

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

Thursday, September 10, 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. 26-60, on the lands of Dennis & Patricia Drazin, requesting a variance to the front yard setback from 25' to 14.5' (encroachment of 10.5 feet) for a proposed 12' x 20' detached garage in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 42 Grand Port Rd, Tax Map 16, Parcel 38, Section 1, Lot 466, Tax District 3, Worcester County, Maryland.

6:35 p.m.

Case No. 26-51, on the lands of Edward & Karen Varmon, requesting a variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 6 feet (an encroachment of 94 feet) for the placement of a 14' x 18' shed in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-206(b)(2) and ZS 1-305 and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111 located at 13301 Rollie Road West Rd, Tax Map 4, Parcel 25, Block A, Lot 53, Tax District 5 of Worcester County, Maryland.

6:40 p.m.

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

6:45 p.m.

Case No. 26-61, on the application of Mark Spencer Cropper, on the lands of Coastal Square, LLC, requesting a special exception to allow an 8 foot high enclosure around a dumpster in a front yard setback in the C-3 Highway Commercial District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-305(k)(3) and ZS 1-325 located South of US Route 50 (Ocean Gateway), Tax Map 26, Parcel 474, Lot 4, Tax District 3, Worcester County, Maryland

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: 26-60
DATE FILED: 8/1/26
HEARING DATE: 9/10/26

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:

PUTTING a pre fab garage
on a concrete slab 12x20 garage - PERMIT
ALREADY APPROVED by Ocean Pines variance from front
yard 8.5 to 14.5'

LOCATION OF PROPERTY:

TAX MAP: 16 PARCEL: 38 SECTION: 1 LOT/ BLOCK: 466

On the N/S/E/W of:

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

PROPERTY OWNER INFORMATION:

Owner's Name: Dennis + Patricia DRAZIN

Telephone: [REDACTED]

Address: [REDACTED]

Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Dennis + Patricia DRAZIN

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? NO If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations?

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

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

REAR : 1
LEFT SIDE: 6
RIGHT SIDE: 6

ZONING DISTRICT: R-3

TAX DISTRICT: 3

Signature of Owner or Legal Representative

Signature of Applicant

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

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

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

I HEREBY CERTIFY that on this 7th day of August
20 22 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Dennis DRAZIN, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Deborah D. Mooney
Notary Public

My Commission Expires: 5/31/28



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: _____

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	25.00'	16.59'	16.29'	S 78°13'18" E	38°01'49"	8.62'

SEABREEZE ROAD

GRAND PORT ROAD



TOTAL EXISTING LOT COVERAGE

GRAVEL DRIVE = 842 SQ.FT.
LANDSCAPE GRAVEL = 783 SQ.FT.
HOUSE/ROOF/PORCH = 1,565 SQ.FT.
CONC./PAVERS = 547 SQ.FT.
DECK/STEPS = 127 SQ.FT.
STORAGE SHED = 80 SQ.FT.

TOTAL = 3,944 SQ.FT.

EXISTING LOT COVERAGE:

3,944 SQ.FT./9,177 X 100 = 42.98%

TOTAL PROPOSED/EXISTING LOT COVERAGE

GRAVEL DRIVE = 1,089 SQ.FT.
LANDSCAPE GRAVEL = 783 SQ.FT.
HOUSE/ROOF/PORCH = 1,565 SQ.FT.
CONC./PAVERS = 547 SQ.FT.
DECK/STEPS = 127 SQ.FT.
STORAGE SHED = 80 SQ.FT.
GARAGE = 240 SQ.FT.

TOTAL = 4,431 SQ.FT.

TOTAL LOT COVERAGE PROPOSED/EXISTING

4,431 SQ.FT./9,177 X 100 = 48.28%

EXISTING LOT COVERAGE
WITHIN THE 100' BUFFER AREA

GRAVEL DRIVE = 53 SQ.FT.
LANDSCAPE GRAVEL = 783 SQ.FT.
HOUSE/ROOF/PORCH = 1,565 SQ.FT.
CONC./PAVERS = 537 SQ.FT.
DECK/STEPS = 127 SQ.FT.
STORAGE SHED = 80 SQ.FT.

TOTAL = 3,145 SQ.FT.

EXISTING LOT COVERAGE
OUTSIDE THE 100' BUFFER AREA

GRAVEL DRIVE = 789 SQ.FT.
CONC./PAVERS = 10 SQ.FT.
TOTAL = 799 SQ.FT.

PROPOSED/EXISTING LOT COVERAGE
WITHIN THE 100' BUFFER AREA

GRAVEL DRIVE = 53 SQ.FT.
LANDSCAPE GRAVEL = 783 SQ.FT.
HOUSE/ROOF/PORCH = 1,565 SQ.FT.
CONC./PAVERS = 537 SQ.FT.
DECK/STEPS = 127 SQ.FT.
STORAGE SHED = 80 SQ.FT.

TOTAL = 3,145 SQ.FT.

PROPOSED/EXISTING LOT COVERAGE
OUTSIDE THE 100' BUFFER AREA

GRAVEL DRIVE = 1,036 SQ.FT.
CONC./PAVERS = 10 SQ.FT.
GARAGE = 240 SQ.FT.
TOTAL = 1,286 SQ.FT.

THIS PLAN REPRESENTS A 487 SQ.FT. INCREASE IN LOT COVERAGE
PROPERTY IS LOCATED IN THE ATLANTIC COASTAL BAYS CRITICAL AREA
IDA (INTENSELY DEVELOPED AREA).

I HEREBY CERTIFY, TO MY BEST KNOWLEDGE AND BELIEF, THAT THIS PLAT
AND THE SURVEY IN WHICH IT IS BASED WAS MADE UNDER MY DIRECT
SUPERVISION AND IS IN ACCORDANCE WITH CHAPTER 06, "MINIMUM
STANDARDS OF PRACTICE", COMAR TITLE 09, MARYLAND DEPARTMENT OF
LABOR LICENSING AND REGULATION FOR PROFESSIONAL LAND SURVEYORS.

R-3 ZONING SETBACKS

FRONT = 25'
SIDEYARD = 6'
REAR YARD = 30'

OWNER

DENNIS N. DRAZIN
PATRICIA L. DRAZIN
42 GRAND PORT ROAD
OCEAN PINES, MD 21811

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE
BENEFIT OF A TITLE REPORT AND/OR ABSTRACT.

DEED REF: R.H.O. 2558/578
PLAT REF: F.W.H. 8-20 ET SEQ.

SITE PLAN TO ACCOMPANY A BUILDING PERMIT
LOT 466

OCEAN PINES

SECTION ONE

ELEC. DIST. NO. 3

WORCESTER COUNTY, MD.

STH LAND
SERVICES, LLC

41 COASTAL DRIVE
BERLIN, MD 21811
443-513-8736

SCALE: 1"=20'

DATE: 7-10-2026

DRAWN: MJN

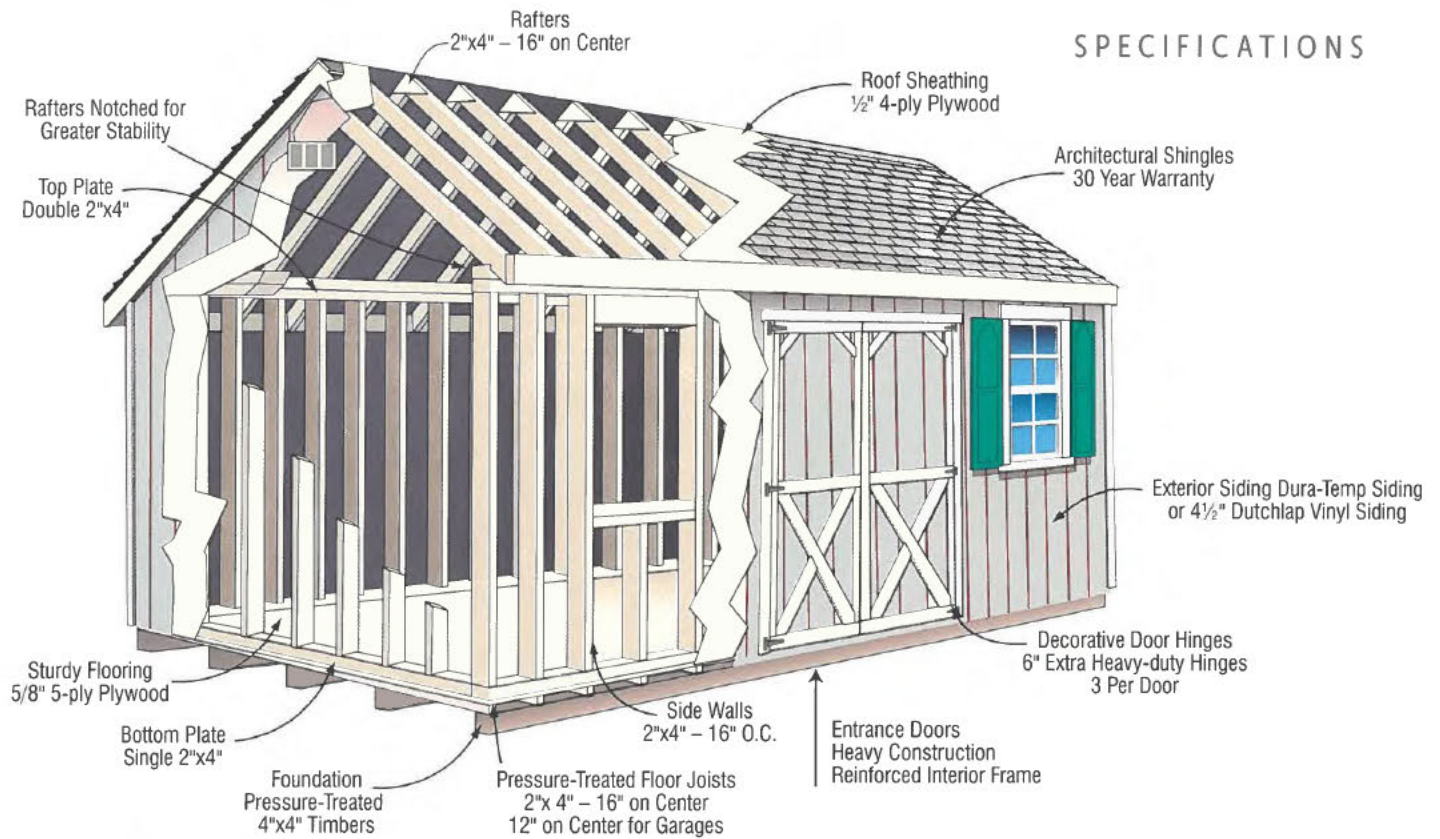
JOB NO.: E-26-010



SAMUEL T. HUTCHINS
PROFESSIONAL LAND SURVEYOR #21682
EXPIRES 12-13-2026

7-10-2026
DATE

DELIVERY & PLACEMENT OF SHEDS



concrete pad

OPTIONS

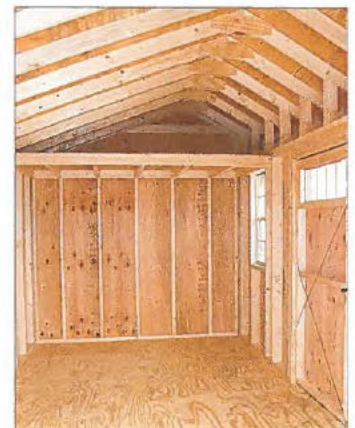
SHELVES & LOFTS



Potting Shelf



Work Bench



Loft





OCEAN PINES ARCHITECTURAL REVIEW COMMITTEE

PERMIT APPROVAL

PERMIT#: 12247
DATE: 07/31/2026

FOR: DETACHED GARAGE PERMIT

AT THE FOLLOWING LOCATION:

42 Grand Port Rd
01-0466

FOR PROPERTY OWNER:

Dennis Drazin
42 Grand Port Road
Ocean Pines, MD
21811
[REDACTED]

The Architectural Review Committee has approved your application for a permit as stated below:
Permit - Home - No Footprint Change

**THIS APPROVAL MUST BE POSTED
ON THE BUILDING SITE WITH YOUR
WORCESTER COUNTY BUILDING PERMIT**

**WHEN WORK IS COMPLETED, PLEASE CONTACT 410-641-7717, EXT. 3035
TO REQUEST A FINAL INSPECTION**

PERMIT VALID FOR 1 YEAR



Permit Application

OCEAN PINES ASSOCIATION
COMPLIANCE, PERMITS, AND INSPECTIONS
Phone: 410-641-7717 Fax: 410-641-5181

JUL 13 2026

INSTRUCTIONS: Provide information requested below, sign and submit this application, along with 3 Up-to-date As-built site plans (showing location of project and the Worcester County Approval), two elevation/plan drawings (1/4 scale) showing all views, a copy of the Worcester County Application Permit, the filing fee, review/inspection fee, and completion agreement deposit. (Fees are shown on the back of this form.) Upon Final Inspection, an As-Built Survey is Required. PLEASE BE SURE THAT ALL ACCESSMENTS ARE PAID AND UP-TO-DATE OR PERMIT WILL BE DENIED

Section & Lot No. 1 466

Street Address 42 Grand Port Rd

Name of Lot Owner DENNIS DRAZIN

Phone [REDACTED]

Mailing Address 42 Grand Port Rd

Phone

Contractor/Builder owner

Phone [REDACTED]

MHIC# / HBR#

Email [REDACTED]

Please **CIRCLE** appropriate category:

Addition/Alteration©		Resubmittal (After 1 year)	Change During Construction	Deck©	Demo Or Moving of House©	Pier/Dock/I
Home Occupation	Change of Color/Siding	POD	RV Parking - Temp. 2 day/2 week	Fire Pit	Shed©	Storage Unit

County
Permit
Applied
For

Description of Project:

PRE FAB GARAGE 12X20 ON CONCRETE PAD

I/WE CERTIFY THAT THIS PROJECT WILL BE IN COMPLIANCE WITH OCEAN PINES ARC GUIDELINES, RECORDED COVENANT AND WORCESTER COUNTY BUILDING REQUIREMENTS AND THAT NO WORK WILL BEGIN UNTIL APPROVED BY THE ARC. PERMISSION IS GRANTED TO ARC/CPI TO MAKE PERIODIC INSPECTIONS ON PROPERTY. THIS PERMIT IS GOOD FOR A TWELVE (12) MONTH PERIOD. A FINAL MUST BE CALLED IN WITHIN TWELVE (12) MONTH PERIOD BY OWNER/BUILDER OR RESUBMITTAL FEE OF \$135.00 WILL BE APPLIED TO THE PROJECT.

SIGNED [Signature]
Property Owner(s)

DATE 7/13/2026

SIGNED owner
Contractor/Builder

DATE

APPROVED BY: [Signature]

DATE 7/27/26

DISAPPROVED BY:

DATE

COMMENTS:

PAID
#725
\$385

C-
OP-12247

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-60**

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: September 10, 2026

LOCATION: 42 Grand Port Rd, Tax Map 16, Parcel 38, Section 1, Lot 466, Tax District 3, Worcester County, Maryland.

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

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

PROPERTY HISTORY: The property is improved with a residence constructed in 1999 with the following records on file:

06/04/1999 Permit 60781 – Issued 06/22/1999 – CO issued 12/17/1999 – Permit for a single-family dwelling with covered porch, back screened porch, and open deck.

12/19/2022 Permit 22-1366 – Issued 01/03/2023 – CO issued 03/27/2023- Permit for an 8’ x 10’ detached shed.

COMMENTS: The subject property is a pie-shaped lot located along the canal, which further restricts the usable area at the rear of the property and with minimal side-yard available. The R-3 Multi-Family Residential District requires a minimum lot area of 10,000 square feet; however, the subject property contains only 9,177 square feet.

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

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

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

SUBSEQUENT PROCESSES IF APPROVED:

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

OWNER: Dennis & Patricia Drazin
42 Grand Port
Ocean Pines MD 21811

APPLICANT : Same

PREPARED BY: Zoning Division Staff

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

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

OFFICE USE ONLY :

CASE NO: 26-51
DATE FILED: 7-8-2026
HEARING DATE: 8/10/26

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:

Placement of Shed (Variance)
Within Critical Area

LOCATION OF PROPERTY:

TAX MAP: 4 PARCEL: 25 SECTION: LOT/ BLOCK: 53
On the N/S/E/W of: 13301 Roilie Rd. West
(Feet/Miles), N/S/E/W of

PROPERTY OWNER INFORMATION:

Owner's Name: Edward Karen Varner Telephone: [REDACTED]
Address: [REDACTED] E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Edward Varner 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 REAR :
RIGHT OF WAY OF A STATE ROAD LEFT SIDE: 8'
25' FROM PROPERTY LINE RIGHT SIDE: 8'

ZONING DISTRICT: R-2 TAX DISTRICT: 5

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 8th day of July
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared Eduard Varman, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

Deborah D. Mooney
Notary Public

My Commission Expires: 5/31/2028



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

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

AS WITNESS my hand and official seal.

Notary Public

My Commission Expires: _____

**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: Edward + Karen Varner
RE: _____ **Tax Map** 4 **Parcel** 25 **Section** _____ **Lot** 53
DATE: 6/25/26

- (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. *The property is uniquely shaped which significantly limits the usable area outside the critical area. Due to the irregular configuration there is no other practical area to place a storage shed. This is presenting an unnecessary hardship by preventing any reasonable location.*
- (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. *Due to the 50' buffer setback, shape and location of the lot I am prevented from placing a storage shed on my property, something found in almost all of the neighboring properties. Granting a variance would allow reasonable use of my property consistent with neighbors.*
- (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. *The requested variance would NOT provide a special privilege, similar residential properties within my community that are within the critical area have similar accessory structures on their properties that are within the 50' buffer zone. Allowing this variance would simply allow me to use my property as my neighbors do.*
- (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. *The need for the variance results from existing characteristics of the lot, including its size, shape and setback. These conditions existed prior to my ownership and were not created by any actions of the applicant.*

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. *The proposed structure will be an accessory structure used solely for storage, no wastewater, chemicals or pollutants will be generated by the structure, it will be based on a gravel base.*
- (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. *I believe the standards and provisions of the Atlantic Coastal Bays Critical Area Program will be satisfied with hardships encountered, including paying for storage unit monthly (\$114/month) and \$280/month in lawn care because my ride on mower is in the storage unit and has no place on my property to keep it.*
- (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. *I am requesting the variance before any action on my part has taken place. This is not an 'after the fact' request.*

Prepared by:


(Owner/Applicant)

7-8-26

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

Floodplain Information:

Zone AE Base Flood Elevations 4.0' & 5.0' as shown hereon. BFE Line Scaled Community Panel No. 240083-0055 H Effective Date: July 16, 2015

Lot Area:

Area: 21,126 SqFt +/- = 0.485 Ac. +/-

Lot Coverage:Existing

House and Garage = 2,450 SqFt +/-
Porch = 335 SqFt +/-
Concrete Areas = 265 SqFt +/-
Asphalt Drive = 900 SqFt +/-
Stone Portion Drive = 70 SqFt +/-
Deck Area = 170 qFt +/-
Gravel Area in Rear Yard = 230 SqFt +/-
Steps = 50 SqFt +/-
Dock Portion on Property = 60 SqFt +/-
TOTAL EXISTING COVERAGE = 4,530 SqFt +/-
4,530 SF / 21,126 SF = 21.44 % Lot Coverage
Proposed Coverage:
Frame Shed = 392 SqFt +/-
Wood Ramp = 24 SqFt +/-
Total Proposed Coverage = 416 SqFt +/-
Total Proposed & Existing Coverage = 23.41%

Critical Area Information:

This property lies entirely within the Atlantic Coastal Bays Critical Area and is subject to the laws of the Critical Area Program. This property is classified LDA.

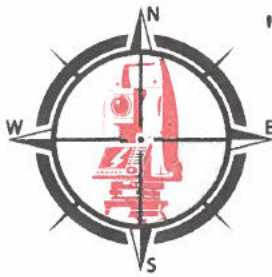
Property Zoning is R-2

Suburban Residential District

Front Yard : 25 feet
Side Yard : 8 feet
Rear Yard : 50' Buffer from Mean High Water
Buffer Management Zone : B-50

Surveyor's Note:

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

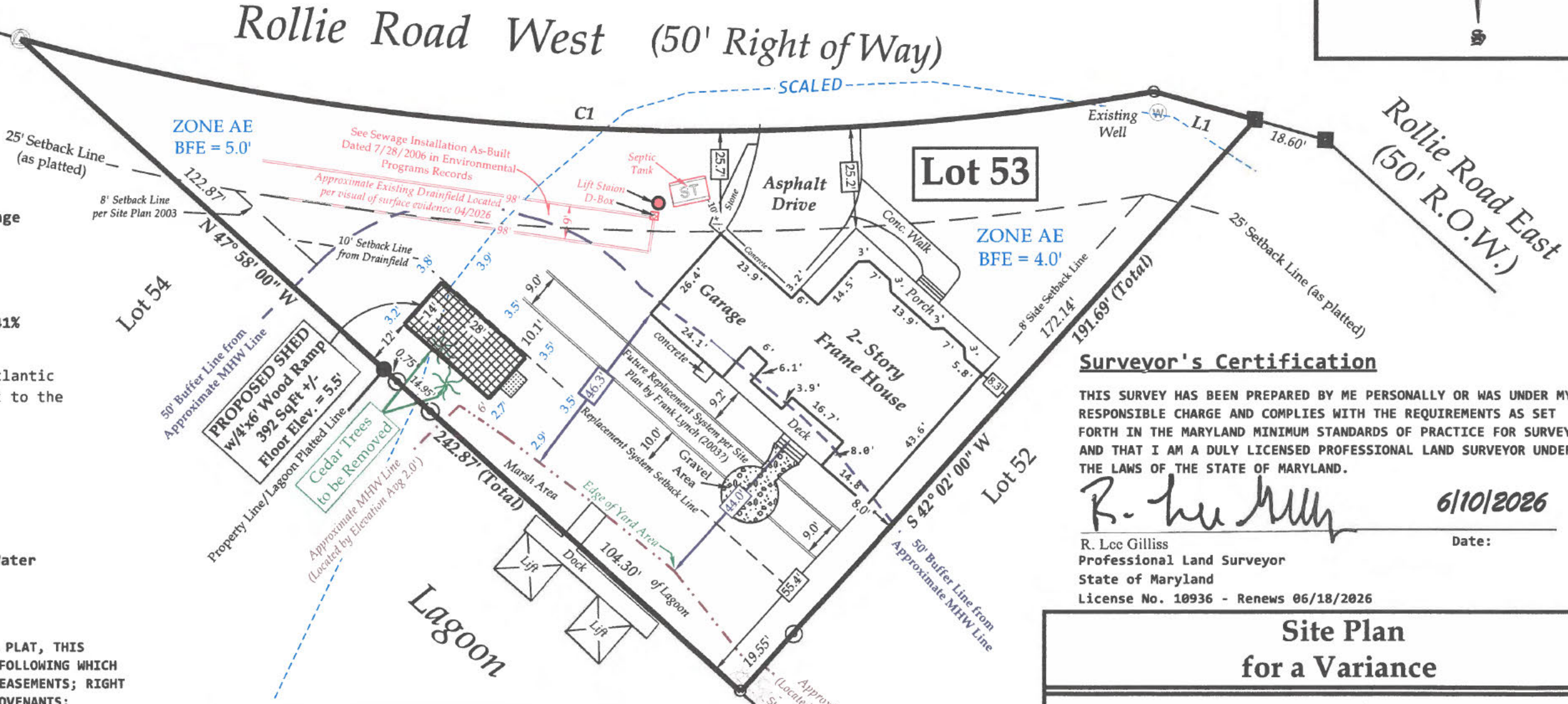


R. Lee Gilliss, PLS
"Land Surveyors & Consultants"
Maryland and Delaware
8826 Old Ocean City Road
Berlin, Maryland 21811
Phone: 410.251.0638
Email: rleegil@verizon.net

DATE: June 10, 2026 SCALE: 1 inch = 30 feet Job No. 24-174

Curve Information				
CURVE	BEARING	DISTANCE	RADIUS	ARC LENGTH
C1	S 87° 19' 27" E	283.86'	650.00'	286.17'

Line Table		
LINE	BEARING	DISTANCE
L1	S 74° 30' 00" E	26.14'



Surveyor's Certification

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

R. Lee Gilliss

6/10/2026

R. Lee Gilliss
Professional Land Surveyor
State of Maryland
License No. 10936 - Renews 06/18/2026

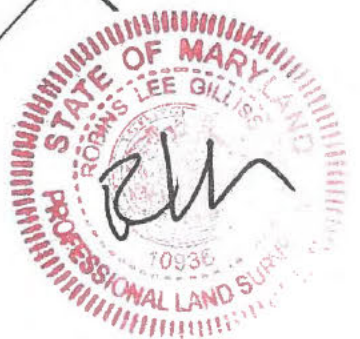
Site Plan
for a Variance

Lot 53, Block A
Hidden Harbor, Plat No. 1
Plat Reference: Plat Book FWH No. 8, Folio 43
13301 Rollie Road West
Bishopville, Maryland 21813
Tax Map 4, Grid 24, Parcel 25
Account ID No. 05-002494
Deed Reference: Liber SRB 7785, Folio 284

Fifth (5th) Election District
Worcester County, Maryland

LEGEND	
○	Property Corner (platted)
⊙	Iron Pipe Found
⊗	Iron Rod w/Cap Found
■	Concrete Monument Found
⊙	Existing Well
●	Iron Rod Found
✱	Cedar
ST	Septic Tank

(11x17 for Actual Scale)



**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-51**

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: September 10, 2026

LOCATION: 13301 Rollie Road West Rd, Tax Map 4, Parcel 25, Block A, Lot 53, Tax District 5 of Worcester County, Maryland.

APPROVAL REQUESTED: requesting a variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 6 feet (an encroachment of 94 feet) for the placement of a 14' x 18' shed in the R-2 Suburban Residential District

CODE REFERENCES: Zoning Code §§ ZS 1-206(b)(2) and ZS 1-305 and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111

PROPERTY HISTORY: The property is improved with a residence constructed in 2007 with the following records on file:

12/04/2002 Permit 80181 – Issued 08/12/2003 – CO issued 05/25/2007 – Permit for a single-family dwelling with attached garage, rear deck, covered front porch, vinyl tech room, and finished bonus room over garage.

03/12/2013 Permit 13-0224 – Issued 03/19/2013 – CO issued 06/28/2013- Permit for extending existing kitchen nook.

COMMENTS: The Property is uniquely shaped, which significantly limits the usable area outside the critical area. Due to where the home is located on the property, it leaves little to no room for placement elsewhere.

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

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

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

SUBSEQUENT PROCESSES IF APPROVED:

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

OWNER: Edward & Karen Varmon
13301 Rollie Rd West
Bishopville MD 21813

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: 26-52
DATE FILED: 6-25-2026
HEARING DATE: 8-13-2026

APPLICATION BEING MADE FOR:

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

TO THE BOARD OF ZONING APPEALS:

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

LOCATION OF PROPERTY:

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

PROPERTY OWNER INFORMATION:

Owner's Name: RJM LLC Telephone: [REDACTED]
Address: [REDACTED] E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Robert Mason Jr. 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? No If so, has information been submitted in accordance with Worcester County's Critical Area Program Regulations? N/A

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

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

ZONING DISTRICT: A-1 TAX DISTRICT: 5

X Robert Mason Jr.
Signature of Owner or Legal Representative

[REDACTED]
Signature of Applicant

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

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

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

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

AS WITNESS my hand and official seal.

Deborah D. Mooney
Notary Public

My Commission Expires: 5/31/2028



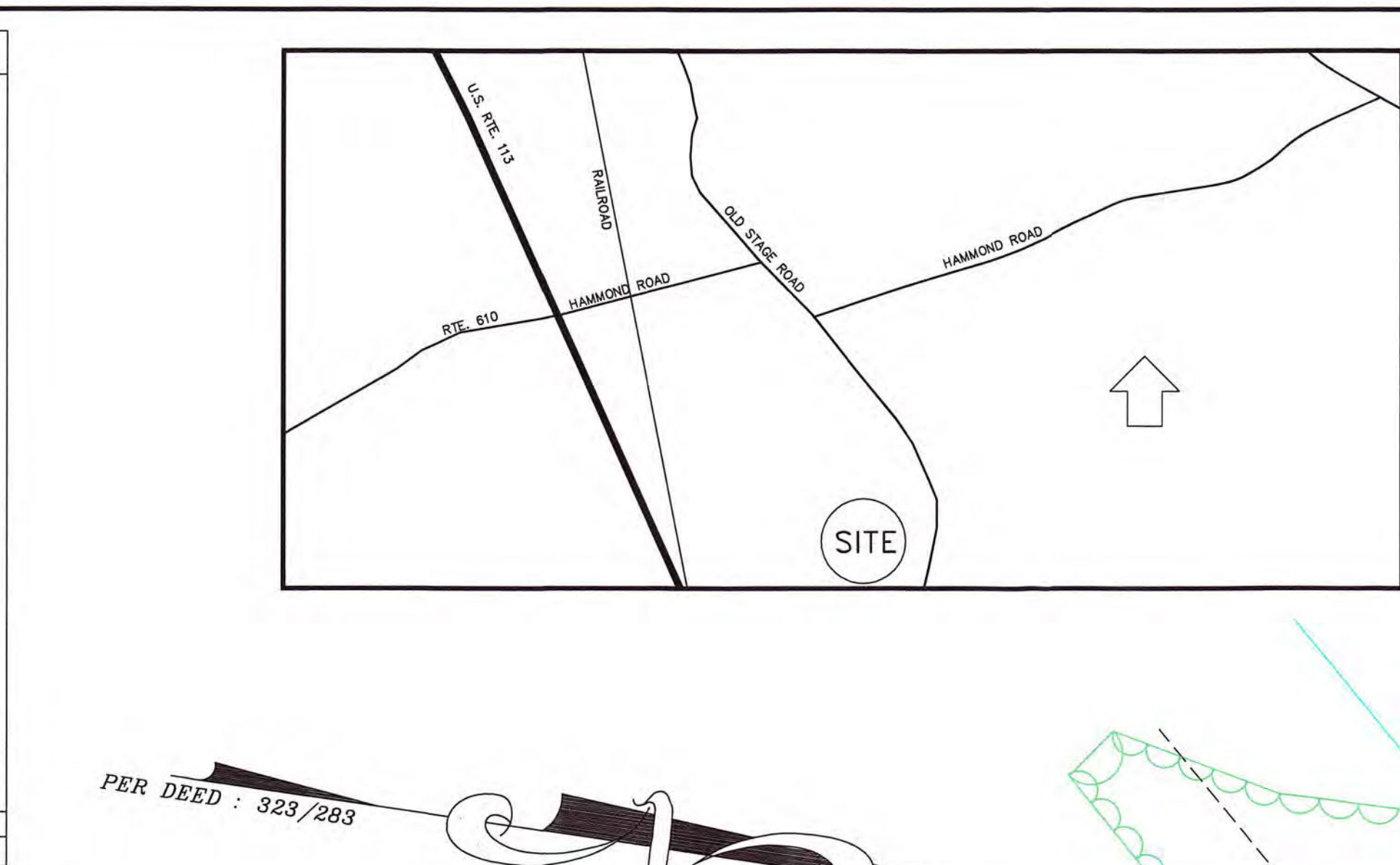
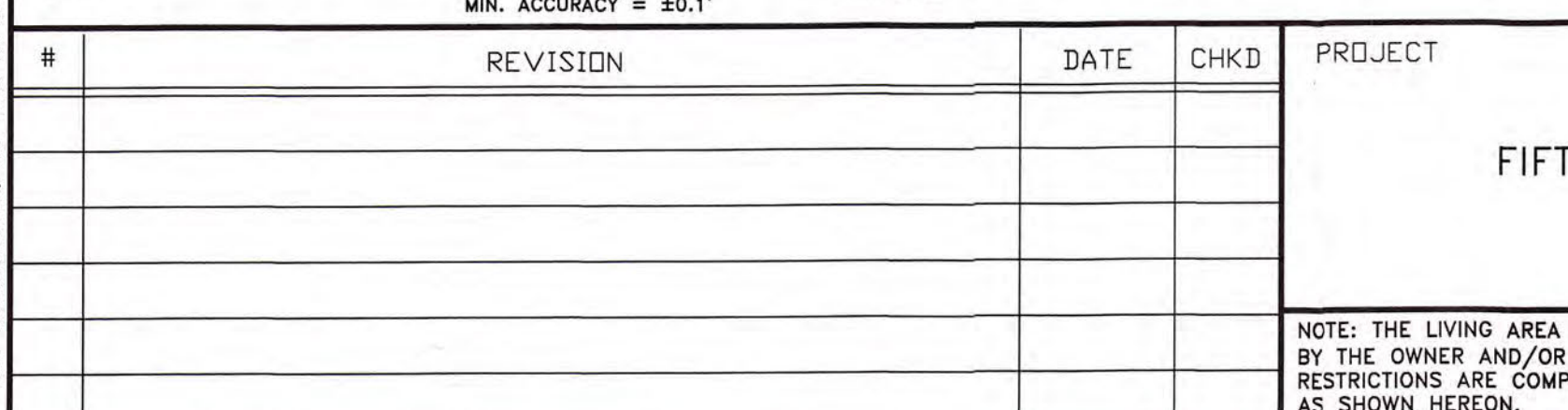
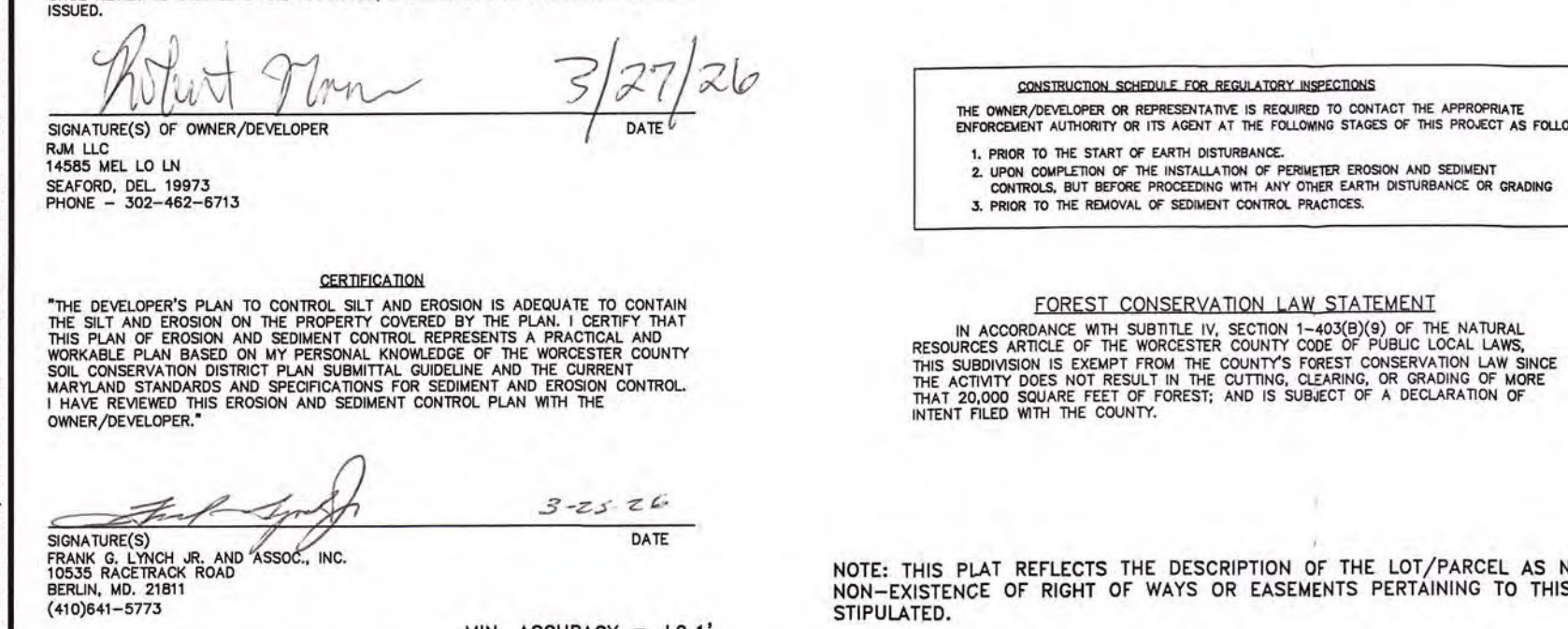
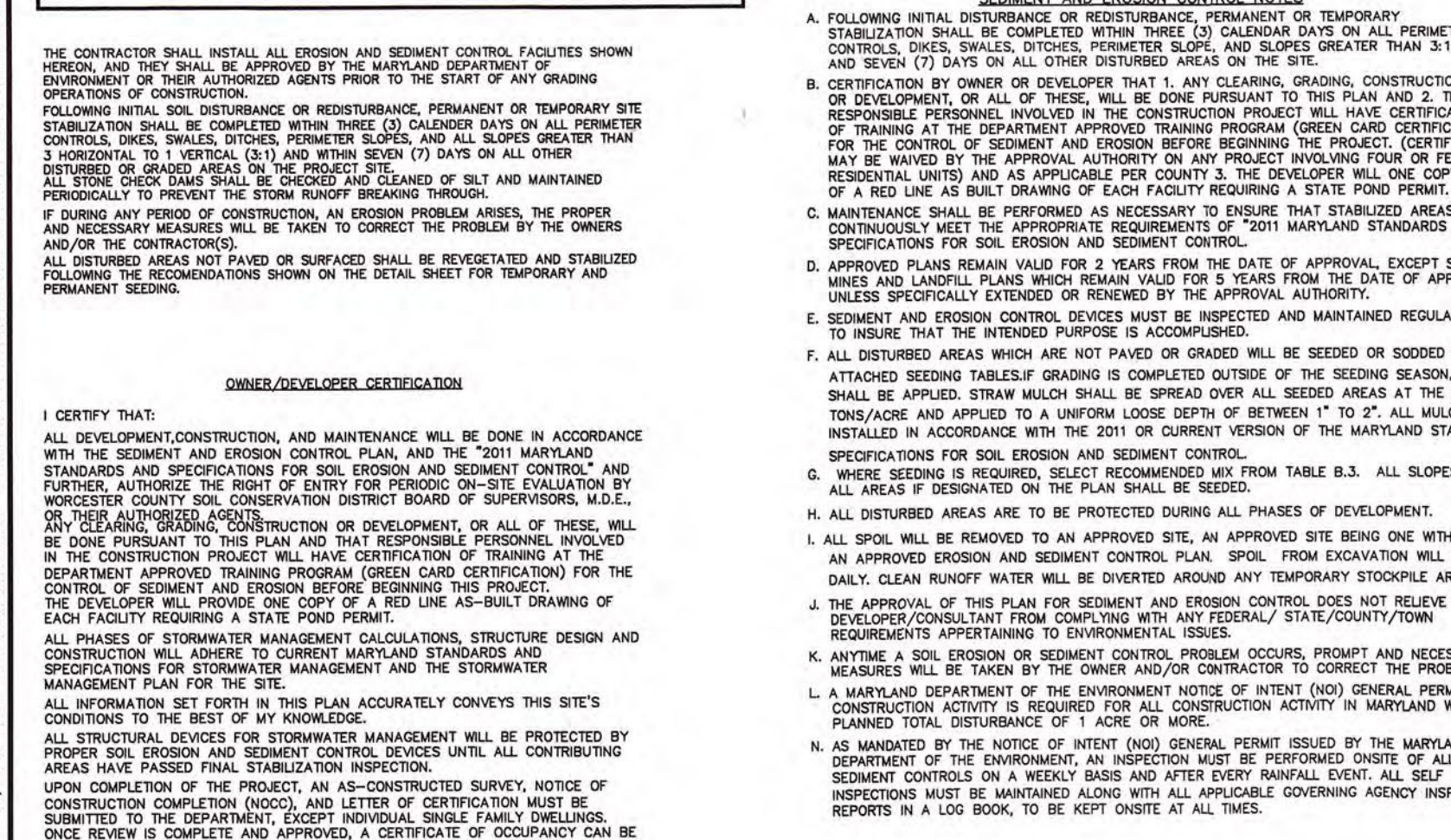
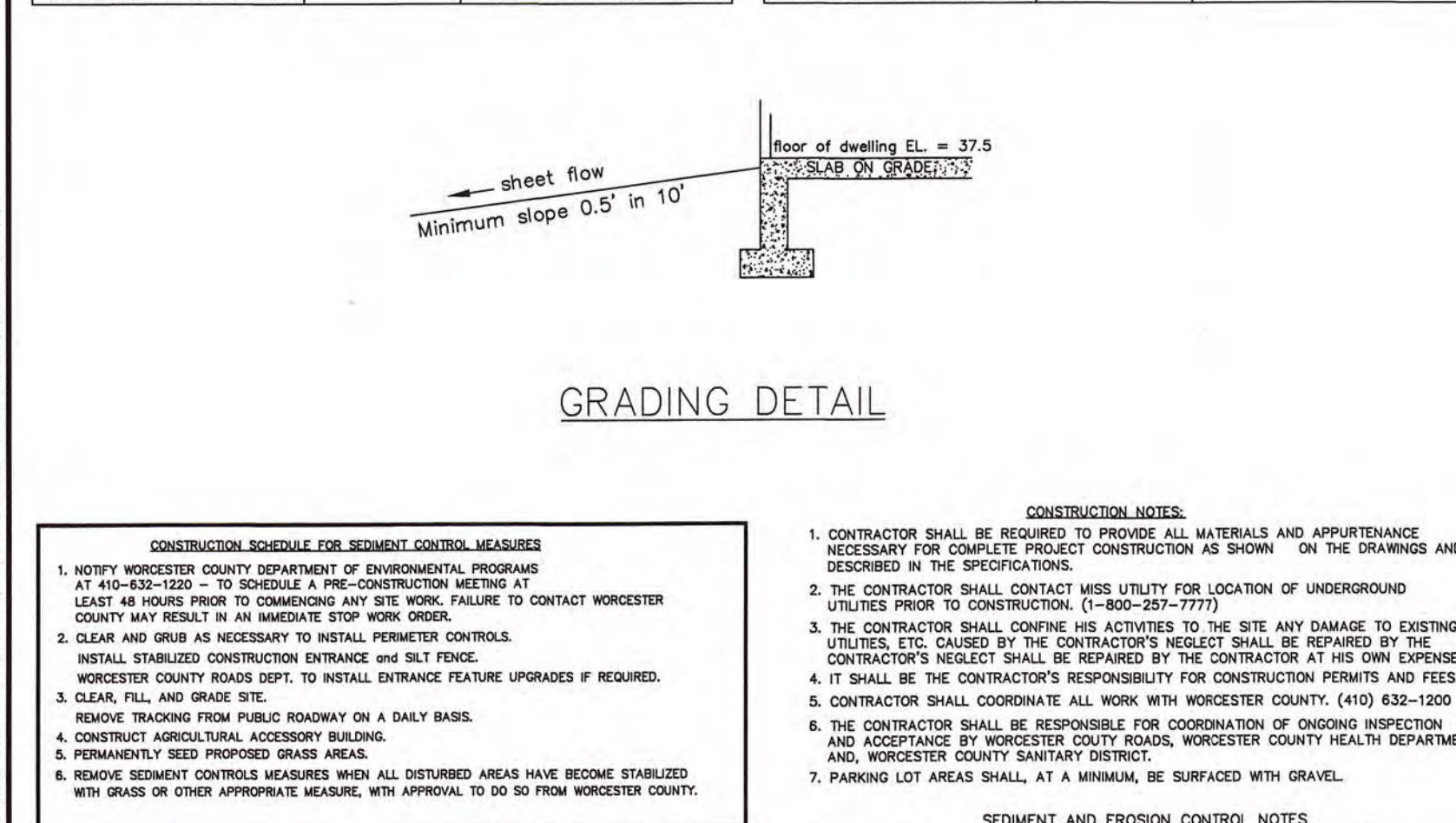
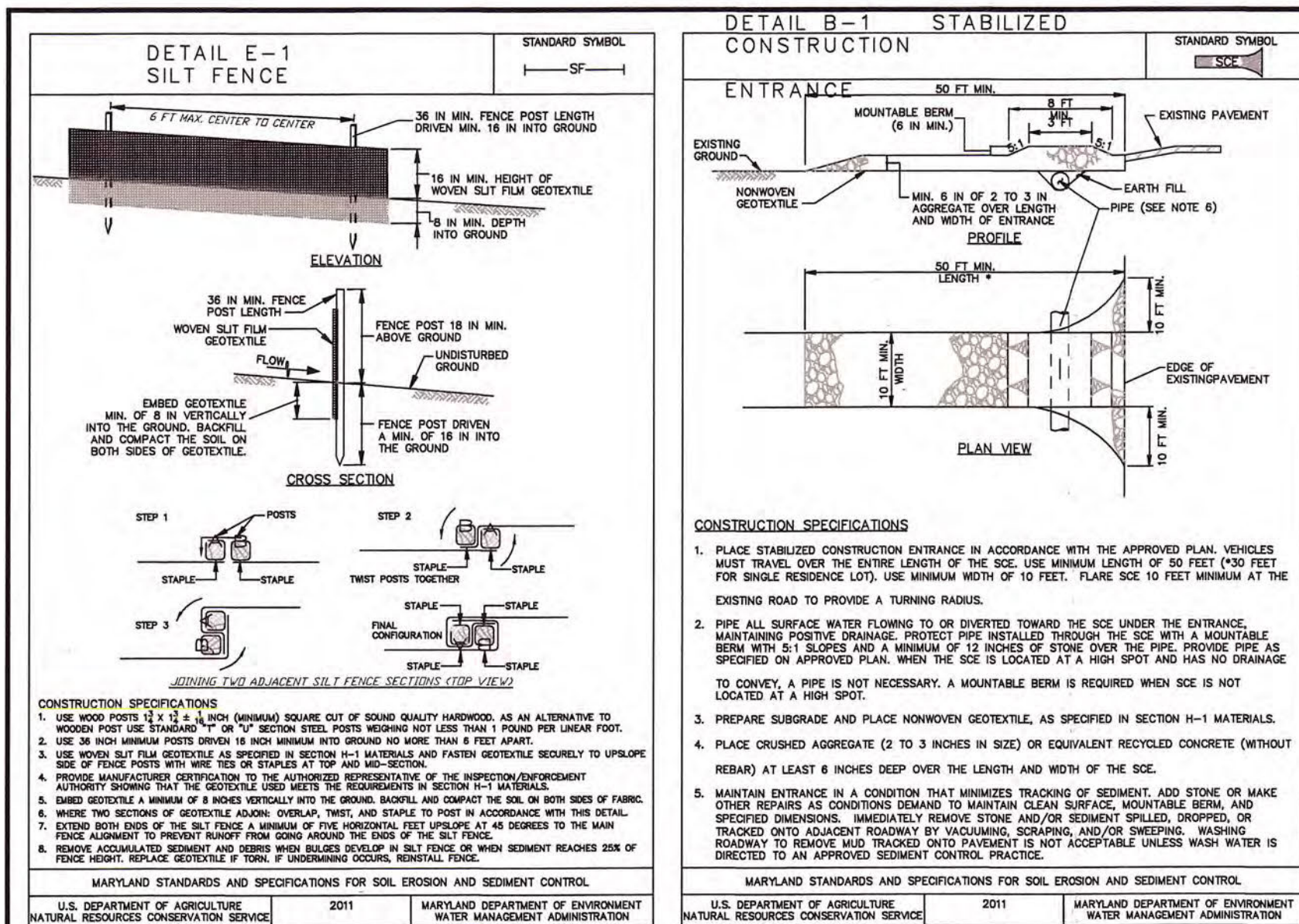
STATE OF MARYLAND, WORCESTER COUNTY TO WIT: (APPLICANT)

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

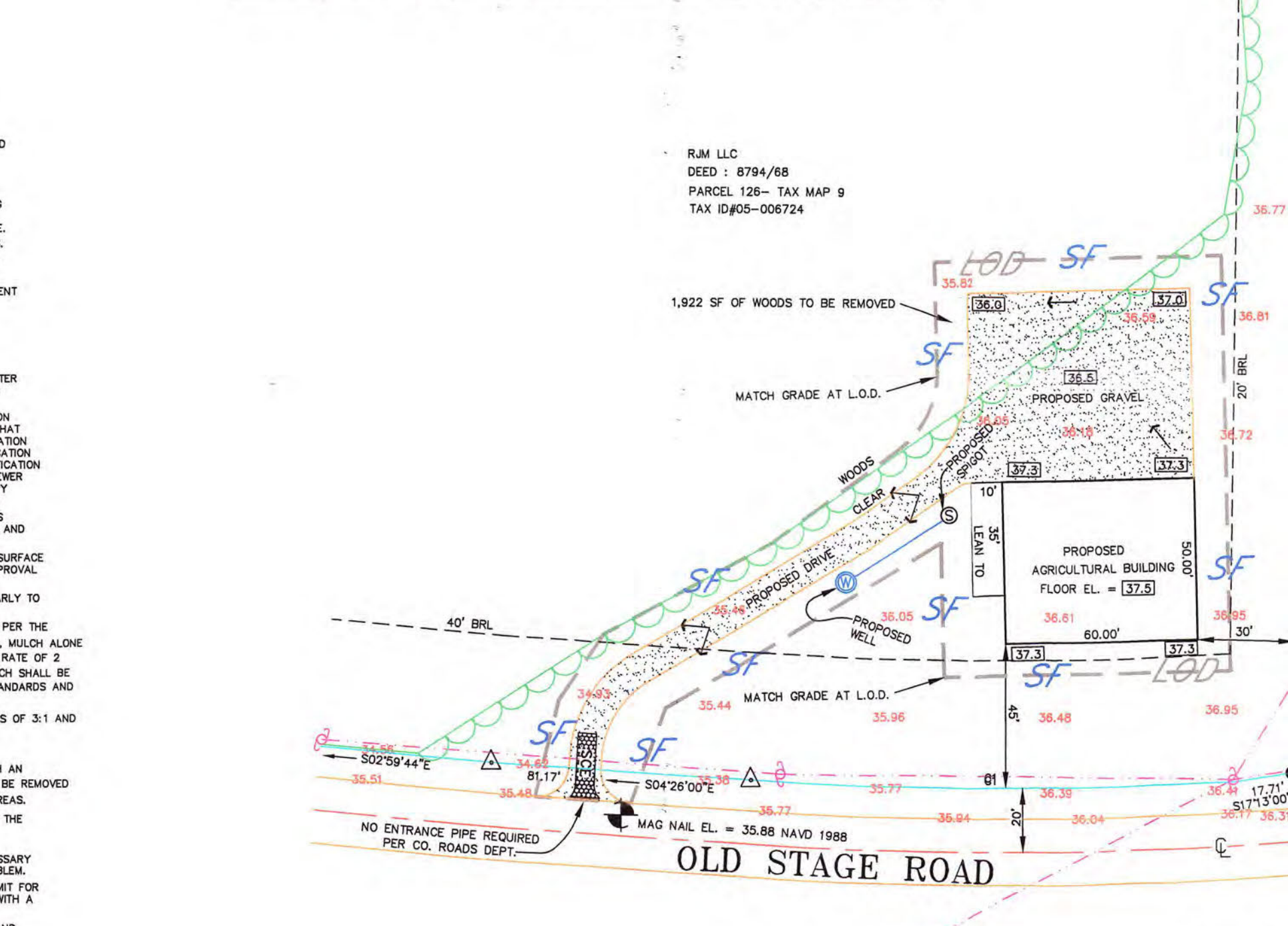
AS WITNESS my hand and official seal.

Notary Public

My Commission Expires: _____



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



LEGEND

- SF DENOTES SILT FENCE
- DENOTES LIMITS OF DISTURBANCE
- DENOTES PROPOSED ELEVATION NAVD 1988
- DENOTES EXISTING SPOT ELEVATION NAVD 1988
- DENOTES DISTURBED AREA 16,320 S.F.± OR 0.3746 ACRES
- DENOTES IRON PIPE FOUND
- DENOTES POST CONSTRUCTION FLOW PATTERN

NOTED IN THE TITLE OF THIS PLAT, AS SHOWN ON THE RECORD PLAT AND DOES NOT VERIFY THE EXISTENCE OR
 PROPERTY OTHER THAN THOSE AS SHOWN ON SAID RECORD PLAT. NO TITLE SEARCH OR COVENANTS PROVIDED OR

Table 8.1: Temporary Seeding for Site Stabilization

Plant Species	Seeding Rate ^{1/}		Seeding Depth ^{2/} (inches)	Recommended Seeding Dates by Plant Hardiness Zone 3 ^{3/}			
	lb/oz	lb/1000 ft ²		Dc and Ec		Es	Fa and Fs
Cool-Season Grasses							
Annuul Ryegrass (<i>Lolium perenne</i> spp. <i>mullorum</i>)	40	1.0	0.5	Mar 15 to May 31; Aug 1 to Sep 30	Mar 15 to Apr 30; Aug 1 to Oct 15	Mar 15 to Apr 30; Aug 15 to Nov 30	
Bahay (<i>Stenotaphrum vulgare</i>)	66	1.2	0.5	Mar 15 to May 31; Aug 1 to Sep 30	Mar 15 to Apr 30; Aug 1 to Oct 15	Fab 15 to Apr 30; Aug 15 to Nov 30	
Oats (<i>Avena sativa</i>)	72	1.7	1.0	Mar 15 to May 31; Aug 1 to Sep 30	Mar 15 to Apr 30; Aug 1 to Oct 15	Fab 15 to Apr 30; Aug 15 to Nov 30	
Wheat (<i>Triticum aestivum</i>)	120	2.8	1.0	Mar 15 to May 31; Aug 1 to Sep 30	Mar 15 to Apr 30; Aug 1 to Oct 15	Fab 15 to Apr 30; Aug 15 to Nov 30	
Corned Ryg (<i>Syntherisma sativa</i>)	112	2.8	1.0	Mar 15 to May 31; Aug 1 to Oct 31	Mar 15 to May 15; Aug 1 to Nov 30	Fab 15 to Apr 30; Aug 15 to Oct 15	
Warm-Season Grasses							
Festula Mif (<i>Festuca ovina</i>)	30	0.7	0.5	Jun 1 to Jul 31	May 15 to Jul 31	May 1 to Aug 14	
Poa Mif (<i>Poa annua</i>)	30	0.8	0.5	Jun 1 to Jul 31	May 1 to Aug 14		

^{1/} Seeding rates listed

Table 8.1 listed for the warm-season grasses are in pounds of Pure Live Seed (PLS). Actual planting rates shall be adjusted to reflect parent seed germination and purity, and seed adjustments are usually not needed for the cool-season grasses.

Seeding rates listed above are for temporary seedings, when planted alone. When planted as a nurse crop with permanent seed, use 1/2 of the seed rate listed below for forbs, oats, and wheat. For permanent-seeded grasses (Crested dogtail, green fescue, hard fescue, tall fescue, etc.), do not exceed rates listed in the table equal to the overall permanent seeding rate. Cover grass generally should be at least as a nurse crop, unless planting will occur in very dry sites where the seedling rates for other temporary seedings. Cover grass has adequate persistence that holds the germination on growth of other plants. If it must be used as a nurse crop, seed at 1/2 of the rate listed above.

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

^{2/} For sandy soils, plant seeds at twice the table listed above.

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

Table 8.6: Maintenance Fertilization for Permanent Seeding

Seeding Mixture	Type	lb/oz	lb/1000 ft ²	Time of Year	Mowing
Full Nurse	10-10-10	500	11.5	Spring or Summer	Not needed; mow 3 inches, if occasional mowing is desired.
Blended Fertilizer	0-30-0	400	9.2	Spring, the year following establishment, and every 4 to 5 years, thereafter.	Mow no closer than 2 inches.
Fully uniform blend of full nurse or abated full nurse	10-10-10	500	11.5	For the year following establishment, and every 4 to 5 years, thereafter.	NOT RECOMMEND mow closer than 4 inches in the fall after seed has been established.
Weighting low-nitrogen fully uniform plant distribution.	5-10-10	500	11.5	Spring, the year following establishment, and every 4 to 5 years, thereafter.	NOT RECOMMEND mow closer than 4 inches in the fall after seed has been established.

T NOTES
 AREA: 20.99 ACRES±
 AND JCS-006724
 ZONING: A-1
 NG SETBACKS: FRONT: 60' FM CL ROAD
 = 50' SIDES = 20'
 D ZONE: X PER
 NO. 24047C0040H
 D 7-16-2015.
 RBED AREA = 16,320 S.F.± OR 0.3746 ACRES ±
 OSED FILL = 150 C.Y.±
 REF.: 8794/68
 SOILS ARE: RUINCLNT LOAMY SAND (RuA) - CLASS A
 IS CURRENTLY VACANT, WOODS, AND MEADOW GRASSES.
 MWATER IS DIRECTED TO GRASS AND WOODED DISSECTIONS.
 EL 125 = TAX MAP 9
 ARE REPORTEDLY NO WETLANDS WITHIN THE LIMITS OF DISTURBANCE.
 SITE IS NOT WITHIN THE ATLANTIC COASTAL BAYS CRITICAL AREA.
 SITE IS WITHIN WORCESTER COUNTY SUBWATERSHED #2130103- ISLE OF WIGHT BAY DRAINAGE.
 CONTRACTOR AND OWNER SHALL PROVIDE SUPERVISION AND CERTIFICATION OF ALL CONSTRUCTION OF STORMWATER
 TREATMENT PRACTICES THAT PROVIDE INFILTRATION AND FILTERING, BY A PROFESSIONAL ENGINEER DULY LICENSED IN
 THE STATE OF MARYLAND.

(IN FEET)
 1 inch = 40 ft.

Sediment Control Plan Approval
 Worcester Soil Conservation District
 Snow Hill, MD 21863
 Approved by: *[Signature]*
 Date: *3/27/16*

Table B.3: Selected List of Permanent Herbaceous Seeding Mixtures							
Mix	Recommended Cultivar	Seeding Rate ^a kg/ha	8/1000 ft ²	Soil Cover Class ^b	Min. Height (cm)	Min. Leaf L ^c	Remarks
WINTER-SEASON DRY-SEASON GRASS MIXES							
1. SELECT ONE WINTER-SEASON GRASS Swath Grass (<i>Pharusium argyranthum</i>)	Blackwell, Carthagen, Pioneer, Ruffin, or Swath	10	0.23				All species are native to Maryland.
02 Coastal Pearly Grass (<i>Pharusium amaranth</i> var. <i>amaranthum</i>)	Altaville	10	0.23				Coastal pearly grass has a regular grassy drift.
AND ADD: Crisping Red Fescue (<i>Festuca rubra</i> var. <i>rubra</i>)	Drexler, Pennington, Ruffin, Furlow, Ruffin, or Swath	15	0.34	E - P	4 - 7	C - D	Crisping red fescue is a cool-season grass that will provide erosion protection. The cool-season pearly grass is becoming established.
PURVIS ONE OF THE FOLLOWING LEAGUERS:							
Purvis Pigea (<i>Chenopodium leucanthemum</i>)	Common	4	0.09				Chenopodium, common purvisgrass, the broad-leaved purslane, and the purslane are not naturally self-seeders and are not recommended for erosion protection. Purvisgrass is becoming established.
Bush Clover (<i>Lupinus albus</i> capitatus)	Common	2	0.05				
Wild Indigo (<i>Baptisia tinctoria</i>)	Common	2	0.05				
2. Big Bluestem (<i>Andropogon gerardii</i>)	Hopkins or Blounts	6	0.14				All species are native to Maryland.
Indiangrass (<i>Sorghastrum nutans</i>)	Runway	6	0.14				The Indiangrass and blounts have fairly small plants with a well-defined nodose seed.
Little Bluestem (<i>Andropogon scoparius</i>)	Albino or Blount	6	0.09				
Crisping Red Fescue (<i>Festuca rubra</i> var. <i>rubra</i>)	Drexler, Pennington, Ruffin, Furlow, Ruffin, or Swath	15	0.34	E - WF	6 - 8	C - D	Crisping red fescue is a cool-season grass that will provide erosion protection while the warm-season grasses are becoming established.
03 Purvis Pigea (<i>Chenopodium leucanthemum</i>)	Common	4	0.09				
Bush Clover (<i>Lupinus albus</i> capitatus)	Common	2	0.05				
Wild Indigo (<i>Baptisia tinctoria</i>)	Common	2	0.05				
Shrubby Yarrow (<i>Diarrhena canadensis</i>)	Common	1.0-0.2	1	0.63			
3. SELECT THREE PHASES:							
Overbearing (<i>Gibberum monanthum</i>)	Stage	20	0.46				Excellent for excessively droughty, low pH (5.0-5.5) soils.
Shag Fescue (<i>Festuca ovina</i>)	Common or Blighen	20	0.46				
04 Caucasian Milk Yew (<i>Elymus canadensis</i>)	Common	3	0.07	E - WF	4 - 6	C - D	Shag fescue, Canadian milk yew, and hairy wood-rue are cool-season grasses that will provide erosion protection while the warm-season grasses are becoming established.
Reefing (<i>Aquilegia vulgaris</i>)	Broadleaf	1	0.02				
PURVIS ONE OF THE FOLLOWING LEAGUERS:							
Common Leavenwort (<i>Leavenworth arifolia</i>)	Native	10	0.23				Common leavenwort ('Yule's' variety) is more tolerant of low acidity and low nitrogen than the other leavenworts. These leavenworts from Eastern Maryland are becoming established.
Common Leavenwort (<i>Leavenworth arifolia</i>)	Common or Blighen	10	0.23				
4. Overbearing (<i>Gibberum monanthum</i>)	Stage	15	0.34				
Crisping Red Fescue (<i>Festuca rubra</i> var. <i>rubra</i>)	Drexler, Pennington, Ruffin, Furlow, Ruffin, or Swath	20	0.46				
Wild Indigo (<i>Baptisia tinctoria</i>)	Common	5	0.11	W - P	2 - 3	C - D	Use Virginia wild yew in moist, sunny

[illegible][illegible]

Frank G. Lynch, Jr. & Associates, Inc.			
SURVEYING · LAND PLANNING			
10535 RACETRACK ROAD · BERLIN, MARYLAND 21811			
(410) 641-5353 · 641-5773			
DRAWN BY	SURVEYED BY	FGL3/PL	FILE NO.:
IN BY FGL JR.	DATE	3-25-2026	12630-26
CHECKED BY FRANK G. LYNCH	SCALE	1" = 40'	SHEET 1 OF 1

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

IMPORTANT NOTICE

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

HEARING DATE: September 10, 2026

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

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

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

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

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

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

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

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

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

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

SUBSEQUENT PROCESSES IF APPROVED:

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

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

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

PREPARED BY: Zoning Division Staff

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

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

OFFICE USE ONLY :

CASE NO: 26-61
DATE FILED: 8/12/26
HEARING DATE: 9/10/26

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: SPECIAL EXCEPTION TO ALLOW FOR 8' HIGH DUMPSTER ENCLOSURE WITHIN BUILDING SETBACK ALONG COASTAL SQUARE ROAD

LOCATION OF PROPERTY:

TAX MAP: 26 PARCEL: 474 SECTION: -- LOT/ BLOCK: 4
On the N/S/E/W of: US ROUTE 50 (OCEAN GATEWAY)
0 (Feet/Miles), N/S/E/W of COASTAL SQUARE ROAD

PROPERTY OWNER INFORMATION:

Owner's Name: COASTAL SQUARE, LLC Telephone: [REDACTED]
Address: [REDACTED] E-Mail: [REDACTED]

APPLICANT INFORMATION:

Applicant's Name: Mark Spencer Cropper 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, NO PREVIOUS APPEAL FOR THIS LOT

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

OFFICE USE ONLY: MINIMUM REQUIRED SETBACKS:

(2) FRONT: FROM CENTERLINE OF ROAD
50/1100 RIGHT OF WAY OF A STATE ROAD
FROM PROPERTY LINE

REAR: N/A
LEFT SIDE: 6
RIGHT SIDE: 6

ZONING DISTRICT: C-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**

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

I HEREBY CERTIFY that on this 7th day of August
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared William Krapf, 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.

[Signature]
Notary Public

My Commission Expires: 04/15/2028



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

I HEREBY CERTIFY that on this 10TH day of AUGUST
20 26 before me, a Notary Public in and for the State and County aforesaid,
personally appeared MARK SPENCER CROPPER, known to me (or
satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged he executed the same for the purposes therein
contained AND FURTHER MADE OATH that he executed the same in the capacity
therein stated and for the purposes therein contained.

AS WITNESS my hand and official seal.

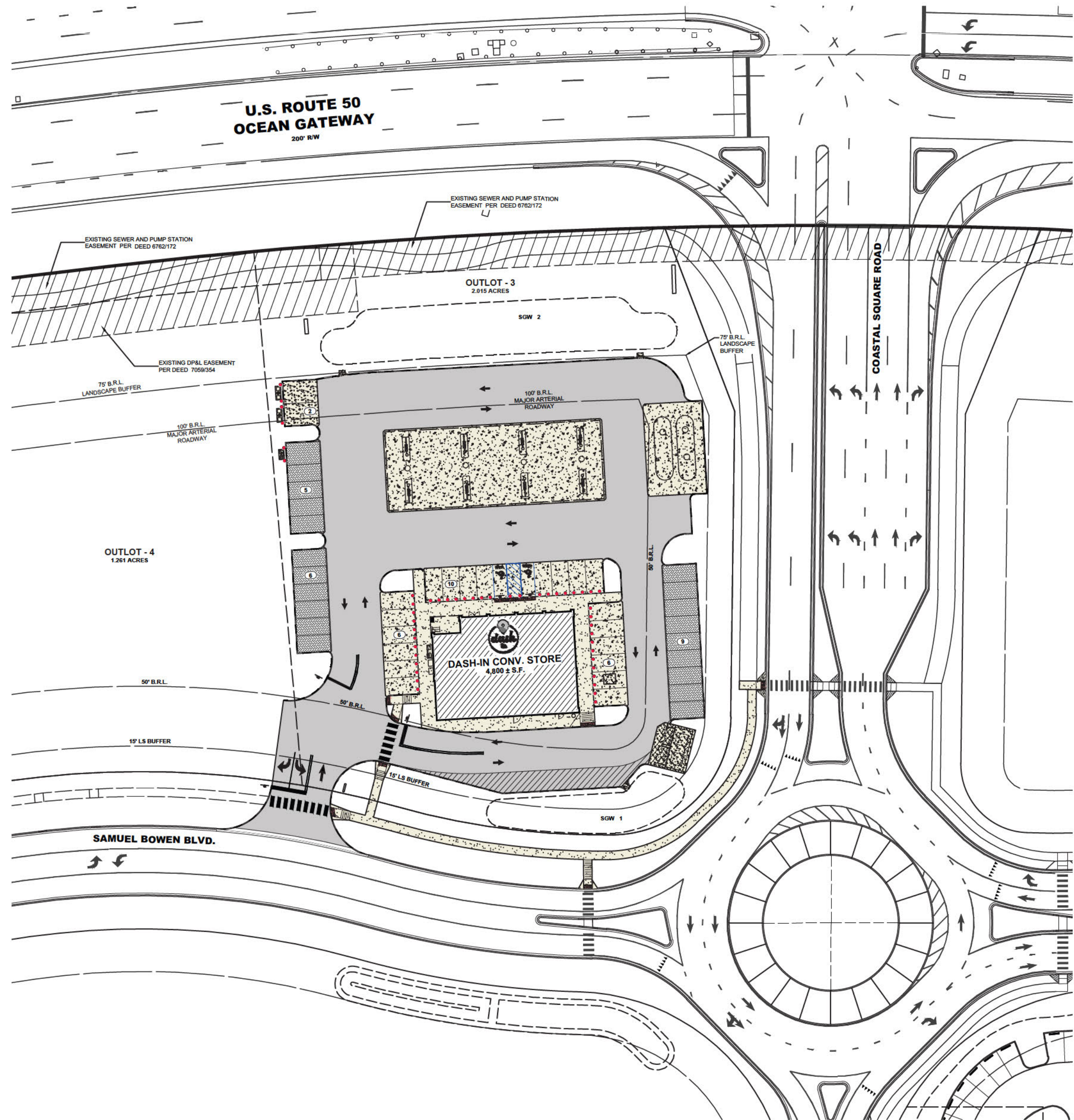
[Signature]
Notary Public

My Commission Expires: 06-01-2028



DASH-IN STORE #1110

WORCESTER COUNTY, MD



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.

WETLANDS STATEMENT

NO WETLANDS WERE OBSERVED WITHIN THIS PROJECT'S LIMIT OF DISTURBANCE. NO WETLANDS ARE MAPPED IN THIS PROJECT'S LIMIT OF DISTURBANCE PER MERL N (MARYLAND'S ENVIRONMENTAL RESOURCE & LAND MANAGEMENT NETWORK).

SHEET INDEX

C-001 COVER SHEET & OVERALL LAYOUT
C-101 EXISTING CONDITIONS & DEMOLITION PLAN
C-201 SITE PLAN
C-301 UTILITY PLAN
C-302 SANITARY PLAN AND PROFILE
C-303 DOMESTIC WATER PLAN AND PROFILE
C-304 BUILDING AND FUEL CANOPY ROOF DRAIN PLAN
C-305 SUBMERGED GRAVEL WETLAND #1 PLAN AND PROFILES
C-306 SUBMERGED GRAVEL WETLAND #2 PLAN AND PROFILES
C-307 SUBMERGED GRAVEL WETLAND MATERIALS AND NOTES
C-401 GRADING PLAN
C-501 EROSION & SEDIMENT CONTROL PLAN
C-502 EROSION & SEDIMENT CONTROL NOTES & DETAILS
C-503 EROSION & SEDIMENT CONTROL NOTES & DETAILS
C-901-905 CONSTRUCTION DETAILS
L-101-102 LANDSCAPE PLAN

GENERAL NOTES :

- BOUNDARY AND TOPOGRAPHIC SURVEY DATA SHOWN HEREON WAS PREPARED BY BECKER MORGAN GROUP, SALISBURY, MD, JANUARY OF 2026. VERTICAL DATUM IS BASED ON NAVD 88. HORIZONTAL DATUM IS BASED ON MARYLAND STATE PLANE NAD 83 (2011).
- THE BOUNDARY LINES PORTRAYED HEREON HAVE BEEN ESTABLISHED BASED SOLELY ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD IN CONJUNCTION WITH DETERMINATIONS DERIVED FROM SOURCE OF TITLE AND ADJACENT DEED RECORD INFORMATION.
- PROPERTY SHOWN HEREON IS SUBJECT TO ANY RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS, ETC. AS MAY BE SHOWN OR NOTED IN ANY RECORD, PUBLIC OR OTHERWISE, OR ANY REQUIREMENT OR REGULATION OF ANY PUBLIC AGENCY.
- THE EXISTING UTILITIES SHOWN WERE TAKEN FROM THE BEST AVAILABLE RECORDS. THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELMARVA (1.800.282.8555) TO VERIFY THE EXACT LOCATION PRIOR TO THE START OF ANY CONSTRUCTION. ANY DAMAGE INCURRED TO ANY UTILITIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE. IF THE CONTRACTOR RELIES ON THE UTILITY LOCATIONS SHOWN HEREON, HE DOES SO AT HIS OWN RISK AND WILL NOT BE ENTITLED TO ADDITIONAL COMPENSATION DUE TO TIME DELAYS FROM SAID RELIANCE.
- THIS SITE IS LOCATED WITHIN FLOOD ZONE "X" AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL RAINFALL CHANCE FLOODPLAIN, BASED ON FEMA FIRM COMMUNITY PANEL 24045C0251E, DATED JULY 15, 2015.
- ALL FIRE LINES, FIRE HYDRANTS AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE MARYLAND STATE FIRE PREVENTION REGULATIONS.
- THE PROPOSED BUILDING WILL NOT BE PROTECTED BY AN AUTOMATIC SPRINKLER SYSTEM.
- CONTRACTOR TO REPAIR ANY AND ALL EXISTING SIDEWALK AND/OR CURB DAMAGED DURING CONSTRUCTION TO ITS EXISTING CONDITION.

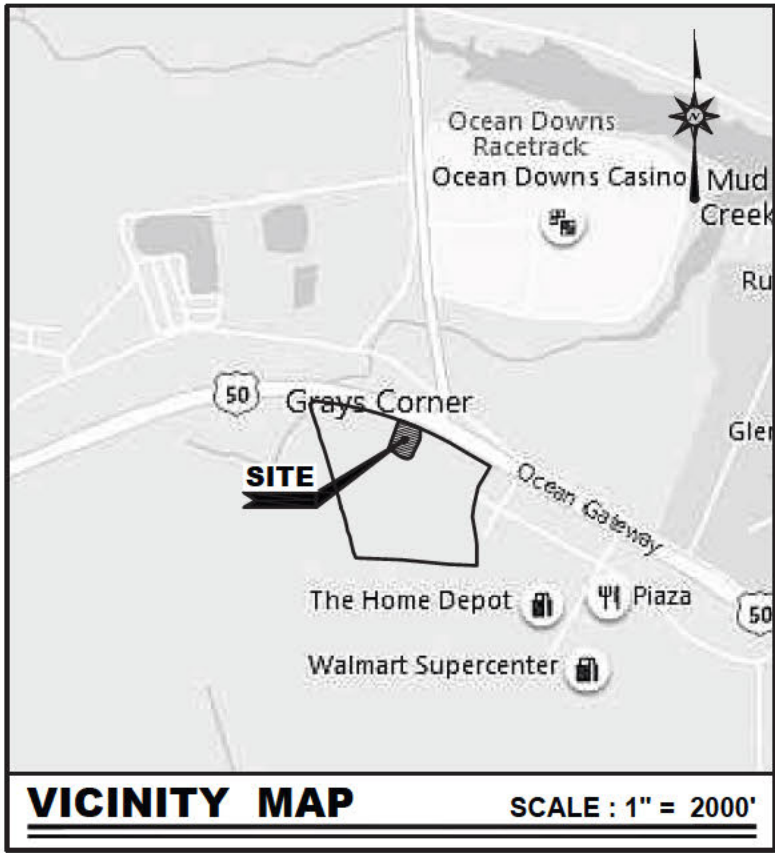
SOILS LEGEND :

FndA FALLSINGTON SANDY LOAMS, 0 - 2% SLOPES, NORTHERN TIDEWATER AREA (42% OF SITE)
WddA WOODSTOWN SANDY LOAM, 0 - 2% SLOPES, NORTHERN TIDEWATER AREA (58% OF SITE)
SOURCE: UNITED STATES DEPARTMENT OF AGRICULTURE, NATIONAL RESOURCES CONSERVATION SERVICE, WEB SOIL SURVEY.

LEGEND		
ITEM	EXISTING	PROPOSED
SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION	EX. 10" S	10" S
SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION	EX. 10" F.M.	12" F.M.
SANITARY SEWER MANHOLE (S.M.H.)	EX. 10" W	12" W
SANITARY SEWER CLEANOUT	EX. 10" W	12" W
WATER MAIN & SIZE	EX. 10" W	12" W
FIRE HYDRANT	EX. F.H.	F.H.
WATER VALVE (W.V.) OR METER (W.M.)	W.M. W.V.	W.M. W.V.
STORM DRAIN MANHOLE (S.D.M.H.)	EX. 10" W	12" W
STORM DRAIN LINE (CMP OR RCP)	EX. 10" W	12" W
CATCH BASIN	EX. 10" W	12" W
UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH)	EX. 10" W	12" W
UNDERGROUND ELECTRIC	EX. 10" W	12" W
UNDERGROUND TELEPHONE	EX. 10" W	12" W
UNDERGROUND GAS MAIN	EX. 10" W	12" W
PAVEMENT TO BE REMOVED	EX. 10" W	12" W
CONCRETE CURB & GUTTER	EX. 10" W	12" W
CONCRETE SIDEWALK, SLAB / PAVING	EX. 10" W	12" W
IMPERVIOUS SURFACED ROAD, DRIVE OR LOT	EX. 10" W	12" W
INDIVIDUAL TREE OR BUSH	EX. 10" W	12" W
WIRE FENCE	EX. 10" W	12" W
CHAINLINK FENCE	EX. 10" W	12" W
STOCKADE FENCE	EX. 10" W	12" W
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)	EX. 10" W	12" W
DRAINAGE DITCH OR SWALE	EX. 10" W	12" W
EMBANKMENT SLOPES (DOWN)	EX. 10" W	12" W
CONTOUR	EX. 10" W	12" W
ELEVATION SPOT SHOT	EX. 10" W	12" W
BENCH MARK	EX. 10" W	12" W
PROPERTY OR RIGHT-OF-WAY LINE	EX. 10" W	12" W
CENTERLINE	EX. 10" W	12" W
LIGHT POLE	EX. 10" W	12" W
CONSTRUCTION NOTE	EX. 10" W	12" W

FOREST CONSERVATION NOTE

THIS SITE IS SUBJECT TO THE WORCESTER COUNTY FOREST CONSERVATION LAW. THIS SITE IS SUBJECT TO FOREST CONSERVATION PLAN NO. 21-34. THIS SITE HAS MET COMPLIANCE WITH THE WORCESTER COUNTY FOREST CONSERVATION LAW, BY OBTAINING A CREDIT FROM AN OFF-SITE FOREST CONSERVATION MITIGATION AREA. A PLAT DEPICTING THE OFF-SITE FOREST CONSERVATION MITIGATION AREA AND A PERPETUAL PROTECTIVE AGREEMENT WERE PREVIOUSLY RECORDED IN THE LAND RECORDS OF WORCESTER COUNTY, MARYLAND. A CERTIFICATE OF UTILIZATION HAS BEEN EXECUTED AND RECORDED IN THE LAND RECORDS BETWEEN THE GRANTOR OF THE MITIGATION AREA AND USER WHO IS SEEKING A CREDIT FROM THE MITIGATION AREA IN ORDER TO OBTAIN COMPLIANCE WITH THE FOREST CONSERVATION LAW.



SITE DATA

- OWNER OF RECORD: COASTAL SQUARE, LLC
C/O WILLIAM J. KRAPP
105 FOULK ROAD, SUITE 200
WILMINGTON, DE 19803
PHONE: 302.429.8700
EMAIL: BKRAFF@CAPANO.NC.COM
- ENGINEER / SURVEYOR: BECKER MORGAN GROUP, INC.
312 WEST MAIN STREET, SUITE 300
SALISBURY, MD 21801
PHONE: 410.546.9100
EMAIL: JHARMAN@BECKERMORGAN.COM
- SITE NAME: COASTAL SQUARE
- SITE ADDRESS: 11238 OCEAN GATEWAY
BERLIN, MD 21811
- TAX MAP: 26
- PARCELS: PARCEL 474 - PART OF LOT 4
- DEED BOOK/PAGE: 7674/405
- PLAT BOOK/PAGE: 25/17
- SITE AREA: ± 2.015 ACRES
- JURISDICTION: WORCESTER COUNTY
- ZONE: C-3 HIGHWAY COMMERCIAL DISTRICT
- DEVELOPMENT STANDARDS SHALL BE AS FOLLOWS:
MINIMUM LOT AREA: ONE (1) ACRE
MINIMUM LOT WIDTH: SIXTY (60) FEET
MINIMUM YARD AND SETBACK REQUIREMENTS SHALL BE AS FOLLOWS:
FRONT: ONE HUNDRED (100) FEET FRONTING A MAJOR ARTERIAL HIGHWAY
FRONT: FIFTY (50) FEET FRONTING A COLLECTOR ROADWAY
FRONT: TWENTY FIVE (25) FEET
REAR: TWENTY (20) FEET
SIDE: SIX (6) FEET
HEIGHT LIMITATIONS: FORTY FIVE (45) FEET
- LANDSCAPE BUFFER REQUIREMENTS:
US ROUTE 50: SEVENTY FIVE (75) FEET
SAMUEL BOWEN BOULEVARD: FIFTEEN (15) FEET
- FLOOD ZONE DETERMINATION:
(BASED ON FLOOD INSURANCE RATE MAPS PROVIDED BY FEMA)
FIRM MAP: 24047C0160H
EFFECTIVE DATE: JULY 16, 2015
FIRM ZONE: "X" AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN
- CRITICAL AREAS: THIS PROJECT IS NOT LOCATED IN CRITICAL AREAS
- SOURCE OF WATER: RIDDLE FARM
- SOURCE OF SEWER: RIDDLE FARM SANITARY SERVICE AREA
- SOURCE OF ELECTRIC: DELMARVA POWER
- TRASH COLLECTION SHALL BE PRIVATE
- PARKING CALCULATIONS:
DASH-IN (4,800 S.F. GFA):
MINIMUM PARKING: 1 PER 200 SQUARE FEET OF GROSS FLOOR AREA
MINIMUM PARKING SPACES REQUIRED: 4,800 S.F. / 200 = 24 SPACES
MAXIMUM PARKING: 1 PER 100 SQUARE FEET OF GROSS FLOOR AREA
MAXIMUM PARKING SPACES PERMITTED: 4,800 S.F. / 100 = 48 SPACES
STANDARD SPACES PROVIDED = 43 SPACES
HANDICAP SPACES PROVIDED = 2 SPACES
TOTAL SPACES PROVIDED = 45 SPACES
ALL SPACES OVER MINIMUM MUST BE PERVIOUS: 45 - 24 = 21 PERVIOUS SPACES
BICYCLE RACK: 1 REQUIRED, 1 PROVIDED
- ESTIMATED WATER AND SEWER USAGE:
CONVENIENCE STORE WITH GAS
(0.18 GPD/SF FOR SERVICE STATION + 0.05 GPD/SF GAS = 0.23 GPD/SF)
4,800 SF X 0.23 GPD/SF = 1,104 GPD = 4 EDU
- AREA DISTURBED: ± 2.015 ACRES

OWNERS CERTIFICATION

WE, COASTAL SQUARE LLC, HEREBY CERTIFY THAT THIS IMPROVEMENTS CONSTRUCTION PLAN IS SUBMITTED WITH MY/OUR FULL KNOWLEDGE AND CONSENT AND IS IN ACCORDANCE WITH MY/OUR DESIRES AS OWNER/OWNERS.

OWNER/REPRESENTATIVE: _____ DATE: _____
REPRESENTATIVE NAME: WILLIAM J. KRAPP, CHIEF DEVELOPMENT OFFICER
OWNER'S NAME: COASTAL SQUARE LLC
ADDRESS: 105 FOULK ROAD, SUITE 200
WILMINGTON, DE 19803
302.429.8700
PHONE: _____
EMAIL: BKRAFF@CAPANO.NC.COM

WATER AND WASTEWATER CERTIFICATION

THE WATER AND SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY WATER AND WASTEWATER DIVISION.

WORCESTER COUNTY, WATER AND WASTEWATER DIVISION _____ DATE: _____

PUBLIC WORKS CERTIFICATION

THE WATER AND SEWER FACILITIES TO BE CONSTRUCTED IN ACCORDANCE WITH THESE PLANS ARE APPROVED BY WORCESTER COUNTY DEPARTMENT OF PUBLIC WORKS.

WORCESTER COUNTY, DIRECTOR OF PUBLIC WORKS _____ DATE: _____

**BECKER
MORGAN
GROUP**

ARCHITECTURE
ENGINEERING

Delaware

309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland

312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina

3333 Jaekle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com



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 NUMBER: 30331
EXPIRATION DATE: 09/23/26

PROJECT TITLE

**DASH-IN
STORE #1110**

WORCESTER COUNTY, MD
THIRD ELECTION DISTRICT

SHEET TITLE

**COVER SHEET &
OVERALL LAYOUT**

0 25 50 100
SCALE: 1" = 50.0'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
LAYER/STATE	C-001	

PROJECT NO.: 2019333.04

DATE: 03/13/2026

SCALE: 1" = 50.0'

DRAWN BY: JDC **PROJ. MGR.:** KWP

SHEET

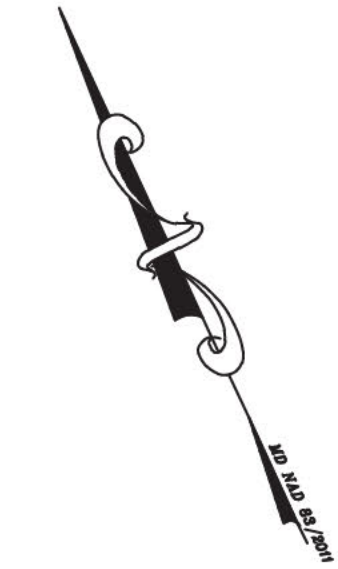
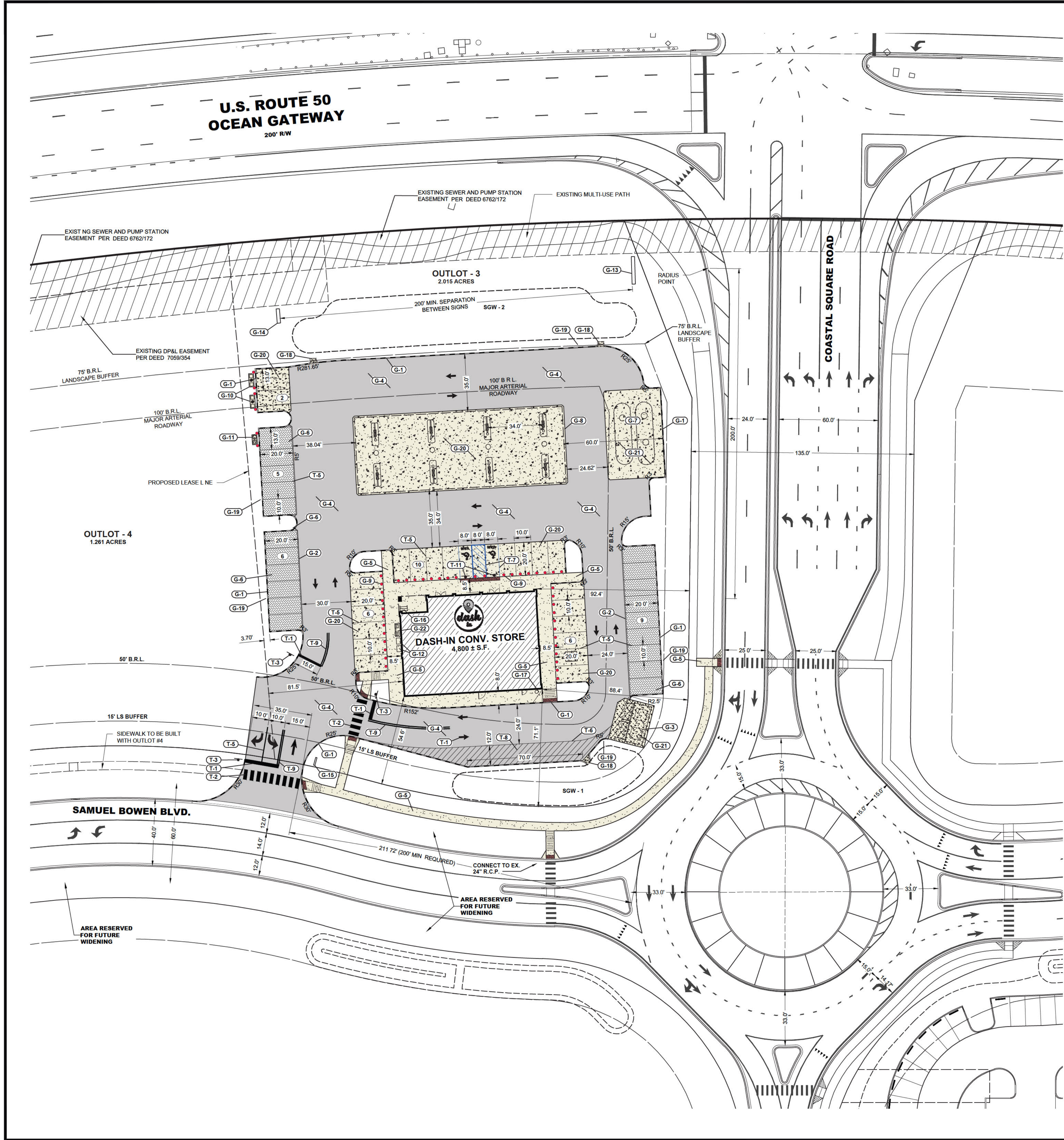
C-001

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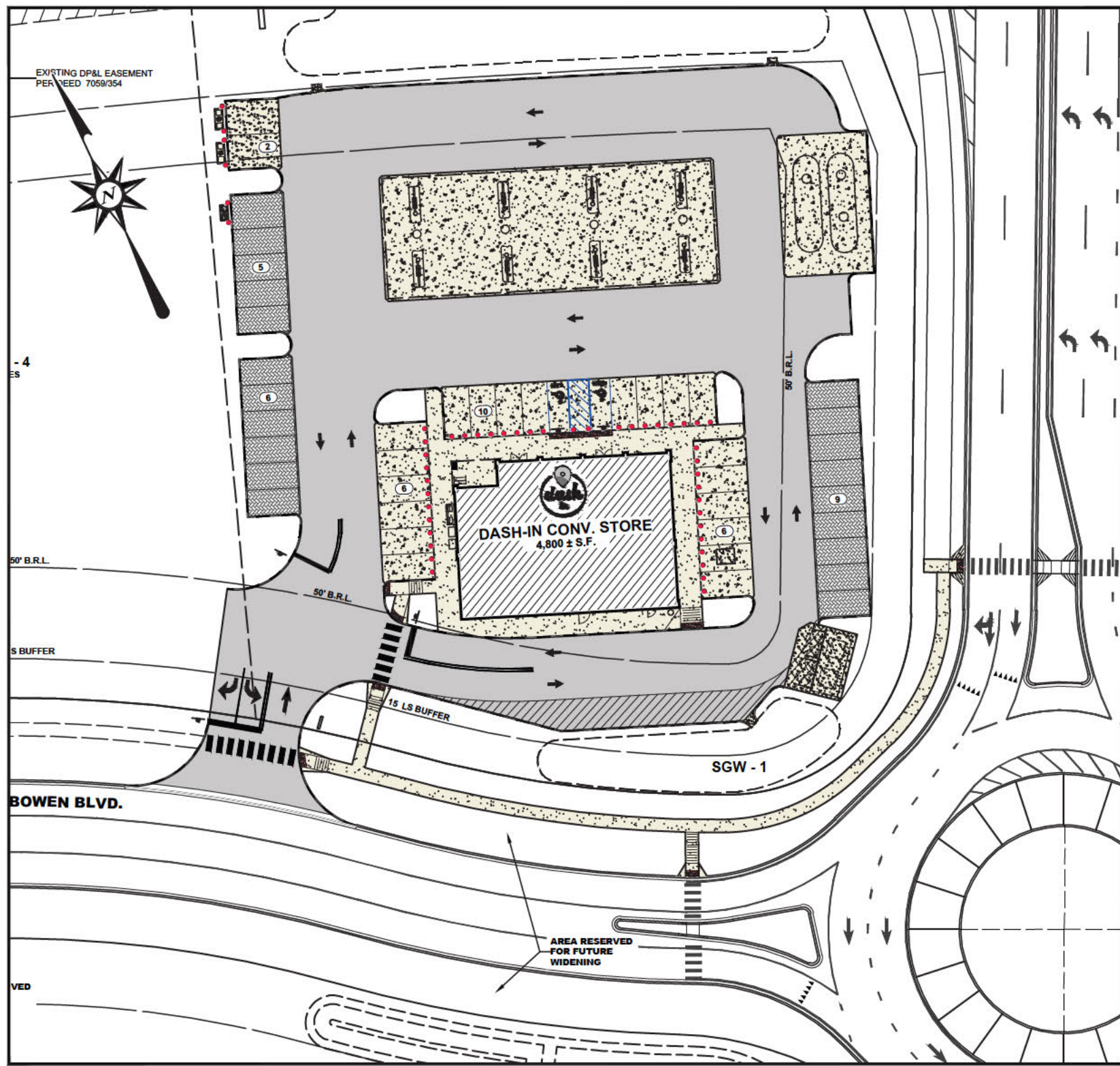
Know what's below.
Call before you dig.

MISS UTILITY PHONE: 1.800.282.8555
PROTECT YOURSELF, GIVE THREE
WORKING DAYS NOTICE



- GENERAL CONSTRUCTION NOTES**
- G-1 INSTALL 6" CONCRETE CURB (TYP.) SEE SHEET C-901 FOR DETAILS.
 - G-2 INSTALL 6" FLUSH CONCRETE CURB (TYP.) SEE SHEET C-901 FOR DETAILS.
 - G-3 PROPOSED DUMPSTER ENCLOSURE. SEE SHEET C-901 FOR DETAILS.
 - G-4 INSTALL HEAVY DUTY FLEX BLE PAVEMENT. SEE PAVEMENT SECTION DETAIL ON SHEET C-903.
 - G-5 INSTALL PROPOSED CLASS 1 CONCRETE SIDEWALK/PAVING (TYP.). SEE SHEET C-901 FOR DETAILS.
 - G-6 INSTALL PERMEABLE BRICK PAVEMENT. SEE SHEET C-901 FOR DETAILS.
 - G-7 PROPOSED UNDERGROUND FUEL STORAGE TANKS.
 - G-8 PROPOSED FUELING STATION UNDER CANOPY.
 - G-9 INSTALL CONCRETE BOLLARD TO BE SPACED AT 6' O.C.
 - G-10 INSTALL COMBINATION AIR PUMP AND VACUUM EQUIPMENT AND 13' X 20' SPACE.
 - G-11 INSTALL AIR PUMP EQUIPMENT AND A 13' X 20' SPACE.
 - G-12 INSTALL PROPANE EXCHANGE CAGE (2).
 - G-13 COASTAL SQUARE COMMERCIAL SHOPPING CENTER MONUMENT SIGN.
 - G-14 PROPOSED FUEL PRICING SITE SIGN.
 - G-15 DIRECTIONAL ENTRANCE SIGN.
 - G-16 INSTALL BIKE RACK.
 - G-17 INSTALL CO2 CANISTER.
 - G-18 INSTALL CURB OPENING. SEE DETAIL ON SHEET C-901.
 - G-19 PROPOSED SITE LIGHTING (SEE LIGHTING PLAN ASSOCIATED WITH THIS PROJECT FOR DETAILED LIGHTING LAYOUT + DETAILS).
 - G-20 INSTALL STANDARD DUTY RIGID CONCRETE PAVEMENT. 5" THICK OVER 4" GABC. SEE SECTION DETAIL ON SHEET C-901.
 - G-21 INSTALL HEAVY DUTY RIGID CONCRETE PAVEMENT. 8" THICK OVER 4" GABC. SEE SECTION DETAIL ON SHEET C-901.
 - G-22 INSTALL ICE BAG COOLER.

- STRIPING & SIGNAGE CONSTRUCTION NOTES**
- T-1 PROPOSED 24" WIDE PAINTED STOP BAR PER MUTCD.
 - T-2 PROPOSED PAINTED "DIAMOND KEY" PEDESTRIAN CROSSWALK. 24" W DE SOLID WHITE LINES WITH 24" SPACING.
 - T-3 INSTALL "STOP" SIGN PER MUTCD.
 - T-4 PAINTED WHITE TRAFFIC DIRECTIONAL ARROWS (TYP.) PER MUTCD.
 - T-5 PROPOSED PAINTED STRIPING - 4" SOLID WHITE LINE PER MUTCD.
 - T-6 PROPOSED PAINTED STRIPING - 4" WIDE SOLID YELLOW LINE PER MUTCD.
 - T-7 PROPOSED PAINTED ACCESSIBLE SYMBOL. PAINTED ACCESSIBLE BLUE (TYP.). SEE SHEET C-901 FOR DETAILS.
 - T-8 PROPOSED 6" W DE SOLID WHITE LINES AT 45 DEGREE ANGLE, 45' ON CENTER PER MUTCD.
 - T-9 PROPOSED PAINTED STRIPING - 4" WIDE DOUBLE YELLOW LINES PER MUTCD.
 - T-10 INSTALL "DO NOT ENTER" SIGN PER MUTCD.
 - T-11 INSTALL VAN ACCESSIBLE PARKING SIGN (2 TOTAL).



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.



ARCHITECTURE
ENGINEERING

Delaware
309 South Governors Avenue
Dover, DE 19904
302.734.7950
The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
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3333 Jaecle Drive, Suite 120
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www.beckermorgan.com



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 NUMBER: 30331
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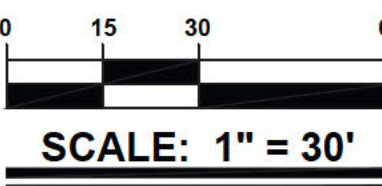
PROJECT TITLE

**DASH-IN
STORE #1110**

**WORCESTER COUNTY, MD
THIRD ELECTION DISTRICT**

SHEET TITLE

SITE PLAN



SCALE: 1" = 30'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

PROJECT NO.: 2019333.04

DATE: 03/13/2026

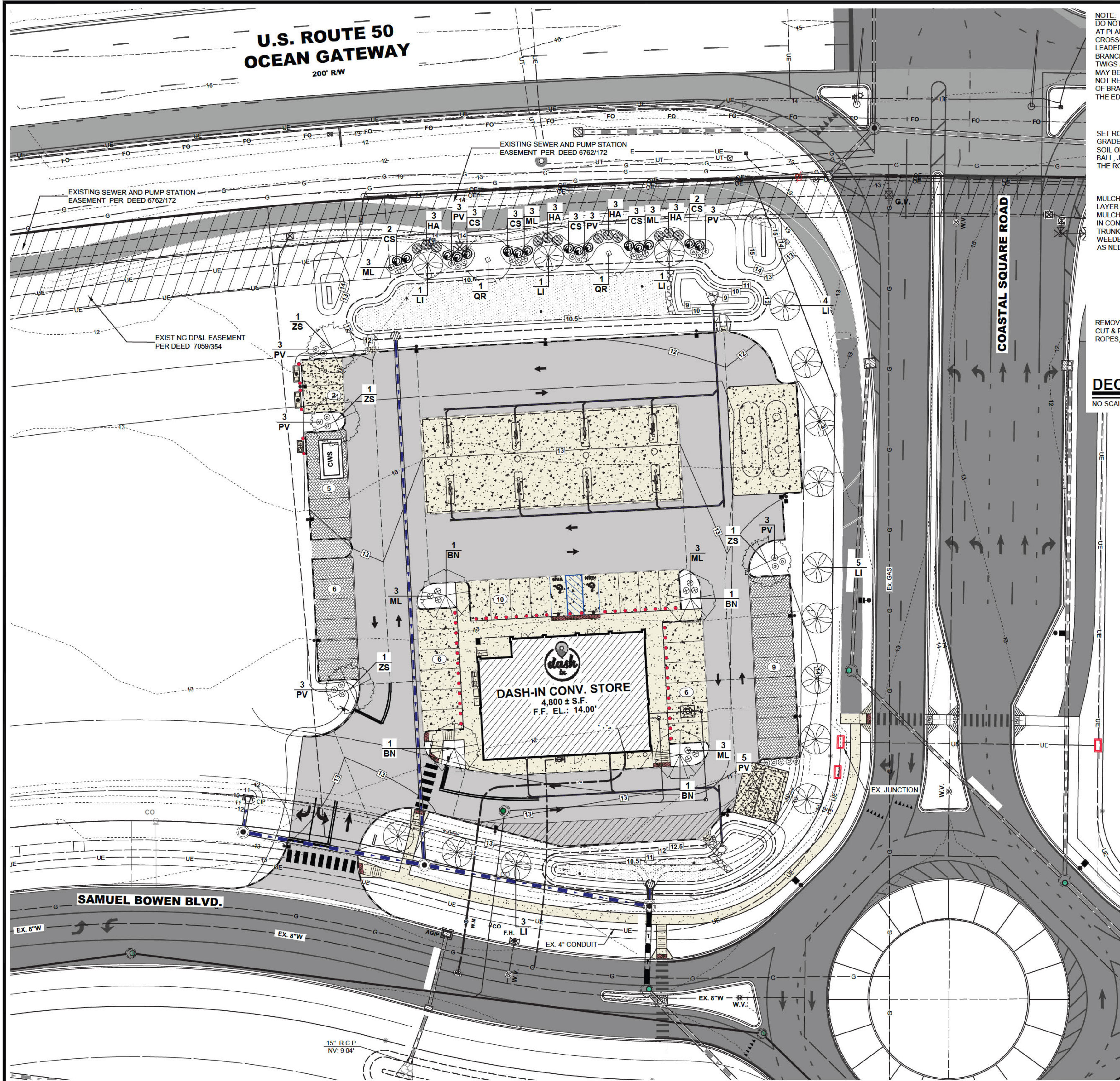
SCALE: 1" = 30.0'

DRAWN BY: JDC PROJ. MGR.: KWP

SHEET

C-201

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NOTE:
DO NOT HEAVILY PRUNE THE TREE AT PLANTING. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN OR DEAD BRANCHES. SOME INTERIOR TWIGS AND LATERAL BRANCHES MAY BE PRUNED; HOWEVER, DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN.

SET ROOT BALL 2" ABOVE GRADE. REMOVE EXCESS SOIL ON TOP OF THE BALL, JUST EXPOSING THE ROOT FLARE.

MULCH - PLACE 3" LAYER OF SPECIFIED MULCH. DO NOT PLACE IN CONTACT WITH TREE TRUNK. KEEP MULCH WEEDS AND REPLACE AS NEEDED.

REMOVE TOP 1/3 OF BURLAP, CUT & REMOVE ALL STRAPPING, ROPES, AND WIRE CAGES.

UNDISTURBED SOIL

DECIDUOUS TREE PLANTING DETAIL

NO SCALE

BMG NO. L-01

NOTE:
PRIOR TO MULCHING, APPLY APPROVED PRE-EMERGENT WEED CONTROL ON ALL SHRUB BEDS.

MULCH - PLACE 3" LAYER OF SPECIFIED MULCH. DO NOT PLACE IN CONTACT WITH SHRUB TRUNK. KEEP MULCH WEEDS AND REPLACE AS NEEDED.

REMOVE TOP 1/3 OF BURLAP, CUT & REMOVE ALL STRAPPING, ROPES, AND WIRE CAGES. FOR CONTAINER PLANTS, CUT ROOTS ON FOUR (4) SIDES AND/OR SPREAD OUT IN NEW SOIL MIXTURE.

SHRUB PLANTING DETAIL

NO SCALE

BMG NO. L-03

GENERAL LANDSCAPE NOTES :

- QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN "AMERICAN STANDARDS FOR NURSERY STOCK."
EVERGREEN TREES SHALL HAVE A FULL, WELL-BRANCHED, CONICAL FORM TYPICAL OF THE SPECIES.
ALL DECIDUOUS SHADE TREES SHALL BRANCH A MINIMUM OF 7'-0" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND STAKED IN ACCORDANCE WITH THE DETAIL SHOWN.
PLANT MATERIALS DELIVERED TO THE SITE IN UNCOVERED TRUCKS WILL BE REJECTED.
UNACCEPTABLE PLANT MATERIALS: MATERIALS WHICH HAVE DAMAGED OR CROOKED LEADERS, DEFORMED GROWTH HABIT, ABRASIONS OF THE BARK, SUN SCALD, WINDBURN, DISFIGURING NOT COMPLETELY CALLEDUS WILL BE REJECTED. IN ADDITION, TREES HAVING THEIR CENTRAL LEADERS HEADED BACK WILL ALSO BE REJECTED. PLANTS WITH LOOSE OR CRACKED ROOT BALL OR CONTAINERS WILL BE REJECTED.
- ALL PLANTS SHALL BE PLANTED IN TOPSOIL THAT IS THOROUGHLY WATERED AND TAMPED AS BACKFILLING PROGRESSES. NOTHING BUT SUITABLE TOPSOIL, FREE OF DRY SOD, STIFF CLAY, LITTER, STONES IN EXCESS OF ONE (1) INCH DIAMETER, ETC. SHALL BE USED FOR PLANTING.
MULCH FOR PLANTING BEDS SHALL BE SHREDDED HARDWOOD BARK MULCH UNLESS OTHERWISE SPECIFIED ON THE PLANS AND SHALL HAVE NO LEAVES, YOUNG GREEN GROWTH, BRANCHES, TWIGS, GREATER IN DIAMETER OF 1/2", WEEDS, SHAVINGS OR FOREIGN MATERIAL SUCH AS STONES, ETC. SHALL BE MIXED WITH THE MULCH. ALL SHRUB MASSES SHALL BE PLANTED IN CONTIGUOUS MULCHED BEDS WITH A LIGHTLY COMPACTED DEPTH OF THREE (3) INCHES. ALL CONTAINER PLANTS ARE TO HAVE ROOTS CUT ON FOUR SIDES AND/OR SPREAD OUT IN NEW SOIL MIXTURE.
- ALL AREAS NOT STABILIZED IN PAV NG OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED. (SEE EROSION & SEDIMENT CONTROL PLAN AND NOTES.)
- LANDSCAPE BEDS NOT DEFINED BY CURBS, SIDEWALKS, WALLS OR OTHER STRUCTURES SHALL BE ENCLOSED BY ALUMINUM EDGINGS UNLESS OTHERWISE INDICATED.
- AREAS DISTURBED BY LANDSCAPE OPERATIONS SHALL BE GRADED TO MATCH EXISTING TOPSOIL AND SEED OR SOD AS REQUIRED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY MAKE MINOR ADJUSTMENTS IN SPACING AND/OR LOCATION OF PLANT MATERIALS. CONTRACTOR TO VERIFY "AS BUILT" LOCATION OF ALL UTILITIES.
- NO PLANT, EXCEPT GROUNDCOVERS, SHALL BE WITHIN THREE (3) FEET FROM SIDEWALKS.
- NO TREE SHALL BE PLANTED CLOSER THAN TEN (10) FEET FROM ANY STRUCTURE OR BUILDING.
- NO TREE SHALL BE PLANTED WITHIN TEN (10) FEET OF UNDERGROUND UTILITIES OR FIRE HYDRANTS.
- ONLY TREES THAT REACH A HEIGHT AND SIZE AT MATURITY OF SMALL TO MEDIUM SHALL BE PLANTED UNDER POWER LINES.
- THE CONTRACTOR SHALL WATER ALL PLANTS THOROUGHLY TWICE DURING THE FIRST 24-HOUR PERIOD AFTER PLANTING, AND THEN WEEKLY OR MORE OFTEN, IF NECESSARY, DURING THE FIRST GROWING SEASON, UNLESS THE OWNER AGREES TO MAINTAIN AND WATER THEM.
- TREES TO REMAIN ON SITE SHALL BE PROTECTED WITH SNOW FENCE DURING CONSTRUCTION (SEE DETAIL). SNOW FENCING TO BE MAINTAINED DURING CONSTRUCTION BY CONTRACTOR.
- THE PLANTING PLAN SHALL TAKE PRECEDENCE OVER THE PLANT SCHEDULE SHOULD ANY PLANT QUANTITY DISCREPANCIES OCCUR.
- NO SUBSTITUTIONS SHALL BE MADE WITHOUT APPROVAL OF THE OWNER, THE LANDSCAPE ARCHITECT AND WORCESTER COUNTY.
- ALL NEW TREES SHALL BE GUARANTEED TO SURVIVE FOR ONE FULL YEAR AFTER INSTALLATION (FULL COST). ALL STAKES AND GUYS SHALL BE REMOVED FROM TREES AND SITE AS EARLY AS THREE (3) MONTHS, BUT NO LONGER THAN ONE (1) YEAR AFTER PLANTING.

LANDSCAPE REQUIREMENTS:

- HIGHWAY FRONTAGE (SECTION ZS 1-322-E-3):
A 75' LANDSCAPE FRONTAGE SHALL BE REQUIRED ALONG U.S. ROUTE 50.
CANOPY TREES, UNDERSTORY TREES, AND SHRUBS SHALL BE REQUIRED AS PER THE APPROVED PLANT LIST IN THE OVERALL DEVELOPMENT AND 75% OF THE PLANTINGS SHALL BE NATIVE.
PROVIDED: 2 CANOPY TREES, 3 UNDERSTORY TREES, 46 SHRUBS, STORMWATER MANAGEMENT PLANTINGS.
- INTERNAL ROAD FRONTAGE (SECTION ZS 1-322-E-3):
A 15' LANDSCAPE FRONTAGE SHALL BE REQUIRED ALONG ALL INTERNAL ROADS.
PLANTINGS SHALL BE FROM THE APPROVED PLANT LIST IN THE OVERALL DEVELOPMENT AND 75% OF THE PLANTINGS SHALL BE NATIVE.
PROVIDED: UNDERSTORY TREES PROVIDED EVERY 30' O.C.
- PARKING LOT LANDSCAPING (SECTION ZS 1-322-F):
LANDSCAPING INTERNAL TO PARKING AREAS SHALL CONSIST OF ONE TREE PLANTED FOR EACH SIX PARKING SPACES AND SHALL INCLUDE SHRUBS. TREES SHALL BE LOCATED IN ISLANDS WITHIN THE PARKING LOT AT INTERVALS OF TEN CONTIGUOUS PARKING SPACES OR LESS.
PLANTING AREAS SHALL BE PLACED AT EACH END OF A PARKING ROW.
INTERNAL PARKING SPACES PROVIDED: 22 SPACES
INTERNAL LANDSCAPING REQUIRED: 22 SPACES PROVIDED / 6 SPACES = 3.66 = 4 TREES REQUIRED
EXTERNAL PARKING SPACES: 23 SPACES
EXTERNAL LANDSCAPING REQUIRED: 23 SPACES PROVIDED / 6 SPACES = 3.83 = 4 TREES REQUIRED
TOTAL PROVIDED: 8 TREES PROVIDED WITH 26 SHRUBS

PLANT LIST

KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS
CANOPY TREES						
BN	4	BETULA NIGRA 'HERITAGE'	HERITAGE RIVER BIRCH	2 1/2" CAL	B&B	FHV
QR	2	QUERCUS RUBRA	NORTHERN RED OAK	2 1/2" CAL	B&B	FHV
ZS	4	ZELKOVA SERRATA 'VILLAGE GREEN'	HERITAGE RIVER BIRCH	2 1/2" CAL	B&B	FHV
UNDERSTORY TREES						
LI	15	LAGERSTROEMIA INDICA 'TUSCARORA'	TUSCARORA CRAPE MYRTLE	1 1/2" CAL	B&B	FHV
SHRUBS						
CS	16	CORNUS SERICEA	REDOSIER DOGWOOD	#5	CONT.	
HA	12	HYDRANGEA PANICULATA 'LIMELIGHT'	LIMELIGHT HYDRANGEA	#3	CONT.	
ML	18	MISCANTHUS SINENSIS 'MORNING LIGHT'	MORNING LIGHT MAIDEN GRASS	#5	CONT.	
PV	26	PANICUM VIRGATUM 'SHENANDOAH'	SHENANDOAH SWITCH GRASS	#3	CONT.	
TOTAL: 10 CANOPY TREES, 15 UNDERSTORY TREES, 72 SHRUBS						

MARYLAND LANDSCAPE ARCHITECTS CERTIFICATION

I, CHAD D. CARTER, RLA, ASLA, HEREBY CERTIFY THAT I AM A LANDSCAPE ARCHITECT IN THE STATE OF MARYLAND, THAT THE LANDSCAPING INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF, REPRESENTS GOOD LANDSCAPING PRACTICES.

CHAD D. CARTER, RLA, ASLA 3725 DATE

**BECKER
MORGAN
GROUP**

**ARCHITECTURE
ENGINEERING**

Delaware

309 South Governors Avenue
Dover, DE 19904
302.734.7950

The Tower at STAR Campus
100 Discovery Boulevard, Suite 102
Newark, DE 19713
302.369.3700

Maryland

312 West Main Street, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina

3333 Jaeckle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

PROJECT TITLE

**DASH-IN
STORE #1110**

**WORCESTER COUNTY, MD
THIRD ELECTION DISTRICT**

SHEET TITLE

LANDSCAPE PLAN

0 15 30 60
SCALE: 1" = 30'

ISSUE BLOCK

MARK	DATE	DESCRIPTION
LAYER/STATE: L-01		

PROJECT NO.: 2019333.04

DATE: 03/10/2026

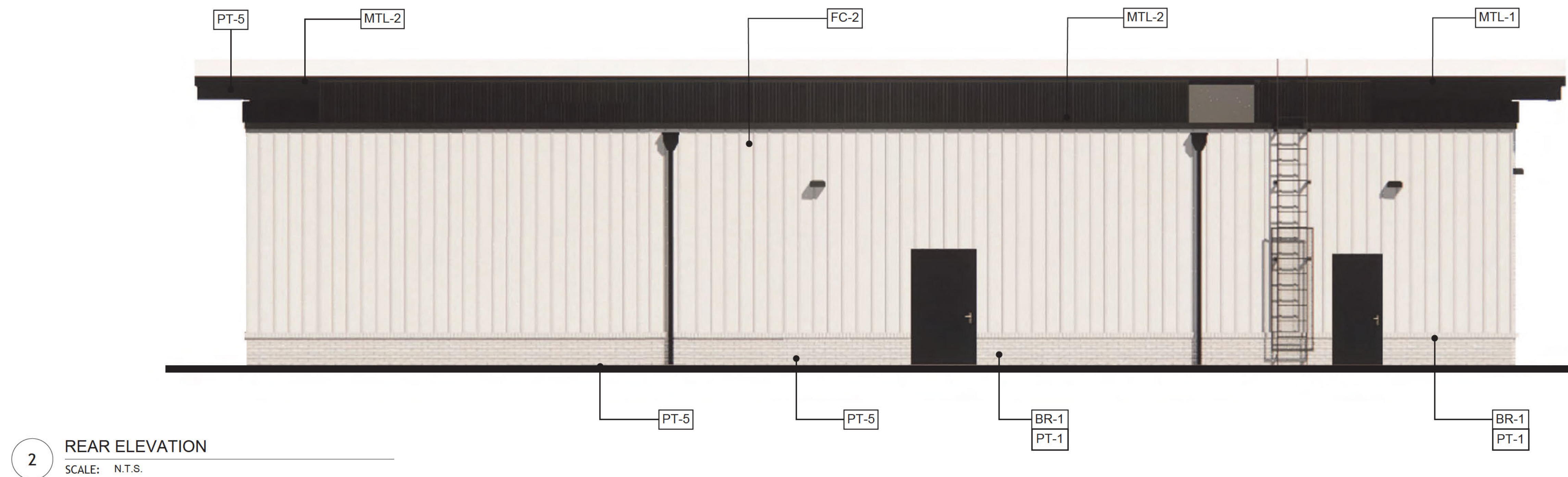
SCALE: 1" = 30'

DRAWN BY: A.J.D. **PROJ. MGR.:** K.W.P.

SHEET

L-101

COPYRIGHT: 2026



EXTERIOR ELEVATIONS

MARK	DESCRIPTION
BR-1	EXTERIOR THIN BRICK (MCNEAR BRICK & BLOCK)
FC-1	FIBER CEMENT BATTEN SIDING, COLOR: BLACK
FC-2	FIBER CEMENT BATTEN SIDING, COLOR: WHITE
MTL-1	METAL PANELS - LONGBOARD (ONYX BLACK)

MARK	DESCRIPTION
MTL-2	ALUMINUM COPING, COLOR: BLACK
MTL-3	BRAZE METAL, COLOR TO MATCH STOREFRONT
PT-1	EXTERIOR PAINT, SW7005 PURE WHITE
PT-2	EXTERIOR PAINT, SW7655 STAMPED CONCRETE

MARK	DESCRIPTION
PT-5	EXTERIOR PAINT, SW6991 BLACK MAGIC
WD-1	DECORATIVE WOOD BEAMS

CORE STATES

46 East Main Street
Suite 201
Somerville, NJ 08876
908.462.9700
www.core-states.com

GROUP



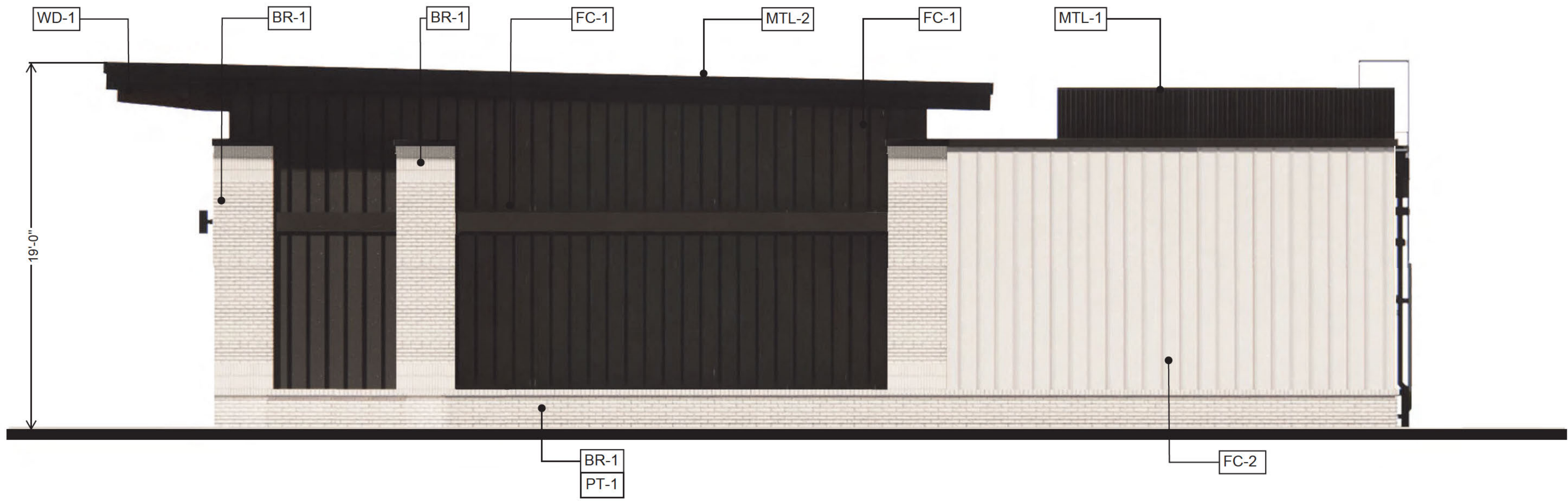
COLOR ELEVATIONS

DASH-IN STORE #1110
11238 Ocean Gateway
Berlin, MD 21811





3 SIDE ELEVATION
SCALE: N.T.S.



4 SIDE ELEVATION
SCALE: N.T.S.

EXTERIOR ELEVATIONS

MARK	DESCRIPTION
BR-1	EXTERIOR THIN BRICK (MCNEAR BRICK & BLOCK)
FC-1	FIBER CEMENT BATTEN SIDING, COLOR: BLACK
FC-2	FIBER CEMENT BATTEN SIDING, COLOR: WHITE
MTL-1	METAL PANELS - LONGBOARD (ONYX BLACK)

MARK	DESCRIPTION
MTL-2	ALUMINUM COPING, COLOR: BLACK
MTL-3	BRAKE METAL, COLOR TO MATCH STOREFRONT
PT-1	EXTERIOR PAINT, SW7005 PURE WHITE
PT-2	EXTERIOR PAINT, SW7655 STAMPED CONCRETE

MARK	DESCRIPTION
PT-5	EXTERIOR PAINT, SW6991 BLACK MAGIC
WD-1	DECORATIVE WOOD BEAMS

PT-2 EXTERIOR PAINT
SW7655 STAMPED
CONCRETE



FC-1 HARDIEPANEL VERTICAL
SIDING WITH BATTEN BOARDS;
SMOOTH BLACK



WD-1 DECORATIVE
WOOD BEAMS



PT-5 EXTERIOR PAINT
SW6991 BLACK MAGIC



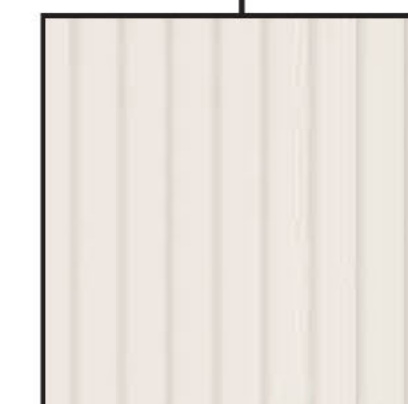
MTL-3 BRAKE METAL
18 GAUGE; COLOR
TO MATCH
STOREFRONT



BR-1 EXTERIOR THIN
BRICK; MCNEAR
BRICK AND BLOCK -
GENOVA. PAINTED
PT-1 SW7005 PURE
WHITE



FC-1 HARDIEPANEL
VERTICAL
SIDING WITH BATTEN
BOARDS;
WHITE



MTL-1 EXTERIOR ALUMINUM
SCREENING; LONGBOARD -
ONYX BLACK



CORE STATES

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Suite 201
Somerville, NJ 08876
908.462.9700
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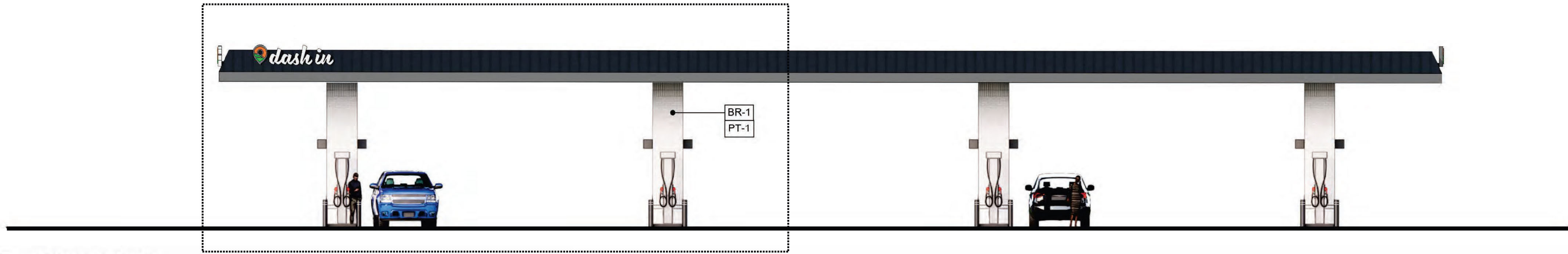
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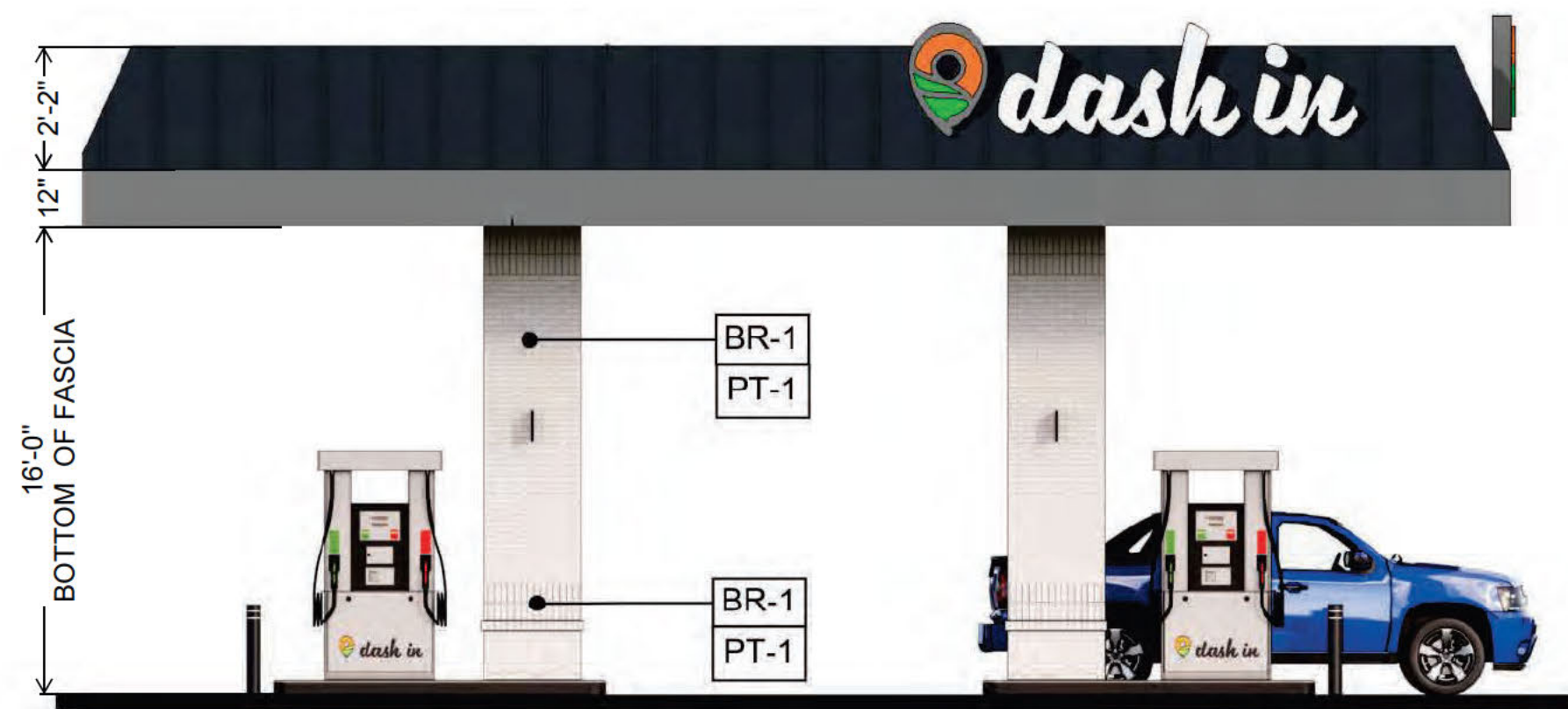
MATERIAL BOARD

DASH-IN STORE #1110
11238 Ocean Gateway
Berlin, MD 21811





1 FRONT ELEVATION
SCALE: N.T.S.



2 SIDE ELEVATION
SCALE: N.T.S.



3 ENLARGE FRONT ELEVATION
SCALE: N.T.S.

EXTERIOR ELEVATIONS

MARK	DESCRIPTION
BR-1	EXTERIOR THIN BRICK (RUNNING & SOLDIER COURSES) - MCNEAR BRICK & BLOCK

MARK	DESCRIPTION
M1	GALVANIZED METAL DECKING - GRAY
M2	FASCIA PANEL - BLACK
M3	PAINTED STRUCTURAL MEMBERS - BLACK

MARK	DESCRIPTION
G1	SIGNAGE (BY OTHERS)
PT-1	EXTERIOR PAINT, SW7005 PURE WHITE

CORE STATES

46 East Main Street
Suite 201
Somerville, NJ 08876
908.462.9700
www.core-states.com

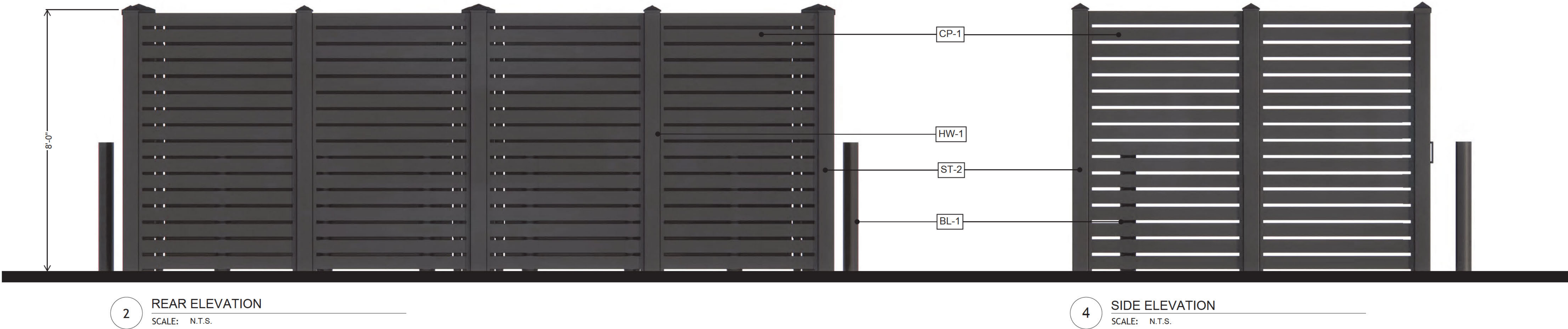
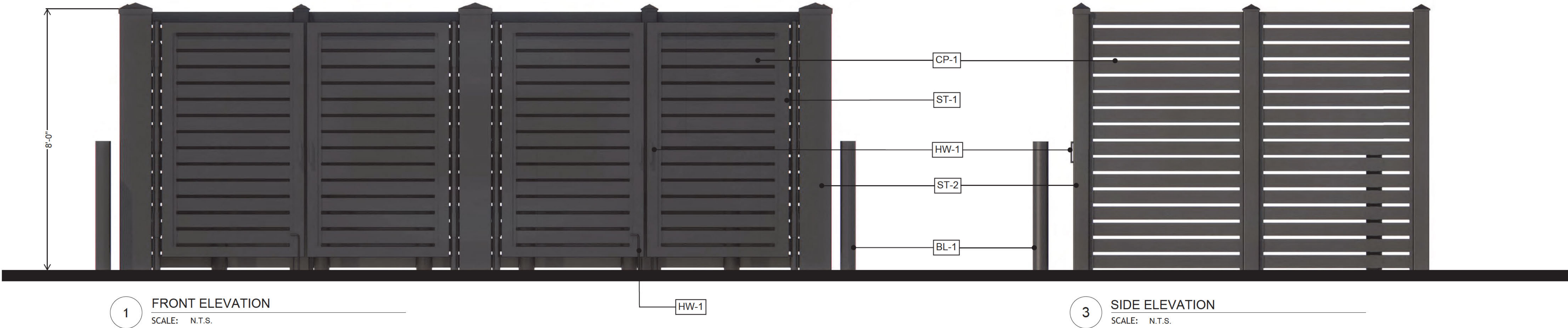
GROUP



CANOPY ELEVATIONS

DASH-IN STORE #1110
11238 Ocean Gateway
Berlin, MD 21811





EXTERIOR ELEVATIONS

MARK	DESCRIPTION
CP-1	COMPOSITE PANEL - LONGBOARD; COLOR: ONYX BLACK
HW-1	GATE HARDWARE BY MANUFACTURER; COLOR: BLACK

MARK	DESCRIPTION
ST-1	GATED STEEL FRAME; COLOR: BLACK
ST-2	STEEL POST WITH CROWN, 96" TALL; COLOR BLACK

MARK	DESCRIPTION
BL-1	BOLLARDS - 4" DIA PIPE, 48" TALL; COLOR: BLACK

**WORCESTER COUNTY BOARD OF ZONING APPEALS
STAFF REPORT FOR:
CASE NO. 26-61**

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: September 10, 2026

LOCATION: South of US Route 50 (Ocean Gateway), Tax Map 26, Parcel 474, Lot 4, Tax District 3, Worcester County, Maryland

APPROVAL REQUESTED: A special exception to allow an 8-foot-high enclosure around a dumpster in a front yard setback in the C-3 Highway Commercial District

CODE REFERENCES: Zoning Code §§ ZS 1-116(c)(3), ZS 1-305(k)(3) and ZS 1-325

PROPERTY HISTORY: The property is vacant.

COMMENTS: Will be the future site of Dash-In, near Giant grocery store, which is currently under construction.

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

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

SUBSEQUENT PROCESSES IF APPROVED:

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

OWNER: COASTAL SQUARE COMMERCIAL
105 FOULK RD
WILMINGTON DE 19803

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

PREPARED BY: Zoning Division Staff

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

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

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



Worcester County
Department of Environmental Programs
Natural Resources Division

Memorandum

To: Betsy Jackson, Zoning Administrator

From: Joy S. Birch, Natural Resources Planner III 

Subject: Board of Zoning Appeals Comments – September 10, 2026

Date: August 25, 2026

Below are comments related to the cases scheduled for the Board of Zoning Appeals (BZA) meeting for Thursday, September 10, 2026, for their conformance with the Chesapeake Bay (CBCA) and Atlantic Coastal Bays Critical Area Law (ACBCA):

6:30 pm – Case #26-60:

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.

6:35 pm -Case #26-51:

This request is located within the landward limits of the Atlantic Coastal Bays Critical Area and designated as Limited Development Area (LDA) within Buffer Management Area B-50. **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 – Readvertisement of Case #26-52:

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



Worcester County
Department of Environmental Programs
Natural Resources Division

Memorandum

To: Betsy Jackson, Zoning Administrator

From: Brian Soper, Natural Resource Administrator *BS*

Subject: Board of Zoning Appeals Comments – September 10, 2026

Date: August 31, 2026

The comments below are in addition to the comments sent by Joy Birch on August 25, 2026 and related to the cases scheduled for the Board of Zoning Appeals (BZA) meeting for Thursday, September 10, 2026, for their conformance with the Chesapeake Bay (CBCA) and Atlantic Coastal Bays Critical Area Law (ACBCA):

6:45 pm – Case #26-61:

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



Worcester County
Department of Environmental Programs
Natural Resources Division

Memorandum

To: Betsy Jackson, Zoning Administrator

From: Joy S. Birch, Natural Resources Planner III *JSB*

Subject: Critical Area Variance – Edward & Karen Varmon, 13301 Rollie Road West,
Case #26-51

Date: August 25, 2026

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

This variance request before the Board of Zoning Appeals (BZA) is for a property located within the Atlantic Coastal Bays Critical Area. The property is identified as the lands of Edward and Karen Varmon, Tax Map 4, Parcel 25, Block A, Lot 53, 13301 Rollie Road West, Bishopville, MD 21813. The property is more specifically located within the Limited Development Area (LDA) designation with a Buffer Management Area of B-50.

The Applicants are requesting a variance to δ NR 3-104(c) (4) of the Worcester County Code of Public Local Laws in order to gain authorization to construct a 14' x 18' detached shed within the 50' BMA buffer.

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

Under §NR 3-111 “[a]n Atlantic Coastal Bays Critical Area Program variance may be granted . . . where, owing to special features of a site or other circumstances, implementation of this Program or a literal enforcement of provisions within the Program would result in unwarranted hardship to an applicant”. Also, within §NR 3-111(c) of the County Code, “[A]pplications for a variance shall be made in writing to the Board of Zoning Appeals”.

Under the Code of Maryland (COMAR) 27.01.12.06, Worcester County may not accept an application for a variance to legalize a violation of this subtitle, including an unpermitted structure or other development activity, until the County issues a notice of violation and assesses an administrative or civil penalty for the violation.

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

STAFF ANALYSIS

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

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

Staffs opinion would be that without the granting of this variance a potential hardship could exist. The property was platted prior to the adoption of the Atlantic Coastal Bays Critical Area Program and therefore all current development must conform to the current Critical Area regulations, including the 50’ buffer management setback.

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

Staffs opinion would be that the applicant’s rights could be lessened without the granting of this variance due to the restrictions of the Atlantic Coastal Bays Critical Area Program. There are numerous properties within the Critical Area that have structures that are located within the buffer management areas; however, most of them were constructed prior to the adoption of the Atlantic Coastal Bays Critical Area.

(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 previously stated, there are numerous properties throughout the County that have structures located within the buffer, the majority of which were constructed prior to the adoption

of the Atlantic Coastal Bays Critical Area. Therefore, granting this variance would not 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 variance is not based upon conditions or circumstances which are the result of the actions by the applicant. This is a proactive variance request.

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

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

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

Staff agrees that the applicant may have an unwarranted hardship due to the location of the 50' BMA buffer. The Board should consider additional testimony before determining that the applicant has adequately addressed and met all 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 July 27, 2026, email:

"Should the Board of Zoning Appeals find that the applicant has met each standard, appropriate mitigation is required."

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

STAFF RECOMMENDATION

Staff supports this variance and feels that a potential hardship exists. There are numerous properties located throughout the County that have structures that encroach into the buffer. Due to the fact that this lot was platted prior to the adoption of the Critical Area Program, without the variance the applicant's rights to the property could be lessened.

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

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



Worcester County

Department of Environmental Programs
Environmental Programs Division

Memorandum

To: Board of Zoning Appeals (BZA) for the September 10, 2026 meeting

From: Environmental Programs Staff

Date: August 28, 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. 26-60, on the lands of Dennis & Patricia Drazin, requesting a variance to the front yard setback from 25' to 14.5' (encroachment of 10.5 feet) for a proposed 12' x 20' detached garage in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 42 Grand Port Rd, Tax Map 16, Parcel 38, Section 1, Lot 466, Tax District 3, Worcester County, Maryland.

No objection to this variance request.

6:35 p.m.

Case No. 26-51, on the lands of Edward & Karen Varmon, requesting a variance to the Atlantic Coastal Bays Critical Area Buffer from 100 feet to 6 feet (an encroachment of 94 feet) for the placement of a 14' x 18' shed in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-206(b)(2) and ZS 1-305 and Natural Resources Code §§ NR 3-104(d)(4) and NR 3-111 located at 13301 Rollie Road West Rd, Tax Map 4, Parcel 25, Block A, Lot 53, Tax District 5 of Worcester County, Maryland.

No objection to this variance request.

Citizens and Government Working Together

6:40 p.m.

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

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

6:45 p.m.

Case No. 26-61, on the application of Mark Spencer Cropper, on the lands of Coastal Square, LLC, requesting a special exception to allow an 8 foot high enclosure around a dumpster in a front yard setback in the C-3 Highway Commercial District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-305(k)(3) and ZS 1-325 located South of US Route 50 (Ocean Gateway), Tax Map 26, Parcel 474, Lot 4, Tax District 3, Worcester County, Maryland

No objection to this special exception request.

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 RUBY RUNIKERA

*

*

BEFORE THE BOARD OF ZONING

*

APPEALS FOR WORCESTER COUNTY,

*

Case No. 26-43 *

MARYLAND

*

* * * * *

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, August 13, 2026, upon the application of Ruby Runikera, requesting a special exception to reconstruct a legal non-conforming rear deck and steps and variance to the side yard setback from 6 feet to 5.9 feet (encroaches 0.1 feet) for a proposed screened porch in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(3), ZS 1-116(c)(4), ZS 1-116(c)(5), ZS 1-122(d)(1), ZS 1-207(b)(2) and ZS 1-305, located at 2 Crows Nest Lane, Tax Map 16, Parcel 38, Section 1, Lot 660, Tax District 3, Worcester County, Maryland.

Betsy Jackson, Zoning Administrator, presented the application to the Board.

The Applicant Ruby Runikera testified before Board in favor of the application. The testimony revealed that the Applicant wishes to build a deck. The lot is triangular in shape and the building envelope is limited. Other properties have decks and steps. The house was built in 1985 and not by the Applicant.

As to the requested Special Exceptions, the Board made the following findings of fact and conclusions of law:

1. **The proposed use will be consistent with County's Comprehensive Plan;**
2. **The proposed use will be in harmony with the general character of the neighborhood considering population density, the design, scale and bulk of any proposed new structures, the**

intensity and character of activity, traffic and parking conditions or the number of similar uses; 3.

The proposed use will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or surrounding neighborhoods; will cause no objectionable noise, vibration, fumes, odors, dust, glare or physical activity; and will not have a detrimental effect on ground or surface water quality;

4. The proposed use will have no detrimental effect on vehicular or pedestrian traffic;

5. The proposed use will not adversely affect the health, safety, morals, security or general welfare of residents, workers or visitors in the area; and

6. The proposed use will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, medical facilities, water, sanitary sewers, public roads, storm sewers, drainage and other public improvements. No public services or facilities will be used. 7. The proposed use will meet the definitions and specific standards set forth elsewhere in the Title for such use.

As to the requested variance, the Board made the following findings of facts 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 as the house was built in 1985 on an irregular shaped lot; and

4. The conditions are not one that could be reasonably provided for under legislation of general applicability within the Zone.

Accordingly, upon a Motion made by Mr. Babcock to approve the special exception and variance, which was seconded by Mr. Fykes, the Board unanimously passed the following resolution:

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

IT FURTHER RESOLVED, that the requested variance be GRANTED.

Date

Robert Purcell
Chairperson

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Lisa Bowen

Date

Beth Gismondi

Date

Stephen Katsanos

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

IN THE MATTER OF CHRIS BROWN AND
AMY BROWN

BEFORE THE BOARD OF ZONING

APPEALS FOR WORCESTER COUNTY,

MARYLAND

Case No. 26-48

* * * * *

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, August 13, 2026, upon the application of Chris Brown and Amy Brown, requesting a variance to the front yard setback from 25 feet to 18.5 feet (encroaches 6.5 feet) for a proposed deck in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 18 Granby Lane, Tax Map 16, Parcel 47, Section 11, Lot 405, Tax District 3, Worcester County, Maryland.

Betsy Jackson, Zoning Administrator, presented the application to the Board.

The Applicants Chris Brown and Amy Brown testified before Board in favor of the Application. There were no protestants to the Application. The testimony revealed that the neighbors are in support of the application. The Ocean Pines ARC has approved a ten foot deck.

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 in that the property floods immensely when it rains. The electrical box is underwater;

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

Accordingly, upon a Motion made by Ms. Gismondi to approve, which was seconded by Ms.

Bowen, the Board passed the following resolution which was opposed by Mr. Purcell and Mr.

Babcock:

BE IT RESOLVED, that the requested variance be APPROVED upon the following condition: 1. A 38' x 10' deck is approved.

Date

Robert Purcell
Chairperson

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Lisa Bowen

Date

Beth Gismondi

Date

Stephen Katsanos

IN THE MATTER OF JENNIFER WEBER AND *
JAMES WEBBER

BEFORE THE BOARD OF ZONING *

APPEALS FOR WORCESTER *

COUNTY, MARYLAND *

Case No. 26-53

* * * * *

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, August 13, 2026, upon the application of Jennifer Webber and James Webber, requesting a variance to the side yard setback from 6 feet to 1.8 feet (encroaches 4.2 feet) for a proposed detached garage in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 45 Clubhouse Drive, Tax Map 16, Parcel 41, Section 4, Lot 452, Tax District 3, Worcester County, Maryland.

Betsy Jackson, Zoning Administrator, presented the application to the Board.

The Applicant James Weber testified before Board in favor of the Application. There were no protestants to the Application. The evidence revealed that the Applicant could build the detached garage on the opposite side of his lot closer to lot 451 and would not require a variance.

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

1. Special conditions and circumstances do not exist which are peculiar to the land and proposed building involved;
2. The literal interpretation of the Ordinance would not deprive the applicants of rights commonly enjoyed by others in the Zone;

3. The special conditions did result from actions of the applicants; and
4. The conditions are ones that could be reasonably provided for under legislation of general applicability within the Zone.

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

BE IT RESOLVED, that the requested variance be DENIED.

Date

Robert Purcell
Chairperson

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Lisa Bowen

Date

Beth Gismondi

Date

Stephen Katsanos

IN THE MATTER OF ROBERT

*

MCINTIRE BEFORE THE BOARD OF

*

*

ZONING

*

Case No. 26-54

*

APPEALS FOR WORCESTER COUNTY,

* * * * *

MARYLAND

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, August 13, 2026, upon the application of Robert McIntire, requesting a variance to the front yard setback from 25 feet to 15 feet (encroaches 10 feet) for a proposed covered porch in the R-3 Multi-family Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-207(b)(2) and ZS 1-305, located at 55 Moonshell Drive, Tax Map 16, Parcel 41, Section 4, Lot 168, Tax District 3, Worcester County, Maryland.

Betsy Jackson, Zoning Administrator, presented the application to the Board.

The Applicant Robert McIntire testified before Board in favor of the Application. There were no protestants to the Application. The testimony revealed that his 1978 home needs major renovations. At this time he does not have a front door.

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

1. Special conditions and circumstances exist which are peculiar to the land and proposed building involved;
2. The literal interpretation of the Ordinance would deprive the applicants of rights commonly enjoyed by others in the Zone;

3. The special conditions did not result from actions of the applicants; and
4. The conditions are not one that could be reasonably provided for under legislation of general applicability within the Zone.

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

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

1. The covered porch in the rear yard setback shall remain a screened porch.

Date

Robert Purcell
Chairperson

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Lisa Bowen

Date

Beth Gismondi

Date

Stephen Katsanos

IN THE MATTER OF KEITH DAVIS
AND SAUMYA KAUP

BEFORE THE BOARD OF ZONING

APPEALS FOR WORCESTER COUNTY,

MARYLAND

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Case No. 26-55

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OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, August 13, 2026, upon the application of Keith Davis and Saumya Kaup, requesting a variance to the front yard setback from 35 feet to 9.35 feet (encroaches 25.65 feet) for proposed attached garage in the V-1 Village District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-204(b)(2) and ZS 1-305, located at 8344 Third Street, Tax Map 73, Parcel 35, Lots 74-76, Tax District 2, Worcester County, Maryland.

Betsy Jackson, Zoning Administrator, presented the application to the Board.

The Applicant Keith Davis testified before Board along with Gregory Wilkins. There were no protestants to the Application. The testimony revealed that a non-conforming detached garage would be demolished and a new garage will be placed within the existing footprint. The garage cannot be placed in any other place on the lot.

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

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

2. The literal interpretation of the Ordinance would deprive the applicants of rights commonly enjoyed by others in the Zone;
3. The special conditions did not result from actions of the applicants; and
4. The conditions are ones that could not 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 Ms.

Gismondi, 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

Beth Gismondi

Date

Stephen Katsanos

IN THE MATTER OF DANIEL E.

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CLAYLAND BEFORE THE BOARD OF

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ZONING

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Case No. 26-56

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APPEALS FOR WORCESTER COUNTY,

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MARYLAND

OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, August 13, 2026, upon the application of Daniel E. Clayland, requesting a variance to reduce the lot size from 10,000 square feet to 7,800 square feet (a reduction of 2,200 square feet), a variance to reduce the lot size from 10,000 square feet to 6,500 square feet (a reduction of 3,500 square feet), and a variance to reduce the lot width from 100 feet to 50 feet to create two lots in the R-2 Suburban Residential District, pursuant to Zoning Code §§ ZS 1-116(c)(4), ZS 1-206(b)(2) and ZS 1-305, located at 12910 Lake Avenue, Tax Map 22, Parcel 397, Lots 34 and 35, Tax District 10, Worcester County, Maryland.

Betsy Jackson, Zoning Administrator, presented the application to the Board.

The Applicant Daniel Clayland testified before Board along with Russell Hammond. The testimony revealed that lot 34 and 35 were allegedly consolidated in 2002, and the Applicant wishes to go back to 2 lots.

Michael Berkheimer, a neighbor who lives across the street protested that the Applicant has not been a good neighbor and creates noise and has parties.

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 ones that could not be reasonably provided for under legislation of general applicability within the Zone.

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

Purcell, the Board unanimously passed the following resolution:

BE IT RESOLVED, that the requested variances be APPROVED.

Date

Robert Purcell
Chairperson

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Lisa Bowen

Date

Beth Gismondi

Date

Stephen Katsanos

IN THE MATTER OF HORACE L. MARSHALL, JR.
AND QUINNA MARSHALL

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BEFORE THE BOARD OF ZONING

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APPEALS FOR WORCESTER COUNTY,

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Case No. 26-57

MARYLAND

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OPINION

A hearing was held before the Board of Zoning Appeals for Worcester County, Maryland on Thursday, August 13, 2026, upon the application of Horace L. Marshall, Jr. and Quinna Marshall, requesting a special exception to allow the application of a soil amendment created from human decedents, also known as natural organic reduction, as a use of the same general character as permitted uses in the A-1 District, pursuant to §§ ZS 1-116(c)(3) and ZS 1-201(c)(36), located at Scotty Road, Tax Map 62, Parcel 13, Tax District 7, Worcester County, Maryland.

Betsy Jackson, Zoning Administrator, presented the application to the Board. Registered Forester Anthony DiPaolo testified before Board along with Barret Kruger, Scott Roycroft, Brooks Clayville, and Chris McCabe. The testimony revealed that this use is a natural alternative to burial. People are turned into compost and added to soil. It is low impact and private. There are no signs. The parcel is 14 acres.

Anthony DiPaolo testified that he has prepared an Afforestation Plan which plants trees on bare land. The 14 acres will eventually be a forest which is an agricultural use. A soil amendment will improve the quality of soil for the trees.

Brooks Clayville is a farmer and soil consultant and a Nutrient Manager licensed in Maryland. He testified that the use is suitable for cover crops and trees and is an agricultural use. There will be no runoff to other properties.

Chris McCabe testified that he has examined the wetland and soil maps. The soil is well drained and will accommodate the soil amendment. Five houses could be built on this property and this use will be better to protect the environment.

Scott Roycroft, a Natural Organic Reduction facility director from Earth Funeral Group testified that the composting facility is in Elkridge, Maryland and that it complies with all State laws and regulations. One or two acres would be done per year. No crops for human consumption is allowed.

Barrett Kruger, a compost engineer from Earth Funeral Group, testified that he manages the composting equipment. It has no smell and is not-toxic. There are no signs or entrance.

Roger Richardson appeared to protest the application. He stated that when they spread the material the runoff will adversely affect his property. This use will give up the use of farmland. 30 thousand cubic yards of material will be brought down from Elkridge and good farmland should not be used for this.

Robert Jones protested the Application stating that he is a tree farmer and has the largest property surrounding this lot. He has 191 acres bordering on 2 sides. He is worried about what could happen, but he hopes it turns out.

Donna West protested the Application and wanted to know why in Worcester County? Ronald Edwards, who lives at the farm next door, doesn't want trees planted. He is worried about dust spreading to his property.

Clem Sparks also appeared to protest the Application.

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. This use is in fact an agricultural use as cover crops will be planted as will trees be planted and the property will be a timber farm.
2. The proposed use will be consistent with County's Comprehensive Plan.
3. The proposed use will be in harmony with the general character of the neighborhood considering population density, the design, scale and bulk of any proposed new structures, the intensity and character of activity, traffic and parking conditions or the number of similar uses as this property will be a tree forest.

4. The proposed use will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or surrounding neighborhoods; will cause no objectionable noise, vibration, fumes, odors, dust, glare or physical activity; and will not have a detrimental effect on ground or surface water quality as there will be no odor to this soil amendment.
5. The proposed use will have no detrimental effect on vehicular or pedestrian traffic.
6. The proposed use will not adversely affect the health, safety, morals, security or general welfare of residents, workers or visitors in the area.
7. The proposed use will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, medical facilities, water, sanitary sewers, public roads, storm sewers, drainage and other public improvements.
8. The proposed use will meet the definitions and specific standards set forth elsewhere in the Title for such use.

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

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

Date

Robert Purcell
Chairperson

Date

Thomas Babcock

Date

Charles L. Fykes

Date

Lisa Bowen

Date

Beth Gismondi

Date

Stephen Katsanos

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