

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

**APPLICANT:** Angelis Pseftis & Amanda Pseftis

**ASSESSMENT DISTRICT:** 2

**CASE NUMBER:** 2024-0180-V

**COUNCIL DISTRICT:** 6

**HEARING DATE:** December 17, 2024

**PREPARED BY:** Jennifer Lechner  
Planner



**REQUEST**

The applicants are requesting a variance to allow a dwelling addition (access ramp) with less setbacks than required on property located at 412 Serpentine Trail in Crownsville.

**LOCATION AND DESCRIPTION OF SITE**

The subject site consists of 12,379 square feet of land and is located with frontage on the east side of Serpentine Trail and the west side of Sweet Gum Trail (an unimproved right of way). It is identified as Lots 28 to 33 in Block 75 of Section E in the Herald Harbor subdivision, Parcel 390 in Grid 23 on Tax Map 31. The property is primarily zoned R5 – Residential District, with a section of RLD - Residential Low Density to the north. The northern section of the lot lies within the Chesapeake Bay Critical Area RCA - Resource Conservation Area. The property is improved with a 2-story dwelling with a basement, a deck, a patio, and other associated facilities.

**PROPOSAL**

The applicants wish to perfect the construction of an access ramp from the deck to grade.

**REQUESTED VARIANCES**

§ 18-4-701 of the Anne Arundel County Zoning Ordinance provides that a principal structure in an R5 District shall be set back a minimum of 20 feet from the corner side lot line. The ramp was constructed as close as 0.3 feet from the corner side lot line, necessitating a variance of 20 feet.

**FINDINGS**

The subject property is irregularly shaped and oversized for lots in the R5 District, with regard to the minimum lot size of 7,000 square feet and the minimum lot width of 60 feet. It is located at the intersection of an improved right-of-way, Serpentine Trail, and an unimproved right-of-way, Sweet Gum Trail. A review of the County aerial photography shows an eclectic mix of lots and houses in this neighborhood.

The previous owners were granted a variance, 2010-0279-V, to allow a dwelling with less setbacks than required. Specifically, the variance allowed a dwelling to be as close as 15 feet to

the front lot line, 7 feet to the rear lot line, and 15 feet to the corner side lot line.<sup>1</sup>

The property is the subject of a building violation case, B-2016-0701, for steps not installed per the approved plans/permit (out of scope). Building permit B02426248 was then submitted on May 5, 2024 to abate the violation. Variance approval must be obtained prior to the permit being issued.

The applicants' letter explains that they constructed the ramp in September of 2022 to allow their 14-year-old large breed dog to safely access the yard. Their letter further explains that the ramp was built on the side of the deck where it is approximately 5 feet from the ground, rather than the second floor side, and that it has no impact on public visibility or neighborhood aesthetics because it is not visible from Serpentine Trail or from their front yard.

### Agency Comments

The **Health Department** has determined that the proposed request does not adversely affect the on-site sewage disposal system, and has no objection to the request.

The **Recreation and Parks Department** has noted that this site is contiguous to an Anne Arundel County Green Infrastructure Network, and has determined that the proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

### 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 property slopes in such a way that the eastern side of the existing deck is closer to grade than the western side. That deck currently has access via steps to grade from the middle of the long side ("rear" of the deck), in addition to the subject ramp from the eastern end. While the applicants have indicated that the ramp was built on the end of the deck which is closer to grade, this appears to have been done for convenience, rather than because of practical difficulties. The applicants have not provided justification to demonstrate that the ramp could not be constructed in compliance with, or at least closer to, the minimum setbacks. It appears that the existing steps could have been replaced with a ramp along the rear of the deck which would not require relief. A ramp in this location may also take advantage of the higher grade by running from the west end to east end, with landings as needed.

The subject ramp was constructed along the property line that abuts an unimproved right of way which is unlikely to be developed due to the slopes. As such, the granting of the variance may not alter the essential character of the neighborhood or district in which the lot is located, may

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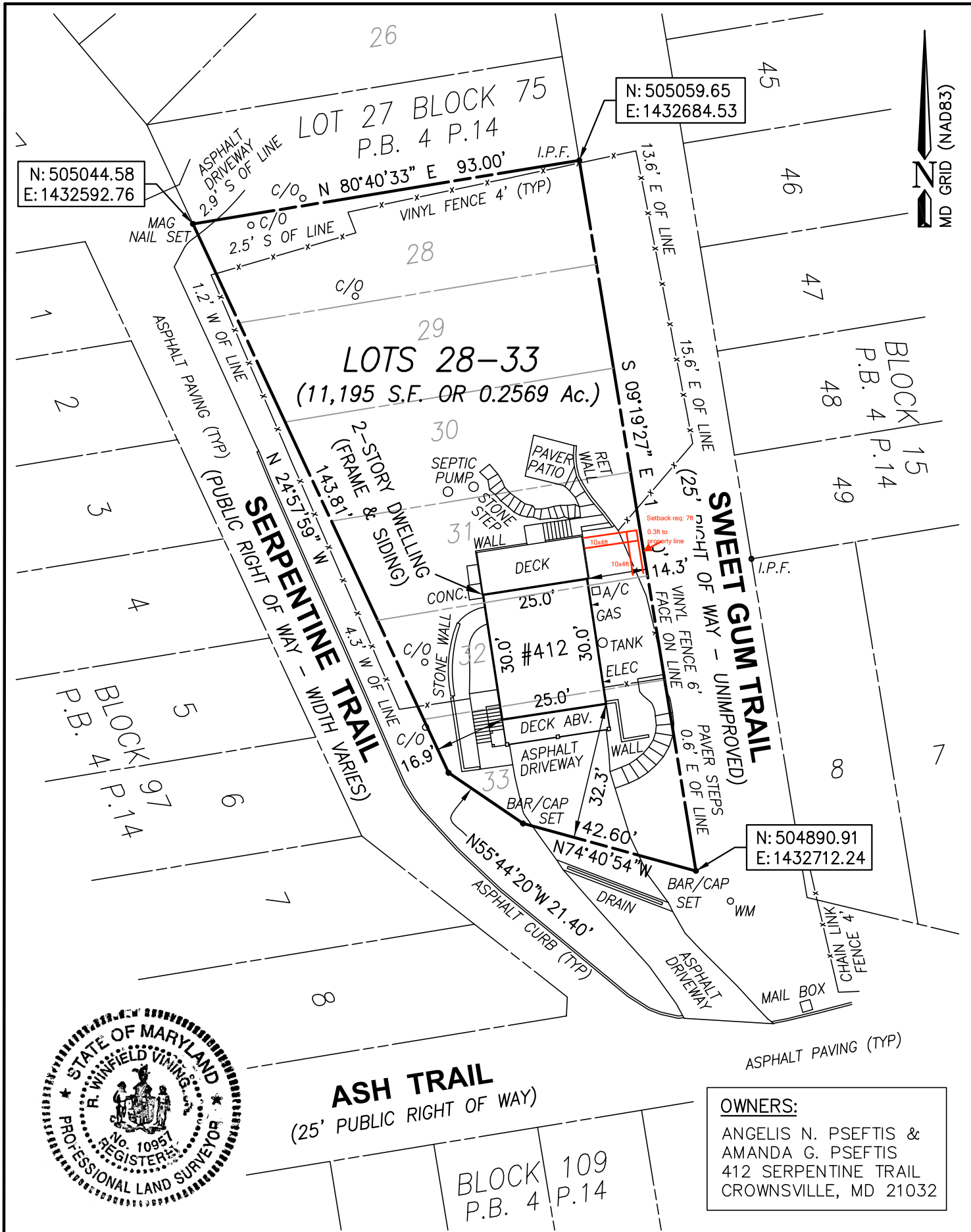
<sup>1</sup> The dwelling described in that decision, and shown on its attached site plan, does not correspond to the existing dwelling, however, it appears that an effort was made to meet those granted setbacks.

not substantially impair the appropriate use or development of adjacent property, and may not be detrimental to the public welfare. However, because alternatives exist which would enable the applicants to construct an access ramp while complying with the Code, the requested variance cannot be considered the minimum necessary to afford relief.

### **RECOMMENDATION**

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



**ASH TRAIL**  
(25' PUBLIC RIGHT OF WAY)

**OWNERS:**  
ANGELIS N. PSEFTIS &  
AMANDA G. PSEFTIS  
412 SERPENTINE TRAIL  
CROWNSVILLE, MD 21032

**SURVEYOR'S CERTIFICATE**

I hereby certify, to the best of my professional knowledge and ability, that the plan shown hereon is correct; that it is based on a field survey performed under my direct supervision of the real property acquired by Angelis Nicholas Pseftis and Amanda G. Seftis by deed dated July 18, 2014 and recorded in the Land Records of Anne Arundel County, Maryland in Liber 27482 at Folio 228; and that property corner markers have been found or set as indicated hereon. No title report was reviewed in the preparation of this plat, so there may be encumbrances or other restrictions of use not shown hereon.

*[Signature]*  
November 10, 2020  
CLOVERLEA LAND SURVEYS, Inc. Date  
R. WINFIELD VINING, Jr.  
PROFESSIONAL LAND SURVEYOR  
MD REG. No.: 10957

BOUNDARY SURVEY &  
IMPROVEMENT LOCATION DRAWING  
**LOTS 28-33, BLOCK 75**  
IN THE SUBDIVISION OF  
**HARALD HARBOR**  
AS DEPICTED ON  
**PLAT BOOK 4 AT PAGE 14**  
SECOND (2nd) ASSESSMENT DISTRICT  
ANNE ARUNDEL COUNTY, MARYLAND  
OCTOBER 2020 - SCALE 1" = 30'

**Cloverlea Land Surveys, Inc.**  
LAND SURVEYING - SITE PLANNING - CAD DRAFTSMEN  
PO BOX 4430, ANNAPOLIS, MD 21403  
OFFICE (443) 203-2400 FAX (443) 458-0684

JOB No. CLOV07-200-890

Amanda Pseftis  
412 Serpentine Trail  
Crownsville, MD 21032  
amanda.pseftis@icloud.com  
410-940-8764

September 17, 2024

Anne Arundel Planning and Zoning  
2664 Riva Rd #3  
Annapolis, MD 21401

**Re:** Variance Request for 412 Serpentine Trail – Setback Requirement

To whom it may concern,

I am writing to request a variance for a setback requirement for our property located at 412 Serpentine Trail. In September 2022, we constructed a temporary ramp to assist our 14-year-old large breed dog, who suffers from severe osteoarthritis and dilated cardiomyopathy, in safely accessing the yard. Due to his medical condition and weight (too heavy for me to lift and carry down stairs), the ramp is essential for his safety and mobility.

**Unique Property Characteristics:**

Our property has a sloped yard. On one side, the deck is the height of a second floor, making that side impractical for building a ramp. The ramp was built on the only feasible side, where the deck is approximately 5 feet from the ground. This allowed for a safe and accessible design for our dog.

In addition, in 2010, the previous owners were granted a rear setback variance (2010-0279-V) for construction on the property. At that time, the county determined that the abutting paper road, Sweet Gum Trail, provided a 12.5-foot buffer to the property line. The ramp we have constructed is situated 0.3 feet from our property line, 12.8 feet from the center of Sweet Gum Trail, maintaining the same buffer established in the previous variance.

**Ramp Dimensions & Construction Date:**

The ramp, built in September 2022, extends 10 feet toward the rear property line and is 4 feet wide. There is a 4x4 foot landing, followed by an additional 10 feet of ramp that runs parallel to the property line. The ramp has standard 4-foot-high railings. The structure is temporary and will be removed when our dog is no longer with us.

**Public Impact:**

The ramp has no impact on public visibility or neighborhood aesthetics. It is not visible from Serpentine Trail or from our front yard. Its placement and design ensure it does not alter the visual character of the neighborhood or negatively affect adjacent properties. Placing the ramp

on the other side of the deck, facing Serpentine Trail, would have had a far larger environmental footprint and greater visual impact.

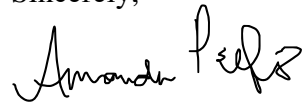
**Minimum Variance:**

The requested variance is the minimum necessary to allow the ramp to remain. Removing or altering the ramp would impose unnecessary hardship, as it is crucial for our dog's safety and mobility. Additionally, the ramp does not encroach beyond the buffer already accounted for in the 2010 variance, further minimizing any impact on the property or surrounding area.

We respectfully request that the board consider the temporary nature of the structure, the unique physical conditions of our property, and the precedent set by the previous variance. Granting this variance would allow us to continue caring for our dog without disrupting the character of the neighborhood or impacting public welfare.

Thank you for your time and consideration of this request. We look forward to a favorable decision.

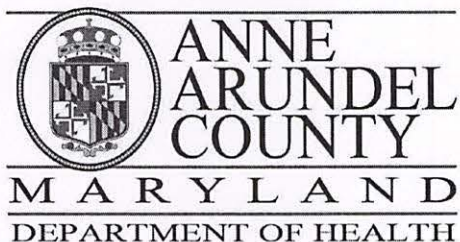
Sincerely,

A handwritten signature in black ink that reads "Amanda Pseftis". The signature is written in a cursive style with a large, stylized initial "A".

Amanda Pseftis  
410-940-8764  
amanda.pseftis@icloud.com

APPLICANT PHOTOS






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: September 25, 2024

RE: Amanda N. Pseftis  
412 Serpentine Trail  
Crownsville, MD 21032

NUMBER: 2024-0180-V

SUBJECT: Variance/Special Exception/Rezoning

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

The Health Department has reviewed the on-site sewage disposal system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal system. 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





STUART PITTMAN, COUNTY EXECUTIVE  
JESSICA LEYS, DIRECTOR  
RECREATION AND PARKS  
1 HARRY S. TRUMAN PARKWAY  
ANNAPOLIS, MD 21401  
AACOUNTY.ORG/RECPARKS



## MEMORANDUM

TO: Sadé Medina, Zoning Division  
Office of Planning and Zoning

FROM: Pat Slayton  
Capital Projects Division

SUBJECT: Variance Case 2024-0180-V

DATE: September 23, 2024

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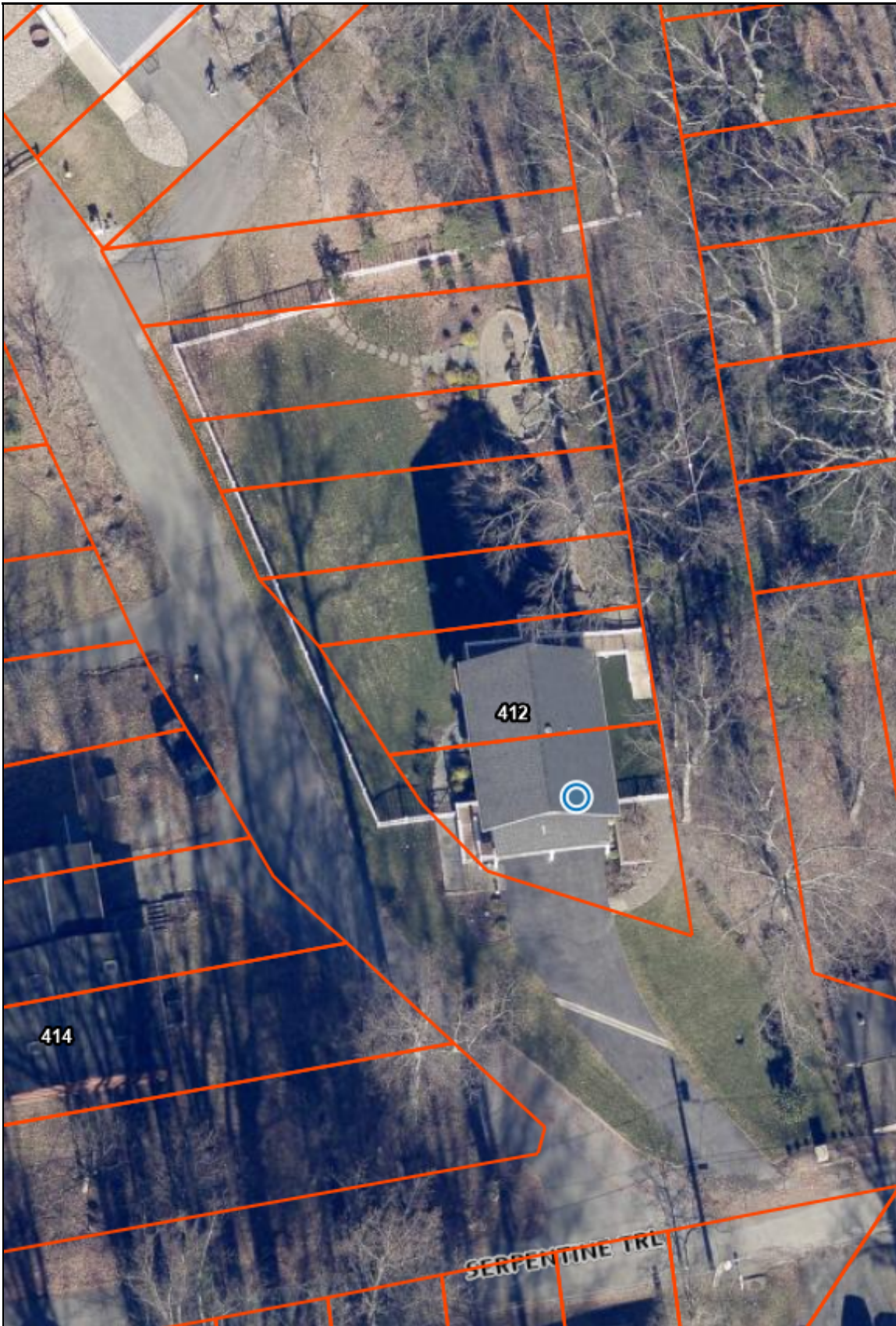
The Department of Recreation and Parks has reviewed the above plans to determine if there may be impacts to the Anne Arundel County Green Infrastructure Network, parks, and trails. Please note our recommendations according to those findings below.

- This site is contiguous to an Anne Arundel County Green Infrastructure Network, a proposed preservation area considered in the Anne Arundel County Green Infrastructure Master Plan. The proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

The Department of Recreation and Parks has no further comments.

cc: File

# 412 Serpentine Trail (2024-0180-V)



## Legend

Foundation

Addressing




Parcels



Parcels - Annapolis City



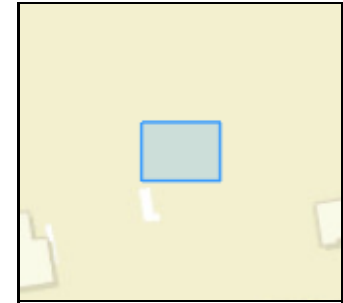
 0 40 80 ft

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.

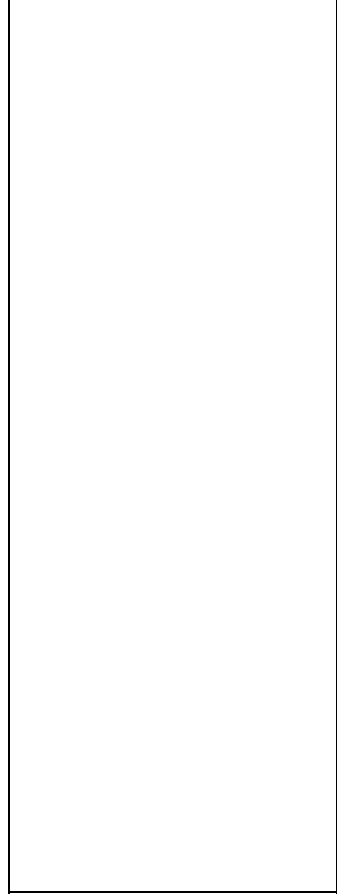
none

Notes

# 412 Serpentine Trail (2024-0180-V)



## Legend



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 deck/ramp detail



THIS MAP IS NOT TO BE USED FOR NAVIGATION