

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

APPLICANT: Charisse Brossard

ASSESSMENT DISTRICT: 2nd

CASE NUMBER: 2024-0140-V

COUNCILMANIC DISTRICT: 6th

HEARING DATE: October 1, 2024

PREPARED BY: Donnie Dyott Jr.
Planner



REQUEST

The applicant is requesting a variance to allow dwelling additions (garage, living space, porch) with less setbacks than required on property located at 1304 Magnolia Avenue in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 15,054 square feet of land and is identified as Part of Lots A, B & C of Parcel 15 in Block 21 on Tax Map 57 in the Arundel On The Bay subdivision.

The property is zoned R2 - Residential District as adopted by the comprehensive zoning for Region 7, effective June 23, 2024. This is a non-waterfront property located within the Chesapeake Bay Critical Area with a designation of LDA - Limited Development Area. The site is currently improved with a single family detached dwelling and associated facilities.

APPLICANT'S PROPOSAL

The applicant seeks approval to construct the following additions to the existing dwelling. A two story dwelling addition on the east side of the dwelling measuring approximately 19.33' X 37.83'. Enclosing the existing carport on the west side of the dwelling to create a garage addition measuring approximately 12' X 25.58' and to convert the existing front room on the south side of the dwelling to a covered porch measuring approximately 5' X 20'. Also proposed but not requiring a variance is a deck addition on the north side of the dwelling.

REQUESTED VARIANCES

§ 18-4-601 of the Anne Arundel County Zoning Code stipulates that principal structures in an R2 - Residential District shall be set back a minimum of 30 feet from the front lot line.

The two story addition will be located as close as 20.29' from the front lot line, necessitating a variance of 10 feet.

The garage addition will be located as close as 21.68' from the front lot line, necessitating a variance of 9 feet.

The front porch addition will be located approximately 12.91' from the front lot line, necessitating a variance of 18 feet.

FINDINGS

The applicant argues that the location of the existing dwelling which was constructed prior to the enactment of zoning is the unique feature that warrants relief. The existing dwelling does not meet the required front setback and the location does not allow for any sizable or functional addition without variance relief. The proposed additions with the exception of the front porch are located behind the facade of the existing dwelling and the front porch is entirely within the existing footprint of the front room and will be located 3 feet further from the front lot line than what exists.

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

There is no evidence that the proposed variances would alter the essential character of the neighborhood or be detrimental to the public welfare. The variances would not appear to cause any adverse effects to neighboring properties and will not reduce forest cover in the LDA.

The construction of the additions on the site is constrained by the location of the existing dwelling being located within the front setback. The additions will meet the side and rear setbacks and come no closer to the front lot line than the current dwelling. Additionally, the front porch will be located 3 feet further away from the front lot line. As such it appears that the variance is necessary in order for the applicant to avoid practical difficulties in improving the lot and appear to represent the minimum necessary to afford relief.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends ***approval*** of zoning variances to §18-4-601 to allow construction of the dwelling additions as shown on the site plan.

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.

GENERAL NOTES:

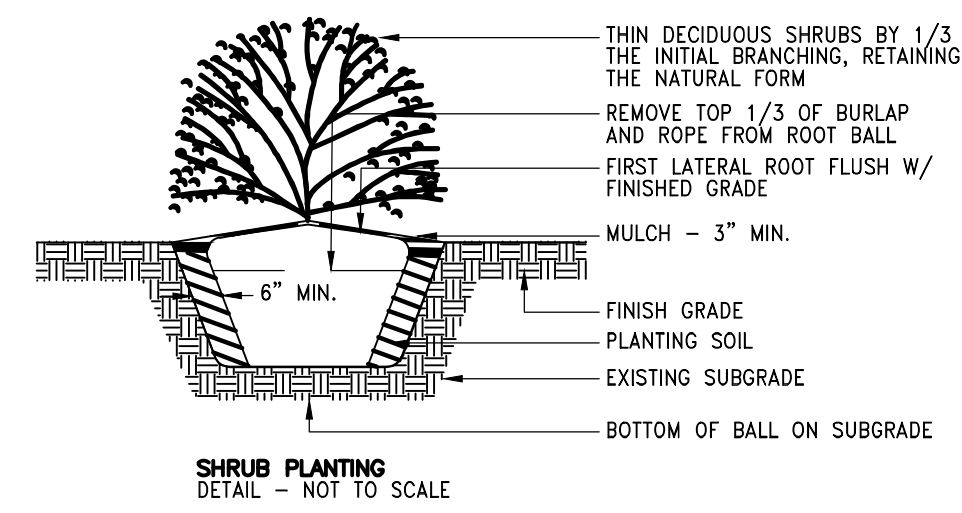
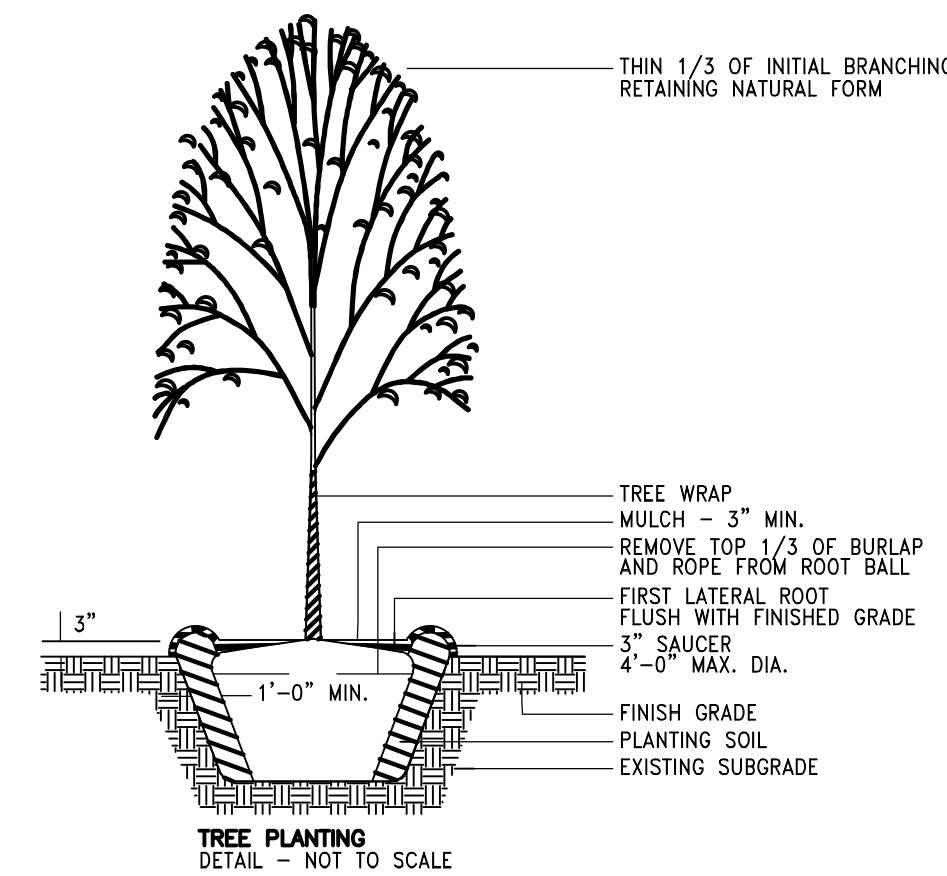
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MOST CURRENT VERSION OF THE ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS STANDARD DETAILS FOR CONSTRUCTION OF STORM DRAINS, ROADS, AND STORMWATER MANAGEMENT.
- NECESSARY PRECAUTIONS SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT EXISTING SERVICES AND MAINS. ANY DAMAGE TO EXISTING SERVICES AND MAINS DUE TO THEIR NEGLIGENCE SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE.
- THE EXISTING UTILITIES AND OBSTRUCTIONS SHOWN ARE FROM THE BEST AVAILABLE RECORDS AND SHALL BE VERIFIED BY THE CONTRACTOR TO HIS OWN SATISFACTION BEFORE STARTING CONSTRUCTION. NEITHER CPJA NOR ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS WARRANT OR GUARANTEE THE COMPLETENESS OR THE CORRECTNESS OF THE INFORMATION GIVEN.
- IT SHALL BE DISTINCTLY UNDERSTOOD THAT FAILURE TO SPECIFICALLY MENTION ANY WORK WHICH WOULD NORMALLY BE REQUIRED TO COMPLETE THE PROJECT SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PERFORM SUCH WORK.
- THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES AT LEAST 5 DAYS PRIOR TO STARTING CONSTRUCTION OF THE PROJECT.
- THE CONTRACTOR SHALL NOTIFY MISS UTILITY @ 1-800-257-7777 FIVE (5) WORKING DAYS PRIOR TO STARTING WORK SHOWN ON THESE DRAWINGS.
- ALL UTILITY POLES SHALL BE BRACED AS NECESSARY AT THE CONTRACTOR'S EXPENSE. UTILITY POLES SHALL BE RELOCATED AT THE OWNER'S EXPENSE IN CASES WHERE THEY WILL INTERFERE WITH CONSTRUCTION. ALL WORK WITHIN 10-FT OF OVERHEAD LINES SHALL CONFORM WITH THE MARYLAND HIGH VOLTAGE LINE ACT, THE NATIONAL ELECTRICAL SAFETY CODE, AND OCCUPATIONAL SAFETY AND HEALTH CODE.
- PIPE ELEVATION REFER TO INVERTS, UNLESS OTHERWISE NOTED.
- ALL STORM DRAIN PIPES ARE POLYVINYL CHLORIDE (PVC) UNLESS OTHERWISE NOTED, AS SCH-40 PVC.
- CONTRACTOR TO PLACE CUT MATERIAL ON THE HIGH SIDE OF TRENCH WHEN WORKING ON UNDERGROUND UTILITIES.
- THE FIELDWORK FOR THIS SURVEY WAS STARTED ON MAY 24, 2024, WITH THE LAST DATE OF FIELDWORK BEING MAY 24, 2024.
- COORDINATES SHOWN HEREON WERE ESTABLISHED USING TRIMBLE'S REAL-TIME KEYNETCS AND THEIR VIRTUAL REFERENCE STATION SYSTEM (VRS) AND ARE BASED ON MARYLAND COORDINATE SYSTEM NAD83 (2011). THE AVERAGE SCALE FACTOR FOR THE SUBJECT PROPERTY IS 0.99995009. THE AVERAGE PROPERTY ELEVATION BASED UPON NAVD83 VERTICAL DATUM IS 8 FEET, FOR AN ELEVATION FACTOR OF 1.0000497. THE COMBINED FACTOR FOR THE SUBJECT PROPERTY IS 0.99995006. ALL BEARINGS AND DISTANCES SHOWN ARE BASED ON GRID COORDINATES. BEARINGS SHOWN HEREON ARE SUBJECT TO A 073054" COUNTER-CLOCKWISE ROTATION FROM PLAT MERIDIAN (P.B. 09, PG.25, P.NO.492) INTO THE MARYLAND COORDINATE SYSTEM NAD83 (2011) DATUM.
- DEED REFERENCE: L. 40074, F. 00397, PLAT REFERENCE: P.B.: 09, PG.: 25, PLAT #: 492

SOILS TABLE				
MAP UNIT SYMBOL	MAP UNIT NAME	HSG TYPE	K FACTOR, WHOLE SOIL	HYDRIC
CnB	Colemantown-Urban land complex, 0 to 5 percent slopes	C	N/A	*

*SOILS THAT CONTAIN POTENTIALLY HYDRIC COMPONENTS

LEGEND

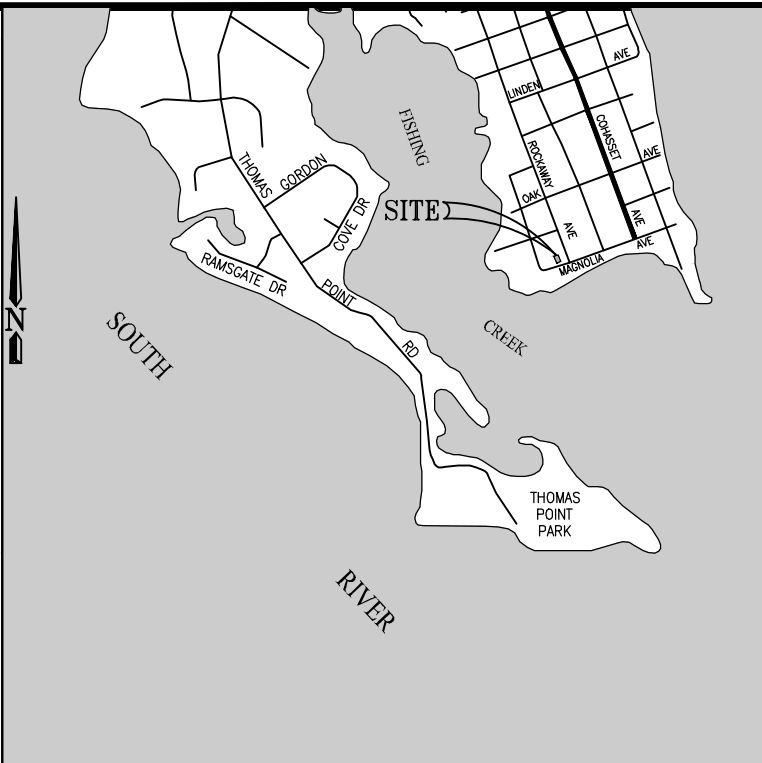
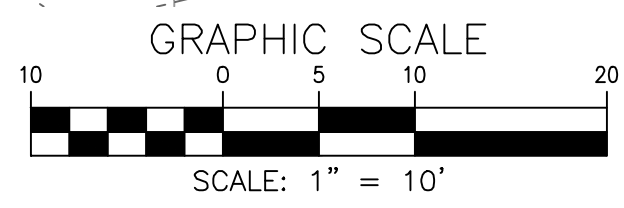
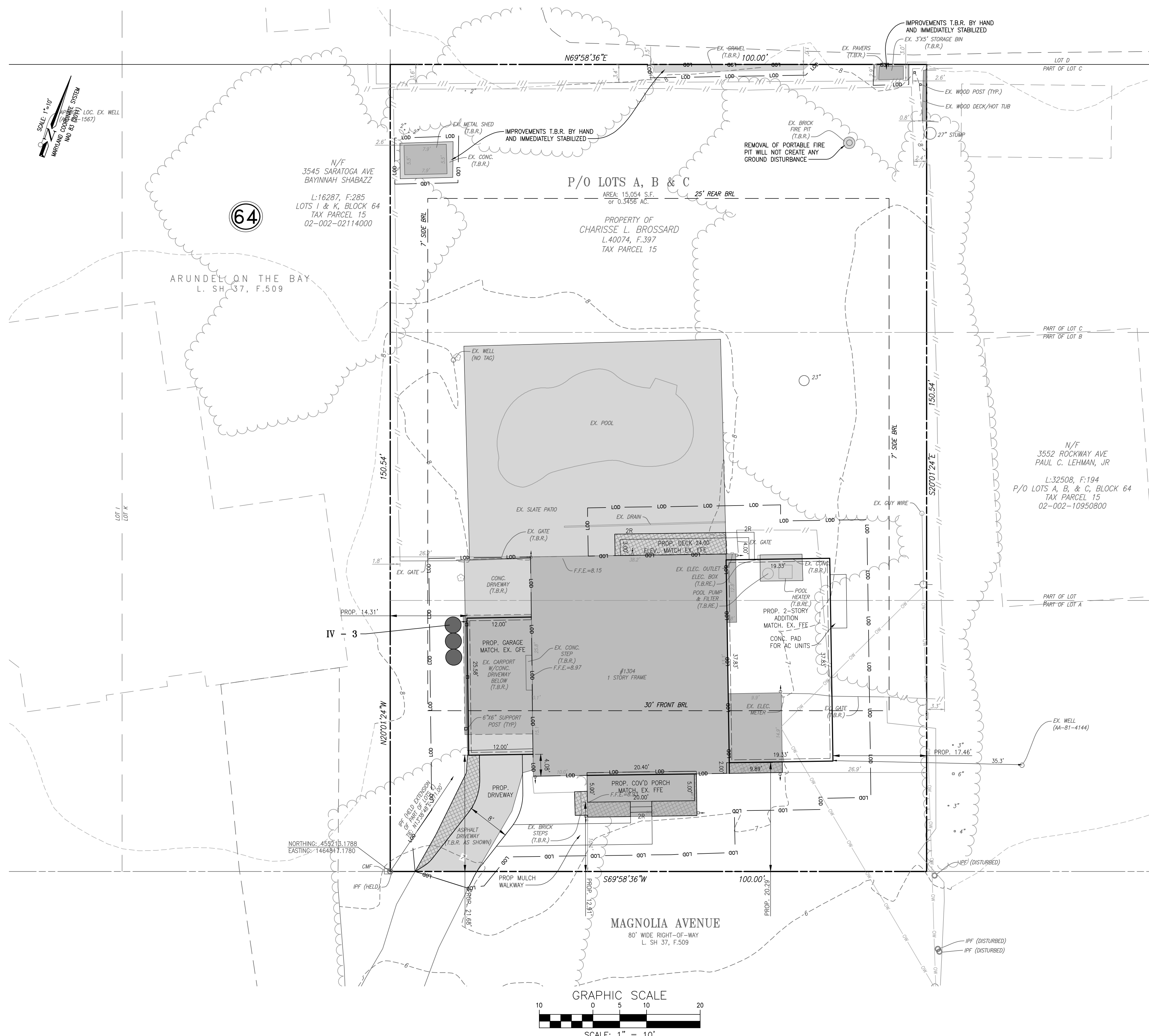
- ROOF DRAIN SPOUT
- UTILITY POLE
- BUSH
- LIGHT
- IPF IRON PIPE FOUND
- RCF REBAR AND CAP FOUND
- N/F NOW OR FORMERLY
- L. F. LIBER ; FOLIO
- P.B., PG., P.No. PLAT BOOK, PAGE, PLAT NUMBER
- F.F.E. FIRST FLOOR ELEVATION
- G.F.E. GARAGE FLOOR ELEVATION
- AC AIR CONDITION
- //— WOOD FENCE
- x— METAL FENCE
- WIRE FENCE
- OVERHEAD WIRES
- SINGLE TREE WITH SIZE
- TWIN TREE WITH SIZE
- △ TRIPLE TREE WITH SIZE
- QUAD TREE WITH SIZE
- EXISTING TREELINE
- SS— SANITARY SEWER LINE
- ⊙ SANITARY SEWER MANHOLE
- PROPOSED ADDITIONS
- LOO— LIMITS OF DISTURBANCE
- RSF— REINFORCED SILT FENCE
- PROPOSED TREE
- PROPOSED SHRUB



SWM MITIGATION SCHEDULE

LARGE SHRUBS (18" HEIGHT MIN.)					
SYM.	SPECIES	COMMON NAME	QUANT.	SPACING	ROOT
IV	ITEA VIRGINICA	VIRGINIA SWEETSPIRE	3	AS SHOWN	B & B
			TOTAL	3	

NOTE:
ALTERNATE PLANT SPECIES MAY BE USED IN PLACE OF THE REFERENCED PLANTS, PROVIDED THAT ANNE ARUNDEL COUNTY NATIVE SPECIES ARE USED. SEE, "NATIVE PLANTS FOR ANNE ARUNDEL COUNTY" FOR PRE-APPROVED ALTERNATE PLANT SPECIES. ANY DEVIATIONS FROM THIS PLAN SHALL BE COORDINATED DIRECTLY WITH THE ANNE ARUNDEL COUNTY FORESTER.



SITE TABULATIONS:

SITE AREA:	15,054 SF (0.35 AC.)
CRITICAL AREA DESIGNATION:	LDA (LIMITED DEVELOPMENT AREA)
LIMIT OF DISTURBANCE:	3,577 SF (0.08 AC.)
EXISTING C.A. LOT COVERAGE:	4,614 SF (0.11 AC.) (30.6%)
HOUSE:	1,822 SF
DRIVEWAYS:	428 SF
CARPORT:	293 SF
SHEDS:	54 SF
DECK:	7 SF
WALKWAYS & STEPS:	110 SF
POOL:	555 SF
PATIO:	1,351 SF
MISC.:	4 SF
PROPOSED C.A. LOT COVERAGE:	4,702 SF (0.11 AC.) (31.23%)
PROP. ADDITIONS:	1,038 SF
PROP. DRIVEWAY:	202 SF
PROP. CONC. FOR AC:	30 SF
PROP. PORCH:	108 SF
EX. HOUSE:	1,494 SF
EX. DECK:	7 SF
EX. POOL:	555 SF
EX. PATIO:	1,268 SF
ALLOWABLE C.A. LOT COVERAGE:	4,704 SF (0.11 AC.) (31.25%)
ZONING DISTRICT:	R2 - RESIDENTIAL
EX. COVERAGE BY STRUCTURES:	2,714 SF (0.06 AC.) (18.0%)
ALL COVERAGE BY STRUCTURES:	4,516 SF (0.10 AC.) (30.0%)
PROP. COVERAGE BY STRUCTURES:	3,195 SF (0.07 AC.) (21.2%)
ZONING SETBACKS - R2	ACCESSORY STRUCTURES
PRINCIPAL STRUCTURES	40 FT
FRONT:	7 FT
REAR:	7 FT
HEIGHT:	25 FT
EXISTING SITE CANOPY:	4,961 SF (0.11 AC.)

UPDATES/REVISIONS:

STANDARD GRADING PLAN
1304 MAGNOLIA AVE
TAX MAP 57, GRID 21, TAX PARCEL 15
P/O LOTS A, B, & C, BLOCK 64
ARUNDEL ON THE BAY
SECON (2nd) ASSESSMENT DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
Associates
45 Old Solomons Island Rd., Ste. 204 Annapolis, MD 410-266-5599 Fax: 410-266-3871
www.cpja.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT:	Ms. Charisse Brossard 1504 Magnolia Avenue Annapolis, Maryland 21403	TAX ACCOUNT NO. 02-002-12807100	STANDARD GRADING PLAN NO.
DESIGN:	TMH	SHEET	01 OF 01
DRAFT:	TMH	DATE	07/19/2024
SCALE:	AS SHOWN	FILE NO.:	21-01

07/19/2024

Anne Arundel County
Department of Planning and Zoning
2664 Riva Road
Annapolis, MD 21401

**Re: Arundel on the Bay, p/o Lots A, B, & C, Block 64
1304 Magnolia Ave
Annapolis, MD 21403**

The subject property is located at 1304 Magnolia Ave, in Annapolis, MD. The lots were created by plat in 1890, titled "Arundel on the Bay", which can be found in the Maryland Plat Records at L: SH37 P: 509. The property is currently improved with a small single story single-family dwelling, along with a pool, pool deck, driveway, and other miscellaneous residential improvements. The property is largely stabilized with turf lawn and impervious, with portions along the exterior of the property being stabilized with isolated trees and shrubbery. The dwelling was constructed circa 1950, according to SDAT records. Magnolia Avenue is an open section local road, with an 80' right-of-way width. The property is zoned R2 – Residential, and is located entirely within the Chesapeake Bay Critical Area overlay district, with an LDA land use designation. The subject property is not waterfront, and, based on aerial imagery and GIS data, the 100' buffer does not extend onto the subject property. The shoreline, located across the right-of-way of Magnolia Avenue, and on the opposite side of the adjacent properties, is mapped in the BMA shoreline designation. There are no steep slopes located on the subject property, as the property is very flat. The existing dwelling is served by public sewer, and a private well.

The property owner wishes to construct an addition to the existing dwelling, along with enclosing the carport, to create an enclosed garage space. The addition containing living space will be a 2-story addition, while the remainder will be single-story addition. The owner also wishes to demolish the existing front room (closest to Magnolia Ave) and construct a covered porch in its place. Other than small adjustments to the driveway and sidewalk no other site improvements are proposed. Also included in this scope of work is interior renovations, though this work would not require a variance. The proposed carport will be 21.68' from the front property line and 14.31' from the side property line. The proposed covered porch will be located 12.91' from the front property line, and centered on the existing dwelling. The proposed larger addition will be 20.29' from the front property line and 17.46' from the side property line.

A variance to **§18-4-601** is being requested, to allow the additions to be constructed with less than required setbacks to the front property line. The carport will be located 21.68' from the property line, a reduction of 8.32'. The covered porch will be located 12.91' from the property line, a reduction of 17.09'. The larger addition will be located 20.29' from the property line, a reduction of 9.71'.

In accordance with Article 18-16-201(c) a pre-file meeting is not required as this request is for a zoning variance, and not a critical area variance.

In accordance with Article 18-16-305(a), the following discourse addresses the criteria for the granting of a zoning variance:

- (1) 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

The subject property is not unique in size or shape, however the location of the existing dwelling is unique. There is no reasonable possibility of redeveloping or constructing an addition to the existing dwelling, in strict conformance with this article.

- (2) 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.

The existing dwelling was constructed circa 1950, according to SDAT records. The existing dwelling pre-dates the zoning regulations of Anne Arundel County, and pre-dates the establishment of the Office of Planning and Zoning. Because the zoning regulations were established after the construction of the existing dwelling, the front BRL extends beyond the front of the dwelling, approximately 12'. Due to the location of the existing dwelling, any functional, sizeable, addition would require a variance. The proposed additions, except the covered porch, are located behind the façade of the existing dwelling, and as such are no closer to the property line than the existing dwelling. The proposed covered porch is centered on the front façade of the existing dwelling, and is located entirely within the footprint of the existing dwelling. The covered porch is approximately 3' further from the front property line than the existing dwelling. Also worth mentioning is that, to completely avoid a variance, would require a complete razing of the existing structure, which would significantly increase the development impact within the Critical Area. The location of the existing dwelling is the exceptional circumstance that necessitates the variance.

In accordance with Article 18-16-305(c), the following discourse addresses the criteria for the granting of all variances:

- (1) The variance is the minimum necessary to afford relief; and

The proposal constitutes the minimum necessary to afford relief from the zoning regulations of the Anne Arundel County Code. The location of the existing dwelling dictates the location of the additions. In order for the additions to be not only buildable, but also functional, they must be placed as shown within the proposal. Additionally, relocation of the proposed additions would significantly increase the disturbance required for the additions.

- (2) The granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located, substantially impair the appropriate use or development of adjacent property, reduce forest cover in the limited development and resource conservation areas of the critical area, be contrary to acceptable clearing and replanting practices required for development in the critical area of a bog protection area, nor be detrimental to the public welfare.

The proposal will not alter the character of the neighborhood, substantially impair the appropriate use or development of the adjacent properties, and will not be contrary to

acceptable clearing and replanting practices required for development within the critical area. The proposal will also not be detrimental to the public welfare.

The neighborhood, generally, consists of a mix of two-story, one-story, split level, and combination dwellings. The proposal will consist of a single-story 'main' part of the dwelling, with the two-story addition consisting of bedrooms and bathrooms, which is seen regularly in the subject neighborhood. The dwelling located on the opposite block corner (address 1304 Hollywood Ave.) is the same style of dwelling as the proposal, and there are many more examples of such a dwelling within the neighborhood. As such, the proposal will not alter the character of the neighborhood. The proposal will also not impair any use, enjoyment, or development of the adjacent properties. There is no clearing included in the proposal, so the requested variance cannot be contrary to the acceptable clearing practices and replanting practices within the Critical Area. Additionally, the subject property is located within the LDA critical area zone, which carries with it a lot coverage limit of 31.25%, a requirement that the proposal is adhering to. The proposed development will be mitigated through the use of Stormwater Management Plantings, as mandated by §17-8-405 of the Anne Arundel County Zoning Code, and as shown on the included Standard Grading Plan. The subject property is privately owned and is being developed by the owner, as such the development will not be in any way detrimental to the public welfare.

Please contact CPJA if you have any questions regarding this submittal.

Sincerely,

CHARLES P. JOHNSON & ASSOCIATES, INC.

Thomas Hall

Thomas Hall, PE
Division Manager
Annapolis Office

Milestone Title, LLC
File No.: MD-23-2616
Tax ID#:02-002-12307100

Anne Arundel Cty Finance Office
County Transfer Tax \$4,990.00
County Recordation Tax \$3,493.00
11/21/2023 08:06 AM DJB

This Deed, made this 7th day of November, 2023, by and between Tujuana P. White, party of the first part, Grantor(s); and Charisse L. Brossard, party of the second part, Grantee(s).

Witnesseth

That for and in consideration of the sum of FOUR HUNDRED NINETY NINE THOUSAND AND 00/100 (\$499,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said Grantee(s), **Charisse L. Brossard**, in fee simple, all that lot of ground situate in Anne Arundel County, Maryland and described as follows, that is to say:

Being known and designated as Lots lettered A, B and C of Block No. 64, as designated on a Plat of Arundel-on-the-Bay, said plat being duly recorded among the Land Records of Anne Arundel County in Liber S.H. 37, Folio 509,

SAVING AND EXCEPTING THEREFROM, however, all that lot 50 feet by 150 feet previously conveyed to Joseph Adams and wife by Deed dated November 6, 1933, and recorded among the aforesaid Land Records in Liber F.S.R. 117 at Folio 416.

TOGETHER with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging , or in anywise appertaining.

Property Address: 1304 Magnolia Avenue, Annapolis, MD 21403

Tax Id No.:02-002-12307100

Title Insurer: Westcor Land Title Insurance Company

BEING the same property which by Special Warranty Deed dated May 25, 2007, and recorded among the Land Records of Anne Arundel County, Maryland on May 30, 2007, in Liber 19138, in Folio 80, was granted and conveyed by Lucas Erroll Taylor and Deborah Bailey Taylor unto Steven J. White and Tujuana P. White as Tenants by the Entirety.

Semi-Annual Payments
11-21-2023 DJB

ACCT. 02-002-12307100
ALL REQUIRED LIENS ARE PAID
AS OF 11-21-2023 A.A. COUNTY
BY: DJB

Anne Arundel Cty Cir Crt
IMP FD SURE \$40.00
RECORDING FEE \$20.00
TR TAX STATE \$1,247.50
TOTAL \$1,307.50
SAP RM
Nov 22, 2023 08:23 am

File No. MD-23-2616

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 40074, p. 0397, MSA_CE59_40516. Date available 11/29/2023. Printed 07/01/2024.

Together with the buildings and improvements thereon erected, made or being; and any and all rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Grantee(s), in fee simple.

And the said party of the first part covenants that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that they will Warrant Specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

File No. MD-23-2616

As Witness the hands and seals of the said Grantors the day and year first above written.

WITNESS:

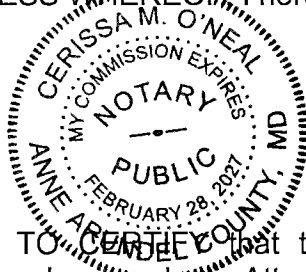
Tujuana P. White

Tujuana P. White

STATE OF MARYLAND, COUNTY OF PRINCE GEORGE'S , to wit:

I hereby certify that on this 7th day of November, 2023, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Tujuana P. White**, the Grantor(s) herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Cerissa M. O'Neal

Notary Public
My commission expires: _____

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

Cerissa M. O'Neal

Cerissa M. O'Neal, Attorney

AFTER RECORDING, PLEASE RETURN TO:

File No. MD-23-2616

MARYLAND
FORM
WH-AR

Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence

2023

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Tujuana P. White

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

1304 Magnolia Avenue, Annapolis, MD 21403

3. Reasons for Exemption

Resident Status

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

[Signature]
Witness

Tujuana P. White
Name

[Signature]
Signature

11/09/23
**Date

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

**AFFIDAVIT OF GRANTEE AS
FIRST-TIME MARYLAND HOME BUYER**

The undersigned states under oath and penalties of perjury that the following is true to the best of the knowledge, information, and belief of the individual:

1. The undersigned is Grantee of residentially improved real property located at 1304 Magnolia Avenue, Annapolis, MD 21403.
2. The undersigned is first-time Maryland home buyer (defined in §14-104-c(6)(i) as an individual who has never owned in the state residential real property that has been the individual's principal place of residence) who will occupy the property as Grantee's principal residence.

Charisse L. Brossard

Charisse L. Brossard

Or, the undersigned states under oath and penalties of perjury that the following is true to the best of the knowledge, information, and belief of the individual:

1. The undersigned is Grantee of residentially improved real property located at 1304 Magnolia Avenue, Annapolis, MD 21403.
2. The undersigned is co-maker or guarantor of the purchase money mortgage or purchase money deed of trust as defined in §12-108(i) of the Tax Property Article on the property who will not occupy the property as Grantee's principal residence.

Charisse L. Brossard

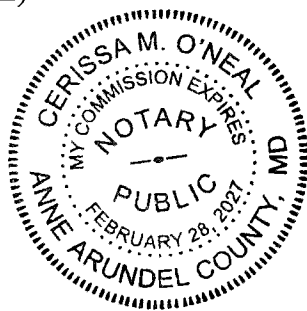
Charisse L. Brossard

STATE OF MARYLAND
COUNTY OF PRINCE GEORGE'S, to wit:

Sworn to and subscribed before me by Charisse L. Brossard on this 7th day of November, 2023.

Cerissa M. O'Neal (SEAL)
Signature of Notary Public

My Commission Expires:



OWNER OCCUPANCY AFFIDAVIT

Charisse L. Brossard, the Grantee(s) in the within Deed hereby certify under the penalties of perjury, as evidenced by the joinder herein, that the land conveyed in this Deed is residentially improved owner-occupied real property and that the residence will be occupied by ME/US.

Charisse L. Brossard

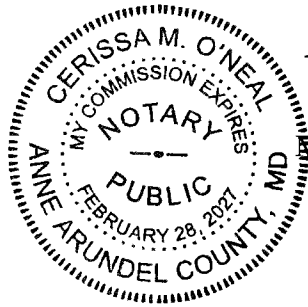
Charisse L. Brossard

STATE OF MARYLAND

COUNTY OF PRINCE GEORGE'S

I HEREBY CERTIFY, that on this 7th day of November, 2023 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Charisse L. Brossard** the **party(ies)** herein, known to me (or satisfactorily proven) to be the **person(s)** whose **name is/are** subscribed to the within instrument, and acknowledged the foregoing to be **his/her** act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Cerissa M. O'Neal

Notary Public

My Commission Expires: _____

State of Maryland Land Instrument Intake Sheet

Baltimore City County: Anne Arundel

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only - All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

1 Type(s) of Instruments () Check Box if addendum Intake Form is Attached. x Deed Mortgage Other Deed of Trust Lease Improved Sale Arms-Length [1] Unimproved Sale Arms-Length [2] Multiple Accounts Arms-Length [3] Not an Arms-Length Sale [9]

4 Consideration Amount Finance Office Use Only Transfer and Recordation Tax Consideration Purchase Price/Consideration \$ 499,000.00 Any New Mortgage \$ Balance of Existing Mortgage \$ Other: \$ Full Cash Value: \$

5 Fees Amount of Fees Doc. 1 Doc. 2 Recording Charge \$ 60.00 Surcharge \$ State Recordation Tax \$ 3,493.00 State Transfer Tax \$ 1,247.50 County Transfer Tax \$ 4,990.00 Other \$ Other \$

6 Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i). District Property Tax ID No. (1) Grantor Liber/Folio Map Parcel No. Var. LOG

7 Transferred From Doc. 1 - Grantor(s) Name(s) Doc. 2 - Grantor(s) Name(s) Tujuana P. White Doc. 1 - Owner(s) of Record, if Different from Grantor(s) Doc. 2 Owner(s) of Record, if Different from Grantor(s)

8 Transferred To Doc. 1 - Grantee(s) Name(s) Doc. 2 - Grantee(s) Name(s) Charisse L. Brossard New Owner's (Grantee) Mailing Address 1304 Magnolia Avenue, Annapolis, MD 21403

9 Other Names to Be Indexed Doc. 1 - Additional Names to be Indexed (Optional) Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information Instrument Submitted By or Contact Person Name: Regina Blakeney Firm: Milestone Title, LLC Address: 9500 Medical Center Drive, Suite 320 Largo, MD 20774 Phone: (301) 459-0400

11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER Assessment Information x Yes No Will the property being conveyed be the grantee's principal residence? x No Does the transfer include personal property? If yes, identify: Was property surveyed? If Yes, attach copy of survey (if recorded, no copy required).

Assessment use only - Do Not Write Below This Line Terminal Verification Agricultural Verification Whole Part Tran. Process Verification Transfer Number Date Received: Deed Reference: Assigned Property No.: Year 22 22 Geo. Map Sub Block Land Zoning Grid Plat Lot Buildings Use Parcel Section Occ. Cd. Total Town Cd. Ex. St. Ex. Cd.

REMARKS:

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 40074, p. 0403, MSA CE59 40516 Date available 11/29/2023. Printed 07/01/2024.

July 19, 2024

Chesapeake Bay Critical Area Report
Arundel on the Bay, p/o Lots A, B, & C, Block 64
Tax Map 57, Grid 21, Parcel 15
Tax Account No. 02-002-12307100

Property Address: 1304 Magnolia Ave, Annapolis

Property Owner & Variance Applicant: Charisse Brossard

Critical Area Designation: LDA **Zoning:** R2 **Lot Area:** 15,054 sf (0.35 Ac.)

Site Description

The subject property is located within the community of Arundel on the Bay, and has a street address of 1304 Magnolia Ave. in Annapolis, MD. The property was created by plat in 1890, titled “Arundel on the Bay”, which can be found in the Maryland Plat Records at L: SH37 P: 509. The property is currently improved with a small single story single-family dwelling, along with a pool, pool deck, driveway, and other miscellaneous residential improvements. The property is largely stabilized with turf lawn and impervious, with portions along the perimeter of the property being stabilized with isolated trees and shrubbery. The dwelling was constructed circa 1950, according to SDAT records. The property is mapped within the R2 – Residential zoning district, and is located entirely within the Chesapeake Bay Critical Area overlay, with an LDA land use designation. The subject property is not waterfront, however the shoreline closest to the subject property is mapped within the Buffer Modification Area (BMA). The property is currently served with public sewer and a private water well.

Proposed Use

The property owner wishes to construct several additions to the existing dwelling, and complete an interior renovation. The proposed additions are within the minimum setbacks, and thus a variance is being requested. The proposed improvements have been sited to minimize disturbance and the encroachment into the minimum setbacks. A majority of the improvements are located within the footprint of existing improvements, in order to minimize new lot coverage and disturbance. In order to construct the proposed improvements, a variance to Article 18-4-601 of the Anne Arundel County Code is being sought to construct the additions closer to the property line than typically permitted.

Vegetative Coverage

The property is vegetatively stabilized with turf lawn and isolated trees and shrubbery, located along the perimeter of the site. The existing canopy onsite is approximately 4,961 sf in area, and none of the existing trees or shrubs are being removed. The area to be disturbed by the proposal will be 3,577 sf, of which 0 sf shall be considered clearing. As there is no clearing proposed as part of this development, the development will not reduce forest cover within the critical area and will not be contrary to acceptable clearing and replanting practices.

Lot Coverage

In existing conditions the site has 4,614 sf of lot coverage. The property is located within the Limited Development Area (LDA), and has a maximum lot coverage of 31.25% or 4,704 sf. The proposed lot coverage onsite shall be 4,702 sf.

Water Quality and Habitat Protection

Water quality shall not be worsened by this development. As required by §17-8-405 of the Anne Arundel County Code, stormwater management plantings shall be provided onsite. The use of stormwater management plantings shall enhance the water quality in the development area, and protect the habitat.

Buffers

No environmental feature buffers, or critical area buffers, extend onto the subject property.

Steep Slopes (slopes > 15%)

The site is relatively flat, with slopes generally being less than 5%. Accordingly, there are no steep slopes or steep slope buffers located onsite.

Conclusions

The applicant seeks a variance to Article 18-4-601 of the Anne Arundel County Code to allow the additions to be constructed with less than the required setbacks. The granting of the variance will not adversely affect water quality, or negatively affect flora and fauna within the Critical Area.

This report is based on a site plan prepared by Charles P. Johnson & Associates dated July 19, 2024.

If you have any questions, please contact me at my office at 410-266-5599 or thall@cpja.com

Sincerely,

CHARLES P. JOHNSON & ASSOCIATES, INC.

Thomas Hall

Thomas Hall, PE
Division Manager – Engineering
Annapolis, MD

CRITICAL AREA COMMISSION
 CHESAPEAKE AND ATLANTIC COASTAL BAYS
 1804 WEST STREET, SUITE 100
 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Anne Arundel County

Date: 07/19/2024

Tax Map #	Parcel #	Block #	Lot #	Section
57	15	21	p/o A, B, & C	64

FOR RESUBMITTAL ONLY

- Corrections
- Redesign
- No Change
- Non-Critical Area

*Complete Only Page 1
 General Project Information

Tax ID: 02-002-12307100

Project Name (site name, subdivision name, or other) Arundel on the Bay, p/o Lots A, B, and C

Project location/Address 1304 Magnolia Ave

City Annapolis Zip 21403

Local case number

Applicant: Last name Brossard First name Charisse

Company N/A

Application Type (check all that apply):

- | | |
|--|--|
| Building Permit <input type="checkbox"/> | Variance <input checked="" type="checkbox"/> |
| Buffer Management Plan <input type="checkbox"/> | Rezoning <input type="checkbox"/> |
| Conditional Use <input type="checkbox"/> | Site Plan <input type="checkbox"/> |
| Consistency Report <input type="checkbox"/> | Special Exception <input type="checkbox"/> |
| Disturbance > 5,000 sq ft <input type="checkbox"/> | Subdivision <input type="checkbox"/> |
| Grading Permit <input type="checkbox"/> | Other <input type="checkbox"/> |

Local Jurisdiction Contact Information:

Last name AACo Zoning Administration Section First name

Phone # 410-222-7437 Response from Commission Required By TBD

Fax # Hearing date TBD

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Additions to existing detached single-family dwelling

Yes Intra-Family Transfer <input type="checkbox"/> Grandfathered Lot <input checked="" type="checkbox"/>	Yes Growth Allocation <input type="checkbox"/> Buffer Exemption Area <input type="checkbox"/>
--	---

Project Type (check all that apply)

Commercial <input type="checkbox"/> Consistency Report <input type="checkbox"/> Industrial <input type="checkbox"/> Institutional <input type="checkbox"/> Mixed Use <input type="checkbox"/> Other <input type="checkbox"/>	Recreational <input type="checkbox"/> Redevelopment <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Shore Erosion Control <input type="checkbox"/> Water-Dependent Facility <input type="checkbox"/>
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SITE INVENTORY (Enter acres or square feet)

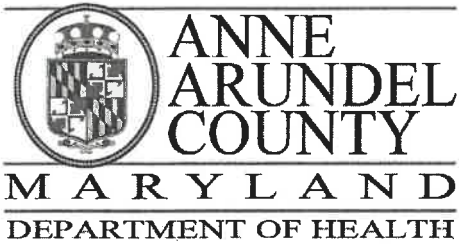
	Acres	Sq Ft		Acres	Sq Ft
IDA Area	0.0	0	Total Disturbed Area	0.08	3,577
LDA Area	0.35	15,054			
RCA Area	0.0	0	# of Lots Created	N/A	
Total Area	0.35	15,054			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.11	4,961	Existing Lot Coverage	0.11	4,614
Created Forest/Woodland/Trees	0.0	0	New Lot Coverage	0.03	1,378
Removed Forest/Woodland/Trees	0.0	0	Removed Lot Coverage	0.03	1,290
			Total Lot Coverage	0.11	4,702

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.0	0	Buffer Forest Clearing	0.0	0
Non-Buffer Disturbance	0.08	3,577	Mitigation	0.0	0

<p><u>Variance Type</u></p> Buffer <input type="checkbox"/> Forest Clearing <input type="checkbox"/> HPA Impact <input type="checkbox"/> Lot Coverage <input type="checkbox"/> Expanded Buffer <input type="checkbox"/> Nontidal Wetlands <input type="checkbox"/> Setback <input checked="" type="checkbox"/> Steep Slopes <input type="checkbox"/> Other <input type="checkbox"/>	<p><u>Structure</u></p> Acc. Structure Addition <input type="checkbox"/> Barn <input type="checkbox"/> Deck <input type="checkbox"/> Dwelling <input type="checkbox"/> Dwelling Addition <input checked="" type="checkbox"/> Garage <input type="checkbox"/> Gazebo <input type="checkbox"/> Patio <input type="checkbox"/> Pool <input type="checkbox"/> Shed <input type="checkbox"/> Other <input type="checkbox"/>
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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: August 12, 2024

RE: Charisse L. Brossard
1304 Magnolia Ave.
Annapolis, MD 21403

NUMBER: 2024-0140-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow dwelling additions (garage, living space, porch) with less setbacks than required..

The Health Department does not have an approved plan for this project. The Health Department has no objection to the above referenced 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

Map Title



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

none

Notes



THIS MAP IS NOT TO BE USED FOR NAVIGATION