

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

APPLICANT: Chris Usilton

ASSESSMENT DISTRICT: 5

CASE NUMBER: 2024-0103-V

COUNCIL DISTRICT: 1

HEARING DATE: August 6, 2024

PREPARED BY: Joan A. Jenkins
Planner II



REQUEST

The applicant is requesting a variance to allow a dwelling addition with less setbacks than required on property located at 637 Cresswell Road in Brooklyn.

LOCATION AND DESCRIPTION OF SITE

The subject property consists of 8,600 square feet of land. This is a corner lot that is located with 85 feet of frontage on the south side of Cresswell Road, zero (0) feet east of Main Avenue. The property is identified as Lots 82 through 84 and part of lot 81 in the Arundel Gardens subdivision, Parcel 40 in Grid 6 on Tax Map 4, and has been zoned R5 – Residential District since the adoption of comprehensive zoning for the First Council District, effective July 10, 2011.

The property is improved with a two-story single-family dwelling, a shed on a concrete pad, and a round above-ground pool.¹ A 6-foot board on board fence surrounds the sides and rear of the property.

APPLICANT'S PROPOSAL

The applicant is proposing to construct an addition to the rear of the existing dwelling (11 feet by 21 feet).

REQUESTED VARIANCE

§ 18-4-701 of the Anne Arundel County Code requires a principal structure in the R5 District to be set back 20 feet from the corner side lot line. The proposed addition will be located nine feet from the corner side lot line, requiring a variance of eleven feet to the corner side setback requirement.

FINDINGS

The subject property is rectangular in shape. This Office finds that the 8,600 square foot site is larger than the minimum area requirement of 7,000 square feet and at 85 feet in width is wider than

¹ The site plan does not show the existing shed, concrete pad or the above-ground pool, but they can be seen on the 2024 aerial photo. The pool is in the location of a prior pool, but the current pool is larger. A permit has not been found for the increased size pool.

the required 60 feet for a new lot in the R5 District. According to State tax assessment records, the house was built in 1920, well before the enactment of zoning in the County. The date on the subdivision plat is September 1918.² The existing dwelling is non-conforming to current zoning setback standards.

A review of the County 2024 aerial photograph shows that the neighborhood contains an eclectic mix of homes on varying sized lots. Houses on corner lots do not appear to meet the corner side setback for the zoning district.

The **Health Department** commented that the property is to be served by public water and sewer facilities and there is no objection to the request subject to the availability of public water and sewer.

Approval of the variance for setbacks will not alter the essential character of the neighborhood as the proposed addition is in-line with the existing dwelling setback distance and is behind a fence constructed at the corner side lot line. The variance will not have an effect on the use or enjoyment of the abutting properties to the east and south as the proposal meets the side (interior) and rear setback requirements. Approval of the variance will not be detrimental to the public welfare as the location does not encroach on the corner of the property allowing a clear sight at the corner and is in-line with the existing dwelling on the corner side behind an existing fence.

The applicants only say that this addition will provide additional space for a growing family and they do not give information as to how this addition fits into the existing floor plan. According to the site plan submitted, there might appear to be room on the property to construct an addition on the east side of the dwelling. Given that the aerial photo shows an existing pool in that location the proposed location is likely the only practical location for an addition. The variance as requested is considered to be the minimum variance necessary to allow reasonable use of the site.

RECOMMENDATION

With regard to the standards by which a variance may be granted as set forth under §18-16-305 of the County Code, the Office of Planning and Zoning recommends ***approval*** of a variance of eleven feet to the required twenty-foot corner side lot line setback requirement to allow construction of an dwelling addition located nine feet from the corner side lot line.

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.

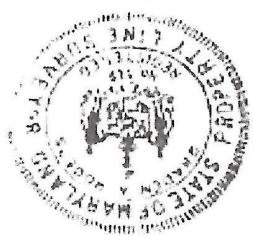
² Arundel Gardens, Plat Book 15, p. 5.

PLAT BOOK 15	PAGE 5	PLAT NO.	DATE BUILT	JOB NO. 1234567
RECORDED IN Anne Arundel County, Maryland			SCALE 1"=20'	CASE NO. 66619
PLAT ENTITLED Amstel Gardens				
LOT 8234A Part of 81 BLOCK	SECTION 1	PLAT		
FOLIO				

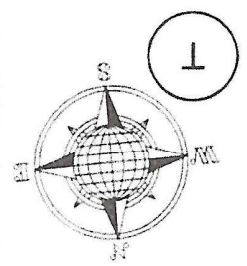
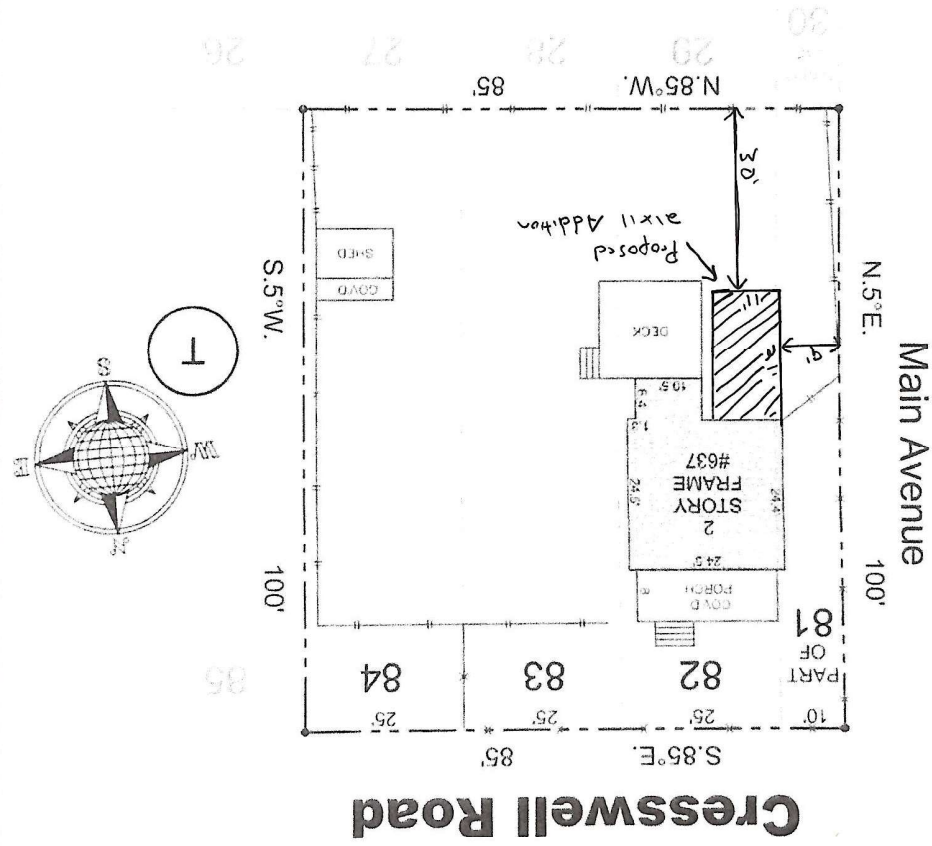
637 Cresswell Road

GRADEN A ROOFERS-Proprietary S.M.D. No. 119

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



NOTICE: This plan is intended to be used only as a guide for the location of improvements. It is not intended to be used for any other purpose. The engineer is not responsible for the accuracy of the information shown hereon. The engineer is not responsible for the accuracy of the information shown hereon. The engineer is not responsible for the accuracy of the information shown hereon.



Landtech Associates, Inc.
 10260 Old Columbia Road
 Ravens Center - Suite "J"
 Columbia, MD 21046
 Phone 410-290-8093 Fax 410-290-8239
 NOTE: NOT TO BE USED FOR ISSUANCE OF PERMITS

Variance Request: Letter of Explanation

637 Cresswell Road Rd

Baltimore, MD 21225

Anne Arundel County

To Whom It May Concern,

We, the under-named, are applying for a variance so that we might add an 11' x 21' one story addition to the rear of our house at 637 Cresswell Road, Baltimore, MD 21225. The existing house currently sits 9' from the property line, along the street on a corner lot. The setback requirement is 20', so the existing house is already over the set back requirement. We are looking to construct an addition straight off the back of our house that will be within 9' of the property line. The rear of the addition will be 21' off the rear of the house, and be 30' from the rear property line.

The current lot is fenced, that fence will not be disturbed and the addition will be within that fence. The lot is flat, and wide open.

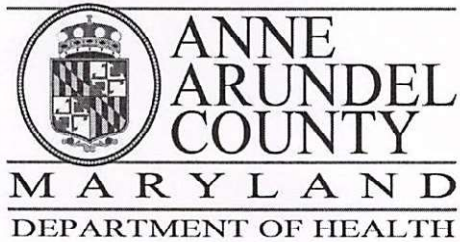
This addition will give us the additional space we need for our growing family.

Chris Usilton

Amanda Zdanis

410-979-8945

May 28th, 2024



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 *BC*

DATE: June 10, 2024

RE: Birdland Builders, LLC
637 Cresswell Road
Brooklyn, MD 21225

NUMBER: 2024-0103-V

SUBJECT: Variance/Special Exception/Rezoning

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

The Health Department has reviewed the above referenced request. The proposed project is to be served by public water and sewer facilities. The Health Department has no objection to the above referenced request subject to the availability of public water and sewer.

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

cc: Sterling Seay

637 Cresswell Rd



Legend

Foundation

Addressing



Parcels

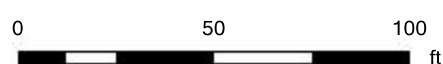


Parcels - Annapolis City



Planning

County Planning



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