

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

**APPLICANT:** The Kincaid Revocable Family Trust

**ASSESSMENT DISTRICT:** 3

**CASE NUMBER:** 2025-0219-V

**COUNCILMANIC DISTRICT:** 5

**HEARING DATE:** January 8, 2026

**PREPARED BY:** Joan A. Jenkins  
Planner III

**REQUEST**

The applicant is requesting a variance to allow a dwelling with less setbacks and buffer than required on property located at 1031 Landon Lane in Arnold.

**LOCATION AND DESCRIPTION OF SITE**

The subject site consists of 25,480 square feet of land and is located with road frontage on the southeast side of Landon Lane, southwest of Morgan Drive. The property is identified as Lot 20 of Parcel 60 in Grid 22 on Tax Map 33 in the Weatherly subdivision. The property is zoned R1 - Residential District. This is a waterfront lot located on Deep Creek in the Chesapeake Bay Critical Area, designated as primarily LDA – Limited Development Area with a small area of RCA - Resource Conservation Area near the shoreline. The shoreline is mapped as buffer modified area (BMA). The site is encumbered by steep slopes, tidal wetlands, and the 100-foot buffer to tidal wetlands along the shoreline. The property is currently improved with a two-story single-family detached dwelling, water access stairs, a detached waterfront deck, a pier, and associated facilities. The site is served by a private well and septic system.

**APPLICANT'S PROPOSAL**

The applicants are proposing to demolish the existing dwelling and construct a new, larger, two-story single-family dwelling with an integrated two-car garage, a waterfront deck and screened porch, a driveway, and associated improvements. The proposed house would be 33 feet high, 60' wide by 62' deep. The detached deck, waterfront access stairs, and pier are to remain.

**REQUESTED VARIANCES**

§ 18-13-104(a) of the Code 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; and § 18-13-104(b) stipulates that the 100-foot buffer shall be expanded beyond 100 feet to include slopes of 15% or greater. § 17-8-301 of the Subdivision Code states that development on properties containing buffers shall meet the requirements of Title 27 of the State Code of Maryland (COMAR). § 27.01.01 (B) (8) (ii) of COMAR states a buffer exists “to protect a

stream tidal wetland tidal waters or terrestrial environment from human disturbance.” § 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 dwelling will be located in the 100-foot buffer to tidal waters. The limit of disturbance will create temporary and permanent disturbance of an undetermined amount in the buffer. Actual disturbance to be determined at permitting.

§ 18-4-701 of the Code sets forth the bulk regulations for development in an R1 District. The proposed development will exceed the minimum required setbacks from all property lines; therefore, no setback variances will be necessary.

## **FINDINGS**

This Office finds that this is a lot that widens from the streetside to the waterfront. The subject property does not meet the minimum lot area requirement (28,340 sq ft provided, 30,000 sq ft required) but does meet the minimum lot width requirement (80 ft) for a lot in the R1 District. The property is encumbered by steep slopes along the shoreline and tidal wetlands in the southeastern corner. The existing dwelling is located partly within the BMA. Expansion could occur within the BMA provided that any additions are not forward of the closest facade of the existing principal structure.

The plan shows the existing critical area lot coverage of the site is 4,983 square feet. The proposed post-construction lot coverage will be 5,292 square feet, which is below the maximum 5,445 square feet allowed by the Code.

A review of the County 2025 aerial photograph shows that the nearby properties on the same side of Deep Creek are similarly encumbered by steep slopes. Properties to the west are also mapped as buffer modified. Properties immediately to the east are not mapped as buffer modified and have tidal wetlands. Two variances have been found on properties along the shoreline to the west. Neither are for a new dwelling with buffer disturbance. According to the State Department of Assessments and Taxation records the existing dwelling was built in 1979, before the adoption of the critical area laws.

The site plan submitted with the pre-file shows the same proposal as that of the variance application.

## **Agency Comments**

The **Health Department** commented that they do not have a plan for this proposal, however, they have no objection to the request provided they receive a plan.

The **Development Division (Critical Area Team)** commented that as indicated in the pre-file comments, the BMA regulations do permit an in-kind replacement of a dwelling however, the buffer regulations do not. In order to approve the replacement of this dwelling within the buffer

the applicant must provide sufficient justification for the buffer disturbance. This Office does not necessarily agree with the information that was provided to justify not moving the dwelling back and thereby reducing the buffer disturbance.

The letter of explanation states that moving the home would be inconsistent with a BMA property if not for this small area of tidal wetlands and that the new development will not increase the lot coverage in the wetlands buffer, while adding a BAT septic tank and stormwater management where none currently exists. These statements are correct which is why the variance is necessary, but the proposal also fails to reduce coverage in the buffer where an opportunity exists thereby not meeting the minimization standard for variance approval.

Moving the house back would also be contrary to provisions of variance requirements to not alter the character of the neighborhood, and impede air light and view. This home is forward of many of the homes in this area and moving it back would not alter the character of the neighborhood.

Moving the dwelling would impair the air, light and view of the subject property, pushing it back would place the dwelling behind the façade of Lot 19, 1035 Landon Lane, altering the air light and view of the subject property. Moving this home back would allow for the home to be more in line with the dwellings on the neighboring properties as well as those in the general area.

It is the opinion that this application has not provided sufficient information to find that the request has met the standards for approval. Should the AHO approve this application, appropriate mitigation will be addressed with the building and grading permits.

The **State Critical Area Commission** commented that the proposed improvements will increase lot coverage by 309 square feet and include a single-family dwelling, deck, screen porch, and garage. While no new lot coverage is proposed nearer to the shoreline than the closest façade of the existing principal structure, per Anne Arundel County Code 17-8-702, the applicants are proposing disturbance to the 100-foot buffer around a tidal wetland. The applicants do have the ability to minimize disturbance to the tidal wetland buffer by shifting development closer to the road.

In order for this variance to be granted, the applicant must demonstrate, and 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. Should the AHO find that each and every one of the Critical Area Variance standards have been met, then appropriate mitigation is required.

The **Department of Inspections and Permits (Engineering)** commented regarding the site plan.

1. On the Proposed Conditions Plan, the LOD appears excessive, extending into the Landon Lane ROW, while the existing asphalt driveway is shown to remain. Revise the LOD accordingly.
2. On the Proposed Conditions Plan, the LOD cuts through the middle of the primary drywell. If

the primary drywell is to be gravel packed, it must be entirely inside the LOD. Revise accordingly.

3. It appears only two primary drywells are shown on the plan. If backup drywells are required by the Health Department, show and label them on the plans.

4. On the Proposed Conditions Plan, along the site's southeastern boundary with Lot 21, the LOD is shown crossing an existing wooden fence. Indicate if this fence is to remain or to be removed and revise the LOD accordingly.

5. According to the Anne Arundel County Stormwater Management Practices and Procedures Manual (Section 7.17.7), DW-3 must be a minimum of 25 feet from the septic drywell and 25 feet from the proposed distribution box.

6. On the Proposed Conditions Plan, the stormwater drywells must be a minimum of 10 feet apart.

7. Remove the septic tank labelled to be removed, or "TBR," from the Proposed Conditions Plan, since it is already labelled "TBR" in the Existing Conditions Plan.

#### Variance Requirements

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 property, strict implementation of the County's critical area program would result in an unwarranted hardship. In this case, this is a lot that is mapped as Buffer Modified Area and encumbered by the 100-foot buffer to tidal wetlands. However, denying this variance would not result in an unwarranted hardship. A reasonable and significant use of the parcel can be achieved without a variance and redevelopment can be achieved without disturbance to the tidal wetlands buffer.

A literal interpretation of the County's critical area program will not deprive the applicant of rights that are commonly enjoyed by other properties in similar areas within the critical area of the County. Redevelopment of a property is an opportunity to minimize disturbance. Approving a variance to allow improvements within the tidal wetlands Buffer when there is an opportunity to redevelop the site in a manner that conforms with Critical Area development standards is not a right commonly enjoyed by others. No property owner has the right to construct improvements within the tidal wetlands buffer.

The granting of the variance would confer on the applicant special privileges that would be denied by COMAR, Title 27. The variance request is not based on conditions or circumstances that are the result of actions by the applicant and does not arise from any condition relating to land or building use on any neighboring property. The variance request is solely due to the fact that the applicant desires to redevelop the lot in a manner that increases lot coverage and impacts in the 100-foot tidal wetlands buffer.

The variance request would adversely affect water quality or impact fish, wildlife or plant habitat and will 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 and implemented site planning alternatives. It was suggested to the applicants at the pre-file that a

revision to the layout would reduce the impact.

Approval of the variances would not alter the essential character of the neighborhood. Approval of the variances will not substantially impair the appropriate use or development of adjacent property, as the dwelling will be located well away from the dwellings on abutting lots. The variance will not reduce forest cover in the limited development area or the resource conservation area, will not be contrary to acceptable clearing and replanting practices, and will not be detrimental to the public welfare.

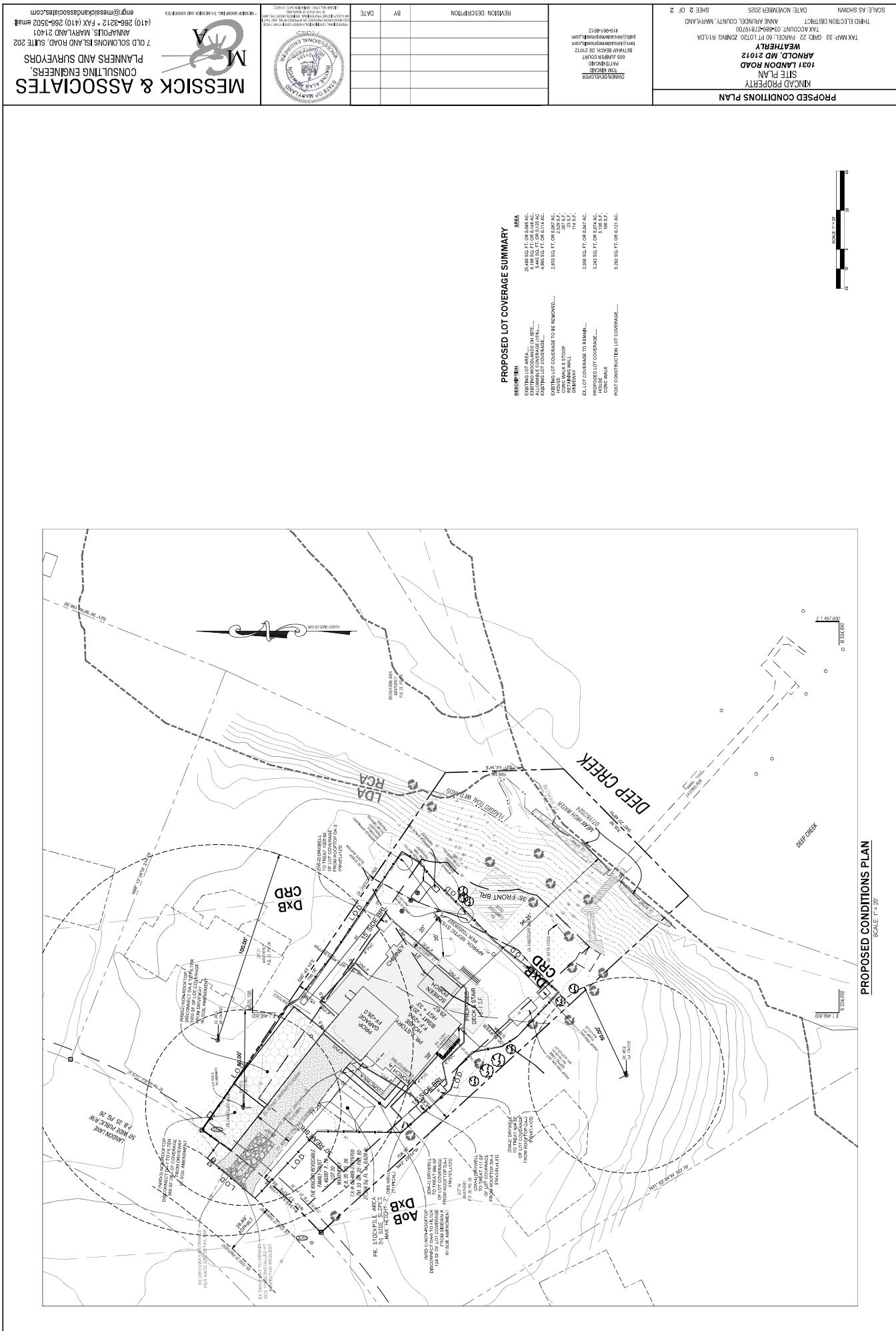
The request for the dwelling in the BMA portion where the existing house is currently located would be allowed. However, redevelopment of a property is an opportunity to comply with the code. The proposed dwelling could be located out of the 100-foot tidal wetlands buffer. The pre-file notes indicate that there was a suggestion to revise the layout to reduce impacts to the critical area. The proposed improvements did not change from the pre-file to the variance submission. Therefore, the variance requests for the development cannot be considered to be the minimum necessary to afford relief.

## **RECOMMENDATION**

With regard to the standards by which a variance may be granted as set forth in § 18-16-305, under the County Code, the Office of Planning and Zoning recommends **denial** of the critical area variance requests to § 18-13-104 (b) to allow less buffer than required as shown on the site plan submitted.

**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.







Joan Jenkins &lt;pzjenk00@aacounty.org&gt;

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**Kincaid, 1031 Landon Lane, 2025-0219-V**

Mike Gillespie <mgillespie@messickandassociates.com>  
To: Joan Jenkins <pzjenk00@aacounty.org>

Tue, Dec 16, 2025 at 11:19 AM

Hi Joan, good morning.

I added dimensions see below.

Garage is 24x30

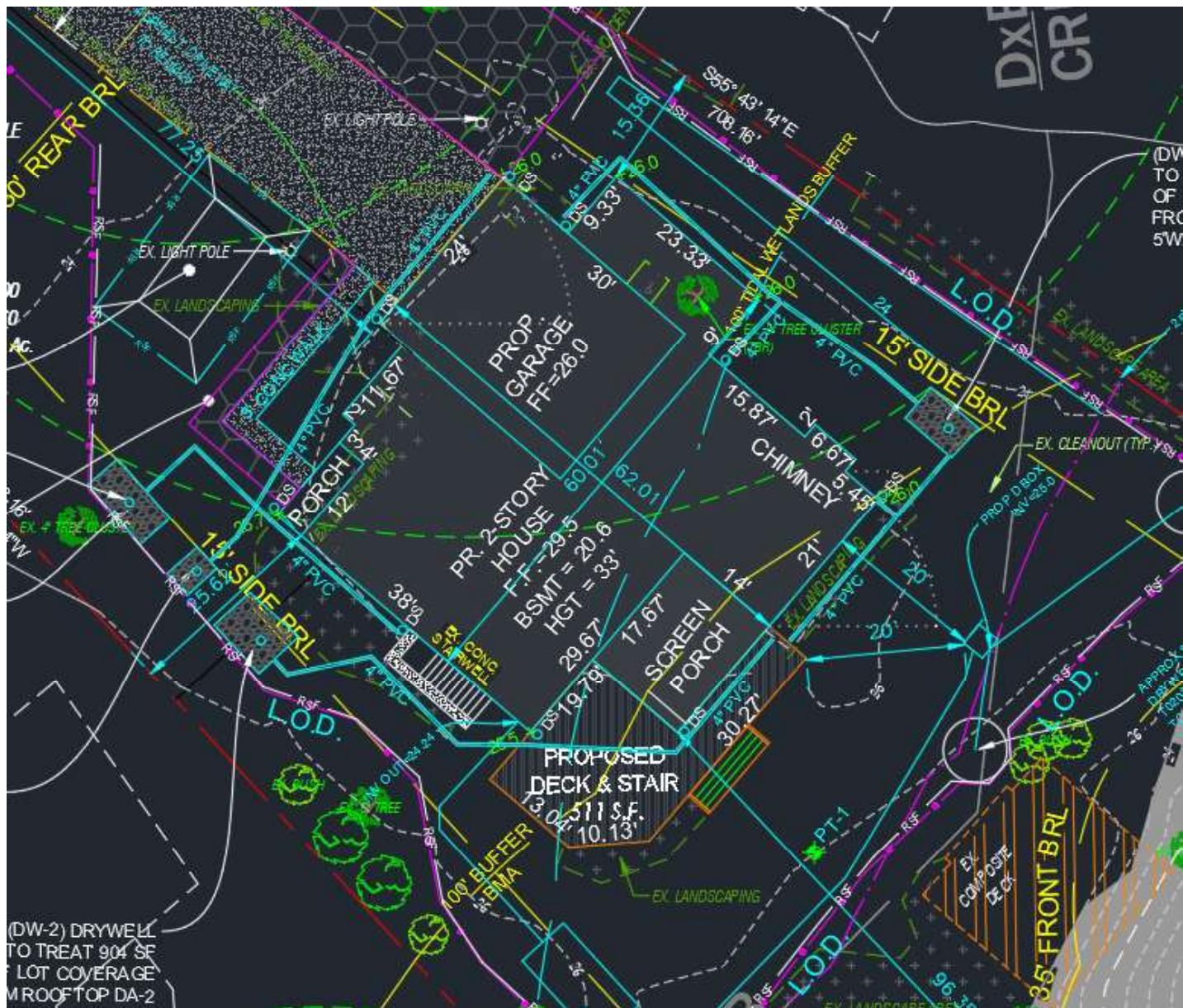
The house generally is 60' wide by 62' deep, I put dimension lines on you can see.

The deck and the house inside the buffer are the same as existing.

If that helps...

Thanks Joan!

Mike



**From:** Joan Jenkins <pzjenk00@aacounty.org>

**Sent:** Tuesday, December 16, 2025 10:56 AM

**To:** Mike Gillespie <mgillespie@messickandassociates.com>

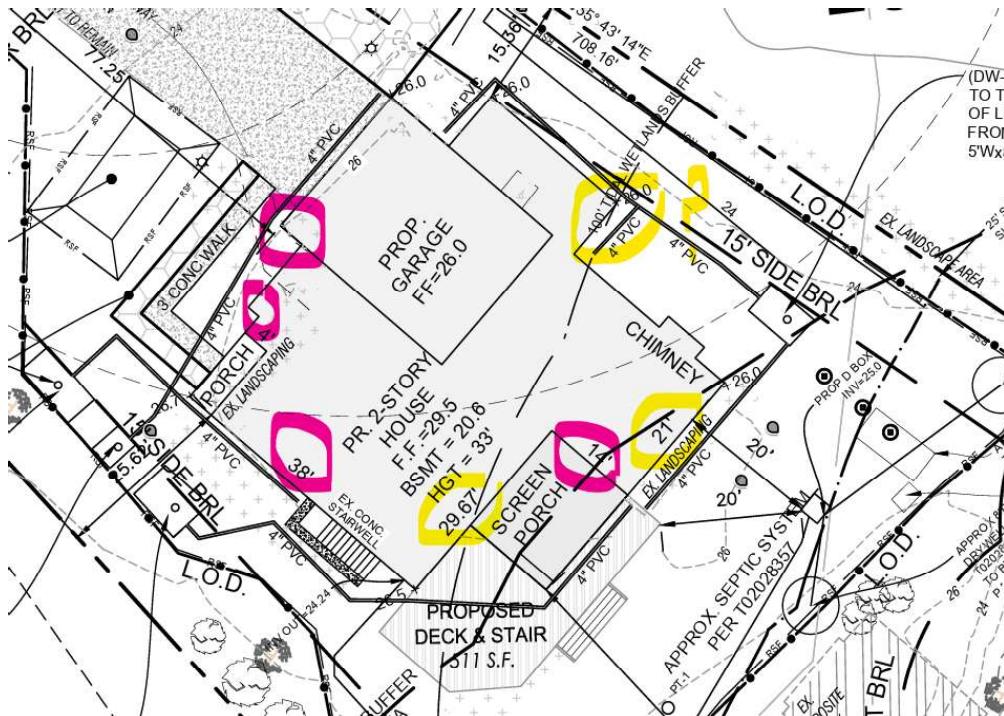
**Subject:** Kincaid, 1031 Landon Lane, 2025-0219-V

Hi Mike,

I'm working on this report and I'm at the description of the proposed house. Can you provide a rough overall dimension of the house... I'm looking to describe this as 'Irregularly shaped \_\_\_ by \_\_\_ with a garage \_\_\_ by \_\_\_ a waterfront deck and screened porch. I would add it up myself but all the measurements that I'd need are not shown on the site plan. Shown below I need the missing yellow measurement and the missing pink measurements.

Thanks,

Joan



**Joan A. Jenkins**

Office of Planning and Zoning

Planner III, Zoning Administration Section

2664 Riva Road

Annapolis, MD 21401

O: 410-222-7437

[https://url.avanan.click/v2/r01/\\_www.aacounty.org\\_\\_YXAzOm1lc3NpY2s6YTpvOmlMGExYzc0NWMzzjY1ZTc1MGM1YWQ4NGY3ZDAzMGU4Ojc6YzZhYzo1N2I2YmUyMzJiZGvkNTEyNWM0YjRmYmVmMTkxN2RlZmQ5NjNmOWMxZmEyZTk0ZjcwM2IzYWY5MDc1MWI3MDZjOnQ6VDpO](https://url.avanan.click/v2/r01/_www.aacounty.org__YXAzOm1lc3NpY2s6YTpvOmlMGExYzc0NWMzzjY1ZTc1MGM1YWQ4NGY3ZDAzMGU4Ojc6YzZhYzo1N2I2YmUyMzJiZGvkNTEyNWM0YjRmYmVmMTkxN2RlZmQ5NjNmOWMxZmEyZTk0ZjcwM2IzYWY5MDc1MWI3MDZjOnQ6VDpO)

**The Best Place  
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**Messick & Associates**  
Consulting Engineers,  
Planners, Surveyors  
& Landscape Architects

November 3, 2025

Anne Arundel County  
Office of Planning & Zoning  
2664 Riva Road  
Annapolis, Maryland 21401  
Attention: Ms. Sterling Seay

Re: VARIANCE REQUEST  
KINCAID PROPERTY  
1031 LANDON LANE  
ARNOLD, MD 21012

Dear Ms. Seay:

On behalf of the applicants, we respectfully request a variance to Article 18-13-104. Buffers, expanded buffers, and buffer modification areas (a) Buffer. 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. A variance is also requested to Article 17-8-301, development on properties with buffers shall meet the requirements of COMAR, Title 27.

The property is located in a Buffer Modification Area. However, due to the presence of tidal wetlands, the wetland are subject to a 100' buffer. The lot is developed with dwelling and associated improvements. This lot meets the definition of a buildable lot, subject to the approvals of the County. The property is 25,480 square feet in area. The site is served by well and septic. It is served by Landon Lane, a 50' public right of way. The site drains to the tidal waters of Deep Creek. The site is waterfront. The site is located in the LDA (Limited Development Area) and a small portion of RCA (Resource Conservation Area) of the Chesapeake Bay Critical Area. The site is zoned R1. The Health Department has approved a septic plan for the proposed work.

The applicant wishes to construct a new dwelling on the property. Due to the BMA and the 100' tidal wetlands buffer, the house is being rebuilt entirely in the original footprint inside the BMA and tidal wetlands buffer. The new structure will meet required zoning setbacks.. The site currently meets the underlying lot coverage requirements for a lot of this size in the LDA. Existing lot coverage is 4,983 square feet, and the proposed lot coverage is 5,292 square feet which is under the allowable 5,445 square feet. Disturbance in the wetlands buffer is also necessary for the installation of a BAT septic tank and distribution box and connection to the existing drywells. Disturbance is also necessary for removal of the existing septic tank.

The clients have designed the new home to keep the footprint in the buffers the same, and this includes the construction of a deck, also in the same footprint.

The following is offered in response to the prefile comments dated October 1, 2025. The variances required are noted in the letter and on the site plan. The zoning has been noted throughout the letter. The owners do not wish to relocate the dwelling for several reasons. The home was built in 1979 which predates the expanded buffer legislation. The location of the dwelling and the tidal wetlands is unique to this property. Moving the home would be inconsistent with a BMA property if not for this small area of tidal wetlands. The new development will not increase the lot coverage in the wetlands buffer, while adding a BAT septic tank and stormwater management where none currently exists. Moving the house back would also be contrary to provisions of variance requirements to not alter the character of the neighborhood, and impede air light and view. Moving the dwelling would impair the air, light and view of the subject property, pushing it back would place the dwelling behind the façade of Lot 19, 1035 Landon Lane, altering the air light and view of the subject property. The owners would like to utilize a geothermal system for the home, and space is needed for the location of the wells required for this task. Removal of the home would require disturbance to the wetlands buffer regardless, and it is our opinion that the proposed stormwater management where none exists will offset any perceived negative impact of leaving the home in its current location. The I&P site plan comments have been addressed, however, the LOD is required for installation of the soil amendment for the driveway.

This plan meets the intent of 18-16-305(a):

1. The subject property is 25,480 square feet in size, and it is zoned R1 and a portion of the property and the existing house is encumbered by the 100' buffer to tidal wetlands. The site is subject to a 100' buffer. The approved septic plan requires disturbance in the wetlands buffer for its installation and connection, as well as for the removal of the existing septic tank. As such, there is no reasonable possibility of developing this property without relief to the Code.
2. The exceptional circumstances and practical difficulties in redeveloping the lot have been noted in #1 above to a large degree. The house will be replaced in the same footprint as the existing dwelling inside the buffer.

This plan also meets the intent of 18-16-305(b) for critical area variances.

1. What is peculiar about and inherent to this lot is that it is subject to a 100' buffer to tidal wetlands that encumbers about half the house. The property is developed, and there is no possibility of replacing the aged home, without relief to the Code.
2. A literal interpretation of COMAR would deny the owners use of the property enjoyed by others as the site is subject to the 100' tidal wetlands buffer, and there is no way to do the proposed work without disturbing the 100' buffer. The owners have designed the house to not expand inside the buffers, as such, for the owners to not be allowed to proceed would be a denial of rights commonly enjoyed by others. This proposal also will not increase lot coverage in the 100' tidal wetlands buffer.

The site is not in a bog area.

3. This project will not confer special privileges to the owner, as replacing an aged dwelling is not a special privilege and if not for the wetlands buffer, no variance would be necessary.
4. The request is not a result of actions of the owner. The 100' tidal wetlands buffer encumbers about half the existing dwelling, and owners have not started work prior to the issuance of any permits.
5. This project will not result in a denigration of forest or water quality. The proposal will not increase lot coverage in the buffer. Minimal tree clearing is required or proposed. Stormwater management will be provided as required by the Code, and any clearing must be mitigated for as per the Code.
6. This site is not in the bog buffer.

7. This plan meets the presumption, as the denial of this variance would deny the owners rights of other owners in the County. The presumption is not to disallow development but provide responsible development. The owners are achieving this by keeping the same footprint inside the buffers.

8. The applicant has tried alternative design. However, it seemed that utilizing the existing footprint in the buffers is the best design.

This plan meets the requirements of 18-16-305(c), as the proposal is the minimum relief necessary. The development will not impair the use of adjoining properties, nor reduce forest cover in the LDA or RCA. The work performed will not be contrary to clearing and replacement practices, and will not alter the character of the neighborhood or be detrimental to the public welfare.

1. The variance request is the minimum to afford relief. The request is the minimum to allow for construction of a new home, with no new lot coverage proposed in the buffers.

2. i. This variance will not alter the essential character of the neighborhood. The new home will essentially replace the existing home in the same footprint, with an expansion on the north side, which is outside the buffers.

ii. This variance will not impair the use of adjoining properties. The proposal will not impact neighbors. The new home will not be closer to the water than the existing home.

iii. Minimal tree clearing is proposed and any mitigation necessary during the permit process will not decrease tree cover in the LDA or RCA.

iv. No work will be performed contrary to approved clearing practices, as a permit will be required, and this permit must meet those requirements.

v. The project will not be detrimental to the public welfare, as it is located on private property.

This plan proposes the minimum relief necessary. The development will not impair the use of adjoining properties, nor reduce forest cover in the LDA or RCA. The work performed will not be contrary to clearing and replacement practices and will not alter the character of the neighborhood or be detrimental to the public welfare.

As this proposal is for construction of a new home, disturbance has been minimized. A grading permit will be required. It appears that this request is consistent with other development in this area. Denial of this request would not allow the owner to enjoy property rights common to other properties in this area.

The enclosed plan represents the location of the proposed work. In closing, the variances requested are the minimum necessary to afford relief, and is not based on conditions or circumstances that are a result of actions by the applicant. We thank for in advance for your consideration to this request.

If you have any questions, or if you require additional information, please feel free to contact me at 410-266-3212.

Sincerely,  
Messick and Associates

*Mike Gillespie*

Mike Gillespie

Project Manager

***CRITICAL AREA  
REPORT***

**1031 LANDON LANE  
ARNOLD, MD 21012**

**October 2025**

Prepared for:  
Tom & Patty Kincaid

Prepared by:  
Messick and Associates  
7 Old Solomons Island Road  
Suite 202  
Annapolis, MD 21401

## INTRODUCTION

This site is a 25,480 square foot property that is located on Landon Lane in Arnold, MD. The property is Lot 20 of Weatherly. The proposal is to raze the existing dwelling and construct a new dwelling on the property. The site is served by septic and well. The property is predominantly inside the LDA (Limited Development Area) and a small portion of RCA (Resource Conservation Area) of the Chesapeake Bay Critical Area. The property is zoned residential, R-1 and has waterfront on Deep Creek.

## EXISTING USE

The property consists of 25,480 square feet. The site is currently developed with a dwelling, driveway and deck near the water. The property is currently a residential lot developed with a house, driveway, and associated improvements. The property is not a corner lot and gains access from Landon Lane.

## SURROUNDING LAND USE

The properties that abut the site are similar in size to the subject property, and are developed as single-family lots. The site is bounded by a developed property to the northeast and southwest, Deep Creek to the south east, with Landon Lane to the northwest.

## PROPOSED WORK

The owners wish to construct a new dwelling, deck and septic system. This construction will require relief to the 100' tidal wetlands buffer. No zoning variances are required. The overall plan meets the underlying lot coverage requirements. Mitigation is proposed for the tree clearing.

## SOILS

The U.S. Department of Agriculture Soil Survey, defines the property to have a soil type of Dx B – Downer-Phalanx Complex 2-5% Slopes (A Soils) and CrD – Collington and Annapolis Soils 10-15% slopes (B Soils).

## FLOODPLAIN

The property described hereon is located in the flood hazard zones "X" - (area of minimal flood hazard) zone AE elevation 6', as delineated on the firm flood insurance map #24003C087F dated February 18, 2015 for said county and distributed by the Federal Emergency Management facility. No work is proposed in the 100 year flood plain.

## NON-TIDAL WETLANDS

There appear to be no Non Tidal Wetlands on the site.

## TIDAL WETLANDS

There are Tidal Wetlands present on this site.

## BODIES OF WATER

The site drains to Deep Creek.

## STEEP SLOPES

Steep slopes and their buffer are noted on the southeast side of the property along Deep Creek. These features will not be disturbed.

## RARE AND ENDANGERED SPECIES

A review of Federal and/or State listed species of rare, threatened or endangered species of plants or animals has been requested via the enclosed letter to Lori Byrne of the Maryland Department of Natural Resources Fish, Heritage and Wildlife Administration.

## STORMWATER MANAGEMENT

Stormwater management will be provided via non rooftop disconnects and drywells.

## FOREST COVER

The existing forest cover is limited to overstory trees and some woodlands on the slope to the community beach.

The following are typical trees of areas such as this site:

<u>Common Name</u>	<u>Scientific Name</u>
Black Locust	<i>Robinia pseudoacaia</i>
Eastern Sycamore	<i>Platanus occidentalis</i>
American Holly	<i>Ilex opaca</i>
Beech	<i>Fagus grandifolia</i>
White Poplar	<i>Populus alba</i>
Mountain Laurel	<i>Kalmia latifolia</i>

## **WILDLIFE TYPICAL OF THIS AREA**

<u>Common Name</u>	<u>Scientific Name</u>
Eastern Gray Squirrel	<i>Sciurus Carolinensis</i>
Blue Jay	<i>Cyanocitta Cristata</i>
Common Crow	<i>Corvus Brachyrhynchos</i>
Northern Cardinal	<i>Richmondena Cardinalis</i>

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## **SITE CALCULATIONS**

1. Total Site area.....25,480 sq. ft.
2. Site area in LDA Critical area.....25,241 sq. ft
3. Site area in RCA critical area.... 239 sq. ft.
3. Allowable Lot Coverage.....5,445 sq. ft
4. Existing lot coverage .....4,983 sq. ft.
5. Lot coverage to be removed.....2,933 sq. ft.
6. Proposed lot coverage .....3,242 sq. ft.
7. Total Lot Coverage after Construction...5,292 sq. ft.
8. Proposed Disturbed Area.....13,927 sq. ft.
9. Woodland Clearing.....334 sq. ft.

[View Map](#)

No Ground Rent Redemption on File

No Ground Rent Registration on File

**Special Tax Recapture:**None

Account Number: District - 03 Subdivision -889 Account Identifier -27819700

**Owner Information**

Owner Name:	THE KINCAID REVOCABLE FAMILY TRUST	Use:	RESIDENTIAL
		Principal Residence	NO
Mailing Address:	605 JUNIPER CT	Deed Reference:	/40397/ 00070
	BETHANY BEACH DE 21012-1707		

**Location & Structure Information**

Premises Address:	1031 LANDON LN ARNOLD 21012-0000 Waterfront	Legal Description:	LT 20 1031 LANDON LN WEATHERLY
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Map: Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0033 0022 0060	3190050.02	889				20	2025	Plat Ref: 0035/ 0026

Town: None

Primary Structure Built Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1979	3,537 SF	28,340 SF	

Stories	Basement	Type	Exterior	Quality	Full	Half	Bath	Garage	Last Notice of Major Improvements
2	NO	STANDARD UNIT	SIDING/5		3 full/ 1 half		1 Attached		

**Value Information**

	Base Value	Value	Phase-in Assessments		
			As of	As of	As of
			01/01/2025	07/01/2025	07/01/2026
Land:	667,000	867,800			
Improvements	441,100	811,100			
Total:	1,108,100	1,678,900	1,298,367	1,488,633	
Preferential Land:	0	0			

**Transfer Information**

Seller: YOUNG II CASSIN	Date: 05/01/2024	Price: \$2,250,000
Type: ARMS LENGTH IMPROVED	Deed1: /40397/ 00070	Deed2:
Seller: KORTH, EDWARD G	Date: 04/01/1998	Price: \$509,000
Type: ARMS LENGTH IMPROVED	Deed1: /08377/ 00134	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

**Exemption Information**

Partial Exempt Assessments	Class	07/01/2025	07/01/2026
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

**Special Tax Recapture:**None**Homestead Application Information**

Homestead Application Status:No Application

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application Date:



1031 LANDON LN, 21... Q

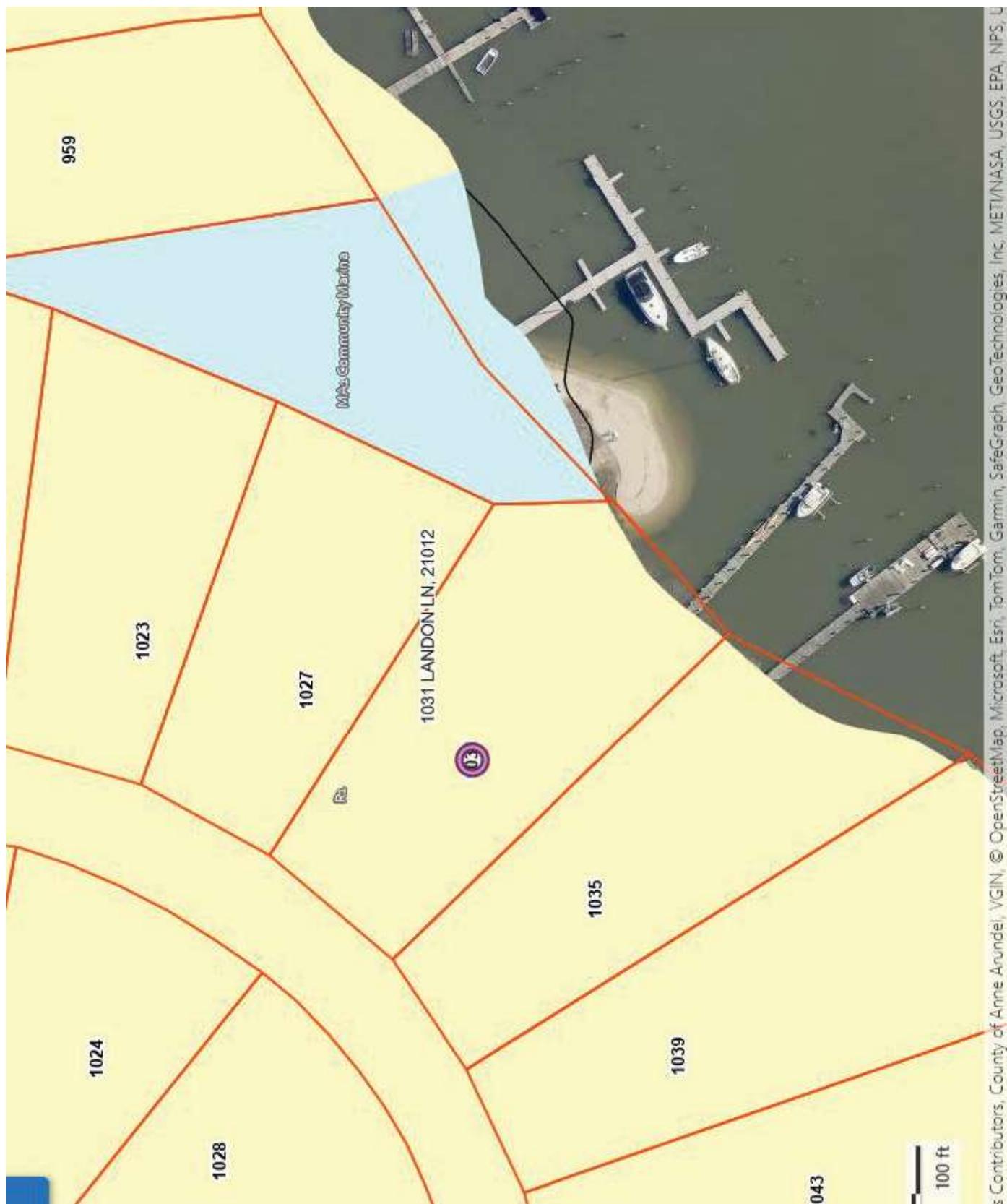
Search result

Clicking the map to get the coordinates:

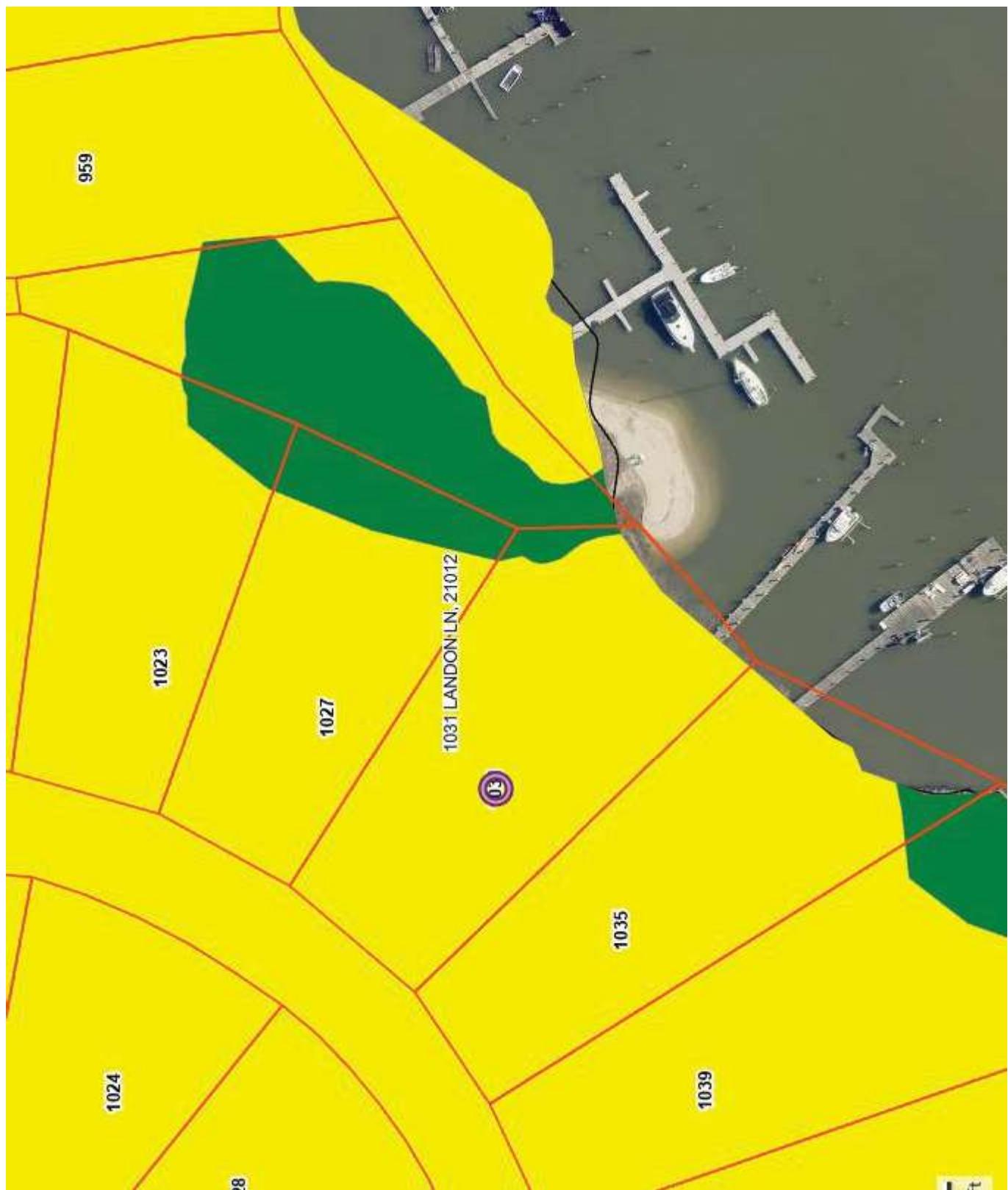


1031 LANDON LN, 21...  Search result

clicking the map to get the coordinates



© Contributors. County of Anne Arundel, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, EPA, NPS, U.S. Fish and Wildlife Service, and the U.S. National Oceanic and Atmospheric Administration.





# National Flood Hazard Layer FIRMette

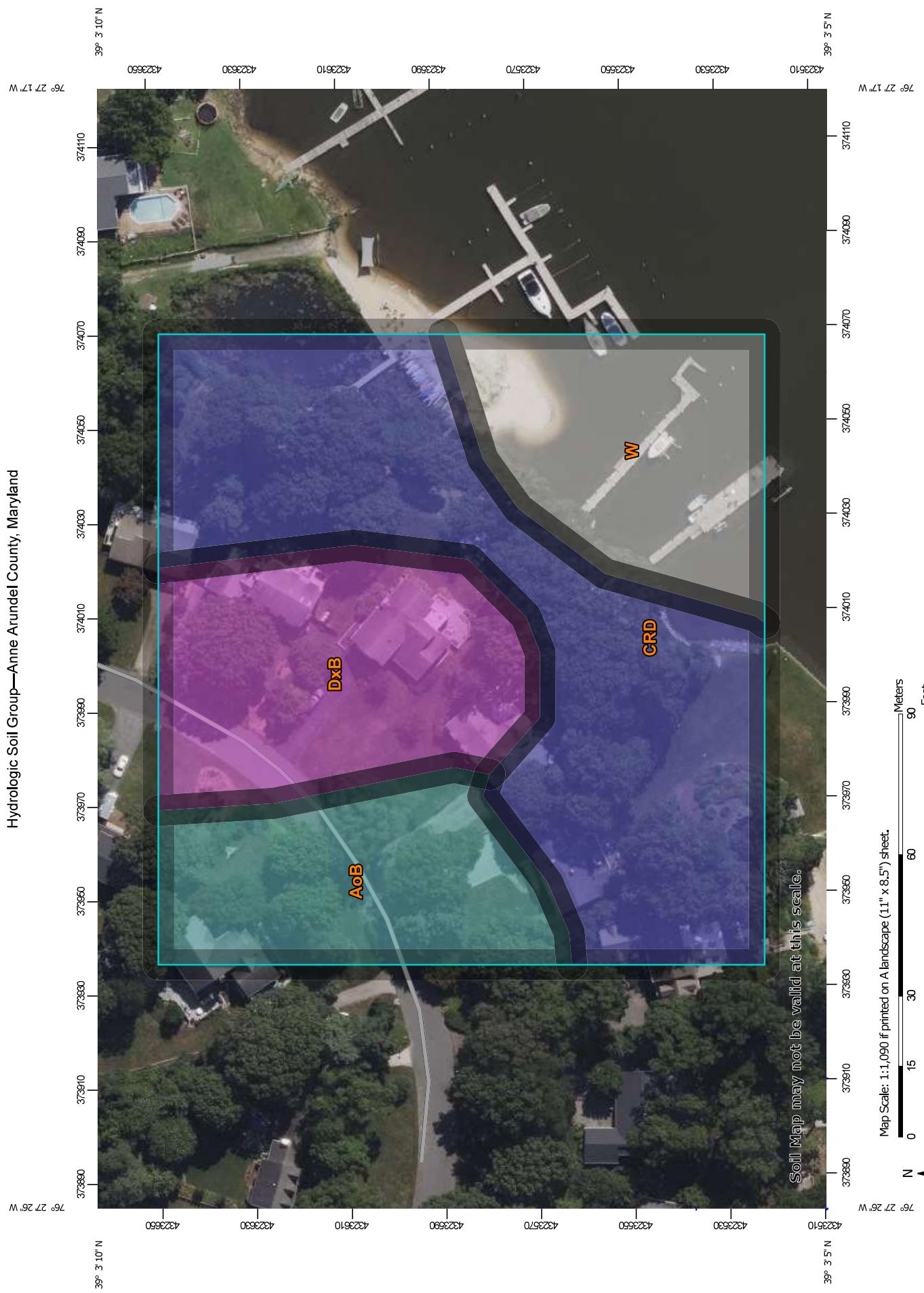


## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



Hydrologic Soil Group—Anne Arundel County, Maryland



Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

2/18/2025  
Page 1 of 4

## MAP LEGEND

<b>Area of Interest (AOI)</b>	 Area of Interest (AOI)	 C	 C/D
<b>Soils</b>		 D	 Not rated or not available
<b>Soil Rating Polygons</b>	 A	 D	 Not rated or not available
	 A/D	 Water Features	 Streams and Canals
	 B		
	 B/D		
	 C		
	 C/D		
	 D		
	 Not rated or not available		
<b>Transportation</b>	 Rails	 Interstate Highways	 US Routes
	 Major Roads	 Major Roads	 Local Roads
<b>Background</b>	 Aerial Photography		
<b>Soil Rating Lines</b>	 A	 B/D	 C/D
	 A/D	 C	 D
	 B	 D	 Not rated or not available
<b>Soil Rating Points</b>	 A	 A/D	 B
		 B	 B/D

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

**Warning: Soil Map may not be valid at this scale.**

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

**Source of Map:** Natural Resources Conservation Service

**Web Soil Survey URL:**

**Coordinate System:** Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

**Soil Survey Area:** Anne Arundel County, Maryland  
**Survey Area Date:** Version 23, Sep 6, 2024

**Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.**

**Date(s) aerial images were photographed:** Jun 20, 2022—Aug 13, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
AoB	Annapolis loamy sand, 2 to 5 percent slopes	C	0.7	17.2%
CRD	Collington and Annapolis soils, 10 to 15 percent slopes	B	1.8	43.0%
DxB	Downer-Phalanx complex, 2 to 5 percent slopes	A	0.9	22.2%
W	Water		0.8	17.7%
<b>Totals for Area of Interest</b>			<b>4.3</b>	<b>100.0%</b>

## Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

**Group A.** Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

**Group B.** Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

**Group C.** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

**Group D.** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher

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: *9-23-25*

Tax Map #	Parcel #	Block #	Lot #	Section
<i>33</i>	<i>60</i>	<i>22</i>	<i>20</i>	

Tax ID:

**FOR RESUBMITTAL ONLY**

Corrections	<input type="checkbox"/>
Redesign	<input type="checkbox"/>
No Change	<input type="checkbox"/>
Non-Critical Area	<input type="checkbox"/>

\*Complete Only Page 1  
 General Project Information

Project Name (site name, subdivision name, or other) *Kincaid Property*

Project location/Address *1031 Landon Lane*

City *Arnold* MD Zip *21012*

Local case number

Applicant: Last name *Kincaid* First name *Tom & Patti*

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:

*Tear Down ex Dwelling Construct a new dwelling*

Yes	Yes
Intra-Family Transfer	<input type="checkbox"/>
Grandfathered Lot	<input checked="" type="checkbox"/>
Growth Allocation	<input type="checkbox"/>
Buffer Exemption Area	<input checked="" type="checkbox"/>

### Project Type (check all that apply)

Commercial	<input type="checkbox"/>	Recreational	<input checked="" type="checkbox"/>
Consistency Report	<input type="checkbox"/>	Redevelopment	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	Residential	<input type="checkbox"/>
Institutional	<input type="checkbox"/>	Shore Erosion Control	<input type="checkbox"/>
Mixed Use	<input type="checkbox"/>	Water-Dependent Facility	<input type="checkbox"/>
Other	<input type="checkbox"/>		

## SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area	0.579	0
LDA Area	0.579	25,241
RCA Area	0.005	239
Total Area	0.584	25,480

Acres Sq Ft  
Total Disturbed Area 0.320 13,927

# of Lots Created 0

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.146	6,176,8	Existing Lot Coverage	0.114	4,985
Created Forest/Woodland/Trees	TBD	TBD	New Lot Coverage	0.074	3,242
Removed Forest/Woodland/Trees	0.008	384	Removed Lot Coverage	0.067	2,953
			Total Lot Coverage	0.121	5,292

## VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.111	4,033	Buffer Forest Clearing		
Non-Buffer Disturbance	0.186	6,084	Mitigation	TBD	TBD

### Variance Type

Buffer Tidal Wetlands	<input checked="" type="checkbox"/>
Forest Clearing	<input type="checkbox"/>
HPA Impact	<input type="checkbox"/>
Lot Coverage	<input type="checkbox"/>
Expanded Buffer	<input type="checkbox"/>
Nontidal Wetlands	<input type="checkbox"/>
Setback	<input type="checkbox"/>
Steep Slopes	<input type="checkbox"/>
Other	<input type="checkbox"/>

### Structure

Acc. Structure Addition	<input type="checkbox"/>
Barn	<input type="checkbox"/>
Deck	<input checked="" type="checkbox"/>
Dwelling	<input checked="" type="checkbox"/>
Dwelling Addition	<input type="checkbox"/>
Garage	<input type="checkbox"/>
Gazebo	<input type="checkbox"/>
Patio	<input type="checkbox"/>
Pool	<input type="checkbox"/>
Shed	<input type="checkbox"/>
Other	<input type="checkbox"/>

CRITICAL AREA COMMISSION  
 CHESAPEAKE AND ATLANTIC COASTAL BAYS  
 1804 WEST STREET, SUITE 100  
 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

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**FOR RESUBMITTAL ONLY**

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Local case number

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Company

**Application Type (check all that apply):**

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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

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*Tear Down ex Dwelling Construct a new dwelling*

Yes	Yes
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Grandfathered Lot	<input checked="" type="checkbox"/>
Growth Allocation	<input type="checkbox"/>
Buffer Exemption Area	<input checked="" type="checkbox"/>

### Project Type (check all that apply)

Commercial	<input type="checkbox"/>	Recreational	<input checked="" type="checkbox"/>
Consistency Report	<input type="checkbox"/>	Redevelopment	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	Residential	<input type="checkbox"/>
Institutional	<input type="checkbox"/>	Shore Erosion Control	<input type="checkbox"/>
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Expanded Buffer	<input type="checkbox"/>
Nontidal Wetlands	<input type="checkbox"/>
Setback	<input type="checkbox"/>
Steep Slopes	<input type="checkbox"/>
Other	<input type="checkbox"/>

### Structure

Acc. Structure Addition	<input type="checkbox"/>
Barn	<input type="checkbox"/>
Deck	<input checked="" type="checkbox"/>
Dwelling	<input checked="" type="checkbox"/>
Dwelling Addition	<input type="checkbox"/>
Garage	<input type="checkbox"/>
Gazebo	<input type="checkbox"/>
Patio	<input type="checkbox"/>
Pool	<input type="checkbox"/>
Shed	<input type="checkbox"/>
Other	<input type="checkbox"/>

## 2025-0219-V

Menu Cancel Help

## Task Details OPZ Critical Area Team

<b>Assigned Date</b>	11/06/2025	<b>Due Date</b>	11/27/2025
<b>Assigned to</b>	Kelly Krietz	<b>Assigned to Department</b>	OPZ Critical Area
<b>Current Status</b>	Complete w/ Comments	<b>Status Date</b>	11/06/2025
<b>Action By</b>	Kelly Krietz	<b>Overtime</b>	No
<b>Comments</b>	As indicated in the pre-file comments, the BMA regulations do permit an in-kind replacement of a dwelling however, the buffer regulations do not. In order to approve the replacement of this dwelling within the buffer the applicant must provide sufficient justification for the buffer disturbance. This Office does not necessarily agree with the information that was provided to justify not moving the dwelling back and thereby reducing the buffer disturbance.		

Moving the home would be inconsistent with a BMA property if not for this small area of tidal wetlands. Correct which is why the variance is necessary.

The new development will not increase the lot coverage in the wetlands buffer, while adding a BAT septic tank and stormwater management where none currently exists. Correct but the proposal also fails to reduce coverage in the buffer where an opportunity exists thereby not meeting the minimization standard for variance approval.

Moving the house back would also be contrary to provisions of variance requirements to not alter the character of the neighborhood, and impede air light and view. This home is forward of many of the homes in this area and moving it back would not alter the character of the neighborhood.

Moving the dwelling would impair the air, light and view of the subject property, pushing it back would place the dwelling behind the facade of Lot 19, 1035 Landon Lane, altering the air light and view of the subject property. Moving this home back would allow for the home to be more in line with the dwellings on the neighboring properties as well as those in the general area.

It is my opinion that this application has not provided sufficient information to find that the request has met the standards for approval. Should the AHO approve this application, appropriate mitigation will be addressed with the building and grading permits.

## End Time

## Hours Spent

0.0

## Action by Department

OPZ Critical Area

## Est. Completion Date

 Display E-mail Address in ACA Display Comment in ACA

## 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

## Review Notes

## Reviewer Name

## Reviewer Phone Number

## Reviewer Email



Jamileh Soueidan -DNR- &lt;jamileh.soueidan@maryland.gov&gt;

**CAC Comments: 2025-0219-V; Kincaid (AA 0296-25)**

1 message

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

Wed, Nov 19, 2025 at 2:10 PM

Good afternoon,

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

- The applicants are requesting a variance to disturb the 100-foot buffer from tidal wetlands to raze and reconstruct the existing dwelling and associated features. The 24,480 square-foot property is located within the Critical Area Limited Development Area (LDA) and Resource Conservation Area (RCA) and is designated as Buffer Modification Area (BMA). The property is currently improved with a single-family dwelling, attached deck, detached deck, and riparian access. The proposed improvements will increase lot coverage by 309 square feet and include a single-family dwelling, deck, screen porch, and garage. While no new lot coverage is proposed nearer to the shoreline than the closest façade of the existing principal structure, per Anne Arundel County Code 17-8-702, the applicants are proposing disturbance to the 100-foot buffer around a tidal wetland. The applicants do have the ability to minimize disturbance to the tidal wetland buffer by shifting development closer to the road.

In order for this variance to be granted, the applicant must demonstrate, and 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. Should the AHO find that each and every one of the Critical Area Variance standards have been met, then appropriate mitigation is required

These comments have been entered into the County's online portal.

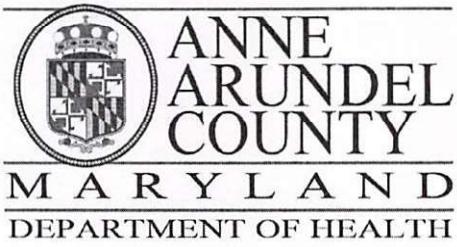
Sincerely,  
Jamileh Soueidan

--



Critical Area Commission for the  
Chesapeake & Atlantic Coastal Bays  
[dnr.maryland.gov/criticalarea](http://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](mailto:jamileh.soueidan@maryland.gov)



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](http://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 *BC*  
Bureau of Environmental Health

DATE: November 12, 2025

RE: The Kincaid Revocable Trust  
1031 Landon Lane  
Arnold, MD 21012

NUMBER: 2025-0219-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling with less setbacks and buffer than required.

The Health Department does not have a revised approved plan for this project. The Health Department has no objection to the above referenced variance request as long as a revised plan is submitted and approved by the Health Department.

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

cc: Sterling Seay

## 2025-0219-V

Menu

Cancel

Help

## Task Details I and P Engineering

## Assigned Date

11/10/2025

## Assigned to

Jean Janvier

## Current Status

Complete w/ Comments

## Action By

Jean Janvier

## Comments

1. On the Proposed Conditions Plan, the LOD appears excessive, extending into the Landon Lane ROW, while the existing asphalt driveway is shown to remain. Revise the LOD accordingly.

2. On the Proposed Conditions Plan, the LOD cuts through the middle of the primary drywell. If the primary drywell is to be gravel packed, it must be entirely inside the LOD. Revise accordingly.

3. It appears only two primary drywells are shown on the plan. If backup drywells are required by the Health Department, show and label them on the plans.

4. On the Proposed Conditions Plan, along the site's southeastern boundary with Lot 21, the LOD is shown crossing an existing wooden fence. Indicate if this fence is to remain or to be removed and revise the LOD accordingly.

5. According to the Anne Arundel County Stormwater Management Practices and Procedures Manual (Section 7.17.7), DW-3 must be a minimum of 25 feet from the septic drywell and 25 feet from the proposed distribution box.

6. On the Proposed Conditions Plan, the stormwater drywells must be a minimum of 10 feet apart.

7. Remove the septic tank labelled to be removed, or "TBR," from the Proposed Conditions Plan, since it is already labelled "TBR" in the Existing Conditions Plan.

## Due Date

11/27/2025

## Assigned to Department

Engineering

## Status Date

11/26/2025

## Overtime

No

## Start Time

## End Time

## Hours Spent

0.0

## Action by Department

Engineering

## Est. Completion Date

 Display E-mail Address in ACA Display Comment in ACA

## 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

## Review Notes

## Reviewer Name

## Reviewer Phone Number

## Reviewer Email



## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE

PRE-FILE #: 2025-0088-P  
DATE: 10/01/2025  
OPZ STAFF: Jennifer Lechner (ZA)  
Kelly Krinetz (CA)  
Stacy Poulos (CR)  
I&P STAFF: Jean Janvier (ENG)

**APPLICANT/REPRESENTATIVE:** Tom Kincaid / Messick & Associates

**EMAIL:** [tom@columbiaacademy.com](mailto:tom@columbiaacademy.com) / [engr@messickandassociates.com](mailto:engr@messickandassociates.com)

**SITE LOCATION:** 1031 Landon Lane, Arnold

**LOT SIZE:** 25,480 square feet

**ZONING:** R1    **CA DESIGNATION:** LDA/RCA    **BMA:** YES    **BUFFER:** YES    **APPLICATION TYPE:** Variance

---

The applicant proposes to raze the existing dwelling and construct a new 2-story single-family dwelling with associated improvements. The dwelling is proposed in the same general area of the existing dwelling, which is located within the BMA and the buffer to tidal wetlands. The proposed dwelling is no closer to the shoreline than the facade of the existing dwelling.

The following variances are required:

- § 17-8-301, development on properties containing buffers shall meet the requirements of COMAR, Title 27.
- § 18-13-104 to allow disturbance to the buffer of tidal wetlands.

#### **COMMENTS**

##### **Zoning Administration Section:**

1. Accurately identify the zoning district throughout the Letter.
2. The variance could be eliminated, or greatly reduced, if the dwelling were shifted closer to the road.
3. Redevelopment is an opportunity to comply with the Code and not to create situations that require relief from the Code. There appears to be nothing preventing the new dwelling from being shifted closer to the road.
4. The applicant is reminded that, 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 § 18-16-305(a-c). The Letter of Explanation should address each of those standards and provide adequate justification for each of the variances required.

##### **OPZ Critical Area Team:**

While replacement in kind is allowed in the BMA, there is no provision that allows it in the buffer. Every effort must be made to minimize disturbance within the buffer. There is no mention of reasons why the buffer cannot be maximized by moving the dwelling further from the water.

##### **OPZ Cultural Resources:**

The Cultural Resources Section has no comments.

##### **I&P Engineering:**

1. The second paragraph of the Letter of Explanation (LOE) states the site is zoned R5, while page 2 of the LOE states the site is zoned R1. General Note 3 on the Site Plan states the site is zoned R1. Revise as needed.
2. Show and label any existing and proposed stormwater management devices. If there are not any, note so on the

Site Plan or in the Letter of Explanation.

3. Label the square located directly west of the proposed house, outside of the LOD. State whether or not it is to remain or to be removed.
4. On the Proposed Conditions Plan, the LOD appears excessive, extending into the Landon Lane ROW, while the existing asphalt driveway is shown to remain. Revise as needed.
5. On the Proposed Conditions Plan, the LOD cuts through the primary drywell. Revise as needed.
6. It appears only two primary drywells are shown on the plan. If backup drywells are required by the Health Department, show and label them on the plans.
7. On the Proposed Conditions Plan, along the site's southeastern boundary with Lot 21, the LOD is shown crossing an existing wooden fence. Indicate if this fence is to remain or to be removed and revise the LOD as needed.
8. On the Proposed Conditions Plan, show the proposed grading contours even if they are in the same location as the existing grading contours.
9. On the Proposed Conditions Plan, label the existing composite deck.
10. The existing 3" tree cluster shown to be removed on the Existing Conditions Plan is shown on the Proposed Conditions Plan in the middle of the bumpout of the proposed house. Remove it from the Proposed Conditions Plan.
11. Label the rectangle shown next to the existing septic tank and note it to be removed or to remain.
12. Label the width of the existing driveway.
13. Label the width of the proposed sidewalk.
14. The brick stoop and stairs noted to remain on the Existing Conditions Plan is not shown on the Proposed Conditions Plan. Revise the label as needed.
15. The ADC Permitted Use Number appears to be different from other Messick and Associates plans. Revise the number as needed.

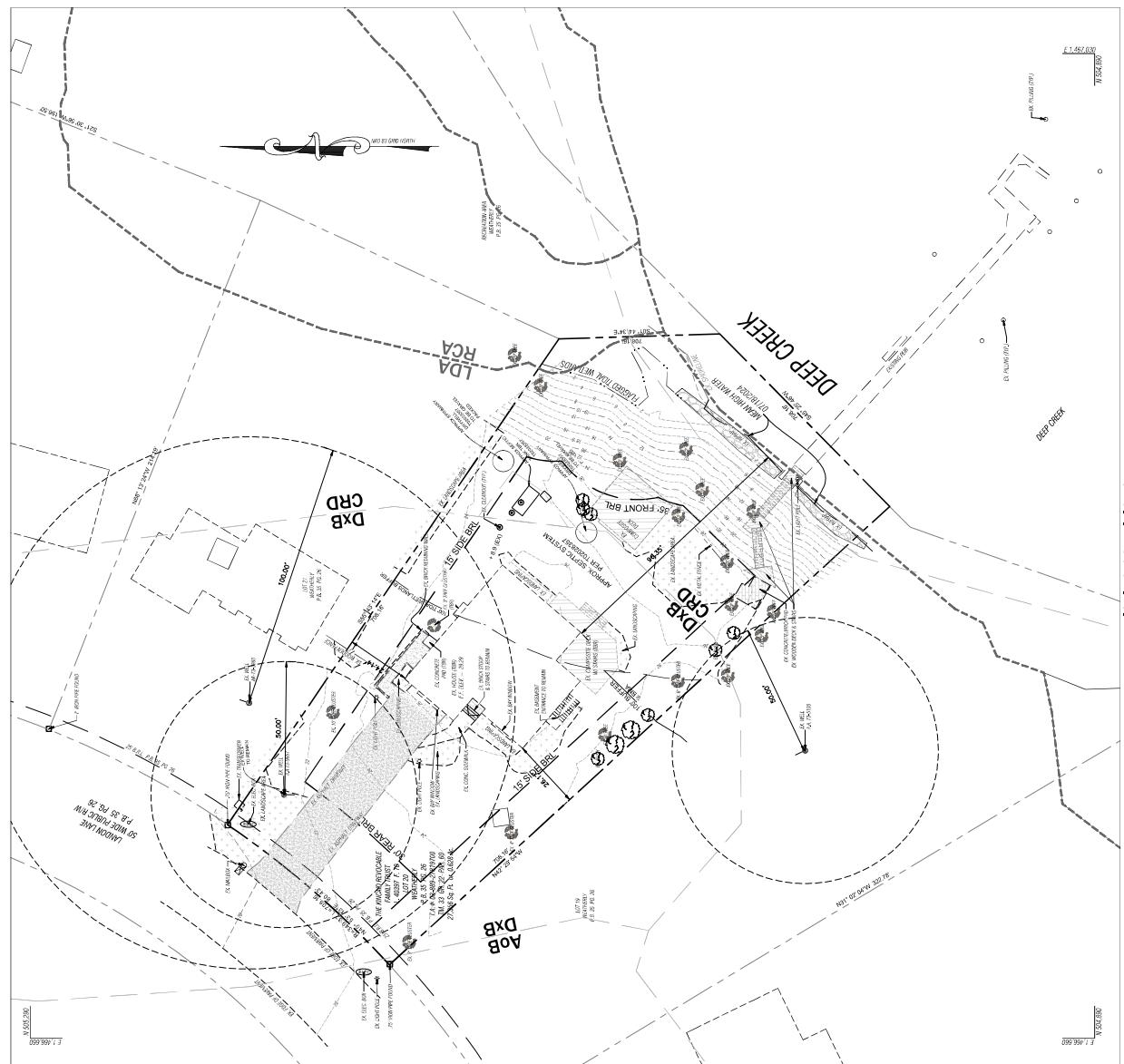
**INFORMATION FOR THE APPLICANT**

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.

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.







2025-0219-V



### Legend

- Foundation Addressing
- Parcels
- Parcels - Annapolis City
- Planning Zoning



### Notes

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.

