

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

APPLICANT: Edward F. Divers, III & Lucy A. Brown **ASSESSMENT DISTRICT:** 3

CASE NUMBER: 2025-0194-V

COUNCILMANIC DISTRICT: 3

HEARING DATE: December 18, 2025

PREPARED BY: Sara Anzelmo
Planner



REQUEST

The applicants are requesting variances to allow a dwelling addition (porch and ADA-compliant access ramp) with less setbacks and buffer than required and with disturbance to slopes of 15% or greater on property located at 1246 Holmewood Drive in Pasadena.

LOCATION AND DESCRIPTION OF SITE

The subject property consists of 5 acres +/- of land and is located at the southern end of Holmewood Drive. It is identified as Lot 4 of Parcel 387 in Grid 24 on Tax Map 24 in the subdivision of Norwich Acres.

The property is zoned R1 – Residential District. This waterfront lot on Blackhole Creek is located within the Chesapeake Bay Critical Area overlay and is designated as LDA - Limited Development Area. The shoreline is not mapped as buffer modified and is subject to the standard buffer and expanded buffer regulations. The property is improved with a single-family detached dwelling, three accessory structures¹, and a pier.

PROPOSAL

The applicant proposes to demolish the existing rear (roadside) porch and to replace it with a slightly larger porch (approximately four feet deeper) in the same general location. The proposed porch would measure 8' by 25.33' (202.64 sf). Also proposed is an ADA-compliant access ramp connecting the proposed porch and the existing driveway.

REQUESTED VARIANCES

§ 18-13-104(a) of the Anne Arundel County Zoning Ordinance 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. § 18-13-104(b) provides for an expanded buffer where there are, among other things, steep slopes. Section 17-8-301 of the Subdivision and Development Code states that development on properties containing buffers shall meet the requirements of Title 27 of the State Code of Maryland (COMAR). Section 27.01.01(B)(8)(ii) of COMAR states a buffer

¹ One of the three accessory structures is labeled as a “studio apartment”. However, this Office could not locate a nonconforming use approval for a second dwelling or a building permit approval for an accessory dwelling unit.

exists “to protect a stream, tidal wetland, tidal waters, or terrestrial environment from human disturbance.” Section 27.01.09 E.(1)(a)(ii) of COMAR authorizes disturbance to the buffer for a new development activity or redevelopment activity by variance. The proposed improvements would be constructed within the expanded buffer, necessitating a variance. If approved, the actual amount of buffer disturbance would be determined at permitting.

§ 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. The proposed improvements would be constructed within an area of slopes of 15% or greater, necessitating a variance. If approved, the actual amount of slope disturbance would be determined at permitting.

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

FINDINGS

The subject property is irregular in shape and far exceeds the minimum 30,000 square foot area and minimum 80 foot width required for a lot in an R1 District. The existing critical area lot coverage is 7,667 square feet. The proposed coverage would increase to 7,867 square feet (or 3.61%), which falls well below the maximum 15% coverage allowed.

The County 2024 aerial photograph shows that nearby properties are similarly encumbered with steep slopes and the expanded buffer. Many existing dwellings in the area, including the subject dwelling (c. 1947), were constructed within steep slopes and the expanded buffer long before the enactment of Critical Area regulations.

The applicants’ letter explains that the owner is declining in health and has difficulty entering the house. As such, the proposed enlarged porch and ADA-compliant ramp are necessary for access.

The **Department of Health** took no position on the variance, but commented that additional information is needed regarding the type and location of the on-site sewage disposal system.

The **Critical Area Commission** took no position on the variance, but commented that appropriate mitigation should be provided.

The **Development Division (Critical Area Team)** reviewed the proposal and has no objection.

The **Soil Conservation District** reviewed the proposal and provided no comment.

The **Department of Recreation and Parks** commented that 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.

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.

In this particular case, the property is an existing residentially zoned and developed lot, and the house and porch being replaced are already located within steep slopes and the expanded buffer. It is impossible to replace/expand the porch and to construct the ramp necessary for ADA-compliant access to the existing dwelling without variance relief. As such, a literal interpretation of the County's Critical Area Program would deprive the applicants of rights that are commonly enjoyed by other properties in similar areas.

The granting of the variances would not confer on the applicants 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 applicants and do not arise from any condition relating to land or building use on any neighboring property. With proper mitigation, the variances would not adversely affect water quality or impact fish, wildlife, or plant habitat and would be in harmony with the general spirit and intent of the County's Critical Area Program. The applicants have overcome the presumption that the specific development does not conform to the general purpose and intent of the Critical Area law and have evaluated and implemented site planning alternatives by limiting the improvements to only those necessary to provide safe access.

With regard to the requirements for all variances, approval would not alter the essential character of the neighborhood, substantially impair the appropriate use or development of the adjacent properties, reduce forest cover in the limited development area, be contrary to acceptable clearing and replanting practices, or be detrimental to the public welfare. The applicants are proposing a modest porch expansion and a much-needed access ramp, and there is no way to construct those improvements without the requested steep slope and expanded buffer disturbance. As such, the proposed variances are justified and are considered to be the minimum necessary to afford relief.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends **approval** of the proposed Critical Area variances.

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.

28 JUNE 2025

Letter of Explanation for Critical Area Expanded Buffer Zone Variance.

Permit # B02434028.

Applicants/Owners: Edward Divers and Lucy Brown

Address: 1246 Holmewood Drive, Pasadena MD 21122

Builder Performing Work: Paul Davis Restoration of Greater Baltimore. 309 International Circle, Suite 100. Hunt Valley, MD 21030

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0024	0024	0387	3060050.02	594	2

Owner Contact information:

Edward Divers: (412) 973 0715 edward.divers@gmail.com

Lucy Brown: (410) 258 5403 lucyabrown@gmail.com

REQUEST: The applicant is requesting a variance to allow demolition of existing porch and construction of a new porch with space for a handicap ramp.

LOCATION and DESCRIPTION OF SITE: The subject site consists of almost 5 acres located at the end of Holmewood Drive, Pasadena.

PROPOSAL: The applicant seeks to build an ADA-compliant handicap ramp into the house. The owner is in declining health and has difficulty entering the house. To do this will require demolition of existing porch and construction of a new porch and handicap ramp according to ADA accessibility standards. The work will include demolition of existing porch; pour new porch footings; and build out a new porch extending approximately 4 feet further than width of existing porch and length will remain the same as existing porch at approximately 20 feet. Then, construction of ADA-compliant handicap ramp. The applicant seeks an extension in time of an additional 90 days for implementation and completion of the variance if approved.

The environmental reviewer found a variance is needed for Expanded Buffer Variance SEC 18-13-104.

The environmental reviewer also found 100-foot buffer mitigation required by COMAR 27.01.09.01-2.

Stormwater management mitigation is also needed.

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REQUESTED VARIANCES:

Compliance with Article 18-16-305. We believe the granting of this variance is warranted for several reasons.

General requirements (subsection a and c): Mr. Divers is handicapped and needs a wheelchair ramp to enter his house. Due to the shape of the property there is no other practical way to enter the house. House was built in 1947 and the existing porch and doorway are too narrow to allow safe wheelchair entry and exit.

We are within the protected expanded buffer zone; however, the topology of the land and location of the porch do not allow us to build outside the buffer zone. The requested variance is the least amount of deviation necessary to afford relief.

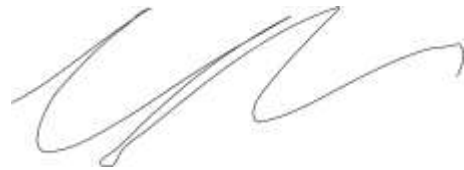
The variance will not alter the essential character of the land or neighborhood. The proposal builds parallel to the water on top of a hill with minimal disturbance to the surroundings. The variance will not reduce forest cover and will not be detrimental to the public welfare. It will not impair the appropriate use or development of adjacent property. The proposal will not be contrary to acceptable clearing and replanting practices.

The time extension will not be detrimental to the public welfare.

CONCLUSION: Variance approval is requested so the applicant may use the ADA-compliant ramp and porch to enter the house using a wheelchair.

A handwritten signature in dark ink, appearing to read "Edward Divers". The signature is fluid and cursive, with the first name being more prominent.

Edward Divers

A handwritten signature in dark ink, appearing to read "Lucy Brown". The signature is more stylized and less legible than the one on the left, with a large, sweeping initial.

Lucy Brown

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
0024	0387		4	2

Tax ID: 03-594-900012338

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Project Name (site name, subdivision name, or other) Norwich Acres

Project location/Address 1246 Holmewood Dr. Pasadena, Md 21122-0000

City Pasadena Zip

Local case number

Applicant: Last name Divers First name Edward F III

Company

Application Type (check all that apply):

Building Permit	<input 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 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:

Expansion of existing front porch and entryway to comply with ADA specifications.

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					
LDA Area					
RCA Area					
Total Area					

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		185130	Existing Lot Coverage		7667
Created Forest/Woodland/Trees		0	New Lot Coverage		200
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		0
			Total Lot Coverage		7867

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		200	Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		

Variance Type

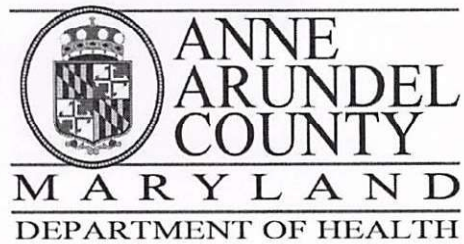
Buffer ☒
Forest Clearing ☐
HPA Impact ☐
Lot Coverage ☐
Expanded Buffer ☐
Nontidal Wetlands ☐
Setback ☐
Steep Slopes ☐
Other ☐

Structure

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

Front porch/entry expansion.

- Describe the proposed use of the subject property and include if the project is residential, commercial, industrial, or maritime.
- The use of this property is single family residential.
 - 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 property is considered wooded with a combination of deciduous and conifer trees and bushes. Approximately 185,130 square feet of the 217,800 square foot lot is covered with trees and shrubs. Approximately 200 square feet of the lot will be disturbed by the proposed development. Mitigation for disturbed areas shall include seed and straw. Seed and straw shall be applied to all disturbed areas at the end of the project.
 - Describe the methods to minimize impacts on water quality and habitat from proposed construction (i.e. stormwater management, sediment control, and silt fence).
- Silt fence shall be installed to minimize development impact to water quality and habitat.
 - Calculate the impervious surface before and after construction, including all structures, gravel areas, driveways, and concrete areas.
- Impervious surface before construction is 7,667 Square feet.
- Impervious surface after construction equals 7,867 square feet.
 - 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 waterbird nesting sites, historic waterfowl staging and concentration areas, riparian forests, natural heritage areas, and plant and wildlife habitats of local significance.
- "This effort is to add a handicapped ramp and corresponding minor porch expansion so that the owner can use a wheelchair to enter the house. This minor change will not affect the habitat protection areas on the subject property. No riparian trees or vegetation will be removed. The small area affected consists solely of normal lawn grass which will be replanted with lawn seed and straw when the work is finished."



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 *BC*

DATE: October 29, 2025

RE: Edward F. Divers III
1246 Holmewood Drive
Pasadena, MD 21122

NUMBER: 2025-0194-V

SUBJECT: Variance/Special Exception/Rezoning

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

Based on a review of the above referenced request, additional information is needed by the Health Department on the type and location of the on-site sewage disposal system.

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

cc: Sterling Seay

Anne Arundel Variances - CAC Comments

3 messages

Jonathan Coplin -DNR- <jonathan.coplin@maryland.gov>

Fri, Nov 14, 2025 at 9:02 AM

To: Sara Anzelmo <pzanze99@aacounty.org>, Sadé Medina <pzmedi22@aacounty.org>

Cc: Jennifer Esposito -DNR- <jennifer.esposito@maryland.gov>, Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>

Good morning,

The Critical Area Commission has reviewed the following variances. Appropriate mitigation should be provided. Thank you for the opportunity to provide comments.

1. 2025-019-V; AA 0287-25
2. 2025-0182-V; AA 0292-25

Jon

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

Jonathan Coplin
Natural Resource Planner
1804 West Street, Suite 100
Annapolis, MD 21401
410-260-3481 (office)
443-699-6869 (mobile)
Jonathan.Coplin@maryland.gov

Sara Anzelmo <pzanze99@aacounty.org>

Wed, Nov 19, 2025 at 10:54 AM

To: Jonathan Coplin -DNR- <jonathan.coplin@maryland.gov>

Cc: Jennifer Esposito -DNR- <jennifer.esposito@maryland.gov>, Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>, Sadé Medina <pzmedi22@aacounty.org>

Good morning, Jonathan. The first case number listed in this email does not match any of our variance case numbers. Without any additional context, we cannot determine which application this comment relates to. Can you please resend this message with the corrected case number? Thank you.

[Quoted text hidden]

Jonathan Coplin -DNR- <jonathan.coplin@maryland.gov>

Wed, Nov 19, 2025 at 12:51 PM

To: Sara Anzelmo <pzanze99@aacounty.org>

Cc: Jennifer Esposito -DNR- <jennifer.esposito@maryland.gov>, Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>, Sadé Medina <pzmedi22@aacounty.org>

Good afternoon,

Does this one work?

2025-0194-V; AA 0287-25; Divers

Jon

[Quoted text hidden]

2025-0194-V

Menu

Cancel

Help

Task

OPZ Critical Area Team

Assigned to Department

OPZ Critical Area

Action by Department

OPZ Critical Area

Start Time

Due Date

11/14/2025

Assigned to

Kelly Krinetz

Action By

Kelly Krinetz

End Time

Assigned Date

10/24/2025

Status

Complete w/ Comments

Status Date

10/28/2025

Hours Spent

0.0

Comments

No objection to this proposal.

In Possession Time (hrs)

Comment Display in ACA

☒ All ACA Users

☒ Record Creator

☒ Licensed Professional

☒ Contact

☒ Owner

Workflow Calendar

Billable

No

Time Tracking Start Date

Display E-mail Address in ACA

No

Est. Completion Date

☒ Display Comment in ACA

Estimated Hours

0.0

Action

Updated

Task Specific Information

Expiration Date

Reviewer Phone Number

Review Notes

Reviewer Email

Reviewer Name



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 2025-0194-V

DATE: October 28, 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



1246

1242

1243

1245

12420 Cypress Bl

299