

**WORCESTER COUNTY  
BOARD OF ZONING APPEALS  
MINUTES**

**March 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, Joe Green, Glenn Irwin, Rodney Belmont and Larry Fykes. Also in attendance were Jennifer Keener, Zoning Administrator; Cathy Zirkle, License Permit Clerk, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 17-13**, on the application of DJ Shirk, on the lands of Glenn Benson, requesting an after-the-fact variance to the Ordinance prescribed front yard setback of 60 feet from center line of the road right-of-way to 52.4 feet from center line of the road right-of-way (an encroachment of 7.6 feet) associated with a front covered porch in the A-1 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-201(b)(4) and ZS 1-305(b)(1), located at 12905 Selby Road, approximately 983 feet south of Mumford Road, Tax Map 10, Parcel 117, in the Fifth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was DJ Shirk, Glenn Benson and Clay Nichols. Submitted as Applicant's Exhibit No. 1 were photos of neighboring houses. Submitted as Applicant's Exhibit No. 2 were letters of support from the neighbors. There were no protestants. Following the discussion, it was moved by Mr. Belmont, seconded by Mr. Irwin and carried unanimously to grant the variance as requested. The hearing ended at 6:45 PM.

The public hearing commenced at 6:46 PM on **Case No. 17-15**, on the lands of Kevin Johnson, requesting a special exception to increase the height of a fence within the front yard setback in the R-3 Multi-Family Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-207(b)(2) and ZS 1-305, located at 12825 Townsend Road, on the north east corner at the intersection with Golf Course Road, Tax Map 27, Parcel 286, Block C, Lot 11, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Kevin Johnson and Robert Johnson. There were no protestants. Following the discussion, it was moved by Mr. Green, seconded by Mr. Fykes and carried unanimously to grant the special exception as requested. The hearing ended at 6:51 PM

The public hearing commenced at 6:52 PM on **Case No. 17-16**, on the application of Mark S. Cropper, Esquire, on the lands of Louis and Jennifer Waldhauser, requesting a variance to the Ordinance prescribed rear yard setback from 30 feet to 25 feet (an encroachment of 5 feet) associated with a two story deck in the R-3 Multi-Family Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-207(b)(2)

and ZS 1-305, located at 31 Moonshell Drive, approximately 143 feet north of Beach Court, Tax Map 16, Parcel 41, Section 4, Lot 156, of the Ocean Pines Subdivision, in the Third Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Mark S. Cropper, Esquire, Louis Waldhauser and Ron Wische. Submitted as Applicant's Exhibit No. 1 was the deed for the subject property. Submitted as Applicant's Exhibit No. 2 was a copy of the surveyed site plan. Submitted as Applicant's Exhibit No. 3 was a rendering of the first floor improvements by T & G Design. Submitted as Applicant's Exhibit No. 4 was a copy of the original plat of Ocean Pines Section 4. Submitted as Applicant's Exhibit No. 5 were photos of the rear of subject property and surrounding houses. Submitted as Applicant's Exhibit No. 6 was a printout of a portion of §ZS 1-207. There were no protestants. Following the discussion, it was moved by Mr. Purcell, seconded by Mr. Fykes and carried unanimously to grant the variance as requested. The hearing ended at 7:08 PM.

The public hearing commenced at 7:09 PM on **Case No. 17-17**, on the application of Beracah Homes, Inc, on the lands of Robert Jr. and Geraldine Watkins, requesting a special exception to build a single-family dwelling and detached garage in the RP Resource Protection District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-215(c)(1) and ZS 1-305, located at 11331 Bell Road, on the north west corner of the intersection with Ocean Gateway (US Route 50) , Tax Map 13, Parcel 27, Lot 6, of the Whaley's Crossing Subdivision, in the Third Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Chris McCabe. There were no protestants. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Babcock and carried unanimously to grant the special exception as requested. The hearing ended at 7:12 PM.

With no further business before the Board, the meeting was adjourned at 7:15 PM.

Respectfully submitted,

Cathy Zirkle  
License Permit Clerk