

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

APPLICANT: Winston & Carolyn Dunkley

ASSESSMENT DISTRICT: 2

CASE NUMBER: 2024-0201-V

COUNCIL DISTRICT: 6

HEARING DATE: February 11, 2025

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicants are requesting a variance to allow a dwelling addition (porch and deck) with less setbacks than required on property located at 1329 Washington Drive in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 5,000 square feet of land and is located with frontage on the south side of Washington Drive. It is identified as Lot 52 of Block 4 on Plat 1 in the Oyster Harbor subdivision, Parcel 8 in Grid 21 on Tax Map 57. The property is zoned R2 – Residential District, and lies entirely within the Chesapeake Bay Critical Area LDA – Limited Development Area. It is improved with a one-story dwelling and associated facilities.

PROPOSAL

The applicants propose to construct a covered front porch (approximately 5' x 26') and an open side deck (approximately 3' x 13.5'), both with steps to grade.

REQUESTED VARIANCES

§ 18-2-301(f) of the Anne Arundel County Zoning Ordinance provides that a single-family detached dwelling on a lot that does not meet the area or width requirements may be expanded if the expansion is set back at least 25 feet from the front lot line. The proposed porch would be constructed as close as 19 feet from the front lot line, necessitating a variance of 6 feet.¹

FINDINGS

The subject property is rectangular in shape and undersized for lots in the R2 District, with regard to the minimum lot size of 15,000 square feet, if served by public sewer, and the minimum lot width of 80 feet. A review of the County aerial photography shows that the lots in this waterfront community are generally undersized, and the dwellings are closer to the property lines than required.

¹ The Administrative Site Plan erroneously notes that the proposed porch would be as close as 22 feet from the front lot line. However, the location survey showing the existing conditions indicates that the dwelling is 24 feet from the front lot line. Therefore, a 5 foot deep porch would be 19 feet from the front lot line, requiring a variance of 6 feet. A revised site plan was not received at the time of this report.

Building permit B02431842, to remove the existing front and side steps and to construct a porch and deck, was submitted on December 10, 2024. Variance approval must be obtained prior to the permit being issued.

1331 Washington Drive (property to the east) was granted a variance, 1997-0311-V, to allow a 2-story dwelling addition to be as close as 12 feet from the front lot line.

1327 Washington Drive (property to the west) was granted a variance, 2014-0005-V, to allow an uncovered deck to be as close as 21 feet to the front lot line.

1326 Washington Drive (property to the north, across the street) was granted a variance, 2018-0013-V, to allow a dwelling as close as 11 feet to the rear (roadside) property line.

The applicant's letter explains that decks and porches are common amenities in their community, and that they wish to add a front porch in order to have a space to enjoy the view and to communicate easily with neighbors.

Agency Comments

The **Health Department** has determined that the proposed request does not adversely affect the well water supply system and has no objection to the request.

Variance Criteria

For the granting of a 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, strict implementation of the Code would result in practical difficulties or an unnecessary hardship.

In this particular case, the subject property is severely undersized for the zoning district, and the dwelling itself does not meet the minimum front setback for lots in the R2 district, nor for dwellings on a nonconforming lot. There would be no possibility of designing a front porch that would meet the required setbacks.

Porches are common amenities in this neighborhood and several properties had been granted setback variances to allow improvements closer to the road. Therefore, the granting of a variance at the subject property would not alter the essential character of the neighborhood or district in which the lot is located, would not substantially impair the appropriate use or development of adjacent property, nor would it be detrimental to the public welfare.

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 variances to § 18-2-301(f) to allow a dwelling with less setbacks than required.

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.

RECORD PLAT NORTH

See other plans

- A = 5'
- B = 29.5'
- C = 30"
- D = 4'
- E = 3.4"
- F = 8' 10"
- G = 2' 7"
- H = 19'
- I = 17'

LOT 53
BLOCK 4
PLAT 1
OYSTER HARBOR
PB 22/9

LOT 52

N43°23'00"E

29.4'
#1329
1 STORY
FRAME

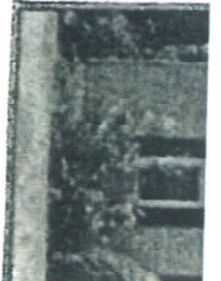
ASPHALT
DRIVE

WASHINGTON DRIVE

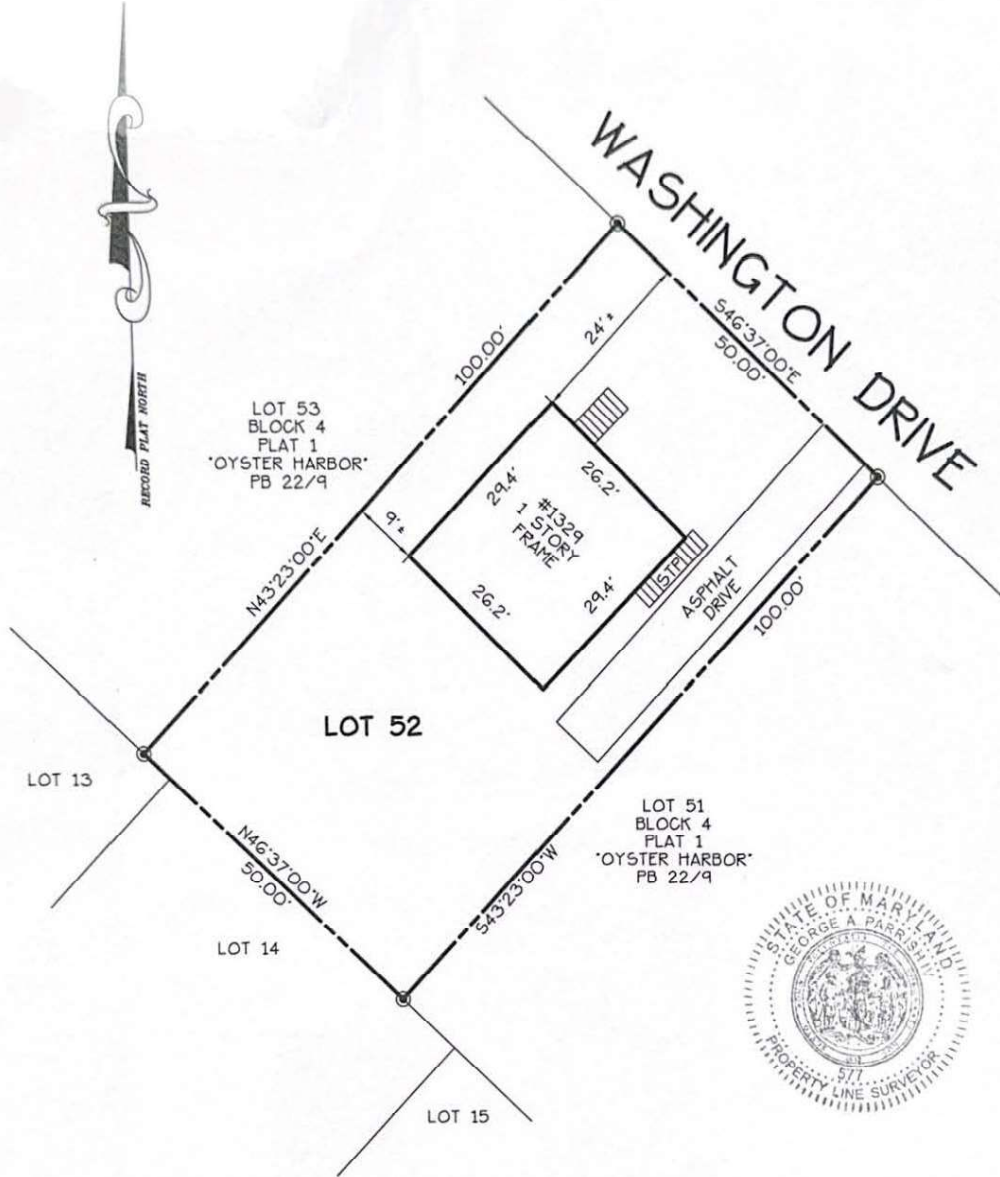


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valid without both
pages. See page two
(or reverse) for
Survey Notes.



This is a two page document and is not valid without both pages. See page two (or reverse) for Survey Notes.



I hereby certify that the improvements shown hereon, to the best of my professional knowledge and ability, have been located by a transit, tape or total-station survey.

George A. Parrish IV

GEORGE A. PARRISH IV PROP.LS#577 08/21/18
LICENSE EXPIRATION DATE 03/24/19

1329 WASHINGTON DRIVE PB 22/9

LOCATION DRAWING
LOT 52 BLOCK 4 PLAT 1
OYSTER HARBOR
SECOND DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND
SCALE: 1" = 20' AUGUST 2018

PROJECT#54853
F/N: OYSTERHARBOR-B4-P1-L52
DRAWN BY: BTG



ADVANCED SURVEYS
Established 1975
3140 WEST WARD ROAD SUITE 103
DUNKIRK, MARYLAND 20754
P: (410)286-9712 F: (410)286-9718

Letter of Explanation

November 4, 2924

To Whom It May Concern:

Most houses in the neighborhood of Oyster Harbor have some type of attached outdoor decks or porches. In order to have a space to sit outside to enjoy the view and be able to communicate easily with neighbors, we are seeking to add a front porch to the existing house, that will be 20 feet across and 5 feet wide, a total of approximately 100 square feet. The approximate height is 12 feet. The setbacks are 7 and 13 feet, approximately 20 feet. This includes: facing the property, house to the right is 7 feet and the house to the left is 13 feet. This property is located across the street from Oyster Creek. The lot size is 5,000 square feet.

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

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction:

Date: 11.4.2024

Tax Map #	Parcel #	Block #	Lot #	Section
259704254700		4	52	
	0008			

Tax ID: 04265400

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
 General Project Information

Project Name (site name, subdivision name, or other) Oyster Harbor

Project location/Address 1329 Washington Drive

City Annapolis Zip 21403

Local case number

Applicant: Last name Dunkley First name Winston

Company Owner

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:

Add porch to existing property

Yes Intra-Family Transfer <input type="checkbox"/> Grandfathered Lot <input type="checkbox"/>	Yes Growth Allocation <input type="checkbox"/> Buffer Exemption Area <input type="checkbox"/>
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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"/>
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SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft		Acres	Sq Ft
IDA Area		5000	Total Disturbed Area		
LDA Area					
RCA Area			# of Lots Created		
Total Area		5000			

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees			Existing Lot Coverage		
Created Forest/Woodland/Trees			New Lot Coverage		
Removed Forest/Woodland/Trees			Removed Lot Coverage		
			Total Lot Coverage		

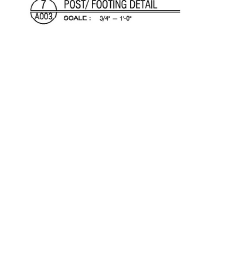
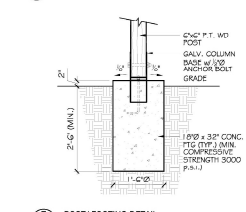
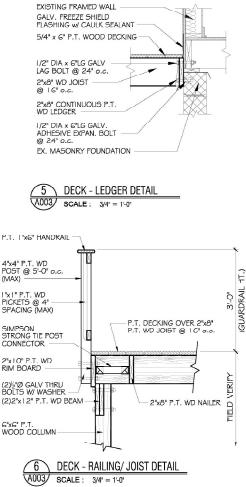
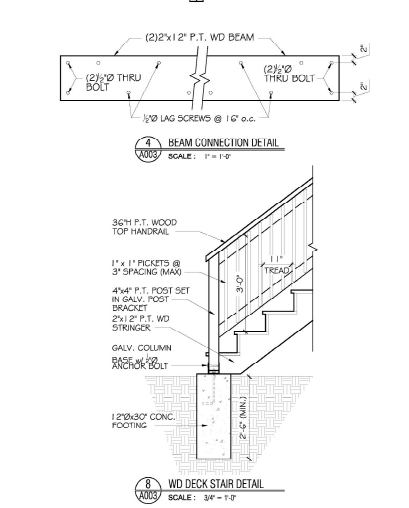
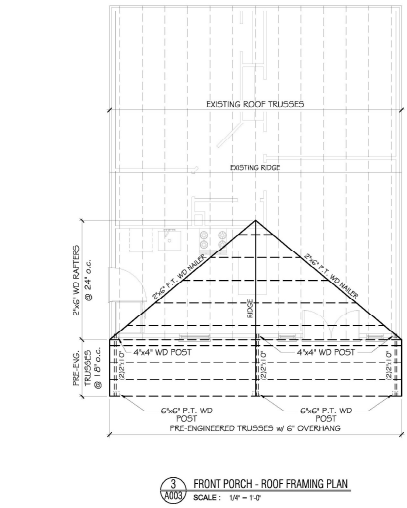
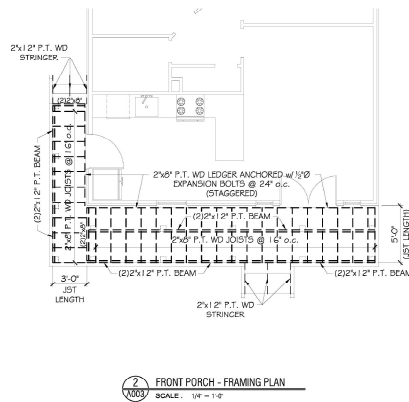
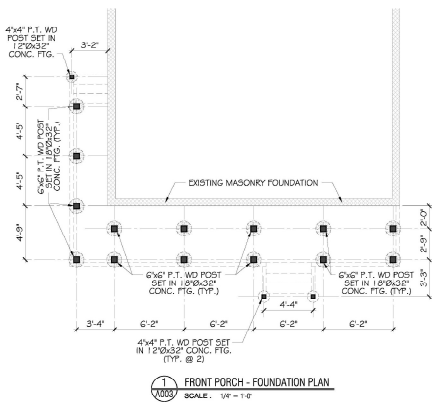
VARIANCE INFORMATION (Check all that apply)

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

<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 type="checkbox"/> _____	<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 type="checkbox"/> Gazebo <input type="checkbox"/> Patio <input type="checkbox"/> Pool <input type="checkbox"/> Shed <input type="checkbox"/> Other <input checked="" type="checkbox"/> Porch _____
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Critical Area Report Narrative

This is a residential property project. There are no trees on the property that will be disturbed. There are 3 small shrubs that will be replanted once the project is completed. Approximately, 100 sq. Feet will be disturbed by the proposed development. There will no need for water quality and habitat control. Regarding impervious coverage, approximately 100 square feet will be disturbed.



LEGEND:

- EXISTING MASONRY WALL TO REMAIN
- CONCRETE
- EXISTING WALL TO REMAIN
- PROPOSED WORK (WALLS)
- EXISTING TO BE REMOVED
- (2)2"x12" WOOD BEAM

GENERAL DECK NOTES:

- ALL LUMBER SHALL BE NO. 2 GRADE PINE OR BETTER
- ALL EXTERIOR WOOD SHALL BE PRESSURE TREATED LUMBER
- ALL METAL ACCESSORIES SHALL BE GALVANIZED
- ALL DECKING SHALL BE 5/8" THICK COMPOSITE DECKING
- APPLY 2 COATS OF CLEAR WOOD PRESERVATIVE OVER ENTIRE DECK
- ALL FOOTINGS SHALL BE A MIN. OF 30" DEEP TO UNDISTURBED GRADE
- CONTRACTOR SHALL PROVIDE ALL NECESSARY HARDWARE FOR COMPLETE OPERATION OF ALL COMPONENTS, I.E. SCREWS, LATHES, NAILS, GLUES, LUGS, ETC.
- ALL PICKETS SHALL HAVE A MAX SPACING OF 4" BETWEEN PICKETS
- ALL PRESSURE TREATED WOOD JOIST ARE 12" ON CENTER O.C. AS SHOWN
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND HEIGHTS PRIOR TO CONSTRUCTION
- CONTRACTOR SHALL REMOVE ALL TRASH/DEBRIS FROM PREMISES UPON COMPLETION OF CONSTRUCTION

STRUCTURAL DESIGN LOADS

Roof:	40 PSF (dead)	15 PSF (live)
Floor:	30 PSF (dead)	15 PSF (live)
Deck:	40 PSF (dead)	60 PSF (live)
Attic with storage:	20 PSF	
Exterior Balcony:	60 PSF	
Stairs:	40 PSF	
Guardrails and Handrails:	200 PSF	
Guardrails In-ill components:	50 PSF	
Wind loads:	90 mph (live)	
Foundation lateral loads:	40 PSF	
Earth lateral loads:	45 PSF	
Ground Snow load:	30 PSF	
Soil bearing capacity (at foundation):	1200 PSF	

DESIGN PARAMETERS

Struct. Design Category: B
 Wind Design Temperature: 9
 Ice Shield Underlayment required: No
 Ice Freezing Index: 300
 Mean Annual Temperature: 59°F

WOOD FRAMING

ALL STRUCTURAL MEMBERS SHALL BE SOUTHERN YELLOW-PINE-FIR NO. 2 OR BETTER (16'-40' PSF REPEATED USE, L=4-1600,000 PSI). LAMINATED WOOD BEAMS (MICRO-LAM), AS MANUFACTURED BY TRUSS JOIST CORPORATION, BRISBANE, QUEENSLAND, AUSTRALIA, SHALL BE PERMITTED AS PER THE CONTRIBUTION OF JOISTS AND ROOF TRUSSES, EXCEPT AS PERMITTED BY MANUFACTURERS INSTRUCTIONS OR BUILDING CODES (16'-2,600 PSI, E = 2,000,000 PSI). ALL WOOD IN CONTACT WITH MASONRY OR CONCRETE SHALL BE PRESSURE TREATED AGAINST ROT AND DECAY.

BRICK PILES OR MASONRY FOUNDATION WALLS SHALL BE ANCHORED WITH 1/2" DIA. ANCHOR BOLT EMBEDDED A MIN. OF 8-12" O.C., 12" FROM CORNERS, AND A MINIMUM OF TWO ANCHORS PER BOARD.

CONCRETE

- ALL CONCRETE WORK SHALL CONFORM WITH THE REQUIREMENTS OF THE AMERICAN CONCRETE INSTITUTE (ACI) 318-08
- ALL CONCRETE UNLESS NOTED OTHERWISE SHALL BE STONE CONCRETE HAVING A MINIMUM ULTIMATE COMPRESSIVE STRENGTH OF 3,000 PSI AFTER 28 DAYS
- REINFORCING STEEL SHALL BE DEFORMED BARS OF INTERMEDIATE GRADE NEW BULLET STEEL, CONFORMING TO CURRENT REQUIREMENTS OF A S.T.M. A-108 (MIN. DESIGN STRESS = 60,000 PSI, LAP W/45D OR SHAW UNLESS OTHERWISE SHOWN)
- WELDED WIRE FABRIC SHALL HAVE A MINIMUM ULTIMATE STRENGTH OF 70,000 PSI AND SHALL CONFORM TO A.S.T.M. A-185
- MINIMUM STEEL PROTECTION, UNLESS OTHERWISE SHOWN, SHALL BE 1" FOR SLABS, 2" FOR FOOTINGS AND OTHER STRUCTURAL CONCRETE EXPOSED AGAINST GROUND
- EXCAVATION SHALL BE KEPT FREE OF WATER. NO CONCRETE SHALL BE PLACED IN WATER

DPE DECK REQUIREMENT

DECK SHALL BE CONSTRUCTED PER PARK GEORGES COUNTY (DPE) DECK GUIDELINES.

G H D

GEE HOW DAYNE, LLC
 Commercial Architecture
 1007 Third Road, Clinton, MD 20735
 202.330.1229 ghd@geehowdayne.com

1329 Washington Drive
 Annapolis, MD 21403
S.F.R. - FRONT PORCH & INTERIOR ALTERATION

Structural Framing Plans, Section Detail
 Details & Notes

drawing date

Project no. 2018-100
 Date: 12 AUGUST 2018

Structural Framing Plans
 Section Detail
 Details & Notes

A003

drawing no.



ANNE
ARUNDEL
COUNTY


MARYLAND
DEPARTMENT OF HEALTH

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: December 20, 2024

RE: Winston P. Dunkley
1329 Washington Drive
Annapolis, MD 21403

NUMBER: 2024-0201-V

SUBJECT: Variance/Special Exception/Rezoning

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

The Health Department has reviewed the well water supply system for the above referenced 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

1329 Washington Drive (2024-0201-V)



Legend

Foundation


Addressing



Parcels



Parcels - Annapolis City



0 40 80 ft

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