

303 Najoles Road - Suite 114
Millersville, MD 21108

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

January 3, 2024

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

**Re: Glen Burnie Heights
Block UU, Lots 37-38
Variance Application**

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 Regulation of 6' to the required 35' setback to the Route 100 right of way, 18' to the front 25' setback to the alley and 7' to the 20' corner side setback.

We are requesting this variance to allow for an existing lot to be developable based on the restrictive nature of the setbacks.

The proposed house is a two-story with a habitable attic. The habitable attic is built into the trusses, like an older Cape Cod style home, where the house will have a two-story elevation from the road, but there will be a partial third floor with a house height of 28'+/-. The footprint of the home is 680 square feet, reduce to remove the garage based on the prefile review. The SHA owns four lots to the West where then the property goes back to individual owners.

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 lot is undersized for its zoning designation at 45' wide and 3,685 square feet, well under the 60' width and 7,000 square foot requirements of the bulk regulations. These lots were platted well before bulk regulations and further hindered by the construction of Route 100 necessitating a 35' setback.

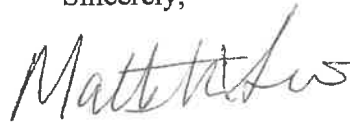
Explanation as required by Article 18, Section 16-305(c)

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. The building area of the lot is undersized at only 452 square

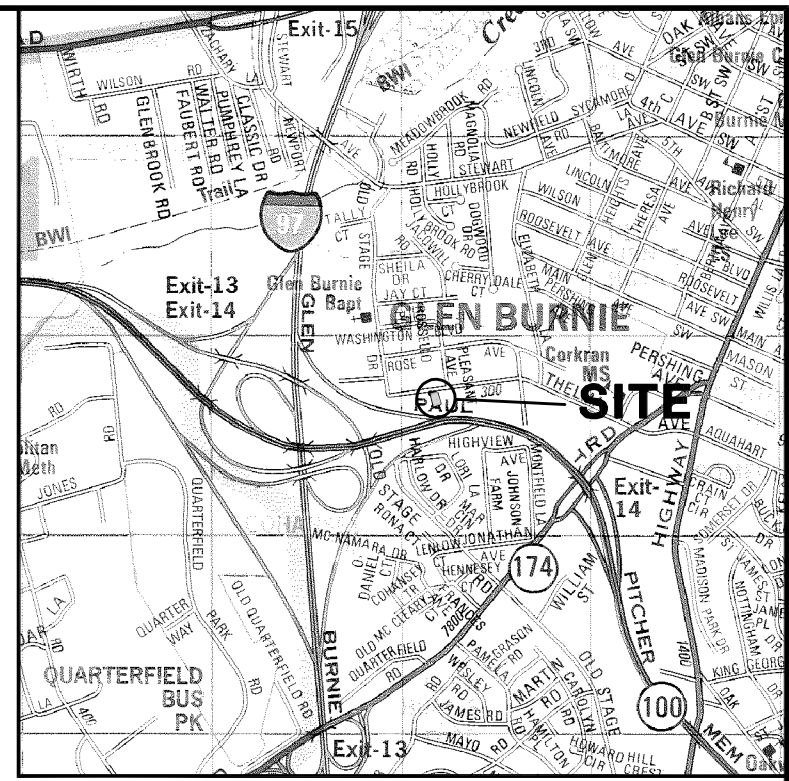
feet and 18'x23'. The proposed house is modest in size where the foundation will be 18' from the accessible right of way allowing for off street parking with a garage space. The variance allowing 13' is so the house can have a stoop and steps as typical of a single-family home. The granting of this variance will not alter the character of the neighborhood as the proposed house will have a typical 2-story elevation from the road and is typical of R5 development. 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 as all surrounding properties have been developed and the proposed house will not affect the street view of any other properties. 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 black ink that reads "Matthew R. Seiss". The signature is written in a cursive style with a large, prominent "M" and "S".

Matthew R. Seiss, P.E.

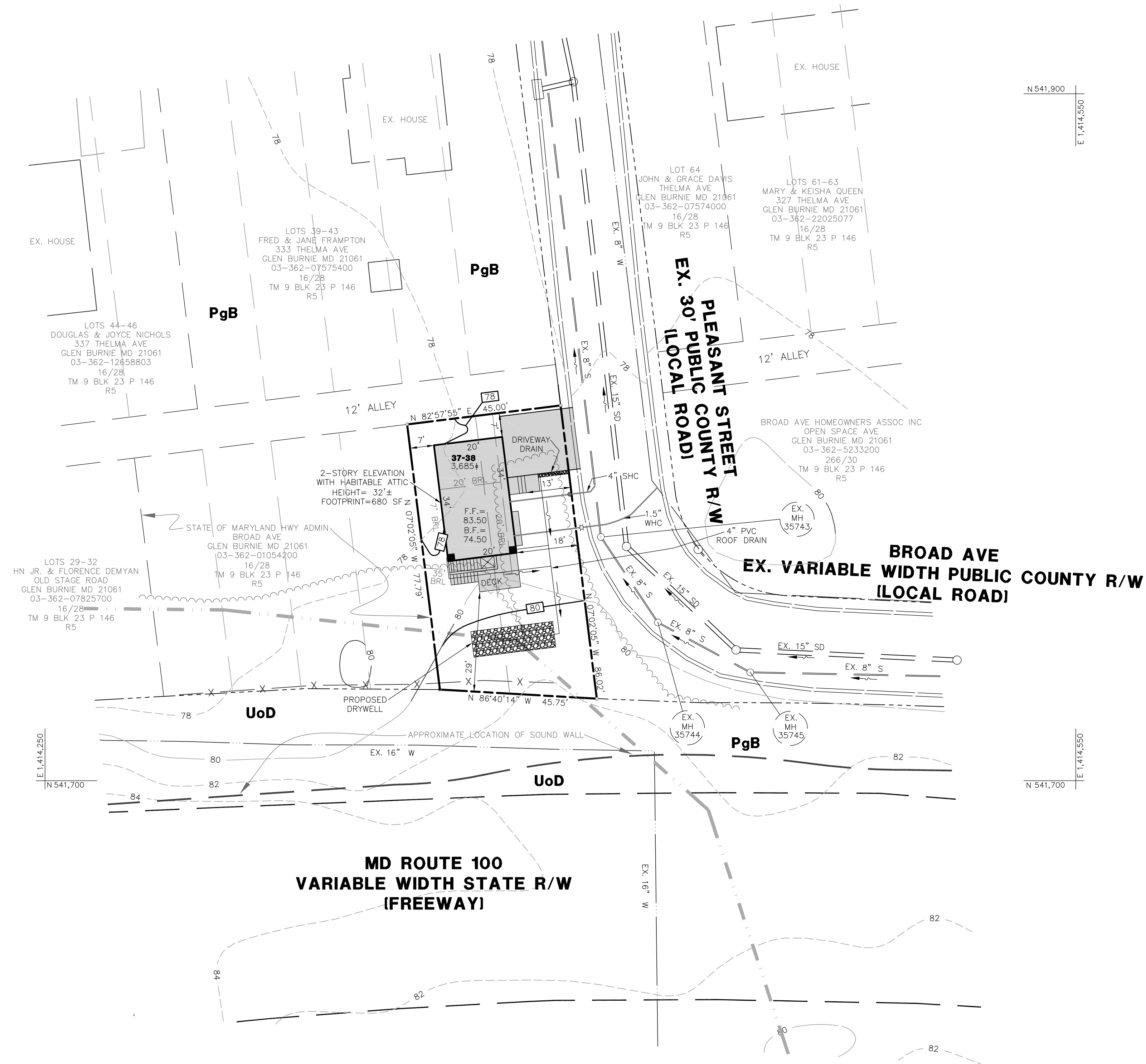


VICINITY MAP

SCALE: 1" = 2,000'
 Copyright ADC The Map People
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SITE ANALYSIS

1. EXISTING ZONING: R5
2. TOTAL SITE AREA: 3,685 s.f.
3. EXISTING USE: VACANT
4. PROPOSED USE: SINGLE FAMILY DWELLING



PLAN
 SCALE: 1"=20'

LEGEND

- 152--- Existing Contours
- 152--- Proposed Contours
- 69x50 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
- Limit of Disturbance
- Reinforced Silt Fence
- Temporary Stockpile Area
- Stabilized Construction Entrance (S.C.E.)

SOIL CLASSIFICATION CHART

SYMBOL	NAME	HYDROLOGICAL SOIL TYPE
PgB	PATAPSCO-FORT MOTT-URBAN	A
UoD	UDORTHERTS	C

#	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

NATURE OF VARIANCE

1. A VARIANCE TO ARTICLE 18-4-701 OF 6' TO THE REQUIRED 35' SETBACK TO ROUTE 100
2. A VARIANCE TO ARTICLE 18-4-701 OF 13' TO THE REQUIRED 20' FRONT SETBACK TO THE ALLEY
3. A VARIANCE TO ARTICLE 18-4-701 OF 7' TO THE REQUIRED 20' CORNER SIDE SETBACK

SHEET 1 OF 1
VARIANCE PLAN

GLEN BURNIE HEIGHTS
 HIGHVIEW AVE, LOTS 37 & 38, BLOCK UO
 HIGHVIEW AVE
 GLEN BURNIE, MD 21061
 GP #:

TAX MAP 9 BLOCK 23 PARCEL 146 TAX ACCOUNT # 03-362-19955000 ZONING: R-5
 DATE: JANUARY, 2023
 THIRD ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND 21061



OFFICE OF PLANNING AND ZONING
CONFIRMATION OF PRE-FILE

PRE-FILE #: 2023-0058-P
DATE: 12/28/2023
OPZ STAFF: Joan A. Jenkins
Hala Flores (I&P)

APPLICANT/REPRESENTATIVE: Chessie Homes

EMAIL: chessiehomesllc@gmail.com

SITE LOCATION: Broad Ave (aka 331 Broad Ave) Tax id 3362-1995-5000

LOT SIZE: 3,685sf

ZONING: R5 **CA DESIGNATION:** n/a **BMA:** n/a **or BUFFER:** n/a **APPLICATION TYPE:** Variance

Description:

The applicant proposes to construct a new single-family dwelling (2-story with habitable attic, height 32') which requires setbacks under R5 bulk regulations. Variance requested 14' to 35' Route 100 right of way; 13' to rear setback; 4' to 20' corner side setback.

COMMENTS

I & P Engineering: The applicant did not show how Stormwater Management will be addressed for the site. Given the proximity to the turn, the applicant needs to demonstrate that adequate sight distance exists. Right-to-needs to show the limit of disturbance for the work and explain how the carport solar panel systems will be constructed. Will the parking lot be reconstructed? If the parking lot is being reconstructed and the LOD is more than 5000 SF and/or more than 1000 SF of imperviousness is being created, then this project needs to go through the SDP process. Disturbance is counted when earth is disturbed in any way or full depth pavement is replaced.

Zoning Administration Section:

What is a habitable attic? Another story? Clarify on the site plan.

The application appears to have Rt. 100 as the front, Broad Ave as the corner side, the 12' Alley as the rear and the western side as a side. Any stoop or stair that is 8" or above is considered part of the principal structure. The distance to the lot line of Broad Ave should reflect the correct distance and the variance is calculated accordingly.

Clarify the ownership of the property to the west. Is it lots? Is it right of way?

Note that until February 3, 2024 the alley is considered a front lot line and requires a setback of 25'. The variance would be 18' to the 25' setback requirement. Bill 88-23 was recently passed and will be effective February 3, 2024. This bill changes the setbacks from alleys and easements. 18-2-301 An alley or easement for the passage of vehicles and persons may not be considered a road for the purposes of assessing a front lot line. This site plan seems to take that into consideration and treats the alley as a rear for setback purposes.

The applicants are reminded that there is a 455' setback to MD Route 100 under 17-6-110 which will require a modification through the Development Division.

The garage is unnecessary and the dwelling could be made smaller thereby reducing variances by removal of the garage.

The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must meet ALL of the variance standards provided under Section 18-16-305 of the Zoning Code, which includes the requirement that the variance must be the minimum necessary to afford relief.

The Letter of Explanation for your variance submission should demonstrate that you meet all of those standards.

INFORMATION FOR THE APPLICANT

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.