

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

**APPLICANT:** Chessie Homes LLC

**ASSESSMENT DISTRICT:** 3<sup>rd</sup>

**CASE NUMBER:** 2025-0188-V

**COUNCILMANIC DISTRICT:** 2<sup>nd</sup>

**HEARING DATE:** December 9, 2025

**PREPARED BY:** Joan A. Jenkins  
Planner III



**REQUEST**

The applicant is requesting a variance to allow a dwelling with less setbacks than required on property known as 305 Broad Avenue in Glen Burnie.

**LOCATION AND DESCRIPTION OF SITE**

The subject site consists of 2,800 square feet of land and is located with 40 feet of frontage on the south side of Broad Avenue. It is identified as lot 36 and part of lot 37 of Parcel 146 in Block 23 on Tax Map 9 in the Glen Burnie Heights subdivision.

The property is zoned R5 – Residential District, as adopted by the comprehensive zoning for Region 3, effective June 22, 2025. The site is not located within the Chesapeake Bay Critical Area. It is currently unimproved and wooded.

**PROPOSAL**

The applicant seeks approval to construct a two-and-a-half-story, single-family, detached dwelling with a basement. The proposed house footprint measures 26 feet by 30 feet (780 square feet) plus a 3' by 5' (15 square foot) covered front entry deck with steps, and a rear areaway with steps to the basement. The proposed dwelling height is 28 feet.

**REQUESTED VARIANCES**

§ 18-4-701 of the Anne Arundel County Zoning Code provides that a principal structure in an R5 District shall be set back a minimum of 20 feet from the front lot line. The proposed dwelling would be constructed 18 feet from the front lot line with the covered front deck 15 feet from the front lot line, necessitating variances of two feet and five feet, respectively.

§ 18-4-701 also provides that a principal structure in an R5 District shall be set back a minimum of 35 feet from a principal arterial or higher classification road. At its closest point, the proposed dwelling would be constructed fourteen feet from the rear lot line, abutting the MD Rt 100 (a freeway) right-of- way, necessitating a variance of 21 feet.

## **FINDINGS**

The subject property is trapezoidal in shape and is undersized for the district. More specifically, while the 40-foot width does not meet the minimum 50-foot width required, the 2,800 square foot lot is substantially smaller than the minimum 5,000 square foot area required for new lots served by public sewer in an R5 District. A review of the 2025 County aerial photograph shows a neighborhood developed with generally modest single-family dwellings. The subject property is part of a shallow triangular block of lots located between Broad Avenue and MD Rt. 100. When the lots were originally platted in 1919, they were much deeper, 126-foot, rectangular lots. However, when the curved MD Rt. 100 was constructed, the lots were substantially truncated, resulting in shallow, irregularly-shaped lots.

Variances have recently been granted for 307 and 309 Broad Avenue for similar dwellings with less setbacks than required.

The **Office of Inspections and Permits Engineering Division** commented the following:

1. The arrangement of the lots in Section PP of the recorded record plat and the plan do not appear to match. Revise as needed.
2. Note there is a required 455-foot setback from the site's property line to the edge of mainline pavement of MD-100. A Modification for Article 17-6-110 will be required at the Grading Permit.
3. Alternate methods of stormwater management may be required if the WQv cannot be met by Rooftop and Non-Rooftop Disconnections due to the size of the lot.

The **Health Department** commented that the property is served by public water and sewer facilities. Therefore, the Department has no objection to the variance request.

The **Maryland Aviation Administration** commented that the address is located within the BWI Marshall 4-mile radius. The Applicant must file for an Airport Zoning Permit (AZP) with the Maryland Aviation Administration (MAA) Office of Planning and Environmental Services (OPES) in accordance with Code of Maryland (COMAR) 11.03.06.03A.

For the granting of a zoning variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to or inherent in the particular lot or because of exceptional circumstances, strict implementation of the Code would result in practical difficulties or an unnecessary hardship. In this case, development of the site is significantly constrained by the practical limitations of an existing residentially zoned lot that is undersized and extremely shallow. Construction of a dwelling would not be possible without setback relief.

Approval of the variances would not alter the essential character of the neighborhood, as the proposed dwelling would be comparable to other nearby houses. The variances would not substantially impair the appropriate use or development of adjacent properties, as the proposed dwelling would meet the minimum setback required from both side lot lines abutting residentially zoned lots. The dwelling would be shielded from MD Rt. 100 by existing mature trees. There is no evidence to indicate that the proposed variances would be detrimental to the public welfare.

This is a legal lot, and the proposed dwelling footprint of 780 square feet, the dwelling depth of 30 feet, and the overall house size are not considered to be excessive. Therefore, the requested variances are justified and are deemed to be the minimum necessary to afford relief in this case.

## **RECOMMENDATION**

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends **conditional approval** of the proposed zoning variances to § 18-4-701 to allow a two-and-a-half-story, single-family, detached dwelling with a basement to be constructed with less setbacks than required. It is unclear whether or not the applicant will be able to satisfy the outstanding engineering issues raised; therefore, any approval should be conditioned on obtaining approval from the Engineering Division at the time of permitting.

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.





303 Najoles Road - Suite 114  
Millersville, MD 21108

Phone: 410-987-6901  
Fax: 410-987-0589

September 19, 2025

Ms. Sterling Seay  
Anne Arundel County  
Office of Planning and Zoning  
2664 Riva Road  
Annapolis MD 21401

**Re: Glen Burnie Heights  
Block PP, Lots 36-37  
Variance Application**

Dear Ms. Seay,

Please accept this as our formal variance request to the Zoning Regulations on behalf of our client. The variance requests are to Article 18, Section 4 – 701 of the R-5 Bulk Regulation of:

Lots 36-37:

1. A variance of 5' to the required 20' front lot line setback
2. A variance of 21' to the required 35' setback to a principal arterial or higher classification road.

We are requesting this variance to allow for existing lots to be developable based on the restrictive nature of the setbacks.

The proposed house is two-story with a habitable attic. The habitable attic is built into the trusses, like an older Cape Cod style home, where the house will have a two-story elevation from the road, but there will be a partial third floor with a house height of 28'+/-. The footprint of the home is 780 square feet, modest in sized based on the small nature of the lot. Due to the lot size and house size, the proposed house provides for a great opportunity to provide affordable housing in the county. There is a sound wall along route 100 in this area to shield the proposed house from the noise of route 100 and also provide an extra buffer to the houses. The house will be set back roughly 60' from the exit lane.

Explanation as required by Article 18, Section 16-305(a)

We believe the granting of this variance is warranted because of the unique physical conditions of the lots. Specifically, the lot is undersized for their zoning designation at 2,610 square feet, well under the 5,000 square foot requirements of the bulk regulations. In addition, Lots 36 & 37 are undersized in width at only 40', well under the 50' requirement in the bulk regulations. These lots were platted well before

bulk regulations and further hindered by the construction of Route 100 necessitating a 35' setback while also leaving behind uniquely shaped and undersized lots.

Explanation as required by Article 18, Section 16-305(c)

We believe the granting of these variances are warranted because the requested variance is the minimal necessary to afford relief based upon the size of the lot and the unique physical conditions. Due to the building restriction lines of the bulk regulations, there is no reasonable buildable area on the lots without the approval of a variance. The building envelope is on 242square feet and triangular in shape. The proposed house is modest in size where the foundation will be 18' from the accessible right of way allowing for off street parking, this is similar to a cluster subdivision under the same bulk regulations. The variance allowing 15' is so the house can have a stoop and steps as typical of a single-family home, this is allowed in new cluster developments without the need of a variance. The granting of this variance will not alter the character of the neighborhood as the proposed house will have a typical 2-story elevation from the road and is typical of R5 development. This variance will not impair the appropriate use or development of the surrounding property as it will not deny access or the possibility to build on neighboring lots and the proposed house will not affect the street view of any other properties. The granting of this variance will not be detrimental to the welfare of the public. In addition, stormwater management will be provided with the new home

If you have any questions or need any additional information, please feel free to contact me at your convenience.

Thank you,

*Matthew R. Seiss*

Matthew R. Seiss, P.E.

2025-0188-V

Menu Cancel Help

Task Details I and P Engineering

Assigned Date

10/06/2025

Assigned to

Natalie Norberg

Current Status

Complete w/ Comments

Action By

Natalie Norberg

Comments

1. The arrangement of the lots in Section PP of the recorded record plat and the plan do not appear to match. Revise as needed.  
2. Note there is a required 455-foot setback from the site's property line to the edge of mainline pavement of MD-100. A Modification for Article 17-6-110 will be required at Grading Permit.  
3. Alternate methods of stormwater management may be required if the WQv cannot be met by Rooftop and Non-Rooftop Disconnections due to the size of the lot.

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

Due Date

10/21/2025

Assigned to Department

Engineering

Status Date

10/20/2025

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

Task Specific Information

Expiration Date

Review Notes

Reviewer Name

Reviewer Phone Number

Reviewer Email

ipnorb81@aacounty.org

Natalie Norberg




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: October 3, 2025

RE: Chessie Homes, LLC  
305 Broad Avenue  
Glen Burnie, MD 21061

NUMBER: 2025-0188-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling 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





## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE

**PRE-FILE #:** 2025-0063-P  
**DATE:** 07/03/2025  
**OPZ STAFF:** Jennifer Lechner  
**I&P STAFF:** Natalie Norberg

**APPLICANT/REPRESENTATIVE:** Chessie Homes LLC / Anarex, Inc.

**EMAIL:** [chessiehomesllc@gmail.com](mailto:chessiehomesllc@gmail.com) / [matt@anarex.com](mailto:matt@anarex.com)

**SITE LOCATION:** 305 Broad Ave, Glen Burnie

**LOT SIZE:** 2,610 SF

**ZONING:** R5      **CA DESIGNATION:** N/A      **BMA:** N/A      **BUFFER:** N/A      **APPLICATION TYPE:** Variance

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The applicant is proposing to construct a new two-story single-family dwelling (footprint area of 832sqft) with a habitable attic.

Variances are required to § 18-4-701 to allow a principal structure to be less than 20 feet to the front lot line and less than 35 feet to a principal arterial or higher classification road.

Bill 72-24, effective July 1, 2025, modified the bulk regulations for dwellings in the R5 District:

Minimum lot size, if served by public sewer = 5,000 square feet

Maximum coverage by structures = 65% of gross area

Minimum width at front building restriction line = 50 feet

Minimum setbacks for principal structures:

Front lot line = 20 feet

Rear lot line = 15 feet

Side lot lines = 7 feet

Principal arterial or higher classification road = 35 feet

### **COMMENTS**

#### **Zoning Administration Section:**

1. Revise the Letter of Explanation and the Administrative Site Plan to reflect the current bulk regulations.
2. Revise the Administrative Site Plan to indicate the distance from the proposed covered porch to the front property line to clarify the relief needed.
3. The applicant had been granted zoning variances for dwellings at 307 Broad Ave (BA 29-24V / 2024-0125-V) and 309 Broad Ave (BA 28-24V / 2024-0124-V) where they argued those dwellings (approved with footprint areas of 572sqft or less) were the minimum necessary. Those variances demonstrate that a smaller dwelling is feasible, which would reduce the relief needed on the subject property.
4. The applicant is encouraged to provide floor plans and/or architectural elevations (front, side and rear) to assist in the evaluation of any requested variance.
5. The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must address and meet all of the applicable variance standards provided under Section 18-16-305. The Letter of Explanation should address each of those standards and provide adequate justification for each of the variances required.

#### **I&P Engineering:**

1. Note there is a required 455-foot setback from the site's property line to the edge of mainline pavement of

MD-100. A Modification for Article 17-6-110 will be required at Grading Permit.

2. Alternate methods of stormwater management may be required if the WQv cannot be met by Rooftop and Non-Rooftop Disconnections due to the size of the lot.

**INFORMATION FOR THE APPLICANT**

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.

A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.




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**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: October 3, 2025

RE: Chessie Homes, LLC  
305 Broad Avenue  
Glen Burnie, MD 21061

NUMBER: 2025-0188-V

SUBJECT: Variance/Special Exception/Rezoning

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cc: Sterling Seay

2025-0188-V



Legend

Foundation

Addressing



Parcels

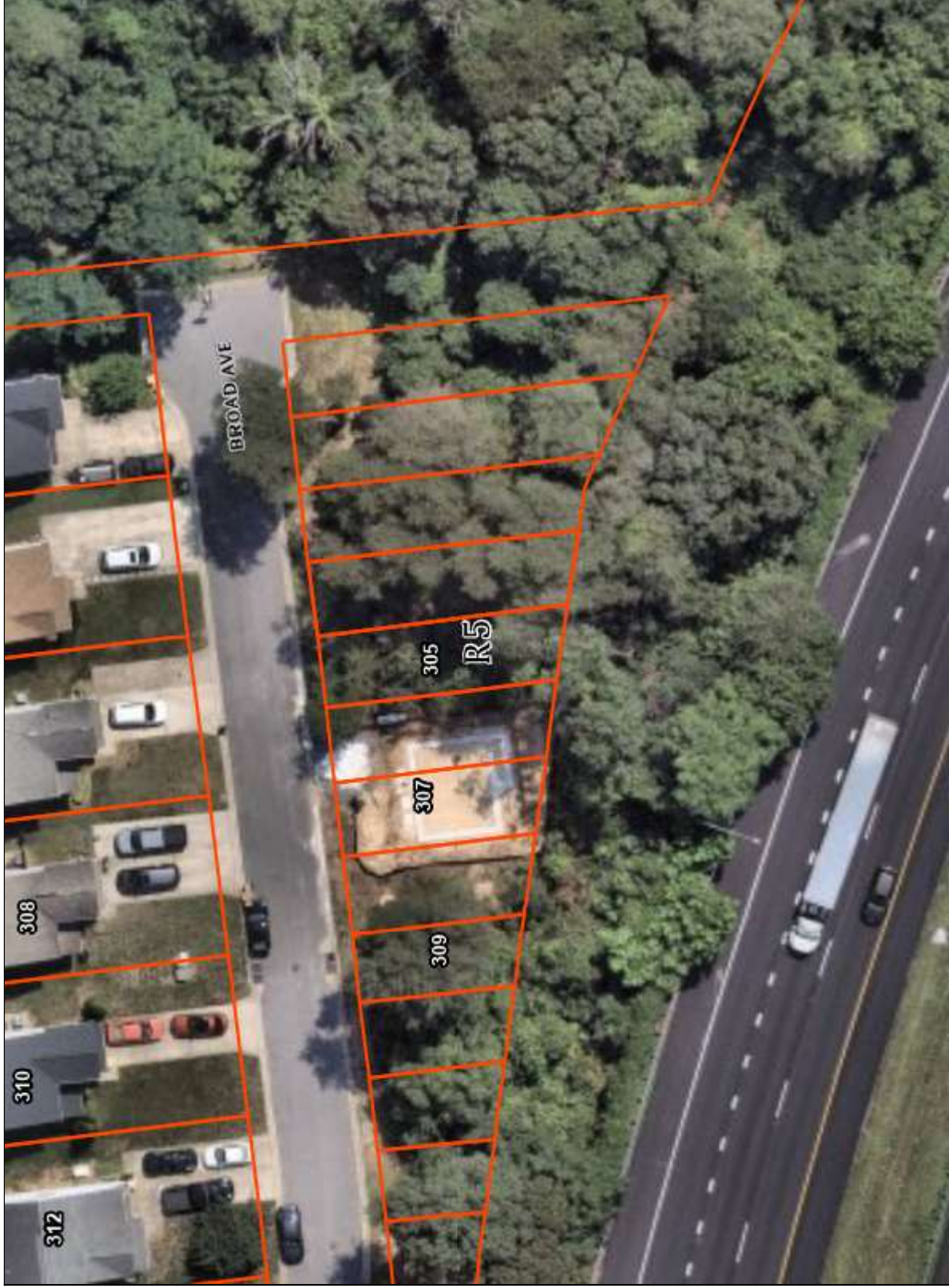


Parcels - Annapolis City



Planning

Zoning



Neamap

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THIS MAP IS NOT TO BE  
USED FOR NAVIGATION

Notes