

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

February 10, 2022

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, Lisa Bowen and Larry Fykes. Also in attendance were Kristen M. Tremblay, Zoning Administrator, Cathy Zirkle, Stuart White, Joy Birch, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 22-12**, on the lands of Michael Cochran, requesting a variance to the rear yard setback from 30 feet to 19.4 feet (to encroach 10.6 feet), for a proposed deck in the R-3 Multi-Family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305 located at 163 Teal Circle, Tax Map 16, Parcel 41, Section 4, Lot 255, Tax District 3 of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Michael Cochran. There were no protestants. Submitted as Applicant's Exhibit No. 1 and No. 2 were an aerial photo and a site plan of the property respectively. Following the discussion, it was moved by Mr. Green, seconded by Mr. Babcock and carried unanimously to grant the variance as requested with the condition that the construction plan dimensions match the site plan. The hearing ended at 6:42 PM.

The public hearing commenced at 6:37 PM on **Case No. 22-13**, on the lands of Stephen Silverman and Brandie Baker, requesting a variance to the front yard setback off Duxbury Road from 25 feet to 18.2 feet (to encroach 6.8 feet) and a variance to the front yard setback off Boston Drive from 25 feet to 20.5 feet (to encroach 4.5 feet), for a proposed deck in the R-3 Multi-Family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305 located at 24 Duxbury Road, Tax Map 16, Parcel 47, Section 11, Lot 168, Tax District 3 of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony were Stephen Silverman and Brandi Baker. 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 6:49 pm.

The public hearing commenced at 6:49 PM on **Case No. 22-8**, on the lands of the Milton Pennewell Family Irrevocable Trust, requesting a variance to the minimum lot width of 200 feet to 154 feet (reduce by 46 feet), for a proposed subdivision in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-201(b)(5) and ZS 1-305, located on Pennewell Road, approximately 0.88 miles north west of Nassawango Road, Tax Map 62, Parcel 29, Tax District 2, Worcester County, Maryland. Kristen Tremblay informed the Board that the applicant requested the hearing to be postponed. It was moved by Mr. Dypsky, seconded by Mr. Green and carried unanimously to grant the postponement as requested. The hearing ended at 6:50 PM.

The public hearing commenced at 6:50 PM on **Case No. 22-10**, on the application of Mark Cropper, on the lands of Rental 888 Homes, LLC, requesting a variance to the

rear yard setback from 30 feet to 18.18 feet (to encroach 11.82 feet) and a variance to the left side yard setback from 6 feet to 5.56 feet (to encroach .44 feet) for a proposed deck addition in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 70 Lookout Point, Tax Map 16, Parcel 41, Section 4, Lot 93, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony were Mark Cropper, Esquire and Gregory Wilkens, Land Surveyor. Appearing in opposition was Matthew Black. Submitted as Applicant's Exhibit No. 1, 2, 3, and 4 were three (3) aerial photos of the area and site, elevation drawings of the proposal, a copy of ZS 1-207 (b)(2), and copies of similar previous BZA case opinions respectively. Submitted as Protestant's exhibit No. 1, 2, and 3 were three (3) aerial photos of the area. Also submitted as Protestant exhibit No. 1 was a letter in opposition from a neighboring property owner. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Green and carried 5 votes to 1, with Mr. Babcock opposed, to grant the variance as requested. The hearing ended at 7:13 PM.

The public hearing commenced at 7:10 PM on **Case No. 22-6**, on the application of Lisa Sparks, on the lands of John Grady, III, requesting a variance to the Atlantic Coastal Bays Critical Area Ordinance to exceed the allowable 100 feet tidal wetland crossing by 302 feet, associated with a 402 foot walkway over tidal wetlands, pursuant to Natural Resources § NR 3-125(b)(1) & Zoning Code § ZS 1-116(n)(2), located on South Point Road, approximately 0.4 miles north of Waterside Drive, Tax Map 50, Parcel 24, Lot 12, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony were Lisa Sparks, John Grady, III, Chris McCabe, environmental engineer and Frank Lynch, land surveyor. There were no protestants. Submitted as Applicant's exhibit No. 1 was a packet containing a site plan and aerial photos. 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 7:22 PM.

Case No. 22-11, on the application of Hugh Cropper, IV, on the lands of Glenn Prettyman, requesting a special exception to construct three commercial units and a special exception to increase the size of the units to 5,000 square feet each in the C-1 Neighborhood Commercial District, pursuant to Zoning Code §§ ZS 1-116(c)(3) and ZS 1-209(c)(1), located on Md Rt. 611, Stephen Decatur Highway, approximately 386 feet north of Sinepuxent Road, Tax Map 26, Parcel 274, Lot 2, Tax District 10, Worcester County, Maryland. The case was withdrawn by the applicant prior to the meeting.

Administrative Matters

With no further business before the Board, the meeting was adjourned at 7:46 PM.

Respectfully submitted,

Stuart White
DRP Specialist