

AA 825-05 Bannister, Jack  
VAR 0442

MSA-S-1829-4750

Aug 19/06  
2/20/08 KS

Martin O'Malley  
Governor

Anthony G. Brown  
Lt. Governor



Margaret G. McHale  
Chair

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/)

February 20, 2008

Ms. Pam Cotter  
Anne Arundel County  
Office of Planning and Zoning  
2664 Riva Road, MS 6401  
Annapolis, Maryland 21401

Re: Local Case 2008-0030-V  
Jack G. Bannister; 1034 Walnut Ave.

Dear Ms. Cotter:

Thank you for submitting the above referenced variance. The applicant is requesting a variance to allow a dwelling, deck, driveway and well with less setbacks and Buffer than required. The property is 7,500 square feet in size, classified as a Limited Development Area and is currently undeveloped. This property was previously granted a variance in January 2006; however a building permit was not obtained in the required timeframe.

Provided this lot is properly grandfathered, this office does not oppose this request to establish a dwelling; however impacts must be minimized and the variance the minimum necessary. Based on the information provided I have the following comments:

1. Mitigation, at a ratio of 3:1 for disturbance within the Buffer should be required. Plantings consisting of native trees and shrubs should be accommodated on the site to the extent possible.
2. Stormwater from the dwelling should be directed a stable vegetated outfalls 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,

A handwritten signature in cursive script that reads "Kate Schmidt".

Kate Schmidt  
Natural Resources Planner  
AA825-05

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2008-0030-V

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JACK AND LINDA BANNISTER

EIGHTH ASSESSMENT DISTRICT

DATE HEARD: MARCH 13, 2008

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ORDERED BY: **STEPHEN M. LeGENDRE**, ADMINISTRATIVE HEARING OFFICER

PLANNER: **ROBERT KONOWAL**

DATE FILED: APRIL 8<sup>th</sup>, 2008

**RECEIVED**

APR - 9 2008

COASTAL AREA COMMISSION  
Chesapeake & Atlantic Coastal Bays

## PLEADINGS

Jack and Linda Bannister, the applicants, seek a variance (2008-0030-V) to allow a dwelling with less setbacks and buffer than required on property located along the east side of Walnut Avenue, south of Cypress Avenue, North Beach.

## 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. Bob Lee, the applicants' engineering consultant, testified that the property was posted for more than 14 days prior to the hearing. I find and conclude that there has been compliance with the notice requirements.

## FINDINGS AND CONCLUSIONS

This case concerns the same property the subject of a decision by this office in Case No. 2005-0442-V (February 22, 2006). The prior Order conditionally approved variances to allow a driveway and well with less buffer than required and a dwelling with less setbacks than required. Anne Arundel County Code, Article 18, Section 18-16-405(a) provides that a variance expires by operation of law unless the applicants obtain a building permit within 18 months. Thereafter,

the variance shall not expire so long as construction proceeds in accordance with the permit. The approval having expired, the applicants refiled the same request. Specifically, they request variances to disturb the 100-foot buffer to tidal wetlands under Section 18-13-104(a) for the well and driveway; and a variance of three feet to the 20-foot side street setback under Section 18-4-701 for the dwelling.

Robert Konowal, a planner with the Office of Planning and Zoning, testified that the reviewing agencies continue to offer no objection to the request, subject to the imposition of the same conditions imposed by the prior Order. Accordingly, he supported the request.

Mr. Lee testified that the approved variance expired pending the resolution of issues associated with the grading permit. The conditions of the prior Order would be satisfied. Mr. Bannister testified that the applicants (erroneously) thought that they needed the grading permit in hand before making application for the building permit.

The hearing was well attended by area residents, including Melinda Zimmerman, Bob Small and Theresa Haas. Among other concerns, the property holds standing water, the drainage ditches are inadequate to convey the water, the ditch on Cypress Avenue is not maintained, the conditions imposed on prior variances in the neighborhood have not been followed, the parking on Cypress Avenue is inadequate, and the habitat assessment fails to identify all of the trees at the property.

By way of further explanation, Mr. Lee testified that the variance plan is the same as the grading plan and incorporates erosion and sediment controls. A sump at the driveway will be filled; and water from the property will be directed to a ditch in Cypress Avenue, and then to a ditch in Walnut Avenue. The applicants will improve the ditch in Cypress Avenue.<sup>1</sup> Finally, the Anne Arundel Soil Conservation District has approved the sediment and erosion control plan.

This is a legal lot in close proximity to tidal wetlands and narrower than the minimum width for the underlying R5 district. The dwelling is set back on the lot to increase the separation to wetlands and this office previously reduced the width of the dwelling. While the development of the property may be a distinct challenge, the reviewing agencies have been consulted as stipulated in the conditions of the prior Order. In fact, but for the lengthy review process, this matter would not be before this office for the second time. Accordingly, I again find and conclude that the Critical Area and variance standards under Section 18-16-305 are satisfied. The approval incorporates the same conditions appended to the prior Order. These conditions continue to reflect the best effort of this office to address the concerns expressed at the hearing.

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<sup>1</sup> Mr. Bannister testified that the community owns Cypress Avenue and it is maintained by the abutting owners; while the Maryland State Highway Administration maintains the ditches in Walnut Avenue.

**ORDER**

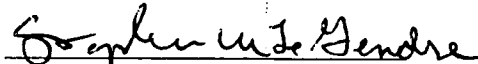
PURSUANT to the application of Jack and Linda Bannister, petitioning for a variance to allow a dwelling with less setbacks and buffer than required, and

PURSUANT to the notice, posting of the property, and public hearing and in accordance with the provisions of law, it is this 8<sup>th</sup> day of April, 2008,

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicants are **granted** a variance to disturb the buffer to tidal wetlands for the well and driveway and a variance of three feet to the side street setback to allow a dwelling measuring 26 by 42 feet.

The foregoing approval is subject to the following conditions:

1. No further expansion of the dwelling is allowed and no accessory structures are allowed.
2. The conditions of the approval run with the land and shall be included in any contract of sale.
3. The applicants shall provide mitigation at a 3:1 ratio for disturbance in the buffer with plantings of native species onsite to the extent practicable.
4. Stormwater shall be directed to a stable, vegetative outfall to provide water quality benefits onsite.
5. The building permit is subject to the approval of the Department of Health.

  
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 they will be discarded.



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**

January 9, 2006

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/)

Ms. Ramona Plociennik  
Anne Arundel County  
Office of Planning and Zoning  
2664 Riva Road, MS 6301  
Annapolis, MD 21401

RE: Variance 2005-0442-V Jack and Linda Bannister

Dear Ms. Plociennik:

Thank you for providing information on the above referenced variance. The applicant is requesting a variance to permit the construction of a single-family dwelling, deck, driveway, and well with less setbacks and Buffer than required. The property is currently designated as Limited Development Area (LDA) and is undeveloped with a few trees.

Provided that the property is properly grandfathered, this office does not oppose a variance to permit the construction of dwelling and additions; however, impacts must be minimized and the variance the minimum necessary. Based on the site plans, we have the following comments.

- 1) The property is 0.172 acres (7,500 square feet) and the applicant proposes a total of 2,302 square feet of impervious surface coverage or 30.7%. 730 square feet of existing impervious surface exists on the site due to Walnut Avenue being located on the portion of the property. The amount of disturbance is 4,860 square feet with 2,400 square feet of vegetation to be cleared.
- 2) Mitigation, at a ratio of 3:1 for disturbance within the Buffer should be required. Plantings consisting of native trees and shrubs, should be accommodated on the site to the extent possible
- 3) Stormwater from the dwelling should be directed to stable vegetated outfalls to provide water quality benefits on the site.

Ms. Ramona Plociennik  
Variance 2005-0442-V Jack and Linda Bannister  
January 9, 2006  
Page 2

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,



Gary Green  
Environmental Analyst  
cc: AA825-05

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2005-0442-V

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IN RE: JACK AND LINDA BANNISTER

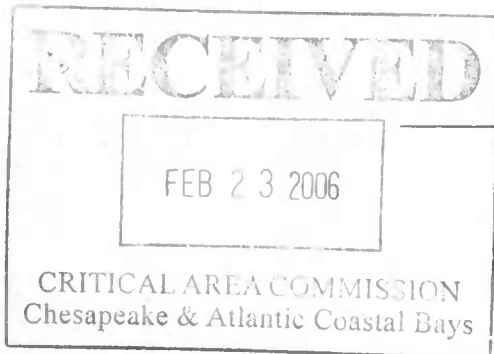
EIGHTH ASSESSMENT DISTRICT

DATE HEARD: JANUARY 26, 2006

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ORDERED BY: **STEPHEN M. LeGENDRE**, ADMINISTRATIVE HEARING OFFICER

PLANNER: **SUZANNE SCHAPPERT**



DATE FILED: FEBRUARY 22, 2006

## **PLEADINGS**

Jack and Linda Bannister, the applicants, seek a variance (2005-0442-V) to permit a dwelling with less setbacks than required and a driveway and well with less buffer than required on property located along the east side of Walnut Avenue, south of Cypress Avenue, North Beach.

## **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. Mr. Bannister 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 applicants own unimproved property with a street address of 1034 Walnut Avenue, in the subdivision of North Beach Park, North Beach. The property comprises 7,500 square feet and is zoned R-5 residential with a Chesapeake Bay Critical Area designation as Limited Development Area (LDA). The applicants seek to construct a single-family dwelling (28 by 42 feet). The water well is located 80 feet from an off-site tidal wetlands and the driveway is 85

feet from the tidal wetlands. The dwelling is located 15 feet from the right-of-way for Cypress Avenue, a side street.

Anne Arundel County Code, Article 18, Section 18-13-104(a) creates a 100-foot buffer from tidal wetlands. Section 18-4-701 requires corner lots in the R-5 district to maintain a side street setback in the amount of 20 feet.

Accordingly, the proposal requires variances to disturb the buffer to tidal wetlands for the well and driveway and a variance of 5 feet to the side street setback for the dwelling.

Suzanne Schappert, a planner with the Office of Planning and Zoning, testified that the property is below the minimum width for the R-5 district. This is an older, cottage type community with other nonconforming structures. The dwelling is considered modest in size and consistent with the character of the neighborhood. The dwelling has been sited at the rear building restriction line to maximize the separation to the tidal wetlands. The witness summarized the agency comments. The Department of Health requested plan approval. The Chesapeake Bay Critical Area Commission requested mitigation and control of stormwater.<sup>1</sup> By way of conclusion, Ms. Schappert supported the application.

Bob Lee, the applicants' development consultant, testified that a sewer force main serves the property to the rear. A portion of the pavement for Walnut Avenue (730 square feet) is located within the boundaries of the property and is included in the impervious calculation.

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<sup>1</sup> The Commission also indicated that the proposal satisfies the impervious surfaces limitation.

Melinda Zimmerman summarized a written statement in opposition to the request signed by four area residents. In brief, the proposed two-story dwelling will block air, light and view to the surrounding homes, the lot is low-lying and floods and the applicants could have merged the property with their adjacent property to the south.

By way of rebuttal, Mr. Bannister testified that the property that floods is further to the north.

I visited the site and the neighborhood. This is a level lot planted in a lawn and a few trees. The elevation of the lot is a few feet lower than the abutting roads. Older, modest homes characterize the neighborhood. Cypress Avenue is a narrow, hard packed road a block long that provides access to a couple of homes that appear to be nonconforming to the side street setback. The homes to the south of the applicants' property face the wetlands across Walnut Avenue.

The standards for granting variances are contained in Section 18-16-305. Under subsection (a), a zoning variance may be granted only after determining either (1) unique physical conditions, peculiar to the lot, such that there is no reasonable possibility of developing the lot in strict conformance with the code; or (2) exceptional circumstances such that the grant of a variance is necessary to avoid an unnecessary hardship, and to enable the applicants to develop the lot. 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.

Upon review of the facts and circumstances, I find and conclude that the applicants are entitled to modified, conditional relief from the code. Considering first the Critical Area variances, due to the proximity to the tidal wetlands, a strict application of the program would be an unwarranted hardship. To literally interpret the program would forestall development of the lot with a single-family dwelling, a right commonly enjoyed by other properties in similar areas of the Critical Area; conversely, the relief is not a special privilege that the program typically denies to other Critical Area lands. There is no indication that

the variances result from the actions of the applicant or land use on neighboring properties. Finally, with conditions, the variances will not adversely impact Critical Area assets and will harmonize with the general spirit and intent of the program.

Considering the zoning variance, this property satisfies the test of unique physical conditions, consisting of its narrow width, such that there is no reasonable possibility of development in strict conformance with the code.

As is often the case, the more difficult question is to determine the minimum relief. After due consideration, I see no opportunity to reduce the Critical Area variances. As noted, the dwelling has been set back on the lot to increase the distance to the tidal wetlands. The Critical Area variances are limited to the well and driveway. The project is within the allowances for impervious coverage. However, the side street setback variance can be slightly reduced to three feet by narrowing the width of the dwelling to 26 feet. So modified, the variances will not alter the character of the neighborhood, the use or development of adjacent property or cause detriment to the public welfare. These findings consider the surrounding development, including the dwellings accessed across Cypress Avenue and the dwellings to the south on Walnut Avenue. The approval is subject to the conditions in the Order.

In closing, I would be remiss if I failed to note that the reduction in the width of the dwelling is consistent with the decision in Case No. 2005-0463-V, In Re: Turn Key Enterprises, Inc. (February 22, 2006).



ORDER

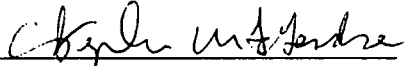
PURSUANT to the application of Jack and Linda Bannister, petitioning for a variance to permit a dwelling with less setbacks than required and a driveway and well with less buffer than required; and

PURSUANT to the notice, posting of the property, and public hearing and in accordance with the provisions of law, it is this 22<sup>nd</sup> day of February, 2006,

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicants are **granted** a variances to disturb the buffer to tidal wetlands for the well and driveway and a **modified** variance of 3 feet to the side street setback to permit a dwelling measuring 26 by 42 feet. The approval is subject to the following conditions:

1. The site plan is revised to reduce the width of the dwelling to 26 feet and to increase the side street setback to 17 feet.
2. No further expansion of the dwelling is allowed and no accessory structures are allowed.
3. The conditions of the approval run with the land and shall be included in any contract of sale.
4. The applicant shall provide mitigation at a 3:1 ratio for disturbance in the buffer with plantings of native species on site to the extent practicable.
5. Stormwater shall be directed to a stable, vegetated outfall to provide water quality benefits on-site.

6. The building permit is subject to the approval of the Health Department.

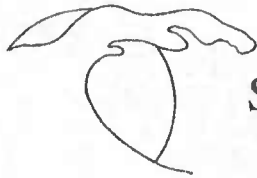
  
Stephen M. LeGendre  
Administrative Hearing Officer

**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.



SEE ENVIRONMENTAL  
SERVICES, INC.

## CHESAPEAKE BAY CRITICAL AREA REPORT & HABITAT ASSESSMENT UPDATE

Variance Application for 1034 Walnut Avenue, North Beach Park Subdivision, Anne Arundel County

Tax Map 78, Grid 1, Parcel 15

Developer/Applicant: Jack Bannister, 5901 Allentown Road, Camp Springs, MD 20746

Critical Area Designation: LDA

January, 2008

### I. Introduction

This Critical Area Report Update has been prepared as part of the requirements of County Zoning Code for variances required to construct a single-family home on this small lot in the North Beach Subdivision on the southern tip of Anne Arundel County. The County Administrative Hearing Officer granted conditioned variances for the lot in February 22, 2006, in Case 2005-0442-V. This report is a supplement to the report prepared at that time (dated November, 2005) which is attached to this cover sheet. A follow up site visit was conducted on January 26, 2008, by Eric See of See Environmental Services, Inc., and found that no changes to site conditions had occurred since the 2005 Critical Area study and report. The enclosed reduced-scale copy of the Wilkerson & Associates, Inc. site plan incorporates the conditions made by the AHO in February, 2006.

The requested variances are necessitated because the lot is only 50 feet wide, is a corner lot (along the right of way of Cypress Lane), the pavement of Walnut Avenue (MD Route 260) is on the front portion of the lot, and the 100-foot Buffer from tidal waters (on the far side of Walnut Avenue) covers a third of the lot not already impacted by the location of the road pavement on the front of the lot. (The reason Walnut Avenue is on the lot is because for a 30- to 4 block section, very wet tidal wetlands encroach on the right-of-way, and in the past the road was placed on dry ground without respect to the platted lots.)

By pushing the proposed house more towards the rear of the lot, the only proposed impacts in the 100-foot Buffer are a portion of the driveway and the well. The requested 3-foot variance to the required 20-foot side yard setback also helps push the house away from the Buffer. A grinder pump to connect the new house to the force main has been added per a condition of the 2006 variance decision.

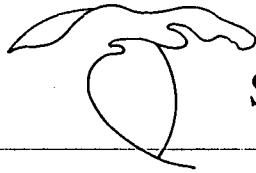
Development of the lot can be done without significant impacts to water quality and fish and wildlife habitat. On-site reforestation is proposed.

The Woodbridge Center  
2444 Solomons Island Road, Suite 217  
Annapolis, Maryland 21401  
Tel: (410) 266-3828 Fax: (410) 974-6008

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JAN 31 2008

CRITICAL AREA COMMISSION



SEE ENVIRONMENTAL  
SERVICES, INC.

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**CHESAPEAKE BAY CRITICAL AREA REPORT/HABITAT ASSESSMENT**

Variance for 1034 Walnut Avenue, North Beach Park, Subdivision, Anne Arundel County

Applicant: Jack Bannister, 5901 Allentown Road, #104, Camp Springs, MD 20746

Tax Map 80, Grid 22 Parcel 8, Block 4, Lot 8

Zoning: R5 Critical Area Designation: LDA

November, 2005

**Purpose of Requested Variance:**

The applicant owns a vacant, non-waterfront, 50-foot wide by 150-foot deep lot, located at the intersection of Walnut Avenue (MD Route 26 1) and Cypress Avenue in the North Beach Park subdivision at the southern tip of Anne Arundel County. The entire lot lies within the Chesapeake Bay Critical Area, with a Limited Development land use category. (See Enclosed copy of Critical Area map #35.)

Because the lot is a corner lot, a 20-foot sideyard setback is required. However, in order to construct a house of practical width (28-foot), a 5-yard variance to the sideyard setback is being requested. In addition, there is a large area of tidal marsh on the west side of Walnut Avenue, and the 100-foot Critical Area Buffer, extended across the highway, extends nearly to the middle of the lot. Therefore, a variance to develop in the 100-foot Buffer is also required, and this Critical Area report has been prepared because the lot is within the Critical Area.

This report is based on a site plan by Wilkerson & Associates, Inc. (reduced-scale photocopy enclosed) and a site visit conducted on September 3, 2005, by Eric E. See of See Environmental Services, Inc.

**Critical Area Narrative/Site Conditions:**

The subject property is nearly flat and is basically a mowed lawn with scattered shade trees. It slopes very gently to the north, draining into a ditch beside Cypress Avenue, and thence by ditches into tidal marsh on the west side of Walnut Avenue. The lot is unusual in that a portion of the paved roadway of Walnut Avenue is located on the lot itself (730 sq. ft.). The road was built in the distant past to curve east around the edge of the very wet tidal marsh, and crosses a number of lots to the north, without respect to the platted right-of-way.

The existing tree cover is approximately 3,000 square feet of "developed woodlands" in the form of scattered shade trees over lawn. The largest tree is a 35-inch southern red oak.

Soils mapped on the site in the 2003 County Soil Survey are Deale-Shadyoak-Urban Land Complex" (DeA) map unit. No nontidal wetlands are located on the lot, although the roadside ditch along Cypress Avenue on the side of the lot likely holds standing water after every significant rain event or extreme high tide. It has been maintained by County staff. As noted above, tidal marsh is located to the west, with the upper limit of tidal wetlands within 40 feet of the northwest corner of the lot (which is actually on the far side of the pavement of Walnut Avenue. (See enclosed copy of County 1" = 200' zoning/topo map with location of wetlands boundary annotated.)

### **Proposed Impacts and Mitigation:**

Approximately 2,400 square feet (0.05 acre) of tree cover/woodlands would be cleared, which actually would be in the form of a few canopy trees and some smaller ones. Reforestation would be accomplished by a fee-in-lieu into the County reforestation fund or purchasing reforestation credits at a privately-run reforestation bank.

A net total increase of 1,502 square feet of new impervious coverage is proposed with the house and driveway on the lot, increasing impervious coverage to 2,302 square feet, or 30.7%, under the "25% + 500 square feet" (2,375 sq. ft.) allowed for lots less than 8,000 sq. ft. in area in LDA. (If the area of 730 sq. ft. area of existing impervious road surface is deducted from the lot, the proposed impervious would be 1,302 square feet on a 6,770 sq. ft lot, or 19%.)

Because of the low elevation/high ground water that will not allow infiltration, stormwater management is proposed by planting credits per current County standards, in addition to the reforestation requirements described above.

With sediment controls during construction, stormwater management per County standards, and the, current safe conveyance of runoff through roadside ditches prior to discharge into a large body of tidal marsh, no significant adverse impacts to water quality are anticipated.

### **References:**

Anne Arundel County. Critical Area Map #35/County 1" = 200' scale zoning map.

MD Department of Environment, 1972 State Tidal Wetlands Boundary Map AA-120.

Natural Resources Conservation Service. 2003 Soil Survey for Anne Arundel County, Maryland (from FTOG website).

Wilkerson & Associates, Inc. 2005 Site Plans.

SEE ENVIRONMENTAL SERVICES, INC.

The Woodbridge Center • 2444 Solomons Island Road, Suite 217 • Annapolis, Maryland 21401 • Tel: (410) 266-3828 • Fax: (410) 974-6008

REVISED  
JAN, 2008  
SEE LAST  
PAGE

**WILKERSON & ASSOCIATES, INC.**  
**ENGINEERS AND SURVEYORS**  
**P.O. BOX 17**  
**DUNKIRK, MARYLAND 20754**  
**(301) 855-8272/(410) 257-3332**  
**FAX: (301) 855-8380**  
*boblee@wilkersonnassociates.com*

January 28, 2008

Mr. John Fury, Zoning Analyst  
Anne Arundel County  
Office of Planning and Zoning, Zoning Division  
2664 Riva Road, Suite 390  
Annapolis, Maryland 21401

**RE: Letter of Explanation – Variance Application**  
**1034 Walnut Avenue, North Beach, Md. 20714**  
**North Beach Park, Lot 8, Block 4**  
**Mr. Jack and Mrs. Linda Bannister**  
**Tax Map 84, Block 3, Part of Parcel 1 (Lot 8, Block 4)**  
**Tax Account Number: 8-579-90025368**

Dear John,

Thank you for meeting with me on January 18, 2008 for a pre-file meeting on the variance application for the referenced property.

As you now know, Mr. and Mrs. Bannister were granted a variance to permit a dwelling with less setback and buffer than required by Order dated February 22, 2006 in 2005-0442-V. Among other things, the order provided that the variance would expire by operation of law unless a building permit was obtained within 18 months of the date of the order, or by August 22, 2007. As you know, a building permit was not obtained in the time frame allotted and the purpose of the present application is to apply for a new variance for the identical relief as was previously granted.

As I explained at our meeting, we have been processing an application for a grading permit (G02011215) for this property since January 2005. The Soil Conservation District approved the plans in October 2006, however, the permit was not amenable to issuance until the utility agreement was executed which occurred last July.

**RECEIVED**

JAN 31 2008

CRITICAL AREA COMMISSION

page two

January 28, 2008 (Mr. John Fury – 1034 Walnut Avenue)

As we believed we had resolved all withholding comments with the various reviewers (SCD had signed the plans), including the utility agreement execution, we thought that the grading permit was ready to issue once the owner posted the bond. Typically, we process the grading permit application and the owner posts the bond and picks up the permit. When the owner went to pick up the permit and post the bond, however, he was advised that there were still outstanding withholding comments and the permit could not issue. Shortly thereafter, in December of last year, I went to meet with the Permit Application Center to determine what these issues were. I discovered that the two withholding concerns had in fact been addressed but the approval had not been formally entered in the database. I also discovered that an agreement that was required to be recorded had not been recorded. I have recorded the agreement and have met with the reviewers and these issues have now been resolved.

The reason I explain the complications associated with this permit is that the owner, incorrectly, believed that he could not make application for a building permit until the issues associated with the grading permit had been resolved and the grading permit issued. By the time the grading permit issues were in fact resolved, the variance had expired. The obvious problem now is that, in order for the grading permit to issue, we are required to apply for a new variance.

Clearly, in addition to the significant amount of time it took to obtain approval of this grading permit, there was also some confusion on our and the owner's part regarding the status of the application and what needed to be done to bring the matter to conclusion.

The fact that the status of approvals for the permit was not correctly reflected on the PAC web site exacerbated this confusion. Again, the owner was of the impression that issuance of the grading permit was a condition precedent to the issuance of a building permit. The owner is ready to submit an application for a building permit but I understand from several meetings with Mr. Leschinskie at the Permit Center, most recently on Jan. 18, 2008, that an application for a building permit may not be made until the present variance is granted.

Finally, I have advised that the relief requested in the present application is identical to the relief previously granted. The plans are the same with the exception that they now reflect the 17 foot setback from Cypress Avenue which was a condition of the previous order, a grinder pump has been added in the rear of the property as required by the County and the plan reflects required plantings which were also required by the County.

I regret any inconvenience that the confusion associated with this matter has caused. I respectfully submit that standards for granting the relief requested are addressed now just

page three

January 28, 2008 (Mr. John Fury – 1034 Walnut Avenue)

as they were at the time of the prior grant and I respectfully suggest that the variance requested at this time should be granted for those reasons.

Thank you kindly for your consideration and please give me a call if you have any questions.

Very truly yours,

A handwritten signature in dark ink, appearing to be 'Bob Lee', written in a cursive style.

Bob Lee  
Land Development Administrator

BL/tmods

cc: Jack Bannister  
Roland Joun  
f: nbp.8.4.varlexpl012808



**GENERAL NOTE:**

- Any portion of the fill area not being actively worked on shall be seeded and mulched or otherwise stabilized within 14 days.
- Prior to beginning of grading, all sediment control devices are to be installed and maintained by the contractor as per these plans with location adjustments to be made as necessary.
- Notify the Anne Arundel County Department of Inspections and Permits 2 days prior to start of grading operations.
- The contractor shall inspect all Soil Erosion Control devices after each 1/4 inch of rainfall and clean if necessary.
- No slopes to be greater than 2:1.
- Additional measures to control velocities and/or erosion may be installed in the field as directed by the Inspector.
- Existing trees and ground cover are to remain undisturbed beyond slopes. Natural drainage ways are to remain undisturbed except when necessary to install drainage & erosion control structures as shown herein.
- All temporary structures such as sediment traps, straw bales, etc. shall be removed, regraded, and seeded as soon as all disturbed area has been stabilized.
- As construction proceeds additional measures may be employed, if conditions warrant, to insure effective retention of silt and sediment on the site.
- All excess material (if any) shall be removed to a site approved by the Anne Arundel County Soil Conservation District.

**ANNE ARUNDEL SOIL CONSERVATION DISTRICT DETAILS AND SPECIFICATIONS FOR VEGETATION ESTABLISHMENT**

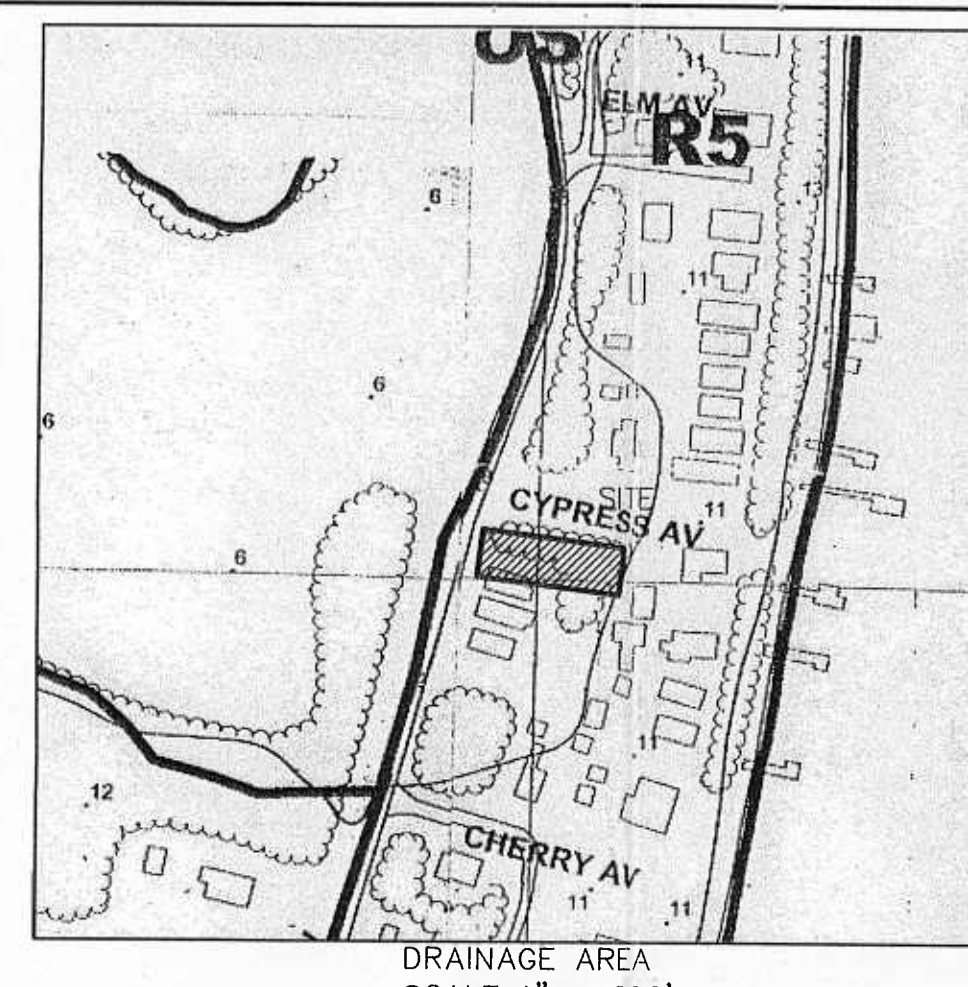
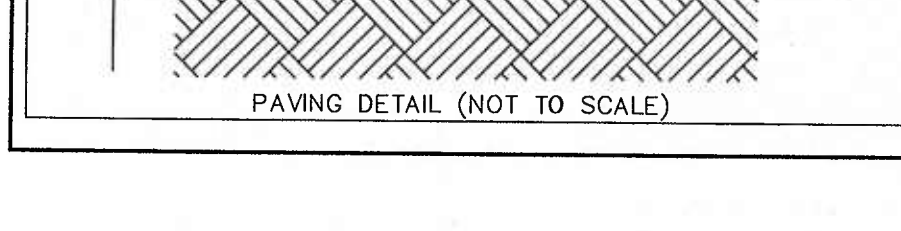
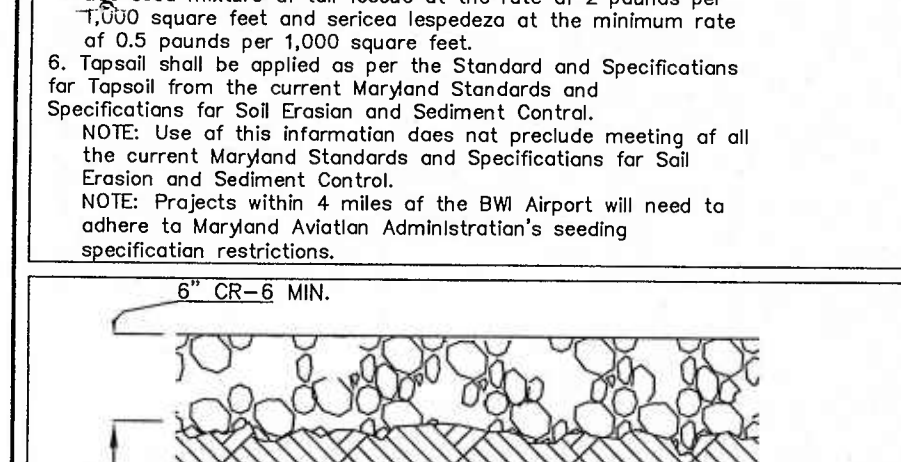
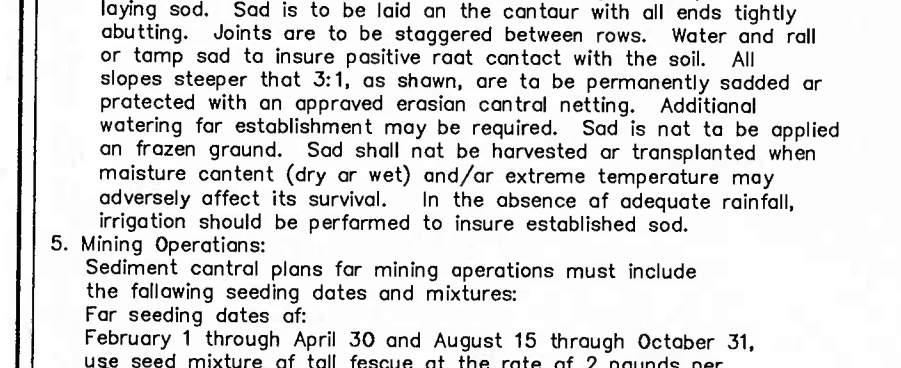
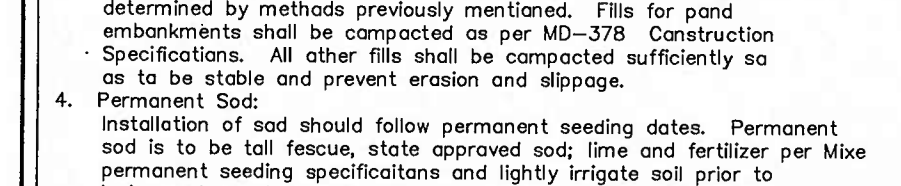
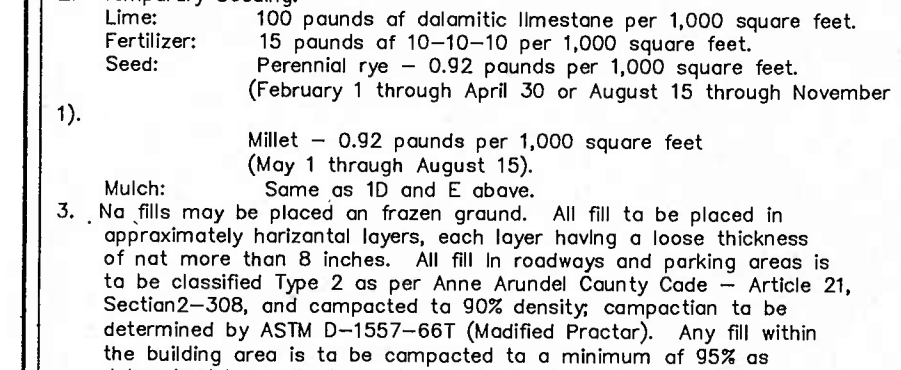
Following initial soil disturbance or redistribution, permanent or temporary stabilization shall be completed within seven calendar days for the surface of all perimeter controls, dikes, swales, ditches, perimeter slopes, and all slopes greater than 3 horizontal to 1 vertical (3:1) and fourteen days for all other disturbed or graded areas on the project site.

- Permanent Seeding:
  - Soil Tests: Lime and fertilizer will be applied per soil tests results for sites greater than 5 acres. Soil tests will be done at completion of rough grading. Rates and analyses will be provided to the grading contractor as well as the contractor.
  - Occurrence of acid sulfate soils (grayish black color) will require covering with a minimum capping of top soil. No stocking of material is allowed. If needed, soil tests should be done before and after a 6 week incubation period to allow oxidation of sulfates. The minimum soil conditions required for permanent vegetative establishment are:
    - Soil pH shall be between 6.0 and 7.0.
    - Soluble salts shall be less than 500 parts per million (ppm).
    - The soil shall contain less than 40% clay but enough fine grained material (SOX plus clay) to provide the necessary capacity to hold a moderate amount of moisture. An exception is if lowgrass or sericea lespedeza is to be planted, then a sandy soil (<30% silt plus clay) would be acceptable.
    - Soil shall contain 1.5% minimum organic matter by weight.
    - Soil must contain sufficient pore space to permit adequate root penetration.
  - If these conditions cannot be met by soils on site, adding topsoil is required in accordance with Section 21.1 Standard and Specification for Topsoil or amendments made as recommended by a certified agronomist.
- Seeded 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, disk, or other acceptable means before seeding occurs. 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. Harrow or disk lime and fertilizer into the soil to a depth of at least 3 inches on slopes flatter than 3:1.
- Seeding: Apply 5-8 pounds per 1,000 square feet of tall fescue between February 1, and April 30 and between August 15 and October 31. Apply seed uniformly on a moist firm seeded with a cylinder seeded drill, catpucker seeder or hydro seeder (slurry includes seeds and fertilizer, recommended for steep slopes only). Maximum seed depth should be 1/4 inch in clayey soils and 1/2 inch in sandy soils when using other than the hydroseeder method. Irrigate if soil moisture is deficient to support adequate germination until vegetation is firmly established. If other seed mixes are to be used, select from Table 25, entitled "Permanent Seeding for Low Maintenance Areas" from the 1994 Standards and Specifications for Soil Erosion and Sediment Control. Mixes suitable for this area are 1, 3 and 5-7. Mixes 5-7 are suitable in non-mowable situations.
- Mulching: Mulch shall be applied to all seeded areas immediately after seeding. During the time period when seeding is not permitted, mulch shall be applied immediately after grading. Mulch shall be untreated, unchipped, small grain type applied at a rate of 2 tons per acre or 90 pounds per 1,000 square feet (2 bales). If a much anchoring tool is used, apply 2.5 tons per acre. Mulch material free of all kinds of weeds and plant material shall be completely free of prohibited noxious weeds. Spread mulch uniformly, mechanically or by hand, to a depth of 2 inches. Standards and Specifications for Soil Erosion and Sediment Control. Mixes suitable for this area are 1, 3 and 5-7. Mixes 5-7 are suitable in non-mowable situations.
- Securing Straw Mulch: Straw mulch shall be secured immediately following mulch application to minimize movement by wind or water. The following methods are permitted:
  - Use a much anchoring tool which is designed to punch and anchor 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 flat areas where equipment can operate safely.
  - Wood cellulose fiber may be used for anchoring straw. Apply the fiber binder at a net dry weight of 750 pounds per acre. If mixed with water, use weight of 500 pounds of wood cellulose fiber per 100 gallons of water. Liquefied binders may be used and applied heavier at the edges where wind catches mulch, such as on valleys and on crests of slopes. The remainder of the area should appear uniform after binder application.
  - Binders listed in the 1994 Standards and Specifications for Soil Erosion and Sediment Control of approved equal shall be applied at rates recommended by the manufacturers.
  - Lightweight plastic netting may be used to secure mulch. The netting will be stapled to the ground according to manufacturer's recommendations.

- Mulch:
  - 100 pounds of dolomitic limestone per 1,000 square feet.
  - Fertilizer: 15 pounds of 10-10-10 per 1,000 square feet.
  - Seed: 5-8 pounds per 1,000 square feet. (February 1 through April 30 or August 15 through November 15)
- Mulch: Same as 1D and E above.
- No fill may be placed on a frozen ground. All fill to be placed in approximately horizontal layers, each layer having a loose thickness of not more than 8 inches. All fill in roadways and parking areas to be classified Type 2 as per Anne Arundel County Code - Article 21, Sections 3-308, and compacted to 95% density, composition 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% as determined by methods previously mentioned. Fill for pond embankments shall be compacted as per MD-378 Construction Specifications. All other fill shall be compacted sufficiently so as to be stable and prevent erosion and slippage.

- Permanent Sod:
  - Installation of sod should follow permanent seeding dates. Permanent sod is to be tall fescue, state approved seed; lime and fertilizer per Mix permanent seeding specifications and lightly irrigate soil prior to laying sod. Sod is to be laid on the contour with all ends tightly abutting. Joints are to be staggered between rows. Water and roll or tamp sod to insure positive root contact with the soil. All slopes steeper than 3:1, as shown, are to be permanently protected or protected with an approved erosion control netting. Additional watering for establishment may be required. Sod is not to be applied on frozen ground. Sod shall not be harvested or transported when moisture content (dry or wet) and/or extreme temperature may adversely affect its survival. In the absence of adequate rainfall, irrigation should be performed to insure established sod.
  - Mining Operations: Sediment control plans for mining operations must include the following seeding dates and mixtures:
    - February 1 through April 30 and August 15 through October 31. Use seed mixture of tall fescue at the rate of 2 pounds per 1,000 square feet and sericea lespedeza at the minimum rate of 0.5 pounds per 1,000 square feet.
  - Topsoil shall be applied as per the Standard and Specifications for Topsoil from the current Maryland Standards and Specifications for Soil Erosion and Sediment Control.

- NOTE: Use of this information does not preclude meeting of all the current Maryland Standards and Specifications for Soil Erosion and Sediment Control. NOTE: Projects within 4 miles of the BWI Airport will need to adhere to Maryland Aviation Administration's seeding specification restrictions.



**STORMWATER MANAGEMENT COMPUTATION**

**1-WATER QUALITY VOLUME = WQv**  
 $WQv = \frac{(P)(Rv)(A)}{12}$  P = 1.72 AC  
 A = 0.172 AC  
 $Rv = 0.05 + 0.009(i)$   
 $i = \text{percent impervious} = 30.8 \%$   
 $0.05 + 0.009 (30.8) = 0.3272$   
 $WQv = \frac{(1.72)(0.3272)(0.172)}{12} = 0.0047 \text{ AC-Ft} = 204 \text{ CU.FT}$

**2-RECHARGE VOLUME**  
 $Rev = \frac{(i)(Rv)(A)}{12}$   
 $i = 0.14$  type Soil C  
 $Rev = \frac{(0.14)(0.3272)(0.172)}{12} = 0.00066 \text{ AC-Ft} = 29 \text{ CU.FT}$

**STORMWATER MANAGEMENT NOTE:**  
 SITE WILL NOT SUPPORT INFILTRATION OR ATTENUATION OF STORMWATER RUNOFF. THEREFORE PLANTINGS WILL BE USED AS CREDIT FOR STORMWATER MANAGEMENT.

**STANDARDS & SPECIFICATIONS FOR TOPSOIL**  
 Per 1994 MD standards and specifications for soils erosion and sediment control construction and material specifications. Topsoil salvaged from the existing site may be used provided that it meets the standards as set forth in these specifications typically, the depth of topsoil to be salvaged for a given soil type can be found in the representative soil profile section in the soil survey published by usd-a in cooperation with Maryland Agricultural Experiment Station.

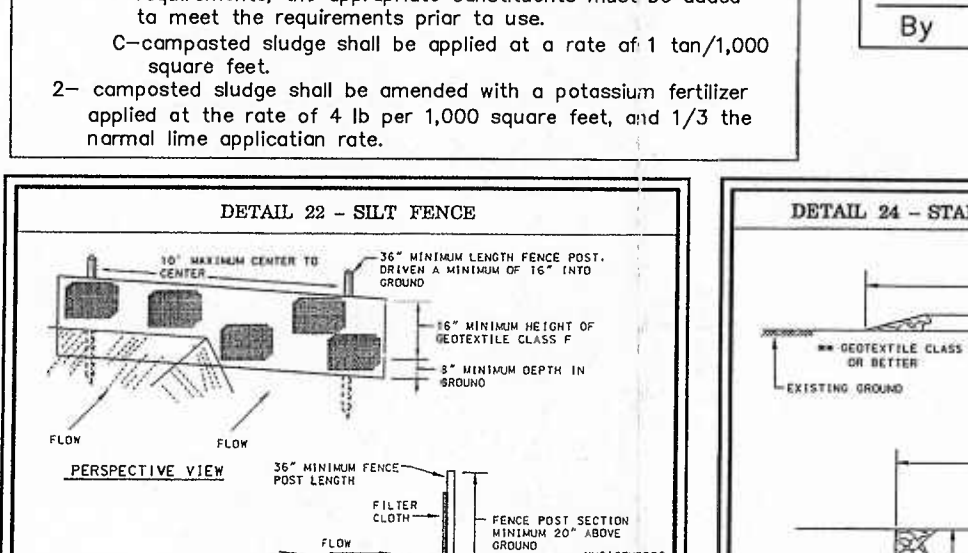
**II-topsoil specifications** - soil to be used as topsoil must meet the following:  
 a-topsoil shall be a loam, clay loam, silt loam, sandy clay loam, or loamy sand, other soils may be used if recommended by an agronomist or soil scientist and approved by the appropriate authority; repgrades, topsoil shall not be a compacted textured substrate and shall contain less than 5% by volume of clumps, stones, slag, coarse fragments, gravel, sticks, roots, trash, or other materials larger than 1/2" in diameter.  
 b-topsoil must be free of plants or plant parts such as bermuda grass, quackgrass, johnsongrass, nutgrass, johnny weed, etc., or others as specified.  
 c-where the subsoil is either highly acidic or composed of heavy clays, ground limestone shall be spread at the rate of 4-8 tons/core (200-400) pounds per 1,000 square feet prior to the placement of topsoil. Lime shall be distributed uniformly over designated areas and worked into the soil in conjunction with tillage operations as described in the following procedures.

**III- for sites having disturbed areas under 5 acres:**  
 place topsoil (if required) and apply soil amendments as specified in 20.0 vegetative stabilization - section I - vegetative stabilization methods and materials.  
 for sites having disturbed areas over 5 acres:  
 I-on soil meeting topsoil specifications, obtain test results disclosing fertilizer requirements required to bring the soil into compliance with the following:  
 a. pH for topsoil shall be between 6.0 and 7.5. If the tested soil demonstrates a pH of less than 6.0, a sufficient lime shall be prescribed to raise the pH to 6.5 or higher.  
 b. organic content of topsoil shall be not less than 1.5 percent by weight.  
 c. topsoil having soluble salt content greater than 300 parts per million shall not be used. If used, no soil or seed shall be placed on soil which has been treated with soil sterilants or chemicals used for weed control until sufficient time has elapsed (14 days min.) to permit dissipation of phytotoxic materials.

**NOTE: topsoil substitutes or amendments** as recommended by a qualified agronomist or soil scientist and approved by the appropriate authority, may be used in lieu of natural  
 2- place topsoil (if required) and apply soil amendments as specified in 20.0 vegetative stabilization - section I - vegetative stabilization methods and materials.  
 topsoil application  
 a- when topsoiling, maintain needed erosion and sediment control practices such as diversions, grade stabilization structures, earth dikes, slope silt fence and sediment traps and basins.  
 b- grades on the areas to be topsoiled, which are 4' - 8' higher in elevation.  
 c-topsoil 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 sodding or seeding can proceed with a minimum of additional soil preparation and topsoil stabilization preparation.  
 d-topsoil shall not be placed while the topsoil or subsoil is in a frozen or muddy condition, when the subsoil is excessively wet or in a condition that may otherwise be detrimental to proper grading and seeded preparation.  
 e-topsoil shall not be placed while the topsoil or subsoil is in a frozen or muddy condition, when the subsoil is excessively wet or in a condition that may otherwise be detrimental to proper grading and seeded preparation.  
 f-alternative for permanent seeding - instead of applying the full amounts of lime and commercial fertilizer, composted sludge and amendments may be applied as specified below:  
 I-composted sludge material for 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 be applied at the following requirements:  
 A-composted sludge shall be supplied by, or originate from, a person or persons that are permitted (at the time of acquisition of the compost) by the Maryland Department of the Environment under paragraph 25.0A.04.  
 B-composted sludge shall contain at least 1 percent nitrogen, 1.5 percent phosphorus, and 0.2 percent potassium and have a pH of 7.0 to 8.0. If compost does not meet these requirements, the appropriate constituents must be added to meet the requirements prior to use.  
 C-composted sludge shall be applied at a rate of 1 ton/1,000 square feet.  
 2- composted sludge shall be amended with a potassium fertilizer applied at the rate of 4 lb per 1,000 square feet, and 1/3 the normal lime application rate.

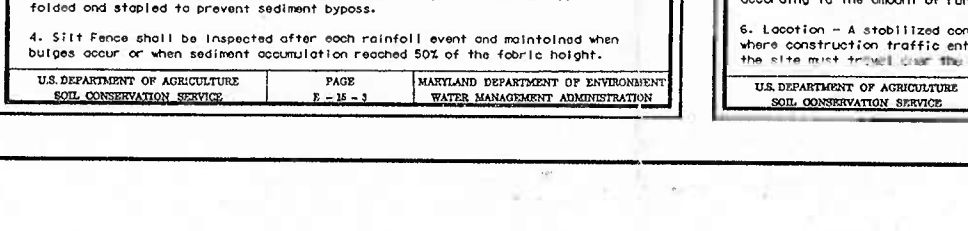
Approved for use in the Public Works Agreement for the heron shown lot's sanitary sewer system

By \_\_\_\_\_ date \_\_\_\_\_



**CONSTRUCTION SCHEDULE**

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- 3. INSTALLATION OF SEDIMENT CONTROL DEVICES 2 DAYS
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- 5. CONSTRUCTION OF STORMWATER MANAGEMENT DEVICE 1 WEEK
- 6. REMOVAL OF SEDIMENT CONTROL DEVICES WHEN PERMITS IS GRANTED BY DEPT. OF INSPECTIONS & PERMITS AND ONLY AFTER STABILIZATION OF ANY REMAINING DISTURBED AREAS 10-11 WEEKS



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- DISTURBED AREA = 4,860 SQ.FT = 0.112 AC
- AREA TO BE STRUCTURALLY STABILIZED = 1,572 SQ.FT = 0.036 AC.
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- STABILIZED CONSTRUCTION ENTRANCE = ONE
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**OUTFALL STATEMENT:**  
 A field investigation of outfall #1 was performed on August 10, 2004 by Wilkerson and Associates. Outfall #1 is located at the eastern side of the lot, at 20 ft approximately Southeast from Cypress Ave., carrying the runoff of lot 8 through the outside area of lot toward Chesapeake Bay. A 10 year storm analysis show that no erosion or flooding will occur a result of the new development.

**GRINDER PUMP SCHEDULE**

| ADDRESS          | UNIT TYPE | BSMT. EL. | INVERT EL. AT FIN. | TOP EL. OF GRINDER PUMP | DEPTH OF GRINDER PUMP |
|------------------|-----------|-----------|--------------------|-------------------------|-----------------------|
| 1034 WALNUT AVE. | DUPLEX    | 5.00'     | 4.00'              | 4.50'                   | 3.75'                 |

**LEGEND**

- Denotes Existing Contours
- Denotes Proposed Contours
- Denotes Proposed Silt Fence
- Denotes Limits of Disturbance
- Denotes Edge of Existing Paving
- Denotes Ex. Utility Easement per Book 7598 Page 131



**CONTRACTOR CERTIFICATION**

I, the Developer/Owner, certify that I have reviewed this erosion and sediment control plan in accordance with the current Maryland Standards and Specifications for Soil Erosion and Sediment Control and have approved this plan. I am not liable for the results of the erosion and sediment control plan if the contractor fails to follow the plan. My signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**ANNE ARUNDEL SOIL CONSERVATION DISTRICT SEDIMENT AND EROSION CONTROL APPROVAL**

District Official \_\_\_\_\_ Date \_\_\_\_\_

AASCD# \_\_\_\_\_ SMALL POND # \_\_\_\_\_

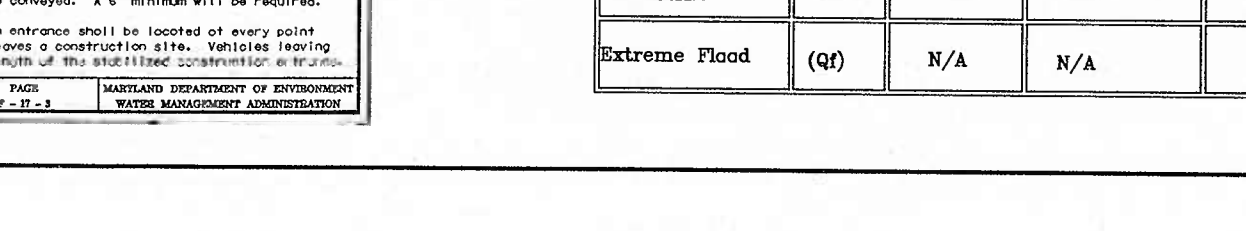
Reviewed for technical Adequacy by  
 USDA, Natural Resources Conservation Service

**REVISIONS:**

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_



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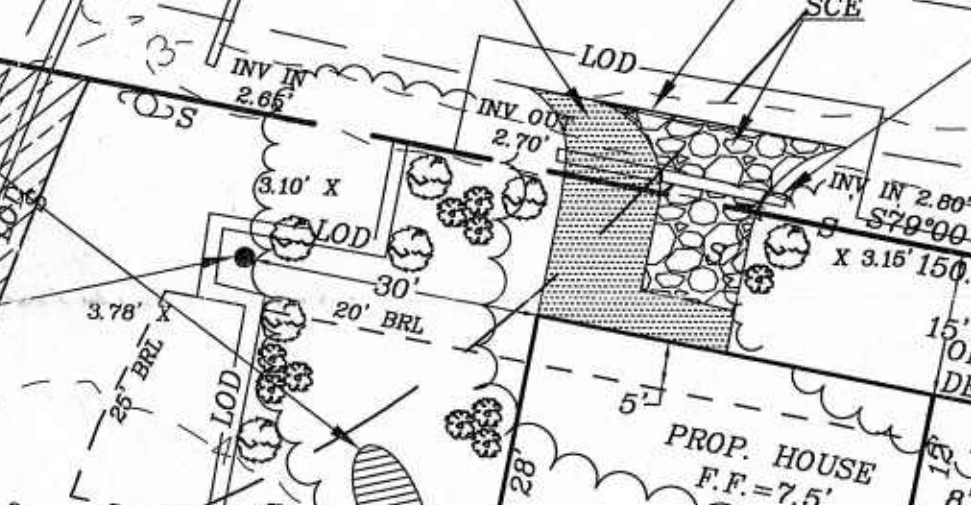
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District Official \_\_\_\_\_ Date \_\_\_\_\_

AASCD# \_\_\_\_\_ SMALL POND # \_\_\_\_\_

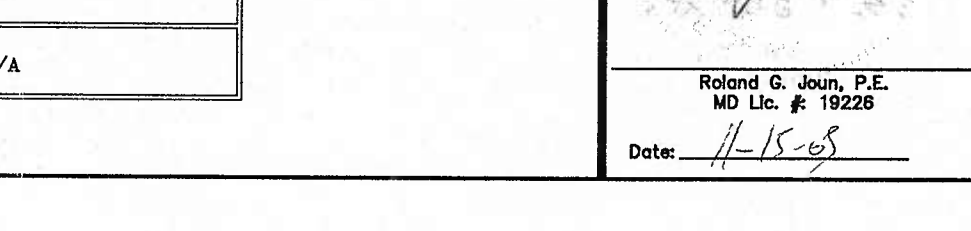
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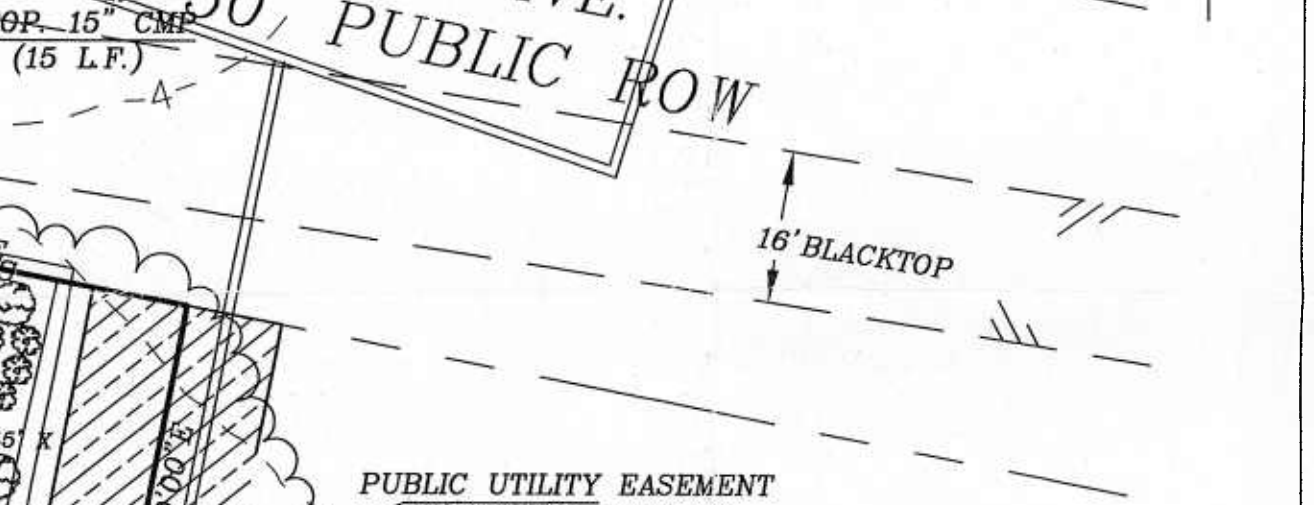
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| 1034 WALNUT AVE. | DUPLEX    | 5.00'     | 4.00'              | 4.50'                   | 3.75'                 |

**LEGEND**

- Denotes Existing Contours
- Denotes Proposed Contours
- Denotes Proposed Silt Fence
- Denotes Limits of Disturbance
- Denotes Edge of Existing Paving
- Denotes Ex. Utility Easement per Book 7598 Page 131



**CONTRACTOR CERTIFICATION**

I, the Developer/Owner, certify that I have reviewed this erosion and sediment control plan in accordance with the current Maryland Standards and Specifications for Soil Erosion and Sediment Control and have approved this plan. I am not liable for the results of the erosion and sediment control plan if the contractor fails to follow the plan. My signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CONSULTANT'S CERTIFICATION**

I, the Consultant, certify that I have reviewed this erosion and sediment control plan in accordance with the current Maryland Standards and Specifications for Soil Erosion and Sediment Control and have approved this plan. My signature: \_\_\_\_\_ Date: \_\_\_\_\_

**ANNE ARUNDEL SOIL CONSERVATION DISTRICT SEDIMENT AND EROSION CONTROL APPROVAL**

District Official \_\_\_\_\_ Date \_\_\_\_\_

AASCD# \_\_\_\_\_ SMALL POND # \_\_\_\_\_

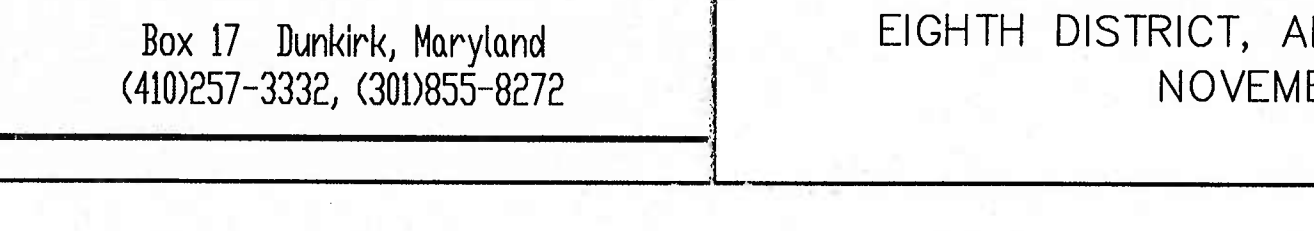
Reviewed for technical Adequacy by  
 USDA, Natural Resources Conservation Service

**REVISIONS:**

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_



**CONSTRUCTION SCHEDULE**

- 1. PRE-CONSTRUCTION MEETINGS WORK MAY NOT COMMENCE UNTIL THE PERMITTEE OR THE RESPONSIBLE PERSONNEL HAVE MET ON SITE WITH THE SEDIMENT AND EROSION CONTROL INSPECTOR TO REVIEW THE APPROVED PLANS.
- 2. CONTRACTOR/DEVELOPER MUST NOTIFY INSPECTORS AND PERMITS 48 HOURS PRIOR TO COMMENCING WORK (410)222-7782
- 3. INSTALLATION OF SEDIMENT CONTROL DEVICES 2 DAYS
- 4. GRADING, SITE CONSTRUCTION, CONSTRUCTION OF HOUSE, DRIVEWAY, INSTALLATION OF UTILITY AND STABILIZATION OF SITE WITH PERMANENT VEGETATIVE COVER 9 WEEKS
- 5. CONSTRUCTION OF STORMWATER MANAGEMENT DEVICE 1 WEEK
- 6. REMOVAL OF SEDIMENT CONTROL DEVICES WHEN PERMITS IS GRANTED BY DEPT. OF INSPECTIONS & PERMITS AND ONLY AFTER STABILIZATION OF ANY REMAINING DISTURBED AREAS 10-11 WEEKS

**SITE ANALYSIS**

- TOTAL LOT AREA = 7,500 SQ.FT = 0.172 AC.
- DISTURBED AREA = 4,860 SQ.FT = 0.112 AC
- AREA TO BE STRUCTURALLY STABILIZED = 1,572 SQ.FT = 0.036 AC.
- AREA TO BE VEGETATIVELY STABILIZED = 3,288 SQ.FT = 0.076 AC.
- SILT FENCE = 320 LF
- STABILIZED CONSTRUCTION ENTRANCE = ONE
- CUT = 20 CU.YARDS & 20 CU.YARDS
- AREA TO BE VEGETATIVELY STABILIZED FOR AFFORMENTED PURPOSES ONLY AND ARE NOT TO BE USED FOR BIDS.

**OUTFALL STATEMENT:**  
 A field investigation of outfall #1 was performed on August 10, 2004 by Wilkerson and Associates. Outfall #1 is located at the eastern side of the lot, at 20 ft approximately Southeast from Cypress Ave., carrying the runoff of lot 8 through the outside area of lot toward Chesapeake Bay. A 10 year storm analysis show that no erosion or flooding will occur a result of the new development.

**GRINDER PUMP SCHEDULE**

| ADDRESS     | UNIT TYPE | BSMT. EL. | INVERT EL. AT FIN. | TOP EL. OF GRINDER PUMP | DEPTH OF GRINDER PUMP |
|-------------|-----------|-----------|--------------------|-------------------------|-----------------------|
| 1034 WALNUT |           |           |                    |                         |                       |