

Comments
3/15/05 JC

Comments
6/14/05 JC

MSA-5-1829-4567

— AA 65-05
VAR

Ferguson, Jeffrey
0581

Robert L. Ehrlich, Jr.
Governor



Michael S. Steele
Lt. Governor

Martin G. Madden
Chairman

Ren Serey
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS
1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

June 15, 2005

Pam Cotter
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road
Annapolis, Maryland 21401

Re: Variance 2004-0581-V Janet and Jeffrey Ferguson

Dear Ms. Cotter:

Thank you for providing information on the above referenced variance. The applicant is requesting a variance to permit dwelling additions with less setbacks and Buffer than required, with disturbance to steep slopes, and with greater impervious surface than permitted. The property is designated a Limited Development Area (LDA) and is currently developed with a single-family dwelling, a detached garage, a shed, a detached deck, a brick walkway and patio, several retaining walls, a 6-foot wide paved water access, and a pier.

This office received revised site plans for review on June 3, 2005. Providing the lot is properly grandfathered, this office does not oppose variances to permit expansion of the dwelling; however impacts must be minimized and the variance the minimum necessary. Based on the revised information provided, we have the following comments regarding the development proposal and variances requested.

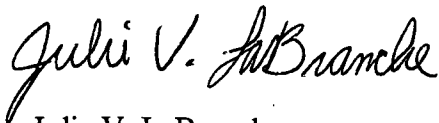
- 1) As shown on the site plan, nearly the entire property is contained within the Buffer, which is expanded for steep slopes. We recognize that a variance is necessary to permit any expansion or reconfiguration of the existing dwelling or detached garage since both structures are located within the Buffer.
- 2) The current proposal eliminates the need for an impervious surface variance by reducing the overall proposed impervious surface coverage to 9,672 square feet, within the 15 percent limit allowed by the Anne Arundel County Zoning Ordinance (Article 28 §1A-105).

Pam Cotter
Variance 2004-0581-V Janet and Jeffrey Ferguson
June 15, 2005
Page 2

- 3) The applicant proposes to construct a dwelling addition and an attached garage located partially over existing impervious surface and partially on steep slopes. The dwelling addition includes a 315 square foot porch located on steep slopes and a 126 square foot deck with stairs. The revised proposal includes 4,701 square feet of disturbance within the Buffer, 2,303 square feet of disturbance to steep slopes within the Buffer, and increases the overall impervious surface coverage on the site by 1,276 square feet, from 8,396 square feet to 9,672 square feet.
- 4) As proposed, it appears that the variance could be further minimized with several minor changes to the revised site plan. In order to maximize use of flat areas on the site, this office recommends the following: the dwelling addition and garage could be shifted closer to Kinloch Circle to the 35 foot rear setback line, and the screened porch could be relocated over the existing brick patio. We recommend that the applicant consider these alternatives to reduce impacts to the Buffer and steep slopes, and to minimize the variance necessary to accommodate expansion of the dwelling.

Thank you for the opportunity to provide comments. Please include this letter in your file and submit it as part of the record for this variance. Also, please notify the Commission in writing of the decision made in this case.

Sincerely,



Julie V. LaBranche
Natural Resource Planner

AA 65-05 Ferguson revised plan

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

STATE OF MARYLAND
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www.dnr.state.md.us/criticalarea/

March 15, 2005

Pam Cotter
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road
Annapolis, Maryland 21401

Re: Variance 2004-0581-V Janet and Jeffrey Ferguson

Dear Ms. Rhodes:

Thank you for providing information on the above referenced variance. The applicant is requesting a variance to permit dwelling additions with less setbacks and Buffer than required, with disturbance to steep slopes, and with greater impervious surface than permitted. The property is designated a Limited Development Area (LDA) and is currently developed with a single-family dwelling, a detached garage, a shed, a detached deck, a brick walkway and patio, several retaining walls, a 6-foot wide paved water access, and a pier.

Based on the information provided, we have the following comments regarding the development proposal and variance requests.

- 1) As noted on the site plan and in the Critical area report, nearly the entire property is encumbered by steep slopes with the exception of the area between the dwelling and the garage and between the dwelling and Kinloch Circle.
- 2) The 100-foot Buffer is shown on the site plans; however the Buffer must be expanded for steep slopes on the site. The Buffer should be properly identified and shown on a revised site plan as part of the variance request.
- 3) The applicant proposes to construct an addition to connect the existing dwelling and detached garage. The proposed dwelling addition also includes a 370 square foot porch and a 132 square foot deck. As shown on the site plan, the proposed dwelling addition is located entirely on steep slopes. The footprint of the addition is 2,197.5 square feet, consisting of a 1,432 square foot basement, 2,197.5 square foot first floor, and a 216.9 square foot loft.

- 4) The property currently has 8,575 square feet or 13.2 percent impervious surface coverage, including a dwelling, a detached garage, a paved driveway, a shed, a detached deck, a brick walkway and patio, several retaining walls, and a 6-foot wide paved water access. The applicant requests an impervious surface variance to permit 11,275 square feet or 17.4 percent impervious surface coverage, which exceeds the 15 percent impervious limit by 1,539 square feet.

Because we believe that the application does not present information sufficient for the Hearing Officer to make the required findings under the variance standards, we oppose the applicant's variance request. In 2002 and 2004, the Maryland General Assembly reiterated its commitment to protection of the Chesapeake Bay Critical Area's water quality and wildlife habitat values, by strengthening the Critical Area law. In particular, the General Assembly stated that variances to a local jurisdiction's Critical Area program may be granted only if the Hearing Officer finds that an applicant has satisfied its burden to prove that the applicant meets each one of the County's variance standards, including the standard of "unwarranted hardship." The General Assembly defined that term as follows: without the variance, the applicant would be denied reasonable and significant use of the entire parcel or lot.

Also, the General Assembly affirmed that in considering an application for a variance, a local jurisdiction shall presume that the specific development activity in the Critical Area that is subject to the application and for which a variance is required does not conform with the general purpose and intent of Natural Resources Article 8-1801, regulations adopted under Natural Resources Article 8-1801, and the requirements of the County's Critical Area program. Below, I have discussed each one of the County's variance standards with respect to this variance request.

1. *That special conditions or circumstances exist that are peculiar to the land or structure within the jurisdiction's Critical Area program that would result in an unwarranted hardship to the applicant.* This 1.49-acre lot is improved with a dwelling, a detached garage, a shed, a detached deck, a brick walkway and patio, several retaining walls, a 6-foot wide paved water access, and a pier. Considering the scope of existing development, it appears that the applicant has reasonable and significant use of the property, and therefore this office believes that the standard of unwarranted hardship has not been met.
2. *That a literal interpretation of this subtitle or the local Critical Area Program and related ordinances will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical area of the local jurisdiction.* The property is developed with a dwelling, a detached garage and several accessory structures, and therefore, the denial of the variances would not deny them a right commonly enjoyed by their neighbors. Rights commonly enjoyed must be compared to the rights of other persons under the Critical Area program. Although the property is constrained by steep slopes, there appears to be opportunity on the site to accommodate additional living space in a manner that minimizes impacts to steep slopes and the Buffer. The applicant provides no explanation of why the flat areas between the dwelling and garage and up to the 40-foot front building restriction line could not be utilized for the dwelling expansion. Furthermore, it does not appear the

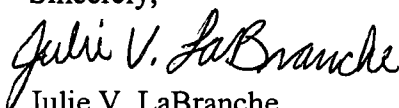
Pam Cotter
Variance 2004-0581-V Janet and Jeffrey Ferguson
March 15, 2005
Page 3

applicant has attempted to comply with impervious surface limits by minimizing impervious surfaces elsewhere on the property to accommodate the proposed dwelling addition. Based on the information provided, this office believes the applicant has not demonstrated that the variances requested are the minimum necessary.

3. *The granting of a variance will not confer upon an applicant any special privilege that would be denied by this subtitle or the local Critical Area program to other lands or structures within the jurisdiction's Critical Area.* If the variance is granted, it would confer upon the applicant a special privilege that would be denied to others in this subdivision, as well as in similar situations in the County's Critical Area. All lands designated LDA within the Critical Area of Anne Arundel County are subject to the impervious surface limits. The applicant has provided no information to support the granting of a variance to exceed impervious surface limits other than the desire for a larger dwelling, in addition to the existing amenities on the property.
4. *The variance request is not based upon conditions or circumstances which are the result of the actions by the applicant, nor does the request arise from any condition conforming, on any neighboring property.* The applicant meets this standard.
5. *The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the jurisdiction's Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Critical Area law and the regulations.* The applicant bears the burden to prove this factor, along with the others discussed above. In 2002 and 2004, the General Assembly re-enacted its findings regarding the importance of maintaining the water quality of the Chesapeake Bay and its contributing tidal watersheds, and reiterated the importance of the minimum 100-foot Buffer to promote the water quality and habitat goals of the legislation. Granting this variance will contribute to the decline of water quality in the Chesapeake Bay by considerably increasing the amount of disturbance and impervious surface coverage on this site. Decline in water quality contributes to declines in aquatic habitat, ultimately affecting the viability of local fisheries and the local economies that depend on them.

Thank you for the opportunity to provide comments. Please include this letter in your file and submit it as part of the record for this variance. Also, please notify the Commission in writing of the decision made in this case.

Sincerely,



Julie V. LaBranche
Natural Resource Planner

AA 65-05

2004 0581-V ✓
AA65-05

RECEIVED

JUN 30 2005

CRITICAL AREA COMMISSION

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2004-0581-V

IN RE: JEFFREY AND JANET FERGUSON

THIRD ASSESSMENT DISTRICT

DATE HEARD: JUNE 23, 2005

ORDERED BY: STEPHEN M. LeGENDRE, ADMINISTRATIVE HEARING OFFICER

PLANNER: PATRICIA A. COTTER

DATE FILED: JUNE 29th, 2005

PLEADINGS

Jeffrey and Janet Ferguson, the applicants, seek a variance (2004-0581-V) to permit dwelling additions with less buffer than required and with disturbance to steep slopes on property located along the south side of Kinloch Circle, east of Fenwick Garth, Arnold.¹

PUBLIC NOTIFICATION

The case was advertised in accordance with the County Code. The file contains the certification of mailing to community associations and interested persons. Each person designated in the application as owning land that is located within 175 feet of the property was notified by mail, sent to the address furnished with the application. Mr. Ferguson submitted an affidavit indicating that the property was posted on June 8, 2005. I find and conclude that the requirements of public notice have been satisfied.

FINDINGS AND CONCLUSIONS

The applicants own a single-family residence with a street address of 1294 Kinloch Circle, also known as Lot 1, Section 6, in the subdivision of Glen Oben. The property comprises 1.49 acres and is zoned R-1 residential with a Chesapeake Bay Critical Area designation as Limited Development Area (LDA). This is a

¹ The case was also advertised for a variance for greater impervious coverage than allowed. However, this aspect of the application was withdrawn and is considered denied. See, Anne Arundel County Code, Article 28, Section 11-106.

waterfront lot on the Severn River. The applicants are proposing an irregularly configured rear addition with disturbances to the Chesapeake Bay Critical Area buffer as expanded for steep slopes and the slopes.

Section 1A-104(a)(1) establishes a minimum 100-foot buffer from tidal waters. The buffer expands to include all lands within 50 feet of contiguous steep slopes. Section 1A-105(d) prohibits disturbance on steep slopes in the LDA. Accordingly, the applicants request variances to disturb the expanded buffer and steep slopes.

Lori Rhodes, a planner with the Office of Planning and Zoning, testified that the property was platted prior to the enactment of the Critical Area program. The property is entirely steep slopes, except the area of the existing improvements. Following discussions with the review agencies, the applicants have revised the plan to decrease the disturbances. Specifically, the existing freestanding garage will be demolished and replaced by a garage wing closer to the road, an existing patio and concrete slabs will be removed and the footprint of the construction has been decreased and relocated closer to the road. The witness summarized the agency comments. The County's Development Review Team offered no objection, subject to mitigation. The Chesapeake Bay Critical Area Commission questioned whether there were still opportunities for minimization, consisting of relocating the garage wing to the 35-foot rear setback and the screened porch atop an existing brick patio. By way of conclusion, Ms. Rhodes offered support for the application.

The proffered testimony of Ms. Ferguson indicated that the applicants purchased the 1970's dwelling (two-story, 1,629 square feet) in 2003. There is 70 feet between the dwelling and the garage. The original design focused on connecting the structures, rather than the Critical Area criteria. She believes that the revised proposal represents the minimum relief and is consistent with other development in the neighborhood, which includes several large homes on steep slopes. The witness submitted letters in support of the application from area residents.

Timothy Madden, the applicants' engineering consultant, submitted a series of exhibits, including existing and proposed conditions, calculations, and comparisons of the original plan and revised plan and the steep slope disturbance calculations. The revised proposal adds 2,016 square feet of living space. There is 2,303 square feet of disturbance to steep slopes, which represents a net decrease of 1,013 square feet as compared to the original plan. In response to the Commission's suggestions, the garage wing cannot be closer to the road without interference to the septic system and the functionality of the design. Similarly, the porch cannot be placed atop the patio because its impervious surface will be removed and the location does not function with other elements of the design.

Shep Tullier, a land planning consultant to the applicants, testified in summary fashion that the revised proposal satisfies the variance criteria. There was no other testimony in the matter.

Upon review of the facts and circumstances, I find and conclude that the applicants are entitled to relief from the code. For this Critical Area property, due to the extent of the expanded buffer and steep slopes, a strict implementation of the program would result in an unwarranted hardship. To literally interpret the program would deny the applicants the right to expand the dwelling, a right commonly enjoyed by other properties in similar areas of the Critical Area. Conversely, the granting of the variance will not confer any special privilege that the program typically denies. There is no indication that the request results from the actions of the applicants or from land use on neighboring property. Finally, with mitigation, the variance will not adversely impact Critical Area resources and will be harmonized with the general spirit and intent of the program.

I further find that the revised site plan represents the minimum relief. Although the applicants are proposing a substantial addition, the disturbances have been pulled away from the steep slopes. Mr. Madden provided a sufficient response to the suggestion by the Commission for additional minimization. I further find that the granting of the variances will not alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent property or cause a detriment to the public welfare. The approval is subject to the conditions in the Order.

ORDER

PURSUANT to the application of Jeffrey and Janet Ferguson, petitioning for a variance to permit dwelling additions with less buffer than required and with disturbance to steep slopes; and

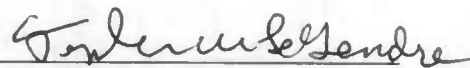
PURSUANT to the advertising, posting of the property, and public hearing and in accordance with the provisions of law, it is this 29th day of June, 2005,

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicants are hereby **granted** variances to disturb the expanded buffer and steep slopes to permit dwelling additions in accordance with the revised site plan.

The foregoing variances are subject to the following conditions:

1. No further expansion of the dwelling is allowed.
2. The applicants shall provide mitigation as determined by the Permit Application Center.
3. The building permit is subject to the approval of the Department of Health.

FURTHER ORDERED that the applicants are **denied** a variance to impervious coverage.


Stephen M. LeGendre
Administrative Hearing Officer

NOTICE TO APPLICANT

Within thirty days from the date of this Decision, any person, firm, corporation, or governmental agency having an interest therein and aggrieved thereby may file a Notice of Appeal with the County Board of Appeals.

Further Section 11-102.2 of the Anne Arundel County Code states:

A variance granted under the provision of this Article shall become void unless a building permit conforming to the plans for which the variance was granted is obtained within one year of the grant and construction is completed within two years of the grant.

If this case is not appealed, exhibits must be claimed within 60 days of the date of this Order, otherwise that will be discarded.

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



June 3, 2005

Anne Arundel County
Office of Planning and Zoning
2664 Riva Road
Annapolis, Maryland 21401

Attn: Ms. Patricia Cotter

Re: The Ferguson Residence
Case No. 2004-0581-V

Dear Pam:

Enclosed please find 5 copies of the revised plans for the subject variance, a chart which compares the revised plans to the original plans, and a colored exhibit highlighting the existing and proposed conditions on the property. Since our last meeting on April 8, 2005, we have worked diligently to revise the plans for the addition. Architectural and site design modifications have been made to address your prior comments and to produce a better proposal. The advantages of the revised design include the following:

1. The existing garage will be demolished and replaced in a location closer to the street, which modification results in less impact to steep slopes.
2. The existing lower patio will be removed, resulting in less impervious area than originally proposed.
3. The proposed addition has been reduced in footprint.
4. The proposed addition has been shifted towards the street, which results in less impact to steep slopes.
5. Existing concrete slabs will be removed to further reduce the total impervious area proposed.

14280 Park Center Drive, Suite A, Laurel, MD 20707 (410) 792-9792 (301) 775-1690 Fax: (410) 792-7395

Annapolis, MD
(410) 515-9000

Laurel, MD
(410) 792-9792

Towson, MD
(410) 821-1690

Georgetown, DE
(302) 855-5734

Wilmington, DE
(302) 326-2200

Anne Arundel County
Office and Planning and Zoning
Re: The Ferguson Residence
May 26, 2005
Page 2

Given these modifications, which are further illustrated on the enclosed plans and chart, we have eliminated the need for a variance to exceed the maximum impervious surface area coverage of 15% on the property. Originally, the project would have resulted in 10,963 square feet (16.96%) of impervious area on the property. As proposed in the revised plans, impervious surface area coverage on the property has been reduced by 1,292 square feet to a total of 9,671 square feet (14.96%).

We trust that enclosed revised plans meet with your approval. Please contact this office if you have any further comments.

Very Truly Yours,

MORRIS & RITCHIE ASSOCIATES, INC.

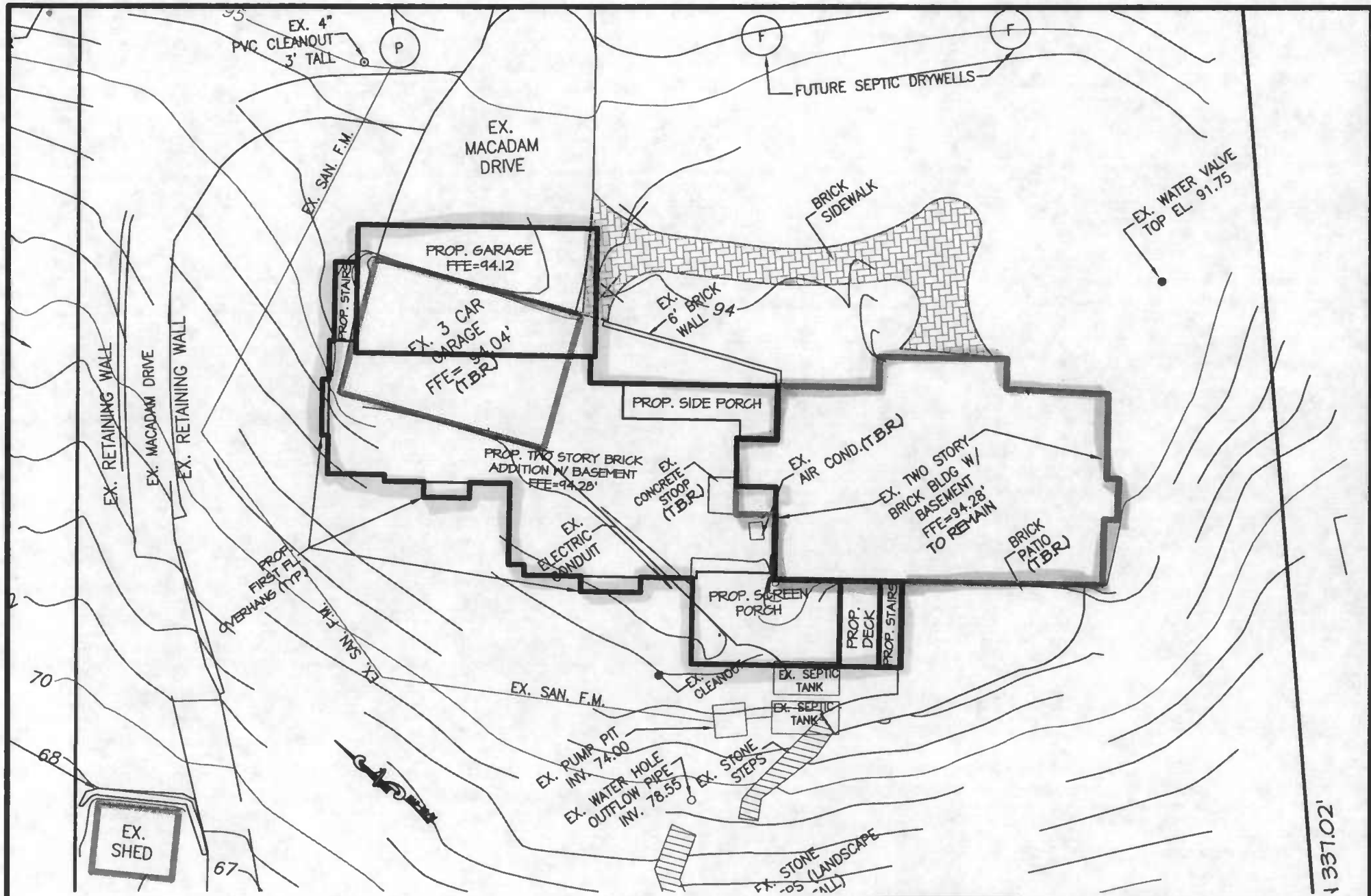


Timothy F. Madden, ASLA, AICP
Principal

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13989

Enclosure

cc: Janet & Jeff Ferguson
Kathy Dahl (Hyatt, Peters & Weber, LLP)



EXISTING BUILDING OUTLINE
 PROPOSED BUILDING OUTLINE

FERGUSON PROPERTY

SCALE: 1" = 20'



MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

14280 PARK CENTER DRIVE, SUITE A
 LAUREL, MARYLAND 20707
 (410) 792-9792 or (301) 776-1090
 FAX (410) 792-7395

1337.02'

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



December 23, 2004

Anne Arundel County
Office of Planning & Zoning / Development Division
2664 Riva Road
P.O. Box 6675
Annapolis, Maryland 21401

Re: Ferguson Property
Variance Letter of Explanation

To Whom It May Concern:

The applicant formally seeks a variance in accordance with Section 11-102.1 to construct an addition to the existing dwelling within the steep sloped areas of the property. The entire property, with the exception of the area that was graded to construct the house and garage before 1985, is steep slopes. The proposed addition is two stories in height and also includes a basement. The proposed square footage of each floor is as follows: (a) Basement floor: 1432 sq. ft. (b) First Floor: 2197.5 sq. ft. (c) Loft: 216.9 sq. ft. Also to be constructed as a part of the addition will be a deck and porch with areas of 132 sq. ft. and 370 sq. ft., respectively.

*4,216 SF
enclosed
+ deck*

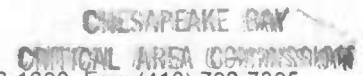
The applicant also seeks a variance in accordance with Section 11-102.1 to exceed the regulated impervious surface requirement of 15%.

There are several points of justifications for these requests. First, the majority of site is made up of steep slopes. There is a small area of the site that was graded prior to 1985 to allow the construction of the existing dwelling and garage. The existing residence and garage, were built upon steep slopes prior to the existence of the current regulatory prohibitions.

Secondly, building setbacks and placement of the existing and replacement septic seepage pits prevent the proposed addition from being constructed in the aforementioned graded areas.

Thirdly, the orientation and floor plan layout of the existing dwelling and existing garage dictate the placement of the proposed addition. Both existing structures were constructed prior to 1985 in the steep sloped areas of the property. Therefore, any addition to the existing structures would have to be constructed in steep sloped areas. There is no way to avoid disturbance of steep slopes.

FEB 7 2005



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www.mragta.com

Anne Arundel County
Re: Ferguson Property
December 23, 2004
Page 2 of 2

The requested variances are the minimum disturbance necessary to construct the proposed addition.

Please contact me if you require additional information.

Very truly yours,
MORRIS & RITCHIE ASSOCIATES, INC.



Timothy F. Madden, ASLA, AICP
Principal

Critical Area Report

Ferguson Property
3rd Election District
Anne Arundel County, Maryland

December 23, 2004

Prepared by:
Briana C. Campbell, E.I.T.

Morris & Ritchie Associates, Inc.
1428 Park Center Drive, Suite A
Laurel, Maryland 20707
(410) 792-9792 or (301) 776-1690
Facsimile (410) 792-7395

MRA Job Number: 13989



NARRATIVE STATEMENTS

- a. Describe the proposed use of project site and include if the project is residential, commercial, industrial, or maritime.

This project is on a residential lot. The proposed construction will consist of a two-story addition (with a basement) to the existing house. This addition will link the existing garage with the existing house. The basement floor footprint is 1432 sq. ft. The first floor, which slightly cantilevers over the basement, has an area of 2197.5 sq. ft. Other items included in the addition are a porch and deck with areas of 370 sq. ft. and 132 sq. ft., respectively.

- b. Describe the type of predominant trees and shrubs on the subject property. Include a statement addressing the square footage of the property that is vegetated with trees and shrubs, how much of the property will be disturbed by proposed development, and how the disturbance will be mitigated.

50%

The area of the lot is 1.49ac. Approximately 0.75 ac. of the site is vegetated. The types of tree predominantly found on this site include: Tulip poplars, Pincherries, and Oaks. The types of shrubs predominantly found on this site include: Mountain Laurels, Rhododendron and American Hollies. The limit of disturbance for the construction of the addition will be 4,623 sq. ft. About 1930 sq. ft. of the limit of disturbance will be planted.

- (reported as 4,867 sf on sheet 20 of 3)*
- c. Describe the methods to minimize impacts on water quality and habitat from proposed areas, driveways, and concrete areas.

Plantings of native shrubs and tree species will be used to minimize impacts on water quality and provide future wildlife habitat. The amount of area that is to be replanted will be equal to the area of disturbance. The replanted area is immediately downstream of the construction area so runoff from impervious surfaces will be filtered through the planted areas. To minimize impacts on water quality from proposed construction, a double row of super silt fence will be used at the bottom of the property embankment.

- d. Calculate the impervious surface before and after construction, including all structures, gravel areas, driveways, and concrete areas.

EXISTING IMPERVIOUS AREA		
AREAS	SQUARE FEET	ACRES
6' Mac. Pathway	3258.95 sf	0.07 ac.
Ex. House w/ canopy	1694.25 sf	0.04 ac.
Ex. Garage	676.31 sf	0.02 ac.
Brick Patio	448.82 sf	0.01 ac.
Brick Sidewalk	557.23 sf	0.01 ac.
Ex. Stone steps	185.01 sf	0.004 ac.
Ex. Shed	126.79 sf	0.003 ac.
Ex. Mac. Driveway	1300.44 sf	0.03 ac.
Ex. Wood Deck	306.06 sf	0.01 ac.
Ex. Concrete	21.39 sf	0.0005 ac.
TOTAL	8575.27 sf	0.197 ac.

PROPOSED IMPERVIOUS AREA		
AREAS	SQUARE FEET	ACRES
Prop. Addition	2197.50 sf	0.05 ac.
Porches	370.00 sf	0.01 ac.
Decks	132.00 sf	0.003 ac.
TOTAL	2699.50 sf.	0.062 ac.

TOTAL SITE AREA:	64904.4 sf.	1.49 ac.
Allowable Impervious Area (15%)	9736 sf	0.22 ac.
TOTAL IMPERVIOUS FOR WHOLE SITE:	11274.77 sf	0.26 ac.

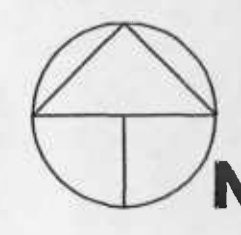
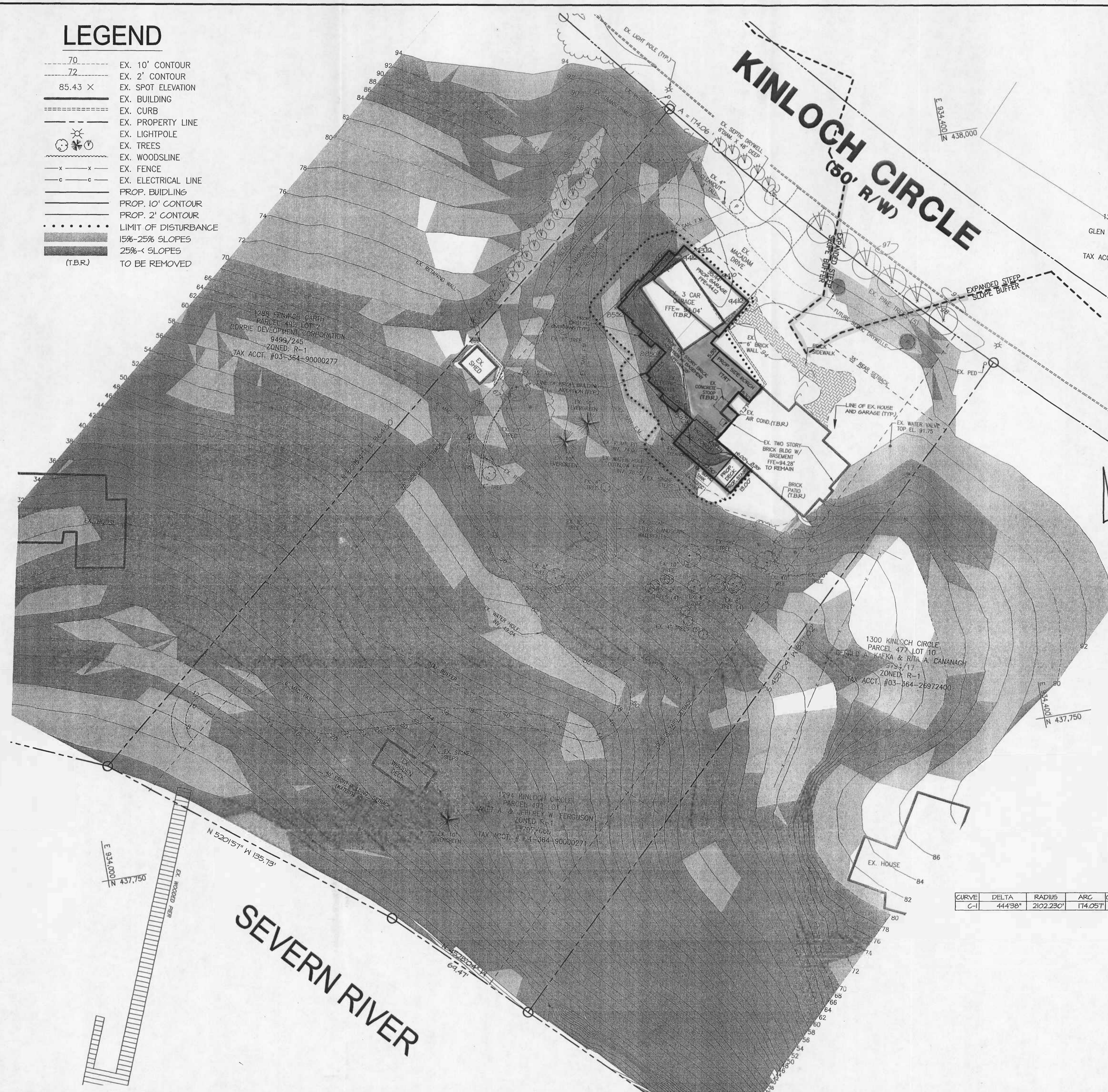
17.4%
(41,539sf)

- e. If applicable, describe any habitat protection areas on the subject property including expanded buffers, steep slopes of 15% and greater, rare and endangered species, anadromous fish propagation waters, colonial water bird nesting sites, historic waterfowl staging and concentration areas, riparian forests, natural heritage areas and plant and wildlife habitats of local significance.

This site does not contain any habitat protection areas however, there are steep slopes of 15% and greater on site. These steep slopes are the majority of the site. The only portion of the site that does not contain steep slopes is on the southwestern side of site along the shoreline of the Severn River in the northeastern portion of the site, where the site topography was modified prior to 1985 to allow construction of the existing dwelling and garage.

LEGEND

- 70 ----- EX. 10' CONTOUR
- 72 ----- EX. 2' CONTOUR
- 85.43 x EX. SPOT ELEVATION
- ===== EX. BUILDING
- EX. CURB
- EX. PROPERTY LINE
- ⊙ EX. LIGHTPOLE
- ⊙ EX. TREES
- EX. WOODSLINE
- x-x- EX. FENCE
- c-c- EX. ELECTRICAL LINE
- PROP. BUILDING
- PROP. 10' CONTOUR
- PROP. 2' CONTOUR
- LIMIT OF DISTURBANCE
- 15%-25% SLOPES
- 25%+ SLOPES
- (T.B.R.) TO BE REMOVED



COPYRIGHT ADC THE MAP PEOPLE
 PERMITTED USE NO. 20602149
 MAP NO. 15 GRID E-12



VICINITY MAP
 SCALE: 1" = 2000'

EX. TENNIS COURT
 1222 FENWICK GARTH
 PARCEL 438
 GLEN OBAN ASSOCIATION INC.
 2466/794
 ZONED: R-1
 TAX ACCT. #03-000-11676370

230 GLEN OBAN
 PARCEL 477 LOT 11
 ROBERT W. WARFIELD
 4374/367
 ZONED: R-1
 TAX ACCT. #03-364-19341170

1300 KINLOCH CIRCLE
 PARCEL 477 LOT 10
 GERALD A. KAFKA & RITA A. CAVANAGH
 3794/117
 ZONED: R-1
 TAX ACCT. #03-364-26972400

1294 KINLOCH CIRCLE
 PARCEL 492 LOT 1
 WILET A. & JEREMY W. FERGUSON
 ZONED: R-1
 707/1000
 TAX ACCT. #03-364-90000277

SITE ANALYSIS

1. LOT AREA 64,904 SF OR 1.49 AC.
2. ZONING R-1
3. EXISTING LAND USE RESIDENTIAL
4. LIMIT OF DISTURBANCE 4,700.69 SF OR 0.11 AC.
5. EXISTING BUILDING AREA 2,306.17 SF OR 0.05 AC.
6. EXISTING IMPERVIOUS AREA 8,396.09 SF OR 0.19 AC. (13.0% OF SITE)
7. EXISTING GREEN AREA/OPEN SPACE 56,508 SF OR 1.30 AC.
8. TOTAL PROP. BUILDING AREA 4,393.26 SF OR 0.10 AC.
9. TOTAL PROP. IMPERVIOUS AREA 9,671.77 SF OR 0.22 AC. (14.9% OF SITE)
10. PROPOSED GREEN AREA/OPEN SPACE 55,232.23 SF OR 1.27 AC. (+1,276 SF)
11. SETBACKS REQUIRED FOR R-1 ZONING:
 SIDE: 15' MIN., 40' (COMBINED)
 FRONT: 40.0'
 REAR: 35.0'
12. SETBACKS PROVIDED:
 SIDE: 40.0'
 FRONT: 40.0'
 REAR: 35.0'
13. SITE IS SERVED BY PUBLIC WATER
 SITE IS SERVED BY PRIVATE SEPTIC
14. PROP. ADDITION FLOOR AREAS
 BASEMENT: XXXX SF OR XXX AC.
 FIRST FLOOR: 2,101.36 SF OR 0.05 AC.
 LOFT: XXX SF OR XXXX AC.

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD	TANGENT
C-1	44°38'	2102.230'	174.057'	S42°06'32"E	174.008'	87.078'



MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

14280 PARK CENTER DRIVE, SUITE A
 LAUREL, MARYLAND 20707
 (410) 792-9792 or (301) 776-1690
 FAX (410) 792-7395

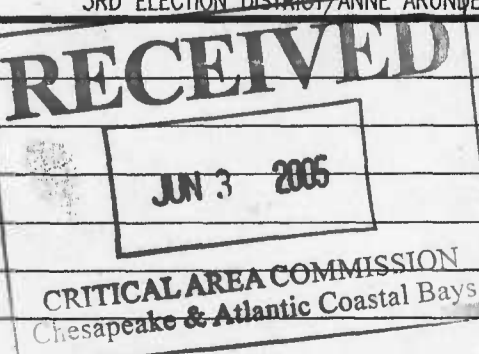


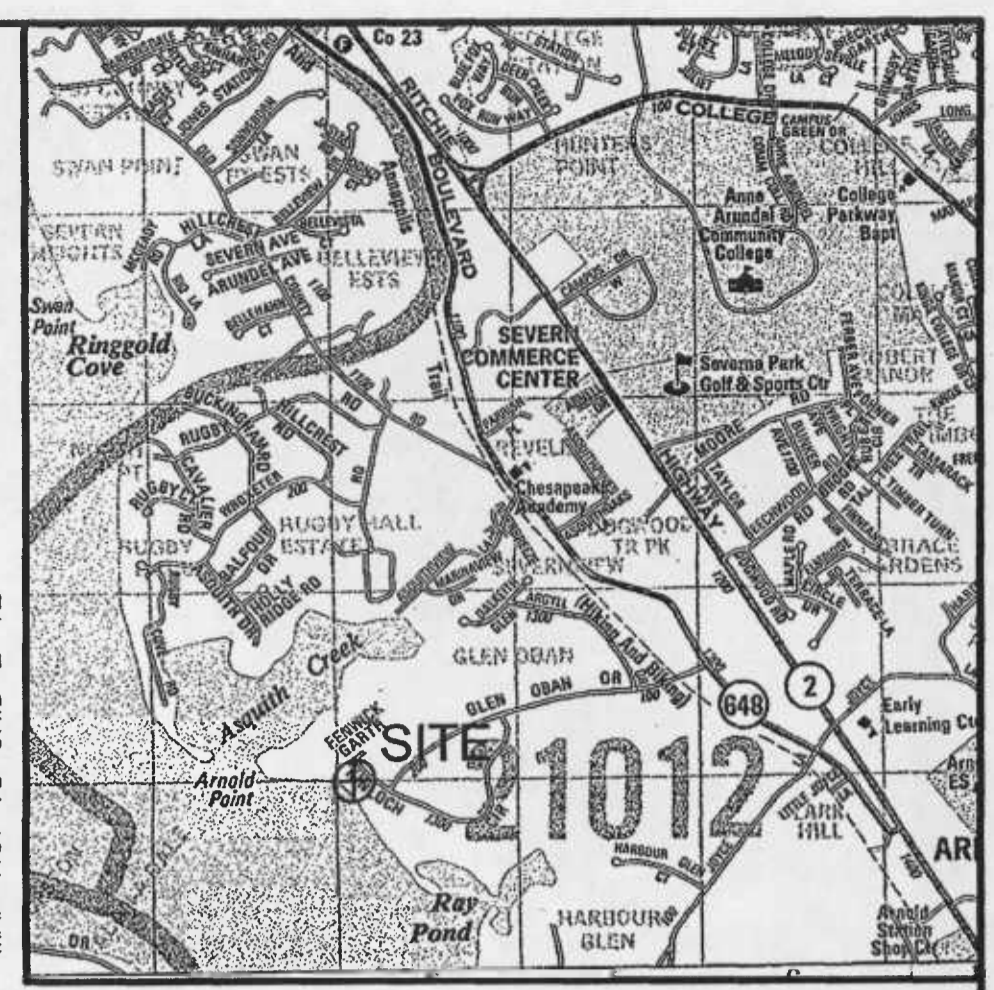
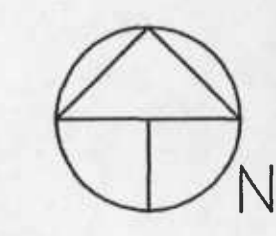
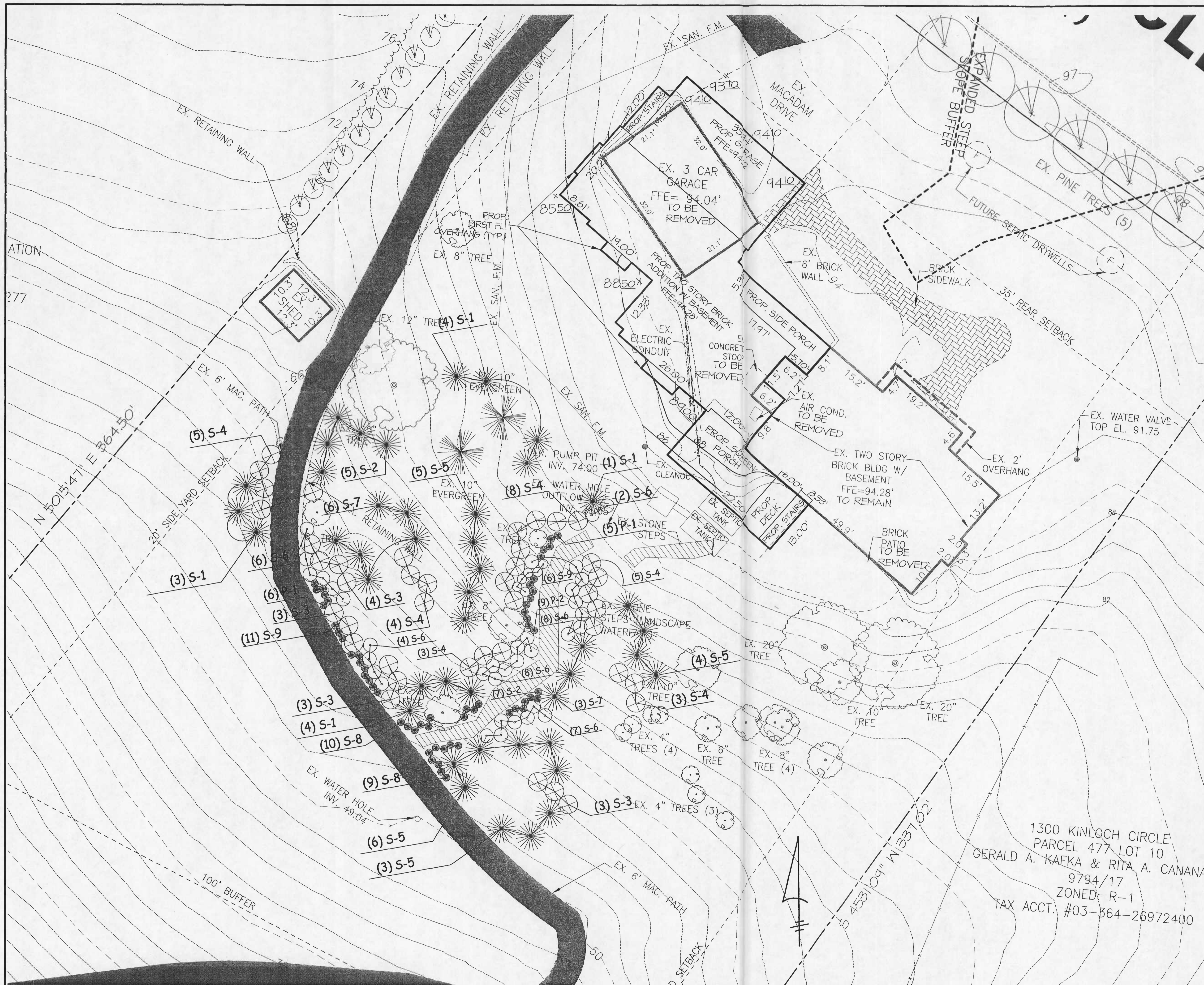
FERGUSON PROPERTY
 1294 KINLOCH CIRCLE
SITE PLAN
 TO ACCOMPANY VARIANCE

LIBER 2306/FOLIO 801
 ZONE R-1/TAXMAP 39/GRID 9
 3RD ELECTION DISTRICT/ANNE ARUNDEL COUNTY

DATE	REVISIONS	JOB NO:	SCALE:
		13989	1"=20'
			DATE: 06-03-05
			DRAWN BY: BCC
			DESIGN BY: BCC
			REVIEW BY: TCN
			SHEET: 1 OF 3

OWNER/DEVELOPER/APPLICANT
 JEFFREY FERGUSON
 1294 KINLOCH CIRCLE
 ARNOLD, MARYLAND 21012
 PHONE: (410)274-4469





VICINITY MAP
SCALE: 1" = 2000'

PLANT LIST

Shrubs					
Key	Quantity	Botanical Name / Common Name	Size	Root	Remarks
S-1	12	<i>Amelanchier obovata</i> Obovate Serviceberry	1 Gallon	Container	
S-2	5	<i>Clethra alnifolia</i> Sweet Pepperbush	1 Gallon	Container	
S-3	13	<i>Ilex glabra</i> Inkberry	1 Gallon	Container	
S-4	28	<i>Ilex laevigata</i> Winterberry	1 Gallon	Container	
S-5	18	<i>Lindera benzoin</i> Spicebush	1 Gallon	Container	
S-6	35	<i>Rhododendron atlanticum</i> Coast Azalea	1 Gallon	Container	
S-7	9	<i>Sambucus canadensis</i> Common Elderberry	variable	Container or Bare-Root	
S-8	19	<i>Vaccinium angustifolium</i> Late Lowbush Blueberry	1 Gallon	Container	
S-9	17	<i>Vaccinium vacillans</i> Early Lowbush Blueberry	1 Gallon	Container	

Perennials			
Key	Quantity	Botanical Name / Common Name	Size
P-1	11	<i>Dryopteris marginalis</i> Marginal Shield Fern	1 Qt.
P-2	16	<i>Polystichum acrostichoides</i> Christmas Fern	1 Qt.

ANNE ARUNDEL COUNTY

COUNTY REQUIREMENTS FOR CRITICAL AREA PLANTINGS ARE BASED UPON A TOTAL SQ. FT. OF DISTURBANCE TO EXISTING FOREST ON SITE, 4,867 SQ. FT. THESE PLANTINGS ARE TO BE BONDED AT \$.60/ SQ. FT. OR \$2,920.20.

1300 KINLOCH CIRCLE
PARCEL 477 LOT 10
GERALD A. KAFKA & RITA A. CANANAI
9794/17
ZONED: R-1
TAX ACCT. #03-364-26972400

	MORRIS & RITCHE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 14280 PARK CENTER DRIVE, SUITE A LAUREL, MARYLAND 20707 (410) 792-9792 or (301) 776-1690 FAX (410) 792-7395	
	FERGUSON PROPERTY 1294 KINLOCH CIRCLE REPLANTING PLAN <small>LIBER 2306/FOLIO 801 ZONE R-1/TAXMAP 39/GRID 9 3RD ELECTION DISTRICT/ANNE ARUNDEL COUNTY</small>	
DATE: _____ REVISIONS: _____ RECEIVED JUN 3 2006 CRITICAL AREA COMMISSION <small>Chesapeake & Atlantic Coastal Bays</small>	OWNER/DEVELOPER/APPLICANT JEFFREY FERGUSON 1294 KINLOCH CIRCLE ARNOLD, MARYLAND 21012 PHONE: (410)274-4469	JOB NO: 13989 SCALE: 1"=10' DATE: 06-03-05 DRAWN BY: BCC DESIGN BY: BCC REVIEW BY: TCN SHEET: 2 OF 3