

WORCESTER COUNTY PLANNING COMMISSION AGENDA
Wednesday, July 3, 2024

Worcester County Government Center, Room 1102
One West Market St.
Snow Hill, Maryland 21863

- I. Call to Order** (1:00 p.m.)

- II. Administrative Matters**
 - A.** Planning Commission Minutes – May 9, 2024 Work Session, June 6, 2024 and June 13, 2024 Regular Meeting Minutes
 - B.** Board of Zoning Appeals Agenda – July 11, 2024
 - C.** Technical Review Committee Agenda – July 10, 2024

- III. Site Plan Review**
 - A.** Sea Oaks Commercial Buildings 1&2 – Landscape Irrigation Waiver Request
Requesting waiver from landscape irrigation.

- IV. Text Amendment**

Amending the provisions for detached accessory buildings and off-street parking in campground subdivisions.

- V. Miscellaneous**

- VI. Adjournment**

**WORCESTER COUNTY PLANNING COMMISSION
REGULAR AND WORK SESSION
MEETING MINUTES – May 9, 2024**

Meeting Date: May 9, 2024

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jerry Barbierri, Chair
Phyllis Wimbrow, Vice Chair
Mary Knight, Secretary
Ken Church
Kathy Drew
Betty Smith
Marlene Ott

Staff

Jennifer Keener, Director, DRP
Matt Laick, Deputy Director, DRP
Cathy Zirkle, DRP Specialist III
Stu White, DRP Specialist II
Bob Mitchell, Director, EP

- I. Call to Order**
- II. Administrative Matters**
- A. Review and approval of minutes, April 4, 2024 and April 11, 2024**
As the first item of business, the Planning Commission reviewed the minutes of the April 4, 2024, meeting. Following the review, a motion was made by Ms. Ott to approve the minutes as submitted, Ms. Wimbrow seconded the motion, and the motion carried unanimously with Ms. Smith abstaining from the vote.
- As the next item of business, the Planning Commission reviewed the minutes of the April 11, 2024, work session. Following the review, a motion was made by Ms. Drew to approve the minutes as submitted, Mr. Church seconded the motion, and the motion carried unanimously with Ms. Wimbrow, Ms. Smith and Ms. Ott abstaining from the vote.
- B. Board of Zoning Appeals Agenda, May 9, 2024**
As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting scheduled for May 9, 2024. Ms. Zirkle was present for the review to answer questions and address concerns of the Planning Commission. No comments were forwarded to the Board.
- C. Planning Commission Vice Chair selection**
As the next item of business, the Planning Commission voted Mrs. Wimbrow as the vice chair to fill the remainder of the term vacated by the resignation of Mr. Rick Wells.
- III. Lot Modification – Whitetail Sanctuary – Isle of Wight/ Turville Creek PUD**
As the next item of business, the Planning Commission reviewed a proposed modification of a building envelope within the Isle of Wight/Turville Creek Planned Unit Development in Ocean Pines, located at 102 Port Arthur Court, Tax Map 21, Parcel 68, Section 15B, Lot 64. Mr. Frank Lynch, Jr., surveyor, was present for the review.

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Mr. Lynch explained that the lot was platted when Balfor Holdings developed several sections in Ocean Pines. As part of that process, they had non-tidal wetland and buffer impact permits from Maryland Department of the Environment that effectively expanded the building envelopes of multiple lots. On this lot, the improvements were not acted upon, and the original wetland permit expired. MDE requires that the owner must file a new application with a new wetland delineation, and the permit was issued on January 5, 2024. By virtue of the buffer and wetland impact approval, their building envelope was expanded. However, it requires Planning Commission approval because the building envelopes were reviewed and approved under the Planned Unit Development, with the setbacks established at the approved buffer. Therefore, the Planning Commission has authority to permit an expanded building envelope and then they will re-plat the lot with the revised setbacks.

Following the discussion, a motion was made by Mrs. Knight to approve the building envelope modification as presented. Mr. Church seconded the motion, and the motion carried unanimously.

IV. Design Guidelines and Standards – Waiver Requests

As the next item of business, the Planning Commission reviewed waiver requests associated with the commercial portion of the Sea Oaks Village Residential Planned Community, located at Sea Oaks Lane, Tax Map 26, Parcel 473, Lots A and B. Steve Murphy, managing member, Sea Oaks Village, Ronnie Carpenter, engineer, and Kristina Watkowski, attorney for the applicant, were present for the discussion.

Mr. Carpenter explained that the Maryland Department of Transportation State Highway Administration (MDOT SHA) did not want a crosswalk near the entrance to MD Route 611 due to the right-turn movement into the development. Relative to the early termination of the sidewalk at the southerly end of MD Route 611, Mr. Carpenter stated that the ground slopes downward into a depression. The applicant proffered to provide an easement as requested in the staff report for connection when the adjoining parcel is developed.

Mr. Murphy stated that he intends to install the interparcel connector to the adjoining property to the north (referred to as the Prettyman property). Regarding the crosswalk adjacent to Building Two, he didn't see a need for ramp access as the handicap accessible compliance for parking is at the front of each building.

Mr. Murphy explained that the lighting plan was modified in red. The electrician installed building lighting and freestanding lighting along Sea Oaks Lane as determined by Delmarva Power. There are streetlamps within the residential portion, and cobra-style poles installed in the commercial portion of the development. They stated that Delmarva Power requires 200' between light poles. Additional lighting was provided on the side and rear of the buildings to ensure the travelways and parking areas were well lit.

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Regarding the landscaping plan, it was noted that Mr. Bob Hand did the original landscape plan for the project. Upon construction, the landscaper recommended changes to the approved plan for survivability of the species and installing an additional buffer between the commercial area and the residential units. Mr. Murphy explained that the tenants in Building Two wanted visibility to MD Route 611, so they didn't plant anything along the property line. Instead of foundation plantings, planters will be provided and better maintained; the landscaping won't be stepped on. Lastly, the applicants requested a waiver to the informational kiosks within the community spaces. Mr. Murphy explained that they have installed a nice marquee sign where the business owners can advertise.

Mr. Barbierri noted that he remembered how involved the review was for the original plan, and that they worked very closely with Mr. Murphy and the design professionals. Many concessions were made on both sides, and now they are asking for more waivers. The Planning Commission went through each item and discussed it thoroughly, making the following findings:

1. The Planning Commission granted a waiver to the following items:
 - a. Item 1.a relative to the paver crosswalks with connection to the main sidewalks, upon a motion by Ms. Drew, seconded by Ms. Knight, and carried unanimously.
 - b. Item 1.b.i for the crosswalk at the front of Sea Oaks Lane, upon a motion by Ms. Drew, seconded by Ms. Knight, and carried unanimously.
 - c. Item 1.c relative to the changes in the lighting plan, upon a motion by Mrs. Wimbrow, seconded by Mr. Church, and carried unanimously.
 - d. Item 3 relative to the provision for informational kiosks at the community spaces, upon a motion by Mrs. Wimbrow, seconded by Ms. Drew, and carried unanimously.

2. The applicant must comply with the following items:
 - a. Item 1.a for the installation of the accessible curb cuts at the pedestrian walkway across Sea Oaks Lane adjacent to Building 2, upon a motion by Ms. Drew, seconded by Mrs. Wimbrow, and carried unanimously.
 - b. Item 1.b.ii to provide an easement for the remainder of the sidewalk at the southerly end of the sidewalk along MD Route 611, upon a motion by Ms. Knight, seconded by Ms. Ott, and carried unanimously.
 - c. Item 2.a all landscaping shall be provided per the 2019 approved landscape plan. Landscaping over and above that provided on the plan is encouraged to be retained, upon a motion by Mrs. Wimbrow, seconded by Ms. Smith, and carried unanimously.

V. Comprehensive Plan Work Session

As the next item of business, the Planning Commission met with Michael Bayer and Angela Fleck from Wallace Montgomery (attending virtually) to discuss the revised visioning statement for Worcester County's update to the Comprehensive Plan.

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Mr. Bayer explained that the intent of this meeting was to review and finalize the draft visioning statement and provide a refresher on the key issues that came out of the Public Engagement Report. At the next meeting, the first of the plan elements will be provided for review. As each chapter is drafted, the visioning statement and the key issues will be kept in mind for all analysis and discussions.

Mr. Bayer stated that they did a bit of wordsmithing regarding the changes requested at the last meeting, relative to recognizing the role that tourism has in the local economy. Ms. Knight, who acknowledged that she had raised the concern at the last meeting, agreed that this revised statement provided a nice integration of agriculture and tourism. After review, the Planning Commission accepted the updated vision statement.

In response to a question from Ms. Knight, Mr. Bayer confirmed that they have reviewed the comprehensive plans for Worcester County's municipalities, and they will integrate their elements with the county's plan to the extent possible. He noted that some of the municipalities were also in the process of updating their plans, but they will be coordinating with staff.

Next, the Planning Commission reviewed the summary of the key issues from the Public Engagement process. Mr. Bayer noted that there were eight key themes, which should be front of mind moving forward. The goals and objectives from individual chapters will incorporate these in different respects. The public engagement campaign resulted in a voluminous amount of public input and the main themes were ranked based on the amount of comment received.

Mr. Bayer also noted that there was an emerging issue at the state level that would be coinciding with the plan update. Maryland Department of Planning (MDP) is going to be updating the smart growth visions and recasting them as sustainable growth principles. The new principles will incorporate topics such as resiliency. This will be monitored as the Worcester County plan is updated, as it is possible that there will be comments provided in reaction to the sustainable growth vision statements during the state clearinghouse review.

Mr. Barbierrri recommended that they add a ninth item, which would focus on resiliency, such as the effects and significance of sea level rise over the next 10 years. Mr. Bayer encouraged the Planning Commission to submit comments throughout the process, and they will continue to keep the vision statement and the list of key issues handy as the guiding principles for the plan update. He explained that they prefer to work from the ground up and can identify plan goals and objectives that address those issues of concern. All input provided will be documented through the process.

Mr. Bayer noted that the next work session will consist of a review of the first few chapters of the plan. They have also completed the draft of the land use map. The next step will be to meet with staff to review the draft and make sure it is accurate. We will also address how to handle the incorporation of the potential land use map amendment that will be coming

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forward for their consideration. He explained that the Land Use Map is used for analysis within the various elements, and as changes are made to the map, there will be impacts to items such as infrastructure. The intent will be to present the Land Use map and chapter for comment, and they will continue to work on it in the background as chapters are developed. The map will then be revisited throughout the process. All comments received for the map and the plan will be collected, and then they will work with the board to decide what items they want to include. At the end, the Planning Commission will have an existing land use map, and a future land use map. Given the wide expanse of the county, this will be an involved process, and they want everyone to have a chance to weigh in. Staff noted that we will be continually updating the website with information and attending events throughout the summer to raise awareness.

VI. Miscellaneous

Mrs. Keener further explained the land use map amendment that was mentioned in the work session. This item will be presented to the Planning Commission at their next regular meeting. While there will be some overlapping in the planning processes, staff will try to keep the amendment and the new plan updates as separate as possible to prevent confusion.

VII. Adjourn

Mary Knight, Secretary

Jennifer Keener, Director

**WORCESTER COUNTY PLANNING COMMISSION
MEETING MINUTES – June 6, 2024**

Meeting Date: June 6, 2024

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Phyllis Wimbrow, Vice Chair

Mary Knight, Secretary

Marlene Ott

Kathy Drew

Betty Smith

Staff

Jennifer Keener, Director, DRP

Matt Laick, Deputy Director, DRP

Kristen Tremblay, Zoning Administrator

Bob Mitchell, Director, Environmental Programs

I. Call to Order

II. Administrative Matters

A. Board of Zoning Appeals Agendas, June 13, 2024

As the next item of business, the Planning Commission reviewed the agenda for the Board of Zoning Appeals meeting. Ms. Tremblay was present for the review to answer questions and address concerns of the Planning Commission.

No comments were forwarded to the Board.

B. Technical Review Committee Agenda, June 12, 2024

As the next item of business, the Planning Commission reviewed the agenda for the Technical Review Committee meeting. Ms. Tremblay was present for the review to answer questions and address any concerns of the Planning Commission.

No comments were forwarded to the Committee.

III. Architectural Review

CubeSmart Building 3 – Buas Mini Storage

Proposed three (3) story, 224-unit self-storage building. Kevin Aydelotte, Spiro Buas and Meghan Poulin presented the proposed third building to the existing CubeSmart mini storage facility located at 11750 and 11820 Ocean Gateway. They informed the Planning Commission that buildings one (1) and two (2) had already been constructed and were open to the public. Stormwater management has already been installed and approved for the entire development comprised of four (4) buildings in total across three (3) separate parcels. An ADA parking

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space will be provided on a revised site plan for the third lot according to Mr. Aydelotte. Staff had no additional comments to provide. The Planning Commission reviewed the waiver requests and noted that the third building is similar in style to the existing buildings on the site. Landscaping has already been installed. No concerns were raised by the Planning Commission for Design Guidelines and Standards for Commercial Uses under sections 5, 6, 7, 8, 9, 10, 13, 16, 17 and 19. No landscaping is proposed around building three (3) as it is surrounded by a drive aisle.

The Planning Commission noted that this building is set back further from the highway than the existing buildings and approval of the waivers would not be inconsistent with previous waivers granted for buildings one (1) and two (2).

On a motion made by Ms. Knight and seconded by Ms. Ott, the Planning Commission approved the proposed site plan for building three (3) with the waivers as requested.

IV. 2006 Comprehensive Plan Amendment

As the next item of business, the Planning Commission reviewed a requested 2006 Land Use Map Amendment associated with Parcels 32, 71, 79, 83, 84, 87, 88, 94, 97, 110, 111, 114, 219, 265 and 276 on Tax Map 21. Mark Cropper, Esquire and Michael Luppachini of Racetrack Plaza, LLC were in attendance. Mr. Cropper explained that the subject parcels were part of a sectional rezoning in 2018 wherein they were rezoned from E-1 Estate and A-1 Agricultural Districts to C-2 General Commercial Districts. The underlying land use designation on the 2006 Comprehensive Plan map is Agricultural. Mr. Cropper contends that the Worcester County Commissioners were unaware that the land use designation was inconsistent with the zoning, despite the information contained in memorandum and minutes from 2018. He further explained that until the land use designation is made consistent with the zoning classification, his client will be unable to apply for a Master Water and Sewerage Plan Amendment to obtain public water and sewer.

Mrs. Keener explained the process that the amendment will be required to follow, and noted several findings that were provided to the board in consideration of the most appropriate land use category. While Mr. Cropper stated that they did not need to rehash the findings of the sectional rezoning, Mrs. Keener noted that there had been additional transportation improvements made to MD Route 589 that the Planning Commission may find more supportive for the proposed land use change than they did during the rezoning process. In addition, they must make findings to justify any proposed change in land use designation.

Mr. Mitchell stated that the agricultural land use designation was meant to prevent the creep of infrastructure improvements into rural areas that are not necessarily suitable for more intense

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development. While it may be more suitable in this location, it does not mean that all 100 commercially zoned parcels that also have an underlying agricultural land use designation are incompatible. He also recommended that the portions of the parcels with the Resource Conservation Area Critical Area designation retain the agricultural land use designation.

Mrs. Wimbrow stated that she understands the timing, but thinks that opening the plan, especially when they are in the process of updating it in its entirety, is the wrong thing to do. However, if she were to support a change, she thinks it should be Existing Developed Area, not Commercial Center. Ms. Drew asked what the process would be should the Planning Commission decide to retain the Agriculture designation, and the process was briefly outlined.

Following the discussion, a motion was made by Ms. Knight to amend the 2006 Land Use Map for the affected parcels from Agriculture to Commercial Center land use designation. Ms. Drew seconded the motion, and it carried 3 to 2 with Mrs. Wimbrow and Ms. Ott opposed.

V. Adjourn

On a motion made by Ms. Knight and seconded by Ms. Drew, the Planning Commission adjourned.

Mary Knight, Secretary

Kristen M. Tremblay, AICP, Zoning Administrator

**WORCESTER COUNTY PLANNING COMMISSION
WORK SESSION
MEETING MINUTES – June 13, 2024**

Meeting Date: June 13, 2024

Time: 1:00 P.M.

Location: Worcester County Government Office Building, Room 1102

Attendance:

Planning Commission

Jerry Barbierri, Chair
Phyllis Wimbrow, Vice Chair
Mary Knight, Secretary
Ken Church
Kathy Drew
Betty Smith
Marlene Ott

Staff

Jennifer Keener, Director, DRP
Matt Laick, Deputy Director, DRP
Kristen Tremblay, Zoning Administrator, DRP

I. Call to Order

II. Comprehensive Plan Work Session

As the next item of business, the Planning Commission met with Michael Bayer and Nicole Wiley from Wallace Montgomery (attending virtually) to discuss Chapters 1, ‘Introduction’ and 2, ‘County Profile’ of the draft Worcester County Comprehensive Plan.

Mr. Bayer explained that this was the first cut on the initial chapters, and he expected that the chapters will evolve as the Planning Commission goes through each of the plan elements. As the plan evolves, there may be a more specific focus that the plan will take and that can be revisited and updated in the Introduction chapter.

The Planning Commission identified several areas that they would like to see clarification or revisions, either in these chapters, or elaborated in other chapters, such as:

- Providing additional information on the historical places of interest.
- Updating the maps and data charts to reflect the location of the larger unincorporated villages and areas such as Ocean Pines and West Ocean City.
- Updating the charts in Chapter 2 to focus on the county and state comparisons, rather than only including one municipality. Mr. Bayer also noted that given the variation in population across the county, there may be a need to highlight a certain area’s population relative to certain topics in upcoming chapters.
- Adding language about the population variance due to seasonality, and the general impacts that can have on the community at large.
- Keeping important topics such as wind turbine discussions in mind as chapters such as Natural Resources are developed.
- Mr. Bayer noted that they are also going to add another table that includes historical long-range population data for context.

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Additional comments may continue to be forwarded to staff for compilation into one (1) draft document.

Mr. Bayer noted that the next steps will be to review the existing Land Use Map, which they have developed keeping the potential map amendment in mind. They will utilize this information for the technical analysis that will be required for chapters such as the Water Resources Element. In that vein, the Planning Commission requested an update on the status of the Water and Sewerage Plan.

Mr. Bayer noted that we will also be coordinating discussions with the municipalities as the land use map is updated, and the Planning Commission may want to invite them to a meeting to work on any potential topics together.

Following the discussion, staff walked the Planning Commission through the website updates, where the draft chapters of the plan will be available, along with a comment portal for the public. The Planning Commission requested that it be made very clear that these documents were in draft form only, and subject to change.

Staff noted that the findings for the Comprehensive Plan Land Use Map Amendment that was reviewed at the June 6, 2024, meeting has been submitted to the state for clearinghouse review, and the Planning Commission public hearing will be scheduled for Thursday, September 5, 2024.

III. Adjourn

Mary Knight, Secretary

Jennifer Keener, Director

**NOTICE OF PUBLIC HEARING
WORCESTER COUNTY
BOARD OF ZONING APPEALS**

AGENDA

THURSDAY JULY 11, 2024

Please be advised that the Board will not be conducting a public hearing

**WORCESTER COUNTY TECHNICAL REVIEW COMMITTEE
AGENDA**

Wednesday, July 10, 2024 at 1:00 p.m.

**Worcester County Government Center, Room 1102, One West Market Street,
Snow Hill, Maryland 21863**

There are no items for review on the agenda, therefore no meeting will be held.

WORCESTER COUNTY PLANNING COMMISSION

MEETING DATE: July 3, 2024

PURPOSE: Code Requirement Waiver Request – Landscaping Irrigation

DEVELOPMENT: Sea Oaks Commercial Buildings 1&2

PROJECT: Developed 12,00 square foot and 11,480 square foot retail and contractor shops, Westerly side of MD Route 6111 (Stephen Decatur Highway), north of Sinepuxent Road, Tax Map 26, Parcel 473 Lots A & B, Tax District 10, C-1 Neighborhood Commercial District (RPC Overlay Zone).

LOCATION: Located at 12472 and 12475 Sea Oaks Lane (along Stephen Decatur).

ZONING DESIGNATION: A-1 Agricultural

BACKGROUND: Building 2 has been completed, and Building 1 is still under construction. The property owners are requesting a waiver to the landscaping irrigation requirements as found in ZS1-322(b)(7).

PLANNING COMMISSION CONSIDERATIONS:

- According to §ZS 1-322(b)(7), all landscaped areas are required to be readily accessible to a water supply and provided with an automatic irrigation system with rain sensors.

A waiver to this code requirement is being requested.

OWNER: 12742 Sea Oaks LLC and 12745 Sea Oaks LLC

APPLICANT/DEVELOPER: Sea Oaks LLC

ENGINEER: Ronnie Carpenter

PREPARED BY: Kristen M. Tremblay, AICP, Zoning Administrator



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Worcester County Planning Commission
From: Jennifer Keener, AICP, Director
Date: June 21, 2024
Re: Text Amendment Application – Amending the provisions for detached accessory buildings and off-street parking in campground subdivisions

Tracey Barnhart, owner of a campsite within White Horse Park, has submitted a text amendment application to amend the campground subdivision regulations pertaining to detached accessory buildings and off-street parking requirements. A copy of the draft bill language is attached for your consideration.

As is the case with all text amendment applications, the application was distributed to staff for review and comment. The Planning Commission shall review the request and make a recommendation to the Worcester County Commissioners (favorable or unfavorable) and can make recommendations for changes to the proposed language. If at least one County Commissioner introduces the amendment as a bill, then a public hearing date will be set for the Commissioners to obtain public input prior to acting on the request.

BACKGROUND

There are only two campground subdivisions in Worcester County – White Horse Park (465 lots) and Assateague Pointe (529 lots). New campground subdivisions are prohibited. Currently, one detached accessory building is permitted at a maximum size of 8' by 10', with sheds as the predominant type. The application stems from recent requests to permit buildings such as gazebos, canopies, pergolas, etc. within campground subdivisions. DRP was unable to process a permit application due to the size, as well as the fact that the gazebo was a second accessory building. White Horse Park notified the department of all lots in the park with a similar unpermitted building, and a complaint was filed against Assateague Pointe for similar buildings. Inspections were conducted of both campground subdivisions and notices were sent to the owners. Various aspects of the proposed bill language were included by the applicant to capture as many existing circumstances as possible.

DISCUSSION AND RECOMMENDATIONS

It is important to keep in mind that lots within campground subdivisions are much smaller than a traditional residential building lot (the smallest of which is a minimum of 5,000 square feet in the R-4 District). Lot area equivalency in a campground subdivision requires a 50' wide by 60' deep

rectangle on each site, resulting in a minimum lot area of 3,000 square feet. However, White Horse Park is exempted from this provision in the law based upon its date of platting and has a typical lot area between 2,000 square feet to 2,500 square feet, with those same lots measuring 40' to 45' wide. Assateague Pointe is not exempt; the typical lot area is between 3,000 square feet to 3,500 square feet. In each park, there are sites with greater lot area due to corner lots and cul-de-sac placement.

To give you a little perspective of what can be constructed on a site within a campground subdivision today, units can consist of a recreational vehicle, park trailer, manufactured home, or modular home. Additions may consist of screen porches, vinyl tech rooms, or three season rooms. The total gross floor area of the unit and additions cannot exceed 750 square feet. Open decks are also allowed, and do not count towards the square footage calculations. Two parking spaces must be able to be accommodated on the site itself, each 10' wide by 20' deep. One detached accessory building is permitted at a maximum size of 8' by 10'. Features such as umbrellas, pop-up tents, sunshades, and other temporary shade items are allowed without a permit.

Over the years we have seen the progressive expansion of uses within various types of campgrounds. For example, in cooperative campgrounds, amendments were approved to allow open decks to be enclosed into screen porches, which then evolved into plastic enclosures (vinyl tech rooms). There have been requests in different types of campgrounds for additional living space and extended occupancy. Each modification enhances the sense of permanency within these seasonal campgrounds. Staff are concerned that this amendment opens the door to similar future requests and removes many of the protections that are in place for fire separation, emergency personnel access and health considerations. As there are multiple aspects to the proposed amendment, I have broken them down into different sections. You will find the attached staff comments incorporated into the report.

Accessory Buildings

One detached accessory building is allowed per campsite, provided they are no larger than 8' by 10' in size. The proposed amendment would allow an additional unenclosed detached accessory building that is 12' by 12' maximum in size. Such buildings are proposed to allow a roof cover, but cannot be enclosed with any material (screening, vinyl, or solid walls). Many of the buildings that are the subject of this amendment are metal framed canopies or gazebos with either metal or canvas roof coverings. Staff would reiterate that features such as umbrellas, pop-up tents, sunshades, and other temporary shade items would not count as an accessory building and would be allowed without permit.

Given the size of the lots, staff may be supportive of modifying the size of the accessory building to 12' by 12' but do not support establishing a provision that would allow a second accessory building.

Setbacks and Separation Distances

In a campground subdivision, the zoning code requires a 10' front yard setback (but no side or rear yard setbacks) and a six-foot separation distance between accessory buildings and other buildings on the same or adjoining sites. However, an appeal of the interpretation of DRP to the Board of Zoning Appeals in 1996 resulted in an overturning of the separation provision (letters attached). Therefore, no distance applied in the Zoning Code until it was amended in 2009. However, there are numerous sheds that were permitted in between or have been replaced in kind that do not meet the

six-foot separation distance. The applicant is asking to remove the separation distance requirement in its entirety. This would apply not only to the newly installed unenclosed buildings, but also to the placement of new sheds.

The purpose of the separation distance requirement is to ensure adequate egress from the dwelling unit, allow access between buildings in the event of an emergency and slow the spread of fire between buildings. Even though the second accessory building is proposed to remain unenclosed, that does not mean that there will not be impediments in the way, such as patio furniture, or the accessory building itself if abutted to the main unit (a shed or a gazebo). This amendment also affects adjoining property owner's rights in that they will not have a say in whether their neighbor can place a shed or gazebo up to their property line, or even abutting their own accessory structure.

Staff recognizes that the six-foot separation distance may be a significant barrier to the installation of new detached accessory buildings on the smallest of lots. However, we do not support the complete elimination of the separation distance. The Planning Commission and County Commissioners should consider whether something along the lines of a three-foot separation distance would be more appropriate and consistent with past applications.

Parking requirements

Lastly, the draft language proposes reducing the required parking from two spaces to one space on the campsite. The maximum allowed parking would be reduced to two spaces overall (from 2.5), and if a second space was wanted or required for a short-term rental situation, then it could be provided within a common parking area within 600 feet of the campsite. The applicant's intent is to allow those owners with limited space on their campsite to permit a second accessory building in what is now considered a required parking space. Most common parking areas are found near community facilities to serve the particular use (marinas, clubhouses, pools, etc.), and are not designed to support such overflow parking, nor to be dedicated for lots as would be required for a rental situation.

We do not support the reduction of the required parking from the two-space minimum. With limited common parking areas available, and a significant number of units within each park, this has the potential to cause internal road congestion and limit emergency vehicle access if additional vehicles are parked within the road right-of-way.

As always, I will be available at your upcoming meeting to discuss any questions or concerns that you have regarding the proposed amendment.

cc: Roscoe Leslie, County Attorney
Matt Owens, Chief Fire Marshal and Director, Em. Services
Matthew Laick, GISP, Deputy Director
Kristen Tremblay, AICP, Zoning Administrator

A BILL ENTITLED

AN ACT Concerning

Zoning – Detached Accessory Buildings and Off-Street Parking in Campground Subdivisions

For the purpose of amending the Zoning and Subdivision Control Article to allow two detached accessory buildings on each campsite and modifying the off-street parking requirements to only require one space per campsite in a campground subdivision.

Section 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-318(d)(1)E. of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- E. One enclosed and one unenclosed detached accessory building may be located on each campsite in a campground subdivision.
1. An enclosed building shall not exceed eight feet by ten feet in size.
 2. An unenclosed building shall not exceed twelve feet by twelve feet in size. Such structures may be covered with a roof but not enclosed with any material.
 3. Minimum lot requirements shall be: front yard setback, ten feet. No side or rear yard setbacks shall apply. There shall be no minimum separation distance required from buildings or structures on the same lot or any other lot.
 4. No accessory building may be used for human habitation or sleeping quarters, nor contain plumbing or plumbing fixtures.

Section 2. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that Subsection § ZS 1-318(d)(1)G. of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland be repealed and reenacted to read as follows:

- G. There shall be at least one off-street parking space but no more than two parking spaces for each campsite. At least one parking space must be provided on the campsite. Any additional parking may be provided in common parking areas located within six hundred feet of the campsite.

Section 3. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that the off-street parking requirements contained in Subsection § ZS 1-320(a) of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County, Maryland for “campground subdivisions or cooperative campground subdivisions” as prescribed under the “Recreational uses” Use Category be repealed and reenacted to read as follows:

Use Category	Minimum Motor Vehicle Spaces Required	Maximum Motor Vehicle Spaces Required	Bicycle Spaces Required
Recreational uses:			
Campground subdivisions or cooperative campground subdivisions	1 per campsite, each on the campsite	2 per campsite, with at least 1 on the campsite	N/A for campground subdivisions; 1 rack and each amenity area, bathhouse, store or other facility which is commercial in nature in cooperative campground subdivisions

Section 4. BE IT FURTHER ENACTED BY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, that this Bill shall take effect forty-five (45) days from the date of its passage.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

GOVERNMENT CENTER
ONE WEST MARKET STREET, ROOM 1201
SNOW HILL, MARYLAND 21863
TEL: 410.632.1200 / FAX: 410.632.3008

<http://www.co.worcester.md.us/departments/drp>

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

TO: Jennifer Keener, Director
FROM: Matthew Laick, GISP, Deputy Director
DATE: June 10, 2024
RE: Text Amendment Application – Amending the provisions for detached accessory buildings and off-street parking in campground subdivisions

Reviewing the Text Amendment brings several concerns to mind. I will review each below.

1. Separation Distance – With a 0 ft separation distance there is no buffer for a fire block. If several buildings have a 0 ft separation distance and one of those buildings is a residence, then I would suggest both walls have a 1-hour fire-resistance rating on all adjacent buildings. If one of those building is open such as a gazebo then the supporting structure and roof should also have a 1-hour fire-resistance rating
2. Size and number of accessory structures – With lot sizes in campground subdivisions relatively small, most of the lot area is taken by the primary residence. By having two additional structures on the lot, you will end up covering your entire lot with structures. When building on a traditional lot you have a maximum lot area that you are allowed to cover, that same principle will not work in a campground subdivision due to the small lot size. But that does not mean you should cover 100% of your space located within the setbacks.
3. Location of Accessory Structures – With the second accessory structure having a maximum dimension of 12ft x 12ft will limit the location that the structure can be placed. I would suspect that many of these structures will start to be in the parking area and potentially block easy access to residence by emergency responders. The code may say that there cannot be any sides to the structure but then the question becomes of what is under the structure. Outside furniture such as couches, chairs, tables, etc... Could become a roadblock to anyone needing to get quick access to inside the residence.

4. Parking – as discussed in number 3 above. Reducing the parking minimum to 1 spot per campground lot will increase the need for on-street parking or the need for additional parking in other locations. In today's age when owners rent either short term or long term it seems in Worcester County parking issues arise. Renters do not show up with only one car. With narrow streets on-street parking can become an issue with not having enough room for fire units to safely move through the campground.



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ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

MEMORANDUM

To: Jennifer K. Keener, AICP, Director; Matthew Laick, GISP, Deputy Director
From: Kristen M. Tremblay, AICP, Zoning Administrator
Date: June 10, 2024
Re: Zoning Ordinance Proposed Text Amendment – Amending the provisions for detached accessory buildings and off-street parking in campground subdivisions.

.....
Thank you for providing me with an opportunity to comment on the proposed text amendment requested by Tracey Barnhart.

The proposal seeks to increase the overall amount and size of accessory structures throughout the Campground Subdivisions and the ability to relocate one (1) required parking to another area of the campground.

I do not believe that the text should be amended at this time for the following reasons:

1. **Parking:** Removal of the second parking space is not recommended. While some owners may only use one (1) space regularly, any guests would create demand for additional parking and may attempt to park on-street or in dedicated parking spaces (see below).
 - a. For short-term rentals, an additional parking space is needed for new units. In the event that a property owner replaces their unit a second parking space would need to be provided. If relocated to another location at the campground, it would need to be specifically for the unit in which the space is relocated from. It may be difficult to not only find adequate places to put the second space, but to have them dedicated and reserved for specific units could be problematic.
2. **Number of Structures:** Not only do these parcels have a manufactured home, but they may also have an enclosed porch, patio or deck, and a shed already. The addition of another structure, of a larger size (12'x12') than already permitted (8'x10') to already congested, small-sized properties is ill-advised. Please note that there are other alternatives for shade that are not considered structures under the Zoning Code (more on next page). Additionally, awnings attached to the manufactured home would also be permitted, provided that a building permit with engineered drawings is approved.
3. **Setbacks and Separation Distances:** Full-time residents of the County do not have such instances of no setbacks or separation distances in any other parts of the code to my knowledge. A variance for hardship relief from setbacks may be requested, but is not guaranteed, from the Board of Zoning Appeals and is addressed on a case-by-case basis. The removal of both separation distances and setbacks from the code could create a situation where multiple sheds

and gazebos/ pergolas are clustered closely together in an effort to create more space for the additional accessory structure.

New Campground Subdivisions are not permitted. If the Commissioners choose to amend the code, it will only affect the Assateague Pointe and White Horse Park Campground Subdivisions.

Temporary Shade items are not considered structures and can be used in lieu of a pergola or gazebo. Examples include umbrellas, outdoor day-beds with awnings, pop-up canopies (foldable) and sunshades/sails and removed when not in use. Awnings attached to the manufactured home may also be permissible with a building permit.

Please let me know if you have any other questions.



DEPARTMENT OF
DEVELOPMENT REVIEW AND PERMITTING

Worcester County

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ZONING DIVISION
BUILDING DIVISION
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION
CUSTOMER SERVICE DIVISION
TECHNICAL SERVICES DIVISION

MEMORANDUM

To: Roscoe Leslie, County Attorney
Kristen Tremblay, AICP, Zoning Administrator
Matthew Laick, GISP, Deputy Director
Matthew Owens, Fire Marshal

From: Jennifer Keener, AICP, Director

Date: April 30, 2024

Re: Text Amendment Application – Amending the provisions for detached accessory buildings and off-street parking in campground subdivisions

Tracey Barnhart, owner of a campsite within White Horse Park, has submitted a text amendment application to amend the campground subdivision regulations pertaining to detached accessory buildings and off-street parking requirements. A copy of the draft bill language is attached. The applicant will not be available for the June meeting, therefore, please send any comments you may have on the application by **Wednesday, June 12, 2024**, so that I may finalize the staff report should she be ready for the July 3, 2024, Planning Commission meeting.

The amendment stems from recent requests to permit a second detached accessory building, specifically gazebos, canopies, pergolas, etc. within campground subdivisions. Currently, one detached accessory building is permitted at a maximum size of 8' by 10', with the predominant type being sheds. As drafted, the unenclosed building could be up to 12' by 12' in size.

The applicant is seeking the elimination of the six-foot separation distance between accessory buildings and other buildings on the same or adjoining sites. An appeal of the interpretation of the department to the Board of Zoning Appeals in 1996 resulted in an overturning of the separation distance provision (letters attached). Therefore, there was no separation distance applied until the Zoning Code was comprehensively amended in 2009. However, there are numerous sheds that were permitted prior to 2009 or have been replaced in-kind that do not meet the separation distance.

Lastly, the draft language proposes reducing the required parking from two spaces to one space provided on the campsite. The maximum parking would be reduced to two spaces overall (from 2.5), and the second space could be provided within a common parking area within 600 feet of the campsite. The intent is to allow those owners with limited space on their campsite to permit these structures without impeding the currently required second parking space.

If you have questions or need additional information, please let me know.

Current Zoning Code provisions

Campground subdivisions

§ ZS 1-318(d)(1)E:

“One detached accessory building, not to exceed eight feet by ten feet in size, may be located on each campsite in a campground subdivision. Accessory buildings may not be located in the front yard setback but are not subject to other setback requirements but shall be separated by not less than six feet from any other recreational vehicle, recreational park trailer, cabin or other structure on the same lot or any other lot. No accessory building may be used for human habitation or sleeping quarters. No accessory building may contain plumbing or plumbing fixtures.”

§ ZS 1-318(d)(1)G:

“There shall be at least two off-street parking spaces but no more than two and one-half parking spaces for each campsite. At least two of the parking spaces must be provided on the campsite. Any additional parking may be provided in common parking areas located within six hundred feet of the campsite.”

Off-street parking areas

§ ZS 1-320(a):

Use Category	Minimum Motor Vehicle Spaces Required	Maximum Motor Vehicle Spaces Required	Bicycle Spaces Required
Recreational uses:			
Campground subdivisions or cooperative campground subdivisions	2 per campsite, each on the campsite	2.5 per campsite, with at least 1 on the campsite	N/A for campground subdivisions; 1 rack and each amenity area, bathhouse, store or other facility which is commercial in nature in cooperative campground subdivisions

IN THE MATTER OF ASSATEAGUE
POINTE, INC. BEFORE THE BOARD
OF ZONING APPEALS FOR
WORCESTER COUNTY, MARYLAND

*
*
*
*

Case No: 44076

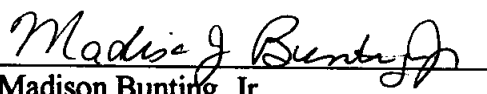
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OPINION

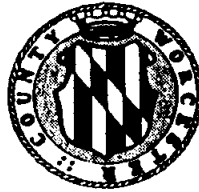
A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland, on Thursday, January 11, 1996, upon the application of Assateague Pointe, Inc. appealing the decision of the Department that the separation requirement between buildings on the same lot, as outlined in Section ZS 1-304(p), is not a setback requirement, and therefore, applies to campground subdivisions. The applicant contends that the separation requirement is a setback and therefore does not apply to camp ground subdivisions pursuant to Section ZS 1-312(d).

Upon consideration of this issue, the Board has determined that Section ZS 1-304(p) is infact a setback requirement from which the applicant is exempt pursuant to Section ZS 1-312(b). Accordingly, upon motion made by Mr. Marshall, and seconded by Mr. Widgeon, the Board unanimously passed the following resolution:

BE IT RESOLVED, that the applicant is exempt from the requirements of Section ZS 1-304(p).


Madison Bunting, Jr.,
Chairman

Date: 2/18/1996



EMERGENCY SERVICES

Worcester County

ROOM L - 14 COURT HOUSE
ONE WEST MARKET STREET

SNOW HILL, MARYLAND 21863-1000

TEL: 410 - 632 - 1311

FAX: 410 - 632 - 2141

January 25, 1996

EDWARD S. CROOPER
DIRECTOR

Resort Homes
C/O Troy Purnell
Stephen Decatur Highway
Berlin, MD. 21811

RE: Assateague Pointe accessory building fire separation

Troy,

In regard to the separation between the accessory buildings (outside storage sheds) and the adjoining structures not on the same property I offer the following opinion. After making a physical inspection, it is my opinion the separation between the accessory buildings and the adjoining structures do not constitute a life threatening situation. Although NFPA 501A, *Standard for Fire Safety Criteria for Manufactured Home Installations, Sites and Communities*. Section 4-4.1 of NFPA 501A states; "*Accessory buildings or structures shall be permitted to be located immediately adjacent to a site line where constructed entirely of materials that do not support combustion and provided that such buildings or structures are not less than 3 feet from an accessory building or structure on an adjacent site. An accessory building or structure constructed of combustible materials shall be located not closer than 5 feet from the site line of an adjoining site.*"

Section 4-4.2 states; "*Every habitable room in an accessory building or structure shall have access to at least one exterior opening suitable for exiting directly to the outside without passing through the manufactured home.* As we discussed, placement of the accessory buildings shall not impede the exit access described in section 4-4.2.

My ruling will apply to the accessory buildings already in place and the remainder of the Assateague Pointe project. However with future projects, NFPA 501A will apply.

If I can be of any further assistance please don't hesitate to call.

Sincerely,

Edward S. Cropper
Fire Marshal

cc: Wally Waynick, Chief of Inspections, Worcester County PPI

wa/ly

David C. Gaskill
Attorney at Law
4100 Coastal Highway
P.O. Box 210
Ocean City, Maryland 21842

FAX
(410) 289-9160

Telephone
(410) 289-5006

January 16, 1996

Madison Bunting, Jr., Chairman
Worcester County Board of Zoning Appeals
Courthouse, Room 116
One W. Market Street
Snow Hill, Maryland 21863

Re: Assateague Pointe, Inc.
Case No. 44076

Dear Mr. ^{Jim}Bunting:

At the direction of the Board, I have been given the unenviable task of advising as to my opinion concerning the issue raised by Assateague Pointe, Inc. in the above referenced case. I will now do so.

Section ZS 1-312(d), concerning accessory buildings on campground sites located in a campground subdivision, provides that "[a]ccessory buildings may not be located in the front yard setback but are not subject to other setback requirements."

Section ZS 1-304(p)(2) provides that "[a]ccessory buildings shall be distant at least six (6) feet from any other building on the same lot"

The Applicant, Assateague Pointe, Inc., contends that 1-304(p)(2) is a setback requirement from which it is exempt. The Department contends that 1-304(p)(2) is a "separation" requirement, not a setback requirement. Accordingly, its position is that Assateague Pointe is not exempted from compliance with 1-304(p)(2).

The Department has relied upon the definition of "setback line" provided in Md. Code, *Courts and Judicial Procedures Article, §5-114 (a) (7)*, which provides that "setback line means the distance from a curb or shoulder of a highway, edge of a sidewalk, or property line beyond which any portion of a building or structure may not extend." Upon reflection, I believe that the Department's reliance on this section is misplaced. The section concerns a statute of limitations on bringing an action for violation of setback provisions. There are setback provisions in the zoning ordinance, i.e., stormwater management facilities, which oftentimes do not fit within this definition. The Department contends, and I believe rightfully so, that the purpose of 1-304(p)(2) is to provide for fire safety. Under rules of statutory construction, however, a statutory purpose is to be determined from the words of the statute itself, without resort to outside sources, unless the words are ambiguous. There is no ambiguity in 1-304(p)(2).

Sections 1-304(b), (c) and (d) set forth the method for determining front, rear and side yard setback lines, respectively. Section 1-304(e) provides as follows:

Determination of setback lines other than front, side and rear yard. Setbacks or buffer strips required by this Title, other than front, side and rear yard setbacks, shall be measured as the shortest distance between the point or line measured from any point on the use or structure subject to such setback requirement.

This section contemplates setback requirements other than the traditionally recognized yard setbacks, as indeed there are other types of setbacks in the zoning ordinance. Whether you call a "distance requirement" a setback or a separation, the result is the same. A use or structure may not extend into the prohibited area.

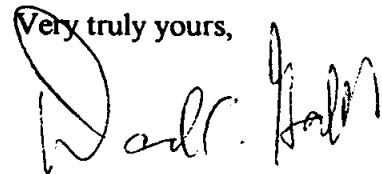
While I am not an architect, surveyor, engineer or any other type of expert, I simply have a problem in reconciling the Department's interpretation of 1-304(p)(2) with the requirements of 1-312(c)(1)(L.). That section requires each campsite to be 50 feet in width and 60 feet in depth. It also requires minimum setbacks of 10 feet in the frontyard, 7 feet in the left side yard, 3 feet in the right side yard and 7 feet in the rear yard. A copy of a site plan provided by Assateague Pointe is attached hereto. It seems to me that if a 6 foot separation requirement is applied, that in most instances it will be impossible to place a 8' by 10' accessory building as allowed by 1-312(d).

Finally, I am of the opinion that to hold that 1-304(p)(2) is a separation requirement rather than a setback requirement would be to champion form over substance. As the Court of Appeals stated in *Aspen Hill Venture v. Montgomery County*, 265 Md. 303, 313-14 (1972),:

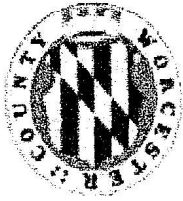
In such a situation we must not forget the underlying principle that, "Such ordinances [zoning ordinances] are in derogation of the common law right to so use private property as to realize its highest utility, and while they should be liberally construed to accomplish their plain purpose and intent, they should not be extended by implication to cases not clearly within the scope of the purpose and intent manifest in their language."

The reality of this situation is that 1-304(p)(2) operates as a setback requirement. While the intent of the legislative body in enacting the section may well have been to provide for fire safety, that intent is not evident from a plain reading of the ordinance. Reluctantly, I conclude that campsite accessory buildings are exempt from the requirements of ZS 1-304(p)(2). I would, however, urge the Department to continue to seek a text amendment to somehow address the issue of fire safety in this area.

Very truly yours,



David C. Gaskill



Worcester County Commissioners
Worcester County Government Center
One W. Market Street, Room 1103
Snow Hill, Maryland 21863

**PETITION FOR AMENDMENT TO THE OFFICAL TEXT
OF THE ZONING AND SUBDIVISION CONTROL ARTICLE**

(For Office Use Only – Please Do Not Write in this Space)

Date Received by Office of the County Commissioners _____

Date Received by Development Review and Permitting April 29, 2024

Date Reviewed by the Planning Commission July 3, 2024

I. Application: Proposals for amendments to the text of the Zoning and Subdivision Control Article may be made by any interested person who is a resident of Worcester County, a taxpayer therein, or by any governmental agency of the County. Check applicable status below:

- a. Resident of Worcester County: _____
- b. Taxpayer of Worcester County: ✓
- c. Governmental Agency: _____
(Name of Agency)

II. Proposed Change to Text of the Zoning and Subdivision Control Article

- a. Section Number: ZS 1-318(d)(1)E: (Campground Subdivisions)
- b. Page Number: _____
- c. Proposed revised text, addition or deletion:
Please see attached amendment

III. Reasons for Requesting Text Change:

- a. Please list reasons or other information as to why the proposed text change is necessary and therefore requested:

Please see Attached document

IV. Signature of Applicants

Signature(s): Tracy L Barnhart

Printed Name(s): Tracey L Barnhart

Mailing Address: 4103 Belle Farms Court

Phone Number: 410-262-8990 Pylesville, MD. 21132

Email: brittysmom4ever@AOL.COM

Date: 4/29/2024

V. Signature of Attorney

Signature: _____

Printed Name: _____

Mailing Address: _____

Phone Number: _____

Email: _____

Date: _____

VI. General Information Relating to the Text Change Process

- a. Applications for text amendments shall be addressed to and filed with the Office of the County Commissioners. The required filing fee must accompany the application.

Current language in § ZS 1-318(d)(1)E:

“One detached accessory building, not to exceed eight feet by ten feet in size, may be located on each campsite in a campground subdivision. Accessory buildings may not be located in the front yard setback but are not subject to other setback requirements but shall be separated by not less than six feet from any other recreational vehicle, recreational park trailer, cabin or other structure on the same lot or any other lot. No accessory building may be used for human habitation or sleeping quarters. No accessory building may contain plumbing or plumbing fixtures.”

Second Rough Draft Proposed:

- E. One enclosed and one unenclosed detached accessory building may be located on each campsite in a campground subdivision.
 - 1. An enclosed building shall not exceed eight feet by ten feet in size.
 - 2. An unenclosed building shall not exceed twelve feet by twelve feet in size. Such structures may be covered with a roof but not enclosed with any material.
 - 3. Minimum lot requirements shall be: front yard setback, ten feet. No side or rear yard setbacks shall apply. There shall be no minimum separation distance required from buildings or structures on the same lot or any other lot.
 - 4. No accessory building may be used for human habitation or sleeping quarters, nor contain plumbing or plumbing fixtures.

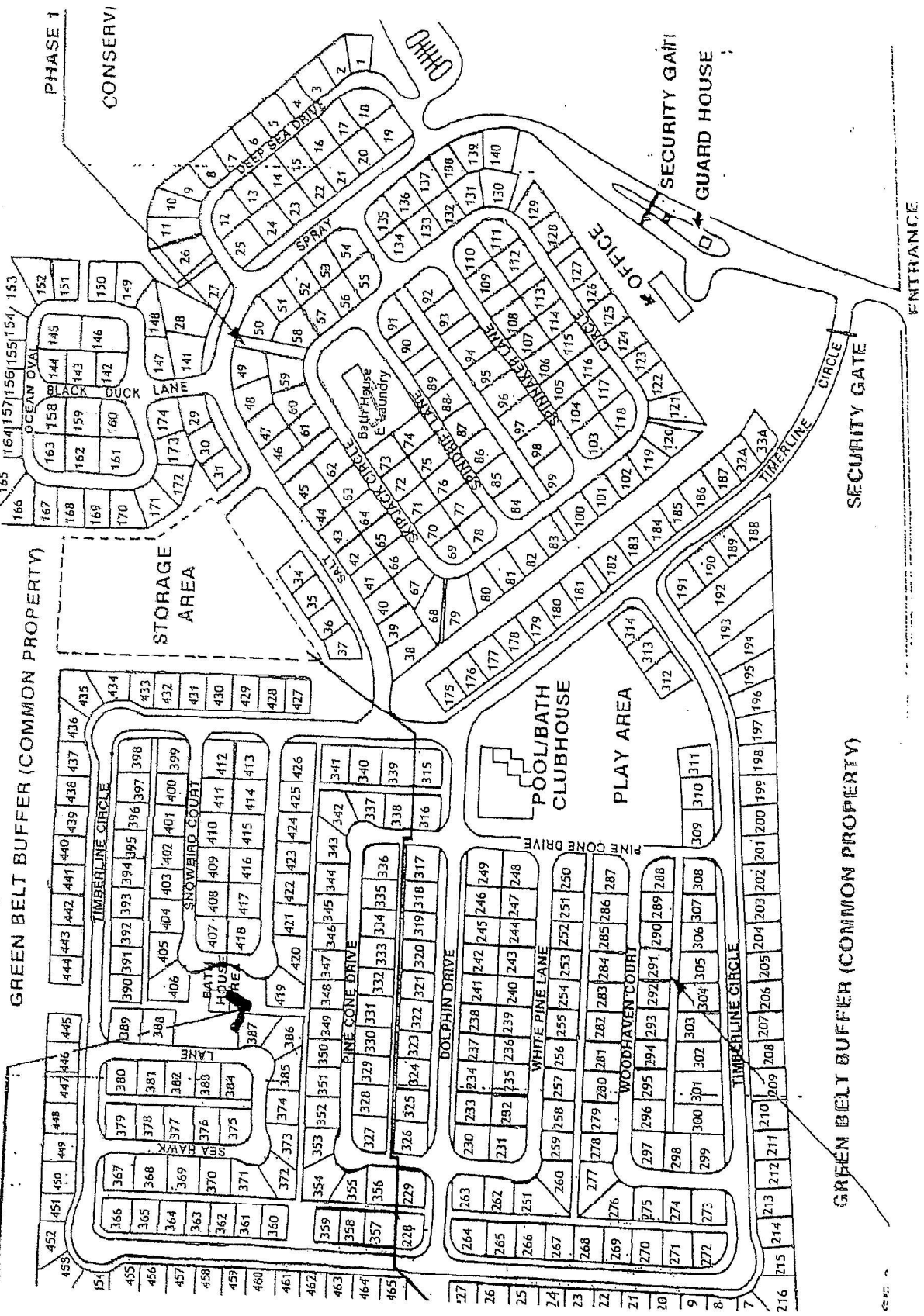
- G. There shall be at least one off-street parking space but no more than two parking spaces for each campsite. At least one parking space must be provided on the campsite. Any additional parking may be provided in common parking areas located within six hundred feet of the campsite.

Reasons for Requesting Text Change:

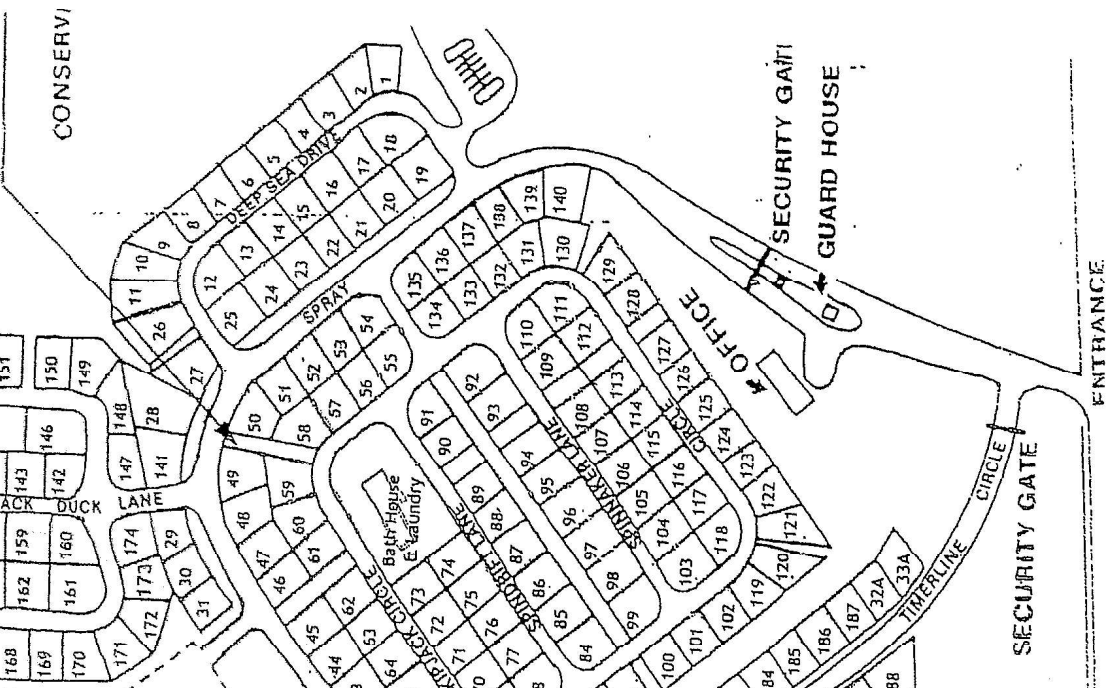
This request is being submitted based on the county code that is currently in place regarding Accessory Structures in Campground Subdivisions ZS1-318. I am requesting a more stable type of Canopy/Gazebo's to be permitted, in place of pop-up Canopies/Gazebo's. The pop-up Canopy/Gazebo's are dangerous even when securely tied down, with a strong gust of wind, they can blow away which can cause property damage and injury to people. Also, there are many elderly people in these subdivisions that cannot put one of these pop ups up on their own daily, as they usually require more than one person to put them up and take them down. Due to the campground subdivision's being a vacation place, we need a structure to store items, and a place to sit in the shade outside. This is why I am requesting that we are to be allowed one (1) enclosed structure (Shed), and one unenclosed structure (Canopy/Gazebo's).

I have attached a map of White Horse Park properties to show that not all properties are the same size, which I have also requested for no setbacks for both structures, and have also requested one parking spot instead of two, so that owner's who do not meet these requirements may also be permitted to obtain a Canopy/Gazebo.

PHASE 3



PHASE 1



Public Comments Received

On

Text Amendment Application

For

Detached Accessory Buildings and Off-Street Parking

in Campground Subdivisions

From: [REDACTED]
To: [Jennifer Keener](#)
Subject: Re: Canopies and sheds in white horse park
Date: Monday, May 6, 2024 9:32:55 AM

On Sat, May 4, 2024 at 8:51 AM [REDACTED] <[REDACTED]@gmail.com> wrote:

Good morning, as a part-time resident in White Horse Park, I would like to address this issue as I look back to the issue of full-time residents.

As we all know, those who were full-time residents fought the county through an attorney, spending much \$\$ to no avail. The county was right in their decision for legitimate reasons.

The reasoning behind the present situation is again valid. If medical, firemen, etc. could not easily access residences in the park, and serious injuries or even deaths would occur, those same folks opposed to removal of these many canopies would be forever devastated, not to mention the sadness of the emergency crews. Most likely law suits would then ensue. Another factor to consider is how very cluttered the present footprints have become. The park's ultimate desire should be and has been to have beautification within the community.

When the county addresses issues and the board makes decisions, it is for the best of the people. These board members are chosen because of their ability to make wise decisions and folks must respect those decisions.

Respectfully submitted,

[REDACTED]

Note: Name and email address redacted at the request of the submitter.

This letter is in opposition to the request of an amendment to have permanent metal or other Gazebos on their property in White Horse Park. According to the guidelines there is a shed on all properties and no other permanent structures permitted.

This would be a contradiction in not amending requests to allow full time residents to live at White Horse Park and were forced to leave.

Anonymous Resident
White Horse Park

We feel strongly opposed to the amendment to allow the installment of metal or other Gazebos on lots in White Horse Park. Adding more permanent structures as Gazebos would further exacerbate already crowded lots which are now being used as party venues. This would be in violation of the guidelines. They are putting in surfaces which adds to inadequate drainage management close to an active waterway and natural habitat.

The Commissioners would not allow the old home owners who owned the land and lived in for some 25 to 30 years in White Horse Park.

Anonymous Residents

White Horse Park

From: [Leah Cluney](#)
To: [Kristen Tremblay](#)
Subject: Assateague Pointe Gazebo
Date: Wednesday, June 26, 2024 4:59:38 PM

I'm writing today as a homeowner in Assateague Pointe, lot #490 to encourage a change of verbiage to the county code pertaining to pergolas and gazebos. These structures are not permanent, they are fixed to a stable surface and can be easily removed if necessary. They are more safe than umbrellas and/or canopies such as "Easy-Ups" that are not fixed to the concrete. There is no rule stating that a canopy or umbrella needs to be weighted so it will not blow away in the wind causing damage to property which means essentially that a fixed gazebo or pergola is the safer option. This is not a livable space and no one in the community uses it as such. It is merely a secure safe way to remain out of the dangerous rays of the sun. Please take into serious consideration changing the code to allow for these temporary structures to be allowed in Assateague Pointe and similar communities.

Thank you,
Leah Cluney

Sent from my iPhone

From: [Jody Smoker](#)
To: [Kristen Tremblay](#)
Subject: Canopy, pergola, gazebo in Assateague Pointe meeting July 3, 2024
Date: Wednesday, June 26, 2024 11:47:36 AM

Sent from my iPhone

Hello. My name is Jody Smoker, husband Douglas Smoker, and we have a place in Assateague Pointe and I am writing in favor to have the code amended to keep my canopy.

We have a canopy that is anchored into the ground that we use for shade during the summer months. We take the canopy down over the fall, winter, and spring months. So there is no chance of damaging anyone's property. I feel the canopy, pergolas, and gazebos have given Assateague Pointe a very nice look and they are used for a reason. We could not enjoy the outside of our home if not for our canopy to give us some relief from the heat and sun. We do not use it for sleeping or housing.

These canopies, gazebos, and pergolas have been here for quite some time, ours for 7 summers.

I thank you for your time.

Jody Smoker. Lot 214.

From: [Carmen Brewis](#)
To: [Kristen Tremblay](#)
Subject: Pergola/gazebo vote
Date: Thursday, June 27, 2024 4:02:08 PM

Hello- In reference to the Pergola/ gazebo vote, I would like to add my vote to be able to keep the Pergola/gazebo on our properties as I cannot attend the meeting. I am a resident in Assateague Point and my address is lot 110- 8710 North Salt Pond Way. Any questions please feel free to contact me. 443-569-1314

Thank you!

Carmen Brewis

*Commercial Contractors Group Inc.
410-255-4399*

From: [Teri Bell](#)
To: [Kristen Tremblay](#)
Subject: Text amendment request for White Horse Park Community
Date: Tuesday, June 25, 2024 11:23:21 PM

Ms. Tremblay,

I am writing in support of the text amendment request to allow gazebos in the white horse community. We purchased a place here last year and are excited to be joining the community here in Worcester County. Although White Horse is considered a camping ground, it is truly a summer home away from home for us. We purchased a simple Gazebo in the early fall only to be informed soon after about this being considered a structure and not allowed if one has a shed. I am not sure the logic of this rule as I believe the two things are completely different. We absolutely need a shed to store beach chairs, umbrellas, and outdoor furniture that is subject to the frequent winds of the area. The Gazebo however, although anchored for safety, is not really a structure but a means of having shade which is necessary for health and wellbeing. I feel strongly that a gazebo or such is much safer than an umbrella, not only because it won't blow away but also because it provides more shade and can include screen curtains for bug control, which we feel is very necessary at certain times. There is no negative impact of these open structures on the county and I would respectfully request that the board consider this request for amending the text. Thank you in advance.

Sincerely,

Teri Bell

Homeowner at 224 Timberline Circle.

From: [Kristin Hubbard](#)
To: [Kristen Tremblay](#)
Subject: White Horse Park Gazebo
Date: Monday, June 24, 2024 8:31:38 PM

Good afternoon. Thank you for taking the time to consider our Community's request for a text Amendment pertaining to the gazebos in White Horse Park.

As an owner in White Horse Park who is affected by the current text I would like to join my neighbors in requesting the Amendment change to allow gazebos in the park.

Our community is a beautiful neighborhood filled with people who love the area and take pride in their properties. We are so blessed to have this little slice of Heaven. Currently, we are permitted one permanent structure. Many of us were told the gazebos were not permanent structures and were permitted. Our gazebo is soft top and removable. It offers much needed shade in the summer months. It allows us to enjoy our yard during the summer, which is very hot otherwise. It also provides much needed shade to keep the inside of our unit cool which, in turn, saves money and energy by not need the air conditioning to run as much.

The look of the soft and hard top gazebos are much nicer than the look of pop-up canopies. I understand our neighborhood is zoned a campground subdivision but driving through, it looks like a beautiful vacation resort. Having a bunch a pop up canopies would take away from the beauty of the park.

The other option for shade would be sunsetter awnings. The cost of which is not in my family's budget.

The Board of Directors has done a very good job enforcing the size restrictions for the canopies and gazebos thus far. There are many hard and soft top gazebos in use in the park currently. They have not created any adverse effects. They should be permitted. They are very much needed.

Thank you for your consideration.

George and Kristin Hubbard
92 Spinnaker Lane