

April 15, 2025

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

**RE: SHERWOOD FOREST ~ LOT 866 & P/O LOT 870
866 Robin Hood Hill
Annapolis MD, 21405
Variance to the Code Application**

Sir/Madam:

Attached is a variance to the Code request application and associated submittal documents for the above referenced property. To allow for a modest replacement home and associated improvements to the subject property, a variance to the Anne Arundel County Code is required. The requested variance to the Code relates to **Article 17, Section 8-201(a)** for redevelopment on slopes 15% or greater in the LDA.

The subject property is a legal non-conforming building lot located in the community of Sherwood Forest, Maryland. The property is currently improved with a single-family dwelling and associated improvements. The lot is zoned R-2 and is served by community water and a private septic system. The property is located entirely within the Chesapeake Bay Critical Area with an LDA land use designation. The existing dwelling is surrounded by steep slopes, which encumber more than half of the property area (+/-64%), severely limiting and restricting the spaces that allow redevelopment. Primary vegetation consists of hardwood and evergreen trees, and creeping ground cover common to wooded areas and the community.

The applicants propose to raze and remove the existing dwelling and construct a new, modestly sized home generally within the same footprint as the existing structures. According to tax records, the current dwelling was constructed in the 1920s. Like many homes in Sherwood Forest, the structure was originally built as a seasonal summer cottage and no longer meets the standards or functional needs of a modern, potentially year-round residence for today's families.

The proposed redevelopment respects the character of the community while improving the safety, livability, and structural integrity of the home. Due to the unique physical conditions inherent to the property, the following variance to the Anne Arundel County Code are being requested: **Article 17, Section 8-201(a)** of approximately 1,902-sf of disturbance on slopes 15% or greater in the LDA.

The need for this variance is driven by the physical constraints of the site—specifically, the steep slopes that surround the existing improvements and the substandard lot size. The property is approximately 15% below the minimum lot size required by zoning, and more than half of its area is encumbered by steep slopes. These environmental constraints severely limit buildable area on the site.

The proposed dwelling has been thoughtfully designed to minimize environmental disturbance by staying within the general footprint of the existing structures, avoiding unnecessary impacts to undisturbed areas, and maintaining the established drainage patterns. The requested variance is the minimum necessary to allow for reasonable and safe redevelopment of the site. The project will not result in any additional site disturbance beyond what would be required to remove or maintain the existing features. As part of the redevelopment, the existing low retaining wall—which is currently failing—will be removed and replaced with a safety railing. This improvement will enhance overall site safety for the property owners and their guests. Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant and would not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the implementation of stormwater management and the nitrogen reducing septic system, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare.

We believe that these requests meet all the requirements for variance, per Article 18-16-305:

Requirements for Critical Area Variances.

1. Unique physical conditions - Specifically topography, and the location of the existing dwelling in relation to the slopes. Denial of the requested variance would constitute an unwarranted hardship on the applicant and deprive them of the right to redevelop and deny reasonable and significant use of the entire property.
2. Rights commonly enjoyed - The proposed improvements are similar and in character to those of surrounding properties. To deny the requested variance would deprive the applicant of rights commonly enjoyed by other properties in the area.
3. Will not confer special privilege - Granting this variance would not confer a special privilege to the applicant. Nearby properties maintain improvements comparable to what is proposed for this project. The applicants have made extensive efforts to design this proposed project in a manner that considers the placement of the existing dwelling and location of surrounding environmental features.

4. Not based on conditions or circumstances that are the result of actions by the applicant - Conditions and circumstances are based on the small and irregular shape of the site, the presence of steep slopes, and the location of the existing improvements, and are not because of actions by the applicant.
5. Will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area – The proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area. Disturbance is minimized only to what is necessary to complete the project. Mitigation will occur in accordance with county regulations and will be addressed during the permitting process. Sediment and erosion controls will be utilized to ensure that construction and grading will not adversely affect the surrounding environmental features located within the Critical Area. The addition of stormwater management and a nitrogen reducing septic system will also enhance the environmental quality of the development. These precautions will ensure that water quality, fish, wildlife, and plant habitat will not be adversely affected.

Requirements for all variances.

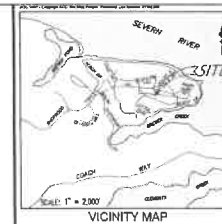
1. Minimum necessary - The improvements are minimal and are sited to utilize the footprint of the existing improvements to minimize disturbance.
2. The granting of the variance will not:
 - i. alter the essential character of the neighborhood, and all proposed development will be harmonious with other properties of the surrounding area.
 - ii. substantially impair the appropriate use or development of adjacent properties.
 - iii. reduce forest cover in the LDA as appropriate mitigation will be required as part of the permit process.
 - iv. be contrary to acceptable clearing or replanting practices required for development of the Critical Area or Bog Protection Area.
 - v. be detrimental to the public welfare.

Thank you for your attention to this matter. Please contact us if we may be of further service during your review of this variance request.

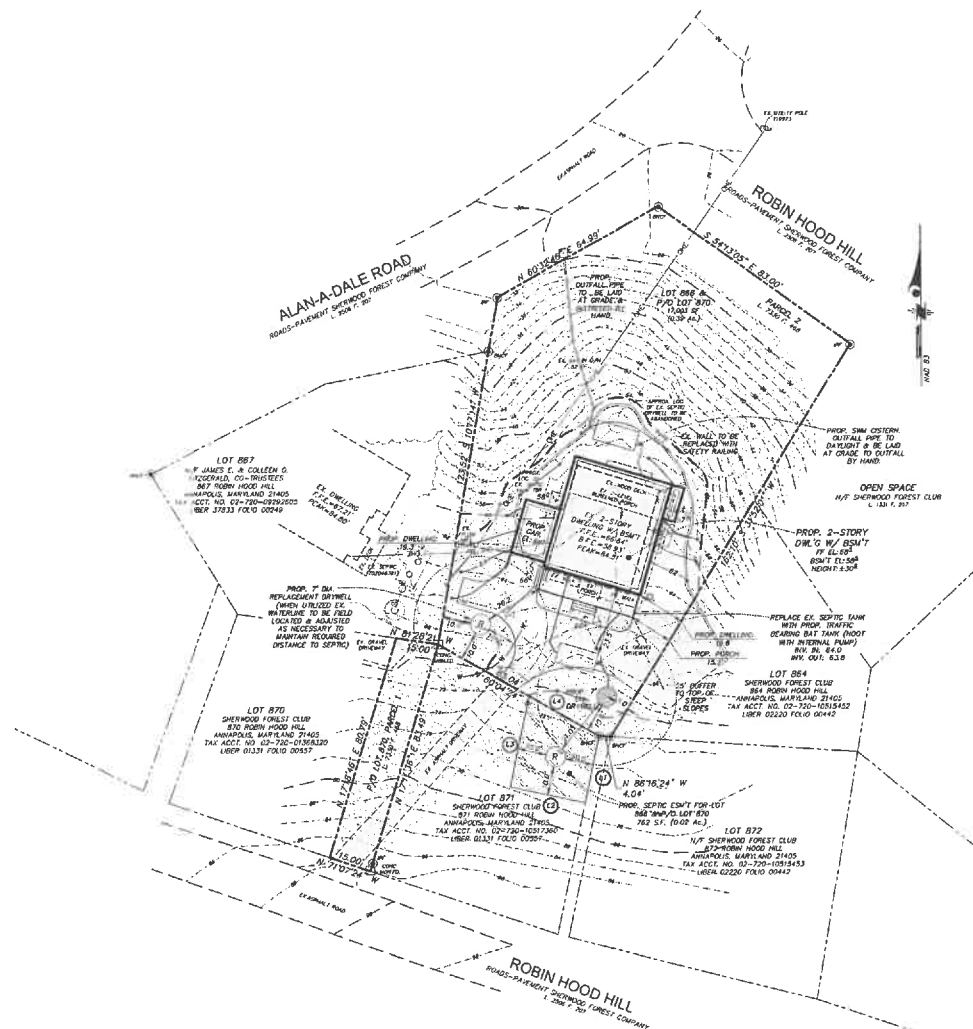
Sincerely,
DRUM, LOYKA & ASSOCIATES, LLC



Katie Yetman



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S12° 09' 36" W	23.00
L2	N77° 53' 34" W	27.00
L3	N12° 09' 30" E	32.64
L4	S80° 04' 24" E	28.35



LEGEND

	Existing Contour
	Existing Woods Line
	Existing Power Pole
	Existing Overhead Electric
	Existing Wastewater
	Existing Spot Elev.
	Steep Slopes 15% or Greater
	Limit of Disturbance
	Proposed Spot Elev.
	Proposed Septic Line
	Lot 835 Septic Easement

SITE TABULATIONS

• Total Site Area:	17,703 S.F. (0.30 Ac.)
• Critical Area Designation:	LDA
• Site Zoning:	R-2
Proposed Structure Setbacks	
-Front:	30'
-Rear:	20'
-Side:	7'
• Lot Coverage:	
-Existing Lot Coverage:	2,712 S.F. (0.06 Ac.)
-Allowable Lot Coverage (31.25%):	5,513 S.F. (0.12 Ac.)
-Proposed Lot Coverage:	3,668 S.F. (0.06 Ac.)
• Coverage by Structure:	
-Existing Coverage by Structure:	1,289 S.F. (0.03 Ac.)
-Allowable Coverage by Structure:	5,101 S.F. (0.10 Ac.)
-Proposed Coverage by Structure:	2,103 S.F. (0.04 Ac.)
• Slope Slopes:	
-Total On-Site Steep Slopes:	10,814 S.F. (0.25 Ac.)
-Total On-Site Steep Slopes Disturbed:	1,902 S.F. (0.04 Ac.)
-Total Off-Site Steep Slopes Disturbed:	0 S.F. (0.00 Ac.)



Drum, Loyka & Associates, LLC
CIVIL ENGINEERS - LAND SURVEYORS
1410 Forest Drive, Suite 35
Annapolis, Maryland 21403
Phone: 410-280-5122 - Fax: 410-280-1952
www.drumloyka.com

OWNER:

MS. BOBBY BENEDICT
23349 PARSONS ROAD
MIDDLEBURG, VIRGINIA 20117

VARIANCE PLAN

SHERWOOD FOREST - LOT 866 & P/O 870
866 ROBIN HOOD HILL, ANNAPOLIS, MD 21405
TAX ACCT. NO. 02-720-0158320 - PERC NO. PAT02050362
TAX MAP 0039 GRID 0019 PARCEL 0265 DISTRICT 2ND
ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1"=20' DATE: APRIL 15, 2022 PROJ. NO: SM20221 SHEET 1 OF 1

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

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: _____

Date _____

Tax Map #	Parcel #	Block #	Lot #	Section
0039	0295	0019	866	

FOR RESUBMITTAL ONLY

Corrections ☐

Redesign ☐

No Change ☐

Non-Critical Area ☐

* Complete only Page 1

General Project Information

Tax ID 02-720-01368320

Project Name (site name, subdivision name, or other) Sherwood Forest ~ Lot 866

Project location/Address 866 Robin Hood Hill

City Annapolis Maryland Zip 21405

Local case number _____

Applicant: Last name Benedict First name Bobby

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: _____ First name _____

Phone # _____ Response from Commission Required By _____

Fax # _____ Hearing date _____

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Raze and remove existing single-family dwelling and construct new single-family dwelling
with associated improvements

Yes Yes
Intra-Family Transfer Growth Allocation
Grandfathered Lot X Buffer Exemption Area

Project Type (check all that apply)

Commercial
Consistency Report
Industrial
Institutional
Mixed Use
Other
Recreational
Redevelopment
Residential X
Shore Erosion Control
Water-Dependent Facility

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area		
LDA Area	0.39	
RCA Area		
Total Area	0.39	

Acres Sq Ft
Total Disturbed Area 0.15
of Lots Created 0

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.34		Existing Impervious Surface	0.06	
Created Forest/Woodland/Trees	0.00		New Impervious Surface	0.00	
Removed Forest/Woodland/Trees	0.07		Removed Impervious Surface	0.00	
			Total Impervious Surface	0.09	

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		
Non-Buffer Disturbance	0.15		Mitigation		

Variance Type

Buffer
Forest Clearing
HPA Impact
Impervious Surface
Expanded Buffer
Nontidal Wetlands
Steep Slopes X
Setback
Other

Structure

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

Chesapeake Bay Critical Area Report
Sherwood Forest ~ Lot 866 & P/O 870
Tax Map 39, Grid 19, Parcel 295
Tax Account No. 02-720-01368320

Property Address: 866 Robin Hood Hill
Annapolis, Maryland 21405

April 15, 2025

Property Owners & Variance Applicant: Bobby Benedict

Critical Area Designation: LDA

Zoning: R-2

Lot Area: 0.39 Ac.

Site Description

The subject property is a legal building lot located off of Robin Hood Hill in the community of Sherwood Forest. The site is currently improved with a single-family dwelling and associated improvements, which are surrounded by steep slopes. The lot is zoned R-2 and is completely within the Chesapeake Bay Critical Area, with an LDA land use designation. Private septic and Sherwood Forest public water service the property.

Description and Purpose of Variance Request

The applicant proposes to raze and remove the existing single-family dwelling and construct a new single-family dwelling with associated improvements. Due to the unique physical conditions inherent to the property, the following variance to the Anne Arundel County Code is being requested: **Article 17, Section 8-201(a)** of approximately 1,902-sf of disturbance on slopes 15% or greater in the LDA

The applicants propose to raze and remove the existing dwelling and construct a new, modestly sized home generally within the same footprint as the existing structures. According to tax records, the current dwelling was constructed in the 1920s. Like many homes in Sherwood Forest, the structure was originally built as a seasonal summer cottage and no longer meets the standards or functional needs of a modern, potentially year-round residence for today's families.

Vegetative Coverage and Clearing

The property's primary vegetation is woodland and creeping ivy that is common to wooded areas in the community. The existing wooded area totals roughly 15,000-sf. The proposed clearing is approximately 3,000-sf. Reforestation and afforestation requirements for this property will be addressed during the permit phase of this project.

Impervious Lot Coverage

The site currently has 2,712-sf of lot coverage. The proposed impervious lot coverage for this property is 3,966-sf, which is below the allowable. The site currently has 1,269-sf of coverage by structures. The proposed coverage by structures is 2,103-sf, which is within the allowable amount.

Steep Slopes (slopes > 15%)

The subject property contains approximately 10,814-sf of steep slopes, or 64% of the site area, all of which are concentrated around the existing improvements. Approximately, 1,902-sf of slopes will be disturbed as part of the proposed construction.

Predominant Soils

The predominant soil type is Annapolis Fine Sandy Loam (AsF), 25 to 40 percent slopes. This soil has a type "C" hydrologic classification and is considered a hydric soil.

Drainage and Rainwater Control

There appear to be no visible stormwater management devices on site. Stormwater management and sediment and erosion control will be provided for the proposed improvements and the specific design computations will be addressed during the permit phase of the project in accordance with Anne Arundel County design criteria.

Conclusions – Variance Standards

The proposed dwelling has been thoughtfully designed to minimize environmental disturbance by staying within the general footprint of the existing structures, avoiding unnecessary impacts to undisturbed areas, and maintaining the established drainage patterns. The requested variance is the minimum necessary to allow for reasonable and safe redevelopment of the site. The project will not result in any additional site disturbance beyond what would be required to remove or maintain the existing features. As part of the redevelopment, the existing low retaining wall—which is currently failing—will be removed and replaced with a safety railing. This improvement will enhance overall site safety for the property owners and their guests. Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant and will not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the implementation of stormwater management and the nitrogen reducing septic system, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare. Stormwater Management and reforestation requirements will be addressed during the permit phase of the project. Reforestation will be provided on-site to the extent practicable.

Reference:

ADC: The Map People, 2002 Anne Arundel County, Maryland, Street Map Book

Anne Arundel County Office of Planning & Zoning, 2007 Critical Area Map

Anne Arundel County Office of Planning & Zoning, 2007 Buffer Exemption Map

Anne Arundel County, Maryland; Chesapeake Bay Critical Area Mapping Program, 2007, Critical Area Map

Federal Emergency Management Agency, 2015. Flood Insurance Rate Map

First American Real Estate Solutions, 2002, Realty Atlas: Anne Arundel County Maryland

Drum, Loyka and Associates LLC, 2025 Variance Plan

U.S. Department of Agriculture, Natural Resource Conservation Service –2003 Soil Survey of Anne Arundel County Maryland.

State Highway Administration of Maryland, 1989. Generalized Comprehensive Zoning Map: Third Assessment District



1 NORTH ELEVATION
A2.1 1/4" = 1'-0"

DESIGN TEAM:
ARCHITECT:
S.A.H. DESIGN
8220 Kerry Rd.
Chevy Chase, MD
20815
Ph. 202.271.1408
STRUCTURAL:

CIVIL:
Dana Loyka &
Associates, LLC
1410 Forest Dr.,
Suite 35
Annapolis, MD
21403
Ph. 410.280.1952

BUILDER:

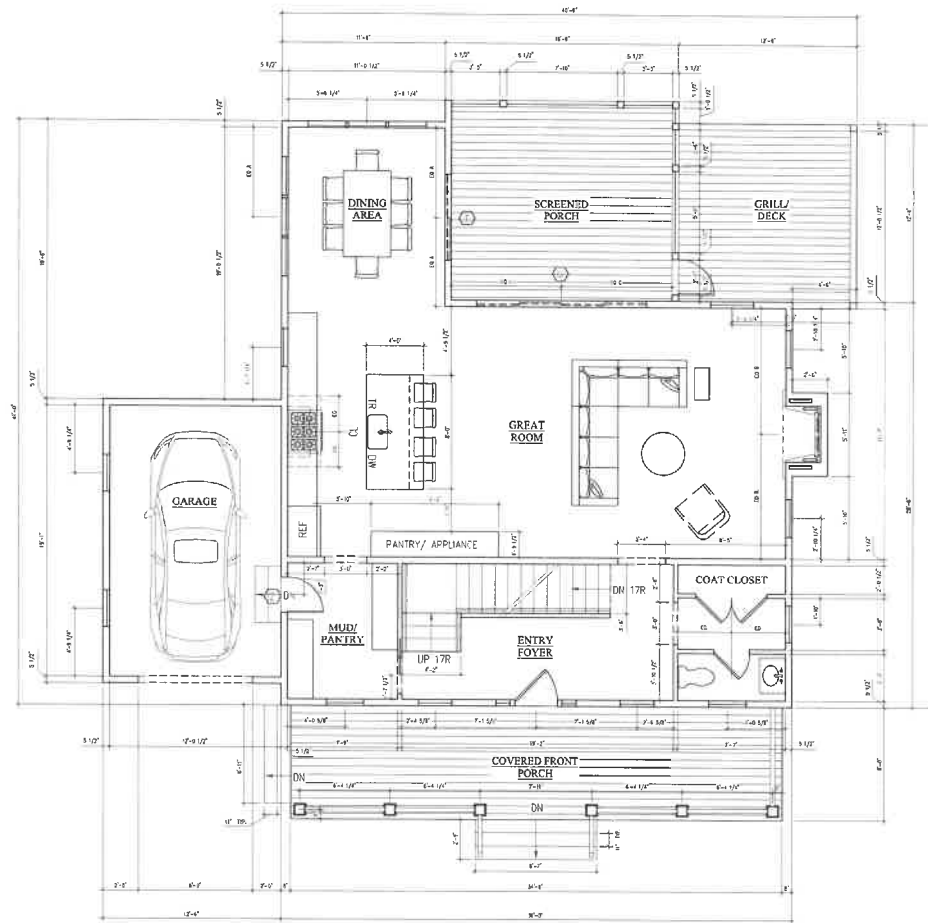


866 ROBIN HOOD HILL
ANNAPOLIS, MD 21405

PROPOSED ELEVATIONS
SCALE: 1/4" = 1'-0"

SCHEMATIC
DESIGN
09/15/2025
PRINT SET

A2.1



NOTE: CURRENT STAIR RISER
COUNTS FOR APPROX 9'
CEILINGS

2 PROPOSED FIRST FLOOR PLAN
A.T.O. 1/4 = 1'-0"

DESIGN TEAM:
ARCHITECT:
S.A.H. DESIGN
8220 Kerry Rd.
Chevy Chase, MD
20815
Ph. 202.271.1408
STRUCTURAL:

CIVIL:
Dunn, Loyka &
Assoc., LLC
1410 Forest Dr.,
Suite 35
Annapolis, MD
21403
Ph. 410.280.1952

BUILDER:

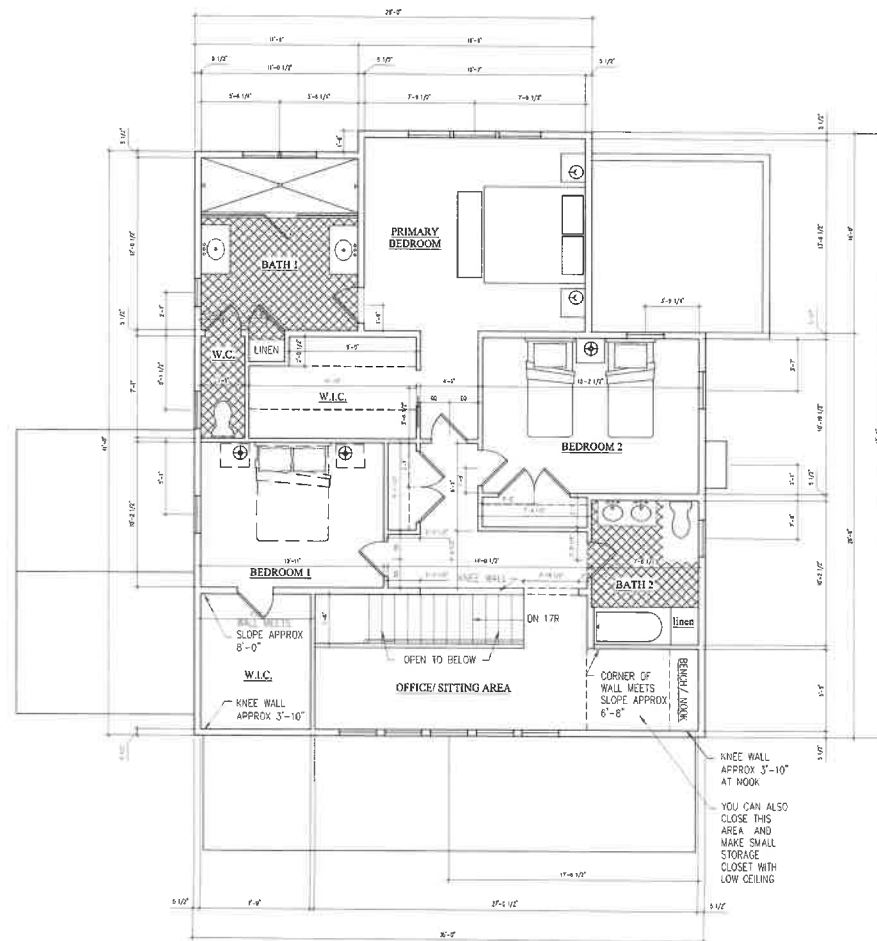


866 ROBIN HOOD HILL
ANNAPOLIS, MD 21405

FLOOR PLANS - PROPOSED
SCALE: 1/4" = 1'-0"

SCHEMATIC
DESIGN
03/13/2025
PRINT SET

A1.1



1 PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"

DESIGN TEAM:

ARCHITECT:
S.A.H. DESIGN
8220 Kerry Rd.
Cherry Chase, MD
20815
Ph. 202.271.1408

STRUCTURAL:

CIVIL:
Drum, Loyka &
Assoc., LLC
1410 Forest Dr.,
Suite 35
Annapolis, MD
21403
Ph. 410.280.1952

BUILDER:



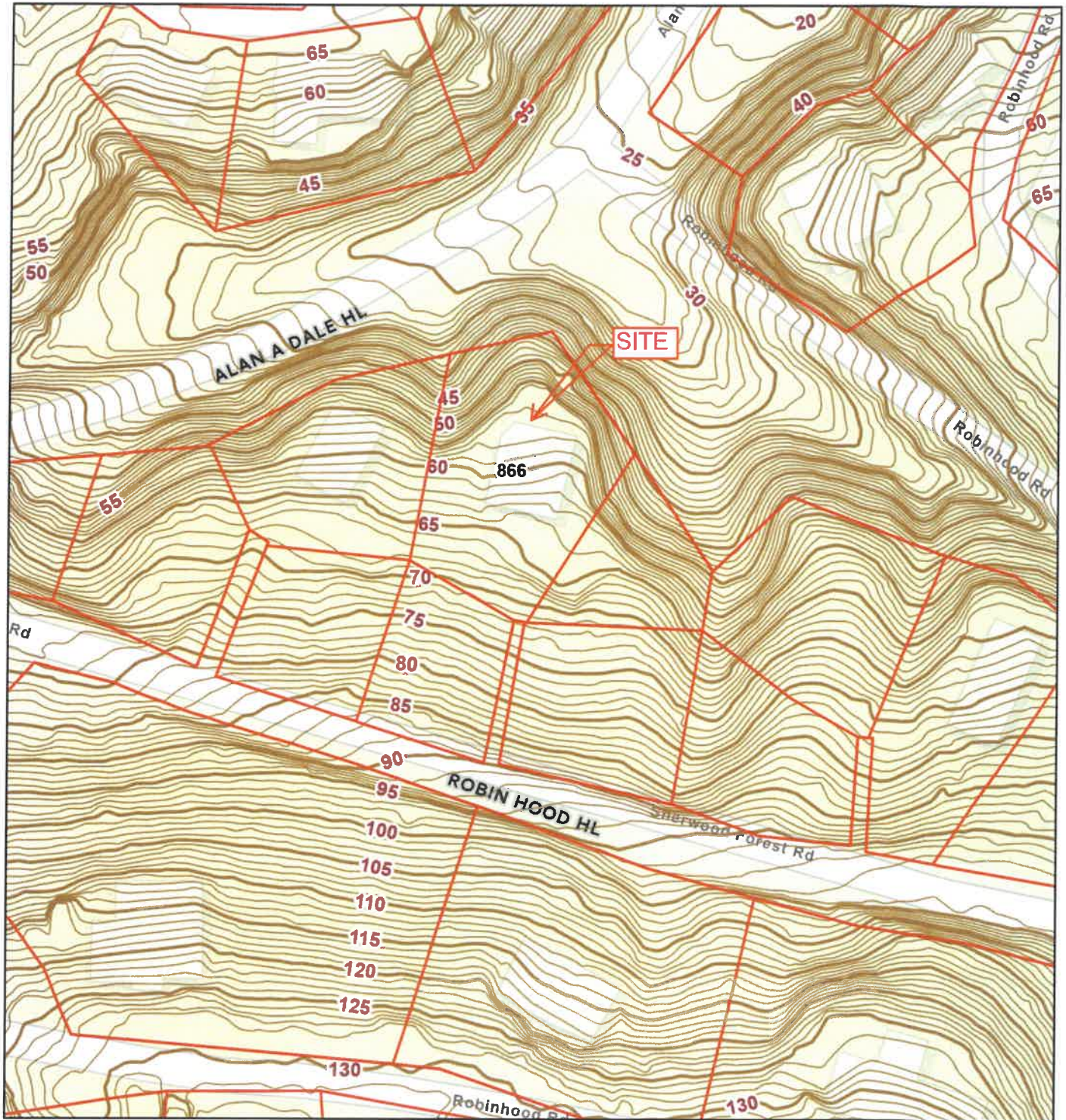
866 ROBIN HOOD HILL
ANNAPOLIS, MD 21405

FLOOR PLANS - PROPOSED
SCALE: 1/4" = 1'-0"

SCHEMATIC
DESIGN
03/13/2015
PRINT SET

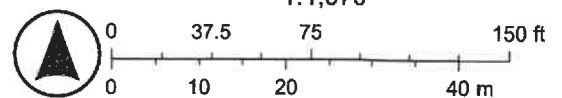
A1.2

Anne Arundel County Engineering Record Drawing and Monuments

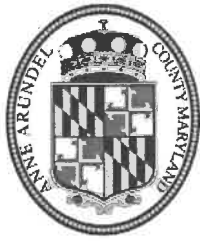


4/3/2025, 8:27:33 AM

- ◊ Address Points
- ▭ Parcels
- Topo_2023
- Index
- Intermediate
- Local Road Label
- ▭ County Boundary



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OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2025-0011-P
DATE: 02/03/2025
STAFF: Joan A. Jenkins (OPZ)
Kelly Krinetz (OPZ)
Habtamu Zeleke (I&P)

APPLICANT/REPRESENTATIVE: Katie Yetman/Bobby Benedict

EMAIL: kyetman@drumloyka.com/valmorrison19@gmail.com

SITE LOCATION: 866 Robin Hood HI

LOT SIZE: 17,003sf

ZONING: R2 **CA DESIGNATION:** LDA **BMA:** no **or** **BUFFER:** no **APPLICATION TYPE:** Variance

DESCRIPTION:

The applicants propose to raze and remove the existing single-family dwelling and replace it with a new single-family home. The majority of the new construction will be located within the footprint of the existing dwelling, with an expansion aimed at providing more functional living space. The project will include a new nitrogen-removing BAT septic system and a new septic drywell. Due to the parcel's substandard size, irregular configuration and the presence of steep slopes, a variance to the code is necessary to improve the property. Variance to Article 17-8-201(a).

COMMENTS:

I & P Engineering:

1. Stormwater management will be addressed through Cistern.
2. This reviewer is unclear about the proposed SWM Cistern size. Specific Details are needed for the oversized (530-gallon) Cistern (1). The plans need operation, maintenance, and construction specs/details.
3. Please ensure that the minimum well and septic setbacks to proposed SWM practices are achieved.
4. Per Code 17-6-404, disturbance within the 25' steep slope buffer (SSB) is prohibited.
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. 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.
9. 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.
10. Based on the plan provided, it appears that the property will be served by a private septic and well.
11. The utility for the site will be reviewed during the grading permit.
12. The above is provided as a courtesy review as information for review and consideration comments at the pre-file.

Critical Area Team:

No objection to this proposal.

Zoning Administration Section:

Site plan: Include the height in feet on the site plan in the area of the house. See the definition of height in the code.

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.