

December 9, 2025

To: Anne Arundel County Office of Planning and Zoning
Ms. Sara Anzelmo
2664 Riva Road 3rd Floor
Annapolis, MD 21401

Re: **Wallace Manor, Lot 2R**
Variance Application submittal
103 Wallace Manor Road
Edgewater, MD. 21037
Tax Map 51, Grid 13, Parcel 94

Dear Ms. Anzelmo,

This is a formal Variance Application submittal for the demolition of an existing home, associated decking and construction of a new single-family home for the above referenced project. Two variance requests would be necessary including a variance to **Article 17-8-201(a)** to disturb 15% and greater slopes and a variance to **Article 17-8-301(b)** related to **COMAR, Title 27** to disturb within the Expanded Buffer in the Critical Area.

The property application was previously reviewed through an initial **Pre-File** submittal dated April 24, 2023, subsequent Variance Case #**2023-0129-V** filed and granted October 3rd, 2023. The decision was initially appealed by the Critical Area Commission, Case No. **BA-33-23**. After a formal site meeting with the property owner, consultant and land use attorney, the CAC withdrew their appeal dated January 4th, 2024. The property owner has now decided to move forward.

The property is an existing legal building site fronting Gingerville Creek, is located in the (LDA) Limited Development Area Designation of the Critical Area and is *not* within the Buffer Modification Area mapping. The property is 66,585 sq. ft. or 1.53 acres, is zoned R-1 Residential and has a private septic system and well. The existing principal structure and covered deck are located at the top of steep slopes and approximately 81-feet from the shoreline. The second existing wood deck is located closer to the shoreline at approximately 62-feet.

The proposed 2-story principal structure will be located entirely outside the initial 100-foot buffer, increasing the distance from 81-feet to 101-feet from the shoreline and will have a total height of approximately 30-feet. The associated proposed wood, pervious deck will be located within the buffer, but the distance to the shoreline has been increased from 62-feet to 89-feet and shifted out of steep slopes and onto flatter grade. In addition, the existing wood deck closer to the shoreline is 16.4' from the southeast property line, the proposed waterfront deck will be 20-feet from the same property line. The existing structures in the 100-foot buffer total 979 sq. ft. With the re-development of the site, there will be 276 sq. ft. of structural coverage proposed which results in a decrease of 703 sq. ft. of impacts to the buffer and steep slopes.

The existing shared access where the gravel drives are attached at the north side of the property adjacent to Lot 3R is being removed for reduction of lot coverage. In addition, the access from Wallace Manor Road runs through a recorded 10' right of way, which is shown and labeled on the plan. (*Liber 1923 Folio 93*)

Per **Article 17-8-402(b)(1)**, the permitted lot coverage in the critical area for this site is 15% or 9,988 sq. ft. The proposed lot coverage will be 7,889 sq. ft. or (12%), below the permitted limits. The proposed coverage will be located in the flatter portion of the lot and as mentioned results in a decrease of impacts to the buffer and steep slopes. The overall post development reduction in lot coverage will be 452 sq. ft. Per **Article 18-2-402(1)**, an approximate average of the location of principal structures on abutting lots intended to keep structures relatively in line with one another; has been met. The adjacent home to the north is approximately 74-feet from the shoreline and the house to the south is 97-feet from the shoreline.

Code Article 18-16-305:

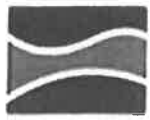
(a) Requirements for zoning variances. The Administrative Hearing Officer may vary or modify the provisions of this article when it is alleged that practical difficulties or unnecessary hardships prevent conformance with the strict letter of this article, provided the spirit of law is observed, public safety secured, and substantial justice done. A variance may be granted only if the Administrative Hearing Officer makes the following affirmative findings:

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

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

(b) Requirements for Critical Area Variances.

(1) Unwarranted Hardship and Practical Difficulty- There are several hardships and practical difficulties related to the re-development of the site. **First**, the expanded buffer extends to the northeast end of the site which encumbers 49,036 sq. ft. or 74% of the total lot area. **Second**, the steep slopes of 15% and greater cover 23,832 sq. ft. or 36% of the total lot area. It is physically impossible to avoid the expanded buffer and steep slopes in order to re-develop the property without relief from the code. **Third**, the project requires storm water management. Per the initial Pre-File comments from Inspections and Permits, Rain Handlers are no longer a viable option and Permeable Pavers cannot be located within 50-feet of a confined well, 100-feet from an unconfined well and within the 25-foot buffer to steep slopes or expanded buffer. An Ultra Urban Planter box, which was proposed in the Pre-File plans, are no longer an acceptable means of management and cannot be located within the steep slopes or associated buffers. Other Non-Structural practices defined in the Design Manual are not applicable due to the same unique physical challenges and characteristics of the site.



- (2) Deprive the applicant of rights commonly enjoyed by other properties- the proposed improvements are in character with other dwellings in the neighborhood and surrounding properties. In fact, the average existing principal structure coverage of existing homes in the immediate neighborhood along the waterfront of Gingerville Creek from 145 Wallace Manor Road north to 2746 Solomons Island Road to the south is 3,487 sq. ft. which is 412 sq. ft. more than the subject principal structure coverage of 3,075 sq. ft. An exhibit has been provided for review by staff.
- (3) Will not confer special privilege - granting this variance would not confer a special privilege to the applicants. The proposed improvements are in character with the neighborhood as mentioned above.
- (4) Actions by Applicants and Neighbors- The variance is not based on conditions or circumstances that are the result of actions by the applicants or conditions or use on neighboring properties- conditions and circumstances are based on the unique physical characteristics of the lot.
- (5) Water Quality, Intent of the Critical Area Program. The requested variances will not adversely affect water quality, impact fish, and wildlife or plant habitat and be in harmony with the critical area program. Currently, the existing improvements have no means of storm water management. Environmental Site Design to the Maximum Extent Practicable will be addressed via multiple applications. There will be (1) Green Roof Area on the west side of the home and (1) 4,500 Gallon Rain Harvesting Tank (SWM Cistern) located under the garage slab. The existing 100-foot radius of the adjacent “Unconfined” well to the north will not be impacted. All storm water management applications are outside the initial 100-foot buffer. It must be noted that the required ESD volume for the site is 888 cu. ft. The volume achieved through the proposed design is 676 cu. ft. which is to the maximum extent practicable based on the existing well setbacks, steep slopes, associated buffers and lack of viable surface area present for storm water management practices. Lastly, per **Article 17-8-601 (3)** Lots greater than one acre. Developed woodland clearing on lots in the LDA and RCA greater than one acre in size that were in existence on or before December 1, 1985, shall be limited to the minimum necessary to accommodate a house or other structure, initial septic system, driveway, and reasonable amount of yard or required parking, and may not exceed 30% without a variance. The proposed clearing for the re-development totals 3,393 sq. ft. or only 7% of the existing woodland canopy.
- (6) Presumption Sec 8-1808(d)(2)(ii) – The applicants have overcome the presumption that the use for which the variances were requested were not in conformity with the purpose and intent of the Critical Area Program.

(c) Requirements for all variances.

1. Minimum necessary to afford relief - The proposed variances allow for modest uses that not only meets the “significant and reasonable standard” but also are the minimal necessary development to afford relief. Disturbance to the 15% steep slopes is the minimum necessary to construct the proposed improvements and to reduce the impervious surface area within the property’s boundary.

2. The granting of the variance will not:
- i. alter the essential character of the neighborhood, and all proposed development will be harmonious with the architectural styles and scale of the surrounding area.
 - ii. substantially impair the appropriate use or development of adjacent properties.
 - iii. reduce forest cover in the LDA. Vegetative clearing is reduced to the minimum necessary to construct the proposed improvements and will be mitigated appropriately during the permit process with a Reforestation/Buffer Management Plan.
 - iv. be contrary to acceptable clearing or replanting practices required for development of the Critical Area. Clearing is only for what is necessary for construction and access, and the property is not located within a Bog Protection Area.
 - v. be detrimental to the public welfare as constructing a single-family dwelling and associated improvements on a residentially zoned property will not impose harm to adjacent property owners or the public.

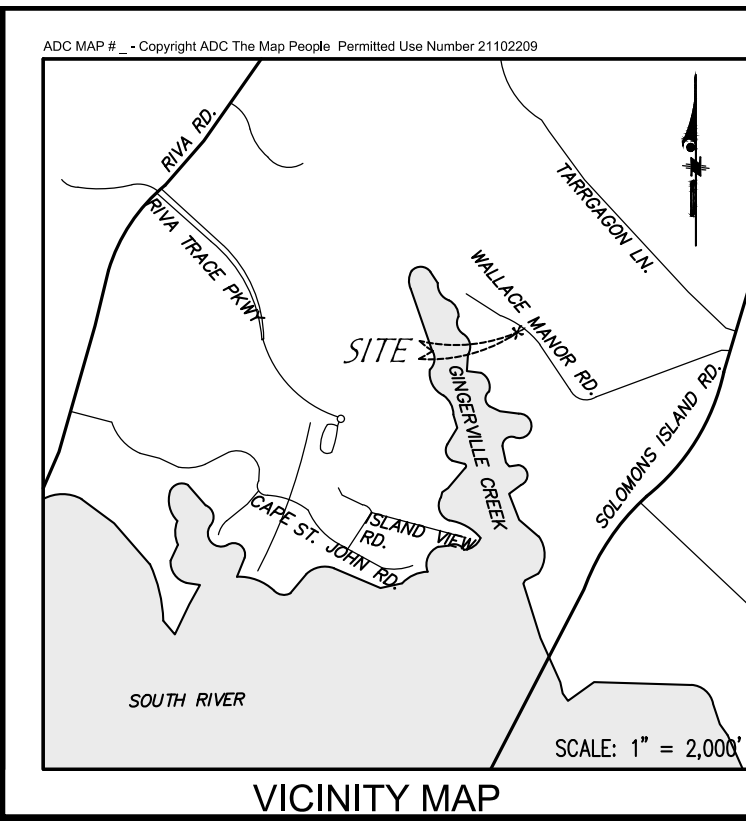
Denial of the requested variances and a strict implementation of the County's zoning and Critical Area Program would constitute unwarranted hardship and practical difficulty on the applicant and deprive them of the same rights and privileges others enjoy in the immediate neighborhood along the waterfront side of Gingerville Creek.

At your convenience, please let us know if there's any additional information necessary for the evaluation of the Variance Application submittal.

Thanks,

Robert E. Baxter, Jr.

Robert E. Baxter, Jr.
Project Manager
Drum, Loyka, & Associates LLC





LEGEND	
	EXISTING CONTOUR
	EXISTING PERENNIAL STREAM
	100' STREAM BUFFER
	100' TIDAL WATER BUFFER
	EXPANDED BUFFER
	25' STEEP SLOPE SETBACK
	EXISTING IMPROVEMENTS
	EXISTING STEEP SLOPES
	EXISTING PERC TEST

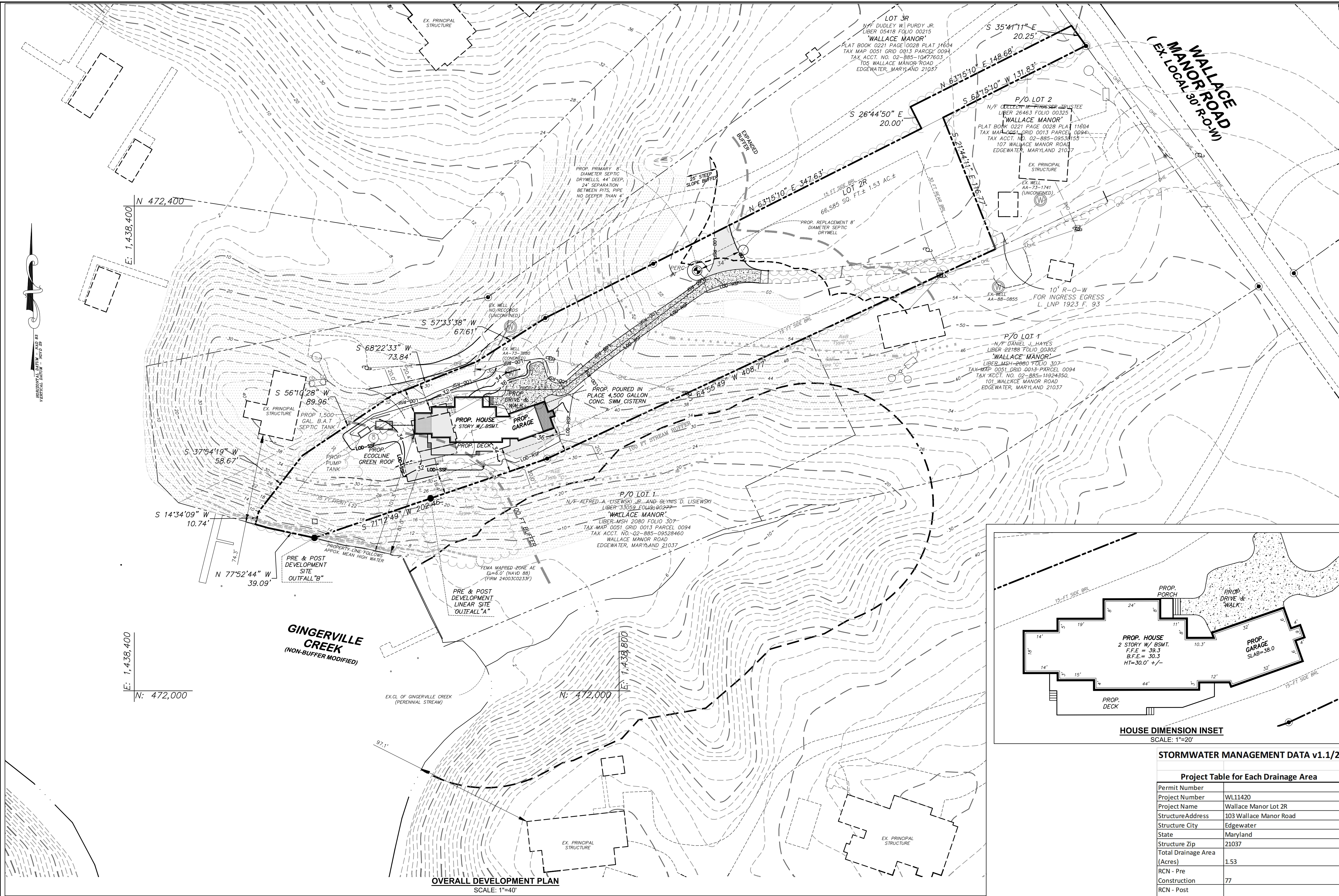
NATURE OF VARIANCE

-Requesting a variance to **Article 17, Section 8-201(a)** of the Anne County Code for development on slopes 15% or greater in the LDA.

-Requesting a variance to **Article 17, Section 8-301(b)** of the Anne County Code related to **COMAR, Title 27** to disturb within the expanded buffer in the critical area.

DESIGNED: REB ORIG. DATE: 7/2023 MODIFIED BY/DATE: CADD DWG # WL11420-VARIANCE DLA PROJECT # WL11420		DRAWN: GDM		REVISIONS TO APPROVED PLANS		<div><div><div>Drum, Loyka & Associates, LLC</div><div>CIVIL ENGINEERS - LAND SURVEYORS</div><div>1410 Forest Drive, Suite 35 Annapolis, Maryland 21403 Phone: 410-280-3122 • Fax: 410-280-1952 www.drumloyka.com engineering@drumloyka.com</div></div></div>		<div><div>"Professional Certification, I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland, license no. 18521, expiration date: 12-08-27"</div><div><div>12/9/2015</div></div></div>		OWNER		EXISTING CONDITIONS & ENVIRONMENTAL RESOURCE PLAN	
				VARIANCE PLAN						WALLACE MANOR LOT 2R			
								103 WALLACE MANOR ROAD, EDGEWATER, MARYLAND 21037					
								TAX ACCT. NO. 02-885-06633200 PERC. NO. T02047451					
								TAX MAP 51 GRID 13 PARCEL 94 DISTRICT 2ND					
								ANNE ARUNDEL COUNTY, MARYLAND					
								SCALE: 1" = 40'		DATE: 12/9/2025			
								PROJ. NO: WL11420		SHEET 1 OF 2			

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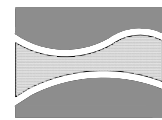


For Each Practice in the Drainage Area		E, S, or A		New development (NEWD), Redevelopment (REDE), or Restoration (REST)	MDP Code								NEW Maintenance Responsibility	
STORM_ID	STRU_NAME	MDE BMP CLASS	MDE BMP TYPE	CONSTRUCTION PURPOSE	ON or OFF SITE	LAND USE	DEVICE DRAINAGE AREA (sq.ft.)	IMPERVIOUS AREA DRAINING TO DEVICE (sq.ft.)	IMPERVIOUS ACRES RESTORED (See Note 3)	MD NORTH COORD (NAD83 - FT)	MD EAST COORD (NAD83 - FT)	WQ _s (cu-ft) (See Note 5)		
	Green Roof	E	AGRI	NEWD	On Site	AA11	252	252	N/A	472,220	1,438,627	74	Individual Homeowner	
	Rainwater Harvesting	E	MRWH	NEWD	On Site	AA11	2,824	2,824	N/A	472,215	1,438,730	604	Individual Homeowner	

DESIGNED: REB
ORIG. DATE: 7/2023
MODIFIED BY/DATE:
CADD DWG # WL11420-VARIANCE
DLA PROJECT # WL11420

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REVISIONS TO APPROVED PLANS				DESCRIPTION
No.	DATE	BY		



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1410 Forest Drive, Suite 35
Annapolis, Maryland 21403
Phone: 410-280-3122 • Fax: 410-280-1952
www.drumloyka.com | engineering@drumloyka.com

"Professional Certification, I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland, license no. 18521, expiration date: 12-08-27"



OWNER
ALFRED A. LISIEWSKI JR. & GLYNIS D. LISIEWSKI
354 OLD TRAIL
EDGEWATER, MARYLAND 21037

SCALE: AS SHOWN DATE: 12/9/2025 PROJ. NO: WL11420 SHEET 2 OF 2

E. Compute PE Value & ESDv for Drainage Area: (SITE)						
Drainage Area SITE						
DA Name	ESD Practice	Drainage Area	Total Storage	ESD Volume	Recharge Volume	PE Achieved
DA-1	Green Roof	252 sf	74 cf	74 cf	0 cf	2.70 in
DA-2	Rainwater Harvesting	2824 sf	602 cf	602 cf	29 cf	2.69 in
Totals:		3076 sf	676 cf	676 cf	29 cf	0.76 in
Targets:				888 cf	115 cf	1 in
Target PE	=	1 in	Achieved PE	=	0.76 in	
Target ESDv	=	888 cf	*Achieved ESDv	=	676 cf	*(ESD to the MEP)
Target Rev	=	115 cf	Achieved Rev	=	29 cf	
ESD Storage Provided is less than the target volume. ESD has not been met						
An additional 0 cf of Peak Management storage has been provided.						

Outfall Statement
A field investigation of the outfall of this site was performed in August of 2020 by Drum, Loyka & Associates, LLC. The subject property located off of Wallace Manor Road in Edgewater. The property is currently improved with a single-family dwelling, and associated improvements. It is vegetatively stabilized with hardwood trees, decorative landscaping, and lawn.

In the existing condition, the property has two site outfalls: Site outfall "A" is located along the southern side property line adjacent to like ownership. P/O Lot 1 is vacant and not buildable. Site outfall "B" is more of a linear site outfall which ultimately makes its way to Gingerville Creek (direct discharge to tidal waters). The drainage area to site outfall "B" is not impacted by the re-development

In the proposed condition, drainage patterns to the site outfall will remain relatively unchanged and ESD is achieved to the MEP through the use of One Green Roof & a 4,500 Gallon Rainwater Harvesting Cistern. All other drainage patterns remain the same.

The design represents a 452 square foot decrease in lot coverage for the site, there will also be stormwater management practices, where previously none existed. All outfalls are considered adequate outfalls to receive runoff from a residential lot improved with a single-family dwelling. Peak Management is not required for the development.

EXPANDED BUFFER NOTE
The entire western portion of the subject property west of the driveway split is encumbered by steep slopes and the expanded buffer.

LEGEND	
	EXISTING CONTOUR
	LIMIT OF DISTURBANCE
	LIMIT OF DISTURBANCE / REINFORCED SILT FENCE
	LIMIT OF DISTURBANCE / SUPER SILT FENCE
	EXISTING PERENNIAL STREAM
	100' STREAM BUFFER
	100' TIDAL WATER BUFFER
	EXPANDED BUFFER
	25' STEEP SLOPE SETBACK
	EXISTING STEEP SLOPES
	EXISTING LOT COVERAGE TO BE REMOVED

SITE TABULATIONS	
• TOTAL SITE AREA:	66,585 S.F. (1.53 Ac.)
• TOTAL LOT COVERAGE:	
-EXISTING LOT COVERAGE:	8,341 S.F. (0.19 Ac.)
-ALLOWABLE LOT COVERAGE [Per 17-8-402]:	9,988 S.F. (0.23 Ac.)
-PROPOSED LOT COVERAGE:	7,889 S.F. (0.18 Ac.)
-PROPOSED DWELLING:	3,075 S.F. (0.07 Ac.)
-PROPOSED DRIVES / WALKS:	4,711 S.F. (0.11 Ac.)
-PROPOSED PORCH / STEPS:	103 S.F. (0.00 Ac.)
• TOTAL AREA OF DISTURBANCE:	13,291 S.F. (0.30 Ac.)
• TOTAL STEEP SLOPES ON SITE:	23,832 S.F. (0.55 Ac.)
-TOTAL SLEEP SLOPES DISTURBED:	613 S.F. (0.014 Ac.)
-PERMANENT DISTURBANCE:	555 S.F. (0.013 Ac.)
-TEMPORARY DISTURBANCE:	58 S.F. (0.001 Ac.)
• TOTAL CANOPY ON SITE:	50,917 S.F. (1.17 Ac.)
-PROPOSED CANOPY DISTURBANCE:	3,393 S.F. (0.08 Ac.)
• CRITICAL AREA DESIGNATION:	LDA
• GINGERVILLE CREEK (NON-BUFFER MODIFIED)	
• SETBACKS: R1 Residential	
-PRINCIPAL STRUCTURE	
-FRONT=35', REAR=30', SIDE=15'	
-MAX HEIGHT=45'	
-PROPOSED HEIGHT=30'	
• SETBACKS: R1 Residential	
-ACCESSORY STRUCTURE	
-FRONT=50', REAR=15', SIDE=15'	

DEVELOPED CONDITIONS PLAN
VARIANCE PLAN
WALLACE MANOR LOT 2R
103 WALLACE MANOR ROAD, EDGEWATER, MARYLAND 21037
TAX ACCT. NO. 02-885-06633200 PERC. NO. T02047451
TAX MAP 51 GRID 13 PARCEL 94 DISTRICT 2ND
ANNE ARUNDEL COUNTY, MARYLAND

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: AUGUST 1, 2023

Tax Map #	Parcel #	Block #	Lot #	Section
<u>51</u>	<u>94</u>	<u>13</u>	<u>2R</u>	<u>-</u>

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Tax ID: 2-885-06633200

Project Name (site name, subdivision name, or other) WALLACE MANOR

Project location/Address 103 WALLACE MANOR ROAD

City EDGEWATER, MD. Zip 21037

Local case number

Applicant: Last name LISIENSKI First name ALFRED

Company

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 First name

Phone # Response from Commission Required By

Fax # Hearing date

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

RESIDENTIAL SINGLE FAMILY HOME

Intra-Family Transfer ☐ Yes
Grandfathered Lot ☐

Growth Allocation ☐ Yes
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		
LDA Area	1.53	66,585
RCA Area		
Total Area		

Total Disturbed Area

Acres	Sq Ft
0.30	13,291

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	1.17	50,917	Existing Lot Coverage	0.19	8,341
Created Forest/Woodland/Trees			New Lot Coverage		
Removed Forest/Woodland/Trees	0.08	3,393	Removed Lot Coverage	0.01	452
			Total Lot Coverage	0.18	7,889

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.30	13,291	Buffer Forest Clearing	0.08	3,393
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 ☐

Chesapeake Bay Critical Area Report

Wallace Manor ~ Lot 2R

Tax Map 51, Grid 13, Parcel 94

Tax Account No. 02-885-06633200

Property Address: 103 Wallace Manor Road
Edgewater, Maryland 21037

Property Owner & Variance Applicant: Mr. Fred Lisiewski

Critical Area Designation: LDA **Zoning:** R-1 **Lot Area:** 1.53 Ac.

Site Description

The subject property is located off Wallace Manor Road in the Wallace Manor Subdivision. The property is irregular in shape, legal building parcel consisting of approximately 1.53 acres in area and is currently improved with a single-family dwelling which is proposed to be razed and removed. The property is zoned R-1, and the site has a Chesapeake Bay Critical Area land use designation of LDA. A portion of the existing dwellings footprint is within the 100' buffer to tidal waters. The existing dwelling is located 81 feet from the shoreline. The site is currently served by a private water well and septic. There are several hardships and practical difficulties regarding the redevelopment of the subject property. The majority of the site is within the expanded buffer which extends to the northeast end of the site which encumbers 49,036 sq. ft. or 74% of the total lot area. Additionally, the steep slopes of 15% or greater cover 23,832 sq. ft. or 36% of the total lot area. It is physically impossible to avoid the expanded buffer and steep slopes. The unimproved portion of the site is vegetated with numerous hardwood & evergreens trees and understory growth.

Description and Purpose of Variance Request

The homeowners propose to construct a new single-family dwelling, porch, attached garage, side entry deck, walk, and associated improvements. The new dwelling is sited partially overtop the footprint of the previous structure but entirely outside of the 100' buffer to tidal waters. The site will be served by a proposed BAT (Best Available Technology) septic tank and a proposed drywell. A stormwater management cistern is proposed below the garage slab to collect roof top runoff along with a portion of green roof on the western side of the dwelling. The proposed dwelling is within the size and character of other dwellings in the neighborhood. Due to the expanded buffer and significant presence and extent of steep slopes on the property, development isn't possible without disturbing the slopes and expanded buffer. While disturbance to the expanded buffer is impossible to avoid the disturbance to the slopes is minimized by locating the proposed dwelling within the plateau of the subject property. Therefore, the proposed improvements require variances to **Article 17, Section 8-201(a)** of the Anne Arundel County Code for development on slopes 15% or greater in the LDA, and to **Article 17, Section 8-301(b)** related to **COMAR, Title 27** to disturb within the expanded buffer in the Critical Area.

A pre-filing review was conducted by the Office of Planning and Zoning and comments were issued on April 24, 2024 by Ms. Sara Amzelmo, Ms. Hala Flores and Ms. Kelly Krinetz of Planning and Zoning, and the Critical Area team had three recommendations. The comments were considered and the site plan was revised accordingly. A copy of the pre-file comments is included with this submittal.

Vegetative Coverage and Clearing

This property is vegetatively stabilized with developed woodland, including a variety of mature hardwood trees, a creeping ivy groundcover common to the community of Wallace Manor. The existing on-site wooded area totals roughly 50,917 s.f. (1.17 Ac.). Removal of vegetation has been minimized to only that is necessary to construct the proposed improvements, the dwelling has been sited to minimize woodland clearing and disturbance to the steep slopes. Removal of vegetation onsite for the proposed redevelopment is approximately 3,393 s.f. (0.08 Ac.). Reforestation requirements for this property will be addressed during the grading permit phase of this project in accordance with code requirements.

Lot Coverage

The site currently has 8,341 s.f. (0.019 Ac.) of impervious coverage. The proposed impervious area for this property is 7,889 s.f. (0.07 Ac.), a reduction of 452 s.f. from the existing impervious and well below the allowable 9,988 (0.23) s.f. of lot coverage for this site.

Expanded Buffer

Approximately 49,036 s.f of the subject property falls within the expanded buffer, nearly three quarters of property is within the expanded buffer. Disturbance of the expanded buffer was unavoidable as a large portion of the site is encumbered by it, the proposed dwelling has been sited within the plateau of the site entirely outside of the 100' buffer to tidal waters to minimize the disturbance to the buffer to construct the dwelling, stormwater management, septic tank and drywell.

Steep Slopes (slopes > 15%)

The site has approximately 23,832 s.f of steep slopes, over one third of property is encumbered with steep slopes. Approximately 613 s.f. (0.014Ac.) of the steep slopes 15% or greater shall be disturbed during the proposed construction. Of that disturbance 555 s.f. of disturbance is proposed permanent disturbance to construct the dwelling and site improvements and the remaining 58 s.f. of temporary disturbance is for grading and construction access. Disturbance of these slopes was unavoidable as a large portion of the site is encumbered by them, the proposed dwelling has been sited within the plateau of the site to minimize the disturbance to the slopes to construct the dwelling, stormwater management, septic tank and drywell.

Predominant Soils

The predominant soil type is Annapolis Fine Sandy Loam, 2 to 5 percent slopes (AsB). This soil has a type "C" hydrologic classification and is not a hydric soil (soils characteristic of wetlands).

Drainage and Rainwater Control

Runoff from the site sheetflows down the steep slopes and ultimately drains to Gingerville Creek. The proposed redevelopment addresses stormwater management environmental site design to the maximum extent practicable via cistern under the garage slab and (1) area of green roof at the rear of the proposed dwelling to treat rooftop runoff.

Stormwater management and sediment and erosion control will be further addressed during the permitting phase of the project in order to meet Anne Arundel County design criteria.

Conclusions – Variance Standards

The applicant proposes to construct a new single-family dwelling, porch, reconfigured parking pad, side yard deck, walk, and associated improvements. The need for the requested Critical Area Variances arises from the existing unique nature and constraints of this property, specifically the topography, and location of the existing dwelling in relation to the steep slopes, expanded buffer and the irregular shape of the lot. It is not possible to complete this project without disturbance to the expanded buffer or steep slopes 15% or greater in the LDA. The proposed improvements are consistent in size and nature with other homes in the Wallace Manor subdivision and therefore will not alter the essential character of the neighborhood, impair development of adjacent properties, or be detrimental to the public welfare. To deny the requested variance would deprive the applicant of rights commonly enjoyed by other properties in the immediate area. With the implementation of mitigation, and sediment and erosion control practices, to be addressed during permitting, the proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area.

Reference:

ADC: The Map People, 2002 Anne Arundel County, Maryland, Street Map Book

Anne Arundel County Office of Planning & Zoning , 2007 Critical Area Map

Anne Arundel County Office of Planning & Zoning, 2007 Buffer Exemption Map

Anne Arundel County, Maryland; Chesapeake Bay Critical Area Mapping Program, 2007, Critical Area Map

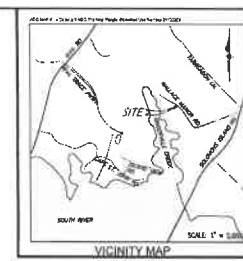
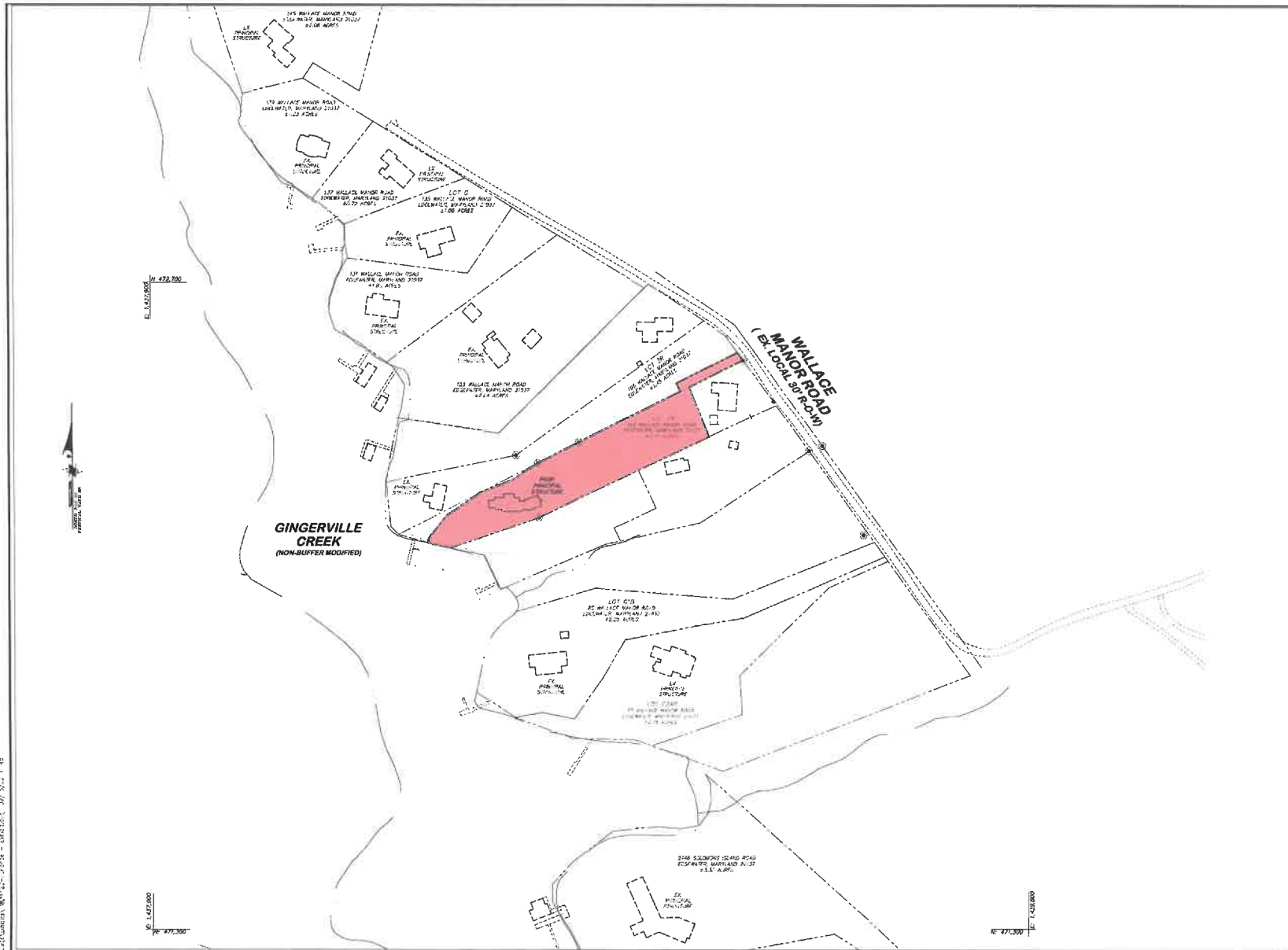
Federal Emergency Management Agency , 2016. Flood Insurance Rate Map

First American Real Estate Solutions, 2002, Realty Atlas: Anne Arundel County Maryland

Drum, Loyka and Associates LLC, 2021 Variance Plan

U.S. Department of Agriculture, Natural Resource Conservation Service –2016 Soil Survey of Anne Arundel County Maryland.

State Highway Administration of Maryland, 1989. Generalized Comprehensive Zoning Map: Third Assessment District



NATURE OF VARIANCE

-Requesting a variance to Article 17, Section 8-201(a) of the Anne County Code for development on slopes 15% or greater in the LDA.

-Requesting a variance to Article 17, Section 8-201(b) of the Anne County Code related to COMAR, Title 27 to disturb within the expanded buffer in the critical area.

SUBJECT PROPERTY & ADJACENT PROPERTIES	
PRINCIPAL STRUCTURES LOT COVERAGE TABULATIONS	
• 2748 Solomons Island Road:	8,161 S.F.
• 77 Wallace Manor Road:	4,828 S.F.
• 65 Wallace Manor Road:	3,153 S.F.
• 113 Wallace Manor Road (Proposed):	3,075 S.F.
• 105 Wallace Manor Road:	1,700 S.F.
• 123 Wallace Manor Road:	2,367 S.F.
• 131 Wallace Manor Road:	2,865 S.F.
• 135 Wallace Manor Road:	3,045 S.F.
• 137 Wallace Manor Road:	2,963 S.F.
• 138 Wallace Manor Road:	2,576 S.F.
• 145 Wallace Manor Road:	3,439 S.F.
• <u>Subj. Property Footage Of Adjacent Structures:</u>	<u>3,487 S.F.</u>
*Subject Property	

DESIGNED: REB		DRAWN: GDM	
DMS DATE: 7/2023			
ACQUIRED BY: DATE:			
CADD DMS # WL11420-VARIANCE EXHIBIT			
DLA PROJECT # WL11420			
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No.	DATE	BY	DESCRIPTION



Drum, Loyka & Associates, LLC
CIVIL ENGINEERS - LAND SURVEYORS
1410 Forest Drive, Suite 305
Arlington, Maryland 21403
Phone: 410-280-3122 • Fax: 410-280-1952
www.drumlloyka.com | engineering@drumlloyka.com

Professional Certification: I hereby certify that these documents were prepared or approved by me, and that I am a duly Licensed Professional Engineer under the laws of the State of Maryland.
Lic#MD no. 18621
expiration date: 12-28-23

OWNER
ALFRED A. LISIEWSKI JR. & GLYNIS D. LISIEWSKI
354 OLD TRAIL
EDGEWATER, MARYLAND 21037

PRINCIPAL STRUCTURES VARIANCE EXHIBIT
VARIANCE PLAN
WALLACE MANOR LOT 2R
103 WALLACE MANOR ROAD, EDGEWATER, MARYLAND 21037
TAX ACCT. NO. 02-685-09633200 PERC. NO. T32947451
TAX MAP 51 GRID 13 PARCEL 94 DISTRICT 2ND
ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1" = 100'

DATE: 8/15/2023

PROJ. NO: WL11420

SHEET 1 OF 1



**1410 Forest Drive, Suite 35
Annapolis MD 21403
Phone: 410-280-3122
Fax: 410-280-1952**

Wallace Manor ~ Lot 2R

Slope Stability Investigation Report

Tax Map: 51, Grid 13, Parcel 94

Prepared for: Mr. Fred Lisiewski

Date: July, 2023

Table of Contents

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I. Existing Conditions

The property is an existing legal building site fronting Gingerville Creek, is located in the (LDA) Limited Development Area Designation of the Critical Area and is **not** within the Buffer Modification Area mapping. The property is 66,585 sq. ft. or 1.53 acres, is zoned R-1 Residential and has a private septic system and well. The existing principal structure and covered deck are located at the top of steep slopes and approximately 81-feet from the shoreline. The second existing wood deck is located closer to the shoreline at approximately 62-feet.

There are several hardships and practical difficulties related to the re-development of the site. First, the expanded buffer extends to the northeast end of the site which encumbers 49,036 sq. ft. or 74% of the total lot area. The steep slopes of 15% and greater cover 23,832 sq. ft. or 36% of the total lot area.

The existing steep slopes on site are in good condition with no signs of erosion, sluffing, or channelization present. The entirety of the steep slopes is vegetatively stabilized with a mixture of Hardwood Trees, Shrubs & Creeping Ivy Ground Cover common to the community of Wallace Manor. Sheetflow from the existing on lot improvements is dispersed across the slope and slowed down allowing for infiltration to native soils. There are no sediment deposits present at the toe of slopes and the area is in generally good condition.

II. Proposed Condition

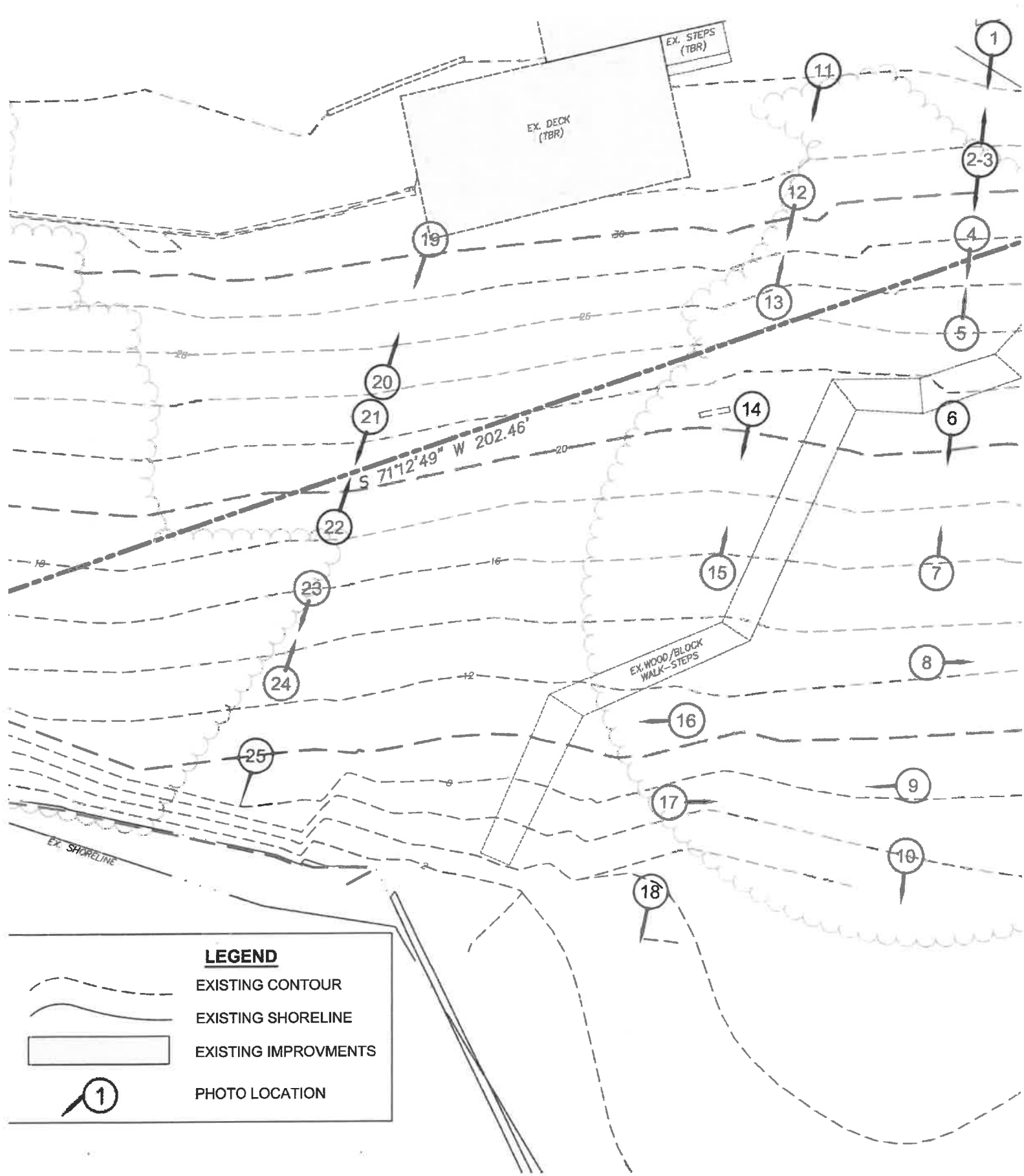
The proposed work is to raze and remove the existing single family dwelling and construct a new single family dwelling, pervious deck & other associated improvements. The proposed dwelling is sited entirely outside of the steep slopes taking advantage of the natural plateau on site. The proposed waterfront deck is withing the 100' buffer however it is located outside of the existing steep slopes roughly 89' from the shoreline an increase of 27' from where the existing deck lies. The proposed work provides a decrease of 452 square feet of impervious lot coverage from the existing conditions.

Currently, the existing improvements have no means of storm water management. Environmental Site Design to the Maximum Extent Practicable will be addressed via multiple applications. There will be (1) Green Roof Area on the west side of the home and (1) Rain Harvesting Tank (SWM Cistern) located under the garage slab. All storm water management applications are outside the steep slopes and 100-foot buffer to tidal waters however disturbance to the expanded buffer which encumber roughly 74% of the subject property is unavoidable.

Natural flow paths on the site will be maintained, the proposed SWM practices will bode well for the steep slopes on site as runoff from the proposed dwellings will either be captured by the cistern or the area of green roof. It is our opinion that the existing slopes on site will not be adversely affected by the proposed development.

Due to the existing conditions of the slopes and location of the proposed improvements we believe that no slope stabilization methods are necessary. The areas are all adequately stabilized with no signs of erosion or sluffing present.

Appendix A- Flow Path Exhibit



Appendix B- Photo Tour



Photo #1 Looking South From Top Of Existing Slope



Photo #2 Looking South Down Existing Slope, No Erosion Present. Area Is Vegetatively Stabilized



Photo #3 Looking North Up Existing Slope. No Erosion Present, Area Stabilized



Photo #4 Looking South, Area Stabilized With Hardwood Trees, Shrubs & Groundcover



Photo #5 Looking North Up Slope



Photo #6 Looking South Towards Toe Of Slope. Area Adequately Stabilized With Existing Vegetation



Photo #7 Looking North Up Existing Slope, No Erosion Present



Photo #8 Looking East Within Slope



Photo #9 Looking West, Game Trail Evident. No Erosion Present.



Photo #10 Looking South At Toe Of Slope Towards Existing Stream



Photo # 11 Looking South Down Existing Slope



Photo #12 Looking South, No Erosion Present Area Vegetatively Stabilized



Photo #13 Looking North Up Slope Towards Existing Dwelling



Photo #14 Looking South Towards Gingerville Creek. No Erosion Present



Photo #15 Looking North, Vegetatively Stabilized With Hardwood Trees, Shrubs & Ground Cover.



Photo #16 Looking West Towards Existing Walk. No Erosion Present.



Photo #17 Looking East , No Erosion Present



Photo #18 Looking South From Toe Of Slope Towards Existing Stream



Photo #19 Looking Southwest Towards Gingerville Creek From Top Of Slope



Photo #20 Looking Northeast Towards The Top Of Slope



Photo #21 Looking Southwest, No Erosion Present Area Vegetatively Stabilized



Photo #22 Looking Northeast Up The Slope



Photo #23 Looking Southwest Towards Gingerville Creek, No Erosion Present & Area Stabilized



Photo #24 Looking Northeast Towards The Top Of Slope. No Erosion Or Channelization Present



Photo #25 Looking Southwest At Toe Of Slope & Existing Bulkhead, No Erosion Present



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING: 4/24/2023

P&Z STAFF: Sara Anzelmo, Kelly Krinetz, Hala Flores

APPLICANT/REPRESENTATIVE: Alfred Lisiewski/Bob Baxter(Drum Loyka) EMAIL: rbaxter@drumloyka.com

SITE LOCATION: 103 Wallace Manor Road LOT SIZE: 1.52 acres ZONING: R1

CA DESIGNATION: LDA BMA: N/A or BUFFER: Yes APPLICATION TYPE: Critical Area Variances

The owners plan to demo an existing house and to construct a new single-family dwelling and associated facilities. The proposed redevelopment would necessitate a critical area variance to 17-8-201(a) for disturbance within slopes of 15% or greater as well as to 17-8-301(b) for disturbance within the expanded buffer. The proposed principal structure will be located entirely outside the initial 100-foot buffer, increasing the distance from 84' to 100' from the shoreline and will have a total height of approximately 22-feet. The associated proposed wood, pervious deck will be located within the buffer, but the distance to the shoreline has been increased from 67' to 91' and shifted out of steep slopes and onto flatter grade. In addition, the existing wood deck closer to the shoreline is 16.4' from the southeast property line, the proposed waterfront deck will be 20' from the same property line. The existing structures in the 100-foot buffer total 979 sq. ft. With the re-development of the site, there will be 408 sq. ft. of structural coverage proposed which results in a decrease of 571 sq. ft. of impacts to the buffer and steep slopes.

Currently, the existing improvements have no means of storm water management. Environmental Site Design to the Maximum Extent Practicable will be addressed via multiple applications. There will be (2) Green Roof Areas on the west side of the home, (1) Rain Harvesting Tank (SWM Cistern) located under the garage slab and lastly, an Ultra Urban Planter Box on the back end of the garage wall entirely above grade. The existing 100-foot radius of the adjacent "Unconfined" well to the north will not be impacted with the UUP Box being above grade. All storm water management applications are outside the 100-foot buffer.

COMMENTS

The **Development Division's Critical Area Team** commented that the 100' buffer to the stream should be shown on the site plan. The proposed footprint is elongated, and it appears that the disturbance could be reduced with a more compact footprint that fits within the plateau area on site. The architectural must be submitted with the application in order to fully evaluate compliance with the approval standards for a Critical Area Variance as outlined in Article 18-16-305.

The **Zoning Administration Section** notes that the variance site plan must label the height and number of stories (including whether or not there will be a basement) as well as the dimensions of proposed structures. The site plan should break down the coverage to show the total dwelling footprint. The ZA Section concurs with the CA Team that there appears to be an opportunity to minimize the disturbance by tightening up the footprint. The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must meet ALL of the Critical Area variance standards provided under Section 18-16-305, which includes the requirement that the variance must be the minimum necessary to afford relief.

The **Engineering Division of the Office of Inspections and Permits** provided comments via the attached letter.

INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

*** A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.



Mark Wedemeyer, Director

Memorandum

To: Office of Planning and Zoning

From: Hala Flores, Engineer Manager, Department of Inspections and Permits

Date: 4/24/2023

Subject: 103 Wallace Manor Road
Edgewater, MD. 21037
Pre-file - Disturb 15% and greater slope (17-8-201(a) and disturb within the expanded buffer in the critical area (17-8-301(b))

The applicant is seeking a variance for the demolition of an existing home, associated decking, and construction of a new single-family home. The property is fronting Gingerville Creek within the LDA designation of the critical area. The proposed structure is located further away from the shoreline and outside the expanded buffer than the existing structure was.

Review – This property has been reviewed by I&P Engineering. The comments below should be addressed with the formal variance application:

There is no existing SWM on the property. The proposed construction is proffering three types of SWM treatments. Green Roof Areas on the west side of the home, a Rain harvesting tank (Cistern), and an ultra-urban Planter box. The variance application needs to clearly indicate the existing versus the proposed impervious area for the site and the LOD. Clearly mark all existing impervious areas to be removed on the plan. The application also needs to indicate the required and provided ESDv.

It is not clear how the existing and proposed driveways are being treated.

The use of rain handlers should be explored for disconnection of portions of the rooftop via sheet flow. The use of permeable concrete or pavers should be explored for the driveway. It is not clear if permeable versus impermeable decking is proposed. Reliance on structural BMPs (such as the ultra-urban planter box) will result in changes to the 10-year flow quantity and characteristics. This design selection will necessitate right-to-discharge permission at the site outfall from the adjacent property owner. The RTD must be clearly shown on the variance plan and will be required prior to the issuance of the grading permit.

The property appears to share a private driveway with other properties. Clarify this in the variance application and provide the common access agreement and label the L. F. on the plan.

Provide a slope stability investigation report in the direction of the proposed flow path. This shall include a narrative description of the slope stability, a photo tour, and recommendations for slope stability (as needed).