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

APPLICANT: Colin J. Withers, Trustee **ASSESSMENT DISTRICT**: 3rd

CASE NUMBER: 2024-0135-V COUNCILMANIC DISTRICT: 5th

HEARING DATE: September 26, 2024 **PREPARED BY**: Sara Anzelmo

Planner

REQUEST

The applicant is requesting a variance to allow dwelling additions (second story over existing first floor and two-story addition) with less setbacks than required on property located at 656 Shore Road in Severna Park.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 10,403 square feet of land and is located with approximately 141 feet of frontage on the east side of Shore Road, west of Laurel Place. It is identified as Lots 1 & 2 and part of Lots 3 & 4 of Parcel 38 in Block 4 on Tax Map 31 in the Carrollton Manor subdivision.

The property is zoned R5 – Residential District, lies entirely within the Chesapeake Bay Critical Area overlay, and is designated as IDA – Intensely Developed Area. It is improved with a one-story, single-family, detached dwelling with a basement and other associated facilities.

PROPOSAL

The applicant proposes to construct a second story addition over a portion of the existing one story dwelling and to construct a two-story addition with a basement and built-in garage onto the front. A portion of the existing dwelling will be removed in order to remedy the current encroachment into the Laurel Place right-of-way.

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 and 20 feet from the corner side lot line. The proposed dwelling additions would be constructed as close as four feet from the front lot line (abutting Shore Road) and as close as six feet from the corner side lot line (abutting Laurel Place), necessitating variances of 21 feet and 14 feet, respectively.

FINDINGS

The subject property is triangular at the north end and irregularly shaped at the south end. The lot exceeds the minimum 60-foot width and the minimum 7,000 square foot area required in an R5

District. The existing critical area lot coverage is 1,864 square feet, and the proposed coverage would increase to 2,270 square feet.

A review of the 2024 County aerial photograph shows an eclectic mix of dwellings in this older waterfront community. According to State tax assessment records, the subject dwelling was constructed in 1951, prior to the enactment of zoning regulations. The existing house is located near the intersection of Shore Road and Laurel Place, in an acutely angled area of the site, causing expansion to be problematic without setback relief. A portion of the existing dwelling (approximately 4' by 38') encroaches into the Laurel Place right-of-way.

The **Health Department** 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. In this case, the property is a uniquely shaped corner lot, and further development is constrained by the practical limitations of the existing dwelling location (c. 1951).

Approval of the variances may alter the essential character of the neighborhood, as the substantial three-level addition would be located a mere four feet from the front lot line, having a significant visual impact on the streetscape. The variances would not substantially impair the appropriate use or development of adjacent properties, as the additions would exceed the minimum setback required from the only adjacent property. There is no evidence to indicate that the variance would be detrimental to the public welfare.

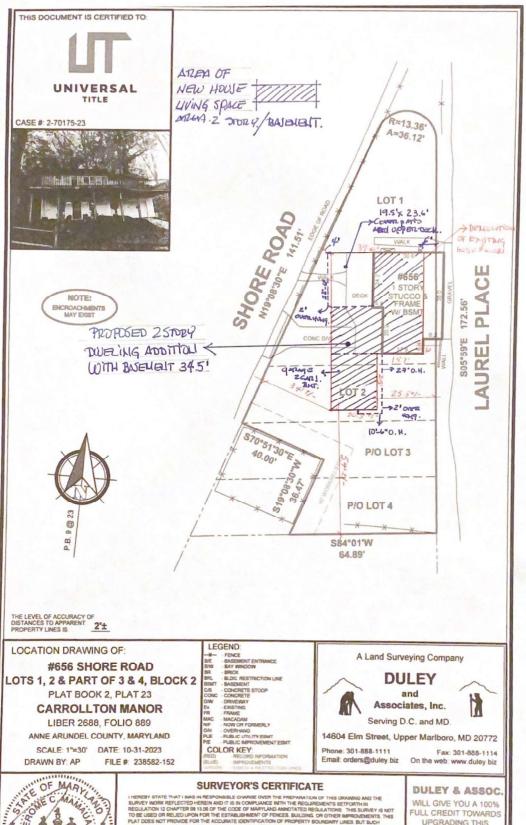
Given the unique lot shape and the nonconforming location of the existing house within an acutely angled portion of the property, it is clear that some setback relief is warranted. However, it does not appear that any consideration was given to the shape of the lot when designing the proposed additions. The dwelling could have been designed to be more respectful of the front setback by expanding a lesser distance to the west and extending more to the south. In fact, given that the area of the proposed addition that is closest to the front lot line is an excessive 19.5' by 23.6' multi-level porch/deck area, the applicant could have reduced or angled that area in order to minimize the requested front variance.

The applicant's letter of explanation provided no justification for the variances at all, nor did it explain what alternatives were considered and why the current proposal represents the minimum variances necessary to afford relief. Alternative options exist that would minimize the front setback variance in order to lessen the visual impact on Shore Road. Therefore, the variances cannot be supported as proposed.

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 variances to § 18-4-701.

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.





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WILL GIVE YOU A 100% FULL CREDIT TOWARDS UPGRADING THIS SURVEY TO A "BOUNDARY/STAKE" SURVEY FOR ONE YEAR FROM THE DATE OF THIS SURVEY.

EXCLUDING D.C. & BALT CITY

656 SHORE RD. SEVERNA PARK MD. 21146 BUILDING ADDITION

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RENOVATION

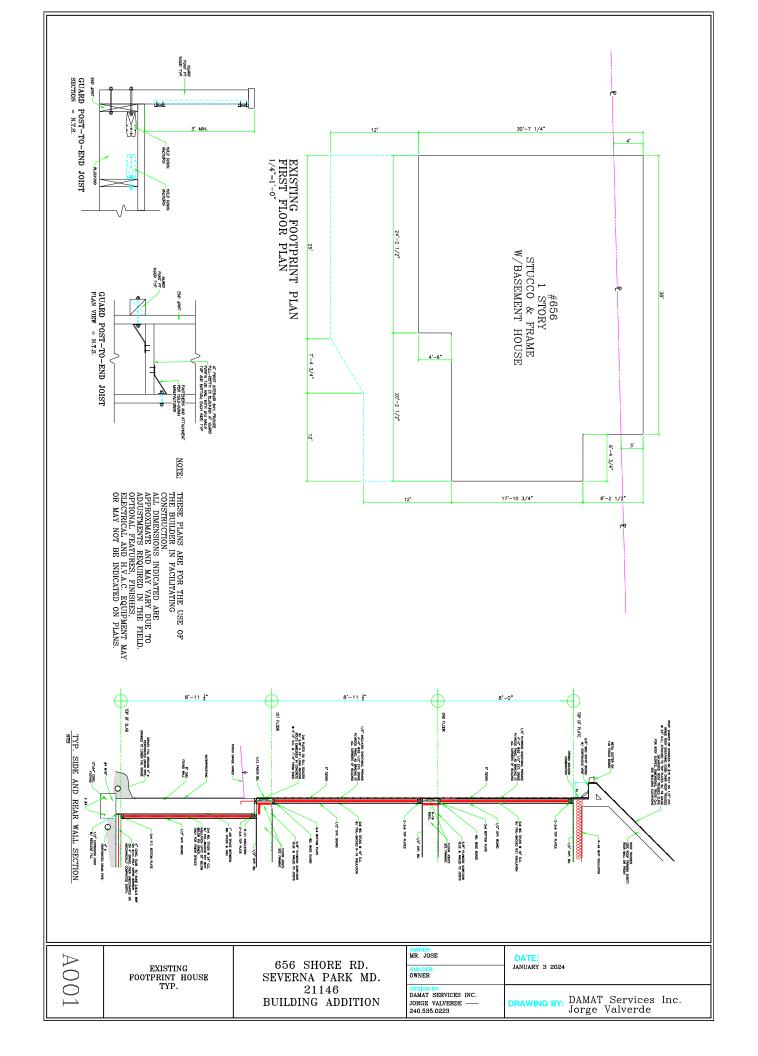
656 SHORE RD. SEVERNA PARK MD. 21146

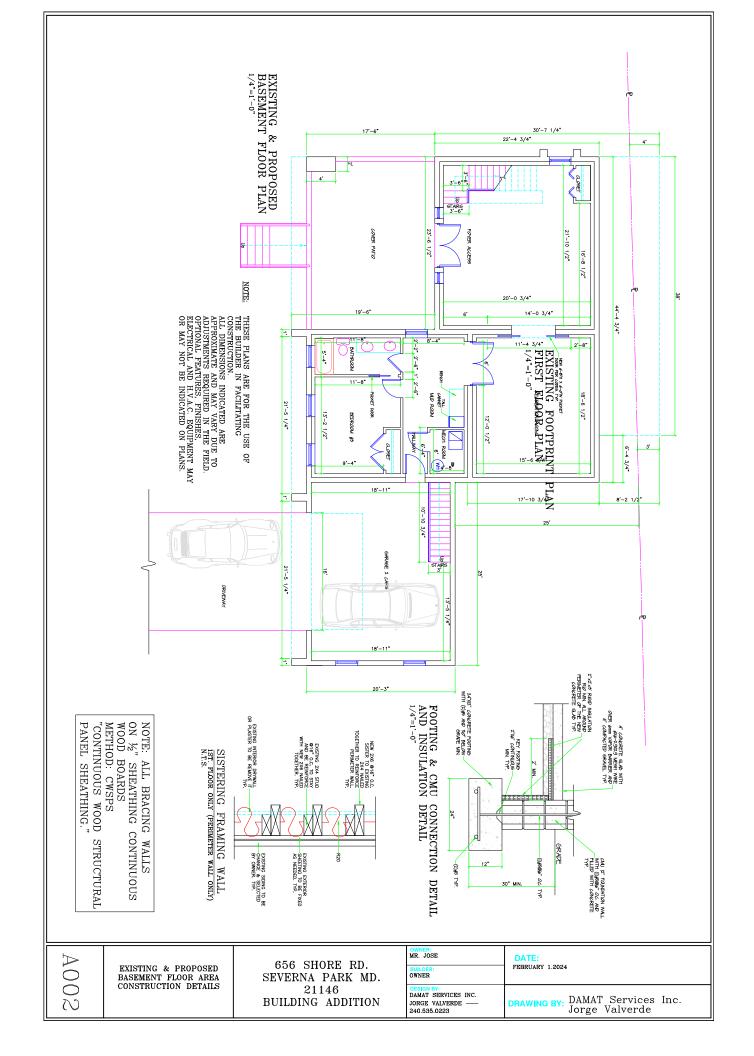
General Notes

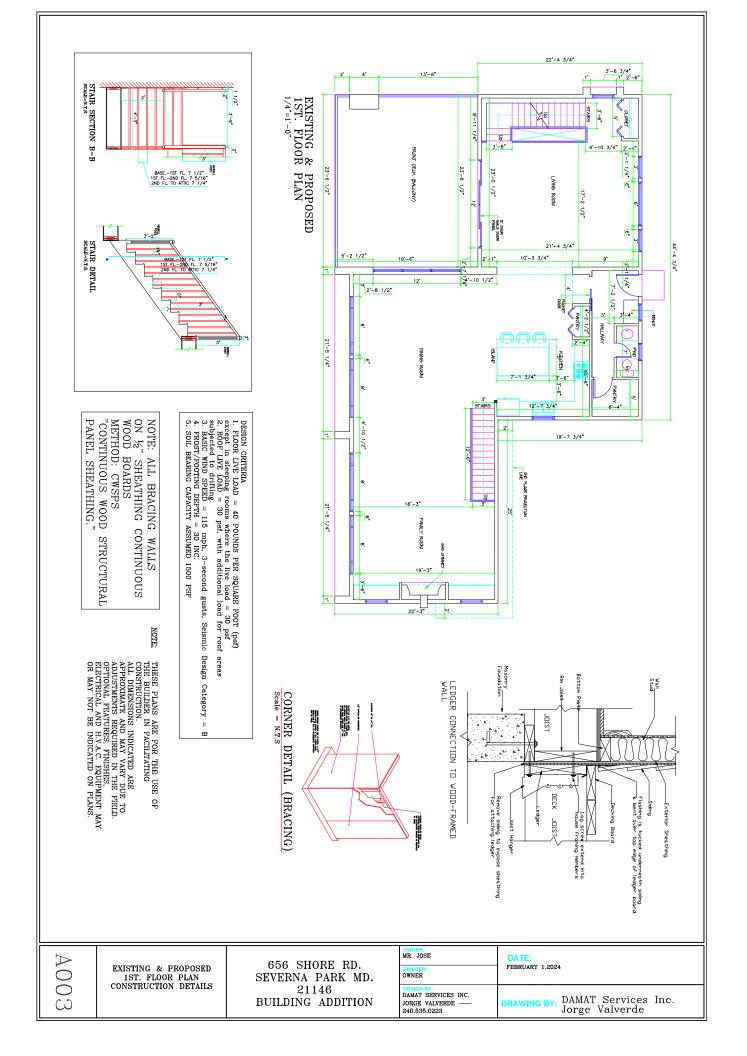
1. DO NOT SCALE
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prior to construction,
Notify the Designer of
ony discrepancies.

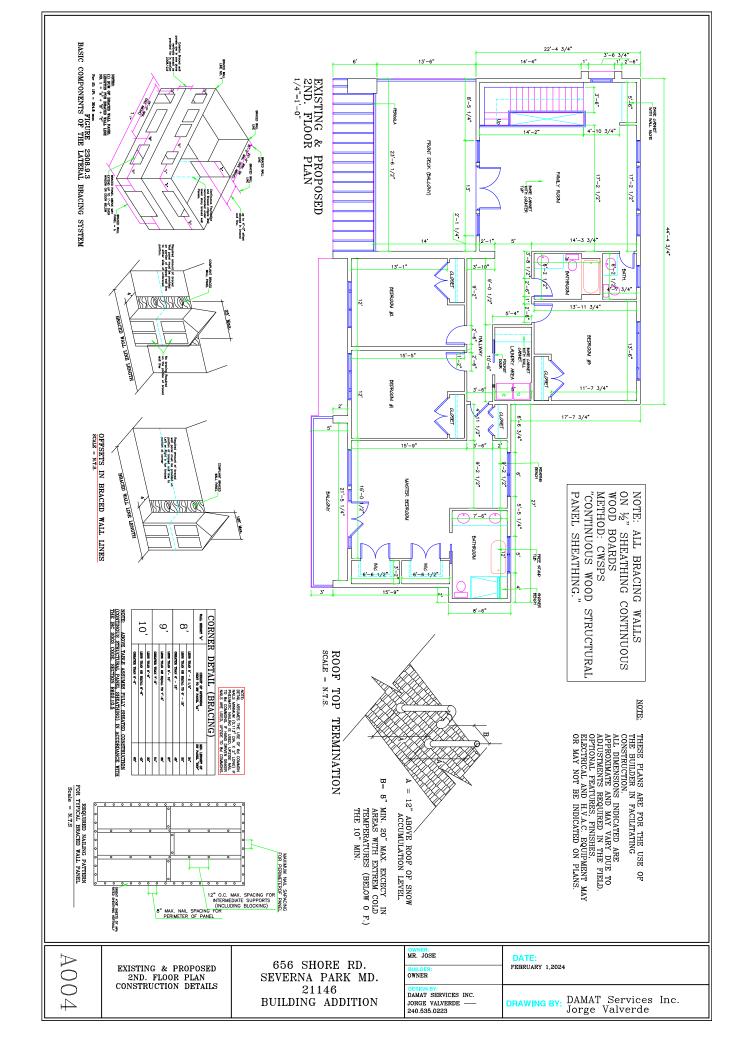
2. All dimensions are to
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otherwise noted.

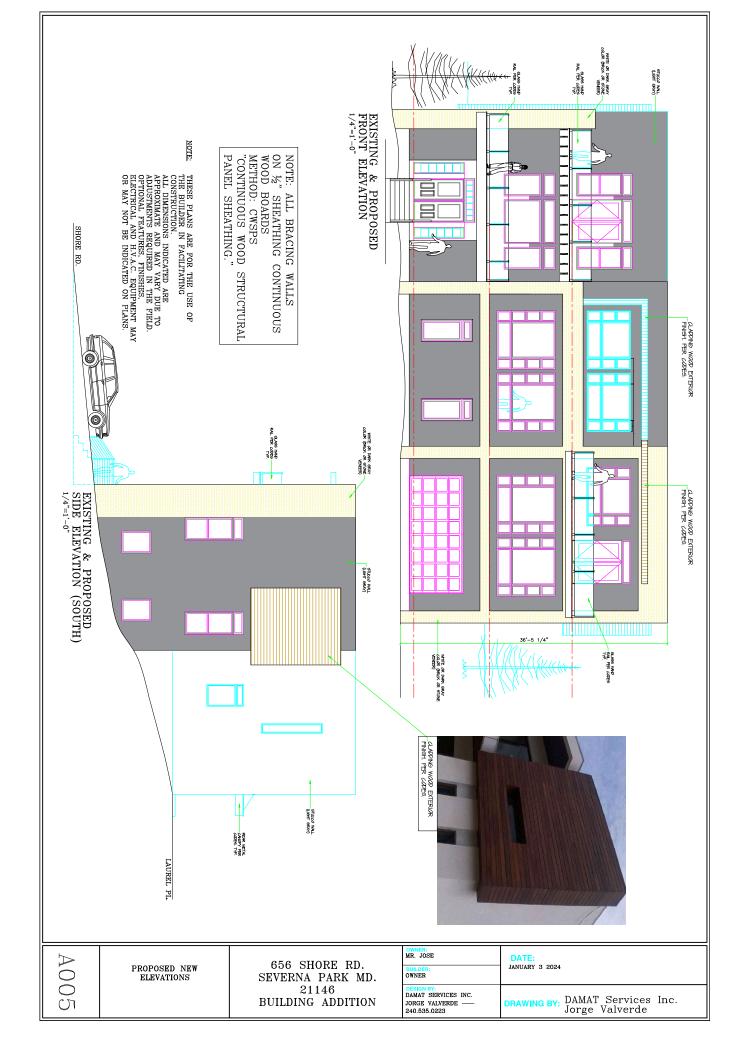




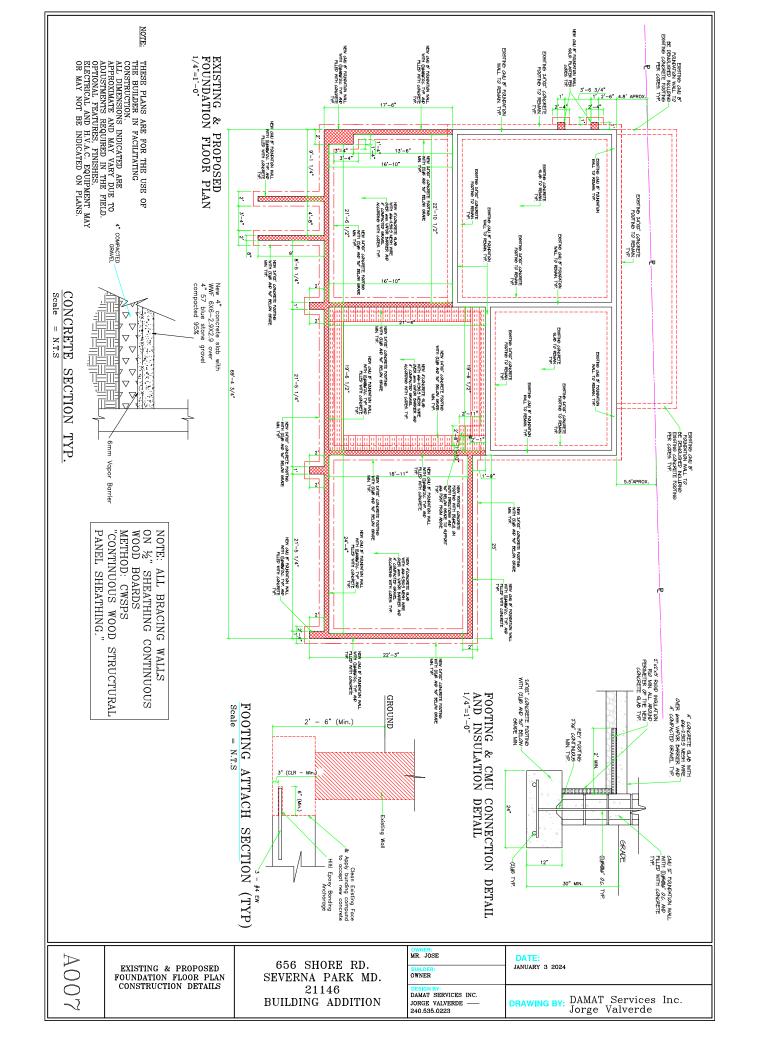


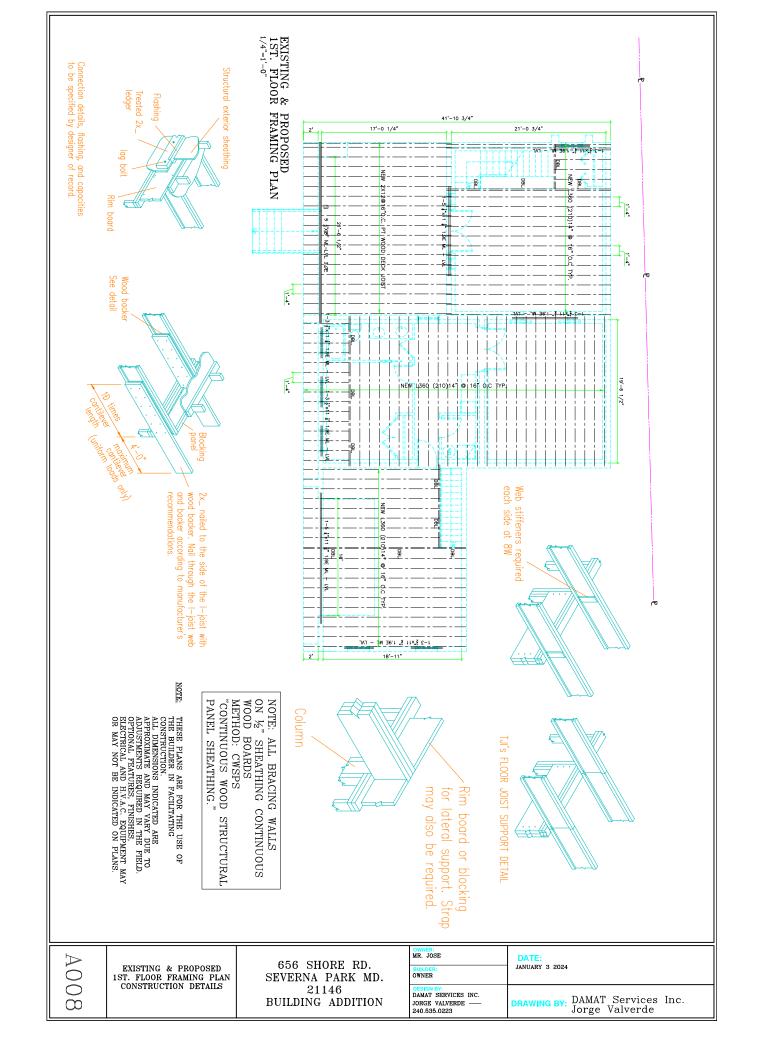


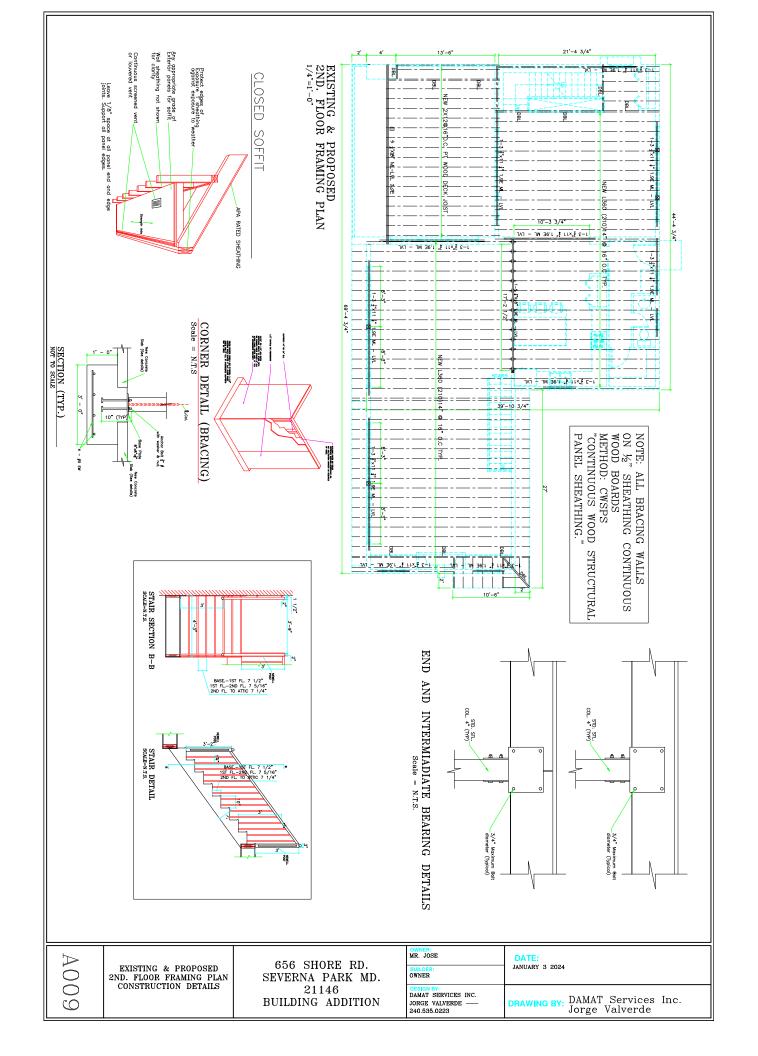


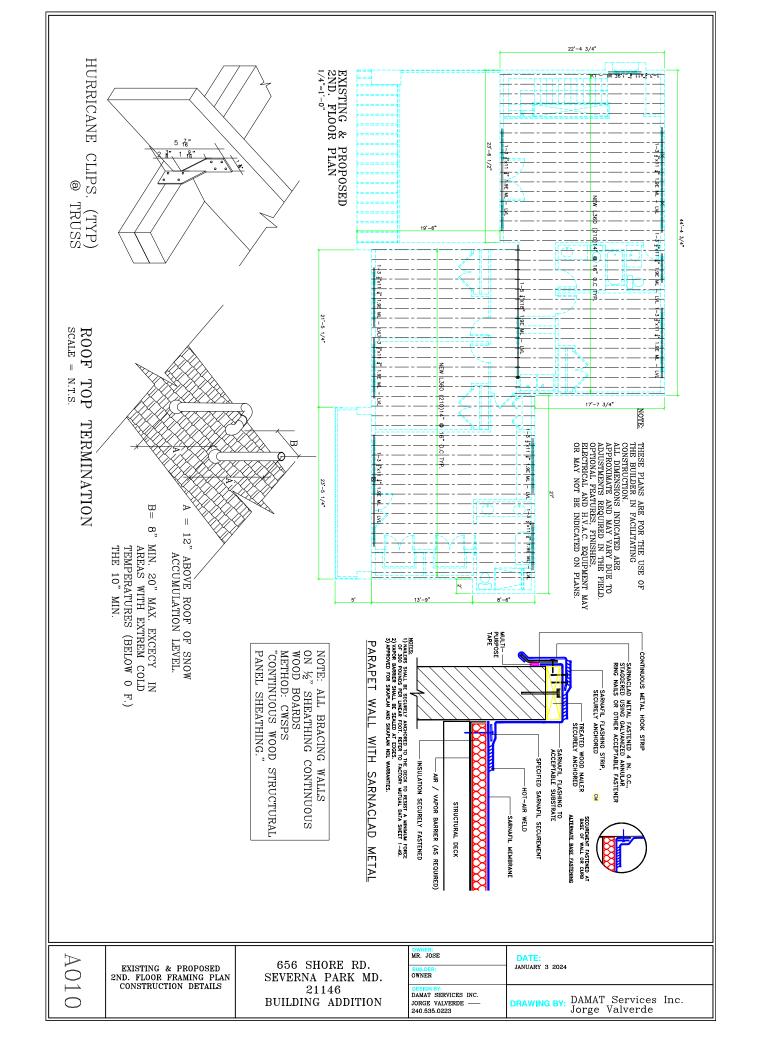


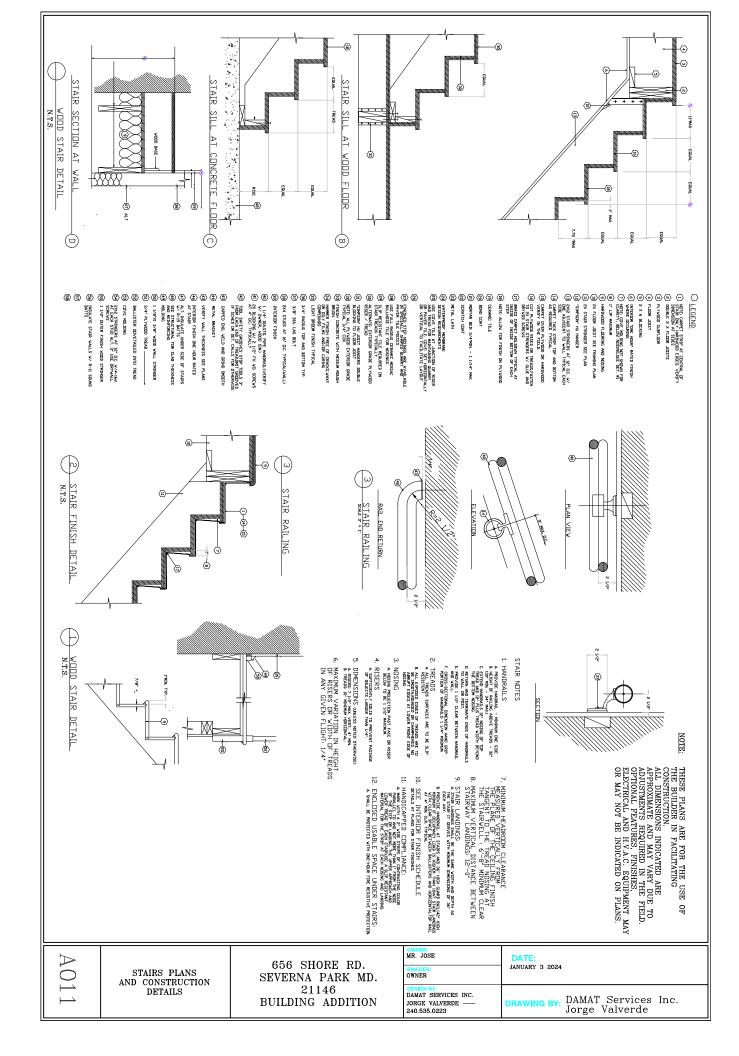


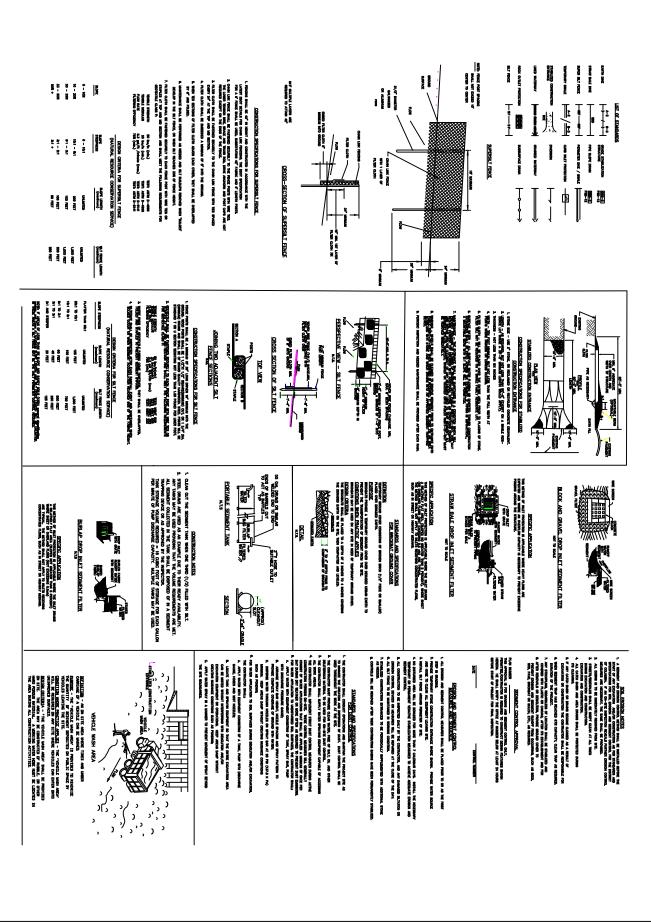












A012

EROSION CONTROL PLANS

656 SHORE RD. SEVERNA PARK MD. 21146 BUILDING ADDITION

MR. JOSE

JANUARY 3 2024

DESIGN BY: DAMAT SERVICES INC. JORGE VALVERDE — 240.535.0223 DAMAT Services Inc. Jorge Valverde DRAWING BY:

Letter of Explanation

We are going to proceed with the remodeling of the existing house on this property and make a side addition and a 2nd. additional floor. A substantial area of the house that is invading public roads will be demolished.

A contemporary design addition will be made with deck areas on 2 levels and open space concept. The garage area will be moved to be able to expand the house in the area lost due to the demolition of the area under non-regulation of the original house.

CRITICAL AREA REPORT WORKSHEET TO ACCOMPANY THE SITE PLAN

Permit Number								
Total Site Area 10403	Squa	re Feet (1 Acre = 43,560 Square Feet)						
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* Please Indicate Squ	are Footage of W	Voodland Rem	noved for the following:					
1. House 1886	Sq. Ft.	5. Acc	essory Structure NA	Sq. Ft.				
			6. Additions NA					
3. Well NA	Sq. Ft.	7. Stor	m Water Management _	Sq. Ft.				
4. Driveway 384			er Clearing: work area; a etc. <u>NA</u>	ccess; stockpiles,				
* Total	Woodland Rem	$noved = \frac{50}{}$	Sq. Ft					
"Impervious Coverage" IS A ROOFS, SIDEWALKS, DRI GRAVAEL IS CONSIDERE	VEWAYS, ANI	D ANY TYPE	OF PAVEMENT. COM					
* Please Indicate Squ	are Footage of I	mpervious Co	verage for the following	:				
Existing Impe	<u>rvious</u>		Proposed Imper	<u>vious</u>				
1. House (roof area) 1480	Sq. 1	Ft. 1. Hou	se (roof area) 1886	Sq. Ft.				
2. Driveway + Sidewalks 384								
3. Accessory Structures NA	Sq.	. Ft. 3. Acc	essory Structures NA	Sq. Ft.				
		4. Add	itions NA	Sq. Ft.				
* Total Existing a	and Proposed Im		erage 2270					
⊛ PLEASE INCL	UDE ALL EXIS	STING AND I	PROPOSED SQUARE F	FOOTAGE.				
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applicable) hereby certify that knowledge. I further declare this property from me (or corthese computations shall be a 2 of Subdivision 170	that a copy of the poration, if apple binding part of	e foregoing do icable) at the t issuance of a l	cument will be transferd ime of settlement. I here	red to any purchaser of eby understand that				
I hereby certify that I have se Area requirements) and have restrictions declared on said p	indicated on the olat.	attached site	plan any easements, buf	fers, or other				
COLIN J. WITHERS		_(Signature)_	C.WW.	(Date)				
_		_(Title)						
		(0'		(D. 1.)				
				(Date)				
		(Title)						

- A. Existing propose of the residence for Residential use (single family)
- B. Predominant trees natives' trees from Chesapeake Bay area.

 We do not remove major of the trees on this project, we affect only 440 sf. Of land without any vegetation (grass only).
- C. We will minimize impact on water quality with silt fence all around construction areas.
- D. The impervious surface area will be:
 - 1. House area = 1860 sf
 - Driveway = 384 sf.Total of imperious area = 2,244 SF.
- E. None habitat protection areas on this project.



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

DATE: July 19, 2024

RE: Colin J. Withers

656 Shore Road

Severna Park, MD 21146

NUMBER: 2024-0135-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling addition (second floor) 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

