

PRO. EXHIBIT# 1
CASE: 2024-0209-V
DATE: 1/28/25

Office of Administrative Hearings
Arundel Center, P.O. Box 2700
Annapolis, Maryland 21404
Attn: Holly Colby

Re: Frank Benz 2024-0200-V (AD 3, CD 5)
1100 Magothy Circle, Annapolis Maryland 21409

To Whom it May Concern:

We are the current homeowners residing at 1098 Magothy Circle, writing in response to the proposed variance to allow a new dwelling with less setbacks than required.

Although we are excited for improvements to take place on the current property at 1100 Magothy Circle, we are strongly opposed to the current proposed variance. As you may or may not be aware, the current dwelling on the property at 1100 Magothy Circle has been an eyesore for many years. However, the current dwelling is already well over the allowable setback, and puts the current dwelling almost within reaching distance to the property line of 1098 Magothy Circle. The proposed increase would cause an exceptionally unreasonable closeness between the properties, which would substantially decrease the current property value at 1098 Magothy Circle. Additionally, the increase in height of the proposed improvements, in addition to allowing the dwelling with less than the setback than required, would create a "looming" structure that would essentially be on top of the property at 1098 Magothy Circle. The variances are in place for a valuable purpose, to prevent the exact instance attempting to be enacted here which would be dwellings that are unreasonably and uncomfortably close together. Attached you will find photographs which highlight the already extreme closeness of the dwellings to better understand the dimensions being proposed and what an unreasonable situation they would create. We are fine with the setback standing as it is, which is already over the allowable setback required and is more than reasonable.

The current property at 1100 Magothy Circle has an abundance of other directions which can be developed. For example, towards the Little Magothy River there is plenty of space to build and increase the footprint of the existing dwelling

In addition to a concern about the closeness of the properties, we are also concerned about the proposed addition of a pool in a location that would abut our retaining wall. As you can imagine, we are very concerned about the pressure that type of structure would place on our retaining wall, and what damage could be caused if there were to be a leak or some other calamity. Who would be responsible for the damage to our property were that wall to crack or fail due to damage from a pool? Again, a pool could easily fit in a location on the property that does not abut our retaining wall. This would likely

require the County to make concessions in their zoning and variance restrictions, but we feel as if that is the more reasonable course of action rather than requiring private homeowners to bear that risk. It is a large piece of property, and we are confident that a creative designer is more than able to design a dwelling that both meets the needs of the homeowner at 1100 Magothy Circle, while adhering to the current variances and valid concerns as they relate to our property at 1098 Magothy Circle.

Sincerely,

Katherine Anello

Katherine Anello
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Annapolis, Maryland 21409

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