

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

APPLICANT: Carlos M. Gonzalez

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2024-0194-V

COUNCIL DISTRICT: 3

HEARING DATE: January 14, 2025

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicant is requesting variances to allow a dwelling addition (screened porch) with less setbacks than required on property located at 7908 Caldwell Court in Pasadena.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 7,313 square feet of land and is located on the northeast side of the cul-de-sac of Caldwell Court. It is identified as Lot 4 in the Caldwell Landing subdivision, Parcel 142 in Grid 10 on Tax Map 16 . The property is zoned R5 – Residential District, and does not lie within the Chesapeake Bay Critical Area. It is improved with a split-foyer dwelling and associated facilities.

PROPOSAL

The applicant proposes to construct a screened porch (10' x 15', with a maximum height of 9'-4") on the rear of the dwelling.

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 rear lot line. The proposed addition would be constructed as close as 12 feet from the rear lot line, necessitating a variance of 8 feet.

FINDINGS

The subject property is irregularly shaped and exceeds the minimum lot size of 7,000 square feet but is undersized with regard to the minimum lot width of 60 feet for lots in the R5 District. A review of the County aerial photography shows an eclectic mix of lots and houses in this neighborhood.

The existing coverage by structures is approximately 963 square feet. The proposed post-construction coverage by structures is approximately 1,113 square feet, which is well below the maximum coverage by structures allowed under § 18-4-701 (40% of the gross area of the lot, or 2,925.2 square feet).

Building permit B02430359, to construct a screened porch, was submitted on September 12, 2024. Variance approval must be obtained prior to the permit being issued.

The applicant's letter explains that the construction will require minimum grade alterations for slab footings and that no other alterations will be required since the preexisting grade is flat, compacted and cleared from any vegetation.

Agency Comments

The **Health Department** noted that the property is served by public water and sewer facilities, and has no objection to the request.

The **Cultural Resources Section** of the Office of Planning & Zoning noted that the property is a non-contributing structure located within the Freetown Historic District (AA-722), and that this project presents no adverse effect to the district.

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.

In this particular case, the dwelling is located in the corner of the triangular lot, with a rain garden along the western side of the dwelling, limiting the location for a porch addition. Although the proposed porch would encroach into the rear setback, the property backs up to an open space conservation property, owned by the Homeowner's association, which cannot be developed.

As such, the granting of a variance to construct a screened porch on the rear of the dwelling would not alter the essential character of the neighborhood or district in which the lot is located, would not substantially impair the appropriate use or development of adjacent property, nor would it be detrimental to the public welfare.

RECOMMENDATION

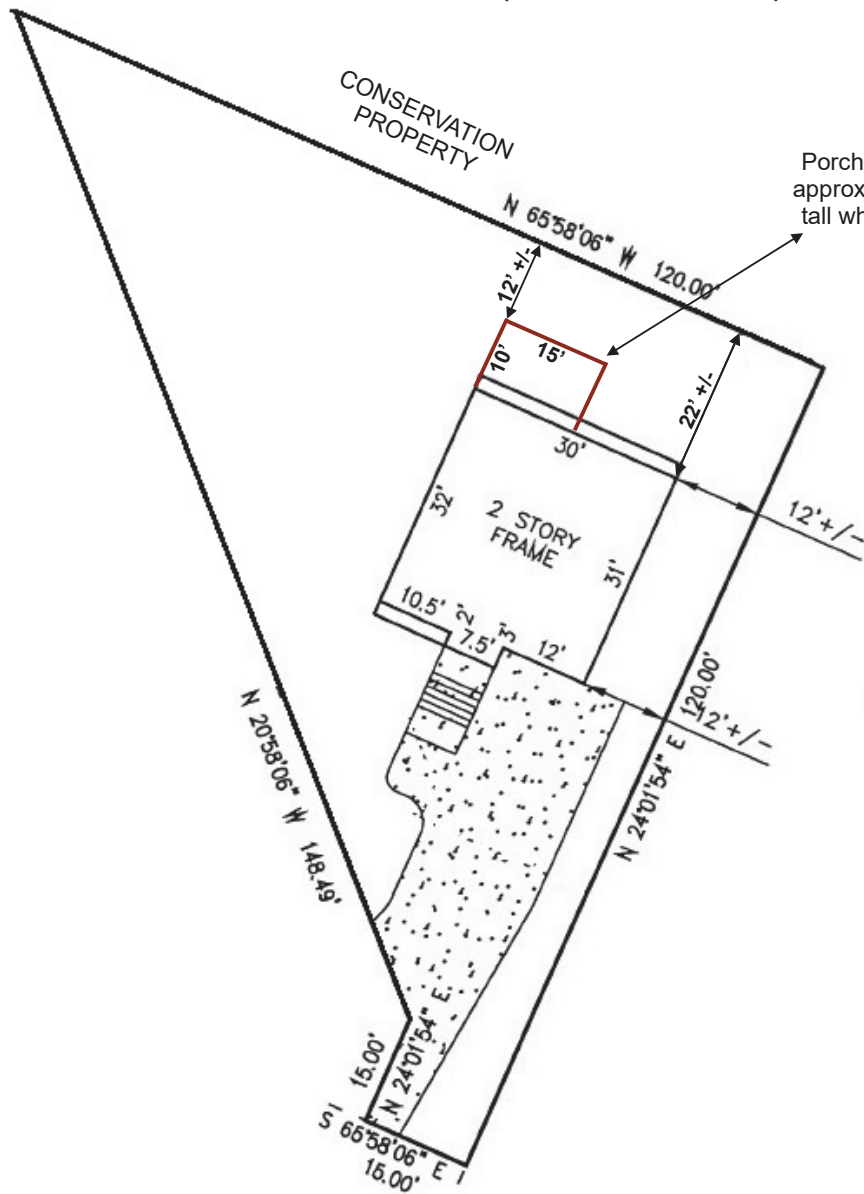
Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends ***approval*** of the requested variance to § 18-4-701 to allow a dwelling addition with less setbacks than required.

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.

7908 Caldwell Court
Pasadena, MD 21122

SITE PLAN

Proposed Addition
(Enclosed Porch)



Porch height will be one story tall, approximately 9 feet 4 inches (9'4") tall when measured from grade to roof top.

> Requesting construction of new screened porch on a 10 feet by 15 feet (10'x15') concrete slab on grade, extending parallel from the back of the house. The porch height will be one story tall at about 9 feet 4 inches (9'4") tall from grade. Disturbed area will be approximately 150 square feet.



-  = Construction / LOD
-  = CONCRETE

Variance Request: Letter of Explanation

October 23, 2024

From:

Carlos M. Gonzalez
7908 Caldwell Court
Pasadena, MD 21122

To:

Office of Planning and Zoning
Anne Arundel County, MD

To Whom It May Concern,

I, Carlos M. Gonzalez, the current property owner of 7908 Caldwell Court, Pasadena, MD 21122, respectfully request a variance to the R5 Zoning Rear Setback requirement for the construction of a screened back porch. The minimum rear setback requirement for R5 zoning is 20 feet. The current rear setback for the existing house is 22 feet. Upon completion of the porch, the rear setback will be 12 feet. Disturbed area will be approximately 150 square feet. Permit request for this construction can be found online on the Anne Arundel County Land Use Navigator – Record B02430359.

A variance to the setback requirement is required for the construction of a new screened back porch on a 10 feet by 15 feet concrete slab on grade and extending parallel to the back of the existing house. The construction will require minimum grade alterations for slab footings. No other alterations will be required since the preexisting grade is flat, compacted and cleared from any vegetation. Throughout the project execution, and upon completion, the porch construction will not alter the essential character of the neighborhood or district; will not impair the use of any adjacent property; will not require any disturbance of any vegetation or conservation areas; will not be detrimental to the public welfare.

The construction of the porch will allow for family gatherings while preventing exposure to potentially harmful insects, pests, and animals. Consequently, it will greatly improve quality of live by allowing family morale and welfare activities within our home.

Should you have any questions, please contact me via phone (850) 346-1922 or email cmgonz3@gmail.com



Carlos M. Gonzalez

7908 Caldwell Court
Pasadena, MD 21122

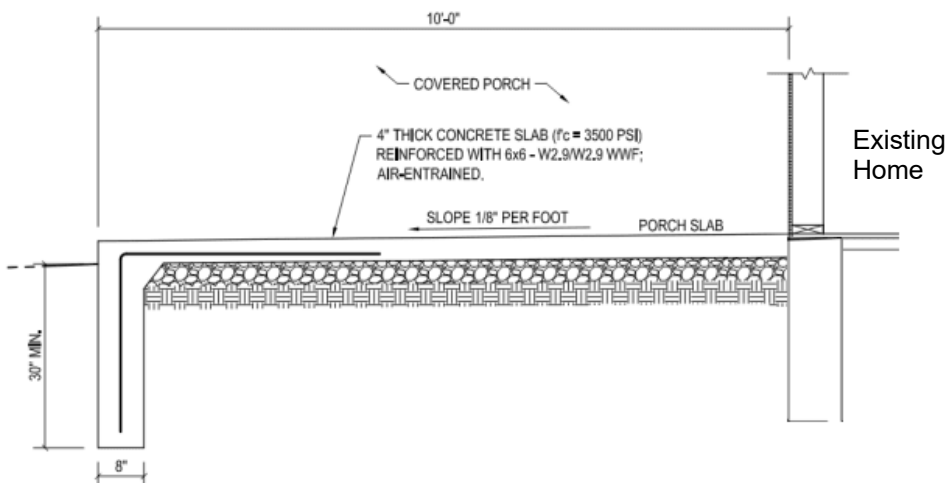
CONSTRUCTION PLAN

Proposed Addition (Enclosed Porch)



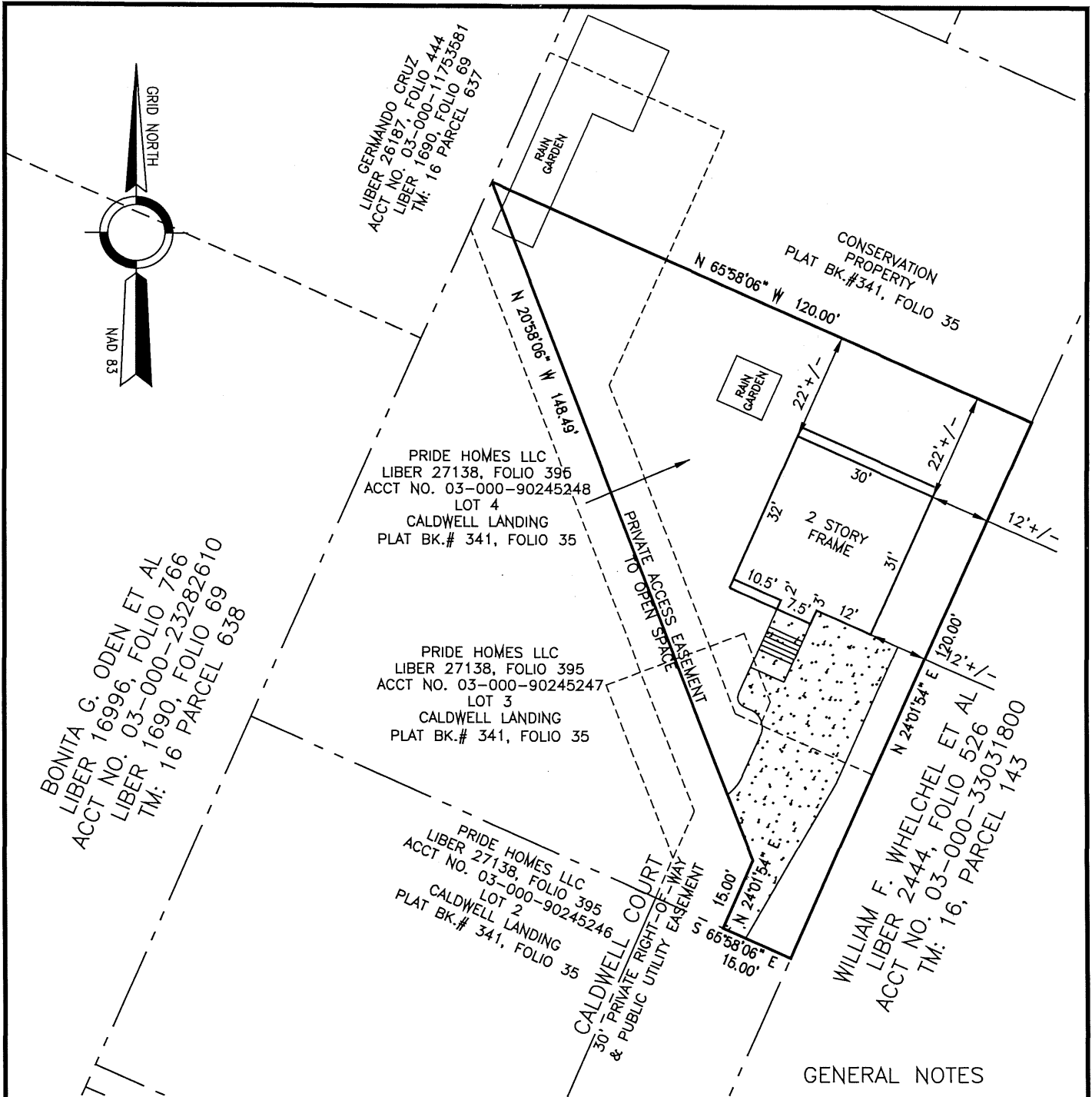
Screened Porch

- 2 X 12 Ledger Bolted to House
- Lag bolts spaced 16" on center
- Asphalt Shingles / Felt Paper
- 1/2" Plywood Sheathing
- 2 X 10 Rafters (16" on center)
- Facia
- 2 X 10 Heather Beam
- Top Plates
- 4 X 4 Support Posts
- 2 X 4 Frame
- Screen / Mesh



Concrete Slab

- 10' X 15' parallel, behind home.
- 4" thick with footings.
- On Grade, compacted.

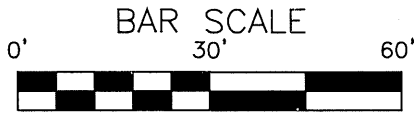


GENERAL NOTES

- 1) THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A FORMAL TITLE REPORT. EASEMENTS, RIGHTS-OF-WAY AND OTHER RESTRICTIONS MAY AFFECT THIS PROPERTY AND NOT BE SHOWN.
- 2) THE INFORMATION SHOWN HEREON IS BASED ON THE DEEDS AND PLATS OF RECORD AS INDEXED IN THE PROPERTY CADASTRE OF ANNE ARUNDEL COUNTY, MARYLAND. BEARINGS SHOWN HEREON ARE REFERENCED TO NAD 83.
- 3) THIS SURVEY DOES NOT ADDRESS WETLANDS, CONTAMINATED WASTE OR TOXIC SOIL CONDITIONS, NOR HAVE ANY REPORTS, STUDIES OR INFORMATION REGARDING SUCH BEEN PROVIDED
- 4) THE IMPROVEMENTS SHOWN HEREON WERE FIELD LOCATED ON MAY 17, 2017.
- 5) NOTE THIS DRAWING NOT VALID WITHOUT ORIGINAL SEAL AND SIGNATURE.



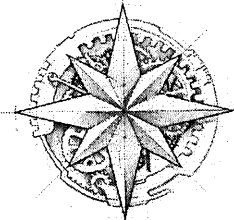
JESSICA A. KING
MD REG. #21684
EXP. 12/14
MAY 17, 2017



= CONCRETE

THIS IS TO CERTIFY THAT THIS PLAT WAS MADE IN ACCORDANCE WITH COMAR 09.13.06.10 MINIMUM STANDARDS AND PROCEDURES FOR A SPECIAL PURPOSE SURVEY. THE VISIBLE IMPROVEMENTS ARE SHOWN TO A TOLARANCE OF 1 FOOT MORE OR LESS.

FINAL LOCATION DRAWING OF
LOT 4
CALDWELL LANDING
CALDWELL CT. PASADENA, MD 21122
TAX MAP:16 PART OF PARCEL:142
THIRD ELECTION DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND



King's Point Surveys
8019 Long Hill Rd.
Pasadena, MD 21122
410-255-1378 jking@kingspointsurveys.com

DRAWN: JAK
CHECKED: JAK
DATE: 05-17-17
JOB #
SCALE: 1"=30'
SHEET: 1 OF 1



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

A handwritten signature in blue ink, appearing to be "BC", located to the right of the "FROM" field.

DATE: November 7, 2024

RE: Carlos Gonzalez
7908 Caldwell Court
Pasadena, MD 21122

NUMBER: 2024-0194-V

SUBJECT: Variance/Special Exception/Rezoning

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

The Health Department has reviewed the above-referenced request. The property is served by public water and sewer facilities. 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

2024-0194-V

Menu Cancel Help

Task Details **OPZ Cultural Resources**

Assigned Date

10/25/2024

Assigned to

Stacy Poulos

Current Status

Complete w/ Comments

Action By

Stacy Poulos

Comments

This property is a non-contributing structure located within the Freetown Historic District (AA-722). This project presents no adverse effect to the district.

End Time

Billable

No

Time Tracking Start Date

In Possession Time (hrs)

Estimated Hours

0.0

Comment Display in ACA

- All ACA Users
- Record Creator
- Licensed Professional
- Contact
- Owner

Due Date

11/15/2024

Assigned to Department

OPZ Cultural Resources

Status Date

10/30/2024

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

OPZ Cultural Resources

Est. Completion Date

Display E-mail Alerts

Display Comments

Task Specific Information

Expiration Date

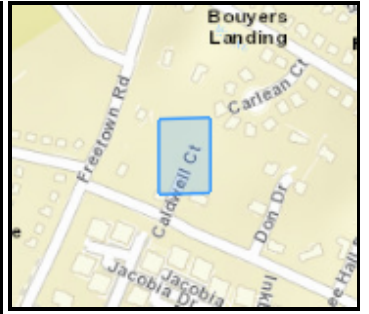
Reviewer Phone Number

Review Notes

Reviewer Email

Reviewer Name

7908 Caldwell Court (2024-0194-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