

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

APPLICANT: Joseph Jamison

ASSESSMENT DISTRICT: 1

CASE NUMBER: 2024-0226-V

COUNCILMANIC DISTRICT: 7

HEARING DATE: June 24, 2025

PREPARED BY: Sara Anzelmo
Planner

REQUEST

The applicant is requesting variances to allow an accessory structure (detached garage with storage and deck above and rear ADU - Accessory Dwelling Unit) with less setbacks than required, in the front yard of a nonwaterfront lot, with greater floor area than allowed, and with greater height than allowed on property located at 1515 Arundel Road in Edgewater.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 10,000 square feet of land and is located with 100 feet of frontage on the northeast side of Arundel Road. It is identified as Lots 4152 thru 4156 of Parcel 126 in Block 7 on Tax Map 56 in the Woodland Beach subdivision.

The property is zoned R5 - Residential District. The site is not waterfront, but it is located entirely within the Chesapeake Bay Critical Area overlay and is designated as IDA - Intensely Developed Area. It is currently improved with a split-foyer single-family detached dwelling, a detached garage, and other associated facilities.

PROPOSAL

The applicant proposes to construct an accessory structure. The first floor would measure 25' by 70.6' (1,765 sf) and would contain a front four-car garage measuring 25' by 38.6' (965 sf) and a rear ADU - Accessory Dwelling Unit measuring 25' by 32' (800 sf) plus a porch measuring 6' by 19.17' (115.02 sf) on the east side. The second floor would contain a front storage area measuring 21.09 by 38.85' (819.35 sf) and a rear upper deck with a main section measuring 25' by 32' (800 sf) plus 3.91 by 38.6' (150.93 sf) of decking along the northwest side of the upper level storage area and 3.58' by 12.86' (46.04 sf) of decking along the northeastern side of the main deck area. The second floor would be accessed via a landing and exterior stairs located on the east side. Also proposed but not requiring a variance is an addition to the principal dwelling for a kitchen expansion, a master suite expansion, and a deck. While proposed under a current building permit application, the proposed dwelling addition is not shown on the variance site plan.

REQUESTED VARIANCES

§ 18-4-701 of the Anne Arundel County Zoning Ordinance provides that an accessory structure eight feet in height or greater in an R5 District shall be set back a minimum of 40 feet from the

front lot line. The proposed accessory structure would be constructed 19.2' from the front lot line, necessitating a variance of 21 feet.

§ 18-2-204(b) provides that an accessory structure may not be located in the front yard of a nonwaterfront lot. The proposed accessory structure would be located 19.2' from the front lot line, while the principal dwelling is located 30 feet +/- from the front lot line, necessitating a variance to allow an accessory structure in the front yard 11 feet closer to the front lot line than the facade of the existing principal structure.

§ 18-2-204(d) provides that the floor area of an accessory structure may not be greater than the floor area of the principal structure. The total area of the proposed two-story accessory structure (excluding porches and decks) would be 2,584.35 square feet. The total floor area of the principal dwelling is currently 1,724.2 square feet, necessitating a variance of 860.15 square feet.¹

§ 18-4-701 limits the height of an accessory structure in an R5 District to 25 feet or the height of the principal structure, whichever is less. The existing principal dwelling is 15.3 feet high as is the proposed dwelling addition. The proposed accessory structure would be 21.46 feet high, necessitating a variance of 6.16 feet.

FINDINGS

The subject property easily exceeds the minimum 7,000 square foot area and 60-foot width required for a lot in an R5 District. A review of the 2024 County aerial photograph shows an eclectic mix of dwellings and accessory structures in this older waterfront community.

The applicant's letter explains that the proposed accessory structure is intended to provide living space for his aging mother, garage space for vehicles, and much needed storage above the garage for his mother's excess personal belongings that won't fit within her new ADU. The letter states, "The strict enforcement of the zoning requirements would cause unnecessary hardship due to not being able to complete the project." However, no justification has been provided to address any of the specific variances, including those that seek to exceed the maximum floor area and height specifically intended by Code.

The **Health Department** has reviewed the well water supply system for this property and has determined that the proposed request adversely affects this system. Therefore, the Department recommends denial of the variance request.

The **Office of Inspections and Permits Engineering Division** took no position on the variance request, but provided the following instructions for the applicant if the variance is approved. At Grading Permit/Standard Grading Plan, show and label the sewer cleanout at the right-of-way and within the property. If sewer needs to be rerouted, show the proposed sewer location.

¹ It should be noted that a 166.35 sf kitchen addition and a 350 sf master suite addition are proposed on the rear of the existing principal dwelling. Once constructed, the floor area of the principal dwelling would increase to 2,240.55, reducing the area variance to 343.8 sf post construction. Despite being shown on a current building permit, the proposed additions were not shown on the variance site plan. Out of an abundance of caution, until/unless the dwelling additions are actually constructed, the 860.15 square foot area variance has been calculated based on the existing principal dwelling floor area.

For the granting of a zoning variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to or inherent in the lot or because of exceptional circumstances other than financial considerations, strict implementation of the Code would result in practical difficulties or an unnecessary hardship. The need sufficient to justify a variance must be substantial and urgent and not merely for the convenience of the applicant.

There does not appear to be anything unique about the subject property nor do exceptional circumstances exist that would prevent the applicant from developing the lot in accordance with the Zoning Code while still having reasonable use of his residentially zoned property. Prior to the recently passed Bill 6-23, a lot smaller than 14,000 square feet would not have allowed an accessory dwelling unit. The law changed to allow ADUs on smaller lots and in detached structures. There is ample room to construct a substantial accessory structure up to 53 feet deep within the required setbacks. It is the excessive size of the accessory structure with its proposed four-car garage area (965 sf), large second floor storage area (819 sf), and accessory dwelling unit (800 square feet) that are causing the need for the requested variances. This proposal and the associated four separate zoning variances completely undermine the intent of the accessory structure regulations, which are designed to prevent accessory structures from dominating the lot.

Approval of the variances may alter the essential character of the neighborhood, as the front setback and front yard variances for such a large accessory structure that would exceed both the maximum floor area and the maximum height of the principal structure may adversely impact the streetscape. The variances would not impair the appropriate use or development of the adjacent properties, as the proposed structure would meet the required setbacks from the side and rear property lines. However, based on the Health Department comment regarding the well water supply system, it appears that the variance may be detrimental to the public welfare.

There has been little to no effort made to design an accessory structure that conforms to the Code. Given that the property is already improved with a typical sized dwelling and a detached garage, and given that a more reasonably sized accessory structure could be constructed within the minimum setback, maximum area, and maximum height limitations, the requested variances cannot be supported and cannot be considered the minimum necessary to afford relief.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends **denial** of the proposed zoning variances.

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.

SITE PLAN

SCALE: 1" = 10'

EXISTING/PROPOSED LOT COVERAGE SUMMARY

EXISTING LOT AREA EXISTING LOT COVERAGE	DESCRIPTION	AREA
10,000 SQ. FT. = 0.23 ACRES 2.74% COV. = 0.0467 ACRES	EXISTING/PROPOSED LOT COVERAGE SUMMARY	

NOTE: BREAKDOWN OF EXISTING LOT COVERAGES ARE AS FOLLOWS

- EX GRAVEL DRIVEWAY = 515 SQ. FT. ±
- EX RAISED DRIVE = 160 SQ. FT. ±

- EX CORNER DRIVEWAY = 3/4 SQ. FT. ±
- EX SIDEWALKS = 105.89 SQ. FT. ±

TOTAL EXISTING = 2,472.4 SQ. FT. +

NOTE: BREAKDOWN OF EXISTING LOT COVERAGES TO BE REMOVED A

- EX PAVED DRIVEWAY = 150 SQ. FT. ±
- EX CONC DRIVEWAY = 374 SQ. FT. ±

TOTAL EXISTING TO BE REMOVED = 524 SQ. FT. ±

TOTAL EXISTING TO REMAIN = 1,948,480. FL. ±

NOTE: BREAKDOWN OF PROPOSED LOT COVERAGES ARE AS FOLLOWS:
- DRUG KITCHEN ADDITION = 16.80 FT. x 16.80 FT.

- PROF. WHEELER ADDITION = 300 SQ. FT. ±
- PROP. AREAWAY = 62 SQ. FT. ±

- PROP. GARAGE/ADU W/PORCH = 1,880 SQ. FT. ±
- PROP WALK TO DOOR = 47 SQ. FT. ±

TOTAL MEDICAL COVERAGE - 2.07760 FT ON 0.0000 AC

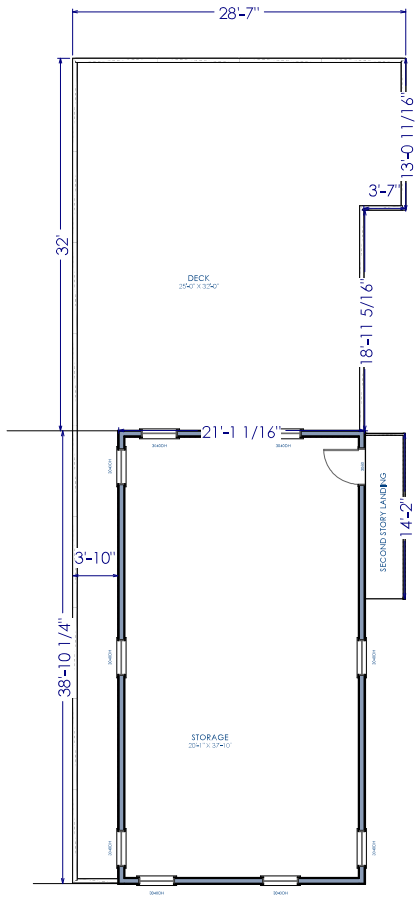
TOTAL EXISTING & PROPOSED = 4,925 SQ. FT. OR 0.113 AC.

SCALE: 1"=200'
COPYRIGHT ADC THE MAP PEOPLE
PERMITTED USE NO. 20400770

MESSICK & ASSOCIATES
CONSULTING ENGINEERS,
PLANNERS AND SURVEYORS

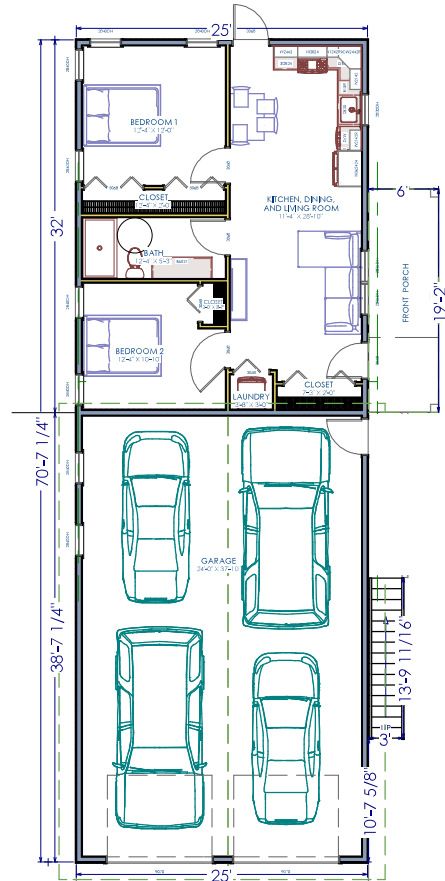
7 OLD SOLOMONS ISLAND ROAD, SUITE 202
ANNAPOLIS, MARYLAND 21401
(410) 266-3212 • FAX (410) 266-3502 email
enr@messickandassociates.com

GARAGE/ADU PLAN JAMISON PROPERTY SITE PLAN 1515 ARUNDEL ROAD EDGEWATER, MD 21037 LOTS 4152-456 WOOLAND BEACH TAX MAP: 56 GRID 7 PARCELS 125-126 4152-456 ZONING: RS-10A TAX ACCOUNT: 01-90-048485600 (FIRST ELECTION DISTRICT)		OWNER/DEVELOPER JOSEPH JAMISON 1515 ARUNDEL ROAD EDGEWATER, MD 21037				
ANNE ARUNDEL COUNTY, MARYLAND SOCIAL SECURITY: DATE: 1/26/2017 SHEET: 4 OF 1		REVISION	DESCRIPTION	BY	DATE	



LANDING AREA
819 SQ. FT.

**PROPOSED UPPER GARAGE &
UPPER LEVEL ADU DECK**
SCALE 3/32"=1'-0"



**PROPOSED GARAGE &
MAIN LEVEL ADU**
SCALE 3/32"=1'-0"

A-1

SHEET:

3/32"=1'-0"

SCALE:

4/4/25

DATE:

DRAWINGS PROVIDED BY:
**READY TO SELL
RENOVATIONS**

PROJECT DESCRIPTION:
**1515 ARUNDEL DR
EDGEWATER MD 21037**

SHEET TITLE:
PROPOSED LAYOUTS

NO.	DESCRIPTION	BY	DATE

Joseph Anson Jamison

1515 Arundel Rd Edgewater MD 21037 410-908-9404
nicejams@gmail.com

4/2/25

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

Subject: Request for Variance to Construct a Garage/Accessory
Dwelling Unit (ADU) Dear Adam Brown, and Zoning Administrator/
Planning and Zoning Staff

I am writing to formally request 3 variances to construct a garage/ADU on my property located at 1515 Arundel Rd Edgewater MD 21037 in Anne Arundel County. The proposed structure would not meet the strict application of the current zoning regulations under the Front Setback rules of the Anne Arundel County Code due to garage/adu extending 15' in front of existing house that is not waterfront. The proposed structure is greater height than primary residence. The proposed garage/ADU is slightly greater sq footage than primary residence.

Project Overview

The proposed [garage/ADU] will provide a new home for my mom. The structure is designed to be aesthetically consistent with the existing home and neighborhood while addressing a practical need for additional living space, for my aging mother and garage space for vehicles as well as much needed storage above the garage for her excess personal belongings that will not fit in her new ADU.

Justification for Variance

The strict enforcement of the zoning requirements would cause unnecessary hardship due to not being able to complete the project. Granting the variance would not adversely impact the character of the

neighborhood as several homes have already built with additions to the same measurement from the front set back and other variances as well. This would also no harm public health, or safety. Instead, it would allow for the efficient use of the property and improve aesthetics and greatly improve and add much needed living and storage space.

Supporting Documentation

To support this request, I have included the following in the uploaded doc section.

1. A site plan showing the proposed location of the structure.
2. All requested maps etc
3. A list of neighbors who have been notified and letters of support (if applicable).
4. Photographs of the property and surrounding area for context.
5. Any additional required forms or documentation as outlined by the Anne Arundel County Planning and Zoning Department. I kindly request your review and approval of this variance request. I am happy to provide additional information, meet with county staff, or make reasonable adjustments within reason to the proposal as necessary.

Thank you for your time and consideration. Please feel free to contact me at [410-908-9404] or nicejams@gmail.com with any questions or to discuss this matter further.

Sincerely,
Joseph Anson Jamison

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

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Anne Arundel County

Date:

Tax Map #	Parcel #	Block #	Lot #	Section
			4152	

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Tax ID: 190 408 48 5600

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

Project location/Address 1515 Arundel Rd

City Edgewater R Zip 21037

Local case number 2024-0226-V

Applicant: Last name Samson First name Joseph

Company JB

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 AACo Zoning Administration Section First name

Phone # 410-222-7437 Response from Commission Required By TBD

Fax # Hearing date TBD

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Garage / ADU

Intra-Family Transfer ☐
Grandfathered Lot ☐

Yes

Growth Allocation ☐
Buffer Exemption Area ☐

Yes

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
IDA Area		
LDA Area		
RCA Area		
Total Area		<u>10,400</u>

Total Disturbed Area

Acres	Sq Ft
	<u>29,77</u>

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		<u>0</u>	Existing Lot Coverage		<u>19,418</u>
Created Forest/Woodland/Trees			New Lot Coverage		<u>29,77</u>
Removed Forest/Woodland/Trees		<u>0</u>	Removed Lot Coverage		<u>0</u>
			Total Lot Coverage		<u>49,25</u>

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		<u>0</u>
Non-Buffer Disturbance		<u>325</u>	Mitigation		<u>0</u>

Variance Type

Buffer ☐
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 ☐

☒ Garage / ADU

Critical Area Narrative Statement

The use of the property is residential. It is my primary residence and this covers the proposed addition and garage/ADU.

The proposed disturbed area contains only grass. There are no trees and shrubs or plants of any kind that will be disturbed. The new disturbed area will be 2977Sqft

There will be a silt fence around all disturbed areas.

Total new impervious lot coverage will be 2977sqft the total both old and new will be 4925sqft

There are no protected areas on the property.

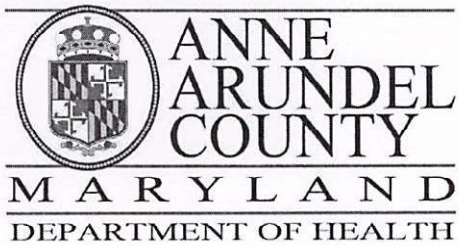












J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

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: April 22, 2025

RE: Joseph Jamison
1515 Arundel Road
Edgewater, MD 21037

NUMBER: 2024-0226-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow an accessory structure (detached garage with ADU) with less setbacks than required, that is in the front yard with greater floor area than the principal structure and an ADU that is larger than allowed.

The Health Department has reviewed the water supply system for the above referenced property. The Health Department has determined that the proposed request adversely affects the well water supply system. The Health Department recommends denial of the above referenced request.

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

cc: Sterling Seay

2024-0226-V

Menu

Cancel

Help

Task

I and P Engineering

Assigned to Department

Engineering

Action by Department

Engineering

Start Time

Billable

No

Time Tracking Start Date

Display E-mail Address in ACA

No

Due Date

05/02/2025

Assigned to

Natalie Norberg

Action By

Natalie Norberg

End Time

Overtime

No

Est. Completion Date

Display Comment in ACA

☒

Assigned Date

04/29/2025

Status

Complete w/ Comments

Status Date

05/05/2025

Hours Spent

0.0

Comments

At Grading Permit/Standard Grading Plan, show and label the sewer cleanout at the right-of-way and within the property. If sewer needs to be rerouted, show proposed sewer location.

In Possession Time (hrs)

Comment Display in ACA

☒ All ACA Users

☒ Record Creator

☒ Licensed Professional

☒ Contact

☒ Owner

Workflow Calendar

Estimated Hours

0.0

Action

Updated

Task Specific Information

Expiration Date

Reviewer Phone Number

Review Notes

Reviewer Email

ipnorb81@aacounty.org

Reviewer Name

Natalie Norberg

1511

Tax Account Number: 190408485600

Tax Account Number: 190408485600

733

Tax Account Number: 190408485600

Tax Account Number: 19040848

Tax Account Number: 1904

739

1515

1517

1519

510

1512

ARUNDEL RD

50 ft

