

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

January 14, 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, Joe Green, James Purnell and Larry Fykes. Also in attendance were Kristen Tremblay, Zoning Administrator, Cathy Zirkle, DRP Specialist II, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 21-2**, on the lands of Rosemary Patricelli, requesting a variance to the Ordinance prescribed rear yard setback from 5 feet to 1.6 feet (an encroachment of 3.4 feet) associated with a proposed deck and stairs in the A-2 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-202(c)(19), ZS 1-305 and ZS 1-318, located at 8306 South Longboat Way, approximately 113 feet west of Assateague Way, Tax Map 33, Parcel 347, Lot 321, of Assateague Pointe Resort, in the Tenth Tax District of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Rosemary Patricelli. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a photo sheet of the existing landing. Following the discussion, it was moved by Mr. Purnell, seconded by Mr. Babcock and carried unanimously to grant the variance as requested. The hearing ended at 6:41PM.

The public hearing commenced at 6:42 PM on **Case No. 21-3**, on the lands of Philip & Angela Houck, requesting an after-the-fact variance to the Ordinance prescribed side yard setback from 6.55 feet to 6.1 feet (an encroachment of 0.45 feet) associated with the second story of an existing single family dwelling in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305, located at 12619 Rumgate Road, on the northwest corner at the intersection with Marlowe Road, Tax Map 21, Parcel 8, Section A, Block 18, Lot 12, in the Cape Isle of Wight Subdivision, in the Tenth Tax District of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Philip Houck, Angela Houck and Pete Cosby, Esq. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a copy of the original proposed site plan. Submitted as Applicant's Exhibit No. 2 was a copy of the as-constructed survey. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Fykes and carried unanimously to grant the variance as requested. The hearing ended at 6:53 PM.

The public hearing commenced at 6:54 PM on **Case No. 21-4**, on the lands of Kathy Ferguson, requesting a variance to the Ordinance prescribed side yard setback from 6 feet to 1.3 feet (an encroachment of 4.7 feet) associated with a proposed shed in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305, located at 12539 Torquay Road, approximately 92 feet east of

Keyser Point Road, Tax Map 21, Parcel 8, Section A, Block 6, Lot 2, of the Cape Isle of Wight Subdivision, in the Tenth Tax District of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Kathy Ferguson. There were no protestants. Submitted as Applicant's Exhibit No. 1 was 5 pictures of the subject property. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Purnell and carried 4-1 to grant the variance as requested with Mr. Purcell opposed. The hearing ended at 7:01 PM.

The public hearing commenced at 6:59 PM on **Case No. 21-5**, on the lands of Salt Grass Point Farms, LLC, requesting a variance to the Ordinance prescribed front yard setback from 50 feet off a minor collector to 45 feet (an encroachment of 5 feet) associated with proposed architectural features in the C-2 General Commercial District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-210(b)(3), ZS 1-305 and ZS 1-325, located on Stephen Decatur Highway (MD Route 611), approximately 95 feet north of Assateague Way, Tax Map 33, Parcel 136, in the Tenth Tax District of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Hugh Cropper, IV, Esq., Bob Hand, Chris Larmore and Theodore Esham Jr. There were no protestants in the audience. Submitted as Applicant's Exhibit No. 1 was a full-size landscape plan. Submitted as protestant's Exhibit No. 1 was an email from the owners of Sun Signs voicing their concerns. Following the discussion, it was moved by Mr. Purnell, seconded by Mr. Fykes and carried 4-1 to grant the variance as requested with Mr. Purcell opposed. The hearing ended at 7:22 PM.

The public hearing commenced at 7:23 PM on **Case No. 21-6**, on the lands of Baywater Landing, LLC, requesting a special exception to allow a landing, storage and processing facility for seafood associated with a proposed marina in the C-2 General Commercial District, pursuant to Zoning Code Sections ZS 1-116(c)(3) and ZS 1-210(c)(4), located at 3908 Bayside Road, approximately 720 feet north of Stag Road, Tax Map 73, Parcel 85, in the Second Tax District of Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Matt Holloway and Robert Holloway. There were no protestants. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Babcock and carried unanimously to grant the special exception as requested. The hearing ended at 7:30 PM.

With no further business before the Board, the meeting was adjourned at 7:32 PM.

Respectfully submitted,

Cathy Zirkle
DRP Specialist II

