



May 5, 2025

Anne Arundel County
Office of Planning & Zoning
2664 Riva Road
Annapolis, Maryland 21401

Attention: Ms. Sterling Seay

Re: VARIANCE REQUEST – SHED REPLACEMENT
MORENO/RAMIREZ PROPERTY
339 MARGANZA SOUTH
LAUREL, MD 20724

Dear Ms. Seay:

On behalf of the applicants, we respectfully request a variance to Article 18-4-701, R-5 Bulk Regulations which states in part that there is a minimum side lot line setback of 7', and a minimum rear yard of 7'. This request is to allow the owner to replace an existing shed in kind. This lot meets the definition of a buildable lot, subject to the approvals of the County and consists of 6,959 square feet in area. The site is served by public water and sewer and is accessed by Marganza South in Maryland City. The owner wishes to replace the shed which is in disrepair. Access to the site will remain from Marganza South, a County owned Public Road in the community. The site drains to the right of way of Marganza South and abuts developed properties to the north, south and east, with Marganza South being to the west. The site does not contain steep slopes, is zoned R-5 and is not located in the Chesapeake Bay Critical Area.

The applicant wishes to replace the existing non conforming shed. The previous shed did not meet the side and rear setbacks. Since the shed is being replaced on the same footprint, no additional setback encroachment are anticipated. The east side of the shed will be located as close as 4.44' to the rear property line, necessitating a 2.6' variance request. The north side of the shed will be as close as 0.79' from the north side lot line, necessitating a 6.21' variance. The owner started the replacement and was told to get permits which will need a variance.

The owner believed he could replace the shed in kind without a permit since he was replacing the shed in the same footprint of the previous shed. A review of aerial topo of the neighborhood indicates this non-conforming setback scenario is common in the community. There are several sheds that appear to be non conforming as to setbacks. This shed, as it is a replacement will not alter the character of the neighborhood. No tree clearing is necessary and the bulk of the disturbed area is strictly across the yard on the private lot for access to the area of work.

As the disturbance is less than 5,000 sf, a grading permit should not be required and the project is exempt from meeting stormwater management requirements.

This plan meets the intent of the variance standards in Article 18-16-305(a) as follows:

1. **Because of certain 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;**

The subject property is 6,959 square feet in size, and it is zoned R5. The lot is undersized for an R5 lot, which has a minimum lot area of 7,000 square feet per 18-4-701. The proposal is to replace the existing shed in the same footprint, which makes sense. This is the location known to neighbors, and will not affect the neighbors and there possibility of developing their property.

2. **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 exceptional circumstances and practical difficulties in replacing the shed have been noted in #1 above to a large degree. The old shed was failing and the owner placed the replacement in the same footprint. It does not appear there is a reasonable location elsewhere to meet setbacks, and allow the owner to keep what he has existing.

This plan meets the requirements of 18-16-305(c), as the proposal is the minimum relief necessary. The development will not impair the use of adjoining properties, nor reduce forest cover in the LDA or RCA. The work performed will not be contrary to clearing and replacement practices and will not alter the character of the neighborhood or be detrimental to the public welfare.

1. **The variance request is the minimum to afford relief.**

The request is the minimum to allow for replacement of the existing structure in its existing location.

2. **i. This variance will not alter the essential character of the neighborhood.**

Maryland City is a community with an eclectic mix of house styles and sizes, with accessory structures in varied locations, including, it appears from a review of aerial, locations that do not meet zoning setbacks. The proposed location of the shed as an in kind replacement is common throughout the community.

- ii. This variance will not impair the use of adjoining properties.**

The proposal will not impact neighbors. The location of the shed will be the same as its current location.

- iii. This Variance will not reduce forest cover.**

No tree clearing is required and the site is outside the critical area.

- iv. No work will be performed contrary to approved clearing practices.**

This proposal removes no tree cover, therefore this permit must meet those requirements.

- v. The project will not be detrimental to the public welfare.**

The request is to simply replace a failing shed in its current location. In this case, the replacement will be a public welfare benefit since the shed will not continue to fail and injury someone as it degrades.

| As this proposal is for construction of a replacement shed, disturbance has been minimized. A grading permit and stormwater management will not be required. It appears that this request is consistent with other development in this area. Denial of this request would not allow the owner to enjoy property rights common to other properties in this area.

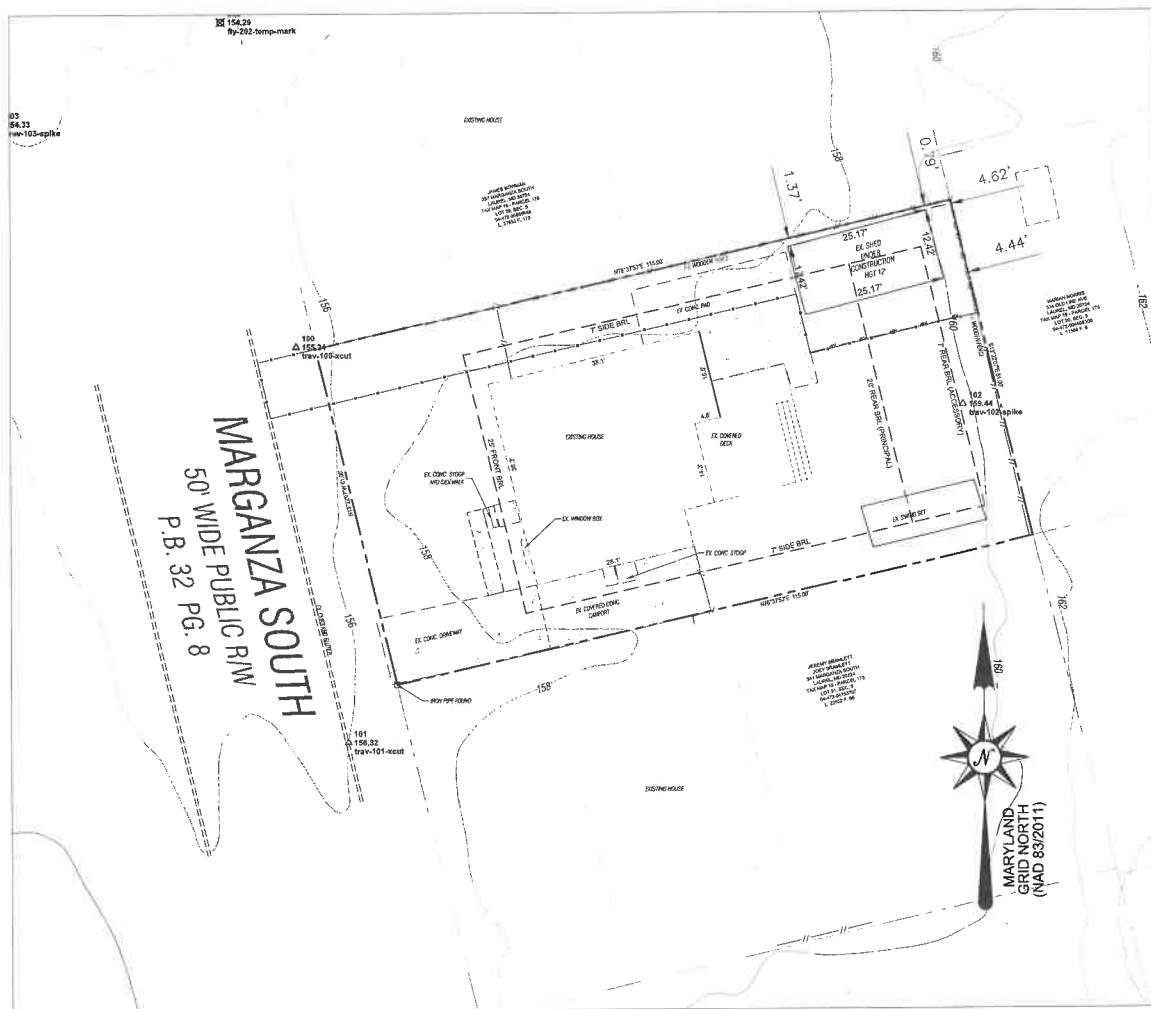
The enclosed plan represents the location of the proposed work. In closing, the variances requested are the minimum necessary to afford relief and are not based on conditions or circumstances that are a result of actions by the applicant. We thank for in advance for your consideration to this request.

If you have any questions, or if you require additional information, please feel free to contact me at 410-266-3212.

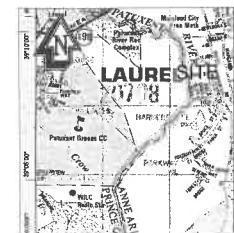
Sincerely,
Messick Group, Inc
T/A Messick and Associates

Mike Gillespie

Mike Gillespie
Project Manager



VARIANCE SITE PLAN
SCALE: 1" = 10'



VICINITY MAP
SCALE: 1" = 2,000'
COPYRIGHT ADC THE MAP PEO
PERMITTED USE NO. 06301

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VARIANCE REQUEST

§ 18-4-701. RS BULK REGULATIONS
WHICH STATE IN PART THAT AN ACCESSORY STRUCTURE IN AN RS DISTRICT SHALL HAVE A REAR SETBACK OF 7' AND A SIDE YARD SETBACK OF 7'.

REVISION DESCRIPTION	BY	DATE

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: enqr@messickandassociates.com

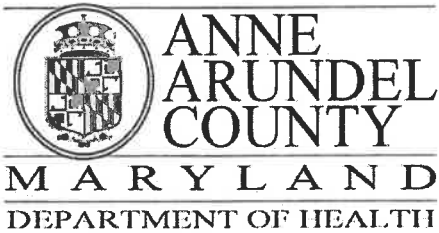
OWNER/DEVELOPER:

NESTOR MORENO
SOFIA RAMIREZ
339 MARGANZA SOUTH
LAUREL, MD 20724

VARIANCE SITE PLAN

MORENO/RAMIREZ PROPERTY
SINGLE FAMILY DEVELOPMENT
339 MARGANZA SOUTH
LAUREL, MD 20724

TAX MAP: 19 GRID: 23 PARCEL: 175 LOT 30 SEC 5 TAX ACCOUNT: 04-472-04838700 ZONING: R-5
FOURTH ASSESSMENT DISTRICT ANNE ARJUNDEL COUNTY, MARYLAND 20779
DATE: JUNE 2025




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: June 11, 2025

RE: Sofia Del Carmen Ramirez
339 Marganza South
Laurel, MD 20724

NUMBER: 2025-0084-V for B2024-715

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to perfect an accessory structure (shed) with less setbacks than required.

The Health Department has reviewed the above-referenced request. The property is served by public water and sewer facilities. 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