

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

**APPLICANT:** Brandon Phillips

**ASSESSMENT DISTRICT:** 2

**CASE NUMBER:** 2025-0200-V

**COUNCILMANIC DISTRICT:** 6

**HEARING DATE:** December 9, 2025

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

**REQUEST**

The applicant is requesting a variance to allow an extension in time for the implementation and completion of a previously approved variance on property known as 3205 Walnut Drive in Annapolis.

**LOCATION AND DESCRIPTION OF SITE**

The subject property consists of 15,925 square feet of land and is located with approximately 73 feet of frontage on the southeast side of Walnut Drive, north of Wells Lane. It is identified as Part of Lot 1 of Parcel 192 plus approximately 0.13 acres of Parcel 196 in Grid 15 on Tax Map 57 in the Town of Highland Beach.

The property is zoned R2 – Residential District, as adopted by the comprehensive zoning for Council District 6, effective October 7, 2011.

The site is not waterfront; there is a parcel of land owned by the Town of Highland Beach located between the subject property and the shoreline. The lot is located entirely within the Chesapeake Bay Critical Area overlay and is designated as LDA – Limited Development Area. The nearby shoreline is not mapped as buffer modified and is subject to the standard buffer regulations. The property is currently improved with a single-family detached dwelling and associated facilities.

**PROPOSAL**

The applicant seeks approval for an extension in time for the implementation and completion of a previously approved variance (Case 2024-0010-V) to allow a dwelling and associated facilities with less setbacks and buffer than required and with disturbance to slopes of 15% or greater.

**REQUESTED VARIANCE**

§ 18-16-405(a) of the Anne Arundel County Zoning Code stipulates that a variance expires by operation of law unless the applicant obtains a building permit within 18 months of approval. On April 9, 2024, variance approval was granted (Case 2024-0010-V) by the Administrative Hearing Officer to allow a dwelling and associated facilities with less setbacks and buffer than required and with disturbance to slopes of 15% or greater. The applicant submitted this application prior to the

expiration of the previous variance and is now requesting a variance to allow an additional 18-month extension in time to obtain a building permit, while maintaining the previous approval, through April 9, 2027.

## **FINDINGS**

This property was the subject of a variance, case number 2024-0010-V, which was granted April 9, 2024 to allow a dwelling and associated facilities with less setbacks and buffer than required and with disturbance to slopes of 15% or greater. This application for an extension in time was properly made prior to the expiration of the previous variance approval.

The letter of explanation states that the applicant required additional time to design the dwelling to meet their needs based on the final footprint and disturbance to slopes as approved in the previous variance. The letter mentions supply issues and an uncertain economy that may have made the approved house unbuildable, so design changes were investigated. The project was put on hold due to the issues related to construction. In addition, the project was transferred from the original engineer to Messick and Associates and an outside consultant was needed for a major buffer management plan. They write that the extension is needed to ensure the owners can construct the dwelling that was approved by the variance.

There is no evidence that the granting of this request for an extension in time will alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent property, or be detrimental to the public welfare.

## **RECOMMENDATION**

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends **approval** of a zoning variance to §18-16-405(a) to allow an 18 month extension in time for the implementation and completion of a previously approved variance.

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.



September 19, 2025

Anne Arundel County  
Office of Planning and Zoning  
c/o Sterling Seay, Planning Administrator  
2664 Riva Road, 3<sup>rd</sup> Floor  
Annapolis, MD 21401

**RE: VARIANCE REQUEST LETTER OF EXPLANATION FOR A TIME EXTENSION  
VARIANCE #2024-0010-V  
3205 WALNUT AVENUE, ANNAPOLIS, MD 21403**

Dear Ms. Seay:

Our clients are requesting a variance to extend the time by which they may maintain the existing variance approval and have permits issued. Without a time extension variance, the current variance approval will expire on October 9, 2025. We request this deadline to be extended by 18 months, to April 10, 2027. As set forth below, good cause exists for the issuance of this extension. The design team has been working through the three-step development process of designing the site as permitted the variance.

**Current Owners 2024-0010-V:**

Brandon Phillips  
Nedelka Phillips

**Procedural History:**

The original variance application was heard on April 2, 2024. A decision was rendered on April 9, 2024. The variance was granted on this date. The grading permit was submitted at the end of January 2025 and comments generated. The design of the home has been modified inside the approved footprint.

**The Need for an Extension:**

The owners have required additional time to design the dwelling based on the final footprint and disturbances to slopes as approved by the Administrative Hearing Officer. The owners need to have the house redesigned to meet their needs, without changing the footprint that was approved by the variance. In the interim, there were supply issues and an uncertain economy that may have

made the approved house unbuildable, so design changes were investigated, and the project was put on hold due to the issues related to construction. The project was also transferred from the original engineer to Messick and Associates. The grading permit was submitted and approved by most agencies but an outside consultant was needed to do a major buffer management plan, which has taken additional time. The extension is needed to ensure the owners can construct the dwelling that was approved by the variance. It is not possible to have the construction drawings complete and a permit issued by October 9, 2025.

We appreciate your consideration of this request and feel it is in keeping with the spirit and intent of the Code. Should you have any questions or comments please feel free to contact our office at (410) 266-3212.

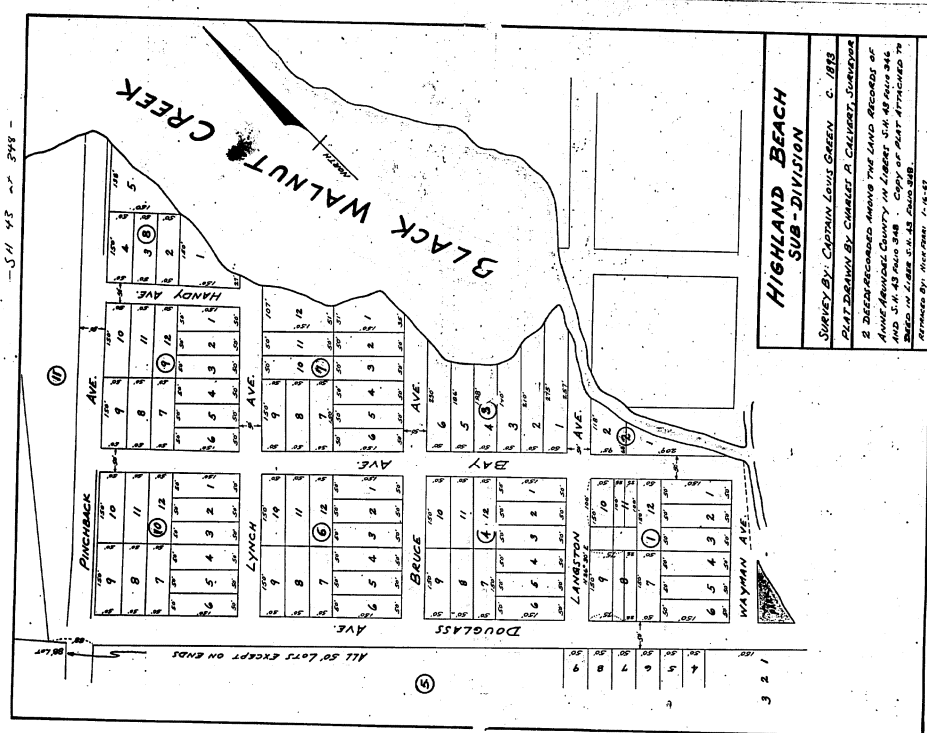
Sincerely,

**Messick and Associates**

*Mike Gillespie*

Mike Gillespie

cc. client, file



MSA 55M 1835 - 1850

See Plat Book 11 for original plat.  
10/10/1901





2025-0200-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.  
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Notes

none



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