

**FINDINGS AND RECOMMENDATION
OFFICE OF PLANNING AND ZONING
ANNE ARUNDEL COUNTY, MARYLAND**

APPLICANT: Timothy Horne

ASSESSMENT DISTRICT: 2nd

CASE NUMBER: 2023-0152-V

COUNCILMANIC DISTRICT: 6th

HEARING DATE: October 31, 2023

PREPARED BY: Donnie Dyott Jr. 
Planner

REQUEST

The applicant is requesting a variance to allow a dwelling addition (garage) with less setbacks than required on property located at 808 Cedarcroft Drive in Millersville.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 1.027 acres of land and is located with 80 feet of frontage on the north side of Cedarcroft Drive, 840 feet east of Generals Highway. The property is identified as Lot 5 of Parcel 407 in Block 18 on Tax Map 30 in the Cedar Croft Estates subdivision.

The property is zoned RLD - Residential Low Density District as adopted by the comprehensive zoning for Councilmanic District 6, effective October 7, 2011. The property is outside of the Chesapeake Bay Critical Area, and is currently improved with a single-family detached dwelling and associated facilities.

APPLICANT'S PROPOSAL

The applicant proposes to convert an existing carport on the east side of the existing dwelling into an enclosed garage. The existing carport measures approximately 24' X 26' and the garage addition will be located in the same location and retain the current dimensions. Also proposed but not requiring a variance is a covered porch and sidewalk on the front of the dwelling.

REQUESTED VARIANCES

§ 18-4-401 of the Anne Arundel County Zoning Code stipulates that principal structures in an RLD - Residential Low Density District shall be set back a minimum of 20 feet from the side lot lines with the total combined side lot line setback being 50 feet. The proposed conversion of the carport into a garage will be located as close as 1.7 feet from the east side lot line, necessitating a variance of 19 feet. The total combined side lot line setback of 15.2 feet necessitates a variance of 35 feet to the combined 50 foot side lot line setback requirement.

FINDINGS

The applicant argues that the proposed project is an infill of an existing attached carport and the current footprint of the structure will not be altered. The existing dwelling was constructed in 1958

and does not meet the current setback requirements creating a hardship for construction of a garage. It is argued that the proposal will keep the existing character of the dwelling and neighborhood.

The **Health Department** commented that the proposal does not adversely affect the on-site sewage disposal and well water supply systems and has no objection to the request.

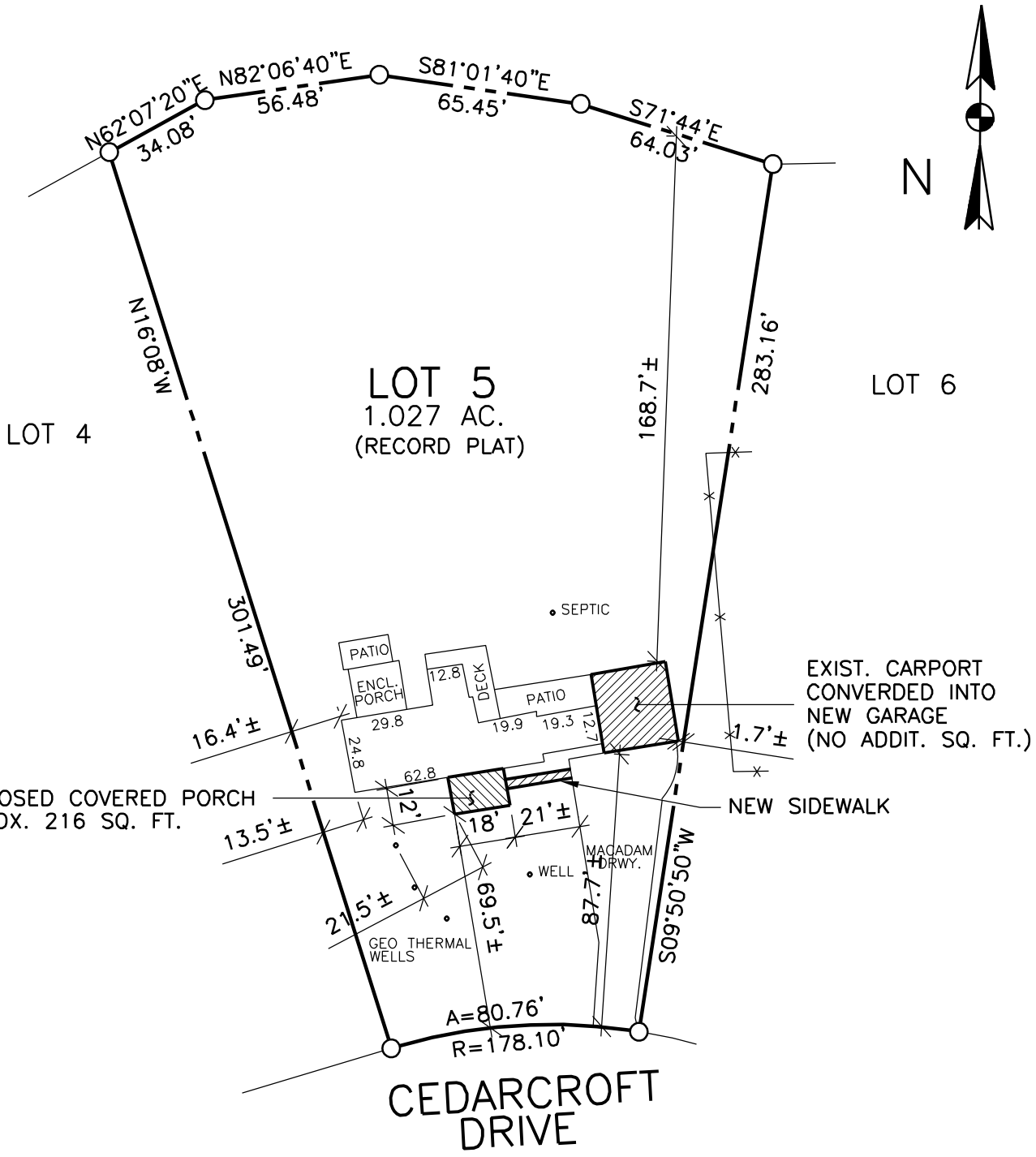
The **Department of Recreation and Parks** commented that a portion of this site lies within the Anne Arundel County Green Infrastructure Network, a proposed preservation area considered in the Anne Arundel County Green Infrastructure Master Plan. The proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

With respect to the variance standards, this Office does recognize that the location of the dwelling within the side setback makes expansion or improvements difficult without relief from the Code. As such some relief is warranted in order to avoid practical difficulties. The proposed addition can be considered the minimum necessary to afford relief in this case as the applicant is staying within the existing footprint of the structure, coming no closer to the lot line than the current structure and is staying within the allowed height limit. The addition is modest in size and appears to be separated from the adjoining dwelling to the east enough as to not have adverse impacts. While this Office typically does not recommend approval of garages larger than 24' X 24' or for any structures less than 3 feet from a property line, the existing location of the structure creates a unique situation where the applicant is making use of existing improvements that will have no more impact than what has been historically present. There is no evidence that the variance will alter the essential character of the neighborhood or be detrimental to the public welfare.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends ***approval*** of a zoning variance to §18-4-401 to allow construction of the dwelling addition (garage) as shown on the site plan.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) shall apply for and obtain the necessary building permits and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.



PROPOSED SITE PLAN ~ 1" = 50'-0"

CEDAR CROFT ESTATES
 LOT 5
 PLAT 20
 PLAT BOOK: 26

808 CEDARCROFT DRIVE MILLERSVILLE, MD. 21108		
SHEET TITLE: PROPOSED SITE PLAN		
PERMIT SET	DATE: 8/31/2023	SHEET No.: C1

Tim Horne

808 Cedarcroft Dr, Millersville, MD 21108

(484) 459-6680

tmhst30@gmail.com

06 September 2023

Anne Arundel County
Zoning Administration

Subject: Setback variance request for 808 Cedarcroft Drive

Ref: Permit Application Record B02419905

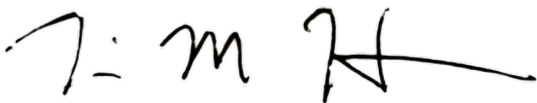
I am requesting a variance of the 20' setback requirement for property zoned Residential Low Density. The proposed project is an infill of existing attached carport to convert the structure to an attached garage. The extent of the existing structure will not be changed by this proposal. The current structure does not meet the minimum requirements of a 20' setback. In addition, the combined setback between 808 and 810 Cedarcroft Drive for this property line is less than the required 50' at approximately 38'. The external dimensions of the single-story structure will remain as is at 24' W x 26' L x 15' H (at ridgeline).

The property and existing carport were built in 1958. Due to the nature of the current house location on the land and wide ranch dimensions there is no practical way to include a garage without converting the existing carport structure.

An additional consideration for infilling the existing structure without demolishing/rebuilding elsewhere on the lot is to ensure the character of the structure is in step with the existing neighborhood while ensuring an overall increase in property value and tax base created by improvement.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. M. H.', with a long horizontal stroke extending to the right.

Tim Horne



STUART PITTMAN, COUNTY EXECUTIVE
JESSICA LEYS, DIRECTOR
RECREATION AND PARKS
1 HARRY S. TRUMAN PKWY
ANNAPOLIS, MD 21401
AACOUNTY.ORG/RECPARKS



MEMORANDUM

TO: Sadé Medina, Zoning Division
Office of Planning and Zoning

FROM: Pat Slayton
Capital Projects Division

SUBJECT: Variance Case 2023-0152-V

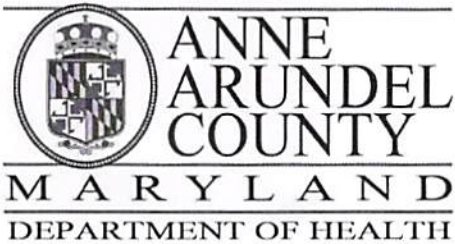
DATE: September 18, 2023

The Department of Recreation and Parks has reviewed the above plans to determine if there may be impacts to the Anne Arundel County Green Infrastructure Network, parks, and trails. Please note our recommendations according to those findings below.

- This variance is to allow a dwelling addition (garage) with less setbacks than required
- A portion of this site lies within the Anne Arundel County Green Infrastructure Network, a proposed preservation area considered in the Anne Arundel County Green Infrastructure Master Plan. The proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

The Department of Recreation and Parks has no further comments.

cc: File




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3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

Tonii Gedin, RN, DNP
Health Officer

MEMORANDUM

TO: Sadé Medina, Zoning Applications
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager 
Bureau of Environmental Health

DATE: September 26, 2023

RE: Timothy Horne
808 Cedarcroft Drive
Millersville, MD 21108

NUMBER: 2023-0152-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling addition (garage) with less setbacks than required..

The Health Department has reviewed the on-site sewage disposal and well water supply system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal and well water supply systems. The Health Department has no objection to the above referenced request.

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay



Sawel Spring Dr

Address Points: 808 CEDARCROFT DR, 21108



806

810

812

804

CEDARCROFT DR

814

813

Google Maps 808 Cedarcroft Dr



Image capture: Aug 2019 © 2023 Google

