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

APPLICANT: Jeffrey T. Roberts

ASSESSMENT DISTRICT: 1

CASE NUMBER: 2025-0043-V

HEARING DATE: June 12, 2025

COUNCIL DISTRICT: 7

PREPARED BY: David Russell Planner

REQUEST

The applicant is seeking a variance to allow an accessory structure (inground pool) in the front yard of a nonwaterfront lot on property located at 3300 Rodeo Drive in Davidsonville.

LOCATION AND DESCRIPTION OF SITE

The subject property consists of roughly 3.77 acres, and is identified as Lot 8, Parcel 176 in Grid 23 of Tax Map 54. The property is zoned RA - Rural Agricultural and is improved with a two-story dwelling,

PROPOSAL

The applicant proposes the construction of a 16' x 50' inground pool in the front yard of the property.

REQUESTED VARIANCES

§ 18-2-204(b) of the County Code states that an accessory structure may not be located in the front yard of a nonwaterfront lot.

FINDINGS

The subject property is irregularly shaped but larger than the 40,000 square foot minimum required in the RA District. 2025 County aerial imagery shows the existing dwelling located approximately 230 feet from the front lot line. A teardrop-shaped circular driveway connects the dwelling to Rodeo Drive with a single ingress and egress point. The applicant proposes construction of an inground pool within the area inside the circular driveway, spanning approximately 100 feet in width.

The applicant's letter of explanation states that the rear yard is divided into an elevated section on the east and lower section on the west, separated by a 10 foot retaining wall. The elevated portion of the rear yard is where the water well is located, and the lower section is where the septic area and drain field are located. The applicant goes on to state that the sides of the dwelling are not viable locations for the pool due to existing trees and proximity to adjacent properties.

Agency Comments

The Health Department has no objection to the variance request.

Variance Criteria

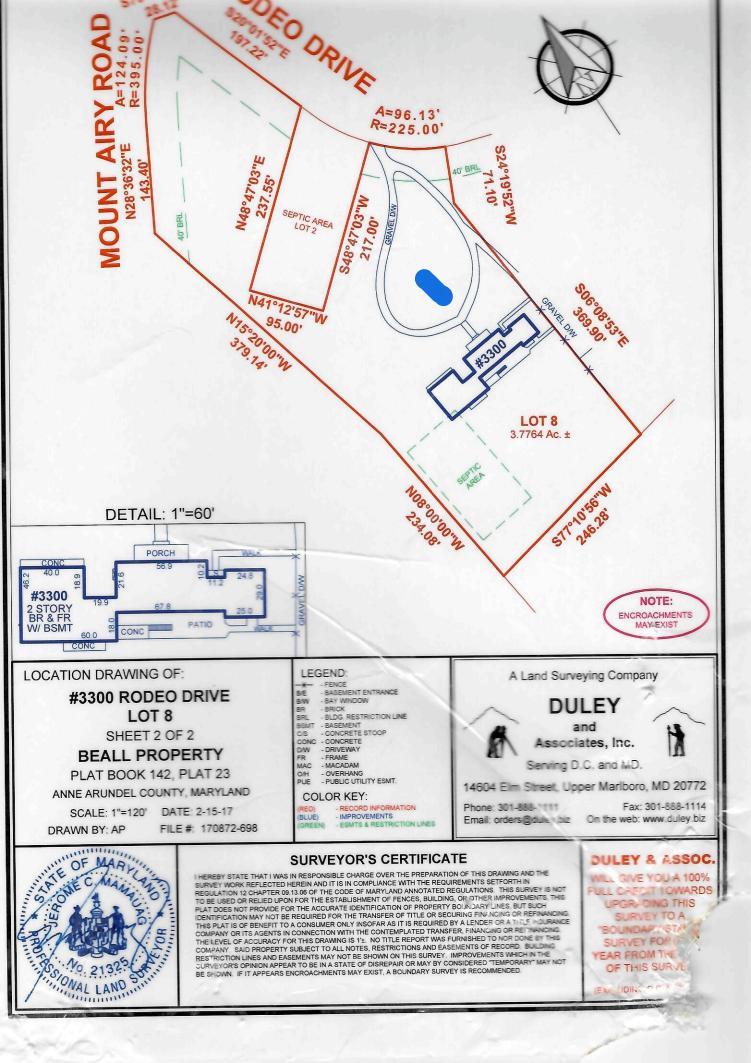
To be granted a variance it must be found that because of unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or, because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

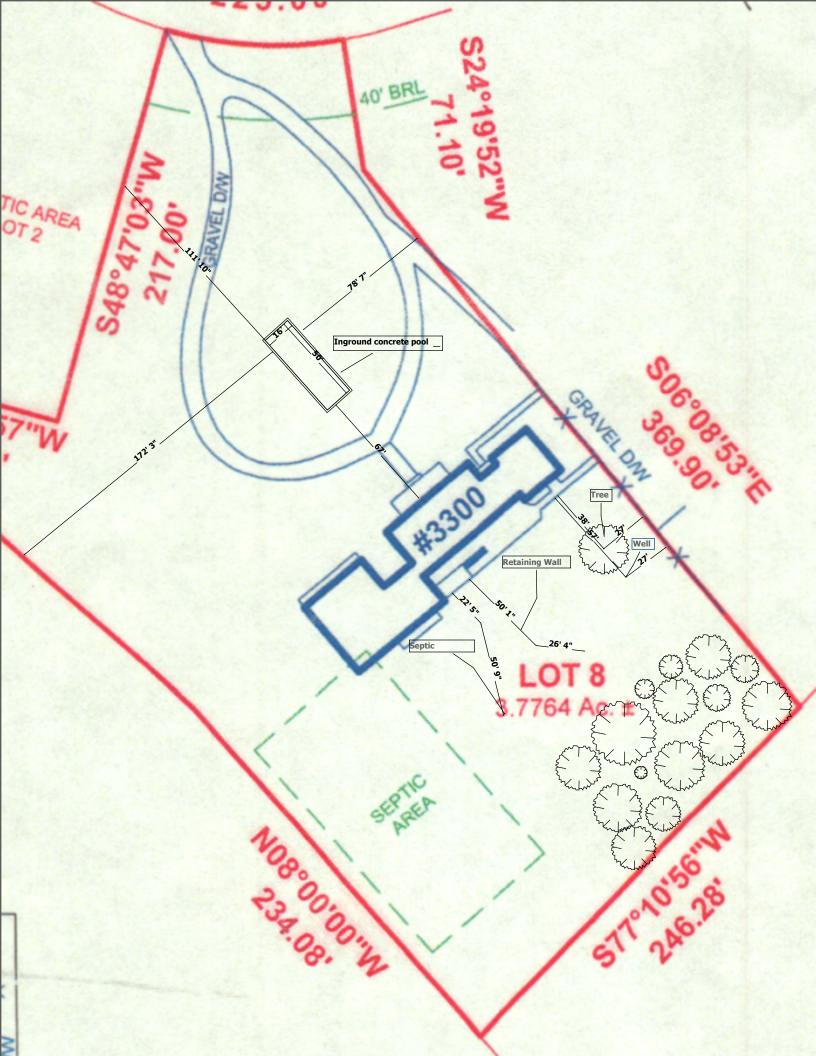
In the RA District, accessory structures are not permitted in the front yard of non-waterfront lots. The front of the home is approximately 230 feet from the front lot line. The home's eastern façade is approximately 22 feet from the side lot line, which does not allow enough remaining space for a pool. The western side is also unsuitable due to the location of the septic system. The area behind the home is ideal, however, a 10 foot retaining wall and significant grade change reduce usable space. Placing the pool 25 feet from the rear lot line is possible but would require removing mature trees and vegetation. Based on these factors, the request can be considered the minimum necessary to afford relief. As such, the granting of the variance 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 § 18-2-404(b) to allow an accessory structure (inground pool) in the front yard of a nonwaterfront lot, as shown on the site plan.

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.





Request of Variance Pool in Front of Home

We are requesting a variance to allow a pool to be constructed in the front circle of our home.

The rear of the home has an upper and lower divided section which is separated by a retaining wall (at least 10' in height). The upper half of the back of the home is where the water well is located and the lower where the septic & drain field are located.

Sides of the home are not conducive to the construction of a pool and would ultimately cause the destruction of established chestnut trees. It would also be in near proximity of the 1800's home next door, which would diminish the look and history of the home.

The pool in the front yard would not be visible from the road due to a row of hedges surrounding the front drive area. It would in no way diminish the look of the property. In fact, the design of the pool would compliment the home, by acting as a reflecting pool.

The plans include a motorized cover that would ensure pool closure while not in use, which would ensure additional safety concerns.

203-766-1745

THIS DEED, made into this H day of <u>March</u> 2017, by and between FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION, ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA, GRANTOR, WHOSE MAILING ADDRESS IS P.O. BOX 650043, DALLAS, TEXAS 75265-0043, and JEFFREY T. ROBERTS AND LEAH E. ROBERTS, GRANTEE whose mailing address is 3300 Rodeo Drive, Davidsonsville, MD 21035.

WITNESSETH:

That for and in consideration of the sum of Five Hundred Twenty Eight Thousand Deed (w Taxes) That for and in consideration of the sum of Five Hundred Twenty Eight Thousand Deed (w Taxes)
Name: roberts 00/100 (\$528,000.00) and other good and valuable considerations the receipt of whickers: hereby
LR - Deed (with Taxes) acknowledged, and which the Grantor certifies under penalty of perjury as the actual consideration hater 40.00 LR - Deed State
to be paid, including the amount of any mortgage or deed of trust outstanding, the Grantor the shereby ax 1,320.00
grant and convey unto Jeffrey T. Roberts and Leah E. Roberts, husband and wife, as tenants by the 1,380.00
entirety with full rights of survivorship as at Common Law and not as tenants in common, in febosimple, all 1,440.00 03/29/2017 12:33
that property situate and located in Anne Arundel County, State of Maryland, and more particularly CC02-ME #8053316 CC0501 – Anne
described as: County/CC05.01.11 - Register 11

SEE ATTACHED EXHIBIT "A" FOR THE LEGAL DESCRIPTION

IT BEING THE SAME PROPERTY CONVEYED TO FEDERAL NATIONAL MORTGAGE ASSOCIATION BY SUBSTITUTE TRUSTEE'S DEED FROM E. EDWARD FARNSWORTH, JR., SOLE ACTING SUBSTITUTE TRUSTEE, DATED MAY 17, 2016 AND RECORDED JUNE 14, 2016 IN DEED BOOK 29686 AT PAGE 98 AMONG THE LAND RECORDS OF THE COUNTY OF ANNE ARUNDEL, MARYLAND.

POWER OF ATTORNEY FROM FANNIE MAE TO SAMUEL I. WHITE, P.C., DATED MAY 19, 2016 AND RECORDED JUNE 9, 2016 IN BOOK 29670 AT PAGE 185 AMONG THE LAND RECORDS OF THE COUNTY OF ANNE ARUNDEL, MARYLAND HAS NOT RESCINDED.

The improvements thereon being known as NO.3300 Rodeo Drive, Davidsonsville, MD 21035 TAX IDENTIFICATION NO. 01-000-00458340

TOGETHER with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot(s) of ground and premises to, Jeffrey T. Roberts and Leah E. Roberts, their assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple.

This deed is exempt from income tax withholding pursuant to Maryland Code Tax-General, Sections 10-012(a)(7)(ii)(1) 10-012(a)(7)(ii)(2) and 10-012(d)(3)(i) and COMAR 03-04-12 03R(5)(a) Fannie Mae

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• FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION, ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA

(SEAL) Bv:

Faith M. Randle of Samuel I. White, P.C. as Attorney in Fact for Fannie Mae A/K/A Federal National Mortgage Association, Organized and Existing Under the Laws of the United States of America

STATE OF VIRGINIA,

CITY OF VIRGINIA BEACH, to- wit:

Before me, a Notary Public in and for the jurisdiction aforesaid, personally appeared this date, Faith M. Randle of SAMUEL I. WHITE, P.C., Attorney in Fact for FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION, ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA, the Grantor corporation herein, who, being by me first duly sworn, did acknowledge that she, as such authorized signatory of SAMUEL I. WHITE, P.C., Attorney in Fact for FANNIE MAE A/K/A FEDERAL NATIONAL MORTGAGE ASSOCIATION, ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA, the Grantor Corporation, being authorized so to do, executed the foregoing instrument for the uses and purposes therein contained and that said conveyance is not a conveyance of all or substantially all of the assets of said corporate grantor herein.

WITNESS my hand and official seal this $\underline{14^{\pm}}$ day of <u>March</u> , 2017	
My commission expires: 11/30/2020	DONNA LEE LEICKERT Notary Public - Reg. # 7090563 Commonwealth of Virginia My Commission Expires Nov. 30, 2020

I hereby certify that the within instrument was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

E. Edward Farnsworth, Jr., Esq. Vice President Samuel L. White, P.C.

AFTER RECORDING PLEASE RETURN TO:

Samuel I. White, P.C. 5040 Corporate Woods Dr. Suite 120 Virginia Beach, VA 23462

MARYLAND FORM Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

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1.	Transferor Information Name of Transferor FEDERAL NATIONAL MORTGAGE ASSOCIATION						
2.	Reasons for Exemption						
	Resident Status I, Transferor, am a res	sident of the State of Maryland.					
	COMAR)03.04.12.02E document on Transfer	nt entity as defined in Code of Maryland Regulations 3(11), I am an agent of Transferor, and I have authority to sign this ror's behalf.					
	residence as defined i	ger a resident of the State of Maryland, the Property is my principal in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and such with the State Department of Assessments and Taxation.					
	Under penalty of perjury, I certify that I have a knowledge, it is true, correct, and complete.	examined this declaration and that, to the best of my					
3a.	Individual Transferors						
	Witness	Name					
		Signature					
3b.	Entity Transferors	Faith M. Randle Name of Entity					
		Attorney-in-fact for Federal National Mortgage					
		By Association					
		Name					
		Title					

Owner/Occupant Affidavit:

Pursuant to Section 13-408 Tax Property Article

The undersigned state under penalties of perjury that the contents of this affidavit are true to the best of his/her/their knowledge, information and belief:

1. that the undersign is/are the purchaser(s) of the property located at 3300 Rodeo Drive, Davidsonsville, MD 21035, being residentially improved real property, and being more particularly described as , Anne Arundel County, Maryland, Maryland:

2. that the undersigned will occupy the herein described property as his/her/their principal residence by actually occupying the residence for at least 7 months of a 12 month period; and

This affidavit is being executed in order to qualify for and obtain a partial exemption from the applicable County Transfer Tax pursuant to Section 13-408 of the Tax Property Article.

NOTE: All Grantees must sign.

⇔(SEAL)

Print: _Jeffrey T Roberts-

ME. Robert(SEAL)

V.

Print: Leah E.Roberts

SUBSCRIBED AND SWORN to before me, a Nota County of Arthis 220 day of MAC Notary Public	Try in and for the State of, 2017.
My Commission Expires: $6.7.20J0$ My Notary Number: A	BRIAN L ANDREWS Notary Public - Maryland Anne Arundel County My Commission Expires on June 7, 2020

Note: This must be signed by the borrower and not by an attorney-in-fact.

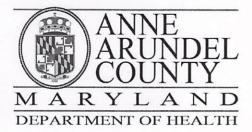
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All that lot or parcel of land situate, lying and being in the First Assessment District of Anne Arundel County, State of Maryland, known and designated as Lot 8, containing 3.7764 acres of land, more or less, as set forth and shown on a plat entitled "A Family Conveyance Minor Subdivision of the Beall Property", Tax Map 54, Block 23, Parcel 176, First Assessment District. Anne Arundel County, Maryland, by Greenhorne & O'Mara, Inc., dated January 1991 and recorded among the Plat records of Anne Arundel County, Maryland in Liber No. 142 at folios 22 and 23.

Subject, nevertheless to the restrictive covenants and conditions contained in a Declaration dated August 1, 1998 and recorded among the land records of Anne Arundel County, Maryland in Liber No. 8706 at folio 373.

Subject to the existing easements, right of way and agreements for roadways, electric transmission lines and telephone lines and the service and maintenance thereof.

2 Conveyance Type	Improved Sale		proved Sale		e Accounts	Not an A	ų v			
Check Box 3 Tax Exemptions	Arms-Length [1]	Arms-	Length [2]	Arms-1	ength [3].	Length S	ale [9]			
(if applicable)	Recordation									
Cite or Explain Authority	State Transfer FEDERAL NATIONAL MORTGAGE ASSOCIATION OO				bace					
	County Transfer FEDERAL NATIONAL MORTGAGE ASSOCIATION OO									
4	Consideration Amount Finance Office Use Only Purchase Price/Consideration 5 con on on Transfer and Recordation Tax Consideration									
	Purchase Price/Consid	leration	\$ 528,00	0.00					Deration	
Consideration	Any New Mortgage		\$			Transfer Tax Consideration			\$	
and Tax	Balance of Existing Mortgage \$ Other: \$			X ()% = Less Exemption Amount -		-	• •			
Calculations	other. 5					= \$	= \$			
	Other:		\$			Recordation Tax Consideration		n \$		
	Full Cash Value:	Cash Value: \$		///		= \$ \$				
5			\$			TOTAL DUE				
	Amount of F	ees	0	Doc. 1			Doc. 2	Agent:		
	Recording Charge		\$ 20.00			\$ 20.00				
	Surcharge State Recordation Tax		\$ 40.00			\$ 40.00		Tax Bill:		
Fees	State Recordation Tax State Transfer Tax		\$ 3,696.			\$ \$				
•	County Transfer Tax		\$ 2,640. \$ 5,280.			\$		C.B. Credit:	C.B. Credit:	
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submission of all	METES AND BOOME		I	ocation/Addre	ss of Prone	ty Being Conv	L eved (2)			
applicable information.	3300 Rodeo Drive, D	avidsonsville								
A maximum of 40 characters will be				Identifiers (if	applicable)	,		Water Meter	Account No.	
indexed in accordance										
with the priority cited in	Residential Vor Nor	n-Residential	Fee Fee	Simple 🚺 or C	round Ren	t Amount:				
Real Property Article	Partial Conveyance?	Yes VN	o Descr	iption/Amt. of	SqFt/Acreage	e Transferred:				
Section 3-104(g)(3)(i).										
	If Partial Conveyance,									
7	Doc. 1 – Grantor(s) Name(s) FEDERAL NATIONAL MORTGAGE ASSOCIATION			Doc. 2 – Grantor(s) Name(s)						
Transferred	FEDERAL NATIONAL MORTGAGE ASSOCIATION									
From	Doc. 1 – Owner(s) of Record, if Different from Grantor(s)				LEAH E. ROBERTS Doc. 2 – Owner(s) of Record, if Different from Grantor(s)					
	Doc. 2 - Owner(s) of Record, if Different from Grantor(s)									
8		Doc. 1 – Gra	ntee(s) Nan	ne(s)		Doc. 2 – Grantee(s) Name(s)				
	JEFFREY T. ROBER	TS				CONTOUR MORTGAGE CORPORATION				
Transferred To	LEAH E. ROBERTS SAMUEL I. WHITE, P.C.									
10					r's (Grantee) Mailing Add	ress			
- 1	3300 Rodeo Drive, Davidsonsville, MD 21035									
9 Other Names	Doc. 1 – Add	itional Name	s to be Inde	exed (Optional)		Doc. 2 -	 Additional Na 	ames to be Indexed	(Optional)	
to Be Indexed								· · · ·		
10 Contact/Mail		Inctes	mont Sub-	itted By on Co	ntact Dores			Z Return to Co	ntaat Damar	
Information	Instrument Submitted By or Contact Person					Return to Co	matt F CISUII			
	Name: EMILY MARION									
	Address: 5040 CORPORATE WOODS DRIVE, STE 120, VIRGINIA BEACH, VA 23462									
	EMARION@SIWPC.COM Phone: (757) 217-3770									
	11 IMPORTANT: <i>BOTH</i> THE ORIGINAL DEED AND A PHOTOCOPY MUST ACC				UST ACCOM	MPANY EACH TRANSFER				
	Yes No Will the property being conveyed be the grantee's principal residence?									
Assessment Yes V No Does transfer include personal property? If yes, identify:										
	Information								•	
	Yes Vo Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).			ired).						
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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: May 2, 2025

RE: Jeffrey T. Roberts 3300 Rodeo Drive Davidsonville, MD 21035

NUMBER: 2025-0043-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow an accessory structure (inground pool) in the front yard of a nonwaterfront lot.

The Health Department has reviewed the on-site sewage disposal and well water supply system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal and well water supply systems. 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



400

ft

200

THIS MAP IS NOT TO BE USED FOR NAVIGATION