— AA 584-07 VAR Bonner, Robert 0337

51829-6345

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/

November 2, 2007

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

Re:

Bonner Variance 2007-0337-V

Dear Ms. Schappert:

Thank you for sending the above-referenced variance request for review and comment. The applicant is requesting an after-the-fact variance for a dwelling addition with greater impervious coverage than allowed on a non-grandfathered lot. The property is 10,179 square feet in size, is located in a Limited Development Area (LDA), and the primary dwelling unit was built in 2007. The property is currently developed with a single family dwelling unit, driveway, garage, walkway, and porch. The applicant requests to install a patio that will result in the lot exceeding its 25% impervious surface limit. Current impervious surface onsite is 2,491 square feet (24.47%). Based on the site plan, it appears that the proposed patio will be approximately 350 square feet in size. Therefore, if granted, total impervious surface onsite will increase to approximately 2,841 square feet (27.9%).

Although the office does not generally oppose variance requests for modest additions or renovations to an existing primary dwelling on a grandfathered lot, we cannot support this request for a new dwelling addition with greater impervious coverage than allowed on a non-grandfathered lot.

In 2002 and 2004, the General Assembly strengthened the Critical Area Law and reiterated its commitment to the Chesapeake Bay Critical Area's water quality and wildlife habitat values. The General Assembly also enacted specific standards for variances to the local Critical Area programs, and required that local jurisdictions use those State law standards (see Annotated Code of Maryland, Natural Resources Article Section 8-1808 (d)). The General Assembly reaffirmed the stringent standards of the law,

and required that all applicants meet each and every standard in order for a local jurisdiction to grant a variance to the Critical Area law.

The State law provides that variances to a local jurisdiction's Critical Area program may be granted *only* if a Board of Appeals finds that an applicant has satisfied its burden to prove that the applicant meets *each* of the county's variance standards, including the standard of "unwarranted hardship." The General Assembly defined that term as follows: "without the variance, the applicant would be denied reasonable and significant use of the entire parcel or lot." Furthermore, the State law establishes a presumption that a proposed activity for which a Critical Area variance is requested does not conform to the purpose and intent of the Critical Area law. The County must make an affirmative finding that the applicant has overcome this presumption, based on the evidence presented.

In this case the applicant is proposing to add a patio to a non-grandfathered lot that will result in the lot exceeding its impervious surface limit. We note that the applicant's property (Lot 7) was created as part of a subdivision recorded in 2005. The recorded subdivision plat clearly states the amount of impervious area permitted for Lot 7 (see attachment). Therefore, the applicant should have been aware of the permitted impervious surface area limits. The impervious surface area restrictions detailed in the Anne Arundel County Code aim to maintain the integrity of the Critical Area by reducing the amount of impervious surface and maximizing areas of natural vegetation (Anne Arundel County Code 17-8-404). To exceed those limits in this case would create adverse impacts to the Critical Area, Chesapeake Bay and the Atlantic Coastal Bays and its tributaries, which are a natural resource of great significance to the state and nation.

Based on the information provided, the applicant appears to enjoy reasonable and significant use of the entire lot or parcel as evident by the existing single family dwelling unit, driveway, garage, walkway, and porch. Therefore, denial of a variance for additional impervious surface to create a patio would not constitute an unwarranted hardship. In addition, it is our view that construction of a new patio on a non-grandfathered lot that will result in the lot exceeding impervious surface limits is in direct contrast to the spirit and intent of the Critical Area Law and Criteria. Because we do not believe that each and every one of the County's variance standards has been met, including the standard of unwarranted hardship, we oppose this variance and recommend that it be denied.

I have discussed each one of the variance standards below as it pertains to this site:

1. That special conditions or circumstances exist that are peculiar to the land or structure within the jurisdiction's Critical Area program that would result in an unwarranted hardship to the applicant.

Currently, the lot is developed with a single family dwelling unit, driveway, garage, walkway, and porch. The applicant proposes to construct a patio on a non-grandfathered lot that will result in the lot exceeding its 25% impervious surface area limit. The State law standards, applicable to this variance request, define "unwarranted hardship" to mean that the applicant must prove that, without the

requested variance, he would be denied reasonable and significant use of **the entire parcel or lot**. Given the uses enjoyed by the applicant on this property, we do not believe that the County has evidence on which to base a finding that, without the patio, the entire parcel would lack reasonable and significant use.

2. That a literal interpretation of this subtitle or the local Critical Area Program and related ordinances will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area of the local jurisdiction.

Anne Arundel County Code 17-8-402 (c) states that, "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%." The applicant proposes to construct a patio on a lot that was built in 2007 that will result in the lot exceeding the 25% impervious surface limit. This office would not support similar requests to construct a patio that would result in a non-grandfathered lot exceeding the 25% impervious limit on other sites within the Critical Area. Therefore, the denial of a variance to exceed the maximum impervious surface allowed would not deny the applicants a right commonly enjoyed by other properties.

3. The granting of a variance will not confer upon an applicant any special privilege that would be denied by this subtitle or the local Critical Area program to other lands or structures within the jurisdiction's Critical Area.

The granting of a variance to permit a patio that would allow the applicant to exceed its 25% impervious surface limit on a non-grandfathered lot would constitute a special privilege upon the applicant which would be denied to others in the County as well as within other jurisdictions in the Critical Area.

4. The variance request is not based upon conditions or circumstances, which are the result of the actions, by the applicant, nor does the request arise from any condition conforming, on any neighboring property.

The applicant is requesting a variance to exceed the impervious surface limit for a non-grandfathered lot as a result of constructing the patio prior to receiving County approval. Therefore, the variance request is based upon the actions of the applicant.

5. The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the jurisdiction's Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Critical Area law and the regulations.

Granting of this variance is not in harmony with the general spirit and intent of the Critical Area law and regulations. An increase in impervious surface that exceeds the limit allowed for a non-grandfathered lot and its consequential disturbance to the land

results in increased stormwater and sediment runoff and the loss of essential infiltration opportunities. Given that the applicant can adequately redevelop this property and enjoy outdoor activities without the addition of a patio, approval of this variance would not be in harmony with the general intent and spirit of the Critical Area Law.

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. If you have any questions, please call me at (410) 260-3483.

Sincerely,

Natural Resource Planner

cc: AA 584-07

Standard Right to Discharge

Notice to Title Examiners

- provided the Covilly with a netwer of the lensi from all contractors and settle recording on the coville provided the coville provided to a politic record agreement, supported by a sensity by Frequent activation of previously letter or critical from a blood board or the recording as calculations on and the settle or critical from a blood board or the coville provided by a sensity board, cartified beautic, coal, or transvolate letter of credit from a local board or other security an authorities by the permit may not be listed for any construction in this development will the negligible recording the permit may not be listed for any construction in this development will the negligible recording the coville provided with. Certificities of the and becomes may not be listed for any bridging or sinucture in the subdivision where the first provided visits.

 Certificities of the and becomes the provided visits agreement by Article 26, Section 3-314 of the Area Arnatic Complex code than application.

hillion N. Scherer, b., Pencolar properties of the State of Newtonia State of Newton

Allocation Note

The substitution plate is without to the requirements of Article 25. Title 5 of the Arms Arundel County Code on 8, relates to the elevation of router and insultender capacity. Failure to comply with the provisions of the tanguicable the substitution plate to become void or cause the properties shown hereon to be subject to a ten for expolic charges.

Forest Conservaton Property

There shall be no cleaning threshold display assumed in support of the forest Consentation Property Arices as shown on the plat and as recorded using hip Recorded to Consentation Report of the State of the Recorded and Consentation of Consentation of Consentation Consentation of Consentation of Consentation of Consentation Consentation of Armanucle Consett pringrand in Date of \$2.25t. Point 2018.

Non-Tidal Wetlands Note

There shall be no deterbance within restands and buffers except in accordance with a plan approved by the Office of Planning and Zorting and astitude water the approved Hamiltonian Department of the Environment Nati-Total Medical Impact permit review 05-MT-0520/2009688

Development Plan Note

Development of the subdivision shall be indeviable only in occardance with the approved three Development Plan on the to the Office of Planetry and Zaning. All architing or planted freest, exacts, and these are to be relatived as those on the Plant Development Plan.



Vicinity Map 1"= 2000

General Notes

- I. The property is shown on Anna Arundel County topographic sheet V-6.
- The coordinates and bearings shown hereon are referred to life Maryland State Plane Coordinate System (NAD 83), as based on Anne Arundel County Nublic Marks Control Politis (1935 4 Mon. 31-AZ.
- The properties shown hereon are located within the Flood Zone \
 'C' (orecs of intrinal Booding) as shown on Flood Insurance Rate Hap panel no. 2400000014 C, effective dated Hay 2, 1909 prepared by the Federal Emergency Hanagement Agency.
- The property is tocated within the IDA and LDA classification of the Chesapeake Bay Critical Area.
- Referentation regimements have been met by payment of for in-lies of 11.474 for ft. x 8 a to + 664, \$64.40 poid to Arnel Arendal County per CR4 431.4838.

This subdivision is subject to the following documents recorded among the Land Records of Anna Annale County, Mongland: A Agreement between the owners and Batthrore Sas and Electric Company otted 4/2/05 and recorded in Liber 106/10 at Follo 107. B. Agreement between the owners and Verticon Hangland, Inc. dated 4/2/05 and recorded in Liber 106 at Follo 107.

Recreation Area Tabulation

Required : 1,000 SFLot = 13,000 SF Passive Area (25%) = 3,250 SF Dry Ground Active Area (15%) = 9,150 SF

Possive Area - Provided within Open Space Areas III and II2 on 124,664 SF or 2,86 Acres

Active Area - O square feet (See waiver 16107 note below)

Yards and Setbacks

R5 - RESIDENTIAL DISTRICT Yards (Principle Structure)

Front - 25' minimum* 5ide - 1' minimum/20' combined - 20' Along Street or Right-of-May Rear - 20' minimum*

The frontyard setback may be reduced by 5' from 25' to 20' to produce a variation in setback as

Private and Public an-site stammatter management systems and / or otherhold best triangement. Practices will be required for thore development and obtained to those as the system of the public of th

Stormwater Management Note

For the proposed development shown hereon, the following 5rM Notes and credits are proposed.

This subdivision proposed the use of the following facilities to promote mater quality insatment and rechange of the developments runoff into the groundwater using the following divides:

- blometeration oriess

- blonstention orisios only solder of the siting criteria to meet political network free Conservation. Natural Area Conservation. Natural Area Conservation. Natural Area (Natural Natural Natural

LDA / IDA Critical Area Clearing Calculations

LOT	TOTAL (EF)	O.F. DE LIZA	O.F.	LDA EXETTING POPERT (6.7.)	LDA MONEM CLEVING (6 F.)	CHAPTE (DA CLEARNS PROPOSED (E.F.)	OPF-BITE LDA CLEARING PROPOSED (B.F.)	REPORESTATION REQUIRED (S.F.) 1.6 TIMES CLEARING
WATGABLE WICHTH WICEHING	20.271	15.000	5,000	5,000	4,340	4,346	- 1	6,502
. 4071	11,286	8,077	4,310	0,977	1,615	1,615		2,426
SLETT IN	3,977	5,200	448	5,200	1,823	1,825	0	2,798
LOT 3	5,000	5,345	4,404	5.245	1,916	1,815		2,874
LOT 4	10,016	5.517	440	5,517	1,966	1,000	0	2,836
LOT 6	5,406	9.986	- 1	0.405	6,000	5,000	0	0,570
LOTE	10,240	10.340	- 1	10,340	6,786	5,795		0,000
LOT 7	10,179	16,178		16.179	5,567	5,587	0 .	0,300
LOTO	10,124	16.124		10,124	6,000	5,000	0	0,790
1770	16,190	10, 190	- 1	10,100	5,883	5,960	0	1,540
LOT 10	10,479	10 (79		10,479	6,046	0.046		0.000
LOT 11	16,000	10.000		10,038	6,000	6.000		1.00
LOT 12	10,004	16,004	- 1	10,524	6,986	9.000	Ü	10,448
LOT to	11,001	11,631		11,831	6,370	0.370		11,507
OPEN SPACE AREA AN ISMAE	4,879	1,986	2,913	1,000	1,300	1,000	i	2,949
OPEN SPACE AREA OR STANS	5,000	6,000	-	5.000	8.000	5,000		7,500
OPEN SPACE MEA #2	92,000	92,000	- 1	50.000	74		0	
OPEN SPACE AREA #1	72,844	72,844	- 7	04.200	74		. 0	
OFFERTE OUTFALL		-	-			-	4 TREES OR 1,376 S.F.	9,918

TOTAL 200.704 200.405 27.206 \$40.000

111,474 (fine Guessel Hote 49)

Plat I of 3 BAR HARBOR LOTS 1-3, BLOCK B, RESUBDIVISION

BAR HARBOR

A 13 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION SUB.* 2001-030 PROJ.* 2003-054 TAX HAP II ~ BLOCK 22 ~ PARCELS 24,246, 1 248

> **NOVEMBER 12, 2009** Zip Code: 21122 DRÁMN BY: D. MILLER

THIRD DISTRICT ~ A.A. CO. MARYLAND

- Lifter plot has been approved for recording only and shall become null and votal inteses.

 (I) In tepection agrisement or in public reforts agreement has been executed and recorded retails? I gent of either this post to approved.

 (I) If required, a stitling agreement has been eventuald and recorded within 2 years offer this post to approved and.

 (II) construction enter each all tisses agreements has been continuous without a termination for each time one year of all times.

 A particular termination of the enterties of the times and not be enable until necessary peroviced the continuous termination for each other provided the Continuous value of the times have not continuous and the section agreement and the statch-free has section accordination.

Owner's Dedication

Hillion N. Scherer, Jr., Personal representative of the Estate of C. Herbert Braufing, Jr., Deceased free Estate No. (2016), Register of Pills for Bottlinore County, Haryland) and Henry II. Seipp, the owners and Riva Properties, LLC Contract purchases of the property shown hereins hereity adopt the plan of subdivision; and Riva Properties, LLC Contract purchases of the property shown hereins hereity adopt the plan of subdivision; establish the inhimm building restriction lines and dedicate the streets, cliegs, rentificage and other exceeding which is referred to the streets of the Scale Reyouty Administration, street and the Scale Reyouty Administration.

The recreation and open space oned shown hereon is hereby set aside for the recreation use of the residents of the subdivision. Each lot owner, upon acceptance of a deed, shall hold on undivided interest in this area, subject, however, to the nights of the community association, whether pre-established or in the Nutne, as more fully set forth in Article 26, Section 5-104 of the Arma Annatal Contra Code.

There are no sulls, actions at low, leanes, liens, managages, invola easements, or rights of was, affecting the property.

Interest there is no substitute and all parties in interest thereto have hereunta affined their signatures indicating their willinguese to give in the join of substitute.

Purther, the requirements of Section 3-108, the Read Property Article, Amototical Code of Honford, 1996 replacement volume, (as applemented) and Article 26, Sec. 3-30-4 of the Area Funded County Code as for as they relate to the making (it is septimented) and the Compiled Hill.

70545 Harry Pracy

I casent to and do hereby join in this plan of subdivision.

Surveyor's Certificate

I hereby certify that this plot shown hereon is correct, that it represents a survey of this property by the surveyor and that it is a subdivision of all of the lands conveyed by

Parcel 24 harganet B. Helier to Ida V. Brauling by a deed dated January 23, 1934 harganet B. Elber (27), Folia 294 (Milliam N. Scherer, Jr. Pérsonal arterior de la Company (1934) and the second of the State of C. Helbert & Grailing, Jr. Deceased (Estate No. 1936), Register of 1916 for Baltimore County, Haryland)

Parcet 246 Blubbeth K, Selpp to Henry F, Selpp by a deed dated November 50, 1956 and recorded in Liber 1085, Fallo 25.

Parcel 298 Charles Herbert Graving (Jr. Personal representative of The Estate of J. Adam Buettner, Jr. to Herry Seeps by a deed dated June 21, 1994 and recorded in Liber 6666, Fallo 403.

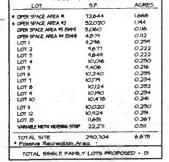
The requirements of Section 3-106, the Real Property Article, Amototed Code of Maryland; 1996 replacement volume, (as applicamented) and Article 20, Sec. 3-204 of the Arma Armach County Code on for as they relate to the moting of these plats and extra of moral-man shall

4-21-05

Harry To State 4/25/35 The Adam 12 205

Bay Engineering Inc.

Annapolle, Maryle 410.897,8290 410.807,8295 fee



Area Tabulations

LDA / IDA Gritical Area

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Walvers:

Halver Réété to not include other Regal parcels (Parcels 149 and 294) in the major subdivision process was granted by the Office of Planning and Zoning on August 4, 2004.

Planer No. 1. In critics the study stort to stitute a lating surrounding recreation orientates to meet the Active necreation requirements rice granted by the Office of Planeling and Acquisit, 4, 2004.

See Recreation Area Total Malanchia hereon.

RECORDED IN BOOK

PAGE

TOTAL REPORESTATION REQUIRED

PLAT NO.

MECEIVED FOR RECORD

APPROVED. AND ABUNDEL COUNTY, MARYLAND

COSEM RUTTER OFFICER
PLANNING AND ZONNE, AND ALSO FOR
THE HEALTH OFFICER DEPARTMENT OF HEALTH
(MURIC SYSTEMS AVAILABLE)

P116487 2005 JUN 13 P 2: 19

CADD FEE: Th'Kack Homes - Bar Harton Ol-820 Barveytock box harton record platages by USA CSU 2081 UUSA-1

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2007-0337-V

ROBERT BONNER

THIRD ASSESSMENT DISTRICT

DATE HEARD: NOVEMBER 8, 2007

ORDERED BY: STEPHEN M. LeGENDRE, ADMINISTRATIVE HEARING OFFICER

PLANNER: PATRICIA A. COTTER

DATE FILED NOVEMBER 9, 2007

CRITICAL AREA COMMISSION Chesapeake & Atlantic Coastal Bays

PLEADINGS

Robert Bonner, the applicant, seeks a variance (2007-0337-V) to allow a patio with greater impervious coverage than allowed on property located along the north side of Johnson Road, west of Johnson Road, Pasadena.

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. Bonner 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

The applicant owns a single-family residence with a street address of 25 Johnson Road, in the Bar Harbor subdivision, Pasadena. The property comprises 10,179 square feet and is zoned R5-residential with a Chesapeake Bay Critical Area designation as Limited Development Area (LDA). The request is to perfect and complete a paver patio behind the dwelling. The project increases impervious coverage to 2,841 square feet.

Anne Arundel County Code, Article 17, Section 17-8-403(c) restricts the coverage to 25% of the lot area (2,545 square feet). Accordingly, the proposal requires a variance for 296 square feet of excess impervious coverage.

Patricia A. Cotter, a planner with the Office of Planning and Zoning, testified that the property exceeds the minimum standards for the R5 district. The lot is part of a 13-lot resubdivision plat approved in 2005. The coverage allowance is noted on the approved plat. The witness questioned the hardship of the request, which could have been avoided by the construction of pervious decking. The County's Critical Area Team opposed the application. By way of conclusion, Ms. Cotter opposed the application. ¹

Mr. Bonner testified that he was unaware of the impervious surface limitation. The construction does not encroach into the Forest Conservation Area in the rear yard. The request is unobjectionable to his neighbors, many of whom also have patios. The witness supplied several site photographs. He contended there is no other opportunity to reduce the impervious coverage. Finally, he has not observed any problem with runoff.

Rodney Miranne, the applicant's landscape architect, suggested that the removal of the crusher base course and the subsequent excavation for deck footers would be more damaging than the completion of the patio. There was no other testimony in the matter.

¹ The record was left open for the submission of the written comments of the Chesapeake Bay Critical Area Commission. The comment letter dated November 2, 2007 was received the same day as the hearing (Attachment A). The Commission opposed the request.

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 settled that the applicant's burden is to prove each and every of the Critical Area variance criteria. If the evidence is lacking as to even a single criterion, then the variance must be denied.

After considering the facts and circumstances, I am constrained to deny the

application. Considering first the subsection (b) criteria, there has been no showing that a literal interpretation of the program deprives the applicant of rights commonly enjoyed by other properties elsewhere in the Critical Area. Rather, the request for excess coverage represents a special privilege that would be denied to other lands in the Critical Area. I also find that the request is based on the actions of the applicant. Furthermore, the request does not harmonize with the general spirit and intent of the program.

Although it is unnecessary to consider the subsection (c) criteria, I have nonetheless done so. The request for excess coverage is not a minimal variance, especially since it is a relatively simple matter to install pervious decking rather than a patio. Even conceding that the granting of the variance would not alter the essential character of the neighborhood, or impair the use or development of adjacent property, the grant of relief is nonetheless 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.

<u>ORDER</u>

PURSUANT to the application of Robert Bonner, petitioning for a variance to allow a patio 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 **9** day of November, 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 they will be discarded.

Martin O'Malley
Governor

Anthony G. Brown



avadment A

Margaret G. McHale

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/

November 2, 2007

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

Re:

Bonner Variance 2007-0337-V



Dear Ms. Schappert:

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In 2002 and 2004, the General Assembly strengthened the Critical Area Law and reiterated its commitment to the Chesapeake Bay Critical Area's water quality and wildlife habitat values. The General Assembly also enacted specific standards for variances to the local Critical Area programs, and required that local jurisdictions use those State law standards (see Annotated Code of Maryland, Natural Resources Article Section 8-1808 (d)). The General Assembly reaffirmed the stringent standards of the law,

and required that all applicants meet each and every standard in order for a local jurisdiction to grant a variance to the Critical Area law.

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I have discussed each one of the variance standards below as it pertains to this site:

1. That special conditions or circumstances exist that are peculiar to the land or structure within the jurisdiction's Critical Area program that would result in an unwarranted hardship to the applicant.

Currently, the lot is developed with a single family dwelling unit, driveway, garage, walkway, and porch. The applicant proposes to construct a patio on a non-grandfathered lot that will result in the lot exceeding its 25% impervious surface area limit. The State law standards, applicable to this variance request, define "unwarranted hardship" to mean that the applicant must prove that, without the

requested variance, he would be denied reasonable and significant use of the entire parcel or lot. Given the uses enjoyed by the applicant on this property, we do not believe that the County has evidence on which to base a finding that, without the patio, the entire parcel would lack reasonable and significant use.

2. That a literal interpretation of this subtitle or the local Critical Area Program and related ordinances will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area of the local jurisdiction.

Anne Arundel County Code 17-8-402 (c) states that, "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%." The applicant proposes to construct a patio on a lot that was built in 2007 that will result in the lot exceeding the 25% impervious surface limit. This office would not support similar requests to construct a patio that would result in a non-grandfathered lot exceeding the 25% impervious limit on other sites within the Critical Area. Therefore, the denial of a variance to exceed the maximum impervious surface allowed would not deny the applicants a right commonly enjoyed by other properties.

3. The granting of a variance will not confer upon an applicant any special privilege that would be denied by this subtitle or the local Critical Area program to other lands or structures within the jurisdiction's Critical Area.

The granting of a variance to permit a patio that would allow the applicant to exceed its 25% impervious surface limit on a non-grandfathered lot would constitute a special privilege upon the applicant which would be denied to others in the County as well as within other jurisdictions in the Critical Area.

4. The variance request is not based upon conditions or circumstances, which are the result of the actions, by the applicant, nor does the request arise from any condition conforming, on any neighboring property.

The applicant is requesting a variance to exceed the impervious surface limit for a non-grandfathered lot as a result of constructing the patio prior to receiving County approval. Therefore, the variance request is based upon the actions of the applicant.

5. The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the jurisdiction's Critical Area, and that the granting of the variance will be in harmony with the general spirit and intent of the Critical Area law and the regulations.

Granting of this variance is not in harmony with the general spirit and intent of the Critical Area law and regulations. An increase in impervious surface that exceeds the limit allowed for a non-grandfathered lot and its consequential disturbance to the land

results in increased stormwater and sediment runoff and the loss of essential infiltration opportunities. Given that the applicant can adequately redevelop this property and enjoy outdoor activities without the addition of a patio, approval of this variance would not be in harmony with the general intent and spirit of the Critical Area Law.

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. If you have any questions, please call me at (410) 260-3483.

Sincerely,

Nick Kelly U

Natural Resource Planner

cc: AA 584-07

Notice to Title Examinere

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Owner's Dedication Wildern M. Schaper. J. Proteins representative of the Schab of C. Natural Research Research Processing Conference of the Schab of C. Natural Research Resear

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Surveyor's Certificate

I hereby certify that this plot shows hereon is correct, that it impresents is survey of the proper by by the surveyor and that it is a subdivision of all of the proper by by the surveyor.

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4-21-05

BOOK 270 PAGE 25 PLATE 4051

Allogation Note

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Forest Conservation Property

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Non-Tidal Wetlands Note

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Davelopment Plan Note



Vicinity Map f= 2000

General Notes

The property is shown in home hrundel County topographic sheet V-B.

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Stommeter Management Note

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Recreation Area Tabulation

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Active Area - O square deet (Sine valver 46103 rate below

PO - RESCENTIAL DISTRICT YORK (PPECIPIO SEVERICAL)

LDA / IDA Critical Area Clearing Calculations

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Area Tabulations

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PAGE

Flot I of 3 BAR HARBOR LOTS 1-3, BLOCK B, RESIDONSION BAR HARBOR
A IS LOT SINGLE FAMILY RESIDENTIAL SIBOMISION SUB# 2001-050 PROUE 2009 (5)

NOVEHBER 12, 2005 Zip Code: 2022 DRAME BY: D. FRLER TMRD DISTRICT - AA. Co. HARTLAND

PLAT NO.

CADDINE NEWS IN

Robert G. Bonner 25 Johnson Road Pasadena. MD 21122 410-804-5927

Anne Arundel County Department of Permits:

My name is Robert Bonner and I am a resident at 25 Johnson Road, Pasadena, MD 21122. We are in the process of requesting a variance for a patio to be put on lot 7 of the Bar Harbor Community. Our main purpose for this is so that we may be able to exit through our rear sliding doors, and have a place where we may put a table and some chairs where we could relax and enjoy our backyard. Having two large dogs, this would provide a cleaner and more easily maintained area. We would not in any way disturb the environment that has been designated a forestry area. We would make sure that we would not place any material on our patio that could cause potential hazardous run off that would hurt our environment. Since the patio had already been started before we realized that the impervious area which we were allowed was too small there is quite a mess which is being brought into the house. We would like to get this resolved as soon as possible. I would just like to note that I have been a volunteer at The National Aquarium in Baltimore for 12 years and I realize how important it is to maintain our environment. We would never do anything intentionally to hurt our Chesapeake Bay. Thank you for your time and consideration. Please feel free to contact me at the number above if you have any questions.

Most Sincerely,

Robert G. Bonner Robert D. Brown September 14, 2007

Anne Arundel County
Office of Planning and Zoning
2664 Riva Road
P. O. Box 6675
Annapolis. MD, 21401

To whom it may concern;

This letter is in support of, and an attachment to, the request for a variance application for Mr. & Ms. Robert G. Bonner's residence located at 25 Johnson Road, Pasadena, MD. 21122, this is lot # 7 of the Bar Harbor Community.

As required in the variance instructions, this letter is an explanation of the request and justification for the variance.

The request is for the completion of a raised concrete paver patio which was halted by the inspector in his Non Compliance Notice/Stop Work Order letter dated 8/27/07. As stated on the inspector's report the grading plan permits 2545 s.f. of impervious area, and construction of a paver patio would exceed that limit. The structure was partially built at the time with the 3' x7'landing steps to the patio base aggregate course already in place, along with the perimeter footing wall. This is the only area of useable outdoor living space and recreational space available in the rear yard. The rest of the rear lot area is designated as Forest Conservation Area. In fact approximately 43% of the lot is designated as Forest Conservation Area. This area is not available, and is not suitable or useable for family outdoor recreational activities. Granting a variance would alleviate several practical difficulties and eliminate unnecessary hardships for the Bonner family.

Due to the restrictive nature of this site and lack of usable area for family recreation and gathering, we are requesting a variance for the following reasons:

- 1. The completion of the paver terrace would have little or no impact on the overall impervious area of the site and on the environmental quality of the site. In fact it would be less destructive at this point than a wood deck. A deck installation would require excavation and removal of the existing base plus construction of new post footings all of which would further impact the site and the environment.
- 2. The completion of the paver terrace would also require lower maintenance, and have a much longer life span than a wood deek not requiring replacement in 10-12 years, therefore being more environmentally friendly and compatible.
- 3. The Bonners are committed to a long term investment in this residence and as stated in the attached letter from Mr. Bonner, he is very environmentally conscience. He will not disturb or further impact the Forest Conservation Area, or impact the impervious area requirements. If granted this variance we/he would be very grateful and work with the County to insure future compliance and discuss some form of other compensation for the allowance of the variance.
- 4. Since the patio is partially complete and construction halted, this area is not usable. And due to the dirt and debris being brought into the house, this issue is creating an undo hardship on the family. Instead of requiring the removal of the

partially completed patio and creating further construction and environmental damage, the logical and least disruptive solution would be o allow completion of this patio and granting of this variance.

Thank you, for your consideration of this request.

Sincerely,

Rodney D. Miranne Landscape Architect Jams Landscaping Inc.

Notice to Title Examiners

- Lifts plat has been approved for recording only and shall become nell and void enless.

 (i) on tespection agrisement or a public rights agreement has been executed and

 (iii) if required, a utility agreement has been executed and rounded within 2 years
 offer this plat is approved and

 (iii) construction under each of these agreements has been continuous retinuit

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- or sureross or sole or any lote shown hereth may not be made witli necessary remembs have been. sociatifectoring completed under an inspection agreement and the subdivider has provided the County with a waiver of the flere from all contractors and subdividerations.
- provinced the Coding limit a cover or to leave that an accurate or the provinced by a public norths agreement, supported by a surely bond, certified check, dails, or invescoble letter or credit from a local bank or other security as authorised by last, and

 if required, solistatoring agranised by a sittle gargement, supported by a sirely bond, certified check, code, or invescoble letter of credit from a local bank or other bond, certified check, code, or invescoble letter of credit from a local bank or other
- 5. A building permit other than a sample permit may not be bessed for any controlled the first of sample permit only the sample permit perm

Standard Right to Discharge

I, Hilliam N. Schener, J., Personal representative of the Estate of C. Herbert Graving, Jr., Decassed (see State of Haryland Letters of Administration Estate No. 1998). As a consistency of the Commission of the

Horry The Seysa 4/2005

#25.05

Allocation Note

This subdivision plot is subject to the requirements of Article 25. Title 5 of the Arme Armeld County Code on 8 residues to the allocation of water and residuestic capacity. Failure to comply with the provisions of this low roug code this subdivision plot to become yould on cause the subdivision to be subject to a lien for upplied changes.

Forest Conservaton Property

There shall be no clearing trimming, dumping storage, or structures within the Forest Conservation Property Areas as shown on this plac and an recorded within the peclaration of Coverants, Conditions, one Restrictions dated 5 [Fall 16] recorded ground the study records of Januards Control Management (1) and personal of Januards (1) and Jan

Non-Tidal Wetlands Note

There shall be no delarbonce within verticate and buffers except in accordance with a plan approved by the Office of Planning and Zoning and actined under the approved hardcord Department of the Environment Non-Talial Medical Impact, permit member 104-11-082/2009

Development Plan Note

Development of this subdivision shall be undertaken only in accordance with the approved final Development. Plan on the in the Office of Planning and Zoi All existing on planted forest, reads, and three are to be retained as share on the Plant Development Plan.

Stormwater Management Note

Private and Piblic on-site stammater management systems and / or alternate best triangement Practices will be registed for have development of Lots i-19 summarized below. The Developer / Permit Applicant shall be responsible for the Final stammaties the indicate the folial properties of the final stammaties management facility design and the execution of a private maintenance agreement prior to the approval of any grading or bright greates. A grading permit may be received for lots with private individual systems as a celeminated by the Office or Planning and Zanning Application Centers.

For the proposed development shown hereon, the fallowing SMM Notes and credits are proposed.

This subdivision proposed the use of the following facilities to promote noter quality treatment and rechange of the developments runoff into the groundwater in the facilities of the provided provided the subdivision of the provided prov

resured Area Conservation
 These oneits rectures will provide for the string criteria to meet pollutant removed indicer Quality volume (NoV - 1) and maintain groundwater recharge extreme Tools of where (87) are not in expired, as this site has a direct discharge to tidal notions. This project is proposing the fallowing stormwater credite;
 Notural Area Conservation.

(II.F.) MLDA
20.271 15,639
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III.F.7 5,289
III.F.7 5,17
III.F.

TUTAL 290,704 263,408 27,205

LOA PERMITTED CLEARING (80%)

TOTAL REPORESTATION REQUIRED



Vicinity Map 1"= 2000

General Notes

I. The property is shown on Anne Arundel County topographic sheet V-6.

- The coordinates and bearings shown henson are referred to the Maryland State Pione Coordinate System (NAD 83), as based on Anne Anualel County Públic Morks Control Pathis 1953 4 Man, 67-AZ.
- The properties shown hereon are located within the Flood Zane is "C" (areas of minimal flooding) as shown on Flood insurance Rate Map panel no. 2400080014 c, effective dated May 2, 1463 prepared by the Federal Energency Hanagement Agency.
- The property is located within the IDA and LDA classification of the Chesapeake Bay Critical Area.

Referentation requirements have been met by payment of fee in-lieu of III.474 54 ft. x 8 a 60 = 664, 864.40 paid to Armit Arundel County per CR4 6314838

This subdivision is subject to the following documents recorded among the Land Records of Anna Annalo County, Mangand.

A new Annalo County, Mangand.

A Agreement between the owners and Battimore 6ds and Electric Company dated 472/05 and recorded in Liber 18618 of Follo 107.

B. Agreement between the owners and Verticon Mangland, Inc. dated 472/05 and recorded in Liber 18618 of Follo 107.

Recreation Area Tabulation

Required : I,000 SF/Lot = I3,000 SF Passive Area (25%) = 3,250 SF Dry Grand Active Area (15%) = 9,150 SF

ONSITE OFFSITE

73,160 (30%) 73,041 (29,9%) 1,275

Passive Area - Provided within Open Space Areas 4 and 42 on 124,664 SF or 2.86 Acres

Yards and Setbacks

Active Area - O square feet (See walver 46107 note below)

LDA / IDA Critical Area Clearing Calculations

TOTAL S.F. S.F. EGISTING MARKING. (S.F.) INLIAN IN IDA FOREST (S.F.) CLEARING

(M S (B.F.)	CLEARING PROPOSED (S.F.)	CLEARING PROPOSED (S.F.)	REFORESTATION REQUIRED (SLF.) 1.5 TIMES CLEANING	R5 - RESIDENTIAL DISTRICT Yards (Principle Structure) Front - 25' minimum*
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15	1,915	0	2,423	Recor - 20' minimum
3	1,823	0	2.735	Table 100 Hellings
	1,916	0	2,874	* The frontyard setback may be reduced by 5' fr
16	1,690	0	2,536	25 ' to 20' to produce a variation in setback of
10	5,000	0	8,520	shown harreon.
6	5.755		A.632	and the doll

111,474 (See General Note #5)

111,474

Plat Lof 3 BAR HARBOR LOTS 1-3, BLOCK B, RESUBDIVISION

BAR HARBOR

A 13 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION SUB.# 2001-030 PROJ.# 2003-059 TAX MAP II ~ BLOCK 22 ~ PARCELS 241,246, 4 248

> NOVEMBER 12, 2003 Zlp Code: 21122 DRAWN BY: D. MILLER THIRD DISTRICT ~ A.A. CO. MARYLAND

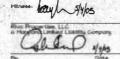
Owner's Dedication

Hillion N. Scherer, Jr., Personal representative of the Estate of C. Herbert Grading, Jr., Deceased the County of the Estate of C. Herbert Grading, Jr., Deceased the County of subdivision; abitis the infinite building restriction lines and dedicate the streets, alleys, reviewing and other assembles, violening ps and floodplains to public use, such lands to be deeded to Arne Anudel County or the State Highway Administration, may be appropriate on respect.

The recreation and open spice area shown hereon is hereby set castle for the recreation use of the instatents of the subdivision. Each lot downer, born acceptance of a deed, should had an included interest his orea, subject, however, to the rights of the community association, whether pre-established or in the future, as more fully set forth in Article 26. Section 51-04 of the Arms Annell Courting Code;

There are no sults, actions at law, leases, liene, mortgages, trusts easements, or rights-of-way affecting the property used in this plan of subdivision, and all parties in interiest thereto have hereunto officed their signatures indicating their ingress to join in this plan of subdivision.

Bup the Kill of 100 Select 240



Surveyor's Certificate

I hereby certify that this plat shown hereon is correct, that it represents a survey of the property by the surveyor and that it is a subdivision of all of the lands conveyed by:

Porcel 241 Morganet E. Wolker to Ide V. Snouling by a deed doted January 29, 1939 and recorded N. Liber (27), Fallo 294, (Pilliam N. Scherer, Jr. Personal and recorded of the Estick of F. Hebrat Gravilla, Jr. Poecedd (Estate No. 1936), Register of Mills for Baltimore County, Haryland)

Parcel 246 Elizabeth K. Selpp to Henry F. Selpp by a deed dated November 30, MS6 and recorded in Liber 1065, Folio 23.

Parcel 298 . Parcel 240 Charles Herbert Gravilla, Jr., Personal representative of The Estate of J. Adam Svettner, Jr. to Henry Sepp by a deed dated June 27, 1994 and recorded in Liber 6606, Folio 403.

requirements of Section 3-108, the Real Property Article, Amotated Code of Manyland; to replacement volume, (as supplemented) and Article 26, Sec. 3-304 of the Arne Annale unity Code as for as they relate to the making of

4-21-05

Post februs Asi 44/05

y To Supply 4/25/05 Notice Plane 428-05

Bay Engineering Inc.

410.897.9290 410.897.9295 feat

5F. ACRES OPEN SPACE AREA III OPEN SPACE AREA 12 52,020 OPEN SPACE AREA 95 (SHE) 5,060 0.116 OPEN SPACE AREA M (SMH) 4,679 0.112 101 2 9,649 10,016 0 222 LOT 5 LOT 4 LOT 5 0.222 9406 0.216 LOT 6 10,240 0.235 LOT A 10104 0 282 LOT 4 0.294 0.24 LOT 0 10,020 0.230 0.25i LOTE 11,631 0.261 22,271 0.51 TOTAL SITE 290,704 6675 Passive Recreation Area. TOTAL SINGLE FAMILY LOTS PROPOSED = 13

Area Tabulations

LDA / IDA Critical Area Impervious Calculations

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10111	Terror S	200	-		25				
LOT 12	16,000	-	-	2701	- 20				
LOT 13	15,885	71.86	10.1	1,000	24.				
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OF ENGINEER P.	1000			- 197					
TOTAL	290,704	285,498	27,205						
TOTAL LOA	MPERMOL	IS PERMIT	TEO (19%)	30,525	100				
	400	-			Mar-				

Walvers:

*B616 to not include other Illegal parcels (Parcels 149 and 294) in the major slon process was granted by the Office of Planning and Zoning on. August 4, 2004.

Maker #5107 to allow the subdivision to utilize existing surrounding recreation amenities to meet the Active recreation requirements was granted by the Office of Planning and Zoning on August 4, 2004.

See Recreation Area Tabulation note hereon.

RECORDED IN BOOK

PAGE

PLAT NO.

MECEIVED FOR RECORD

APPROVED: ANNE ARUNDEL COUNTY, MARYLAND OFFICE OF PLANNING AND ZONING

PLANING AND ZONING, AND ALSO FOR THE HEALTH OFFICER, DEPARTMENT OF HEALTH (PUBLIC SYSTEMS AVAILABLE)

2005 JUN 13 P 2: 19

MSA CSU 2081 4452-1

reyor's Certificate

t shown hereon is correct, that it represents the surveyor and that it is a subdivision of

/. Gravling by a deed dated January 23, 1954 Follo 234. (Milliam N. Scherer, Jr., Personal & of C. Herbert. Gravling, Jr., Decembed of Mills for Baltimore County, Maryland)

F. Seipp by a deed dated November 30, 1956 , Folio 23.

Date

Personal representative of The Estate of J. Adam Buettner, Jr. ated June 21, 1984 and recorded in Liber 6666, Folio 403.

3-i00, the Real Property Article, Annotated Code of Maryland; supplemented) and Article 26, Sec. 3-304 of the Arne Arundel relate to the making of these plats and setting of markers shall

Area Tabulations					
LOT	S.F.	ACRES			
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OPEN SPACE AREA IS (SHH)	5,060	0.116			
OPEN SPACE AREA M (SHA)	4,679	0.112			
LOTI	11,296	0.254			
LOT 2	46TT	0.222			
LOT 3	9,649	0.222			
LOT 4	10,016	0.250			
LOT 5	4,406	0.216			
LOT 6	10,240	0.235			
LOT T	10,174	0.234			
LOT 8	10,124	0.252			
LOT ¶	10,140	0.234			
LOT 10	10,418	0.241			
LOT II	10,020	0.230			
LOT 12	10,924	0.251			
LOT B	11631	0.267			
VARIABLE MOTH MODING STREP	22,271	0.511			
TOTAL SITE Passive Recreation Ar	290,704	6.673			

TOTAL SINGLE FAMILY LOTS PROPOSED . 13

Private and Public on-site si best Management Practices in accordance with Article 2 summarized below. The Deve the Final starwester manage maintenance agreement prilo A grading permit may be rea determined by the Office of

For the proposed developm credits are proposed.

This subdivision proposed the quality treatment and recharusing the following devices:

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bionetention areas
 dry swoles
 Natural Area Conservation
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LOF WARRAGE F WESTER W

LDA / IDA Critical Area us Calculation

LDA PERMITTED CLEARIN TOTAL REPORESTATION RE

4-21-05



Walvers:

Malver Möölő to not include other Illegal parcels (Parcels 149 and 294) in the major subdivision process was granted by the Office of Planning and Zoning on August 4, 2004.

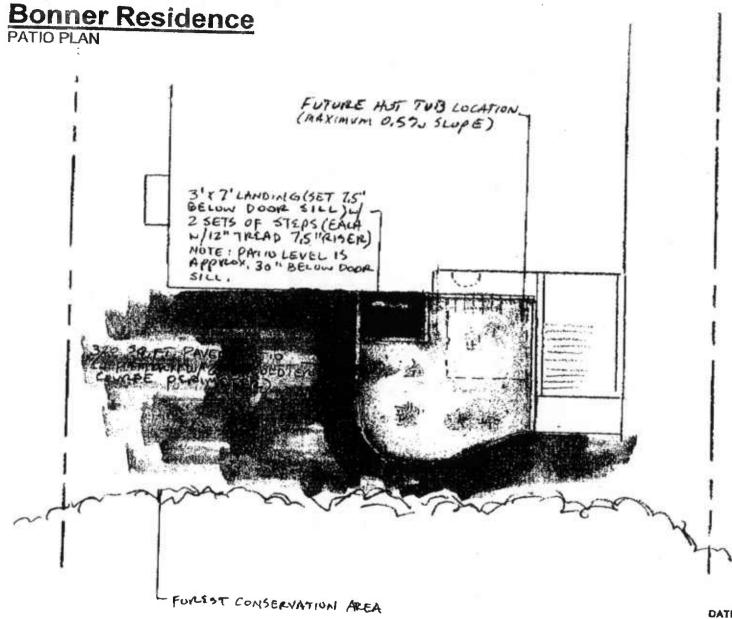
Malver #6707 to allow the subdivision to utilize existing surrounding recreation amerities to meet the Active recreation requirements was granted by the Office of Planning and Zoning on August 4, 2004.

See Recreation Area Tabulation note hereon.

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PLAT



DATE: 7-11-07

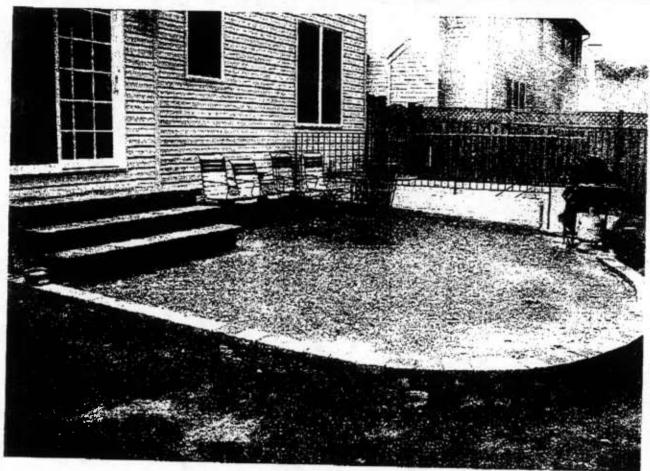
SCALE: 1"=10'00"

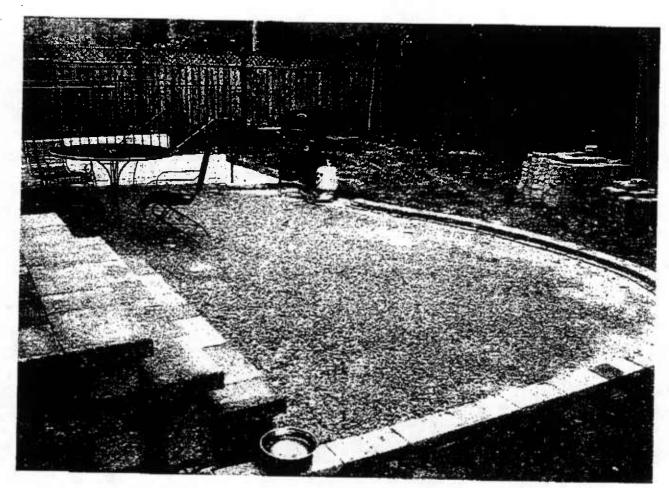
PREPARED BY:

Jams Lawn & Gardening
1790 Severn Chapel Road
Millersville, MD 21108
Tel: (301) 261-0683

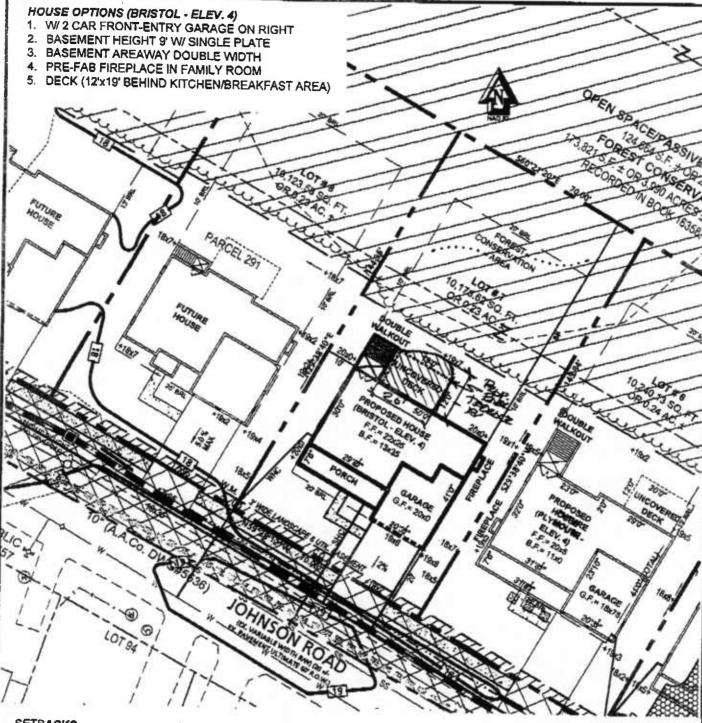
0337







Built 200



SETBACKS FRONT YARD = 20" SIDE YARD = 7 / 20 COMB. REAR YARD = 20'

CRITICAL AREA CALCULATIONS LOT SIZE

LOT WITHIN CRITICAL AREA (LDA) MAX. IMPERVIOUS ALLOWED W/IN LDA 2,545 SQ. FT. ± TOTAL IMPERVIOUS SHOWN WIN LDA 2,491 SQ. FT. ±

HOUSE SQ. FT, WIN LDA DRIVE & WALK WIN LDA

10,179 SQ. FT. ±

10,179 SQ. FT. ±

2,064 SQ. FT. ± 427 SQ, FT. ±

BUILDER

KOCH HOMES 2661 RIVA ROAD, SUITE 220 ANNAPOLIS, MARYLAND 21401

410,573,5720

SITE PLAN - LOT 7

BAR HARBOR

LOTS 1-3, BLOCK B RESUBDIVISION
A 12 LOT SINGLE FAMILY SUBDIVISION FOR BAR HARBOR, LLC

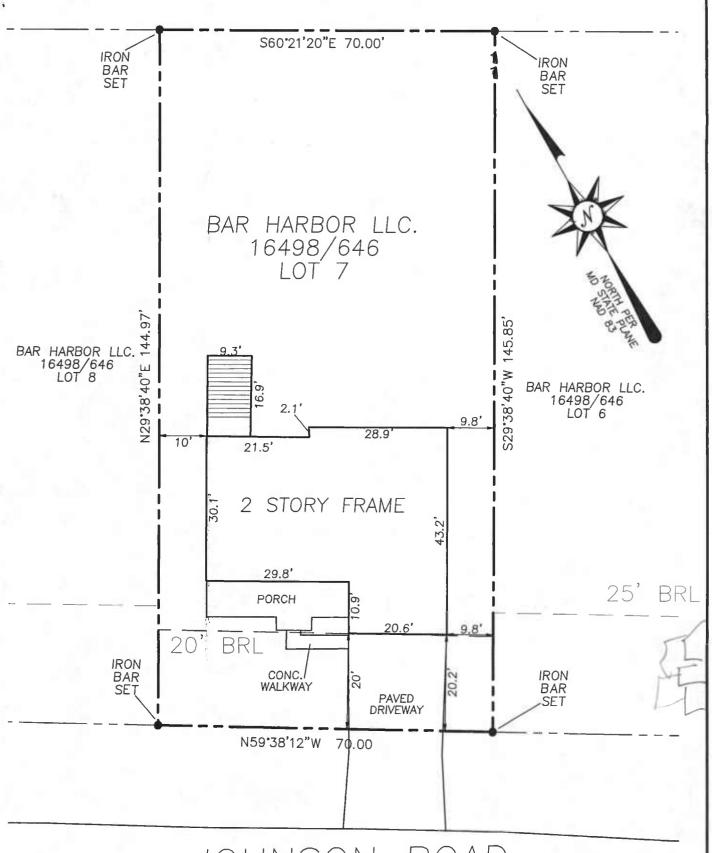
TAX MAP 11, BLOCK 22 PARCELS 201, 200 AND 205 973 JOHNSON ROAD, PAEADENA, MARYLAND 21122 THIRD DISTRICT ANNE ARUNDEL COUNTY



Drawn By: L. SQUIRES Approved By: T. SCHUMAN Scale: 1"=30" Date: NOVEMBER, 2006

Job Number: 01-320

Folder KOCH HOMES Reference: BAR HARBOR



JOHNSON ROAD VARIBLE WIDTH R/W

THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND IS IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN COMAR, TITLE 9, MARYLAND DEPARTMENT OF LICENSING AND REGULATION FOR PROFESSIONAL LAND SURVEYORS, IN EFFECT AS OF 1995.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH MAY SHOW ADDITIONAL EASEMENTS, RIGHTS-OF-WAY, OR OTHER RESTRICTIONS OF ENCUMBERANCES NOT SHOWN HEREON.

Timothy J. Martin Prof. L.S. #10989 Date of Latest Field Notes: 7-11-07



Bay Engineering Inc.	BOUNDARY DRAWING	DRAWN BY: B. CARR
Engineers, Planners and Surveyors	#25 JOHNSON ROAD	SCALE: 1"=20" DATE: Jul 16, 2007
90 Admiral Cochrane Drive, Suite 175		JOB NO.: 01-320
410.897.9290 410.897.9295 fax	LOT 7- BAR HARBOR	FOLDER BAR REF: HARBOR
nall: Info@bayengineering.com	3rd DISTRICT, ANNE ARUNDEL COUNTY, MARYLAND	

BECEINED

SEP 27 2007

CRITICAL AREA COMMISSION