

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

**APPLICANT:** James Stewart

**ASSESSMENT DISTRICT:** 3rd

**CASE NUMBER:** 2024-0184-V

**COUNCILMANIC DISTRICT:** 3rd

**HEARING DATE:** January 7, 2025

**PREPARED BY:** Donnie Dyott Jr.   
Planner

**REQUEST**

The applicant is requesting a variance to allow an accessory structure (garage) in the front yard of a non-waterfront lot on property located at 384 Eagle Hill Road in Pasadena.

**LOCATION AND DESCRIPTION OF SITE**

The subject site consists of approximately 1.45 acres of land and is zoned as RLD - Residential Low District. The property is identified as Parcel 502 in Block 6 on Tax Map 32. This is a non-waterfront property located within the Chesapeake Bay Critical Area with a designation of LDA - Limited Development Area and is improved with a single family detached dwelling and associated facilities.

**APPLICANT'S PROPOSAL**

The applicant seeks to construct a detached garage measuring 24' X 24' with a height of 15' in the front yard of the property, northeast of the existing dwelling.

**REQUESTED VARIANCES**

§ 18-2-204 (b) of the Anne Arundel County Zoning Code states that an accessory structure may not be located in the front yard of a non-waterfront lot. The garage as proposed is in the front yard, necessitating a variance to this provision.

**FINDINGS**

The subject property is of adequate size and width for a lot in the RLD District. The State tax records indicate the dwelling was constructed in 1969. The applicant describes that the location was chosen to avoid impacts to the septic system and not to impact the water views of the neighbors should the garage be located in the rear yard.

The existing critical area lot coverage of 9,040 square feet complies with the 15% or 9,474 square feet allowed in the LDA. The proposed lot coverage after adding the garage of 9,616 square feet would exceed that allowable lot coverage. While exact lot coverage calculations are determined at the time of permit, this Office advises the applicant that going over the allowable lot coverage is not permitted and the applicant will be required to remove some existing lot coverage to stay within the allowable limit.

The **Health Department** commented they have no objection to the request as the proposal does not adversely affect the on-site sewage disposal and well water supply systems.

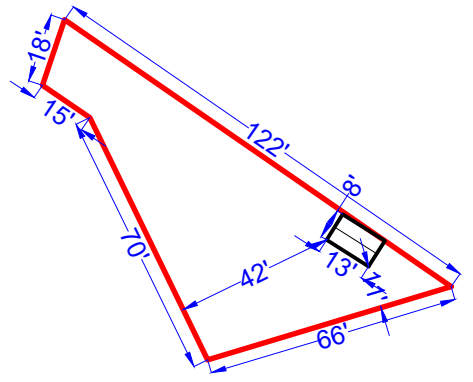
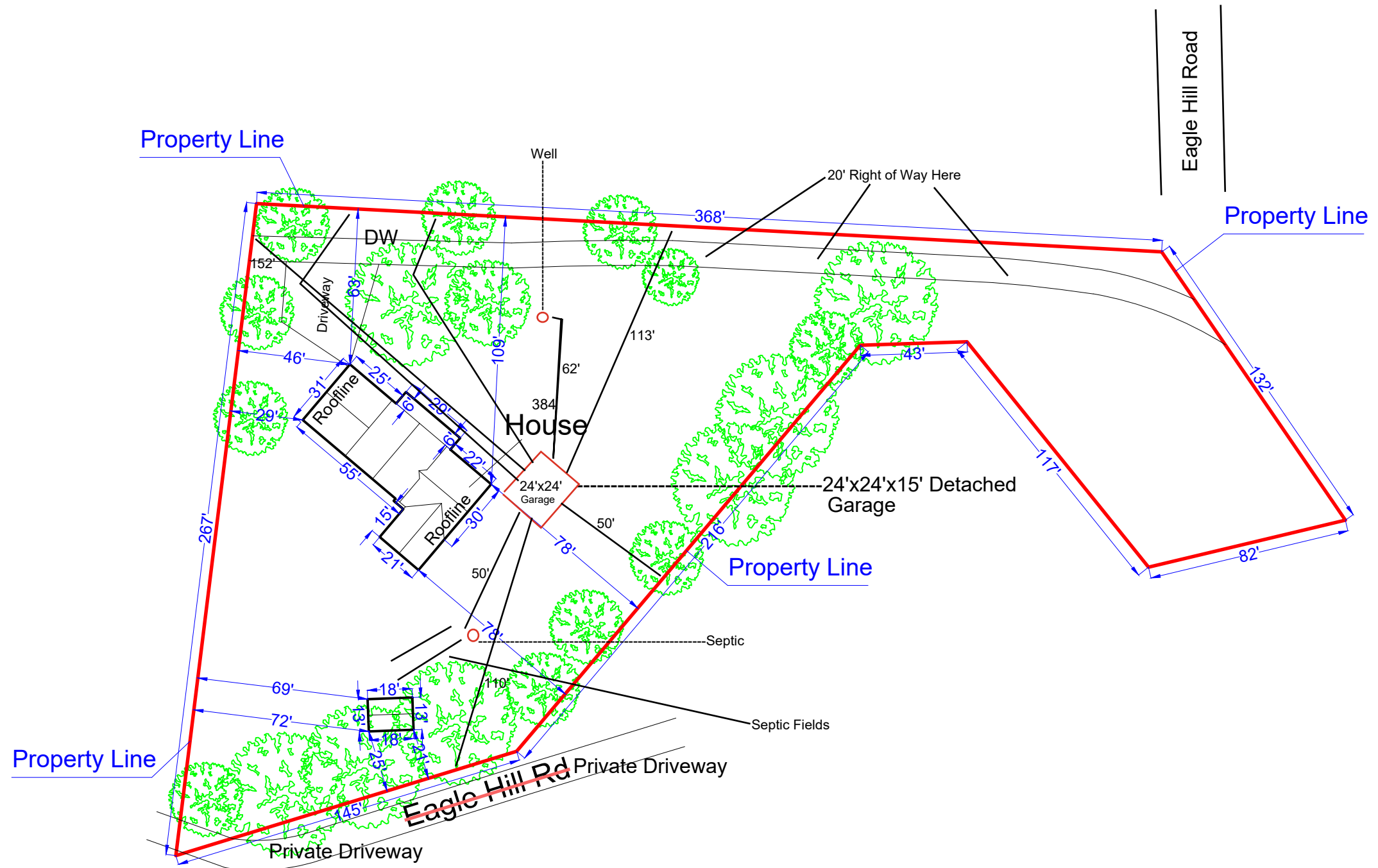
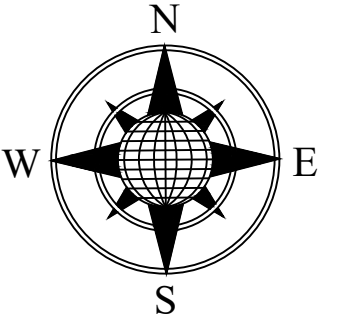
While the lot is of adequate size and width for the RLD District, it can be argued that the unique shape of the lot in combination with the locations of the existing dwelling and septic system creates a unique situation in which compliance with the Code is difficult. Given these constraints, placing an accessory structure in the side or rear yard is difficult and may cause practical difficulties to the applicant. As such some relief is warranted to allow the applicant to place the garage in the front yard of the site.

The proposed garage will measure approximately 24' X 24' which is a typical size for a two car garage and while forward of the dwelling, will still be located in close proximity to the dwelling. Given the large size of the front yard, the size and location of the proposed garage is considered the minimum necessary to afford relief by this Office. There is no evidence that the variance will alter the essential character of the neighborhood, be detrimental to the public welfare or impair the appropriate use or development of adjacent properties.

### **RECOMMENDATION**

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends ***approval*** of the zoning variance to allow the construction of the garage 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.



Parcel No. (APN) 03-000-33339524  
 Lot Area 1.45 ACRES  
**ADDRESS:** 384 Eagle Hill Rd  
 Pasadena, MD 21122  
 Scale: 1"=50'

**THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE**  
 This work product represents only generalized locations of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary.

Impervious Surface Calculation:  
 Lot area: 63,162 sq.ft.  
 Total impervious surface: 9,616 sq.ft.  
 Building Coverage Percentage:  $9,616 \text{ sq.ft.} / 63,162 \text{ sq.ft.} = 0.15224 = 15.22\%$

**James L. Stewart  
Susan M. Stewart  
384 Eagle Hill Road  
Pasadena, Maryland 21122  
410-925-7355**

Letter of Explanation for Variance Request

We are requesting a variance for the addition of a garage to be located in the front of our home. The property has certain unique physical conditions that are causing us to request this variance.

**Background:**

Our property is 1.45 acres. SDAT lists the property as waterfront. The footprint of our property has a separation between the main part of the property and the waterfront. Our neighbors, the Athey's property cuts across the back of our property with a driveway and a section that once was a driveway to a pier that also is no longer in use. We have access to our waterfront through an easement from the Athey's which allows us to cross over their property to access our waterfront. We have a pier and a small beach along with a small shed on this waterfront part of our property.

**Reason for the variance:**

We considered placing the proposed garage in the rear or the side of the property. This would have the negative effect of:

- Require a much longer driveway causing more non permeable land
- Would cross over our septic system
- Moving the proposed structure to the back of the home would be too close to the current septic system.
- Because of the limitations of the property, any relocation of the septic system would not be practical.
- Placing the driveway in the back of the home would not look aesthetically pleasing for our neighbors because it would create a structure that may interfere with others view of the water.
- If we turn the proposed garage to be parallel to the home, it would remove all three windows on that side of the home. Plus, the back of the garage would be too close to the septic system.

So, our only option is to request a variance.

Thank you for your consideration,

Jim Stewart

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 03 Subdivision - 000 Account Number - 33339524

**Owner Information**

Owner Name: STEWART JAMES LAWRENCE Use: RESIDENTIAL  
 STEWART SUSAN MILLER Principal Residence: YES  
 Mailing Address: 384 EAGLE HILL RD Deed Reference: /36944/ 00408  
 PASADENA MD 21122-5304

**Location & Structure Information**

Premises Address: 384 EAGLE HILL RD Legal Description: 1.459 ACRES  
 PASADENA 21122-0000 384 EAGLE HILL RD  
 Waterfront PASADENA

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0032	0006	0502	3060001.02	000				2025	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1969	1,976 SF	505 SF	1.4500 AC	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	NO	SPLIT LEVEL	ASBESTOS SHINGLE/	3	3 full/ 1 half	1 Attached	

**Value Information**

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2022	07/01/2024	07/01/2025
Land:	387,600	387,600		
Improvements	246,100	246,100		
Total:	633,700	633,700	633,700	
Preferential Land:	0			

**Transfer Information**

Seller: MCNAIR JOHN W JR TRUSTEE	Date: 06/08/2021	Price: \$705,000
Type: ARMS LENGTH IMPROVED	Deed1: /36944/ 00408	Deed2:
Seller: MCNAIR JOHN W JR	Date: 07/31/2015	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /28652/ 00130	Deed2:
Seller:	Date: 09/03/1985	Price: \$222,500
Type:	Deed1: /03944/ 00766	Deed2:

**Exemption Information**

Partial Exempt Assessments:	Class		
County:	000	07/01/2024	07/01/2025
State:	000	0.00	
Municipal:	000	0.00	
		0.00	0.00

Special Tax Recapture: None

**Homestead Application Information**

Homestead Application Status: No Application

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application Date:



DEED  
1/2

DEED

After recording please mail to:  
Cole Title & Escrow, Inc.  
2405 York Road Suite 303  
Timonium, MD 21093

File No.: 21y105  
Tax ID No.: 03-000-3333-9524 Taxes)  
Recording only ST20.00  
Name: MCNAIR  
Ref:  
LR - Deed (with Taxes)  
Surcharge 40.00  
LR and Sheryl  
dated 3,525.00  
Miller Stewart, - 1kd  
43,766.63  
SubTotal: 47,351.63  
and No Cents 47,411.63  
06/04/21 03:40 PM C 0001 R 0003  
Val # : 0003-258936 \$7,050.00  
County Transfer Tax

THIS DEED, made this 14th day of May, 2021, by and between John Wesley McNair, Masiello McNair, Trustees under the "John W. and Sheryl M. McNair Joint Revocable Trust" dated September 8, 2014, parties of the first part, and James Lawrence Stewart and Susan Miller Stewart, Husband and Wife, parties of the second part.

WITNESSETH, that in consideration of the sum of Seven Hundred Five Thousand Dollars (\$705,000.00); and other good and valuable consideration, the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey unto the parties of the second part as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple all that property situate in Anne Arundel County, State of Maryland, described as follows, that is to say:

BEING KNOWN AND DESIGNATED AS BEGINNING FOR THE SAME AT AN IRON PIPE FOUND IN A ROADWAY AT THE END OF THE FOURTH OF SOUTH 81 DEGREES EAST 665 FOOT LINE OF THE CONVEYANCE BY WILLIAM M. ELDER ADN WIFE TO STEPHEN M. O'CONNELL AND WIFE DATED SEPTEMBER 2, 1931, AND RECORDED IN LIBER FSR NO 89, FOLIO 405; THENCE LEAVING SAID BEGINNING POINT AND RUNNING REVERSELY WITH SAID FOURTH LINE NORTH 79 DEGREES 52 MINUTES 20 SECONDS WEST 486.26 FEET TO A CONCRETE MONUMENT FOUND; THENCE NORTH 80 DEGREES 30 MINUTES 40 SECONDS WEST 141.60 FEET TO A POINT ON THE SHORE OF BLACK HOLE CREEK; THENCE RUNNING WITH THE SHORE LINE OF SAID CREEK SOUTH 21 DEGREES 27 MINUTES WEST 60.25 FEET, SOUTH 7 DEGREES 27 MINUTES EAST 210.85 FEET TO A HUB STAKE; THENCE LEAVING THE SHORE LINE OF BLACK HOLE CREEK SOUTH 17 DEGREES 18 MINUTES EAST 70.45 FEET TO A HUB ON THE NORTHERN SIDE OF A 20 FOOT RIGHT OF WAY WITH THE USE IN COMMON, LEADING TO THE WHARF MENTIONED IN SAID DEED FROM ELDER TO O'CONNELL, THENCE WITH THE NORTHERN SIDE OF SAID 20 FOOT RIGHT OF WAY AND THE SAID RIGHT OF WAY LINE ALSO BEING THE NORTHWEST LINE OF THE CONVEYANCE BY STEPHEN M. O'CONNELL AND WIFE TO EDNA G. PUMPHREY BY DEED DATED AUGUST 31, 1956, AND RECORDED IN LIBER GTC NO 1059, FOLIO 76, AS SURVEYED BY T.T. PANTALEO IN AUGUST, 1956, NORTH 79 DEGREES 57 MINUTES EAST 313.89 FEET TO AN IRON PIPE FOUND; THENCE LEAVING SAID CONVEYANCE BY STEPHEN H. O'CONNELL TO EDNA G. PUMPHREY AND CONTINUING WITH THE NORTHERN SIDE OF THE 20 FOOT RIGHT OF WAY NORTH 82 DEGREES 58 MINUTES EAST 8.85 FEET TO AN IRON PIPE NOW SET; THENCE LEAVING SAID 20 FOOT RIGHT OF WAY NORTH 46 DEGREES 23 MINUTES EAST 210.77 FEET TO AN IRON PIPE NOW SET; THNCE SOUTH 79 DEGREES 52 MINUTES EAST 43.84 FEET TO AN IRON PIPE; THENCE SOUTH 31 DEGREES 48 MINUTES EAST 127.54 FEET TO AN IRON PIPE NOW SET ON THE NORTHERN SIDE OF THE ABOVE MENTIONED 20 FOOT RIGHT OF WAY, THENCE RUNNING WITH SAID RIGHT OF WAY NORTH 82 DEGREES 58 MINUTES EAST 78.27 FEET TO AN IRON PIPE THERE FOUND, THENCE RUNNING WITH PART OF THE FIFTH LINE OF THE WHOLE TRACT NORTH 27 DEGREES 49 MINUTES 20 SECONDS WEST 142.29 FEET TO THE PLACE OF BEGINNING.

CONTAINING 3 ACRES, MORE OR LESS, ACCORDING TO SURVEY AND PLAT MADE BY ED HALL, III, DATED MAY, 1957, COPY FILED IN LIBER GTC NO 1152, FOLIO 510, AND IN LIBER GTC NO 1522, FOLIO 488.

SAVING AND EXCEPTING THEREFROM THOSE PARCELS OF GROUND WHICH BY DEED DATED

ACCT. 3001-3333-9524  
ALL LIENS ARE PAID AS  
OF 6/4/21 A.A. COUNTY  
BY: [Signature]

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 36944, p. 0408, MSA\_CE59\_37386. Date available 06/23/2021. Printed 08/26/2024  
06/04/21 03:40 PM C 0001 R 0003  
Val # : 0003-258936 \$4,935.00  
Deed - Recordation Tax - Mail  
Instrument Type: Deed

06/04/21 03:40 PM C 0001 R 0003  
Val # : 0003-258936 \$7,050.00  
County Transfer Tax

NOVEMBER 9, 1961 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY IN LIBER GTC NO 1522, FOLIO 445, WERE GRANTED AND CONVEYED BY FRANK J. ROWE, JR., AND WIFE TO THOMAS E. EREHMBRINK AND BY DEED DATED JULY 23, 1962, AND RECORDED AMONG SAID LAND RECORDS IN LIBER EGO NO 1581, FOLIO 194, WERE GRANTED AND CONVEYED BY FRANK J. ROWE, JR., AND WIFE UNTO JAMES A. KELLY AND WIFE.

THE IMPROVEMENTS THEREON BEING KNOWN AS 384 EAGLE HILL ROAD  
TAX ID #03-000-33339524

BEING the same property which by deed dated July 30, 2015 and recorded among the Land Records of Anne Arundel County in Liber RPD 28652, Folio 130 was granted and conveyed by John Wesley McNair and Sheryl Masiello McNair to John Wesley McNair, Jr. and Sheryl Masiello McNair, Trustees under the "John W. and Sheryl M. McNair Joint Revocable Trust" dated September 8, 2014, the grantor herein.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD said described lot of ground and premises to the said parties of the second part as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple.

AND the said parties of the first part hereby covenant 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 conveyed; and that they will execute such further assurances of the same as may be requisite or necessary.



WITNESS, the hands and seals of said Grantors.

WITNESS:

[Handwritten Signature]

GRANTOR(S):

JOHN WESLEY MCNAIR, JR. AND SHERYL MASIELLO MCNAIR, TRUSTEES UNDER THE (Seal)  
"JOHN W. AND SHERYL M. MCNAIR JOINT REVOCABLE TRUST" DATED SEPTEMBER 8, 2014

[Handwritten Signature]

John Wesley McNair Jr.  
Trustee

[Handwritten Signature]

Sheryl Masiello McNair  
Trustee

State of NC  
County of Watauga, to wit;

I hereby certify that on this 5 day of May, 2021 before me, the subscriber, personally appeared John Wesley McNair, Jr. and Sheryl Masiello McNair, Trustees under the "John W. and Sheryl M. McNair Joint Revocable Trust" dated September 8, 2014, known to me or satisfactorily proven to be the persons whose name is subscribed to the within instrument, who signed the same in my presence and acknowledged that they executed the same for the purposes therein contained.

WITNESS MY HAND AND NOTARIAL SEAL.  
**VALERIE D WELBORN**  
Notary Public  
Watauga Co., North Carolina  
My Commission Expires July 22, 2025

[Handwritten Signature]  
Notary Public

My Commission Expires: 07-22-2025

THIS IS TO CERTIFY THAT THIS INSTRUMENT has been prepared under the supervision of James Larrimore, an Attorney admitted to practice before the Court of Appeals of the State of Maryland.

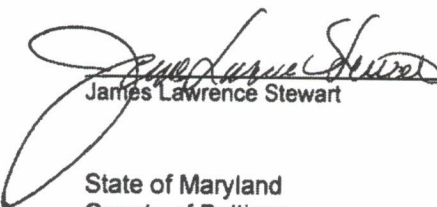
[Handwritten Signature]  
James Larrimore, Esquire



### AFFIDAVIT OF GRANTEES PRIMARY RESIDENCE

THE UNDERSIGNED EACH STATE UNDER OATH AS FOLLOWS:

1. The undersigned buyers are the Grantees of residentially improved real property located at 384 Eagle Hill Rd., Pasadena, MD 21122 in Maryland.
2. The undersigned states that the above referenced property will be principal residence which will occupy.

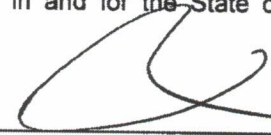
  
 \_\_\_\_\_  
 James Lawrence Stewart

(Seal)  (Seal)  
 \_\_\_\_\_  
 Susan Miller Stewart

State of Maryland  
County of Baltimore

Subscribed and Sworn to before me, a Notary Public in and for the State of Maryland, County of Baltimore, this 14<sup>th</sup> day of May, 2021.



  
 \_\_\_\_\_  
 Notary Public:  
 My Commission Expires: \_\_\_\_\_



ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 36944, p. 0411, MSA\_CE59\_37386. Date available 06/23/2021. Printed 08/26/2024.

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 36944, p. 0412, MSA\_CE59\_37386, Date available 06/23/2021, Printed 08/26/2024.

State of Maryland Land Instrument Intake Sheet											
<input type="checkbox"/> Baltimore City <input checked="" type="checkbox"/> 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)											
<b>1</b>	<b>Type(s) of Instruments</b>	( <input type="checkbox"/> Check Box if addendum Intake Form is Attached.) <input checked="" type="checkbox"/> Deed <input type="checkbox"/> Mortgage <input type="checkbox"/> Other _____ <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Deed of Trust <input type="checkbox"/> Lease <input type="checkbox"/> _____ <input type="checkbox"/> _____									
<b>2</b>	<b>Conveyance Type Checkbox</b>	<input type="checkbox"/> Improved Sale Arms-Length [1]	<input type="checkbox"/> Unimproved Sale Arms-Length [2]	<input type="checkbox"/> Multiple Accounts Arms-Length [3]	<input type="checkbox"/> Not an Arms-Length Sale [9]						
<b>3</b>	<b>Tax Exemptions (if applicable)</b> Cite or Explain Authority	Recordation _____ State Transfer _____ County Transfer _____									
<b>4</b>	<b>Consideration and Tax Calculations</b>	Consideration Amount			Finance Office Use Only Transfer and Recordation Tax Consideration						
		Purchase Price/Consideration	\$705,000.00	Transfer Tax Consideration	\$ _____						
		Any New Mortgage	\$548,200.00	X ( _____ )%	= \$ _____						
		Balance of Existing Mortgage	\$ _____	Less Exemption Amount	- \$ _____						
		Other:	\$ _____	Total Transfer Tax	= \$ _____						
		Other:	\$ _____	Recordation Tax Consideration	\$ _____						
	Full Cash Value:	\$ _____	X ( _____ )% per \$500	= \$ _____							
			<b>TOTAL DUE</b>	<b>\$ _____</b>							
<b>5</b>	<b>Fees</b>	Amount of Fees		Doc. 1	Doc. 2	Agent:					
		Recording Charge	\$20.00	\$20.00							
		Surcharge	\$40.00	\$40.00							
		State Recordation Tax	\$4935.00	\$ _____							
		State Transfer Tax	\$3,525.00	\$ _____							
		County Transfer Tax	\$7,050.00	\$ _____							
		Other:	\$ _____	\$ _____							
		Other:	\$ _____	\$ _____							
<b>6</b>	<b>Description of Property</b> 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				
			03-000-33339524	28652/130				<input type="checkbox"/> (5)			
		Subdivision Name	Lot (3a)	Block(3b)	Sec/AR (3c)	Plat Ref.	SqF/Acreage (4)				
		Location/Address of Property Being Conveyed (2)									
		384 Eagle Hill Rd., Pasadena, MD 21122									
		Other Property Identifiers (if applicable)					Water Meter Account No.				
		Residential <input checked="" type="checkbox"/> or Non-Residential <input type="checkbox"/> Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/> Amount: _____ Partial Conveyance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    Description/Amt. of SqF/Acreage Transferred: _____									
		If Partial Conveyance, List Improvements Conveyed:									
		Doc. 1 - Grantor(s) Name(s)			Doc. 2 - Grantor(s) Name(s)						
		JOHN WESLEY MCNAIR, JR AND SHERYL MASIELLO MCNAIR, TRUSTEES UNDER THE " JOHN W. AND SHERYL M. MCNAIR JOINT REVOCABLE TRUST" DTD SEPTEMBER 8, 2014			JAMES LAWRENCE STEWART AND SUSAN MILLER STEWART						
	Doc. 1 - Owner(s) of Record, if Different from Grantor(s)			Doc. 2 - Owner(s) of Record, if Different from Grantor(s)							
<b>8</b>	<b>Transferred To</b>	Doc. 1 - Grantee(s) Name(s)			Doc. 2 - Grantee(s) Name(s)						
		JAMES LAWRENCE STEWART AND SUSAN MILLER STEWART			RUTH GREEN						
		New Owner's (Grantee) Mailing Address									
	384 Eagle Hill Rd., Pasadena, MD 21122										
<b>9</b>	<b>Other Names to Be Indexed</b>	Doc. 1 - Additional Names to be Indexed (Optional)			Doc. 2 - Additional Names to be Indexed (Optional)						
					PRIMARY RESIDENTIAL MORTGAGE INC.						
<b>10</b>	<b>Contact/Mail Information</b>	Instrument Submitted By or Contact Person					<input type="checkbox"/> Return to Contact Person				
		Name: Michelle Cole					<input type="checkbox"/> Hold for Pickup				
		Firm: Cole Title & Escrow, Inc.					<input type="checkbox"/> Return Address Provided				
		Address: 2405 York Road Suite 303, Timonium, MD 21093									
	Phone: (410) 252-5180										
<b>11</b>	<b>IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER</b>										
	<b>Assessment Information</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Will the property being conveyed be the grantee's principal residence? <input type="checkbox"/> Yes <input type="checkbox"/> No Does transfer include personal property? If yes, identify: _____ <input type="checkbox"/> Yes <input type="checkbox"/> No 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	20	20	Geo.	Map	Sub	Block				
	Land			Zoning	Grid	Plat	Lot				
	Buildings			Use	Parcel	Section	Occ. Cd.				
	Total			Town Cd.	Ex. St.	Ex. Cd.					
	REMARKS:										

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

PROJECT NOTIFICATION APPLICATION

**GENERAL PROJECT INFORMATION**

Jurisdiction:

Date: Sept 24, 2024

Tax Map #	Parcel #	Block #	Lot #	Section
0032	0502			

**FOR RESUBMITTAL ONLY**

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

\*Complete Only Page 1  
 General Project Information

Tax ID: 03-000-33339524

Project Name (site name, subdivision name, or other) Stewart Garage Variance

Project location/Address 384 Eagle Hill Rd

City Pasadena, MD Zip 21122

Local case number B02426897

Applicant: Last name Levine First name Charles

Company Just Permits, LLC

**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 Stewart First name James

Phone # 410-925-7355 Response from Commission Required By

Fax # Hearing date

**SPECIFIC PROJECT INFORMATION**

Describe Proposed use of project site:

Construct Detached Garage Adjacent to Single Family Dwelling
--

Yes Intra-Family Transfer <input type="checkbox"/> Grandfathered Lot <input 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"/>
---	---

**SITE INVENTORY (Enter acres or square feet)**

	Acres	Sq Ft		Acres	Sq Ft
IDA Area			Total Disturbed Area		576
LDA Area	1.45	63,162			
RCA Area			# of Lots Created		
Total Area					

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		2500	Existing Lot Coverage		9,040
Created Forest/Woodland/Trees			New Lot Coverage		576
Removed Forest/Woodland/Trees			Removed Lot Coverage		
			Total Lot Coverage		9,616

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

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		
Non-Buffer Disturbance		576	Mitigation		

<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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## **Critical Area Report - Narrative Statement**

**To Whom it may Concern,**

**The Owners, Jim and Susan Stewart, live in Pasadena, MD. It is their primary residence. They are planning a 24/24 detached garage to be constructed in the north-east front of the property perpendicular to the residence. There will be sufficient distance between the proposed garage and the well and septic, well within the county guidelines.**

**This property is on Black Hole Creek, with roughly 1.45 total acres of land (or 63,162 sq ft) including 9616 sq ft of impervious surface, including an existing stone shared driveway (roughly 10% of the impervious surface) on the narrow property.**

**The property is unusual because while the county lists the property as waterfront, you must walk across an easement to get from the main part of the property to the waterfront. Because the waterfront part of the property is not contiguous with the rest of the property, zoning has deemed the property not waterfront. This determination would require the garage to be in the back of the home. This would require us to create a much longer driveway and move the existing septic. We do not want to increase the amount of impervious surface any more than requested. This is why we are asking you to consider a variance for the construction of the garage in the front of our home.**

**The existing home footprint accounts for roughly 9616 sq ft of impervious surface, including two sheds totaling 100 sq. ft, and nearly 200 sq ft of driveway. The location of the proposed garage is on a relatively flat area. No plants or trees will be affected. There was an old maple tree that was removed prior to the creation of the new driveway in 2023. This was an old tree that was a danger to the home with large branches extending over the roof and driveway. The old driveway was cement and was crumbling and uneven and boarded by deteriorated creosote railroad ties It extended to the side of the home to create a basketball court. It was a safety hazard and was removed as soon as we purchased the home. When we replaced the driveway in 2023, we redirected it to the front of the home which also acts as our sidewalk. This reduced the amount of impervious surface by eliminating a separate sidewalk.**

**Please reference the attached site improvement plan which includes topographic details for the property.**

**The property has an estimated 2,500 sq ft of existing vegetation (within flower beds) consisting mostly of local Maryland shrubs, trees, and annual plants. This addition will be 576 sq ft. of additional impervious space plus the existing driveway. No trees or shrubs will be removed or disturbed in construction.**

**The contractor plans to install a silt fence for erosion, water quality, and environmental controls across the entirety of the property on the water side of the house to protect the Chesapeake Bay. Additionally, no native trees or plants will be removed during construction to protect against erosion or habitat disruption. There are no special considerations required for this property for habitat protection although measures described above will be taken to ensure that there is minimal disruption to the property.**

# 384 Eagle Hill topo map



## Legend

### Foundation

Addressing



Parcels



### Structure

County Structure

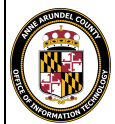


### Elevation

Topo 2020

Index

Intermediate



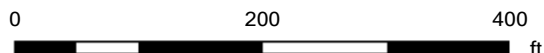
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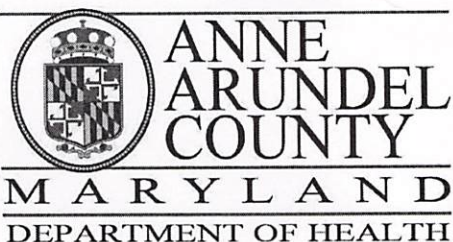
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THIS MAP IS NOT TO BE  
USED FOR NAVIGATION

Notes 1"=200'






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: October 21, 2024

RE: Lawrence James Stewart  
384 Eagle Hill Road  
Pasadena, MD 21122

NUMBER: 2024-0184-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow an accessory structure (detached garage).

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



# Map Title



## Legend

### Foundation

#### Addressing



#### Parcels



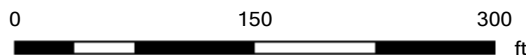
#### Parcels - Annapolis City



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none

## Notes



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