

MINUTES

Meeting: Kent County Board of Zoning Appeals
 Date: April 15, 2019
 Time: 7:00 P.M.
 Location: County Commissioners Hearing Room, 400 High Street, Chestertown, Maryland

Agenda Item/Case	Sitting for the Board	Action Taken	Vote
<p>19-08 – Kings Grant Farm, Inc. - Requesting a variance from the 150-foot pier length limit in order to construct a 200-foot long pier.</p> <p>The property is located at 6995 Quaker Neck Road in the Seventh Election District and is zoned, Resource Conservation District “RCD”.</p> <p>Applicants: Tyler Johnson Fletcher Johnson Webb Johnson Dan Saunders, Counsel Lance Young, Counsel Robert Nickerson, Extreme Measures Surveying</p> <p>Stephanie I. Jones, Environmental Planner</p> <p>All were sworn in.</p>	<p>Dr. Albert Townshend, Chairperson</p> <p>Joan Horsey, Member</p> <p>John Massey, Member</p> <p>David A. Hill, Sitting</p> <p>Mr. Christopher Drummond Attorney for the Board</p> <p>Tonya Thomas, Clerk</p>	<p>Mr. Massey made a motion to grant a variance of 50-feet to allow the construction of a 200-foot pier based on the following facts:</p> <ul style="list-style-type: none"> • A variance of 50 feet is needed in order to construct a pier at a total of 200 feet. • The granting of the variance will neither cause substantial detriment to adjacent properties nor change the character of the neighborhood which consists of large, waterfront properties in agricultural production. • The variance is consistent with the Critical Area Law, Comprehensive Plan, and Ordinance with regards to the water quality. • The practical difficulty onsite may be attributed to the unusual siltation and shallow water depths likely caused by the erosion of Millers Island. • Historical anecdotal testimony from the land owner has been provided in place of scientific evidence. Testimony included that the disappearance of Millers Island in the early 1980’s occurred as the depths of the shoreline decreased over time. • The shallow water depths have not been caused by the applicant’s own actions. • The proposed pier meets all the setback requirements. • The 200-foot pier will neither exceed 25% of the width of the waterway nor will it encroach within the edge of the channel. • A permit has been 	<p>Unanimous Approval</p>

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		<p>authorized by the Maryland Department of Environment and Army Corps of Engineers for the proposed pier. The State of Maryland does not have a pier length requirement.</p> <ul style="list-style-type: none"> The board agreed that the applicant did not need to comply with the shared pier provisions outlined in the Kent County Land Use Ordinance or consolidate Parcel 67, Tract 1, Parcel 2 (location of pier) with Parcel 60, Tract 1, Parcel 1 as recommended by the Planning Commission. <p>Ms. Horsey seconded the motion; all were in favor.</p>	
Adjourn		At 7:38 PM, Dr. Townshend asked for motion; Mr. Massey made a motion to adjourn the meeting, and Ms. Horsey seconded the motion; all were in favor.	Unanimous Approval

Albert S. Townshend, Dr.

Dr. Albert Townshend, Chairman

Tonya A. Thomas

Tonya Thomas, Clerk