

APP. EXHIBIT# 1
CASE: 2025-0082-V
DATE: 7/10/25

Certifications of posting of signs: In this package you will find a Certification of Posting of

Signs for case number 2025-0082-V.

Certification of Posting of Signs for Anne Arundel County, MD.

To be presented at the time of your public hearing.

I, the undersigned, being over the age of eighteen (18) and competent to testify to the matters contained herein do solemnly declare and affirm under the penalties of the perjury the following:

- (1) That I posted the signs(s) in Case Number 2025-0082-V
- (2) That the signs(s) were posted on the 2ST day of June 2025
- (3) That the location of the sign(s) posted by me are as follows:

Sign 1 is posted to the left of the entrance of the driveway.
Sign 2 is posted to the left of the pier.

Affiant 

(Signature of individual filling out affidavit)

Name: Christopher McKenna

Atwell

2661 Riva Road, Building 800

Annapolis, MD 21401

NOTICE

AN APPLICATION HAS BEEN FILED FOR VARIANCE TO ALLOW A DWELLING AND ASSOCIATED FACILITIES WITH LESS SETBACKS THAN REQUIRED, THAT DOES NOT COMPLY WITH THE DESIGNATED LOCATION OF A PRINCIPAL STRUCTURE ON A WATERFRONT LOT AND WITH NEW LOT COVERAGE NEARER TO THE SHORELINE.

LOCATION: 31 SANDS AVENUE, ANNAPOLIS

CASE NO: 2025-0082-V

HERMAN RAYMOND

PENDING A PUBLIC ZOOM MEETING. FOR INFO CONTACT THE ZONING DIVISION AT 410-222-7437 OR VIEW WEBSITE WWW.AACOUNTY.ORG/ADMIN-HEARINGS

NOTICE

AN APPLICATION HAS BEEN FILED FOR VARIANCE TO ALLOW A DWELLING AND ASSOCIATED FACILITIES WITH LESS SETBACKS THAN REQUIRED, THAT DOES NOT COMPLY WITH THE DESIGNATED LOCATION OF A PRINCIPAL STRUCTURE ON A WATERFRONT LOT AND WITH NEW LOT COVERAGE NEARER TO THE SHORELINE.

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APP. EXHIBIT# 2
CASE: 2025-0082-V
DATE: 7/10/25





































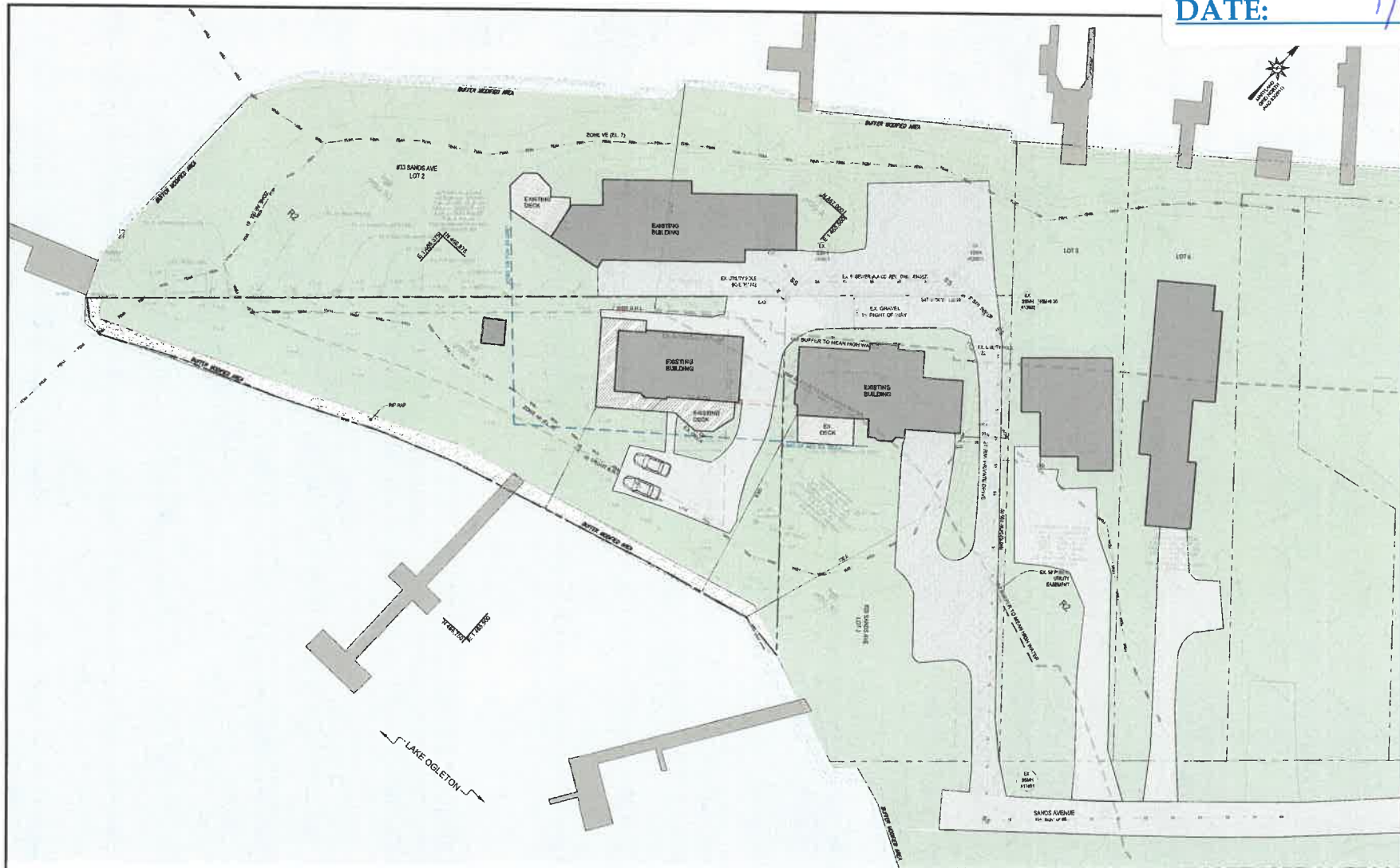












EXISTING CONDITIONS

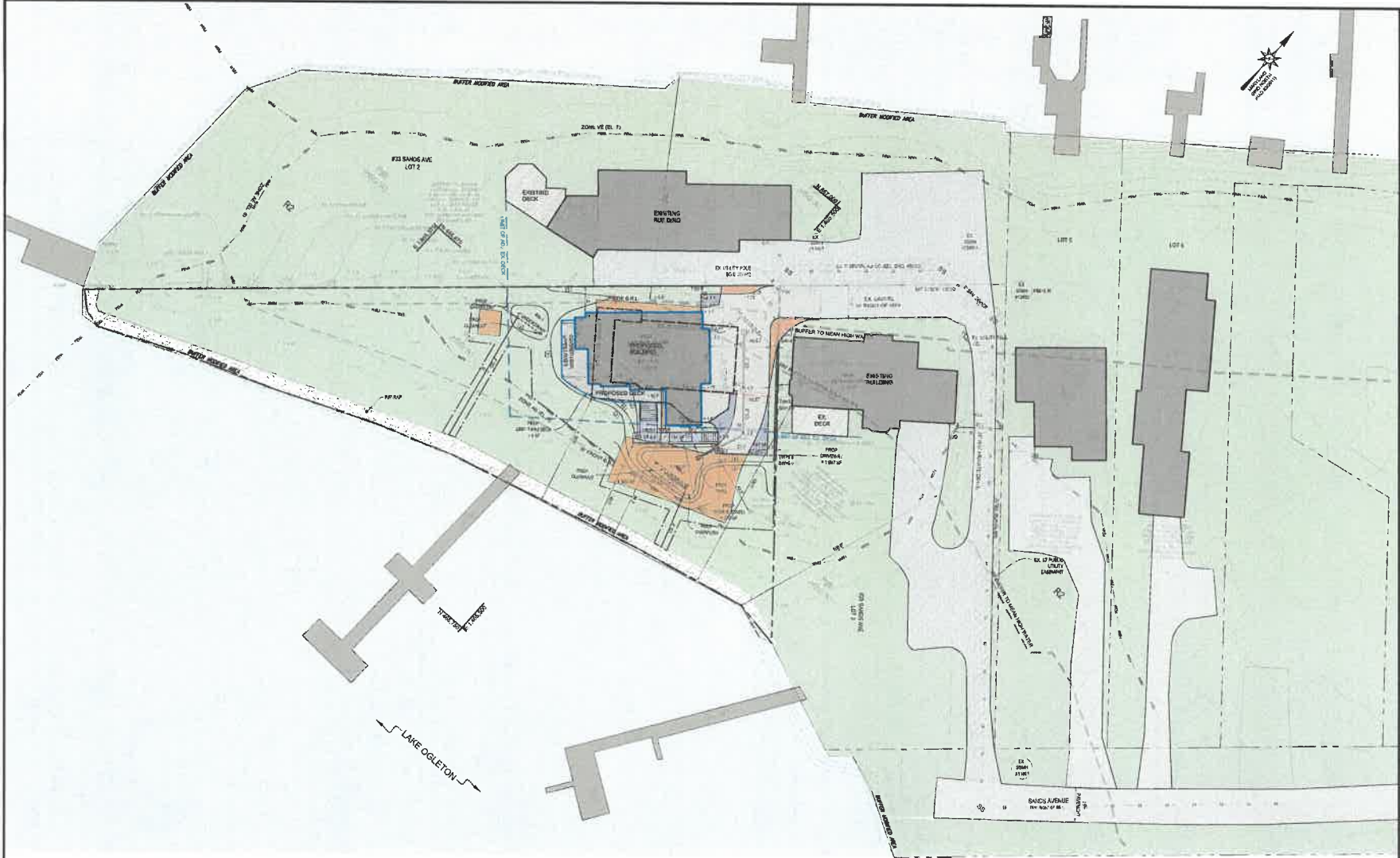
Revisions	
Rev.	Description

<p>Copyright © 2025 ATWELL 866.352.4000 www.atwell-engineers.com ANNE ARUNDEL COUNTY, MARYLAND 21046</p>	
<p>Date: 7/10/2025 Job Number: 22-5619 Scale: 1/4"=1'-0" Drawn By: H. HANCOCK Approved By: T. CHURMAN Folder Reference: 31 SANDS AVE</p>	<p>EXISTING PLAN VARIANCE ADMINISTRATIVE PLAN FOR 31 SANDS AVE 31 SANDS AVENUE ANNAPOLIS MD 21403 TAX MAP 97 GRID 10, PARCEL 20, LOT 3 TAX ID: 02-047-0444690 SECOND DISTRICT - ANNE ARUNDEL COUNTY - ZONED R2</p>

Plotting: This document is an electronic file and is not a physical drawing. It is the responsibility of the user to ensure that the file is properly saved and backed up. The user is responsible for the accuracy of the information contained herein. The user is responsible for the accuracy of the information contained herein. The user is responsible for the accuracy of the information contained herein.

Blue - Proposed new building and deck

[illegible]



PROPOSED IMPROVEMENTS
 ORANGE - Lot coverage to be removed
 PURPLE - Lot coverage to be added

Revisions	Description	Date	By
1	Initial Design	4/2/25	SK
2	Revised Design	7/7/25	SK

George G. 2025
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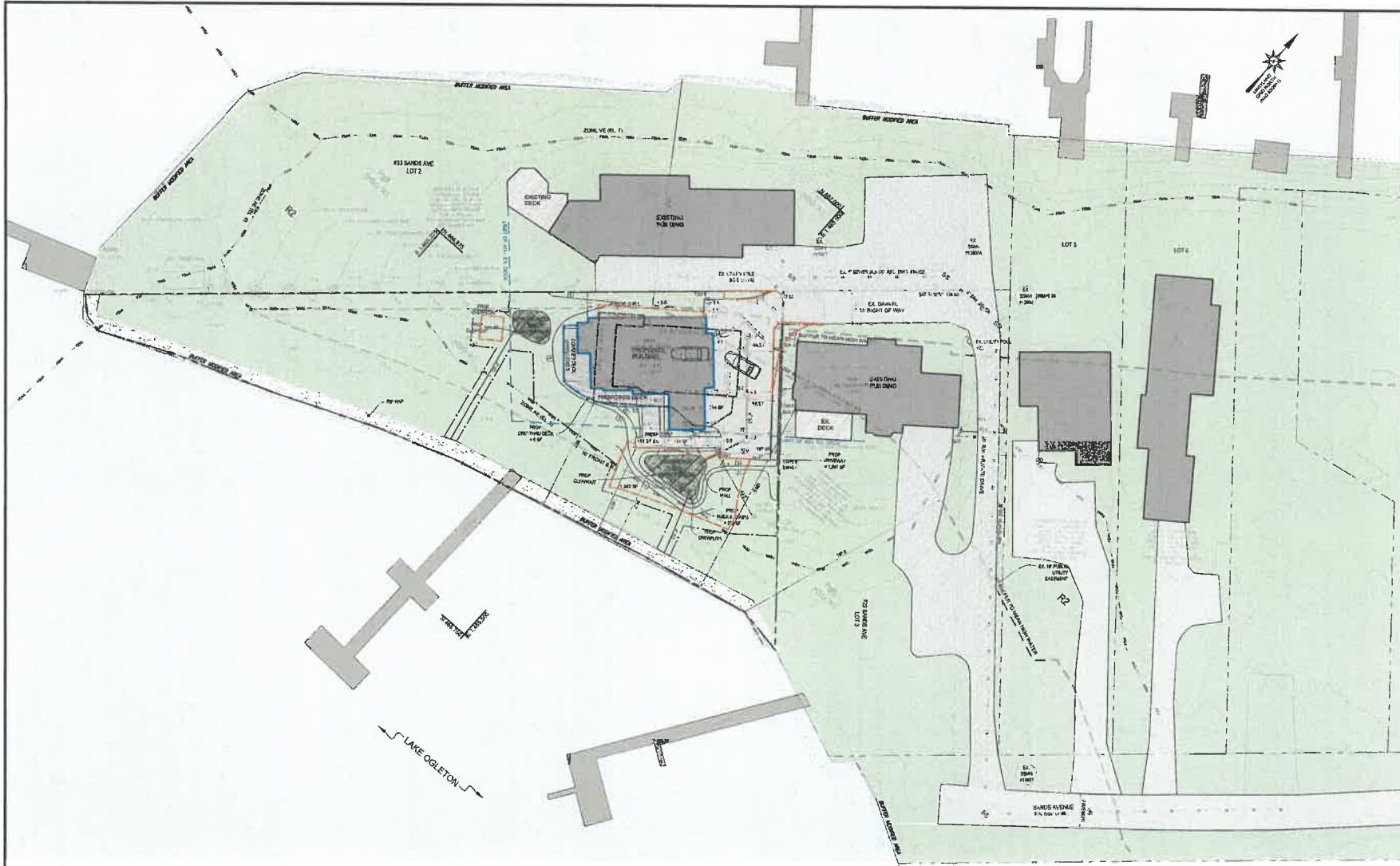
ATWELL
 6662506000
 31 SANDS AVENUE, SUITE 200
 ANNAPOLIS, MARYLAND 21403
 (410) 293-1000

Date: 7/15/2025
 Job Number: 22-0819
 Scale: 1"=50'
 Drawn By: N. BARNES
 Approved By: J. DEAN
 Folder Reference: 31 SANDS AVE

SITE PLAN
 VARIANCE ADMINISTRATIVE PLAN
 31 SANDS AVE
 31 SANDS AVENUE, ANNAPOLIS, MD 21403
 TAX MAP 57 GRID 10, PARCEL 28 LOT 3
 TAX ID: 02-047-0444850
 SECOND DISTRICT 1 - ANNE ARUNDEL COUNTY - ZONED R2

Sheet No. 1 OF 1

PLOTTED: JUL 07, 2025 - 3:56pm



PROPOSED IMPROVEMENTS

- ORANGE - Lot coverage to be removed
- GREEN - New Bioretention

Revisions	
Rev.	Description

Project Name: 31 Sands Ave. Site Plan
Project Number: 190003
Project Location: 31 Sands Ave., Annapolis, MD 21403
Project Date: 2/11/2025
Project Status: In Progress
Project Manager: [Name]
Project Engineer: [Name]

Geographic Area: Annapolis, MD
Map Scale: 1" = 100'
Map Date: 2/11/2025
Map Status: In Progress
Map Manager: [Name]
Map Engineer: [Name]

ATWELL
686.860.6300
2001 SANDS AVENUE, SUITE 200
ANNAPOLIS, MARYLAND 21403
www.atwell.com

Date: FEBRUARY, 2025
Job Number: 25-0119
Scale: 1"=20'
Drawn By: J. HANCOCK
Approved By: T. HANCOCK
Project Manager: 31 SANDS AVE.

SITE PLAN
VARIANCE ADMINISTRATIVE PLAN
FOR
31 SANDS AVE
31 SANDS AVENUE, ANNAPOLIS, MD 21403
TAX MAP 57 GRID 10, PARCEL 28, LOT 3
TAX ID: 02-007-0444650
SECOND DISTRICT - ANNE ARUNDEL COUNTY - ZONED R2
K:\25-00119 31 Sands Avenue\Drawing\Plan\25-00119 SITE PLAN EXHIBIT.dwg

EXISTING EXTERIOR ELEVATION

APP. EXHIBIT# 4

CASE: 2025-0082-V

DATE: 7/10/25

**HAMMOND
WILSON**



Timeless.
Artful.
Architecture.

EXISTING EXTERIOR ELEVATION

HAMMOND
WILSON



Timeless.
Artful.
Architecture.

APP. EXHIBIT# 5

CASE: 2025-0082-V

DATE: 7/10/25

Dear Ray,

This is Dennis Keuper and I live at 29 Sands Ave . My property is directly adjacent to 31 Sands . I received a letter from AA county regarding Case 2025 -0082-V and have no objections .

Sincerely
Dennis Keuper
29 Sands Ave

Terry Schuman

From: Raymond Herman <RHerman@Herman-Stewart.com>
Sent: Sunday, June 29, 2025 2:45 PM
To: Terry Schuman
Cc: Wilson Leo; Martino Sandie
Subject: Fwd: Variance

Terry

Attached is a favorable letter from my neighbor at 33 Sands stating that he has no objections to our variance

I am now working with the neighbor at 29 Sands for a similar letter .

I met with him and his wife last week and they were very supportive .

Thanks

Ray Herman
Herman Stewart Construction
P 301 526-3600
rherman@herman-Stewart.com

Begin forwarded message:

From: Jeffrey Stone <jdstone101@yahoo.com>
Date: June 29, 2025 at 2:03:42 PM EDT
To: Raymond Herman <RHerman@herman-stewart.com>
Subject: Variance

Dear Ray,

My name is Jeff Stone and I live at 33 Sands Ave. I recently received a letter from the county regarding your variance (Case # 2025 -0082-V).

We have no objections to this.

Sincerely,

Jeff Stone

External Email: Do not click any links or open any attachments unless you trust the sender and know the content is safe.



OFFICE OF PLANNING AND ZONING
CONFIRMATION OF PRE-FILE

APP. EXHIBIT# 6
CASE: 2025-0082-V
DATE: 7/10/25

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.

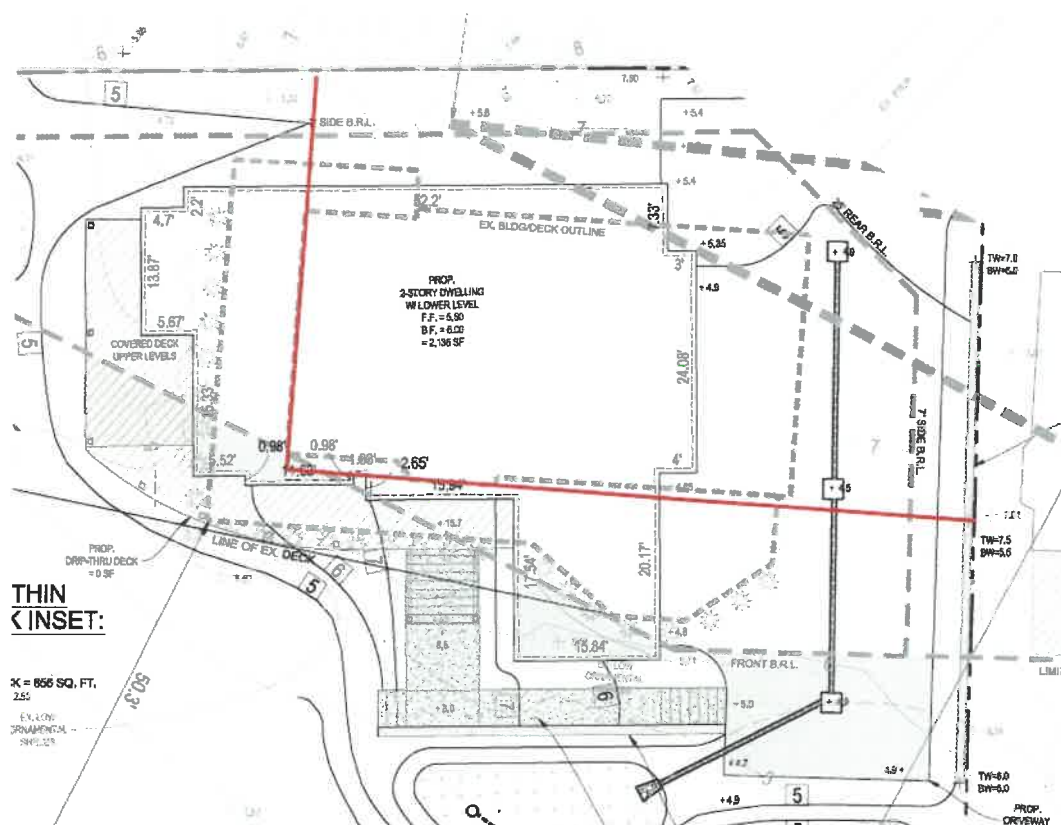
The following variances are requested:

- 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.

31 SANDS AVENUE

HARDSHIPS

LOT SHAPE

- The lot is triangular and the convergence of various setbacks and existing building facade lines makes for a very small house footprint. Most other smaller properties on Lake Ogleton can actually permit and build a larger house simply due to the lot being rectangular.

- Most lots on the water would have only one existing facade to consider in the planning of a new home . In the case of the subject lot we have 2 existing facades to contend with and this further reduces the building footprint. Again many much smaller lots can permit and build larger homes they also may be able to build a detached garage . Given the footprint we are working with we are striving to place the garages under the building to keep the disturbance and footprint small. In the case of the subject lot, by placing the garages under under the home , keeping the driveway closest to the ROW access point and having the driveway serve in a dual purpose access and turn around we actually reduced the overall impervious area of the site from the existing conditions.

RIGHT OF WAY ACCESS

- This property is accessed by a 500 foot plus right of way off Sands Ave. The ROW starts out at 20' wide with the last portion into the property at only 15' wide . The access creates a challenge for vehicle access however currently we have a large gravel area for vehicles to turn around when leaving the property. The current site plan as submitted removes the gravel drive closest to the water and provides a vehicle turn around area pulled back from the water from the existing conditions . See plans for this condition.

We need a turn around area on our site in order to safely ingress and egress our own vehicles plus delivery and service vehicles .

- Sands Ave is a one lane county street that is very narrow from East Lake to the ROW. This further complicates delivery's and turning around plus the street is posted as no parking at any time along the shoulder.

LONG WATERFRONT

- Most people would see this huge water-frontage as a benefit however due to the lot shape the long waterfront actually adversely affects the buildable area . Lots on Lake Ogleton with 55' to 70' of waterfront and smaller land areas have larger buildable areas.

This seems counterintuitive however this longer than most waterfront combined with the lots unique shape creates challenges for a reasonable footprint. It seems like the county zoning is for a more typical rectangle or square lot shape.

Proposed plan meets most criteria

When you review the “lot coverage charts “ on the submitted plans the proposed plan shows improvement in most categories over the existing conditions. For example the proposed plan shows 4580 sf of overall coverage (impervious area) versus 5445 sf allowed.

We also were able to adjust our initial site plans to keep our proposed building well inside the extended building lines from the two adjacent lots .

Several other categories are improved. In order to meet all criteria the design shows a modest area of proposed building beyond the existing facade . The design team of Atwell Group and Hammond Wilson thought they had general approval for this at the

“ Pre Application Meeting” on February 25 with Planning and Zoning Officials. Everyone at that meeting agreed this was a reasonable design while meeting or exceeded other important zoning criteria on this unique lot .

The “ Hardship “ here is trying to meet these criteria of multiple overlapping and overlaying criteria while also providing a sound and thoughtful design.

Consideration of the Neighbors

The design team considered the neighbors at 29 Sands (Keuper) and 33 Sands (Stone). The considerations were :

- Scale of the proposed house at 31 Sands (subject property)
- Setback and proximity
- View corridor

The applicant presented the plans in person to each neighbor and the neighbors wrote letters supporting the variance and the design.

The hardship here is that in the case of the neighbor at 33 Sands we could push our proposed house to the minimum side yard setback of 7’ however this would be about half of the existing house setback and would encroach on their light and air . This is a bigger issue on these 2 lots as this is along the long axis of both house versus in a typical side yard setback this 7’ would be on the “side “ of both homes .

In the case of 29 Sands the proposed design moves the proposed house 15’ futher away from the common property line . Our current house is only 14’ away . This also enables better vehicle circulation and a design with a garage which again has many benefits to the overall program site efficiency and removal of the existing large gravel area currently close to the waters edge

We appreciate the consideration of the county and the hearing officer presiding over the Variance Hearing and look forward to a productive hearing.

APP. EXHIBIT# 8
CASE: 2025-0082-V
DATE: 7/10/25

Lot Characteristics of 21 Adjacent lots to Subject lot (31 Sands Ave.)

Address	LOT SIZE	LOT SHAPE	HOUSE SIZE (SF)	DETACHED GARAGE	Lot size rank
31 Sands Ave. (SUBJECT LOT)	22,867	TRIANGLE	2,682	No	4th
2 E. LAKE	21,780	Rectangle	2,436	Yes	6th
6 E. LAKE	11,325	Rectangle	2,812		
8 E. LAKE	24,829	Rectangle	4704		2nd
12 E. LAKE	21,867	Rectangle	5,989		5th
14 E. LAKE	23,522	Rectangle	5,088		3rd
18 E. LAKE	31,798	Rectangle	2,533	Yes- garage plus room above	1st
22 E. LAKE	14,374	Rectangle	3,320	Yes - garage plus room above	
24 E. LAKE	13,068	Rectangle	2,372		
28 E. Lake	20,037	Rectangle	2,432	Yes	7th
30 E. LAKE	16,117	Rectangle	3,940	Yes -shed	
32 E. LAKE	11,325	Rectangle	2,543		
34 E. LAKE	10,475	Rectangle	5,600	Yes -shed	
36 E. LAKE	19,166	Rectangle	4,610		
40 E. LAKE	9,450	Rectangle	3,436		
42 E. LAKE	9,200	Rectangle	2,306		
44 E. LAKE	17,427	Rectangle	3,104	Yes -garage	
48 E. LAKE	9,790	Rectangle	Lot only		
50 E. LAKE	8,819	Rectangle	3,043		
52 E. LAKE	10,587	Rectangle	3,600		
54 E. LAKE	10,275	Rectangle	3,082		
Total	338,098				
# lots used	21				
Average lot size (SF)	16,098				
Conclusion: 31 Sands is one of the largest lots on the North side of lake Ogleton and about 7000 sf larger than the average					