

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

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

The public hearing commenced at 6:30 PM on **Case No. 23-76**, on the lands of Kayvan Bahrami, 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 9627 W. 4th St., Tax Map 27, Parcel 500, Block J, Lot 6, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Kayvan Bahrami. There was no opposition. Submitted as Applicant's Exhibit No. 1 was a copy of the site plan and some photos. 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 6:37 PM.

The public hearing commenced at 6:38 PM on **Case No. 23-75**, on the lands of Thomas Laird, Sr., requesting after-the-fact variances to the right side yard setback from 3 feet to 1.79 feet (encroaches 1.21 feet) for an existing mobile home, to the rear yard setback from 5 feet to 2.05 feet (encroaches 2.95 feet) for a landing and steps and to the front yard setback from 10 feet to 6.43 (encroaches 3.57 feet) for an existing open deck in a Campground Subdivision, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-318(d) and ZS 1-305, located at 269 Timberline Circle, Tax Map 16, Parcel 90, Lot 269, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Thomas Laird, Sr. There was no opposition. Submitted as Applicant's Exhibit No. 1 was a photo of the front of the unit. The request was modified to remove the front yard variance request. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Dypsky and carried unanimously to grant the rear and side yard variances as requested. The hearing ended at 6:47pm.

The public hearing commenced at 6:48 PM on **Case No. 23-79**, on the lands of Bali Hi Park, Inc, on the application of Sandra Sale, requesting an after-the-fact variance to the front yard setback from 10 feet to 8.6 feet (encroaches 1.4 feet) for an existing RV, in a Co-operative Campground, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-318(e) and ZS 1-305, located at 12342 St. Martins Neck Road, Tax Map 10, Parcel 32, Lot 103, Tax District 5, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Sandra Sale. There was no opposition. Applicant's Exhibit No. 1 were photos of the parking area. 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 6:57 PM.

The public hearing commenced at 6:58 PM on **Case No. 23-80**, on the lands of Bruce McConkey, requesting an after-the-fact variance revision to the front yard setback from 30 feet to 24.68 feet (encroaches 5.32 feet) for an existing front porch with 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 12405 Snug Harbor Road, Tax Map 33, Parcel 346, Section A, Lot 79, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Bruce McConkey and Greg Wilkins. There was no opposition. Submitted as Applicant's Exhibit No. 1 was a photo of the partially constructed porch. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried 3-1 to grant the variance as requested with Mr. Purcell opposed. The hearing ended at 7:06 PM.

The public hearing commenced at 7:07 PM on **Case No. 23-78**, on the lands of Randall and Anderson Hastings, requesting a special exception to expand a surface mining operation in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-201(c)(15), and ZS 1-330, located on the south side of Ironshire Station Road, about 351 feet west of Shire Drive, Tax Map 32, Parcel 360, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Ann Hastings, Will Hastings and Russell Hammond. There was no opposition. 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 7:10 PM.

The public hearing commenced at 7:11 PM on **Case No. 23-77**, on the lands of 12475 Sea Oaks, LLC, on the application of Hugh Cropper, IV, requesting a special exception to construct a freestanding, non-monument sign in the C-1 Neighborhood Commercial District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-209 and ZS 1-324(c)(4)B.4, located at 12475 Sea Oaks Lane, Tax Map 26, Parcel 473, Lot B, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Steve Murphy. There was no opposition. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried 3-1 to grant the special exception as requested with Mr. Babcock opposed. The hearing ended at 7:16 PM.

The public hearing commenced at 7:17 PM on **Case No. 23-81**, on the lands of Russell Properties LLC, on the application of Kristina Watkowski, requesting two variances to the front yard setback off of Wilson Ave, one from 25 feet to 21.07 feet (to encroach 3.93 feet) for a proposed accessory apartment and the other from 25 feet to 4.24 feet (to encroach 20.76 feet) for a proposed 3rd floor cantilever on the west end of the existing house, a variance to the front yard setback from Madison Ave. from 30 feet to 16.11 feet (to encroach 13.89 feet) for a proposed cantilever on the east side of the house and a variance to the side yard setback of 6 feet to 4 feet (to encroach 2 feet) for the same east side cantilever 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 13444 Madison Ave., Tax Map 5, Parcel 1, Lot 141, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Greg Wilkins and Steve Williams. There was no opposition. Submitted as Applicant's Exhibit No. 1 was an aerial photo of the house. Submitted as Applicant's Exhibit No. 2 was an aerial photo of the area. Submitted as Applicant's Exhibit No. 3 was a broader view aerial photo. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried 3-1 to grant the variances as requested with Mr. Purcell opposed. The hearing ended at 7:30 PM.

The public hearing commenced at 7:31 PM on **Case No. 23-82**, on the lands of River Run Development, on the application of Hugh Cropper, IV, requesting a modification to add boat slips to an existing community pier extending beyond 125 feet channelward, pursuant to Natural Resources Code §§ NR 2-102(e)(1) and Zoning Code §§ ZS 1-116(n)(2), located at 11605 Masters Lane, Tax Map 15, Parcel 126, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Chris McCabe. There was no opposition. Submitted as Applicant's Exhibit No. 1 was an aerial photo of the existing pier. Submitted as Applicant's Exhibit No. 2 was a larger aerial of the pier. Submitted as Applicant's Exhibit No. 3 was a copy of the MDE permit application. 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 7:36 PM.

The public hearing commenced at 7:38 PM on **Case No. 23-83**, on the lands of Michael Ewing, on the application of Kristina Watkowski, requesting an after-the-fact variance to the left side yard setback from 3 feet to 2.95 feet (encroaches .05 feet), an after-the-fact variance to the right side yard setback from 7 feet to 6.56 feet (encroaches .44 feet) for an existing house and for a variance to the left side yard setback from 3 feet to .92 feet (to encroach 2.08 feet) for a proposed chimney in a Residential Planned Community, pursuant to Zoning Code §§ ZS 1-116(c)(4) and ZS 1-315, located at 12369 Hidden Bay Drive, Tax Map 33, Parcel 281, Lot 41, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Michael Ewing and Greg Wilkins. There was no opposition. Submitted as Applicant's Exhibit No. 1 was a photo of a chimney on a different house. Submitted as Applicant's Exhibit No. 2 was an 8 ½" x 11' printout of the record plat with some notes highlighted. Submitted as Applicant's Exhibit No. 3 was another version of the record plat notes. Submitted as Applicant's Exhibit No. 4 was the record plat page showing the subject lot. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried unanimously to grant the after-the-fact variances. Following further discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes and carried unanimously to grant the proposed chimney request 3-1 with Mr. Purcell opposed. The hearing ended at 7:55 PM.

Administrative Matters

With no further business before the Board, the meeting was adjourned at 8:00 PM.

Respectfully submitted,

Cathy Zirkle

Cathy Zirkle
DRP Specialist