

**WORCESTER COUNTY
BOARD OF ZONING APPEALS
MINUTES**

January 11, 2024

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, Lisa Bowen, Jake Mitrecic and Larry Fykes. Also in attendance were Kristen Tremblay, Zoning Administrator, Stuart White, Cathy Zirkle, Debbie Dickerson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 24-1**, on the lands of Anthony Scardina requesting a variance to the rear yard setback from 5 feet to 2.6 feet (to encroach 2.4 feet) for an open deck addition in the A-2 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-202(c)(18) and ZS 1-318, located at 8507 N. Longboat Way, Tax Map 33, Parcel 347, Lot 226, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Anthony Scardina. There was no opposition. 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 6:35 PM.

The public hearing commenced at 6:36 PM on **Case No. 24-2**, on the lands of Paul Carlotta, requesting a variance to the right side yard setback from 20 feet to 10 feet (to encroach 10 feet) for a proposed garage in the A-2 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-202(b)(5) and ZS 1-305, located at 8746 Stephen Decatur Highway, Tax Map 33, Parcel 311, Lot 1A, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Paul Carlotta. There was no opposition. Submitted as Applicant's Exhibit No. 1 was a printed copy of his criteria responses. 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 6:43pm.

The public hearing commenced at 6:44 PM on **Case No. 24-3**, on the lands of Gary West, on the application of Jaime Toner, requesting a variance to a front yard setback off of a minor collector highway from 50 feet to 37.03 (to encroach 12.97 feet) for an inground pool and a variance to a front yard setback off of a minor collector highway from 50 feet to 33.89 (to encroach 16.11 feet) for a deck and steps, 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 12529 W. Torquay Road, Tax Map 21, Parcel 6, Section C, Block 22, Lot 1, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Jamie Toner. There was no opposition. Following the discussion, each request was voted on independently. On the matter of the swimming pool, it was moved by Mr. Mitrecic, seconded by Mr. Fykes and carried unanimously to grant the variance as requested. A motion was made by Ms.

Bowen, seconded by Mr. Fykes and carried unanimously to approve the deck and stairs with the condition that it is not built closer to the road than the current footprint of the house. The hearing ended at 6:54 PM.

The public hearing commenced at 6:55 PM on **Case No. 24-4**, on the lands of Parker Shockley, on the application of Arcola Towers, requesting a special exception to allow a 170 foot tall monopole with 2 foot tall lightning rod (total of 172 feet tall) in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-201(c)(28) and ZS 1-343, located at 5614 Onley Road, Tax Map 79, Parcel 91, Tax District 8, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Kristen Steltzer and Irene Shockley. Appearing in opposition was Daniel Barrett. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Fykes and carried unanimously to grant the special exception. The hearing ended at 7:10 PM.

The public hearing commenced at 7:10 PM on **Case No. 24-5**, on the lands of NVR, Inc, on the application of Hugh Cropper, IV, requesting an after-the-fact variance to the right side yard setback from 7 feet to 6.9 feet (encroaches .1 feet) and an after-the-fact variance to the left side yard setback from 3 feet to 2.8 feet (encroaches .2 feet) for an existing single family dwelling in a Residential Planned Community, pursuant to Zoning Code §§ ZS 1-116(c)(4) and ZS 1-315, located at 12420 Coastal Marsh Drive, Tax Map 33, Parcel 281, Lot 63, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Alex Moor and Mike Ciabattoni. Appearing in opposition was David Grant Hill and Josh Willet. Submitted as Applicant's Exhibit No. 1 was the Administrative Adjustment Findings of Fact for lot 35. Submitted as Applicant's Exhibit No. 2 was the Administrative Adjustment Findings of Fact for lot 71. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Fykes and carried 4 to 1 to grant the variances with Mr. Purcell opposed. The hearing ended at 7:54 PM.

The public hearing commenced at 7:55 PM on **Case No. 24-6**, on the lands of Jennifer & James Koutsos, on the application of Hugh Cropper, IV, requesting an after-the-fact variance to the right side yard setback from 3 feet to 2.7 feet (encroaches .3 feet), an after-the-fact variance to the left side yard setback from 7 feet to 4.8 feet (encroaches 2.2 feet) and an after-the-fact variance to the rear yard setback from 20 feet to 18.2 feet (encroaches 1.8 feet) for an existing single family dwelling in a Residential Planned Community, pursuant to Zoning Code §§ ZS 1-116(c)(4) and ZS 1-315, located at 12303 Hidden Bay Drive, Tax Map 33, Parcel 281, Lot 10, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was James Koutsos, Alex Moor and Mike Ciabattoni. Appearing in opposition was David Grant Hill and Josh Willet. Submitted as Applicant's Exhibit No. 1 was the Administrative Adjustment Findings of Fact for lot 35. Submitted as Applicant's Exhibit No. 2 was the Administrative Adjustment Findings of Fact for lot 71. Following the discussion, it was moved by Ms. Bowen, seconded by Mr. Fykes and carried 4 to 1 to grant the variances with Mr. Purcell opposed. The hearing ended at 8:07 PM.

The public hearing commenced at 8:08 PM on **Case No. 24-7**, on the lands of Debra Moore, on the application of Hugh Cropper, IV, requesting an after-the-fact variance to the left side yard setback from 7 feet to 6.7 feet (encroaches .3 feet) and an after-the-fact variance to the right side yard setback from 3 feet to 0.7 feet (encroaches 2.3 feet) for an existing single family dwelling in a Residential Planned Community, pursuant to Zoning Code §§ ZS 1-116(c)(4) and ZS 1-315, located at 12317 Hidden Bay Drive, Tax Map 33, Parcel 281, Lot 17, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Debra Moore, Alex Moor and Mike Ciabattoni. Appearing in opposition was David Grant Hill and Josh Willet. Submitted as Applicant's Exhibit No. 1 was the Administrative Adjustment Findings of Fact for lot 35. Submitted as Applicant's Exhibit No. 2 was the Administrative Adjustment Findings of Fact for lot 71. Following the discussion, it was moved by Mr. Fykes, seconded by Ms. Bowen and carried 4 to 1 to grant the variances with Mr. Purcell opposed. The hearing ended at 8:13 PM.

The public hearing commenced at 8:13 PM on **Case No. 24-8**, on the lands of Raymond & Marsha Galloway, on the application of Hugh Cropper, IV, requesting an after-the-fact variance to the right side yard setback from 7 feet to 6.9 feet (encroaches .1 feet) and an after-the-fact variance to the left side yard setback from 3 feet to 2.8 feet (encroaches .2 feet) for an existing single family dwelling in a Residential Planned Community, pursuant to Zoning Code §§ ZS 1-116(c)(4) and ZS 1-315, located at 12371 Hidden Bay Drive, Tax Map 33, Parcel 281, Lot 42, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Alex Moor and Mike Ciabattoni. Appearing in opposition was David Grant Hill and Josh Willet. Submitted as Applicant's Exhibit No. 1 was the Administrative Adjustment Findings of Fact for lot 35. Submitted as Applicant's Exhibit No. 2 was the Administrative Adjustment Findings of Fact for lot 71. Following the discussion, it was moved by Mr. Fykes, seconded by Ms. Bowen and carried 4 to 1 to grant the variances with Mr. Purcell opposed. The hearing ended at 8:18 PM.

The public hearing commenced at 8:18 PM on **Case No. 24-9**, on the lands of Michele & Stephen Pawlowski, Jr. Revocable Trust, on the application of Hugh Cropper, IV, requesting an after-the-fact variance to the right side yard setback from 7 feet to 6.8 feet (encroaches .2 feet) and an after-the-fact variance to the left side yard setback from 3 feet to 1 foot (encroaches 2 feet) for an existing single family dwelling in a Residential Planned Community, pursuant to Zoning Code §§ ZS 1-116(c)(4) and ZS 1-315, located at 12375 Hidden Bay Drive, Tax Map 33, Parcel 281, Lot 44, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Alex Moor and Mike Ciabattoni. Appearing in opposition was David Grant Hill and Josh Willet. Submitted as Applicant's Exhibit No. 1 was the Administrative Adjustment Findings of Fact for lot 35. Submitted as Applicant's Exhibit No. 2 was the Administrative Adjustment Findings of Fact for lot 71. Following the discussion, it was moved by Mr. Fykes, seconded by Ms. Bowen and carried 4 to 1 to grant the variances with Mr. Purcell opposed. The hearing ended at 8:21 PM.

The public hearing commenced at 8:21 PM on **Case No. 24-10**, on the lands of Ann & David Gordon, on the application of Hugh Cropper, IV, requesting an after-the-fact variance to the right side yard setback from 7 feet to 6.8 feet (encroaches .2 feet), an after-the-fact variance to the left side yard setback from 3 feet to .7 feet (encroaches 2.3 feet) for an existing single family dwelling in a Residential Planned Community, pursuant to Zoning Code §§ ZS 1-116(c)(4) and ZS 1-315, located at 12377 Hidden Bay Drive, Tax Map 33, Parcel 281, Lot 45, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was David Gordon, Alex Moor and Mike Ciabattoni. Appearing in opposition was David Grant Hill and Josh Willet. Submitted as Applicant's Exhibit No. 1 was the Administrative Adjustment Findings of Fact for lot 35. Submitted as Applicant's Exhibit No. 2 was the Administrative Adjustment Findings of Fact for lot 71. Following the discussion, it was moved by Mr. Fykes, seconded by Ms. Bowen and carried 4 to 1 to grant the variances with Mr. Purcell opposed. The hearing ended at 8:26 PM.

Administrative Matters

With no further business before the Board, the meeting was adjourned at 8:30 PM.

Respectfully submitted,

Cathy Zirkle

Cathy Zirkle
DRP Specialist