

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

**APPLICANT:** Church at Severn Run

**ASSESSMENT DISTRICT:** 4th

**CASE NUMBER:** 2023-0154-V

**COUNCILMANIC DISTRICT:** 2nd

**HEARING DATE:** November 7, 2023

**PREPARED BY:** Robert Konowal  
Planner

**REQUEST**

The applicant is requesting a variance to allow an accessory structure (pole barn) with less setbacks than required and to be located in the front yard of a non-waterfront lot at 8187 Telegraph Road in Severn.

**LOCATION AND DESCRIPTION OF SITE**

The subject property is a corner lot with approximately 1,396 feet of frontage along Telegraph Road, 0 feet north of Old Mill Road. The site also has frontage of 784 feet along WB & A Road and 54 feet along each of Lawrence, Richard, Lillian and Myrtle Avenues. Finally, there is a non-contiguous portion of the site across Old Mill Road that has frontage of approximately 238 feet and 135 feet along Redmiles Lane. The property is approximately 40.68 acres in size.

The site is shown on Tax Map 21, Grid 12 as Parcel 57 and is primarily zoned R2-Residential District. A small southern portion of the property is zoned OS-Open Space District where a perennial stream (Severn Run) crosses the property. The current zoning was adopted by the Comprehensive zoning for the Second Council District, January 29, 2012.

The property is currently developed with a 38,710 square foot religious facility. Parking for approximately 315 vehicles is located to the east and south of the principal structure. An accessory structure (storage barn) measuring approximately 30 feet by 60 feet is located just south and west of the principal structure.

**APPLICANTS' PROPOSAL**

The applicant is proposing to construct a second storage barn to assist in the operation of a food pantry. The building will be used for warehousing and dry storage of goods related to the pantry. The proposed barn measures 40 feet by 60 feet and is to be located immediately south of the existing storage barn.

**REQUESTED VARIANCES**

Section 18-2-204 (b) of the Anne Arundel County Zoning Ordinance prohibits the location of an

accessory structure in the front yard of a non-waterfront lot. The proposed accessory structure will be located in the front yard between the existing principal structure and the front lot line along Telegraph Road. A variance is required for an accessory structure in this location.

## **FINDINGS**

The subject property meets both the minimum lot width and lot area requirements of the Code for a lot in a R2 District. However, more importantly this application relates to a rather large 40.68 acre lot occupied by an institutional use that has frontage along multiple public roadways. A stormwater drainage device is located in the corner side yard, south of the parking lot which prevents locating the storage building in accordance with the Code. These conditions are an exceptional circumstance that creates a practical difficulty in complying with the Code. These multiple road frontages, essentially along three sides of the site, make it impossible to locate an accessory structure in accordance with the Code and denial of the requested variance would cause hardship in the use of these lands.

The applicant has located the storage building in a manner that minimizes its intrusion into the front yard along Telegraph Road. The proposed location of the structure at a distance of 591 feet from Telegraph Road does result in the minimum variance necessary to afford relief.

Approval of the variance would not alter the essential character of the immediate neighborhood as the storage building will not disrupt any established setback pattern and is screened by vegetation from public view from adjacent roadways. The structure is to be located well in excess of the minimum front yard setback required along Telegraph Road. The proposed location of the pole barn is located well enough away from adjacent properties so as to not impair their appropriate use or development. There is no evidence that the request will be detrimental to the public welfare.

### *Agency Comments*

The **Anne Arundel County Department of Health** indicated the subject property is served by public water and sewer and they have no objection to the application.

The **Development Division of the Office of Planning and Zoning** advised that a Preliminary Plan and Site Development Plan application must be submitted and approved. A modification to forgo the Preliminary Plan and Site Development Plan process has been received and was held in abeyance via a letter dated August 25, 2023. This modification must be approved or a Preliminary Plan and Site Development Plan application must be submitted and approved.

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. The Department advised that the WB & A Trail lies southeast of this development. We request that there be no increase of water runoff toward the trail. 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.

**RECOMMENDATION**

Based upon the standards set forth under Section 18-16-305 in the Anne Arundel County Code by which a variance may be granted, the Office of Planning and Zoning recommends the variance to allow an accessory structure (40 foot by 60 foot storage barn) in the front yard of a non-waterfront lot as shown on the attached site plan be ***approved***.

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.