

AA 424-05  
VAR

Sutter, Frederick  
0204

MSA-S-1829-4673

Comments  
6/22/05 JR

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/](http://www.dnr.state.md.us/criticalarea/)

June 22, 2005

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

Re: Variance 2005-0204-V Frederick and Kelly Sutter

Dear Ms. Rhodes:

Thank you for providing information on the above referenced variance. The applicant is requesting a variance to permit a dwelling addition with less setbacks than required and with disturbance to steep slopes. The property is designated a Limited Development Area (LDA) and is currently developed with a single-family dwelling, a shed and several retaining walls.

Providing the lot is properly grandfathered, this office does not oppose the variance; 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.

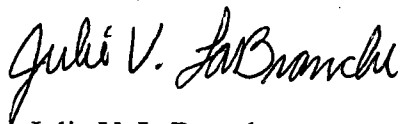
- 1) As stated in the variance application, steep slopes are present over the entire lot.
- 2) The applicant proposes the following to renovate and expand the existing dwelling: relocate an existing shed to replace an existing deck in the side yard, construct a new deck partially over an existing concrete pad (to be removed) on the front of the dwelling, and construct a new deck on the back of the dwelling. The current proposal will increase impervious surface coverage by 150 square feet, from 1,843 square feet to 1,993 square feet, and require 1,568 square feet of forest clearing. The limits of disturbance appear to the minimum necessary to construct the new decks and to install the new lines for the septic system (from the back yard to the front yard).

Lori Rhodes  
Variance 2005-0204-V Frederick and Kelly Sutter  
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- 3) Mitigation, at a ratio of 1:1 for disturbance outside the Buffer, should be required. Plantings should be accommodated on the site to the extent possible.
- 4) Stormwater should be directed away from steep slopes to a best management practice or a stable and densely vegetated outfall to provide water quality benefits 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,



Julie V. LaBranche  
Natural Resource Planner

AA 421-05 Sutter

# Chesapeake Bay Critical Area Report

## Sherwood Forest, Lot 739

Tax Map 39, Grid 19, Parcel 295  
Tax Account No. 2-720-11723500

**Property Address:** 739 Robin Hood Hill  
Annapolis, MD 21405

**Property Owner & Variance Applicant:** Frederick and Kelly Sutter

Critical Area Designation: LDA    Zoning: R2    Lot Area: 6,414 s.f.

### Site Description:

This property resides in the community of Sherwood Forest atop a large hill overlooking Brewer Creek to the south. The property is very steeply sloping and heavily forested. The lot is currently improved by an existing single-family dwelling with roughly 2,400 s.f. of floor area. The property is accessed by Robin Hood Hill from its north side. The property is not waterfront, however it lies within the Chesapeake Bay Critical Area with an LDA land use designation.

### Description and Purpose of Variance Request:

The applicants are proposing to renovate and improve an existing single-family dwelling. The following variances are needed for the proposed construction:

- A variance to Article 28, Section 2-405 (a)(1) of the Anne Arundel County Code of 30' to the 30' front yard setback for R-2 zoning.
- A variance to Article 28, Section 2-405(a)(3) of the Anne Arundel County Code of 17' to the 25-foot rear yard setback for R-2 zoning.
- A variance to Article 28, Section 1A-105(d) of the Anne Arundel County Code for disturbance of steep slopes.

This report is based on the April 2005 Variance Plan with vicinity map as prepared by Drum, Loyka & Associates, LLC, a copy of which is attached to this report.

### Vegetative Coverage:

This property is moderately forested with mixed hardwoods and brush. The site is covered with approximately 3,660 s.f. of forested area. The proposed renovations will require the removal of 1,568 s.f. of vegetation which surrounds the existing dwelling. Reforestation for this site will be addressed at the time of grading permit.

43%<sup>o</sup>

### Impervious Coverage:

The site currently has 1,843 s.f. of impervious area. The allowable impervious area for this lot is 2,104 s.f. The proposed impervious area for this design will be 1,993 s.f.

**Predominant Soils:**

The predominant soil type in the area is Annapolis Fine Sandy Loam (AsG). This is not a hydric soil (soil characteristic of wetlands). The soil is well drained and not highly susceptible to erosion.

**Drainage and Rainwater Control:**

This lot resides on the top of a steep hill overlooking Brewer Creek. Rainwater from the property sheetflows downhill over a heavily forested area until it reaches beach road. There it is collected in a storm drain inlet and piped into Brewer Creek. Stormwater management for this property will be addressed during the grading permit phase of this project.

**Habitat Protection Areas and Water Quality:**

The applicants propose to renovate and improve the existing dwelling. With other requirements set at time of grading permit including reforestation, sediment controls and stormwater management, the proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area. Forest on the property can be maintained and proper measures will be taken to preserve it.

Public water and private sewer serve the property, both of which are shown on the plan. Proposed septic easements for both the primary and replacement septic drywells have been located off the property and are illustrated on the plan.

This report is based on an April, 2005 Variance Plan prepared by Drum, Loyka & Associates, LLC and a site survey by Drum, Loyka & Associates, LLC. A copy of the Variance Plan is attached to this report.

**Reference:**

ADC: The Map People, 2002 Anne Arundel County, Maryland, Street Map Book

Anne Arundel County Office of Planning & Zoning , 1988 Critical Area Map

Anne Arundel County Office of Planning & Zoning, 1995 Buffer Exemption Map

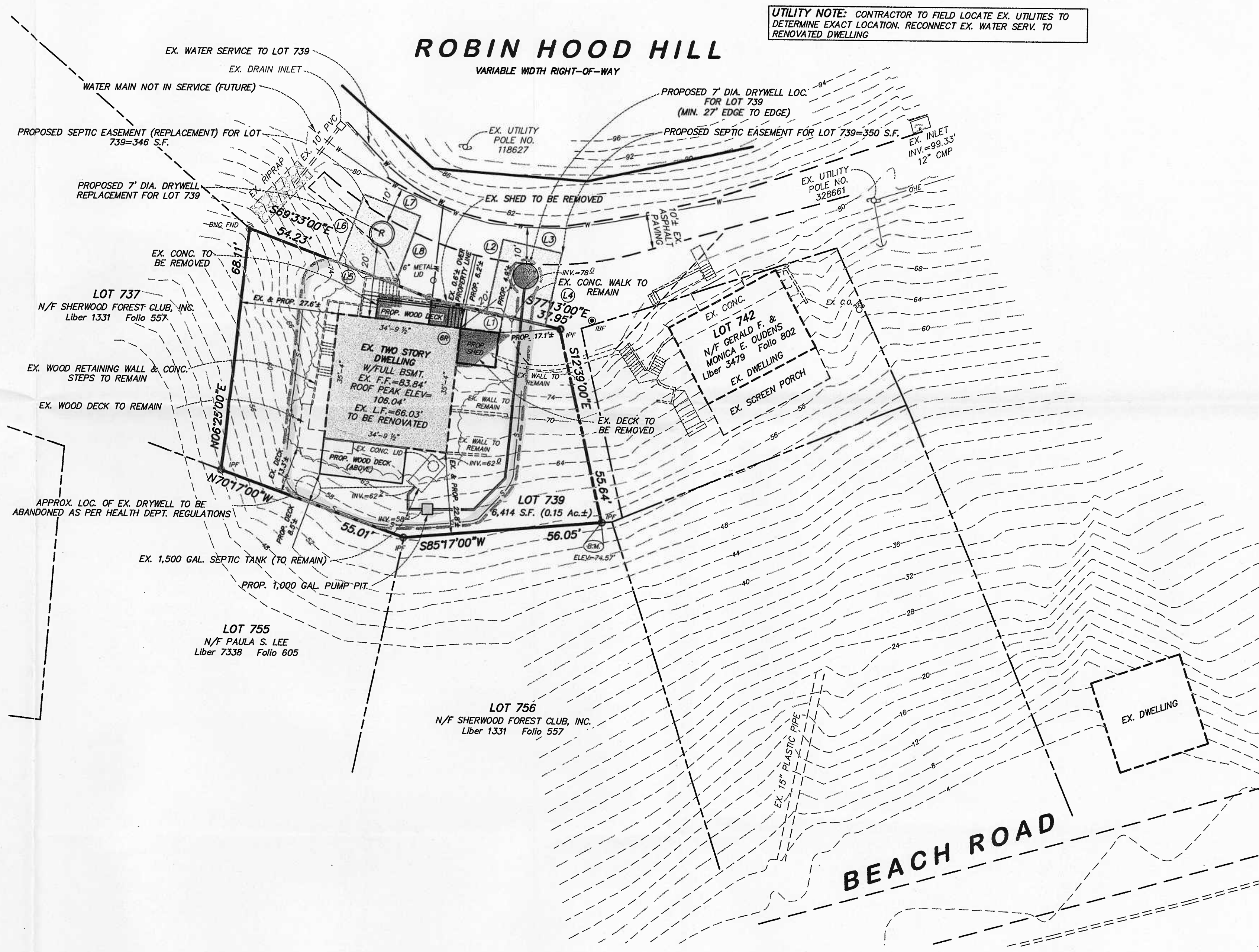
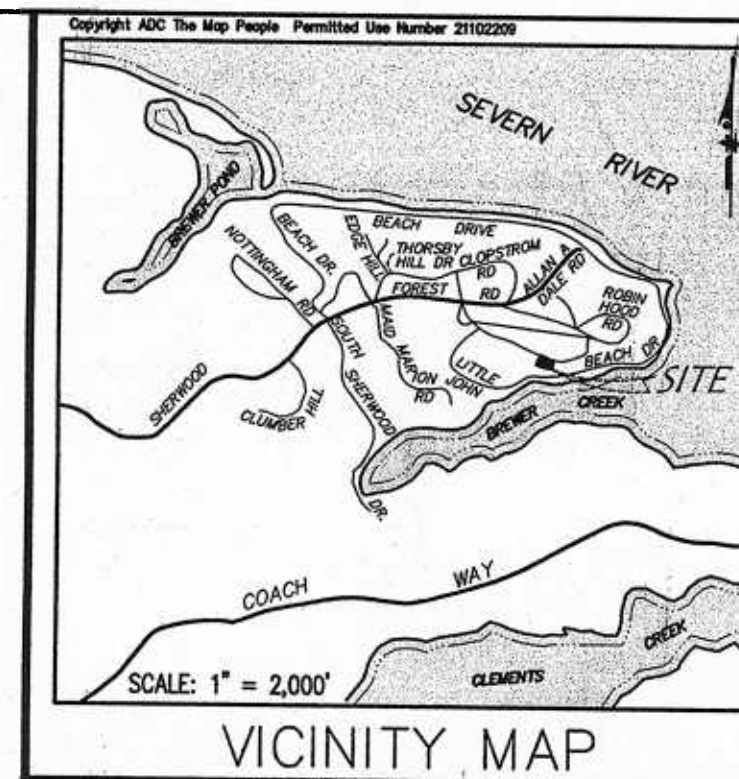
Anne Arundel County, Maryland; Chesapeake Bay Critical Area Mapping Program, 1988, Critical Area Map

First American Real Estate Solutions, 2004, Realty Atlas: Anne Arundel County Maryland

Drum Loyka and Associates. 2005 Site Plan

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

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

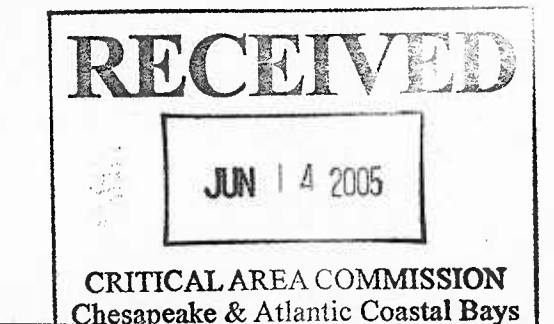


**UTILITY NOTE:** CONTRACTOR TO FIELD LOCATE EX. UTILITIES TO DETERMINE EXACT LOCATION. RECONNECT EX. WATER SERV. TO RENOVATED DWELLING

SITE TABULATIONS	
SITE AREA	6,414 S.F. (0.15 Ac.)
CRITICAL AREA DESIGNATION	LDA
LOT AREA TO BE DISTURBED	4,295 S.F. (0.10 Ac.)
EXISTING IMPERVIOUS SITE COVERAGE	1,843 S.F. (0.04 Ac.)
PROPOSED IMPERVIOUS SITE COVERAGE	1,893 S.F. (0.05 Ac.)
ALLOWABLE IMPERVIOUS SITE COVERAGE	2,104 S.F. (0.048 Ac.)
ZONING R-2:	
FRONT - 30 FT.	
SIDE - 7 FT. MIN. / 20 FT. TOTAL	
REAR - 25 FT.	

4150 SF

LEGEND	
	EXISTING CONTOUR
	15%-25% STEEP SLOPES
	EX. WOODS LINE
	LIMIT OF DISTURBANCE
	PROPOSED GRADE
	27 <sup>2</sup> + PROPOSED SPOT ELEV.
	RSF REINFORCED SILT FENCE



DESIGNED: DCG	DRAWN: SAW	REVISIONS TO APPROVED PLANS	
ORIG. DATE: AUG 16, 2004		No.	DESCRIPTION
MODIFIED BY/DATE: APRIL 18, 2005			
CADD DWG #: SSI3904V			
DSA PROJECT #: SSI3904			

**DRUM, LOYKA & ASSOCIATES, LLC**  
 CIVIL ENGINEERS—LAND SURVEYORS  
 209 WEST STREET, SUITE 203  
 ANNAPOLIS, MARYLAND 21401  
 410-280-3122

OWNER / DEVELOPER  
**MR. & MRS. FREDERICK T. SUTTER**  
 739 ROBIN HOOD HILL  
 SHERWOOD FOREST, MARYLAND 21405

VARIANCE PLAN  
**SHERWOOD FOREST ~ LOT 739**  
 739 ROBIN HOOD HILL  
 TAX ACCT. NO. 02-720-11723500  
 TAX MAP 39 GRID 19 PARCEL 295 2ND DISTRICT  
 ANNE ARUNDEL COUNTY, MARYLAND