

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

November 8, 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: David Dypsky, Robert Purcell, Joe Green, Glenn Irwin and Larry Fykes. Also in attendance were Jennifer Keener, Zoning Administrator; Cathy Zirkle, DRP Specialist II, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 18-48**, on the application of Patrick Cummings of Reliable Home Maintenance, on the lands of Sylvan & Elizabeth Daugherty, requesting a variance to the Ordinance prescribed rear yard setback from 30 feet to 28.3 feet (an encroachment of 1.7 feet) associated with a proposed open deck and a variance to the rear yard setback from 30' to 27.6' (an encroachment of 2.4') associated with a proposed sunroom 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 20 Candytuft Lane, approximately 662 feet north of Morning Mist Drive, Tax Map 21, Parcel 239, Section 15A, Lot 56 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 Patrick Cummings and Matt Whalen of Reliable Home Maintenance. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a set of revised construction plans relocating the steps from the rear of the deck. The steps must be inset or moved to the side of the deck. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Green and carried unanimously to grant both variances as requested, with the revision as shown on Applicant's Exhibit No. 1. The hearing ended at 6:45 PM.

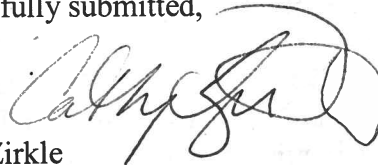
The public hearing commenced at 6:46 PM on **Case No. 18-49**, on the application of Dale Withers, on the lands of Bear Properties LLC, requesting a variance to further reduce the Ordinance prescribed minimum lot widths from 61.48 feet to 55 feet (a further encroachment of 6.48 feet) on non-conforming Lots 2 and 3 associated with a proposed boundary line adjustment of Lots 1, 2 & 3 in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-122(c)(1)A, ZS 1-206(b)(2) and ZS 1-305, located at 10344 Exeter Road, approximately 967 feet south of Rumgate Road, Tax Map 21, Parcel 8, Section A, Block 9, Lots 2 & 3 of the Cape Isle of Wight Subdivision, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Mark Cropper, Esquire and Dale Withers. There were no protestants. Mr. Cropper amended the request to reflect 57' lot widths instead of 55' lot widths. Submitted as Applicant's Exhibit No. 1 was the amended site plan depicting the new lot widths. Submitted as Applicant's Exhibit No. 2 was a site plan showing the current lot dimensions and the proposed lot dimensions. Submitted as Applicant's Exhibit No. 3

was a large rendering of the lots with concept houses included. Submitted as Applicant's Exhibit No. 4 was a color aerial photograph of the lots prior to demolition of the existing house and garage. Submitted as Applicant's Exhibit No. 5 were four black and white photos of the terminus of Exeter Road. Submitted as Applicant's Exhibit No. 6 was a copy of revised comments from the Department of Environmental Programs dated November 7, 2018. Submitted as Applicant's Exhibit No. 7 was a copy of the plat of Section A of the Cape Isle of Wight subdivision showing the lots where variances have been granted. Submitted as Applicant's Exhibit No. 8 was a packet of four previous BZA case opinions. Following the discussion, it was moved by Mr. Irwin, seconded by Mr. Green and carried unanimously to grant the variances as amended. The hearing ended at 7:09 pm.

Administrative Matters

With no further business before the Board, the meeting was adjourned at 7:10 PM.

Respectfully submitted,



Cathy Zirkle
DRP Specialist II