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

APPLICANT: Daniel F. Pirog, Jr. ASSESSMENT DISTRICT: 3

CASE NUMBER: 2025-0155-V COUNCIL DISTRICT: 3

HEARING DATE: October 9, 2025 **PREPARED BY**: Jennifer Lechner

Planner

REQUEST

The applicant is requesting variances to allow a dwelling addition (deck) with less setbacks and buffer than required and with disturbance to slopes of 15% or greater on property located at 804 North Shore Drive in Glen Burnie.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 24,725 square feet of land, is located on the north side of North Shore Drive, and is identified as Lot 2R in Section L of the Silver Sands/Castruccio Property subdivision, Parcel 129 in Grid 24 on Tax Map 10. The property is zoned R2 – Residential District, lies entirely within the Chesapeake Bay Critical Area RCA – Resource Conservation Area, and contains the 100ft buffer and expanded buffer. It is currently improved with a 2-story dwelling, a residential pier and other associated facilities.

PROPOSAL

The applicant is proposing to demolish the existing deck (approx. 14' x 18') in order to construct a larger main-level deck (18' x 39'-1", with 5' wide wrap-around steps to grade; total area of the deck and steps is 939sqft).

REQUESTED VARIANCES

§ 17-8-301 provides that development on properties containing buffers shall meet the requirements of COMAR, Title 27; and, § 18-13-104 states that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams, and tidal wetlands; and, that the 100-foot buffer shall be expanded beyond 100 feet to include slopes of 15% or greater.

The construction of the proposed deck and steps to grade will require a variance to disturb approximately 2,647 square feet of the expanded buffer.

§ 17-8-201 states that development 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

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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 construction will require a variance to disturb approximately 2,155 square feet of slopes of 15% or greater.

A review of the bulk regulations for development within the R2 District reveals that a setback variance is not required.

FINDINGS

The subject property is irregularly shaped and oversized for lots in the R2 District, with regard to the minimum lot area requirement of 10,000 square feet, for lots served by public sewer, and the minimum lot width requirement of 70 feet. The property is encumbered by steep slopes and the expanded buffer.

The existing and proposed post-construction lot coverage is 1,789 square feet, which is below the lot coverage allowed under § 17-8-402 (15% of 24,725 or 3,708.75 square feet). The proposed coverage by structures is approximately 2,130 square feet, which is below the 60% (approx. 14,835 square feet) maximum coverage by structures allowed under § 18-4-601.

The property was the subject of past variance decisions:

2003-0172-V was granted to allow disturbance to the expanded buffer and steep slopes in order to construct a new dwelling with an attached deck.

2017-0107-V was granted to allow disturbance to the expanded buffer and steep slopes in order to construct an attached garage, which was never constructed.

Agency Comments

The **Recreation and Parks Department** noted that a portion of this site lies within the Anne Arundel County Green Infrastructure Network, a proposed preservation area, and that the proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

The **Critical Area Commission** noted that a variance request to construct the existing dwelling and deck, with disturbance to the Critical Area Buffer and 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 and a patio. As such, the denial of the variance request would not constitute an unwarranted hardship.

The **Development Division - Critical Area Team** noted that a prior variance was approved to allow for the location of the current dwelling and deck as the minimum necessary to afford relief. While their Office could support a request to reconstruct the existing deck in kind, they cannot support a request for expansion.

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

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, most of the property is encumbered by steep slopes and is almost entirely within the expanded buffer. Therefore, redeveloping the property without disturbing these sensitive areas is impossible. While the majority of the proposed disturbance to steep slopes and the expanded buffer will be temporary, the proposed deck expansion does not represent the minimum relief necessary, as the existing deck could be reconstructed. The applicant's desire to nearly quadruple its size and extend farther into the expanded buffer and steep slopes, is considered a self-inflicted hardship.

A literal interpretation of the County's critical area program would not deprive the applicant of rights that are commonly enjoyed by other properties in similar areas, reconstructing the existing deck would still provide an outdoor amenity. The granting of the variances would confer on the applicant a special privilege that would be denied by COMAR, Title 27. The variance requests are not based on conditions or circumstances that are the result of actions by the applicant and do not arise from any condition relating to land or building use on any neighboring property.

The granting of the variances may adversely affect water quality or impact fish, wildlife or plant habitat, and would not be in harmony with the general spirit and intent of the County's critical area program. The applicant has not overcome the presumption that the specific development does not conform to the general purpose and intent of the critical area law, and has not evaluated or implemented site planning alternatives such as reducing the size of the deck and steps.

With regard to the requirements for all variances, the approval would not necessarily alter the essential character of the neighborhood, substantially impair the appropriate use or development of the adjacent properties, reduce forest cover in the resource conservation area, be contrary to acceptable clearing and replanting practices, or be detrimental to the public welfare. However, the property was already granted relief via the previously approved variance in order to construct the two-story dwelling with an attached deck. That variance was deemed to be the minimum necessary to afford relief and to allow reasonable use of this residential lot. As such, in this particular case, the request for additional relief cannot be supported.

RECOMMENDATION

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

2025-0155-V page 4 of 4

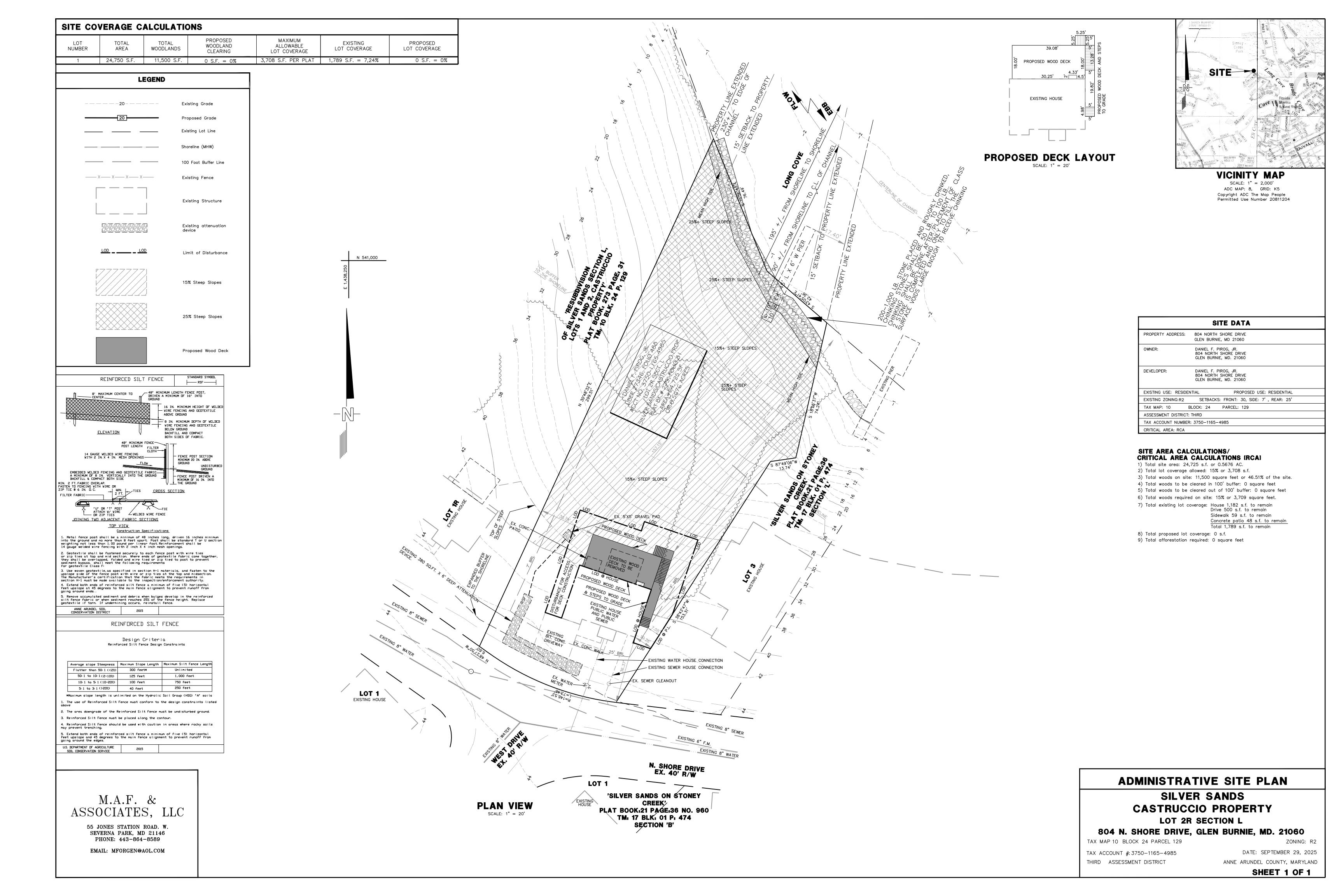
• *denial* of the variances to § 17-8-301 and § 18-13-104 to disturb the expanded buffer; and,

• <u>denial</u> of a Critical Area variance to § 17-8-201 to disturb steep slopes.

However, this Office would support the above variances in order to reconstruct the existing deck with the current dimensions and location.

If granted, the final amount of disturbances 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.



M.A.F. & Associates, LLC Matthew A. Forgen 55 Jones Station Road, W. Severna Park, MD 21146 Phone: 443-864-8589

June 13, 2025

Planner Department of Planning & Zoning 2664 Riva Road Annapolis MD 21401

RE: Silver Sands/Castruccio Property, Lot 2R, B02433939 804 N. Shore Drive, Glen Burnie, MD 21060 TM 10 BLK 24 P 129, R-2 Zoning, Council District 3

Dear Planner:

On behalf of the property owner, I am submitting a variance application for the above-referenced project. The property owner is proposing to demolish an existing wood deck to allow for the construction of a new larger wood within a similar location. This proposal will require a variance to allow development within the expanded buffer to tidal waters as well as steep slope disturbance. The location of steep slopes and the expansion of the 100' buffer pushes the buffer to encompass most of the property. Since this is the case there is no way to develop the property without the need for a variance to slope disturbance as well as development within the expanded buffer.

This proposal will cause disturbance to 15% steep slopes and therefore a variance is needed for this as well as the expanded buffer variance.

The proposed wood deck is setback 7.05' from the eastern side property line, 30.18' from the western property line, and 141.68' from the northern property line at tidal waters.

Please note this is a waterfront R2 zoned property located within the RCA portion of the Chesapeake Bay Critical Area.

The Anne Arundel County Code

§ 18-13-104(a) requires that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams, and tidal wetlands. Specific development criteria apply as set forth in Article 17 of this Code and COMAR.

Subsection (b) - expanded buffer - provides that, except as provided in subsection (c), the 100-foot buffer shall be expanded beyond 100 feet to include slopes of 15% or greater, nontidal wetlands, nontidal wetlands of special State concern, and hydric soils or highly erodible soils.

The buffer shall be expanded as follows:

(1) If there are contiguous slopes of 15% or greater, the buffer shall be expanded by the greater of four feet for every 1% of slope or to the top of the slope and shall include all land within 50 feet of the top of the slopes.

(2) If there are nontidal wetlands, nontidal wetlands of special State concern, hydric soils or highly erodible soils, the buffer shall be expanded in accordance with COMAR, Title 27. § 17-8-201 provides that 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.

The Variance Requested

Please note that development within the expanded buffer is prohibited per 17-8-301(b) of the County Code. We are proposing 2,647 square feet of disturbance for development within the expanded buffer to allow for the demolition of an existing wood deck to allow for the construction of a new larger wood within a similar location. The wood deck square footage is 939 square feet which includes the steps to grade.

Please note that development on slopes 15% or greater is prohibited per 17-8-201(a) of the County Code. We are proposing 2,155 square feet of disturbance for development within 15% steep slopes and 492 square feet of disturbance with the steep slope buffer to allow for the demolition of an existing wood deck to allow for the construction of a new larger wood within a similar location. The wood deck square footage is 939 square feet which includes the steps to grade.

Prefile Comments:

Critical Area Team:

Critical Area Team: There have been two prior variances approved on this site to allow for the location of the current dwelling and deck and to allow for the addition of an attached garage. In order for those variances to have been approved, the AHO would have had to make the finding that these requests were the minimum necessary to afford the applicant relief. While this Office could support a request to reconstruct the existing deck, we cannot support a request for further expansion.

Our response:

The garage approved under 2017-0107-V was never built.

We feel this request is the minimum necessary to afford relief in that there is no way to improve the deck without the need for these variances. The entire waterfront side of the house is steep slopes the water's edge. With much of the lot being steep slopes the expanded buffer is at the road edge. There is no way to improve the deck without the variances being requested.

Zoning Administration Section:

Prior variances: 2003-072-V for a dwelling and associated facilities with less setbacks and buffer than required and with disturbance to steep slopes & 2017-0107-V for a garage with less setbacks and buffer than required and disturbance to steep slopes. The proposed deck and stairs meet the setback requirements. The applicant must show that they meet the critical area criteria as well as the general variance criteria.

Site plan: provide dimensions of the proposed structures.

Our response:

The garage approved under 2017-0107-V was never built.

We feel this request is the minimum necessary to afford relief in that there is no way to improve the deck without the need for these variances. The entire waterfront side of the house is steep slopes the water's edge. With much of the lot being steep slopes the expanded buffer is at the road edge. There is no way to improve the deck without the variances being requested.

We feel that this application meets the critical area criteria as well as the general variance criteria for the granting of a variance.

The site plan has a detail showing the proposed deck dimensions.

We feel this zoning variance request meets the requirements of Article 18-16-305 (a) (b) & (c) and therefore the variances should be granted. Below is the justification for granting the above noted variances.

18-16-305(a)(1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or:

This site is an existing, legally platted, R2 lot. The lot is developed with a single-family dwelling with wood deck, patio and sidewalk. Steep slopes cover most of the lot. The existing wood deck is located on the waterfront side of the house within the expanded buffer and steep slopes greater than 15%. The proposal is to demolish the existing wood deck to allow for the construction of a new wood deck. Most of the property falls within the expanded buffer. There are no areas of the house and existing wood deck that do not lie within the expanded buffer or steep slopes. Since this is the case, there is no way of rebuilding the wood deck without the need for this critical area variances. These are the unique characteristics of the lot.

18-16-305(a)(2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot:

The county requires a minimum amount of disturbance from the structure. We are required to show a 10' disturbed area around the proposed wood deck for construction. This and the location of the buffer and steep slopes, this restricts the owner's ability to construct the new wood deck without steep slope and expanded buffer disturbance. This slope disturbance is very minor and is temporary for the deck construction.

18-16-305(b) (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, \S 8-1808, of the State Code, to the applicant;

This site is an existing, legally platted, R2 lot. The lot is developed with a single-family dwelling with wood deck, patio and sidewalk. Steep slopes cover most of the lot. The existing wood deck is located on the waterfront side of the house within the expanded buffer and steep slopes greater than 15%. The proposal is to demolish the existing wood deck to allow for the construction of a new wood deck. Most of the property falls within the expanded buffer. There are no areas of the house and existing wood deck that do not lie within the expanded buffer or steep slopes. Since this is the case, there is no way of rebuilding the wood deck without the need for this critical area variances. These are the unique characteristics of the lot.

These are the unique characteristics of the lot.

18-16-305(b) (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

The applicant would not be able to improve their property if these variances are not approved. The application should have the right to rebuild the wood deck since these rights are commonly enjoyed by other properties in the area.

18-16-305(b) (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;

This property is not within the County's bog protection area.

18-16-305(b) (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 proposal is to replace the existing wood deck with a slightly larger wood deck within a similar location as the existing wood deck. 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.

18-16-305(b) (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;

With the location of the existing wood deck within the expanded buffer and the location of the steep slopes, there is no way to build the new wood deck without the need for these requested variances. This 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.

18-16-305(b) (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;

This proposal will not increase the total site, lot coverage. 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 as addition site planting is beneficial to the environment.

18-16-305(b) (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 site is not within a bog protection area.

18-16-305(b) (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

We feel that the applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code.

18-16-305(b) (8) The applicant has evaluated and implemented site planning alternatives in accordance with \S 18-16-201(c).

The applicant is proposing to demolish the existing wood deck to allow for the construction of a new wood deck in a similar location. Minimal earthwork is required for deck footers. Any site planning alternative would increase the site disturbance.

18-16-305(c)(1): the variance is the minimum variance necessary to afford relief:

This variance is the minimum variance necessary to afford relief in that the proposed wood deck will be constructed in a similar location to the existing wood deck. The wood deck will require 15 footers for the deck support posts. This required minimum ground disturbance. We feel this proposal has a minimal impact on steep slopes and the expanded buffer. We feel this request is the minimum variance necessary to afford relief

18-16-305(c)(2) the granting of the variance will not:

(i) alter the essential character of the neighborhood or district in which the lot is located:

The approval of these variances will not alter the essential character of the neighborhood. The proposed wood deck is similar to the existing wood deck. We feel this house is in keeping with other homes in the neighborhood.

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

This proposed development would not impair the appropriate use or development of adjacent properties. The neighboring properties are currently developed with a single-family dwelling. This proposal does not have an impact on these dwellings nor the ability of the owner to improve or further develop their property.

(iii) reduce forest cover in the limited development and resource conservation areas of the critical area:

The proposed development will not decrease forest cover within Chesapeak Bay Critical Area. There is no forest clearing required for this improvement.

(iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area:

The property is not located within a bog protection area and is not contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area.

(v) be detrimental to the public welfare:

This development is not detrimental to the health and welfare of the community. This proposal does not increase the total lot coverage within the Chesapeake Bay Critical Area.

If you should have any questions regarding this submittal, please feel free to contact me at the number above.

Sincerely,

Matthew A. Forge

SILVER SAND, CASTRUCCIO PROPERTY, LOT 2R

804 NORTH SHORE ROAD, GLEN BURNIE, MD. 21060

CRITICAL AREA REPORT

PREPARED BY:
M.A.F. & ASSOCIATES, LLC
55 JONES STATION ROAD, W.
SEVERNA PARK, MD 21146

443-864-8589

MAY 10, 2025

SILVER SAND, CASTRUCCIO PROPERTY, LOT 2R

804 NORTH SHORE ROAD, GLEN BURNIE, MD. 21060 CRITICAL AREA REPORT

INTRODUCTION

The lot located at 804 N. Shore Road, Glen Burnie, MD. 21060 in the community of Silver Sands and is currently improved with a single-family dwelling and drive. The owner of the property is proposing to construct a 600 square foot garage within the expanded buffer. This construction will disturb 15% or greater steep slopes.

VICINITY MAP

Included in this report and shown on the attached plan is a vicinity map designating the location of the subject site. Also included in the report are a vicinity map and a portion of the Critical Area Map with the site located.

NARRATIVE

EXISTING CONDITIONS

The lot is currently improved with a single-family dwelling and drive. The lot is partially wooded at this time. The majority of the property consists of 15 and 25% steep slopes. These environmental features expand the 100' buffer from the shoreline to encompass the entire property.

The wooded area is 11,500 square feet. The wooded area consists of pitch pine overstory and mixed hardwood understory, including southern red oak, bigtooth aspen, dogwood, holly, black cherry, sweetgum and river birch. No rare, threatened or endangered species were noted.

The site slopes steeply from the road to the waters edge. There is no way of developing the site without disturbing the steep slopes. The only wildlife seen was small birds. It is likely that small mammals and birds use the site for a food source. The wildlife use of the property will not be diminished with this proposed garage addition.

PROPOSED DEVELOPMENT

The owner of the property is proposing to remove an existing wood deck to allow for the construction of a new wood deck and steps to grade. This construction falls within steep slopes of 15% as well as being within the expanded buffer. The site is 0.6365 acre, consisting of mostly steep slopes (15% or greater) and the expanded buffer. The proposed deck construction will require a total disturbance of 2,647 square feet.

STORMWATER MANAGEMENT

There is stormwater management on the property for the existing house. If storm water management is required for this application, it will address stormwater as part of the building permit application. During construction, sediment and erosion control measures will be employed.

IMPACT MINIMIZATION

Due to the limited improvement, we feel that this development demonstrates a minimal impact on the environment.

HABITAT PROTECTION AREAS

The Habitat Protection Areas onsite include the shallow water habitat, the expanded buffer to the shoreline, as well as the buffer to the steep slopes. The expanded buffer to the shoreline prohibits this construction without a variance being granted.

AFTER CONSTRUCTION CONDITIONS AND SITE CALCULATIONS

The proposed conditions of the site include the construction of a garage addition. The site calculations are as follows:

Total site area	24,725 sf
Existing woodland	11,500 sf
Proposed clearing	0 sf
Proposed planting	0 sf
Existing lot coverage prior	
to the proposed addition	1,789 sf
Allowed lot coverage coverage	3,708 sf
Additional lot coverage after construction with the LDA	0 sf

Reforestation, stormwater management and impervious coverage in the buffer will be addressed with the building permit.

CONCLUSIONS

The lot in question is a legal lot located in an established community. It is not possible to remove the existing wood deck and for the construction of a new wood deck without being in the expanded buffer or disturbing steep slopes.

As constructed, the development of the lot does not have an adverse impact on the plant or wildlife habitat of the Critical Area. This wood deck will be constructed with 1/8" gaps and there considered pervious. This proposal will not adversely impact adjacent properties.

PLANS

A plan showing the site and its improvements is attached to this report.

ADDITIONAL INFORMATION

A Notification of Project Application for the Critical Area Commission is included in this package.

The fieldwork was conducted on May 10, 2025

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: 5 - 70 - 7075			
Tax Map #	Parcel # 179 3750 - 11	Block # 24-	Lot# ZR	Section	FOR RESUBMITTAL ONLY Corrections Redesign No Change Non-Critical Area *Complete Only Page 1 General Project Information			
	ne (site name, subtion/Address			SILVER E PRIVE	SALOS / CASTRUCCIO PROPERTY			
City C		HIE		MO	Zip Z1066			
Applicant:	Last name	PIROG	2	R.	First name DATIEL			
Building Per Buffer Mana Conditional Consistency Disturbance	agement Plan Use Report > 5,000 sq ft	that apply):		Variance Rezoning Site Plan Special Excepti Subdivision	on \square			
Crading Penderal Local Jurise Last name	mit diction Contact AACo Zoning		Section	Other First name				
Phone # Fax #	410-222-7437		_ Respoi	nse from Commi	ssion Required By TBD			

SPECIFIC PROJECT INFORMATION

Describe Proposed use									
DENO EXIST	746		DEC	S FOR THE	= con	STRUC	Mod		
OP A HEN		p b	ECK 1	440 STEPS		CRADE			
Intra-Family Transfer Grandfathered Lot	Yes			Growth Alle Buffer Exer	ocation	Yes			
Project Type (check a	ll that apply	y)							
Commercial Consistency Report Industrial Institutional Mixed Use Other				Recreationa Redevelopn Residential Shore Erosic Water-Depe	nent on Control	ity			
SITE INVENTORY (Enter acres or square feet)									
	Acres		Sa Ft	m : 1		Acres	Sq Ft		
IDA Area	110100		O	Total Disturb	ped Area		2647		
LDA Area		24	3725						
RCA Area			0	# of Lots Cre	ato d				
Total Area				# Of Lots Cre	eated				
Existing Forest/Woodland Created Forest/Woodland Removed Forest/Woodland	Trees	Acres	Sq Ft	P Existing Lot Coverage New Lot Coverage Removed Lot Covera		Acres	Sq Ft 1789		
	11005			Total Lot Coverage	.ge		0		
				Total Lot Coverage			1789		
VARIANCE INFORMATION (Check all that apply)									
Buffer Disturbance		Acres	Sq Ft	1 5 00 5		Acres	Sq Ft		
Non-Buffer Disturbance			664	Buffer Forest Clearing	ng		0		
Variance Type Buffer Forest Clearing HPA Impact Lot Coverage Expanded Buffer Nontidal Wetlands Setback Steep Slopes Other			B D D G G P:	Mitigation Structure cc. Structure Addition arn eck welling welling Addition arage azebo atio Pool hed					
			O	ther					

Revised 12/14/2006

CRITICAL AREA MAP





Legend

Parcels



Critical Areas

IDA - Intensely Developed Area



Developed Area

LDA - Limited

Development Area

RCA - Resource

Conservation Area

Labels

State Road Label

Interstate US Road Label

Local Road Label

Fire Police Label

Streams Label

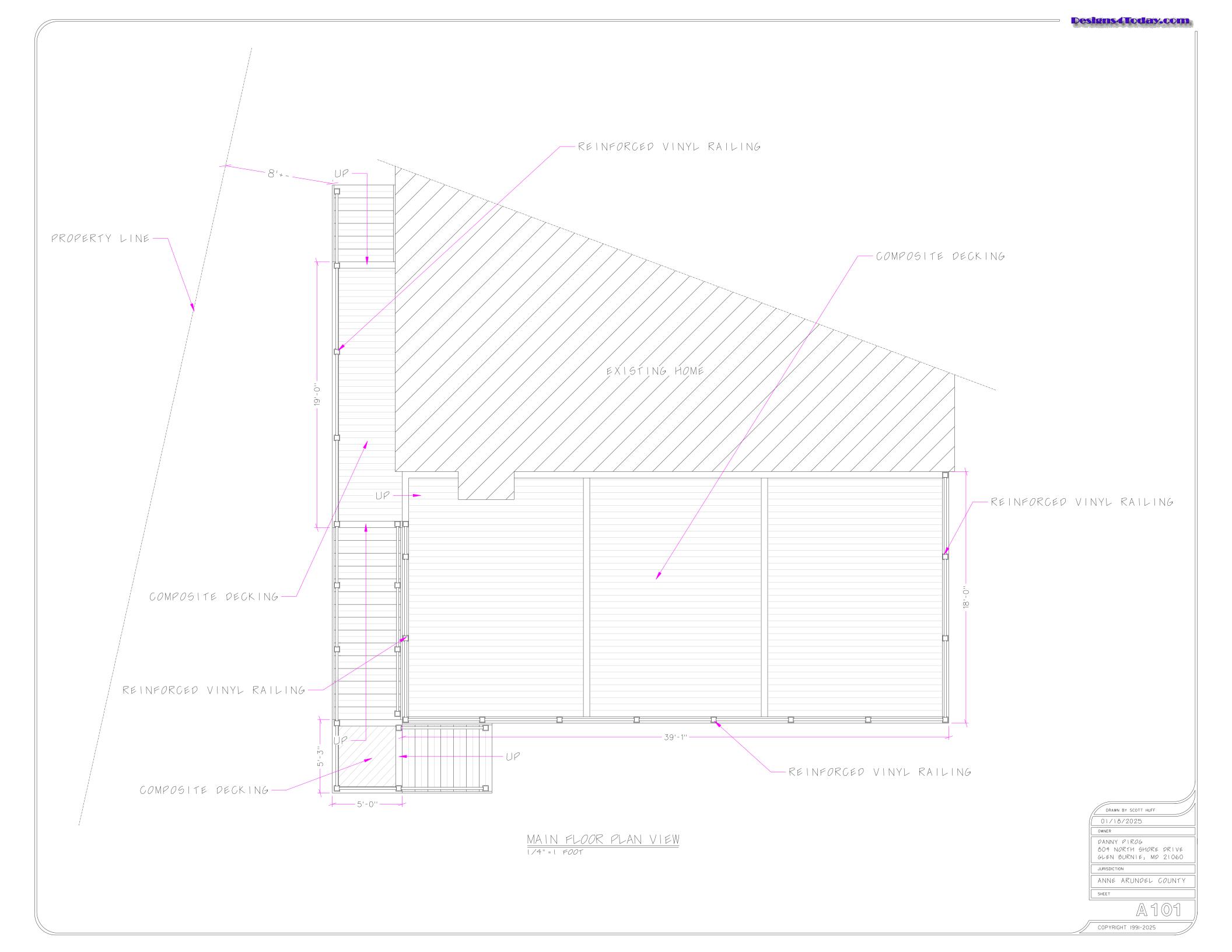
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



Esri Community Maps Contributors, County of Anne Arundel, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA,

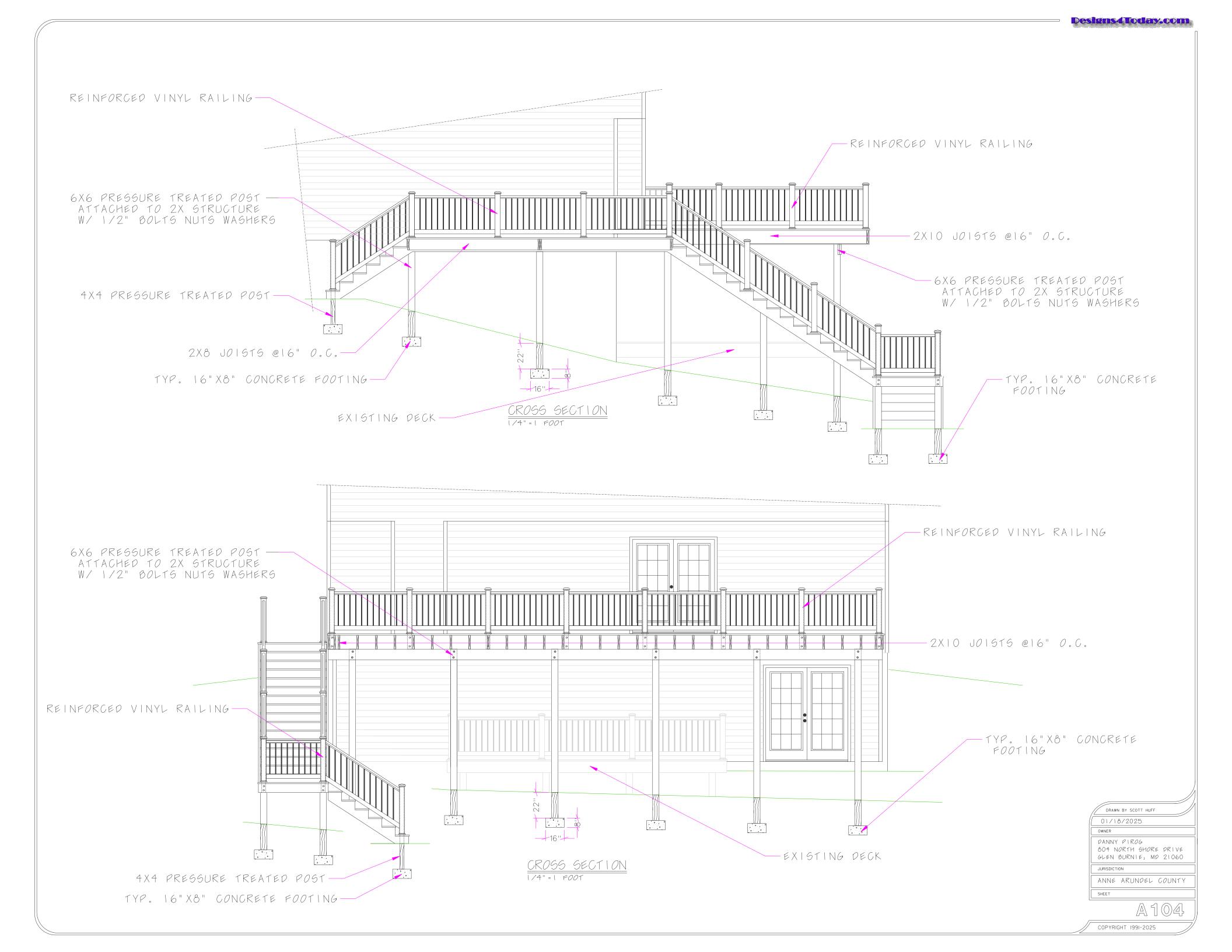
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes





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STEUART 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 2025-0155-V

DATE: August 15, 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.

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



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

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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

Cell: 667-500-4994 (preferred) jamileh.soueidan@maryland.gov

2025-0155-V

Menu Cancel Help

Task Details OPZ Critical Area Team **Assigned Date** 08/04/2025 Assigned to Kelly Krinetz **Current Status** Complete w/ Comments **Action By** Kelly Krinetz Comments A prior variances was approved to allow for the location of the current dwelling and deck. In order for this variance to have been approved, the AHO would have had to make the finding that the request met the minimum necessary to afford the applicant relief. While this Office could support a request to reconstruct the existing deck in kind, we cannot support a request for for expansion. **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



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 11, 2025

RE: Daniel F. Pirog Jr.

804 Shore Drive

Glen Burnie, MD 21060

NUMBER: 2025-0155-V

SUBJECT: Variance/Special Exception/Rezoning

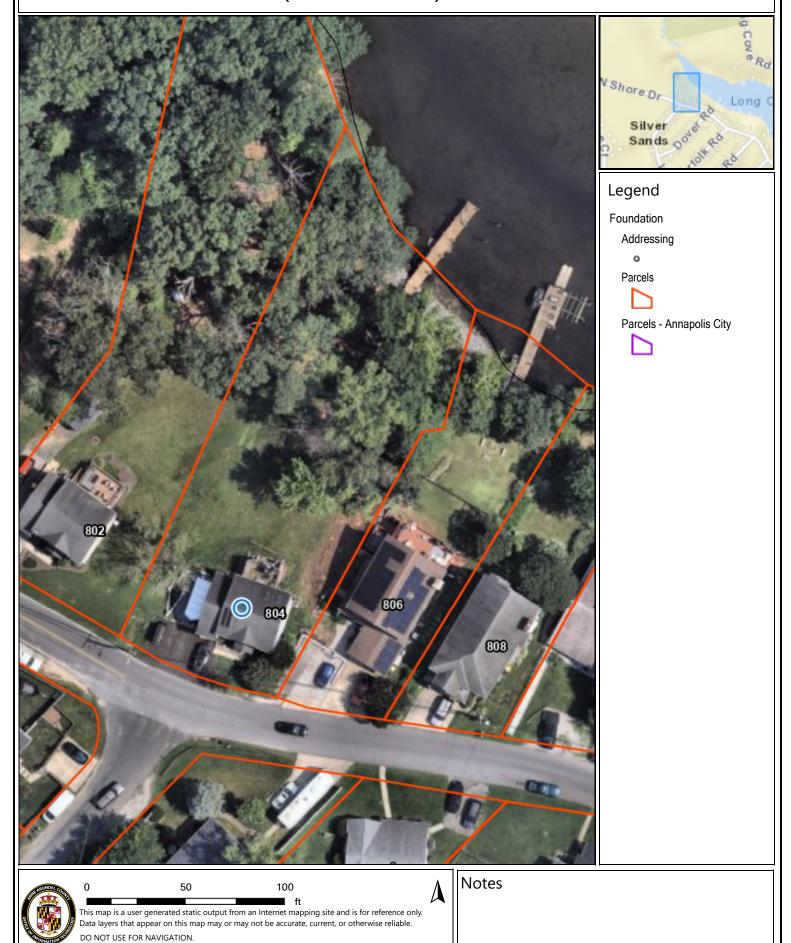
The Health Department has reviewed the above referenced variance to allow a dwelling addition (deck) with less setbacks and buffer than required and with disturbance to slopes of 15% or greater.

The Health Department has reviewed the above-referenced request. The property is served by public water and sewer facilities. The Health Department has no objection to the above-referenced request.

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

cc: Sterling Seay

804 North Shore Drive (2025-0155-V)



804 North Shore Drive (2025-0155-V) facing south

