

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

APPLICANT: William & Tamara Kingsland

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2025-0128-V

COUNCIL DISTRICT: 3

HEARING DATE: September 23, 2025

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicants are requesting a variance to allow a dwelling addition (screened porch) with less setbacks and planted buffer than required, disturbance to slopes of 15% or greater, new lot coverage nearer to the shoreline than the principal structure, and that does not comply with the designated location of a principal structure on a waterfront lot on property located at 344 Shady Lane in Pasadena.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of approximately 2.32 acres of land and is located on the north side of Shady Lane. It is identified as Parcel 270 in Grid 24 on Tax Map 24 in the Black Hole Creek subdivision. The waterfront property on Black Hole Creek is zoned RLD - Residential Low Density District, is located within the Chesapeake Bay Critical Area LDA - Limited Development Area, and is mapped as a BMA - Buffer Modification Area. In addition, the property has areas in the Shady Pond Bog protection area including the 100-foot upland bog, the limited activity area (300-foot buffer) and the contributing drainage area. All of the proposed work is outside of the 100-foot upland buffer. The subject property is currently developed with a one-story single-family detached dwelling with a walk-out basement, a detached garage, patios, a residential pier, and other associated facilities.

PROPOSAL

The applicants are proposing to construct a new 2nd floor screened porch (16'-7 1/2" x 23'-5"; located 9' above grade, 18' to the ridge beam) above the existing patio.

REQUESTED VARIANCES

§ 18-4-401(b) of the County Code provides that, in the RLD - Residential Low Density District, a principal structure shall be set back a minimum of 50 feet from the front lot line, and that a 50-foot planted buffer area shall be located and maintained between the principal structure and the crest of steep slopes. The screened porch would be constructed as close as 33'-9" to the front lot line, and as close as 5 feet from the crest of steep slopes, requiring variances of 17 feet and 45 feet, respectively.

§ 17-8-201(a) provides 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; and, all disturbance shall be limited to the minimum necessary. The screened porch will temporarily disturb approximately 220 square feet of slopes of 15% or greater, requiring a variance. The final amount of disturbance will be determined during permit review.

§ 17-8-702(b)(1) provides that, in a BMA - Buffer Modification Area, no new lot coverage shall be placed nearer to the shoreline than the closest facade of the existing principal structure¹. The screened porch will create 389.31 square feet of new lot coverage nearer to the shoreline than the principal structure, requiring a variance.

§ 18-2-402(1) allows the Office of Planning and Zoning to designate 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 screened porch will not be relatively in line with principal structures on abutting lots, requiring a variance.

FINDINGS

The subject property is irregularly shaped and oversized for lots in an RLD District with regard to the minimum area of 40,000 square feet and the minimum width of 150 feet. A review of the County aerial photography shows an eclectic mix of dwellings and lots in this waterfront community. The lots appear to be heavily wooded towards the road, with steep slopes along most of the shoreline, and development located within the buffer without the 50-foot planted buffer required of the RLD District. The original dwellings in the immediate vicinity were constructed prior to the Critical Area Program and the Zoning Ordinance.

342 Shady Lane (directly to the north of the subject property) was granted a variance, 2014-0285-V, to allow a new single-family dwelling with new lot coverage nearer to the shoreline, with disturbance to steep slopes, with no planted buffer, and with less setbacks than required. This particular redevelopment was to build a new dwelling on the existing foundation, to replace the existing deck, and to enclose the existing concrete patio under the deck. The new structure did not encroach closer to the shoreline than the original improvements.

340 Shady Lane (directly north of 342 Shady Lane) was granted a variance, 2003-0249-V, to allow dwelling additions with less setbacks than required and with disturbance to the buffer. The expansion of the dwelling was towards the roadside of the property and above the first level, with the covered waterfront deck in the same footprint as the original dwelling. The new structure did not encroach closer to the shoreline than the original improvements.

Although the site plan does not depict the extent of the existing irregularly shaped patio, aerial photography suggests that the proposed screen porch will extend beyond its footprint. Based on

¹ Per § 17-8-702(b)(1), landscape or retaining walls, pergolas, patios, and swimming pools may not be considered as part of the principal structure. Because a patio is not considered the facade of a principal structure, the screened porch is new lot coverage, and requires a variance.

the County's aerial imagery, the existing critical area lot coverage² of the site is approximately 12,000 square feet, which is below the lot coverage allowed under § 17-8-402 and § 17-9-208 (15% or 15,158.88 square feet). The proposed post-construction coverage by structures was not provided, but based on the lot coverage area, it will be well below the 25% (25,264.8 square feet) maximum coverage by structures allowed under § 18-4-401.

Building permit B02436925, to construct a screened porch at the subject property, was submitted on May 12, 2025. Variance approval must be obtained prior to the permit being issued.

Agency Comments

The **Health Department** does not have an approved plan for this project, but has no objection as long as a plan is submitted and approved by their Department. Their Office also noted that a Perc Application will be required to install a new Bat Unit away from the proposed addition.

The **Critical Area Commission** notes that the Administrative Hearing Officer must find that the request meets each and every one of the variance standards under COMAR 27.01.12.

The **Critical Area Team** notes that their Office cannot support further encroachment into the buffer or setback as, based on aerial photos, there is an upper level deck on the eastern side of the structure that could be covered/enclosed to provide a protected outdoor amenity.

The **Recreation and Parks Department** notes that the site lies within the Shady Pond Bog area and a portion of the site lies within the Anne Arundel County Green Infrastructure Network, and comments that the proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

Variance Criteria

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 particular property, strict implementation of the County's Critical Area Program would result in an unwarranted hardship preventing development of the lot. COMAR defines unwarranted hardship as that, without a variance, an applicant shall be denied reasonable and significant use of the entire parcel or lot for which the variance is requested.

In this particular case, the narrowness of the property does not contribute to the need for variances, but rather, it's the location of the existing dwelling in the BMA, and the steep slopes along the shoreline. In addition, the existing dwelling is not in-line with the adjacent dwellings. All three were originally constructed prior to the implementation of the zoning ordinance and are located relatively close to the shoreline. While the properties to the north were granted variances

² Per Natural Resources Article, § 8-1802(20)(i), "Lot coverage" means the percentage of a total lot or parcel that is:

1. Occupied by a structure, accessory structure, parking area, driveway, walkway, or roadway; or
2. Covered with gravel, stone, shell, decking, a paver, permeable pavement, or any manmade material.
 - (ii) "Lot coverage" includes the ground area covered or occupied by a stairway or impermeable deck.
 - (iii) "Lot coverage" does not include: (1) A fence or wall that is less than 1 foot in width that has not been constructed with a footer; (2) A walkway in the buffer or expanded buffer, including a stairway, that provides direct access to a community or private pier; (3) A wood mulch pathway; or (4) A permeable deck.

which allowed covered/enclosed screened porches on the waterside of the dwellings, those were proposed within the footprints of the original structures.

In general, the location may make it difficult to adhere to the Code, but expanding the existing dwelling to provide a covered outdoor amenity is not impossible. There is an existing open deck that could be screened in, or rebuilt to expand to the east, which would eliminate the need for variances. The applicants' desire to expand closer to the water, rather than to the side of the dwelling, creates a self-inflicted hardship. As there is an alternative, strict implementation of the County's Critical Area Program would not prevent development of the property, nor would it deprive the applicants of rights commonly enjoyed by other properties in similar areas. The applicants have not overcome the presumption that the specific development does not conform to the general purpose and intent of the critical area law, and have not evaluated and implemented site planning alternatives. The granting of the variances to further develop in the buffer may adversely affect water quality or impact fish, wildlife or plant habitat, would not be in harmony with the general spirit and intent of the County's critical area program, and may, therefore, be detrimental to the public welfare.

Notwithstanding the above, the variance requests are not based on conditions or circumstances that are the result of actions by the applicants, and do not arise from any condition relating to land or building use on any neighboring property. Approval of the variances may not necessarily alter the essential character of the neighborhood, as a screened porch is a typical amenity. In addition, the variances would not substantially impair the appropriate use or development of adjacent property, as the dwelling will meet the required side setbacks and would be located well away from the dwellings on the abutting lots. With appropriate mitigation, the variances would not reduce forest cover in the LDA, and would not be contrary to acceptable clearing and replanting practices.

However, as an alternative location to construct a screened porch with views of the water exists, the requests are not warranted and cannot be considered the minimum necessary to afford relief.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, as proposed, this Office recommends:

- **denial** of a zoning variance to § 18-4-401 to allow a dwelling addition with less setbacks and planted buffer than required;
- **denial** of a Critical Area variance to § 17-8-201 to disturb steep slopes;
- **denial** of a Critical Area variance to § 17-8-702 to allow new lot coverage nearer to the shoreline than the principal structure, and;
- **denial** of a zoning variance to § 18-2-402 to allow a dwelling that does not comply with the designated location of a principal structure.

If granted, the amount of disturbance will be determined at permitting.

Additionally, in accordance with § 17-8-702(e), mitigation for new lot coverage or for replacement of existing lot coverage in the buffer modification area is required as follows:

(1) For every square foot of additional lot coverage within 100 feet of the mean high water line, a vegetated buffer shall be planted within the buffer modification area at a ratio of two times the amount of lot coverage.

(2) If a variance is required, a vegetated buffer shall be planted within the buffer modification area at a ratio of 3:1 for the additional area of disturbance granted under the variance.

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.

Letter of explanation

Property 344 Shady Lane Pasadena does not meet the:

(1) Except as provided otherwise in this article, the following bulk regulations are applicable in an RLD District:

Minimum lot size	40,000 square feet
Maximum coverage by structures	25% of gross area
Minimum width at front building restriction line; for waterfront lots the building restriction line is measured from the rear lot line	150 feet
Minimum setbacks for principal structures:	
Front lot line	50 feet
Rear lot line	40 feet
Side lot line	20 feet
Combined side lot lines	50 feet
Corner side lot line	40 feet
Principal arterial road	75 feet

(excerpt from § 18-4-401.)

(b) **Setback from certain slopes.** A 50-foot planted buffer area shall be located and maintained between the principal structure and the crest of steep slopes.

100F/50F planter buffer setback – variance required:

The 2nd floor screen room will be erected on a section of the site which is already covered by an impervious patio. Additionally, the owner of the property will be able to more readily enjoy the property and its location through the addition of this screen room which will be located on the 2nd floor – it is NOT a ground floor construction.

340 Shady Ln has an equal if not less distance from the water than 344 Shady Ln. The addition will not encroach on neighbors’ views nor provide any obstruction of any kind. Address 347 Shady Lane also sits less than 100f from the water.

The sea wall at the foot of property prohibits any subterranean movement either horizontally or vertically, the soil type is also stable and non-moving – for that reason structurally, this addition would not cause any adverse impact on the site.

Ordinance excerpt:

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:

The “spirit of the law” is being observed in the aforementioned detail provided, the contract will and always has observed all regulations to maintain the property in the most efficient manner so as to no affect the stand adversely in anyway what so ever.

Regarding variance for constriction close to or near a 15° slope

Ordinance excerpt:

§ 17-8-201. Development on slopes of 15% or greater.

(a) **Development in the LDA.** Development in the limited development area (LDA) or in the resource conservation area (RCA) 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. All disturbance shall be limited to the minimum necessary.

(1) 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 or bog protection program would result in an unwarranted hardship, as that term is defined in the Natural Resources Article, § 8-1808, of the State Code, to the applicant;

The ground in the vicinity of the patio/screen room is 3° or less and does not fall within a 15° slope area, that area is still some feet from the actual construction area (as shown on the site plan) the screen room will be erected on. Footers 3’ deep will hold the posts set in stable ground which has no subterranean movement what so ever. The topographical lines are 3.28’ apart – meaning the grade per the site plan is entirely stable and merely permits rainwater runoff at a slow speed.

Section 18-4-401(a) for the 50-foot setback from the waterfront lot line.

The screen room would reduce the distance from 50' to 33.9', there would however be absolutely no impact on the lot – environment WILL NOT be affected in any way as the screen room will sit above an already impervious surface negating any additional ground disturbance other than excavating for the footings within the exact same footprint of the already impervious surface. The fact that the face of the 2nd story screen room would be less than 50' from the waterfront is entirely irrelevant when considering the stability of the ground at grade level and the fact that the surrounding environment will not in any way be adversely affected but it erection.

(1) 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 or bog protection program would result in an unwarranted hardship, as that term is defined in the Natural Resources Article, § 8-1808, of the State Code, to the applicant;

It is apparent that the lot narrows at the front extend at the waterfront resulting in the distance from front face to water will be 33.9' – this however is insignificant due to the stability of the soil, in that further construction will not cause any adverse effects on the property as it currently stands.

(2) (i) A 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 as permitted in accordance with the provisions of the critical area program within the critical area of the County; or

(ii) The County's bog protection program will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the bog protection area of the County;

Once the screen room has been erected the owned will be able to enjoy more fully the lot and its view of the water WITHOUT affecting anyone or anything near to or part of the neighborhood. The construction being a 2nd story and not both also factually reduce the total built weight of the finished construction further emphasizing the impossibility of even a land slide.

(3) The granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, Title 27, the County's critical area program to other lands or structures within the County critical area, or the County's bog protection program to other lands or structures within a bog protection area;

The owner of the property lawfully acquired the property through all legal means and wishes to erect a very common screen room to more fully enjoy his views, this screen room is absolutely nothing out of the ordinary and is a means of enjoying the property he owns. It will not cause any hinderance to environmental wellness – animal above ground or below nor water bound.

(4) The variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development before an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property;

Hopefully this paragraph speaks for itself as a variance would not currently be applied for if the owner had originally caused this hardship.

(5) The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area or a bog protection area and will be in harmony with the general spirit and intent of the County's critical area program or bog protection program;

The proposed screen room affecting the water quality or fish life is an absolute IMPOSSIBILITY. Its reach is purposeful, only areas touching the ground are the footers, no environment endangering chemicals will be used and there will be no far reaching ground water seepage of anything and if there was there is additionally the sea wall which would prohibit the additional travel of said seepage into the water.

(6) The applicant for a variance to allow development in the 100-foot upland buffer has maximized the distance between the bog and each structure, taking into account natural features and the replacement of utilities, and has met the requirements of § [17-9-208](#) of this Code;

This has been met and no natural features will or are to be affected by the erection of this addition as it will sit directly above an existing impervious surface. No utilities are necessary for the use of the proposed screen room – in that, none will be moved nor affected.

(7) The applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code; and

(8) The applicant has evaluated and implemented site planning alternatives in accordance with § [18-16-201\(c\)](#).

The 'presumption' that this addition will affect the property is entirely ill based as the evidence provided proves that it will cause no adverse environmental affects WHATSOEVER. The 10 foot buffer has been provided on the site plan and will not be passed during and through the construction of said screen room. There is no part of this screen room that will create any environmental hardship whatsoever.

(ii) substantially impair the appropriate use or development of adjacent property;

What must be noted in this point is that a screen room is not a livable part of a domicile, it is a SUMMER recreational room or fort of sort. It is not reasonably usable outside of specific seasons. It is therefore a recreations room on the 2nd story to be enjoyed at certain times of the year. A neighbor cannot contest their livable extension off of a non-livable – which this is. With it being a non-livable extension, the actual weight of the structure is drastically reduced, further emphasizing its lack of any impact on the land it stands on or any shrubbery surrounding it.

On variance pertaining to lot coverage

Ordinance excerpt:

(b) **Expansion of existing lot coverage.** Lot coverage added during the expansion or replacement of an existing structure shall meet the following criteria:

(1) No new lot coverage shall be placed nearer to the shoreline than the closest facade of the existing principal structure; landscape or retaining walls, pergolas, patios, and swimming pools may not be considered as part of the principal structure.

(2) The structure or expansion shall be designed and located to maximize the distance from the shoreline and to enhance and protect the environmentally sensitive features on the site, taking into account the natural features.

(3) Variances to the setback requirements of the underlying zoning shall be considered before buffer disturbance.

§ 17-8-402. Lot coverage limits in the critical area. (a) General limitation. Except as provided in subsections (b) and (c), lot coverage shall be limited to 15% of the area of each critical area designation on a site based on the acreage of each designation.

Lot coverage as it stands is 1640SF of above ground finished area, with the screen room being constructed the total finished above ground area will sit at 2008 SF – the permissible being 15158 SF (11510 SF above ground remaining until the limit is reached). It must be noted that the area in which the screen room will be erected sits within an area holding an impervious patio so the construction with its final built 2nd story room will solely impact the existing patio by the excavation of the patio itself, no further construction outside of those bounds will occur. **No further site impact will occur above ground. The total to be finished above ground is well within the permissible.** The addition of the screen room will not affect the lot in anyway what so ever – none of the existing foliage will be affected nor will the existing lot coverage increase outside of what is already impervious – it is understood that “The screened porch over the area of existing patio does not meet the definition of in-kind replacement; therefore, a variance to this provision is required.” – this statement in no way brings an understanding to the fact that the screen room will take up no further space with regards to ground removal – the screen room will **NOT AFFECT THE ENVIRONMENT AT ALL.**

We request your understanding in this matter as the proposed structure will not affect the water nor the existing shrubbery. The screen room will be erected directly on top of the existing patio, no additional ground floor disturbance will be had. The denying of this variance will result in the owner not being able to enjoy their property as they wish – to this, all appropriate reviews have been undertaken by the contracting company to additionally affect the property as LITTLE as possible – the contracting companies sole purpose is to aide residence in further enjoying their immovable property as much as possible by abiding by all county regulations within a projects scope of work.

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: 06/02/2025

Tax Map #	Parcel #	Block #	Lot #	Section
0024	0270			

Tax ID:	18013680
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FOR RESUBMITTAL ONLY

Corrections	<input type="checkbox"/>
Redesign	<input type="checkbox"/>
No Change	<input type="checkbox"/>
Non-Critical Area	<input type="checkbox"/>

*Complete Only Page 1
General Project Information

Project Name (site name, subdivision name, or other)	Kingsland screen room
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Project location/Address	344 SHADY LN PASADENA
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City	MD	Zip	21122
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Local case number	
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Applicant:	Last name	Crist	First name	Brad
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Company	SBC LANDSCAPING
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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:

Screen room is to be erected within the same footprint of the existing patio BUT on the 2nd level

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

Project Type (check all that apply)

Commercial	<input type="checkbox"/>	Recreational	<input checked="" 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					2968
LDA Area	2.32				
RCA Area			# of Lots Created		
Total Area					

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		20226	Existing Lot Coverage		2968
Created Forest/Woodland/Trees			New Lot Coverage		
Removed Forest/Woodland/Trees		2974	Removed Lot Coverage		
			Total Lot Coverage		2968

VARIANCE INFORMATION (Check all that apply)

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

<u>Variance Type</u>		<u>Structure</u>	
Buffer	<input checked="" type="checkbox"/>	Acc. Structure Addition	<input type="checkbox"/>
Forest Clearing	<input type="checkbox"/>	Barn	<input type="checkbox"/>
HPA Impact	<input type="checkbox"/>	Deck	<input checked="" type="checkbox"/>
Lot Coverage	<input type="checkbox"/>	Dwelling	<input type="checkbox"/>
Expanded Buffer	<input type="checkbox"/>	Dwelling Addition	<input type="checkbox"/>
Nontidal Wetlands	<input type="checkbox"/>	Garage	<input type="checkbox"/>
Setback	<input type="checkbox"/>	Gazebo	<input type="checkbox"/>
Steep Slopes	<input type="checkbox"/>	Patio	<input type="checkbox"/>
Other	<input type="checkbox"/>	Pool	<input type="checkbox"/>
		Shed	<input type="checkbox"/>
		Other	<input checked="" type="checkbox"/>
		Screen room	

The property is residential, owner occupied.

Property is currently entirely enveloped in trees, none of which will be damaged during or after construction of the screen room.

There will be no impact on water quality as the construction will consist of posts in the ground within the footprint of an existing impervious patio.

2968 sf of impervious will be constructed. Net is equal before and after as the structure is to be erected above an existing patio.



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 name "Brian Chew" in the "FROM" field.

DATE: July 28, 2025

RE: William P. Kingsland
344 Shady Lane
Pasadena, MD 21122

NUMBER: 2025-0128-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling addition (screened porch) with less setbacks and planted buffer than required, disturbance to slopes of 15% or greater, new lot coverage nearer to the shoreline than the principal structure, and that does not comply with the designated location of a principal structure on a waterfront lot.

The Health Department does not have an approved plan for this project. The Health Department has no objection to the above referenced variance request as long as a plan is submitted and approved by the Health Department. A Perc Application will be required to install a new Bat unit away from the proposed addition.

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

cc: Sterling Seay

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 4, 2025

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

Re: **Kingsland Variance – 344 Shady Ln, Pasadena**

Dear Ms. Seay,

Thank you for submitting the above referenced variance application to allow a dwelling addition (i.e., a screened porch) within the Critical Area Buffer and on steep slopes. The 2.32 acre property is located in the Critical Area on lands designated Limited Development Area (LDA). A portion of the property, including a portion of the existing dwelling, is located within the Critical Area Buffer.

The lot coverage on the property is 1,640 square feet. The applicant proposes to erect a screened in porch on the 2nd floor of the dwelling, directly above an existing patio. The proposed screened porch will be within the same footprint as the patio.

In order to grant this variance, the Administrative Hearing Officer must find the request meets each and every one of the variance standards under COMAR 27.01.12. Please also note that should the applicant clear any forest area on the site, additional mitigation must be provide at a ratio of 1:1 for the area of forest to be cleared.

Thank you for the opportunity to provide comments. Please include this letter of in your file and submit it as part of the record for this variance. Also, in accordance with Natural Resources Article §8-1808(d)(6)(i), please provide the Commission with a copy of the Administrative Hearing Officer's written decision regarding this variance application within 10 working days after a written decision has been issued. If you have any questions, please feel free to contact me at 410-260-3479 or kathryn.hayden@maryland.gov.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn Hayden".

Kathryn Hayden
Natural Resources Planner

cc: Jennifer Esposito, Critical Area Commission
Jamileh Soueidan, Critical Area Commission

File: AA 0192-25

2025-0128-V

Menu Cancel Help

Task Details **OPZ Critical Area Team**

Assigned Date

07/17/2025

Assigned to

Kelly Krinetz

Current Status

Complete w/ Comments

Action By

Kelly Krinetz

Comments

This Office cannot support further encroachment into the buffer/setback with additional development. Based on aerial photos, there is an upper level deck on the eastern side of the structure that could be covered/enclosed to provide a protected outdoor amenity.

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

Task Specific Information

Expiration Date

Reviewer Phone Number

Review Notes

Reviewer Email



STUART PITTMAN, COUNTY EXECUTIVE
JESSICA LEYS, DIRECTOR
RECREATION AND PARKS
1 HARRY S. TRUMAN PKWY
ANNAPOLIS, MD 21401
AACOUNTY.ORG/RECPARKS



MEMORANDUM

TO: Sadé Medina, Zoning Division
Office of Planning and Zoning

FROM: Pat Slayton
Capital Projects Division

SUBJECT: **Variance Case 2025-0128-V**

DATE: July 22, 2025

The Department of Recreation and Parks has reviewed the above plans to determine if there may be impacts to the Anne Arundel County Green Infrastructure Network, parks, and trails. Please note our recommendations according to those findings below.

- The site lies within the Shady Pond Bog area.
- A portion of this site lies within the Anne Arundel County Green Infrastructure Network, a proposed preservation area considered in the Anne Arundel County Green Infrastructure Master Plan. The proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

The Department of Recreation and Parks has no further comments.

cc: File

344 Shady Lane (2025-0128-V)



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



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none

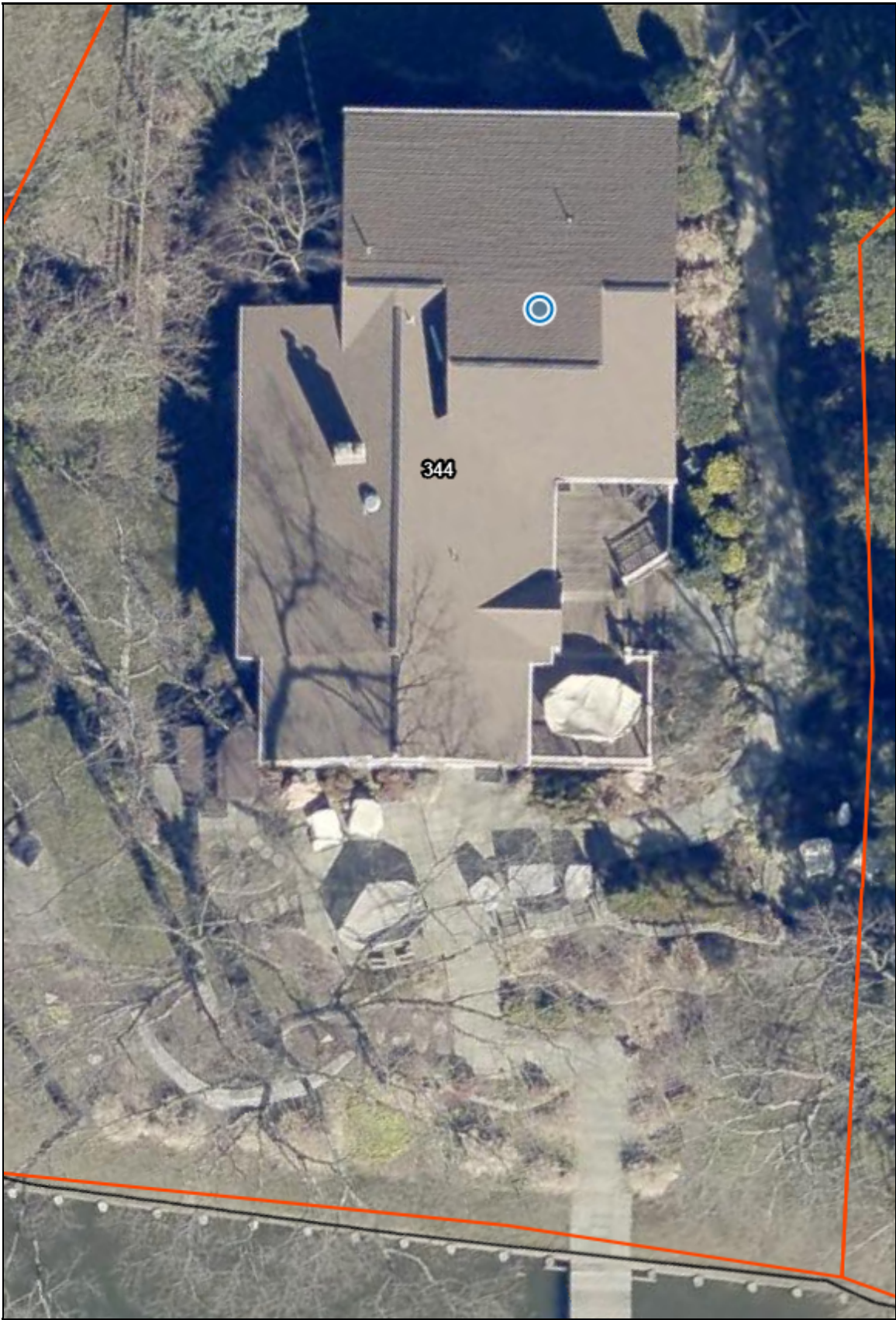
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THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes

344 Shady Lane (2025-0128-V) - detail



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



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ft

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none

Notes