

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

May, 11, 2023

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, Jake Mitrecic and Larry Fykes. Also, in attendance were Kristen Tremblay, Zoning Administrator, Stuart White, DRP Specialist, Joy Birch, Natural Resources Specialist, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Re-Advertisement of Case No. 23-34**, on the lands of Brett Costello, requesting a variance to the rear yard setback from 30 feet to 12.8 feet (to encroach 17.2 feet) for an extension of an existing deck in the R-3 Multifamily Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305 located at 86 Lookout Point, Tax Map 16, Parcel 41, Section 4, Lot 85, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony were Hugh Cropper, IV and Gregory Wilkins. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a packet containing an aerial photo of the property and photos of the deck. Submitted as Applicant's Exhibit No. 2 was a photo of the deck. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried unanimously to grant the variance as requested. The hearing ended at 6:40 PM.

The public hearing commenced at 6:40 PM on **Case No. 23-42**, on the application of John Stanton, on the lands of MAS Estate, LLC, requesting a special exception to allow a roadside stand for the sale of fresh seafood, a variance to the front yard setback from 50 feet to 23.8 feet (to encroach 26.2 feet), a left side yard variance from 30 feet to .5 feet (to encroach 29.5 feet), a variance to the minimum lot width from 200 feet to 137.38 (reduce 62.62 feet) and a reduction of the minimum lot area from 40,000 sq. ft. to 29,239 sq. ft. (reduce 10,763 sq. ft) in the V-1 Village District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-116(c)(4), ZS 1-204(c)(8), ZS 1-305, ZS 1-322 & ZS 1-325 located at 1405 Snow Hill Road, Tax Map 94, Parcel 171, Tax District 8, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony were John Stanton and Jacqueline Donahue. There were no protestants. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Dypsky and carried unanimously to grant the special exception and variances as requested. The hearing ended at 6:49 pm.

The public hearing commenced at 6:49 PM on **Case No. 23-44**, on the lands of Big D & Lulu, LLC, requesting a special exception to allow an outdoor commercial recreation establishment and a special exception to install a 12 foot tall fence on 3 sides of the recreation area in the C-2 General Commercial District, pursuant to Zoning Code §§ ZS

1-116(c)(3), ZS 1-210(c)(1), ZS 1-305(k)(3)C & ZS 1-325 located at 12630 Ocean Gateway, Tax Map 27, Parcel 139, Unit 16, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Hugh Cropper, IV and Scott Heise. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a packet containing renderings of the proposal and a tax map of the area. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Babcock and carried unanimously to grant the special exception as requested. The hearing ended at 6:57 PM.

The public hearing commenced at 6:57 PM on **Case No. 23-41**, on the application of Hugh Cropper, IV, on the lands of Robert Remo & Renee Wood, requesting an after-the-fact variance to the right side yard setback from 6.23 feet to 5.4 feet (to encroach .83 feet) for an existing deck landing and stairs in the R-2 Suburban Residential District pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305, located at 10510 Norwich Road, Tax Map 21, Parcel 8, Section A, Block 18, Lot 5, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Hugh Cropper, IV and Robert Remo. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a photo of the steps. Submitted as Applicant's Exhibit No. 2 was another photo of the steps. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Dypsky and carried 4 – 1 with Mr. Purcell opposed to grant the variance as requested. The hearing ended at 7:06 PM.

The public hearing commenced at 7:07 PM on **Case No. 23-17**, on the application of Kristina Watkowski, on the lands of SunTRS Castaways, LLC, requesting a variance to the front yard setback from 10 feet to 3 feet (to encroach 7 feet) and a variance to the rear yard setback from 5 feet to .7 feet (to encroach 4.3 feet) and a variance to reduce the Atlantic Coastal Bays Critical Area buffer from 100 feet to 49.3 feet (to encroach 50.7 feet) for a proposed replacement park model in a rental campground in the A-2 Agricultural District, pursuant to Zoning Code ZS 1-116(c)(4), ZS 1-202(c)(18), ZS 1-305 and ZS 1-318 and Natural Resources Code §§ NR 3-104(c)(4) and NR 3-111, located at 12550 Eagles Nest Road, Tax Map 33, Parcel 33, Site 317, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony were Kristina Watkowski, Frank Lynch, Jr., and Chris McCabe. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a historical aerial photo of the property. Submitted as Applicant's Exhibit No. 2 was a recent aerial photo of the property. Submitted as Applicant's Exhibit No. 3 was a site plan of the property. Submitted as Applicant's Exhibit No. 4 was a large-scale site plan of the property. Submitted as Applicant's Exhibit No. 5 was a list of separation distances between units on the site. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Dypsky and carried unanimously to grant the variances as requested. The hearing ended at 7:23 PM.

The public hearing commenced at 7:24 PM on **Case No. 23-45**, on the application of Mark Cropper, on the lands of Tee Pee, LLC requesting a variance to the rear yard setback from 5 feet to 1 foot (to encroach 4 feet) for an open deck addition in the A-2

Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-202(c)(18) and ZS 1-318, located at 12006 Assateague Way, Tax Map 33, Parcel 347, Lot 428, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Spencer Cropper, Russell Hammond, and Austin Purnell. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a packet containing an aerial photo of the property and copies of three previous Board of Zoning Appeals Opinion letters and one Administrative Adjustment finding of fact letter. Submitted as Applicant's Exhibit No. 2 was a packet containing an Assateague Point application approval letter, a site plan of the property, and a photo of the deck boards. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried unanimously to grant the variance as requested. The hearing ended at 7:33 PM.

The public hearing commenced at 7:33 PM on **Case No. 23-46**, on the application of Mark Cropper, on the lands of Waterside Dr. LLC, requesting a modification to extend a waterfront structure in excess of 125 feet by 74 feet for the installation of three proposed boatlifts with associated pilings on an existing pier extending a total of 199 feet channelward, pursuant to Natural Resources Code §§ NR 2-102(e)(1) and Zoning Code §§ ZS 1-116(n)(3), located at 5717 Waterside Drive, Tax Map 50, Parcel 51, Lot 13, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Spencer Cropper and Russell Hammond. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a packet containing an aerial photo of the property, two previous Board of Zoning Appeals opinion letters, and a copy of a Maryland Department of the Environment approval letter. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried unanimously to grant the modification as requested. The hearing ended at 7:41 PM.

The public hearing commenced at 7:41 PM on **Case No. 23-47**, on the application of Mark Cropper, on the lands of Waterside Dr. II LLC, requesting a modification to extend a waterfront structure in excess of 125 feet by 125 feet for the installation of a proposed pier, platform, and four boatlifts with associated pilings extending a total of 250 feet channelward, pursuant to Natural Resources Code §§ NR 2-102(e)(1) and Zoning Code §§ ZS 1-116(n)(3), located at 5721 Waterside Drive, Tax Map 50, Parcel 51, Lot 11, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Spencer Cropper and Russell Hammond. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a packet containing two previous Board of Zoning Appeals opinion letters. Submitted as Applicant's Exhibit No. 2 was an aerial photo of the property. Submitted as Applicant's Exhibit No. 3 was a Maryland Department of the Environment approval letter. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried unanimously to grant the modification as requested. The hearing ended at 7:49 PM.

The public hearing commenced at 7:49 PM on **Case No. 23-43**, on the application of Maryland Coastal Bays Program, on the lands of the State of Maryland, Ruark Family LP, and Assateague Island National Seashore, requesting a modification to extend a

waterfront structure in excess of 125 feet by 25 feet for construction of a proposed living shoreline project extending a total of 150 feet channelward, pursuant to Natural Resources Code §§ NR 2-102(e)(1) and Zoning Code §§ ZS 1-116(n)(3), located at 7000 Rum Pointe Road, Tax Map 42, Parcels 8, 36, and 40, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Billy Weiland and Chris Becraft. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a design justification report. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Dypsky and carried unanimously to grant the modification as requested. The hearing ended at 7:56 PM.

With no further business before the Board, the meeting was adjourned at 7:56 PM.

Respectfully submitted,

Stuart White
DRP Specialist