

**WORCESTER COUNTY  
BOARD OF ZONING APPEALS  
MINUTES**

**May 14, 2020**

Pursuant to the provisions of the Worcester County Zoning Ordinance and due to the current COVID-19 pandemic, and in lieu of public appearance, notice is hereby given that the public hearing will be held remotely by conference call with the Board of Zoning Appeals for Worcester County. Members who participated were: David Dypsky, Robert Purcell, Thomas Babcock, Joe Green, Glenn Irwin and Larry Fykes. Additional participants were Jennifer Keener, Zoning Administrator, Cathy Zirkle, DRP Specialist II, Jessica Edwards, Customer Service Representative, Joy Birch, Natural Resources Specialist III, Valerie Dawson, Court Reporter and David Gaskill, Board Attorney.

The public hearing commenced at 6:30 PM on **Case No. 20-18**, on the application of Phillips Signs, Inc., on the lands of Singerman Real Estate (dba Outlets Ocean City), requesting a special exception to reconstruct and relocate a legally existing non-conforming pylon sign associated with Outlets Ocean City in the C-2 General Commercial District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-122(d)(1), ZS 1-210(b)(2), ZS 1-305 and ZS 1-324, located at 12741 Ocean Gateway (US Route 50), on the northwest corner of the intersection with Golf Course Road, Tax Map 27, Parcel 642, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Joining in the conference call and providing testimony was Ben Phillips with Phillips Sign and Alane Emerson with Outlets Ocean City. There were no protestants. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes, and carried unanimously to grant the special exception as requested. The hearing ended at 6:45 PM.

The public hearing commenced at 6:45 PM on **Case No. 20-24**, on the lands of Valeri Tcheremissine, requesting a variance to the Ordinance prescribed front yard setback from 50 feet from the center of the road right-of-way to 32.5 feet (an encroachment of 17.5 feet) associated with a proposed second story addition to an existing dwelling 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 12904 Lake Avenue, on the southeast corner of the intersection with Golf Course Road, Tax Map 22, Parcel 397, Block 14, Lot 5 of the Bayshore Acres Subdivision, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Joining the conference call and providing testimony was Valeri Tcheremissine and Stephen Kansak. There were no protestants. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Irwin, and the carried unanimously to approve the two variances as requested. The hearing ended at 6:57 PM.

The public hearing commenced at 6:57 PM on **Case No. 20-23**, on the application of Annette Cathell, on the lands of Michael Riordan, requesting a variance to the Ordinance prescribed front yard setback from 50 feet from the center of the road right-of-way to 37 feet (an encroachment of 13 feet) associated with a proposed single-family

dwelling in the V-1 Village District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-204(b)(2), and ZS 1-305, located on the southeast corner of the intersection of Langmaid Road and Newark Road, Tax Map 40, Parcel 144, in the Fourth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Joining the conference call and providing testimony was Annette Cathell. There were no protestants. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Irwin, and carried unanimously to grant the variance as requested. The hearing ended at 7:08 PM.

The public hearing commenced at 7:08 PM on **Case No. 20-22**, on the application of Snow Hill Volunteer Fire Company, Inc., on the lands of State of Maryland, requesting a special exception to allow a firehouse in the R-1 Rural Residential District, a variance to the Ordinance prescribed side yard setback from 30 feet to 20.9 feet (an encroachment of 9.1 feet) and a variance to the Ordinance prescribed rear yard setback from 30 feet to 0.1 feet (an encroachment of 29.9 feet) associated with the proposed construction of a new firehouse pursuant to Zoning Code Sections ZS 1-116(c)(3), 1-116(c)(4), ZS 1-205(c)(6) and ZS 1-305, located at 6572 Snow Hill Road approximately 835 feet east of Village Trail, Tax Map 46, Parcel 15, in the Second Tax District of Worcester County, Maryland. Jennifer Keener read the application. Joining the conference call and providing testimony was William (Trey) Heiser, Andrew Benson, Mark Deao and Mike Scofield. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a slide show used by the Fire Department for their Initial Planning Committee. Submitted as Applicant's Exhibit No. 2 was a map reflecting the proposed location. Another map reflecting the proposed location was submitted as Applicant's Exhibit No. 3. Submitted as Applicant's Exhibit No. 4 was another map of indicating the proposed location. Submitted as Applicant's Exhibits No. 5 were twelve (12) letters of support from members of the community. Following the discussion, it was moved by Mr. Babcock, seconded by Mr. Fykes, and carried unanimously to grant the two variances and special exception as requested. The hearing ended at 7:19 PM.

The public hearing commenced at 7:19 PM on **Case No. 20-17**, on the application of Hugh Cropper, IV, Esquire, on the lands of Elwood & Mary Hokanson, requesting an after-the-fact modification to a previously granted variance to the Ordinance prescribed front yard setback from 50 feet from the center of the road right-of-way to 40.1 feet (an encroachment of 9.9 feet) associated with a single-family dwelling 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 12351 Meadow Drive approximately 0.36 miles southeast of the intersection with Snug Harbor Road, Tax Map 33, Parcel 346, Lot 33 of the Snug Harbor Subdivision, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Joining the conference call and providing testimony was Hugh Cropper, IV, Esquire and Russell Hammond, surveyor. There were no protestants. Submitted as Applicant's Exhibit No. 1 was an aerial image of the property. Submitted as Applicant's Exhibit No. 2 was a photo of the dwelling reflecting the existing deck; Applicant's Exhibit No. 3 was also a photo of the dwelling reflecting the existing deck. The Applicant also submitted Exhibit No. 4 was another photo of the dwelling reflecting the existing deck. Following the discussion, it was moved by Mr.

Dypsky, seconded by Mr. Green, and carried four to two to grant the variance as requested, with Mr. Purcell and Mr. Irwin opposed. The hearing ended at 7:41 PM.

The public hearing commenced at 7:41 PM on **Case No. 20-4**, on the application of Hugh Cropper, IV, Esquire, on the lands of Lawrence and Jacqueline Lieske, requesting a variance to the Ordinance prescribed side yard setback from 6 feet to 3.9 feet (an encroachment of 2.1 feet) associated with a proposed second story deck and stairs and requesting a variance to the Atlantic Coastal Bays Critical Area Buffer Management Area (BMA) from 15 feet to 0 feet (an encroachment of 15 feet) associated with an After-the-Fact concrete walkway and patio in the R-2 Suburban Residential District, pursuant to Zoning Code Sections ZS 1-116(c)(4), ZS 1-116(m), ZS 1-205(b)(2), ZS 1-305, NR 3-104(c)(4), and NR 3-111 located at 10411 Brighton Road, approximately 465 feet south of Rumgate Road, Tax Map 21, Parcel 8, Section A, Block 9, Lot 28 of the Cape Isle of Wight Subdivision, in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Joining in the conference call and providing testimony was Hugh Cropper, IV, Esquire, Chris McCabe, environmental consultant, Jacqueline Lieske, property owner and Walter Taraila. There were no protestants. Submitted as Applicant's Exhibit No. 1 was a photo of the property reflecting the applicant's opinion of observed encroachments within the neighborhood. Submitted as Applicant's Exhibit No. 2 was another photo of the property reflecting what he believed to be additional encroachments in the neighborhood. Submitted as Applicant's Exhibit No. 3 was a property disclosure form. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Irwin, and carried five to one, to grant the variances as requested, with Mr. Purcell opposed to the variance to the side yard setback. The hearing ended at 8:27 PM.

The public hearing commenced at 8:28 PM on **Case No. 20-28**, on the application of Hugh Cropper, IV, on the lands of West O Madfish, LLC, requesting a variance to the Ordinance prescribed side yard setback from 6' to 0' (an encroachment of 6'), and a special exception to allow a 6 foot tall fence in the Ordinance prescribed front yard setback, associated with the proposed re-construction of a restaurant in the CM Commercial Marine District, pursuant to Zoning Code Sections ZS 1-116(c)(3), ZS 1-214(c)(2) and ZS 1-305, located at 12817 Harbor Road, on the northerly side of Harbor Road, approximately 436 feet west of Golf Course Road, Tax Map 27, Parcel 376, Lot 44 in the Tenth Tax District of Worcester County, Maryland. Jennifer Keener read the application. Joining the conference call and providing testimony was Hugh Cropper, Cole Taustin and Keith Iott. There were no protestants. Submitted as Applicant's Exhibit No. 1 was an aerial image of the property. Submitted as Applicant's Exhibit No. 2 was the artistic rendering of the proposed construction. Submitted as Applicant's Exhibit No. 3 was the proposed floor plan. Following the discussion, it was moved by Mr. Dypsky, seconded by Mr. Fykes, and the carried unanimously to approve the variance and special exception as requested. The hearing ended at 8:40 PM.

### **Administrative Matters**

With no further business before the Board, the meeting was adjourned at 8:40 PM.

Respectfully submitted,

Jessica Edwards  
Customer Service Representative