

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

APPLICANT: Dalena Z. Wright

ASSESSMENT DISTRICT: 3rd

CASE NUMBER: 2025-0126-V

COUNCILMANIC DISTRICT: 5th

HEARING DATE: September 11, 2025

PREPARED BY: Donnie Dyott Jr. 
Planner

REQUEST

The applicant is requesting a variance to allow dwelling additions with less setbacks than required, with disturbance to slopes of 15% or greater and that does not comply with the designated location of a principal structure on a waterfront lot on property located at 353 South Drive in Severna Park.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 40,422 square feet of land and is identified as Lot 19 of Parcel 345 in Block 21 on Tax Map 24 in the Magothy Beach subdivision. The property is zoned R5 - Residential District and is improved with a single family detached dwelling and associated facilities. This is a waterfront property on Cattail Creek which lies within the Chesapeake Bay Critical Area and is designated LDA - Limited Development Area. The site is mapped within the BMA - Buffer Modification Area.

APPLICANT'S PROPOSAL

The applicant proposes to construct several dwelling additions including a second floor addition with upper level deck and a screened porch with a second floor deck on the waterside of the existing dwelling. Also proposed is a dwelling addition on the landward side of the dwelling. Proposed but not subject of this variance application are several accessory structures including a pool, pool patio, pool house, shed and sauna landward of the existing dwelling.

REQUESTED VARIANCES

§ 18-4-701 of the Anne Arundel County Zoning Code stipulates that principal structures in an R5 - Residential District shall be set back a minimum of 25 feet from the front lot line¹. The proposed 2nd floor addition with upper level deck will be located as close as 0 feet from the front lot line, necessitating a variance of 25 feet. The proposed screened porch with 2nd floor deck addition will be located as close as 12.2 feet from the front lot line, necessitating a variance of 13 feet.

§ 17-8-201(a) of the Code stipulates that development in the Limited Development Area (LDA) may not occur within slopes of 15% or greater unless development will facilitate stabilization of the slope; is to allow connection to a public utility; or is to provide direct access to the shoreline. The proposed limit of disturbance (LOD) will disturb approximately 327 square feet of steep slopes, necessitating a variance to this provision. Exact disturbance will be calculated at the time of permit.

¹ Effective July 1, 2025, Bill 72-24 will reduce the front lot line setback in the R5 District to 20 feet. However, the permit appears to have been applied for before July 1, 2025 so the applicable setback in this case is 25 feet.

§ 18-2-402(5) of the Code designates the location of a principal structure on a waterfront lot based on the impact of the structure on the use and enjoyment of adjacent waterfront properties and their light, air, and view. A variance is required to this provision for this proposal based on the comments made by the Critical Area team during the prefile review process.

AGENCY COMMENTS

The **Health Department** commented that the property is served by public water and sewer facilities and has no objection to the request.

The **Department of Inspections and Permits (Engineering Division)** provided several comments related to the site plan and stormwater management but did not take a position on the variance request. The full comments are attached as part of the County Exhibits.

The **Development Division (Critical Area Team)** commented that although the variance application shows the overall potential development plan, the only application currently under review as a building permit with the County are the proposed improvements to the existing dwelling. There are no permits for the pool, pool house, sauna, etc. The review of this request should be limited to those improvements which require a variance. The approval/denial of the requested variance will have no bearing on the review/approval/denial of any future applications and one should not be considered a condition of the other.

The CA Team has no objection to the minimal slope disturbance and no objection to the setback variance provided the proposed development is no closer to the front property line than the existing structure. The upward expansion will need to demonstrate compliance with 18-2-402(5) in terms of the adjacent properties air, light and view.

Although the clearing limitation is not part of the variance request, clearing on this site is limited to 30% of the developed woodland. This clearing is limited to the minimum necessary to accommodate a house, septic system, driveway and reasonable amount of yard or parking. Based on the site plan, there is minimal clearing for the house and driveway and the majority of the clearing is for the pool and other recreational improvements. The proposed layout would not meet the test for approval to exceed the 30% clearing amount and must be reduced/redesigned. This requirement will be addressed with the permit application.

The **Critical Area Commission** commented they are opposed to the variance request. The comments include opposition to the clearing and lot coverage numbers as well as the ancillary amenities such as the pool and pool houses. The full comments are attached as part of the County Exhibits.

FINDINGS

The proposed lot coverage after development will be 7,318 square feet, with exact lot coverage calculations to be determined at the time of permit.

The applicant describes that the proposal moves coverage further from the shoreline with several areas of coverage being removed from the site. It is argued that the location of the structure relative to the shoreline, buffer and slopes makes renovating and improving the home difficult without variance relief.

For the granting of a critical area variance, a determination must be made on the following:

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 would result in an unwarranted hardship or practical difficulty. In this case the location of the existing dwelling at the shoreline and within the 100 foot buffer in close proximity to steep slopes creates a situation where improvements to the dwelling are difficult without variance relief. As such relief is warranted to allow the applicant to make improvements to the dwelling.

A literal interpretation of the County's critical area program may deprive the applicant of rights that are commonly enjoyed by other properties in similar areas by denying the applicant the right to make improvements to the existing dwelling. The granting of the variance will not confer on the applicant a special privilege that would be denied by COMAR, Title 27. This request is not a result of actions by the applicant and does not arise from any condition relating to land or building use on any neighboring property. There is no evidence that the granting of the variances will adversely affect water quality or impact fish, wildlife or plant habitat and the proposal is in harmony with the general spirit and intent of the County's critical area program. The applicant has overcome the presumption that the specific development does not conform to the general purpose and intent of the critical area law and has evaluated site planning alternatives.

While the objection from the Critical Area Commission is noted, many of the things cited in their comments deal with the accessory structures and associated clearing shown on the site plan. As pointed out in the Critical Area team comments, the only improvements that are the subject of this variance application are the dwelling additions. As such, it is the opinion of this Office that those dwelling additions meet the critical area criteria outlined above.

With regard to the requirements for all variances:

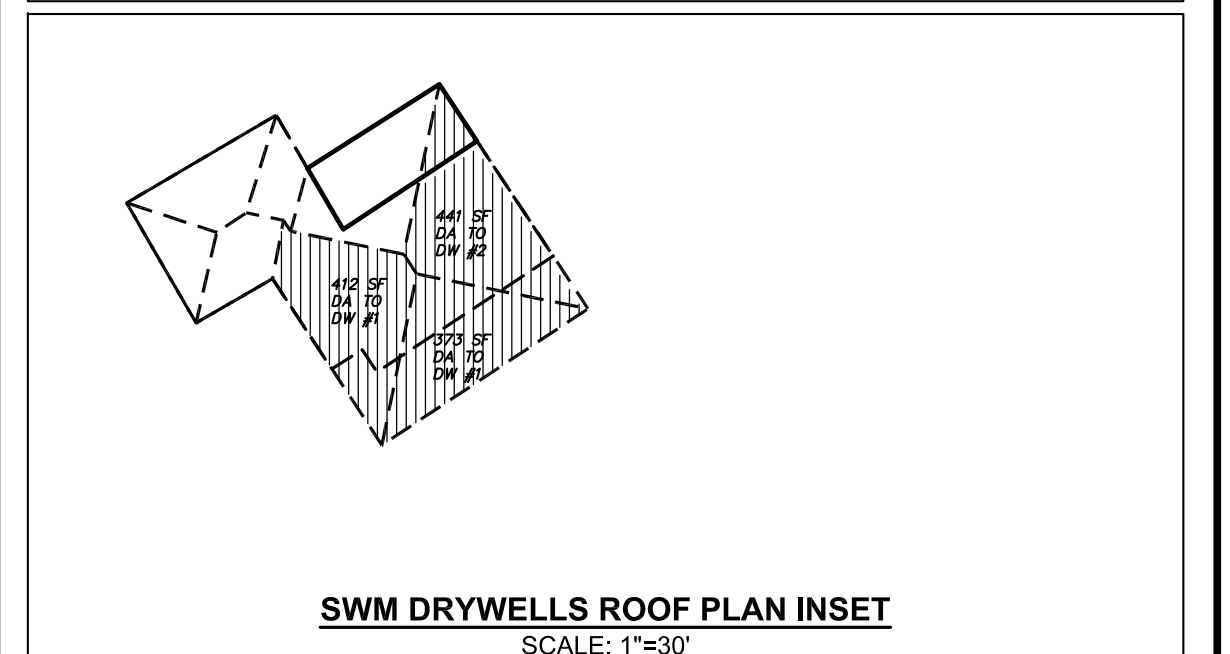
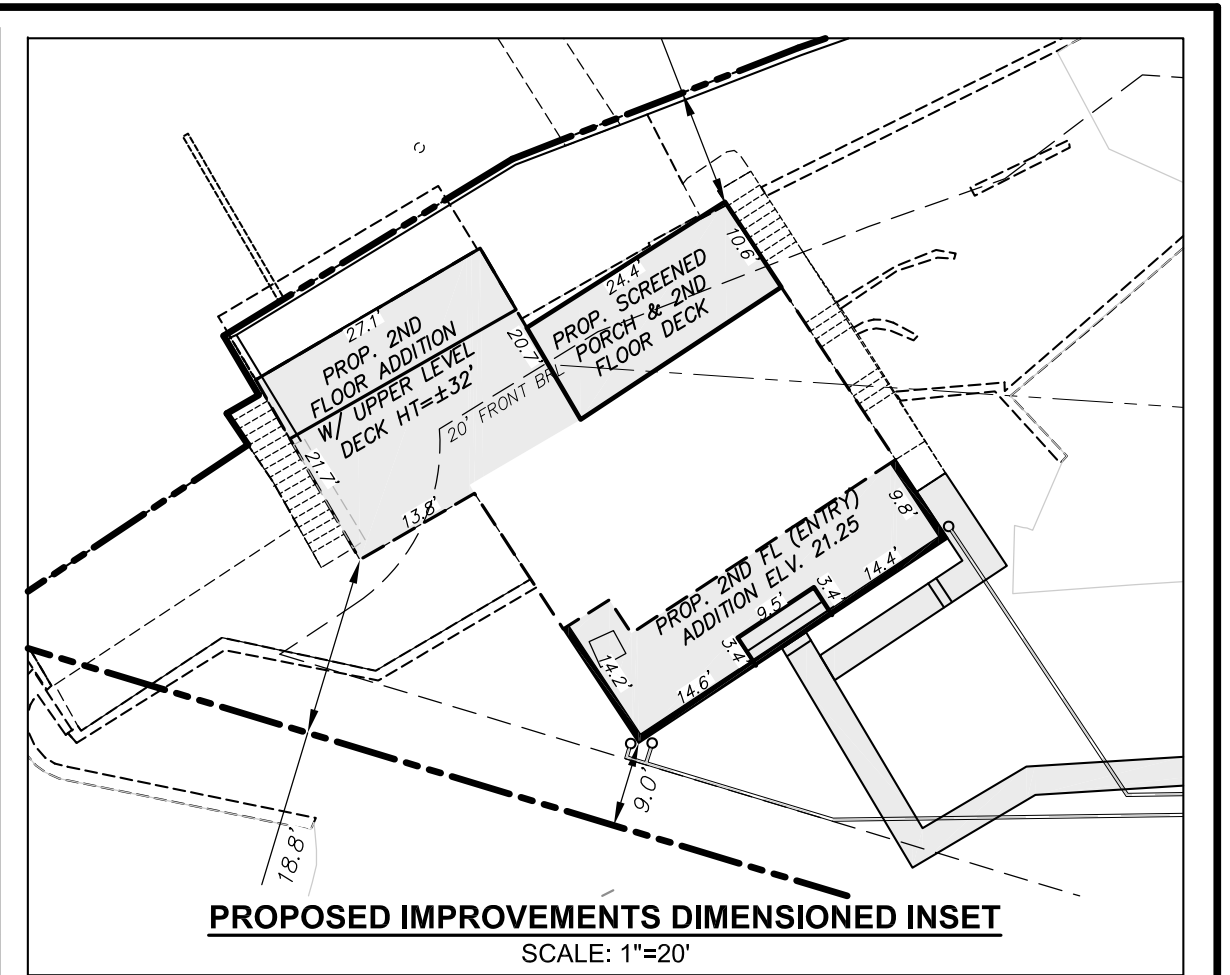
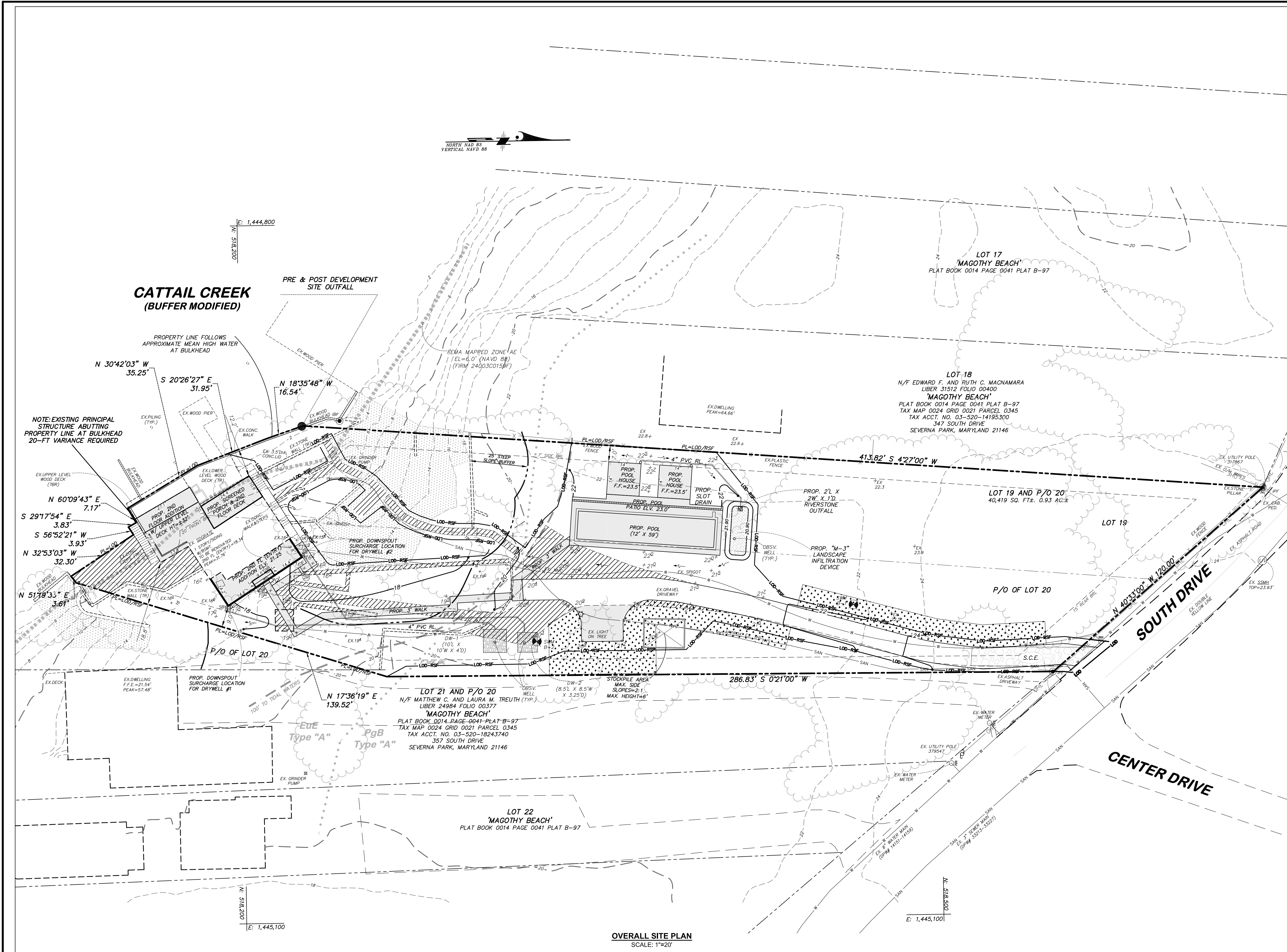
The variances as proposed are considered the minimum necessary to afford relief by this Office as the proposal consists of modest additions while moving some existing coverage further from the shoreline. There is no evidence that the proposed additions will alter the essential character of the neighborhood, impair the use or development of adjacent property or be detrimental to the public welfare. The proposal will not reduce forest cover in the LDA or RCA and will not be contrary to acceptable clearing and replanting practices.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends **approval** of variances to construct the additions as shown on the site plan.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) 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.

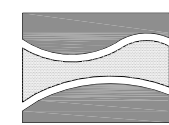
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SITE TABULATIONS	
• Total Site Area:	40,419 S.F. (0.93 Ac.)
• Public Water & Sewer	
• Critical Area Lot Coverage:	
• -Existing Coverage:	7,463 S.F. (0.17 Ac.)
• -Existing Driveway:	3,406 S.F. (0.08 Ac.)
• -Existing House, Porch & Shed:	1,819 S.F. (0.04 Ac.)
• -Existing Steps, Deck & Walks:	1,387 S.F. (0.03 Ac.)
• -Existing Walls, Patios & Concrete:	851 S.F. (0.02 Ac.)
• -Allowable Coverage (17-B-403):	7,321 S.F. (0.17 Ac.)
• -Post Development Lot Coverage:	7,318 S.F. (0.17 Ac.)
• -Existing Driveway:	2,547 S.F. (0.06 Ac.)
• -Existing House & Porch:	1,655 S.F. (0.04 Ac.)
• -Existing Steps, Walls & Concrete:	285 S.F. (0.00 Ac.)
• -Proposed Addition:	406 S.F. (0.02 Ac.)
• -Proposed Pool, Houses & Patio:	1,827 S.F. (0.04 Ac.)
• -Proposed Walk & Landing:	598 S.F. (0.01 Ac.)
• Total Area Of Disturbance:	20,454 S.F. (0.47 Ac.)
• Total 15% Steep Slopes On Site:	2,490 S.F. (0.06 Ac.)
• -Total Steep Slopes Disturbed:	327 S.F. (0.01 Ac.)
• -Temporary Disturbance:	327 S.F. (0.01 Ac.)
• -Permanent Disturbance:	0 S.F. (0.00 Ac.)
• Cattail Creek (Buffer Modified)	
• -Proposed New Lot Coverage Outside Buffer:	2,200 S.F. (0.05 Ac.)
• -Proposed New Lot Coverage Inside Buffer:	508 S.F. (0.01 Ac.)
• Developed Woodland:	
• -Existing Canopy On Site:	30,026 S.F. (0.69Ac.)
• -Allowable Canopy Disturbance (30%):	9,008 S.F. (0.21 Ac.)
• -Proposed Canopy Disturbance (24%):	7,058 S.F. (0.16 Ac.)
• Site Zoning: R5	
• -R5 Setbacks:	Front=20'; Rear=15'; Sides=7'

LEGEND	
	Existing Contour
	Existing Woods Line
	Existing fence Line
	Existing Power Pole
	Existing Overhead Electric Line
	100' Tidal Water Line
	FEMA Floodline
	Limit of Disturbance
	Limit of Disturbance / Reinforced Silt Fence
	Existing Improvements To Be Removed
	Proposed Improvements
	SWM Disconnect Area
	Existing 15% Steep Slopes
	Existing 25' Steep Slope Buffer

DESIGNED: _____		DRAWN: GDM	
ORIG. DATE: 5/21/2025			
MODIFIED BY/DATE: _____			
CADD DWG #: MD11724-V			
DLA PROJECT #: MD11724			
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REVISIONS TO APPROVED PLANS			
No.	DATE	BY	DESCRIPTION



Drum, Loyka & Associates, LLC
CIVIL ENGINEERS - LAND SURVEYORS
1410 Forest Drive, Suite 35
Annapolis, Maryland 21403
Phone: 410-280-3122
www.drumloyka.com | info@drumloyka.com

"Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland, license no. 18521, expiration date: 12-06-25"

CLIENT

THE DRAWING BOARD, INC. C/O PETER MILES
1918 FOREST DRIVE
ANNAPOLIS, MARYLAND 21403

DEVELOPED CONDITIONS OVERALL SITE PLAN

VARIANCE PLAN

MAGOTHY BEACH ~ LOT 19 & P/O LOT 20

353 SOUTH DRIVE, SEVERNA PARK, MARYLAND 21146

TAX ACCT. NO. 03-520-34391252

TAX MAP 24

GRID 21

PARCEL 345

DISTRICT 3RD

ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1"=20'

DATE: 8/27/2025

PROJ. NO: MD11724

SHEET 2 OF 2

June 21, 2025 (REV. 8-27-25)

Mr. Donnie Dyott
Office of Planning and Zoning
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

RE: Magothy Beach Lot 19 p/o Lot 20

Variance submittal

353 South Drive
Severna Park, MD. 21146
Tax Map 24, Grid 21, Parcel 345
B.P.#B02434661

Dear Mr. Dyott:

This is a formal **Variance Application** submittal for the proposal renovations to the existing single-family home including a landward addition, screened porch, second-floor addition, associated decking, removal of existing retaining walls, removal of lot coverage within the 100-foot buffer, construction of accessory Pool Houses, Shed, associated Pool and Sauna for the above referenced project. Three variance requests would be necessary including a variance to **Article 17-8-201(a)** to disturb 15% and greater slopes, a variance to **Article 18-4-701 Bulk Regulations** of 20-feet to the 20-foot front setback in an R-5 zoning district and a variance to **Article 18-2-402(1)**, to the location of a principal structure on a waterfront lot based on an approximate average of the location of principal structures on abutting lots intended to keep structures relatively in line with one another

The property is an existing legal building site fronting Cattail Creek, is located in the (LDA) Limited Development Area Designation of the Critical Area and is within the Buffer Modification Area mapping. The property is 40,419 sq. ft. or 0.93 acres, is zoned R-5 Residential, is connected to public water and sewer via a private grinder pump. The existing principal structure is located against the bulkhead at the property line, entirely within the 20-foot front setback on a waterfront lot.

A pre-file review **#2025-0052-P** was completed by the Office of Planning and Zoning including comments from the Critical Area Team and were issued on June 6th, 2025. A complete topographic and location survey has been conducted to produce an accurate depiction of the sites' conditions, slopes, buffers and woodland canopy.

Per **Article 17-8-403**, the permitted lot coverage in the critical area after the required 10% reduction of what is existing verses what is permitted for this site is 7,321 sq. ft. The proposed lot coverage will be 7,318 sq. ft. which results in a reduction in lot coverage of 145 sq. ft. on site from the original existing coverage totaling 7,463 sq. ft. The combination of reduced coverage and water quality storage ultimately reduces impacts to adjacent properties and the shoreline post development. With regards to existing coverage within the 100-foot buffer, coverage is being

reduced and relocated within the buffer further from the shoreline. Two waterside wood decks with one cantilevered over actual water, a concrete patio, multiple retaining walls, a paver walk, asphalt patio and wood steps all being eliminated.

Per **Article 17-8-601(b)(2) Lots greater than one-half acre up to one acre.** Developed woodland clearing on lots in the LDA and RCA that are greater than one-half acre and up to one acre in size that were in existence on or before December 1, 1985 shall be limited to the minimum necessary to accommodate a house or other structure, initial septic system, driveway, and reasonable amount of yard or required parking, and may not exceed 30% without a modification by the Planning and Zoning Officer.

The subject site has a majority of existing woodland canopy “outside” the 100-foot buffer and 25-foot steep slope buffer which is the only area available for additional accessory coverage development. The existing canopy coverage on site is 30,026 sq. ft. The permitted clearing of existing canopy per the Code is up to 30% or 9,008 sq. ft. With the assistance of a Certified Arborist, reduction of existing canopy impacts will be addressed with critical root zone protection and root pruning techniques that would permit existing trees within or against the limit of disturbance to remain. The total proposed canopy clearing is 7,058 sq. ft. or 24% of the existing canopy.

Code Article 18-16-305:

(a) Requirements for zoning variances. The Administrative Hearing Officer may vary or modify the provisions of this article when it is alleged that practical difficulties or unnecessary hardships prevent conformance with the strict letter of this article, provided the spirit of law is observed, public safety secured, and substantial justice done. A variance may be granted only if the Administrative Hearing Officer makes the following affirmative findings:

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

(b) Requirements for Critical Area Variances.

- (1) Unwarranted Hardship and Practical Difficulty- There are several hardships and practical difficulties related to the re-development of the site. **First**, steep slopes of 15% and greater including the 25-foot buffer associated with those slopes are located at the northwest corner of the existing structure making it difficult to avoid those slopes while renovating the existing home and post development grading. **Second**, the 100-foot buffer covers 14,315 sq. ft. or 35% of the total lot area. **Third**, the existing principal structure is located entirely within the 100-foot buffer and against the bulkhead at the shoreline. Keeping the existing

home's footprint including the foundation assists in reducing negative impacts from demolition of a home against the shoreline.

- (2) Deprive the applicant of rights commonly enjoyed by other properties- the proposed improvements are in character with other dwellings in the neighborhood and surrounding properties. In fact, numerous existing homes in the immediate neighborhood have larger footprints than the subject home even after construction is completed.
- (3) Will not confer special privilege - granting this variance would not confer a special privilege to the applicants. The renovations/additions to the home are in character with the neighborhood as mentioned above.
- (4) Actions by Applicants and Neighbors- The variance is not based on conditions or circumstances that are the result of actions by the applicants or conditions or use on neighboring properties- conditions and circumstances are based on the unique physical characteristics of the lot.
- (5) Water Quality, Intent of the Critical Area Program. The requested variances will not adversely affect water quality, impact fish, and wildlife or plant habitat and be in harmony with the critical area program. Currently, the existing improvements have no means of storm water management. Environmental Site Design to the Maximum Extent Practicable will be addressed via multiple applications. The required ESD volume to be addressed with non-structural practices is 539 cu. ft. Disconnection of Non-Rooftop Runoff is being deducted from the overall lot coverage to be managed. There will be (1) "M-3" Landscape Infiltration Area to address a large portion of the accessory pool, pool house, and shed roof area and (2) "M-5" Micro Scale Drywells to address the landward portion of the renovated principal structure. The total volume provided is 549 cf. ft. All storm water management applications are outside the 100-foot buffer and do not encroach the 25-foot buffer to the top of steep slopes. (2) Geotechnical soil borings were performed to determine subsurface conditions.
- (6) Presumption Sec 8-1808(d)(2)(ii) – The applicants have overcome the presumption that the use for which the variances were requested were not in conformity with the purpose and intent of the Critical Area Program.

(c) Requirements for all variances.

1. Minimum necessary to afford relief - The proposed variances allow for modest uses that not only meets the "significant and reasonable standard" but also are the minimal necessary development to afford relief. Disturbance to the 15% steep slopes is the minimum necessary to construct the proposed improvements and to reduce the impervious surface area within the property's boundary.
2. The granting of the variance will not:
 - i. alter the essential character of the neighborhood, and all proposed development will be harmonious with the architectural styles and scale of the surrounding area.
 - ii. substantially impair the appropriate use or development of adjacent properties.
 - iii. reduce forest cover in the LDA. Vegetative clearing is reduced to the minimum necessary to construct the proposed improvements and will be mitigated

- appropriately during the permit process with a Reforestation/Buffer Management Plan.
- iv. be contrary to acceptable clearing or replanting practices required for development of the Critical Area. Clearing is only for what is necessary for construction and access, and the property is not located within a Bog Protection Area.
 - v. be detrimental to the public welfare as constructing a single-family dwelling and associated improvements on a residentially zoned property will not impose harm to adjacent property owners or the public.

Denial of the requested variances and a strict implementation of the County's zoning and Critical Area Program would constitute unwarranted hardship and practical difficulty on the applicant and deprive them of the same rights and privileges others enjoy in the immediate neighborhood along the waterfront side of Cattail Creek.

Sincerely,
DRUM, LOYKA AND ASSOCIATES, LLC



Robert Baxter
Project Manager

Cc: Dalena Wright
Peter Miles
Jennifer Horn
Grant Mays

Name : ZULVER

Ref :

Deed (No Taxes) Recording Fee

Fee Amount : \$20.00

Deed (No Taxes) Surcharge :

\$40.00

Total Amount : \$60.00

Transaction Amount : \$60.00

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ANNE-02-LRO

AFTER RECORDING, RETURN TO:

Liff, Walsh, & Simmons LLC

Attn: 302805-001

181 Harry S. Truman Parkway

Suite 200

Annapolis, MD 21401

Tax ID Nos.: 03-520-34391252 and 03-520-18243740

NO TITLE SEARCH PERFORMED

NO CONSIDERATION- Confirmatory Deed

CONFIRMATORY DEED

THIS CONFIRMATORY DEED, made this 15th day of May, 2025, by and between **MATTHEW C. TREUTH** and **LAURA M. TREUTH** (collectively, the "**357 South Drive Owners**"), parties of the first part, GRANTORS and GRANTEES, and **DALENA ZULVER WRIGHT**, Trustee of the **Julius Zulver Personal Residence Trust dated May 1, 1997** (the "**353 South Drive Owner**"), party of the second part, GRANTOR and GRANTEE.

WHEREAS, by virtue of a certain Deed dated June 27, 2012, and recorded among the Land Records of Anne Arundel County, Maryland in Liber 24984, folio 377, the real property known as 357 South Drive, Severna Park, Maryland 21146 ("**357 South Drive**"), was conveyed to the 357 South Drive Owners;

WHEREAS, by virtue of a certain Deed dated June 17, 1997, and recorded among the Land Records of Anne Arundel County, Maryland in Liber 8043, folio 235, the real property known as 353 South Drive, Severna Park, Maryland 21146 ("**353 South Drive**", together with 357 South Drive, the "**Properties**"), was conveyed to Dalena Zulver Wright and Charles Yumkas, Trustees of the Julius Zulver Personal Residence Trust dated May 1, 1997 (the "**Trust**");

WHEREAS, on November 15, 2024, the said Charles Yumkas resigned as trustee of the Trust, leaving the said Dalena Zulver Wright as the sole trustee of the Trust;

WHEREAS, a discrepancy has arisen regarding the legal descriptions of 353 South Drive and 357 South Drive, and prior conveyances for each property may have included an incorrect or ambiguous legal description, leading to uncertainty regarding the common boundary between 353 South Drive and 357 South Drive;

WHEREAS, the 353 South Drive Owner commissioned a new survey to resolve any confusion and to confirm the accurate legal descriptions for each of the Properties;

WHEREAS, the parties agree that the updated legal descriptions of the respective properties are correct, and now desire to execute and record this Confirmatory Deed to formally confirm and clarify the correct legal description of 353 South Drive as described in the legal description of the attached as Exhibit A, and to clarify and confirm the correct legal description of 357 South Drive as shown on Exhibit B, thereby eliminating any potential ambiguity or discrepancy in the chain of title. The updated survey is attached hereto as Exhibit C.

ACCT. 3520-3439-1252
3520-1824-3740
 ALL REQUIRED LIENS ARE PAID AS
 OF 6-2-25 A.A. COUNTY
 BY: EDM

WITNESSETH, that for and in consideration of the sum of Zero and 00/100 Dollars (\$0.00), the receipt whereof is hereby acknowledged, and, incorporating the above recitals as if fully restated herein, the parties hereto agree that the common boundary of 353 South Drive and 357 South Drive is as set forth in the legal descriptions attached as Exhibit A and Exhibit B, and as noted on the survey attached hereto as Exhibit C, each party hereby grants, conveys, releases and quitclaims to the other party any and all interest that either party may have had in any portion of the land lying beyond the said new common boundary.

SUBJECT to all easements, covenants and restrictions of record.

TO HAVE AND TO HOLD the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said **DALENA ZULVER WRIGHT, Trustee of the Julius Zulver Personal Residence Trust dated May 1, 1997**, as to 353 South Drive, in fee simple, and **MATTHEW C. TREUTH and LAURA M. TREUTH**, as to 357 South Drive, in fee simple.

(signatures appear on following pages)

SIGNATURE PAGE OF CONFIRMATORY DEED

WITNESS the hand and seal of the undersigned effective the day and year first above written.

Witness:

[Signature]

Matthew C. Treuth (SEAL)
MATTHEW C. TREUTH

STATE OF Maryland

COUNTY OF Anne Arundel, to wit:

I HEREBY CERTIFY that on this 14th day of May, 2025, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared MATTHEW C. TREUTH, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
NOTARY PUBLIC

My Commission Expires: 08-09-2026
Notary Registration No. _____



(additional signatures appear on following pages)

SIGNATURE PAGE OF CONFIRMATORY DEED

WITNESS the hand and seal of the undersigned effective the day and year first above written.

Witness:

[Signature]

Laura M. Treuth (SEAL)
LAURA M. TREUTH

STATE OF Maryland

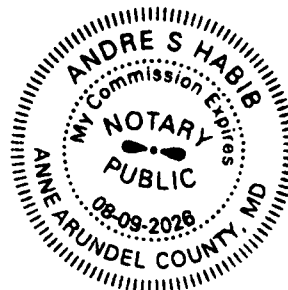
COUNTY OF Anne Arundel, to wit:

I HEREBY CERTIFY that on this 14th day of May, 2025, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared LAURA M. TREUTH, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
NOTARY PUBLIC

My Commission Expires: 08-09-2026



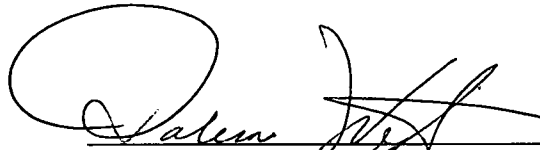
(additional signature appears on following page)

ADDITIONAL SIGNATURE PAGE OF CONFIRMATORY DEED

WITNESS the hand and seal of the undersigned effective the day and year first above written.

Witness:



 (SEAL)
DALENA ZULVER WRIGHT, Trustee of the
Julius Zulver Personal Residence Trust dated May
1, 1997

STATE OF Maryland

COUNTY OF Anne Arundel, to wit:

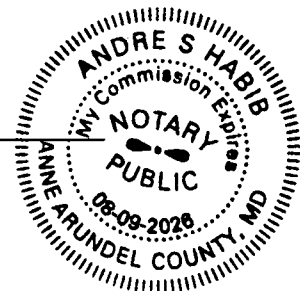
I HEREBY CERTIFY that on this 15th day of May, 2025, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared DALENA ZULVER WRIGHT, Trustee of the Julius Zulver Personal Residence Trust dated May 1, 1997, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

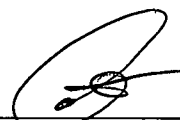


NOTARY PUBLIC

My Commission Expires: 08-09-2026



THIS IS TO CERTIFY that the within Confirmatory Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Supreme Court of Maryland.



Andre S. Habib, Esquire

EXHIBIT A

See attached.

STAMP
ADDED
TO CAPTURE
IMAGE



DESCRIPTION OF

**LOT 19 & PART OF LOT 20
MAGOTHY BEACH
PLAT BOOK 14, PAGE 41, PLAT B-97**

**BEING THE PROPERTY OF
DALENA ZULVER WRIGHT AND CHARLES YUMKAS, TRUSTEES
LIBER RPD 8043 AT FOLIO 235**

TAX MAP 0024, GRID 0021, PARCEL 0345
TAX ACCOUNT NO. 03-520-34391252

Third (3rd) ASSESSEMENT DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND

BEING a piece or parcel of land, hereinafter being described by metes and bounds, being the same property acquired by **DALENA ZULVER WRIGHT AND CHARLES YUMKAS, TRUSTEES** from **JULIUS ZULVER**, by deed dated June 17, 1997 and recorded among the Land Records of Anne Arundel County, Maryland in **LIBER RPD 8043 at FOLIO 235**, being more particularly described in the datum of NAD 83, as follows;

BEGINNING for the same at an Iron Pipe Found on the southerly Right of Way line of South Drive at the common corner of Lots 18 and 19 as shown on the plat of **MAGOTHY BEACH**, recorded among the Land Records of Anne Arundel County, Maryland in Plat Book 14, Page 41, Plat B-97, thence departing said **POINT OF BEGINNING**, so fixed, and running along the southerly Right of Way of said South Drive

1. South 40°33'00" East, 120.00 feet to an Iron Pipe Found at the common corner of Lots 20 and 21 on the previously said plat of Magothy Beach, thence departing said South Drive and running with and binding on a portion of the common line of Lots 20 and 21
2. South 00°21'00" West, 286.83 feet to a point, thence departing said common line of Lots 20 and 21 and running over, in, across and through a portion of Lot 20
3. South 17°36'19" West, 139.52 feet to a point on the face of a wooden bulkhead, thence following the face of the bulkhead
4. South 51°19'39" West, 3.61 feet to a point, thence leaving the bulkhead and running with the approximate mean high water of Cattail Creek for the following seven (7) courses and distances
5. North 32°53'03" West, 32.30 feet to a point, thence
6. South 56°52'21" West, 3.93 feet to a point, thence

Clock Tower Place, 1410 Forest Drive, Suite 35 • Annapolis, Maryland 21403
Phone (410) 280-3122 • Fax (410) 280-1952 • www.drumloyka.com

Magothy Beach Lots 19 &
Part of 20
2/21/2025
Page 2

7. North 29°17'54" West, 3.83 feet to a point, thence
8. South 60°09'43" West, 7.17 feet to a point, thence
9. North 30°42'03" West, 35.25 feet to a point, thence
10. North 20°26'27" West, 31.95 feet to a point, thence
11. North 18°35'48" West, 16.54 feet to a point, thence leaving the shores of Cattail Creek and running with and binding on the common line of Lots 18 and 19 on the previously said plat of Magothy Beach
12. North 4°27'00" East, 413.82 feet to the Point of Beginning

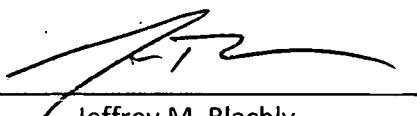
CONTAINING 40,419 square feet or 0.928 acre of land, more or less.

Subject to all covenants, easements, Rights-of-Way and/or restrictions of record.

No Title Search provided to, or performed by this firm in connection with the preparation of this description.

2/21/2025
Date




Jeffrey M. Blachly
Professional Land Surveyor
MD Reg. No. 22098 (Exp May 13, 2026)
Drum Loyka and Associates, LLC

A licensee either personally prepared this metes and bounds description or was in responsible charge over its preparation and the surveying work reflected in it, all in compliance with requirements set forth in COMAR, title 09, Subtitle 13, Chapter 06 Minimum Standards of Practice

EXHIBIT B

See attached.

STAMP
ADDED
TO CAPTURE
IMAGE



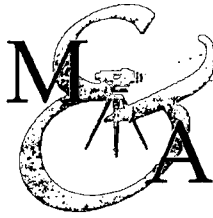
Messick & Associates
 Consulting Engineers,
 Planners, Surveyors
 & Landscape Architects
"Designing Success Since 1951"

EXHIBIT A

Description of Lot 21 and P/O Lot 20
Magothy Beach
Plat Book 14, Page 41
Property of Matthew & Laura Treuth
Liber 24984, Folio 377
Tax Account Number: 03-520-18243740
Tax Map 24, Grid 21
3rd Tax District
Anne Arundel County, Maryland

Beginning for the same at an iron pipe located on the South Side of South Drive where it is intersected by the common property line of Lots 20 and 21 as shown on the above referenced plat. Said point of beginning also being located at the beginning of the first (1st) or S33° 30' E 60.00' line as described in of the above-referenced deed as recorded in Liber 24984, Folio 377. Thence, from said point of beginning, running with the south side of said South Drive, with all bearings being related to North American Datum 1983 (NAD 83/91'-based on a survey performed by Messick and Associates in 2012).

1. S40° 12' 28"E 60.33' to a pipe being located at point on the South Side of South Drive where it is intersected by the common corner of Lots 21 and Lots 22, thence leaving South Drive and running with the line of division of Lots 21 and 22
2. S01° 52' 34"E 482.66' to a point located in a bulkhead (said bulkhead was located by Messick and Associates in 2012) where it meets the shoreline of Cattail Creek. Thence, running with said bulkhead and the shoreline of Cattail Creek
3. N46° 56' 55"W 12.76' to a point,
4. S42° 04' 37"W 5.44' to a point,
5. N46° 32' 07"W 51.87' to a point,
6. N39° 29' 24"W 85.19' to a point,
7. N51° 40' 11"E 4.57' to a point in said bulkhead where it is intersected by the common property line of Lot 21 and part of Lot 20. Thence, leaving said bulkhead and shoreline, and running along the division line between said Lot 21 and P/O Lot 20,
8. N17° 56' 51"E 139.52' to a point being located on the common property line between Lots 20 and 21, as shown said plat. Thence, running with said with said property line between Lots 20 and 21



9. N00° 41' 32"E 286.83' to the point of beginning.

Containing 27,871 square feet or 0.640 acres of land.

Being the property conveyed by Francis MacDougall, Substitute Trustee for George Laibson as Trustee under the Ethel H. Laibson Trust No. 1 and George Laibson as Trustee under the George Laibson Trust No. 1, to Matthew C. Treuth and Laura M. Treuth by deed dated June 27, 2012, and being recorded in Liber 24984, folio 377 of the land records of Anne Arundel County, Maryland.

This legal description was prepared without the benefit of a title report. A boundary survey was not conducted at this time. The information shown hereon is based on a previous survey performed by Messick and Associates in 2012.

A licensee either personally prepared this description or was in responsible charge over its preparation and the surveying work reflected in it, all in compliance with the requirements set forth under COMAR Regulation 09.13.06.12.

 4/17/25

Brian L. Wicks

Date

Maryland Professional Land Surveyor #21670

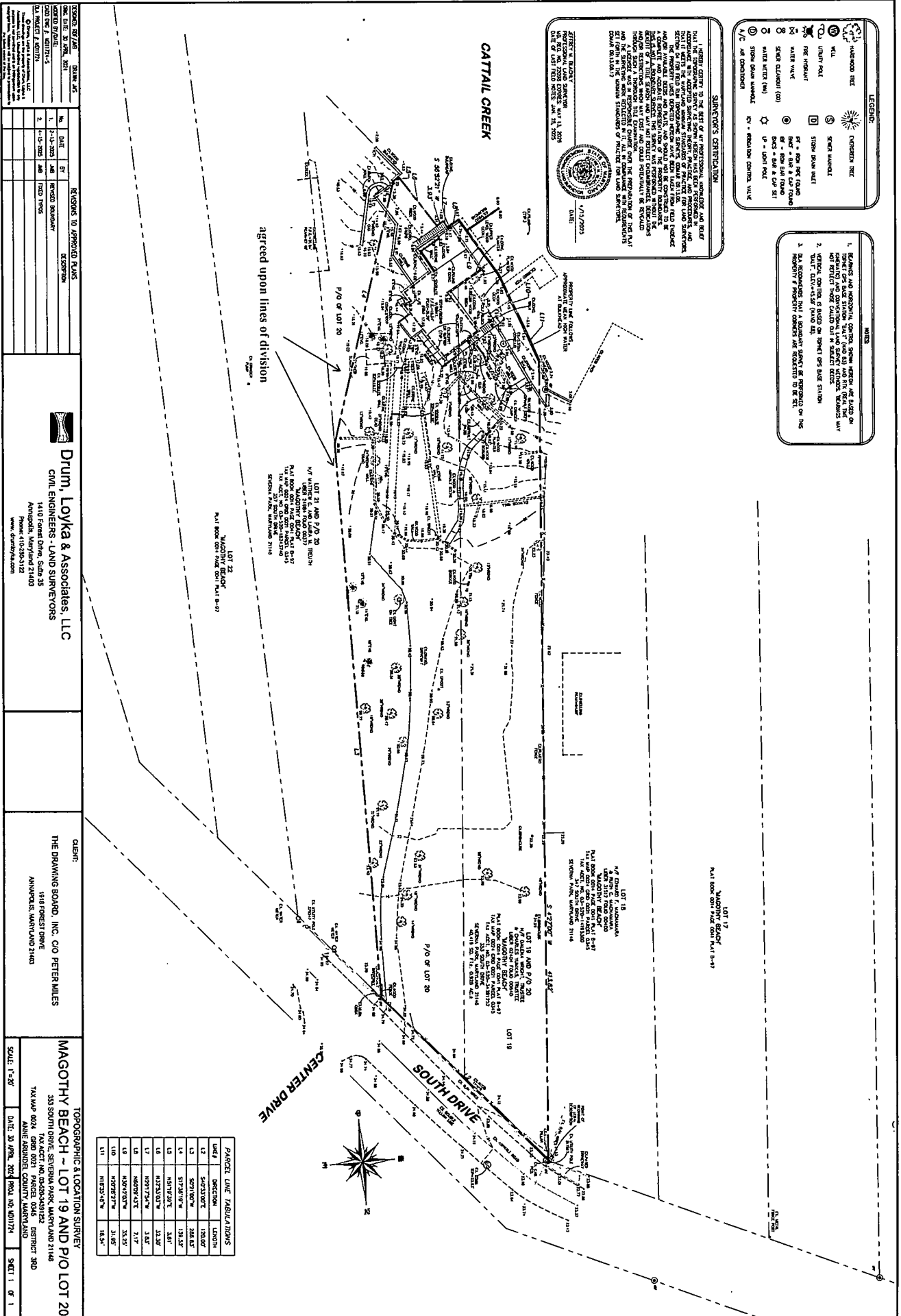
Registration Expires 5/21/26.



EXHIBIT C

See attached.

STAMP
ADDED
TO CAPTURE
IMAGE



Space Reserved for County Validation

Chesapeake Bay Critical Area Report

Magothy Beach ~ Lot 19 & P/O 20

Tax Map 24, Grid 21, Parcel 345

Tax Account No. 03-520-34391252

Property Address: 353 South Drive
Severna Park, Maryland 21146

Property Owner & Variance Applicant: Dalena Wright

Critical Area Designation: LDA **Zoning:** R-5 **Lot Area:** 0.93 Ac.

Site Description

The subject property is located off South Drive in the Magothy Beach Subdivision. The property is irregular in shape, legal building parcel consisting of approximately 0.93 acres in area and is currently improved with a single-family dwelling which is proposed to remain with additions to both the waterfront side and roadside portions of the home. The property has a zoning designation of R-5. The site is located entirely within the Chesapeake Bay Critical Area with an LDA designation. The existing dwelling abuts the shoreline. The site is currently served by a public water and sewer. There are several hardships and practical difficulties regarding the redevelopment of the subject property. A large portion of the site is within the 100-ft buffer to tidal waters which encumber 14,307 sq. ft. or 35% of the total lot area. Additionally, the steep slopes of 15% or greater cover 2,490 sq. ft. or 6.16% of the total lot area. The unimproved portion of the site is vegetated with numerous hardwood & evergreens trees and understory growth. The site is in a Buffer Modified area.

Description and Purpose of Variance Request

The homeowners propose to construct additions to the existing home, a new walk, pool and associated improvements. The proposed improvements do not encroach any further to the shoreline than the existing dwelling. The site will be served by public sewer and water. Two “M-5” Microscale Drywells & one “M-3” Landscape infiltration area are being proposed to provide the required ESDv. The larger Drywell (#1) will to the north will collect a large portion of rooftop runoff from the dwelling and proposed sauna. The second Drywell will provide treatment for a portion of the dwellings roof area where grades allow. The proposed Landscape Infiltration Area will be utilized to treat the entire pool area, pool house and associated improvements. The proposed improvements are within the size and character of other dwellings in the neighborhood. Due to the 100-ft tidal waters buffer and presence and extent of steep slopes on the property, development isn’t possible without disturbing the slopes or buffer. However, disturbance to the steep slopes is proposed strictly for the removal of existing lot coverage within the steep slopes. Therefore, the proposed improvements require variances to **Article 17, Section 8-201(a)** of the Anne Arundel County Code for disturbance and development of slopes 15% or greater in the LDA and requesting a variance to **Article 18 Section 4-701** of the Bulk Regulations of 25-feet to the 25- front setback in an R-5 zoning district.

A pre-filing review was conducted by the Office of Planning and Zoning and comments were issued on June 16, 2025 by Ms. Donnie Dyott and Ms. Kelly Krinetz of Planning and Zoning, and the Critical Area team had three comments. The comments were considered, and the site plan was revised accordingly. A copy of the pre-file comments is included with this submittal.

Vegetative Coverage and Clearing

This property is vegetatively stabilized with developed woodland, including a variety of mature hardwood trees, a creeping ivy groundcover common to the community of Magothy Beach. The existing on-site wooded area totals roughly 30,026 s.f. (0.69 Ac.). Removal of vegetation has been minimized to only that is necessary to construct the proposed improvements. Removal of vegetation onsite for the proposed redevelopment is approximately 12,474 s.f. (0.29 Ac.). Reforestation requirements for this property will be addressed during the grading permit phase of this project in accordance with code requirements.

Lot Coverage

The site currently has 7,463 s.f. (0.17 Ac.) of impervious coverage. The proposed impervious area for this property is 7,321 s.f. (0.17 Ac.), which is a decrease of 142 s.f. from the existing impervious and equal to the allowable s.f. of lot coverage for this site.

100-ft Tidal Buffer

Approximately 14,307 s.f. of the subject property falls within the 100-ft tidal waters line, over a third of property is within the buffer. There is proposed disturbance within the 100-ft buffer as part of this redevelopment, a large portion of the proposed improvements have been sited overtop of the existing dwelling to minimize the disturbance to the buffer to construct the additions, stormwater management & associated improvements. While disturbance to the 100-ft tidal waters line is unavoidable, a reduction of 1,208 s.f. of lot coverage within the 100-ft tidal waters line is being proposed as part of this redevelopment.

Steep Slopes (slopes > 15%)

The site has approximately 2,490 s.f. of steep slopes and the associated 25-foot buffer covers 3,212 s.f. totaling 5,702 s.f. or 14% of the site area. Approximately 327 s.f. (0.01 Ac.) of the steep slopes 15% or greater shall be disturbed during the proposed construction. Of that disturbance, 0 s.f. of disturbance is proposed permanent disturbance to construct the dwelling and removal of existing lot coverage & associated site improvements. The entire 327 s.f. of disturbance is temporary disturbance is for grading, removal of lot coverage and construction access. Disturbance of these slopes was unavoidable as a large portion of the site is encumbered by them, the proposed improvements have been sited site to minimize the disturbance to the slopes to construct the dwelling, stormwater management, and associated improvements.

Predominant Soils

The predominant soil type is Patapsco-Fort-Mott urban land complex, 0 to 5 percent slopes (PgB). This soil has a type "A" hydrologic classification and is not a hydric soil (soils characteristic of wetlands).

Drainage and Rainwater Control

Runoff from the site sheetflows down the steep slopes and ultimately drains to Cattail Creek. The proposed redevelopment addresses stormwater management environmental site design to the maximum extent practicable via (2) “M-5” Microscale drywells & (1) “M-3” Landscape infiltration area areas to treat a large portion of the dwelling, sauna, pool and pool deck.

Stormwater management and sediment and erosion control will be further addressed during the permitting phase of the project in order to meet Anne Arundel County design criteria.

Conclusions – Variance Standards

The applicant proposes to construct additions to the existing single family dwelling, screened porch, parking pad, walk, pool and associated improvements. The need for the requested Critical Area Variances arises from the existing unique nature and constraints of this property, specifically the topography, and location of the steep slopes, 100-ft tidal waters line and the irregular shape of the lot. It is not possible to complete this project without disturbance to the steep slopes 15% or greater in the LDA. The proposed improvements are consistent in size and nature with other homes along the waterfront of Cattail Creek and therefore will not alter the essential character of the neighborhood, impair development of adjacent properties, or be detrimental to public welfare. To deny the requested variance would deprive the applicant of rights commonly enjoyed by other properties in the immediate area. With the implementation of mitigation, and sediment and erosion control practices, to be addressed during permitting, the proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area.

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 , 2016. 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 –2016 Soil Survey of Anne Arundel County Maryland.

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

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: Anne Arundel County Date June 21, 2025 (REV 8/25)

Tax Map #	Parcel #	Block #	Lot #	Section
24	345	21	19/20	-

FOR RESUBMITTAL ONLY

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

* Complete only Page 1
General Project Information

Tax ID 3-520-34391252

Project Name (site name, subdivision name, or other) Magothy Beach

Project location/Address 353 South Drive

City Severna Park, MD. Zip 21146

Local case number

Applicant: Last name Wright First name Dalena

Company Drum Loyka and Associates, LLC.

Application Type (check all that apply):

Building Permit	<input checked="" 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 checked="" type="checkbox"/>	Subdivision	<input type="checkbox"/>
Grading Permit	<input checked="" 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:

Renovation of an existing structure, landward addition, screened porch, decking, second floor improvement,
Removal of existing retaining walls and lot coverage within the 100-foot Buffer

	Yes		Yes
Intra-Family Transfer	<input type="checkbox"/>	Growth Allocation	<input type="checkbox"/>
Grandfathered Lot	<input type="checkbox"/>	Buffer Exemption Area	<input checked="" type="checkbox"/>

Project Type (check all that apply)

Commercial	<input type="checkbox"/>	Recreational	<input type="checkbox"/>
Consistency Report	<input type="checkbox"/>	Redevelopment	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	Residential	<input checked="" type="checkbox"/>
Institutional	<input type="checkbox"/>	Shore Erosion Control	<input type="checkbox"/>
Mixed Use	<input type="checkbox"/>	Water-Dependent Facility	<input type="checkbox"/>
Other	<input type="checkbox"/>		

SITE INVENTORY (Enter acres or square feet)

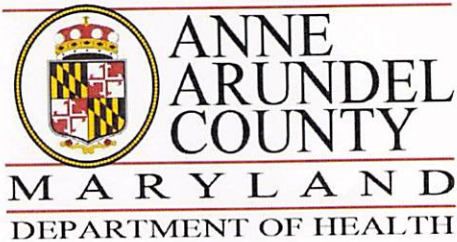
	Acres	Sq Ft	Total Disturbed Area	Acres	Sq Ft
IDA Area	0	0		0.47	20,302
LDA Area	0.93	40,419	# of Lots Created	1	
RCA Area	0	0			
Total Disturbed Area	0.93	40,419			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.69	30,026	Existing Impervious Surface	0.17	7,463
Created Forest/Woodland/Trees			New Impervious Surface	0.07	2,831
Removed Forest/Woodland/Trees	0.16	7,058	Removed Impervious Surface	0.07	2,976
			Total Impervious Surface	0.17	7,318

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.17	7,200	Buffer Forest Clearing	0.03	1,200
Non-Buffer Disturbance	0.30	13,102	Mitigation	0.08	3,600

Variance Type	Structure
Buffer	Acc. Structure Addition
Forest Clearing	Barn
HPA Impact	Deck
Impervious Surface	Dwelling
Expanded Buffer	Dwelling Addition
Nontidal Wetlands	Garage
Setback	Gazebo
Steep Slopes	Patio
Other	Pool
	Shed
	Other

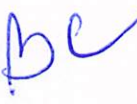


J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

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

DATE: June 30, 2025

RE: Dalena Z. Wright, Trustee
353 South Drive
Severna Park, MD 21146

NUMBER: 2025-0126-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow dwelling additions (2nd floor additions, upper level decks, and screened porch) with less setbacks than required, with disturbance to slopes of 15% or greater, and that does not comply with the designated location of a principal structure on a waterfront lot.

The Health Department has reviewed the above-referenced request. The property is served by public water and sewer facilities. 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

2025-0126-V

Menu Cancel Help

Task Details OPZ Critical Area Team

Assigned Date

06/25/2025

Assigned to

Kelly Krinetz

Current Status

Complete w/ Comments

Action By

Kelly Krinetz

Comments

Although the variance application shows the overall potential development plan, the only application currently under review as a building permit with the County are the proposed improvements to the existing dwelling. There are no permits for the pool, pool house, sauna, etc. The review of this request should be limited to those improvements which require a variance. The approval/denial of the requested variance will have no bearing on the review/approval/denial of any future applications and one should not be considered a condition of the other.

We offer no objection to the minimal slope disturbance required for the expansion of the existing structure.

We offer no objection to the setback variance provided the proposed development is no closer to the front property line than the existing structure.

The upward expansion will need to demonstrate compliance with Article 18-2-402(5) in terms of the adjacent properties air, light and view.

Although the clearing limitation is not part of the variance request, we are providing comments since it is mentioned in the Letter of Explanation. Clearing on this site is limited to 30% of the developed woodland. This clearing is limited to the minimum necessary to accommodate a house, septic system, driveway and reasonable amount of yard or parking. Based on the site plan, there is minimal clearing for the house and driveway and the majority of the clearing is for the pool and other recreational improvements. The proposed layout would not meet the test for approval to exceed the 30% clearing amount and must be reduced/redesigned. This requirement will be addressed with the permit application. Again, an approval of the slope/setback variance in no way impacts any review of the other improvements shown on the application.

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

07/16/2025

Assigned to Department

OPZ Critical Area

Status Date

08/15/2025

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

Wes Moore
Governor
Aruna Miller
Lt. Governor



Erik Fisher
Chair
Nick Kelly
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

August 19th, 2025

Ms. Sterling Seay
Planning Administrator
Anne Arundel County Zoning Division
2664 Riva Road, MS 6301
Annapolis, Maryland 21401

Re: 2025-0126-V Wright Variance (AA 0173-25) – REVISED

Dear Ms. Seay,

Thank you for providing information regarding the above-referenced variance request for relief from Anne Arundel County Code §17-8-201(a) to disturb slopes of 15% or greater. The 0.93-acre property is located entirely within the Critical Area on land designated as Limited Development Area (LDA) and Buffer Modified Area (BMA). Currently, the property is improved with a single-family dwelling, driveway, multiple pathways, two decks, a concrete patio, shed, and riparian access to a pier. The property is nonconforming due to an exceedance in lot coverage limits, with 7,463 square feet of lot coverage on site, which is nearly 1,400 square feet more than the allowable lot coverage. Per Anne Arundel County Code §17-8-403(2), the applicant proposes a reduction lot coverage by 10% of the lot coverage that exceeds the permitted lot coverage through the removal of the existing decks, patio, pathways, and a portion of the driveway.

The applicant proposes to construct a number of additions to the existing dwelling, including a second story addition, attached screened porch, and deck. Additionally, the applicant proposes the construction of outdoor amenities, including a pool, two pool houses, patio, shed, and sauna, landward of the existing dwelling and outside of the Critical Area Buffer. While the proposed lot coverage will be shifted outside of the 100-foot Critical Area Buffer, resulting in a 1,200 square-foot decrease in lot coverage within the Critical Area Buffer, the proposed improvements *will* result in clearing 42% of developed woodlands, which exceeds the allowed 30% clearing limits. The applicant will need to obtain a Modification from the County's Planning and Zoning Officer, per Anne Arundel County Code 17-8-601(B)(2).

Maryland's Critical Area law provides that variances to local jurisdiction's Critical Area program may be granted only if the Administrative Hearing Officer (AHO) finds that an applicant has satisfied the burden to prove that the request meets each and every one of the variance standards under COMAR 27.01.12. Furthermore, State law establishes the presumption

that a proposed activity for which Critical Area variance is requested does not conform to the purpose and intent of the Critical Area law and the County's Critical Area Program. The AHO must make an affirmative finding that the applicant has overcome this presumption based on the competent and substantial evidence presented from the applicant. This office finds that the variance request fails to meet the variance standards, as described below.

In requesting a variance, the applicant bears the burden of demonstrating that each and every one of the variance standards have been met, including the standard of unwarranted hardship and that the request would not adversely water quality or wildlife and plant habitat within the Critical Area. Based on overall proposal, it does not appear the applicant can satisfy each and every one of the Critical Area variance standards such as unwarranted hardship and that this request meets the spirit and intent of the Critical Area law and regulations.

State law defined "unwarranted hardship" to mean that without the requested variance, an applicant shall be denied reasonable and significant use of the entire parcel. The property is already improved with outdoor amenities, and this request will significantly increase the ancillary amenities on this lot, which are not considered necessary for reasonable and significant use of a residential lot. When considering the unwarranted hardship standard, the entire site along with the existing and proposed improvements must be considered. Additionally, we note that while the request shows an overall 10% reduction in lot coverage to meet the County's requirements, the overall improvements on the site will still result in 18% of lot coverage on the site. Accordingly, denial of this variance would not impose an unwarranted hardship.

This request is not in harmony with and is contrary to the spirit, intent and goals of the Critical Area Law. The proposed improvements result in impacts to steep slopes and, while not necessitating a variance from the Administrative Hearing Officer at this time, will also result in clearing of developed woodland over the prescribed limit. Critical Area law and regulations are designed to foster more sensitive development for shoreline areas as to minimize adverse impacts to water quality and habitat. Ecologically sensitive areas such as the steep slopes within the LDA are purposefully protected within the Critical Area regulations and the County's Critical Area program because of their importance in meeting the goals of the Critical Area law which are to:

- (1) Minimize adverse impacts on water quality that result from development,
- (2) Conserve fish, wildlife, and plant habitat,
- (3) Establish land use policies that accommodate development while recognizing that development adversely affects the first two goals.

Granting a variance to permit the disturbance to steep slopes would conflict with the express intent and goals of the Critical Area Law, especially considering the existing and proposed improvements for the entire site.

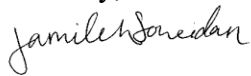
While the tree clearing exceedance is not a direct variance request at this time, the resulting habitat loss and water quality impacts must be carefully considered in evaluating whether the applicant has satisfied each and every variance standard. It is critical to review not just the variance request in

Ms. Seay
Wright Variance
August 19th, 2025
Page 3 of 3

isolation, but the entirety of the existing and proposed improvements for the site, as these collectively determine the extent of environmental impact and whether less damaging alternatives are available. When determining whether the variance standards have been met, it is essential to acknowledge that opportunities to minimize environmental harm exist and should be considered. In this case it appears the overall proposal is disregarding opportunities to minimize habitat and water quality impacts in favor of expanding nonessential amenities. Thank you for the opportunity to provide comments.

Please include this letter in your file and submit it as part of the record for this variance. Also, please notify the Commission in writing of the decision made in this case. If you have any questions about these comments, please contact me at (410)-260-3462 or jamileh.soueidan@maryland.gov.

Sincerely,



Jamileh Soueidan
Natural Resource Planner

File: AA 0173-25
cc: Jennifer Esposito, CAC

2025-0126-V

Menu Cancel Help

Task Details I and P Engineering

Assigned Date

06/27/2025

Assigned to

Natalie Norberg

Current Status

Complete w/ Comments

Action By

Natalie Norberg

Comments

- 1. An existing utility easement is located from South Drive to the grinder pump per Geocortex (Deed Book 4356, Page 748). Show the easement on the plan sheets.
- 2. A landscape infiltration device is proposed abutting the proposed pool patio. Refer to Table 2 "Permanent Easement Width for Underground SWM Facility Installation", found on page 11.17 of the County's Stormwater Management Practices and Procedures Manual, for setbacks between the device and the pool patio.
- 3. Per the grading shown, the runoff from the driveway to be treated by the non-rooftop disconnection areas does not flow across the disconnection areas.
- 4. Drywells must be 10 feet from each other.
- 5. Label the size and material of the SHC and show as force main across the property.
- 6. Label the size of the water meter and the WHC.
- 7. The steep slope buffer and property line are too similar. Revise one of the line types.
- 8. Is there to be a sidewalk leading to the sauna? If so, show and label the width and material of the sidewalk.
- 9. Label the material of the proposed 3' walk.
- 10. Show the water meter in the correct spot as it is drawn on top of the water main. Label as existing or proposed.
- 11. Provide the classification, ownership, surface type, and width of South Drive.
- 12. If no work is to be done on the driveway at South Drive, remove the LOD from the right-of-way.
- 13. Note if the fencing is to be removed or to remain.
- 14. At Grading Permit, move the stockpile off the disconnection area.

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

07/16/2025

Assigned to Department

Engineering

Status Date

07/10/2025

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

Engineering

Est. Completion Date

- ☐ Display E-mail Address in ACA
- ☒ Display Comment in ACA

Task Specific Information

Expiration Date

Review Notes

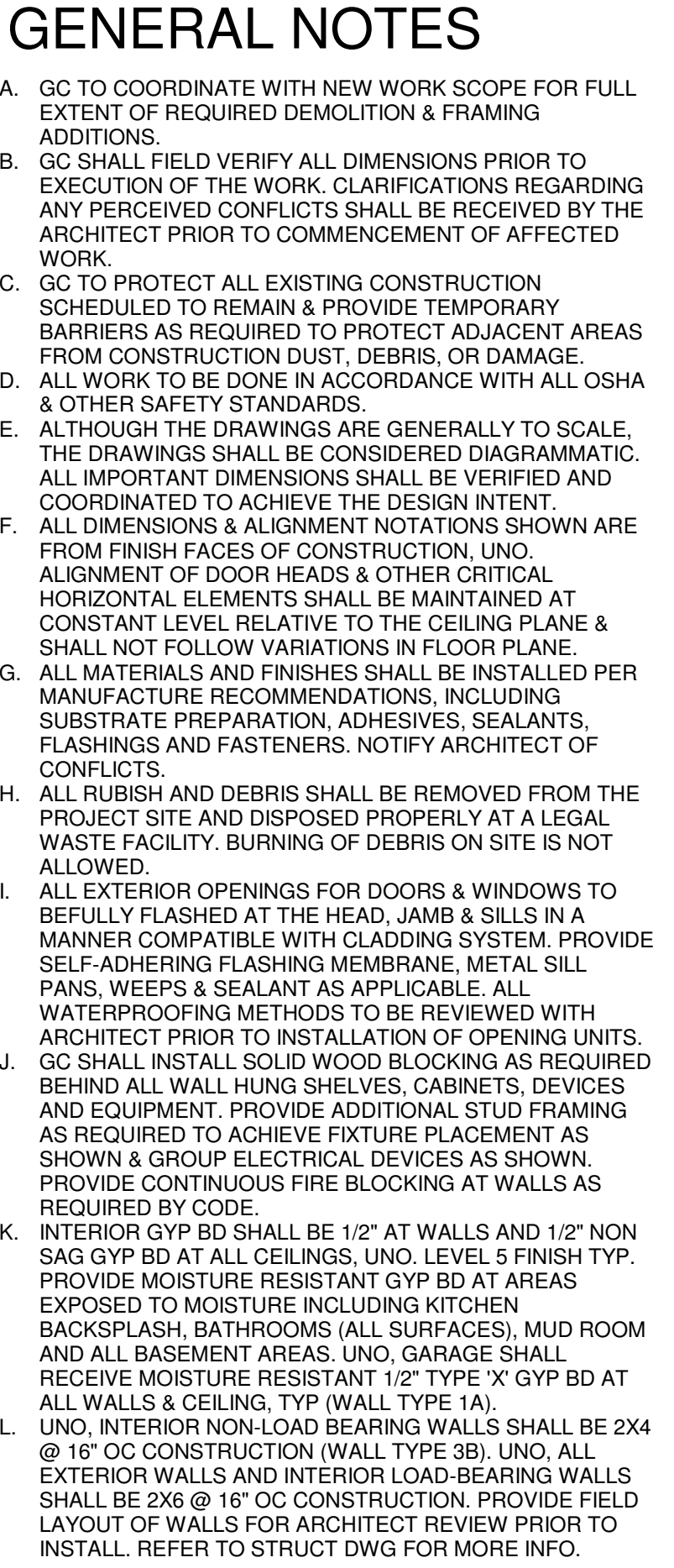
Reviewer Name

Reviewer Phone Number

Reviewer Email

ipnorb81@aacounty.org

Natalie Norberg



WALL LEGEND

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

WRIGHT
RESIDENCE

RENOVATION & ADDITION

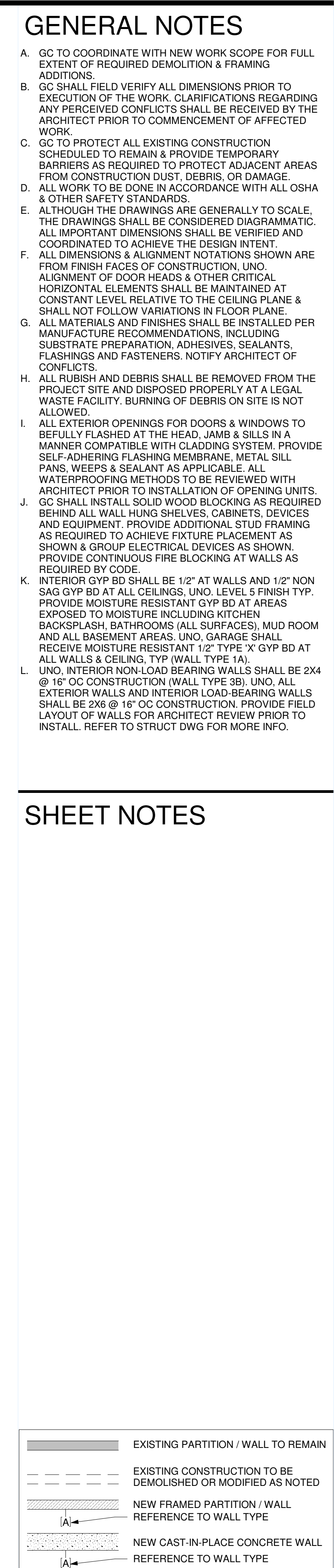
353 SOUTH DRIVE
SEVERNA PARK, MARYLAND

Description





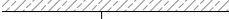

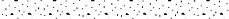
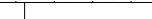
GROUND FLOOR PLAN - EXISTING /
DEMO

Scale
As indicated

D0100



SHEET NOTES

	EXISTING PARTITION / WALL TO REMAIN
	EXISTING CONSTRUCTION TO BE DEMOLISHED OR MODIFIED AS NOTED
	NEW FRAMED PARTITION / WALL
	REFERENCE TO WALL TYPE
	NEW CAST-IN-PLACE CONCRETE WALL
	REFERENCE TO WALL TYPE
	NEW MASONRY WALL
	REFERENCE TO WALL TYPE

WALL LEGEND

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

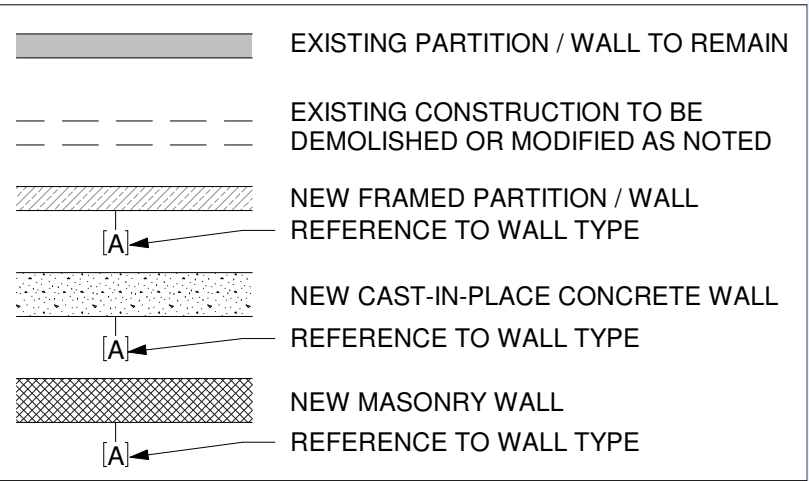
Structural Engineer

Description	
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Scale	As indicated
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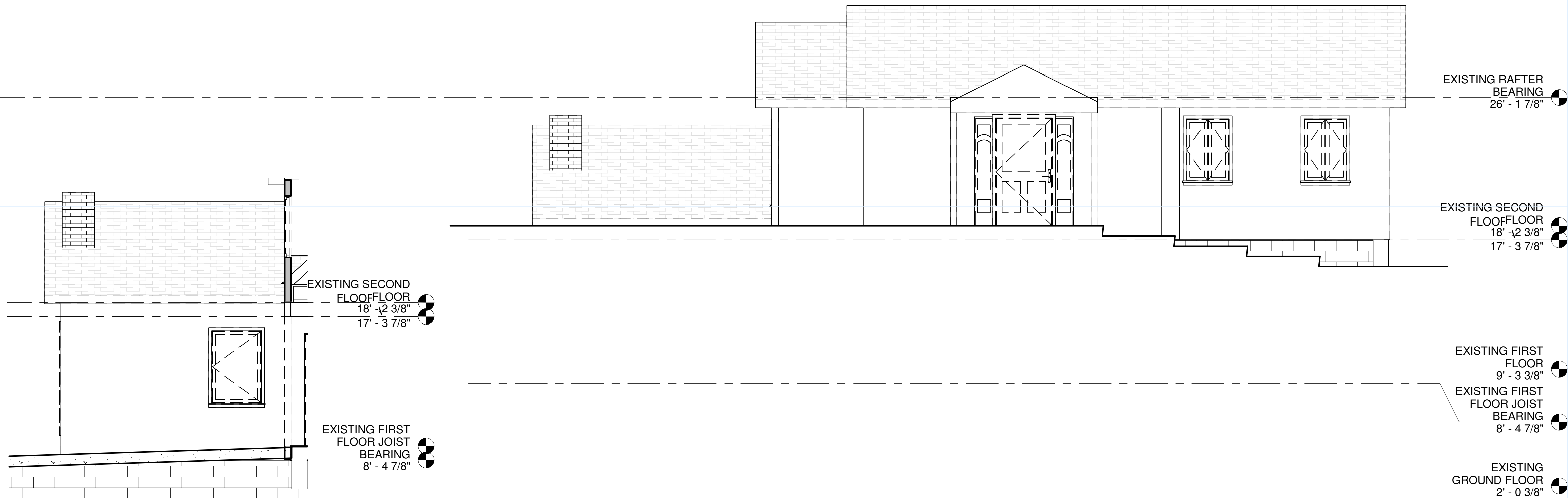
D0101



1

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

D0102

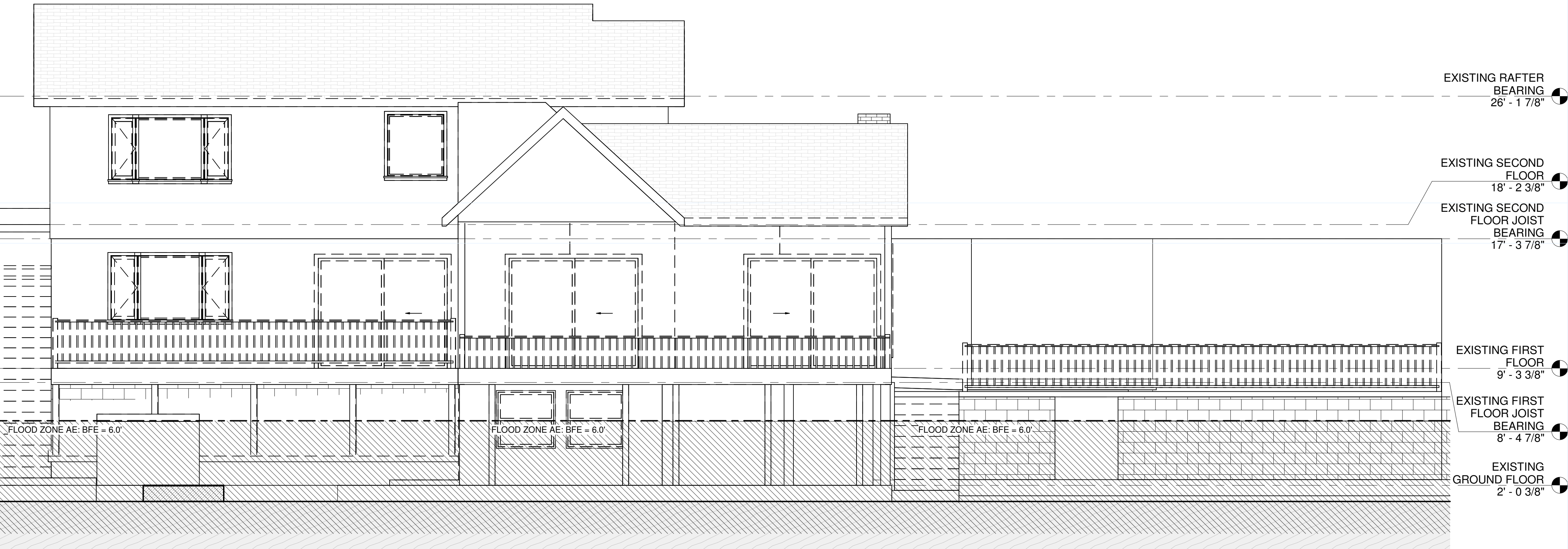


PARTIAL FRNT ELEV - EXIST / DEMO 3

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

FRONT ELEVATION - EXISTING / DEMO

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



REAR ELEVATION - EXISTING / DEMO

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

GENERAL NOTES

- GC TO COORDINATE WITH NEW WORK SCOPE FOR FULL EXTENT OF REQUIRED DEMOLITION & FRAMING ADDITIONS.
- GC SHALL FIELD VERIFY ALL DIMENSIONS PRIOR TO EXECUTION OF THE WORK. CLARIFICATIONS REGARDING ANY PERCEIVED CONFLICTS SHALL BE RECEIVED BY THE ARCHITECT PRIOR TO COMMENCEMENT OF AFFECTED WORK.
- GC TO PROTECT ALL EXISTING CONSTRUCTION SCHEDULED TO REMAIN & PROVIDE TEMPORARY BARRIERS AS REQUIRED TO PROTECT ADJACENT AREAS FROM CONSTRUCTION DUST, DEBRIS, OR DAMAGE.
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- ALL DIMENSIONS & ALIGNMENT NOTATIONS SHOWN ARE FROM FINISH FACES OF CONSTRUCTION, UNO. ALIGNMENT OF DOOR HEADS & OTHER CRITICAL HORIZONTAL ELEMENTS SHALL BE MAINTAINED AT CONSTANT LEVEL RELATIVE TO THE CEILING PLANE & SHALL NOT FOLLOW VARIATIONS IN FLOOR PLANE.
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- ALL RUBBISH AND DEBRIS SHALL BE REMOVED FROM THE PROJECT SITE AND DISPOSED PROPERLY AT A LEGAL WASTE FACILITY. BURNING OF DEBRIS ON SITE IS NOT ALLOWED.
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- GC SHALL INSTALL SOLID WOOD BLOCKING AS REQUIRED BEHIND ALL WALL HUNG SHELVES, CABINETS, DEVICES AND EQUIPMENT. PROVIDE ADDITIONAL STUD FRAMING AS REQUIRED TO ACHIEVE FIXTURE PLACEMENT AS SHOWN & GROUP ELECTRICAL DEVICES AS SHOWN. PROVIDE CONTINUOUS FIRE BLOCKING AT WALLS AS REQUIRED BY CODE.
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SHEET NOTES

Professional Certification:

I, Peter J. Miles, hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional Architect under the laws of Maryland.

License No. 22104

Exp. Date: 09/02/2026

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Structural Engineer

WRIGHT RESIDENCE

RENOVATION & ADDITION

353 SOUTH DRIVE
SEVERNA PARK, MARYLAND

Drawing Revisions

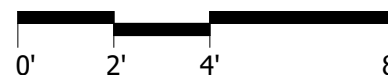
Issue	Date & Description	By
01	XX/XX/2024	JRB
	OWNER REVIEW	

Description

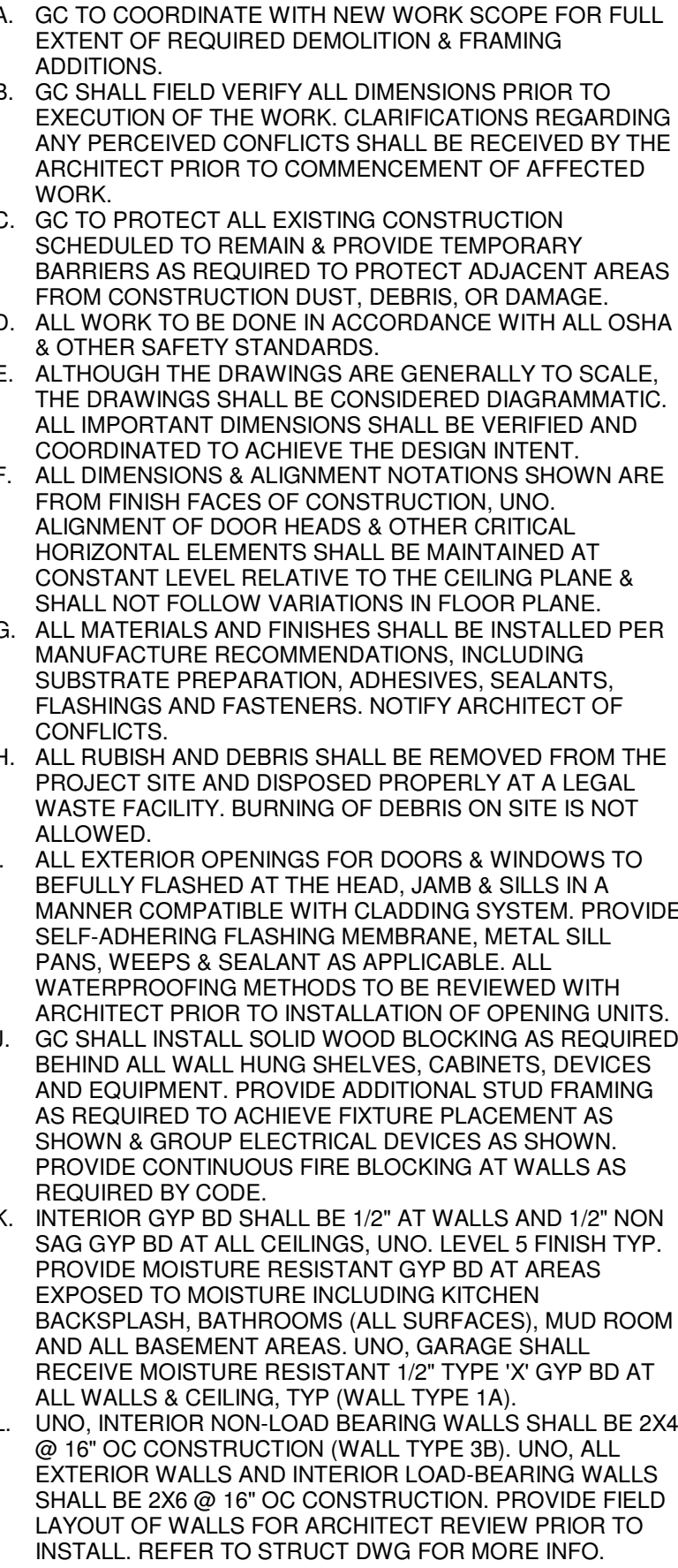
EXTERIOR ELEVATIONS - EXISTING / DEMO

Scale

As indicated



D0900



SHEET NOTES



Structural Engineer

D0901



- # SHEET NOTES

WALL LEGEND

WRIGHT
RESIDENCE

RENOVATION & ADDITION

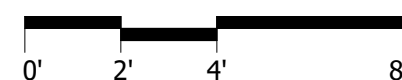
353 SOUTH DRIVE
SEVERNA PARK, MARYLAND

Drawing Revisions

Description

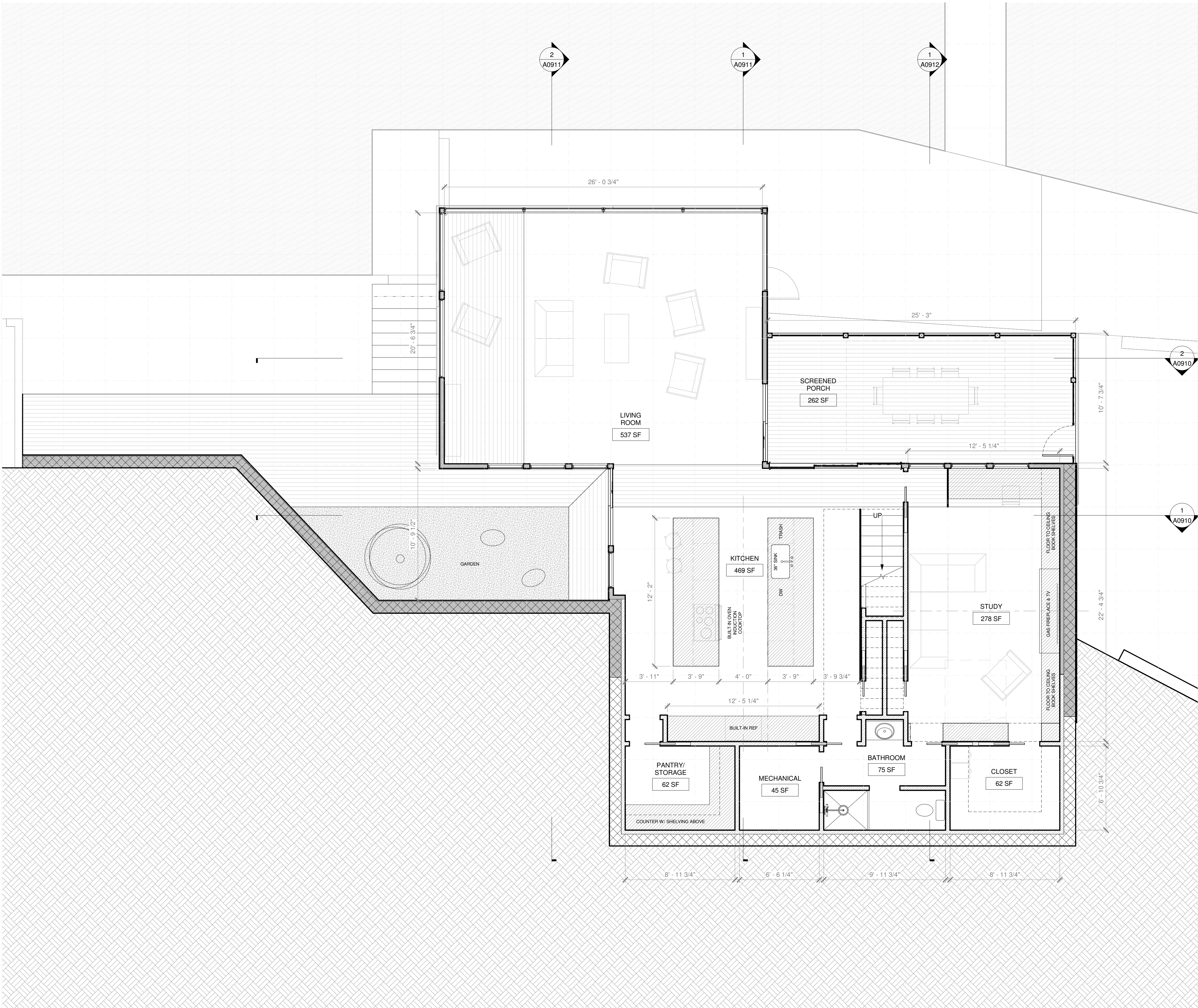
GROUND FLOOR PLAN - NEW WORK
/ CONSTRUCTION

Scale
As indicated



A0200

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GENERAL NOTES

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SHEET NOTES

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	EXISTING CONSTRUCTION TO BE DEMOLISHED OR MODIFIED AS NOTED
	NEW FRAMED PARTITION / WALL REFERENCE TO WALL TYPE
	NEW CAST-IN-PLACE CONCRETE WALL REFERENCE TO WALL TYPE
	NEW MASONRY WALL REFERENCE TO WALL TYPE

WALL LEGEND

FIRST FLOOR PLAN - NEW WORK / CONSTRUCTION

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

1

Professional Certification:

I, Peter J. Miles, hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional Architect under the laws of Maryland.

License No. 22104

Exp. Date: 09/02/2026

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Structural Engineer

WRIGHT RESIDENCE

RENOVATION & ADDITION

353 SOUTH DRIVE
SEVERNA PARK, MARYLAND

Drawing Revisions

Issue	Date & Description	By
01	XX/XX/2024	JRB
	OWNER REVIEW	

Description

FIRST FLOOR PLAN - NEW WORK /
CONSTRUCTION

Scale

As indicated



A0201

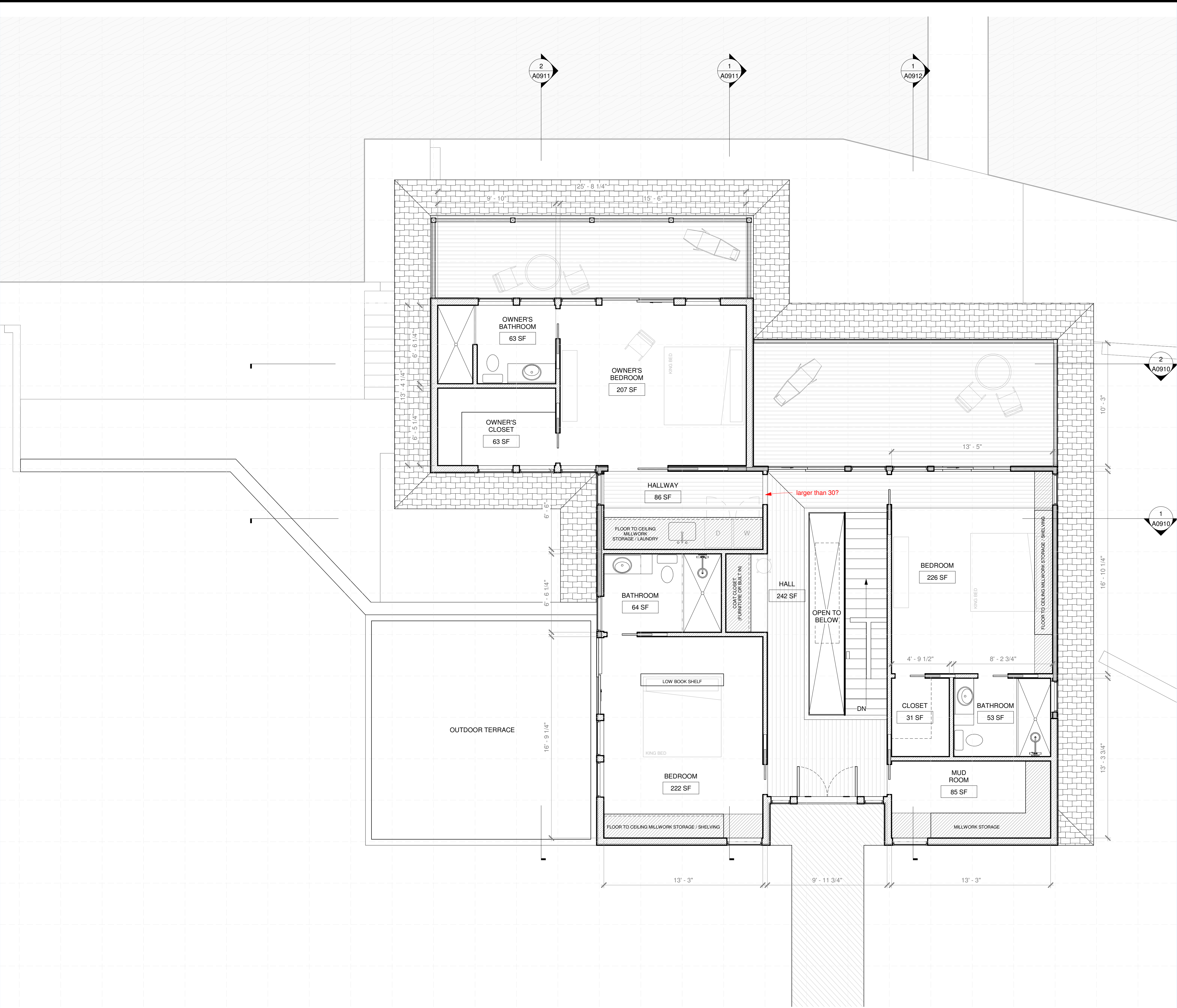
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SHEET NOTES

	EXISTING PARTITION / WALL TO REMAIN
	EXISTING CONSTRUCTION TO BE DEMOLISHED OR MODIFIED AS NOTED
	NEW FRAMED PARTITION / WALL REFERENCE TO WALL TYPE
	NEW CAST-IN-PLACE CONCRETE WALL REFERENCE TO WALL TYPE
	NEW MASONRY WALL REFERENCE TO WALL TYPE

WALL LEGEND



SECOND FLOOR PLAN - NEW WORK / CONSTRUCTION

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

Professional Certification:
I, Peter J. Miles, hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional Architect under the laws of Maryland.

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Structural Engineer

WRIGHT
RESIDENCE

RENOVATION & ADDITION

353 SOUTH DRIVE
SEVERNA PARK, MARYLAND

Drawing Revisions

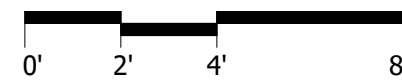
Issue	Date & Description	By
01	XX/XX/2024 OWNER REVIEW	JRB

Description

SECOND FLOOR PLAN - NEW WORK / CONSTRUCTION

Scale

As indicated



A0202

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ROOF PLAN - NEW WORK / CONSTRUCTION



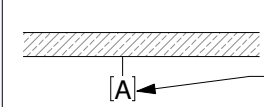
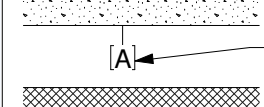
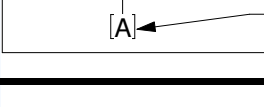
SCALE: 1/4" = 1'-0"

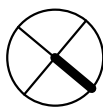
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SHEET NOTES

- REPAIR, CLEAN, AND STAIN EXISTING GROUT TO MATCH TILE. CONFIRM COLOR WITH OWNER PRIOR TO WORK.
- REPAIR FAN.
- INSTALL WOOD TRANSITION STRIP AT DOORWAY.
- HANG TOWEL HOOKS. CONFIRM LOCATION WITH OWNER PRIOR TO INSTALLATION.
- REPAIR WALL BASE AND GYP BOARD BEHIND SINK AND INSTALL ESCUTCHEON AROUND PIPING.
- REPAIR TOILET FILL VALVE.
- REPAIR FLOOR TILE, AS NECESSARY, FROM REMOVAL OF RADIATOR.

	EXISTING PARTITION / WALL TO REMAIN
	EXISTING CONSTRUCTION TO BE DEMOLISHED OR MODIFIED AS NOTED
	NEW FRAMED PARTITION / WALL REFERENCE TO WALL TYPE
	NEW CAST-IN-PLACE CONCRETE WALL REFERENCE TO WALL TYPE
	NEW MASONRY WALL REFERENCE TO WALL TYPE



1

WALL LEGEND

NOT FOR CONSTRUCTION

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Structural Engineer

WRIGHT
RESIDENCE

RENOVATION & ADDITION

353 SOUTH DRIVE
SEVERNA PARK, MARYLAND

Drawing Revisions

Issue	Date & Description	By
01	XX/XX/2024	JRB
	OWNER REVIEW	

Description

ROOF PLAN - NEW WORK /
CONSTRUCTION

Scale

As indicated



A0203

GENERAL NOTES

- A. GC TO COORDINATE WITH NEW WORK SCOPE FOR FULL EXTENT OF REQUIRED DEMOLITION.
- B. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS PRIOR TO EXECUTION OF THE WORK.
- C. TO PROTECT ALL EXISTING CONSTRUCTION SCHEDULED TO REMAIN AND PROVIDE TEMPORARY BARRIERS AS REQUIRED TO PROTECT ADJACENT AREAS FROM CONSTRUCTION DUST AND DEBRIS.
- D. ALL EXISTING LIFE SAFETY DEVICES SHALL REMAIN IN PLACE AND OPERATIONAL THROUGHOUT CONSTRUCTION.
- E. DO NOT REMOVE ANY LOAD-BEARING STRUCTURAL COMPONENTS, UNO. IF LOAD-BEARING STRUCTURAL COMPONENT IS SHOWN TO BE REMOVED AND WHICH IS NOT INDICATED ON THE STRUCTURAL DRAWINGS, CONTACT ARCHITECT IMMEDIATELY FOR CLARIFICATION.
- F. GENERAL DESIGN INTENT INVOLVES THE PRESERVATION OF CERTAIN ARCHITECTURAL ELEMENTS AND FINISHES. IT IS THE INTENT THAT EACH PORTION OF THE DEMOLITION AND REMODELING WORK BE DONE BY THE SPECIFIC TRADE INVOLVED IN THE INITIAL INSTALLATION SO THAT THE INTENDED RESULTS CAN BE ACHIEVED. GC SHALL FOLLOW ALL INDUSTRY BEST PRACTICES FOR RESTORATION OR REPAIR OF HISTORIC ELEMENTS.
- G. ALL WORK TO BE DONE IN ACCORDANCE WITH ALL OSHA AND OTHER SAFETY STANDARDS.
- H. ALL RUBISH AND DEBRIS SHALL BE REMOVED FROM THE PROJECT SITE AND DISPOSED OF PROPERLY AT A COMMINGLED WASTE FACILITY. AS APPLICABLE, GC SHALL ACQUIRE JURISDICTIONAL DUMPSTER PERMIT.
- I. LANDSCAPING AND CERTAIN SITE FEATURES MAY HAVE BEEN OMITTED FROM THIS SHEET FOR CLARITY.

Professional Certification:
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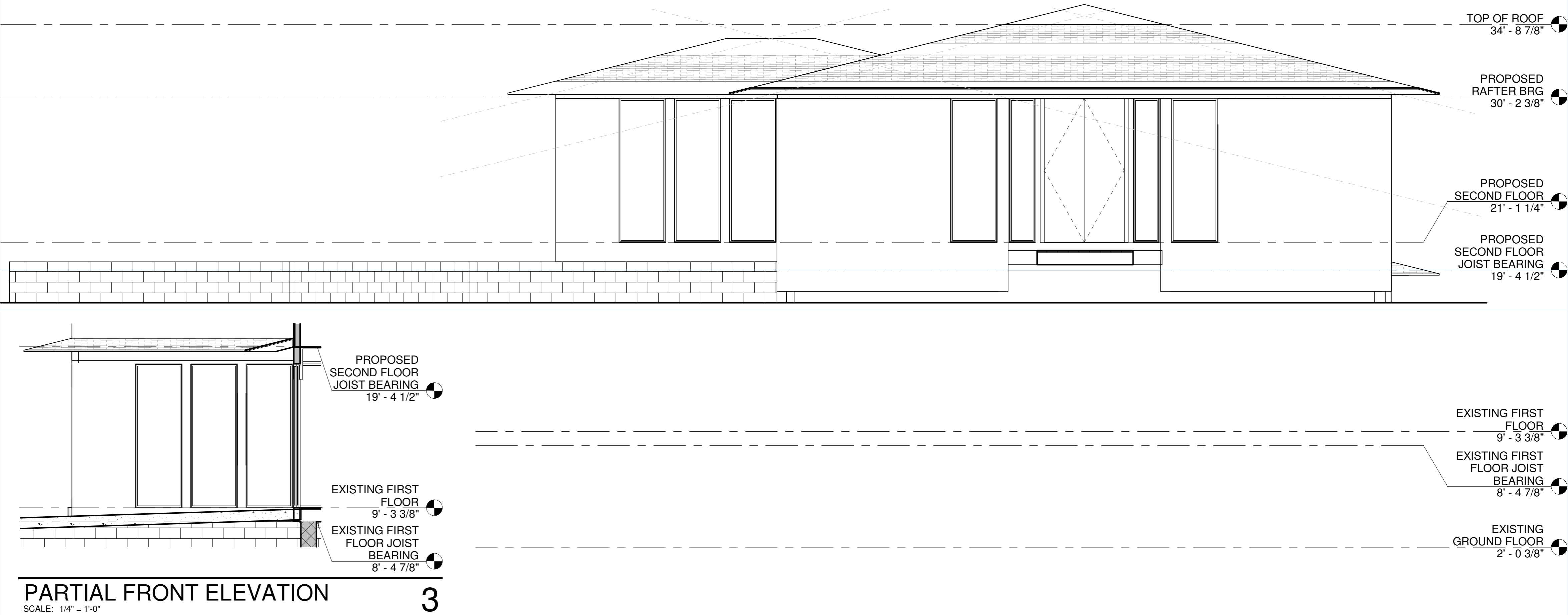
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PARTIAL FRONT ELEVATION

3

FRONT ELEVATION - NEW WORK / CONSTRUCTION

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

1

SHEET NOTES



REAR ELEVATION NEW WORK / CONSTRUCTION

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

2

WALL LEGEND

	EXISTING PARTITION / WALL TO REMAIN
	EXISTING CONSTRUCTION TO BE DEMOLISHED OR MODIFIED AS NOTED
	NEW FRAMED PARTITION / WALL REFERENCE TO WALL TYPE
	NEW CAST-IN-PLACE CONCRETE WALL REFERENCE TO WALL TYPE
	NEW MASONRY WALL REFERENCE TO WALL TYPE

WRIGHT
RESIDENCE

RENOVATION & ADDITION

353 SOUTH DRIVE
SEVERNA PARK, MARYLAND

Drawing Revisions

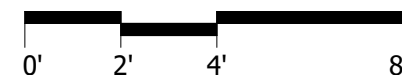
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01	XX/XX/2024 OWNER REVIEW	JRB

Description

EXTERIOR ELEVATIONS - NEW
WORK / CONSTRUCTION

Scale

As indicated



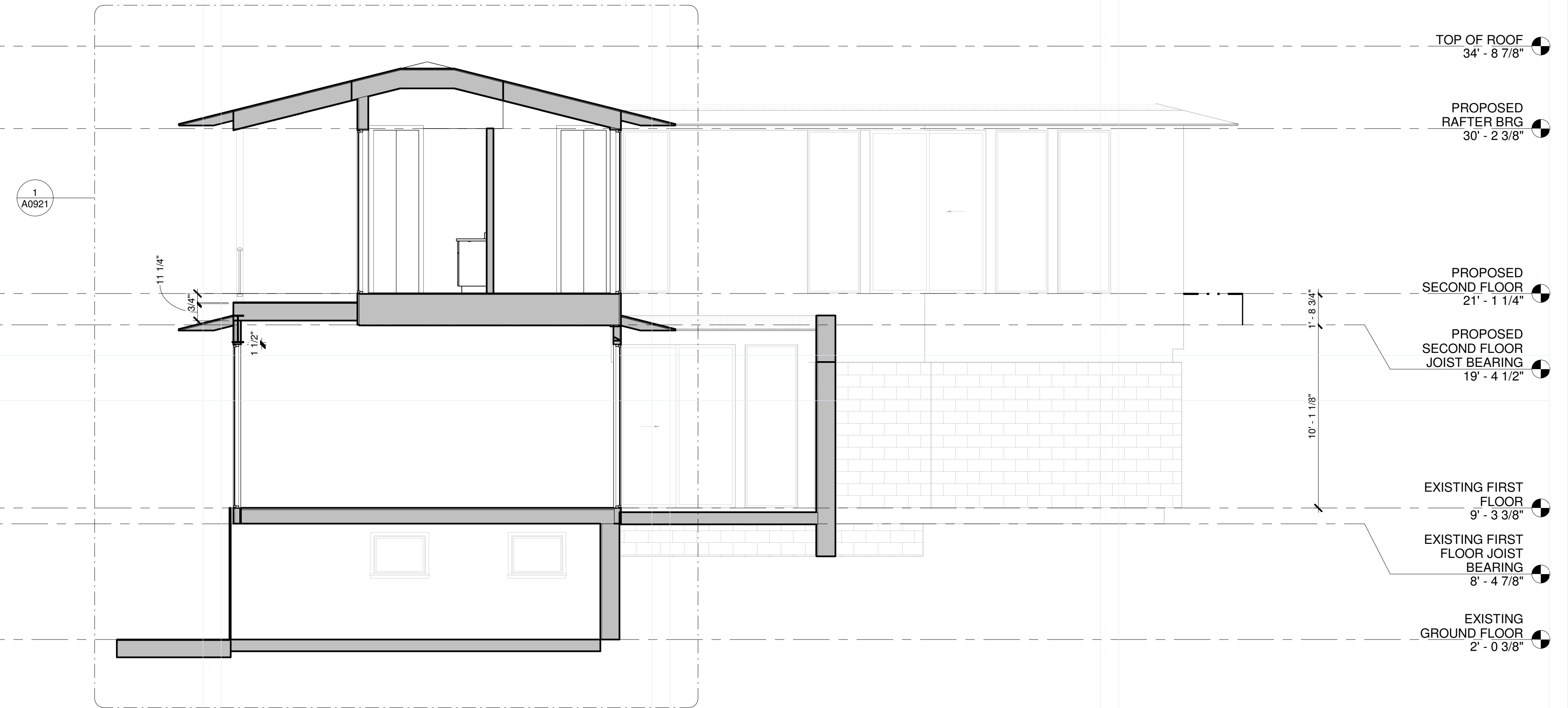
A0900

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Section 3

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



Section 4

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

GENERAL NOTES

- A. LANDSCAPING HAS BEEN OMITTED FROM THIS SHEET FOR CLARITY. AS APPLICABLE, GC TO PROTECT EXISTING LANDSCAPING SCHEDULED TO REMAIN ADJACENT TO WORK AREAS.
B. AS APPLICABLE, SEE EXTERIOR FINISH SCHEDULE FOR MORE INFORMATION.
C. ALL STRUCTURAL COMPONENTS ON THIS SHEET ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. REFER TO STRUCTURAL DWGS FOR REQUIREMENTS.

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SHEET NOTES

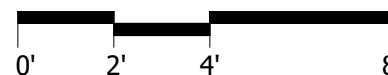
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	EXISTING CONSTRUCTION TO BE DEMOLISHED OR MODIFIED AS NOTED
	NEW FRAMED PARTITION / WALL REFERENCE TO WALL TYPE
	NEW CAST-IN-PLACE CONCRETE WALL REFERENCE TO WALL TYPE
	NEW MASONRY WALL REFERENCE TO WALL TYPE

Description

BUILDING SECTIONS - NEW WORK /
CONSTRUCTION Copy 1

Scale

As indicated



2

WALL LEGEND

WRIGHT RESIDENCE

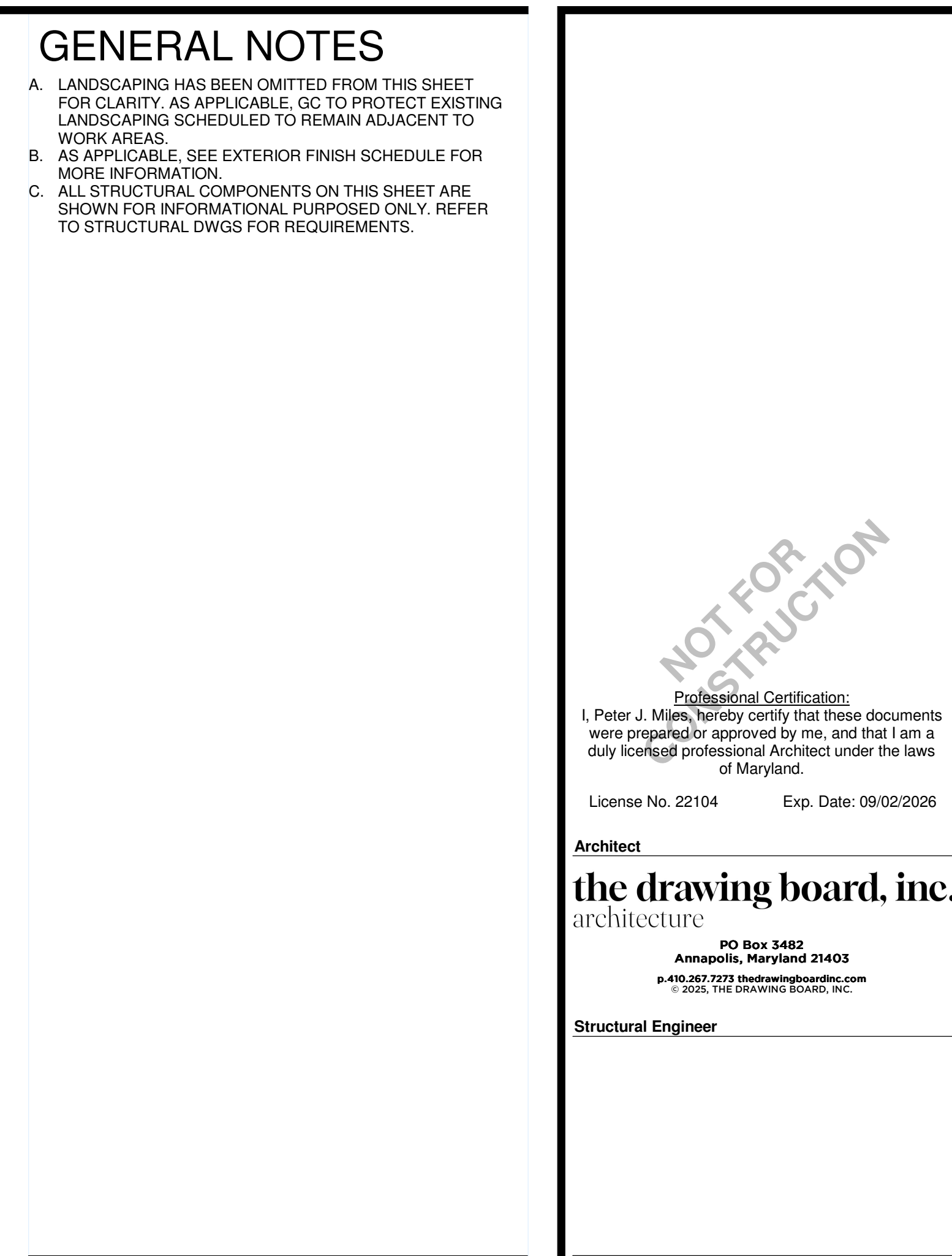
RENOVATION & ADDITION

353 SOUTH DRIVE
SEVERNA PARK, MARYLAND

Drawing Revisions

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A0911



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

SHEET NOTES



RENOVATION & ADDITION

353 SOUTH DRIVE
SEVERNA PARK, MARYLAND

Description

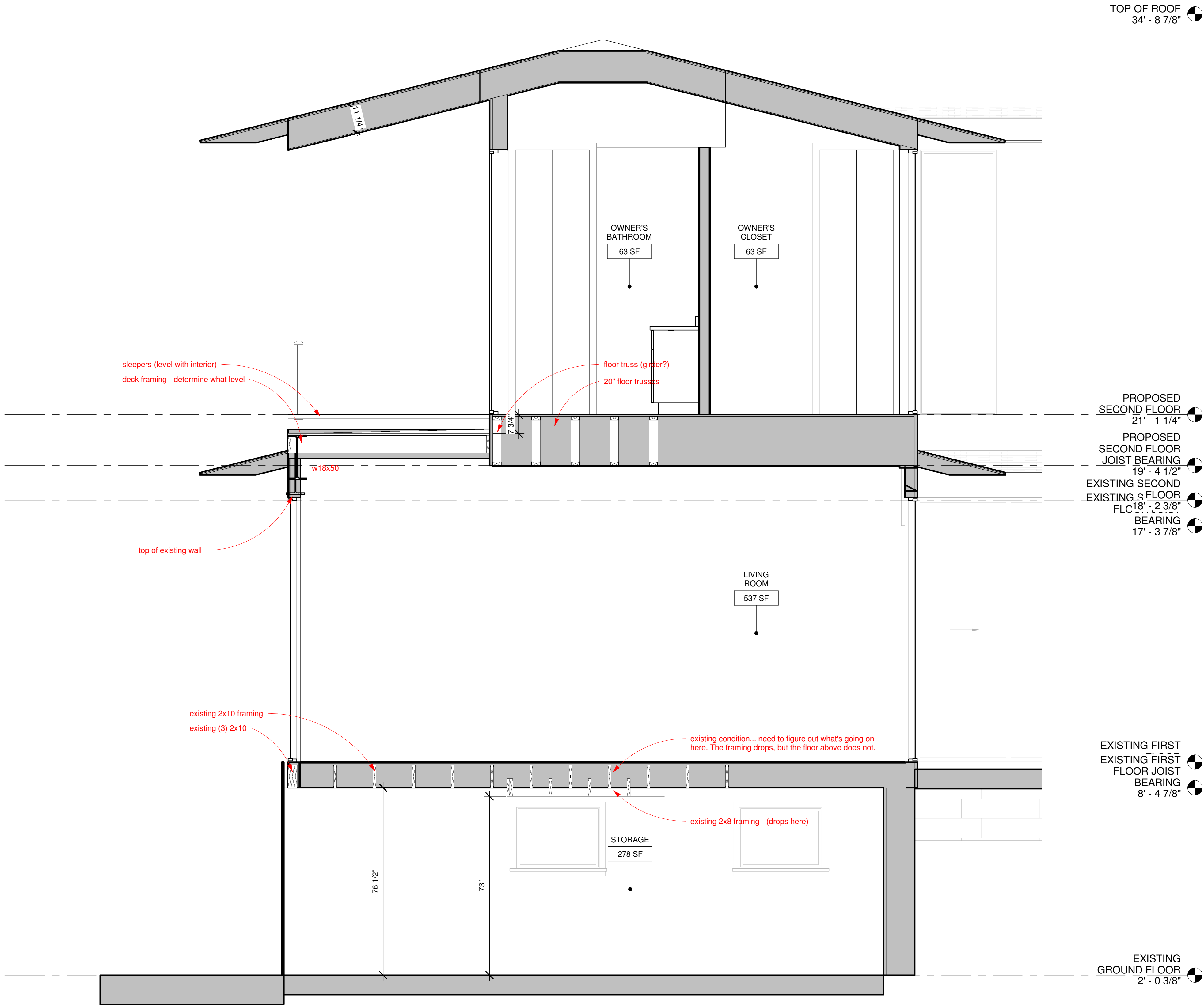
BUILDING SECTIONS - NEW WORK /
CONSTRUCTION Copy 1 Copy 1

Scale	As indicated
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A0912

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GENERAL NOTES

- WALL SECTIONS ON THIS SHEET SHOW GENERAL ARRANGEMENT OF COMPONENTS FOR COORDINATION PURPOSES ONLY. REFER TO STRUCTURAL DRAWINGS FOR ALL TECHNICAL REQUIREMENTS OF STRUCTURAL MEMBERS, CONNECTORS AND OTHER REQUIREMENTS.
- THE ENTIRE STRUCTURE SHALL BE AIR SEALED TO MEET THE BUILDING & ENERGY CODE REQUIREMENTS.
- TYPICAL EXTERIOR WALLS SHALL BE INSULATED WITH OPEN CELL SPRAY FOAM INSULATION HAVING MIN R-21 VALUE, UNO. REFER TO WALL TYPES FOR MORE INFORMATION AND INSULATION BASIS OF DESIGN.
- TYPICAL UNVENTILATED ROOF INSULATION SHALL BE SPRAY FOAM INSULATION PLACED AT BOTTOM OF SHEATHING AND/OR BETWEEN FRAMING MEMBERS, HAVING R-49 VALUE, MIN. REFER TO WALL SECTIONS FOR CLOSED CELL AND OPEN CELL THICKNESSES.
- ALL EXTERIOR WALLS SHALL RECEIVE CONTINUOUS, VAPOR PERMEABLE, AIR & WATER BARRIER APPLIED TO FACE OF SHEATHING, UNO. SEE WALL TYPES FOR BASIS OF DESIGN. COORDINATE INTERFACE WITH OTHER ASSEMBLIES USING HENRY BLUESKIN SELF-ADHERING FLASHING & SEALANTS.
- ALL CONCEALED WALL SPACES SHALL BE DRAFTSTOPPED, FIREBLOCKED & SEALED PER CODE REQUIREMENTS.
- INTERIOR TRIM AND MILLWORK SHOWN IS DIAGRAMMATIC ONLY. REFER TO INTERIOR ELEVATIONS AND MILLWORK DETAILS FOR MORE INFORMATION.
- MECHANICAL AND PLUMBING COMPONENTS SHOWN FOR COORDINATION PURPOSES ONLY. REFER TO MEP DRAWINGS FOR LAYOUT AND SIZING.
- ALL WOOD IN CONTACT WITH CONCRETE / MASONRY TO BE PRESSURE TREATED.

SHEET NOTES

	EXISTING PARTITION / WALL TO REMAIN
	EXISTING CONSTRUCTION TO BE DEMOLISHED OR MODIFIED AS NOTED
	NEW FRAMED PARTITION / WALL REFERENCE TO WALL TYPE
	NEW CAST-IN-PLACE CONCRETE WALL REFERENCE TO WALL TYPE
	NEW MASONRY WALL REFERENCE TO WALL TYPE

DETAIL SECTION AT LIVING ROOM

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

1

WALL LEGEND

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WRIGHT RESIDENCE

RENOVATION & ADDITION

353 SOUTH DRIVE
SEVERNA PARK, MARYLAND

Drawing Revisions

Issue	Date & Description	By
01	XX/XX/2024	JRB
	OWNER REVIEW	

Description

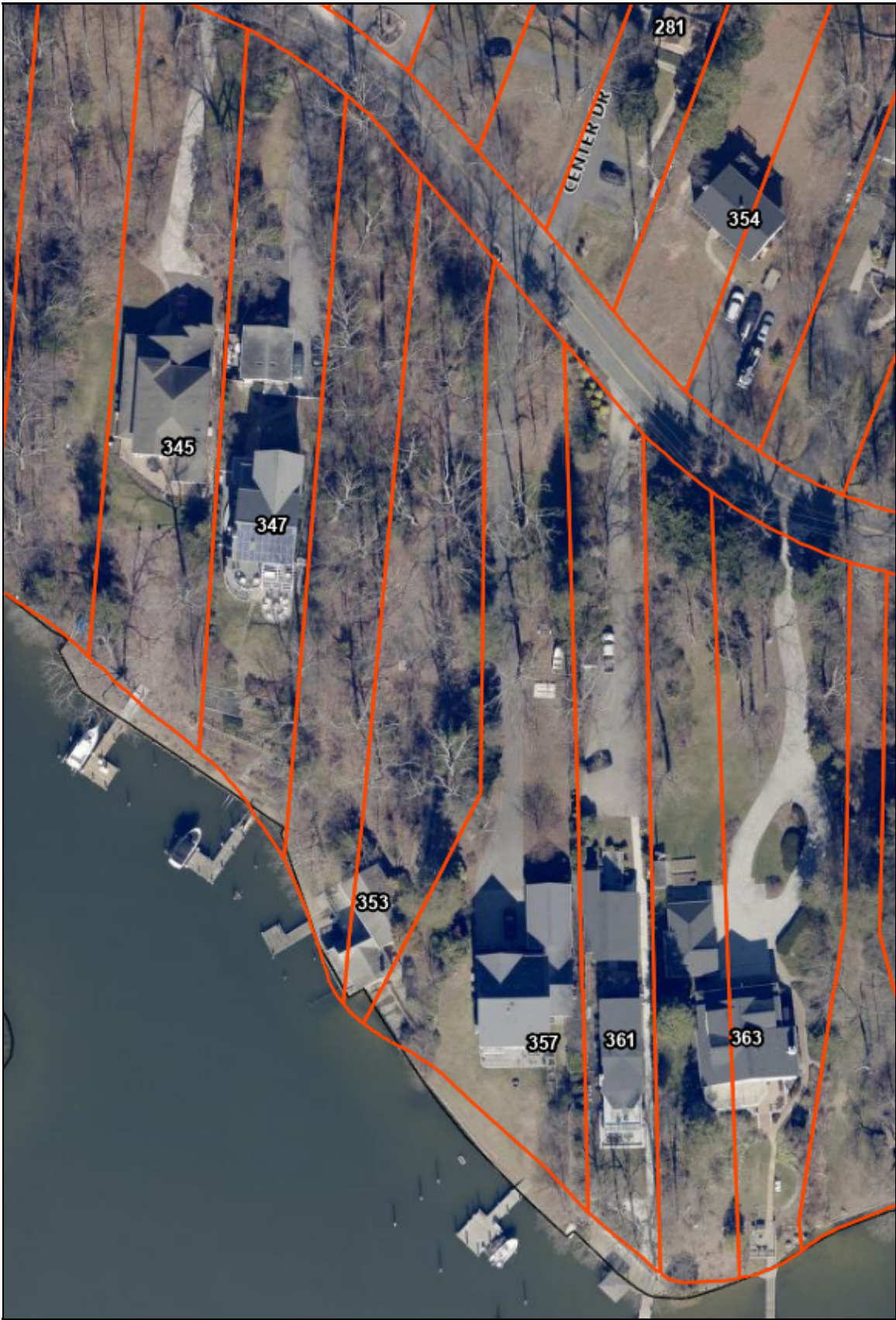
ENLARGED WALL SECTIONS - NEW WORK / CONSTRUCTION

Scale
As indicated


0' 2' 4' 8'

A0921

Map Title



- Legend
- Foundation
 - Addressing
 -
 - Parcels
 - ▭
 - Parcels - Annapolis City
 - ▭



0100200

ft

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none

Notes