

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

APPLICANT: Jason Ionnotti & Maria Pradilla Picas

ASSESSMENT DISTRICT: 8

CASE NUMBER: 2024-0165-V

COUNCIL DISTRICT: 7

HEARING DATE: November 14, 2024

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicants are requesting a variance to allow an addition (second floor) to an accessory structure (garage) with less setbacks than required on property located at 1086 Walnut Avenue in North Beach.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of approximately 7,493 square feet of land and is located with frontage on the east side of Walnut Avenue. It is identified as Lot 11 of Block 1 in the North Beach Park subdivision, Parcel 1 in Grid 3 on Tax Map 84. The property is zoned R5 – Residential District, and lies within the Chesapeake Bay Critical Area - Limited Development Area (LDA). It is currently improved with a one-story detached garage which serves the principal structure located on the abutting waterfront lot, 1087 Walnut Avenue.

PROPOSAL

The applicants propose to construct a second story on the existing detached garage to be used for storage.

REQUESTED VARIANCES

§ 18-4-701 of the Anne Arundel County Zoning Ordinance provides that an accessory structure in an R5 District shall be set back a minimum of 7 feet from the side lot line. The garage addition would be located as close as 6 feet from the side lot line, necessitating a variance of 1 foot.

FINDINGS

The subject property is rectangular in shape, exceeds the minimum lot area of 7,000 square feet, but is undersized with regards to the 60 foot minimum lot width for lots in an R5 District. A review of the County's aerial photography shows that the neighborhood contains an eclectic mix of homes and lot sizes in this established waterfront community, with detached garages as a typical amenity. The subject garage is visible in those aerials as far back as 1995.

Building permit B02427446, to construct a second floor addition over the existing detached garage, was submitted on July 9, 2024. Variance approval must be obtained prior to the permit being issued.

The existing and proposed critical area lot coverage of the site is 1,260 square feet, which is well below the lot coverage allowed under § 17-8-402 (25% plus 500 square feet or 2,373.25 square feet). The existing and proposed coverage by structures is 460 square feet, which is well below the 40% (2,997.2 square feet) maximum coverage by structures allowed under § 18-4-701.

The applicants' letter explains that they wish to renovate the existing garage by adding a second story and reusing the existing roof trusses, and that the existing garage encroaches one foot into the required setback.

Agency Comments

The **Health Department** does not have an approved plan for this project, but has no objection to the variance request as long as a plan is submitted and approved by their Department.

Variance Criteria

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 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.

In this particular case, the existing detached garage does not comply with the current bulk regulations, creating the practical difficulty. In the North Beach Park neighborhood, the existing dwellings and their accessory structures are not consistent in size, shape, age or location. Therefore, the granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located. Because the adjacent lot appears to be a gravel driveway and the existing garage already encroaches into the side setback, granting the variance would not substantially impair the appropriate use or development of adjacent property any more than it currently does. Nor would it reduce forest cover in the critical area, be contrary to acceptable clearing and replanting practices required for development in the critical area, nor 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, as proposed, this Office recommends ***approval*** of a zoning variance to § 18-4-701 to allow an accessory structure 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.



SITE DATA

PROPERTY DATA	1086 WALNUT AVE, NORTH BEACH, MD 20714		
OWNER	NAME:	MARIA PRODELLA PICAS	
	ADDRESS:	3329 Grass Hill Terrace Falls Church, VA 22044	
	CONTACT:	MARIA PRODELLA PICAS	
	PHONE:	703-449-4555	
	E-MAIL:	MPRODELLA@BRUNOCLAY.COM	
DEVELOPER	COMPANY:	BRUNO CLAY MANAGEMENT LLC	
	ADDRESS:	440 MAPLE EAST STE 203 VIENNA VA 22180	
	CONTACT:	JASON HANFORTH	
	PHONE:	703.887.1170	
	E-MAIL:	JHANFORTH@BRUNOCLAY.COM	
EXISTING USE:	GARAGE	PROPOSED USE:	GARAGE
EXISTING ZONING:	R2	SETBACKS:	FRONT: NO REQUIRED, SIDE: 7', REAR: 7'
TAX NUMBER:	857990221586	SUBDIVISION NAME:	579
CRITICAL AREA:	LDA	BLOCK:	1
		LOT:	11
TOTAL SITE AREA:	7,493 S.F.		

NOTE:

HEIGHT OF THE PROPOSED GARAGE: 22' FEET
 STORIES: 2
 LENGTH: 23 FEET
 WIDTH: 20 FEET

EXISTING SITE AREA CALCULATIONS/ CRITICAL AREA CALCULATION (LDA)

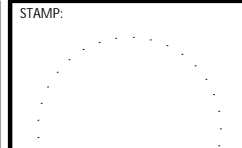
- TOTAL SITE AREA: 7,493.00 S.F.
- TOTAL EXISTING LOT COVERAGE:
- GARAGE: 460.00 S.F.
- GRAVEL DRIVE: 800.00 S.F.
- SHED: 0.00 S.F.
- TOTAL: 1,260.00 S.F.

IN ACCORDANCE WITH § 18-4-701, THE MINIMUM SETBACKS FOR ACCESSORY STRUCTURES IS 7 FEET FROM THE SIDE AND REAR LOT LINES.

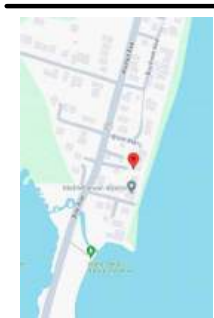
THE GARAGE LOT IS FUNCTIONALLY PART OF THE WATERFRONT LOT (1087 WALNUT AV). THEREFORE, THE LOT LINE ALONG WALNUT AVE (1086 WALNUT AV) IS CONSIDERED THE REAR LOT LINE (SETBACK = 7 FEET) AND THE LOT LINE ABUTTING #1087 WOULD HAVE NO SETBACK (IT IS NOT A FRONT LOT LINE). THE OTHER LOT LINES WOULD ALL BE SIDES (SETBACK = 7 FEET).

LEGEND

- 20 EXISTING GRADE
- EXISTING LOT LINE
- LOD LIMIT OF DISTURBANCE
- EXISTING STRUCTURE
- EXISTING TREE
- EXISTING BGE POLE
- ZONED R2** ZONING CLASSIFICATION



BRUNO CLAY
 MANAGEMENT
 440 MAPLE AVE, EAST, STE 203
 VIENNA VA 22180



1086 WALNUT AVE, NORTH BEACH, MD 20714

1086 WALNUT AVE

NO.	DESCRIPTION	DATE
001	PERMIT SET	AUGUST 2024
002		
003		
004		
005		
006		
007		
008		
009		
010		
011		
012		
011		
011		

CHECKED BY: BRUNO CLAY MANAGEMENT
 SCALE: 1/32" = 1'-0"
 DATE: AUGUST 2024
 PROJECT: 1086 WALNUT AVE
 TYPE: PERMIT SET

ADMINISTRATIVE
 SITE PLAN

WALNUT AVENUE

N/F LOT 13

N/F LOT 12

ZONED R2

N22°40'E
59'

18' ACCESS EASEMENT
L.15685, F.587

N/F LOT 11

N/F LOT 10

EXISTING GARAGE 20'X23'

NOTE: EXISTING GARAGE TO BE MAINTAINED, ONLY NEW SECOND STORY TO BE ADDED.

DISTANCE OVER THE BRL:
1'-0" ON THE SOUTH SIDE

GRAVEL D/W

N/F



August 27, 2024.

Anne Arundel County
Office of Zoning administration Division
2664 Riva Rd #3
Annapolis, MD 21401

RE: 1086 Walnut Ave, North Beach MD 20714
Lot #11, Block #1

Dear Zoning administration Division,

Please accept this as our formal variance request to the Zoning Administration Division. The Variance request is to Article **§18-16-305**.

We are requesting this Variance to renovate an existing garage on existing lot. The existing garage is 460 square feet (20'x23') with a height of approximately 12'-0", having a clearance over the BRL of 1'-0" on the south side. The project proposed at 1086 Walnut Avenue, is the same existing garage to remain, only a second story is being added for storage with a height of 22'-0" and the existing roof trusses will be removed and reused in the new second story of the proposed project.

Explanation as required by Article 18, Section 16-305 (b)

Due to the unique physical conditions, the lot does not have a reasonable possibility of being developed without variances. The zoning of the lot is R-2 which has a side and rear yard setback of 7 feet for accessory structure. The garage lot is functionally part of the waterfront lot (1087 Walnut Av), therefore, the lot line along Walnut Avenue (1086 Walnut Av) is considered the rear lot line (setback=7 feet) and the lot line abutting #1087 would have not setback (it is not a front lot line) The other lot lines would all be sides (setback=7 feet).



Explanation as required by Article 18 Section 16-305 (c)

The granting of this variance will not alter the character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; it will not be contrary to acceptable clearing and replanting practices required for development in the critical area or in a wetland protection area; and will not be detrimental to the public welfare.

Any unique characteristics of the subject property

The lot dimensions are approximately 7,493.00 sqft, being laid out on a rectangular shaped lot located at a 7-grade elevation.

If you have any questions or any additional information is required, please feel free to contact me at your convenience.

We thank you in advance,


Sincerely,

Bruno Clay Management

Jason Iannotti

(703) 887-1170

DocuSigned by:


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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: 08/28/2024

Tax Map #	Parcel #	Block #	Lot #	Section
0084	0001	1	#11	

FOR RESUBMITTAL ONLY

Corrections
Redesign
No Change
Non-Critical Area

*Complete Only Page 1
General Project Information

Tax ID: 857990221586

Project Name (site name, subdivision name, or other) 1086 Walnut Ave

Project location/Address 1086 Walnut Ave, North Beach

City MD Zip 20714

Local case number

Applicant: Last name Iannotti First name Jason

Company Bruno Clay Management

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 TBD

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

Fax # Hearing date TBD

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Residential garage

Yes Intra-Family Transfer <input type="checkbox"/> Grandfathered Lot <input type="checkbox"/>	Yes Growth Allocation <input type="checkbox"/> Buffer Exemption Area <input type="checkbox"/>
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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	Total Disturbed Area	0	0
LDA Area		7,493 Sq.Ft			
RCA Area		0	# of Lots Created		
Total Area		7,493 Sq.Ft			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		0	Existing Lot Coverage		1,260 Sq.Ft
Created Forest/Woodland/Trees		0	New Lot Coverage		0
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		0
			Total Lot Coverage		1,260 Sq.Ft

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		0	Buffer Forest Clearing		0
Non-Buffer Disturbance		990 Sq.Ft	Mitigation		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 type="checkbox"/> Garage <input checked="" 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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1086 Walnut ave



Legend

- Foundation
- Addressing
 -
- Parcels
 - ▭
- City of Annapolis Parcels
 - ▭
- Elevation
 - Topo 2023
 - Index
 - Intermediate
 - Topo 2020
 - Index
 - Intermediate

none



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Topo Map

TO: Zoning administration Division
Anne Arundel County.
FROM: Bruno Clay Management
SUBJECT: **Critical area report narrative including topographic map**

Critical area report narrative including topographic map

1. Topographic map
Attached
2. A paragraph or less addressing each point listed below:
 - Describe the proposed use of the subject property and include if the project is residential, commercial, industrial, or maritime.

Response:

The project located at 1086 Walnut Avenue, is an existing garage to remain, only a second story is being added for storage, the garage is associated with the 1087 Walnut Av house.

- Describe the type of predominant trees and shrubs on the subject property. Include a statement addressing the square footage of the property that is vegetated with trees and shrubs, how much of the property will be disturbed by the proposed development, and how the disturbance will be mitigated.

Response:

The predominant vegetation type on the property is grass, there are only 4 to 6 trees on the south side of the lot that will not be touched or removed. The land will not be disturbed as only a second story is being added to the existing garage. The amount of Disturbance area is 460.00 sqft approx.

- Describe the methods to minimize impacts on water quality and habitat from proposed construction (i.e. stormwater management, sediment control, and silt fence).

Response:

The garage use will remain, the second floor will be storage. No water or sewer will be supplied to the structure.

- Calculate the impervious surface before and after construction, including all structures, gravel areas, driveways, and concrete areas.

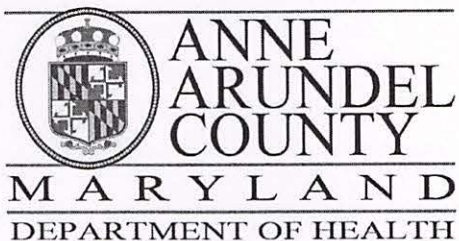
Response:

The Square Footage of Impervious Coverage for the following:

1. House (roof area): 0 Sq. Ft.
 2. Gravel Drive (Impervious): 800.00 Sq. Ft.
 3. Accessory Structures: 460.00 Sq. Ft.
 4. Additions: 0 Sq. Ft.
- If applicable, describe any habitat protection areas on the subject property including expanded buffers, steep slopes of 15% or greater, rare and endangered species, anadromous fish propagation waters, colonial waterbird nesting sites, historic waterfowl staging and concentration areas, riparian forests, natural heritage areas, and plant and wildlife habitats of local significance.

Response:

Not applicable



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: September 5, 2024

RE: Jason Ionnotti
1086 Walnut Ave.
North Beach, MD 20714

NUMBER: 2024-0165-V

SUBJECT: Variance/Special Exception/Rezoning

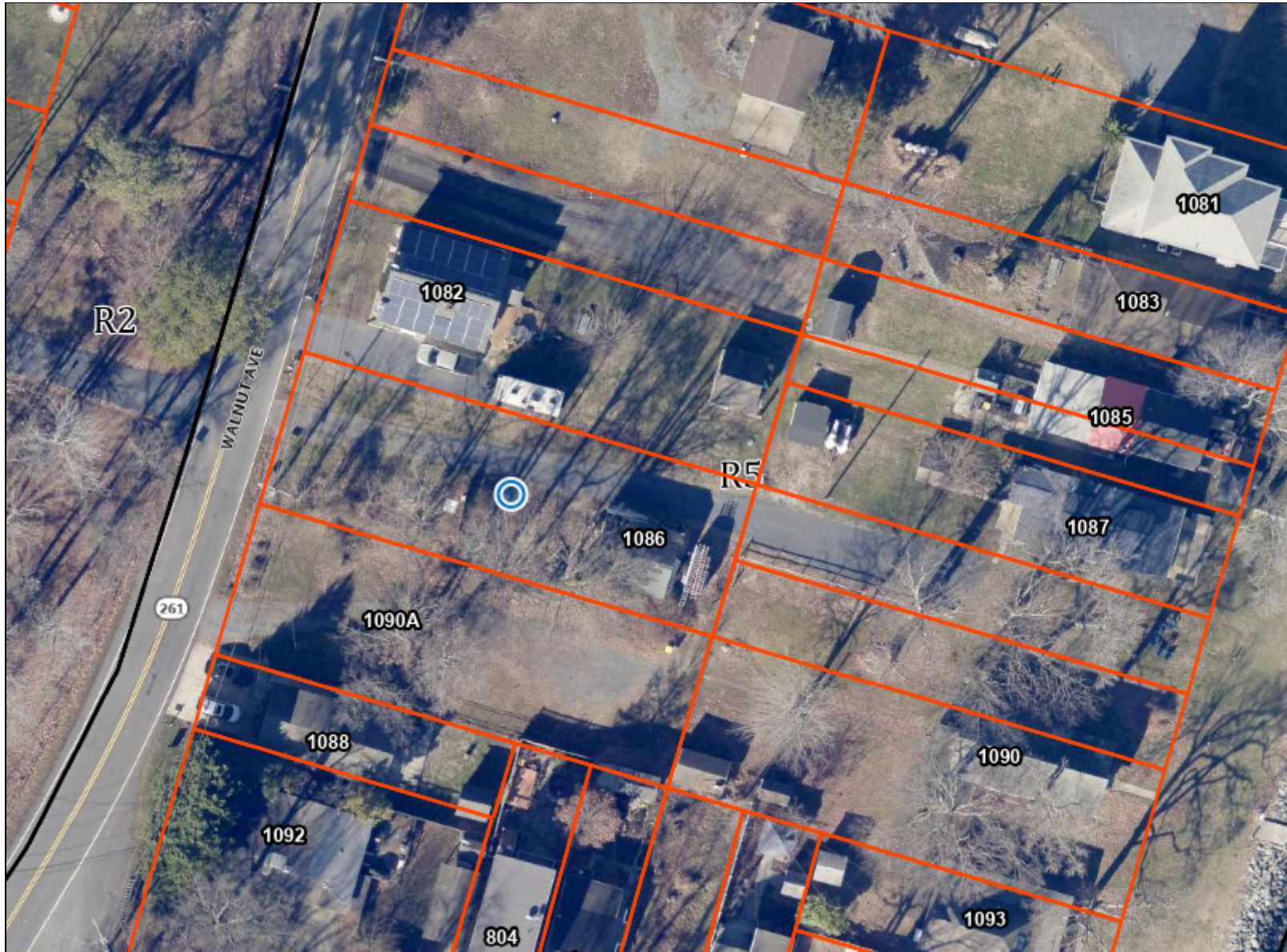
The Health Department has reviewed the above referenced variance to allow an addition (second floor) to an accessory structure (garage) with less setbacks than required.

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.

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

cc: Sterling Seay

1086 Walnut Ave (2024-0165-V)



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



Planning

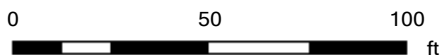
County Planning



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none

Notes



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