

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

APPLICANT: Thomas Heyer & Deborah Odell

ASSESSMENT DISTRICT: 2nd

CASE NUMBER: 2025-0041-V

COUNCILMANIC DISTRICT: 6th

HEARING DATE: May 8, 2025

PREPARED BY: Sara Anzelmo
Planner



REQUEST

The applicants are requesting a variance to allow an extension in time for the implementation and completion of a previously approved variance on property located at 1829 Cove Point Road in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject property consists of 1.4 acres +/- of land and is located on the southeast side of Cove Point Road. It is identified as Part of Lot 6 of Parcel 100 in Block 8 on Tax Map 45F in the subdivision of Lindamoor on the Severn.

The property is zoned R2 – Residential District. The site fronts the Severn River to the north and Cove of Cork to the southeast, is located within the Chesapeake Bay Critical Area overlay, and is designated as part LDA – Limited Development Area and part RCA – Resource Conservation Area. The property is not mapped as buffer modified and is subject to the standard buffer regulations. It is improved with a single-family detached dwelling with a basement/garage, a pier, and other associated facilities.

PROPOSAL

The applicants propose to redevelop an existing residential lot with a new single-family detached dwelling and associated facilities.

REQUESTED VARIANCES

§ 18-16-405(a) of the Anne Arundel County Zoning Ordinance provides that a variance that is not extended or tolled expires by operation of law unless the applicant obtains a building permit within eighteen months of approval. On October 3, 2023, the Administrative Hearing Officer approved a variance under Case No. 2023-0130-V to allow construction of a new dwelling within the expanded buffer. That approval would have been valid until April 3, 2025. The applicant is requesting a variance to allow an additional 18-month extension in time to obtain a building permit while maintaining the previous approval.

FINDINGS

This application for an extension in time was properly made on March 10, 2025, prior to the expiration of the eighteen month time period.

The applicants' letter explains that the grading permit G02020062 is ready for approval pending securities; however, due to unforeseen delays and building permit requirements, the applicants have not been able to receive approvals and proceed with construction. An extension of 18 months is being requested in order to give the additional time needed to continue with the project requirements and obtain permits.

Based on the above and on a review of the permit revision records and associated comments, it appears that the applicant is actively working towards obtaining the necessary approvals to proceed with the proposed redevelopment and that a building permit should be reasonably obtainable within the requested time extension.

There is no evidence that this first request for an extension in time would alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent property, or 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 a variance to §18-16-405(a) to allow an additional eighteen months for the implementation and completion of a previously approved variance.

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.

March 6, 2025

Anne Arundel County
Office of Planning and Zoning
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

RE: Variance Extension Request 2023.130V
Article 18, Section 16-405(a)
LINDAMOOD ON THE SEVERN, P/O LOT 6 & ACCRETION LAND
1829 Cove Point Road
Annapolis, Maryland 21401
Tax Account #02-485-11240900

Dear Sir or Madam:

On behalf of the owners Mr. Thomas Heyer and Mrs. Deborah Odell; our firm Drum, Loyka, & Associates, LLC is requesting a variance extension for the above referenced property. Specifically, a variance is requested to Article 18, Section 16-405(a) for a time extension to the variance expiration of April 3, 2025 for case number 2023.130V.

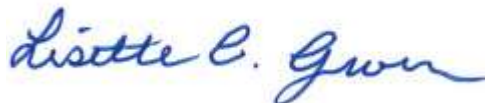
On October 3, 2023, the property owners received variance approval to demolish the existing house and to construct a new one-story dwelling with partial basement and crawl space, utilizing the same foundation with several modest dwelling and porch expansions and a reconfigured driveway, the Order of which is included as Attachment 1. The Hearing Officer approved a critical area variance to Anne Arundel County code §17-8-301 to allow the disturbance of the buffer and/or expanded buffer for the proposed improvements.

While the grading permit G02020062 is ready for approval pending securities, due to unforeseen delays, and building permit requirements the applicants have not been able to receive approvals and proceed with construction. An extension of 18 months is being requested in order to give the property owners the time needed to continue with the project requirements and obtain permits needed for construction.

Thank you for your consideration to this matter. If you have any questions, please contact me at your earliest convenience at 410-280-3122 or via e-mail lgroen@drumloyka.com.

Sincerely,

DRUM, LOYKA AND ASSOCIATES, LLC



Lisette C. Groen
Civil Engineering Senior Designer

Cc: Thomas Heyer
Deborah Odell



COVE POINT RD

Tax Account Number: 248511240900