

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

APPLICANT: John Burger

ASSESSMENT DISTRICT: 5th

CASE NUMBER: 2024-0114-V

COUNCILMANIC DISTRICT: 1st

HEARING DATE: August 29, 2024

PREPARED BY: Sara Anzelmo
Planner

REQUEST

The applicant is requesting a variance to allow a dwelling addition (front porch) with less setbacks than required on property located at 221 Williams Road in Glen Burnie.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 14,697 square feet of land and is located with approximately 69 feet of frontage on the south side of Williams Road. It is identified as Part of Lot 28 or Lot 28C of Parcel 529 in Block 4 on Tax Map 9 in the Ferndale Farms subdivision.

The property is zoned R5 – Residential District, as adopted by the comprehensive zoning for Council District 1, effective January 29, 2012. It is currently improved with a single-family detached dwelling and associated facilities.

PROPOSAL

The applicant proposes to construct a 7-foot by 29-foot (203 square foot) covered porch and associated steps onto the front of the existing dwelling.

REQUESTED VARIANCES

§ 18-4-701 of the Anne Arundel County Zoning Code provides that a principal structure in an R5 District shall be set back a minimum of 25 feet from the front lot line. The proposed porch would be constructed as close as 22 feet from the front lot line with steps 19 feet from the front lot line, necessitating variances of three feet and six feet, respectively.

FINDINGS

The subject property exceeds the minimum 7,000 lot area and 60-foot width requirements for a lot in the R5 District. A review of the County 2024 aerial photograph shows that the neighborhood contains a variety of generally modest dwellings in this older residential community. While some of the nearby properties do contain a covered front entry or porch, the majority of those porches are smaller in size and do not span the entire width of the dwelling.

The applicant's letter explains that the dwelling was constructed prior to the implementation of the current setback codes and that the existing structure does not comply with the setback requirements. However, this Office notes that, with the existing 29' front setback, 10' west side setback, and 20' east side setback, the dwelling actually does currently comply with the R5 zoning setbacks. The applicant's intention is to build an open front porch that will enhance the aesthetics of the property and provide a welcoming space for residents and visitors. He notes that the setback regulations would significantly limit his ability to create a functional and visually appealing front porch. He adds that the proposed open front porch will not obstruct the street view for neighbors, will enhance the overall curb appeal of the property, will contribute positively to the streetscape, and will enhance the overall character of the area.

The **Health Department** has commented that the property is served by public water and sewer facilities; therefore, the Department has no objection.

For the granting of a zoning variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to or inherent in the lot or because of exceptional circumstances, strict implementation of the Code would result in practical difficulties or an unnecessary hardship. The need sufficient to justify a variance must be substantial and urgent and not merely for the convenience of an applicant. In this case, there is nothing particularly unique about the subject property nor do exceptional circumstances exist that are preventing reasonable use or development of this residentially zoned lot.

Approval of the variance would not substantially impair the appropriate use or development of adjacent properties, as the porch would exceed the minimum setback required from both side lot lines. However, the 7-foot deep porch that would extend the entire 29-foot width of the house may alter the character of the neighborhood. There is no evidence to indicate that the variance would be detrimental to the public welfare.

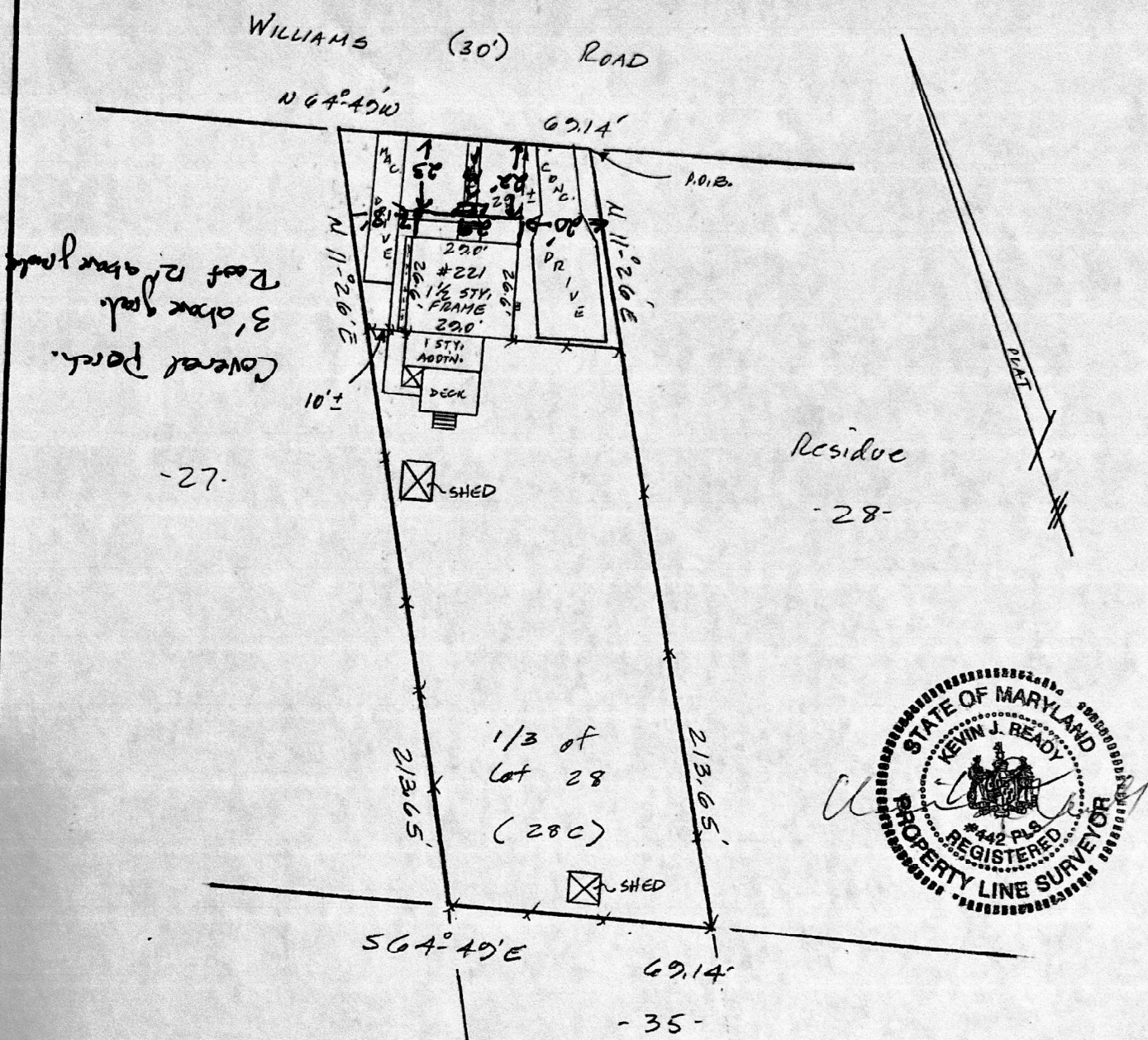
The expansive 7-foot by 29-foot (203 square foot) covered porch is considered to be excessive. The Code allows for a covered stoop of up to 5' by 5' to project up to three feet into a required setback. Given the location of the existing dwelling 29 feet from the front lot line, such a structure could be constructed without the need for a setback variance. Alternatively, the applicant could reduce the porch depth to four feet, which is not uncommon for a front porch depth, and could still keep the full 29-foot width desired. Furthermore, there is ample room at the rear of the dwelling to construct a larger porch for outdoor use and enjoyment without the need for any variances. Due to the excessive size of the proposed porch and because alternative options exist that would eliminate the need for a variance, the variance request is not warranted and cannot be considered the minimum necessary to afford relief.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends ***denial*** of the proposed zoning variance.

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

FLOOD ZONE "C"



221 WILLIAMS ROAD

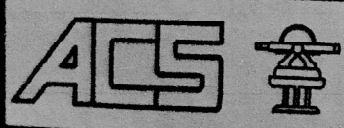
THIS PLAT IS OF BENEFIT TO THE CONSUMER ONLY INSOFAR AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH A CONTEMPLATED TRANSFER, FINANCING, OR REFINANCING. THIS PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS. THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR TRANSFER OF TITLE, SECURING FINANCING, OR REFINANCING.

NOTE: NO TITLE REPORT FURNISHED.

LOCATION DRAWING
I HEREBY CERTIFY THAT I HAVE INSPECTED
1/3 LOT NO. 28 BLOCK — SECTION — OF
"FERNDALE FARMS"-(AKA LOT 28C)
SUBDIVISION FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS
AND THE IMPROVEMENTS ARE LOCATED AS SHOWN ON THIS DRAWING.

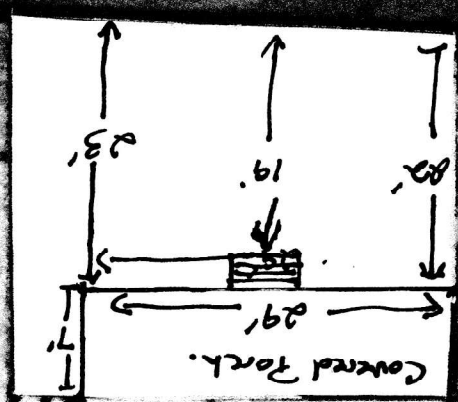
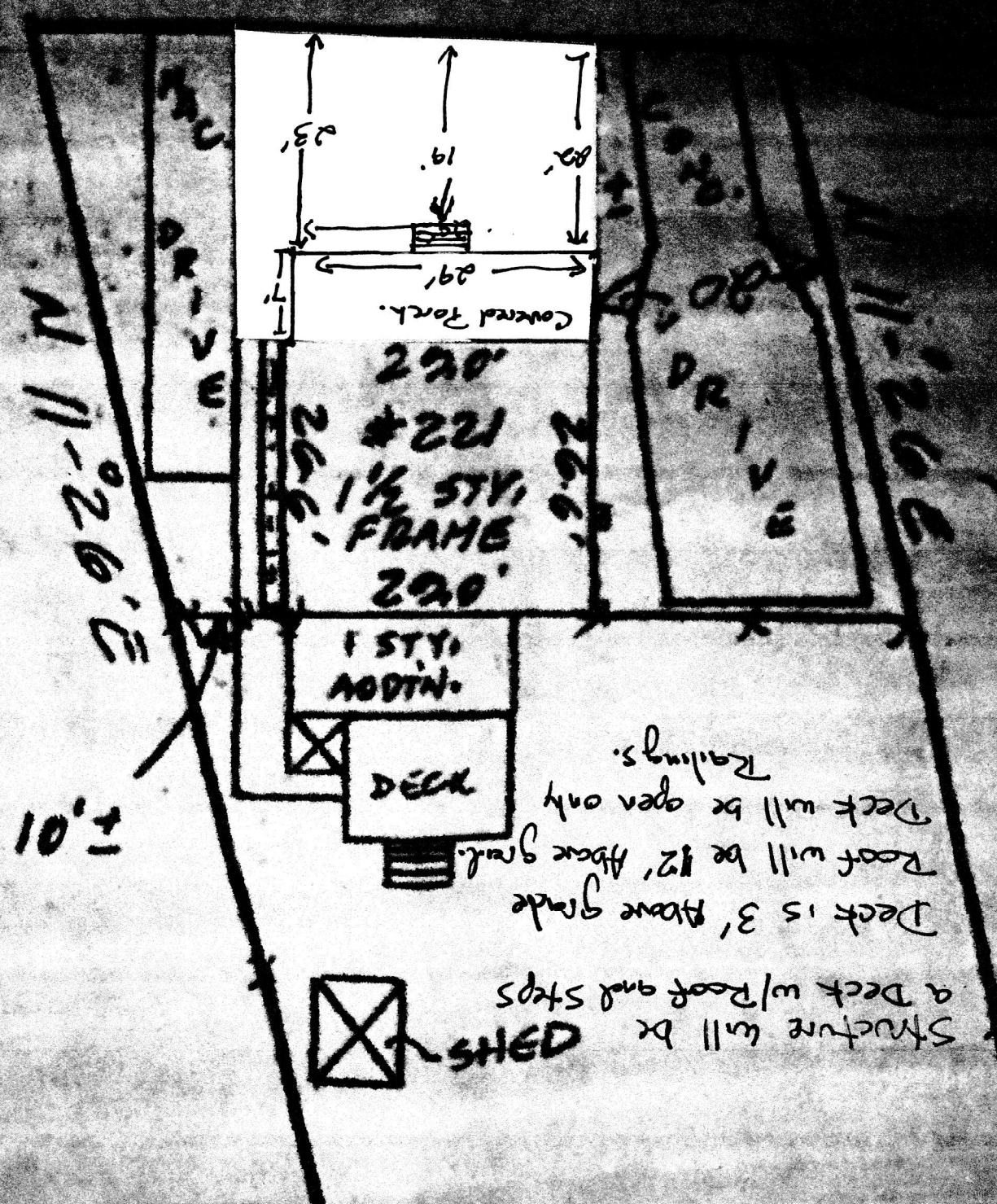
Kevin J. Ready 12/14/02
KEVIN J. READY
REG. PROPERTY LINE SURVEYOR NO. 442
FIELD DATE

ANNE ARUNDEL COUNTY, MD



ACCU-COMP SURVEYS, INC.
1509 JOHN BROWN ROAD
QUEENSTOWN, MD 21658
410-758-8180
TOLL FREE: 1-888-758-1374

DEED REFERENCE : LIBER 9821 FOLIO 62
PLAT RECORDED IN PLAT BOOK 12
FOLIO NO. 44 PLAT NO. B-47
SCALE 1"= 40' W.O. NO. 02-12-1
NOTE: DISTANCES TO PROPERTY LINES ARE ACCURATE TO WITHIN 1 FOOT
UNLESS OTHERWISE SHOWN.
02-1932 ES



Structure will be a Deck w/ Roof and Steps
 Deck is 3' Above grade
 Roof will be 12' Above grade.
 Deck will be open only Railings.



SHED

Subject: Request for Variance Waiver for Open Front Porch

To Whom it May Concern,

I am writing to request a variance waiver for the property located at 221 Williams Rd. Glen Burnie, MD 21061. The purpose of this letter is to explain the circumstances surrounding the need for the variance and to provide relevant details.

1. Background:

- The property in question was constructed prior to the implementation of the current setback codes. As a result, the existing structure does not comply with the setback requirements.
- Our intention is to build an open front porch that will enhance the aesthetics of the property and provide a welcoming space for residents and visitors.

2. Description of the Proposed Open Front Porch:

- The open front porch will be constructed in accordance with the following specifications:
 - Dimensions: [Provide dimensions (length, width, height)]
 - Materials: [Specify the materials to be used]
 - Design: [Briefly describe the design or architectural features]

3. Reasons for the Variance Request:

- The existing setback regulations would significantly limit our ability to create a functional and visually appealing front porch.
- The proposed open front porch will not obstruct the street view for neighbors. In fact, it will enhance the overall curb appeal of the property.

4. Commitment to Compliance:

- We understand the importance of adhering to local zoning regulations and are committed to ensuring that the open front porch meets all safety and aesthetic standards.
- There are no plans to enclose the porch in the future, ensuring that it remains an open and inviting space.

5. Benefits of the Variance:

- Granting this variance would allow us to improve the property while maintaining harmony with the neighborhood.
- The open front porch will contribute positively to the streetscape and enhance the overall character of the area.

6. Conclusion:

- We kindly request your consideration of our variance waiver application.
- If you require any additional information or would like to discuss this matter further, please feel free to contact us.

Thank you for your attention to this matter. We appreciate your understanding and cooperation.

Sincerely,

Michael Eagan



Scale: $\frac{1}{4}" = 1'$

Deck Plans

Post: 6x6 8.25 ac

Beam: 2x10 8.25 ac

(x2)

Ledger: 2x6

Joist: 2x6

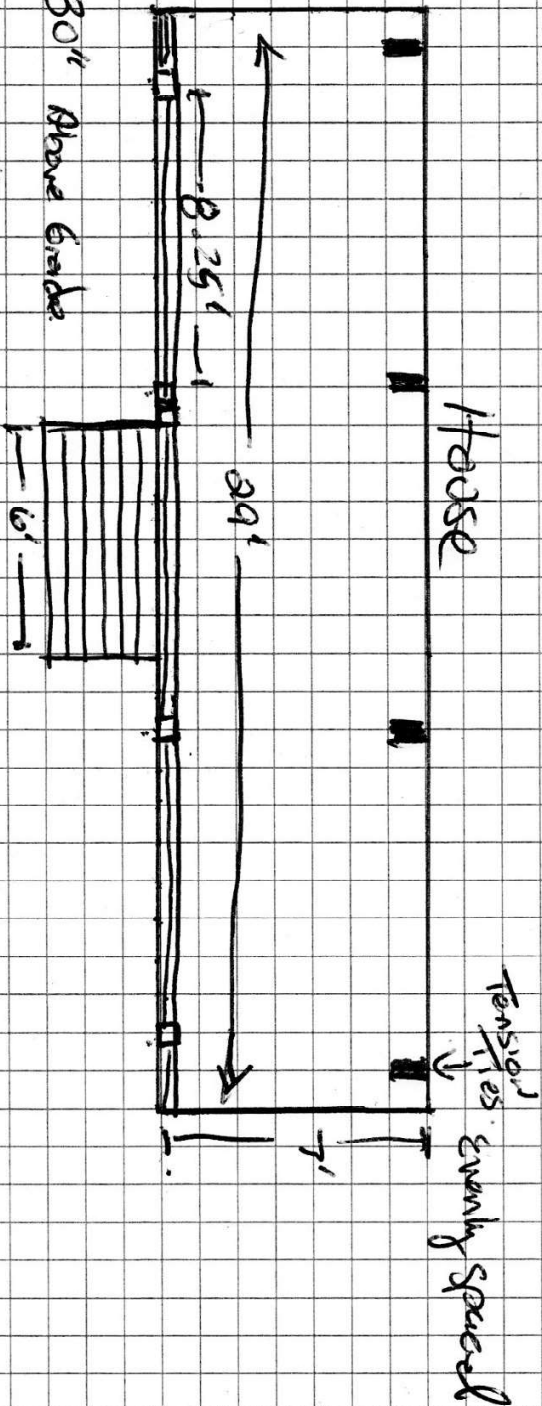
Joist spacing 12" oc

Decking: Composite
Installed Horizontal

Finished Height 30" Above Grade

Deck Footings 20" x 30" Deep

1 ft Concrete at Bottom.





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 *BC*

DATE: June 27, 2024

RE: John W. Burger
221 Williams Road
Glen Burnie, MD 21061

NUMBER: 2024-0114-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling addition (front porch) with less setbacks than required.

The Health Department has reviewed the above-referenced request. The property is served by public water and sewer facilities. The Health Department has no objection to the above-referenced request.

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

cc: Sterling Seay

