



303 Najoles Road - Suite 114  
Millersville, MD 21108

Phone: 410-987-6901  
Fax: 410-987-0589

February 6, 2024

Ms. Sterling Seay  
Anne Arundel County  
Office of Planning and Zoning  
2664 Riva Road  
Annapolis MD 21401

Re: **Alberta Heights**  
**Lots 62 & 63**  
T.M. 9 B. 20 P. 115

Dear Ms. Seay,

Please accept this as our formal variance request to the Zoning Regulations on behalf of our client regarding setbacks. The variance requests are to Article 18, Section 4 – 501 of the R-1 Bulk Regulations of 30' to the required 40' corner side lot line setback.

We are requesting this variance to allow for a house to be built on existing platted lots. The proposed house will be 2 stories tall (32'+/-) and 24' wide by 35' deep (765 sf footprint). The house will sit back 10' from the North lot line (corner side), 15' from the South lot line (side) and 50' from the East lot line (front).

Explanation as required by Article 18, Section 16-305(a)

Due to the unique physical conditions such as irregular shape and size, the lot does not have a reasonable possibility of being developed without variances. The lot is a severely undersized corner lot in the R1 zone resulting in a 40' corner side lot line setback to a paper road. Based on that setback, the lot does not have a building box of size to be developed without a variance.

Explanation as required by Article 18, Section 16-305(c)

We believe the granting of this variance is warranted because the requested variance is the minimal necessary to afford relief based upon the size of the lot and the unique physical conditions such as the shape. The lot is severely undersized at only 7,021 square feet, well below the required 40,000 square foot requirement of R1 bulk regulations. In combination with the undersized nature of this lot, the lot is a corner lot due to a paper road necessitating a 40' corner side lot line setbacks that creates an unbuildable lot without a variance. The granting of this variance will not alter the character of the neighborhood. This variance will not impair the appropriate use or development of the surrounding property as it will not deny access or the possibility to

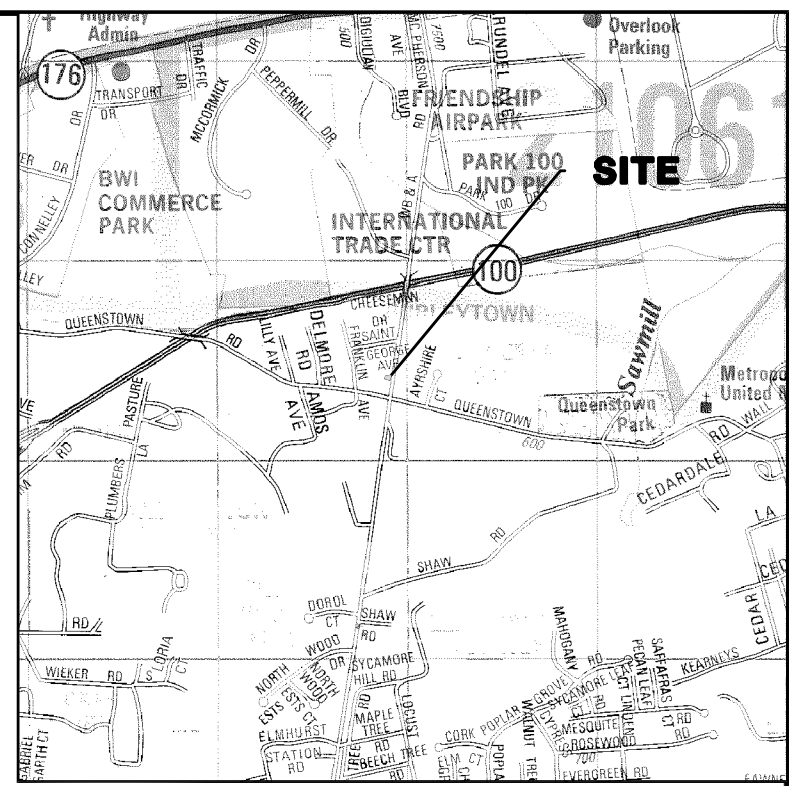
build on neighboring lots. The granting of this variance will not be detrimental to the welfare of the public..

If you have any questions or need any additional information please feel free to contact me at your convenience.

Sincerely,

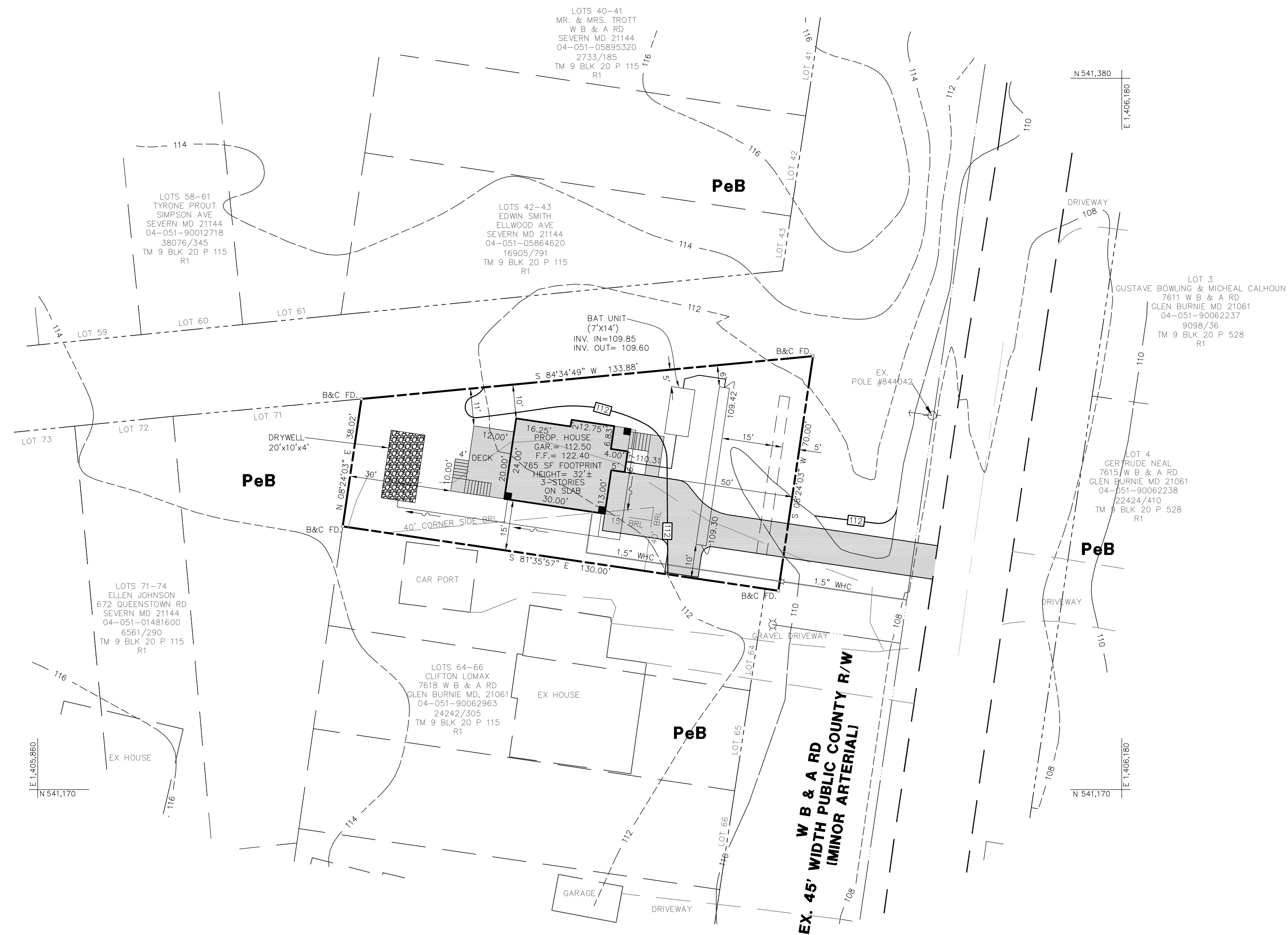
A handwritten signature in black ink, appearing to read "M. Werner", written in a cursive style.

Michael J. Werner, P.E.



**VICINITY MAP**

SCALE: 1" = 2,000'  
 Copyright ADC The Map People  
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**PLAN:**  
 SCALE: 1"=20'

TOTAL SITE AREA	0.16 AC.
SOILS	A 0.16 AC.
	B 0.00 AC.
	C 0.00 AC.
	D 0.00 AC.
EX. IMPERVIOUS AREA	0.07 AC.
PROP. IMPERVIOUS AREA	0.04 AC.
RATIO OF EX. IMPERVIOUS TO TOTAL SITE AREA	43.75%
RATIO OF PROP. IMPERVIOUS TO TOTAL SITE AREA	25%

**SOIL CLASSIFICATION CHART**

SYMBOL	NAME	HYDROLOGICAL SOIL TYPE
PgB	PATAPSCO-FORT MOTT-URBAN LAND COMPLEX	A

**SITE ANALYSIS**

- EXISTING ZONING: R1
- TOTAL SITE AREA: 7021.3 s.f.
- PROPOSED USE: 1 SINGLE FAMILY LOT

**NATURE OF VARIANCE**

- A VARIANCE TO ARTICLE 18-4-501 OF 30' TO THE REQUIRED 40' CORNER SIDE SETBACK

**OWNER/DEVELOPER:**  
 VALERIE JOHNSON  
 7517 RIVERDALE RD  
 UNIT 1922  
 NEW CARROLLTON, MD 20784  
 CONTACT PERSON: MIKE MUZIK  
 (P) 410-987-6901  
 (E) MIKE@ANAREX.COM

#	REVISIONS:	APPROVED BY:	DATE:



SHEET 1 OF 1  
**VARIANCE PLAN**  
**ALBERTA HEIGHTS**  
 LOTS 82 & 83  
 7401 E FURNACE BRANCH RD  
 SEVERN, MD 21144  
 TAX MAP 9 BLOCK 20 PARCEL 115 TAX ACCOUNT # 04-051-02879755 ZONING: R1  
 DATE: JUNE, 2023  
 FOURTH ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND 21144



## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE (2024-0014-P)

DATE OF MEETING: 2/21/2024

P&Z STAFF: Sara Anzelmo, Kelly Krinetz

APPLICANT/REPRESENTATIVE: Valerie Johnson/Mike Werner - Anarex EMAIL: mike@anarex.com, matt@anarex.com

SITE LOCATION: 7616 WB&A Blvd LOT SIZE: 7,020 sf ZONING: R1

CA DESIGNATION: N/A BMA: N/A or BUFFER: N/A APPLICATION TYPE: Zoning Setback Variance

#### From the applicant's Engineer:

*"We are requesting this variance to allow for a house to be built on existing platted lots. The proposed house will be 2 stories tall (32'+/-) and 24' wide by 35' deep (765 sf footprint). The house will sit back 10' from the North lot line (corner side), 15' from the South lot line (side) and 50' from the East lot line (front). Explanation as required by Article 18, Section 16-305(a) Due to the unique physical conditions such as irregular shape and size, the lot does not have a reasonable possibility of being developed without variances. The lot is a severely undersized corner lot in the R1 zone resulting in a 40' corner side lot line setback to a paper road. Based on that setback, the lot does not have a building box of size to be developed without a variance. Explanation as required by Article 18, Section 16-305(c) We believe the granting of this variance is warranted because the requested variance is the minimal necessary to afford relief based upon the size of the lot and the unique physical conditions such as the shape. The lot is severely undersized at only 7,021 square feet, well below the required 40,000 square foot requirement of R1 bulk regulations. In combination with the undersized nature of this lot, the lot is a corner lot due to a paper road necessitating a 40' corner side lot line setbacks that creates an unbuildable lot without a variance. The granting of this variance will not alter the character of the neighborhood. This variance will not impair the appropriate use or development of the surrounding property as it will not deny access or the possibility to build on neighboring lots. The granting of this variance will not be detrimental to the welfare of the public."*

#### COMMENTS

The **Office of Inspections and Permits (Engineering Division)** reviewed the development proposal and provided written comments (attached to this memo).

The **Zoning Administration Section** notes that all variance site plans require the proposed structures to be labeled with the height AND number of stories and should show whether or not a basement is proposed. The applicant is advised that, in order for a zoning setback variance to be approved, the applicant must demonstrate and the Hearing Officer must find that the proposal complies with the variance standards provided under Section 18-16-305 of the Code, including that the request is the minimum necessary to afford relief. The letter of explanation should describe why the specific location was selected and how the variance request represents the minimum necessary.

#### 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.

Menu Cancel Help

Assigned to Department  
Engineering Department  
Assigned by Department  
Engineering Department  
Start Time

Due Date  
02/20/2024  
Assigned to  
Habtemu Zeleke  
Action By  
Habtemu Zeleke  
End Time

Assigned Date  
02/07/2024  
Status  
Complete w/ Comments  
Status Date  
02/20/2024  
Hours Spent  
0.0

Available

Overtime  
No

Comments  
Variance comments  
2024-0014-P, 7616 WB and A RD  
1. Based on the plan provided, it appears that the property will be served by public water and private septic.  
2. Per the proposed design, ESD to the MEP is being addressed through the proposed dry well.  
3. Soil borings are not provided to determine the suitability or siting of the practice. The suitability, and siting of proposed SWM practices should be reviewed. Soil boring information including verification of the suitability of in-situ soils for infiltration shall be submitted. A Geotech investigation should be performed.  
4. The location of the property is flat grades, please ensure that no existing nuisance flooding issues will be exacerbated by the proposed development and that no surrounding properties are affected.  
5. Infiltration devices, including individual lot devices, shall be located a minimum of 10 feet horizontally from any public sanitary sewer or house connection.  
6. The stormwater management for the site shall be addressed during the grading permit.  
7. Based on the site conditions, the information shall be provided to verify how the following are reviewed and applied in the BMP selection for the site and ensure that the BMPs proposed meet requirements from MDE Stormwater Manual chapters 4 and 5.  
a. Watershed Factors;  
b. Terrain Factors;  
c. Stormwater Treatment Suitability;  
d. Physical Feasibility Factors;  
e. Community and Environmental Factors; and  
f. Locational and Permitting Factors.

Tracking Start Date  
Display E-mail Address In ACA

Est. Completion Date  
Display Comment in ACA

In Possession Time (hrs)  
Comment Display In ACA

- All ACA Users
- Record Creator
- Licensed Professional
- Contact
- Owner

Estimated Hours

Action  
Updated

Workflow Calendar

Click Specific Information

Review Notes  
Reviewer Email

Reviewer Name

Reviewer Phone Number