

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

THURSDAY AUGUST 13, 2026

Pursuant to the provisions of the Worcester County Zoning Ordinance, notice is hereby given that a public hearing will be held in-person before the Board of Zoning Appeals for Worcester County, in the Board Room (Room 1102) on the first floor of the Worcester County Government Center, One West Market Street, Snow Hill, Maryland. Audio and video recording will take place during this public hearing.

The public is invited to view this meeting live online at - <https://worcestercountymd.swagit.com/live>

6:30 p.m.

Case No. 26-48, on the lands of Chris and Amy Brown, requesting a variance to the front yard setback from 25 feet to 18.5 feet (encroaches 6.5 feet) for a proposed deck in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 18 Granby Lane, Tax Map 16, Parcel 47, Section 11, Lot 405, Tax District 3, Worcester County, Maryland.

6:35 p.m.

Case No. 26-43, on the lands of Ruby Runikera, requesting a special exception to reconstruct a legal non-conforming rear deck and steps and variance to the side yard setback from 6 feet to 5.9 feet (encroaches 0.1 feet) for a proposed screened porch in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-116(c)(4), ZS 1-116(c)(5), ZS 1-122(d)(1), ZS 1-207(b)(2) and ZS 1-305, located at 2 Crows Nest Lane, Tax Map 16, Parcel 38, Section 1, Lot 660, Tax District 3, Worcester County, Maryland.

6:40 p.m.

Case No. 26-50, on the lands of Meral Yilmaz, requesting an after-the-fact variance to the rear yard setback from 30 feet to 11.3 feet (encroaches 18.7 feet) for an existing residence with an attached garage in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305, located at 608 Ocean Parkway, Tax Map 16, Parcel 46, Section 9, Lot 357, Tax District 3, Worcester County, Maryland.

6:45 p.m.

Case No. 26-52, on the lands of RJM LLC, on the application of Robert Mason Jr., requesting a special exception for a private noncommercial building for the storage of personal property in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-201(c)(34) and ZS 1-305, located on Old Stage Road approximately 1,700 feet south of Hammond Road, Tax Map 9, Parcel 126, Tax District 5, Worcester County, Maryland.

6:50 p.m.

Case No. 26-54, on the lands of Robert McIntire, requesting a variance to the front yard setback from 25 feet to 15 feet (encroaches 10 feet) for a proposed covered porch in the R-3 Multi-family Residential

District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 55 Moonshell Drive, Tax Map 16, Parcel 41, Section 4, Lot 168, Tax District 3, Worcester County, Maryland.

6:55 p.m.

Case No. 26-53, on the lands of Jennifer and James Weber, requesting a variance to the side yard setback from 6 feet to 1.8 feet (encroaches 4.2 feet) for a proposed detached garage in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 45 Clubhouse Drive, Tax Map 16, Parcel 41, Section 4, Lot 452, Tax District 3, Worcester County, Maryland.

7:00 p.m.

Case No. 26-55, on the lands of Keith Davis and Saumya Kaup, requesting a variance to the front yard setback from 35 feet to 9.35 feet (encroaches 25.65 feet) for proposed attached garage in the V-1 Village District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-204(b)(2) and ZS 1-305, located at 8344 Third Street, Tax Map 73, Parcel 35, Lots 74-76, Tax District 2, Worcester County, Maryland.

7:05 p.m.

Case No. 26-56, on the lands of Daniel E. Clayland, requesting a variance to reduce the lot size from 10,000 square feet to 7,800 square feet (a reduction of 2,200 square feet), a variance to reduce the lot size from 10,000 square feet to 6,500 square feet (a reduction of 3,500 square feet), and a variance to reduce the lot width from 100 feet to 50 feet to create two lots in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305, located at 12910 Lake Avenue, Tax Map 22, Parcel 397, Lots 34 and 35, Tax District 10, Worcester County, Maryland.

7:10 p.m.

Case No. 26-57, on the lands of Horace L Jr. and Quinna Marshall, requesting a Special Exception to allow the application of a soil amendment created from human decedents, also known as natural organic reduction, as a use of the same general character as permitted uses in the A-1 District, pursuant to §§ ZS 1-116(c)(3) and ZS 1-201(c)(36), located at Scotty Road, Tax Map 62, Parcel 13, Tax District 7, Worcester County, Maryland.

Administrative Matters

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

APPLICATION TO :
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER ROOM 1201
SNOW HILL, MD 21863-1070

OFFICE USE ONLY :

CASE NO: 26-~~48~~ 48
DATE FILED: 7-1-2026
HEARING DATE: 8-13-2026

APPLICATION BEING MADE FOR:

☒ SPECIAL EXCEPTION
☒ VARIANCE
☐ EXPANSION OF NONCONFORMING USE/STRUCTURE
☐ OTHER

☐ FORESTRY
☐ CRITICAL AREA
☐ APPEAL

☐ AFTER THE FACT ☒ PROPOSED

☐ ADMINISTRATIVE
ADJUSTMENT

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: A 65' front yard setback variance for a proposed open deck

LOCATION OF PROPERTY:

TAX MAP: 16 PARCEL: 47 SECTION: 11 LOT/ BLOCK: 405
On the N/S/E/W of: 18 Granby Lane, Green Pines
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: Chris & Amy Brown Telephone: [REDACTED]
Address: 18 Granby Lane, Berlin MD 21811 E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Chris Brown Telephone: [REDACTED]
Address: 18 Granby Lane, Berlin, MD 21811 E-Mail: [REDACTED]

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)
No

Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? Yes If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations? Yes

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: 25' FROM CENTERLINE OF ROAD
25' RIGHT OF WAY OF A STATE ROAD
25' FROM PROPERTY LINE (2)

REAR: N/A (corner lot)
LEFT SIDE: 6'
RIGHT SIDE: 6'

ZONING DISTRICT: R-3

TAX DISTRICT: 3

[Signature]
Signature of Owner or Legal Representative

[Signature]
Signature of Applicant

SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY that on this 1st day of July
2026 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Christopher Brown, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Deborah D. Mooney
Notary Public

My Commission Expires: 5/31/2028



STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

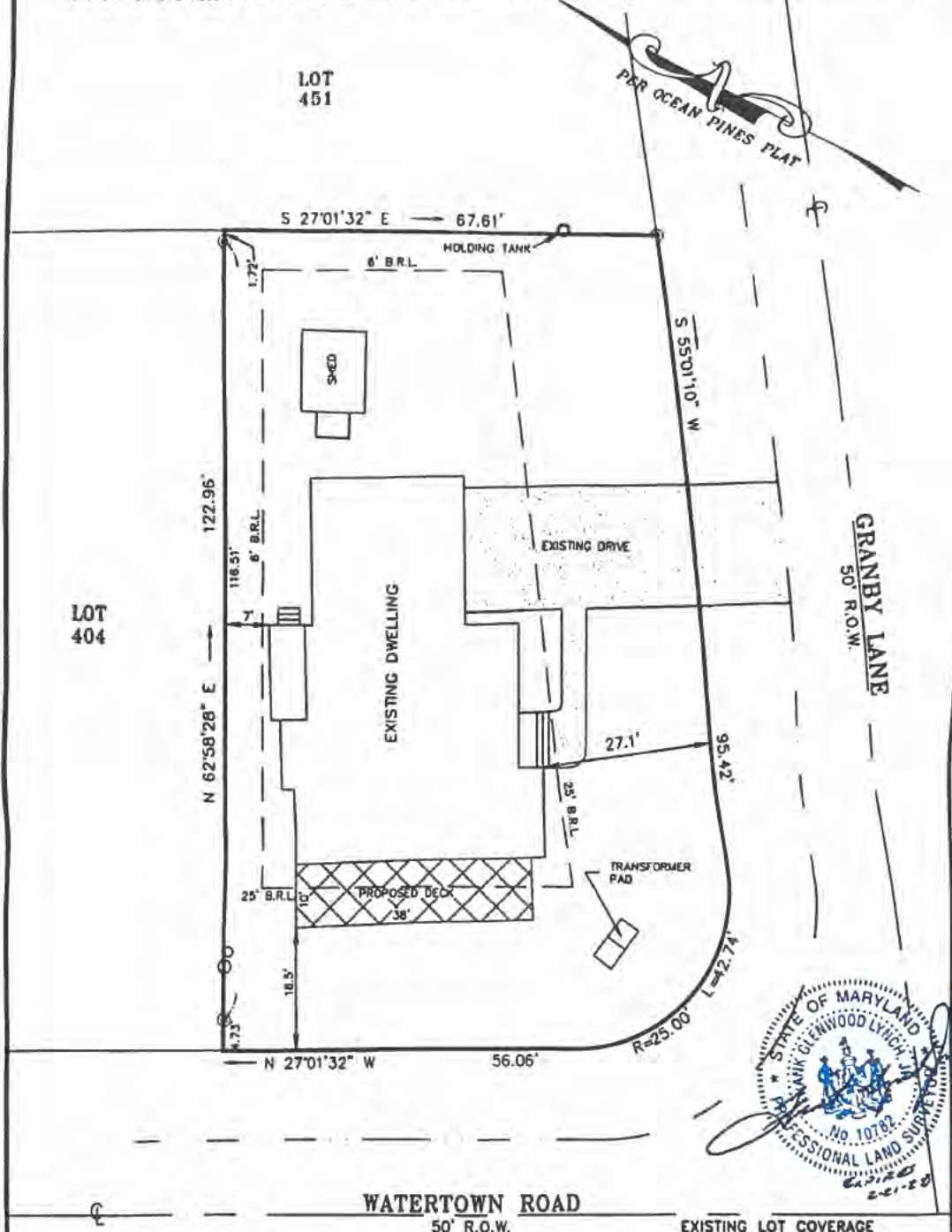
I HEREBY CERTIFY that on this _____ day of _____
20____ before me, a Notary Public in and for the State and County aforesaid,
personally appeared _____, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Notary Public

My Commission Expires: _____

NOTE: THIS PLAT REFLECTS THE DESCRIPTION OF THE LOT/PARCEL AS NOTED IN THE TITLE OF THIS PLAT, AS SHOWN ON THE RECORD PLAT AND DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT OF WAYS OR EASEMENTS PERTAINING TO THIS PROPERTY OTHER THAN THOSE AS SHOWN ON SAID RECORD PLAT. NO TITLE SEARCH OR COVENANTS PROVIDED OR STIPULATED.



PROPOSED DECK SITE PLAN
LOT 405, SECTION 11, OCEAN PINES
THIRD TAX DISTRICT, WORCESTER COUNTY, MARYLAND

EXISTING LOT COVERAGE	
DWELLING, DECK, STEPS =	1,981 SF
SHED =	143 SF
DRIVE & WALK =	753 SF
TOTAL =	2,877 SF
PROPOSED DECK =	380 SF

REFERENCE
 LOT AREA: 9,186 S.F. ±
 EX. ZONING: R-3
 ZONING SETBACKS:
 FRONT: 25', SIDES: 6', REAR: N/A
 FLOOD ZONE: AE BFE 4' PER
 FIRM NO. 24047C0045H
 DATED 7-16-2015.
 A.C.B.C.A. IS I.D.A.
 MIN. ACCURACY = 0.1'±

NOTES

(IN FEET)
 1 inch = 20 ft.

- DENOTES CONC. MON. FOUND
- DENOTES IRON PIPE FOUND
- ⊙ DENOTES IRON ROD FOUND
- ☆ DENOTES IRON ROD SET
- △ DENOTES P.K. NAIL SET

Frank G. Lynch, Jr.
& Associates, Inc.
 SURVEYING · LAND PLANNING
 10839 RACETRACK ROAD · BERLIN MARYLAND 21811
 (410) 841-6353 · 841-6773

DRAWN BY FGL JR.
FILE NO. 12671-26
DATE 6-17-2026

Reason for Variance

To Whom it may concern,

My wife and I are writing this letter to explain the reasons we need a variance to build a deck on our property that exceeds the current setback allowance. The following reasons are the reasons we feel it is a necessity.

1. Our property is extremely susceptible to flooding with even a mediocre rainstorm. Without a way to use the yard this diminishes the value of our home. The yard holds water for days sometimes.
2. With the large electrical boxes on the outer corner of our lot when the yard floods we are afraid to walk out into our yard. We have been told this is extremely unlikely to happen, however, seeing an electrical box underwater in your yard is extremely unnerving as we are sure you can imagine. This causes us to be fearful in our own yard. It is our opinion that it is an unreasonable position to insist that a homeowner live in.
3. Because of the water flooding and wetness that stays in the yard even after the floods subside the yard becomes unusable. With the small lots in Ocean Pines having the largest portion being unusable not only prevents us from enjoying our property but also diminishes our property value.
4. We have consulted with multiple landscaping companies about having a paved patio installed. They have all said that if we do install that type of patio, the type of flooding we receive will wash away the sand from under the pavers and it will not stay smooth and that the pavers will quickly be ruined. We have no other options on this property to add this type of structure to the property to be able to enjoy the outside of our home, because both side yards of our home flood.

It is our intention to make many improvements to this yard to beautify our home, our neighborhood, and our community that both benefits ourselves and our neighbors alike. This small portion of the project we are humbly asking for your permission to do.

We have spoken to many of our neighbors and asked them if they would be upset or bothered by this addition to our yard. Not only have we have not met any resistance, but many of the neighbors have told us how nice it would be. Our home sits in the center of the Watertown block and many people walk past our home daily. We are a friendly neighborhood and creating a space that allows us to sit out in our yard creates an open environment for neighbors to chat, which brings us all closer together.

Thank You,

Chris and Amy Brown



OCEAN PINES ASSOCIATION, INC.

239 Ocean Parkway • Ocean Pines, Maryland 21811
Telephone: 410-641-7717 • Fax: 410-641-5581

Applicant: Chris & Amy Brown

Date: June 1, 2026

Street Address: 18 Cranley Lane

Section 11 Lot 0405

☒ Variance Request

☐ Exception Request

Dear Mr. / Mrs. Brown:

On this date, the Ocean Pines Architectural Review Committee (ARC) reviewed your request for a variance/exception as described in the attached application. After careful review of all documentation, the following action was taken by the ARC.

☒ Approved ☐ Not Approved ☐ Tabled ☐ Preliminary Review Only

Explanation:

☐ Violates the DR's ☐ Inconsistent with Guidelines ☐ No Demonstrated Need

☐ Requires Confirmation ☐ Needs Maintenance Agreement

Comments:

Approved with adjustment. Deck approved at
38' by 10' coming out from the house.

Original request was for 12' but approved at 10'.

Appeals: The ARC may hear an appeal of its original decision provided the applicant can produce documented information not previously presented that may have the power to reverse the decision. The ARC reserves the right to refuse to hear an appeal without the requirements stated herein. All requests for appeal must be in writing.

Committee Vote Tabulation:

JAC Jason Casares – Chairperson

☒ Approved
☐ Not Approved
☐ Abstain
☐ Tabled

Initial: JAC

Philip Grillo – Member

☒ Approved
☐ Not Approved
☐ Abstain
☐ Tabled

Initial: [Signature]

Mickey Lobb – Alternate Member

☒ Approved
☐ Not Approved
☐ Abstain
☐ Tabled

Initial: M

APR 29 2025

ARCHITECTURAL REVIEW COMMITTEE
APPLICATION FOR A VARIANCE/EXCEPTION

6/1
9:55 a.m.

INSTRUCTIONS: Provide information requested below, sign and submit this application along with an as-built site plan/survey (showing proposed location of request) with the Filing Fee of \$50. (Reference Section 100.1.G. – Variances and Exceptions in the ARC Guidelines.)

PLEASE BE SURE THAT ALL ASSESSMENTS ARE PAID AND UP-TO-DATE OR PERMIT WILL BE DENIED

REQUESTING:



VARIANCE



EXCEPTION

443-497-6463

SECTION & LOT NO. 11/0405 STREET ADDRESS 18 Granby Lane

NAME OF LOT OWNER(S) Chris & Amy Brown PHONE # [REDACTED]

MAILING ADDRESS 18 Granby Lane

DESCRIPTION OF VARIANCE/EXCEPTION:

We would like to build a deck on the Wadertown side of our home. Our current set back only allows for 3' and we would like to build 12'

REASON FOR VARIANCE: see attached

SIGNED

[Signature] + Chris Brown
Property Owner(s)

DATE

4/20/24

OFFICE USE ONLY

Approved By: _____

ARC Chairperson

Date: _____

6/1/24

Disapproved By: _____

ARC Chairperson

Date: _____

Comments: _____

Adjacent Property Owners Notified:



Yes

Date: _____

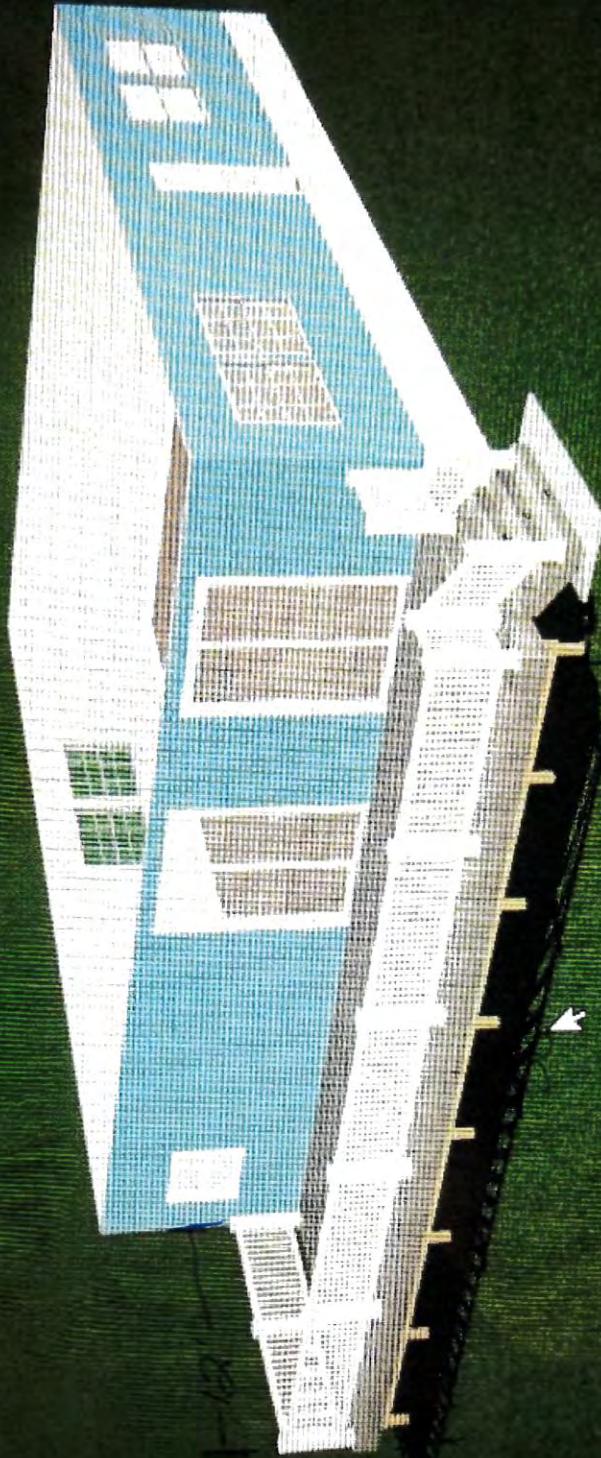


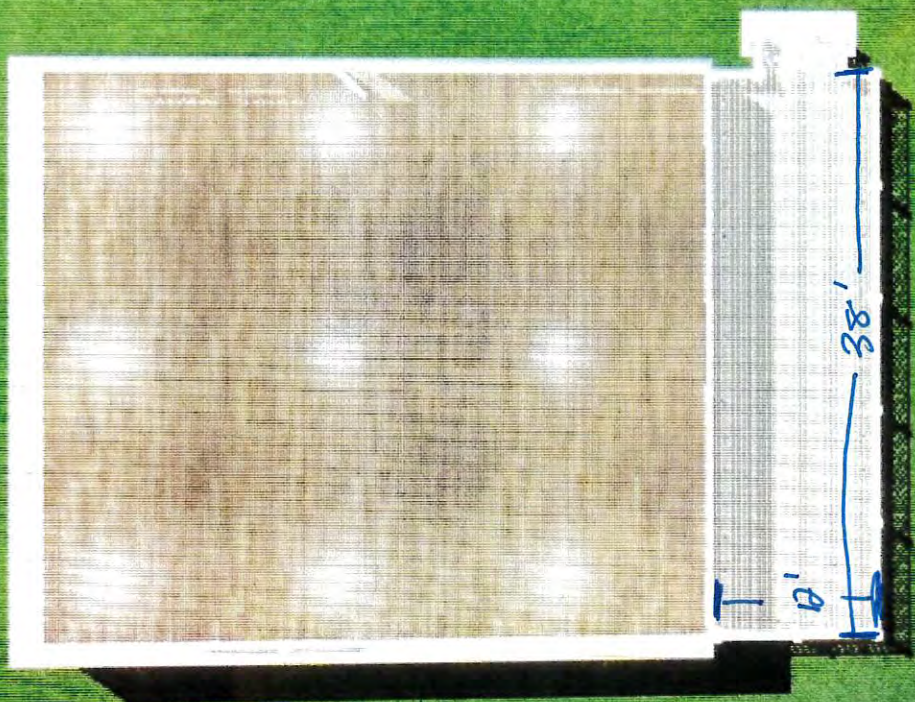
No - already provided (see attached)

*NOTE: FEE IS NON-REFUNDABLE

PAID
#301
\$50

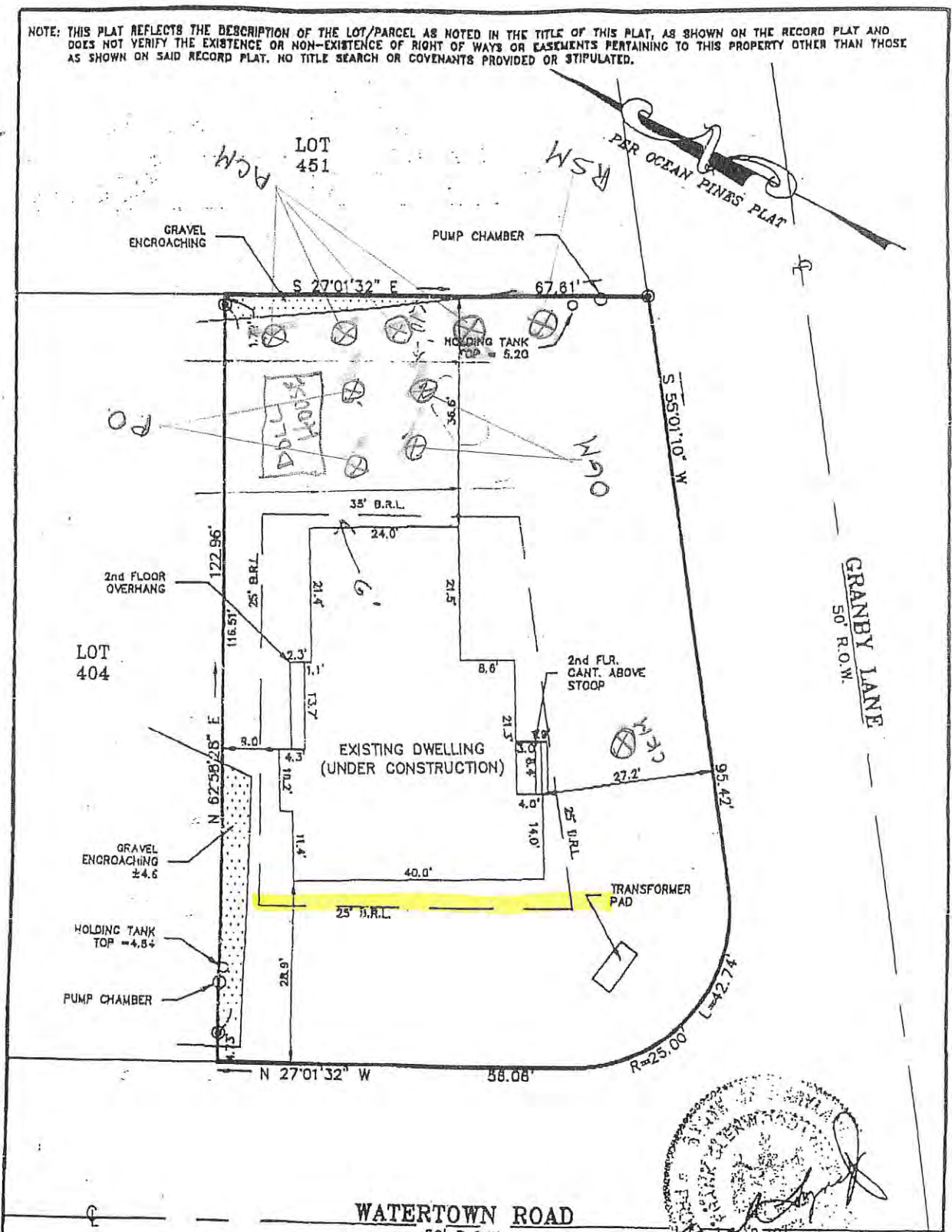
(12' x 38')





NOTE: THIS PLAT REFLECTS THE DESCRIPTION OF THE LOT/PARCEL AS NOTED IN THE TITLE OF THIS PLAT, AS SHOWN ON THE RECORD PLAT AND DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT OF WAYS OR EASEMENTS PERTAINING TO THIS PROPERTY OTHER THAN THOSE AS SHOWN ON SAID RECORD PLAT. NO TITLE SEARCH OR COVENANTS PROVIDED OR STIPULATED.

86 Granby Ln.



WATERTOWN ROAD
50' R.O.W.

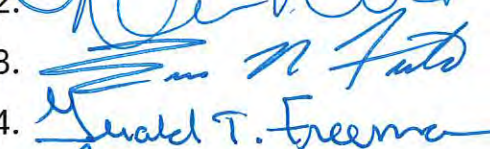
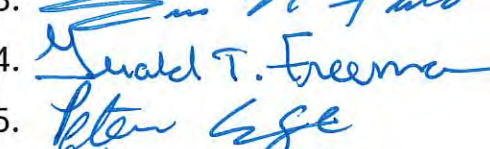
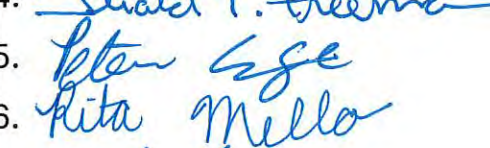
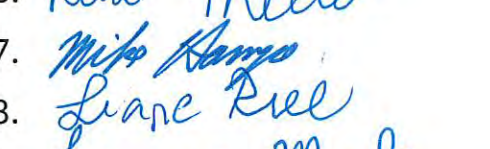
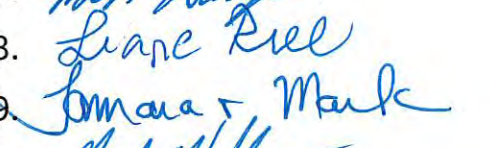
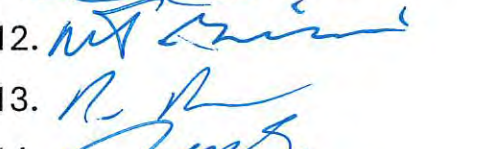
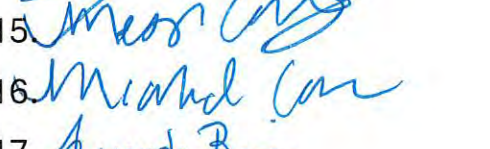
AS-CONSTRUCTED SURVEY
LOT 405, SECTION 11, OCEAN PINES
THIRD TAX DISTRICT, WORCESTER COUNTY, MARYLAND
 MIN. ACCURACY = 0.1'±

REFERENCE	DISK #891	NOTES				
LOT AREA: 9,186 S.F. ±		20	0	10	20	Frank C. Lynch, Inc.
BLDG ENVELOPE: 2,875 S.F. ±						

SUBMITTED BY O.C. GRASSBUSTERS LLC. 12/21/06
 10:45 A.M.

Neighbors' acknowledgement of variance

This letter is to inform our neighbors our intent to build a deck on our home at 18 Granby Lane. The deck would be on the Watertown side of the home. The deck would go 9ft beyond our setback and we humbly request your signature showing your support of us being allowed this variance to build the deck. The deck will go the width of the house and 12ft out from the home towards the road. As all of us in this area of Ocean Pines know the lot at 18 Granby floods because of the poor drainage system. This Deck will allow us the ability to enjoy our water view and our yard without the water that floods our yard. Please sign below if you have no objections to this deck.

Signature	Neighbors address
1. 	55 WATERTOWN RD
2. 	16 Granby Lane
3. 	757 Ocean Pkwy.
4. 	10 Jolley Lane
5. 	60 Water town
6. 	14 Bridgewater Rd.
7. 	85 Watertown Rd.
8. 	45 Watertown Rd
9. 	17 Granby Lane
10. 	62 Watertown Rd
11. 	48 Watertown Rd.
12. 	34 WATERTOWN RD.
13. 	39 watertown Rd.
14. 	21 BRIDGEWATER RD
15. 	1A Oak Lane
16. 	14 Oak Lane
17. 	56 Watertown Rd
18. 	13 Granby Lane

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-48**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: August 13, 2026

LOCATION: 18 Granby Lane, Tax Map 16, Parcel 47, Lot 405, Tax District 3, Worcester County, Maryland.

APPROVAL REQUESTED: A variance to the front yard setback from 25 feet to 18.5 feet (encroaches 6.5 feet) for a proposed deck in the R-3 Multi-family Residential District.

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305

PROPERTY HISTORY: The property is improved with a residence constructed in 2002 with the following records on file:

07/17/2001 Permit 71011 – Issued 08/03/01 – CO issued 12/19/2001 – Permit for a two-story single-family dwelling with attached garage.

10/18/2004 Permit 93445 – Issued 10/18/2004 – Permit for a 12' x 10' detached shed.

COMMENTS: The subject property is a corner lot fronting both Watertown Road and Granby Lane. Per the Zoning Code, each frontage has a 25' setback. The proposed variance is within the front setback on Watertown Road. The subdivision plat was recorded in 1971 (Plat ref. 19/7-15) and includes 25' setbacks from both roads. The minimum lot size in the R-3 Multi-family Residential District is 10,000 square feet; however, this lot is 9,186 square feet.

For the variance request, the Board must make findings that the applicant has demonstrated the following:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved.
2. Literal interpretation of the provisions of this Title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title.
3. The special conditions or circumstances did not result from actions of the applicant.
4. The condition or circumstance is not one that could be reasonably provided for under legislation of general applicability within the zoning district and shall be granted only on account of the uniqueness of the situation.

ENCLOSED PLEASE FIND THE STAFF REPORT FROM THE DEPARTMENT OF ENVIRONMENTAL PROGRAMS, NATURAL RESOURCES DIVISION

SUBSEQUENT PROCESSES IF APPROVED:

1. Obtain building permit, required inspections and Certificate of Use and Occupancy.

OWNER: Chris & Amy Brown
18 Granby Lane
Ocean Pines, MD 21811

APPLICANT : Chris & Amy Brown
18 Granby Lane
Ocean Pines, MD 21811

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.

APPLICATION TO :
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER ROOM 1201
SNOW HILL, MD 21863-1070

OFFICE USE ONLY :

CASE NO: 26-43
DATE FILED: 6-1-2026
HEARING DATE: ~~8-13-2026~~ 8-13-2026

APPLICATION BEING MADE FOR:

☒ SPECIAL EXCEPTION
☒ VARIANCE
☐ EXPANSION OF NONCONFORMING USE/STRUCTURE
☐ OTHER
☐ FORESTRY
☐ CRITICAL AREA
☐ APPEAL
☐ AFTER THE FACT ☐ PROPOSED ☐ ADMINISTRATIVE
ADJUSTMENT

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: rebuild my current deck to enhance the livability and functionality of my home while using less space than the present deck and patio. Thank you.

LOCATION OF PROPERTY:

TAX MAP: 16 PARCEL: 38 SECTION: 1 LOT/ BLOCK: 660
On the N/S/E/W of:
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: Ruby E. Runikera Telephone: [REDACTED]
Address: 2 Crows Nest Ln, Ocean Pines, MD 21811 E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Ruby E. Runikera Telephone: [REDACTED]
Address: 2 Crows Nest Ln, Ocean Pines, MD 21811 E-Mail: [REDACTED]

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)
No

Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? Yes If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations? Yes

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: 25' FROM CENTERLINE OF ROAD
25' RIGHT OF WAY OF A STATE ROAD
25' FROM PROPERTY LINE
REAR: 30'
LEFT SIDE: 6'
RIGHT SIDE: 6'
ZONING DISTRICT: R-3 TAX DISTRICT: 3

R Signature of Owner or Legal Representative
R Signature of Applicant

SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

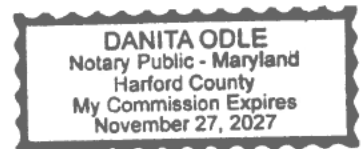
**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

Harford
STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY that on this 1 day of June
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Ruby Runkera, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal


Notary Public



My Commission Expires: Nov 27. 2027

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

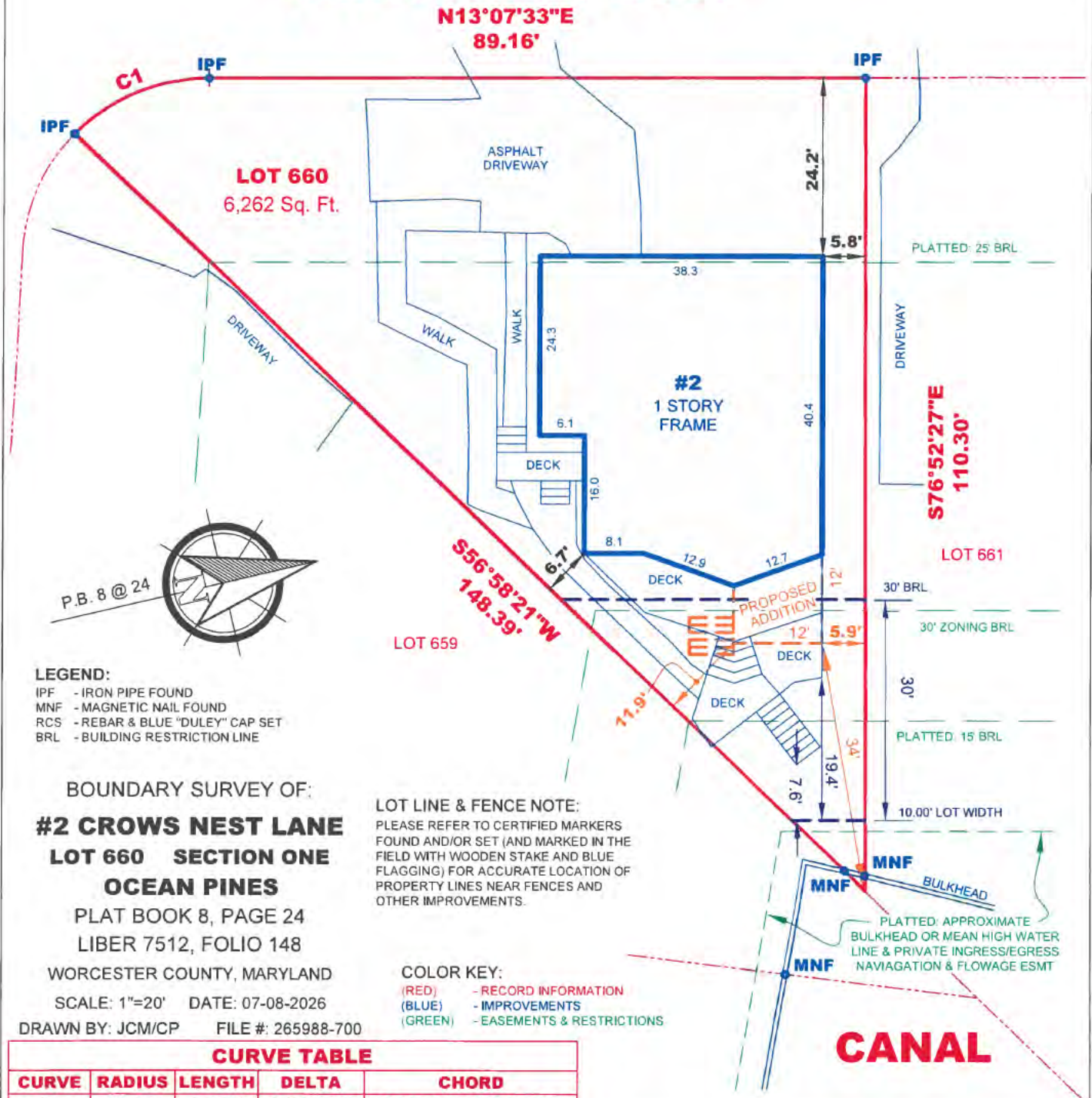
I HEREBY CERTIFY that on this _____ day of _____
20 _____ before me, a Notary Public in and for the State and County aforesaid,
personally appeared _____, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Notary Public

My Commission Expires: _____

CROWS NEST LANE



LEGEND:

IPF - IRON PIPE FOUND
MNF - MAGNETIC NAIL FOUND
RCS - REBAR & BLUE "DULEY" CAP SET
BRL - BUILDING RESTRICTION LINE

BOUNDARY SURVEY OF:

#2 CROWS NEST LANE LOT 660 SECTION ONE OCEAN PINES

PLAT BOOK 8, PAGE 24

LIBER 7512, FOLIO 148

WORCESTER COUNTY, MARYLAND

SCALE: 1"=20' DATE: 07-08-2026

DRAWN BY: JCM/CP FILE #: 265988-700

LOT LINE & FENCE NOTE:

PLEASE REFER TO CERTIFIED MARKERS FOUND AND/OR SET (AND MARKED IN THE FIELD WITH WOODEN STAKE AND BLUE FLAGGING) FOR ACCURATE LOCATION OF PROPERTY LINES NEAR FENCES AND OTHER IMPROVEMENTS.

COLOR KEY:

(RED) - RECORD INFORMATION
(BLUE) - IMPROVEMENTS
(GREEN) - EASEMENTS & RESTRICTIONS

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD
C1	25.00'	19.89'	45°35'24"	N 09°40'09" W 19.37'



SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS PLAT AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENT OF RECORD BUILDING RESTRICTION LINES AND EASEMENTS NOT SHOWN ON RECORD PLAT MAY NOT BE SHOWN HEREON.

LICENSE EXPIRATION DATE: 01-16-2027

A Land Surveying Company

DULEY
and
Associates, Inc.

Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111

Fax: 301-888-1114

Email: orders@duley.biz

On the web: www.duley.biz



MATERIAL SPECIFICATIONS:

- LUMBER SHALL BE PRESERVATIVE-TREATED, SOUTHERN PINE, GRADE #2 OR BETTER, LUMBER NOT NATIVE TO NORTH AMERICA, SUCH AS IPE.
- MAY BE USED AS DECKING ONLY; ITS USE IN GUARDS IS PROHIBITED.
- LUMBER IN CONTACT WITH THE GROUND SHALL BE RATED AS "GROUND-CONTACT "
- LUMBER IS UNDERGROUND OR IN DIRECT CONTACT WITH THE EARTH SHALL BE RATED UC4A. NOT ALL TREATED LUMBER IS RATED FOR GROUND CONTACT.
- CONCRETE IN FOOTINGS SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI
- NAILS SHALL BE THREADED, RING-SHANKED OR ANNULAR GROOVED A 1/8-INCH PILOT SHALL BE USED AT TOE-NAILING LOCATIONS.
- CARRIAGE-BOLTS MAY BE SUBSTITUTED WHERE THROUGH-BOLTS ARE SPECIFIED PROVIDED
- TORQUE WASHERS ARE INSTALLED AT THE BOLT HEAD
- FASTENERS SHALL BE HOT-DIPPED GALVANIZED, STAINLESS STEEL OR APPROVED FOR USE WITH PRESERVATIVE-TREATED LUMBER.
- HARDWARE AND MECHANICAL CONNECTORS, E.G., JOIST HANGERS OR POST ANCHORS, SHALL BE STAINLESS STEEL OR GALVANIZED WITH 1.85 OUNCES OF ZINC PER SQUARE FOOT (G-185 COATING) LOOK FOR PRODUCT LINES SUCH AS "ZMAX," "TRIPLE ZINC" OR "GOLD COAT."
- FLASHING AT LEDGER BOARD CONNECTIONS (SEE PAGE 15) SHALL BE COPPER (WITH COPPER NAILS ONLY), STAINLESS STEEL, UV RESISTANT
- PLASTIC OR GALVANIZED STEEL WITH A G-185 COATING
- PLASTIC COMPOSITES ARE MATERIALS COMPOSED OF BOUND WOOD AND PLASTIC FIBERS, PERMISSIBLE AS NOTED IN THIS DOCUMENT, PLASTIC COMPOSITES MUST BEAR A LABEL INDICATING THEIR COMPLIANCE WITH ASTM D 7032 AND HAVE A FLAME SPREAD NOT TO EXCEED 200
- PLASTIC COMPOSITE'S LABEL AND INSTALLATION INSTRUCTIONS MUST BE AVAILABLE TO THE INSPECTOR

DISCLAIMER: ENGINEERING REVIEW BY ZODEN ENGINEERS

THIS PROJECT HAS BEEN REVIEWED BY ZODEN ENGINEERS BASED SOLELY ON DOCUMENTATION PROVIDED BY THE CLIENT INCLUDING RENDERINGS, DRAWINGS, MEASUREMENTS, AND PHOTOGRAPHS OF EXISTING CONDITIONS. NO SITE VISITS, FIELD MEASUREMENTS, OR INVASIVE INSPECTIONS WERE CONDUCTED. ALL ASSESSMENTS, RECOMMENDATIONS, AND CONCLUSIONS ARE CONTINGENT UPON THE ACCURACY AND COMPLETENESS OF THE SUPPLIED MATERIALS. ZODEN ENGINEERS IS NOT RESPONSIBLE FOR ANY EXISTING STRUCTURAL ISSUES, CONCEALED DEFECTS, OR DISCREPANCIES ARISING FROM LIMITATIONS IN THE PROVIDED DOCUMENTATION. THIS DISCLAIMER OUTLINES THE SCOPE AND LIMITATIONS OF THE REVIEW FOR LEGAL PURPOSES.

SEAL & SIGN

- BUILD
- DEMO AND REMOVE EXISTING RIGHT SIDE OF DECK-STRUCTURE
 - BUILD DECK FRAME TO CODE WITH DOUBLE 2X12 BEAMS, 2X12 LEDGER BOARDS, 2X10 JOISTS SPACED 12" ON CENTER, WITH NOTCHED 6X6 SUPPORT POSTS FOR DECK, 4X4 SUPPORT POSTS FOR NEW STAIRS, WITH 2X12 STRINGERS
 - 9" ON CENTER FOR STAIRS
 - BUILD SHED FRAMING ROOFING FRAME AND STRUCTURE TO CODE BASED ON SPAN WITH JOISTS SPACED 24" ON CENTER
 - 7/16" OSB DECKING, FELT PAPER, ASPHALT SHINGLES, WITH Drip EDGE AND A SYSTEM ALUMINUM GUTTER
 - TE INTO EXISTING ROOF STRUCTURE
 - FURNISH AND INSTALL NEW ARCHITECTURAL SHINGLE ROOFING (CLOSEST POSSIBLE MATCH TO HOUSE)
 - FURNISH AND INSTALL VINYL SOFFIT CEILING (WHITE WITH WHITE J-CHANNEL TRIM
 - FURNISH AND INSTALL SCREEN EZE SCREEN SYSTEM
 - (WHITE) ALUMINUM WITH (WHITE) TRIM
 - FURNISH AND INSTALL (1) SCREEN EZE SLIDING SCREEN DOOR
 - FURNISH AND INSTALL NEW DEDICATED ELECTRICAL CIRCUIT FOR ENCLOSURE IF NECESSARY OR JUMP EXISTING
 - FURNISH AND INSTALL (1) GFI OUTLET(S)
 - INSTALL CUSTOMER PROVIDED CEILING FAN
 - FURNISH AND INSTALL TIMBERTECH TERRAIN PLUS DARK OAK DECK BOARDS WITH HIDDEN FASTENERS, AND COLOR
 - MATCH SCREWS FOR THE EDGE OF THE DECK
 - FURNISH AND INSTALL TREX SELECT WH/BLK RAILINGS
 - FURNISH AND INSTALL WHITE TASCRA TRIM WITH WHITE PLUGS TO COVER SCREW HOLES
 - FURNISH AND INSTALL WHITE FASCIA LAPPING INSTEAD OF LATTICE
 - CONSTRUCT DOOR IN LAPPING TO ACCESS UNDER-ENCLOSURE AREA
 - FURNISH AND INSTALL NEW GRASPABLE HANDRAILS (ADA WHITE)
 - FURNISH AND INSTALL CODE COMPLIANT PHOENIX RISER LIGHTS ON NEW STEPS (2 PER RISER, 5 STAIRS)
 - POSTS AND BEAMS UNPAINTED AND UNWRAPPED UNLESS OTHERWISE NOTED
- DECK FACELIFT ON LEFT SIDE OF DECK
- REMOVE EXISTING DECK BOARDS AND RAILINGS
 - DISPOSE OF OLD MATERIALS
 - FURNISH AND INSTALL TIMBERTECH TERRAIN PLUS DARK OAK DECK BOARDS, WITH HIDDEN FASTENERS, AND COLOR
 - MATCH SCREWS FOR THE EDGE OF THE DECK
 - FURNISH AND INSTALL TREX SELECT WH/BLK RAILINGS
 - CLEAN UP AND REMOVE ALL JOB-RELATED DEBRIS



EXISTING CONDITIONS

1/4" = 1' SCALE
4' ELEVATION

BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE
MARYLAND EDITION

DRAWN BY: BILLY VOSTAD
1-888-691-0838
riley@predeckplans.com

FRAMING PLAN

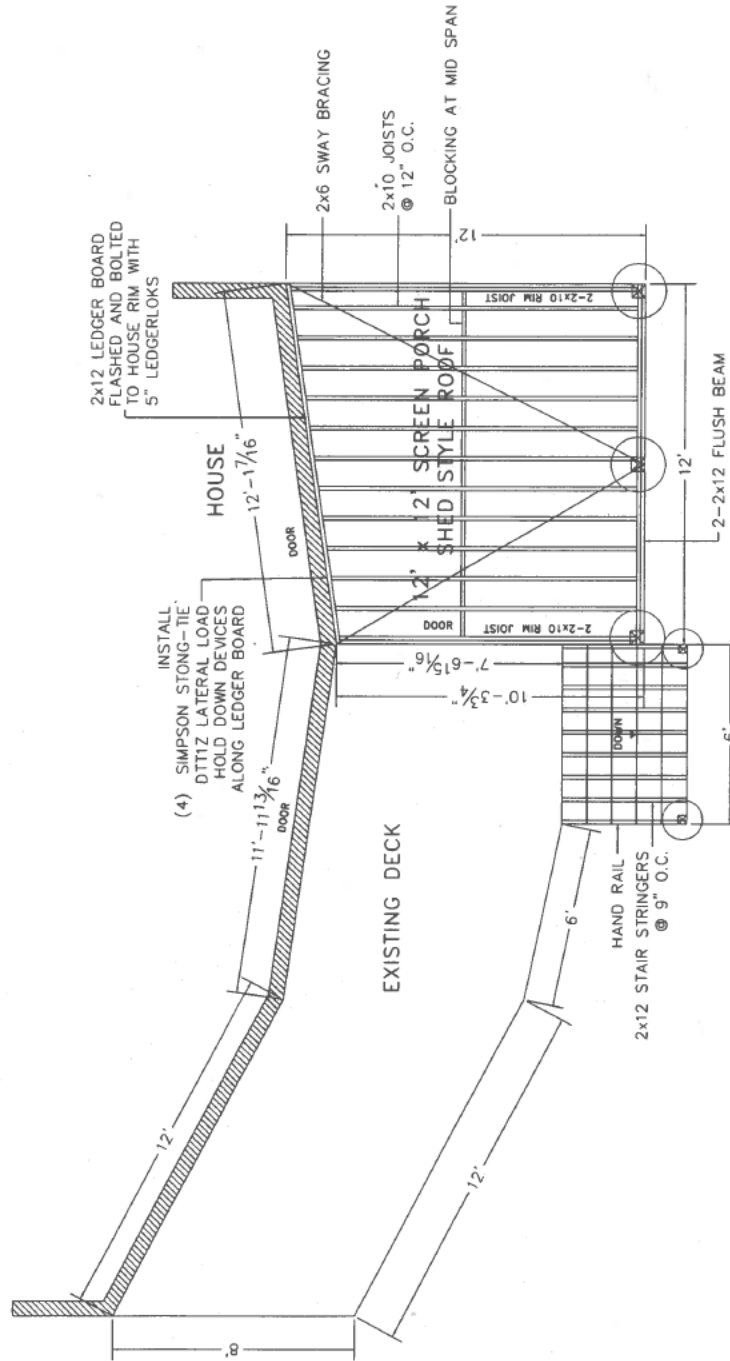
2

DATE: 5-8-2026

OCEAN PINES, MD 21811

ADDRESS: 2 CROWS NEST LANE

JOB NAME: RUBY RUNIKERA



SEAL & SIGN

ALL ITEMS NOT SHOWN ON THIS PLAN WILL BE PER COUNTY DECK DETAILS.
2x12 LEDGER BOARD FLASHED AND BOLTED TO HOUSE RIM WITH 5" LEDGERLOKS
JOISTS TO BE 2x10 SYP TREATED INSTALLED 12" O.C.
BEAMS TO BE 2-2x12 SYP TREATED NAILED
SUPPORT POSTS TO BE 6x6 SYP TREATED
DECKING TO BE 5/4 x 6 TIMBERTECH TERRAIN PLUS DARK OAK
GUARD RAILS TO BE 36" HIGH WITH LESS THAN 4" OPENINGS PER IRC CODE
ALL DECK HARDWARE TO BE CORROSION RESISTANT AND INSTALLED
PER MANUFACTURERS INSTRUCTIONS
STAIRS TO BE BUILT MAX 7-3/4" RISE 10" MIN RUN PER IRC CODE

FIRST POSTINGS SIZES BASED
ON 55 LB PER SQUARE FOOT
TRIBUTARY LOADS APPLIED TO
1500 PSF SOIL COMPRESSION
CAPACITY

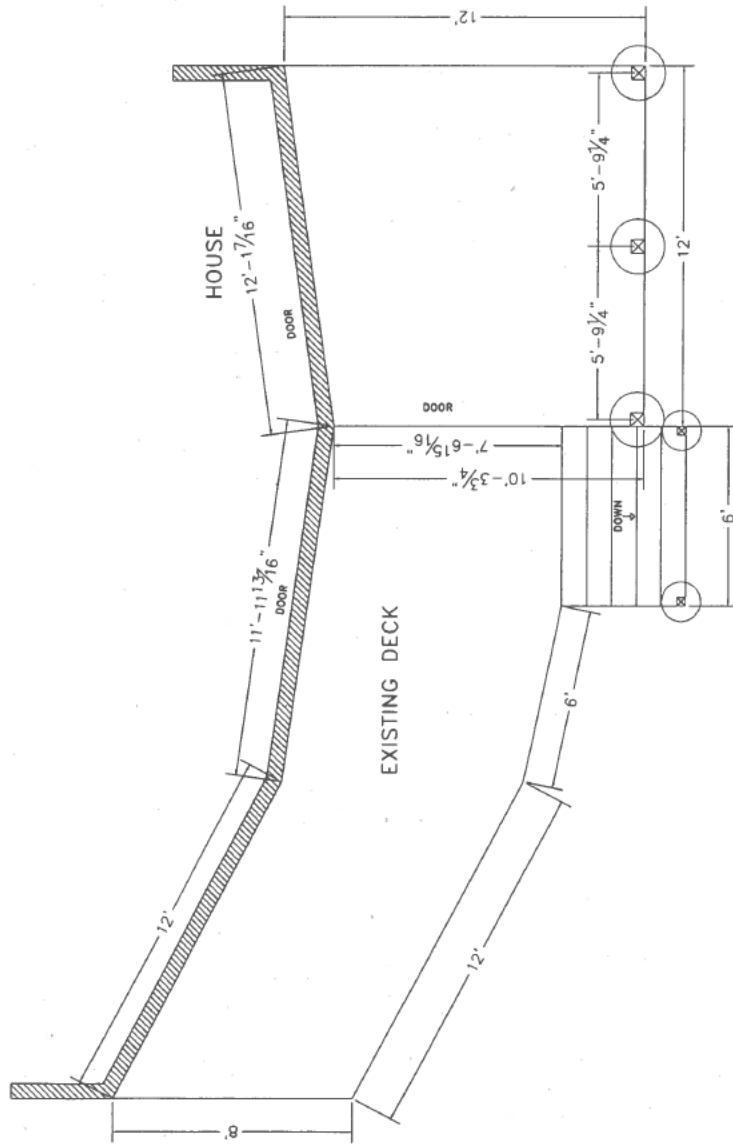
20" DIAMETER FOOTING
10" THICK CONCRETE
30" DEEP
8x6 SUPPORT POST
12" DIAMETER FOOTING
10" THICK CONCRETE
30" DEEP
4x4 SUPPORT POST



1/4" = 1' SCALE
4' ELEVATION

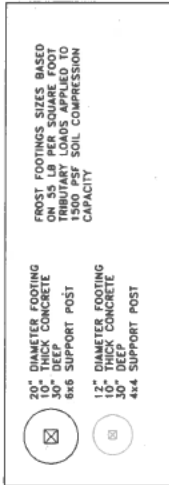
BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE
MARYLAND EDITION

DRAWN BY: RILEY VOSTAD
1-888-691-0636
riley@prodesignplans.com



NOTE:
FOOTINGS WITHIN 5' OF EXISTING FOUNDATION WALLS
MUST BEAR AT THE SAME LEVEL AS THE FOUNDATION
WALL.

ALL ITEMS NOT SHOWN ON THIS PLAN WILL BE PER COUNTY DECK DETAILS.
2x12 LEDGER BOARD FLASHED AND BOLTED TO HOUSE RIM WITH 5\" LEDGERLOKS
JOISTS TO BE 2x10 SYP TREATED AND BOLTED TO HOUSE WITH 5\" LEDGERLOKS
BEAMS TO BE 2-2x12 SYP TREATED NAILED
SUPPORT POSTS TO BE 6x6 SYP TREATED
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PER MANUFACTURERS INSTRUCTIONS
STAIRS TO BE BUILT MAX 7-3/4\" RISE 10\" MIN RUN PER IRC CODE



SEAL & SIGN

FA OUTDOOR SPACES

JOB NAME: RUBY RUNIKERA

ADDRESS: 2 CROWS NEST LANE

OCEAN PINES, MD 21811

DATE: 5-8-2026

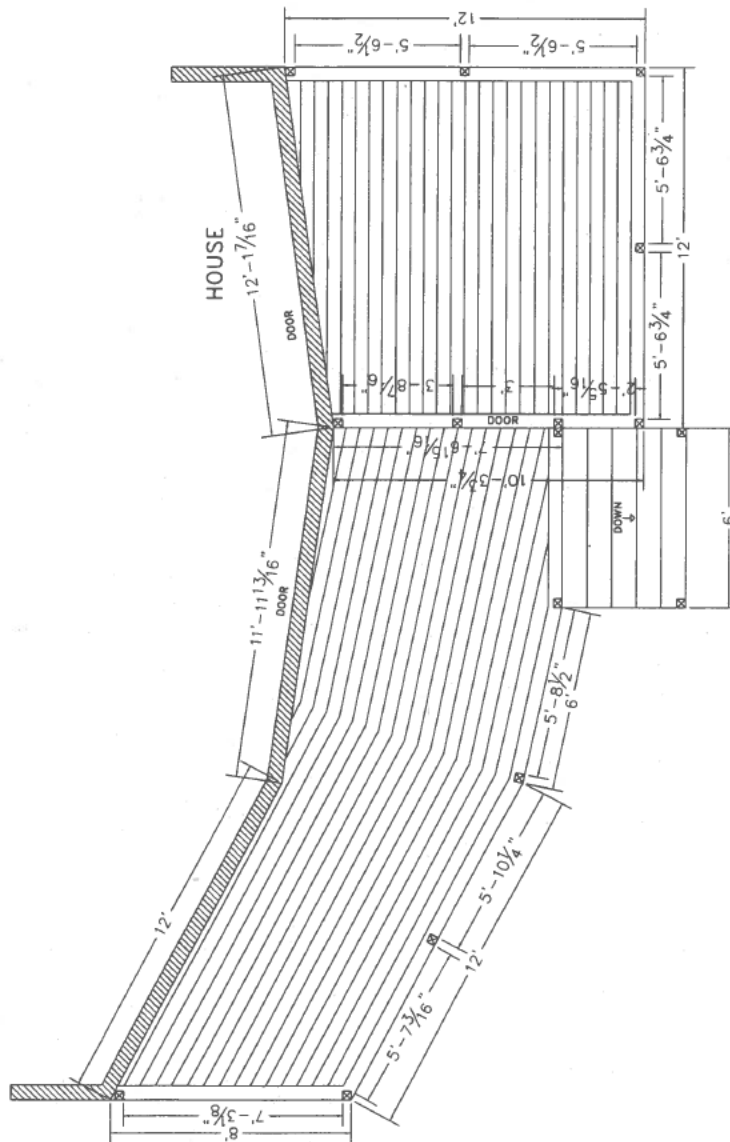
FOOTING PLAN

3

1/4" = 1' SCALE
4" ELEVATION

BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE
MARYLAND EDITION

DRAWN BY: RILEY VOSTAD
1-888-681-0838
riley@prodecksplans.com



ALL ITEMS NOT SHOWN ON THIS PLAN WILL BE PER COUNTY DECK DETAILS.
2x12 LEDGER BOARD FLASHED AND BOLTED TO HOUSE RIM WITH 5\"/>

36\"/>

SEAL & SIGN



JOB NAME: RUBY RUNIKERA

ADDRESS: 2 CROWS NEST LANE

OCEAN PINES, MD 21811

DATE: 5-8-2026

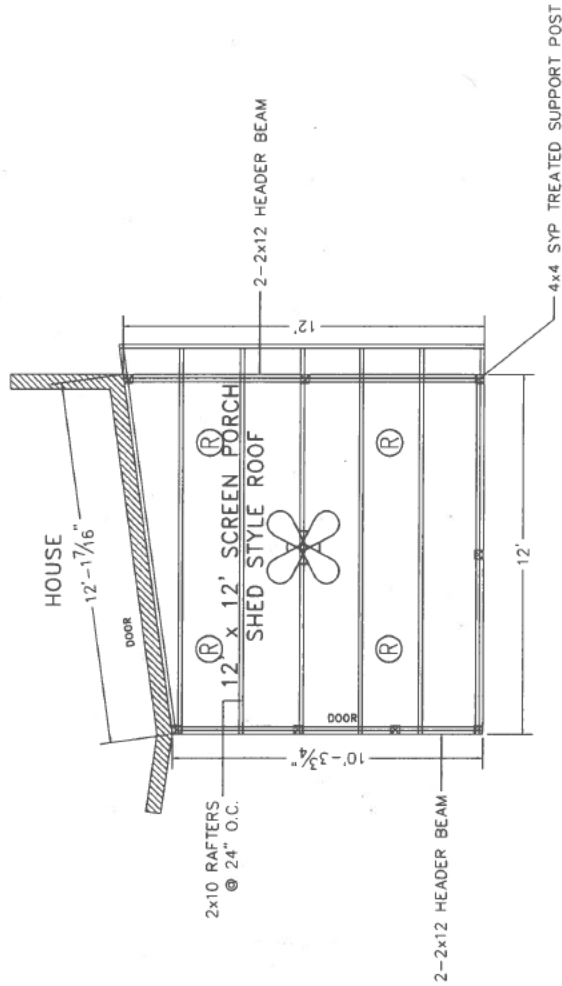
4

DECKING / RAILING PLAN

1/4" = 1' SCALE
4' ELEVATION

BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE
MARYLAND EDITION

DRAWN BY: RILEY VOSTAD
1-888-681-0838
riley@prodstplans.com



ELECTRICAL LEGEND



STEP FLASH ROOF AT HOUSE CONNECTION
RAFTERS ARE TO BE HAND-RAISED 2x10 SPF 24" O.C. SPACING
HEADER BEAMS TO BE 2-2x12 TREATED
PORCH SUPPORTS TO BE 4x4 SYP TREATED
ROOF FRAME COVERED WITH 7/16" OSB PLYWOOD
ROOF FINISHED WITH 15 LB TAR PAPER AND MATCHING SHINGLES

SEAL & SIGN



JOB NAME: RUBY RUNIKERA

ADDRESS: 2 CROWS NEST LANE

OCEAN PINES, MD 21811

DATE: 5-8-2026

ROOF PLAN

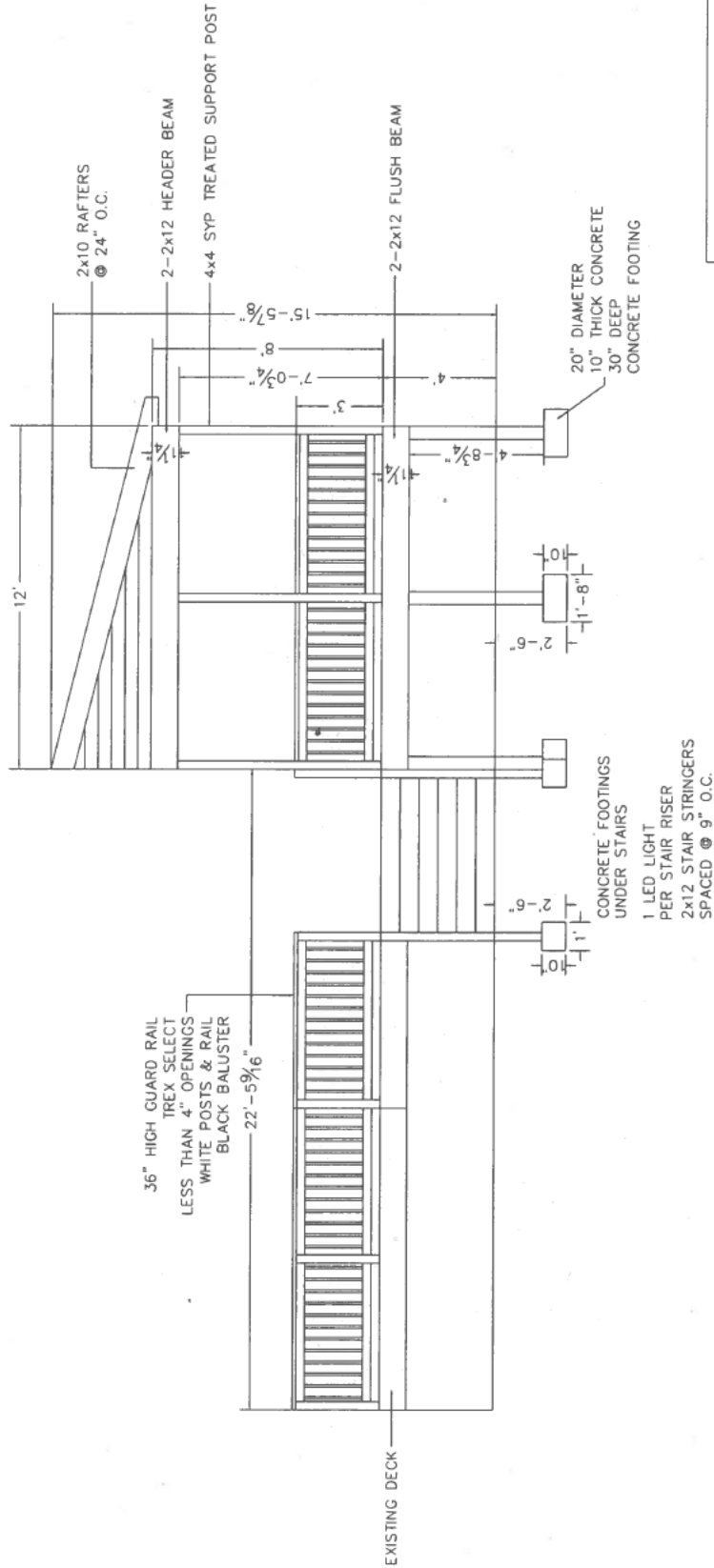
5

1/4" = 1' SCALE
4' ELEVATION

BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE
MARYLAND EDITION

DRAWN BY: RILEY VOSTAD
1-888-691-0838
riley@prodesigns.com

12' x 12' SCREEN PORCH
SHED STYLE ROOF



ALL ITEMS NOT SHOWN ON THIS PLAN WILL BE PER COUNTY DECK DETAILS.
2x12 LEDGER BOARD FLASHED AND BOLTED TO HOUSE RIM WITH 5" LEDGERLOKS
JOISTS TO BE 2x10 SYP TREATED INSTALLED 12" O.C.
BEAMS TO BE 2-2x12 SYP TREATED NAILED
SUPPORT POSTS TO BE 6x6 SYP TREATED
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20" DIAMETER FOOTING
10" THICK CONCRETE
30" DEEP
6x6 SUPPORT POST

12" DIAMETER FOOTING
10" THICK CONCRETE
30" DEEP
4x4 SUPPORT POST

SEAL & SIGN



JOB NAME: RUBY RUNIKERA

ADDRESS: 2 CROWS NEST LANE

OCEAN PINES, MD 21811

DATE: 5-8-2026

FRONT ELEVATION

6

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-43**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: August 13, 2026

LOCATION: 2 Crows Nest Lane, Tax Map 16, Parcel 38, Section 1, Lot 660, Tax District 3, Worcester County, Maryland.

APPROVAL REQUESTED: A special exception to reconstruct a legal non-conforming rear deck and steps and a variance to the side yard setback from 6 feet to 5.9 feet (encroaches 0.1 feet) for a proposed screen porch and deck in the R-3 Multi-family Residential District.

CODE REFERENCES: to Zoning Code §§ ZS 1-116(c)(3), ZS 1-116(c)(4), ZS 1-116(c)(5), ZS 1-122(d)(1), ZS 1-207(b)(2) and ZS 1-305.

PROPERTY HISTORY: The property is improved with a residence constructed in 1985 with the following records on file:

02/22/1985	Permit 13240 – Issued 02/22/1985 – Zoning Certificate issued 08/27/1985 – Permit for a dwelling with a porch, deck, and garage
08/09/1999	Permit 62059 – Issued 08/09/1999 – CO issued 04/03/2001 – Permit for a handicap ramp.
06/29/2015	Permit 15-0580 – Issued 06/29/2015 – CO issued 07/22/2015 – Permit for the conversion of a screen room into a sunroom.

COMMENTS: The subject property is a triangular lot. The site plan provided shows that the existing house does not comply with the front or side setbacks, but the site plan with the 1985 permit for the dwelling shows it compliant with all setbacks, including a rear setback of 15', and a Zoning Certificate was issued. The encroachment of the proposed addition is a result of the existing house being non-conforming. The proposed changes to the rear deck will reduce the encroachment into the rear 30' setback. Staff had incorrectly applied the 15' shoreline protection setback in 1985, rather than the applicable 30' rear yard setback, resulting in the non-conformity.

Variance

For the variance request, the Board must make findings that the applicant has demonstrated the following:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved.
2. Literal interpretation of the provisions of this Title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title.
3. The special conditions or circumstances did not result from actions of the applicant.
4. The condition or circumstance is not one that could be reasonably provided for under legislation of general applicability within the zoning district and shall be granted only on account of the uniqueness of the situation.

Special Exception

With respect to the special exception request, the Board must make findings that the proposed use or structure:

1. Will be in conformance with the County's Comprehensive Plan.
2. Will be in harmony with the general character of the neighborhood considering population density, the design, scale and bulk of any proposed new structures, the intensity and character of the activity, traffic and parking conditions or the number of similar uses.
3. Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding neighborhoods; will cause no objectionable noise, vibration, fumes, odors, dust, glare or physical activity; and will not have a detrimental effect on ground- or surface water quality.
4. Will have no detrimental impact on vehicular or pedestrian traffic.
5. Will not adversely affect the health, safety, morals, security or general welfare of residents, workers, or visitors in the area.
6. Will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, medical facilities, water, sanitary sewers, public roads, storm sewers, drainage and other public improvements.
7. Will meet the definitions and specific standards set forth elsewhere in this Title for such use.

ENCLOSED PLEASE FIND THE STAFF REPORT FROM THE DEPARTMENT OF ENVIRONMENTAL PROGRAMS, NATURAL RESOURCES DIVISION

SUBSEQUENT PROCESSES IF APPROVED:

1. Obtain necessary building permits, inspections and Certificate of Use and Occupancy.

OWNER: Ruby Runikera
2 Crows Nest Lane
Ocean Pines, MD 21811

APPLICANT : Ruby Runikera
2 Crows Nest Lane
Ocean Pines, MD 21811

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.

APPLICATION TO :
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER ROOM 1201
SNOW HILL, MD 21863-1070

OFFICE USE ONLY :

CASE NO: 26-50
DATE FILED: 3-11-2026
HEARING DATE: 8-13-2026

APPLICATION BEING MADE FOR:

☒ SPECIAL EXCEPTION
☐ VARIANCE
☐ EXPANSION OF NONCONFORMING USE/STRUCTURE
☐ OTHER

☐ FORESTRY
☐ CRITICAL AREA
☐ APPEAL

☒ AFTER THE FACT ☐ PROPOSED

☐ ADMINISTRATIVE
ADJUSTMENT

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for:

Rear yard setback variance of 18.7' for an existing principal structure (residence) with an attached garage

LOCATION OF PROPERTY:

TAX MAP: 16 PARCEL: 46 SECTION: 9 LOT/ BLOCK: 357
On the N/S/E/W of: 608 Ocean Parkway, Ocean Pines
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: NERAL YILMAZ
Address: 608 Ocean Parkway
Berlin MD 21811

Telephone: [REDACTED]

E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Stephen Sawka
Address: 308 13TH ST. Unit 10B

Telephone: [REDACTED]

E-Mail: [REDACTED]

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)

No

Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? Yes IDA If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations?

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: ☐ FROM CENTERLINE OF ROAD
☐ RIGHT OF WAY OF A STATE ROAD
25' FROM PROPERTY LINE

REAR: 30' principal; 8'
LEFT SIDE: 8'
RIGHT SIDE: 8'

ZONING DISTRICT: R-2

TAX DISTRICT: 3

Meral Yilmaz
Signature of Owner or Legal Representative

Stephen Sawka
Signature of Applicant

SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY that on this 11th day of March
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Meral Yilmaz, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Debra Mooney
Notary Public

My Commission Expires: 5.31.28



STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

I HEREBY CERTIFY that on this 11th day of March
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Stephen Sauka, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Debra Mooney
Notary Public

My Commission Expires: 5.31.28



EX. LOT COVERAGE = 3,176 SF
NEW LOT COVERAGE = 875 SF
TOTAL LOT COVERAGE = 4,051 SF

LOT 356

— BUILDING HEIGHT IS 27'
ABOVE AVERAGE GRADE

35' DEEDED B.R.L.

Proposed Pergola
Connecting Garage
to Dwelling

LOT 358

OCEAN PARKWAY - 70' R/W

LOT 357 - SECTION 9 - OCEAN PINES
THIRD TAX DISTRICT, WORCESTER COUNTY, MARYLAND

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD DIRECTION	CHORD
C-1	57.55	580.28	05°40'57"	28.80	N41°28'42"W	57.53
C-2	72.43	730.28	05°40'57"	36.24	N41°28'42"W	72.40

LOT AREA: 9,750 S.F. ±
EX. ZONING: R-2
ZONING SETBACKS:
FRONT: 25', SIDES: 6', REAR: 30'
FLOOD ZONE: X PER FIRM
NO. 24047C0045H
DATED 7-16-2015.
B.E. = 4,454 SF
PARCEL 46 - TAX MAP 16

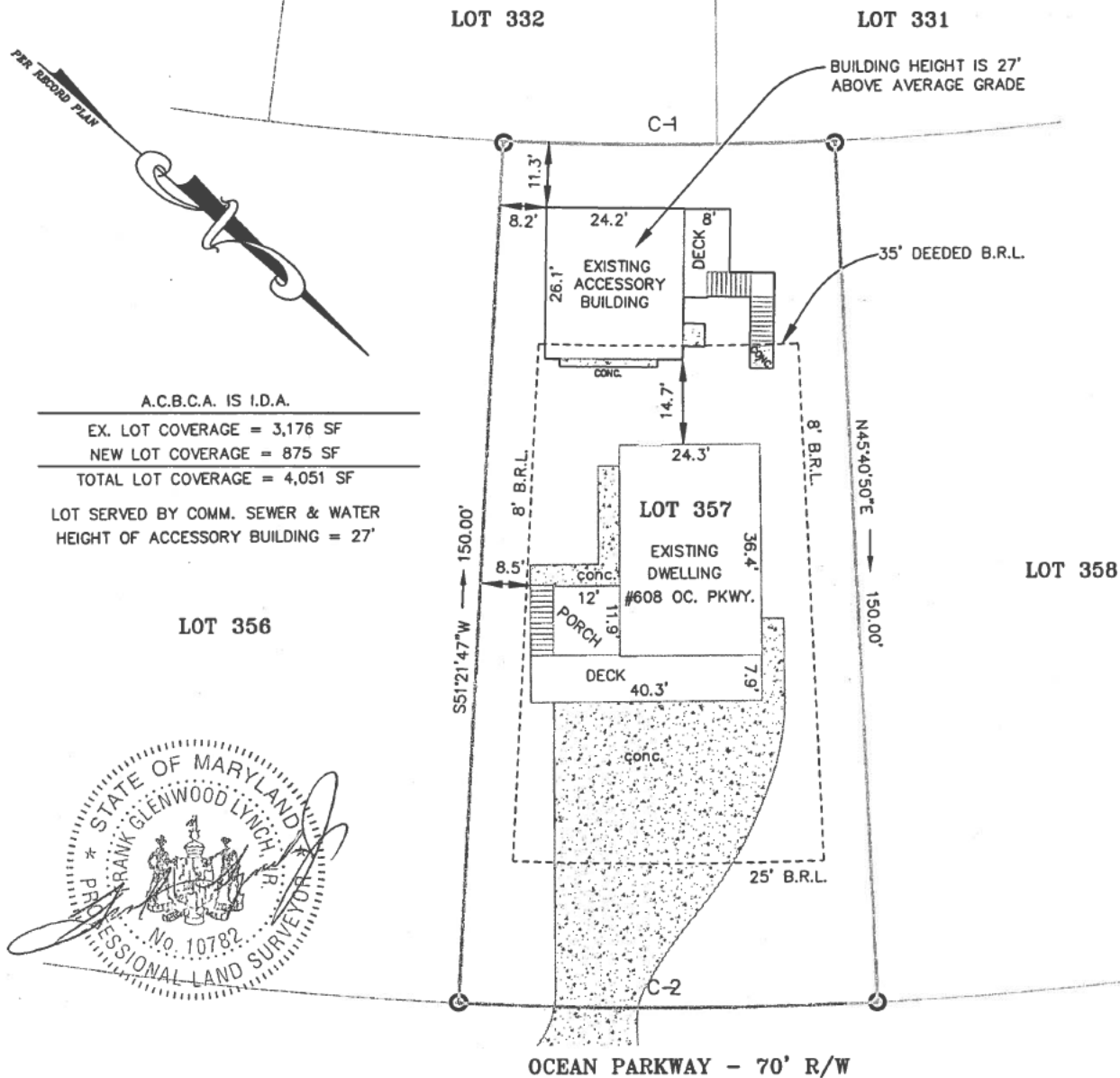
(IN FEET)
1 inch = 30 ft.

Frank G. Lynch, Jr.
& Associates, Inc.

10535 RACETRACK ROAD • BERLIN MARYLAND 21811
(410) 641-5353 • 641-5773

DRAWN BY	<u>FGL JR.</u>
FILE NO.	<u>11882-19</u>
DATE	<u>12-15-2020</u>

NOTE: THIS PLAT REFLECTS THE DESCRIPTION OF THE LOT/PARCEL AS NOTED IN THE TITLE OF THIS PLAT, AS SHOWN ON THE RECORD PLAT AND DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT OF WAYS OR EASEMENTS PERTAINING TO THIS PROPERTY OTHER THAN THOSE AS SHOWN ON SAID RECORD PLAT. NO TITLE SEARCH OR COVENANTS PROVIDED OR STIPULATED.



ACCESSORY BUILDING AS CONSTRUCTED

LOT 357 - SECTION 9 - OCEAN PINES

THIRD TAX DISTRICT, WORCESTER COUNTY, MARYLAND

MIN. ACCURACY = 0.1'±

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD DIRECTION	CHORD
C-1	57.55	580.28	05°40'57"	28.80	N41°28'42"W	57.53
C-2	72.43	730.28	05°40'57"	36.24	N41°28'42"W	72.40

REFERENCE

LOT AREA: 9,750 S.F. ±

EX. ZONING: R-2

ZONING SETBACKS:

FRONT: 25', SIDES: 6', REAR: 30'

FLOOD ZONE: X PER FIRM

NO. 24047C0045H

DATED 7-16-2015.

B.E. = 4,454 SF

PARCEL 46 - TAX MAP 16

NOTES



(IN FEET)

1 inch = 30 ft.

○ DENOTES IRON PIPE FOUND

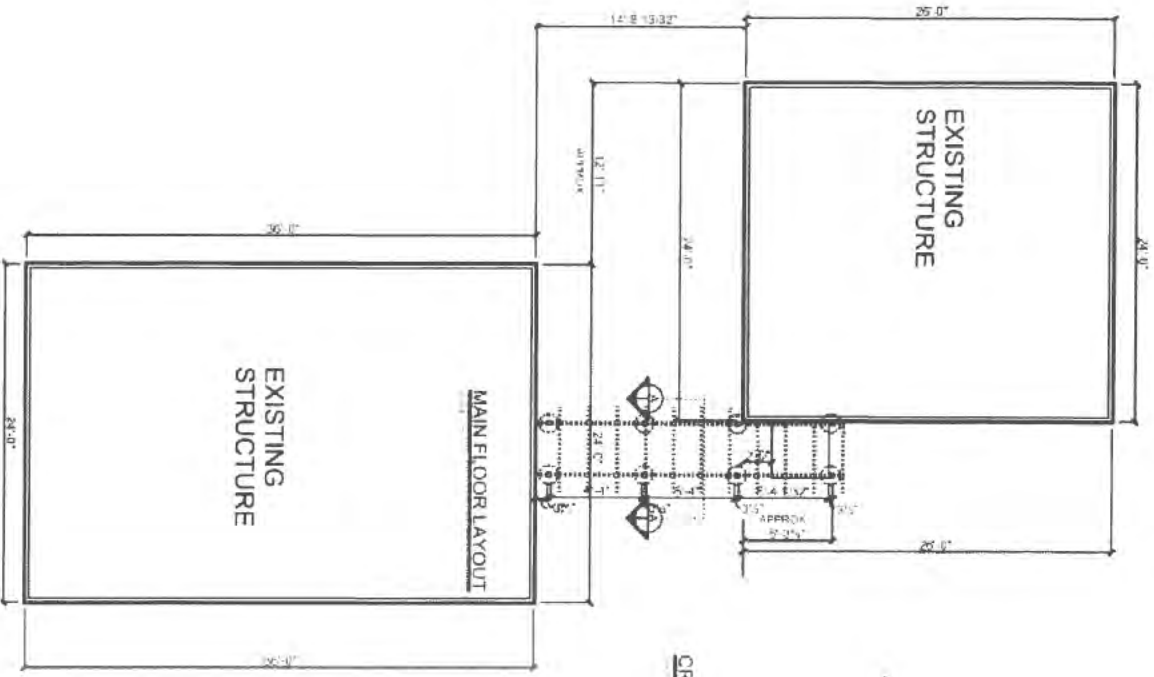
Frank G. Lynch, Jr.
& Associates, Inc.

SURVEYING · LAND PLANNING

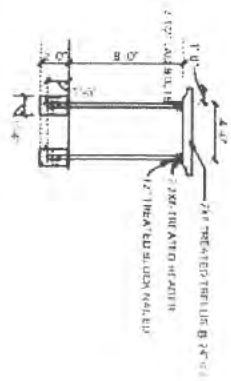
10535 RACETRACK ROAD · BERLIN MARYLAND 21811

(410) 641-5353 · 641-5773

DRAWN BY FGL JR.
FILE NO. 11882-19
DATE 12-15-2020

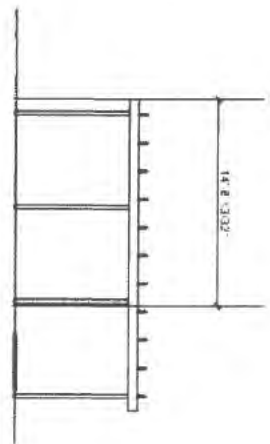


CROSS SECTION AA

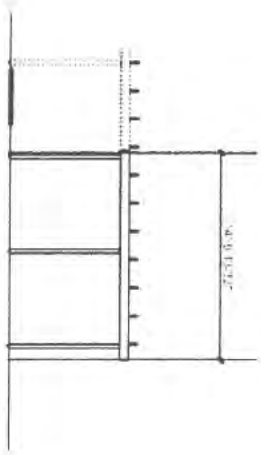


NOT TO SCALE
 1/4" = 1'-0"
 1/8" = 1'-0"
 1/16" = 1'-0"

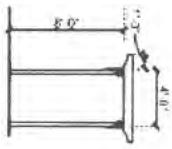
RIGHT ELEVATION



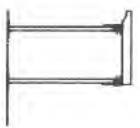
LEFT ELEVATION



FRONT ELEVATION



REAR ELEVATION



PLAN REVIEWED

DEVELOPMENT REVIEW & PERMITTING

DATE 7-13-26

COMMENTS

FILE SET

DATE: 7-13-26	PROJECT: REMODEL 1-ELLIS	OWNER: OCEAN PARKWAY LOT 307 SECTION 3 ZONE: R-100	EBERLY DESIGNS INC. 714 BOA 1257 BETHESDA MD 20817
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**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-50**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: August 13, 2026

LOCATION: 608 Ocean Parkway, Tax Map 16, Parcel 46, Section 9, Lot 357, Tax District 3, Worcester County, Maryland.

APPROVAL REQUESTED: One (1) after-the-fact variance to the rear yard setback from 30 feet to 11.3 feet (encroaches 18.7 feet) for an existing residence with an attached garage in the R-2 Suburban Residential District

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305.

PROPERTY HISTORY: The property is improved with a residence constructed in 1977 with the following records on file:

04/11/1977 Permit 6981 – Issued 04/11/1977 – Zoning Certificate issued 10/24/1977 – Permit for a dwelling.

09/17/2019 Permit 19-0797 – Issued 09/17/2019 — Permit for a 24' x 26' detached garage.

COMMENTS: The request for a variance is due to the detached garage exceeding the 25' height limit by 2' following construction. To bring the structure into compliance it must be attached to the principal structure so that the maximum height limit applied is 45'. However, attaching the garage to comply with the maximum height means that the 30' rear setback will apply to the garage.

For the variance request, the Board must make findings that the applicant has demonstrated the following:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved.
2. Literal interpretation of the provisions of this Title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title.
3. The special conditions or circumstances did not result from actions of the applicant.

4. The condition or circumstance is not one that could be reasonably provided for under legislation of general applicability within the zoning district and shall be granted only on account of the uniqueness of the situation.

ENCLOSED PLEASE FIND THE STAFF REPORT FROM THE DEPARTMENT OF ENVIRONMENTAL PROGRAMS, NATURAL RESOURCES DIVISION

SUBSEQUENT PROCESSES IF APPROVED:

1. Obtain necessary building permits, inspections and Certificate of Use and Occupancy.

OWNER: Meral Yilmaz
608 Ocean Parkway
Berlin, MD 21811

APPLICANT : Stephen Sawka
308 13th St Unit 10B
Ocean City, MD 21842

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.

APPLICATION TO :
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER ROOM 1201
SNOW HILL, MD 21863-1070

OFFICE USE ONLY :

CASE NO: 26-52
DATE FILED: 6-25-2026
HEARING DATE: 8-13-2026

APPLICATION BEING MADE FOR:

☒ SPECIAL EXCEPTION
☐ VARIANCE
☐ EXPANSION OF NONCONFORMING USE/STRUCTURE
☐ OTHER
☐ AFTER THE FACT ☒ PROPOSED
☐ FORESTRY
☐ CRITICAL AREA
☐ APPEAL
☐ ADMINISTRATIVE ADJUSTMENT

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: A single private, non-commercial building for the storage of personal property, which is allowed by Special Exception per ZS 1-201(c)(24).

LOCATION OF PROPERTY:

TAX MAP: 9 PARCEL: 126 SECTION: LOT/ BLOCK:
On the N/S/E/W of: Old Stage Rd.
approx. 1,700 (Feet/Miles), N/S/E/W of Bishopville Rd.

PROPERTY OWNER INFORMATION:

Owner's Name: RJM LLC Telephone: [REDACTED]
Address: 14585 Nellie Lane Seaford, DE 19973 E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Robert Mason Jr Telephone: [REDACTED]
Address: 14585 Nellie Lane Seaford, DE 19973 E-Mail: [REDACTED]

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)
No

Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? No If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations? N/A

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: 60' FROM CENTERLINE OF ROAD REAR: 50'
40' RIGHT OF WAY OF A STATE ROAD LEFT SIDE: 20'
FROM PROPERTY LINE RIGHT SIDE: 20'

ZONING DISTRICT: A-1 TAX DISTRICT: 5

X Robert Mason Jr.
Signature of Owner or Legal Representative

[Signature]
Signature of Applicant

SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY that on this 25th day of June
2026 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Robert Moore Jr, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Deborah D. Mooney
Notary Public

My Commission Expires: 5/31/2028



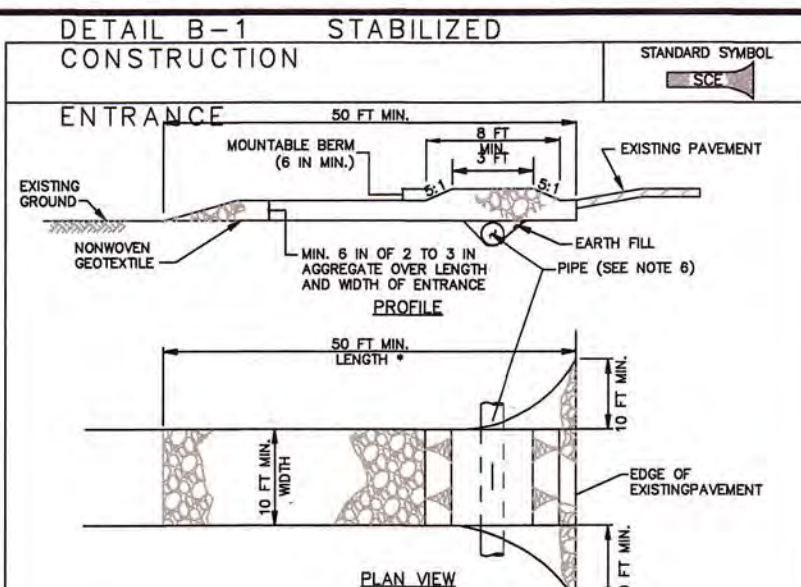
STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

I HEREBY CERTIFY that on this _____ day of _____
20 _____ before me, a Notary Public in and for the State and County aforesaid,
personally appeared _____, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

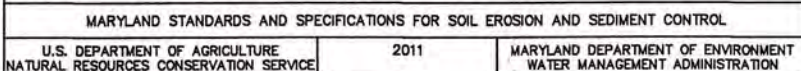
Notary Public

My Commission Expires: _____



CONSTRUCTION SPECIFICATIONS

1. PLACE STABILIZED CONSTRUCTION ENTRANCE IN ACCORDANCE WITH THE APPROVED PLAN. VEHICLES ENTERING OR EXITING THE CONSTRUCTION SITE SHALL MAINTAIN LENGTHS OF 50' (FOOT) FOR SINGLE LANE, 100' FOR TWO LANE, AND 150' FOR THREE LANE. FLARE SPACE TO 10' FEET MINIMUM AT EACH END TO PROVIDE THE FOLLOWING:
 - a. PREPARE APPROVED TURN FLOWING TO OR DIVERTED TOWARD THE SIDE UNDER THE ENTRANCE, MAINTAINING POSITIVE DRAINAGE. PROTECT PIPE INSTALLED THROUGH THE SPACE WITH A MOUNTABLE BARRIER OR APPROVED ALTERNATE. PROVIDE A MOUNTABLE BARRIER OR APPROVED ALTERNATE TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT. PROVIDE A MOUNTABLE BARRIER OR APPROVED ALTERNATE TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT. PROVIDE A MOUNTABLE BARRIER OR APPROVED ALTERNATE TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT.
 - b. TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT. PROVIDE A MOUNTABLE BARRIER OR APPROVED ALTERNATE TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT. PROVIDE A MOUNTABLE BARRIER OR APPROVED ALTERNATE TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT.
 - c. TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT. PROVIDE A MOUNTABLE BARRIER OR APPROVED ALTERNATE TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT. PROVIDE A MOUNTABLE BARRIER OR APPROVED ALTERNATE TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT.
2. PLACE ORANGED AGGREGATE (2" TO 4" INCHES IN SIZE) ON EQUIVALENT RECYCLED MATERIAL (WITHOUT REBAR) AT LEAST 6 INCHES DEEP OVER THE LENGTH AND WIDTH OF THE SOE.
3. MAINTAIN ENTRANCE IN A CONDITION THAT MINIMIZES TRACKING OF SEDIMENT AND/ OR STONE OR MAKE OTHER APPROPRIATE ARRANGEMENTS TO PREVENT TRACKING OF SEDIMENT AND/ OR STONE. PROVIDE SHEDDING DEVICES IMMEDIATELY BEFORE STONE AND/ OR SEDIMENT UNDESIRABLE, DROPPED, OR WASHED OFF THE ENTRANCE OR EXIT. PROVIDE A MOUNTABLE BARRIER OR APPROVED ALTERNATE TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT. PROVIDE A MOUNTABLE BARRIER OR APPROVED ALTERNATE TO CONVEY TRAFFIC TO THE ENTRANCE OR EXIT.



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD DIRECTION	CHORD
C1	152.42	1183.73	07°22'39"	76.31	S08°12'53"E	152.31

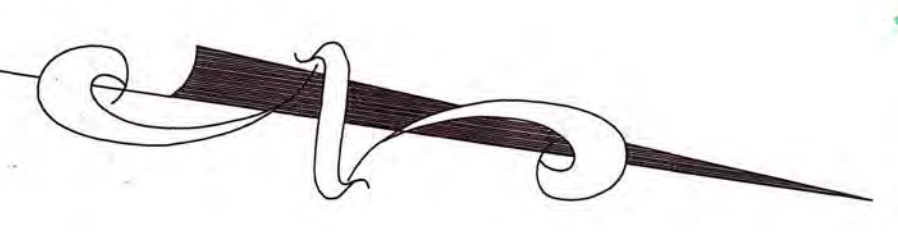


Table B1 (continued)

1/ Seeding rates for the warm-season grass are in pounds of Pure Live Seed (PLS). Actual planting rates should be adjusted to reflect percent germination and purity, as listed. Adjustments are usually not needed for the cool-season grasses.

Seeding rates listed above are for temporary seedings, when planted alone. When planted on a nurse crop with permanent seed mixtures, use 1/3 of the seeding rate listed above for the warm-season grasses. For warm-season grasses planted with cool-season grasses, use 1/2 of the seeding rate listed above for the warm-season grasses. For warm-season grasses planted with warm-season grasses, use 1/2 of the seeding rate listed above for the warm-season grasses. For warm-season grasses planted with warm-season grasses, use 1/2 of the seeding rate listed above for the warm-season grasses. For warm-season grasses planted with warm-season grasses, use 1/2 of the seeding rate listed above for the warm-season grasses.

Seeding mix. Listed sown generally should not be used on a nurse crop, unless planting in a nurse crop in very late fall beyond the seeding dates for other temporary seedings. Consideration should be given to the effect of the nurse crop on the establishment and growth of other plants. If it must be used as a nurse crop, seed at 1/3 of the rates listed above.

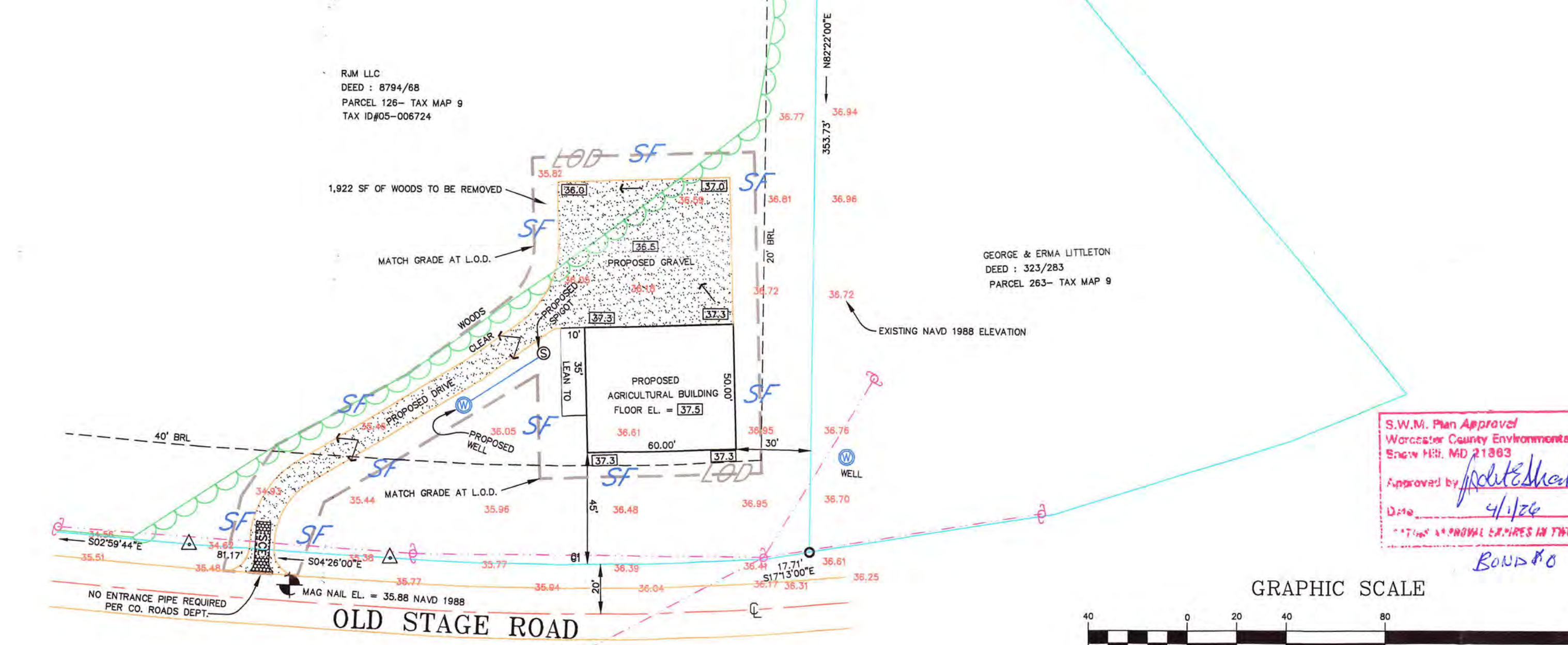
Oats are the recommended nurse crop for warm-season grasses.

2/ For sandy soils, plant seeds at twice the depth listed above.

3/ The planting dates listed are averages for each zone and may require adjustment to reflect local conditions, especially near the boundaries of the zone.

Seeding Method	Time	Se/ha	kg N/1000 m ²	Time	Mowing
Tall fescue meadow up to 70 percent or more of cover:	10-10-10 or 10-10-20	400	11.5	Early of May	No closer than 3 inches, if occasional mowing is desired.
Bluegrass-Tall fescue:	0-20-0	400	9.2	Spring, the year following establishment, and every 4 to 5 years, thereafter.	Mow no closer than 2 inches.
Fairly uniform stand of tall fescue or bluegrass-Tall fescue:	5-10-10	500	11.5	Fall, the year following establishment, and every 4 to 5 years, thereafter.	Mow no closer than 1 inch after seed has been sown.
Uniformly uneven stand of uniform plant distribution:	5-10-10	500	11.5	Spring, the year following establishment, and every 4 to 5 years, thereafter.	No closer than 1 inch after seed has been sown.
Red & white clover, fescue, or other clover, hard fescue, and bluegrass:	20-10-10	250	5.8	September, 30 days after seed has been sown, and 30, 60, and 90, if needed.	Don't mow closer than 1 inch after seed has been sown. In Kentucky and Kentucky bluegrass, 3 inches. In bluegrass,

Table B.3. Selected List of Permanent Herbaceous Seeding Mixtures						
Mix	Recommended Outlier	Seeding Rate, ¹ lb/a or 100/000 ft ²	Soil Change (inches)	Min. depth (inches)	Water/Lb	Remarks
WARM-SEASON/COOL-SEASON GRASS MIXES						
1. SELECT THE WARM-SEASON GRASS Setaria (Setaria verticillata) OR Coastal Panic Grass (Panicum americanum var. americanum)	Blackfoot, Cynaroga, Setaria, Panic, or, Setaria, Panic, or, Setaria	10	0.33			All species are native to Maryland.
AND: Crowing Red Fescue (Festuca rubra var. rubra)	Dawson, Pennant, Pennant, Pennant, or, Pennant	15	0.34	E - P	4 - 7	C - D Coastal panicgrass is best adapted to zones 7a and 7b.
PLUS ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) Buck Clover (Medicago sativa) Wild Indigo (Baptisia tinctoria)	Common Common Common	4 2 2	0.06 0.06 0.06			Portulaca is a cool-season grass that will provide winter cover. The "bushiness" variety of the warm-season grass produces a seedling that will be a perennial in the following season.
2. Big Bluestem (Andropogon gerardii) Indiangrass (Sorghastrum nutans) Little Bluestem (Schizanthus nutans) Crowing Red Fescue (Festuca rubra var. rubra)	Hogear or Broomrape Runway Runway Dawson, Pennant, Pennant, Pennant, or, Pennant	6 6 6 10	0.14 0.14 0.06 0.34			All species are native to Maryland.
PLUS ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) Buck Clover (Medicago sativa) Wild Indigo (Baptisia tinctoria)	Common Common Common	4 2 2	0.06 0.06 0.06	E - MW	4 - 6	C - D The Indiangrass and bluestem have seed that will germinate in the fall. The seed of the warm-season grass will not germinate until the following spring. The seed of the cool-season grass will germinate in the fall and will be a perennial in the following season.
3. Shaw-Bluestem (Sporobolus comosus) Shaw-Bluestem (Sporobolus comosus)	Common Common	2.05 2.05	0.2 0.2			Shaw-Bluestem is a cool-season grass that will provide winter cover. The seed of the warm-season grass will not germinate until the following spring.
SELECT ZEBEE GRASSES						
4. Desmanthus (Desmanthus illinoensis) Shaw-Bluestem (Sporobolus comosus)	Zeig Common or Broomrape	20 20	0.46 0.46			Excellent for reasonably drought-tolerant (see Table B.1).
OR Crowing Red Fescue (Festuca rubra var. rubra) OR Crowing Red Fescue (Festuca rubra var. rubra)	Zeig Common	3 3	0.07 0.07	E - MW	4 - 6	C - D Excellent for reasonably drought-tolerant (see Table B.1).
PLUS ONE OF THE FOLLOWING LEGUMES Common Legume (Legume spp.) Korean Lespedeza (Lespedeza bicolor) OR Desmanthus (Desmanthus illinoensis)	Stable Stable or Broomrape Zeig	10 10 15	0.33 0.33 0.34			Common Legume (Legume spp.) is a cool-season grass that will provide winter cover. The seed of the warm-season grass will not germinate until the following spring.
5. Crowing Red Fescue (Festuca rubra var. rubra) Vigilant Wild Ryegrass (Elymus vigilans) OR Crowing Red Fescue (Festuca rubra var. rubra)	Dawson, Pennant, Pennant, Pennant, or, Pennant Common Common	20 5 5	0.46 0.11 0.11	W - P	2 - 3	C - D Use Vigilant Wild Ryegrass in moist, shady sites.
OR Crowing Red Fescue (Festuca rubra var. rubra)	Common	5	0.11			Use Crowing Red Ryegrass in droughty sites.
COOL-SEASON GRASS MIXES						
6. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
7. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
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9. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
10. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
11. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
12. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
13. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
14. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
15. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
16. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
17. SELECT TWO GRASSES Crowing Red Fescue (Festuca rubra var. rubra) OR Hard Fescue (Festuca duriuscula) OR Hard Fescue (Festuca duriuscula) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea) OR SELECT ONE OF THE FOLLOWING LEGUMES Portulaca (Portulaca oleraceae) OR Redtop (Agrostis gigantea)	Dawson, Pennant, Pennant, Pennant, or, Pennant Albino or Pennant Albino or Pennant Albino or Pennant Stable Stable Stable	20 20 20 10 10 15	0.46 0.46 0.33 0.02 0.02 0.34			Use Crowing Red Fescue in heavy shade and on moist soils.
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PROJECT NOTES

1. LOT AREA: 20.99 ACRES ±
2. TAX ID #005-006724
3. EX. ZONING: A-1
4. ZONING SETBACKS: FRONT: 60' FM CL ROAD
REAR = 50' SIDES = 20'
5. FLOOD ZONE: X PER
FIRM NO. 24047C0040H
DATED 7-16-2015.
6. DISTURBED AREA = 16,320 S.F. ± OR 0.3746 ACRES ±
7. PROPOSED FILL = 150 C.Y. ±
8. DEED REF: 8794/68
9. SITE SOILS ARE: RUNCLYNT LOAMY SAND (RuA) - CLASS
10. SITE IS CURRENTLY VACANT, WOODS, AND MEADOW GRASS
11. STORMWATER IS DIRECTED TO GRASS AND WOODED DISCOS
12. THERE ARE REPORTEDLY NO WETLANDS WITHIN THE LIMITS OF
13. THIS SITE IS NOT WITHIN THE ATLANTIC COASTAL BAYS CRITIC
14. THIS SITE IS WITHIN WORCESTER COUNTY SUBWATERSHED #2
15. STORMWATER MANAGEMENT SUPERVISION AND CERTIFICATION NOTE

Sediment Control Plan Approval
Worcester Soil Conservation District
Snow Hill, MD 21863
Approved by: [Signature]
Date: 3/30/2012

PROFESSIONAL SEAL



EXP. 2-21-2028

Frank G. Lynch, Jr.
& Associates, Inc.

SURVEYING • LAND PLANNING
535 RACETRACK ROAD • BERLIN, MARYLAND 21810
(410) 641-5353 • 641-5773

DESIGNED BY	SURVEYED BY FGL3/PL	FILE NO.: 12630-26
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DRAWN BY	FGL JR.	DATE	3-25-2026	SHEET	1	OF	25
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ST#2/C/JOB FILES 2026/12630-26.DWG

DESIGNED BY	SURVEYED BY	FGL3/PL	FILE NO.:	12630-26
DRAWN BY	FGL JR.	DATE	3-25-2026	SHEET 1 OF
CHECKED BY	FRANK G. LYNCH	SCALE	1" = 40'	

#	REVISION	DATE	CHKD	PROJECT
				NOTE: THE LIVES BY THE OWNER RESTRICTIONS AS AS SHOWN HERE

LANDS OF RJM LLC
DISTRICT, WORCESTER COUNTY, MARYLAND
TAX MAP 9- PARCEL 126

PROPOSED SITE PLAN,
STORMWATER MANAGEMENT,
SOIL EROSION AND
SEDIMENT CONTROL PLAN

NOTE: THE LIVING AREA FLOOR AND/OR GARAGE FLOOR ELEVATIONS AS SHOWN HEREON ARE RECOMMENDED MINIMUMS. THE ACTUAL ELEVATIONS OF THESE FLOORS ARE TO BE ESTABLISHED BY THE OWNER AND/OR GENERAL CONTRACTOR AS IT IS THEIR RESPONSIBILITY TO VERIFY THE BUILDING CODES, FEMA REGULATIONS, AND ANY OTHER APPLICABLE REGULATIONS AND/OR RESTRICTIONS ARE COMPLIED WITH. IT IS IMPORTANT TO NOTE THAT UTILITIES SERVICING THE STRUCTURE MAY OR MAY NOT REQUIRE A CHANGE IN THE RECOMMENDED FLOOR ELEVATIONS AS SHOWN HEREON.

THE INFORMATION CONTAINED ON THESE PLANS, PLATS OR OTHER DOCUMENTS IS PROVIDED FOR THE EXCLUSIVE USE OF THE CLIENT NAMED HEREON, AND IS SUBJECT TO THE CLIENT AND/OR WORK PRODUCT PRIVILEGE. ANY AMENDMENTS, COPYING OR DISTRIBUTION, INCLUDING COMPUTER GENERATED AMENDMENTS, COPYING OR DISTRIBUTION IS STRICTLY PROHIBITED UNLESS AUTHORIZED IN WRITING BY FRANK G. LYNCH JR. AND ASSOCIATES, INC.

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-52**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: August 13, 2026

LOCATION: Old Stage Road approximately 1,700 feet south of Hammond Road, Tax Map 9, Parcel 126, Tax District 5, Worcester County, Maryland.

APPROVAL REQUESTED: A special exception for a private non-commercial building for the storage of personal property in the A-1 Agricultural District.

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(3), ZS 1-201(c)(34) and ZS 1-305.

PROPERTY HISTORY: The dwelling is likely beyond hope of repair, and needs to be demolished, which is why the new building is not permitted outright as an accessory building

11/20/1981 Permit 10215 – Issued 11-20-1981 – Zoning Certificate issued 12/11/1981 – Permit for a private storage building.

COMMENTS: Per the Zoning Code, non-commercial structures for the storage of personal property require a special exception, are limited to one per property and cannot exceed a gross floor area of 11,000 square feet. The proposed structure is 3,000 square feet with an attached 350 square foot lean-to. In 1981, a permit was issued for a 12 x 24 private storage building. At the time this was an accessory structure for the dwelling and farm. The dwelling and some accessory structures still appear to be on the property unoccupied and in disrepair.

For the special exception request, the Board must make findings that the proposed use or structure:

1. Will be in conformance with the County's Comprehensive Plan.
2. Will be in harmony with the general character of the neighborhood considering population density, the design, scale and bulk of any proposed new structures, the intensity and character of the activity, traffic and parking conditions or the number of similar uses.
3. Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding neighborhoods; will cause no objectionable noise, vibration, fumes, odors, dust, glare or physical activity; and will not have a detrimental effect on ground- or surface water quality.
4. Will have no detrimental impact on vehicular or pedestrian traffic.

5. Will not adversely affect the health, safety, morals, security or general welfare of residents, workers, or visitors in the area.
6. Will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, medical facilities, water, sanitary sewers, public roads, storm sewers, drainage and other public improvements.
7. Will meet the definitions and specific standards set forth elsewhere in this Title for such use.

ENCLOSED PLEASE FIND THE STAFF REPORT FROM THE DEPARTMENT OF ENVIRONMENTAL PROGRAMS, NATURAL RESOURCES DIVISION

SUBSEQUENT PROCESSES IF APPROVED:

1. Obtain necessary building permits, inspections and Certificate of Use and Occupancy.
2. Dwelling needs to be properly demolished to avoid further nuisance abatement action

OWNER: RJM LLC
14585 Mel Lo Lane
Seaford, DE 19973

APPLICANT : Robert Mason, Jr.
14585 Mel Lo Lane
Seaford, DE 19973

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.

APPLICATION TO :
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER ROOM 1201
SNOW HILL, MD 21863-1070

OFFICE USE ONLY :

CASE NO: 26-54
DATE FILED: 7-15-2026
HEARING DATE: 8-13-2026

APPLICATION BEING MADE FOR:

☒ SPECIAL EXCEPTION
☒ VARIANCE
☐ EXPANSION OF NONCONFORMING USE/STRUCTURE
☐ OTHER
☐ FORESTRY
☐ CRITICAL AREA
☐ APPEAL

☐ AFTER THE FACT ☐ PROPOSED ☐ ADMINISTRATIVE

TO THE BOARD OF ZONING APPEALS:

Further
Enroachment of 5' into a front yard setback
Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: A Zoning Variance to accommodate renovating an existing home that was built 10ft beyond the building restriction line back in 1978. *Approved 20'*
Requested to 15'
~~The normal canal-side setback is 30 ft, and the home's continuous roof, covering the enclosed deck is at 20ft.~~
~~Our intention is to seek a variance to rebuild this home in its same location, not exceeding its~~

LOCATION OF PROPERTY:

TAX MAP: 16 PARCEL: 41 SECTION: 04 LOT/ BLOCK: 168
On the N/S/E/W of: 55 Moonshell Dr. Berlin, MD 21811
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: Robert B McIntire Telephone: [REDACTED]
Address: 9182 Bear Claw Ct. Owings, MD 20736 E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Robert B McIntire Telephone: [REDACTED]
Address: 9182 Bear Claw Ct. Owings, MD 20736 E-Mail: [REDACTED]

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)
Initial 1977 permitting looks like a request to widen the side porch by 3ft was denied. Porch remains today at 35ft width.
Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? Yes If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations? Joy Birch emailed, site plan shows no future disturbance of 15' Critical Buffer Area.

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: FROM CENTERLINE OF ROAD REAR: 30'
RIGHT OF WAY OF A STATE ROAD LEFT SIDE: 6'
FROM PROPERTY LINE RIGHT SIDE: 6'

ZONING DISTRICT: R-3 TAX DISTRICT: 3

Robert B McIntire
Signature of Owner or Legal Representative

Robert B McIntire
Signature of Applicant

SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT

Calvert
STATE OF MARYLAND, ~~WORCESTER~~ COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY that on this 15th day of July
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Robert B. McIntire, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.



Notary Public

My Commission Expires: 3/22/2030

JEFFREY R FLUHARTY
Notary Public
Calvert County
Maryland
My Commission Expires Mar. 22, 2030

Calvert
STATE OF MARYLAND, ~~WORCESTER~~ COUNTY TO WIT: (APPLICANT)

I HEREBY CERTIFY that on this 15th day of July
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Robert B. McIntire, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
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therein stated and for the purposes therein contained.

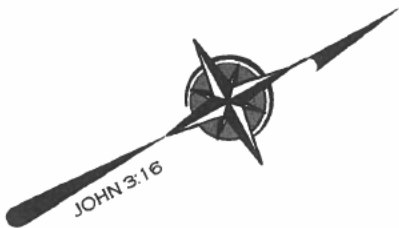
AS WITNESS my hand and official seal.



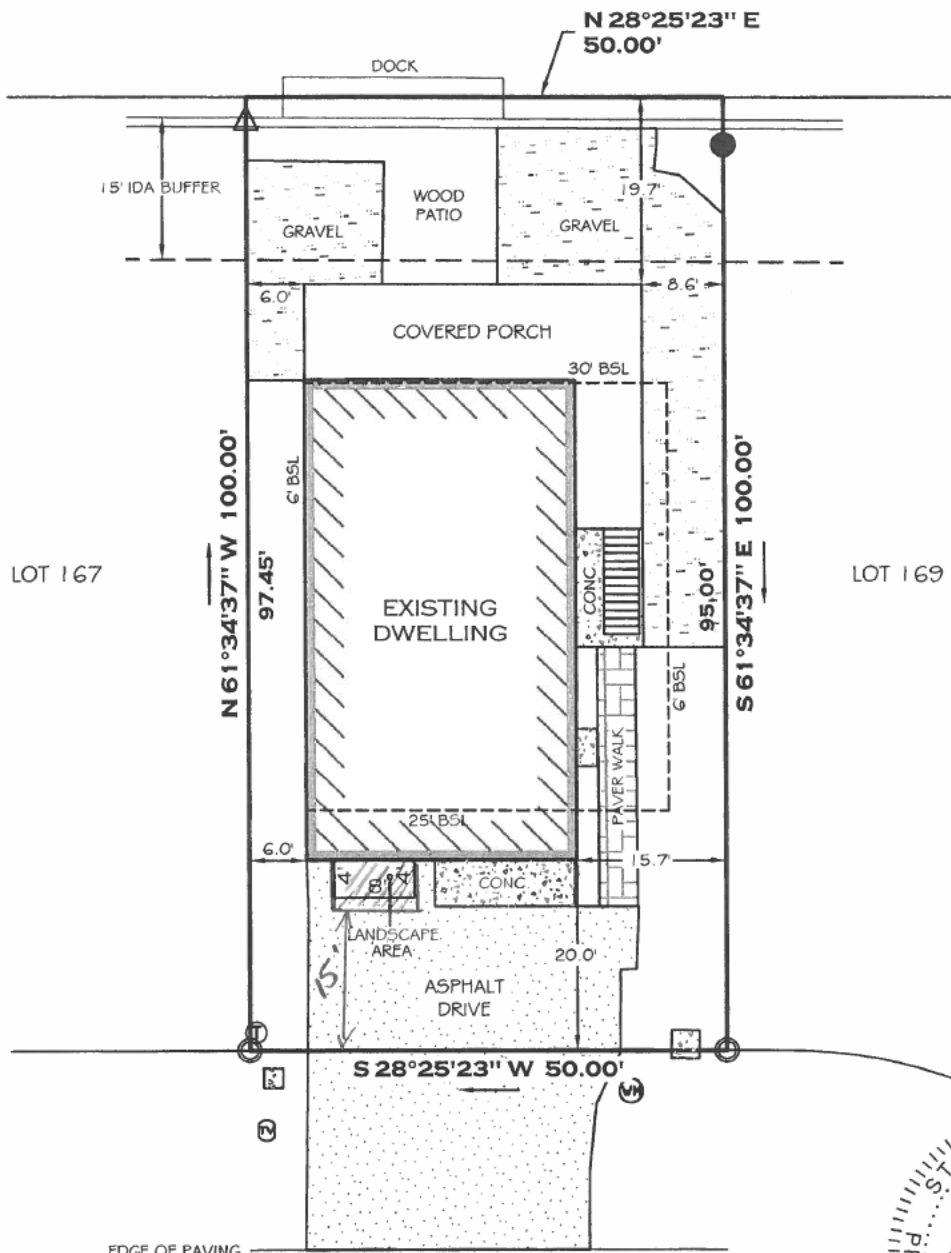
Notary Public

My Commission Expires: 3/22/2030

JEFFREY R FLUHARTY
Notary Public
Calvert County
Maryland
My Commission Expires Mar. 22, 2030



LAGOON



MOONSHELL DRIVE 50' RIGHT OF WAY

GENERAL NOTES:

1. ZONED: R-3
SETBACKS
FRONT: 25'
SIDE: 6'
REAR: 30'

2. FLOOD ZONE: AE - 5 FEET, PER FEMA MAP 24047C0045H, EFFECTIVE DATE 07-16-2015.

3. THIS PROPERTY IS LOCATED IN THE CRITICAL AREA DESIGNATED IDA (INTENSELY DEVELOPED AREA).

4. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTION, EASEMENTS, AND / OR RIGHTS OF WAY THAT MAY BE REVEALED BY A THOROUGH TITLE SEARCH.

5. A LICENSEE EITHER PERSONALLY PREPARED A BOUNDARY SURVEY OR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN REGULATION .12 OF CHAPTER 06 IN TITLE 09, DEPT. OF LABOR, LICENSING, & REGULATION, SUBTITLE 13, BOARD OF PROFESSIONAL LAND SURVEYORS.



BRADLEY A. ABSHER, PROF. LAND SURVEYOR
MD 21165 - EXP. FEB. 03, 2026

LEGEND

- IRON PIPE FOUND
- △ PK NAIL TO BE SET
- ⊕ WATER METER
- ⊕ TELEPHONE PEDESTAL
- ⊕ CATV PEDESTAL
- EX. PILING

TAX MAP #	16
PARCEL	41
DISTRICT	03
COUNTY	WORCESTER
STATE	MARYLAND
AREA	5,000 ± SQ. FT.
DEED REF.	5013 / 724
PLAT REF.	11 / 54
DRAWN BY	CJP
DATE	02 / 12 / 2025
SCALE	1" = 20'
SURVEY #	MD - 00372

BOUNDARY SURVEY PLAN

LOT C-04-168
TEAL BAY - OCEAN PINES

FOR
ROBERT MCINTIRE

55 MOONSHELL DRIVE, OCEAN PINES, MD 21811



LAND SURVEYING

35322 BAYARD ROAD
FRANKFORD, DE 19945
302-539-2488

Board of Zoning Appeals
Worcester County, Maryland
One West Market Street
Government Center Room 1201
Snow Hill, MD 21863-1070

Re: Zoning Administrative Variance Application for 55 Moonshell Dr. Berlin, MD 21811

To the Board of Zoning Appeals:

The following is a general description of this Administrative Adjustment application. Our property, located at 55 Moonshell Dr. Berlin, MD, is an existing home built in 1978 that needs major renovation due to its age and condition. The legal description of the property is: Tax Map# 16/ Parcel 41/ District 03/ Lot C-04-168/ in the Teal Bay neighborhood of Ocean Pines. The amount of work needed is extensive and will require us to bring the entirety of the home's features and construction up to modern building code requirements. Our basic intention is to rebuild this home while using the exact same foundation location and deck support as currently exists.

Our zoning issue was brought to our attention when we had a site survey and elevation certificate done at the start of this project's development and permitting process. It was found that the existing home's foundation exceeds the front (street side) building restriction line (BRL) by five (5) feet. The home is setback twenty (20) ft instead of the listed BRL of twenty-five (25) feet. This situation appears to us as necessary to submit an application for an Administrative Adjustment within the 20% parameter. The existing foundation's location in this matter is a key element to this proposed zoning adjustment. For the application's historical inquiry, we separately located relevant Worcester County documents and submit those with our application. There was a denial of an original 1977 zoning application that concerned adding an additional three (3) feet to the side porch width. The porch length is not the thirty-eight (38) feet requested, but exists today, as built, at thirty-five (35) feet. Not directly relevant to this Administrative Adjustment application regarding the street-side BRL, but the documentation of this ruling is added. The porch provides direct outside egress to and from the main level of the home. Our submittal includes current photos of the home as a visual reference.

Our site plan was also submitted to the Ocean Pines Architectural Committee, seeking the community's required local approval for this home's BRL variance. They received a site plan, the new flood elevation certificate, and some home elevations concept drawings that we prepared. It is noted in their zoning approval letter t

hat they contacted two of our neighbors about that application. The Ocean Pines Architectural Review Committee's approval letter and the documents contained in that submittal package are included as a supplement to this Worcester County Administrative Adjustment application.

A practical matter that strongly impacts this project is that the new flood elevation survey now renders the entire lower level of our existing home as not habitable. This was a shock, but in speaking with builders, recovering the lost square footage, and literally the home's value, we could rebuild vertically to the community's thirty-five (35) foot height limit. To do this, a structural engineer will have to review the foundation's suitability, and an architect will have to create an approvable construction plan that fits the site, our budget, and the objectives. To invest the time and funding to fully develop this project, we are seeking the "continuance" of this home's variance exceeding the front BRL as it currently exists. No part of future construction will go beyond the home's current location on the lot. Strengthening and reusing the existing foundation is a key cost factor in our plans. For the county's financial perspective, the new home's value will certainly increase its tax assessment. Circumstances being as they are, we deduce from county documents that the current home exists where it is from an original 1978 zoning variance and think this qualifies it as a unique condition that is peculiar to this structure. We feel that the Administrative Adjustment should be approved because a declination would prevent us from restoring our home as other homeowners in the neighborhood have done. As it has existed in this location since 1978, we had no input or actions contributing to its construction by the original owners. There is no larger remedy needed through legislation for this case, and the public interest in several aspects would be absolutely maintained by rebuilding this home to modern codes. If any other questions arise, please contact us. We would be happy to provide any further information or documents, and we look forward to your consideration of this matter.

Rob & Tami McIntire

9182 Bear Claw Ct.

Owings, MD 20736

667/486-1855











OCEAN PINES ASSOCIATION, INC.

239 Ocean Parkway • Ocean Pines, Maryland 21811

Telephone: 410-641-7717 • Fax: 410-641-5581

Applicant: Robert & Tami McIntire

Date: March 16, 2026

Street Address: 55 Moonshell Drive

Section 04 Lot 0168

☒ Variance Request

☐ Exception Request

Dear Mr. / Mrs. McIntire:

On this date, the Ocean Pines Architectural Review Committee (ARC) reviewed your request for a variance/exception as described in the attached application. After careful review of all documentation, the following action was taken by the ARC.

☒ Approved ☐ Not Approved ☐ Tabled ☐ Preliminary Review Only

Explanation:

☐ Violates the DR's ☐ Inconsistent with Guidelines ☐ No Demonstrated Need

☐ Requires Confirmation ☐ Needs Maintenance Agreement

Comments:

Appeals: The ARC may hear an appeal of its original decision provided the applicant can produce documented information not previously presented that may have the power to reverse the decision. The ARC reserves the right to refuse to hear an appeal without the requirements stated herein. All requests for appeal must be in writing.

Committee Vote Tabulation:

Jason Casares – Chairperson

☒ Approved
☐ Not Approved
☐ Abstain
☐ Tabled

Initial: JAC

Philip Grillo – Member

☒ Approved
☐ Not Approved
☐ Abstain
☐ Tabled

Initial: [Signature]

– Member

☐ Approved
☐ Not Approved
☐ Abstain
☐ Tabled

Initial: _____

Mar. 11th
10:35 a.m.

ARCHITECTURAL REVIEW COMMITTEE
APPLICATION FOR A VARIANCE/EXCEPTION

MAR 04 2026

INSTRUCTIONS: Provide information requested below, sign and submit this application along with an as-built site plan/survey (showing proposed location of request) with the Filing Fee of \$50. (Reference Section 100.1.G. – Variances and Exceptions in the ARC Guidelines.)

PLEASE BE SURE THAT ALL ASSESSMENTS ARE PAID AND UP-TO-DATE OR PERMIT WILL BE DENIED

REQUESTING:

☒ VARIANCE

☐ EXCEPTION

SECTION & LOT NO. 4/ 168 STREET ADDRESS 55 Moonshell Dr. Berlin

NAME OF LOT OWNER(S) Rob & Tami McIntire PHONE # [REDACTED]

MAILING ADDRESS 9182 Bear Claw Ct. Owings, MD 20736

DESCRIPTION OF VARIANCE/EXCEPTION:

Existing 1978 structure was originally built beyond both street side and canal side BRL's.
10' on canal side, and 5' on street side.

REASON FOR VARIANCE: Home needs major renovation to maintain value, we wish to repair and reuse the original foundation

SIGNED

Robert B McIntire

DATE 03/03/2026

Property Owner(s)

OFFICE USE ONLY

Approved By: _____

ARC Chairperson

Date: _____

Disapproved By: _____

ARC Chairperson

Date: _____

Comments: _____

Adjacent Property Owners Notified:

☒ Yes (2)

Date: 3/5/26

☐ No

*NOTE: FEE IS NON-REFUNDABLE

PAID
2026

ZONING CERTIFICATE

PLANNING AND ZONING COMMISSION
WORCESTER COUNTY, MARYLAND

Application No. _____
Permit No. _____
Zone _____

APPROVAL: The Applicant _____

being in conformance with the provisions of the Worcester County
Zoning Ordinance, is hereby authorized permission to use the property and
building(s) or structure(s) as described in Application No. _____

dated _____, 19____, and to the following special conditions

(if any) : _____

Note _____

Date _____, 19____. Approved _____

Zoning Inspector



PLANNING DEPARTMENT

Worcester County

111 N. WASHINGTON STREET

SNOW HILL, MARYLAND 21863

301-632-1200

January 13, 1978

Mr. William F. Stamp
Steen Associates
Rt. # 4, Box 3600
Berlin, Maryland 21811

Re: Case 7478, on property of Joseph L. and Martha O. Dailey,
requesting a variance of three (3) feet from requirements
of Section 9150.

Dear Mr. Stamp:

Enclosed please find copy of opinion as rendered by the Board of
Zoning Appeals for Worcester County relative to the above (Re:).
Also enclosed is copy of application and building permit card.

The building permit card is to be posted conspicuously on the
property where the proposed construction is to be done.

Prior to construction starting, you are required to stake out on
the ground where the proposed structure is to be constructed,
and then notify this office that you are ready for a layout
inspection.

It is further required that you notify this office when you have
substantially completed the structure prior to it being used or
occupied.

Again, feel free to call on this office if we can be of assistance.

Very truly yours,

Betty White
(Mrs.) Betty White,
Zoning Administrative Assistant

BW

Encl.

CC: Mr. and Mrs. Joseph L. Daily - w/opinion

TYPE OF WORK

- ☒ New Bldg.
☐ Addition
☐ Change of Use
☐ Relocation
☐ Use of Land Only
☐ Accessory Structure
☐ Sign

APPLICATION FOR BUILDING PERMIT AND/OR ZONING CERTIFICATE

Phone 632-1200
WORCESTER COUNTY
 (PLEASE PRINT IN INK OR TYPE)

(OFFICE USE ONLY)

Application

No. 7486
 Date 11-1-77
 Permit Issued 11-1-77
 Denied _____
 Zoning Certif. 10/3/78

LOCATION OF PROPERTY: On MORNSHALL DRIVE Road ☒ (N) ☐ (S) ☐ (E) ☐ (W) Side

420.00 ⁺ (Ft.) (Miles) ☐ (N) ☐ (S) ☒ (E) ☐ (W) of WATER'S EDGE COURT

(Other Description _____) Subdivision OCEAN PINES

Election Dist. 3A Tax Map 16 Parcel 41 Plat Book 1 Lot 100 Block 04 Sect. 04

Area 5000 (Acres) or ☒ (Sq. Ft.) Frontage 50.00 Ft. Depth 100.00 Ft.

BUILDING OR STRUCTURE: Describe SINGLE Fam Res (Slick Built)

W/ 10' x 38' Open Deck No. of Families 1

Size: 28 By 48 Ft., 2 Stories, or _____ Ft. Height

SETBACKS: Front 25 Ft. From () Center Line of County Rd. () Right of Way of State Rd.

Rear Yard 35 Ft. Left Side 6 Ft. Right Side 9 Ft.

Water Supply (☒) Public () Private

Sewage Disposal (☒) Public () Private

Present Use of Premises VACANT LAND

Proposed Use of Premises Residence

Zone R-3
EST COST COST \$ 75,000.00

SITE PLAN: Showing Proposed and Existing Structure

Site Plan in File

THE APPLICANT HEREBY AGREES TO COMPLY WITH ALL REGULATIONS APPLICABLE HERETO AND FURTHER AGREES THAT ANY MISSTATEMENT OR MISREPRESENTATION OF FACTS OR ANY CHANGE WITHOUT APPROVAL OF THE AGENCIES CONCERNED SHALL CONSTITUTE GROUNDS FOR DENIAL OF A PERMIT.

Owner JOSEPH L. + MARTHA O. DALEY

Address RABBIT RUN, WASHINGTON PA. 19086

Builder STEEN ASSOCIATES

Address 14 BOYSCOUT BEACH, MD. 21811

Applicant Wm. R. Stang

Address SAME AS BUILDER

Phone [REDACTED] Date 11-1-77

APPLICANT IS RESPONSIBLE TO NOTIFY THIS DEPARTMENT FOR LAYOUT INSPECTIONS GIVING 24 HOURS NOTICE

PHONE: 632-1200

[illegible]

All claims and returned goods **MUST be accompanied by this bill.**

503-1

7486

REC'D BY

FLATPAKIT R

LORE BUSINESS FORMS, INC., L

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB Control No. 1650-0008
Expiration Date: 06/30/2026

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>ROBERT MCINTIRE</u>		Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>55 MOONSHHELL DRIVE</u>		Company NAIC Number: _____
City: <u>OCEAN PINES</u> State: <u>MD</u> ZIP Code: <u>21811</u>		
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>LOT C-04-168, TEAL BAY, OCEAN PINES; TAX MAP 16, PARCEL 41</u>		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>RESIDENTIAL</u>		
A5. Latitude/Longitude: Lat <u>38° 23' 55.19" N</u> Long <u>75° 08' 33.61" W</u> Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983 ☐ WGS 84		
A6. Attach at least two and when possible four clear photographs (one for each side) of the building (see Form pages 7 and 8).		
A7. Building Diagram Number: <u>1B</u>		
A8. For a building with a crawlspace or enclosure(s):		
a) Square footage of crawlspace or enclosure(s): <u>1,400.00</u> sq. ft.		
b) Is there at least one permanent flood opening on two different sides of each enclosed area? ☐ Yes ☒ No ☐ N/A		
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>0</u> Engineered flood openings: <u>0</u>		
d) Total net open area of non-engineered flood openings in A8.c: <u>0.00</u> sq. in.		
e) Total rated area of engineered flood openings in A8.c (attach documentation - see Instructions): <u>0.00</u> sq. ft.		
f) Sum of A8.d and A8.e rated area (if applicable - see Instructions): <u>0.00</u> sq. ft.		
A9. For a building with an attached garage:		
a) Square footage of attached garage: <u>0.00</u> sq. ft.		
b) Is there at least one permanent flood opening on two different sides of the attached garage? ☐ Yes ☐ No ☒ N/A		
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>0</u> Engineered flood openings: <u>0</u>		
d) Total net open area of non-engineered flood openings in A9.c: <u>0.00</u> sq. in.		
e) Total rated area of engineered flood openings in A9.c (attach documentation - see Instructions): <u>0.00</u> sq. ft.		
f) Sum of A9.d and A9.e rated area (if applicable - see Instructions): <u>0.00</u> sq. ft.		
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION		
B1.a. NFIP Community Name: <u>WORCESTER COUNTY</u>		B1.b. NFIP Community Identification Number: <u>240083</u>
B2. County Name: <u>WORCESTER</u>	B3. State: <u>MD</u>	B4. Map/Panel No.: <u>24047C0045</u> B5. Suffix: <u>H</u>
B6. FIRM Index Date: <u>07/16/2015</u>	B7. FIRM Panel Effective/Revised Date: <u>07/16/2015</u>	
B8. Flood Zone(s): <u>AE</u>	B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>5'</u>	
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: ☐ FIS ☒ FIRM ☐ Community Determined ☐ Other: _____		
B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____		
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No Designation Date: _____ ☐ CBRS ☐ OPA		
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? ☐ Yes ☒ No		

BL 2.12.25

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
55 MOONSHELL DRIVE

City: OCEAN PINES State: MD ZIP Code: 21811

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, AO, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, A99. Complete Items C2.a-h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.
Benchmark Utilized: DICARLO RTN Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other: _____

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used? ☐ Yes ☒ No
If Yes, describe the source of the conversion factor in the Section D Comments area.

		Check the measurement used:
a) Top of bottom floor (including basement, crawlspace, or enclosure floor):	3.90	☒ feet ☐ meters
b) Top of the next higher floor (see Instructions):	12.70	☒ feet ☐ meters
c) Bottom of the lowest horizontal structural member (see Instructions):		☐ feet ☐ meters
d) Attached garage (top of slab):		☐ feet ☐ meters
e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area):	3.70	☒ feet ☐ meters
f) Lowest Adjacent Grade (LAG) next to building: ☐ Natural ☒ Finished	3.10	☒ feet ☐ meters
g) Highest Adjacent Grade (HAG) next to building: ☐ Natural ☒ Finished	3.70	☒ feet ☐ meters
h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:	2.60	☒ feet ☐ meters

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No

☐ Check here if attachments and describe in the Comments area.

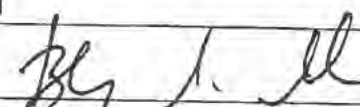
Certifier's Name: Bradley A. Absher License Number: DE-735, MD-21165

Title: President

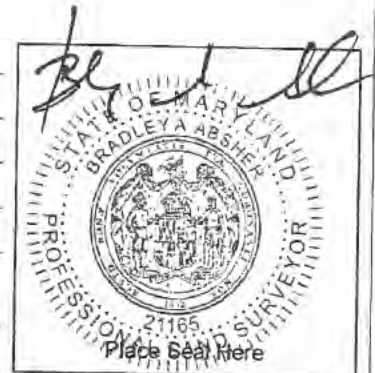
Company Name: True North Land Surveying, Inc.

Address: 35322 Bayard Road

City: Frankford State: DE ZIP Code: 19945

Signature:  Date: 02/12/2025

Telephone: (302) 539-2488 Ext.: _____ Email: BRAD@TRUENORTHLS.COM



Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2, type of equipment and location per C2.e; and description of any attachments):
C2(e). HVAC located on right side of dwelling

TN# MD-00372

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
55 MOONSHHELL DRIVE

City: OCEAN PINES State: MD ZIP Code: 21811

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION E – BUILDING MEASUREMENT INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO, ZONE AR/AO, AND ZONE A (WITHOUT BFE)

For Zones AO, AR/AO, and A (without BFE), complete Items E1–E5. For Items E1–E4, use natural grade, if available. If the Certificate is intended to support a Letter of Map Change request, complete Sections A, B, and C. Check the measurement used. In Puerto Rico only, enter meters.

Building measurements are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

E1. Provide measurements (C.2.a in applicable Building Diagram) for the following and check the appropriate boxes to show whether the measurement is above or below the natural HAG and the LAG.

a) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

b) Top of bottom floor (including basement, crawlspace, or enclosure) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the LAG.

E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (C2.b in applicable Building Diagram) of the building is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E3. Attached garage (top of slab) is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E4. Top of platform of machinery and/or equipment servicing the building is: _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.

E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge*

☐ Check here if attachments and describe in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Telephone: _____ Ext.: _____ Email: _____

Comments: _____

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
55 MOONSHELL DRIVE

City: **OCEAN PINES** State: **MD** ZIP Code: **21811**

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION G – COMMUNITY INFORMATION (RECOMMENDED FOR COMMUNITY OFFICIAL COMPLETION)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Section A, B, C, E, G, or H of this Elevation Certificate. Complete the applicable item(s) and sign below when:

- G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by state law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2.a. ☐ A local official completed Section E for a building located in Zone A (without a BFE), Zone AO, or Zone AR/AO, or when item E5 is completed for a building located in Zone AO.
- G2.b. ☐ A local official completed Section H for insurance purposes.
- G3. ☐ In the Comments area of Section G, the local official describes specific corrections to the information in Sections A, B, E and H.
- G4. ☐ The following information (Items G5–G11) is provided for community floodplain management purposes.
- G5. Permit Number: _____ G6. Date Permit Issued: _____
- G7. Date Certificate of Compliance/Occupancy Issued: _____
- G8. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement
- G9.a. Elevation of as-built lowest floor (including basement) of the building: _____ ☐ feet ☐ meters Datum: _____
- G9.b. Elevation of bottom of as-built lowest horizontal structural member: _____ ☐ feet ☐ meters Datum: _____
- G10.a. BFE (or depth in Zone AO) of flooding at the building site: _____ ☐ feet ☐ meters Datum: _____
- G10.b. Community's minimum elevation (or depth in Zone AO) requirement for the lowest floor or lowest horizontal structural member: _____ ☐ feet ☐ meters Datum: _____
- G11. Variance issued? ☐ Yes ☐ No If yes, attach documentation and describe in the Comments area.

The local official who provides information in Section G must sign here. *I have completed the information in Section G and certify that it is correct to the best of my knowledge. If applicable, I have also provided specific corrections in the Comments area of this section.*

Local Official's Name: _____ Title: _____

NFIP Community Name: _____

Telephone: _____ Ext.: _____ Email: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Comments (including type of equipment and location, per C2.e; description of any attachments; and corrections to specific information in Sections A, B, D, E, or H):

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
55 MOONSHELL DRIVE

City: OCEAN PINES State: MD ZIP Code: 21811

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

SECTION H – BUILDING'S FIRST FLOOR HEIGHT INFORMATION FOR ALL ZONES (SURVEY NOT REQUIRED) (FOR INSURANCE PURPOSES ONLY)

The property owner, owner's authorized representative, or local floodplain management official may complete Section H for all flood zones to determine the building's first floor height for insurance purposes. Sections A, B, and I must also be completed. Enter heights to the nearest tenth of a foot (nearest tenth of a meter in Puerto Rico). **Reference the Foundation Type Diagrams (at the end of Section H Instructions) and the appropriate Building Diagrams (at the end of Section I Instructions) to complete this section.**

H1. Provide the height of the top of the floor (as indicated in Foundation Type Diagrams) above the Lowest Adjacent Grade (LAG):

a) For Building Diagrams 1A, 1B, 3, and 5–9. Top of bottom _____ ☐ feet ☐ meters ☐ above the LAG floor (include above-grade floors only for buildings with subgrade crawlspaces or enclosure floors) is:

b) For Building Diagrams 2A, 2B, 4, and 6–9. Top of next _____ ☐ feet ☐ meters ☐ above the LAG higher floor (i.e., the floor above basement, crawlspace, or enclosure floor) is:

H2. Is **all** Machinery and Equipment servicing the building (as listed in Item H2 instructions) elevated to or above the floor indicated by the H2 arrow (shown in the Foundation Type Diagrams at end of Section H instructions) for the appropriate Building Diagram?
☐ Yes ☐ No

SECTION I – PROPERTY OWNER (OR OWNER'S AUTHORIZED REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and H must sign here. *The statements in Sections A, B, and H are correct to the best of my knowledge.* **Note:** If the local floodplain management official completed Section H, they should indicate in Item G2.b and sign Section G.

☐ Check here if attachments are provided (including required photos) and describe each attachment in the Comments area.

Property Owner or Owner's Authorized Representative Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Signature: _____ Date: _____

Telephone: _____ Ext.: _____ Email: _____

Comments: _____

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19
BUILDING PHOTOGRAPHS

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
55 MOONSHELL DRIVE

City: **OCEAN PINES** State: **MD** ZIP Code: **21811**

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo One

Photo One Caption: FRONT VIEW, DATE 02-07-25

Clear Photo One



Photo Two

Photo Two Caption: REAR VIEW, DATE 02-07-25

Clear Photo Two

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19
BUILDING PHOTOGRAPHS

Continuation Page

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
55 MOONSHELL DRIVE

City: **OCEAN PINES** State: **MD** ZIP Code: **21811**

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Insert the third and fourth photographs below. Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo Three

Photo Three Caption: **RIGHT SIDE VIEW, DATE 02-07-25**

Clear Photo Three

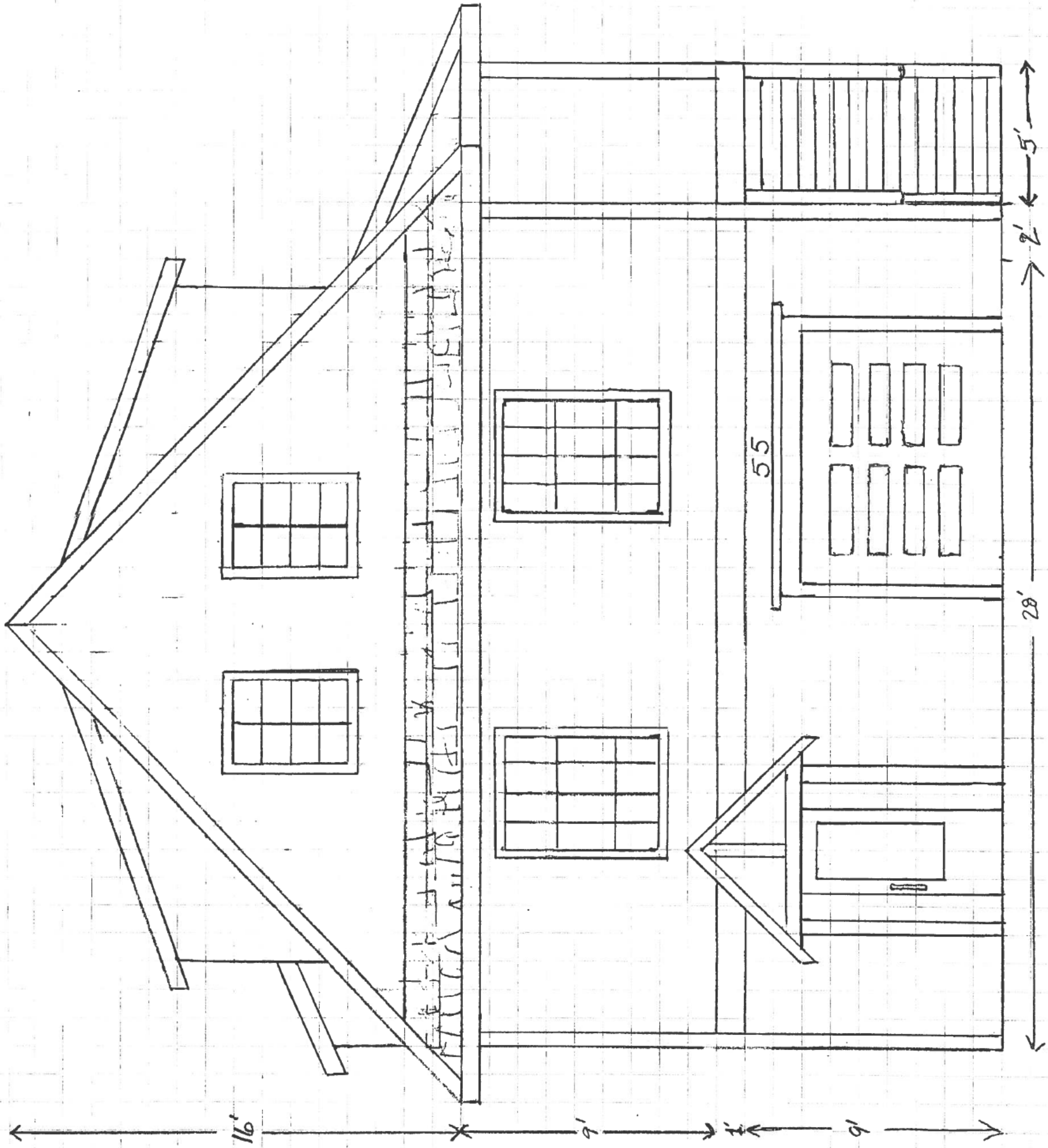


Photo Four

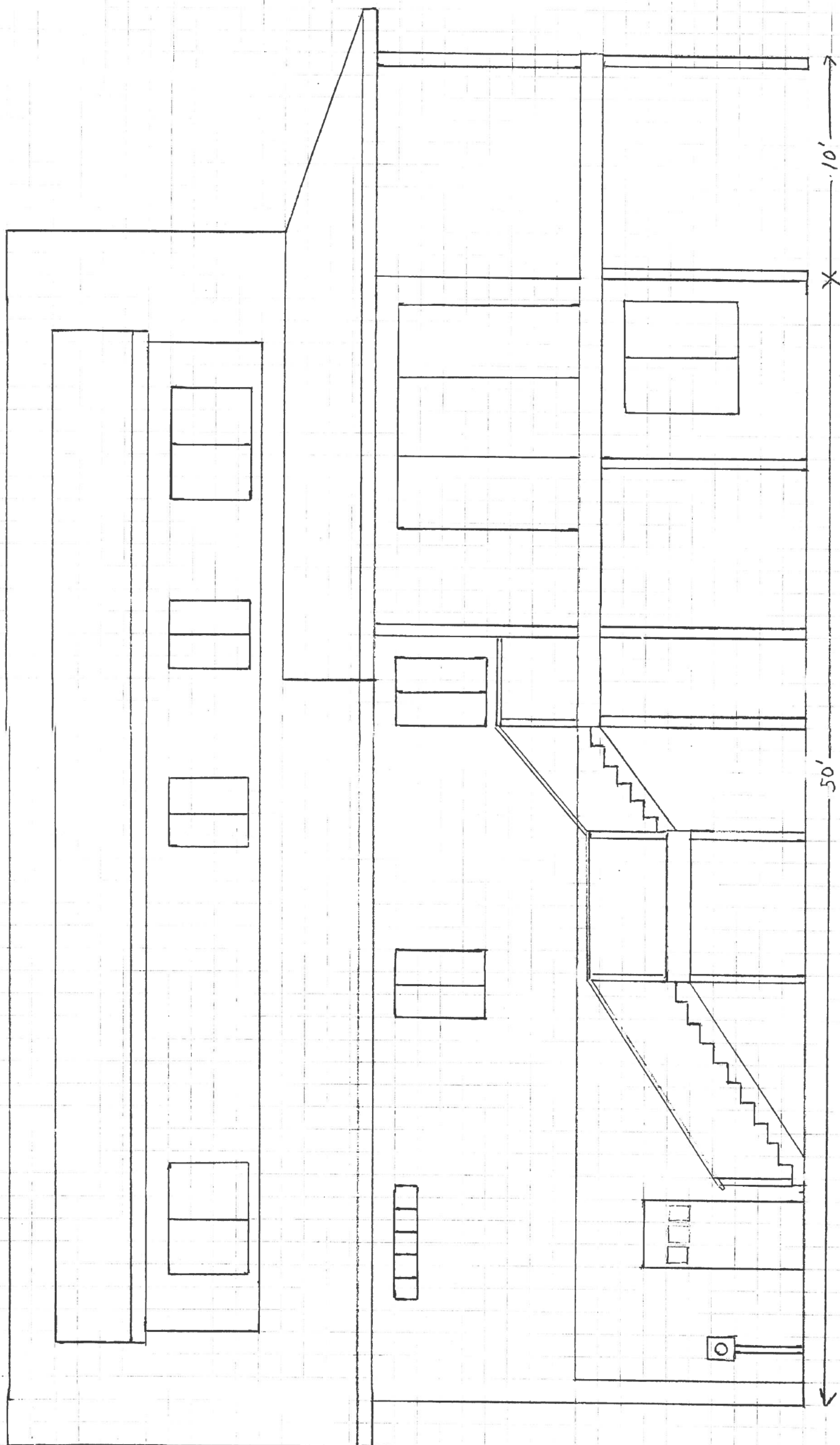
Photo Four Caption: **LEFT SIDE VIEW, DATE 02-07-25**

Clear Photo Four

55 MOONSHELL
BERLIN, MD



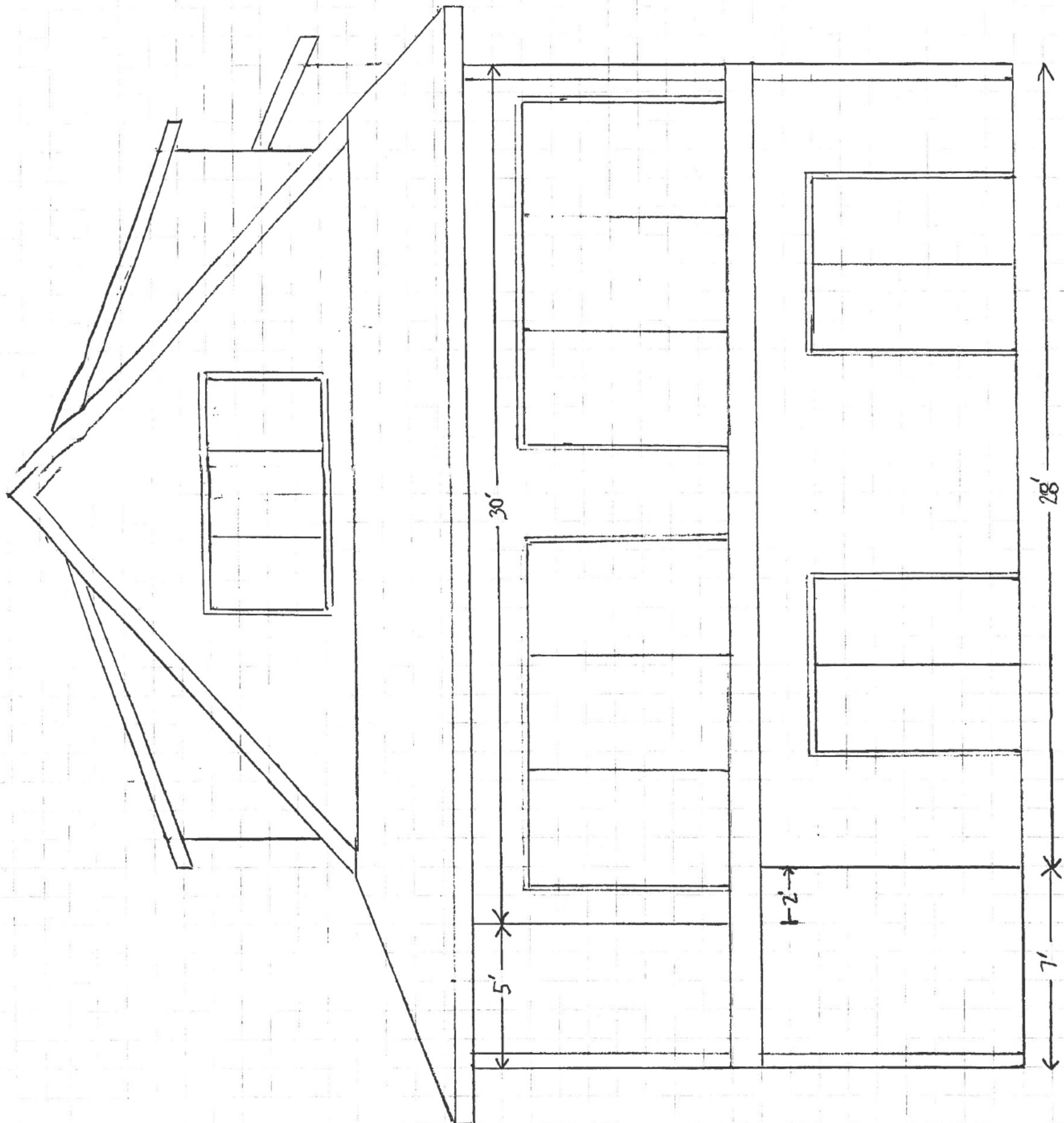
FRONT ELEVATION

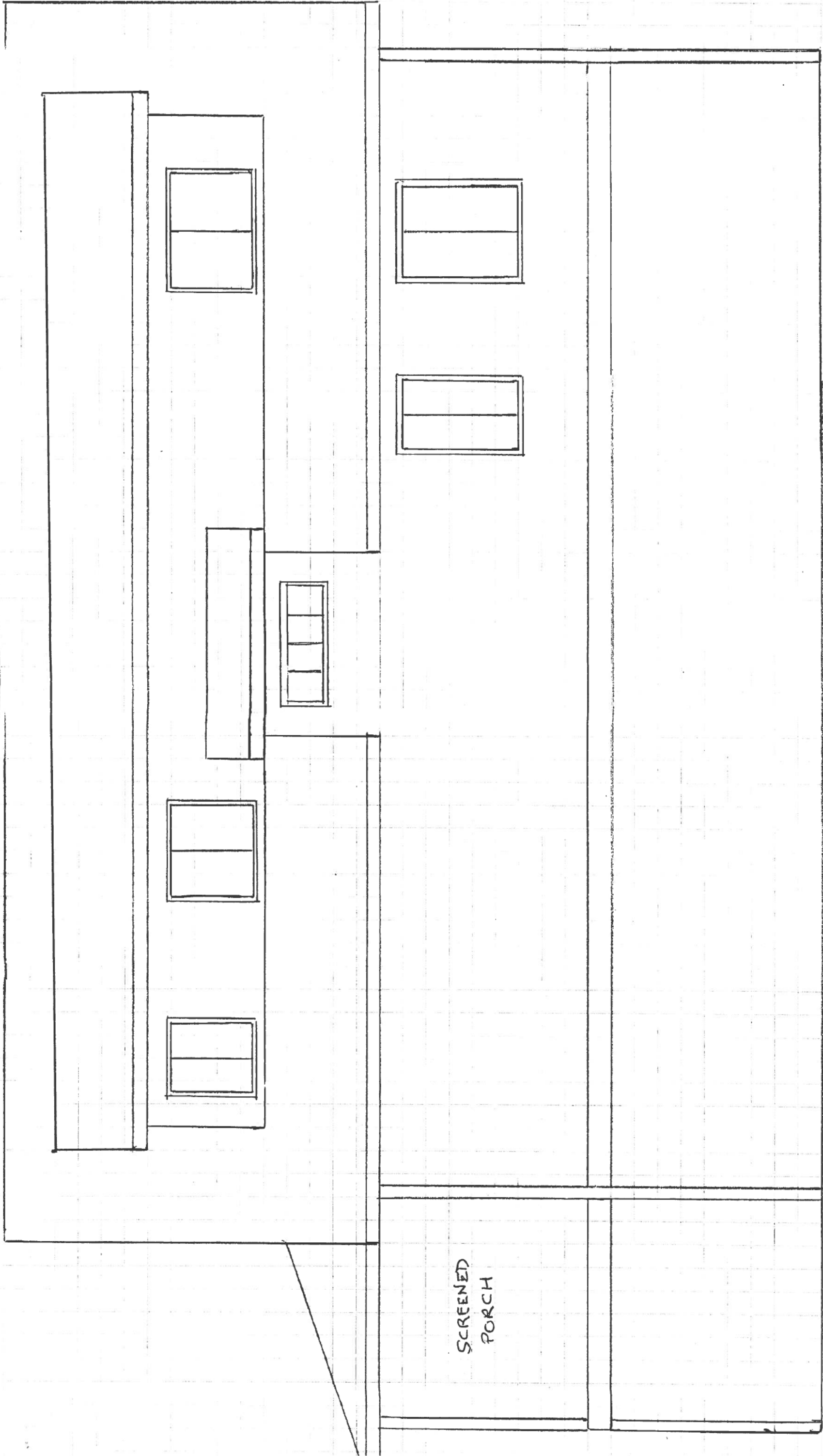


RIGHT ELEVATION

55 MOONSHHELL BERLIN MD

55 MOONSHIELL
BERLIN, MD

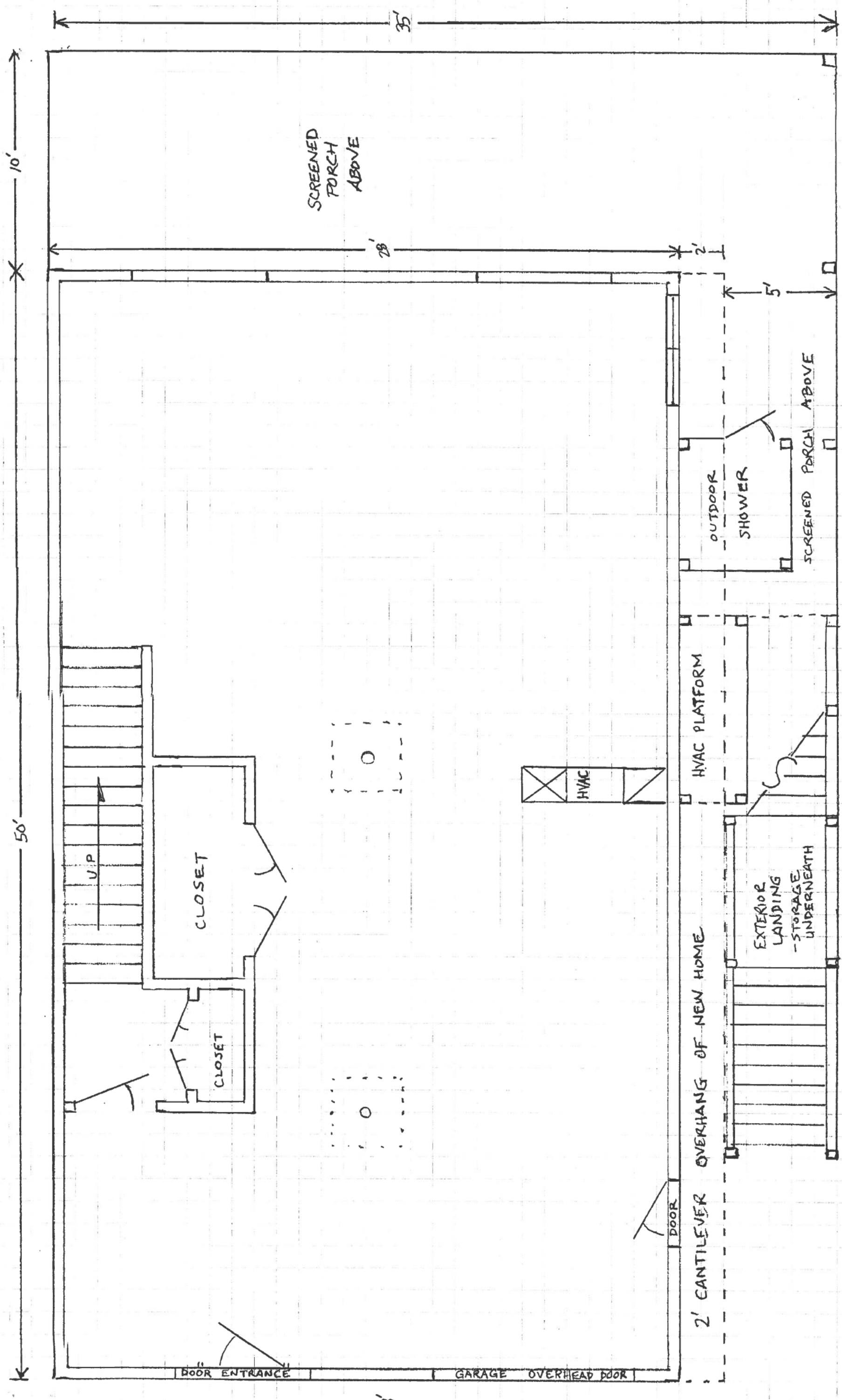




LEFT ELEVATION

55 MOONSHELL BERLIN MD

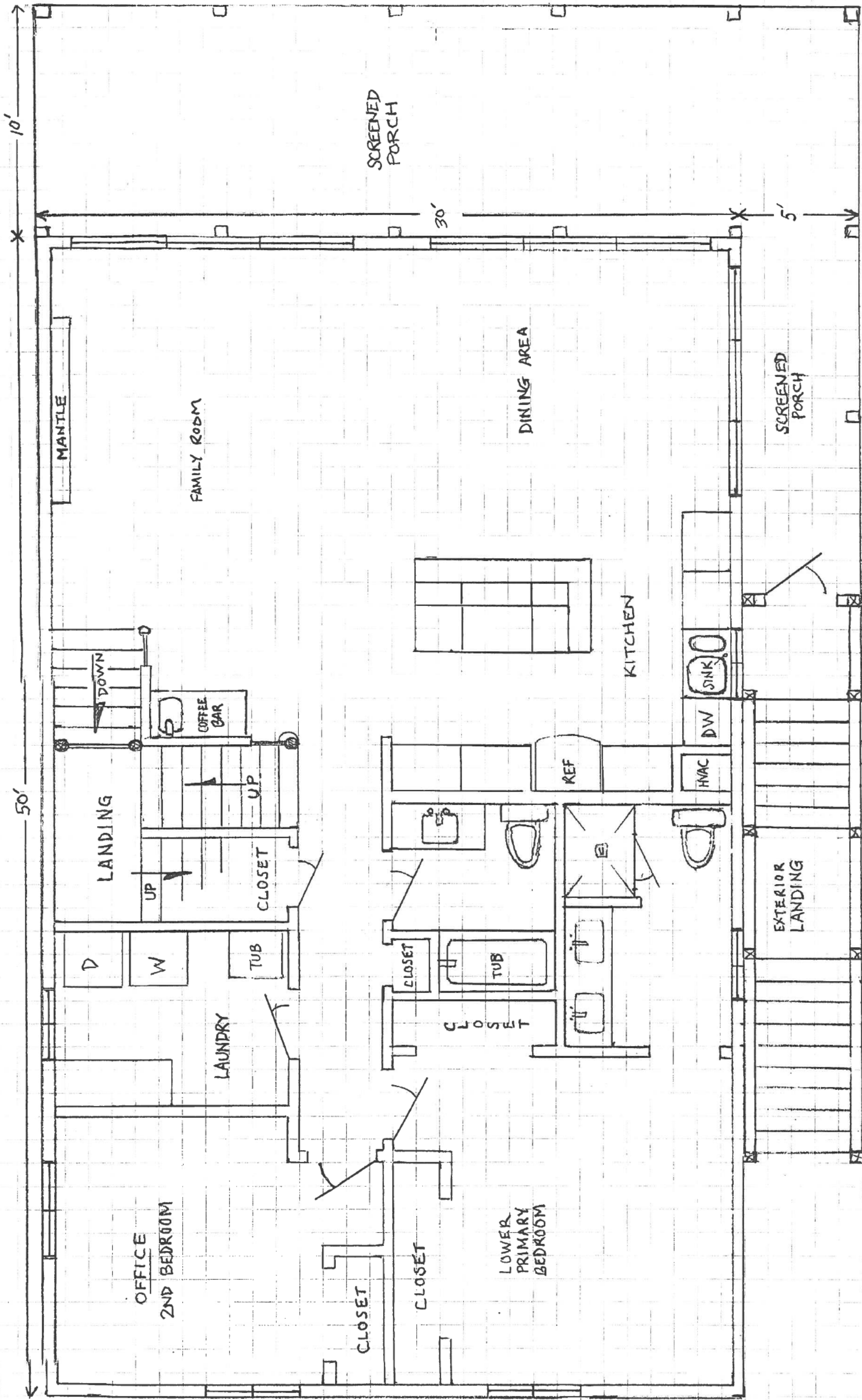
50' 10'



55 MOON SHELL BERLIN MD

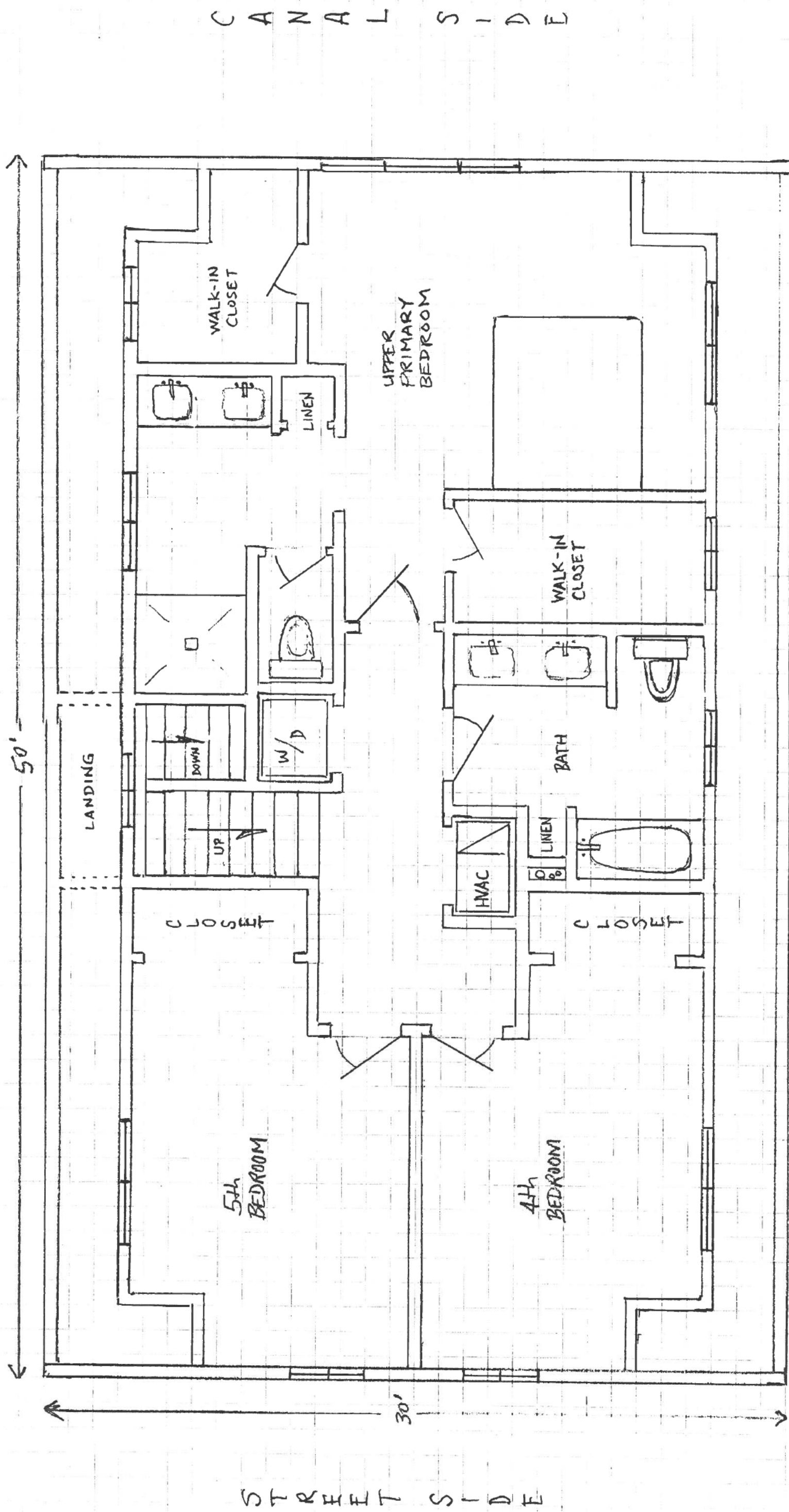
GROUND LEVEL

CANAL



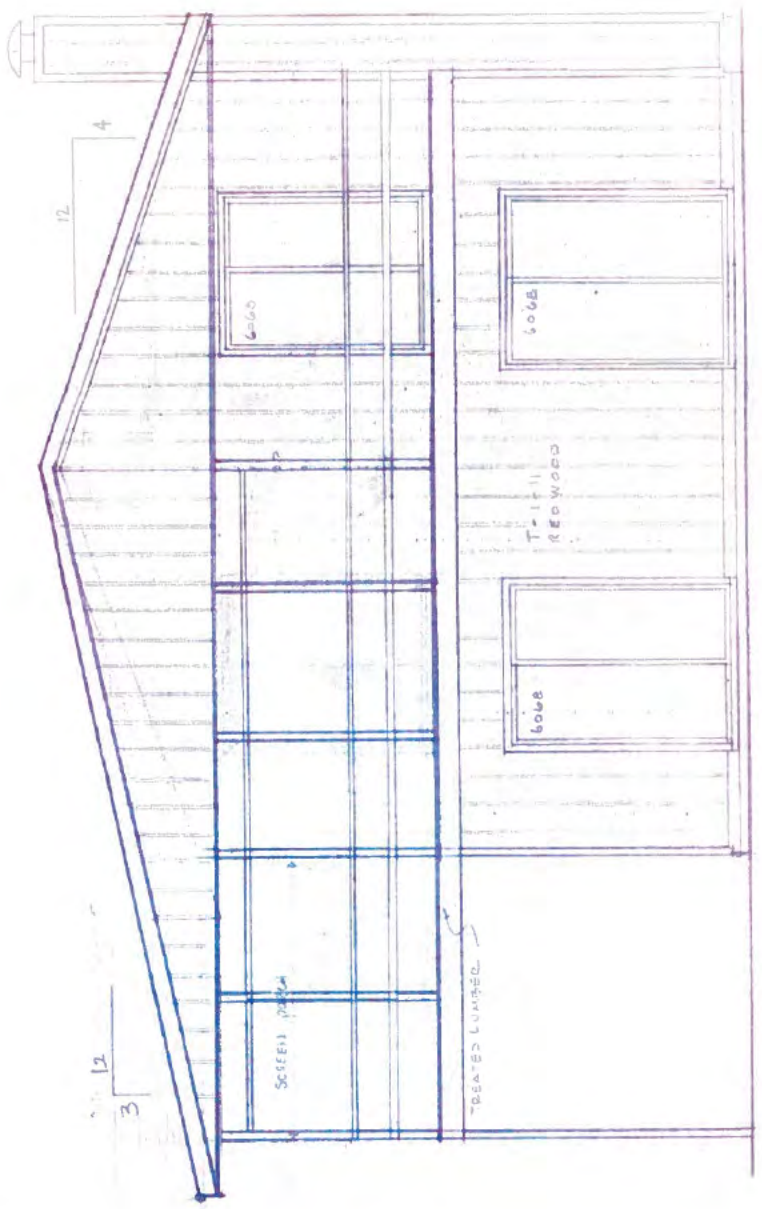
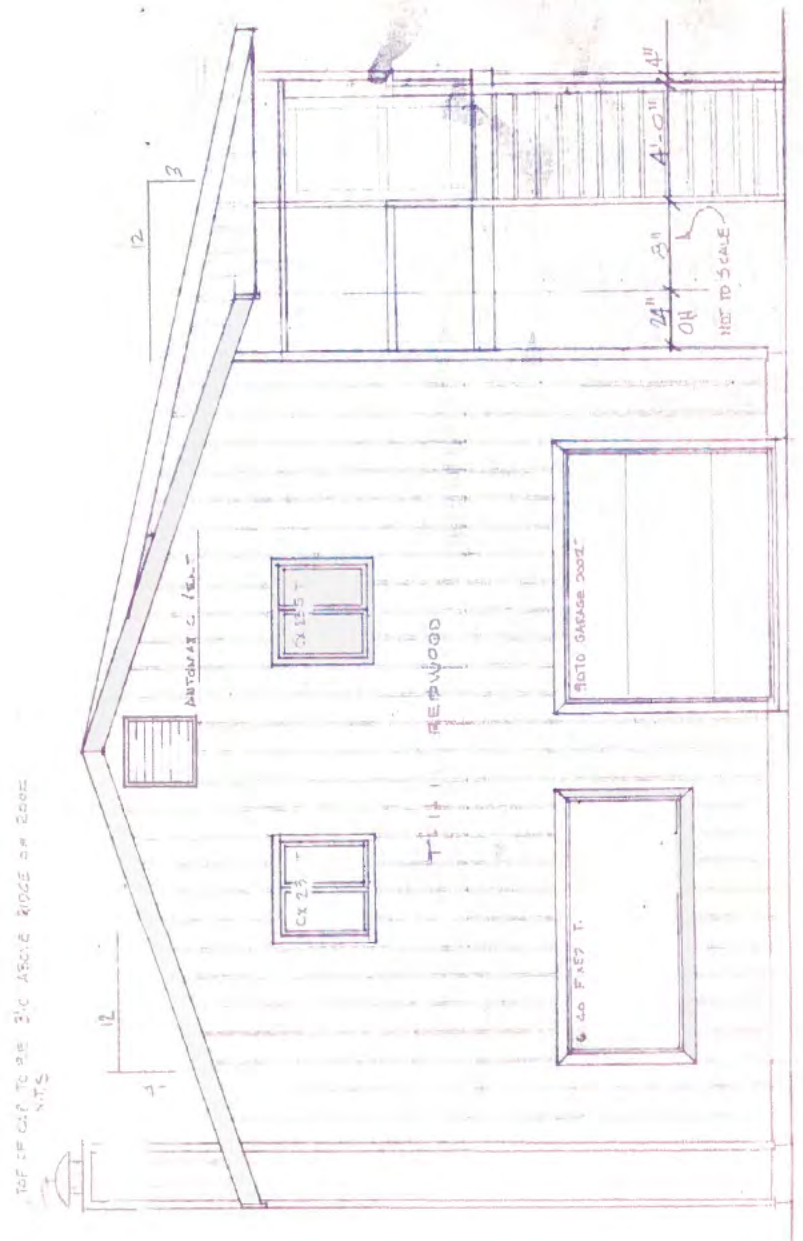
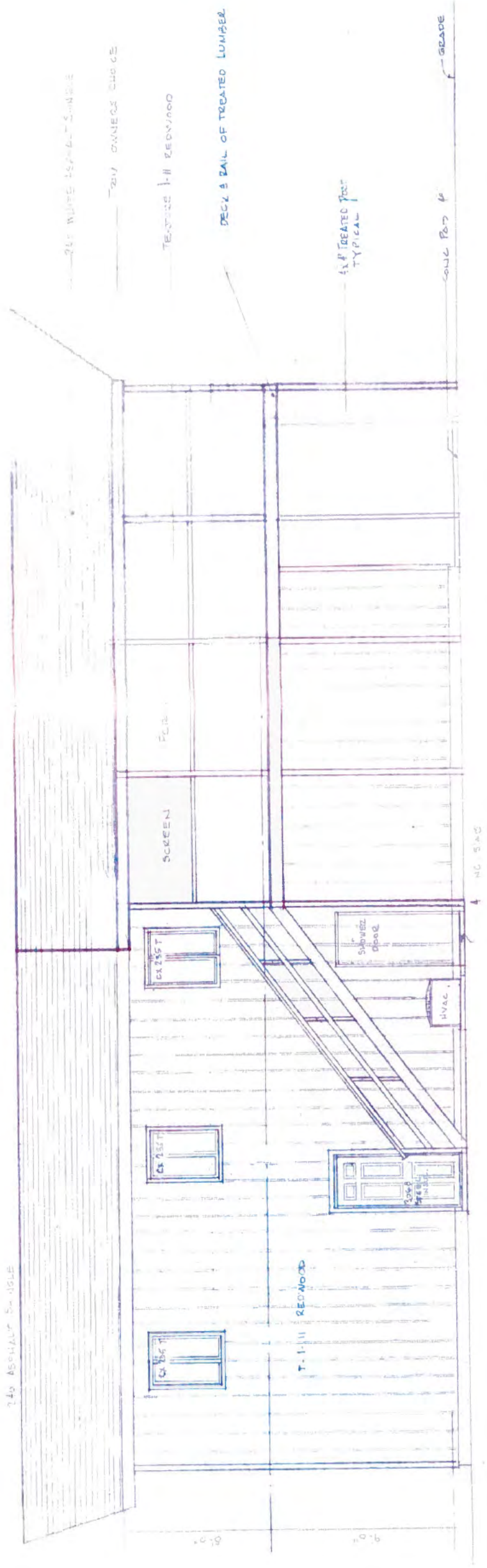
55 MOONSHILL BERLIN MD

MAIN LEVEL



55 MOONSHILL BERLIN MD

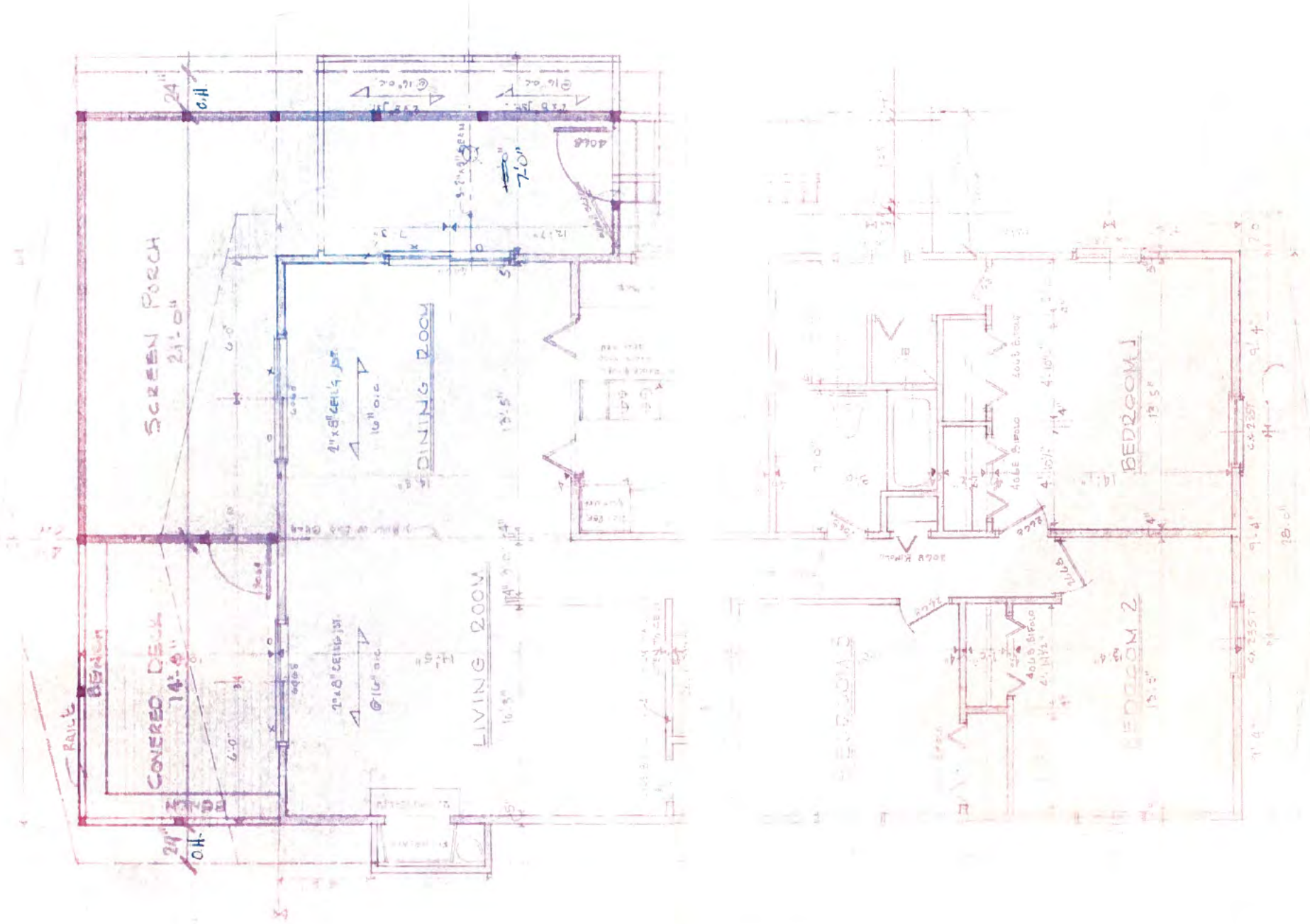
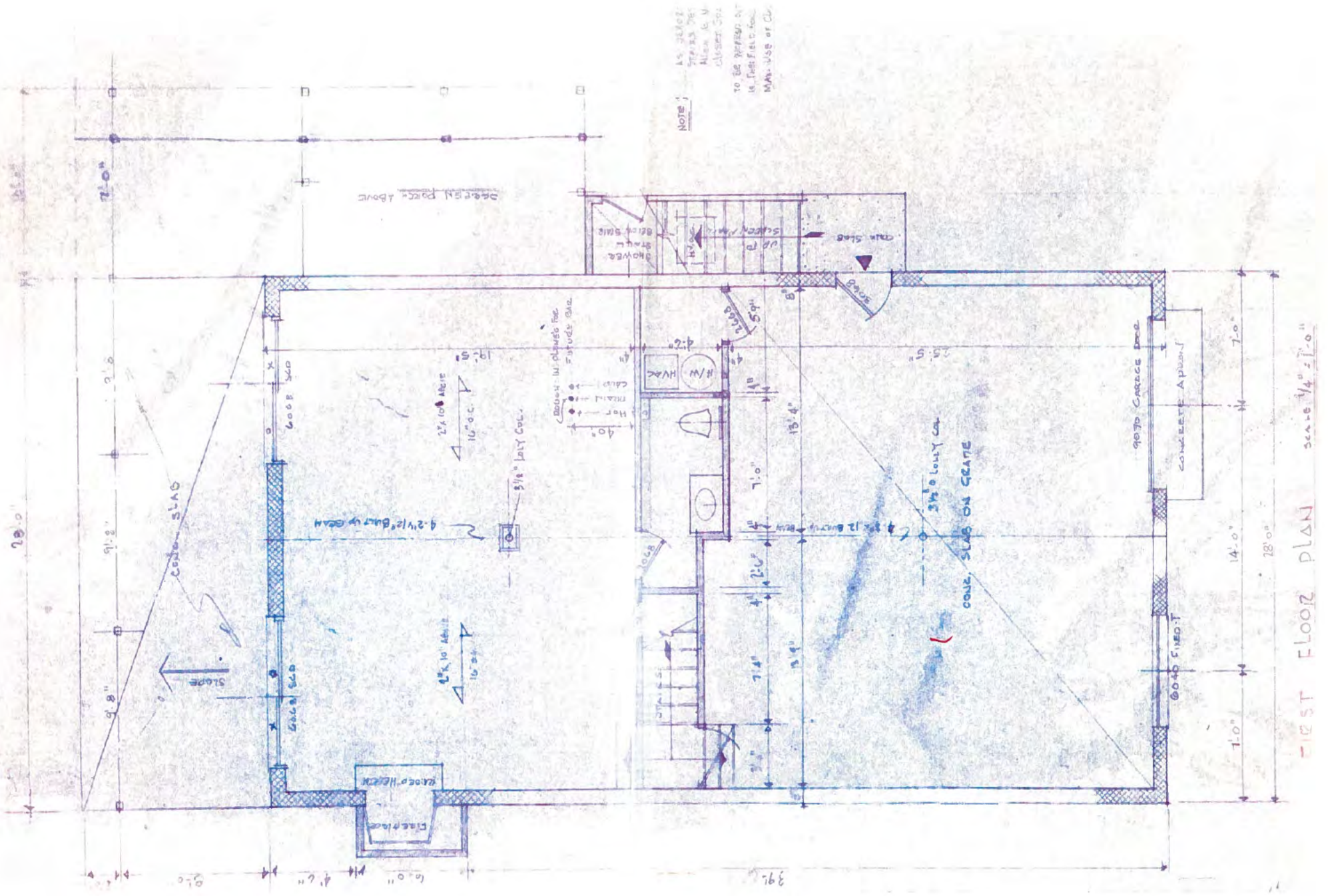
UPPER LEVEL



RESIDENCE FOR: MR. & MRS. J. DAILY,
 04-168 - OCEAN PINES, MD.
 DRAWN: 7-30-77 BY WM. R. STAMP
 STEEN ASSOCIATES, INC. - DEVELOPER

FRONT ELEVATION
 SCALE: 1/4" = 1'-0"

WATERFRONT ELEVATION
 SCALE: 1/4" = 1'-0"



12 ST FLOOR PLAN



OCEAN PINES ASSOCIATION, INC.

239 Ocean Parkway • Ocean Pines, Maryland 21811
Telephone: 410-641-7717 • Fax: 410-641-5581

Applicant: Rob & Tami McIntire

Date: March 16, 2026

Street Address: 55 Moonshell Drive

Section 04 Lot 0168

☒ Variance Request

☐ Exception Request

Dear Mr. / Mrs. McIntire:

On this date, the Ocean Pines Architectural Review Committee (ARC) reviewed your request for a variance/exception as described in the attached application. After careful review of all documentation, the following action was taken by the ARC.

☒ Approved ☐ Not Approved ☐ Tabled ☐ Preliminary Review Only

Explanation:

☐ Violates the DR's ☐ Inconsistent with Guidelines ☐ No Demonstrated Need
☐ Requires Confirmation ☐ Needs Maintenance Agreement

Comments:

Appeals: The ARC may hear an appeal of its original decision provided the applicant can produce documented information not previously presented that may have the power to reverse the decision. The ARC reserves the right to refuse to hear an appeal without the requirements stated herein. All requests for appeal must be in writing.

Committee Vote Tabulation:

Jason Casares – Chairperson

☒ Approved
☐ Not Approved
☐ Abstain
☐ Tabled

Initial: JAC

Philip Grillo – Member

☒ Approved
☐ Not Approved
☐ Abstain
☐ Tabled

Initial: [Signature]

– Member

☐ Approved
☐ Not Approved
☐ Abstain
☐ Tabled

Initial: _____

Mar. 11th
10:35 a.m.

ARCHITECTURAL REVIEW COMMITTEE
APPLICATION FOR A VARIANCE/EXCEPTION

MAR 04 2026

INSTRUCTIONS: Provide information requested below, sign and submit this application along with an as-built site plan/survey (showing proposed location of request) with the Filing Fee of \$50. (Reference Section 100.1.G. – Variances and Exceptions in the ARC Guidelines.)

PLEASE BE SURE THAT ALL ASSESSMENTS ARE PAID AND UP-TO-DATE OR PERMIT WILL BE DENIED

REQUESTING: ☒ VARIANCE
☐ EXCEPTION

SECTION & LOT NO. 4/ 168 STREET ADDRESS 55 Moonshell Dr. Berlin

NAME OF LOT OWNER(S) Rob & Tami McIntire PHONE # [REDACTED]

MAILING ADDRESS 9182 Bear Claw Ct. Owings, MD 20736

DESCRIPTION OF VARIANCE/EXCEPTION:

Existing 1978 structure was originally built beyond both street side and canal side BRL's.
10' on canal side, and 5' on street side.

REASON FOR VARIANCE: Home needs major renovation to maintain value, we wish to repair and reuse the original foundation

SIGNED Robert B McIntire DATE 03/03/2026
Property Owner(s)

OFFICE USE ONLY

Approved By: _____ Date: _____
ARC Chairperson

Disapproved By: _____ Date: _____
ARC Chairperson

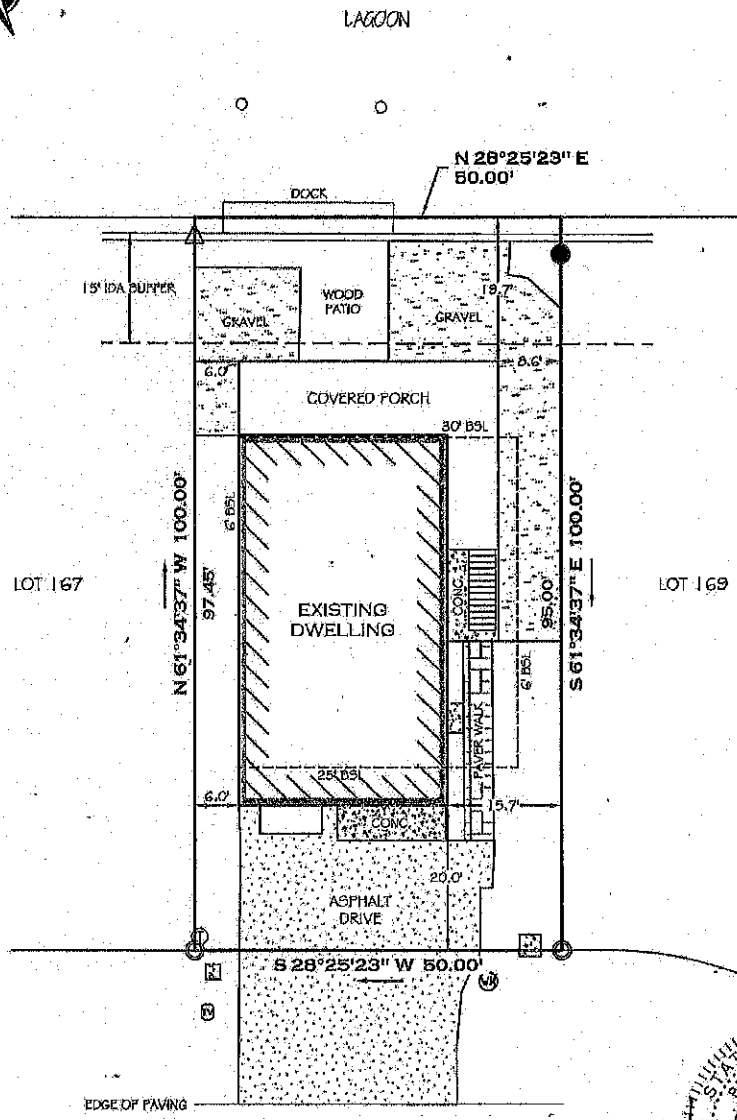
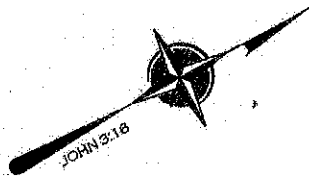
Comments: _____

Adjacent Property Owners Notified:

☒ Yes (2) Date: 3/5/26
☐ No

*NOTE: FEE IS NON-REFUNDABLE

PAID Chok \$50



**MOONSHELL DRIVE
50' RIGHT OF WAY**

GENERAL NOTES:

1. ZONED: IL-3
SETBACKS:
FRONT: 25'
SIDE: 6'
REAR: 30'

2. FLOOD ZONE: AB - 5' FEET, PER FEMA MAP 24047C0045H, EFFECTIVE DATE 07-16-2015.

3. THIS PROPERTY IS LOCATED IN THE CRITICAL AREA DESIGNATED IDA (INTENSELY DEVELOPED AREA).

4. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTION, EASEMENTS, AND / OR RIGHTS OF WAY THAT MAY BE REVEALED BY A THOROUGH TITLE SEARCH.

5. A LICENSEE EITHER PERSONALLY PREPARED A BOUNDARY SURVEY OR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN REGULATION 12 OF CHAPTER 06 IN TITLE 09, DEPT. OF LABOR, LICENSING, & REGULATION, SUBTITLE 13, BOARD OF PROFESSIONAL LAND SURVEYORS.



BRADLEY A. ADSHER, PROF. LAND SURVEYOR
MD 21165 - EXP. FEB. 03, 2026

LEGEND

- IRON PIPE FOUND
- △ PK NAIL TO BE SET
- ⊗ WATER METER
- ① TELEPHONE PEDESTAL
- ② CATV PEDESTAL
- EX. FILING

TAX MAP #	16
PARCEL	41
DISTRICT	03
COUNTY	WORCESTER
STATE	MARYLAND
AREA	5,000 ± SQ. FT.
DEED REF.	5013/724
PLAT REF.	11/54
DRAWN BY	CJP
DATE	02/12/2025
SCALE	1" = 20'
SURVEY #	MD - 00372

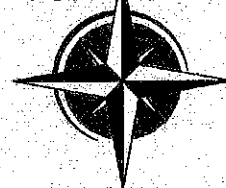
**BOUNDARY SURVEY
PLAN**

**LOT C-04-168
TEAL BAY - OCEAN PINES**

**FOR
ROBERT MCINTIRE**

55 MOONSHELL DRIVE, OCEAN PINES, MD 21811

TRUE NORTH



LAND SURVEYING

35322 BAYARD ROAD
FRANKFORD, DE 19945
302-539-2468

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-54**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: August 13, 2026

LOCATION: 55 Moonshell Drive, Tax Map 16, Parcel 41, Section 4, Lot 168, Tax District 3, Worcester County, Maryland.

APPROVAL REQUESTED: A variance to the front yard setback from 25 feet to 15 feet (encroaches 10 feet) for a proposed covered porch.

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305.

PROPERTY HISTORY: The property is currently improved with a dwelling with the following records on file:

- | | |
|------------|--|
| 08/23/1990 | Permit 20590 – Issued 08/23/1990 – Zoning Certificate issued 12/12/1990 – Permit for a single-family dwelling |
| 05/29/1991 | Permit 21766 – Issued 05/29/1991 – Zoning Certificate issued 06/02/1992 – Permit for a dock and two (2) mooring poles. |
| 07/23/2003 | Permit 83245 – Issued 07/23/2003 – CO issued 07/23/2003 – Permit to enclose an existing porch to a sunroom. |
| 11/15/2012 | Permit 12-1079 – Issued 11/15/2012 – CO issued 05/28/2013 – Permit to remove and replace a pier and install a boat lift. |

COMMENTS: When the existing single-family dwelling was constructed in 1978, it was built with a 10-foot encroachment into the required front yard setback. At that time, the property owner applied for and was granted a variance by the Worcester County Board of Zoning Appeals, thereby establishing the residence in its current location. The applicant is now requesting an additional 5-foot variance to permit the construction of a small covered front porch.

For the variance request, the Board must make findings that the applicant has demonstrated the following:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved.
2. Literal interpretation of the provisions of this Title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title.
3. The special conditions or circumstances did not result from actions of the applicant.
4. The condition or circumstance is not one that could be reasonably provided for under legislation of general applicability within the zoning district and shall be granted only on account of the uniqueness of the situation.

SUBSEQUENT PROCESSES IF APPROVED:

1. Apply for a building permit.

OWNER: Robert McIntire
9182 Bear Claw Court
Owings, MD 20736

APPLICANT : Robert McIntire
9182 Bear Claw Court
Owings, MD 20736

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.

APPLICATION TO :
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER ROOM 1201
SNOW HILL, MD 21863-1070

OFFICE USE ONLY :

CASE NO: 26-53
DATE FILED: 7-15-2026
HEARING DATE: 8-13-2026

APPLICATION BEING MADE FOR:

☐ SPECIAL EXCEPTION
☒ VARIANCE
☐ EXPANSION OF NONCONFORMING USE/STRUCTURE
☐ OTHER

☐ AFTER THE FACT ☒ PROPOSED ☐ ADMINISTRATIVE ADJUSTMENT

☐ FORESTRY
☐ CRITICAL AREA
☐ APPEAL

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: Build A 1 car 14 x 24 Garage
on my property which may cross set-backs. We prefer a
24' Shed. The proposed garage will extend into the 6' side yard setback by 4.2'
requiring a variance.

LOCATION OF PROPERTY:

TAX MAP: 16 PARCEL: 41 SECTION: 4 LOT/ BLOCK: 452
On the N/S/E/W of: 0 E of Ocean Parkway by 120 Feet
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: James & Jennifer Weber Telephone: [REDACTED]
Address: 45 Clubhouse Dr, Ocean Pines E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Same as above Telephone: [REDACTED]
Address: [REDACTED] E-Mail: [REDACTED]

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)

NO

Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? Yes If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations? NO

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: 35' FROM CENTERLINE OF ROAD
35' RIGHT OF WAY OF A STATE ROAD
35' FROM PROPERTY LINE
REAR: 30'
LEFT SIDE: 6'
RIGHT SIDE: 6'

ZONING DISTRICT: R-3 TAX DISTRICT: 3

Signature of Owner or Legal Representative

Signature of Applicant

SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY that on this 14 day of July
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared James Weber, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Linda J. Dearing
Notary Public

My Commission Expires: April 13, 2029



STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

I HEREBY CERTIFY that on this 14 day of July
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared James Weber, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Linda J. Dearing
Notary Public

My Commission Expires: April 13, 2029



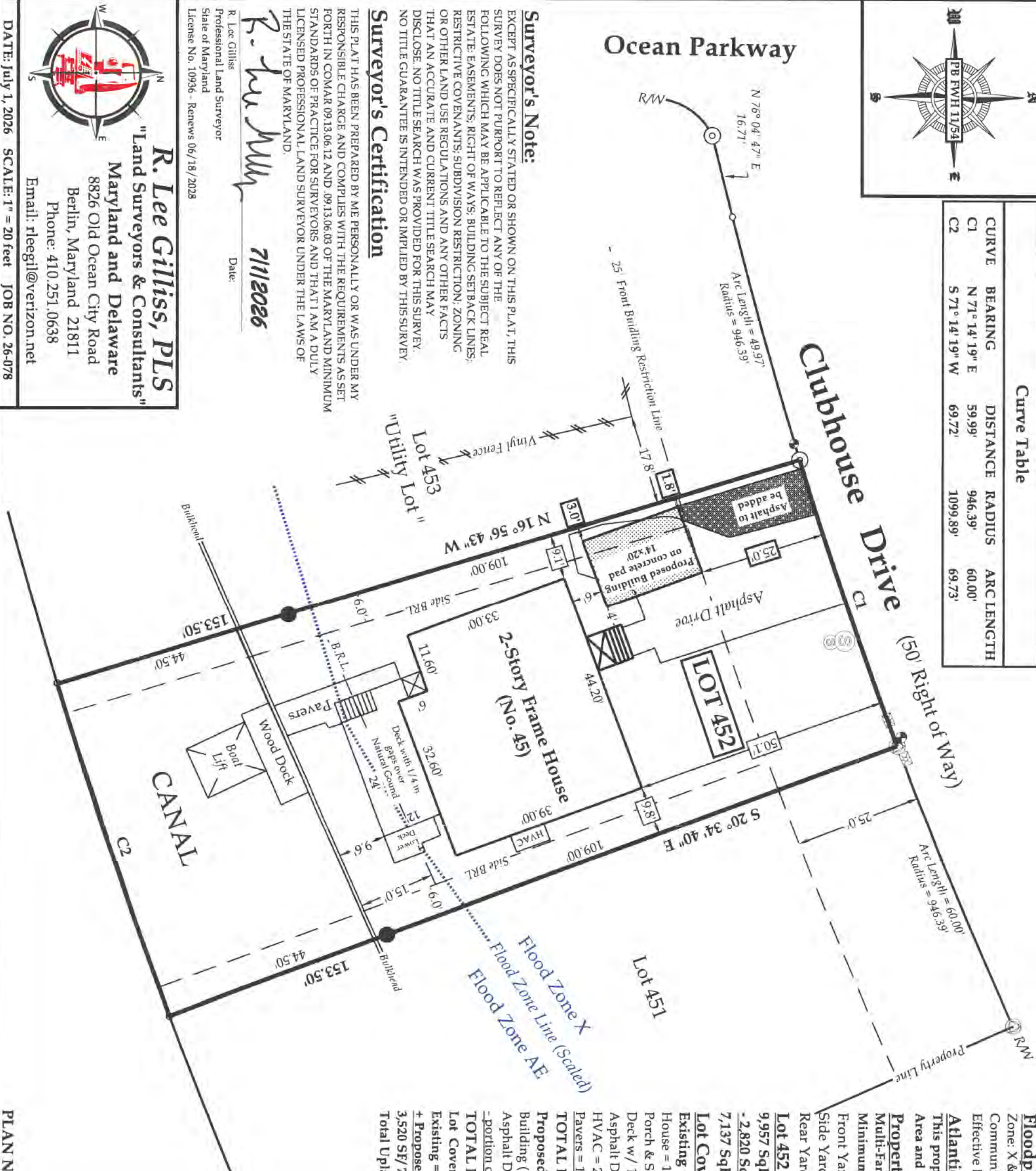


Curve Table				
CURVE	BEARING	DISTANCE	RADIUS	ARC LENGTH
C1	N 71° 14' 19" E	59.99'	946.39'	60.00'
C2	S 71° 14' 19" W	69.72'	1099.89'	69.73'

Ocean Parkway

Clubhouse Drive

(50' Right of Way)



Surveyor's Note:

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, RIGHT OF WAYS, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTION, ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. NO TITLE SEARCH WAS PROVIDED FOR THIS SURVEY. NO TITLE GUARANTEE IS INTENDED OR IMPLIED BY THIS SURVEY.

Surveyor's Certification

THIS PLAT HAS BEEN PREPARED BY ME PERSONALLY OR WAS UNDER MY RESPONSIBLE CHARGE AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN COMAR 09.13.06.12 AND .09.13.06.03 OF THE MARYLAND MINIMUM STANDARDS OF PRACTICE FOR SURVEYORS AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND.

R. Lee Gilliss
7/1/2026

R. Lee Gilliss
Professional Land Surveyor
State of Maryland
License No. 10936 - Renews 06/18/2028



R. Lee Gilliss, PLS
"Land Surveyors & Consultants"

Maryland and Delaware

8826 Old Ocean City Road

Berlin, Maryland 21811

Phone: 410.251.0638

Email: rleegil@verizon.net

DATE: July 1, 2026 SCALE: 1" = 20 feet JOB NO. 26-078

Floodplain Information:

Zone: X & AE (BFE = 5.0')
Community Panel No. 240083-0045 H
Effective Date: July 16, 2015

Atlantic Coastal Bays Critical Area Note:

This property lies within the Atlantic Coastal Bays Critical Area and is designated I.D.A.

Property Zoning: R-3

Multi-Family Residential District

Minimum Yard Setbacks:

Front Yard - 25 feet

Side Yards - 6 feet (Primary Structure)

Rear Yard - 30 feet (15' from Bulkhead)

Lot 452 Property Area:

9,957 SqFt +/- = 0.229 Ac. +/- (Total)

- 2,820 SqFt +/- (Canal)

7,137 SqFt +/- (Uplands)

Lot Coverage

Existing Coverage:

House = 1,654 SF +/-

Porch & Steps = 53 SF +/-

Deck w/ 1/4" gaps = 420 SF +/-

Asphalt Drive = 1,030 SF +/-

HVAC = 23 SF +/-

Pavers = 120 SF +/-

TOTAL Existing Coverage = 3,300 SF +/-

Proposed Coverage:

Building (14x28) = 280 SF +/-

Asphalt Drive as shaded = 210 SF +/-

-portion of Asphalt Drive = 300 SF +/-

TOTAL Proposed Coverage = 190 SF +/-

Lot Coverage per this Plan

Existing = 3,330 SF +/-

+ Proposed = 190 SF +/-

3,520 SF/7,137 SF = 49.32 %

Total Uplands Lot Coverage

BOUNDARY SURVEY & SITE PLAN

James E. & Jennifer A. Weber

45 Clubhouse Drive

Berlin, Maryland 21811

Lot W-04-452

"Ocean Pines-Section Four"

Plat Reference: Plat Book FWH 11, Folio 54

Account ID No. 03-050866

Tax Map 16, Parcel 41

Deed Reference: Liber SRB 9154, Folio 450

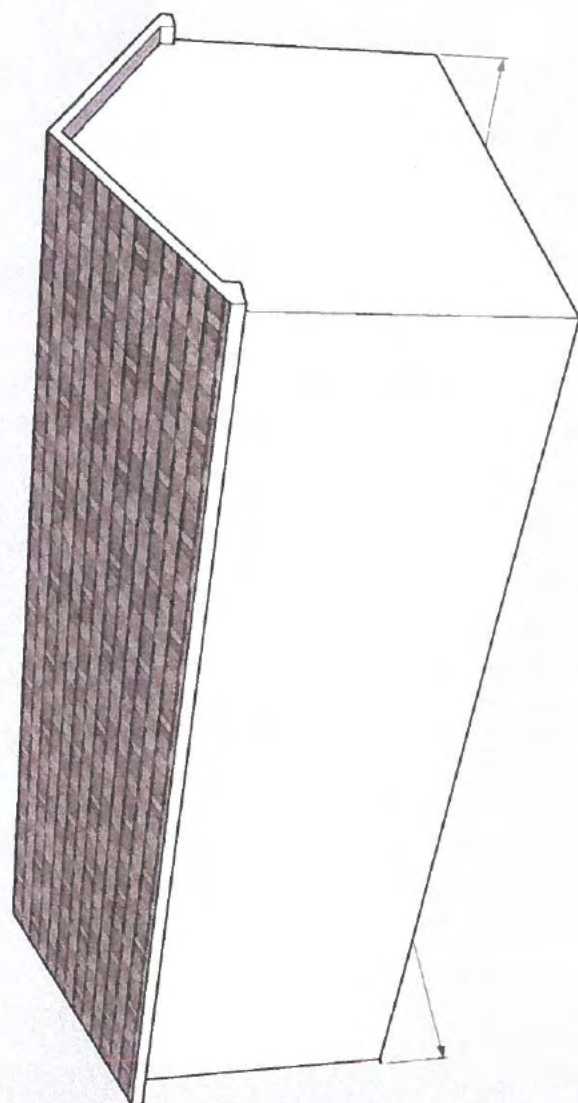
Third (3rd) Election District

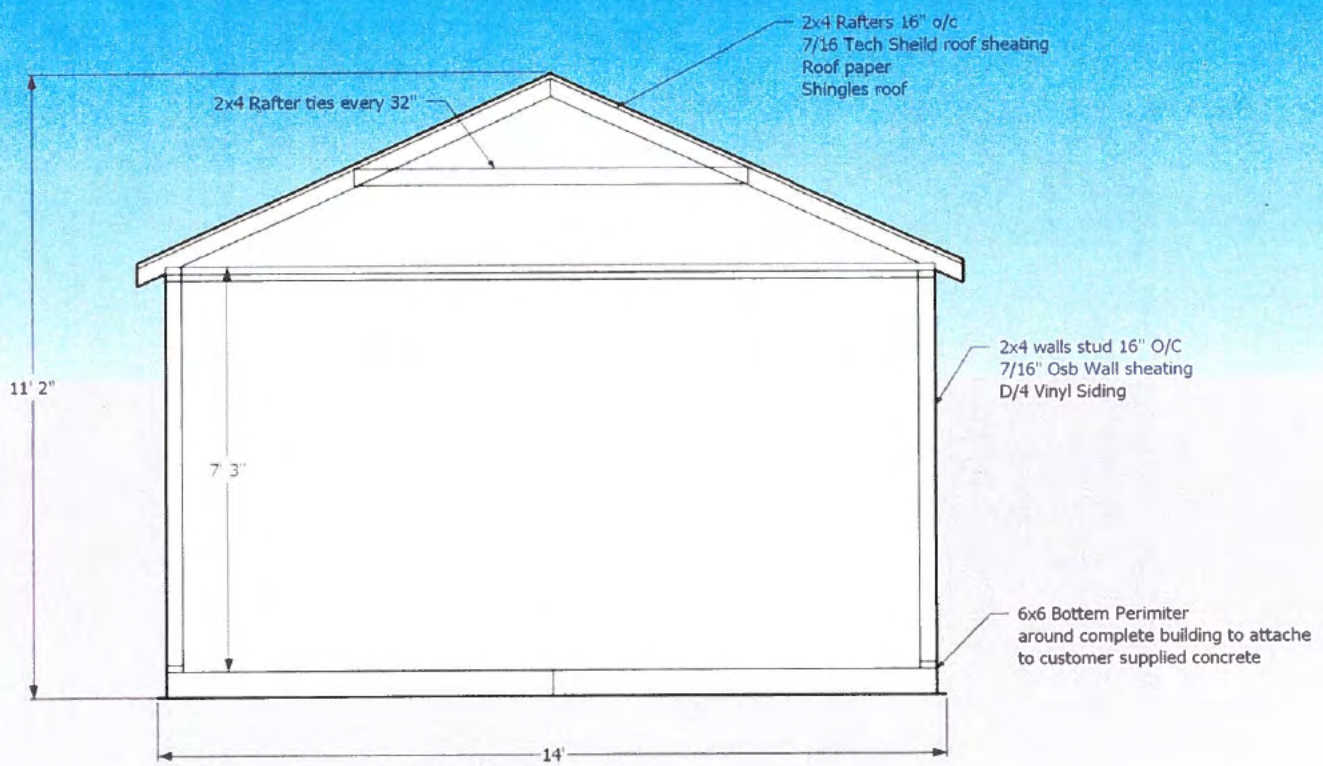
Worcester County, Maryland



LEGEND	
○	Property Corner (unmarked)
●	Iron Rod w/ Cap Set
⊙	Iron Pipe Found
⊕	Utility Pedestal
⊗	Sanitary Sewer
⊘	Water Meter
⊙	Iron Pipe w/ Cap Fd

PLAN NO.2





**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-53**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: August 13, 2026

LOCATION: 45 Clubhouse Drive, Tax Map 16, Parcel 41, Section 4, Lot 452, Tax District 3, Worcester County, Maryland.

APPROVAL REQUESTED: A variance to the to the side yard setback from 6 feet to 1.8 feet (encroaches 4.2 feet) for a proposed detached garage.

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305.

PROPERTY HISTORY: The property is currently improved with a dwelling with the following records on file:

11/08/1996	Permit 47796 – Issued 11/08/1996 – CO issued 05/30/1997 – Permit for a single family dwelling with a screened porch and open deck.
05/12/1997	Permit 49130 – Issued 05/12/1997 – Zoning certificate issued 09/12/1997 – Permit for a dock.
08/11/2000	Permit 66316 – Issued 08/11/2000 – Zoning certificate issued 09/13/2000 – Permit issued for a boatlift.
03/28/2013	Permit 13-0244 – Issued 03/28/2013 – CO issued 01/07/2014 – Permit for a second floor addition.
04/29/2015	Permit 15-0078 – Issued 04/29/15 – CO issued 11/19/2015 – Permit for an open deck.

COMMENTS: This request is to add a 14' x 20' detached garage. The lot narrows from the rear property line to the front, decreasing from 69 feet at the rear to 59 feet at the front. As a result, the property's buildable envelope is reduced, limiting the available area for development.

For the variance request, the Board must make findings that the applicant has demonstrated the following:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved.
2. Literal interpretation of the provisions of this Title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title.
3. The special conditions or circumstances did not result from actions of the applicant.
4. The condition or circumstance is not one that could be reasonably provided for under legislation of general applicability within the zoning district and shall be granted only on account of the uniqueness of the situation.

SUBSEQUENT PROCESSES IF APPROVED:

1. Obtain a building permit.

OWNER: James & Jennifer Weber
45 Clubhouse Drive
Ocean Pines, MD 21811

APPLICANT : James & Jennifer Weber
45 Clubhouse Drive
Ocean Pines, MD 21811

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.

APPLICATION TO :
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER ROOM 1201
SNOW HILL, MD 21863-1070

OFFICE USE ONLY :
CASE NO: 26-55
DATE FILED: 7-15-2026
HEARING DATE: 8-13-2026

APPLICATION BEING MADE FOR:

☐ SPECIAL EXCEPTION	☐ FORESTRY
☒ VARIANCE	☐ CRITICAL AREA
☐ EXPANSION OF NONCONFORMING USE/STRUCTURE	☐ APPEAL
☐ OTHER	

☐ AFTER THE FACT ☒ PROPOSED ☐ ADMINISTRATIVE ADJUSTMENT

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: Prior to submitting a building application for demolishing the existing home and building a new home at 8344 Third Street, Snow Hill MD 21836, we would like to ask the Board of Zoning Appeals for a variance to place the new garage in the existing location of the old garage which is over the front yard setback. The new main house will fully comply with all set back and code regulations. Granting this variance for the garage location will not adversely affect neighboring properties or alter the character of the neighborhood, as a garage has historically existed in this location.

LOCATION OF PROPERTY:

TAX MAP: 0073 PARCEL: 35 SECTION: LOT/ BLOCK: 74, 75, 76

On the N/S/E/W of:

(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: Keith Davis and Saumya Kaup Telephone: [REDACTED]
Address: 113 E. Penn Avenue, Wernersville PA 19565 E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Mark Stearns, Stearns Construction Telephone: [REDACTED]
Address: 102 S. Main Street, Berlin MD 21811 E-Mail: [REDACTED]

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)
No

Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations?

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: <u> </u>	FROM CENTERLINE OF ROAD	REAR : <u>30</u>
<u> </u>	RIGHT OF WAY OF A STATE ROAD	LEFT SIDE: <u>8</u>
<u>25</u>	FROM PROPERTY LINE	RIGHT SIDE: <u>8</u>

ZONING DISTRICT: VD/KP TAX DISTRICT: 02

[Signature]
Signature of Owner or Legal Representative

[Signature]
Signature of Applicant

SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

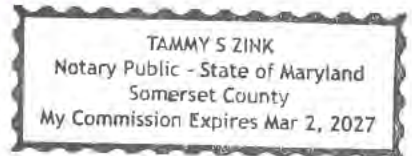
I HEREBY CERTIFY that on this 15 day of July
20 20 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Mark F. Stearns, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.



Notary Public

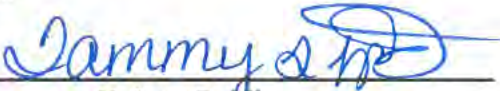
My Commission Expires: 3/2/27



STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

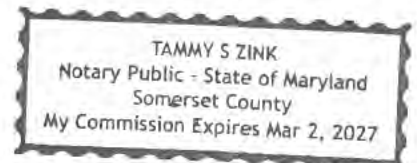
I HEREBY CERTIFY that on this 15 day of July
20 20 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Saumya S. Kaup, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

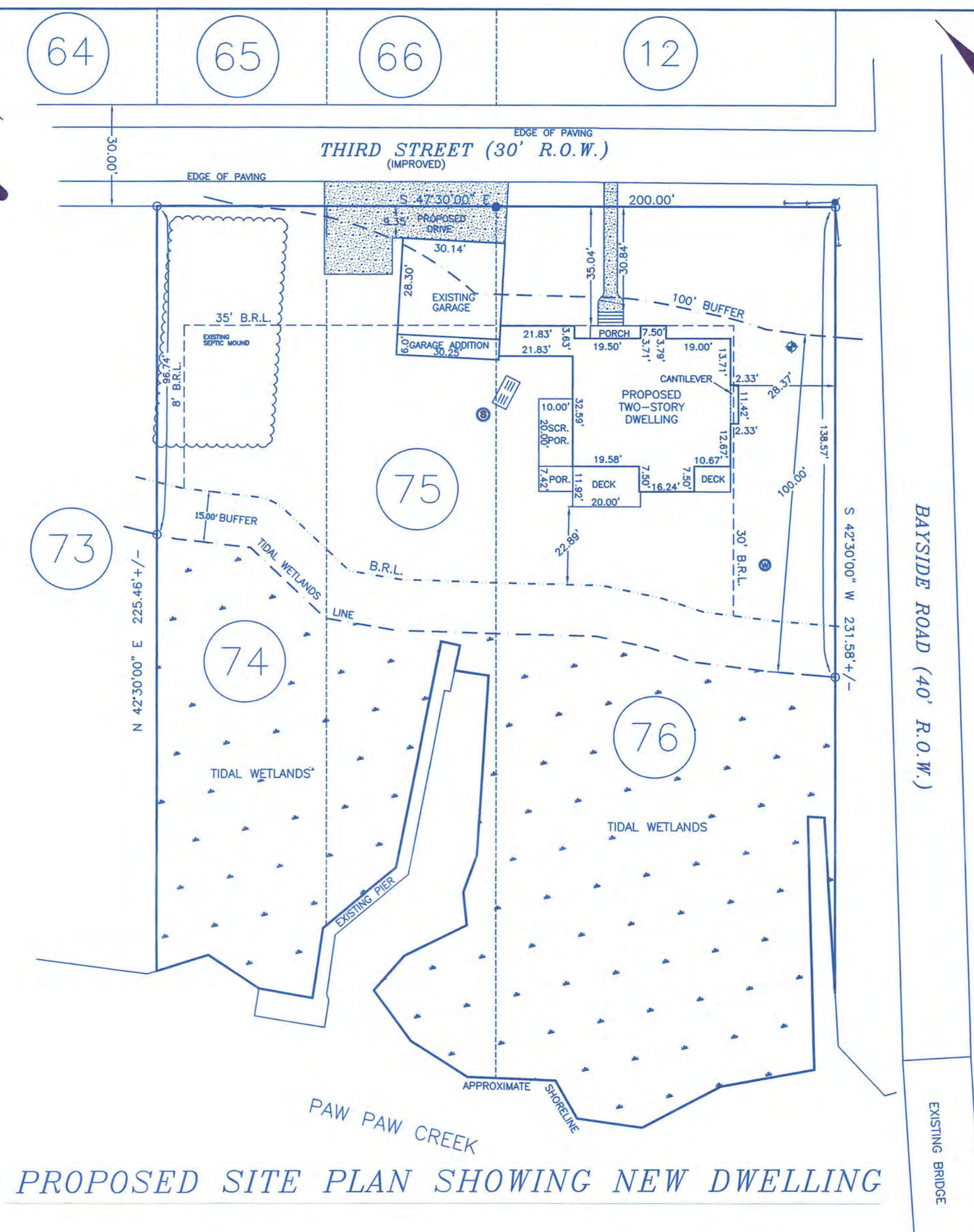
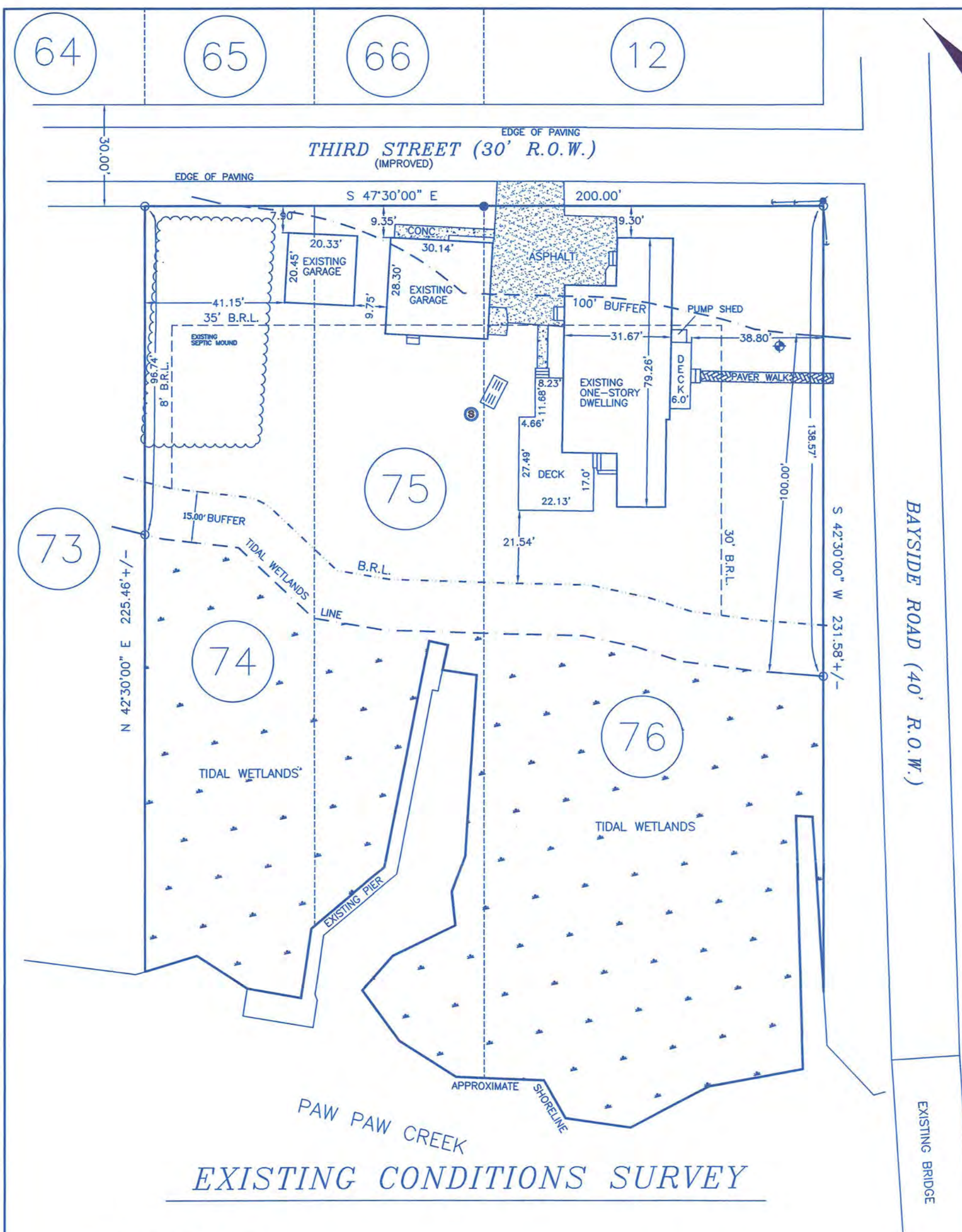
AS WITNESS my hand and official seal.



Notary Public

My Commission Expires: 3/2/27





LEGEND

These standard symbols will be found in the drawing.

■ FOUND CONCRETE MONUMENT

○ FOUND IRON ROD

● FOUND IRON PIPE

74

LOT NUMBER



APPROX. LOCATION OF SEPTIC TANK



EXISTING LIFT PUMP



EXISTING UTILITY POLE AND GUY WIRE



EXISTING WELL



PROPOSED WELL



EXISTING CONDITIONS SURVEY & PROPOSED SITE PLAN SHOWING NEW DWELLING

LOTS 74, 75 & 76

"PLAT OF LOTS OF ELTON M. JONES - PUBLIC LANDING 1936"

SECOND TAX DISTRICT
WORCESTER COUNTY, MARYLAND
TAX MAP 73, PARCEL 35
LOT AREA = 1.08 ACRES± (TOTAL)
UPLAND AREA = 0.565 ACRES± (24,614.8 SQ.FT.+/-)
ALLOWABLE IMPERVIOUS/COVERAGE AREA = 5,445 SQ.FT.
EXISTING IMPERVIOUS/COVERAGE AREA = 5,406.4 SQ.FT.+/-
CURRENTLY ZONED: V-1 (VILLAGE DISTRICT)
ZONING SETBACKS: FRONT = 50' FROM CENTERLINE ROAD R.O.W.
SIDES = 8' EACH, REAR = 30'
FLOOD ZONE X.2 & AE, BASE FLOOD ELEV. = 3.00' NAVD
PLAT REFERENCE : O.D.C. 2/58

- NOTES: 1. THIS LOT LIES WITHIN THE ATLANTIC COASTAL BAYS CRITICAL AREA AND IS CLASSIFIED AS A (LDA) LIMITED DEVELOPMENT AREA AND IS LOCATED IN BUFFER MANAGEMENT AREA GROUP A15.
2. THE TIDAL WETLANDS LINE AS SHOWN HEREON IS AS DELINEATED BY SPENCER ROWE, INC.

EXISTING COVERAGE AREAS

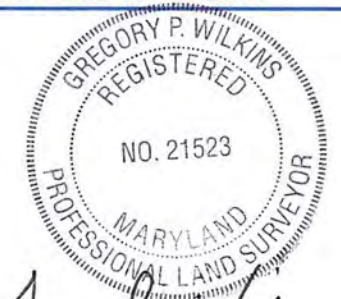
HOUSE/DECKS/STEPS = 2,836.9 Sq. Feet
GARAGE = 418.0 Sq. Feet
GARAGE = 872.3 Sq. Feet
WALKS/DRIVE = 1,279.2 Sq. Feet
TOTAL = 5,406.4 Sq. Feet

EXISTING & PROPOSED COVERAGE AREAS

HOUSE = 3,164.8 Sq. Feet
PORCHES/DECKS = 674.4 Sq. Feet
WALK/DRIVE = 876.7 Sq. Feet
TOTAL = 4,715.9 Sq. Feet

3. THIS SITE PLAN REPRESENTS A 690.5 SQ. FT. REDUCTION IN CRITICAL AREA COVERAGE.

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED BY ME OR UNDER MY RESPONSIBLE
CHARGE, AND THAT I AM A DULY LICENSED
PROFESSIONAL LAND SURVEYOR UNDER THE LAWS
OF THE STATE OF MARYLAND LICENSE NO. 21523,
EXPIRATION DATE 07-13-2027.



GREGORY P. WILKINS - PRESIDENT
MD PROF. LS #21523 - EXP. DATE 07/13/2027
GREGORY P. WILKINS SURVEYOR, INC.

GREGORY P. WILKINS
SURVEYOR, INC.
12626 OLD BRIDGE ROAD
OCEAN CITY, MARYLAND 21842
(410)213-0222

SCALE: 1" = 30'
DATE: 07/15/2026
DRAWN BY: GPW9
JOB NO.: 7381
CRD FILE 2298

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-55**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: August 13, 2026

LOCATION: 8344 Third Street, Tax Map 73, Parcel 35, Lots 74-76, Tax District 2, Worcester County, Maryland.

APPROVAL REQUESTED: A variance to the front yard setback from 35 feet to 9.35 feet (encroaches 25.65 feet) for proposed attached garage.

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4), ZS 1-204(b)(2) and ZS 1-305.

PROPERTY HISTORY: The property is currently improved with a dwelling with the following records on file:

12/19/2014 Permit 14-1226 – Issued 12/29/14 – Permit for the removal of a detached garage, pump shed, deck, and paver, as well as the addition of an open deck, porch, and utility room.

COMMENTS: The existing detached garage is a legally existing nonconforming structure that does not meet current zoning setback requirements. Due to its age and condition, the garage requires substantial repairs or, if determined to be structurally unsound, demolition and reconstruction. The requested variance would allow the garage to remain in its current location or, if replacement becomes necessary, to be rebuilt within the existing footprint or substantially the same location

For the variance request, the Board must make findings that the applicant has demonstrated the following:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved.
2. Literal interpretation of the provisions of this Title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title.
3. The special conditions or circumstances did not result from actions of the applicant.
4. The condition or circumstance is not one that could be reasonably provided for under legislation of general applicability within the zoning district and shall be granted only on account of the uniqueness of the situation.

SUBSEQUENT PROCESSES IF APPROVED:

1. Obtain necessary building permits, inspections and Certificate of Use and Occupancy.

OWNER: Keith Davis & Saumya Kaup
113 E. Penn Avenue
Wernersville, PA 19565

APPLICANT : Mark Stearns, Stearns Construction
102 S. Main St.
Berlin, MD 21811

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.

APPLICATION TO:
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER, ROOM 1201
SNOW HILL, MARYLAND 21863-1070

OFFICE USE ONLY

CASE NUMBER: 26-56
DATE FILED: 7-15-2026
HEARING DATE: 8-13-2026

APPLICATION IS BEING MADE FOR:

☒ SPECIAL EXCEPTION	☐ FORESTRY
☒ VARIANCE	☐ CRITICAL AREA
☐ EXPANSION OF NONCONFORMING USE/STRUCTURE	☐ APPEAL
☐ OTHER	
☐ AFTER THE FACT ☐ PROPOSED	☐ ADMINISTRATIVE
	REVIEW

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: A variance to reduce the lot size from 10,000 sq. ft. to 7,800 sq. ft., a reduction of 2,200 sq. ft., and a variance to reduce the lot size from 10,000 sq. ft. to 6,500 sq. ft., a reduction of 3,500 sq. ft.; and, a variance to reduce the lot width from 100 feet to 50 feet to create two lots in the R-2, Suburban Resident District.

LOCATION OF PROPERTY:

Tax Map: 22 Parcel: 397 Unit: _____ Lot: 34 and 35 Block: 14
Lake Avenue

PROPERTY OWNER INFORMATION:

Owner: Daniel E. Clayland Telephone: _____
Address: 12925 Horn Island Drive, Ocean City, MD 21842 E-mail: _____

APPLICANT INFORMATION:

Applicant's Name: Hugh Cropper, IV Telephone: _____
Address: 9927 Stephen Decatur Hwy., F-12, Ocean City, MD 21842 E-Mail: _____

Has property in question ever been subject of previous appeal? (If yes, give case no. and date) _____
Is property located in the Chesapeake Bay Critical Area or the Atlantic Coastal Bay Critical Area, or its tributaries? _____
If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations? _____

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: _____	FROM CENTERLINE OF ROAD	REAR: <u>30</u>	FT.
_____	RIGHT OF WAY STATE ROAD	SIDE: LEFT <u>8</u>	FT.
<u>25</u>	FROM PROPERTY LINE	SIDE: RIGHT <u>8</u>	FT.

ZONING DISTRICT R2 TAX DISTRICT 10

Signature of Owner or Legal Representative

Signature of Applicant

SEE NEXT PAGE FOR NOTARY - BOTH THE OWNER AND APPLICANT NEED TO BE NOTARIZED

BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY, that on this 15th day of July, 2026, before me, a Notary Public in and for the State and County aforesaid, personally appeared DAN CLAYLAND, OWNER, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged he executed the same for the purposes therein contained AND FURTHER MADE OATH that he executed the same in the capacity therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Tammy G. Bradford
Notary Public

My Commission Expires: 4/18/2029

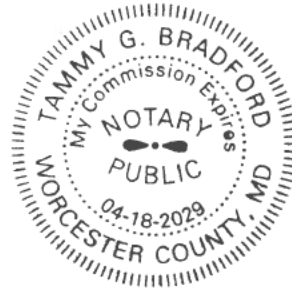
STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

I HEREBY CERTIFY, that on this 15th day of July, 2026, before me, a Notary Public in and for the State and County aforesaid, personally appeared HUGH CROPPER, IV, APPLICANT, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged he executed the same for the purposes therein contained AND FURTHER MADE OATH that he executed the same in the capacity therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

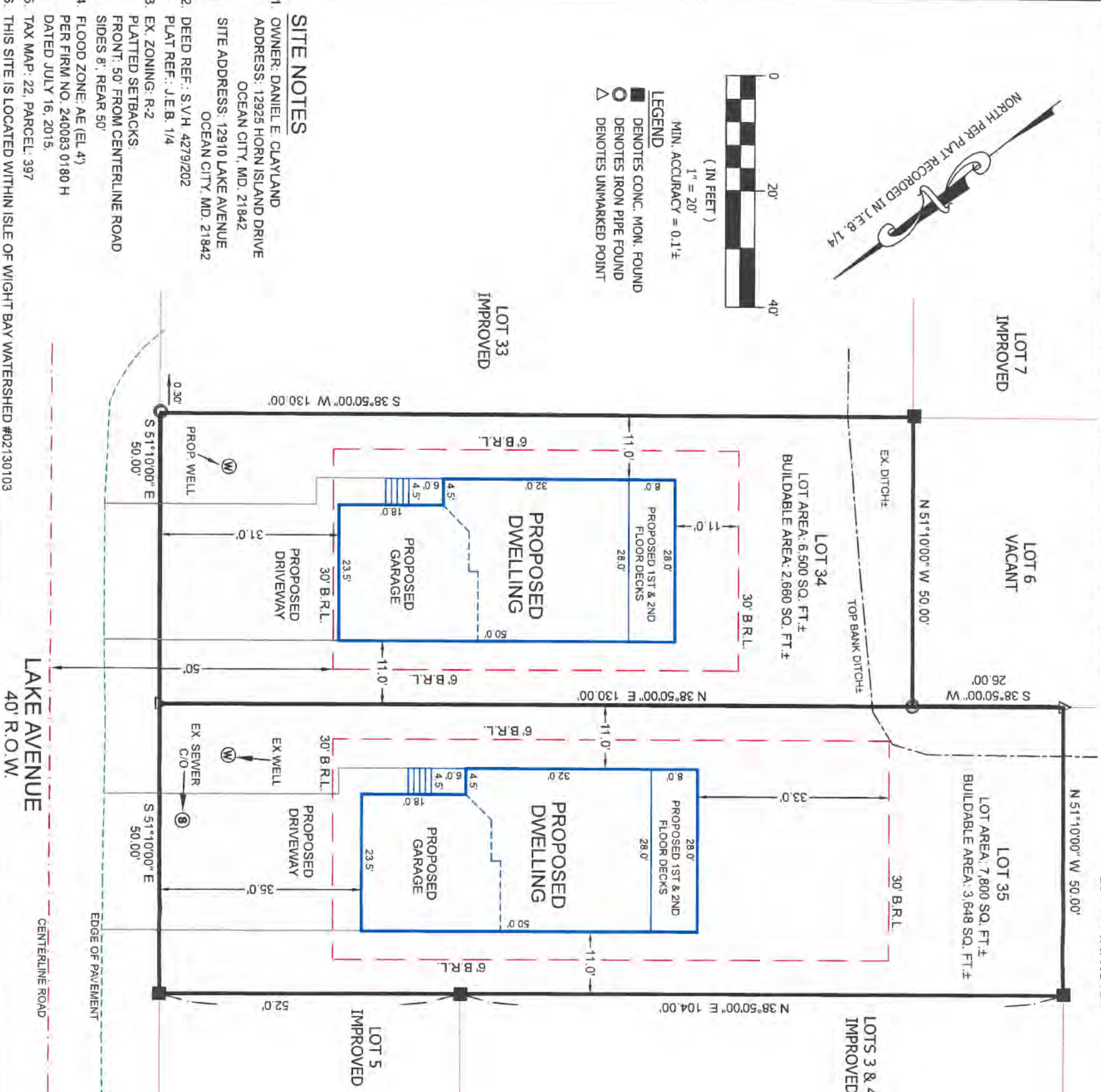
Tammy G. Bradford
Notary Public

My Commission Expires: 4/18/2029



PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NO. 21329, EXPIRATION DATE 1/08/2027.

NOTE: THIS PLAT REFLECTS THE DESCRIPTION OF THE LOT/PARCEL AS NOTED IN THE TITLE OF THIS PLAT, AS SHOWN ON THE RECORD PLAT AND DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WAY, WETLANDS, UTILITIES OR EASEMENTS PERTAINING TO THIS PROPERTY OTHER THAN THOSE AS SHOWN ON SAID RECORD PLAT. NO TITLE SEARCH OR COVENANTS PROVIDED OR STIPULATED.



WORCESTER COUNTY
ATLANTIC COASTAL BAYS
CRITICAL AREA NOTE

THIS PROPERTY LIES WITHIN THE LIMITS OF THE WORCESTER COUNTY ATLANTIC COASTAL BAYS CRITICAL AREA PROGRAM.
CRITICAL AREA DESIGNATION: I.D.A. (INTENSELY DEVELOPMENT AREA)

SITE PLAN FOR B.Z.A.
LOT 34 & LOT 35 - BLOCK 14
ADDITION TO BAY SHORE ACRES
TENTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND

RUSSELL T. HAMMOND
Surveying, L.L.C.

SURVEYING - LAND PLANNING
10310 Hotel Road Bishopville, MD 21813
(410) 352-5674 - (410) 726-8076

DRAWN BY **R. SAVAGE**
FILE NO. **2016-1535**
DATE **06/01/2026**

DECLARATION OF CONSOLIDATION

THIS DECLARATION OF CONSOLIDATION made this 1st day of April, 2002, by **LINDA A. BARKLEY-BARRIS** and **JOHN R. BARRIS**, hereinafter called Declarant.

WHEREAS, Declarant is the owner of Lots 34 and 35 in Block 14, on the plat of "Addition to Bay Shore Acres," which said plat is recorded among the Land Records of Worcester County in Plat Book J.E.B. No. 1, Folio 4;

WHEREAS, Declarant desires, pursuant to Section ZS 2-115 of the Zoning and Subdivision Control Article, Code of Public Local Laws of Worcester County, Maryland to consolidate the lots into one lot for all legal purposes by eliminating the interior lot line or lines dividing the lots.

NOW, THEREFORE, this Declaration of Consolidation witnesseth:

That for good and valuable, but not taxable consideration, the receipt of sufficiency of which is hereby acknowledged, Declarant does hereby agree and declare that interior lot lines between the aforesaid lots numbered 34 and 35, in Block 15, on the plat referenced above, are hereby eliminated and that such lots shall hereafter be subdivided and platted as one lot for all legal purposes. The lots are hereby burdened with a covenant and encumbrance benefitting the County Commissioners of Worcester County, that they shall not be conveyed or encumbered separately without legally required subdivision approval.

Declarant hereby warrants and guarantees that all lienholders on the property have signed this Declaration signifying their consent and that they are the only lienholders having liens against either of said lots and such lienholders join herein for the purpose of subordinating their liens to the resubdivision of such parcels.

AS WITNESS WHEREOF, the parties have set their hands and seals all as of the day and year first written above.

WITNESS AS TO DECLARANT(S)

Jane A King

Linda A. Barkley-Barris (SEAL)
LINDA A. BARKLEY-BARRIS

Jane A King

John R. Barris (SEAL)
JOHN R. BARRIS
DECLARANTS

Please return to Environmental
Programs -- Sharon Redden
(Room 1201)

STEPHEN V HALEY
CLK. CT. CT.
WOR. CO.

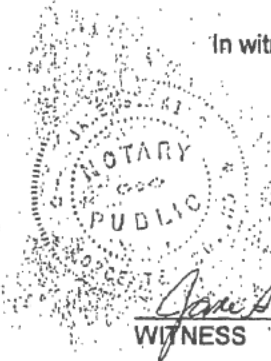
FILED
2002 DEC 23 A 10 45

34A
Call

State of MARYLAND, County of WORCESTER

On this 1st day of April, 2002, before me, the undersigned officer, personally appeared **LINDA A. BARKLEY-BARRIS** and **JOHN R. BARRIS**, Declarants, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.



Jane A. King
Notary Public
My Commission Expires: 4-1-2006

LIENHOLDER:

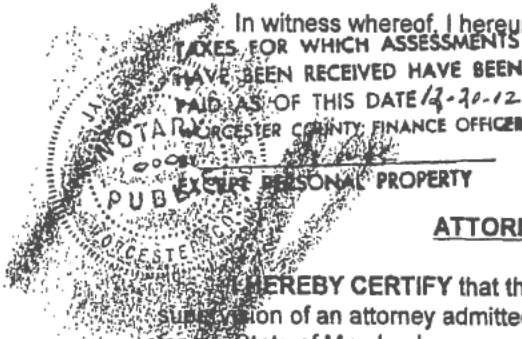
Jane A. King
WITNESS

Blanche P. Brown (SEAL)
BLANCHE P. BROWN

State of MARYLAND, County of WORCESTER

On this 1st day of April, 2002, before me, the undersigned officer, personally appeared **BLANCHE P. BROWN**, Lienholder, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.



Jane A. King
Notary Public
My Commission Expires: 4-1-2006

ATTORNEY CERTIFICATION

I HEREBY CERTIFY that this instrument was prepared by or under the supervision of an attorney admitted to practice law before the Court of Appeals for the State of Maryland.

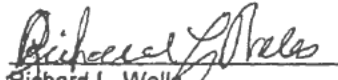
TRANSFER TAX NOT REQUIRED	
FINANCE OFFICER	
WORCESTER COUNTY MARYLAND	
By <u>L. A. King</u>	Authorized Signature
Date <u>12-20-02</u>	

Hugh Copper, IV
Water & Wastewater Services

DEC 20 2002

Worcester Co. Finance Officer
by [Signature]

Approved for the purposes of lot consolidation pursuant to Section ZS 2-115 of the Zoning and Subdivision Control Article of the Code of Public Local Laws of Worcester County by the Department of Planning, Permits and Inspections for the Worcester County Commissioners. To the extent required, this Declaration shall be considered a resubdivision plat.


 Richard L. Wells
 Environmental Programs
 Administrator

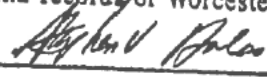
12/19/02
 Date

Page _____ of the Declaration of Consolidation for Tax Map _____,
 Parcel _____, Lots _____ and _____

IMP FD SUR \$5	5.00
RECORDING FEE	20.00
TOTAL	25.00
Res# 14081	Rec# 92468
SVH 3213	BLK # 1378
Dec 23, 2002	11:33 am

DEC 23 2002

The foregoing instrument
 filed for record and is accordingly recorded
 among the land records of Worcester County,
 Maryland.


 Clerk

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-56**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: August 13, 2026

LOCATION: 12910 Lake Avenue, Tax Map 22, Parcel 397, Lots 34 and 35, Tax District 10, Worcester County, Maryland.

APPROVAL REQUESTED: requesting a variance to reduce the lot size from 10,000 square feet to 7,800 square feet (a reduction of 2,200 square feet), variance to reduce the lot size from 10,000 square feet to 6,500 square feet (a reduction of 3,500 square feet) and variance to reduce the lot width from 100 feet to 50 feet to create two lots in the R-2 Suburban Residential District

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305

PROPERTY HISTORY: The property is currently vacant.

014/09/2026 Permit No. 26-0029 – Issued 02/26/2026 –Certificate of Use and Occupancy issued 02/27/2026 - Permit for demo existing home and shed.

COMMENTS: In 2002, the two lots were consolidated with a permanent Declaration of Consolidation. The applicants now propose to undo the consolidation, but the original lots are now non-conforming, so variances are required to complete the subdivision.

For the variance request, the Board must make findings that the applicant has demonstrated the following:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved.
2. Literal interpretation of the provisions of this Title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title.
3. The special conditions or circumstances did not result from actions of the applicant.
4. The condition or circumstance is not one that could be reasonably provided for under legislation of general applicability within the zoning district and shall be granted only on account of the uniqueness of the situation.

SUBSEQUENT PROCESSES IF APPROVED:

1. Subdivide the property.
2. Obtain necessary building permits, inspections and Certificate of Use and Occupancy.

OWNER: Daniel E. Clayland
12925 Horn Island Rd
Ocean City, MD 21842

APPLICANT : Hugh Cropper, IV
9927 Stephen Decatur Hwy., F-12
Ocean City, MD 21842

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.

APPLICATION TO:
BOARD OF ZONING APPEALS
WORCESTER COUNTY, MARYLAND
ONE WEST MARKET STREET
GOVERNMENT CENTER, ROOM 1201
SNOW HILL, MARYLAND 21863-1070

OFFICE USE ONLY

CASE NUMBER: 26-57
DATE FILED: 7-15-2026
HEARING DATE: 8-13-2026

APPLICATION IS BEING MADE FOR:

<u>XXX</u>	SPECIAL EXCEPTION	_____	FORESTRY
_____	VARIANCE	_____	CRITICAL AREA
_____	EXPANSION OF NONCONFORMING USE/STRUCTURE	_____	APPEAL
_____	OTHER	_____	ADMINISTRATIVE
_____	AFTER THE FACT	_____	REVIEW
_____	PROPOSED		

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: A special exception pursuant to Section ZS1-201(c)(36) requesting the Board of Zoning Appeals' determination that the application of a soil amendment created from human decedents, also known as natural organic reduction, is a use of the same general character as a permitted use in the A-1 District, namely agriculture, forestry operation, including the related activities of tillage and fertilization.

LOCATION OF PROPERTY:

Tax Map: 62 Parcel: 13 Unit: _____ Lot: _____ Block: _____
Scotty Road, Snow Hill

PROPERTY OWNER INFORMATION:

Owner: <u>Horace L. & Quinna Marshall</u>	Telephone: _____
Address: <u>127889 Farm Market Road, Marion, MD 21863</u>	E-mail: _____
Owner: <u>A&A Realty of Somerset County, Inc.</u>	Telephone: _____
Address: <u>10840 Market Lane, Suite 5, Princess Anne, MD 21853</u>	Email: _____

APPLICANT INFORMATION:

Applicant's Name: <u>Hugh Cropper, IV</u>	Telephone: <u>[REDACTED]</u>
Address: <u>9927 Stephen Decatur Hwy., F-12, Ocean City, MD 21842</u>	E-Mail: <u>[REDACTED]</u>

Has property in question ever been subject of previous appeal? (If yes, give case no. and date) _____
Is property located in the Chesapeake Bay Critical Area or the Atlantic Coastal Bay Critical Area, or its tributaries? _____
If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations? _____

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: _____	FROM CENTERLINE OF ROAD	REAR: <u>20'</u>	FT.
<u>35</u>	RIGHT OF WAY STATE ROAD	SIDE: LEFT <u>20'</u>	FT.
	FROM PROPERTY LINE	SIDE: RIGHT <u>20'</u>	FT.

ZONING DISTRICT A-1 TAX DISTRICT 7

[Signature] authorized attorney
Signature of Owner or Legal Representative

[Signature]
Signature of Applicant

SEE NEXT PAGE FOR NOTARY - BOTH THE OWNER AND APPLICANT NEED TO BE NOTARIZED

**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (OWNER)

I HEREBY CERTIFY, that on this 15th day of July, 2026, before me, a Notary Public in and for the State and County aforesaid, personally appeared HUGH CROPPER IV, ON BEHALF OF OWNER, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged he executed the same for the purposes therein contained AND FURTHER MADE OATH that he executed the same in the capacity therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.


Notary Public



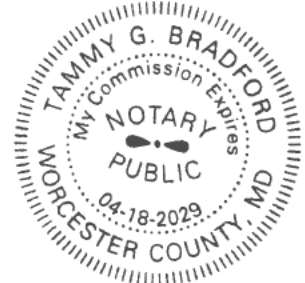
My Commission Expires: 4/18/2029

STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

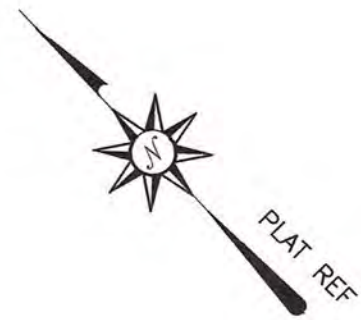
I HEREBY CERTIFY, that on this 15th day of July, 2026, before me, a Notary Public in and for the State and County aforesaid, personally appeared HUGH CROPPER, IV, APPLICANT, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged he executed the same for the purposes therein contained AND FURTHER MADE OATH that he executed the same in the capacity therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

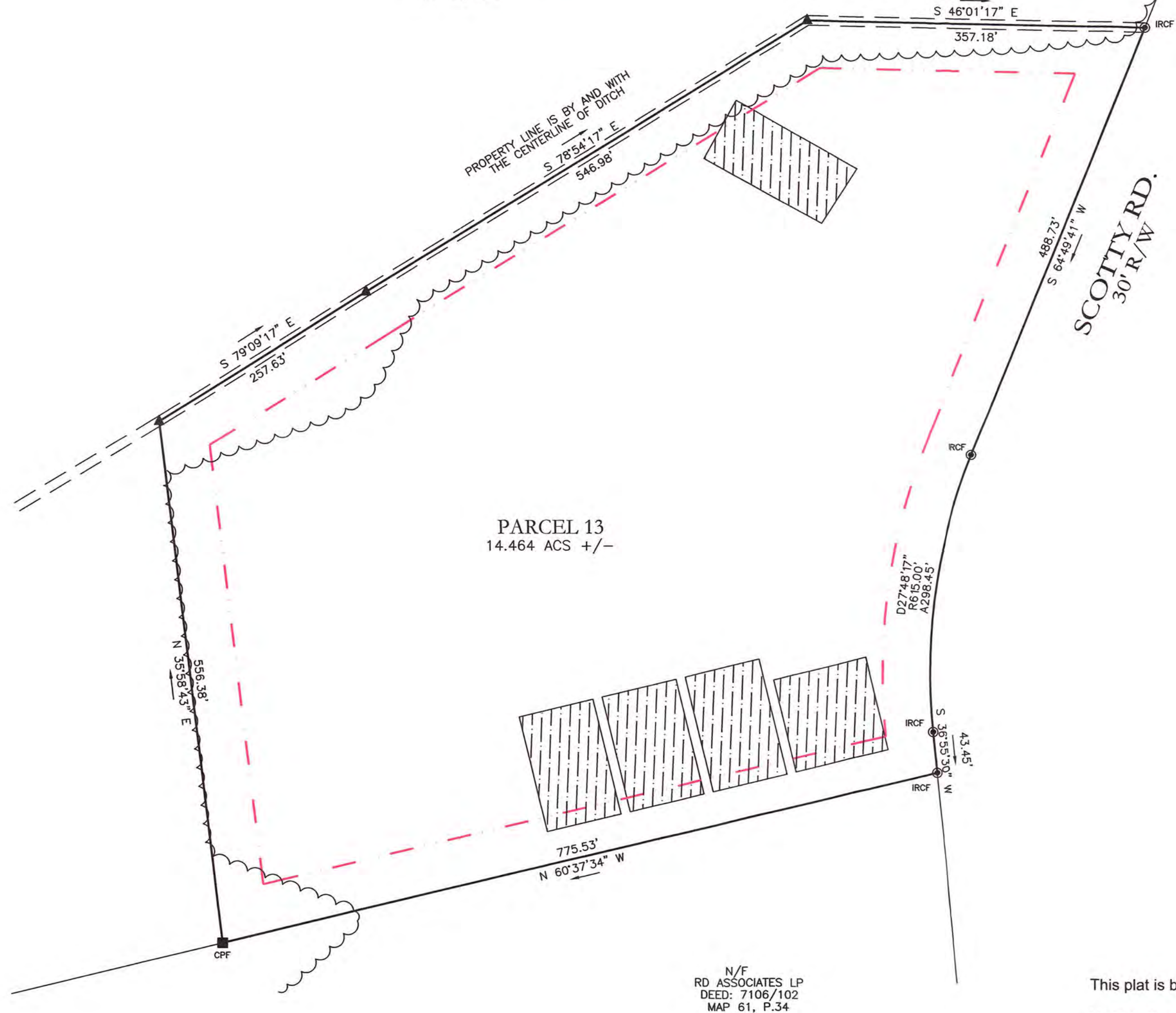

Notary Public



My Commission Expires: 4/18/2029



N/F
ROBERT M. AND EDNA D. JONES
DEED: 6393/333
MAP 62, P.45

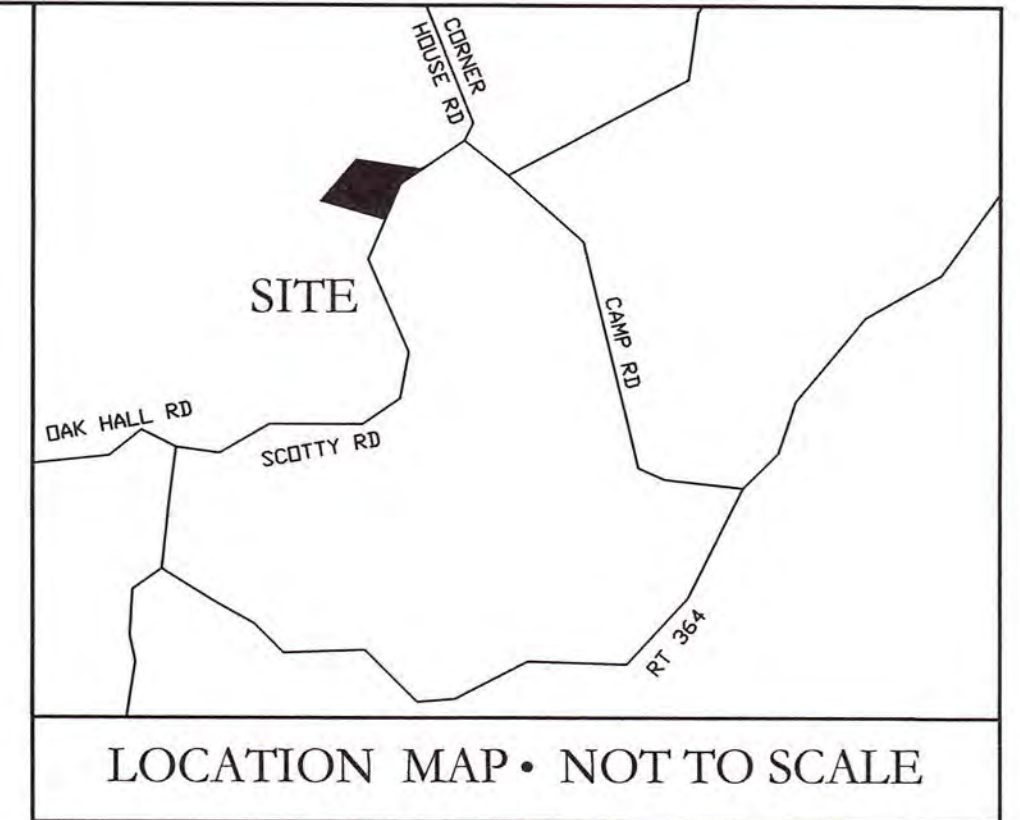


N/F
RD ASSOCIATES LP
DEED: 7106/102
MAP 61, P.34

This plat is based on a current field survey.

No Title Report Furnished.

Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose.



GENERAL NOTES

1. WORCESTER COUNTY TAX MAP NO. 62, P.13, AND MAP 70, P.1
2. ZONED: A-1
3. DEED REF: 8386/333
4. PLAT REF: 59/22, 237/68
5. SEVENTH TAX DISTRICT
6. FLOOD ZONE 'X'

LEGEND

- CPF CONCRETE POST FOUND
- DITCH LINE
- IRCF IRON ROD W/ CAP FOUND
- ▲ PROPERTY CORNER
- SEWAGE RESERVE AREA
- WOODS LINE
- 50' SETBACK LINE



LANDS OF
A&A REALTY OF SOMERSET COUNTY
HORACE L. JR., AND QUINNA MARSHALL

EXHIBIT PLAT

SCALE	1" = 100'	SURVEYED	DAW	JOB NO.	SCOTTY RD.
DATE	7/14/2026	DRAWN	DAW	FIELD BOOK X	PAGE X
REVISED		CAD FILE	SCOTTY	SHEET 1	OF 1

WILKINS-NOBLE LLC
LAND SURVEYING

11755 SOMERSET AVE. 410-621-0321
PRINCESS ANNE, MD 21853 410-621-0320 (FAX)

DAVID ANDREW WILKINS, LIC. #21186, EXPIRATION DATE OF 01-04-2028, EITHER PERSONALLY PREPARED THIS BOUNDARY SURVEY OR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE SURVEYING WORK REFLECTED IN IT, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN REGULATION 12 OF COMAR TITLE 9, SUBTITLE 13, CHAPTER 09.13.06.

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-57**

IMPORTANT NOTICE

Due to recent email scams by an individual impersonating a County employee alleging that unanticipated fees are owed, please know that Development Review and Permitting (DRP) will never require payment by wire transfer. If you receive such an email or call, contact DRP directly at 410-632-1200, and staff will be glad to assist you.

HEARING DATE: August 13, 2026

LOCATION: Scotty Road, Tax Map 62, Parcel 13, Tax District 7, Worcester County, Maryland.

APPROVAL REQUESTED: A Special Exception to allow the application of a soil amendment created from human decedents, also known as natural organic reduction, as a use of the same general character as permitted uses in the A-1 District

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(3) and ZS 1-201(c)(36),

PROPERTY HISTORY: The property is vacant.

COMMENTS: Natural organic reduction (NOR) is the scientific term for a method of accelerated human composting. This is a new method for the disposition of human remains. The first state to approve it was Washington and since then at least 13 more states have approved it.

In the MD Health – General Code §5-514 of Title 5, Maryland allows bodies to be disposed of in a reduction facility, but the soil remains may not be used or disposed of on private property without written permission of the owner, to grow food for consumption by humans or livestock, selling or reselling the soil remains to a third party, or combining the soil remains with compost offered for sale for commercial or agricultural purposes. The Board should consider how the applicant will prevent the land from being used to grow food for consumption in the future.

Although soil amendments are an agricultural practice, disposition of human remains is also similar to a cemetery in use. The State of New York’s Division of Cemeteries provided guidance to the New York State Cemetery Board in 2024 on natural burials, which includes NOR. Suggestions included setting aside a section of the cemetery for gardens, meadow or woods for depositing reduced remains and suggested offering memorialization at a different location than where the remains are deposited as an alternative to headstones and footstones. While there is no mention of accommodating visitation to this site, consideration should be given to if, where or how the reduced remains will be memorialized and the likelihood that visitation of the site would be desirable in the future.

With respect to the special exception request, the Board must make findings that the proposed use or structure:

1. Will be in conformance with the County's Comprehensive Plan.
2. Will be in harmony with the general character of the neighborhood considering population density, the design, scale and bulk of any proposed new structures, the intensity and character of the activity, traffic and parking conditions or the number of similar uses.
3. Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding neighborhoods; will cause no objectionable noise, vibration, fumes, odors, dust, glare or physical activity; and will not have a detrimental effect on ground- or surface water quality.
4. Will have no detrimental impact on vehicular or pedestrian traffic.
5. Will not adversely affect the health, safety, morals, security or general welfare of residents, workers, or visitors in the area.
6. Will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, medical facilities, water, sanitary sewers, public roads, storm sewers, drainage and other public improvements.
7. Will meet the definitions and specific standards set forth elsewhere in this Title for such use.

SUBSEQUENT PROCESSES IF APPROVED:

1. Obtain necessary building permits, inspections and Certificate of Use and Occupancy.

OWNER: Horace L Jr. & Quinna Marshall
127889 Farm Market Rd
Marion MD 21863

APPLICANT : Hugh Cropper, IV
9927 Stephen Decatur Hwy., F-12
Ocean City, MD 21842

PREPARED BY: Zoning Division Staff

In accordance with Section ZS 1-114, the Department has met the public notification requirements with regard to advertisement in a local paper, posting of property and notification of adjoining property owners.

**DEPT. OF ENVIRONMENTAL
PROGRAMS COMMENTS FOR
EACH CASE**

**(Includes Critical Area, Forestry & Environmental
Programs)**



Worcester County

Department of Environmental Programs
Natural Resources Division

Memorandum

To: Betsy Jackson, Zoning Administrator

From: Joy S. Birch, Natural Resources Planner III 

Subject: Board of Zoning Appeals Comments – August 13, 2026

Date: July 23, 2026

Below are comments related to the cases scheduled for the Board of Zoning Appeals (BZA) meeting for Thursday, August 13, 2026, for their conformance with the Chesapeake Bay (CBCA) and Atlantic Coastal Bays Critical Area Law (ACBCA):

6:30 pm – Case #26-48:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as an Intensely Developed Area (IDA) and is a non-waterfront lot. The proposed activity does not appear to have any issues with the Atlantic Coastal Bay Critical Area regulations. Any applicable mitigation will be addressed at the permitting stage; therefore, we reserve any further comments until permit submission.

6:35 pm – Case #26-43:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as Intensely Developed Area (IDA) within Buffer Management Area A-15. The proposed activity does not appear to have any issues with the Atlantic Coastal Bay Critical Area regulations. Any applicable mitigation will be addressed at the permitting stage; therefore, we reserve any further comments until permit submission.

6:40 pm – Case #26-50:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as an Intensely Developed Area (IDA) and is a non-waterfront lot. The proposed

activity does not appear to have any issues with the Atlantic Coastal Bay Critical Area regulations. Any applicable mitigation will be addressed at the permitting stage; therefore, we reserve any further comments until permit submission.

6:45 pm -Case #26-52:

This request is located outside of the Atlantic Coastal and Chesapeake Bay Critical Area programs. No Comment.

6:50 pm -Case #26-54:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as Intensely Developed Area (IDA) within Buffer Management Area A-15. The proposed activity does not appear to have any issues with the Atlantic Coastal Bay Critical Area regulations. Any applicable mitigation will be addressed at the permitting stage; therefore, we reserve any further comments until permit submission.

6:55 pm -Case #26-53:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as Intensely Developed Area (IDA) within Buffer Management Area A-15. The proposed activity does not appear to have any issues with the Atlantic Coastal Bay Critical Area regulations. Any applicable mitigation will be addressed at the permitting stage; therefore, we reserve any further comments until permit submission.

7:00 pm -Case #26-55:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as Limited Development Area (LDA) within Buffer Management Area A-15. The proposed activity does not appear to have any issues with the Atlantic Coastal Bay Critical Area regulations. Per the site plan there is a decrease in lot coverage; therefore, we reserve any further comments until permit submission.

7:05 pm – Case #26-56:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as an Intensely Developed Area (IDA) and is a non-waterfront lot. The proposed activity does not appear to have any issues with the Atlantic Coastal Bay Critical Area regulations. Any applicable mitigation will be addressed at the permitting stage; therefore, we reserve any further comments until permit submission.

7:10 pm – Case #26-57:

This request is located outside of the Atlantic Coastal and Chesapeake Bay Critical Area programs. No Comment.



Worcester County
Department of Environmental Programs
Natural Resources Division

Memorandum

To: Savannah Guy, DRP Specialist I

From: David Mathers, Natural Resources Planner IV 

Subject: Board of Zoning Appeals Comments – August 13, 2026 Meeting

Date: July 31, 2026

Below are comments relative to the cases scheduled for the Board of Zoning Appeals (BZA) meeting for Thursday, August 13, 2026, for their conformance with the Forest Conservation Act.

6:30 pm – Case # 26-48:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and therefore exempt from the Forest Conservation Act. No comment.

6:35 pm -Case # 26-43:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and therefore exempt from the Forest Conservation Act. No comment.

6:40 pm -Case # 26-50:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and therefore exempt from the Forest Conservation Act. No comment.

6:45 pm -Case # 26-52:

For land areas over 40,000 square feet and located outside the landward limits of Critical Area, any project requiring disturbance of 5,000 square feet or greater will require compliance with the Worcester County Forest Conservation Law. To obtain compliance, the owner/applicant is required to have a Qualified Professional (approved by Maryland Department of Natural Resources), Licensed Landscape Architect, or Licensed Forester, prepare a Forest Stand Delineation and a Forest Conservation Plan for review and

Citizens and Government Working Together

approval by the Department. This Department will reserve further comments until permit submission.

6:50 pm -Case # 26-54:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and therefore exempt from the Forest Conservation Act. No comment.

6:55 pm -Case # 26-53:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and therefore exempt from the Forest Conservation Act. No comment.

7:00 pm -Case # 26-55:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and therefore exempt from the Forest Conservation Act. No comment.

7:05 pm -Case # 26-56:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and therefore exempt from the Forest Conservation Act. No comment.

7:10 pm -Case # 26-57:

For land areas over 40,000 square feet and located outside the landward limits of Critical Area, any project requiring disturbance of 5,000 square feet or greater will require compliance with the Worcester County Forest Conservation Law. To obtain compliance, the owner/applicant is required to have a Qualified Professional (approved by Maryland Department of Natural Resources), Licensed Landscape Architect, or Licensed Forester, prepare a Forest Stand Delineation and a Forest Conservation Plan for review and approval by the Department. This Department will reserve further comments until permit submission.



Worcester County

Department of Environmental Programs
Environmental Programs Division

Memorandum

To: Board of Zoning Appeals (BZA) for the August 13, 2026 meeting

From: Environmental Programs Staff

Date: July 24, 2026

These comments are based upon the site plans received and are subject to change as the plans change to accommodate comments made by other committee members.

6:30 p.m.

Case No. 26-48, on the lands of Chris and Amy Brown, requesting a variance to the front yard setback from 25 feet to 18.5 feet (encroaches 6.5 feet) for a proposed deck in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 18 Granby Lane, Tax Map 16, Parcel 47, Section 11, Lot 405, Tax District 3, Worcester County, Maryland.

No objection to this variance request.

6:35 p.m.

Case No. 26-43, on the lands of Ruby Runikera, requesting a special exception to reconstruct a legal non-conforming rear deck and steps and variance to the side yard setback from 6 feet to 5.9 feet (encroaches 0.1 feet) for a proposed screened porch in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-116(c)(4), ZS 1-116(c)(5), ZS 1-122(d)(1), ZS 1-207(b)(2) and ZS 1-305, located at 2 Crows Nest Lane, Tax Map 16, Parcel 38, Section 1, Lot 660, Tax District 3, Worcester County, Maryland.

No objection to this special exception request.

6:40 p.m.

Case No. 26-50, on the lands of Meral Yilmaz, requesting an after-the-fact variance to the rear yard setback from 30 feet to 11.3 feet (encroaches 18.7 feet) for an existing residence with an attached garage in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-

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116(c)(4), ZS 1-206(b)(2) and ZS 1-305, located at 608 Ocean Parkway, Tax Map 16, Parcel 46, Section 9, Lot 357, Tax District 3, Worcester County, Maryland.

No objection to this variance request.

6:45 p.m.

Case No. 26-52, on the lands of RJM LLC, on the application of Robert Mason Jr., requesting a special exception for a private noncommercial building for the storage of personal property in the A-1 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-201(c)(34) and ZS 1-305, located on Old Stage Road approximately 1,700 feet south of Hammond Road, Tax Map 9, Parcel 126, Tax District 5, Worcester County, Maryland.

No objection to this special exception request. Any future proposed use requiring on-site sewage disposal will require seasonal site and soil evaluations.

6:50 p.m.

Case No. 26-54, on the lands of Robert McIntire, requesting a variance to the front yard setback from 25 feet to 15 feet (encroaches 10 feet) for a proposed covered porch in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 55 Moonshell Drive, Tax Map 16, Parcel 41, Section 4, Lot 168, Tax District 3, Worcester County, Maryland.

No objection to this variance request.

6:55 p.m.

Case No. 26-53, on the lands of Jennifer and James Weber, requesting a variance to the side yard setback from 6 feet to 1.8 feet (encroaches 4.2 feet) for a proposed detached garage in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 45 Clubhouse Drive, Tax Map 16, Parcel 41, Section 4, Lot 452, Tax District 3, Worcester County, Maryland.

No objection to this variance request.

7:00 p.m.

Case No. 26-55, on the lands of Keith Davis and Saumya Kaup, requesting a variance to the front yard setback from 35 feet to 9.35 feet (encroaches 25.65 feet) for proposed attached garage in the V-1 Village District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-204(b)(2) and ZS 1-305, located at 8344 Third Street, Tax Map 73, Parcel 35, Lots 74-76, Tax District 2, Worcester County, Maryland.

- 1. The proposed well must have a minimum thirty-foot separation from the proposed dwelling and/or deck foundation/footing.**
- 2. The existing septic system is designed for a maximum of two bedrooms. The total number of bedrooms on the lot(s) cannot be increased as a holding tank is the only available option for future septic replacement.**

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7:05 p.m.

Case No. 26-56, on the lands of Daniel E. Clayland, requesting a variance to reduce the lot size from 10,000 square feet to 7,800 square feet (a reduction of 2,200 square feet), a variance to reduce the lot size from 10,000 square feet to 6,500 square feet (a reduction of 3,500 square feet), and a variance to reduce the lot width from 100 feet to 50 feet to create two lots in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305, located at 12910 Lake Avenue, Tax Map 22, Parcel 397, Lots 34 and 35, Tax District 10, Worcester County, Maryland.

- 1. The minimum well separation from the wells to building foundations is thirty feet. A variance from MDE will be required to reduce the minimum separation.**
- 2. According to COMAR 26.04.03, Water Supply and Sewerage Systems in the Subdivision of Land in Maryland, “Where community sewerage is available and individual water supply systems must be utilized, the minimum lot area shall be 10,000 square feet with a minimum 75 feet (in width).” A possible MDE variance to these requirements may be pursued.**

7:10 p.m.

Case No. 26-57, on the lands of Horace L Jr. and Quinna Marshall, requesting a Special Exception to allow the application of a soil amendment created from human decedents, also known as natural organic reduction, as a use of the same general character as permitted uses in the A-1 District, pursuant to §§ ZS 1-116(c)(3) and ZS 1-201(c)(36), located at Scotty Road, Tax Map 62, Parcel 13, Tax District 7, Worcester County, Maryland.

This property was tested for onsite sewage with mixed results. The area nearest to Corner House Road failed to meet percolation rates and just met minimum water table requirements. There are some elevation differences in the rear of the property that are lower than the front on Scotty Road. It is apparent that there are physical conditions here that should be acknowledged, the same as with any farming or agricultural production operation. Maintaining application zones above seasonal groundwater tables ensures adequate soil filtration and aerobic microbial processing of amino acids and nitrogen compounds. It should be apparent that there is a need for careful management of applications of a nutrient-rich soil amendment like this material relative to groundwater tables to prevent localized nutrient loading or soil saturation from occurring.

We would request the Board to ensure these comments concerning detrimental conditions as described in ZS 1-116 (c) (3) A.3, are made a part of the findings for this hearing. We would respectfully recommend the Board, should they move to approve this application, condition any approval on the following successful mitigation of objectionable conditions under that paragraph by the owner in their daily operation. This would mean that the owner needs to operate the facility in such a way as to be in compliance with state nutrient management regulations and not cause detrimental conditions as described in ZS 1-116 (c) (3) A.3 (cause no objectionable noise, vibration, fumes, odors, dust, glare or physical activity; and will not have a detrimental effect on ground- or surface water quality). These conditions would include: 1) The placement of a forest conservation easement on the

property; 2) The registration of the material as a soil amendment with the state chemist at the Maryland Department of the Environment; 3) A nutrient management plan prepared for the property by a qualified professional; and 4) Application of the material in

accordance with Maryland's Nutrient Management regulations that require no wintertime applications. That should go hand-in-hand with a management practice to not apply during wet season (January-April) for parts of the property that have elevated water tables at that time.

OPINIONS FROM THE PREVIOUS MONTH FOR REVIEW

**(Opinion for each case will be provided at the regular
meeting for signature by all members)**

IN THE MATTER OF JOHN POLUBJAK
AND FRAN POLUBJAK

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*

BEFORE THE BOARD OF ZONING

*

APPEALS FOR WORCESTER COUNTY,

*

Case No. 26-37

MARYLAND

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* * * * *

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, July 9, 2026, upon the application of John Polubjak and Fran Polubjak on the lands of Bali Hi Park, Inc., requesting after-the-fact variances to the front yard setback from 10 feet to 8.96 feet (encroaches 1.04 feet) and to the rear yard setback from 5 feet to 4.88 feet (encroaches 0.12 feet) for an existing RV in a Cooperative Campground, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-318(e) and ZS 1-305, located at 12342 St. Martins Neck Road, Tax Map 10, Parcel 32, Lot 100, Tax District 5, Worcester County, Maryland.

Gary Pusey, DRP Specialist presented the application to the Board. The Applicants John Polubjak and Fran Polubjak testified before Board in favor of the Application. There were no protestants to the Application. The testimony revealed that the bay windows encroached in the front and rear yard. Their home is a park model and they did not place it on the lot.

After duly considering the application and the testimony and other evidence offered and presented in connection therewith, the Board made the following findings of fact and conclusions of law:

1. Special conditions and circumstances exist which are peculiar to the land and proposed building involved;

2. The literal interpretation of the Ordinance would deprive the applicants of rights commonly enjoyed by others in the Zone;
3. The special conditions did not result from actions of the applicants; and
4. The conditions are not one that could be reasonably provided for under legislation of general applicability within the Zone.

Accordingly, upon a Motion made by Mr. Mitrecic to approve, which was seconded by Mr.

Fykes, the Board unanimously passed the following resolution:

BE IT RESOLVED, that the requested variance be APPROVED upon the following condition:

1. Applicant must conform with all parking requirements.

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Beth Gismondi

Date

Stephen Katsanos

IN THE MATTER OF MARK SPENCER CROPPER

*

*

BEFORE THE BOARD OF ZONING

*

APPEALS FOR WORCESTER COUNTY,

*

Case No. 26-38

MARYLAND

*

* * * * *

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, July 9, 2026, upon the application of Mark Spencer Cropper, on the lands of John Scott Hagerty Revocable Trust and Teresa Lynn Hagerty Revocable Trust, requesting a variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 25 feet (an encroachment of 75 feet) and a special exception for the replacement of an existing residence in the RP Resource Protection District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-116(m), ZS 1-122(f), ZS 1-215(c)(1) and ZS 1-305 and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111, located at 11923 Salt Grass Point Road, Tax Map 16, Parcel 37, Tax District 5, Worcester County, Maryland.

Gary Pusey, DRP Specialist presented the application to the Board. Russell Hammond testified before Board along with Adam Yoder. There were no protestants to the Application. The State Critical Area Commission did not object to this request.

After duly considering the application, and the testimony and other evidence offered and presented in connection therewith regarding the requested variance, the Board made the following findings of fact:

1. **Special conditions or circumstances exist that are peculiar to the applicant's land or structure and a literal enforcement of provisions and requirements of the County's Atlantic Coastal Bays Critical Area Program would result in unwarranted hardship;**

Without the granting of this Variance a hardship exists. This property was platted prior to the adoption of the Atlantic Coastal Bays Critical Area Program. This property is not located within a Buffer Management Area, which would have reduced the impact on the 100' Buffer.

2. A literal interpretation of the provisions of the County's Atlantic Coastal Bays Critical Area Program and related laws will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Atlantic Coastal Bays Critical Area;

The Applicant's rights would be lessened without the granting of this variance due to the restrictions of the Atlantic Coastal Bays Critical Area Program. Numerous properties, including the adjacent properties, have structures that are located within the 100' Buffer.

3. The granting of a variance will not confer upon the applicant any special privilege that would be denied by the County's Atlantic Coastal Bays Critical Area Program to other lands or structures within the Atlantic Coastal Bays Critical Area;

As stated previously, there are numerous properties throughout the County that have structures located within the 100' Buffer. Since this was platted prior to the adoption of the Critical Area Program, provisions were not provided during the review process which could have lessened these buffer requirements. Therefore, granting this variance would not confer a special privilege or right to the applicant.

4. The variance request is not based upon conditions or circumstances which are the result of actions by the applicant nor does the request arise from any condition relating to land or building use, either permitted or non-conforming on any neighboring property;

This request is not an after-the-fact variance and the properties were platted prior to the adoption of the Atlantic Coastal Bays Critical Area Program.

5. The granting of a variance shall not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the Atlantic Coastal Bays Critical Area and the granting of the variance will be in harmony with the general spirit and intent of the County's Atlantic Coastal Bays Critical Area Program;

The granting of this variance could slightly affect the water quality due to the proposed impact to the 100' buffer, actions will be taken to offset this issue. The proposed activity will be required to conduct mitigation at a 3:1 ration for the square footage of lot coverage added to the 100' buffer and a 1:1 ratio for the square footage of canopy coverage removed. Furthermore, compliance with Stormwater/Erosion Sediment Control regulations will be required for disturbances 5,000 square feet or greater and/or use of 100 cubic yards or greater of fill.

6. The Board of Zoning Appeals shall not make a decision relative to a request for such a variance without reviewing the comments of the Department and finding that the applicant has satisfied each of the provisions and standards contained herein

The applicant does have an unwarranted hardship due to the 100' buffer.

7. The Board believes that without a variance, an unwarranted hardship exists and the variance request is the minimum necessary to provide relief as the Applicant will be denied a reasonable and significant use of the property.

8. Through competent and substantial evidence, the Applicant has overcome the presumption that the specific development activity does not conform with the general intent of the Worcester County Code.

After duly considering the application, and the testimony and other evidence offered and presented in connection therewith regarding the requested special exception, the Board made the

following findings of fact:

1. The proposed use will be consistent with County's Comprehensive Plan;
2. The proposed use will be in harmony with the general character of the neighborhood considering population density, the design, scale and bulk of any proposed new structures, the intensity and character of activity, traffic and parking conditions or the number of similar uses; 3. The proposed use will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or surrounding neighborhoods; will cause no objectionable noise, vibration, fumes, odors, dust, glare or physical activity; and will not have a detrimental effect on ground or surface water quality;
4. The proposed use will have no detrimental effect on vehicular or pedestrian traffic;
5. The proposed use will not adversely affect the health, safety, morals, security or general welfare of residents, workers or visitors in the area; and
6. The proposed use will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, medical facilities, water, sanitary sewers, public roads, storm sewers, drainage and other public improvements.
7. The proposed use will meet the definitions and specific standards set forth elsewhere in the Title for such use.

Accordingly, upon a Motion made by Ms. Gismondi to approve, which was seconded by Mr. Mitrecic, the Board unanimously passed the following resolution:

BE IT RESOLVED, that the requested variance be APPROVED; and

BE IT FURTHER RESOLVED, that the requested special exception be APPROVED.

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Beth Gismondi

Date

Stephen Katsanos

* Any special exception shall be implemented within 12 months from its approval. If not so implemented, it shall be considered abandoned and shall terminate.

IN THE MATTER OF SNOW HILL
PROPERTY, LLC

BEFORE THE BOARD OF ZONING

APPEALS FOR WORCESTER COUNTY,

MARYLAND

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*

*

Case No. 26-39

* * * * *

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, July 9, 2026, upon the application of Snow Hill Property, LLC, requesting a variance to the side yard setback from 20 feet to 10.5 feet (to encroach 9.5 feet) for the conversion of an existing structure to a proposed mosque in the C-2 General Commercial District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-210(b)(8) and ZS 1-305 located at 12008 Ocean Gateway, Tax Map 26, Parcel 130, Tax District 10, Worcester County, Maryland.

Gary Pusey, DRP Specialist presented the application to the Board. Haytham Issa testified before Board in favor of the Application. There were no protestants to the Application. The testimony revealed that the proposed mosque will be temporary at the existing structure until the new mosque is built. At that time, the temporary mosque will be used as storage. The building was on the property and the only reason a variance is needed is because the use has changed.

After duly considering the application and the testimony and other evidence offered and presented in connection therewith, the Board made the following findings of fact and conclusions of law:

1. Special conditions and circumstances exist which are peculiar to the land and proposed building involved;

2. The literal interpretation of the Ordinance would deprive the applicants of rights commonly enjoyed by others in the Zone;
3. The special conditions did not result from actions of the applicants; and
4. The conditions are not one that could be reasonably provided for under legislation of general applicability within the Zone.

Accordingly, upon a Motion made by Mr. Katsanos to approve, which was seconded by Mr.

Babcock, the Board passed the following resolution which was opposed by Ms. Gismondi:

BE IT RESOLVED, that the requested variance be APPROVED.

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Beth Gismondi

Date

Stephen Katsanos

IN THE MATTER OF SCOTT DUNLOP
AND LORI DUNLOP

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BEFORE THE BOARD OF ZONING

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APPEALS FOR WORCESTER COUNTY,

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Case No. 26-40

MARYLAND

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OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, July 9, 2026, upon the application of Scott Dunlop and Lori Dunlop, requesting a variance to the front yard setback from 40 feet to 24.2 feet (encroaches 15.8 feet) for a proposed residence in the R-1 Rural Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-205(b)(2) and ZS 1-305, located at 11202 Charlie Drive, Tax Map 10, Parcel 216, Lot 105, Tax District 5, Worcester County, Maryland.

Gary Pusey, DRP Specialist presented the application to the Board.

The Applicant Lori Dunlop testified before Board in favor of the Application. There were no protestants to the Application. The testimony revealed that they bought the lot 2 years ago and because of the critical area on the canal, there is a 25 foot setback, and from the sewage reserve area, an 8 foot from the SRA. The building area is significantly reduced but the issue was the size of the proposed screen porch in the back of the house. The applicant stated that she would not reduce the size of the screened porch because she wanted that size porch for her view and comfort. After duly considering the application and the testimony and other evidence offered and presented in connection therewith, the Board made the following findings of fact and conclusions of law:

1. Special conditions and circumstances do not exist which are peculiar to the land and proposed building involved;
2. The literal interpretation of the Ordinance would not deprive the applicants of rights commonly enjoyed by others in the Zone;
3. The special conditions did result from actions of the applicants because the Applicants could have reduced the size of the porch.
4. The conditions are ones that could be reasonably provided for under legislation of general applicability within the Zone.

Accordingly, upon a Motion made by Ms. Gismondi to deny, which was seconded by Mr. Katsanos, the Board passed the following resolution which was opposed by Mr. Fykes and Mr. Mitrecic:

BE IT RESOLVED, that the requested variance be DENIED.

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date
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Charles L. Fykes

Date

Beth Gismondi

Date

Stephen Katsanos

IN THE MATTER OF MARK SPENCER CROPPER

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BEFORE THE BOARD OF ZONING

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APPEALS FOR WORCESTER COUNTY,

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Case No. 26-42

MARYLAND

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OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, July 9, 2026, upon the application of Mark Spencer Cropper, on the lands of Andrew Urban, IV, requesting a modification to extend a pier with pilings and associated structures an additional 50 feet for a total distance of 200 feet channelward, pursuant to Natural Resources Code §§ NR 2-102(e)(1) and Zoning Code §§ ZS 1-116(n)(2), located at 10525 Sussex Road, Tax Map 21, Parcel 196, Section D, Tax District 10, Worcester County, Maryland.

Gary Pusey, DRP Specialist presented the application to the Board. Property owner Andrew Urban, IV testified before Board along with Stacey Hart. There were no protestants to the Application. The testimony revealed that they have permits from the Department of Natural Resources and the Corps of Engineers to extend the pier

After duly considering the application and the testimony and other evidence offered and presented in connection therewith, the Board made the following findings of fact and conclusions of law: The additional extension will not adversely affect navigation or have adverse environmental impacts.

Accordingly, upon a Motion made by Mr. Fykes to approve the Application, which was seconded by Ms. Gismondi, the Board unanimously passed the following resolution:

BE IT RESOLVED, that the requested modification be APPROVED.

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Beth Gismondi

Date

Stephen Katsanos

IN THE MATTER OF LOUIS LAZZARO
AND SHIRLEY LAZZARO

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BEFORE THE BOARD OF ZONING

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APPEALS FOR WORCESTER COUNTY,

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Case No. 26-44

MARYLAND

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OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, July 9, 2026, upon the application of Louis Lazzaro and Shirley Lazzaro, requesting an after-fact modification to the side lot line from 6 feet to 1 foot (encroaches 5 feet) for an existing boat lift in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(n)(3), ZS 1-207(d)(6), and ZS 1-335, and Natural Resources Code §§ 2-102(e)(2), located at 1 Sandpiper Lane, Tax Map 16, Parcel 38, Section 1, Lot 650, Tax District 3, Worcester County, Maryland.

Gary Pusey, DRP Specialist presented the application to the Board. The Applicants Louis Lazzaro and Shirley Lazzaro testified before Board along with Betsy Abel. The testimony revealed that the boat lift was built and placed in the wrong place by the contractor.

Neighboring property owner Jerry Green protested that application stating that he believes the applicant should sue his contractor for placing the lift in the wrong place. Their lot is waterlocked so they can't build a pier or lift, but their view will be restricted by the boat.

After duly considering the application and the testimony and other evidence offered and presented in connection therewith, the Board concluded that the applicant had not met the burden of proof imposed upon them by Sections ZS 2-102(e)(2) in that the Modification would affect the

peaceful enjoyment of the adjacent property. Accordingly, upon a Motion made by Ms. Gismondi to deny, which was seconded by Mr. Katsanos, the Board passed the following resolution which was opposed by Mr. Mitrecic:

BE IT RESOLVED, that the requested modification be DENIED.

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Beth Gismondi

Date

Stephen Katsanos

IN THE MATTER OF J. STACEY HART
& ASSOCIATES, INC.

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BEFORE THE BOARD OF ZONING

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APPEALS FOR WORCESTER COUNTY,

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Case No. 26-45

MARYLAND

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OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, July 9, 2026, upon the application of J. Stacey Hart & Associates, Inc., on the lands of Clara Ziman and Jeremy Ziman, requesting two modifications to the side lot line from 6 feet to 0 feet (encroaches 6 feet) for two proposed boat lifts in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(n)(3), ZS 1-206(d)(6), and ZS 1-335, and Natural Resources Code §§ 2-102(e) (2), located at 13013 North Shore Road, Tax Map 22, Parcel 367, Lot 10, Tax District 10, Worcester County, Maryland.

Gary Pusey, DRP Specialist presented the application to the Board. The Applicant Stacy Hart testified before Board along with Clara Ziman and Jeremy Ziman. There were no protestants to the Application. The testimony revealed that the Maryland Department of the Environment has granted the permit. The neighbors do not object, and the property is uniquely shaped.

After duly considering the application and the testimony and other evidence offered and presented in connection therewith, the Board concluded that the applicant had met the burden of proof imposed upon them by Section ZS 2-102(e)(2). Accordingly, upon a Motion made by Mr. Fykes to approve the Application, which was seconded by Mr. Mitrecic, the Board unanimously passed the following resolution:

BE IT RESOLVED, that the requested modifications be APPROVED upon the following condition:

1. A piling only survey shall be performed prior to the installation of the boatlift to ensure correct placement of support pilings. The survey shall be performed in 12 months.

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Beth Gismondi

Date

Stephen Katsanos