

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

**APPLICANT: Christopher Gill**

**ASSESSMENT DISTRICT: 3<sup>rd</sup>**

**CASE NUMBER: 2024-0012-V**

**COUNCIL DISTRICT: 3<sup>rd</sup>**

**HEARING DATE: March 26, 2024**

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



**REQUEST**

The applicant is requesting a variance to allow an accessory structure (detached garage) in the front yard of a non-waterfront lot on property located at 331 Eagle Hill Road in Pasadena.

**LOCATION AND DESCRIPTION OF SITE**

The subject property consists of 2.38 acres of land and is located with 160 feet of frontage on the southeast side of Eagle Hill Road, approximately 425 feet southwest of Peat Bog Lane. The property is identified as Lot 19 on Parcel 346 in Block 19 on Tax Map 25 in the Eagle Hill subdivision. The property has been split-zoned RLD – Residential Low Density District and OS - Open Space District since the adoption of comprehensive zoning for the Third Councilmanic District, effective January 29, 2012.

This property lies entirely within the Critical Area Overlay and is designated as LDA - Limited Development Area. The site is currently improved with a two-story single-family detached dwelling with a basement. The site is served by a private well and septic system.

**PROPOSAL**

The applicant proposes to construct an L-shaped detached garage 42 feet wide by 46 feet deep by 22 feet high (one story) and a parking area.

**REQUESTED VARIANCE**

§18-2-204 (b) of the Anne Arundel County Zoning Ordinance proscribes the location of an accessory structure in the front yard of a non-waterfront lot. As proposed, a locational variance is required for the detached garage.

## **FINDINGS**

The subject property is a long, narrow lot that exceeds the width and area requirements for a lot in the RLD District. The house was constructed in 1984.

Currently the lot has 7,606 square feet of lot coverage. With the addition of 2,332 square feet of lot coverage for parking area and the proposed garage there will be 9,938 square feet of lot coverage, below the maximum lot coverage allowance.

The current County aerial photograph from 2023 reveals an eclectic mix of various sized houses and lot sizes and shapes in this area. The existing dwelling on the property is located very close to the rear lot line as are other dwellings to the southwest, with no place to the side or rear to locate an accessory structure.

The applicant has written that the area chosen for the garage is somewhat cleared, flat, and does not interfere with the well or septic system. The location allows for close access to the existing driveway minimizing impervious coverage.

The **Health Department** commented that they do not have an approved plan for this project, but has no objection to the request as long as a plan is submitted and approved by the Health Department.

To be granted a variance it must be found that because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article or because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot. This is a developed lot where the location of existing structures is creating the need for the proposed location of the garage.

The location of the detached garage could be considered to be in keeping with the neighborhood. The adjacent property at 319 Eagle Hill Road has a dwelling located closer to the road than the proposed garage. Given the distance from the road it is unlikely that the garage will seem out of place. While this is not a waterfront lot, it is in a waterfront community. In a waterfront community it is not uncommon for accessory structures to be on the roadside of the property.

The granting of the variances will not impair the appropriate use or development of adjacent properties as the structure would be located in the middle of the lot. The variances will not be contrary to acceptable clearing and replanting practices. The granting of the variances will not be detrimental to the public welfare.

This is a large property and the garage is not greater in floor area than the principal structure. This Office considers the variance to be the minimum necessary to afford relief as any accessory structure would require a locational variance.

**RECOMMENDATION**

Based upon the standards set forth in §18-16-305, under which a variance may be granted, the Office of Planning and Zoning recommends ***approval*** of a variance to § 18-4-501 of 13 feet to allow a detached garage to be constructed 27 feet from the corner side lot line as shown on the site plan.

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.



ANNE  
ARUNDEL  
COUNTY

MARYLAND  
DEPARTMENT OF HEALTH

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**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' with a flourish.

DATE: January 29, 2024

RE: Christopher Gill  
331 Eagle Hill Road  
Pasadena, MD 21122

NUMBER: 2024-0012-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow an accessory structure (garage) in the front yard of a nonwaterfront lot.

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.

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

cc: Sterling Seay

2024-0012-V



**Legend**

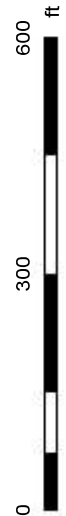
- Foundation Addressing
- Parcels
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**Notes**

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