

**WORCESTER COUNTY  
BOARD OF ZONING APPEALS  
MINUTES**

**August 13, 2020**

The Worcester County Board of Zoning Appeals met on the above date in the Board Room (Room 1102) on the first floor of the Worcester County Government Center, One West Market Street, Snow Hill, Maryland. Members present were: David Dypsky, Robert Purcell, Thomas Babcock, Glenn Irwin, James Purnell and Larry Fykes. Also in attendance were Cathy Zirkle, DRP Specialist II, Jessica Edwards, Customer Service Representative, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 20-41**, on the lands of William & Nancy Jenkins, requesting a variance to the Ordinance prescribed side yard setback from 10 feet to 6.62 feet (an encroachment of 3.38 feet) associated with a proposed stairway addition to an existing deck in the R-1, Rural Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-205(b)(2) and ZS 1-305, located at 11875 Man O War Lane, on the northeast corner of the intersection of Man O War Lane and Battle Colors Lane, Tax Map 26, Parcel 1, Lot 314, of the Riddle Farm Subdivision, in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was Bill Jenkins. There were no protestants. Submitted as Applicant's Exhibit No. 1 were 2 photos showing the house placement as compared to the neighbor. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Purnell and carried unanimously to grant the variance as requested. The hearing ended at 6:41 PM.

The public hearing commenced at 6:42 PM on **Case No. 20-40**, on the application of John and Theresa Tomasini, on the lands of Paul & Michelle Abu-Zaid, requesting a special exception to allow a 6 foot, 6 inch tall fence and gate in the Ordinance prescribed front yard setback in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-206(b)(2) and ZS 1-305, located at 10302 Kennebunk Court, approximately 990 feet north of Center Drive, Tax Map 22, Parcel 414, Lot 6, of the Cove of Isle of Wight Subdivision, in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was John & Theresa Tomasini. There were no protestants. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried unanimously to grant the special exception with two conditions: 1. A boundary line adjustment plat must be recorded. 2. The gate must be shifted back to avoid a platted easement. The hearing ended at 6:52 pm.

The public hearing commenced at 6:53 PM on **Case No. 20-39**, on the lands of Jacnbil Properties, LLC., requesting a special exception to sell seafood and other products which are not produced on the premises for a proposed home occupation in the A-2 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(3), 1-

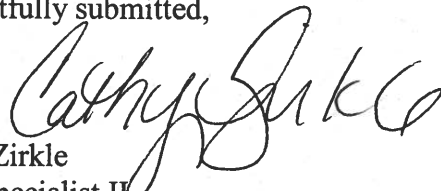
202(d)(3) and ZS 1-339(a)(3), located at 10852 Cathell Road, approximately 0.49 miles south west of Five L Drive, Tax Map 21, Parcel 280, Lot 1, in the Third Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was William Cuddy, III and Pamela Cuddy. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a typed copy of the presentation. Following the discussion, it was moved by Mr. Irwin, seconded by Mr. Dypsky and carried unanimously to grant the special exception as requested. The hearing ended at 6:58 PM.

The public hearing commenced at 7:01 PM on **Case No. 20-35**, on the lands of Reet Reet Inc., requesting a special exception to increase the gross floor area of two retail and service establishments up to a maximum of 5,000 square feet each in the C-1 Neighborhood Commercial District, pursuant to Zoning Code Sections ZS 1-116(c)(3) and ZS 1-209(c)(1), on the southerly side of Jones Road, approximately 250 feet east of Old Worcester Highway, Tax Map 20, Parcel 320, Lot 5, in the Third Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony were Hugh Cropper, IV, Esq., Matthew Odachowski and Bob Hand. Appearing in opposition were Steve Rakow, Esq. representing the Friendship Community Association, Norman Cathell, Sr., Mark Barber, Josh Lanier and Linda Lanier. Submitted as Applicant's Exhibit No. 1 was a map showing the Zoning of the property. Submitted as Applicant's Exhibit No. 2 was a copy of the proposed site plan. Submitted as Applicant's Exhibit No. 3 was a satellite view of the property. Submitted as Protestant's Exhibit No. 1 was a packet of letters of opposition from neighboring property owners. Following the discussion, it was moved by Mr. Dypsky and seconded by Mr. Purnell to approve the request, the vote was 2-4 with Mr. Purcell, Mr. Irvin, Mr. Fykes and Mr. Babcock opposed. The special exception request is denied. The hearing ended at 7:45 PM.

#### **Administrative Matters**

With no further business before the Board, the meeting was adjourned at 7:50 PM.

Respectfully submitted,



Cathy Zirkle  
DRP Specialist II