

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

**APPLICANT:** John A. Kelly and Pamela S. Kelly

**ASSESSMENT DISTRICT:** 3

**CASE NUMBER:** 2025-0189-V

**COUNCIL DISTRICT:** 5

**HEARING DATE:** November 25, 2025

**PREPARED BY:** Jennifer Lechner  
Planner



**REQUEST**

The applicants are seeking a variance to allow pilings with less setbacks than required on property located at 862 Doris Drive in Arnold.

**LOCATION AND DESCRIPTION OF SITE**

The subject site consists of 11,154 square feet of land and is located with road frontage on the west side of Doris Drive. It is identified as Lot 20 in Block A of the Longview on the Magothy subdivision, Parcel 413 in Grid 18 on Tax Map 32. The property is zoned R5 – Residential District. This waterfront lot on Spriggs Pond lies entirely within the Chesapeake Bay Critical Area IDA – Intensely Developed Area, and is mapped as a BMA – Buffer Modification Area along the shoreline. It is improved with a one and a half-story dwelling, a residential pier, and other associated improvements.

**PROPOSAL**

The applicants propose to install a boat lift (13' x 10'), with four (4) mooring pilings on the south side of the existing pier.

**REQUESTED VARIANCES**

§ 18-2-404(b) of the Anne Arundel County Zoning Ordinance provides that a private pier or mooring piling shall be located at least 15 feet from a lot line extended. The proposed mooring pilings will be as close as three (3) feet and five (5) feet to the southern side lot line extended, necessitating variances of twelve (12) feet and ten (10) feet.

**FINDINGS**

The subject property is oversized for lots served by public sewer in the R5 District, with regard to the minimum lot size of 5,000 square feet and the minimum lot width of 50 feet. A review of the County aerial photography shows a curving shoreline with the nearby piers angling towards each other. Most of the piers in this cove have mooring pilings and boat lifts.

Two nearby properties had been granted variances to allow piers and pilings with less setbacks: 866 Doris Drive (2017-0027-V) and 868A Doris Drive (2007-0261-V).

Building permit B02440156, to remove a floating platform and install four (4) piles at the subject property, was submitted on September 18, 2025. Variance approval is required prior to the permit being issued.

### Agency Comments

The **Development Division (Critical Area Team)** commented on revisions that would be required during permitting, but offered no objection to the request.<sup>1</sup>

The **Health Department** has no objection.

### Variance Criteria

For the granting of a 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, strict implementation of the Code would result in practical difficulties or an unnecessary hardship.

In this particular case, the subject property is located along a curved shoreline, and the nearby piers angle toward the center of the cove. The resulting wedge-shaped buildable areas over the water creates a practical difficulty in accommodating slips along the piers which comply with the Code. Although the proposed pilings will be located relatively close to the adjacent neighbor's pilings, the variance will not substantially impair the appropriate use or development of adjacent property, be detrimental to the public welfare, or impact the navigation or use and enjoyment of the adjacent waterfront lots. In addition, the granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located as piers with mooring pilings are a common amenity for waterfront lots, and the close proximity is normal for piers in a cove.

### 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 the requested zoning variance to § 18-2-404(b) to allow two (2) mooring pilings with less setbacks than required, as shown on the site plan.

**DISCLAIMER:** This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) shall apply for and obtain the necessary building permits and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.

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<sup>1</sup> Refer to the OPZ Critical Area Team's comments for their detailed response.

860 Doris Dr.  
Arnold, MD. 21012  
Lohr

862 Doris Dr.  
Arnold, MD. 21012  
Kelly

864 Doris Dr.  
Arnold, MD. 21012  
Brown

MHWL  
MLWL

-6 -5 -4 -3 -2 -1  
-5 -4 -3 -2 -1 -0

52'

15'

\* 1:40 Scale  
Existing Layout  
≈ Spriggs Pond ≈



860 Doris Dr.  
Arnold, MD. 21012  
Lohr

862 Doris Dr.  
Arnold, MD. 21012  
Kelly

864 Doris Dr.  
Arnold, MD. 21012  
Brown

\* 1:40 Scale  
Proposed Layout  
≈ Spriggs Pond ≈



Letter of Explanation

862 Doris Dr. Arnold, MD. 21012

John & Pamela Kelly

**Proposed Work**

We are seeking a variance for a 13'w x 10'l boat lift and the associated poles with less setbacks than required. Two of the four poles required will be in the setback. One pole 12' into the setback or 3' off the southern extended property line and one pole 10' into the setback or 5' off the southern extended property line. All work a max of 38' channel ward of the mean high-water line.

**Hardship**

The Kellys property has a waterfront footage of 52'. Normally that would be plenty of waterfront footage to accommodate a 6'w pier and a 13'w boat lift. This is not the case for John & Pamela. Due to the neighboring piers both angling towards their pier this severely reduces the buildable area once the northern and southern extended property lines with the 15' setbacks are drawn. The pier at 862 Doris Dr. currently does not have any mooring poles like most of the neighboring properties or piers within Spriggs Pond. Due to John and Pamela not having a slip they cannot safely moor a boat for an extended period. There is no location for a slip/boat lift on the existing pier, that would not require variance approval. John and Pamela currently own a 23-foot center console that they wish to store safely at their pier, the approval of this variance grants them this right. The addition of the boat lifts/slips does not change the character of the Longview on The Magothy subdivision as numerous residents have multiple boat lifts/slips.

Thank you,

Tim Glaser

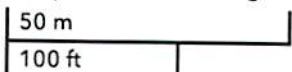
Please contact Tim Glaser with any questions or information

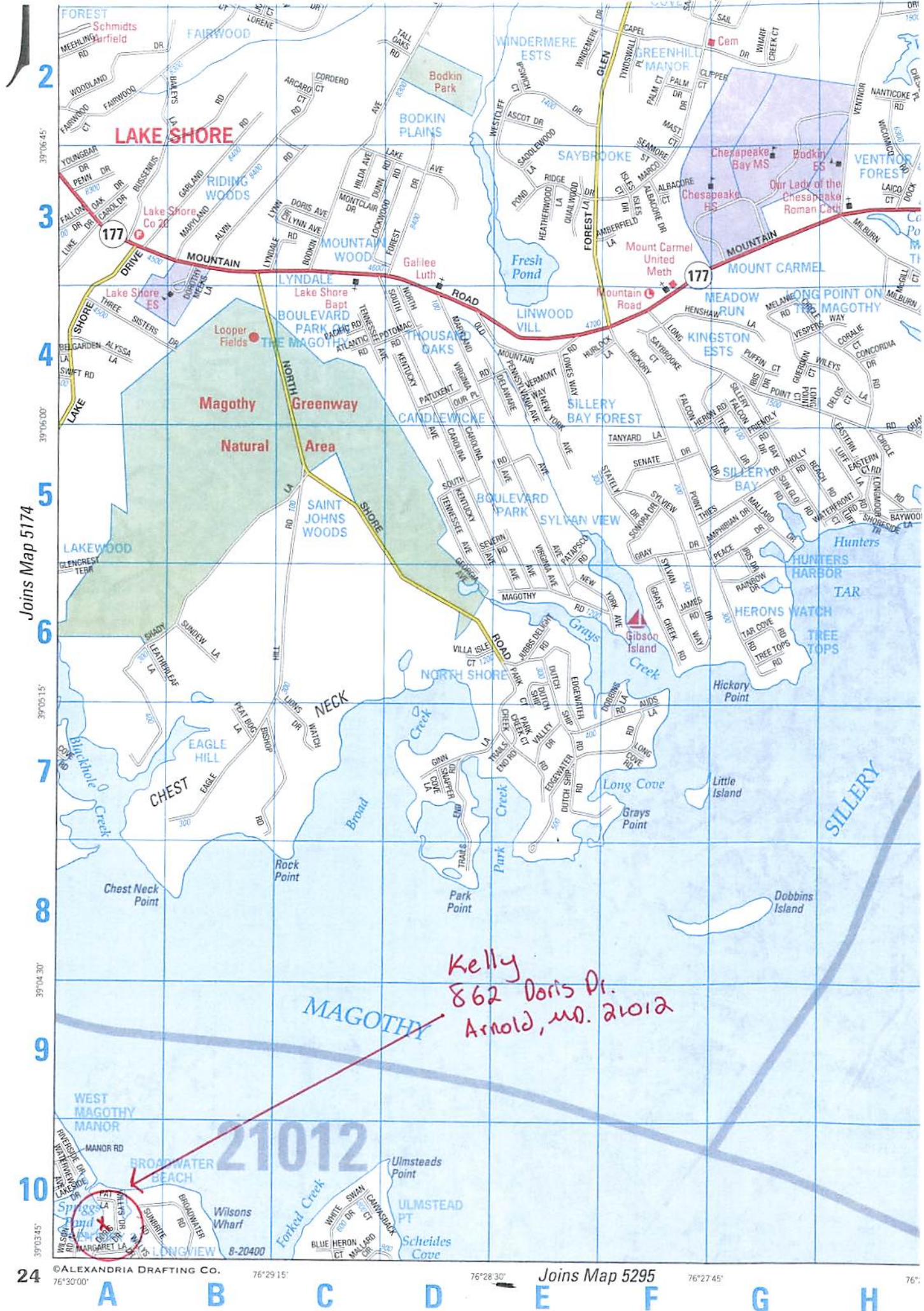
[tim@magnumlift.com](mailto:tim@magnumlift.com)

1-800-268-5911

1901 Betson Ct.

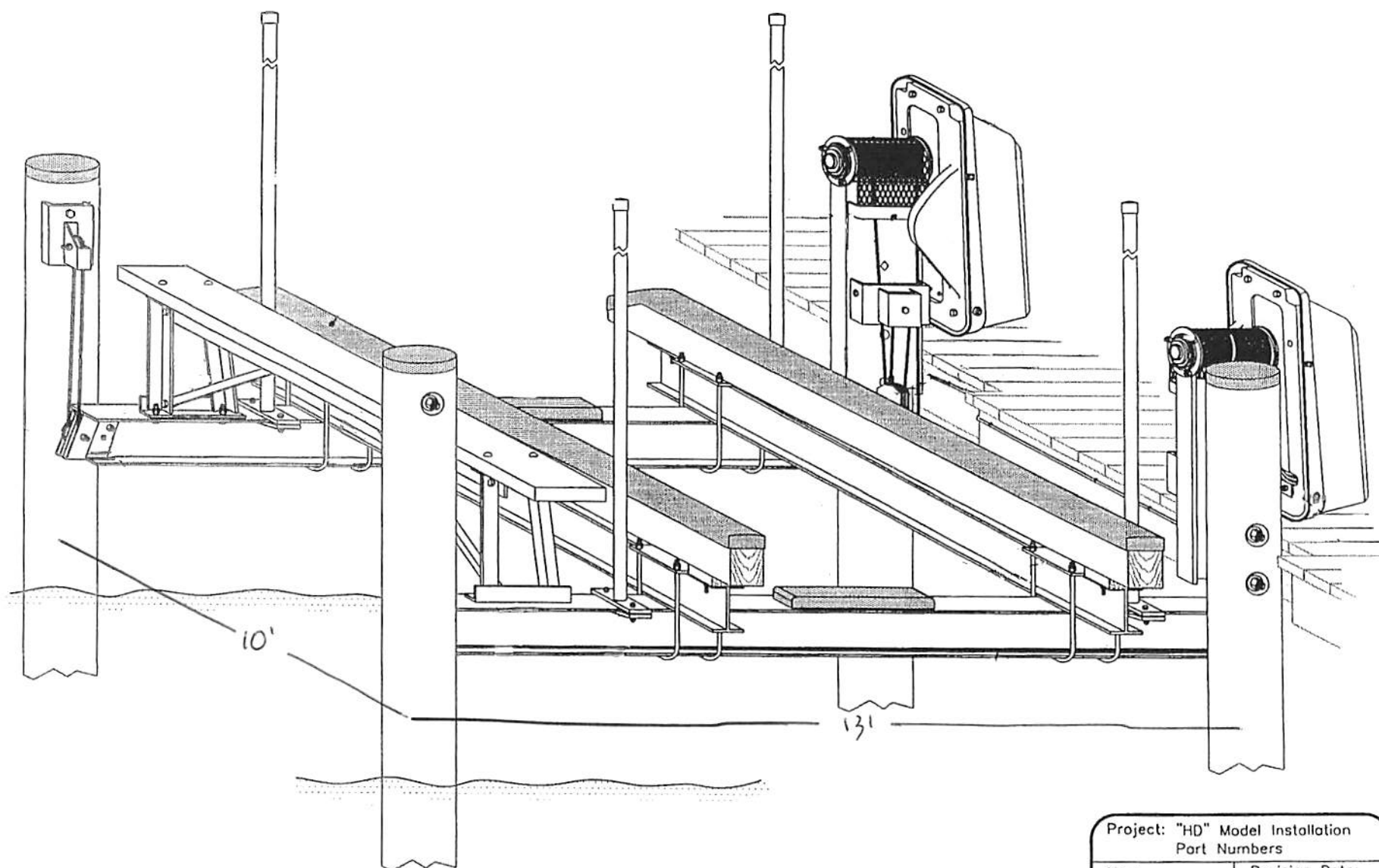
Odenton, MD. 21113





## GENERAL NOTES:

1. FOR LIST OF MATERIALS RELATED TO PART NUMBERS, SEE PARTS LIST.



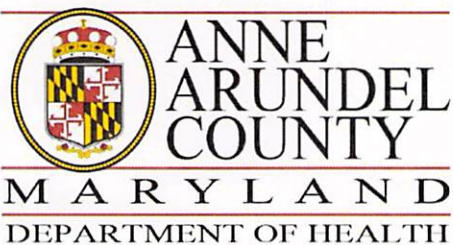
Project: "HD" Model Installation  
Port Numbers

No.: 002      Revision Date:

Scale: None      Date: 02-22-01      Sheet: 1 of 1

# 2025-0189-V

<b>Menu</b>	<b>Cancel</b>	<b>Help</b>
<b>Task</b> OPZ Critical Area Team <b>Assigned to Department</b> OPZ Critical Area <b>Action by Department</b> OPZ Critical Area <b>Start Time</b>	<b>Due Date</b> 10/10/2025 <b>Assigned to</b> Melanie Mathews <b>Action By</b> Melanie Mathews <b>End Time</b>	<b>Assigned Date</b> 10/03/2025 <b>Status</b> Complete w/ Comments <b>Status Date</b> 10/03/2025 <b>Hours Spent</b> 0.0
<b>Billable</b> No	<b>Overtime</b> No	<b>Comments</b> The proposed plans have been reviewed under permit B02440156. The property line extensions are drawn correctly as generally parallel. The applicant will be required to provide the closest distances between the proposed pilings and adjacent pilings of 864 Doris. Other than this single requirement, the critical area section of OPZ has no objection to the requested variances.
<b>Time Tracking Start Date</b> <b>Display E-mail Address in ACA</b> No	<b>Est. Completion Date</b> <input checked="" type="checkbox"/> <b>Display Comment in ACA</b>	<b>In Possession Time (hrs)</b> <b>Comment Display in ACA</b> <input checked="" type="checkbox"/> All ACA Users <input checked="" type="checkbox"/> Record Creator <input checked="" type="checkbox"/> Licensed Professional <input checked="" type="checkbox"/> Contact <input checked="" type="checkbox"/> Owner
<b>Estimated Hours</b> 0.0	<b>Action</b> Updated	<b>Workflow Calendar</b>
<b>Task Specific Information</b>		
<b>Expiration Date</b>	<b>Review Notes</b>	<b>Reviewer Name</b> Melanie Mathews
<b>Reviewer Phone Number</b> 410-222-6136	<b>Reviewer Email</b> PZMATH20@aacounty.org	



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 *BC*  
Bureau of Environmental Health

DATE: September 26, 2025

RE: John Kelly  
862 Doris Drive  
Arnold, MD 21012

NUMBER: 2025-0189-V

SUBJECT: Variance/Special Exception/Rezoning

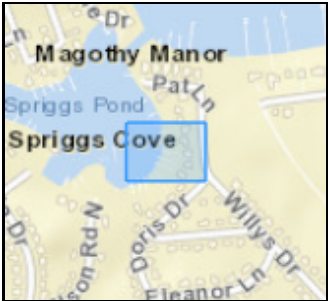
The Health Department has reviewed the above referenced variance to allow pilings with less setbacks than required.

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

862 Doris Drive (2025-0189-V)



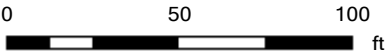
Legend

- Foundation
- Addressing
  -
- Parcels
  - ▢
- Parcels - Annapolis City
  - ▢
- Planning
- Zoning
  - ▢



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 | none



THIS MAP IS NOT TO BE  
USED FOR NAVIGATION

Notes