

Letter of Justification

The owner of the residence located at 4729 Washington Avenue, Shady Side MD 20764, received comments for permit B02434162. The permit was to construct a 7'-6" x 10'-9" open deck adjacent to an existing front stoop on front of an existing single-family dwelling. The comments on the permit application have called for a variance to allow this deck to result in a 12'-6" setback from the front property line in lieu of the required 25' setback; thus, a 12'-6" variance.

As required for the granting of a variance, the lot in question does in fact exhibit unique physical conditions in terms of its shallowness with respect to the existing dwelling placement. The existing house is positioned at 20' from the front property line now, thus it is 5' closer to the required setback already. For this reason, there is no reasonable possibility of developing an ordinary front stoop at all without requesting a variance. Furthermore, there is an existing stoop with steps to grade on the front of the house. The proposed deck will not go any closer to the front property line than the stoop and steps do now...there will be no decrease in setback in other words.

Furthermore, because of exceptional circumstances shown which are other than financial considerations, the granting of this variance is necessary to avoid practical difficulties and unnecessary hardships and to enable the applicant to develop the lot. A common residential amenity such as a deck or open porch on the front of the dwellings are typical in this neighborhood. In fact, the adjacent owner to the left of the subject property has a covered porch on the front of their house and the houses are all generally constructed in line. Here the applicant wishes to use that area and only proposes an open deck, with no roof. Denying the variance would deny the same depth of projection they already have. This creates the practical difficulty of not having an ordinary front stoop.

While the property is in the critical area, there are no environmental features that need to be addressed by a variance (slopes, buffers, etc). Thus, the remaining factors necessary for all variances are included below.

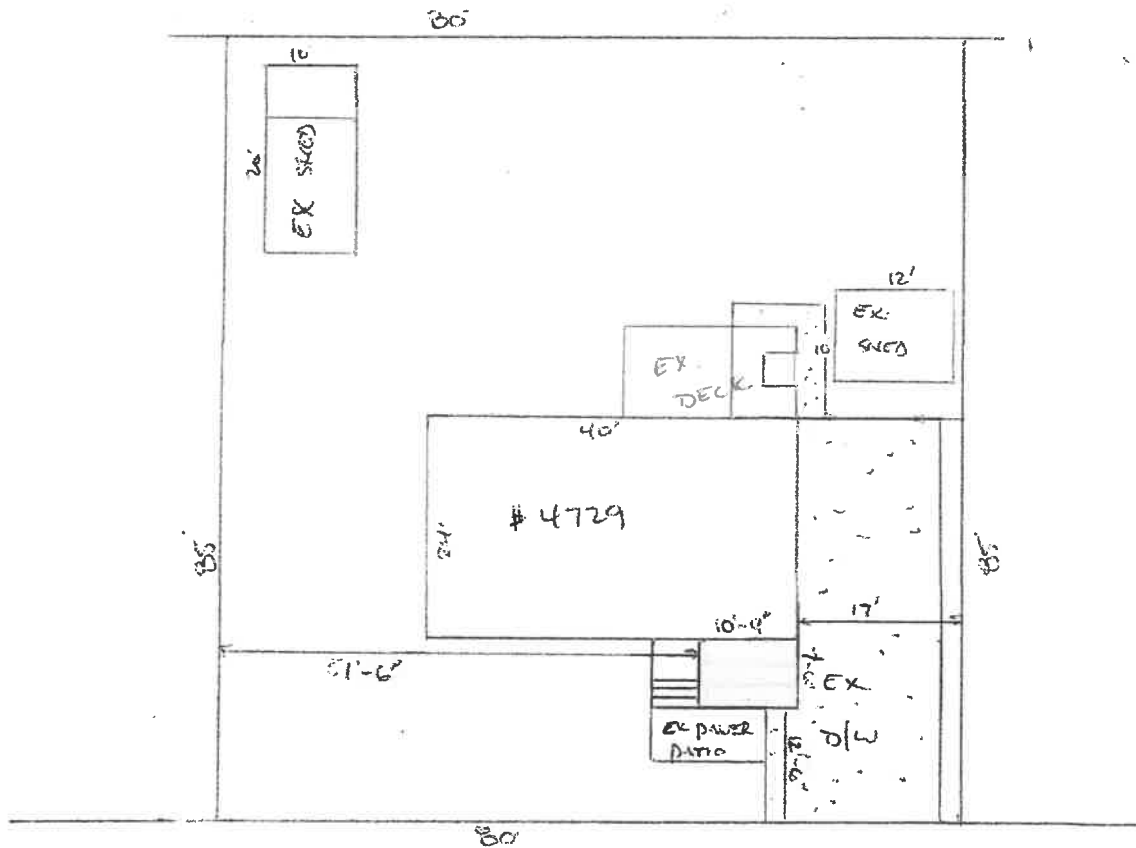
As has been shown, this variance request is the minimum necessary to afford relief and is actually being proposed in the most feasible location possible. The granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located because decks are ubiquitous on dwellings such as this one, making it more in character with the neighborhood. The variance will not substantially impair the appropriate use or development of adjacent property because the deck is small, and the neighbors already have similar structures. The variance will not reduce forest cover in the

limited development and resource conservation areas of the critical area, and no forest cover will be removed for this structure.

The application will not be contrary to acceptable clearing and replanting practices required for development in the critical area because no clearing will take place. However, the applicant is prepared to mitigate if necessary by replanting at the direction of the County. Nor will the variance be detrimental to the public welfare in any way as this deck is on a private residential lot.

4729 WASHINGTON AVENUE

North
Scale 1" = 20'



WASHINGTON AVENUE

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: 5/10/25

Tax Map #	Parcel #	Block #	Lot #	Section
0069	0063	-	160	-

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Tax ID: 7465-9003-8191

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

Project location/Address 4729 Washington Avenue

City Shady Side Zip 20764

Local case number

Applicant: Last name Kasey First name Michelle

Company Applied + Approved Permits

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:

Construct 7'-6" x 10' 9" open deck with front setback of 12'-6" in lieu of Required 25'

Intra-Family Transfer ☐ Yes
Grandfathered Lot ☐

Growth Allocation ☐ Yes
Buffer Exemption Area ☐

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	-	6800
RCA Area	-	-
Total Area	.156	6800

Total Disturbed Area

Acres	.009
Sq Ft	81

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	.0109	476	Existing Lot Coverage	.049	2154
Created Forest/Woodland/Trees	-	-	New Lot Coverage	-	-
Removed Forest/Woodland/Trees	-	-	Removed Lot Coverage	-	-
			Total Lot Coverage	.049	2154

VARIANCE INFORMATION (Check all that apply)

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

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 ☒ Deck

Critical Area Report Narrative

The existing property in question is a residential lot improved upon by an existing detached single-family dwelling. The owner seeks to construct a small 7'-6" x 10'-9" open deck on the front of the existing dwelling. This will be constructed on post/pier foundation.

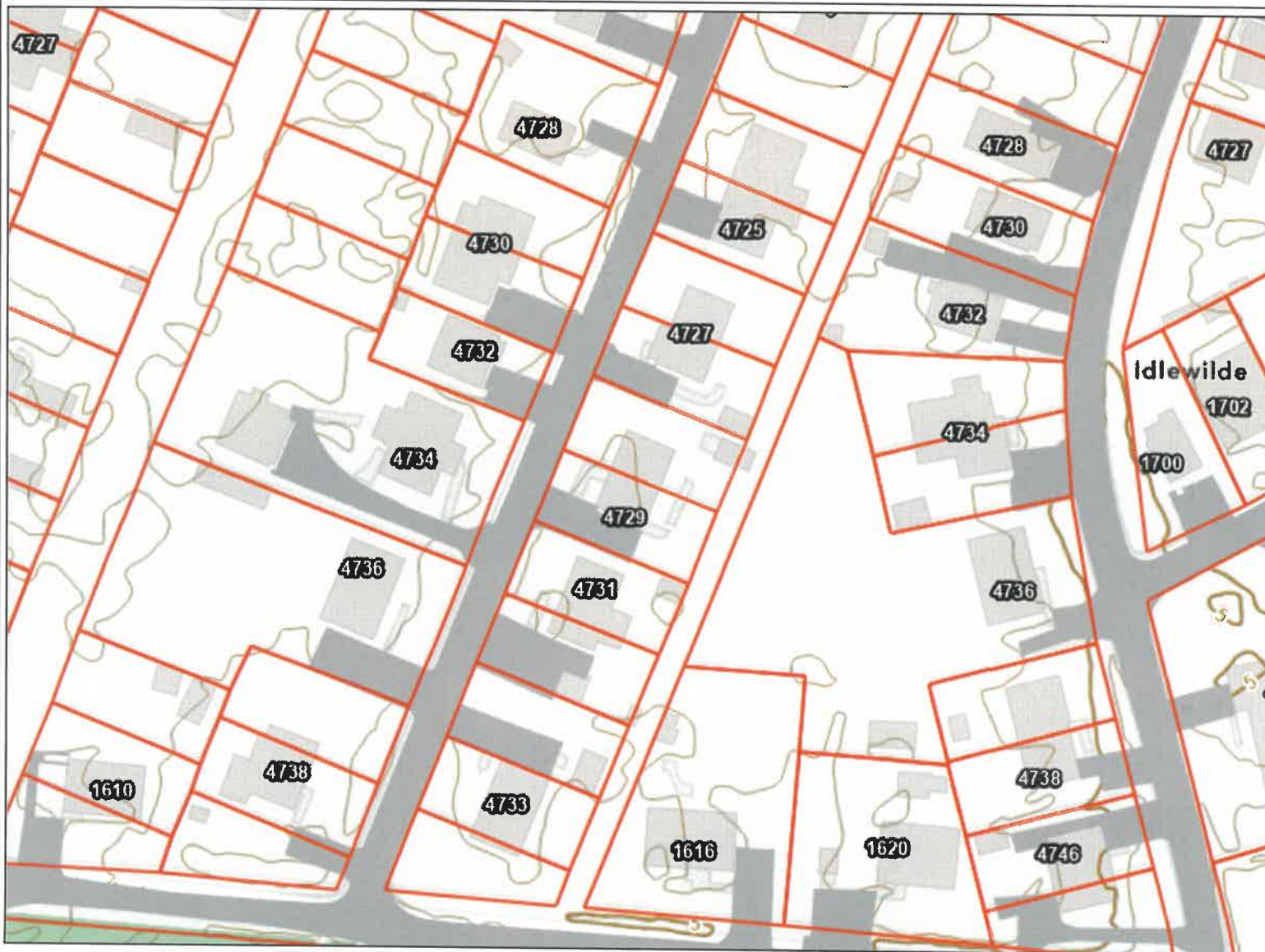
The predominant types of trees and shrubs on the property are all native to Anne Arundel County. One fully mature pin oak and another mature native tree are the canopy covers in the existing front yard. the house is flanked by varying smaller species shrubs. This lot is 6,800 square feet and it is estimated to be nearly 7% wooded. This equates to approximately 476 square feet of vegetation. The deck will occupy only approximately 81 square feet, but none of which in the vegetation areas. No vegetation will be removed for the structure. Regardless, the applicant is willing to mitigate the work by planting new vegetation in accordance with Anne Arundel County Code.

There will be no impacts on water quality and habitat from the construction as again, the foundation is on post/pier footings. However, should the approval of this requested variance necessitate other mitigation, the applicant will comply.

The impervious surface before construction of all existing areas totals 2,154 square feet. The deck is open and pervious. The total of all impervious surfaces would then stay 2,154 square feet.

The property does not contain any environmental features affected by this project. There are no other habitat protection areas including rare and endangered species, anadromous fish propagation waters, colonial waterbird nesting sites, historic waterfowl staging and concentration areas, riparian forests, natural heritage areas, or plant and wildlife habitats of local significance.

4729 Washington topo map



Legend

- Foundation
- Addressing
 -
- Parcels
 - ▭
- Structure
 - ▭
- County Structure
 - ▭
- Elevation
 - Topo 2023
 - Index
 - Intermediate



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.

0 100 200
ft

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THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes 1"=100'

Google Maps

4734 Washington Ave

Shady Side, Maryland
Google Street View
Apr 2008



Image capture: Apr 2008 © 2025 Google

