

Trever and Grace Belden

946 Bay Drive

Deale, MD 20751

Letter of Explanation for Variance Request

Property Address: 946 Bay Drive, Deale, MD 20751

Tax Account Number: 07-235-90099752

To Whom It May Concern:

We are submitting this Letter of Explanation in support of our application for a variance from the 25-foot front yard setback requirement under the Anne Arundel County Zoning Ordinance. We are requesting approval to construct a garage that would be located approximately seven (7) feet from the front property line. This request is made in light of several unique challenges posed by the lot's configuration, location, and important family considerations.

Our property is located along the Chesapeake Bay. The lot lies outside of the mean high water line and is subject to critical area regulations due to its proximity to the water. These environmental constraints significantly restrict the buildable area and contribute to the practical difficulty of complying with standard setback requirements. The proposed structure will be built on the inland positioned to avoid encroachment into the Critical Area buffer zone while maintaining access and functional use.

The requested variance is necessary due to both physical and family needs. The existing driveway does not provide sufficient space for Trever and Grace Belden along with Trever's father to park all family vehicles. Bay Drive is a narrow road with limited shoulder space, and street parking requires vehicles to partially occupy the roadway, creating a significant safety concern. In addition, unsecured vehicles left on the street are vulnerable to both damage and theft. A garage would provide a secure and practical solution to these ongoing concerns.

More importantly, the proposed garage will include a modest living space for Trever's elderly father, who recently relocated from across the country to live with the family. He moved due to his declining health and the challenges of being so far from his family, which made receiving proper care and support increasingly difficult. The existing home does not have a basement or additional bedroom that could accommodate him. Incorporating a small living area into the garage will provide him with a private, comfortable space where he can maintain a sense of independence while still receiving daily care and supervision from his family. This arrangement is vital for his well-being and enables Trever and Grace to meet their caregiving responsibilities while preserving their own household space.

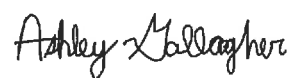
The proposed garage will be approximately 528 in size and 18 feet tall, designed to match the existing home and blend into the character of the surrounding neighborhood. Several nearby properties have structures that are close to the road or property lines and this proposal would be in keeping with the neighborhood's appearance and existing development patterns. Additionally, with this property being corner line there are limited layouts that would be proposed and still providing the necessary space for the structure.

We believe this request meets the criteria outlined in Article 18-16-305(c) of the Anne Arundel County Code. The environmental constraints, practical lot limitations, and caregiving needs present a clear and justifiable hardship. The proposed location of the structure represents the least modification necessary to provide reasonable use of the property and will not impair the intent of zoning regulations or negatively impact adjacent properties.

We appreciate your consideration of this request and welcome the opportunity to provide any additional information or documentation you may need.

7th State Builders

Ashley Gallagher



June 17, 2025

THIS DOCUMENT IS CERTIFIED TO

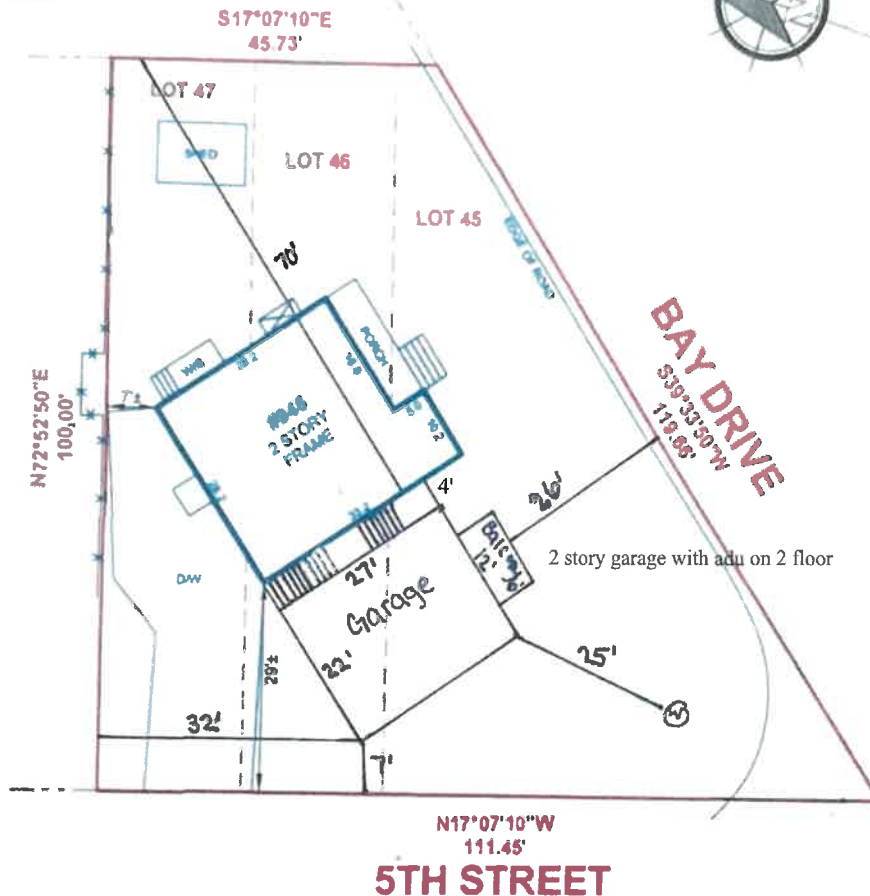
Chancellor
Title Services, Inc.

CASE # 01163-18



Laura Hostelley
3905 Mountain Road
Pasadena, MD 21122
410-437-3311

NOTE:
ENCROACHMENTS
MAY EXIST



THE LEVEL OF ACCURACY OF
DISTANCES TO APPARENT
PROPERTY LINES IS

3"

LOCATION DRAWING OF:

#946 BAY DRIVE

LOTS 45 - 47

BLOCK J

DEALE BEACH

PLAT BOOK 9, PLAT 50

ANNE ARUNDEL COUNTY, MARYLAND

SCALE 1"=20' DATE 06-21-2018

DRAWN BY: AP FILE #: 185003-683

LEGEND:

BE - BRICK
BWH - BAY WINDOW
BR - BRICK
BRL - BRICK RESTRICTION LINE
BHT - BASEMENT
C/C - CONCRETE STOP
C/C - CONCRETE
DWH - DRIVEWAY
FR - FRAME
MAC - MACADAM
G - GATE
OH - OVERHANG
PUB - PUBLIC UTILITY EXIST

COLOR KEY:

SPR - SPRING
BLDG - BUILDING
CURB - CURB
RECORDING - RECORDING
APPROXIMATIONS - APPROXIMATIONS
EXIST'G RESTRICTIONS - EXIST'G RESTRICTIONS

A Land Surveying Company



DULEY

**and
Associates, Inc.**

Serving D.C. and MD

14804 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111

Fax: 301-888-1114

Email: orders@duley.biz

On the web: www.duley.biz



SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREON AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 19 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF PRICES, BUILDING, OR OTHER IMPROVEMENTS. THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar as IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTINGENT TRANSFER, FINANCING OR REFINANCING. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

DULEY & ASSOC.

WILL GIVE YOU A 100%
FULL CREDIT TOWARDS
UPGRADING THIS
SURVEY TO A
"BOUNDARY/STAKE"
SURVEY FOR ONE
YEAR FROM THE DATE
OF THIS SURVEY

(EXQ. USING D.C. 4841.7 C.M.)

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: 6/17/2025

Tax Map #	Parcel #	Block #	Lot #	Section
0078	0084	J	45	N/A

Tax ID: 07-235-90099752

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Project Name (site name, subdivision name, or other) Belden Garage Permit B02428837

Project location/Address 946 Bay Dr.

City Deale Zip 20751

Local case number

Applicant: Last name Gallagher First name Ashley

Company 7th State Builders

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:

7th State Builders to provide and install 2-story 22' x 24' garage with living space above and stairs

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		0
LDA Area		7,859
RCA Area		0
Total Area		7,859

Total Disturbed Area

Acres	Sq Ft
	530

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		3,700	Existing Lot Coverage		905
Created Forest/Woodland/Trees		0	New Lot Coverage		530
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		0
			Total Lot Coverage		1,435

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		0	Buffer Forest Clearing		0
Non-Buffer Disturbance		0	Mitigation		0

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 ☐

Trever and Grace Belden
946 Bay Drive
Deale, MD 20751

Proposed Use of the Property

The subject property is zoned **R5** and is currently developed as a single-family residential dwelling. The proposed project involves the construction of a garage that will include a modest living space for Trever's elderly father. This addition is intended to provide secure parking for vehicles and a private living area to accommodate Trever's father, who has relocated from across the country due to declining health and the need for closer familial support.

Vegetation and Land Disturbance

The property is approximately 0.18 acres in size and features a mix of ornamental landscaping, turf grass, and rip-rap along the shoreline. The proposed development will disturb a minimal portion of the vegetated area. Specific square footage calculations will be provided upon completion of the site plan, but efforts will be made to preserve existing vegetation where possible.

Stormwater Management and Habitat Protection

To minimize impacts on water quality and habitat, the project will incorporate best management practices for stormwater management and sediment control. This includes the installation of silt fences during construction and the implementation of stormwater management measures as required by Anne Arundel County regulations. These measures aim to protect the Chesapeake Bay and its tributaries from potential runoff and sedimentation.

Impervious Surface Calculation

Prior to construction, the existing impervious surfaces include the main dwelling, driveway, and any other hardscaped areas. The addition of the garage and associated structures will increase the total impervious surface area. A detailed calculation of the impervious surface area before and after construction will be provided upon completion of the site plan, ensuring compliance with county regulations.

Habitat Protection Areas

The property is located within the **Critical Area Overlay Zone** due to its proximity to the Chesapeake Bay. This designation requires adherence to specific environmental regulations to protect water quality and habitat. The proposed development will comply with all applicable buffer requirements and will avoid disturbance to sensitive areas such as riparian buffers and habitats of local significance. A detailed assessment of habitat protection areas will be included in the site plan submission.

An aerial photograph of a residential area with red lines delineating individual lots. The lots are labeled with numbers: 5985, 5992, 5994, 946, 949, 947, 5995, and 5997. A body of water is visible on the right side of the map, and a road or path runs along the bottom edge. The map is oriented with the water on the right and the road at the bottom.



Foundation
Addressing



Parcels



Structure

County Structure



Elevation

Topo 2023

 Index

Intermediate

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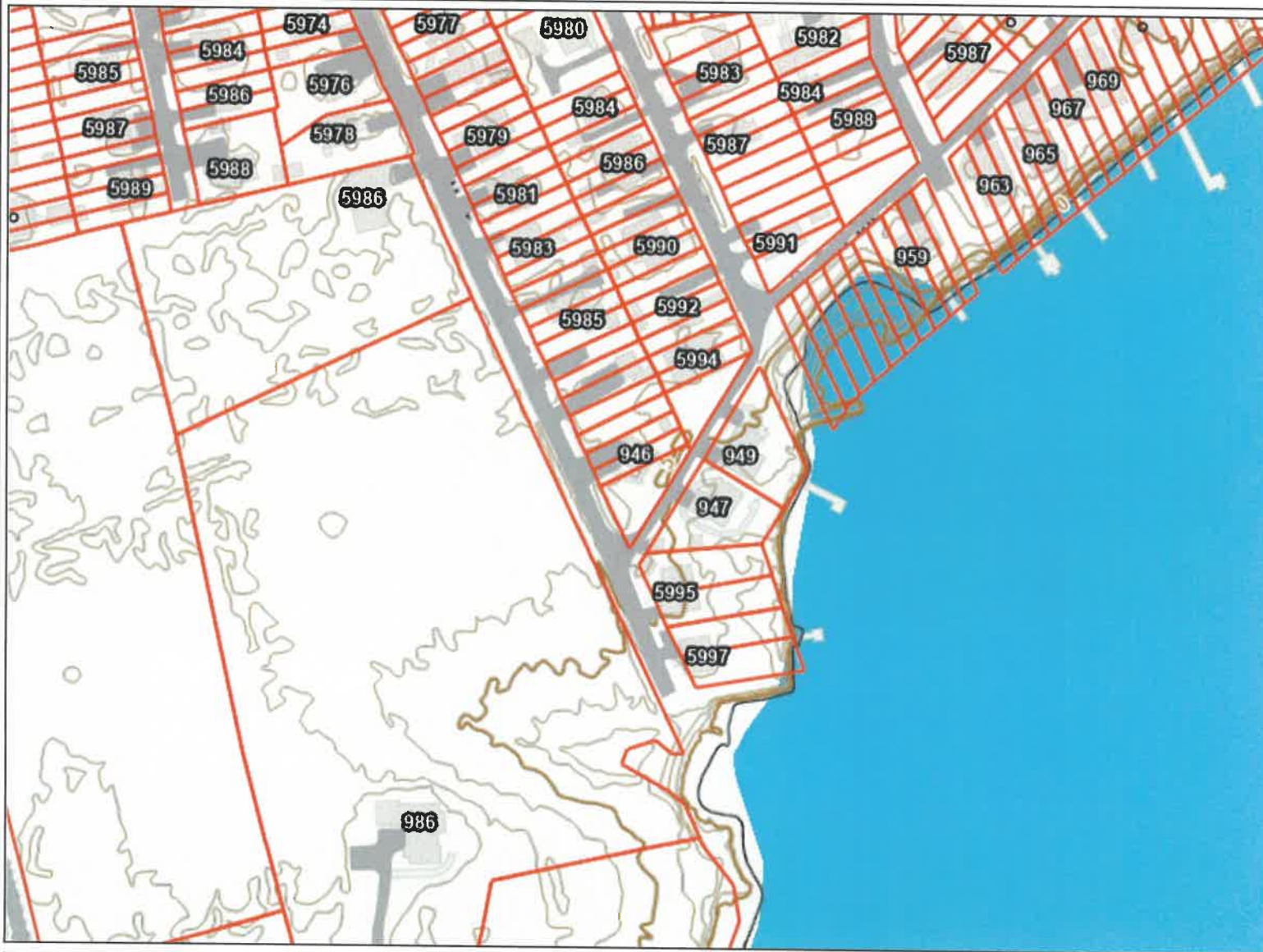


THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes 1" = 100 ft



Topographic Map - Lot outline ref only not exact



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.

0 200 400
ft

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GeoTechnologies, Inc, METI/NASA,



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Notes 1" = 200 ft

Topographic Map - Lot outline ref only not exact



Legend

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Parcels

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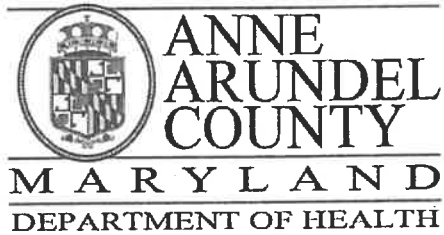
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GeoTechnologies, Inc, METI/NASA,



THIS MAP IS NOT TO BE
USED FOR NAVIGATION

0 40 80
ft

Notes 1" = 40 ft



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.aahcalth.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: July 18, 2025

RE: Belden Trever Wayne, Trustee
96 Bay Drive
Deale, MD 20751

NUMBER: 2025-0122-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling addition (2-story garage with 2nd floor ADU and stairs) with less setbacks than required.

The Health Department has reviewed the well water supply system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the well water supply system. 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



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

SCALE: 1/4" = 1'-0"



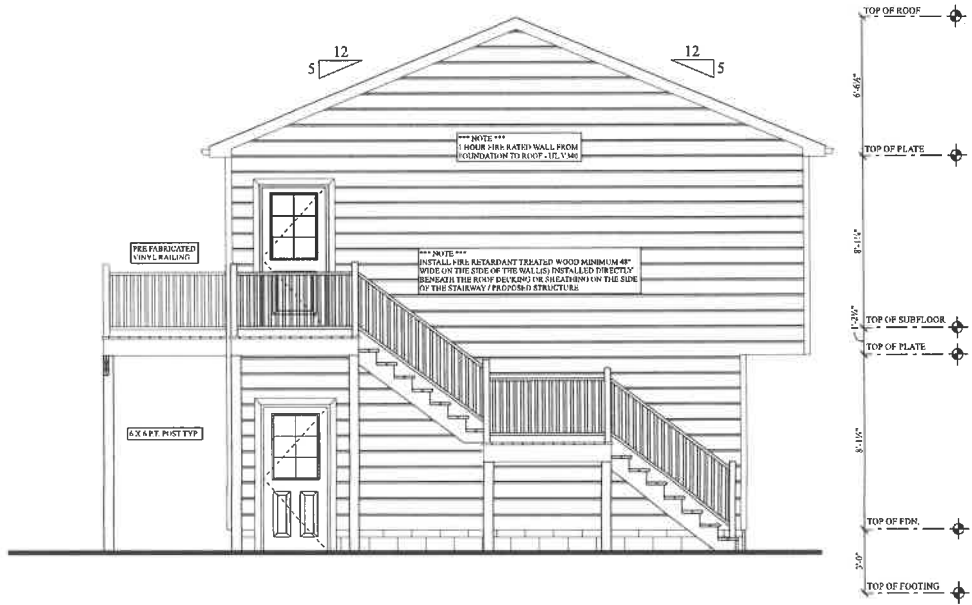
REAR ELEVATION

SCALE: 1/4" = 1'-0'

Builder to verify all measurements for both the proposed project & existing conditions if applicable. All final measurements are +/- inches based on existing conditions. The Builder is responsible to provide any engineering/architectural certifications if needed. Designer is not a registered Architect or Engineer.



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

These drawings provided relate solely to the proposed appearance of the building's design, layout, and proposed room sizes. All drawings are for illustration and visual aspects of construction only, furthermore, final construction details, material sizes, and building specifications will be the sole responsibility of the General Contractor/Builder. The designer is not a registered architect or engineer. The completion of this design by the General Contractor and/or Builders shall be subject to the local governing authority. The General Contractor/Builder will assume all risk and liability for this design for any time and the designer will not be responsible for any deficiencies, omissions or errors in these plans, in addition to improper construction, unforeseen events, or said issue coming from the contractor. The designer does not accept any liability for any damages, issues, lawsuits, or any other matter for this project for any period. Indicated in the building cross sections or details, the designer does not accept any liability for any damages, issues, lawsuits, or any other matter for this project for any period.

- SMOKE DETECTOR
- CARBON MONOXIDE DETECTOR
- BATHFAN

PAPER SIZE - 18" X 24"

PAGE
3 / 6
A-3 Foundation

APPROVED
TICKLE (P) 11/1

SECTIONS
LEFT
PAGE
NUMBERS

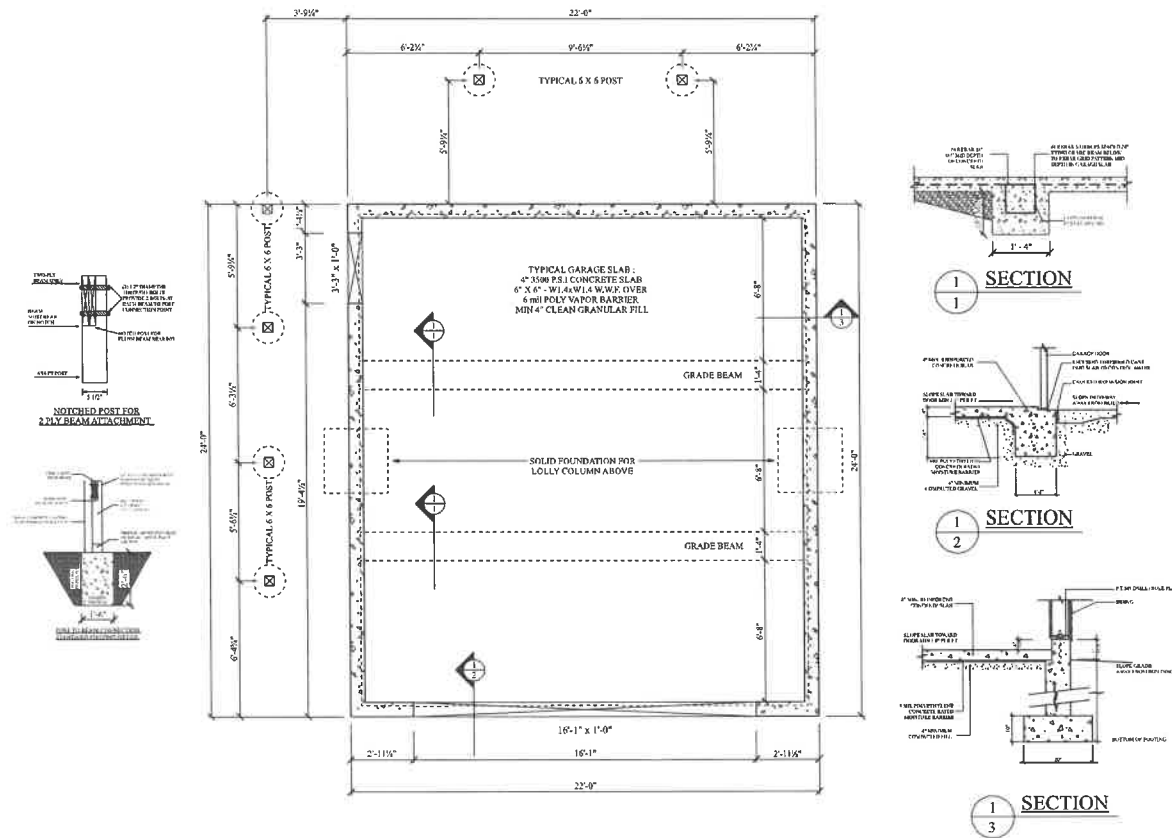
SCALE: 1/4" = 1'-0"
DRAWN BY: MKR
DATE: 3/27/2025

Project to meet 2018 IRC Residential Code
Dead Floor Load: 40 PSE
Live Floor Load: 40 PSE
Roof Load: 40 PSE
Wind Load: 115 MPH
Soil Bearing: 2000 PSF

Project Point of Contact
Name: 7th State Builders
Phone: 443-926-9080
Email: info@7thstatebuilders.com

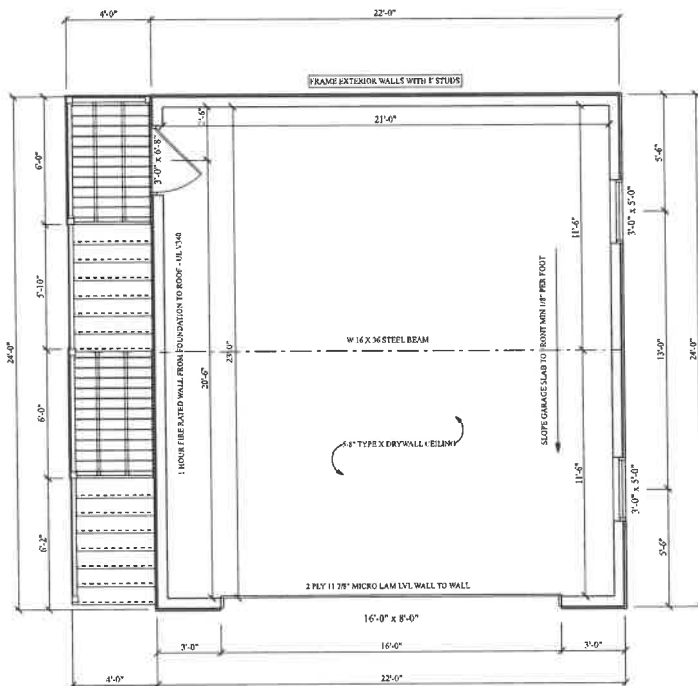
SOFTPLAN
ARCHITECTURAL DESIGN SOFTWARE

BELDEN GARAGE
946 BAY DRIVE DEALE MD 20751
PHONE: (757) 86-4272
EMAIL: BELDENTREYER@GMAIL.COM

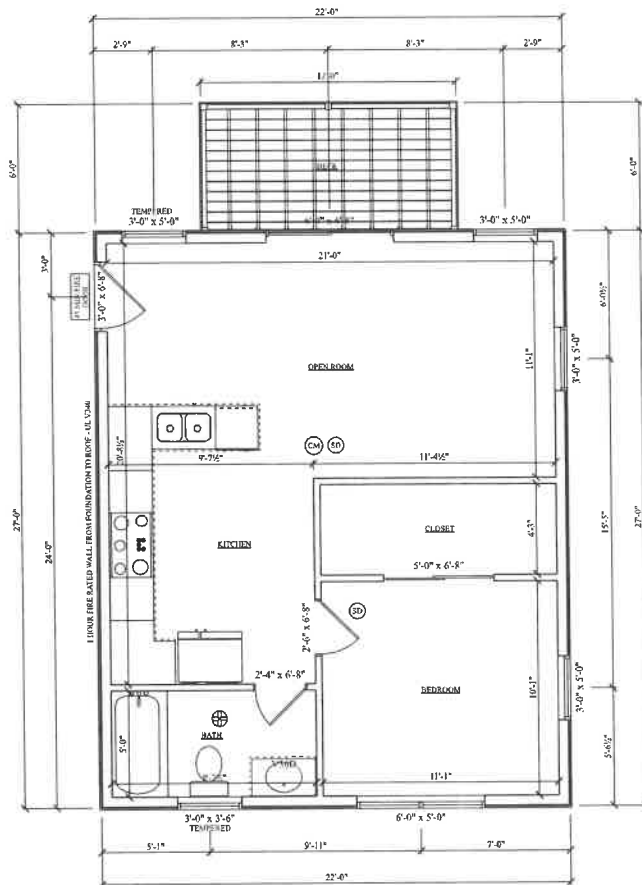


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MAIN FLOOR
SCALE: 1/4" = 1'-0"



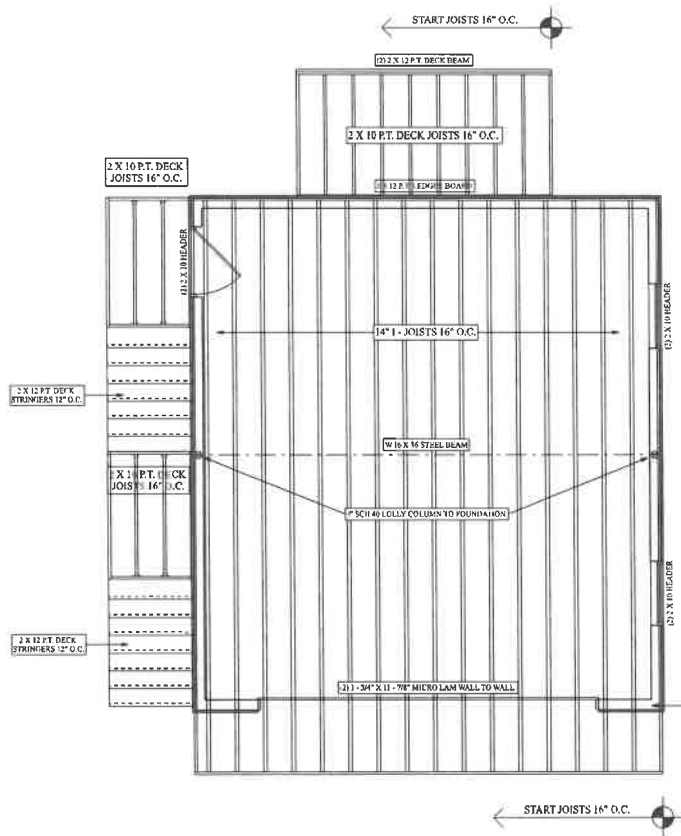
UPPER FLOOR
SCALE: 1/4" = 1'-0"



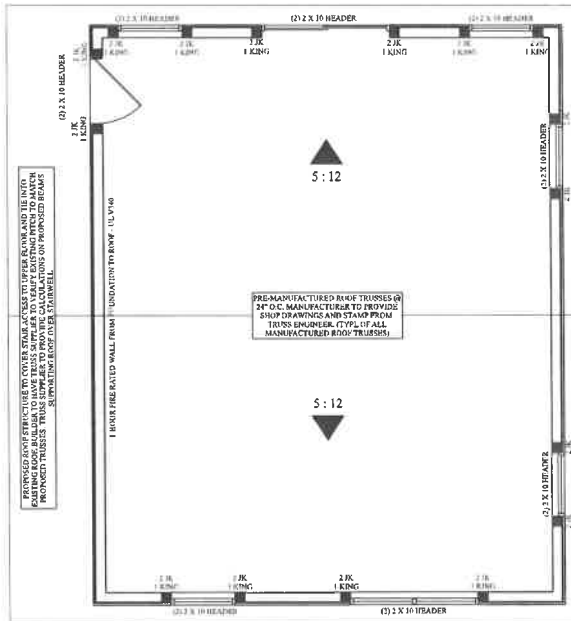
Builder to verify all measurements for both the proposed project & existing conditions if applicable. All final measurements are +/- inches based on existing conditions. The Builder is responsible to provide any engineering/architectural certifications if needed. Designer is not a registered Architect or Engineer.

These drawings provided relate solely to the proposed appearance of the building's design, layout, and proposed room sizes. All drawings are for illustration and visual aspects of construction only; furthermore, final construction details, material sizes, and building specifications will be the sole responsibility of the General Contractor/Builder. The designer is not a registered architect or engineer. The completion of this design by the General Contractor and/or Builders subcontractors will comply with the most current local building codes while following all local safety and fire codes. The designer is not qualified to determine structural, mechanical, plumbing, electrical, fire, or any other code requirements or by the local governing authority. The General Contractor/Builder will assume all risk and liability for this design for any time and the designer will not assume any responsibility for the construction of the project. Additionally, should any unforeseen events, or said issue coming from the construction of this project, the designer recommends that you consult with local building codes, or a registered engineer prior to construction. The designer agrees to make prompt corrections or alterations indicated in the building cross sections or details, the designer recommends that you consult with local building codes, or a registered engineer prior to construction. The designer agrees to make prompt corrections or alterations to any specification found to be incompatible with Local Building Codes that will not be liable for any damages, issues, lawsuits, or any said problem from the construction, sale, or any other matter for this project for any period.

- 10 SMOKE DETECTOR
- 11 CARBON MONOXIDE DETECTOR
- 12 BATH FAN



JOIST LAYOUT
SCALE: 1/4" = 1'-0"



ROOF PLAN NOTES:

1. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES AT SITE.
2. ALL ROOF TRUSS CERTIFICATIONS TO BE PROVIDED BY MATERIAL SUPPLIER FOR INSPECTIONS
3. ALL TRUSS BRACING TO BE INSTALLED PER MFG DESIGN.
4. CONTRACTOR TO WATERPROOF ALL ROOF INTERSECTIONS AS PER CODE.
5. CONTRACTOR TO VERIFY ALL ROOF PITCHES WITH EXTERIOR ELEVATIONS PRIOR TO CONSTRUCTION.
6. CONTRACTOR TO PROVIDE ADEQUATE ROOF VENTILATION AS REQ'D BY CURRENT CODES.

ROOF PLAN
SCALE: 1/4" = 1'-0"

NAIL SIZE SPACING FOR WALL SHEATHING
8d NAILS MIN. OF 1/16" O.S.B. EDGE SPACING=4" O.C. INTERIOR SPACING = 12" O.C.
NAIL SIZE SPACING FOR ROOF SHEATHING
8d NAILS MIN. OF 1/16" O.S.B. EDGE SPACING=4" O.C. INTERIOR SPACING = 4" O.C.

- NOTES:**
1. ALL EXTERIOR SHEATHING TO EXTEND FROM BOTTOM OF BOTTOM PLATE TO THE TOP OF THE TOP PLATES.
 2. PROVIDE 3/4 OR GREATER COLLAR TIES ON EACH RAFTER IN THE UPPER THIRD OF ATTIC AND ATTACHED TO RAFTERS WITH 5 - 16d NAILS ON EACH SIDE.
 3. SHINGLES OR OTHER ROOF MATERIALS TO BE FASTENED AS PER MANUFACTURERS INSTRUCTIONS FOR HIGH WIND APPLICATIONS.
 4. EXTERIOR WALL FINISHES TO BE INSTALLED AS PER MANUFACTURERS INSTRUCTION BASED ON HIGH WIND APPLICATIONS.

[illegible]

Builder to verify all measurements for both the proposed project & existing conditions if applicable. All final measurements are +/- inches based on existing conditions. The Builder is responsible to provide any engineering/architectural certifications if needed. Designer is not a registered Architect or Engineer.