

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

APPLICANT: Bobby C. Benedict, Trustee

ASSESSMENT DISTRICT: 2

CASE NUMBER: 2025-0074-V

COUNCILMANIC DISTRICT: 6

HEARING DATE: January 27, 2026

PREPARED BY: Joan A. Jenkins
Planner III

REQUEST

The applicant is requesting variances to allow a dwelling with less setbacks than required and with disturbance to slopes 15% or greater on property located at 866 Robin Hood Hill in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject property gains access from the north side of Robin Hood Hill, east of Alan-A-Dale Road, but is a corner through lot with frontage on Alan-a-Dale Road and Robin Hood Hill on the north side of the property. The site is 17,003 square feet in area, more or less. The site is shown on Tax Map 39, Grid 19, as Parcel 295, Lot 866 and part of lot 870 in the Sherwood Forest subdivision. The property is zoned R2-Residential District. This site has no frontage on the water but is located in the Chesapeake Bay Critical Area and designated LDA-Limited Development Area and is encumbered by steep slopes. The property is currently developed with a two-story single family detached dwelling that is served by public water and private septic.

APPLICANT'S PROPOSAL

The applicant is proposing to raze the existing dwelling and construct a new dwelling in generally the same location.

REQUESTED VARIANCES

§ 17-8-201 of the Anne Arundel County Subdivision Code states that development in LDA or RCA designated areas may not occur on lands with a slope of 15% or greater. The proposed dwelling will disturb 1,902 square feet of lands with a slope of 15% or greater, some of which is within the 10-foot limit of disturbance surrounding the construction. The total disturbance will be determined at permitting.

The application meets the setback requirements of the R2 - Residential District and does not require a variance to setbacks.¹

¹ Bill 72-24, effective July 1, 2025, changed the setbacks and coverage by structures for the R2 - Residential District.

FINDINGS

This Office finds that the subject property is an irregularly-shaped lot that does not meet the area requirements for a lot in an R2 District served by private septic. Much of the property is encumbered by slopes of 15% or greater and redevelopment of the subject property is impossible without disturbing these slopes. In this case a literal interpretation of the Critical Area Laws would deprive applicants of rights commonly enjoyed by others (i.e. a dwelling on a presumed legal lot) in similar areas as permitted in accordance with the provision of the Critical Area program. Denial of the variances would preclude redevelopment of the site and thus cause hardship in the use of the property.

The existing critical area lot coverage of the site is 2,712 square feet. The post-construction lot coverage will be 3,966 square feet, which is well below the 31.25% of (5,313 square feet) allowed under § 17-8-402 (a) of the Code.

The variance to disturb steep slopes 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 to allow disturbance to slopes will not be contrary to acceptable clearing and replanting practice. The granting of the steep slope variance will not adversely affect water quality or impact fish, wildlife or plant habitat.

Approval of the variances will not alter the essential character of the neighborhood as the improvements proposed will result in development that is essentially consistent with this neighborhood that predates the Zoning Code. Approval of the variances will not negatively impact the use of any adjacent property as the improvements are located well enough away from existing dwellings on abutting properties so as to not have any negative effect. The variances are considered to be the minimum necessary to afford relief.

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

The **Department of Inspections and Permits (Engineering section)** made the following comments:

1. Show the existing water line and WHC. All setbacks to the septic must be met.
2. The LOD line appears to be a buffer line. Use a different line type.
3. The LOD should come full circle and include the cistern outfall.
4. The outfall for the cistern is located on Sherwood Forest Club Inc. property. At Grading Permit, provide permission for the outfall's location.
5. At Grading Permit, state how the water from the cistern will be re-used and show the area of dedicated use.
6. At Grading Permit, add the cistern's Operation and Maintenance details from the manufacturer on the plans.
7. At Grading Permit, provide the cistern's details of the pipes and irrigation (if that is the

The site plan shows the prior regulations and should be updated on future applications to reflect the proper setbacks and coverage by structure.

dedicated use) on the plans

8. At Grading Permit, provide a qualified professional review of the condition of suitability of steep slopes; ensure the proposed improvement including quality and other limits does not adversely impact the intensity of the slope and can cause slope failure.

The **Development Division (Critical Area Team)** indicated they have no objection to the proposed redevelopment. Mitigation will be determined at permit.

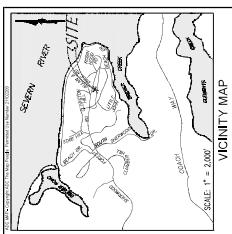
The **Critical Area Commission** did not oppose the request and commented that should the hearing officer find that each and every one of the Critical Area variance standards have been met, appropriate mitigation, as specified in COMAR 27.01.09.01-2(H), is required.

The **Cultural Resources Section** commented that the subject property is located within Sherwood Forest (AA-941) which is listed on the Maryland Inventory of Historic Properties (MIHP). Proposed demolitions must comply with Section 105.8 of the Construction and Property Maintenance Codes Supplement, which says that a permit to demolish or remove a historic structure may not be issued, unless the applicant demonstrates compliance with Article 17-6-501 of the County Code. As Sherwood Forest is on the MIHP, all demolitions must be reviewed as per 17-6-501 of the Code. Until the project has been reviewed for compliance with Article 17-6-501, our office is not able to recommend approval of a variance at this time. Additional documentation, including a demolition worksheet, shall be required for review with the building permit application. Please contact the historic sites planner, Darian Beverungen, pzbeve19@aacounty.org, with any questions and to receive a demolition worksheet to include for the review.

RECOMMENDATION

With regard to the standards by which a variance may be granted as set forth under Article 18, §18-16-305 under the County Code, the Office of Planning and Zoning recommends **conditional approval** of a critical area variance to § 17-8-201 to allow a dwelling and associated improvements with approximately 1,902 square feet of permanent and temporary disturbance to slopes 15% or greater as shown on the site plan conditioned on approval of the demolition from Cultural Resources.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) 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.

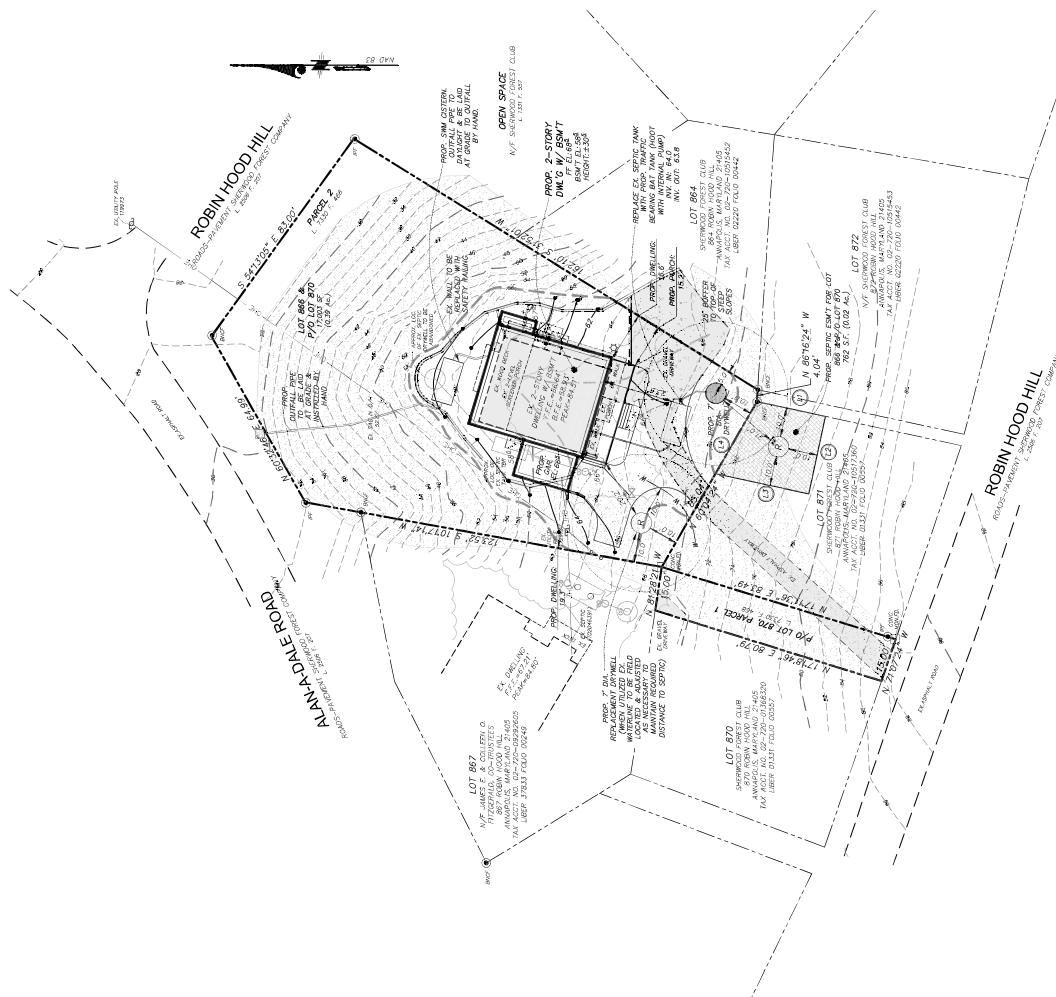


| LINE TABLE | | |
|------------|----------------|--------|
| LINE # | DIRECTION | LENGTH |
| L1 | S12° 09' 36" W | 23.89 |
| L2 | N77° 50' 24" W | 27.00 |
| L3 | N12° 09' 36" E | 32.54 |
| L4 | S60° 04' 24" E | 28.35 |

LEGEND

111

| | LGa | LGb | LGc |
|-------------------------------------|-----|-----|-----|
| 17,000 S.F. (0.39 A _{Gr}) | | | |
| 2,712 S.F. (0.06 A _{Gr}) | | | |
| 5,313 S.F. (0.12 A _{Gr}) | | | |
| 3,966 S.F. (0.09 A _{Gr}) | | | |
| 1,269 S.F. (17%) | | | |
| 5,101 S.F. (30%) | | | |
| 2,103 S.F. (112%) | | | |
| 10,814 S.F. (0.25 A _{Gr}) | | | |
| 1,902 S.F. (0.04 A _{Gr}) | | | |
| 0 S.F. (0.00 A _{Gr}) | | | |



April 15, 2025

Anne Arundel County, Office of Planning and Zoning
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

**RE: SHERWOOD FOREST ~ LOT 866 & P/O Lot 870
866 Robin Hood Hill
Annapolis MD, 21405
Variance to the Code Application**

Sir/Madam:

Attached is a variance to the Code request application and associated submittal documents for the above referenced property. To allow for a modest replacement home and associated improvements to the subject property, a variance to the Anne Arundel County Code is required. The requested variance to the Code relates to **Article 17, Section 8-201(a)** for redevelopment on slopes 15% or greater in the LDA.

The subject property is a legal non-conforming building lot located in the community of Sherwood Forest, Maryland. The property is currently improved with a single-family dwelling and associated improvements. The lot is zoned R-2 and is served by community water and a private septic system. The property is located entirely within the Chesapeake Bay Critical Area with an LDA land use designation. The existing dwelling is surrounded by steep slopes, which encumber more than half of the property area (+/-64%), severely limiting and restricting the spaces that allow redevelopment. Primary vegetation consists of hardwood and evergreen trees, and creeping ground cover common to wooded areas and the community.

The applicants propose to raze and remove the existing dwelling and construct a new, modestly sized home generally within the same footprint as the existing structures. According to tax records, the current dwelling was constructed in the 1920s. Like many homes in Sherwood Forest, the structure was originally built as a seasonal summer cottage and no longer meets the standards or functional needs of a modern, potentially year-round residence for today's families.

The proposed redevelopment respects the character of the community while improving the safety, livability, and structural integrity of the home. Due to the unique physical conditions inherent to the property, the following variance to the Anne Arundel County Code are being requested: **Article 17, Section 8-201(a)** of approximately 1,902-sf of disturbance on slopes 15% or greater in the LDA.

The need for this variance is driven by the physical constraints of the site—specifically, the steep slopes that surround the existing improvements and the substandard lot size. The property is approximately 15% below the minimum lot size required by zoning, and more than half of its area is encumbered by steep slopes. These environmental constraints severely limit buildable area on the site.

The proposed dwelling has been thoughtfully designed to minimize environmental disturbance by staying within the general footprint of the existing structures, avoiding unnecessary impacts to undisturbed areas, and maintaining the established drainage patterns. The requested variance is the minimum necessary to allow for reasonable and safe redevelopment of the site. The project will not result in any additional site disturbance beyond what would be required to remove or maintain the existing features. As part of the redevelopment, the existing low retaining wall—which is currently failing—will be removed and replaced with a safety railing. This improvement will enhance overall site safety for the property owners and their guests. Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant and would not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the implementation of stormwater management and the nitrogen reducing septic system, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare.

We believe that these requests meet all the requirements for variance, per Article 18-16-305:

Requirements for Critical Area Variances.

1. Unique physical conditions - Specifically topography, and the location of the existing dwelling in relation to the slopes. Denial of the requested variance would constitute an unwarranted hardship on the applicant and deprive them of the right to redevelop and deny reasonable and significant use of the entire property.
2. Rights commonly enjoyed - The proposed improvements are similar and in character to those of surrounding properties. To deny the requested variance would deprive the applicant of rights commonly enjoyed by other properties in the area.
3. Will not confer special privilege - Granting this variance would not confer a special privilege to the applicant. Nearby properties maintain improvements comparable to what is proposed for this project. The applicants have made extensive efforts to design this proposed project in a manner that considers the placement of the existing dwelling and location of surrounding environmental features.

4. Not based on conditions or circumstances that are the result of actions by the applicant - Conditions and circumstances are based on the small and irregular shape of the site, the presence of steep slopes, and the location of the existing improvements, and are not because of actions by the applicant.
5. Will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area – The proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area. Disturbance is minimized only to what is necessary to complete the project. Mitigation will occur in accordance with county regulations and will be addressed during the permitting process. Sediment and erosion controls will be utilized to ensure that construction and grading will not adversely affect the surrounding environmental features located within the Critical Area. The addition of stormwater management and a nitrogen reducing septic system will also enhance the environmental quality of the development. These precautions will ensure that water quality, fish, wildlife, and plant habitat will not be adversely affected.

Requirements for all variances.

1. Minimum necessary - The improvements are minimal and are sited to utilize the footprint of the existing improvements to minimize disturbance.
2. The granting of the variance will not:
 - i. alter the essential character of the neighborhood, and all proposed development will be harmonious with other properties of the surrounding area.
 - ii. substantially impair the appropriate use or development of adjacent properties.
 - iii. reduce forest cover in the LDA as appropriate mitigation will be required as part of the permit process.
 - iv. be contrary to acceptable clearing or replanting practices required for development of the Critical Area or Bog Protection Area.
 - v. be detrimental to the public welfare.

Thank you for your attention to this matter. Please contact us if we may be of further service during your review of this variance request.

Sincerely,

DRUM, LOYKA & ASSOCIATES, LLC



Katie Yetman

DESIGN TEAM:
ARCHITECT:
S.A.H. DESIGN
8220 Kerry Rd
Cherry Glass, MD
Ph: 202.211.1408

CIVIL:
Dunn, Inc. &
L.C.
1410 Forest Dr.,
Suite 35
Annapolis, MD
Ph: 410.280.1952

STRUCTURAL:
BUILDER:



866 ROBIN HOOD HILL
ANNAPOLIS, MD 21405

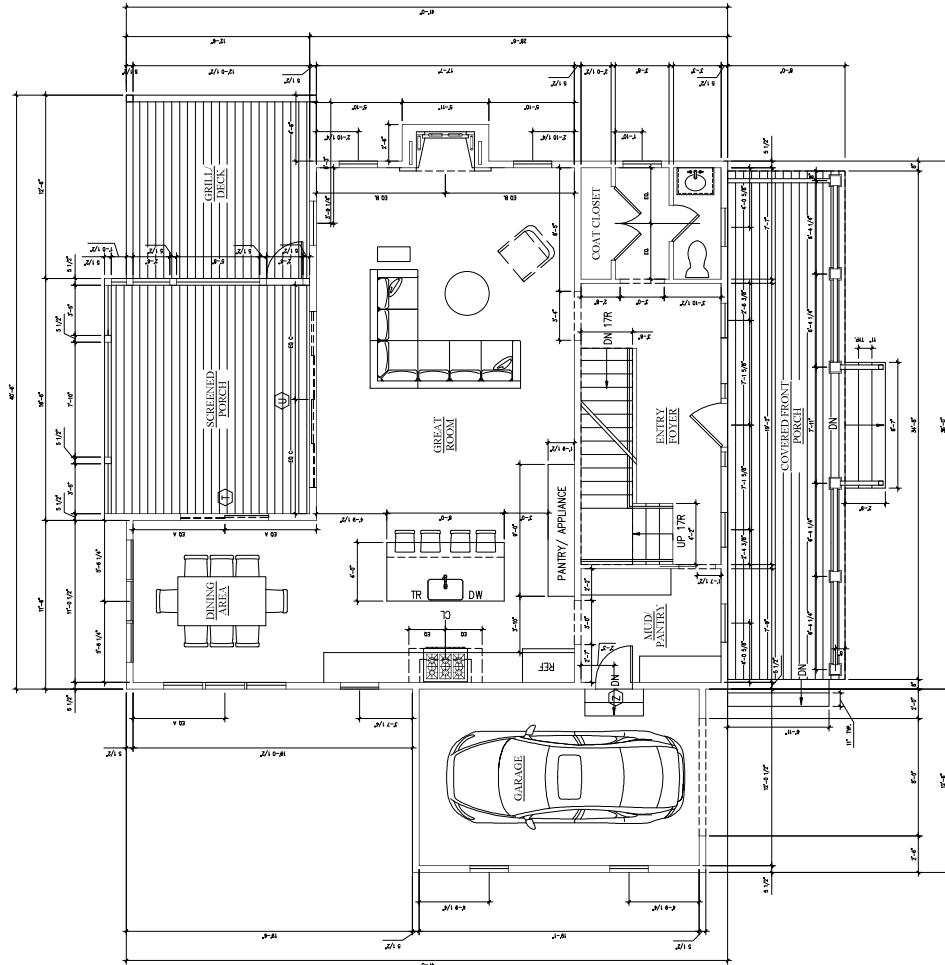
10

SCHEMATIC
DESIGN
03.13.2025
PRINT SET

SCALE 1/4"=1'-0"
FLOOR PLANS - PROPOSED

② PROPOSED FIRST FLOOR PLAN

NOTE: CURRENT STAIR RISER
COUNTS FOR APPROX 9'
CEILINGS



A1.1

DESIGN TEAM:
ARCHITECT:
S.A.H. DESIGN
8220 Kerry Rd.
Chevy Chase, MD
20815
Ph. 202.271.1408
STRUCTURAL:

CIVIL:
Drum, Loyac &
Assoc., LLC
1410 Forest Dr.,
Suite 35
Annapolis, MD
21403
Ph. 410/280-1952

三三三

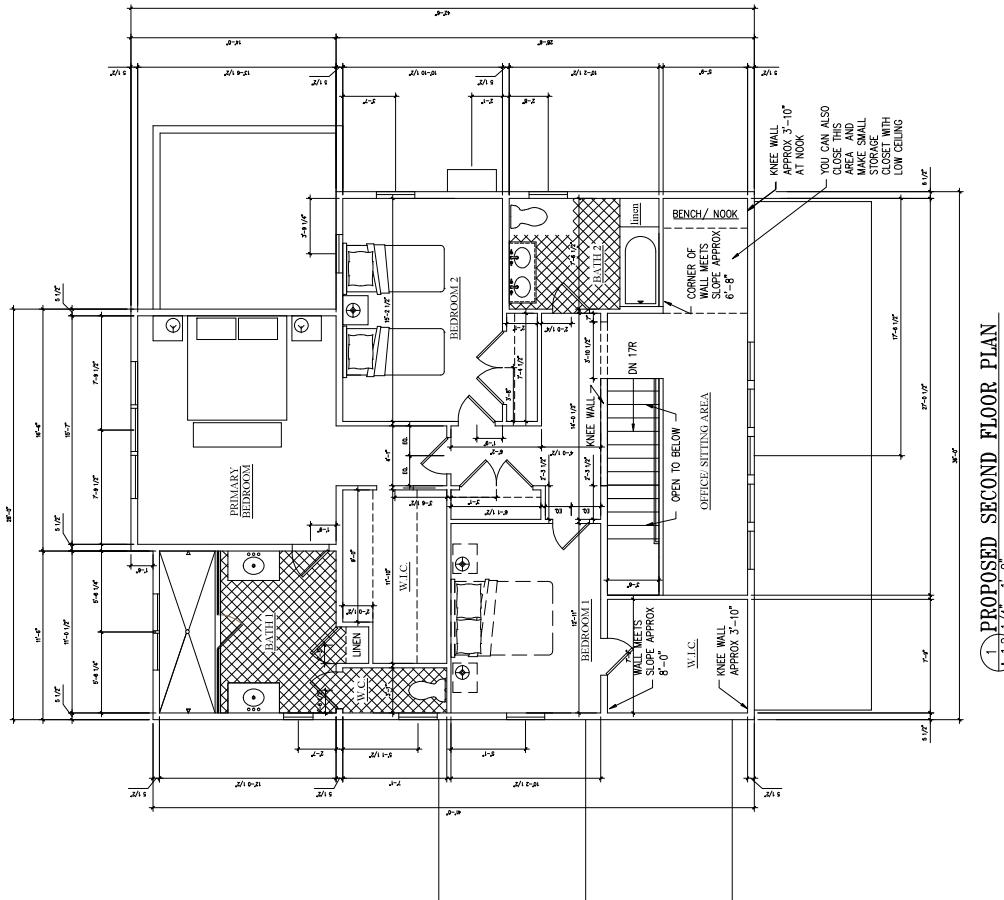


866 ROBIN HOOD HILL
ANNAPOLIS, MD 21405

US - PROPOSED

SCHEMATIC
DESIGN
03/13/2025
PRINT SET

A1.2



DESIGN TEAM
ARCHITECT
S.A.H. DESIGN
8320 Kenty Rd
Chevy Chase, MD
Ph: 202.271.1408

STRUCTURAL:
CIVIL
Dunn, Lohr &
Associates, LLC
1410 Forest Dr.,
Suite 350
Annapolis, MD
21403
Ph: 410.280.1952

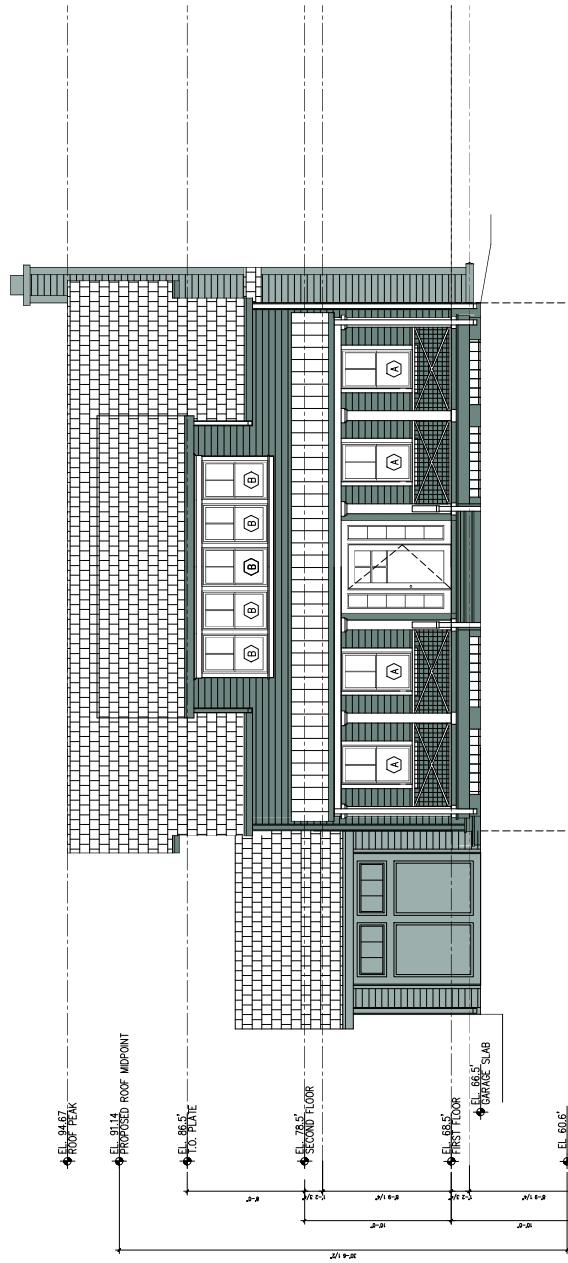
BUILDER



866 ROBIN HOOD HILL
ANNAPOLIS, MD 21405

PROPOSED ELEVATIONS
SCHEMATIC
03.13.2025
PRINT SET

A2.1



NORTH ELEVATION



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2025-0011-P
DATE: 02/03/2025
STAFF: Joan A. Jenkins (OPZ)
Kelly Krinetz (OPZ)
Habtamu Zeleke (I&P)

APPLICANT/REPRESENTATIVE: Katie Yetman/Bobby Benedict

EMAIL: kyetman@drumloyka.com/valmorrison19@gmail.com

SITE LOCATION: 866 Robin Hood HI

LOT SIZE: 17,003sf

ZONING: R2 **CA DESIGNATION:** LDA **BMA:** no **or** **BUFFER:** no **APPLICATION TYPE:** Variance

DESCRIPTION:

The applicants propose to raze and remove the existing single-family dwelling and replace it with a new single-family home. The majority of the new construction will be located within the footprint of the existing dwelling, with an expansion aimed at providing more functional living space. The project will include a new nitrogen-removing BAT septic system and a new septic drywell. Due to the parcel's substandard size, irregular configuration and the presence of steep slopes, a variance to the code is necessary to improve the property. Variance to Article 17-8-201(a).

COMMENTS:

I & P Engineering:

1. Stormwater management will be addressed through Cistern.
2. This reviewer is unclear about the proposed SWM Cistern size. Specific Details are needed for the oversized (530-gallon) Cistern (1). The plans need operation, maintenance, and construction specs/details.
3. Please ensure that the minimum well and septic setbacks to proposed SWM practices are achieved.
4. Per Code 17-6-404, disturbance within the 25' steep slope buffer (SSB) is prohibited.
5. All stormwater conveyance systems shall be designed so that no building or habitable structure, either proposed or existing, is flooded or has water impounded against it during the 100-year storm event.
6. Per 6.1.4 (G) of the County Stormwater Practices and Procedures manual, SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resource areas and their steep slopes and buffers.
7. Microscale stormwater facility(ies) design should incorporate safe conveyance for overflow discharges from 2, 10, 100-yr 24-hr storm events; plans should show overland relief paths for these storm events and ensure that no structures, or properties are negatively impacted or have water impounded against during these storm events.
8. Ensure the proposed improvement including runoff, seepage, and slope saturation does not adversely impact the integrity of the slope and potential impact of slope failure.
9. A soil boring is required per practice. The suitability and siting of proposed SWM practices should be reviewed. Soil boring information including verification of the suitability of in-situ soils for infiltration shall be submitted. Describe the site's hydrologic, and topographic characteristics and provide a recommendation on the feasibility of various BMPs.
10. Based on the plan provided, it appears that the property will be served by a private septic and well.
11. The utility for the site will be reviewed during the grading permit.
12. The above is provided as a courtesy review as information for review and consideration comments at the pre-file.

Critical Area Team:

No objection to this proposal.

Zoning Administration Section:

Site plan: Include the height in feet on the site plan in the area of the house. See the [definition of height in the code](#).

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.

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

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

| | | | | | |
|--|----------|---------|-------|---------|-----------------|
| Jurisdiction: | | | | | Date |
| Tax Map # | Parcel # | Block # | Lot # | Section | |
| 0039 | 0295 | 0019 | 866 | | |
| | | | | | |
| | | | | | |
| Tax ID | | | | | 02-720-01368320 |
| 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) | | Sherwood Forest ~ Lot 866 | | |
| Project location/Address | | 866 Robin Hood Hill | | |
| City | Annapolis Maryland | | Zip | 21405 |
| Local case number | | | | |
| Applicant: | Last name | Benedict | First name | Bobby |
| 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: | First name |
| Phone # | Response from Commission Required By |
| Fax # | Hearing date |

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Raze and remove existing single-family dwelling and construct new single-family dwelling
with associated improvements

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

Project Type (check all that apply)

| | | | |
|--------------------|--------------------------|--------------------------|-------------------------------------|
| Commercial | <input type="checkbox"/> | Recreational | <input type="checkbox"/> |
| Consistency Report | <input type="checkbox"/> | Redevelopment | <input type="checkbox"/> |
| Industrial | <input type="checkbox"/> | Residential | <input checked="" 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 | | |
| LDA Area | 0.39 | |
| RCA Area | | |
| Total Area | 0.39 | |

| | Acres | Sq Ft |
|----------------------|-------|-------|
| Total Disturbed Area | 0.15 | |
| # of Lots Created | 0 | |

| | Acres | Sq Ft | | Acres | Sq Ft |
|--------------------------------|-------|-------|-----------------------------|-------|-------|
| Existing Forest/Woodland/Trees | 0.34 | | Existing Impervious Surface | 0.06 | |
| Created Forest/Woodland/Trees | 0.00 | | New Impervious Surface | 0.00 | |
| Removed Forest/Woodland/Trees | 0.07 | | Removed Impervious Surface | 0.00 | |
| | | | Total Impervious Surface | 0.09 | |

VARIANCE INFORMATION (Check all that apply)

| | Acres | Sq Ft | | Acres | Sq Ft |
|------------------------|-------|-------|------------------------|-------|-------|
| Buffer Disturbance | | | Buffer Forest Clearing | | |
| Non-Buffer Disturbance | 0.15 | | Mitigation | | |

Variance Type

| | |
|--------------------|-------------------------------------|
| Buffer | <input type="checkbox"/> |
| Forest Clearing | <input type="checkbox"/> |
| HPA Impact | <input type="checkbox"/> |
| Impervious Surface | <input type="checkbox"/> |
| Expanded Buffer | <input type="checkbox"/> |
| Nontidal Wetlands | <input type="checkbox"/> |
| Steep Slopes | <input checked="" type="checkbox"/> |
| Setback | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

Structure

| | |
|-------------------------|-------------------------------------|
| Acc. Structure Addition | <input type="checkbox"/> |
| Barn | <input type="checkbox"/> |
| Deck | <input 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"/> |

Chesapeake Bay Critical Area Report
Sherwood Forest ~ Lot 866 & P/O 870
Tax Map 39, Grid 19, Parcel 295
Tax Account No. 02-720-01368320

Property Address: 866 Robin Hood Hill
Annapolis, Maryland 21405

April 15, 2025

Property Owners & Variance Applicant: Bobby Benedict

Critical Area Designation: LDA

Zoning: R-2

Lot Area: 0.39 Ac.

Site Description

The subject property is a legal building lot located off of Robin Hood Hill in the community of Sherwood Forest. The site is currently improved with a single-family dwelling and associated improvements, which are surrounded by steep slopes. The lot is zoned R-2 and is completely within the Chesapeake Bay Critical Area, with an LDA land use designation. Private septic and Sherwood Forest public water service the property.

Description and Purpose of Variance Request

The applicant proposes to raze and remove the existing single-family dwelling and construct a new single-family dwelling with associated improvements. Due to the unique physical conditions inherent to the property, the following variance to the Anne Arundel County Code is being requested: **Article 17, Section 8-201(a)** of approximately 1,902-sf of disturbance on slopes 15% or greater in the LDA

The applicants propose to raze and remove the existing dwelling and construct a new, modestly sized home generally within the same footprint as the existing structures. According to tax records, the current dwelling was constructed in the 1920s. Like many homes in Sherwood Forest, the structure was originally built as a seasonal summer cottage and no longer meets the standards or functional needs of a modern, potentially year-round residence for today's families.

Vegetative Coverage and Clearing

The property's primary vegetation is woodland and creeping ivy that is common to wooded areas in the community. The existing wooded area totals roughly 15,000-sf. The proposed clearing is approximately 3,000-sf. Reforestation and afforestation requirements for this property will be addressed during the permit phase of this project.

Impervious Lot Coverage

The site currently has 2,712-sf of lot coverage. The proposed impervious lot coverage for this property is 3,966-sf, which is below the allowable. The site currently has 1,269-sf of coverage by structures. The proposed coverage by structures is 2,103-sf, which is within the allowable amount.

Steep Slopes (slopes > 15%)

The subject property contains approximately 10,814-sf of steep slopes, or 64% of the site area, all of which are concentrated around the existing improvements. Approximately, 1,902-sf of slopes will be disturbed as part of the proposed construction.

Predominant Soils

The predominant soil type is Annapolis Fine Sandy Loam (AsF), 25 to 40 percent slopes. This soil has a type "C" hydrologic classification and is considered a hydric soil.

Drainage and Rainwater Control

There appear to be no visible stormwater management devices on site. Stormwater management and sediment and erosion control will be provided for the proposed improvements and the specific design computations will be addressed during the permit phase of the project in accordance with Anne Arundel County design criteria.

Conclusions – Variance Standards

The proposed dwelling has been thoughtfully designed to minimize environmental disturbance by staying within the general footprint of the existing structures, avoiding unnecessary impacts to undisturbed areas, and maintaining the established drainage patterns. The requested variance is the minimum necessary to allow for reasonable and safe redevelopment of the site. The project will not result in any additional site disturbance beyond what would be required to remove or maintain the existing features. As part of the redevelopment, the existing low retaining wall—which is currently failing—will be removed and replaced with a safety railing. This improvement will enhance overall site safety for the property owners and their guests. Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant and will not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the implementation of stormwater management and the nitrogen reducing septic system, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare. Stormwater Management and reforestation requirements will be addressed during the permit phase of the project. Reforestation will be provided on-site to the extent practicable.

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, 2015. Flood Insurance Rate Map

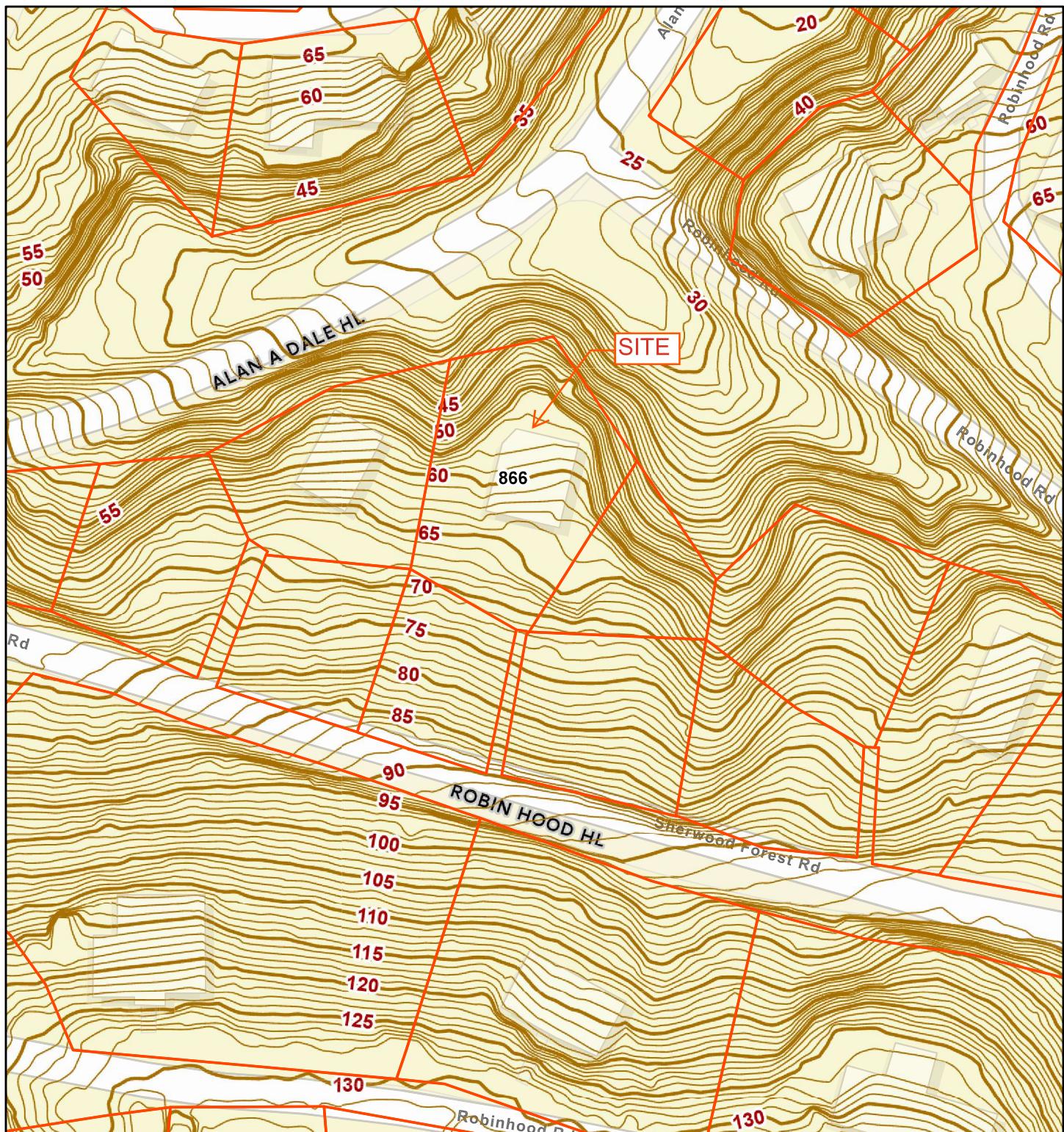
First American Real Estate Solutions, 2002, Realty Atlas: Anne Arundel County Maryland

Drum, Loyka and Associates LLC, 2025 Variance Plan

U.S. Department of Agriculture, Natural Resource Conservation Service –2003 Soil Survey of Anne Arundel County Maryland.

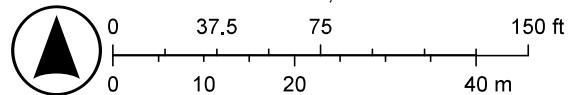
State Highway Administration of Maryland, 1989. Generalized Comprehensive Zoning Map: Third Assessment District

Anne Arundel County Engineering Record Drawing and Monuments



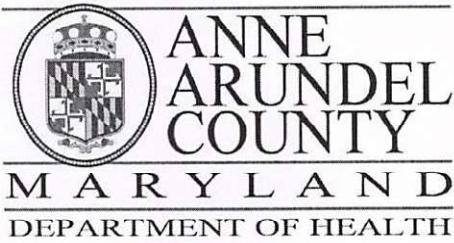
4/3/2025, 8:27:33 AM

1:1,070



- Address Points
- Intermediate
- Parcels
- Local Road Label
- Topo_2023
- County Boundary
- Index

Esri Community Maps Contributors, County of Anne Arundel, VGIN, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

Tonii Gedin, RN, DNP
Health Officer

MEMORANDUM

TO: Sadé Medina, Zoning Applications
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager
Bureau of Environmental Health *BC*

DATE: June 10, 2025

RE: Bobby C. Benedict, Trustee
866 Robin Hood Hill
Annapolis, MD 21405

NUMBER: 2025-0074-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling with disturbance to slopes of 15% or greater.

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

2025-0074-V - steep slopes

Menu Cancel Help

Task Details OPZ Critical Area Team

Assigned Date
06/02/2025

Assigned to
Kelly Krinecz

Current Status
Complete w/ Comments

Action By
Kelly Krinecz

Comments
No objection to the proposed redevelopment. Mitigation will be determined at permit.

End Time

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

Due Date

06/23/2025

Assigned to Department

OPZ Critical Area

Status Date

06/11/2025

Overtime

No

Start Time

0.0

Hours Spent

0.0

Action by Department

OPZ Critical Area

Est. Completion Date

Display E-mail Address in ACA

Display Comment in ACA

Task Specific Information

| | |
|------------------------------|----------------|
| Expiration Date | Review Notes |
| Reviewer Phone Number | Reviewer Email |

Reviewer Name

Reviewer Notes

Reviewer Email

2025-0074-V - steep slopes

Menu

Cancel

Help

Task Details Critical Area Commission

Assigned Date

06/02/2025

Assigned to

Jennifer Esposito

Current Status

Complete w/ Comments

Action By

Jennifer Lechner

Comments

Our office is in receipt of the above referenced variance. Should the hearing officer find that each and every one of the Critical Area variance standards have been met, appropriate mitigation, as specified in COMAR 27.01.09.01-2(H), is required. Thank you for the opportunity to provide comments. Please provide us with a copy of the hearing officer's decision within 10 business days of when a decision is rendered per COMAR 27.01.12.05.B.

End Time**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****Reviewer Phone Number****Reviewer Notes****Reviewer Email****Reviewer Name****Due Date**

06/23/2025

Assigned to Department

Maryland Critical Area Commission

Status Date

06/18/2025

Overtime

No

Start Time

0.0

Action by Department

OPZ Zoning Administration

Est. Completion Date

Display E-mail Address in ACA
 Display Comment in ACA

2025-0074-V - steep slopes

Menu

Cancel

Help

Task Details OPZ Cultural Resources

| | |
|-----------------------|--|
| Assigned Date | 06/02/2025 |
| Assigned to | OPZ Cultural Resources |
| Current Status | Complete w/ Comments |
| Action By | Stacy Poulos |
| Comments | <p>The subject property is located within Sherwood Forest (AA-941) which is listed on the Maryland Inventory of Historic Properties (MIHP). Proposed demolitions must comply with Section 105.8 of the Construction and Property Maintenance Codes Supplement, which says that a permit to demolish or remove a historic structure may not be issued, unless the applicant demonstrates compliance with Article 17-6-501 of the County Code. As Sherwood Forest is on the MIHP, all demolitions must be reviewed as per 17-6-501 of the Code. Until the project has been reviewed for compliance with Article 17-6-501, our office is not able to recommend approval of a variance at this time. Additional documentation, including a demolition worksheet, shall be required for review with the building permit application. Please contact the historic sites planner, Darian Beverungen, pbbeve19@aaco.org, with any questions and to receive a demolition worksheet to include for the review.</p> |

Due Date

06/23/2025

Assigned to Department

OPZ Cultural Resources

Status Date

06/17/2025

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

OPZ Cultural Resources

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

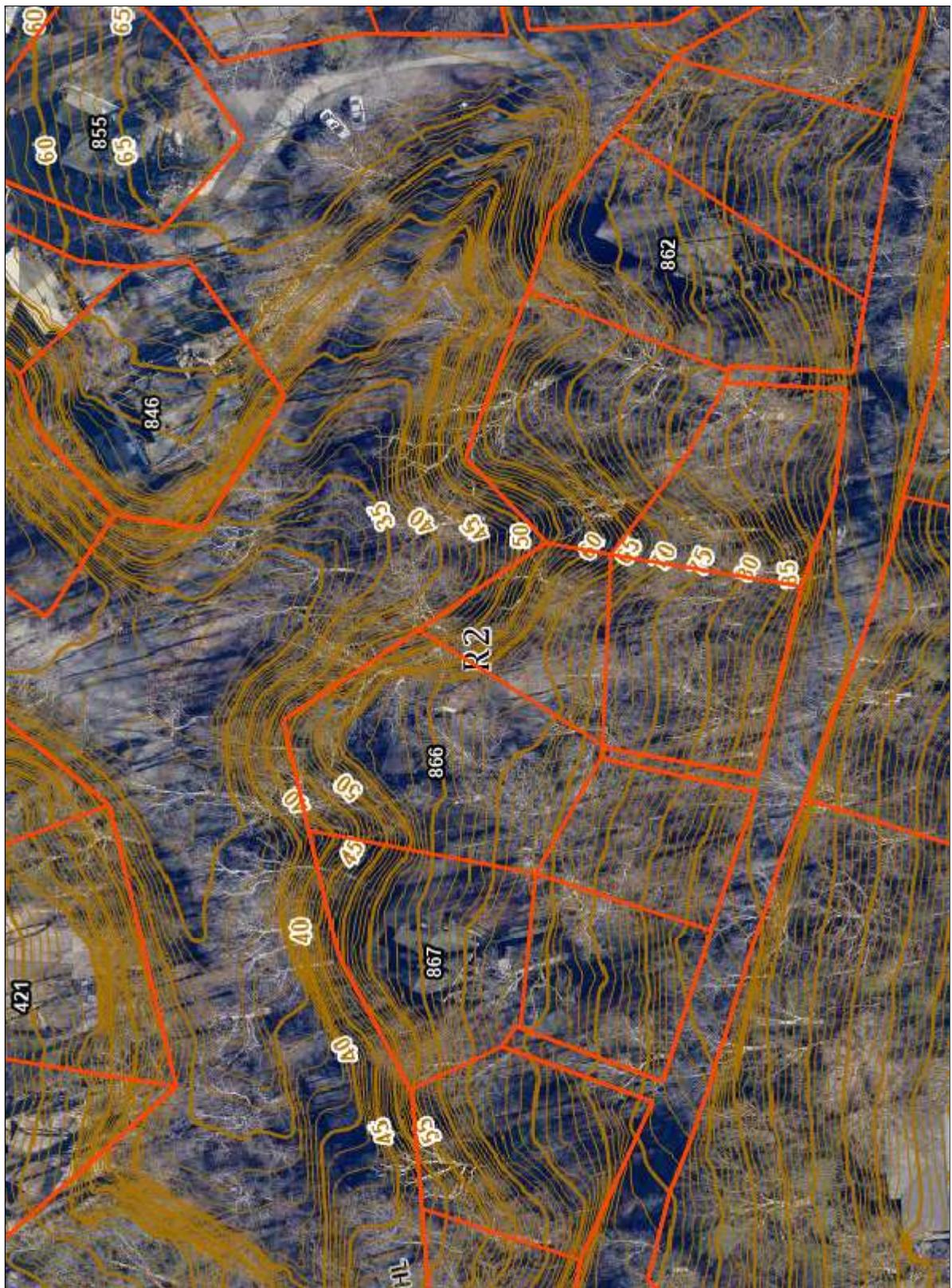
Task Specific Information

| | | |
|------------------------------|----------------|---------------|
| Reviewer Phone Number | Review Notes | Reviewer Name |
| | Reviewer Email | |



Legend

- Foundation Addressing
- Parcels
- Planning Zoning
- Elevation Topo 2023
- Index
- Intermediate



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

Notes



THIS MAP IS NOT TO BE
USED FOR NAVIGATION