NOTICE OF PUBLIC HEARING
WORCESTER COUNTY
BOARD OF ZONING APPEALS
AGENDA

THURSDAY November 12, 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. 26-63, on the lands of David Messick, requesting a variance to the front yard setback from 50 feet from the center of the right-of-way to 40.9 feet (an encroachment of 9.1 feet) for an existing front porch addition and proposed enclosure and roof top deck to this addition in the R-4 General Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-208(b)(2), ZS 305(b)(1), located at 12848 Harbor Rd, Tax Map 27, Parcel 404, Lot 4, in the Tenth Tax District of Worcester County, Maryland.

6:35 p.m.

Case No. 26-66, on the lands of Janice Toboll, requesting an after the fact variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 30 feet (an encroachment of 70 feet) for a 4' high fence in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4) and ZS 1-206(b)(2) and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111, located at 12347 Hidden Bay Dr, Tax Map 33, Parcel 281, Lot 32, in the Tenth Tax District of Worcester County, Maryland.

6:40 p.m.

Readvertisement of 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.

6:45 p.m.

Case No. 26-69, on the lands of Ocean Enterprise 589 LLC, requesting a special exception to replace the elevated water storage tank "water tower" and a special exception for a water treatment building, in the A-2 Agricultural District, Pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-202 (c)(34), ZS 1-328, located at 10218 Racetrack Rd, Tax Map 21. Parcel 99, in the Third Tax District of Worcester County, Maryland.

6:50 p.m.

Case No. 26-70, on the application of Hugh Cropper IV, on the lands of Stephen & Sandra Hadley, requesting a variance to the rear yard setback from 30 feet to 20.44 feet (an encroachment of 9.56 feet) for a proposed 1st, 2nd. & 3rd floor covered porch and single-family dwelling in the R-2 Suburban Residential District, Pursuant to Zoning Code §§ ZS1-116(c)(4), ZS 1-206(b)(2), and ZS 1-305, located at 12334 Snug Harbor Rd, Tax Map 33, Parcel 346, Lot 25, in the Tenth Tax District of Worcester County, Maryland.

6:55 p.m.

Case No. 26-71, on the application of Blair Carey/RBR Homes, on the lands of Rhonda and Clayton Hathaway, requesting a variance to the rear yard setback from 30 feet to 15.9 feet (an encroachment 14.1 feet) for a proposed pool, a variance to the rear yard setback from 30 feet to 20.4 feet (an encroachment 9.6 feet) for a proposed landing with stairs, request to enclose previously approved open covered porches in the rear yard setback in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4) and (7), ZS 1-207(b)(2) and ZS 1-305, located at 38 Teal Circle, Tax Map 16, Parcel 41, Section 4, Lot 61, Tax District 3, Worcester County, Maryland.

Written public comments may be posted on the County website with names and addresses; phone numbers and email addresses will be redacted. Comments received by noon the Monday prior to the scheduled hearing will be included in the public hearing record. Written comments may be submitted in the following forms:

- *Via email to BZA@worcestermd.gov*

Mailed to: Board of Zoning Appeals
c/o Savannah Guy
1 West Market Street, Room 1201
Snow Hill, Maryland 21863

Administrative Matters

IMPORTANT NOTICE

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

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

OFFICE USE ONLY :

CASE NO: 26-63
DATE FILED: 9/29/26
HEARING DATE: 11/2/26

APPLICATION BEING MADE FOR:

_____ SPECIAL EXCEPTION
X VARIANCE
_____ EXPANSION OF NONCONFORMING USE/STRUCTURE
_____ OTHER

_____ FORESTRY
_____ CRITICAL AREA
_____ APPEAL

_____ AFTER THE FACT X 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: proposed variance for front porch to enclosed porch with roof top Dec. 20.9'X 7.8' front yard setback from 25' to 20.9' feet (encroachment of 4.1')

LOCATION OF PROPERTY:

TAX MAP: 27 PARCEL: 464 SECTION: LOT/ BLOCK: 10
On the N/S/E/W of: 12848 S. Harbor Rd Ocean City 21842
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: Dave Messick Telephone: [redacted]
Address: [redacted] E-Mail: [redacted]

APPLICANT INFORMATION:

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

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)
yes 14560- 5/15/1987 + 80205- 1/9/03

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
50 RIGHT OF WAY OF A STATE ROAD
_____ FROM PROPERTY LINE

REAR : 30
LEFT SIDE: 6
RIGHT SIDE: 6

ZONING DISTRICT: R-4 **TAX DISTRICT:** 10

David L. Messick
Signature of Owner or Legal Representative

David L. Messick
Signature of Applicant

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

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

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

I HEREBY CERTIFY that on this 27 day of AUGUST 20 26 before me, a Notary Public in and for the State and County aforesaid, personally appeared DAVID MESSICK, 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: APR 0 7 2029

JOSEPH RUSSELL SCHANNO
Notary Public - State of Maryland
Worcester County
My Commission Expires Apr 7, 2029

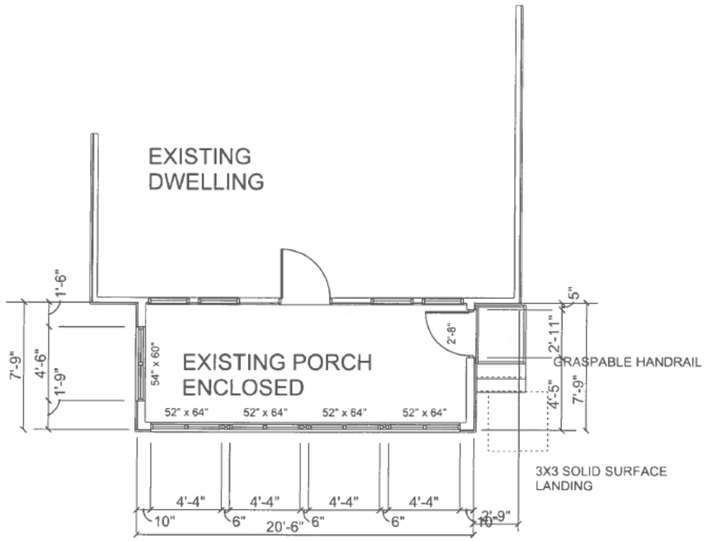
STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

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.

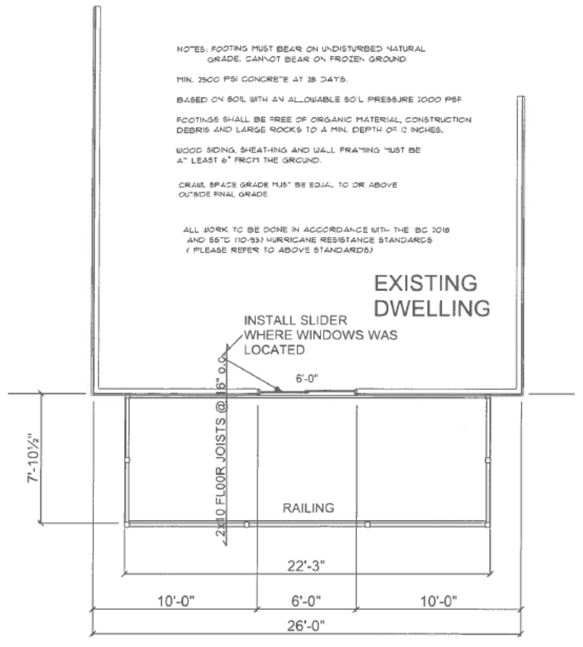
_____
Notary Public

My Commission Expires: _____



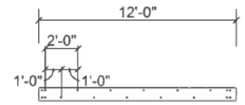
1ST FLOOR LAYOUT

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

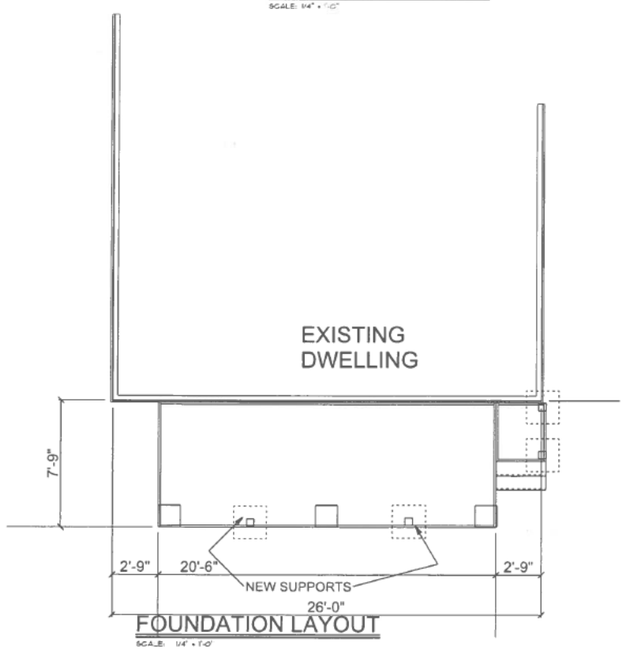


2ND FLOOR LAYOUT

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

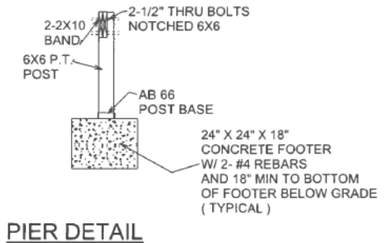


LEDGER BOARD FASTENER SPACING
VERIFIED AND MODIFIED IF NEEDED



FOUNDATION LAYOUT

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



PIER DETAIL

SCALE : 1/2" = 1'-0"

DEMO

1. REMOVE PORCH ROOF
2. REMOVE PORCH POST
3. REMOVE SECOND FLOOR WINDOW
4. REMOVE DECKING BOARDS

A-1

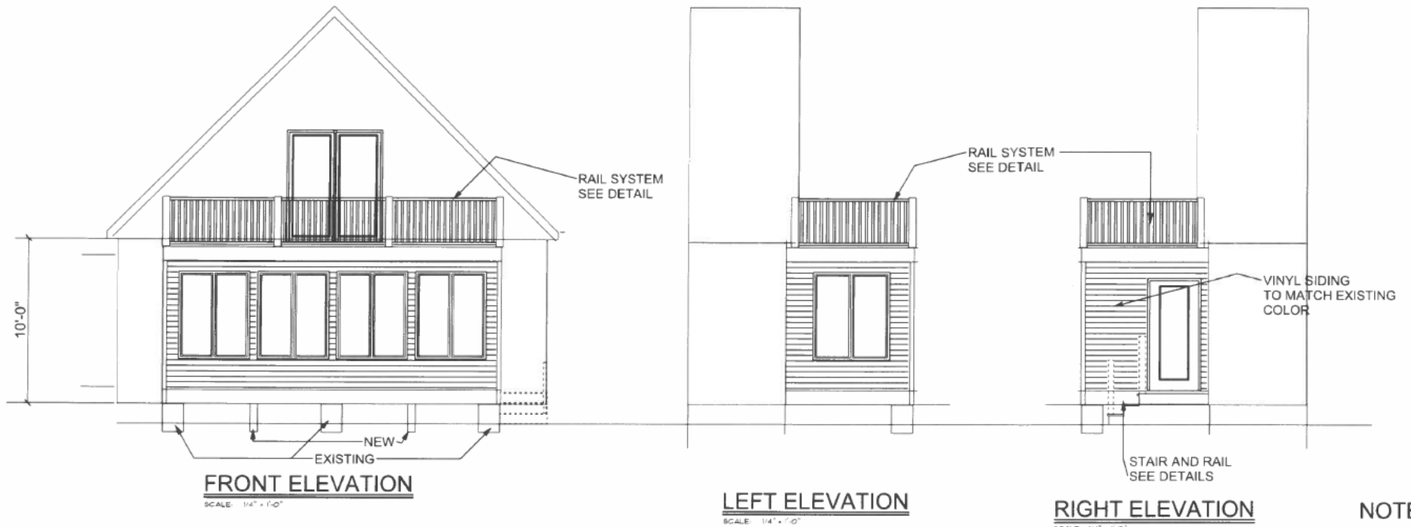
EBERLY DESIGNS INC.
P.O. BOX 937
BERLIN MD. 21811

SUBMITTED 9-13-2026

DRAWN BY SE
DATE 9-4-2026
JOB NO.
DATE OF SURVEY
APPROVED

PLAN NAME MESSICK RESIDENCE
12848 HARBOR ROAD
WEST OCEAN CITY
WORCESTER MD.
BUILDER

SHEET NO.
1 OF 2



FRONT ELEVATION

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

LEFT ELEVATION

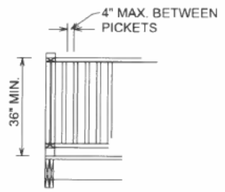
SCALE: 1/4" = 1'-0"

RIGHT ELEVATION

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

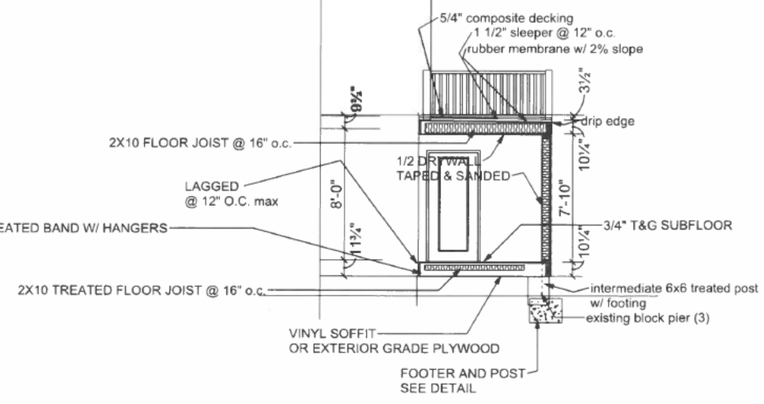
NOTES:
1. ALL LUMBER IS TO BE #2 SPF OR BETTER
2. WINDOW AND DOOR HEADERS ARE 2-2X10
3. EGRESS WINDOWS TO BE 20" CLEAR WIDTH, 22" CLEAR HEIGHT, AND A TOTAL CLEAR OPENING OF 5.7 SQ. FT.

HANDRAILS REQUIRED 3 OR MORE RISERS - MIN. 36"
GUARDRAILS REQUIRED WHEN 30" OR MORE ABOVE GRADE BELOW
AND OPEN STAIRS OF MORE THAN 30" RISE.
NO OPENINGS LARGER THAN 4" BETWEEN BALLISTERS & PICKETS.
TREADS AND RISERS. THE
MAXIMUM RISER HEIGHT SHALL BE 7 3/4 INCHES AND THE
MINIMUM TREAD DEPTH SHALL BE 10" INCHES."



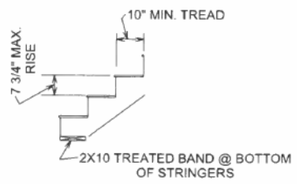
RAIL DETAIL

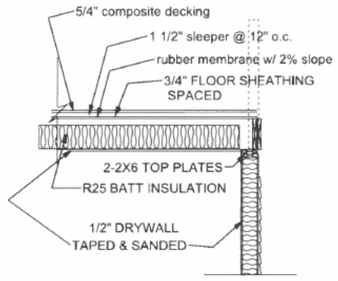
SCALE: 1/2" = 1'-0"

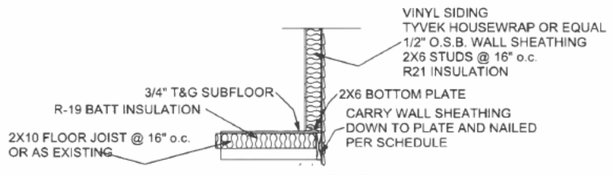


CROSS SECTION A-A

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







TYPICAL SECTION

SCALE : 1/2" = 1'-0"

A-2

EBERLY DESIGNS INC.
P.O. BOX 937
BERLIN MD. 21811

9-13-2026

DRAWN BY: SE

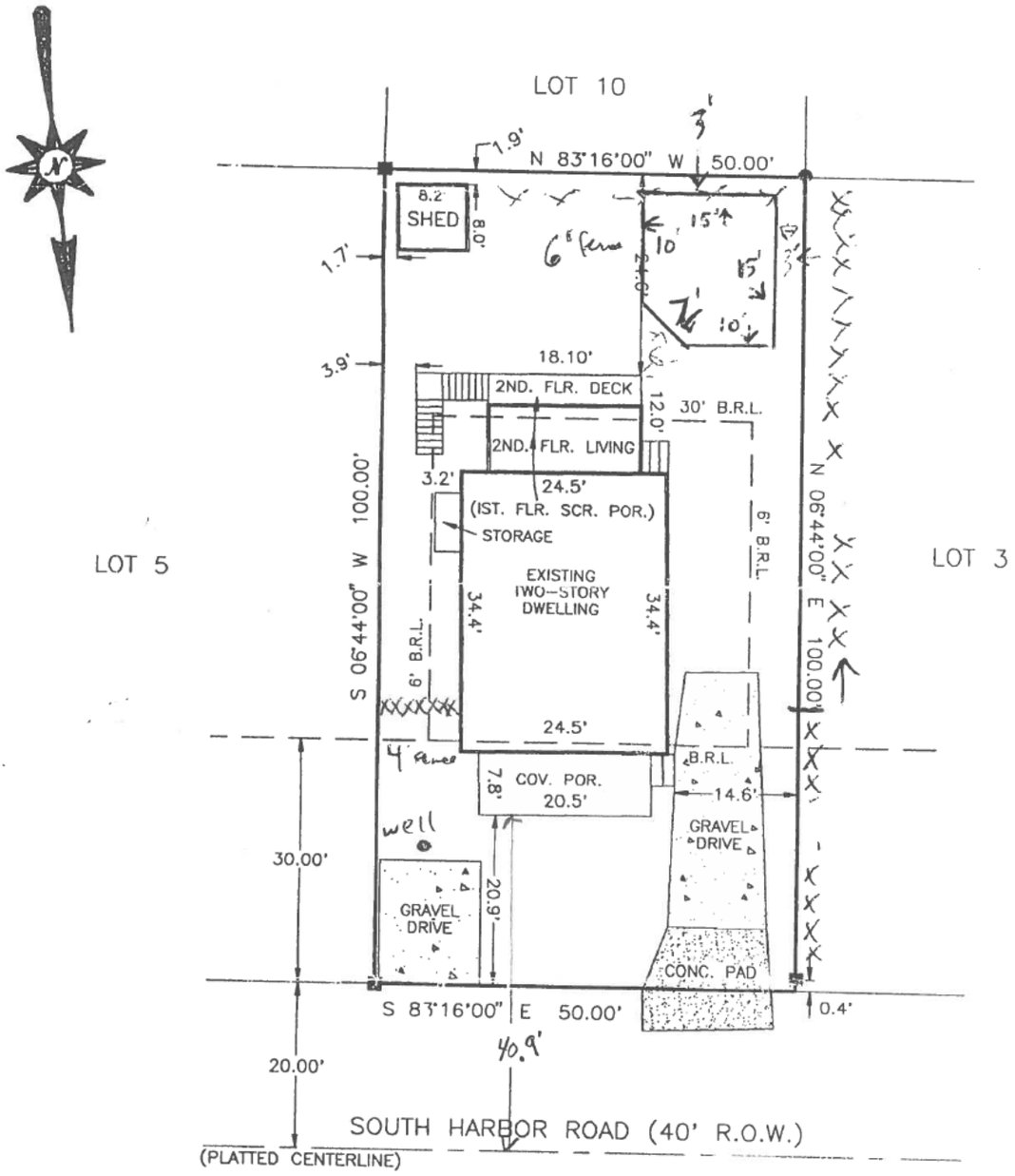
DATE: 8-4-2026

PLAN NAME: MESSICK RESIDENCE
12848 HARBOR ROAD
WEST OCEAN CITY
WORCESTER MD.

BUILDER:

SHEET NO.

2 OF 2



LOCATION DRAWING

HOUSE NO. 12848
LOT 4 – BLOCK C – OF PLAT ENTITLED
RESUBDIVISION OF AND ADDITION TO PLAT NO. 1
OCEAN CITY HARBOR SUBDIVISION

TENTH ELECTION DISTRICT
WORCESTER COUNTY, MARYLAND
TAX MAP 27, PARCEL 404
LOT AREA = 5,000 SQ. FT.±
CURRENTLY ZONED: R–4
ZONING SETBACKS: FRONT = 50' FROM C/L OF ROAD
SIDES = 6' EACH, REAR = 30'
ACCESSORY STRUCTURES: SIDE = 6', REAR = 6'
FLOOD ZONE A–6, BASE FLOOD ELEV. = 9.00' N.G.V.D.
PLAT REFERENCE O.D.C. 2/74

LEGEND

These standard symbols will be found in the drawing.

- ■ FOUND CONCRETE MONUMENT
- ● FOUND IRON ROD

Madison J. Bunting Jr.

NOTE:

THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INSOFAR AS IT IS REQUIRED BY A LENDER OF A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING; AND THIS PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS; AND THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICAION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING.

MADISON J. BUNTING, JR.
SURVEYOR, INC.
11616 BACK CREEK ROAD
BISHOPVILLE, MARYLAND 21813
(410)641–5718 – FAX 641–6266

SCALE: 1" = 20'	DATE: 1/06/99
DRAWN BY: MJB	JOB NO.: 3231/99

WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-63

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: November 12, 2026

LOCATION: 12848 Harbor Rd, Tax Map 27, Parcel 404, Lot 4, 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 40.9 feet (an encroachment of 9.1 feet) for an existing front porch addition and proposed enclosure and roof top deck to this addition in the R-4 General Residential District

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

PROPERTY HISTORY: The property is improved with a single-family dwelling constructed in 1950 with the following records on file:

09/09/1986 Permit 14560 – Issued-07/17/1986 – Zoning Certificate issued 07/17/1986- Screened porch. BZA Case # 14560, requesting a variance to the rear setback for screened porch and deck.

10/17/1989 Permit 19128- Issued 10/17/1989 – Zoning Certificate issued- 10/17/1989- Addition to home-expand upstairs bedroom.

03/19/1999 Permit 59464- Issued- 03/19/1999- Zoning Certificate issued- 03/19/1999- 6-foot fence.

02/24/2006 Permit 80616- Issued- 03/05/2003- Zoning Certificate issued- 03/05/2003- 10’ x 15’ detached storage shed.

12/09/2002 Permit 80194- Issued- 12/09/2002- Zoning Certificate issued- 12/09/2002- Use of land for 4’ fence.

COMMENTS: There are no permits on file for the existing front porch. However, based on the site plan for BZA Case 14560 the porch was existing as far back as 1986.

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: DAVID L MESSICK
12848 HARBOR RD
OCEAN CITY 21842

APPLICANT : Same as owener

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: 26-66
DATE FILED: 3-4-2026
HEARING DATE:

APPLICATION BEING MADE FOR:

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

✓ AFTER THE FACT ____ PROPOSED ____ ADMINISTRATIVE ADJUSTMENT

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: requesting critical area variance for existing fence - 153' of 4' high black aluminum fence; includes one gate

LOCATION OF PROPERTY:

TAX MAP: 33 PARCEL: 281 SECTION: LOT/ BLOCK: 32

On the N/S/E/W of:

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

PROPERTY OWNER INFORMATION:

Owner's Name: Janice Tobell Telephone:
Address: [redacted] E-Mail:

APPLICANT INFORMATION:

Applicant's Name: Lori McGee Telephone: [redacted]
Address: [redacted] E-Mail: [redacted]

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

no

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

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT: ____ FROM CENTERLINE OF ROAD
____ RIGHT OF WAY OF A STATE ROAD
20' FROM PROPERTY LINE

REAR : 20'
LEFT SIDE: 10'
RIGHT SIDE: 7'

ZONING DISTRICT: R-2 **TAX DISTRICT:** 10

Janice J Tobell
Signature of Owner or Legal Representative

Lori S McGee
Signature of Applicant

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

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

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

I HEREBY CERTIFY that on this 9th day of October 20 25 before me, a Notary Public in and for the State and County aforesaid, personally appeared Janice N Toboll, 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.

MARCUS M SCOTT
Notary Public
Worcester County
Maryland
My Commission Expires Feb 08, 2027

AS WITNESS my hand and official seal.

Marcus M Scott
Notary Public

My Commission Expires: Feb, 08 2027

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

I HEREBY CERTIFY that on this 9th day of October 20 25 before me, a Notary Public in and for the State and County aforesaid, personally appeared Lori Sue McGee, 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.

MARCUS M SCOTT
Notary Public
Worcester County
Maryland
My Commission Expires Feb 08, 2027

AS WITNESS my hand and official seal.

Marcus M Scott
Notary Public

My Commission Expires: Feb 08, 2027

NATURAL RESOURCES ARTICLE
ATLANTIC COASTAL BAYS CRITICAL AREA
SUBSECTION §NR 3-111
CRITICAL AREA VARIANCES

§NR 3-111 Standards. The provisions for granting such a '*critical area*' variance shall include evidence submitted by the applicant that the following standards are met:

PLEASE ADDRESS EACH STANDARD BELOW AND SUBMIT ALONG WITH THE BOARD OF ZONING APPEALS APPLICATION

Prepared by, or on behalf of:

OWNER: Janice Toboll
RE: 12847 Hidden Bay Drive **Tax Map** 33 **Parcel** 281 **Section** ____ **Lot** 32
DATE: 3/4/26

(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.

See attached

(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 attached

(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 attached

(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 nonconforming on any neighboring property.

See attached

Continued on Next Page

(5) The granting of the 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.

See attached

(6) The Board of Zoning Appeals shall not make a decision relative to the 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.

See attached

(7) If this variance request is an 'After-the-Fact' variance, the granting of this variance can not be made until a notice of violation has been issued, administrative or civil penalties have been paid, and a mitigation plan has been approved by the Department of Environmental Programs.

See attached

Prepared by: Lori L McGee — 3/4/26

(Owner/Applicant) **Date**

For additional information, please contact Brian Soper, Natural Resources Administrator, within the Department of Environmental Programs at 410-632-1220 ext. 1147 or bmsoper@co.worcester.md.us

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 limited lot depth and configuration, combined with the location of the dwelling and existing site features, restrict reasonable placement options for a fence that would otherwise comply strictly with the Critical Area Program requirements.

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.

A literal enforcement of the County's Atlantic Coastal Bays Critical Area Program provisions would result in unwarranted hardship by preventing the applicant from installing a reasonable residential fence for privacy and security purposes. The requested variance is necessary to allow a customary accessory improvement that is consistent with surrounding properties while maintaining the intended residential use of the parcel. The hardship is not self-created but instead arises from the property's physical characteristics and regulatory constraints unique to this lot within the Critical Area.

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

The granting of this variance will not confer any special privilege upon the applicant that would be denied to other properties within the County's Atlantic Coastal Bays Critical Area. The requested relief is limited in scope and applies solely to the reasonable installation of a residential fence accessory to an existing dwelling. Fences are customary improvements associated with residential properties, and similar relief has been granted where site-specific constraints warrant consideration. The variance does not expand the principal use of the property, increase density, or alter the overall character of development within the Critical Area. Rather, it allows a modest and customary improvement under circumstances where strict application of the regulations would create unnecessary hardship.

Accordingly, approval of this variance would be consistent with how similarly situated properties are treated and would not establish a special privilege beyond what is reasonably available to other landowners facing comparable constraints

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 nonconforming on any neighboring property

The need for relief arises from the existing physical characteristics of the property, including lot configuration, established improvements, and its location within the Atlantic Coastal Bays Critical Area. Furthermore, the request is solely associated with the applicant's property and the practical limitations imposed by its unique characteristics and regulatory constraints. The proposed fence is a customary residential accessory improvement, and the need for variance relief is driven exclusively by site-specific conditions rather than any external influences or actions by adjacent property owners.

The granting of the 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 will not adversely affect water quality nor adversely impact fish, wildlife, or plant habitat within the Atlantic Coastal Bays Critical Area. The proposed fence installation is a minor residential accessory improvement that does not involve the placement of impervious surfaces, grading, filling, or disturbance of sensitive habitat areas. Installation will be limited in scope and conducted in a manner that avoids impacts to existing vegetation and environmentally sensitive features. The proposed fence will not alter drainage patterns, increase runoff, or result in any discharge to adjacent waters. As such, there will be no measurable impact to water quality or to the ecological functions protected under the Atlantic Coastal Bays Critical Area Program

The Board of Zoning Appeals shall not make a decision relative to the 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.

Based upon the foregoing responses and supporting materials submitted with this application, the Applicant believes that each of the applicable provisions and standards of the County's Atlantic Coastal Bays Critical Area Program has been satisfied. The request is limited in scope, is necessitated by site-specific conditions not created by the Applicant, will not confer special privilege, and will not adversely impact water quality or environmentally sensitive areas. Accordingly, upon review of the Department's comments and the evidence presented, the Applicant respectfully requests that the Board find that the required standards have been met and approve the requested variance for the fence installation.

If this variance request is an 'After-the-Fact' variance, the granting of this variance can not be made until a notice of violation has been issued, administrative or civil penalties have been paid, and a mitigation plan has been approved by the Department of Environmental Programs.

At the time the fence was constructed, an existing single-family dwelling was already lawfully established on the property. The fence was installed as a customary accessory improvement to that pre-existing residence and did not involve the establishment of a new principal structure or expansion of the residential use.

The presence of the existing home demonstrates that the property was already developed and in residential use prior to installation of the fence. The fence was intended to serve the dwelling by providing privacy and security and was not constructed to intensify use, increase lot coverage in any material way, or alter the overall character of the property.

Accordingly, the variance request relates solely to the placement of an accessory residential improvement associated with an existing home, and not to the creation of any new development within the Atlantic Coastal Bays Critical Area.

Joy Birch

From: Kathryn Hayden <kathryn.hayden@maryland.gov>
Sent: Friday, September 11, 2026 4:37 PM
To: Joy Birch ,
Cc: Brian M. Soper; Jennifer M Esposito -DNR-
Subject: Re: CAC Comment_Janice Toboll_After the Fact Variance

Hi Joy,

Thank you for providing the planting plan showing how the 4:1 mitigation for the violation will be met in accordance with the planting credit table in COMAR 27.01.09.01-2 L. I have added this plan to our file for this case.

For this after-the-fact 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, an additional 3:1 mitigation will be required.

Please accept these comments as our official comments on this after the fact variance request.

Please forward the Board's decision to our office when you have it.

Thank you,
Katie

Outlook

BZA - CA Variance

From Joy Birch <jbirch@worcestermd.gov>
Date Mon 9/14/2026 11:05 AM
To Savannah Guy <sguy@worcestermd.gov>
Cc Brian M. Soper <bmsoper@worcestermd.gov>

1 attachment (22 KB)
CAC Comments - 12347 Hidden Bay.pdf;

Savannah,

This can now be scheduled for the local BZA hearing.

Any questions please let me know.

Thank you,

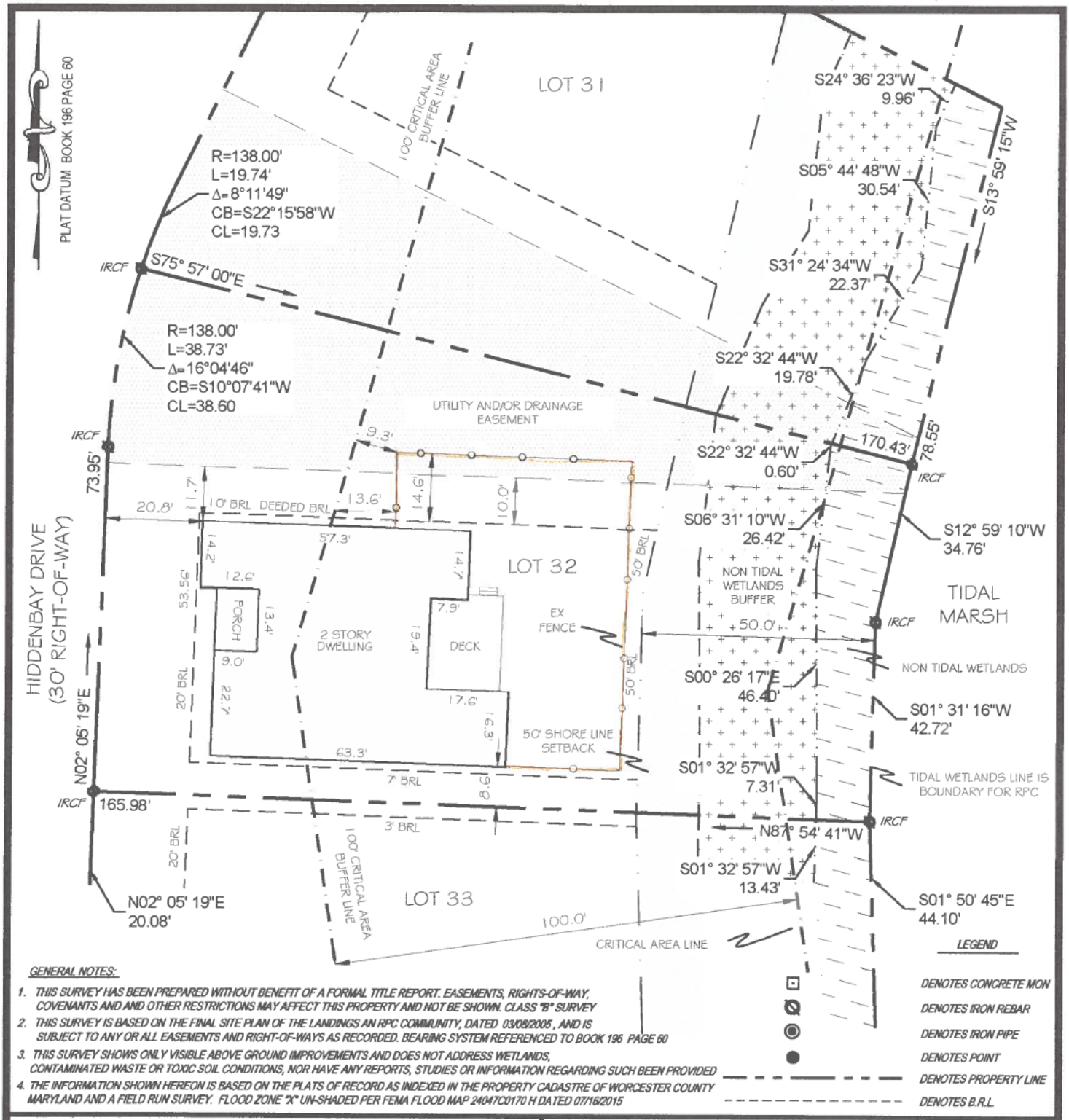
Joy S. Birch
Natural Resources Planner III
Department of Environmental Programs
Worcester County Government Center
1 W. Market Street, Rm. 1306
Snow Hill, MD 21863
Phone: 410-632-1220, ext. 1161
Fax: 410-632-2012
jbirch@worcestermd.gov

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-

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Please note that Worcester County is transitioning to new email addresses. My updated email is jbirch@worcestermd.gov. Emails sent to my previous address, jbirch@co.worcester.md.us, will still be received during this transition.

TAX MAP 0033, GRID 0011, PARCEL 0281



GENERAL NOTES:

1. THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A FORMAL TITLE REPORT. EASEMENTS, RIGHTS-OF-WAY, COVENANTS AND AND OTHER RESTRICTIONS MAY AFFECT THIS PROPERTY AND NOT BE SHOWN. CLASS "B" SURVEY
2. THIS SURVEY IS BASED ON THE FINAL SITE PLAN OF THE LANDINGS AN RPC COMMUNITY, DATED 03/08/2005 , AND IS SUBJECT TO ANY OR ALL EASEMENTS AND RIGHT-OF-WAYS AS RECORDED. BEARING SYSTEM REFERENCED TO BOOK 196 PAGE 60
3. THIS SURVEY SHOWS ONLY VISIBLE ABOVE GROUND IMPROVEMENTS AND DOES NOT ADDRESS WETLANDS, CONTAMINATED WASTE OR TOXIC SOIL CONDITIONS, NOR HAVE ANY REPORTS, STUDIES OR INFORMATION REGARDING SUCH BEEN PROVIDED
4. THE INFORMATION SHOWN HEREON IS BASED ON THE PLATS OF RECORD AS INDEXED IN THE PROPERTY CADASTRE OF WORCESTER COUNTY MARYLAND AND A FIELD RUN SURVEY. FLOOD ZONE "X" UN-SHADED PER FEMA FLOOD MAP 24047C0170 H DATED 07/16/2015

EXISITING CONDITIONS SURVEY

PREPARED FOR

McGEE FENCE
LOT 32, THE LANDINGS
TENTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND
TAX MAP 0033, GRID 0011, PARCEL 0281
AREA = 15,911 S.F.± OR 0.3652 ACRES±

30 0 15 30

GRAPHIC SCALE

VISTA DESIGN INC.
Engineers, Surveyors, Landscape Architects,
Land Planning Consultants and GIS Specialists
11634 Worcester Hwy, Showell, MD 21862
ph. 410-352-3874 email vista@vistadesigninc.com

This drawing, specifications, and work produced by Vista Design, Inc. (VDSI) for this project are instruments of service for this project only, and remains the copyrighted property of VDSI. Reuse or reproduction of any of the instruments of service of VDSI by the Client or assignees without the written permission of VDSI will be at the Clients risk and be a violation of the copyright laws of the United States of America and the respective state within which the work was completed.

DESIGNED BY: VD	FIELD BOOK# 141 PAGE# 17	JOB# 26-028-32	
DRAWN BY: VD	DATE: 03/02/2026	SHEET 1 OF 1	
CHECKED BY: DLA	SCALE: AS SHOWN		

WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-66

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: November 12, 2026

LOCATION:12347 Hidden Bay Dr, Tax Map 33, Parcel 281, Lot 32, in the Tenth Tax District of Worcester County, Maryland.

APPROVAL REQUESTED: requesting an after the fact variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 30 feet (an encroachment of 70 feet) for a 4' high fence in the R-2 Suburban Residential District

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(4) and ZS 1-206(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 2022 with the following records on file:

06/22/2022 Permit 22-0673 – Issued-08/08/2022 – C/O issued 12/14/2022- Two-Story Single-Family Dwelling w/ attached garage, front and rear covered porched.

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

<u>For the variance request, the Board must make findings that the applicant has demonstrated the following:</u>

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: JANICE N TOBOLL TRUST
12347 HIDDEN BAY DR
BERLIN MD 21811

APPLICANT : Lori McGee
376 Dueling Way
Berlin MD 21811

PREPARED BY: Zoning Division Staff

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

Worcester County

Department of Environmental Programs
Natural Resources Division

Memorandum

To: Betsy Jackson, Zoning Administrator

From: Joy S. Birch, Natural Resources Planner III JB

Subject: Critical Area Variance – Janice Toboll, 12347 Hidden Bay Drive, Case #26-66

Date: November 12, 2026

The following comments are provided for the above referenced case as related to the Atlantic Coastal Bays Critical Are 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 Janice Toboll, Tax Map 33, Parcel 281, Lot 32, 12347 Hidden Bay Drive, Berlin, MD 21811. The property is more specifically located within the Intensely Developed Area (IDA) designation and within the 100' Buffer.

The Applicants are requesting a variance to δNR 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 δNR 3-104(c)(1). Under δNR 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 δNR 3-111(c) of the County Code, "[A]pplications for a variance shall be made in writing to the Board of Zoning Appeals".

Under δNR 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 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 δNR 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 agrees 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.**

Staffs 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 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 September 11, 2026, letter:

"For this after-the-fact 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 δNR 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 i3:1formation please contact me at 410-632-1220, ext. 1161 or e-mail at: jbirch@worcestermd.gov.

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
x VARIANCE
_____ EXPANSION OF NONCONFORMING USE/STRUCTURE
_____ OTHER

_____ FORESTRY
_____ CRITICAL AREA
_____ APPEAL

_____ AFTER THE FACT x 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: Hall Rentals LLC Telephone: [redacted]
Address: [redacted] E-Mail: [redacted]

APPLICANT INFORMATION:

Applicant's Name: Dan Hall Telephone: [redacted]
Address: [redacted] E-Mail: [redacted]

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

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: _____ 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 of Owner or Legal Representative

Signature of Applicant

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

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

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

I HEREBY CERTIFY that on this 31 day of august 20 26. 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.

MARIA J. McVEY NOTARY PUBLIC MY COMMISSION EXPIRES MARCH 7, 2029 WORCESTER COUNTY, MD

Notary Public

My Commission Expires: march 7, 2029.

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

I HEREBY CERTIFY that on this 31 day of august 20 26 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.

MARIA J. McVEY NOTARY PUBLIC MY COMMISSION EXPIRES MARCH 7, 2029 WORCESTER COUNTY, MD

Notary Public

My Commission Expires: march 7, 2029.

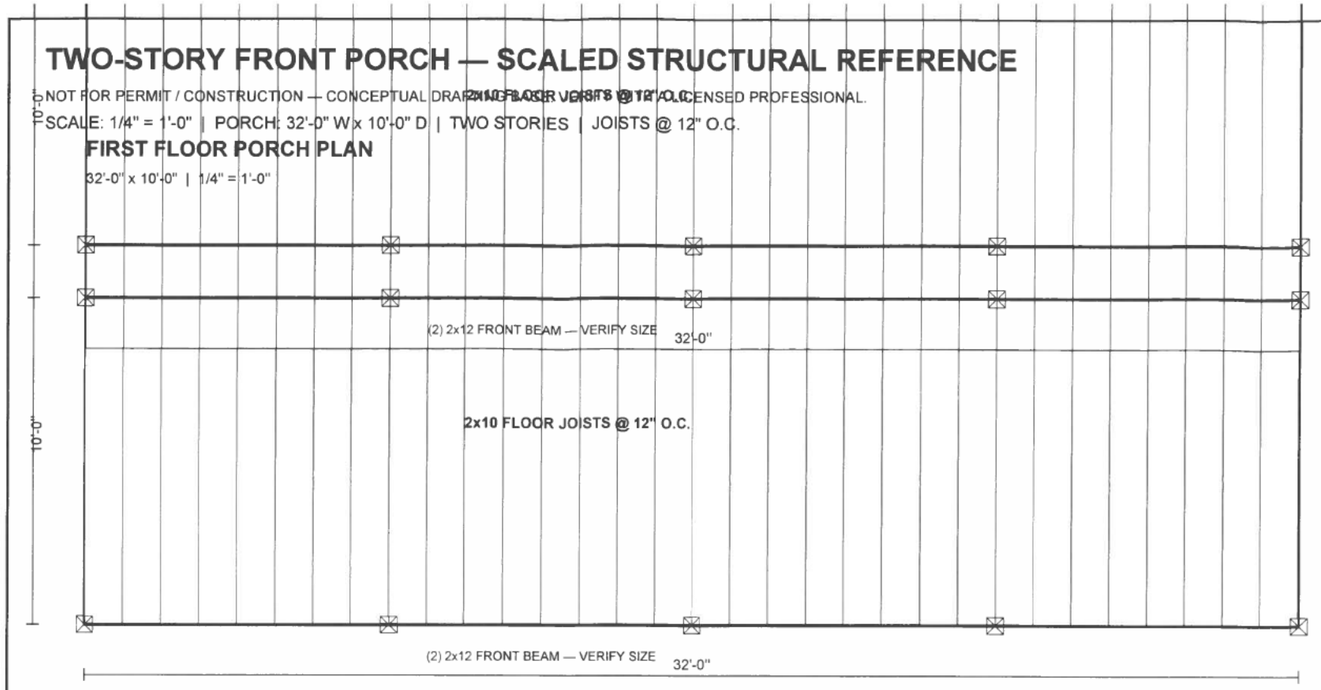
TWO-STORY FRONT PORCH — SCALED STRUCTURAL REFERENCE

NOT FOR PERMIT / CONSTRUCTION — CONCEPTUAL DRAFTING ONLY. VERIFY WITH LICENSED PROFESSIONAL.

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

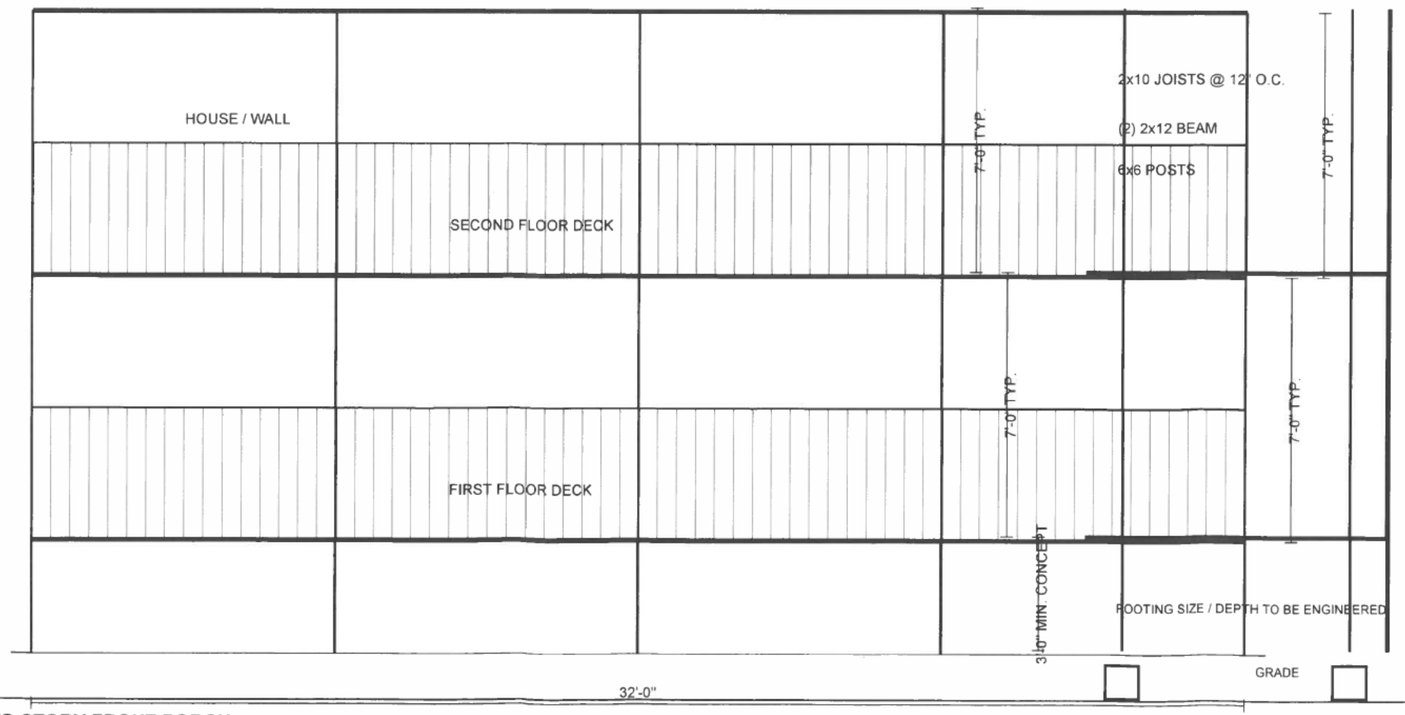
FIRST FLOOR PORCH PLAN

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

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

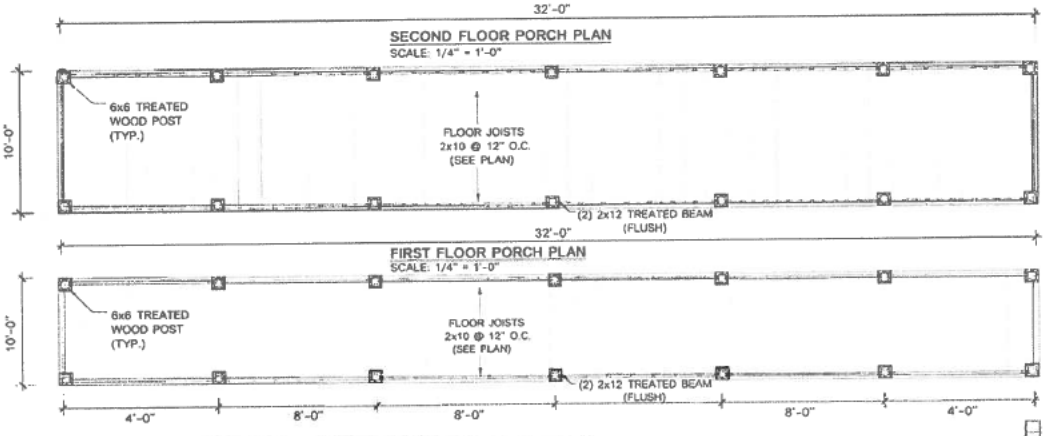
KEY DIMENSIONS

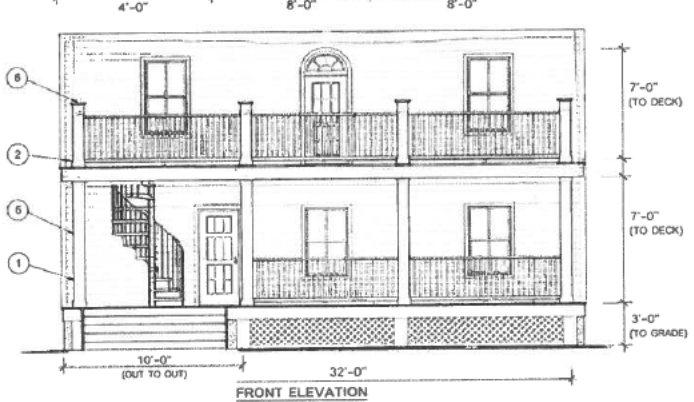
Overall width ..... 32'-0"
Projection ..... 10'-0"
Joists ..... 2x10 @ 12" O.C.
Typical bays ..... 8'-0"
Stories 2
Drawing scale ..... 1/4" = 1'-0"

TWO-STORY FRONT PORCH

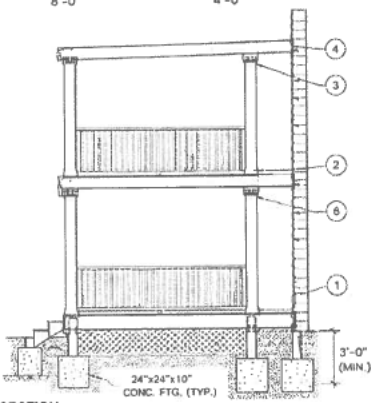
32'-0" x 10'-0" | SCALED REFERENCE

SCALE		JOISTS
1/4" = 1'-0"		2x10 @ 12" O.C.

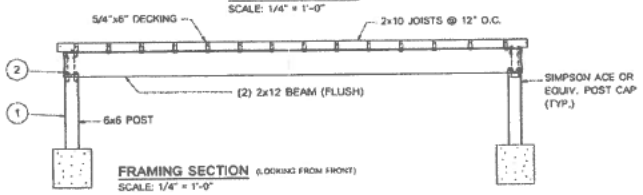




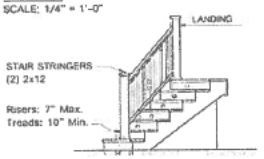
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



SECTION
SCALE: 1/4" = 1'-0"



FRAMING SECTION (LOOKING FROM FRONT)
SCALE: 1/4" = 1'-0"



STAIR DETAIL (FRONT)
SCALE: 1/4" = 1'-0"

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.

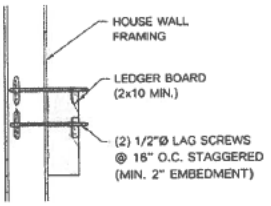
FOOTING SCHEDULE:

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

MIN. 3,000 PSI CONCRETE

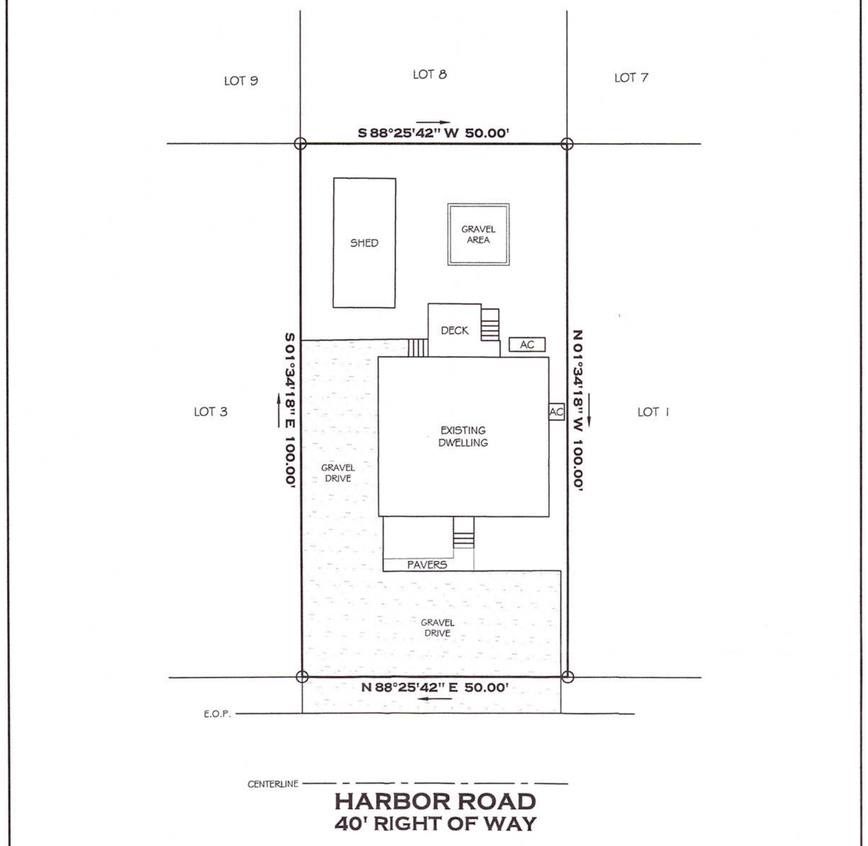
KEY NOTES:

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.)



LEDGER DETAIL
SCALE: 1" = 1'-0"

JOHN 3:16

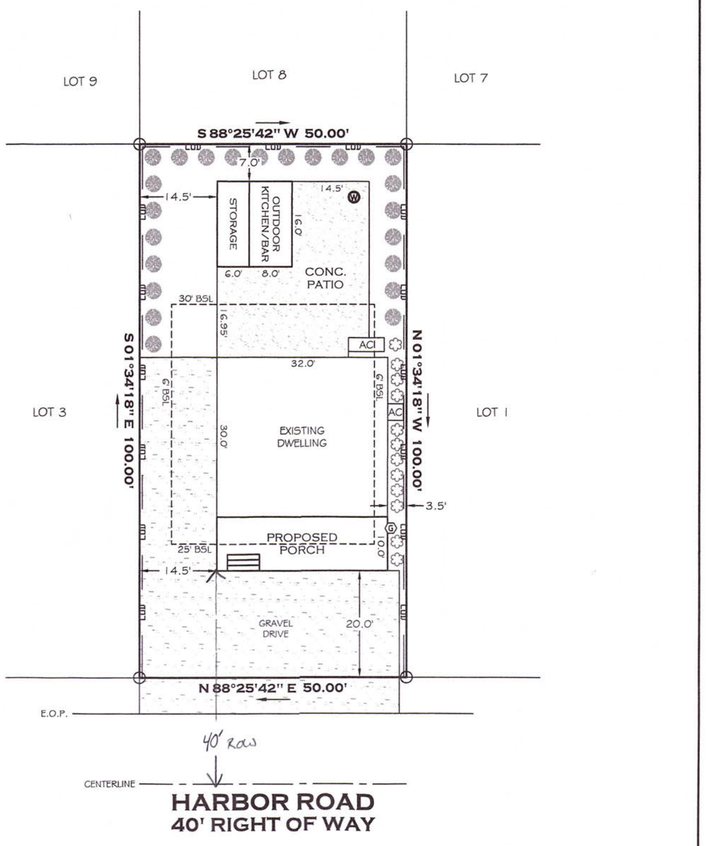


ATLANTIC COASTAL BAYS CRITICAL AREA CALCULATIONS

EXISTING COVERAGE

DWELLING, DECK, STEPS, AC	=	1,152 S.F.
GRAVEL DRIVE, GRAVEL AREA	=	1,756 S.F.
PAVERS	=	48 S.F.
SHED	=	282 S.F.
TOTAL	=	3,238 S.F.

EXISTING CONDITIONS

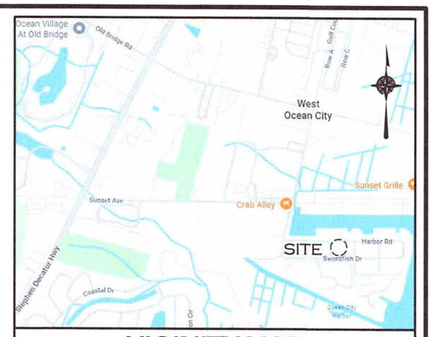


ATLANTIC COASTAL BAYS CRITICAL AREA CALCULATIONS

PROPOSED COVERAGE

DWELLING, PORCH, STEPS	=	1,289 S.F.
GRAVEL DRIVE	=	1,554 S.F.
CONCRETE PATIO	=	700 S.F.
STORAGE, KITCHEN	=	224 S.F.
TOTAL	=	3,767 S.F.

PROPOSED CONDITIONS



VICINITY MAP
1" = 1,500' ±

LEGEND

- IRON ROD FOUND
- W WELL
- P 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 .12 OF CHAPTER 06 IN TITLE 09, DEPT. OF LABOR, LICENSING, & REGULATION, SUBTITLE 13, BOARD OF PROFESSIONAL LAND SURVEYORS.

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

TRUE NORTH
LAND SURVEYING
35322 BAYARD ROAD
FRANKFORD, DE 19945
302-539-2488

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

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: November 12, 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.

<u>For the variance request, the Board must make findings that the applicant has demonstrated the following:</u>

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.

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: 26-69
DATE FILED: 10/13/26
HEARING DATE: 11/20/26

APPLICATION BEING MADE FOR:

X	SPECIAL EXCEPTION	____	FORESTRY
____	VARIANCE	____	CRITICAL AREA
____	EXPANSION OF NONCONFORMING USE/STRUCTURE	____	APPEAL
____	OTHER		
____	AFTER THE FACT	X	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: Ocean Downs Casino Replacement Elevated Storage Tank for Water Supply +(1) proposed water treatment building (300 Sqft)

LOCATION OF PROPERTY:

TAX MAP: 21 PARCEL: 99 SECTION: - LOT/ BLOCK: -

On the N/S/E/W of:

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

PROPERTY OWNER INFORMATION:

Owner's Name: Ocean Enterprises 589, LLC Telephone: [redacted]

Address: [redacted] E-Mail: [redacted]

APPLICANT INFORMATION:

Applicant's Name: Same as Owner Telephone:

Address: E-Mail:

Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)
Yes, Special Exception #51537

Is property located in the Chesapeake Bay Critical Area or Atlantic Coastal Bay Critical Area, or its tributaries? Yes *If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations?* No, see Special Exception #51537

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

FRONT:	____ FROM CENTERLINE OF ROAD	REAR :	200
	____ RIGHT OF WAY OF A STATE ROAD	LEFT SIDE:	200
	200 FROM PROPERTY LINE	RIGHT SIDE:	200

ZONING DISTRICT: A-2 **TAX DISTRICT:** 03

Michael Meagher
Signature of Owner or Legal Representative

Signature of Applicant

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

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

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

I HEREBY CERTIFY that on this 18th day of September 20 26 before me, a Notary Public in and for the State and County aforesaid, personally appeared Michael Meagher, 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.

Skylar Hutchison
Notary Public

My Commission Expires: 06/11/2030

SKYLAR RAE HUTCHISON
COMMISSION # KYNP15182
NOTARY PUBLIC
Exp. 06/11/2030
STATE AT LARGE, KENTUCKY

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: _____

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF CHURCHILL DOWNS INCORPORATED
HELD ON TUESDAY, FEBRUARY 24, 2026, AT 10:00 A.M. ET

A regular meeting of the Board of Directors (the "Board") of Churchill Downs Incorporated (the "Company") was held on Tuesday, February 24, 2026, at 10:00 a.m. ET at Churchill Downs Incorporated at 600 N. Hurstbourne Parkway, Louisville, KY, pursuant to notice duly given to each Board member. The following Board members attended in person: Chairman, R. Alex Rankin; William C. Carstanjen; Daniel P. Harrington; Douglas C. Grissom; Karole F. Lloyd; Paul C. Varga; and Andréa Carter. Also attending for all or a portion of the meeting at the invitation of the Board were: President and Chief Operating Officer, William E. Mudd; Executive Vice President and Chief Financial Officer, Marcia A. Dall; Executive Vice President, General Counsel and Secretary, Bradley K. Blackwell; President, Churchill Downs Racetrack, Michael W. Anderson; Senior Vice President of Corporate Development, Jason T. Saurer; Senior Vice President, Real Estate Development, Ryan J. Jordan; President, Churchill Downs Technology Initiatives Company & Online Gaming, Benjamin C. Murr; and Senior Vice President, Human Resources, Katherine Armstrong.

Materials for the meeting were distributed to the Board in advance of the meeting (the "Meeting Materials"). Mr. Rankin called the meeting to order at 10:00 a.m. ET. Mr. Blackwell confirmed a quorum was present. Mr. Rankin then asked the Board to approve the minutes from the October 21, 2025, Board meeting. [redacted]

[redacted] Upon motion duly made, seconded, and unanimously approved, the following resolutions were adopted:

RESOLVED, that the following be elected as officers of Churchill Downs Incorporated ("CDI") and officers and directors of CDI's subsidiaries:

[redacted]

Ocean Enterprise 589 LLC

(A Maryland limited liability company, wholly-owned by Old Bay Gaming and Racing, LLC)

Officers		**Sole Member**
President	Michael P. Meagher	Old Bay Gaming & Racing, LLC
General Manager	Bobbi Jones	

[redacted]

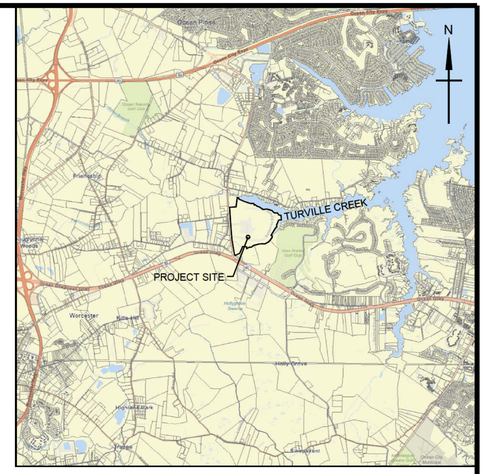
Site Plan Narrative
Ocean Downs Replacement Water Storage Tank, Worcester County, Maryland

This project consists of one proposed water treatment building (300 +/- S.F.) and one elevated water storage tank (804 +/- S.F.). The property is Zoned A-1 (Agricultural). The disturbed area (Limit of Disturbance) for this project is 0.99 +/- acres (43,088 +/- S.F.) Two (2) wells were permitted and installed by a licensed well driller, A.C. Schultes of Delaware. The two (2) new wells are identified as WO-25-0074 and WO-25-0075.

This re-development will consist of constructing two additional structures, shown as P. Building and P. 150,000 Gallon Elevated Water Tank on the plans. After construction of the proposed building and the replacement elevated water storage tank, the existing elevated water tank and existing two (2) well house buildings are proposed for demolition and/or removal. The two (2) existing water service wells are proposed for abandonment by a licensed well driller once the new water system has proven to run successfully.

REPLACEMENT ELEVATED STORAGE TANK

THIRD TAX DISTRICT, WORCESTER COUNTY, MARYLAND
TAX MAP 21, PARCEL 99
ZONING DISTRICT: "A-2"



VICINITY MAP
SCALE : 1 IN. = 2,000 FT.

OCEAN DOWNS CASINO®

GENERAL NOTES:

1. ALL WORK PREPARED BY THESE DOCUMENTS (DRAWINGS AND SPECIFICATIONS) SHALL BE NEW. WHEREVER THE WORD "PROPOSED" IS USED, IT IS CONSIDERED INTERCHANGEABLE WITH THE WORD "NEW" AND IS INCLUDED IN THE REQUIRED WORK.

⚠ 2. ALL EXISTING CONDITIONS AND ALIGNMENTS SHOWN ARE BASED ON THE TOPOGRAPHIC SURVEY PERFORMED BY FRANK G. LYNCH & ASSOCIATES, INC., DATED NOVEMBER 2000 AND SUPPLEMENTED SEPTEMBER 2026. SUPPLEMENTAL SURVEY FIELD WORK BY J.W. SALM ENGINEERING, INC., DATED OCTOBER 2009 AND JUNE 2024, AND ADDITIONAL BASE INFORMATION FROM OTHERS. THE HORIZONTAL DATUM IS THE MARYLAND STATE PLANE SYSTEM. THE VERTICAL DATUM IS NAVD88. THE ENGINEER DOES NOT WARRANT THAT THIS INFORMATION IS ENTIRELY CORRECT. THE CONTRACTOR SHALL EXAMINE A COPY OF THE SAID SURVEY AND VISIT THE SITE IN ORDER TO DETERMINE TO HIS SATISFACTION THE QUANTITIES OF WORK REQUIRED TO BE PERFORMED.

3. UNLESS OTHERWISE NOTED, ALL ELEVATIONS FOR GRAVITY, STORM AND SANITARY SEWER PIPES ARE INVERTS AND ALL ELEVATIONS FOR PRESSURE WATER OR FORCE MAINS ARE TOP OF PIPE ELEVATIONS.

4. THESE DRAWINGS SHOW INFORMATION REGARDING UNDERGROUND UTILITIES WHICH EXIST OR MAY EXIST ALONG THE LINES OF WORK. THE LOCATION OF UTILITIES SHOWN HAS BEEN PROVIDED FROM THE BEST AVAILABLE RECORDS AND SHALL BE VERIFIED BY THE CONTRACTOR TO HIS SATISFACTION PRIOR TO CONSTRUCTION. THE OWNER SHALL BE GIVEN NOTIFICATION BY THE CONTRACTOR PRIOR TO TEST PITTING. THE OWNER AND ENGINEER DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF SAID INFORMATION. IF THE CONTRACTOR RELIES ON SAID INFORMATION, HE DOES SO AT HIS OWN RISK. THE GIVING OF THE INFORMATION ON THESE DRAWINGS DOES NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATIONS TO SUPPORT AND PROTECT ALL EXISTING UTILITIES AND APPURTENANCES. SHOULD ANY EXISTING UTILITIES BE DAMAGED BY THE CONTRACTOR, THE CONTRACTOR SHALL REPAIR THE DAMAGE CAUSED, TO THE UTILITY OWNER'S SATISFACTION, AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL SPECIFICALLY ADDRESS ANY CONFLICTS WITH A&N ELECTRIC POWER LINES AND VERIZON AND OTHER CARRIERS TELECOMMUNICATION LINES AS PART OF THE WORK BID.

5. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL CONFORM TO THESE DRAWINGS AND SPECIFICATIONS, AND TO ALL APPLICABLE REQUIREMENTS OF THE TOWN OF BERLIN, WORCESTER COUNTY, MARYLAND,STATE HIGHWAY DEPARTMENT, MARYLAND DEPARTMENT OF THE ENVIRONMENT AND ANY OTHER REGULATORY BODY THAT HAS JURISDICTION.

6. ALL DISTURBED AREAS SHALL BE SMOOTHLY GRADED TO PROVIDE POSITIVE DRAINAGE AWAY FROM PROPOSED PIPES AND/OR STRUCTURES AND SHALL BE STABILIZED WITH TOPSOIL, SEED AND MULCH, EXCEPT IN AREAS CALLING FOR PAVING. IF SETTLEMENT OCCURS, THE AREA OF SETTLEMENT SHALL BE RESTORED TO GRADE, RESEEDED AND REMULCHED TO THE SATISFACTION OF THE OWNER AT NO ADDITIONAL COST. THE CONTRACTOR SHALL PROVIDE SEED TYPE AS SPECIFIED.

7. THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY DEVIATIONS FROM THESE DRAWINGS AND SPECIFICATIONS.

8. THE CONTRACTOR SHALL PROVIDE NECESSARY STAKEOUT OF LINE AND GRADE FOR CONSTRUCTION.

9. THE OWNER RESERVES THE RIGHT TO AWARD OTHER CONTRACTS OR PERFORM OTHER WORK IN THE VICINITY OF WORK DESIGNATED ON THESE DRAWINGS. THE CONTRACTOR SHALL COOPERATE WITH AND COORDINATE HIS OPERATIONS WITH OTHER CONTRACTORS OR WORKMEN EMPLOYED BY THE COUNTY, ANPDC AND VDOT.

10. NO INFORMATION REGARDING DEPTH TO ANY TEMPORARY OR PERMANENT GROUND WATER TABLE IS PROVIDED ON THESE DRAWINGS AS IT RELATES TO EXCAVATION OR INSTALLATION OF UTILITIES IN TRENCHES. THE CONTRACTOR SHALL INVESTIGATE TO HIS SATISFACTION THE SITE CONDITIONS REGARDING THE DEPTH TO GROUND WATER. GENERALLY, PIPING, TRENCH AND STRUCTURE CONSTRUCTION SHALL BE PROSECUTED IN A DEWATERED STATE, CONSISTENT WITH GOOD CONSTRUCTION PRACTICES. ALL EXCAVATIONS FOR JUNCTION BOXES AND OTHER CHAMBERS SHALL BE CONTINUALLY DEWATERED UNTIL THE BACKFILL OPERATION HAS BEEN COMPLETED. THE CONTRACTOR SHALL COORDINATE WITH THE OWNER FOR TEST PITTING.

11. IT SHALL BE DISTINCTLY UNDERSTOOD THAT FAILURE TO MENTION SPECIFICALLY ANY WORK WHICH WOULD NORMALLY BE REQUIRED TO COMPLETE THE PROJECT SHALL NOT RELIEVE THE CONTRACTOR OF HIS RESPONSIBILITY TO PERFORM SUCH WORK.

12. THE CONTRACTOR SHALL NOTIFY THE FOLLOWING, TWO (2) DAYS PRIOR TO BEGINNING ANY WORK SHOWN ON THESE DRAWINGS:

A) OCEAN ENTERPRISES 589, LLC	(410) 641-0600
B) MISS UTILTY	(800) 257-7777
C) J. W. SALM ENGINEERING, INC.	(410) 641-0126
D) WORCESTER COUNTY	(410) 632-1220
E) MARYLAND DEPARTMENT OF THE ENVIRONMENT - WATER MANAGEMENT ADMINISTRATION	(410) 537-3000

13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEANS AND METHODS RESULTING FROM ANY EARTH MOVING AND/OR TEMPORARY STOCKPILING OF EARTH OR OTHER MATERIALS ON SITE.

14. THESE DRAWINGS, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO J.W. SALM ENGINEERING, INC. AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT, LATEST DATE HEREON. ANY DRAWING, REPRODUCTION, PLOT, ETC., WITHOUT A WET INK SIGNATURE AND SEAL IS NOT CERTIFIED AS TO ACCURACY AND AUTHENTICITY.

15. THE CONTRACTOR IS SPECIFICALLY INSTRUCTED TO REVIEW, BECOME FAMILIAR WITH AND ADHERE TO ALL EROSION AND SEDIMENT (E&S) DETAILS AND NOTES CONTAINED ON THESE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL E&S MEASURES THROUGHOUT THE DURATION OF CONSTRUCTION UNTIL THE SITE IS STABILIZED AND THE E&S MEASURES ARE REMOVED.

16. A MARYLAND DEPARTMENT OF THE ENVIRONMENT NOTICE OF INTENT (NOI) GENERAL PERMIT FOR CONSTRUCTION ACTIVITY IS REQUIRED FOR ALL CONSTRUCTION ACTIVITY IN MARYLAND WITH A PLANNED TOTAL DISTURBANCE OF 1 ACRE OR MORE.

17. AS MANDATED BY THE NOTICE OF INTENT (NOI) GENERAL PERMIT ISSUED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, AN INSPECTION MUST BE PERFORMED ONSITE OF ALL SEDIMENT CONTROLS ON A WEEKLY BASIS AND AFTER EVERY RAINFALL EVENT. ALL SELF INSPECTIONS MUST BE MAINTAINED ALONG WITH ALL APPLICABLE GOVERNING AGENCY INSPECTION REPORTS IN A LOG BOOK, TO BE KEPT ONSITE AT ALL TIMES.

18. THIS PROJECT IS EXEMPT FROM THE ATLANTIC COASTAL BAYS CRITICAL AREA LAW AS DEFINED IN SECTION NR 3-101(G) (2) FOR IMPROVEMENTS ASSOCIATED WITH SPECIAL EXCEPTION #51537 TO OPERATE A FAIRGROUND OR RACETRACK IN AN AGRICULTURAL ZONING DISTRICT.

19. SOIL COMPACTION SHALL BE AS FOLLOWS:
A. FOR ROAD, PARKING OR BUILDING AREAS: 95% OF MODIFIED PROCTOR DENSITY.
B. FOR AREAS OUTSIDE ROAD, PARKING OR BUILDING AREAS: 90% OF MODIFIED PROCTOR DENSITY.

LEGEND:

EXISTING FEATURES

EDGE OF PAVEMENT
CONTOUR — 11 —
TREELINE
FENCE — x — x — x —
WATER — EX. 6" W —
UNDERGROUND ELECTRIC — E. U/G ELEC. —
TOP OF BANK/DITCH
BUILDING / STRUCTURE
SOIL LABEL — HuA
SPOT ELEVATION — ×11.5

PROPOSED FEATURES

BUILDING / STRUCTURE
CONTOUR — 10 —
WATER — P. 8" W (PVC AWWA C900) —
GRAVEL WORK PAD/ROAD
ABANDON IN PLACE — E. 6" W (A.I.P.) —
TO BE ABANDONED — (T.B.A.)
TO BE REMOVED — (T.B.R.)
TO REMAIN — (T.R.)

FLOW DIRECTION ARROWS

PIPE FLOW
SWALE/DITCH FLOW
ROOF FLOW
PAVEMENT SLOPE — 2.0%
SHEET FLOW
RAIN/DOWNSPOUT/LEADER/DRAIN
GUTTER FLOW

SITE DATA:

OWNER/APPLICANT/DEVELOPER:
OCEAN ENTERPRISES 589, LLC
10218 RACETRACK ROAD
BERLIN, MD 21811
PHONE: 410-641-0600

ENGINEER:
J.W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MD 21811
PHONE: 410-641-0126

PARCEL DESCRIPTION:
10218 RACETRACK ROAD
BERLIN, MD 21811
THIRD TAX DISTRICT
WORCESTER COUNTY, MD
DEED REFERENCE: 05593/00146
MAP 21, PARCEL 99
ACCOUNT No.: 03-011887
TOTAL SITE AREA: 166.55 +/- AC.

EXISTING ZONING:
A-2: AGRICULTURAL DISTRICT

INDEX OF DRAWINGS:

DRAWING No.:	SHEET No.:	TITLE:
231-23-001	1 of 10	COVER SHEET, NOTES, INDEX AND VICINITY MAP
231-23-002	2 of 10	EXISTING CONDITIONS PLAN
231-23-003	3 of 10	SITE AND UTILITIES PLAN
⚠ 231-23-004	4 of 10	STORMWATER MANAGEMENT (SWM) PLAN
231-23-005	5 of 10	SOIL EROSION AND SEDIMENT CONTROL (SESC) AND GRADING PLAN
231-23-006	6 of 10	STORAGE TANK PLAN AND SECTION
231-23-007	7 of 10	WATER SYSTEM PLAN AND SECTIONS
⚠ 231-23-008	8 of 10	WATER SYSTEM SECTIONS
231-23-009	9 of 10	DETAILS AND NOTES
231-23-010	10 of 10	DETAILS AND NOTES

OWNER/APPLICANT/DEVELOPER:
OCEAN ENTERPRISES 589, LLC
10218 RACETRACK ROAD
BERLIN, MD 21811
PHONE : 410.641.0600

ENGINEER:
J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MD 21811
PHONE : 410.641.0126

AS THE PROPERTY OWNER/DEVELOPER, I AM IN FULL AGREEMENT WITH THE SITE PLAN SUBMITTED HEREWITH, AND I AM RESPONSIBLE FOR THE COMPLETION OF THE IMPROVEMENT SHOWN ON THE APPROVED SITE PLAN, AND I UNDERSTAND THAT I CAN NOT ALLOW THE PROPERTY OR BUILDINGS TO BE OCCUPIED UNTIL THE CERTIFICATE OF USE AND OCCUPANCY HAS BEEN ISSUED BY THE DEPARTMENT OF DEVELOPMENT, REVIEW AND PERMITTING.

SIGNATURE/OWNER

ENGINEER'S CERTIFICATION

I HEREBY CERT FY THAT THE PLANS HAVE BEEN DESIGNED IN ACCORDANCE WITH EROSION AND SEDIMENT CONTROL LAWS, REGULATIONS, AND STANDARDS.

SIGNATURE DATE

JOHN W. SALM, III
MARYLAND PROFESSIONAL ENGINEER LICENSE No.: 19731

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19731, EXPIRATION DATE: 08/03/2026.

JOHN W. SALM, III

FOR REVIEW PURPOSES ONLY

(DATE)
MARYLAND PROFESSIONAL ENGINEER LICENSE No. 19731

DESIGNED BY: JJR
DRAWN BY: JHC
CHECKED BY: JWS3

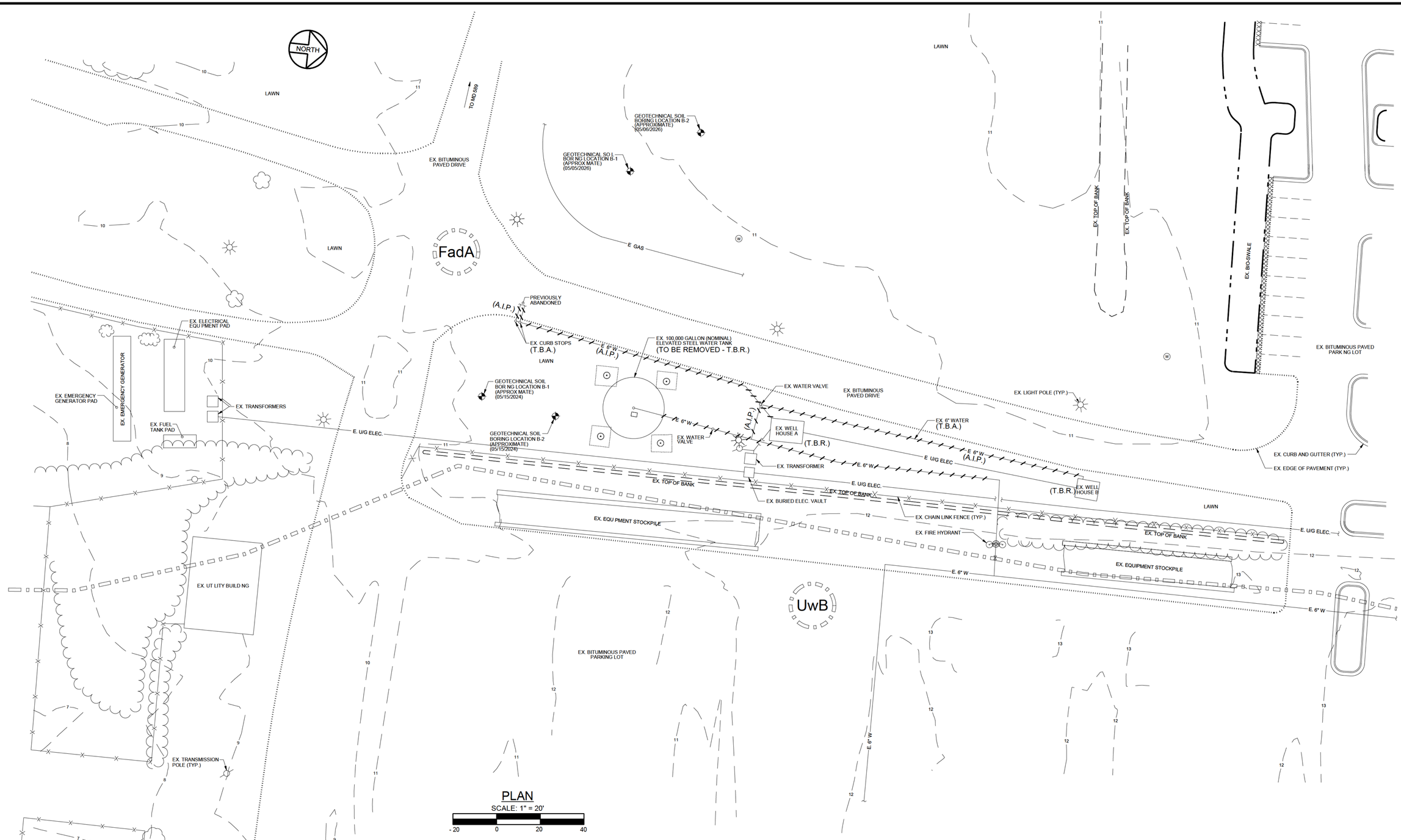
REVISIONS
⚠ 10/5/26

COVER SHEET, NOTES, INDEX AND VICINITY MAP

OCEAN ENTERPRISES 589, LLC
REPLACEMENT ELEVATED STORAGE TANK
TAX MAP 21, PARCEL 99
THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND

J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MD 21811

SCALE:	DATE:	DRAWING No.:	SHEET No.:
AS SHOWN	SEP. 2026	231-24-001	1 of 10



PLAN

SCALE: 1" = 20'

- 20 0 20 40

EXISTING CONDITIONS PLAN NOTES:

1) REFER TO SHEET 1 FOR LEGEND.

2) THE DEVELOPMENT PORTION OF THE SUBJECT PROPERTY (TAX MAP # 21, PARCEL # 99) APPEARS TO FALL IN FLOOD ZONE 'X' AS SHOWN ON FIRM MAP 24047C0160H, EFFECTIVE 7/16/2015. FLOOD ZONE INFORMATION SHOWN HEREON IS NOT GUARANTEED AND WAS APPROXIMATELY SCALED FROM THE FLOOD INSURANCE RATE MAPS FOR THIS COUNTY INDICATED. J.W. SALM ENGINEERING, INC., IS NOT A PARTY IN DETERMINING THE REQUIREMENTS FOR FLOOD INSURANCE ON THIS PROPERTY SHOWN. FOR FURTHER INFORMATION AND TO CONFIRM THE FLOOD ZONE FOR THIS PROPERTY, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL. FLOOD ZONE DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAPS AND DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE.

3) ON-SITE SOILS CONSIST OF:
FadA FALLSINGTON SANDY LOAMS (HSG A-SOILS)
UwB URBAN LAND-UDORTHENTS COMPLEX (HSG D-SOILS)

4) WELL ABANDONMENT SHALL BE PERFORMED AND DOCUMENTED BY A WELL DRILLER LICENSED IN MARYLAND. A WATER WELL ABANDONMENT-SEALING REPORT FORM SHALL BE SUBMITTED TO THE MARYLAND DEPARTMENT OF THE ENVIRONMENT.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19731, EXPIRATION DATE: 06/03/2028.

JOHN W. SALM, III

FOR REVIEW PURPOSES ONLY

(DATE)
MARYLAND PROFESSIONAL ENGINEER LICENSE No. 19731

DESIGNED BY: JJR
DRAWN BY: JHC
CHECKED BY: JWS3

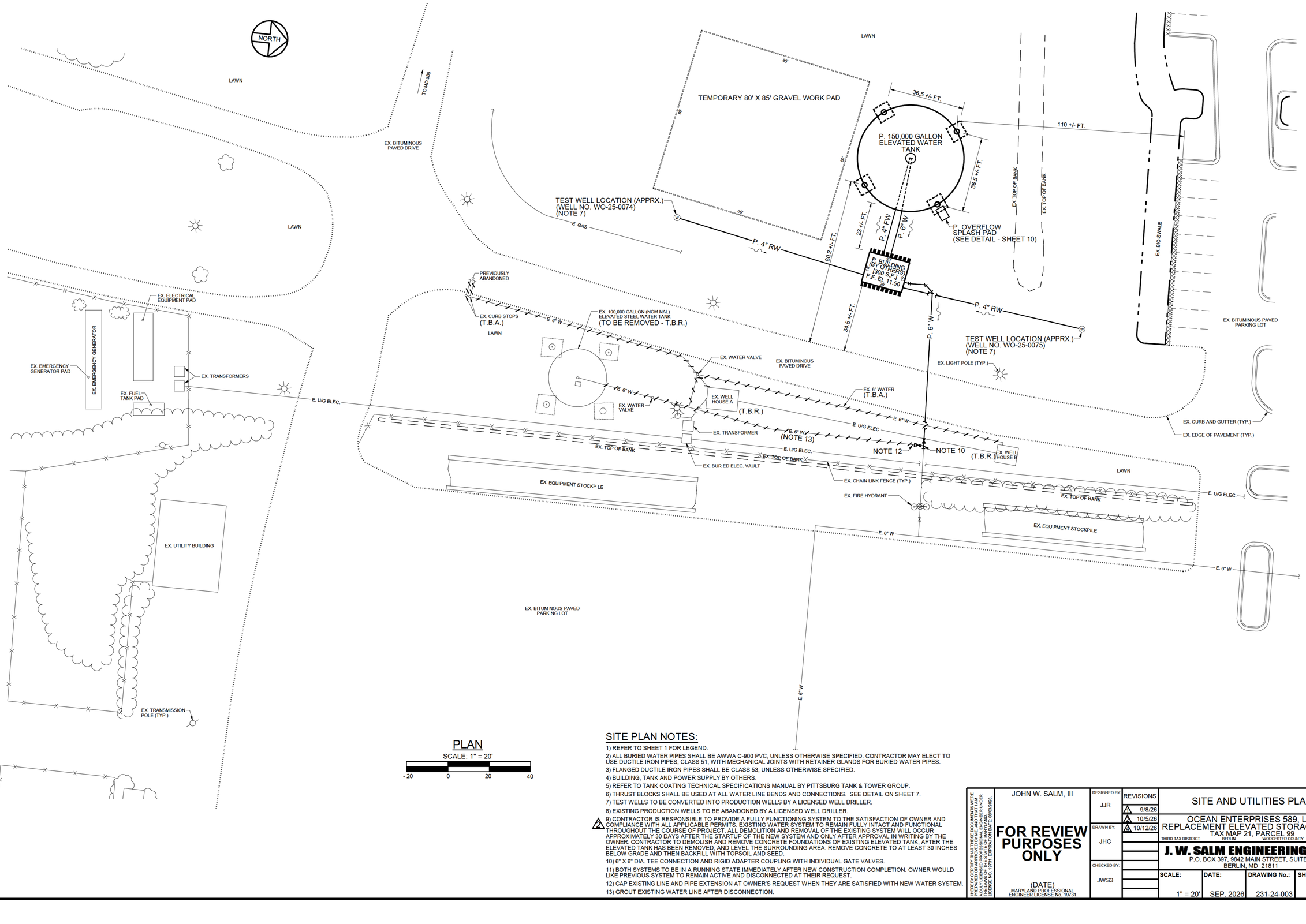
REVISIONS
1 10/5/26

EXISTING CONDITIONS PLAN

OCEAN ENTERPRISES 589, LLC
REPLACEMENT ELEVATED STORAGE TANK
TAX MAP 21, PARCEL 99
THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND

J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MD 21811

SCALE:	DATE:	DRAWING No.:	SHEET No.:
1" = 20'	SEP. 2026	231-24-002	2 of 10



PLAN

SCALE: 1" = 20'

- 20 0 20 40

SITE PLAN NOTES:

1) REFER TO SHEET 1 FOR LEGEND.
2) ALL BURIED WATER PIPES SHALL BE AWWA C-900 PVC, UNLESS OTHERWISE SPECIFIED. CONTRACTOR MAY ELECT TO USE DUCTILE IRON PIPES, CLASS 51, WITH MECHANICAL JOINTS WITH RETAINER GLANDS FOR BURIED WATER PIPES.
3) FLANGED DUCTILE IRON PIPES SHALL BE CLASS 53, UNLESS OTHERWISE SPECIFIED.
4) BUILDING, TANK AND POWER SUPPLY BY OTHERS.
5) REFER TO TANK COATING TECHNICAL SPECIFICATIONS MANUAL BY PITTSBURG TANK & TOWER GROUP.
6) THRUST BLOCKS SHALL BE USED AT ALL WATER LINE BENDS AND CONNECTIONS. SEE DETAIL ON SHEET 7.
7) TEST WELLS TO BE CONVERTED INTO PRODUCTION WELLS BY A LICENSED WELL DRILLER.
8) EXISTING PRODUCTION WELLS TO BE ABANDONED BY A LICENSED WELL DRILLER.
2 9) CONTRACTOR IS RESPONSIBLE TO PROVIDE A FULLY FUNCTIONING SYSTEM TO THE SATISFACTION OF OWNER AND COMPLIANCE WITH ALL APPLICABLE PERMITS. EXISTING WATER SYSTEM TO REMAIN FULLY INTACT AND FUNCTIONAL THROUGHOUT THE COURSE OF PROJECT. ALL DEMOLITION AND REMOVAL OF THE EXISTING SYSTEM WILL OCCUR APPROXIMATELY 30 DAYS AFTER THE STARTUP OF THE NEW SYSTEM AND ONLY AFTER APPROVAL IN WRITING BY THE OWNER. CONTRACTOR TO DEMOLISH AND REMOVE CONCRETE FOUNDATIONS OF EXISTING ELEVATED TANK, AFTER THE ELEVATED TANK HAS BEEN REMOVED, AND LEVEL THE SURROUNDING AREA. REMOVE CONCRETE TO AT LEAST 30 INCHES BELOW GRADE AND THEN BACKFILL WITH TOPSOIL AND SEED.
10) 6" X 6" DIA. TEE CONNECTION AND RIGID ADAPTER COUPLING WITH INDIVIDUAL GATE VALVES.
11) BOTH SYSTEMS TO BE IN A RUNNING STATE IMMEDIATELY AFTER NEW CONSTRUCTION COMPLETION. OWNER WOULD LIKE PREVIOUS SYSTEM TO REMAIN ACTIVE AND DISCONNECTED AT THEIR REQUEST.
12) CAP EXISTING LINE AND PIPE EXTENSION AT OWNER'S REQUEST WHEN THEY ARE SATISFIED WITH NEW WATER SYSTEM.
13) GROUT EXISTING WATER LINE AFTER DISCONNECTION.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19731, EXPIRATION DATE: 09/03/2028.

JOHN W. SALM, III

FOR REVIEW PURPOSES ONLY

(DATE)
MARYLAND PROFESSIONAL ENGINEER LICENSE No. 19731

DESIGNED BY: JJR
DRAWN BY: JHC
CHECKED BY: JWS3

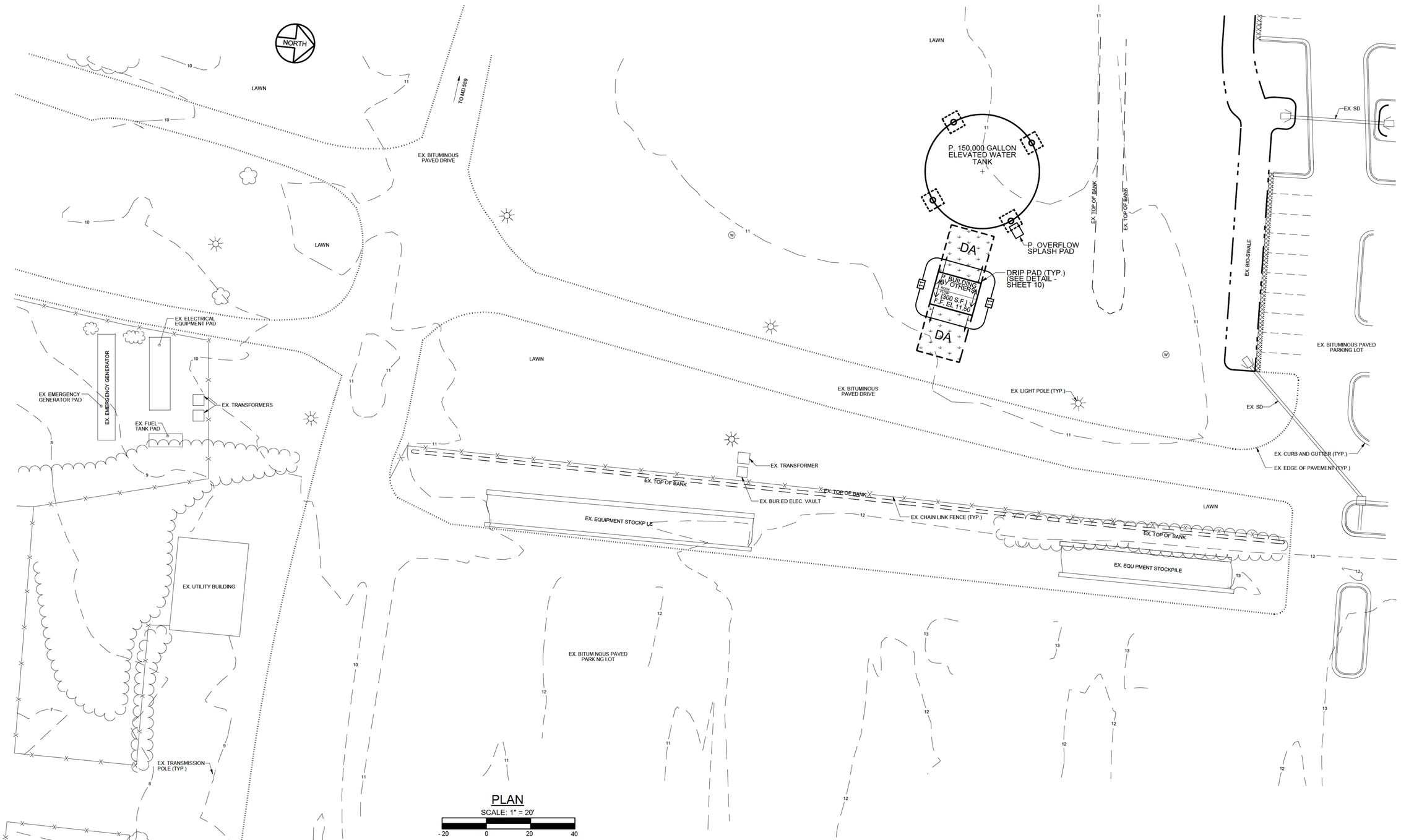
REVISIONS
1 9/8/26
2 10/5/26
3 10/12/26

SITE AND UTILITIES PLAN

OCEAN ENTERPRISES 589, LLC
REPLACEMENT ELEVATED STORAGE TANK
TAX MAP 21, PARCEL 99
THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND

J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MD 21811

SCALE:	DATE:	DRAWING No.:	SHEET No.:
1" = 20'	SEP. 2026	231-24-003	3 of 10



PLAN

SCALE: 1" = 20'

- 20 0 20 40

STORMWATER MANAGEMENT SUPERVISION AND CERTIFICATION NOTE:

THE CONTRACTOR AND OWNER SHALL PROVIDE SUPERVISION AND CERTIFICATION OF ALL CONSTRUCTION OF STORMWATER MANAGEMENT PRACTICES THAT PROVIDE INFILTRATION AND FILTERING, BY A PROFESSIONAL ENGINEER DULY LICENSED IN THE STATE OF MARYLAND.

SWM MAINTENANCE CRITERIA:

M1) MAINTENANCE RESPONSIBILITY FOR SWM SHALL BE VESTED WITH A RESPONSIBLE PARTY BY MEANS OF A LEGALLY BINDING AND ENFORCABLE MAINTENANCE AGREEMENT THAT IS EXECUTED AS A CONDITION OF PLAN APPROVAL OR LOCAL PERMITTING PROCESSES. THE OWNER SHALL BE RESPONSIBLE FOR SWM MEASURE MAINTENANCE.

M2) DISCONNECTS SHALL BE PERIODICALLY EXAMINED AND ALSO AFTER EVERY HEAVY RAINFALL.

M3) THEY SHALL BE KEPT FREE FLOWING AND SHALL BE DRESSED FOR ANY EROSION THAT MAY HAVE OCCURRED.

STORMWATER MANAGEMENT (SWM) NOTES:

1) REFER TO SHEET 1 FOR LEGEND.

2) THE OWNER SHALL COMPLY WITH ALL FOREST CONSERVATION REQUIREMENTS ON-SITE, IF APPLICABLE.

3) THE OWNER IS REQUIRED TO COMPLY WITH ALL APPLICABLE RULES AND REGULATIONS REGARDING TIDAL WETLANDS. THERE THERE ARE NO NON-TIDAL WETLANDS IN THE DEVELOPMENT PORTION OF THIS SITE.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19751, EXPIRATION DATE: 09/30/2026.

JOHN W. SALM, III

FOR REVIEW PURPOSES ONLY

(DATE)

MARYLAND PROFESSIONAL ENGINEER LICENSE No. 19751

DESIGNED BY: JJR

DRAWN BY: JHC

CHECKED BY: JWS3

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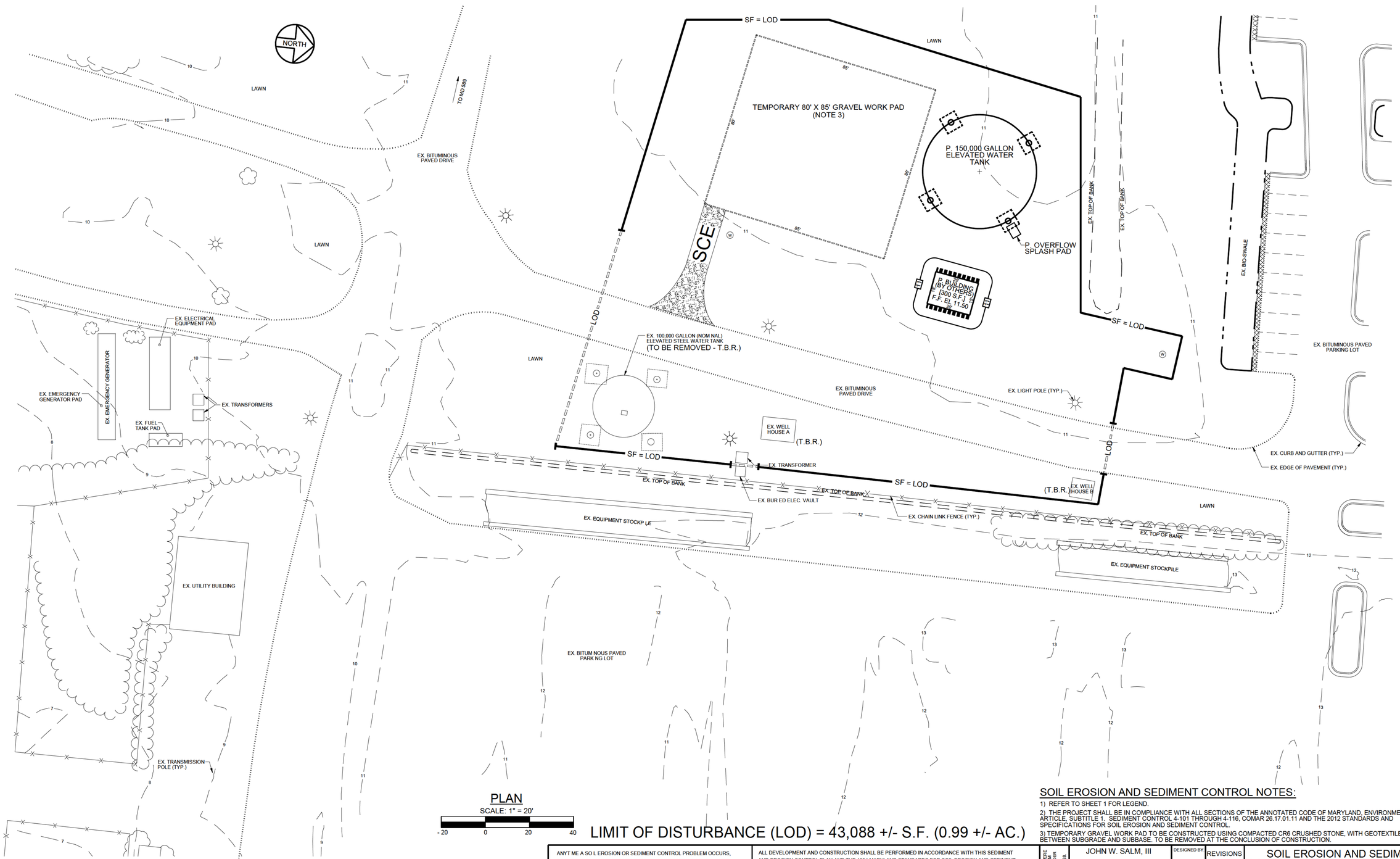
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STORMWATER MANAGEMENT (SWM) PLAN

OCEAN ENTERPRISES 589, LLC
REPLACEMENT ELEVATED STORAGE TANK
TAX MAP 21, PARCEL 99
THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND

J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MD 21811

SCALE:	DATE:	DRAWING No.:	SHEET No.:
1" = 20'	SEP. 2026	231-23-004	4 of 10



PLAN

SCALE: 1" = 20'

- 20 0 20 40

LIMIT OF DISTURBANCE (LOD) = 43,088 +/- S.F. (0.99 +/- AC.)

STANDARD SESC SYMBOLS / LEGEND

SILT FENCE — SF = LOD

LIMIT OF DISTURBANCE (LOD) — LOD

STABILIZED CONSTRUCTION ENTRANCE — SCE

SOIL EROSION AND SEDIMENT CONTROL NOTES:

1) REFER TO SHEET 1 FOR LEGEND.

2) THE PROJECT SHALL BE IN COMPLIANCE WITH ALL SECTIONS OF THE ANNOTATED CODE OF MARYLAND, ENVIRONMENTAL ARTICLE, SUBTITLE 1. SEDIMENT CONTROL 4-101 THROUGH 4-116, COMAR 26.17.01.11 AND THE 2012 STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL.

3) TEMPORARY GRAVEL WORK PAD TO BE CONSTRUCTED USING COMPACTED CR6 CRUSHED STONE, WITH GEOTEXTILE FABRIC BETWEEN SUBGRADE AND SUBBASE. TO BE REMOVED AT THE CONCLUSION OF CONSTRUCTION.

ANYT ME A SO L EROSION OR SEDIMENT CONTROL PROBLEM OCCURS, PROMPT AND NECESSARY MEASURES WILL BE TAKEN BY THE OWNER AND/OR CONTRACTOR TO CORRECT THE PROBLEM. ALL PHASES OF CONSTRUCTION W LL ADHERE TO ALL SED MENT AND EROSION CONTROL MEASURES AS SET FORTH N THE APPROVED SEDIMENT AND EROSION CONTROL PLAN FOR THIS SITE.

PRINTED NAME/OWNER

SIGNATURE/OWNER DATE

ALL DEVELOPMENT AND CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THIS SEDIMENT AND EROSION CONTROL PLAN AND THE 1994 MARYLAND STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL. THE OWNER AUTHORIZES THE RIGHT OF ENTRY FOR PERIODIC ON-SITE EVALUATION BY THE WORCESTER SOIL CONSERVATION DISTRICT, MARYLAND DEPARTMENT OF THE ENV RONMENT OR THEIR AUTHORIZED AGENTS. (1) ANY CLEARING, GRAD NG, CONSTRUCTION OR DEVELOPMENT, OR ALL OF THESE, WILL BE DONE PURSUANT TO THIS PLAN. (2) ALL RESPONSIBLE PERSONNEL (ONE MINIMUM) INVOLVED IN THE CONSTRUCTION PROJECT WILL HAVE CERTIFICATION OF TRAINING AT THE MARYLAND DEPARTMENT OF THE ENVIRONMENT TRAINING PROGRAM FOR THE CONTROL OF EROSION AND SEDIMENT PRIOR TO BEG NNING THE PROJECT. (3) THE OWNER OR DEVELOPER SHALL CERTIFY RIGHT OF ENTRY FOR PERIODIC ON-SITE EVALUATION BY THE ENFORCEMENT AUTHORITY AND/OR MDE.

SIGNATURE/OWNER PRINTED NAME/OWNER DATE

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19731, EXPIRATION DATE 09/03/2026.

JOHN W. SALM, III

FOR REVIEW PURPOSES ONLY

9/2/26

MARYLAND PROFESSIONAL ENGINEER LICENSE No. 19731

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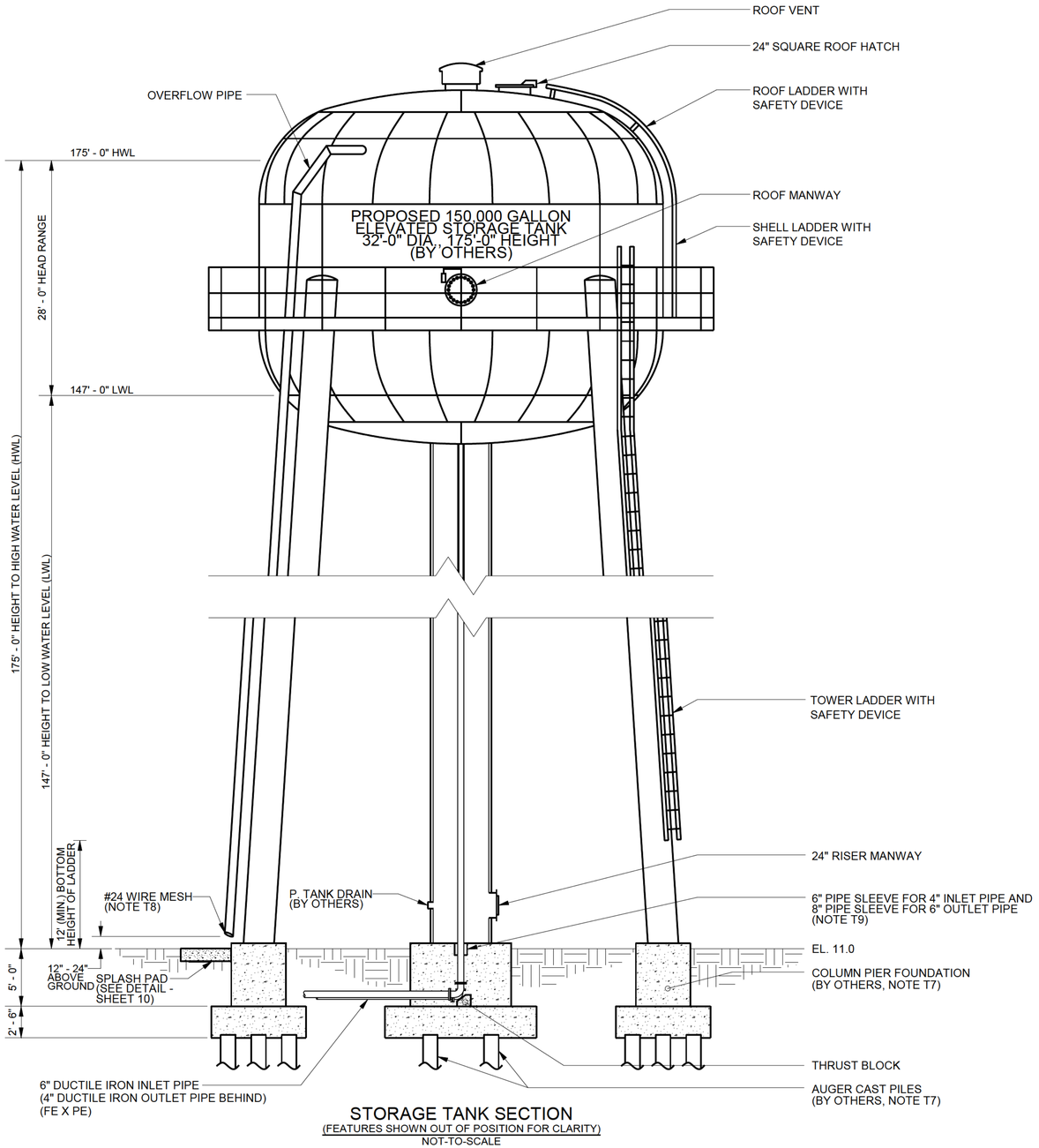
REVISIONS
1 9/8/26
2 10/5/26
3 10/12/26

SOIL EROSION AND SEDIMENT CONTROL (SESC) AND GRADING PLAN

OCEAN ENTERPRISES 589, LLC
REPLACEMENT ELEVATED STORAGE TANK
TAX MAP 21, PARCEL 99
THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND

J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
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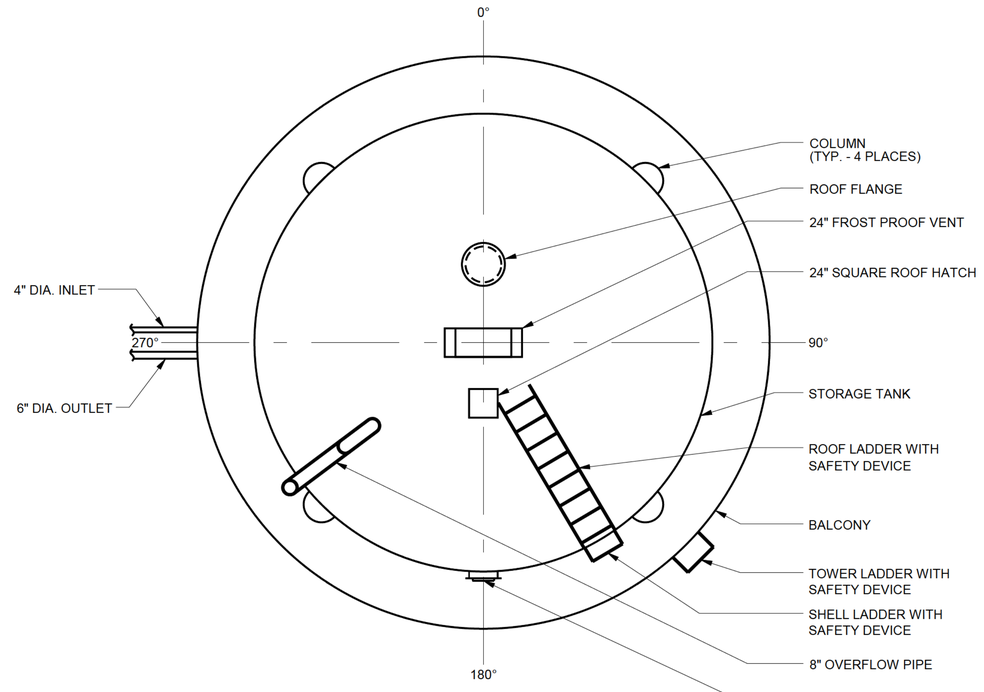
SCALE:	DATE:	DRAWING No.:	SHEET No.:
1" = 20'	SEP. 2026	231-23-005	5 of 10



STORAGE TANK SECTION

(FEATURES SHOWN OUT OF POSITION FOR CLARITY)

NOT-TO-SCALE



PLAN VIEW

NOT-TO-SCALE

DISINFECTION NOTES:

D1) ALL FINISHED WATER STORAGE FACILITIES SHALL BE CLEANED TO REMOVE ALL DIRT AND LOOSE MATERIALS BEFORE DISINFECTION OF THE STRUCTURE. ONLY POTABLE WATER SHALL BE USED TO CLEAN AND RINSE THE WATER STORAGE FACILITIES. ALL EQUIPMENT INCLUDING BROOMS, BRUSHES, SPRAY EQUIPMENT, AND WORKER'S BOOTS SHALL BE DISINFECTED BEFORE THEY ARE USED TO CLEAN THE STORAGE FACILITIES.

D2) ALL FINISHED WATER STORAGE FACILITIES SHALL BE SATISFACTORILY DISINFECTED IN ACCORDANCE WITH AWWA STANDARD C652-19 METHOD 1 OR 2 (METHOD 3 IS NOT ACCEPTABLE) BEFORE BEING PLACED IN OPERATION. THE DISINFECTION OF THE STORAGE FACILITIES SHALL BE REPEATED UNTIL IT IS DETERMINED, BY BACTERIOLOGICAL TESTING, THAT THE WATER IS FREE OF COLIFORM BACTERIA. THE WATER USED TO DISINFECT THE TANK NEEDS TO BE DECHLORINATED AND DISCHARGED OR DUMPED. THIS IS BECAUSE THAT WATER MAY CONTAIN SEDIMENT, CONTAMINANTS, OR OTHER SUBSTANCES FROM THE TANK WORK.

D3) AFTER DISINFECTION, A STATE-CERTIFIED SAMPLER SHALL COLLECT A BACTERIAL SAMPLE AND VOC SAMPLE FROM THE TANK (LIST OF VOCS ATTACHED) AND SEND IT TO A STATE-CERTIFIED LABORATORY FOR TESTING. THE RESULTS SHALL BE SENT TO THE ENGINEERING AND TECHNICAL ASSISTANCE DIVISION OF THE MDE WATER SUPPLY PROGRAM FOR REVIEW PRIOR TO PLACING IT BACK ONLINE.

TANK NOTES:

T1) ELEVATED STORAGE TANK AND FOUNDATION BY OTHERS. SEE ELEVATED TANK PLANS BY TANK MANUFACTURER.

T2) THE ELEVATED STORAGE TANK CONFORMS TO AWWA D103 - STANDARD FOR FACTORY-COATED BOLTED CARBON STEEL TANKS FOR WATER STORAGE AND NSF/ANSI 61 - DRINKING WATER SYSTEM COMPONENTS, HEALTH EFFECTS.

T3) EXTERIOR SURFACE SHALL BE GRADED SO THAT SURFICIAL RUNOFF FLOWS AWAY FROM THE TANK.

T4) IN ACCORDANCE WITH CODE OF MARYLAND REGULATIONS (COMAR) 26.04.01.33, DIRECT AND INDIRECT ADDITIVES, SUPPLIERS OF WATER SHALL ONLY USE PRODUCTS (ANY MATERIALS THAT COME IN CONTACT WITH WATER INTENDED FOR USE IN PUBLIC WATER SUPPLY) THAT MEET THE APPLICABLE AMERICAN NATIONAL STANDARDS INSTITUTE/NSF INTERNATIONAL (ANSI/NSF) STANDARDS FOR DIRECT OR INDIRECT DRINKING WATER ADDITIVES. THE PRODUCTS CAN ALSO BE CERTIFIED BY AN ORGANIZATION ACCREDITED BY THE ANSI FOR SUCH TESTING (I.E., INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS RESEARCH AND TESTING, ONTARIO CA, UNDERWRITERS LABORATORY, NORTHBROOK IL, AND WATER QUALITY ASSOCIATION, LISLE IL).

T5) IN COMPLIANCE WITH COMAR 09.20.01.03 AND THE SAFE DRINKING WATER ACT (SECTION 1417(A)(4)(8)), MATERIALS THAT COME IN CONTACT WITH WATER INTENDED FOR USE IN PUBLIC WATER SUPPLY SHALL COMPLY WITH THE REDUCTION OF LEAD IN DRINKING WATER ACT, WHICH WENT INTO EFFECT IN MARYLAND IN JANUARY 2012.

T6) FIXED LADDER(S) TO BE INSTALLED SHALL BE COMPLIANT WITH OSHA GUIDELINES ESTABLISHED IN OSHA 3124-12R-2003 INSTALL LADDER STAND-OFFS PER LADDER MANUFACTURER'S INSTRUCTIONS.

T7) SEE SEPARATE TANK FOUNDATION PLAN (BY OTHERS) FOR ADDITIONAL REQUIREMENTS.

T8) THE MECHANICAL FLAP VALVE'S FLAPPER SHALL BE SUPPLIED WITH NON-CORRODING AND NON-SEIZING HINGES. IF SPECIFIED BY TANK MANUFACTURER.

T9) STEEL OR CAST IRON PIPE SLEEVE, CONTRACTOR TO CUT TO FIT IN PLACE.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19731, EXPIRATION DATE: 09/03/2026.

JOHN W. SALM, III

FOR REVIEW PURPOSES ONLY

(DATE)

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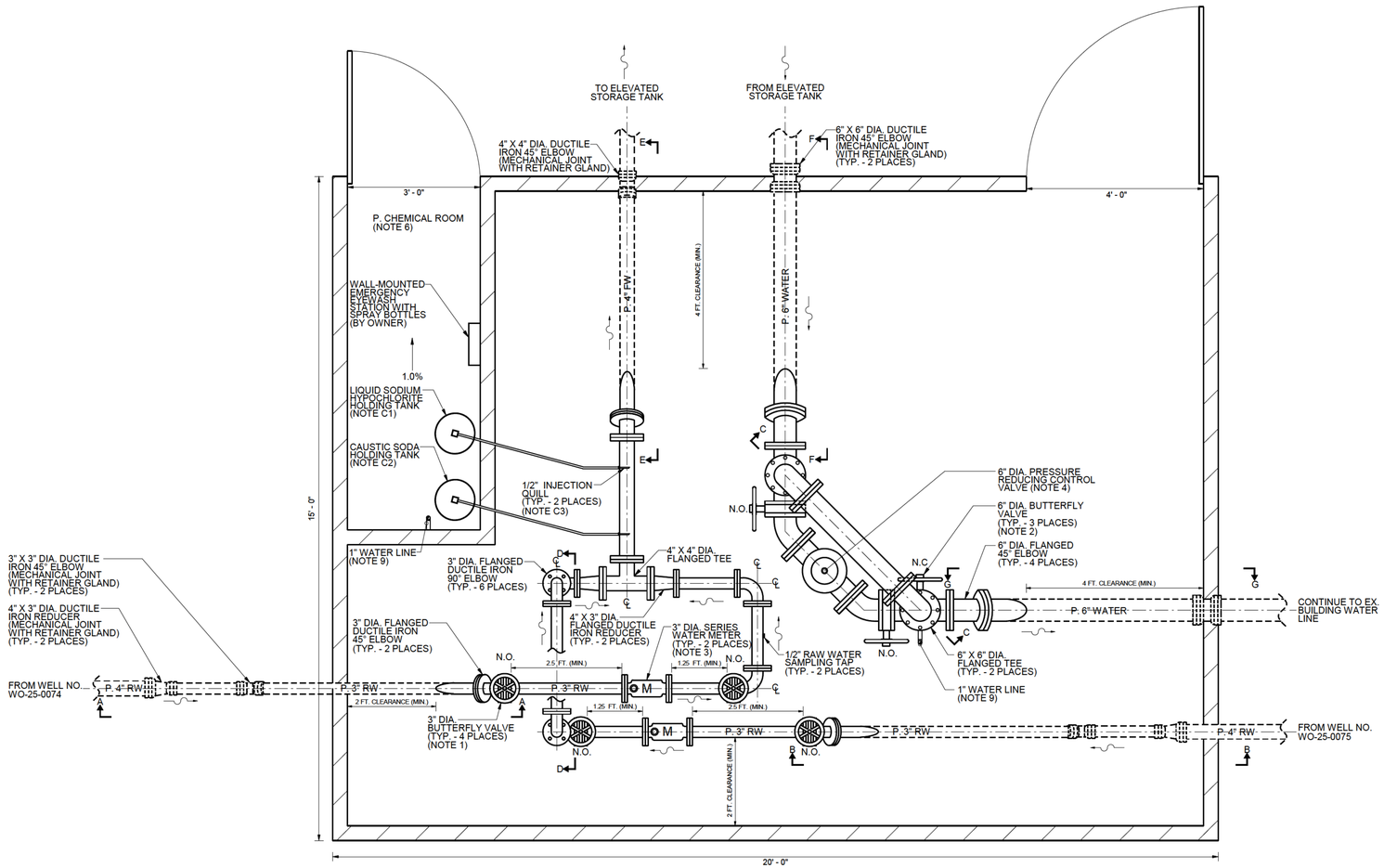
DESIGNED BY:	REVISIONS
JJR	1 10/5/26
DRAWN BY:	2 10/12/26
JHC	
CHECKED BY:	
JWS3	

STORAGE TANK PLAN AND SECTION

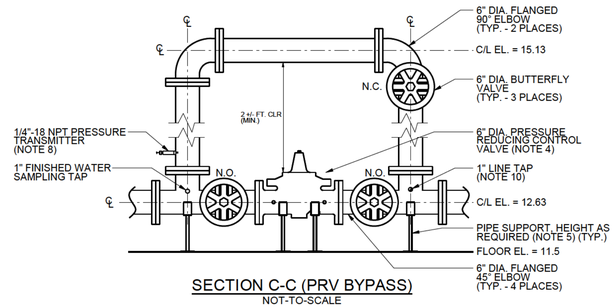
OCEAN ENTERPRISES 589, LLC
REPLACEMENT ELEVATED STORAGE TANK
TAX MAP 21, PARCEL 99
THIRD TAX DISTRICT — WORCESTER COUNTY — BERLIN — MARYLAND

J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MD 21811

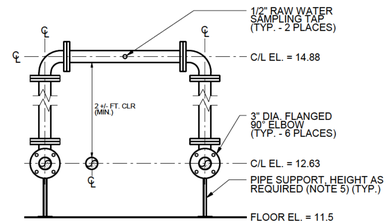
SCALE:	DATE:	DRAWING No.:	SHEET No.:
N.T.S.	SEP. 2026	231-24-006	6 of 10



SCHEMATIC PLAN
NOT-TO-SCALE



SECTION C-C (PRV BYPASS)
NOT-TO-SCALE



SECTION D-D (PIPE CROSSING)
NOT-TO-SCALE

WELL PUMP(S) OPERATION NOTES:

W1) ALLOW 15 MINUTES BETWEEN STARTS OF WELL PUMP MOTORS.

CHEMICAL FEED NOTES:

C1) LIQUID SODIUM HYPOCHLORITE CHEMICAL FEED SYSTEM SHALL BE A LMI'S NSF CERTIFIED SERIES AND ELECTRONIC METERING PUMP, MODEL NUMBER B11-1-498SI, 4% STRENGTH, NSF CERTIFIED, LIQUID SODIUM HYPOCHLORITE SHALL BE USED DURING OPERATIONS. A 30-GALLON HDPE (OR EQUIVALENT STORAGE CONTAINER IS REQUIRED. AN ADDITIONAL ELECTRICAL CONNECTION FOR THE PROPOSED PUMP WILL ALSO BE REQUIRED.

C2) LIQUID CAUSTIC SODA CHEMICAL FEED SYSTEM SHALL BE A LMI'S NSF CERTIFIED SERIES AND ELECTRONIC METERING PUMP, MODEL NUMBER B11-1-498SI. 4% STRENGTH, NSF CERTIFIED, CAUSTIC SODA SHALL BE USED DURING OPERATIONS. A 30-GALLON XLPE (OR EQUIVALENT) STORAGE CONTAINER IS REQUIRED. AN ADDITIONAL ELECTRICAL CONNECTION FOR THE PROPOSED PUMP WILL ALSO BE REQUIRED.

C3) NEPTUNE PUMPS INJECTION QUILLS MODEL NUMBER QC-PVC-50.

C4) CHEMICAL STORAGE TANKS SHALL BE NSF CERTIFIED AND MADE OF HDPE OR XLPE, AS STATED ABOVE. STORAGE TANKS SHALL BE LABELED WITH THE STORED CHEMICAL NAME AND ITS DELIVERED STRENGTH EXPRESSED AS A PERCENTAGE (%). INSTALLED AND FILLED STORAGE TANKS SHALL BE KEPT FROM FREEZING TEMPERATURES AND NOT BE EXPOSED TO TEMPERATURES AND NOT BE EXPOSED TO TEMPERATURES ABOVE 84°F (29°C) BY THE BUILDING'S HEATING AND COOLING SYSTEM.

C5) CHEMICAL FEED SYSTEMS SHALL USE NSF CERTIFIED, 1/2" I.D. PTFE TUBING.

C6) PERSONAL PROTECTION EQUIPMENT (PPE) SHALL BE WORN AT ALL TIMES WHEN HANDLING COMPONENTS AND SOLVENTS OF THE CHEMICAL FEED SYSTEM. THE CONTRACTOR SHALL FURNISH SAFETY GLASSES OR A FACE SHIELD IN CONFORMANCE WITH ANSI Z87.1, AND PROTECTIVE GLOVES AND CLOTHING MADE FROM RUBBER, VINYL, NEOPRENE OR PVC.

WATER SCHEMATIC NOTES:

1) PRATT INDUSTRIAL BF SERIES WAFER BUTTERFLY VALVE, SIZE 3, OR APPROVED EQUIVALENT.
2) PRATT INDUSTRIAL BF SERIES WAFER BUTTERFLY VALVE, SIZE 6, OR APPROVED EQUIVALENT.
3) RECORDALL TURBO SERIES WATER METER, 3-INCH MODEL 450.
4) WATTS SERIES LFM115 PRESSURE REDUCING CONTROL VALVE, 6-INCH MODEL GLOBE 150#.
5) STAINLESS STEEL FLOOR-MOUNTED SADDLE-SUPPORTS.
6) CHEMICAL ROOM FLOOR SHALL BE SLOPED TOWARD DOOR.
7) CONTRACTOR IS RESPONSIBLE TO PROVIDE A FULLY FUNCTIONING SYSTEM TO THE SATISFACTION OF THE OWNER AND IN COMPLIANCE WITH ALL APPLICABLE PERMITS.
8) NSF/ANSI 61 AND 372 CERTIFIED KELLER PRECISELINE HIGH PRECISION DIGITAL PRESSURE TRANSMITTER.
9) 1" WATER LINE TO BE COORDINATED WITH ARCHITECTURAL AND MECHANICAL PLANS.
10) SEE ARCHITECTURAL AND STRUCTURAL PLANS FOR DETAIL ON BUILDING FOOTINGS.
11) ALL PIPE SLEEVES SHALL BE STEEL OR CAST IRON.
12) SEE PIPE CROSS SECTIONS ON SHEET 8 OF 10

HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19731, EXPIRATION DATE: 09/03/2026.

JOHN W. SALM, III

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(DATE)
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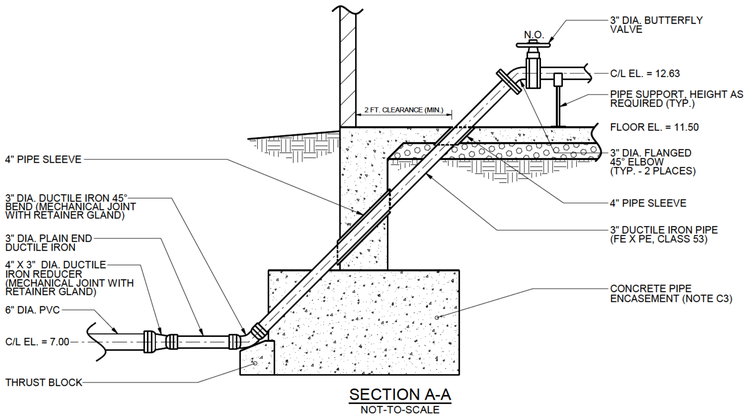
REVISIONS
⚠ 10/12/26

WATER SYSTEM PLAN AND SECTIONS

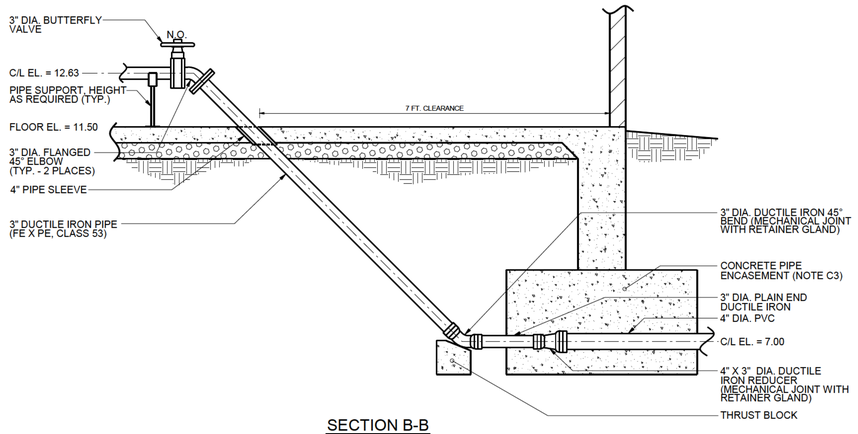
OCEAN ENTERPRISES 589, LLC
REPLACEMENT ELEVATED STORAGE TANK
TAX MAP 21, PARCEL 99
THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND

J. W. SALM ENGINEERING, INC.
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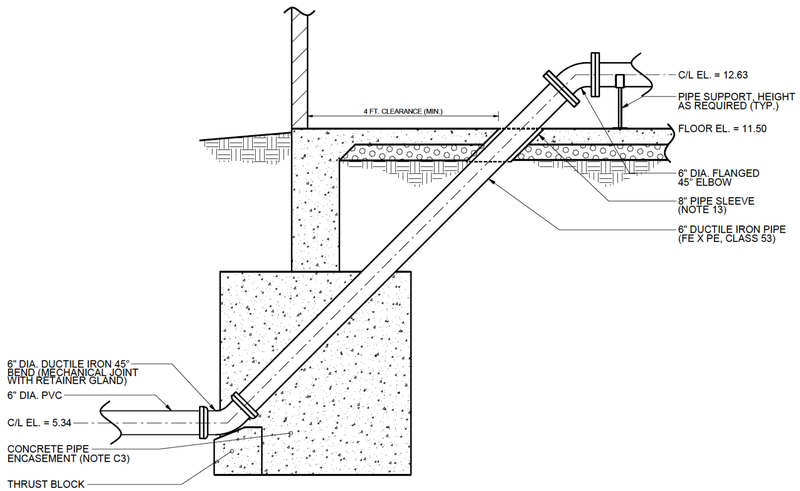
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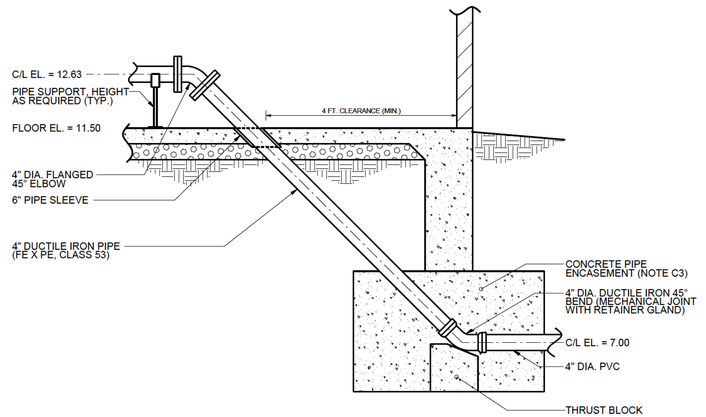
SECTION A-A
NOT-TO-SCALE



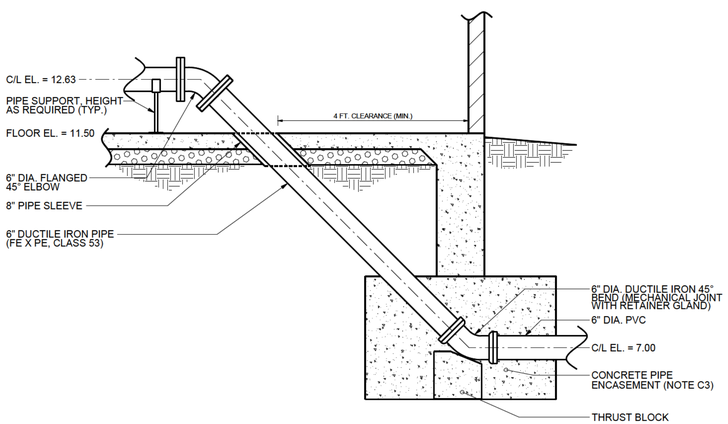
SECTION B-B
NOT-TO-SCALE



SECTION G-G
NOT-TO-SCALE



SECTION E-E
NOT-TO-SCALE



SECTION F-F
NOT-TO-SCALE

THESE SECTION DETAILS ARE NOT INTENDED TO REPLACE THE BUILDING FOUNDATION PLANS THAT ARE BY OTHERS. THESE PLANS ARE TO COMMUNICATE POSSIBLE UTILITY PIPE CROSSINGS RELATIVE TO EXPECTED FOOTING AND FLOOR LOCATIONS, WHICH MAY CHANGE DURING CONSTRUCTION FOR VARIOUS REASONS. THE BUILDING PLAN SET IS NOT INCLUDED WITH THE JWSE SITE PLAN SET.

CONCRETE ENCASEMENT NOTES:

C1) CONCRETE FOR PIPE ENCASEMENT SHALL HAVE A MINIMUM 28 DAY COMPRESSION STRENGTH OF 3,000 P.S.I. MINIMUM. CONCRETE COMPRESSION. STRENGTH MUST BE PROVEN WITH TEST CYLINDERS PRIOR TO FURTHER TANK CONSTRUCTION. CONCRETE TESTING REQUIREMENTS SHALL BE IN ACCORDANCE WITH ASTM C31 AND C39.

C2) ALL WORK SHALL CONFORM TO THE BUILDING CODE REQUIREMENTS AND SPECIFICATIONS FOR REINFORCED CONCRETE, ACI 318 LATEST EDITION AND THE CODE OF MARYLAND REGULATIONS (COMAR).

C3) CONCRETE ENCASEMENT SHALL EXTEND 18" FROM EITHER EDGE OF GRADE BEAM, UNLESS OTHERWISE SPECIFIED.

HEREBY CERTIFY THAT THESE DOCUMENT(S) WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19731, EXPIRATION DATE: 09/03/2026.

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⚠ 10/12/26

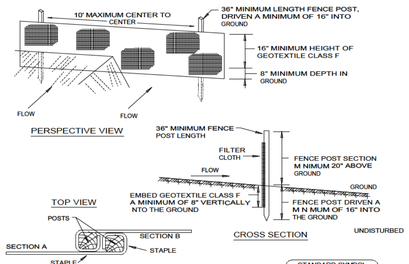
WATER SYSTEM SECTIONS

OCEAN ENTERPRISES 589, LLC
REPLACEMENT ELEVATED STORAGE TANK
TAX MAP 21, PARCEL 99
THIRD TAX DISTRICT — BERLIN — WORCESTER COUNTY — MARYLAND

J. W. SALM ENGINEERING, INC.
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SCALE:	DATE:	DRAWING No.:	SHEET No.:
N.T.S.	SEP. 2026	231-24-008	8 of 10

SILT FENCE (SF)



Construction Specifications

1. Fence posts shall be a minimum of 36" long driven 16" minimum into the ground. Wood posts shall be 1 1/2" x 1 1/2" square (minimum) cut, or 13/4" diameter (minimum) round and shall be of sound quality hardwood. Steel posts will be standard T or U section weighting not less than 1.00 pond per linear foot.

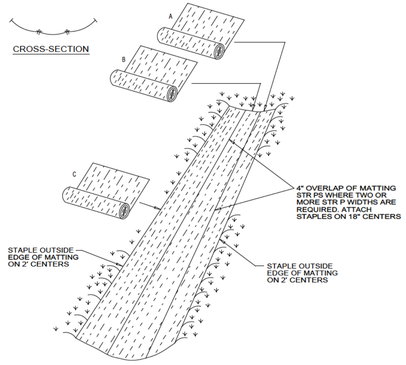
2. Geotextile shall be fastened securely to each fence post with wire ties or staples at top and mid-section and shall meet the following requirements for Geotextile Class F:

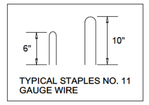
Tensile Strength	50 lbs/in (min.)	Test: MSMT 509
Tensile Modulus	20 lbs/in (min.)	Test: MSMT 509
Flow Rate	0.3 gal ft / minute (max.)	Test: MSMT 322
Filtering Efficiency	75% (min.)	Test: MSMT 322

3. Where ends of geotextile fabric come together, they shall be overlapped, folded and stapled to prevent sediment bypass.

4. Silt Fence shall be inspected after each rainfall event and maintained when bulges occur or when sediment accumulation reached 50% of the fabric height.

DETAIL 30 - EROSION CONTROL MATTING





TYPICAL STAPLES NO. 11 GAUGE WIRE

DIAMETER (d) OF PIPE		6" OR LESS	8"	12" OR GREATER
HOR. ANGLE: ∠ FROM 10° TO 45°	A:	0.75 FT	1.0 FT	1.5 FT
HOR. ANGLE: ∠ FROM 46° TO 90°	A:	1.0 FT	1.5 FT	2.0 FT
TEE CONNECTION:	A:	1.5 FT	1.75 FT	2.5 FT
VERTICAL BEND #5 BAR:	A:	2.0 FT	3.0 FT	4.0 FT
	B:	1.5 FT	2.0 FT	3.0 FT
PLUG OR CMP:	A:	1.25 FT	1.5 FT	2.5 FT

1) ALL HORIZONTAL BENDS SHALL HAVE CONCRETE THRUST BLOCKS WITH MINIMUM BEARING AREAS AGAINST UNDISTURBED SOIL. AS SHOWN IN THIS DRAWING.

2) BEAR NG AREAS ARE BASED UPON UNDISTURBED SOIL WITH A MININUM BEARING CAPACITY OF 0.5 TONS PER SQUARE FOOT. FOR LESSER SOIL CAPACITY, THESE AREAS SHALL BE INCREASED ACCORDINGLY.

3) THRUST BLOCKS SHALL BE POURED DIRECTLY AGAINST TRENCH WALLS.

4) NO JOINT SHALL BE COVERED WITH CONCRETE.

5) CONCRETE SHALL BE OF A M N MUM OF 2,500 P.S.I. STRENGTH.

THRUST BLOCK DETAIL
(REF. AWWA C600)
NOT-TO-SCALE

Temporary Seeding Summary

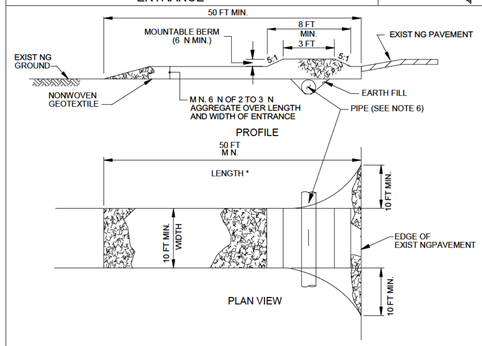
Hardiness Zone (from Figure B.3) 7b Seed Mixture (from Table B.1) 1					Fertilizer Rate (10-10-10)	Lime Rate
No.	Species	Application Rate (lb/ac)	Seeding Dates	Seeding Depths		
1.	ANNUAL RYEGRASS	40	Feb 15 - Apr 30 Aug 15 - Nov 30	0.5 IN	436 lb/ac (10 lb/1000 sf)	2 tons/ac (90 lb/1000 sf)

Permanent Seeding Summary

Hardiness Zone (from Figure B.3) 7b Seed Mixture (from Table B.3) 9 or 10					Fertilizer Rate (10-20-20)			Lime Rate
No.	Species	Application Rate (lb/ac)	Seeding Dates	Seeding Depths	N	P205	K20	
9.	Tall Fescue Kentucky G.C.	60 40	Mar 15 - June 15	1/4 - 1/2 in				
10.	Orchardgrass Creeping Red Fescue Redtop Alsike Clover White Clover	25 10 1 3 3	Feb 15 - Apr 30 Aug 15 - Oct 31	1/4 - 1/2 in	45 lb/ac (1 0 lb/ 1000 sf)	90 lb/ac (2 lb/ 1000 sf)	90 lb/ac (2 lb/ 1000 sf)	2 tons/ac (90 lb/ 1000 sf)

DETAIL B-1 STABILIZED CONSTRUCTION ENTRANCE

STANDARD SYMBOL: SCE



CONSTRUCTION SPECIFICATIONS

1. PLACE STAB LIZED CONSTRUCTION ENTRANCE IN ACCORDANCE WITH THE APPROVED PLAN. VEHICLES MUST TRAVEL OVER THE ENTIRE LENGTH OF THE SCE. USE MINIMUM LENGTH OF 50 FEET (*30 FEET FOR SINGLE RESIDENCE LOT). USE MIN MUM WIDTH OF 10 FEET. FLARE SCE 10 FEET MIN MUM AT THE EXISTING ROAD TO PROV DE A TURN NG RADIUS.

2. PIPE ALL SURFACE WATER FLOW NG TO OR DIVERTED TOWARD THE SCE UNDER THE ENTRANCE, MAINTA NING POSITIVE DRAINAGE. PROTECT PIPE. NSTALLED THROUGH THE SCE WITH A MOUNTABLE BERM WITH 5:1 SLOPES AND A MINIMUM OF 12 NCHES OF STONE OVER THE PIPE. PROV DE P PE AS SPECIF ED ON APPROVED PLAN. WHEN THE SCE IS LOCATED AT A HIGH SPOT AND HAS NO DRAINAGE TO CONVEY, A P PE IS NOT NECESSARY. A MOUNTABLE BERM IS REQU RED WHEN SCE IS NOT LOCATED AT A HIGH SPOT.

3. PREPARE SUBGRADE AND PLACE NONWOVEN GEOTEXTILE, AS SPECIFIED IN SECTION H-1 MATERIALS.

4. PLACE CRUSHED AGGREGATE (2 TO 3 INCHES IN SIZE) OR EQUIVALENT RECYCLED CONCRETE (WITHOUT REBAR) AT LEAST 6 NCHES DEEP OVER THE LENGTH AND WIDTH OF THE SCE.

5. MAINTAIN ENTRANCE IN A CONDITION THAT M N MIZES TRACKING OF SEDIMENT. ADD STONE OR MAKE OTHER REPAIRS AS CONDITIONS DEMAND TO MA NTAIN CLEAN SURFACE, MOUNTABLE BERM, AND SPECIF ED D MENSIONS. IMMEDIATELY REMOVE STONE AND/OR SEDIMENT SPILLED, DROPPED, OR TRACKED ONTO ADJACENT ROADWAY BY VACUUM NG, SCRAP NG, AND/OR SWEEPING. WASH NG ROADWAY TO REMOVE MUD TRACKED ONTO PAVEMENT IS NOT ACCEPTABLE UNLESS WASH WATER IS DIRECTED TO AN APPROVED SEDIMENT CONTROL PRACTICE.

MARYLAND STANDARDS AND SPEC FICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL

U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE	2011	MARYLAND DEPARTMENT OF ENV RONMENT WATER MANAGEMENT ADMINISTRATION

Pump Data Sheet - SIMFLO

SIMFLO

Pump:
Size: SM6M (4 stage)
Type: VERTTURBINE — Speed: 3450 rpm
Synch Speed: 3600 rpm — Dia: 4.62 in
Curve: SM6M.05.7.2626.0121 — Impeller: SM6M
Specific Speeds: Ns: 2221, Nss: 7281
Dimensions: Suction: 4 in, Discharge: 3 in
Vertical Turbine: Bowl Size: 6 in, Max Lateral: 0.56 in, Thrust K Factor: 2.1 lbf/ft
Pump Limits:
Temperature: ---
Pressure: 615 psi g
Sphere Size: 0.5 in
Power: 140 hp
Eye Area: 4.12 in²

Search Criteria:
Flow: 200 US gpm — Head: 210 ft
Fluid:
Water — Temperature: 68 °F
Density: 62.32 lb/ft³ — Vapor Pressure: 0.3391 psi a
Viscosity: 0.9846 cP — Atm Pressure: 14.7 psi a
NPSHa: ---
Motor:
Standard: US — Size: 15 hp
Enclosure: TYPE 1 — Speed: 3600 rpm
Frame: ---
Sizing Criteria: Max Power on Design Curve

--- Duty Point ---

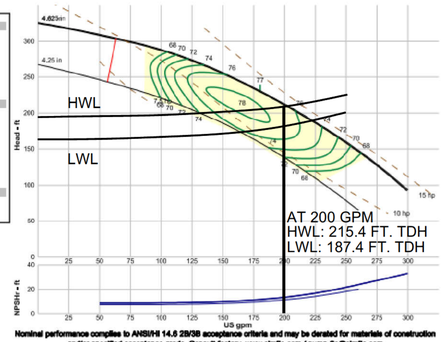
Flow:	200 US gpm
Head:	211 ft
Eff:	76.3%
Power:	13.9 hp
NPSHr:	13.8 ft

--- Design Curve ---

Shutoff Head:	325 ft
Shutoff dP:	141 psi
Min Flow:	63.1 US gpm
BEP:	77% @ 180 US gpm
NOL Power:	14.2 hp @ 230 US gpm

-- Max Curve --

Max Power: 14.3 hp @ 240 US gpm



Nominal performance complies to ANSI/HI 14.6 2B/3B acceptance criteria and may be derated for materials of construction and/or specified acceptance grade. Consult factory. www.simflo.com / pump-flo@simflo.com

HWL		LWL	
GPM	TDH (ft.)	GPM	TDH (ft.)
0	190.0	0	162.0
50	192.0	50	164.0
100	197.0	100	169.0
150	204.9	150	176.9
200	215.4	200	187.4
250	228.4	250	200.4

WELL PUMP SPECIFICATIONS AND PUMP CURVE
NOT-TO-SCALE

SOIL EROSION AND SEDIMENT CONTROL NOTES:

1. L MITS OF SO L DISTURBANCE, GRAD NG, PAVING AND/OR SEED NG/STABILIZATION INCLUDE ALL CONSTRUCTION AREAS AND ADJACENT SITES WITHIN THE L MITS AS SHOWN.
2. IT SHALL BE THE CONTRACTOR'S RESPONSIB LITY TO INSURE THAT ALL SEDIMENT CONTROL AND STORMWATER MANAGEMENT MEASURES ARE INSTALLED AS SPECIFIED HEREIN, PRIOR TO START OF ANY GRADING OF THE SITE OR ANY OTHER CONSTRUCTION ACTIVIT ES.
3. EROSION CONTROL DEVICES SHALL BE PLACED PRIOR TO GRAD NG. THEY SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE 2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SO L EROSION AND SEDIMENT CONTROL IN DEVELOP NG AREAS AND THE WORCESTER COUNTY REQUIREMENTS.
4. STABILIZED CONSTRUCTION ENTRANCE, TEMPORARY SOIL EROSION CONTROL BASINS AND S LT FENCES OR OTHER CONTROL ITEMS WHICH MAY BE REQUIRED SHALL BE CONSTRUCTED AS DETAILED HERE N.
5. ALL SED MENT CONTROL DEVICES SHALL BE CLEANED PERIODICALLY DUR NG CONSTRUCTION TO NSURE THE R INTEGRITY AND PROPER FUNCTION.
6. EACH AREA SHALL BE PERMANENTLY OR TEMPORARILY STAB LIZED WHEN SITE DEVELOPMENT WORK, GRADING OR OTHER EARTH DISTURBANCE ACTIVIT ES CEASE TO BE CONTINUOUS FOR MORE THAN 7 DAYS.
7. ALL SED MENT CONTROL DEVICES SHALL REMA N IN OPERATION UNTIL CONSTRUCTION PROJECT IS FULLY STABILIZED BY VEGETATION OR PAVING AND FREE FROM SEDIMENT.
8. PERIODIC INSPECTION AND MAINTENANCE OF ALL SED MENT CONTROL DEVICES MUST BE PROVIDED TO INSURE THAT THE INTENDED PURPOSE IS ACOMPLISHED.
9. DUR NG THE LAYOUT OF SEDIMENT CONTROL DEVICES SHOWN ON PLANS, FIELD ADJUSTMENTS SHALL BE MADE TO INSURE THAT PROPER PLACEMENT HAS BEEN MADE TO ARREST AND CONTROL ANY SEDIMENT THAT COULD LEAVE THE CONSTRUCTION SITE.
10. ALL OUTFALLS ARE TO BE PROTECTED FROM EROSIVE VELOCIT ES.
11. PUBLIC ROADS AND OTHER RIGHT-OF-WAYS SHALL BE KEPT FREE OF SED MENT DEPOSITS LEFT FROM HEAVY TRUCK TRAFFIC LEAVING THE CONSTRUCTION SITE.
12. PERMANENT STABILIZATION OF ALL AREAS NOT TO BE SODDED OR PAVED SHALL BE SEEDED AND MULCHED N ACCORDANCE WITH THESE DRAWINGS.
13. MMEDIATELY AFTER F NAL GRADES ARE OBTA NED, ALL AREAS TO BE PAVED, SHALL BE PAVED.
14. FOLLOWING INITIAL SO L DISTURBANCE OR REDISTURBANCE, PERMANENT OR TEMPORARY SITE STABILIZATION SHALL BE COMPLETED WITHIN:
    A) THREE (3) CALENDAR DAYS AS TO THE SURFACE OF ALL PERIMETER CONTROLS, DIKES, SWALES, DITCHES, PERIMETER SLOPES, AND ALL SLOPES GREATER THAN 3 HORIZONTAL TO 1 VERTICAL (3:1).
    B) SEVEN (7) DAYS AS TO ALL OTHER DISTURBED OR GRADED AREAS ON THE PROJECT SITE.
15. ALL TEMPORARY STOCKPILES THAT ARE TO BE LEFT UNDISTURBED SHALL: IMMEDIATELY AFTER PILING, BE FERTILIZED, LIMED, AND SEEDED WITH ANNUAL RYE GRASS AT A RATE OF 1 LB. PER 1,000 SF. ALL TEMPORARY STAB LIZATION SHALL BE AS FOLLOWS:
    A) IF STOCKP LE SLOPES ARE GREATER THAN 3:1, THEY MUST BE STABILIZED IF THEY ARE LEFT 3 DAYS OR LONGER, IF SLOPES ARE LESS TAN 3:1, THEY MUST BE STAB LIZED IF THEY ARE LEFT TO BE UNDISTURBED 7 DAYS OR LONGER.
    B) PULVERIZED DOLOMITIC L MESTONE APPL ED AT A RATE OF 2,000 LBS. PER ACRE OR 45 LBS. PER 1,000 SF.
    C) FERTILIZER (5-5-5) APPLIED AT A RATE OF 500 POUNDS PER ACRE OR 11.5 LBS. PER 1,000 SF.
    D) RYE GRASS APPLIED AT A RATE OF 40 LBS. PER ACRE AND MULCH WITH STRAW AT 1.5 TONS PER ACRE.
16. ANYTIME AN EROSION OR SEDIMENT PROBLEM OCCURS, PROMPT AND NECESSARY MEASURES SHALL BE TAKEN BY THE CONTRACTOR TO CORRECT IT.
17. THE SOIL CONSERVATION DISTRICT AND MARYLAND DEPARTMENT OF THE ENVIRONMENT RESERVE THE RIGHT TO ADD, MOD FY OR OTHERWISE ALTER THE APPROVED SEDIMENT AND STORMWATER MANAGEMENT PLAN AS NECESSARY TO PROVIDE ADEQUATE PROTECTION. IF THIS PLAN IS REVISED, THE CONTRACTOR SHALL SUBMIT AS-BUILT DRAW NGS TO THE ENGINEER FOR RESUBMITTAL TO THE SOIL CONSERVATION DISTRICT.

SEQUENCE OF CONSTRUCTION / DEMOLITION NOTES:

1) THE CONTRACTOR SHALL CONTACT THE WORCESTER COUNTY DEPARTMENT OF ENVIRONMENTAL PROGRAMS AT 410-632-1220, AT LEAST 48 HOURS PRIOR TO COMMENC NG ANY SITE WORK. FA LURE TO CONTACT WORCESTER COUNTY MAY RESULT N AN MMEDIATE STOP WORK ORDER.

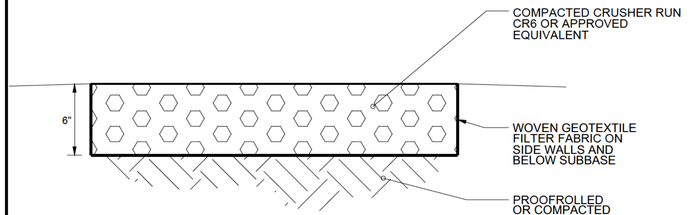
2) INSTALL PERIMETER SOIL EROSION CONTROL MEASURES AND TEMPORARY GRAVEL WORK PAD WHERE SPECIF ED. CLEAR NG OPERATIONS SHALL BE SEQUENCED SUCH THAT ONLY INITIAL SO L EROSION AND SEDIMENT CONTROL CLEARING IS UNDERTAKEN FOR THE CONSTRUCTION OF THE PERIMETER CONTROLS WHERE REQUIRED.

3) STEP 1 - CONSTRUCTION OF NEW ELEVATED STORAGE TANK:
   3.1) THE CONTRACTOR SHALL FIRST CONSTRUCT THE NEW ELEVATED STORAGE TANK, NCLUDING ALL PUMPS, BUILD NG AND ALL RELATED APPURTENANCES. THIS WORK MUST BE COMPLETED TO ACHIEVE A FULLY FUNCTIONING SYSTEM AND ACCEPTED BY THE OWNER.

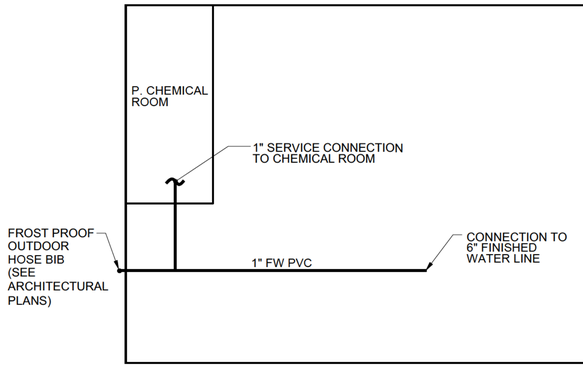
4) STEP 2 - NTEGRATION OF NEW ELEVATED STORAGE TANK TO EXISTING WATER MAIN:
   4.1) THE CONTRACTOR SHALL SUBMIT A SCHEDULE TO THE DETA L NG OF THE WATER MA N INTERCONNECTION WITH EMPHASIS ON EXPECTED DOWNT MES AND SEQUENCE OF DRA N NG THE TO BE DEMOLISHED STORAGE TANK.
   4.2) THE CONTRACTOR SHALL DISINFECT THE NEW STORAGE TANK IN ACCORDANCE WITH DISINFECTION NOTES ON SHEET 5.
   4.3) UPON COMPLETION OF STEP 1, THE CONTRACTOR SHALL CONNECT THE NEWLY CONSTRUCTED ELEVATED STORAGE TANK TO THE EXISTING WATER MAINS AS DETAILED IN THE DRAW NGS. THIS W L NVOLVE ISOLATING THE EXISTING ELEVATED TANK FROM THE SYSTEM AND CONNECT NG THE NEW TANK AS COORD NATED WITH THE OWNER.
   4.4) THE NEW SYSTEM MUST BE TESTED, ACCEPTED BY THE OWNER AND PLACED INTO SERVICE BEFORE PROCEED NG TO STEP 3.

5) STEP 3 - DEMOLITION OF EXIST NG ELEVATED STEEL WATER TANK:
   5.1) ONCE THE NEW ELEVATED STORAGE TANK AND WATER SERVICE SYSTEM IS OPERATIONAL AND ACCEPTED BY THE OWNER, THE CONTRACTOR SHALL COMMENCE THE DEMOLITION OF THE EXISTING ELEVATED STEEL WATER TANK.
   5.2) THE TANK MUST BE DEWATERED IN AN APPROVED FASHION AND DISMANTLED IN SECTIONS, ENSURING A NEAT AND CONTROLLED APPROACH.
   5.3) DEMOLITION SHOULD BE CONDUCTED WITH GREAT CARE TO AVOID ANY DAMAGE TO THE NEW WORK THAT HAS BEEN RECENTLY COMPLETED.
   5.4) THE LAYDOWN AREAS FOR DEMOLITION SHOULD FOLLOW THE LOCATIONS INDICATED IN THE EXISTING CONDITIONS AND DEMOLITION PLAN.
   5.5) THE CONTRACTOR IS RESPONSIBLE FOR ALL ASPECTS OF THE DEMOLITION, NCLUD NG THE REMOVAL OF ALL MATERIALS FROM THE SITE AND RESTORATION OF ALL DISTURBED AREAS.

6) F NE GRADE THE SITE AND TOPSO L ALL DISTURBED AREAS, STAB LIZE PER PLANS.
7) THE CONTRACTOR SHALL REPAIR ANY EROSION AND REMOVE ANY NADVERTENT SEDIMENTATION.
8) PERMANENT SEED ANY REMAINING OTHER DISTURBED AREAS.
9) THE CONTRACTOR SHALL MAINTA N ALL SESC DEVICES THROUGHOUT THE CONSTRUCTION PERIOD.
10) REMOVE TEMPORARY SESC DEVICES AFTER FINAL APPROVAL FROM THE SED MENT CONTROL INSPECTOR IS GRANTED.

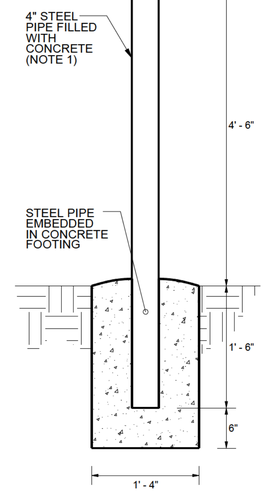


TEMPORARY GRAVEL WORK PAD DETAIL
NOT-TO-SCALE



NOTE:
1) 1" WATER LINE TO BE COORDINATED WITH ARCHITECTURAL AND MECHANICAL PLANS.

P. BUILDING WATER SERVICE SCHEMATIC
NOT-TO-SCALE



NOTE:
1) PIPE SHALL BE COVERED WITH A HIGH VISIBILITY BOLLARD SLEEVE, SUCH AS ULINE BOLLARD SLEEVE MODEL NO. H-9230 OR EQUIVALENT. THE COLOR IS THE OWNER'S CHOICE.

⚠ BOLLARD DETAIL
NOT-TO-SCALE

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19731, EXPIRATION DATE: 09/03/2028.

JOHN W. SALM, III

FOR REVIEW PURPOSES ONLY

(DATE)
MARYLAND PROFESSIONAL ENG NEER LICENSE No. 19731

DESIGNED BY: JJR
DRAWN BY: JHC
CHECKED BY: JWS3

REVISIONS
⚠ 10/05/26

DETAILS AND NOTES

OCEAN ENTERPRISES 589, LLC
REPLACEMENT ELEVATED STORAGE TANK
TAX MAP 21, PARCEL 99
THIRD TAX DISTRICT — BERLIN — WORCESTER COUNTY — MARYLAND

J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MD 21811

SCALE:	DATE:	DRAWING No.:	SHEET No.:
N.T.S.	SEP. 2026	231-24-009	9 of 10

SUBMITTALS:

1) SHOP DRAWINGS (SUBMIT ELECTRONIC PDF COPY)

A) SHOP DRAWINGS SHALL BE ORIGINAL DRAWINGS, PREPARED BY THE CONTRACTOR, SUBCONTRACTOR, SUPPLIER OR DISTRIBUTOR, WHICH ILLUSTRATE SOME PORTION OF THE WORK, SHOWING, FABRICATION, LAYOUT, SETTING OR ERECTION DETAILS.
B) PRESENT SHOP DRAWINGS IN A CLEAR AND THOROUGH MANNER. DETAILS SHALL BE IDENTIFIED BY REFERENCE TO SHEET AND DETAIL OR SCHEDULE SHOWN ON THESE DRAWINGS.
C) REPRODUCTIONS OF MARKED CONTRACT DRAWINGS WILL NOT BE ACCEPTABLE.
D) THE CONTRACTOR SHALL SUBMIT THE SPECIFIED NUMBER OF COPIES OF SHOP DRAWINGS TO THE ENGINEER FOR APPROVAL. AT THE TIME OF SUBMISSION, THE CONTRACTOR SHALL CALL TO THE ENGINEER'S ATTENTION, IN WRITING, ANY DEVIATIONS THAT THE SHOP DRAWINGS MAY HAVE FROM THE REQUIREMENTS OF THE DRAWINGS AND SPECIFICATIONS. ALL SHOP DRAWINGS SHALL BE SUBMITTED WITH AN INDEX AND A COVER LETTER MARKED EITHER "SUBMITTED AS SPECIFIED" OR "SUBMITTED AS EQUAL TO SPECIFIED".
E) EACH COPY OF THE SHOP DRAWINGS SHALL BE MARKED TO IDENTIFY ALL OPTIONS OR FEATURES THE EQUIPMENT WILL CONTAIN.
F) ALL SHOP DRAWINGS, REGARDLESS IF "SUBMITTED AS SPECIFIED" OR "SUBMITTED AS EQUAL TO SPECIFIED", SHALL BE FURNISHED WITH COMPLETE, SPECIFIC DETAILED INFORMATION FROM THE MANUFACTURER OR SUPPLIER OF THE MATERIAL OR EQUIPMENT THE CONTRACTOR PROPOSES TO FURNISH, IN WHICH THE REQUIREMENTS OF THE SPECIFICATIONS ARE CLEARLY SHOWN TO BE MET. THIS SHALL INCLUDE A POINT BY POINT COMPARISON WITH THE DETAIL REQUIREMENTS OF THE SPECIFICATIONS.
G) WHERE ANY ARTICLE IS SPECIFIED BY TRADE NAME OR NAME OF MANUFACTURER, WITH OR WITHOUT THE CLAUSE "OR EQUAL", IT IS INTENDED TO ESTABLISH THE QUALITY OF THE ARTICLE. THE CONTRACTOR MAY PROPOSE TO USE MATERIAL OR EQUIPMENT OF ANY OTHER MANUFACTURER AS AN "OR EQUAL" TO MATERIALS OR EQUIPMENT SPECIFIED.
H) SUBSTITUTION OF EQUIPMENT OR MATERIALS OTHER THAN THOSE SPECIFIED WILL BE CONSIDERED, PROVIDING, IN THE OPINION OF THE ENGINEER, SUCH EQUIPMENT OR MATERIAL IS EQUAL TO OR BETTER THAN THAT SPECIFIED. THE DECISION OF THE ENGINEER WITH RESPECT TO APPROVAL OR DISAPPROVAL OF ANY MATERIAL OR EQUIPMENT PROPOSED TO BE SUBSTITUTED AS AN "OR EQUAL" IS FINAL. THE CONTRACTOR SHALL HAVE NO CLAIM OF ANY SORT BY REASON OF SUCH DECISION.
I) IF THE CONTRACTOR PROPOSES TO SUBSTITUTE MATERIALS OR EQUIPMENT AS AN "OR EQUAL" TO THOSE SPECIFIED, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO FURNISH, IN ADDITION TO THE REQUIRED INFORMATION LISTED ABOVE, A POINT BY POINT COMPARISON OF THE MATERIAL OR EQUIPMENT SPECIFIED ON THESE DRAWINGS WITH THAT PROPOSED TO BE SUBSTITUTED. THE BURDEN OF RESPONSIBILITY IN FURNISHING THIS INFORMATION IS WITH THE CONTRACTOR.

2) PRODUCT DATA (SUBMIT ELECTRONIC PDF COPY)

A) CLEARLY MARK EACH COPY TO IDENTIFY PERTINENT PRODUCTS OR MODELS. DELETE BY CLEARLY MARKING ALL NON-APPLICABLE INFORMATION. SHOW PERFORMANCE CHARACTERISTICS AND CAPACITIES. SHOW DIMENSIONS AND CLEARANCES REQUIRED. SHOW WIRING AND PIPING DIAGRAMS AND CONTROLS.
B) MANUFACTURER' S STANDARD SCHEMATIC DRAWINGS AND DIAGRAMS SHALL BE MODIFIED TO DELETE INFORMATION NOT APPLICABLE TO THE WORK AND BE SUPPLEMENTED TO PROVIDE INFORMATION SPECIFICALLY APPLICABLE TO THE WORK.
C) MANUFACTURER'S CATALOG SHEETS, BROCHURES, DIAGRAMS, ILLUSTRATIONS AND OTHER STANDARD DESCRIPTIVE DATA SHALL BE CLEARLY MARKED TO IDENTIFY PERTINENT MATERIALS, PRODUCTS OR MODELS AND SHOW DIMENSIONS AND CLEARANCES REQUIRED.

3) CERTIFICATIONS (CERTIFICATES OF COMPLIANCE) (SUBMIT ELECTRONIC PDF COPY)

A) THE ENGINEER MAY PERMIT USE, BEFORE SAMPLING AND TESTING, OF CERTAIN MATERIALS OR ASSEMBLIES ACCOMPANIED BY CERTIFICATES OF COMPLIANCE STATING THAT SUCH MATERIALS OR ASSEMBLIES FULLY COMPLY WITH THESE DRAWINGS. THE CERTIFICATE SHALL BE SIGNED BY THE MANUFACTURER. EACH LOT OF MATERIALS OR ASSEMBLIES DELIVERED MUST BE ACCOMPANIED BY A CERTIFICATE OF COMPLIANCE IN WHICH THE LOT IS CLEARLY IDENTIFIED.
B) MATERIALS OR ASSEMBLIES USED ON THE BASIS OF CERTIFICATES OF COMPLIANCE MAY BE SAMPLED AND TESTED AT ANY TIME. IF FOUND NOT IN CONFORMITY WITH THESE DRAWINGS, THEY WILL BE SUBJECT TO REJECTION WHETHER IN PLACE OR NOT.
C) THE FORM AND DISTRIBUTION OF CERTIFICATES OF COMPLIANCE SHALL BE AS APPROVED BY THE ENGINEER.
D) THE ENGINEER RESERVES THE RIGHT TO REFUSE PERMISSION FOR USE OF MATERIALS OR ASSEMBLIES ON THE BASIS OF CERTIFICATES OF COMPLIANCE.
E) ALL MATERIALS USED WILL BE INSPECTED, SAMPLED AND TESTED IN ACCORDANCE WITH THESE REQUIREMENTS AND OTHERS AS SET FORTH ELSEWHERE IN THESE DRAWINGS, IN WHICH PARTICULAR REFERENCE IS MADE TO A SPECIFIC MATERIAL. UNLESS OTHERWISE DESIGNATED, TESTS WILL BE MADE IN ACCORDANCE WITH THE MOST RECENTLY PUBLISHED, CITED STANDARD, TENTATIVE OR INTERIM, METHODS OF AASHTO, ASTM, AWWA, WORCESTER COUNTY, OR OTHERS WHICH ARE CURRENT AS OF THE DATE OF ADVERTISEMENT FOR BIDS. THESE TESTS WILL BE MADE AT THE EXPENSE OF THE OWNER, UNLESS OTHERWISE SPECIFIED.
F) ACCEPTANCE TESTING BY THE OWNER AS DESCRIBED HERE AND ELSEWHERE IS NOT CONSIDERED AS A REPLACEMENT FOR CONTROL TESTING CONDUCTED BY THE CONTRACTOR OR MANUFACTURER PRODUCING MATERIALS FOR THE CONTRACTOR WHEN THE CONTRACTOR OR MANUFACTURER IS NOT PROVIDING ADEQUATE CONTROL TESTING FACILITIES ON HIS OWN BEHALF. THE ENGINEER MAY REFUSE TO CARRY OUT RESAMPLING AND TESTING OF MATERIALS WHICH HAVE BEEN SHOWN TO BE DEFECTIVE BY NORMAL SAMPLING AND TESTING ROUTINES. THE ENGINEER MAY ALSO REFUSE TO RESAMPLE AND TEST DEFECTIVE MATERIALS UNTIL AND UNLESS CORRECTIVE ACTION HAS BEEN TAKEN BY THE CONTRACTOR OR THE MANUFACTURER.

4) CONTRACTOR'S RESPONSIBILITIES

A) REVIEW ALL SUBMITTALS PRIOR TO SUBMISSION.
B) DETERMINE AND VERIFY: FIELD MEASUREMENTS, FIELD CONSTRUCTION CRITERIA, CATALOG NUMBERS AND SIMILAR DATA AND CONFORMANCE WITH DRAWINGS.
C) COORDINATE EACH SUBMITTAL WITH REQUIREMENTS OF THE WORK AND OF THE DRAWINGS.
D) CONTRACTOR'S RESPONSIBILITY FOR ERRORS AND OMISSIONS IN SUBMITTALS IS NOT RELIEVED BY ENGINEER'S REVIEW OF SUBMITTALS.
E) CONTRACTOR'S RESPONSIBILITY FOR DEVIATIONS IN SUBMITTALS FROM REQUIREMENTS OF THE DRAWINGS IS NOT RELIEVED BY ENGINEER'S REVIEW OF SUBMITTALS, UNLESS ENGINEER GIVES WRITTEN ACCEPTANCE OF SPECIFIC DEVIATIONS.
F) CONTRACTOR SHALL NOTIFY ENGINEER, IN WRITING AT TIME OF SUBMISSION, OF DEVIATIONS IN SUBMITTALS FROM REQUIREMENTS OF THESE DRAWINGS AND SPECIFICATIONS.
G) CONTRACTOR SHALL BEGIN NO FABRICATION OR WORK WHICH REQUIRES SUBMITTALS UNTIL RETURN OF SUBMITTALS WITH ENGINEER'S STAMP AND INITIALS OR SIGNATURE INDICATING REVIEW AND APPROVAL.
H) CONTRACTOR SHALL LEAVE AN 8" X 3" BLANK SPACE ON PAPER SUBMITTALS FOR THE ENGINEER'S STAMP.

5) RESUBMISSION REQUIREMENTS

A) MAKE ANY CORRECTIONS OR CHANGES IN THE SUBMITTALS REQUIRED BY THE ENGINEER AND RESUBMIT UNTIL APPROVED.
B) REVISIONS TO SHOP DRAWINGS AND PRODUCT DATA SHALL CONSIST OF REVISED, CLEAN COPIES, AS SPECIFIED FOR THE INITIAL SUBMITTAL. INDICATE ANY CHANGES MADE OTHER THAN THOSE REQUESTED BY THE ENGINEER.

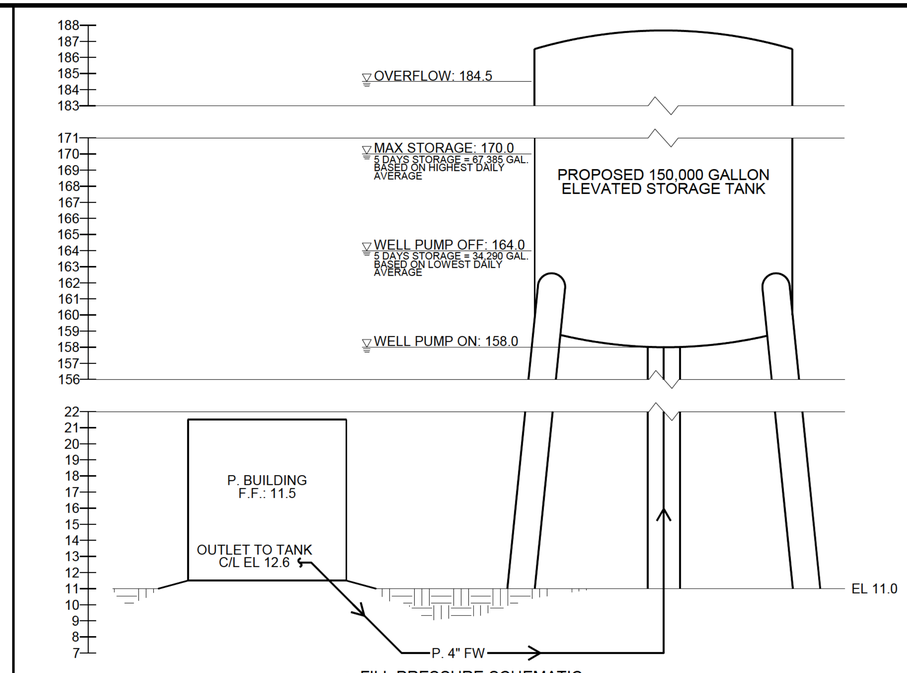
6) ENGINEER'S DUTIES

A) REVIEW SUBMITTALS WITH REASONABLE PROMPTNESS AS DETERMINED BY THE PROJECT SCHEDULE AND RETURN TO THE CONTRACTOR WITHIN 14 DAYS OF RECEIPT AT THE ENGINEER'S OFFICE.
B) ENGINEER WILL REVIEW FOR THE DESIGN CONCEPT OF THE PROJECT AND THE INFORMATION GIVEN ON THE DRAWINGS.
C) REVIEW OF SEPARATE ITEM DOES NOT CONSTITUTE REVIEW OF AN ASSEMBLY IN WHICH ITEM FUNCTIONS.
D) AFFIX STAMP AND INITIALS OR SIGNATURE CERTIFYING REVIEW OF SUBMITTAL.
E) RETURN SUBMITTALS TO CONTRACTOR FOR DISTRIBUTION OR RESUBMITTAL.
F) SHOP DRAWINGS REQUIRING RESUBMITTAL SHALL BE RETURNED TO THE CONTRACTOR WITHIN 14 DAYS OF RECEIPT OF RESUBMISSION AT THE ENGINEER'S OFFICE. NO EXTENSION OF TIME OR ADJUSTMENT OF COST SHALL BE ALLOWED DUE TO REJECTION OF DEFICIENT OR INCORRECT SHOP DRAWINGS.
G) THE ENGINEER WILL REVIEW AND STAMP THE SHOP DRAWINGS IN ONE OF THE FOLLOWING WAYS:
1) ACCEPTED AS SPECIFIED
2) ACCEPTED AS EQUAL TO SPECIFIED
3) ACCEPTED AS NOTED
4) REVISE AND RESUBMIT
5) REJECTED
6) INFORMATIONAL PURPOSES ONLY
H) CORRECTIONS OR COMMENTS ON THE SHOP DRAWINGS DURING THE ENGINEER'S REVIEW DO NOT RELIEVE THE CONTRACTOR FROM COMPLIANCE WITHN THE REQUIREMENTS OF THE DRAWINGS. THE OWNER OR ENGINEER WILL NOT BE RESPONSIBLE FOR ERRORS OR OMISSIONS ON ANY DRAWINGS OR INFORMATION FURNISHED BY THE CONTRACTOR, EVEN THOUGH DRAWINGS CONTAINING SUCH ERRORS ARE INADVERTENTLY APPROVED. THE ENGINEER'S REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH THE DESIGN CONCEPT OF THE PROJECT AND GENERAL COMPLIANCE WITH THE INFORMATION GIVEN ON THE DRAWINGS. THE CONTRACTOR IS RESPONSIBLE FOR CONFORMING AND CORRELATING ALL QUANTITIES AND DIMENSIONS; SELECTING FABRICATION PROCESSES AND TECHNIQUES OF CONSTRUCTION; AND IN PERFORMING THIS WORK IN A SAFE MANNER. IF THE SUBMITTAL DRAWINGS OR OTHER INFORMATION DEVIATE FROM THESE DRAWINGS, THE CONTRACTOR SHALL ADVISE THE ENGINEER OF THE DEVIATIONS, IN WRITING ACCOMPANYING THE SHOP DRAWINGS, INCLUDING THE REASONS FOR THE DEVIATIONS, AND SHALL REQUEST A DEVIATION FROM THESE DRAWINGS.

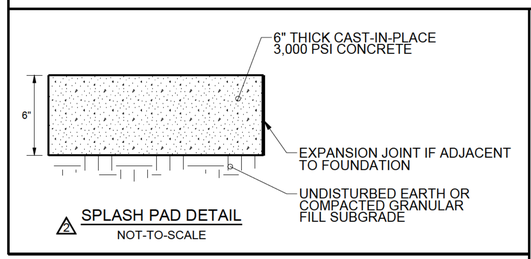
SUBMITTAL SCHEDULE:

SUBMIT TO THE ENGINEER, SHOP DRAWINGS, PRODUCT DATA, CERTIFICATIONS AND SAMPLES FOR ITEMS LISTED IN THE FOLLOWING TABLE:

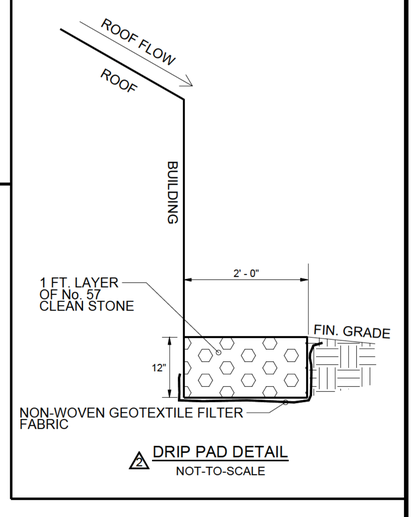
	SHOP DRAWINGS	CERTIFICATIONS	PRODUCT DATA
SUBMERSIBLE PUMP	X	X	X
SUBMERSIBLE MOTOR	X	X	X
DROP PIPE	X		X
CHECK VALVE	X		X
PITLESS ADAPTER	X	X	X
DUCTILE IRON PIPE			X
PVC PIPE			X
PRESSURE REDUCING VALVE	X	X	X
PIPE GROUT MIX		X	X
CHEMICAL FEED PUMP	X	X	X
INJECTION QUILL	X	X	X
WATER METER	X	X	X
BUTTERFLY VALVE	X	X	X
GATE VALVE	X	X	X
TEMPORARY GRAVEL WORK PAD		X	X
PIPE SLEEVE		X	X
HOSE CONNECTION	X	X	X



2 FILL PRESSURE SCHEMATIC
NOT-TO-SCALE



2 SPLASH PAD DETAIL
NOT-TO-SCALE



2 DRIP PAD DETAIL
NOT-TO-SCALE

HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 19731, EXPIRATION DATE: 08/03/2026.

JOHN W. SALM, III

FOR REVIEW PURPOSES ONLY

(DATE)
MARYLAND PROFESSIONAL ENGINEER LICENSE No. 19731

DESIGNED BY: JJR
DRAWN BY: JHC
CHECKED BY: JWS3

REVISIONS
2 9/8/26
2 10/5/26
2 10/12/26

DETAILS AND NOTES

OCEAN ENTERPRISES 589, LLC
REPLACEMENT ELEVATED STORAGE TANK
TAX MAP 21, PARCEL 99
THIRD TAX DISTRICT BERLIN WORCESTER COUNTY MARYLAND

J. W. SALM ENGINEERING, INC.
P.O. BOX 397, 9842 MAIN STREET, SUITE 3
BERLIN, MD 21811

SCALE:	DATE:	DRAWING No.:	SHEET No.:
N.T.S.	SEP. 2026	231-24-010	10 of 10

WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-69

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: November 12, 2026

LOCATION:10218 located at 10218 Racetrack Rd, Tax Map 21. Parcel 99, in the Third Tax District of Worcester County, Maryland.

APPROVAL REQUESTED: requesting a special exception to replace the elevated water storage tank "water tower" and a special exception for a water treatment building, in the A-2 Agricultural District.

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(3), ZS 1-202 (c)(34) ZS 1-328

PROPERTY HISTORY: The property is improved with Ocean Downs Casino.
This property currently has a casino, horse racing, seasonal live events, and clubhouse.

COMMENTS: The proposed structures are considered a water supply system which is a water treatment facility permitted by special exception in the A-2 Agricultural District.

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

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

7.Will meet the definitions and specific standards set forth elsewhere in this Title for such use

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

SUBSEQUENT PROCESSES IF APPROVED:

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

OWNER: OCEAN ENTERPRISE 589 LLC
10218 RACETRACK RD
BERLIN MD 21811

APPLICANT : Same as Owner

PREPARED BY: Zoning Division Staff

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

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

OFFICE USE ONLY

CASE NUMBER: 26-70
DATE FILED: 10/14/26
HEARING DATE: 11/12/26

APPLICATION IS BEING MADE FOR:

_____ SPECIAL EXCEPTION
XXX VARIANCE
_____ EXPANSION OF NONCONFORMING USE/STRUCTURE
_____ OTHER
_____ AFTER THE FACT X PROPOSED

_____ FORESTRY
_____ CRITICAL AREA
_____ APPEAL

_____ ADMINISTRATIVE REVIEW

TO THE BOARD OF ZONING APPEALS:

Pursuant to Section ZS 1-116 of the Worcester County Zoning Ordinance, enacted or as amended, request is hereby made for: **A variance per the attached Plat.**

LOCATION OF PROPERTY:

Tax Map: 33 Parcel: 346 Unit: _____ Lot: 25 Block: _____
~~Nassawango Road, Snow Hill~~ Snug harbor Rd

PROPERTY OWNER INFORMATION:
Owner: **Stephen M. & Sandra A. Hadley** Telephone: [redacted]
Address: [redacted] E-mail: [redacted]

APPLICANT INFORMATION:
Applicant's Name: **Hugh Cropper IV** Telephone: [redacted]
Address: [redacted] E-Mail: [redacted]

Has property in question ever been subject of previous appeal? (If yes, give case no. and date)_____
Is property located in the Chesapeake Bay Critical Area or the Atlantic Coastal Bay Critical Area, or its tributaries?
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
50 RIGHT OF WAY STATE ROAD
_____ FROM PROPERTY LINE

REAR: 30 FT.
SIDE: LEFT 6 FT. 10% rule
SIDE: RIGHT 6 FT.

ZONING DISTRICT R-2 **TAX DISTRICT** 10

Signature of Owner or Legal Representative

Hugh Cropper IV
Signature of Applicant

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

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

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

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

AS WITNESS my hand and official seal.

Notary Public

My Commission Expires: 4/18/2029

TAMMY G. BRADFORD NOTARY PUBLIC WORCESTER COUNTY, MD My Commission Expires 04-18-2029

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

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

AS WITNESS my hand and official seal.

Notary Public

My Commission Expires: 4/18/2029

TAMMY G. BRADFORD NOTARY PUBLIC WORCESTER COUNTY, MD My Commission Expires 04-18-2029

Worcester County
Development Review and Permitting
1 W. Market Street, Room 1201
Snow Hill, Maryland 21863
410-632-1200; 410-632-3008 (fax)

INSTRUMENT OF DECLARATION ENCUMBERING AND AFFECTING PROPERTY
RELEASE OF TEMPORARY DECLARATION OF CONSOLIDATION

THIS RELEASE OF DECLARATION OF CONSOLIDATION, made this 30th day of March, 2026, by the COUNTY COMMISSIONERS OF WORCESTER COUNTY, MARYLAND, hereinafter called "County" and Stephen M. and Sandra A. Hadley, with a mailing address of 12317 Snug Harbor Road, Berlin, MD 21811, hereinafter called "Property Owners".

WHEREAS, pursuant to §ZS 1-305(i) of the Zoning and Subdivision Control Article of the Code of Local Public Laws of Worcester County, Maryland, by Declaration of Consolidation dated January 8, 1996, and recorded among the aforesaid Land Records in Liber 2234, Folio 583; et seq., Shirley R. and Marlene J. Bohn, adjoined two or more lots or parcels of land described as Tax Map 33, Parcel 346, Section A, Lot 24, and Tax Map 33, Parcel 346, Section A, Lot 25, shown as lots 24 and 25 on a plat entitled "Snug Harbor, Plat Number One, Amended & with Additions, Tenth Tax District", which is recorded among the Land Records of Worcester County, Maryland in Plat Book CWN 1, Folio 99.

RETURN TO DRP

WHEREAS, the Property Owners have petitioned the County to request a RELEASE of the original Declaration described above; and

WHEREAS, the condition specified in the aforementioned Declaration of Consolidation has been eliminated, removed or determined to be in compliance with all applicable zoning regulations set forth in the Worcester County Zoning and Subdivision Control Article, as verified by the Department of Development, Review and Permitting on behalf of the County.

NOW, THEREFORE, upon recording this RELEASE in the Land Records of Worcester County, the Declaration is released, and the lots previously combined may be transferred as individual lots and all restrictions and encumbrances placed on this property through the original consolidation agreement shall be null and void, and of no effect.

IN WITNESS WHEREOF, the undersigned set their hands and seals as of the day and year first written above.

ATTEST:

COUNTY COMMISSIONERS OF WORCESTER COUNTY

_____ (Seal)
Weston Young, Chief Administrative Officer

ATTEST:

PROPERTY OWNER

_____ (Seal)
Signature of Property Owner

SANDRA HADLEY STEPHEN HADLEY
Printed Name

STATE OF Maryland, Worcester COUNTY TO WIT:

On this 30th day of March, 2026, before me, a Notary Public in and for the State and Country aforesaid, personally appeared **Weston Young, Chief Administrative Officer**, who acknowledged himself the aforesaid document to be his act and deed and made oath in due form of law that he is fully empowered to execute this Release of Declaration of Consolidation on behalf of the Worcester County Commissioners.

AS WITNESS my hand and official seal.

JAKAYLA JONES NOTARY PUBLIC WORCESTER COUNTY, MD COMMISSION EXPIRES JANUARY 27, 2029

_____
Notary Public
My Commission Expires: 1/27/29

ACKNOWLEDGEMENT –PROPERTY OWNER

STATE OF Maryland, Worcester COUNTY TO WIT:

On this 2nd day of March, 2026, before me, a Notary Public in and for the State and Country aforesaid, personally appeared Steven M. + Sandra A. Hadley, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

TAMMY G. BRADFORD NOTARY PUBLIC WORCESTER COUNTY, MD My Commission Expires 04-18-2029

Tammy G Bradford
Notary Public
My Commission Expires: 4/18/2029

This will confirm that the condition specified in the aforementioned Temporary Declaration of Consolidation has been eliminated, removed or determined to be in compliance with all applicable zoning regulations as set forth in the Worcester County Zoning and Subdivision Control Article.

Robert Mitchell, Director
Department of Environmental Programs
3/11/2026
Date

Kristen M. Tremblay, Zoning Administrator
Department of Development, Review and Permitting
3/11/2026
Date

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
For Worcester County
DCT 3/11/26
By Date
Stamp represents Receipt of information only

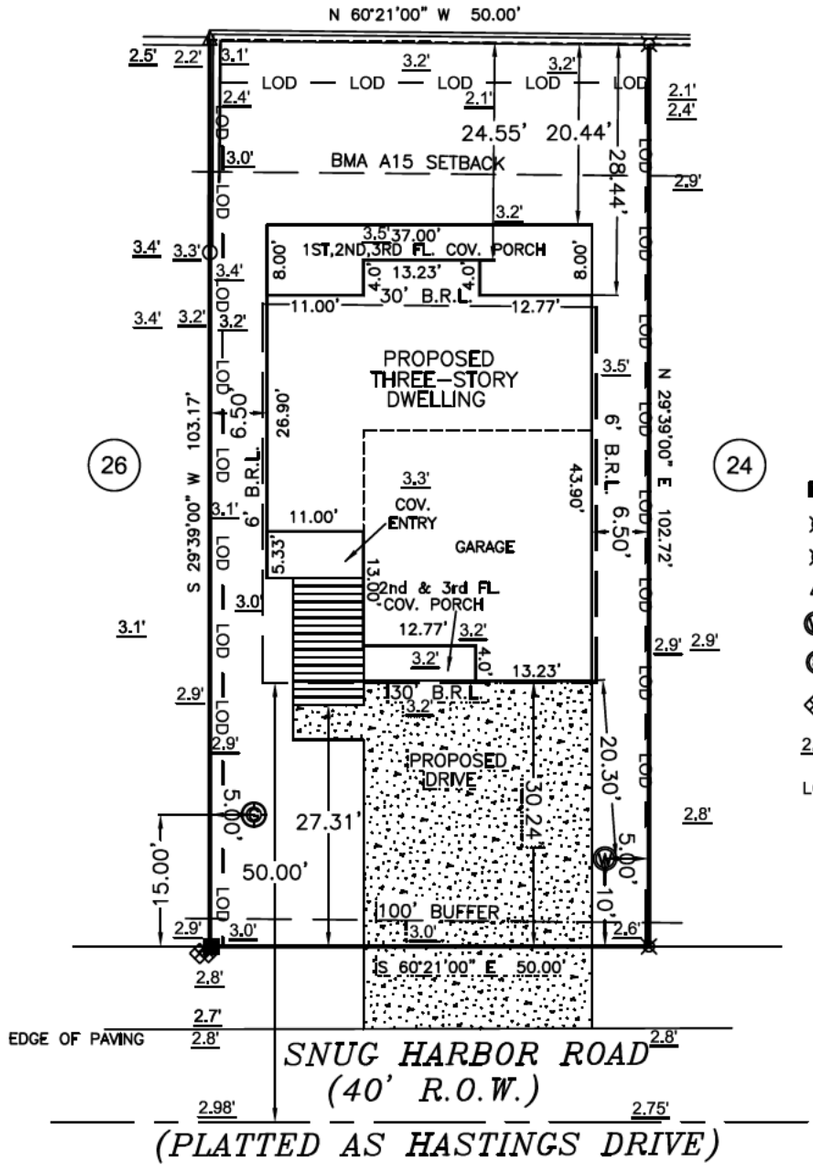
Worcester County MD Finance Officer
Recordation Tax $ 0
Transfer Tax $ 0
By/Date SH 3/11/26

TAXES FOR WHICH ASSESSMENTS HAVE BEEN RECEIVED HAVE BEEN PAID AS OF THIS DATE. 3/11/26
Worcester County Finance Officer
By SH
EXCEPT PERSONAL PROPERTY

PAID
Water & Wastewater
MAR 23 2026
Worcester County Treasurer
By:

WORCESTER COUNTY BOARD OF ZONING APPEALS EXHIBIT

TOMPKINS CANAL





LEGEND

- ■ FOUND CONCRETE MONUMENT
- ⊠ SET CONCRETE NAIL
- ⌑ MAGNETIC NAIL TO BE SET
- △ UNMARKED POINT
- Ⓦ PROPOSED WELL
- Ⓢ PROPOSED GRINDER PUMP
- ⊗ UTILITY POST
- 2.8' EXIST. ELEV; NAVD 1988
- LOD LIMIT OF DISTURBANCE

GREGORY P. WILKINS, SURVEYOR, INC. EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT IN THESE PLANS. THESE PLANS ARE NOT TO BE CHANGED, ALTERED, REPRODUCED, OR COPIED WITHOUT WRITTEN PERMISSION FROM GREGORY P. WILKINS SURVEYOR, INC. IF THE SURVEYORS SEAL & SIGNATURE ON THESE PLANS ARE NOT IN RED THEY ARE AN UNAUTHORIZED REPRODUCTION/COPY.

PROPOSED SITE PLAN

HOUSE NO. 12332

LOT 25 – SECTION A – SNUG HARBOR

TENTH TAX DISTRICT
WORCESTER COUNTY, MARYLAND
TAX MAP 33, P/O PARCEL 346
LOT AREA = 5,147.2 SQ. FT.±
DISTURBED AREA = 4,732.0 SQ. FT.±
80 CUBIC YARDS OF FILL PROPOSED
CURRENTLY ZONED R-2
ZONING SETBACKS: FRONT = 50' FROM CENTERLINE ROAD
SIDES = 8' EACH(SEE NOTE 2), REAR = 30'
FLOOD ZONE AE, BASE FLOOD ELEV. = 5.0' NAVD 88
MINIMUM GARAGE FLOOR EL. = 5.00' NAVD 88
GARAGE FLOOR MAY BE LOWERED IF PROPERLY FLOOD VENTED
PLAT REFERENCE: C.W.N. 1/99
DEED REFERENCE: 9011/248
**DEED REFERENCE: 9018/237
(RELEASE OF TEMPORARY DECLARATION OF CONSOLIDATION)

NOTES:

1. THIS LOT LIES IN THE ATLANTIC COASTAL BAYS CRITICAL AREA AND IS CLASSIFIED AS AN INTENSELY DEVELOPED AREA, (IDA), AND IS IN BUFFER MANAGEMENT AREA GROUP A15.

PROPOSED COVERAGE AREAS

HOUSE/PORCHES/STEPS = 1907.1 Sq. Feet
WALK/DRIVE = 818.2 Sq. Feet
TOTAL = 2,725.3 SQ. FT.

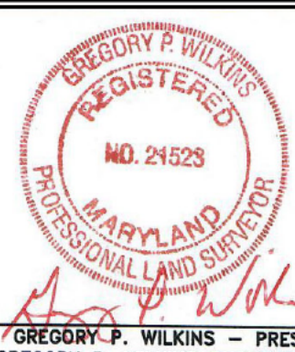
COVERAGE AREA OUTSIDE 100' BUFFER = 75.1 Sq. Feet

2. PER SECTION ZS 1-122(c)(1) OF THE WORCESTER COUNTY ZONING ARTICLE A REDUCTION OF THE 8' SIDE YARD TO 6' IS PERMITTED.

0 20 40 60

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

REVISED 10/19/2026 – REAR HOUSE DIMENSION



GREGORY P. WILKINS – PRESIDENT
GREGORY P. WILKINS SURVEYOR, INC.

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

SCALE:	DATE:
1" = 20'	10/14/2026
DRAWN BY: GPW9	JOB NO.: 8262

WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-70

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: November 12, 2026

LOCATION:12334 Snug Harbor Rd, Tax Map 33, Parcel 346, Lot 25, in the Tenth Tax District of Worcester County, Maryland.

APPROVAL REQUESTED: requesting a variance to the rear yard setback from 30 feet to 20.44 feet (an encroachment of 9.56 feet) for a proposed 1st, 2nd & 3rd floor covered porch and 30 feet to 24.55 feet (an encroachment of 5.45 feet) for a proposed Single-family dwelling in the R-2 Suburban Residential District.

CODE REFERENCES: Zoning Code §§ ZS1-116(c)(4), ZS 1-206(b)(2), and ZS 1-305

PROPERTY HISTORY: The property is a vacant lot

COMMENTS: The home had a demo permit in 2024, due to a fire. In March of 2026, a release of temporary declaration of consolidation was recorded, releasing lot 25, as shown "24 & 25" on "Snug Harbor, Plat 1" (Plat Book CWN 1, P.99).

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: STEPHEN M & SANDRA A HADLEY
12317 SNUG HARBOR RD
BERLIN MD 21811-0000

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

PREPARED BY: Zoning Division Staff

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

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

OFFICE USE ONLY :

CASE NO: 26-71
DATE FILED: 10/14/26
HEARING DATE: 11/12/26

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: Owner is requesting install of screen to ground floor lanai and third floor decking. Also, EZE Breeze system installed to second floor deck area. Owner is requesting approval for pool install w/patio (pavers) and fencing installation as shown on site plan

LOCATION OF PROPERTY:

TAX MAP: 0016 PARCEL: 0041 SECTION: 4 LOT/ BLOCK: 61
On the N/S/E/W of:
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: Clay Hathaway Telephone: [redacted]
Address: [redacted] E-Mail: [redacted]

APPLICANT INFORMATION:

Applicant's Name: RSR Homes Telephone: [redacted]
Address: [redacted] E-Mail: [redacted]

★ *Has property in question ever been subject of a previous appeal? (If yes, give case no. and date)*
Yes, 25-57 10/9/25

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
___ RIGHT OF WAY OF A STATE ROAD
25 FROM PROPERTY LINE
REAR : 30
LEFT SIDE: 10
RIGHT SIDE: 10

ZONING DISTRICT: R-3 **TAX DISTRICT:** 3

Signature of Owner or Legal Representative

Signature of Applicant

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

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

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

I HEREBY CERTIFY that on this 14th day of October 20 26 before me, a Notary Public in and for the State and County aforesaid, personally appeared Clayton Hathaway, 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.

NICOLE M SHIVERS
NOTARY PUBLIC
WICOMICO COUNTY
MARYLAND
MY COMMISSION EXPIRES 04/01/2029

Nicole Shivers
Notary Public

My Commission Expires: 4/1/29

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

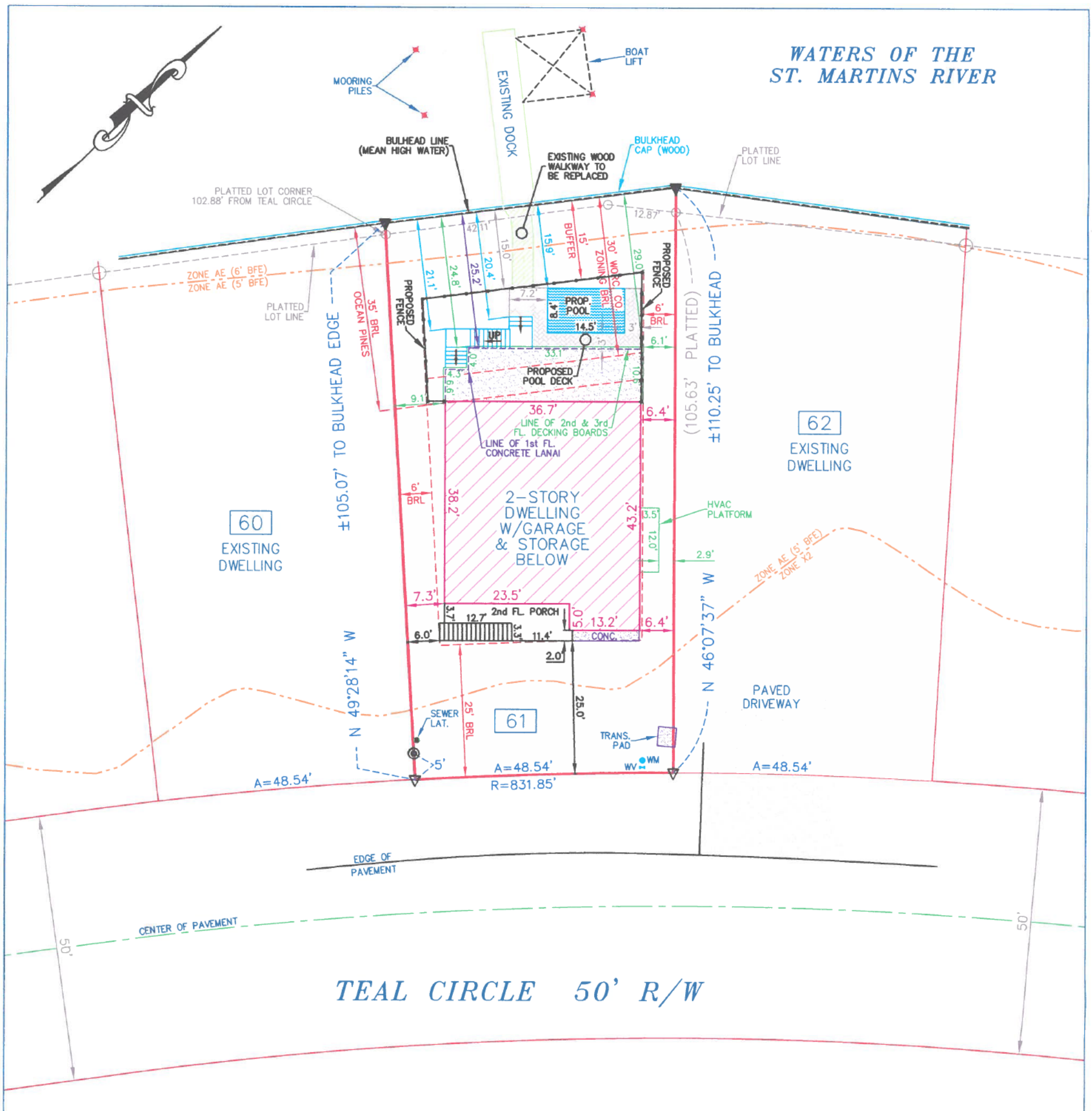
I HEREBY CERTIFY that on this 14th day of October 20 26 before me, a Notary Public in and for the State and County aforesaid, personally appeared BLAIR RICHARD CAREY, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged he 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.

VICKIE SELLERS
NOTARY PUBLIC
Comm. Exp.
Sep 12, 2029
Wicomico County
STATE OF MARYLAND

Vickie Sellers
Notary Public

My Commission Expires: SEPT. 12, 2029



PLATTED AREA OF LOT 61 = ±5,430 SQ. FT.
AREA OF LOT 61 TO BULKHEAD (MHW) = ±5,552 SQ. FT.

OWNERS:
CLAYTON B. HATHAWAY
RHONDA Y. HATHAWAY

DEED REFERENCE:
SRB 6800/0478
SEC. 4, LOT 61
PARCEL 0041
TAX MAP 0016

ADDRESS:
38 TEAL CIRCLE
BERLIN, MARYLAND 21811

TAX ACCOUNT ID:
#03-093255

PROPERTY ZONED: R-3
MIN. FRONT YARD 25'
MIN. REAR YARD 30'
MIN. SIDE YARD 6'

LEGEND:
- ◉ DENOTES RE-BAR, SET
- ▼ DENOTES NAIL IN BULKHEAD
- ▽ DENOTES UNMARKED POINT
- ○ DENOTES PLATTED LOT CORNER

GENERAL NOTES:

THIS PROPERTY IS SITUATED WITHIN FLOOD HAZARD ZONES X2 & AE (ELEV. 5' & 6') AS SHOWN ON FIRM MAP # 24047C0045H, DATED 07/16/15.

THIS PROPERTY IS IN THE ATLANTIC COASTAL BAYS CRITICAL AREA;
ZONE: IDA (INTENSELY DEVELOPED AREA)
BUFFER MANAGEMENT AREA: GROUP A

THIS PROPERTY IS SUBJECT TO BOARD OF ZONING APPEALS CASE #25-57, GRANTED 10/09/2025.

0' 20' 40'
GRAPHIC SCALE

CAL HOLLOWAY 10/13/2026
DATE:

I CERTIFY THAT THE SURVEY SHOWN HEREON IS AN ACCURATE TRANSIT-TAPE SURVEY; AND THERE ARE NO ENCROACHMENTS ACROSS THE PROPERTY LINES OTHER THAN THOSE SHOWN.

STATE OF MARYLAND · CALVIN M. HOLLOWAY, JR. · No. 21591 · PROFESSIONAL LAND SURVEYOR

BENCHMARK LAND SURVEYING, INC. ESTABLISHED 2010
Benchmark Land Surveying, Inc.
24 Broad Street
Berlin, MD 21811
410-641-3313
cal@benchmarkmd.com

REFERENCE PLAT:
"OCEAN PINES - SECTION 4"
BY:
PRINCE WILLIAM ENG. CO.
DATE: FEB. 1969
PLAT BOOK: FWH 11/54-66

SITE PLAN FOR BZA

OCEAN PINES SECTION 4; LOT 61

THIRD TAX DISTRICT
WORCESTER COUNTY, MARYLAND

SCALE: 1" = 30' DATE: 10/13/2026
JOB NO. 0980_SP-BZA

WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-71

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: November 12, 2026

LOCATION: Located at 38 Teal Circle, Tax Map 16, Parcel 41, Section 4, Lot 61, Tax District 3, Worcester County, Maryland**.**

APPROVAL REQUESTED: requesting a variance to the rear yard setback from 30 feet to 15.9 feet (an encroachment 14.1 feet) for a proposed pool, a variance to the rear yard setback from 30 feet to 20.4 feet (an encroachment 9.6 feet) for a proposed landing with stairs, request to enclose previously approved open covered porches in the rear yard setback in the R-3 Multi-family Residential District

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

PROPERTY HISTORY: The following records are on file:

07/30/1981	Building Permit No. 10000 – Issued 07/31/1981 – Zoning Certificate issued 04/26/1982 – Permit for a single-family residence.
04/24/1995	Shoreline Construction Permit No. 39091 – Issued 04/25/1995 – Zoning Certificate issued 05/01/1995 – After-the-Fact permit for a parallel dock.
05/01/1996	Shoreline Construction Permit No. 43584 – Issued 05/02/1996 – Zoning Certificate issued 05/22/1996 – Permit to remove existing dock and install new perpendicular pier with a boatlift.

COMMENTS: Requesting to amend a previously approved variance, Case # 25-57 to install screens to ground floor lanai and third floor deck, and EZE breeze system installed to the second-floor deck. The homeowner is also looking to install a paver patio around the pool along with a fence to meet pool barrier requirements.

<u>For the variance request, the Board must make findings that the applicant has demonstrated the following:</u>

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

SUBSEQUENT PROCESSES IF APPROVED:

1. Obtain a building permit and all other necessary approvals.

OWNER: Rhonda and Clayton Hathaway
126 Fairfax Blvd.
Wilmington, DE 19803

APPLICANT : Blair Carey
c/o RBR Homes
118 N. Division St., Suite 303
Salisbury, MD 21801

PREPARED BY: Zoning Division Staff

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

DEPT. OF ENVIRONMENTAL PROGRAMS COMMENTS FOR EACH CASE

(Includes Critical Area, Forestry & Environmental Programs)

Worcester County

Department of Environmental Programs
Natural Resources Division

Memorandum

To: Betsy Jackson, Zoning Administrator

From: Joy S. Birch, Natural Resources Planner III JB

Subject: Board of Zoning Appeals Comments – November 12, 2026

Date: October 21, 2026

Below are comments related to the cases scheduled for the Board of Zoning Appeals (BZA) meeting for Thursday, November 12, 2026, for their conformance with the Chesapeake Bay (CBCA) and Atlantic Coastal Bays Critical Area Law (ACBCA):

6:30 pm – Case # 26-63:
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 # 26-66:
This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as Intensely Developed Area (IDA) 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**

6:40 pm -Re-advertisement of 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.

6:45 pm – Case # 26-69:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as the Intensely Developed Area (IDA) with an associated 100' buffer. The proposed activity does not appear to have any issues with the Atlantic Coastal Bay Critical Area regulations, as the proposed activity is located outside of the Atlantic Coastal Critical Area limits. No Comment.

6;50 pm – Case # 26-70:

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

6:55 pm – Case # 26-71:

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

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 – November 12, 2026 Meeting

Date: October 22, 2026

Below are comments relative to the cases scheduled for the Board of Zoning Appeals (BZA) meeting for Thursday, November 12, 2026, for their conformance with the Forest Conservation Act.

6:30 pm – Case # 26-63:

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 # 26-66:

This site is subject to the Worcester County Forest Conservation Law. This property is subject to Forest Conservation Plan #99-31. This property has met compliance with the Worcester County Forest Conservation Law through the establishment of on-site Forest Conservation easements. Forest Conservation easement areas are to be kept as a natural habitat area, no clearing or grading within these Conservation easement areas is permitted, and any new structures and improvements must not encroach into the Forest Conservation easement. Furthermore, all Forest Conservation signs must be in place around the Conservation easements.

6:40 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.

6:45 pm -Case # 26-69:

This site is subject to the Worcester County Forest Conservation Law. This property is subject to Forest Conservation Plan #10-24 and #11-05. This property has met compliance with the Worcester County Forest Conservation Law through the establishment of on-site Forest Conservation easements. Forest Conservation easement areas are to be kept as a natural habitat area, no clearing or grading within these Conservation easement areas is permitted, and any new structures and improvements must not encroach into the Forest Conservation easement. Furthermore, all Forest Conservation signs must be in place around the Conservation easements.

6:50 pm -Case # 26-70:

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

6:55 pm -Case # 26-71:

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.

Worcester County
Department of Environmental Programs
Environmental Programs Division

Memorandum

To: Board of Zoning Appeals (BZA) for the November 12, 2026 meeting

From: Environmental Programs Staff

Date: October 30, 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. 26-63, on the lands of David Messick, requesting a variance to the front yard setback from 50 feet from the center of the right-of-way to 40.9 feet (an encroachment of 9.1 feet) for an existing front porch addition and proposed enclosure and roof top deck to this addition in the R-4 General Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-208(b)(2), ZS 305(b)(1), located at 12848 Harbor Rd, Tax Map 27, Parcel 404, Lot 4, in the Tenth Tax District of Worcester County, Maryland.

No objection to this variance request.

6:35 p.m.

Case No. 26-66, on the lands of Janice Toboll, requesting an after the fact variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 30 feet (an encroachment of 70 feet) for a 4' high fence in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4) and ZS 1-206(b)(2) and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111, located at 12347 Hidden Bay Dr, Tax Map 33, Parcel 281, Lot 32, in the Tenth Tax District of Worcester County, Maryland.

No objection to this variance request.

Worcester County Government Center 1 West Market Street, Room 1306 Snow Hill, Maryland 21863
Tel: 410-632-1220 Fax: 410-632-2012

6:40 p.m.

Readvertisement of 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.

6:45 p.m.

Case No. 26-69, on the lands of Ocean Enterprise 589 LLC, requesting a special exception to replace the elevated water storage tank "water tower" and a special exception for a water treatment building, in the A-2 Agricultural District, Pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-202 (c)(34), ZS 1-328, located at 10218 Racetrack Rd, Tax Map 21. Parcel 99, in the Third Tax District of Worcester County, Maryland.

No objection to these special exception requests.

6:50 p.m.

Case No. 26-70, on the application of Hugh Cropper IV, on the lands of Stephen & Sandra Hadley, requesting a variance to the rear yard setback from 30 feet to 20.44 feet (an encroachment of 9.56 feet) for a proposed 1st, 2nd. & 3rd floor covered porch and single-family dwelling in the R-2 Suburban Residential District, Pursuant to Zoning Code §§ ZS1-116(c)(4), ZS 1-206(b)(2), and ZS 1-305, located at 12334 Snug Harbor Rd, Tax Map 33, Parcel 346, Lot 25, in the Tenth Tax District of Worcester County, Maryland.

The proposed well does not meet the required setbacks. The proposed well should meet all required setbacks – 30 ft. to foundation, 30 ft. to porch or deck, 10 ft. to property line, 15 ft. to road right-of-way, 10 ft. to sewer line. Due to these distances not being able to be achieved, a variance for well construction would need to be applied for through Maryland Department of the Environment & Environmental Programs. The well variance will require signoff from Maryland Department of the Environment; therefore, Environmental Programs recommends conditioning any decision for Board approval in this case because the house location on the lot and/or the size of the house may need to be changed to garner state approval on the variance.

6:55 p.m.

Case No. 26-71, on the application of Blair Carey/RBR Homes, on the lands of Rhonda and Clayton Hathaway, requesting a variance to the rear yard setback from 30 feet to 15.9 feet (an encroachment 14.1 feet) for a proposed pool, a variance to the rear yard setback from 30 feet to 20.4 feet (an encroachment 9.6 feet) for a proposed landing with stairs, request to enclose previously approved open covered porches in the rear yard setback in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4) and (7), ZS 1-207(b)(2) and ZS 1-305, located at 38 Teal Circle, Tax Map 16, Parcel 41, Section 4, Lot 61, Tax District 3, Worcester County, Maryland.

No objection to these variance requests.

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 MICHAEL LEVAN AND KRIS KRAUSE *

*

BEFORE THE BOARD OF ZONING *

*

APPEALS FOR WORCESTER COUNTY, *

Case No. 26-62

MARYLAND *

* * * * * * * * * * *

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, October 8, 2026, upon the application of Michael Levan and 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.

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

The Applicant Michael Levan testified before Board in favor of the Application. There were no protestants to the Application. The testimony revealed 3 neighbors have gotten variances for a deck like the one requested. The Deck will be 18' x 6'. The HOA has given its approval.

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 ones that could be reasonably provided for under legislation of general applicability within the Zone.

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

BE IT RESOLVED, that the requested variance be APPROVED:

_____	_____
Date	Robert Purcell Chairperson
_____	_____
Date	Thomas Babcock
_____	_____
Date	Charles L. Fykes
_____	_____
Date	Lisa Bowen
_____	_____
Date	Stephen Katsanos

IN THE MATTER OF HUGH WILDE AND TONIA WILDE *

*

APPEALS FOR WORCESTER COUNTY, *

MARYLAND *

Case No. 26-65

*

* * * * * * * * * * *

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, October 8, 2026, upon the application of Mark Spencer Cropper, on the lands of Hugh Wilde and 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.

Savannah Guy, DRP Specialist I, presented the application to the Board. Property owner Hugh Wilde testified before Board in favor of the Application. There were no protestants to the Application. The testimony revealed that the owner wants to fence in the backyard to keep his dogs out of the marsh in the critical area. Mark Cropper's letter dated August 12, 2026 addresses the criteria and was adopted by the Applicant.

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. The property does not have a buffer management area which would have reduced the impact to the 100' buffer.

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

The Applicant's rights would be lessened without the granting of this variance due to the restrictions of the Atlantic Coastal Bays Critical Area Program. Numerous properties within the Critical Area have fences that are located within the 100' buffer. These structures were permitted prior to the start of the Critical Area Law or granted through the variance process.

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 fences located within the 100' Buffer. Therefore, granting this variance would not confer a special privilege or right to the applicant.

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

This request is not an after-the-fact variance and the 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 Area Program;

The granting of this variance could slightly affect the water quality due to the proposed impact to the 100' buffer. The applicant will be required to conduct mitigation at a 3:1 ratio for the are 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

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

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

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

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

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	Thomas Babcock
_____	_____
Date	Charles L. Fykes
_____	_____
Date	Lisa Bowen
_____	_____
Date	Stephen Katsanos