

The Dorchester County Board of Appeals met in regular session on Thursday, October 22, 2015, in Room 110 of the County Office Building at 7:00 PM. Present were Catherine McCulley, Chairperson, Edwin Howard, Vice-Chairman, Wendell Foxwell, Dwight Cromwell, Elizabeth Hill, Gordon Hill, Walt Gunby, Attorney, Steve Dodd, Director, with Sherry Wood recording.

An introduction was made by Chairperson McCulley, explaining the procedures of the meeting to the audience. She then asked Mr. Dodd to read the first case.

Case #2582 – Joseph J. Paul, Owner

To request, as a special exception, to allow additional residential accessory structure (square feet) greater than permitted in the AC, Agricultural Conservation Zoning District. Property is located at 4331 Blinkhorn Road Hurlock, MD 21643 and contains 1.00 acre.

Joseph Paul, and any other person who would be testifying in this case, were sworn in.

Mr. Dodd read the case and all pertinent information into the record. A copy of the subdivision covenants were passed out to the Board members at the meeting. Mr. Dodd noted that the aerials show several accessory structures that are no longer on the property. Only a 24 x 24 ft. accessory structure remains.

Ms. McCulley advised the applicant of his two options; to rely on his written responses to the criteria or comment on the responses. Joseph Paul, 4331 Blinkhorn Road, Hurlock, MD advised that he would rely on his written responses and added that the new accessory structure will be used for the storage of a boat and a travel trailer in the future.

Mr. Gunby spoke about the covenants. He pointed out the covenants state that all plans must be submitted to the developer for their approval. Mr. Paul advised that there is no homeowners association. Mr. Gunby advised that the Board of Appeals does not enforce covenants but wanted to make Mr. Paul aware of them before he begins building.

Mr. Dodd read agency comments into the record. The Planning Commission made a favorable recommendation based on the information provided. The Department of Public Works had no objection, a stormwater management plan and erosion, sediment control plan will need to be submitted for review/approval if the project disturbs more than 5,000 sq. ft. There were no comments from the Health Department.

No one spoke in favor of this request and no one was opposed.

Ms. McCulley announced the end of testimony and the Board began their deliberations.

At this time, each Board member explained his decisions regarding the criteria. After all testimony, Ms. McCulley called for a motion regarding this case. Ms. Hill made a motion “to approve this request with the following stipulation: the owner

obtain all required permits from the County.” Seconded by Mr. Foxwell and unanimously carried.

A motion was made by Mr. Howard to approve the minutes of the September 24, 2015 meeting. Seconded by Mr. Foxwell and unanimously carried, with Mr. Cromwell abstaining.

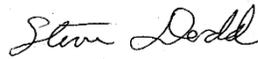
Mr. Dodd advised that several months again, the County Council had asked the Planning Commission to look at the law regulating the size of accessory structures to see if it needed to be revised to be less restrictive, or possibly abolished. The Planning Commission, after several discussions, came to the conclusion that the law was fine the way it was, that relief was afforded the property owner through the Board of Appeals process such as the one heard tonight. Mr. Dodd believes that the Council will accept the recommendation and take no further action.

Mr. Dodd stated that he received a letter from Mr. Howard advising that when his term expires in December, he has decided not to be re-appointed. Mr. Howard was thanked for his continued service.

Mr. Foxwell asked if the Board of Appeals will have any involvement with the medical marijuana laws. Mr. Dodd stated that he recently had a discussion with the County Manager about this issue. Since the applicants are looking at the towns of Cambridge and Hurlock for their operation, the County will not address the issue at this time.

With no further business, a motion was made by Mr. Foxwell to adjourn. Seconded by Ms. Hill and unanimously carried. Time of adjournment: 7:45 PM.

Respectfully submitted,



Steve Dodd  
Executive Secretary