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

APPLICANT: Jimmie K. Wolfe, II & Stacey M. Wolfe ASSESSMENT DISTRICT: 3

CASE NUMBER: 2025-0123-V COUNCILMANIC DISTRICT: 3

HEARING DATE: September 9, 2025 PREPARED BY: Sara Anzelmo

Planner

REQUEST

The applicants are requesting a variance to allow an accessory structure (shed) on a lot without a principal structure¹ on property located at 8265 Forest Glen Drive in Pasadena.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 46.808 acres of land and is located at the western end of Capel Drive. It is identified as "Reserved Parcel No. 1" of Parcel 22 in Grid 3 on Tax Map 25 in the Windermere Estates subdivision.

The property is zoned R1 – Residential District, and all but a small corner of this waterfront lot on Mathias Cove is located within the Chesapeake Bay Critical Area and is designated as RCA – Resource Conservation Area. The shoreline is not mapped as buffer modified and is subject to the standard buffer regulations.

PROPOSAL

The applicant proposes to construct a 12' by 12' (144 square foot) shed near the eastern boundary of an unimproved, residentially zoned lot. The proposed shed height is 12 feet.

REQUESTED VARIANCES

§ 18-2-204(c) of the Anne Arundel County Zoning Code provides that an accessory structure or use may not be located on a lot other than the lot on which a principal structure is located. The subject lot does not contain a principal structure, necessitating a variance to this provision.

FINDINGS

The subject property is irregular in shape and far exceeds the minimum lot area and width required in an R1 District. The existing critical area lot coverage is zero. The proposed coverage would increase to 144 square feet, well below the maximum 15% of lot coverage allowed.

¹ The case was initially advertised for an additional variance; however, a review of the bulk regulations for development within an R1 District reveals that a zoning setback variance is not required.

The applicants' letter explains that their primary residence is located at 8225 Bodkin Ave, which is adjacent to this property [to the east] and is divided only by a small creek. There will be no clearing required, the ground is level, and the shed will sit on an impervious foundation. The shed will be used to house garden and hand tools. The applicants note that the shed will reside on the opposite side of the lot from the water, with a setback of 125 feet off the eastern property line. Via a supplemental email, the applicants added that they put this entire parcel into a Conservation Easement to prevent any future development as well as preserve the habitat of this large property. Managing invasives, cutting grass, maintaining trails, etc. on a property of this size requires tools and equipment that they would rather not lug all the way from their home. Having a shed on site allows them to store those items on the property where they are needed. The location of this shed is on a foot trail that leads to the Dead-end of Capel drive, allowing easier access when needed.

The **Health Department** has reviewed the on-site sewage disposal and well water supply system for the subject property and has determined that the proposed request would not adversely affect these systems. The Department has no objection.

The **Department of Recreation and Parks** commented that this site lies within the Anne Arundel County Green Infrastructure Network, a proposed preservation area considered in the Anne Arundel County Green Infrastructure Master Plan. The proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

The Cultural Resources Section of the Office of Planning and Zoning noted that this property has high archaeological potential and is subject to compliance with Article 17-6-502 in the event of development. If development is proposed in the future for this property, there may be archaeological requirements. In this case, the proposed shed with no clearing presents no adverse effect to archaeological or other cultural resources, and the Cultural Resources Section has no objection.

This Office contacted the **Scenic Rivers Land Trust** to be sure that the proposed shed would not conflict with the conservation easement agreement, and they replied with the following. Article III.E(4) of the easement allows for non-residential structures including sheds that are utilized in connection with the Passive Recreation Uses and Activities of the Property. The combined total footprint of the non-residential structures should not exceed 250 square feet. Considering the proposed size of the shed and its purpose to store equipment for trail maintenance and stewardship of the property, the Scenic Rivers Land Trust has no issue with this request.

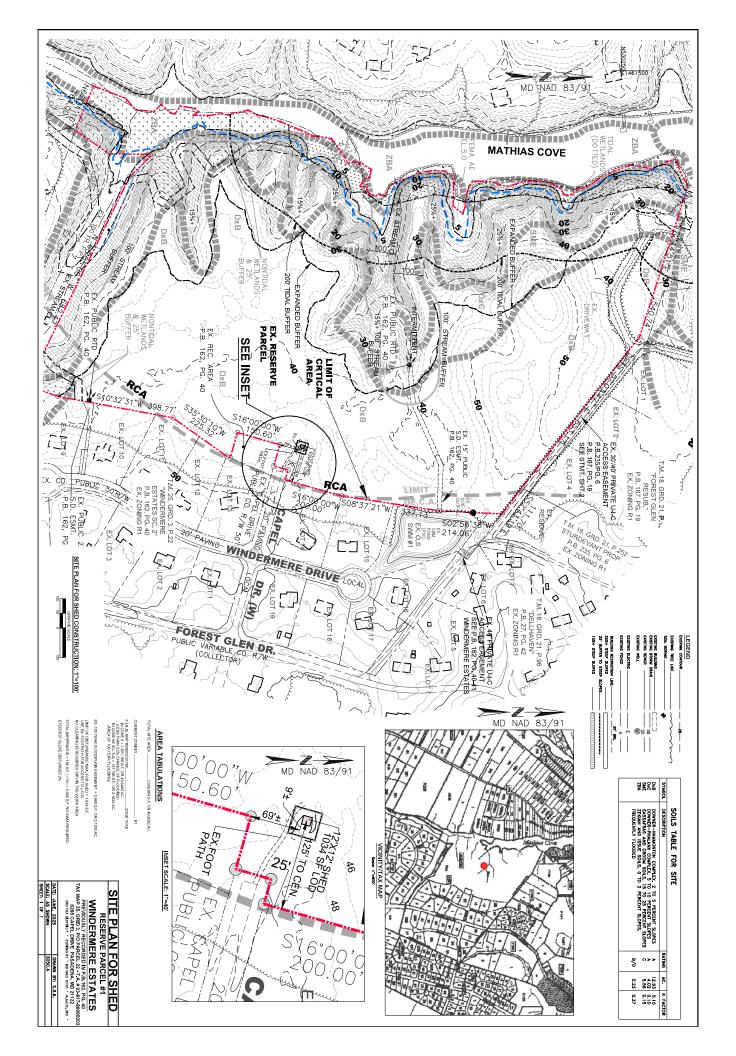
For the granting of a zoning variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular lot or because of exceptional circumstances other than financial, strict implementation of the Code would result in practical difficulties or an unnecessary hardship. Exceptional circumstances exist in that the applicants' principal dwelling is located on a lot that is only separated from the subject lot by a stream. Were it not for the stream, the two lots would be adjacent to one another; therefore, the shed would not require a variance. Furthermore, the fact that the entire property has been placed within a conservation easement is also an exceptional circumstance. The applicants have purchased this large property and have committed to maintain and protect it and not to develop it. The shed would provide much-needed storage space for the tools and equipment that are essential to their fulfillment of that duty.

Approval of the variance would not alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent properties, reduce forest cover in the resource conservation area, be contrary to acceptable clearing and replanting practices, or be detrimental to the public welfare. The proposed shed is small, particularly for such a large property, and would far exceed the minimum setbacks from all property lines. There is no way to construct a shed of any size on the property without the requested variance. Therefore, the proposed variance is considered to be the minimum necessary to afford relief.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends <u>approval</u> of the requested variance to allow an accessory structure (shed) on a lot without a principal structure.

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.



Variance Request: Letter of Explanation

Property Owners: Jimmie and Stacey Wolfe

Property Address: 8265 Forest Glen Dr Pasadena, MD 21122

TAX ID: 391790085203

To whom it may concern:

We, the under-named, are applying for a variance so that we might add a 12'w x 12'L x 12'h (144sq/ft) wooden shed to this property. The reason for the variance is there is no primary dwelling on the property which Anne Arundel County requires under normal permitting procedures. Our primary residence is 8225 Bodkin Ave which is adjacent to this property divided only by a small creek. It basically abuts this property. There will be no clearing required, the ground is level, and the shed will sit on an impervious foundation. The shed will be used to house garden and hand tools.

The property is 52ac +/- in size and includes critical area and waterfront. However, this shed will reside opposite side from the water with a setback of 125' of the eastern property line.

A scaled site plan has been provided.

CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS 1804 WEST STREET, SUITE 100 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

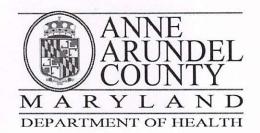
Jurisdiction:	Anne Arundel	County	Date: 6/18/25		
Tax Map #	Parcel #	Block#	Lot#	Section N/N	FOR RESUBMITTAL ONLY Corrections Redesign No Change Non-Critical Area
Tax ID:	3 917 90	085203)		*Complete Only Page 1 General Project Information
Project locat	sadena	0division name 8265 Wolfe	e, or other)		Zip 21/22 First name J, mmve
	Type (check al	that apply):			
Building Per Buffer Mana Conditional I Consistency Disturbance Grading Per	mit gement Plan Use Report > 5,000 sq ft			Variance Rezoning Site Plan Special Excep Subdivision Other	ion
Local Jurisd	liction Contact	Information:			
Last name	AACo Zoning	Administration	n Section	First name	
Phone #	410-222-7437		Respo	nse from Comm	nission Required By TBD
Fax #				Hearing date	TBD

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:											
Besidentval	\mathcal{C}	345486	Easement								
Intra-Family Transfer Grandfathered Lot	Yes		,	Growth Allocation Buffer Exemption Ar	Yes						
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)											
SIL IIIVEIIIONI (I	Acres		Sq Ft	Total Disturbed Area	Acres	Sq Ft					
IDA Area			•	Total Disturbed Area		144					
LDA Area											
RCA Area	52.069 2		,268,125	68,125 # of Lots Created							
Total Area	52.069 2,268,12		1268,125								
		Acres	Sq Ft		Acres	Sq Ft					
Existing Forest/Woodland		52.060	1 2,264,125	Existing Lot Coverage	-						
Created Forest/Woodland				New Lot Coverage							
Removed Forest/Woodlar	d/Trees —		_	Removed Lot Coverage							
				Total Lot Coverage	_						
VARIANCE INFORMATION (Check all that apply)											
		Acres	Sq Ft		Acres	Sq Ft					
Buffer Disturbance		0	0	Buffer Forest Clearing	0	0					
Non-Buffer Disturbance			144	Mitigation	0	0					
Variance Type Buffer Forest Clearing HPA Impact Lot Coverage Expanded Buffer Nontidal Wetlands Setback Steep Slopes	Structure Acc. Structure Addition Barn Deck Dwelling Dwelling Addition Garage Gazebo Patio										
Other		Pool									
			ned 🗹								
Other											

- A paragraph or less addressing each point listed below:
 - Describe the proposed use of the subject property and include if the project is residential, commercial, industrial, or maritime.
- Residential. It is currently in a Conservation Easement
 - Describe the type of predominant trees and shrubs on the subject property. Include a statement addressing the square footage of the property that is vegetated with trees and shrubs, how much of the property will be disturbed by the proposed development, and how the disturbance will be mitigated.
- A mix of Coniferous and deciduous trees on the property. The total acreage is 52.069ac. The shed will encompass 144sq/ft of which will be no clearing required.
 - Describe the methods to minimize impacts on water quality and habitat from proposed construction (i.e. stormwater management, sediment control, and silt fence).
- Very small shed. None required.
 - Calculate the impervious surface before and after construction, including all structures, gravel areas, driveways, and concrete areas.
- All surfaces will remain impervious with the shed having a gravel base.
 - o If applicable, describe any habitat protection areas on the subject property including expanded buffers, steep slopes of 15% or greater, rare and endangered species, anadromous fish propagation waters, colonial waterbird nesting sites, historic waterfowl staging and concentration areas, riparian forests, natural heritage areas, and plant and wildlife habitats of local significance.
- The entire property is in a perpetual Conservation Easement with many of the afore mentioned examples. Absolutely none of which will be effected by this shed.





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 25, 2025

RE:

Jimmie K. Wolfe

8265 Forest Glen Drive Pasadena, MD 21122

NUMBER:

2025-0123-V

SUBJECT:

Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow an accessory structure (shed) with less setbacks than required and on a lot without a principal structure.

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



STEUART PITTMAN, COUNTY EXECUTIVE
JESSICA LEYS, DIRECTOR
RECREATION AND PARKS
1 HARRY S. TRUMAN PKWY
ANNAPOLIS, MD 21401
AACOUNTY.ORG/RECPARKS



MEMORANDUM

TO: Sadé Medina, Zoning Division

Office of Planning and Zoning

FROM: Pat Slayton

Capital Projects Division

SUBJECT: Variance Case 2025-0123-V

DATE: July 2, 2025

The Department of Recreation and Parks has reviewed the above plans to determine if there may be impacts to the Anne Arundel County Green Infrastructure Network, parks, and trails. Please note our recommendations according to those findings below.

• This site lies within the Anne Arundel County Green Infrastructure Network, a proposed preservation area considered in the Anne Arundel County Green Infrastructure Master Plan. The proposed development is consistent with the spirit of the Green Infrastructure Master Plan.

The Department of Recreation and Parks has no further comments.

cc: File

2025-0123-V

Menu Cancel Help Task
OPZ Cultural Resources
Assigned to Department
OPZ Cultural Resources
Action by Department
OPZ Cultural Resources
Start Time Due Date 07/14/2025 Assigned to Stacy Poulos Action By Assigned Date 06/23/2025 Status Complete w/ Comments
Status Date Stacy Poulos End Time Hours Spent 0.0 Billable Overtime Comments This property has high archaeological potential and is subject to compliance with Article 17-6-502 in the event of development. If development is proposed in future for this property, there may be archaeological requirements. In this case, No No the proposed shed with no clearing presents no adverse effect to archaeological or other cultural resources and the Cultural Resources Section has no objection to the variance. Time Tracking Start Date Est. Completion Date In Possession Time (hrs)
Display E-mail Address in ACA Display Comment in ACAComment Display in ACA
No All ACA Users All ACA Users Record Creator Licensed Professional Contact Owner
Workflow Calendar **Estimated Hours** Action Updated Task Specific Information Review Notes **Expiration Date** Reviewer Name Reviewer Phone Number Reviewer Email



8265 Forest Glen Drive

Erin Kilbane <erinkilbane@srlt.org>
To: Sara Anzelmo <pzanze99@aacounty.org>

Wed, Aug 27, 2025 at 3:19 PM

Hi Sara,

Thank you so much for reaching out to check with us on this! We really appreciate it!

Article III.E(4) of the easement allows for non-residential structures including sheds that are utilized in connection with the Passive Recreation Uses and Activities of the Property. The combined total footprint of the non-residential structures should not exceed 250 square feet.

Considering the proposed size of the shed and its purpose to store equipment for trail maintenance and stewardship of the property, Scenic Rivers has no issue with this request either. I've attached the conservation easement deed in case that would be helpful as well!

If you have any additional questions, please feel free to reach out to me! And thank you again for confirming the request does not conflict with the easement!

Take care, Kilbane

[Quoted text hidden]

Erin Kilbane she/her Land Programs Manager Scenic Rivers Land Trust erinkilbane@srlt.org 443.714.7742 www.SRLT.org





