

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

APPLICANT: Nicholes Walters

ASSESSMENT DISTRICT: 8

CASE NUMBER: 2025-0098-V

COUNCIL DISTRICT: 7

HEARING DATE: August 7, 2025

PREPARED BY: David Russell
Planner

DR

REQUEST

The applicant is seeking a variance to allow an accessory structure (lean-to pole barn) with less setbacks than required for property located at 6809 Walke Road in Friendship (Tax ID 800090023482).

LOCATION AND DESCRIPTION OF SITE

The property is approximately 15,725 square feet (Parcel 236, Grid 15, Tax Map 81), zoned RA - Rural Agricultural, and located within the Friendship Historic District. The property is located approximately 175 feet south of the intersection of Friendship Road West and Walke Road. It is improved with a two-story single family dwelling and detached accessory structure in the rear.

PROPOSAL

The applicant proposes the construction of a 38' x 32' lean-to pole barn, with a proposed height of 17'-8".

REQUESTED VARIANCES

§ 18-4-301 of the Anne Arundel County Code requires that accessory structures be at least 50 feet from the front property line and 15 feet from side property lines. The proposed structure will be as close as 15 feet from the front property line and 10 feet from the northern side property line, necessitating variances of 35 feet and 5 feet, respectively.

FINDINGS

The subject property is zoned RA, requiring lots to be a minimum of 40,000 square feet, and 150 feet wide. At approximately 15,725 square feet and 110 feet wide, the property is undersized for the RA zoning district. The subject property does, however, align with the surrounding lot sizes in the immediate area. There is an existing well, centrally located on the property, approximately 30 feet east of the southwest corner of the proposed pole barn.

Within this historically recognized community many dwellings do not meet current zoning setback requirements. The existing dwelling, built in 1910, is approximately 10 feet from the front property line, much closer than the minimum required 40 feet within the RA District. In the

rear yard, the existing accessory structure is located approximately 5 feet from the southern side property line, closer than the minimum required 15 feet. Within historic districts it is common for pre-existing structures on properties to be non-conforming as to current zoning setback requirements.

Agency Comments

The **Health Department** has no objection to the variance request.

The **OPZ Transportation Department** commented that the proposed placement of the pole barn will reduce the on-lot driveway to 15' deep, which does not meet residential parking space standards. Vehicles parking in the driveway will likely extend into the public right of way.

The **Cultural Resources Department** commented that the property is a contributing property in the Friendship Historic District and that the proposed pole barn does not present an adverse effect to the associated contributing resources of the Friendship Historic District (AA-2560).

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.

At approximately 15,725 square feet and 110 feet wide, the property is undersized for the RA zoning district. Applying typical setback requirements to undersized lots can make development challenging. The proposed location of the accessory structure does not meet front setback requirements, but is further from the front property line than the existing dwelling, creating little visual impact from Walke Road.

With a total footprint of 1,216 square feet (960 square feet enclosed), the proposed structure exceeds the typical square footage for a detached accessory structure. The most common dimensions and size for these structures is 24' x 24' and 576 square feet.

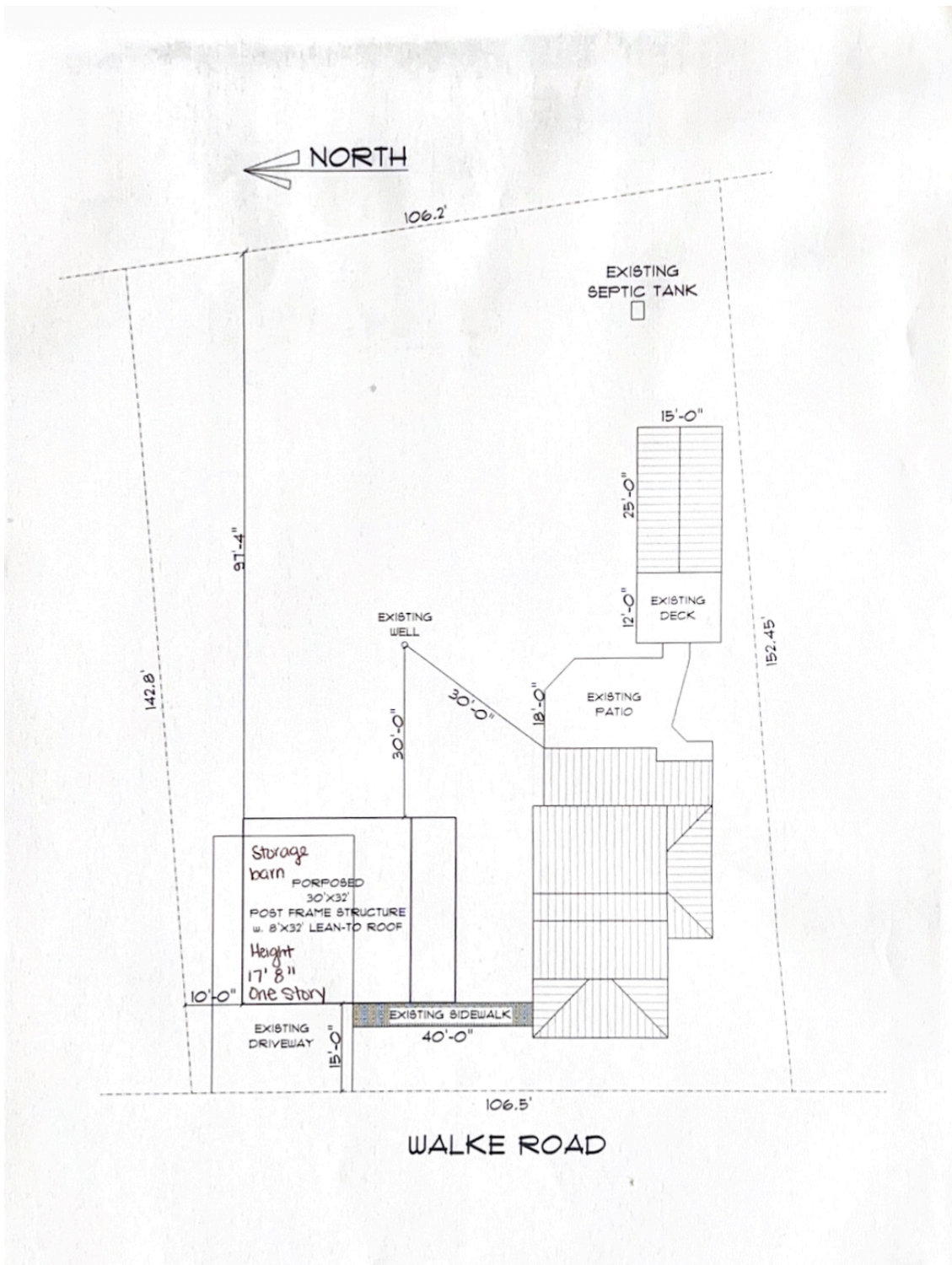
The location of the pole barn meets the minimum distance requirements from the existing well in the rear yard. However, at 32 feet deep, the proposed structure protrudes too far toward the front lot line, leaving only 15 feet for driveway. To adequately accommodate two on-site parking spaces, a minimum driveway length of 18 feet must be maintained. At its current size, the proposed structure is too large to accommodate 18 feet of driveway while also maintaining the appropriate distance from the existing well. If the pole barn was reduced in size to 24' x 24' these requirements can be met. Given the need for two on-site parking spaces, an existing accessory structure on the property, and large size of the proposed accessory structure, the applicant's request cannot be considered the minimum necessary to afford relief. 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 § 18-4-701 of the Code under which a variance may be granted, this Office recommends **denial** of the requested variances to § 18-4-301 to allow an accessory structure (lean-to pole barn) 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.



TAX ACCT:
800090023482
MAP:0081
GRID:0015
PARCEL:0236

SITE PLAN	WALTERS RESIDENCE 6809 WALKE ROAD FRIENDSHIP, MD 20758	PROPOSED POST-FRAME STRUCTURE 38' X 32'
SCALE 1"=20'		

Nicholes Walters, Victoria Loechner^[L]^[SEP]6809 Walke rd.^[L]^[SEP]Friendship,
MD,20758^[SEP](818)917-1124^[SEP]Victorialoechner@gmail.com

May, 20,2025

To the Board of Variance of Anne Arundle County

Request for Variance – Front and Side Yard Setbacks for Proposed Pole Barn

To Whom It May Concern,

We are writing to formally request a variance to the front and side yard setback requirements for the construction of a pole barn on our property located at 6809 Walke Rd.

Specifically, we are requesting:

- **A reduction of the front yard setback from 50 feet to 15 feet.**^[L]^[SEP]
- **A reduction of the side yard setback from 15 feet to 10 feet.**^[L]^[SEP]

The proposed pole barn is intended to provide essential protection for our assets, including vehicles and equipment, from weather and other environmental factors. Unfortunately, due to the existing placement of our home, well, and septic system, it is not physically feasible to meet the current setback requirements as outlined in the zoning regulations. The layout of our property does not allow for practical placement of the structure while adhering to the full setbacks.

It is worth noting that our existing residence is already situated approximately 9 feet from the front property line, which demonstrates a precedent for reduced front setbacks on the property and does not pose any safety or aesthetic concerns. The proposed pole barn will not negatively impact neighboring properties or obstruct any sightlines, and we believe it is a reasonable use of our land under the circumstances.

We respectfully request the Board's consideration and approval of this variance so that we may proceed with construction in a safe and practical manner that is consistent with the established character of the property and surrounding area.

Thank you for your time and attention to this request. We would be happy to provide additional details, plans, or attend a hearing as required.

Sincerely,^[L]^[SEP]**Nicholes Walters**

Victoria Loechner

Anne Arundel Cty Cir Crt	
IMP FD SURE	\$40.00
RECORDING FEE	\$20.00
TR TAX STATE	\$825.00
TOTAL	\$885.00
SAP SG	
Mar 18, 2021	10:33 am

AFTER RECORDING, RETURN TO:

Eagle Title, LLC
 Attn: S20-13980
 181 Harry S. Truman Parkway
 Suite 200
 Annapolis, MD 21401

Tax ID No.: 08-000-90023482

DEED

THIS DEED, made this 5 day of MARCH, 2021, by and between **EDWARD JAMES WALTERS** and **JULIE ANN WALTERS**, parties of the first part, **GRANTORS**, and **NICHOLAS WALTERS** and **VICTORIA LOECHNER**, parties of the second part, **GRANTEES**.

WITNESSETH, that for and in consideration of the sum of Three Hundred Thirty Thousand and 00/100 Dollars (\$330,000.00), 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 **NICHOLAS WALTERS** and **VICTORIA LOECHNER**, as joint tenants, unto the survivor of them, his or her 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:

Beginning at the stone planted on the east side of Old Solomon's Island Road and northwest corner of the land of Miss Minnie Owings, and bearing North 86 degrees 10 minutes east 152.45 feet to a post at the southwest corner of a lot of E.P. Walke, then bearing north 1 degree 44 minutes west 106.2 feet to a post, the southeast corner of a lot of Malcolm Wood, then bearing south 86 degrees west 142.8 feet to an iron pipe planted on the east side of the old Solomon's Island Road, then bearing south 3 degrees 30 minutes west 106.5 feet along the east side of road to place of beginning. Containing 0.361 acres.

The improvements thereon being known as 6809 Walke Road.

BEING the same property which, by Deed dated August 25, 2016, and recorded among the Land Records of Anne Arundel County, Maryland, in Liber 30025, folio 445, was granted and conveyed by Paul Francis Robinson and Joanne N. Robinson unto Edward James Walters and Julie Ann Walters, as tenants by the entirety.

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 **NICHOLAS WALTERS** and **VICTORIA LOECHNER**, as joint tenants, unto the survivor of them, his or her 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]

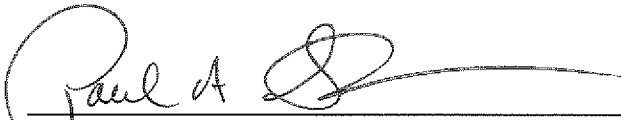
Witness:

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

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

CYNTHIA DUNN
NOTARY PUBLIC
ANNE ARUNDEL COUNTY
MARYLAND
MY COMMISSION EXPIRES June 07, 2023

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 Court of Appeals of Maryland.



Paul A. Skrickus, Esquire

Maryland
FORM
WH-AR

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2021

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Edward James Walters

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

6809 Walke Road, Friendship, MD 20758

3. Reasons for Exemption**Resident Status**

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.



Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors


Witness

Edward James Walters

3-5-21

Name

**Date


Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

**Maryland
FORM
WH-AR**

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2021

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in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Julie Ann Walters

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

6809 Walke Road, Friendship, MD 20758

3. Reasons for Exemption

Resident Status



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Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence



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Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors


Witness

Julie Ann Walters

Name

3/5/21
**Date


Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

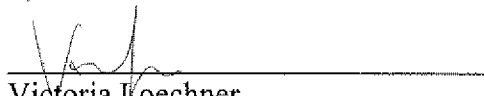
To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

AFFIDAVIT OF GRANTEE AS FIRST-TIME MARYLAND HOME BUYER

The undersigned state under oath and penalties of perjury that the following is true to the best of the knowledge, information, and belief of the individuals:

1. The undersigned are Grantees of residentially improved real property located at 6809 Walke Road, Friendship, MD 20758.
2. The undersigned are first-time Maryland home buyers (defined in §14-104-c(6)(i) as an individual who has never owned in the state residential real property that has been the individual's principal place of residence) who will occupy the property as Grantee's principal residence.


Nicholes Walters


Victoria Loechner

Or, the undersigned state under oath and penalties of perjury that the following is true to the best of the knowledge, information, and belief of the individuals:

1. The undersigned are Grantees of residentially improved real property located at 6809 Walke Road, Friendship, MD 20758.
2. The undersigned are co-makers or guarantors of the purchase money mortgage or purchase money deed of trust as defined in §12-108(i) of the Tax Property Article on the property who will not occupy the property as Grantee's principal residence.

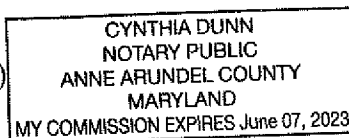
Nicholes Walters

Victoria Loechner

STATE OF MARYLAND
COUNTY OF ANNE ARUNDEL, to wit:

Sworn to and subscribed before me by Nicholes Walters and Victoria Loechner on this 5th day of March, 2021.

 (SEAL)
Signature of Notary Public



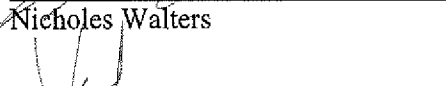
My Commission Expires: 6-7-2023

**AFFIDAVIT OF GRANTEES
PRIMARY RESIDENCE**

THE UNDERSIGNED STATE UNDER OATH AS FOLLOWS:

1. The undersigned are the Grantees of residentially improved real property located at 6809 Walke Road in City of Friendship.
2. The undersigned state that the above referenced property will be their principal residence which they will occupy.


Nicholes Walters

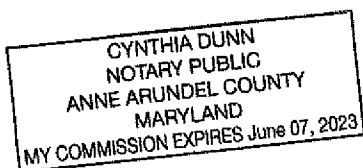

Victoria Loechner

STATE OF MARYLAND
COUNTY OF ANNE ARUNDEL, to wit:

Sworn to and subscribed before me by Nicholes Walters and Victoria Loechner on this 5th day of March, 2021.

 (SEAL)
Signature of Notary Public


My Commission Expires: 6/7/2023



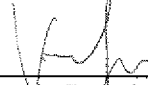
OWNER OCCUPANCY AFFIDAVIT

Nicholes Walters and Victoria Loechner, the Grantees in the within Deed hereby certify under the penalties of perjury, as evidenced by the joinder herein, that the land conveyed in this Deed is residentially improved owner-occupied real property and that the residence will be occupied by us.

WITNESS:

 (SEAL)

Nicholes Walters


 (SEAL)

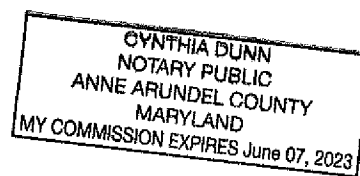
Victoria Loechner

STATE OF MARYLAND
COUNTY OF ANNE ARUNDEL, to wit:

I hereby certify that on the 5th day of March, 2021, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Nicholes Walters and Victoria Loechner, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and made oath in due form of law that the matters and facts set forth herein are true.

As witness, my hand and notarial seal.


Signature of Notary Public



My Commission Expires: 6/7/2023

Owner Occupancy Affidavit

☐ **Baltimore City** ☒ **County:** **Anne Arundel**
Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
(Type or Print in Black Ink Only – All Copies Must Be Legible)

**Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
(Type or Print in Black Ink Only – All Copies Must Be Legible)**

Space Reserved for Circuit Court Clerk Recording Validation

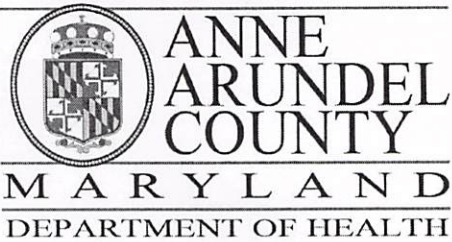
1	Type(s) of Instruments	(<input type="checkbox"/> Check Box if addendum Intake Form is Attached.)						Space Reserved for Circuit Court Clerk				
		x	Deed		Mortgage		Other _____			Other _____		
		x	Deed of Trust		Lease		_____			_____		
2	Conveyance Type Check Box	x	Improved Sale Arms-Length [1]		Unimproved Sale Arms-Length [2]		Multiple Accounts Arms-Length [3]			Not an Arms- Length Sale [9]		
3	Tax Exemptions (if applicable)	Recordation										
Cite or Explain Authority		State Transfer										
		County Transfer										
4	Consideration and Tax Calculations	Consideration Amount					Finance Office Use Only Transfer and Recordation Tax Consideration					
Purchase Price/Consideration		\$ 330,000.00			Transfer Tax Consideration		\$					
Any New Mortgage		\$ 333,333.00			X () %		= \$					
Balance of Existing Mortgage		\$			Less Exemption Amount		- \$					
Other:		\$			Total Transfer Tax		= \$					
Other:		\$			Recordation Tax Consideration		\$					
Full Cash Value:		\$			X () per \$500		= \$					
					TOTAL DUE		\$					
5	Fees	Amount of Fees		Doc. 1		Doc. 2		Agent:				
Recording Charge		\$ 60.00		\$ 60.00								
Surcharge		\$		\$		Tax Bill:						
State Recordation Tax		\$ 24.50		\$								
State Transfer Tax		\$		\$		C.B. Credit:						
County Transfer Tax		\$ 3,300.00		\$								
Other		\$		\$		Ag. Tax/Other:						
Other		\$		\$								
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District	Property Tax ID No. (1)		Grantor Liber/Folio		Map		Parcel No.		Var. LOG	
		08-000-90023482		,						<input type="checkbox"/> (5)		
Subdivision Name				Lot (3a)		Block (3b)		Sect/AR (3c)		Plat Ref.	SqFt/Acreage (4)	
Location/Address of Property Being Conveyed (2)												
6809 Walke Road, Friendship, MD 20758												
Other Property Identifiers (if applicable)									Water Meter Account No.			
Residential <input checked="" type="checkbox"/> Or Non-Residential <input type="checkbox"/> Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/> Amount:							\$ _____					
Partial Conveyance <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Description/Amt. of SqFt/Acreage Transferred:									
If Partial Conveyance, List Improvements												
7	Transferred From	Doc. 1 – Grantor(s) Name(s)					Doc. 2 – Grantor(s) Name(s)					
Edward James Walters and Julie Ann Walters					Nicholes Walters and Victoria Loechner							
Doc. 1 – Owner(s) of Record, if Different from Grantor(s)					Doc. 2 Owner(s) of Record, if Different from Grantor(s)							
8	Transferred To	Doc. 1 – Grantee(s) Name(s)					Doc. 2 – Grantee(s) Name(s)					
Nicholes Walters and Victoria Loechner					Eagle Title, LLC							
New Owner's (Grantee) Mailing Address												
6809 Walke Road, Friendship, MD 20758												
9	Other Names to Be Indexed	Doc. 1 – Additional Names to be Indexed (Optional)					Doc. 2 – Additional Names to be Indexed (Optional)					
					Guaranteed Rate, Inc.							
10	Contact/Mail Information	Instrument Submitted By or Contact Person							<input checked="" type="checkbox"/> Return to Contact Person			
Name: Lisa Lowry							<input type="checkbox"/> Hold for Pickup					
Firm Eagle Title, LLC							<input type="checkbox"/> Return Address Provided					
Address: 181 Harry S. Truman Parkway, Suite 200												
Annapolis, MD 21401 Phone: (410) 266-3600												
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER											
Assessment Information		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Will the property being conveyed be the grantee's principal residence?								
		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Does the transfer include personal property? If yes, identify: _____								
		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Was property surveyed? If Yes, attach copy of survey (if recorded, no copy required).								
Assessment use only – Do Not Write Below This Line												
Terminal Verification			Agricultural Verification			Whole		Part		Tran. Process Verification		
Transfer Number												

Space Reserved for County Validation

*Distribution: White – Clerk's Office
Pink – Office of Finance*

Canary – SDAT
Goldenrod – Preparer

AOC-CC-300(5/2007)



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 *BC*
Bureau of Environmental Health

DATE: June 10, 2025

RE: Walters Nicholes
6809 Walke Road
Friendship, MD 20758

NUMBER: 2025-0098-V

SUBJECT: Variance/Special Exception/Rezoning

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

The Health Department has reviewed the on-site sewage disposal and well water supply system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal and well water supply systems. 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

6809 Walke Road



Legend



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 35 70
ft



THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes