

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

**APPLICANTS:** Casey & Michael Goldberg

**ASSESSMENT DISTRICT:** 3

**CASE NUMBER:** 2025-0018-V

**COUNCILMANIC DISTRICT:** 5

**HEARING DATE:** April 3, 2025

**PREPARED BY:** Joan A. Jenkins  
Planner III



**REQUEST**

The applicants are requesting a variance to allow a dwelling addition (front porch) with less setbacks than required on property located at 613 Kensington Avenue in Severna Park.

**LOCATION AND DESCRIPTION OF SITE**

The subject site comprises 14,874 square feet of land and is located with 54 feet of frontage on the north side of Kensington Avenue East, a cul-de-sac extension northwest of Kensington Avenue East. The property is identified as Lot 8, block F on Parcel 39 in Grid 4 on Tax Map 31 in the Benfield Manor subdivision. The property is zoned R5 – Residential District. The property is improved with a one-story single-family dwelling built in 1964. The lot is served by a public water and sewer.

**APPLICANT'S PROPOSAL**

The applicants are proposing to construct a porch (32 feet by 6 feet by 17' high at the peak) on the front of the existing dwelling.

**REQUESTED VARIANCES**

§18-4-701 of the Anne Arundel County Code requires that a principal structure in an R5 District shall be set back a minimum of 25 feet from the front lot line. The proposed porch will be 21 feet from the front lot line. A variance of 4 feet for the porch is required.

**FINDINGS**

This Office finds that the subject property is a developed lot that meets the 60-foot width requirement and well exceeds the 7,000 square foot area requirement for a lot in the R5 District. Neither the width nor the size contribute to the need for a variance; rather, the location of the existing development is creating the need for the variance. According to the site plan the existing house is located very close to the 25-foot required setback. Denial of the variance would not create a hardship in the use of this already developed property.

A review of the County 2024 aerial photograph shows a neighborhood of various houses on varying-sized lots. A “walk” in the neighborhood using Google Streetview reveals several houses with front porches or porticos, many that are two stories with tall columns. No variances were discovered for these structures needing a setback variance. The few variances found in the neighborhood all relate to accessory structures.

The applicants’ letter simply stated the facts of the property and that the porch would match the character of the neighborhood.

Agency Comments

The **Health Department** commented that the property is served by public water and sewer facilities and they have no objection to the request.

Variance Requirements

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 considerations the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot. Variances should only be granted if in strict harmony with the spirit and intent of the zoning regulations and only in such a manner as to grant relief without substantial injury to the public health, safety and general welfare. The need sufficient to justify a variance must be substantial and urgent and not merely for the convenience of the applicant. Denial of the variance request would not cause hardship in the use of the lot as this is an existing developed lot where the applicants have use of an existing porch.



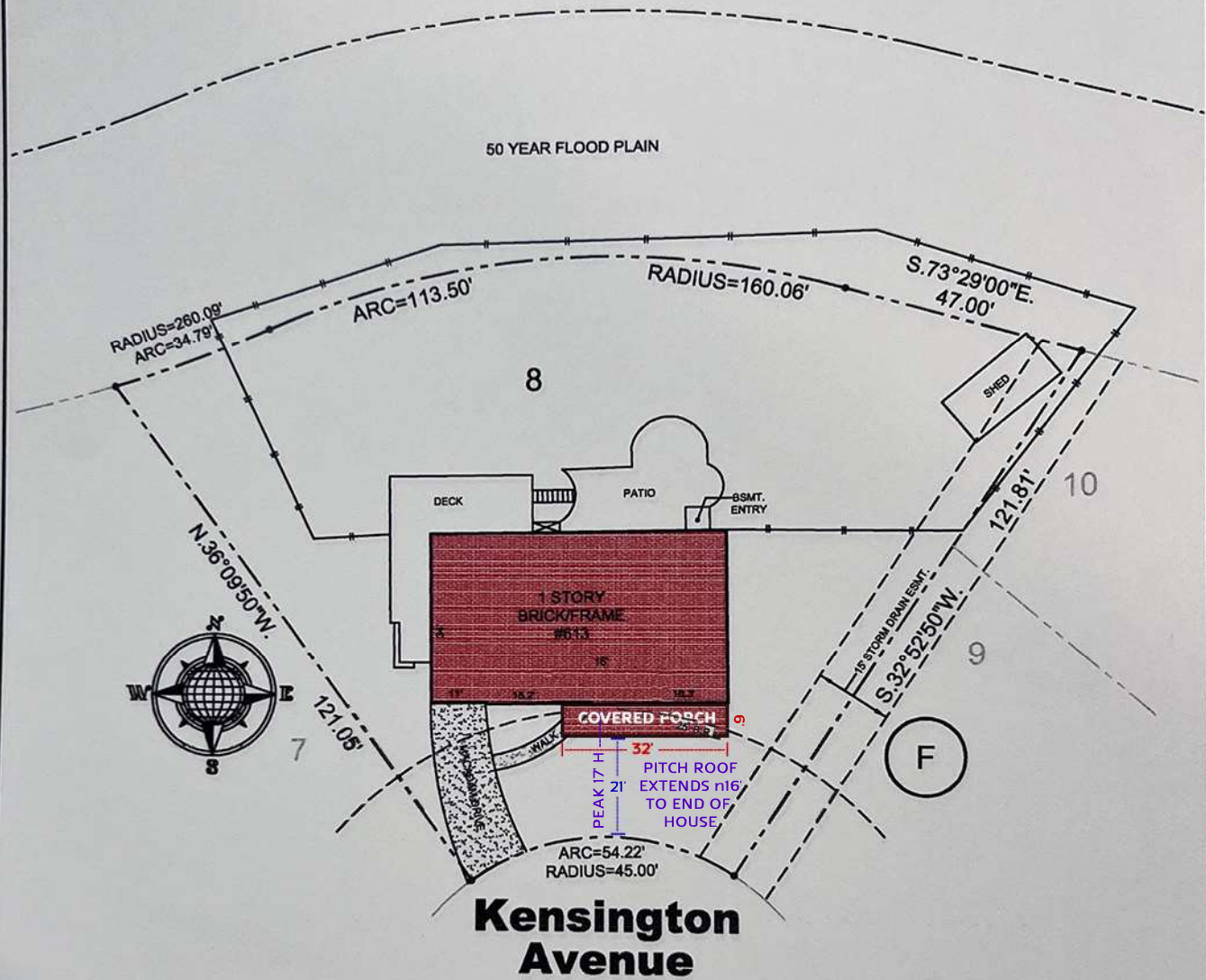
The granting of the variance will not alter the essential character of the neighborhood, impair the use or development of adjacent properties, will not be contrary to acceptable clearing and replanting practices, and will not be detrimental to the public welfare.

However, the dwelling has a porch that is integrated into the front facade. An additional porch or expansion, in this case, is a convenience as the applicant has not justified why the additional porch is needed. Therefore, the variance requested is unwarranted and cannot be considered the minimum necessary to afford relief.

**RECOMMENDATION**

With regard to the standards by which a variance may be granted as set forth under Article 18-16-305 under the County Code, the Office of Planning and Zoning recommends ***denial*** of the variance request for a front porch with less setbacks than required as shown on the attached site plan.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant to construct the structure(s) as proposed, the applicant 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.



**Property Line survey recommended to determine exact configuration of property, exact location of improvements, and extent of encroachments, if any.**

- NOTES:**
- 1) This plat is of benefit to the consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
  - 2) This plat is not to be relied upon for the establishment or location of fences, garages, buildings or other existing or future improvements.
  - 3) This plat does not provide for the accurate identification of property lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
  - 4) No title report furnished.
  - 5) Property line survey recommended to determine the exact location of improvements and/or encroachments, if any.
  - 6) Property subject to any / all rights-of-way, easements, and / or covenants of record and / or imposed by law.



License Expires: 3/28/2020

*Graden A. Rogers*

Certification: This is to certify that the improvements indicated hereon are located as shown.

GRADEN A. ROGERS- Propt. L.S. MD. Lic. No 119

LIBER:	FOLIO:
LOT: 8	BLOCK: F
SECTION:	PLAT:
PLAT ENTITLED: Benfield Manor	
RECORDED IN: Appa Appa	

**613 Kensington Avenue**

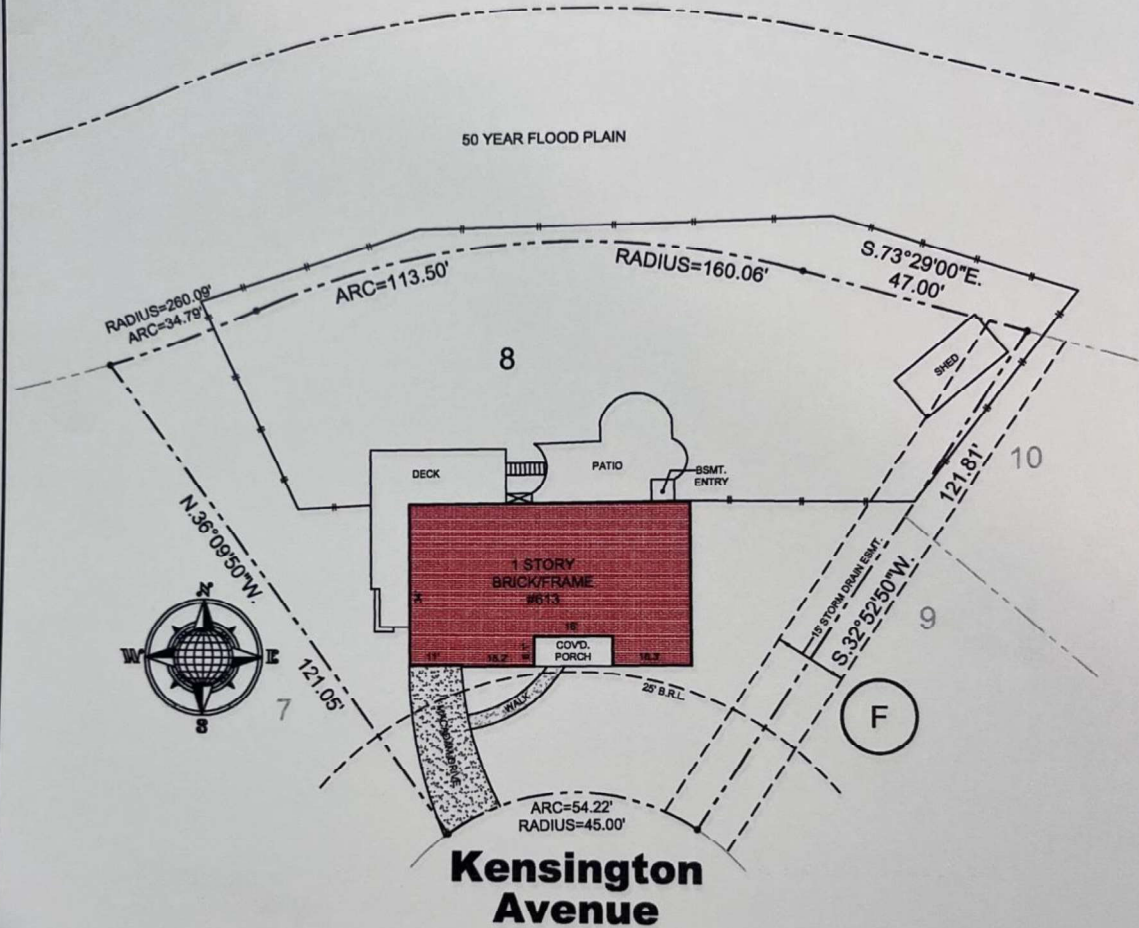
# Landtech Associates, Inc.

10260 Old Columbia Road Rivers Center - Suite "J"

Columbia, Md. 21046

Phone: 410-290-8099 Fax: 410-290-8299

NOTE: NOT TO BE USED FOR ISSUANCE OF PERMITS



**Property Line survey recommended to determine exact configuration of property, exact location of improvements, and extent of encroachments, if any.**

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*Gradon A. Rogers*

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LIBER:	FOLIO:	613 Kensington Avenue	
LOT: 8	BLOCK: F	SECTION:	PLAT:
PLAT ENTITLED: Benfield Manor			
RECORDED IN: Anne Arundel County, Maryland			
PLAT BOOK: 32	PAGE: 42	PLAT NO:	SCALE: 1"=20' CASE NO:
		DATE: 4/9/18	JOB NO: LT2180482

Michael and Casey Goldberg  
613 Kensington Ave E  
Severna Park, MD 21146  
(410) 647-4198 [home]  
(703) 615-5564 [mobile]

Re: Variance Request  
Account # 01516700  
District 03  
Subdivision 121

To whom it may concern,

We are requesting a variance for 613 Kensington Ave E, Severna Park to allow the addition of a front porch that in some spots would cross into the designated 25 feet setback because the site is at the end of a cul-de-sac. This causes the site to have a curved front setback that does not allow the addition of a usable front porch without some of it crossing 4 feet into the 25 feet setback as shown in the site plan.

The site consists of 14,874 square feet. It is located with 27 feet of frontage, at the closest point of the house, at the end of the Kensington Ave E cul-de-sac. The property is identified as Parcel 39, Block F, Lot 8, in Plat Book 32, page 42 in the subdivision Kensington Estates (formerly known as Benfield Manor). The Deed Title Reference number is 32046/ 00459. The zoning maps currently classify the property as R-5 Residential District.

The current site hosts a one-story dwelling with a finished basement, attached 1-car garage, asphalt driveway, deck (side and back), patio (back) and sidewalk. A four feet high wood fence encloses the rear yard. We are proposing construction of a front porch addition, 32'L x 6'D with a maximum height of 17-feet at the peak (which is the current peak height of the house), that will be located 21 feet from the front lot line. The total square footage of the porch addition will be 512 square feet.

We understand that Anne Arundel County Code provides that the minimum front lot line setbacks for principal structures located in a R5 Residential District are to be at least 25 feet from a front lot line. As such, we are requesting a variance of 4 feet to the required 25-foot front line setback to allow the proposed porch to be located 21 feet from the front line.

Granting a variance for the site under 18-16-305 (a.1) to reduce the setback by 4 feet to 21 feet, for only a front porch addition, would allow us the relief without:

- Altering the essential character of the neighborhood or district in which the lot is located;
  - Many of the homes in our neighborhood have front porches and if the variance was granted our home would match the character of the neighborhood. The design of the porch has been approved by the HOA Architectural committee provided a variance is granted.
- Substantially impairing the appropriate use or development of adjacent property;

- This variance would be in the front and would not impair the already developed properties on either side
- Reducing forest cover in the limited development and resource conservation areas of the critical area;
  - No trees would be removed
- Being contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area;
  - No clearing is necessary
- Being detrimental to the public welfare.
  - This will not interfere with use of the sidewalk in front of our home nor parking on the street.

Thank you for your consideration.

Michael A Goldberg

Casey W. Goldberg




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: February 14, 2025

RE: Michael A. Goldberg  
613 Kensington Ave. East  
Severna Park, MD 21146

NUMBER: 2025-00018-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling addition (covered front 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





**Legend**

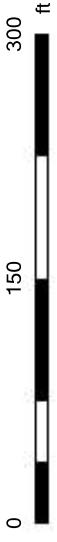
- Foundation:
- Addressing:
- Parcels:
- Parcels - Annapolis City:
- Streets:
- Planning:
- County Planning:



Notes

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.

none



THIS MAP IS NOT TO BE USED FOR NAVIGATION