

This Affidavit is given regarding the Real Estate described below
In connection with a pending Administrative Hearing or Zoning or Permits:

Property Owner: KENNETH VIDMAR
Property Address: Hawkins Street Lots 217 – 221 Plat of North Selby
Edgewater MD 21037
Case Number: 2024-0090-V (AD 1, CD 7)

AFFIDAVIT

I am over the age of eighteen (18) and I am competent to be a witness. The following
statements are made based upon my knowledge, information, and belief:

1. I posted the Anne Arundel County **NOTICE** of Hearing sign on the front of the
Property facing the street on February 2nd 2026.
2. I took a photo of the Sign which is attached hereto.
3. I have checked periodically and the sign remained in place until the Hearing.

I hereby swear and affirm under the penalties of perjury that the foregoing statements are
true and correct to the best of my knowledge, information and belief.

Date: Feb. 2nd, 2026



Name: Danielle Kremer

Title:

Telephone: 443-534-2875

Address: 3951 Patuxent River Rd
Harwood, MD 20776

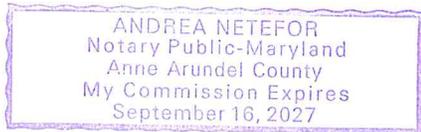
STATE OF MARYLAND, Anne Arundel COUNTY, to wit:

On this date the foregoing Affidavit of Danielle Kreamer (known to me or satisfactory proven to be) was sworn to and signed before the undersigned Notary Public.

Date: February 2, 2026

Andrea Netefor
Notary Public

My Commission expires: 9-16-2027



NOTICE

AN APPLICATION HAS BEEN FILED FOR VARIANCE TO AN OIL AND GAS LEASING AGREEMENT FOR THE IMPLEMENTATION AND COMPLETION OF A PREVIOUSLY APPROVED VARIANCE.

LOCATION: 310 HAWKINS STREET EDGEWATER
CASE NO: 2023-0001-V
KENNETH VOMAR

PENDING A PUBLIC ZONING MEETING. FOR INFO CONTACT THE ZONING DIVISION BY 410-222-7437 OR VISIT OUR WEBSITE WWW.AACOUNTY.ORG/ADMIN/HEARINGS

NOTICE

AN APPLICATION HAS BEEN FILED FOR VARIANCE TO ALLOW AN EXTENSION IN TIME FOR THE IMPLEMENTATION AND COMPLETION OF A PREVIOUSLY APPROVED VARIANCE.

LOCATION: 910 HAWKINS STREET, EDGEWATER
CASE NO: 2026-0001-V
KENNETH VIDMAR

PENDING A PUBLIC ZOOM MEETING. FOR INFO CONTACT THE ZONING DIVISION AT 410-222-7437 OR VIEW WEBSITE WWW.AACOUNTY.ORG/ADMIN-HEARINGS

Kenneth Vidmar
USS Sterett
Unit 100216 Box 1
FPO AP 96678
612-990-4626

May 7, 2024

Anne Arundel County
Office of Planning and Zoning
Zoning Division
Attn: Sterling Seay, Zoning Administrator
2664 Riva Road
Annapolis, MD. 21401

Mr. Seay:

I am requesting an 18-month extension of my variance granted in BA 21-22V.

All of the reasons for which I originally sought the variance are still equally valid. I and my engineer Doug Bourquin have been pursuing a grading permit since 12 days after the variance was granted and are significantly closer to a grading permit than when we started the application process. Nearly a year and a half later, comments are still being put forward by Anne Arundel County and being addressed by my team, and the county has yet to approve or deny the application. I believe I am entitled to an outcome in the permitting process. The extension is needed for the permitting process to run its course.

--Timeline: --

August 30, 2022: Variance appeal hearing is held.

November 18, 2022: Variance granted; see BA 21-22V.

November 30, 2022: Grading permit application resubmitted. (We had submitted prior to the variance, with no response)

December 14-29, 2022: Comments received from John Bory (I&P), Michael Day (OPZ), and OPZ Cultural Resources Section via Land Use Navigator. Comments included:

- Lot merger will be required.
- Urban planter boxes are not allowed.
- Sight distance calculations and turn template for a backing vehicle are needed for a driveway within 50 ft of an intersection. Clearly labeled setbacks from proposed

Stormwater Management (SWM) measures to property lines, structures, septic, wells, etc. are needed.

- OPZ / Cultural Resources comments are required.
- The County expressed confusion over whether the variance authorized disturbance to non-tidal wetland or to the buffer. (Note: It was to the buffer.) The area is mapped as Forest Interior Dwelling (bird species) habitat.
- The remaining woodland (after clearing) shall be put into a conservation easement.
- The garage will require a non-conversion agreement due to being below the flood elevation of 5 ft.

All of these comments were addressed and no longer marked "Revision Needed" on the Land Use Navigator

January 18, 2023: Doug Bourquin meets with John Bory (I&P) to discuss the grading permit application.

January 23, 2023: OPZ Cultural Resources (CR) archaeologist Stacey Poulos visited the property, determined that there should be no adverse effects to cultural resources, and granted CR approval.

February 9, 2023: Lot merger agreement was executed and delivered to Anne Arundel County OPZ.

February 24 and 28, 2023: New comments were received from John Bory (I&P) and Michael Day (OPZ) via Land Use Navigator. Comments included:

- Due to new construction criteria, the Rainhandler system (being considered at County I&P's suggestion), is not appropriate.
- SWM needs to be redesigned considering that "Qp" is a requirement.
- The remaining woodland shall be placed into an easement. (mentioned by both John Bory and Michael Day) Revised mitigation square footage areas should be 6,747 sq ft of Critical Area buffer disturbance plus 2,872 sq ft outside of the buffer, for a total disturbance area requiring mitigation of 9,619 sq ft. Provide a mitigation plan.

All of these comments were addressed and no longer marked "Revision Needed" on the Land Use Navigator.

February 28, 2023: (second-hand information) John Bory (I&P) spoke with Doug Bourquin by telephone and expressed concerns about a "precedent" being established and that, for that reason, they (I&P) might need to consider the site not buildable.

March 1, 2023: (second-hand information) John Bory (I&P) suggested to Doug Bourquin by phone that we (Doug and I) could set up a meeting with Hala Flores (I&P Engineer Manager).

April 27, 2023: In a phone conversation with Doug Bourquin, Doug and I agree that it would be a good idea to set up a meeting with Hala Flores (I&P) and any members of her staff she would like to have in attendance to discuss remaining issues and ways forward for the grading permit.

May 2, 2023: Doug Bourquin contacts John Bory (I&P) via email to attempt to set up a future meeting with Hala Flores (I&P).

May 10, 2023: I retained Christopher Stepp of Bay Land, Inc. to provide input to Doug Bourquin on the SWM plan being presented to Anne Arundel County I&P.

May 10, 2023: John Bory (I&P) schedules a virtual meeting (via Google) with me, Doug Bourquin, Hala Flores (I&P), himself, and Christopher Stepp (Bay Land, Inc.) to discuss remaining issues and ways forward for the grading permit.

May 26, 2023: The planned meeting takes place with me, Doug Bourquin, Hala Flores (I&P Engineer Manager), John Bory (I&P), and Christopher Stepp, discussing remaining issues and ways forward for the grading permit. County I&P reverses its opposition to the Rainhandler system, with Hala Flores (I&P) specifying that vegetation (such as sod) would need to be planted in the area receiving runoff water from the (Rainhandler) system. Online research after the meeting indicated that the company that produced the Rainhandler system may have gone out of business and stopped producing the system. Those indications later proved true.

June 16, 2023: Received confirmation from Lauer Construction that the manufacturer of the Rainhandler system went out of business.

June 30, 2023: Doug Bourquin uploaded revised grading permit documents addressing remaining concerns discussed in the May 26 meeting to Anne Arundel County's (I&P) Land Use Navigator, including:

- Grading Plan Set
- Grading Resubmission Checklist
- Grading Resubmission Transmittal Cover Letter
- Grading Resubmission Point-by-Point Responses
- Overall Contributing Drainage Area Study Report (regarding a perennial stream to which my property contributes approx. 1% of total drainage)
- A booklet containing photos and cross sections of the above-mentioned stream, as requested by Hala Flores (I&P) in the May 26 meeting.

September 15, 2023: Executed and recorded a planting mitigation plan and agreement with Anne Arundel County.

October 6, 2023: Received new comments from Hala Flores (I&P) via Land Use Navigator. Comments included:

- County I&P raised the issue of obtaining the Rainhandler System mentioned above, which we were already aware of.
- Driveway cross sections and elevations are needed to clarify driveway drainage treatment and disconnection.
- Compost soil amendment is needed.
- Public Works Agreement is needed for the Mayo Tank and shall be executed prior to building permit approval.

All of these comments were addressed and no longer marked "Revision Needed" on the Land Use Navigator.

October 24, 2023: Hala Flores (I&P) emailed Doug Bouquin to ask whether the Right-of-Way containing a portion of the driveway in the plans is public or private. This question was answered. It is entirely a private Right-of-Way.

Week of December 10, 2023: Hala Flores (I&P), who was the primary reviewer for my grading permit application after John Bory's retirement (November), announced she would be leaving her job at the end of December. We did not hear from her after that.

December 18, 2023: Doug Bourquin uploaded revised grading permit documents addressing remaining concerns discussed in the May 26 meeting to Anne Arundel County's (I&P) Land Use Navigator, including:

- Grading Permit Fee and Security Estimate Computation Sheet
- Grading Plan Set (revised)
- Grading Resubmission Checklist
- Grading Resubmission Transmittal Cover Letter
- Grading Resubmission Point-by-Point Responses
- Revised SWM Report

January 30, 2024: Anne Arundel County's (I&P) Land Use Navigator still showed the grading permit application as "Under Review," with no new comments.

February 18, 2024: Received new comments from Raghu Badami (I&P Assistant Director and acting Engineer Manager) and Michael Day (OPZ) via Land Use Navigator. Comments included:

- Additional information on the design of the proposed 65-gallon cistern is needed.
- The area dedicated for cistern runoff should be shown (highlighted).
- It is not clear how the "site ESD to MEP is met with the provided SWM."
- The site design should be reviewed to ensure that existing nuisance flooding conditions are not exacerbated by SWM.
- It is not clear "how SWM Pe is met for this site."
- The finished floor levels need to be a minimum of one foot above the flood base elevation. (Note: This only pertains to the entryway. The plans have been adjusted to Michael Day's satisfaction.) Flood notes should also be included in the plans.
- A non-conversion agreement for the garage will be required at the building permit stage.

Doug Bourquin responded to the first five of these items via email on April 18, 2024, and as mentioned, of the remaining two, one is resolved, and the other does not require action until the building permit stage. We have not received a response from Raghu, as of the writing of this letter.

--End Timeline--

I wish to exercise my property rights under COMAR § 27.01.02.07B and other laws to build a single-family home for my own personal use. I believe I have been doing everything reasonably and humanly possible to comply with the requirements to obtain a grading permit. It still isn't clear how much more time the process will take. It appears to be down to only the SWM calculations not being clear to Mr. Badami (I&P). However, it would not be shocking to see new comments/concerns appear from the county. I am patient, and I ask for the time to ensure that they all are resolved.

Sincerely,

A handwritten signature in cursive script that reads "Ken Vidmar". The signature is written in black ink and is positioned below the word "Sincerely,".

Kenneth Vidmar



Applicant Exhibit 3
2026-0001-V
2/17/2026

Doug Bourquin <ddbourquin@gmail.com>

G02019093 - Hawkins Street - North Selby (Ken Vidmar property)

1 message

Doug Bourquin <ddbourquin@gmail.com>

Thu, Apr 18, 2024 at 8:14 AM

To: Raghavenderrao Badami <ipbada78@aacounty.org>

Cc: Doug Bourquin <ddbourquin@gmail.com>, Ken Vidmar <kenvidmar@hotmail.com>, "Vidmar, Kenneth P IS1 USN, DDG104" <kenneth.vidmar@ddg104.navy.mil>, Scott Schorr <scott@lauerhomes.com>

Bcc: Chris Stepp <cstepp@baylandinc.com>

Good morning Raghu--

Thank you for your ideas and discussions with Mr. Vidmar and me as we continue to work through the review process toward an acceptable solution.

I was looking at the Plans and the ESD Computations again yesterday and I wanted to get your thoughts regarding using ESD M-1 and N-2 practices to address the required 153 cu.ft. required ESDv.

Here is what we would propose:

1. The house footprint is 40' x 21' = 840 sq.ft.
2. With the proposed 15" eaves, the Roof Area is 40'+- x 23.5' = 940 sq.ft.
3. The 2.7" one-year rainfall/runoff volume from the roof = $(0.95 \times 2.7 \times 940)/12 = 201$ cu.ft. = 1,503 gallons.
4. If we use standard roof gutters and a downspout @ each of the four house corners and then place a 300 gallon M-1 (rainwater harvesting) Rain barrel Cistern at each house corner, the ESD treatment volume achieved would be $1,200/7.48 = 160$ cu.ft. (300 gallon rain barrel cisterns are available from several sources for a cost of around \$500 each.)
5. Each rain barrel will have a 100'+- length of "soaker hose" attached (during non-freezing weather) to the spigot on each barrel to drain to and irrigate the vegetated areas within the LOD and Buffer.
6. In addition, the driveway and sidewalk will be graded so that the run-off from driveway and sidewalk will drain into the adjoining vegetated/lawn areas to provide N-2 treatment of the non-rooftop run-off. The N-2 treatment volume achieved would be: $(271 \times 0.95)/12 = 21$ cu.ft. The lawn areas within the LOD will all receive the required 12" composted soil amendment prior to stabilization.
7. In this manner the total M-1 and N-2 treatment volumes achieved = $160 + 21 = 181$ cu.ft. which will completely address the required ESDv.

We also note that the site will contain a recorded FCE forested buffer containing 26,283 sq.ft. which will protect the remaining forested area and all of the environmentally sensitive resources on the subject property. All in accordance with the MDE LOA 21-NT-0384 dated 07/28/2021.

Please let us know if this proposal will be acceptable to address ESD SWM.

Thank you for your help.

-Doug

--

Douglas D. Bourquin

Douglas Bourquin LLC

Business Office Address & Mailing Address:

4 Cindy Court

Severna Park, MD. 21146

Ph: 410-279-6053

Applicant Exhibit 4
2026-0001-V
2/17/2026

From: [Daniel J. Mellin](#)
To: [Daniel J. Mellin](#)
Subject: Ken Vidmar's Board of Appeals Decision
Date: Monday, July 29, 2024 4:47:41 PM

From: Doug Bourquin <ddbourquin@gmail.com>
Sent: Monday, July 1, 2024 5:06 PM
To: Daniel J. Mellin <djm@hbdlaw.com>
Cc: Doug Bourquin <ddbourquin@gmail.com>; Ken Vidmar <kenvidmar@hotmail.com>; Vidmar, Kenneth P IS1 USN, DDG104 <kenneth.vidmar@ddg104.navy.mil>; Scott Schorr <scott@lauerhomes.com>
Subject: Re: [Non-DoD Source] Re: [External] Ken Vidmar's Board of Appeals Decision

Dan--

Follow on from our Variance Hearing Prep discussion earlier:

Formal Grading Permit Resubmissions since the 11-18-22 Board of Appeals Decision:

- * 11-30-22 [Grading Resubmission](#) to Address reviewer comments. Includes sending a copy of the 11-18-22 BoA Decision.
- * 2-2-23 [Grading Resubmission](#) to Address reviewer comments.
- * 5-26-23 Virtual Meeting w/ Hala Flores & John Bory. Chris Stepp from Bayland was also in attendance as requested by Ken V.
- * 6-30-23 [Grading Resubmission](#) to Address reviewer comments. Includes Detailed Drainage Study showing storm Flows to and through Ken's property from our small on-site and large off-site contributing drainage areas. Also included was a Photographic tour of the outfall path through the Vidmar property and then downstream to the discharge into the tidal waters of the Selby Bay.
- * 10-2-23 [Grading Resubmission](#) to Address reviewer comments.
- * Preparation of Mayo Tank Easement docs and Cost Estimate at Hala's request.
- * 12-18-23 [Grading Resubmission](#) to address reviewer comments.
- * Hala Flores left the County 12-31-23.
- * 2-18-24 Received Engineering comments from Raghu Badami (took over after Hala Flores left).
- * 3-19-24 Met w/ Raghu to discuss his review comments.
- * 4-18-24 I followed up with a detailed summary and suggestions for a way forward in an email to Raghu. Since I never received a response back from him we went full speed ahead on preparing the request for the time extension.
- * 5-10-24 The formal Variance request for the 18 month time extension was filed which included a copy of Ken's timeline.
- * 5-13-24 We received Notice that the County had accepted the application.
- * 5-28-24 We received the Hearing Notice from Holly Colby AHO office.
- * 6-10-24 I picked up the Notice signs and delivered them to Lauer along w/ the Posting instructions.

Please let me know if you have any questions. Thanks.

-Doug

-----Original Message-----

From: Vidmar, Kenneth P IS1 USN, DDG104 <kenneth.vidmar@ddg104.navy.mil>

Sent: Monday, July 1, 2024 5:18 AM

To: Doug Bourquin <ddbourquin@gmail.com>; Daniel J. Mellin <djm@hbdlaw.com>

Cc: Ken Vidmar <kenvidmar@hotmail.com>; Scott Schorr <scott@lauerhomes.com>

Subject: RE: [Non-DoD Source] Re: [External] Ken Vidmar's Board of Appeals Decision

Dan,

If you and Doug talk this week and you want my input, I might possibly be able to participate, depending on the time, as I'm in port this week (but back out next week).

I'm attaching the AA County representation letter. I'm not sure if you need it, as an attorney.

Yes, the house has two floors of living space, 840 sq. ft. each, for an original total of 1,680 sq. ft. of living space. The ground floor is garage and utility space with flood vents plus a small entryway. Michael Day in the last comments we received from OPZ requested that the ground floor entryway be raised 2 ft, because the initial elevation was too low for living space. (You probably see where this is going. ...actually in two directions.) So by making that request, OPZ was acknowledging that the garage floor is too low to be converted into living space. On the other hand, with architect Jeff having raised the entry floor as requested, it's 100 sq. ft. now need to be counted as living space, which brings the total to 1,780 sq. ft.

Another reason the garage/utility space can't be converted into living space is the federally mandated flood vents. Not only would HVAC not be able to control the temperature efficiently, but it wouldn't pass the test ...I forget what the official name is, but it's unofficially referred to as the "blower test" for air sealing.

A non-conversion agreement, we've been told, will be required at the building permit stage.
Ken Vidmar

On Sun, Jun 16, 2024 at 12:32 PM Doug Bourquin <ddbourquin@gmail.com>
<<mailto:ddbourquin@gmail.com>> > wrote:

Dan--

Also, here is the Inspection and Maintenance Agreement that was processed and recorded last September. At the request of Hala Flores and John Bory, we prepared and submitted a detailed Drainage Study (attached) in June 2023 to determine the quantity of storm water flowing through Ken's property from adjacent and nearby properties. We also at their request prepared and submitted a Photographic Walking Tour (attached) through Ken's property to the tidal outfall just beyond Ken's property. We also submitted the FCE Docs to Michael Day (in August 2023) for processing. We have also prepared the Lot Merger Agreement and sent it to Ken for signing (I don't believe that we have sent it to Michael for processing yet). We did a lot of work and resubmittals between the BofA grant in Nov 2022 and when we relieved that we needed the time extension.

Clearly the policy "revolving door" at I&P as well as the staffing "revolving door" at I&P have in part created the need for this time extension request. I met wit Raghu March 19th and followed up with him April 18th and I never received another response after my 4/18 message.

That was when we decided to get going on the time extension request. Recently Mr. Hollmann approved a time extension for me on one that he had initially approved in September 2022. OPZ had recommended that he deny the extension request.

I'll be out of town the week 7/6 - 7/14. I will probably be having a heart cath procedure sometime during the week of 7-15. We should try to have a phone call regarding Ken's case before the end of June. Scott and Wade at Lauer said that they will post the Notice signs on the property. Thanks.

-Doug

G02019093 Outfall-Stream Photo Tour Booklet 6-30-23.pdf

<https://drive.google.com/file/d/1nuuoBaloWbw4I-LD-Cv_B6EA2x1wlnhN/view?usp=drive_web>

From: Doug Bourquin <ddbourquin@gmail.com <mailto:ddbourquin@gmail.com> >

Sent: Sunday, December 3, 2023 3:33 PM

To: Daniel J. Mellin <djm@hbdlaw.com <mailto:djm@hbdlaw.com> >

Cc: Doug Bourquin <ddbourquin@gmail.com <mailto:ddbourquin@gmail.com> >; Ken Vidmar <kensvidmar@hotmail.com <mailto:kensvidmar@hotmail.com> >; Vidmar, Kenneth P IS1 USN, DDG104 <kenneth.vidmar@ddg104.navy.mil <mailto:kenneth.vidmar@ddg104.navy.mil> >

Subject: [External] Ken Vidmar's Board of Appeals Decision

Hi Dan--

Quick question....

We now have Hala as the main reviewer for Ken's project since John Bory retired from the County. I'm working on resolving her latest comments. The Board's decision is dated Nov. 18, 2022. Does the Board's decision expire and if so when does it expire? Can it be renewed prior to expiring?

Thanks for your thoughts regarding this.

-Doug

Douglas D. Bourquin
Douglas Bourquin LLC
Business Office Address & Mailing Address:
4 Cindy Court
Severna Park, MD. 21146
Ph: 410-279-6053