

AA 753-06
SUB

Carlow, Charles
06-0135

MSA_S_1829-5528

Comments 12/28/00 JED

4

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/

August 14, 2008

Mr. Bill Love
Anne Arundel County
Department of Planning and Zoning
2664 Riva Road, MS 6303
Annapolis, Maryland 21401

Re: Carlow, Charles
S 06-032, P 06-135

Dear Mr. Love:

Thank you for forwarding the above-referenced revised subdivision application. The applicant proposes to subdivide an existing parcel into two lots, and to construct a dwelling on one of the parcels. The property is designated as a Limited Development Area (LDA) and as a Resource Conservation Area (RCA). The applicant has addressed this office's comments from my March 27, 2008 letter and I have no further comments on the proposed subdivision at this time.

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3481.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amber Widmayer".

Amber Widmayer
Natural Resources Planner

cc: AA 753-06

TTY for the Deaf

Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



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March 27, 2008

Mr. Bill Love
Anne Arundel County
Department of Planning and Zoning
2664 Riva Road, MS 6303
Annapolis, Maryland 21401

Re: Carlow, Charles
S 06-032, P 06-135

Dear Mr. Love:

Thank you for forwarding the above-referenced revised subdivision application. The applicant proposes to subdivide an existing parcel into two lots, and to construct a dwelling on one of the parcels. The property is designated as a Limited Development Area (LDA) and as a Resource Conservation Area (RCA). It appears that the applicant has addressed this office's comments from my January 10, 2008 letter. I have included my remaining comment below.

- 1) The proposed impervious surface area shown on the portion of the proposed subdivision that is within the Critical Area is at the 15% limit. Therefore, we recommend that the applicant include notations on the plat and plans that no additional impervious surfaces are allowed on lot 1 or lot 2 to provide future property owners with notice of this fact. This office would not support future variance requests to exceed the 15% impervious surface area limit.

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3481.

Sincerely,

A handwritten signature in black ink, appearing to read "Amber Widmayer".

Amber Widmayer
Natural Resources Planner

cc: AA 753-06



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March 15, 2007

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

RE: Charles Carlow Subdivision
Subdivision 2006-032 Project No. 2006-0135

Dear Ms. Krinetz:

We have received a revised site plan and comment letter for the above-referenced subdivision. In a letter dated March 2, 2007, Mr. James Luff from ATCS addressed the Critical Area Commission's five comments. Mr. Luff's item #2 in his letter indicates that the applicant has applied for a variance to increase the impervious coverage on commercial Lot 3. Lot 3 is currently nonconforming. It has 58,125 square feet in the Critical Area, 26,518 square feet of which is impervious surface (three times the impervious surface area limit); we cannot support the creation of a lot that will be more nonconforming. We also cannot support a variance to create a new lot that will be nonconforming.

Thank you for the opportunity to provide comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie R.", written over a horizontal line.

Julie Roberts
Natural Resources Planner

cc: AA753-06

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
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www.dnr.state.md.us/criticalarea/

December 28, 2006

Ms. Kelly Krinetz
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road, MS 6301
Annapolis, Maryland 21401

Re: Charles Carlow Property
S06-032

Dear Ms. Krinetz:

Thank you for providing information regarding the above referenced subdivision. The applicant is proposing to subdivide a 3.906 acre property to create four lots. Currently, the two existing parcels of record are developed with two single-family dwellings and a commercial restaurant. The subdivision would create an additional building lot. Of the total property acreage, 3.11 acres lie within the Critical Area, with 0.14 acres in the Resource Conservation Area (RCA) and 2.96 acres within the Limited Development Area (LDA).

Based on the subdivision plat submitted, it appears that the applicant is proposing to re-subdivide two-existing parcels of record for the purpose of creating an additional buildable lot. The applicant proposes a further subdivision of an existing non-conforming situation in regard to impervious surface area limits, and results in additional development of the property. As such, we are not able to support the applicant's subdivision proposal. In regard to our position, we provide the following comments:

1. The Critical Area calculation chart shown is entirely inaccurate. As a result of the proposed subdivision, the four new lots will not have grandfathered status. As such, the impervious surface area limits are not as shown in the chart. Specifically, non-grandfathered lots within the RCA and LDA are limited by law as follows. "If an individual lot 1 acre or less in size is part of a subdivision approved after December 1, 1985 in the Chesapeake Bay Critical Area or after June 1, 2002 in the Atlantic Coastal Bays Critical Area, then man-made impervious surfaces of the lot may not exceed 25% of the lot. However, the total of the impervious surfaces over the entire subdivision may not exceed 15%" (Natural Resources Article §8-1808.3)." Based on the chart, proposed Lots 1 and 2, if viewed alone, would qualify for a 25% impervious surface area limit provided that the entire subdivision did not exceed 15%. Given that the amount of existing impervious surface area on proposed Lot 3 alone exceeds 15% of the subdivision (20,320 square feet is equal to 15% of 3.11 acres), it would appear that neither Lot 1 nor Lot 2 could qualify for a 25% limit. Therefore, all of the

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lots within the proposed subdivision are limited to 15% impervious surface area per lot. The chart should be amended as follows:

- Lot 1 (.219 acres in LDA) * 15% = 1,430 square feet
 - Lot 2 (.332 acres in LDA and RCA) * 15% = 2,174 square feet
 - Lot 3 (1.03 acres in LDA) * 15% = 6,766 square feet
 - Lot 4 (1.42 acres in LDA and RCA) * 15% = 9,292 square feet
2. Based on the information in #1 above, it is not clear whether Lot 1 would exceed the 15% limit within the Critical Area. Please clarify. In addition, it appears that Lot 3 would greatly exceed the 15% limit, resulting in a significant increase in the non-conformity of the existing structures.
 3. It appears that 4,370 square feet is proposed in conjunction with a widening strip, but it is not clear whether this acreage will be in impervious cover or simply constructed as a pervious easement area. Please clarify and please note that if impervious cover is proposed, the square footage will need to be incorporated into one of the lots or the total impervious area of the widening strip will be required to stay within 15% of the dedicated easement area.
 4. It appears that there is an existing tower on a portion of proposed Lot 4. Please ensure that this impervious acreage has been included within the impervious surface area totals for Lot 4.
 5. As the site currently contains less than 15% forested cover, it appears that afforestation will be necessary to comply with the 15% forest cover requirements within the LDA and RCA. Please provide a planting plan which demonstrates where 20,320 square feet of forested cover will be planted.

Thank you for the opportunity to provide comments for this subdivision plat. Please have the applicant address the issues raised above. If you have any questions, please contact me at 410-260-3482.

Sincerely,



Kerrie L. Gallo
Natural Resources Planner
AA753-06

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2007-0068-V

IN RE: CHARLES CARLOW

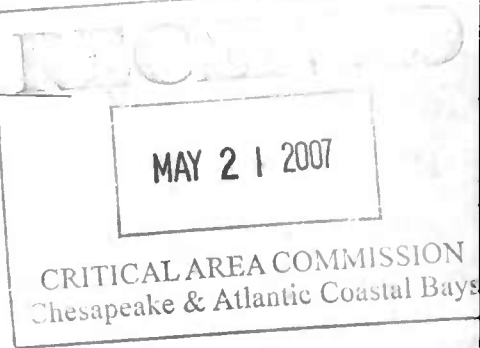
FIRST ASSESSMENT DISTRICT

DATE HEARD: APRIL 26, 2007

ORDERED BY: STEPHEN M. LeGENDRE, ADMINISTRATIVE HEARING OFFICER

PLANNER: WILLIAM ETHRIDGE

DATE FILED MAY 17th, 2007



PLEADINGS

Charles Carlow, the applicant, seeks a variance (2007-0068-V) to allow a lot with greater impervious coverage than allowed on property located along the east side of Mayo Road, south of Shoreham Beach Road, Edgewater.

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. Carlow 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 property with street addresses of 1238, 1246 and 1248 Mayo Road, also identified on Tax Map 60, Block 23, Parcels 176 and 412. The property comprises 3.9 acres and is zoned split zoned R2 Residential and C3 General Commercial districts with Chesapeake Bay Critical Area designations as Resource Conservation Area (RCA) and Limited Development Area (LDA). Parcel 176 (1.49 acres) is developed with a single-family dwelling (#1238). Parcel 476 (2.41 acres) is developed with a restaurant (#1246), parking, cell tower,

dwelling (#1248) and several accessory structures. The applicant seeks to subdivide the land into four lots. Three of the lots correspond with the existing structures: Lot 1 (0.544 acres) dwelling (#1238); Lot 3 (1.53 acres) restaurant and cell tower; and Lot 4 (1.221 acres) dwelling (#1248) and accessory structures. Lot 2 (0.503 acres) is proposed for development with a single-family dwelling. Based on the plan of subdivision, the impervious coverage for Lot 3 is 38.9 percent (25,944 square feet).

Anne Arundel County Code, Article 17, Section 17-8-402 limits impervious coverage to 15 percent; accordingly, for Lot 3, the applicant requests excess coverage in the amount of 23.9 percent (15,947 square feet).

William Ethridge, a planner with the Office of Planning and Zoning, testified that Parcel 412 is nonconforming to coverage.¹ He conceded that the applicant seeks to create separate lots for the improvements and that the code dictates the required parking for the restaurant. Nevertheless, the variance is considered self-created and more than the minimum relief.

James Luff, a profession land surveyor and consultant to the applicant, testified that the cell tower was constructed in 1999. Otherwise, the existing conditions predate the applicant's purchase of the property. Under the proposal, Lot 3 would be wholly in the C3 zone. The option of the status quo means that the improvements on Parcel 412 must be sold for joint use. Finally, for Lot 2, only the northeast and southwest corners are located in the Critical Area.

¹ The coverage amount is 27.6 percent (28,944 square feet).

Mr. Carlow testified that he purchased Parcel 412 in 1971 and Parcel 176 in 1976. He agreed to the current zoning during the 1990 comprehensive zoning process. The process resulted in C3 zoning for the restaurant with the zoning line between the C3 and R2 zones extending into Parcel 176. Finally, the property is benefited by an additional equivalent dwelling unit for sewer, which he hopes to use for proposed Lot 2.

Kerrie Gallo, a Natural Resource Planner for the Chesapeake Bay Critical Area Commission, summarized her letter dated April 23, 2007 in opposition to the application. In brief, the variance procedure is considered inapplicable in a case of a new, non-grandfathered subdivision proposing to create a nonconforming lot. Alternatively, the variance standards are not satisfied. In particular, the applicant already enjoys reasonable and significant use of Parcel 412 and should be required to redesign the proposed subdivision in conformance with the code. In addition, the proposed subdivision, including the creation of an additional lot, represents a special privilege.

On questioning by Mr. Luff, Ms. Gallo conceded that the impervious coverage in the Critical Area is unchanged. She was unable to suggest an alternative subdivision configuration in conformance with the code.

At this juncture, Mr. Luff suggested the elimination of Lot 2. However, Mr. Ethridge and Ms. Gallo remained adamant in their opposition to the request for excess coverage for the restaurant lot.

The standards for granting variances are contained in Section 18-16-305.

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 applicant; (2) a literal interpretation of the program will deprive the applicant 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 applicant 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 applicant 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 law is well settled that the applicant's burden is to prove that each and every of the variance standards are satisfied. If the evidence is lacking as to even one of the criteria, then the relief must be denied.

Upon review of the facts and circumstances, I am constrained to deny the application. Considering the subsection (b) criteria, there is no showing that a

literal interpretation of the program deprives the applicant of rights in common enjoyment elsewhere in the Critical Area. Rather, the grant of the requested relief constitutes a special privilege denied by the program to other Critical Area lands. Thus, the applicant already enjoys reasonable use of Parcel 412, consisting of a restaurant, cell tower and dwelling; there is no right to create a new subdivision with a non-conforming lot; and the creation of a new, non-grandfathered nonconforming lot is disallowed elsewhere in the Critical Area. The result is unchanged by the applicant's desire to be able to sell the restaurant and #1248 for separate use. The result is also unchanged if Lot 2 is eliminated. Even conceding that the need for relief is not the result of the actions of the applicant and does not arise from land use on neighboring property, the granting of the variance is nonetheless inconsistent with the spirit and intent of the program.

Although it is unnecessary to consider the subsection (c) criteria, I have nonetheless done so. Conceding that the impervious coverage in the Critical Area is unchanged and conceding the lack of an identified alternative subdivision configuration that conforms to the code, this is still a very significant request. Even though the granting of the variance is not likely to alter the essential character of the neighborhood or to impair the use or development of adjacent property, the grant is detrimental to the public welfare.

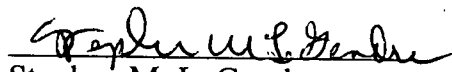
Because the applicant has not met his burden of proof, the denial of the application does not deny reasonable use and is not an unwarranted hardship.

ORDER

PURSUANT to the application of Charles Carlow, petitioning for a variance to allow a lot with greater impervious coverage than allowed; and

PURSUANT to the notice, posting of the property, and public hearing and in accordance with the provisions of law, it is this 17th day of May, 2007,

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicant's request is **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.



Robert L. Ehrlich, Jr., Governor

Michael S. Steele, Lt. Governor

C. Ronald Franks, Secretary

November 7, 2006

P 06 - 0135

RECEIVED

Mr. James M. Luff
ATCS, P.L.C.
304 Harry S. Truman Pkwy.
Suite F
Annapolis, MD 21401

NOV 16 2006

PERMIT APPLICATION CENTER

RE: Environmental Review for Charles P. Carlow Property Subdivision, 1246 Mayo Road, Edgewater, Anne Arundel County, Maryland.

Dear Mr. Luff:

The Wildlife and Heritage Service has determined that there are no State or Federal records for rare, threatened or endangered species within the boundaries of the project site as delineated. As a result, we have no specific comments or requirements pertaining to protection measures at this time. This statement should not be interpreted however as meaning that rare, threatened or endangered species are not in fact present. If appropriate habitat is available, certain species could be present without documentation because adequate surveys have not been conducted.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER #2006.2618.aa

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

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

October 2, 2007

Ms. Kelly Krinetz
Anne Arundel County Department of Planning and Zoning
2664 Riva Road, MS 6301
Annapolis, Maryland 21401

Re: Carlow, Charles
S 06-032, P 06-135

Dear Ms. Krinetz:

Thank you for forwarding the above-referenced revised subdivision application. The applicant proposes to subdivide an existing parcel into two lots, and to construct a dwelling on one of the parcels. The property is designated as a Limited Development Area (LDA) and as a Resource Conservation Area (RCA). I have outlined my comments below.

1. The plans show the limit of disturbance and grading within the portion of the RCA on proposed lot 2. These activities may not occur within the RCA to support development outside of the RCA. Therefore, the plans should be amended so that the limit of disturbance and proposed grading are outside of the RCA on lot 2. Also, the RCA portion of lot 2 should be placed in an easement that will prohibit any development activities in this area in the future.
2. Please have the applicant quantify the existing forested area on the property, as well as the area of proposed clearing. If 15% of the property is not forested, the applicant will need to provide afforestation plantings on the site.

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3482.

Sincerely,

A handwritten signature in black ink, appearing to read "Amber Widmayer".

Amber Widmayer
Natural Resources Planner

cc: AA 217-07

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

**STATE OF MARYLAND
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January 10, 2008

Mr. Bill Love
Anne Arundel County
Department of Planning and Zoning
2664 Riva Road, MS 6303
Annapolis, Maryland 21401

Re: Carlow, Charles
S 06-032, P 06-135

Dear Mr. Love:

Thank you for forwarding the above-referenced revised subdivision application. The applicant proposes to subdivide an existing parcel into two lots, and to construct a dwelling on one of the parcels. The property is designated as a Limited Development Area (LDA) and as a Resource Conservation Area (RCA). It appears that the applicant has addressed this office's comments from my October 2, 2007 letter. I have included my remaining comments below.

- 1) This office recommends that the entire area of RCA on lot 2 be placed in a forest conservation easement.
- 2) Additionally, we recommend that the applicant add a notation to the plat that no further impervious surface area is allowed on lot 2.

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3481.

Sincerely,

A handwritten signature in black ink, appearing to read "AW", written over a horizontal line.

Amber Widmayer
Natural Resources Planner

cc: AA 753-06

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

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January 10, 2008

Mr. Bill Love
Anne Arundel County
Department of Planning and Zoning
2664 Riva Road, MS 6303
Annapolis, Maryland 21401

Re: Carlow, Charles
S 06-032, P 06-135

Dear Mr. Love:

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- 2) Additionally, we recommend that the applicant add a notation to the plat that no further impervious surface area is allowed on lot 2.

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3481.

Sincerely,

A handwritten signature in black ink, appearing to read 'AWidmayer'.

Amber Widmayer
Natural Resources Planner

cc: AA 753-06

James M. Luff
 JAMES M. LUFF
 R.L.S. #10320
 ATCS, P.L.C.
 304 HARRY S. TRUMAN PARKWAY
 SUITE F
 ANNAPOLIS, MD 21401



DEDICATION BY OWNERS

THE UNDERSIGNED, BEING ALL OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED ON THIS RECORD PLAT, ADOPT(S) THIS RECORD PLAT; ESTABLISH(ES) THE MINIMUM BUILDING RESTRICTION LINES; AND DEDICATE(S) ALL PUBLIC ROADS, WIDENING STRIPS, FLOODPLAINS, EASEMENTS, AND RIGHTS-OF-WAY TO PUBLIC USE, SUCH LANDS BEING DEEDED TO ANNE ARUNDEL COUNTY, MARYLAND OR TO THE STATE, AS MAY BE APPROPRIATE, PRIOR TO OR CONTEMPORANEOUS WITH THE RECORDATION OF THIS PLAT.

TO THE BEST OF MY/OUR KNOWLEDGE, INFORMATION, AND BELIEF, THE REQUIREMENTS OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE STATE CODE, CONCERNING THE MAKING OF PLATS AND SETTING OF MARKERS, HAVE BEEN SATISFIED. THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, TRUSTS, EASEMENTS, OR RIGHTS-OF-WAY AFFECTING THE PROPERTY INCLUDED IN THIS RECORD PLAT OTHER THAN THE FOLLOWING:

ALL OWNERS OF THE PROPERTY HAVE AFFIXED THEIR SIGNATURES AND SEALS ON THIS RECORD PLAT.

I (WE) ASSENT TO AND DO HEREBY JOIN IN THIS RECORD PLAT.

WITNESS DATE CHARLES P. CARLOW DATE

WITNESS DATE FREDA L. CARLOW DATE

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THIS RECORD PLAT IS CORRECT; THAT IT IS A SUBDIVISION OF ALL OF THE LANDS CONVEYED BY BETTY DELORES NEUMAN, JESSIE ANN MARCELLINO, HERMAN W. GROLLER, AND LESLIE C. GROLLER, TO CHARLES P. AND FREDA L. CARLOW, BY DEED DATED JANUARY 1, 1985, AND RECORDED IN THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND, IN LIBER 3837, FOLIO 1; AND THAT THE REQUIREMENTS OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE STATE CODE, CONCERNING THE MAKING OF PLATS AND SETTING OF MARKERS, HAVE BEEN SATISFIED.

1/3/08
DATE

James M. Luff
SURVEYOR



JAMES M. LUFF
 R.L.S. #10320
 ATCS, P.L.C.
 304 HARRY S. TRUMAN PARKWAY
 SUITE F
 ANNAPOLIS, MD 21401

MODIFICATION NOTE:

MODIFICATION NO. 9436 (DATED OCTOBER 11, 2006) - MODIFICATION TO SKETCH AND RECREATION FEES WAS REVIEWED BY THE ANNE ARUNDEL COUNTY OFFICE OF PLANNING AND ZONING AND SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE REQUEST FOR RELIEF FROM THE SKETCH PLAN REVIEW PROCESS WAS DENIED.
2. THE REQUEST FOR RELIEF FROM THE OPEN SPACE AND RECREATION AREA WAS GRANTED SUBJECT TO THE PAYMENT OF \$1,000.00 PER EACH RESIDENTIAL LOT AS A FEE-IN-LIEU OF PROVIDING REQUIRED RECREATION AND OPEN SPACE PRIOR TO PLAT APPROVAL. FEE-IN-LIEU OF \$2,000.00 WAS PAID ON . C.R.#_____

FOREST AREA STATISTICS

EXISTING PARCEL 176: 14,662 SQ. FT. OR 0.337 +/- ACRES
 PROPOSED CLEARING: 0.00 ACRES
 AREA IN EASEMENT: 0.193 +/- ACRES

PLAT BOOK _____, PAGE _____, PLAT NO. _____

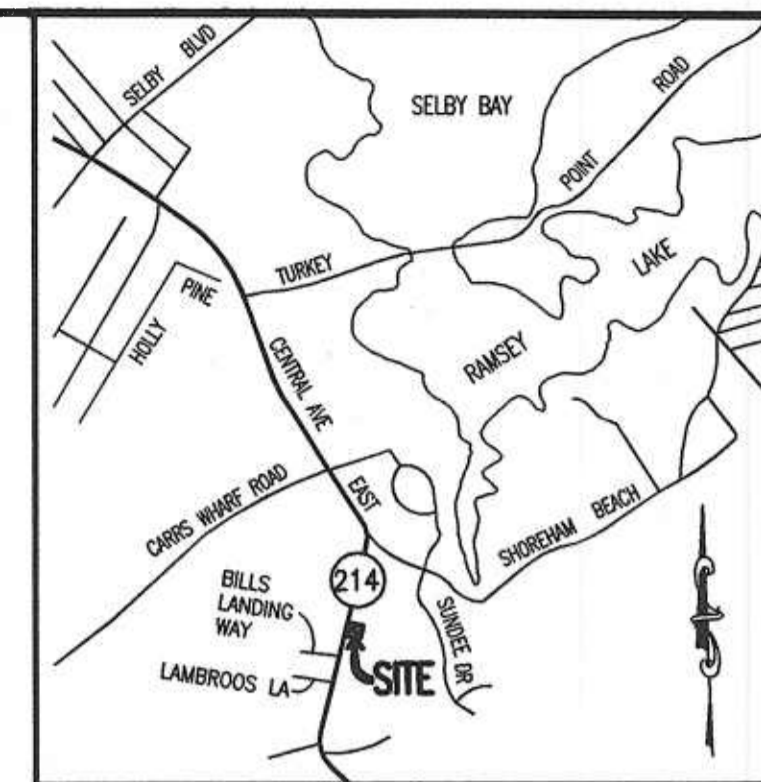
CRITICAL AREA NOTES AND CALCULATIONS

1. THE SITE LIES PARTIALLY WITHIN THE CRITICAL AREA LAND USE DESIGNATIONS OF RESOURCE CONSERVATION AREA (RCA) AND LIMITED DEVELOPMENT AREA (LDA).
2. THE SITE CONTAINS SEVERAL LARGE TREES WHICH ARE TO REMAIN UNDISTURBED PER THE DEVELOPMENT PLAN.
3. A GRADING PERMIT WILL BE REQUIRED TO ADDRESS SITE DEVELOPMENT FOR CONSTRUCTION ON LOT 2.
4. SINCE LOT 1 AND 2 HAVE A MAXIMUM OF 15% IMPERVIOUS SURFACE AREA, NO NEW IMPERVIOUS AREA WOULD BE ALLOWED WITHOUT A VARIANCE.
5. AFFORESTATION REQUIREMENT OF 15% OF AREA WITHIN CRITICAL AREA = 39,867 S.F. X 0.15 = 5,981 S.F. AFFORESTATION PROVIDED WITHIN FOREST CONSERVATION EASEMENTS #1 & #2 = 10,049 S.F.

CRITICAL AREA CALCULATIONS

	TOTAL AREA	*CRITICAL AREA	*IMPERVIOUS ALLOWED	*EXISTING IMPERVIOUS	*PROPOSED IMPERVIOUS	TOTAL IMPERVIOUS
LOT 1	28,629 S.F.	21,002 S.F.		3,983 S.F.	1,077 S.F.	5,060 S.F.
LOT 2	34,178 S.F.	17,101 S.F.		0.0 S.F.	171.0 S.F.	171.0 S.F.
10' WIDENING	2,106 S.F.	1,764 S.F.		749 S.F.	0.0 S.F.	749 S.F.
TOTAL	64,913 S.F.	39,867 S.F.	5,980 S.F.	4,732 S.F.	1,248 S.F.	5,980 S.F.

* COLUMN INDICATES IN THE CRITICAL AREA



VICINITY MAP
SCALE 1"=2000'

GENERAL NOTES:

1. THE PURPOSE OF THIS PLAT IS TO CREATE ONE ADDITIONAL RESIDENTIAL LOT FROM PARCEL 176.
2. THE ENTIRE PROPERTY, SHOWN HEREON, LIES WITHIN FLOOD ZONE 'C', AS DEPICTED ON THE FLOOD INSURANCE RATE MAPS FOR ANNE ARUNDEL COUNTY, MARYLAND, SHOWN ON COMMUNITY PANEL NUMBER 240007-0048-C, WITH A REVISION DATE OF SEPTEMBER 27.
3. THE PROPERTY SHOWN HEREON LIES PARTIALLY WITHIN THE CHESAPEAKE BAY CRITICAL AREAS LDA AND RCA, AS SHOWN ON THE ANNE ARUNDEL COUNTY CRITICAL AREA MAP #60.
5. THE PROPOSED LOTS WILL BE SERVED BY PUBLIC SEWER AND PRIVATE WELLS.
6. THE COORDINATES SHOWN HEREON ARE MARYLAND NAD 83 AS PROJECTED BY ANNE ARUNDEL COUNTY OPERATING MAPS.
7. THE EXISTING HOUSE ON PARCEL 176 IS CONNECTED TO THE PUBLIC SEWER (MAYO SANITARY SEWER AREA) SYSTEM. PROPOSED LOT 2 WILL BE SERVED BY A PRIVATE UTILITY/ MAYO TANK EASEMENT WHICH WILL BE CONNECTED TO THE PUBLIC SYSTEM.
8. THE TEN (10) FOOT WIDE RIGHT-OF-WAY DEDICATION, SHOWN ON PLAT 2 OF 2, IS RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER _____, FOLIO _____.
9. THE PARKING LOT EASEMENT, SHOWN ON PLAT 2 OF 2, IS RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER _____, FOLIO _____.

PRIVATE ACCESS EASEMENT

THE 30 FOOT WIDE PRIVATE JOINT ACCESS EASEMENT AND THE 15 FOOT WIDE ACCESS EASEMENT SHOWN ON SHEET 2, IS INTENDED TO PROVIDE ACCESS TO AND FROM LOT 1 AND LOT 2. THE OWNERS' OF THESE LOTS ARE RESPONSIBLE FOR MAINTENANCE OF THE ACCESS EASEMENT AND ARE NOT ELIGIBLE TO RECEIVE COUNTY SERVICES TO LOT OWNERS ABUTTING COUNTY ROADS. SEE PRIVATE EASEMENT MAINTENANCE AGREEMENT RECORDED IN LIBER _____, FOLIO _____.

STORMWATER MANAGEMENT NOTE

STORMWATER MANAGEMENT FOR THIS PROJECT SHALL BE PROVIDED IN ACCORDANCE WITH ARTICLE 16, TITLE 3, SECTION 205 OF THE ANNE ARUNDEL COUNTY ORDINANCE AND THE APPROVED STORMWATER MANAGEMENT PLANS ON FILE WITH THE OFFICE OF PLANNING AND ZONING.

ALLOCATION NOTE

THIS SUBDIVISION PLAT IS SUBJECT TO THE REQUIREMENTS OF ARTICLE 13, TITLE 5 OF THE ANNE ARUNDEL COUNTY CODE AS IT RELATES TO THE ALLOCATION OF WASTEWATER CAPACITY. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS LAW MAY CAUSE THIS SUBDIVISION PLAT TO BECOME VOID OR CAUSE THE PROPERTIES SHOWN HEREON TO BE SUBJECT TO A LEIN FOR UNPAID CHARGES.

FOREST CONSERVATION EASEMENT

THIS SITE IS SUBJECT TO A FOREST CONSERVATION EASEMENT AS RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER _____, FOLIO _____, AND IS SUBJECT TO ALL REQUIREMENTS STIPULATED THEREIN. FURTHERMORE, THIS EASEMENT SHALL REMAIN UNMANAGED OTHER THAN FOR ROUTINE DEBRIS REMOVAL.

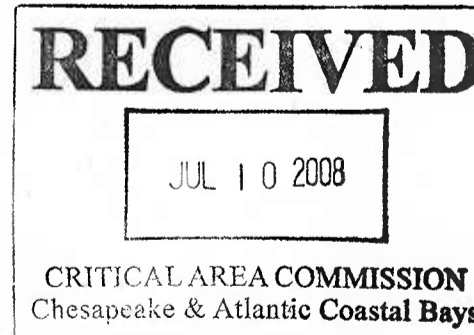
ZONING DESIGNATION:

THE PROPERTY SHOWN HEREON IS ZONED C-3 and R-2.

SITE STATISTICS

EXISTING PARCEL 176: 1.490 +/- ACRES
 PROPOSED LOT 1: 0.657 +/- ACRES
 PROPOSED LOT 2: 0.785 +/- ACRES
 10' WIDENING STRIP: 0.048 +/- ACRES
 TOTAL AREA: 1.490 +/- ACRES

PLAT 1 OF 2
 ** MINOR SUBDIVISION



ANNE ARUNDEL COUNTY PLANNING AND ZONING

PUBLIC SEWER AND PRIVATE WELLS

APPROVAL DATE _____ BY: _____
 LARRY R. TOM
 PLANNING AND ZONING OFFICER
 ANNE ARUNDEL COUNTY, MARYLAND

ANNE ARUNDEL COUNTY HEALTH OFFICER

PUBLIC SEWER AND PRIVATE WELLS

APPROVAL DATE _____ BY: _____
 ANNE ARUNDEL COUNTY HEALTH OFFICER

**CHARLES P. CARLOW
 PROPERTY**

SUBDIVISION# 2006-032 PROJECT# 2006-0135-1
 TAX MAP 60 GRID 23 PARCEL 176
 (NAD 83)
 FIRST DISTRICT, ANNE ARUNDEL COUNTY, MARYLAND
 JOB NO. A078-5112 FOLDER 112 OCTOBER 2007

ATCS, P.L.C.

ENGINEERING • PLANNING • SURVEYING

304 Harry S. Truman Parkway, Suite F
 Annapolis, Maryland 21401

(410) 224-7497 • Fax (410) 224-7498

Culpeper, Va. • Waldorf, Md. • Sterling, Va.

RECEIVED
 JUL 08 2008
 PLANNING AND ZONING DEVELOPMENT
 2006-0135-01 NM

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 Culpeper, Va. • Waldorf, Md. • Sterling, Va.

LEGEND

- IRON PIPE FOUND
- IRON ROD SET
- LDA — CRITICAL AREA
- ▨ NON-TIDAL WETLANDS
- ▨ PROPOSED 10' WIDE RIGHT-OF-WAY DONATION
- ▨ FOREST CONSERVATION PROPERTY

SCALE
 1" = 50'
 25 100 150

ANNE ARUNDEL COUNTY PLANNING AND ZONING
 PUBLIC SEWER AND PRIVATE WELLS
 APPROVAL DATE _____ BY: _____
 LARRY R. TOM
 PLANNING AND ZONING OFFICER
 ANNE ARUNDEL COUNTY, MARYLAND

ANNE ARUNDEL COUNTY HEALTH OFFICER
 PUBLIC SEWER AND PRIVATE WELLS
 APPROVAL DATE _____ BY: _____
 ANNE ARUNDEL COUNTY HEALTH OFFICER

FOREST CONSERVATION LINE TABLE

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
FCP1	N14°54'03"E	20.96'	FCP8	S75°47'09"E	100.64'
FCP2	S75°01'24"E	33.00'	FCP9	S14°54'03"W	119.59'
FCP3	S84°15'30"E	30.40'	FCP10	N27°17'22"W	50.56'
FCP4	N77°32'25"E	18.01'	FCP11	N25°54'18"W	29.00'
FCP5	S84°20'00"E	38.82'	FCP12	N24°44'54"W	42.04'
FCP6	S30°12'17"E	52.48'	FCP13	N23°15'01"W	33.83'
FCP7	N76°17'34"W	154.55'			

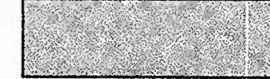
LINE & CURVE TABLE

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.00	N12°52'41"E
L2	32.16	N81°46'02"E
L3	30.00	S12°52'41"W
L4	32.16	S81°46'02"W
L5	15.00	S12°52'41"W
L6	91.15	S78°25'34"E
L7	18.62	S14°54'03"W
L8	91.49	N78°25'34"W
L9	10.01	N12°52'41"E
L10	135.10	S75°08'30"E
L11	10.01	N14°54'03"E
L12	19.99	S75°05'57"E
L13	20.00	S14°51'30"W
L14	154.75	N75°08'30"W
L15	52.33	S75°08'30"E
L16	59.80	S12°52'41"W
L17	52.31	N76°17'34"W
L18	60.85	N12°52'41"E

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	CHORD	LENGTH
C1	17.52	22.00	45°37'14"	N78°45'49"E	17.06'
C2	15.06	37.00	23°18'49"	S89°55'02"W	14.95'

AREA TO BE CONVEYED TO THE MARYLAND STATE HIGHWAY ADMINISTRATION

1	N 12°52'41" E	210.72'
2	S 75°47'09" E	10.00'
3	S 12°52'41" W	210.63'
4	N 76°17'34" W	10.01'

FEE SIMPLE AREA = 2,107 SQ.FT. OR 0.048 ACRES±
 SHOWN THUS: 

SEE PLAT _____ SURVEYOR'S CERTIFICATE OF DEDICATION

JAMES M. LUFF
 NO. 10230
 PROFESSIONAL LAND SURVEYOR

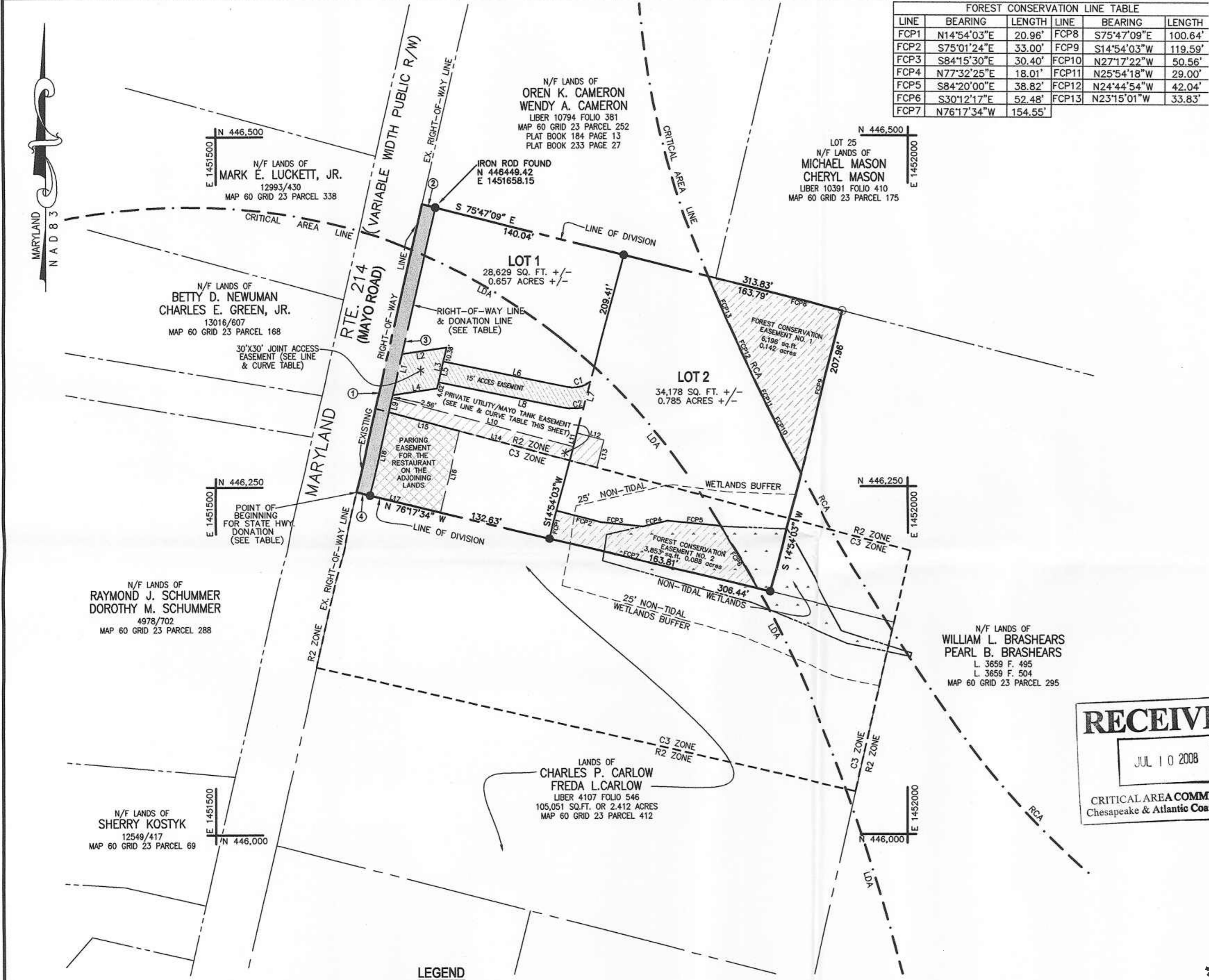
James M. Luff 7/3/08
 JAMES M. LUFF
 PROFESSIONAL LAND SURVEYOR #10320
 WE ASSENT TO THIS PLAN OF SUBDIVISION

CHARLES P. CARLOW
 FRED A. L. CARLOW

RECEIVED
 JUL 10 2008
 CRITICAL AREA COMMISSION
 Chesapeake & Atlantic Coastal Bays

PLAT 2 OF 2
 ** MINOR SUBDIVISION
CHARLES P. CARLOW PROPERTY

SUBDIVISION# 2006-032 PROJECT# 2006-0135-1
 TAX MAP 60 GRID 23 PARCEL 176 (NAD 83)
 FIRST DISTRICT, ANNE ARUNDEL COUNTY, MARYLAND
 JOB NO. A078-5112 FOLDER 112 OCTOBER 2007



N/F LANDS OF
 RAYMOND J. SCHUMMER
 DOROTHY M. SCHUMMER
 4978/702
 MAP 60 GRID 23 PARCEL 288

N/F LANDS OF
 BETTY D. NEUMAN
 CHARLES E. GREEN, JR.
 13016/607
 MAP 60 GRID 23 PARCEL 168

N 446,250
 POINT OF BEGINNING FOR STATE HWY. DONATION (SEE TABLE)

N 446,500
 N/F LANDS OF
 MARK E. LUCKETT, JR.
 12993/430
 MAP 60 GRID 23 PARCEL 338

N/F LANDS OF
 OREN K. CAMERON
 WENDY A. CAMERON
 LIBER 10794 FOLIO 381
 MAP 60 GRID 23 PARCEL 252
 PLAT BOOK 184 PAGE 13
 PLAT BOOK 233 PAGE 27

IRON ROD FOUND
 N 448449.42
 E 1451658.15

N 446,500
 LOT 25
 N/F LANDS OF
 MICHAEL MASON
 CHERYL MASON
 LIBER 10391 FOLIO 410
 MAP 60 GRID 23 PARCEL 175

N/F LANDS OF
 WILLIAM L. BRASHEARS
 PEARL B. BRASHEARS
 L. 3659 F. 495
 L. 3659 F. 504
 MAP 60 GRID 23 PARCEL 295

LANDS OF
 CHARLES P. CARLOW
 FRED A. L. CARLOW
 LIBER 4107 FOLIO 546
 105,051 SQ.FT. OR 2.412 ACRES
 MAP 60 GRID 23 PARCEL 412

N/F LANDS OF
 SHERRY KOSTYK
 12549/417
 MAP 60 GRID 23 PARCEL 69

CHARLES P. CARLOW PROPERTY

1246 MAYO ROAD, EDGEWATER, MARYLAND

TAX MAP 60 ~ BLOCK 23 ~ PARCEL 176

FIRST DISTRICT ANNE ARUNDEL COUNTY MARYLAND



MODIFICATION NOTE:

PLAN SCALE: 1" = 40'

SITE STATISTICS

EX. PARCEL 176: 64,913 SQ.FT. OR 1.490 ACRES±

PROPOSED LOT 1: 28,629 SQ.FT. OR 0.657 ACRES±
 PROPOSED LOT 2: 34,178 SQ.FT. OR 0.785 ACRES±
 10' WIDENING STRIP: 2,106 SQ.FT. OR 0.048 ACRES±
 TOTAL AREA: 64,913 SQ.FT. OR 1.490 ACRES±

FOREST CONSERVATION LINE TABLE

LINE	BEARING	LENGTH
FCP1	N14°54'03"E	20.96'
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AREA TO BE CONVEYED TO THE MARYLAND STATE HIGHWAY ADMINISTRATION

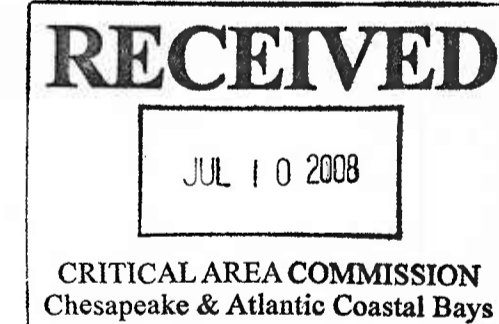
1	N 12°52'41" E	210.72'
2	S 75°47'09" E	10.00'
3	S 12°52'41" W	210.63'
4	N 76°17'34" W	10.01'

FEE SIMPLE AREA = 2,107 SQ.FT. OR 0.048 ACRES±
 SHOWN THUS:

ZONING & SETBACKS:

THE PROPERTY SHOWN HEREON IS ZONED R-2, WITH BUILDING RESTRICTION LINES AS FOLLOWS:

R-2 ZONE:
 FRONT - 30' FEET
 REAR - 25' FEET
 SIDE - 7' FEET

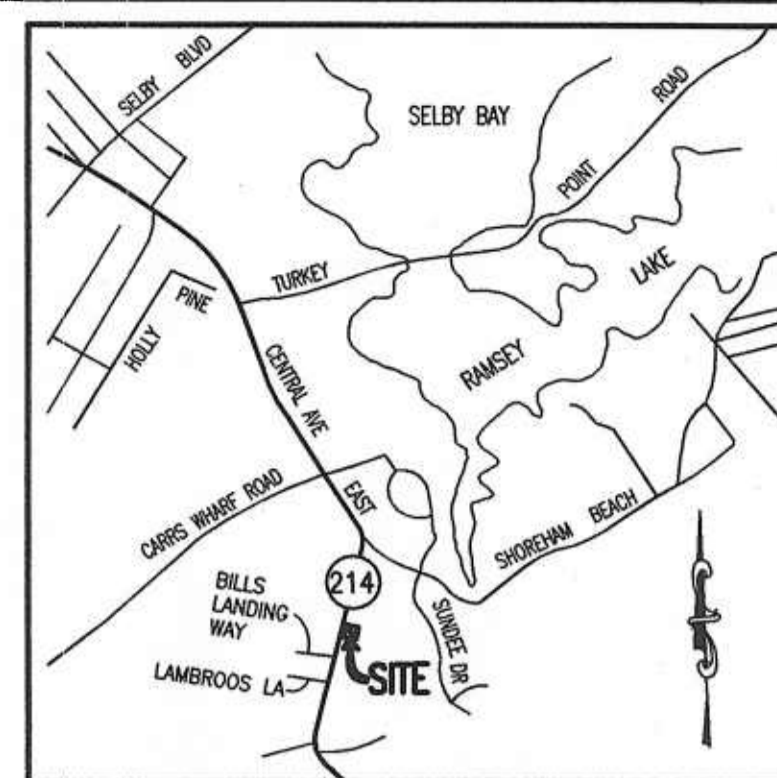
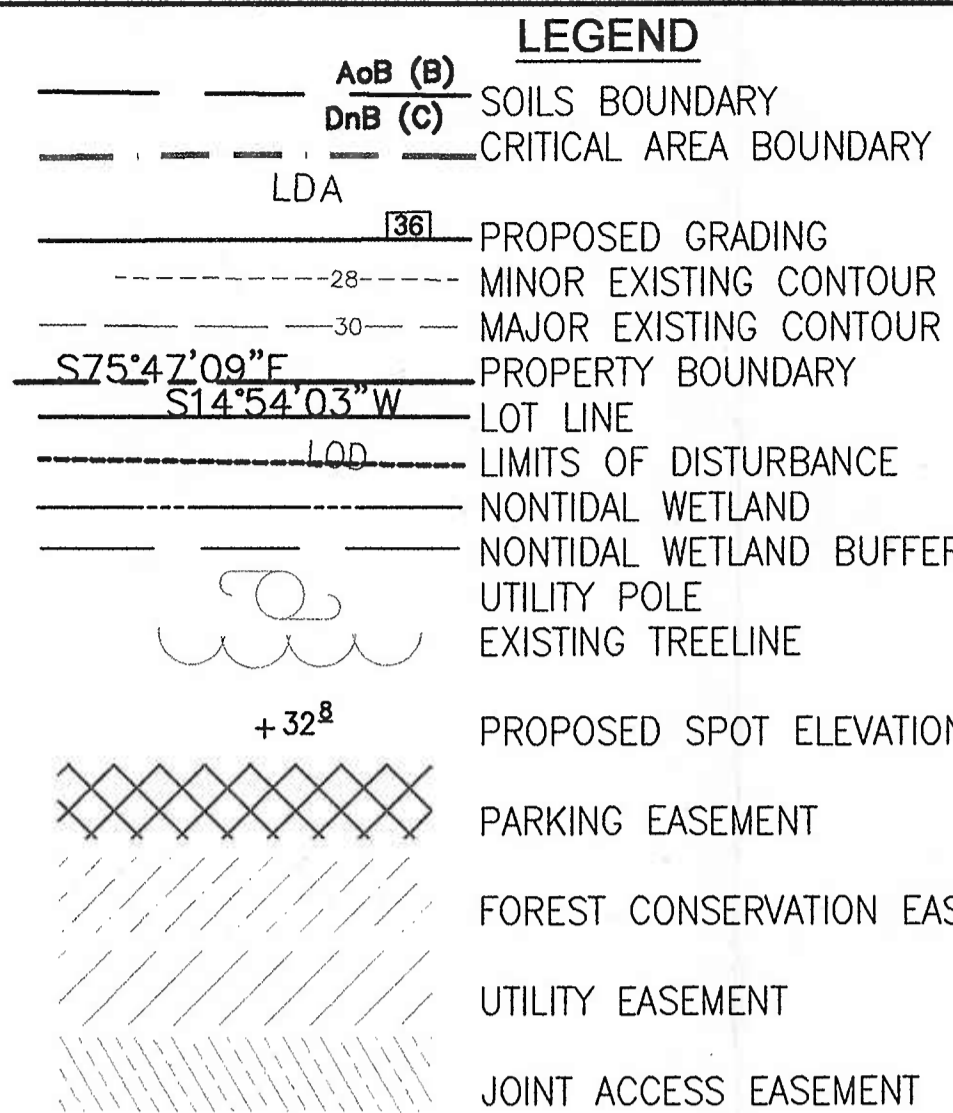


EASEMENT TABLE

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L3	30.00	S12°52'41"W
L4	32.16	S81°45'02"W
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L7	18.62	S14°54'03"W
L8	91.49	N78°25'34"W
L9	10.01	N12°52'41"E
L10	135.10	S75°08'30"E
L11	10.01	N14°54'03"E
L12	19.99	S75°05'57"E
L13	20.00	S14°51'30"W
L14	154.75	N75°08'30"W
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CURVE TABLE

CURVE	ARC	RADIUS	DELTA	CHORD	LENGTH
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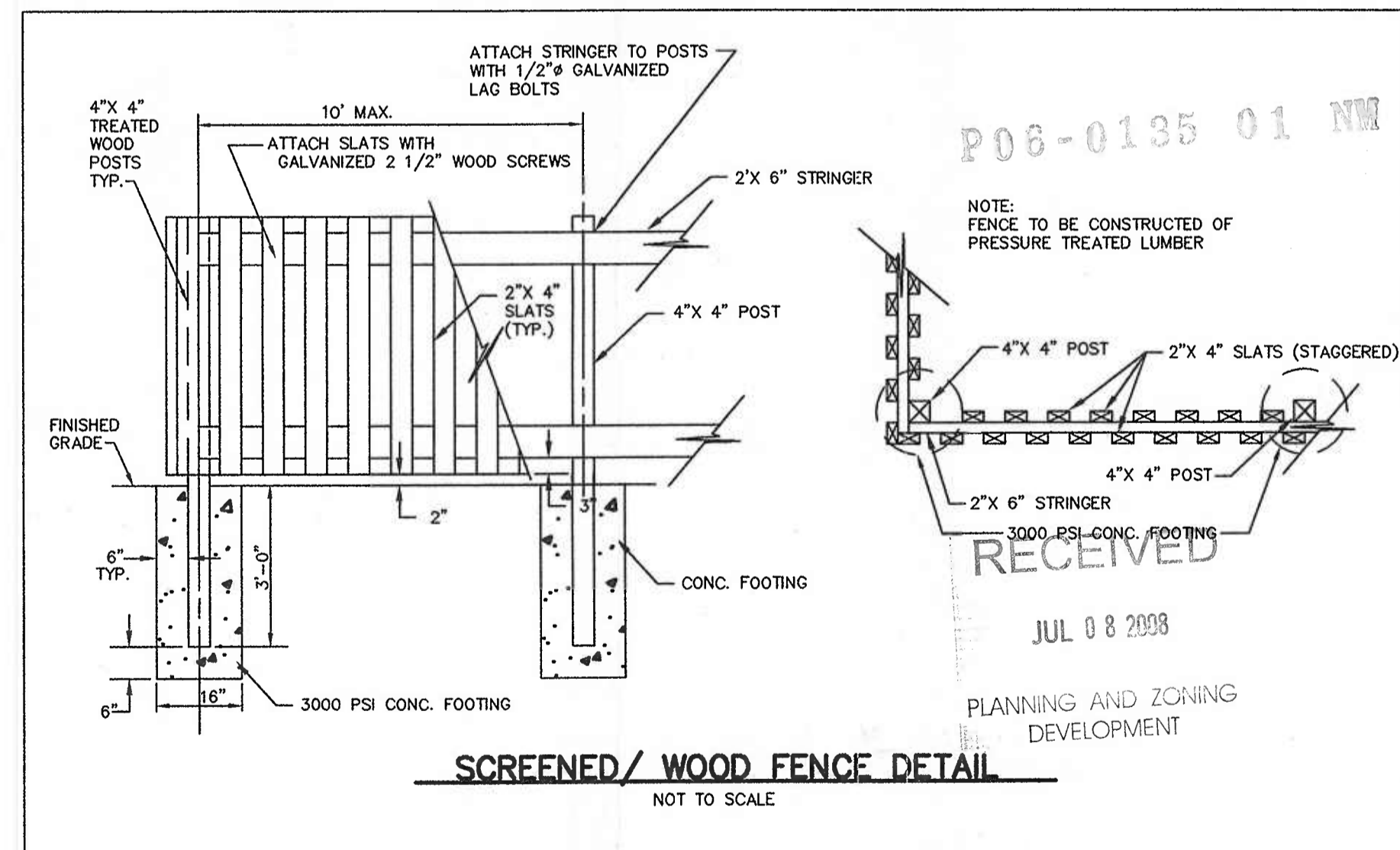


GENERAL NOTES:

- THE PURPOSE OF THIS PLAT IS TO CREATE ONE ADDITIONAL RESIDENTIAL LOT FROM PARCEL 176.
- THE ENTIRE PROPERTY, SHOWN HEREON, LIES WITHIN FLOOD ZONE 'C', AS DEPICTED ON THE FLOOD INSURANCE RATE MAPS FOR ANNE ARUNDEL COUNTY, MARYLAND, SHOWN ON COMMUNITY PANEL NUMBER 240007-0048-C, WITH A REVISION DATE OF SEPTEMBER 27.
- THE PROPERTY SHOWN HEREON LIES PARTIALLY WITHIN THE CHESAPEAKE BAY CRITICAL AREAS LDA AND RCA, AS SHOWN ON THE ANNE ARUNDEL COUNTY CRITICAL AREA MAP #60.
- THE PROPOSED LOTS WILL BE SERVED BY PUBLIC SEWER AND PRIVATE WELLS.
- THE COORDINATES SHOWN HEREON ARE MARYLAND NAD 83 AS PROJECTED BY ANNE ARUNDEL COUNTY.
- THE EXISTING HOUSE ON PARCEL 176 IS CONNECTED TO THE PUBLIC SEWER (MAYO SANITARY SEWER AREA) SYSTEM. PROPOSED LOT 2 WILL HAVE TO BE CONNECTED TO THE SYSTEM.
- CONTOURS SHOWN HEREON ARE 2' INTERVALS AS FIELD RUN BY ATCS, P.L.C. IN NOVEMBER 2005 UTILIZING ANNE ARUNDEL COUNTY CONTROL MONUMENTS 347-A AND 347-B.
- SEDIMENT AND EROSION CONTROL MEASURES WILL BE DESIGNED WITH THE PERMIT APPLICATIONS, ACCORDING TO THE LATEST VERSION OF THE "1994 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL AND SEDIMENT CONTROL" AND THE LOCAL REGULATIONS.
- LIMIT OF DISTURBANCE: 19,425 ±S.F. OR 0.46± ACRES.

CRITICAL AREA NOTES AND CALCULATIONS

- THE SITE LIES PARTIALLY WITHIN THE CRITICAL AREA LAND USE DESIGNATIONS OF RESOURCE CONSERVATION AREA (RCA) AND LIMITED DEVELOPMENT AREA (LDA).
- THE SITE CONTAINS SEVERAL LARGE TREES WHICH ARE TO REMAIN UNDISTURBED PER THE DEVELOPMENT PLAN.
- AFFORESTATION REQUIREMENT OF 15% OF AREA WITHIN CRITICAL AREA = 39,867 S.F. X 0.15 = 5,981 S.F. AFFORESTATION PROVIDED WITHIN FOREST CONSERVATION EASEMENTS #1 & #2 = 10,049 S.F.



CRITICAL AREA CALCULATIONS

	TOTAL AREA	*CRITICAL AREA	*IMPERVIOUS ALLOWED	*EXISTING IMPERVIOUS	*PROPOSED IMPERVIOUS	TOTAL IMPERVIOUS
LOT 1	28,629 S.F.	21,002 S.F.		3,983 S.F.	1,077 S.F.	5,060 S.F.
LOT 2	34,178 S.F.	17,101 S.F.		0.0 S.F.	171.0 S.F.	171.0 S.F.
10' WIDENING	2,106 S.F.	1,764 S.F.		749 S.F.	0.0 S.F.	749 S.F.
TOTAL	64,913 S.F.	39,867 S.F.	5,980 S.F.	4,732 S.F.	1,248 S.F.	5,980 S.F.

* COLUMN INDICATES IN THE CRITICAL AREA. PER AACO CODE SECTION 17-8-402.C. "LOTS LESS THAN ONE ACRE CREATED AFTER DECEMBER 1, 1985. IMPERVIOUS SURFACE ASSOCIATED WITH A LOT OF ONE ACRE OR LESS THAT IS PART OF A SUBDIVISION APPROVED AFTER DECEMBER 1, 1985, MAY BE INCREASED TO 25% OF THE LOT IF THE AREA OF IMPERVIOUS SURFACE FOR THE ENTIRE SUBDIVISION DOES NOT EXCEED 15% FOR THAT AREA WITH A CRITICAL AREA DESIGNATION. NEW IMPERVIOUS IS NOT ALLOWED IN RCA ZONE.

SINCE LOT 1 AND 2 HAVE A MAXIMUM OF 15% IMPERVIOUS SURFACE AREA, NO NEW IMPERVIOUS AREA WOULD BE ALLOWED WITHOUT A VARIANCE. THESE CALCULATIONS ARE FOR THE IMPERVIOUS SURFACE WITHIN THE CRITICAL AREA ONLY.

ATCS, P.L.C.
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 Culpeper, Va. • Waldorf, Md. • Sterling, Va.

FINAL DEVELOPMENT PLAN
 SUBDIVISION #2006-032 PROJECT #06-0135-1
 MINOR SUBDIVISION
 CHARLES P. CARLOW PROPERTY
 TM 60 GRID 23 PARCEL 176
 FIRST ELECTION DISTRICT
 ANNE ARUNDEL COUNTY, MARYLAND

DATE	JOB NUMBER	SCALE	AS SHOWN	CC	N/A	WZ	FOUNDER REFERENCE
03/19/08	5112						122

SHEET NO. 1 OF 1
 FILE NO. 5112