

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

APPLICANTS: Nancy Clark

ASSESSMENT DISTRICT: 2

CASE NUMBER: 2025-0085-V

COUNCILMANIC DISTRICT: 7

HEARING DATE: July 17, 2025

PREPARED BY: Joan A. Jenkins
Planner III

REQUEST

The applicant is requesting variances to allow accessory structures (detached pool deck, gazebo and stairs) less setbacks and buffer than required and with disturbance to slopes of 15% or greater on property located at 3419 Merrimac Road in Davidsonville.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 91,634 square feet of land and is located with road frontage on the east side of Merrimac Road, east of Merrimac Court. The property is identified as Lot B of Parcel 202 in Grid 14 on Tax Map 50. The property is split-zoned primarily RA - Rural Agricultural District with a small area of OS - Open Space District on the eastern side.¹ This is a waterfront lot located on the South River in the Chesapeake Bay Critical Area, designated as LDA – Limited Development Area. The shoreline is not mapped as buffer modified area (BMA). The site is encumbered by steep slopes along the shoreline, and the expanded buffer to steep slopes. The property is currently improved with a two-story single-family detached dwelling, an inground pool surrounded by a stone and wood deck with a gazebo and water access stairs, a dilapidated pier and boathouse,² and associated facilities. The site is served by a private well and septic system.

APPLICANT'S PROPOSAL

The applicants are proposing to replace a freestanding deck, gazebo (13' x 13' x 10' high), and a set of stairs in-kind.

REQUESTED VARIANCES

§ 18-13-104(a) of the Code requires that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams and tidal wetlands; and § 18-13-104(b) stipulates that the 100-foot buffer shall be expanded beyond 100 feet to include slopes of 15% or greater. § 17-8-301 of the Subdivision Code states that development on properties containing

¹ The site plan mistakenly shows the zoning as R2

² The boathouse will be required to be registered as a nonconforming use prior to any permits being issued for work on it.

buffers shall meet the requirements of Title 27 of the State Code of Maryland (COMAR). § 27.01.01 (B) (8) (ii) of COMAR states a buffer exists “to protect a stream tidal wetland tidal waters or terrestrial environment from human disturbance.” § 27.01.09 E. (1) (a) (ii) of COMAR authorizes disturbance to the buffer for a new development activity or redevelopment activity by variance.

The steep slopes present on the property expand the buffer. The deck, gazebo, and stairs are existing within the buffer and the expanded buffer. The limit of disturbance will create temporary and permanent disturbance of an undetermined amount in the buffer and expanded buffer. The site plan shows temporary disturbance of 2,378 square feet and permanent disturbance of 1,056 square feet. Actual disturbance to be determined at permitting.

§ 17-8-201(a) of the Anne Arundel Subdivision and Development Code states that development in the LDA and RCA designated areas may not occur on slopes of 15% or greater unless development will facilitate stabilization of the slope, is necessary to allow connection to a public utility, or is to provide direct access to the shoreline. All disturbance shall be limited to the minimum necessary. The deck, gazebo, and stairs are existing on steep slopes and replacement will create permanent disturbance on the steep slopes of 15% or greater. Actual disturbance to be determined at permitting.

§ 18-4-301 of the Code sets forth the bulk regulations for development in an RA District. The proposed development will exceed the minimum required setbacks from all property lines; therefore, no setback variances will be necessary.

FINDINGS

This Office finds that this is a large oddly shaped lot with an expansive waterfront. The subject property far exceeds the minimum lot requirement and the minimum lot width requirement for a lot in the RA District. The property is encumbered by steep slopes along the shoreline. The existing improvements to be replaced are located within the buffer and the expanded buffer.

The critical area report indicates 14,513 square feet of impervious surface which is below the maximum 13,745 square feet (15%) allowed by the Code. Impervious surfaces will not change post-construction. The Code allows for lot coverage, not impervious surface. It is not clear if the freestanding deck was counted towards the impervious surface calculations. While the freestanding wood deck is not impervious it is considered critical area lot coverage.

Comments from the Critical Area Team at the pre-file suggested redesigning the improvements to minimize any impacts to the existing slope and provide as much buffer as possible to the top of the slope.

A review of the County 2025 aerial photograph shows that the nearby properties on the same side of the South River are similarly encumbered by steep slopes and are not mapped as buffer modified. Variances found in the immediate area were primarily for additions. None have been found for accessory structures in the buffer or on steep slopes. According to the State Department of

Assessments and Taxation records the existing dwelling was built in 1966, before the adoption of the critical area laws. The pool can be seen in aerials as far back as 1977.

The applicant's letter opines that this is the minimum variance necessary because the proposed plan is the least intrusive way to restore the aging deck.

Agency Comments

The **Health Department** commented that they have reviewed the on-site sewage disposal and well water supply system for the property and have determined that the request does not adversely affect the systems. There is no objection to the request.

The **Development Division (Critical Area Team)** commented that the current pool/deck improvements sit at the top of a 75% slope with a portion of the deck and a pavilion cantilevering over/sitting on the 75% slope. The site is not designated as Buffer Modified so there is no replacement in kind provision. Any improvements must still obtain variance approval and meet the standards for such approval. While this Office recognizes that some relief for repair/replacement may be warranted, the deck and pavilion could be reduced in size to reduce the impacts to the slope and minimize disturbance within the buffer.

The **State Critical Area Commission** took no position but commented that The Administrative Hearing Officer (AHO) must find that each and every one of the Critical Area Variance standards have been met, including that the proposal meets unwarranted hardship and that this variance would not adversely affect water quality and wildlife or plant habitat. If the AHO finds that each and every one of the Critical Area variance standards have been addressed, then appropriate mitigation is required.

Variance Requirements

For the granting of a critical area variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the property, strict implementation of the County's critical area program would result in an unwarranted hardship. In this case, this is a lot that is encumbered by steep slopes which expand the buffer similar to neighboring lots and is developed with an existing dwelling and improvements.

A literal interpretation of the County's critical area program will not deprive the applicant of rights that are commonly enjoyed by other properties in similar areas within the critical area of the County as a detached waterfront deck with a gazebo and steps is not a common amenity in the buffer and no one has the right to disturb the buffer. The granting of the variance may confer on the applicant special privileges that would be denied by COMAR, Title 27. The variance request is not based on conditions or circumstances that are the result of actions by the applicant and does not arise from any condition relating to land or building use on any neighboring property. The granting of the variance will adversely affect water quality or impact fish, wildlife or plant habitat and will not be in harmony with the general spirit and intent of the County's critical area program. The applicant has not overcome the presumption that the specific development does not conform to the general purpose and intent of the critical area law and has not evaluated and implemented site planning

alternatives. The improvements remained the same from the pre-file to the variance submission despite the recommendation of the critical area team to lessen the impacts to the buffer by redesigning the improvements.

Approval of the variances would not alter the essential character of the neighborhood. Approval of the variances will not substantially impair the appropriate use or development of adjacent property. The variance will not reduce forest cover in the limited development area or the resource conservation area, will not be contrary to acceptable clearing and replanting practices, and will not be detrimental to the public welfare.

Redevelopment of a property is an opportunity to comply with the code or lessen the impacts within the environmental area of the critical area. The proposed development includes a freestanding deck partly surrounding a pool, a gazebo, and a set of steps within the buffer. The buffer regulations do not make allowances for in-kind replacement. The proposed improvements did not change from the pre-file submission where the critical area team suggested redesigning the improvements to minimize any impacts to the steep slopes and to provide as much buffer as possible. Therefore, the variance requests for the development cannot be considered to be the minimum necessary to afford relief.

RECOMMENDATION

With regard to the standards by which a variance may be granted as set forth in § 18-16-305, under the County Code, the Office of Planning and Zoning recommends **denial** of the critical area variance requests to § 18-13-104 (b) and § 17-8-201(a) to allow less buffer than required and development on steep slopes as shown on the site plan submitted.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant to construct the structure(s) as proposed, the applicant shall apply for and obtain the necessary building permits, and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.

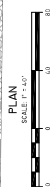


1. Total area of site is: 91,634 sq. ft. 2.104 Ac.+/-

- [illegible]

1) A Variance to Article 18-13-104 to allow disturbance to the expanded buffer, and

1) TEMPORARY BUFFER DISTURBANCE: 2.378 n1
2) PERMANENT BUFFER DISTURBANCE: 1.056 n1



SHEET 1 OF 1
**VARIANCE
SITE PLAN**

Lot 8

JOHN KOONTZ PROPERTY

SUBDIVISION #20023-00 -00N.
TAX ACCOUNT #02-000-06454500
TAX MAP 50 GRD 14 PARCEL 202
3419 Hermine Road, Dondosville, MO
2nd ASSESSMENT DISTRICT 100 LAND 21035
SCALE: 1" = 40' DATE: MARCH, 2005.

G.P.#.

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G.P.#.



303 Najoles Road - Suite 114
Millersville, MD 21108

Phone: 410-987-6901
Fax: 410-987-0589

March 5, 2025

Ms. Sterling Seay
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road
Annapolis MD 21401

Re: **3419 Merrimac Road**
Davidsonville, MD 21035
T.M. 50 B. 14 P. 202

Dear Ms. Seay,

Please accept this as our formal variance request to the Subdivision and Development Regulations in Article 17 and Article 18 on behalf of our client regarding critical area law. The variance requests are to Article 17, Section 8-201 to disturb steep slopes in the critical area.

We are requesting this variance to allow for the deck, gazebo (13'x13'x10' Height) and first flight of steps toward the water located near the pool to be replaced in-kind. The deck is within slopes greater than 15% and within the expanded buffer.

Explanation as required by Article 18, Section 16-305(b)

The topographical conditions of this lot cause implementation of the County's critical area program to cause unwarranted hardship on the property. A variance is necessary to replace an aging deck, gazebo and steps in-kind. 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 and will not confer special privilege onto the applicant as adjacent residences throughout the area are also disturbing the buffer and steep slopes in order to improve their properties with decks. These variance requests are not results of actions by the applicant and there has been no commencement of development before this application for a variance was filed and does not have any bearing or connection to building on neighboring properties. The granting of this variance will not adversely affect water quality and fish as the flow characteristics of the site remain unchanged in the proposed condition as the lot coverage will not be changed and all disturbance will be restored to natural condition. Wildlife or plant habitat will not be adversely affected as the granting of the variance will allow the disturbance to be proposed in-kind of an existing deck with no new clearing of trees and disturbance to wildlife habitat.

Explanation as required by Article 18, Section 16-305(c)

We believe the granting of this variance is warranted because the requested variance is the minimal necessary to afford relief because the proposed plan is the least intrusive way to restore the aging deck. There is no location around the pool that would result in the deck being out of the slopes or the buffer. In addition, to make a flat area suitable for a deck in other areas around the pool would require more disturbance in the form of grading and/or retaining walls. The granting of this variance will not alter the character of the neighborhood. This variance will not impair the appropriate use or development of the surrounding property as it will not deny access or the possibility to build on neighboring lots. The variance will not reduce forest cover in the LDA not be contrary to the acceptable clearing and replanting practices in the LDA as there is no clearing proposed. The granting of this variance will not be detrimental to the welfare of the public.

If you have any questions or need any additional information, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink that reads "MJ Werner". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Michael J. Werner, P.E.

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

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Anne Arundel County

Date:

Tax Map #	Parcel #	Block #	Lot #	Section
56	202	14	β	

Tax ID: 02-000-06434500

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Project Name (site name, subdivision name, or other) JOHN KOONFE PROJECT Lot B

Project location/Address 3419 MEXELMAN RD

City DAVENPORTVILLE Zip 21035

Local case number

Applicant: Last name CLARK First name NANCY

Company -

Application Type (check all that apply):

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

Local Jurisdiction Contact Information:

Last name AACo Zoning Administration Section First name

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

Fax # Hearing date TBD

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

REPLACE DECK, GAZEBO & STEPS IN LAWN

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	2.104	
RCA Area		
Total Area	2.104	

Total Disturbed Area

Acres	Sq Ft

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	1.36		Existing Lot Coverage	0.33	
Created Forest/Woodland/Trees	0		New Lot Coverage	0	
Removed Forest/Woodland/Trees	0		Removed Lot Coverage	0	
			Total Lot Coverage	0.33	

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		1200	Buffer Forest Clearing	0	
Non-Buffer Disturbance		0	Mitigation	0	

Variance Type

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

Structure

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



303 Najoles Road - Suite 114
Millersville, MD 21108

Phone: 410-987-6901
Fax: 410-987-0589

3419 Merrimac Road

Davidsonville, MD 21035

Critical Area Report

March, 2025

INTRODUCTION

The site is 2.104 acres along the South River, located at 3419 Merrimac Road Davidsonville, MD 21035. The site is entirely within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area.

PROPOSED USE

The site is currently developed as a single-family home with a driveway, pool, pool deck and steps to the water. The proposal is to replace the wood deck (including gazebo) and the first flight of steps to the water access.

EXISTING CONDITIONS & WOODLAND MITIGATION

The site is currently developed as a single-family home with a driveway, pool, pool deck and steps to the water. The site currently has 59,213 sf of developed woodlands and canopy where the replacement in kind will not remove any tree canopy.

WATER QUALITY & HABITAT IMPACT MINIMIZATION

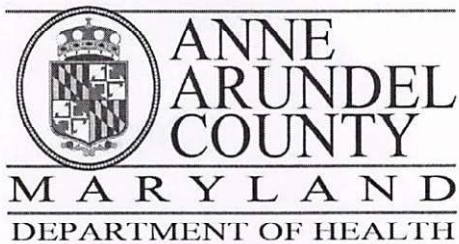
During construction, the entire site will be wrapped in silt fence and a stabilized construction entrance will be used to keep all sediment from leaving the site.

IMPERVIOUS CALCULATIONS

The site currently has 14,513 square feet of impervious and will remain at 14,513 sf of impervious as there will be no changes in impervious surfaces.

EXPANDED BUFFER & STEEP SLOPES

The areas around the perimeter of the house are encumbered with 15% steep slopes. Due to the critical area classification, the buffer expands 50' from the top of the slope. The proposed disturbance is in steep slopes and the expanded buffer.



J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

Tonii Gedin, RN, DNP
Health Officer

MEMORANDUM

TO: Sadé Medina, Zoning Applications
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager
Bureau of Environmental Health

A handwritten signature in blue ink, appearing to be "BC", written over the printed name "Brian Chew".

DATE: May 15, 2025

RE: Nancy S. Clark
3419 Merrimac Road
Davidsonville, MD 21035

NUMBER: 2025-0085-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow accessory structures (pool deck, gazebo and stairs) with less setbacks and buffer than required and with disturbance to slopes 15% or greater.

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

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

cc: Sterling Seay

2025-0085-V

Menu Cancel Help

Task Details OPZ Critical Area Team

Assigned Date

05/09/2025

Assigned to

Kelly Krinetz

Current Status

Complete w/ Comments

Action By

Kelly Krinetz

Comments

The current pool/deck improvements sit at the top of a 75% slope with a portion of the deck and a pavilion cantilevering over/sitting on the 75% slope. The site is not designated as Buffer Modified so there is no replacement in kind provision. Any improvements must still obtain variance approval and meet the standards for such approval. While this Office recognizes that some relief for repair/replacement may be warranted, the deck and pavilion could be reduced in size to reduce the impacts to the slope and minimize disturbance within the buffer.

End Time

Billable

No

Time Tracking Start Date

In Possession Time (hrs)

Estimated Hours

0.0

Comment Display in ACA

☒ All ACA Users

☒ Record Creator

☒ Licensed Professional

☒ Contact

☒ Owner

Due Date

05/30/2025

Assigned to Department

OPZ Critical Area

Status Date

06/05/2025

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

OPZ Critical Area

Est. Completion Date

☐ Display E-mail Address in ACA

☒ Display Comment in ACA

Task Specific Information

Expiration Date

Reviewer Phone Number

Review Notes

Reviewer Email

Reviewer Name



Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>

CAC Comments: 2025-0085-V; Clark (AA 0124-25), 2025-0079-V; Wambeke (AA 0125-25), 2025-0073-V'; Clark (AA 0126-25)

1 message

Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>
To: Sadé Medina <pzmedi22@aacounty.org>

Tue, May 27, 2025 at 10:23 AM

Good Morning,

Our office have reviewed the above-referenced variances and provide the following comments:

- **Clark (2025-0085-V):** The applicant is requesting a variance for disturbance to steep slopes of 15% or greater and to the expanded Critical Area Buffer. The 2.104-acre property, located on land designated as Limited Development Area is improved upon with a single-family dwelling and outdoor amenity space including a pool, deck and gazebo. The applicants are requesting the variance for replacement in-kind of the deck and gazebo, with 2,378 square feet of temporary Buffer disturbance and 1,056 square feet of permanent Buffer disturbance. The Administrative Hearing Officer (AHO) must find that each and every one of the Critical Area Variance standards have been met, including that the proposal meets unwarranted hardship and that this variance would not adversely affect water quality and wildlife or plant habitat. If the AHO finds that each and every one of the Critical Area variance standards have been addressed, then appropriate mitigation is required.
- **Wambeke (2025-0079-V):** For this variance to be granted, the Administrative Hearing Officer (AHO) must find that each and every one of the variance standards have been met, including unwarranted hardship. Should the AHO find that the applicant has met each standard, appropriate mitigation is required.
- **Clark (2025-0073-V):** The applicant is requesting a variance for disturbance to steep slopes of 15% or greater and the expanded stream buffer. The 2.7-acre property, located on land designated as Critical Area Limited Development Area is improved upon with a single-family dwelling and associated amenities. The applicants are requesting the variance for the construction of a 416 square-foot shed. The applicant has ample opportunity and space to relocate the proposed shed outside of the expanded buffer and steep slopes, thus not necessitating a variance. As the applicant could locate the shed outside of the expanded buffer, the request does not meet each and every one of the Critical Area Variance standards. The Administrative Hearing Officer (AHO) must find that each and every one of the Critical Area Variance standards have been met, including that the proposal meets unwarranted hardship and that this variance would not adversely affect water quality and wildlife or plant habitat. If this request were to be denied for the construction of the shed within the expanded buffer and with disturbance to steep slopes, the applicants would still have reasonable and significant use of their lot.

The above comments have entered into the County's online portal.

Sincerely,
Jamileh Soueidan

--



Critical Area Commission for the
Chesapeake & Atlantic Coastal Bays
dnr.maryland.gov/criticalarea

Jamileh Soueidan (she/her)
Natural Resources Planner
1804 West Street, Suite 100
Annapolis, MD 21401
Office: [410-260-3462](tel:410-260-3462)
Cell: [667-500-4994](tel:667-500-4994) (preferred)
jamileh.soueidan@maryland.gov



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2024-0070-P
DATE: 08/28/2024
OPZ STAFF: Jennifer Lechner
Kelly Krinetz

APPLICANT/REPRESENTATIVE: Nancy S. Clark / Bryan Hanley Davies with Precision Design and Contracting

EMAIL: bryan@dmvprecision.com

SITE LOCATION: 3419 Merrimac Road, Davidsonville

LOT SIZE: 18,042 SF

ZONING: RA **CA DESIGNATION:** LDA **BMA:** n/a **BUFFER:** YES **APPLICATION TYPE:** Variance

The applicants are proposing to replace the existing deck(s) which will disturb the buffer and/or the expanded buffer, and steep slopes. B02427308 to construct an irregular shaped deck was submitted on 6/6/2024.

The following variances are requested:

- Article 18-13-104 to allow disturbance to the 100ft buffer and/or expanded buffer.
- Article 17-8-201 to allow disturbance to slopes greater than 15% within the critical area LDA.

COMMENTS

Critical Area Team:

The current pool/deck improvements sit at the top of a 75% slope with a portion of the deck and a pavilion/porch type section cantilevering over/sitting on the 75% slope. The site is not designated as Buffer Modified so there is no replacement in kind provision. Any improvements must still obtain variance approval and meet the standards for such approval. While this Office recognizes that some relief for repair/replacement may be warranted, we suggest that the applicant redesign those improvements to minimize any impacts to the existing slope and provide as much buffer as possible to the top of the slope.

Zoning Administration Section:

For the submission of the variance:

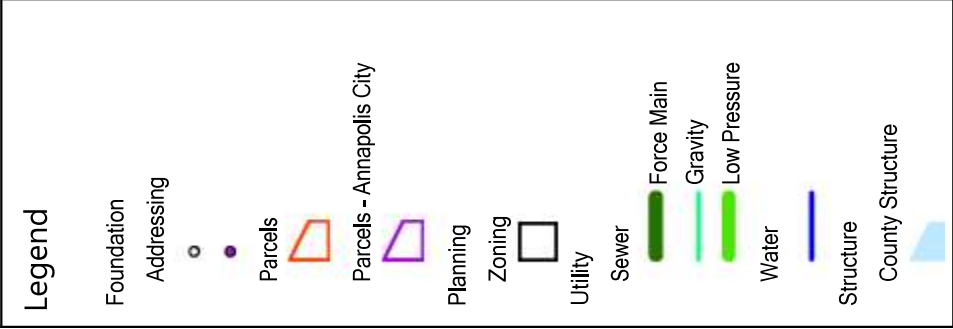
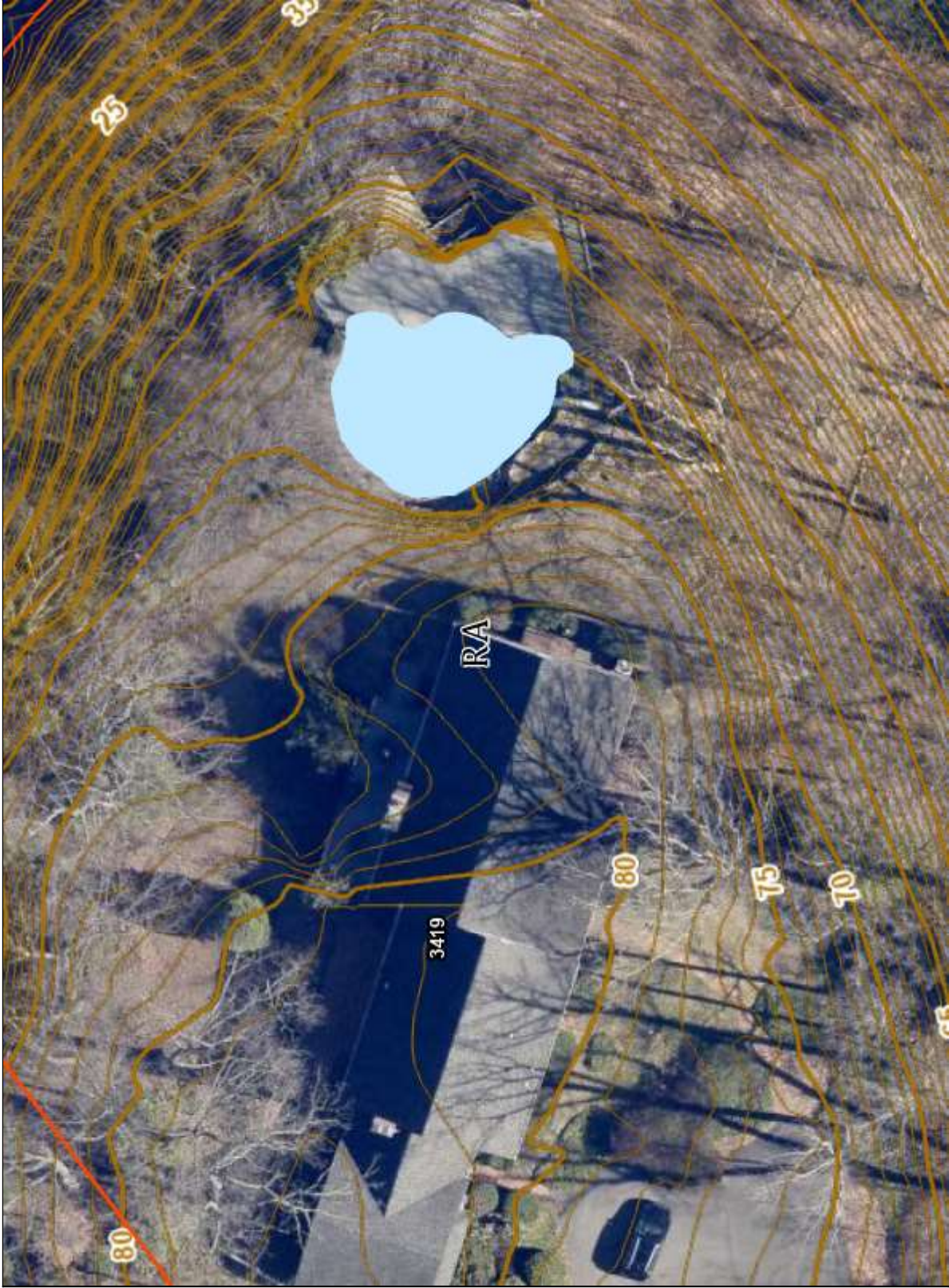
- Revise the Administrative Site Plan to: accurately depict all existing improvements on the property; clearly identify the deck to be replaced; show existing versus proposed, if applicable; include the height of the deck, along with the length and width dimensions; show topo on the site plan; clearly indicate the top of slopes and the 100ft buffer/expanded buffer.
- Provide the construction plans rather than the hand drawn sketch of the plans.
- If the gazebo will be replaced, that should be noted on the Administrative Site Plan, along with all dimensions (LxWxH) and in the Letter of Explanation.
- 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 Section 18-16-305(a-c).
- The Letter of Explanation should clearly state the proposed work, the variances requested, and should address each of the variance standards noted above and provide adequate justification for each of the variances required. The justification should explain how the variance is the minimum necessary to afford relief and that no other alternative is possible.

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.

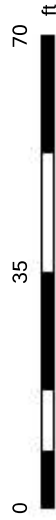
A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas 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.



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Notes

none




THIS MAP IS NOT TO BE
USED FOR NAVIGATION





Legend

- Foundation
- Addressing
 -
- Parcels
 -
- Parcels - Annapolis City
 -
- Planning
- Zoning
 -
- Utility
- Sewer
 - Force Main
 - Gravity
 - Low Pressure
- Water
 -
- Structure
- County Structure
 -



0200400

ft

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none

Notes