

**WORCESTER COUNTY  
BOARD OF ZONING APPEALS  
MINUTES**

**December 13, 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, Larry Duffy, Joe Green, Thomas Babcock, Glenn Irwin and Larry Fykes. Also in attendance were Cathy Zirkle, DRP Specialist II, Joy Birch, Natural Resources Specialist III, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 18-50**, on the lands of Heather & Matthew Delauter, 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 right side yard setback from 6 feet to 3.55 feet (an encroachment of 2.45 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 1-122(c)(1), ZS 1-206(b)(2), and ZS 1-305, located at 12315 Meadow Drive, approximately 1,185 feet southeast of the intersection with Snug Harbor Road, Tax Map 33, Parcel 346, Lot 19 of the Snug Harbor Subdivision, in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony were Heather & Matt Delauter. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a packet of previous BZA opinions and elevations of the proposed house. After an initial discussion, the owners amended the side yard variance request to an encroachment of 1.5 feet. Following the discussion, it was moved by Mr. Purcell, seconded by Mr. Irwin and carried unanimously to grant the rear yard variance as requested. Following further discussion, it was moved by Mr. Babcock, seconded by Mr. Green and carried 5 - 2 to grant the side yard variance as amended with Mr. Purcell and Mr. Irwin opposed. The hearing ended at 7:03 PM.

The public hearing commenced at 7:04 PM on **Case No. 18-52**, on the application of Hugh Cropper, IV, Esquire, on the lands of Juanita Messick, requesting a variance to the Ordinance prescribed front yard setback from 50 feet from a minor collector to 29.7 feet (an encroachment of 20.3 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 10320 Keyser Point Road, approximately 95 feet north of Salisbury Road, Tax Map 21, Parcel 8, Section A, Block 2, Lots 19 and the southerly half of 18, of the Cape Isle of Wight Subdivision in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was Hugh Cropper, IV, Esquire and Juanita Messick. 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 7:11 pm.

The public hearing commenced at 7:12 PM on the **Re-Advertisement of 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 forty-seven percent (47%), 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. Cathy Zirkle read the application. Appearing as witness and providing testimony was Hugh Cropper, IV, Esq. and Russell Hammond, surveyor. There were no protestants. Mr. Cropper requested that all of the testimony and exhibits from the original hearing were considered and adding the follow; Submitted as Applicant's Exhibit No. 9 was an aerial of neighborhood with parcel overlay. Submitted as Applicant's Exhibit No. 10 was an amended site plan. Following the discussion, it was moved by Mr. Purcell, seconded by Mr. Fykes and carried unanimously to grant the Critical Area variance as requested. The hearing ended at 7:19 PM.

#### **Administrative Matters**

With no further business before the Board, the meeting was adjourned at 7:22 PM.

Respectfully submitted,



Cathy Zirkle  
DRP Specialist II