



303 Najoles Road - Suite 114
Millersville, MD 21108

Phone: 410-987-6901
Fax: 410-987-0589

July 1, 2025

Ms. Sterling Seay
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road
Annapolis MD 21401

**Re: Harmony Point on the Magothy
Lot 17, Block M
Variance Application**

Dear Ms. Seay,

Please accept this as our formal variance request to the Zoning Regulations on behalf of our client. The variance requests are to Article 18, Section 4 – 701 of the R-5 Bulk Regulation of 10' to the required 20' front setback to Clifton Avenue, 2' to the required 7' side setback to the Southwestern property line and 2' to the required 7' side setback to the Northern property line. The front side and rear setbacks are shown per a previous variance on a similar lot in the neighborhood (2017-0085-V).

Based on the Findings and Recommendation of the Office of Planning and Zoning, the County does not agree with the setbacks as shown and is requesting different setbacks that are not consistent with previous cases on the same shape of lot. Due to this the County is stating the variance requests are 10' to the required 25' front setback to Clifton Avenue, 10' to the required 15' rear setback to the Southwestern property line and 2' to the required 7' side setback to the Northern property line

We are requesting this variance to allow for an existing lot to be developable based on the restrictive nature of the setbacks.

The proposed house is a two-story with a habitable attic. The habitable attic is built into the trusses, like an older Cape Cod style home, where the house will have a two-story elevation from the road, but there will be a partial third floor with a house height of 32'+/-. The footprint of the home is 724 square feet with no garage. And 18'x18' parking pad has been provided off of an existing driveway apron to meet the county parking requirements.

Explanation as required by Article 18, Section 16-305(a)

We believe the granting of these variances are warranted because the unique physical conditions of the lot. Specifically, the lot is undersized for its zoning designation

at only 2,819 square feet, well under the 7,000 square foot requirements of the bulk regulations. In addition, the lot is uniquely shaped as triangular at only 56' deep to the North and sharply coming to a point to the South. This leaves a triangular building area of odd proportions, rendering the lot not reasonably useable.

Explanation as required by Article 18, Section 16-305(c)

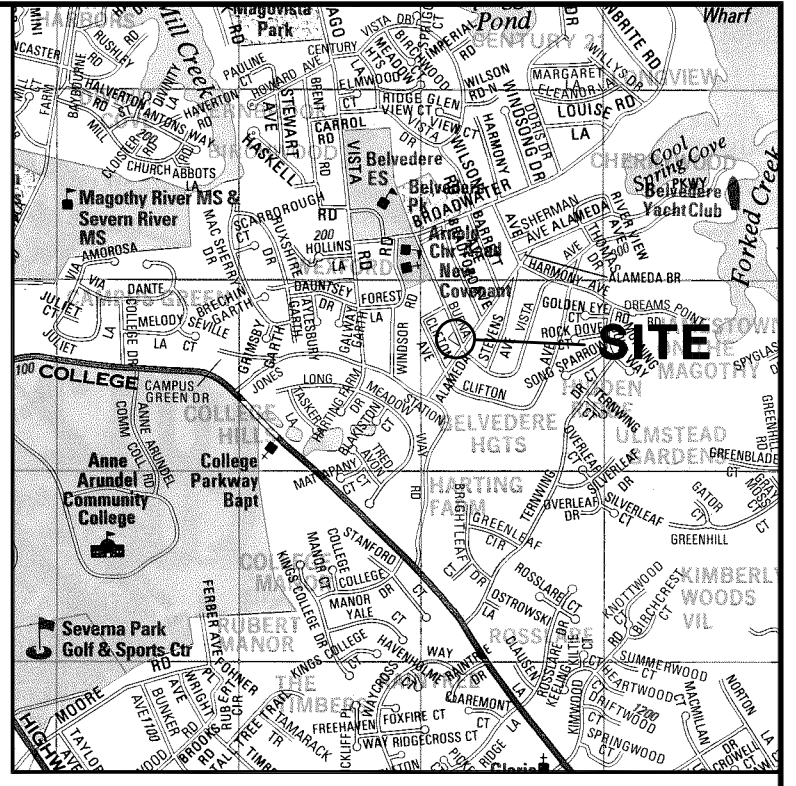
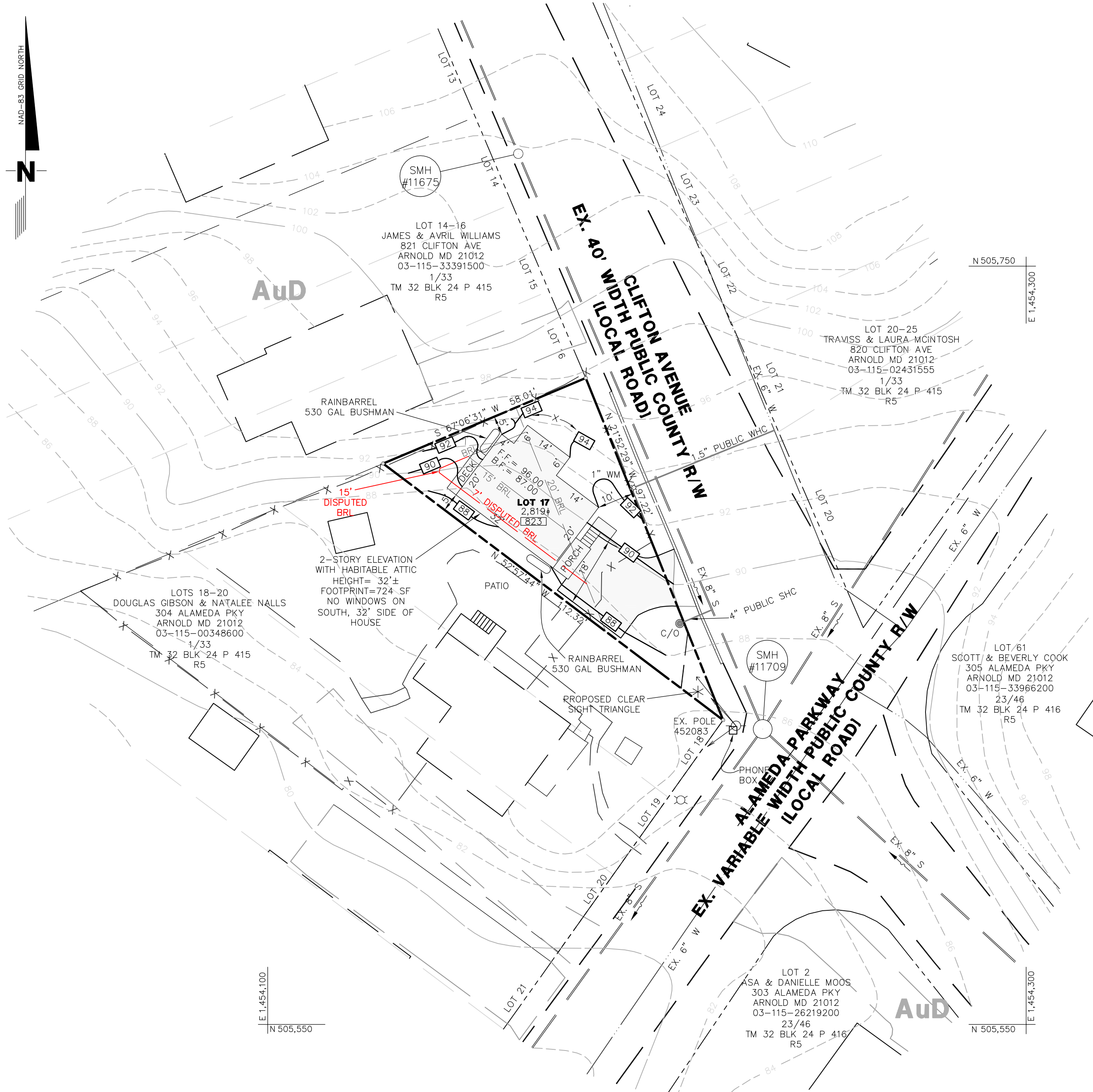
We believe the granting of this variance is warranted because the requested variance is the minimal necessary to afford relief based upon the size of the lot and the unique physical conditions. The proposed house is modest in size and placed to leave enough room for parking and not hinder use of the intersection. The granting of this variance will not alter the character of the neighborhood as the proposed house will have a typical 2-story elevation from the road and is typical of R5 development. In addition, throughout Harmony Point on the Magothy, where the streets intersect at irregular angles to Alameda Parkway, there are multiple homes built within the required setbacks to the right of ways. Denial of the variances will force the applicant to build a small house that will certainly be out of character of the neighborhood. This variance will not impair the appropriate use or development of the surrounding property as it will not deny access or the possibility to build on neighboring lots as all surrounding properties have been developed and the proposed house will not affect the street view of any other properties. The granting of this variance will not be detrimental to the welfare of the public. In addition, stormwater management will be provided with the new home

If you have any questions or need any additional information, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Mike Werner".

Mike Werner, P.E.



VICINITY MAP
SCALE: 1" = 2,000'
Copyright ADC The Map People
Permitted Use Number 20403131

- SITE ANALYSIS**
1. EXISTING ZONING: R5
 2. TOTAL SITE AREA: 2,704 s.f.
 3. EXISTING USE: VACANT
 4. PROPOSED USE: SINGLE FAMILY DWELLING

NATURE OF VARIANCE

1. A VARIANCE TO ARTICLE 18-4-701 OF 10' TO THE REQUIRED 20' FRONT SETBACK TO CLIFTON AVENUE
2. A VARIANCE TO ARTICLE 18-4-701 OF 10' TO THE REQUIRED 15' REAR SETBACK TO THE SOUTHWESTERN PROPERTY LINE
3. A VARIANCE TO ARTICLE 18-4-701 OF 2' TO THE REQUIRED 7' SIDE SETBACK TO THE NORTHERN PROPERTY LINE

NATURE OF VARIANCE WITH DISPUTED SETBACKS

1. A VARIANCE TO ARTICLE 18-4-701 OF 10' TO THE REQUIRED 20' FRONT SETBACK TO CLIFTON AVENUE
2. A VARIANCE TO ARTICLE 18-4-701 OF 2' TO THE REQUIRED 7' SIDE SETBACK TO THE SOUTHWESTERN PROPERTY LINE
3. A VARIANCE TO ARTICLE 18-4-701 OF 2' TO THE REQUIRED 7' SIDE SETBACK TO THE NORTHERN PROPERTY LINE

PLAN:
SCALE: 1"=20'

LEGEND

- 20' BRL Disputed Building Restriction Line
- 25' BRL Building Restriction Line per County Report
- Existing Contours
- Proposed Contours
- EX. 8" S Existing Sewer
- EX. 8" W Existing Water
- Existing Pole
- Proposed Sewer Cleanout
- Proposed Water Meter

SOIL CLASSIFICATION CHART

SYMBOL	NAME	HYDROLOGICAL SOIL TYPE
AuD	Annapolis-Urban land complex	C

OWNER/DEVELOPER:

CHESSIE HOMES, LLC
PO BOX 447
PASADENA, MD 21122
CHESSIEHOMESLLC@GMAIL.COM

#	REVISIONS:	APPROVED BY:	DATE:

ANAREX, INC
CIVIL ENGINEERING SERVICES
LAND SURVEYING
303 Najoles Road - Suite 114
Millersville, MD 21108-2512
Phone: 410-987-6901
www.anarex.com

SHEET 1 OF 1
VARIANCE PLAN

HARMONY POINT ON THE MAGOTHY
LOT 17, BLOCK M

823 CLIFTON AVENUE
ARNOLD, MD 21012
GP # :
TAX MAP 32 BLOCK 24 PARCEL 415 TAX ACCOUNT # 03-115-90256921 ZONING: R-5
DATE: MARCH, 2025
THIRD ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND 21012



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2025-0026-P
DATE: 03/25/2025
STAFF: Joan A. Jenkins (OPZ)
Jean Janvier (I&P)

APPLICANT/REPRESENTATIVE: Chessie Homes / Matt Seiss, Anarex

EMAIL: chessiehomesllc@gmail.com / matt@anarex.com

SITE LOCATION: 823 Clifton Avenue

LOT SIZE: 2,704 sq ft

ZONING: R5 **CA DESIGNATION:** n/a **BMA:** n/a **or** **BUFFER:** n/a **APPLICATION TYPE:** variance

DESCRIPTION:

The applicant proposes to construct a new SFD on an undersized lot. Setback variances are required.

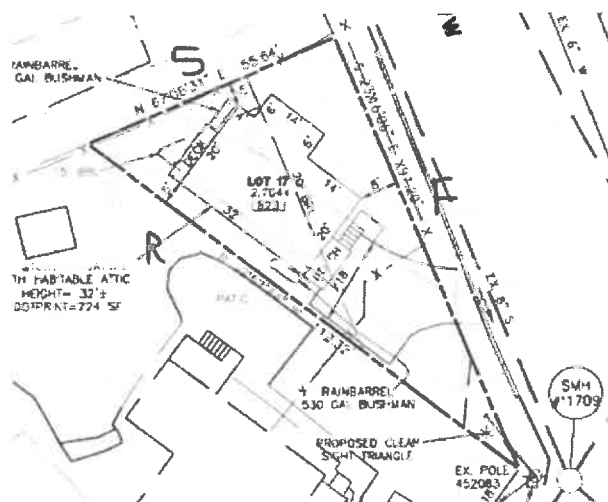
COMMENTS:

I & P Engineering:

1. On the Variance Site Plan, show the location of the proposed water meter and the sewer cleanout.
2. On the Variance Site Plan, demonstrate this lot has adequate area to discharge water from the two 530 gallon rainbarrels.
3. The driveway must enter the road perpendicularly, per County Details.
4. Show the proposed grading for this lot.
5. On the Variance Site Plan, if an item has a symbol shown on the legend, it should also be shown on the Plan View. Otherwise, it should be removed from the legend.
6. Per DPW's Design Manual, "no driveway shall be located within 50 feet from the P.C. of the intersection curb radius." The supposed existing driveway apron is substandard and appears to be leftover pavement rather than a proper county driveway entrance.

Zoning Administration Section:

1. The site plan shows a 15' side setback as of July 1, 2025. This distance should be 7' for a side lot line.
2. The common lot line between 823 Clifton Ave and 304 Alameda Pkwy is a rear lot line. Currently the setback is 20' and as of July 1, 2025 the setback will be 15 feet. The short side of the triangle is a side. Adjust the site plan and letter accordingly. See below:



INFORMATION FOR THE APPLICANT

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.