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September 15, 2025

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

RE: Letter of Explanation for Variance Application
Property Address: 6517 Clagett Avenue, Tracy's Landing, MD 20779

To Whom It May Concern,

We respectfully submit this Letter of Explanation in support of a variance request for improvements to the property located at 6517 Clagett Avenue, Tracy's Landing, MD 20779. The subject property is a single-family home built in 1930, located in the Fairhaven neighborhood. It is sited on a waterfront lot that is buffer exempt, zoned R2, and located entirely within the Chesapeake Bay Critical Area, with an IDA (Intensely Developed Area) designation.

The proposed improvements include the construction of a new pier, pier access stairs, and a two-story addition on the south side of the existing principal structure. The addition will include a family great room on the first level and a bedroom on the second level, measuring approximately 11 feet wide, 27 feet long, and 26 feet at its highest point. This expansion is intended to accommodate the needs of the owners' large and growing family.

However, due to the presence of an unimproved paper road adjacent to the southern property line, the required 20-foot side yard setback under **§18-4-601** (for properties adjacent to public rights-of-way) significantly restricts the buildable area on the lot. Importantly, the north side of the house contains the septic system. Therefore, the only feasible and least intrusive location for the addition is the south side—where it is constrained by the paper road setback.

Applying a full 20-foot setback in this context imposes an unnecessary burden and denies the owners a reasonable and comparable use of their property, particularly when several homes along Clagett Avenue that also border paper roads have rebuilt or constructed additions consistent with the standard 7 feet required in R2 zones under **§18-4-601**.

Properties located at 6527, 6543, and 6549 Clagett Avenue, have constructed additions adjacent to paper roads that do not comply with the 20-foot setback. Based on available permitting and zoning code history, these appear to have been built prior to the adoption of the current corner-side setback regulation. As such, it represents a condition that,

while legally constructed at the time, now serves as a relevant reference point for how the 20-foot setback requirement imposes disproportionate restrictions on similarly situated homes. We respectfully submit that this variance request is consistent with the built character and expectations of the neighborhood, and allows this family the same reasonable use and livability that neighboring properties already enjoy.

Furthermore, the proposed addition does not impact the waterfront buffer area. While the home is located within the Critical Area Overlay District, the addition is entirely on the landward side of the house and does not further encroach into any buffer or sensitive environmental features.

In accordance with **§ 18-16-305** of the Anne Arundel County Code, we respectfully submit that this request satisfies the applicable variance criteria:

Requirements for Critical Area Variances.

1. Unique physical conditions – The hardship is not self-imposed, but rather results from the property's unique configuration, bordered by an unimproved paper road on one side and utilities that cannot be relocated on the other.
2. Rights commonly enjoyed – The proposed improvements are similar and in character with those of surrounding properties. To deny the requested variance would deprive the applicant of rights commonly enjoyed by several of the other properties in the area.
3. Will not confer special privilege – Granting this variance would not confer a special privilege to the applicant. An extensive effort has been made to design the improvements in a manner that considers the site constraints and county recommendations.
4. Not based on conditions or circumstances that are the result of actions by the applicant – Conditions and circumstances are based on the characteristics of the existing property, not because of actions taken by the applicants.
5. Will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area – The proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area. Disturbance is minimized only to what is necessary to complete the project. Mitigation will occur in accordance with county regulations and will be addressed during the permitting process. Sediment and erosion controls will be utilized to ensure that construction and grading will not adversely affect the surrounding environmental features located within the Critical Area. These precautions will ensure that water quality, fish, wildlife and plant habitat will not be adversely affected.

Requirements for all variances.

1. Minimum necessary – The 11 foot width of the addition is minimal while still providing meaningful space for family use, maintains a setback that conforms with a side yard setback, and is consistent with the setbacks of other improved properties on Claggett Ave.

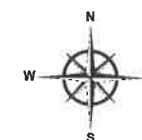
2. The granting of the variance will not:

- i. Alter the essential character of the neighborhood, and all proposed development will be harmonious with other properties of the surrounding area.
- ii. Substantially impair the appropriate use or development of adjacent properties.
- iii. Reduce forest cover
- iv. Be contrary to acceptable clearing or replanting practices required for development of the Critical Area.
- v. Be detrimental to the public welfare.

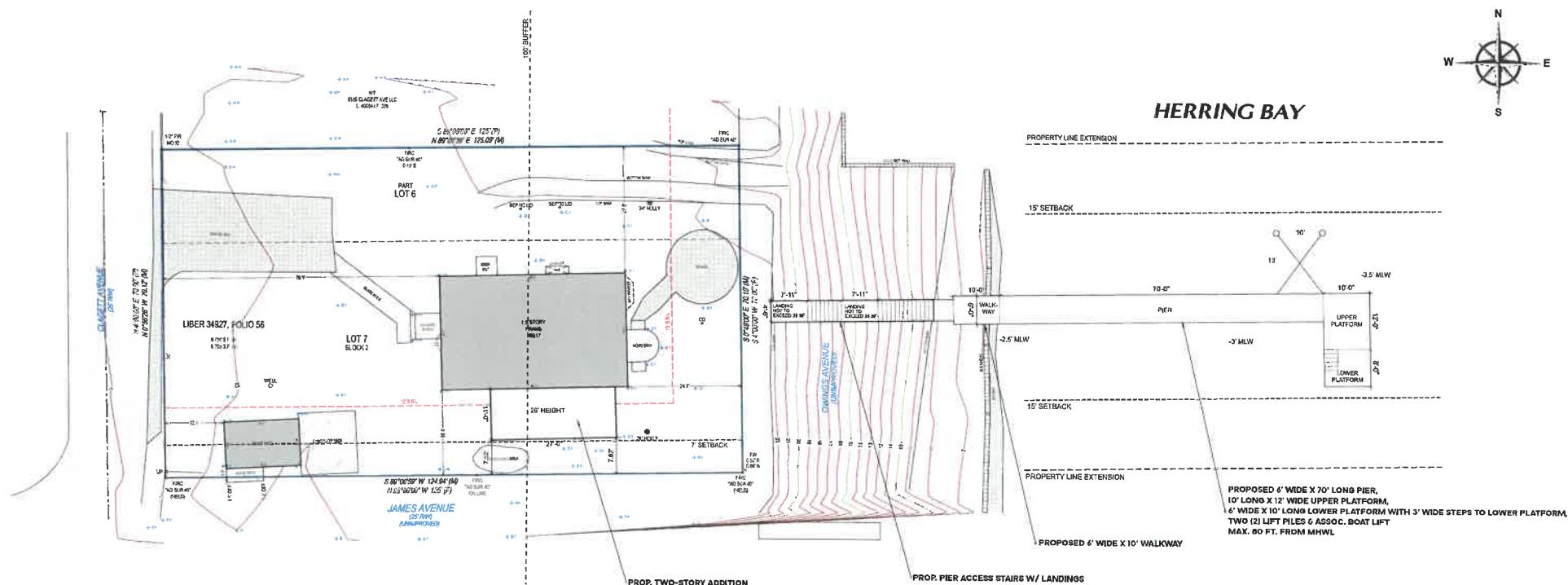
We are requesting a variance to **§18-4-601** from the required 20-foot setback from a paper road, and seek approval to match the typical 7-foot side yard setback permitted in the R2 zoning district for interior side yards. This would allow for an appropriately scaled and functional two-story addition that does not cause harm to neighboring properties, and conforms with the general spirit of the neighborhood. Denial of this variance would deprive the applicants of reasonable and significant use of their property.

We appreciate your consideration of this request and look forward to discussing it further. Please feel free to contact me with any questions or if additional documentation is needed.

Sincerely,
Michelle Schmauder
Designer
Reflekt Design Build



HERRING BAY



1 SITE PLAN
Scale: 1" = 10'

- ALL WATER DEPTHS ARE APPROXIMATED AND SHALL BE MEASURED BY CONTRACTOR
- ALL PILE MEASUREMENTS ARE CENTER TO CENTER UNLESS OTHERWISE NOTED
- ALL ACCESS FOR PIER AND PIER ACCESS AND STAIR CONSTRUCTION IS BY WATER
- DISTANCE ACROSS WATERWAY = 46.658 FT.
- QUARTER DISTANCE = 11.664 FT.
- NO SAV PRESENT AT THIS SITE
- ALL NEW PILES ARE OUTSIDE OF 15' SETBACKS

DIGIOIA RESIDENCE

6517 CLAGETT AVENUE
TRACYS LANDING, MD 20779

TAX ID 08-267-01870750
MAP 0082 - GRID 001 - PARCEL 009
ANNE ARUNDEL COUNTY, MARYLAND

PROJECT OUTLINE

- CONSTRUCT 1 TWO STORY ADDITION
- CONSTRUCT PIER ACCESS STAIRS
- CONSTRUCT PIER WITH WALKWAY, PLATFORMS, AND BOAT LIFT

PROPERTY DETAILS

CORNER LOT: YES
WATER FRONT: YES
CRITICAL AREA: NO
BOG AREA: NO
WATER SOURCE: WELL
WASTE SOURCE: SEPTIC
ZONING CLASSIFICATION: R-2
NAME OF WATERWAY: HERRING BAY

SITE TABULATIONS

TOTAL SITE AREA: 8,750 SF
DISTANCE FROM WATER TO DISTURBED AREA: 71'
STEEPEST SLOPE DISTURBED: 3.4%
TOTAL DISTURBED AREA: 1,586 SF

MINIMUM SETBACKS FOR PRINCIPLE STRUCTURES:

FRONT LOT LINE: 25'
REAR LOT LINE: 20'
SIDE LOT LINE: 7-40'
CORNER SIDE LOT LINE: 20-40'

MAXIMUM HEIGHT LIMITATION: 35' TO MID GABLE (26' PROPOSED)

MAXIMUM COVERAGE BY STRUCTURES: 60% (5,250 SF)
PROPOSED LOT COVERAGE BY STRUCTURES: 20.16% (1,764 SF)

TOTAL WOODED AREA: 0
TOTAL WOODLAND REMOVED: 0

EXISTING IMPERVIOUS COVERAGE:

HOUSE: 1,062 SF
DRIVEWAY & SIDEWALKS: 970 SF
ACCESSORY STRUCTURES: 405 SF

PROPOSED IMPERVIOUS COVERAGE:
HOUSE: 1,062 SF
DRIVEWAY & SIDEWALKS: 970 SF
ACCESSORY STRUCTURES: 405 SF
ADDITIONS: ~297 SF

TOTAL EXISTING AND PROPOSED IMPERVIOUS COVERAGE: 2,734 SF (31.25%)



REFLEKT DESIGN BUILD
6040 PARKERS CREEK DRIVE
DEALE MD 20751

SITE PLAN

GIL & ROSEMARY DIGIOIA
6517 CLAGETT AVENUE
TRACYS LANDING, MD 20779

DIGIOIA RESIDENCE

A 000

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:

Tax Map #	Parcel #	Block #	Lot #	Section
0082	0009	*	6	1

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Tax ID: 08-267-01870750

Project Name (site name, subdivision name, or other) DiGioia Residence Addition

Project location/Address 6517 Clagett Avenue

City Traceys Landing Zip 20779

Local case number

Applicant: Last name Schmauder First name Michelle

Company Schmauder Group, LLC dba Reflekt Design Build

Application Type (check all that apply):

Building Permit ☐
Buffer Management Plan ☐
Conditional Use ☐
Consistency Report ☐
Disturbance > 5,000 sq ft ☐
Grading Permit ☐

Variance ☒
Rezoning ☐
Site Plan ☐
Special Exception ☐
Subdivision ☐
Other ☐

Local Jurisdiction Contact Information:

Last name 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:

no change of use proposed

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		8,750
LDA Area		
RCA Area		
Total Area		8,750

Total Disturbed Area

Acres	Sq Ft
	1,586 sf

of Lots Created no proposed change to lots

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		2,378 sf	Existing Lot Coverage		2,437 sf
Created Forest/Woodland/Trees			New Lot Coverage		297 sf
Removed Forest/Woodland/Trees		650 sf	Removed Lot Coverage		
			Total Lot Coverage		2,734 sf

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance BMA		297 sf	Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		594 sf

Variance Type

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

Structure

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

Critical Area Report: Narrative Statement – (9/15/2025)

6517 Claquet Ave, Tracy's Landing, Maryland 20779

Proposed Use:

The subject property is zoned R-2 residential and is currently improved with a single-family dwelling. The proposed use of the property will remain unchanged. The proposed scope of work includes the addition of a two-story structure on the south side of the home to expand the interior living area for continued use as a single-family residence as well as the construction of a new pier with pier access stairs.

Trees and Shrubs:

The property contains a few mature trees, including two American Hollies; one on the north-east side and one on the south-east side of the building, which contribute to the existing canopy. Some tree cover is present from overhanging branches of neighboring lots. There is a mature magnolia tree and rose of sharon shrub in a landscaped patch on the south side of the building; ornamental grasses on the north side of the building and near the shed on the west side of the property as well as shrubbery at the rear of the house on the west side. The project has been designed to minimize impact to existing vegetation; however, due to the proximity of the proposed two-story addition, one American holly on the south side of the property, the magnolia tree, and several small ornamental shrubs must be removed. The holly is located approximately 5 feet from the proposed foundation and within the critical root zone, making preservation not feasible. Every effort has been made to reduce disturbance, and all remaining vegetation will be protected during construction.

We estimate the current tree canopy coverage to be approximately 2,378 square feet. The total area of disturbance is 1,586 square feet, of which 534 square feet is within the 100-foot Critical Area buffer. Appropriate mitigation will be provided for the removal of vegetation and any additional lot coverage, in accordance with Anne Arundel County's Critical Area and Forest Conservation requirements.

We intend to follow all applicable Critical Area planting and mitigation requirements, including the planting of native species at a 2:1 ratio for any new or additional lot coverage within the buffer and at a 1:1 ratio for new coverage outside the buffer. A detailed planting and mitigation plan will be submitted to the County for review and approval as part of the permit process.

Impacts on Water Quality and Habitat:

To prevent sedimentation and protect local water quality, a reinforced silt fence will be installed around the perimeter of the disturbed area prior to construction. Erosion controls, such as seed and straw, will be applied immediately after site work to stabilize soils. All best practices for sediment and erosion control will be followed in accordance with county and state regulations.

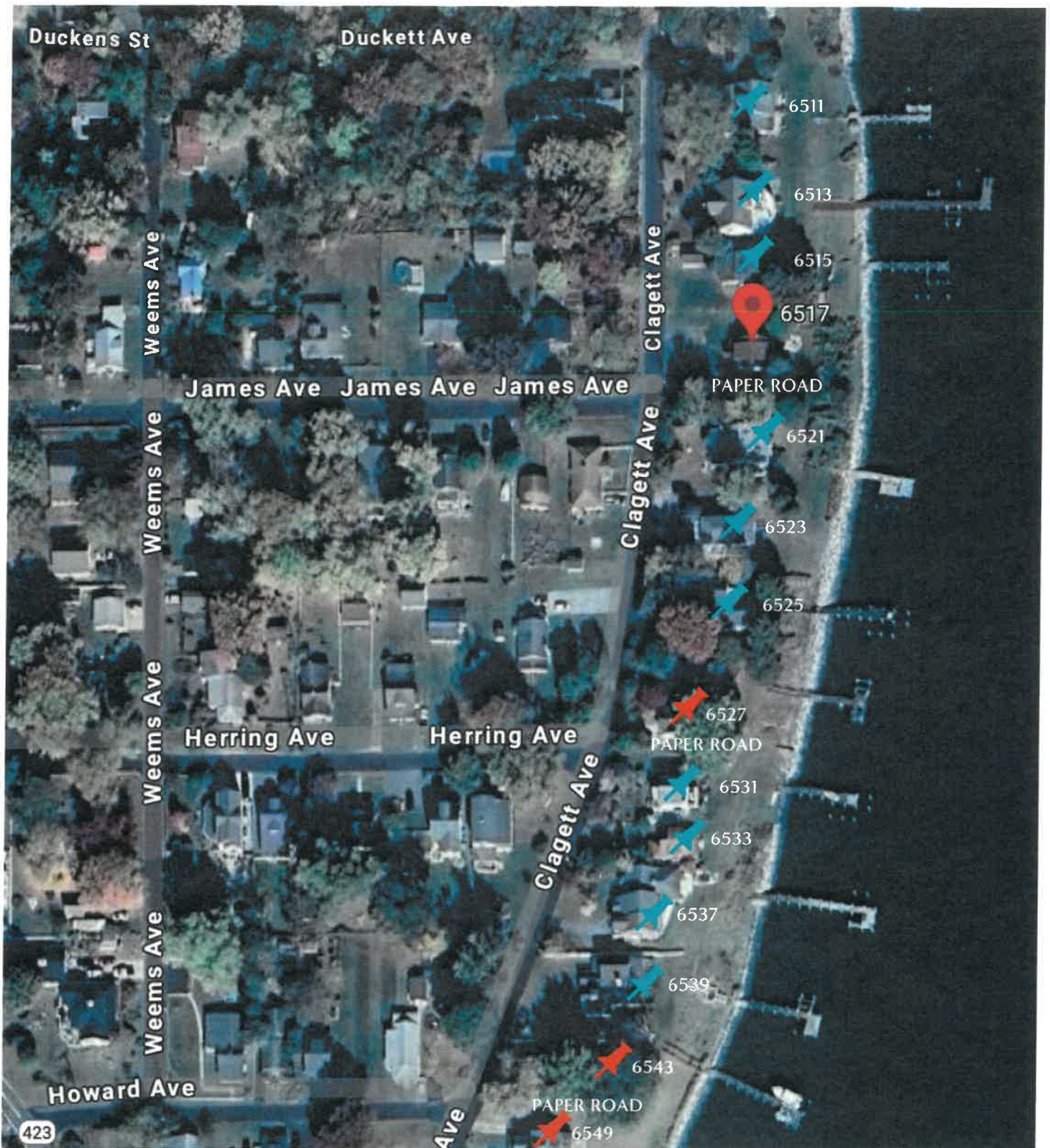
Impervious Surfaces:

The property land area is 8,750 SF. The current impervious surface coverage on the property is 2,437 SF. With the addition, the total impervious surface will increase by approximately 297 SF to a total of 2,734 SF. The increase in impervious surface will be offset in accordance with county requirements via planting and stormwater management mitigation.

Habitat Protection Areas:

The eastern portion of land beyond the lot contains a steep slope exceeding 15%, located within 100 feet of the tidal waters of Herring Bay. However, the proposed addition is sited entirely on the west side of this slope, over 40 feet from the top of bank, and outside the steep slope area. The project has been carefully designed to avoid all grading or disturbance to the steep slope and its associated root zones. Vegetative cover in this area will be maintained, and no erosion-prone conditions will be created. As such, the proposed development complies with Critical Area Habitat Protection Area guidelines by preserving the integrity of the steep slope and protecting sensitive features along the shoreline.

VICINITY MAP of 6517 CLAGETT AVENUE TRACY'S LANDING, MD 20779



6517 Clagett Avenue



Adjacent properties



Adjacent properties with non-conforming additions

6517 Clagett Avenue topographic map



Legend

Foundation
Addressing

Parcels

Structure
County Structure

Elevation
Topo 2023
Index
Intermediate



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

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THIS MAP IS NOT TO BE
USED FOR NAVIGATION

0 100 200
ft

Notes 1"=100'