

To: Anne Arundel County Permits Department
Re: Permit #B02438681 – 911 BEYDA HARBOUR
Parcel ID: 324490025108

Subject: Request for Setback Encroachment Explanation

Dear Reviewer,

We respectfully submit this letter in support of our request for a variance associated with Permit #B02438681 for the property at 911 Beyda Harbour, Pasadena, MD 21122.

The project consists of replacing an existing, deteriorated deck with a new deck of similar size, within the same footprint. The replacement will not extend further toward the water, nor will it encroach beyond the footprint of neighboring properties. The purpose of this project is to ensure the safety and continued use of the structure while minimizing any disturbance to the surrounding buffer and sensitive areas.

Unique Conditions:

The lot's location within the critical area, combined with the existing placement of the original deck, creates a condition where strict application of the setback requirements would result in unnecessary hardship. Full removal without replacement would deprive the property of reasonable use consistent with neighboring lots.

No Special Privilege:

The request does not confer any special privilege. Similar waterfront properties in this community contain decks of comparable size and placement. The proposed replacement simply maintains an existing, longstanding use.

Not Self-Created:

The need for this variance arises solely from the lot's physical conditions and the deterioration of the existing deck, not from any action of the applicant.

Environmental Protection:

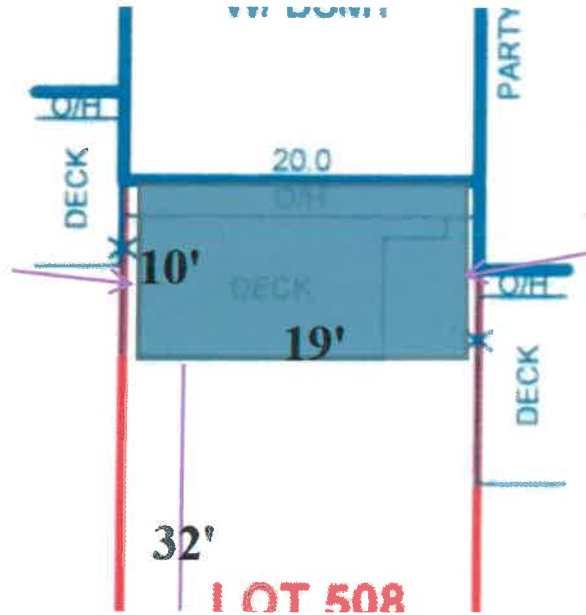
The project has been designed to avoid adverse effects on water quality, wildlife, or habitat. No expansion toward the shoreline is proposed, and all work will remain within the current footprint. Best management practices will be followed to minimize disturbance, with no reduction of forest cover or encroachment into undeveloped buffer areas.

Minimum Necessary Relief:

This request represents the minimum variance necessary, as it allows only the replacement of the existing structure within its current limits, ensuring safety and code compliance without increasing encroachment.

For these reasons, we believe the variance request satisfies the criteria outlined in Article 18-16-305 and respectfully request its approval.

Here you can see the existing deck underlaid and the neighboring decks locations:



Thank you for your time and consideration.

Sincerely,
Maryland Decking

Maryland DECKING

House:
2 stories

DRAWN BY: AP FILE #: 256081-761

BEYDA HARBOUR

STONEY CREEK

On the web: www.duley.biz



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

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction:

Date: 9/8/2025

Tax Map #	Parcel #	Block #	Lot #	Section
0011	0123		508	

Tax ID:	324490025108
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FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Project Name (site name, subdivision name, or other)	Tara Eyler
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Project location/Address	911 Beyda Harbour
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City	Pasadena	Zip	21122
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Local case number	
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Applicant:	Last name	Hilseberg	First name	Elisa
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Company	Maryland Decking
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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: 10x19 open deck

Intra-Family Transfer ☐ Yes
Grandfathered Lot ☐

Growth Allocation ☐ Yes
Buffer Exemption Area ☐

Project Type (check all that apply)

Commercial ☐
Consistency Report ☐
Industrial ☐
Institutional ☐
Mixed Use ☐
Other ☐

Recreational ☐
Redevelopment ☐
Residential ☒
Shore Erosion Control ☐
Water-Dependent Facility ☐

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft		Acres	Sq Ft
IDA Area		2,000	(the entire property looks to be in the IDA)		190
LDA Area					
RCA Area					
Total Area					

of Lots Created 0

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees			Existing Lot Coverage	918	
Created Forest/Woodland/Trees			New Lot Coverage	35	
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		
			Total Lot Coverage	953	

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		190	Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		

Variance Type

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

Structure

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

Critical Area Narrative Statement

Project Address: 911 Beyda Harbour, Pasadena, MD 21122

Parcel ID: 324490025108

Permit #: B02438681

Proposed Use:

The project involves the replacement of an existing deteriorated residential deck with a new deck of similar size, constructed within the same footprint. The intent is to restore safe use of the outdoor living space without expansion toward the water or beyond neighboring property footprints.

Existing Vegetation:

The lot is a developed residential parcel with lawn and ornamental landscaping typical of waterfront properties in the community. The immediate area of work contains no trees or shrubs. Vegetated canopy and landscaped buffers on other portions of the lot will remain undisturbed.

Mitigation Plan:

All work will occur within the footprint of the existing deck. Disturbance is limited to the immediate replacement area. No clearing of trees or shrubs is required. Standard sediment and erosion control practices, including silt fencing and containment measures, will be implemented during construction to prevent runoff.

Water Quality and Habitat Impacts:

The project will not expand impervious surfaces or alter existing drainage patterns. By staying within the existing footprint, the replacement will not increase impacts on water quality or adjacent habitat. Construction best practices will be followed to minimize any temporary disturbance, including stormwater controls and careful material management.

Impervious Surface Calculation:

The proposed project maintains the same deck footprint as the existing structure. Total impervious surface area on the lot will remain unchanged before and after construction.

Habitat Protection Areas:

The property is located within the 1,000-foot Critical Area buffer but contains no designated Habitat Protection Areas such as steep slopes, wetlands, or rare species habitat within the project area. No sensitive resources will be disturbed as part of this project.

911 Beyda Harbour topo map



Legend

Foundation
Addressing

Elevation

Topo 2023

Index
Intermediate



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

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THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes 1"=40'



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE (2025-0082-P)

DATE OF MEETING: 09/08/2025

P&Z STAFF: Sara Anzelmo, Kelly Krinetz

APPLICANT/REPRESENTATIVE: T. Eyler / B. Domowski, Maryland Decking EMAIL: deckingmaryland@gmail.com

SITE LOCATION: 911 Beyda Harbour, Pasadena LOT SIZE: 2,000 sf ZONING: R5

CA DESIGNATION: LDA BMA: N/A or BUFFER: Yes APPLICATION TYPE: Critical Area Variance

The applicant proposes to demolish an existing, irregularly-shaped, deteriorated deck and to construct a rectangular deck in the same general location. The deck would not project any closer to the shoreline than the deck being replaced; however, it would be widened to fill in a small area that does not currently contain any deck area. The proposed dimensions are 10' by 19' (190 square feet).

- The proposal would necessitate a variance for disturbance within the 100-foot buffer.

COMMENTS

The **Critical Area Team** reviewed the proposal and has no objection.

The **Zoning Administration Section** notes that the variance site plan must be updated to include the number of stories and the height of the proposed deck as well as the buffer line. The applicant is advised that, in order for the proposed Critical Area variance to be approved, the applicant must demonstrate and the Hearing Officer must find that the proposal complies with each and every one of the Critical Area variance standards provided under Section 18-16-305(b) and (c). Therefore, the letter of explanation should be amended to specifically address the critical area variance standards.

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.