

**NOTICE OF PUBLIC HEARING
WORCESTER COUNTY
BOARD OF ZONING APPEALS
AGENDA**

THURSDAY DECEMBER 11, 2025

Pursuant to the provisions of the Worcester County Zoning Ordinance, notice is hereby given that a public hearing will be held in-person before the Board of Zoning Appeals for Worcester County, in the Board Room (Room 1102) on the first floor of the Worcester County Government Center, One West Market Street, Snow Hill, Maryland. Audio and video recording will take place during this public hearing.

The public is invited to view this meeting live online at - <https://worcestercountymd.swagit.com/live>

6:30 p.m.

Case No. 25-64, on the lands of Selbyville Elks Home Inc., on the application of Bill Ireland, requesting a modification to an existing special exception and a variance to the front yard setback from 90 feet to 60 feet (to encroach 30 feet) for a proposed handicapped ramp with a landing in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-122(f), ZS 1-201(c)(21) and ZS 1-305, located at 13324 Worcester Highway, Tax Map 3, Parcel 22, Tax District 5, Worcester County, Maryland.

6:35 p.m.

Case No. 25-65, on the lands of Scott and Emily Gelman, on the application of Mark Spencer Cropper, requesting a variance to the Atlantic Coastal Bays Critical Area regulations to exceed the allowable 100 foot tidal wetland crossing by 95 feet for a proposed 3 foot by 195 foot walkway over tidal wetlands pursuant to Zoning Code §§ ZS 1-116(m)(1) and Natural Resources Code §§ NR 3-125(b)(1), located at 11919 Cedar Creek Road, Tax Map 15, Parcel 252, Lot 10, Tax District 3, Worcester County, Maryland.

6:40 p.m.

Case No. 25-66, on the lands of RCL Investments LLC and Top View LLC, on the application of Mark Spencer Cropper, requesting a variance to the front yard setback from 30 feet to 14.5 feet (to encroach 15.5 feet) and a variance to reduce the Atlantic Coastal Bays Critical Area buffer from 50 feet to 1 foot (to encroach 49 feet) for a proposed residence with a deck in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-116(m)(1), ZS 1-206(b)(2) and ZS 1-305 and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111, located on Riggins Ridge Road approximately 570 feet east of Golf Course Road, Tax Map 27, Parcel 570, Block 2, Lot 15, Tax District 10, Worcester County, Maryland.

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

APPLICATION TO :
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER ROOM 1201
SNOW HILL, MD 21863-1070

OFFICE USE ONLY :
CASE NO: 25-64
DATE FILED: 10-29-2025
HEARING DATE: 12-11-2025

APPLICATION BEING MADE FOR:

☒ SPECIAL EXCEPTION
☒ VARIANCE
☐ EXPANSION OF NONCONFORMING USE/STRUCTURE
☐ OTHER
☐ AFTER THE FACT ☒ PROPOSED
☐ FORESTRY
☐ CRITICAL AREA
☐ APPEAL
☐ ADMINISTRATIVE ADJUSTMENT

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: Selbyville Elks to
build new Handicap Ramp per drawings
and request variance to encroach
set back

LOCATION OF PROPERTY:

TAX MAP: 003 PARCEL: 22 SECTION: LOT/ BLOCK:
On the N/S/E/W of: 13324 Worcester Highway, Bishopville, MD 21813
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: Selbyville Elks Home Inc. Telephone:
Address: PO Box 983, Selbyville, DE 19975 E-Mail:

APPLICANT INFORMATION:

Applicant's Name: Bill Ireland Telephone:
Address: c/o Selbyville Elks (see above) E-Mail:

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)
NO

Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? NO If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations?

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: 90' per 1-305(w)(1) 100' FROM CENTERLINE OF ROAD REAR: 30'
RIGHT OF WAY OF A STATE ROAD LEFT SIDE: 30'
FROM PROPERTY LINE RIGHT SIDE: 30'
ZONING DISTRICT: A-1 TAX DISTRICT: 5

Selbyville Elks 2173
Signature of Owner or Legal Representative

William Ireland E.R.
Signature of Applicant


SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY that on this 28th day of October
20 25 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Selbyville Elks 2123, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.


AS WITNESS my hand and official seal.


Andrea Elizabeth Chamberlain
Notary Public
My Commission Expires: 7/31/2027

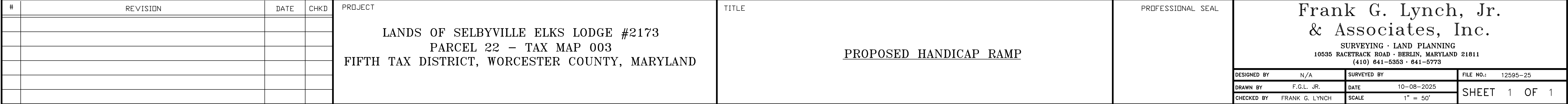
STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

I HEREBY CERTIFY that on this 28th day of October
20 25 before me, a Notary Public in and for the State and County aforesaid,
personally appeared William Ireland E.R., known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.


Andrea Elizabeth Chamberlain
Notary Public
My Commission Expires: 7/31/2027

NOTE : THIS SITE PLAN BASED UPON A FIELD SURVEY AS PERFORMED
IN 2001 AND NOT UPDATED AT THIS TIME.



**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 25-64**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: December 11, 2025

LOCATION: 13324 Worcester Highway, Tax Map 3, Parcel 22, Tax District 5, Worcester County, Maryland.

APPROVAL REQUESTED: A modification to an existing special exception and a variance to the front yard setback from 90 feet to 60 feet (to encroach 30 feet) for a proposed handicapped ramp with a landing in the A-1 Agricultural District.

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4), ZS 1-122(f), ZS 1-201(c)(21) and ZS 1-305.

PROPERTY HISTORY:

01/16/1967 Permit No. 966 – Issued 01/16/1967 – Zoning Certificate issued 01/16/1967 – Permit for a 30' x 58' addition to the rear of the existing structure.

08/11/1975 Permit No. 5642 – Issued 08/12/1975 – Zoning Certificate issued 09/18/1975 – Permit for an addition to the front and side of building, and a covered stoop and canopy.

05/11/1984 Permit No. 12368 – Issued 05/11/1984 – Zoning Certificate issued 08/21/1984 – Permit for a 30' x 30' storage building in the rear yard.

11/09/1995 BZA Case No. 42921 - Public Hearing for a Special Exception to expand an existing fraternal lodge to create a meeting room on the second floor - Approved.

06/05/1997 Permit No. 51151 – Issued 06/05/1997 – Zoning Certificate issued 09/29/2000 – Permit for a freestanding sign.

COMMENTS: According to tax assessment records, the structure on this property has existed since 1930. Although it is unclear if the building has always been used as a fraternal lodge, in 1995 the Board approved its expansion to create a meeting room on the second floor by granting a Special Exception. The applicants request approval to add a 4' x 22' handicapped ramp with landings at each end, with its closest point to the front property line measuring 62'. The Code allows handicapped ramps to extend 10' into the front yard setback without needing a variance. There is a 100' setback from U.S. Route 113 (reduced to 90' because of the handicapped ramp allowance) and a 30' variance is requested to accommodate the ramp. Although the ramp will be no closer than 60' from U.S. Route 113, it will still be about 30' behind the existing building, which is approximately 32' from the front property line.

According to ZS1-122(f), “Any use or structure which exists at the effective date of this Title or amendment thereto which is permitted by this Title as a special exception in the district where such use or structure is located shall not be deemed a nonconforming use or structure in such district but shall without further action be considered a conforming special exception. Such use or structure, however, shall be subject to the jurisdiction of the Board of Zoning Appeals as a special exception and shall not be expanded or otherwise modified or enlarged except upon Board hearing and approval.”

As such, Staff does not believe the addition of the handicapped ramp requires Board approval of an enlargement of the previously-approved Special Exception and only the variance is required.

For the variance request, the Board must make findings that the applicant has demonstrated the following:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved.
2. Literal interpretation of the provisions of this Title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title.
3. The special conditions or circumstances did not result from actions of the applicant.
4. The condition or circumstance is not one that could be reasonably provided for under legislation of general applicability within the zoning district and shall be granted only on account of the uniqueness of the situation.

SUBSEQUENT PROCESSES IF APPROVED:

1. Apply for all required permits.

OWNERS: Selbyville Elks Home Inc.
PO Box 983
Selbyville, DE 19975

APPLICANT : Bill Ireland
c/o Selbyville Elks Home Inc.
PO Box 983
Selbyville, DE 19975

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.

APPLICATION TO :
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER ROOM 1201
SNOW HILL, MD 21863-1070

OFFICE USE ONLY :

CASE NO: 25-65
DATE FILED: 10-16-2025
HEARING DATE: 12-11-2025

APPLICATION BEING MADE FOR:

<input type="checkbox"/>	SPECIAL EXCEPTION	<input type="checkbox"/>	FORESTRY
<input checked="" type="checkbox"/>	VARIANCE	<input checked="" type="checkbox"/>	CRITICAL AREA
<input type="checkbox"/>	EXPANSION OF NONCONFORMING USE/STRUCTURE	<input type="checkbox"/>	APPEAL
<input type="checkbox"/>	OTHER		

<input type="checkbox"/>	AFTER THE FACT	<input checked="" type="checkbox"/>	PROPOSED	<input type="checkbox"/>	ADMINISTRATIVE ADJUSTMENT
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TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: A Critical Area Variance for the tidal marsh crossing in excess of 100' by 95' for a 3' x 195' walkway over tidal wetlands at 11919 Cedar Creek Road, Bishopville, Maryland

LOCATION OF PROPERTY:

TAX MAP: 15 PARCEL: 252 SECTION: LOT/ BLOCK: 10
On the N/S/E/W of: Cedar Creek Road, Bishopville, MD
350 (Feet/Miles), N/S/E/W of Egret Court

PROPERTY OWNER INFORMATION:

Owner's Name: Scott E. Gelman & Emily L. Gelman Telephone: [REDACTED]
Address: 11919 Cedar Creek Road, Bishopville, MD 21813 E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: MARK SPENCER CROPPER Telephone: [REDACTED]
Address: 6200 COASTAL HIGHWAY, SUITE 200, OC, MD 21842 E-Mail: [REDACTED]

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)
NO

Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? YES If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations? YES

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: FROM CENTERLINE OF ROAD RIGHT-OF-WAY REAR :
N/A FROM PROPERTY LINE LEFT SIDE: N/A
RIGHT SIDE:

ZONING DISTRICT: R-1 & RP

TAX DISTRICT: 3

Signature of Owner or Legal Representative

Mark Spencer Cropper
6200 Coastal Highway, Suite 200
Ocean City, MD 21842

Signature of Applicant

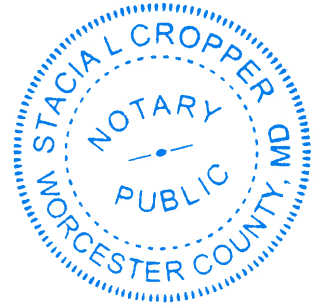
Mark Spencer Cropper
6200 Coastal Highway, Suite 200
Ocean City, MD 21842

SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY that on this 13TH day of _____ October
20 25 before me, a Notary Public in and for the State and County aforesaid,
personally appeared MARK SPENCER CROPPER, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.



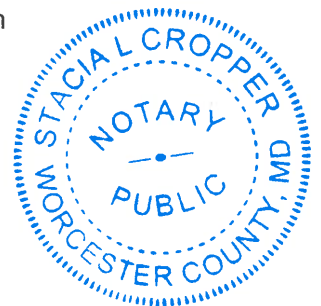
AS WITNESS my hand and official seal.

Stacia L Cropper
Notary Public

My Commission Expires: 06-01-2028

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

I HEREBY CERTIFY that on this 13TH day of _____ October
20 25 before me, a Notary Public in and for the State and County aforesaid,
personally appeared MARK SPENCER CROPPER, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.



AS WITNESS my hand and official seal.

Stacia L Cropper
Notary Public

My Commission Expires: 06-01-2028

Law Offices
AYRES, JENKINS, GORDY & ALMAND, P.A.

6200 COASTAL HIGHWAY, SUITE 200

OCEAN CITY, MARYLAND 21842

www.ajgalaw.com

GUY R. AYRES, III (1973 - 2019)

JAMES W. ALMAND

WILLIAM E. ESHAM, III

MARK SPENCER CROPPER

BRUCE F. BRIGHT †

HEATHER E. STANSBURY

MAUREEN F.L. HOWARTH

RYAN D. BODLEY

SENIOR ASSOCIATE

VICTORIA O'NEILL

ASSOCIATES

SPENCER AYRES CROPPER

BRADFORD F. KIRBY

TAYLOR DONLEY

OF COUNSEL

HAROLD B. GORDY, JR.

M. DEAN JENKINS

ALVIN I. FRDERICK

(410) 723-1400

FAX (410) 723-1861

Email: mcropper@ajgalaw.com

†Also admitted in District of Columbia

October 12, 2025

Mr. Brian Soper
Natural Resources Administrator
Worcester County
Department of Development, Review and Planning
One West Market Street, Room 1201
Snow Hill, MD 21863

RE: *Worcester County Tax Map 15, Parcel 252, Lot 10*
11919 Cedar Creek Road, Bishopville, Maryland

Dear Mr. Soper:

I represent Scott E. Gelman and Emily L. Gelman (hereinafter collectively the "Applicants") with regard to the above referenced property. The Applicants are requesting a variance to the Atlantic Coastal Bays Critical Area Law ("CAL") for a tidal marsh crossing in excess of 100' to construct a walkway a distance of 195 feet in order to access the navigable waters of the State.

1. Special conditions or circumstances exist that are peculiar to the applicant's land or structure and a literal enforcement of provisions and requirements of the county's Atlantic Coastal Bays Critical Area Program would result in unwarranted hardship.

The subject property is identified as Tax Map 15, Parcel 252, Lot 10 in Worcester County, Maryland, with the property identifier number 03-131645 (the "Property"), as reflected on a plat entitled "Cedar Creek Subdivision of Lands of Buntings Nurseries, Inc.", made by L. E. Bunting Surveys, Inc., dated December 17, 1990 and duly recorded among the Land Records of Worcester County, Maryland in Plat Book RHO 128, Folio 48 (the "Plat"), with a copy of the deed and plat being attached hereto as Exhibit "A" and incorporated herein by reference. The value of the Property is largely determined by its proximity to the water, meaning it is waterfront and provides immediate access to and easy use of the water for a variety of water-related recreational activities, such as crabbing, fishing, boating, water skiing or just enjoying the scenery.

However, as can be seen from the Pier Permit Drawings attached as Exhibit “B” and incorporated herein by reference, the Applicants are unable to take advantage of the waterfront nature of the Property without constructing a walkway of sufficient length to access the navigable waters of the State known as Shingle Landing Prong, a distributary off the St. Martins River (“the Prong”). The walkway must cross tidal wetlands and various sections of tidal water a distance of 195 feet in order to reach the navigable waters in the Prong. The wetlands existed when the Property was created, well before ownership by the Applicants. The Applicants did not create the tidal wetlands, which is the condition necessitating the variance.

Most properties in Worcester County that are waterfront are not separated from the navigable waters of the State by tidal marsh, let alone for a distance of 195 feet. One need only be familiar with the Town of Ocean City, Ocean Pines Subdivision and west Ocean City to be aware that most waterfront properties are not separated from the water by more than a backyard, if that. In fact, as can be seen by the photographs attached collectively as Exhibit “C”, many of the neighboring property owners have already or are in the process of constructing similar piers in order to access the Prong.

Therefore, not to permit the Applicants to obtain the needed variance to cross the tidal wetlands in order to access the navigable waters of the State would constitute an unwarranted hardship. No other action could address this hardship other than providing the requested variance.

2. A literal interpretation of the provisions of the County’s Atlantic Coastal Bays Critical Area Program and related laws will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Atlantic Coastal Bays Critical Area.

See Answer #1 above. Additionally, other waterfront property owners in Worcester County, Maryland have rights, riparian and otherwise, that they commonly enjoy, of which the Applicants would be deprived without the required variance. Only with the variance will the Applicants have the ability to access and utilize the navigable waters for the recreational uses previously identified, which all other waterfront property owners enjoy.

3. The granting of a variance will not confer upon an applicant any special privilege that would be denied by the County’s Atlantic Coastal Bays Critical Area Program to other lands or structures within the Atlantic Coastal Bays Critical Area.

See Answers #1 and #2 above. Additionally, the granting of this variance will not confer upon the Applicants any special privilege that would be denied by the County’s Atlantic Coastal Bays Critical Area Program to other lands or structures within the Atlantic Coastal Bays Critical Area. In fact, it is just the opposite. All other lands within the Critical Area that have access to the water are entitled to access that water for recreational and other purposes. If this variance is denied to the Applicants, those other property owners would have a special privilege being denied to the Applicants.

4. *The variance required is not based upon conditions or circumstances that are the result of actions by the applicant nor does the request arise from any condition relating to land or building use, either permitted or non-conforming on any neighboring property.*

See Answer #1 above. The Applicants did not create the condition or circumstance that necessitates the variance, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming, on any neighboring property.

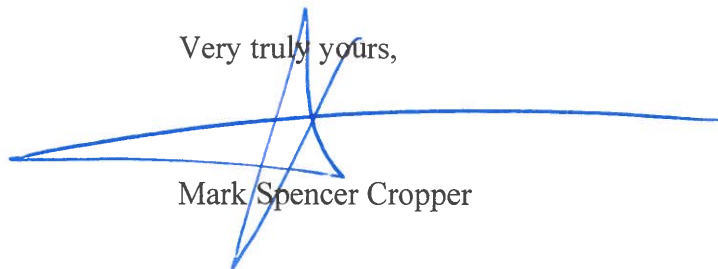
5. *The granting of a variance shall not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the Atlantic Coastal Bays Critical Area and the granting of the variance will be in harmony with the general spirit and intent of the County's Atlantic Coastal Bays Critical Area Program.*

The granting of the variance will not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the Atlantic Coastal Bays Critical Area and the granting of the variance will be in harmony with the general spirit and intent of the County's Atlantic Coastal Bays Critical Area Program. The portion of the pier that will extend over the tidal wetlands will be of sufficient height to allow tidal grass to continue to grow. Wildlife habitat such as crabs, snails, fish, birds and raccoons can continue to traverse the marsh. Tidal water will continue to ebb and flow as now occurs. The general spirit and intent of the Atlantic Coastal Bays Critical Area Program is to protect and preserve the Coastal Bays while respecting and protecting the rights of property owners along the Coastal Bays. See attached as Exhibit "D" the Permit # NAB-2025-60048 issued by the Department of the Army, U.S. Army Corps of Engineers evidencing, among other things, that the proposed work is authorized under the Maryland State Programmatic General Permit (MDSPGP-6) as a Category B activity.

6. *The Board of Zoning Appeals shall not make a decision relative to a request for such a variance without reviewing the comments of the Department and finding that the applicant has satisfied each of the provisions and standards contained herein.*

The Applicants have satisfied each of the provisions and standards as contained herein. However, should any additional information be needed, or desired in order to favorably support this application, do not hesitate to let me know. It will be provided without delay.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Mark Spencer Cropper", is written over a horizontal line. The signature is stylized with a large, sweeping loop.

Mark Spencer Cropper

cc: Scott E. Gelman
Emily L. Gelman

EXHIBIT “A”

View Map

No Ground Rent Redemption on File

No Ground Rent Registration on File

Special Tax Recapture: None

Account Number: District - 03 Account Identifier - 131645

Owner Information

Owner Name:

GELMAN SCOTT EDWARD
GELMAN EMILY LYNN

Use:

RESIDENTIAL

Mailing Address:

11919 CEDAR CREEK RD
BISHOPVILLE MD 21813-0000

Principal Residence:

YES

Deed Reference:

/08974/ 00420

Location & Structure Information

Premises Address:

11919 CEDAR CREEK RD
BISHOPVILLE 21813-

Legal Description:

LOT 10 2.381 ACS
CEDAR CREEK ROAD
CEDAR CREEK

Map:

Grid:

Parcel:

Neighborhood:

Subdivision:

Section:

Block:

Lot:

Assessment Year:

Plat No:

128048

0015

0004

0252

3010001.24

1146

10

2025

Plat Ref:

Town: None

Primary Structure Built

Above Grade Living Area

Finished Basement Area

Property Land Area

County Use

2013

2,224 SF

2.3800 AC

Stories

Basement

Type

Exterior

Quality

Full/Half Bath

Garage

Last Notice of Major Improvements

2

NO

STANDARD UNIT

SIDING/

4

2 full/ 1 half

1 Attached

Value Information

Base Value

Value

Phase-in Assessments

As of

As of

As of

01/01/2025

07/01/2025

07/01/2026

Land:

236,700

236,700

Improvements

282,700

314,800

Total:

519,400

551,500

530,100

540,800

Preferential Land:

0

0

Transfer Information

Seller: ASNER ROBERT A

Date: 07/08/2025

Price: \$975,000

Type: ARMS LENGTH IMPROVED

Deed1: /08974/ 00420

Deed2:

Seller: ZIMMERMAN STEPHEN A

Date: 07/24/2024

Price: \$765,000

Type: ARMS LENGTH IMPROVED

Deed1: /08792/ 00422

Deed2:

Seller: TSURUMAKI TOSHI M D P A

Date: 03/19/2002

Price: \$117,500

Type: ARMS LENGTH VACANT

Deed1: SVH /03280/ 00440

Deed2:

Exemption Information

Partial Exempt Assessments:

Class

07/01/2025

07/01/2026

County:

000

0.00

State:

000

0.00

Municipal:

000

0.00|0.00

0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

Worcester County Circuit Court
IMP FD SURE \$40.00
RECORDING FEE \$20.00
TR TAX STATE \$4,875.00

TOTAL \$4,935.00
Susan Braniecki, Clerk CR
Jul 08, 2025 09:51 am

AFTER RECORDING RETURN TO:
Scott Edward Gelman and Emily Lynn Gelman
11919 Cedar Creek Road
Bishopville, MD 21813

File No.: OC25-0095
Tax ID No.: 03-131645
Title Insurer: First American Title Insurance Company

This Deed, made this 7 day of July, 2025, by and between Robert A. Asner, GRANTOR(S); and Scott Edward Gelman and Emily Lynn Gelman, GRANTEE(S).

- Witnesseth -

That for and in consideration of the sum of Nine Hundred Seventy-Five Thousand And No/100 Dollars (\$975,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor(s) do(es) hereby grant and convey to the said Grantee(s), their successors and/or assigns Scott Edward Gelman and Emily Lynn Gelman, as tenants by the entirety, in FEE SIMPLE, all that lot of ground situate in the County of WORCESTER, State of Maryland and described as follows, that is to say:

ALL THAT LOT or parcel of land lying and being situate in the Third Election District of Worcester County, Maryland, designated and distinguished as Lot (10), as shown on a plat entitled "Cedar Creek Subdivision of Lands of Bunting Nurseries, Inc.", dated December 17, 1990, made by L.E. Bunting Surveys, Inc., registered surveyor of the State of Maryland, which said plat is recorded among the Land Records of Worcester County, Maryland, in Plat Book RHO No. 128, folio 48 et seq.

For informational purposes only: The improvements thereon being known as 11919 Cedar Creek Road

Tax ID No. 03-131645

BEING the same property conveyed to Robert A. Asner by Deed from Stephen A. Zimmerman, dated July 03, 2024, recorded July 24, 2024, among the Land Records of Worcester County, Maryland, in Liber 8792, Folio 422.

ALSO BEING the same property conveyed to Stephen A. Zimmerman by Deed from Toshi Tsurumaki, M.D., P.A., Pension Plan, also known of record as Money Purchase Pension Plan and Trust as Amended and Restated, dated March 14, 2002, recorded March 19, 2002, among the Land Records of Worcester County, Maryland, in Liber 3280, Folio 440.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Scott Edward Gelman and Emily Lynn Gelman, as tenants by the entirety, their successors and/or assigns, in fee simple.

And the Grantor(s) hereby covenant(s) that he/she/they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he/she/they will warrant the property hereby conveyed; and that he/she/they will execute such further assurances of the same as may be requisite.

Water & Wastewater
Worcester County, MD
NO ASSESSMENT
07/08/2025 LCR

WORCESTER COUNTY CIRCUIT COURT (Land Records) SBB 8974, p. 0420, MSA_CE31_9150. Date available 07/10/2025. Printed 10/09/2025.

Worcester County, MD Finance Officer
Recordation Tax \$6435.00
Transfer Tax \$4625.00
By/Date: LCR 07/08/2025

THE FIRST ALIEN OF THE SEMI-ANNUAL TAXES FOR WHICH ASSESSMENTS HAVE BEEN RECEIVED HAS BEEN PAID AS OF THIS DATE
07/08/2025 LCR
Worcester County Finance Officer
EXCEPT PERSONAL PROPERTY

In Witness Whereof, Grantor(s) have(has) caused this Deed to be properly executed and sealed the day and year first above written.

WITNESS

[Signature]

[Signature]
Robert A. Asner

STATE OF MARYLAND

COUNTY OF Worcester

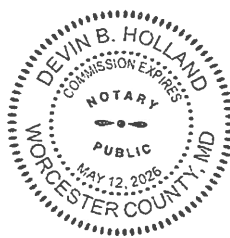
Personally appeared before me, a Notary Public, in and for said county and state, on this 7th day of July, 2025, the within named Robert A. Asner known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and who acknowledges that he/she/they (strike one) executed the same for the purposes therein contained.

[Signature]

NOTARY PUBLIC

Printed Name: Devin B. Holland

My Commission Expires: 5/12/2026



The undersigned hereby certifies that this Deed was prepared by or under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

John P. Custis, ERD

John P. Custis, Attorney-at-Law

MARYLAND
FORM
WH-ARCertification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence

2025

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Robert A. Asner

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

11919 Cedar Creek Road, Bishopville, MD 21813

3. Reasons for Exemption

Resident Status



As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.



Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11). I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence



Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Robert A. Asner

Name

7/7/2025

Date

Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

12/23


EXHIBIT TO DEED

Occupancy and/or First Time Home Buyer Affidavit


The undersigned individual(s), being fully qualified to do so, does hereby make oath or affirm under penalty of perjury that the following statements are true:

Check all that apply:

- ☒ 1. **PRIMARY RESIDENCE:** The undersigned does currently occupy or shall occupy as a primary residence the property described in the instrument to which this Exhibit is attached for a period of seven (7) months out of any twelve (12) month period, and that said property is improved by a residence.
- ☐ 2. **FIRST TIME HOMEBUYER:** The undersigned is the Grantee in the attached instrument and has never owned an interest in residential real property located in the State of Maryland; or
- ☐ 3. **CO-MAKER:** The undersigned is the co-maker or guarantor of a Purchase Money Deed of Trust or Mortgage as defined in TP 12-108(i) covering said real property; and
- ☐ 4. **CO-MAKER:** The co-maker or guarantor will not occupy the property as a principal residence;
- ☐ 5. **FIRST TIME HOMEBUYER:** This affidavit is made to qualify the Grantee for benefits under TP section 13-203.



 Scott Edward Gelman



 Emily Lynn Gelman

STATE OF MARYLAND

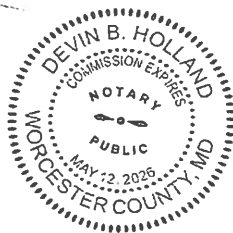
COUNTY OF Worcester

Signed and sworn to before me the 7th of July, 2025.



 Notary Public

Affix stamp/seal: 5/12/2026



State of Maryland Land Instrument Intake Sheet <input type="checkbox"/> Baltimore City <input checked="" type="checkbox"/> County: WORCESTER <i>Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.</i> (Type or Print in Black Ink Only—All Copies Must Be Legible)									
1 Type(s) of Instruments		(<input type="checkbox"/> Check Box if addendum Intake Form is Attached.)							
1		Deed		Mortgage		Other		Other	
2		Deed of Trust		Lease					
2 Conveyance Type Check Box		<input checked="" type="checkbox"/> Improved Sale Arms-Length [1]		<input type="checkbox"/> Unimproved Sale Arms-Length [2]		<input type="checkbox"/> Multiple Accounts Arms-Length [3]		<input type="checkbox"/> Not an Arms-Length Sale [9]	
3 Tax Exemptions (if applicable)		Recordation State Transfer County Transfer							
Cite or Explain Authority									
4		Consideration Amount				Finance Office Use Only			
Consideration and Tax Calculations		Purchase Price/Consideration		\$ 975,000.00		Transfer and Recordation Tax Consideration			
		Any New Mortgage		\$ 730,000.00		Transfer Tax Consideration \$			
		Balance of Existing Mortgage		\$.00		X () % = \$			
		Other:		\$		Less Exemption Amount: - \$			
		Other:		\$		Total Transfer Tax = \$			
		Full Cash Value:		\$		Recordation Tax Consideration \$			
						X () per \$500 = \$			
						TOTAL DUE \$			
5		Amount of Fees		Doc. 1		Doc. 2		Agent:	
Fees		Recording Charge		\$ 20.00		\$ 20.00		Tax Bill:	
		Surcharge		\$ 40.00		\$ 40.00		C.B. Credit:	
		State Recordation Tax		\$ 6,435.00		\$		Ag. Tax/Other:	
		State Transfer Tax		\$ 4,875.00		\$			
		County Transfer Tax		\$ 4,625.00		\$			
		Other		\$		\$			
6		District		Property Tax ID No. (1)		Grantor Liber/Folio		Map	
Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).		03		131645		Liber 8792, Folio 422		0015	
		Subdivision Name		Lot (3a)		Block (3b)		Sect/AR (3c)	
		1146		10				128/C48	
		Location/Address of Property Being Conveyed (2)		Parcel No.		Var. LOG			
		11919 Cedar Creek Road, Bishopville, MD 21813				0252		(5)	
		Other Property Identifiers (if applicable)		Water Meter Account No.					
		Residential <input checked="" type="checkbox"/> or Non-Residential <input type="checkbox"/>		Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/>		Amount:			
		Partial Conveyance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description/Amt. of SqFt/Acreage Transferred:					
		If Partial Conveyance, List Improvements Conveyed:							
		Doc. 1 – Grantor(s) Name(s)		Doc. 2 – Grantor(s) Name(s)					
Robert A. Asner		Scott Edward Gelman and Emily Lynn Gelman							
Doc. 1 – Owner(s) of Record, if Different from Grantor(s)		Doc. 2 – Owner(s) of Record, if Different from Grantor(s)							
Doc. 1 – Grantee(s) Name(s)		Doc. 2 – Grantee(s) Name(s)							
Scott Edward Gelman and Emily Lynn Gelman, as tenants by the entirety		Trust Bank							
New Owner's (Grantee) Mailing Address									
11919 Cedar Creek Road, Bishopville, MD 21813									
9 Other Names to Be Indexed		Doc. 1 – Additional Names to be Indexed (Optional)		Doc. 2 – Additional Names to be Indexed (Optional)					
10 Contact/Mail Information		Instrument Submitted By or Contact Person		Name: Jordan Troutman		Firm: Osprey Title & Escrow, LLC		Address: 5200 Coastal Highway, Suite A	
11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER		Ocean City, MD 21842		Phone: 410 856 2153		<input type="checkbox"/> Return to Contact Person		<input type="checkbox"/> Hold for Pickup	
		Assessment Information		X Yes <input type="checkbox"/> No		Will the property being conveyed be the grantee's principal residence?		<input checked="" type="checkbox"/> Return Address Provided	
		X Yes <input type="checkbox"/> No		Does transfer include personal property? If yes, identify:		X Yes <input type="checkbox"/> No		Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).	
Space Reserved for County Validation		Assessment Use Only – Do Not Write Below This Line							
		Terminal Verification		Agricultural Verification		Whole		Part	
		Transfer Number		Date Received:		Deed Reference:		Assigned Property No.:	
		Year		20		20		Geo. Map Sub	
		Land		Zoning		Grid		Plat Lot	
		Buildings		Use		Parcel		Section	
		Total		Town Cd.		Ex. St.		Ex. Cd.	
		REMARKS:							

Distribution: Write – Clerk's Office

Canary – SDAT

AOC-CC-300 (5/2007)

0410 128/48 ✓

06. mid ss 17. 3 ss 17. C.L.T. 0.1

CEDAR CREEK
SUBDIVISION

OF LANDS OF
BUNTINGS NURSERIES, INC.

THIRD ELECTION DISTRICT
WORCESTER COUNTY, MARYLAND
JOB NO.: 3975 / 90 SCALE: 1" = 100'

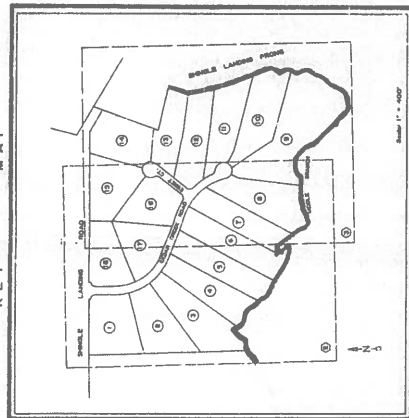
DATE 12 / 17 / 90

TOTAL AREA OF SUBDIVISION = ± 41.976 ACRES

BUNTING NURSERY, INC.
PARCEL 112, DEED REF. 193 / 377.

B) BUNTING NURSERIES, INC.
PARCEL 94, DEED REF. 103 / 41
(ALL THAT PORTION LYING SOUTH-
EASTLY OF SINGLE LANDING ROAD).

TOTAL NUMBER OF LOTS = 18 LOTS
TOTAL AREA OF LOTS 1 - 18 = 39.926 ACRES
TOTAL LINEAR FEET OF ROAD R/W = 1,518 FEET
TOTAL AREA OF WETLANDS = 9.510 ACRES
NON-TIDAL WETLANDS = 4.37 ACRES
TIDAL WETLANDS = 5.14 ACRES



VICINITY MAP



E. Bunling Surveys, Inc.
MARYLAND & VIRGINIA
LAND SURVEYING
24 BROAD STREET
BERLIN, MARYLAND 21811
301-641-3313

OWNER / DEVELOPER

Burlings Properties Inc.
P.O. Box 270
53 Duke St.
Selbyville, Delaware 19975

53 Duke St.
Sebyville, Delaware 19975

ZONING CLASSIFICATION P - 1

MIN.	FRONT YARD	MIN.	SIDE YARD	MIN.	REAR YARD	MIN.	FROM E. OF COUNTY ROAD
35'		15'		50'			

NOTE:

in total within this subcategory is subject to the following comments and/or right-of-way:

- a. A 3' wide easement along the side lot lines are reserved for the installation and maintenance of public utility lines.
- b. A 15' wide easement along the front property lines for the installation and maintenance of public utility lines and for the use, maintenance or substitution control of drainage.
- c. Restrictive conditions or covenants are to be recorded with the record plat.

NOTE:

Elevations shown are in feet above Mean Sea Level Datum, based upon U.S.C. & G.S. 844, "1955." Shaded (at 15,277).

Sheet 1 of 3

msa csu 2157-3001-1

A vertical ruler with markings from 1 to 6 inches. The markings are in inches, with major ticks every inch and minor ticks every millimeter. The ruler is oriented vertically with the 1-inch mark at the top and the 6-inch mark at the bottom. The text "Standard Size, Inches" is printed vertically along the right side of the ruler.

Standard State: Arkansas

Worcester County Circuit Court (Plat Book) Plat Book RMO 128, pp. 48-50, MSA-C2157-3001. Date available 1990/12/21. Printed 10/09/2025.



SURVEYOR'S CERTIFICATE

I hereby certify that the requirements of Section 3-108 of the Real Property Article of the Annotated Code of Maryland concerning the marking of this plot, the setting of markers and the existence of prior recorded plots have been complied with.

J E Bunting, Jr. 12/20/90
Det. E. Bunting, Jr.

OWNER'S CERTIFICATE

As legal owner of this property, I approve of this subdivision and desire that it be recorded.

I hereby certify that the requirements of Section 3-108 of the Real Property Article of the Annotated Code of Maryland concerning the making of this plat, the setting of markers and the exhibition of prior recorded plats have been complied with.

12/20/90

WORCESTER COUNTY PLANNING AND ZONING

The goal of a permit or approval of this subdivision shall not constitute a representation, guarantee or warranty of any kind by Worcester County or by any official or employee thereof as to the practicability or safety of any proposed use, and shall create no liability upon the county, its officials or employees.

Any approval by the Worcester County Approving Authority for any sewer or water system or facility therefor is based upon title and county standards existing at the date of approval; such standards are subject to change and a building permit may not be issued in the future if the current standards can no longer be met due to changes in applicable state or federal law.

A 10' wide strip of land adjacent to the sewer main, dedicated to the Worcester County Commissioners, for linear easement purposes, shall be shown as a separate parcel adjoining the building at Single Landing Rd. Acceptance of this offer may be made by the County Commissioners at their discretion. The County Commissioners are in no way required to accept such offer. The offer may not be withdrawn without the consent of the County Commissioners.

J. Shih 12/21/90
Trenton - Worcester County Planning Commission Date

[illegible]

This subsection is approved for interim individual water supply and sewage systems in accordance with the County Comprehensive Water and Sewer Plan. For each building, a minimum of 10,000 sq. ft., archive of buildings, separately, digitized ways and other permanent or physical subjects, and be provided for the subseries disposal of (sewage). The applicant or any future owner must discontinue use of these individual systems and connect to the community system when available.

Richard Hunter, Jr.
 Approving Authority - Worcester County
 Date 11/21/90

N / F
Francis S. Carey
CWN 41 / 46

CURVE DATA TABLE

Curve	Radius	Ave	Chord	Chord Error
1	25.00'	33.21'	35.38'	5.47(10.3)° E
2	25.00'	42.77'	38.84'	5.35(7.9)° E
3	340.00'	183.31'	37.36'	5.20(7.9)° E
4	340.00'	100.38'	100.00'	4.10(9.7)° E
5	340.00'	100.38'	100.00'	5.40(10.3)° E
6	340.00'	149.75'	33.35'	5.40(10.3)° E
7	340.00'	150.07'	148.87'	5.47(10.3)° E
8	340.00'	150.07'	148.87'	5.47(10.3)° E
9	340.00'	131.37'	130.80'	5.23(10.1)° E
10	340.00'	131.37'	130.80'	5.23(10.1)° E
11	50.00'	41.02'	39.87'	5.30(10.0)° E
12	50.00'	40.00'	38.94'	5.81(6.0)° E
13	50.00'	103.97'	85.52'	5.28(9.2)° W
14	50.00'	22.66'	22.12'	5.34(9.2)° W
15	50.00'	22.66'	22.12'	5.34(9.2)° W
16	400.00'	63.25'	63.85'	5.20(9.2)° W
17	400.00'	63.25'	63.85'	5.20(9.2)° W
18	15.00'	36.32'	33.21'	5.81(6.0)° W
19	50.00'	28.63'	8.25'	5.80(3.0)° W
20	50.00'	28.38'	25.95'	5.37(4.7)° W
21	50.00'	30.24'	56.66'	5.73(4.0)° W
22	50.00'	30.24'	56.66'	5.73(4.0)° W
23	25.00'	30.77'	68.87'	5.02(9.0)° W
24	25.00'	30.77'	68.87'	5.02(9.0)° W
25	250.00'	363.61'	338.89'	5.33(7.0)° W
26	250.00'	363.61'	338.89'	5.33(7.0)° W
27	250.00'	44.74'	548.09'	4.64(4.9)° E
28	250.00'	38.27'	35.38'	4.47(4.0)° E

LEGEND

- DENOTES CONCRETE MONUMENT, 10' DIAM.
 □ DENOTES CONCRETE MONUMENT, 10' DIAM.
 □ DENOTES IRON PIPE, 10' DIAM.
 □ DENOTES 10' ROAD WIDENING EASEMENT
 DENOTES 10,000 SQ. FT. RESERVE SEPTIC AREA
 DENOTES FLAGGED WETLANDS LINE AS DELINEATED
 BY RAY GATTION ENVIRONMENTAL CONSULTANT, AND
 LOCATED IN AUGUST 1980 BY L.E. BUNTING SURVEYS, INC.
 ● DENOTES 100' YEAR FLOOD PLAIN LINE
 --- DENOTES LINE OF MARSH

LOTS 1 - 8, 17 & 18

RECORD PLAT

**CEDAR CREEK
SUBDIVISION
OF LANDS OF**

MSA CSU 2157-3001-2



L. E. Bunling Surveys, Inc.
MARYLAND & VIRGINIA
LAND SURVEYORS
24 BROAD STREET
BERLIN, MARYLAND 2081
301-641-3313

05/8104 ✓



RECORD PLAT CEDAR CREEK SUBDIVISION OF LANDS OF SLANTING NURSERIES, INC. THIRD ELECTION DISTRICT WORCESTER COUNTY, MARYLAND	SCALE: 1" = 100' DATE: 12-17-90 JOB NO.: 3975 / BO Sheet # of 3
---	---

L. E. Bunling Surveys, Inc.
MARYLAND & VIRGINIA
LAND SURVEYING
24 BROAD STREET
BERLIN, MARYLAND 21011
301-641-3313

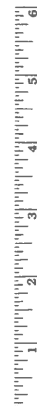
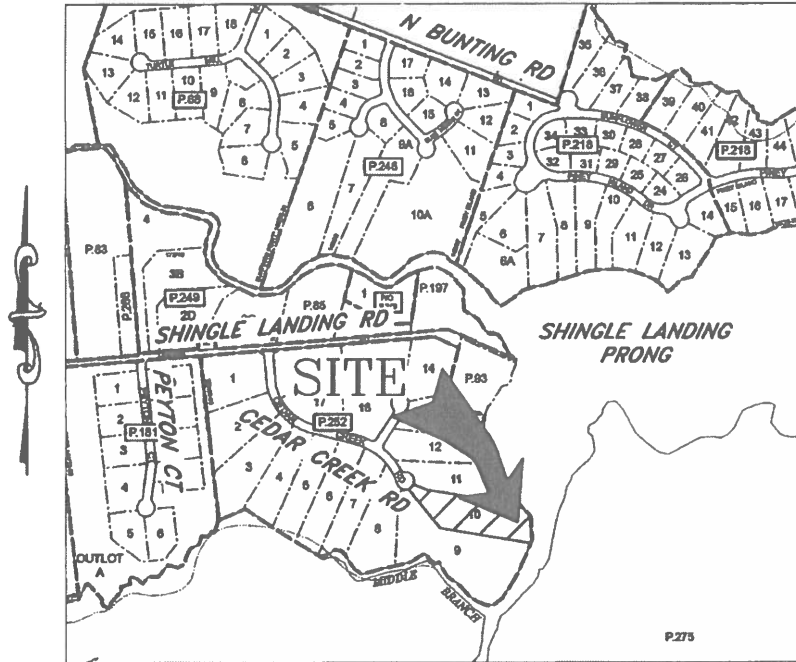


EXHIBIT “B”

PIER PERMIT DRAWINGS
PREPARED FOR
ROBERT ASNER
IN THE THIRD ELECTION DISTRICT
WORCESTER COUNTY, MARYLAND



VICINITY MAP
SCALE: 1" = 1,000'

ENGINEER

Lane Engineering, LLC
117 BAY STREET
EASTON, MARYLAND 21601
(410) 822-8003

OWNER/DEVELOPER

ROBERT ASNER
11919 CEDAR CREEK ROAD
BISHOPVILLE, MD 21813
(410) 430-3758

PROJECT LOCATION

11919 CEDAR CREEK ROAD
BISHOPVILLE, MD 21813

ISSUE FOR:	DATE:	BY:	No.	DATE:	REVISION:	BY:

SHEET No. 1 OF 6	TITLE SHEET ON THE LANDS OF ROBERT A. ASNER BISHOPVILLE, MARYLAND IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY TAX MAP 15, GRID 4, PARCEL 252, LOT 10	Lane Engineering, LLC Established 1986 Civil Engineers • Land Planning • Land Surveyors E-mail: general@leinc.com 117 Bay St. Easton, MD 21601 (410) 822-8003 15 Washington St. Cambridge, MD 21613 (410) 221-0818 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095
	Date: 04/21/2025 - 2:01pm User: sfreund Project Manager: SJF Drawing Path: J:\2024\0400\240479\CM13D-240479\Draw\Plots\HMP-PLTS-240479.dwg Sheet LANE ENGINEERING, LLC XREF File(s): CBS-BASE-LETR-240479/RAR-BASE-240479/CSP-BASE-WARINE-240479/RLD-BASE-240479	
	FILE No. D490 JOB No. 240479 SCALE: AS NOTED DATE: AS NOTED	

LEGEND & ABBREVIATIONS


MHW MEAN HIGH WATER (APPROXIMATE)
MLW MEAN LOW WATER (APPROXIMATE)

PROPERTY LINE _____


SPOT ELEVATION/SOUNDING $x - 2.15$

PROJECT NOTES

1. THE PROPERTY BOUNDARY AND EXISTING CONDITIONS SHOWN HEREON WERE TAKEN FROM GENERAL MAPS, DEED, PLAT, SITE SKETCH AND AERIAL PHOTO INTERPRETATION. THESE MAPS ARE BELIEVED TO BE THE BEST, READILY AVAILABLE SOURCE OF INFORMATION FOR MARINE PERMITTING PURPOSES. A BOUNDARY AND/OR EXISTING CONDITIONS SURVEY HAS NOT BEEN COMPLETED. LANE ENGINEERING IS NOT RESPONSIBLE FOR ANY INACCURACIES ASSOCIATED WITH THE LOCATION OF THE ABOVE REFERENCED EXISTING FEATURES AND RELATED LATERAL LINES, SETBACKS, ETC.
2. THESE DRAWINGS ARE FOR PERMIT PURPOSES ONLY AND ARE NOT TO BE USED AS AN ACCURATE CONSTRUCTION DOCUMENT.
3. SOUNDINGS SHOWN HEREON PROVIDED BY HOMEOWNER FOR PERMITTING PURPOSES ONLY.
4. NO SAV HAS BEEN MAPPED IN THE AREA WITHIN THE PAST 5 YEARS.
5. TIDAL DATUM, I.E. MEAN LOW WATER ELEVATION, IS ESTIMATED FROM ENVIRONMENTAL INDICATORS SUCH AS RACK LINES, WATER MARKS, PLANT COMMUNITY COMPOSITIONS.
6. UNLESS OTHERWISE NOTED, ELEVATIONS SHOWN HEREIN ARE REFERENCED TO MEAN LOW WATER = 0.0'.
7. MEAN TIDAL RANGE = 1.14'
8. LOT SIZE = 2.38 AC±
9. DISTANCE TO CHANNEL CENTERLINE = 143'±
10. MAXIMUM CHANNELWARD ENCROACHMENT = 65'±
11. ZONING CLASSIFICATION = R1 (RURAL RESIDENTIAL) & RP (RESOURCE PROTECTION)
12. 911 ADDRESS = 11919 CEDAR CREEK ROAD, BISHOPVILLE, MD 21813

FILE NO. D490	JOB NO. 240479	SCALE: AS NOTED	DATE: AS NOTED	SHEET NO. 2 OF 6	SITE & PROJECT NOTES		Lane Engineering, LLC	
					ON THE LANDS OF ROBERT A. ASNER BISHOPVILLE, MARYLAND		Established 1986 Civil Engineers • Land Planning • Land Surveyors	
					IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY TAX MAP 15, GRID 4, PARCEL 252, LOT 10		 E-mail: general@leinc.com 117 Bay St. Easton, MD 21601 (410) 822-8003 15 Washington St. Cambridge, MD 21613 (410) 221-0818 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095	
<small>Date: 04/21/2025 - 2:01pm User: sfreund Project Manager: SJF Drawing Path: J:\2024\0400\240479\CH13D-240479\Draw\Plots\HMP-PLTS-240479.dwg Sheet 2 LANE ENGINEERING, LLC XREF File(s): GBS-BASE-LETR-240479/RAR-BASE-240479/CSP-BASE-MARINE-240479/RLD-BASE-240479</small>								



FILE NO. D490 JOB NO. 240479 SCALE: AS NOTED DATE: AS NOTED SHEET NO. 3 OF 6	SITE OVERVIEW		Lane Engineering, LLC Established 1986 Civil Engineers • Land Planning • Land Surveyors	
	ON THE LANDS OF ROBERT A. ASNER BISHOPVILLE, MARYLAND			
	IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY TAX MAP 15, GRID 4, PARCEL 252, LOT 10		E-mail: general@leinc.com 117 Bay St. Easton, MD 21601 (410) 822-8003 15 Washington St. Cambridge, MD 21613 (410) 221-0818 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095	
	Date: 04/21/2025 - 2:01pm User: sfreund Project Manager: SJF Drawing Path: J:\2024\0400\240479\CM130-240479\Draw\Plots\HMP-PLTS-240479.dwg Sheet 3 LANE ENGINEERING, LLC			

TAX MAP 15, PARCEL 252, LOT 11
GREGORY & HEIDI NIKOLAUS
1332 MANOR ST
COLUMBIA, PA 17512

SHINGLE
LANDING
PRONG

DRIVEWAY

DWELLING

PROPERTY
LINE EXTENDED

6' SETBACK

MHW

PARCEL 252, LOT 10
(APPLICANT)

SHED

HARBOR LINE

6' SETBACK

PROPERTY
LINE EXTENDED

PRONG

TAX MAP 15, PARCEL 252, LOT 9
SPENCER & TERESA ROWE
12430 FLEETWAY DR
OCEAN CITY, MD 21842

NAD 83 (CORS)
MARYLAND STATE PLANE



SCALE IN FEET

EXISTING CONDITIONS

ON THE LANDS OF
ROBERT A. ASNER
BISHOPVILLE, MARYLAND

IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY
TAX MAP 15, GRID 4, PARCEL 252, LOT 10

Lane Engineering, LLC

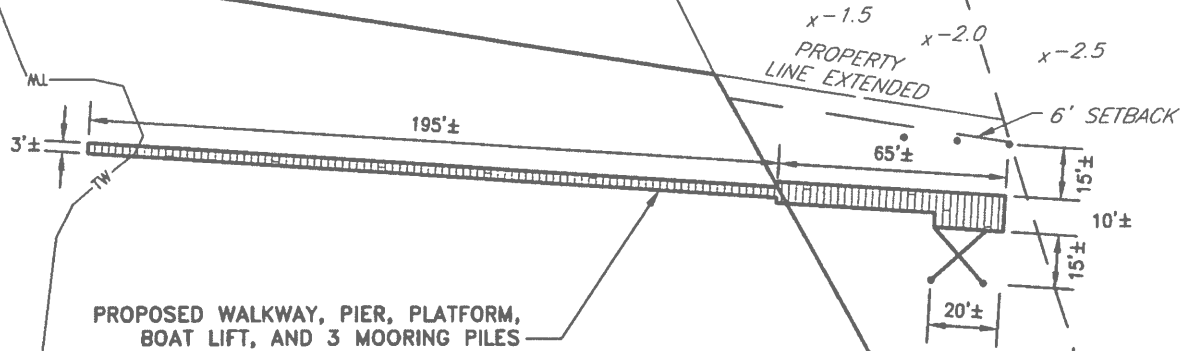
Established 1986
Civil Engineers • Land Planning • Land Surveyors



E-mail: general@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

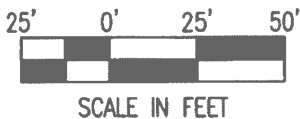
SHEET No.
4 OF 6
DATE: AS NOTED
SCALE: AS NOTED
JOB No. 240479
FILE No. D490

TAX MAP 15, PARCEL 252, LOT 11
GREGORY & HEIDI NIKOLAUS
1332 MANOR ST
COLUMBIA, PA 17512

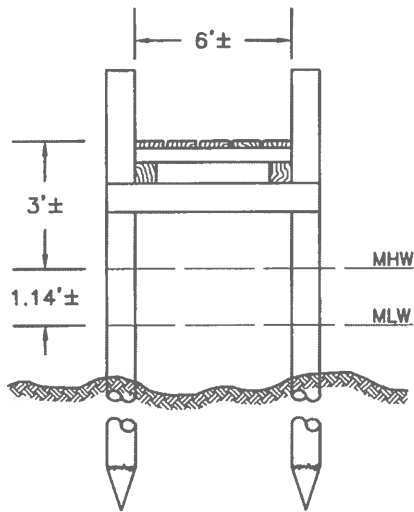


TAX MAP 15, PARCEL 252, LOT 9
SPENCER & TERESA ROWE
12430 FLEETWAY DR
OCEAN CITY, MD 21842

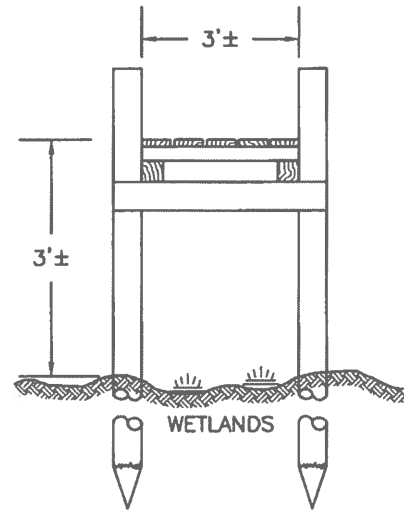
NAD 83 (CORS)
MARYLAND STATE PLANE



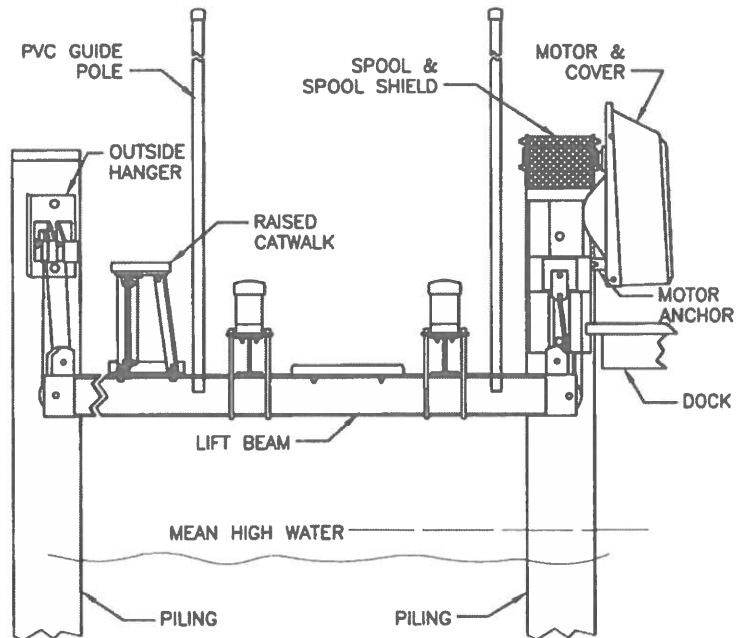
SHEET No. 5 OF 6	PROPOSED IMPROVEMENTS		Lane Engineering, LLC Established 1986 Civil Engineers • Land Planning • Land Surveyors E-mail: general@leinc.com 117 Bay St. Easton, MD 21601 (410) 822-8003 15 Washington St. Cambridge, MD 21613 (410) 221-0818 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095
	ON THE LANDS OF ROBERT A. ASNER BISHOPVILLE, MARYLAND		
	IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY TAX MAP 15, GRID 4, PARCEL 252, LOT 10		
DATE: AS NOTED SCALE: AS NOTED JOB No. 240479 FILE No. D490	Date: 04/21/2025 - 2:01pm User: efreund Project Manager: SJF XREF File(s): CBS-BASE-LETR-240479/RAR-BASE-240479/CSP-BASE-MARINE-240479/RLD-BASE-240479 Drawing Path: J:\2024\0400\240479\Civil3D-240479\Draw\Plots\HMP-PLTS-240479.dwg Sheet 5 of 6 LANE ENGINEERING, LLC		



PIER SECTION
NOT TO SCALE



WALKWAY SECTION
NOT TO SCALE



BOAT LIFT DETAIL
NOT TO SCALE

DATE: AS NOTED
SCALE: AS NOTED
JOB No. 240479
FILE No. D490

DETAILS
ON THE LANDS OF
ROBERT A. ASNER
BISHOPVILLE, MARYLAND
IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY
TAX MAP 15, GRID 4, PARCEL 252, LOT 10

Lane Engineering, LLC
Established 1986
Civil Engineers • Land Planning • Land Surveyors
E-mail: general@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095
Shane LANE ENGINEERING, LLC

EXHIBIT “C”



Google Maps

Layers



EXHIBIT “D”



DEPARTMENT OF THE ARMY
U. S. ARMY CORPS OF ENGINEERS, BALTIMORE DISTRICT
ATTN: REGULATORY BRANCH
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201-2930

April 25, 2025

Operations Division

Mr. Robert Asner
11919 Cedar Creek Road
Bishopville, Maryland 21813

Dear Mr. Asner:

This is in reference to your application, NAB-2025-60048 (Asner/Pier & Walkway) dated January 27, 2025 wherein you requested a Department of the Army (DA) authorization to construct a 195-foot(ft) long by 3-ft wide marsh catwalk connected to a 45-ft long by 6-ft wide timber pier with a 10-ft long by 20-ft wide terminal platform and a 15-ft long by 15-ft wide boat lift with all associated piles. The proposed project would extend a maximum of 65 feet channelward of the mean high water line in Shingle Landing Prong off Isle of Wight Bay at 11919 Cedar Creek Road, Bishopville, Worcester County, Maryland.

The United States Army Corps of Engineers, Baltimore District (Corps), has determined that the proposed work, if accomplished in accordance with the enclosed plan(s) (Enclosure 1), is authorized under the Maryland State Programmatic General Permit (MDSPGP-6) as a Category B activity a(3) Piers and e(7) Temporary Construction. This general permit was published in the Corps Special Public Notice 21-39 issued on September 30, 2021. This MDSPGP-6 verification is provided pursuant to Section 10 of the Rivers and Harbors Act of 1899. If any of the information contained in your application and/or plans is later found to be in error, the MDSPGP-6 authorization for your project may be modified, suspended, or revoked.

Please note that you must comply with the general conditions and activity-specific impact limits and requirements for Category B activity a(3) and e(7) at the following link: <https://www.nab.usace.army.mil/Missions/Regulatory/Permits-MD/MDSPGP-6/>. If you are not able to access the conditions, please contact the project manager for a hard copy. In addition, you must also comply with the following special conditions:

1. The work must be done in accordance with the approved project plans as prepared by Lane Engineering, LLC, dated December 19, 2024.
2. If pile driving is occurring during a time of year when ESA-listed species may be present, and the anticipated noise is above the behavioral noise threshold, a "soft start" is required to allow animals an opportunity to leave the project vicinity before sound

pressure levels increase. In addition to using a soft start at the beginning of the workday for pile driving, one must also be used at any time following cessation of pile driving for a period of 30 minutes or longer.

- a. For impact pile driving: pile driving will commence with an initial set of three strikes by the hammer at 40 percent (%) energy, followed by a one minute wait period, then two subsequent 3-strike sets at 40% energy, with one-minute waiting periods, before initiating continuous impact driving.
 - b. For vibratory pile installation: pile driving will be initiated for 15 seconds at reduced energy followed by a one-minute waiting period. This sequence of 15 seconds of reduced energy driving, one-minute waiting period will be repeated two additional times, followed immediately by pile-driving at full rate and energy.
3. The permittee shall construct the pier, platform, and associated structures from the uplands, open water, or the structure itself wherever possible to avoid impacts to wetlands. If any equipment or materials are placed in vegetated wetlands, to minimize disturbances, marsh mats must be used.
 4. The walkway/pier over vegetated tidal wetlands shall not exceed 3 feet in width and shall be constructed a minimum of 3 feet above the wetland surface elevation.
 5. Temporary disturbance to wetlands and waterways must be restored to preconstruction conditions or better, including replanting as necessary or directed by the Corps.

Please note that you are required to submit a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. An example of the information that is required is posted on the Baltimore District webpage at: <https://www.nab.usace.army.mil/Portals/63/NAB-xxxx-xxxxx XXXX Universal CompCert Final.pdf>. The signed certification should be returned to the Regulatory Branch at the email address nab-regulatory@usace.army.mil within 60 days with NAB-2025-60048 in the subject line following completion of the authorized work and any required mitigation. Your signature on the certification verifies your understanding that the work was completed in accordance with the terms and conditions associated with your DA permit.

Please be aware that the terms and conditions of this permit will continue to be binding on the new property owner(s) if structures or work authorized by this permit exist at the time of ownership transfer of the associated property. Although the construction period for work authorized by this MDSPGP-6 is finite, the permit itself, with its limitations, does not expire. To validate the transfer of this permit and the legal responsibility to comply with its terms and conditions, the transferee (new owner) must complete the transfer information below and email to nab-regulatory@usace.army.mil with NAB-2025-60048 in the subject line.

Please note that as of the date of this authorization, your project is in compliance with Section 7 of the Endangered Species Act. However, new species may be listed, or additional populations found. Therefore, it is your responsibility to ensure that construction of the authorized work does not adversely affect any existing or newly listed federally endangered or threatened species. Information on threatened and endangered species and their critical habitat can be obtained from the offices of the United States Fish and Wildlife Service and National Marine Fisheries Service or their web pages at: <https://ecos.fws.gov/ipac> and <https://www.greateratlantic.fisheries.noaa.gov/protected/section7/guidance/maps/index.html> respectively.

Your DA MDSPGP-6 authorization is valid until September 30, 2026, unless the permit is modified, reissued, or revoked. You must remain informed of the changes to the MDSPGP-6. When changes to the MDSPGP-6 occur, a public notice announcing the changes will be issued.

Be advised that you have 12 months from the effective date of the MDSPGP-6s expiration, modification, or revocation to complete the work under the present terms and conditions provided you have commenced construction or are under contract to commence construction of the authorized work.

In order for this authorization to be valid, you must obtain all required federal, state, and local permits.

A copy of this permit is being sent to Mr. Matt Godbey of the Maryland Department of the Environment - Tidal Wetlands Division and your contractor Ms. Dani Racine of Lane Engineering, LLC for information purposes.

If you have any questions concerning this matter, please contact Ms. Jaclyn Kelleher of this office at (410) 726-8793 or via email at jaclyn.k.kelleher@usace.army.mil.

Sincerely,

A handwritten signature in cursive script that reads "Jason R. Peters".

Jason R. Peters, PWS
Chief, Maryland South Section
Baltimore District

Enclosure

Transfer Form

NAB-2025-60048 (Asner/Pier & Walkway)

TRANSFeree SIGNATURE

DATE

TELEPHONE NO.

PRINTED NAME

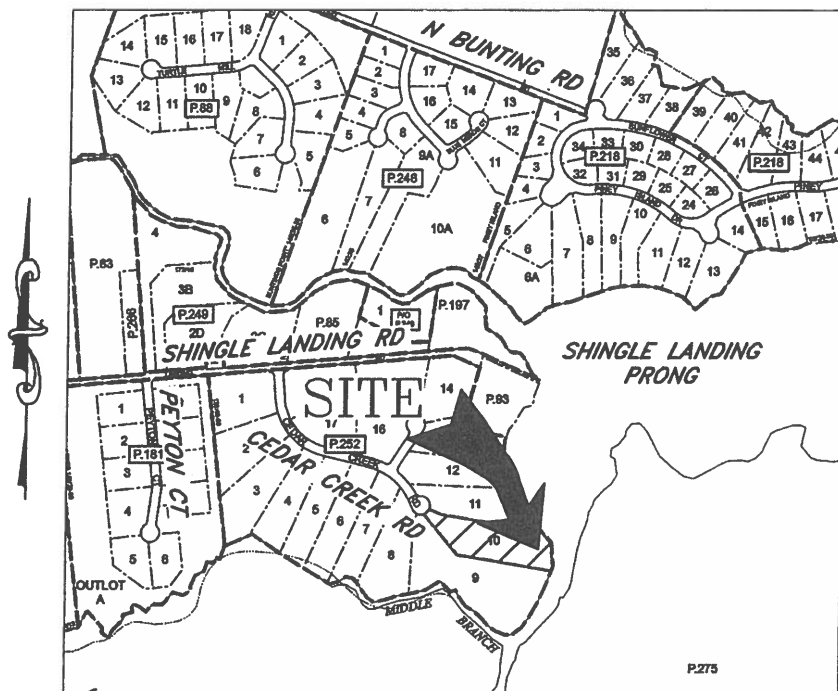
ADDRESS

Return to Regulatory by email at:

nab-regulatory@usace.army.mil with NAB-2025-60048 in the subject line.

To identify how we can better serve you, we need your help. Please take the time to fill out our customer service survey at: <https://regulatory.ops.usace.army.mil/customer-service-survey/>

PIER PERMIT DRAWINGS
PREPARED FOR
ROBERT ASNER
IN THE THIRD ELECTION DISTRICT
WORCESTER COUNTY, MARYLAND



VICINITY MAP
SCALE: 1" = 1,000'

ENGINEER

Lane Engineering, LLC
117 BAY STREET
EASTON, MARYLAND 21601
(410) 822-8003


OWNER/DEVELOPER

ROBERT ASNER
11919 CEDAR CREEK ROAD
BISHOPVILLE, MD 21813
(410) 430-3758

PROJECT LOCATION

11919 CEDAR CREEK ROAD
BISHOPVILLE, MD 21813

ISSUE FOR:	DATE:	BY:	No.	DATE:	REVISION:	BY:

FILE NO. D490	JOB NO. 240479	SCALE: AS NOTED	DATE: AS NOTED	SHEET No. 1 OF 6	TITLE SHEET		Lane Engineering, LLC	
					ON THE LANDS OF ROBERT A. ASNER BISHOPVILLE, MARYLAND		Established 1986 Civil Engineers • Land Planning • Land Surveyors	
					IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY TAX MAP 15, GRID 4, PARCEL 252, LOT 10		 E-mail: general@leinc.com 117 Bay St. Easton, MD 21601 (410) 822-8003 15 Washington St. Cambridge, MD 21613 (410) 221-0818 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095	

LEGEND & ABBREVIATIONS


MHW MEAN HIGH WATER (APPROXIMATE)
MLW MEAN LOW WATER (APPROXIMATE)

PROPERTY LINE _____

SPOT ELEVATION/SOUNDING $\times -2.15$

PROJECT NOTES

1. THE PROPERTY BOUNDARY AND EXISTING CONDITIONS SHOWN HEREON WERE TAKEN FROM GENERAL MAPS, DEED, PLAT, SITE SKETCH AND AERIAL PHOTO INTERPRETATION. THESE MAPS ARE BELIEVED TO BE THE BEST, READILY AVAILABLE SOURCE OF INFORMATION FOR MARINE PERMITTING PURPOSES. A BOUNDARY AND/OR EXISTING CONDITIONS SURVEY HAS NOT BEEN COMPLETED. LANE ENGINEERING IS NOT RESPONSIBLE FOR ANY INACCURACIES ASSOCIATED WITH THE LOCATION OF THE ABOVE REFERENCED EXISTING FEATURES AND RELATED LATERAL LINES, SETBACKS, ETC.
2. THESE DRAWINGS ARE FOR PERMIT PURPOSES ONLY AND ARE NOT TO BE USED AS AN ACCURATE CONSTRUCTION DOCUMENT.
3. SOUNDINGS SHOWN HEREON PROVIDED BY HOMEOWNER FOR PERMITTING PURPOSES ONLY.
4. TIDAL DATUM, I.E. MEAN LOW WATER ELEVATION, IS ESTIMATED FROM ENVIRONMENTAL INDICATORS SUCH AS RACK LINES, WATER MARKS, PLANT COMMUNITY COMPOSITIONS.
5. UNLESS OTHERWISE NOTED, ELEVATIONS SHOWN HEREIN ARE REFERENCED TO MEAN LOW WATER = 0.0'.
6. MEAN TIDAL RANGE = 1.14'
7. LOT SIZE = 2.38 AC \pm
8. DISTANCE TO CHANNEL CENTERLINE = 143' \pm
9. MAXIMUM CHANNELWARD ENCROACHMENT = 65' \pm
10. ZONING CLASSIFICATION = R1 (RURAL RESIDENTIAL) & RP (RESOURCE PROTECTION)
11. 911 ADDRESS = 11919 CEDAR CREEK ROAD, BISHOPVILLE, MD 21813

FILE No. D490	JOB No. 240479	SCALE: AS NOTED	DATE: AS NOTED	SHEET No. 2 OF 6	SITE & PROJECT NOTES		Lane Engineering, LLC	
					ON THE LANDS OF ROBERT A. ASNER BISHOPVILLE, MARYLAND		Established 1986 Civil Engineers • Land Planning • Land Surveyors	
					IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY TAX MAP 15, GRID 4, PARCEL 252, LOT 10		 E-mail: general@leinc.com 117 Bay St. Easton, MD 21801 (410) 822-8003 15 Washington St. Cambridge, MD 21613 (410) 221-0818 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095	
Date: 12/19/2024 - 1:55pm User: sfreund Project Manager: SJF Drawing Path: J:\2024\0400\240479\CMI3D-240479\Drawg\Plots\HMP-PLTS-240479.dwg Sheet 2 LANE ENGINEERING, LLC XREF File(s): GBS-BASE-LETR-240479/RAR-BASE-240479/CSP-BASE-MARINE-240479/RID-BASE-240479								



FILE NO. D490
JOB NO. 240479
SCALE: AS NOTED
DATE: AS NOTED
SHEET No. 3 OF 6

SITE OVERVIEW
ON THE LANDS OF
ROBERT A. ASNER
BISHOPVILLE, MARYLAND
IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY
TAX MAP 15, GRID 4, PARCEL 252, LOT 10

Lane Engineering, LLC
Established 1986
Civil Engineers • Land Planning • Land Surveyors

E-mail: general@leinc.com
117 Bay St. Easton, MD 21601 (410) 822-8003
15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

TAX MAP 15, PARCEL 252, LOT 11
GREGORY & HEIDI NIKOLAUS
1332 MANOR ST
COLUMBIA, PA 17512

**SHINGLE
LANDING
PRONG**

DRIVEWAY

DWELLING

PROPERTY
LINE EXTENDED

6' SETBACK

MHW

PARCEL 252, LOT 10
(APPLICANT)

SHED

HARBOR LINE

6' SETBACK

PROPERTY
LINE
EXTENDED

PRONG &

TAX MAP 15, PARCEL 252, LOT 9
SPENCER & TERESA ROWE
12430 FLEETWAY DR
OCEAN CITY, MD 21842

NAD 83 (CORS)
MARYLAND STATE PLANE



SCALE IN FEET

EXISTING CONDITIONS

**ON THE LANDS OF
ROBERT A. ASNER
BISHOPVILLE, MARYLAND**

**IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY
TAX MAP 15, GRID 4, PARCEL 252, LOT 10**

Lane Engineering, LLC

Established 1986
Civil Engineers • Land Planning • Land Surveyors

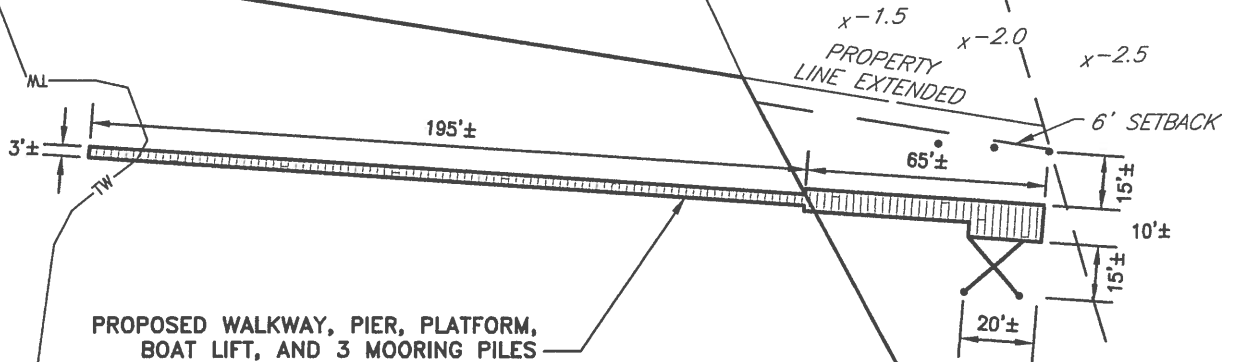


E-mail: general@leinc.com
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15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

SHEET No.
4 OF 6
DATE: AS NOTED
SCALE: AS NOTED
JOB No. 240479
FILE No. D490

Date: 12/19/2024 - 1:55pm User: sfreund Project Manager: SJF Drawing Path: J:\2024\0400\240479\Civil3D-240479\Draw\Plots\HMP-PLTS-240479.dwg | Sheet 4 LANE ENGINEERING, LLC
XREF File(s): GBS-BASE-LETR-240479/RAR-BASE-240479/CSP-BASE-MARINE-240479/RLD-BASE-240479

TAX MAP 15, PARCEL 252, LOT 11
GREGORY & HEIDI NIKOLAUS
1332 MANOR ST
COLUMBIA, PA 17512



PARCEL 252, LOT 10
(APPLICANT)

SHINGLE
LANDING
PRONG

HARBOR LINE

6' SETBACK

TAX MAP 15, PARCEL 252, LOT 9
SPENCER & TERESA ROWE
12430 FLEETWAY DR
OCEAN CITY, MD 21842

PROPERTY
LINE
EXTENDED



SCALE IN FEET

PROPOSED IMPROVEMENTS

ON THE LANDS OF
ROBERT A. ASNER
BISHOPVILLE, MARYLAND

IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY
TAX MAP 15, GRID 4, PARCEL 252, LOT 10

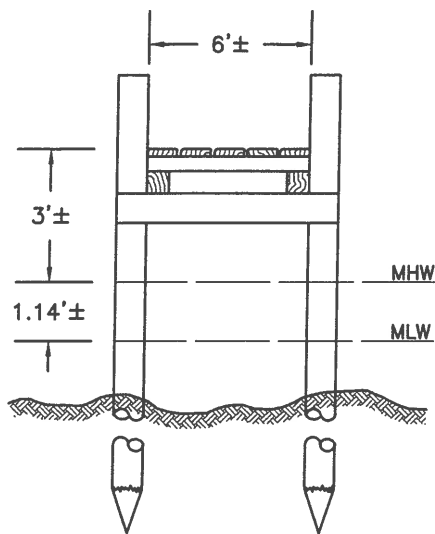
Lane Engineering, LLC

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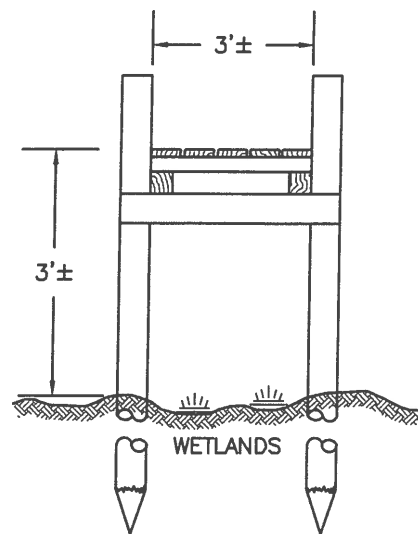


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354 Pennsylvania Ave. Centerville, MD 21617 (410) 758-2095

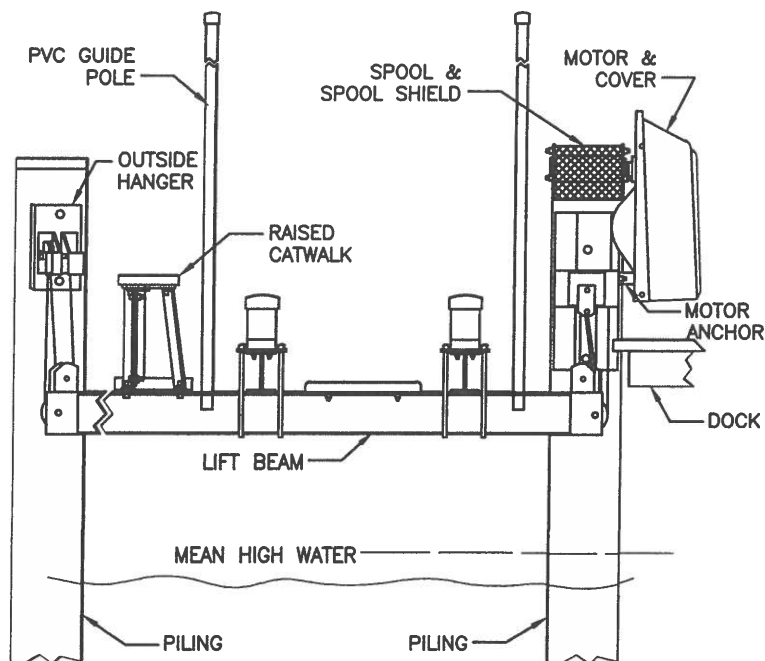
SHEET No.
5 OF 6
DATE: AS NOTED
SCALE: AS NOTED
JOB No. 240479
FILE No. D490



PIER SECTION
NOT TO SCALE



WALKWAY SECTION
NOT TO SCALE



BOAT LIFT DETAIL
NOT TO SCALE

FILE No. D490
JOB No. 240479
SCALE: AS NOTED
DATE: AS NOTED
SHEET No. 6 OF 6

DETAILS
ON THE LANDS OF
ROBERT A. ASNER
BISHOPVILLE, MARYLAND

IN THE THIRD ELECTION DISTRICT, WORCESTER COUNTY
TAX MAP 15, GRID 4, PARCEL 252, LOT 10

Lane Engineering, LLC

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15 Washington St. Cambridge, MD 21613 (410) 221-0818
354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

Date: 04/21/2025 - 2:01pm User: sfstrand Project Manager: SJF Drawing Path: J:\2024\0400\240479\CMSD-240479\Draw\HMP-PLTS-240479.dwg | Sheet 5 ANE ENGINEERING, LLC
XREF File(s): GBS-BASE-LETR-240479/RAR-BASE-240479/CSP-BASE-MARINE-240479/RLD-BASE-240479

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 25-65**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: December 11, 2025

LOCATION: 11919 Cedar Creek Road, Tax Map 15, Parcel 252, Lot 10, Tax District 3, Worcester County, Maryland.

APPROVAL REQUESTED: A variance to the Atlantic Coastal Bays Critical Area regulations to exceed the allowable 100' tidal wetland crossing by 95' for a proposed 3' by 195' walkway over tidal wetlands.

CODE REFERENCES: Natural Resources Code §§ NR 3-125(b)(1), Zoning Code §§ ZS 1-116(m)(1).

PROPERTY HISTORY:

08/24/2007 Shoreline Request No. 2005-149 and Construction Permit No. 110733 – Issued 08/30/2007 – Permit for a 3' x 96' elevated walkway over tidal wetlands to a 6' x 60' perpendicular pier with an 8' x 25' parallel dock, boatlift with two poles, two lifts with pilings and two additional mooring pilings – No construction and Permit expired.

04/26/2013 Permit No. 13-0408 – Issued 05/17/2013 – C/O issued 11/06/2013 – Permit for a three-story modular with rear 1st and 2nd floor open deck, covered front porch, attached two-car garage, unfinished attic.

COMMENTS: The proposed improvement does not require a Zoning variance.

***ENCLOSED PLEASE FIND THE STAFF REPORT FROM THE DEPARTMENT OF ENVIRONMENTAL PROGRAMS, NATURAL RESOURCES DIVISION AND THE CRITICAL AREA COMMISSION RELATIVE TO THIS REQUEST**

SUBSEQUENT PROCESSES IF APPROVED:

1. Comply with Natural Resources regulations.

OWNER: Scott and Emily Gelman
11919 Cedar Creek Road
Bishopville, MD 21813

APPLICANT : Mark Spencer Cropper
6200 Coastal Highway
Ocean City, MD 21842

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners



Worcester County

Department of Environmental Programs
Natural Resources Division

Memorandum

To: Kristin Tremblay, Zoning Administrator

From: Joy S. Birch, Natural Resources Planner III (JB)

Subject: Critical Area Variance – Scott & Emily Gelman, 11919 Cedar Creek Road,
Case # 25-65

Date: November 25, 2025

The following comments are provided for the above referenced case as related to the Atlantic Coastal Bays Critical Area Law:

This variance request before the Board of Zoning Appeals (BZA) is for a property located within the Atlantic Coastal Bays Critical Area. The property is identified as the lands of Scott & Emily Gelman, Tax Map 15, Parcel 252, Lot 10, 11919 Cedar Creek Road, Bishopville, MD 21813. The property is more specifically located within the Limited Development Area (LDA) designation with an associated 100' Buffer.

The Applicants are requesting a variance to δ NR 3-125(b) (1) of the Worcester County Code of Public Local Laws in order to gain authorization to exceed the allowable 100' tidal wetland crossing by 95' for a proposed 3' x 195' walkway over tidal wetlands.

As stated in δ NR 3-125 (b) (1), "New piers or docks shall not extend more than one hundred feet in length over state or private wetlands. As also stated in δ NR 3-111(d) of the County Code, "Applications for a variance shall be made in writing to the Board of Zoning Appeals".

Under δ NR 3-111 "A Critical Area Program variance may be granted . . . where, owing to special features of a site or other circumstances, implementation of this Program or a literal enforcement of provisions within the Program would result in unwarranted hardship to an applicant".

Citizens and Government Working Together

Under the Code of Maryland (COMAR) 27.01.12.06, Worcester County may not accept an application for a variance to legalize a violation of this subtitle, including an unpermitted structure or other development activity, until the County issues a notice of violation and assesses an administrative or civil penalty for the violation.

As the Board is aware, from previous variances to the Critical Area Law, all applicants must address five standards. The Critical Area Law requires that each of the five standards for a variance be met before the Board renders a decision.

STAFF ANALYSIS

The five standards for a Variance, as listed in §NR 3-111(b) (1) thru (5) of the County Code, will be addressed below.

- 1) Special conditions or circumstances exist that are peculiar to the applicant's land or structure, and a literal enforcement of provisions and requirements of the County's Atlantic Coastal Bays Critical Area Program would result in unwarranted hardship.**

Staff would agree that an unwarranted hardship does exist. The property was platted prior to the adoption of the Atlantic Coastal Bays Critical Area Program and with the rear of the property being entirely wetlands it would prohibit the property owner from enjoying their riparian rights.

- 2) A literal interpretation of the provisions of the County's Atlantic Coastal Bays Critical Area Program and related laws will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Atlantic Coastal Bays Critical Area.**

Staff's opinion would be that the applicant's rights would be lessened without the granting of this variance. There are numerous properties located within the Atlantic Coastal Bays Critical Area Program and surrounding areas that have piers/docks that exceed 100' of tidal wetlands, some of which received similar variances as this request.

- 3) The granting of a variance will not confer upon an applicant any special privilege that would be denied by the County's Atlantic Coastal Bays Critical Area Program to other lands or structures within the Atlantic Coastal Bays Critical Area.**

As previously stated, there are numerous piers/docks in this area, some that have required similar variances; therefore, the granting of this variance would not confer a special privilege or right to the applicant.

- 4) **The variance request is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming on any neighboring property.**

This request is not an after-the-fact variance, and the properties were platted prior to the adoption of the Atlantic Coastal Bays Critical Area program.

- 5) **The granting of a variance shall not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the Atlantic Coastal Bays Critical Area and the granting of the variance will be in harmony with the general spirit and intent of the County's Atlantic Coastal Bays Critical Program.**

While the granting of this variance may slightly affect the water quality and impact the plant habitat, the applicant has received approval from the Maryland Department of the Environment and US Army Corps of Engineers. If approved, the required mitigation at a 2:1 ratio, for any disturbance to the 100' buffer associated with the construction of the pier, which will help lessen any effects or impacts.

- 6) **The Board of Zoning Appeals shall not make a decision relative to a request for such a variance without reviewing the comments of the Department and finding that the applicant has satisfied each of the provisions and standards contained herein.**

Staff agrees that the applicant does have an unwarranted hardship due to the location and amount of tidal wetlands. The Board should consider additional testimony before determining that the applicant has adequately addressed and met the standards for this variance.

ADDITIONAL STAFF COMMENTS

State Critical Area Commission staff has also reviewed this request and have provided comments. Critical Area Commission Natural Resources Planner, Kathryn Hayden, stated in her October 24, 2025, letter:

"If the variance is approved, mitigation at a 2:1 ratio for any disturbance to the 100-foot Buffer associated with the construction of the pier is required; a Buffer Management Plan must be approved by the County prior to the start of construction."

The Commission also requests that they be informed by writing of the decision rendered by the Board for this case.

Citizens and Government Working Together

STAFF RECOMMENDATION

Staff agrees and supports this variance and feels an unwarranted hardship does exist. Numerous properties throughout the County have piers/docks that exceed 100' of tidal wetlands. Due to the fact that this lot was platted prior to the adoption of the Critical Area regulations, without this variance the applicant's riparian rights would be lessened.

Any mitigation will be based upon the proposed amount of disturbance and lot coverage that occurs within the buffer. It should also be subject to the condition that the Applicant agrees to and enters upon a Critical Area Planting Agreement as required by δNR 3-111(e) (1). The Applicant will also be required to submit a planting plan and work with Staff to satisfy this requirement. Mitigation shall be planted within the buffer first, then the balance planted at other places onsite. If total amount mitigation cannot be planted onsite, as verified by a Natural Resources inspector, provisions exist to allow for offsite planting and/or fee-in-lieu.

Should you have any questions or need additional information please contact me at 410-632-1220, ext. 1161 or e-mail at: jbirch@worcestermd.gov.

Wes Moore
Governor

Aruna Miller
Lt. Governor



Erik Fisher
Chair

Katherine Charbonneau
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

October 24, 2025

Ms. Joy Birch

Worcester County Department of Environmental Programs

One West Market Street – Room 1306

Snow Hill, Maryland 21863

Re: Scott Gelman – Variance

Dear Ms. Birch,

Thank you for submitting the above referenced variance application to our office for review. The applicant is requesting a variance to the provisions of the Worcester County Critical Area Code, which limits the length of piers across tidal wetlands to 100 feet, to permit the construction of an 195-foot long by 3-foot wide walkway over tidal wetlands. The property is within the Critical Area on lands designated Limited Development Area (LDA) and Resource Conservation Area (RCA).

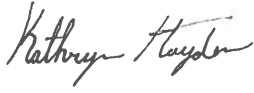
Maryland's Critical Area Law provides that variances to a local jurisdiction's Critical Area program may be granted only if the Board of Appeals finds that an applicant has satisfied the burden to prove that the request meets each and every one of the State's variance standards. Furthermore, State law establishes the presumption that a proposed activity for which a Critical Area variance is sought does not conform to the purpose and intent of the Critical Area law. The County must make an affirmative finding that the applicant has overcome this presumption, based on the evidence presented.

If the variance is approved, mitigation at a 2:1 ratio for any disturbance to the 100-foot Buffer associated with construction of the pier is required, and a Buffer Management Plan must be approved by the County prior to the start of construction. The applicant must also receive a Tidal Wetlands License from the Maryland Department of the Environment and Authorization from the U.S. Army Corps of Engineers (ACOE) before a permit can be issued. The application materials for this variance did include a copy of the ACOE authorization for this project.

Thank you for the opportunity to provide comments. Please include this letter in your file and submit it as part of the record for this variance. Also, in accordance with Natural Resources Article §8-1808(d)(6)(i), please provide the Commission with a copy of the written decision regarding this variance application within 10 working days after a written decision has been issued. If you have any questions, please feel free to contact me at 410-260-3479 or kathryn.hayden@maryland.gov.

Sincerely,

Ms. Birch
Scott Gelman – Variance
Page 2 of 2

A handwritten signature in cursive script, reading "Kathryn Hayden".

Kathryn Hayden
Natural Resources Planner

File: WC 0278-25
CC: Brian Soper, Worcester County Government
Jennifer Esposito, Critical Area Commission

APPLICATION TO :
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER ROOM 1201
SNOW HILL, MD 21863-1070

OFFICE USE ONLY :
CASE NO: 25-66
DATE FILED: 10-16-2025
HEARING DATE: 12-11-2025

APPLICATION BEING MADE FOR:

<input type="checkbox"/> SPECIAL EXCEPTION	<input type="checkbox"/> FORESTRY
<input checked="" type="checkbox"/> VARIANCE	<input checked="" type="checkbox"/> CRITICAL AREA
<input type="checkbox"/> EXPANSION OF NONCONFORMING USE/STRUCTURE	<input type="checkbox"/> APPEAL
<input type="checkbox"/> OTHER	
<input type="checkbox"/> AFTER THE FACT	<input checked="" type="checkbox"/> PROPOSED
	<input type="checkbox"/> ADMINISTRATIVE ADJUSTMENT

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: a Critical Area variance of 49' to encroach into the 50' BMA (see attached) and an encroachment of 15.5' into the front yard building restriction line, which is measured at 50 feet from the centerline of the road right-of-way or the equivalent of 30' from the property line.

LOCATION OF PROPERTY:

TAX MAP: 27 PARCEL: 570 SECTION: 15/2
On the N/S/E/W of: Riggin Ridge Road
500 (Feet/Miles), N/S/E/W of Golf Course Road

PROPERTY OWNER INFORMATION:

Owner's Name: RCL Investments LLC & Top View, LLC Telephone: [REDACTED]
Address: 417 14th Street, Unit 61, Ocean City, MD 21842 E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: MARK SPENCER CROPPER Telephone: [REDACTED]
Address: 6200 COASTAL HIGHWAY, SUITE 200, OC, MD 21842 E-Mail: [REDACTED]

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)
NO

Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? YES *If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations?* YES

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: 30' FROM CENTERLINE OF ROAD RIGHT-OF-WAY
30' FROM PROPERTY LINE
REAR: 30'
LEFT SIDE: 8'
RIGHT SIDE: 8'

ZONING DISTRICT: R-2

TAX DISTRICT: 10

Signature of Owner or Legal Representative

Mark Spencer Cropper
6200 Coastal Highway, Suite 200
Ocean City, MD 21842

Signature of Applicant

Mark Spencer Cropper
6200 Coastal Highway, Suite 200
Ocean City, MD 21842

SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY that on this 10TH day of October
20 25 before me, a Notary Public in and for the State and County aforesaid,
personally appeared MARK SPENCER CROPPER, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.



Notary Public



My Commission Expires: 06-01-2028

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

I HEREBY CERTIFY that on this 10TH day of October
20 25 before me, a Notary Public in and for the State and County aforesaid,
personally appeared MARK SPENCER CROPPER, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.



Notary Public



My Commission Expires: 06-01-2028

Law Offices
AYRES, JENKINS, GORDY & ALMAND, P.A.
6200 COASTAL HIGHWAY, SUITE 200
OCEAN CITY, MARYLAND 21842
www.ajgalaw.com

GUY R. AYRES, III (1973 - 2019)
JAMES W. ALMAND
WILLIAM E. ESHAM, III
MARK SPENCER CROPPER
BRUCE F. BRIGHT †
HEATHER E. STANSBURY
MAUREEN F.L. HOWARTH
RYAN D. BODLEY

OF COUNSEL
HAROLD B. GORDY, JR.
M. DEAN JENKINS
ALVIN I. FRDERICK

SENIOR ASSOCIATE
VICTORIA O'NEILL

ASSOCIATES
SPENCER AYRES CROPPER
BRADFORD F. KIRBY
TAYLOR DONLEY

(410) 723-1400
FAX (410) 723-1861
Email: mcropper@ajgalaw.com

October 10, 2025

†Also admitted in District of Columbia

Brian Soper
Natural Resources Administrator
Worcester County
Department of Environmental Programs
One West Market Street, Room 1306
Snow Hill, MD 21863

RE: *Worcester County Tax Map 27, Parcel 570, Lot 15, Block 2*
Riggin Ridge Road, Ocean City, MD 21842

Dear Mr. Soper:

I represent RCL Investments, LLC, and Top View, LLC, both Maryland limited liability companies, hereinafter collectively referred to as the "Companies" with regard to constructing a single-family residence on the above-referenced property (the "Property"). In order to do so, the Companies are requesting, among other things, a variance to encroach 49' feet into the 50' Atlantic Coastal Bays Critical Area Law ("CAL") Buffer Management Area ("BMA").

1. Special conditions or circumstances exist that are peculiar to the applicant's land or structure and a literal enforcement of provisions and requirements of the county's Atlantic Coastal Bays Critical Area Program would result in unwarranted hardship.

The Property is identified on the "Plat of Bayshore Acres" ("Bayshore") dated May 20, 1940, 62 years prior to the adoption of the CAL. The Property is more particularly described in a Deed dated June 1, 2021, and recorded among the Land Records of Worcester County, Maryland at Book 8079, Page 101, attached hereto as Exhibit "A".

Attached as Exhibit "B" is the B.Z.A. Plan dated October 10, 2025 ("BZA Plan"), reflecting the wetlands, tidal and non-tidal, buffers and other site limitations of the Property. As you can see, of a total lot area of 6500 sq. ft., state and federal non-tidal wetlands comprise 982 sq. ft. with state and federal tidal wetlands and waters comprising 4,568 sq. ft. This leaves only 950 sq. ft. /0.146% of net buildable area for the construction of the house as reflected on the Permit Plan. In fact, it would be impossible to construct anything on the Property without a

variance to the BMA and an unwarranted hardship would result. Additionally, to reduce the BMA variance, a variance of 15.5' to encroach into the front yard zoning setback is also being requested (which is 50' feet from the centerline of the road right-of-way, or the equivalent of 30' from the property line).

2. A literal interpretation of the provisions of the County's Atlantic Coastal Bays Critical Area Program and related laws will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Atlantic Coastal Bays Critical Area.

Bayshore Acres is one of the oldest subdivisions in Worcester County and is almost entirely developed as reflected on Exhibit "C." Virtually every single-family lot is improved with a single-family dwelling, inclusive of decks or other amenities.

Not only was the Property subdivided many decades before the adoption of the CAL, but the approval and recordation of the Plat clearly evidences that it was always intended and approved for development. Had that not been the case, there would have been no reason to subdivide the lands.

Therefore, a literal interpretation of the CAL would deprive the Companies of rights commonly enjoyed by other properties in this community. Because of the impact of tidal and non-tidal wetlands (and buffers), the Property is more unique than most.

3. The granting of a variance will not confer upon an applicant any special privilege that would be declined by the County's Atlantic Coastal Bays Critical Area Program to other lands or structures within the Atlantic Coastal Bays Critical Area.

As indicated previously, the vast majority of lots within Bayshore were developed prior to the adoption of the CAL. The Property is zoned R-2, Suburban Residential District, which allows for the proposed house. Therefore, the granting of this variance does not confer upon the Companies any special privilege that would be denied by the CAL to other lands or structures within the Critical Area.

4. The variance required is not based upon conditions or circumstances that are the result of actions by the applicant nor does the request arise from any condition relating to land or building use, either permitted or non-conforming on any neighboring property.

The Property is burdened by extensive site limitations and restrictions as reflected on the Permit Plan. This is not the case with most of the other lots developed within Bayshore. The Companies are simply seeking to enjoy the same rights and privileges as are enjoyed by their neighbors. The wetlands, buffers and setbacks are not conditions that result from any actions (or inactions) on the part of the Companies. This is not an after-the-fact variance.

Moreover, in order to minimize the encroachment of the house into the more sensitive areas of the Property, the Companies are also requesting a variance to encroach 15.5' into the front yard zoning setback (previously defined in Section 1 above). In doing so, the house has

been relocated closer to Riggin Ridge Road and further away from the wetlands and associated buffers.

5. *The granting of a variance shall not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the Atlantic Coastal Bays Critical Area and the granting of the variance will be in harmony with the general spirit and intent of the County's Atlantic Coastal Bays Critical Area Program.*

Many of the properties located within Bayshore are improved with single-family dwellings are located partly or completely within a BMA. Because this community is essentially completely developed with houses dating back to the 1950s, there is no reasonable basis to believe that granting the variance will have an adverse effect upon water quality or impact fish, wildlife or plant habitats. The general spirit and intent of the CAL is to appreciate and respect the existence of subdivisions that were designed and platted prior to the implementation of the CAL. Moreover, the development of this site will require compliance with all applicable State of Maryland stormwater and water quality regulations.

6. *The Board of Zoning Appeals shall not make a decision relative to a request for such a variance without reviewing the comments of the Department and finding that the applicant has satisfied each of the provisions and standards contained herein.*

The Companies welcome the Department reviewing this application and any exhibits. Should any additional information be deemed necessary or desirable, do not hesitate to let me know. Hopefully, the staff will make a favorable recommendation to the Board of Zoning Appeals to grant this requested variance.

Very truly yours,


Mark Spencer Cropper

EXHIBIT “A”

After recording return to:
Ayres, Jenkins, Gordy & Almand, P.A.
6200 Coastal Highway, Ste. 200
Ocean City, MD 21842
File No. 21-0457E

THIS DEED, made on June 1, 2021, by **PHILLIPS PROPERTIES III, LLC, a Maryland limited liability company**, hereinafter called Grantor, WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00), the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey an undivided one-half interest unto **RCL INVESTMENTS, LLC**, a Maryland Limited Liability Company, its successors and assigns, and the remaining undivided one-half interest unto **TOP VIEW, LLC**, a Maryland Limited Liability Company, its successors and assigns, with each of the undivided interests being held, in respect to each other, as tenants in common, forever in fee simple,

ALL that lot or parcel of land situate near the Town of Ocean City, in the Tenth Tax District of Worcester County, Maryland, being described as Lot No. 15 in Block No. 2, which is more particularly designated and distinguished on the plat known as Plat of Bay Shore Acres, dated May 20, 1940, and recorded among the Land Records of Worcester County, Maryland in Plat Book ODC No. 2, folio 77.

BEING part of the property conveyed unto Phillips Properties III, LLC, by Deed dated April 13, 2007 and recorded among the Land Records of Worcester County in Liber No. 4943, folio 252, et seq.

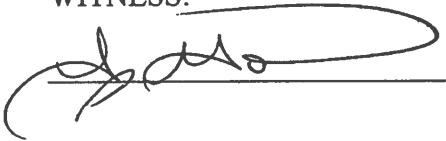
TOGETHER with the improvements thereon and the rights, roads, ways, waters, privileges and appurtenances to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described property unto the said Grantees, as follows: an undivided one-half interest unto **RCL INVESTMENTS, LLC**, a Maryland Limited Liability Company, its successors and assigns, and the remaining undivided one-half interest unto **TOP VIEW, LLC**, a Maryland Limited Liability Company, its successors and assigns, with each of the undivided interests being held, in respect to each other, as tenants in common, forever in fee simple.

AND the said Grantor hereby covenants to warrant specially the property hereby conveyed and to execute such other and further assurances of the same as may be requisite.

WITNESS the hands and seals of the Grantor herein the day and year first above written.

WITNESS:



PHILLIPS PROPERTIES III, LLC

 (SEAL)
By: Paul J. McKinley, Managing Member

(SEAL)

TAXES FOR WHICH ASSESSMENTS
HAVE BEEN RECEIVED HAVE BEEN
PAID AS OF THIS DATE. *6/4/21*
Worcester County Finance Office
By *SA*
EXCEPT PERSONAL PROPERTY


STATE OF MARYLAND, COUNTY OF WORCESTER, to wit:

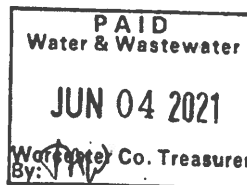
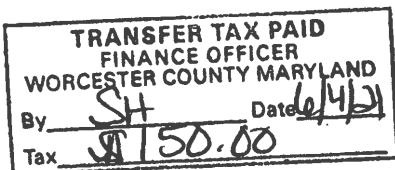
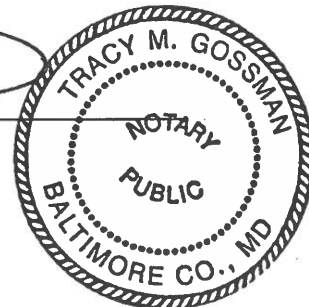
I HEREBY CERTIFY that on this 1st day of June, 2021, before me, the subscriber, a Notary Public in and for the State aforesaid, personally appeared Paul J. McKinley, Managing Member of Phillips Properties III, LLC, who acknowledged the foregoing Deed to be his respective act and deed on behalf of the LLC.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

9/22/21


NOTARY PUBLIC



I, an Attorney-at-Law of the State of Maryland, do hereby certify that the within instrument was either prepared by me or prepared under my supervision.



William E. Esham, III

LR - Deed (w Taxes)
Recording Fee no CT
20.00
Name: phillips/rci
Ref:
LR - Surcharge -
linked 40.00
LR - Recordation Tax -
linked 198.00
LR - State Transfer
Tax - linked 150.00
LR - NR Tax - 1kd 0.00
=====

SubTotal:	408.00
=====	
Total:	408.00

06/07/2021 09:36
CC23-AD
#15046098 CC0104 -
Worcester
County/CC01.04.02 -
Register 02

JUN 07 2021 The foregoing instrument
filed for record and is accordingly recorded
among the land records of Worcester County,
Maryland.

 Clerk

State of Maryland Land Instrument Intake Sheet									
County: Worcester County									
Information provided is for use of the Clerk's Office, State Department of Assessments and Taxation and County Finance Office only.									
(Type or Print in Black Ink Only--All Copies Must Be Legible)									
(() Check Box if Addendum Intake Form is Attached)									
1	Type(s) of Instruments	<input type="checkbox"/> Deed <input type="checkbox"/> Mortgage <input type="checkbox"/> Other <input type="checkbox"/> Other <input type="checkbox"/> Deed of Trust <input type="checkbox"/> Lease <input type="checkbox"/> Unimproved Sale <input type="checkbox"/> Multiple Accounts <input type="checkbox"/> Not an Arms-Length Sale[9] <input checked="" type="checkbox"/> Improved Sale Arms-Length[1] <input type="checkbox"/> Arms-Length[2] <input type="checkbox"/> Arms-Length[3]							
2	Conveyance Type Check box	<input checked="" type="checkbox"/> Improved Sale Arms-Length[1] <input type="checkbox"/> Arms-Length[2] <input type="checkbox"/> Arms-Length[3] <input type="checkbox"/> Not an Arms-Length Sale[9]							
3	Tax Exemptions (if Applicable) Cite or Explain Authority	Recordation State Transfer County Transfer							
4	Consideration And Tax Calculation	Consideration Amount Purchase Price/Consideration \$30,000.00 Any New Mortgage Balance of Existing Mortgage Other: Other Full Cash Value				Finance Office Use Only Transfer and Recordation Tax Consideration X()% = \$ Less Exemption Amount \$ Total Transfer Tax \$ Recordation Tax Consideration \$ X()per \$500 = \$ TOTAL DUE \$			
5	Fees	Amount of Fees Doc. 1 Doc. 2 Recording Charge \$20.00 \$ Surcharge \$40.00 \$ State Recordation Tax \$198.00 State Transfer Tax \$150.00 County Transfer Tax \$150.00 Other Other				Agent: Tax Bill: C.B. Credit: Ag. Tax/Other:			
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i)	District	Property Tax ID No.(1)	Grantor Liber/Folio	Map	Parcel No.	_Var.LOG_ (5)		
		10	10-024854						
		Subdivision Name			Lot(3a)	Block (3b)	Sect/AR(3c)	Plat Ref.	SqFt/Acreage (4)
		Location/Address of Property Being Conveyed (2)							
		Lot 15, Block 2, Riggan Ridge Road, Ocean City, MD 21842							
		Other Property Identifiers (if applicable)							
		Water Meter Account No.							
		Residential [X] or Non-Residential [] Fee Simple [X] or Ground rent [] Amount:							
		Partial Conveyance? [] Yes [X] No Description/Amt of SqFt/Acreage Transferred:							
		If Partial Conveyance, List Improvements Conveyed:							
7	Transferred From	Doc.1 – Grantor(s) Name(s)				Doc.2 – Grantor(s) Name(s)			
		Phillips Properties III, LLC							
		Doc.1 – Owner(s) of Record, if Different from Grantor(s)				Doc.2 – Owner(s) of Record, if Different from Grantor(s)			
8	Transferred to	Doc.1 – Grantee(s) Name(s)				Doc.2 – Grantee(s) Names(s)			
		RCL Investments, LLC							
		Top View, LLC							
		New Owner's (Grantee) Mailing Address							
		417 14th Street, Unit 61, Ocean City, MD 21842							
9	Other Names To Be Indexed	Doc.1 – Additional Names to be Indexed (Optional)				Doc.2 – Additional Names to be Indexed (Optional)			
10	Contact/Mail Information	Instrument Submitted By or Contact Person				[] Return to Contact Person			
		Name: Tracy M. Gossman				[] Return to Contact Person			
		Firm: Ayres, Jenkins, Gordy & Almand, P.A.				[X] Hold for Pickup			
		Address: 6200 Coastal Highway, Suite 200, Ocean City, MD 21842				[] Return Address Provided			
		Phone: (410) 723-1400				[] Return Address Provided			
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER								
	Assessment	[] Yes [X] No Will the property being conveyed be the grantee's principal residence?							
	Information	[] Yes [X] No Does transfer include personal property? If yes, identify:							
		[] Yes [X] No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).							
		Assessment Use Only – Do Not Write Below This Line							
		[] Terminal Verification [] Agricultural Verification [] Whole [] Pad [] Tran. Process Verification							
		Transfer Number:		Date Received:		Deed Reference:		Assigned Property No.:	
		Year		Geo.		Map		Sub.	Block
		Land		Zoning		Grid.		Plat	Lot
		Buildings		Use		Parcel		Section	Occ.Cd.
		Total		Town Cd.		Ex.St.		Ex.Cd.	
	REMARKS:								

EXHIBIT “B”

EXHIBIT “C”



CYNTHIA F. TWILLEY
1106 NEW BEDFORD WAY
SALISBURY, MD. 21804

LOT 12

LOT 13

S51°10'00"E → 50.00'

AREA TABLE

UPLANDS = 950 S.F.

STATE & FEDERAL NON
TIDAL WETLANDS = 982 S.F.

STATE & FEDERAL TIDAL
WETLANDS & WATERS
= 4,568 S.F.

TOTAL LOT AREA = 6,500 S.F.

LOT 15
BLOCK 2

LOT 14
KOTMCA HOLDINGS LLC
12854 WHISPER TRACE DRIVE
OCEAN CITY, MD. 21842



(IN FEET)
1 inch = 20 ft.

LOT 1
BLOCK 5

CHERYL L. HARTMAN, TRUSTEE
15319 JORDANS JOURNEY DR.
CENTERVILLE, VA. 20120

LOT 16
BLOCK 2

NINA ALKETA
12921 RIGGIN RIDGE ROAD
OCEAN CITY, MD. 21842

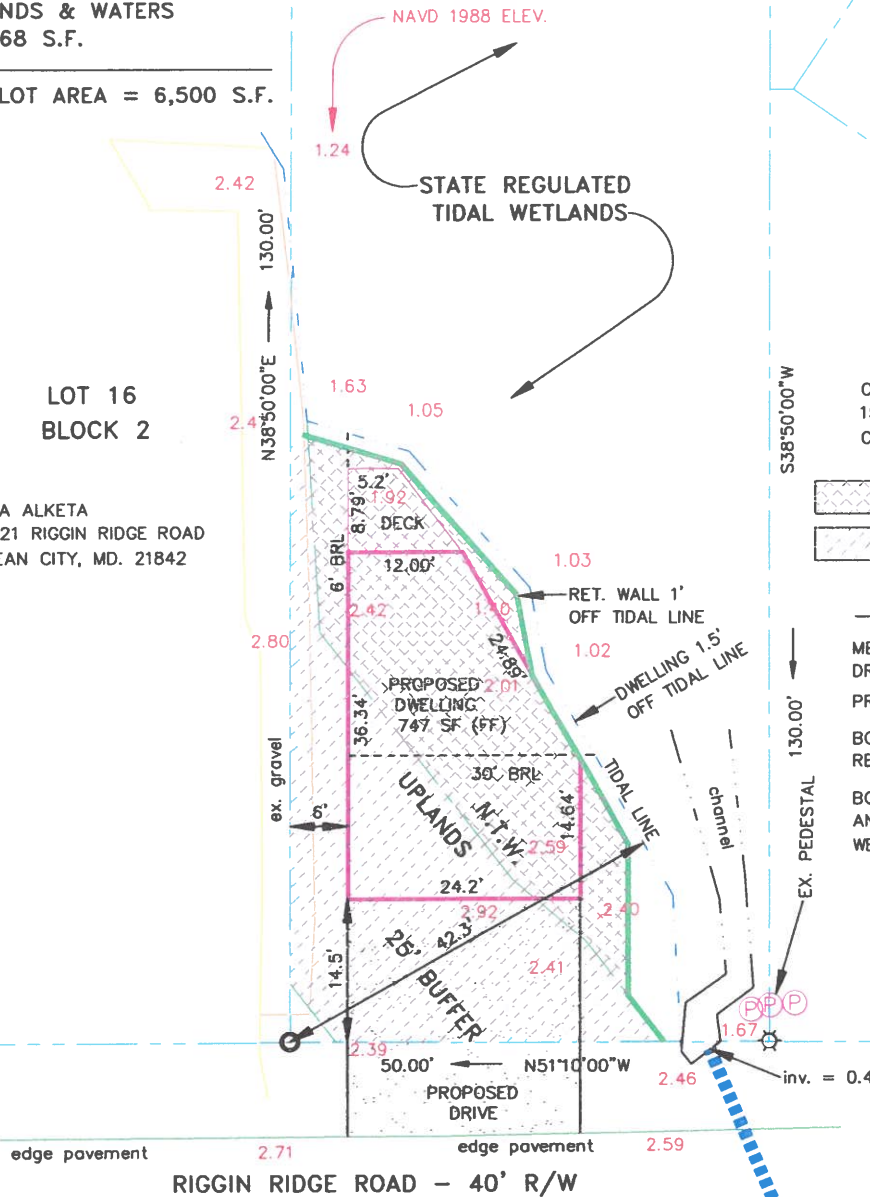
N.T.W. IMPACT = 806 SF
N.T.W. BUFFER IMPACT = 918 SF

LEGEND

MEAN HIGH WATER LINE
DRAINAGE CHANNEL
PROPERTY LINE
BOUNDARY OF STATE
REGULATED TIDAL WETLAND
BOUNDARY OF STATE
AND FEDERAL NON TIDAL
WETLANDS (N.T.W.)

□ DENOTES CONC. MON. FOUND
○ DENOTES IRON ROD FOUND
☆ DENOTES IRON ROD SET
△ DENOTES MAG NAIL SET

△
NAIL = 2.72 NAVD 1988



B.Z.A. PLAN

LOT 15 - BLOCK 2 - BAY SHORE ACRES
TENTH TAX DISTRICT, WORCESTER COUNTY, MARYLAND

DELINEATION BY ENVIRONMENTAL RESOURCE INSIGHTS - 3/2025

NOTE : PARKING UNDER ELEVATED STRUCTURE

A.C.B.C.A. IS I.D.A. - B.M.A. IS B - C.A. SETBACK = 50'

FLOOD ZONE: AE (BFE=5) PER FIRM
NO. 24047C0180H
DATED 7-16-2015.

Frank G. Lynch, Jr.
& Associates, Inc.

SURVEYING · LAND PLANNING
10535 RACETRACK ROAD · BERLIN MARYLAND 21811
(410) 641-5353 · 641-5773

DRAWN BY FGL JR.
FILE NO. 12476-25
DATE 10-10-2025

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 25-66**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: December 11, 2025

LOCATION: Located on Riggins Ridge Road approximately 570 feet east of Golf Course Road, Tax Map 27, Parcel 570, Block 2, Lot 15, Tax District 10, Worcester County, Maryland.

APPROVAL REQUESTED: A variance to the front yard setback from 30 feet to 14.5 feet (to encroach 15.5 feet) and a variance to reduce the Atlantic Coastal Bays Critical Area buffer from 50 feet to 1 foot (to encroach 49 feet) for a proposed residence with a deck in the R-2 Suburban Residential District.

CODE REFERENCES: ZS 1-116(c)(4), ZS 1-116(m)(1), ZS 1-206(b)(2) and ZS 1-305 and Natural Resources Code Sections NR 3-104 (d)(4) and NR 3-111.

PROPERTY HISTORY:

09/15/1989 Building Permit No. 18994 – Issued 09/15/1989 – No record of a C/O - Permit to place 100 cubic yards of fill on the lot

COMMENTS: This application involves both a Zoning variance and a Critical Area Variance. This staff report does not address the Critical Area portion of the request - please refer to the attached report from Environmental Programs for the Critical Area variance.

This lot was created in 1940 as part of the Bayshore Acres subdivision. Zoned R-2, new lots in this zoning district must be a minimum of 10,000 s.f. in area, whereas this lot totals only 6,500 s.f.; in addition, lot widths must be at least 80' and this lot is only 50' wide. According to the information submitted, only 950 s.f. of this 6,500 s.f. lot are uplands, with the rest being tidal and nontidal wetlands. In addition, virtually all of the uplands lie within the 25' nontidal wetlands buffer. The current zoning code requires that lots have a minimum buildable area of at least 2,500 s.f. [see ZS 1-305(a), definition of Buildable Lot Area] and this lot has only 950 s.f. of uplands, and some of that appears to be within the building setback areas, and, as noted above, are within the 25' nontidal wetlands buffer.

ENCLOSED PLEASE FIND THE STAFF REPORT FROM THE DEPARTMENT OF ENVIRONMENTAL PROGRAMS, NATURAL RESOURCES DIVISION AND THE

**CRITICAL AREA COMMISSION RELATIVE TO THE CRITICAL AREA VARIANCE
REQUEST
SUBSEQUENT PROCESSES IF APPROVED:**

1. Obtain all required permits

OWNER: RCL Investments LLC and Top View LLC
417 14th St., Unit 61
Ocean City, MD 21842

APPLICANT : Mark Spencer Cropper
6200 Coastal Highway, Suite 200
Ocean City, MD 21842

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.



Worcester County
Department of Environmental Programs
Natural Resources Division

Memorandum

To: Kristin Tremblay, Zoning Administrator

From: Joy S. Birch, Natural Resources Planner III 

Subject: Critical Area Variance – RCL Investments LLC/ top View LLC, Riggin Ridge Road, Case #25-66

Date: November 25, 2025

The following comments are provided for the above referenced case as related to the Atlantic Coastal Bays Critical Area Law:

This variance request before the Board of Zoning Appeals (BZA) is for a property located within the Atlantic Coastal Bays Critical Area. The property is identified as the lands of RCL Investments LLC / Top View LLC, Tax Map 27, Parcel 570, Block 2, Lot 15, Riggin Ridge Road, Ocean City, MD 21842. The property is more specifically located within the Intensely Developed Area (IDA) designation with a Buffer Management Area of B-50.

The Applicants are requesting a variance to δ NR 3-104(c) (4) of the Worcester County Code of Public Local Laws in order to gain authorization to construct a Single-Family Dwelling with deck within the 50' BMA buffer

Under δ NR 3-111 “[a]n Atlantic Coastal Bays Critical Area Program variance may be granted . . . where, owing to special features of a site or other circumstances, implementation of this Program or a literal enforcement of provisions within the Program would result in unwarranted hardship to an applicant”. Also, within δ NR 3-111(c) of the County Code, “[A]pplications for a variance shall be made in writing to the Board of Zoning Appeals”.

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As the Board is aware from previous variances to the Critical Area Law, all applicants must address six standards. The Critical Area Law requires that each of the six standards for a variance be met before the Board renders a decision.

STAFF ANALYSIS

The six standards for Variance, as listed in §NR 3-111(b) (1) thru (6) of the County Code, will be addressed below.

- 1) Special conditions or circumstances exist that are peculiar to the applicant's land or structure, and a literal enforcement of provisions and requirements of the County's Atlantic Coastal Bays Critical Area Program would result in unwarranted hardship.**

Staff's opinion would be that without the granting of this variance a potential hardship could exist. The property was platted prior to the adoption of the Atlantic Coastal Bays Critical Area Program and therefore all current development must conform to the current Critical Area regulations, including the 50' buffer management setback.

- 2) A literal interpretation of the provisions of the County's Atlantic Coastal Bays Critical Area Program and related laws will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Atlantic Coastal Bays Critical Area.**

Staff agrees that the applicant's rights could be lessened without the granting of this variance due to the restrictions of the Atlantic Coastal Bays Critical Area Program. There are numerous properties within the Critical Area that have structures that are located within the buffer management areas; however, most of them were constructed prior to the adoption of the Atlantic Coastal Bays Critical Area.

- (3) The granting of a variance will not confer upon an applicant any special privilege that would be denied by the County's Atlantic Coastal Bays Critical Area Program to other lands or structures within the Atlantic Coastal Bays Critical Area.**

As previously stated, there are numerous properties throughout the County that have structures located within the buffer, the majority of which were constructed prior to the adoption of the Atlantic Coastal Bays Critical Area. Therefore, granting this variance would not present a special right or privilege to the applicant.

(4) The variance request is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming on any neighboring property.

This request is not an after-the-fact variance, and the properties were platted prior to the adoption of the Atlantic Coastal Bays Critical Area program.

(5) The granting of a variance shall not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the Atlantic Coastal Bays Critical Area and the granting of the variance will be in harmony with the general spirit and intent of the County's Atlantic Coastal Bays Critical Program.

The granting of this variance may adversely affect water quality as it is resulting in an increase in lot coverage within the most sensitive area on the property, the buffer. However, if approved the property owner would be required to mitigate at a 3:1 ratio, which will improve the water quality

(6) The Board of Zoning Appeals shall not make a decision relative to a request for such a variance without reviewing the comments of the Department and finding that the applicant has satisfied each of the provisions and standards contained herein.

Staff agrees that the applicant may have an unwarranted hardship due to the location of the 50' BMA buffer. The Board should consider additional testimony before determining that the applicant has adequately addressed and met all standards required for a variance.

ADDITIONAL STAFF COMMENTS

State Critical Area Commission staff has also reviewed this request and have provided comments. Critical Area Commission Natural Resource Planner, Kathryn Hayden, stated in his October 30, 2025, letter:

"Provided that the Board of Appeals finds that this variance can be granted, mitigation is required at a ratio of 3:1 for the square footage of lot coverage added to the buffer and at a ratio of 1:1 for the square footage of canopy coverage removed. Please also note that any development in non-tidal wetlands will require approval by the Maryland Department of the Environment."

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The Commission also requests that they be informed by writing of the decision rendered by the Board for this case.

STAFF RECOMMENDATION

Staff supports this variance and feels that a potential hardship exists. There are numerous properties located throughout the County that have structures that encroach into the buffer. Due to the fact that this lot was platted prior to the adoption of the Critical Area Program, without the variance the applicant's rights to the property could be lessened. The applicant will be required to get authorization from Maryland Department of Environment for any wetland impacts.

Should the Board of Zoning Appeals grant the variance, the Department feels that there should be a condition placed on the site that requires full compliance with the 3:1 mitigation requirement. This mitigation will be based upon the amount of disturbance and lot coverage that occurs within the buffer. It should also be subject to the condition that the Applicant agrees to and enters upon a Critical Area Planting Agreement as required by δNR 3-111(e) (1). The Applicant would also be required to submit a planting plan and work with Staff to satisfy this requirement. Mitigation shall be conducted within the buffer first with the balance installed at other places onsite. If total amount mitigation cannot be planted onsite, provisions exist to allow for offsite planting and/or fee-in-lieu.

Should you have any questions or need additional information please contact me at 410-632-1220, ext. 1161 or e-mail at: jbirch@worcestermd.gov.

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Wes Moore
Governor

Aruna Miller
Lt. Governor



Erik Fisher
Chair

Katherine Charbonneau
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

October 30, 2025

Ms. Joy Birch
Worcester County Department of Environmental Programs
One West Market Street – Room 1306
Snow Hill, Maryland 21863

Re: RCL Investments LLC & Top View LLC – Variance

Dear Ms. Birch,

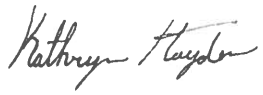
Thank you for submitting the above referenced variance application to our office for review. The applicant is requesting a variance to the provisions of the Worcester County Critical Area Code to disturb the Critical Area Buffer to construct a single-family dwelling at Riggan Ridge Road in Ocean City (TM 27, Parcel 570, Lot 15, Block 2). Specifically, the applicant is requesting a variance to encroach 49 feet into the 50 foot Buffer Management Area (BMA). The property is currently undeveloped and located within the Critical Area on land designated Intensely Developed Area (IDA). A portion of the property is within the Buffer Management Area (BMA) and non-tidal wetlands. The single-family dwelling is proposed within the BMA and non-tidal wetlands.

Provided that the Board of Appeals finds that this variance can be granted, mitigation is required at a ratio of 3:1 for the square footage of lot coverage added to the buffer and at a ratio of 1:1 for the square footage of canopy coverage removed. Please also note that any development in non-tidal wetlands will require approval by the Maryland Department of the Environment.

Our office would like to caution the applicant of the predicted climate impacts associated with this property that may impact the structural integrity of the proposed single-family dwelling on the property. When viewing the property on Maryland Coastal Atlas, it's predicted that by 2050, the remaining uplands on the property will be flooded/drowned. It's also predicted that the upland areas will be inundated considering a two to five foot range of sea level rise.

Thank you for the opportunity to provide comments. Please include this letter in your file and submit it as part of the record for this variance. Also, in accordance with Natural Resources Article §8-1808(d)(6)(i), please provide the Commission with a copy of the written decision regarding this variance application within 10 working days after a written decision has been issued. If you have any questions, please feel free to contact me at 410-260-3479 or kathryn.hayden@maryland.gov.

Sincerely,

A handwritten signature in black ink, reading "Kathryn Hayden". The signature is fluid and cursive, with the first name "Kathryn" and last name "Hayden" clearly distinguishable.

Kathryn Hayden
Natural Resources Planner

File: WC 0277-25


CC: Brian Soper, Worcester County Government
Jennifer Esposito, Critical Area Commission



Worcester County
Department of Environmental Programs
Natural Resources Division

Memorandum

To: Kristen Tremblay, Zoning Administrator

From: Joy S. Birch, Natural Resources Planner III 

Subject: Board of Zoning Appeals Comments – December 11, 2025

Date: November 25, 2025

Below are comments related to the cases scheduled for the Board of Zoning Appeals (BZA) meeting for Thursday, December 11, 2025, for their conformance with the Chesapeake Bay (CBCA) and Atlantic Coastal Bays Critical Area Law (ACBCA):

6:30 pm – Case #25-64:

This request is located outside of the Atlantic Coastal and Chesapeake Bay Critical Area programs. No Comment.

6:35 pm -Case #25-65:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as Limited Development Area (LDA) with an associated 100' buffer. **As this request is specifically for a variance to the Atlantic Coastal Bays Critical Area ordinance, a separate memo will be provided**

6:40 pm – Case #25-66:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as Intensely Developed Area (IDA) within Buffer Management Area B-50. **As this request is specifically for a variance to the Atlantic Coastal Bays Critical Area ordinance, a separate memo will be provided**



Worcester County

Department of Environmental Programs
Environmental Programs Division

Memorandum

To: Board of Zoning Appeals (BZA) for the December 11, 2025 meeting

From: Environmental Programs Staff

Date: November 24, 2025

These comments are based upon the site plans received and are subject to change as the plans change to accommodate comments made by other committee members.

6:30 p.m.

Case No. 25-64, on the lands of Selbyville Elks Home Inc., on the application of Bill Ireland, requesting a modification to an existing special exception and a variance to the front yard setback from 90 feet to 60 feet (to encroach 30 feet) for a proposed handicapped ramp with a landing in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-122(f), ZS 1-201(c)(21) and ZS 1-305, located at 13324 Worcester Highway, Tax Map 3, Parcel 22, Tax District 5, Worcester County, Maryland.

No objection to this variance request.

6:35 p.m.

Case No. 25-65, on the lands of Scott and Emily Gelman, on the application of Mark Spencer Cropper, requesting a variance to the Atlantic Coastal Bays Critical Area regulations to exceed the allowable 100 foot tidal wetland crossing by 95 feet for a proposed 3 foot by 195 foot walkway over tidal wetlands pursuant to Zoning Code §§ ZS 1-116(m)(1) and Natural Resources Code §§ NR 3-125(b)(1), located at 11919 Cedar Creek Road, Tax Map 15, Parcel 252, Lot 10, Tax District 3, Worcester County, Maryland.

No objection to this variance request.

6:40 p.m.

Case No. 25-66, on the lands of RCL Investments LLC and Top View LLC, on the application of Mark Spencer Cropper, requesting a variance to the front yard setback from 30 feet to 14.5

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feet (to encroach 15.5 feet) and a variance to reduce the Atlantic Coastal Bays Critical Area buffer from 50 feet to 1 foot (to encroach 49 feet) for a proposed residence with a deck in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-116(m)(1), ZS 1-206(b)(2) and ZS 1-305 and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111, located on Riggin Ridge Road approximately 570 feet east of Golf Course Road, Tax Map 27, Parcel 570, Block 2, Lot 15, Tax District 10, Worcester County, Maryland.

Based on this site plan, there is not a viable well location. Public water is currently not available. We have previously written to SDAT about a determination this lot was unbuildable, based heavily on the report of their wetland consultant. If this case request is approved and the lot is deemed buildable, we will need to contact SDAT again to note the change.



Worcester County

Department of Environmental Programs
Natural Resources Division

Memorandum

To: Kristen Tremblay, Zoning Administrator

From: David Mathers, Natural Resources Planner IV 

Subject: Board of Zoning Appeals Comments – December 11, 2025 Meeting

Date: November 25, 2025

Below are comments relative to the cases scheduled for the Board of Zoning Appeals (BZA) meeting for Thursday, December 11, 2025, for their conformance with the Forest Conservation Act.

6:30 pm – Case # 25-64:

This project is not required to comply with the Worcester County Forest Conservation Law. According to the plan provided, the project will not require a sediment erosion control permit and there will be no change of use at the property.

6:35 pm -Case # 25-65:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and therefore exempt from the Forest Conservation Act. No comment.

6:40 pm -Case # 25-66:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and therefore exempt from the Forest Conservation Act. No comment.

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