

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

APPLICANT: Suzanne Edwards

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2025-0153-V

COUNCIL DISTRICT: 3

HEARING DATE: October 7, 2025

PREPARED BY: David Russell
Planner

DR

REQUEST

The applicant is seeking a variance to allow an accessory structure (detached garage) in the front yard of a non-waterfront lot with less setbacks than required on property located at 8765 Fort Smallwood Road, in Pasadena.

LOCATION AND DESCRIPTION OF SITE

The subject property is located approximately 300 feet northwest of the intersection of Hill Creek Road and Fort Smallwood Road (Parcel 464, Grid 8, Tax Map 17, Lot 3). This non-waterfront property is approximately 13,000 square feet, with approximately 100 feet of frontage along Fort Smallwood Road. The property is zoned R5 - Residential and entirely within the Chesapeake Bay Critical Area, designated as a Limited Development Area (LDA). The property is improved with a one-story single-family dwelling, attached rear deck, shed, perimeter fencing around the rear yard, and semicircular driveway.

PROPOSAL

The applicant proposes the construction of a 24' x 24' detached garage, in the front yard of a non-waterfront property.

REQUESTED VARIANCES

§ 18-2-204(b)(4) of the Anne Arundel County Code prohibits the placement of accessory structures in the front yard, on non-waterfront properties. The proposed location of the accessory structure requires variance to this section of the Code.

FINDINGS

The subject property is generally rectangular in shape and consists of approximately 13,000 square feet, exceeding the required 7,000 square feet (if served by public sewer). The property's size closely matches that of adjacent and nearby properties. The property contains approximately 100 feet of frontage along Fort Smallwood Road and is situated centrally among five properties located on the northeast side of Fort Smallwood Road, between Rockhill Road and Hillcreek Road. A review of County aerial imagery shows that none of the four adjoining properties contain garages.

Beginning at the intersection of Fort Smallwood Road and Hillcreek Road are waterfront properties. Heading northeast from the intersection, on Hillcreek Road, are five waterfront properties between 300 and 350 feet from the subject property. Of these five nearest waterfront properties, four have two-car detached garages and the other has a detached carport. Although detached garages are not found along the subject property's stretch of Fort Smallwood Road, detached garages are not uncommon for the area. The existing garages along Hillcreek Road appear to be setback between 5 and 15 feet from Hillcreek Road (the rear lot line).

Agency Comments

The **Health Department** has reviewed the above referenced variance to allow an accessory structure (garage) in the front yard of a non-waterfront lot with less setbacks than required. The property is served by public water and sewer facilities. The Health Department has no objection to the above-referenced request.

Variance Criteria

To be granted a variance it must be found that because of unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or, because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

The subject property is similarly sized as surrounding properties and exceeds minimum area requirements. The proposed garage is reasonably sized for two cars, and exceeds the minimum accessory structure front setback requirement of 40 feet. The proposed detached garage will be located approximately 8 feet from the principal residence.

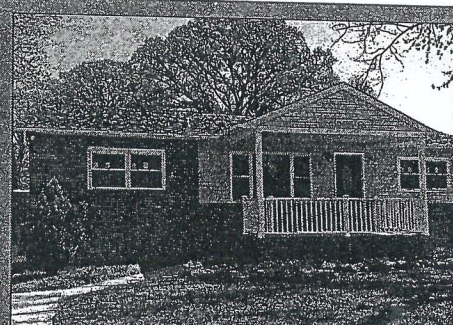
Section 18-2-204(a) of the County Code states that accessory structures are considered part of the principal structure if placed within three feet or connected to the principal structure with an enclosed breezeway of 15' or less. If the proposed garage was slightly relocated or connected to the principal structure with a breezeway a variance would not be required. The proposed garage location was determined by the applicant, to avoid the removal or damage to an existing mature tree. It appears that shifting the garage closer to the home would not impact the tree any more than its proposed location.

Given the available options to avoid a variance, this request cannot be considered the minimum necessary to afford relief. However, the granting of the variance would not alter the essential character of the neighborhood or district in which the lot is located, would not substantially impair the appropriate use or development of adjacent property, nor would it be detrimental to the public welfare.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends ***denial*** of the requested variance to § 18-2-204(b)(4) to allow an accessory structure (garage) in the front yard of a non-waterfront property.

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.



THIS IS A TWO PAGE DOCUMENT. THE ADVICE FOUND ON THE AFFIXED PAGE (PAGE 2 OF 2) IS AN INTEGRAL PART OF THE PLAT.

Suzanne Edwards, 8765 Fort Smallwood Road, Pasadena, MD 21122

Letter of Explanation

1 August 2025

I am writing this Letter of Explanation as required for a variance request and approval. I, Suzanne Edwards, am the sole homeowner at the above address and would like to build a 24x2, 2-car detached garage on my property.

Using the requirements under Article 18-16-305(c) as a guide to answer your query, this new garage will not adversely alter the neighborhood character (section (2.i) of Article above). I purposefully chose a design for the garage to blend with not only my home, but the surrounding neighborhood. It is not a pole building or metal building. I looked at many structure sellers and ultimately chose Stoltzfus Structures in PA for their use of better products and exceptional reputation. My proposed garage will be vinyl sided to match my home, upgraded the garage doors with windows, and even have flower boxes for all windows. I want my garage to be like part of my home and not be an eyesore for my neighbors. I have a concrete company ready to begin work for the footers, foundation, etc. once the permit is granted. The contractor will erect silt fence as needed around construction area.

The placement of the garage in the front yard was chosen because I cannot build on the right-hand side (looking at home from the street) as this is where my utilities come from the street. I have a larger section of property on the left-hand side of the property for the proposed garage and will blend the new part of driveway cement into the current driveway. I could not place the garage more into the back yard as there is a lovely old maple tree that I did not want to lose. (Article 18-2-204(b)(4) (Article 18-4-701) I actually have a tree expert trim my trees as needed and they suggested to "bolt" together a weakened area of that tree, which I did about 4 years ago. The tree expert said this tree will last many, many more years. I did not remove any trees from the property to prepare for this new build, but did move a butterfly bush into the back yard as it would be too close to the back of the new garage. I was notified by Anne Arundel County Zoning that I needed the variance since I am within the Critical buffer zone (Section (2.iii) of Article 18-16-305(c) above, Article 18-16-305(b), Article 16, Title 4 of county code and Article 17, Sec 8-405)).

I have enough space per the required setbacks of 7ft off the side property line, to place the garage where I proposed on my site map. My property is a rectangle shaped with the home being slightly off center to the right. The current home is a 1.5 story rancher of approx 1259 sq ft (44.5x28.3 sq ft) and a height of 22 ft tall. The house is approx 42 ft from back property line, 15 ft off right property line, 40 ft off left property line and just over 62 ft from road. The proposed 2-car garage is 576 sq ft, 15' 5 3/8" tall with a 7/12 pitch roof. The new garage will be 7 ft off left property line and 40 ft from road property line. (Article 18-2-204(b)(4) (Article 18-4-701) (Section 2.i, ii, iii and .iv of Article 18-16-305(c) above and Article 18-16-305(b)).

My immediate neighbors know I want to build a garage there and they are in agreement this is no problem for them. They liked the idea I will have a window on that side (with flowerbox). There are currently small flowers on that left side of the property and, after the garage is built, I have already talked with my landscaper that I want to plant shrubs, some just greenery and some with flowers—maybe hydrangeas—along that entire side of the garage (section 2.ii, iii and .iv of Article 18-16-305(c) above and Article 18-16-305(b)). I will also be planting shrubs along the back and right-hand side of the garage as well. The other big maple tree in the right-front side of the property remains untouched as do the two red bud tree and shrubbery in the back yard. I will follow the requirements of the County if they have specific plantings needed on my

property for the disturbance this garage build may ensue.(Article 17, Sec 8-405))Article 16, Title 4 of County code)

Adding the new plantings will make the property that much nicer for the neighborhood but also address the requirements of Article 18-16-305(b) for protection of critical areas. As a lifetime resident of Anne Arundel County, and growing up near the water, I am extremely sensitive to protecting the county's critical area and the Chesapeake watershed and areas. My property has a very slight slope from the home to the street and I currently do not have any water that sits on the property when we have rain.

I am requesting the approval of the variance required to receive the approval of a permit to build the 24x24 2-car garage on my property. Please contact via email suzannemarieedwards@gmail.com or during the day at my work phone, 240-373-2738 as I cannot have my cell phone at work. After 3:30 pm, I can be reach on my cell 443-375-9267.

Thank you for your consideration to my request. Respectfully,

Suzanne Edwards

Mid-Maryland Title Company, Inc.
File No. 10819-16
Tax ID # 03 695 00858532

1/2

This Deed, made this **24th** day of **June, 2016**, by and between **Charles Wilkes**,
GRANTOR, and **Suzanne Edwards**, GRANTEE.

LR - Deed (w Taxes)
Recording only ST20.00
Grantor/Grantee Name:
edwards
Reference/Control #:
LR - Deed (with Taxes)
Surcharge 40.00
LR - Deed State
Transfer Tax 1,685.00
LR - Non-Resident Tax
- linked 0.00

SubTotal: 1,745.00

Total 1,805.00
06/30/2016 10:23
#441182-663501 - Anne
Arundel
County/CC05-01.10 -
Register 10

- Witnesseth -

That for and in consideration of the sum of Three Hundred Thirty-Seven Thousand
And 00/100 Dollars (\$337,000.00), which includes the amount of any outstanding Mortgage or Deed
of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey
to the said Suzanne Edwards, as sole owner, in fee simple, all that lot of ground situate in the County
of Anne Arundel, State of Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 3, Section K, as shown on a Plat
entitled, "Rock Hill", which Plat is recorded among the Land Records of Anne
Arundel County, Maryland in Plat Book 19, folio 7.

The improvements thereon being known as 8765 Fort Smallwood Road, Pasadena,
Maryland 21122.

BEING the fee simple property which, by Deed dated June 1, 2015, and recorded in
the Land Records of the County of Anne Arundel, Maryland, in Liber 28565,
Folio 439, was granted and conveyed by The Secretary of Veterans Affairs, an
Officer of the United States of America unto Charles Wilkes.

Together with the buildings and improvements thereon erected, made or being; and all and
every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or
in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and
mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances
and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said
Suzanne Edwards, as sole owner, in fee simple.

And the Grantor hereby covenants that he has not done or suffered to be done any act, matter or
thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the
property hereby granted; and that he will execute such further assurances of the same as may be
requisite.

1685-
60-
ACCT 369500858532
ALL FEES ARE PAID AS
OF 6/29/16
BY: [Signature] COUNTY

06/29/16 03:42 PM C 0002 R 0002
Val #: 0002-162475 \$3,370.00
County Transfer Tax

As Witness the hand and seal of said Grantor, the day and year first above written.

WITNESS:

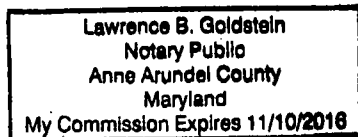
Lawrence B. Goldstein

Charles Wilkes (Seal)
Charles Wilkes

STATE OF MARYLAND }
COUNTY OF ANNE ARUNDEL } ss

I hereby certify that on this 24th day of June, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Charles Wilkes, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

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



Lawrence B. Goldstein
Notary Public
My commission expires 11/10/2016

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

Lawrence B. Goldstein
Attorney

AFTER RECORDING, PLEASE RETURN TO:
Mid-Maryland Title Company, Inc.
900 Bestgate Road
Suite 200
Annapolis, MD 21401

AGENCY: MID-MARYLAND TITLE CO.
900 BESTGATE RD, STE 200
ANNAPOLIS, MD 21401
LICENSE NO. 1835
INDEPENDENT CONTRACTOR:
LAWRENCE B. GOLDSTEIN, ESQ.
1404 STONECREEK RD.
ANNAPOLIS, MD 21403
LICENSE NO. 7393

MARYLAND
FORM
WH-AR

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

2016

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

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

1. Transferor Information

Name of Transferor Charles Wilkes

2. Reasons for Exemption

Resident Status



I, Transferor, am a resident of the State of Maryland.



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

Principal Residence



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

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

3a. Individual Transferors

Laurence B. Goldstein
Witness

Charles Wilkes

Name


Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

Title

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Anne Arundel

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

1	Type(s) of Instruments	(<input type="checkbox"/> Check Box if addendum Intake Form is Attached.)				Space Reserved for Circuit Court Clerk R		
	1 Deed	Mortgage	Other	Other				
	2 Deed of Trust	Lease						
2	Conveyance Type Check Box	X Improved Sale Arms-Length [1]	Unimproved Sale Arms-Length [2]	Multiple Accounts Arms-Length [3]	Not an Arms-Length Sale [9]			
3	Tax Exemptions (if applicable)	Recordation						
	Cite or Explain Authority	State Transfer						
		County Transfer						
4	Consideration and Tax Calculations	Consideration Amount			Finance Office Use Only			
		Purchase Price/Consideration	\$	337,000.00	Transfer and Recordation Tax Consideration			
		Any New Mortgage	\$	330,896.00	Transfer Tax Consideration		\$	
		Balance of Existing Mortgage	\$		X () % =	\$		
		Other:	\$		Less Exemption Amount -	\$		
		Other:	\$		Total Transfer Tax =	\$		
		Full Cash Value:	\$		Recordation Tax Consideration \$			
5	Fees	Amount of Fees		Doc. 1	Doc. 2	Agent: Tax Bill: C.B. Credit: Ag. Tax/Other:		
		Recording Charge	\$	60.00	\$		60.00	
		Surcharge	\$		\$			
		State Recordation Tax	\$	2,359.00	\$			
		State Transfer Tax	\$	1,685.00	\$			
		County Transfer Tax	\$	3,370.00	\$			
		Other	\$		\$			
		Other	\$		\$			
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG	
			03 695 00858532	28565/439				<input type="checkbox"/> (5)
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
		Location/Address of Property Being Conveyed (2)						
		8765 FT Smallwood Road, Pasadena, MD 21122						
		Other Property Identifiers (if applicable)					Water Meter Account No.	
		Residential <input checked="" type="checkbox"/> or Non-Residential <input type="checkbox"/>		Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/>		Amount:	N/A	
		Partial Conveyance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description/Amt. of SqFt/Acreage Transferred: N/A				
		If Partial Conveyance, List Improvements Conveyed: N/A						
7	Transferred From	Doc. 1 – Grantor(s) Name(s)			Doc. 2 – Grantor(s) Name(s)			
		Charles Wilkes			Suzanne Edwards			
		Doc. 1 – Owner(s) of Record, if Different from Grantor(s)			Doc. 2 – Owner(s) of Record, if Different from Grantor(s)			
8	Transferred To	Doc. 1 – Grantee(s) Name(s)			Doc. 2 – Grantee(s) Name(s)			
		Suzanne Edwards			Andrew L. Jiranek, Trustee			
		New Owner's (Grantee) Mailing Address						
		8765 FT Smallwood Road, Pasadena, MD 21122						
9	Other Names to Be Indexed	Doc. 1 – Additional Names to be Indexed (Optional)			Doc. 2 – Additional Names to be Indexed (Optional)			
					Intercontinental Capital Group, Inc.			
10	Contact/Mail Information	Instrument Submitted By or Contact Person					<input checked="" type="checkbox"/> Return to Contact Person <input type="checkbox"/> Hold for Pickup <input type="checkbox"/> Return Address Provided	
		Name: Molly McGettrick						
		Firm: Mid-Maryland Title Company, Inc.						
		Address: 900 Bestgate Road, Suite 200						
		Annapolis, MD 21401 Phone: (410) 573-0017						
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER							
	Assessment Information	X Yes	No	Will the property being conveyed be the grantee's principal residence?				
		Yes	X No	Does transfer include personal property? If yes, identify: _____				
		Yes	X No	Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).				
Assessment Use Only – Do Not Write Below This Line								
Terminal Verification		Agricultural Verification		Whole	Part	Tran. Process Verification		
Transfer Number		Date Received:		Deed Reference:		Assigned Property No.:		
Year	20	20		Geo.	Map	Sub	Block	
Land				Zoning	Grid	Plat	Lot	
Buildings				Use	Parcel	Section	Occ. Cd.	
Total				Town Cd.	Ex. St.	Ex. Cd.		
REMARKS:								

Suzanne Edwards, 8765 Fort Smallwood Road, Pasadena, MD 21122

Critical Area Project Notification Narrative

1 August 2025

I am writing this narrative for the Critical Area Project Notification as required for a variance request and approval. I, Suzanne Edwards, am the sole homeowner at the above address and would like to build a 24x24, 2-car detached garage on my property. This property is my primary and only residence and a garage would house my vehicle. When my son, a Marine stationed out of state, come home, he works on his old Bronco and having a place to work inside out of the weather would be so much better. I will also provide much needed storage for items like holiday décor and deck furniture as the house does not have very much storage space.

There has been no removal of trees in order for the garage to be built. I did relocate a butterfly bush to my back garden as it would have been where the back of the garage will be located. I currently have a large maple tree located in the front right side of the property and another large maple tree in the left side in the back yard. This tree is why the garage is being built more toward the front yard so not to disturb the beautiful tree and this root system. I also have two small red bud trees, one on the left and right sides of the back yard. All of the trees are marked on the site map as part of this variance required paperwork. I also have shrubs located in front of the front porch and these are not moving. This garden has a large hydrangea tree and one hydrangea bush, and five other bushes (I can't recall the name) directly in front of porch. There is also a large shrub and flower garden along the back fence line. This includes a hibiscus tree, 2 hydrangea bushes, day lilies of various sizes and other plants and flora. The front split rail fence also has day lilies planted (not included the sq ft since it's flowers, not a shrub). This is approx. 330 square footage that is vegetated. I plan to mitigate any disturbance by adding shrubbery to both sides and back of the garage once it is built.

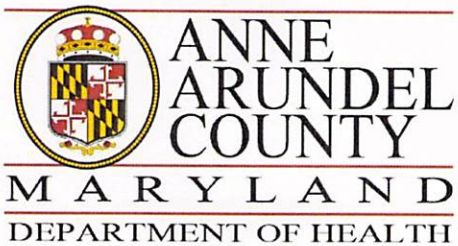
To minimize any impact on water quality and habitat, a silt fence will be erected on site during construction.

The impervious amount before the garage construction and new driveway to tie into the current driveway is approx. 1556 sq ft. Once the new garage and driveway are complete, the new impervious sq ft is approx. 2582.

I am requesting the approval of the variance required to receive the approval of a permit to build the 24x24 2-car garage on my property. Please contact via email suzannemarieedwards@gmail.com or during the day at my work phone, 240-373-2738 as I cannot have my cell phone at work. After 3:30 pm, I can be reached on my cell 443-375-9267.

Thank you for your consideration to my request. Respectfully,

Suzanne Edwards




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: August 11, 2025

RE: Suzanne Edwards
8765 Fort Smallwood Road
Pasadena, MD 21122

NUMBER: 2025-0153-V

SUBJECT: Variance/Special Exception/Rezoning

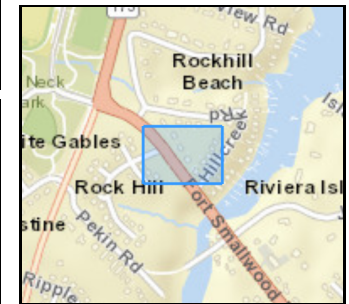
The Health Department has reviewed the above referenced variance to allow an accessory structure (garage) in the front yard of a non-waterfront lot with less setbacks than required.

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

8765 Fort Smallwood Road



Legend

Foundation

Addressing



Parcels



Parcels - Annapolis City



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.

Nearmap

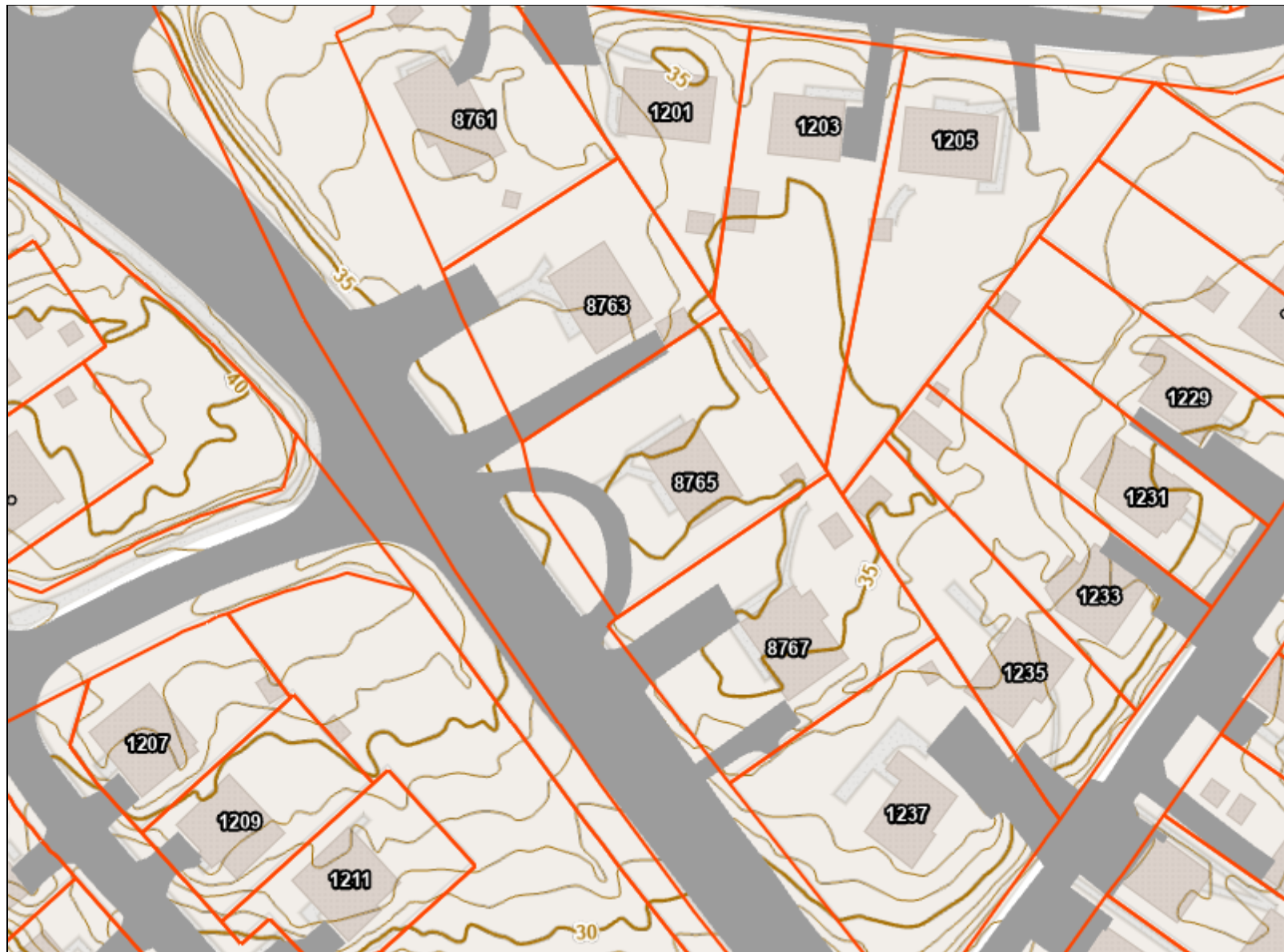
0 50 100
ft



THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes

8765 Ft. Smallwood Road topographic map



Legend

Foundation

Addressing

•

Parcels



Structure

County Structure



Elevation

Topo 2023

Index

Intermediate



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.

0 100 200
ft

Esri Community Maps Contributors,
County of Anne Arundel, VGIN, ©
OpenStreetMap, Microsoft, Esri,
TomTom, Garmin, SafeGraph,
GeoTechnologies, Inc, METI/NASA,



THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes 1"=100'