

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

December 9, 2021

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: Robert Purcell, Thomas Babcock, David Dypsky, Joe Green, and Larry Fykes. Also in attendance were Gary Pusey, Kristen Tremblay, Cathy Zirkle, Stuart White, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 21-73**, on the lands of Gerald Brown II, requesting a special exception to construct a single family dwelling in the RP Resource Protection District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-215(c)(1) and ZS 1-305, located on Swan Gut Road, about 751 feet east of Big Mill Road, Tax Map 101, Parcel 52, Tax District 8 of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Gerald Brown, II. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a revised site plan. Following the discussion, it was moved by Mr. Green, seconded by Mr. Fykes and carried unanimously to grant the special exception. The hearing ended at 6:35 pm.

The public hearing commenced at 6:36 PM on **Case No. 21-68**, on the lands of Steven & Jennifer McGee, requesting a special exception to construct a single family dwelling in the RP Resource Protection District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-215(c)(1) and ZS 1-305, located at 4620 Nassawango Road, Tax Map 62, Parcel 82, Lot 1, Tax District 7 of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Steven McGee. 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. The hearing ended at 6:39 pm.

The public hearing commenced at 6:40 PM on **Case No. 21-70**, on the lands of John Adkins, requesting an after-the-fact variance to the left side yard setback from 20 feet to 16.8 feet (encroaching 3.2 feet), for an existing accessory structure 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 at 6435 Whiton Crossing Road, Tax Map 29, Parcel 5, Lot 4A, Tax District 2 of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was John Adkins. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a packet of photos of the property as well as previous Board of Zoning Appeals Opinions from similar cases. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Fykes and carried 4-1 to grant the variance as requested with Mr. Purcell opposed. The hearing ended at 6:54 pm.


The public hearing commenced at 6:55 on **Case No. 21-71**, on the application of Chris Woodley, on the lands of Earl Gentry, Jr., requesting a variance to the rear yard setback to 38.74 feet for a proposed replacement dwelling on a non-conforming lot of record, in the R-1 Rural Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-122(c)(1)A.1 and ZS 1-305 located at 12203 Nana's Way Lane, Tax Map 26, Parcel 140, Tax District 10 of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony were Chris Woodly, Mark Iocona, Greg Wilkens and Earl Gentry, Jr. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a packet of photos of the property. Submitted as Exhibit No. 2 was the Real Property Data Sheet and Tax Map for the adjoining property, 12204 Nana's Way Lane. Submitted as Exhibit No. 3 was a letter of support from the owner of the property located at 12204 Nana's Way Lane. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes, and carried unanimously to approve the variance with the condition of the removal of the existing wood patio located at the northeast corner of the property. The hearing ended at 7:07 pm.

The public hearing commenced at 7:08 on **Case No. 21-57**, on the application of Mark Cropper, on the lands of George Phillips & Tina LaRicci, requesting a variance to the Atlantic Coastal Bays Critical Area Ordinance to exceed the allowable 100 feet tidal wetland crossing by 90 feet for a proposed 3 foot by 190 foot walkway over tidal wetlands, pursuant to Natural Resources Section NR 3-125(b)(1), Zoning Code §§ ZS 1-116(n)(2) & ZS 1-215(d)(4), located at 10648 Piney Island Drive, Tax Map 15, Parcel 218, Block 15, Lot 10, Tax District 5 of Worcester County, Maryland. Kristen Tremblay read the application. There were no protestants. Appearing as witness and providing testimony were Mark Cropper, Russell Hammond, George Phillips, and Tina LaRicci. Submitted as Applicant's Exhibit No. 1 was a satellite photo of the property. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Dypsky, and carried unanimously to approve the variance as requested. The hearing ended at 7:18 pm.

Administrative Matters

With no further business before the Board, the meeting was adjourned at 7:18 PM.

Respectfully submitted,



Stu White
DRP Specialist II