

1469 Nieman RD Variance Request

To the Zoning Hearing Committee,

Existing Home: two story ; 2433 sq ft

Proposed addition: Two story ; 2000 sqft ; Turning existing carport into a garage with bedrooms on the second floor.

We are submitting this variance request in order to be permitted to shift our allowable side setbacks from 15' to 7', allowing us to construct a two story attached addition with single car garage. The proposed addition will stay within the footprint of an existing attached carport (concrete pad and gravel driveway). The Property referenced is 1469 Nieman RD Shady Side MD 20764, zoned R1. In **October 2024** I communicated with the county regarding setbacks. I received an email confirming that as R1, our side setback was 15', but because our lot was under 40,000 sq ft, we fell into the undersized lot category and our set backs reverted to the R2 set backs giving us a 7' side setback. We moved forward planning and budgeting with that information in mind. Once we got our finances in order and found an architect that was within our budget, we started the design process. We quickly found out through communication with the county that the undersized lot minimum changed from 40,000 to 30,000 sqft. Our lot size is 38,000 sqft, so under the new law we no longer fall into the undersized lot category and our side setback now remains at 15'. This law went only went into effect in July of 2025.

The motivation for our addition comes from the necessity of additional space to accommodate our young family. We have four young children, three of which currently share a room and with the youngest sharing a room with us (the parents).

We are requesting this variance as the selected location is not only the most logical location to construct the addition, it is the only feasible location due to our lot irregularity. We are requesting to build the addition on the west side of the property in the location of an existing carport that is attached to the house. The entire proposed building area is already impervious.

The North side of the house would not be feasible due the easement that runs through our property. The easement is a gravel drive easement giving access to two neighbors east of our property. I would like to note that our property on the other side of the easement is over 10,000 sqft. The easement renders that piece of our property unbuildable as we cannot encroach on that easement. Due to that irregularity of our lot, we could argue that our "buildable lot size" would be under the 30,000 sqft minimum if we didn't include the piece of property that is separated by the easement.

The east side is not feasible as it falls within the 100' buffer zone, the proposed addition would also be too close to our well that is on the east side of the property, and any addition on the east side would be disturbing pervious land.

We are requesting the 7' side set back as we have determined that it is needed to provide enough room for a single car garage and hallways on the first floor, and the bedrooms and hallways on the second floor. This addition will not alter the essential character of the neighborhood as we intend to utilize common architectural practices to tie the addition into the existing home keeping the character of the home in mind.

The adjacent property is a vacant lot and we have received approval and agreement from the adjacent neighbors; they have no arguments with regards to the proposed addition. There will be no detriment to the public welfare with this addition.

There will be no forest cover removed or disruption to critical area as the proposed building site is outside of the 100' buffer and the entire proposed building site is currently impervious. There will be no new impervious sqft added with the construction of this addition.

Area 1 - West River side of Utility/Access

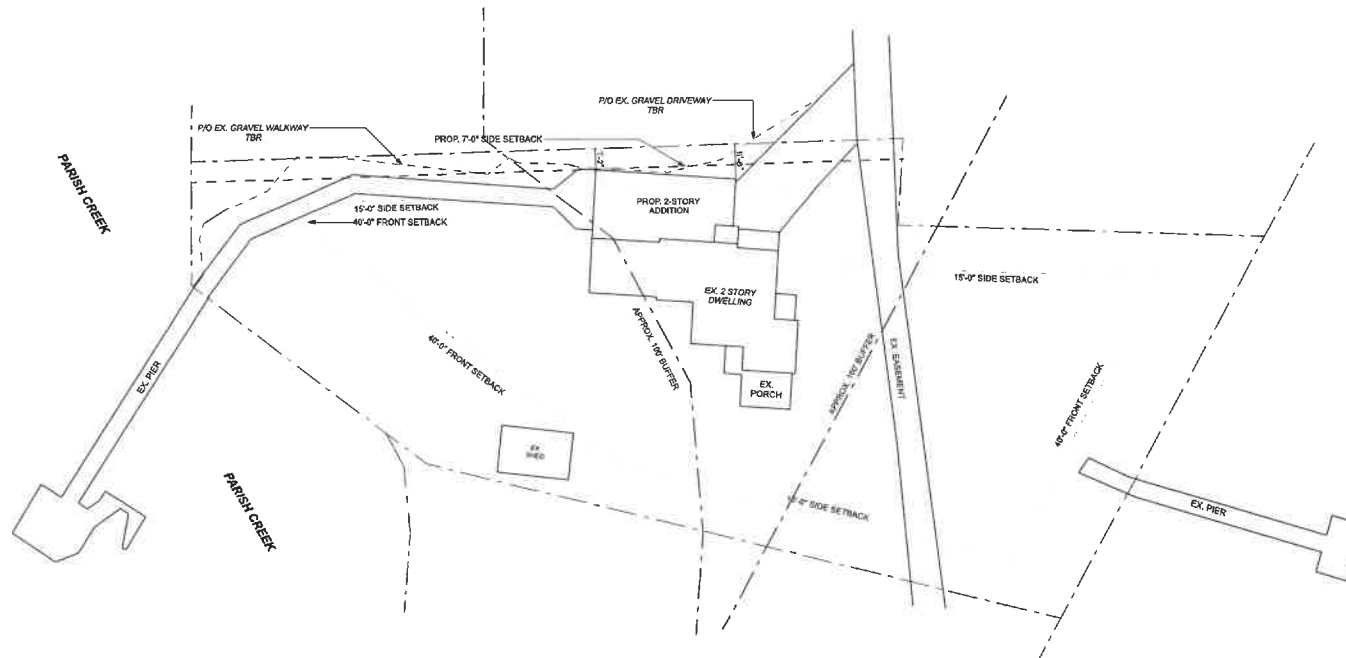
Easement = 10,631 sqft, 0.2441 acres

Area 2 - Utility/Access 20'

Easement = 3,187 sqft, 0.0732 acres

Area 3 - Build Area (Parrish Creek side of Easement)

= 24,514 sqft, 0.5628 acres



<p>LOT SIZE: 38,332 SF CRITICAL AREA DESIGNATION: LDA (MAX IMP. COVERAGE 10%) IMP. COVERAGE ALLOWABLE: 4,740.8</p> <p>STRUCTURES: 3,359.1 SF DRIVEWAYS AND SIDEWALKS: 4,357.8 SF TOTAL: 7,716.7 SF (1,966.9 SF OVER LIMIT)</p> <p>PROPOSED: STRUCTURES: 2,886.6 SF (473.1 SF) DRIVEWAYS AND SIDEWALKS: 3,150.8 SF (1,107.8 SF) ADDITIONS: (+1,041.4 SF) TOTAL: 6,887.2 SF (1,137.4 SF OVER LIMIT, OVERAGE REDUCED 42%)</p> <p>SCALE: 1" = 20'-0"</p>
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CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS
1804 WEST STREET, SUITE 100
ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Anne Arundel County

Date: 1/20/26

Tax Map #	Parcel #	Block #	Lot #	Section

FOR RESUBMITTAL ONLY

Corrections ☐
Redesign ☐
No Change ☐
Non-Critical Area ☐

*Complete Only Page 1
General Project Information

Tax ID:

Project Name (site name, subdivision name, or other) 1469 Nieman RD

Project location/Address 1469 Nieman RD

City Shady Side Zip 20764

Local case number

Applicant: Last name Baker First name Brendan

Company N/A

Application Type (check all that apply):

Building Permit ☐
Buffer Management Plan ☐
Conditional Use ☐
Consistency Report ☐
Disturbance > 5,000 sq ft ☐
Grading Permit ☐

Variance ☒
Rezoning ☐
Site Plan ☐
Special Exception ☐
Subdivision ☐
Other ☐

Local Jurisdiction Contact Information:

Last name AACo Zoning Administration Section First name

Phone # 410-222-7437 Response from Commission Required By TBD

Fax # Hearing date TBD

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Addition to existing home - Demo existing attached carport. Build within current carport footprint a new garage w/ 2nd story.

Intra-Family Transfer ☐
Grandfathered Lot ☐

Growth Allocation ☐
Buffer Exemption Area ☐

Project Type (check all that apply)

Commercial ☐
Consistency Report ☐
Industrial ☐
Institutional ☐
Mixed Use ☐
Other ☐

Recreational ☐
Redevelopment ☐
Residential ☒
Shore Erosion Control ☐
Water-Dependent Facility ☐

SITE INVENTORY (Enter acres or square feet) N/A: All construction will be within footprint of existing carport and driveway.

	Acres	Sq Ft	Total Disturbed Area	Acres	Sq Ft
IDA Area					
LDA Area					
RCA Area					
Total Area					

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees			Existing Lot Coverage		
Created Forest/Woodland/Trees			New Lot Coverage		
Removed Forest/Woodland/Trees			Removed Lot Coverage		
			Total Lot Coverage		

VARIANCE INFORMATION (Check all that apply)

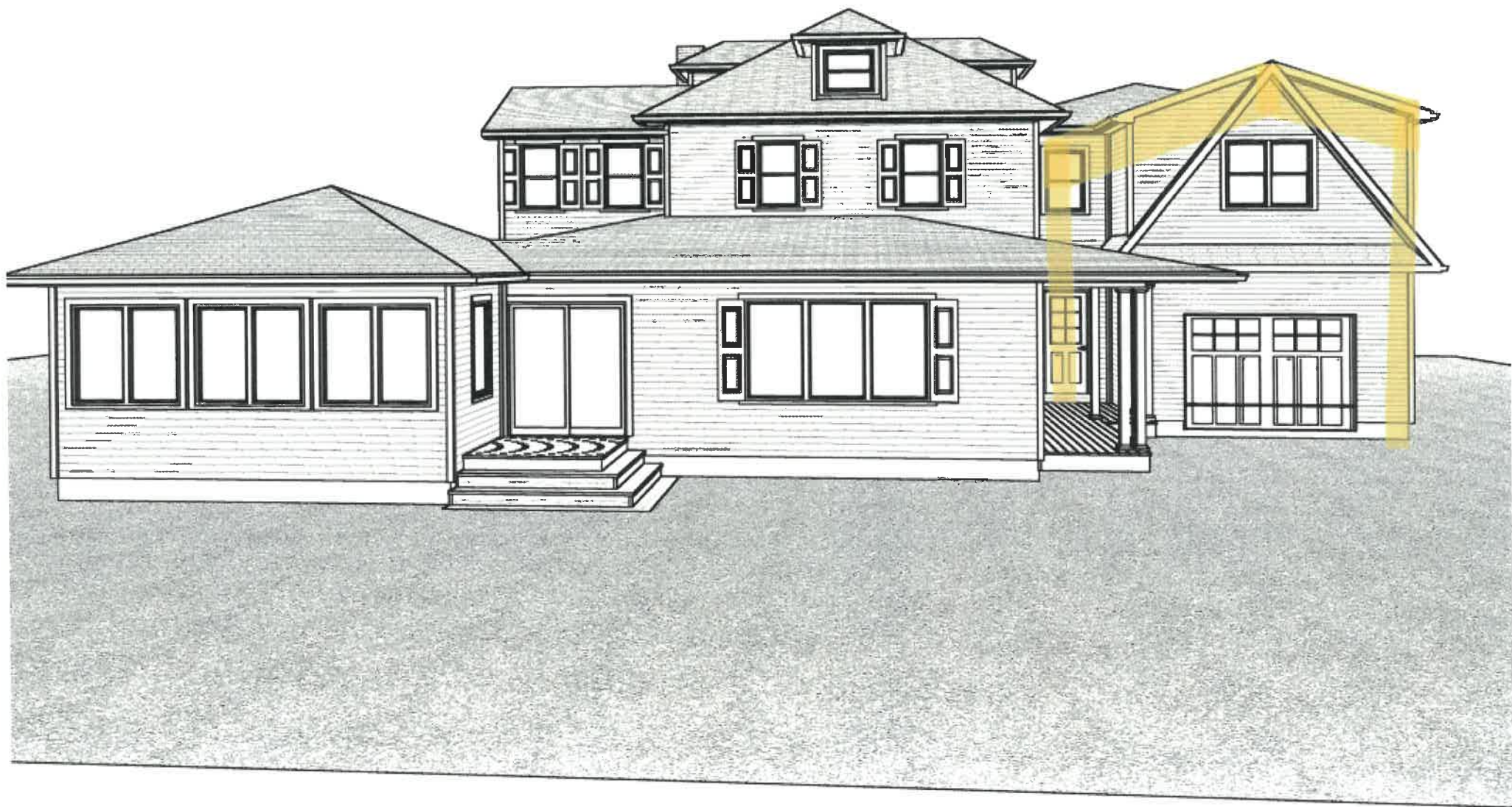
	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		

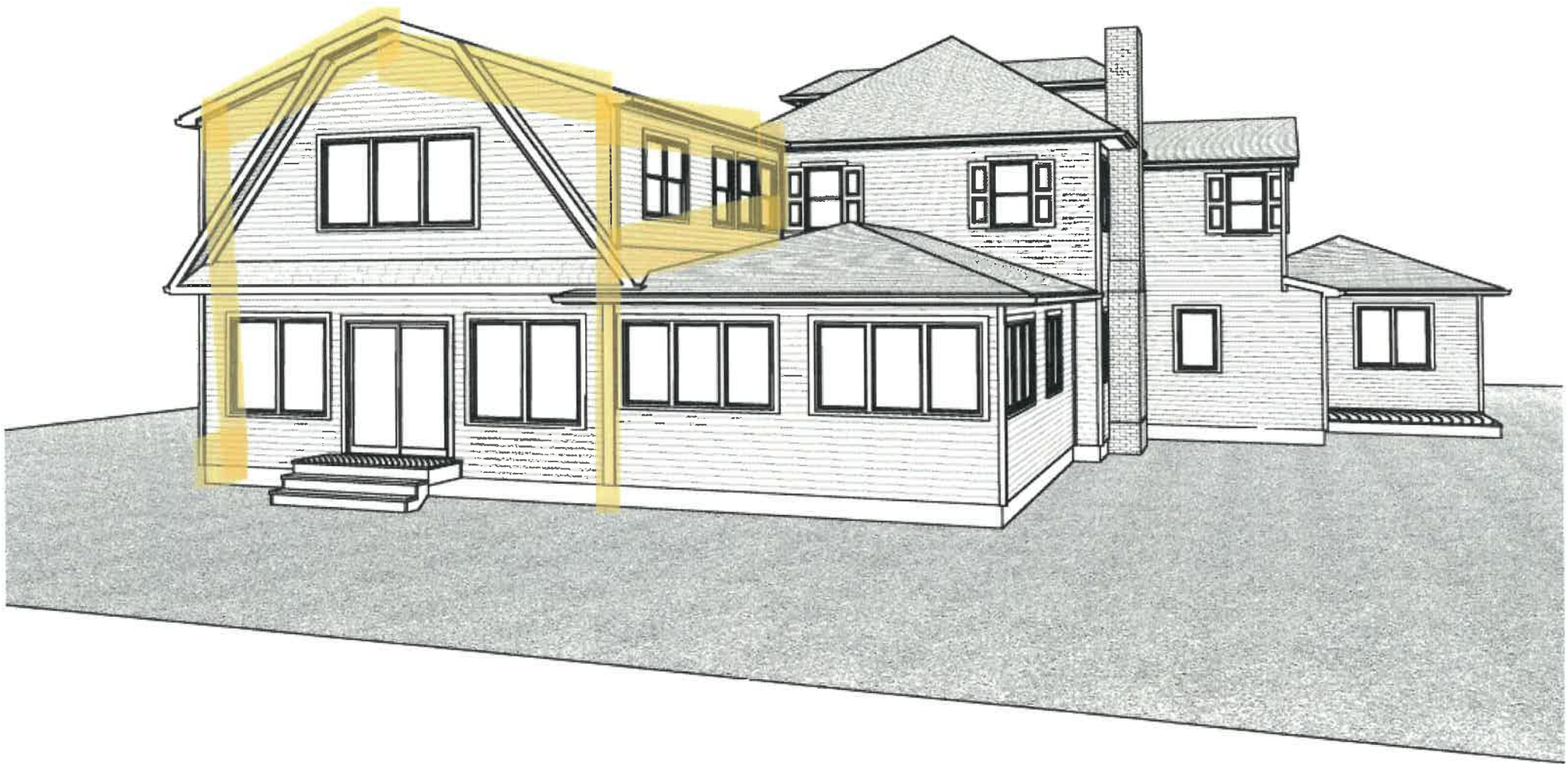
Variance Type

Buffer ☐
Forest Clearing ☐
HPA Impact ☐
Lot Coverage ☐
Expanded Buffer ☐
Nontidal Wetlands ☐
Setback ☒
Steep Slopes ☐
Other ☐

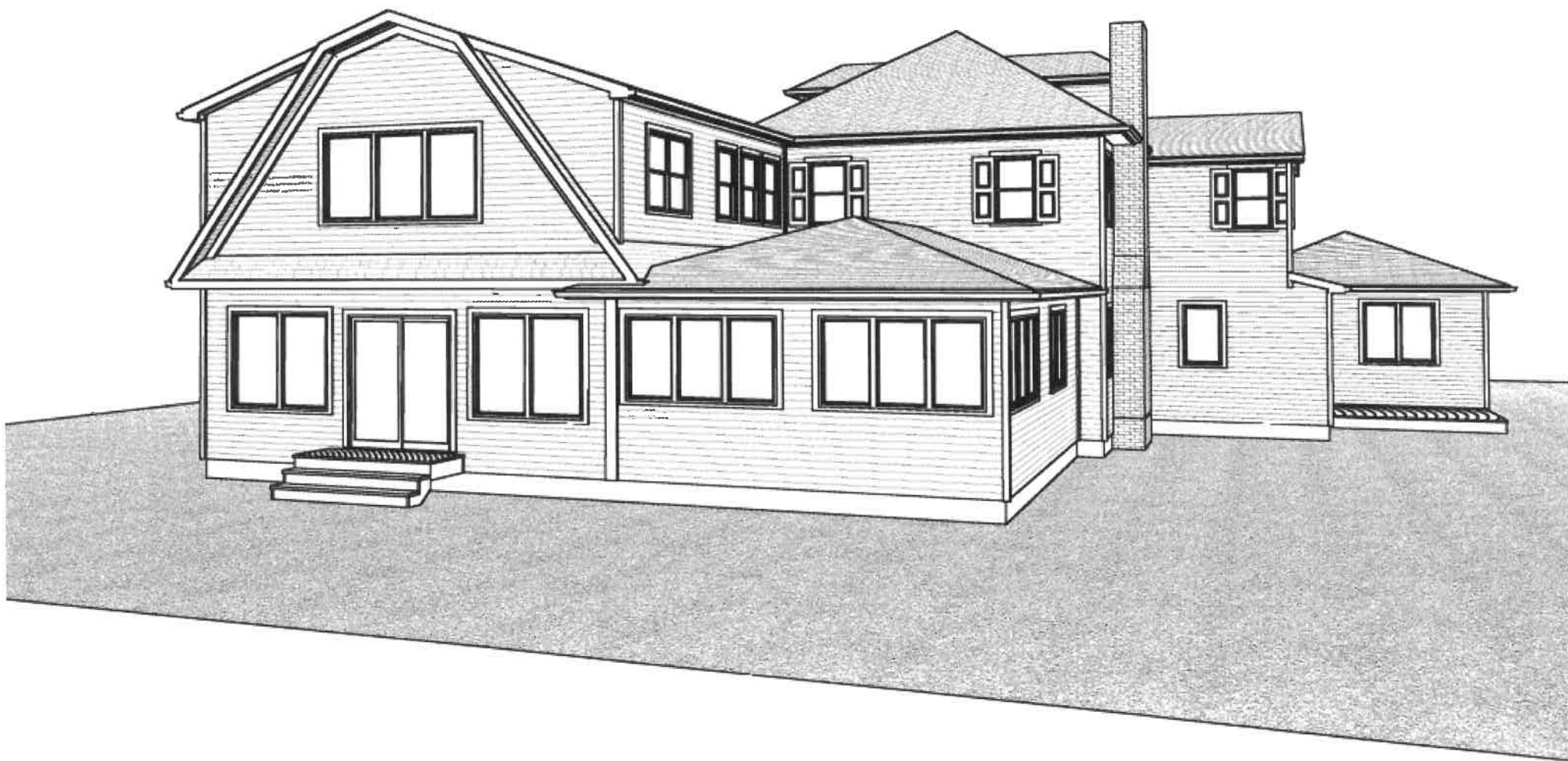
Structure

Acc. Structure Addition ☐
Barn ☐
Deck ☐
Dwelling ☐
Dwelling Addition ☒
Garage ☐
Gazebo ☐
Patio ☐
Pool ☐
Shed ☐
Other ☐

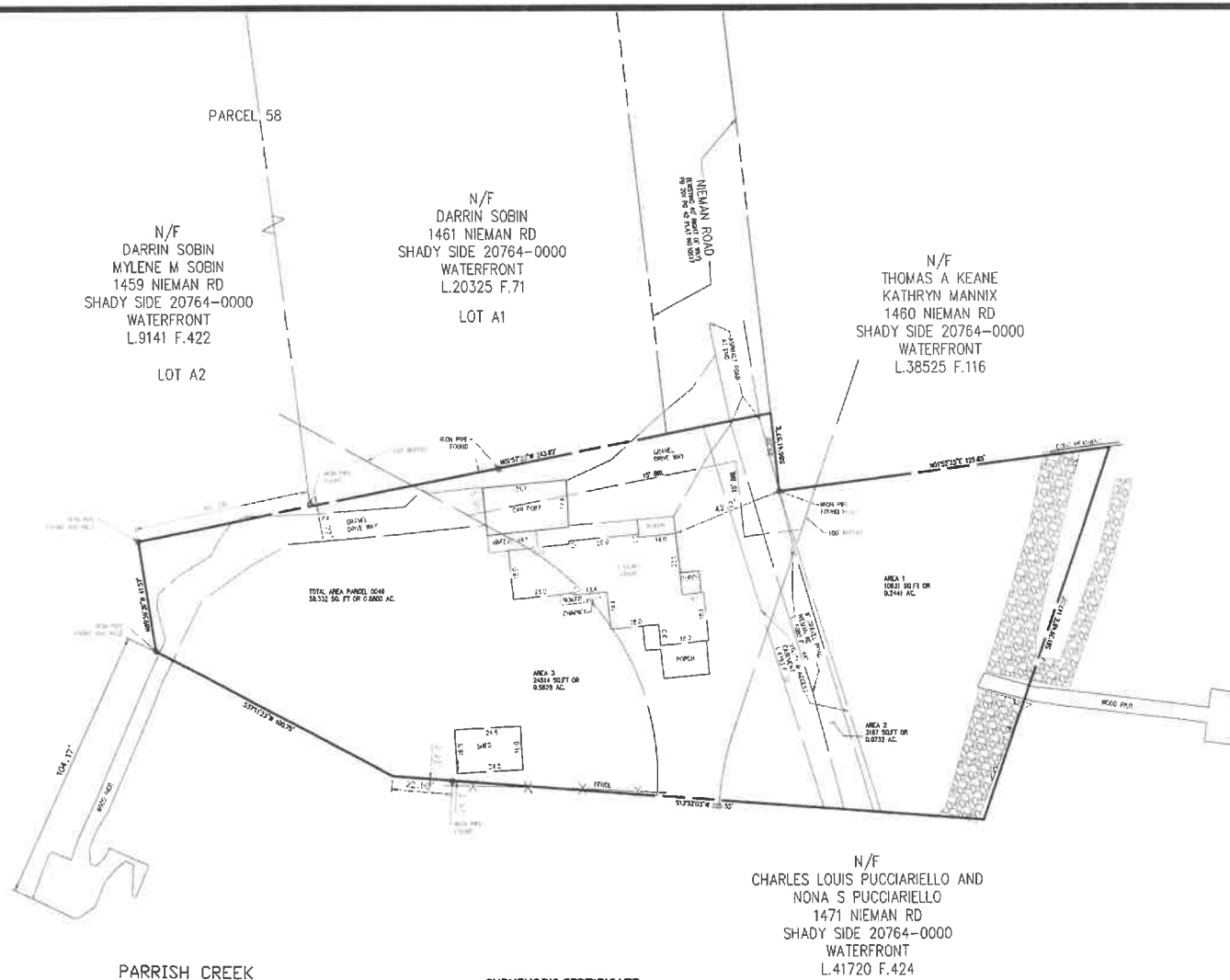












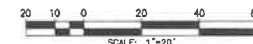
SERVITUDE NOTE:

I, CHARLES F. YOUNG, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO NOT ACCEPT RESPONSIBILITY FOR ANY SERVITUDE, EASEMENT OR RIGHT OF WAY NOT SHOWN HEREON IF NOT PROVIDED BY THE CLIENT OR HIS REPRESENTATIVE. NO RECORD RESEARCH FOR ANY SERVITUDE WAS MADE BY MYSELF OR MY REPRESENTATIVES AND THOSE SHOWN HEREON ARE ONLY THOSE WHICH ARE VISIBLE ON THE GROUND OR PROVIDED BY MY CLIENT AND/OR HIS REPRESENTATIVES. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A REVIEW OF AN ABSTRACT OF TITLE.

SURVEYOR'S CERTIFICATE

I, CHARLES F. YOUNG, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MARYLAND, HEREBY CERTIFY THIS SURVEY AND PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. MY LICENSE RENEWS 6-17-26.

Charles F. Young 1/12/26
CHARLES F. YOUNG DATE
PROFESSIONAL LAND SURVEYOR
MARYLAND LICENSE NUMBER: 10932



DESIGNED _____ DATE _____
DRAWN JAB 03/25 DATE _____
CHECKED CFY 03/25 DATE _____
APPROVED _____ DATE _____

REVISIONS

DATE	BY	DESCRIPTIONS



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PREPARED FOR:
BRENDAN BAKER & KATHLEEN BAKER
1469 NIEMAN ROAD
SHADY SIDE, MD 20764
WATERFRONT

ZONING EXHIBIT PLAN 1469 NIEMAN ROAD

SHADY SIDE, MD 20764
ANNE ARUNDEL COUNTY
FTH SELECTION DISTRICT
MAP 068 TAX ACCOUNT NUMBER
L 25827.216

SCALE: AS SHOWN DATE: FEBRUARY 2025 PROJECT No: 224027 SHEET 1 OF 1

