

**WORCESTER COUNTY  
BOARD OF ZONING APPEALS  
MINUTES**

**September 14, 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: David Dypsky, Robert Purcell, Thomas Babcock, Jake Mitrecic and Larry Fykes. Also in attendance were Kristen Tremblay, Zoning Administrator, Cathy Zirkle, DRP Specialist, Joy Birch, Natural Resource Specialist, Valerie Dawson, Court Reporter and Chris Woodley, Attorney for the Board.

The public hearing commenced at 6:30 PM on **Case No. 23-51**, on the lands of Avalon Hall, on the application of George E. Young, III, requesting a variance to reduce the Chesapeake Bay Critical Area Buffer from 100 feet to 50 feet (to encroach 50 feet) for a proposed 10' x 290' driveway through nontidal wetlands and the 100 foot buffer, pursuant to Natural Resources Code §§ NR 3-219 (c) (4) and NR 3-211 and Zoning Code §§ ZS 1-116(l) located on Hickory Point Road about 985 feet east of 250 Hickory Point Road, Tax Map 90, Parcel 13, Lot B, Tax District 1, Worcester County, MD. Kristen Tremblay read the application. Appearing as witness and providing testimony was Shawn Taylor, Surveyor and Avalon Hall, owner. Mr. James Holland appeared in opposition. Submitted as the oppositions exhibit No. 1 were photos of Mr. Hollands property. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Dypsky and carried unanimously to grant the critical area variance with the condition that the property owner must abide by all tidal wetlands regulations. The hearing ended at 6:41 PM.

The public hearing commenced at 6:42 PM on **Case No. 23-67**, on the lands of Beverly Glass, on the application of Mark Cropper, requesting a special exception to allow a 6-foot-tall fence in a front yard setback, pursuant to Zoning Code §§ ZS 1-116(c)(3), & ZS 1-305(k)(3) located at 9177 Old Ocean City Road, Tax Map 19, Parcel 49, Lot 2, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Beverly Glass, Robert Jester, property appraiser and Greg Wilkins, surveyor. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a site plan showing the location of the requested fence. Applicant's Exhibit No. 2 were photos (aerial and land) of subject property. Applicant's Exhibit No. 3 were additional photos of the yard. Applicant's Exhibit No. 4 was a site plan & photo of an existing fence. Applicant's Exhibit No. 5 was Mr. Jesters resume. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried unanimously to grant the special exception as requested. The hearing ended at 6:53pm.

The public hearing commenced at 6:55 PM on **Case No. 23-60**, on the lands of Martha's Landing Resort, LLC, on the application of Mark Cropper, requesting a variance to the front yard setback from 25 feet to .03 feet (to encroach 24.97 feet) for the proposed

replacement of an existing building in the CM Commercial Marine District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-214(b)(1) and ZS 1-305, on the southeast corner of Sunset Avenue and Golf Course Road, Tax Map 27, Parcel 447, Lot 78 (79 & 80), Tax District 10, Worcester County, Maryland. **Case No. 23-56**, on the lands of Martha's Landing Resort, LLC, on the application of Mark Cropper, requesting a variance to the front yard setback off of Harbor Road from 50 feet to the center of the road right-of-way to 25.91 feet (to encroach 24.08 feet) and a variance to the front yard setback off of Golf Course Road from 75 feet to the center of the road right-of-way to 57 feet (to encroach 18 feet) for the proposed replacement of an existing building in the CM Commercial Marine District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-214(b)(1) and ZS 1-305, on the northeast corner of Harbor Road and Golf Course Road, Tax Map 27, Parcel 447, Lot 78 (86 & 87), Tax District 10, Worcester County Maryland. **Case No. 23-65**, on the lands of Martha's Landing Resort, LLC, on the application of Mark Cropper, requesting a variance to the front yard setback from 25 feet to 18.5 feet (to encroach 6.5 feet) and a variance to the minimum lot size from 5,000 square feet to 1,920 square feet for a proposed pavilion for aquaculture in the CM Commercial Marine District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-214(b)(4) and ZS 1-305, located on Harbor Road, approximately 291 feet east of Golf Course Road, Tax Map 27, Parcel 372, Lot 96 (96 & 97), Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Brian Tinkler, property owner, Steve Engle, Architect and Jason Pearce of the Becker Morgan Group. There were no protestants. Applicant's Exhibit No.1 were large photos of the existing buildings. Applicant's Exhibit No. 2 were large drawings of the proposed buildings. Applicant's Exhibit No. 3 was a large photo of the south building. Applicant's Exhibit No. 4 was a large rendering of the proposed south building. Applicant's Exhibit No. 5 was a rendering of the proposed pavilion. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Babcock and carried unanimously to grant all of the variances as requested. The hearing ended at 7:12 PM.

### **Administrative Matters**

With no further business before the Board, the meeting was adjourned at 7:15 PM.

Respectfully submitted,

Cathy Zirkle  
DRP Specialist