

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

March 11, 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: David Dypsky, Robert Purcell, Thomas Babcock, Joe Green, James Purnell, Jake Mitrecic and Larry Fykes. Also in attendance were Kristen Tremblay, Zoning Administrator, Cathy Zirkle, DRP Specialist II, Joy Birch Natural Resource Planner, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Re-Advertisement of Case No. 21-7**, on the application of Carroll DelGavio, on the lands of Stephen & Laurie Lyons, requesting a variance to the Ordinance Prescribed rear yard setback from 30 feet to 13.3 feet (an encroachment of 16.7 feet) associated with a proposed single family dwelling, in the R-3 Multi-Family Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-207(b)(2), and ZS 1-305 located on Jefferson Avenue, approximately 58 feet south of Hayes Avenue, Tax Map 5, Parcel 1, Lot 176 in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was Carroll DelGavio and Steve Lyons. 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 6:42 PM.

The public hearing commenced at 6:43 PM on **Case No. 21-17**, on the lands of James Mapp, Sr., requesting a variance to the Ordinance Prescribed front yard setback from a minor collector from 75 feet to the center of the road right-of-way to 59 feet (an encroachment of 16 feet) associated with a proposed addition in the R-4 General Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-208(b)(2), and ZS 1-305, located at 10440 Harrison Road, approximately 1340 feet south west of Trappe Road, Tax Map 32, Parcel 40, in the Third Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was Shiwonna Handy-Mapp. There were no protestants. Following the discussion, it was moved by Mr. Purnell, seconded by Mr. Dypsky and carried unanimously to grant the variance as requested. The hearing ended at 6:48pm.

The public hearing commenced at 6:49 PM on **Case No. 21-16**, on the application of Nannette Howe, on the lands of Walter West, requesting a special exception to operate a daycare center in the A-2 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-202(c)(25), ZS 1-305 and ZS 1-325, located at 10032 Friendship Road (MD Route 452), approximately 608 feet south Griffin Road, Tax Map 20, Parcel 332, in the Third Tax District of Worcester County, Maryland.

Cathy Zirkle read the application. Appearing as witness and providing testimony was Nannette Howe. There were no protestants. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Green and carried unanimously to grant the special exception as requested. The hearing ended at 6:54 PM.

The public hearing commenced at 6:56 PM on **Case No. 21-15**, on the lands of Donna West, requesting a special exception for an increase in the maximum height, but not number of stories, of a residential accessory structure to no more than 35 feet in the A-1 Agricultural District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-201(e) and ZS 1-305, located at 3546 Figgs Landing Road, approximately 2,015 feet south east of Bayside Road, Tax Map 73, Parcel 121, in the Second Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony were Donna West and Robert Holloway. There were no protestants. Submitted as Applicant's Exhibit No. 1 were pictures of the proposed garage location. Submitted as Applicant's Exhibit No. 2 was a letter of support from a neighbor. 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 7:03 PM.

The public hearing commenced at 7:05 PM on **Case No. 21-11**, on the application of Hugh Cropper, IV, Esq., on the lands of Cory Carpenter, requesting a variance to the Ordinance prescribed rear yard setback from 30 feet to 20 feet (an encroachment of 10 feet) and a variance to the Ordinance prescribed front yard setback from 50 feet from the center of the right-of-way to 34 feet (an encroachment of 16 feet) associated with a proposed 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 on Snug Harbor Road, approximately 307 feet south east of Meadow Drive, Tax Map 33, Parcel 346, Section A, Lot 7, in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was Hugh Cropper, IV, Corey Carpenter and Greg Wilkins. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a photo of the subject property. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Purnell and carried unanimously to grant the variances as requested. The hearing ended at 7:14 PM.

The public hearing commenced at 7:16 PM on **Case No. 21-13**, on the application of Hugh Cropper, IV, Esq., on the lands of Jake & Jacqueline Kinzie, requesting a variance to the Ordinance Prescribed rear yard setback from 30 feet to 24.5 feet (an encroachment of 5.5 feet) and a variance to the front yard setback of 50 feet to the center of the road right-of-way to 38.2 feet (an encroachment of 11.8 feet), associated with a proposed 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 on the south side of Snug Harbor Road, approximately 450 feet south east of Meadow Drive, Tax Map 33, Parcel 346, Block A, Lot 10, in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was Hugh Cropper, IV, Jake Kinzie and Russell Hammond. There were no protestants. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr.

Fykes and carried unanimously to grant the variances as requested. The hearing ended at 7:25 PM.

The public hearing commenced at 7:26 PM on **Case No. 21-14**, on the application of Hugh Cropper, IV, Esq., on the lands of Stephen & Sandra Hadley, requesting a variance to the Ordinance Prescribed rear yard setback from 30 feet to 15.8 feet (an encroachment of 14.2 feet) and a variance to the front yard setback of 50 feet to the center of the road right-of-way to 44.7 feet (an encroachment of 5.3 feet), associated with a proposed 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 on the south side of Snug Harbor Road, approximately 912 feet south east of Meadow Drive, Tax Map 33, Parcel 346, Block A, Lot 19 in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was Hugh Cropper, IV, Steve Haley and Greg Wilkins. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a corrected site plan showing the stairs in a new configuration. Submitted as Applicant's Exhibit No. 2 was a photo of the subject property. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Green and carried unanimously to grant the variances as requested. The hearing ended at 7:48 PM.

The public hearing commenced at 7:50 PM on **Re-Advertisement of Case No. 21-1**, on the application of Hugh Cropper, IV, Esq., on the lands of Bruce & Nichole Krasner, requesting a variance to the Atlantic Coastal Bays Critical Area Ordinance to exceed the allowable 100 feet tidal wetland crossing by 369 feet for a proposed 469 foot walkway over tidal wetlands, in the E-1 Estate District & RP Resource Protection District, pursuant to Zoning Code Sections ZS 1-116(n)(2), ZS 1-203(d)(5), ZS 1-215(d)(4) and Natural Resources Section NR 3-125(b)(1), located at 6333 South Point Road, approximately 302 feet south of Cove Court Road, Tax Map 50, Parcel 37, Lot D1, of the Genezer Estates West Subdivision, in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was Hugh Cropper, IV, Bruce Krasner and Greg Wilkins. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a transcript of a 2015 court proceeding. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Green and carried unanimously to grant the Critical Area variance as requested. The hearing ended at 8:05 PM.

The public hearing commenced at 8:08 PM on **Case No. 21-12**, on the application of Hugh Cropper, IV, Esq., on the lands of the Revocable Trust Agreement of Clarence D. Hammond & Louise M. Hammond, requesting a variance to the Ordinance prescribed minimum lot width from 80 feet to 61 feet (an encroachment of 19 feet) in the R-2 Suburban Residential District and a special exception to allow a subdivision in the RP Resource Protection District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-116(c)(4), ZS 1-206(b)(2), ZS 1-215(c)(3) and ZS 1-305, located at 13020 Riggan Ridge Road, approximately 80 feet south west of Center Drive, Tax Map 27, Parcel 570, Lots 20A and 16A, in the Tenth Tax District of Worcester County, Maryland.

Cathy Zirkle read the application. Appearing as witness and providing testimony was Hugh Cropper, IV, Barbara Taylor and Frank Lynch, Jr. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a copy of a recorded Quit Claim deed. Submitted as Applicant's Exhibit No. 2 was a large format plat of the original Bay Shore Acres. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Purnell and carried unanimously to grant the special exception and variances as requested. The hearing ended at 8:16 PM.

Administrative Matters

With no further business before the Board, the meeting was adjourned at 8:20 PM.

Respectfully submitted,

Cathy Zirkle
DRP Specialist II