

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

APPLICANT: Justin & Laura Jahnigen

ASSESSMENT DISTRICT: 3

CASE NUMBER: 2025-0228-V

COUNCILMANIC DISTRICT: 5

HEARING DATE: January 20, 2026

PREPARED BY: Sara Anzelmo
Planner



REQUEST

The applicants are requesting a variance to allow an accessory structure (garage) with less setbacks than required on property located at 8428 Woodland Road in Millersville.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 0.893 acres of land and is located on the north side of Woodland Road. It is identified as Parcel 599 in Grid 8 on Tax Map 23 (Lot 1 of the Neat Property).

The property is zoned R1 – Residential District. It is currently improved with a single-family detached dwelling with an attached two-car garage and other associated facilities.

PROPOSAL

The applicants propose to construct a detached one-story garage/storage building, measuring 30 feet by 40 feet (1,200 sf), in the northeast corner of the lot. The peak height would be 20 feet.

REQUESTED VARIANCES

§ 18-4-501 of the Anne Arundel County Zoning Code provides that an accessory structure eight feet in height or greater shall be set back a minimum of 15 feet from the side and rear lot lines. The proposed garage/storage building would be located five feet from the east side lot line and five feet from the rear lot line, necessitating variances of ten feet each.

FINDINGS

The subject property is irregular in shape and exceeds the minimum 30,000 square foot area and minimum 80-foot width required in an R1 District. The applicants' letter explains that the structure would be used to store personal/family vehicles and recreation items to prevent weathering and damage. The owner's main work vehicle is too large for a standard garage and is outfitted with valuable tools that need protection. Their SUV is also too large for their current garage. Additional storage space is needed for furniture, supplies, and hobby space. The applicants' preferred location at the right-side rear of the property would preserve the most natural wildlife that their family enjoys. They attest that the only alternative, the left-side rear, is unsuitable due to the placement of the septic tank and the abandoned well. They would have to

drive around the rear of the house, which could adversely affect the abandoned well. They would also have to drive over the septic tank, which is not load worthy. This Office notes an additional restriction, which is the platted 10,000 square foot septic area in the western portion of the lot (see plat Book 208 Page 3). The plat notes indicate that the area must remain unencumbered by buildings, easements, rights-of-way, and other permanent or physical objects. The applicants conclude that their home is only accessible through an easement, so the structure would barely be seen through the woods and tree line if placed where proposed.

The **Health Department** has reviewed the on-site sewage disposal system for the property and has determined that the variance request does not adversely affect this system. Therefore, the Department has no objection.

The **Department of Recreation and Parks** commented that this site lies on the opposite side of the road from the East-West Boulevard Bike Path. This development shall not discharge runoff to the County's property at a rate greater than existing conditions.

For the granting of a zoning 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, strict implementation of the Code would result in practical difficulties or an unnecessary hardship. The need sufficient to justify a variance must be substantial and urgent and not merely for the convenience of the applicants. The owners already have the benefit of a standard two-car garage attached to their house. Furthermore, while there are existing obstacles on the property that limit the potential locations of a detached second garage, it is the excessive 30' by 40' (1,200 square foot) footprint of the proposed structure that is causing the need for the setback variances. Reducing the footprint to a smaller size more typical for residential use would significantly minimize, if not totally eliminate, the need for the requested setback variances.

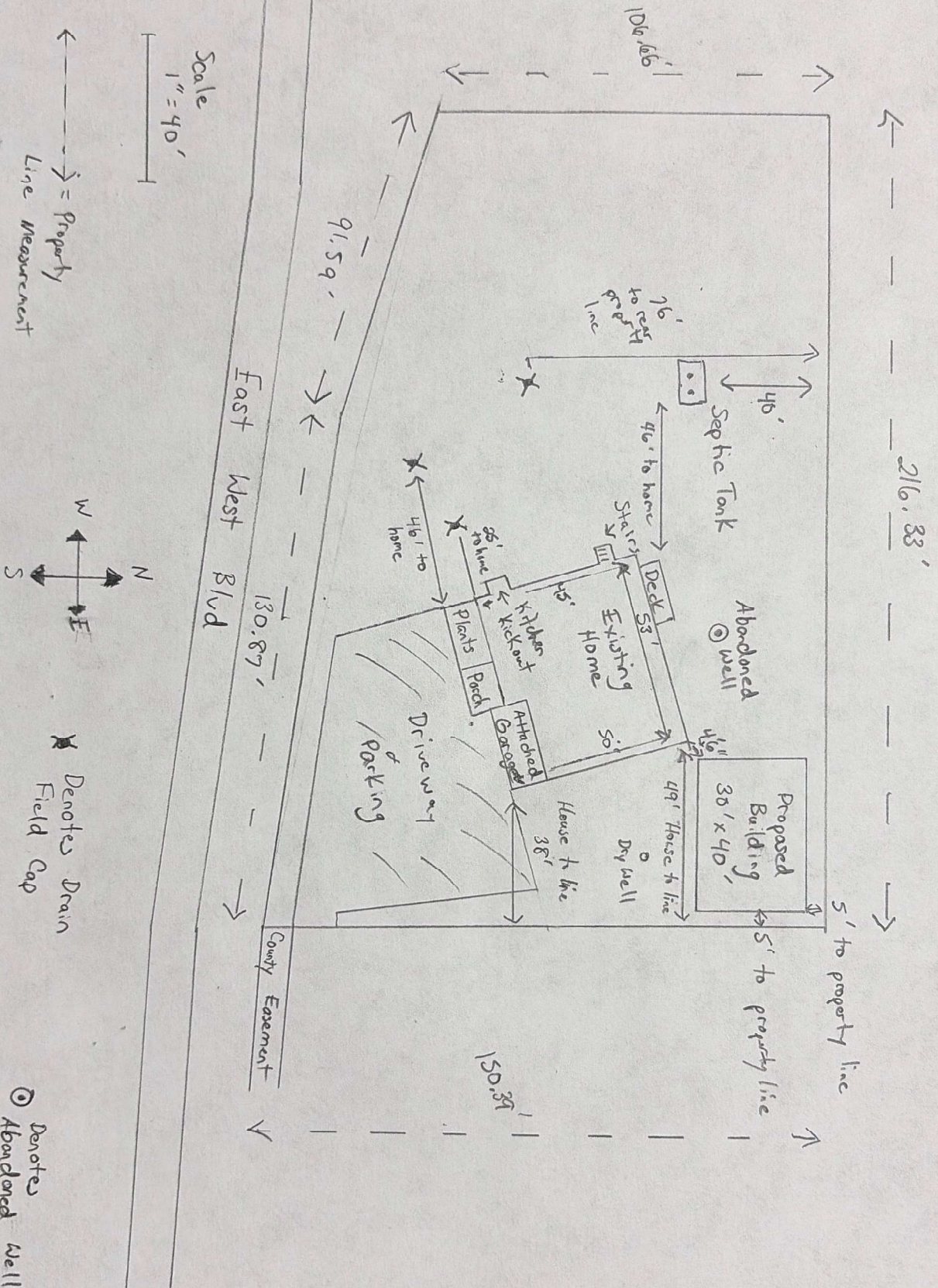
Approval of the variances would not necessarily alter the essential character of the neighborhood or be detrimental to the public welfare. However, such a large structure only five feet from the lot line may impair the air, light, and view from the established rear yard area of the adjacent lot to the immediate east. More importantly, the proposed garage size far exceeds that which would be typical for residential use, especially given that there is already an existing two car garage attached to the house. As such, the proposed variances cannot be considered the minimum necessary to afford relief and cannot be supported.

RECOMMENDATION

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

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.

8428 Woodland Road Site Plan Revised on 12/28/25



Explanation For Variance Needed At 8428 Woodland Road Millersville MD 21108

Date: 12/28/25

To: Whom it may concern

From: Justin Jahnigen

This letter will outline my need for a variance for my accessory building at my home at 8428 Woodland Road Millersville Md 21108.

I would like to build a 30'x40' garage to keep my personal/family vehicles & recreation items, so they do not get weathered & damaged. My main work vehicle is too large for a standard garage and is outfitted with thousands of dollars' worth of tools that I would like to protect. My wife's SUV is also too large for our current garage & I'd like to start keeping it covered as well. My wife & I are foster/resource parents in Anne Arundel County and we could use the extra storage space for furniture & supplies needed to help as well. I'm also a hobbyist who enjoys working on things & tinkering with toys for my 2 young sons. I have to keep many of my personal items & my kids toys in the yard which becomes an eye sore for my wife & I. I'd like to remedy the issue & improve the curb appeal of our home by having a place to store everything. It would be of great value to me, to have that available space for the reasons outlined.

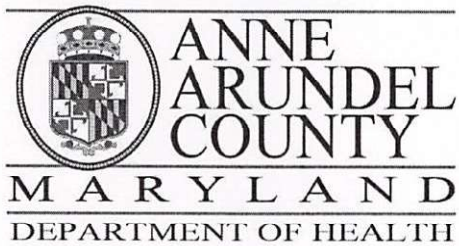
The variance is needed for my situation because I would need 5' from the property line at the rear of the home & 5' from the property line at the side of my home. I would like to put the building at the right-side rear of the property (if facing the house), which would preserve the most natural wildlife that my family enjoys. We have families of deer that roam through our backyard & an abundance of small wildlife that I would like to not disturb. My only other option would be to place the building at the left side rear of the property (if facing the house) but that will not work due to the placement of the septic tank & the abandoned well. I would have to drive around the rear of the house which could adversely affect the abandoned well.

Additionally, I would have to drive over the septic tank which is not load worthy. Upon speaking with the AA County health department, I was advised that driving over or driving too close to the septic tank could crack or totally collapse the tank causing a catastrophic issue. I cannot put the building on the left side front corner of my property because of the limited space in regards to the building codes & the existing septic system as well. My home is only accessible through an easement so the proposed structure will barely be seen through the woods & tree line if placed in the right rear corner of the property.

I appreciate you reading this letter & I hope that the variance will be granted because having this proposed building will mean a great deal to me & my family.

Thank You,

Justin Jahnigen




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: December 1, 2025

RE: Justin S. Jahnigen
8428 Woodland Road
Millersville, MD, 21108

NUMBER: 2025-0228-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance.

The Health Department has reviewed the on-site sewage disposal for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal and well water supply systems. 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



STEUART PITTMAN, COUNTY EXECUTIVE
JESSICA LEYS, DIRECTOR
RECREATION AND PARKS
1 HARRY S. TRUMAN PKWY
ANNAPOLIS, MD 21401
AACOUNTY.ORG/RECPARKS



MEMORANDUM

TO: Sadé Medina, Zoning Division
Office of Planning and Zoning

FROM: Pat Slayton
Capital Projects Division

SUBJECT: Variance Case 2025-0228-V

DATE: November 21, 2025

The Department of Recreation and Parks has reviewed the above plans to determine if there may be impacts to the Anne Arundel County Green Infrastructure Network, parks, and trails. Please note our recommendations according to those findings below.

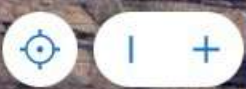
- This site lies on the opposite side of the road from the East-West Blvd. Bike Path. This development shall not discharge runoff to the County's property at a rate greater than existing conditions.

The Department of Recreation and Parks has no further comments.

cc: File

NORTH

I want to...



EAST WEST BLVD

8428

8426



SOUTH