

## **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.

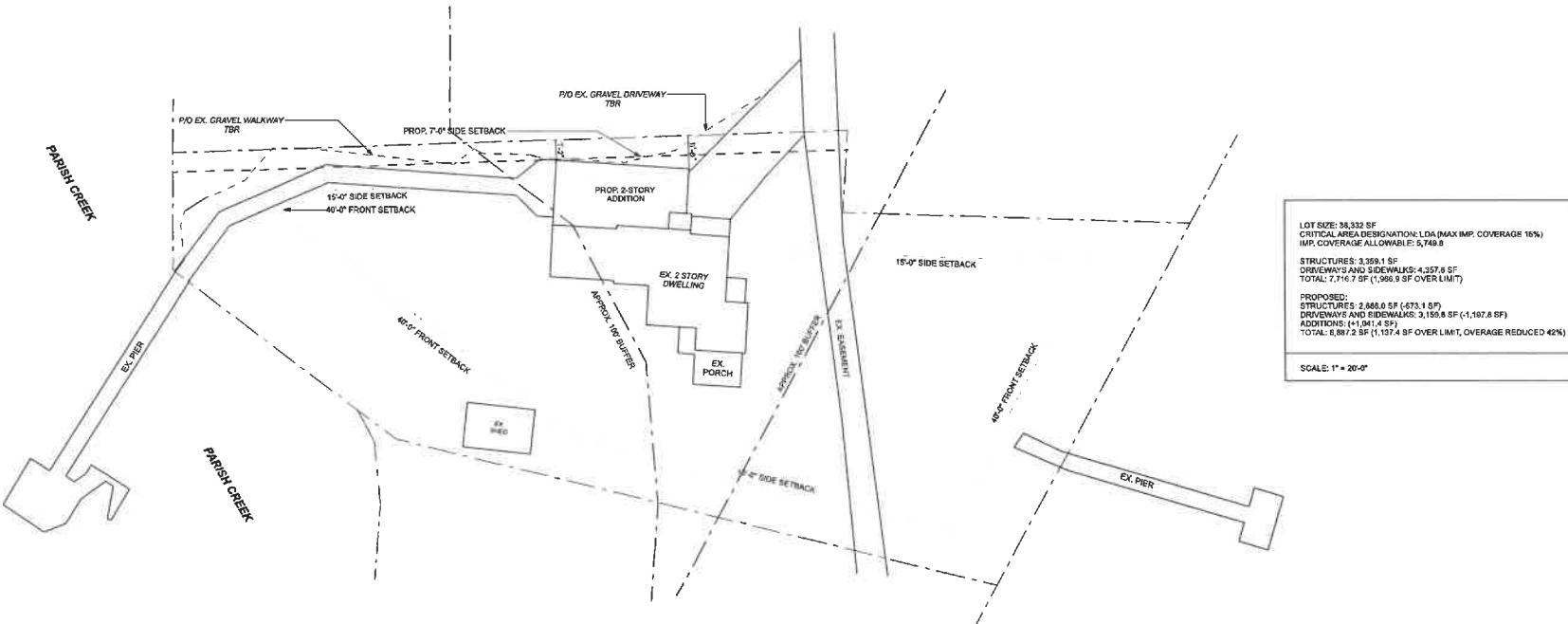
The adjacent property is a vacant lot and we have received approval and agreement from the adjacent neighbors; they have no arguments with regards to the proposed addition. There will be no detriment to the public welfare with this addition.

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



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 |
|           |          |         |       |         |
|           |          |         |       |         |
|           |          |         |       |         |

Tax ID: 1469 Nieman RD

FOR RESUBMITTAL ONLY

Corrections   
 Redesign   
 No Change   
 Non-Critical Area

\*Complete Only Page 1  
 General Project Information

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 Brenda

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:

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

Yes  Growth Allocation   
 Intra-Family Transfer  Buffer Exemption Area   
 Grandfathered Lot

### Project Type (check all that apply)

|                    |                          |                          |                                     |
|--------------------|--------------------------|--------------------------|-------------------------------------|
| Commercial         | <input type="checkbox"/> | Recreational             | <input type="checkbox"/>            |
| Consistency Report | <input type="checkbox"/> | Redevelopment            | <input type="checkbox"/>            |
| Industrial         | <input type="checkbox"/> | Residential              | <input checked="" type="checkbox"/> |
| Institutional      | <input type="checkbox"/> | Shore Erosion Control    | <input type="checkbox"/>            |
| Mixed Use          | <input type="checkbox"/> | Water-Dependent Facility | <input type="checkbox"/>            |
| Other              | <input type="checkbox"/> |                          |                                     |

*N/A: All construction will be within footprint of existing carport and driveway.*

### SITE INVENTORY (Enter acres or square feet)

|            | Acres | Sq Ft |
|------------|-------|-------|
| IDA Area   |       |       |
| LDA Area   |       |       |
| RCA Area   |       |       |
| Total Area |       |       |

Acres Sq Ft  
 Total Disturbed 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)

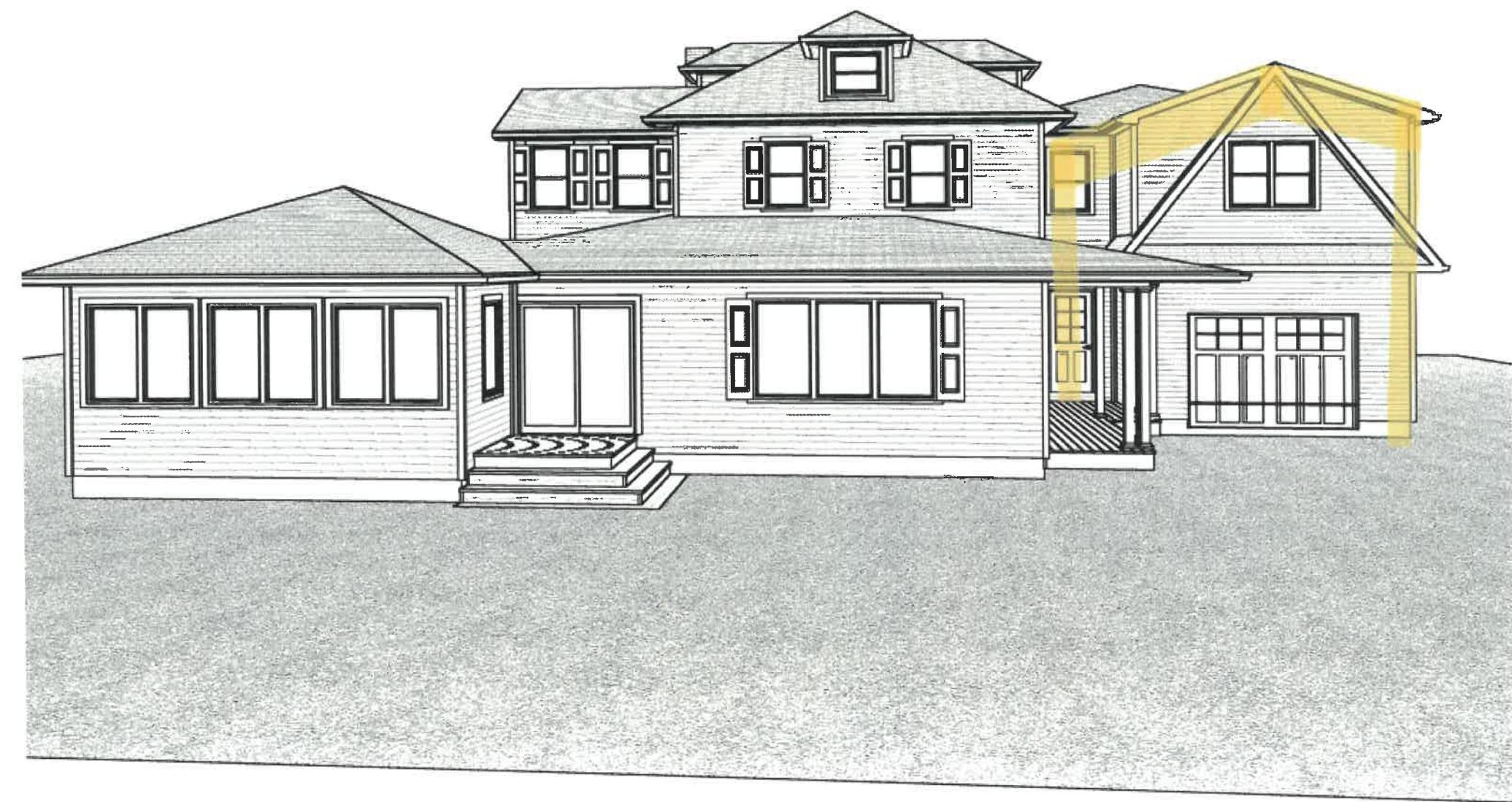
|                        | Acres | Sq Ft      |                        | Acres | Sq Ft      |
|------------------------|-------|------------|------------------------|-------|------------|
| Buffer Disturbance     |       |            | Buffer Forest Clearing |       |            |
| Non-Buffer Disturbance |       | <i>N/A</i> | Mitigation             |       | <i>N/A</i> |

Variance Type

|                   |                                     |
|-------------------|-------------------------------------|
| Buffer            | <input type="checkbox"/>            |
| Forest Clearing   | <input type="checkbox"/>            |
| HPA Impact        | <input type="checkbox"/>            |
| Lot Coverage      | <input type="checkbox"/>            |
| Expanded Buffer   | <input type="checkbox"/>            |
| Nontidal Wetlands | <input type="checkbox"/>            |
| Setback           | <input checked="" type="checkbox"/> |
| Steep Slopes      | <input type="checkbox"/>            |
| Other             | <input type="checkbox"/>            |

Structure

|                         |                                     |
|-------------------------|-------------------------------------|
| Acc. Structure Addition | <input type="checkbox"/>            |
| Barn                    | <input type="checkbox"/>            |
| Deck                    | <input type="checkbox"/>            |
| Dwelling                | <input type="checkbox"/>            |
| Dwelling Addition       | <input checked="" type="checkbox"/> |
| Garage                  | <input type="checkbox"/>            |
| Gazebo                  | <input type="checkbox"/>            |
| Patio                   | <input type="checkbox"/>            |
| Pool                    | <input type="checkbox"/>            |
| Shed                    | <input type="checkbox"/>            |
| Other                   | <input type="checkbox"/>            |











NORTH  
MARYLAND COORDINATE  
SYSTEM (NAD83/III)

PARCEL 58  
N/F  
DARRIN SOBIN  
MYLENE M SOBIN  
1459 NIEMAN RD  
SHADY SIDE 20764-0000  
WATERFRONT  
L.9141 F.422  
LOT A2

N/F  
DARRIN SOBIN  
1461 NIEMAN RD  
SHADY SIDE 20764-0000  
WATERFRONT  
L.20325 F.71

N/F  
THOMAS A KEANE  
KATHRYN MANNIX  
1460 NIEMAN RD  
SHADY SIDE 20764-0000  
WATERFRONT  
L.38525 F.116

LOT A2

TOTAL AREA PARCEL 0040  
38 112.90 FT<sup>2</sup> OR 0.8800

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AREA 1  
106.51 SQ FT  
0.2441 AC.

## WEST RIVER

## PARRISH CREEK

N/F  
CHARLES LOUIS PUCCARIELLO AND  
NONA S PUCCARIELLO  
1471 NIEMAN RD  
SHADY SIDE 20764-0000  
WATERFRONT  
L.41720 F.424

**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  
CHARLES F. YOUNG DATE  
PROFESSIONAL LAND SURVEYOR  
MICHIGAN LICENSE NUMBER 10070

**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.

| DESIGNED |     | DATE  | REVISIONS |              |
|----------|-----|-------|-----------|--------------|
| DRAWN    | JAB | DATE  | BY        | DESCRIPTIONS |
| CHECKED  | DFY | 03/25 | DATE      |              |
| APPROVED |     | DATE  |           |              |



201 Defense Highway  
Suite 200  
Annapolis, MD 21401  
Ph. (410) 274-3232  
Fax: (410) 274-3233  
Contact Person:

Charles Young  
cyoung@techgroupinc.net



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

**ZONING EXHIBIT PLAN**  
**1469 NIEMAN ROAD**  
**SHADY SIDE, MD 20964**  
**ANNE ARUNELLE, CORDON**

L 34832 F. 396

