



400 Industry Drive
Suite 100
Pittsburgh, PA 15275
United States
T +1.412.249.6495

AUGUST 16, 2021

Anne Arundel County Office of Planning and Zoning
2664 Riva Road
Annapolis, MD 21401

Re: **Letter of Justification
Request for a Variance to the Anne Arundel County Zoning Code Section 18-2-302 for a Project at 8241 and 8251 Dorsey Run Road, Annapolis Junction, MD**

To whom it may concern:

Jacobs is the Lead Architect for a project at 8241 and 8251 Dorsey Run Road.

On behalf of our client, Jacobs is seeking relief from the maximum allowable height limitations set forth in the County Code, only for the limited building elements identified below;

- two stair towers and
- one elevator machine room bulkhead.

There are exemptions in the Zoning Code; Section 18-2-302 (b) (2), which allow certain building elements to exceed the Code maximum allowable height. These exemptions read as follows:

- *Generally. Height limitations specified in this article do not apply to steeples on a religious facility, flagpoles, or public utility essential services.*
- *Roof features. Height limitations specified in this article do not apply to the following when they are created only to the height necessary to accomplish the intended purpose, are no more than 15 feet above the lowest point of contact with the roof, and the total area is not more than 15% of the cross-sectional area of the section of the roof on which located:*
 - *belfries;*
 - *chimneys, ventilators, sky lights, water tanks, cooling towers, air conditioning units, bulkheads, or similar roof features, including the necessary associated mechanical equipment carried above roof level; or (3) cupolas or domes consisting only of non-habitable space. (c) Parapet walls. A parapet wall may extend no more than five feet above the height limitations specified in this article. (Bill No. 4-05; Bill No. 78-05)*



AUGUST 16, 2021

In prior correspondence with Donna Aulds at Anne Arundel County and Rob Konowal in the Anne Arundel County Office of Planning and Zoning, Jacobs inquired if stair towers were included in the language "other roof structures." Jacobs also inquired about the elevator machine room and asked if it would be included as a "bulkhead," or "other roof structure" as well. The county representative's interpretation of the Code is that stair towers are not included in the exemption as "other roof structures", and that since our elevator machine room bulkhead exceeds 15% of the cross-sectional area, it is also excluded from being exempt.

Request 1: Allow Elevator Bulkhead height to exceed the 75' limit by 5'-0", to a maximum of 80'-0".

There are three planned elevators serving the building, this quantity is necessary to meet operational resiliency requirements. The size of the elevator bank cannot be reduced enough to comply with the 15% north-south cross-sectional ratio to avoid a variance. Further, although it is roughly 6% in the east-west direction, the program and floor plan does not allow for the rotation of the elevator bank.

The building's floor to floor height is 22'-6", the minimum required for data center equipment move in and overhead mechanical and electrical infrastructure that serves the equipment. The elevator shafts, and overhead machine rooms have overhead clearance requirements. The minimum clearance from various elevator vendors would require a roof that exceeds the 75' height limit by anywhere from 7-inches to 5-feet. Incidentally, there are constructability concerns with the lower 7-inch value, in terms of steel framing connections and roofing details. This request is to approve a variance to accommodate 5-feet in height, so that multiple elevator vendors can be accommodated and to allow for the safe constructability of the roof steel and roofing material.

The design team has thoroughly considered the conditions and options and requests that the Office of Administrative Hearings review the findings and approve the request based on the unique conditions at this location.

Request 2: Allow stair towers that provide access to the roof to exceed the 75' limit by 5'-0", to a maximum of 80'-0".

The project has five egress stair towers in total, only two of which provide access to the roof. As mentioned above, the building's floor to floor height is 22'-6", the minimum required for the design. Although the facility can comply with the 75-foot limit by making use of a roof hatch this type of roof access is less safe for operations and maintenance personnel, it is less weather resistant, and less physically secure than a stair with a normal 3'-0" x 7'-0" access door.



AUGUST 16, 2021

Additionally, roof hatches are limited in size. Due to the size limitation, a ladder or an alternating tread device is needed to climb from the last regular egress stair landing through the hatch and onto the roof. Alternatively, a full height egress stair tower can make use of standard stair dimensions and rise/run.

The ability to access the roof is important to operations and maintenance personnel. The access required is quarterly at a minimum and often personnel are carrying various tools/material with them. It is also anticipated that first responders who need to access the roof in case of an emergency would also be much better served by a full height stair and standard door access in lieu of a ladder and hatch.

A regular, code-compliant stair and man door are much more weatherproof during operations than a hatch; a hatch must remain open for the duration personnel are on the roof, as opposed to regular man doors, which can be closed.

The percentage of roof elements over the height limit is very small: the stairs make up less than 1-percent of the overall roof area. Adding the elevator machine room bulkhead increases the total area exceeding the typical height limitation to approximately 2.5-percent.

The applicant considers it important to emphasize that this request is entirely in regard to safety of employees and first responders, as well as operational resiliency, and is not related to maximizing rentable or commercial space.

The design team has thoroughly considered the conditions and options and requests that the Office of Administrative Hearings review the findings and approve the request based on the unique conditions at this location.

Very Respectfully,

Jacob J. Raketich, AIA, NCARB

JACOBS | Lead Architect | d. 412.249.6634 | m. 412.818.1925 | jacob.raketich@jacobs.com | www.jacobs.com

Copies to: Inna Tasmaly

Microsoft Corporation
One Microsoft Way
Redmond, WA 98052-6399

Tel 425 882 8080
Fax 425 706 7329
www.microsoft.com



June 26, 2023

Anne Arundel County
Office of Planning and Zoning – Development Division
2664 Riva Road
Annapolis, MD 21401

Subject: Annapolis Junction Business Park, Parcel P.0195
Letter of Authorization: Change of Representative

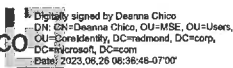
To whom it may concern,

I, Deanna Chico, Principal Design Manager at Microsoft, owner of the subject property located at 8201, 8211, 8241, 8251 and 8271 Dorsey Run Road, Annapolis Junction, Maryland, authorize the change of representative from Jacob Raketich to Kristine Hargreaves, to submit a request for height variance.

The project was temporarily delayed due to potential customer driven changes that had to be incorporated in the facility and the campus that required redesign.

Please let me know if I need provide any additional information. Please direct any questions to myself at (805) 212-0302 or deannachico@microsoft.com.

MICROSOFT CORPORATION

Signature:  Deanna Chico
Printed Name: Deanna Chico
Title: Principal Design Manager



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING 6.17.2021

P&Z STAFF Sumner Handy & Courtney Wilson

APPLICANT/REPRESENTATIVE Jacob Raketich EMAIL Jacob.raketich@jacobs.com

SITE LOCATION 8211, 8241, & 8251 Dorsey Run Road, Annapolis Junction LOT SIZE 93.75 acres ZONING W2

CA DESIGNATION _____ BMA ___ or BUFFER _____ APPLICATION TYPE variance

The applicant proposes to construct two three-story data centers (approximately 171,172 square feet per building), administration office space (approximately 34,320 square feet), site circulation, and related infrastructure in the W2 district. The use is permitted in the W2 district, however height variances are required for roof access stairways and elevator machine room bulkheads.

COMMENTS

The Development Division, Regional Team, defers to the Zoning Division regarding the requested variance.

The Zoning Division notes that a variance to Section 18-6-301 of the Anne Arundel County Code would be required to construct the access stairways and elevator bulkheads to the heights requested. The site plan included in the variance application must label all activities that will occur on the site. The dimensions of all facilities, including height and distance from lot lines, must be labeled on the site plan. The Zoning Division acknowledges the arguments made in the applicants' pre-file letter regarding the necessity of roof access and elevator machine room bulkheads, as well as the safety concerns and functionality preferences (e.g., stairways to man doors rather than roof hatches) noted. However, the applicant should also address in the letter of explanation included in the variance application the need for the underlying buildings to be built to a height such that height variances for stairway access and elevator machine room bulkheads are required. The letter of explanation should address the variance requirements as outlined in Section 18-16-305(a) and (c) of the Anne Arundel County Code.

The Zoning Division finally notes that a site plan similar in extent to sheet 9 of 43 (YEL00-C-C10-01-1), showing all buildings, uses, dimensions, lot lines and structures' distance from, and other required information will be sufficient for the variance application. The location of the stairways and elevator machine room bulkheads requiring the height variances should be clearly demarcated on the site plan.

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

DEPARTMENT OF HEALTH

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

DATE: February 1, 2024

RE: One Microsoft Corporation
8211 Dorsey Run Road
Annapolis Junction, MD 20701

NUMBER: 2021-0152-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a commercial structure with greater height than allowed.

The Health Department has no objection to the above referenced variance request.

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

cc: Sterling Seay

Location

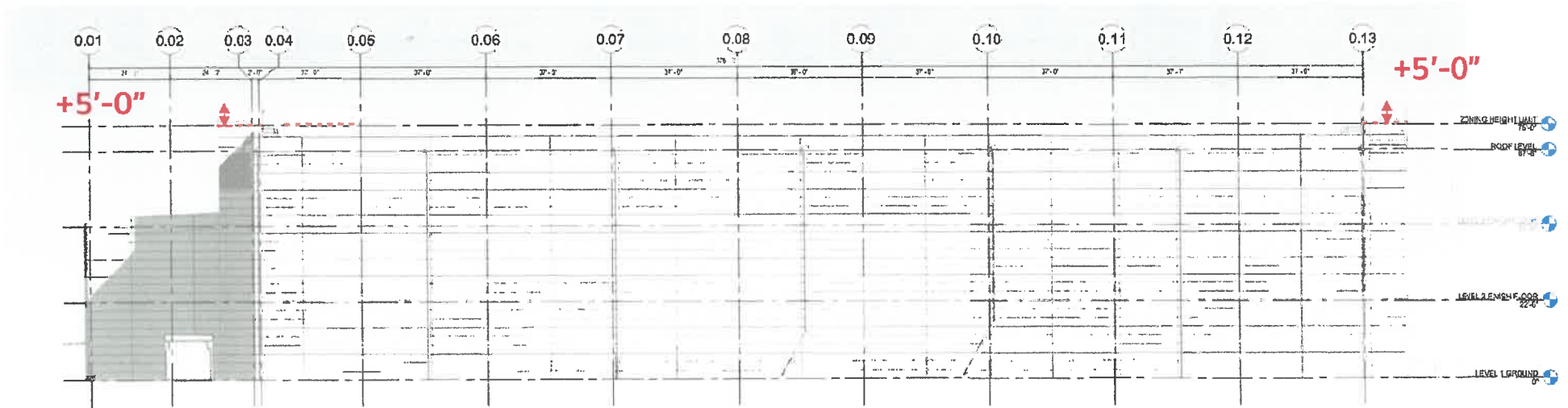


Denotes
Client-Owned Property

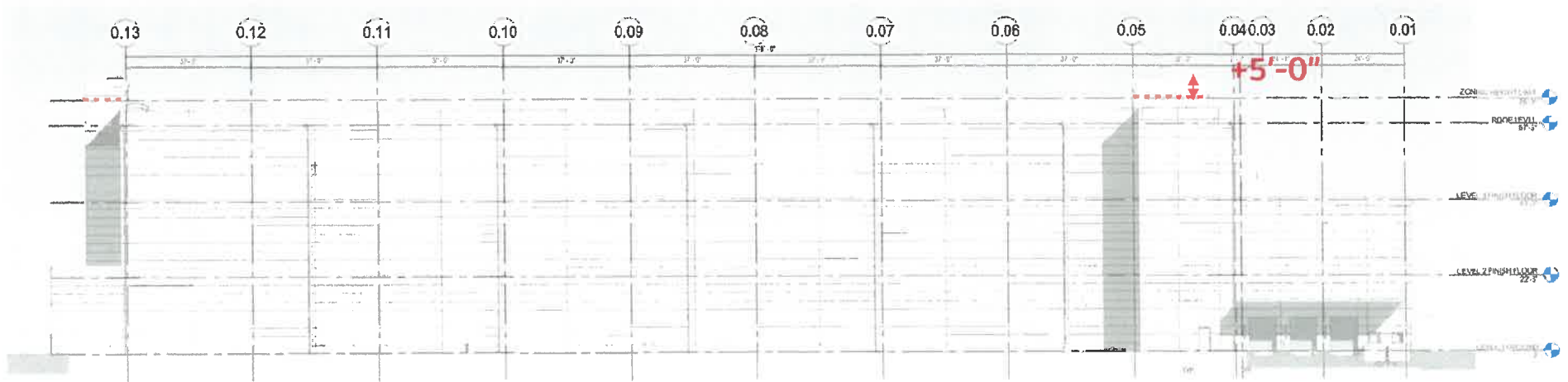


Denotes
BGE Overhead Utility
Right-of-Way

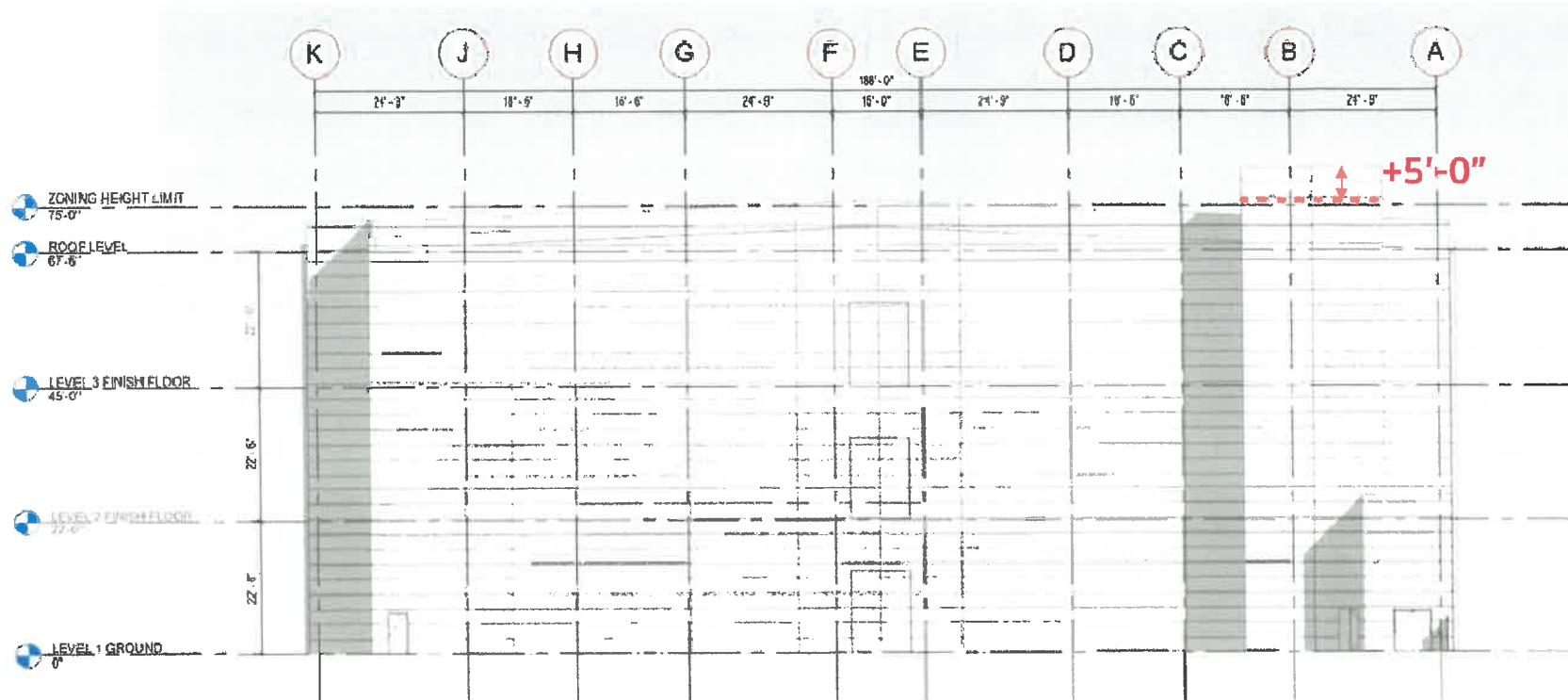
Roof Access Stairs and Elevator Bulkhead Exceed Zoning Allowable Height



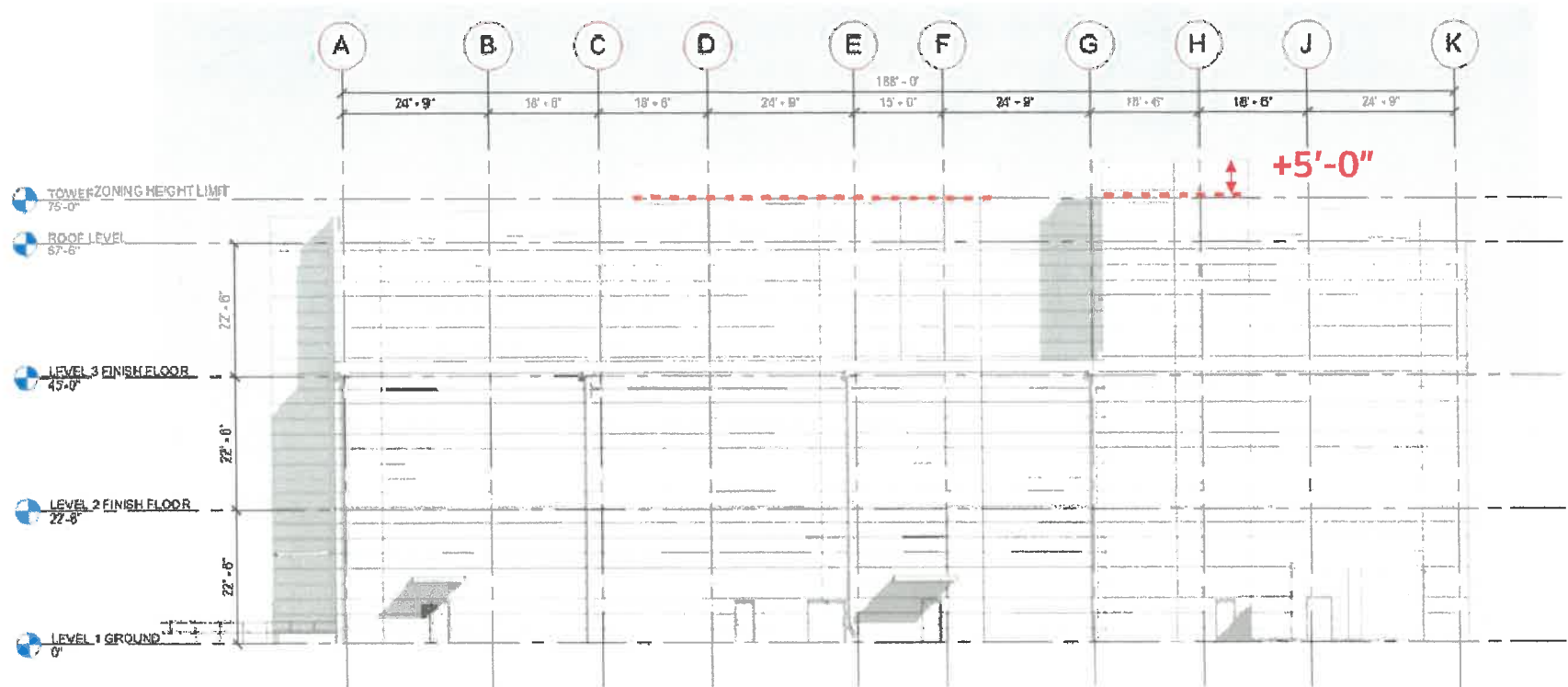
Roof Access Stairs and Elevator Bulkhead Exceed Zoning Allowable Height



Roof Access Stairs and Elevator Bulkhead Exceed Zoning Allowable Height



Roof Access Stairs and Elevator Bulkhead Exceed Zoning Allowable Height



Roof Access Stairs and Elevator Bulkhead



Two Roof Access Stairs, and the Elevator Machine Room Bulkhead comprise 2 ½ % of the overall building footprint. The upper 5'-0" of each are highlighted in red, as that portion of each exceeds the allowable building height defined in the Zoning Code.