

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

December 14, 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, Larry Duffy, Glenn Irwin and Larry Fykes. Also in attendance were Jennifer Keener, Zoning Administrator; Cathy Zirkle, License Permit Clerk II, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 17-64**, on the lands of Henry Robinson, Norman Cornwell and Deborah Cornwell, requesting a variance to the Ordinance prescribed minimum 35 foot front lot line to 20.47 feet associated with a proposed boundary line adjustment in the R-4 General Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-208(b)(2) and ZS 1-306(a)(6), located on Trappe Road, approximately 434 feet west of Harrison Road, Tax Map 32, Parcels 75 & 80, in the Third Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Henry Robinson, Norman Cornwell and Deborah Cornwell. There were no protestants. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Green and carried unanimously to grant the variance as requested. The hearing ended at 6:33 PM.

The public hearing commenced at 6:35 PM on **Case No. 17-65**, on the lands of Joseph & Donnielle Gorirossi, requesting an after-the-fact variance to the Ordinance prescribed left side yard setback from 8 feet to 5.5 feet (an encroachment of 2.5 feet) associated with an open deck addition in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4) and ZS 1-206(b)(2), located at 15 Dawn Isle, approximately 468 feet north east of Ocean Parkway, Tax Map 16, Parcel 44, Section 7, Lot 196 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 Joseph Gorirossi. Tom Melton was present in opposition to the request. Submitted as Applicant's Exhibit No. 1 was a copy of the Declaration of Restrictions for Section 7 of Ocean Pines. Submitted as Applicant's Exhibit No. 2 were photographs of the deck and hot tub. Following the discussion, it was moved by Mr. Irwin, seconded by Mr. Dypsky and carried 5 - 2 to deny the after-the-fact variance with Mr. Purcell and Mr. Babcock opposed. The hearing ended at 6:52 PM.

The public hearing commenced at 6:53 PM on **Re-Advertisement of Case No. 17-18**, on the lands of Brian Johnson, requesting a special exception to establish a dredge spoil disposal site associated with an existing surface mine in the A-1 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-

201(c)(27), and ZS 1-330(e), located on Castle Hill Road, approximately 0.6 miles west of Snow Hill Road (Maryland Route 12), Tax Map 79, Parcel 300, in the Second Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony was Chris McCabe, Brian Johnson and Sarah Johnson. There were no protestants. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Green and carried unanimously to grant the special exception as requested. The hearing ended at 6:57 PM.

The public hearing commenced at 6:58 PM on **Case No. 17-67**, on the lands of Kevin and Arden Cooper, requesting a variance to the Ordinance prescribed right side yard setback from 8 feet to 5 feet (an encroachment of 3 feet) associated with a proposed front porch addition in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4) and ZS 1-206(b)(2), located at 5 Weeping Willow Court, approximately 158 feet north of Martinique Circle, Tax Map 16, Parcel 46, Section 9, Lot 326 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 Kevin Cooper and Mark Smith. There were no protestants. Submitted as Applicant's Exhibit No. 1 were the proposed elevation drawings. Submitted as Applicant's Exhibit No. 2 were letters of support from neighbors. Following the discussion, it was moved by Mr. Irwin, seconded by Mr. Green and carried 6-1 to grant the variance, with Mr. Purcell opposed, with the condition that it must remain an open, covered porch. The hearing ended at 7:07 PM.

The public hearing commenced at 7:08 PM on **Case No. 17-66**, on the application of Mark S. Cropper, Esquire, on the lands of Coastal Venture Properties LLC, requesting a special exception to construct an 11,000 square foot medical doctor's office building in the C-1 Neighborhood Commercial District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-209(c)(1)A and ZS 1-325, located at 11103 Cathage Road, at the intersection with Racetrack Road (MD Route 589), Tax Map 16, Parcel 24, Lot 2 in the Third Tax District of Worcester County, Maryland. Jennifer Keener read the application and noted the corrected square footage of the building to 11,324 square feet. Appearing as witness and providing testimony were Mark S. Cropper, Esquire, Robert Hand, Betty Tustin and Palmer Gillis. There were no protestants. Submitted as Applicant's Exhibit No. 1 was the opinion from 2010 BZA case 2011-544. Submitted as Applicant's Exhibit No. 2 was the opinion from 2015 BZA case 15-4. Submitted as Applicant's Exhibit No. 3 was a letter from the Maryland State Highway Administration relative to the entrance requirements. Following the discussion, it was moved by Mr. Green, seconded by Mr. Purcell and carried unanimously to grant the special exception. The hearing ended at 7:17 PM.

The public hearing commenced at 7:18 PM on **Case No. 17-68**, on the application of Hugh Cropper, IV, Esquire, on the lands of Robert & Donna Cannon, requesting a variance to the Ordinance prescribed front yard setback from 50 feet to 19.5 feet (an encroachment of 30.5 feet) associated with a proposed single-family dwelling 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 on Old Bridge Road

approximately 470 feet west of Martha's Landing Road, Tax Map 27, Parcel 261, Lot 20A & 21A, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony were Hugh Cropper, IV, Esquire, Frank Lynch, Robert Cannon and Kathy Clark. There were no protestants. Mr. Purcell recused himself from this case. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Green and carried unanimously to grant the variance as requested. The hearing ended at 7:23 PM.

The public hearing commenced at 7:52 PM on **Case No. 17-69**, on the application of Hugh Cropper, IV, Esquire, on the lands of Kathleen Clark, requesting a variance to the Ordinance prescribed front yard setback from 25 feet to 0 feet (an encroachment of 25 feet) and a variance to the Ordinance prescribed rear yard setback from 30 feet to 6 feet (an encroachment of 24 feet) associated with a proposed single-family dwelling and accessory apartment 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 9747 Golf Course Road approximately 170 feet south of Townsend Road, Tax Map 27, Parcel 307, Lot 28, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony were Hugh Cropper, IV, Esquire, Frank Lynch and Kathy Clark. There were no protestants. Following the discussion, it was moved by Mr. Purcell, seconded by Mr. Irwin and carried unanimously to grant the variances as requested. The hearing ended at 7:33 PM.

The public hearing commenced at 7:34 PM on **Case No. 17-70**, on the application of Hugh Cropper, IV, Esquire, on the lands of Kathleen Clark, requesting a variance to the Ordinance prescribed front yard setback (Ocean Ave) from 25 feet to 0 feet (an encroachment of 25 feet), a variance to the Ordinance prescribed front yard setback (Golf Course Road) from 75 feet from the center of the road right-of-way to 38 feet (an encroachment of 37 feet) and a special exception to allow a 6' tall fence in the front yard setback, all associated with a proposed single-family dwelling with pool and accessory apartment in the R-3 Multi-Family Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-116(c)(4), ZS 1-207(b)(2), and ZS 1-305, located at 9747 Golf Course Road approximately 170 feet south of Townsend Road, Tax Map 27, Parcel 307, Lots 29 & 30, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Appearing as witness and providing testimony were Hugh Cropper, IV, Esquire, Frank Lynch and Kathleen Clark. There were no protestants. Following the discussion, it was moved by Mr. Purcell, seconded by Mr. Duffy and carried unanimously to grant the special exception and variances as requested. The hearing ended at 7:39 PM.

Administrative Matters

With no further business before the Board, the meeting was adjourned at 7:45 PM.

Respectfully submitted,

Cathy Zirkle
License Permit Clerk