

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

February 9, 2017

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 and Larry Fykes. Also in attendance were Jennifer Keener, Zoning Administrator; Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 17-9**, on the lands of Wilkerson Farms, a Maryland Limited Partnership, requesting a special exception for a minor subdivision in the RP Resource Protection District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-215(c)(3) and ZS 1-311, located at 5708 Whiton Road, at the intersection with Disharoon Road, Tax Map 55, Parcel 28, in the Second Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Jackie Brown. There were no protestants. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Irwin and carried unanimously to grant the special exception as requested. The hearing ended at 6:33 PM.

The public hearing commenced at 6:35 PM on **Case No. 17-11**, on the lands of Delmarva Power & Light Company, requesting a special exception to reconstruct a non-conforming electric substation in the V-1 Village District, pursuant to Zoning Code Sections ZS 1-116(c)(3) and ZS 1-204(c)(14), located on Stockton Road (MD Route 366), approximately 536 feet west of Hursley Road, Tax Map 86, Parcel 130, in the Eighth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Chuck Moore and Dimitrius Kauoris. John Robinson was present as an interested party. There were no protestants. Submitted as Applicant's Exhibit No. 1 was aerial photographs of the property (multiple pages). Submitted as Board's Exhibit No. 1 was a photograph of another substation in Ocean City. Following the discussion, it was moved by Mr. Irwin, seconded by Mr. Fykes and carried unanimously to grant the special exception with the condition that a slatted chain link fence, per the Board's exhibit, be put on the road side (front property line). The hearing ended at 6:49pm.

The public hearing commenced at 6:50 PM on **Case No. 17-10**, on the application of Mark S. Cropper, Esquire, on the lands of James and Deborah Clarke, requesting a variance to the Ordinance prescribed rear yard setback from 30 feet to 18.2 feet (an encroachment of 11.8 feet) associated with a proposed open deck in the R-3 Multi-family Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4) and ZS 1-207(b)(2), located at 5 Leigh Drive, approximately 187 feet south east of Alton Point Road, Tax Map 16, Parcel 96, Section 14B, Lot 117, in the Third Tax District of

Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Russell Hammond, Ron Wesche and James Clarke. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a rendering prepared by Russell Hammond. Submitted as Applicant's Exhibit No. 2 was a survey prepared by Madison J. Bunting. Submitted as Applicant's Exhibit No. 3 was a copy of the record plat illustrating lot 117. Submitted as Applicant's Exhibit No. 4 was a highlighted copy of survey illustrating rear yards. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Purcell and carried unanimously to grant the variance as requested. The hearing ended at 6:59 PM.

The public hearing commenced at 7:00 PM on **Case No. 17-12**, on the application of Hugh Cropper, IV, Esquire, on the lands of Joseph Drosey requesting a variance to the Ordinance prescribed front yard setback measured from the center of a minor collector highway from 75 feet to 45 feet (an encroachment of 30 feet) and a variance to the Ordinance prescribed rear yard setback from 30 feet to 21 feet (an encroachment of 9 feet), associated with a proposed single family dwelling in the R-4 General Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-208(b)(2), ZS 1-305 and ZS 1-326, located on Golf Course Road, approximately 108 feet south of the intersection of Harbor Road and Golf Course Road, Tax Map 27, Parcel 725, Block N, Lot 2 of the Ocean City Harbor Subdivision, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Nathan Noble and Doug Harbaugh. Protestants were Bernie Pankowski and Mike Hynson, both opposed to the rear variance. Submitted as Applicant's Exhibit No. 1 was a site plan marked by Hugh Cropper. Submitted as Applicant's Exhibit No. 2 were building plans of the proposed home. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Purcell and carried 4 to 1 to grant the variances as requested with Mr. Irwin opposed. The hearing ended at 7:44 PM.

Administrative Matters

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

Respectfully submitted,

Jennifer Keener
Zoning Administrator