

Anne Arundel County
Permit Center – Office of Planning and Zoning
2664 Riva Road
Annapolis, MD 21401

March 12, 2024

Permit Number: B02422549

Tax Account Number: 03-385-28118950

Property Address: 8287 Choptank Road
Pasadena, Maryland 21122

Dear Planning, Zoning, and Health Department Folks,

We respectfully request a variance be granted for our Residential Building Permit Application No. B02422549 which will allow us to replace the roof on our existing garage which was damaged by fire in February 2023. Specifically, we ask for consideration and approval for the proposed garage setbacks (on damaged garage's existing footprint), proposed roof pitch (matching the pitch of our house) and attic ceiling height (maximizing storage space). Please note, the proposed work is outside and beyond the 100-foot buffered modified area of our property.

At the end of this letter are pictures of the proposed site which show the surviving garage walls and foundation, and where the proposed work will take place.

Garage's Setback (footprint) and Roof Pitch (height)

Zoning Review Comments from Vanessa Crankfield, Office of Planning and Zoning, on 1/30/24:

"Comment: Your property is Zoned R2 which required an accessory structure to be 7 feet from the side lot line. During review of the building permit site plan it was found that the existing detached garage does not meet the required side yard setback for an accessory structure. The garage is only 5 feet from the east side lot line. Also, your proposed construction is not in-kind replacement of an existing structure.

Per Section 18-2-303 of the Zoning Code states that in kind replacement is exempt from the applicable bulk regulations if: (1) the original structure has been in the same location for at least twenty years; and (2) a building permit is obtained within eighteen months after the removal or destruction of the original structure. Per 17-1-101(57) "in-kind replacement" means the removal of a permanent structure and the construction of another permanent structure in the same location that is smaller than or identical to the original structure in use, footprint, area, height, width and length.

You are proposing to change the pitch of the roof of the existing garage. That being said, it will be required that you obtain a variance to the side yard setback requirement for the proposed construction."

We ask that you please consider the following:

Our proposed garage renovation will be identical to the original structure in its primary use, footprint, area, width and length.

We ask that the garage's roof match the pitch on the roof of our house (12 over 12). The completed garage will remain shorter than the main house. It will not block the view of our neighbors. And the new pitch will afford us more storage space in its attic. Our intent is to have the garage be more aesthetically and architecturally appropriate for our house while giving us more storage. As our plans indicate, it will have a pull-down ladder for access.

The garage walls survived the fire, so we ask that the garage stay on its exact same footprint. The garage was on our property at the time we purchased it in 2006. Unfortunately, it appears prior owners built it two (2) feet too close to the side lot. The cost and land disturbance associated with moving the garage's footprint/slab over by just two (2) feet seems unnecessarily destructive.

We believe our request is in accordance with § 18-16-305 Variances, (a) (2), as we believe "the grant[ing] of [our] variance is necessary to avoid practical difficulties ... to enable [us] to develop the lot."

Garage's Attic Ceiling (Height)

Septic Review comments from Eric Olmscheid, Health Department, on 1/23/24:

"Comment: The proposed storage space above the garage is considered as living space since the ceiling height is greater than 6'11". Portions of the house not counted towards the total living space are patios, decks, open porches, carports, and uninhabitable attics. (2012 AACO Sewage Disposal Code 1600.6.1) An attic is not counted towards living space if the maximum engineered ceiling height is 6'11" or less. The attic access shall be limited to a hatch or pull down stairs from below (2012 IRC R807.1 and R301.6g)."

We ask that you please consider the following:

Description of our property: We live on Wharf Creek in Pasadena, a quiet waterway which feeds into Bodkin Creek. We live in the quiet community of Green Gables. We purchased our house back in 2005. We live 'at the end of the road', so to speak, in that we're within the last three (3) miles of Mountain Road's approach to the Chesapeake Bay. We're lucky to live where we do, surrounded by great neighbors. Our lot size is 18,500 sq. ft. Our garage is positioned approximately 180 feet from the water, bulk head to be specific. We live in the critical area in what we are told is called "LDA Buffer Modified".

In accordance with Zoning Code Section 18-16-305, by allowing us to rebuild the garage on the exact same footprint as the original garage that was damaged, your approval of our request would help, we believe, "avoid practical difficulties" and avoid "unnecessary hardship". Otherwise, we'd have to disturb a significantly larger amount of land in order to move the garage's surviving walls (which thankfully survived the fire) and slab by only two feet, as well as force us to destroy our existing driveway in order to shift it over, as well.

There will be zero change in the impervious area for which we are requesting this variance. The proposed garage replacement will stand at the exact spot as the original garage prior to the fire.

The proposed attic will have pull down ladder for accessing it. There will be no stairs for its access. Really just looking to maximize the amount of space we can use in the attic.

The proposed garage roof replacement is very much in keeping with the character of the houses in our neighborhood and nearby waterfront communities. You will see in the pictures included below that our neighbors all have similar garages, some considerably larger and taller than what we're proposing. Our proposed garage roof replacement will fit in both aesthetically and proportionately for our waterfront community and neighbors.

Our proposed garage roof replacement will not impact the neighbors' water view. Included below are pictures illustrating this, taken from various angles.

No plants or trees will be removed, and we will gladly plant more as instructed by your offices should the need be determined.

Our proposed design creates the least amount of disturbed area. We are making the effort to consolidate all disturbances into one combined area, and keeping the disturbed area outside and beyond the 100-foot buffer.

This variance application is not as a result of a stop work order. We have not begun any work on this project at all – although we’d absolutely love to. We’re waiting to begin the project until we have all the approvals we need.

This proposed garage roof replacement, we believe, will not negatively impact the creek on which we are located or bog or compromise any natural area. As the Zoning Code requires, our proposed garage roof replacement “will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County’s critical area or a bog protection area and will be in harmony with the general spirit and intent of the County’s critical area program or bog protection program.” Again, as stated above, the proposed work is outside and beyond the 100-foot buffered modified area of our property.

Our proposed garage roof replacement will allow us to enjoy the same space our neighbors were allowed to build. Others in our waterfront community have exactly what we are proposing: garage with attic space above. We’re simply asking to make small modifications to the original design in order for the garage to look more like it belongs with our house and in our community.

Our proposed garage roof replacement will not confer on us any special privilege that would be denied by COMAR, Title 27, the County’s critical area program to other lands or structures within the County critical area, or the County’s bog protection program to other lands or structures within a bog protection area.

This variance application is the minimum variance necessary “to afford [our] relief”. Granting this variance will not “alter the essential character of the neighborhood or district in which the lot is located”; will not “impair the use or development of adjacent property”; will not “reduce forest cover in the limited development and resource conservation areas of the critical area”; will not “be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area”; and will not “be detrimental to the public welfare”.

Final thoughts: Don’t learn our lesson - lithium batteries are dangerous when they fail. They are the reason our original garage burned down last year. It was never our intention of even going through this process much less having to rebuild our garage after losing everything that we had in it. The silver lining will always remain that no one – not our family nor our neighbors – got hurt. We just want to turn this bad experience into something positive by rebuilding the garage a little nicer than it was and maximize the storage area for our family. That’s it.

We would love to be done with the eye sore with which the fire last year left us. We kindly ask that you consider our request as soon as possible. Should you have any questions at all or need any additional information, please do not hesitate to contact us. We’re excited to put this behind us.

Thanking you very much in advance for all your time and help!

Respectfully,

The image shows two handwritten signatures in black ink. The signature on the left is a stylized, cursive signature that appears to be 'Alexandra Quinn'. The signature on the right is a more formal, cursive signature that reads 'Alexandra MB Quinn'.

Alexandra and Thomas Quinn
Property Owners
8287 Choptank Road
Pasadena, MD 21122
Tom’s cell: 425-922-6114, TomHQuinn@yahoo.com
Alexandra’s cell: 443-433-6578, AlexandraMBQuinn@gmail.com







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

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: _____

Date: 3/12/24

Tax Map #	Parcel #	Block #	Lot #	Section
25	28	45	5 & 6	

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

*Complete Only Page 1
General Project Information

Tax ID: 03-385-28118950

Project Name (site name, subdivision name, or other) Quinn Residence Garage Fire Rebuild

Project location/Address 8287 Choptank Road

City Pasadena Zip 21122

Local case number Residential Permit Application B02422549/24TMP-120778

Applicant: Last name Quinn First name Tom & Alexandra

Company N/A

Application Type (check all that apply):

- | | |
|---|--|
| Building Permit <input checked="" 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 _____ First name _____

Phone # _____ Response from Commission Required By _____

Fax # _____ Hearing date _____

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site: ^{existing}
 Replace roof on garage severely damaged in a fire.

Intra-Family Transfer Yes
 Grandfathered Lot Yes

Growth Allocation Yes
 Buffer Exemption Area Yes
LDA Buffer Exempt

Project Type (check all that apply)

Commercial
 Consistency Report
 Industrial
 Institutional
 Mixed Use
 Other

Recreational
 Redevelopment
 Residential
 Shore Erosion Control
 Water-Dependent Facility

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft	Total Disturbed Area	Acres	Sq Ft
IDA Area					258
LDA Area		18,500			
RCA Area					
Total Area		18,500	# of Lots Created		

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		—	Existing Lot Coverage		4,635
Created Forest/Woodland/Trees		—	New Lot Coverage		—
Removed Forest/Woodland/Trees		—	Removed Lot Coverage		—
			Total Lot Coverage		4,635

VARIANCE INFORMATION (Check all that apply)

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

Variance Type

Buffer *Modified area*

Forest Clearing

HPA Impact

Lot Coverage

Expanded Buffer

Nontidal Wetlands

Setback

Steep Slopes

Other

Structure

Acc. Structure Addition

Barn

Deck

Dwelling

Dwelling Addition

Garage

Gazebo

Patio

Pool

Shed

Other

Critical Area Report Narrative

Variance 24TMP-020778

Permit Number: B02422549

Tax Account Number: 03-385-28118950

Property Address: 8287 Choptank Road, Pasadena, MD 21122

The proposed project is to repair our home's (residential) existing garage which was damaged by a substantial fire last year. The garage will continue to be used to store our vehicles and personal effects in its newly-repaired roof with an attic. We're asking to change the pitch of the roof in order for it to match our home on the property, and to give us storage in its attic. Approximately 3,300 square feet (or 18%) of our property are planted with trees, shrubs, and perennials: oak, leland cypresses, river birch, magnolias, crape myrtles, hydrangeas, azaleas, lilacs, privets and camellias among others. The work to replace the garage's burned roof primarily will take place on its existing foundation which thankfully was not damaged in the fire, and which is located at the end of our existing driveway. We expect very minimal environmental disturbance as we estimate no more than 258 square feet around the perimeter of the garage will be disturbed by construction in its roof replacement. There will be zero change in the impervious surfaces on our property as the garage will be rebuilt on its existing footprint. There are no habitat protection areas on our property. There is no slope at the site of the garage. We have no plans to remove any trees, shrubs or perennials during this project. In fact, we look forward to planting more once the work is completed in order to bring life back to the destruction caused by the fire. [It was determined by the AACo Fire Department that the fire was caused by lithium batteries. Don't learn our lesson: never charge them unsupervised.]

BØ24 22549

Variance # 24TMP-Ø2Ø778



Alexandra Quinn <alexandrambquinn@gmail.com>

AACO Permit telecon re: Prefile requirements for garage

1 message

Alexandra Quinn <alexandrambquinn@gmail.com>
To: Alexandra Quinn <AlexandraMBQuinn@gmail.com>
Cc: Tom <tomhquinn@yahoo.com>

Tue, Feb 20, 2024 at 12:36 PM

Profile NOT needed

Details:

Jennifer Lechner from AACO OPZ called me back today about Pre-file requirements for the garage. She said it would typically be required because we're a critical area. However, variance is only needed because of the set back requirements so in this case we do NOT need to pre-file.

When submitting the variance application:




Click "yes" to critical area
Click "no" to prefile needed

If we run into issues submitting online, upload a placeholder .pdf with today's date and her name referencing our conversation, and it should bypass the requirement.

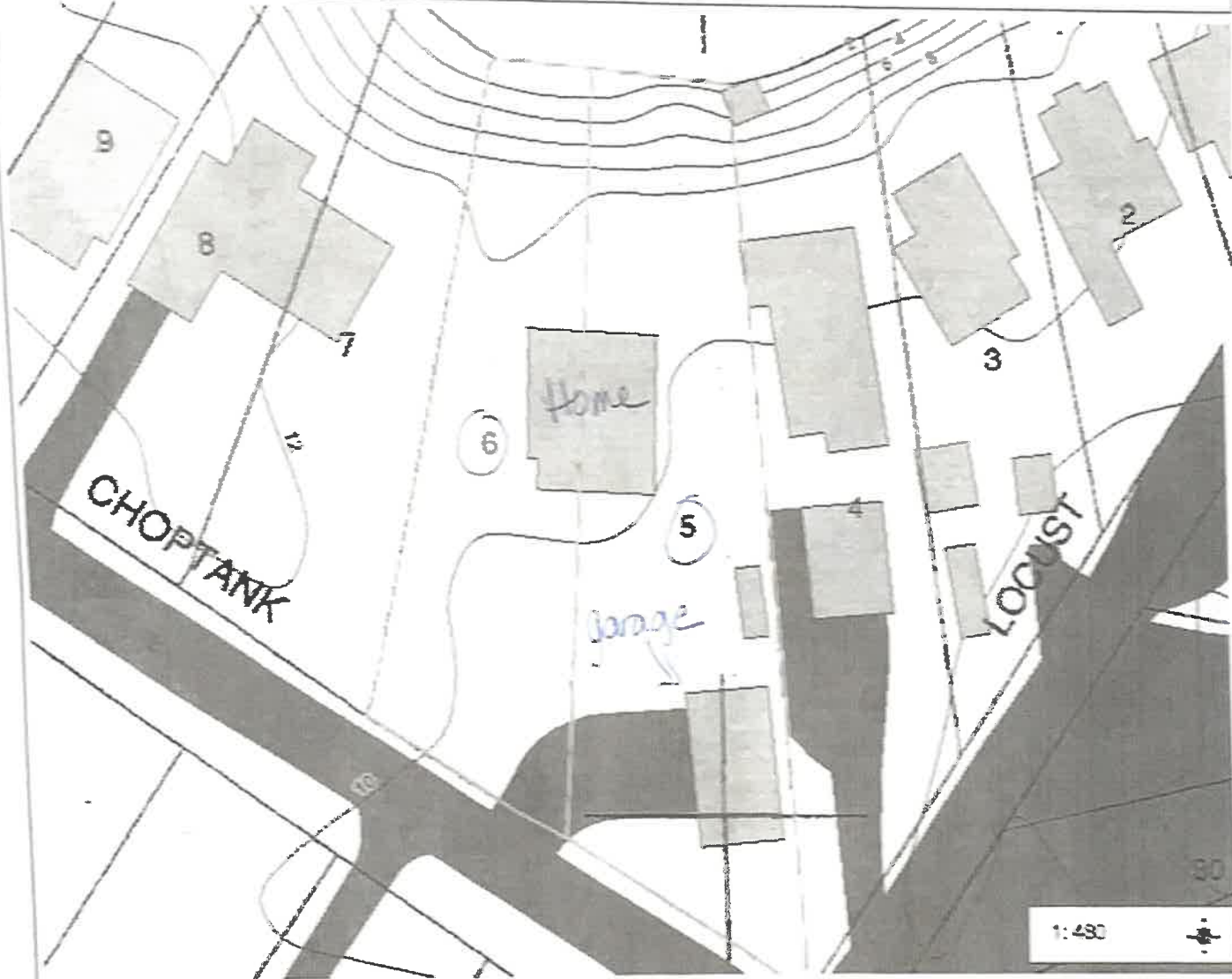
"Jennifer Lechner approved not needing a prefile per telephone conversation on Tuesday, February 20, 2024"



Legend

-  Buildings
-  Top 2011
-  Road Edges

Residential Permit # B0924225119
 Variance 24 TMD-0206778
 8287 Choptank Road
 Pasadena, MD 21122



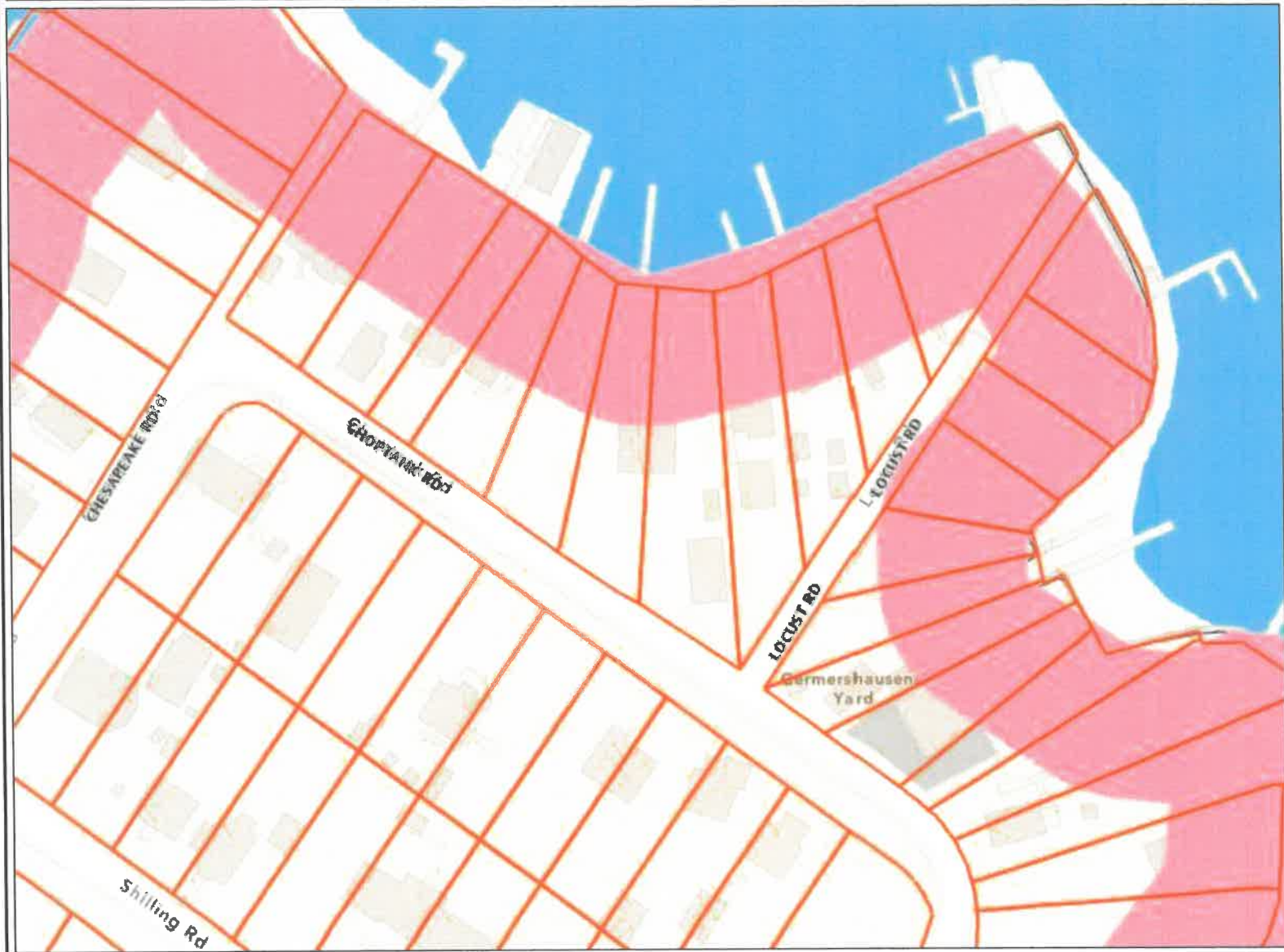
0 40.0 80.0 Feet

NAD_1983_NADN_StatePlane_Maryland_FPS_10K_Feet
 © Lantana Geographics Group Ltd

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Notes


Buffer Map - Unofficial Lot outline is ref only not exact



Legend

Foundation


Parcels




Planning

County Planning


Buffer



Modified Buffer



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0 100 200 ft

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes 1" = 100'

8287 Choptank Road topographic map



Legend

Foundation

Addressing

Parcels

Structure

County Structure

Elevation

Topo 2020

Index

Intermediate

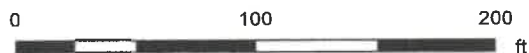


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Notes 1" = 100'

National Flood Hazard Layer FIRMette



76°26'57"W 39°7'17"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | | |
|------------------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE)
Zone A, V, A99 |
| | | With BFE or Depth Zone AE, AO, AH, VE, AR |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| | | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| | | Area with Reduced Flood Risk due to Levee. See Notes, Zone X |
| | | Area with Flood Risk due to Levee Zone D |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard Zone X |
| | | Effective LOMRs |
| GENERAL STRUCTURES | | Area of Undetermined Flood Hazard Zone D |
| | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| MAP PANELS | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |
- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **3/14/2024 at 8:44 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet

1:6,000

76°26'20"W 39°6'49"N

Basemap Imagery Source: USGS National Map 2023

Buffer Map - Unofficial Lot outline is ref only not exact



Legend

Foundation

Parcels



Elevation

Topo 2020

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Intermediate

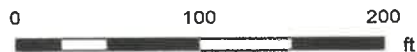


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