



April 25, 2025

Anne Arundel County
Office of Planning & Zoning
2664 Riva Road
Annapolis, Maryland 21401

Attention: Ms. Jennifer Lechner

**Re: VARIANCE REQUEST
HERMAN RESIDENCE
31 SANDS AVENUE
ANNAPOLIS, MD 21403
TM 57, GRID 10 PARCEL 29**

Dear Ms. Lechner:

On behalf of the applicants, we respectfully are requesting a variance as follows:

Request #1 – to Article 17-8-702(b)(1) in a Buffer Management Area (BMA) no new lot coverage shall be placed nearer to the shoreline than the closest façade of the existing principal structure. The applicant is proposing 1,838 sq ft of new lot coverage to be located forward of the closest façade.

THE PROPERTY

The applicant owns the subject property which derives access to Sands Avenue via a private 15' and 20' wide r/w. It is known as Lot 3 of Parcel 57 on Tax Map 57 in the Bay Ridge subdivision. The property comprises 22,867 square feet or 0.524 acres and is zoned R2-Residential District. This waterfront lot on Lake Ogleton is designated in the Chesapeake Bay critical Area as Limited Development Area (LDA) and is mapped in a buffer modification area (BMA). The site is currently developed with a single-family dwelling, shed and surface parking areas. The existing dwelling was constructed in 1964 with approximately 2,682 sq ft of living space per SDAT and 5 bedrooms. The living space was confirmed with the original building permit plans included with the submittal package supporting the SDAT listed living space..

THE PROPOSED WORK

The applicant proposes to raze the existing dwelling and construct a new 2-story single-family dwelling (3 bedrooms) with a lower level and associated improvements. The proposed plan will remove the existing shed and gravel parking areas currently within the BMA.

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

(1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or

Response (1): due to the lots irregular shape which is triangular and located at a point which is shared with the adjacent property. The point located at the entrance to Ogleton Lake from the

Severn River resulting in the properties being predominantly located within the 100-foot buffer to the mean high water which occurs on the waterfront of both properties. Although the property is within a Buffer Management Area (BMA), only a small portion lies outside the 100-foot buffer, making the lot's irregular shape a characteristic inherent to the property. Given the constraints of the lot configuration and the surrounding development, it is not reasonably possible to develop the lot in strict conformance with Article 18 of the County Code.

(2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

Response (2): Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot. The existing lot configuration, including its triangular shape and position within the 100-foot buffer, significantly restricts the buildable area. Additionally, the property's location at the entrance to Lake Ogleton from the Severn River results in substantial limitations due to adjacent waterfront development and buffer management requirements.

The proposed design seeks to align with the prevailing character of neighboring properties while also reducing the overall environmental impact by removing nonconforming structures (existing shed) within the Buffer Management Area. Without the variance, the applicant would be unable to construct a reasonably sized dwelling that is consistent with both the zoning intent and the surrounding neighborhood. The variance allows for a practical and efficient use of the property while maintaining the environmental integrity of the site.

This plan also meets the intent of 18-16-305(b) for critical area variances as follows:

(1) Because of certain unique physical conditions, such as exceptional topographical conditions peculiar to and inherent in the particular lot or irregularity, narrowness, or shallowness of lot size and shape, strict implementation of the County's critical area program or bog protection program would result in an unwarranted hardship, as that term is defined in the Natural Resources Article, § 8-1808, of the State Code, to the applicant;

Response (1): The unique and inherent characteristic of this lot is its location within the Chesapeake Bay Critical Area 100-foot buffer. While designated within a Buffer Modification Area (BMA), the only viable developable area is on the waterside of the lot due to rear and side yard well setback requirements. These constraints significantly limit the buildable portion of the property, making strict compliance with the County's Critical Area Program an unwarranted hardship.

The proposed development is designed to minimize environmental impact while ensuring reasonable residential use, consistent with neighboring properties. Additionally, the proposed building footprint closely aligns with the existing dwelling, maintaining general conformance with current site conditions while providing adequate buffering from adjacent developed lots.

(2)(i) A literal interpretation of COMAR, Title 27, Criteria for Local Critical Area Program Development or the County's critical area program and related ordinances will deprive the applicant of rights commonly enjoyed by other properties in similar areas as permitted in accordance with the provisions of the critical area program within the critical area of the County;

Response (2)(i): A literal interpretation of COMAR would deprive the applicant of rights commonly enjoyed by neighboring property owners, as the subject property is surrounded by homes along Lake Ogleton in Bay Ridge that feature larger footprints and modern

designs. The existing site constraints, including its location within the 100-foot buffer and setback requirements, significantly restrict the ability to construct a dwelling comparable to those in the surrounding community. Granting the variance would allow for a reasonable use of the property while maintaining consistency with the character of the neighborhood.

(2)(ii) The County's bog protection program will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the bog protection area of the County;

Response (2)(ii): The site is not located in a bog area.

(3) The granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, Title 27, the County's critical area program to other lands or structures within the County critical area, or the County's bog protection program to other lands or structures within a bog protection area;

Response (3): The granting of this variance will not confer any special privilege to the applicant that would be denied to others under COMAR, Title 27, the County's Critical Area Program. The request is consistent with the allowances granted to similar properties facing comparable site constraints within the Critical Area. The proposed development seeks only reasonable use of the property in a manner that aligns with neighboring properties and existing County regulations.

(4) The variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development before an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property;

Response (4): The variance request is not based on actions taken by the applicant but rather on the inherent site conditions and regulatory constraints affecting the property. The majority of the lot is encumbered by the 100-foot buffer, and the remaining developable area is further restricted by setback requirements. These conditions existed prior to the applicant's ownership and are not a result of any modifications made by the applicant. Additionally, no work has commenced on the property prior to the submission and approval of the necessary permits.

(5) The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area or a bog protection area and will be in harmony with the general spirit and intent of the County's critical area program or bog protection program;

Response (5): This project will not adversely affect water quality or impact fish, wildlife, or plant habitats within the County's Critical Area. Stormwater management measures will be implemented as required by the Code to ensure proper water quality protection, and any clearing will be mitigated in accordance with regulatory requirements. The proposed development does not affect any existing trees, and the amount of new lot coverage remains minimal and within the limits established by Critical Area and zoning regulations. Additionally, stormwater management will be addressed in compliance with Section 17-8-405 at the permit stage, should the variance be granted, ensuring the project aligns with the intent of the County's Critical Area Program.

(6) The applicant for a variance to allow development in the 100-foot upland buffer has maximized the distance between the bog and each structure, taking into account natural features and the replacement of utilities, and has met the requirements of § 17-9-208 of this Code;

Response (6): This site is not in the bog buffer.

(7) The applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code; and

Response (7): This plan meets the presumption, as the denial of this variance would deny the owners' rights of other owners in the County. The development is not detrimental to the environment as stormwater management plantings and modern construction will make the project a benefit not a detriment to the area.

(8) The applicant has evaluated and implemented site planning alternatives in accordance with § 18-16-201(c).

Response (8): This plan overcomes the presumption contained in Natural Resources Article, § 8-1808 by demonstrating that the denial of this variance would deprive the applicant of property rights commonly enjoyed by other property owners in the County. The proposed development is not detrimental to the environment; rather, it incorporates stormwater management measures, mitigation plantings, and modern construction techniques that will enhance environmental protection. Additionally, the proposed development proposes removal of existing impervious areas currently 19 feet from the shoreline to a proposed buffer from the shoreline of 40.5 feet to an impervious surface. These improvements ensure that the project aligns with the intent of the County's Critical Area Program while benefiting the surrounding area.

This plan meets the requirements of 18-16-305(c) as follows:

(c)(1). the variance is the minimum variance necessary to afford relief; and

Response (c)(1): The variance request is the minimum necessary to afford relief, as the applicant is proposing a modest house footprint similar to the existing dwelling. Additionally, the removal of existing gravel parking areas will enhance the buffer between the structure and the water, improving environmental conditions compared to the current state. The net square footage of the existing impervious areas within the existing front façade is 1,972 sq ft. A Site Summary table of the existing and proposed condition is as follows:

SITE SUMMARY

	EXISTING (SF)	PROPOSED (SF)
IMPERVIOUS AREA W/IN FRONT FACADE	1,972 (19.3 ft from shoreline)	1,838 (40.5 ft from shoreline)
FOOTPRINT OF HOUSE AND COVERED DECKS	1,532	2,321
HOUSE (living space above grade)	2,682 (per SDAT)	4,520
FIRST FLOOR ELEVATION	5.5	15.9
# OF BEDROOMS	5	3 (reduction)
TOTAL LOT COVERAGE	4,804 SF or 21.0%	4,580 SF or 20.0% (reduction)

(c)(2)(i). alter the essential character of the neighborhood or district in which the lot is located;

Response (c)(2)(i): This variance will not alter the essential character of the neighborhood. The proposed house is modest in size and consistent in design with the existing dwellings in the surrounding area.

(c)(2)(ii). substantially impair the appropriate use or development of adjacent property;

Response (c)(2)(ii): This variance will not impair the appropriate use or development of adjacent properties. The proposed dwelling is designed to align with neighboring structures while maintaining proper setbacks and buffering.

(c)(2)(iii). reduce forest cover in the limited development and resource conservation areas of the critical area;

Response (c)(2)(iii): No tree clearing is proposed, and any required mitigation as part of the permit process will enhance canopy coverage within the Limited Development Area (LDA), ensuring compliance with Critical Area requirements.

(c)(2)(iv). be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area; nor

Response (c)(2)(iv): All clearing and replanting will adhere to approved practices for development in the Critical Area, as required by the permit process. The project will comply with all applicable regulations to ensure proper environmental stewardship.

(c)(2)(v). be detrimental to the public welfare.

Response (c)(2)(v): The project will not be detrimental to the public welfare, as it is located on private property and designed to minimize environmental impacts while maintaining consistency with the surrounding neighborhood.

As this proposal involves the construction of a new dwelling with minimal disturbance, stormwater management will be addressed and implemented in accordance with county requirements, where none currently exists for the existing development. The proposed request is consistent with other developments in this area. Denial of this request would deprive the applicant of property rights that are commonly enjoyed by other property owners in this area.

In conclusion, the variance requested is the minimum necessary to afford relief and is not based on conditions or circumstances resulting from actions taken by the applicant. We appreciate your consideration of this request and thank you and the staff in advance for your attention to this matter.

If you have any questions, or if you require additional information, please feel free to contact me at 410-897-9290.

Sincerely,
Atwell, LLC

Terry Schuman
Terry L. Schuman, P.E.
Director

cc: Ray Herman, Owner/Applicant
Sandie Martino, Leo Wilson Architects
File



1. OWNER/APPLICANT INFORMATION:
RAYMOND J. HERMAN
35 CHENEY CAY ROAD
LARGO, FL 33073
PHONE: (305) 535-3600
EMAIL: rherman@herman-elevers.com
2. THE PROPERTY IS SHOWN AS TAXMAP #7, GRID 10, PARCEL 39, LOT 3, DEED REF. #200731-43, LOCATED AT 31 SANDS AVENUE, ARLANDSBO, MI 41402.
3. THE EXISTING ZONING OF THE SITE IS D-1, RESIDENTIAL DISTRICT. THE SITE IS LOCATED ENTIRELY WITHIN LIMITED DEVELOPMENT AREA OF THE CHEMPEAKEE BAY CRITICAL AREA, BUTTER MOORPORT AREA.
4. THE TAX ACCOUNT IDENTIFIER IS 05-02-02-00444660.
5. THE TOTAL SITE AREA IS 22.887 SQ. FT. OR 0.524 AC. AND THE SITE IS CURRENTLY A SINGLE FAMILY RESIDENCE.
6. THE PROPERTY OUTLINES SHOWN HEREON ARE BASED ON A SURVEY PREPARED BY ATYLLC, LLC IN JUNE, 2022. ALL HORIZONTAL DATUM IS REFERENCED TO MARYLAND AND STATE PLANE COORDINATES (NAD 83) DATUM.
7. EXISTING TOPOGRAPHY WAS TAKEN FROM A P.B.L.D SURVEY PERFORMED BY AME LLC, IN JUNE, 2022 AND SUPPLEMENTED WITH ANNE ARUNDEL COUNTY TOPOGRAPHY. ALL VERTICAL DATUM IS REFERENCED TO NGVD 84.
8. THE SITE IS LOCATED WITHIN THE CHEMPEAKEE BAY CRITICAL AREA - LIMITED DEVELOPMENT AREA (LDA) AND MODIFIED BUFFER.
9. THE PROPERTY DISCLOSED HEREIN IS LOCATED IN THE FLOOD HAZARD ZONE 1A AND AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOOD HAZARD ZONE 1B, FLOOD HAZARD ZONE 2B, FLOOD HAZARD ZONE 3B, AND FLOOD ZONE 4B (ELEVATION 6) AS Delineated ON THE FIRM FLOOD INSURANCE MAP 240902054F DATED FEBRUARY 18, 2016.
10. THE SITE UTILITIES ARE WATER (PUMP WELL) AND SANITARY SEWER (PUMP).
11. WATER & SEWER
WATER SERVICE AREA MAP: W-4 (FUTURE SERVICE AREA)
WATER SERVICE AREA: BRIDGES CREEK
SEWER SERVICE AREA MAP: S-9 (EXISTING SERVICE AREA)
SEWER SERVICE AREA: ANNE ARUNDEL

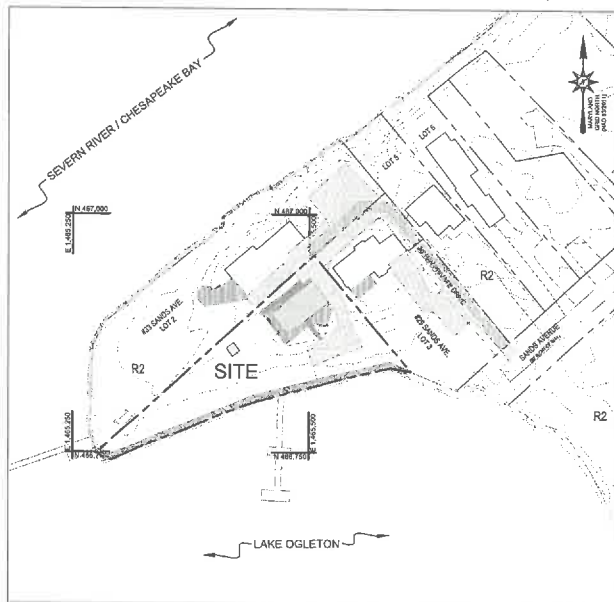
THE SITE RUNOFF MOVES SOUTH FROM THE DWELLING AND SHEET FLOWS OVER LAND, WHERE IT ULTIMATELY DISCHARGES INTO LAKE OGLETON AND ULTIMATELY INTO THE SEVERN RIVER. FIELD INVESTIGATIONS WERE PERFORMED IN JANUARY, 2024. NO SIGNS OF EROSION, FLOODING, OR CAPACITY ISSUES ARE PRESENT, GIVEN EXISTING CONDITIONS AND THE PROPOSED STORMWATER MANAGEMENT PROGRAM, IT IS CONCLUDED THAT THE PROPOSED DEVELOPMENT WILL NOT HAVE AN ADVERSE IMPACT ON THE RECEIVING WATERWAYS.

Adjacent Property Owners 300
of
Block 57, Grid 10, Parcel 29, PT Lots 38d

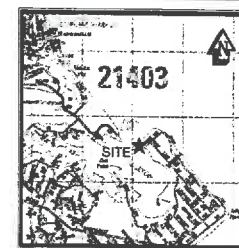
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OFFICE OF PLANNING AND ZONING	STAFFARCH & GIS DIVISION	7664 RIVA ROAD, 4TH FL/MS 6402	ANNAPOLIS	21401
OFFICE OF PLANNING AND ZONING	DEVELOPMENT DIVISION	2664 RIVA ROAD 3RD FL/MS 6305	ANNAPOLIS	21401
OFFICE OF PLANNING AND ZONING	ASSISTANT DIRECTOR OF DEVELOPMENT	2664 RIVA ROAD 3RD FL/MS 6305	ANNAPOLIS	21401
COUNTY COUNCIL MEMBER	USA BRANNINGH ROOVEN	44 CALVERT STREET	ANNAPOLIS	21401
OFFICE OF COUNTY EXECUTIVE	ARLIND CENTER / STEWART PITTMAN	44 CALVERT STREET	ANNAPOLIS	21401

TAX MAP 57, GRID 10, PARCEL 29, LOT 3
31 SANDS AVENUE
ANNAPOLIS, MARYLAND 21403
2ND DISTRICT ~ ANNE ARUNDEL COUNTY ~ ZONED: R2/LDA (BUFFER EXEMPT)



LOCATION AND ZONING MAP
SCALE: 1" = 80'



VICINITY MAP
SCALE: 1" = 2,000'
COPYRIGHT AND THE MAP PEOPLE
PERMITTED USE NO. 08331200

PROPERTY LINE
EXISTING CONDUIT
EXISTING FOREST
EXISTING SOIL BOUNDARY
EXISTING SOIL DESIGNATION
EXISTING STORM DRAIN
EXISTING SEWER
EXISTING FEMAL BOUNDARY
EXISTING MEAN HIGH WATER
EXISTING 100' BUFFER TO MEAN HIGH WATER
EXISTING FACADE SETBACK
EXISTING ADJACENT DECK SETBACK
EXISTING FENCE
EXISTING UTILITY POLE W/ OVERHEAD WIRE
EXISTING LIGHT POLE
EXISTING ZONING DESIGNATION
EXISTING WELL
EXISTING PUBLIC UTILITY EASEMENT
EXISTING GRAVEL DRIVEWAY
PROPOSED GRAVEL DRIVEWAY
PROPOSED DECK
PROPOSED (SHEATH)
PROPOSED BUILDING AND COVERED DECK
PROPOSED LOT OF OBSTACULE



THE APPLICANT IS REQUESTING THE FOLLOWING VARIANCES:

REQUEST #1 - TO ARTICLE 17-8-702 (b)(1) TO ALLOW NEW LOT COVERAGE TO BE PLACED NEARER TO THE SHORELINE THAN THE CLOSEST FACADE OF THE EXISTING PRINCIPAL STRUCTURE, THE APPLICANT IS PROPOSING 1,838 SQ. FT. OF NEW LOT COVERAGE TO BE LOCATED FORWARD OF THE FRONT YARD SETBACKS FOR THE LOT. SEE INSET ON SHEET 3 FOR NEW LOT COVERAGES.

GAS - BGE, PO BOX 1475, BALTIMORE, MD 21203, (410) 265-4100
TELEPHONE - VERIZON, 1E PRATT STREET, BALTIMORE, MD 21202, (410) 854-0260
ELECTRIC - BGE, PO BOX 1475, BALTIMORE, MD 21203, (410) 265-4100
SEWER - ANNE ARUNDEL COUNTY DPW WASTEWATER DIVISION,
 2662 RIVA ROAD ANNAPOLIS, MD 21401, (410) 222-7562
WATER - PRIVATE WELL

THE COORDINATES AND ELEVATIONS SHOWN HEREON ARE BASED ON RTX (REAL TIME KINEMATIC) OBSERVATIONS UTILIZING KINEMETOPS NETWORK AND ANNE ARUNDEL COUNTY SURVEY CONTROL STATIONS RYA-VA AND 2243. THE HORIZONTAL DATUM IS REFERENCED TO MARYLAND STATE PLANE (NAD 83/2011) AND THE VERTICAL DATUM IS REFERENCED TO NAVD 88. SEE REMARKS SHEET 8.

SHEET NO	SHEET TITLE
1 OF 3 COVER SHEET
2 OF 3 EXISTING SITE CONDITIONS & RESOURCE MAPPING PLAN
3 OF 3 ADMINISTRATIVE SITE PLAN

WATERSHED: SEVERN RIVER

[illegible]

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: 5/2/2025

Tax Map #	Parcel #	Block #	Lot #	Section
57	29	10	3	1

FOR RESUBMITTAL ONLY

Corrections ☐
Redesign ☐
No Change ☐
Non-Critical Area ☐

*Complete Only Page 1
General Project Information

Tax ID: 2047-0444-4650

Project Name (site name, subdivision name, or other) Bay Ridge

Project location/Address 31 Sands Avenue

City Annapolis Zip 21403

Local case number

Applicant: Last name Raymond First name Herman

Company

Application Type (check all that apply):

Building Permit ☐
Buffer Management Plan ☐
Conditional Use ☐
Consistency Report ☐
Disturbance > 5,000 sq ft ☒
Grading Permit ☐

Variance ☒
Rezoning ☐
Site Plan ☐
Special Exception ☐
Subdivision ☐
Other ☐

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:

New lot coverage closer to shoreline in the BMA, principal structure not relatively in line

Intra-Family Transfer ☐ Yes
Grandfathered Lot ☐

Growth Allocation ☐ Yes
Buffer Exemption Area ☐

Project Type (check all that apply)

Commercial ☐
Consistency Report ☐
Industrial ☐
Institutional ☐
Mixed Use ☐
Other ☐

Recreational ☐
Redevelopment ☐
Residential ☒
Shore Erosion Control ☐
Water-Dependent Facility ☐

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area		
LDA Area	0.524	22,867
RCA Area		
Total Area		

Total Disturbed Area

Acres	Sq Ft

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees			Existing Lot Coverage		
Created Forest/Woodland/Trees			New Lot Coverage		
Removed Forest/Woodland/Trees			Removed Lot Coverage		
			Total Lot Coverage		

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.247	10,152	Buffer Forest Clearing		
Non-Buffer Disturbance	0.014	638	Mitigation		

Variance Type

Buffer ☒
Forest Clearing ☐
HPA Impact ☐
Lot Coverage ☐
Expanded Buffer ☐
Nontidal Wetlands ☐
Setback ☐
Steep Slopes ☐
Other ☒

Not relatively in line

Structure

Acc. Structure Addition ☐
Barn ☐
Deck ☐
Dwelling ☒
Dwelling Addition ☐
Garage ☐
Gazebo ☐
Patio ☐
Pool ☐
Shed ☐
Other ☐

CHESAPEAKE BAY CRITICAL AREA REPORT

for

31 Sands Avenue
Anne Arundel County, Maryland

Atwell Job #22-8619

Prepared for:

Raymond J. Herman
25 Chaney Cay Road
Largo, Florida 33037

Prepared by:



2661 Riva Road, Building 800
Annapolis, Maryland 21401
Phone: (410) 897-9290

Kenneth R. Wallis, PWS

March 13, 2025

PROJECT LOCATION AND EXISTING CONDITIONS

31 Sands Avenue (Tax Map 57, Grid 10, Parcel 29, Lot 3) is a 0.52-acres (22,867 sq. ft.) parcel located west of Sands Avenue in Annapolis, Anne Arundel County, Maryland (Figure 1). The property is bordered by existing residential properties to the north and east. Currently, the property contains a single-family home, a driveway, a pier, and a maintained yard (Figure 2). The entire property is located within the Chesapeake Bay Critical Area. The Critical Area classification is LDA (buffer modified). The existing and proposed conditions are shown in the *Existing Site Conditions & Resource Mapping Plan* and *Administrative Site Plan*, prepared by Atwell, LLC. This property fronts Lake Ogleton, a tributary of the Severn River of the Chesapeake Bay.

PROPOSED DEVELOPMENT

The applicant is proposing to construct a new single-family home in the same general location as the current house situated on the property. The proposed house location is depicted on the enclosed *Administrative Site Plan*. This plan shows the location of the existing house, driveway, and decks on the property.

Forest Clearing

The property does not contain any classifiable forest or existing trees but does contain shrubs and ornamental grasses along the house and shed. No trees will be removed during the construction of the proposed project.

Stormwater Management

Stormwater management for the lot coverage will be handled through the use of two micro-bioretenment areas. The locations of these two micro-bioretenment facilities are depicted on the *Administrative Site Plan* and will be located south and west of the proposed house.

Impervious Surface

Due to the nature of the proposed project, impervious surface coverage will increase with the construction of the new proposed house. The current impervious surface coverage on the property totals 4,804 square feet (21%). The new house, overhang, driveway, and concrete will increase impervious coverage on the site to 4,719 square feet (20.5%) of the site. This is above the maximum lot coverage of 15% (5,445 square feet) allowed for the site as listed in the Lot Coverage Note on the *Administrative Site Plan*. Mitigation for the proposed lot coverage will need to be provided at a 2:1 ratio.

HABITAT PROTECTION AREAS

Wetlands and Streams

A wetland evaluation, in accordance with the *1987 Corps of Engineers Wetland Delineation Manual*, and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region* by Kenneth R. Wallis (P.W.S.) of Atwell, LLC was completed on the property. The property is bordered by Lake Ogleton to the south and the entire southwestern edge of the property is lined with revetment along the water's edge. No tidal or non-tidal wetlands were identified on the property during the course of the field work.

Rare, Threatened & Endangered Species

A formal request for an environmental review of rare, threatened, or endangered species has been submitted to the Maryland Department of Natural Resources, Wildlife and Heritage Division. A copy of the response letter dated March 11, 2025, can be found in Appendix A of this report. No rare, threatened, or endangered species were identified on the property during the course of the critical area field work.

Colonial Waterbird Nesting Sites

No colonial waterbird nesting sites are mapped in the vicinity of the project. It is unlikely, they would be affected by the construction of a new house since it is within an existing maintained yard and immediately adjacent to existing houses on adjacent properties.

Waterfowl Staging Areas and Nesting Sites

The DNR Environmental Review response letter indicates that the open water areas adjacent to the site are known historic waterfowl concentration and staging areas. It is unlikely these areas would be affected by the construction of the proposed house as no water disturbance or water dependent facilities are proposed.

Shellfish Beds

According the MDMERLIN shellfish beds are mapped within Lake Ogleton and the Severn River. However, no disturbance is proposed to tidal waters, so these beds should not be affected.

Anagomous Fish Spawning Area

Anagomous Fish sites may occur in the vicinity of the project. No disturbance is proposed to tidal waters so it is unlikely the proposed project would affect these fishes.

Forest Interior Dwelling Bird Species

A Forest Interior Dwelling Bird species (FIDS) survey is not required because there is no forest or FIDS habitat on the developed lot. No forest or trees will be removed to construct the new house.

Steep Slopes

Steep slopes are any slopes 15% and greater in the Chesapeake Bay Critical Area. Steep slopes do not exist on the property.

EXISTING VEGETATIVE COVER

A site visit was completed on the property on January 30, 2025. Numerous ornamental shrubs and grasses exist along the house and shed on the property. The location of the shrubs and grasses are depicted on the enclosed *Administrative Site Plan*.

WILDLIFE

The only wildlife encountered on the property were numerous small birds.

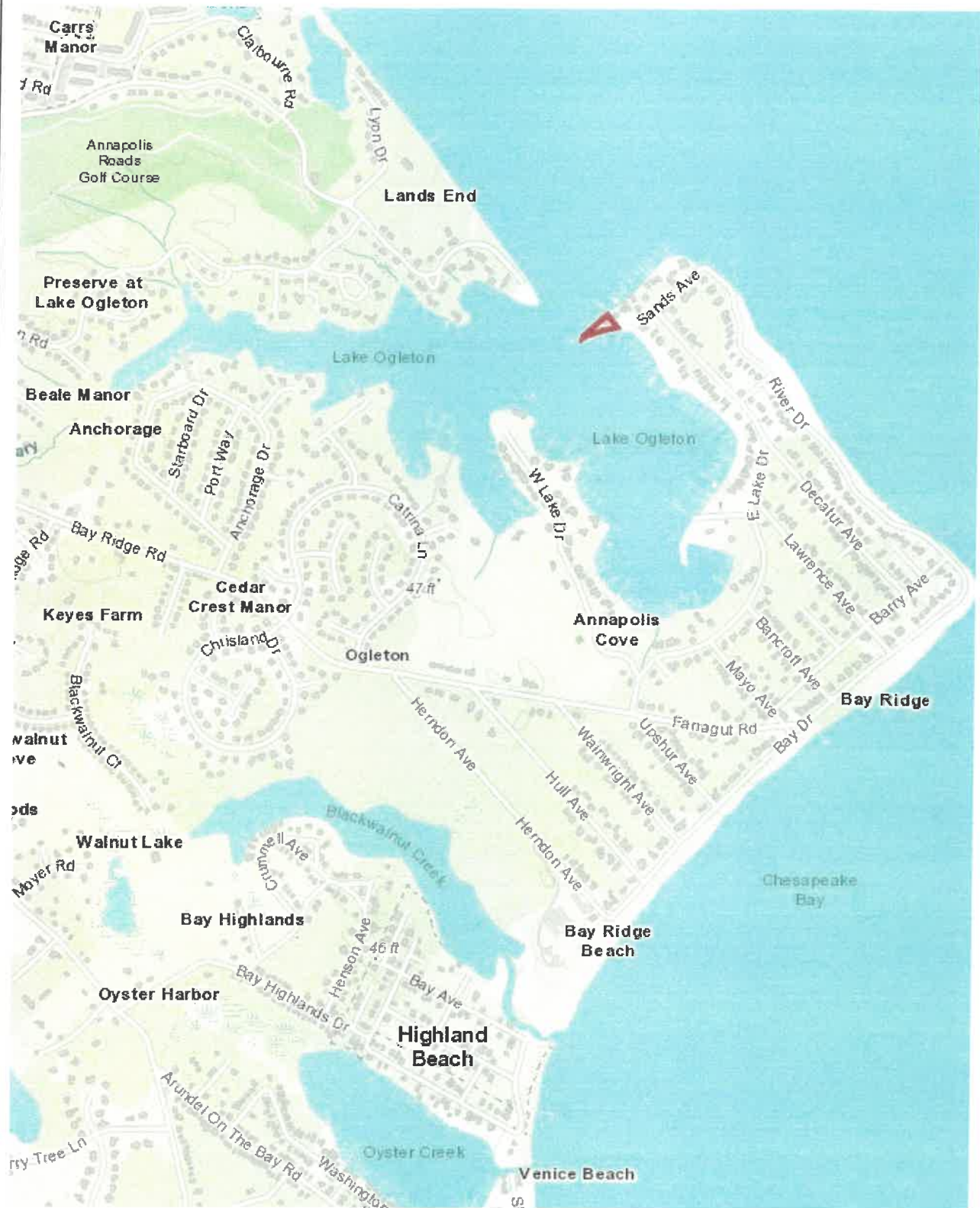


FIGURE 1 ANNE ARUNDEL COUNTY – VICINITY MAP

CREDIT DEPARTMENT OF NATURAL RESOURCES MERLIN GIS
(NOT TO SCALE)

31 SANDS AVENUE
ANNAPOLIS, MARYLAND 21403



FIGURE 2

AERIAL IMAGERY

CREDIT – NAIP/USDA_CONUS_PRIME (2016)
(NOT TO SCALE)

31 SANDS AVENUE
ANNAPOLIS, MARYLAND 21403

Appendix A



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

March 11, 2025

Mr. Kenneth R. Wallis
Atwell, LLC
2661 Riva Road
Building 800
Annapolis, MD 21401

RE: Environmental Review for 31 Sands Avenue, Annapolis, Anne Arundel County, Maryland.

Dear Mr. Wallis:

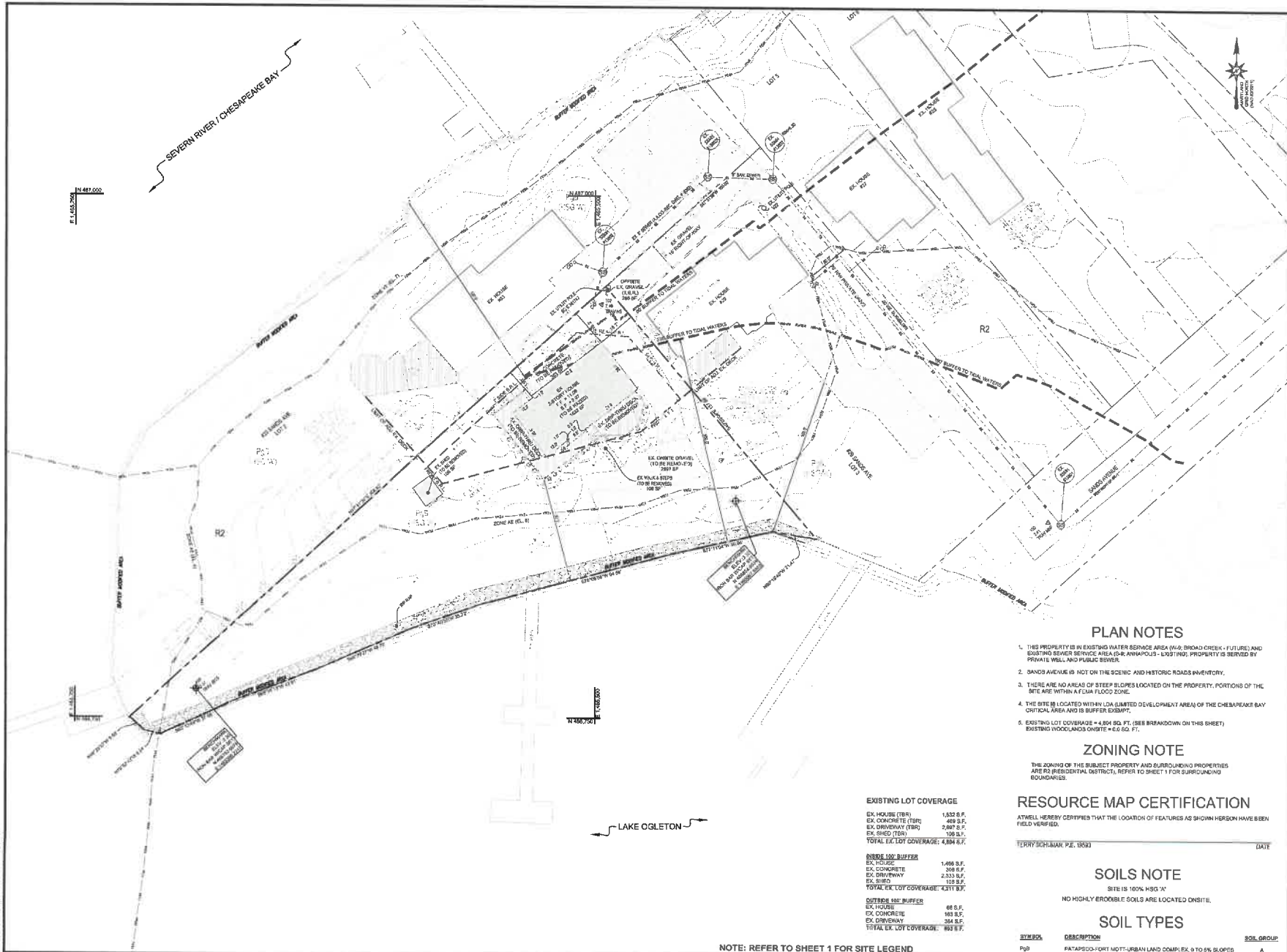
The Wildlife and Heritage Service has determined that there are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated. However, we would like to point out that the open waters that are adjacent to or part of the site are known historic waterfowl concentration and staging areas. These are recognized areas of open water and wetlands adjacent to land that are utilized by significant numbers of ducks, geese, and swans for feeding and resting during the winter months. These areas in close proximity to the shore are vital, as they provide SAV, clams and other invertebrates that serve as primary food sources for many of these birds. A variety of waterfowl species can be found in such areas, building energy reserves for their upcoming migrations. If there is to be any construction of water-dependent facilities please contact Kayla M. Harvey of the Wildlife and Heritage Service at 410-260-8589 or kaylam.harvey@maryland.gov for further technical assistance regarding waterfowl.

If the project changes in the future such that the limits of proposed disturbance or overall site boundaries are modified, please provide us with revised project maps and we will provide you with an updated evaluation. Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at lori.byrne@maryland.gov or at (410) 260-8573.

Sincerely,

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2025.0449.aa
Cc: K. Harvey, DNR
J. Homyack, DNR
C. Jones, CAC



NOTE: REFER TO SHEET 1 FOR SITE LEGEND

PLAN NOTES

1. THIS PROPERTY IS IN EXISTING WATER SERVICE AREA (W-2, BROAD CREEK - FUTURE) AND EXISTING SEWER SERVICE AREA (S-4, ANNAPOLIS - EXISTING). PROPERTY IS SERVED BY PRIVATE WELL AND PUBLIC SEWER.
2. SANDS AVENUE IS NOT ON THE SCENIC AND HISTORIC ROADS INVENTORY.
3. THERE ARE NO AREAS OF STEEP SLOPES LOCATED ON THE PROPERTY. PORTIONS OF THE SITE ARE WITHIN A FEMA FLOOD ZONE.
4. THE SITE IS LOCATED WITHIN A LIMITED DEVELOPMENT AREA OF THE CHESAPEAKE BAY CRITICAL AREA AND IS BUFFER ZONING.
5. EXISTING LOT COVERAGE = 4,804 SQ. FT. (SEE BREAKDOWN ON THIS SHEET)
EXISTING WOODLANDS ON SITE = 6.0 SQ. FT.

ZONING NOTE

THE ZONING OF THE SUBJECT PROPERTY AND SURROUNDING PROPERTIES ARE R2 (RESIDENTIAL DISTRICT). REFER TO SHEET 1 FOR SURROUNDING BOUNDARIES.

RESOURCE MAP CERTIFICATION

ATWELL HERBERT CERTIFIES THAT THE LOCATION OF FEATURES AS SHOWN HEREON HAVE BEEN FIELD VERIFIED.

TERRY SCHWAB, P.E. 1000 (DATE)

SOILS NOTE

SITE IS 100% HSG 'A'
NO HIGHLY FLOODABLE SOILS ARE LOCATED ON SITE.

SOIL TYPES

SYMBOL	DESCRIPTION	SOIL GROUP
Pg9	PATAPSCO-FORT MOTT-URBAN LAND COMPLEX, 0 TO 5% SLOPES	A

EXISTING LOT COVERAGE
EX. HOUSE (TBR) 1,532 S.F.
EX. CONCRETE (TBR) 489 S.F.
EX. DRIVEWAY (TBR) 2,807 S.F.
EX. SHED (TBR) 106 S.F.
TOTAL EX. LOT COVERAGE: 4,934 S.F.

EXISTING 100' BUFFER
EX. HOUSE 1,498 S.F.
EX. CONCRETE 208 S.F.
EX. DRIVEWAY 2,333 S.F.
EX. SHED 109 S.F.
TOTAL EX. LOT COVERAGE: 4,311 S.F.

OUTSIDE 100' BUFFER
EX. HOUSE 68 S.F.
EX. CONCRETE 183 S.F.
EX. DRIVEWAY 354 S.F.
TOTAL EX. LOT COVERAGE: 605 S.F.

Revisions

Rev #	By	Date	Description

ATWELL

656.550.4200
www.atwell-herbert.com
2801 RIVER ROAD, BELLEVILLE, MD 21033
ANNAPOLIS, MD 21403
10.00 AM 1/2024

Date: FEBRUARY, 2024
Job Number: 24-0019
Scale: 1" = 20'
Drawn By: N. MASEK
Approved By: T. SCHWAB
Folder Reference: 31 SANDS AVE

EXISTING SITE CONDITIONS & RESOURCE MAPPING PLAN
FOR
VARIANCE ADMINISTRATIVE PLAN
31 SANDS AVE
31 SANDS AVENUE, ANNAPOLIS, MD 21403
TAX MAP 87, GRID 10, PARCEL 29, LOT 3
SECOND DISTRICT - ANNE ARUNDEL COUNTY - ZONED R2

Sheet No. 2 OF 3

MITIGATION FOR LOT COVERAGE:

TO DEVELOP THIS SITE THE APPLICANT WILL NEED TO MITIGATE FOR NEW LOT COVERAGE WITHIN THE BUFFER MODIFICATION AREA BUFFER AT A 2:1 RATIO (ARTICLE 17A-100A(1)).

NEW LOT COVERAGE IN BUFFER MODIFICATION AREA = 849 S.F.
 849 S.F. ÷ 2 = 424.5 S.F.
 1.6MP 100 x 100 OR 1.5 TRUCK OR 51 SHRUBS OR COMBINATION.

MUST BE PLANTED ON-SITE, WITHIN A NURSERY BANK, OR A FISH-LEEDY POND.

AFFORESTATION REQUIREMENTS:

PER ARTICLE 17A-400 (1) FOR A "SUBSTANTIAL ALTERATION", AFFORESTATION OF THE TOTAL LOT COVERAGE NOT TO EXCEED 50% OF THE SITE.

TOTAL LOT COVERAGE = 1,719 S.F. WHICH EXCEEDS 10% OF THE SITE. THEREFORE, AFFORESTATION REQUIRED = 10% OF 22,867 = 5,216.75 S.F. (OR 11553 OR 102 BRUSHES OR A COMBINATION).

NOTE: ALL PLANTINGS WILL BE NATIVE AND WILL BE IN ACCORDANCE WITH ARTICLE 17A-400 (1).

LOT COVERAGE BREAKDOWN

EXISTING LOT COVERAGE

EX. HOUSE (TBR) 1,532 S.F.
 EX. CONCRETE (TBR) 469 S.F.
 EX. DRIVEWAY (TBR) 2,095 S.F.
 EX. BRID (TBR) 108 S.F.
TOTAL EX. LOT COVERAGE: 4,194 S.F.

INSIDE 100' BUFFER
 EX. HOUSE 1,488 S.F.
 EX. CONCRETE 305 S.F.
 EX. DRIVEWAY 2,133 S.F.
 EX. BRID 108 S.F.
TOTAL EX. LOT COVERAGE: 4,034 S.F.

OUTSIDE 100' BUFFER
 EX. HOUSE 66 S.F.
 EX. CONCRETE 163 S.F.
 EX. DRIVEWAY 356 S.F.
TOTAL EX. LOT COVERAGE: 585 S.F.

PROPOSED LOT COVERAGE

PROP. HOUSE 2,138 S.F.
 PROP. DRIVEWAY 2,095 S.F.
 PROP. CONCRETE 772 S.F.
 PROP. COVERED DECK 218 S.F.
TOTAL PR. LOT COVERAGE: 4,719 S.F.

INSIDE 100' BUFFER
 PROP. HOUSE 2,106 S.F.
 PROP. DRIVEWAY 1,631 S.F.
 PROP. CONCRETE 772 S.F.
 PROP. COVERED DECK 218 S.F.
TOTAL PR. LOT COVERAGE: 4,728 S.F.

OUTSIDE 100' BUFFER
 PROP. HOUSE 30.8 S.F.
 PROP. DRIVEWAY 461 S.F.
TOTAL PR. LOT COVERAGE: 491 S.F.

LOT COVERAGE NOTE

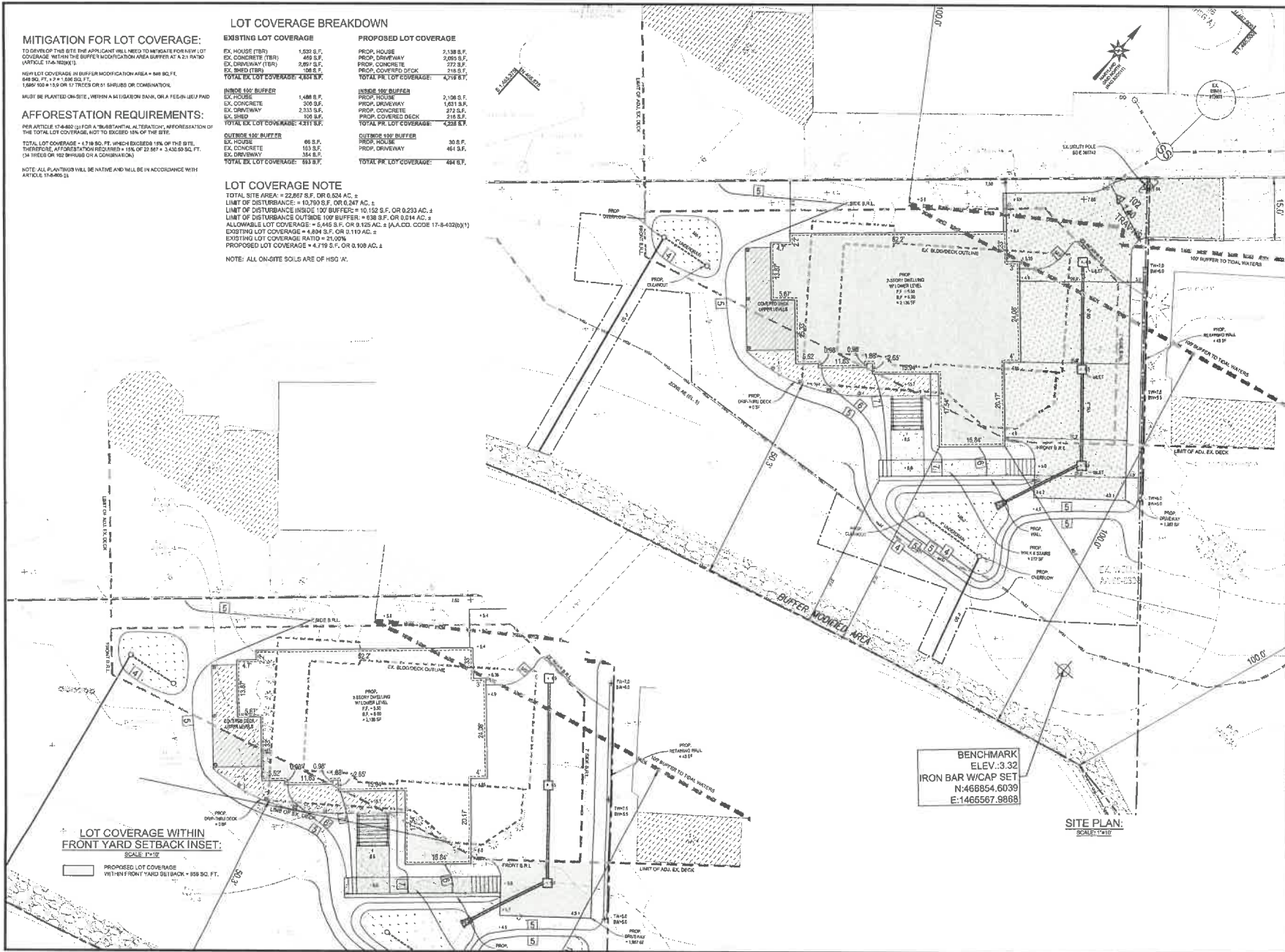
TOTAL SITE AREA = 22,867 S.F. OR 0.524 AC. ±
 LIMIT OF DISTURBANCE = 10,709 S.F. OR 0.247 AC. ±
 LIMIT OF DISTURBANCE INSIDE 100' BUFFER = 10,152 S.F. OR 0.233 AC. ±
 LIMIT OF DISTURBANCE OUTSIDE 100' BUFFER = 658 S.F. OR 0.014 AC. ±
 ALLOWABLE LOT COVERAGE = 5,446 S.F. OR 0.125 AC. ± (A.A.C.D. CODE 17A-402(b)(1))
 EXISTING LOT COVERAGE = 4,194 S.F. OR 0.110 AC. ±
 EXISTING LOT COVERAGE RATIO = 21.00%
 PROPOSED LOT COVERAGE = 4,719 S.F. OR 0.108 AC. ±

NOTE: ALL ON-SITE SOILS ARE OF HSG 'A'.

LOT COVERAGE WITHIN FRONT YARD SETBACK INSET:

SCALE: 1"=10'

PROPOSED LOT COVERAGE WITHIN FRONT YARD SETBACK = 859 S.F.



BENCHMARK
 ELEV. 3.32
 IRON BAR W/CAP SET
 N:468854.6039
 E:1465567.9868

SITE PLAN:
 SCALE: 1"=10'

Revisions	
Revision	Description
1	Initial
2	Revised
3	Revised
4	Revised
5	Revised
6	Revised
7	Revised
8	Revised
9	Revised
10	Revised

	Date: 2/21/2025 License No.: 27512755 Project: 31 SANDS AVE
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ATWELL & ASSOCIATES, INC. 2001 PLYMOUTH ROAD, SUITE 100 ANN ARBOR, MI 48106-1000 TEL: 734.769.1000 FAX: 734.769.1001 WWW.ATWELL-INC.COM	Date: FEBRUARY, 2025 Job Number: 25-0013 Scale: 1"=10' Drawn By: H. WOODS Approved By: T. SCHUMAN Field or Reference: 31 SANDS AVE
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ADMINISTRATIVE SITE PLAN VARIANCE ADMINISTRATIVE PLAN FOR 31 SANDS AVE 31 SANDS AVENUE, ANN ARBOR, MI 48103 TAX MAP 57, GRID 02, PARCEL 20, LOT 3 TAX ID: 02-047-0444650 SECOND DISTRICT - ANNE ARUNDEL COUNTY - ZONED R2	Sheet No. 3 OF 3
---	-------------------------



April 24, 2025

Anne Arundel County
Office of Planning & Zoning
2664 Riva Road
Annapolis, Maryland 21401

Attention: Ms. Jennifer Lechner

**Re: VARIANCE POINT-BY-POINT RESPONSE TO PRE-FILE COMMENTS
2025-0028-P
HERMAN RESIDENCE
31 SANDS AVENUE
ANNAPOLIS, MD 21403
TM 57, GRID 10 PARCEL 29**

The following is a point-by-point response to the Pre-File submittal dated April 3, 2025. We have organized the comments (copies attached) and our respective responses are as follows:

<u>Review Agency</u>	<u>Page</u>
OPZ/Zoning Admin Section, Critical Area & Cultural - Jennifer Lechner.....	2
Inspection and Permits/Engineering Section – Habtamu Zeleke.....	4

I trust that our responses and plans will be forwarded to the appropriate agencies for review of this variance submittal. If you should have any questions or comments, please do not hesitate to contact me.

Thank you for your efforts in this regard.

Sincerely,
ATWELL, LLC

Terry Schuman

Terry L. Schuman, P.E.
Director

cc: client, file

The following is a point-by-point response to the comments prepared by Jennifer Lechner of the Zoning Administration Section:

Zoning Administration Section

Comment 1: The setback lines are not accurately depicted on the Administrative Site Plan and must be revised. The northeastern lot line, abutting 29 Sands Avenue, is considered the rear lot line rather than the apex of the lot lines. In addition, the front setback line should be marked at 30 feet from the mean high-water line, rather than the limits of the adjacent decks/principal structures.

Response 1: *The setback lines have been adjusted as requested.*

Comment 2: The lines designating the limits of the adjacent decks/principal structures are not accurately depicted on the Administrative Site Plan and must be revised. As confirmed with the Critical Area Team, the lines should follow the plane of the outer limits of the decks and converge, rather than adding a third angled line between the two.

Response 2: *The limits of the adjacent decks/principal structures has been revised as requested.*

Comment 3: Based on the above revision, it appears that a variance to 18-2-402 may be eliminated by shifting the proposed dwelling closer to the northwest side lot line, or by reducing the dimensions of the proposed dwelling. If not, the Letter of Explanation will need to be revised to provide justification as to why it is not possible to either shift the dwelling or adjust the dimensions.

Response 3: *As suggested the applicant has reduced the house footprint and shifted the building northwest side lot line to avoid the need for a variance to Article 18-2-402(1).*

Comment 4: The new lot coverage nearer to the shoreline than the closest facade was not accurately calculated. Revise the Letter and Site Plan to correctly identify the area of new lot coverage forward of the existing dwelling's facade as shown below. Adequate justification as to why it's not possible to rebuild the dwelling, walkways and driveway without expanding the lot coverage closer to the shoreline is required.

Response 4: *The new lot coverage has been revised based on the comment. Refer to the letter of explanation for adequate justification.*

Comment 5: The applicant is reminded that, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must address and meet all of the applicable variance standards provided under § 18-16-305(a-c). The Letter of Explanation should address each of those standards and provide adequate justification for each of the variances required. Specifically, the letter should provide justification as to the proposed placement of the new dwelling and the amount of new lot coverage.

Response 5: *Refer to the letter of explanation addressing each applicable variance standard and for adequate justification.*

OPZ Critical Area Team

Comment 1: The applicant argues that the variances are necessary in order to construct a reasonable sized home. The existing home is a 6 BR 2,370 square foot [2,682sqft per SDAT] dwelling which could be replaced without the need for the requested variances. The site is currently void of vegetation. Afforestation and Buffer Establishment will be required at permit.

Response 1: *It is understood that afforestation and buffer establishment will be required and provided at time of permit. The existing home is a 5 bedroom, 2,682 sq ft house with a copy of the architecturals submitted with the Variance package to support the calculation.*

OPZ Cultural Resources Team

Comment 1: The Cultural Resources Section has no objection to this variance. While this property is located in the Bay Ridge Historic District (AA-950), it is non-contributing. This project presents no adverse effect to the district.

Response 1: *Comment acknowledged.*

If you should have any questions, please contact Terry Schuman of Atwell, LLC at 410-897-9290.

The following is a point-by-point response to the comments prepared by Habtamu Zeleke of the Inspection and Permits Section:

Inspection and Permits

Comment 1: Stormwater management will be addressed through two micro bio-retentions.

Response 1. Acknowledged

Comment 2. SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resource areas and their critical area buffer modification areas (BMA).

Response 2. Due to the sites location at the confluence of Lake Ogleton and the Severn River the majority of the site is within the buffer modification area, therefore, SWM facilities have to be located within the BMA.

Comment 3. Show and label the existing utility easement on the plan.

Response 3. A 10' wide public utility easement has been noted on the plans

Comment 4. Please note that all surfaces must be treated within the LOD, and more management at a specific location to account for untreated areas is not permitted for single-family home development.

Response 4. Acknowledged and will be addressed during permitting.

Comment 5. All stormwater conveyance systems shall be designed so that no building or habitable structure, either proposed or existing, is flooded or has water impounded against it during the 100-year storm event.

Response 5. Acknowledged. Please note the finished floor elevation for the proposed structure has been raised to an elevation of 15.50 with the FEMA Zone AE (Elev = 5) assuring that the proposed dwelling will not have water impounded against the proposed habitable structure.

Comment 6. Per 6.1.4 (G) of the County Stormwater Practices and Procedures manual, SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resource areas and their steep slopes and buffers.

Response 6. Acknowledged with no portions of the structure within any environmental areas

Comment 7. Microscale stormwater facility(ies) design should incorporate safe conveyance for overflow discharges from 2, 10, 100-yr 24-hr storm events; plans should show overland relief paths for these storm events and ensure that no structures, or properties are negatively impacted or have water impounded against during these storm events.

Response 7. All of the drainage from this site will be contained within the site limits with sufficient runoff directed to the water frontage of Lake Ogleton. Water quality will be provided by SWM facilities onsite; however, quantity management will not be required as this site has direct discharge to tidal waters.

Comment 8. Design professionals should review site runoff and potential (negative, adverse) impacts to neighboring properties, due to changed grades/elevation on a proposed project.

Response 8. Acknowledged and provided with the proposed plans and site design

Comment 9. Ensure the proposed improvement including runoff, seepage, and slope saturation does not adversely impact the integrity of the slope and potential impact of slope failure.

Response 9. *Not applicable for this property as no slopes greater than 15% exist on the property or adjacent to it.*

Comment 10: A soil boring is required per practice. The suitability and siting of proposed SWM practices should be reviewed. Soil boring information, including verification of the suitability of in-situ soils for infiltration, shall be submitted. Describe the site's hydrologic and topographic characteristics and provide a recommendation on the feasibility of various BMPs.

Response 10. *The two micro-bio area are suitable and sited in appropriate locations on the site base don experience with the soils, hydrologic and topographic characteristics of the site.*

Comment 11. Based on the plan provided, it appears that the property will be served by a private well and a public sewer.

Response 11. *Correct and acknowledged.*

Comment 12. The utility for the site will be reviewed during the grading permit.

Response 12. *Comment acknowledged.*

Comment 13. The above is provided as courtesy review comments at this Variance Pre-file stage to review and consider for the Variance/Design Plan(s); detailed reviews will occur during the grading permit.

Response 13. *Comment acknowledged.*

If you should have any questions, please contact Terry Schuman of Atwell, LLC at 410-897-9290.



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2025-0028-P
DATE: 04/03/2025
OPZ STAFF: Jennifer Lechner
Kelly Krinetz
Stacy Poulos
I&P STAFF: Habtamu Zeleke

APPLICANT/REPRESENTATIVE: Herman Raymond / ATWELL, LLC

EMAIL: tschuman@atwell.com

SITE LOCATION: 31 Sands Avenue, Annapolis

LOT SIZE: 17,424 square feet

ZONING: R2 **CA DESIGNATION:** LDA **BMA:** YES **BUFFER:** N/A **APPLICATION TYPE:** Variance

The applicant proposes to raze the existing dwelling and construct a new 2-story single-family dwelling with a lower level and associated improvements. The proposed dwelling is a 2-story dwelling overtop a lower level. The proposed plan will remove the existing shed and gravel parking areas currently within the BMA.

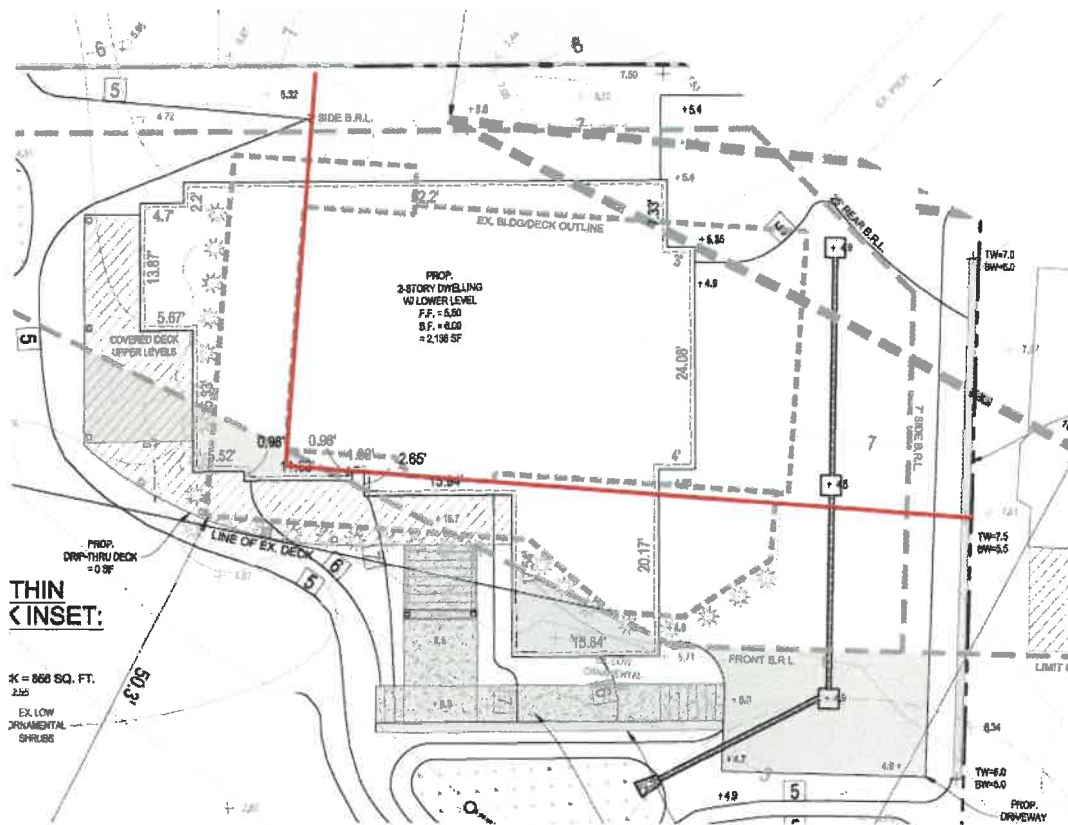
The following variances are requested:

- Article 17-8-702(b)(1) to allow new lot coverage nearer to the shoreline than the closest facade of the existing principal structure in the Buffer Modification Area.
- Article 18-2-402(1) to allow a principal structure on a waterfront lot which will not be relatively in line with principal structures on abutting lots.

COMMENTS

Zoning Administration Section:

1. The setback lines are not accurately depicted on the Administrative Site Plan and must be revised. The northeastern lot line, abutting 29 Sands Avenue, is considered the rear lot line rather than the apex of the lot lines. In addition, the front setback line should be marked at 30 feet from the mean high-water line, rather than the limits of the adjacent decks/principal structures.
2. The lines designating the limits of the adjacent decks/principal structures are not accurately depicted on the Administrative Site Plan and must be revised. As confirmed with the Critical Area Team, the lines should follow the plane of the outer limits of the decks and converge, rather than adding a third angled line between the two.
3. Based on the above revision, it appears that a variance to 18-2-402 may be eliminated by shifting the proposed dwelling closer to the northwest side lot line, or by reducing the dimensions of the proposed dwelling. If not, the Letter of Explanation will need to be revised to provide justification as to why it is not possible to either shift the dwelling or adjust the dimensions.
4. The new lot coverage nearer to the shoreline than the closest facade was not accurately calculated. Revise the Letter and Site Plan to correctly identify the area of new lot coverage forward of the existing dwelling's facade as shown below. Adequate justification as to why it's not possible to rebuild the dwelling, walkways and driveway without expanding the lot coverage closer to the shoreline is required.



5. The applicant is reminded that, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must address and meet all of the applicable variance standards provided under § 18-16-305(a-c). The Letter of Explanation should address each of those standards and provide adequate justification for each of the variances required. Specifically, the letter should provide justification as to the proposed placement of the new dwelling and the amount of new lot coverage.

OPZ Critical Area Team:

The Critical Area Team has no objection to this proposal provided the applicant can meet the approval standards outlined in the County Code.

The applicant argues that the variances are necessary in order to construct a reasonable sized home. The existing home is a 6 BR 2,370 square foot [2,682sqft per SDAT] dwelling which could be replaced without the need for the requested variances.

The site is currently void of vegetation. Afforestation and Buffer Establishment will be required at permit.

OPZ Cultural Resources:

The Cultural Resources Section has no objection to this variance. While this property is located in the Bay Ridge Historic District (AA-950), it is non-contributing. This project presents no adverse effect to the district.

I&P Engineering:

1. Stormwater management will be addressed through two micro bio-retentions.
2. SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resource areas and their critical area buffer modification areas (BMA).
3. Show and label the existing utility easement on the plan.
4. Please note that all surfaces must be treated within the LOD, and more management at a specific location to account for untreated areas is not permitted for single-family home development.

5. All stormwater conveyance systems shall be designed so that no building or habitable structure, either proposed or existing, is flooded or has water impounded against it during the 100-year storm event.
6. Per 6.1.4 (G) of the County Stormwater Practices and Procedures manual, SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resource areas and their steep slopes and buffers.
7. Microscale stormwater facility(ies) design should incorporate safe conveyance for overflow discharges from 2, 10, 100-yr 24-hr storm events; plans should show overland relief paths for these storm events and ensure that no structures, or properties are negatively impacted or have water impounded against during these storm events.
8. Design professionals should review site runoff and potential (negative, adverse) impacts to neighboring properties, due to changed grades/elevation on a proposed project.
9. Ensure the proposed improvement including runoff, seepage, and slope saturation does not adversely impact the integrity of the slope and potential impact of slope failure.
10. A soil boring is required per practice. The suitability and siting of proposed SWM practices should be reviewed. Soil boring information, including verification of the suitability of in-situ soils for infiltration, shall be submitted. Describe the site's hydrologic and topographic characteristics and provide a recommendation on the feasibility of various BMPs.
11. Based on the plan provided, it appears that the property will be served by a private well and a public sewer.
12. The utility for the site will be reviewed during the grading permit.
13. The above is provided as courtesy review comments at this Variance Pre-file stage to review and consider for the Variance/Design Plan(s); detailed reviews will occur during the grading permit.

INFORMATION FOR THE APPLICANT

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.

A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.































OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2025-0028-P
DATE: 04/03/2025
OPZ STAFF: Jennifer Lechner
Kelly Krinetz
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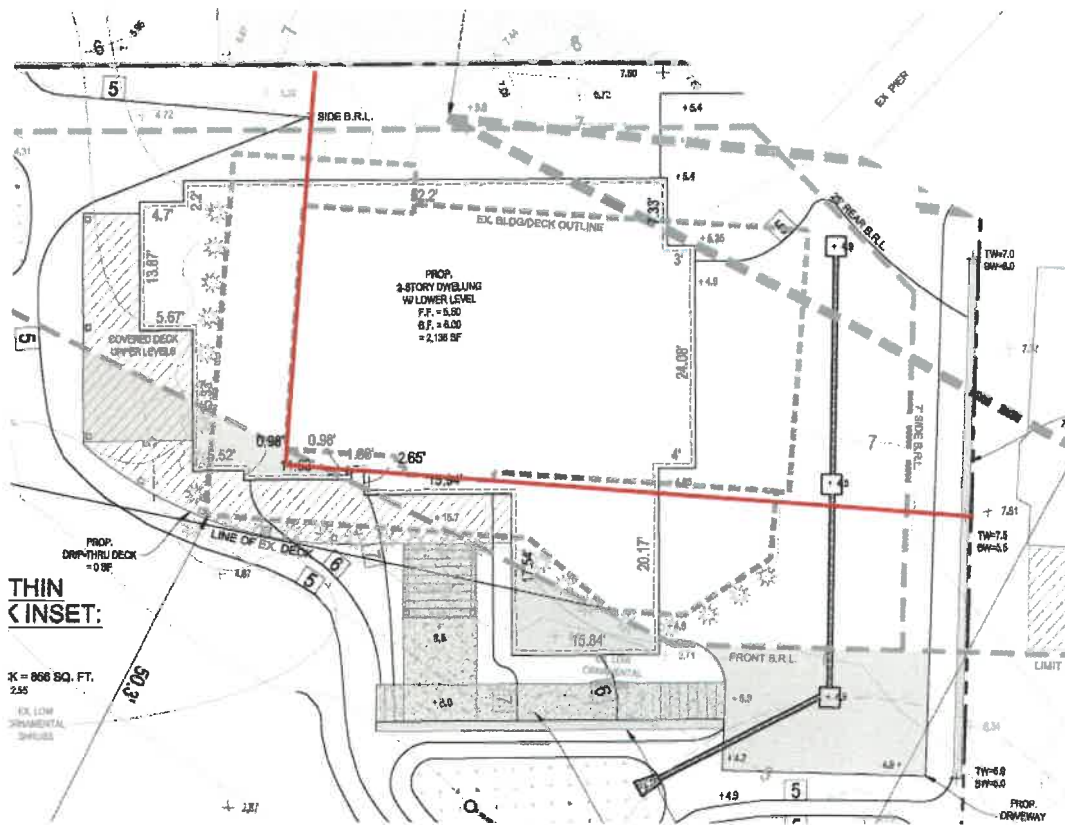
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5. The applicant is reminded that, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must address and meet all of the applicable variance standards provided under § 18-16-305(a-c). The Letter of Explanation should address each of those standards and provide adequate justification for each of the variances required. Specifically, the letter should provide justification as to the proposed placement of the new dwelling and the amount of new lot coverage.

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The site is currently void of vegetation. Afforestation and Buffer Establishment will be required at permit.

OPZ Cultural Resources:

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3. Show and label the existing utility easement on the plan.
4. Please note that all surfaces must be treated within the LOD, and more management at a specific location to account for untreated areas is not permitted for single-family home development.

5. All stormwater conveyance systems shall be designed so that no building or habitable structure, either proposed or existing, is flooded or has water impounded against it during the 100-year storm event.
6. Per 6.1.4 (G) of the County Stormwater Practices and Procedures manual, SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resource areas and their steep slopes and buffers.
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9. Ensure the proposed improvement including runoff, seepage, and slope saturation does not adversely impact the integrity of the slope and potential impact of slope failure.
10. A soil boring is required per practice. The suitability and siting of proposed SWM practices should be reviewed. Soil boring information, including verification of the suitability of in-situ soils for infiltration, shall be submitted. Describe the site's hydrologic and topographic characteristics and provide a recommendation on the feasibility of various BMPs.
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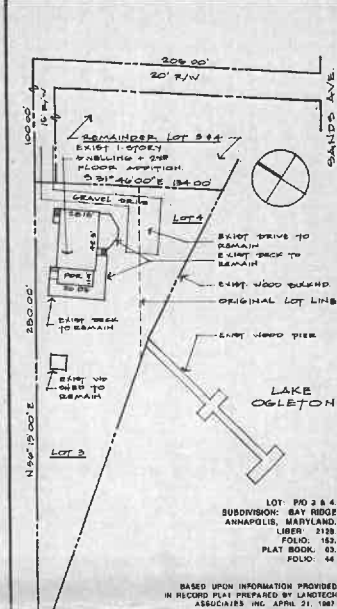
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COHEN RESIDENCE

CONSTRUCTION NOTES

- [illegible]

SITE PLAN



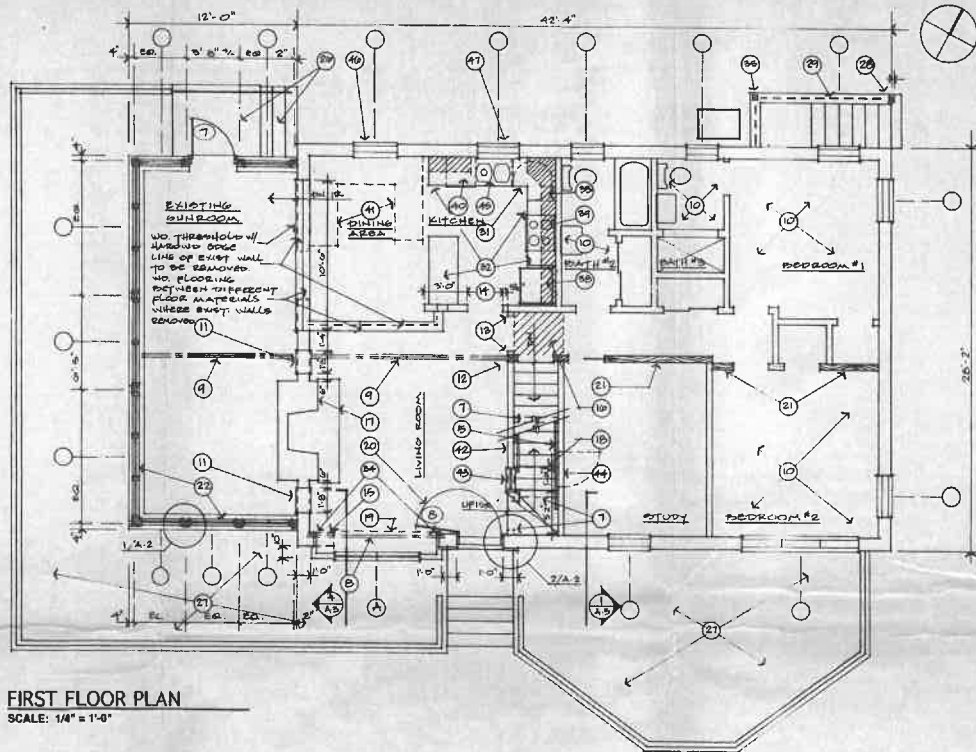
GENERAL NOTES

- [illegible]

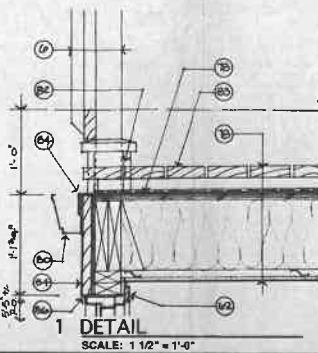
COVER SHEET WITH CODE
NOTES MUST BE ATTACHED.

MERIT ASSOCIATES
 11100 Merit Road, Suite 100
 Columbia, Maryland 21044
 (410) 730-1100

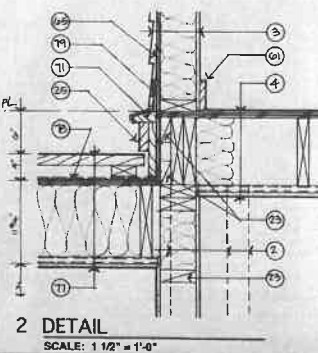
SINGLE CHARGE
 COHEN RESIDENCE
 ANNAPOLIS, MARYLAND
 A-1



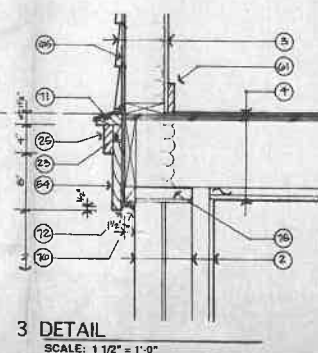
FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



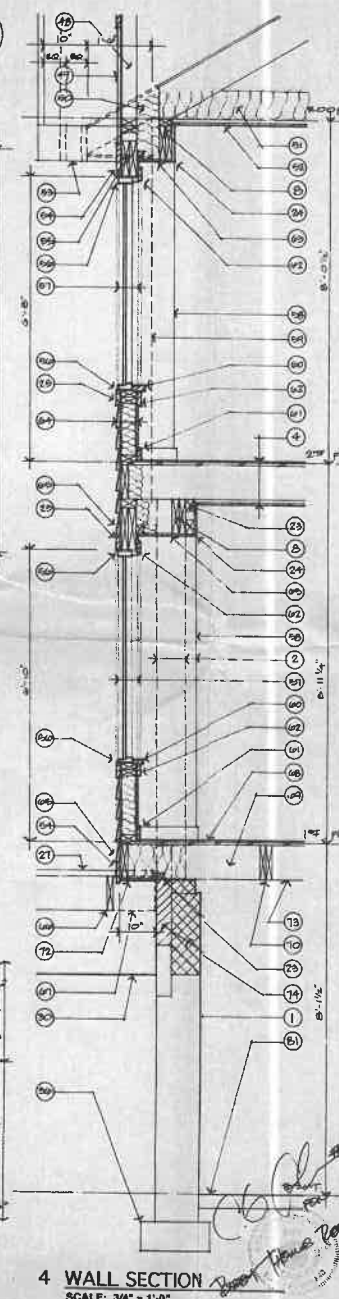
1 DETAIL
SCALE: 1 1/2" = 1'-0"



2 DETAIL
SCALE: 1 1/2" = 1'-0"



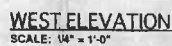
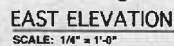
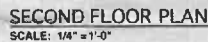
3 DETAIL
SCALE: 1 1/2" = 1'-0"



4 WALL SECTION
SCALE: 3/4" = 1'-0"

NOTES TO DRAWING

1. Verify foundation wall construction. See Construction Note #1.
2. Verify existing wall construction at 1st floor level. See Construction Note #2.
3. Verify existing wall construction at 2nd floor level. See Construction Note #3.
4. Verify existing wall construction at 3rd floor level. See Construction Note #4.
5. Verify existing wall construction at 4th floor level. See Construction Note #5.
6. Verify existing wall construction at 5th floor level. See Construction Note #6.
7. Verify existing wall construction at 6th floor level. See Construction Note #7.
8. Verify existing wall construction at 7th floor level. See Construction Note #8.
9. Verify existing wall construction at 8th floor level. See Construction Note #9.
10. Verify existing wall construction at 9th floor level. See Construction Note #10.
11. Verify existing wall construction at 10th floor level. See Construction Note #11.
12. Verify existing wall construction at 11th floor level. See Construction Note #12.
13. Verify existing wall construction at 12th floor level. See Construction Note #13.
14. Verify existing wall construction at 13th floor level. See Construction Note #14.
15. Verify existing wall construction at 14th floor level. See Construction Note #15.
16. Verify existing wall construction at 15th floor level. See Construction Note #16.
17. Verify existing wall construction at 16th floor level. See Construction Note #17.
18. Verify existing wall construction at 17th floor level. See Construction Note #18.
19. Verify existing wall construction at 18th floor level. See Construction Note #19.
20. Verify existing wall construction at 19th floor level. See Construction Note #20.
21. Verify existing wall construction at 20th floor level. See Construction Note #21.
22. Verify existing wall construction at 21st floor level. See Construction Note #22.
23. Verify existing wall construction at 22nd floor level. See Construction Note #23.
24. Verify existing wall construction at 23rd floor level. See Construction Note #24.
25. Verify existing wall construction at 24th floor level. See Construction Note #25.
26. Verify existing wall construction at 25th floor level. See Construction Note #26.
27. Verify existing wall construction at 26th floor level. See Construction Note #27.

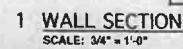
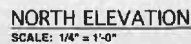
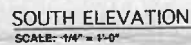


NOTE:

1. INTERIOR DOORFINISH TO MATCH EXISTING
2. HARDWARE TO MATCH EXISTING INCLUDING BUT NOT LIMITED TO: PRIVATE SETS AT BEDROOMS AND BATHROOMS, LATOSET WITH DEADBOLT AT DOOR TYPES 7 AND 6, PASSAGE SETS AT OTHER LOCATIONS (WITH FUNCTION CATCHES AND FALSE HARDWARE TO MATCH EXISTING INACTIVE LEAF OF INTERIOR DOUBLE DOORS.)

[illegible]

MERIT ASSOCIATES
 ANNAAPOLIS, MD 21403
 TEL: 410/291-7000
 FAX: 410/291-7000
 04 FEB DEC 30, 1988 MEMPHIS
 SCALE AS NOTED



1. Insuring Foundation Wall Construction Level See Construction Note #1
2. Egress External Wall Construction at 1st Floor Level See Construction Note #2
3. Egress External Wall Construction at 1st Floor Level See Construction Note #3
4. Egress External Wall Construction at 2nd Floor Level See Construction Note #4
5. Guardrail Style and height to be selected by Client. See Construction Note #7
6. Therefore install existing adjacent windows and roof framing to accommodate new replacement as indicated. Provide 2x12 support board over 2 x 4 wall studs. 11.0 nominal solidcore and glass window frame at existing face of existing 8' x 6' x 10' steel unit. Window unit and trim finish to be selected by Owner.
7. Window Scheduling
8. 1/4" x 1/2" steel trim. Color to be selected by Owner
9. Existing window stop and sill to be grout to remove
10. Note of existing window sill
11. Note of existing window sill
12. Therefore install existing guardrail to accommodate installation of deck framing. Pick up existing window sill as necessary. Provide guardrail as indicated. See Construction Note #7
13. Existing finish grout in window foundation
14. Note of existing existing in window foundation wall. See Structural Note #7
15. Modify existing window opening to accommodate window as scheduled
16. Existing window opening to remain. Provide decorative panels below window as scheduled up to 2' above finish line. Coordinate decorative panel installation with window opening.
17. Therefore install existing window opening to be selected by Owner. Therefore install window opening to be selected by Owner. Therefore install window opening to be selected by Owner.
18. Window Scheduling
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100. Window Scheduling

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MERIT ASSOCIATES
Architectural Services

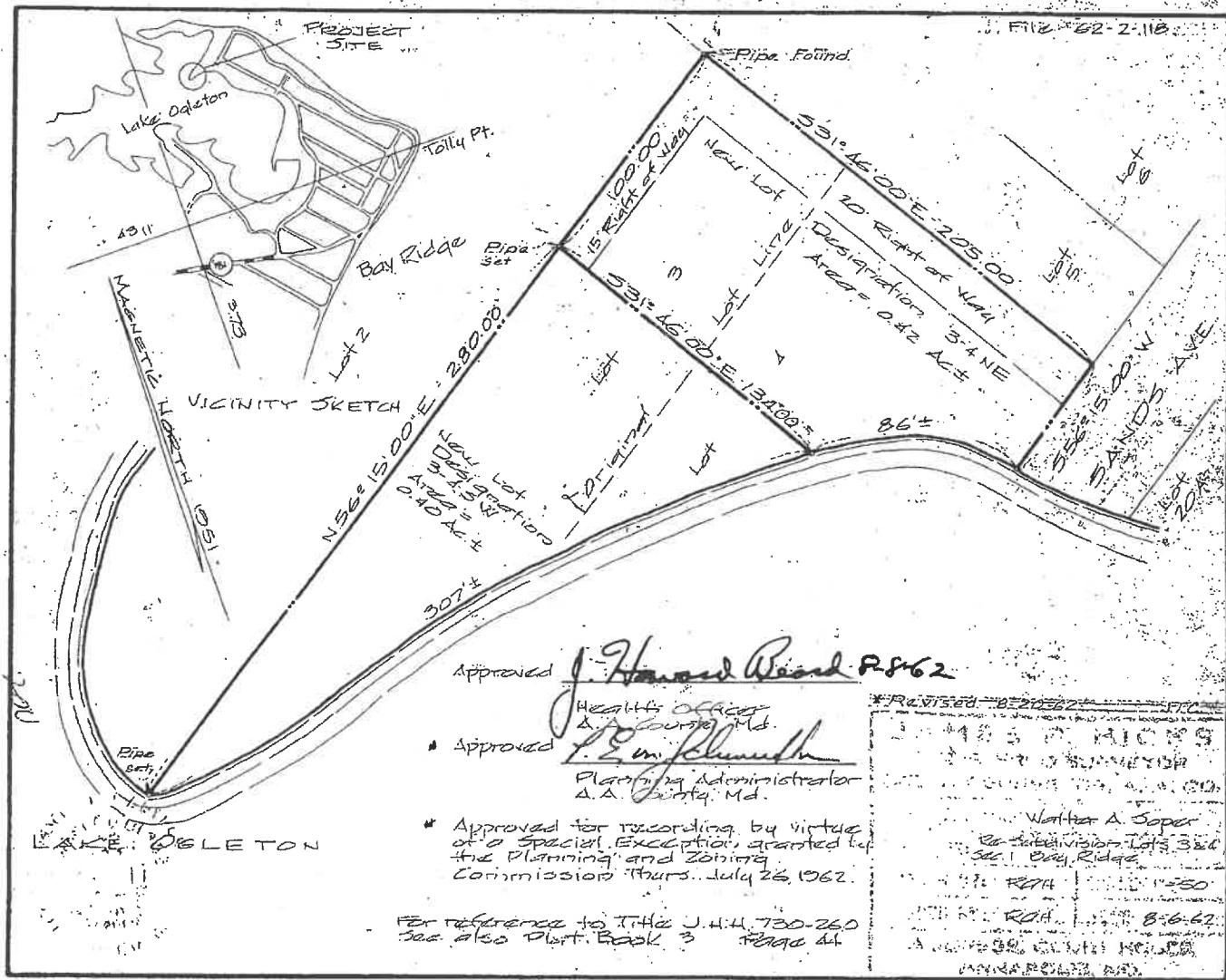
PROJECT NAME: **COHEN RESIDENCE**
ANNA POLIS, MARYLAND **A-5**

DATE REC'D 10/19/83 BY: [illegible]

800.432.8 48 4079.0

A-5

22-8619



PLAT OF
PART OF
BAY RIDGE
ANNE ARUNDEL COUNTY
MARYLAND
BAY RIDGE REALTY CORP
14 E. LEXINGTON ST
BALTIMORE, MD.

SCALE 1" = 200' Aug 22, 1924.
EDWARD V. COOMAN & CO.
SURVEYORS & CIVIL ENGRS.
231 COURTLAND ST.
BALTIMORE, MD.

NOTE: This symbol shows location
of stones

Filed Sept 25-1924
(No 113)

