

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


**APPLICANTS:** John Fury

**ASSESSMENT DISTRICT:** 5th

**CASE NUMBER:** 2025-0104-V

**COUNCILMANIC DISTRICT:** 1st

**HEARING DATE:** August 26, 2025

**PREPARED BY:** Donnie Dyott Jr.   
Planner

**REQUEST**

The applicant is requesting a variance to allow a dwelling addition (carport within 3 feet of the dwelling) with less setbacks than required on property located at 5806 Park Road in Baltimore.

**LOCATION AND DESCRIPTION OF SITE**

The subject site consists of approximately 6,000 square feet of land and is identified as Lot 131 of Parcel 11 in Block 19 on Tax Map 2 in the Brooklyn Park Annex No. 2 subdivision. The property is zoned R5 - Residential District, is currently improved with a single family detached dwelling and associated facilities and is not located within the Chesapeake Bay Critical Area.

**APPLICANT'S PROPOSAL**

The applicant seeks approval to construct a carport measuring 10' X 20' with a height of 7.5' southwest of the existing dwelling. The carport is proposed to be constructed 2 feet from the front facade of the dwelling, so while it is freestanding, it is considered to be part of the principal structure per 18-2-204(a).

**REQUESTED VARIANCES**

§ 18-4-701 of the Anne Arundel County Zoning Code stipulates that principal structures in an R5 - Residential District shall be set back a minimum of 20 feet from the front lot line and 7 feet from the side lot lines. The proposed carport addition will be located as close as 3 feet from the front lot line and 3 feet from the west side lot line, necessitating variances of 17 feet and 4 feet respectively.

**AGENCY COMMENTS**

The **Health Department** commented that it has no objection to the request as the property is served by public water and sewer facilities.

The **Maryland Aviation Administration** commented that the applicant must file an Airport Zoning Permit with the Maryland Aviation Administration (MAA) Office of Planning and Environmental Services (OPES) as the project is within the BWI Marshall 4-mile radius as speculated in COMAR 11.06.03.03A.

## **FINDINGS**

The applicant describes that the proposed carport would provide storage for an antique automobile that was recently inherited. It is described that there is no rear yard vehicular access on the property and the site is fully fenced. Finally, the applicant argues that there is no room for any improvements to the front of the dwelling without variance relief since it sits 25 feet from the front lot line.

The site is of adequate size and width for a lot served by public sewer in the R5 District. The 6,000 square foot size exceeds the required 5,000 square feet and the 60 foot width exceeds the required 50 foot width at the front building restriction line. Due to the lot being rectangular in shape, along with exceeding the size and width requirements, this Office finds no unique physical conditions present that would cause the applicant practical difficulties or unwarranted hardship in the use of the land.

The variances cannot be considered the minimum necessary to afford relief due to being unwarranted but also due to the large nature of the request. The proposed front setback for this addition would be only 3 feet from the front lot line which is a large deviation from even the reduced 20 foot standard in R5 per Bill 72-24.

While there is no evidence that the variances will be detrimental to the public welfare or cause adverse impacts to neighboring properties, it does not appear to be in keeping with the character of the neighborhood. The structures on this block appear to share a relatively uniform front setback pattern and structures only a few feet from the front lot line do not appear to be present.

## **RECOMMENDATION**

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends **denial** of zoning variances to §18-4-701 to allow construction of the dwelling addition as shown on the site plan.

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.

# SITE PLAN

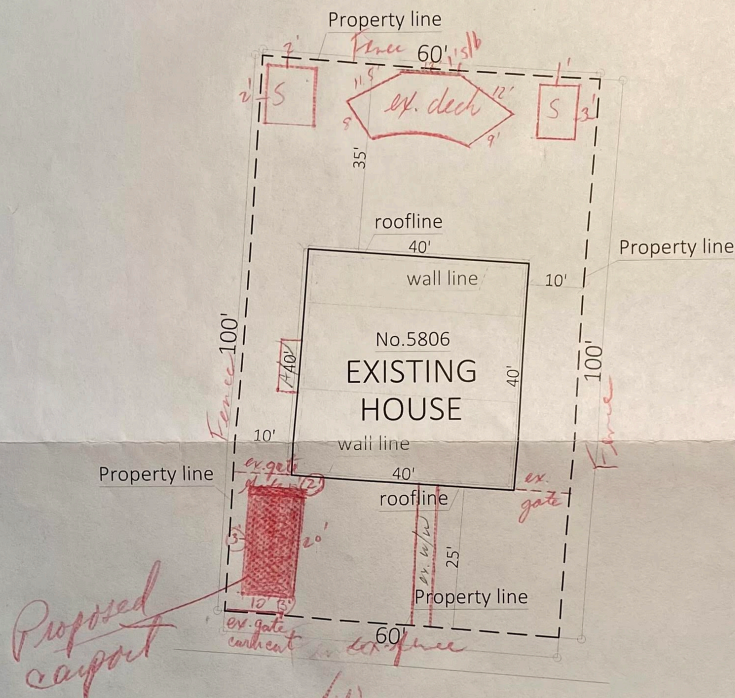
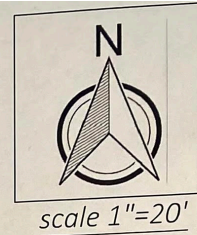
5806 Park Rd

Brooklyn Park, MD 21225

Parcel ID: 05-047-17973000

Lot area: 0.14 Acres

Paper Size: 11"x17"



*10'(W) x 20'(D) x 7.5'(H) Park Rd*  
*200 SF*  
*unenclosed w/ metal roof*

*3' front yard setbacks*  
*3' west side lot line*  
*2' front facade of ex. SFD.*



VICINITY MAP

## Disclaimer

This is not a Legal Survey, nor is it intended to be or replace one.  
These measurements are approximate and are for illustrative purposes only.  
This work product represents only generalized location of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary.



June 1, 2025 (revised)

Zoning Administration  
Office of Planning and Zoning  
Anne Arundel County  
2664 Riva Road, 3<sup>rd</sup> floor  
Annapolis, MD 21401

To Whom It May Concern:

This letter is in support of a variance application for property located at 5806 Park Road, Brooklyn Park, MD 21225.

More specifically, a 10'(W) by 20'(D) by 7.5'(H) unenclosed carport (within 3' of ex. principal structure) has been proposed in the front yard, for which variance relief is required. The proposed carport would be installed within 2 feet of the existing front façade of the dwelling, 3 feet from the west side lot line (**variance**), and 3 feet from the front lot line (**variance**) per the revised site plan. The proposed carport would provide permanent storage for an antique automobile (i.e., a 1941 Packard sedan) recently inherited by the applicant.

Whereas the subject site is nonconforming with respect to the minimum off-street parking requirement, the proposed carport would allow off-street parking for one (1) vehicle.

With regard to the requested variances, the applicant would submit that the location of the existing dwelling at the minimum 25-foot front yard setback does not permit development of any kind in the front yard without a variance. Also, there is no rear yard vehicular access to the property, and the site is fully fenced, front (4'H chain link with 10'(W) gates) and rear (6'H wooden privacy). Therefore, the most advantageous location for the proposed carport would be within 2 feet of the front lot line adjacent to existing chain-link fence/gates, sidewalk, and curb cut/road apron in the County right-of-way. Finally, a minimum 3-foot west side yard setback would allow for routine maintenance of the carport within the confines of the site.

Should you have any questions, please don't hesitate to contact me, and thank you for your attention in this matter.

Sincerely,

/s/

John Fury

Anne Arundel Cty Cir Crt  
 IMP FD SURE \$40.00  
 RECORDING FEE \$20.00  
 TR TAX STATE \$1,710.00  
 TOTAL \$1,770.00  
 SAP CGC  
 Oct 27, 2022 08:44 am

**RETURN TO: CAPITOL TITLE GROUP**  
**565 Benfield Road, Suite 201**  
**Severna Park, Maryland 21146**  
**FILE NO.: 1758MDF-PP**

### SPECIAL WARRANTY DEED

This Deed made this 14 DAY OF Oct, 2022 between

**LYNDA BAKER N/K/A LYNDA KUSICK, SOLE OWNER**

as party of the first part, hereinafter called Grantor, and

**JOHN R. FURY, AS SOLE OWNER**

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**Property Address: 5806 PARK ROAD, BALTIMORE, MD 21225-3455**  
**PARCEL NO.: 05-047-17973000**

### WITNESSETH:

That Grantor for and in consideration of the sum of

**THREE HUNDRED AND FORTY-TWO THOUSAND DOLLARS AND ZERO CENTS (\$342,000.00)** AND OTHER GOOD AND VALUABLE CONSIDERATION, cash in hand paid, the receipt of which is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and by these presents does grant, bargain, sell, alienate, convey unto the said Grantee, the below described tract or parcel of land more fully and completely described as follows:

**PLEASE SEE EXHIBIT "A" ATTACHED HERETO AND  
 INCORPORATED HEREIN BY REFERENCE.**

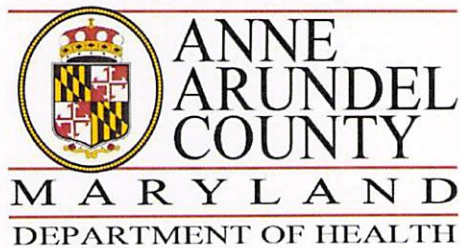
TO HAVE AND TO HOLD the said tract or parcel of land, together with all improvements thereupon and the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit, and behoof of said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor, for their heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said Grantee, their heirs and assigns, against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

Anne Arundel Cty Finance Office  
 County Transfer Tax \$3,420.00  
 County Recordation Tax \$2,394.00  
 10/25/2022 14:04 PM LO

Semi-Annual Payments  
 10-25-2022 LO

ACCT. 05-047-17973000  
 ALL REQUIRED LIENS ARE PAID  
 AS OF 10-25-2022 A.A. COUNTY  
 BY: LO




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 24, 2025

RE: John R. Fury  
5806 Park Road  
Brooklyn Park, MD 21225

NUMBER: 2025-0104-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling addition (carport within 3' of the dwelling) 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

2025-0104-V

Menu Cancel Help

Task Details MDOT MAA

Assigned Date

06/03/2025

Assigned to

Shawn Ames

Current Status

Complete w/ Comments

Action By

Shawn Ames

Comments

Applicant must file an Airport Zoning Permit with the Maryland Aviation Administration (MAA) Office of Planning and Environmental Services (OPES) as project is within BWI Marshall 4-mile radius as speculated in COMAR 11.06.03.03A. Permits are available on MAA website under permitting, Airport Zoning.

End Time

Billable

No

Time Tracking Start Date

In Possession Time (hrs)

Estimated Hours

0.0

Comment Display in ACA

- ☒ All ACA Users
- ☒ Record Creator
- ☒ Licensed Professional
- ☒ Contact
- ☒ Owner

Due Date

06/24/2025

Assigned to Department

MDOT MAA

Status Date

06/06/2025

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

MDOT MAA

Est. Completion Date

- ☐ Display E-mail Address in ACA
- ☒ Display Comment in ACA

Task Specific Information

Expiration Date

Reviewer Phone Number

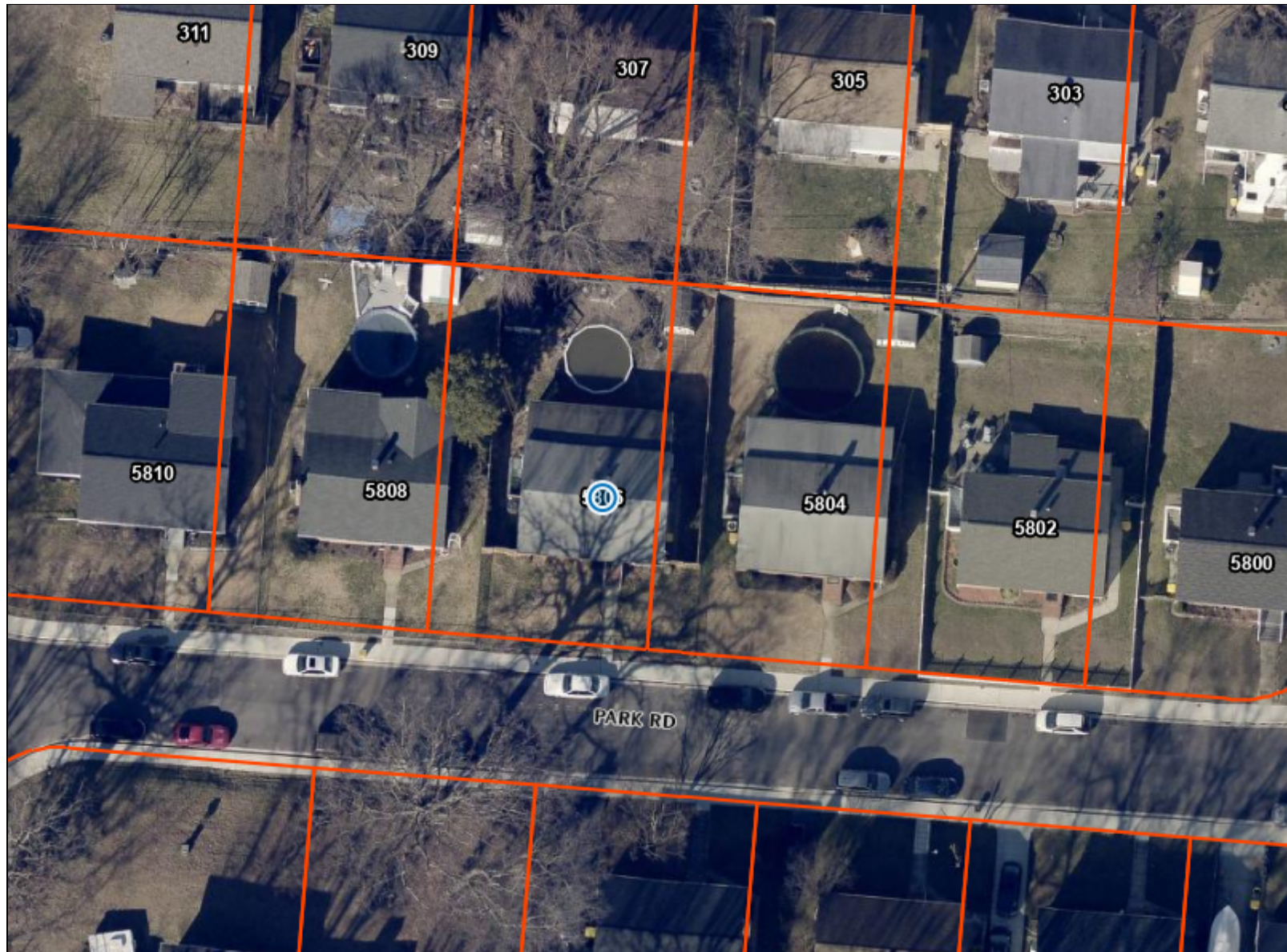
Review Notes

Reviewer Email

Reviewer Name



# Map Title



## Legend

### Foundation

#### Addressing



#### Parcels



#### Parcels - Annapolis City



### Planning

#### Community Development



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 50 100  
ft



THIS MAP IS NOT TO BE  
USED FOR NAVIGATION

## Notes