



WICOMICO COUNTY, MARYLAND

DEPARTMENT OF PLANNING, ZONING AND COMMUNITY DEVELOPMENT
125 N. DIVISION STREET, ROOM 203
P.O. BOX 870
SALISBURY, MARYLAND 21803-0870
PHONE: 410-548-4860 | FAX: 410-548-4955

Julie M. Giordano
County Executive

Bunky Luffman
Director of Administration

Lori A. Carter
Director

Wicomico County Board of Appeals February 23, 2023

The regular meeting of the Wicomico County Board of Appeals was held on **Thursday, February 23, 2023** in the Council Chambers, Third Floor, Government Office Building at 6:00 P.M. with the following persons in attendance.

BOARD MEMBERS:

Chairman – J. Phillips Wright, Jr.
Tammy Adkins
William Turner
David Ennis
Jim Morris

PLANNING STAFF:

Andrew Illuminati – County Attorney
Clark Meadows – Zoning Administrator
Jesse Drewer – Recording Secretary

Attendees via Zoom: Howard Chelton and Eric Elliott

The meeting was called to order at 6:01 P.M. by Chairman J. Phillips Wright, Jr. Chairman Wright introduced the Planning Staff and Board Members.

MINUTES – AGENDA #1

Draft minutes of Thursday, January 26, 2023 meeting were placed on the table to be approved.

Upon a motion by Mr. Bill Turner seconded by Mr. David Ennis, with all members present at the January meeting and eligible to vote and the Chairman voting AYE, the Board unanimously approved the January 2023 minutes as written.

Chairman Wright requested everyone who planned to testify before the Board to stand and be sworn in or affirmed; Mr. Andrew Illuminati administered the Oath. Chairman Wright also reviewed the Emergency Evacuation Statement. Chairman instructed the audience, when the applicant's case is called, the applicant should come forward, state their name, provide a mailing address and state whether the individual had been sworn in or affirmed.

AGENDA #2

#WA-2304 – Special Exception – Doublewide Manufactured Home George Lemon – Property located south of Mardela Springs, 9267 Mill Branch Road – Town Transition Zoning District and the Chesapeake Bay Critical Area – M-17, G-5, P-186, L-4A

Mr. Illuminati called the first case.

Mr. Chuck Shade, Developer for the applicant, of 38409 Sussex Highway Delmar, Delaware 19940 and Mr. George Lemon of 311 West Church Street Hebron, Maryland 21830 came before the Board to request approval for a Doublewide Manufactured Home. The proposed doublewide manufactured home will be located on property at 9267 Mill Branch Road.

Mr. Clark Meadows presented the Staff Report and entered the related exhibits into the record. Mr. Meadows stated Staff recommends approval of the Special Exception – Doublewide Manufactured Home with six (6) conditions of approval.

Mr. Howard Chelton, via zoom, of 9307 Athol Road stated he was in opposition of the proposed project, citing a decrease in value for his home and property.

Mr. Eric Elliott, via zoom, of 9315 Athol Road, echoed the sentiments of Mr. Chelton and the property value impact on stickbuilt homes like his that abut the proposed site of the doublewide manufactured home.

Mr. Bill Turner questioned Mr. Meadows about the stickbuilt home requirements and Mr. Meadows responded there is no requirement, the only being the manufactured home shall meet the U.S. Department of Housing and Urban Development (HUD) standards and have a sticker certifying the requirements are met.

Chairman Wright declared for the record there were no further comments from the interested parties in attendance nor any further comments from the Board.

Board Member Mr. David Ennis offered a MOTION to approve the Special Exception-Doublewide Manufactured Home and adopt the Staff's evaluation as statements of fact subject to the suggested conditions, numbers 1 - 6. The motion was SECONDED by Ms. Tammy Adkins. With all members and the Chairman voting AYE, the Board approved the Special Exception – Doublewide Manufactured Home.

AGENDA #3

#WA-2305 – Special Exception – Beauty Shop with On-Site Sign Donald and Jackie Keyes - Property located northwest of Pittsville, 34007 Bob Smith Road – A-1 Zoning District - M-22, G-24, P-36, L-2AA

Mr. Illuminati called the second case.

Mrs. Keyes of 34007 Bob Smith Road Pittsville, Maryland 21850 came before the Board to request approval for an Special Exemption – Beauty Shop with On-Site Sign. The proposed Beauty Shop space is an already constructed building at the front of the property.

Mr. Meadows presented the Staff Report and entered the related exhibits into the record. Mr. Meadows stated Staff recommends approval of the Special Exception – Beauty Shop with On-Site Sign with ten (10) conditions of approval. In addition to the exhibits, the applicants supplied letters of support a, (1), neighbor.

Mrs. Keyes stated this process was started over 2 years ago, as a backup location due to COVID-19 protocols and lockdowns related to COVID-19.

Mr. Turner questioned about the size before it would no longer be a ‘home based business’. Mr. Meadows clarified this is not a ‘home-based business’, as it is a standalone structure and any enlargements to the existing building may require the Board’s review and approval.

Chairman Wright declared for the record there were no interested parties in attendance nor any further comments from the Board.

Board Member Mr. David Ennis offered a MOTION to approve the Special Exception- Beauty Shop with On-Site Sign for Donald and Jackie Keyes, he agreed with the evaluation of the request and it will not cause any adverse effects to health, safety and traffic, and with compliance to the suggested conditions. The motion was SECONDED by Board Member Mrs. Tammy Adkins. With all members and the Chairman voting AYE, the Board approved the Special Exception – Beauty Shop with On-Site Sign.

Administrative Matter

Review and Discussion Wicomico County Board of Zoning Appeals Rules of Procedures

Mr. Illuminati followed up on the discussion on the updating of the Rules of Procedure. A final draft was presented to board members for final review before submission to the Wicomico County Council for adoption. A brief discussion ensued about some revisions that were made.

Board Member Mr. William Turner offered a MOTION to approve the Wicomico County Board of Zoning Appeals Rules of Procedures. The motion was SECONDED by Board Member Mr. David Ennis. With board member Jim Morris and the Chairman voting AYE, board member Mrs. Tammy Adkins voting NAY, the Board approved the Wicomico County Board of Zoning Appeals Rules of Procedures. Mr. Illuminati will forward the Rules of Procedures to the Wicomico County Council for adoption.

There being no further business to come before the Board, the meeting adjourned at **7:32 P.M.**

This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the Wicomico County Department of Planning, Zoning and Community Development Office.

Approved this _____ day of _____, 2023

J. Phillips Wright Jr. - Chairman

Jesse Drewer, MPA - Recording Secretary