

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

**APPLICANTS:** Jennifer Daniel Reynolds

**ASSESSMENT DISTRICT:** 3

**CASE NUMBER:** 2023-0209-V

**COUNCILMANIC DISTRICT:** 5

**HEARING DATE:** February 20, 2024

**PREPARED BY:** Joan A. Jenkins   
Planner II

**REQUEST**

The applicant is requesting a variance to perfect a dwelling addition (porch) with less setbacks than required on property located at 1256 Pine Hill Drive in Annapolis.

**LOCATION AND DESCRIPTION OF SITE**

The subject property has an area of approximately 9,000 square feet and is located with 60 feet of road frontage on the west side of Pine Hill Drive, 0 feet south of Evergreen Lane. The site is Lot 1 shown on Tax Map 40, Block 11, as Parcel 33 in the Cape St. Claire subdivision.

This property has been zoned R5-Residential District since the adoption of Comprehensive Zoning for the Fifth Council District, effective January 29, 2012. The property is currently improved with a one-story single-family detached dwelling that has a side deck and ramp and a side porch, and a gravel drive. The property is served by a private well and public sewer system.

**PROPOSAL**

The applicant seeks this after-the-fact variance to perfect a porch addition that brings the overall size of the porch to 11 feet wide by 26 feet deep. The construction occurred without the benefit of a building permit.

**REQUESTED VARIANCE**

§18-4-701 of the Anne Arundel County Code requires that a principal structure in an R5 - Residential District be set back a minimum of twenty feet from the corner side lot line. The porch has been constructed thirteen feet from the corner side lot line. As such, a variance of seven feet is required.

**FINDINGS**

This is a rectangular-shaped property that is a corner lot. The property exceeds the area requirement (7,000 sq ft required, 9,000 sq ft provided) and meets the width requirement for a lot in the R5 District. The location of the existing dwelling and the increased setback requirement for a corner side is causing the need for a variance.

The property is the subject of an open violation. Case B-2020-56 was opened January 23, 2020 for “construction of a garage, no permit”. The garage, which is a 20’ x 11’ shed, has not been included on the site plan as it has been removed according to the applicant.

A review of the County 2023 aerial photograph shows a neighborhood of similar-sized homes on single lots.

Prior to the additional porch area being constructed the porch was 16 feet from the corner side and therefore did not meet the corner side setback. The applicant writes that the roof had a 3-foot overhang and floor area has been constructed under the existing roof area to expand the porch. They write that the porch has been completed since April 2018.

The **Health Department** commented that they do not have an approved plan for this project. There is no objection to the variance request as long as a plan is submitted and approved by the Health Department. They note that the building permit (B02381231) will not be approved by the Health Department until the existing violation concerning the shed location has been addressed.

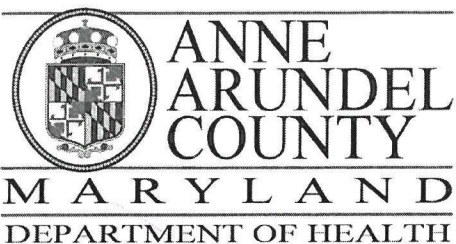
Approval of the variance will not alter the essential character of the neighborhood as this is a minor alteration to an existing dwelling. Approval of the variance will not impair the appropriate use or development of the adjacent property. The variance will not be contrary to acceptable clearing and replanting practices and will not be detrimental to the public welfare.

The variance request is considered to be the minimum necessary to afford relief as the additional porch area has been constructed within the existing roofline which is already nonconforming as to setbacks.

### **RECOMMENDATION**

With regard to the standards by which a variance may be granted as set forth under § 18-16-305 of the County Code, the Office of Planning and Zoning recommends ***approval*** of the variance request to § 18-4-701 of seven feet to the corner side lot line to perfect a porch addition 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.



J. Howard Beard Health Services Building  
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

A handwritten signature in blue ink, appearing to be "BC", written over the name "Brian Chew" in the FROM field.

DATE: December 14, 2023

RE: Daniel & Jennifer Reynolds  
1256 Pine Hill Drive  
Annapolis, MD 21409

NUMBER: 2023-0209-V

SUBJECT: Variance/Special Exception/Rezoning

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

The Health Department does not have an approved plan for this project. The Health Department has no objection to the above referenced variance request as long as a plan is submitted and approved by the Health Department. The building permit (B02381231) will not be approved by the Health Department until the existing violation concerning the shed location has been addressed.

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


cc: Sterling Seay

2023-0209-V



**Legend**


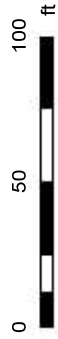
- Foundation
- Addressing
- Parcels
- Parcels - Annapolis City

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**Notes**