

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

September 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, James Purnell, Joe Green, and Larry Fykes. Also in attendance were Cathy Zirkle, Stuart White, Joy Birch, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 21-45**, on the application of T. Garvey Heiderman, on the lands of Village Greens Enterprises Limited, requesting a second and final year special exception (transient use) to allow compost operations of restaurant food waste in the A-1 Agricultural District pursuant to Zoning Code Sections ZS 1-105(c)(5), ZS 1-116(c)(3) and ZS 1-337, located at 11923 St. Martins Neck Road, approximately 430 feet west of Industrial Park Road, Tax Map 10, Parcel 280, in the Fifth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony was T. Garvey Heiderman. There were no protestants. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Purnell and carried unanimously to grant the special exception. The hearing ended at 6:34 pm.

The public hearing commenced at 6:35 PM on **Case No. 21-47**, on the application of Mark Cropper, Esq., on the lands of Richard Toth, requesting a variance to reduce the Ordinance prescribed front yard setback from 50 feet from a minor collector highway to 15 feet (an encroachment of 35 feet) associated with a proposed addition to a 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), ZS 1-305(b)(2)B and ZS 1-326, located at 13011 Old Bridge Road (MD Route 707) approximately 187 feet west of Martha's Landing Road, Tax Map 27, Parcel 236, Lot 15, in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony were Mark Cropper, Esquire and Robert Clark, Coastal Construction. There were no protestants. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Green and carried unanimously to grant the variance as requested. The hearing ended at 6:39 pm.

The public hearing commenced at 6:40 PM on **Case No. 21-48**, on the application of Mark Cropper, Esq., on the lands of Eric & Mendi Smith, requesting a variance to exceed the allowable 125 feet channelward extension of a waterfront structure by 74 feet for a proposed pier extending 199 feet, pursuant to Natural Resources Article NR 2-102(e)(1), Zoning Code Sections ZS 1-116(n)(2) and ZS 1-215(d)(4), located southeast of the terminus of Daye Girls Road, Tax Map 9, Parcel 166, Lot B, in the Fifth Tax District of Worcester County, Maryland.

Cathy Zirkle read the application. Appearing as witness and providing testimony were Mark Cropper, Esquire, Eric Smith, Russell Hammond, Ryan Murphy, and James Moses. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a proposed site plan for the pier. Submitted as Applicant's Exhibit No. 2 was a bathymetric survey of the site. Submitted as Applicant's Exhibit No. 3 were aerial photos of the site. Submitted as Applicant's Exhibit No. 4 was an email from R. W. Freund, project designer. Submitted as Applicant's Exhibit No. 5 was a letter of support from James and Glinda Moses, adjoining property owners. 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 6:54 pm.

The public hearing commenced at 6:55 on **Case No. 21-43**, on the application of Hugh Cropper, IV Esq., on the lands of William & Amy Romeo, requesting a variance to reduce the rear yard setback from 30 feet to 15.3 feet (an encroachment of 14.7 feet) and a variance to reduce the front yard setback from 50 feet from the center of the road right-of-way, to 45.4 feet (an encroachment of 4.6 feet), associated with a proposed single family dwelling, in the R-2 Suburban Residential District pursuant to Zoning Code 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 688 feet east of Meadow Drive, Tax Map 33, Parcel 346, Lot 14 in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony were Lisa Sparks, William Romeo, and Russell Hammond. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a not-to-scale site plan of the existing and the proposed conditions. Submitted as Applicant's Exhibit No. 2 was a photograph of a view down Snug Harbor Road near the property. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Green, and carried unanimously to approve the variance as requested. The hearing ended at 7:06 pm.

The public hearing commenced at 7:07 on **Case No. 21-41**, on the application of Hugh Cropper, IV Esq., on the lands of Robert & Pamela Drocella, requesting a variance to the Atlantic Coastal Bays Critical Area Ordinance to exceed the allowable 100 feet tidal wetland crossing by 24 feet for a proposed 3 foot by 124 foot walkway over tidal wetlands, pursuant to Natural Resources Section NR 3-125(b)(1) and Zoning Code Section ZS 1-116(m)(1), located at 6112 South Point Road, approximately 616 feet west of South Point Drive, Tax Map 50, Parcel 34, Block F, Lot 25A, of the Bay Shores subdivision, in the Tenth Tax District of Worcester County, Maryland. Cathy Zirkle read the application. Appearing as witness and providing testimony were Lisa Sparks, Robert Drocella, Chris McCabe, and Frank Lynch. There were no protestants. Submitted as Applicant's Exhibit No. 1 was an aerial photo of the site. Submitted as Applicant's Exhibit No. 2 was a surveyed site plan of the property and proposal. Submitted as Applicant's Exhibit No. 3 was a Maryland Department of the Environment General Tidal Wetlands License. Submitted as Applicant's Exhibit No. 4 was an authorization letter from the Department of the Army Corps of Engineers. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Green, and carried unanimously to approve the variance as requested.

Administrative Matters

With no further business before the Board, the meeting was adjourned at 7:15 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stu White". The signature is written in a cursive style with a large initial "S" and a distinct "W".

Stu White
DRP Specialist II