

# DORCHESTER COUNTY BOARD OF APPEALS

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## August 26, 2021 – BOA Meeting Minutes

The Dorchester County Board of Zoning Appeals conducted a meeting on Thursday August 26, 2021 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 either by email or by phone.

In attendance: Chairman Lin Spicer; Commissioner Pam Allen; and Commissioner Charles Dayton.  
Absent: Vice Chair Elizabeth Hill

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

Applicants were represented by:

BOA Case #2699, Hudson Property – Special Exception – Mr. Hudson, owner  
BOA Case #2700, Loc Residence – Variance – Steve Whitten, Surveyor  
BOA Case #2702, Vroman Residence – Special Exception – Mr. Vroman, owner  
BOA Case #2703, Woodward LLC. – Variance – Steve Whitten, Surveyor

Chairman Lin Spicer called the meeting to order at 7pm. He conducted a roll call, welcomed the attendants and reviewed and approved the agenda as presented.

1. **BOA Case #2699 Hudson Property: Special Exception, 4435 Rolling Acres Dr., Hurlock MD** (Zoned, AC – Agricultural Conservation District) Request as a Special Exception, approval to construct an accessory structure greater than the footprint of the principal residential structure, or as allowed by code.
  - o **Background:**  
On August 4, 2021, the Planning & Zoning Commission met and Chairman Hanson expressed that the opinion of the Commission was favorable to the request, based on the information and evidence presented.

The case was presented by Susan Webb, Deputy Director of Planning and Zoning; she recommended considering this application favorably.

- o The property is located in the AC (Agricultural Conservation District);
- o Accessory structure will be consistent with the County's Comprehensive Plan;
- o Structure will be for personal storage only.
- o **Public and Commissioners' Comments:**  
There were no additional comments or questions from the Board Commissioners.

When asked by Mr. Walter Gunby, Esq., the Board members each read the qualifying criteria findings and evaluated the application, confirming that each criteria for granting the requested special exception were satisfied.

- o **Decision:**  
Chairman Spicer asked for a motion to **approve BOA Case #2699 as submitted**. Commissioner made a motion to approve the application as submitted; Commissioner Allen seconded, all approved (3-0 vote). **The Special Exception was granted.**

2. **BOA Case #2700 Loc Property: Variance, 1230 Horse Point Road, Fishing Creek, MD (Zoned, V – Village District)** Request a VARIANCE to allow an accessory building be constructed within the required front yard setback from a private right of way. Variance requested: 20', for a resultant setback of 15'.

○ **Background:**

On August 4, 2021 the Planning Commission met, and Chairman Hanson expressed that the opinion of the Commission was favorable to the request, based on the information and evidence presented.

The case was presented by Susan Webb, Deputy Director of Planning and Zoning; she recommended considering this application favorably.

- The proposed accessory building will be within the front yard setback of a public right of way;
- The site is constrained by two front yard setbacks;

○ **Public and Commissioners' Comments:**

- There were no additional comments or questions from the Board Commissioners.
- There was no opposition, nor any comments from the public.
- There were no comments or concerns from outside agencies

When asked by Mr. Walter Gunby, Esq., the Board members each read the qualifying criteria findings and evaluated the application, confirming that each criteria for granting the requested special exception were satisfied.

○ **Decision:**

Chairman Spicer asked for a motion to **approve BOA Case #2700 as submitted**. Commissioner Dayton made a motion to approve the application as submitted; Commissioner Allen seconded, all approved (3-0 vote). **The Special Exception was granted.**

3. **BOA Case #2702 Vroman: Special Exception, 5527 LeCompte Rd, Rhodesdale, MD (Zoned, AC),** Request a special exception to construct accessory structure prior to the primary.

○ **Background:**

On August 4, 2021 the Planning Commission met, and Chairman Hanson expressed that the opinion of the Commission was favorable to the request, based on the information and evidence presented.

The case was presented by Susan Webb, Deputy Director of Planning and Zoning; ; she recommended considering this application favorably.

- The property is located in the AC (Agricultural Conservation District).
- Accessory structure construction is common in this area;

○ **Public and Commissioners' Comments:**

- There were no additional comments or questions from the Board Commissioners.
- There was no opposition, nor any comments from the public.
- There were no comments or concerns from outside agencies

When asked by Mr. Walter Gunby, Esq., the Board members each read the qualifying criteria findings and evaluated the application, confirming that each criteria for granting the requested special exception were satisfied.

○ **Decision:**

Chairman Spicer asked for a motion to **approve BOA Case #2702 as submitted**. Commissioner Dayton made a motion to approve the application as submitted; Commissioner Hill seconded, all approved (3-0 vote). **The Special Exception was granted.**

4. **BOA Case #2703 Woodward Properties, LLC.: Variance, 3109 Ocean Gateway, Cambridge, MD (Zoned, B2 – General Business District)** Request a VARIANCE to allow a proposed new warehouse building and proposed new office space addition within the required front yard setbacks.

Requested: Major Collector – 6.5' or 14.5' within required setback  
Minor Collector – 30' or 10' within required setback

○ **Background:**

On August 4, 2021, the Planning & Zoning Commission met and Chairman Hanson expressed that the opinion of the Commission was favorable to the request, based on the information and evidence presented.

The case was presented by Susan Webb, Deputy Director of Planning and Zoning; ; she recommended considering this

application favorably.

- The proposed buildings will be in harmony with the surrounding conditions.
- The proposed warehouse building location is already screened with mature trees.

o **Public and Commisioners' Comments:**

- o There were no additional comments or questions from the Board Commisioners.
- o There was no opposition, nor any comments from the public.
- o There were no comments or concerns from outside agencies

When asked by Mr. Walter Gunby, Esq., the Board members each read the qualifying criteria findings and evaluated the application, confirming that each criteria for granting the requested special exception were satisfied.

o **Decision:**

Chairman Spicer asked for a motion to **approve BOA Case #2703 as submitted**. Commissioner Allen made a motion to approve the application as submitted; Commissioner Dayton seconded, all approved (3-0 vote). **The Special Exception was granted.**

Chairman Spicer asked for a motion to adjourn the meeting.

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

The meeting adjourned at 8:15 pm.

Respectfully submitted.



Susan E. Webb  
 Assistant Director  
 Dorchester County Planning & Zoning

-----Approved by the Chair      ----- Date