

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

APPLICANTS: 312 Boxwood Grove LLC

ASSESSMENT DISTRICT: 2

CASE NUMBER: 2025-0202-V

COUNCIL DISTRICT: 6

HEARING DATE: December 16, 2025

PREPARED BY: Jennifer Lechner
Planner



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 located at 312 Boxwood Grove Lane in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 2.39 acres of land and is located with approximately 40 feet of road frontage on the northwest side of Boxwood Grove Lane, 1,150 feet northwest of Arbutus Road. The subject property is identified as Lot R in Parcel 297 in Grid 20 on Tax Map 51H. The subject property has been zoned RLD – Residential Low Density District since the adoption of comprehensive zoning of the Sixth Council District zoning maps effective October 7, 2011.

The subject site is a waterfront lot located on Crab Creek which lies entirely within the Chesapeake Bay Critical Area LDA – Limited Development Area. The western shoreline of the lot is partially mapped as a BMA - Buffer Modification Area, while the northern shoreline is not.

The site is currently improved with a 1 1/2 story single-family detached dwelling (c.1920), a detached garage, detached carport, a pier, and other associated facilities. The property is served by private well and septic.

PROPOSAL

The new owner is requesting an extension in time in order to meet the project requirements and secure permits.

REQUESTED VARIANCE

§ 18-16-405(a) of the Anne Arundel County Zoning Ordinance stipulates that a variance or special exception that is not extended or tolled expires by operation of law unless the applicant obtains a building permit within 18 months of approval. The applicant is requesting a variance to allow an additional extension in time in order to obtain a building permit while maintaining the previous approval.

FINDINGS

The prior 18-month extension (Case# 2024-0011-V) was granted to the previous owners on April 2, 2024 and expired on October 2, 2025. The new owner submitted this application for an additional extension in time on October 1, 2025, prior to the expiration of the variance approval.

Grading permit, G02019316, to construct a single family dwelling was submitted on March 9, 2022 by the previous owner. This permit appears to be pending review comments dated May 15, 2024 which required a plan, bond and agreement for the proposed forest conservation easement¹, and other grading security fees and agreements². Building permits to demolish the existing dwelling and construct a new dwelling have not been submitted.

Public records indicate that the previous owners listed the property for sale on August 15, 2024, and the applicant purchased the property on April 15, 2025.

The applicant's letter explains that the extension is needed due to the short time of ownership. However, it appears that the applicant has taken no initiative in obtaining permits as there have been no revisions to the grading permit or applications for building permits submitted during that time. The applicant offered no explanation as to why the permit fees for the grading permit have not been paid, nor why building permits have not been submitted.

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.

For the granting of a time extension variance, a determination must be made as to whether the applicants diligently pursued permits. A variance for a time extension cannot be granted if the need is caused by the applicants delaying the permitting process. Based on the limited explanation provided, it does not appear that the applicant has been diligently pursuing a building permit. As such, this Office cannot support the variance request for a time extension.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, this Office recommends **denial** 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.

¹ Environmental Review comments for G02019316: The proposed planting plan and forest conservation easement and agreement is acceptable. Please submit the forestation agreement, security \$21,408.00 (\$1.50/sqft of required planting) and inspection fee \$1,498.56 (7% of the security) prior to permit approval.

² Grading Review comments for G02019316: This permit will be issued once we receive all agency approvals, the grading security has been processed, any outstanding fees have been paid, and the recorded stormwater management agreement has been submitted if the property has private SWM.

Law Office of Stephen McClung, Esq.
stevemcclunglaw@gmail.com
443-808-7456
111 Forbes Street, Ste 100D, Annapolis, MD 21401

Anne Arundel County, Office of Planning and Zoning
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

RE: 312 Boxwood Grove Lane
Annapolis, MD 21403
Variance Extension Request

Sir/Madam:


On behalf of my client, enclosed is an application package for a variance for the above-mentioned property. Specifically, a variance is requested to Article 18, Section 16-405(a) for a time extension to the variance expiration.

On April 2, 2024, Ronald B. Steele and Bonnie L. Van Sciver-Steele, received variance approval (2024-0011-V) applied for and received an extension to the previously approved variance (2022-0141-V) to allow a disturbance of the 50-foot planted buffer to allow applicants to construct the proposed dwelling and driveway, the order of which is included as Attachment 1. The decision approved variance the §18-4-401(b) to allow the proposed dwelling and driveway to be partially located within the 50-foot planted buffer.

On April 15, 2025, 312 Boxwood Grove, LLC purchased the property from Mr. and Mrs. Steele. 312 Boxwood Grove LLC is a single member LLC created specifically for the purchase of this property. This entity was created to provide the owner, and sole-member, privacy in their enjoyment of this property. Due to this short amount of time of ownership, this extension is requested to provide the new owner appropriate time to meet project requirements and secure permits the prior owner was provided when the variance was granted.

Thank you for your attention to this matter. Please contact me if I may be of further service during your review of this variance request.

Kind Regards,



Stephen McClung, Esq.