

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

Thursday, October 8, 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. 26-62, on the lands of Michael Levan & Kris Krause, requesting a variance to the rear yard setback from 5 feet to 3.9 feet (an encroachment of 1.1 feet) associated with a proposed deck in the Assateague Point Campground subdivision, A-2 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-202(c)(18) and ZS 1-318, located at 8821 Bay Ridge Dr, Tax Map 33, Parcel 347, Lot 155 Tax District 10, Worcester County, Maryland.

6:35 p.m.

Case No. 26-64, on the application of Donald Hall, on the lands of Hall Rentals LLC, requesting a variance to the front yard setback from 50 feet from the center of the right-of-way to 40 feet (an encroachment of 10 feet) and a variance to the side yard setback from 6 feet to 3.5 feet (an encroachment of 2.5 feet) for a proposed first and second floor front porch in the R-4 General Residential District, Pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-208(b)(2), ZS1-305(b)(1) located at 12842 Harbor Rd, Tax Map 27, Parcel 402, Block C, Lot 2 in the Tenth Tax District of Worcester County, Maryland.

6:40 p.m.

Case No. 26-65, on the application of Mark Spencer Cropper, on the lands of Hugh & Tonia Wilde, requesting a variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 20 feet (an encroachment of 80 feet) to construct a fence in the R-1 Rural Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-205(b)(2) and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111, located at 8635 Saddle Creek Dr, Tax Map 33, Parcel 344, Lot 3 in the Third Tax District of Worcester County, Maryland.

Administrative Matters

amendment to the Rules of Procedure for the upcoming meeting proposing to eliminate consecutive term limits for officers

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: 26-62
DATE FILED: 8/20/2026
HEARING DATE: 10/8/2026

APPLICATION BEING MADE FOR:

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

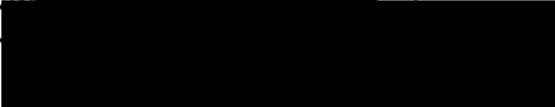
TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: a Variance to the rear yard setback from 5' to 3.9' (encroachment of 1.1 feet) for a proposed 6' x 18 Deck

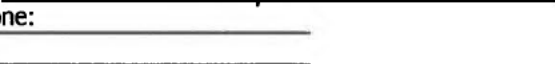
LOCATION OF PROPERTY:

TAX MAP: 33 PARCEL: 347 SECTION: LOT/ BLOCK: 155
On the N/S/E/W of: 8821 Bay Ridge Dr. Berlin MD 21811
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: Mike Loran Kris Krause Telephone: 
Address: 8821 Bayridge Drive Berlin 21811 E-Mail: 

APPLICANT INFORMATION:

Applicant's Name: Same Telephone: 
Address: E-Mail:

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? N/A

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: FROM CENTERLINE OF ROAD REAR: 5
RIGHT OF WAY OF A STATE ROAD LEFT SIDE: 7
10 FROM PROPERTY LINE RIGHT SIDE: 3
ZONING DISTRICT: A-2 TAX DISTRICT: 10

Mike Loran

Signature of Owner or Legal Representative

Kris Krause

Mike Loran

Signature of Applicant

Kris Krause

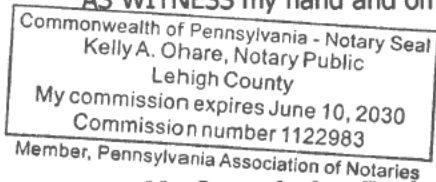
SEE NEXT PAGE FOR NOTARY (BOTH OWNER AND APPLICANT TO BE NOTARIZED)

**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 August
20 20 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Michael Moran, 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.



My Commission Expires: June 10 2030

Notary Public

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: _____



BAY RIDGE DRIVE

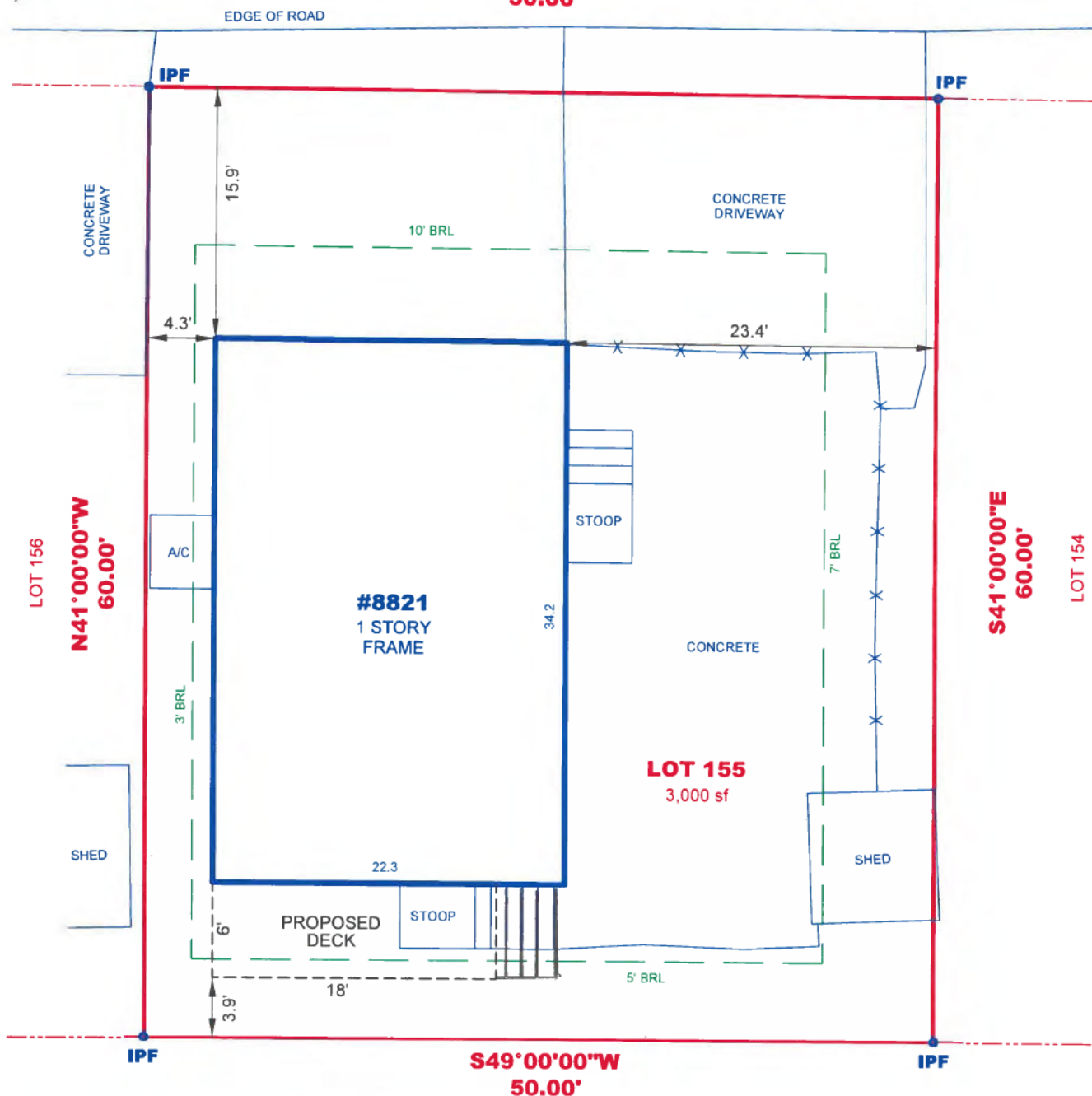
N49°00'00"E
50.00'

LEGEND:

- IPF - IRON PIPE FOUND
- RCS - REBAR & BLUE "DULEY" CAP SET
- POL - RCS, POINT ON LINE (PROPERTY LINE)
- X - FENCE (LOCATIONS AND DIMENSIONS SHOWN REFER TO CENTER OF POSTS)
- BRL - BUILDING RESTRICTION LINE

COLOR KEY:

- (RED) - RECORD INFORMATION
- (BLUE) - IMPROVEMENTS
- (GREEN) - ESMTS & RESTRICTION LINES



BRL NOTE:

BUILDING RESTRICTION LINES (BRL) SHOWN HEREON PER ZONE A2 AND PROVIDED BY WORCESTER COUNTY

PART OF OUTLOT D

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.

BOUNDARY SURVEY OF:

#8821 BAY RIDGE DRIVE
LOT 155
ASSATEAGUE POINTE RESORT

PLAT BOOK 126, PAGE 35
LIBER 8868, FOLIO 338
WORCESTER COUNTY, MARYLAND

SCALE: 1"=10' DATE: 08-11-2026

DRAWN BY: JCM/CP FILE #: 267044 - 700

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

Phone: 1-888-88-DULEY

Fax: 1-888-55-DULEY

For survey order/approval forms, prices & more visit us at www.duley.biz

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





8552 Stephen Decatur Highway Berlin, MD 21811
410-641-1671

Environmental Control Committee Application for Approval

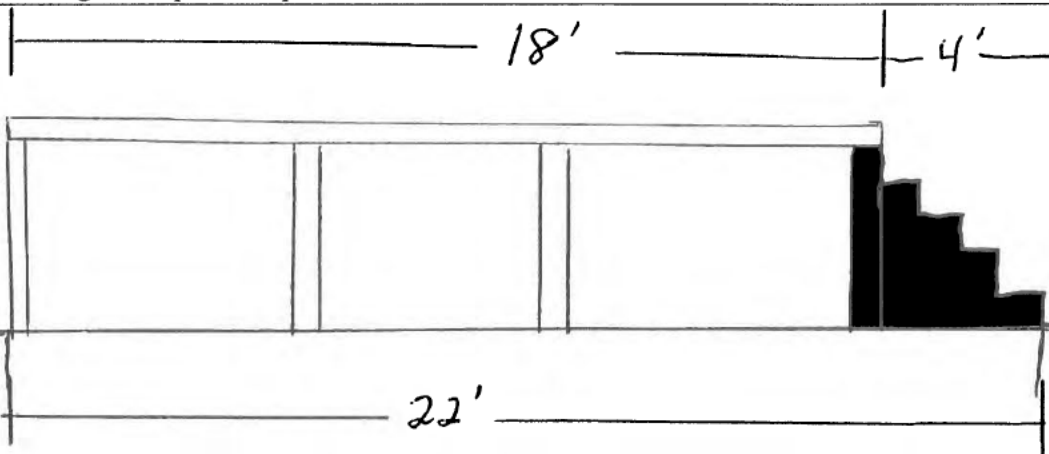
Date: 7-25-26 Name: Mike Levan

Address: 8821 Bayridge drive Lot# 155

City: Berlin State: md Zip: 21811 Phone: [REDACTED]

Type of Improvement: ☐ Home ☐ Deck ☒ Courtyard ☐ Driveway ☐ Shed ☐ Sidewalk ☐ Planting/ Planter Box ☐ Other

Provide Drawing of Proposed Improvements Below (attach additional sheets if necessary)



* The condition of your approval allows the ECC to enforce Maintenance and Trimming Rules. Approval requires 3 of 5 signatures

1. [Signature] 2. [Signature] 3. [Signature]

Conditions

5. (Must be in accordance with the Assateague Pointe ECC guidelines unless otherwise noted above).

**** If you are considering changing any structure from its original form, an approval by the Assateague Pointe ECC is required. Other permits or approvals may be needed from other agencies in addition to this approval. ****

Please mail completed form to Assateague Pointe office or email: ECC.Assateague@gmail.com.
Any questions please call the ECC at 443-397-0171

WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-62

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: October 8, 2026

LOCATION: 8821 Bay Ridge Dr, Tax Map 33, Parcel 347, Lot 155 Tax District 10, Worcester County, Maryland.

APPROVAL REQUESTED: requesting a variance to the rear yard setback from 5 feet to 3.9 feet (an encroachment of 1.1 feet) associated with a proposed deck in the Assateague Point Campground subdivision, A-2 Agricultural District

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4), ZS 1-202(c)(18) and ZS 1-318.

PROPERTY HISTORY: The property is improved with a manufactured home constructed in 1992 with the following records on file:

09/22/1992 Permit 24334 – Issued 09/22/1992 – Zoning Certificate issued 10/09/1992 – Permit for a manufactured home with 8’ x 10’ shed.

07/14/1994 Permit 37454 – Issued 07/26/1994 — Zoning Certificate issued 07/26/1994- Permit for a 8’x 8’ shed.

COMMENTS: The manufactured home has an existing rear 4’ x 4’ stoop and the request is for a variance to replace the stoop with a 6’ x 18’ rear deck. There is a history of similar variance requests on other lots along the same street. Most recently, in 2025, the Board considered, Case No. 25-53, a request for Lot 163 for a variance to encroach 1.6 feet into the rear-yard setback to construct an 8-foot by 20-foot rear deck, which was approved.

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: MICHAEL D LEVAN &
 KRIS J KRAUSE
 8821 Bay Ridge Dr.
 Berlin MD 21811

APPLICANT : Same

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: 26-64
DATE FILED: 8/31/2026
HEARING DATE: 10/8/26

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: requesting a variance to front yard setback from 20' to 20' (encroachment of 10 feet) + side yard setback from 6' to 3.4' (2.6 feet encroachment) for a proposed first + second floor front porch

LOCATION OF PROPERTY:

TAX MAP: 27 PARCEL: 402 SECTION: LOT/ BLOCK: lot 2 Block C
On the N/S/E/W of:
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: Hill Rentals LLC Telephone: [REDACTED]
Address: 200 SW Railroad Ave Hebron MD 21830 E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Dan Hill Telephone: [REDACTED]
Address: 200 SW Railroad Ave Hebron MD 21830 E-Mail: [REDACTED]

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

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

ZONING DISTRICT: TAX DISTRICT: 10

[Signature] Signature of Owner or Legal Representative
[Signature] Signature of Applicant

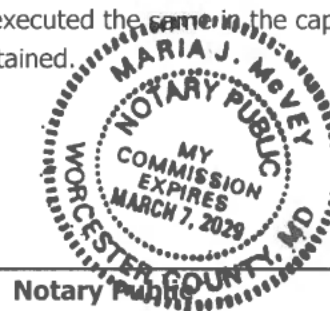
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**BOARD OF ZONING APPEALS APPLICATION
NOTARY PAGE FOR BOTH
OWNER AND APPLICANT**

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

I HEREBY CERTIFY that on this 31 day of August
20 20 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Donald A. Hall, 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.



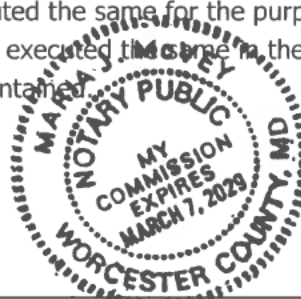
Notary Public

My Commission Expires: March 7, 2029.

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

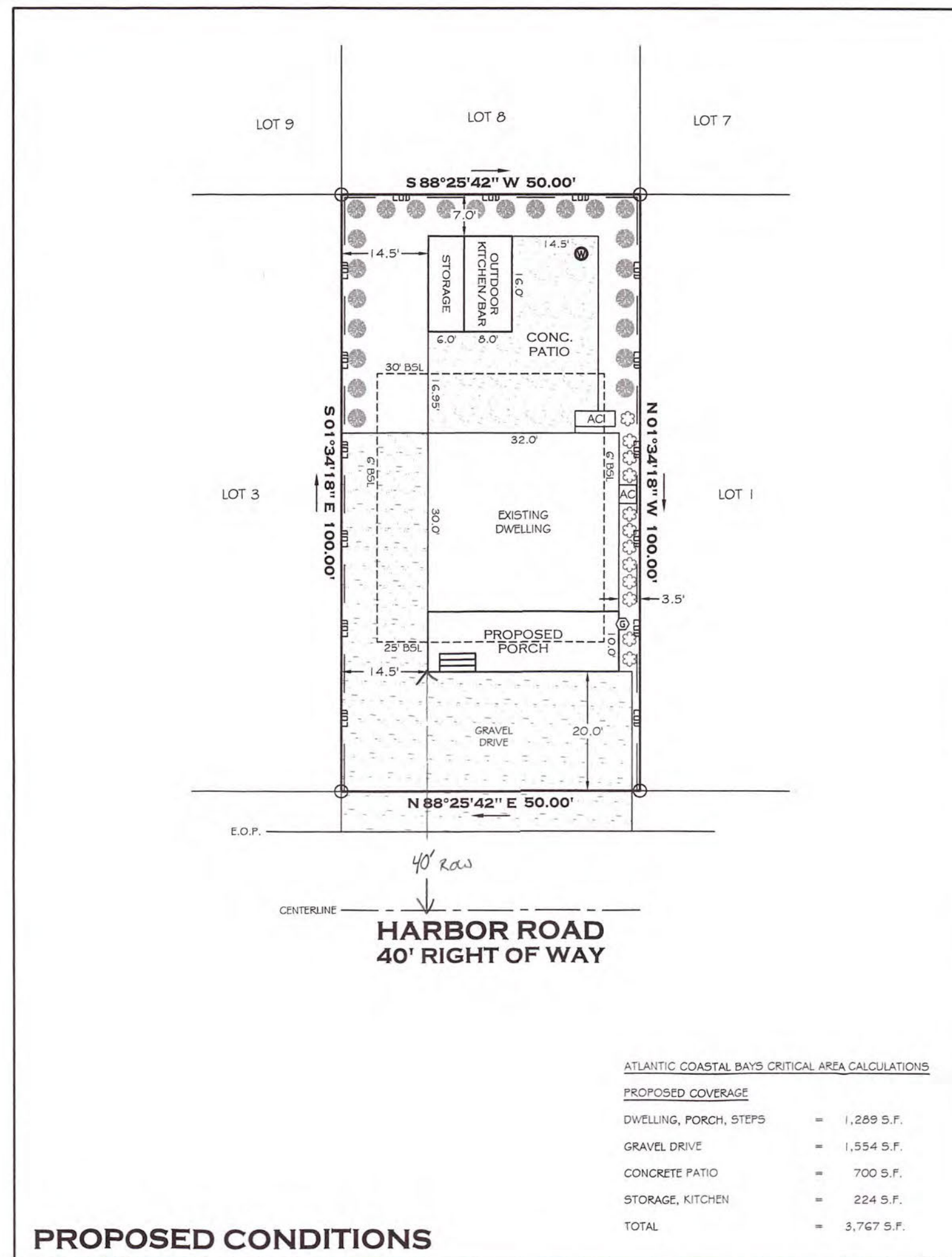
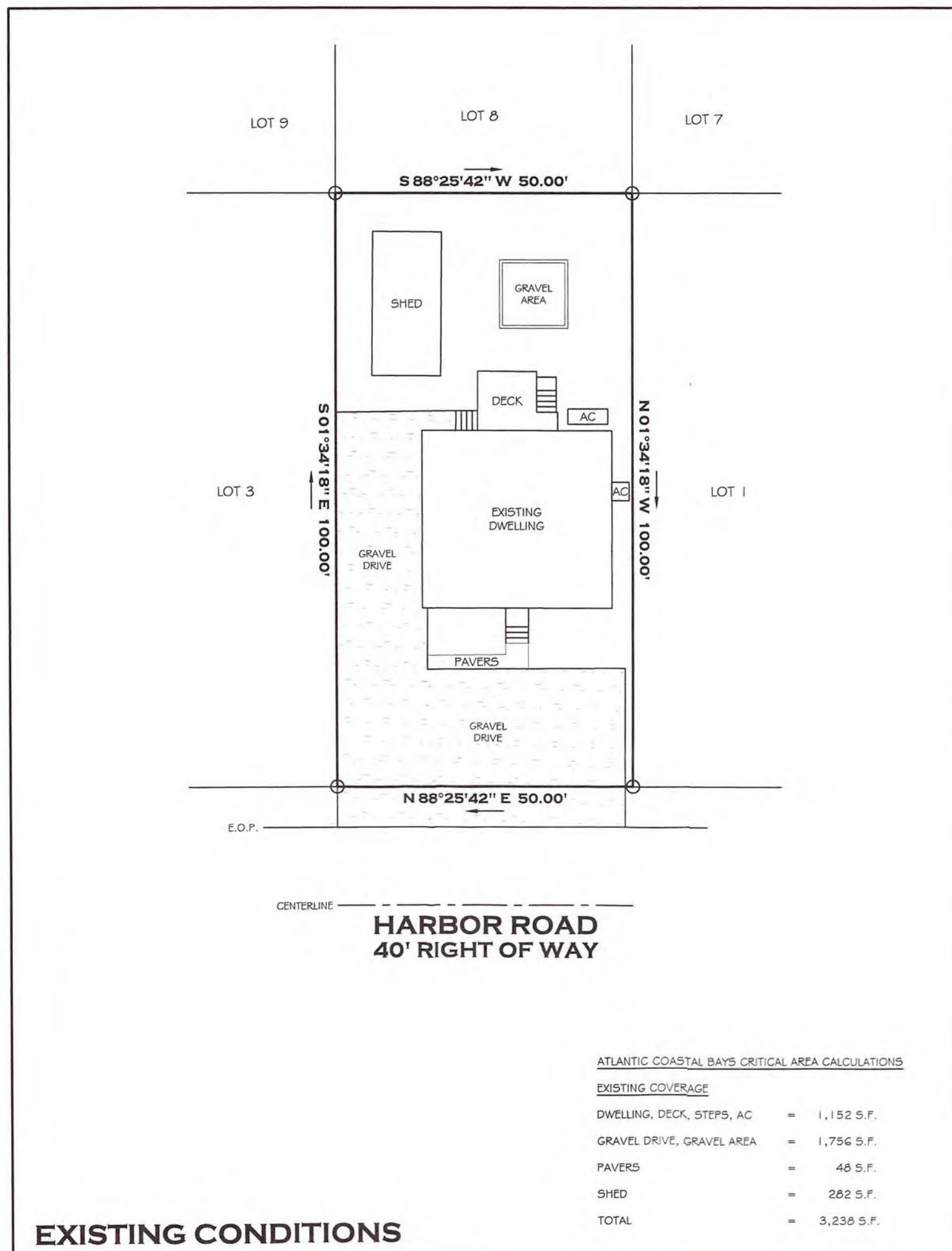
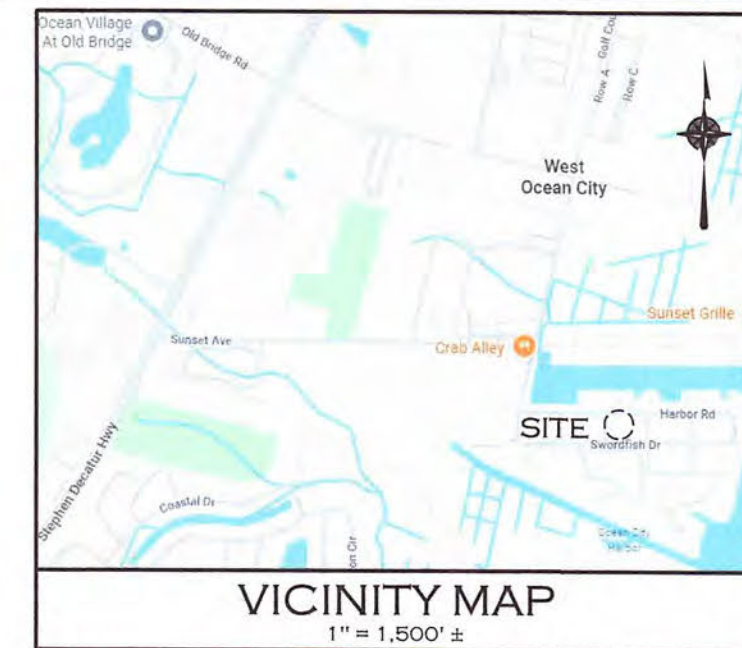
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AS WITNESS my hand and official seal.



Notary Public

My Commission Expires: March 7, 2029.



LEGEND	
○	IRON ROD FOUND
⊙	WELL
⊗	PROPANE TANK
⊕	PR. TREE
⊖	PR. BUSH / PLANT

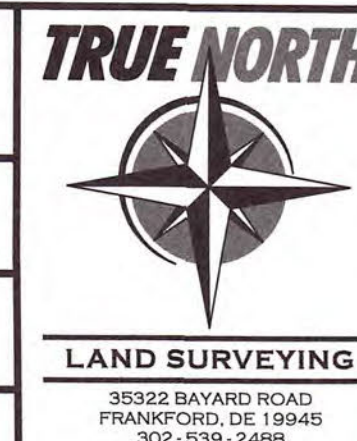
GENERAL NOTES:

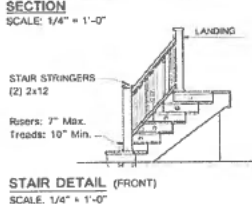
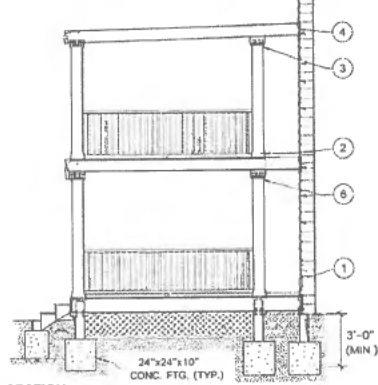
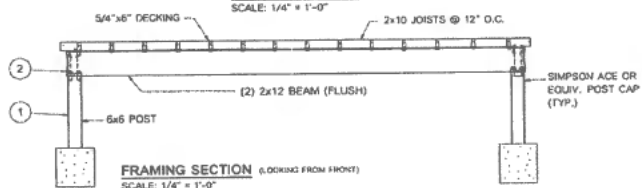
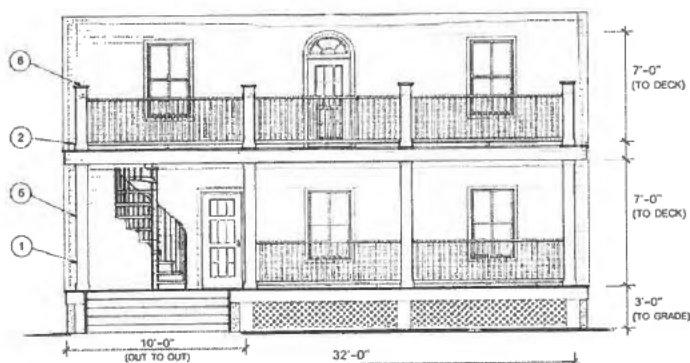
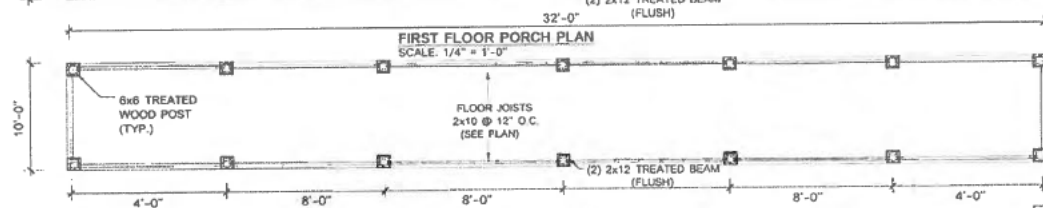
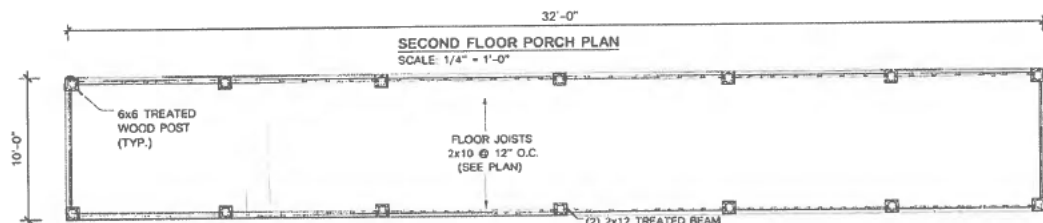
1. ZONED: R-4
SETBACKS
FRONT: 25'
SIDE: 6'
REAR: 30'
2. FLOOD ZONE: X, AS PER FEMA MAP 24047C0180H, EFFECTIVE DATE 07/16/2015.
3. THIS PROPERTY IS LOCATED IN THE CRITICAL AREA DESIGNATED IDA (INTENSELY DEVELOPED AREA).
4. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT 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 1.2 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, 2028

TAX MAP #	27
PARCEL	402
DISTRICT	10
COUNTY	WORCESTER
STATE	MARYLAND
AREA	5,000 ± SQ. FT.
DEED REF.	8959 / 240
PLAT REF.	ODC 2 / 74
DRAWN BY	CJP
DATE	08 / 26 / 2026
SCALE	1" = 20'
SURVEY #	MD - 00461

SITE PLAN	
LOT 2, BLOCK C PLAT 1, OCEAN CITY HARBOR	
FOR HALL RENTALS LLC	
12842 HARBOR ROAD, OCEAN CITY, MD 21842	





GENERAL NOTES:

1. DESIGN IN ACCORDANCE WITH 2018 IRC.
2. ALL LUMBER PRESSURE TREATED (UC4B) UNLESS NOTED OTHERWISE.
3. USE SIMPSON STRONG-TIE CONNECTORS AS INDICATED.
4. CONTRACTOR TO VERIFY ALL DIMENSIONS IN THE FIELD.

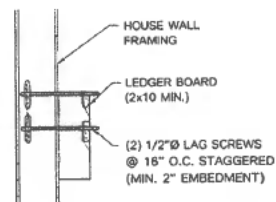
FOOTING SCHEDULE:

F1 - 24"x24"x10" CONC. FTG.
W/(1) #4 BAR EACH WAY
BOTTOM

MIN. 3,000 PSI CONCRETE

KEY NOTES:

- 1 6x6 TREATED WOOD POST (TYP.)
- 2 (2) 2x12 TREATED BEAM (FLUSH)
- 3 2x10 FLOOR JOISTS @ 12" O.C.
- 4 LEDGER BOARD - ATTACH TO HOUSE W/ (2) 1/2" Ø LAG SCREWS @ 16" O.C. STAGGERED (MIN. 2" EMBEDMENT)
- 5 5/4"x6" TREATED DECKING
- 6 DECORATIVE RAILING (42" HIGH MIN.)



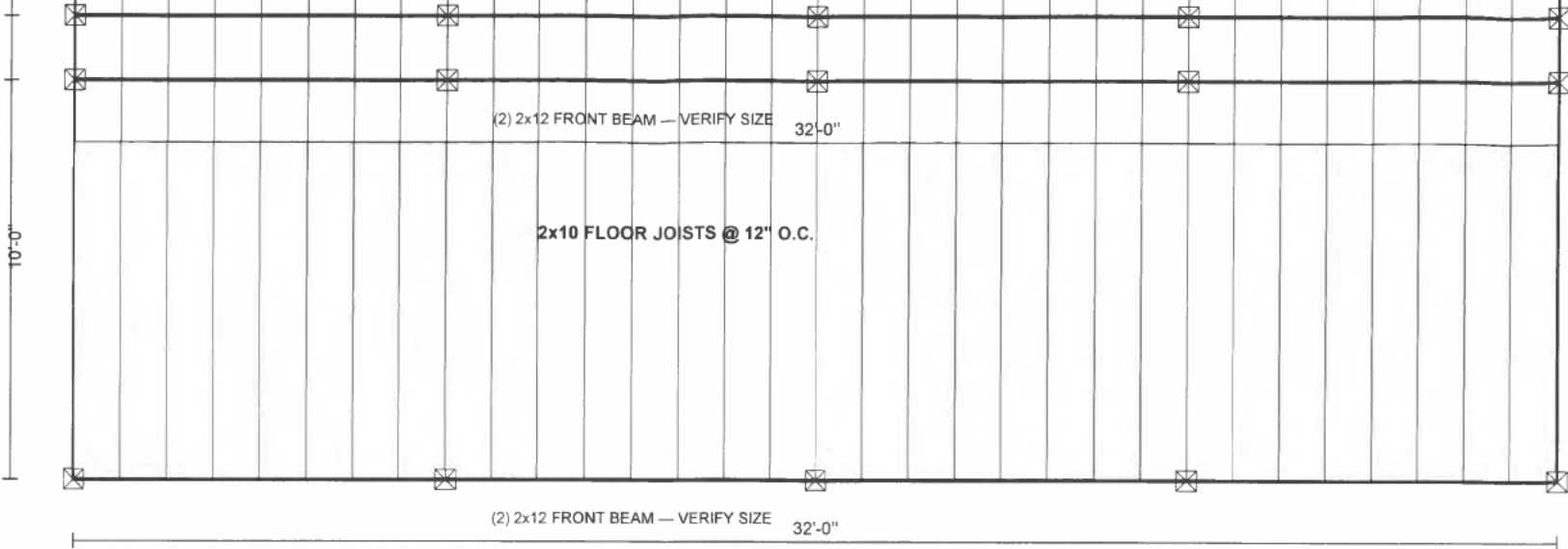
TWO-STORY FRONT PORCH — SCALED STRUCTURAL REFERENCE

NOT FOR PERMIT / CONSTRUCTION — CONCEPTUAL DRAFTING ONLY. VERIFY ALL DIMENSIONS AND MATERIALS WITH A LICENSED PROFESSIONAL.

SCALE: 1/4" = 1'-0" | PORCH: 32'-0" W x 10'-0" D | TWO STORIES | JOISTS @ 12" O.C.

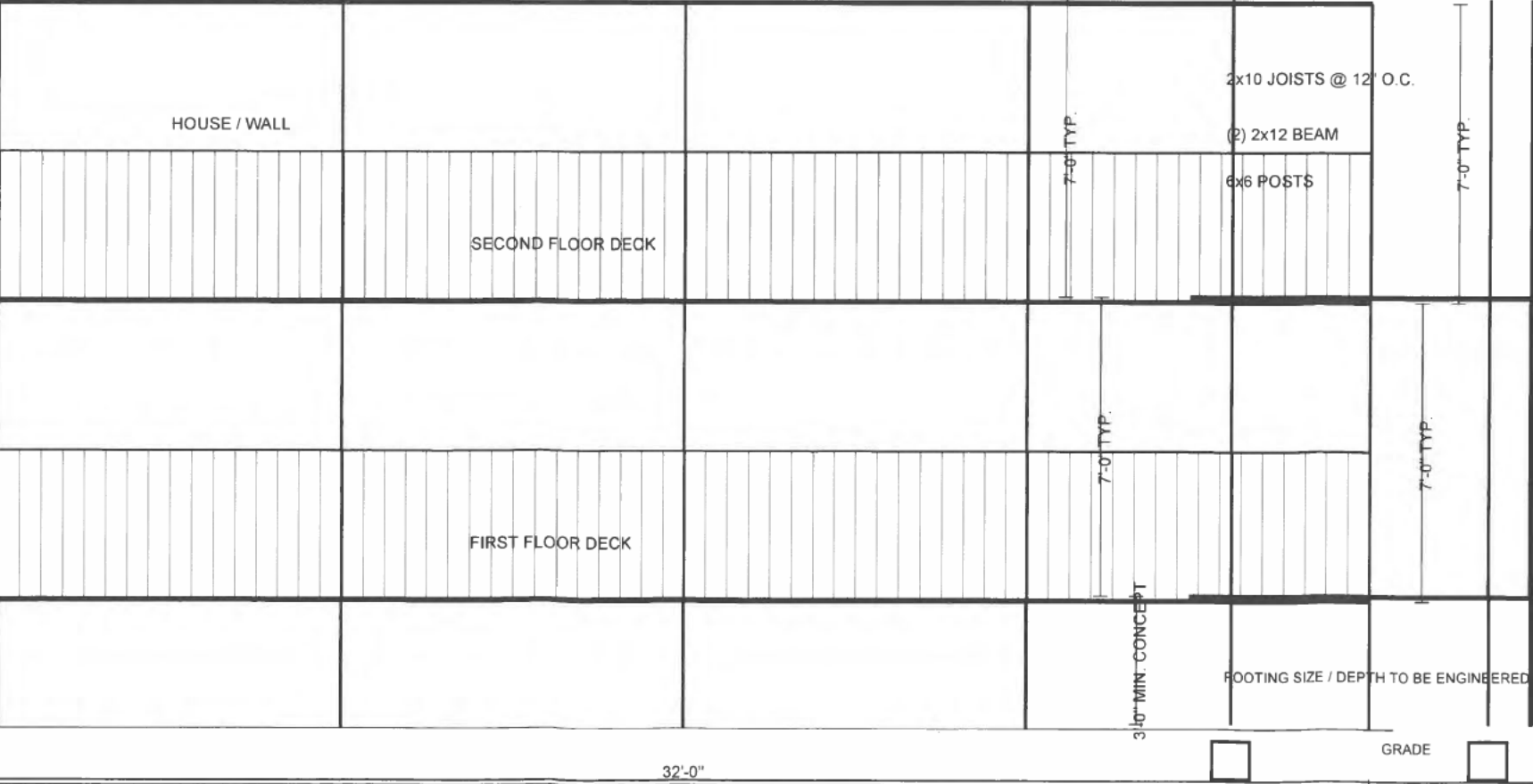
FIRST FLOOR PORCH PLAN

32'-0" x 10'-0" | 1/4" = 1'-0"



FRONT ELEVATION — TWO-STORY PORCH

32'-0" wide | two deck levels | diagrammatic heights



TYPICAL SECTION

Conceptual framing arrangement

DESIGN INPUTS / NOTES

- PORCH FOOTPRINT: 32'-0" W x 10'-0" D.
- TWO COMPLETE DECK LEVELS / STORIES.
- FLOOR JOISTS: 2x10 @ 12" O.C. AS REQUESTED.
- POSTS SHOWN AS 6x6 TREATED WOOD (VERIFY).
- FRONT BEAM SHOWN AS (2) 2x12 (VERIFY BY ENGINEER).
- LEDGER CONNECTION MUST BE DESIGNED FOR ACTUAL HO
- FOOTINGS / PIERS MUST BE SIZED FOR SOIL, FROST DEPTH
- GUARDS / RAILINGS TO MEET APPLICABLE CODE.
- STAIR GEOMETRY, LANDINGS AND HANDRAILS TO BE VERIFI
- ALL MEMBER SIZES ARE CONCEPTUAL UNTIL VERIFIED.
- SCALED DRAFTING REFERENCE — NOT A SEALED STRUCTU

KEY DIMENSIONS

Overall width 32'-0"
Projection 10'-0"
Joists 2x10 @ 12" O.C.
Typical bays 8'-0"
Stories 2
Drawing scale 1/4" = 1'-0"

TWO-STORY FRONT PORCH

32'-0" x 10'-0" | SCALED REFERENCE

SCALE
1/4" = 1'-0"

JOISTS
2x10 @ 12" O.C.

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-64**

IMPORTANT NOTICE

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HEARING DATE: October 8, 2026

LOCATION: 12842 Harbor Rd, Tax Map 27, Parcel 402, Block C, Lot 2 in the Tenth Tax District of Worcester County, Maryland

APPROVAL REQUESTED: requesting a variance to the front yard setback from 50 feet from the center of the right-of-way to 40 feet (an encroachment of 10 feet) and a variance to the side yard setback from 6 feet to 3.5 feet (an encroachment of 2.5 feet) for a proposed first and second floor front porch in the R-4 General Residential District.

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4), ZS 1-208(b)(2), ZS1-305(b)(1).

PROPERTY HISTORY: The property is improved with a single-family dwelling constructed in 1997 with the following records on file:

09/12/1996 Permit 47514 – Issued 10/22/1996 – Zoning Certificate issued 05/30/1997 – Permit 2 story single family dwelling with rear deck on first and second floor, unfinished attic, 3' x 4' front porch, and a 12' x 24' shed.

COMMENTS: The existing home is currently considered a non-conforming structure under the applicable zoning regulations. The property is located within the R-4 General Residential District, which requires a minimum lot width of 60 feet; however, the subject property has a lot width of only 50 feet. Additionally, the property is subject to the requirement that, where a lot fronts on a road having a right-of-way less than 50 feet in width, all structures and uses must be located at a distance from the centerline of the road right-of-way that is no less than the otherwise required front-yard setback for the district, plus an additional 25 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 necessary building permits, inspections and Certificate of Use and Occupancy.

OWNER: HALL RENTALS LLC
Donald Hall
200 SOUTHWEST RAILROAD AVE
HEBRON MD 21830

APPLICANT : Same

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.

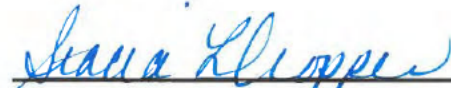
Mark Spencer Cropper
6200 Coastal Highway, Suite 200
Ocean City, MD 21842

**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 AUGUST
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared MARK SPENCER CROPPER, 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: 06-01-2026

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

I HEREBY CERTIFY that on this 11th day of AUGUST
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared MARK SPENCER CROPPER, 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: 06-01-2028

Law Offices
AYRES, JENKINS, GORDY & ALMAND, P.A.
6200 COASTAL HIGHWAY, SUITE 200
OCEAN CITY, MARYLAND 21842
www.ajgalaw.com

GUY R. AYRES, III (1973 – 2019)
JAMES W. ALMAND
WILLIAM E. ESHAM, III
MARK SPENCER CROPPER
BRUCE F. BRIGHT †
HEATHER E. STANSBURY
MAUREEN F.L. HOWARTH
RYAN D. BODLEY

OF COUNSEL
HAROLD B. GORDY, JR.
M. DEAN JENKINS
ALVIN I. FRDERICK

SENIOR ASSOCIATE
VICTORIA O'NEILL

ASSOCIATES
SPENCER AYRES CROPPER
BRADFORD F. KIRBY
TAYLOR DONLEY

(410) 723-1400
FAX (410) 723-1861
Email: mcropper@ajgalaw.com

August 12, 2026

†Also admitted in District of Columbia

Brian Soper
Natural Resources Administrator
Worcester County
Department of Environmental Programs
One West Market Street, Room 1306
Snow Hill, MD 21863

RE: *Worcester County Tax Map 33, Parcel 344, Lot 3*
8635 Saddle Creek Drive, Berlin, MD 21842

Dear Mr. Soper:

I represent Hugh F. and Tonia B. Wilde (the “Wildes”) with regard to the above-referenced property (the “Property”). The Wildes are requesting a variance to the Atlantic Coastal Bays Critical Area Law (“CAL”) to construct a fence in his rear yard that will encroach approximately 80 feet into the 100 foot Critical Area Buffer (“Buffer”).

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.

The Property is in the Saddle Creek Subdivision, which was platted in 1989 and recorded in the Land Records of Worcester County at Liber 124, Folio 54. The Property is identified as Tax Map 33, Parcel 344, Lot 3 in Worcester County, Maryland, with a property identifier number 03-128520, with a copy of the SDAT sheet, deed and plat being attached hereto as Exhibit “A” and incorporated herein by reference. Part of the value of the Property is based upon its proximity to the water and surrounding tidal wetlands. However, as a result, the Property is burdened by the CAL and its 100’ Buffer. In fact, the entirety of the rear yard is burdened by the Buffer, as opposed to other properties that are not within the Critical Area. The Property was created many years prior to the adoption of the CAL in 2002. It was not designed in a manner intending to accommodate the enhanced limitations, restrictions, setbacks and buffers that the CAL imposes.

The Wildes merely wish to install a fence to enclose their yard. The proposed location of the fence is reflected on Exhibit "B" attached hereto and incorporated herein by reference. The purpose of the fence is for the benefit and safety of their dogs. Their desire and goal is to allow the dogs to enjoy the rear yard of the Property without fear that they will escape into the adjoining tidal wetlands or water (for obvious reasons).

As can be seen by the photograph attached as Exhibit "C", without the proposed fence, the Wildes are completely unable to allow their dogs to utilize the rear yard of the Property without the risks identified above. But for the CAL and its Buffer, the Wildes would be able to utilize their entire property as most other property owners would be permitted.

Therefore, not to permit the Wildes to obtain the needed variance to install the desired fence would constitute an unwarranted hardship. No other action could address this hardship other than providing the requested variance.

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.

See Answer #1 above. Additionally, other property owners in Worcester County, Maryland have rights and the ability to use the entirety of their properties without the burdens, limitations and restrictions imposed on this Property by virtue of the CAL and its Buffer. The Wildes would be deprived of these rights without the required variance. Only with the variance will the Wildes have the ability to use and access their rear yard in a manner similar to other property owners in Worcester County.

3. The granting of a variance will not confer upon an 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.

See Answers #1 and #2 above. Additionally, the granting of this variance will not confer upon the Wildes 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. In fact, it is just the opposite. All other lands within the Critical Area with a usable rear yard are entitled to utilize such rear yards in a normal and -customary manner. If this variance is denied to the Wildes, those other property owners would have a special privilege being denied to the Wildes.

4. The variance required is not based upon conditions or circumstances that 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.

See Answers #1 through #3 above. The Wildes did not create the condition or circumstance that necessitates the variance, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming on any neighboring

property.

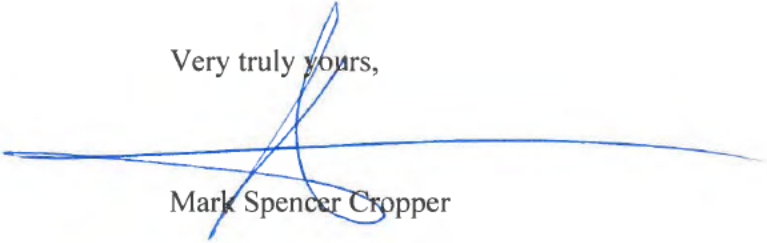
5. *The granting of a variance shall not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the Atlantic Coastal Bays Critical Area and the granting of the variance will be in harmony with the general spirit and intent of the County's Atlantic Coastal Bays Critical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

There is no reason to believe or evidence to indicate that the granting of the variance will 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 general spirit and intent of the Atlantic Coastal Bays Critical Area Program is to protect and preserve the Coastal Bays while respecting and protecting the rights of property owners along the Coastal Bays.

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 Wildes have satisfied each of the provisions and standards as contained herein. However, should any additional information be needed or desired in order to favorably support this application, do not hesitate to let me know. It will be provided without delay.

Very truly yours,



Mark Spencer Cropper

LINE TABLE OF BEARINGS & DISTANCES
FOR TIDAL WETLANDS / SHORELINE

LINE	BEARING	DISTANCE
L1	S 64°26'23" E	30.41'
L2	S 18°32'42" E	27.03'
L3	S 00°15'12" E	36.42'
L4	S 05°13'13" W	27.13'
L5	S 16°53'21" W	21.80'
L6	S 35°57'21" W	32.28'
L7	S 32°40'00" W	31.57'
L8	S 31°26'41" W	39.02'
L9	S 01°52'03" W	23.29'
L10	S 38°33'30" W	19.16'

NOTES:

THIS PROPERTY IS SITUATED WITHIN FLOOD HAZARD ZONES X, X2 & AE (ELEV. 6') AS SHOWN ON FIRM MAP 24047C0170H, DATED 07/16/15.

THIS PROPERTY IS IN THE ATLANTIC COASTAL BAYS CRITICAL AREA, ZONE: LDA (LIMITED DEVELOPMENT AREA).

THE WETLANDS SHOWN ON THIS PLAN WERE DELINEATED BY SPENCER ROWE, INC. AS SHOWN ON AS-BUILT SURVEY DATED 12/30/2019.

4
EXISTING DWELLING



CAL HOLLOWAY
DATE: 7/6/2026



Benchmark Land Surveying, Inc.
24 Broad Street
Berlin, MD 21811
410-641-3313
cal@benchmarkmd.com

CATTAIL COURT

PROPERTY ZONED: R-1
MIN. FRONT YARD 35'
MIN. REAR YARD 50'
MIN. SIDE YARD 15'

REFERENCE PLAT:
"SUBDIVISION OF LANDS OF
SADDLE CREEK, INC."
BY:
L. E. BUNTING SURVEYS, INC.
DATE: 12/12/89
PLAT BOOK: RHO 124/54

DEED REFERENCE:
SRB 7193/0339
LOT 3
PARCEL 0344
TAX MAP 0033
TAX ACCOUNT ID:
#03-128520

ADDRESS:
8635 SADDLE CREEK DRIVE
BERLIN, MARYLAND 21811
OWNERS:
HUGH F. WILDE, JR.
TONIA B. WILDE

SITE PLAN FOR FENCE
FOR
HUGH & TONI WILDE
SADDLE CREEK
LOT 3

THIRD TAX DISTRICT
WORCESTER COUNTY, MARYLAND
SCALE: 1" = 40' DATE: 07/06/2026
JOB NO. 8695_SP2-Fence



LEGEND:

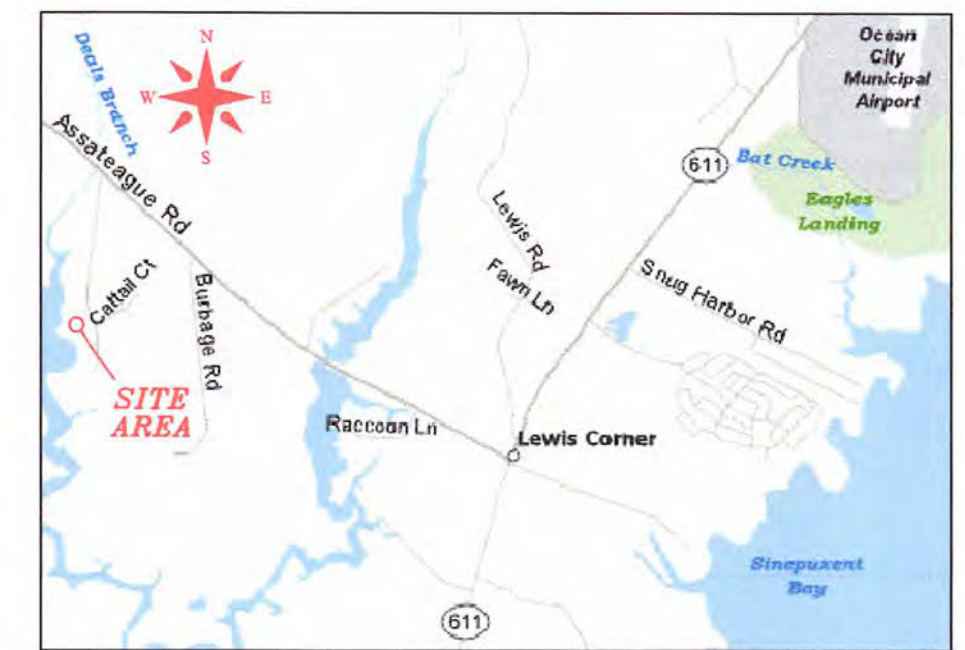
- DENOTES CONCRETE MONUMENT, FOUND
- DENOTES IRON PIPE, FOUND
- DENOTES FLOOD ZONE LINE

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	1356.86'	110.00'	109.97'	N 06°40'39" W

2
EXISTING DWELLING

AREA OF LOT 3 TO TIDAL WETLANDS =
±84,699 SQ. FT. (1.944 ACRES)



VICINITY MAP

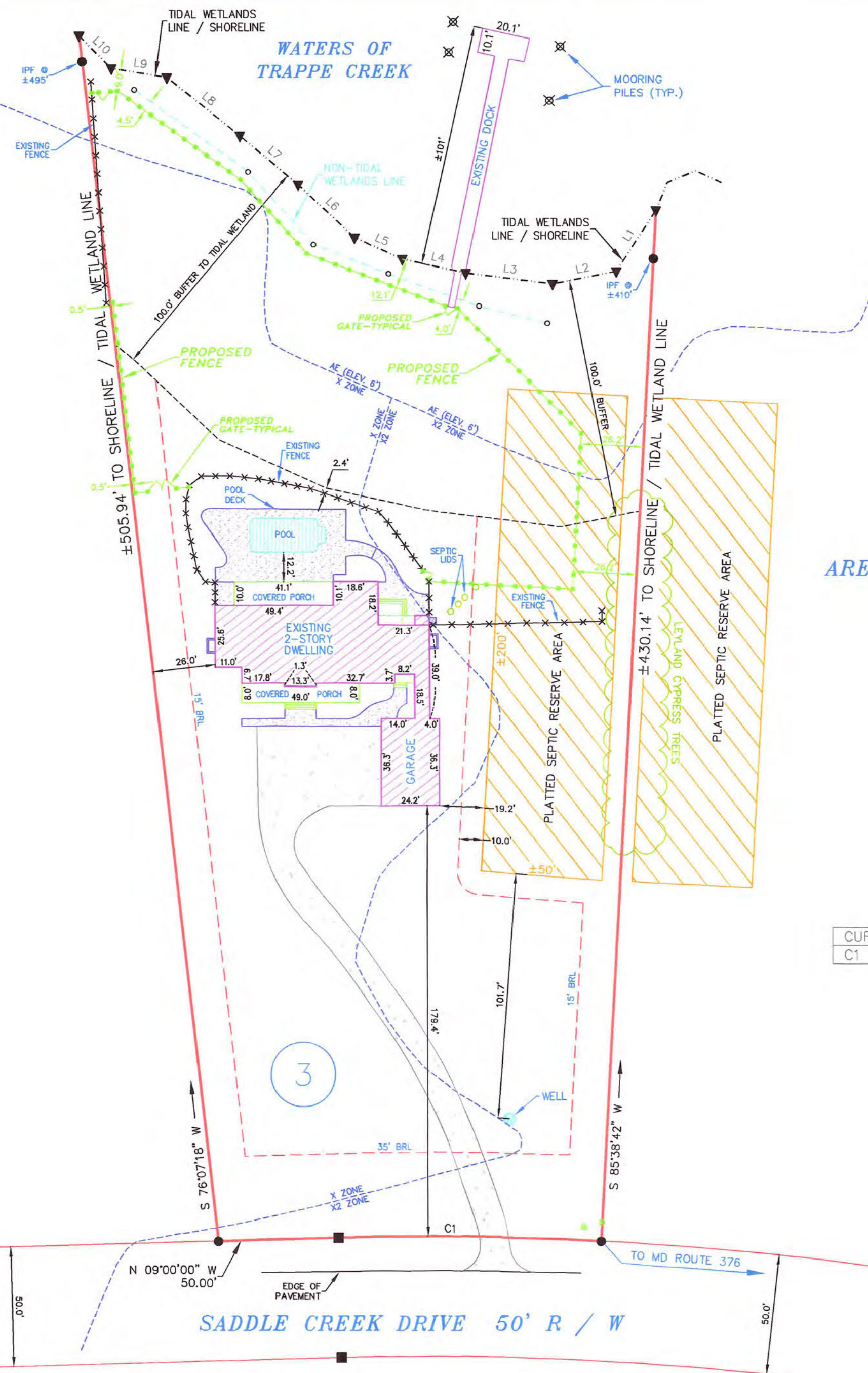


EXHIBIT “A”

Real Property Data Search ()
Search Result for WORCESTER COUNTY

Search Tax Maps	Ground Rent Redemption is Temporarily Unavailable	Ground Rent is Temporarily Unavailable
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Special Tax Recapture: None

Account Number: District - 03 Account Identifier - 128520

Owner Information

Owner Name:	WILDE HUGH F JR & WILDE TONIA B	Use: Principal Residence:	RESIDENTIAL YES
Mailing Address:	8635 SADDLE CREEK DR BERLIN MD 21811-	Deed Reference:	/07193/ 00339

Location & Structure Information

Premises Address:	8635 SADDLE CREEK DR BERLIN 21811-0000	Legal Description:	LOT 3 2.14 ACS SADDLE CREEK DRIVE SADDLE CREEK SUBDIV
--------------------------	---	---------------------------	---

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	124054
0033	0007	0344	3010002.24	1120			3	2025	Plat Ref:	

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2019	3,590 SF		2.1400 AC	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements	Pending Permit
1 1/2	NO	STANDARD UNIT	SIDING/	7	2 full/ 1 half	1 Attached		None

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2025	07/01/2026	07/01/2027
Land:	355,700	355,700		
Improvements	697,800	848,000		
Total:	1,053,500	1,203,700	1,153,633	1,203,700
Preferential Land:	0	0		

Transfer Information

Seller: CALANDRA MICHAEL E &	Date: 04/13/2018	Price: \$425,000
Type: ARMS LENGTH VACANT	Deed1: /07193/ 00339	Deed2:

Seller: ESCHENBURG THEODORE R	Date: 10/02/2007	Price: \$650,000
Type: ARMS LENGTH VACANT	Deed1: SVH /05002/ 00376	Deed2:

Seller: MORAN, DONALD J. & NANCY L.	Date: 02/25/2003	Price: \$285,000
Type: ARMS LENGTH VACANT	Deed1: SVH /04663/ 00667	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2026	07/01/2027
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 05/14/2020

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application	Date:
--	--------------

40
2805-
2125-
Ocean Investments Title Corporation
File No. 18-199TKC
Tax I. D. No. 03-128520

This Deed, made this 10th day of April, 2018, by and between Michael E. Calandra and Maria G. Calandra, his wife, residents of the State of Maryland, parties of the first part, Grantors; and Hugh F. Wilde, Jr. and Tonia B. Wilde, his wife, parties of the second part, Grantees.

- Witnesseth -

That for and in consideration of the sum of Four Hundred Twenty-Five Thousand and 00/100 Dollars (\$425,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey to the said Hugh F. Wilde, Jr. and Tonia B. Wilde, his wife, as tenants by the entireties, their assigns, the survivor of them, and the personal representatives and assigns of such survivor, forever in fee simple, all that lot of ground situate in the County of Worcester, State of Maryland and described as follows, that is to say:

All that certain lot or parcel of land lying and being situate in the Third Tax District of Worcester County, Maryland, being more particularly designated and described as follows: Lot No. Three (3), on a plat entitled "SADDLE CREEK - SUBDIVISION OF LANDS OF SADDLE CREEK, INC., Third Election District, Worcester County, Maryland", made by L.E. Bunting Surveys, Inc., Property Line Surveyor 142 of the State of Maryland, which said plat is dated December 12, 1989 and recorded among the Land Records of Worcester County, Maryland, in Plat Book R.H.O. No. 124, folio 54, et seq.; and BEING ALL AND THE SAME property which by Deed, dated October 1, 2007, and recorded among the Land Records of the County of Worcester, State of Maryland, in Liber S.V.H. No. 5002, folio 376, et seq., was granted and conveyed by Theodore R. Eschenburg unto Michael E. Calandra and Maria G. Calandra, his wife.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Hugh F. Wilde, Jr. and Tonia B. Wilde, his wife, as tenants by the entireties, their assigns, the survivor of them, and the personal representatives and assigns of such survivor, forever in fee simple; SUBJECT, HOWEVER, to the Declarations of Covenants, Conditions and Reservations, made by Saddle Creek, Inc., a Maryland corporation, et al, dated April 11, 1989 and January 11, 1990, and respectively recorded among the Land Records of Worcester County, Maryland, in Liber R.H.O. No. 1620, folio 563, et seq., and Liber R.H.O. No. 1620, folio 575, et seq.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

As Witness the hands and seals of said Grantors, the day and year first above written.

WITNESS:

Dug Dug

Dug Dug

Michael E. Calandra (Seal)
Michael E. Calandra

Maria G. Calandra (Seal)
Maria G. Calandra

STATE OF MARYLAND, COUNTY OF Howard, to wit:

I hereby certify that on this 6th day of April, 2018, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Michael E. Calandra and Maria G. Calandra, his wife, the Grantors herein, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Andrew Boyd Dawes
Notary Public
Howard County
Maryland

My Commission Expires 07-17-2019

Andrew Boyd Dawes

Notary Public

My commission expires: 07/17/2019

TRANSFER TAX PAID	
FINANCE OFFICER	
WORCESTER COUNTY MARYLAND	
By <u>C. Webster</u>	Date <u>4/13/18</u>
Tax \$ <u>0.65.00</u>	

TAXES FOR WHICH ASSESSMENTS
HAVE BEEN RECEIVED HAVE BEEN
PAID AS OF THIS DATE. 4/13/18
Worcester County Finance Officer
By C. Webster
EXCEPT PERSONAL PROPERTY

Water & Wastewater Services
Worcester County
NO ASSESSMENT
By ljw Date 04/13/18
Cor. Co. Finance Officer

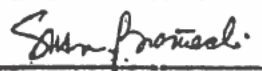
THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.


 Attorney Thomas K. Coates

AFTER RECORDING, PLEASE RETURN TO:
Ocean Investments Title Corporation
6200 Coastal Highway
Suite 300
Ocean City, MD 21842

LR - Deed (w Taxes).
 Recording Fee no CT
 20.00
 Name: calandra/wilde
 Ref:
 LR - Surcharge -
 linked 40.00
 LR - Recordation Tax -
 linked 2,805.00
 LR - State Transfer
 Tax - linked 2,125.00
 LR - NR Tax - lkd 0.00
 =====
 SubTotal: 4,990.00
 =====
 Total: 4,990.00
 04/13/2018 11:09
 CC23-RH
 #10169556 CC0104 -
 Worcester
 County/CC01.04.02 -
 Register 02

APR 13 2018 The foregoing instrument
 filed for record and is accordingly recorded
 among the land records of Worcester County,
 Maryland.

 Clerk

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Worcester

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

1	Type(s) of Instruments	☐ () Check Box if addendum Intake Form is Attached.					
	☒ Deed ☐ Deed of Trust ☐ Mortgage Lease ☐ Other _____ ☐ Other _____						
2	Conveyance Type Check Box	☐ Improved Sale Arms-Length [1] ☒ Unimproved Sale Arms-Length [2] ☐ Multiple Accounts Arms-Length [3] ☐ Not an Arms-Length Sale [9]					
3	Tax Exemptions (if applicable)	Recordation _____ State Transfer _____ County Transfer _____ Cite or Explain Authority _____					
4	Consideration and Tax Calculations	Consideration Amount			Finance Office Use Only		
Purchase Price/Consideration		\$	425,000.00		Transfer and Recordation Tax Consideration		
Any New Mortgage		\$			Transfer Tax Consideration	\$	
Balance of Existing Mortgage		\$			X () % =	\$	
Other:		\$			Less Exemption Amount	-	\$
Other:		\$			Total Transfer Tax	-	\$
		Full Cash Value:	\$			Recordation Tax Consideration	\$
						X () per \$500 =	\$
						TOTAL DUE	\$
5	Fees	Amount of Fees		Doc. 1	Doc. 2	Agent:	
Recording Charge		\$	20.00		\$		
Surcharge		\$	40.00		\$	Tax Bill:	
State Recordation Tax		\$	2,805.00		\$	C.B. Credit:	
State Transfer Tax		\$	2,125.00		\$	Ag. Tax/Other:	
County Transfer Tax		\$	2,125.00		\$		
Other		\$			\$		
Other		\$			\$		
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG
03		128520	5002/376	0033	0344	() (5)	
Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	Sq Ft/Acreage (4)	
Saddle Creek		3			124/54		
Location/Address of Property Being Conveyed (2)							
Saddle Creek Drive, Berlin, MD 21811							
Other Property Identifiers (if applicable)					Water Meter Account No.		
Residential ☒ or Non-Residential ☐		Fee Simple ☒ or Ground Rent ☐		Amount:	N/A		
Partial Conveyance? ☐ Yes ☒ No		Description/Amt. of Sq Ft/Acreage Transferred: N/A					
If Partial Conveyance, List Improvements Conveyed: N/A							
7	Transferred From	Doc. 1 – Grantor(s) Name(s)			Doc. 2 – Grantor(s) Name(s)		
		Michael E. Calandra					
		Maria G. Calandra					
		Doc. 1 – Owner(s) of Record, if Different from Grantor(s)			Doc. 2 – Owner(s) of Record, if Different from Grantor(s)		
8	Transferred To	Doc. 1 – Grantee(s) Name(s)			Doc. 2 – Grantee(s) Name(s)		
		Hugh F. Wilde, Jr.					
		Tonia B. Wilde					
		New Owner's (Grantee) Mailing Address					
		10620 Piney Island Drive, Bishopville, MD 21813					
9	Other Names to Be Indexed	Doc. 1 – Additional Names to be Indexed (Optional)			Doc. 2 – Additional Names to be Indexed (Optional)		
10	Contact/Mail Information	Instrument Submitted By or Contact Person					☒ Return to Contact Person
		Name: Thomas K. Coates, Esquire					☐ Hold for Pickup
		Firm: Ocean Investments Title Corporation					☐ Return Address Provided
		Address: 6200 Coastal Highway, Suite 300					
		Ocean City, MD 21842 Phone: (410) 723-6000					
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER						
	☐ Yes ☒ No Will the property being conveyed be the grantee's principal residence?						

54

SCALE: 1" = 100' JOB NO.: 3447/89

DATE: 12 / 12 / 89

INCLUDES LANDS OF: A.) LILLIAN H. GREY & JESSE T. HASTINGS, JR.

(This plat reassembles and resubdivides Lot # 2 as shown on the recorded plat entitled "Dills Acres, Section 2" and the parcel as shown on the recorded plat entitled "Minor Subdivision for Lillian H. Gray.")

TOTAL AREA OF LOTS 1-25 = ± 59.20 acres

AREA OF WETLANDS (marsh) = ± 3.35 acres

A map of the study area. At the top, a north arrow points towards the upper left. Below it, Route 376 runs diagonally from the top left towards the center. To the right of Route 376 is Burbage Road. Further down, Deas's Branch is shown as a winding stream. Below Deas's Branch is Trappe Creek. To the right of Trappe Creek, a shaded area is labeled 'SITE' with an arrow pointing to it. Below the shaded area, Trappe Rd runs diagonally. To the left of Trappe Rd is a road labeled 'DRIVE'. The entire map is enclosed in a rectangular border.

L. E. Bunting Surveys, Inc.
MARYLAND & VIRGINIA
LAND SURVEYING
24 BROAD STREET
BERLIN, MARYLAND 21811
301-641-3313

Saddle Creek, Inc.
P.O. Box 600
Ocean City, MD. 21842

Min. Front Yard = 35'
Min. Side Yard = 15'
Min. Rear Yard = 50' (Lots 9 thru 25)

Min. lot width at Front Building Restriction
Line = 100 feet.

R.H.O. 1569 / 196

I hereby certify that the requirements of Section 3-108 of the Real Property Act of the Annotated Code of Maryland (1974), Article 21, concerning the making of this plat, the setting of markers and the existence of prior recorded plats have been complied with.

WORCESTER COUNTY PLANNING AND ZONING
COMMISSION

The grant of a permit or approval of this subdivision shall not constitute a representation, guarantee or warranty of any kind by Worcester County or by any official or employee thereof of the practicability or safety of any proposed use, and shall create no liability upon the county, its officials or employees.

Any approval by the Worcester County Approving Authority of any sewer or water system or suitability therefore is based upon state and county standards existing as of the date of approval, such standards are subject to change and a building permit may be denied in the future in the event standards can not be met as of the date of application for such permit.

The following listed Roads are hereby offered for dedication to the Worcester County Commissioners. Acceptance of this offer may take place at any time by appropriate act of the County Commissioners. The County Commissioners are in no way required to accept such offer. The offer may not be withdrawn without the consent of the County Commissioners.

Chairman - Worcester County Planning Commission Date 4 Jan 1992

Lot 1 and Lot 25 are approved for existing sewage and water systems in accordance with Maryland State Department of Health regulation 10.17.02.

2. Lots 2 thru 24 are approved for Interim Individual water supply and sewage disposal systems in accordance with the County Comprehensive Water and Sewerage Plan. The applicant or any future owner must discontinue use of these systems and connect to the community systems when available. The disposal systems are RESTRICTED to SPECIAL DESIGNS meeting current Environmental Programs standards. Water supplying the wells shall be from confined aquifer (approximately 50' feet below the ground level) or some deeper confined aquifer. (For each building unit, a minimum of 10,000 sq. ft., exclusive of buildings, easements, right-of-ways, and such other permanent or physical objects, shall be provided for the subsurface disposal of sewage.)

Robert L. Wells Jr. 1/3/90
Approving Authority - Worcester County Date

1.) Each lot within this subdivision is subject to the following easements and/or right-of-ways,

- a.) A 5' wide easement along the side lot lines are reserved for the installation and maintenance of public utility lines.
- b.) A 15' wide easement along the front property lines for the installation and maintenance of public utility lines and for the use, maintenance and stabilization control of drainage courses.
- c.) Restrictive conditions or covenants are to be recorded with the record plat.

The subdivision shown on this plat is permitted due to the August 2, 1988 approval of Rezoning Case No. 261 by the Worcester County Commissioners in which this property was rezoned from A-1 Agricultural District to R-1 Rural Residential District subject to the following condition, the overall density for this parcel shall be limited to a maximum of 45 dwelling units to be situated on lots with a minimum of 2 acres in size.

** Based upon the Federal Emergency Management Agency Flood Insurance Rate Map #240083 0100 B, dated June 15, 1983, a portion of this subdivision is located within Zone A-12 (el. 7) and Zone B.*

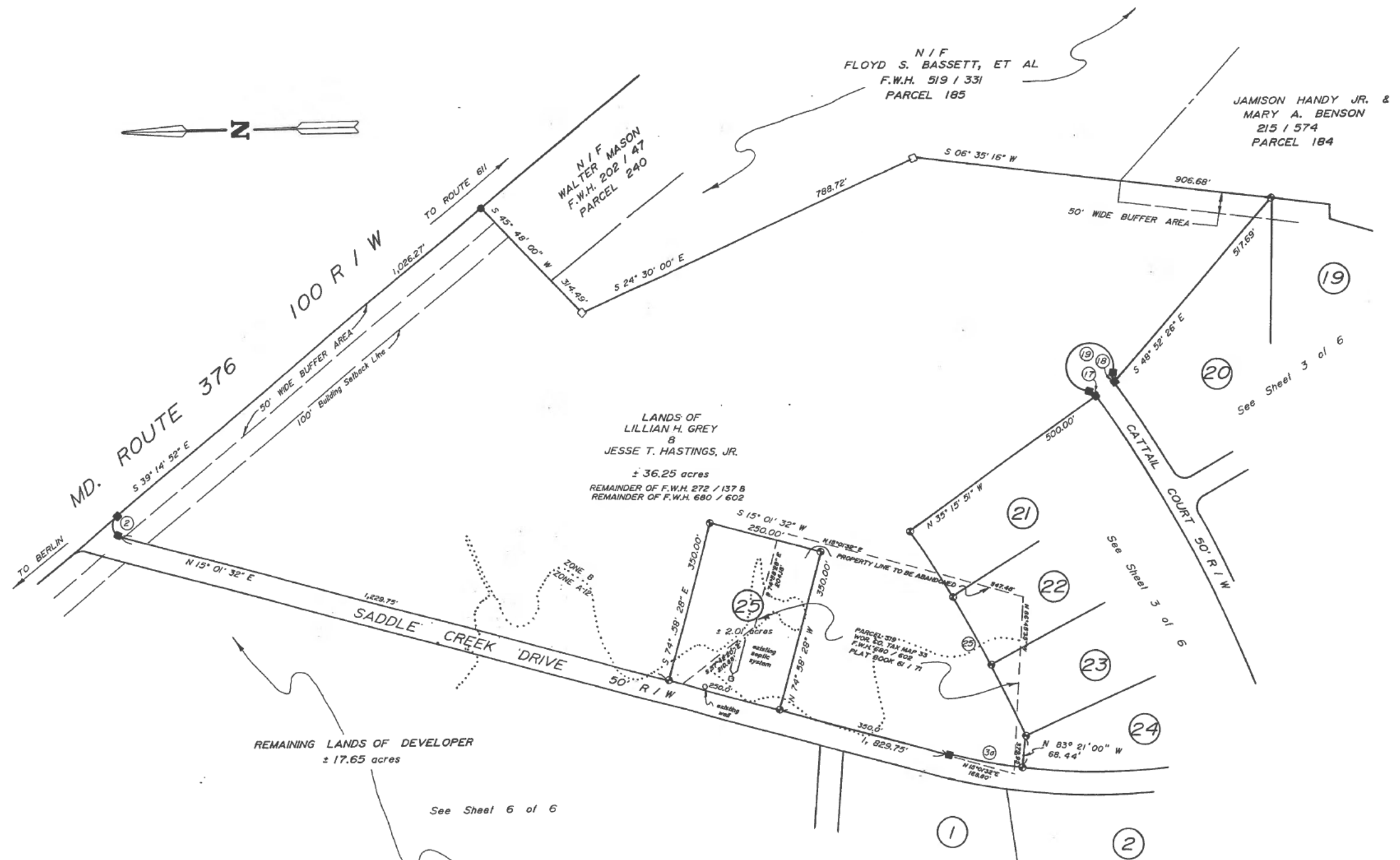
I hereby certify that the requirements of Section 3-108 of the Real Property Act of the Annotated Code of Maryland (1974), Article 21, concerning the making of this plat, the setting of markers and the existence of prior recorded plats have been complied with.

have been compiled with.	
Paul C. Evers, Pres.	12/22/89
Saddle Creek, Inc.	Date
Lillian H. Grey	12/27/89
Lillian H. Grey	Date
John E. Grey	12/27/89
John E. Grey	Date
Leslie T. Hartung, Jr.	12/28/89
Leslie T. Hartung, Jr.	Date

SHEET 1 of 6

1184951, 1257-2172.

Worcester County Circuit Court (Subdivision Plats, WO) Plat Book 124, P. 54-59, MSA 1257-3473-6 Date Available 1990/01/05 Printed 08/14/89



REMAINING LANDS OF DEVELOPER ± 17.65 acres

See Sheet 6 of 6

See Sheet 5 of 6

See Sheet 3 of 6

CURVE DATA TABLE

Curve	Radius	Arc	Chord	Chord Bearing
2	25.00'	54.86'	44.50'	N 77°53'20" E
3a	1,306.00'	191.04'	190.87'	N 10°50'16" E
17	25.00'	21.24'	20.81'	S 30°23'32" W
18	25.00'	20.81'	20.82'	N 78°34'21" E
19	50.00'	241.18'	66.67'	N 35°45'49" W
25	2,730.00'	507.12'	506.39'	S 60°03'27" W

- LEGEND
- Denotes Concrete Monument, found
 - Denotes Concrete Monument, to be set
 - Denotes Iron Pipe, found
 - Denotes Iron Pipe, to be set
 - Denotes Flood Hazard Zone Line as shown on FIRM MAP 240083 0100, dated 6-15-83 (el. 7.0')

L. E. Bunting Surveys, Inc.
MARYLAND & VIRGINIA
LAND SURVEYING
24 BROAD STREET
BERLIN, MARYLAND 21811
301-641-3313

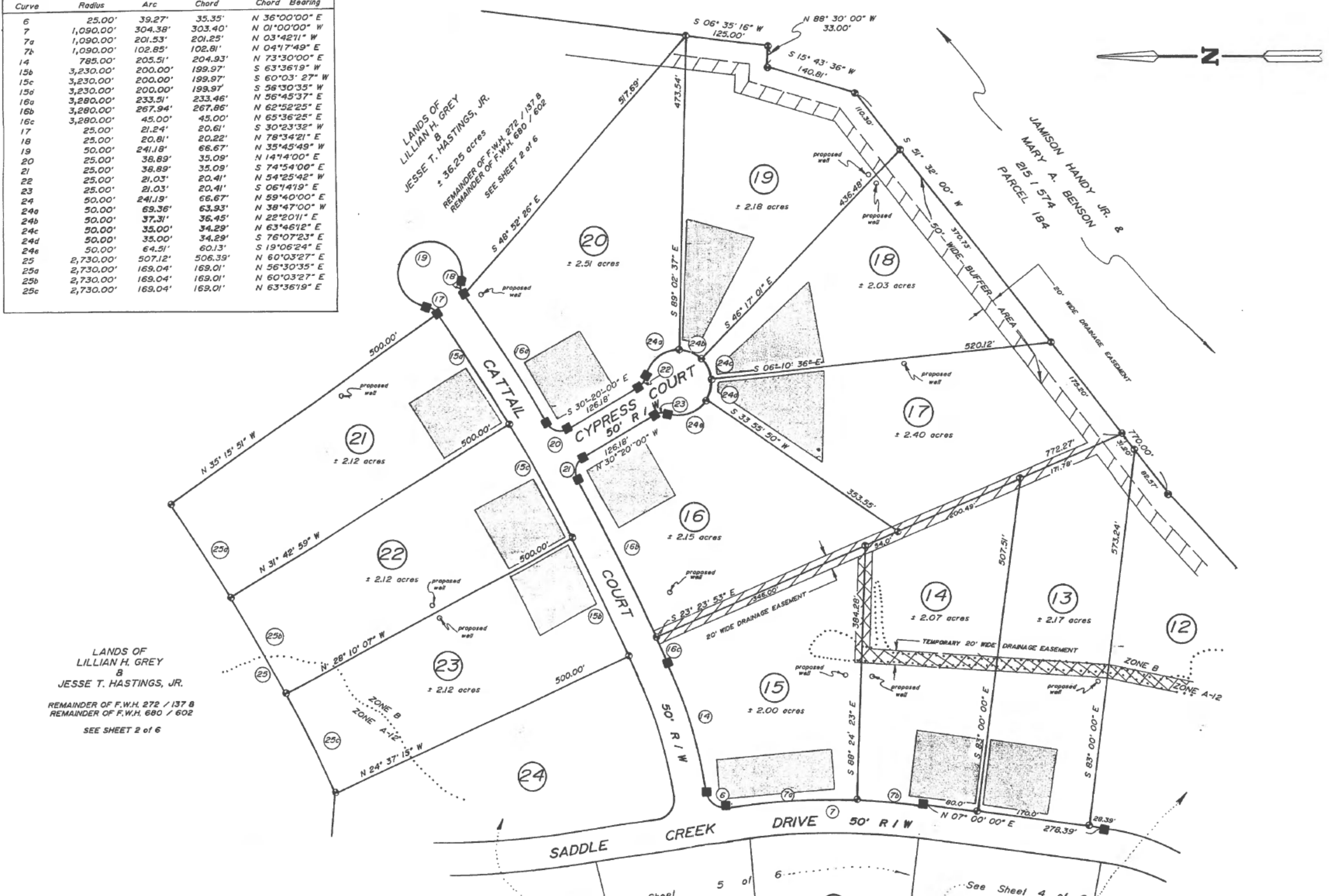
LOT 25 & LANDS OF GREY & HASTINGS

RECORD PLAT
SADDLE CREEK
SUBDIVISION
OF LANDS OF
SADDLE CREEK, INC.
THIRD ELECTION DISTRICT
WORCESTER COUNTY, MARYLAND
SCALE: 1" = 150' DATE: 12 / 12 / 89
JOB NO.: 3447 / 89 SHEET 2 of 6

1104-811 1057-2472-2

CURVE DATA TABLE				
Curve	Radius	Arc	Chord	Chord Bearing
6	25.00'	39.27'	35.35'	N 36°00'00" E
7	1,090.00'	304.38'	303.40'	N 01°00'00" W
7a	1,090.00'	201.53'	201.25'	N 03°42'11" W
7b	1,090.00'	102.85'	102.81'	N 04°17'49" E
14	785.00'	205.51'	204.93'	N 73°30'00" E
15a	3,230.00'	200.00'	199.97'	S 63°36'19" W
15b	3,230.00'	200.00'	199.97'	S 60°03'27" W
15c	3,230.00'	200.00'	199.97'	S 56°30'35" W
15d	3,230.00'	200.00'	199.97'	S 56°45'37" E
16a	3,280.00'	233.51'	233.46'	N 62°52'25" E
16b	3,280.00'	267.94'	267.86'	N 65°36'25" E
16c	3,280.00'	45.00'	45.00'	S 30°23'32" W
17	25.00'	21.24'	20.61'	N 78°34'21" E
18	25.00'	20.81'	20.22'	N 35°45'49" W
19	50.00'	241.18'	66.67'	N 14°14'00" E
20	25.00'	38.89'	35.09'	S 74°54'00" E
21	25.00'	38.89'	35.09'	N 54°25'42" W
22	25.00'	21.03'	20.41'	S 06°14'19" E
23	25.00'	21.03'	20.41'	N 59°40'00" E
24	50.00'	241.18'	66.67'	N 38°47'00" W
24a	50.00'	69.36'	63.93'	N 22°20'11" E
24b	50.00'	37.31'	36.45'	N 63°46'12" E
24c	50.00'	35.00'	34.29'	S 76°07'23" E
24d	50.00'	35.00'	34.29'	S 19°06'24" E
24e	50.00'	64.51'	60.13'	N 60°03'27" E
25	2,730.00'	507.12'	506.39'	N 56°30'35" E
25a	2,730.00'	169.04'	169.01'	N 60°03'27" E
25b	2,730.00'	169.04'	169.01'	N 63°36'19" E
25c	2,730.00'	169.04'	169.01'	N 63°36'19" E

Worcester County Circuit Court (Subdivision Plats, WO) Plat Book R-D 124, P. 54-59, MS 1257-3473-3 State Available 1990/01/05 Printed 08/10/2003



L. E. Bunting Surveys, Inc.
MARYLAND & VIRGINIA
LAND SURVEYING
24 BROAD STREET
BERLIN, MARYLAND 21811
301-641-3313

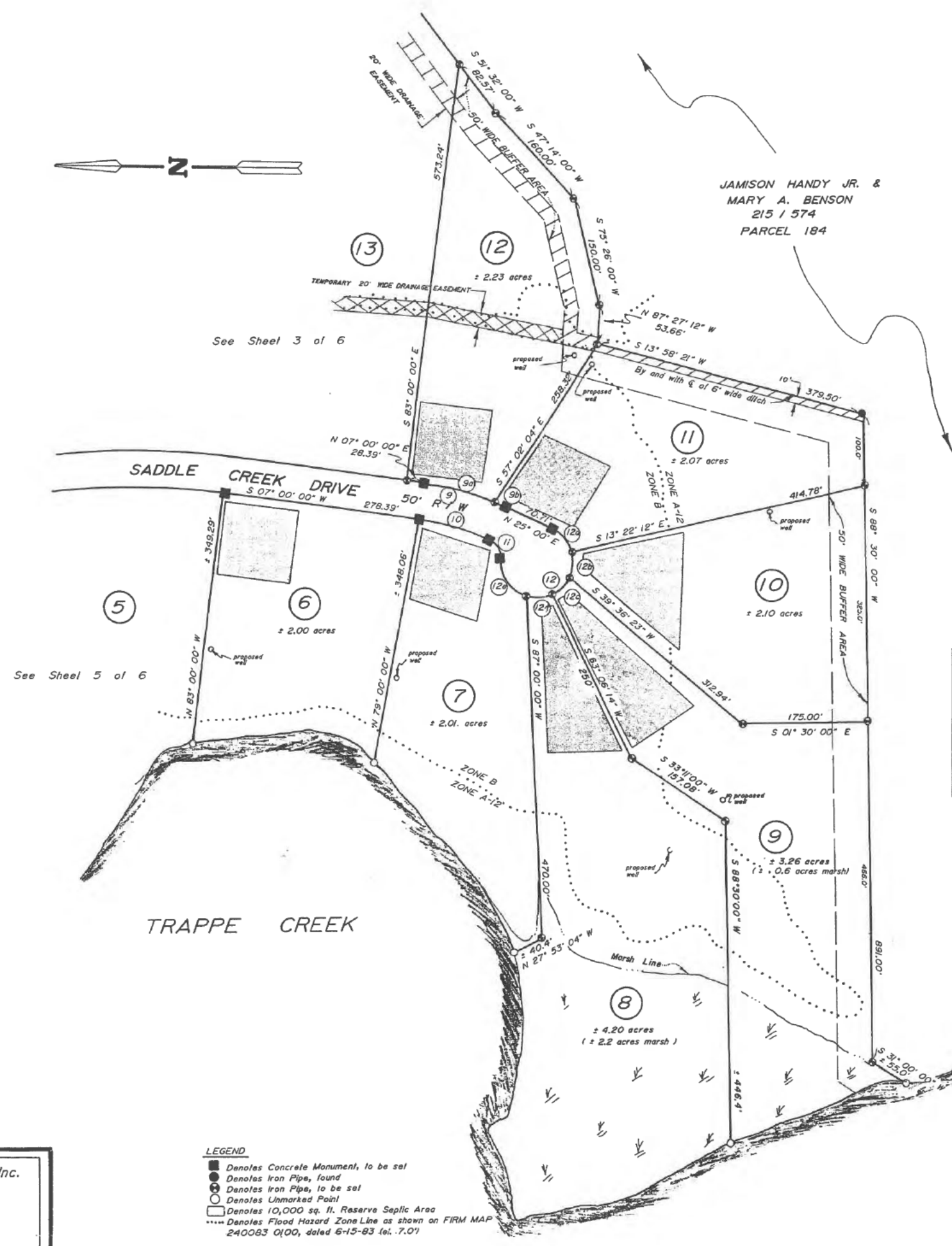
LEGEND
■ Denotes Concrete Monument, to be set
● Denotes Iron Pipe, to be set
□ Denotes 10,000 sq. ft Reserve Septic Area
..... Denotes Flood Hazard Zone Line as shown on FIRM MAP 240083 0100, DATED 6-15-83, (EL. 7.0')

LOTS 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23

RECORD PLAT
SADDLE CREEK
SUBDIVISION
OF LANDS OF
SADDLE CREEK, INC.
THIRD ELECTION DISTRICT
WORCESTER COUNTY, MARYLAND
SCALE: 1" = 100' DATE: 12 / 12 / 89
JOB NO. 3447 / 89 SHEET 3 of 6

MS 1257-2473-3

Worcester County Circuit Court (Subdivision Plats, WO) Plat Book RHD 124, 5-54-49, MSA 5-1257-3473, 6-1990/01/05, Printed 08/10/11



JAMISON HANDY JR. &
MARY A. BENSON
215 / 574
PARCEL 184

CURVE DATA TABLE

Curve	Radius	Arc	Chord	Chord Bearing
9	375.00'	117.81'	117.32'	N 16°00'00" E
9a	375.00'	100.00'	99.70'	N 14°38'22" E
9b	375.00'	17.81'	17.81'	N 23°38'22" E
10	325.00'	102.10'	101.68'	S 16°00'00" W
11	25.00'	30.77'	28.87'	S 60°55'52" W
12	50.00'	218.63'	81.65'	S 29°44'08" E
12a	50.00'	45.06'	43.55'	N 50°48'54" E
12b	50.00'	35.00'	34.29'	S 83°18'59" E
12c	50.00'	35.00'	34.29'	S 43°12'34" E
12d	50.00'	35.00'	34.29'	S 03°06'09" E
12e	50.00'	68.57'	63.32'	S 56°14'24" W

L. E. Bunling Surveys, Inc.
MARYLAND & VIRGINIA
LAND SURVEYING
24 BROAD STREET
BERLIN, MARYLAND 21811
301-641-3313

LEGEND
■ Denotes Concrete Monument, to be set
● Denotes Iron Pipe, found
○ Denotes Iron Pipe, to be set
○ Denotes Unmarked Point
□ Denotes 10,000 sq. ft. Reserve Septic Area
..... Denotes Flood Hazard Zone Line as shown on FIRM MAP 240083 0100, dated 6-15-83 (el. 7.0')

LOTS 6, 7, 8, 9, 10, 11 & 12

RECORD PLAT
SADDLE CREEK
SUBDIVISION
OF LANDS OF
SADDLE CREEK, INC.
THIRD ELECTION DISTRICT
WORCESTER COUNTY, MARYLAND
SCALE: 1" = 100' DATE: 12 / 12 / 89
JOB NO.: 3447 / 89 SHEET 4 of 6

MSA 581 057-2072-11



Curve	Radius	Arc	Chord	Chord Bearing
3	1,306.86'	548.00'	543.99'	N 03°00'46" E
3b	1,306.86'	356.96'	355.85'	N 01°10'30" W
4	1,356.86'	568.97'	564.81'	S 03°00'46" W
4a	1,356.86'	170.61'	170.49'	S 11°25'25" W
4b	1,356.86'	288.36'	287.82'	S 01°44'00" W
4c	1,356.86'	110.00'	109.97'	S 06°40'39" E
5	25.00'	39.27'	35.35'	S 81°00'00" W
8	1,040.00'	290.42'	289.48'	S 01°00'00" E
8a	1,040.00'	30.00'	30.00'	S 08°10'25" E
8b	1,040.00'	260.42'	259.74'	S 00°10'25" E
13	735.00'	192.42'	191.87'	S 73°30'00" W
13a	3,230.00'	35.00'	35.00'	S 65°41'22" W
26	50.00'	116.08'	91.71'	S 80°45'10" E
27	50.00'	145.71'	99.35'	S 69°14'21" W

LEGEND

- ☐ Denotes Concrete Monument, found
☒ Denotes Concrete Monument, to be set
☐ Denotes Iron Pipe, found
☒ Denotes Iron Pipe, to be set
☐ Denotes Unmarked Point
☐ Denotes 10,000 sq. ft. Reserve Septic Area
 Denotes Flood Hazard Zone Line as shown on FIRM MAP
 240083 0100, dated 6-15-83 (al. 7.0')

LOTS 1, 2, 3, 4, 5 & 24

RECORD PLAT

SADDLE CREEK
SUBDIVISION
OF LANDS OF
SADDLE CREEK, INC.
THIRD ELECTION DISTRICT
WORCESTER COUNTY, MARYLAND

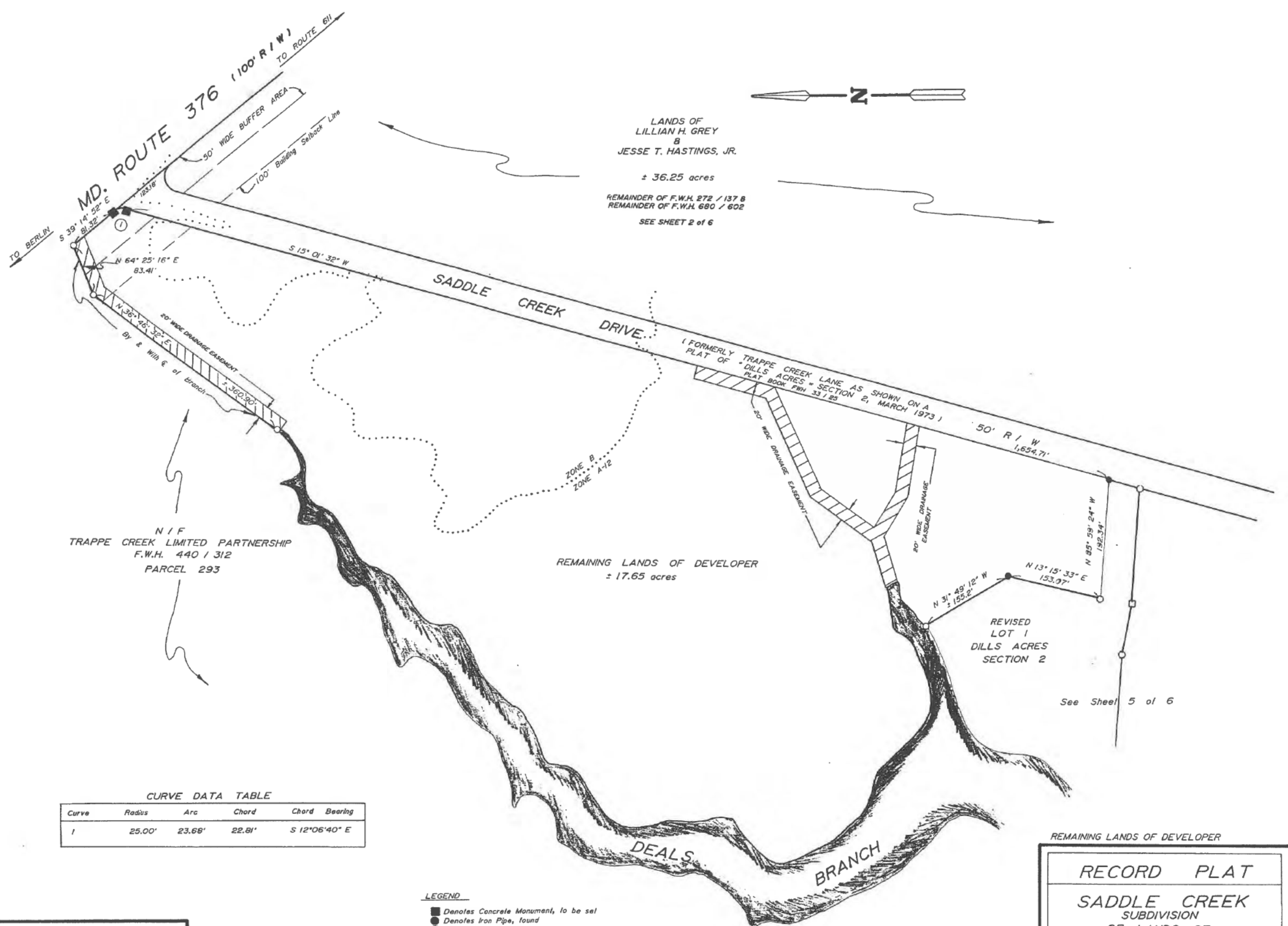
SCALE: 1" = 100' DATE: 12 / 12 / 89
JOB NO.: 3447 / 89 SHEET 5 of 6

L. E. Bunting Surveys, Inc.

MARYLAND & VIRGINIA
LAND SURVEYING
24 BROAD STREET
BERLIN, MARYLAND 21811
301-641-3313

110A.S. 17M. 2472-5

Worcester County Circuit Court (Subdivision Plats, WO) Plat Book RHD 124, P. 54-59, N/S 1257-3473, Date 12/12/89, Printed 08/10/89



CURVE DATA TABLE

Curve	Radius	Arc	Chord	Chord Bearing
1	25.00'	23.68'	22.81'	S 12°06'40" E

LEGEND

- Denotes Concrete Monument, to be set
- Denotes Iron Pipe, found
- Denotes Unmarked Point
- Denotes Flood Hazard Zone Line as shown on FIRM MAP 240083 Q100, dated 6-15-83 (el. 7.0')

L. E. Bunting Surveys, Inc.
MARYLAND & VIRGINIA
LAND SURVEYING
24 BROAD STREET
BERLIN, MARYLAND 21811
301-641-3313

RECORD PLAT

SADDLE CREEK
SUBDIVISION
OF LANDS OF
SADDLE CREEK, INC.
THIRD ELECTION DISTRICT
WORCESTER COUNTY, MARYLAND

SCALE: 1" = 100' DATE: 12/12/89
JOB NO.: 3447/89 SHEET 6 of 6

1190 SSA 1257-3473-6

EXHIBIT “B”

LINE TABLE OF BEARINGS & DISTANCES
FOR TIDAL WETLANDS / SHORELINE

LINE	BEARING	DISTANCE
L1	S 64°26'23" E	30.41'
L2	S 18°32'42" E	27.03'
L3	S 00°15'12" E	36.42'
L4	S 05°13'13" W	27.13'
L5	S 16°53'21" W	21.80'
L6	S 35°57'21" W	32.28'
L7	S 32°40'00" W	31.57'
L8	S 31°26'41" W	39.02'
L9	S 01°52'03" W	23.29'
L10	S 38°33'30" W	19.16'

NOTES:

THIS PROPERTY IS SITUATED WITHIN FLOOD HAZARD ZONES X, X2 & AE (ELEV. 6') AS SHOWN ON FIRM MAP 24047C0170H, DATED 07/16/15.

THIS PROPERTY IS IN THE ATLANTIC COASTAL BAYS CRITICAL AREA.
ZONE: LDA (LIMITED DEVELOPMENT AREA).

THE WETLANDS SHOWN ON THIS PLAN WERE DELINEATED BY SPENCER ROWE, INC. AS SHOWN ON AS-BUILT SURVEY DATED 12/30/2019.

4
EXISTING DWELLING

PRELIMINARY

CAL HOLLOWAY

DATE:



Benchmark Land
Surveying, Inc.

24 Broad Street
Berlin, MD 21811
410-641-3313
cal@benchmarkmd.com

CATTAIL COURT

PROPERTY ZONED: R-1
MIN. FRONT YARD 35'
MIN. REAR YARD 50'
MIN. SIDE YARD 15'

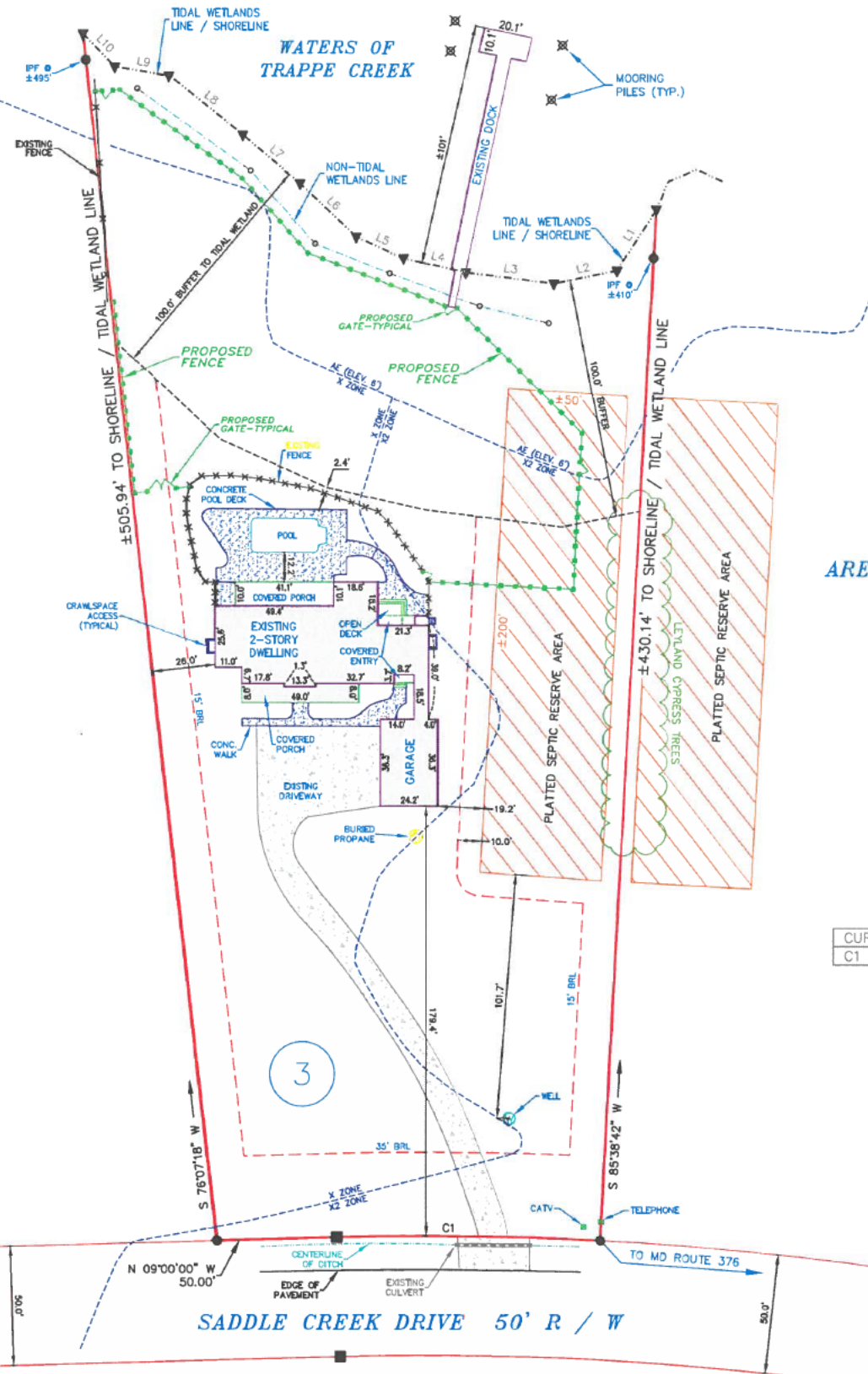
REFERENCE PLAT:
"SUBDIVISION OF LANDS OF
SADDLE CREEK, INC."
BY:
L. E. BUNTING SURVEYS, INC.
DATE: 12/12/89
PLAT BOOK: RHO 124/54

DEED REFERENCE:
SRB 7193/0339
LOT 3
PARCEL 0344
TAX MAP 0033
TAX ACCOUNT ID:
#03-128520

ADDRESS:
8635 SADDLE CREEK DRIVE
BERLIN, MARYLAND 21811
OWNERS:
HUGH F. WILDE, JR.
TONIA B. WILDE

SITE PLAN FOR FENCE
FOR
HUGH & TONI WILDE
SADDLE CREEK
LOT 3

THIRD TAX DISTRICT
WORCESTER COUNTY, MARYLAND
SCALE: 1" = 40'
JOB NO. 8695_SP-Fence
DATE: 06/25/2026



AREA OF LOT 3 TO TIDAL WETLANDS =
±84,699 SQ. FT. (1.944 ACRES)

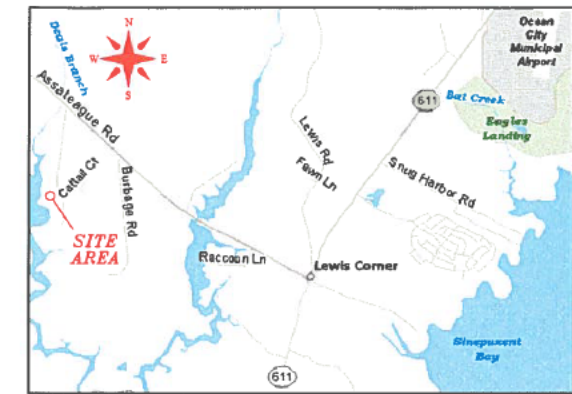
2
EXISTING DWELLING

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH
C1	1356.86'	110.00'	109.97'

LEGEND:

- DENOTES CONC
- DENOTES IRON
- DENOTES FLOOD



VICINITY MAP

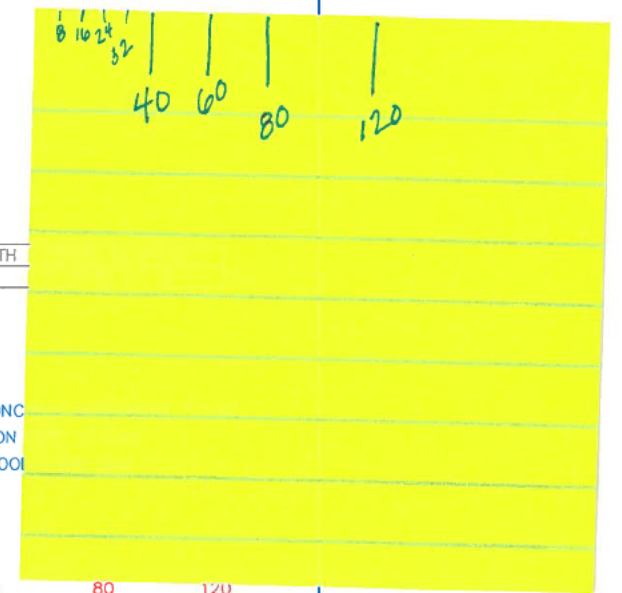


EXHIBIT “C”



**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-65**

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: October 8, 2026

LOCATION: 8635 Saddle Creek Dr, Tax Map 33, Parcel 344, Lot 3 in the Third Tax District of Worcester County, Maryland.

APPROVAL REQUESTED requesting a variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 20 feet (an encroachment of 80 feet) to construct a fence in the R-1 Rural Residential District.

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4), ZS 1-205(b)(2) and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111).

PROPERTY HISTORY: The property is improved with a single-family dwelling constructed in 2019 with the following records on file:

- 11/16/2018 Permit 18-1054 – Issued-12/17/2018 – Zoning Certificate issued 12/20/2019- Single family dwelling with attached garage, covered rear porch, covered front porch, and second story covered porch.

- 10/09/2019 Permit 19-0964- Issued 12/23/2019 – Zoning Certificate issued- 01/08/2020- Inground pool, patio and fence meeting barrier regs.

- 03/10/2006 Permit 98352- Issued- 03/16/2006- Zoning Certificate issued- 04/30/2007- Use of land for pier & piling – No boatlift on this approval.

COMMENTS: Does not require a zoning variance. Please refer to comments from Environmental Programs.

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: HUGH F & TONIA B WILDE
8635 SADDLE CREEK DR
BERLIN MD 21811

APPLICANT : Mark Spencer Cropper
6200 Coastal Hwy Suite 200
Ocean City MD 21872

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.



Worcester County

Department of Environmental Programs
Natural Resources Division

Memorandum

To: Betsy Jackson, Zoning Administrator

From: Joy S. Birch, Natural Resources Planner III 

Subject: Critical Area Variance – Hugh F. & Tonia B. Wilde, Jr. 8635 Saddle Creek Drive, Case #26-65

Date: October 8, 2026

The following comments are provided for the above referenced case as related to the Atlantic Coastal Bays Critical Area Law:

This variance request before the Board of Zoning Appeals (BZA) is for a property located within the Atlantic Coastal Bays Critical Area. The property is identified as the lands of Hugh F. & Tonia B. Wilde, Jr., Tax Map 33, Parcel 344, Lot 3, 8635 Saddle Creek Drive, Berlin, MD 21811. The property is more specifically located within the Limited Development Area (LDA) designation and within the 100' Buffer.

The Applicants are requesting a variance to δ NR 3-104(c) (4) of the Worcester County Code of Public Local Laws in order to gain authorization to construct a fence within the 100' buffer.

The Critical Area "[b]uffer shall be established at a minimum distance of one hundred feet landward from the mean high-water line of tidal waters" as stated in δ NR 3-104(c)(1). Under δ NR 3-104(c) (4) of the County Code, "[n]ew development activities including structures . . . and other impervious surfaces may not be allowed in the Buffer". Under δ NR 3-111(c) of the County Code, "[A]pplications for a variance shall be made in writing to the Board of Zoning Appeals".

Under δ NR 3-111 "[a]n Atlantic Coastal Bays Critical Area Program variance may be granted . . . where, owing to special features of a site or other circumstances, implementation of this

Citizens and Government Working Together

Program or a literal enforcement of provisions within the Program would result in unwarranted hardship to an applicant”.

As the Board is aware, from previous variances to the Critical Area Law, all applicants must address six standards. The Critical Area Law requires that each of the six standards for a variance be met before the Board renders a decision.

STAFF ANALYSIS

The six standards for Variance, as listed in §NR 3-111(b) (1) thru (6) of the County Code, will be addressed below.

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.

Staff agree that without the granting of this variance a potential hardship could exist. This property was platted prior to the adoption of the Atlantic Coastal Bays Critical Area Program. The property does not have a buffer management area which would have reduced the impact to the 100' buffer. Without granting this variance a potential hardship could exist.

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.

Staff opinion would be that 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 within the Critical Area have fences that are located within the 100' buffer. These structures may have been permitted prior to the start of the Critical Area Law or have been granted through the variance process.

(3) The granting of a variance will not confer upon an 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 fences located within the 100' buffer. Therefore, granting this variance would not present a special right or privilege 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 property was platted prior to the adoption of the Atlantic Coastal Bays Critical Area program and was not awarded to be within a Buffer Management Area.

(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 Program.

The granting of this variance could slightly affect the water quality due to the proposed impact to the 100' buffer. If approved the proposed activity will be required to conduct mitigation at a 3:1 ratio for the area disturbed within the 100' buffer.

(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.

Staff agrees that the applicant does have an unwarranted hardship due to the 100' buffer. The Board should consider additional testimony before determining that the applicant has adequately addressed and met the standards required for a variance.

ADDITIONAL STAFF COMMENTS

State Critical Area Commission staff has also reviewed this request and have provided comments. Critical Area Commission Natural Resource Planner, Kathryn Hayden, stated in her August 21, 2026, letter:

"For this variance to be granted, Worcester County Board of Zoning Appeals must find that each and every one of the variance standards have been met, including unwarranted hardship. Should the Board of zoning Appeals find that the applicant has met each standard."

The Commission also requests that they be informed by writing of the decision rendered by the Board for this case.

STAFF RECOMMENDATION

Staff agrees that without this variance an unwarranted hardship does exist. There are numerous properties located throughout the County that have structures that encroach into the 100' buffer.

Due to the fact that this lot was platted prior to the adoption of the Critical Area regulations, without a variance the applicant could not have reasonable use of the property.

Should the Board of Zoning Appeals grant the variance, the Department feels that there should be a condition placed on the site that requires full compliance with the 3:1 mitigation requirement. This mitigation will be based upon the amount of disturbance and lot coverage that occurs within the buffer. It should also be subject to the condition that the Applicant agrees to and enters upon a Critical Area Planting Agreement as required by §NR 3-111(e) (1). The Applicant would also be required to submit a planting plan and work with Staff to satisfy this requirement. Mitigation shall be conducted within the buffer first with the balance installed at other places onsite. If total amount mitigation cannot be planted onsite, provisions exist to allow for offsite planting and/or fee-in-lieu.

Should you have any questions or need additional information please contact me at 410-632-1220, ext. 1161 or e-mail at: jbirch@worcestermd.gov.

Joy Birch

From: Kathryn Hayden <kathryn.hayden@maryland.gov>
Sent: Friday, August 21, 2026 3:06 PM
To: Joy Birch
Cc: Brian M. Soper
Subject: CAC Comment_Hugh Wilde_Buffer Variance

Hi Joy and Brian,

Thank you for submitting the above referenced variance to our office. The applicant proposes a variance to install a fence in the Critical Area Buffer at 8635 Saddle Creek Drive, Berlin MD. For this variance to be granted, the Worcester County Board of Zoning Appeals must find that each and every one of the variance standards have been met, including unwarranted hardship. Should the Board of Zoning Appeals find that the applicant has met each standard, appropriate mitigation is required.

Please accept the above comments as our official comments on this variance request.

Thank you,
Katie

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 Critical Area Commission for the Chesapeake & Atlantic Coastal Bays dnr.maryland.gov/criticalarea	Katie Hayden Natural Resources Planner 1804 West Street, Suite 100 Annapolis, MD 21401 410-260-3479 (office) 443-848-9160 (cell) kathryn.hayden@maryland.gov
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**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 – October 8, 2026

Date: September 22, 2026

Below are comments related to the cases scheduled for the Board of Zoning Appeals (BZA) meeting for Thursday, October 8, 2026, for their conformance with the Chesapeake Bay (CBCA) and Atlantic Coastal Bays Critical Area Law (ACBCA):

6:30 pm – Case #26-62:

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 #26-64:

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.

6:40 pm – Case #26-65:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as Limited Development Area (LDA) with an associated 100' buffer. **As this request**

is specifically for a variance to the Atlantic Coastal Bays Critical Area ordinance, a separate memo will be provided.



Worcester County

Department of Environmental Programs
Environmental Programs Division

Memorandum

To: Board of Zoning Appeals (BZA) for the October 8, 2026 meeting

From: Environmental Programs Staff

Date: September 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. 26-62, on the lands of Michael Levan & Kris Krause, requesting a variance to the rear yard setback from 5 feet to 3.9 feet (an encroachment of 1.1 feet) associated with a proposed deck in the Assateague Point Campground subdivision, A-2 Agricultural District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-202(c)(18) and ZS 1-318, located at 8821 Bay Ridge Dr, Tax Map 33, Parcel 347, Lot 155 Tax District 10, Worcester County, Maryland.

No objection to this variance request.

6:35 p.m.

Case No. 26-64, on the application of Donald Hall, on the lands of Hall Rentals LLC, requesting a variance to the front yard setback from 50 feet from the center of the right-of-way to 40 feet (an encroachment of 10 feet) and a variance to the side yard setback from 6 feet to 3.5 feet (an encroachment of 2.5 feet) for a proposed first and second floor front porch in the R-4 General Residential District, Pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-208(b)(2), ZS1-305(b)(1) located at 12842 Harbor Rd, Tax Map 27, Parcel 402, Block C, Lot 2 in the Tenth Tax District of Worcester County, Maryland.

No objection to the setback variance request for the proposed first and second floor front porch. However, these comments do not address the proposed storage/outdoor kitchen structure illustrated on the site plan.

Citizens and Government Working Together

6:40 p.m.

Case No. 26-65, on the application of Mark Spencer Cropper, on the lands of Hugh & Tonia Wilde, requesting a variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 20 feet (an encroachment of 80 feet) to construct a fence in the R-1 Rural Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-205(b)(2) and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111, located at 8635 Saddle Creek Dr, Tax Map 33, Parcel 344, Lot 3 in the Third Tax District of Worcester County, Maryland.

No objection to this variance request.

Citizens and Government Working Together

WORCESTER COUNTY GOVERNMENT CENTER 1 WEST MARKET STREET, ROOM 1306 SNOW HILL, MARYLAND 21863
TEL: 410-632-1220 FAX: 410-632-2012



Worcester County
Department of Environmental Programs
Natural Resources Division

Memorandum

To: Savannah Guy, DRP Specialist I

From: David Mathers, Natural Resources Planner IV *DM*

Subject: Board of Zoning Appeals Comments – October 8, 2026 Meeting

Date: September 18, 2026

Below are comments relative to the cases scheduled for the Board of Zoning Appeals (BZA) meeting for Thursday, October 8, 2026, for their conformance with the Forest Conservation Act.

6:30 pm – Case # 26-62:

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 # 26-64:

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 # 26-65:

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.

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 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. 26-61

MARYLAND

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OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, September 10, 2026, upon the application of Mark Spencer Cropper, on the lands of Coastal Squares, LLC, requesting a special exception to allow an 8 foot high enclosure around a dumpster in a front yard setback in the C-3 Highway Commercial District, pursuant to Zoning Code §§ ZS 1-116(c) (3), ZS 1-305(k)(3) and ZS 1-325 located South of US Route 50 (Ocean Gateway), Tax Map 26, Parcel 474, Lot 4, Tax District 3, Worcester County, Maryland

Savannah Guy, DRP Specialist I, presented the application to the Board.

Jeff Harmon testified before Board in favor of the application. There were no protestants to the application. The testimony revealed that the Dash In store has a dumpster that is visible to the public. The Board previously permitted a variance at this site for a car wash.

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. 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 Mr. Fykes, which was seconded by Mr. Mitrecic, the Board passed the following resolution which was opposed by Mr. Purcell:

BE IT RESOLVED, that the requested special exception be GRANTED.

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Lisa Bowen

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 DENNIS DRAZIN
AND PATRICIA DRAZIN

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BEFORE THE BOARD OF ZONING

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APPEALS FOR WORCESTER

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Case No. 26-60

COUNTY, MARYLAND

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OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, September 10, 2026, upon the application of Robert McIntire, requesting a variance to the front yard setback from 25' to 14.5' (encroachment of 10.5 feet) for a proposed 12'x 20' 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 42 Grand Port Rd, Tax Map 16, Parcel 38, Section 1, Lot 466, Tax District 3, Worcester County, Maryland.

Savannah Guy, DRP Specialist I, presented the application to the Board.

Property owners Patricia Drazin and Dennis Drazin testified before Board in favor of the Application. There were no protestants to the Application. The testimony revealed that the lot is pie shaped and the only location that the garage would fit is in the setback because of the water in the back. The neighbor does not object.

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.

Babcock, the Board passed the following resolution which was opposed by Mr. Purcell:

BE IT RESOLVED, that the requested variance be APPROVED:

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Lisa Bowen

Date

Stephen Katsanos

IN THE MATTER OF ROBERT MASON, JR.

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BEFORE THE BOARD OF ZONING

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APPEALS FOR WORCESTER COUNTY,

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Case No. 26-52

MARYLAND

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* * * * *

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, September 10, 2026, upon the application of Robert Mason, Jr., on the lands of RJM, LLC, 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.

Savannah Guy, DRP Specialist I, presented the application to the Board.

Property owner Robert Mason, Jr. testified before Board in favor of the application. There were no protestants to the application. The testimony revealed that the lot is pie shaped, and the proposed use will cause very little disturbance. The neighbor does not object to this request.

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. 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 Mr. Katsanos, which was seconded by Mr. Fykes, the Board unanimously passed the following resolution:

BE IT RESOLVED, that the requested special exception be GRANTED.

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Lisa Bowen

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 EDWARD VARMON AND
KAREN VARMON

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BEFORE THE BOARD OF ZONING

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APPEALS FOR WORCESTER COUNTY,

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Case No. 26-51

MARYLAND

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* * * * *

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, September 10, 2026, upon the application of Edward Varmon and Karen Varmon, requesting a variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 6 feet (an encroachment of 94 feet) for the placement of a 14' x 28' shed in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-206(b)(2) and ZS 1-305 and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111 located at 13301 Rollie Road West Rd, Tax Map 4, Parcel 25, Block A, Lot 53, Tax District 5 of Worcester County, Maryland.

Savannah Guy, DRP Specialist I, presented the application to the Board.

The Applicant Edward Varmon testified before Board in favor of the Application. There were no protestants to the Application. The property is uniquely shaped and that is the only place he can put the shed. He has no other storage on the property and storage units start at approximately \$114 per month.

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 and therefore all current development must conform to the current Critical Area regulations, including the 50' buffer management setback.

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. There are numerous properties within the buffer management areas; however most were constructed prior to the adoption of the Atlantic Coastal Bays Critical Area.

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 Buffer, the majority of which were constructed prior to the adoption of the Atlantic Coastal Bays Critical Area. 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 based upon conditions or circumstance which are the result of the actions by the Applicant. This is a proactive variance request.

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 may adversely affect water quality as it is resulting in an increase in lot coverage within the most sensitive area on the property, the buffer. The property owner shall be required to mitigate at a 3:1 ratio, which will improve the water quality.

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 50' BMA 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.

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

Mitrecic, the Board passed the following resolution which was opposed by Mr. Purcell:

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

1. Mitigation shall be required at 3:1 ratio.

Date

Robert Purcell
Chairperson

Date

Jacob Mitrecic

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Lisa Bowen

Date

Stephen Katsanos