

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

APPLICANT: Dennis & Julie Murphy

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2025-0151-V

COUNCIL DISTRICT: 5

HEARING DATE: October 9, 2025

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicants are requesting variances to allow a dwelling addition (balconies) with less setbacks and buffer than required and with disturbance to slopes of 15% or greater on property located at 2013 Homewood Road in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 30,896 square feet of land, is located on the southwest side of Homewood Road, and is identified as Lot 5 in the Ferry Farms subdivision, Parcel 161 in Grid 14 on Tax Map 46. The property is zoned R1 – Residential District, lies entirely within the Chesapeake Bay Critical Area LDA – Limited Development Area, and contains the 100ft buffer and the expanded buffer. It is currently improved with a two and a half story single-family dwelling with a waterfront deck, a residential pier, and other associated facilities.

PROPOSAL

The applicants propose to construct multi-level decks (two levels, each 11' x 13') over the existing at-grade deck which had been approved under variance 2017-0089-V.

REQUESTED VARIANCES

§ 17-8-301 provides that development on properties containing buffers shall meet the requirements of COMAR, Title 27; and, § 18-13-104 provides that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams, and tidal wetlands.

The proposed construction will disturb the buffer and the expanded buffer, necessitating a variance. The final amount of disturbance will be determined during permit review.

§ 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 proposed decks will disturb slopes of 15% or greater, requiring a variance. The final amount of disturbance will be determined during permit review.

A review of the bulk regulations for development within the R1 District reveals that a setback variance is not required.

FINDINGS

The subject property is generally rectangular in shape and oversized for lots in the R1 District, with regard to the minimum lot area requirement of 30,000 square feet and the minimum lot width requirement of 80 feet. The property is encumbered by steep slopes and the expanded buffer. A review of the County's aerial photography shows that steel I-beams have been installed where the decks are proposed and that the driveway and sidewalks have been reconfigured or replaced in the last year.

The existing and proposed critical area lot coverage of the site is approximately 5,048 square feet, which is below the lot coverage allowed under § 17-8-402 (5,445 square feet). The proposed post-construction coverage by structures is 2,656 square feet, which is well below the 50% (15,448 square feet) maximum coverage by structures allowed under § 18-4-501.

There have been five previous variance¹ applications on the subject property. The most recent and most notable case, 2017-0089-V, was granted to allow disturbance to the buffer in order to build an at-grade deck that is not relatively in line with the structures on abutting lots. The conditions of that approval included the stipulation that no further expansion of the dwelling is allowed.

Agency Comments

The **Health Department** has determined that the proposed request does not adversely affect the on-site sewage disposal system, and has no objection.

The **Critical Area Commission** noted that a variance request to construct the existing deck within the Critical Area Buffer and with disturbance to steep slopes was approved and deemed the minimum necessary to afford relief. The applicants currently have reasonable and significant use of their lot, including outdoor amenity space, such as the previously approved deck. As such, the denial of the variance request would not constitute an unwarranted hardship.

¹ 1997-0249-V was granted to permit the construction of a parking space, walkway, steps, retaining walls, and a construction access way on steep slopes.

2004-0099-V was granted to allow disturbance to the expanded buffer and steep slopes and a variance of 10 feet to the north side setback to permit dwelling additions and associated facilities.

2005-0069-V was granted to allow an extension in the time required for the implementation and completion of a previously approved variance.

2011-0085-V was granted to allow disturbance of the buffer and steep slopes, and with less setbacks than required to construct a deck which expands the dwelling, but denied variances to allow the construction of the retaining walls, the pathway, and the stepping stones.

2017-0089-V was granted to allow disturbance to the buffer in order to build an at-grade deck that is not relatively in line with the structures on abutting lots.

The **Development Division - Critical Area Team** noted that a variance was granted for the ground level deck as the minimum necessary to afford relief. Once a determination of “minimum” has been made, it should not be used as a foundation for future expansion. In addition, the upper level of this dwelling has an expansive covered porch that provides ample use and enjoyment of both the view and the property. Given the relief that has already been granted, this proposal does not meet the standards for approval of a variance in the Critical Area.

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. 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 expanded buffer encompasses nearly the entire property due to the presence of steep slopes. Improvements to the property would be impossible without variance relief. However, several variances have already been granted for improvements with the condition that no further expansion of the dwelling shall be allowed. The desire to add two additional levels of decking, which extend farther into the buffer and expand the dwelling, in order to increase the existing outdoor amenities is a self-created hardship. Furthermore, the improvements are for the convenience of the applicants and not necessary, and therefore do not meet the minimum requirement of the Code to be granted relief. The applicants have not demonstrated that the previously approved variances have not already provided the minimum relief necessary to afford reasonable use of the property.

The dwelling, the covered upper-level waterfront deck, the at-grade waterfront deck, and other associated improvements currently provide the applicants with reasonable and significant use of the property. As such, a literal interpretation of the County’s Critical Area Program would not deprive the applicants of rights that are commonly enjoyed by other properties in similar areas; while the granting of the variance, as proposed, would confer special privileges that would be denied by COMAR, Title 27. Therefore, the proposal is not in harmony with the general spirit and intent of the County’s critical area program, and may adversely affect water quality and adversely impact fish, wildlife or plant habitat within the critical area. 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 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.

With regard to the requirements for all variances, there is no evidence that the proposal will alter the essential character of the neighborhood, impair the appropriate use or development of adjacent property, or be detrimental to the public welfare. The granting of the variances should not reduce forest cover in the limited development area, nor be contrary to acceptable clearing

and replanting practices required for development in the critical area. However, because the applicants currently have reasonable and significant use of the entire lot, this Office does not consider the proposal to represent the minimum necessary to afford relief.

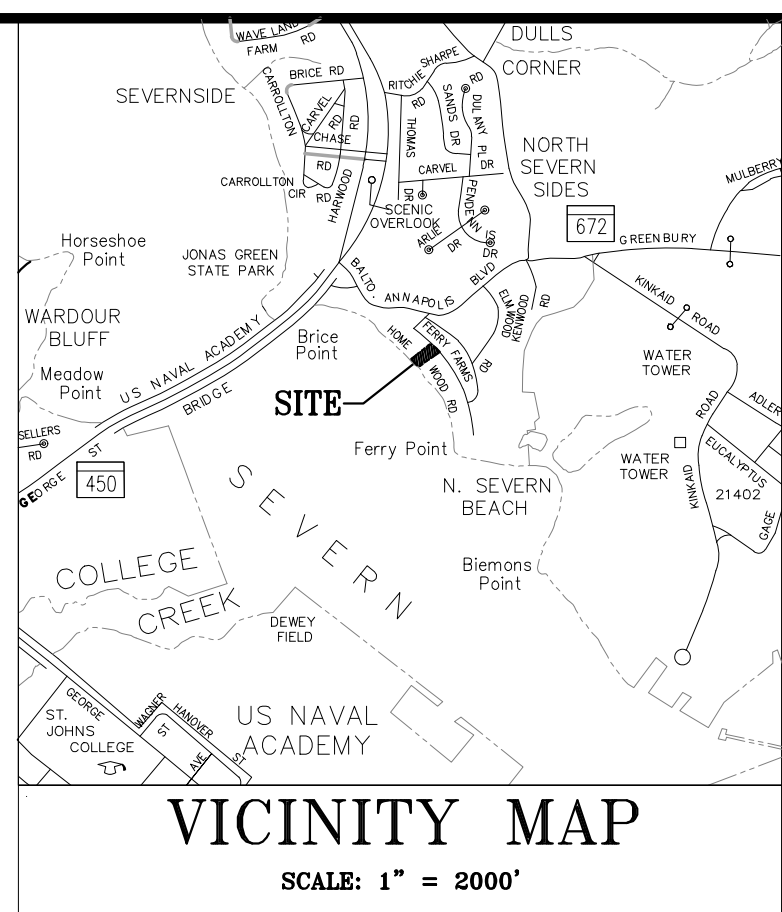
RECOMMENDATION

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

- **denial** of the variances to § 17-8-301 and § 18-13-104 to disturb the buffer; and,
- **denial** of a Critical Area variance to § 17-8-201 to disturb steep slopes.

If granted, the final amount of disturbance will be determined during permit review.

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



THE UNDERGROUND UTILITIES SHOWN HEREON (IF ANY) HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. MAPS AS MAY BE AVAILABLE FROM MUNICIPALITIES OR UTILITY COMPANIES, AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. UNLESS OTHERWISE NOTED, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

Sheet No. 01 OF 01



SALLY V. BALDWIN
E-Mail: Baldwin@CouncilBaradel.com
Telephone Extension: 3462

July 28, 2025

Anne Arundel County
Office of Planning and Zoning
2664 Riva Road
Annapolis, Maryland 21401
Attn: Donnie Dyott, Kelly Krinetz

Re: 2013 Homewood Road, Annapolis, Maryland 21401
Tax ID# 03-275-16444400
Letter of Explanation- variance application

Dear Mr. Dyott and Ms. Krinetz:

This letter of explanation accompanies the variance application for the construction of cantilevered balcony decks at the first and second stories of 2013 Homewood Road, Annapolis, Maryland. The subject property is within the R1 zoning district, and is entirely within the Chesapeake Bay Critical Area, with an LDA land use designation and its shoreline is mapped as non-buffer modified. The waterfront lot is narrow and undersized and is encumbered with steep slopes and accordingly the 100-foot Critical Area buffer, as expanded, covers most of the lot. The subject property is one of the smaller homes within the Ferry Farms subdivision, in which most if not all of the homes have various outdoor areas and amenities, including many patios, porches and multi-layer decks to provide spaces to access and enjoy the waterfront and outdoors.

The property is improved with a single-family dwelling with its associated residential amenities; there is an existing pervious deck on the ground level. The property owners seek to install cantilevered drip-through wood balcony decks (outlined in red on the attached site plan) above the existing wood drip-through deck, to allow for adequate outdoor use and enjoyment of their property. The proposed cantilevered balcony decks would be assembled by hand, as with the existing deck. The proposed balconies are designed to align with the existing residence and are no closer to the shoreline than the existing deck; they are proposed to be built over the existing deck from within the existing property. The proposed cantilevered decks would not increase the lot coverage but would be above the existing deck that was constructed within the 100-foot buffer. Accordingly, the property owners have been advised to seek a variance to Anne Arundel County Code § 17-8-301 which limits development within the buffer.

Currently, there is 5,048 square feet of existing impervious coverage on the narrow lot that is improved with a single-family dwelling. The proposal would not impact the existing impervious coverage on site, and is also within the limits of the prior variance relief (2017-0089-

125 West Street, 4th Floor, Annapolis, Maryland 21401
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V), which included a condition that impervious coverage shall not exceed 5,284 square feet. Each proposed balcony is 143 square feet, totaling 286 square feet, and is designed to align with the existing home to provide increased functionality and sufficient outdoor enjoyment. Other than the small existing pervious deck, the property does not have any deck or patio on the waterfront side. Instead, there are steep slopes and vegetative plantings for shoreline stability covering most of the property leaving only a small flat grass area for outdoor recreation. The extensive plantings, that stabilize the property, are detailed in the attached Critical Area report. Thus, the homeowners have designed the cantilevered balconies to provide the necessary outdoor space without negatively impacting the Critical Area.

As stated, the proposed pervious balcony decks would be cantilevered and assembled entirely above an existing pervious deck. Each level of the decking (existing and proposed) would allow water to run freely through it, so the proposed work does not increase the lot coverage on the site. The proposed cantilevered pervious decks are further from the shoreline than the existing deck, and would not involve any excavation, clearing, grading or alteration to the land. Because the cantilevered decks would be entirely within and above existing lot coverage, no additional “disturbance” as defined by Anne Arundel County Code § 17-1-101 is involved with this proposal. Therefore, the property owners do not believe a variance to disturb the buffer is required. Should the County subject the property owners to the variance process, the variance is warranted for the reasons set forth herein.

Anne Arundel County Code § 18-16-305

Pursuant to Anne Arundel County Code § 18-16-305, the subject property has unique physical characteristics that constitute exceptional topographical conditions: it is narrow and undersized, much of the property is encumbered by steep slopes, and 98% of the lot is located within the 100-foot Critical Area buffer, as expanded. Because of the unique physical conditions on the lot, the grant of a variance is necessary to avoid unwarranted hardship and to enable the applicants to develop the lot. Much of the lot is unusable for outdoor activities, as it consists of steep slopes and stormwater management practices consisting of vegetative plantings. There is an existing pervious deck, over which the cantilevered balconies can be placed without causing a harmful disturbance. Due to the steep slopes, stabilizing native plantings and the restrictions imposed by the expanded buffer, the property owners are limited in their ability to enjoy the outdoors and the waterfront. Without the variance, an unwarranted hardship would result because the applicants would be deprived of a reasonable and significant use of their property, one that cannot be accomplished elsewhere on the property.

As many of the surrounding properties have similar decks and provide various amenities for outdoor activities, the denial of the variance would deprive the applicants of rights commonly enjoyed by others. The granting of the variance would not confer on the applicant any special privilege for the same reasons. The variance request is not based on conditions or circumstances that are the result of actions by the applicant; the variance is requested due to the location within the buffer of the existing pervious deck above which the balcony decks are proposed. Because no additional lot coverage or “disturbance” as defined by the County Code is proposed, the granting

of the variance would not adversely affect water quality, or fish, wildlife or plant habitat. There will be no environmental impact or harm, as the proposal is over an existing deck and will be built from within the existing home in a manner that will not disturb the existing site conditions. For the reasons set forth above, the applicant has overcome the presumption in the Natural Resources Article, § 8-1808, of the Maryland Code because the proposal for which a variance is sought is in line with the Code's general purpose and intent. The applicants have evaluated and submitted other site planning alternatives, and after considering the comments have worked with their consultants to minimize their request and to eliminate any adverse impacts. The cantilevered balcony decks as proposed would involve the minimum variance necessary to afford the requested relief. The improvements are minimal, and within the footprint of the existing improvements to minimize concerns of any disturbance. The "minimum necessary to afford relief" standard of 18-16-305(c)(1) does not limit the applicants to the "minimum use" of the *property*, and accordingly the variance request is the minimum necessary to afford relief.¹ Granting the variance would not alter the essential character of the neighborhood, nor would it impair the use or development of the adjacent property. The improvements are within the scope of the surrounding properties, many of which have several outdoor amenities as noted herein. As the proposal would not involve any clearing, it would not reduce forest cover. As noted here and detailed in the Critical Area report, the property owners have undertaken an extensive planting plan to improve the property. Approval of the variance would also not be detrimental to the public welfare, as it would not negatively impact the environment or the surrounding properties; rather it would allow the property owners to use their property for outdoor recreation and gathering without requiring additional disturbance of the ground. Any required mitigation will be provided by the applicants.

Thank you for your consideration of this variance request.

Very truly yours,



Sally W. Baldwin

¹ *Critical Area Comm'n for Chesapeake and Atlantic Coastal Bays v. Moreland, LLC*, 191 Md.App. 260, 291-92 (2010) (rev'd on other grounds) ("minimum" modifies "variance," not "use." The statutory mandate to grant only the "minimum variance necessary to afford relief" refers to variances necessary to allow a "reasonable and significant use," not a minimal use, of the property in question).



Office of Planning and Zoning
2664 Riva Road
P.O. Box 6675
Annapolis, MD 21401
P. 410.222.7441 F. 410.222.7752

RE: 2013 Homewood Road, Annapolis, MD 21409

To Whom It May Concern:

Thank you for the consideration of our project. We have prepared this comprehensive critical area report for your review, to provide insight of the historical condition of this property and how the property owners, with their design consultant team, have worked to mitigate several critical conditions that existed on property and supplement with innovative planting techniques and steep slope erosion control measures. This report has been prepared to meet AACO development standards in the Chesapeake Bay Critical Area.

1. PROJECT NOTIFICATION APPLICATION FORM

We have provided a Project Notification Application Form with the submittal as requested.

2. A SITE PLAN - THE SITE PLAN OF THE PROPERTY SHOULD BE DRAWN TO AN ENGINEERS SCALE (1"=20', 30' OR 40') SHOWING THE APPLICABLE FEATURES OF THE SUBJECT PROPERTY; STEEP SLOPES, EXISTING TREE LINE, WETLANDS (TIDAL AND NON-TIDAL), MEAN HIGH WATER LINE, FLOODPLAIN, PROPOSED LANDSCAPING, ALL BUFFERS, AND ALL EXISTING STRUCTURES.

We have provided a site plan for the property that delineates all natural resources, steep slopes, existing trees, buffers, and existing structures.

3. A TOPOGRAPHIC MAP TO SCALE (AVAILABLE IN THE MAPPING OFFICE ON THE 4TH FLOOR OF BUILDING 2664 RIVA RD)

We have provided a topographic map, to scale, per your request.

4. A NARRATIVE STATEMENT (A PARAGRAPH OR LESS) ON A SEPARATE SHEET ADDRESSING EACH POINT LISTED BELOW:

We have addressed the following statements per your request below.

4A. DESCRIBE THE PROPOSED USE OF THE SUBJECT PROPERTY AND INCLUDE IF THE PROJECT IS RESIDENTIAL, COMMERCIAL, INDUSTRIAL, OR MARITIME.

The property is currently improved with a single family residential dwelling; the proposed use will be residential.

4B. DESCRIBE THE TYPE OF PREDOMINANT TREES AND SHRUBS ON THE SUBJECT PROPERTY. INCLUDE A STATEMENT ADDRESSING THE SQUARE FOOTAGE OF THE PROPERTY THAT IS VEGETATED WITH TREES AND SHRUBS, HOW MUCH OF THE PROPERTY WILL BE DISTURBED BY THE PROPOSED DEVELOPMENT, AND HOW THE DISTURBANCE WILL BE MITIGATED.

The site is primarily made up of steep slopes and is also the natural conveyance area for upland drainage areas, that need to relief towards the Severn River Channel. The existing total property area is 30,896 S.F., of which, only approximately 500 s.f. is not within the 100' buffer and expanded buffer. The site is primarily made up of 7 larger story trees, a mix of mature chestnut oaks, sweetgum, and red oaks. Historically, the property had large stands of invasive ivy, non-native herbaceous plants, and intermittent planting, especially amongst the embankment areas. The primary embankment area, that the existing structure is set on, encompasses 8,600 S.F. of the property, which makes up 28% of the total property. A little more than 16,400 S.F. or approximately 51% of the property is vegetated, as the current property owner has installed significant plantings in recent years.

The property owners and design consultants realized this area was critical to get stabilized to prevent rill erosion and formation of head cuts/subsidence, that is common with Annapolis Fine Sandy Loam Soils, which make up 100% of this property. The aforementioned soil type is not considered hydric, is well drained, however, without substantial root systems and vegetative cover it can easily erode. Upon becoming stewards of this sensitive property, the owners, planted 51 trees, primarily in low lying conveyance area, to assist with stormwater uptake and prevention of erosion.

4B. DESCRIBE THE TYPE OF PREDOMINANT TREES AND SHRUBS ON THE SUBJECT PROPERTY. INCLUDE A STATEMENT ADDRESSING THE SQUARE FOOTAGE OF THE PROPERTY THAT IS VEGETATED WITH TREES AND SHRUBS, HOW MUCH OF THE PROPERTY WILL BE DISTURBED BY THE PROPOSED DEVELOPMENT, AND HOW THE DISTURBANCE WILL BE MITIGATED (CONTINUED)

Understory trees were planted on the embankment areas, but it was agreed, that lower lying perennials, native grasses, and woody shrub vegetation were critical first, to ensure the exposed areas had good vegetative cover. To address these conditions, 433 Shrubs, 976 perennials and grasses, and 426 groundcover plants were installed. The decks will be constructed from within the home and no excavation, clearing, grading, or alteration to the land is proposed.

4C. DESCRIBE THE METHODS TO MINIMIZE IMPACTS ON WATER QUALITY AND HABITAT FROM PROPOSED CONSTRUCTION (I.E. STORMWATER MANAGEMENT, SEDIMENT CONTROL, AND SILT FENCE).

The proposed development project will not disturb the existing site conditions. Supplemental planting has been installed to amend the existing planting in these adjacent areas. The strategy was to reduce mulch coverage below larger story shrubs and/or grasses, and provide low lying native planting instead. This will still allow the larger specimens of plants to grow above, but the "skirt" areas underneath will be protected from heavy rainfall and/or stormwater events. As no temporary or permanent disturbance is proposed, there will be no impact on water quality or habitat. The proposed cantilevered decks will be further from the shoreline than the existing structure. The new structure is technically inside the expanded buffer, but does not contact any environmental features.

4D. CALCULATE THE IMPERVIOUS SURFACE BEFORE AND AFTER CONSTRUCTION, INCLUDING ALL STRUCTURES, GRAVEL AREAS, DRIVEWAYS, AND CONCRETE AREAS.

There will be no net increase of impervious coverage due to this project scope. The property is zoned R-1 and is designated as Limited Development Area (LDA) of the Chesapeake Bay Critical Area. As such, 5,445 square feet of impervious coverage is allowed, constituting 17.62% of the property. The existing impervious coverage is 5,048 square feet or 16.34% of the parcel, thus the project site is 397 square feet below the allotted threshold.

4E. IF APPLICABLE, DESCRIBE ANY HABITAT PROTECTION AREAS ON THE SUBJECT PROPERTY INCLUDING EXPANDED BUFFERS, STEEP SLOPES OF 15% OR GREATER, RARE AND ENDANGERED SPECIES, ANADROMOUS FISH PROPAGATION WATERS, COLONIAL WATER BIRD NESTING SITES, HISTORIC WATERFOWL STATING AND CONCENTRATION AREAS, RIPARIAN FORESTS, NATURAL HERITAGE AREAS, AND PLANT AND WILDLIFE HABITATS OF LOCAL SIGNIFICANCE.

The existing home encroaches into the expanded buffer zone, and the proposed decks are designed not to extend beyond the existing home. By cantilevering the decks from the main house, we have specifically engineered them to prevent any permanent adverse impacts on the buffer. Additionally, to further safeguard the buffer and the new enhanced landscaping, the property owner intends to manage the deck construction access through the interior of the house, to avoid any temporary buffer impacts.

There are no rare and/or endangered species within the project site and/or adjacent areas. There are no anadromous fish propagation waters, colonial water bird nesting sites, historic waterfowl and concentration areas, riparian forests, natural heritage areas, and plant and wildlife of local significance.

The site is considered to be near or on the edge of a forest interior dwelling species (FIDS) habitat protection area. While this does not constrain the subject property, the property owner has added significant plantings to support the native habitat and provide an enhance riparian buffer.

Although the site previously lacked substantial stormwater controls, the property owner has made significant investments to stabilize steep slopes and enhance runoff treatment in a drainage area that flows directly to the Severn River. As part of this effort, a thoughtfully curated selection of native rhizomatous plants, woody shrubs, and low-lying perennials has been installed. These species were chosen specifically for their ability to establish dense, fibrous root networks that effectively mitigate rill erosion and reduce sediment transport to nearby channels.

The extent of this planting effort exceeds regulatory requirements and has utilized a considerable portion of the property. We respectfully request that this commitment to environmental restoration be given consideration when evaluating the balance of usable exterior space. This investment not only improves ecological function but also allows the property owners to actively engage with and monitor the landscape in a meaningful, sustainable way.

Invasive groundcover has been removed, and areas of high-maintenance turf have been replaced with deep-rooted perennial grasses and woodland-adapted species, particularly in sensitive toe-slope areas. These enhancements further contribute to long-term slope stability and improved habitat value.



The property owners have transformed the site since taking ownership, implementing meaningful stormwater management practices where none previously existed. Through a combination of soil amendments and strategically integrated vegetation, stormwater runoff will now be captured, infiltrated, and filtered on-site—supporting nutrient sequestration and reducing pollutant loads before reaching the Severn River. Thank you in advance for your attention and consideration to this project.

Regards,
Sean William Land Strategies, LLC

A handwritten signature in black ink, appearing to read "Sean Robinson".

Sean Robinson
Principal

PICTURE EXHIBIT PRIOR TO INSTALLATION



PICTURE EXHIBIT AFTER INSTALLATION



CRITICAL AREA COMMISSION
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
0046	0161	N/A	5	N/A

Tax ID:	03-275-16444400
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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)	2013 HOMEWOOD RD
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Project location/Address	2013 HOMEWOOD RD
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City	ANNAPOLIS, MD	Zip	21409
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Local case number	
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Applicant:	Last name	ROBINSON	First name	SEAN
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Company	SEAN WILLIAM COMPANIES, LLC D.B.A. SEAN WILLIAM LAND STRATEGIES
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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 type="checkbox"/>	Subdivision	<input type="checkbox"/>
Grading Permit	<input 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:

RESIDENTIAL SINGLE FAMILY DWELLING

Intra-Family Transfer ☐
Grandfathered Lot ☒

Growth Allocation ☐
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	Total Disturbed Area	Acres	Sq Ft
IDA Area		0			0
LDA Area		30,896			
RCA Area		0			
Total Area		30,896			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		12,150	Existing Lot Coverage		5,048
Created Forest/Woodland/Trees		0	New Lot Coverage		0
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		0
			Total Lot Coverage		5,048

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		0	Buffer Forest Clearing		0
Non-Buffer Disturbance		0	Mitigation		0 Required

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 ☐

Provided 8,600 S.F. of
Planting Enhancements

CRITICAL AREA REPORT WORKSHEET TO ACCOMPANY THE SITE PLAN

Permit Number _____

Total Site Area 30,896 S.F (0.71 Acres) Square Feet (1 Acre = 43,560 Square Feet)

Total Wooded Area 8,150 S.F. Square Feet- 'Wooded' MEANS A BIOLOGICAL COMMUNITY DOMINATED BY TREES AND OTHER WOODY PLANTS (SHRUBS AND UNDERGROWTH), INCLUDING FORESTS THAT HAVE BEEN CUT BUT NOT CLEARED.

* Please Indicate Square Footage of Woodland Removed for the following:

- | | |
|-------------------------------------|---|
| 1. House <u>0</u> Sq. Ft. | 5. Accessory Structure <u>0</u> Sq. Ft. |
| 2. Septic or sewer <u>0</u> Sq. Ft. | 6. Additions <u>0</u> Sq. Ft. |
| 3. Well <u>0</u> Sq. Ft. | 7. Storm Water Management <u>0</u> Sq. Ft. |
| 4. Driveway <u>0</u> Sq. Ft. | 8. Other Clearing: work area; access; stockpiles, etc. <u>0</u> Sq. Ft. |

* Total Woodland Removed = 0 Sq. Ft.

"Impervious Coverage" IS ANY SURFACE THAT WILL NOT ABSORB LIQUID. THIS INCLUDES ROOFS, SIDEWALKS, DRIVEWAYS, AND ANY TYPE OF PAVEMENT. COMPACTED GRAVEL IS CONSIDERED AN IMPERVIOUS SURFACE.

* Please Indicate Square Footage of Impervious Coverage for the following:

- | <u>Existing Impervious</u> | <u>Proposed Impervious</u> |
|---|--|
| 1. House (roof area) <u>2656</u> Sq. Ft. | 1. House (roof area) <u>0</u> Sq. Ft. |
| 2. Driveway + Sidewalks <u>2392</u> Sq. Ft. | 2. Driveway + Sidewalks <u>0</u> Sq. Ft. |
| 3. Accessory Structures <u>0</u> Sq. Ft. | 3. Accessory Structures <u>0</u> Sq. Ft. |
| | 4. Additions <u>0</u> Sq. Ft. |

* Total Existing and Proposed Impervious Coverage 5,048 Sq. Ft.

Ⓢ PLEASE INCLUDE ALL EXISTING AND PROPOSED SQUARE FOOTAGE.

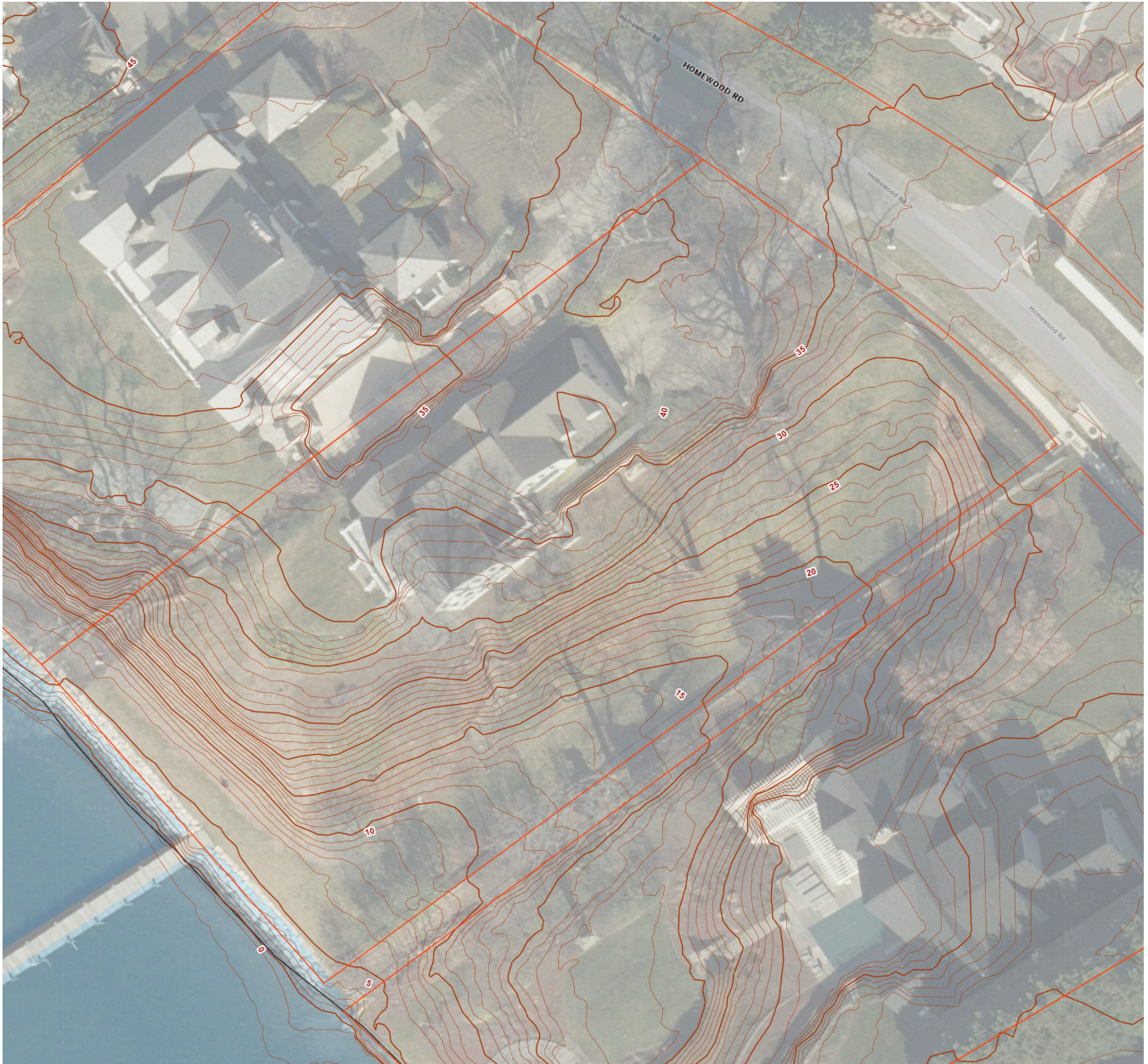
I Dennis J Murphy and Julie Murphy, (property owner and contract purchaser, if applicable) hereby certify that the above critical area worksheet is true and correct based upon personal knowledge. I further declare that a copy of the foregoing document will be transferred to any purchaser of this property from me (or corporation, if applicable) at the time of settlement. I hereby understand that these computations shall be a binding part of issuance of a building permit for lot # 5, block # N/A of Subdivision 275.

I hereby certify that I have seen and read the record plat (if approved after 1986 and subject to Critical Area requirements) and have indicated on the attached site plan any easements, buffers, or other restrictions declared on said plat.

Duffy 7/29/25 (Signature) 7.08.25 (Date)
Real Property Owner (Title)

Julie Murphy 7.29.25 (Signature) 7.08.25 (Date)
Real Property Owner (Title)

GIS TOPOGRAPHIC MAP 1"=30'





LETTER OF AUTHORIZATION

To Whom It May Concern:

I / We the undersigned, hereby authorize Sean Robinson, with Sean William Companies, LLC, to act on my/our behalf in all matters relating to following;

Design, Permitting, and Construction tasks related to the property located at:

2013 Homewood Road, Annapolis, MD 21409

This includes any existing document research related to our property and proposed coordination/planning in relation to obtaining permits/approval for designated tasks.


The scope of work to include, but not limited to, permit submittals in relation to;

~~Vegetative Management Plans
Standard Grading Plans
Site Plans-Building
Building Permits
Buffer Modification Plans
Critical Area and Buffer Variances
Joint Federal/State Application for the Alteration of Any Floodplain, Waterway, Tidal or Non-tidal Wetland in Maryland
Construction Documents
Feasibility Studies
Wetland Delineations and Forest Stand Delineations~~

Any and all acts carried out by Sean Robinson and/or associates of Sean William Companies, on my/our behalf shall have the same effect as acts of my / our own in relation to this location.

This authorization is valid until further written notice from Sean William Companies, LLC or the undersigned.

Signature(s):

 7/29/25

Dennis Murphy, Real Property Owner
(Principal Residence)

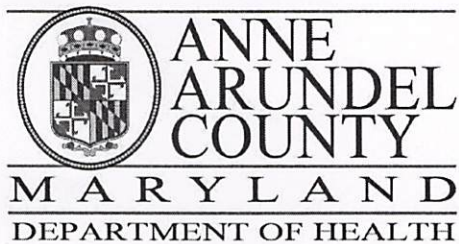
 7.29.25

Julie Murphy, Real Property Owner
(Principal Residence)

Site Address:

2013 Homewood Road
Annapolis, MD 21409

Please respectfully accept this letter of authorization on behalf of Sean William Companies and "the clients" Dennis and Julie Murphy.



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: August 18, 2025

RE: Dennis J. Murphy
2013 Homewood Road
Annapolis, MD 21409

NUMBER: 2025-0151-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling addition (balconies) with less setbacks and buffer than required and with disturbance to slopes of 15% or greater.

The Health Department has reviewed the on-site sewage disposal system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal system. 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



Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>

CAC Comments: 2025-0155-V; Pirog (AA 0211-25) and 2025-0151-C; Murphy (AA 0212-25)

1 message

Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>
To: Sadé Medina <pzmedi22@aacounty.org>

Mon, Sep 8, 2025 at 3:25 PM

Good afternoon,

Our office has reviewed the above-referenced variances and provide the following comments:

- **2025-0155-V; Pirog (AA 0211-25):** The applicant is requesting a variance for disturbance to the Critical Area Buffer and steep slopes to expand the waterfront deck and construct a catwalk along the side of the dwelling and two sets of access stairs. In 2003, the property was subject to a variance request to construct the existing dwelling, including the current deck with disturbance to the Critical Area Buffer and steep slopes. The variance request was approved as it was deemed the minimum necessary to afford relief. Presently, the applicants have reasonable and significant use of their lot, including outdoor amenity space, such as the previously approved deck and a patio. As such, the denial of the variance request would not constitute unwarranted hardship. The Administrative Hearing Officer (AHO) must find that each and every one of the Critical Area Variance standards have been met, including that the proposal meets unwarranted hardship and that this variance would not adversely affect water quality and wildlife or plant habitat. If this request were to be denied for the construction of the deck within the Critical Area Buffer and with disturbance to steep slopes, the applicants would still have reasonable and significant use of their lot.
- **2025-0151-C; Murphy (AA 0212-25):** The applicant is requesting a variance for disturbance to the Critical Area Buffer and steep slopes to construct two cantilevered balconies above an existing deck. In 2017, the property was subject to a variance request to construct the existing deck within the Critical Area Buffer and with disturbance to steep slopes. The variance request was approved as it was deemed the minimum necessary to afford relief. Presently, the applicants have reasonable and significant use of their lot, including outdoor amenity space, such as the previously approved deck. As such, the denial of the variance request would not constitute unwarranted hardship. The Administrative Hearing Officer (AHO) must find that each and every one of the Critical Area Variance standards have been met, including that the proposal meets unwarranted hardship and that this variance would not adversely affect water quality and wildlife or plant habitat. If this request were to be denied for the construction of the balconies within the Critical Area Buffer and with disturbance to steep slopes, the applicants would still have reasonable and significant use of their lot.

The comments have been uploaded to the County's online portal.

Sincerely,
Jamileh Soueidan

--



Critical Area Commission for the
Chesapeake & Atlantic Coastal Bays
dnr.maryland.gov/criticalarea

Jamileh Soueidan (she/her)
Natural Resources Planner
1804 West Street, Suite 100
Annapolis, MD 21401
Office: [410-260-3462](tel:410-260-3462)
Cell: [667-500-4994](tel:667-500-4994) (preferred)
jamileh.soueidan@maryland.gov

Task Details **OPZ Critical Area Team**

Assigned Date

08/08/2025

Assigned to

Kelly Krinetz

Current Status

Complete w/ Comments

Action By

Kelly Krinetz

Comments

A variance was granted for the single ground level deck as the minimum necessary to afford relief. In addition, the upper level of this dwelling has an expansive covered porch that provides ample use and enjoyment of both the view and the property. The proposed balconies should have been included with the prior variance request. The home has been constructed to access the balconies so they were obviously part of the plan for the dwelling. Had they been included, this Office could have evaluated the impact in its entirety rather than piece meal requests the determination of “minimum” may have been different. Once a determination of “minimum” has been made, it should not be used as a foundation for future expansion.

It is my opinion that given the relief that has already been granted, this proposal does not meet the standards for approval of a variance in the Critical 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

Task Specific Information

Expiration Date

Reviewer Phone Number

Review Notes

Reviewer Email

2013 Homewood Road (2025-0151-V)



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



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.

Nearmap

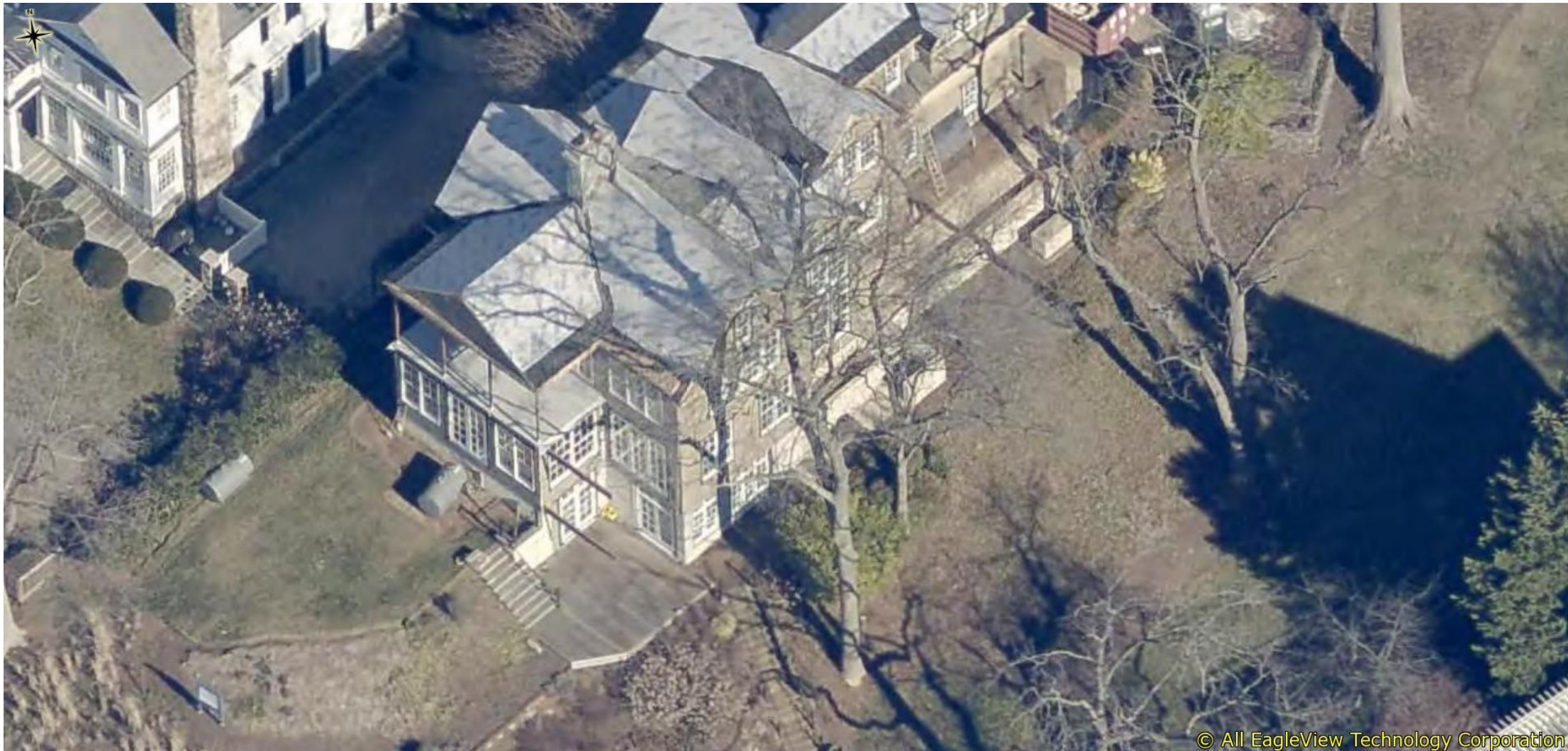
0 50 100
ft



THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes

2013 Homewood Road - facing north



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