

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

APPLICANT: William J. Perry, III, et al.

ASSESSMENT DISTRICT: 4

CASE NUMBER: 2025-0105-V

COUNCIL DISTRICT: 2

HEARING DATE: September 4, 2025

PREPARED BY: Jennifer Lechner
Planner



REQUEST

The applicants are requesting a variance to allow a lot with less area than required on property known as 535 Donaldson Avenue in Severn.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 43,629 square feet of land, is located with approximately 410 feet of road frontage on the west side of Steven Road, and is identified as 535-537 Donaldson Avenue in the Severn subdivision, Parcel 66 in Grid 9 on Tax Map 15. The property is zoned R2 – Residential District, and is not located within the Chesapeake Bay Critical Area. It is currently improved with a one-story dwelling (#535) and a two-story dwelling (#537), and associated facilities.

PROPOSAL

The applicants are proposing to subdivide the property to create two lots in order to have each existing dwelling on its own lot. Proposed Lot 1 (the southern lot) would consist of 19,191 square feet for the existing dwelling at #535, and proposed Lot 2 (the northern lot) would consist of 20,243 square feet for the existing dwelling at #537.

REQUESTED VARIANCES

Section 18-4-601 of the Anne Arundel County Zoning Code provides that, in the R2 District, the minimum lot size for a lot not served by public sewer is 20,000 square feet. Proposed Lot 1 will be 19,191 square feet, necessitating a variance of 809 square feet.

FINDINGS

The subject property is rectangular in shape and is oversized for new lots not served by public sewer in an R2 District, with regard to the minimum area of 20,000 square feet and the minimum width of 80 feet. A review of the County aerial photography shows an eclectic mix of lot sizes in this neighborhood, with two dwellings visible on the property as early as 1988.

Variance 2000-0031-V had been granted to allow a lot with less area than required and to allow a right-of-way with less width than required. However, that approval expired when a building permit was not obtained.

The subject variance request is a result of comments generated during the review of a subdivision application, P2025-0013-00-NM, which was submitted on February 21, 2025.

The applicants' letter explains that, although the property contains sufficient area for two 20,000 square foot lots, the 4,195 square foot private road right-of-way dedication prevents both of the lots from being developed in strict conformance with the code.

Agency Comments

The **Health Department** noted that they do not have an approved plan for this project, but has no objection as long as a plan is submitted and approved by their Department.

The **Residential Team of the Office of Planning & Zoning** noted that the required road dedication reduces the size of the proposed lot to less than what is required by the R2 Bulk Regulations, but offered no objection.

Variance Criteria

For the granting of a zoning variance, a determination must be made that, because of unique physical conditions, there is no reasonable possibility of developing the lot in strict conformance with the Code, or, because of exceptional circumstances other than financial considerations, the granting of a variance is necessary to avoid practical difficulties or unnecessary hardship in the development of the lot.

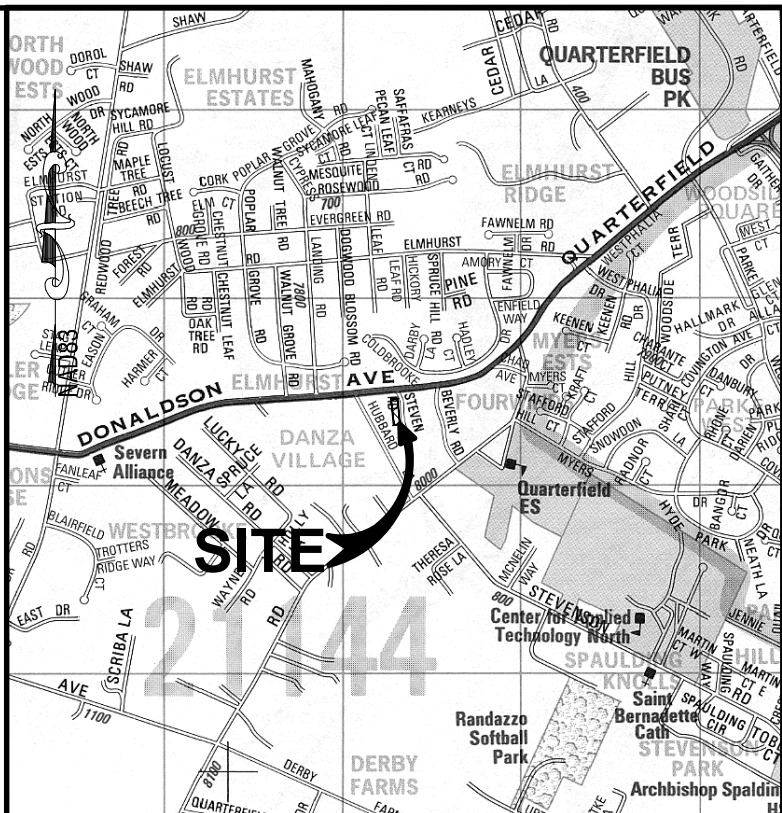
Saving the right-of-way dedication, the property contains enough land to easily accommodate two compliant lots. However, because the property is wider than it is deep, the long right-of-way dedication area reduces the property by nearly 10%. As two dwellings have existed on the property for at least 37 years, granting the variance will not alter the essential character of the neighborhood or district in which the lot is located, substantially impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare. In addition, the granting of the variance will remedy the existing nonconforming use (two dwellings on one lot).

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends approval of a zoning variance to § 18-4-601 to allow, in the R2 District, a lot with less area 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.

MIKE PERRY PROPERTY
FINAL DEVELOPMENT PLANS
MINOR SUBDIVISION DEVELOPMENT
535 DONALDSON AVENUE
SEVERN, MD. 21144



ADC PERMITTED USE NUMBER 21003176

VICINITY MAP

SCALE: 1"=2,000'

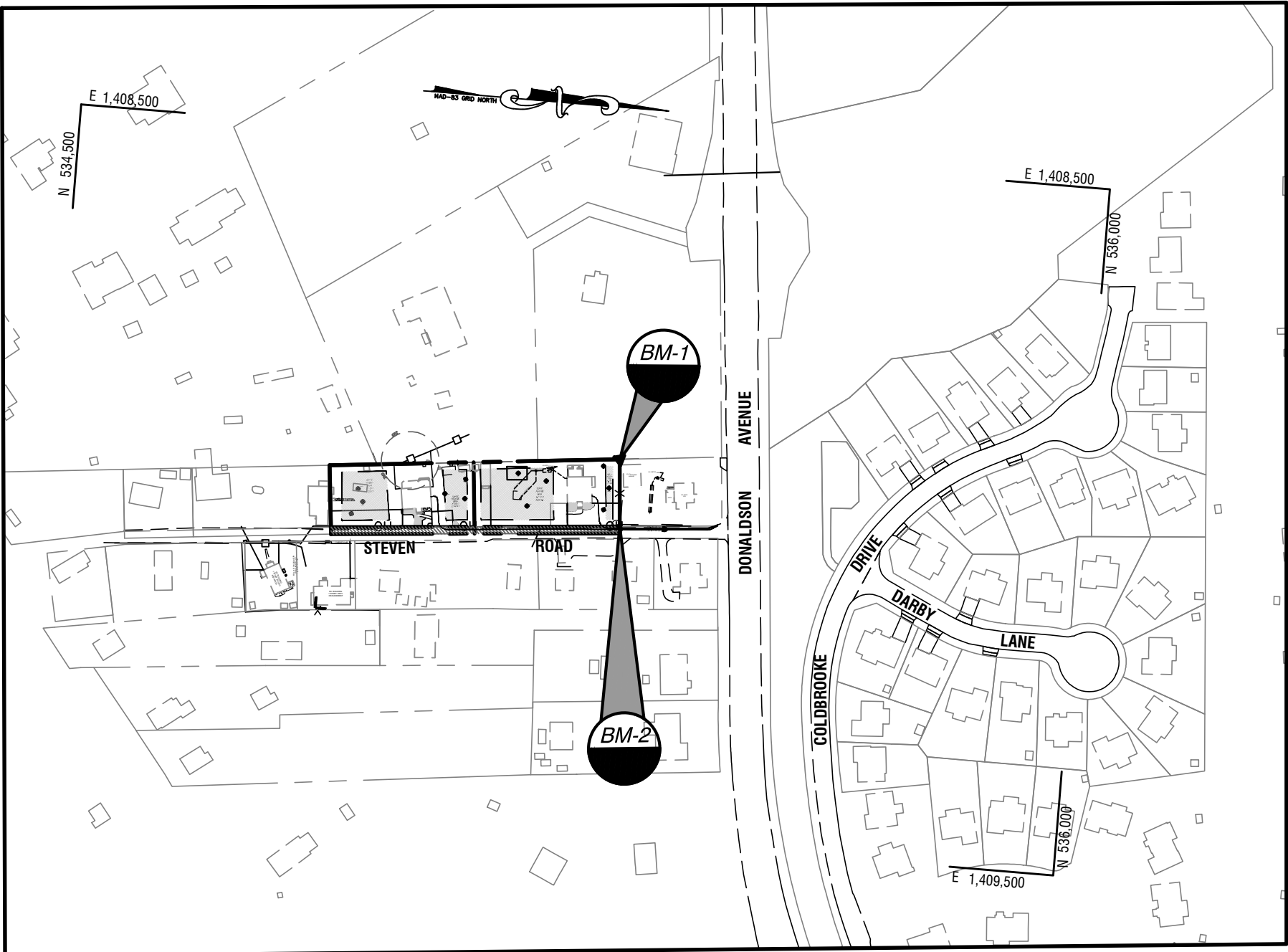
GENERAL NOTES

- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS "STANDARD DETAILS AND SPECIFICATIONS" UNLESS OTHERWISE NOTED.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR OR SUBCONTRACTOR TO NOTIFY THE ENGINEER OF ANY DEVIATION TO THESE PLANS PRIOR TO ANY CHANGE BEING MADE. ANY CHANGE IN THESE PLANS WITHOUT THE WRITTEN AUTHORIZATION FOR SAID CHANGE FROM THE ENGINEER SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR OR SUBCONTRACTOR.
- UTILITIES SHOWN ON THESE PLANS ARE IN ACCORDANCE WITH THE BEST INFORMATION AVAILABLE FOR THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL EXISTING SERVICES AND MAINS (PUBLIC OR PRIVATE). THE CONTRACTOR SHALL OBTAIN THE SERVICES OF A PRIVATE UTILITY LOCATOR TO LOCATE ALL EXISTING PRIVATE SERVICES AND MAINS. THE OWNERS AND ENGINEER ASSUME NO RESPONSIBILITY FOR ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. EXISTING MAINS AND SERVICES SHALL BE CAREFULLY PROTECTED AND ANY DAMAGE TO THEM CAUSED BY THE WORK SHALL BE IMMEDIATELY REPAIRED TO THE SATISFACTION OF THE ENGINEER BY THE CONTRACTOR, AT THE CONTRACTOR'S EXPENSE, USING MATERIALS OF THE KINDS DAMAGED.
- FAILURE TO SPECIFICALLY MENTION ITEMS WHICH WOULD NORMALLY BE REQUIRED TO COMPLETE THE WORK AND DEVELOP THIS SITE IN ACCORDANCE WITH THE APPROVED PLANS, SHALL NOT RELIEVE THE CONTRACTOR FROM PERFORMING SUCH WORK. THIS WORK SHALL BE PART OF THE CONTRACTORS BASE BID.
- ALL WORK SHALL COMPLY WITH ALL APPLICABLE PROVISIONS OF THE "2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL".
- THE MEASURE REQUIRED IN THE APPROVED SEDIMENT CONTROL PLAN SHALL APPLY AS IF SHOWN ON THIS PLAN, AND SHALL BE COMPLETE AND IN SERVICE PRIOR TO CONSTRUCTION OF ANY WORK SHOWN ON THIS PLAN.
- THE CONTRACTOR SHALL NOTIFY THE ANNE ARUNDEL COUNTY DEPARTMENT OF INSPECTIONS AND PERMITS AT (410) 222-7780, TWO (2) DAYS PRIOR TO BEGINNING ANY CONSTRUCTION.
- THE CONTRACTOR SHALL CALL "MISS UTILITY", 1-800-257-7777, A MINIMUM OF 48 HOURS IN ADVANCE OF ANY EXCAVATION, BORING AND/OR DIGGING TO DETERMINE THE LOCATION OF UNDERGROUND UTILITIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF HIS WORK WITH THE CONSTRUCTION BY OTHER CONTRACTORS AND SUBCONTRACTORS.
- THE CONTRACTOR SHALL NOTE THAT IN CASE OF DISCREPANCY BETWEEN THE SCALED AND FIGURED DIMENSIONS SHOWN ON THE PLANS, THE FIGURED DIMENSIONS SHALL GOVERN.
- PIPE ELEVATIONS REFER TO INVERTS, UNLESS OTHERWISE NOTED.
- ONSITE FIELD RUN TOPOGRAPHY AND BOUNDARY DATA SHOWN WAS PROVIDED BY MESSICK & ASSOCIATES ON DEC. 2019, AUGMENTED BY ANNE ARUNDEL COUNTY AERIAL TOPOGRAPHY FO COORDINATES (NAD83/91 & NAD80) AND DERIVED FROM GPS AND CONVENTIONAL OBSERVATIONS USING NATIONAL GEODETIC SURVEY CORS STATIONS GAT, ANP1, AND RED1.
- THE CONTRACTOR SHALL GRADE ALL AREAS WITHIN THE AREA OF CONSTRUCTION AND SHALL WARP PAVING AS NECESSARY TO INSURE POSITIVE DRAINAGE.
- TAMPED FILL SHALL BE COMPACTED TO MINIMUM DENSITY OF 95% IN ACCORDANCE WITH A.A.S.H.T.O., DESIGNATION T-190, METHOD C.
- ALL UTILITY POLES SHALL BE BRACED WHEN NECESSARY AT THE CONTRACTOR'S EXPENSE. THE UTILITY POLES SHALL BE RELOCATED AT THE OWNERS EXPENSE ONLY IN CASES WHERE THEY WILL INTERFERE WITH CONSTRUCTION.
- JOB SITE SAFETY AND TRAFFIC CONTROL SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- ALL AREAS DISTURBED BY THE CONTRACTOR IN THE CONSTRUCTION OF THIS PROJECT SHALL BE STABILIZED IN ACCORDANCE WITH THESE PLANS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO REPLACE EXISTING STRUCTURES AT HIS OWN EXPENSE WHICH WERE DAMAGED BY HIM IN THE CONSTRUCTION OF THIS PROJECT.
- ALL STORM DRAIN PIPE TO BE REINFORCED CONCRETE PIPE (RCP).
- THE LOCATION OF ALL YARD INLETS AND MANHOLES ARE COMPUTED TO BE THE CENTER OF THE STRUCTURE. THE LOCATION OF ALL CURB INLETS ARE COMPUTED TO BE THE MID POINT OF THE INLET ALONG THE FACE OF CURB.
- ALL HOMES WITH FIRST FLOOR ELEVATIONS ABOVE ELEVATION 100.0 WILL REQUIRE BOOSTER PUMPS IN ORDER TO MEET PLUMBING CODE PRESSURE/FLOW REQUIREMENTS.
- PRIOR TO CLEARING, THE DEVELOPER SHALL ROOT PRUNE THE EXISTING SPECIMEN TREES WITH CLEARLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT ALONG THE LIMITS OF DISTURBANCE AND PROVIDE DEEP ROOT FERTILIZATION TO ENSURE THEIR SURVIVAL.
- THE PURPOSE OF THIS SUBDIVISION IS TO CREATE 2 SINGLE FAMILY LOTS AROUND 2 EXISTING DWELLINGS ON 1 LOT.



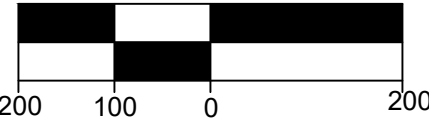
TAX MAP PARCEL 66

SCALE: 1"=300'



LOCATION MAP

SCALE: 1"=200'



SITE DATA	
PROPERTY ADDRESS:	535 DONALDSON AVE SEVERN, MD. 21144
CONTACT ADDRESS:	WILLIAM PERRY II 535 DONALDSON AVE SEVERN, MD. 21144
TAX MAP: 15	BLOCK: 9 PARCEL: 66
ASSESSMENT DISTRICT:	4TH
TAX ACCOUNT NUMBER:	#04-000-90005241
EXISTING ZONING:	R2
RA ZONING SETBACKS:	FRONT: 30' REAR: 25' SIDE: 7' PRINCIPAL ARTERIAL: 40' MAXIMUM BUILDING HEIGHT: 35'
FEMA RATE MAP NUMBER:	24003C0043E EFFECTIVE DATE 10/16/2012
FEMA RATE MAP ZONE:	N/A
CRITICAL AREA MAP:	6 (NOT IN CRITICAL AREA)
PREDOMINATE SOILS:	PdB: PATAPSCO-EVESBORO-FORT MOTT COMPLEX, 0 TO 5 PERCENT SLOPES PdB: PATAPSCO-FORT-MOTT-URBAN LAND COMPLEX 0 TO 5 PERCENT SLOPES ZbA: ZEKIAH AND ISSUE SOILS, 0 TO 2 PERCENT SLOPES, FREQUENTLY FLOODED
EXISTING USE:	1 SINGLE FAMILY PROPOSED USE: SUB-DIVIDE LOT TO CREATE 2 SINGLE FAMILY LOTS
TOTAL SITE AREA:	1.00 AC.

SITE TABULATION

GROSS ACREAGE	43.629 SQ. FT. 1.00 ACRES
EXISTING ZONING	R-2
PROPOSED USE	2 PROPOSED SINGLE FAMILY LOTS
PROPOSED UTILITIES	PRIVATE WATER AND SEWER
JURISDICTIONAL STEEP SLOPES (25%)	0 SQ. FT. (0 ACRES)
NET DENSITY PERMITTED (GROSS-SLOPES-FLOODPLAIN-WETLAND)	R-2 (1.00 NET ACRES) x 43.629 S.F. @ 1 AC./20,000 = 2 LOTS
TOTAL DENSITY SHOWN	2 LOTS SHOWN
TOTAL FEE SIMPLE LOT AREA	43.629 SQ. FT. (1.00 ACRES)
RIGHT OF WAY DEDICATION TO LOTS	4,196 SQ. FT. (0.10 ACRES)
TOTAL PUBLIC RIGHT-OF-WAY	0 SQ. FT. (0 ACRES)
30% OPEN SPACE REQUIRED	13,089 SQ. FT. (0.30 ACRES)
OPEN SPACE PROVIDED	0 SQ. FT. (0 ACRES)
TOTAL RECREATIONAL AREA REQUIRED	2,000 SQ. FT. (0.05 ACRES)
50% DRY GROUND RECREATION REQUIRED	1,000 SQ. FT. (0.02 ACRES)
DRY GROUND RECREATION AREA PROPOSED	0 SQ. FT. (0 ACRES)
TOTAL RECREATION AREA PROVIDED	0 SQ. FT. (0 ACRES)
NON-TIDAL WETLANDS ONSITE	0 SQ. FT. (0 ACRES)
FLOOD PLAIN	0 SQ. FT. (0 ACRES)

INDEX OF SHEETS

ID	DESCRIPTION
1	COVER SHEET & LOCATION MAP
2	EXISTING SITE CONDITIONS & RESOURCE MAPPING
3	FINAL PLAN

BENCHMARK DATA

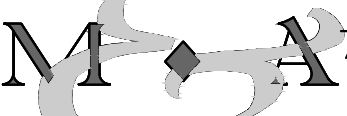
TOPOGRAPHY SURVEY WAS PERFORMED BY MESSICK AND ASSOCIATES IN DECEMBER OF 2024. BENCHMARK DATA FIELD SURVEYED. HORIZONTAL DATUM IS REFERENCED TO MARYLAND STATE PLAN COORDINATES NAD 83/91 DATUM. VERTICAL DATUM IS REFERENCED TO MARYLAND STATE PLAN COORDINATES NAVD 88 DATUM.

B-1: tbn-1101-0.50-rncdp
NORTHING: 535322.5450
EASTING: 1,408,949.4900
ELEVATION: 110.554'

B-2: tpf-1100-0.5-cdp=2021
BEING A IRON PIPE FOUND
NORTHING: 535,330.2980
EASTING: 1,409,046.6470
ELEVATION: 111.949'

MESSICK & ASSOCIATES*

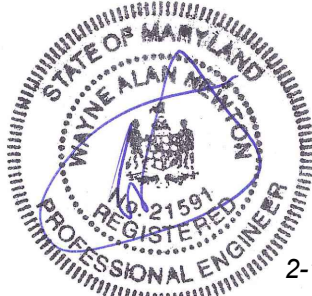
CONSULTING ENGINEERS,
PLANNERS AND SURVEYORS



7 OLD SOLOMONS ISLAND RD, SUITE 202
ANNAPOLIS, MARYLAND 21401

(410) 266-3212 * FAX (410) 266-3502
info@messickandassociates.com

* MESSICK GROUP, INC. 1/A MESSICK AND ASSOCIATES



2-13-25

"PROFESSIONAL CERTIFICATION, I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21591, EXPIRATION DATE: 06/15/27"

OWNER

WILLIAM PERRY III AND LAURA PERRY
535 DONALDSON AVE.
SEVERN, MARYLAND 21144

ZONING: R2

COVER SHEET

MIKE PERRY PROPERTY
FINAL DEVELOPMENT PLANS

535 DONALDSON AVE.

TAX MAP: 15 GRID: 9 PARCEL: 66

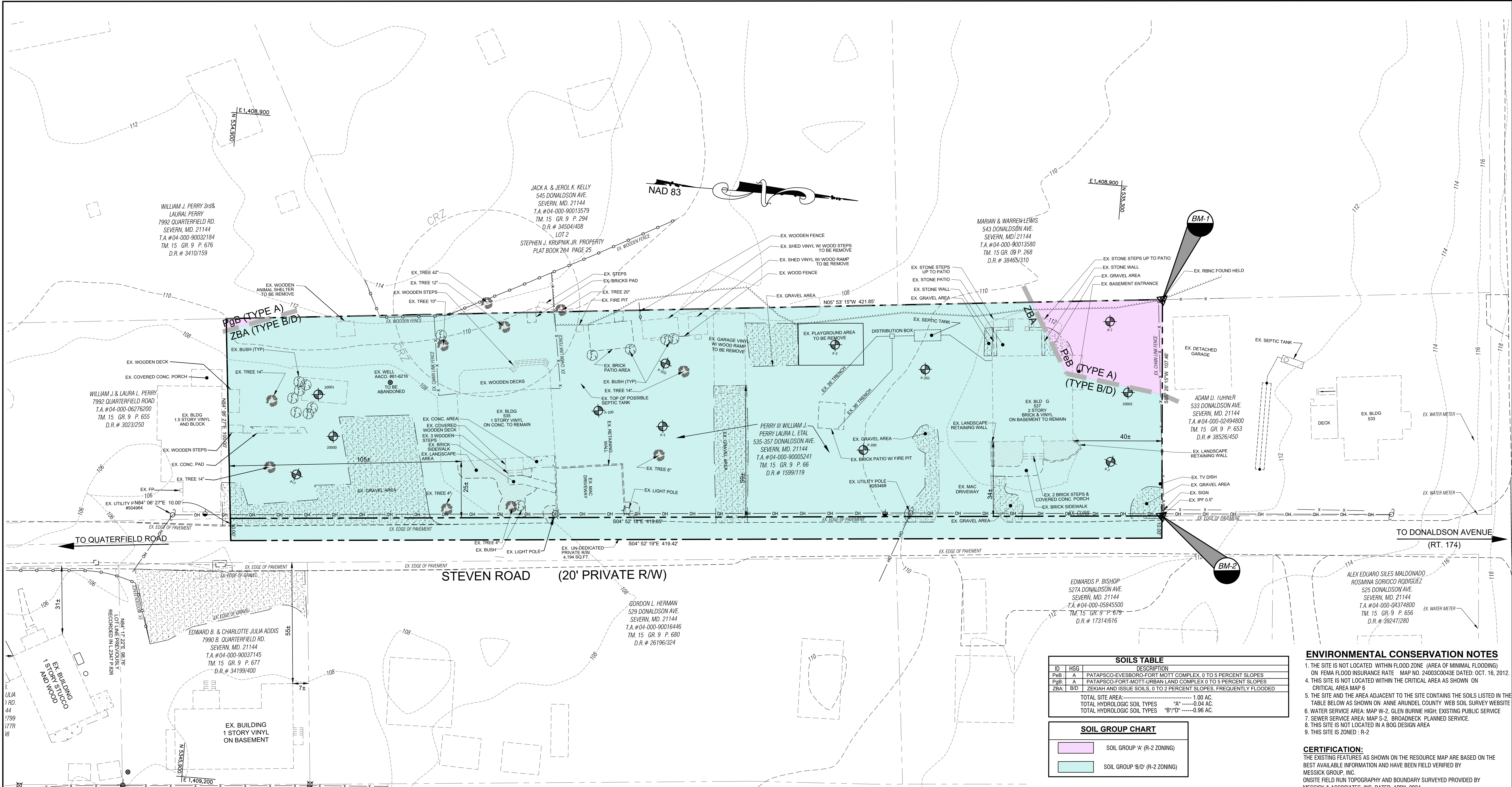
ZONING: R2

4th TAX ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND 21144

SCALE: AS SHOWN

DATE: FEBRUARY 2025

SHEET 1 OF 3



BENCHMARK DATA

TOPOGRAPHY SURVEY WAS PERFORMED BY MESSICK & ASSOCIATES IN DECEMBER OF 2024. BENCHMARK DATA FIELD SURVEYED. HORIZONTAL DATUM IS REFERENCED TO MARYLAND STATE PLAN COORDINATES NAD 83/91 DATUM. VERTICAL DATUM IS REFERENCED TO MARYLAND STATE PLAN COORDINATES NAVD 88 DATUM.

B-1: rhnc-1101-0.50 nccap NORTHING: 535322.5450 EASTING: 1,408,949.4900 ELEVATION: 110.554'	B-2: ipb-1100-0.5 cap=2021 BEING A IRON PIPE FOUND NORTHING: 535,330.2980 EASTING: 1,409,046.6470 ELEVATION: 111.949'
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LEGEND

EXISTING EDGE OF PAVEMENT	SOILS LINE
EXISTING WOODLANDS	EXISTING DRIVEWAY
EXISTING OVERHEAD ELECTRIC LINES	EXISTING FENCE
EXISTING PROPERTY LINE	EXISTING BUILDING
EXISTING BOUNDARY	EXISTING GUY WIRE
ELECTRIC MANHOLE	EXISTING SIGN
EXISTING CONCRETE	EXISTING POLES
EXISTING CURB & GUTTER	EXISTING CONTOUR
EXISTING LIGHT	PERC. TEST
EXISTING UNDER GROUND GAS LINE	

PLAN
SCALE: 1"=20'

REVISION DESCRIPTION BY DATE

MESSICK & ASSOCIATES*
CONSULTING ENGINEERS,
PLANNERS AND SURVEYORS

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ANNAPOLIS, MARYLAND 21401
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info@messickandassociates.com

* MESSICK GROUP, INC. 1/3 MESSICK AND ASSOCIATES

STATE OF MARYLAND
ALAN MESSICK
PROFESSIONAL ENGINEER
2-13-25

OWNER

WILLIAM PERRY III AND LAURA PERRY
535 DONALDSON AVE.
SEVERN, MARYLAND 21144

EXISTING SITE CONDITIONS & RESOURCE MAPPING

**MIKE PERRY PROPERTY
FINAL DEVELOPMENT PLANS**

535 DONALDSON AVE.
TAX MAP: 15 GRID: 9 PARCEL: 66
ZONING: R2

4th TAX ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND 21144

SCALE: AS SHOWN DATE: FEBRUARY 2025 SHEET 2 OF 3

SOILS TABLE

ID	HSG	DESCRIPTION
PeB	A	PATAPSCO-EVESBORO-FORT MOTT COMPLEX, 0 TO 5 PERCENT SLOPES
PgB	A	PATAPSCO-FORT-MOTT-URBAN LAND COMPLEX 0 TO 5 PERCENT SLOPES
ZBA	B/D	ZEKIAH AND ISSUE SOILS, 0 TO 2 PERCENT SLOPES, FREQUENTLY FLOODED

TOTAL SITE AREA: 1.00 AC.
TOTAL HYDROLOGIC SOIL TYPES "A" 0.04 AC.
TOTAL HYDROLOGIC SOIL TYPES "B"/D" 0.96 AC.

SOIL GROUP CHART

SOIL GROUP 'A' (R-2 ZONING)
SOIL GROUP 'B/D' (R-2 ZONING)

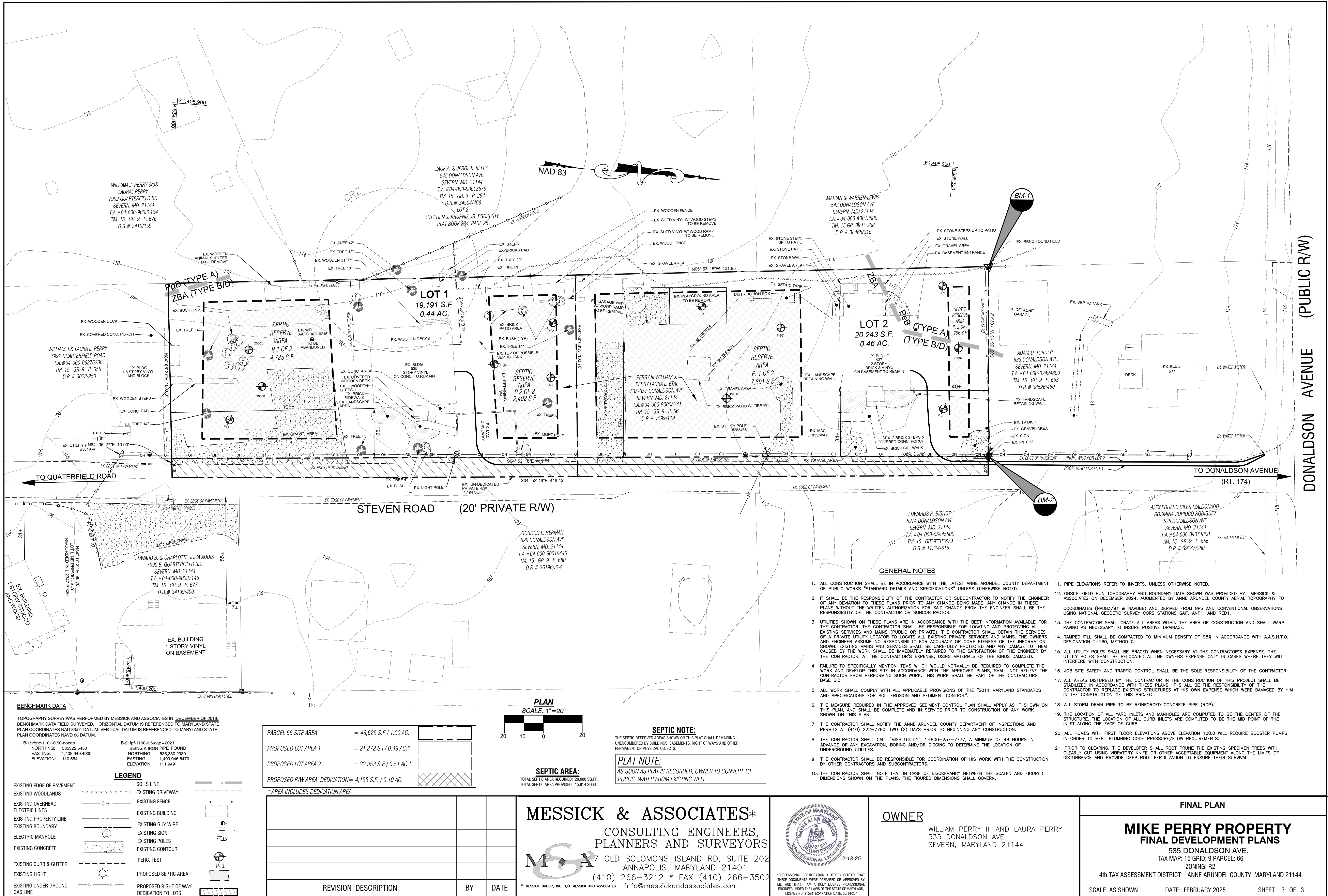
ENVIRONMENTAL CONSERVATION NOTES

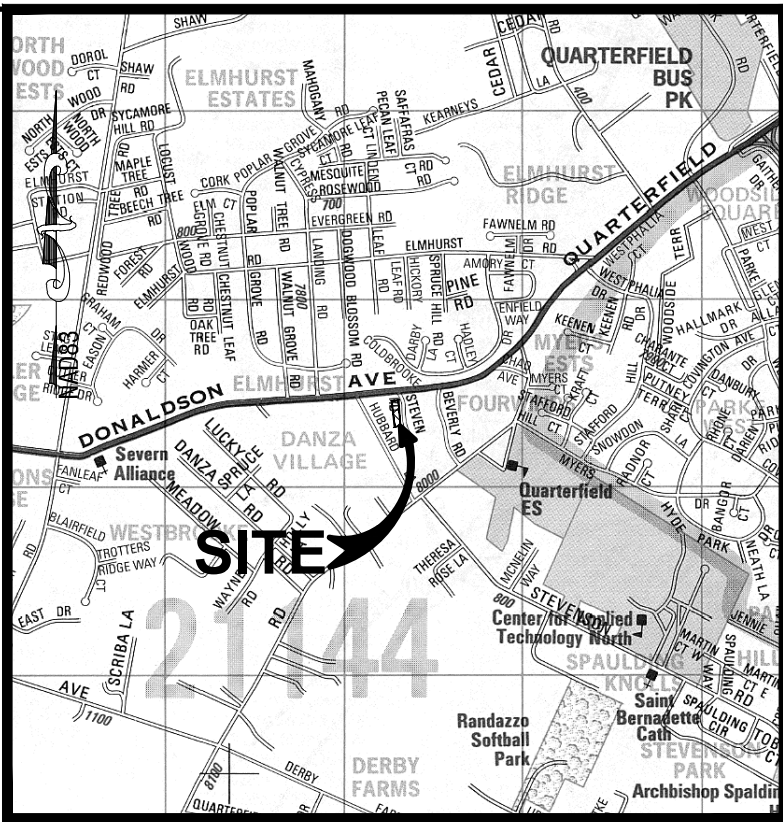
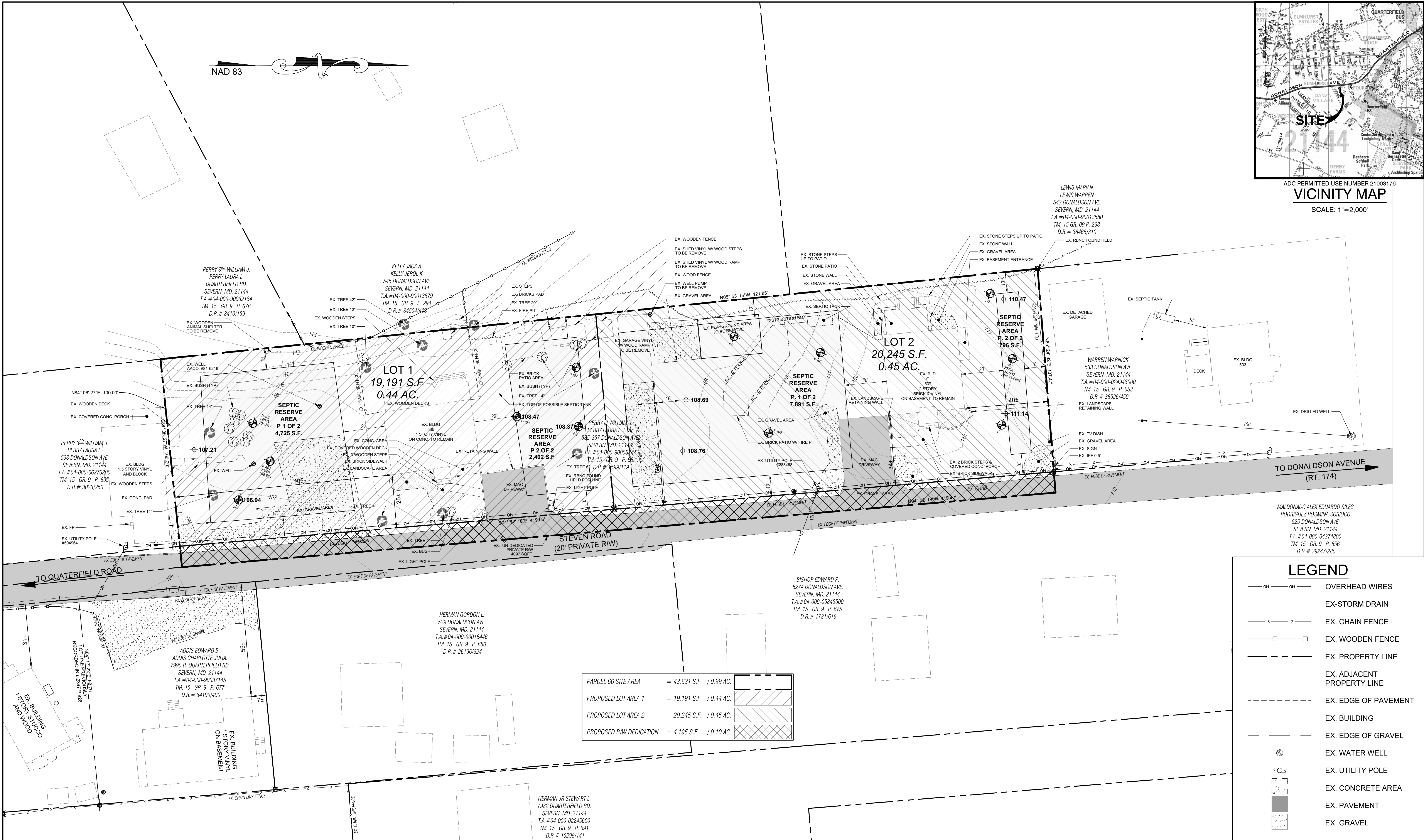
- THE SITE IS NOT LOCATED WITHIN FLOOD ZONE (AREA OF MINIMAL FLOODING) ON FEMA FLOOD INSURANCE RATE MAP NO. 24003C0043E DATED: OCT. 16, 2012.
- THIS SITE IS NOT LOCATED WITHIN THE CRITICAL AREA AS SHOWN ON CRITICAL AREA MAP 6.
- THE SITE AND THE AREA ADJACENT TO THE SITE CONTAINS THE SOILS LISTED IN THE TABLE BELOW AS SHOWN ON ANNE ARUNDEL COUNTY WEB SOIL SURVEY WEBSITE.
- WATER SERVICE AREA: MAP W-2. GLEN BURNIE HIGH; EXISTING PUBLIC SERVICE
- SEWER SERVICE AREA: MAP S-2. BROADNECK; PLANNED SERVICE.
- THIS SITE IS NOT LOCATED IN A BOG DESIGN AREA
- THIS SITE IS ZONED : R-2

CERTIFICATION:
THE EXISTING FEATURES AS SHOWN ON THE RESOURCE MAP ARE BASED ON THE BEST AVAILABLE INFORMATION AND HAVE BEEN FIELD VERIFIED BY MESSICK GROUP, INC.
ONSITE FIELD RUN TOPOGRAPHY AND BOUNDARY SURVEY PROVIDED BY MESSICK & ASSOCIATES, INC. DATED APRIL 2024.

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 21591, EXPIRATION DATE: 05/14/25.







MESSICK & ASSOCIATES*
CONSULTING ENGINEERS,
PLANNERS AND SURVEYORS

M&A 7 OLD SOLOMONS ISLAND RD, SUITE 202
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info@messickandassociates.com

* MESSICK GROUP, INC. T/A MESSICK AND ASSOCIATES

OWNER

WILLIAM PERRY III AND LAURA PERRY
535 DONALDSON AVE.
SEVERN, MARYLAND 21144

COMMUNITY MEETING SITE PLAN
MIKE PERRY PROPERTY

TAX MAP: 15 GRID: 9 PARCEL: 66
4TH TAX ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND
SCALE: 1" = 20' DATE: JULY 2024 SHEET 1 OF 1



Messick & Associates

Consulting Engineers,
Planners, Surveyors
& Landscape Architects
"Designing Success Since 1951"

May 20, 2025

Ms. Sterling Seay, Zoning Administrator
Anne Arundel County
Planning & Zoning
2664 Riva Road
Annapolis, MD 21401

Re: Mike Perry Property Subdivision
Variance Application
S#2025-005; P#2025-0013-00-NM
Tax Map 15, Block 9, Parcel 66
Explanation Letter

Dear Ms. Seay:

Attached for your review and processing is a variance application for the above referenced site. The subject site is currently improved with two single-family residential dwelling units on one lot. The site consists of approximately 1.0-acre of land and is located in the R-2 zoning district. The entire site is located outside the Chesapeake Bay Critical Area. There are no wetlands, streams, floodplains, steep slopes or other environmentally sensitive areas on-site. The applicant is proposing to create one additional new lot surrounding the second dwelling on-site. The property was created by a deed and administrative minor subdivision as recorded among the Land Records of Anne Arundel County in Liber 15991, Folio 119. The applicant is proposing a two (2) lot single family detached minor subdivision. The subdivision is being created to put each existing house on its own lot. The project is served by public water and private septic. No development is proposed.

Specifically, the applicant is requesting the following variance:

1. An 809 square foot variance to the 20,000 s.f. lot requirement for an R-2 Lot served by private sewer (Article 18-4-601).

We believe the proposed variance meets all applicable approval criteria in accordance with the Anne Arundel County Code. Specifically;

Requirements for zoning variances (Article 18-16-305(a)):

(a)(1) *Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographic conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article.*



Mike Perry Property
Variance Application
May 20, 2025
Page 2 of 3

The total lot area consists of 43,269 square feet(sufficient area for two 20,000 square feet lots). However, the lot is quite shallow, and the shape of the lot includes area which is required for a road right of way. Private road right-of-way dedication is required to provide access in accordance with the County Code. Therefore, the remaining lot area is 809 square feet less than the 20,000 square feet per lot requirement for R-2 lots served by private septic. Therefore, the existing lot size and shape represents a specific inherent condition that prevents the lot from being developed in strict conformance with the code.

- (a)(2) *Because of exceptional circumstances other than financial considerations, the grant of the variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.*

The existing lot size, configuration and the existing developed condition on-site (two existing residential houses on one lot) represent an exceptional circumstance that is not related to any financial consideration and the variance is necessary to avoid practical and unnecessary hardship as required to develop the lot into two separate lots .

Requirements for all variances (Article 18-16-305(c)):

- (c)(1) *The variance is the minimum necessary to afford relief*

The total lot area consists of 43,269 square feet(sufficient area for two 20,000 square feet lots). However, private road right of way dedication is required to provide access in accordance with the County Code. Therefore, the remaining lot area is 809 square feet less than the 20,000 square feet per lot requirement for R-2 lots served by private septic. Therefore, the variance is the minimum relief necessary to afford relief.

- (c)(2) *The granting of the variance will not:*
(i) *alter the essential character of the neighborhood or district in which the lot is located;*

The granting of this variance will not alter the essential character of the neighborhood. Granting of the variance will allow the Property to be used in a manner that is consistent with all surrounding properties in the neighborhood. In fact, there are several lots adjacent to the site on Stevens Road which are less than 20,000 square feet (these lots vary between 8,000-15,000 square feet per lot) and adjacent subdivisions in the neighborhood (including Fourwinds, Evergreen Commons and Elmhurst Station among others) all consist of R-2 lots of less than 20,000 square feet.

Mike Perry Property
Variance Application
May 20, 2025
Page 3 of 3



(ii) substantially impair the appropriate use or development of adjacent property:

The applicant is seeking to create separate lots for each residential house. No additional development is proposed. Since no additional development is proposed, the variance will not substantially impair the appropriate use or development of adjacent properties. The Applicant is only seeking reasonable use of the lot for residential purposes.

(iii) reduce forest cover in the limited development and resource conservation areas of the critical area;

The site is not located in the Chesapeake Bay Critical Area and no clearing is required.

(iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area;

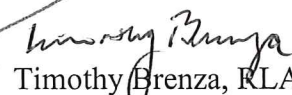
The site is not located in the Chesapeake Bay Critical Area or a Bog Protection Area.

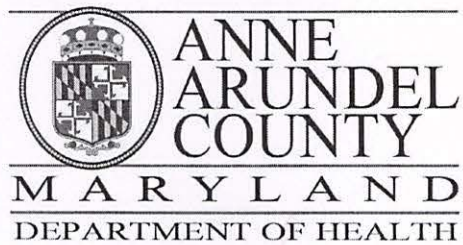
(v) be detrimental to the public welfare.

Granting of the variance will not be detrimental to the public welfare since no additional development is proposed and single-family residential uses are a use permitted by right under the R-2 Zoning regulations.

In summary, the site is a legally buildable, single-family residential lot with two single family residential houses on one lot. The applicant is seeking to create separate lots for each residential house. No additional development is proposed. The Applicant is only seeking reasonable use of the lot for residential purposes in its current configuration and complies with all variance approval criteria under Article 18-16-305 (a) and Article 18-16-305 (c). If there are any questions concerning this application, please do not hesitate to contact me.

Sincerely,
MESSICK GROUP, INC.
T/A MESSICK & ASSOCIATES


Timothy Brenza, RLA
V.P. Planning and Landscape Architecture



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

A handwritten signature in blue ink, appearing to be "BC", written over the name "Brian Chew".

DATE: June 2, 2025

RE: William J. Perry III
535 Donaldsom Ave.
Severn, MD 21144

NUMBER: 2025-0105-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a lot with less area than required.

The Health Department does not have an approved plan for this project. The Health Department has no objection to the above referenced variance request as long as a plan is submitted and approved by the Health Department.

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay



Jenny B. Dempsey
Planning and Zoning Officer

MEMORANDUM

TO: File

FROM: Adam Knubel, Development Division, Residential Team, OPZ

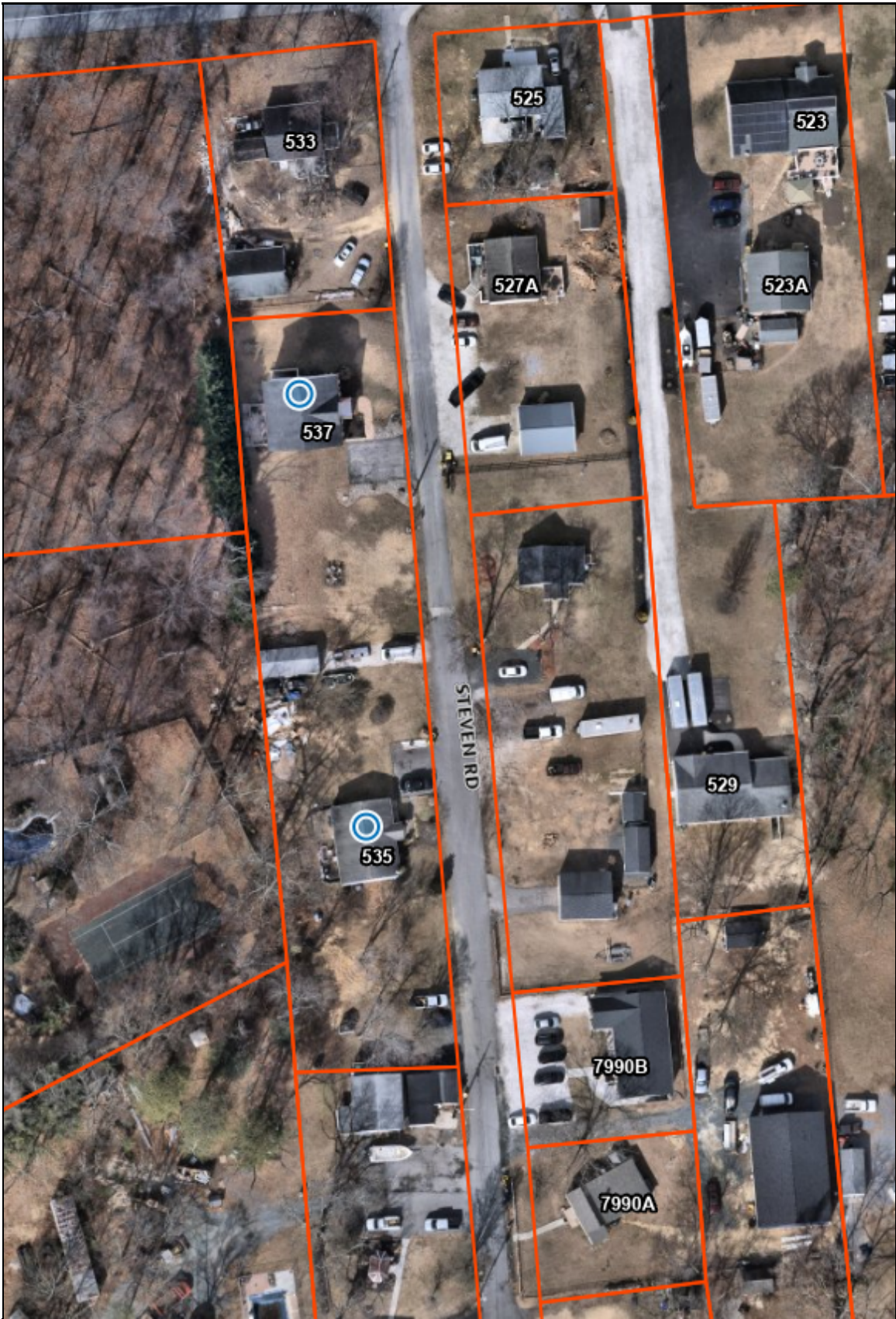
SUBJECT: Perry Property, 2025-0105-V

535-537 Donaldson Ave, Severn, MD 21144 (4000 9000 5241)

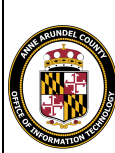
DATE: July 23, 2025

In response to your request for comments regarding a Variance to allow for the reduction of the Minimum Lot size as required Article 18-4-601, the R2 Bulk Regulations. The required road dedication reduces the size of the proposed lot size to less than what is required by the Anne Arundel County Code in Article 18-4-601, the R2 Bulk Regulations. We defer to the Zoning Division and the Administrative Hearing Officer on whether the applicant meets the Variance standards.

535 - 537 Donaldson Road (2025-0105-V)



- Legend
- Foundation
 - Addressing
 - Parcels
 - Parcels - Annapolis City



0100200

ft

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Nearmap

Notes