

DORCHESTER COUNTY BOARD OF APPEALS

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March 24, 2022 - BOA Meeting Minutes

The Dorchester County Board of Zoning Appeals conducted a meeting on Thursday, March 24, 2022 at 7pm in room # 110 of the Dorchester County Government Office Building, Council Chambers 501 Court Lane, Cambridge, MD 21613

The agenda was published on the County website and on Facebook prior to the meeting; all applicants and members of the public who contacted the Dept. of Planning and Zoning were informed of the modification either by email or by phone.

The agenda published also provided the option to dial in by phone. Upon verification of the conference call line at 7:10pm, no member of the public had dialed in.

In attendance: Chairman Lin Spicer; Vice Chair Elizabeth Hill, and Alternate-Commissioner Benjamin Horseman.
Absent: Commissioner Charles Dayton

Also in attendance: Walter Gunby, Esq., County Legal Counsel; Susan Webb, Acting Director of Planning; Brandon Vermillion, GIS specialist

Applicants were represented by:

BOA Case #2722, Special Exception – Bethany Stouffer, homeowner
BOA Case #2723, Variance – Steve Whitten, Surveyor
BOA Case #2724, Variance – Steve Whitten, Surveyor

Chairman Lin Spicer called the meeting to order at 7:05pm. He conducted a roll call and welcomed the attendants.

He called for an approval of the February 24, 2022 minutes. Vice Chair Hill made a motion, it was seconded by Commissioner Horseman; all approved.

- ❖ **BOA Case #2722, Stouffer Property: Special Exception, 6925 Backlanding Rd, Hurlock, MD** (Zoned, AC – Agricultural Conservation District) Request Special Exception to allow a sum total area of accessory structure(s) greater than the footprint of the principal residential structure or as allowed by code. (Overage requested = 164 sq. ft.)
 - **Background:**

The case outline was presented by Susan Webb, Acting Director of Planning and Zoning. Mrs. Stouffer explained she constructed an accessory structure prior to obtaining a building permit, therefore was unaware a Special Exception would be needed before the structure could be constructed. This caused a violation and a Stop Work Order be placed on the structure. An overage requested (164 sf) of accessory structure square footage is needed to proceed. Ms. Webb did not receive any negative comments from notified neighbors or from outside agencies for this proposal.
 - **Public and Commissioners' Comments:**

There were no public comments.
 - **Decision:**

After deliberation and review of the compliance with each criteria of the Special Exception requirements, Chairman Spicer asked for a motion to **approve BOA Case #2722 as submitted**. Commissioner Hill made a motion to approve the application as submitted; Commissioner Horseman seconded, all approved (3-0 vote). **The Special Exception was granted.**
- ❖ **BOA Case #2723 Chesapeake Island Oysters, LLC: Variance, 2405 Hoopers Island Rd, Fishing Creek, MD** (Zoned, V– Village District, LDA Critical Area) Request Variance to replace seafood processing building to be within required side and front yard setback from a private right of way. Proposed building located 4.5' from side line or a variance of 15.5' and

29.0' from private right of way, or a variance of 6'.

- **Background:**

The case outline was presented by Susan Webb, Acting Director of Planning and Zoning. Steve Whitten, Surveyor/applicant, represented the owners and discussed the request of the Variance.

- **Public and Commissioners' Comments:**

There were no public comments. The Board did not have any additional questions.

- **Decision:**

After deliberation and review of the compliance with each criteria of the Variance requirements, Chairman Spicer asked for a motion to **approve BOA Case #2723 as submitted**. Vice-Chair Hill made a motion to approve the application as submitted; Commissioner Horseman seconded; all approved (3-0 vote). **The Variance was granted.**

- ❖ **BOA Case #2724 Simmons Property: Variance, 5130 Paw Paw, Cambridge, MD** (Zoned, RR – Rural-Residential District, LDA Critical Area) Request Variance to allow a new front entry porch to be located within the required front yard setback (from a local road). Proposed porch located 37.3' from local road right of way, or a variance of 2.7'.

- **Background:**

The case outline was presented by Susan Webb, Acting Director of Planning and Zoning. Steve Whitten, Surveyor/applicant, represented the owners and discussed the request of the Variance. Ms. Webb did not receive any negative comments from notified neighbors nor outside agencies (including Critical Area Commission) for this proposal.

- **Public and Commissioners' Comments:**

There were no public comments. The Board did not have any additional questions.

- **Decision:**

After deliberation and review of the compliance with each criteria of the Variance requirements, Chairman Spicer asked for a motion to **approve BOA Case #2724 as submitted**. Vice-Chair Hill made a motion to approve the application as submitted; Commissioner Horseman seconded; all approved (3-0 vote). **The Variance was granted.**

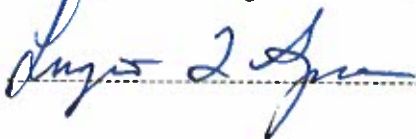
Chairman Spicer asked for a motion to adjourn the meeting.

Vice Chair Hill made a motion to adjourn the meeting; it was seconded by Commissioner Dayton; all approved.

The meeting adjourned at 7:50 pm.

Respectfully submitted.

Susan E. Webb, Acting Director of Planning & Zoning



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4/21/22 Date