

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

APPLICANT: James Imani & Marina Dupree

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2024-0150-V

COUNCIL DISTRICT: 5

HEARING DATE: October 29, 2024

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicant is requesting a variance to allow dwelling additions with less setbacks than required on property located at 612 Breton Place in Arnold.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 29,682 square feet of land and is located with frontage on the northern side of Breton Place. It is identified as Lot 80 in Section 2 on Plat 2 of the Ulmstead Estates subdivision, Parcel 47 in Grid 20 on Tax Map 33. The property is zoned R2 – Residential District. The lot does not lie within the Chesapeake Bay Critical Area. It is improved with a 2-story dwelling with a basement, and associated facilities.

PROPOSAL

The applicants propose to construct a two-story addition with a crawl space (26' W x 32' D) on the rear of the dwelling.

REQUESTED VARIANCES

§ 18-4-601 of the Anne Arundel County Zoning Ordinance provides that a principal structure in an R2 District shall be set back a minimum of 25 feet from the rear lot line. The proposed addition would be as close as 18 feet from the rear lot line, necessitating a variance of 7 feet.

FINDINGS

The subject property is irregularly shaped and oversized, in relation to the minimum lot size of 20,000 square feet for lots not served by public sewer and the minimum lot width of 80 feet, for lots in the R2 District. A review of the County aerial photography shows an eclectic mix of lots and houses in this neighborhood, with the subject dwelling located towards the rear of the lot.

The applicants' letter explains that the property's irregular shape and topography present unique challenges and limitations to expanding the residence, which they feel does not meet the needs of their family of seven. Their letter further explains that alternative locations for the addition, noted on their site plan, would pose functional problems with the existing floor plan or would disturb the steep slopes.

Agency Comments

The **Health Department** has no objection provided a plan is submitted and approved by their Department, and noted that a Wet Season percolation test must be performed on the property for the proposed addition.

Variance Criteria

For the granting of a variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular lot, or because of exceptional circumstances other than financial considerations, 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 the applicant.

In this particular case, the front portion of the lot is encumbered with steep slopes. This limits the location of an addition to the rear of the dwelling, where there appears to be ample space to meet the minimum setback requirements. However, the proposed 26' x 32' addition may be oversized for the subject property. The addition itself creates the practical difficulties. Reducing its dimensions, or altering its configuration, would still result in a sizable addition, and would eliminate the need for relief. The applicants have not provided justification to demonstrate that the addition could not be constructed in compliance with, or at least closer to, the minimum setbacks.

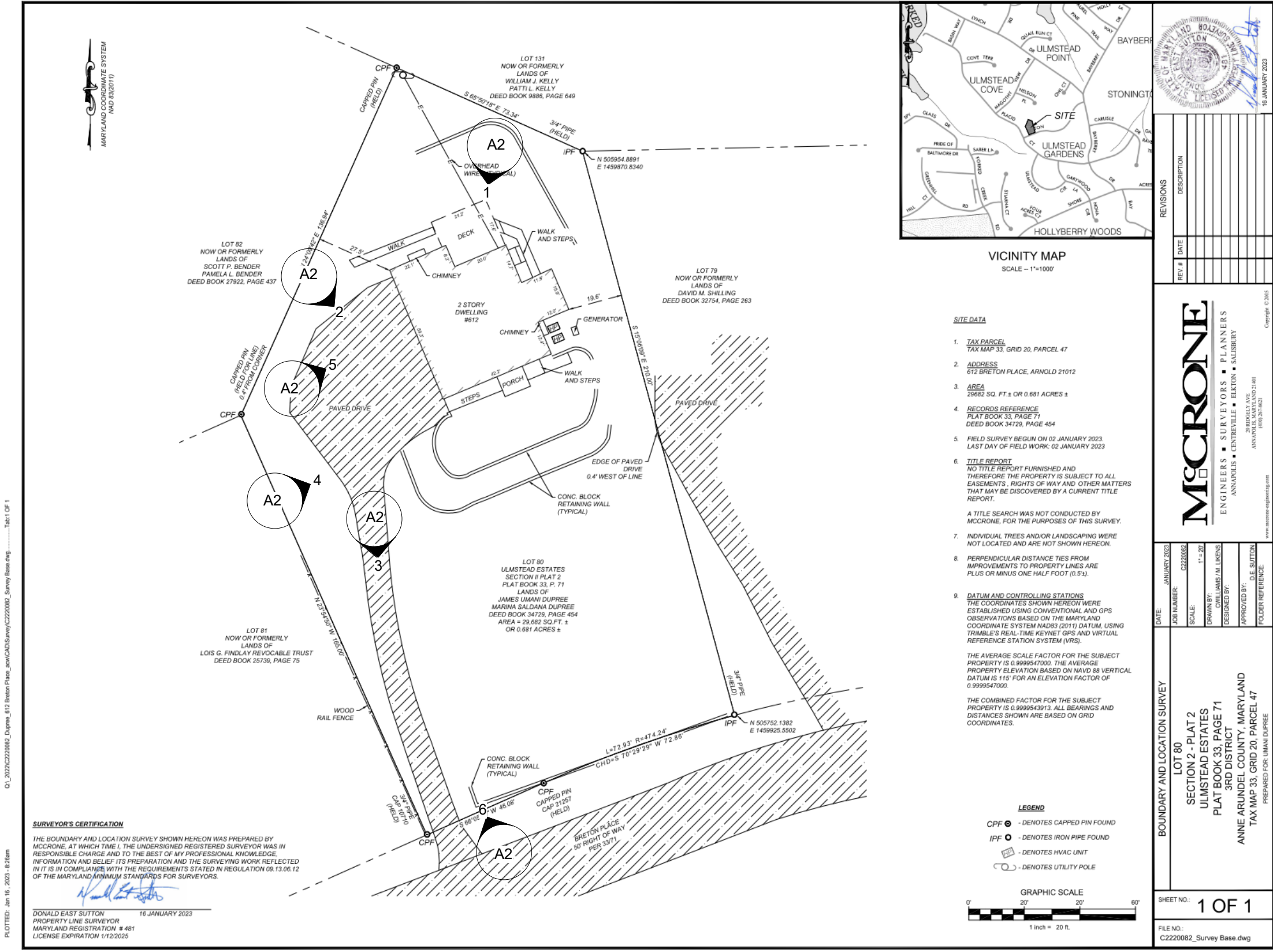
The applicants' desire to construct an oversized addition to their dwelling is a self-inflicted hardship. As alternatives exist which would enable them to construct an addition to expand their family's living space while complying with the Code, the requested variance cannot be considered the minimum necessary to afford relief.

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, nor will it be detrimental to the public welfare.

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 requested variance to § 18-2-701 to allow a dwelling addition with less setbacks than required.

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.



Q:_2022\C2220082_Dupree_612 Breton Place.dwg CAD/Survey/C2220082_Survey Base.dwg Tab:1 OF 1
 PLOTTED: Jan 16, 2023, 8:28am

SURVEYOR'S CERTIFICATION
 THE BOUNDARY AND LOCATION SURVEY SHOWN HEREON WAS PREPARED BY MCCRONE AT WHICH TIME I, THE UNDERSIGNED REGISTERED SURVEYOR WAS IN RESPONSIBLE CHARGE AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT IS IN COMPLIANCE WITH THE REQUIREMENTS STATED IN REGULATION 09.13.06.12 OF THE MARYLAND MINIMUM STANDARDS FOR SURVEYORS.

 DONALD EAST SUTTON 16 JANUARY 2023
 PROPERTY LINE SURVEYOR
 MARYLAND REGISTRATION # 481
 LICENSE EXPIRATION 1/12/2025



VICINITY MAP
SCALE - 1"=1000'

SITE DATA

- TAX PARCEL
TAX MAP 33, GRID 20, PARCEL 47
- ADDRESS
612 BRETON PLACE, ARNOLD 21012
- AREA
29682 SQ. FT. ± OR 0.681 ACRES ±
- RECORDS REFERENCE
PLAT BOOK 33, PAGE 71
DEED BOOK 34729, PAGE 454
- FIELD SURVEY BEGUN ON 02 JANUARY 2023.
LAST DAY OF FIELD WORK: 02 JANUARY 2023
- TITLE REPORT
NO TITLE REPORT FURNISHED AND THEREFORE THE PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND OTHER MATTERS THAT MAY BE DISCOVERED BY A CURRENT TITLE REPORT.
A TITLE SEARCH WAS NOT CONDUCTED BY MCCRONE, FOR THE PURPOSES OF THIS SURVEY.
- INDIVIDUAL TREES AND/OR LANDSCAPING WERE NOT LOCATED AND ARE NOT SHOWN HEREON.
- PERPENDICULAR DISTANCE TIES FROM IMPROVEMENTS TO PROPERTY LINES ARE PLUS OR MINUS ONE HALF FOOT (0.5').
- DATUM AND CONTROLLING STATIONS
THE COORDINATES SHOWN HEREON WERE ESTABLISHED USING CONVENTIONAL AND GPS OBSERVATIONS BASED ON THE MARYLAND COORDINATE SYSTEM NAD83 (2011) DATUM, USING TRIMBLE'S REAL-TIME KEYNET GPS AND VIRTUAL REFERENCE STATION SYSTEM (VRS).
THE AVERAGE SCALE FACTOR FOR THE SUBJECT PROPERTY IS 0.9999547000. THE AVERAGE PROPERTY ELEVATION BASED ON NAVD 88 VERTICAL DATUM IS 115' FOR AN ELEVATION FACTOR OF 0.9999547000.
THE COMBINED FACTOR FOR THE SUBJECT PROPERTY IS 0.9999549113. ALL BEARINGS AND DISTANCES SHOWN ARE BASED ON GRID COORDINATES.

LEGEND
 CPF ● - DENOTES CAPPED PIN FOUND
 IPF ○ - DENOTES IRON PIPE FOUND
 □ - DENOTES HVAC UNIT
 ○ - DENOTES UTILITY POLE

GRAPHIC SCALE
 0' 20' 40' 60'
 1 inch = 20 ft.

MCCRONE

ENGINEERS • SURVEYORS • PLANNERS
ANNAPOLIS • CENTREVILLE • ELKTON • SALISBURY
38 REDGELA AVE
ANNAPOLIS, MD 21403
(410) 291-8822
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REVISIONS	REV #	DATE	DESCRIPTION

DATE: JANUARY 2023
 JOB NUMBER: C2220082
 SCALE: 1" = 20'
 DRAWN BY: WILLIAMS/ML/LINKS
 DESIGNED BY: _____
 APPROVED BY: D.E. SUTTON
 FOLDER REFERENCE: _____

BOUNDARY AND LOCATION SURVEY

LOT 80
SECTION 2 - PLAT 2
ULMSTEAD ESTATES
PLAT BOOK 33, PAGE 71
3RD DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND
TAX MAP 33, GRID 20, PARCEL 47
PREPARED FOR: UMANI DUPREE

SHEET NO: 1 OF 1

FILE NO.: C2220082_Survey Base.dwg

LifeStrong, LLC
 EXCEPTIONAL ENVIRONMENTS FOR LIVING
 C: Eve Moore 410-882-2163 evmore@budfilesstrong.com

DUPREE RESIDENCE

612 BRETON PLACE
ARNOLD, MD 21012

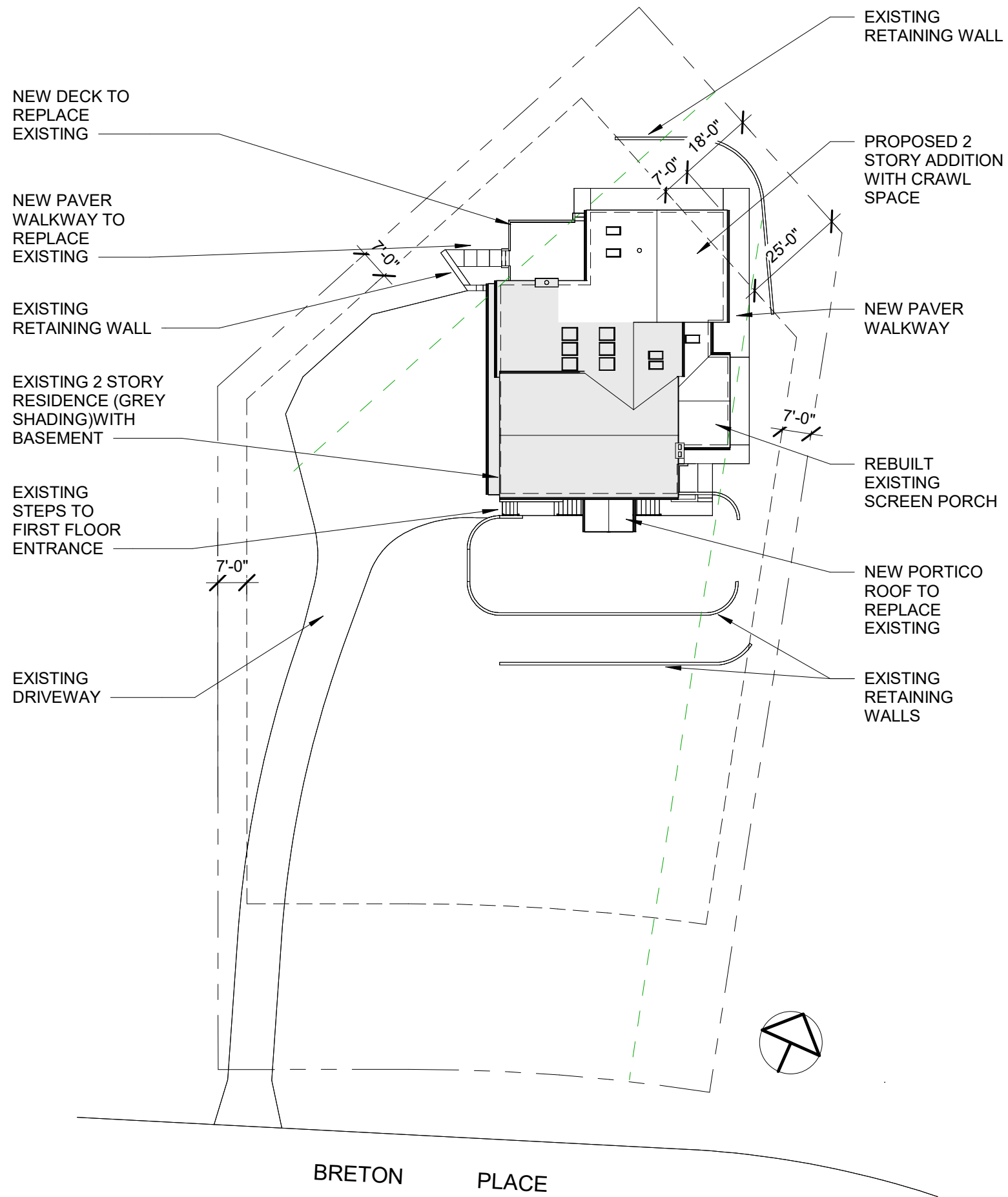
SUBMISSIONS / REVISIONS		
#	DESCRIPTION	DATE

JOB NUMBER: 220507
 DRAWN BY: MOORE
 SCALE:

VARIANCE
EXISTING
SURVEY

A1

1 EXISTING SITE SURVEY
 1" = 40'-0"



SITE NOTES

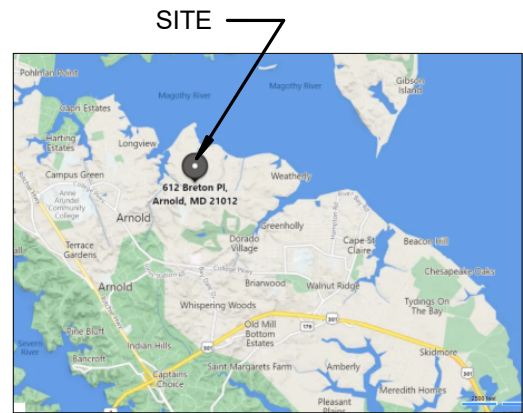
ADDRESS:
612 BRETON PLACE
ARNOLD, MD 21012

ZONING: R2

TAX PARCEL:
TAX MAP: 33
GRID: 20
PARCEL: 47

LAND AREA: 29,682 SF
LOD AREA: XXX SF

RECORDS REFERENCE:
PLAT BOOK: 33, PAGE 71
DEED BOOK: 34729, PAGE 454



○ Vicinity Map

LifeStrong, LLC
EXCEPTIONAL ENVIRONMENTS FOR LIVING
C: Eve Moore 410-382-2153 eemoore@budlifestrong.com

DUPREE RESIDENCE
612 BRETON PLACE
ARNOLD, MD 21012

SUBMISSIONS / REVISIONS		
#	DESCRIPTION	DATE

JOB NUMBER: 220507
DRAWN BY: MOORE
SCALE:

VARIANCE SITE PLAN

A3

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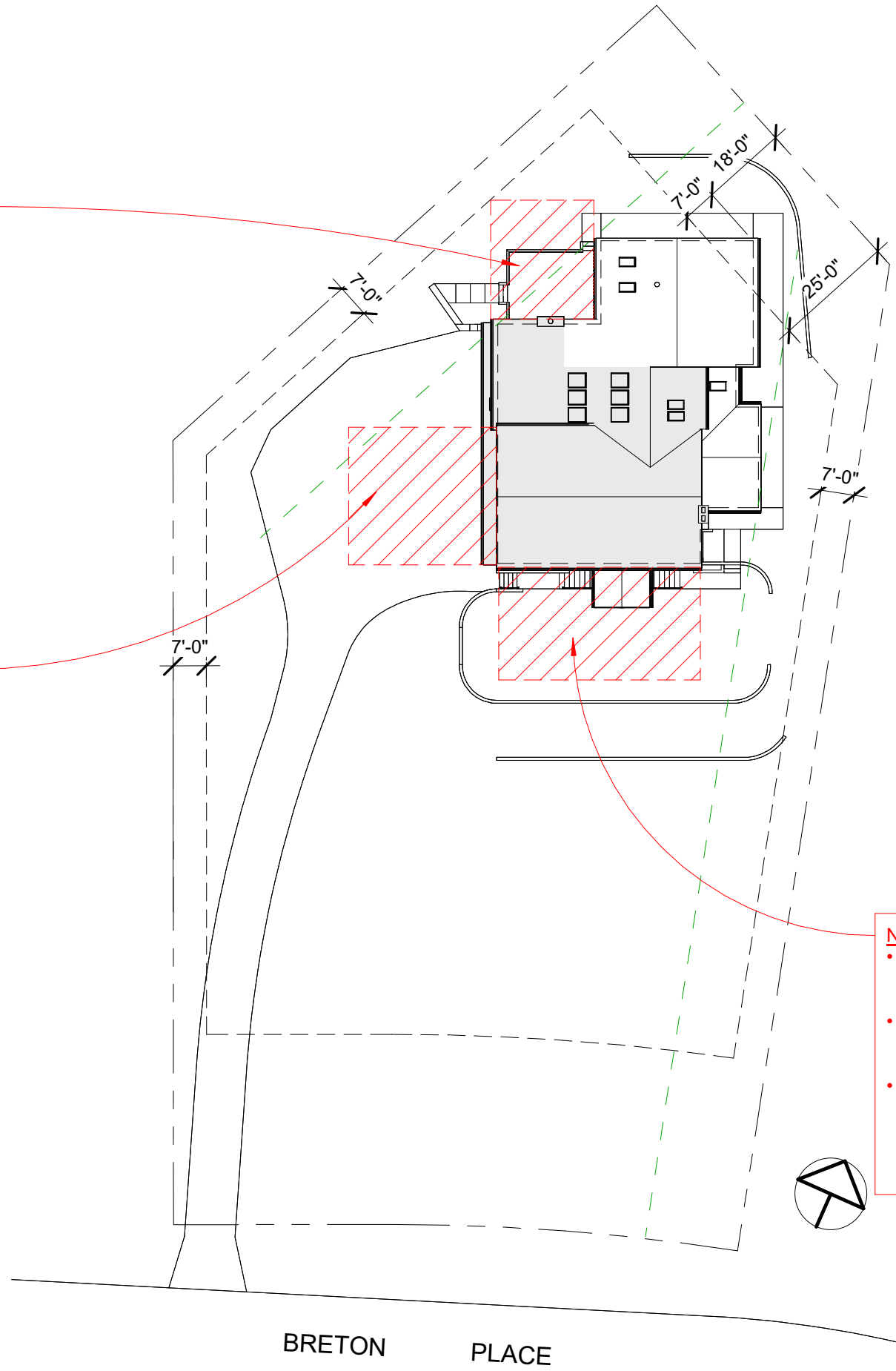
① VARIANCE SITE PLAN
1" = 30'-0"

NO OPTION AREA A:

- NO CONNECTION TO 2ND LEVEL FOR OWNER BEDROOM ADDITION EVEN CLOSER TO PROPERTY LINE
- AREA AVAILABLE IS TOO SMALL TO PROVIDE A KITCHEN FOR A FAMILY OF 6

NO OPTION AREA B:

- BLOCKS GARAGE ENTRANCE AND ELIMINATE DRIVEWAY TURNING SPACE
- GRADE WOULD REQUIRE A 3 STORY ADDITION
- WOULD REQUIRE STEEPENING AND ALREADY STEEP DRIVEWAY



NO OPTION AREA C:

- DISRUPTS EXISTING ENTRANCE, FOYER AND STAIR LOCATION
- IMPRACTICAL TO HAVE KITCHEN IN FRONT OF HOUSE
- PROXIMITY TO RETAINING WALLS AND SLOPED FRONT YARD WILL REQUIRE EXTENSIVE NEW GRADING AND RETAINAGE

BRETON PLACE

1 VARIANCE ALTERNATE AREA DIAGRAM
 1" = 30'-0"

DUPREE RESIDENCE

612 BRETON PLACE
 ARNOLD, MD 21012

SUBMISSIONS / REVISIONS		
#	DESCRIPTION	DATE

JOB NUMBER: 220507
 DRAWN BY: MOORE
 SCALE:

VARIANCE ALTERNATE AREA DIAGRAM

A3.5

James Imani and Marina Dupree
612 Breton Place
Arnold, MD 21012

August 1, 2024

Anne Arundel County Department of Planning & Zoning
2664 Riva Road, Suite 170
Annapolis, MD 21401

Subject: Administrative Variance Request - 612 Breton Place, Arnold, MD

Dear Administrative Hearing Officer,

We, James and Marina Dupree, request an Administrative Variance to allow for a two-story addition to accommodate the current and future needs of our growing family of seven. Our children, ages 6, 9, 10, 11, and 12 years old, urgently need more living and sleeping space.

Our current property's irregular shape and extreme topography present unique challenges and limitations to expanding the residence. Our residence has a 30,000 SF narrow polygon shape with an angled rear property line and resides on a steep slope. The front entrance is also elevated approximately 40' above the street level, further restricting the buildable area on the rear northeast corner of the residence where the setback is closer. These factors necessitate the Variance we are requesting.

The home was built in 1971 and has four modestly sized bedrooms, three small bathrooms, minimal storage, and a dysfunctional kitchen/dining area. The existing space and layout do not meet the needs of our family of seven. The proposed two-story addition requested as part of this Variance appropriately expands to a functional, usable area to meet space requirements and allow for future growth. **Our proposed addition, measuring 26' W x 32' D, addresses our needs and fulfills the vision for our home.** The addition provides an additional bedroom, bathroom, expanded kitchen with a cooking island, pantry, full-size dining area, and an expanded washer/dryer area on the second floor.

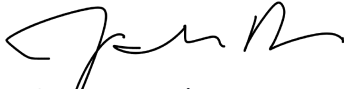
We meticulously explored alternative options to build the addition of other existing sides; however, they all come with significant drawbacks. Our architect thoroughly investigated options to locate the addition on the residence's northwest, west, and south sides where the setbacks are more generous. However, all other alternate locations pose functional and topographical limitations, including restricted access to the garage, parking, front entrance, kitchen, and owner's suite.

Generations of our family often come together under one roof, with grandparents, aunts, and cousins making regular visits. As our 'forever home,' we hope to continue this tradition to continue, and, one day, welcome our grandchildren. Our vision is a home that can adapt to our present and future needs, creating a space for all to gather and create lasting memories.


We respectfully request your consideration in granting this Administrative Variance. If additional information is required, please let us know. Enclosed is a Variance Drawing Set to supplement this Letter of Explanation.

We are grateful for your time and attention to this matter and look forward to answering any questions you may have.

Respectfully,



James Imani Dupree
Homeowner



Marina Dupree
Homeowner

Ulmstead Estates is a unique neighborhood with a special charm. Families who settle here often choose to stay and raise their children, creating a sense of community and continuity that is genuinely remarkable.

LifeStrong, LLC

EXCEPTIONAL ENVIRONMENTS FOR LIVING

C: Eva Moore 410-382-2153 evamoore@buildlifestrong.com

DUPREE RESIDENCE

HOME ADDITION AND RENOVATION

612 BRETON PLACE
ARNOLD, MD 21012

VARIANCE SET: 06.26.2024

DUPREE RESIDENCE

612 BRETON PLACE
 ARNOLD, MD 21012

SUBMISSIONS / REVISIONS

#	DESCRIPTION	DATE

JOB NUMBER: 220507
 DRAWN BY: MOORE
 SCALE:

VARIANCE FIRST FLOOR

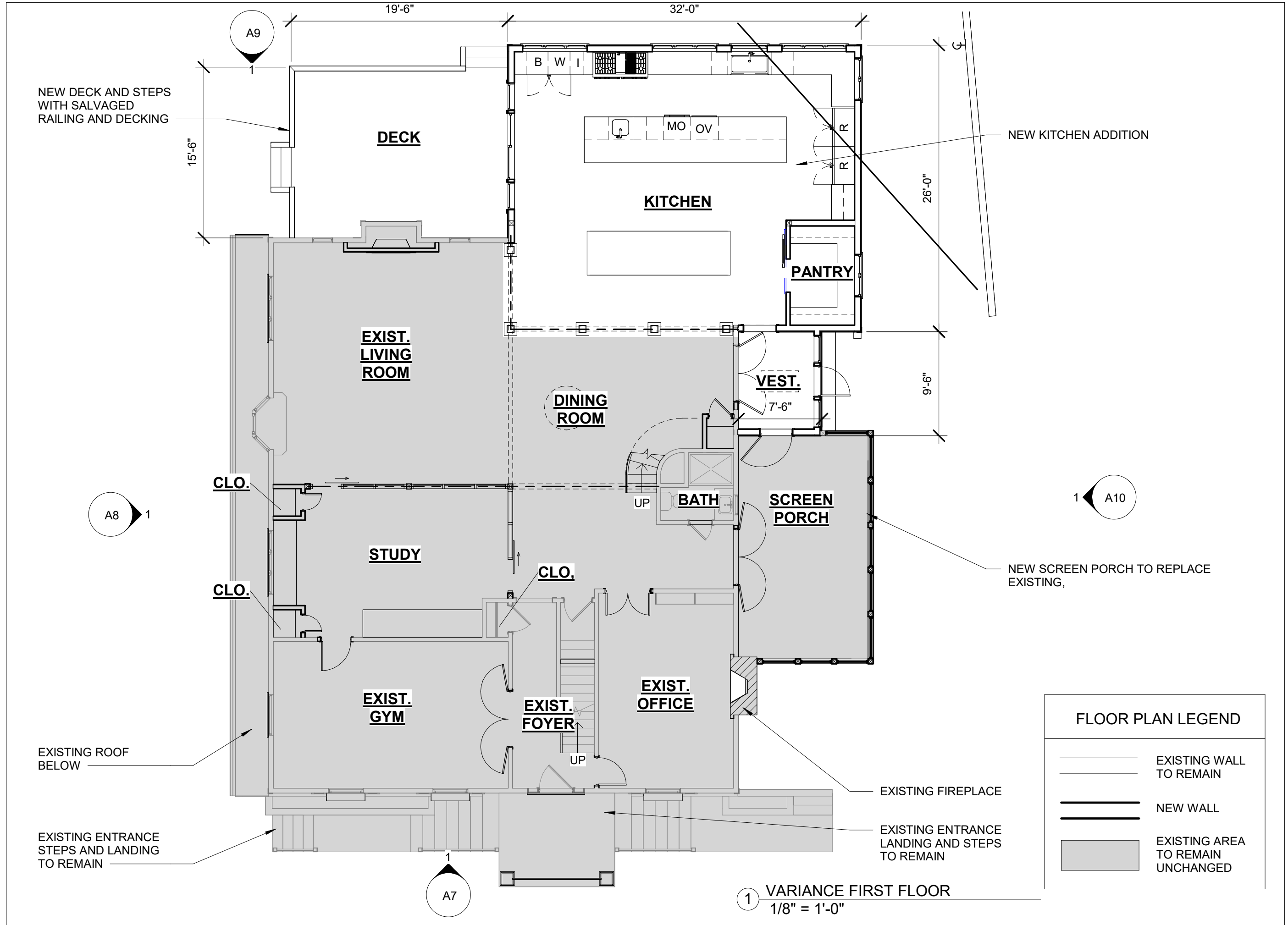
A5

NEW DECK AND STEPS
 WITH SALVAGED
 RAILING AND DECKING

NEW KITCHEN ADDITION

NEW SCREEN PORCH TO REPLACE
 EXISTING,

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1 VARIANCE FIRST FLOOR
 1/8" = 1'-0"

A9
1

A8
1

A10
1

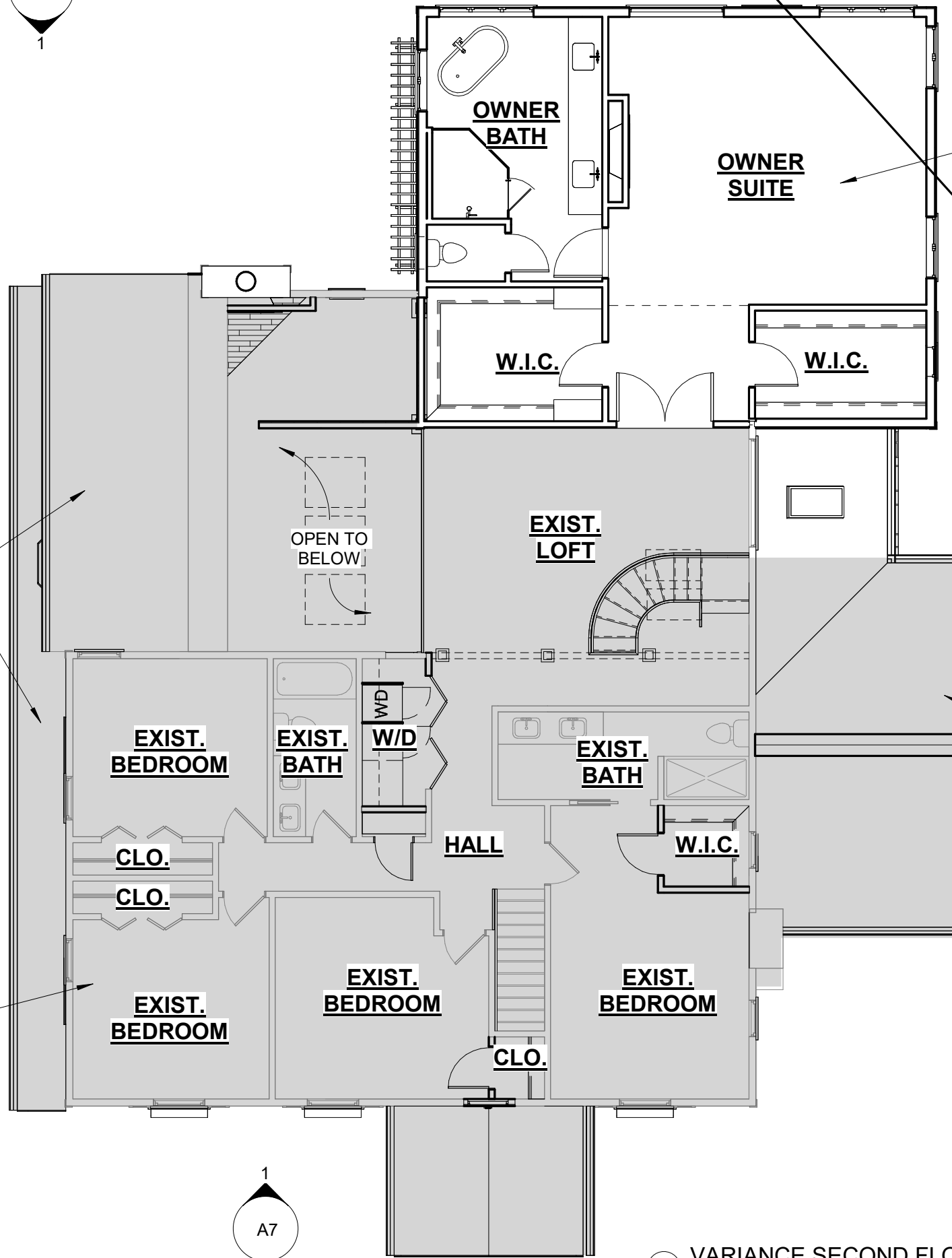
A7
1

EXISTING ROOF BELOW




EXISTING BEDROOMS TO REMAIN

NEW OWNER SUITE ADDITION

SCREEN PORCH AND VESTIBULE ROOF BELOW



FLOOR PLAN LEGEND

-  EXISTING WALL TO REMAIN
-  NEW WALL
-  EXISTING AREA TO REMAIN UNCHANGED

NOTE:
REFER TO SHEET A-1 FOR
GENERAL NOTES, TYPICAL

1 VARIANCE SECOND FLOOR
1/8" = 1'-0"

SUBMISSIONS / REVISIONS		
#	DESCRIPTION	DATE

JOB NUMBER: 220507
DRAWN BY: MOORE
SCALE:

**VARIANCE
SECOND
FLOOR**

A6

DUPREE RESIDENCE

612 BRETON PLACE
 ARNOLD, MD 21012



1 VARIANCE SOUTH ELEVATION
 3/16" = 1'-0"

NOTE:
 REFER TO SHEET A-1 FOR
 GENERAL NOTES, TYPICAL

SUBMISSIONS / REVISIONS

#	DESCRIPTION	DATE

JOB NUMBER: 220507
 DRAWN BY: MOORE
 SCALE:

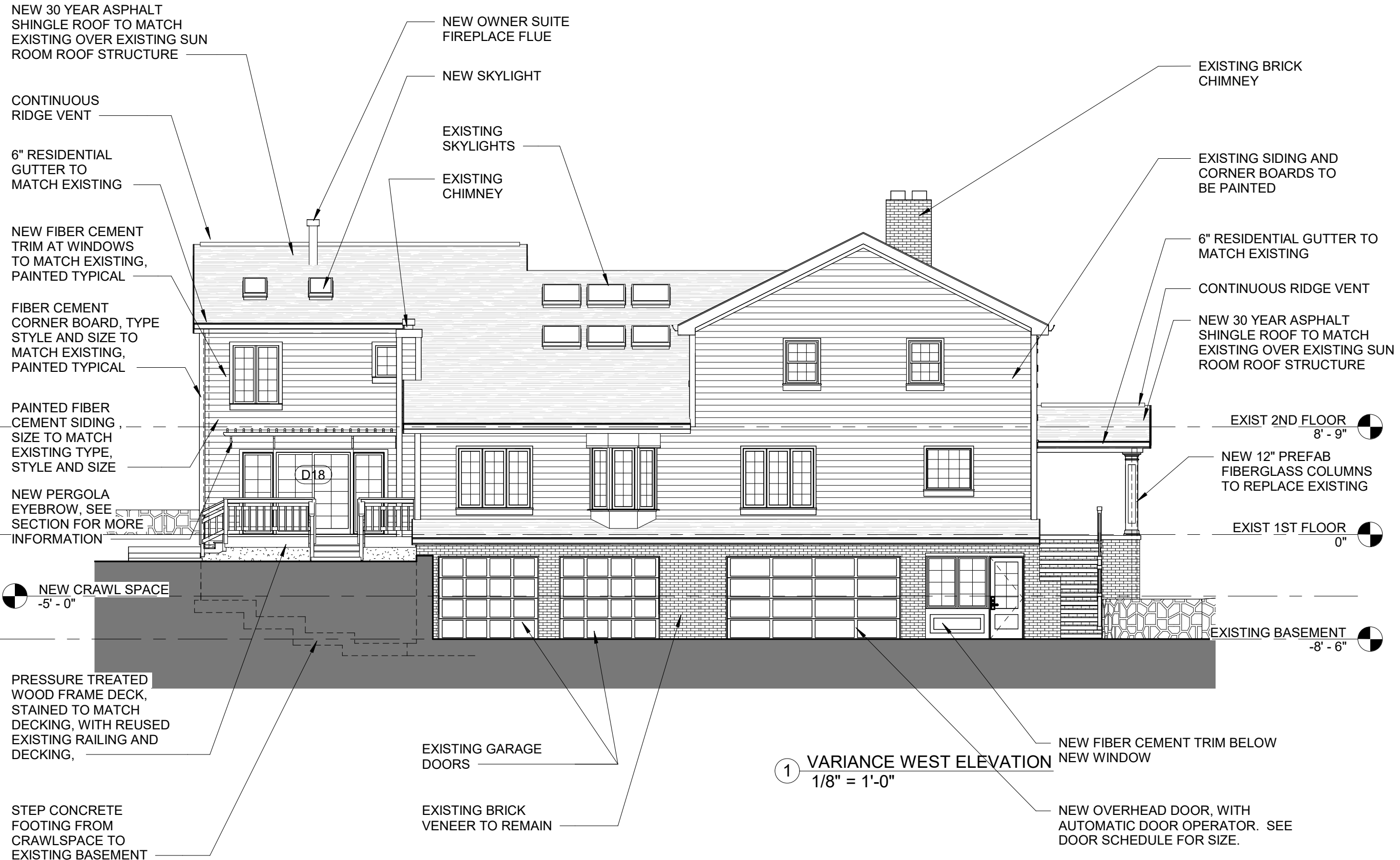
VARIANCE SOUTH ELEVATION

A7

8/2/2024 3:13:18 PM

DUPREE RESIDENCE

612 BRETON PLACE
 ARNOLD, MD 21012



SUBMISSIONS / REVISIONS

#	DESCRIPTION	DATE

JOB NUMBER: 220507
 DRAWN BY: MOORE
 SCALE:

VARIANCE WEST ELEVATION

A8

NOTE:
 REFER TO SHEET A-1 FOR
 GENERAL NOTES, TYPICAL

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DUPREE RESIDENCE

612 BRETON PLACE
 ARNOLD, MD 21012

SUBMISSIONS / REVISIONS

#	DESCRIPTION	DATE

JOB NUMBER: 220507

DRAWN BY: MOORE

SCALE:

VARIANCE NORTH ELEVATION

A9

NEW OWNER SUITE
 FIREPLACE FLUE

EXISTING BRICK
 CHIMNEY

CONTINUOUS
 RIDGE VENT

EXISTING
 WINDOW
 RELOCATED

6" RESIDENTIAL
 GUTTER TO
 MATCH EXISTING

NEW FIBER
 CEMENT TRIM AT
 WINDOWS TO
 MATCH EXISTING,
 PAINTED TYPICAL

FIBER CEMENT
 CORNER BOARD,
 TYPE STYLE AND
 SIZE TO MATCH
 EXISTING, PAINTED
 TYPICAL

PAINTED FIBER
 CEMENT SIDING,
 SIZE TO MATCH
 EXISTING TYPE,
 STYLE AND SIZE

EXISTING
 ROOF

EXISTING
 CHIMNEY

EXIST 2ND FLOOR
 8' - 9"

EXISTING SIDING AND
 CORNER BOARDS TO
 BE PAINTED

EXIST 1ST FLOOR
 0"

NEW CRAWL SPACE
 -5' - 10"

EXISTING BASEMENT
 -8' - 6"

PRESSURE TREATED WOOD FRAME
 DECK, STAINED TO MATCH DECKING,
 WITH REUSED EXISTING RAILING AND
 DECKING, SEE DETAIL FOR MORE
 INFORMATION

NOTE:
 REFER TO SHEET A-1 FOR
 GENERAL NOTES, TYPICAL

① VARIANCE NORTH ELEVATION
 3/16" = 1'-0"

DUPREE RESIDENCE
 612 BRETON PLACE
 ARNOLD, MD 21012

EXISTING BRICK CHIMNEY

EXISTING SIDING AND CORNER BOARDS TO BE PAINTED

6" RESIDENTIAL GUTTER TO MATCH EXISTING

CONTINUOUS RIDGE VENT

NEW 30 YEAR ASPHALT SHINGLE ROOF TO MATCH EXISTING OVER EXISTING SUN ROOM ROOF STRUCTURE

NEW 12" PREFAB FIBERGLASS COLUMNS TO REPLACE EXISTING

EXISTING BRICK PORCH

EXISTING STONE RETAINING WALLS

NEW SKYLIGHT

NEW OWNER SUITE FIREPLACE FLUE

NEW 30 YEAR ASPHALT SHINGLE ROOF TO MATCH EXISTING OVER EXISTING SUN ROOM ROOF STRUCTURE

CONTINUOUS RIDGE VENT

6" RESIDENTIAL GUTTER TO MATCH EXISTING

NEW FIBER CEMENT TRIM AT WINDOWS TO MATCH EXISTING, PAINTED TYPICAL

FIBER CEMENT CORNER BOARD, TYPE STYLE AND SIZE TO MATCH EXISTING, PAINTED TYPICAL

EXIST 2ND FLOOR
8' - 9"

PAINTED FIBER CEMENT SIDING, SIZE TO MATCH EXISTING TYPE, STYLE AND SIZE

EXIST 1ST FLOOR
0"

NEW CRAWL SPACE
-5' - 0"

EXISTING BASEMENT
-8' - 6"

① **VARIANCE EAST ELEVATION**
 1/8" = 1'-0"

NOTE:
 REFER TO SHEET A-1 FOR
 GENERAL NOTES, TYPICAL

SUBMISSIONS / REVISIONS

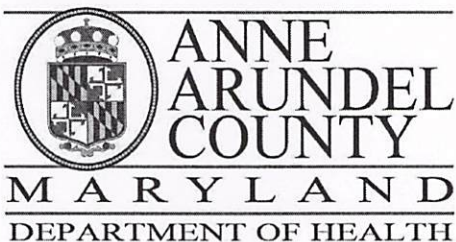
#	DESCRIPTION	DATE

JOB NUMBER: 220507
 DRAWN BY: MOORE
 SCALE:

VARIANCE EAST ELEVATION

A10

8/2/2024 3:12:47 PM




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 15, 2024

RE: James Imani Dupree
612 Breton Place
Arnold, MD 21012

NUMBER: 2024-0150-V

SUBJECT: Variance/Special Exception/Rezoning

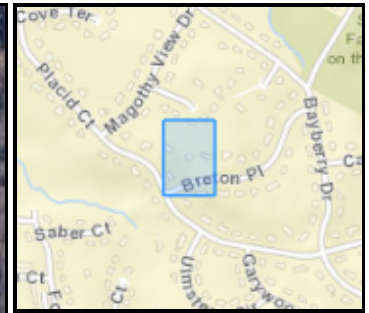
The Health Department has reviewed the above referenced variance to allow a dwelling additions with less setbacks than required.

The Health Department does not have an approved plan for this project. The Health Department has no objection to the above referenced variance request as long as a plan is submitted and approved by the Health Department. It is necessary to perform a Wet Season percolation test on the property for the proposed addition.

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

cc: Sterling Seay

612 Breton Place (2024-0150-V)



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



0 50 100
ft

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.
DO NOT USE FOR NAVIGATION.

none



Notes