

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

**APPLICANT:** Karina Haley

**ASSESSMENT DISTRICT:** 1

**CASE NUMBER:** 2024-0182-V

**COUNCILMANIC DISTRICT:** 7

**HEARING DATE:** December 19, 2024

**PREPARED BY:** Sara Anzelmo  
Planner



**REQUEST**

The applicant is requesting a variance to perfect an accessory structure with greater height than allowed on property located at 3711 5th Avenue in Edgewater.

**LOCATION AND DESCRIPTION OF SITE**

The subject site consists of 19,063 square feet of land and is located on the northeast side of 5th Avenue. It is identified as Lots 34 thru 37 of Parcel 34 in Grid 10 on Tax Map 60 in the subdivision of Selby on the Bay.

The property is zoned R5 – Residential District, is located partially within the Chesapeake Bay Critical Area overlay, and is designated as IDA - Intensely Developed Area. It is currently improved with a one-story single-family detached dwelling, several accessory buildings, and a recently constructed two-story accessory structure that is the subject of this variance application.

**PROPOSAL**

The applicant seeks approval to perfect construction of a detached two-story accessory structure (first floor social/office space, second floor storage<sup>1</sup>) measuring 20' by 30' and 20 feet high.

**REQUESTED VARIANCES**

§ 18-4-701 of the Anne Arundel County Zoning Ordinance limits the height of an accessory structure in an R5 District to 25 feet or the height of the principal structure, whichever is less. The existing dwelling is 16 feet high; the accessory structure has been constructed 20 feet high, necessitating a variance of four feet to the maximum accessory structure height allowed.

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<sup>1</sup> The variance description provided by the applicant in the Land Use Navigator (LUN) system is to “allow [an] ADU structure to remain” at approximately 4 feet higher than the principal structure. The interior photos show a shower and bathtub. The County Inspector’s notes associated with the open compliance case (B-2024-517) describes a laundry room that was not on the approved plan. The Building Permit calls the first floor a “game room” with a bathroom, pantry, and wet bar with no cooktop. The applicant signed an affidavit attesting that she will not use the accessory structure as a guest house, independent dwelling unit, or for commercial purposes. Should the applicant decide to convert the accessory structure into an ADU in the future, this Office advises that a detached accessory dwelling unit must be permitted as an ADU, must meet all Building Code requirements for a dwelling, and is limited to the lesser of 800 square feet or 50% of the floor area of the principal dwelling.

## FINDINGS

The subject site easily exceeds the minimum 7,000 square foot area and minimum 60-foot width required for a lot in an R5 District. The 2024 County aerial photograph shows an eclectic mix of dwellings, some single-story and some multi-story, in this older waterfront community. The pre-construction critical area lot coverage was 4,085 square feet, and the post-construction coverage increased to 4,685 square feet.

The property is the subject of an open compliance case (B-2024-517) associated with an accessory structure that exceeds the height of the principal structure and for construction of a laundry room that was not on the approved plan. A stop work order for Building Permit #B02421046 has been placed on the property.

The applicant's letter explains that there are no special or unique characteristics to the actual land and that, when first consulting with the builder, she requested that the structure conform to the approved building application and that the height be kept to the same height of the principal structure. The applicant attests that the response from the builder was, "As long as no one complains, there will be no issue in the height proposed by the architect." The applicant concludes that the variance is necessary to avoid practical difficulty in the rebuilding of the structure and unnecessary hardship financially and legally.

The **Health Department** has reviewed the on-site sewage disposal and has determined that the request does not affect this system. The Department has no objection.

For the granting of a zoning variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular lot or because of exceptional circumstances other than financial, 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, there does not appear to be anything unique about the subject property nor do exceptional circumstances exist that would have prevented the applicant from developing the lot in accordance with the Code. The applicant indicated that the contractor convinced her that there would be no issue constructing the accessory structure taller than what was allowed. The fact that she knowingly took that risk and allowed the contractor to proceed is not justification for a variance. There appears to have been ample room on the lot to accommodate an accessory structure for socializing/office space as well as storage all on one level in accordance with the height restrictions of the Code. Furthermore, the 20' by 30' two-story accessory structure, totalling 1,200 square feet of floor area, exceeds what is typical for the neighborhood.

The variances would not necessarily alter the essential character of the neighborhood or impair the appropriate use or development of adjacent properties, as there are two-story structures nearby and the proposed structure would exceed the minimum setbacks required from all property lines. There is no evidence to show that the variance would be detrimental to the public welfare.

However, in addition to exceeding the maximum height limitation, the accessory structure has a total floor area of 1,200 square feet, which may exceed the above-grade living area of the principal structure (1,185 square feet as listed in State tax assessment records). Dimensions of the

2024-0182-V

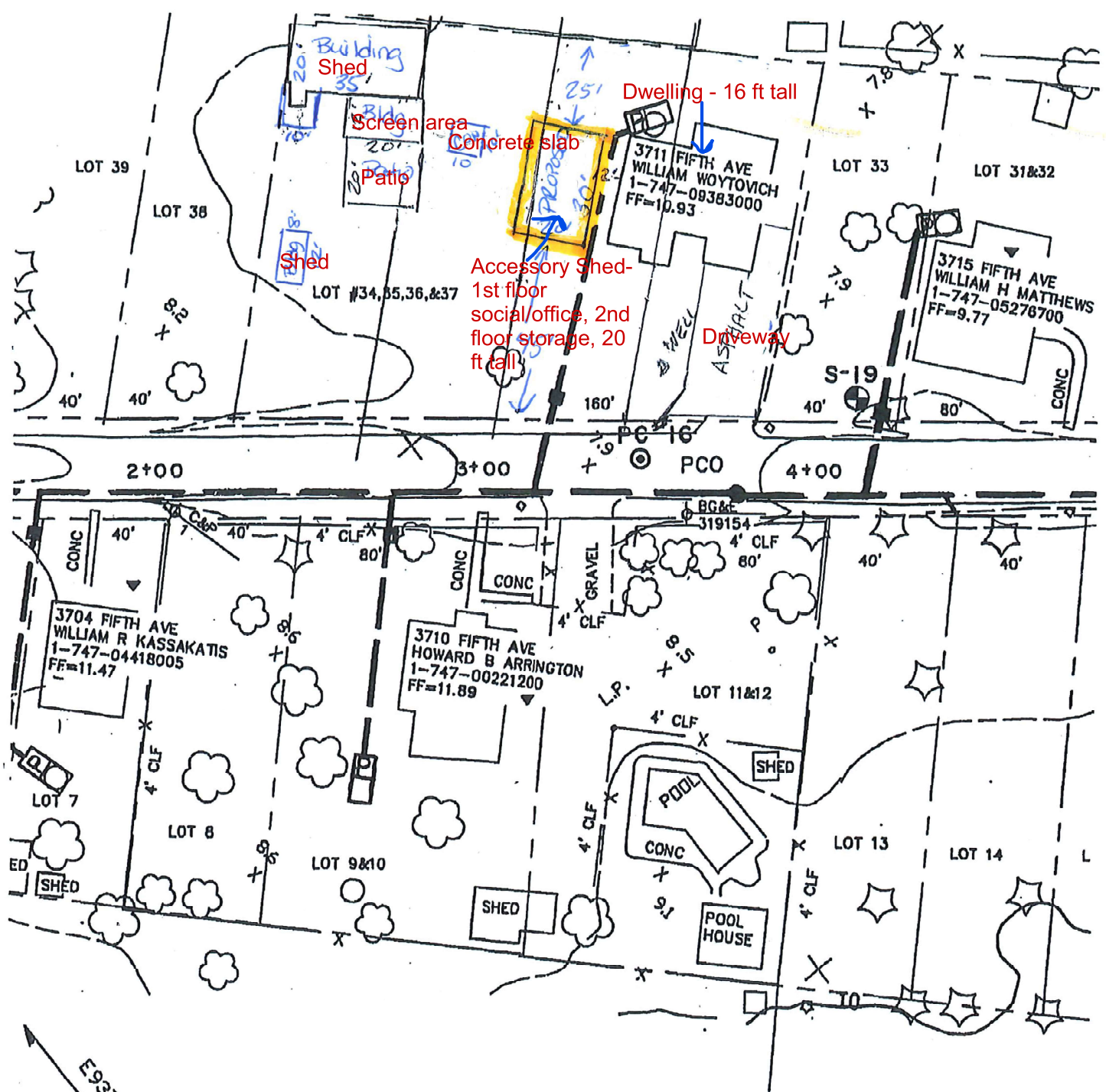
principal dwelling were not provided on the site plan, and it is unclear whether or not the floor area listed in the SDAT record is correct. However, if the floor area of the accessory structure exceeds the floor area of the principal structure, then an additional variance to § 18-2-204(d) would be required. The purpose of the provisions limiting the size and height of accessory structures is to prevent an accessory structure from dominating the lot, and the proposed height variance undermines this goal.

Given the fact that there were alternatives that would have provided the desired floor area on one level, the fact that no justification has been provided for electing to exceed the allowed height, and the fact that there were already multiple sheds on the property (including a large 20' by 35' shed in the northwest corner of the yard), the proposed accessory structure height variance cannot be supported, is not considered to be warranted, and is not deemed to be the minimum necessary.

### **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 zoning variance to § 18-4-701 to allow a two-story accessory structure with greater height than allowed. Should the Administrative Hearing Officer determine that variance relief is warranted, any approval should be conditioned on the applicant not using the proposed structure as a guest house, as an independent dwelling unit, or for commercial purposes.

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.



**PLAN**  
 SCALE: 1" = 40'

Variance Request: Letter of Explanation

3711 5<sup>th</sup> Avenue  
Edgewater, MD 21037  
September 23, 2024

To Whom It May Concern;

I, Karina Lee Haley, am applying for a variance to ordinance § 18-4-701. Bulk regulations, so that my fully constructed Residential Accessory Structure (Storage Unit/Game Room/Shed) may remain at a height of 20 feet, 4 feet taller than the principal structure on my property. This height is still under the maximum height restriction of 25 feet for the R5 zoning district. This is not a dwelling unit, but an accessory building for storage, crafts, socialization and office space.

This variance is requested as the accessory unit was fully constructed as of June 30, 2024, and plumbing was completed as of July 30, 2024. This construction includes all insulation, drywall, electric, plumbing and mechanical (See Exhibit 1). The electric, plumbing and mechanical are in full working condition. All inspections have been completed and **approved by the County** except for the final mechanical and final plumbing (See Exhibit 2). The stop work order was requested by the builder himself, on Thursday, August 1, 2024, after full completion of the plumbing installation (See Exhibit 3).

There are no special or unique characteristics to the actual land. When first consulting with the builder, I requested that the structure conform to the approved building application and that the height be kept to the same height of the principle structure. The response from the builder was that “as long as no one complains, there will be no issue in the height proposed by the architect.” The variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development before an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property.

As most inspections and all construction of the building itself have been completed, the variance is necessary to avoid practical difficulty in the

rebuilding of the structure and unnecessary hardship financially and legally. The variance will not alter the character of the neighborhood, interfere with the use or development of adjacent property, or be detrimental to the public welfare (See neighbor approval letter).

The granting of the variance will not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the County's critical area or a bog protection area. No replacement of utilities was necessary

Should you have any questions, please contact me at 410-798-0533.

Respectfully submitted,

Karina L. Haley

Exhibit 1



Exhibit 1





Exhibit 1



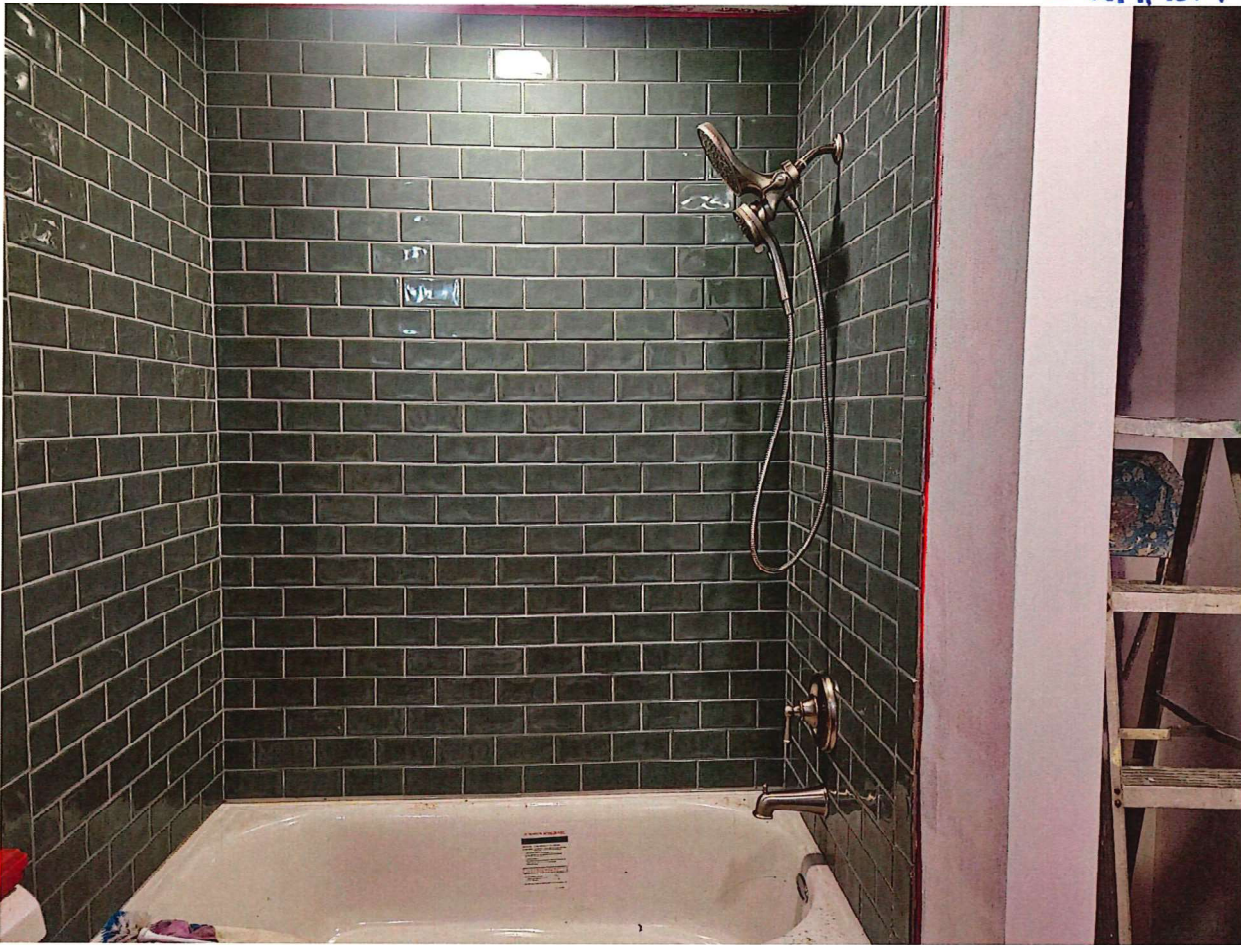
Exhibit 1



Exhibit 1



Exhibit 1



Record B02421046:

# Residential Accessory Structure

Record Status: Active

Record Info

Payments

Conditions 1



A notice was added to this record on 08/02/2024.  
Condition: Administrative Hold - SWO Severity: Notice  
Total Conditions: 1 (Notice: 1)

## Inspections

### Upcoming

[Schedule or Request an Inspection](#)

You have not added any inspections.  
Click the link above to schedule or request one.

### Completed (10)

Cancelled - 4; Fail - 1; Pass - 5

Pass Footing (3112105) Result by: Chris Motta on 04/08/2024 at 12:11 PM	<a href="#">View Details</a>
Pass Slab (3116436) Result by: Jon Ferguson on 04/16/2024 at 09:28 AM	<a href="#">View Details</a>
Pass Progress (3119164) Result by: Chris Motta on 04/19/2024 at 11:01 AM	<a href="#">View Details</a>
Cancelled Framing (3130536) Cancelled by: Karina Haley on 05/14/2024 at 01:52 PM	<a href="#">View Details</a>
Cancelled Final (3140958) Cancelled by: Karina Haley on 06/03/2024 at 08:53 AM	<a href="#">View Details</a>



### Completed (10)

Cancelled - 4; Fail - 1; Pass - 5

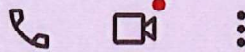
Fail Framing (3140944) Result by: Chris Motta on 06/04/2024 at 11:46 AM	<a href="#">View Details</a>
Pass Framing (3147463) Result by: Chris Motta on 06/11/2024 at 09:44 AM	<a href="#">View Details</a>
Pass Insulation (3144287) Result by: Chris Motta on 06/11/2024 at 09:45 AM	<a href="#">View Details</a>
Cancelled Final (3175389) Cancelled by: Karina Haley on 07/31/2024 at 08:01 AM	<a href="#">View Details</a>
Cancelled Final (3175966) Cancelled by: Karina Haley on 08/02/2024 at 01:01 PM	<a href="#">View Details</a>



12:02

87%

← Rob Gray



inspections passed

If you want to hold off until next week to pay her then I will reschedule other inspections

Different stories, mechanical & tile held the whole job up, I did everything I said I was gonna do & it was all done quickly

Not going to argue. Tell me when she's getting paid so I can reschedule inspections

Or, tell me what you owe her and I can make a decision on her payment

I'm done with the job, I'll take my own next steps we no longer need to text or communicate

1:29 PM

😊 RCS message



8:56

87%

← Rob Gray



7:58 AM

Mrs. Karina it wasn't about the 4th draw, I wanted \$ 7,500.00 of the balance to stay dead even with the job, I didn't do when the finals were complete because I can't control that time frame, the all inspections pass was the 4th draw & the rough ins, with that said I did exactly what I said I'd do with shutting the job down, I went too the county office & put a work stop on building, if u wanna meet tomorrow & go over what needs to happen to proceed I am willing to do that, I still want a check for \$7,500.00 leaving the balance of final till everything is okay, I personally don't like doing what happened but it's what I felt necessary at the moment, let me know if u wanna meet & resolve matters thank u Rob



RCS message



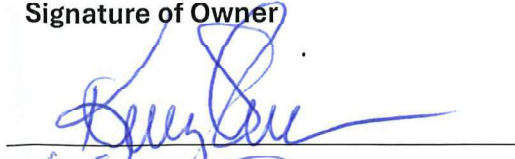
To: Anne Arundel County Planning and Zoning

We, the undersigned, are immediate neighbors of the premises located at 3711 5<sup>th</sup> Avenue, Edgewater, MD 21037. We have no objections to the Accessory Unit which was built upon that property.

Name and Address

Signature of Owner

Ryan and Kelly Thuillier – 3705 Fifth Ave



Troy and Tina Grenga – 3706 Fifth Ave



Lewis Flowers – 3710 Fifth Ave



Stacey Crow – 3715 Fifth Ave



Jason Rohrbaugh – 3710 Fourth Ave

NOT AVAILABLE

Will Warnick - 3704 5<sup>th</sup> Ave Will Warnick



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:

Tax Map #	Parcel #	Block #	Lot #	Section
006	0036	N	34 35 36	

FOR RESUBMITTAL ONLY	
Corrections	<input type="checkbox"/>
Redesign	<input type="checkbox"/>
No Change	<input type="checkbox"/>
Non-Critical Area	<input type="checkbox"/>
*Complete Only Page 1 General Project Information	

Tax ID: 1747-0938-3000

Project Name (site name, subdivision name, or other) Selby on the Bay

Project location/Address 3711 5th Avenue

City Edgewater Zip 21037

Local case number

Applicant: Last name Haley First name Karina

Company

**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:

Construction of a 600 sq foot accessory unit

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			Total Disturbed Area		600
LDA Area					
RCA Area			# of Lots Created		
Total Area					

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees			Existing Lot Coverage		4085
Created Forest/Woodland/Trees			New Lot Coverage		4685
Removed Forest/Woodland/Trees			Removed Lot Coverage		
			Total Lot Coverage		4685

**VARIANCE INFORMATION (Check all that apply)**

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		

Variance Type

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 type="checkbox"/>
Steep Slopes	<input type="checkbox"/>
Other	<input type="checkbox"/> _____

Structure

Acc. Structure Addition	<input checked="" type="checkbox"/>
Barn	<input type="checkbox"/>
Deck	<input type="checkbox"/>
Dwelling	<input type="checkbox"/>
Dwelling Addition	<input 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"/> _____

Variance Request: Critical Area Report

3711 5<sup>th</sup> Avenue  
Edgewater, MD 21037

September 23, 2024

To Whom It May Concern;

The project at the above referenced address will be an accessory unit to the principle residential dwelling.

On the property are a Maple, Pin Oak, Redbud, Crepe Myrtle, Blueberry bushes, Elderberry and Hazelnut bushes. All except for the existing Maple and one existing Pin Oak were planted in accordance with the Forestation Agreement submitted and accepted by the County with building Permit B02421046 (See Exhibit 4). A site plan of the plant placement was also included with that agreement.

A silt fence was placed around the construction site per County guidelines (See Exhibit 5).

Impervious surface before construction was 4085 square feet and after construction the total impervious surface is 4685 square feet. The total site area of the property is 19,063 square feet (See Exhibit 6).

The plantings and their locations were approved by the County on January 6, 2024.

Should you have any questions, please contact me at 410-798-0533.

Respectfully submitted,



Karina L. Haley

**DO NOT MAKE CHANGES TO THIS FORM****FORESTATION AGREEMENT**

THIS FORESTATION AGREEMENT is entered into this 6 day of January, 2024, by and between Karina L Haley, Owner, and ANNE ARUNDEL COUNTY, MARYLAND, a body corporate and politic of the State of Maryland ("County").

WHEREAS, Owner is the owner of the real property with a street address of 3711 5th Avenue, Edgewater, MD 21037 deed reference 24155/00036 (the "Property"), and Owner has filed or permitted to be filed an application for subdivision or a site development plan with an application for a building or grading permit or a standard grading plan, Permit No. B02421046; and

WHEREAS, the Owner is required by the Anne Arundel County Code ("Code") to enter into a Forestation Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained in this Agreement, the parties agree as follows:

**INSTALLATION AND INSPECTION**

1. The Owner or Purchaser has submitted and the County has approved a forest conservation plan, buffer management plan, reforestation plan ("Plan") for the Property, a copy of which is on file at the County Office of Planning and Zoning.
2. The Owner is required to complete reforestation, afforestation, or replanting on the Property in accordance with the Plan and the Code.
3. The Owner shall be responsible for the provision, installation, and maintenance of all plant materials required by the Plan and shall be bound by the terms and conditions of the approved Plan and all applicable law and regulations.
4. The total approved estimated cost of the installed plant materials is \$245.00, and a copy of the approved cost estimate is attached as **Exhibit A**.
5. Within 30 days after installation of all plant materials, the Owner shall notify the County in writing by certified mail, return receipt, that installation has been completed in accordance with the Plan and shall advise the County of any variations from the Plan or differences between the Plan and the final installation. The County will inspect the plant materials. Owner hereby grants to the County a right of entry onto the Property for the purpose

**DO NOT MAKE CHANGES TO THIS FORM**

of inspecting the approved installation and verifying compliance with the approved Plan.

6. The Owner has paid to the County an inspection fee in the amount of \$ 63.00, which is 7% of the total approved estimated cost of the installed plant materials. The inspection fee will not be decreased even if the actual cost claimed by the Owner is less.

**SECURITY**

7. All security required by this Agreement shall be in the form of a X cash deposit (including a certified or cashier's check), \_\_\_\_\_ irrevocable letter of credit, or \_\_\_\_\_ performance and completion bond; from a surety acceptable to the County.

8. This Agreement is accompanied by performance and completion security if required by the Code . The amount of the security is \$ 900.00, which is equal to \$1.50 per square foot in the Critical Area or, otherwise, equal to the total approved estimated cost of the installed plant materials as set forth in paragraph 4.

9. In addition to the security posted with this Agreement, the Owner agrees to reimburse the County for any and all additional costs incurred to complete, restore, or repair the plantings required by the Plan, including all County administrative costs; independent contractor, consulting engineer, or other expert fees; attorneys' fees; and pre-judgment interest at the rate of 6% per year. The Owner further authorizes the County to recover these additional costs by collection pursuant to § 1-9-101 of the County Code.

10. The County shall retain the security required by this Agreement for a period of two years after installation and acceptance of the plant materials. After the expiration of at least one growing season, the County may reduce by no more than 50% the amount of the security required by this Agreement if the Owner has performed at least 50% of the obligations under this Agreement and the County determines that a partial release will not impair implementation of the Agreement. To request a reduction, the Owner shall file an application with the County; provide justification and any required documentation, including new or additional security if the County so requires; and agree that all other terms and conditions of this Agreement shall remain in full force and effect.

11. If the Owner fails to request in writing a return of the security within 180 days after the expiration of the two-year period that the security is held under the Code and this Agreement, the security shall be forfeited by operation of law to the County's Forest Conservation Fund or to the critical area fund, as determined by the Planning and Zoning

**DO NOT MAKE CHANGES TO THIS FORM**

Officer.

**REMEDIES**

12. If the Owner fails to install the required plantings or fails to take appropriate and effective corrective action after written notice by the County or otherwise fails to perform this Agreement in any manner whatsoever, the County may declare the Owner in default and may complete, restore, or repair the plantings required by the Plan, either through its own forces or through a contractor. In addition, the County may take all action and pursue all available remedies, whether legal or equitable, provided for by applicable law, including forfeiture of any security and the recovery of any costs incurred by the County pursuant to the provisions of § 1-9-101 of the County Code.

13. No remedy available to the County is exclusive, all remedies shall be cumulative, and the exercise of one remedy by the County shall not preclude the exercise of other remedies at the same time or at different times.

**MISCELLANEOUS PROVISIONS**

14. The parties agree that the obligations of this Agreement will run with the land and bind the current owner of the property only, and that upon conveyance of the Property the obligations of this Agreement shall be assumed by the Grantee and the Owner shall be released without further obligation hereunder.

15. The Owner hereby waives all right of appeal on any issue relating to the requirement for the provision, installation, and maintenance of all plant materials required by the Plan and this Agreement.

16. This document and its attachments contain the complete and final Agreement between the parties and representations, whether written or oral, not contained in this Agreement shall not be part of this Agreement.

17. The laws of the State of Maryland shall govern this Agreement.

18. This Agreement shall inure to the benefit of and be binding on the parties and their heirs, personal representatives, legal representatives, successors, and assigns.

19. The parties agree that this Agreement constitutes a contract under seal and that they intend the twelve-year statute of limitations period as set forth in Maryland Courts and Judicial Proceedings Code Annotated §5-102 to apply to this Agreement.

20. If a court of competent jurisdiction determines that any provision of this

**DO NOT MAKE CHANGES TO THIS FORM**

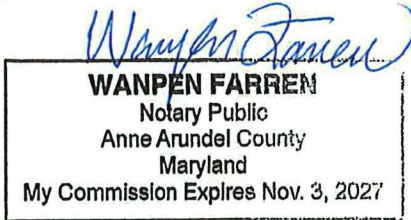
BY: \_\_\_\_\_ (SEAL)  
**JENNY B. JARKOWSKI**, PLANNING  
AND ZONING OFFICER FOR STEUART  
PITTMAN, COUNTY EXECUTIVE

REVIEWED FOR FORM AND  
LEGAL SUFFICIENCY:

**DO NOT MAKE CHANGES TO THIS FORM**

Agreement is invalid, illegal, or incapable of being enforced, all other conditions and provisions of this Agreement shall nevertheless remain in full force and effect and the rights and obligations of the parties shall be given effect to the fullest extent possible notwithstanding the determination of invalidity, illegality, or unenforceability.

January 4, 2024  
Date



\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

OWNER:

*Karina L Haley* (SEAL)  
**Karina L Haley**  
Print Name

OWNER:

\_\_\_\_\_  
(SEAL)

\_\_\_\_\_  
Print Name

OWNER:

\_\_\_\_\_  
(SEAL)

\_\_\_\_\_  
Print Name

ANNE ARUNDEL COUNTY, MARYLAND

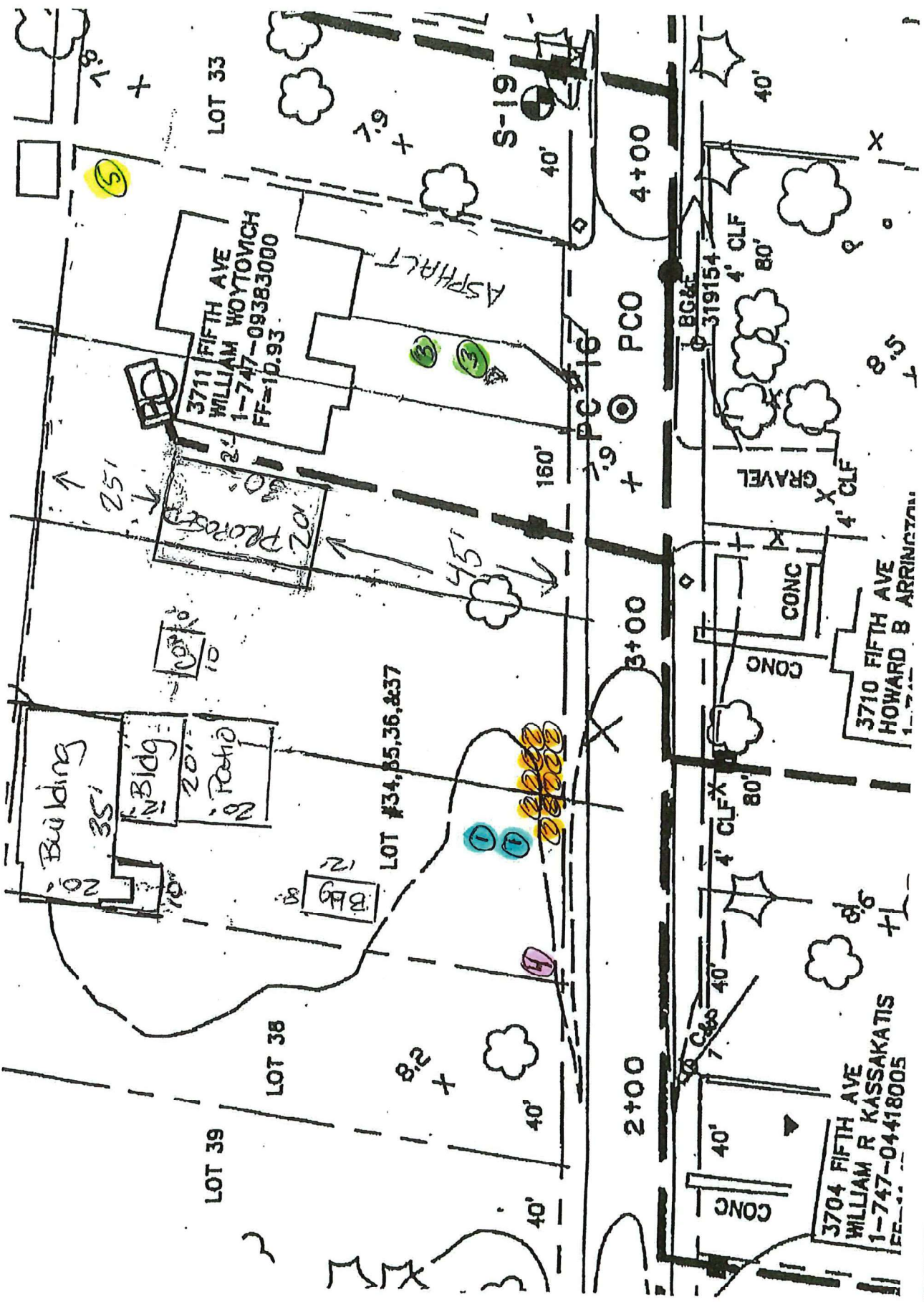


**Permit No. B02421046 Exhibit A**

Planting	Number of Plantings	Cost Per Plant	TOTAL COST
1 Hazelnut	2	\$12	\$24
2 Blueberry	9	\$15	\$135
3 Common Elderberry	2	\$28	\$56
4 Pin Oak	1	\$15	\$15
5 Red Bud	1	\$15	\$15

**TOTAL COST**

**\$245**



LOT 33

3711 FIFTH AVE  
WILLIAM HOYTOMICH  
1-747-09383000  
FF=10.93

LOT #34, 35, 36, & 37

LOT 38

LOT 39

3704 FIFTH AVE  
WILLIAM R KASSAKATIS  
FF=10.93

3710 FIFTH AVE  
HOWARD B ARRINGTON

4+00

3+00

2+00

PCO

PC 16

S-19

Building

Bldg

Porch

Bldg

ASPHALT

GRAVEL

CONC

CONC

CONC

CONC

319154

BC&E

251

201

20

35

20

10

8

12

20

20

20

20

20

20

20

20

20

20

20

20

1.9

7.9

160'

45'

7.9

40'

4' CLF

80'

4' CLF

80'

4' CLF

40'

40'

40'

8.5

8.5

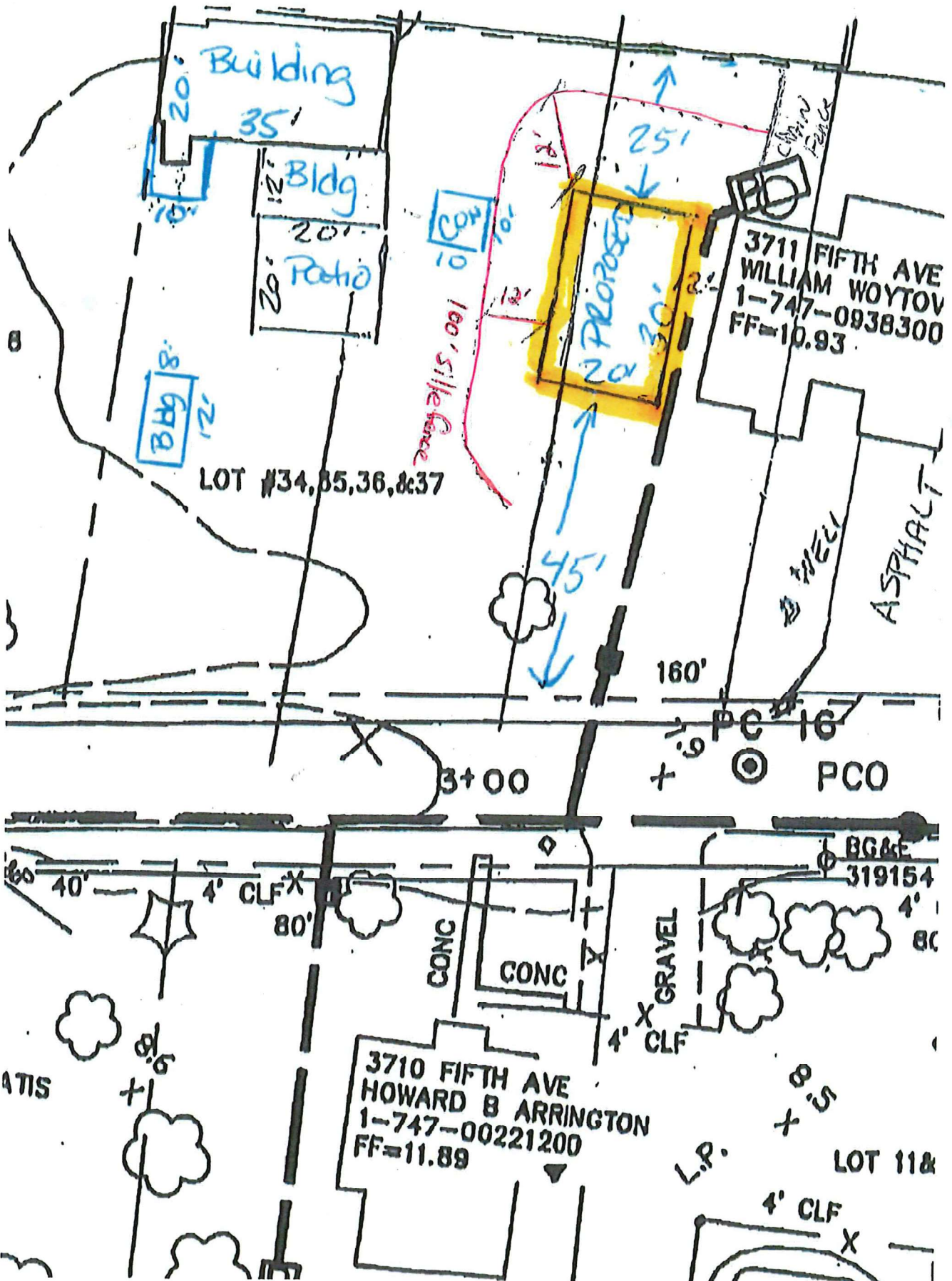
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CRITICAL AREA REPORT WORKSHEET TO ACCOMPANY THE SITE PLAN

Permit Number B 02421046

Total Site Area 19,063 Square Feet (1 Acre = 43,560 Square Feet)

Total Wooded Area 0 Square Feet- 'Wooded' MEANS A BIOLOGICAL COMMUNITY DOMINATED BY TREES AND OTHER WOODY PLANTS (SHRUBS AND UNDERGROWTH), INCLUDING FORESTS THAT HAVE BEEN CUT BUT NOT CLEARED.

\* Please Indicate Square Footage of Woodland Removed for the following:

- 1. House 0 Sq. Ft.
- 2. Septic or sewer 0 Sq. Ft.
- 3. Well 0 Sq. Ft.
- 4. Driveway 0 Sq. Ft.
- 5. Accessory Structure 0 Sq. Ft.
- 6. Additions 0 Sq. Ft.
- 7. Storm Water Management 0 Sq. Ft.
- 8. Other Clearing: work area; access; stockpiles, etc. 0 Sq. Ft.

\* Total Woodland Removed = 0 Sq. Ft.

"Impervious Coverage" IS ANY SURFACE THAT WILL NOT ABSORB LIQUID. THIS INCLUDES ROOFS, SIDEWALKS, DRIVEWAYS, AND ANY TYPE OF PAVEMENT. COMPACTED GRAVAEL IS CONSIDERED AN IMPERVIOUS SURFACE.

\* Please Indicate Square Footage of Impervious Coverage for the following:

- | <u>Existing Impervious</u>                  | <u>Proposed Impervious</u>                 |
|---|--|
| 1. House (roof area) <u>1185</u> Sq. Ft.    | 1. House (roof area) _____ Sq. Ft.         |
| 2. Driveway + Sidewalks <u>1500</u> Sq. Ft. | 2. Driveway + Sidewalks _____ Sq. Ft.      |
| 3. Accessory Structures <u>1400</u> Sq. Ft. | 3. Accessory Structures <u>600</u> Sq. Ft. |
|   | 4. Additions _____ Sq. Ft.                 |

\* Total Existing and Proposed Impervious Coverage 4685 Sq. Ft.

Ⓢ PLEASE INCLUDE ALL EXISTING AND PROPOSED SQUARE FOOTAGE.

I Karina Haley, \_\_\_\_\_, (property owner and contract purchaser, if applicable) hereby certify that the above critical area worksheet is true and correct based upon personal knowledge. I further declare that a copy of the foregoing document will be transferred to any purchaser of this property from me (or corporation, if applicable) at the time of settlement. I hereby understand that these computations shall be a binding part of issuance of a building permit for lot # 34 35 36, block # N of Subdivision Selby on the Bay.

I hereby certify that I have seen and read the record plat (if approved after 1986 and subject to Critical Area requirements) and have indicated on the attached site plan any easements, buffers, or other restrictions declared on said plat.

Karina Haley (Signature) 10/2/23 (Date)  
\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Signature) \_\_\_\_\_ (Date)

\_\_\_\_\_  
(Title)



MARYLAND

Office of Planning and Zoning

Jenny B. Jarkowski, Planning and Zoning Officer

**AFFIDAVIT-DETACHED ACCESSORY STRUCTURE**

PERMIT #: BO2421046

PROPERTY ADDRESS: 3711 54th Avenue  
Edgewater, MD 21037

TAX ACCOUNT #: 01747-0938-3000

I/WE, THE (PROPERTY OWNER OR CONTRACT PURCHASER IF APPLICABLE) UNDERSIGNED, IN MAKING AN APPLICATION FOR THE ABOVE REFERENCED BUILDING PERMIT, DO HEREBY ACKNOWLEDGE THAT THE USE OF THE DETACHED ACCESSORY STRUCTURE **WILL NOT BE USED AS A GUEST HOUSE, INDEPENDENT DWELLING UNIT OR FOR COMMERCIAL PURPOSES**

I HAVE BEEN INFORMED THAT IN THIS **R5** ZONING DISTRICT, APARTMENTS, TWO-UNIT DWELLINGS, GUEST HOUSES PER SECTION 18-4-106, RENTAL UNITS AND DETACHED ACCESSORY DWELLING UNITS THAT CONTAIN HABITABLE LIVING SPACE, OR ATTACHED UNITS NOT IN COMPLIANCE WITH ARTICLE 18, SECTIONS 18-1-101 (47)(vi) AND 18-10-122 ARE NOT PERMITTED USES UNDER THE ANNE ARUNDEL COUNTY ZONING CODE. I UNDERSTAND THAT THESE USES WOULD BE PURSUED AS ZONING VIOLATIONS IF INITIATED.

SIGNATURE [Handwritten Signature]  
PRINT NAME Karina Haley  
DATE January 6, 2024

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, TO WIT:

I HEREBY CERTIFY, THAT ON THIS 6 DAY OF January, 2024, BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED Karina Haley KNOWN TO ME (OR SATISFACTORILY PROVEN) TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN AGREEMENT AND ACKNOWLEDGED THAT HE OR SHE EXECUTED THE SAME FOR THE PURPOSE THEREIN.

IN WITNESS WHERE OF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

**WANPEN FARREN**  
Notary Public  
Anne Arundel County  
Maryland  
My Commission Expires Nov. 9, 2027

[Handwritten Signature]  
NOTARY PUBLIC



ANNE  
ARUNDEL  
COUNTY

MARYLAND  
DEPARTMENT OF HEALTH

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: October 15, 2024

RE: Karina L. Haley  
3711 5<sup>th</sup> Ave.  
Edgewater, MD 21037

NUMBER: 2024-0182-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow an accessory structure with greater heights than required.

The Health Department has reviewed the on-site sewage disposal 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



100 ft

