



303 Najoles Road - Suite 114  
Millersville, MD 21108

Phone: 410-987-6901  
Fax: 410-987-0589

November 21, 2023

Ms. Sterling Seay  
Anne Arundel County  
Office of Planning and Zoning  
2664 Riva Road  
Annapolis MD 21401

Re: **Westridge Reserve Parcel**  
**84B Kennedy Drive**  
**Severna Park, MD 21146**

Dear Ms. Seay,

Please accept this as our formal variance request to the Zoning Regulations on behalf of our client. The variance requests are to Article 18, Section 4 – 701 of the R-5 Bulk Regulations of 10' to the required 25' setback requirements to Leelyn Drive

We are requesting this variance to allow for an existing reserve parcel to be made legal by subdivision to build one house.

Explanation as required by Article 18, Section 16-305(a)

We believe the granting of these variances are warranted because the unique physical conditions of the lot. Specifically, the lots are very narrow and irregular in shape due to Leelyn Drive right of way being taken. This large amount of right of way was taken for plans to build a bypass highway that never took place. Due to this, a narrow strip of land was left and a reserve parcel resulted. Based on the shape left due to the right of way taking, creating a dual frontage situation, the building area for the lots is not useable and therefore variances are needed. Since the right of way taken was so large due to a planned highway, and a smaller road was actually built, there is a natural wooded buffer varying from 45' to 80' shielding the rear of these lots from the roadway, warranting a setback variance.

Explanation as required by Article 18, Section 16-305(c)

We believe the granting of this variance is warranted because the requested variance is the minimal necessary to afford relief based upon the size of the lot and the unique physical conditions, such as the shape. The building area of the lot is triangular in shape and only 11.5' at its widest due to the unique shape. A modest house size was chosen to fit on the lot honoring the 25' front setback to Kennedy Drive and remain 10' from the right of way line at Leelyn Drive. The granting of this variance will not alter the

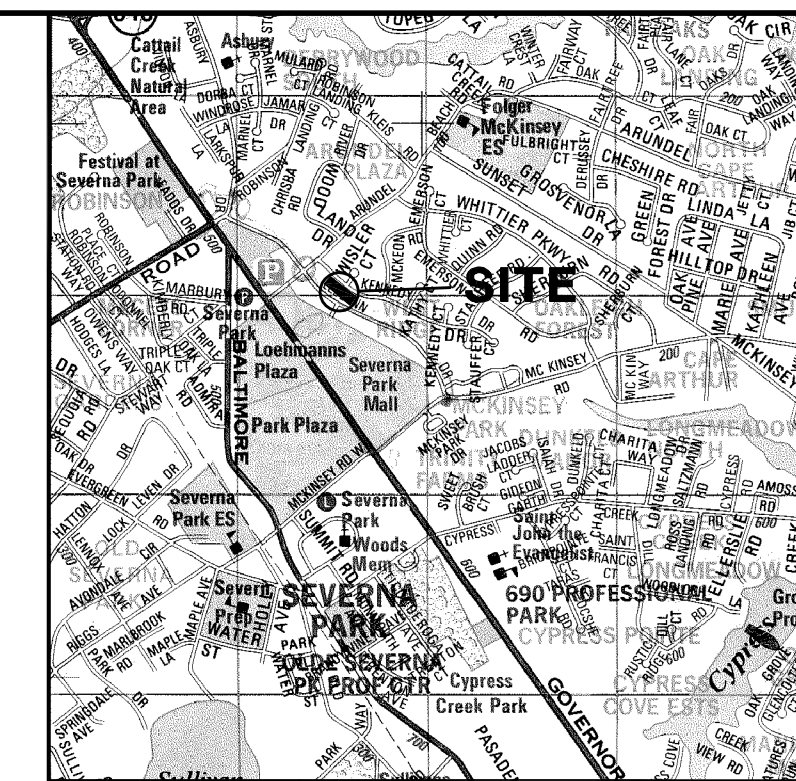
character of the neighborhood as the proposed house is modest in size have a typical 2-story elevation from the road and is setback from the right of way the same as others are on the street. This variance will not impair the appropriate use or development of the surrounding property as it will not deny access or the possibility to build on neighboring lots and is over 50' from the neighboring house at 84A Kennedy. The neighboring houses are a two-story house and a rancher, where the rancher is operating as business. The granting of this variance will not be detrimental to the welfare of the public. In addition, stormwater management will be provided with the new home.

If you have any questions or need any additional information please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Matthew R. Seiss".

Matthew R. Seiss, P.E.



**VICINITY MAP**

SCALE: 1" = 2,000'  
 Copyright ADC The Map People  
 Permitted Use Number 20403131

TOTAL SITE AREA	0.36 AC.
SOILS	A 0.35 AC.
	B 0.01 AC.
	C 0.00 AC.
	D 0.00 AC.
EX. IMPERVIOUS AREA	0.00 AC.
PROP. IMPERVIOUS AREA	0.06 AC.
RATIO OF EX. IMPERVIOUS TO TOTAL SITE AREA	0.00%
RATIO OF PROP. IMPERVIOUS TO TOTAL SITE AREA	16.7%

**SOIL CLASSIFICATION CHART**

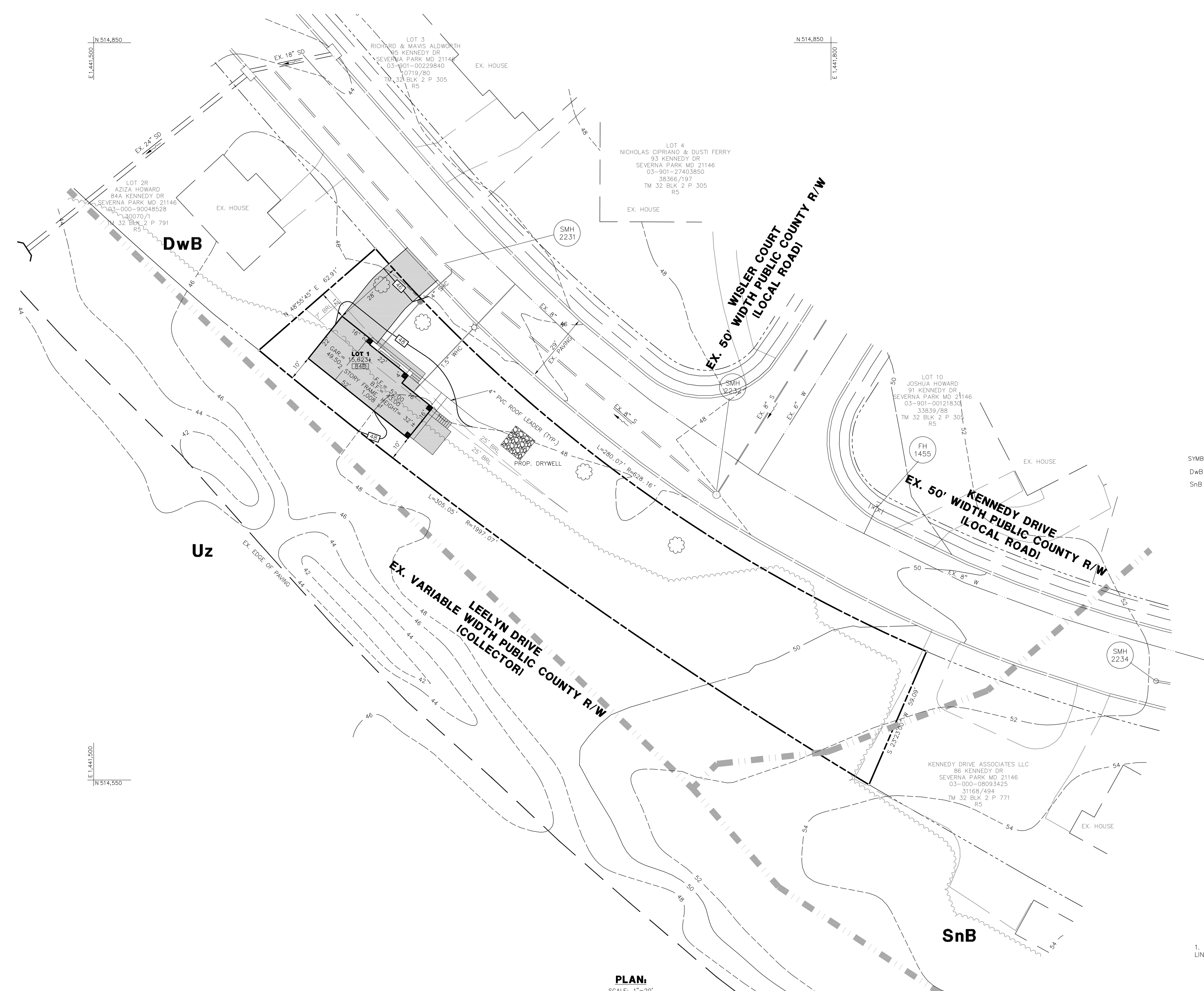
SYMBOL	NAME	HYDROLOGICAL SOIL TYPE
DwB	Downer-Hammonton-Urban land complex	A
SnB	Sassafras-Urban land complex	B

**SITE ANALYSIS**

1. EXISTING ZONING: R5
2. TOTAL SITE AREA: 15,623 s.f.
3. PROPOSED USE: 1 SINGLE FAMILY LOT

**NATURE OF VARIANCE**

1. A VARIANCE TO ARTICLE 18-4-701 OF 15' TO THE REQUIRED 25' LOT LINE SETBACK TO LEELYN DRIVE



**PLAN:**  
SCALE: 1"=20'

**LEGEND**

- Existing Contours
- - - Proposed Contours
- 68x50 Spot Elev.
- Existing Tree Line
- Soils Line
- EX. 8" S Existing Sewer
- EX. 15" SD Existing Water
- EX. 8" W Existing Water
- Existing Tree
- Existing Pole
- Existing Sewer Cleanout
- Proposed Sewer Cleanout
- Existing Water Meter
- Proposed Water Meter

**OWNER/DEVELOPER:**  
 CHESSIE HOMES LLC  
 250 HARLEM ROAD  
 PASADENA, MD 21122  
 CONTACT PERSON: KYLE SQUIRES  
 (P) (410)987-6901  
 (E) CHESSIEHOMESLLC@GMAIL.COM

#	REVISIONS:	APPROVED BY:	DATE:

**ANAREX, INC**  
 CIVIL ENGINEERING SERVICES  
 LAND SURVEYING  
 303 Najoles Road - Suite 114  
 Millersville, MD 21108-2512  
 Phone: 410-987-6901  
 www.anarex.com

SHEET 1 OF 1  
**VARIANCE PLAN**  
**WESTRIDGE RESERVED PARCEL**  
 84B KENNEDY DRIVE SEVERNA PARK, MD 21146  
 GP#  
 TAX MAP 32 BLOCK 2 PARCEL 130 TAX ACCOUNT # 03-000-90072625  
 DATE: NOVEMBER, 2023 ZONING: R5 ZIP CODE: 21146  
 REV. JAN, 2024  
 THIRD ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND



# OFFICE OF PLANNING AND ZONING

## CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING 10.20.2023

P&Z STAFF Sumner Handy, Diane Windell

Pre-File Record Number 2023-0042-P

APPLICANT/REPRESENTATIVE Matt Seiss EMAIL matt@anarex.com

SITE LOCATION 84B Kennedy Drive, Severna Park LOT SIZE 15,623 square feet ZONING R5

CA DESIGNATION \_\_\_\_\_ BMA \_\_ or BUFFER \_\_ APPLICATION TYPE variance

The applicant proposes to establish two lots out of the existing reserve parcel (Tax ID 3000-9007-2625). The reserve parcel measures 15,632 square feet, and the placement of two dwellings on lands of that area results in a proposed density of 5.571 dwelling units per acre, necessitating a variance to Section 18-4-701 of 0.571 dwelling units per acre to the allowed density of five dwelling units per acre in the R5 district. Assuming approval of that variance and a successful ensuing subdivision application, the applicants propose to construct single-family dwellings on each of the proposed new lots. Each of the new lots are dual-frontage lots (fronting to the rights of way along each of Kennedy Drive and Leelyn Drive), and each proposed dwelling requires a variance to Section 18-4-701 to the front yard setback requirements along both the Kennedy and Leelyn dimensions.

### COMMENTS

The Regional Team, Development Division, notes that reserve parcels are not buildable lots, and can only become buildable after going through the subdivision process. Subdivision approval of this reserve parcel is required regardless of the outcome of this variance application, and a favorable outcome of this variance application does not guarantee subdivision approval. Any future development, including subdivisions, must adhere to all applicable County Code requirements as referenced in Article 17, including but not limited to access to the future lots, bulk restrictions, topography, environmental and forestation guidelines, and adequate public facilities.

The Zoning Division notes that the applicants must satisfy the requirements of 18-16-305, including that the relief sought be the minimum necessary to achieve development of the lot. The setback variances would appear to be appropriate – if the density variance can be justified. The hardship that would result from being denied two dwelling sites rather than one is not apparent from the applicant's draft letter of explanation; that the physical middle of this reserve parcel is not suitable to a dwelling does suffice as justification to approve the request to create two building lots of this one reserve parcel. (Presently zero home sites exist, as the reserve parcel has not yet gone through subdivision; approval of this variance would not guarantee subdivision approval.)

### INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

\*\*\* A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.



ANNE  
ARUNDEL  
COUNTY

M A R Y L A N D

Office of Planning and Zoning

*Jenny B. Jarkowski, Planning and Zoning Officer*

## MEMORANDUM

TO: Lori Allen, Planning Administrator

FROM: Diane Windell, OPZ, Planning Technician II

SUBJECT: Variance #2023-0042-P

DATE: October 11, 2023

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This memo is in response to the Zoning Division request for comments regarding a Variance to allow more density than is normally allowed in the R5 Zoning District.

Reserve parcels shown in a previously recorded subdivision are not buildable lots and can only become buildable after going through the subdivision process.

Please be aware that any future development, including subdivisions, must adhere to all applicable County Code requirements as referenced in Article 17, including, but not limited to access to the future lots, bulk restrictions, topography, environmental and forestation guidelines and adequate public facilities.

The Office of Planning and Zoning, Residential Division has no further comment and defers to the Zoning Division with regard to this Variance.

cc: File