- AA 278-05 Converse, Charles
VAR 0109:

7/25 MSA-S-1829-4635

Comments
S/12/05
Comments
W/15/0582

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/

July 25, 2006

Ms. Pam Cotter Anne Arundel County Office of Planning and Code Enforcement 2664 Riva Road Annapolis, Maryland 21404

Re:

2006-0230-V; 589 Highbank Road

CJC, LLC

Dear Ms. Cotter:

Thank you for providing information on the above referenced variance. The applicant is requesting a variance to permit a dwelling with less Buffer than required and with disturbance to steep slopes. The property is designated a Limited Development Area (LDA) and a Buffer Modification Area. The property was previously developed with a single family residence that was destroyed by fire.

Provided the lot is properly grandfathered, this office does not oppose the variance request; however impacts must be minimized and the variance the minimum necessary. Based on the information provided, we have the following comments regarding the development proposal and the variance request.

- 1. It would appear that impacts to steep slopes and forest vegetation through the placement of the well could potentially be minimized. If possible, the applicant should locate the well the minimum distance necessary to meet Health Department requirements.
- 2. Mitigation should be provided within the Buffer at a ratio of 2:1 for the amount of newly developed impervious surface.

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,

Kate Schmidt

Natural Resource Planner

cc: AA287-05

TTY for the Deaf Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450 Robert L. Ehrlich, Jr.

Governor

Michael S. Steele

Lt. Governor



Martin G. Madden Chairman

Ren Serey
Executive Director

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June 15, 2005

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

Re: Variance 2005-0109-V Charles Converse

Dear Ms. Schappert:

Thank you for providing information on the above referenced variance. The applicant is requesting a variance to permit a dwelling with less Buffer than required and with disturbance to steep slopes. The property is designated a Limited Development Area (LDA) and a Buffer Exemption Area (BEA). The property consists of Parcel 20 and Parcel 21.

I conducted a site visit with County staff to the property on April 18, 2005 accompanied by Mr. and Mrs. Converse and Bob Baxter (Diversified Permits, Inc.). Based on discussions during the site visit, I understand that the Converse's primary residence on Parcel 21 was severely damaged by a fire and was recently demolished by order of the Health Department. The existing dwelling on Parcel 20 was also damaged by the fire and is currently uninhabited. In addition, this office received for review a revised site plan on April 29, 2005 and supplemental information on June 10, 2005.

Providing Parcels 20 and 21 and the existing impervious surface coverage on the parcels are properly grandfathered, this office does not oppose the variance request; however, impacts must be minimized and the variance the minimum necessary. Based on the information provided, we have the following comments regarding the development proposal and variance request.

1) Our records indicate that Parcel 21 was the subject two previous variances, Case No. 1999-0137-V and Case No. 2000-0084-V. In Case No. 1999-0137-V, the Hearing Officer granted a variance to permit construction of a second story over the garage and a two-story addition connecting the dwelling to the garage. In Case No. 2000-0084-V, the Hearing Officer granted a variance to construct a 250 square foot waterfront deck addition (over existing impervious surface). In both cases, the variances resulted in no increase in existing impervious surface coverage on Parcel 21. Based on our records for Case No. 2000-0084-V, the applicant reported the existing impervious surface coverage as 2,699 square feet or 24.3 percent. As stated by the applicant in his letter of

Suzanne Schappert Variance 2005-0109-V Charles Converse June 15, 2005 Page

June 8, 2005 (refer to attachment), the impervious surface calculations reported in the variance application were incorrect. The applicant reports that the impervious surface coverage on Parcel 21 at the time of the two previous variances was approximately 4,319 square feet.

- 2) As noted on the revised site plan, steep slopes are present over both parcels. With expansion of the Buffer for steep slopes, the property is entirely within the Buffer.
- 3) The applicant proposes to remove the dwelling on Parcel 20 and to merge Parcel 20 and Parcel 21 (22,498 square feet total) to construct a single-family dwelling. The current proposal will reduce the existing impervious surface coverage on the combined parcels from 7,186 square feet (4,460 square feet on Parcel 21 and 2,726 on Parcel 20) to 6,391 square feet, including the removal of a covered patio and impervious walkways near the shoreline. The footprint of the proposed dwelling extends no further waterward than the setback as established by the dwellings on each of the parcels. As compared with the original site plan, the limits of disturbance have been reduced from 15,735 square feet to 14,885 square feet. As discussed during the site visit, grading proposed waterward of the dwelling is necessary to remove an existing retaining wall along the existing parcel boundary and match the existing uneven grades to properly convey runoff from the front yard. We note that the proposed grading in the front yard has been minimized as compared with the previous plan. Several large canopy trees will be removed as a result of grading, several of which were severely to moderately damaged by the fire.
- 4) Mitigation should be required consistent with the provision of the County's Buffer Exemption and Enhancement Program (Anne Arundel County Zoning Ordinance Article 28, §1A-109): for every foot of newly developed impervious surface within the Buffer, a vegetated buffer shall be planted within the Buffer at a ratio of two times the amount of newly developed impervious surface. If there is insufficient space to accommodate all of mitigation plantings on site, mitigation can be provided elsewhere as described in the Program.
- 5) As shown on the site plan, the applicant proposes a pretreatment trench and an infiltration trench in the front yard to provide water quality treatment of stormwater on the site.

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, Juli V. JaBranche

Julie V. LaBranche

Natural Resource Planner

cc: Bob Baxter (Diversified Permits, Inc.)

AA 278-05 Converse revised

Robert L. Ehrlich, Jr. Governor

Michael S. Steele



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/

May 12, 2005

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

Re: Variance 2005-0109-V Charles Converse

Dear Ms. Schappert:

Thank you for providing information on the above referenced variance. The applicant is requesting a variance to permit a dwelling with less Buffer than required and with disturbance to steep slopes. The property is designated a Limited Development Area (LDA) and a Buffer Exemption Area (BEA). The property consists of Parcel 20 and Parcel 21. This office received a revised site plan for review on April 29, 2005.

I conducted a site visit with County staff to the property on April 18, 2005 accompanied by Mr. and Mrs. Converse and Bob Baxter (Diversified Permits, Inc.). Based on discussions during the site visit, I understand that the Converse's primary residence on Parcel 21 was severely damaged by a fire and was recently demolished by order of the Health Department. The existing dwelling on Parcel 20 was also damaged by the fire and is currently uninhabited.

Providing the parcels are properly grandfathered, this office does not oppose the variance request; however, impacts must be minimized and the variance the minimum necessary. Based on the information provided, we have the following comments regarding the development proposal and variance request.

1) Our records indicate that Parcel 21 was the subject two previous variances, Case No. 1999-0137-V and Case NO. 2000-0084-V. In Case No. 1999-0137-V, the Hearing Officer granted a variance to permit construction of a second story over the garage and a two-story addition connecting the dwelling to the garage.

Suzanne Schappert Variance 2005-0109-V Charles Converse May 12, 2005 Page

In Case No. 2000-0084-V, the Hearing Officer granted a variance to construct a 250 square foot waterfront deck addition (over existing impervious surface). Based on our records for Case No. 2000-0084-V, the applicant reported the existing impervious surface coverage as 2,699 square feet or 24.3 percent. We note that the applicant reports in the current variance application that the impervious surface coverage on Parcel 21, prior to the fire, was 4,460 square feet or 40.2 percent, which exceeds the maximum allowable impervious surface limit of 3,469 square feet or 31.25 percent. The applicant should provide information regarding the substantial increase in impervious surface coverage on Parcel 21 since the granting of the last variance, and if necessary, amend the current request to include an impervious surface variance.

- 2) As noted on the revised site plan, steep slopes are present over both parcels. With expansion of the Buffer for steep slopes, the property is entirely within the Buffer.
- 3) The applicant proposes to remove the dwelling on Parcel 20 and merge Parcel 20 and Parcel 21 (22,498 square feet total) to construct a single-family dwelling. The current proposal will reduce the existing impervious surface coverage on the combined parcels from 7,186 square feet to 6,391 square feet, including removal of a covered patio and impervious walkways near the shoreline. The footprint of the proposed dwelling extends no further waterward than the setback as established by the dwellings on each of the parcels. As compared with the original site plan, the limits of disturbance have been reduced from 15,735 square feet to 14,885 square feet. As discussed during the site visit, grading proposed waterward of the dwelling is necessary to remove an existing retaining wall along the existing parcel boundary and match the existing uneven grades to properly convey runoff from the front yard. We note that the proposed grading in the front yard has been minimized as compared with the previous plan. Several large canopy trees will be removed as a result of grading, several of which were severely to moderately damaged by the fire.
- 4) Mitigation should be required consistent with the provision of the County's Buffer Exemption and Enhancement Program (Anne Arundel County Zoning Ordinance Article 28, §1A-109): for every foot of newly developed impervious surface within the Buffer, a vegetated buffer shall be planted within the Buffer at a ratio of two times the amount of newly developed impervious surface. If there is insufficient space to accommodate all of mitigation plantings on site, mitigation can be provided elsewhere as described in the Program.
- 5) As shown on the site plan, the applicant proposes a pretreatment trench and an infiltration trench in the front yard to provide water quality treatment of stormwater on the site.

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.

Suzanne Schappert Variance 2005-0109-V Charles Converse May 12, 2005 Page

Sincerely,

Julie V. LaBranche

Natural Resource Planner

Juli V. JaBranche

cc: Bob Baxter (Diversified Permits, Inc.)

AA 278-05 Converse

791-03



BOARD OF APPEALS P.O. BOX 2700, 44 CALVERT ST., RM. 160 ANNAPOLIS, MARYLAND 21404 410-222-1119

September 30, 2005

RE: Withdrawal of Appeal

BA 87-05A

Converse Builders

Dear Property Owner:

The Board of Appeals has been advised that the appellant wishes to withdraw this appeal.

Rule 3-l02(c) states that appeals may be withdrawn as follows:

(c) An appellant who seeks to withdraw an appeal at any time after 30 days following the date of the order or decision being appealed may do so if no objection to the withdrawal is made by any other party or any owner of real property within 175 feet of the subject property, or if granted permission to withdraw by the Board upon good cause shown.

This is to advise you that the Board intends to act on this withdrawal request after 10 days from the date of this letter.

If you have any objections, comments, or questions regarding the withdrawal of this appeal, please direct them to the Board of Appeals office at (410) 222-1119.

Mary M. Leavell

My Mackell

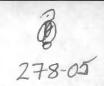
Clerk

cc: Property Owners
News Media
Critical Area Commission
Anthony F. Christhilf, Esq.
David M. Plott, Esq.
Sarah M. Iliff, Esq.
Frank W. Ward
Marlene Patmore

RECEIVED

OCT 04 2005

CRITICAL AREA COMMISSION

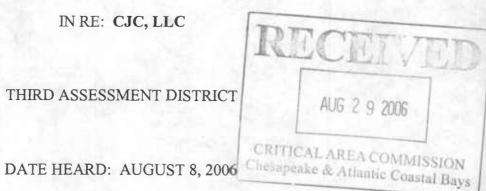


IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2006-0230-V

IN RE: CJC, LLC

THIRD ASSESSMENT DISTRICT



ORDERED BY: STEPHEN M. LeGENDRE, ADMINISTRATIVE HEARING OFFICER

PLANNER: SUZANNE SCHAPPERT

DATE FILED: AUGUST 25

PLEADINGS

CJC, LLC, the applicant, seeks a variance (2006-0230-V) to allow a dwelling with less buffer than required and with disturbance to steep slopes on property located along the west side of Highbank Road, west of Lake View Circle, Severna Park.¹

PUBLIC NOTIFICATION

The hearing notice was posted on the County's web site 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. Charles Converse testified that the property was posted for more than 14 days prior to the hearing. I find and conclude that the requirements of public notice have been satisfied.

FINDINGS AND CONCLUSIONS

The dwelling on this buffer modified, waterfront lot on the Severn River is fire damaged. In Case No. 2005-0109-V (July 25, 2005), this office denied the request of Mr. and Mrs. Converse to merge this property with their then vacant adjacent property (581 Highbank Road) for redevelopment as a single principal

¹ The case was heard at the same time as Case No. 2006-0218-V requesting a pier platform and pilings with less setbacks than required.

use. There was no appeal. In the interim, the Converses obtained a building permit for the construction of their home on the adjacent property; there were no variances. The present request is to raze the fire damaged dwelling, followed by the construction of a new dwelling. As in the 2005 case, the project entails the removal of impervious surfaces from the 100-foot Chesapeake Bay Critical Area buffer. Because the deck addition on the replacement home is slightly forward of the front façade of the existing home (83 feet from water versus 88 feet from water) the new construction also requires variances to disturb the buffer as expanded for steep slopes and to disturb the slopes.

Anne Arundel County Code, Article 18, Section 18-13-104(a) creates a 100-foot buffer from tidal waters. The buffer expands to include all lands with 50 feet of contiguous steep slopes. However, Section 18-13-104(b) creates a Buffer Modification Area with respect to all or part of a lot created before December 1, 1985 on which the existing pattern of development prevents the 100-foot buffer from performing its protective function. Article 17, Section 17-8-702(c) allows redevelopment of existing impervious surfaces within the same footprint as previously existing development. Finally, Section 17-8-201 proscribes development in the Limited Development Area (LDA) on slopes of 15 percent or greater. Accordingly, as in the 2005 case, the proposal requires variances to the buffer and expanded buffer and a variance to disturb steep slopes.

Suzanne Schappert, a planner with the Office of Planning and Zoning, testified that the property is below the minimum area and width for the district.

The witness conceded the need for relief in the redevelopment of the property.

However, she initially questioned the extent of the relief, under the mistaken belief that most of the waterfront decking addition projected closer to the shore than the front façade of the preexisting dwelling. The witness summarized the agency comments. The County's North Development Team suggested relocating the dwelling three feet closer to the road to the minimum rear setback. The North Development Team also opposed the removal of trees for the temporary stockpile. The Chesapeake Bay Critical Area Commission offered no objection, subject to mitigation. By way of ultimate conclusion, Ms. Schappert supported the request.

Robert Baxter, the applicant's engineering consultant, testified that the deck addition, including the staircase, extends 10 feet from the front façade of the replacement dwelling, and is further from shore than the preexisting patio (83 feet versus 81 feet). The dwelling could not be relocated closer to the road due to the proximity to the water well on the Converses' adjacent property. The witness submitted a listing of properties along Highbank Road with waterfront deck and patio additions, including several properties with improvements less than 100 feet from water. Although the stockpile could be relocated, the installation of the water well on the waterside of the replacement dwelling requires the removal of trees. The project also includes stormwater management. Finally, the redevelopment proposal is consistent with other development in the neighborhood.

Mr. Converse testified that the request is unobjectionable to neighboring residents and submitted a letter of support from the owners of 583 Highbank Road.

There was no other testimony in the matter.

Upon review of the facts and circumstances, I find and conclude that the applicant is 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 will deny the applicant the right to redevelop the property with a single-family dwelling, a right commonly enjoyed by other properties in similar areas of the Critical Area. Conversely, the granting of the variances does not confer any special privilege that the program typically denies. There is no indication that the request results from the actions of the applicant or from land use on neighboring property. Finally, with mitigation, the variance will not adversely impact Critical Area assets and harmonizes with the general spirit and intent of the program.

I further find that the variances represent the minimum relief and their grant 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. These findings consider the removal of impervious surfaces in the buffer as well as the required separation to the water well on the Converses' adjacent property. The approval is subject to the conditions in the Order.

ORDER

PURSUANT to the application of CJC, LLC, petitioning for a variance to allow a dwelling with less buffer than required and with disturbance to steep slopes; and

PURSUANT to the notice, posting of the property, and public hearing and in accordance with the provisions of law, it is this 25 day of August, 2006,

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicant is **granted** a variance to the 100-foot buffer for the removal of impervious surfaces and variances to the expanded buffer and steep slopes to permit the construction of a dwelling in accordance with the site plan.

The foregoing variances are subject to the following conditions:

- 1. No further expansion of the dwelling is allowed and no new accessory structures are allowed.
 - 2. The waterfront deck addition shall remain pervious.
- 3. The applicant shall relocate the stockpile to the satisfaction of the Permit Application Center.
 - 4. The applicant shall provide stormwater management and mitigation as determined by the Permit Application Center.

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 18-16-405(a) provides that a variance expires by operation of law unless the applicant obtains a building permit within eighteen months. Thereafter, the variance shall not expire so long as construction proceeds in accordance with the permit.

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

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RECEIVED

JUL 26 2005

CRITICAL AREA COMMISSION

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2005-0109-V

IN RE: CHARLES CONVERSE, III AND JEAN CONVERSE

THIRD ASSESSMENT DISTRICT

DATE HEARD: JUNE 28, 2005

ORDERED BY: STEPHEN M. LeGENDRE, ADMINISTRATIVE HEARING OFFICER

PLANNER: SUZANNE SCHAPPERT

DATE FILED: JULY 25, 2005

PLEADINGS

Charles Converse, III and Jean Converse, the applicants, seek a variance (2005-0109-V) to permit a dwelling with less buffer than required and with disturbance to steep slopes on two adjacent properties located along the west side of Highbank Road, southwest of Lakeview Circle, Severna Park.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 properties was notified by mail, sent to the address furnished with the application. Mr. Converse submitted an affidavit indicating that the properties were posted on June 12, 2005. I find and conclude that the requirements of public notice have been satisfied.

FINDINGS AND CONCLUSIONS

This case concerns properties with street addresses of 579 and 581

Highbank Road, also identified on Tax Map 31, Block 2 as Parcels 20 (11,398 square feet) and 21² (11,100 square feet). The zoning is R-2 residential with a

¹ The case was also advertised for a variance for greater impervious coverage than allowed. However, the preexisting coverage for one of the properties exceeds the allowance and the proposal results in a net reduction in coverage. Therefore, the variance for greater impervious coverage is not needed and is considered denied. See, Article 28, Section 11-106.

Chesapeake Bay Critical Area designation as Limited Development Area (LDA). These waterfront lots on the Severn River are buffer exempt. A dwelling on Parcel 21 was a total loss in a fire and has been razed. The dwelling on Parcel 20 received fire damage. The request is to remove the remaining home, followed by the merger of the two properties and the redevelopment as a single principal use. The project entails the removal of impervious surfaces from the 100-foot Chesapeake Bay Critical Area buffer and new construction in the buffer as expanded for steep slopes and on steep slopes.

Anne Arundel County Code, Article 28, 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. However, Section 1A-109 creates a buffer exemption and enhancement program for the 100-foot and expanded buffers. Under subsection (c), redevelopment of existing impervious surfaces is permitted on the same footprint with additional square footage required to maximize the buffer and subject to all other criteria and mitigation. Finally, Section 1A-105(d) prohibits disturbances of slopes of 15 percent or greater in the LDA. Accordingly, the proposal requires variances to the buffer and expanded buffer and a variance to disturb steep slopes.

Suzanne Schappert, a planner with the Office of Planning and Zoning, testified that the steep slopes expand the buffer to encompass nearly the entire site.

² Parcel 21 is the subject of two prior decisions by this office. See, Case Nos. 1999-0137-V (June 13, 1999) and 2000-0084-V (May 4, 2000).

The applicants are proposing a net reduction in impervious surfaces - from 7,186 square feet³ to 6,391 square feet - including the removal of patios and walkways near the water. As compared to the existing and preexisting dwellings, the proposed dwelling is no closer to the water. The site plan has been revised to reduce the limits of disturbance and grading in the front yard (waterside). There were no adverse agency comments. By way of conclusion, Ms. Schappert offered support for the application, subject to mitigation in accordance with the County's buffer exemption and enhancement program.

Bob Baxter, the applicants' engineering consultant, confirmed the substance of the application. In brief, the property is steeply sloped near the road, the redevelopment proposal satisfies the zoning setbacks and there is a net reduction in impervious coverage. Mr. Baxter indicated that the applicants are allowed 8,022 square feet⁴ of impervious coverage if the parcels are considered separately. (A vacant lot with the combined area of Parcels 20 and 21 is allowed 5,445 square feet of impervious coverage.) Mr. Baxter believes that the request satisfies the variance standards.

Nancy Matthews, an environmental consultant to the applicants, submitted a Critical Area report and testified in summary fashion that the variance standards are satisfied.

³ Parcel 20 has 2,726 square feet of impervious coverage. The preexisting coverage for Parcel 21 is 4,460 square feet.

⁴ The figure represents the sum of (1) the maximum coverage for Parcel 20 (31.25% X 11,398 square feet = 3,562 square feet) and the preexisting coverage for Parcel 21.

Shep Tullier, a land planning consultant to the applicants, submitted several site photographs. Large homes, some closer to the water, characterize the neighborhood. He indicated that the variance standards are satisfied. In particular, the site conditions, consisting of the existing south side retaining wall that must be stabilized and the dwelling on Parcel 20 and rubble near the shore that must be removed, dictate the limits of disturbance. Additionally, the applicants enjoy nonconforming impervious coverage on Parcel 21 with eligibility to redevelop in the same footprint within 12 months. Finally, Parcel 20 is allowed 3,562 square feet of impervious surfaces.

Mr. Converse testified that the proposed dwelling comprises four bedrooms on the second floor, a guestroom and common areas on the first floor, a lower level recreation room and a two-car garage with additional area for storage. The finished living space is 5,500 square feet.⁵ He conceded that there are smaller homes in the neighborhood, which is a function of the narrow lots they occupy.

I visited the site and the neighborhood. The property slopes down from the road all the way to the water. An abandoned cottage is centered on Parcel 20. The only other structures on Parcel 20 are an open-sided covered pavilion near the water and a pier. There is a parking pad near the road on Parcel 21 and a substantial retaining wall along the south side boundary. The only other improvements on Parcel 21 are playground equipment and a screened pavilion

⁵ The project also includes a parking area; and there is a turn around area that is shared with an adjacent property.

near the water and a pier. The site is cleared at the center with some mature trees near the water. Wooded lots characterize the neighborhood. The waterfront dwelling to the north is much closer to the water than the dwelling on Parcel 20. The waterfront dwelling to the south is slightly closer to the water than the dwelling on Parcel 20. There is a substantial home across Highbank Road from the applicants' site.

The standards for granting variances are contained in Section 11-102.1. Under subsection (b), for a property in the Critical Area, a variance to the Critical Area program requirements may be granted only after determining that (1) due to unique physical conditions, peculiar to the lot, a strict implementation of the program would result in an unwarranted hardship to the applicants; (2) a literal interpretation of the program will deprive the applicants of rights commonly enjoyed by other properties in similar areas within the Critical Area; (3) the granting of the variance will not confer on the applicants any special privilege that would be denied by the program to other lands within the Critical Area; (4) the variance request is not based on circumstances resultant of actions by the applicants and does not arise from conditions relating to land use on neighboring property; and (5) the granting of the variance will not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the Critical Area and will be in harmony with the general spirit and intent of the program. Under subsection (c), any variance must be the minimum necessary to afford relief; and its grant may not alter the essential character of the neighborhood, substantially

impair the appropriate use or development of adjacent property, or be detrimental to the public welfare.

The applicants have presented a redevelopment proposal premised on the transfer of impervious coverage from the two lots to the merged property. The standard by which it is measured is the same as any other application that requires variances to the Critical Area program. Their obligation is to meet all of the criteria.

After due consideration, I find and conclude that several of the variance criteria are not met. I am unable to agree that the request represents the minimum relief as required by subsection (c)(1). The applicants are proposing a substantial dwelling by any standard. The dwelling measures 75 in width and extends from within twelve feet of the north side boundary to within ten feet of the south side boundary of the merged property. The length varies, from as little as 46 feet at the center, to as much as 77 towards the south side. The design includes a covered porch, terrace and stairs on the waterside. Even accepting the premise of the application, the amount of impervious coverage in the buffer and on steep slopes is excessive. Finally, the size of the structure is a contributing factor to the permanent disturbance that encompasses almost the entire site.

I further find that the subsection (b)(2) criterion is not satisfied. There is nothing in the record to show that the literal interpretation of the program will

⁶ Section 2-1A-03(2) of the merger law provides: "[t]his subtitle does not relieve lots within the scope of the subtitle from complying with the other requirements of this article." Therefore, it is arguable that the merged property is restricted to 5,445 square feet of impervious coverage. Nevertheless, I have accepted the assertion that excess coverage is transferable to the merged lots.

deprive the applicants of rights commonly enjoyed. That is, the applicants may redevelop Parcel 21 in the preexisting footprint and there is expansion potential for Parcel 20. See, Case No. BA 18-04V, In Re: David Gookin, (January 6, 2005).

Nor is the (b)(3) criterion met. Rather, the proposal to redevelop two lots with one principal dwelling appears to represent a special privilege that the program would deny to other lands in the critical area.

Because the applicants have not met all of the variance criteria, the denial of the application does not deny reasonable use and is not an unwarranted hardship.

In closing, I would be remiss if I failed to note this case is different from previously approved critical area variances for merged properties. The prior approvals have involved expanding an existing dwelling across the shared boundary into a vacant lot in lieu of developing the vacant lot as a separate dwelling. See, Case Nos. 2004-0355-V, In Re: George and Carol Younts, (October 29, 2004) (critical area variances conditionally approved where an expanded dwelling on merged lots reduced impervious coverage and clearing as compared to development of the vacant lot with a separate home); Case No. V-110-94, In Re: Maurice Tose and Terisa Layden, (June 7, 1994) (critical area variances conditionally approved where an expanded dwelling on merged lots reduced disturbance as compared to development of the vacant lot with a separate home).

ORDER

PURSUANT to the application of Charles Converse, III and Jean Converse, petitioning for a variance to permit a dwelling 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 25 day of July, 2005,

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicants' request is hereby **denied**.

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.

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

DETAILS AND SPECIFICATIONS FOR VEGETATIVE ESTABLISHMENT

Fallawing initial sail disturbances or redisturbance, permanent or temparary stobilization shall be completed within seven calendor days for the surface of all perimeter controls, dikes, swales, ditches, perimeter slopes, and all siopes greater than 3 harizontal to 1 vertical (3:1) and fourteen days for all other disturbed or

Permanent Seeding

A.Soil Tests: Lime and fertilizer will be applied per soil tests results for sites greater than 5 acres. Soil tests will be dane at campletian of initial rough grading or as recommended by the sediment control inspectar. Rates and analyses will be provided to the grading inspector as well as the controctor. Occurrence of acid sulfate sails (grayish black color) will require covering with a minimum of 12 inches of clean sail with 6 Inches minimum capping of top soil. No stockpiling of material is allowed. If needed, soil tests should be done befare and after a 6 week incubation and the sail of the stock of the sail of the sail

The minimum soll conditions required for permanent vegetative a. Soil pH shail be between 6.0 and 7.0.

b. Soluble saits shall be less than 500 parts per million (ppm).

c. The soil shall contain less than 40% clay but enough fine grained materiol (> 30% silt plus clay) to provide the copacity to hold a maderate amount of moisture. An exception is if lovegrass or serecia lespedeza is to be pionted, then a sandy soil (< 30% silt plus cloy) would be acceptable.</p>

d. Sail shall cantain 1.5% minimum arganic matter by weight.

e. Soil must contain sufficient pare space to permit adequate root

f. If these canditions connot be met by sails on site, adding topsail is required in accordance with Section 21 Standard and Specification far Topsail or amendments made as recommended by a certified

B.Seedbed Preparation: Area to be seeded shall be loose and friable to a depth of at least 3 inches. The top layer shall be loosened by raking, disking or other acceptable means befare seeding accurs. For sites less than 5 acres, apply 100 pounds of dolomitic limestone and 21 pounds of 10-10-10 fertilizer per 1,000 square feet. Harraw or disk lime and fertilizer into the soil to a depth of at least 3 inches an slapes flatter

C.Seeding: Apply 5-6 pounds per 1,000 squore feet of toil fescue between February 1 and April 30 or between August 15 and October 31. Apply seed uniformly an a moist firm seedbed with a cyclane seeder, cultipacker seeder ar hydroseeder (siurry includes seeds and fertilizer, cultipacker seeder ar hydraseeder (siurry includes seeds and tertilizer, recommended an steep slopes only). Maximum seed depth shauld be 1/4 inch in clayey sails and 1/2 inch in sandy sails when using other than the hydroseeder method. Irrigate where necessary ta support adequate growth until vegetatian is firmly established. If other seed mixes are to be used, select from Table 25, entitled "Permanent Seeding For Low Maintenance Areos" from the current Standards and Specifications far Soil Erosian and Sediment Cantral. Mixes suitable far this area are 1, 3 and 5-7. Mixes 5-7 are suitable in non-mowoble situations.

D.Mulching: Mulch shall be applied to all seeded areas immediately after D.Mulching: Mulch shall be applied to all seeded areas immediately after seeding. During the time periods when seeding is not permitted, mulch shall be applied immediately after grading. Mulch shall be unratted, unchopped, smoll grain straw applied ot a rate of 2 tons per acre or 90 pounds per 1,000 square feet (2 bales). If a mulch anchoring tool is used, apply 2.5 tons per acre. Muich moteriols shall be relatively free of all kinds of weeds and shall be campletely free of prohibited noxiaus weeds. Spreod mulch uniformly, mechanically or by hond, to a depth of 1—2 inches.

E.Securing Straw Mulch: Straw mulch shall be secured immediately following mulch application to minimize movement by wind or water. The following methods are permitted: (i) Use a mulch ancharing tool which is designed to punch and anchar mulch into the soil surface to a minimum depth of 2 inches. This is the most effective method for securing mulch, however, it is limited to

relatively flot oreas where equipment can operate safely (ii) Waad cellulase fiber may be used for ancharing straw. Apply the fiber binder at a net dry weight af 750 pounds per acre. If mixed with water, use 50 pounds of wood cellulose fiber per 100 gallons of water.

(iii) Liquid binders may be used. Apply at higher rates at the edges where wind cotches mulch, such as in valleys and on crests of slopes. The remainder of the area should appear uniform ofter binder application. Binders listed in the 1994 Standards and Specifications for Soil Erosia and Sediment Control or opproved equal shall be opplied at rates recommended by the manufacturers.

(iv) Lightweight plastic netting may be used to secure mulch. The netting will be stapled to the ground according to manufacturers

Lime: 100 paunds of dalamitic limestone per 1,000 square feet. Fertilizer: 15 paunds of 10-10-10 per 1,000 square feet.

Perennial rye — 0.92 paunds per 1,000 square feet (February 1, thraugh April 30 ar August 15 thraugh Navember 1). Millet - 0.92 pounds per 1,000 square feet

Muich: Same as 1 D and E Above.

No fills may be placed on frozen ground. All fill to be placed in approximately horizontal layers, each layer having a loose thickness of not mare than 8 inches. All fill in raadways and parking areas is to be classified Type 2 as per Anne Arundel County Cade — Article 21, Section 2—308, and campacted to 90% density; compaction to be determined by ASTM D—1557—66T (Modified Proctor). Any fill within the building area is to be compacted to a minimum of 95% density as determined by methods previously mentioned. Fills for pond embonkments shall be compacted as per MD—378 Construction Specifications. All other fills shall be compacted sufficiently so as to be stable and prevent erosion and slippage.

Installation of sod should foliaw permanent seeding dates. Seedbed preparation far sod shall be as nated in section (B) obove. Permanent sod is to be tall fescue, state opproved sod; lime and fertilizer per permanent seeding specifications and lightly irrigate soil prior to laying sod. Sod is to be loid on the contour with all ends tightly obutting. Joints are to be staggered between rows. Water and roll or tamp sod to insure pasitive root contoct with the soil. All slopes steeper than 3:1, as shown, are to be permanently padded are restacted with an approved except control. be permanently sadded ar protected with an approved erosian control netting. Additional watering for establishment may be required. Sod is not to be installed an frozen ground. Sad shall not be transplanted when malsture content (dry or wet) and/ar extreme temperature may adversely offect its survival. In the absence of adequate rainfoll, irrigation should be performed to ensure establishment of sod.

Mining Operations:
Sediment control plans for mining operations must include the following seeding dates and mixtures: For seeding dates af: February 1 through April 30 ond August 15 through October 31, use seed mixture of tall fescue at the rote of 2 pounds per 1,000 square feet and serecia lespedeza of the minimum rate of 0.5 pounds per 1,000 square feet.

Topsail shall be opplied as per the Standard and Specifications far Topsail from the current Maryland Standards and Specifications far Sail Erasion and

DETAIL 22 - SILT FENCE

G.21.0 STANDARD AND SPECIFICATIONS FOR TOPSOIL

<u>Definition</u>
Placement of topsoil aver a prepared subsoil prior to establishment of

<u>Purpose</u>
Ta provide a suitable sail medium far vegetative growth. Sails af cancern have low moisture cantent, low nutrient levels, low pH, materials toxic to plants, and/or unacceptable sall gradation.

Conditions Where Practice Applies

1. This practice is limited to areas having 2:1 or flatter slapes where:

a. The sail material is sa shallow that the rooting zane is not deep enough to suppart plants or furnish cantinuing supplies of moisture and plant

b. The ariginal soil to be vegetated contains material toxic to plant growth. c. The soil is so acidic that treatment with ilmestone is not feasible.

il. For the purpose of these Standards and Specifications, areos hoving slopes steeper than 2:1 require special consideration and design far adequate stabilization. Areas having slapes steeper than 2:1 shoil have the appropriate stabilization shown on the plans.

Construction and Material Specifications I. Topsall salvaged from the existing site may be used provided that it meets the standards as set forth in these specifications. Typically, the depth of tapsoil to be solvaged for a given soll type con be found in the representative soil profile section in the Sail Survey published by USDA—SCS

In cooperation with Maryland Agricultural Experimental Station.

II. Topsail Specifications — Sall to be used as topsail must meet the fallowing: i. Topsoll shall be a laam, sandy loam, clay laam, silt loam, sandy clay laam, loamy sand. Other soils mov be used if recammended by an agronomist or soil scientist and approved by the apprapriate appraval

stones, slag, caorse fragments, gravel, sticks, roats, trosh, ar ather materials larger than V/2 " In diameter. ii. Tapsail must be free af plants ar plant parts such as bermuda grass, quackgrass, Johnsangrass, nutsedge, paisan ivy, thistle, ar athers as specified.

outhority. Regardless, topsoil shall not be a mixture of contrasting

textured subsails and shall cantain less than 5% by volume of cinders

ili. Where the subsoil is either highly acidic, ar composed of heavy cloys, ground limestone shall be spread at the rate of 4-8 tans/acre (200-400 paunds per 1,000 square feet) prior to the placement of topsail. Lime shall be distributed uniformly over designated areas and warked into the soil in canjunction with tillage operations as described in the following procedures.

III. For sites having disturbed oreas under 5 acres:

i. Place tapsoil (if required) and apply soil amendments as specified in G.20.0 Vegetative Stabilization — Section 1 — Vegetative Stabilization Methods and Materials.

IV. For sites having disturbed areas over 5 acres:

i. On soil meeting Topsoil specifications, abtain test results dictating fertilizer and time amendments required to bring the soll inta campliance

a. pH for topsoil shall be between 6.0 and 7.5. if the tested sail demanstrates a pH af less than 6.0, sufficient lime shall be prescribed to roise the pH to 6.5 or higher. b. Organic content of topsail shall be not less than 1.5 percent by weight.

c. Topsail hoving saluble soit content greater than 500 parts per million sholl nat be used. d. No sad or seed shall be placed on sail which has been treated with

soll sterilonts or chemicals used for weed cantral until sufficient time has elapsed (14 days min.) to permit dissipation of phyta-taxic materials. Nate: Tapsoil substitutes or amendments, as recommended by a qualified agronomist or soil scientist and approved by the appropriate approval

authority, may be used in lieu of natural topsail, ii. Place topsail (if required) and apply soil amendments as specified in G.20.0 Vegetative Stabilization — Section I — Vegetative Stabilization

Methads and Materials.

i. When topsoiling, maintain needed erasion and sediment cantrol practices such as diversions, Grade Stabilization Structures, Earth Dikes, Siape Silt Fence and Sediment Traps and Basins.

ii. Grades an the areas to be topsoiled, which have been previously established, shall be maintained, albeit 4" - 8" higher in elevation.

iii. Tapsoil shall be uniformly distributed in a 4" - 8" layer and lightly compacted to a minimum thickness of 4". Spreading shall be performed in such a manner that sadding ar seeding con proceed with a minimum of additional soil preparation and tillage. Any irregularities in the surface ulting from tapsoiling or other operations shall be carrected in order ta

iv. Tapsoll shall not be placed while the tapsail ar subsoil is in a frozen or muddy condition, when the subsoil is excessively wet or in a condition that may atherwise be detrimental to proper grading and seedbed preparation.

VI. Alternotive for Permanent Seeding — Instead of applying the full omounts af lime and commercial fertilizer, composted sludge and amendments may

i. Camposted Sjudge Material far use as a soil conditioner for sites having disturbed areas over 5 acres shall be tested to prescribe amendments and for -sites having disturbed areas under 5 acres shall conform to the

a. Campasted sludge shall be supplied by, ar originate fram, a person ar persons that ore permitted (at the time of acquisition of the compost) by the Maryland Department of the Environment under COMAR 26.04.06.

b. Camposted sludge shall contoin at least 1 percent nitrogen, 1.5 percent phospharus, and 0.2 percent potassium and have a pH of 7.0 to 8.0. If campost daes not meet these requirements, the apprapriate canstituents must be added to meet the requirements prior to use.

c. Camposted siudge shall be opplied at a rate of 1 ton/1,000 square feet. li. Camposted sludge shall be amended with a potassium fertilizer applied at References: Guideline Specifications, Soil Preparation and Sodding. MD-VA,

Pub. #1, Caaperotive Extension Service, University of Maryland and Virginia

DETAIL 24 - STABILIZED CONSTRUCTION ENTRANCE

STANDARD RESPONSIBILITY NOTES I(We) certify that:

1. a. All development and construction will be done in accordance with this sediment and erosion control plan, and further, authorize the right of entry for periodic on—site evaluation by the Anne Arundei Soil Conservation District Board of Supervisors or their authorized

CRITICAL AREA CALCULATIONS

Parcel 20 Lakeland on the Severn

6. Impervious coverage after development: 3,558 sq. ft.

3. Existing impervious area on site: 2,726 sq. ft.

4. Impervious area to be removed: 1.314 sq. ft

5. Proposed impervious area: 2,146 sq. ft.

7. Existing woodlands on site: 2,232 sq. ft.

than ½ an acre) Article 17 Sec. 8-601(a)

2. Impervious area allowed on site: 3,562 sq. ft. (31.25% of lot

8. Woodlands allowed to be cleared: 6,534 sq. ft. or (lot size less

Zone = _____eastern

ACCT. No. 3000-2852-5005

VERNON M. SMITH

TM. 31, BLK. 2, P.18

LIBER 2501, FOLIO 696

1247

HOUSE

Ex. HSE.

PROP. SWM (50% POS

TRENCH /11'+9'x B" DEEP

TOP ELEV: 14,00 / BOTT

ELEY .= 6.00

TREATMENT) TRENCH 9140

x 8' beef w/and infiltration

ACCT. No. 3000-2594-3100

JOHN S. GAY &

CAROL L. GAY

TM. 31, BLK. 2, P.19

LIBER 11252, HOLIO 416

Ex. HSE.

TEMPORARY STOCKPILE

AREA MAX. HT. 6', SLOPE 3:1

FFEL: 32.34

1 BSMT = 21.54

9. Proposed woodland clearing for development: 1,452 sq. ft

1. Total area of site: 11,398 sq. ft.

Compute WQv Volume

 $WQv = \frac{(P)(Rv)(A)}{1}$

Rv = 0.05 + 0.0091

A = Site Area

I = % Imperviousness

*WQv minimum = 0.2" per acre

Compute Recharge Volume (Rev)

100 YEAR HURRICANE

FLOOD ELEY : 8.0'

BE 4'MN.

(PRADE)

 $Rev = \frac{(S)(Rv)(A)}{12}$

(percent volume method)

Rev = (S)(Ai)

(percent area method)

0.90 Western Zone

0.08 ac.

 Any responsible personnel involved in the construction project will have a certificate of attendance from the Maryland Department of the Environment's approved training program for the control of sediment and erosion before beginning the project. Responsible personnel on site: CHARLES CONVERSE

c. If applicable, the apprapriate enclosure will be constructed and maintoined on sediment basin(s) included in this plan. Such

The developer is responsible for the acquisition of all easements, right, ond/or rights—of—way that may be required for the sediment and erosion control practices, stormwater management practices and the discharge of stormwater onto or across adjacent or downstream

3. Initial soil disturbance or re—disturbance, permanent stabilization shall be completed within seven calendar days far the surface of all cantrols, dikes, swales, ditches, perimeter slopes, and all slopes greater than 3 horizontal to 1 vertical (3:1) and fourteen days far all other disturbed or graded areos on the project site. Temporary stobilization of the surface af perimeter cantrals, dikes, swales, ditches, and perimeter slopes may be allowed at the discretion of the sediment cantrol inspector.

4. The sediment cantrol approvals on this plan extend only to areas and practices identified as proposed wark.

The approval of this plan for sedlment and erosian cantrol daes not relieve the developer/consultant fram complying with Federal, State, ar County requirements appertaining to environmental issues.

The developer must request that the Sediment Cantrol inspectar apprave wark campleted in accardance with the appraved erosian and sediment cantral plan, the grading or building permit, 7. All material shall be taken to a site with an approved sediment and

8. On all sites with disturbed areas in excess of two acres, opproval of the sediment and erosion control inspector shall be required on campletian of installation of perimeter erasion and sediment cantrals, but befare proceeding with any other earth disturbance or grading. This will require first phase inspections. Other building or grading inspection approvals may not be authorized until the initial approval

9. Approval shall be requested an final stabilization of all sites with disturbed greos in excess of two ocres before removal of controls

y the sediment and erasian cantrol inspector is given.

10. Existing topography must be field verified by responsible personnel to the satisfaction of the sediment control inspector prior to commencing

3/16/05 Signature of Developer/Owne Name: CHARLES CONVERSE Affiliation: CONVERSE BUILDERS & DEVELOPERS, INC. Address: P.O. Box 5003 SEVERNA PARK, MD. 21146 Telephone: (410) 647-0038

SEQUENCE OF CONSTRUCTION: Contractor/Developer shall contact the Anne Arundei County Department of Inspections and Permits at 410—222—7780 at least 48 hrs. prior to the start of construction. Work may begin upon approvol by Dept. of inspections and Permits. 2. install S.C.E. and Silt Fence as indicated 3. Remove existing imperviuas coverage. Begin cleoring and raugh grading of site. Excovate for basement, foaters, and foundation. Begin house construction. 5. Install all utilities*, including <u>WATER & SEWER CONNECTIONS</u> and driveway. Finish construction of house. 2 Days 6. Fine grade site. 7. Stabilize all disturbed areas with seed and mulch as indicated. Upon Inspectar's approval remove any remaining sediment cantrol devices. 2 Days 8. Final cleanup and maintenance *Utilities Nate: Disturb only that orea which can be backfilled

and stabilized in one warking day.

DRIVEWAY NOTES:

1. Driveway shall be 10' minlmum width. Material shall be minimum 6" thick, CR-6 grovel w/2"

A paved apron, constructed in accordance with Anne Arundel County Design Manual Standard Detail 1-6A, shall be provided within and to the ultimote right-of-woy line of the intersecting public

Situminous Concrete surface course.

PIER P. 20 SEVERN P. 21 RIVER DETAIL 33 - SUPER SILT FENCE -16" MINIMUN / 33" MINIMUM 6" MINIMUM

ACCT. No. 3000-1429-5480 CLIFFORD H. KRAUS & I HEATHER H. KRAUS TM. 31, BLK. 2, P.265 LIBER 6206, FOLIO 805 LEGEND EXISTING GRADE PROPOSED GRADE SPOT ELEVATION (Ex., PROP.) PLAN SCALE: 1" = 20" - LOD ----DISTURBANCE SILT FENCE ONSULTANT'S CERTIFICATION SUPER SILT FENCE "The Developer's pian to control silt and erosian is adequate to contain the silt and erosion on the property covered by the plan. I certify that this plon of erosion and sediment control represents a practical and workable plon CONSTRUCTION based on my personal knowledge of this site, and was prepared in accordance

To disturb within 15%+ greater steep slopes to construct a single family home within the critical area. The site is buffer exempt.



P.O. Box 242

CIVIL DESIGN AND PERMIT SERVICES Millersville, MD 21108

VARIANCE PLAN

579 Highbank Rd., Severna Park ANNE ARUNDEL COUNTY, MARYLAND 21146. TAX MAP: 31 PARCEL: P.20 GRID: 02 TAX ACCT. NO.: 3000-2842-3351 TAX DISTRICT: 3rd DRAWN BY: JAM G.P. # CHECKED BY: REB SCALE: As Noted

GROUND SURFACE OR ALUMINUM WITH 1 LAYER OF ALUMINUM POSTS FILTER CLOTH-EMBED FILTER CLOTH 8" Fencing sholl be 42 inches in height ond constructed in accordance with the latest Maryland State Highway Details for Choin Link Fencing. The specification for a 6 foat fence shall be used, substituting 42 Inch fabric and 6 foot length posts. 2. Choin link fence shall be fostened securely to the fence 3. Filter cloth shall be fostened securely to the chain link fence with ties-spaced every 24" at the top and mid section. 4. Filter cloth shall be embedded a minimum of 6" into the 5. When two sections of filter cloth adjoin each other, they

shall be overlapped by 6" and folded. 6. Mointenance shall be performed an needed and silt buildups removed when "bulges" develop in the slit fence.

SOIL CONSERVATION SERVICE H - 26 - 3 WATER MANAGEMENT ADMINISTRATION

S. DEPARTMENT OF AGRICULTURE

mm m |--SF----SF---|

MARYLAND DEPARTMENT OF ENVIRONMENT

with the requirements of the Anne Arundel Soil Conservation District Plan Sediment and Erosion Control. I have reviewed this erosion and sedimen

Submittal Guidelines and the current Maryland Stondards and Specifications for Signature: MD P.E. License # 12267 Date: 3 17/05 _MD Land Surveyor License #

Nature of Variance:

SEVERN

RIVER

FROP. PUBLIC "SIMPLEX"

-FUBLIC UTILITY ESM.

1

SEINDER BIME MIGOD GAT.

FIBORGLASS TANK WIN 20'x19

DRAINAGE AREA MAP

SCALE: 1° = 200'

A. A. CO. TOPO MAP: NI3

V 514,650

PO!

DIVERSIFIED PERMITS, INC.

3. Existing Use of the site is: (1) SINGLE FAMILY HOUSE 4: Proposed Use of the site is: (1) SINGLE FAMILY HOUSE 5. Site is known as: 579 HIGHBANK RD. 6. Weli and Sewer/ to be installed and utilized. 7. FEMA-FIRM Map # 240008-0019 Zone A & C Elev. 8.0 8. Site is within the Critical Area Zone. Zone: 9. No property line survey made at this time.). This site is located within the Severn River Wotershed.

GENERAL NOTES

1. Total area of site Is: 11,398 sq. ft. 0.76 Ac.+/-

VICINITY MAP

SCALE: I" = 2,000'

Setbacks: Front: 30' Rear: 25' Side: 7' (Combined: 20')

SEVERN RUN NEA

(WHITNEY'S LANDING

2. Existing Zoning is: R2

c = 0.44 (R.Z, SAND)

110 = 6.1

Q 10 = 0.70 CFS

11. The contractor shall be responsible for repairing and replacing any existing fences, driveways, etc. damaged or removed during construction 12. The contractor shall notify "MISS UTILITY" (1-800-257-7777).

five (5) working days before starting work shown on these drawings. 13. This plon is intended to provide sediment and erosion control during the grading of the road(s) and lot(s) and the construction of the house(s).

Measures have been token to prevent sediment from leaving the site. 14. D.P., inc. has not field-verified existing utility information. It is the responsibility of the contractor to contact and obtain all records information, and locations prior to commencement of grading operations. Any discrepancies shoil be brought to D.P., Inc.'s attention immediately.

15. Contours shown on this pian are taken from Aerial Topography (for on-site greas). For off-site oreas they are taken from A. A. Co. Topo and Utility Operations maps. The contractor shoil verify the elevations to his own satisfaction prior to starting work. Any discrepancies shall be brought to D.P., Inc.'s attention immediately.

16. Any pertinent information within 100' of the property line is shown. and ultimately discharge to a vegetatively stabilized oreo; or drain to a Stormwater Management device as shown on these plans.

EROSION CONTROL GENERAL NOTES: AGENCY NOTIFICATION

The Contractor shall notify Anne Arundel County Department of Inspection and Permits (410-222-7780) at least 48 hours before starting work. MAINTENANCE OF SOIL EROSION CONTROL PROCEDURES All damage to the soil and erosio, methods shown on this plan shall be repaired at the end of each day's work. The contractor is to maintain these Sediment and Erosion Control Structures as specified on each detail. GENERAL EROSION CONTROL PROCEDURES

Sod is to be placed on all areas shown and on graded oreas with

slopes greater than 3 to 1. All downspouts are to be carried to the toe of fill slopes. Splash blocks are to be provided at all downspouts not discharging onto a paved surface. All excess material (If any) shall be removed to a site approved by the Anne Arundel Soil Conservation District 410-222-7822)

Cut and Fill quantities provided under Earthwork Analysis do not represent bid quantities. These quantities do not distinguish between topsoil, structural fill or embankment material, nor do they reflect consideration of undercutting or removal of unsuitable material. The contractor shall familiarize himself with site conditions which may affect the work.

EARTHWORK ANALYSIS

1. CUT: 192 CU. YDS. +/-50 CU. YDS. +/-2. FILL: 142 CU. YDS. +/-3. SPOIL / BORROW: 40. TOTAL AREA STRUCTURALLY STABILIZED: 3,210 SQ. FT. 0.074 Ac.+/-4b. TOTAL AREA VEGETATIVELY STABILIZED: 4.700 SQ. FT. 0.108 Ac.+/4c. TOTAL AREA DISTURBED: 7.910 SQ. FT. 0.182 Ac.+/-5. PREDOMINANT SOIL TYPE: EVESBORD CONSTOWN DEBAN LAND COMPLEX (EUE) HSG "A"

A.A.S.C.D. APPROVAL STAMP AREA Anne Arundel Soil Conservation District Seuiment and Erosion Control Approval

JUL 1 9 2006 District Official CRITICAL AREA COMMISSION
Chesapeak & Atlantic Chastal Bays AASCD#_ Reviewed for technical adequacy by USDA, Natural Resource Conservation Service

GRADING, EROSION AND SEDIMENT CONTROL PLAN

LAKELAND ON THE SEVERN

PERSPECTIVE VIEW FENCE POST SECTION
MINIMUM 20" ABOVE
GROUND - FENCE POST DRIVEN A STANDARD SYMBOL SF ---JOINING TWO ADJACENT SILT FENCE SECTIONS Construction Specificotions 1. Fence posts shall be a minimum of 38" long driven 16" minimum into the ground. Wood posts shall be 1-1/2" x 1-1/2" (minimum) square cut, or 1-3/4" diameter almum) round and shall be of sound quality hardwood. Steel poets will be . Geotextile sholl be fostened escurely to each fence post with wire ties

3. Where ende of geotextile fabric come together, they shall be overlopped.

4. Slit Fence shall be inspected after each rainfall event and maintained when bulges occur or when eadiment accumulation reaches 50% of the fabric height.

Test: MSMT 322

-36" MINIMUM LENGTH FENCE POST, DRIVEN A MINIMUM OF 16" INTO GROUND -EXISTING PAVEMENT EARTH FILL GEOTEXTILE CLASS 'C'--EXISTING GROUND PROFILE PLAN VIEW STANDARD SYMBOL Construction Specification . Length - minimum of 50' (*30' for eingle reeldence lot).

2. Width - 10' minimum, should be flored of the existing rood to provide a turning 5. Geotextile fobric (filter cloth) sholl be ploced over, the existing ground prior

to plocing stone. **The plan approval outhority may not require eingle formly residences to use geotextile. 4. Stone - cruehed oggregate (2" to 3") or reciolmed or recycled concrete equivalent shall be placed at least 6" deep over the length and width of the entrance.

inetalled through the etabilized construction entronce shall be protected with a mountable berm with 5.1 slopes and a minimum of 6" of stone over the pipe. Pipe has to be sized occording to the droinage. When the SCE is located at a high spot and has no drainage to convey a pipe will not be necessary. Pipe should be sized occording to the amount of runoff to be conveyed. A 6" minimum will be required. 6. Location - A stabilized construction entrance shall be located at every point where construction traffic enters or leaves a construction site. Vehicles leaving the site must travel over the entire length of the stabilized construction entrance.

WATER MANAGEMENT ADMINISTRATION

5. Surface Water — oil surface water flowing to or diverted toward construction entrancee shall be piped through the entrance, maintaining positive drainage. Pipe

NOTE: FENCE POST SPACING SHALL NOT EXCEED 1D' CENTER TO CENTER

TISTISTISTIS / - 2-1/2" DIAMETER GALVANIZED OR 33" MINIMUM-POST AND 2ND LAYER FILTER CLOTH 16" MIN. 1ST LAYER OF

STOCKPILE AREA (15% - 24%)IMPER-VIOUS

REMOVED

Firm Name/Address: Diversified Permits, inc., P.O. Box 242 Millersville, MD 21108 Phone: (410) 859-5583

Phone: 410-859-5583 Fax: 410-859-5584

DATE: JUNE, 2006 SHEET 1 OF 1