

**WORCESTER COUNTY  
BOARD OF ZONING APPEALS  
MINUTES**

**October 11, 2018**

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: Robert Purcell, Thomas Babcock, Joe Green, Glenn Irwin and Larry Fykes. Also in attendance were Jennifer Keener, Zoning Administrator; Cathy Zirkle, DRP Specialist II, Jenelle Gerthoffer, Natural Resources Administrator, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 18-31**, on the application of Hugh Cropper, IV, Esquire, on the lands of James & Robin Cox, requesting a variance to the Atlantic Coastal Bays Critical Area Ordinance to increase the maximum allowed clearing from thirty percent (30%) to fifty-three (53%), pursuant to Zoning Code Section ZS 1-116(m)(1) and Natural Resources Sections NR 3-107(c)(4) and NR 3-111, located at 10661 Piney Island Drive, approximately 185 feet south west of Sunflower Court, Tax Map 15, Parcel 218, Lot 24, of the Piney Island Subdivision in the Fifth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Hugh Cropper, IV, Esq., Chris McCabe of Coastal Compliance, Russell Hammond, surveyor and the property owners James and Robin Cox. There were no protestants. Submitted as Applicant's Exhibit No. 1 was an aerial of neighborhood with the subdivision plat superimposed. Submitted as Applicant's Exhibit No. 2 was a larger version of exhibit number one. Submitted as Applicant's Exhibit No. 3 was a new site plan showing less clearing needed. Submitted as Applicant's Exhibit No. 4 was a large aerial with the subject property outlined. Submitted as Applicant's Exhibit No. 5 was a large zoomed in aerial with the subject property outlined. Submitted as Applicant's Exhibit No. 6 was an email from Russell Hammond detailing the square footage of the pools on surrounding properties. Submitted as Applicant's Exhibit No. 7 was an aerial with the subject property outlined from 2005. Submitted as Applicant's Exhibit No. 8 was an aerial with the subject property outlined from 1998. Following the discussion, it was moved by Mr. Irwin, seconded by Mr. Green and carried 3-2 to table the requested variance until comments can be received from the state and staff on the new site plan with Mr. Purcell and Mr. Babcock opposed. The hearing ended at 7:15 PM.

The public hearing commenced at 7:16 PM on **Case No. 18-45**, on the lands of Ross Lee Kendall, requesting a modification to extend a waterfront structure in excess of one hundred twenty-five (125) feet associated with the installation of a pier, pursuant to Zoning Code Section ZS 1-116(n)(2) and Natural Resources Section NR 2-102(e)(1), located at 13034 Riggins Ridge Road, approximately 176 feet north of Center Drive, Tax Map 22, Parcel 397, Block 8, Lots 5 & 44, and Block 9, Lot 5, of the Bay Shore Acres subdivision, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener

read the application. Appearing as witness and providing testimony was Ross and Barbara Kendall. There were no protestants. Submitted as Applicant's Exhibit No. 1 was an aerial of the waterline and an approval letter from MDE. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Green and carried unanimously to grant the shoreline modification as requested. The hearing ended at 7:22 PM.

The public hearing commenced at 7:23 PM on **Case No. 18-44**, on the application of David & Charlene Lull, on the lands of Bali Hi Park, Inc., requesting an after-the-fact variance to the Ordinance prescribed front yard setback from 10 feet to 8.07 feet (an encroachment of 1.93 feet) associated with an existing park model in the A-2 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-202(c)(19) and ZS 1-318(e), located at 12342 St. Martins Neck Road, approximately 1,257 feet east of Salt Grass Point Road, Tax Map 10, Parcel 32, Lot 105, of the Bali Hi Cooperative Campground, in the Fifth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was David Lull, Charlene Lull and Marlene Dranzo, Bali Hi Park Manager. There were no protestants. Following the discussion, it was moved by Mr. Irwin, seconded by Mr. Babcock and carried unanimously to grant the variance as requested. The hearing ended at 7:30 PM.

The public hearing commenced at 7:31 PM on **Case No. 18-47**, on the lands of Joseph & Kathleen Travagline, requesting a variance to the Ordinance prescribed rear yard setback from 30 feet to 20.5 feet (an encroachment of 9.5 feet) associated with a proposed raised deck and screen porch 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 48 Lookout Point, approximately 487 feet north east of Teal Circle, Tax Map 16, Parcel 41, Section 4, Lot 103 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 were Joseph & Kathleen Travagline. There were no protestants. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Fykes and carried 4 - 1 to grant the variance as requested with Mr. Irwin opposed. The hearing ended at 7:50 PM.

The public hearing commenced at 7:51 PM on **Case No. 18-46**, on the application of Hugh Cropper, IV, Esquire, on the lands of Duane Maddy, requesting a variance to the Ordinance prescribed rear yard setback from 30 feet to 20.5 feet (an encroachment of 9.5 feet) and a variance to the Ordinance prescribed front yard setback from 50 feet from the center of the road right-of-way to 46.65 feet (an encroachment of 3.35 feet) associated with a proposed single-family dwelling in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-206(b)(2), and ZS 1-305, located at 12313 Meadow Drive, approximately 1,135 feet southeast of the intersection with Snug Harbor Road, Tax Map 33, Parcel 346, Lot 18 of the Snug Harbor Subdivision, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Hugh Cropper, IV, Esq., Duane Maddy and Greg Wilkins, surveyor. There were no

protestants. Following the discussion, it was moved by Mr. Green, seconded by Mr. Fykes and carried unanimously to grant the variances as requested. The hearing ended at 8:00 PM.

#### **Administrative Matters**

Jennifer Keener updated the board on the status of Deer Run Jeep Golf, which was part of Case No. 18-21, under their authority of continuing jurisdiction. At this time, the Board requested that the staff continue to pursue compliance with the original approval and provide an updated report at the next meeting of November 8, 2018.

With no further business before the Board, the meeting was adjourned at 8:05 PM.

Respectfully submitted,



Jennifer Keener  
Zoning Administrator