITHIN LOTS 13, 14 AND PART OF ALGREN'S FOLLY WITHOUT EITHER A MANAGEMENT PLAN APPROVED BY THE OFFICE OF PLANNING AND ZONING OR A GRADING PERMIT.

1992 OCT 13 PH12:12