

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

October 12, 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: Robert Purcell, Thomas Babcock, Jake Mitrecic, Lisa Bowen and Larry Fykes. Also in attendance were Cathy Zirkle, DRP Specialist, Stuart White, DRP Specialist, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 23-68**, on the lands of Thomas & Catherine Polera, requesting an after-the-fact variance to the accessory structure setback of 6 feet to 3.56 feet (to encroach 2.44 feet) for an existing shed in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) & ZS 1-305(p)(2), at 87 Sandyhook Road, Tax Map 16, Parcel 39, Section 2, Lot 125, Tax District 3, Worcester County, Maryland. Stuart White read the application. Appearing as witness and providing testimony were Tom and Catherine Polera. Submitted as Applicant's Exhibit No. 1 was an old site plan. Submitted as Applicant's Exhibit No. 2 were photos of the shed, Submitted as Applicant's Exhibit No. 3 was a copy of the C/O for a second-floor bathroom. Submitted as Applicant's Exhibit No. 4 were photos of the existing conditions in the yard. Submitted as Applicant's Exhibit No. 5 was a letter of support from The Nortons. Submitted as Applicant's Exhibit No. 6 was a letter of support from Alta Weiss. Following the discussion, it was moved by Ms. Bowen, seconded by Mr. Fykes and carried 3-2 to grant the variance as requested, Mr. Babcock and Mr. Mitrecic were opposed. The hearing ended at 6:45 PM.

The public hearing commenced at 6:42 PM on **Case No. 23-69**, on the lands of Scott Griffin, requesting a variance to the right side yard setback from 8 feet to 3.73 feet (to encroach 4.27 feet) for a proposed attached shed in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) & ZS 1-305, at 13346 Cove Landing Road, Tax Map 4, Parcel 26, Block 7, Lot 9, Tax District 5, Worcester County, Maryland. Stuart White read the application. Appearing as witness and providing testimony was Scott & Christina Griffin and Edward Rodier, neighbor. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a letter of support from a neighbor. Applicant's Exhibit No. 2 was the construction plan and elevations of the proposed improvement. 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 6:54pm.

The public hearing commenced at 6:55 PM on **Case No. 23-70**, on the lands of Clark Rodano & Beth Trehey, requesting a variance for an accessory structure in a front yard setback from 40 feet to 13.91 feet (to encroach 26.09 feet) and located 6 feet from a side property line, in the R-1 Rural Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-205(b)(2) & ZS 1-305, at 12349 Dixie Drive, Tax Map 10, Parcel 241, Lot 124, Tax District 5, Worcester County, Maryland. Stuart White read the application.

Appearing as witness and providing testimony was Beth Trehey, owner. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Mitrecic and carried unanimously to grant the variance as requested. The hearing ended at 6:58 PM.

The public hearing commenced at 6:59 PM on **Case No. 23-71**, on the lands of Ollie & Lauren Hitchens, on the application Chris Woodley, requesting a variance to the front yard setback from 60 feet from the center of the road right-of-way to 44.5 feet (to encroach 55.5 feet) for a proposed single family dwelling in the R-1 Rural Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-205(b)(2) & ZS 1-305, on the east side of Collins Road about .4 miles south of Jarvis Road, Tax Map 9, Parcel 345, Lot 1, Tax District 5, Worcester County, Maryland. Stuart White read the application. Appearing as witness and providing testimony was Russell Hammond, Surveyor and Ollie & Lauren Hitchens, owners. Submitted as the Applicants exhibit No. 1 was a copy of the proposed site plan. Following the discussion, it was moved by Mr. Fykes, seconded by Mr. Babcock and carried unanimously to grant the variance as requested. The hearing ended at 7:06 PM.

The public hearing commenced at 7:07 PM on **Case No. 23-72**, on the lands of Billie Whaley Brittingham Residuary Trust, on the application of Mark Cropper, requesting a special exception to expand an existing 1.59 acre dredge spoil disposal site by 1.75 acres and establish a new 8.4 acre site in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-201(c)(26) and ZS 1-315, located at the intersection of Cash Road & Friendship Road, Tax Map 20, Parcel 185, Tax District 3, Worcester County, Maryland. Stuart White read the application. Appearing as witness and providing testimony was Hal Adkins, Stacey Hart and Billy Brittingham. Robert Abell, Katherine Azbell, Robert Jadwin, Harlan Phillips, Ann Harrison and Reggie Mason appeared in opposition. Submitted as the Applicants exhibit No. 1 was a revised site plan adding a vegetative buffer. Submitted as the Applicants exhibit No. 2 was an email of support from a neighbor. Submitted as the Applicants exhibit No. 3 were the opinions from the previous two cases. Submitted as the Applicants exhibit No. 4 was a packet with a survey and application exhibits. Submitted as the Applicants exhibit No. 5 was an 11" x 17" color aerial of comparable property. Submitted as the Applicants exhibit No. 6 was a packet of aerial photos of subject property. Submitted as the Applicants exhibit No. 7 was an 11" x 17" Stormwater management plan. Submitted as the Applicants exhibit No. 8 was a copy of the owners permit application to MDE. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Mitrecic and carried unanimously to grant the special exception with the condition that operations will not start before 8am. The hearing ended at 8:17 PM.

With no further business before the Board, the meeting was adjourned at 8:25 PM.

Respectfully submitted,

Cathy Zirkle
DRP Specialist