

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

**APPLICANTS:** Ronald & Laurie Heacock

**ASSESSMENT DISTRICT:** 3

**CASE NUMBER:** 2024-0130-V

**COUNCILMANIC DISTRICT:** 5

**HEARING DATE:** September 19, 2024

**PREPARED BY:** Joan A. Jenkins   
Planner III

**REQUEST**

The applicants are requesting a variance to allow pier pilings with less setbacks than required for property located at 721 Dividing Road in Severna Park.

**LOCATION AND DESCRIPTION OF SITE**

The subject site consists of 15,000 square feet of land, more or less, and is located with approximately 50 feet of frontage on the east side of Dividing Road, north of Gordon Avenue. The property is identified as Parcel 285 in Grid 11 on Tax Map 32E Block J Lot 18 of the Manhattan Beach subdivision. The property has been zoned R2 - Residential District since the adoption of comprehensive zoning for the Seventh Council District October 7, 2011.

This lot is platted to the shore of DividingCreek, is within the Chesapeake Bay Critical Area designated as IDA - Intensely Developed Area, and is mapped within a buffer modification area.

The site is developed residentially with a dwelling, a detached garage, a shed, and a pier with a large platform and two associated mooring pilings on the south side and a third piling in front of the pier. The property is served by a public water and private septic.

**APPLICANTS' PROPOSAL**

The applicants propose to add four pilings for a boatlift on the north side of the existing pier. Two of these pilings will be added to the pier and two will be support pilings.

**REQUESTED VARIANCES**

§ 18-2-404 (b) of the Code requires a pier or mooring piling be set back a minimum of fifteen feet from a lot line extended for a private pier. Two of the pilings will be located 6'-7" from the northern property line extension requiring a variance of 9 feet each.

## **FINDINGS**

This Office finds that the subject property has approximately 50 feet of frontage at the water's edge. The applicants enjoy the use of a pier with a large platform and a boat slip. Docking and mooring facilities require approximately 46 to 48 feet of frontage on the water to provide for a six-foot wide pier and a 10 to 12-foot wide boat lift set back 15 feet from the extended side property lines. The 50-foot lot width of the property and the existing slip allows for use of the property. Denial of a variance would not prevent use of the waterfront for a pier and slip.

The applicants' letter indicates that they need the additional slip to provide protection, security, and maintenance for a second boat. The letter opines that this is the minimum variance necessary to allow the homeowner to keep both of their boats on their property.

A review of the County aerial photo from 2024 shows that this is a developed shoreline. It is common for properties to have a pier with a platform and a boat slip. Some properties have more than one slip.

The **Anne Arundel County Department of Health** has no objection to the request.

The **Development Division (Critical Area Team)** commented that permit B02428552 has been reviewed for compliance with Zoning regulations. The property line extensions are correctly drawn as direct extensions. In reviewing the shoreline along this stretch of Dividing Road, it is evident that the majority of the piers have a moderate platform and either a single boat lift or mooring spot for a single boat. Most of the lots consist of 50' of water frontage which allows for a 20' wide water area to place piers and associated structures. This is a reasonable amount of space for a waterfront lot of this size and width to accommodate a large boat and smaller watercraft vessels such as jet skis. The request to install a 13.5' wide boat lift on the North side of the existing pier when there is an existing 14' wide boat slip to the south. It is the opinion of the critical area section of the Office of Planning and Zoning that granting the requested variance is not the minimum necessary, would alter the essential character of this shoreline and impair the appropriate use of the adjacent property. It is for these reasons that the critical area section opposes the requested variance.

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, strict implementation of the Code would result in practical difficulties or an unnecessary hardship in the development of the lot.

This lot is narrower than required for a lot in the R2 district. The pier has an oversized platform and the entire structure is nearly centered on the shoreline. The applicants already have a slip for mooring a boat. A second slip is considered unnecessary and will use the entire waterway for pier structure and pilings.

Approval of the variances for the two boatlift pilings would not necessarily alter the essential character of the neighborhood, as the proposed boatlift is typical in size for a boatlift associated

with a residential pier. Nearby properties along this shoreline have boat lifts that might not meet the Code requirement. This Office found a variance at 725 Dividing Road (Case 2019-0244-V) which granted approval to mooring pilings, however, the property was ‘squeezed’ by converging property lines and did not have sufficient waterway area. This Office did not conduct a review as to whether variances were required or permits issued for any other nearby properties. The variances would not impair the appropriate use or development of the neighboring properties as the property to the north is already developed with a pier and two pilings creating a slip at the end of that pier. The variances would not be detrimental to the public welfare.

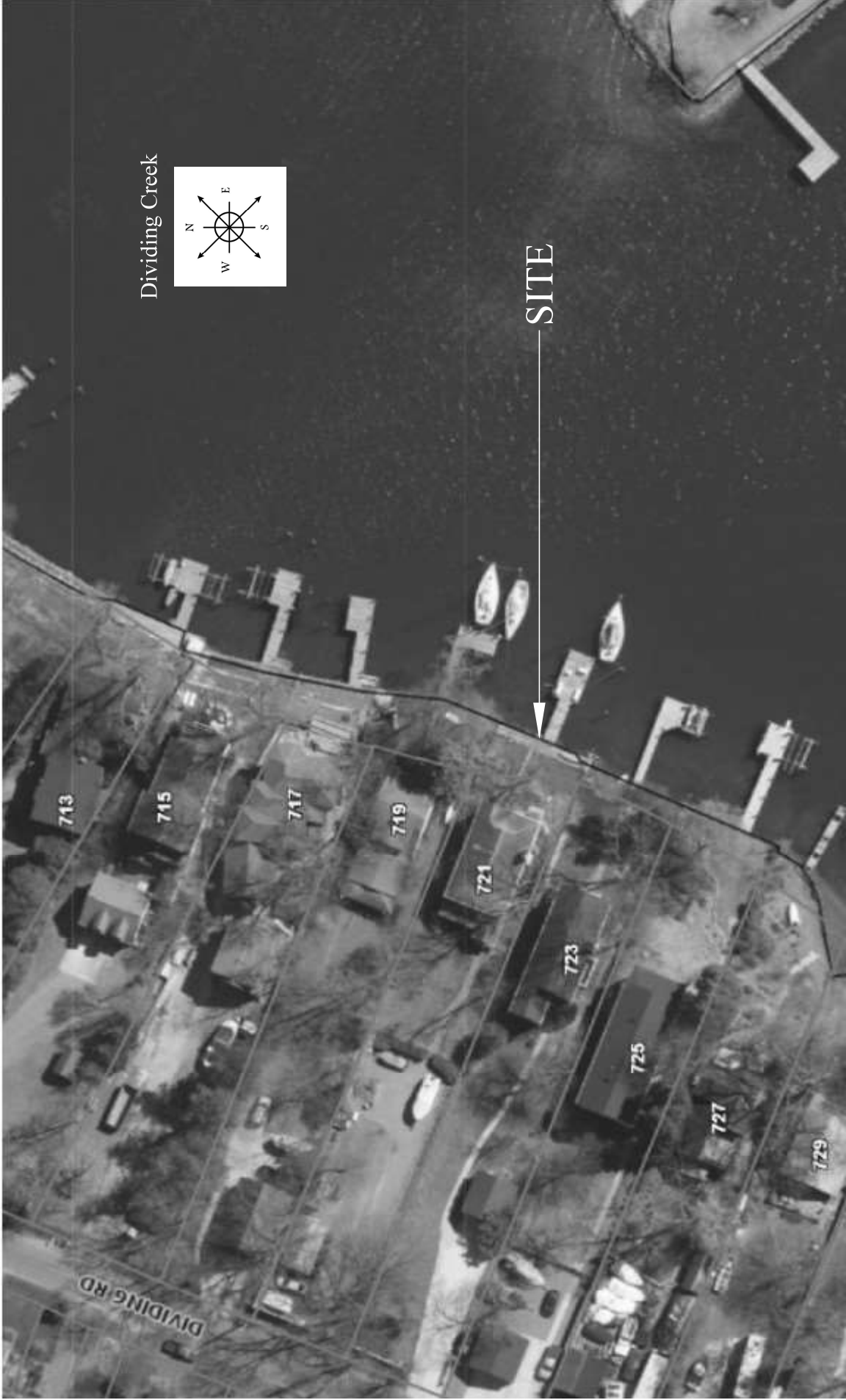
However this request for the second slip is unwarranted and is not considered to be the minimum necessary to afford relief from the Code.

### **RECOMMENDATION**

Based upon the standards set forth in § 18-16-305 of the Anne Arundel County Code under which a variance may be granted, this Office recommends ***denial*** of the requested zoning variance to § 18-2-404(b) for the two pilings as shown on the site plan.

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.

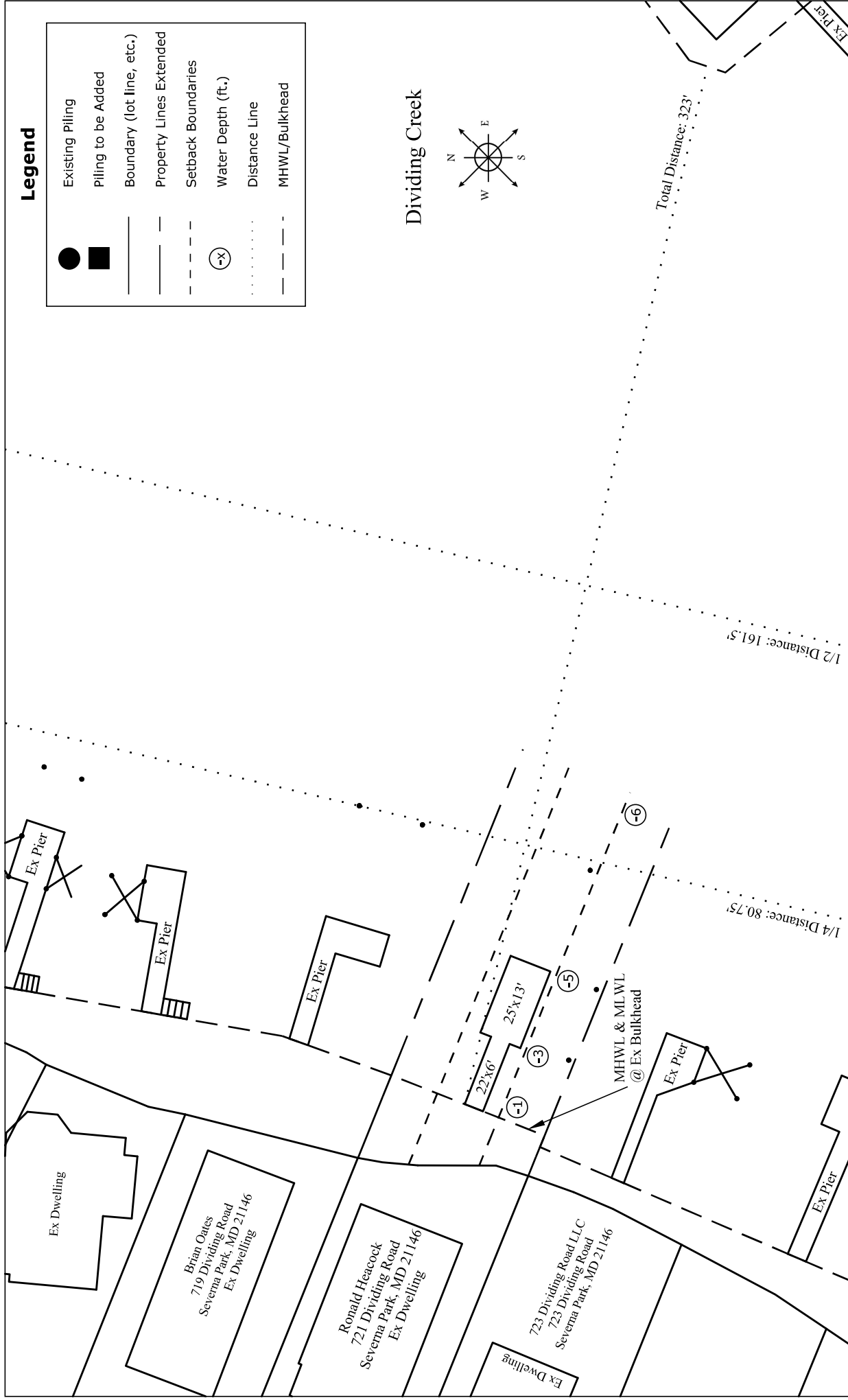
# Topographic Map



Scale: 1"=70'  
Date: July 9, 2024  
Page 1 of 10

Applicant: Ronald Heacock  
Property Address: 721 Dividing Road, Severna Park, MD 21146  
Tax-ID: 03-530-28019600  
Project Description: Install 4 pilings for a boat lift.

# Existing Detail Condition - Entire Site

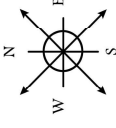


Applicant: Ronald Heacock  
 Property Address: 721 Dividing Road, Severna Park, MD 21146  
 Tax-ID: 03-530-28019600  
 Project Description: Install 4 pilings for a boat lift.

Scale: 1"=40'  
 Date: July 9, 2024  
 Page 2 of 10

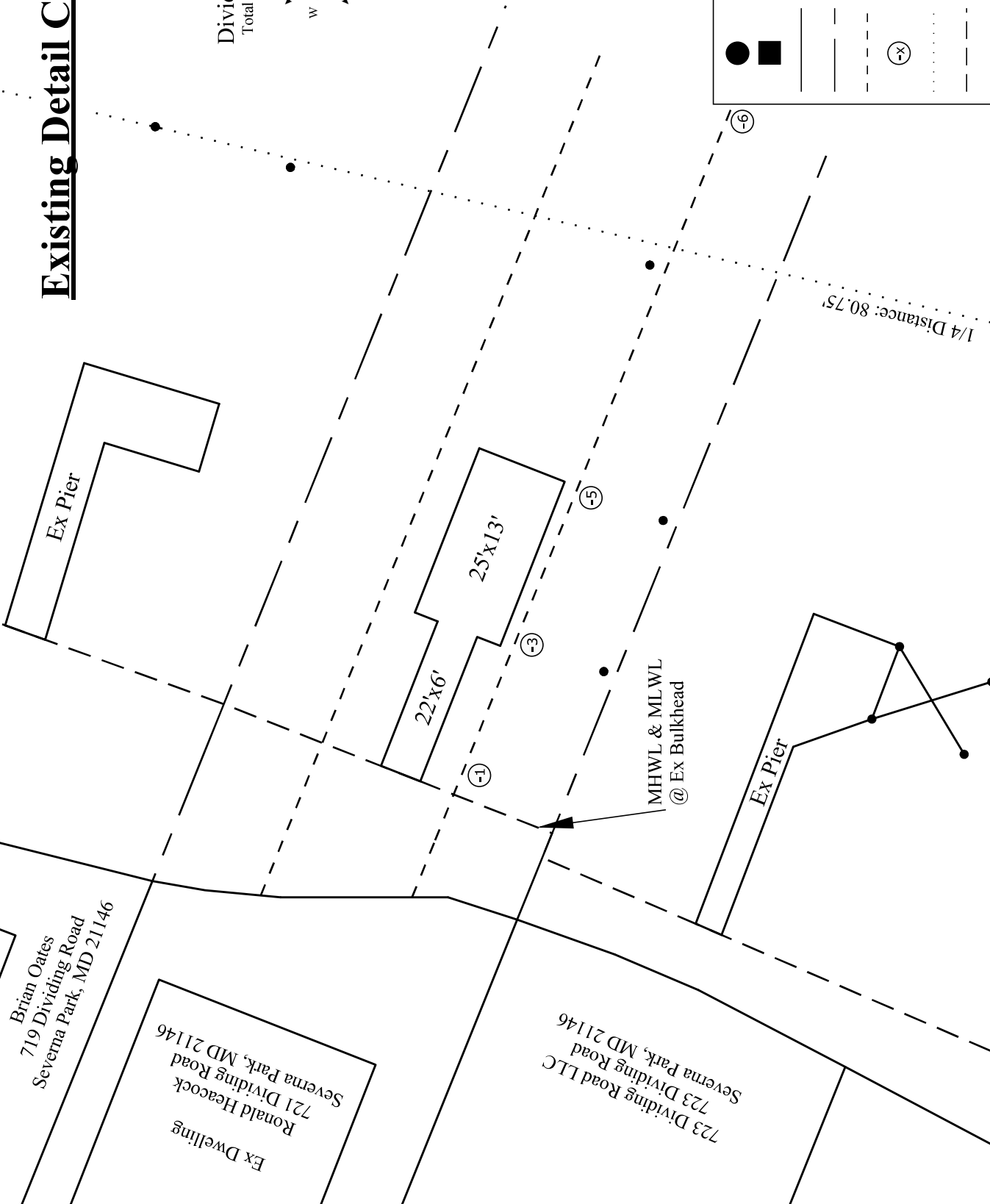
# Existing Detail Condition

Dividing Creek  
Total Distance: 323'



## Legend

	Existing Piling
	Piling to be Added
	Boundary (lot line, etc.)
	Property Lines Extended
	Setback Boundaries
	Water Depth (ft.)
	Distance Line
	MHWL/Bulkhead

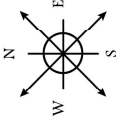


Scale: 1"=20'  
Date: July 9, 2024  
Page 3 of 10

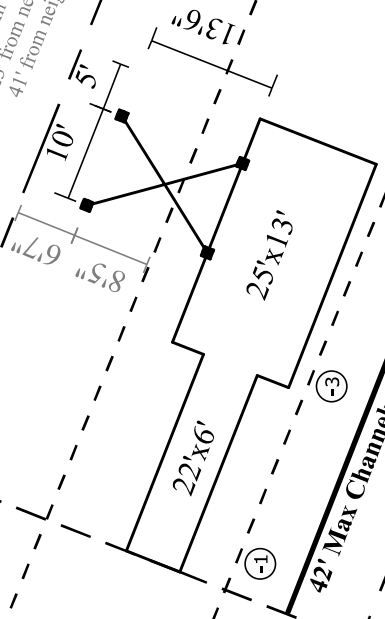
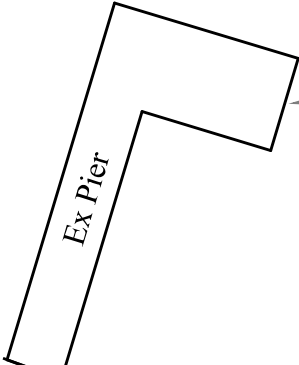
Applicant: Ronald Heacock  
Property Address: 721 Dividing Road, Severna Park, MD 21146  
Tax-ID: 03-530-28019600  
Project Description: Install 4 pilings for a boat lift.

# Proposed Detail Condition

Dividing Creek  
Total Distance: 323'



Pilings in setback are roughly  
23' from neighbor's platform and  
41' from neighbor's closest piling.



MHWL & MLWL  
@ Ex Bulkhead



Legend	
	Existing Piling
	Piling to be Added
	Boundary (lot line, etc.)
	Property Lines Extended
	Setback Boundaries
	Water Depth (ft.)
	Distance Line
	MHWL/Bulkhead

1/4 Distance: 80.75'

Brian Oates  
719 Dividing Road  
Severna Park, MD 21146

Ronald Heacock  
721 Dividing Road  
Severna Park, MD 21146

723 Dividing Road LLC  
723 Dividing Road  
Severna Park, MD 21146

Scale: 1"=20'  
Date: July 9, 2024  
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Applicant: Ronald Heacock  
Property Address: 721 Dividing Road, Severna Park, MD 21146  
Tax-ID: 03-530-28019600  
Project Description: Install 4 pilings for a boat lift.

1,500lbs. Single Piling Swinger PWC Lift



3,000lbs. 2 Piling BoatLift



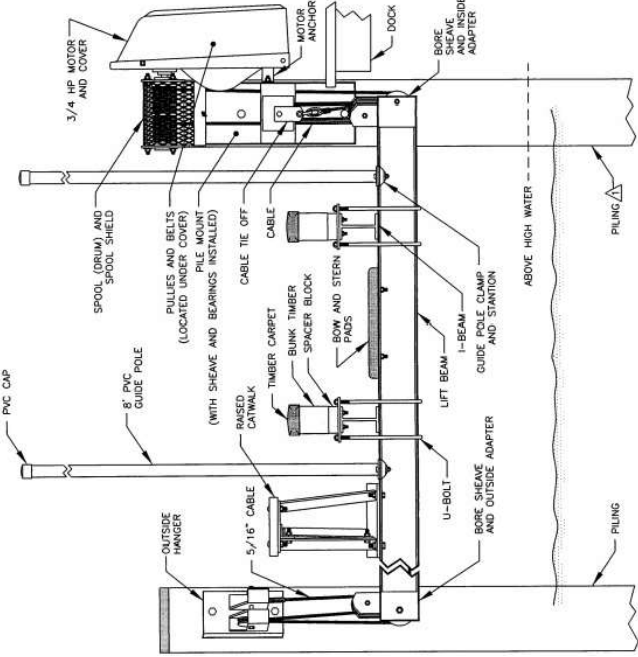
10,000lbs. 4 Piling BoatLift



20,000lbs. 4 Piling BoatLift



**Stock Photos**

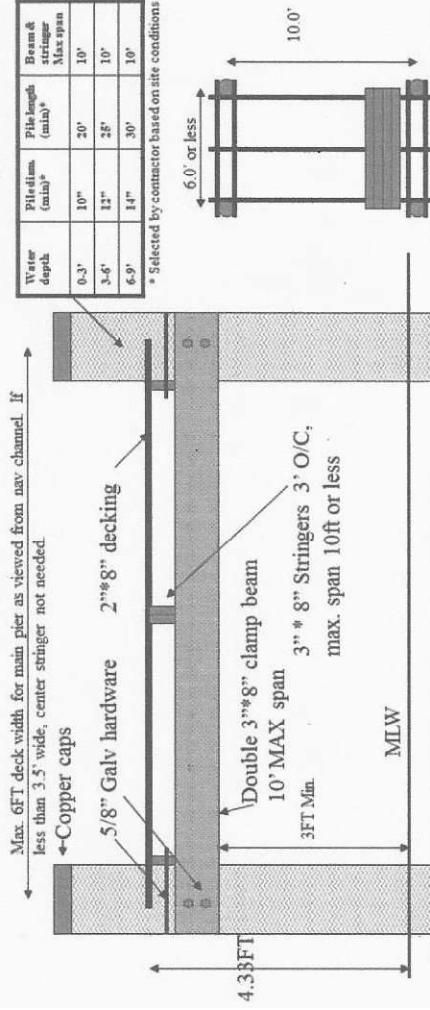


Applicant: Ronald Heacock  
 Property Address: 721 Dividing Road, Severna Park, MD 21146  
 Tax-ID: 03-530-28019600  
 Project Description: Install 4 pilings for a boat lift.

Scale: 1" = NTS  
 Date: July 9, 2024  
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# Pier Construction Drawing



Note: longer spans require custom specified, larger stringers, clamp beams, and bolts. Widths 3' or less do not require third stringer.

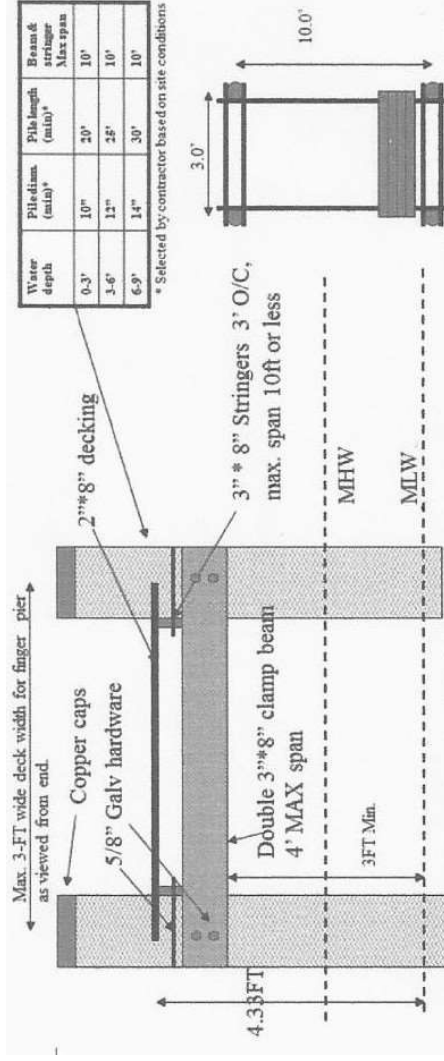
- Piling, marine grade pressure treated AWP A STD, 1.5lb cu/ft CCA or better type C
- Piling driven to point of SIGNIFICANT resistance or refusal and AT LEAST as much below seabed as above
- Framing, beams & stringers 1.0lb cu/ft CCA or better. Decking 0.5lb cu/ft ACQ or better
- All nails 20d or larger, hot dip galvanized
- All exterior bolt-heads recessed & hot dip galvanized
- All beams bolted w/ hot dip galv, 5/8" bolts w/ washers both sides and square nuts. Outer stringers bolted through pilings
- Owner responsible for scheduling required inspections & closing permits
- Owner assumes all responsibility for any construction related to these plans/permits

Scale: NTS

NOTE: BAY-FRONT PIERS TYPICALLY ELEVATED AN ADDITIONAL 2 FT +/- TO ACCOMMODATE STORM/WAVE CONDITIONS. NO MINIMUM PILING HEIGHT ABOVE STRINGERS.

# Stock Photos

# Finger Pier Construction Drawing



NOTE: longer spans require custom specified, larger stringers, clamp beams, and bolts.

- Pilings, marine grade pressure treated AWP A STD, 1.5lb cu/ft CCA or better type C
- Piling driven to point of SIGNIFICANT resistance or refusal and AT LEAST as much below seabed as above
- Framing, beams & stringers 1.0lb cu/ft CCA or better. Decking 0.5lb cu/ft ACQ or better
- All nails 20d or larger, hot dip galvanized
- All exterior bolt-heads recessed & hot dip galvanized
- All beams bolted w/ hot dip galv, 5/8" bolts w/ washers both sides and square nuts. Outer stringers bolted through pilings
- Owner responsible for scheduling required inspections & closing permits
- Owner assumes all responsibility for any construction related to these plans/permits

Scale: NTS

Applicant: Ronald Heacock  
 Property Address: 721 Dividing Road, Severna Park, MD 21146  
 Tax-ID: 03-530-28019600  
 Project Description: Install 4 pilings for a boat lift.

Scale: 1" = NTS  
 Date: July 9, 2024  
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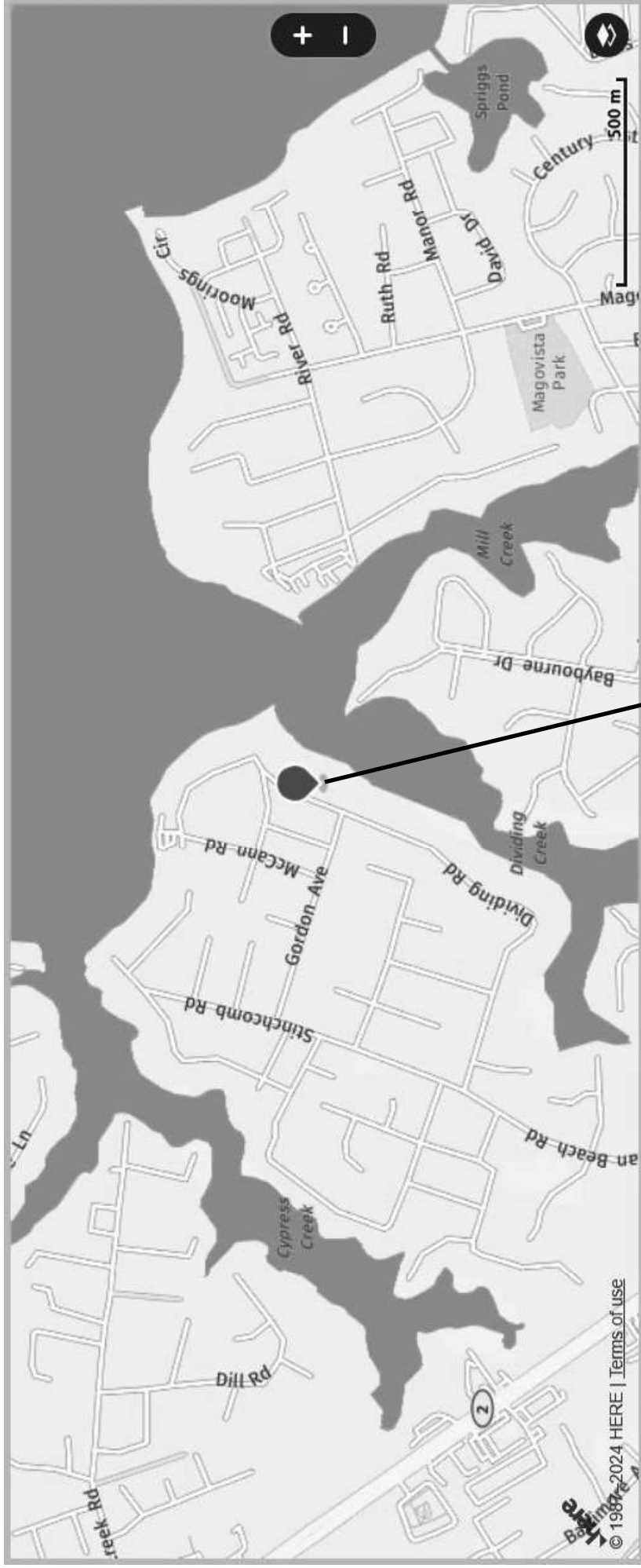
# Utilities Map

<input checked="" type="checkbox"/>	Utility	...
<input checked="" type="checkbox"/>	Sewer	>
<input type="checkbox"/>	Grinder Pumps	...
<input type="checkbox"/>	Sewer Cleanouts	...
<input checked="" type="checkbox"/>	Sewer Mains	...
<input type="checkbox"/>	Sewer Manholes	...
<input type="checkbox"/>	Sewer Pump Stations	...
<input checked="" type="checkbox"/>	Sewer Service Lines	...
<input type="checkbox"/>	Sewer Treatment Plants	...
<input checked="" type="checkbox"/>	Water	>
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<input checked="" type="checkbox"/>	Water Mains	...
<input type="checkbox"/>	Water Meter Vaults	...
<input type="checkbox"/>	Water Pump Stations	...
<input type="checkbox"/>	Water Storage Tanks	...
<input checked="" type="checkbox"/>	Water Service	...

Applicant: Ronald Heacock  
 Property Address: 721 Dividing Road, Severna Park, MD 21146  
 Tax-ID: 03-530-28019600  
 Project Description: Install 4 pilings for a boat lift.

Date: July 9, 2024  
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# Vicinity Map



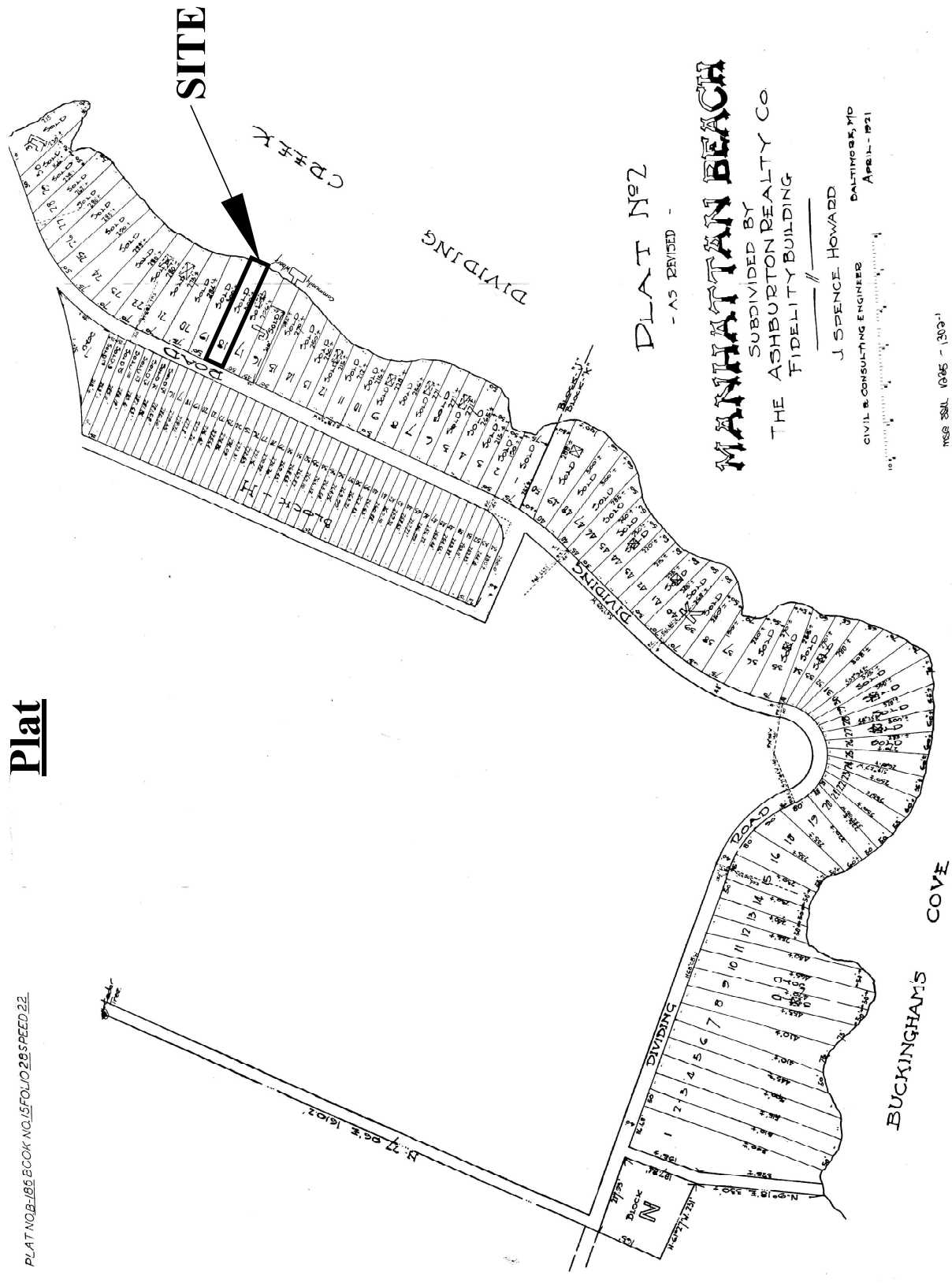
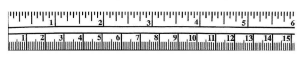
**SITE**

Applicant: Ronald Heacock  
Property Address: 721 Dividing Road, Severna Park, MD 21146  
Tax-ID: 03-530-28019600  
Project Description: Install 4 pilings for a boat lift.

Scale: 1"=NTS  
Date: July 9, 2024  
Page 8 of 10

# Plat

PLAT NO. B-186 BOOK NO. 15 FOLIO 29 SPEED 22.



PLAT No 2  
 - AS REVISED -  
**MANHATTAN BEACH**  
 SUBDIVIDED BY  
 THE ASHBURTON REALTY CO  
 FIDELITY BUILDING  
 J. SPENCE HOWARD  
 BALTIMORE, MD  
 APRIL - 1921  
 CIVIL & CONSULTING ENGINEER

MSE 3341 (1905 - 1907)

Scale: 1"=NTS  
 Date: July 9, 2024  
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Applicant: Ronald Heacock  
 Property Address: 721 Dividing Road, Severna Park, MD 21146  
 Tax-ID: 03-530-28019600  
 Project Description: Install 4 pilings for a boat lift.

NAME: RONALD HEACOCK COUNTY: CHARLES COUNTY PLAT NO.: B-186 BOOK NO.: 15 FOLIO: 29 SPEED: 22. DATE: 07/09/2024. FILED: 07/09/2024.

# Applicant Certification

I hereby certify that I have reviewed this permit package in its entirety, and the information and drawings provided in this package are true and correct to the best of my knowledge and belief.

Additionally, I certify that I understand the following:

- The drawings provided in this package are for permit purposes only for the described homeowner, property, and improvement.
- All distances and scaled relationships are approximate and are not to be relied on for construction or purposes other than this permit application.
- I am solely responsible for all work that occurs at the site, inspections, and any surveys necessary to properly locate improvements, maintain required setbacks, confirm and/or perfect all locations, dimensions, measurements, and relative relationships.
- I am responsible for contacting MISS UTILITY and having all utilities marked/located prior to the start of work and confirming no danger/conflict with all utilities.

Applicant Signature and Date: Ronald C Heacock July 9, 2024

Applicant: Ronald Heacock  
Property Address: 721 Dividing Road, Severna Park, MD 21146  
Tax-ID: 03-530-28019600  
Project Description: Install 4 pilings for a boat lift.



Anne Arundel County Planning and Zoning  
2664 Riva Road  
Annapolis, MD 21401

July 9, 2024

Client: Ronald Heacock  
Site Address: 721 Dividing Road, Severna Park, MD 21146  
Subject: Letter of Explanation for Variance

To Whom It May Concern:

The homeowner, Ronald Heacock, is requesting authorization to install four pilings for a boat lift. Two of the pilings are to be installed within the northern setback of the property. The homeowner has two boats with only one boat slip currently. A boat lift is required for the homeowner's second boat to provide protection, security, and maintenance. As the side of the existing pier that does not currently have a boat lift is roughly five feet from the northern setback line, there is no alternative option to avoid requiring a variance to install a new boat lift with its associated pilings. The variance is the minimum variance necessary to allow the homeowner to keep both of their boats on their property.

There is a total of 50 feet of waterfront property. The existing pier measures approximately 22 feet by 6 feet, with a 25 feet by 13 feet platform. Currently, there are two mooring pilings on the southern side of the pier, which create one boat slip. Additionally, there is one mooring piling located approximately 33 feet channelward of the platform.

The new pilings will be installed 13.5 feet from the north side of the pier, and they will be installed at approximately 32 feet and 42 feet channelward from the existing bulkhead/MHWL. The boat lift will measure 10 feet by 13.5 feet.

Mr. Heacock's primary reason for requesting a boat lift is 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 boat. Several factors contribute to the necessity for enhanced protection:

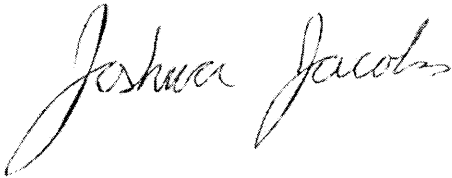
- Increased boat traffic near the entrance of Mill and Dividing Creek, likely due to The Point Restaurant.
- Despite being designated as a 6 mph zone, boats frequently exceed speed limits, causing significant wave action that threatens docked boats.
- Storms originating from the northeast often drive boats into pier pilings, posing a serious risk of damage.

- Climate change has led to more frequent tidal fluctuations and stronger storms, increasing the likelihood of pier flooding and placing boats at greater risk.

Many neighboring properties along the creek have installed boat lifts due to similar concerns, with several having obtained variances. Mr. Heacock currently docks his Catalina 30 sailboat in the slip on the southern side of his pier and intends to utilize the boat lift for his Grady White 215 Freedom. It's important to note that even with the addition of a boat lift, sufficient space will remain to access the shoreline with a medium-sized boat. Installing a boat lift would also eliminate the need for annual bottom painting of the boat, contributing positively to environmental conservation efforts.

If you have any questions, please contact me at 443-883-6598/ [upandoutservices@gmail.com](mailto:upandoutservices@gmail.com).

Sincerely,



Joshua Jacobs  
Chief Executive Officer

Homeowner: Ronald Heacock

Signature: 

# 2024-0130-V

Menu Cancel Help

Task Details OPZ Critical Area Team

**Assigned Date**

07/22/2024

**Assigned to**

Melanie Mathews

**Current Status**

Complete w/ Comments

**Action By**

Melanie Mathews

**Comments**

Permit B02428552 has been reviewed for compliance with Zoning regulations. The property line extensions are correctly drawn as direct extensions. In reviewing the shoreline along this stretch of Dividing Road, it is evident that the majority of the piers have a moderate platform and either a single boat lift or mooring spot for a single boat. Most of the lots consist of 50' of water frontage which allows for a 20' wide water area to place piers and associated structures. This is a reasonable amount of space for a waterfront lot of this size and width to accommodate a large boat and smaller watercraft vessels such as jet skis. The request to install a 13.5' wide boat lift on the North side of the existing pier when there is an existing 14' wide boat slip to the south is not the minimum necessary and does not meet the requirements for granting a Zoning variance in Article 18-16-305 (a) and (c). It is the opinion of the critical area section of the Office of Planning and Zoning that granting the requested variance to allow a variance of 13' to the 15' setback requirements is not the minimum necessary, would alter the essential character of this shoreline and impair the appropriate use of the adjacent property. It is for these reasons that the critical area section opposes the requested variance.

**End Time**

**Billable**

No

**Time Tracking Start Date**

**In Possession Time (hrs)**

**Estimated Hours**

0.0

**Comment Display in ACA**

- All ACA Users
- Record Creator
- Licensed Professional
- Contact
- Owner

Task Specific Information

**Due Date**

08/06/2024

**Assigned to Department**

OPZ Critical Area

**Status Date**

08/01/2024

**Overtime**

No

**Start Time**

**Hours Spent**

0.0

**Action by Department**

OPZ Critical Area

**Est. Completion Date**

- Display E-mail Address in ACA
- Display Comment in ACA

**Expiration Date**

**Review Notes**

**Reviewer Name**

MELANIE MATHEWS

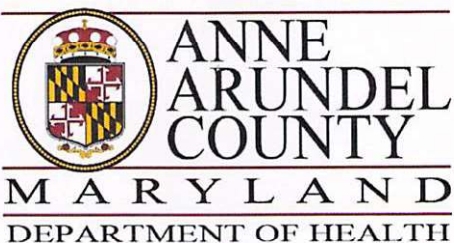
**Reviewer Phone Number**

410-222-6136

**Reviewer Email**

PZMATH20@aacounty.org





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

A handwritten signature in blue ink, appearing to be "BC", written over the name "Brian Chew" in the FROM field.

DATE: July 19, 2024

RE: Ronald C. Heacock  
721 Dividing Road  
Severna Park, MD 21146

NUMBER: 2024-0130-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow pilings with less setbacks than required.

The Health Department has reviewed the above-referenced request. The property is served by public water and sewer facilities. 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



### Legend

#### Foundation

##### Addressing



##### Parcels



##### Parcels - Annapolis City



#### Planning

##### County Planning



0 50 100 ft

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
DO NOT USE FOR NAVIGATION.

none

Notes