

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

**APPLICANTS:** Ronald & Bonnie Steele

**ASSESSMENT DISTRICT:** 2

**CASE NUMBER:** 2024-0011-V

**COUNCIL DISTRICT:** 6

**HEARING DATE:** March 28, 2024

**PREPARED BY:** Jennifer Lechner  
Planner



**REQUEST**

The applicants are requesting a variance to allow an extension in time for the implementation and completion of a previously approved variance on property located at 312 Boxwood Grove Lane in Annapolis.

**LOCATION AND DESCRIPTION OF SITE**

The subject site consists of 2.39 acres of land and is located with approximately 40 feet of road frontage on the northwest side of Boxwood Grove Lane, 1,150 feet northwest of Arbutus Road. The subject property is identified as Lot R in Parcel 297 in Grid 20 on Tax Map 51H. The subject property has been zoned RLD – Residential Low Density District since the adoption of comprehensive zoning of the Sixth Council District zoning maps effective October 7, 2011.

The subject site is a waterfront lot located on Crab Creek which lies entirely within the Chesapeake Bay Critical Area and is designated LDA – Limited Development Area. The shoreline of the subject property is partially located in the buffer modification area (BMA) and partially outside the BMA. The southeast shoreline of the lot is located within a BMA.

The site is currently improved with a 1½ story single-family detached dwelling (c.1920), a detached garage, detached carport and driveway. A pier is located on the west side of the property. The property is served by a private well and septic.

**PROPOSAL**

The applicants seek approval for an extension in time for the implementation and completion of a previously approved variance (Case# 2022-0141-V) to allow a dwelling and associated facilities with less setbacks and planted buffer than required.

**REQUESTED VARIANCE**

§ 18-16-405(a) of the Anne Arundel County Zoning Ordinance stipulates that a variance or special exception that is not extended or tolled expires by operation of law unless the applicant obtains a building permit within 18 months of approval.

On November 29, 2022, the Administrative Hearing Officer of Anne Arundel County granted a zoning variance (Case# 2022-0141-V) to allow disturbance to the 50-foot planted buffer to allow the applicants to construct the proposed dwelling and driveway. The applicants are now requesting a variance to allow an additional 12-month extension in time in order to obtain a building permit while maintaining the previous approval.

### **FINDINGS**

The prior variance case was granted on November 29, 2022 and will expire on May 29, 2024. This application for an extension in time was made January 11, 2024, prior to the expiration of the variance approval.

The applicants' letter explains that many unexpected personal issues were hampering their focus on the property, and they are now faced with the realization of how long it takes to get through the steps of building a new home. The applicants state that the bulk of time lost was dealing with the recovery and complications of Mrs Steele's open heart surgery, coupled with tending to the healthcare of her out-of-state elderly parents. Their letter further states that the stress of the present expiration date of June 2024, has become overwhelming and they are, therefore, requesting an extension to the expiration date.

This Office has found that a grading permit, G02019316, to construct a single family dwelling was submitted on March 9, 2022. That permit appears to be pending review comments dated December 22, 2023. A building permit to demolish the existing house and construct a new dwelling has not been submitted.

There is no evidence that the granting of this request for an extension in time will alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent property, or be detrimental to the public welfare.

For the granting of a time extension variance, a determination must be made as to whether the applicants diligently pursued permits. A variance for a time extension cannot be granted if the need is caused by the applicants delaying the permitting process. It would appear that the delay in the permit process is a result of unforeseen health issues of the applicant and their parents, rather than a deliberate delay to draw out the process. As such, this Office supports the variance request for a time extension.

### **RECOMMENDATION**

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends ***approval*** of a zoning variance to §18-16-405(a) to allow an 18 month extension in time for the implementation and completion of a previously approved variance.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant to construct the structure(s) as proposed, the applicant 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.

## Letter Of Explanation

Time Extension Variance  
312 Boxwood Grove Ln  
Case Number: 2022-0141-V

To: Office of Administration Hearings

This last year had many unexpected personal issues hampering our focus on the property. We are now faced with the realization of how long it takes to get through the steps of building a new home. A whole year has slipped away with so much more to accomplish in just a few short months.

The bulk of time lost was dealing with the recovery and complications of my wife's open heart surgery, coupled afterwards with tending to the healthcare of her out-of-state elderly parents. Only recently have we been able to focus on the property. Frankly, I was naive to how long this process actually requires. The stress of the present expiration date of June 2024, has become overwhelming.

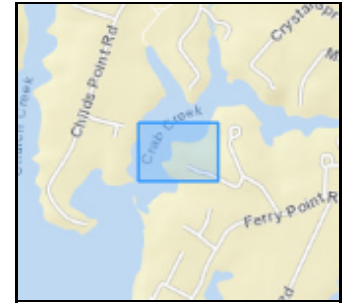
Our request to extend the expiration date one year would be greatly appreciated.

Respectfully,

Ronald and Bonnie Steele  
1 Pointless Forest Trl  
Annapolis, MD 21409

[ronsteele22@gmail.com](mailto:ronsteele22@gmail.com)

2024-0011-V (2023 aerial)



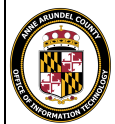
### Legend

Foundation

Parcels

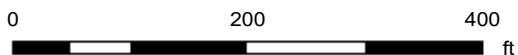


Parcels - Annapolis City



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### Notes