

**WORCESTER COUNTY  
BOARD OF ZONING APPEALS  
MINUTES**

**October 13, 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 Cathy Zirkle, DRP Specialist, Stuart White DRP Specialist, Kristi Evans, Environmental Health Specialist, Joy Birch, Natural Resources Planner, Debbie Dickerson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 22-48**, on the lands of Anita Roy, requesting a variance to the rear yard setback from 5 feet to 3.3 feet (to encroach 1.7 feet) for a proposed deck 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 8839 Bay Ridge Dr, Tax Map 33, Parcel 347, Lot 164, Tax District 10, Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witnesses and providing testimony Anita Roy. There were no protestants. 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 6:38 PM.

The public hearing commenced at 6:39 PM on **Case No. 22-50**, on the application of Mark Cropper, on the lands of Steven Benz, requesting a modification to extend a waterfront structure in excess of 125 feet by 15 feet for a proposed 140 foot pier, platform, and boatlift(s), pursuant to Zoning Code §§ ZS 1-116(n)(2) & Natural Resources Code NR 2-102(e)(1), located at 64 Skyline Court, Tax Map 16, Parcel 15, Section 19, Lot 64, Tax District 3, Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witnesses and providing testimony were Russell Hammond and Steven Benz. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a site plan of the property. Submitted as Applicant's Exhibit No. 2 was the Opinion Letter for BZA case # 58983. Submitted as Applicant's Exhibit No. 3 was an aerial photograph of the property and adjacent properties. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Dypsky and carried unanimously to grant the variance as requested. The hearing ended at 6:47 PM.

The public hearing commenced at 6:48 PM on **Case No. 22-49**, on the lands of John Larsen, requesting a variance to the rear yard setback from 30 feet to 9.1 feet (to encroach 20.9 feet) for a proposed single-family dwelling 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 13412 Madison Ave., Tax Map 5, Parcel 1, Lots 146 & ½ of 145, Tax District 10, Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witnesses and providing testimony was Chris Larsen. Submitted as Applicant's exhibit # 1 was a packet of plans for the proposed dwelling including a site plan of the subject

and surrounding properties. Appearing in opposition were Peter Ruska, Mary Jo Rothe, Carroll Delgavio, Melissa Rizer, and Tony Pinzuti. Submitted by Mr. Ruska was Opponent's exhibit # 1, a collection of five (5) 8-1/2"x11" photos of the subject lot and surrounding area. Submitted by Ms. Rothe was Opposition's exhibit # 2, a collection of eight (8) 4"x6" photos of the subject property and surrounding area. Following the discussion, it was moved by Mr. Dypsky, seconded by Ms. Bowen to deny the variance as requested. The motion did not carry with a vote of 2-4 with Mr. Purcell, Mr. Babcock, Mr. Green, and Mr. Fykes opposed. A motion was made by Mr. Purcell, seconded by Mr. Fykes and carried 4-2 to grant the variance as requested with Mr. Dypsky and Ms. Bowen opposed. The hearing ended at 7:35 PM.

### **Administrative Matters**

With no further business before the Board, the meeting was adjourned at 7:35 PM.

Respectfully submitted,

Stuart White  
DRP Specialist