

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

APPLICANT: Sturbridge Quarterfield LLC

ASSESSMENT DISTRICT: 4

CASE NUMBER: 2024-0073-V

COUNCILMANIC DISTRICT: 2

HEARING DATE: June 27, 2024

PREPARED BY: Joan A. Jenkins
Planner II



REQUEST

The applicant is requesting a variance to allow an extension in time for the implementation and completion of a previously approved variance on property known as 399 Gaither Road in Severn.

LOCATION AND DESCRIPTION OF SITE

The subject site contains 4.7 acres of land, more or less, and is located with 404 feet of frontage on the north side of Gaither Road, 169 feet east of Parke West Drive. The site consists of five parcels; Parcel 18, 590, 591, 592, and 607 in Block 10 on Tax Map 15 and has been zoned primarily C2 - Commercial Office District with a sliver of C4 - Commercial Highway District to the southwest, a sliver of R15 - Residential District to the south, and a sliver of R5 - Residential District to the east¹ since the Comprehensive zoning for the Second Council District zoning maps effective January 29, 2012.

The majority of the property is forested and unimproved. In the southeast corner of the property there is an existing one-story dwelling, an existing one-story shed with a concrete pad, an existing concrete pad in the location of a previously existing shed, and an existing two-story dwelling. Based on the County GeoCortex mapping system, the ramps to and from I-97 and MD Route 174 (Quarterfield Road) are on the northeastern corner of the site.

PROPOSAL

The applicant seeks approval for an extension in time for the implementation and completion of a previously approved variance (Case 2022-0186-V) to allow a multifamily dwelling in a C2 - Commercial Office District with no commercial uses.

REQUESTED VARIANCE

§ 18-16-405(a) of the Anne Arundel County Zoning Code stipulates that a variance expires by operation of law unless the applicant obtains a building permit within 18 months of approval. On January 31, 2023, a variance approval was granted (Case 2022-0186-V) by the Administrative Hearing Officer that will expire on July 31, 2024. The applicant is now requesting a variance to

¹ The parcels shown on the GeoCortex County mapping system are not shown in the same configuration as the site plan. The small sliver of R5 District may not exist on this property.

allow an additional 17-month extension in time to obtain a building permit, while maintaining the previous approval, through December 31, 2025.

FINDINGS

This property was the subject of a variance, case number 2022-0186-V, which was granted January 31, 2023 to allow a multifamily dwelling in a C2 - Commercial Office District with no commercial uses. This application for an extension in time was properly made prior to the expiration of the previous special exception approval.

The letter of explanation states that the variance approval applies to five parcels (parcels 590, 591, 607 18 and 592) totalling approximately 4.7 acres. The applicant has acquired another 0.453 acres (parcel 572) and is coordinating with SHA/MDOT to acquire the Gaither Road right-of-way. The applicant writes that acquisition of property from the State is a time consuming process.

Regarding the requirements for variances, 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.

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 a 17 month extension in time for the implementation and completion of a previously approved special exception.

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.

2024-0073-V



Legend

Foundation

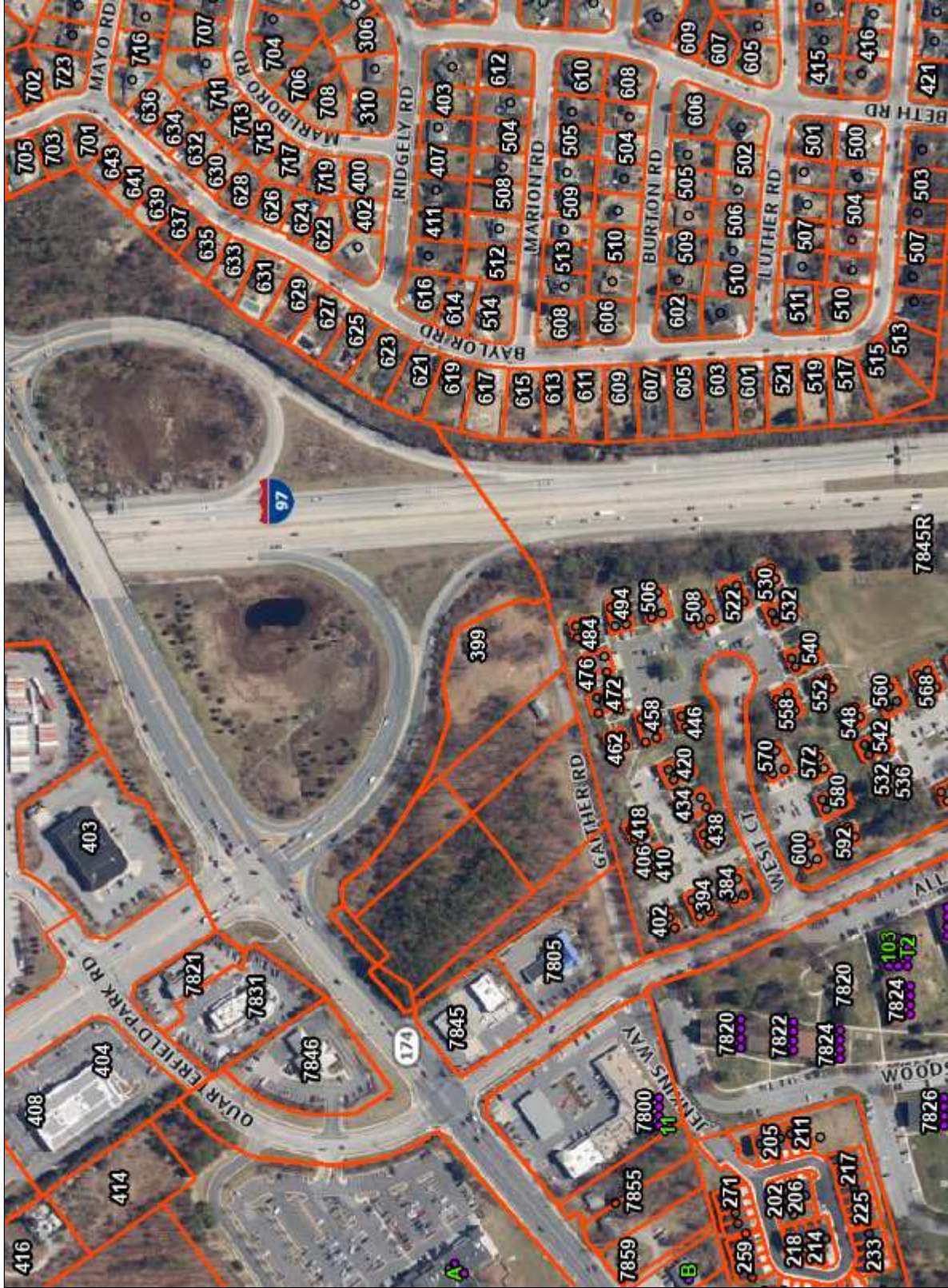
Addressing



Parcels



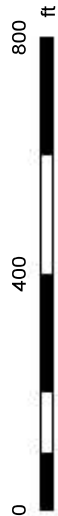
Parcels - Annapolis City



Notes

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