

**WORCESTER COUNTY  
BOARD OF ZONING APPEALS  
MINUTES**

**June 13, 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, Beth Gismondi and Don Furbay. Also in attendance were Kristen Tremblay, AICP, Zoning Administrator, Cathy Zirkle, DRP Specialist, Joy Birch, Natural Resource Specialist, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 24-43**, on the lands of Robert Smith, on the application of Omar Kassem, requesting a variance to a left side yard setback from 8 feet to 4.42 feet (to encroach 3.58 feet) for a proposed garage 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 19 Dove Lane, Tax Map 16, Parcel 42, Section 5, Lot 159, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Omar Kassem. There was no opposition present. Following the discussion, it was moved by Ms. Gismondi, seconded by Ms. Bowen and carried unanimously to grant the variance as requested. The hearing ended at 6:41 PM.

The public hearing commenced at 6:42 PM on **Case No. 24-44**, on the lands of Glen Dubois, requesting a variance to a left side yard setback from 20 feet to 10 feet (to encroach 10 feet) for a proposed garage in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-201(b)(5) and ZS 1-305, located at 7322 Libertytown Road, Tax Map 30, Parcel 78, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Mr. Dubois. There was no opposition present. Following the discussion, it was moved by Mr. Babcock, seconded by Ms. Gismondi and carried unanimously to grant the variance as requested. The hearing ended at 6:52 pm.

The public hearing commenced at 6:53 PM on **Case No. 24-42**, on the lands of Patrick St. Dennis, on the application of Ryan McManus, requesting a variance to the left side yard setback from 6 feet to 2.5 feet (to encroach 3.5 feet) and a variance to the rear yard setback from 30 feet to 26.4 feet (to encroach 3.6 feet) for proposed steps from a second floor deck in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 187 Teal Circle, Tax Map 16, Parcel 41, Section 4, Lot 280, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Lynnann St. Dennis – owner, Damian Marino – builder and John Talbott - resident. Appearing in opposition to the left side yard encroachment was Mark Koepsell. Submitted as Applicant's Exhibit No. 1 was a collective of photographs of the

surrounding houses. Following the discussion, it was moved by Ms. Gismondi, seconded by Ms. Bowen and carried 4-1 to grant the left side yard variance and deny the rear yard variance with Mr. Furbay opposed. The hearing ended at 7:20 PM.

The public hearing commenced at 7:21 PM on **Case No. 24-38, Case No. 24-38**, on the lands of Monica Foell, requesting an after-the-fact variance to the left yard setback from 6 feet for an accessory structure to 3.09 feet (encroaches 2.91 feet), and an after-the-fact rear yard setback from 6 feet for an accessory structure to 3.56 feet (encroaches 2.44 feet), for an existing 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 10314 Bristol Road, Tax Map 21, Parcel 8, Section A, Block 3, Lot 15, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Monica & John Foell. There was no opposition present. Submitted as Applicant's Exhibit No. 1 was a printout of Ms. Foells' criteria responses. Following the discussion, it was moved by Mr. Furbay, seconded by Mr. Babcock and carried unanimously to grant the variance as requested. The hearing ended at 7:32 PM.

The public hearing commenced at 7:33 PM on **Case No. 24-39**, on the lands of Matthew Pyles, on the application of Mark Cropper, requesting a variance to reduce the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 35 feet (to encroach 65 feet) associated with the installation of a proposed driveway pursuant to Natural Resources Code §§ NR 3-104(c)(4), NR 3-111, and Zoning Code §§ ZS 1-116(m)(1), located on Marshall Creek Road approximately 517 feet west of the terminus of Marshall Creek Road, Tax Map 49, Parcel 139, Lot 3, Tax District 4, Worcester County, Maryland. Kristen Tremblay read the application. Spencer Ayres-Cropper appeared as owner representative. Appearing as witness and providing testimony was Matthew Pyles-owner. There was no opposition present. Following the discussion, it was moved by Ms. Gismondi, seconded by Ms. Bowen and carried 4 unanimously to grant the variance as requested. The hearing ended at 7:43 PM.

The public hearing commenced at 7:44 PM on **Case No. 24-40**, on the lands of John Talbott, on the application of Ray Patel, requesting a special exception to allow multi-family dwelling units contained in, as a part of or attached to a principal commercial structure in the C-2 General Commercial District, pursuant to Zoning Code Sections §§ ZS 1-116(c)(3), ZS 1-210(c)(5) and ZS 1-325, located at 11006 & 11008 Manklin Meadows Lane, Tax Map 21, Parcel 266, Phases 3 & 4, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Ray Patel-contract purchaser and John Talbott-owner. Appearing in opposition was Greg Schnitzker-Manklin Meadows representative. Submitted as Opposition Exhibit No. 1 was an email from the Meadows at Manklin Creek President. Submitted as Opposition Exhibit No. 2 was the Southgate Crossing Office Condominium Declaration document. Submitted as Opposition Exhibit No. 3 was a copy of the unrecorded drainage easement plan between the Meadows at Maklin Creek Condominium and South Gate Crossing Condominium. Following the discussion, it was moved by Mr. Babcock, seconded by Ms. Gismondi and carried 4 to 1 to grant the special exception as requested with Mr. Furbay opposed. The hearing ended at 8:13 PM.

The public hearing commenced at 8:15 PM on **Case No. 24-45**, on the lands of Hugh Cropper, IV, requesting a special exception to allow a single family dwelling in the RP Resource Protection District, pursuant to Zoning Code Sections §§ ZS 1-116(c)(3) and ZS 1-215(c)(1), located on the north east corner of Boxiron Road and Truitt's Landing Road, Tax Map 80, Parcel 1, Lot 1, Tax District 2, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Greg Wilkins—surveyor, David Taylor and Katherine McGrady—contract purchasers. There was no opposition present. Following the discussion, it was moved by Mr. Furbay, seconded by Ms. Bowen and carried unanimously to grant the special exception as requested. The hearing ended at 8:19 PM.

The public hearing commenced at 8:20 PM on **Case No. 24-32**, on the lands of Build Pines, LLC, on the application of Hugh Cropper, IV, requesting a special exception to allow contractor shops, a variance to the right side yard setback from 50 feet to 44 feet (to encroach 6 feet) for a proposed contractor shop building, a variance to the right side yard setback from 50 feet to 45.5 feet and a variance to the left side yard setback from 50 feet to 36.5 feet for the conversion of an existing building to a contractor shop, in the A-2 Agricultural District, pursuant to Zoning Code Sections §§ ZS 1-116(c)(3), ZS 1-116(c)(4) and ZS 1-202(c)(13), located at 10529 Flower Street, Tax Map 25, Parcel 275, Tax District 3, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Frank Lynch, Jr.-surveyor, Rita Campbell-permitting consultant and Ben Sharp-owner. There was no opposition present. Submitted as Applicant's Exhibit No. 1 was the first page of the 2014 building permit for the existing pole building. Applicant's Exhibit No. 2 was a satellite view of the property. Following the discussion, it was moved by Ms. Gismondi, seconded by Mr. Furbay and carried 4-1 to grant the special exception and variances as requested with Mr. Babcock opposed. The hearing ended at 8:46 PM.

The public hearing commenced at 8:47 PM on **Case No. 24-21**, on the lands of Cellar House Farm, LLC, on the application of Hugh Cropper, IV, requesting a special exception to allow an Agritourism facility and the use of not more than thirty percent of the gross acreage of a lot or parcel, for the agritourism uses and structures, also requesting a special exception to allow the accessory use of a principal agricultural structure or use of land for the commercial hosting of non-agricultural functions and events in the A-1 Agricultural District, pursuant to Zoning Code Sections §§ ZS 1-116(c)(3), ZS 1-209(c)(9), ZS 1-201(c)(32), ZS 1-322, ZS 1-323 and ZS 1-325, located at 2634 Cellar House Road, Tax Map 69, Parcel 25, Tax District 7, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Robert Graham-owner. Kristina Watkowski represented the property owner. There was no opposition present. Submitted as Applicant's Exhibit No. 1 was a satellite view of the property. Submitted as Applicant's Exhibit No. 2 was a satellite view of the property. Submitted as Applicant's Exhibit No. 3 was a satellite view of the property. Submitted as Applicant's Exhibit No. 4 was a satellite view of the property with the event area as an overlay. Submitted as Applicant's Exhibit No. 5 was a photo collective from family parties. Submitted as Applicant's Exhibit No. 6 were letters of support from neighbors. Submitted as Applicant's Exhibit No. 7 was the Worcester County Vision

Statement. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Furbay and carried unanimously to grant both special exceptions as requested. The hearing ended at 9:13 PM.

The public hearing commenced at 9:14 PM on **Case No. 24-46**, on the lands of Frederick Eisenbrandt, on the application of Hugh Cropper, IV, requesting a special exception to allow the accessory use of a principal agricultural structure or use of land for the commercial hosting of non-agricultural functions and events in the A-1 Agricultural District, pursuant to Zoning Code Sections §§ ZS 1-116(c)(3), ZS 1-201(c)(32) and ZS 1-325, located at 11930 Ocean Gateway, Tax Map 26, Parcel 260, Tax District 10, Worcester County, Maryland. Kristen Tremblay read the application. Appearing as witness and providing testimony was Frederick Eisenbrandt—owner, Frank Lynch, Jr.—surveyor and Todd Peterson-neighbor. There was no opposition present. Submitted as Applicant’s Exhibit No. 1 was a Zoning map of the area. Submitted as Applicant’s Exhibit No. 2 was a satellite view of the property. Submitted as Applicant’s Exhibit No. 3 was a satellite view of the property. Submitted as Applicant’s Exhibit No. 4 was a 24” x 36” proposed site plan. Submitted as Applicant’s Exhibit No. 5 was the Worcester County Vision Statement. Following the discussion, it was moved by Ms. Gismondi, seconded by Ms. Bowen and carried 4-1 to grant the special exception, on the condition that all events must end by 10 pm, with Mr. Furbay opposed. The hearing ended at 9:42 PM.

#### **Administrative Matters**

With no further business before the Board, the meeting was adjourned at 9:46 PM.

Respectfully submitted,

***Cathy Zirkle***

Cathy Zirkle  
DRP Specialist III