

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

APPLICANT: Michael William Jones

ASSESSMENT DISTRICT: 1

CASE NUMBER: 2024-0214-V

COUNCILMANIC DISTRICT: 7

HEARING DATE: January 30, 2025

PREPARED BY: Sara Anzelmo
Planner



REQUEST

The applicant is requesting a variance to allow a dwelling with less setbacks than required on property located at 1551 Governors Bridge Road in Davidsonville.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 22,840 square feet of land and is located with approximately 308 feet of frontage on the south side of Governors Bridge Road. It is identified as Parcel 2 in Block 1 on Tax Map 54.

The property is zoned RA – Rural Agricultural District and is not located within the Chesapeake Bay Critical Area overlay. It is currently improved with a single-family dwelling, a detached garage, and other associated facilities.

PROPOSAL

The applicant proposes to demolish the existing dwelling, detached garage, and driveways and to construct a new one-story dwelling with a basement and an attached garage. The proposed house would measure approximately 40 feet by 50 feet, and the attached garage would measure 26 feet by 26 feet. The total dwelling/garage footprint would be 2,613 square feet.

REQUESTED VARIANCES

§ 18-4-301 of the Anne Arundel County Zoning Ordinance provides that a principal structure in an RA District shall be set back a minimum of 15 feet from a side lot line and 40 feet from a corner side lot line. The proposed dwelling would be constructed 9.9 feet from the south side lot line and 19.5 feet from the corner (west) side lot line, necessitating variances of six feet and 21 feet, respectively.

§ 18-4-301 also requires a combined side setback of 40 feet. The combined side setback would be 29.4 feet, necessitating a variance of 11 feet.

FINDINGS

The subject property is triangular in shape, is at a corner location, and is undersized for the zoning district. While the lot exceeds the minimum 150-foot width at the front building restriction line,

the 22,840 square foot size is smaller than the minimum 40,000 square foot area required for new lots in an RA District. A review of the 2024 County aerial photograph shows an eclectic neighborhood containing a mix of residential and agricultural uses on a wide variety of lot shapes and sizes. The applicant notes that, after dedication, the lot area will be reduced to 18,442 square feet, which is only 46% of the minimum lot area required in an RA District.

The **Cultural Resources Section** commented that this property is located on a Scenic and Historic Road, Governors Bridge Road. All development is subject to the criteria in Article 17-6-504. Building/Grading permit applications should include a response to the 14-point criteria, which should be emailed to the Historic Sites Planner, Darian Beverungen, pzbeve19@aacounty.org, for review. All plans accompanying permit applications should include cover notes and labels identifying Governors Bridge Road as a Scenic and Historic Road.

The **Office of Inspections and Permits Engineering Division** has reviewed the site plan and does not support the current proposal. The Department provided a detailed list of items that will need to be addressed at permitting, should the setback variances be granted.

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

For the granting of a zoning variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to or inherent in the particular lot or because of exceptional circumstances other than financial, strict implementation of the Code would result in practical difficulties or an unnecessary hardship. In this particular case, redevelopment of the site is constrained by the practical limitations of an existing residentially zoned lot that is undersized, triangular in shape, and at a corner location. Construction of a new dwelling would be severely limited without zoning setback relief, as the buildable area would be small and triangular.

Approval of the variances would not alter the essential character of the neighborhood or substantially impair the appropriate use or development of any adjacent property. The proposed dwelling would come no closer to the corner side lot line and associated right-of-way than the existing home being replaced, and the proposed redevelopment would actually cure an existing encroachment of the detached garage partially located on the neighboring lot to the south. There is no evidence to indicate that the setback variances would be detrimental to the public welfare. The proposed dwelling size is not considered to be excessive for a lot of this size or for this area; therefore, the variance is considered to be the minimum necessary to afford relief.

RECOMMENDATION

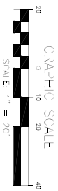
Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends ***conditional approval*** of the proposed zoning variances to § 18-4-301 to allow a one-story dwelling to be constructed 9.9 feet from the south side lot line and 19.5 feet from the corner (west) side lot line, as shown on the site plan submitted by the applicant. Any approval should be conditioned on the applicant satisfying the Engineering Division's comments and all other permitting requirements.

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.

LEGEND

- ADJOINING PROPERTY LINE
- SOIL TYPE
- EXISTING UTILITY POLE
- EXISTING OVERHEAD WIRE
- EXISTING DRAINAGE
- EXISTING CONDUITS
- EXISTING STRAW
- EXISTING FENCE
- EXISTING TRAIL
- EXISTING WALL
- EXISTING IMPROVED AREA
- EXISTING STRUCTURE

GLASSBORO BRIDGE
 TAX MAP 54 - GRID 1 - PARCEL 2
 #151300040050286
 #151 GOVERNORS BRIDGE RD
 #151 DISTRICT - ANNE ARUNDEL COUNTY - ZONED RA



SITE TABULATIONS:

EXISTING AREA	EXISTING AREA	EXISTING AREA
GLASSBORO BRIDGE	GLASSBORO BRIDGE	GLASSBORO BRIDGE
GLASSBORO BRIDGE	GLASSBORO BRIDGE	GLASSBORO BRIDGE
GLASSBORO BRIDGE	GLASSBORO BRIDGE	GLASSBORO BRIDGE

ENVIRONMENTAL CONSERVATION NOTES

1. THE PROPERTY IS LOCATED WITHIN THE R-200 ZONING DISTRICT.
2. THE PROPERTY IS NOT LOCATED WITHIN AN ENVIRONMENTAL SENSITIVE AREA.
3. THE PROPERTY IS NOT LOCATED WITHIN A HISTORIC PRESERVATION DISTRICT.
4. THE PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE.
5. THE PROPERTY IS NOT LOCATED WITHIN A WETLAND.

SITE INVENTORY:

1. THE EXISTING BUILDING IS A SINGLE-FAMILY RESIDENCE.
2. THE EXISTING DRIVEWAY IS ASPHALT PAVED.
3. THE EXISTING SIDEWALK IS CONCRETE.
4. THE EXISTING FENCE IS ALUMINUM.
5. THE EXISTING UTILITY POLES ARE WOODEN.
6. THE EXISTING OVERHEAD WIRES ARE COPPER.

SCALE TABLE

SCALE	TYPE	SCALE	SCALE
1" = 10'	AS-BUILT	1" = 10'	AS-BUILT
1" = 20'	PROPOSED	1" = 20'	PROPOSED

NOTE:

THIS DRAWING IS A PRELIMINARY DESIGN. IT IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE ENGINEER OF RECORD. THE ENGINEER OF RECORD SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE ENGINEER OF RECORD SHALL ALSO BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED BY THE CLIENT. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE ENGINEER OF RECORD SHALL NOT BE RESPONSIBLE FOR OBTAINING ANY PERMITS OR APPROVALS FROM THE APPLICABLE AGENCIES.

EXISTING CONDITIONS

PROPERTY OF JOHNSON PROPERTY

TAX MAP 54 - GRID 1 - PARCEL 2
 TAX ID# 01-000-04050286
 1551 GOVERNORS BRIDGE RD
 DAVIDSONVILLE, MARYLAND 21035
 1ST DISTRICT - ANNE ARUNDEL COUNTY - ZONED RA

DATE: 11/18/2024
SCALE: AS SHOWN
SCALE: AS SHOWN
SCALE: AS SHOWN
SCALE: AS SHOWN
SCALE: AS SHOWN

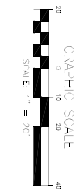
ATWELL
 866.850.4200 www.atwell-group.com
 2000 BIRCH HILL ROAD, BUILDING 800
 ANNAPOLIS, MARYLAND 21403
 410.897.6290

Revisions

Rev. #	By	Date	Description

LEGEND

	PROPERTY LINE
	ADJOINING PROPERTY LINE
	EASEMENT
	EASEMENT OVERHEAD WIRES
	EASEMENT FOR WIRES
	EASEMENT FOR STORM SEWER
	EASEMENT FOR SEWER
	EASEMENT FOR WATER
	EASEMENT FOR GAS
	EASEMENT FOR ELECTRIC
	EASEMENT FOR TELEPHONE
	EASEMENT FOR CABLE
	EASEMENT FOR FENCING
	EASEMENT FOR DRIVEWAY
	EASEMENT FOR ACCESS
	EASEMENT FOR UTILITY
	EASEMENT FOR STORM SEWER
	EASEMENT FOR SEWER
	EASEMENT FOR WATER
	EASEMENT FOR GAS
	EASEMENT FOR ELECTRIC
	EASEMENT FOR TELEPHONE
	EASEMENT FOR CABLE
	EASEMENT FOR FENCING
	EASEMENT FOR DRIVEWAY
	EASEMENT FOR ACCESS
	EASEMENT FOR UTILITY



VARIANCE REQUEST NOTE

VARiances are being requested to amend the zoning code for the following reasons:

- TO THE CORNER OF THE LOT TO BE AS 19 FT
- TO THE CORNER OF THE LOT TO BE AS 19 FT
- TO THE CORNER OF THE LOT TO BE AS 19 FT

SURVEY CONTROL NOTE

THE SURVEY CONTROL NOTE IS TO BE AS 19 FT

GENERAL NOTES

1. THE PROPERTY IS ZONED R-1000.
2. THE PROPERTY IS ZONED R-1000.
3. THE PROPERTY IS ZONED R-1000.
4. THE PROPERTY IS ZONED R-1000.
5. THE PROPERTY IS ZONED R-1000.
6. THE PROPERTY IS ZONED R-1000.
7. THE PROPERTY IS ZONED R-1000.
8. THE PROPERTY IS ZONED R-1000.
9. THE PROPERTY IS ZONED R-1000.
10. THE PROPERTY IS ZONED R-1000.

SCALE TABLE

SCALE	FEET	INCHES
1" = 40'	40	1"
1" = 20'	20	1/2"
1" = 10'	10	1/4"

PROPERTY OF JOHNSON PROPERTY

TAX MAP 54 - GRID 1 - PARCEL 2
 TAX ID# 01-00-04050286
 1551 GOVERNORS BRIDGE RD
 DAVIDSONVILLE, MARYLAND 21035
 1ST DISTRICT - ANNE ARUNDEL COUNTY - ZONED RA

ATWELL
 866.850.4200 www.atwell-group.com
 2800 BIRCHWOOD ROAD, BULKHEAD 080
 ANNAPOLIS, MARYLAND 21403
 410.897.6290

REVISIONS

Rev. #	By	Date	Description

PROPERTY OF JOHNSON PROPERTY

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PROPERTY OF JOHNSON PROPERTY

TAX MAP 54 - GRID 1 - PARCEL 2
 TAX ID# 01-00-04050286
 1551 GOVERNORS BRIDGE RD
 DAVIDSONVILLE, MARYLAND 21035
 1ST DISTRICT - ANNE ARUNDEL COUNTY - ZONED RA



November 18, 2024

Anne Arundel County
Office of Planning & Zoning
2664 Riva Road
Annapolis, MD 21401

**RE: 1551 Governor Bridge Rd, Davidsonville, MD 21035
2024-0080-P
Variance Application**

Sir or Madam:

Enclosed please find a complete variance application submittal package for proposed development at 1551 Governor's Bridge Rd in Davidsonville. This property received pre-file review under 2024-0080-P. The subject property is triangular in shape with an existing site area of 0.52Ac, and is a corner lot, fronting on both Governor Bridge Rd, a County collector road, & a 15ft private right-of-way (GTC1477-130). The property is improved with a single-family dwelling, detached garage, and residential site amenities. A portion of the existing detached garage is over the side property line, encroaching onto the lands of Lorrie & Roy Dietrich at 1547 Governor's Bridge Rd. It is mapped within the RA, Rural Agricultural zoning district and is not within the Chesapeake Bay Critical Area or any other overlay district. The property was created by deed, recorded in the land records of Anne Arundel County (JHH491-471) on August 17, 1948, and therefore is a legally buildable lot. At roughly 0.52Ac in area, the property is undersized for the zoning district, but has a 194ft width measured at the front setback. The current deed to the property projects private ownership to the centerline of Governor's Bridge Rd. AA County DPW right-of-ways division has no record of public dedication of this portion of Governor's Bridge Rd. The property is served by private septic and a private well.

The owner proposes to raze & rebuild the existing single-family dwelling and accessory structure and construct a new, one-story single-family dwelling. As part of the development process, the owners will dedicate 15ft to the Governor's Bridge Rd right-of-way. The right-of-way dedication will decrease the site area by 4,398sf, further exacerbating the site area non-conformance. The development requires variances to Article 18-4-301 of the Anne Arundel County Code of the following distances:

- 21ft to the 40ft corner side yard setback
- 6ft to the 15ft side yard setback
- 11ft to the 40ft combined side yard setback

Due to the size & configuration of the property, constraints that are exacerbated by the 15ft road dedication, the area variances are unavoidable.



The proposed development meets all the criteria found in Article 18-16-305(a) of the Anne Arundel County Code for the granting of a zoning variance. The following discourse addresses those criteria.

- 1) The subject property will be 18,442sf in area after dedication; this is less than half (46%) of the minimum site area for the zoning district. Due to this substandard area, adherence to the corner-side yard setback, side yard setback, and combined side yard setback yields an unrealistic, triangularly shaped buildable area. The requested area variances are necessary to avoid the practical difficulty of designing a dwelling to fit within the small triangle. Furthermore, the side setback to neighboring property at 1547 Governor's Bridge Rd, while less than the require 15ft, cures an *existing encroachment*. A lot of this size would typically be found in the R2 or R5 zoning districts, which both have 7ft side yard setbacks and no combined side yard requirements. The front yard setback is honored, so as not to affect vehicle safety on a County collector road. The proposed dwelling is no closer to the private right-of-way than the existing dwelling.

Additionally, the proposed work complies with the criteria contained in 18-16-305(c) for the granting of all variances. The following discourse addresses those criteria, as well.

- 1) The variance is the minimum necessary to afford relief. The proposed dwelling is no closer to the private right-of-way than the existing dwelling, and the removal of the accessory structure cures an existing encroachment issue. A combined side yard setback is simply not appropriate on a lot that this size, as evidenced by the R2 & R5 zoning setbacks.
- 2) The granting of the variance will not:
 - i) The variance will not alter the essential character of the neighborhood, as the scope of work is single-family residential dwelling in a residential zoning district.
 - ii) The dwelling will not substantially impair the use or enjoyment of adjacent properties, as the proposed dwelling will cure an existing encroachment.
 - iii) The property is not located within the Chesapeake Bay Critical Area.
 - iv) The property is not located within the Chesapeake Bay Critical Area or Bog Protection Area overlay.
 - v) The construction of a residential dwelling in a residential zoning district is not detrimental to the public health, safety, & welfare. The proposed dwelling adheres to the front yard setback to the public right-of-way, and therefore will not affect traffic.

Article 18-13-305(d) is not applicable, as this variance request is not the subject of an outstanding Critical Area violation.

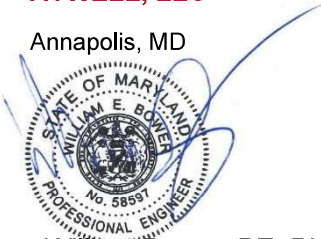


If you have any questions regarding this variance request, or any of the materials contained within this submittal package, please contact me at 667-204-8042 or wbower@atwell-group.com. Thank you.

Respectfully,

ATWELL, LLC

Annapolis, MD



William Bower, PE, PLS
Sr. Project Manager

Proposed Variance Approval

Good afternoon Mike,

We, Roy and Lorrie Dietrich, owners of the property located at 1547 Governor Bridge Road, Davidsonville MD 21035, have reviewed the proposed location of the new dwelling to be built on 1551 Governor Bridge Road, Davidsonville MD 21035. Please be advised that we accept the proposed variance as described in the new site plans shown to us on 07/09/2024. For any further questions, please feel free to contact us at roy.dietrich@gmail.com or [\(410\) 320-6081](tel:(410)320-6081).

Thank you,

Roy & Lorrie Dietrich

2024-0214-V

Menu Cancel Help

Task
OPZ Cultural Resources
Assigned to Department
OPZ Cultural Resources
Action by Department
OPZ Cultural Resources
Start Time

Due Date
12/13/2024
Assigned to
Stacy Poulos
Action By
Stacy Poulos
End Time

Assigned Date
11/22/2024
Status
Complete w/ Comments
Status Date
12/02/2024
Hours Spent
0.0

Billable
No

Overtime
No

Comments
This property is located on a Scenic and Historic Road, Governors Bridge Rd. All development is subject to the criteria in Article 17-6-504. Building/Grading permit applications should include a response to the 14-point criteria, which should be emailed to the Historic Sites Planner, Darian Beverungen, pzbeve19@aacounty.org, for review. All plans accompanying permit applications should include cover notes and labels identifying Governors Bridge Rd. as a Scenic and Historic Rd.

Time Tracking Start Date
Display E-mail Address in ACA
No

Est. Completion Date
 Display Comment in ACA

In Possession Time (hrs)
Comment Display in ACA
 All ACA Users
 Record Creator
 Licensed Professional
 Contact
 Owner

Estimated Hours
0.0

Action
Updated

Workflow Calendar

Task Specific Information

Expiration Date
Reviewer Phone Number

Review Notes
Reviewer Email

Reviewer Name

2024-0214-V

Menu Cancel Help

Task
I and P Engineering
Assigned to Department
Engineering
Action by Department
Engineering
Start Time

Due Date
12/13/2024
Assigned to
Habtamu Zeleke
Action By
Habtamu Zeleke
End Time

Assigned Date
11/30/2024
Status
Complete w/ Comments
Status Date
12/13/2024
Hours Spent
0,0

Billable
No
Overtime
No

Comments
Variance request: Raze & remove existing dwelling and accessory structure for construction of new SFD.

Comments:

1. Stormwater management will be addressed through Micro-bioretenention and non-rooftop disconnections.
2. All stormwater conveyance systems shall be designed so that no building or habitable structure, either proposed or existing, is flooded or has water impounded against it during the 100-year storm event.
3. Per 6.1.4 (G) of the County Stormwater Practices and Procedures manual, SWM facilities shall not be located in areas that are off-limits to development, e.g., natural resource areas and their steep slopes and buffers.
4. Ensure the proposed improvement including runoff, seepage, and slope saturation does not adversely impact the integrity of the slope and potential impact of slope failure.
5. A soil boring is required per practice. The suitability, and siting of proposed SWM practices should be reviewed. Soil boring information including verification of the suitability of in-situ soils for infiltration shall be submitted.
6. The soil boring results, including the seasonal high groundwater elevation, need to be added to the plan. The calculations will not be reviewed until the siting and suitability are first confirmed to be adequate.
7. The proposed grading and spot elevations on the plan must corroborate the information on the cross-section. The contributory drainage area to each disconnection area may not exceed 1000 SF.
8. All disconnection areas must be shaded. The length and width of disconnection must be shown. The width of non-roof disconnection areas must be the same as the width of the contributory area.
9. A health department approval is required.
10. Based on the plan provided, it appears that the property will be served by a private septic and well.
11. Based on the above comments and proposed site design, this office does not support this request.

Time Tracking Start Date **Est. Completion Date**
Display E-mail Address in ACA **Display Comment in ACA**

In Possession Time (hrs)
Comment Display in ACA

- No
- All ACA Users
 - Record Creator
 - Licensed Professional
 - Contact
 - Owner

Estimated Hours **Action**
0,0 Updated

Workflow Calendar

Task Specific Information

Expiration Date
Reviewer Phone Number

Review Notes
Reviewer Email

Reviewer Name



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

DATE: November 27, 2024

RE: William A. Johnson
1551 Governors Bridge Road
Davidsonville, MD 21035

NUMBER: 2024-0214-V

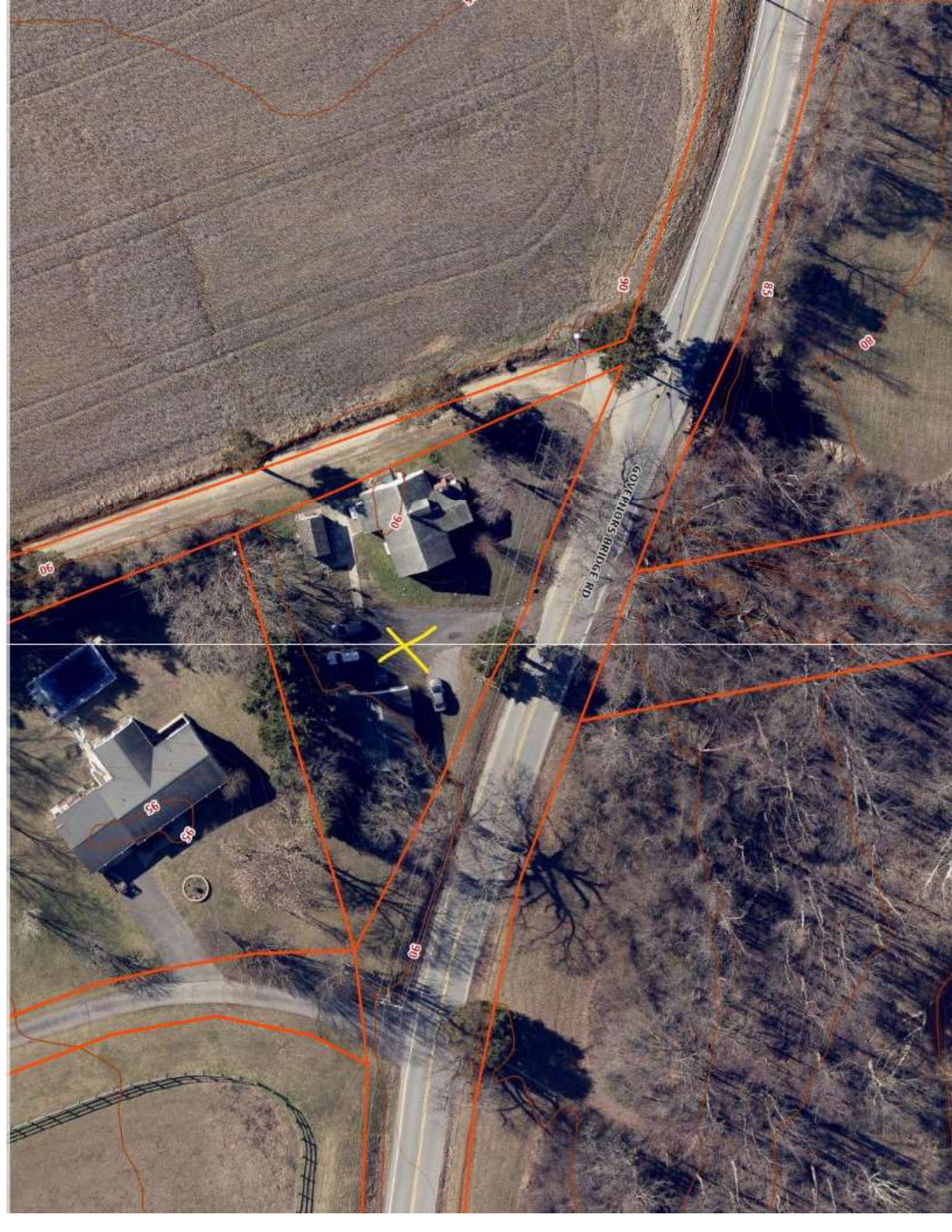
SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling with less setbacks than required.

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

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

cc: Sterling Seay



GOVERNORS BRIDGE RD

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08

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06

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