

Letter of explanation

We are looking to construct 24' x 12' deck with landing and stairs to grade. We are requesting to build the deck on the back of the house facing the water similar to what many of their neighbors have. The neighbors have structures much closer to the water then this deck will extend to. The deck couldn't be built on the right side as there isn't enough room. The left side of the house it would be a fit as the doors have been placed on the back of the house so there wouldn't be access to the deck. The deck will be roughly 9' off the ground and lead from the homeowners back door. We originally applied for a permit but they said we would need a variance. I'm attaching comments below for the reasoning:

The proposed deck will be within the 100-foot buffer to the mean high water line of Mill Creek and cannot be approved. Also, the deck will be within the 100-foot stream buffer of Bear Neck Creek Stream.

This house was recently built and the 100' line comes right up to the back of the house. The proposed deck will be similar to decks in the area of the neighbor. We are asking to build the deck in the area shown on the site plan.

Jeff Landow – contractor for the project
Scutro Properties LLC

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: 6/24/25

Tax Map #	Parcel #	Block #	Lot #	Section
0060	244216		1A	

Tax ID:

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) Holly Hill Harbor

Project location/Address 3801 Outrigger Drive

City Edgewater Zip 21037

Local case number

Applicant: Last name Landow First name Jeffrey

Company Scurro Fence and Deck

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

Revised 12-14-2006

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SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

24 x 12 deck with landing and stairs to grade facing the water

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		<input type="checkbox"/>
LDA Area		<input type="checkbox"/>
RCA Area		<input type="checkbox"/>
Total Area		<input type="checkbox"/>

Total Disturbed Area ☐ Acres ☐ Sq Ft
~~376~~
1688sqft

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest Woodland/Trees		<input type="checkbox"/>	Existing Lot Coverage		2624sqft
Created Forest/Woodland/Trees		<input type="checkbox"/>	New Lot Coverage		0
Removed Forest/Woodland/Trees		<input type="checkbox"/>	Removed Lot Coverage		0
			Total Lot Coverage		2624sqft

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	1050sqft	376	Buffer Forest Clearing		<input type="checkbox"/>
Non-Buffer Disturbance	638sqft	<input type="checkbox"/>	Mitigation		<input type="checkbox"/>

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 ☐

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For the Narrative (brief statement/paragraph):

(1) Describe the proposed use of the subject property and include if the project is residential, commercial, industrial, or maritime.

This project is residential. We are building a deck off the 2nd floor of the house, the width of the house with stairs running to grade.

(2) Describe the type of predominant trees and shrubs on the subject property. Include a statement addressing the square footage of the property that is vegetated with trees and shrubs, how much of the property will be disturbed by the proposed development, and how the disturbance will be mitigated.

The trees on the property are on the left side. No trees or shrubs will be disturbed during the installation of the deck.

(3) Describe the methods to minimize impacts on water quality and habitat from proposed construction (i.e. stormwater management, sediment control, and silt fence).

When digging footers dirt is place unto and into black contractors bags until the footers and posts have been set. We then backfill the footers using the same dirt and any dirt leftover is removed from the property in the contractor bags.

For the Form:

(1) SITE INVENTORY: LDA Area = the total area of the lot (the property is located within the Critical Area LDA)

376 sq ft of permanent disturbance

(2) SITE INVENTORY: Total Disturbed Area = area of both permanent (deck and steps) and temporary (10ft work buffer) disturbance

376 permanent + 1312 sq of temporary disturbance

(3) SITE INVENTORY: Existing/Created/Removed Trees = canopy area of trees on the lot (the treeline appears to be shown on the site plan)

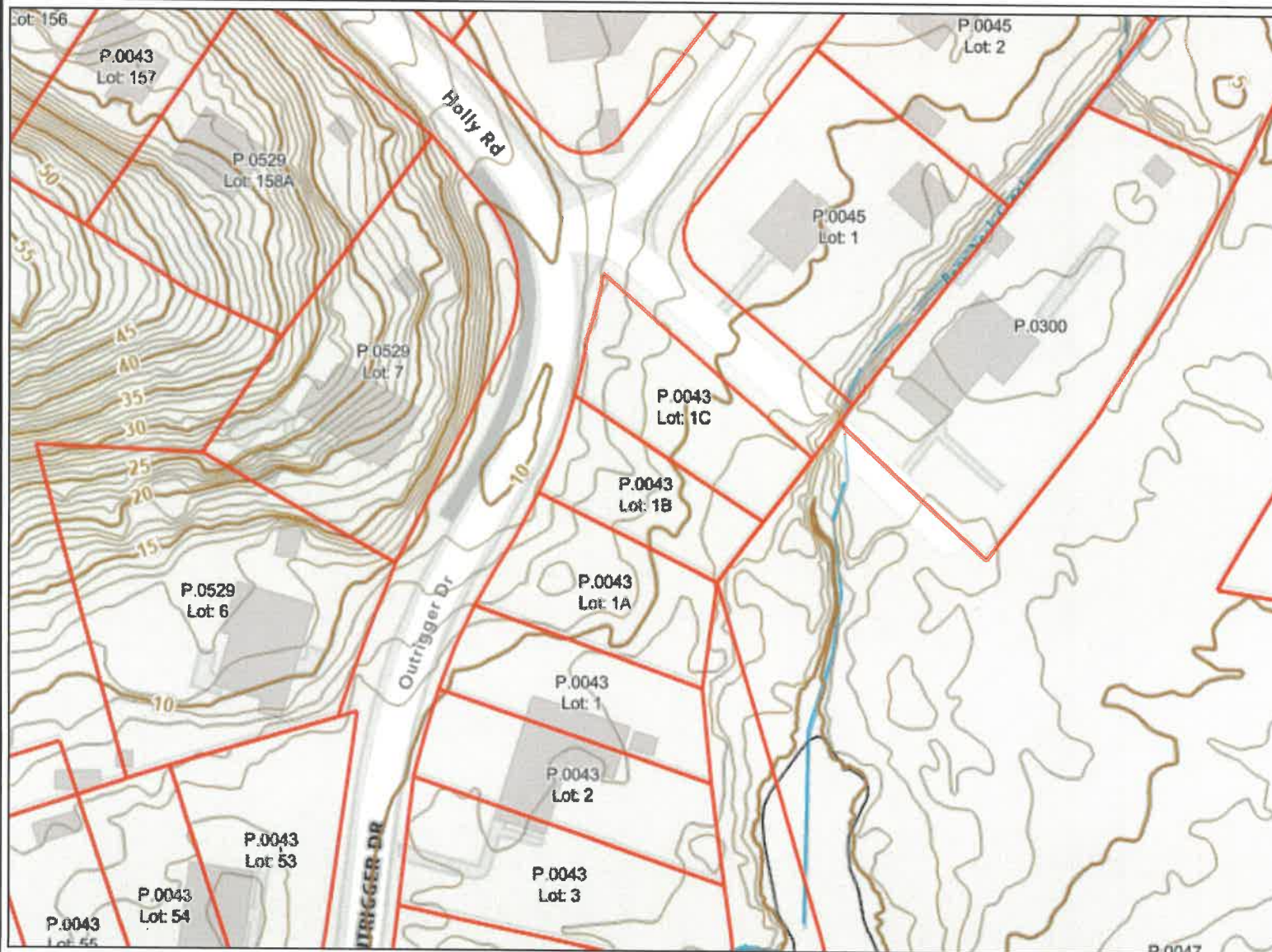
No trees are disturbed during this process. All trees are on the left side of the yard. The deck will be on the rear of the house.

(4) SITE INVENTORY: Existing/New/Removed/Total Lot Coverage = areas (house, driveway, sidewalks, etc) that would have been noted/required on the Critical Area Worksheet for the building permit

(5) VARIANCE INFORMATION: Buffer Disturbance = area of both permanent (deck and steps) and temporary (10ft work buffer) disturbance

376 permanent + 1312 sq of temporary disturbance

3801 Outrigger Drive topo map



Legend

Foundation

Parcels



Elevation

Topo 2023

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Intermediate



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes 1"=100'



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE (2025-0035-P)

DATE OF MEETING: 05/05/2025

P&Z STAFF: Donnie D., Kelly K.

APPLICANT/REPRESENTATIVE: Scutro Properties LLC EMAIL: scutro2@gmail.com

SITE LOCATION: 3801 Outrigger Dr., Edgewater LOT SIZE: 19,075 s.f. ZONING: R2

CA DESIGNATION: LDA BMA: NA or BUFFER: Y APPLICATION TYPE: Critical Area Variance

The applicant proposes a deck with access steps on the rear of the existing dwelling. The deck would measure approximately 12' X 24' with 4' wide access steps. The deck would require a variance for buffer disturbance and it is unclear if a setback variance would be required for the access steps.

COMMENTS

The **Critical Area Team** commented that the plans for the original home were reconfigured in order to locate the home just outside of the 100' buffer in order to avoid the variance requirement. While this may not be the result of the current property owner it is the result of a prior homeowner and therefore the variance cannot be supported. The applicant should consider an alternate location outside of the buffer. In the event that access is needed to an existing door it should be limited to a set of steps and the necessary minimal landings.

Zoning Administration Section: The site plan shows the dwelling as proposed but the letter indicates that the dwelling was recently built. The site plan needs to show and label the location of the existing dwelling. The site plan shows the dimension to the rear property line from the deck but the access stairs appear to get closer to the rear lot line towards the northeast. There should be an additional label from the access steps to the rear lot line to determine if a setback variance is required. The site plan should also show the limit of disturbance (LOD) and provide the calculations on the amount of buffer disturbance. The letter of explanation does not provide any justification for the variances and also does not address any of the variance criteria, which will be required for the variance application.

INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

*** 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.

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.