

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

APPLICANT: Bhalla Rajeev

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2025-0072-V

COUNCIL DISTRICT: 5

HEARING DATE: July 3, 2025

PREPARED BY: David Russell
Planner

DR

REQUEST

The applicant is seeking a variance to allow an accessory structure addition (2nd story over garage with office, bathroom, and storage) with less setbacks than required for property located at 368 Magothy Road in Severna Park.

LOCATION AND DESCRIPTION OF SITE

The property is an approximate 8,607 square foot waterfront lot (Lot 25, Parcel 455, Grid 5, Tax Map 32E) in the Manhattan Beach neighborhood. The property is zoned R2 – Residential and located entirely within the Chesapeake Bay Critical Area’s Intensely Developed Area (IDA). It is also mapped as a buffer modification area (BMA). On waterfront properties, the property line abutting the water is considered the front of the lot, requiring adherence to front setback requirements. The property line abutting Magothy Road is then considered the rear property line, requiring adherence to rear setback requirements. The property is improved with a 1.5-story home with multiple decks, a 300 foot residential pier with lifts and pilings, and a detached two-car garage near Magothy Road.

PROPOSAL

The applicant proposes the addition of a second story to the existing detached 2-car garage. The existing garage is approximately 0.7 feet and 1.9 feet from the west and east side lot lines, respectively, and 6.6 feet from Magothy Road. The new level would include an office, bathroom, and storage. The addition will not expand the existing building footprint but will increase the overall structure to a height from approximately 16 feet to 18’-8”.

REQUESTED VARIANCES

§ 18-4-601 of the Anne Arundel County requires accessory structures to be at least 7 feet from side and rear property lines. The proposed addition will be 1.9 feet from the east side, 0.7 feet from the west side, and 6.6 feet from the rear (Magothy Road). This necessitates variances of 6 feet, 7 feet, and 1 foot, respectively.

FINDINGS

The subject property is located approximately 200 feet northeast of Magothy Road and McCann Road, abutting Magothy Marina, zoned MA - Light Commercial Marina. At 8,607 square feet, the property is undersized for the R2 zoning district, which requires a minimum lot size of 15,000 square feet (if served by public sewer). The property's square footage does, however, align with nearby waterfront properties. Near the shoreline, the widest portion of the property measures approximately 52 feet in width and narrows to as small as 25 feet in width, abutting Magothy Road. The lot width is also well below the required R2 minimum width of 80 feet.

The applicant's letter cites assisting with childcare as the need for additional office space. The previously available home office space (spare bedroom) within the home will be used to care for grandchildren. The proposed addition will allow the applicant a separate, quieter work space while the grandchildren are tended to in the home.

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.

The R2 District requires lots to be a minimum of 80 feet wide and 15,000 square feet in area. While similar to neighboring lots, at approximately 52 feet wide and 8,607 square feet, the property is significantly smaller than the required minimums for the R2 district.

The narrowness of the waterfront lots in this neighborhood results in untraditional site configurations. This particular area of the neighborhood is characterized by single-story detached garages closely located near Magothy Road. This same area also includes a couple two-story garages, setback further from Magothy Road than the applicant's proposed location. Although these two-story garages are not located as close to Magothy Road as the applicant's proposal, there are multiple two-story structures located as close or closer.

The narrowness of the property makes strict compliance with R2 setback requirements nearly impossible. Applying typical R2 setback requirements to such an undersized lot creates unnecessary hardship for the applicant trying to develop the lot. In this older, water-oriented community, one and two-story detached garages are common with nonconforming setbacks.

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 § 18-4-601 to allow an accessory structure addition (2nd story office, above garage) 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.

Bhalla Rajeev
368 Magothy Road
Severna Park, MD 21146
Mobile: (860)490-4817 (Bhalla)

LETTER OF EXPLANATION

May 22, 2025

Anne Arundel County
Office of Planning & Zoning
2664 Riva Road, P.O. Box 6675
Annapolis, Maryland 21401

Dear Sir or Madam,

This letter amends the variance application to allow a second floor addition to an existing accessory structure, a garage with less setbacks than required. The initial application indicated a second floor addition of unconditioned storage space above the garage. Due to a change in our circumstances, we are now requesting the same space be suitable for an office area and small bathroom as well as file storage.

We moved into the area to assist with childcare for our grandson (our daughter and son-in-law live in Bowie and work from their home). Accordingly, we take care of our grandson in our home during the week. We recently received the good news that they are expecting a second child by the end of this year. I currently utilize a bedroom in our home as an office, including conducting online board and committee meetings. We now expect to use my current office for childcare. In addition, having some distance from the main house allows me to do my work and conduct my meetings without disturbance (both ways).

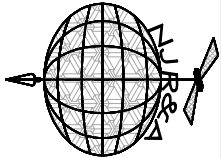
We believe that this change does not alter the essential character of the neighborhood.

The Letter of Explanation dated April 13, 2025, provides further details regarding the property and the request for variances.

Sincerely,

Bhalla, Rajeev and Jacqueline
Owners

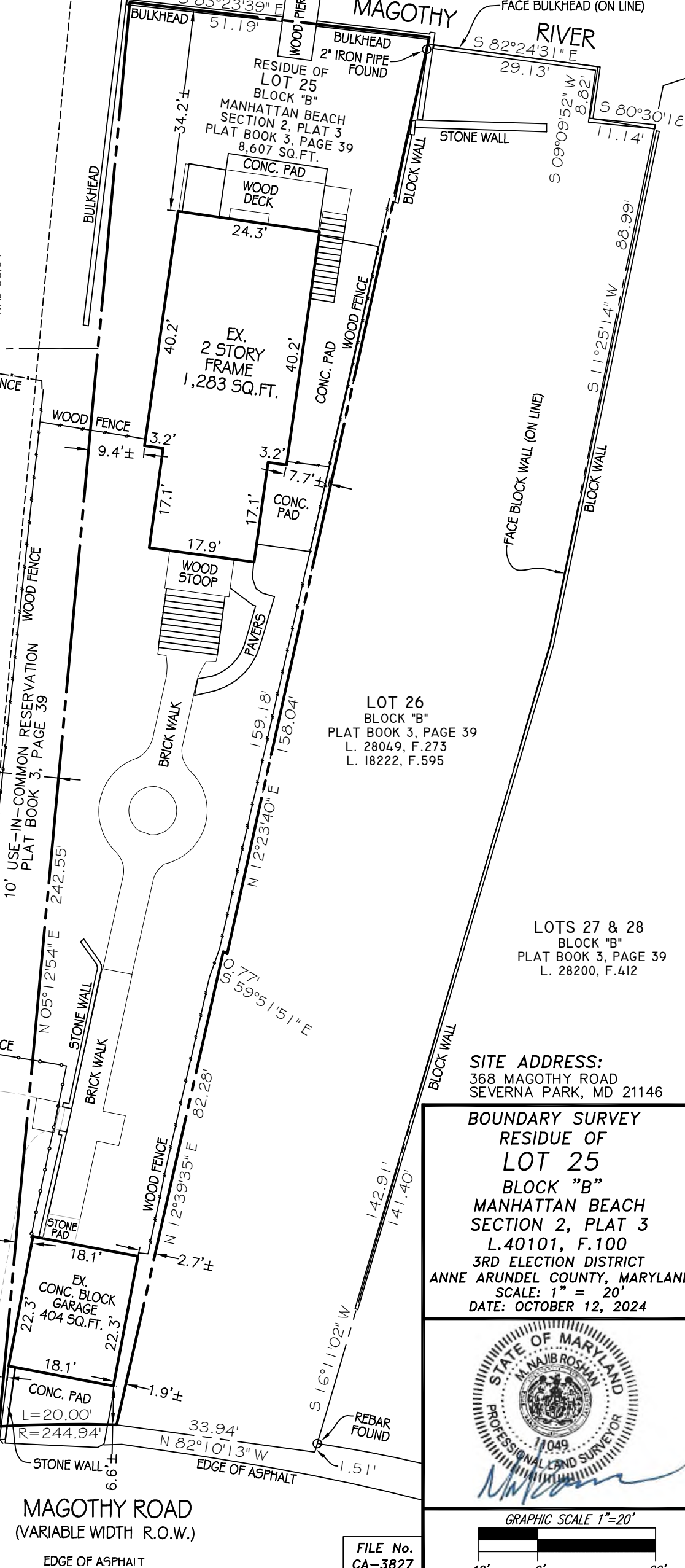
PREPARED BY:



NJR & ASSOCIATES, LLC.
LAND SURVEYING AND PLANNING
2770 TERRAPIN RUN
WEST FRIENDSHIP, MARYLAND 21794
TEL: (240) 508-3200 FAX: (410) 799-9093



MAGOTHY BEACH CONDOMINIUM
PLAT BOOK E22, PAGE II

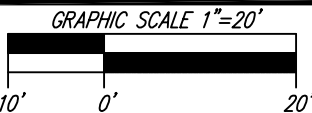


LOT 26
BLOCK "B"
PLAT BOOK 3, PAGE 39
L. 28049, F.273
L. 18222, F.595

LOTS 27 & 28
BLOCK "B"
PLAT BOOK 3, PAGE 39
L. 28200, F.412

SITE ADDRESS:
368 MAGOTHY ROAD
SEVERNA PARK, MD 21146

BOUNDARY SURVEY
RESIDUE OF
LOT 25
BLOCK "B"
MANHATTAN BEACH
SECTION 2, PLAT 3
L.40101, F.100
3RD ELECTION DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND
SCALE: 1" = 20'
DATE: OCTOBER 12, 2024

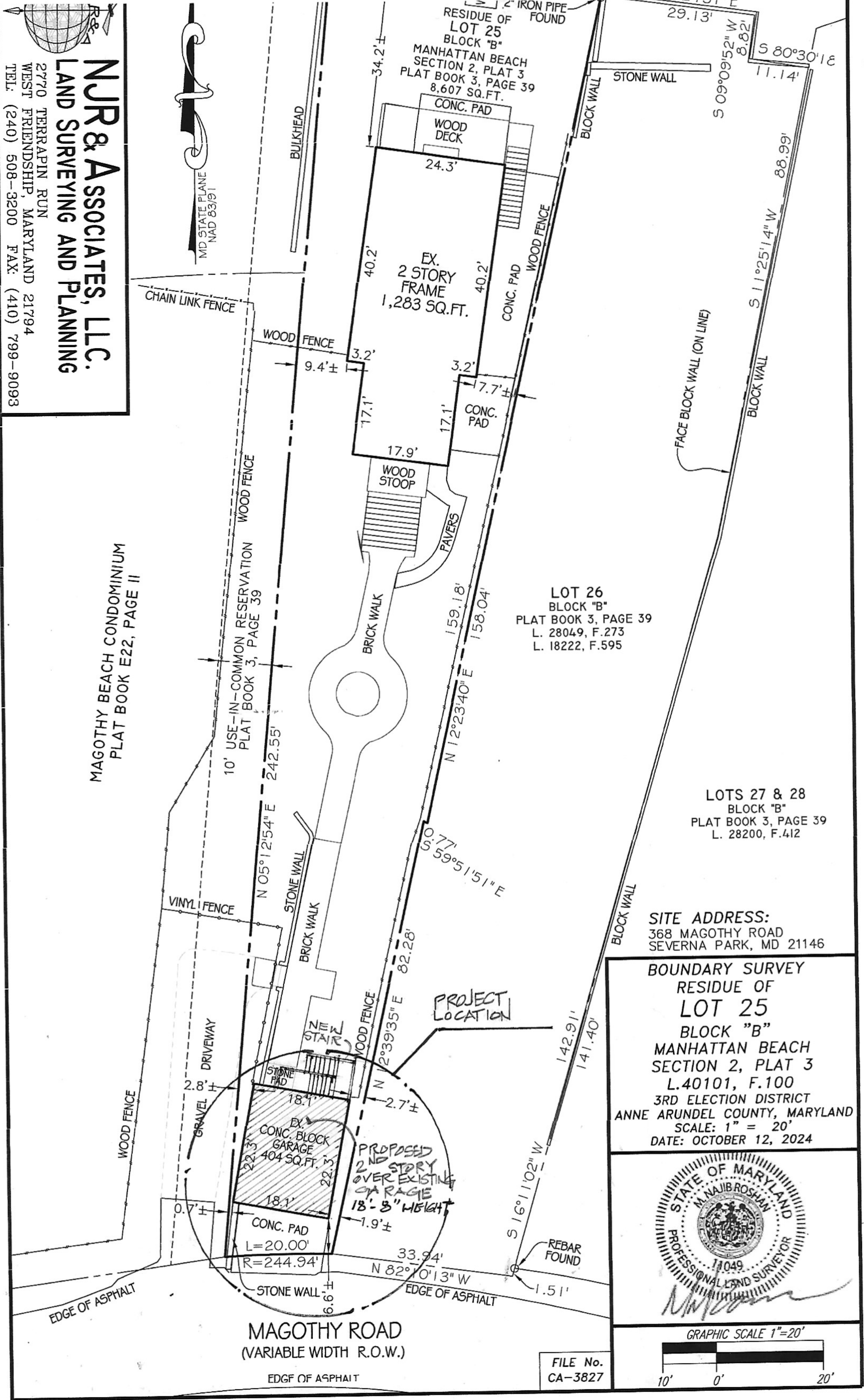


FILE No.
CA-3827



NJR & ASSOCIATES, LLC.
LAND SURVEYING AND PLANNING
 2770 TERRAPIN RUN
 WEST FRIENDSHIP, MARYLAND 21794
 TEL: (240) 508-3200 FAX: (410) 799-9093

MAGOTHY BEACH CONDOMINIUM
PLAT BOOK E22, PAGE II



AFTER RECORDING, RETURN TO:

Attn: S23-24835N
 Eagle Title
 181 Harry S. Truman Parkway
 Suite 200
 Annapolis, MD 21401

Tax ID No.: 03-530-18852378

Anne Arundel Cty Cir Crt
 IMP FD SURE \$40.00
 RECORDING FEE \$20.00
 TR TAX STATE \$8,150.00
 TOTAL \$8,210.00
 SAP KH
 Dec 06, 2023 11:06 am

DEED

THIS DEED, made this 30th day of November, 2023, by and between **PETER W. TROGDON** and **CATHERINE J. TROGDON**, parties of the first part, **GRANTORS**, and **RAJEEV BHALLA** and **JACQUELINE BHALLA**, parties of the second part, **GRANTEES**.

WITNESSETH, that for and in consideration of the sum of One Million Six Hundred Thirty Thousand and 00/100 Dollars (\$1,630,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey to the said **RAJEEV BHALLA** and **JACQUELINE BHALLA**, as tenants by the entireties, unto the survivor of them, their personal representatives, heirs and assigns, in fee simple, all that lot of ground situate in the County of Anne Arundel, State of Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot 25, Block B, as shown on the plat entitled "Section No. 2, Plat No. 3, MANHATTAN BEACH, including Blocks A-B-C-D-E-M-O-P-R-S and T", which Plat is recorded among the Land Records of Anne Arundel County as Plat No. 105 in Plat Book No. 3, folio 39.

THE SAID LOT ALSO BEING KNOWN as Excluded Area, Section 4, as shown on a Plat entitled, "Plat 1 of 2, MAGOTHY MARINA, A CONDOMINIUM", which Plat is recorded among the Land Records of Anne Arundel County in Condominium Plat No. E-1061, Plat Book E-22, page 11.

SAVING AND EXCEPTING therefrom the property 1, 354 square feet of land, more or less described on Exhibit A attached hereto and made a part hereof, conveyed out per Court Order in Case C-06-11631 in the Circuit Court of Maryland for Anne Arundel County.

TOGETHER WITH a ten foot easement for ingress and egress, as shown on the plat prepared by John J. Dowling Registered Land Surveyor, dated July 1986 pursuant to Grantor's power contained in the Declaration and Establishment of Condominium Regime of Magothy Marina, a Condominium, Section 5.8 and 9.1

recorded among the Land Records of Anne Arundel County in Liber 3554, page 459. Subject, however, to the rights of others to use said easement in common.

The improvements thereon being known as 368 Magothy Road.

BEING the same property conveyed to Peter W. Trogdon and Catherine J. Trogdon by virtue of Deed from Christine Jobes, surviving tenant by the entirety of Seven D. Jobes, who died on or about March 9, 2006, dated September 26, 2008, recorded among the Land Records of Anne Arundel County, Maryland, in Liber 20435, folio 591.

SUBJECT to all easements, covenants, and restrictions of record.

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 tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances, and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said **RAJEEV BHALLA** and **JACQUELINE BHALLA**, as tenants by the entireties, unto the survivor of them, their personal representatives, heirs, and assigns, in fee simple.

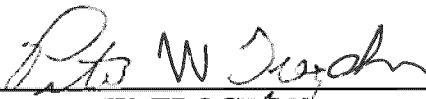

AND the Grantors hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

[SIGNATURES BEGIN ON NEXT PAGE]

WITNESS the hands and seals of said Grantors, the day and year first above written.

Witness:

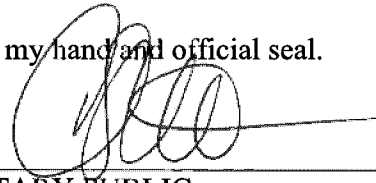



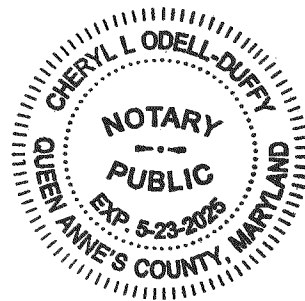
 (SEAL)
PETER W. TROGDON
 (SEAL)
CATHERINE J. TROGDON

STATE OF Maryland, COUNTY OF Anne Arundel, to wit:

I HEREBY CERTIFY that on this 28th day of November, 2023, before me, the subscriber, a Notary Public of the aforesaid State, personally appeared **PETER W. TROGDON** and **CATHERINE J. TROGDON**, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.


 NOTARY PUBLIC
 My Commission Expires: 5-23-25



THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the highest Court of Maryland.

A handwritten signature in black ink, appearing to read 'B. T. Walsh', written over a horizontal line.

Bradley T. Walsh, Esquire

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
032E	0455	B	25	2

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Tax ID: 3530-1885-2378

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

Project location/Address 368 MAGOTHY ROAD

City SEVERNA PARK Zip 21146

Local case number

Applicant: Last name RAJEEV First name BHALLA

Company

Application Type (check all that apply):

Building Permit ☐
Buffer Management Plan ☐
Conditional Use ☐
Consistency Report ☐
Disturbance > 5,000 sq ft ☐
Grading Permit ☐

Variance ☒
Rezoning ☐
Site Plan ☐
Special Exception ☐
Subdivision ☐
Other ☐

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:

THE SPACE WILL BE USED FOR DRY STORAGE ABOVE THE FLOOD PLANE OVER THE TOP OF THE EXISTING ACC. STRUCTURE (EXISTING GARAGE)

Intra-Family Transfer	Yes <input type="checkbox"/>	Growth Allocation	Yes <input type="checkbox"/>
Grandfathered Lot	<input type="checkbox"/>	Buffer Exemption Area	<input type="checkbox"/>

Project Type (check all that apply)

Commercial	<input type="checkbox"/>	Recreational	<input type="checkbox"/>
Consistency Report	<input type="checkbox"/>	Redevelopment	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	Residential	<input checked="" type="checkbox"/>
Institutional	<input type="checkbox"/>	Shore Erosion Control	<input type="checkbox"/>
Mixed Use	<input type="checkbox"/>	Water-Dependent Facility	<input type="checkbox"/>
Other	<input type="checkbox"/>		

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft	Total Disturbed Area	Acres	Sq Ft
IDA Area		9,147			787
LDA Area					
RCA Area					
Total Area					

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees			Existing Lot Coverage		1,687
Created Forest/Woodland/Trees			New Lot Coverage		0
Removed Forest/Woodland/Trees			Removed Lot Coverage		
			Total Lot Coverage		1,687

VARIANCE INFORMATION (Check all that apply)

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

Variance Type	Structure
Buffer	Acc. Structure Addition
Forest Clearing	Barn
HPA Impact	Deck
Lot Coverage	Dwelling
Expanded Buffer	Dwelling Addition
Nontidal Wetlands	Garage
Setback	Gazebo
Steep Slopes	Patio
Other	Pool
	Shed
	Other

ADD 2ND FLR TO EXIST.
ACC. STRUCTURE

Bhalla Rajeev
368 Magothy Road
Severna Park, MD 21146
Mobile: 860-490-4817 (Bhalla)

Critical Area Report Narrative

May 22, 2025

Anne Arundel County
Office of Planning and Zoning
2664 Riva Road, P.O. Box 6675
Annapolis, Maryland 21401

Dear Sir or Madam:

The Proposed Residential use will be for dry storage and the property will remain Residential.

The existing trees and shrubs cover about 20% of the total area of the property. The area that will be disturbed by the new work will take place in an area that does not require any tree or shrub removal.

The property is zone IDA – R-2 water front located on the Magothy River.

The property is 9,147 square feet and is an irregular pie shaped lot with the narrow side being the rear of the property and is located on Magothy Road, the rear yard property line is 20.00 feet.

We believe that if this variance is granted that it will not alter the essential character of the neighborhood.

The Project Site will be surrounded with silt fence to protect and minimize the impacts on water quality and habitat.

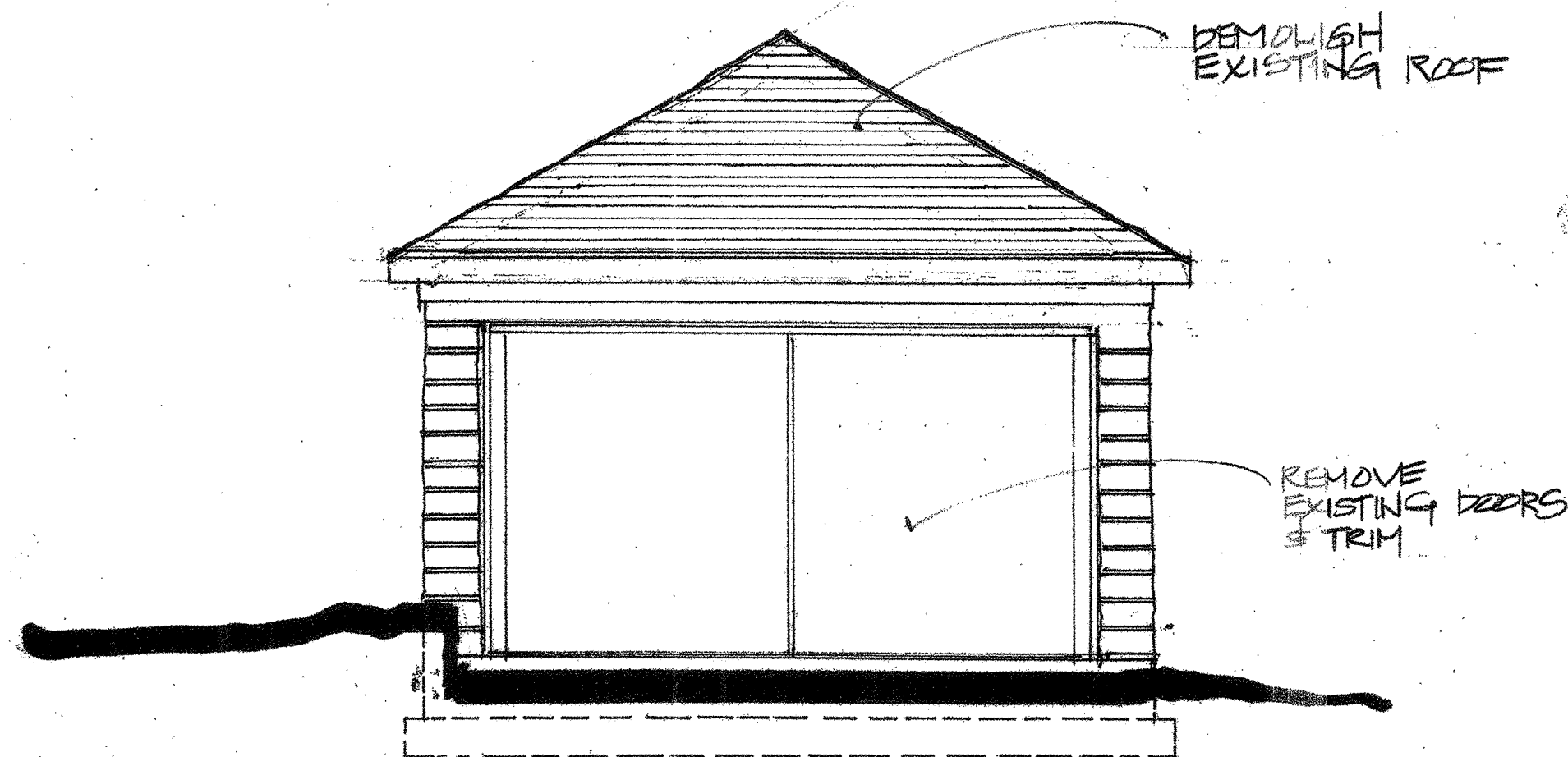
The Proposed Second Floor will not add to the existing impervious area and is designated Critical Area IDA.

- a) 1,283 SF Impervious for existing house
- b) 404 SF Impervious for the Accessory Structure
- c) Total Lot Coverage for site will be 1,687 SF

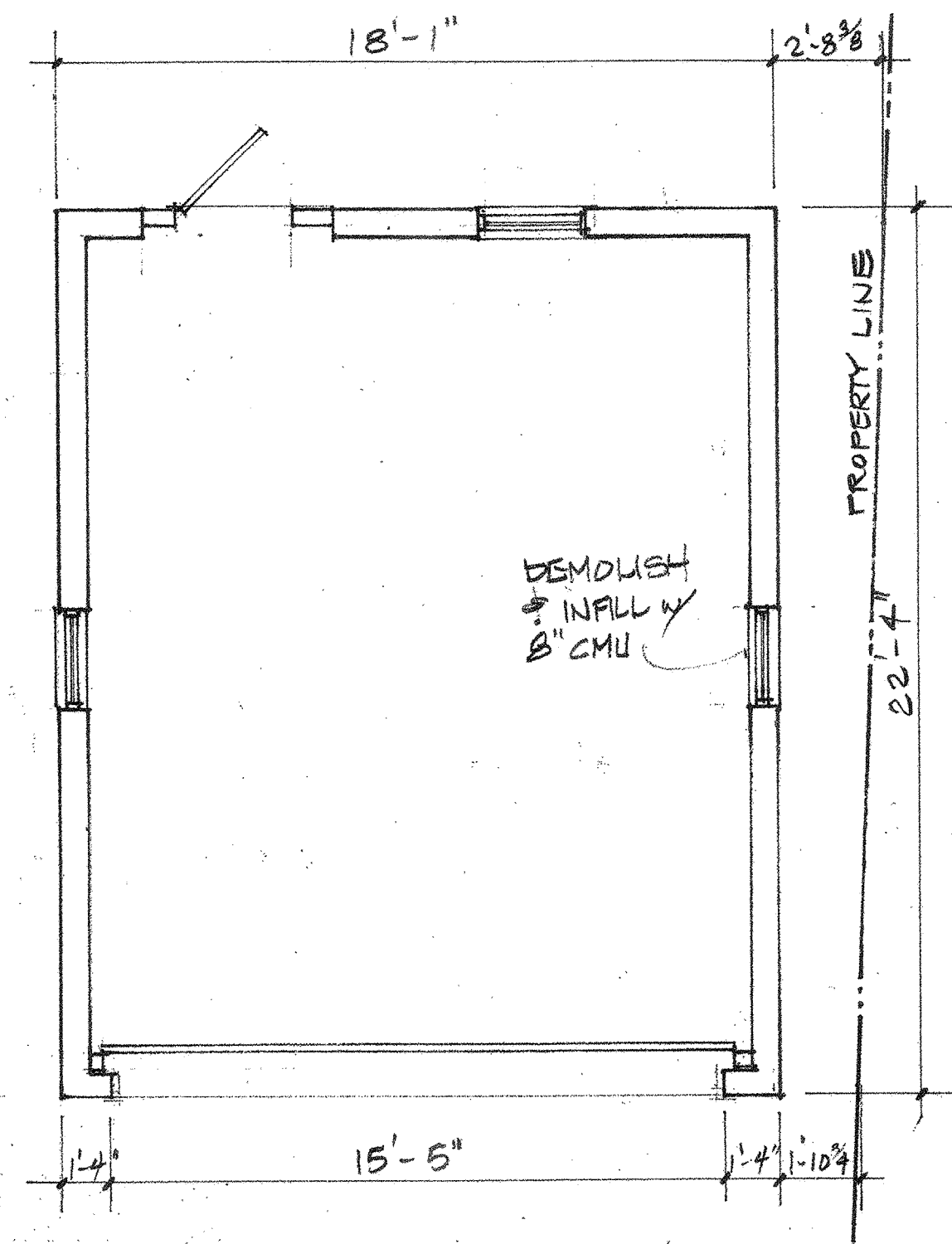
The property is located at 368 Magothy Road in Severna Park and is subject to the Chesapeake Bay Critical Area Requirements for IDA. The entire property has very little slope.

Sincerely,

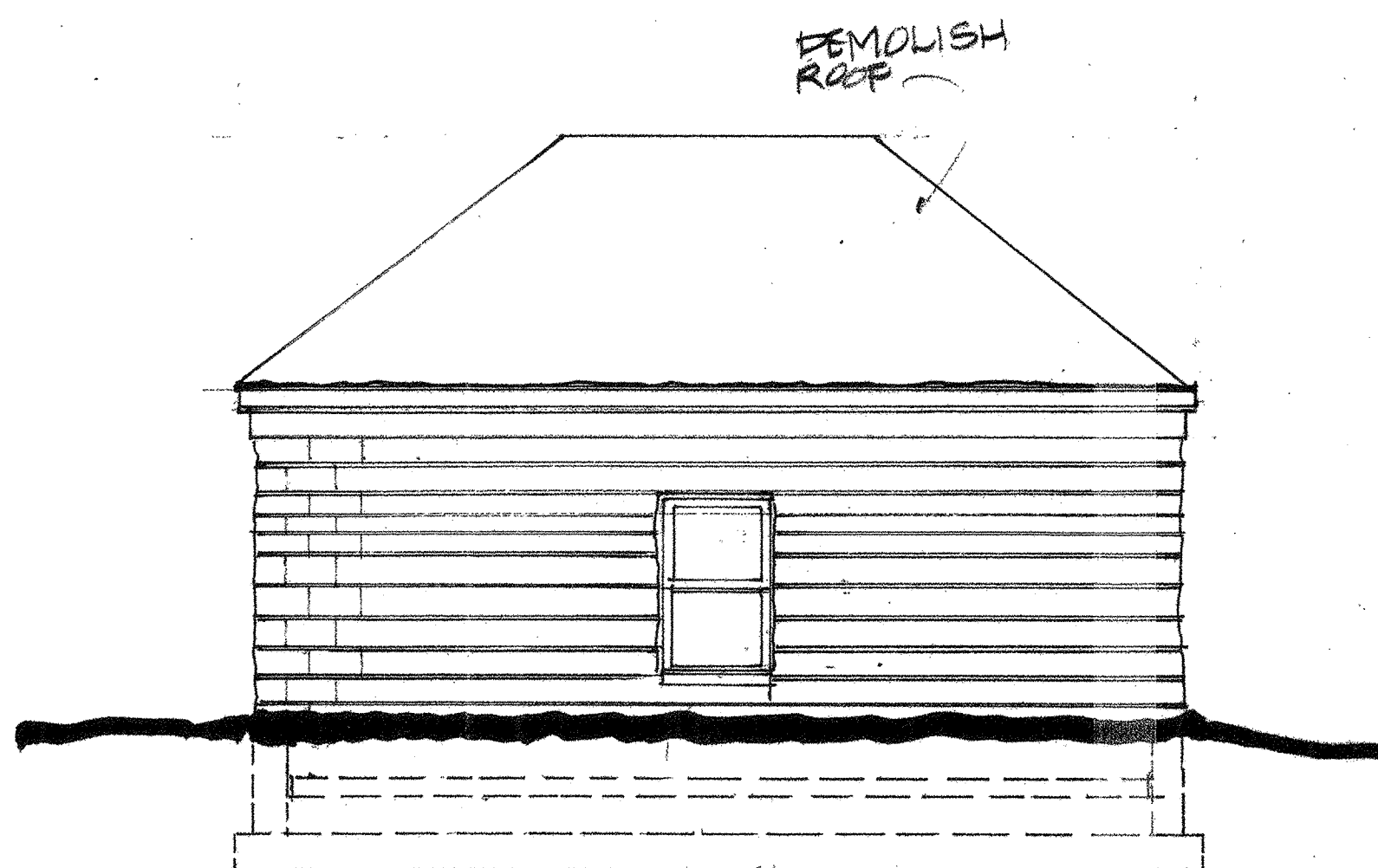
Bhalla, Rajeev and Jacqueline
Owner



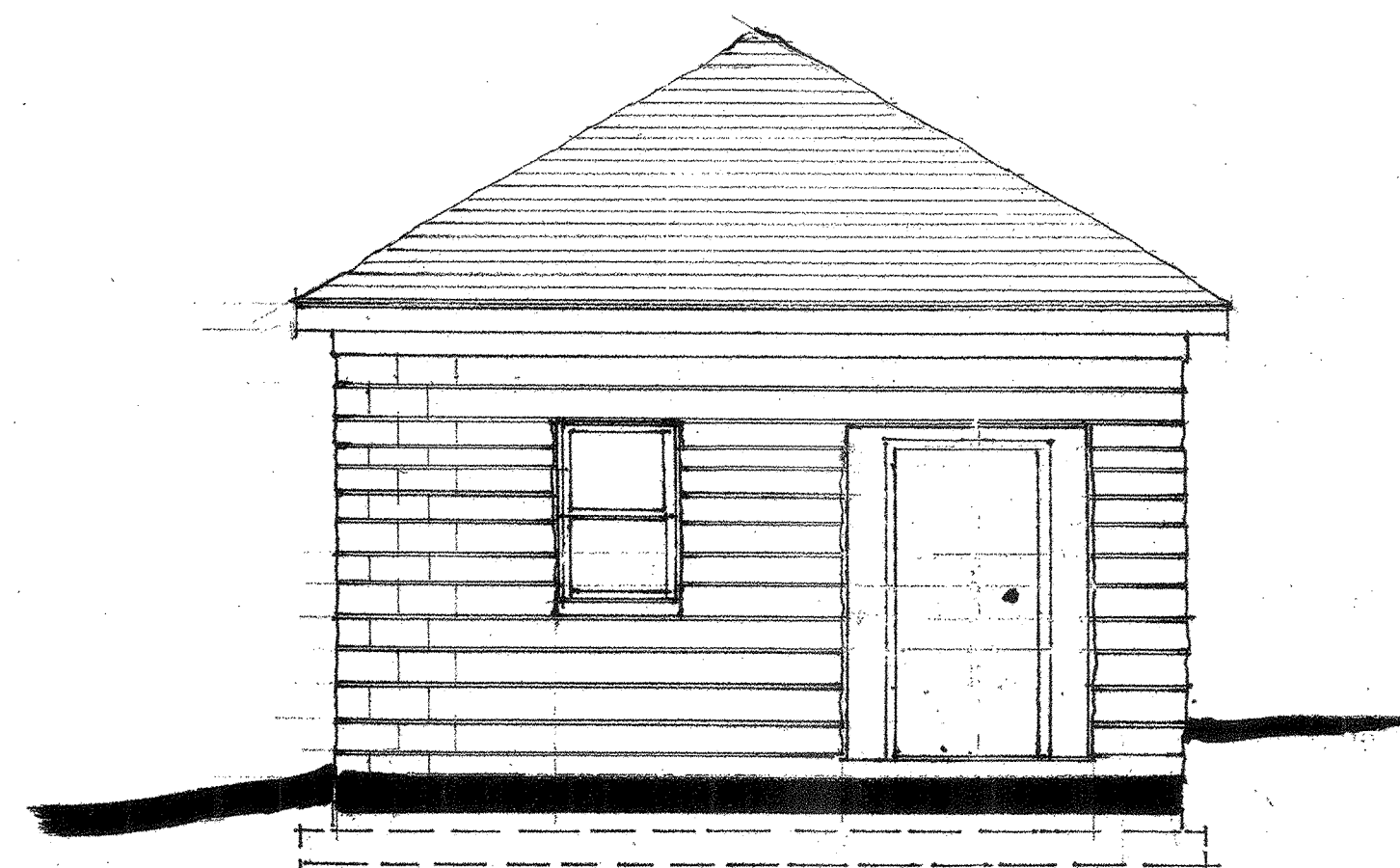
EXISTING GARAGE - FRONT ELEVATION
1/4" = 1'-0"



EXISTING GARAGE PLAN
1/4" = 1'-0"



EXISTING GARAGE - SIDE ELEVATION
OPPOSITE SIDE SIMILAR
1/4" = 1'-0"



EXISTING GARAGE REAR ELEVATION
1/4" = 1'-0"



Beasley Architectural Group, LLC
Architecture and Consulting

7045 Bay Front Drive, Annapolis, Maryland 21403
kbeasley@anncore.com
703-967-1390



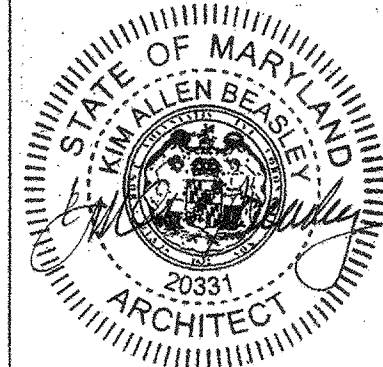
Sam Alraby
President

O: 877-877-5422
O: 443-714-8372
C: 410-497-4167
1000 West Street
Annapolis, MD 21401

www.RamAnnapolis.com
Sam@RamHomeRenovating.com

Bhalla Residence
Residential Accessory Structure
368 Magothy Rd
Severna Park, Maryland 21146

A.1
1 of 3



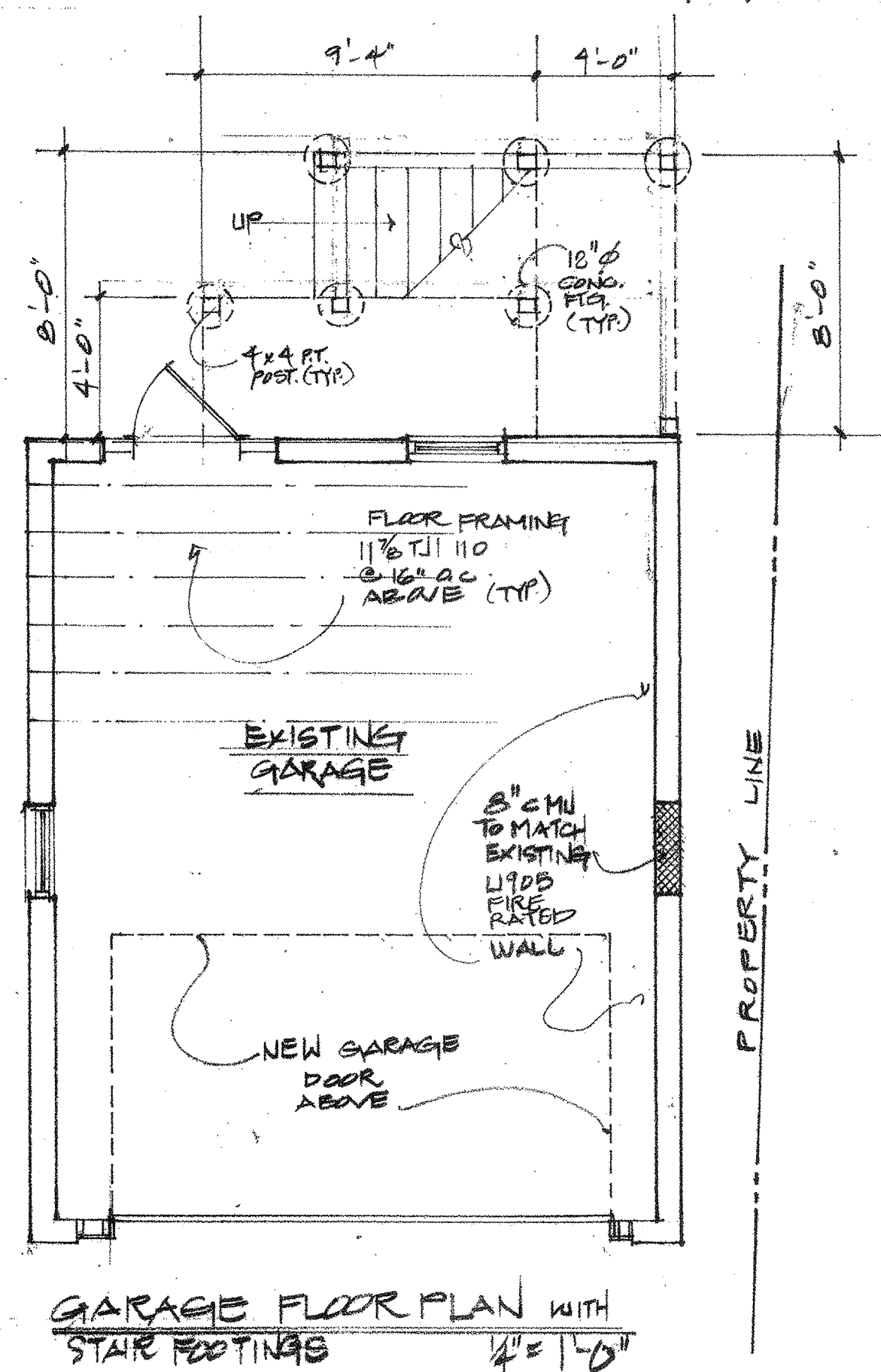
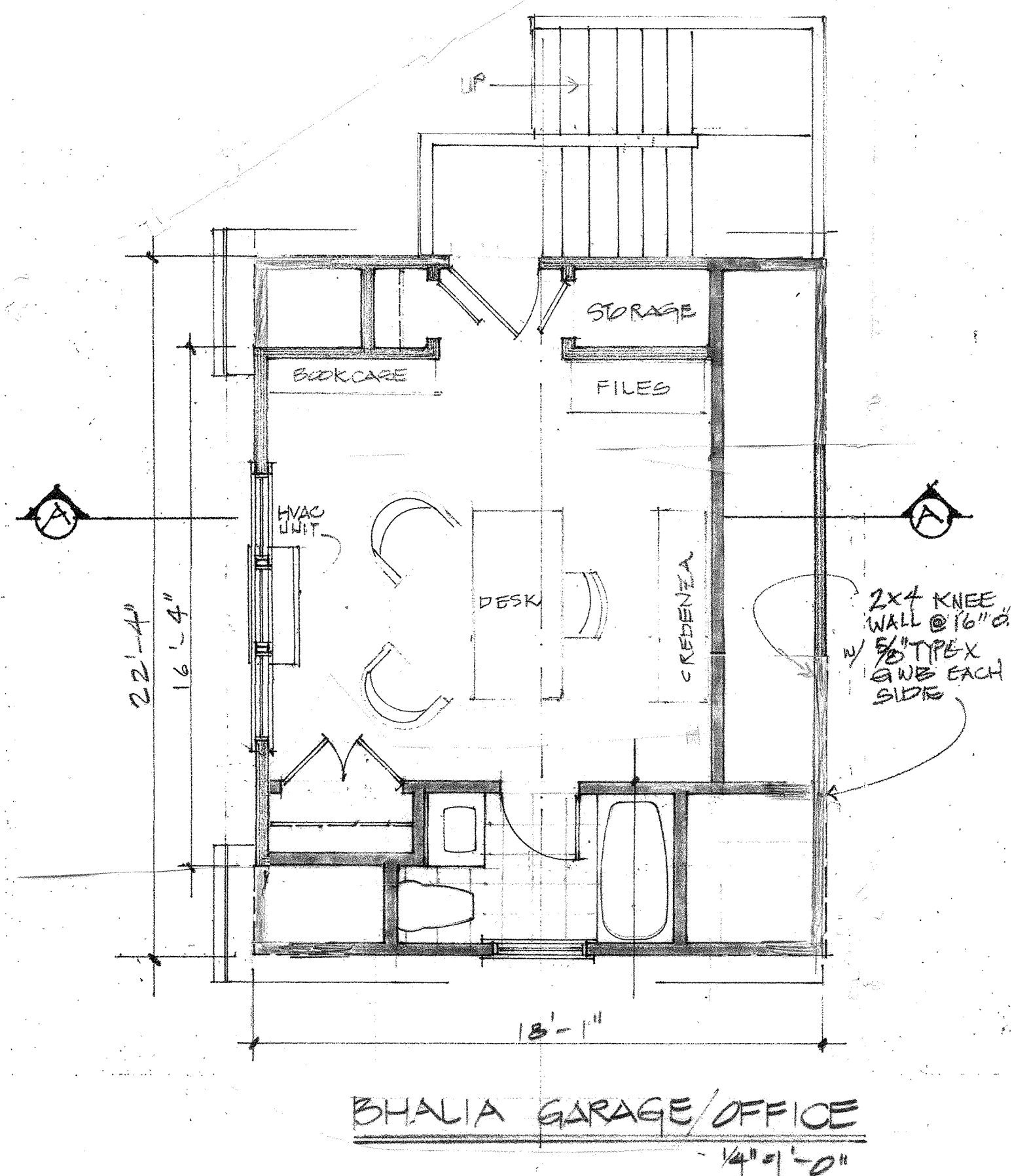
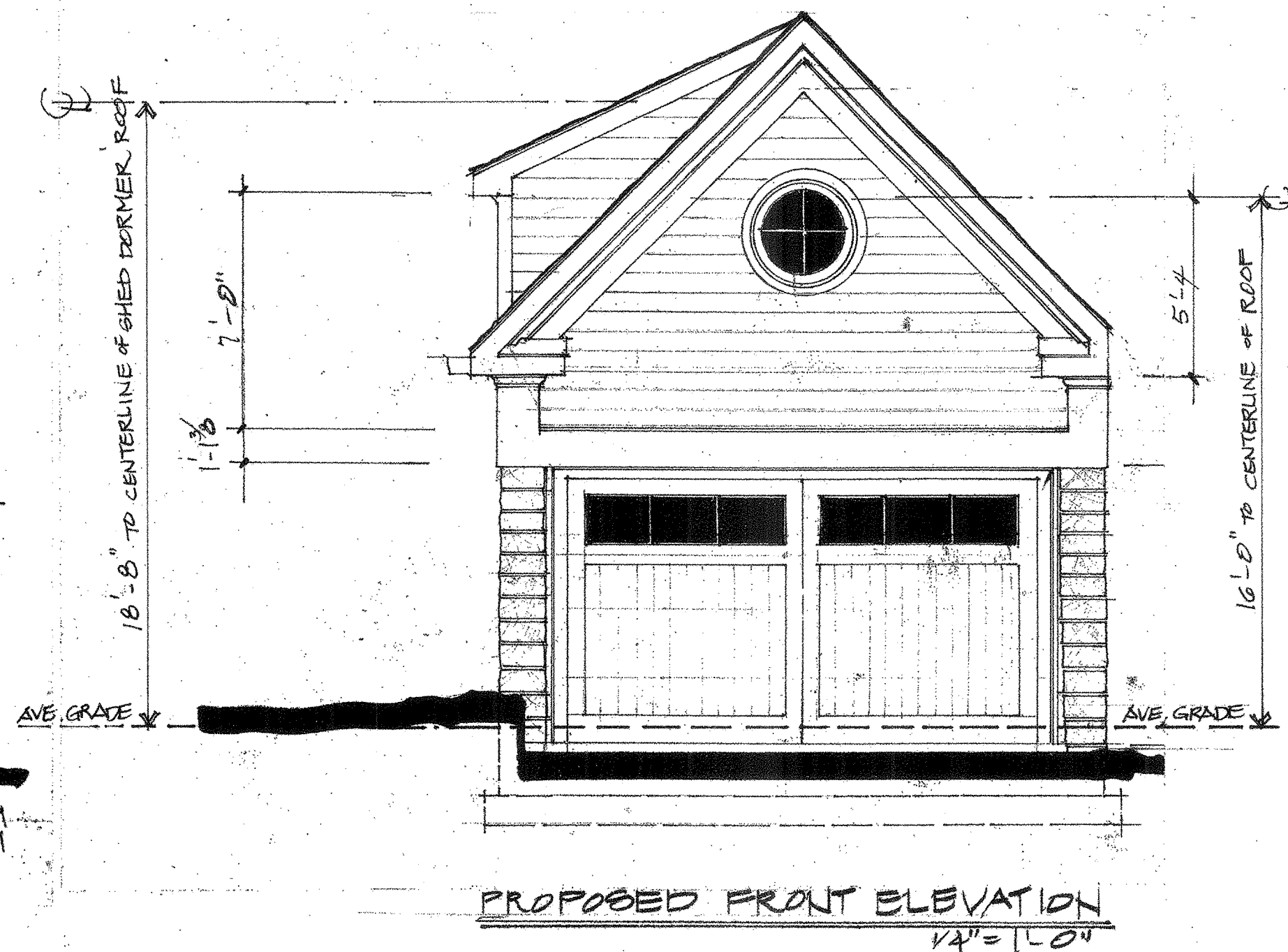
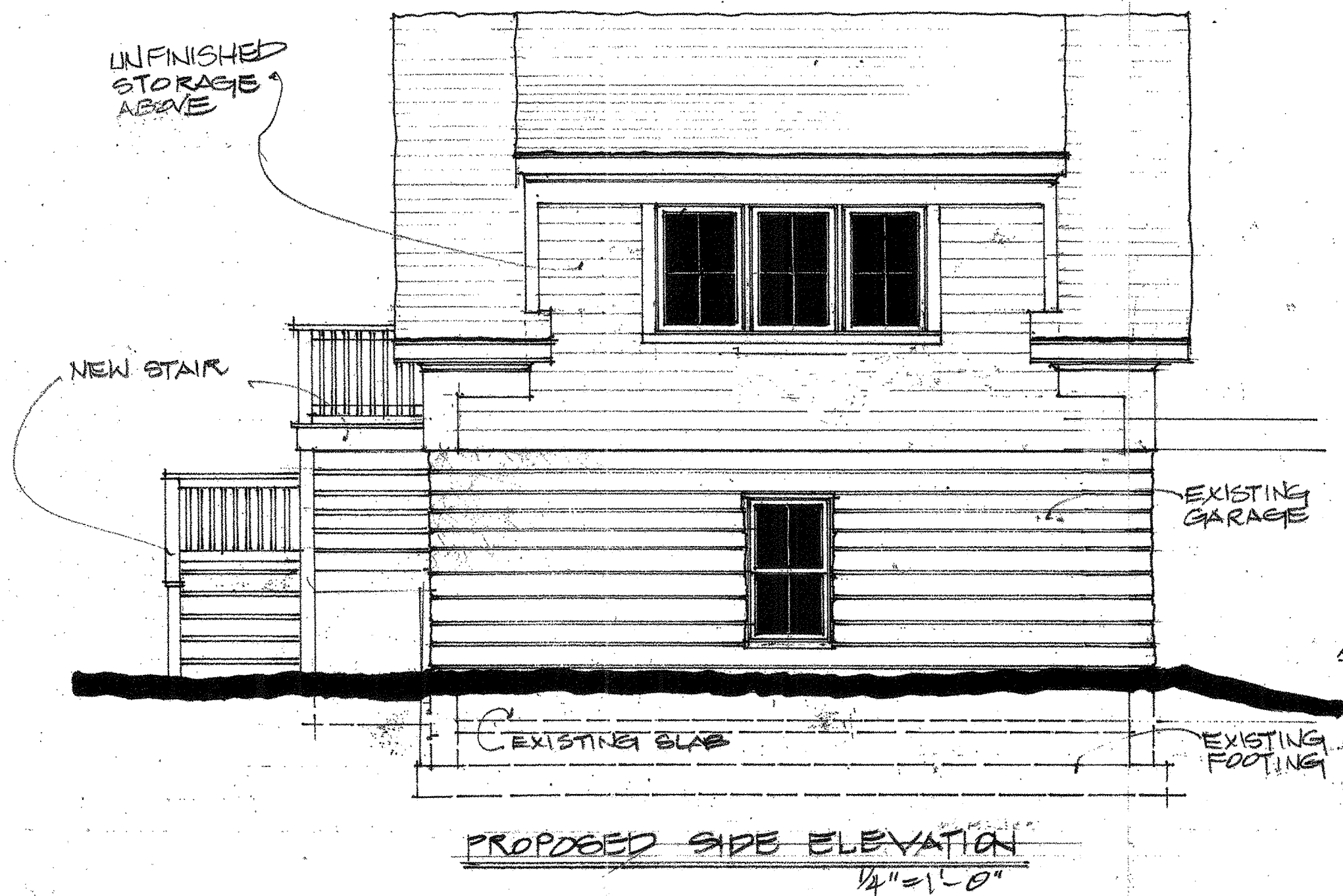
Beasley Architectural Group, LLC
Architecture and Consulting
7043 Bay Front Drive, Annapolis, Maryland 21403
kimbeasleyarchitect.com
703-962-7990

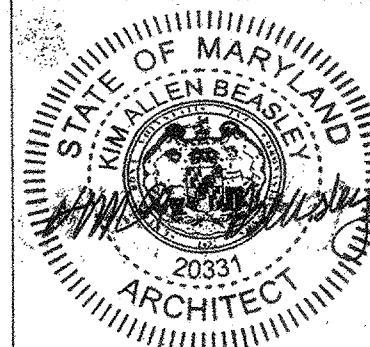


RAM CONSTRUCTION, Inc.
Sam Altruby
President
www.RamAnnapolis.com
Sam@RamHomeModeling.com
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O: 443-714-8372
C: 410-497-4167
1000 West Street
Annapolis, MD 21401

Bhalla Residence
Residential Accessory Structure
368 Magothy Rd
Sewena Park, Maryland 21146

A-2
2 of 3





Beasley Architectural Group, LLC
Architecture and Consulting

7045 Bay Front Drive, Annapolis, Maryland 21403
rbeasley@aol.com
kimbeasleyarchitecture.com
703-963-7390



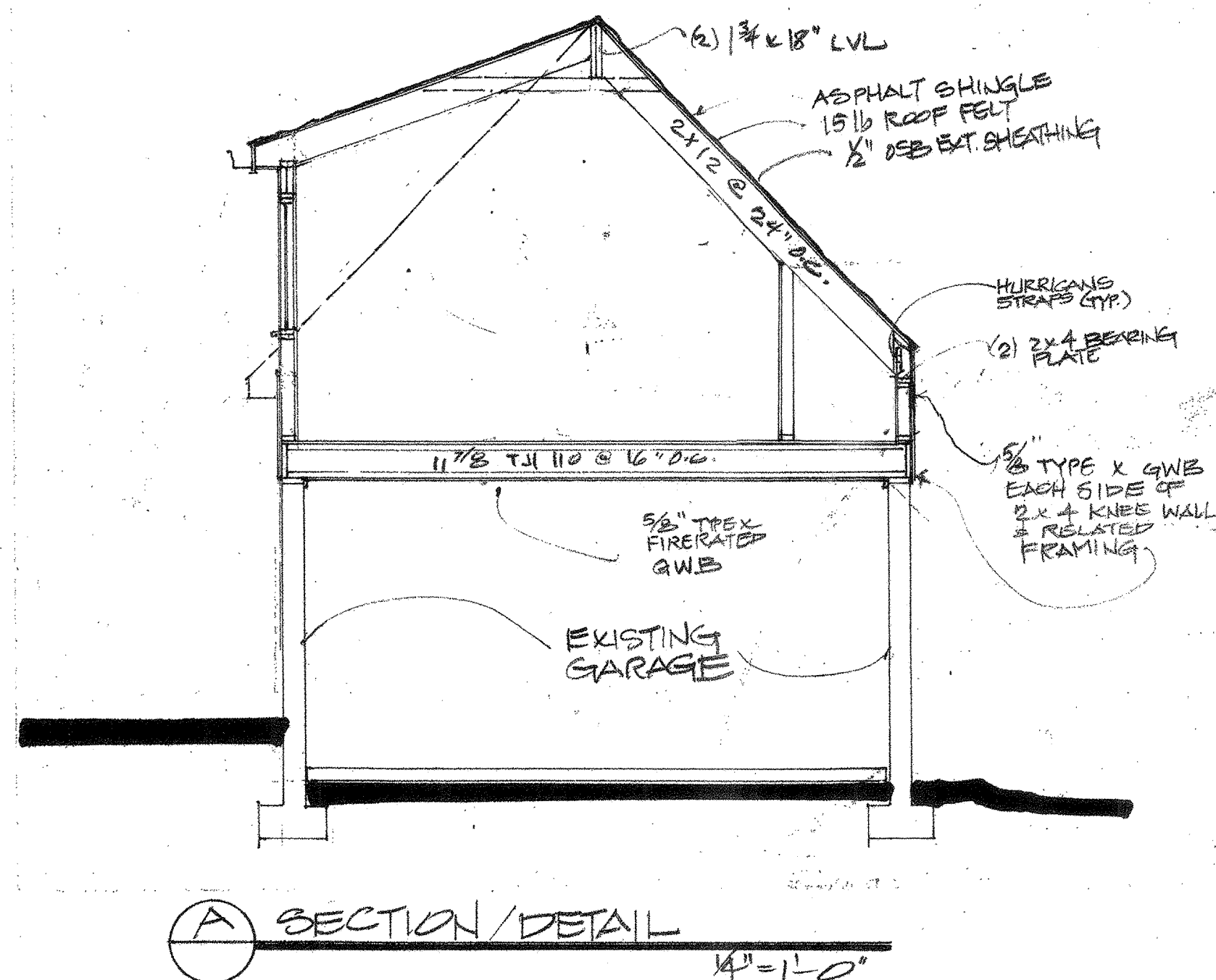
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www.RamAnnapolis.com
Sam@RamHomeRemodeling.com

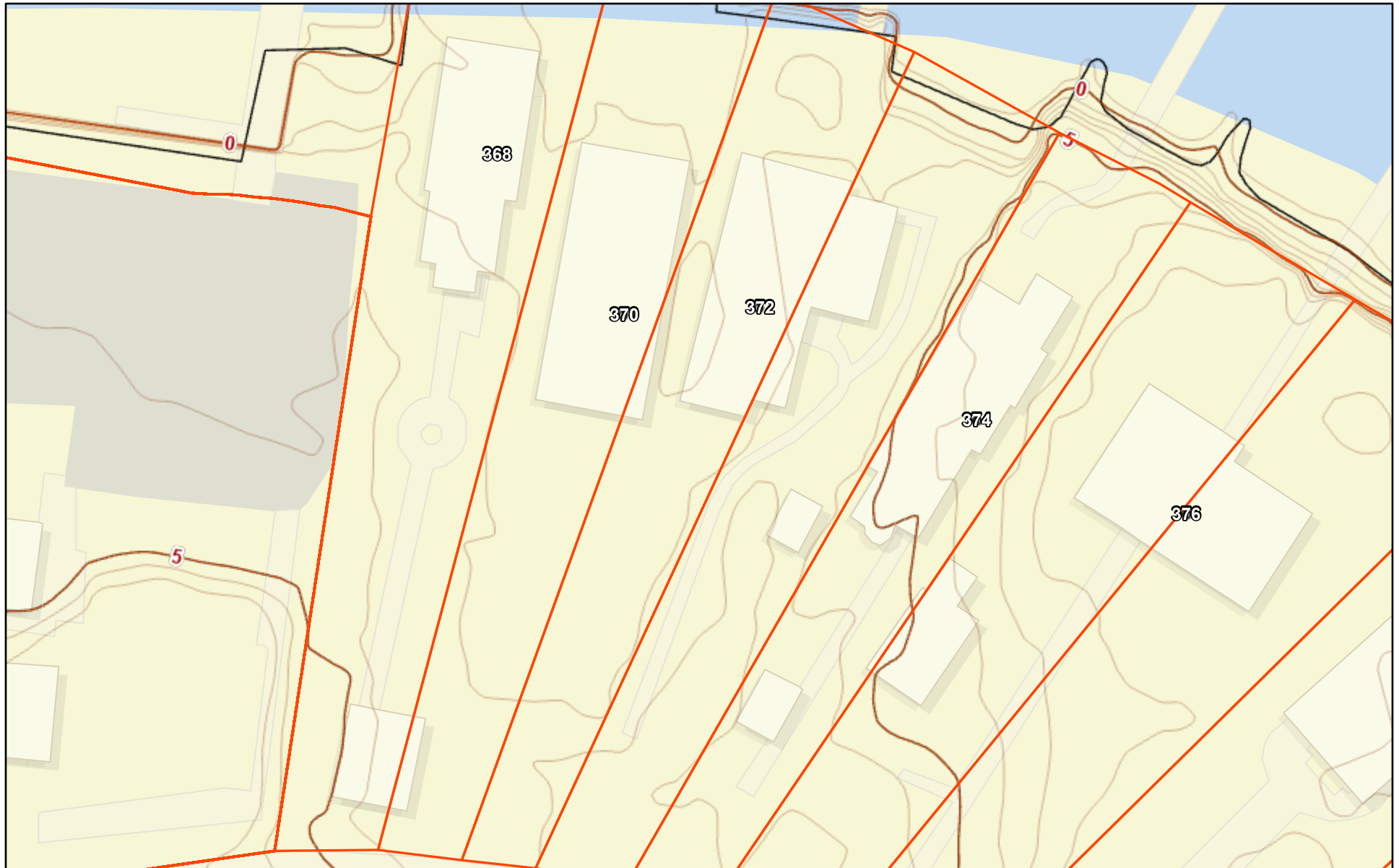
Bhalla Residence
Residential Accessory Structure
368 Magothy Rd
Severna Park, Maryland 21146

A-3

3 of 3



Anne Arundel County Engineering Record Drawing and Monuments



10/27/2024, 10:18:42 AM

Topo_2020 Intermediate Address Points
Index County Boundary Parcels

1:564
0 0 0.01 0.01 mi
0 0.01 0.01 0.02 km

Esri Community Maps Contributors, County of Anne Arundel, VGIN, ©
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Anne Arundel County

THE COUNTY MAKES NO AND DISCLAIMS ALL EXPRESS AND IMPLIED WARRANTIES RELATING TO THE MATERIAL, INCLUDING WARRANTIES OF MERCHANTABILITY, INTEGRATION, TITLE, AND FITNESS FOR A PARTICULAR PURPOSE.

368 MAGOTHY RD, SEVERNA PARK, 21146



Legend

Foundation

Parcels



Parcels - Annapolis City



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.

none

0 50 100
ft



THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes