

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

APPLICANTS: Michael Zatz & Marijke Hannam

ASSESSMENT DISTRICT: 1

CASE NUMBER: 2025-0248-V

COUNCILMANIC DISTRICT: 7

HEARING DATE: February 12, 2026

PREPARED BY: Joan A. Jenkins
Planner III

REQUEST

The applicants are requesting a variance to allow a dwelling addition (second level addition)¹ with less setbacks than required and with new lot coverage nearer to the shoreline than the closest facade of the existing principal structure on property located at 4117 Cadle Creek Road in Edgewater.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 14,374 square feet of land and is located at the end of a private drive on the east side of Cadle Creek Road southeast of Carrs Wharf Road. The subject property is identified as Parcel 66 in Grid 4 on Tax Map 65. The property is zoned R2 - Residential District and is a waterfront lot on Cadle Creek. It lies within the Chesapeake Bay Critical Area and is designated LDA - Limited Development Area. The shoreline is mapped as a buffer modified area (BMA). The site is fenced and is currently improved with a two-story single-family dwelling with a basement, a detached garage, an in-ground pool and pool patio, a driveway, walkways, and a pier.

APPLICANT'S PROPOSAL

The applicants propose two additions to the existing dwelling: a two-story addition on the streetside (rear) of the dwelling which will not require a variance; and a second level only addition on the waterside (front) of the dwelling over an existing screened porch with a new overhang (14' x 2.36', 33 square feet) that will match the width of an existing overhang.

REQUESTED VARIANCES

§ 17-8-702 (b) of the Anne Arundel County Subdivision and Development Code prohibits the location of new lot coverage nearer to the shoreline than the closest façade of the existing principal structure in a buffer modification area. The new roof overhang for the proposed second story addition on the waterside creates 33 square feet of new lot coverage nearer to the shoreline.

§ 18-4-601 of the Code sets forth the bulk regulations for development in an R2 District. The proposal meets all setbacks; therefore, a variance to setbacks is not required.

¹ The overhang on the proposed addition is causing the need for the variance.

FINDINGS

This property is wider at the shoreline than at the street. This Office finds that at 14,374 square feet the subject property is undersized for the minimum lot area for a new lot in the R2 - Residential District without public sewer and meets the minimum width requirement. However, the area does not contribute to the need for a variance as the variance request is related to critical area regulations. This is a developed lot where the primary structure was built circa 1940 according to state Tax Assessment records, prior to zoning or critical area regulations. The 100-foot buffer line, designated as Buffer Modified Area encumbers the entire house, thereby requiring a variance for any addition that creates lot coverage that is forward of the closest facade of the house on the water side. This Office finds that the request is for a modest second floor addition over an existing screened porch with a new overhang that is creating 33 square feet of new lot coverage beyond the footprint of the existing screened porch.

The plan shows the existing critical area lot coverage of the site is 4,306 square feet. The proposed post-construction lot coverage will be 4,487 square feet, which is below the maximum 4,491 square feet allowed by the Code.

A review of the County 2025 aerial photograph shows an eclectic mix of dwellings and lots in this waterfront community. Based on SDAT above grade living area numbers this house appears to be one of the smallest in the area.

A nearby property at 1011 Skiff Cove Road was denied a variance to allow new lot coverage nearer to the shoreline for a patio in case 2017-0312-V. The property at 4121 Cadle Creek Road was granted a buffer variance in case 2004-0062-V for various improvements prior to the 2012 update of the critical area laws.

Agency Comments

The **Health Department** commented that they do not have an approved plan for this project, but has no objection as long as a plan is submitted and approved by the Health Department.

The **Development Division (Critical Area Team)** commented that there is no objection to the second story addition.

The **State Critical Area Commission** took no position on the request, but commented that appropriate mitigation is required.

Variance Requirements

For the granting of a critical area variance, a determination must be made as to whether because of certain unique physical conditions peculiar to and inherent in the property, strict implementation of the County's critical area program would result in an unwarranted hardship. In this case the BMA makes this addition impossible without variance relief. Relief is warranted to allow the applicants to

make the new overhang meet the same width as an existing overhang where the entire dwelling is within the BMA.

A literal interpretation of the County's critical area program will deprive the applicants of rights that are commonly enjoyed by other properties in similar areas within the critical area of the County by denying them the right to make improvements to an existing dwelling. The granting of the variance will not confer on the applicants special privileges that would be denied by COMAR, Title 27. The variance request is not based on conditions or circumstances that are the result of actions by the applicants and does not arise from any condition relating to land or building use on any neighboring property. The granting of the variance will not adversely affect water quality or impact fish, wildlife or plant habitat and will be in harmony with the general spirit and intent of the County's critical area program. The presumption that the specific development does not conform to the general purpose and intent of the critical area law has been overcome by the applicants.

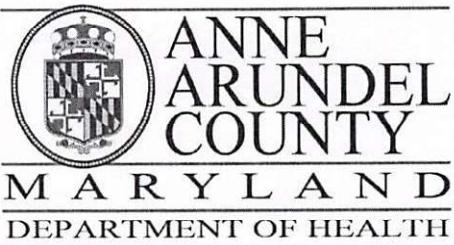
With regard to the requirements for all variances the requested variance is deemed the minimum necessary to provide relief. The request is minimal, the proposed overhang will match the existing overhang on the house.

Approval of the variance will not alter the essential character of the neighborhood. The granting of the variance will not substantially impair the appropriate use or development of adjacent property, as the improvements are located well enough away from dwellings on abutting properties so as to have minimal or no effect on their use or enjoyment. The variance will not be contrary to acceptable clearing and replanting practices nor will it be detrimental to the public welfare.

RECOMMENDATION

With regard to the standards by which a variance may be granted, as set forth under Article 18-16-305 under the County Code, the Office of Planning and Zoning recommends approval of a Critical Area variance to § 17-8-702 (b) to construct a second floor addition with an overhang that will create 33 square feet of new lot coverage nearer to the shoreline than the closest façade of the existing principal structure in the BMA as shown on the site plan.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant to construct the structure(s) as proposed, the applicant 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.



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 *BC*

DATE: December 30, 2025

RE: Michael Zatz
4117 Cadle Creek Road
Edgewater, MD 21037

NUMBER: 2025-0248-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow dwelling additions with less setbacks than required and with new lot coverage nearer to the shoreline than the closest façade of the principal structure.

The Health Department does not have an approved plan for this project. The Health Department has no objection to the above referenced variance request as long as a plan is submitted and approved by the Health Department.

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay

2025-0248-V

Menu Cancel Help

Task Details OPZ Critical Area Team

Assigned Date	12/19/2025	Due Date	01/09/2026
Assigned to	Kelly Krietz	Assigned to Department	OPZ Critical Area
Current Status	Complete w/ Comments	Status Date	12/31/2025
Action By	Kelly Krietz	Overtime	No
Comments	No objection to the proposed second story addition.		
End Time		Start Time	
Billable	No	Hours Spent	0.0
Time Tracking Start Date		Action by Department	OPZ Critical Area
In Possession Time (hrs)		Est. Completion Date	
Estimated Hours	0.0	<input type="checkbox"/> Display E-mail Address in ACA	
Comment Display in ACA			
<input checked="" type="checkbox"/> All ACA Users			
<input checked="" type="checkbox"/> Record Creator			
<input checked="" type="checkbox"/> Licensed Professional			
<input checked="" type="checkbox"/> Contact			
<input checked="" type="checkbox"/> Owner			

Task Specific Information

Expiration Date	Review Notes	Reviewer Name
Reviewer Phone Number	Reviewer Email	



Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>

CAC Comments: 2025-0248-V; Zatz (AA 0332-25)

1 message

Jamileh Soueidan -DNR- <jamileh.soueidan@maryland.gov>
To: Sadé Medina <pzmedi22@aacounty.org>

Tue, Jan 6, 2026 at 3:52 PM

Good afternoon,

Our office has reviewed the above-referenced variance and provide the following comment:

- Appropriate mitigation is required.

The above comments have been uploaded to the County's online portal.

Sincerely,
Jamileh

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Critical Area Commission for the
Chesapeake & Atlantic Coastal Bays
dnr.maryland.gov/criticalarea

Jamileh Soueidan (she/her)
Natural Resources Planner
1804 West Street, Suite 100
Annapolis, MD 21401
Office: 410-260-3462
Cell: 667-500-4994 (preferred)
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December 17, 2025

Anne Arundel County
Office of Planning and Zoning
Critical Area Team
2664 Riva Road
Annapolis, MD 21401

RE: 4117 Cadle Creek Rd, Edgewater, MD 21037
Owners: Marijke Hannam & Michael Zatz
Applicant: HD Square Architects
Critical Area Designation: LDA AACo Zoning: R2

Narrative Statement

Variance for Single Family Dwelling - Critical Area Report Narrative
*Please see attached Site Plan for topography.

A. Describe the proposed use of the subject property and include if the project is residential, commercial, industrial, or maritime.

The proposed use of the subject property is residential. The project consists of an addition and renovation to the existing single-family dwelling, including a two-story addition on the street side and a second-story addition over the existing screened porch on the waterfront side. The property is zoned R2 in the Critical Area Limited Development Area (LDA).

B. Describe the type of predominant trees and shrubs on the subject property. Include a statement addressing the square footage of the property that is vegetated with trees and shrubs, how much of the property will be disturbed by the proposed development, and how the disturbance will be mitigated.

The site is predominantly covered in grass with a few trees and low bushes. The total wooded area on the lot is 0 square feet based on the County's definition of "Wooded Area". A tree (a magnolia) and some shrubs (Camelias) will be impacted by the renovation. The total area to be disturbed by the proposed development is 1,014 square feet. Mitigation will be achieved by installation of new native shrubs along the North property line at the fence. Currently, the homeowners are working through the permit process for a shoreline project that replaces existing riprap with a stone revetment, a portion of which will be a marsh creation behind a proposed stone groin. This substantial investment will greatly improve their shoreline conditions adjacent to a local marina, improving the environmental health and integrity of this portion of Cadle Creek.

C. Describe the methods to minimize impacts on water quality and habitat from proposed construction (i.e. stormwater management, sediment control, and silt fence).

Methods to minimize impacts on water quality and habitat will include the use of Standard Anne Arundel County (AACO) sediment control measures. This requires the installation and maintenance of a reinforced silt fence around the perimeter of the disturbed area (LOD), and the use of mulch or temporary seeding for the immediate stabilization of exposed soil that is not actively being worked. All controls will be installed and maintained in accordance with the Maryland Standards and Specifications for Soil Erosion and Sediment Control. Due to the existing deck on the waterfront side of the home, there will be negligible impact on water quality in this area as the LOD is on existing decking. Due to the location of the addition on the street front of the home the disturbance is majorly blocked by the existing structure, therefore, there will be negligible impact on water quality here as well.

D. Calculate the impervious surface before and after construction, including all structures, gravel areas, driveways, and concrete areas.

The total site area is 14,374 square feet. The impervious surface calculations are as follows:

- Existing Impervious Surface (Before Construction): 4,306 square feet.
- Total Proposed Impervious Surface (After Construction): 4,487 square feet.

The proposal results in a net increase of 181 square feet of impervious surface due to the additions and removals.

E. If applicable, describe any habitat protection areas on the subject property including expanded buffers, steep slopes of 15% or greater, rare and endangered species, anadromous fish propagation waters, colonial water bird nesting sites, historic waterfowl staging and concentration areas, riparian forests, natural heritage areas, and plant and wildlife habitats of local significance.

The subject is a Waterfront Lot located in the Critical Area Limited Development Area (LDA). The project's additions are located within the 100-foot Buffer Modified Area (BMA), requiring a variance for disturbance under code 17-8-702. There are no known habitat protection areas, such as steep slopes of 15% or greater, rare and endangered species habitats, anadromous fish propagation waters, or colonial water bird nesting sites on the subject property.

Prepared by:



Melanie Hartwig-Davis, AIA, LEED AP BD+C, NCARB
HD Squared Architects, LLC



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2025-0089-P
DATE: 09/30/2025
STAFF: Joan A. Jenkins (OPZ)
Kelly Krinetz (OPZ)

APPLICANT/REPRESENTATIVE: HD Squared Architects

EMAIL: permits@hd2architects.com

SITE LOCATION: 4117 Cadle Creek Rd, Edgewater

LOT SIZE: 14,374 sq ft

ZONING: R2 **CA DESIGNATION:** LDA **BMA:** yes or **BUFFER:** **APPLICATION TYPE:** Variance

DESCRIPTION:

The applicant proposes a 2nd level addition over an existing screened porch on the waterside of the dwelling and a 2-story addition on the streetside of the dwelling. Both additions are within the 100' buffer modified area.

COMMENTS:

Critical Area Team:

The property is located in a Buffer Modified Area (BMA) and is therefore subject to 17-8-702 not 18-13-104. Development in the BMA is permitted provided there is no new lot coverage nearer to the shoreline than the closest facade of the existing dwelling. Provided the waterside addition complies with this requirement, a variance will not be necessary for this proposal.

Zoning Administration Section:

Previous variance 2012-0096-V for screened porch & balcony with new impervious surface nearer to the shoreline than the principal structure

The 2nd story addition over the screened porch is a new use and thus new lot coverage. A variance is required if the new lot coverage is nearer to the shoreline than the closest facade of the existing principal structure.

INFORMATION FOR THE APPLICANT

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.

4117 Cadle Creek Rd

