

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

APPLICANT: Beverley Knopp & Richard Meseke

ASSESSMENT DISTRICT: 1st

CASE NUMBER: 2023-0212-V

COUNCILMANIC DISTRICT: 7th

HEARING DATE: February 27, 2024

PREPARED BY: Sara Anzelmo
Planner

REQUEST

The applicants are requesting a variance to allow a dwelling addition (garage) with less setbacks than required on property located at 1000 Mount Airy Road in Davidsonville.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 4.5 acres of land and is located with 25 feet of frontage on the north side of Mount Airy Road. It is identified as Lot 3 of Parcel 252 in Grid 16 on Tax Map 54 in the Meadowoods subdivision.

The property is zoned RA – Rural Agricultural District, as adopted by the comprehensive zoning for Council District 7, effective October 7, 2011. It is currently improved with a one-story, single-family, detached dwelling with a basement and other associated facilities.

PROPOSAL

The applicants propose to construct a 22' by 42' (approximately 924 square foot) garage onto the northwestern corner of the existing house. The garage would measure 22'-4³/₄" at its peak.

REQUESTED VARIANCES

§ 18-4-301 of the Anne Arundel County Zoning Ordinance provides that a principal structure in an RA District shall be set back a minimum of 35 feet from the rear lot line. At its closest point, the proposed dwelling addition (attached garage) would be located 6.3 feet from the rear lot line, necessitating a variance of 29 feet.

FINDINGS

The subject property is irregular in shape and far exceeds the minimum 40,000 square foot area and 150 foot width required at the front building restriction line for a lot in an RA District. The 2023 County aerial photograph shows that the existing dwelling is located in the far rear of this large property, more than 1,000 feet from the road. The lot abuts platted open space, owned by the Meadowoods Conservancy Inc., to the north and east. That adjacent parcel is primarily unimproved, but it appears to contain a portion of the community tennis court.

The **Health Department** has determined that the minimum separation required between the proposed building addition and the proposed well have not been met. A minimum separation of thirty (30) feet must be provided to protect the individual well water supply system from a foundation or soil treated to control pests, insects, or vermin. Therefore, the Department recommends denial of the variance request. The applicant must show the water well and septic system location on the site plan. An Administrative variance with the Health Department may be granted to have the structure 20 feet from the up-to-code water well.

For the granting of a zoning variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular lot or because of exceptional circumstances other than financial, strict implementation of the Code would result in practical difficulties or an unnecessary hardship. The need sufficient to justify a variance must be substantial and urgent and not merely for the convenience of the applicants.

In the case of the subject property, while the irregular lot shape and the existing dwelling location in the far rear are somewhat unique, those conditions are not causing the need for a variance nor are they preventing the applicants from developing the lot in conformance with the Code. The applicants' letter of explanation merely describes the proposal, but it does not provide any justification to demonstrate practical difficulties or unnecessary hardship. Based on the County birdseye aerial imagery, the applicants already enjoy the benefit of an existing three-car garage (measuring approximately 30-feet in length) on the northwest side of the house. The garage loads from the side via two garage doors, one single and one double, which can be seen in the open position on recent aerial photographs. In addition to the fact that the property already contains a larger than typical attached garage, there also appears to be room for the proposed garage addition on the south side of the existing garage, without requiring a setback variance. Similarly, the proposed garage could be rotated 90 degrees and attached to the western side of the existing garage, significantly minimizing, if not eliminating, the setback variance.

Approval of the proposed variance would not necessarily alter the essential character of the neighborhood, impair the appropriate use or development of adjacent property, or be detrimental to the public welfare. However, given that the property already has the benefit of a three-car garage and the fact that other development options appear to exist that would allow for a substantial attached garage addition without the requested setback relief, the variance is not warranted and cannot be considered the minimum necessary to afford relief.

RECOMMENDATION

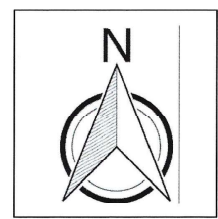
Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends ***denial*** of the requested variance to § 18-4-301. Should the Administrative Hearing Officer determine that variance relief is warranted, any approval must be conditioned on satisfying the Health Department's variance comments (relating to the minimum required separation between the proposed structure and the well) at the time of permitting.

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.

SITE PLAN

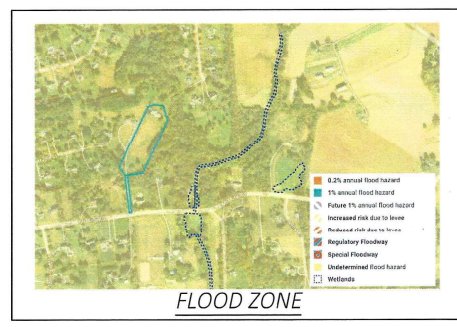
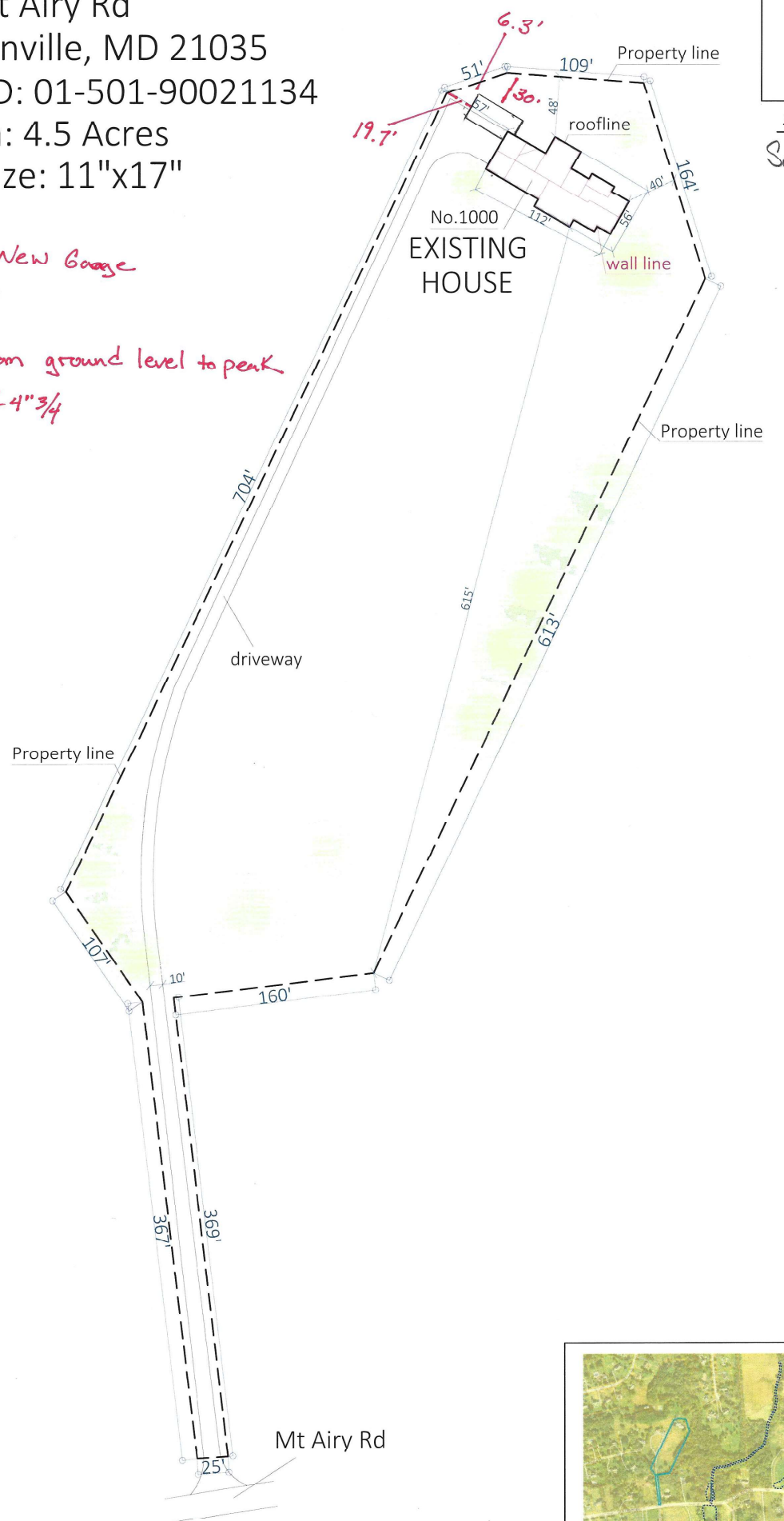
ORIGINAL SITE PLAN

1000 Mt Airy Rd
Davidsonville, MD 21035
Parcel ID: 01-501-90021134
Lot area: 4.5 Acres
Paper Size: 11"x17"



scale 1"=80'
Scale 1/8"=10'

Proposed New Garage
42' x 22'
Height from ground level to peak
22'-4" 3/4



FLOOD ZONE

NUMBER	DATE	DESCRIPTION
1	10-19-2023	ORDER INITIATED
2	10-20-2023	ORDER EXTENSION
3	10-31-2023	PRELIMINARY PLANS
4	11-2-2023	CONSTRUCTION DOCUMENTS



CONTACT INFORMATION:
CONTRACTOR/PROJECT MANAGER

JOHN K. K&M HOMES LLC
JOHN@K&MHOMES.COM
WWW.K&MHOMES.COM

DESIGNER/DRAWINGMAN
DEREK CHESSLER
CHESSLERSOFTWARE@GMAIL.COM
FIVERR.COM/DEREKCHESSLER

PROPOSED DETACHED 3 CAR GARAGE



K&M HOMES LLC

ORDER #: F0828FDC16806

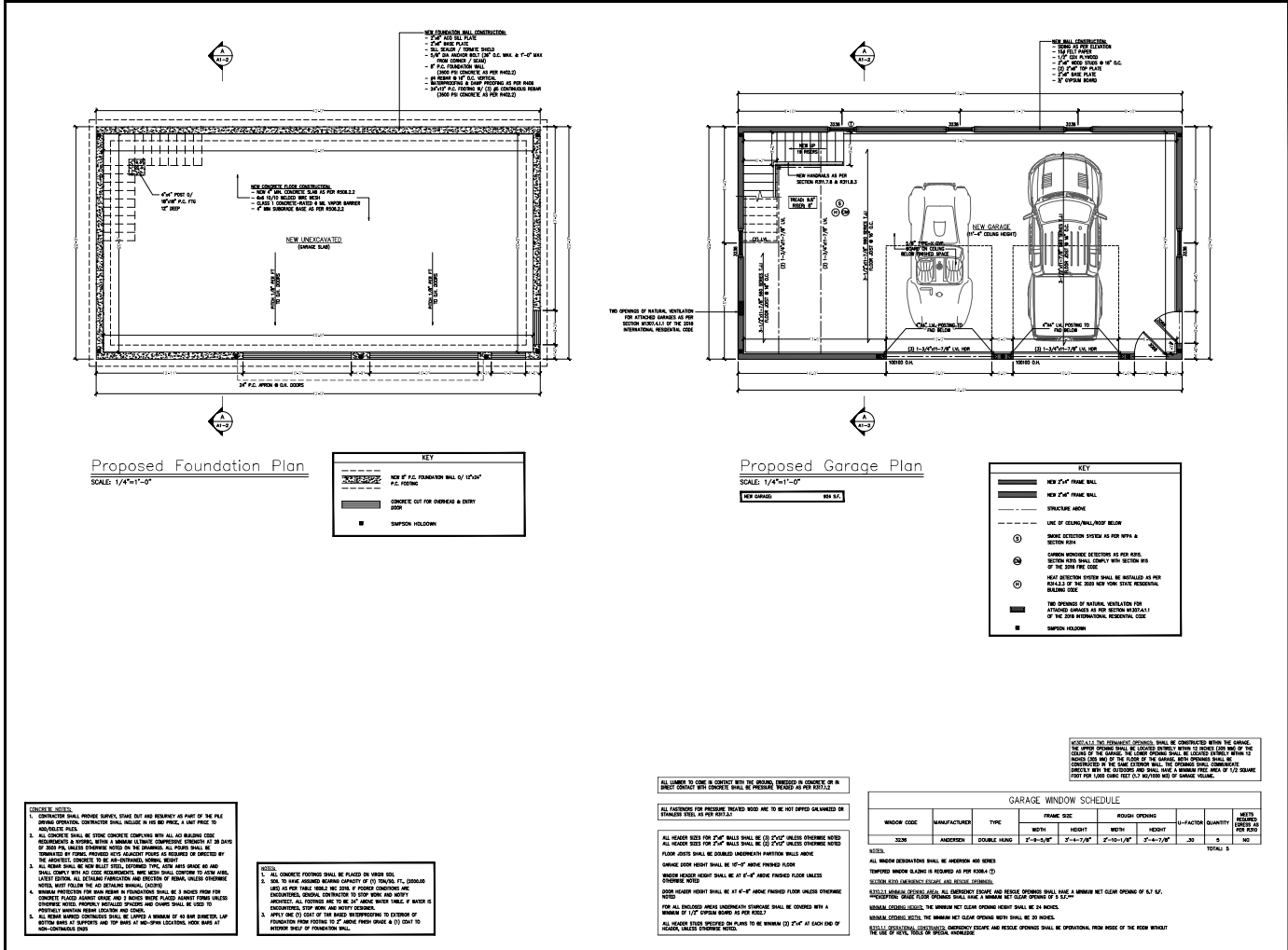
DRAWING TITLE:
PROPOSED FOUNDATION PLAN
PROPOSED GARAGE PLAN

SCALE:
AS NOTED

ISSUED BY:
DPC

DATE:
11/2/2023

A1-1



NO.	DATE	DESCRIPTION
1	10-19-2023	ORDER REVISION
2	10-20-2023	ORDER EXTENSION
3	10-31-2023	PRELIMINARY PLANS
4	11-2-2023	CONSTRUCTION DOCUMENTS



CONTACT INFORMATION:
 CONTRACTOR/PROJECT MANAGER:
 JOHN K. K&M HOMES LLC
 JOHN@K&MHOMES.COM
 WWW.K&MHOMES.COM
 DESIGNER/DRAWINGMAN:
 DEREK CHESSLER
 CHESSLERDESIGNS@GMAIL.COM
 FIVERR.COM/DEREKCHESSLER

PROPOSED DETACHED 3 CAR GARAGE



K&M HOMES LLC

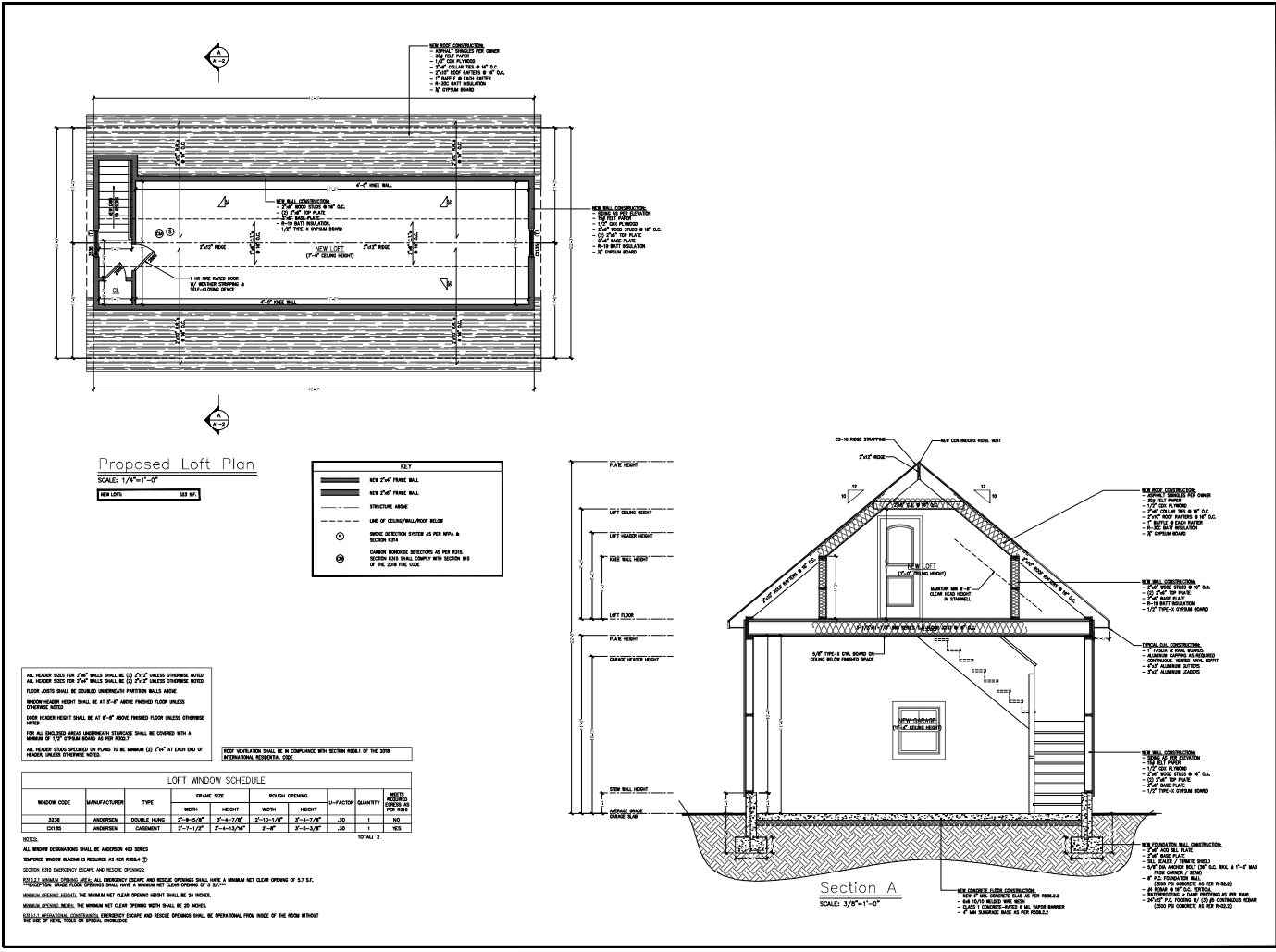
ORDER #: F0828FDC16806

DRAWING TITLE:
 PROPOSED LOFT PLAN
 SECTION A

SCALE:
 AS NOTED

DRAWN BY:
 DFC

DATE/TIME: 10/19/23
A1-2



NO.	DATE	DESCRIPTION
1	10-19-2023	ORDER RECEIVED
2	10-20-2023	ORDER EXTENSION
3	10-31-2023	PRELIMINARY PLANS
4	11-2-2023	CONSTRUCTION DOCUMENTS



CONTACT INFORMATION:
 CONTRACTOR/PROJECT MANAGER:
 JOHN K
 K&M HOMES LLC
 JOHN@K&MHOMES.COM
 WWW.K&MHOMES.COM
 DESIGNER/DRAWINGMAN:
 DEREK CHESLER
 CHESLERDESIGNSONLINE.COM
 FIVERR.COM/DEREKCHESLER

PROPOSED
 DETACHED 3 CAR
 GARAGE

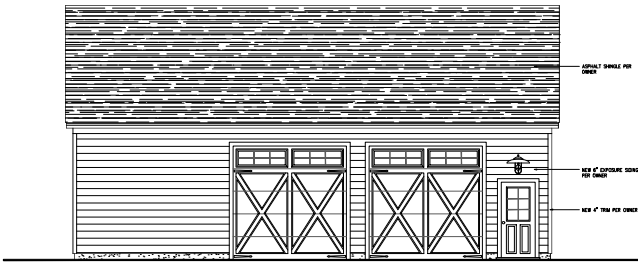
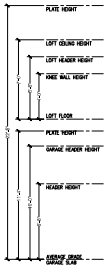


ORDER #: F0828FDC16806

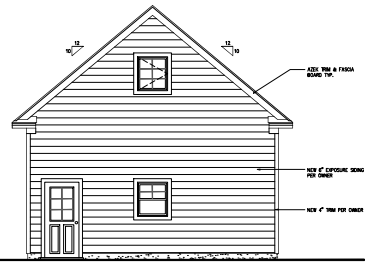
ISSUING TITLE:
 PROPOSED ELEVATIONS

SCALE:
 AS NOTED

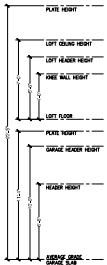
ISSUED BY:
 DFC
 DRAWING NUMBER:
A2-1



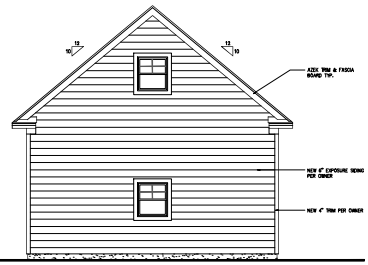
Front Elevation
 SCALE: 1/4"=1'-0"



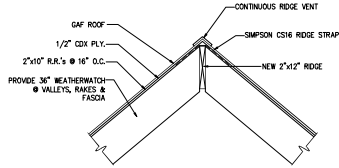
Right Side Elevation
 SCALE: 1/4"=1'-0"



Rear Elevation
 SCALE: 1/4"=1'-0"



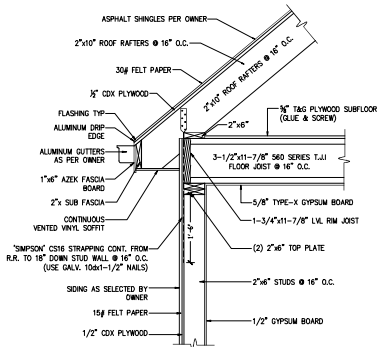
Left Side Elevation
 SCALE: 1/4"=1'-0"



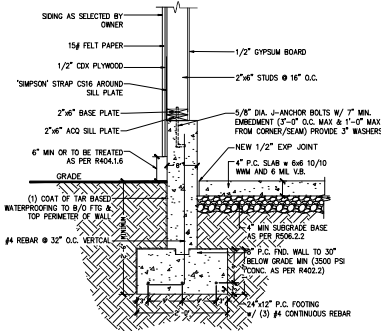
CUT ROOF SHEATHING BACK AS PER MANUFACTURERS SPECIFICATIONS TO ALLOW AIRFLOW FOR RIDGE VENT

Typical Ridge Detail
SCALE: 1"=1'-0"

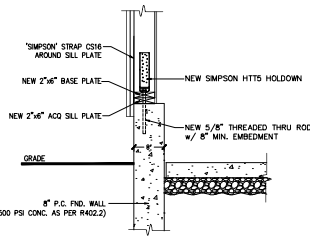
THE ICE BARRIER SHALL CONSIST OF NOT FEWER THAN TWO LAYERS OF UNDERLAMENT CEMENTED TOGETHER, OR A SELF-ADHERING POLYMER-MORTARED BETWEEN SHEET SHALL BE USED IN PLACE OF NORMAL UNDERLAMENT AND EXTENDS FROM THE LOWEST EDGES OF ALL ROOF SURFACES TO A POINT NOT LESS THAN 24 INCHES (610 MM) INSIDE THE EXTERIOR WALL LINE OF THE BUILDING ON ROOFS WITH SLOPE EQUAL TO OR GREATER THAN 8 UNITS VERTICAL IN 12 UNITS HORIZONTAL. THE ICE BARRIER SHALL ALSO BE ALLIED NOT LESS THAN 36 INCHES (914 MM) MEASURED ALONG THE ROOF SLOPE FROM THE EAVE EDGE OF THE BUILDING AS PER R402.2.



Typical Eave Detail
SCALE: 1"=1'-0"



Typical Foundation Wall Detail
SCALE: 1"=1'-0"



NOTE:
ALL STRAPPING, ANCHORS, HOLD-DOWNS & WASHERS TO BE INSTALLED AS PER MANUFACTURERS SPECIFICATIONS.
ALL WASTERS PER PRESSURE TREATED WOOD ARE TO BE HOT DIPPED GALVANIZED OR STAINLESS STEEL.

Typical Foundation Holddown Detail
SCALE: 1"=1'-0"

NO.	DATE	DESCRIPTION
1	10-19-2023	ORDER REVISION
2	10-20-2023	ORDER EXTENSION
3	10-31-2023	PRELIMINARY PLANS
4	11-2-2023	CONSTRUCTION DOCUMENTS



CONTACT INFORMATION:
CONTRACTOR/PROJECT MANAGER:
JOHN K
K&M HOMES LLC
JOHN@K&MHOMES.COM
WWW.K&MHOMES.COM
DESIGNER/DRAWINGMAN:
DEREK CHESLER
CHESLERDESIGNS LLC
CHESLER@GMAIL.COM
FIVER.COM/DEREKCHESLER

PROPOSED
DETACHED 3 CAR
GARAGE



ORDER #: F0828FDC16806


DETAILS

SCALE:
AS NOTED


ISSUED BY:
DPC

DESIGN NUMBER:
A3-1



410-349-

7798john@kmhomesmd 

.comwww.kmhomesmd. 

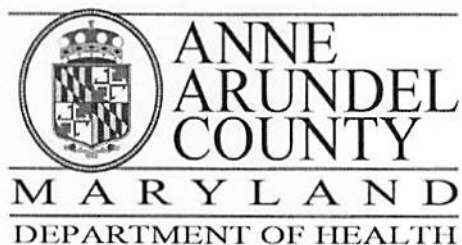
MHIC: 145319

Date: 11-17-2023

Address: 1000 Mount Airy Rd Davidsonville MD 21035

To whom it may concern,

- **We are looking to get a 30' variance on the left side of the property at 1000 Mount Airy Rd Davidsonville MD.**
- **The new garage will be attached to the left side of the current home/garage.**
- **The new structure will located more then 100 yards from the next closest structure.**
- **The location for the new garage is not in any critical areas. It is surrounded by tree line (no less then 100 yards away)**
- **No trees, bushes or hedges will be removed for new garage.**
- **The new structure will be located 10' from the current property line.**
- **This Grage will be used for cars, lawnmowers and tractors. Not for occupation.**
- **SQFT of the new structure will be less then 1000 sqft**
- **With the addition of the new garage it will not exceed the 25% of buildable area on the current property.**
- **The new structure will be no taller then the current home.**
- **This structure will have no bathroom, plumbing or running water.**



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 black ink, appearing to be "BC" with a flourish.

DATE: December 18, 2023

RE: Richard Meseke & Beverly Knopp
1000 Mount Airy Road
Davidsonville, MD 21035

NUMBER: 2023-0212-V

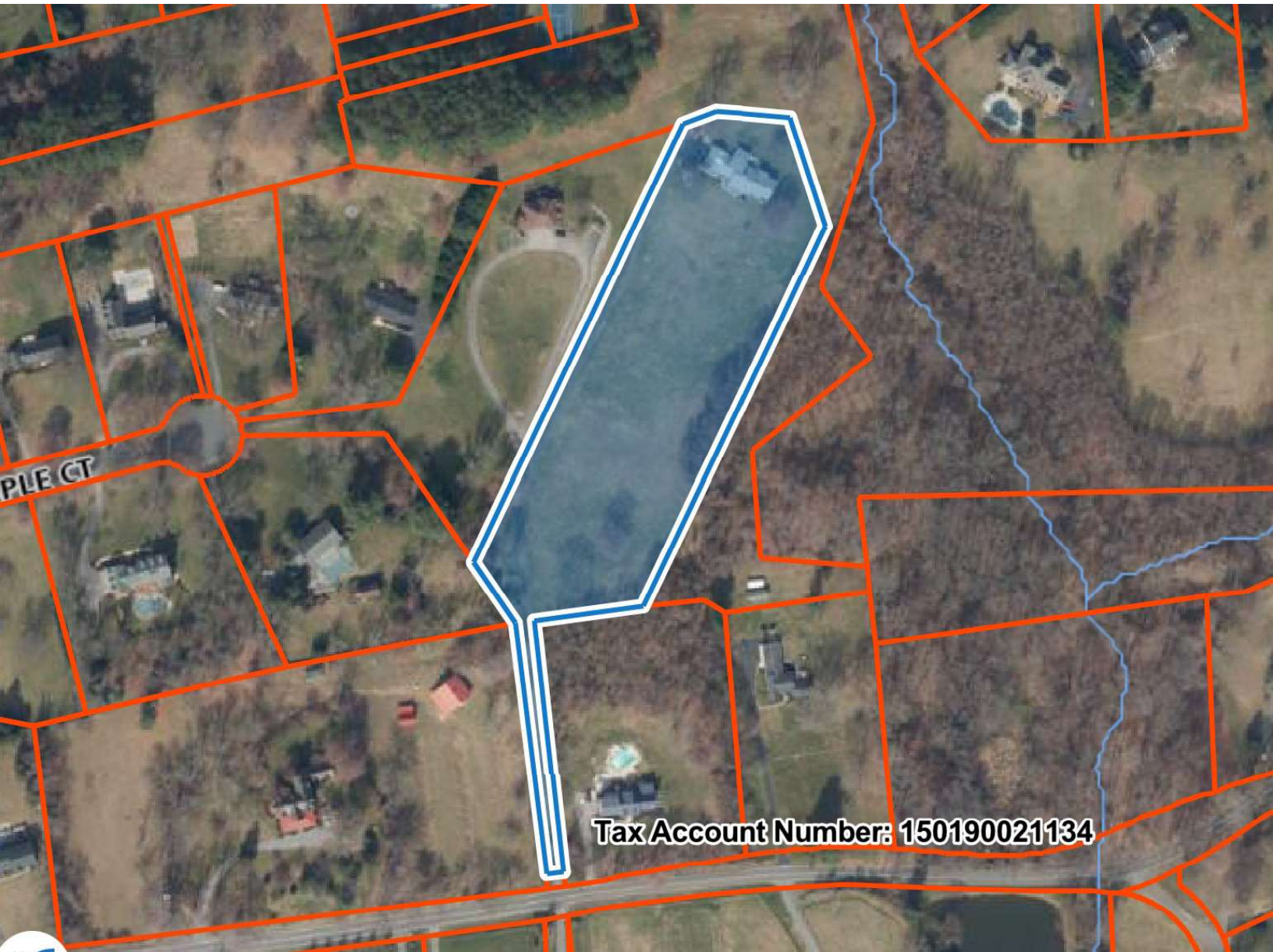
SUBJECT: Variance/Special Exception/Rezoning

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

The Health Department has determined that the minimum separation required between the proposed building addition and the proposed well have not been met. A minimum separation of thirty (30) feet must be provided to protect the individual well water supply system from a foundation or soil treated to control pests, insects or vermin. The Health Department recommends denial of the above referenced request. Show the water well and septic system location on the site plan. An Administrative variance with the Health Department may be granted to have the structure 20 feet from the up to code water well.

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

cc: Sterling Seay



Tax Account Number: 150190021134

PLE CT