

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

APPLICANT: Jason Ionnotti & Maria Pradilla Picas **ASSESSMENT DISTRICT:** 8

CASE NUMBER: 2025-0003-V

COUNCILMANIC DISTRICT: 7

HEARING DATE: February 27, 2025

PREPARED BY: Sara Anzelmo
Planner



REQUEST

The applicants are requesting a variance to allow an accessory structure (garage) with less setbacks than required and with greater height than the principal structure on property located at 1086 Walnut Avenue in North Beach.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of approximately 7,500 square feet and is located on the east side of Walnut Avenue. It is identified as Lot 11 of Parcel 1 in Grid 3 on Tax Map 84 in the North Beach Park subdivision.

The property is zoned R5 – Residential District. The lot itself is not waterfront; however, it contains an accessory structure (garage) that serves the principal structure (single-family dwelling) located at 1087 Walnut Avenue on Lot 5 and Part of Lot 4, both of which are located between the subject lot and the shoreline. The property is located within the Chesapeake Bay Critical Area overlay and is designated as LDA – Limited Development Area. The nearby shoreline is mapped as a BMA – Buffer Modification Area. The lot is currently improved with a one-story garage and a driveway.

PROPOSAL

The applicants seek approval to construct a second story addition for storage over the existing garage, measuring 20' by 23' with a height of 22 feet.

REQUESTED VARIANCES

§ 18-4-701 of the Anne Arundel County Zoning Ordinance provides that an accessory structure eight feet in height or greater in an R5 District shall be set back a minimum of seven feet from each side lot line. The proposed garage addition would be located six feet from the south side lot line, necessitating a variance of one foot.

§ 18-4-701 also 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 20' high; the proposed garage would measure 22' high, necessitating a variance of two feet to the maximum accessory structure height allowed.

FINDINGS

The subject site exceeds the minimum 7,000 square foot area; however, at 50 feet wide, it is narrower than the minimum 60 foot width required for new lots in an R5 District. The existing critical area lot coverage is 1,260 square feet, and no additional coverage is proposed. The 2024 County aerial photograph shows an eclectic mix of dwellings, some single-story and some two-story, in this older waterfront community.

The **Health Department** has reviewed the well water supply system for the subject property and has determined that the proposed request would not adversely affect these systems. The Department has no objection to the proposed variance.

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 for a variance must be substantial and urgent and not merely for the convenience of the applicants. The applicants' letter explains that the proposed garage height is "necessary to maintain the architectural style and visual harmony with the existing house". However, they did not provide any clarification as to why a 22 foot accessory structure height (10 feet taller than the existing 12 foot garage) is necessary as opposed to a 20 foot garage height that matches the existing dwelling height. Eight feet would typically provide ample room for storage use.

The variance would not necessarily alter the essential character of the neighborhood, as there is an eclectic mix of one-story and two-story structures located throughout this older waterfront community. The variance would not impair the appropriate use or development of adjacent properties, as the second floor addition would come no closer to the side lot line than the existing one-story garage and would be located well away from existing structures on any adjacent lots. There is no evidence to show that the variance would be detrimental to the public welfare.

Given the long-standing location of the existing garage that can be seen clearly on aerials as far back as 1995, if not earlier, the request for a south side setback variance to construct a second story addition for storage over the first floor garage is justified. However, without any specific justification for the need for a variance to exceed the height of the principal structure, the height variance cannot be supported.

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 zoning variance to § 18-4-701 to allow a second story storage addition over the existing garage six feet from the south side lot line. However, this Office recommends ***denial*** of the requested variance to allow an accessory structure higher than the principal structure.

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.

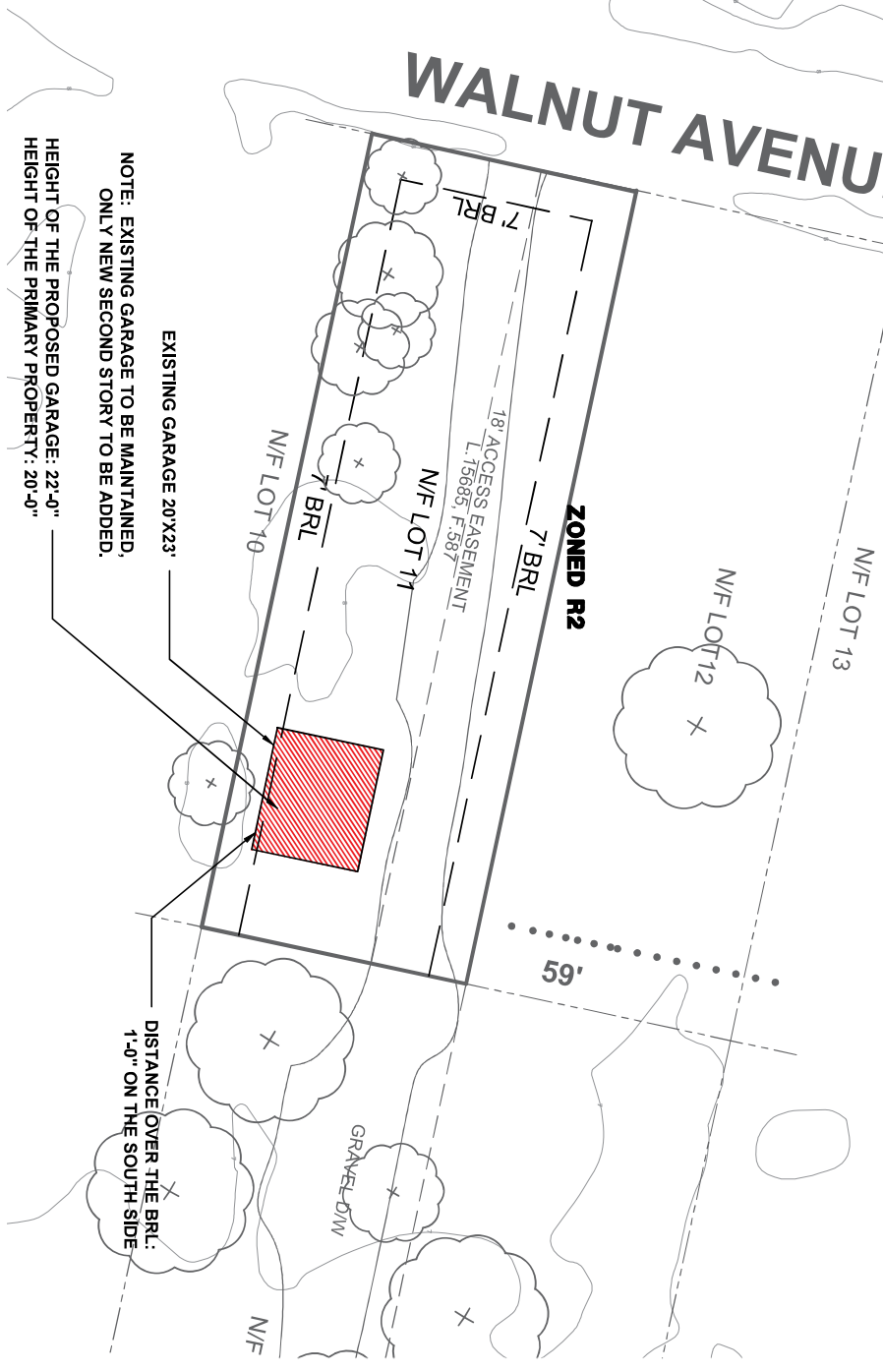


SITE DATA

PROPERTY DATA:	1086 WALNUT AVE, VIENNA, VA 22180
OWNER:	BRUNO CLAY MANAGEMENT
ADDRESS:	1086 WALNUT AVE, VIENNA, VA 22180
PHONE:	703.446.4800
PROJECT:	PERMIT SET
DATE:	JANUARY 2025
DEVELOPER:	BRUNO CLAY MANAGEMENT
ARCHITECT:	BRUNO CLAY MANAGEMENT
ENGINEER:	BRUNO CLAY MANAGEMENT
DATE:	JANUARY 2025
PROJECT NO.:	2025-001
DATE:	JANUARY 2025
SCALE:	1/8" = 1'-0"
DATE:	JANUARY 2025
PROJECT:	1086 WALNUT AVE
THE: PERMIT SET	

BRUNO CLAY
MANAGEMENT
440 MADE AVE, EAST, STE 203
VIENNA, VA 22180

WALNUT AVENUE



NOTE: EXISTING GARAGE TO BE MAINTAINED, ONLY NEW SECOND STORY TO BE ADDED.
HEIGHT OF THE PROPOSED GARAGE: 22'-0"
HEIGHT OF THE PRIMARY PROPERTY: 20'-0"
HEIGHT OVER THE ALLOWABLE: 2'-0"

EXISTING GARAGE 20'X23'

DISTANCE OVER THE BRL: 1'-0" ON THE SOUTH SIDE

NOTE:
HEIGHT OF THE PROPOSED GARAGE: 22'-0" FEET
STORIES: 2
LENGTH: 23 FEET
WIDTH: 20 FEET

EXISTING SITE AREA CALCULATIONS/ CRITICAL AREA CALCULATION (LDA)

- TOTAL SITE AREA: 7,493.00 S.F.
- TOTAL EXISTING LOT COVERAGE:
- .. GARAGE: 480.00 S.F.
- .. GRAVEL DRIVE: 800.00 S.F.
- .. SHED: 0.00 S.F.
- .. TOTAL: 1,280.00 S.F.

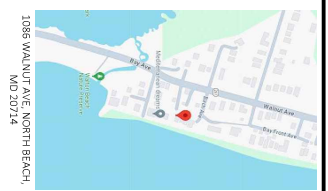
IN ACCORDANCE WITH SECTION 18.4-701, THE MAXIMUM HEIGHT FOR PRINCIPAL STRUCTURES IS 45 FEET. FOR ACCESSORY STRUCTURES, THE MAXIMUM HEIGHT IS ALSO 45 FEET, BUT THE SETBACKS MUST BE INCREASED BY ONE FOOT FOR EACH FOOT OF HEIGHT IN EXCESS OF 25 FEET ON THE HEIGHT OF THE MAIN PROPERTY.

THE GARAGE LOT IS FUNCTIONALLY PART OF THE WATERFRONT LOT (1087 WALNUT AVE), THE HEIGHT OF THE MAIN PROPERTY IS APPROXIMATELY 20 FEET. THE PROPOSED GARAGE BELONGING TO THE PROPERTY LOCATED ON WALNUT AVE (1086 WALNUT AVE) HAS A PROPOSED HEIGHT OF 22 FEET WITHIN THE

LEGEND

- 20 — EXISTING GRADE
- EXISTING LOT LINE
- LOD --- LIMIT OF DISTURBANCE
- [Red hatched box] EXISTING STRUCTURE
- [Circle with 'x'] EXISTING TREE
- [T-shaped symbol] EXISTING BGE POLE

ZONED R2 ZONING CLASSIFICATION



1086 WALNUT AVE

NO.	DESCRIPTION	DATE
001	PERMIT SET	JANUARY 2025
002		
003		
004		
005		
006		
007		
008		
009		
010		
011		
012		
013		

CHECKED BY: BRUNO CLAY MANAGEMENT
SCALE: 1/8" = 1'-0"
DATE: JANUARY 2025
PROJECT: 1086 WALNUT AVE
THE: PERMIT SET

ADMINISTRATIVE
SITE PLAN



January 09,2025

Anne Arundel County
Office of Zoning administration Division
2664 Riva Rd #3
Annapolis, MD 21401

RE: 1086 Walnut Ave, North Beach MD 20714
Lot #11, Block #1

Dear Zoning administration Division,

Please accept this as our formal variance request to the Zoning administration Division.
The Variance request is to Article §18-16-305

We are requesting this Variance to renovate an existing garage on existing lot. The existing garage is 460 square feet (20'x23') with a height of approximately 12'-0". The project proposed at 1086 Walnut Avenue, is the same existing garage to remain, only a second story is being added for storage with a height of 22'-0" and the existing roof trusses will be removed and reused in the new second story of the proposed project.

Explanation as required by Article 18, Section 16-305 (b)

Due to the unique physical conditions, the Garage does not have a reasonable possibility of being developed without variances.

The relevant zoning code states that the height of accessory structures must be less than the height of the primary property. The primary property (1087 Walnut Ave) is approximately 20 feet tall, and the proposed garage height is approximately 22 feet.

I respectfully request a variance for the following reasons:



- **Architectural compatibility:** The proposed garage height is necessary to maintain the architectural style and visual harmony with the existing house.
- **Minimal impact on surrounding properties:** The increased height will not significantly impact neighboring properties or views.

Explanation as required by Article 18 Section 16-305 (c)

The granting of this variance will not alter the character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; it will not be contrary to acceptable clearing and replanting practices required for development in the critical area or in a wetland protection area; and will not be detrimental to the public welfare.

Unique characteristics of the subject property

- The lot dimensions are approximately 7,493.00 sqft
- Rectangular shaped lot located at a 7-grade elevation.
- Construction located in zone AE (EL8) of the 100-year floodplain.

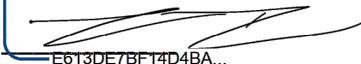
If you have any questions or any additional information is required, please feel free to contact me at your convenience.

We thank you in advance,

Sincerely,

Bruno Clay Management

Jason Iannotti

DocuSigned by:

E613DE7BF14D4BA...

(703) 887-1170

TO: Zoning administration Division
Anne Arundel County.
FROM: Bruno Clay Management
SUBJECT: **Critical area report narrative including topographic map**

Critical area report narrative including topographic map

1. Topographic map
Attached
2. A paragraph or less addressing each point listed below:
 - Describe the proposed use of the subject property and include if the project is residential, commercial, industrial, or maritime.

Response:

The project located at 1086 Walnut Avenue, is an existing garage to remain, only a second story is being added for storage, the garage is associated with the 1087 Walnut Av house.

- Describe the type of predominant trees and shrubs on the subject property. Include a statement addressing the square footage of the property that is vegetated with trees and shrubs, how much of the property will be disturbed by the proposed development, and how the disturbance will be mitigated.

Response:

The predominant vegetation type on the property is grass, there are only 4 to 6 trees on the south side of the lot that will not be touched or removed. The land will not be disturbed as only a second story is being added to the existing garage. The amount of Disturbance area is 460.00 sqft approx.

- Describe the methods to minimize impacts on water quality and habitat from proposed construction (i.e. stormwater management, sediment control, and silt fence).

Response:

The garage use will remain, the second floor will be storage. No water or sewer will be supplied to the structure.

- Calculate the impervious surface before and after construction, including all structures, gravel areas, driveways, and concrete areas.

Response:

The Square Footage of Impervious Coverage for the following:

1. House (roof area): 0 Sq. Ft.
 2. Gravel Drive (Impervious): 800.00 Sq. Ft.
 3. Accessory Structures: 460.00 Sq. Ft.
 4. Additions: 0 Sq. Ft.
- If applicable, describe any habitat protection areas on the subject property including expanded buffers, steep slopes of 15% or greater, rare and endangered species, anadromous fish propagation waters, colonial waterbird nesting sites, historic waterfowl staging and concentration areas, riparian forests, natural heritage areas, and plant and wildlife habitats of local significance.

Response:

Not applicable



1086 Walnut ave



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.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Foundation
- Addressing
- Parcels
- City of Annapolis Parcels
- Elevation
- Topo 2023
- Index
- Intermediate
- Topo 2020
- Index
- Intermediate

Notes

Topo Map

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
0084	0001	1	#11	

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
 General Project Information

Tax ID: 857990221586

Project Name (site name, subdivision name, or other) 1086 Walnut Ave

Project location/Address 1086 Walnut Ave North Beach

City MD Zip 20714

Local case number

Applicant: Last name Iannotti First name Jason

Company Bruno Clay Management

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:

Residential Garage

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)

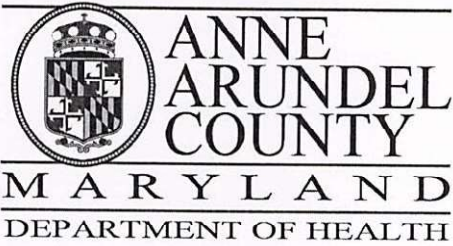
	Acres	Sq Ft		Acres	Sq Ft
IDA Area			Total Disturbed Area	0	0
LDA Area		7,493	# of Lots Created		
RCA Area					
Total Area		7,493			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		0	Existing Lot Coverage		1,260
Created Forest/Woodland/Trees		0	New Lot Coverage		0
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		0
			Total Lot Coverage		1,260

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		0	Buffer Forest Clearing		0
Non-Buffer Disturbance		990	Mitigation		0

<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 type="checkbox"/> Steep Slopes <input type="checkbox"/> Other <input checked="" type="checkbox"/> <u>Height limitation for accessory structure</u>	<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"/>
--	--



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: Sade 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", written over the printed name of Brian Chew.

DATE: January 27, 2025

RE: Jason Ionnotti
1086 Walnut Ave.
North Beach, MD 20714

CASE
NUMBER: 2025-0003-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance request to allow an accessory structure (garage) with less setbacks than required and with greater height than the principal structure.

The Health Department has reviewed the well water supply system for the above reference property. The Health Department has determined that the proposed request does not adversely affect the well water supply 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

WALNUT AVE

Lot 6

P.0001
Lot 13

P.0001
Lot 12

P.0001
Lot 11

P.0001
Lot 10

P.0001
Lot 8A

P.0001
Lot 7A

P.0001
Lot 7B

P.0001
Lot 7C

P.0001
Lot 1A

P.0001

P.0001
Lot 7

P.0001
Lot 6

P.0001
Lot 5

P.0001
Lot 5

P.0001
Lot 5

P.0001
Lot 4

P.0001
Lot 4

P.0001
Lot 3

P.0001
Lot 2

50 ft

