



J. Mayer

ARCHITECTS, LLC
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September 5, 2025

Anne Arundel County
Department of Planning and Zoning
2664 Riva Road
Annapolis, MD 21401

Variance Application for:
Harry and Robyn Proctor
4900 Goose Creek Road
Shady Side, MD 20764

Letter of Explanation

The purpose of this variance is to request a variance of 8.6' to the required rear yard setback in an R-1/ OS zoning districts. This waterfront lot with tidal waters on two sides is zoned LDA and RCA with the existing home located in an LDA. The property consists of 3.1200 acres with portions of it being zoned OS and/or below tidal waters. The actual "buildable" area of the site totals 29,958 SF. This lot contains areas of buffer exempt and non- buffer exempt with the area of the addition sited in a buffer exempt area.

This site is developed by a 2-story 1,286 SF dwelling, a two-story garage (used primarily for storage as the home does not have a basement), and a small, one-story shed. This home has been a second home for many years and our clients have now made this their primary residence. To make this home more accommodating, they wish to add a one-story addition (on a crawlspace) to include a new kitchen/ eating area, bathroom, pantry, utility room, and an attached one-car garage. The existing kitchen will be removed and that area of the home will be re-purposed as a first floor bedroom. They wish to "age in place" and primarily use the first floor of the home. This property has been in the Proctor family since the 1800's and wish to live here for the remainder of their lives.

The site is served by a compliant, private water well and public sewer.

The applicant is seeking a variance of 8.6' to the required R-1 35' rear yard setback. (18-4-501) We are purposely shifting the addition to the rear to minimize the disturbance in the buffer and to site the addition to avoid a window in the existing dining room and to facilitate the connection to the existing home.

The existing home is almost entirely within the buffer and the majority of the addition has purposely been sited away from the Buffer towards the rear of the property. The area of the addition contains slopes less than 2% and the amount of disturbance within the buffer has been limited to 1,101 SF.

It is our belief that these requests are minimal and merit relief from the requirements of the Code.

Detailed calculations for lot coverage and disturbance are enumerated on the site plan and in summaries are as follows:

Existing Lot Coverage: 2,873 SF 2%
Proposed Lot Coverage: 4,069 SF 3%

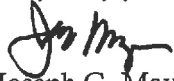
Allowable Lot Coverage: (15%) 20,386 SF

Amount of Disturbance within the 100' Critical Area Buffer: 1,101 SF
Amount of Disturbance outside the 100' Critical Area Buffer: 1,662 SF

Thank you for your consideration of our requests.

If you have any questions or require any additional information, please do not hesitate to call me on (410) 266-9560 ext. 222 or email at j.mayer@jmayerarchitects.com

Very truly yours,

A handwritten signature in black ink, appearing to read "Joe Mayer", is written over the typed name.

Joseph G. Mayer AIA
Principal

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: 9/5/25

Tax Map #	Parcel #	Block #	Lot #	Section
0070	0013		1A	

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Tax ID: 07-000-02606800

Project Name (site name, subdivision name, or other) Harry and Robyn Proctor Residence

Project location/Address 4900 Goose Creek Road

City Shady Side MD Zip 20764

Local case number 2025-0181-V

Applicant: Last name Mayer First name Joe

Company J. Mayer Architects, LLC

Application Type (check all that apply):

Building Permit	☐	Variance	☒
Buffer Management Plan	☐	Rezoning	☐
Conditional Use	☐	Site Plan	☐
Consistency Report	☐	Special Exception	☐
Disturbance > 5,000 sq ft	☐	Subdivision	☐
Grading Permit	☐	Other	☐

Local Jurisdiction Contact Information:

Last name AACo Zoning Administration Section First name

Phone # 410-222-7437 Response from Commission Required By TBD

Fax # Hearing date TBD

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site: Single Family Residence (Existing)

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
IDA Area		0
LDA Area		42,782
RCA Area		93,125
Total Area	3.1200	135,907

Total Disturbed Area

Acres	
Sq Ft	2,765

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		15,515	Existing Lot Coverage		2,873
Created Forest/Woodland/Trees		TBD	New Lot Coverage		1,196
Removed Forest/Woodland/Trees		942	Removed Lot Coverage		
			Total Lot Coverage		4,069

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		1,101	Buffer Forest Clearing		0
Non-Buffer Disturbance		1,664	Mitigation		TBD

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 ☐



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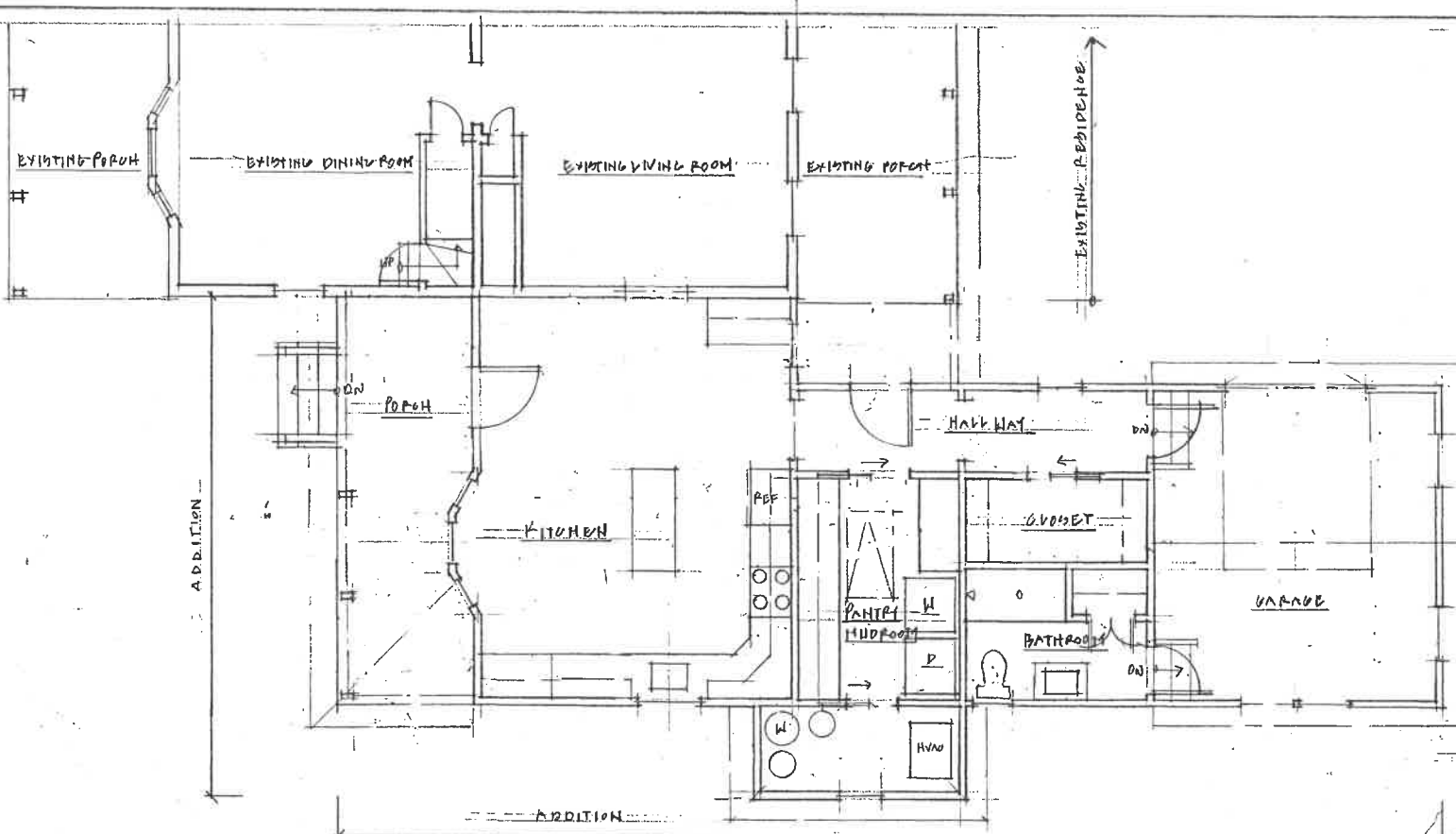
Critical Area Report

This 3.1200 Acre property is zoned residential R-1 and OS, and Critical Area Zoned LDA (Non-Buffer Exempt) and RCA. It is presently improved with a 2-story home, a detached 2-story garage, and a 1-story shed. It appears that there are no habitat protection areas on the subject property or rare, endangered species of birds, fish, or plant life. We have reached out to Lori Byrne, Environmental Review Coordinator Wildlife and Heritage Service at DNR, to confirm this and we are awaiting her reply. One tree will be removed as part of this project due to its proximity to the proposed addition and there will be no disturbance to steep slopes as the property is essentially flat.

There is no impact to jurisdictional wetlands, 25-foot tidal wetland buffer, streams, or 100-year flood plain for this project. Therefore, authorization for the MD Department of the Environment and the US Army Corps of Engineers is not required.

Lot coverage for this LDA lot is limited to 20,386 SF (15%) and we are proposing lot coverage of 4,069 SF (3%).

AACO will require the installation of reinforced silt fence which will minimize any impact on water quality and habitat during the construction. New forestation will also be required to further mitigate stormwater management.



PARTIAL FIRST FLOOR PLAN 1/4" = 1'-0"

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 j.mayer@jmayearchitects.com

ADDITION TO:
 THE PROCTOR-KENNEDY
 4900 COBB CREEK ROAD SHADY GLEN, MD
 9525
 PARTIAL FIRST FLOOR PLAN





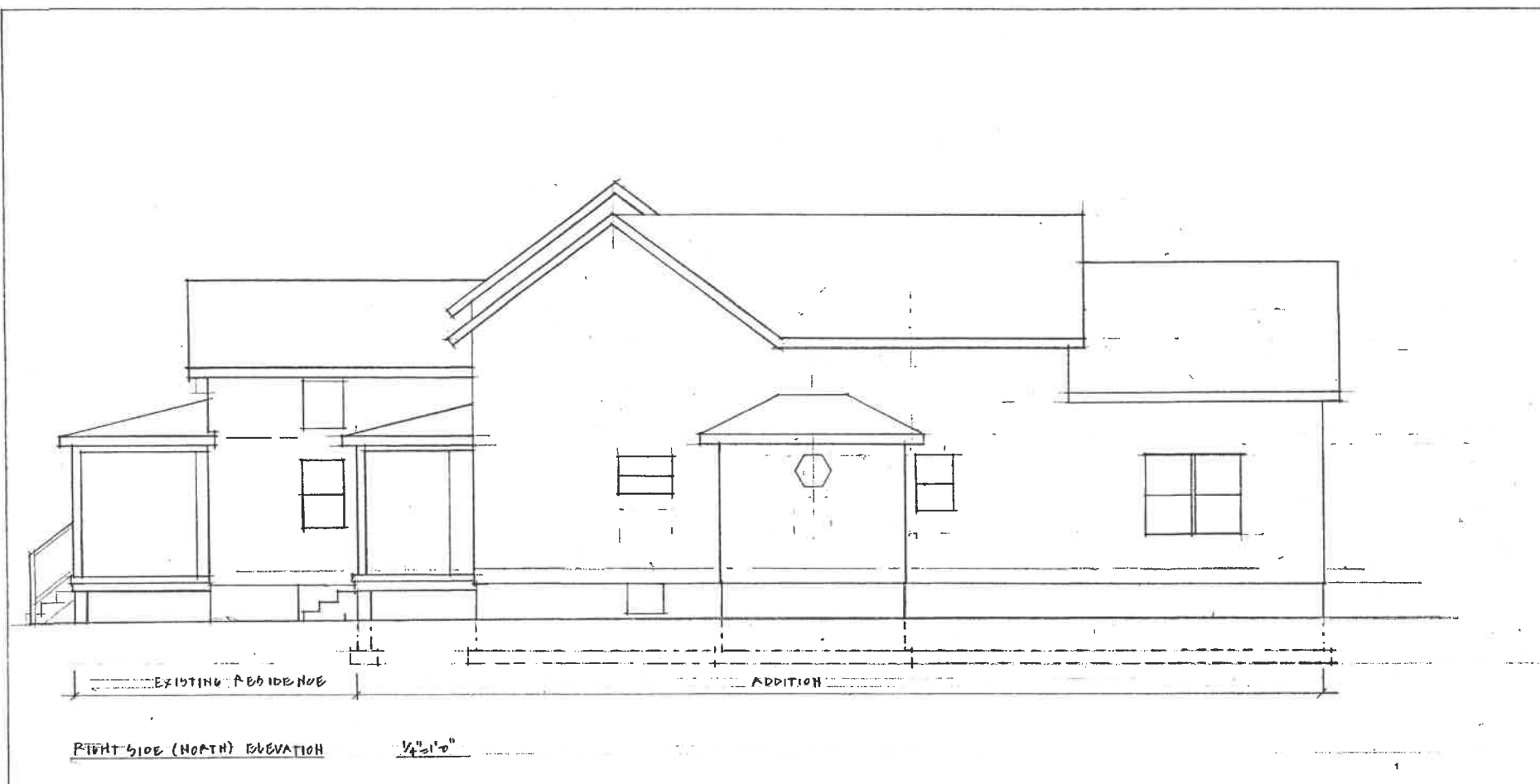
FRONT (EAST) ELEVATION

1/4" = 1'-0"

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ADDITION TO
THE PROCTOR RESIDENCE
4700 BODE CREEK ROAD BRADY BIDE HD
FRONT (EAST) ELEVATION
9.5.25

NS



 JMayer ARCHITECTS, LLC 1212 West Street, Suite 200 Annapolis, MD 21401 jmay@jmayarchitects.com		ADDITION TO: THE ROOSTER RESIDENCE 4900 LOOSE CREEK ROAD SHADY SIDE MD RIGHT SIDE (NORTH) ELEVATION	9.5.20 
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REAR (WEST) ELEVATION

1/4" = 1'-0"

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ADDITION TO:
THE FRONT PORCH
110 BOYD STREET ROAD
REAR (WEST) ELEVATION





LEFT SIDE (SOUTH) ELEVATION 1/4" = 1'-0"

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ADDITION TO:
 THE PROCTOR-REID HOME
 4900 GOOSE CREEK ROAD
 LEFT SIDE (SOUTH) ELEVATION

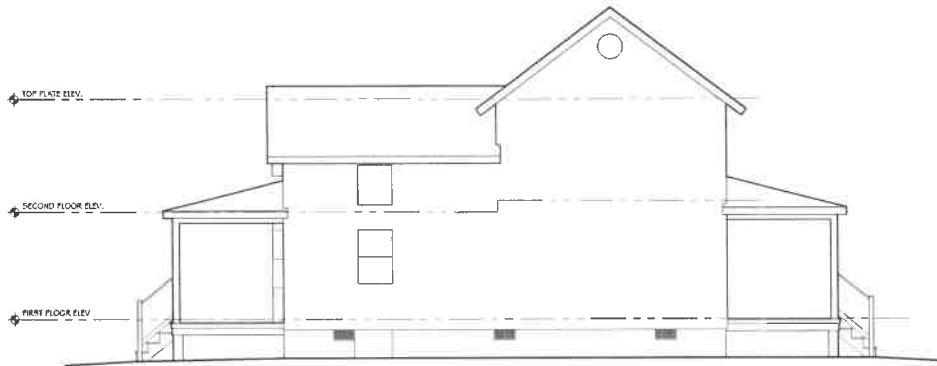
4.5.25
 JED

 **K1** **SECOND FLOOR PLAN**
FLOOR AREA: 527 SQ. FT. SCALE: 1/4" = 1'-0"

\\JMAPR\125\work\projects\24019 Proctor Residence\Drawings\A2.1 - EXTERIOR ELEVATIONS.dwg, 9/30/2024, 11:29:31 AM, Jham..._2024 to PDF.pd3



A7 FRONT ELEVATION (EAST)
SCALE: 1/4" = 1'-0"



H7 RIGHT SIDE ELEVATION (NORTH)
SCALE: 1/4" = 1'-0"



A1 REAR ELEVATION (WEST)
SCALE: 1/4" = 1'-0"



H1 LEFT SIDE ELEVATION (SOUTH)
SCALE: 1/4" = 1'-0"

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PROJECT:
EXISTING CONDITIONS
PLANS FOR:
**PROCTOR
RESIDENCE**
4800 GOSPEL CREEK ROAD
CHERRY HILL, MD 20764
ANNAPOLIS, MARYLAND

OWNER/CLIENT:
HARRY AND ROBYN
PROCTOR

SUBMISSION SCHEDULE
No. DATE DESCRIPTION
09-30-24 CLIENT COPY

REVISION
No. DATE DESCRIPTION

DWG DATE: 09-30-24
DRAWN BY: SHK
PROJECT No: 24019
DWG TITLE:

EXTERIOR
ELEVATIONS

SHEET No.
A2.1



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Standards for Granting of the Variance

- 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 lot, there is no reasonable possibility of developing the lot in strict conformance with this article.

Response: This property is non-buffer exempt and most of the existing dwelling is entirely within the 100' Critical Area Buffer. Therefore, any form of ground level expansion would be subject to a variance. Further, the shallowness of the area of the home between the shoreline and the rear property line is minimal and creates a hardship for expanding the home within the required setbacks without placing the addition closer to tidal waters. Generally, with most properties, the depth is greater than the width. With this lot, the width is 4.5 times greater than the depth.

- 2) Because of exceptional circumstances other than financial considerations, the granting of a variance is necessary to avoid practical difficulties or unnecessary hardship, and to enable the applicant to develop the lot.

Response: The granting of the variance is necessary to avoid practical difficulties or unnecessary hardship. Our clients are well beyond retirement age and it is necessary to expand the home at grade level where traversing a flight of narrow, steep, steps is not required. Further, our clients are now using this 1,286 SF home as their primary residence and it needs to be accommodated for for aging in place. This property has been in the Proctor family since the 1800's and they wish to reside at 4900 Goose Creek Road for the rest of their lives.

A variance may not be granted unless it is found:

- 1) That the variance is the minimum necessary to afford relief:

Response: The variance request is the minimum necessary to afford relief.

- 2) That the granting of the variance will not
i. Alter the essential character of the neighborhood or district in which the lot is located.

Response: The granting of this variance will not alter the essential character of the neighborhood or district in which the lot is located.

- ii. Substantially impair the appropriate use or development of adjacent property.

Response: The granting of this variance will not substantially impair the appropriate use or development of adjacent property.

- iii. Reduce Forest cover in the limited development and resource conservation areas of the critical area.

Response: One tree will be removed due to its proximity to the proposed addition.

- iv. Be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area.

Response: One tree will be removed due to its proximity to the proposed addition.

Standards for granting a variance in the critical area:

- 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 lot, strict implementation of the County's critical area or go Protection programs would result in unwarranted hardship, as that term is defined in the Natural Resources Article, § 8-1808, of the State Code, to the applicant.

Response: This property is non-buffer exempt and most of the existing dwelling is entirely within the 100' Critical Area Buffer. Therefore, any form of ground level expansion would be subject to a variance. Further, the shallowness of the area of the home between the shoreline and the rear property line is minimal and creates a hardship for expanding the home within the required setbacks without placing the addition closer to tidal waters.

- 2) (i) A literal interpretation of COMAR, Title 27, Criteria of Local Critical Area Program Development of 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 visions of the critical area program within the critical area of the County.

Response: The denial of this request will deprive the applicant of rights commonly enjoyed by other properties in similar areas.

- 3) The granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, 27.01, the County's critical area program to other lands or structure within the County critical area, or the County's bog protection program to other lands or structures with a bog protection area.

Response: The granting of this variance will not confer the applicant with any special privileges. They wish to enjoy aging in place and primarily use the first floor of the home.

- 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 variance was filed, and does not arise from any condition relating to land or building use on any neighboring property.

Response: The variance request is not based on conditions or circumstances that are the result of any actions by the applicant.

- 5) The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat with 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.

Response: The granting of this variance will not affect water quality or adversely impact fish, wildlife, or plant habitat with the county's critical area.

- 6) The applicant for a variance to allow development in the 100-foot upland buffer has maximize the distance between the bog and each structure, considering natural features and the replacement of utilities, and has met the requirements of § 17-9-208, of the County Code.

Response: This property is not located in an upland buffer.

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

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

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

Response: The applicant has conducted a pre-file meeting with Planning & Zoning staff and has addressed the concerns set forth in the staff comments.

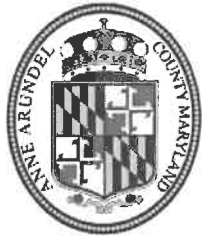












OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2025-0066-P
DATE: 08/1/2025
OPZ STAFF: David Russell
Jessica Levy
Stacy Poulos
Natalie Norberg
Kelly Krinetz

APPLICANT/REPRESENTATIVE: Harry Proctor

EMAIL: j.mayer@jmayerarchitects.com

SITE LOCATION: 4900 Goose Creek Rd, Shady Side

LOT SIZE: 3.12 AC

ZONING: R1, OS **CA DESIGNATION:** RCA, LDA **BMA:** Y **BUFFER:** Y **APPLICATION TYPE:** Variance

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

The following variances are required:

- § 17-8-201 to allow disturbance to slopes greater than 15% within the critical area LDA/RCA.
- § 18-4-501 to allow less setbacks than required.

COMMENTS

Zoning Administration Section:

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

Although the land area within the parcel boundaries is only zoned R1, the portions of water within the parcel boundaries is still zoned OS. In the letter of explanation please specify if you are relocating the existing dwelling's kitchen into the area proposed for addition or if you are adding a second kitchen. On the site plan please add structure dimensions and dimensions from the structures to property lines.

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

Critical Area Team:

The applicant has incorrectly identified this as a non buffer modified lot when in fact, the existing structure is located in the Buffer Modification Area.

The proposed addition is in compliance with the BMA development criteria and no objection is offered for this proposal.

Long Range Planning:**Compliance with Plans:**

General Development Plan: Plan2040 does not have recommendations that are specific to this site, and the proposal is generally consistent with the goals, policies, and strategies of Plan2040, including:

- Goal BE11: Provide for a variety of housing types and designs to allow all residents housing choices at different stages of life and at all income levels.

Region 9 Plan: This proposal is within the Region Planning Area 9. The Region Plan was adopted on April 7, 2024. The Region 9 Plan does not have recommendations that are specific to this site, and the proposal is generally consistent with the goals, policies, and strategies of the Region 9 Plan. The applicant is encouraged to pursue a Forest Conservation Easement for the northern portion of the property within the Green Infrastructure Network to further support Region 9 Strategy NE1: Promote conservation of land in the Green Infrastructure Network with a focus on property surrounding existing public parks and protected open spaces such as Jack Creek Park, Deep Creek Natural Area, Franklin Point Park, and other locations most at risk to coastal flooding and sea level rise.

2022 Water and Sewer Master Plan: The site is in the Existing Sewer Service category in the Broadwater Sewer Service Area and the No Public Water Service category. The proposal is consistent with the 2022 Water and Sewer Master Plan.

Inspections and Permits Engineering:

1. Identify the steep slopes and the steep slope buffer on the plan sheet. Provide hatch marks and lines within the legend.
2. Show existing and proposed stormwater management devices. Note if any existing stormwater management devices are to remain or to be removed. Provide setbacks for the proposed devices. Stormwater management will be reviewed at the next stage of development/Building Permit.
3. Show any proposed walkways/sidewalks leading to the new addition. Note material.
4. Label the FEMA flood zone where the label for LDA/RCA is located.
5. Note if the existing covered porches, wood decks, and pavers are to remain.
6. How will the addition be sewerred? Will there be any additional sewer connection for the addition? If so, show it on the plan sheet.

Cultural Resources

While the Cultural Resources Section does not object to a variance request, this property contains an undocumented historic structure and one (untested) archaeological site, "Snug Harbor." 18AN829. The Cultural Resources Section requires review of grading/building permit plans to assess for compliance with Article 17-6-502. A site visit by the Cultural Resources Section will be required for the permit review in order to evaluate for any potential impacts or additional documentation/survey requirements.

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.