

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

APPLICANT: Maureen O'Connell

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2025-0235-V

COUNCIL DISTRICT: 5

HEARING DATE: January 29, 2026

PREPARED BY: David Russell
Planner

REQUEST

The applicant is seeking a variance to allow an accessory structure with less setbacks and buffer than required and with disturbance to slopes of 15% or greater, on property located at 1604 Pine Lane Retreat, in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject property is irregularly shaped, and 3.43 acres in area, located approximately 650' southwest of the intersection of Winchester Road and Pine Lane Retreat (Parcel 726, Grid 6, Map 45, Lot 3). This waterfront property is zoned R1 - Residential and is located entirely within the Chesapeake Bay Critical Area designation - Limited Developed Area (LDA) and mapped as Buffer Area. The property is improved with a two-story, single-family dwelling, including a patio, porch, deck, and shed. The majority of the property is impacted by steep slopes, and the existing home is located outside of these slopes, near the eastern side property line.

PROPOSAL

The applicant proposes the construction of a 28' x 28' x 25' (tall) detached garage, west of the existing dwelling. The proposed location of the garage disturbs steep slopes and associated buffers.

REQUESTED VARIANCES

§ 18-13-104 of the Anne Arundel County Code provides that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, and that the 100-foot buffer shall be expanded beyond 100 feet to include slopes of 15% or greater. The proposed development requires variance to this code section.

§ 18-4-501 of the Anne Arundel County Code requires a minimum rear setback of 30'. The proposed detached garage will be as close as 11' from the rear property line, necessitating a variance of 19' to the required minimum R1 rear setback.

§ 17-8-301 of the Anne Arundel County Code provides that development on properties containing buffers shall meet the requirements of COMAR Title 27. The proposed development requires variance to this provision.

FINDINGS

The subject property is irregularly shaped and consists of approximately 3.4 acres of land, exceeding the R1 minimum lot size of 30,000 square feet. The existing two-story home is located approximately 15 feet from the eastern side property line. The vast majority of the property, west and south of the existing dwelling is impacted by steep slopes. The proposed location of the detached garage is as close as 11' from the rear property line and 34' from the east/northeast side property line. The proposed garage is also as close as 10' from the top of steep slopes, and located entirely within the 50' expanded buffer to steep slopes.

Agency Comments

The **Health Department** has recommended denial of the above reference requested variance. The garage must be 10 feet from the septic tank and 20 feet from the drywell. Show two future replacement 8 feet diameter drywells separated 24' edge to edge.

The **Critical Area Team** has provided the following comments:

This waterfront site sits 110' above the Severn River and the proposed garage is in the expanded buffer within 10' of a 40% slope. The proposed garage is oversized. An average 2 car garage with storage is typically 22' x 22' not the 28' x 28' proposed with this application. Based on the site plan, there is an existing shed on the property that would be available for storage. According to aerial imagery there is a large parking pad that currently has what appear to be temporary tent structures that are being used as garage/storage structures that could be replaced with the proposed structure rather than the proposed location. Use of this area would eliminate the need for clearing as well as any increase in lot coverage because the driveway/parking pad already exists.

This office cannot support this request as there are alternatives to location and size that will serve to minimize the relief requested.

The **Critical Area Commission** has provided the following comments.

The applicant is seeking a variance to disturb the Critical Area Buffer, which is expanded for steep slopes to construct a 784 square foot detached garage entirely within the Buffer. The 3.43-acre lot is designated as Limited Development Area (LDA) and presently improved with a single-family dwelling, driveway, patio, deck, porch, and shed, which amount to 2,571 square feet of lot coverage. The total proposed lot coverage will be 3,309 square feet, which is within the allowable lot coverage limit. The proposed improvements will result in 741 square feet of developed woodland clearing and 1,524.6 square feet of disturbance to the Critical Area Buffer.

This office notes that the applicants have the opportunity to minimize impacts to habitat and vegetation by reducing the size of the proposed detached garage.

In order for this variance to be granted, the applicant must demonstrate, and the Administrative Hearing Officer must find that each and every one of the Critical Area Variance standards have been met, including that the proposal meets the unwarranted hardship standard and that this variance would not adversely affect water quality and wildlife or plant habitat. If this request were to be denied for the construction of the detached garage within the Critical Area Buffer and with disturbance to steep slopes, the applicants would still have reasonable and significant use of their lot.

Variance Criteria

For the granting of a Critical Area variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular property, strict implementation of the County's Critical Area Program would result in an unwarranted hardship. COMAR defines unwarranted hardship as that, without a variance, an applicant shall be denied reasonable and significant use of the entire parcel or lot for which the variance is requested.

The subject property's size exceeds the R1 minimum requirements and is comparable in size to nearby properties, but is irregularly shaped with exceptional topographical conditions. The proposed 28' x 28' detached garage is located outside of steep slope disturbance, but entirely within the expanded buffer, and within 10' of a 40% slope. Given that the majority of the property is impacted by steep slopes, the proposed location, outside of steep slopes, is justified. However, the proposed garage is oversized for a property that is significantly impacted by steep slopes.

The Critical Area Team notes there is an existing driveway/parking pad where the garage could be located, eliminating the need for clearing and any increased lot coverage. Both the Critical Area Team and Critical Area Commission commented the proposed garage size is excessive and can be reduced down to 22' x 22'. The Health Department noted the garage's proposed location is too close to the septic tank and drywell. A reduced garage footprint would allow additional space to reposition the garage in a way that meets the Health Department's specified distance requirements.

Strict implementation of the County's Critical Area program would not impose an unwarranted hardship. The property already enjoys full use, having been developed with a single-family dwelling, as well as a patio, porch, deck, and shed. A garage constitutes a convenience rather than a necessity. Additionally, alternative locations are available, and the proposed garage is oversized. A literal interpretation of the program will not deprive the applicant of rights that are commonly enjoyed by other properties in similar areas because no property may disturb steep slopes in the Limited Development Area. As such, the granting of the variance will 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 applicants, and does not arise from any condition relating to land or building use on any neighboring property.

The granting of a variance may adversely affect water quality, may impact fish, wildlife, and plant habitat within the County's Critical Area, and may not be in harmony with the general spirit and intent of the 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, nor have they adequately evaluated and implemented site planning alternatives.

Notwithstanding the above, there is no evidence that the variance would alter the essential character of the neighborhood, but could potentially impair the appropriate use or development of adjacent properties, and potentially be detrimental to the public welfare.

Because alternatives exist which would eliminate the need for clearing or reduce the relief requested, the variance is not considered the minimum necessary to afford relief. As such, this Office cannot support the variance request.

RECOMMENDATION

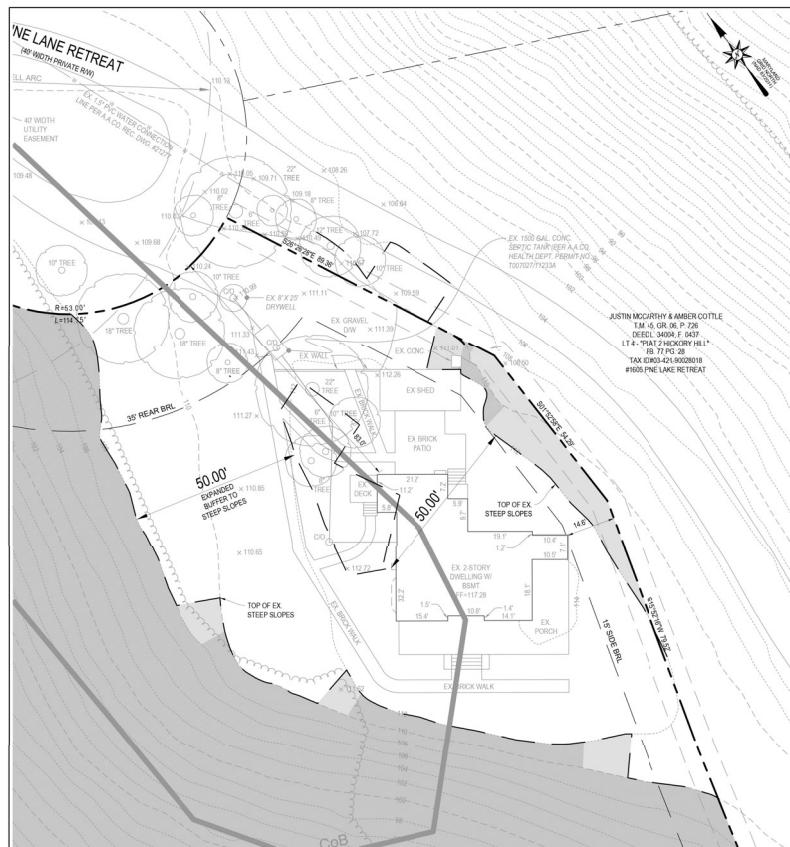
Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends **denial** of the requested variances to § 18-13-104, § 18-4-501, and § 17-8-301 to allow an accessory structure (detached garage) with less setbacks than required, and steep slope buffer disturbance.

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.

1604 Pine Lane Retreat - Site Plan

LEGEND

PROPERTY LINE / RIGHT-OF-WAY		EXISTING PUBLIC UTILITY EASEMENT	
ADJOINING PROPERTY LINE		EXISTING PUBLIC WATER LINE	
BUILDING RESTRICTION LINE		STEEP SLOPES 15 - 25%	
EXISTING CONTOUR		STEEP SLOPES >25%	
EXISTING SPOT ELEVATION	x122.3	STEEP SLOPE BUFFER	
EXISTING SOILS TYPE DESIGNATION	AsB	EXISTING BUILDING	
CRITICAL AREA DESIGNATION	RLD / RCA	PROPOSED LIMIT OF DISTURBANCE	
FEMA LINE		PROPOSED REINFORCED SILT FENCE	
EXISTING TREE LINE		PROPOSED BUILDING ADDITION	
DISTANCE TO PROPERTY LINE		EXISTING DRIVEWAY	



SOILS TABLE

SOILS TABLE					
SYMBOL	NAME	HYDROLOGIC SOIL TYPE	PERCENT COVERAGE	HYDRIC SOIL	HIGHLY ERODABLE SOIL
CoB	COLLINGTON, WIST, AND WESTPHALIA SOILS (2-5% SLOPES)	"B"	16.6%	NO	NO
CSF	COLLINGTON, WIST, AND WESTPHALIA SOILS (6-10% SLOPES)	"A"	83.4%	YES	NO



Letter of Explanation

Variance Request – 1604 Pine Lane Retreat, Annapolis, MD 21409

Tax ID: 342190027825

Applicant: Maureen O'Connell, Trustee

To Whom It May Concern,

We respectfully submit this Letter of Explanation in support of a variance request for the construction of a detached garage at 1604 Pine Lane Retreat, Annapolis, Maryland 21409, identified as Lot 3 on Map 45, Parcel 0726, and owned by Maureen O'Connell, Trustee.

Overview and Justification for Relief

This request seeks variance relief from:

- § 18-13-104 to allow disturbance to the 100ft buffer / expanded buffer
- § 18-4-501: to allow limited disturbance within the 100-ft Critical Area buffer and expanded buffer
- § 17-8-301: to address development within a buffer consistent with COMAR Title 27
- Setback requirements for accessory structures in an R1 district

Due to the presence of steep slopes and buffer zones on other portions of the property, the proposed location is the only practical area for constructing the garage. While it does not fully meet the standard setback requirements, the structure has been carefully sited to minimize environmental impact and to meet the functional needs of the property owner.

The proposed 28' x 28' two stories detached garage, with a maximum height of no more than 25 feet from grade to roof peak, is appropriately sized to accommodate two vehicles, landscaping equipment including a zero-turn lawn mower, an ATV used for property maintenance, a push mower, and other typical items stored in a garage, such as bicycles, ladders, and garden tools.

The chosen location represents the only viable flat area on the lot that allows safe access to and from the house, while remaining outside of the steepest slopes and the designated waterfront buffer. It is also important to note that the area immediately beyond the property line in front of the proposed garage is maintained by the applicants and serves primarily as access to 1604 Pine Lane Retreat, being used almost

exclusively for that purpose and for vehicle turnaround.

Property History and Unique Constraints

The property is on 3.43 acres of land with 2,571 SF built and was originally developed in 1910 and served as the only homestead in what is now the Hickory Hill community.

The property is situated at the top of a peninsula at an elevation of approximately 100 feet, with steep slopes descending into valleys around much of the lot. A long, continuous slope, approximately 360 feet in length, extends from the front of the house down toward the Severn River, as shown on the topographic map.

From 1962 to 1979, the property was used as a religious retreat by the Capuchin Order of Saint Augustine. When the land was subdivided in 1979, Lot 3 retained the original house, but the barn, formerly the garage, was included in Lot 2 and is now privately owned.

As a result, Lot 3 has no garage or other structure for safe storage of cars and other vehicles necessary for the maintenance and use of the property. The construction of a permanent garage is essential to restore basic utility and improve the appearance of the property by providing appropriate shelter to the described items.

Site Conditions and Minimization of Impact

The garage is proposed for a flat, previously cleared portion of the lot that:

- Avoid steep slopes to the greatest extent feasible
- Is approximately 375 feet from the waterfront
- Only requires removal of two trees of approximately 18" in circumference, plus two smaller trees 8" Circumference
- Maintains a 10-foot separation from the existing septic drywell

Slope proximity details:

- **North corner:** 21'
- **West corner:** 10'
- **South corner:** 78'
- **East :** 63'

Lot Proximity

- **North corner:** 11'
- **East corner:** 34'

- **South corner:** 58'

The selected location reduces grading needs and avoids soil instability. The design complies with height restrictions (not exceeding 25' at the ridge) and remains subordinate to the existing house.

Compliance and Mitigation Measures

We are committed to minimizing impact and complying with all applicable regulations. In support of this application, we will :

- Submit an **Erosion and Sediment Control Plan** to protect adjacent areas during construction
- Incorporate **stormwater management features**, such as permeable paving and native vegetative buffers, to manage runoff
- Revise site plans to include accurate setbacks, slope proximity, and structure height
- Continue to preserve the surrounding woodland, including native hollies and mature hardwoods

The garage footprint has been carefully limited to only what is necessary.

Conclusion

Due to historical changes, natural constraints, and the essential need for covered storage, we respectfully request a variance from setback and slope-related requirements to construct a 28' x 28' detached garage. The selected location minimizes environmental impact and provides the **least disruptive and most practical** solution for restoring the property's original function.

We remain committed to preserving the character of the area and have received no objections from neighbors. Thank you for your consideration. We welcome site visits, additional plan review, or supplemental documentation as needed.

Sincerely,

Maureen O'Connell

1604 Pine Lane Retreat

Annapolis, MD 21409

301-512-9182

Available files:

Topography.pdf	Vicinity.doc	Critical area.doc	Full survey.pdf

Sketch View 1	Sketch View 2	Landscape 1	Landscape 2

Site Plan.pdf

AFTER RECORDING, RETURN TO:

Eagle Title, LLC
 Attn: S21-18196
 181 Harry S. Truman Parkway
 Suite 200
 Annapolis, MD 21401

Tax ID No.: 03-421-90027825

LR - Deed (w Taxes)
 Recording only \$120.00
 Name: PALMER
 Ref:
 LR - Deed (with Taxes)
 Surcharge 40.00
 LR - Deed State
 Transfer Tax 9,500.00
 LR - NR Tax - 1kd 0.00
 SubTotal: 9,540.00

Total: 9,620.00
 09/28/2021 03:07
 CC02-SG

#15464843 CC0501 -
 Anne Arundel

DEED

THIS DEED, made this 10th day of August, 2021, by and between Robert B. Welch,
CHARLES H. PALMER, III, Personal Representative of The Estate of Robert B. Welch,
Baltimore County, Maryland Estate No. 211312, party of the first part, GRANTOR, and
MAUREEN A. O'CONNELL, Trustee of the THE MAUREEN A. O'CONNELL
REVOCABLE TRUST, DATED JUNE 28, 2006 AND ANY AMENDMENTS THERETO,
 parties of the second part, GRANTEEES.

WITNESSETH, that for and in consideration of the sum of One Million Nine Hundred Thousand and 00/100 Dollars (\$1,900,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said **THE MAUREEN A. O'CONNELL REVOCABLE TRUST, DATED JUNE 28, 2006 AND ANY AMENDMENTS THERETO**, as sole owner, in fee simple, all that lot of ground situate in the County of Anne Arundel, State of Maryland and described as follows, that is to say:

BEGINNING for the same at an iron pipe found on the Westernmost right of way line of Pine Lane Retreat, 40' wide; thence running along and binding on said Westernmost right of way line South 07° 37' 25" West 129.16 feet; thence continuing on said right of way line 114.75 feet along a curve to the left having a radius of 53 feet; thence leaving said right of way line of Pine Lane Retreat and running along the common property line between Lots 3 and 4, the following courses and distances: South 26° 26' 28" East 89.36 feet; South 12° 31' 14" East 55.49 feet; South 00° 49' 56" West 47.62 feet; South 06° 10' 14" West 52.99 feet; South 64° 37' 31" West 39.69 feet; South 14° 08' 03" West 87.26 feet; South 24° 01' 22" West 55.30 feet; South 29° 24' 08" East 71.17 feet; South 12° 41' 09" West 59.29 feet; South 03° 03' 39" West 53.73 feet to intersect the Northernmost property line of the Waterfront recreation area; thence leaving said common property line between Lots 3 and 4 and running along and binding on the Northernmost property line of the waterfront recreation area North 66° 10' 47" West 39.76 feet; North 51° 20' 19" West 336.28 feet to intersect the Easternmost property line of WILLIAM E. HAYMAN and recorded among the Land Records of Anne Arundel County in Liber 2025, folio 523; thence leaving the Northernmost property line of the said Waterfront Recreation Area and running along and binding on the Easternmost right of way line of the said WILLIAM E. HAYMAN property North 10° 55' 17" East 307.51 feet to an iron pipe found;

ACCT. 342/90027825
 ALL LIENS ARE PAID AS
 OF 07/23/21 A.A. COUNTY
 BY: C.R.

SEMI-ANNUAL PAYMENTS

09/23/21 03:53 PM C 0002 R 0002
 Val #: 0002-248743 County Transfer Tax
 \$13,000.00

thence continuing along said Easternmost property line of WILLIAM E. HAYMAN North 42° 32' 47" East 291.20 feet to the place of beginning containing 3.498 acres of land more or less.

SUBJECT to an easement for electricity and water service to the dock area as shown on the plat entitled "Resubdivision of Lots 3 and 4 Hickory Hill" and recorded among the Land Records of Anne Arundel County in Plat Book 77, page 28.

BEING all of Lot 3 as shown on the Plat Entitled "Resubdivision of Lots 3 and 4, Hickory Hill" and recorded among the Land Records of Anne Arundel County in Plat Book 77, page 28.

ALSO BEING part of Lot 3 and part of Lot 4 as shown on the plat of Hickory Hill and recorded among the Land Records of Anne Arundel County in Plat Book 75, pages 39 and 40.

The improvements thereon being known as 1604 Pine Lane Retreat.

BEING the same property which by Deed dated February 20, 1981, and recorded among the Land Records of Anne Arundel County, Maryland in Liber WGL 3388, folio 70, was granted and conveyed by Robert B. Welch and Elizabeth T. Welch unto Robert B. Welch and Elizabeth T. Welch, as tenants by the entirety.

BEING ALSO the same property which by Deed dated June 20, 1980, and recorded among the Land Records of Anne Arundel County, Maryland in Liber 3321, folio 213, was granted and conveyed by Pine Lane Associates unto Robert B. Welch and Elizabeth T. Welch, as tenants by the entirety.

BEING ALSO the same property which by Deed dated June 20, 1980, and recorded among the Land Records of Anne Arundel County, Maryland in Liber 3321, folio 210, was granted and conveyed by Pine Lane Associates, a General Partnership of the State of Maryland, unto Robert B. Welch and Elizabeth T. Welch, as tenants by the entirety.

SUBJECT to all easements, covenants and restrictions of record.

TOGETHER with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said **THE MAUREEN A. O'CONNELL REVOCABLE TRUST, DATED JUNE 28, 2006 AND ANY AMENDMENTS THERETO**, as sole owner, in fee simple.

WITNESS the hand and seal of said Grantor, the day and year first above written.

Witness:

Charles H. Palmer



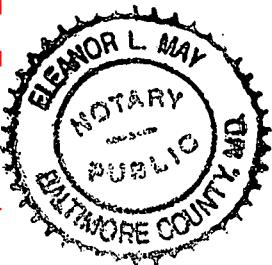
(SEAL)

CHARLES H. PALMER, III, Personal Representative of The Estate of Robert B. Welch, Baltimore County, Maryland Estate No. 211312

STATE OF Maryland, COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY that on this 10th day of August, 2021, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared **CHARLES H. PALMER, III**, who acknowledged himself to be the Personal Representative of the Estate of Robert B. Welch, and that he being authorized so to do, signed the foregoing Deed in his capacity as Personal Representative for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Eleanor L. May
NOTARY PUBLIC
My Commission Expires:

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

Paul A. Skrickus
Paul A. Skrickus, Esquire

Maryland
FORM
WH-AR

**Certification of Exemption from Withholding Upon
 Disposition of Maryland Real Estate Affidavit of
 Residence or Principal Residence**

2021

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor The Estate of Robert B. Welch

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

1604 Pine Lane Retreat, Annapolis, MD 21409

3. Reasons for Exemption

Resident Status



As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.



Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence



Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Charles H. Palmer, III Personal
 Representative of The Estate of Robert B.
 Welch

Name

**Date

Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

**AFFIDAVIT OF GRANTEE
PRIMARY RESIDENCE**

THE UNDERSIGNED STATE UNDER OATH AS FOLLOWS:

1. The undersigned is the Grantee of residentially improved real property located at 1604 Pine Lane Retreat in City of Annapolis.
2. The undersigned states that the above referenced property will be her principal residence which she will occupy.

The Maureen A. O'Connell Revocable Trust, dated June 28, 2006 and any amendments thereto

By: Maureen A. O'Connell
Maureen A. O'Connell, Trustee

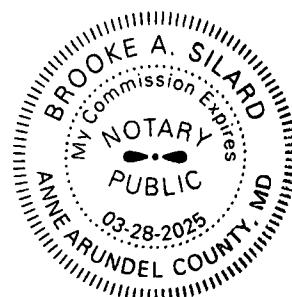
STATE OF MARYLAND
COUNTY OF ANNE ARUNDEL, to wit:

Sworn to and subscribed before me by Maureen A. O'Connell, Trustee of The Maureen A. O'Connell Revocable Trust, dated June 28, 2006 and any amendments thereto on this 10th day of August, 2021.

Maureen A. O'Connell (SEAL)
Signature of Notary Public

My Commission Expires:

03/28/2025

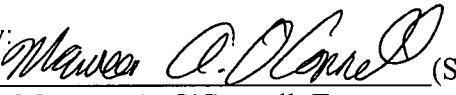


OWNER OCCUPANCY AFFIDAVIT

Maureen A. O'Connell, Trustee of The Maureen A. O'Connell Revocable Trust, dated June 28, 2006 and any amendments thereto, the Grantee in the within Deed hereby certify under the penalties of perjury, as evidenced by the joinder herein, that the land conveyed in this Deed is residentially improved owner-occupied real property and that the residence will be occupied by me.

WITNESS:

The Maureen A. O'Connell Revocable Trust,
dated June 28, 2006 and any amendments
thereto

By:  (SEAL)
Maureen A. O'Connell, Trustee

STATE OF MARYLAND
COUNTY OF ANNE ARUNDEL, to wit:

I hereby certify that on the 10th day of August, 2021, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Maureen A. O'Connell, Trustee of The Maureen A. O'Connell Revocable Trust, dated June 28, 2006 and any amendments thereto, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and made oath in due form of law that the matters and facts set forth herein are true.

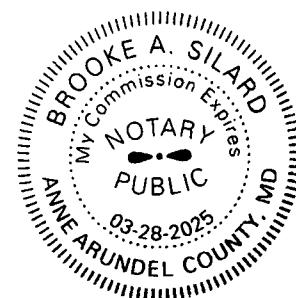
As witness, my hand and notarial seal.



Signature of Notary Public

My Commission Expires:

03/28/2025



Owner Occupancy Affidavit

File No.: S21-18196

Page 1 of 1

State of Maryland Land Instrument Intake Sheet

Baltimore City County: Anne Arundel
 Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
 (Type or Print in Black Ink Only – All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

1 Type(s) of Instruments		<input checked="" type="checkbox"/> Check Box if addendum Intake Form is Attached.)						
		1 Deed	Mortgage	Other _____	Other _____			
		2 Deed of Trust	Lease					
2 Conveyance Type Check Box		<input checked="" type="checkbox"/> Improved Sale Arns-Length [1]	Unimproved Sale Arns-Length [2]	Multiple Accounts Arns-Length [3]	Not an Arms-Length Sale [9]			
3 Tax Exemptions (if applicable)		Recordation						
		State Transfer						
		County Transfer						
4 Consideration and Tax Calculations		Consideration Amount		Finance Office Use Only Transfer and Recordation Tax Consideration				
		Purchase Price/Consideration	\$ 1,900,000.00	Transfer Tax Consideration	\$			
		Any New Mortgage	\$ 1,000,000.00	X () %	= \$			
		Balance of Existing Mortgage	\$	Less Exemption Amount	- \$			
		Other:	\$	Total Transfer Tax	= \$			
		Other:	\$	Recordation Tax Consideration	\$			
		Full Cash Value:	\$	X () per \$500	= \$			
				TOTAL DUE \$				
5 Fees		Amount of Fees	Doc. 1	Doc. 2	Agent:			
		Recording Charge	\$ 60.00	\$ 60.00	Tax Bill:			
		Surcharge	\$	\$	C.B. Credit:			
		State Recordation Tax	\$ 13,300.00	\$	Ag. Tax/Other:			
		State Transfer Tax	\$ 9,500.00	\$				
		County Transfer Tax	\$ 19,000.00	\$				
		Other	\$	\$				
		Other	\$	\$				
6 Description of Property		District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG	
			03-421-90027825	3388 70			<input type="checkbox"/> (5)	
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
				3				
		Location/Address of Property Being Conveyed (2) 1604 Pine Lane Retreat, Annapolis, MD 21409						
		Other Property Identifiers (if applicable)					Water Meter Account No.	
		Residential <input checked="" type="checkbox"/> Or Non-Residential <input type="checkbox"/> Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/> Amount: \$ _____						
		Partial Conveyance <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Description/Amt. of SqFt/Acreage Transferred:						
		If Partial Conveyance, List Improvements						
7 Transferred From		Doc. 1 – Grantor(s) Name(s)			Doc. 2 – Grantor(s) Name(s)			
		Charles H. Palmer, III, Personal Representative of The Estate of Robert B.			Maureen A. O'Connell, Trustee of The Maureen A. O'Connell Revocable			
		Doc. 1 – Owner(s) of Record, if Different from Grantor(s)			Doc. 2 Owner(s) of Record, if Different from Grantor(s)			
8 Transferred To		Doc. 1 – Grantee(s) Name(s)			Doc. 2 – Grantee(s) Name(s)			
		Maureen A. O'Connell, Trustee of The Maureen A. O'Connell Revocable			Alex G. Wish and Jerry Berry			
		New Owner's (Grantee) Mailing Address 1604 Pine Lane Retreat, Annapolis, MD 21409						
9 Other Names to Be Indexed		Doc. 1 – Additional Names to be Indexed (Optional)			Doc. 2 – Additional Names to be Indexed (Optional)			
					First Heritage Mortgage, LLC			
10 Contact/Mail Information		Instrument Submitted By or Contact Person					<input checked="" type="checkbox"/> Return to Contact Person <input type="checkbox"/> Hold for Pickup <input type="checkbox"/> Return Address Provided	
		Name: Lisa Lowry Firm: Eagle Title, LLC Address: 181 Harry S. Truman Parkway, Suite 200 Annapolis, MD 21401 Phone: (410) 266-3600						
11		IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER						
Assessment Information		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Will the property being conveyed be the grantee's principal residence?				
		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Does the transfer include personal property? If yes, identify: _____				
		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Was property surveyed? If Yes, attach copy of survey (if recorded, no copy required).				
Assessment use only – Do Not Write Below This Line								
Terminal Verification		Agricultural Verification		Whole	Part	Tran. Process Verification		
Transfer Number		Date Received:		Deed Reference:		Assigned Property No.:		
Year	20	20		Geo.	Map	Sub	Block	
Land			Zoning	Grid	Plat	Lot		
Buildings			Use	Parcel	Section	Occ. Cd.		
Total			Town Cd.	Ex. St.	Ex. Cd.			
REMARKS:								

Space Reserved for County Validation

Distribution:

White – Clerk's Office
Pink – Office of FinanceCurary – SDAT
Goldenrod – Preparer

AOC-CC-300 (3/2007)

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

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Anne Arundel County

Date:

Tax Map #	Parcel #	Block #	Lot #	Section
45	0726		3	

Tax ID: 342190027825

FOR RESUBMITTAL ONLY

Corrections
Redesign
No Change
Non-Critical Area

*Complete Only Page 1
General Project Information

Project Name (site name, subdivision name, or other) Detacehd garage at 1604 pine lane retreat

Project location/Address 1604 Pine Lane Retreat

City Annapolis Zip 21409

Local case number

Applicant: Last name O'Connell First name Maureen

Company Property Owner

Application Type (check all that apply):

Building Permit	<input type="checkbox"/>	Variance	<input checked="" type="checkbox"/>
Buffer Management Plan	<input checked="" 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:

Request of variance to build a detached garage

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

Project Type (check all that apply)

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

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area		
LDA Area	3.43	
RCA Area		
Total Area	3.43	

Total Disturbed Area

	Acres
	2571

 Sq Ft

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	2.68		Existing Lot Coverage		2571
Created Forest/Woodland/Trees			New Lot Coverage		738
Removed Forest/Woodland/Trees	0.017		Removed Lot Coverage		0
			Total Lot Coverage		3309

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.035		Buffer Forest Clearing	0	
Non-Buffer Disturbance	0		Mitigation	0.035	

Variance Type

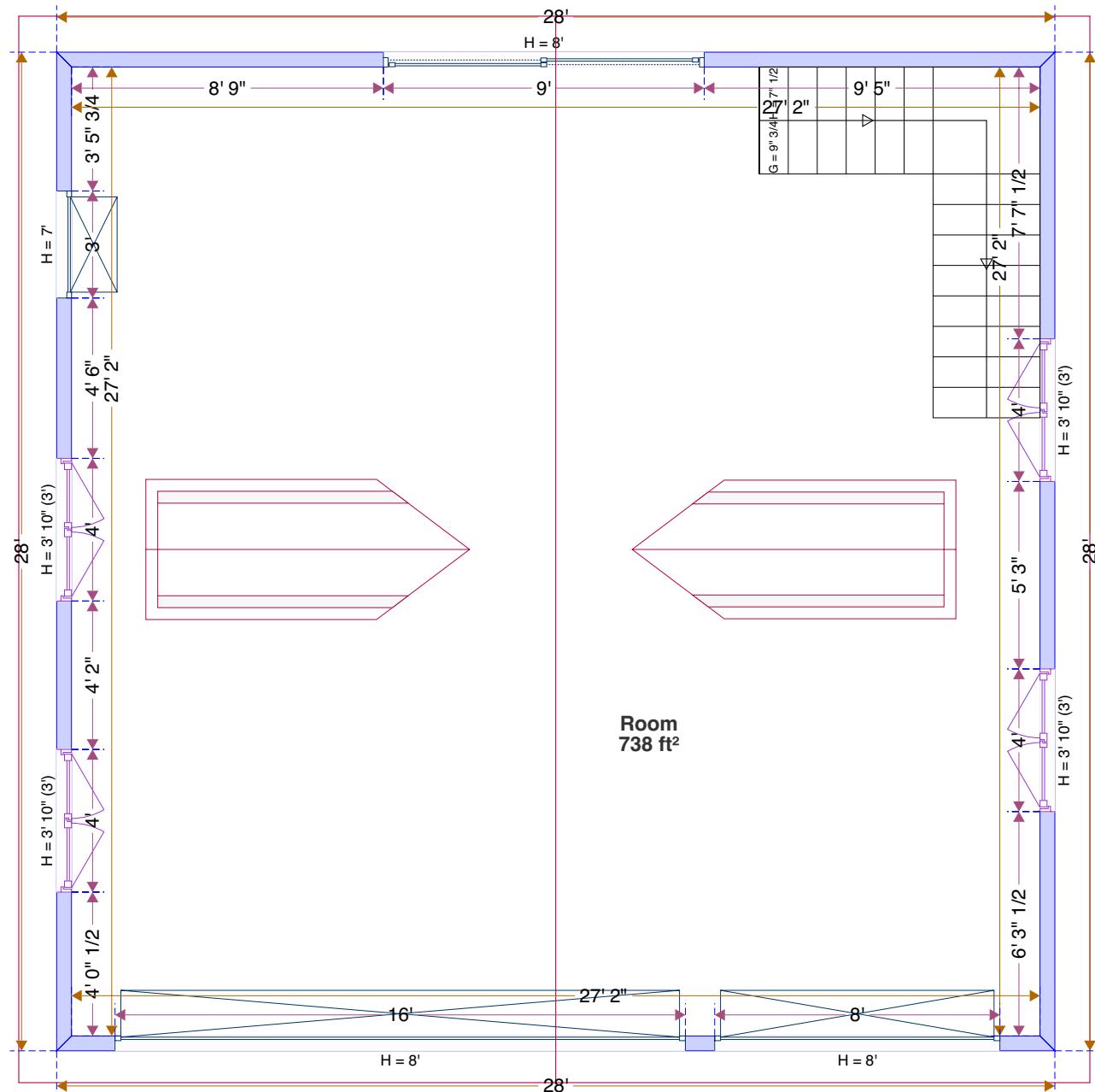
<p>Buffer <input type="checkbox"/></p> <p>Forest Clearing <input type="checkbox"/></p> <p>HPA Impact <input type="checkbox"/></p> <p>Lot Coverage <input type="checkbox"/></p> <p>Expanded Buffer <input checked="" type="checkbox"/></p> <p>Nontidal Wetlands <input type="checkbox"/></p> <p>Setback <input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

Structure

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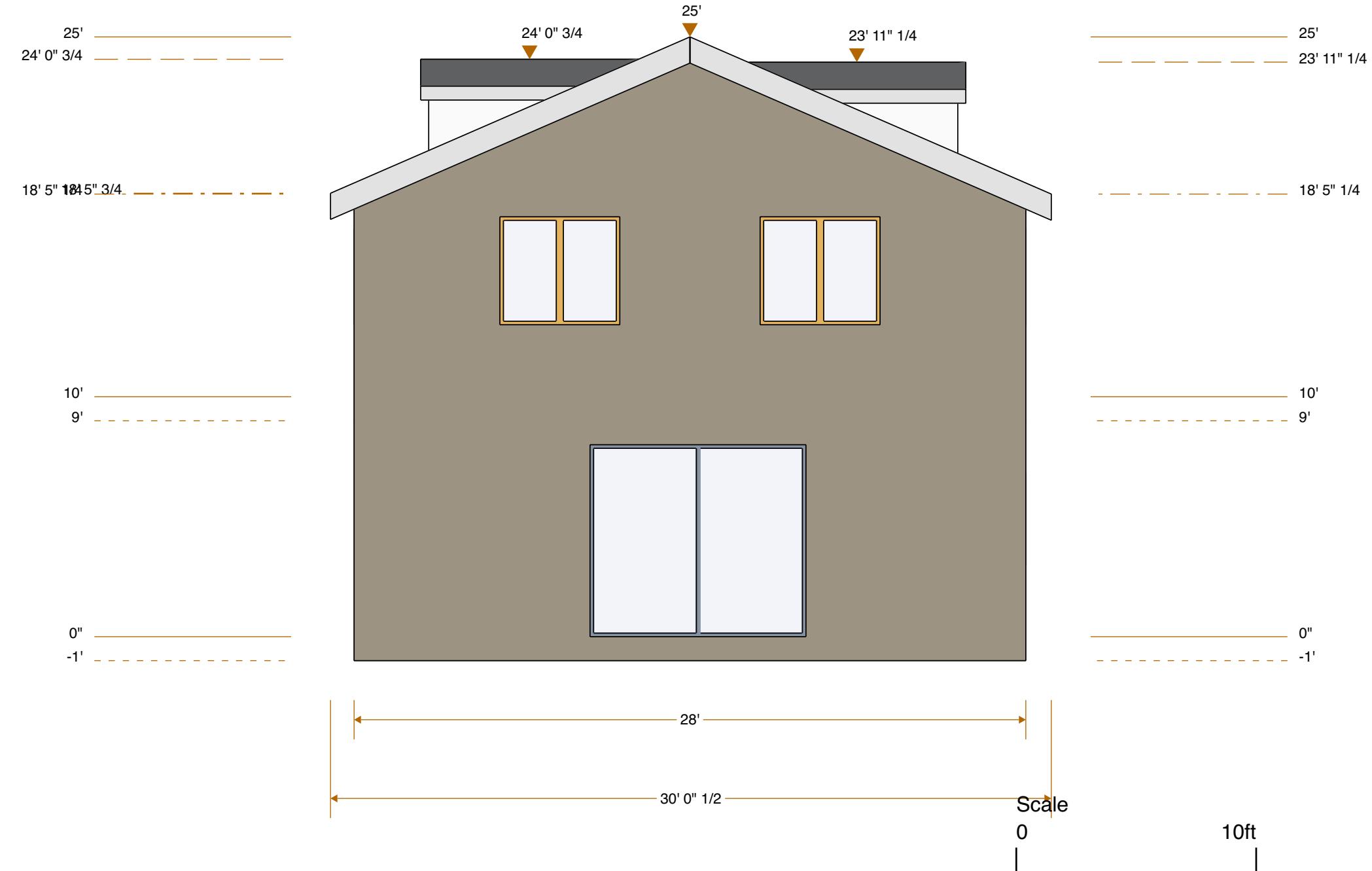


Scale

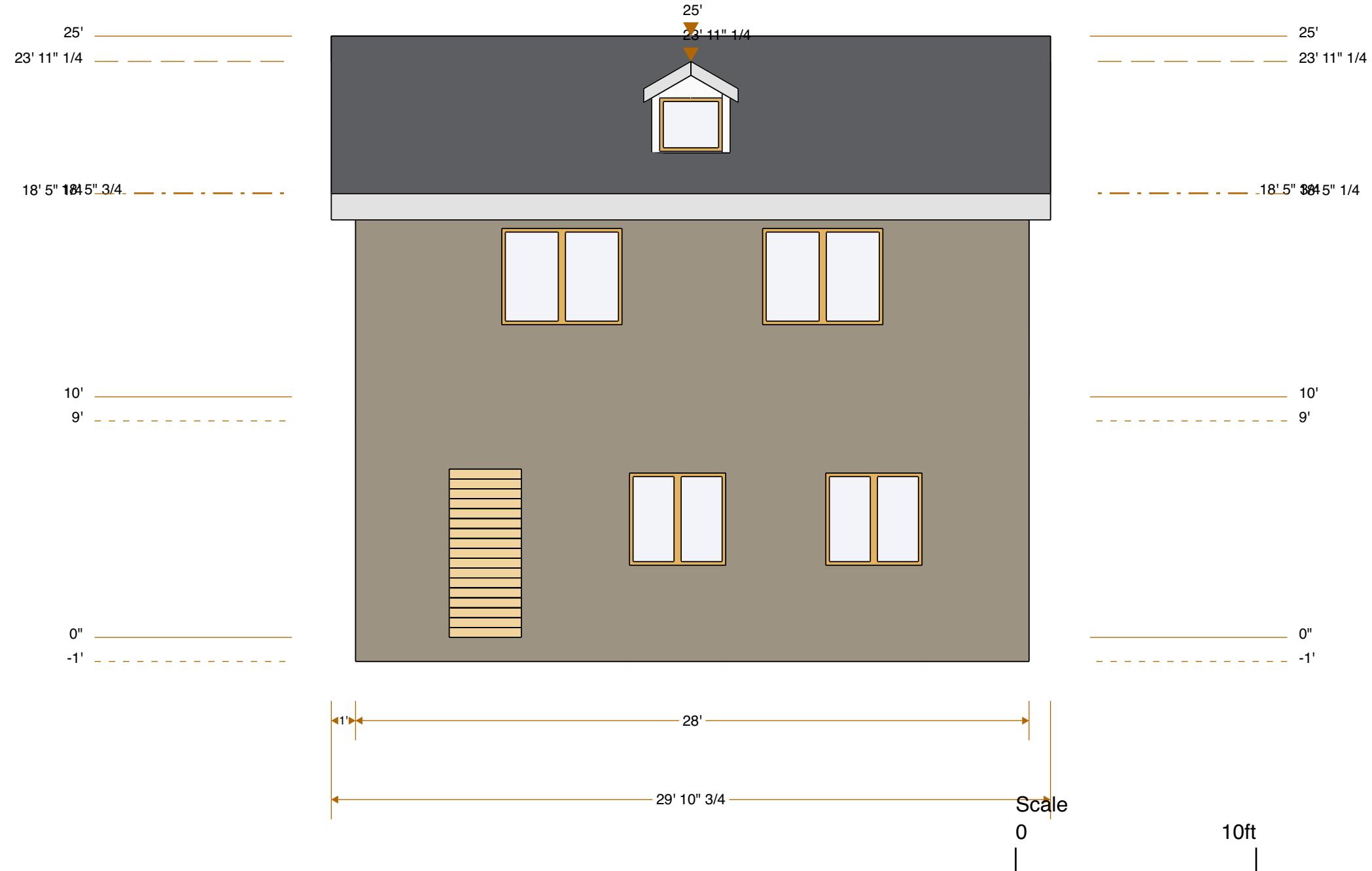
1

10ft

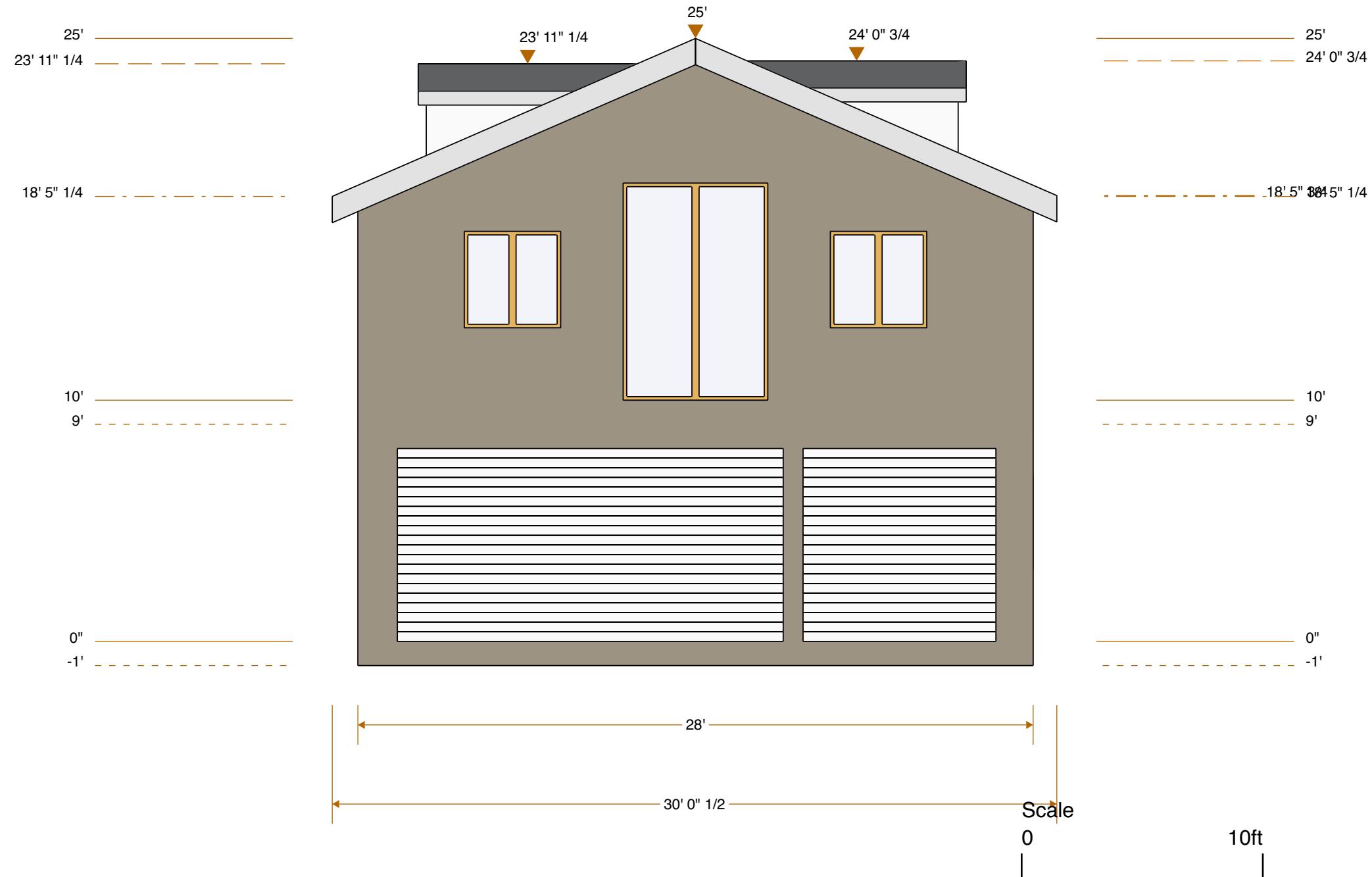
garage PLR - North elevation - Nov 25, 2025

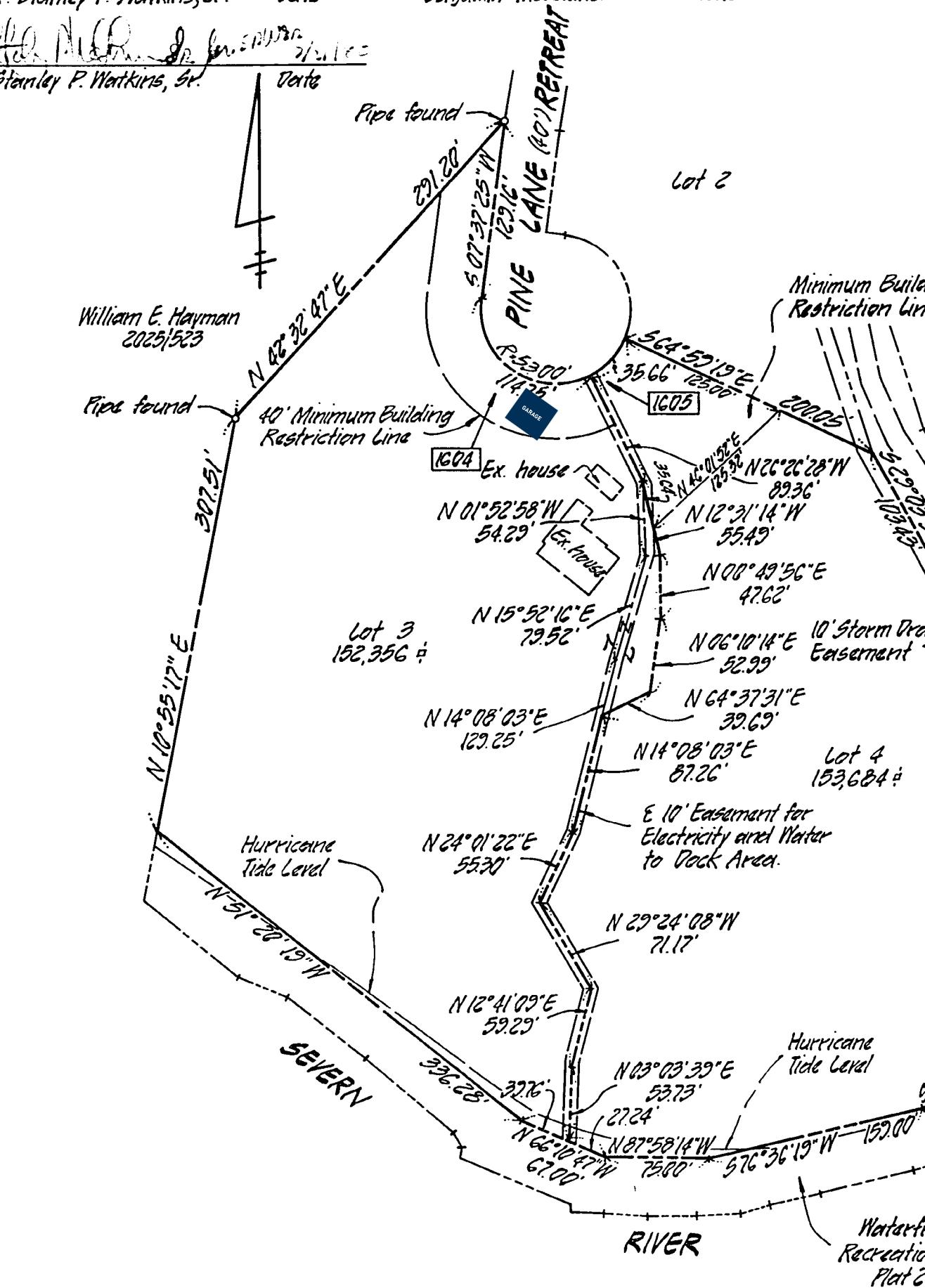


garage PLR - West elevation - Nov 25, 2025



garage PLR - South elevation - Nov 25, 2025





1604 Pine Lane Retreat topographic map



Legend

- Foundation
- Addressing
- Parcels
- Structure
- County Structure
- Elevation

Topo 2023

- Index
- Intermediate

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OpenStreetMap, Microsoft, Esri,
TomTom, Garmin, SafeGraph,
GeoTechnologies, Inc, METI/NASA,

Notes 1"=200'



0 200 400 ft

THIS MAP IS NOT TO BE
USED FOR NAVIGATION





Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>

CAC Comments: 2025-0239-V; Beall (AA 0325-25), 2025-0238-V, 2025-0235-V; OConnell (AA 0319-25), and Lilly (AA 0324-25)

1 message

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

Tue, Dec 23, 2025 at 10:50 AM

Good morning,

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

- **2025-0239-V; Beall (AA 0325-25):** Appropriate mitigation is required.
- **2025-0235-V; OConnell (AA 0319-25):** The applicant is seeking a variance to disturb the Critical Area Buffer, which is expanded for steep slopes to construct a 784 square foot detached garage entirely within the Buffer. The 3.43- acre lot is designated as Limited Development Area (LDA) and presently improved with a single-family dwelling, driveway, patio, deck, porch, and shed, which amount to 2,571 square feet of lot coverage. The total proposed lot coverage will be 3,309 square feet, which is within the allowable lot coverage limit. The proposed improvements will result in 741 square feet of developed woodland clearing and 1,524.6 square feet of disturbance to the Critical Area Buffer. This office notes that the applicants have the opportunity to minimize impacts to habitat and vegetation by reducing the size of the proposed detached garage.

In order for this variance to be granted, the applicant must demonstrate, and the Administrative Hearing Officer must find that each and every one of the Critical Area Variance standards have been met, including that the proposal meets the unwarranted hardship standard and that this variance would not adversely affect water quality and wildlife or plant habitat. If this request were to be denied for the construction of the detached garage within the Critical Area Buffer and with disturbance to steep slopes, the applicants would still have reasonable and significant use of their lot.

- **2025-0238-V; Lilly (AA 0324-25):** The applicants are seeking a variance to disturb the Critical Area Buffer, which is expanded for steep slopes, to replace and reconfigure outdoor amenity space. The lot is located in the Critical Area Limited Development Area (LDA) and presently improved with a single-family dwelling, driveway, patio, sunroom, covered porch, detached shed with a deck, gazebo, and walkways, which amount to 11,445 square feet of lot coverage. The applicants propose removal of some of the walkways, and the expansion of the existing patio, the construction of a new separate patio, and the construction of a stormwater management facility, within the expanded Buffer, and construction of a pool and pool patio outside of the expanded Buffer. These improvements are in addition to the sunroom, covered porch, and shed with attached deck, which are to remain. The improvements will result in 12,734 square feet of total lot coverage, 4572 square feet of developed woodland clearing, and 19,110 square feet of Buffer disturbance, however there will be a 713 square foot reduction of lot coverage within the expanded Buffer. This office would like to note that since the proposal includes the reconfiguration of the outdoor amenity space, the applicants have the opportunity to minimize impacts and disturbance to steep slopes and expanded Buffer in their site design for these accessory structures.

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. The applicant has every opportunity to design the proposed improvements in a manner that minimizes and/or avoids impacts to the steep slopes and Buffer. However the current proposal results in disturbance to steep slopes and the Critical Area Buffer for the reconfiguration of accessory features, which is not in harmony with the spirit and intent of the Critical Area Law and regulations. As such, it does not appear to meet each and every one of the County's variance standards. If this request were to be denied, the applicants would still have reasonable and significant use of their lot. If the AHO finds that the applicant has demonstrated that each and every one of the Critical Area Variance standards have been met, then appropriate mitigation is required. Our office notes that any areas of the Critical Area Buffer where lot coverage is being removed, must be stabilized in native vegetation, as new lawn is prohibited within the Critical Area Buffer.

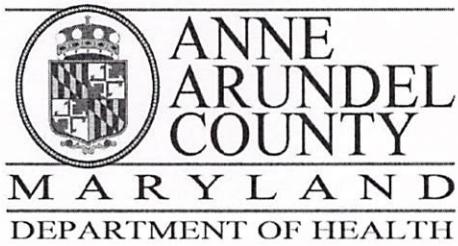
The comments have been uploaded to the County's online portal.

Sincerely,
Jamileh Soueidan



Critical Area Commission for the
Chesapeake & Atlantic Coastal Bays
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



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 *BC*
Bureau of Environmental Health

DATE: December 12, 2025

RE: Maureen A. OConnell, Trustee
1604 Pine Lane Retreat
Annapolis, MD 21409

NUMBER: 2025-0235-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance.

The Health Department has recommended denial of the above reference requested. The garage must be 10 feet from the septic tank and 20 feet from the drywell. Show two future replacement 8 feet diameter drywells separated 24' edge to edge.

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

cc: Sterling Seay



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2025-0072-P
DATE: 07/31/2025
OPZ STAFF: Jennifer Lechner
Kelly Krinetz
Stacy Poulos

APPLICANT/REPRESENTATIVE: Maureen O'Connell & Eduardo Arrossi

EMAIL: moconnelldsa@icloud.com / moconnelldsa@icloud.com / eddie@eaphoto.com

SITE LOCATION: 1604 Pine Lane Retreat, Annapolis

LOT SIZE: 3.43 acres

ZONING: R1

CA DESIGNATION: LDA

BMA: n/a

BUFFER: YES

APPLICATION TYPE: Variance

The applicants are proposing to construct a detached garage (one and a half stories, with upper level overhang).

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 100ft buffer / expanded buffer.
- § 18-4-501 to allow an accessory structure with less setbacks than required.

COMMENTS

Zoning Administration Section:

Concurs with the Critical Area Team. The proposed accessory structure does not appear to represent the minimum necessary to afford relief. A 30' x 30' garage with a 6' x 30' overhang seems excessive at the top of steep slopes and within the expanded buffer.

For the Variance application (there is no need to submit another/revised Pre-file request):

Revise the Administrative Site Plan:

- The zoomed detail view, as submitted, is appropriate due to the size of the property. However, the site plan should also show the entire parcel. This would depict the extent of the slopes and expanded buffer on the property.
- Accurately note the R1 accessory structure setbacks.
 - Per § 18-4-501, in an R1 District, the minimum setbacks for accessory structures are:
 - Front lot line = 50 feet
 - Side and rear lot lines = 15 feet
- The distances to the rear and side lot lines should be measured, and noted, as a straight line drawn perpendicular (90 degrees) from the lot line to the proposed garage.
- The height of the proposed garage must be included on the site plan (i.e., noted with the 30'x30' dimensions).

Revise the Letter of Explanation:

- The applicant must provide justification as to why a large garage is required, and why the variance request is the minimum relief necessary.
- Accurately note the R1 accessory structure setbacks.

The applicant is reminded, 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 Section 18-16-305. The Letter of Explanation should address each of those standards (a through c) and provide adequate justification for each of the variances required.

Critical Area Team:

While some relief may be necessary for redevelopment of this site, the proposed development would not meet the standards for approval for a Critical Area variance. The proposed location is within the Expanded Buffer. In order to meet the standards for approval, the application must be found to be the minimum necessary to afford the applicant relief as well as be located to minimize disturbance to the buffer. A detached 3 car garage located at the top of the steep slope does not meet these requirements.

OPZ Cultural Resources:

The subject property has high archaeological potential and contains an undocumented historic structure; however, the proposed project presents no adverse effect and the Cultural Resources Section has no objection. Please note that if future development is proposed, there may be additional archaeological/historic requirements per Article 17-6-501 and 502.

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.

1604 Pine Lane Retreat



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



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none



0

350

700

ft



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USED FOR NAVIGATION

Notes