

Discussion Topics for 2024-0130-V

Property Characteristics:

- The homeowner's property features a narrow waterfront, with the existing pier situated at its center. Due to the pier's placement, any additional pilings for a boat lift necessitate a variance.
- The homeowner currently docks his Catalina 30 sailboat in the slip on the southern side of the pier and intends to utilize the boat lift for his Grady White 215 Freedom.
- The Grady White 215 Freedom is currently moored on the northern side of the pier using fiberglass whips.

Protection of Property:

- Mr. Heacock is trying to mitigate potential damage to his pier and Grady White 215 Freedom.
- Previous incidents involving high winds and tides have caused significant fiberglass damage to his Grady White 215 Freedom. Photos attached.

Increased Waterway Traffic and Environmental Challenges:

- There has been a notable rise in boat traffic due to the Point Restaurant.
- Many boats exceed the 6 mph speed limit on Dividing Creek, causing significant wave action that threatens docked boats.
- A lack of regular DNR patrols since the pandemic has made enforcement of no-wake zones ineffective.
- The northeast-facing entrance to Dividing Creek exposes boats to strong storm winds, which, combined with climate change-induced rising tides, more frequent flooding, and stronger storms, significantly increases the risk of damage and necessitates constant adjustment of whips for protection.

Community Impact:

- Many neighboring properties along the creek have installed boat lifts due to similar concerns, with several having obtained variances.
- Multiple property owners, including Mr. Heacock, have raised their bulkheads and pier heights to combat flooding.
- The attached photos of the shoreline clearly show that the additional pilings would not alter its essential characteristics.
- While the adjacent property owners could not be present at today's hearing, the neighbor at 723 Dividing Road has provided a letter of no objection. Additionally, the neighbor at

719 Dividing Road has indicated to Mr. Heacock that he has no objections to the proposed pilings for the boat lift. His absence today reflects his support for this request.

Access for Adjacent Property Owner:

- The current distance between Mr. Heacock's pier and the pier at 719 Dividing Road is approximately 35 feet. With the addition of the boat lift and pilings, a distance of approximately 23 feet will remain, leaving sufficient space for a medium-sized boat to access the shoreline.
- There is additional unrestricted access on the other side of the neighbor's pier, further ensuring no obstruction.
- Mr. Heacock has always moored his boat on the north side of the pier, maintaining a distance of 10-12 feet from his pier with fiberglass whips. The boat lift and associated pilings will only add an additional 1.5 feet to what is already there.
- It is important to note that if the variance is not approved, Mr. Heacock will need to use larger whips or angle the boat, reducing the distance to the neighboring pier to approximately 15 feet.

Recognition of Multiple Boat Ownership:

- The state has acknowledged the diverse needs of boat owners by passing a law, COMAR 26.24.04.02B(2)(c)(v), allowing homeowners to have up to four boat lifts and two jet ski lifts.
- This recognition parallels the allowance of multiple cars in a driveway, acknowledging that people may own more than one boat.

Homeowner's Right to Tie up Boat:

- Homeowners have the right to tie up their boats to their pier.
- Tying up a boat on the pier, however, has potential drawbacks such as blocking sunlight underneath the boat, contributing to algae growth, and impacting the aquatic environment negatively.

Advantages of Boat Lifts for the Environment:

- Boat lifts play a crucial role in preserving the aquatic environment by allowing sunlight to penetrate underneath, promoting the growth of aquatic life.
- Installing a boat lift would reduce the need for annual bottom painting of the boat, contributing positively to local water quality and the environment.
- Deposits from boats can alter water chemistry, introducing compounds like zinc and copper, and creating an environment that may be too alkaline or acidic.

Jean Andersen
723 Dividing Road LLC
723 Dividing Road
Severna Park, MD 21146
C/O 31 Reservoir Road
Asheville, NC 28803

September 9, 2024

Office of Administrative Hearings
Arundel Center P.O. Box 2700
Annapolis MD 21404-2700
Douglas Clark Hollmann, Esq.
Administrative Hearing Officer

RE: Variance Request for 721 Dividing Rd. Severna Park, MD 21146

Dear Mr. Hollmann:

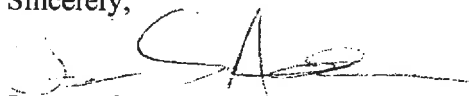
I am writing in support of my neighbors, Ronald and Laurie Heacock at 721 Dividing Road, who are seeking approval to install pilings adjacent to their pier beyond the setback for the installation of a boat lift. Given the rising tides, which have caused six adjacent properties to raise the height of their bulkheads, this boat lift would provide much-needed protection for their boat and property.

Boat lifts offer better performance than the fiberglass whips they are currently using, particularly during high tides and storms, and pilings provide a more stable foundation. With many neighbors already having boat lifts, this request is in line with the established character of our waterfront community.

I encourage you to approve this request to enhance safety and resilience in our neighborhood.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Anderson', with a long horizontal flourish extending to the right.

Jean Anderson,
Partner and Manager
704-650-5668

CERTIFICATE OF TITLE TO A VESSEL

(Any alteration or erasure voids this title.)

Owner(s) of Record

RONALD CARL HEACOCK
721 DIVIDING RD
SEVERNA PARK, MD 21146

LAURIE TRIPP HEACOCK
721 DIVIDING ROAD
SEVERNA PARK, MD 21146

Vessel #	Hull Identification #	Title #	Original Title Date	Date of Issuance	
MD 4980 CT	NTLPM431J920	1510358	01/07/2020	01/07/2020	
Year	Manufacturer	Length	Form of Ownership		
2020	GRADYWHITE	23' 6"	Joint Tenants		
Primary Use	Vessel Type	Hull Material	Propulsion	Engine Drive	Fuel
Pleasure	Open Motorboat	Fiberglass	Propeller	Outboard	Gas

Branded Title
No

Pursuant to the provisions of the Natural Resources Article of the Annotated Code of Maryland, I hereby certify that an application for Certificate of Title has been made for the vessel described above, and that the owner(s) of record named on the face hereof has certified under penalty of perjury that the vessel is subject to the security interests shown hereon (if any). The Department of Natural Resources does not guarantee the statements as to the security interest.

Secretary of Natural Resources

<u>Vessel Identification Number</u>	<u>Hull Identification Number</u>	<u>Title Number</u>	<u>Issued Date</u>	
MD 8823 BL	CTYN6357C595	1000960	03/19/2001	
<u>Model Year</u>	<u>Manufacturer</u>	<u>Length</u>	<u>Hull Material</u>	<u>Type</u>
1995	CATALINA	30' 0"	FiberGlass	Cabin

Name(s) and Address(es) of Registered Owner(s)

RONALD C HEACOCK	HEACOCK, LAURIE T
721 DIVING CREEK RD	721 DIVIDING RD
SEVERNA PARK, MD 21146	ARNOLD, MD 21146

CERTIFICATE OF TITLE FOR A VESSEL

I, THE UNDERSIGNED, HEREBY CERTIFY, PURSUANT TO THE PROVISIONS OF THE NATURAL RESOURCES ARTICLE OF THE ANNOTATED CODE OF MARYLAND, THAT AN APPLICATION FOR CERTIFICATE OF TITLE HAS BEEN MADE FOR THE VESSEL DESCRIBED HEREON, THAT THE APPLICANT(S) NAMED ON THE FACE HEREOF HAS BEEN DULY RECORDED AS THE LAWFUL OWNER(S); AND THAT THE APPLICANT(S) HAS CERTIFIED UNDER PENALTY OF PERJURY THAT THE VESSEL IS SUBJECT TO THE SECURITY INTERESTS SHOWN HEREON. THE DEPARTMENT OF NATURAL RESOURCES DOES NOT GUARANTEE THE STATEMENTS AS TO THE SECURITY INTEREST.

Names and Addresses of Secured Parties

BANK OF AMERICA
P O BOX 2759
JACKSONVILLE, FL 33203

Perfection Date: 03/04/2001



CTYN6357C595

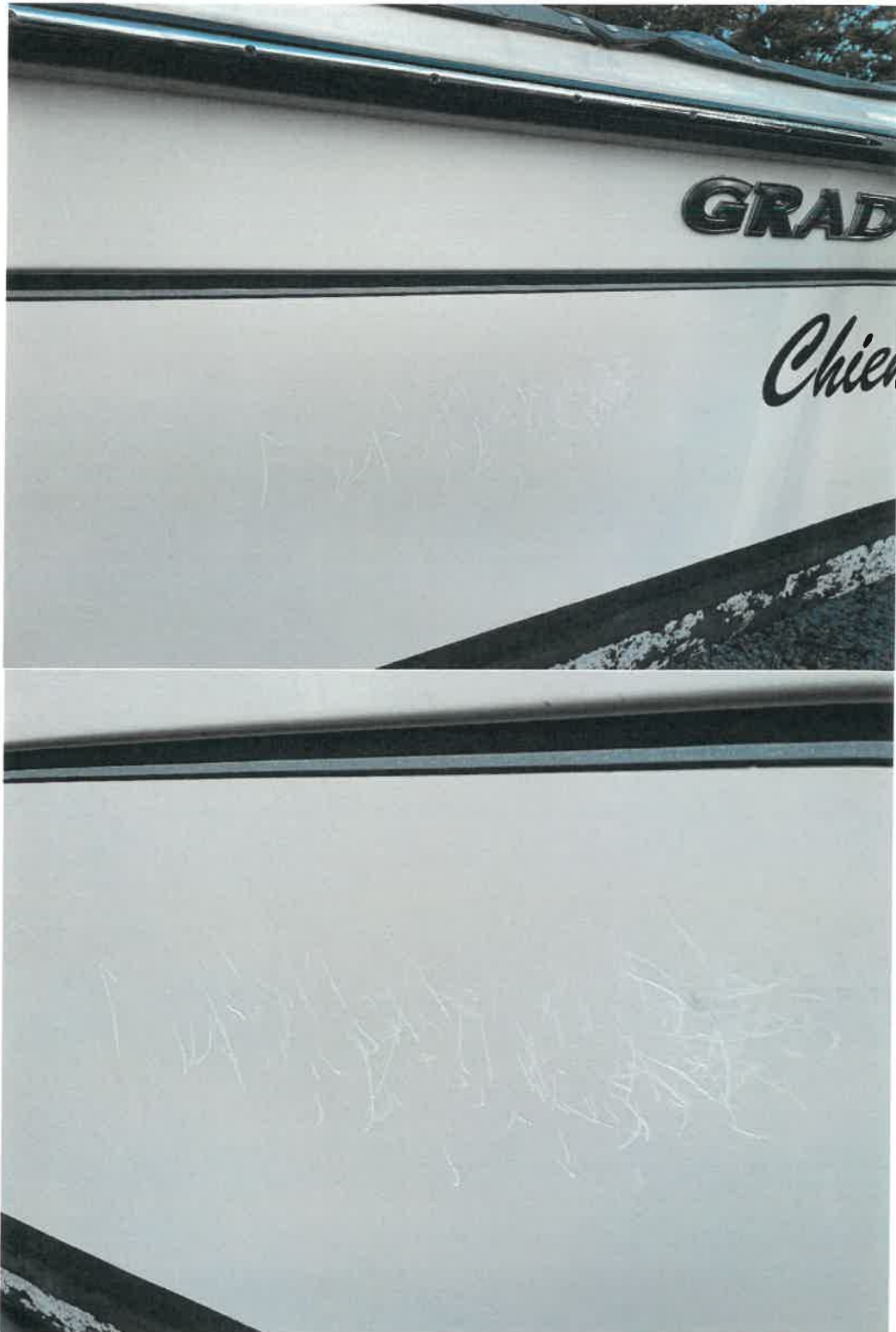


1000960

Sarah J. Taylor Rogers

SECRETARY OF NATURAL RESOURCES

Damage to Grady White 215 Freedom



Grady White 215 Freedom Moored using Fiberglass Whips



Previous Flooding at the Property



Photos of Surrounding Properties



Photos of Surrounding Properties Continued

