

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

APPLICANT: Olatunbosun Fakiye & Lidia Garcia

ASSESSMENT DISTRICT: 5

CASE NUMBER: 2025-0150-V

COUNCIL DISTRICT: 1

HEARING DATE: October 2, 2025

PREPARED BY: Joan A. Jenkins
Planner III



REQUEST

The applicants are requesting a variance to allow the partial conversion of an accessory structure (detached garage) into a two-story accessory dwelling unit and a two-car garage with less setbacks than required and located in the front yard of a nonwaterfront lot at 10 6th Avenue in Brooklyn.

LOCATION AND DESCRIPTION OF SITE

The subject property is a corner through lot measuring 6,875 square feet. It has frontage on the north side of 6th Avenue, directly east of Morgan Road, and borders Alley 74. The property is identified as Lots 20 and 21 on Parcel 22 in Grid 13 on Tax Map 2 in Section E of the Brooklyn Park subdivision. The property is zoned R5 – Residential District. The site is currently improved with a single-family detached dwelling, a detached two-car garage, walkways, a driveway, and a fence.

PROPOSAL

The applicants propose to reconstruct the interior of an existing two-car two-story garage (33 feet by 28 feet by 16 ft high¹) into a two-story accessory dwelling unit (750 square feet²) and a two-car garage.³

REQUESTED VARIANCE

§ 18-4-701 of the Code requires an accessory structure to be set back seven feet from a rear lot

¹ §18-1-101 defines height as “Height” when used in reference to a structure means the vertical distance from the average height of the highest roof surface for a structure with a roof or from the highest point of a structure without a roof to the grade plane. For purposes of this definition, “grade plane” means the average of the finished ground levels between the structure and a point six feet from the structure or, if the lot line is closer than six feet from the structure, the lot line.

² An email with the applicant indicated 750 square feet for the ADU. The letter of explanation says approximately 700 square feet. The exact square footage should be verified at permit.

³ Building permit B02438480 was submitted for review July 14, 2025.

line⁴, 15 feet from the corner side, and 7 feet from the side. The proposed accessory dwelling unit will be in an accessory structure that is two feet from the Alley 74 which would be a rear lot line requiring a variance of five feet. The structure meets the corner side and side setbacks.

FINDINGS

As indicated earlier, the subject property is a corner through lot having road frontage on 6th Avenue, Morgan Road, and Alley 74. The rectangular-shaped property exceeds both the width requirement of the R5 District and the area requirement for a lot in the R5 District served by public sewer. The accessory structure is existing and is currently being used as a two-car garage with access from a driveway on Morgan Road. It is located two feet from the lot line of Alley 74. The location of the existing detached garage makes conversion of the use of the structure from a garage to an accessory dwelling unit impossible without a variance. Denial of the request would cause difficulty in developing an accessory dwelling unit on the property.

The current County aerial photograph from 2025 reveals an eclectic mix of various sized houses on similar sized lots in this area. Detached garages are common and often close to the lot lines. Properties with access along Alley 74 appear to use that portion of their lots as a rear yard and accessory structures, garages, pools, sheds, etc. abound along Alley 74. The existing driveway on the corner side appears to be wide enough for three passenger vehicles. §18-3-104 requires two spaces for each dwelling unit for a single-family detached dwelling, but does not require parking for an accessory dwelling unit.

The letter of explanation notes that the accessory dwelling unit conversion will be entirely within the existing structure. There will be no changes to the footprint or height. The applicants write that rebuilding the garage would create an undue hardship, both financial and logistical, and that it is not feasible given the space constraints on the lot. The applicants intend to use the accessory dwelling unit for a family member.

Permit B02159970, issued on December 5, 2000, authorized the construction of the existing structure, which replaced a smaller, older garage. There is no indication that the permit ever had a final inspection. Variance case 2000-0203-V granted a modified variance approval prior to the permit approval for a garage 32 feet by 24 feet by 20 feet to be three feet from the rear property line with the condition that accessory structures shall not be habitable or eligible for conversion to habitable living space. The applicants' letter states that the current structure is two feet from the rear property line. In 2023, Bill 88-23 defined a corner through lot as a lot with frontage on three sides. The side that was the rear lot line in the 2000 case is now considered a front lot line.⁵ As for the condition regarding living space and conversion, at the time, accessory structures were not permitted to be dwellings. A detached accessory dwelling unit has only been legal with certain conditions since Bill 6-23 became effective May 27, 2023.

⁴ Per §18-2-301(h) an alley or easement for the passage of vehicles and persons may not be considered a road for the purposes of assessing a front lot line. In this case the alley will be considered the rear.

⁵ "Lot line, front" means the boundary of a lot that abuts the road right-of-way or, for a waterfront lot, the mean high-water line.

A second unit (or more) on one lot in this neighborhood is not unusual. There are several cases of registered nonconforming uses for multiple unit dwellings. This Office found a registered nonconforming use case 2007-0277-N at 100 8th Avenue, for two principal dwellings on one property. Prior to a detached accessory dwelling unit being a conditional use, two dwellings on a property were registered as two principal dwellings through the nonconforming use process. While there are many variance cases nearby, this Office found only one case 2001-0176-V at 107 6th Avenue that related to side setbacks for a detached garage that was granted. Another case 2001-0058-V at 9 7th Avenue was denied for setbacks for a detached garage.

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

The **Department of Inspections and Permits (Engineering Section)** made comments regarding labeling of stormwater management devices, the water meter, water and sewer connections and the entrance to the ADU, but had no opinion on the variance request. See full comments attached as an exhibit.

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 considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot. In this case, the use of the site with a detached ADU is constrained by the practical limitations of an existing developed lot that is also burdened by frontage on two roads and a corner side road. Due to the nonconforming location of the existing accessory structure any new use of the structure would require a variance to setbacks. This creates a hardship for the applicants by denying them the ability to convert an accessory structure into an allowed use.

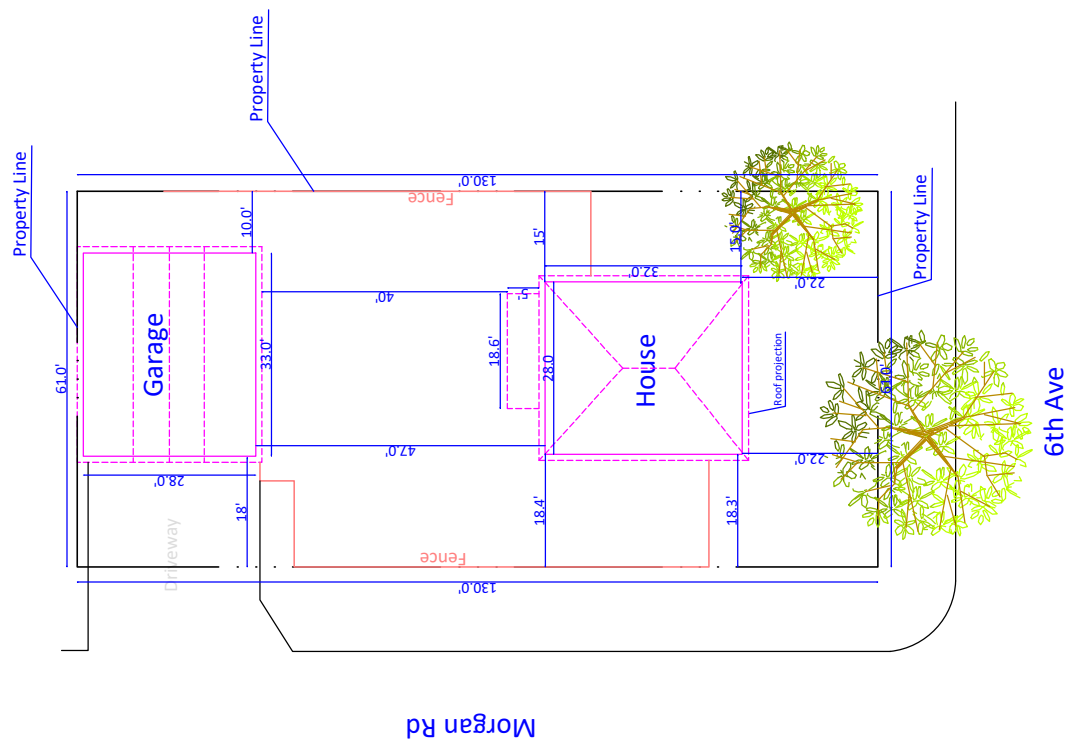
The granting of the variance for setbacks for the conversion of an existing accessory structure from a garage use to an accessory dwelling unit use and a garage use would not alter the essential character of the neighborhood. Accessory structures that do not meet setbacks abound in this area and there are several registered nonconforming cases within the area for either a second principal dwelling or multiple dwellings in one unit. The grant of the variance will not impair the appropriate use or development of adjacent properties as the location of the garage structure complies with the side setback to the abutting property to the east. The variance will not be contrary to acceptable clearing and replanting practices. The granting of the variance will not be detrimental to the public welfare.

While it appears that the existing structure may not have been constructed to the size or setbacks authorized in the building permit and variance approval, and the permit may not have had a final inspection, the fact remains that the structure has existed in this location for twenty-four years. The applicants are not changing anything about the exterior of the structure therefore, the location of the accessory structure is considered to result in the minimum variance necessary to afford relief.

RECOMMENDATION

Based upon the standards set forth in §18-16-305, under which a variance may be granted, the Office of Planning and Zoning recommends ***approval*** of the variance request to § 18-4-701 to allow an accessory structure (detached garage) to be partially converted into an approximately 750 square-foot two-story accessory dwelling unit and a two-car garage two feet from the front lot line of Alley 74 as shown on the site plan.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant to construct the structure(s) as proposed, the applicant 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.



10 6th ave
Baltimore Maryland 21225
Scale: 1":20'

THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE
This work product represents only generalized locations 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.

IN RE: * ANNE ARUNDEL COUNTY
LAWRENCE O'BRIEN, JR. * ADMINISTRATIVE HEARINGS
FIFTH ASSESSMENT DISTRICT * CASE NO. 2000-0203-V

* * * * *

AMENDED ORDER

Subsequent to the filing of the July 20, 2000, Memorandum and Order, the applicant provided clarification that the garage will be accessed from the west side street (Morgan Road) rather than from the rear alley. He also advised that the design incorporates two 10-foot wide doors for his oversized vehicles and therefore requires a minimum width of 26 feet and a peak height not to exceed 25 feet. Finally, he indicated that the nominally larger structure cannot be built within the approved variance without the removal of a large tree in the rear yard. That is, the construction requires the 3-foot rear setback originally requested in lieu of the approved 5-foot rear setback. The Order shall be revised to reflect these circumstances.

On page 1, Findings and Conclusions, the last full sentence is revised as follows:

The structure is proposed with a gable roof (peak height not to exceed 25 feet).

On page 3, the fifth and sixth sentences in the full paragraph are revised as follows:

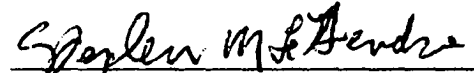
I find and conclude that the request should be limited to a 32' X 26' structure three feet from the rear alley. The modification will minimize the additional nonconformance while still providing an ample structure for the applicant's vehicles and yard equipment.

On page 4, Order, the second full paragraph is revised as follows:

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicant is hereby **granted** a *modified* variance of three feet to the rear setback to permit a 32' X 26' accessory structure (peak height not to exceed 25 feet).

In all other respects, the Memorandum and Order are unchanged.

So Ordered this 14th day of August, 2000.


Stephen M. LeGendre
Administrative Hearing Officer

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2000-0203-V

IN RE: LAWRENCE O'BRIEN, JR.

FIFTH ASSESSMENT DISTRICT

DATE HEARD: JULY 20, 2000

ORDERED BY: STEPHEN M. LeGENDRE, ADMINISTRATIVE HEARING OFFICER

ZONING ANALYST: CHARLENE MORGAN

DATE FILED: JULY 25, 2000

PLEADINGS

Lawrence O'Brien, Jr., the applicant, seeks a variance (2000-0203-V) to permit an accessory structure with less setbacks than required on property located along the north side of Sixth Avenue, east of Morgan Road, Baltimore.

PUBLIC NOTIFICATION

The case was advertised in accordance with the County Code. The file contains the certification of mailing to community associations and interested persons. Each person designated in the application as owning land that is located within 175' of the property was notified by mail, sent to the address furnished with the application. Mr. O'Brien testified that the property was posted for 14 days prior to the hearing. I find and conclude that the requirements of public notice have been satisfied.

FINDINGS AND CONCLUSIONS

The applicant owns a single-family residence located at 10-W-6th Avenue, in the subdivision of Brooklyn Park. The property comprises 6,875 square feet and is zoned R-5 residential. In addition to the dwelling (25' X 34'), the property is improved with a fire damaged wood-framed garage (20' X 20') located five feet from the rear alley. The applicant proposes to demolish the garage and construct a 36' X 28' garage with an 8' X 8' addition. The structure is proposed with a gable roof (peak height 20 feet). The structure will be located nine feet from the east

side lot line, 10 feet from the west side street (Morgan Road) and three feet from the alley.

The Anne Arundel County Code, Article 28, Section 2-507(a) requires accessory structures in the R-5 district to maintain 10 feet from any side and rear lot line and 15 feet from any side street line. Accordingly, the project requires a variance of 1-foot to the east side setback, five feet to the west side street setback and seven feet to the rear setback.

Charlene Morgan, a zoning analyst with the Office of Planning and Zoning, testified that the property is below the minimum area and width for the R-5 district. She contended that the proposed garage is too large. She offered support for a modified variance of five feet to the rear setback to permit a 20' X 32' garage.

Mr. O'Brien submitted a series of photographs of his garage, accessory structures on the adjacent properties and garages in the surrounding neighborhood. He indicated that the requested 3-foot rear setback is consistent with the character of the neighborhood. He also indicated that there are other garages as large as his proposal, including some that extend the full width of their properties. Finally, the witness submitted letters in support of the request from his immediate neighbors and other surrounding property owners. There was no adverse public testimony.

The standards for granting variances are contained in Section 11-102.1. Under subsection (a), a zoning variance may be granted only after determining either (1) unique physical conditions, peculiar to the lot, such that there is no reasonable possibility of developing the lot in strict conformance with the code; or

(2) exceptional circumstances such that the grant of a variance is necessary to avoid an unnecessary hardship, and to enable the applicant to develop the lot. Under subsection (c), any variance must be the minimum necessary to afford relief; and its grant may not alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent property, or be detrimental to the public welfare.

Upon review of the facts and circumstances, I find and conclude that the applicant is entitled to modified relief from the code. This case satisfies the test of unique physical conditions, consisting of a small and narrow lot, such that there is no reasonable possibility of developing the lot in strict conformance with the code. However, little effort had been made to minimize the relief. Rather, the proposed structure would appear to dominate the principal structure, in violation of Section 10-106(d). I find and conclude that the request should be limited to a 32' X 24' structure no closer than five feet from the rear alley. The modification will not increase the extent of nonconformance while still providing an ample structure for the applicant's vehicles and yard equipment. The modified approval will not alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent property, or be detrimental to the public welfare. The approval is subject to the conditions in the Order.

ORDER

PURSUANT to the application of Lawrence O'Brien, Jr., petitioning for a

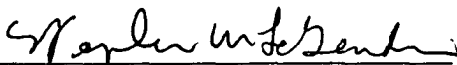
variance to permit an accessory structure with less setbacks than required; and

PURSUANT to the advertising, posting of the property, and public hearing and in accordance with the provisions of law, it is this 25 day of July, 2000,

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicant is hereby **granted** a *modified* variance of five feet to the rear setback to permit a 32' X 24' X 20' accessory structure.

The approval is subject to the following conditions:

1. There shall be no other new accessory structures placed on the property.
2. The accessory structures shall not be habitable or eligible for conversion to habitable living space.


Stephen M. LeGendre
Administrative Hearing Officer

NOTICE TO APPLICANT

Within thirty (30) days from the date of this Decision, any person, firm, corporation, or governmental agency having an interest therein and aggrieved thereby may file a Notice of Appeal with the County Board of Appeals.

Further, Section 11-102.2 of the Anne Arundel County Code states:

A variance granted under the provisions of this Article shall become void unless a building permit conforming to the plans for which the variance was granted is obtained within one year of the grant and construction is completed within two years of the grant.

If this case is not appealed, exhibits must be claimed within 60 days of the date of this order, otherwise they will be discarded.

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

APPLICANT: O'Brien, Lawrence

ASSESSMENT DISTRICT: Fifth

CASE NUMBER: 2000-0203-V

COUNCILMANIC DISTRICT: First

HEARING DATE: July 20, 2000

**PREPARED BY: Charlene L. Morgan
Planner**

REQUEST

The applicant is requesting a variance to permit a detached garage with less setbacks than required.

DESCRIPTION OF SITE

The subject property contains 6,875 square feet. The property is known as lots 20 and 21, located in the subdivision of Brooklyn Park in Baltimore, Maryland. Located on Tax Map 2, Block 13, Parcel 22, the site is currently developed with a single family dwelling with porch and a garage with a dog pen. The property is a nonwaterfront lot, outside the Chesapeake Bay Critical Area.

The current R5- Residential District classification of the site was received as a result of the comprehensive rezoning for the Fifth Assessment District, effective June 12, 1989.

APPLICANT'S PROPOSAL

The applicant proposes to construct a 36' x 28' garage with a 8' x 8' addition which will be located within nine (9) feet of the east side lot line, within 10 feet of Morgan Road and within three (3) feet of the alley/rear.

REQUESTED VARIANCE

Section 2-507(a)(4) and (5) and (b) require an accessory structure to be located at east 10 feet from any side lot line, 10 feet from any alley or rear lot line and 15 feet from any side street line. As such, variances of one (1) foot to the east side setback, seven (7) feet to the alley/rear setback and five (5) feet to the side street setback are requested.

RECOMMENDATIONS

With regard to the standards by which a variance may be granted, as set forth under Section 11-102.1, this Office offers the following:

The subject lot is smaller in area and width than a current R5 lot. The existing 20'x20' garage is located five (5) feet from the alley/rear lot line and 15' from the side street. The requested 28'x36' garage seems excessive. A 20'x32' garage can be placed using the current garage's location in regard to the alley/rear. The side street and east side setbacks can be met. A variance of five (5) feet to the alley/rear setback would be required to extend the existing footprint to the east.

Based on the above, this Office cannot support the requested variances but would recommend approval of a 20'x32' garage with a variance of five (5) feet to the alley/rear setback.

CASE # 2000-0203-V
FEE PAID 150.00
DATE 5/19/00



ZONE _____ ALEX 3B3
200 MAP _____ 1000 MAP _____
CRITICAL AREA:
IDA _____ LDA _____ RCA _____

2 signs

VARIANCE APPLICATION

Applicant: LAWRENCE J. O'BRIEN JR.
(All persons having 10% or more interest in property)

Property Address: 10-W-6TH AVE, BALTO. MD 21225

Property Location: 55 feet of frontage on the (n) s (w) side of
6TH AVE. street, road, lane, etc.; 125 feet
(n, s, e, w) of MORGAN street, road lane, etc. (nearest intersecting street).

Tax Account Number 5047-1209-0400 Tax District 5 Council District 1

Waterfront Lot N/A Corner Lot X Deed Title Reference 3241-556

Zoning of Property R-5 Lot # 20/21 Tax Map 2 Block 13 Parcel 22

Area (sq. ft. or acres) 6,875 Subdivision Name BROOKLYN PARK

Variance to permit an accessory structure with less setbacks than required
Description of Proposed Variance Requested (Explain in sufficient detail including distances from
property lines; heights of structures, size of structures, use, etc.) FIRE DAMAGED STRUCTURE ON
7-5-99. TO REBUILD STRUCTURE TO ORIGINAL SIZE. (DRAWING ATT.)
REPLACE WOOD FRAME BLDG. WITH BLOCK BLDG. TO BE USED AS A
GARAGE + FOR YARD EQUIPMENT. APPROX. SIZE 28'X36'.

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest equal to or in excess of 10 percent of the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

L.J. O'Brien Jr.
Applicant's Signature

L.J. O'BRIEN JR.
Print Name

10-W-6TH AVE.

Street Number, Street, PO Box

BALTO. MD 21225

City, State, Zip

410-636-0236 410-684-2121

Home Phone Work Phone

L.J. O'Brien Jr.
Owner's Signature

L.J. O'BRIEN JR.
Print Name

10-W-6TH AVE.

Street Number, Street, PO Box

BALTO. MD 21225

City, State, Zip

410-636-0236 410-684-2121

Home Phone Work Phone

For Office Use Only

Application accepted by Anne Arundel County, Office of Planning and Zoning.

Patricia A. Miley
Signature

5/12/00

Date

APR 28 2000

PLANNING & CODE ENFORCEMENT

RECEIVED

ANNE ARUNDEL CO.

10' ALLEY

15' 36' 9'

5'

15'

20 x 32

10'

DOG RUN

OLD FOUNDATION

--- = PROPOSED
— = EXISTING

PREVIOUS

ACCEPTABLE

VAR: TDR 5'

MORGAN ROAD

EXISTING DWELLING

PORCH

□ = 3'

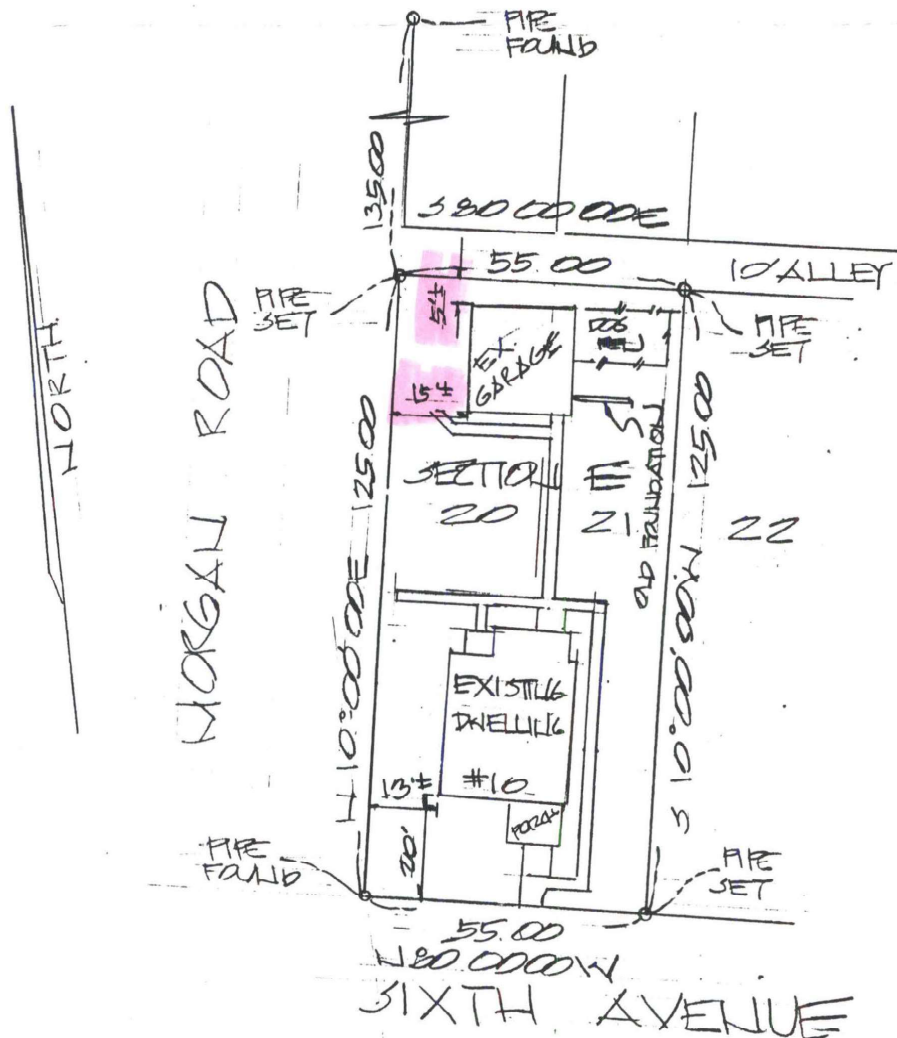
SIXTH AVENUE



CERTIFICATION

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS, SAID IMPROVEMENTS ARE SHOWN AS LOCATED.

WILLIAM E. PETHERBRIDGE
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION # 10710



NOTE:

1. This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.

NOTE: THIS SITE LIES WITHIN
ZONE "C" AS SHOWN ON
COMMUNITY PANEL NUMBER
240003 0026
DATED MAY 02, 1983

NO TITLE REPORT PROVIDED



SEVERN SURVEYS

Land Development, Land Planning
Land Surveying
SUN VALLEY BUSINESS CENTER
8009 JUMPERS HOLE ROAD • SUITE J
PASADENA, MARYLAND 21122
Phone: 410-760-9817
FAX: 410-760-9821

PROPERTY SURVEY
LOCATION DRAWING
LOTS 20, 21 SECTION 1E
BROOKLYN PARK
JOHN K. CULVER SUB N° 1
PLAT BOOK 14 PAGE 21
SCALE 1" = 30' SEPT 02, 1999

GENERAL CONTRACTOR NOTES:

1. PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE CONTRACT DOCUMENTS AND SPECIFICATIONS, THE PLANS, INCLUDING ALL NOTES, THE CITY STANDARD DETAILS AND SPECIFICATIONS AND ANY OTHER APPLICABLE STANDARDS OR SPECIFICATIONS RELEVANT TO THE PROPER COMPLETION OF THE WORK SPECIFIED. FAILURE ON THE PART OF THE CONTRACTOR TO FAMILIARIZE HIMSELF WITH ALL STANDARDS AND SPECIFICATIONS PERTAINING TO THE WORK SHALL IN NO WAY RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR PERFORMING THE WORK IN ACCORDANCE WITH ALL SUCH APPLICABLE STANDARDS AND SPECIFICATIONS.

- 2.)THE CONTRACTOR SHALL HAVE IN HIS POSSESSION, PRIOR TO CONSTRUCTION, ALL NECESSARY PERMITS, LICENSES, ETC. THE CONTRACTOR SHALL HAVE AT LEAST ONE SET OF APPROVED PLANS AND SPECIFICATIONS ON-SITE AT ALL TIMES. THE CONTRACTOR SHALL NOTIFY CITY BUILDINGS OFFICIALS AND/ OR DEPARTMENT 24 HOURS PRIOR TO THE COMMENCEMENT OF ANY WORK.

- 3.) CONSTRUCTION INSPECTION MAY BE PERFORMED BY REPRESENTATIVES OF THE OWNER, ENGINEER, CITY, GEOTECHNICAL ENGINEER AND REVIEWING AUTHORITIES AND AGENTS. UNRESTRICTED ACCESS SHALL BE PROVIDED TO THEM DURING NORMAL WORKING HOURS. THE CONTRACTOR IS RESPONSIBLE FOR UNDERSTANDING AND SCHEDULING REQUIRED INSPECTIONS.

4. ALL CONTRACTORS MUST CONFINED THEIR ACTIVITIES TO THE WORK AREA. NO ENCROACHMENTS OUTSIDE OF THE DEFINED WORK AREA WILL BE ALLOWED, UNLESS SPECIFICALLY NOTED ON THE PLANS. ANY DAMAGE RESULTING THEREFROM SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO REPAIR.

- 5.) IT WILL BE THE RESPONSIBILITY OF EACH CONTRACTOR TO PROTECT ALL EXISTING PUBLIC AND PRIVATE UTILITIES THROUGHOUT THE CONSTRUCTION OF THIS PROJECT. THE CONTRACTOR SHALL CONTACT THE APPROPRIATE UTILITY COMPANIES FOR LINE LOCATIONS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND SHALL ASSUME FULL LIABILITY TO THOSE COMPANIES FOR ANY DAMAGES CAUSED TO THEIR FACILITIES.

- 6.)THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING THE REQUIRED CONSTRUCTION SKILL NECESSARY TO COMPLETE THE CONSTRUCTION IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS.

- 7) THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING ALL NECESSARY BARRICADING AND ALL OTHER WARNING AND SAFETY DEVICES TO PROTECT THE PUBLIC SAFETY AND HEALTH UNTIL ALL WORK HAS BEEN COMPLETED AND ACCEPTED.

8. IF ANY UNFORESEEN PROBLEMS OR CONFLICTS ARE ENCOUNTERED IN THE COURSE OF CONSTRUCTION, FOR WHICH AN IMMEDIATE SOLUTION IS NOT APPARENT, THE ENGINEER AND OWNER SHALL BE NOTIFIED.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ANY EXISTING STRUCTURES, FENCES, BARRIERS, OR TREES THAT ARE LOCATED WITHIN THE BOUNDARIES OF THIS PROJECT, UNLESS OTHERWISE NOTED ON THE PLANS.
10. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF OTHER TRADES (MECH^E, ELEC^L, ETC.) PRIOR TO FABRICATION AND INSTALLATION.

- 11.) GENERAL CONTRACTOR TO BE RESPONSIBLE FOR COORDINATION OF ARCHITECTURAL AND STRUCTURAL DRAWINGS PRIOR TO FABRICATION, FORMING, OR PLACEMENT OF MATERIALS. GENERAL CONTRACTOR SHALL REPORT DISCREPANCIES IMMEDIATELY TO ARCHITECT AND SHALL PROCEED WITH CONSTRUCTION ONLY AFTER DISCREPANCY HAS BEEN RESOLVED.

GENERAL FRAMING NOTES:

- 1.) STRUCTURE WAS DESIGNED IN ACCORDANCE TO THE 2021 INTERNATIONAL RESIDENTIAL CODE.
- 2.) ALL JOISTS AND RATTERS SHALL BE ALIGNED OVER STUDS BELOW.
- 3.) ALL EXTERIOR CORNERS (INSIDE AND OUT) SHALL BE BRACED AS REQUIRED. SPECIAL CITY WIND STRENGTH ORDINANCES MAY APPLY
- 4.) EXTERIOR WALLS 2 X 4 OR 2 X 6 STUD FRAMING WITH VENEERS AS SELECTED, EXCEPT WHERE SHOWN AS 6" WALL FOR PLUMBING SUPPLY AND VENTS.
- 5.) INTERIOR WALLS 2" X 4" STUD WITH SHEETROCK FACE, EXCEPT WHERE SHOWN AS 6" WALL FOR PLUMBING SUPPLY AND VENTS, AND FOR WALLS 10' 10" IN HEIGHT OR GREATER.
- 6.) UNLESS SPECIFICALLY NOTED OTHERWISE, FRAMING LUMBER SHALL BE NO. 2 OR BETTER SOUTHERN PINE WITH A MODULUS OF ELASTICITY OF 1,600,000 PSI. INTERIOR WALL STUDS MAY BE NO. 2 OR BETTER DOUGLAS FIR OR S. PINE, OR NO.2 OR BETTER SPF.
- 7.) WOOD ROOF AND FLOOR TRUSSES IF USED SHALL BE FABRICATED, HANDLED, AND ERECTED IN ACCORDANCE WITH TRUSS PLATE INSTITUTE STANDARDS AND IRC STANDARDS. TRUSS DESIGN DRAWINGS SEATTLE BY A REGISTERED PROFESSIONAL ENGINEER SHALL BE PROVIDED TO THE OWNER PRIOR TO ERECTION OF THE TRUSSES. THE TRUSS WEBS AND BOTTOM CHORDS SHALL HAVE THEIR INDIVIDUAL 2" THICK COMPONENTS GLUED TOGETHER AS WELL AS NAILED PER THE TRUSS PLATE PATERN. - TRUSS MEMBERS SHALL ALL BE MINIMUM 2X4 NO.2 OR BETTER.
- 8.) COORDINATE AND ADJUST, AS NECESSARY, THE TYPICAL FRAMING MEMBER SPACING WITH LIGHTING AND ELECTRICAL LOCATIONS SHOWN ON WHEN TWO ROOFS INTERSECT WITH DIFFERENT ROOF PITCHES, BLOCK OF TWO WALLS TO ALIGN FACSA.

- 11) ALL STRUCTURAL STEEL SHALL BE A36 EXCEPT TO SHAPES SHALL BE A500 GR. B. STEEL JOISTS AND JOIST GIRDERS SHALL MEET ALL SPECIFICATIONS OF THE LATEST S.A.I. EDITION, F_y=50 KSI. ALL BOLTED CONNECTIONS SHALL USE A325 BOLTS UNLESS NOTED OTHERWISE. ALL WELDS SHALL BE MADE USING E70 ELECTRODES. HEATED STUDS SHALL BE NELSON OR BETTER. TEMPORARY CONSTRUCTION BRACING OF THE STRUCTURAL STEEL FRAME SHALL REMAIN IN PLACE UNTIL AFTER THE FLOOR AND ROOF DECK ATTACHMENTS HAVE BEEN COMPLETED AND ALL PERMANENT BRACING HAS BEEN INSTALLED.

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ALPHABETICAL CONVENTION

1. FOUNDATION SLAB TO INCLUDE 4-INCH BASE OF CLEAN GRADED SAND, GRAVEL, OR CRUSHED STONE FOR CAPILLARY BREAK.
2. INSTALL 10 MIL VAPOR BARRIER OVER BASE COURSE, OVERLAP JOINTS BY 6 INCHES, AND SEAL/TAPE JOINTS.
3. PLACE 6 MIL VAPOR RETARDER BETWEEN CONCRETE SLAB AND BASE COURSE, EXTEND TO FOUNDATION WALLS, OVERLAP JOINTS.
4. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT 28 DAYS. REINFORCING STEEL SHALL BE ASTM A615 GRADE 60. PROVIDE 4" X 4" REINFORCING SPICES 24" UNLESS NOTED OTHERWISE. PROVIDE 2" \times 0" CORNER BARS TO MATCH AND LAP HORIZONTAL REINFORCEMENT AT ALL GRADE BEAM AND WALL INTERSECTIONS, 30 BAR DIA. LAP MINIMUM. ALL REINFORCEMENT SHALL BE DETAILD IN ACCORDANCE WITH THE LATEST ACI DETAILING MANUAL.
5. CONTRACTOR SHALL COORDINATE ALL PENETRATIONS, CONDUIT, CHAMFERS AND EMBEDDED ITEMS PRIOR TO CONCRETE PLACEMENT. WELDED WIRE FABRIC AND WIRE SHALL BE LAPPED THE SPACING OF THE CROSS WIRES PLUS 2".

Building Thermal Envelope:

Walls: R-30 (or R-20 + R-5 continuous insulation)

Slab-on-grade floors: R-10, 4 feet

window U-factor: 0.30

Skylight U-factor: 0.55



SCALE = 1/4" = 1'-0"

[illegible]

CLIENT:

SHEET TITLE: F-

MAIN EFFECTS OF PLANT

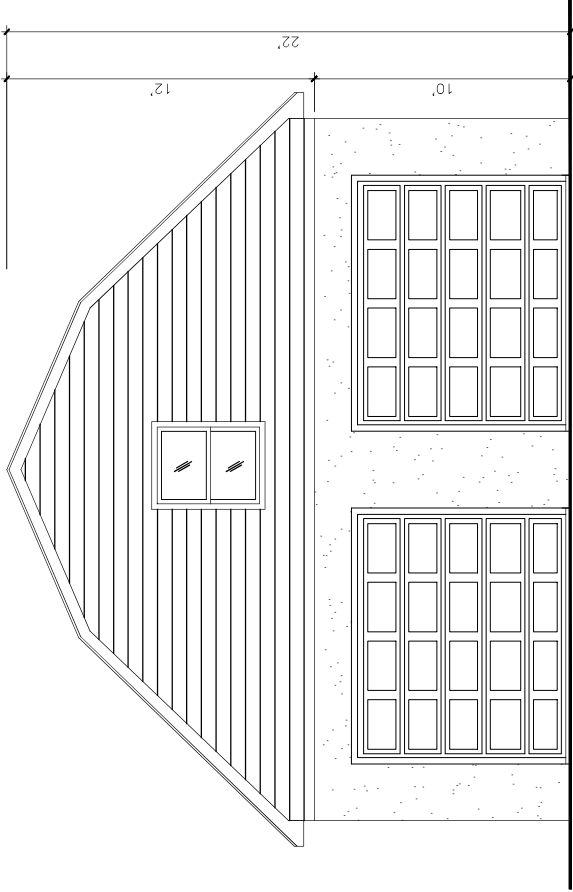
Date	08/03/2025
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Drawn by ADII

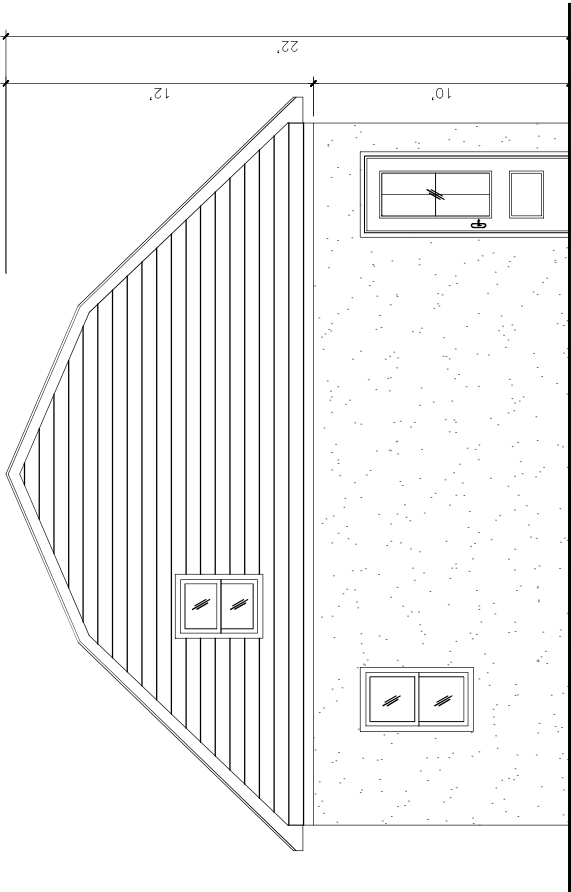
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SHEET # - 02

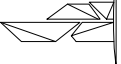
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FRONT ELEVATION
SCALE = 1/4" = 1'-0"



REAR ELEVATION
SCALE = 1/4" = 1'-0"

PROJECT NAME: --		PROJECT ADDRESS: --		CONSULTANTS:		 AS ARCHITECTS ARCHITECTURAL & INTERIOR DESIGN	
CLIENT:		SHEET TITLE: FRONT & REAR ELEVATION		Date 08/02/2025		Drawn by ADIL	
				Checked by AS		SHEET # - 05	
				Scale: 1/4" = 1'-0"			



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 *BC*

DATE: August 5, 2025

RE: Fakiye Olatunbosun
10 6th Avenue
Glen Burnie, MD 21061

NUMBER: 2025-0150-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow an accessory structure dwelling unit (ADU) 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

2025-0150-V

Menu Cancel Help

Task Details I and P Engineering

Assigned Date

09/04/2025

Assigned to

Jean Janvier

Current Status

Complete w/ Comments

Action By

Jean Janvier

Comments

1. On the Site Plan, show and label any existing and proposed stormwater management devices. If there are not any, note so on the Site Plan or in the Letter of Explanation.
2. On the Site Plan, show and label the existing water meter and its size and sewer cleanout.
3. On the Site Plan, show and label the proposed water and sewer connections to the ADU.
4. Is there an existing or proposed concrete pad and/or sidewalk for the entrance to the ADU? If so, show, label and dimension it on the Site Plan.

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

Task Specific Information

Due Date

09/17/2025

Assigned to Department

Engineering

Status Date

09/17/2025

Overtime

No

Start Time

Hours Spent

0.0

Action by Department

Engineering

Est. Completion Date

☐ Display E-mail Address in ACA

☒ Display Comment in ACA

Expiration Date

Review Notes

Reviewer Name

Reviewer Phone Number

Reviewer Email

Olatunbosun Fakiye

10 6th Ave

Brooklyn, MD 21225

Olatunbosunfakiye@gmail.com

(301) 543-9353

July 30, 2025

Anne Arundel County Office of Planning and Zoning

2664 Riva Rd, Suite 3

Annapolis, MD 21401

RE: Setback Variance Request - 10 6th Ave, Brooklyn, MD 21225

Dear Zoning Board Members,

I am writing to respectfully request a variance from the required rear setback to allow a partial conversion of our existing detached garage into an Accessory Dwelling Unit (ADU) on our property located at 10 6th Ave, Brooklyn, MD 21225. The structure currently sits approximately 2 feet from the rear property line, while the required rear setback is 7 feet under current zoning regulations.

Purpose of the Request

We are proposing to convert approximately 700 square feet of our existing two-story detached garage, which measures 33 feet by 28 feet and stands approximately 22 feet in height, into an ADU. The unit will be used to temporarily house a family member who is going through a difficult time and needs a stable living environment while working toward financial and personal recovery. The

remainder of the garage will continue to serve its existing function.

Justification for Variance

- No Expansion: The ADU conversion will take place entirely within the existing structure. There will be no changes to the garage's footprint or height.
- Pre-Existing Location: The garage was constructed in its current location before the current zoning requirements were adopted. It has existed without issue or complaints from neighbors.
- Practical Difficulty: Rebuilding or relocating the garage to meet the 7-foot setback would create an undue financial and logistical hardship and is not feasible given the space constraints on the lot.
- Family Need: This conversion is essential to supporting a family member and represents a compassionate use of existing space. It will provide privacy, stability, and dignity for someone in need of support.
- Minimal Impact: The structure is located at the rear of the lot, screened by fencing, and buffered by open space. The project will have minimal visual or physical impact on adjacent properties.

Property and Neighborhood Context

The subject property is approximately 61 feet by 130 feet (7,930 sq. ft.), located on a corner lot bordered by 6th Ave and Morgan Rd. The detached garage sits at the rear of the property, close to the back lot line, and is separated from neighboring properties by fencing and typical yard setbacks. The surrounding neighborhood includes similar detached structures, and the proposed use is consistent with the residential character of the area.

Conclusion

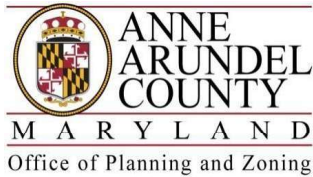
I respectfully request the Board's approval of this variance to allow for the practical reuse of an

existing structure to meet a pressing family housing need. The conversion will not impact the neighborhood negatively, does not expand the building footprint, and reflects a thoughtful, family-focused solution that adheres as closely as possible to the intent of zoning guidelines.

Thank you for your time and consideration. I am happy to provide any additional information or documentation upon request.

Sincerely,

Olatunbosun Fakiye



2664 Riva Road, P.O. Box 6675
Annapolis, MD 21401
410-222-7450

Jenny B. Dempsey
Planning and Zoning Officer

ACCESSORY DWELLING UNIT ADDRESS ASSIGNMENT

Date: July 14, 2025

Owner: Olatunbosun Fakiye
Lidia Garcia

Tax Account: **5047-1209-0400**

Property Description: Lots 20-21, Section E

Subdivision: Brooklyn Park

Zip Code: 21225

Please be advised that the accessory dwelling unit at the above-described property has been assigned the following address in accordance with the provisions of Section 18-10-122 (6):

10 6th Ave, Unit B, Brooklyn, MD 21225.

In addition, and in accordance with the provisions of Section 12-7-101, you are required to post on or about the property, numbers or letters designating the address assigned to the property. The numbers or letters shall be in plain block style at least 3 to 4 inches high, displayed on a contrasting background and posted so as to be unobstructed and clearly legible from the street named in the address of the property. Numbers or letters for multi-family structures or commercial properties shall be at least 6 inches high.

Sincerely,

A handwritten signature in cursive script that reads "Spencer Cloutier".

Spencer Cloutier
Planning Technician II
Office of Planning and Zoning
Research & GIS Section

10 6th Avenue



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



Planning

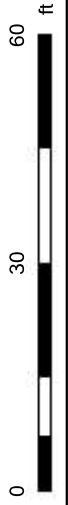
Zoning



none

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.

Notes



THIS MAP IS NOT TO BE
USED FOR NAVIGATION