

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

APPLICANT: Leon Gray Jr.

ASSESSMENT DISTRICT: 5th

CASE NUMBER: 2025-0192-V

COUNCILMANIC DISTRICT: 1st

HEARING DATE: December 4, 2025

PREPARED BY: Donnie Dyott Jr.
Planner



REQUEST

The applicant is requesting a variance to allow a dwelling addition (porch with steps) with less setbacks than required on property located at 5215 6th Street in Baltimore.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of approximately 13,650 square feet of land and is identified as Lot 7 of Parcel 65 in Block 20 on Tax Map 2 in the Nixdorff subdivision. According to the site plan, the property lies in both Anne Arundel County and the City of Baltimore. The front portion of the site and the area that is the subject of the variance request is located within Anne Arundel County. The property is zoned R5 - Residential District, is currently improved with a single family detached dwelling and associated facilities and is not located within the Chesapeake Bay Critical Area.

APPLICANT'S PROPOSAL

The applicant seeks approval to construct an "L" shaped wrap-around porch with steps to grade on the front and south side of the existing dwelling. The porch will have a depth of 7 feet and will be 20 feet wide on the front of the dwelling and 24 feet wide on the side of the dwelling. The proposed height of the porch will be 15 feet.

REQUESTED VARIANCES

§ 18-4-701 of the Anne Arundel County Zoning Code stipulates that principal structures in an R5 - Residential District shall be set back a minimum of 20 feet from the front lot line. The proposed porch will be located as close as 16 feet from the front lot line and the proposed steps will be located as close as 12 feet from the front lot line, necessitating variances of 4 feet and 8 feet respectively.

AGENCY COMMENTS

The **Health Department** commented that they have no objection as the property is served by public water and sewer facilities.

FINDINGS

The applicant describes that the home was built in 1930 and included an L shaped wrap-around porch made of masonry with a concrete slab, support columns, a roof and steps. In August of 2010 the roof fell off and the remaining concrete has deteriorated. The new porch would be a replacement of what is there with the roof being added back. The setbacks would remain the same as the historical configuration and all setbacks would be met with the exception of the front lot line.

A review of the aerials for the site confirm that the porch roof was present until sometime around 2010 and that the porch has existed for more than 20 years. While the roof being gone since 2010 means that the structure is not eligible for in-kind replacement, the structure has existed within the front setback for many years. The proposed porch will be in the same configuration with a new roof added, and will come no closer to the front lot line than what has been historically present.

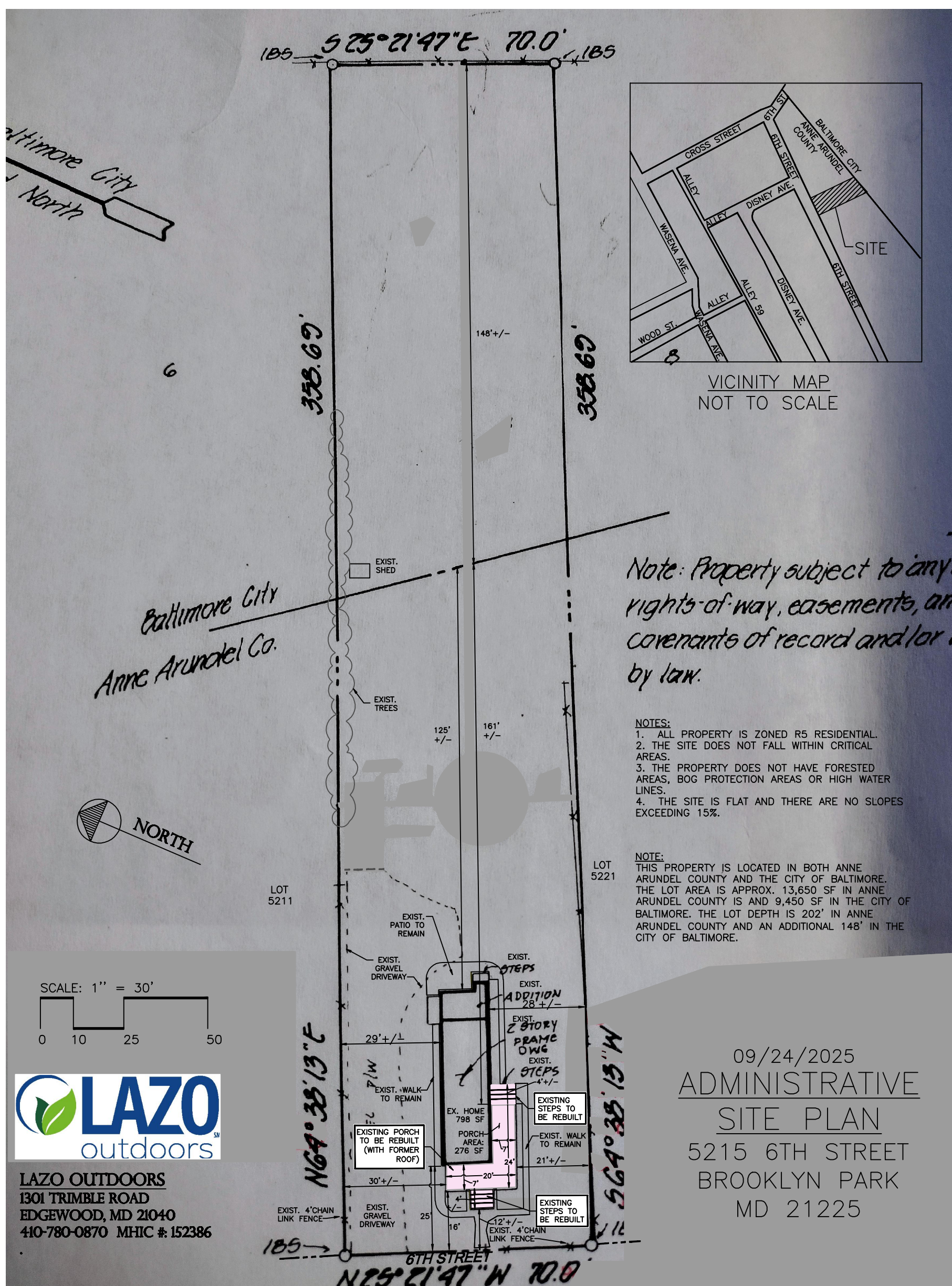
With regard to the variance standards, it can be argued that the longstanding location of the structure within the front lot line setback creates a situation where replacement is impossible without relief from the Code. As such, the applicant has an argument that relief is warranted to avoid practical difficulties. As the porch and steps come no closer than what has historically existed, this Office considers the variances to represent the minimum necessary to afford relief.

There is no evidence that the proposed variances will alter the essential character of the neighborhood, be detrimental to the public welfare, impair the use or development of adjacent property or reduce forest cover in the LDA or RCA.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends **approval** of zoning variances to §18-4-701 to the front lot line setback to allow the dwelling addition (porch and steps) 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.





1301 Trimble Road
Edgewood, MD 21040
(410) 780 - 0780

LETTER OF EXPLANATION

By: Marcel Mileo, RLA

Date: September 24, 2025

Subject: Variance Request

Property Address: 5215 Sixth Street, Brooklyn Park MD 21225

Variance Request: To install a porch to match existing porch dimensions and setbacks, and to add back the roof that fell off in August of 2010.

Hardship: Current zoning regulations do not allow installing a roofed porch as it was before because it encroaches into the front yard.

Project Description:

This property was built in 1930 and the original home included an L shaped wraparound porch. The porch was made out of masonry and consisted of a concrete slab, support columns, a roof and steps. Up to approximately August of 2010 the roof of the porch remained intact. After that time the roof fell off. Presently the concrete is deteriorated. Please see photos provided.

Property: The property is approximately 70' wide. The depth is 202' in Anne Arundel County and an additional 148' in the City of Baltimore. The property has an area of 13,650 sf in Anne Arundel County and approximately 9,450 sf in the City of Baltimore. It is flat. The neighborhood is a dense neighborhood and the majority of the lots are narrow. Many of the existing homes sit close to the front property line.

Residence: The existing residence is approximately 18' high and occupies an area of 798 sf. It measures 52' by 15'. The setbacks are: front yard 25', side yards 29' and 28' and rear yard is approximately 125' in Anne Arundel County and an additional 148' in the City of Baltimore.

Porch: The current porch no longer has a roof. The height is 3'. It is 7' deep along the front and along the side. The front length is 20' and the side length is 24'. The front yard setback is 16'. The side yard setbacks are 30' and 21'. The rear yard setback is approximately 161' in Anne Arundel County and an additional 148' in the City of Baltimore. The square footage is 276 sf. Once the roof is added the total height will be approximately 15'.

The owner would like to install a new porch of the same dimensions as what is currently there but adding back the roof that it formerly had. It would also be made out of masonry. The setbacks would all remain the same as what is there now. Current zoning regulations do not allow a porch of these dimensions to be installed. It would be too close to the front property line. It is our request that a variance be granted that would allow the owner to construct a new roofed porch of the same dimensions as what is there now and adding back the roof.

If any additional information is required I can be reached at 717-802-1486 or marcel@lazooutdoors.com.

MT/C# 198787AG

BOOK 4509 PAGE 632

This Deed, MADE THIS 2nd day of December

in the year one thousand nine hundred and eighty-seven by and between

H. EDWARD FOUNTAINE and ROSALIE BALLOU and JACQUELYN GAST, Grantors, parties

of
XX

of the first part, and

LEON E. GRAY, JR. and DEBORAH JANE GRAY, Husband and Wife, Grantees, parties

of the second part.

WITNESSETH, That in consideration of the sum of SIXTY THREE THOUSAND AND 00/100 DOLLARS
(\$63,000.00)

and other good and valuable considerations, the receipt whereof is hereby acknowledged

the said Grantors

WO
RECORD FEE 13.00
RECORD TAX 441.00
TRANS TAX 315.00
CNTY TAX 630.00
TOTAL 1399.00
#106670 C055 R02 T15:24
12/04/87

do grant and convey to the said Grantees, as tenants by the entireties, their
assigns, the survivor of them, and the survivor's

personal representatives/successors and assigns, in fee simple, all

that lot of ground situate in ANNE ARUNDEL County, Maryland
and described as follows, that is to say:

BINDING on the east side of County Road, southerly from the southeast side of the sixth Street Road, fronting on said County Road seventy feet, with a depth of three hundred and fifty-eight feet and six inches of even width; situate and lying partly in the fifth Election District of Anne Arundel County and partly in the City of Baltimore, in the State of Maryland, said Lot being known as Lot No. Seven (7) on the Plat of F.S. Nixdorff, filed among the Land Records of Anne Arundel County in Plat 14, at Page 25 (formerly in Plat Liber G.W. No. 1, folio 104). The improvements thereon being known as No. 5215 Sixth Street. Now recorded among the Plat Records of Anne Arundel County in Plat Book 14, at page 25.

Being the same property in a Deed dated January 17, 1974 and recorded among the Land Records of Anne Arundel County in Liber WGL 2651, folio 825 granted and

personal representatives/successors and assigns

, in fee simple, all

that lot of ground situate in ANNE ARUNDEL County, Maryland
and described as follows, that is to say:

BINDING on the east side of County Road, southerly from the southeast side of the sixth Street Road, fronting on said County Road seventy feet, with a depth of three hundred and fifty-eight feet and six inches of even width; situate and lying partly in the fifth Election District of Anne Arundel County and partly in the City of Baltimore, in the State of Maryland, said Lot being known as Lot No. Seven (7) on the Plat of F.S. Nixdorff, filed among the Land Records of Anne Arundel County in Plat 14, at Page 25 (formerly in Plat Liber G.W. No. 1, folio 104). The improvements thereon being known as No. 5215 Sixth Street. Now recorded among the Plat Records of Anne Arundel County in Plat Book 14, at page 25.

1300
44100
31500
63000
Being the same property in a Deed dated January 17, 1974 and recorded among the Land Records of Anne Arundel County in Liber WGL 2651, folio 825 granted and conveyed by George Barnstoff, Jr. unto H. Edward Fountaine, Rosalie Ballou, Jacquelyn Gast.

BY the execution of this Deed, the party of the first part hereby certifies under the penalties of perjury that the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, is as
D hereinbefore set forth.

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Anne Arundel County
KENNETH H. TSCHANNKE

ACCT. 5-573-05180100
ALL LIENS ARE PAID AS
OF 12/04/87 A. A. COUNTY
CONTROLLER BY Jm.

By JH 54K Date 4 Dec 87

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND TO HOLD the said described lot of ground and premises to the said Grantees, as tenants by the entireties, their assigns, the survivor of them, and the survivor's

personal representatives ~~successors~~

and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors

Test:

H. Edward Fountaine (SEAL)
H. EDWARD FOUNTAINE

Cecily H. Hale

Jacquelyn S. Gast (SEAL)
JACQUELYN GAST
Rosalie Ballou (SEAL)
ROSALIE BALLOU

STATE OF MARYLAND, *Anne Mundell*, to wit:

I HEREBY CERTIFY, That on this *2nd* day of *December*, in the year one thousand nine hundred and *eighty-seven*, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared JACQUELYN GAST, EDWARD FOUNTAIN and ROSALIE BALLOU

known to me (or satisfactorily proven) to be the persons whose name ~~S~~ is/are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

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

STATE OF MARYLAND, *Anne Mundell*, to wit:

I HEREBY CERTIFY, That on this *2nd* day of *December*,
in the year one thousand nine hundred and *eighty-seven*, before me,
the subscriber, a Notary Public of the State aforesaid, personally appeared *JACQUELYN GAST*,
EDWARD FOUNTAIN and ROSALIE BALLOU

known to me (or satisfactorily proven) to be the person^S whose name ^S ~~X~~is/are subscribed to
the within instrument, and acknowledged the foregoing Deed to be ~~their~~ act, and in my presence signed and
sealed the same.

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

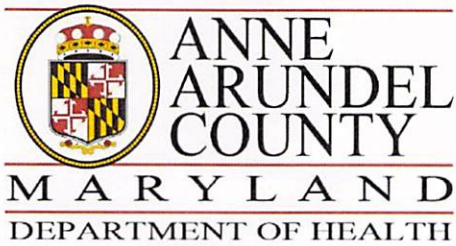
My Commission expires:

July 1, 1990

Carolyn L. Hale
Notary Public



Mail to
Leon E. Gray Jr.



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: October 3, 2025

RE: Leon E. Gray, Jr.
5215 6th Street
Baltimore, MD 21225

NUMBER: 2025-0192-V

SUBJECT: Variance/Special Exception/Rezoning

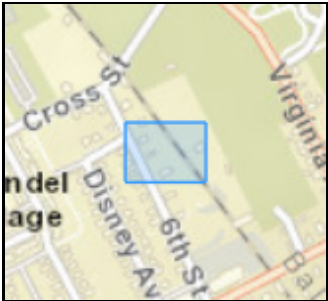
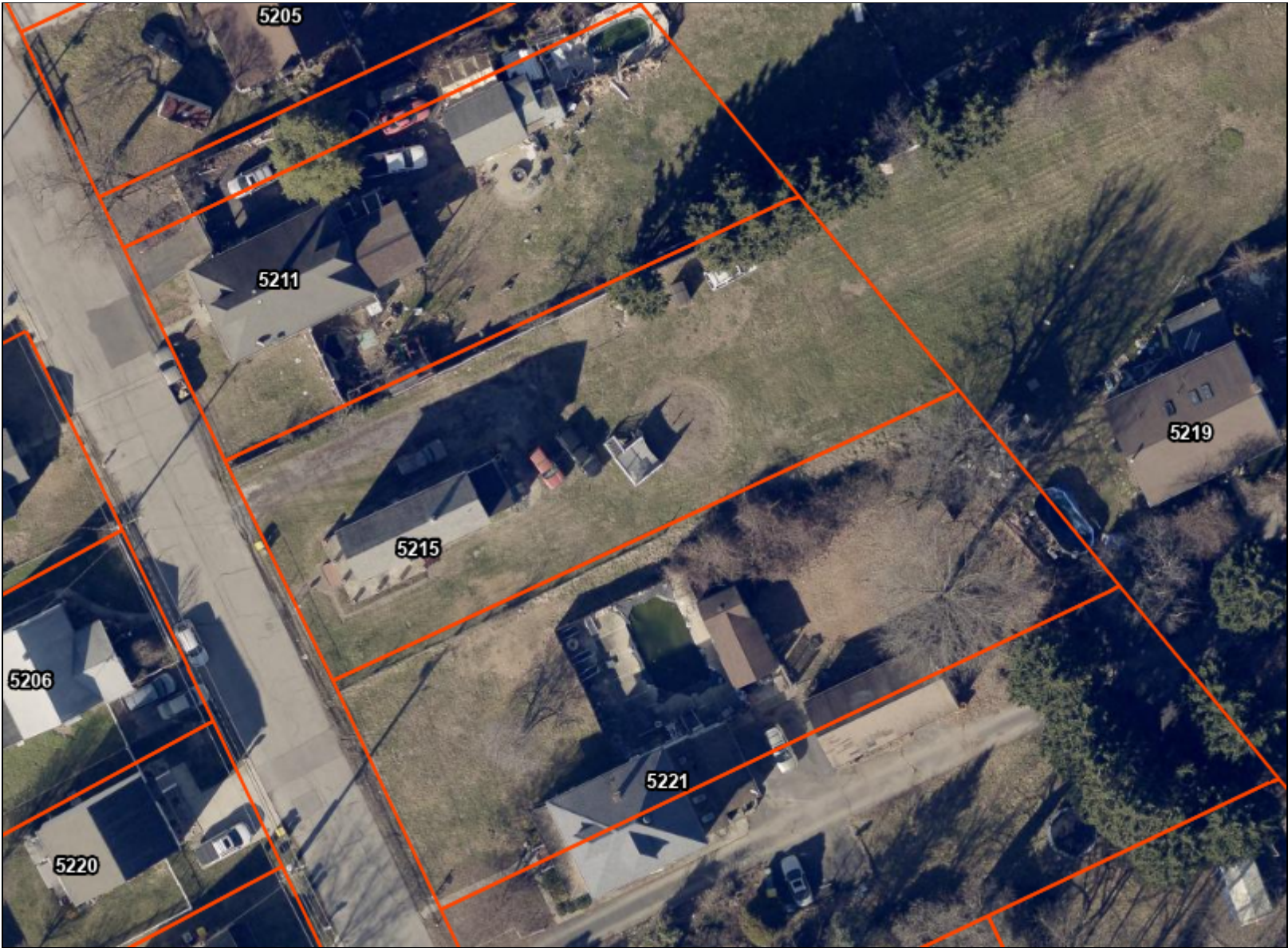
The Health Department has reviewed the above referenced variance to allow a dwelling addition (porch with steps) with less setbacks than required.

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

Map Title

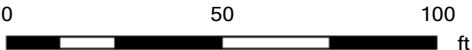


Legend

- 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.



THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes