

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

APPLICANT: The Hideaway Marina, LLC

ASSESSMENT DISTRICT: 1

CASE NUMBER: 2025-0134-V

COUNCIL DISTRICT: 7

HEARING DATE: October 21, 2025

PREPARED BY: Sara Anzelmo
Planner



REQUEST

The applicant is requesting a variance to allow a commercial pier and mooring pilings with less setbacks than required on property located at 4159 Cadle Creek Road in Edgewater.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 1.06 acres +/- of land and is located at the northeast end of Cadle Creek Road. It is identified as Parcel 97 in Grid 5 on Tax Map 65.

The property is zoned MA2 – Light Commercial Marina District. This waterfront parcel lies within the Chesapeake Bay Critical Area overlay, is designated as LDA – Limited Development Area, and is mapped as a BMA – Buffer Modification Area. It is currently improved with a commercial marina and the associated buildings, parking, piers, and pilings.

PROPOSAL

The applicant proposes to reconfigure the existing commercial pier and mooring pilings. The number of total boat slips (31) will remain unchanged.

REQUESTED VARIANCES

§ 18-2-404(b) of the Anne Arundel County Zoning Code provides that a commercial pier or mooring piling shall be located at least 25 feet from a lot line extended.

South side variances: The proposed L-shaped pier extension on the southeast end of the pier would be located 13 feet from the south side lot line extended, necessitating a variance of 12 feet. Two proposed mooring pilings to the immediate south of the southeast pier extension would be located one foot from the south side lot line extended, necessitating variances of 24 feet each. An existing boat lift piling to the immediate west of the southeast pier extension is to be relocated 15 feet from the south side lot line extended, necessitating a variance of ten feet.

North side variances: The proposed L-shaped pier extension on the northeast end of the pier would be located one-foot from the north side lot line extended, necessitating a variance of 24 feet. (Note: this pier extension would be constructed in the location of existing mooring pilings to be removed.) Two proposed mooring pilings to the immediate south of the northeastern pier

extension would be located 17 feet from the north side lot line extended, necessitating a variance of eight feet for each piling. One new mooring piling and 13 existing mooring pilings to be slightly relocated would be located one foot from the north side lot line extended, necessitating a variance of 24 feet for each of the 14 pilings. One existing mooring piling (the northwesternmost piling) would remain four feet from the north side lot line extended, necessitating a variance of 21 feet. The three westernmost proposed catwalks extending from the north side of the pier would be located (from west to east) 22 feet, 23 feet, and 23 feet from the north side lot line extended, necessitating variances of three feet, two feet, and two feet, respectively. The three mooring pilings located to the immediate west of each of those three catwalks would be located (from west to east) 21 feet, 22 feet, and 23 feet from the north side lot line extended, necessitating variances of four feet, three feet, and two feet, respectively.

FINDINGS

A review of the County historic aerial photographs shows that a marina has existed at this location and in the same general configuration since at least 1970, if not earlier. The properties fronting the cove to the northwest of the subject pier are improved with private residential piers.

The applicant's letter explains that all of the "Proposed Conditions" have been designed to be within the Existing Marina Basin which is composed of extended property lines, existing pilings, and the ends of existing piers and catwalks. Other than two mooring piles along the extended south property line (which is adjacent to the Marina Owner's private residence), none of the proposed conditions extend beyond any existing feature of the current marina.

The **Department of Health** commented that the property is served by public water and sewer facilities. The Department has no objection to the variance request.

The **Development Division (Critical Area Team)** commented that a revised plan was reviewed October 14th that proposed a change to the pier, pilings, and boat slip configuration at the northwest corner of the marina. The applicant now desires to extend the main 6' pier towards the West, add an additional finger pier, and replace in-kind one piling, creating a new slip with a boat lift. A second new piling for the boat lift requires variance approval as it is within the 25-foot setback. All proposed structures remain within the dedicated marina basin. The Team has no objection to the proposed variances.

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 considerations, strict implementation of the Code would result in practical difficulties or an unnecessary hardship. Exceptional circumstances exist in that the long-standing pier and pilings do not comply with the current setback requirements. As such, reconfiguration of the improvements within the same water area requires variances.

Approval of the variances would not alter the essential character of the neighborhood and would not substantially impair the appropriate use or development of adjacent properties. The improvements on the north side of the pier would project no closer to the north side lot line extended than the existing structures being removed or replaced. Similarly, the improvements on the south side of the pier, with the exception of two proposed mooring pilings, would project no closer to the south side lot line extended than the existing structures being removed or replaced.

The other two proposed mooring pilings that would be located one foot from the south side lot line extended would not hinder navigability between the subject pier and the neighboring pier to the south, which is located on the southern end of a property that is owned and occupied by the owner of the subject marina. There is no evidence to indicate that the proposed variances would be detrimental to the public welfare.

Due to the practical limitations caused by the location of the existing nonconforming pier and pilings, and given the fact that the reconfiguration is proposed within the same water area of the existing improvements, the request for relief is justifiable and is considered to be the minimum necessary to afford relief in this case.

RECOMMENDATION

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

PROPOSED CONDITIONS SITE PLAN

Scale: 1" = 4'

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posed Marina Reconfiguration - A.A. County
Owner: Scott Zappala/Hidaway Marina LLC
Address: 4159 Cagle Creek Rd Edgewater, MD 21037
Site: 2-27-25 Waterway: Cagle Creek Rte 10/11/12

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C-A-D, L-E

CCCCC

-6' mzw-

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Pen Mar Environmental Services, LLC

for your environmental permit needs

4841 Avery Road
Shady Side, MD 20764

443.875.3955

2dmusser1@gmail.com

June 29, 2025

Revised 10/11/2025

Revised 10/14/2025

Anne Arundel County
Planning and Zoning Division
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

Re: LETTER OF EXPLANATION (Revised)
Proposed Commercial Pier Improvements
4159 Cadle Creek Road
Edgewater, MD 21037

Dear Zoning Analyst,

The subject property is zoned as MA2 and is currently developed with a commercial marina that has been in existence for more than 20 years. The owners desire to improve the navigation and docking within the existing marina basin. Currently the marina exhibits 31 slips. If project approval is granted, the proposed number of slips would remain the same at 31. All of the "Proposed Conditions" have been designed to be within the Existing Marina Basin which is composed of extended property lines, existing pilings and the ends of existing piers and catwalks. Other than two mooring piles along the extended south property line (which is adjacent to the Marina Owner's private residence), none of the proposed conditions extend beyond any existing feature of the current marina.

On behalf of the property owners, Annette and Scott Zepko, I am submitting a variance request for 24 feet to the required 25-foot setback of the extended south property line to allow 2 mooring piles. The owners also seek a variance of 12 feet to the same setback to allow a 12' long x 6' wide pier with a connected 40' long x 3' wide catwalk. Also, a variance of 10' is requested to the same 25-foot setback to allow for a relocated boat lift pile.

Based on the comments by the County environmental reviewer, it is believed that the County is considering the existing north marina basin to be a continuation of the extended east/side property line. This will require variance requests of 24 feet to the north property line extended for the slight relocation of 13 existing mooring piles. A variance of 3' for a 3' long x 2' wide portion of a catwalk and an associated piling and a variance of 2' for a 2' long by 2' wide portion of a catwalk.

A variance of 24 feet is also requested to the north property line extended for a 6' wide x 24' long portion of a pier with 40' long by 3' wide catwalk in lieu of 5 existing mooring piles. Finally, a variance of 8 feet to the 25-foot buffer of the north property line extended is being requested to install 2 mooring piles.

On October 11, 2025 a revision to the original plan dated 6/29/25 is also being sought for the removal of the pier and boat lift in the northwest portion of the marina. It is requested that a portion of the existing pier and the associated boat lift and lift piles be removed and reconfigured for continuity. This will require a variance of 24 feet for a new mooring pile (number 14) and 21 feet to allow an existing mooring pile to remain. The result of this revision is that 2 existing slips are to be reconfigured and there will be no increase in the current number of slips.

The commercial pier improvements that are proposed will help improve the navigability within the marina but will not extend beyond the existing conditions other than 2 piles which are adjacent to the marina owners' residential property. There is no increase in the number of slips as a result of the requested minor reconfiguration. No marina expansion is being requested. Based on this information, it is felt this is a valid request.

Should you have any questions or need any additional information, please feel free to contact me.

Sincerely,

Doug Musser
Environmental Consultant

CC: Annette and Scott Zepko, Owners

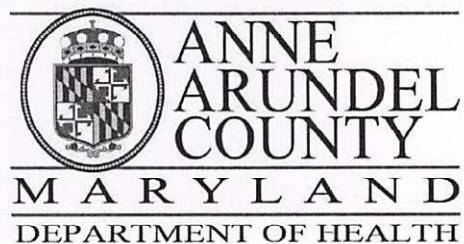
Attachments

Figure 1 – Vicinity Map

Figure 2 – Aerial Photo

Figure 3 – Existing Conditions Plan

Figure 4 – Proposed Conditions Plan



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: August 14, 2025

RE: The Hideway Marina, LLC.
4159 Cadle Creek Road
Edgewater, MD 21037

NUMBER: 2025-0134-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a pier and mooring pilings with setbacks than required.

The Health Department has reviewed the above referenced request. The property is served by public 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

2025-0134-V

Menu		Cancel	Help
Task OPZ Critical Area Team Assigned to Department OPZ Critical Area Action by Department OPZ Critical Area Start Time		Due Date 09/01/2025 Assigned to Melanie Mathews Action By Melanie Mathews End Time	Assigned Date 08/19/2025 Status Complete w/ Comments Status Date 10/14/2025 Hours Spent 0.0 Comments A revised plan was reviewed October 14th that proposed a change to the pier, pilings, and boat slip configuration at the NW corner of the marina. The applicant now desires to extend the main 6' pier towards the West, add an additional finger pier, and replace in-kind one piling, creating a new slip with a boat lift. A second new piling for the boat lift requires variance approval as it is within the 25' setback. All proposed structures remain within the dedicated marina basin. The critical area section of OPZ has no objections to the requested variances. In Possession Time (hrs) 0.0 Comment Display in ACA ☒ All ACA Users ☒ Record Creator ☒ Licensed Professional ☒ Contact ☒ Owner Workflow Calendar
Time Tracking Start Date Display E-mail Address in ACA No	Est. Completion Date ☒ Display Comment in ACA		
Estimated Hours 0.0	Action Updated		
Task Specific Information			
Expiration Date		Review Notes	Reviewer Name Melanie Mathews
Reviewer Phone Number 410-222-6136		Reviewer Email PZMATH20@aacounty.org	

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