

August 14, 2025

Anne Arundel County, Office of Planning and Zoning
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

**RE: SHERWOOD FOREST ~ LOT 646
646 Maid Marion Hill
Annapolis MD, 21405
Variance Application**

Sir/Madam:

Attached is a variance request application and associated submittal documents for the above referenced property. To allow for modest home additions and associated improvements to the subject property, variances to the Anne Arundel County Code are required. The requested variance to the Code relates to **Article 17, Section 8-201(a)** for development on slopes 15% or greater in the LDA and to **Article 18, Section 4-601** to setback requirements.

The subject property is a legal non-conforming building lot located in the community of Sherwood Forest. The property is currently improved with a single-family dwelling and associated improvements. The lot is zoned R-2 and is served by community water and a private septic system. The property is located entirely within the Chesapeake Bay Critical Area with an LDA land use designation. The existing dwelling is surrounded by steep slopes on three sides, which encumber about half of the property area, limiting and restricting areas that allow development without relief from the code. Primary vegetation consists of hardwood and evergreen trees, and creeping ground cover common to wooded areas and the community.

The property owners intend to remodel the existing single-family dwelling and construct an addition and second floor. These improvements have been designed to remain consistent with the character of the neighborhood and will primarily be situated within the flatter portion of the site. Additionally, the project will include a new nitrogen-removing BAT septic tank, further enhancing the property's environmental sustainability. Plans for the development are in the process of receiving approval from the neighboring properties and are being submitted to the Sherwood Forest community.

Due to the unique physical conditions inherent to the property, the following variances to the Anne Arundel County Code are being requested: **Article 17, Section 8-201(a)** of approximately 1,722-sf of disturbance on slopes 15% or greater in the LDA and to **Article 18, Section 4-601** of 4-ft to the required 30-ft front yard setback.

The need for the requested variance arises from the unique physical conditions of the site, specifically the size of the lot, the location of the existing structure, and the presence of steep slopes. The subject property is 44% of the required lot size by zoning and half of that area is encumbered with steep slopes. The entire community of Sherwood Forest is encumbered with substandard lot sizes, steep slopes, and other environmental challenges.

The proposed additions are proposed in the only viable location on the property and are within the limits of existing improvements. It does not require any more disturbance than if the existing improvements were to be removed or maintained. Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant and would not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the implementation of stormwater management and the nitrogen reducing septic system, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare.

We believe that these requests meet all the requirements for variance, per Article 18-16-305:

Requirements for Critical Area Variances.

1. Unique physical conditions - Specifically topography, the irregular shape and size of the lot, and the location of the existing dwelling in relation to the property lines and steep slopes. Expanding further to the southeast would cause additional encroachment into steep slopes, while expansion toward the front (southwest) aligns better with the existing floorplan and avoids steep slopes. Denial of the requested variance would constitute an unwarranted hardship on the applicant and deprive them of the right to redevelop and deny reasonable and significant use of the entire property.
2. Rights commonly enjoyed - The proposed improvements are similar and in character to those of surrounding properties. To deny the requested variance would deprive the applicant of rights commonly enjoyed by other properties in the area.
3. Will not confer special privilege - Granting this variance would not confer a special privilege to the applicant. Nearby properties maintain improvements comparable to what is proposed for this project. The applicants have made extensive efforts to design the project in a manner that considers the placement of the existing dwelling and location of surrounding environmental features.

4. Not based on conditions or circumstances that are the result of actions by the applicant - Conditions and circumstances are based on the small and irregular shape of the site, the presence of steep slopes, and the location of the existing improvements, and are not because of actions by the applicant.
5. Will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area – The proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area. Disturbance is minimized only to what is necessary to complete the project. Mitigation will occur in accordance with county regulations and will be addressed during the permitting process. Sediment and erosion controls will be utilized to ensure that construction and grading will not adversely affect the surrounding environmental features located within the Critical Area. The addition of stormwater management and a nitrogen reducing septic system will also enhance the environmental quality of the development. These precautions will ensure that water quality, fish, wildlife, and plant habitat will not be adversely affected.

Requirements for all variances.

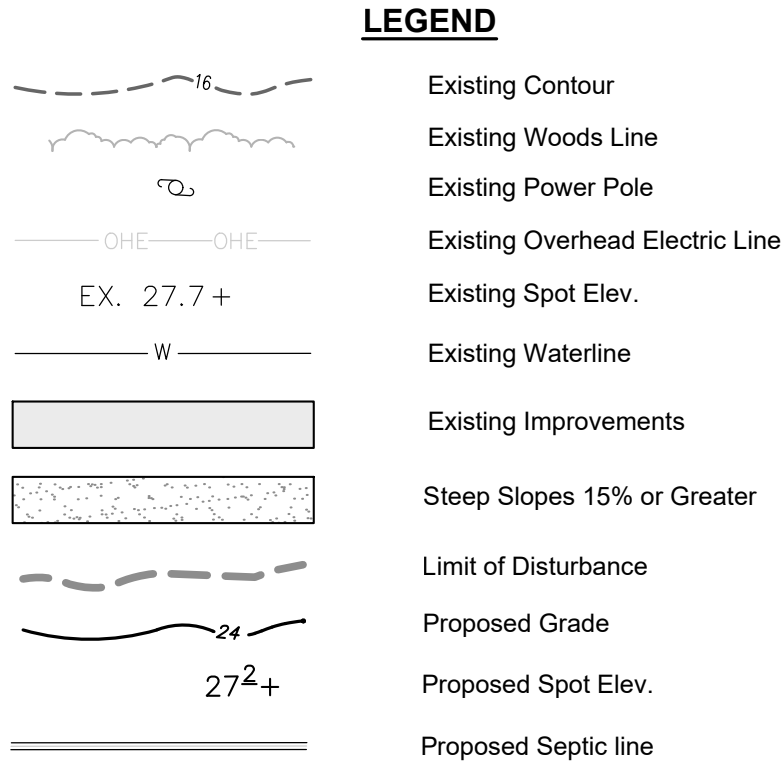
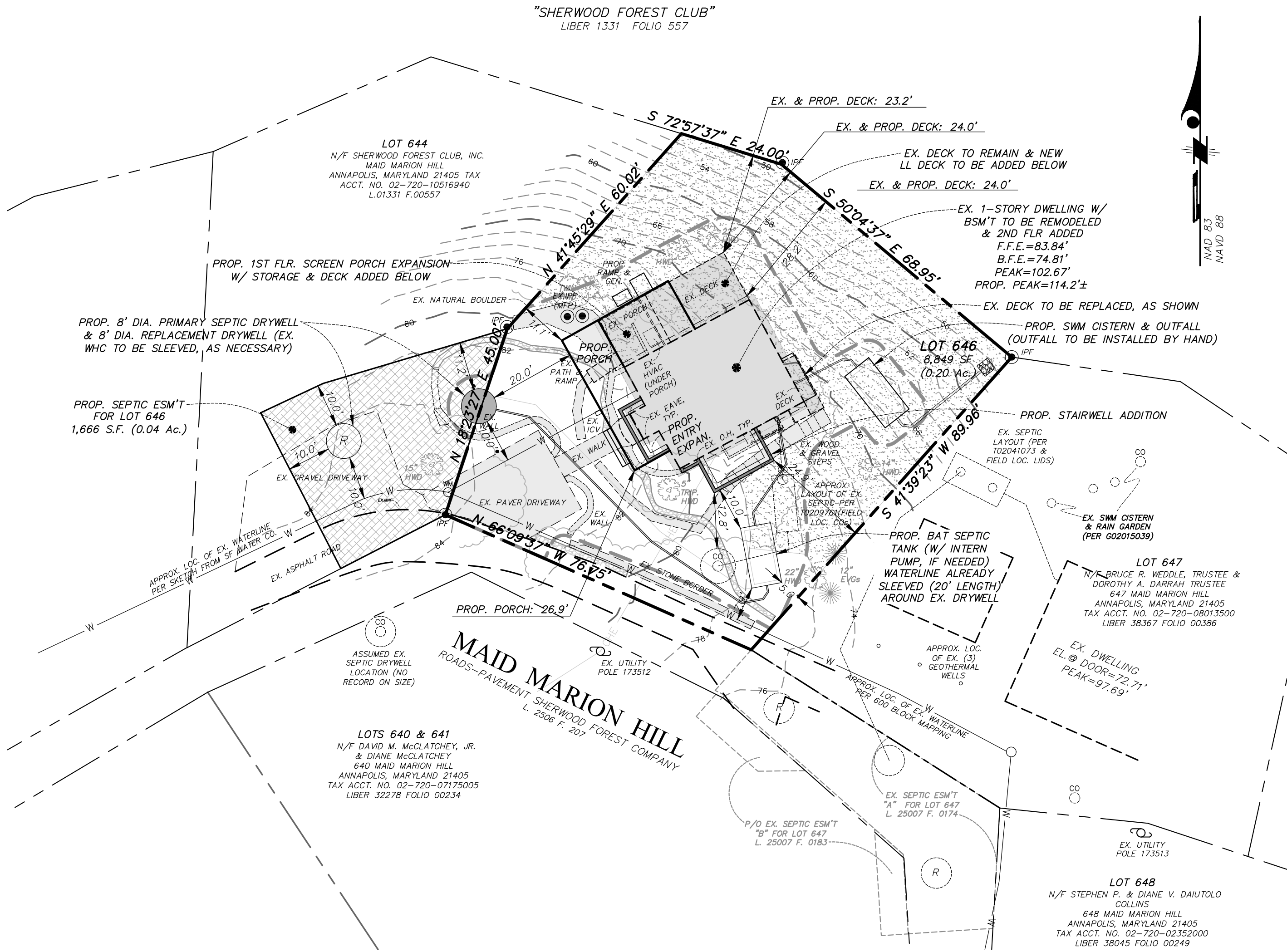
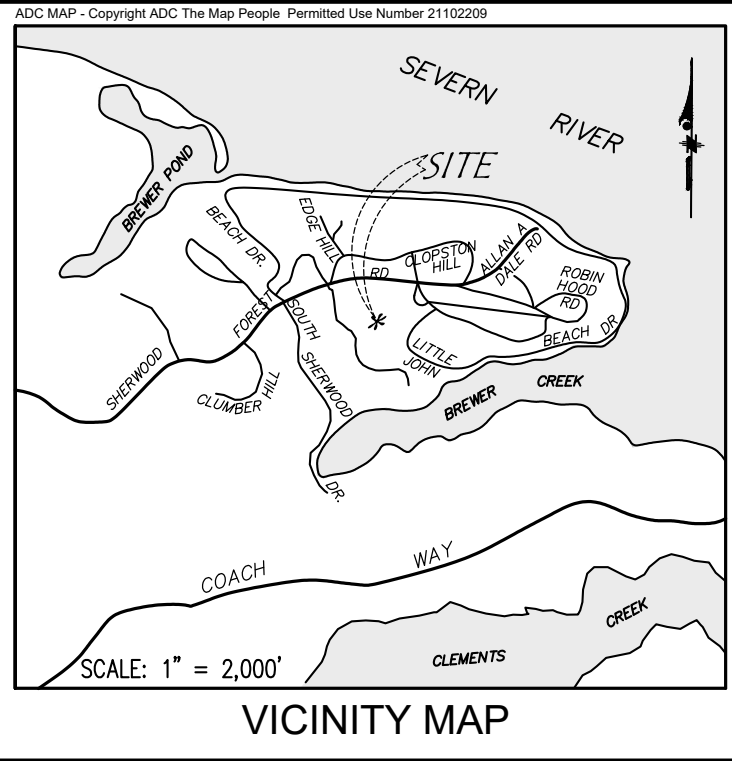
1. Minimum necessary - The improvements are minimal and utilize the existing improvements to minimize disturbance.
2. The granting of the variance will not:
 - i. alter the essential character of the neighborhood, and all proposed development will be harmonious with other properties of the surrounding area.
 - ii. substantially impair the appropriate use or development of adjacent properties.
 - iii. reduce forest cover in the LDA as appropriate mitigation will be required as part of the permit process.
 - iv. be contrary to acceptable clearing or replanting practices required for development of the Critical Area or Bog Protection Area.
 - v. be detrimental to the public welfare.

Thank you for your attention to this matter. Please contact us if we may be of further service during your review of this variance request.

Sincerely,
DRUM, LOYKA & ASSOCIATES, LLC



Katie Yetman

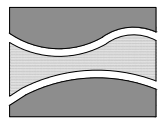


| SITE TABULATIONS | |
|---|-----------------------|
| • Total Site Area: | 8,849 S.F. (0.20 Ac.) |
| • Critical Area Designation: | LDA |
| • Site Zoning: | R-2 |
| Principal Structure Setbacks | |
| -Front: | 30' |
| -Rear: | 25' |
| -Side: | 7' |
| • Lot Coverage: | |
| -Existing Lot Coverage: | 2,543 S.F. (0.06 Ac.) |
| -Allowable Lot Coverage (31.25%): | 2,765 S.F. (0.06 Ac.) |
| -Proposed Lot Coverage: | 2,750 S.F. (0.06 Ac.) |
| • Coverage by Structures: | |
| -Existing Coverage by Structures: | 1,391 S.F. (±16%) |
| -Allowable Coverage by Structures: | 2,655 S.F. (30%) |
| -Proposed Coverage by Structures: | 1,827 S.F. (±21%) |
| • Steep Slopes: | |
| -Total On-Site Steep Slopes: | 4,458 S.F. (0.10 Ac.) |
| -Total On-Site Steep Slopes Disturbed: | 1,722 S.F. (0.04 Ac.) |
| -Total Off-Site Steep Slopes Disturbed: | 0 S.F. (0.00 Ac.) |

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| | |
|---|------------|
| DESIGNED: MMD | DRAWN: KLY |
| ORIG. DATE: 03-06-2024 | |
| MODIFIED BY/DATE: | |
| CADD DWG # SH04424 | |
| DLA PROJECT # SH04424 | |
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| REVISIONS TO APPROVED PLANS | | | | |
|-----------------------------|------|----|-------------|--|
| No. | DATE | BY | DESCRIPTION | |
| | | | | |
| | | | | |
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Drum, Loyka & Associates, LLC
CIVIL ENGINEERS - LAND SURVEYORS
1410 Forest Drive, Suite 35
Annapolis, Maryland 21403
Phone: 410-280-3122
www.drumloyka.com

CLIENT:

JULIE HAMILTON & WILLIAM SMITH
646 MAID MARION HILL
ANNAPOLIS, MARYLAND 21405

VARIANCE PLAN
SHERWOOD FOREST ~ LOT 646
646 MAID MARION HILL, ANNAPOLIS, MARYLAND 21405
TAX MAP 0039 GRID 0019 PARCEL 0295 DISTRICT 2ND
ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1"=20' DATE: AUG. 14, 2025 PROJ. NO: SH04424 SHEET 1 OF 1

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: _____

Date _____

| Tax Map # | Parcel # | Block # | Lot # | Section |
|-----------|----------|---------|-------|---------|
| 0039 | 0295 | 0019 | 646 | |
| | | | | |
| | | | | |

FOR RESUBMITTAL ONLY

Corrections ☐

Redesign ☐

No Change ☐

Non-Critical Area ☐

* Complete only Page 1

General Project Information

Tax ID 02-720-07550319

Project Name (site name, subdivision name, or other) Sherwood Forest ~ Lot 646

Project location/Address 646 Maid Marion Hill

City Annapolis Maryland

Zip 21405

Local case number _____

Applicant: Last name Hamilton

First name Julie

Company _____

Application Type (check all that apply):

Building Permit ☐

Buffer Management Plan ☐

Conditional Use ☐

Consistency Report ☐

Disturbance > 5,000 sq ft ☐

Grading Permit ☐

Variance ☒

Rezoning ☐

Site Plan ☐

Special Exception ☐

Subdivision ☐

Other ☐

Local Jurisdiction Contact Information:

Last name: _____ First name _____

Phone # _____ Response from Commission Required By _____

Fax # _____ Hearing date _____

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

| |
|--|
| Construct porch and addition to existing single-family dwelling with associated improvements |
|--|

| | | | |
|-----------------------|-----|-----------------------|-----|
| Intra-Family Transfer | Yes | Growth Allocation | Yes |
| Grandfathered Lot | X | Buffer Exemption Area | |

Project Type (check all that apply)

| | | | |
|--------------------|--|--------------------------|---|
| Commercial | | Recreational | |
| Consistency Report | | Redevelopment | |
| Industrial | | Residential | X |
| Institutional | | Shore Erosion Control | |
| Mixed Use | | Water-Dependent Facility | |
| Other | | | |

SITE INVENTORY (Enter acres or square feet)

| | Acres | Sq Ft | Total Disturbed Area | Acres | Sq Ft |
|------------|-------|-------|----------------------|-------|-------|
| IDA Area | | | | 0.13 | |
| LDA Area | 0.20 | | # of Lots Created | 0 | |
| RCA Area | | | | | |
| Total Area | 0.20 | | | | |

| | Acres | Sq Ft | | Acres | Sq Ft |
|--------------------------------|-------|-------|-----------------------------|-------|-------|
| Existing Forest/Woodland/Trees | 0.12 | | Existing Impervious Surface | 0.06 | |
| Created Forest/Woodland/Trees | 0.00 | | New Impervious Surface | 0.00 | |
| Removed Forest/Woodland/Trees | 0.02 | | Removed Impervious Surface | 0.00 | |
| | | | Total Impervious Surface | 0.06 | |

VARIANCE INFORMATION (Check all that apply)

| | Acres | Sq Ft | | Acres | Sq Ft |
|------------------------|-------|-------|------------------------|-------|-------|
| Buffer Disturbance | 0.00 | | Buffer Forest Clearing | | |
| Non-Buffer Disturbance | 0.13 | | Mitigation | | |

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

Chesapeake Bay Critical Area Report

Sherwood Forest ~ Lot 646

Tax Map 39, Grid 19, Parcel 295

Tax Account No. 02-720-11723505

Property Address: 646 Maid Marion Hill
Annapolis, Maryland 21405

August 14, 2025

Property Owners & Variance Applicant: Julie Hamilton and William Smith

Critical Area Designation: LDA

Zoning: R-2

Lot Area: 0.20 Ac.

Site Description

The subject property is a legal building lot located off Maid Marion Hill in the community of Sherwood Forest. The site is currently improved with a single-family dwelling, screen porch, deck, and associated improvements, which are surrounded by steep slopes. The lot is zoned R-2 and is completely within the Chesapeake Bay Critical Area, with an LDA land use designation. Private septic and Sherwood Forest public water service the property.

Description and Purpose of Variance Request

The applicant proposes to construct additions and a second floor to the existing single-family dwelling with the associated improvements. Due to the unique physical conditions inherent to the property, the following variance to the Anne Arundel County Code is being requested: **Article 17, Section 8-201(a)** of approximately 1,722-sf of disturbance on slopes 15% or greater in the LDA and to **Article 18, Section 4-601** of 4-ft to the required 30-ft front yard setback.

The property owners intend to remodel the existing single-family dwelling and construct an addition and second floor. These improvements have been designed to remain consistent with the character of the neighborhood and will primarily be situated within the flatter portion of the site. Additionally, the project will include a new nitrogen-removing BAT septic tank, further enhancing the property's environmental sustainability. Plans for the development are in the process of receiving approval from the neighboring properties and are being submitted to the Sherwood Forest community.

Vegetative Coverage and Clearing

The property's primary vegetation is woodland and creeping ivy that is common to wooded areas in the community. The existing wooded area totals roughly 5,300-sf. The proposed clearing is approximately 1,000-sf. Reforestation and afforestation requirements for this property will be addressed during the permit phase of this project.

Impervious Lot Coverage

The site currently has 2,543-sf of lot coverage. The proposed impervious lot coverage for this property is 2,750-sf, which is below the allowable amount. The site currently has 1,391-sf of

coverage by structures. The proposed coverage by structures is 1,827-sf, which is within the allowable amount.

Steep Slopes (slopes > 15%)

The subject property contains approximately 4,458-sf of steep slopes, or about 50% of the site area, all of which are concentrated around the existing improvements. Approximately, 1,722-sf of slopes will be disturbed as part of the proposed construction. The majority of this disturbance is necessary for access, with the remainder allotted for the septic tank replacement and stormwater installation.

Predominant Soils

The predominant soil types are Annapolis Fine Sandy Loam, 40 to 80 percent slopes (AsG) and Collington and Annapolis soils, 10 to 15 percent slopes (CRD). These soils have type "C" and "B" hydrologic classifications, and AsG is considered a hydric soil.

Drainage and Rainwater Control

There appear to be no visible stormwater management devices on site. Stormwater management and sediment and erosion control will be provided for the proposed improvements and the specific design computations will be addressed during the permit phase of the project in accordance with Anne Arundel County design criteria.

Conclusions – Variance Standards

The need for the requested variances arises from the unique physical conditions of the site, specifically the diminutive size of the lot and the presence of steep slopes. The proposed additions are proposed in the only viable location on the property and are mostly outside of steep slopes. The proposed development does not require any more disturbance than if the existing improvements were to be removed or maintained. The entire community of Sherwood Forest is inhabited with steep slopes and most of the lots in Sherwood are well under the required 20,000-sf minimum for lots served by a private septic system. Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant and will not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the implementation of stormwater management and the nitrogen reducing septic system, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare. Stormwater Management and reforestation requirements will be addressed during the permit phase of the project. Reforestation will be provided on-site to the extent practicable.

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, 2015. Flood Insurance Rate Map

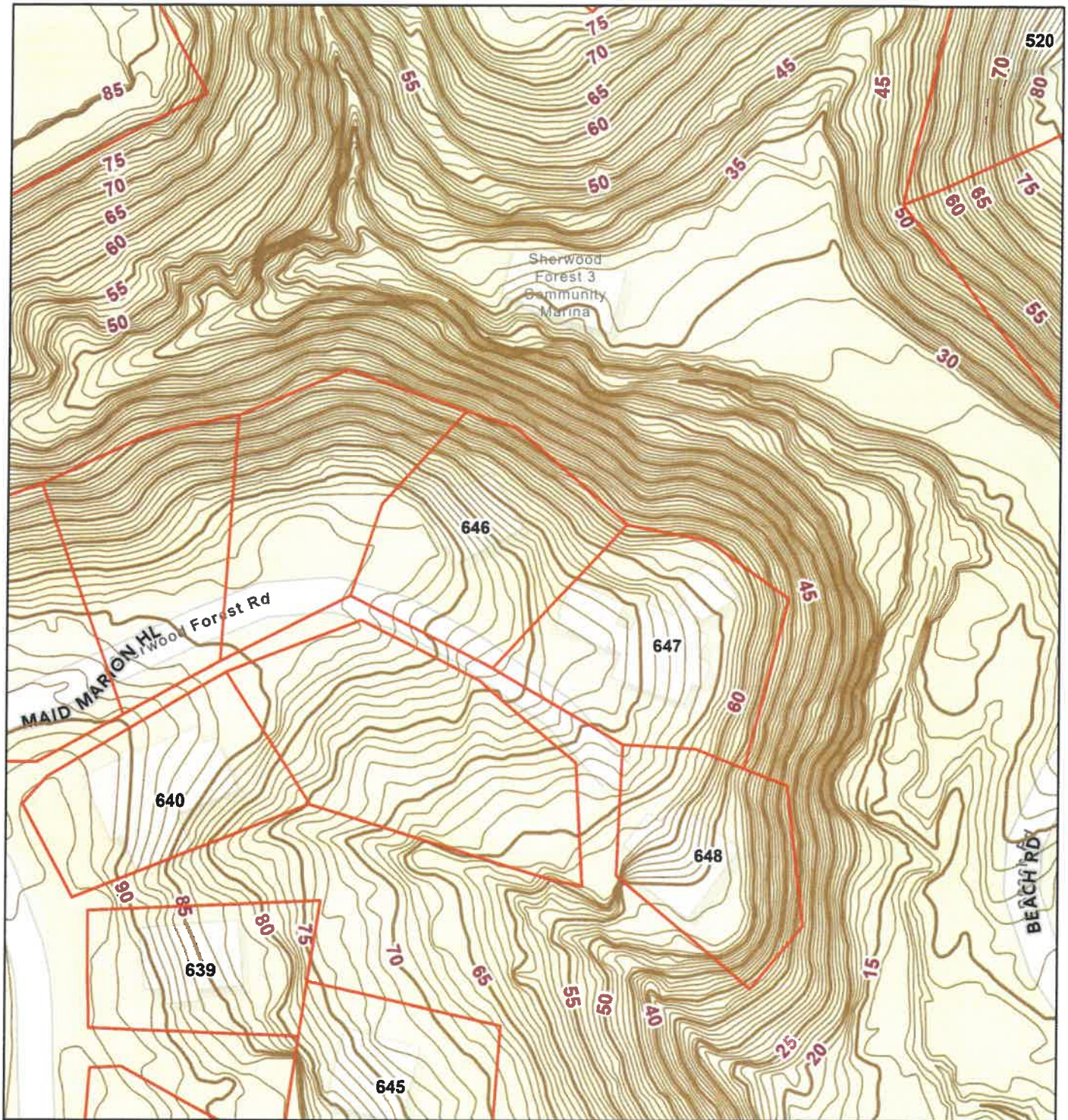
First American Real Estate Solutions, 2002, Realty Atlas: Anne Arundel County Maryland

Drum, Loyka and Associates LLC, 2025 Variance Plan

U.S. Department of Agriculture, Natural Resource Conservation Service –2003 Soil Survey of Anne Arundel County Maryland.

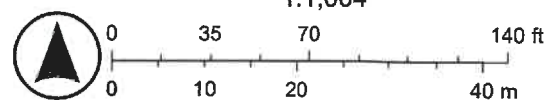
State Highway Administration of Maryland, 1989. Generalized Comprehensive Zoning Map: Third Assessment District

Anne Arundel County Engineering Record Drawing and Monuments



8/13/2025, 10:21:30 AM

- Address Points
- Intermediate
- Parcels
- Local Road Label
- Topo_2023
- County Boundary
- Index



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Anne Arundel County

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OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2025-0070-P
DATE: 07/31/2025
OPZ STAFF: David Russell
Stacy Poulos
Jean Janvier
Kelly Krinetz

APPLICANT/REPRESENTATIVE: Julie Hamilton

EMAIL: laiewels6@gmail.com

SITE LOCATION: 646 Maid Marion, Annapolis

LOT SIZE: 8,624 square feet

ZONING: R2 **CA DESIGNATION:** LDA **BMA:** n/a **BUFFER:** n/a **APPLICATION TYPE:** Variance

The applicant wishes to remodel an existing dwelling with the addition of a second story. The proposed addition will not comply with setbacks and will impact steep slopes.

The following variances are required:

- § 17-8-201 to allow disturbance to slopes greater than 15% within the critical area LDA/RCA.
- § 18-4-601 to allow less setbacks than required.

COMMENTS

Zoning Administration Section:

The applicant is reminded, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must address and meet all of the applicable variance standards provided under Section 18-16-305. The Letter of Explanation should address each of those standards (a through c) and provide adequate justification for each of the variances required.

Although not required for the variance submission, site photos, elevations, and/or construction plans are very helpful in determining what is proposed, and strongly recommended to be included as support documents for the variance application.

Critical Area Team:

The proposed development remains relatively within the existing footprint. We have no objection to the proposal.

Inspections and Permits Engineering:

1. Show the LOD on the Site Plan.
2. The current proposed cistern location meets setback to the proposed BAT septic tank, but not the existing septic tank on the adjacent property.
3. The proposed BAT septic tank must be a minimum of 10 feet from the existing water line.
4. The existing Sherwood Forest community water line runs through this property. Show the easements for this water line and ensure all its required setbacks are met.
5. The proposed stormwater rain garden must be a minimum of 7.5 feet from the community water line and any associated utility easement.
6. Show the lawn area where the water collected in the rainwater cisterns will be used for irrigation or watering of the property. This can be done at grading permit.

Cultural Resources

No adverse effect and no objection to the proposed variance. While this property is located in the Sherwood Forest Historic District (AA-941), the structure is a non-contributing resource. The applicant states that the proposed work is "designed to remain consistent with the character of the neighborhood."

INFORMATION FOR THE APPLICANT

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

*** A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.