



ADMINISTRATIVE HEARING

County Commissioners Hearing Room
400 High Street
Chestertown, Maryland

Members of the public are welcome to attend meetings in person or listen to the meeting via the audio-only phone number and conference identification number listed below.

1. Dial **1-872-239-8359**
2. Enter Conference ID: **582 927 21#**

Members of the public are asked to mute their phones/devices, until the Commission Chair opens the floor for comment.

AGENDA
March 28, 2024
11:00 AM

APPLICATIONS FOR REVIEW:

- 24-10 Lewis McDonald – Administrative Special Exception – Large Accessory Structure
13196 Bloomfield Road, Kennedyville – Second Election District – Agricultural Zoning District (AZD)
- 24-11 Julie Honish-Carman and John Carman – Admin. Special Exception – Pool in Front Yard of Waterfront Property
24329 Waterview Drive, Worton – Third Election District – Zoned Critical Area Residential (CAR)
- 24-12 St. Mary’s Roofing and Home Improvement LLC – Admin. Special Exception – Adaptive Reuse in AZD
10720 Augustine Herman Highway – Second Election District – Zoned Agricultural Zoning District (AZD)

APPLICANT OR REPRESENTATIVE MUST BE PRESENT

Meetings are conducted in Open Session unless otherwise indicated. All or part of the Administrative Hearing may be held in closed session under the authority of the MD Open Meetings Law. Meetings are subject to audio and video recordings.

Applicants will be given the time necessary to assure full public participation and a fair and complete review of all projects. Items on this Agenda are subject to change due to cancellation of projects.

If you require communication assistance, please contact the Maryland Relay Service at www.mdrelay.org or 7-1-1 Voice/TDD.

To: William Mackey, Planning Director
From: Carla Gerber, Deputy Director
Date: March 25, 2024
Subject: 24-10 – Lewis and Bryan McDonald
Administrative Special Exception – Accessory Storage Structure

Preliminary Staff Report

DESCRIPTION OF PROPOSAL

Mr. McDonald is requesting an administrative special exception in order to renovate an old milking barn and storage shed into a single building with a resulting floor area of 5,000 square feet and a median height of 21 feet on a parcel less than 5 acres. The structure will be used to store agricultural equipment. The renovations will involve removing the roofs and raising the north and west walls to 16 feet and adding walls on the south and east sides to create an enclosed area of 100 feet by 50 feet. A 20-foot by 100-foot lean-to will also be added to the south side. The total building area will be 7,000 square feet. The property is improved with a single-family dwelling, detached garage, pool, two sheds, and an old milking barn. The 4-acre property is located at 13196 Bloomfield Road in the Second Election District and is zoned Agricultural Zoning District (AZD).

RELEVANT ISSUES

- I. Permitted and Accessory Uses
 - A. *Applicable Law:* Article V, Section 1.3 of the Kent County *Land Use Ordinance* establishes principal uses and structures that may be permitted as special exceptions within the Agricultural Zoning District.
 - B. *Staff and TAC Comments:* The applicant is proposing to renovate two existing ag buildings that are insufficient for current agricultural uses into a single building that will accommodate modern machinery. Accessory structures with a floor area over 1,200 square feet and/or a median height over 17 feet on a parcel less than 5 acres require an administrative special exception.
- II. Special Exception – General Standards
 - A. *Applicable Law:* Article VII, Section 2 of the Kent County *Land Use Ordinance* establishes the Special Exception standards and requires the Planning Director to make findings on the following where appropriate:
 1. The nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
 2. Traffic Patterns;
 3. Nature of surrounding area;
 4. Proximity of dwellings, houses of worship, schools, public structures, and other places of public gathering;
 5. The impact of the development or project on community facilities and services;
 6. Preservation of cultural and historic landmarks, significant natural features and trees;
 7. Probable effect of noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards, or glare upon surrounding properties;
 8. The purpose and intent of this Ordinance as set forth in Article II;
 9. Design, environmental, and other standards of this Ordinance as set forth in Article V;

10. The most appropriate use of land and structure;
11. Conservation of property values;
12. The proposed development's impact on water quality;
13. Impact on fish, wildlife and plant habitat;
14. Consistency with the Comprehensive Plan, Land Use Ordinance, and where applicable the Village Master Plan;
15. Consistency with the Critical Area Program; and
16. Compatibility with existing and planned land use as described in the Comprehensive Plan, Land Use Ordinance, and where applicable the Village Master Plan.

B. *Staff and TAC Comments:*

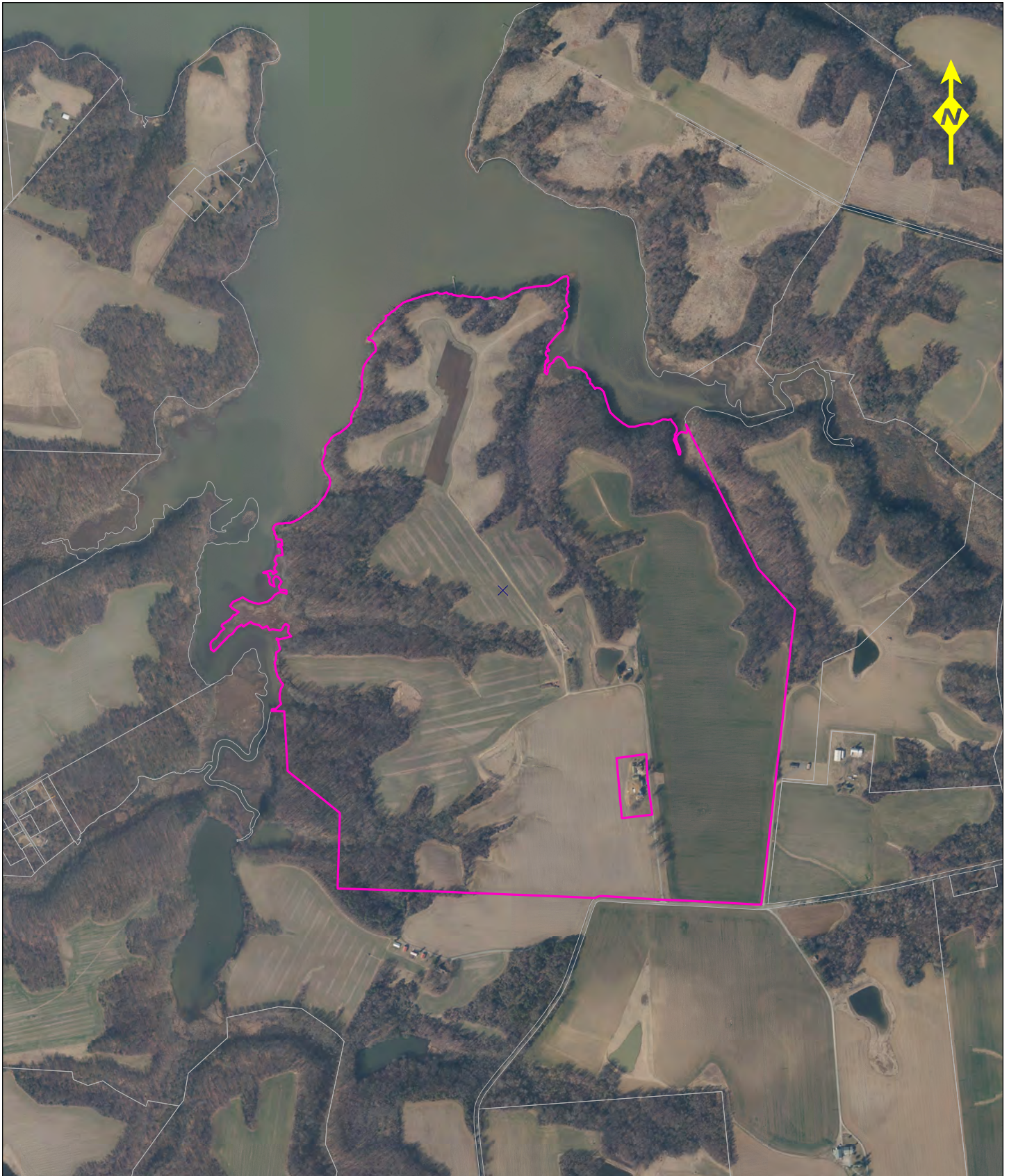
- The proposed agricultural building will be located in the rear yard. It will be approximately 85 feet from the rear and 35 feet from the closest side property line.
- The 4-acre parcel is located in the middle of a 450-acre farm owned by Bryan McDonald.
- The closest neighbor is over 1,400 feet to the east.
- There are no known impacts to community facilities and services.
- The Comprehensive Plan is neutral on this matter.
- The proposal is consistent with the intent of the Ordinance.
- There are no known adverse impacts on property values of adjacent properties or the neighborhood as the proposed structure is in keeping with the agricultural character of the surrounding area.

STAFF RECOMMENDATION

Staff recommends approval with the following condition:

1. That the special exception hereby granted would lapse after one year if no substantial construction in accordance with the plans herein presented were to occur.

Lewis and Bryan McDonald
13196 Bloomfield Road, Kennedyville



Source: Kent County Department of Planning, Housing, and Zoning.
Aerial taken Spring 2022. Map prepared March 2024.

1 inch = 1,200 feet

ADMINISTRATIVE HEARING APPLICATION

Kent County Department of Planning, Housing, and Zoning

Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7475 (phone) • 410-810-2932 (fax)

IN THE MATTER OF THE APPLICATION OF:
(Name, Address and Telephone Number of Applicant)

LEWIS MCDONALD
13200 Bloomfield rd.
Kennedyville MD 21645
Email: lhmcdo@verizon.net

For Office Use Only:

Case Number: 24-10
Date Filed: 1/29/2024
Filed by: Lewis McDonald
Applicant: Lewis McDonald
Date of Hearing: _____
Parties Notified: _____
Notice in Paper: _____
Property Posted: _____

Please provide the email of the one person who will be responsible for responding to comments. Only this person will be contacted by staff and will be the person responsible for forwarding the comments or requests for additional information to any other interested parties. EMAIL: _____

TO THE DEPARTMENT OF PLANNING, HOUSING AND ZONING: In accordance with Article ✓
Section 1.3 of the Kent County Land Use Ordinance, as amended, request is hereby made for an

Administrative Hearing for:

_____ Variance Special Exception _____ Determination of Nonconforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) 13196 Bloomfield rd Kennedyville MD.

In the 2nd Election District of Kent County.

Size of lot or parcel of Land: 4 ACRES
Map: 13 Parcel: 22 Lot #: _____ Deed Ref: 1007/114-

List buildings already on property: HOUSE, GARAGE, 2- STORAGE SHEDS,
old milk Barn

Subdivision name and address, if applicable: _____

PRESENT ZONING OF PROPERTY: _____

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) To remove roofs from milk Barn + storage
shed 2, raise THE north wall and west wall to 16',
Then add a wall to THE south + east to make a
100x50x 16' High, then put a 20' fence to out the south side

Present owner of property: LEWIS MCDONALD Telephone: 410-991-7817

If Applicant is not owner, please indicate your interest in this property: _____

Has property involved ever been subject to a previous application? _____

If so, please give Application Number and Date: _____

PLEASE FILL IN BELOW, OR ATTACH HERETO, A SKETCH OF THIS PROPERTY.
List all property measurements and dimensions of any buildings already on the property.

Put distances between present buildings or proposed buildings and property lines.

NAMES OF ADJOINING PROPERTY OWNERS:

Owner(s) on the North: BRYAN + LEWIS McDONALD

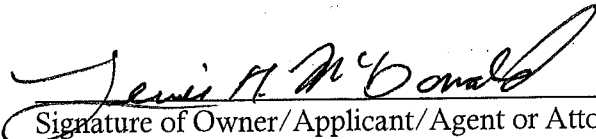
Owner(s) on the South: BRYAN + LEWIS McDONALD

Owner(s) to the East: BRYAN + LEWIS McDONALD

Owner(s) to the West: BRYAN + LEWIS McDONALD

Homeowners Association, name and address, if applicable: _____

BY SIGNING THIS APPLICATION, I GRANT THE DEPARTMENT OF PLANNING, HOUSING AND ZONING THE RIGHT TO ENTER ONTO THE PROPERTY FOR THE PURPOSE OF VIEWING THE SITE OF THE APPLICATION.



Signature of Owner/Applicant/Agent or Attorney

SEP 29 2024

Date

Please file this form at 400 High Street, Chestertown, MD 21620 accompanied by **\$200.00** filing fee made payable to the County Commissioners of Kent County. If you have any questions, contact the Kent County Department of Planning, Housing and Zoning.

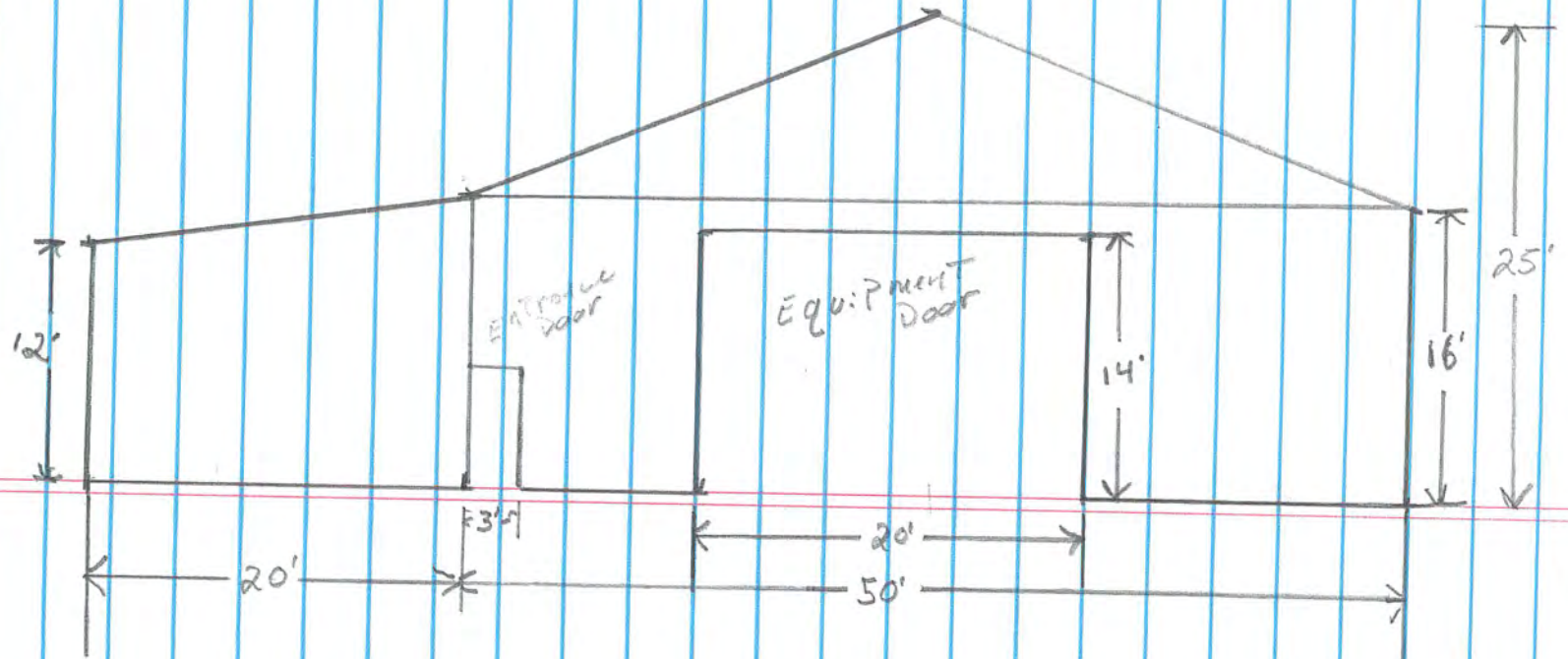
NOTICE: The Department of Planning, Housing and Zoning is not required to make out this application. Application should be filled in by Applicant or its agent. If the Planning Department assists you, they cannot be held responsible for its contents.

Applicants arriving more than 10 minutes after the scheduled hearing will not be heard and will be re-scheduled at the applicant's expense.

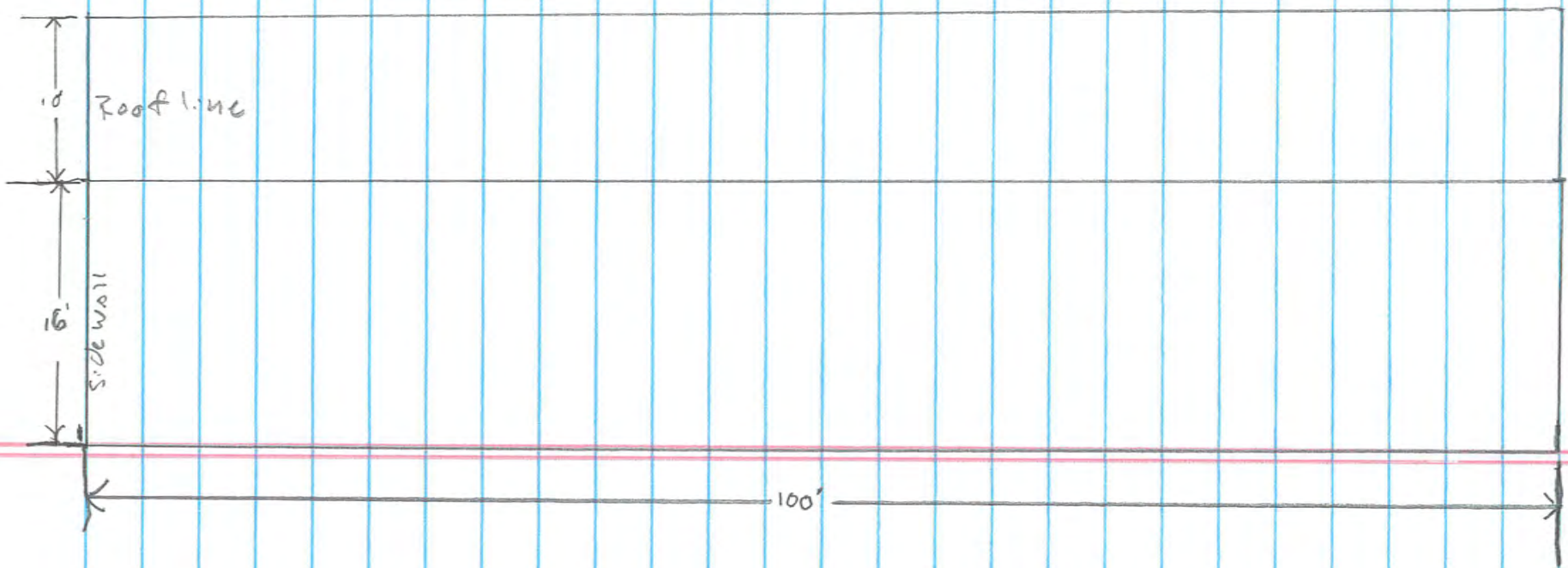
1 inch / 10 feet

FRONT / EAST

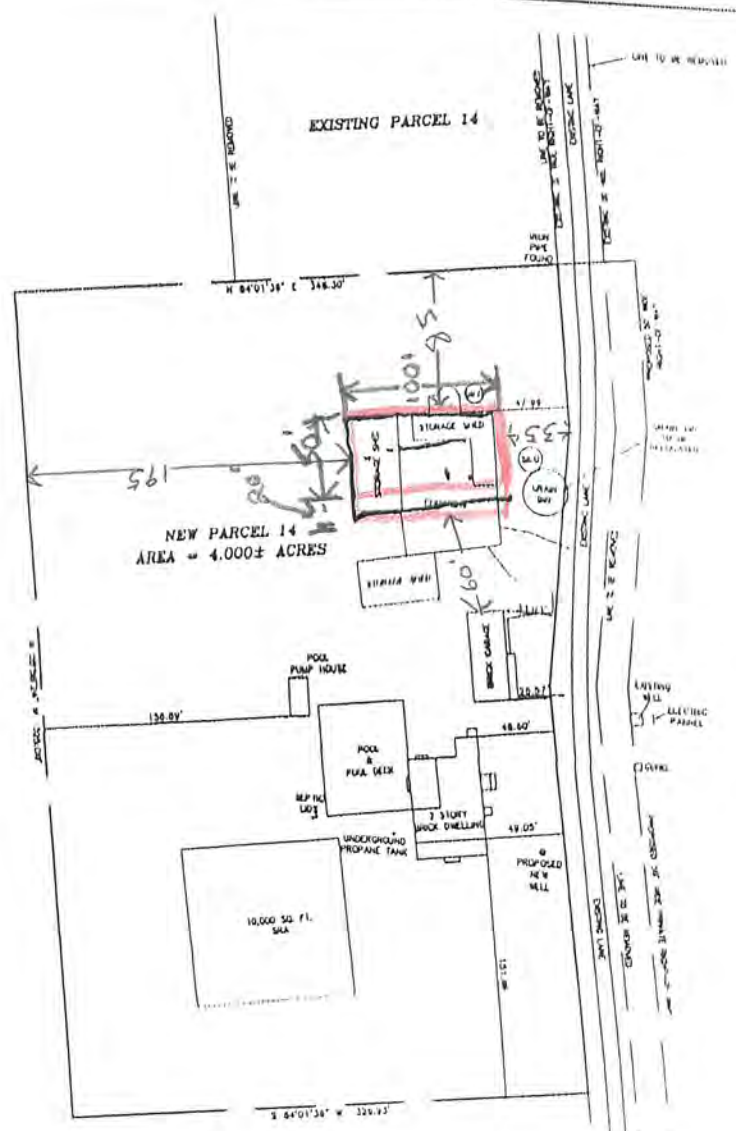
NEW



NEW



NEW

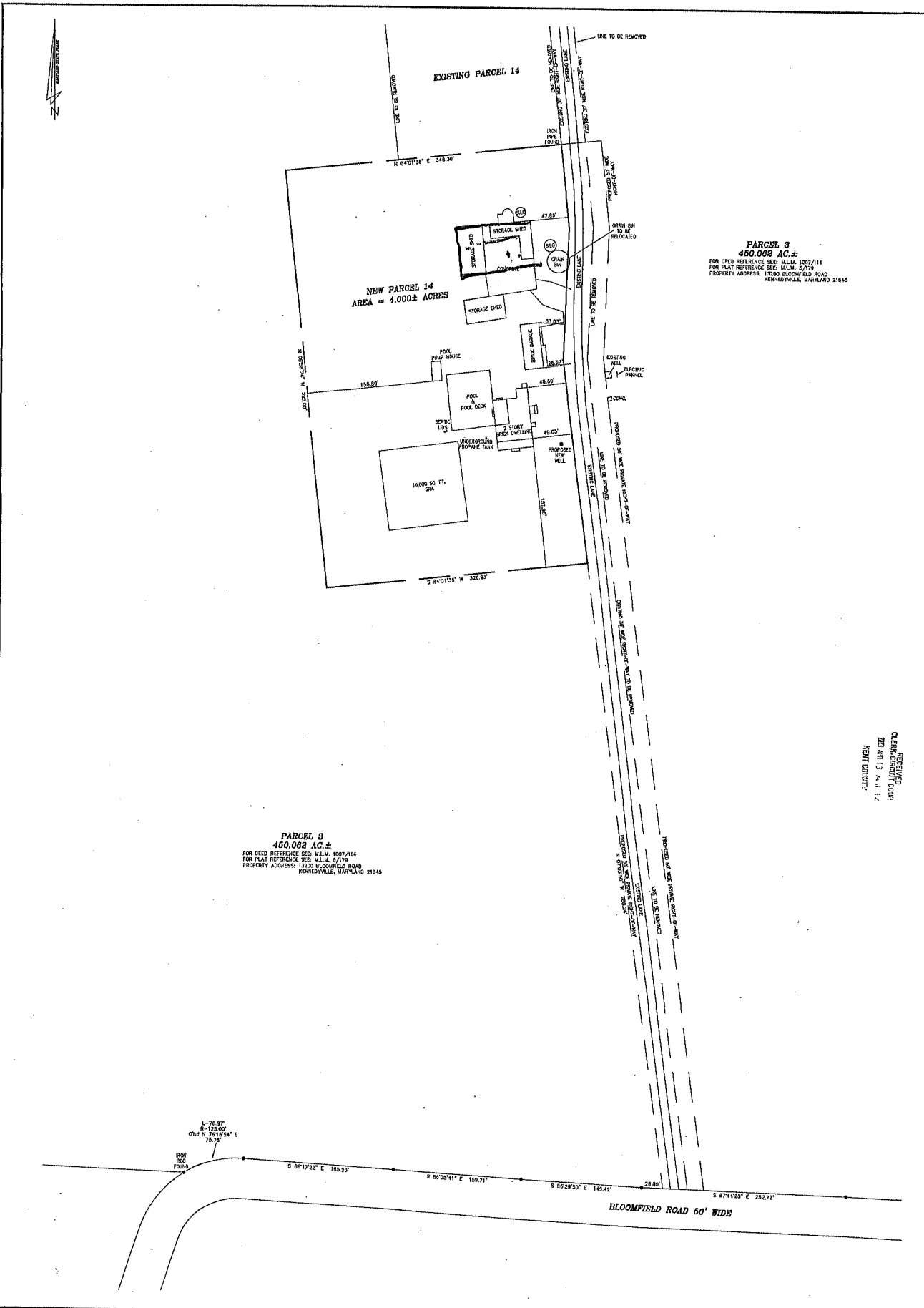


PARTIAL B
 400.00 AC. ±
 FOR DEED REFERENCE SEE W.L.D. 1007/114
 FOR PLAT REFERENCE SEE W.L.D. 2/178
 PROPERTY ADJACENT TO 13200 BLOOMFIELD ROAD
 KENNEDYVILLE, WAHIALOA 21410

I, [Name], a Licensed Professional Engineer, do hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Hawaii.



MSA C2123-3823-2



PARCEL 3
460.082 AC.±
 FOR DEED REFERENCE SEE M.L.L. 1007/114
 FOR PLAT REFERENCE SEE M.L.L. 8/179
 PROPERTY ADDRESS: 13200 BLOOMFIELD ROAD
 KENNEDYVILLE, MARYLAND 21845

PARCEL 3
460.082 AC.±
 FOR DEED REFERENCE SEE M.L.L. 1007/114
 FOR PLAT REFERENCE SEE M.L.L. 8/179
 PROPERTY ADDRESS: 13200 BLOOMFIELD ROAD
 KENNEDYVILLE, MARYLAND 21845

RECEIVED
 CLERK, CIRCUIT COURT
 MD 2013 M.F. 12
 KENT COUNTY

<p>LOT LINE ADJUSTMENT</p> <p>OF THE LANDS OF</p> <p>LEWIS H. MCDONALD et al.</p> <p>SECOND ELECTION DISTRICT, KENT COUNTY, MARYLAND</p> <p>MAP 5 & 13 PARCELS 14 & 3</p>	<p>DATE: 09-22-2022</p> <p>JOB NO.: 2432</p> <p>TITLE: K-850</p> <p>DATE: _____</p> <p>REVISION: _____</p>	<p>SCALE: 1" = 60'</p> <p>DRAWN BY: _____</p> <p>DATE: _____</p>	<p>MICHAEL A SCOTT INC.</p> <p>400 S CROSS ST STE 3, CHESTERTOWN, MD 21820 (410)778-2310</p>
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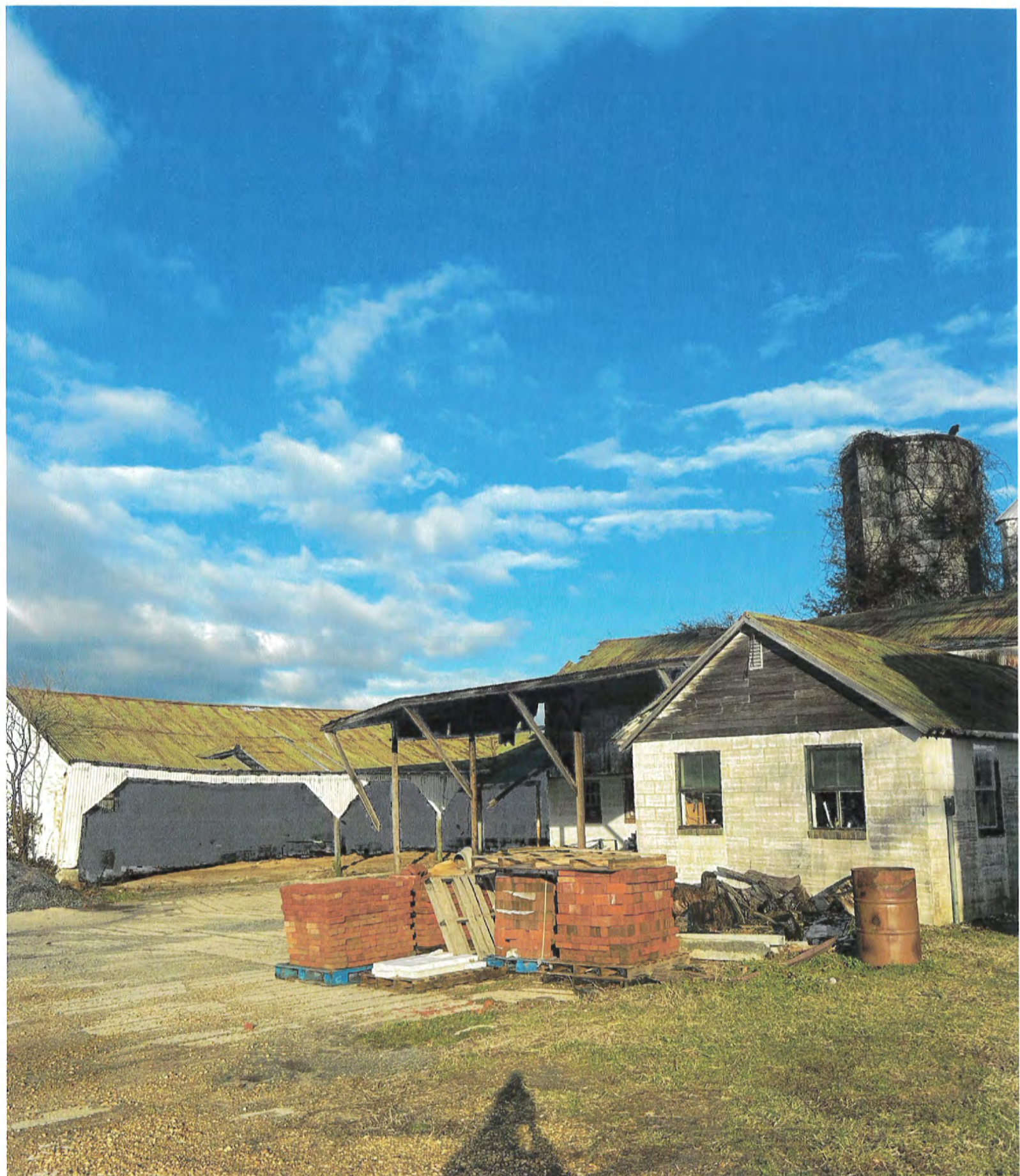
Filed on 4/13/2023 in Plat Book 5LK 6, Page 136 B

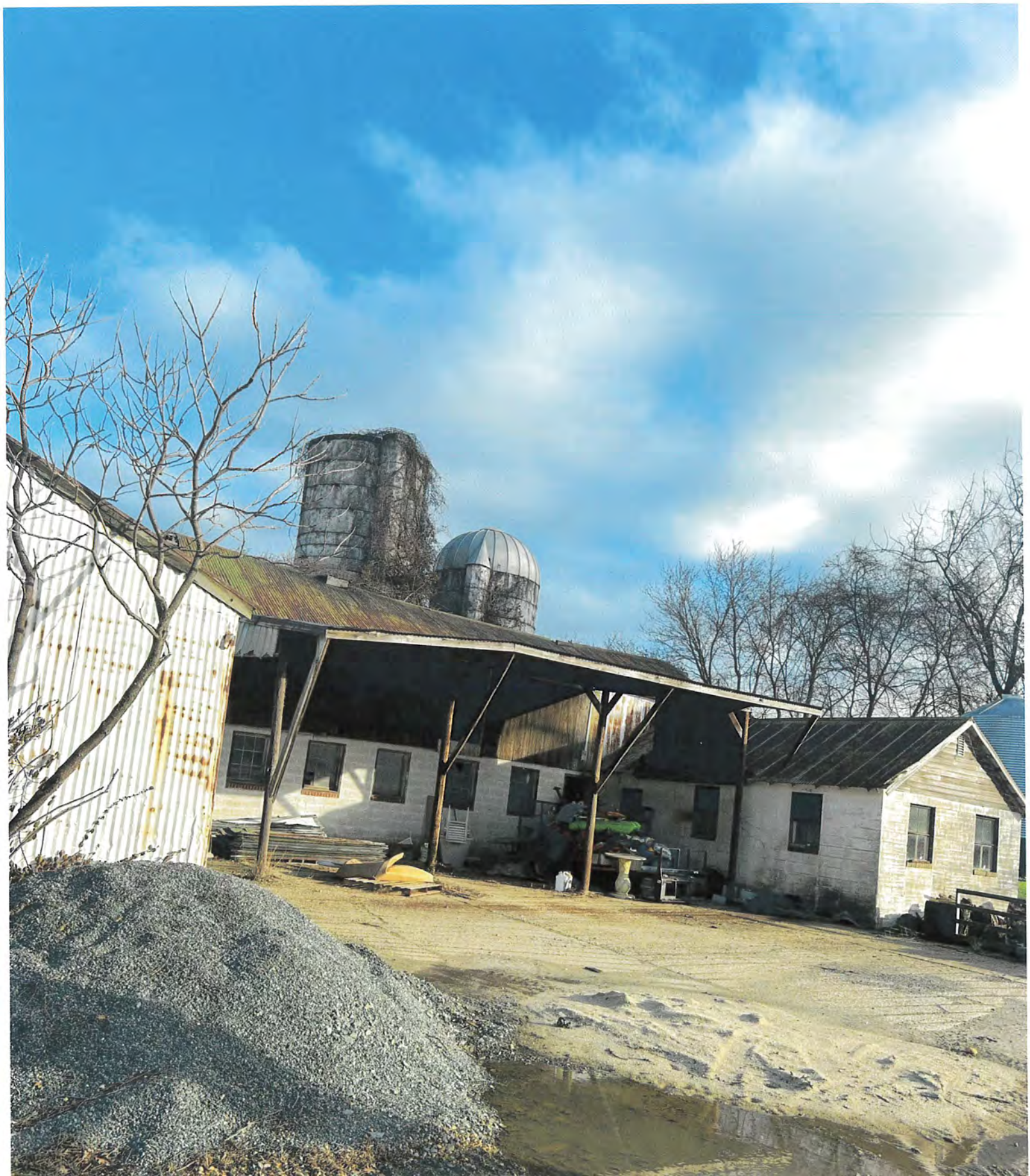
P254215

MSA C2123-3823-2

KENT COUNTY CIRCUIT COURT (Not Book) PK Book 5LK 6, p. 136A-136B, MSA_C2123_3823. Data available 2023/04/13. Printed 04/25/2024.

MSA C2123-3823-2

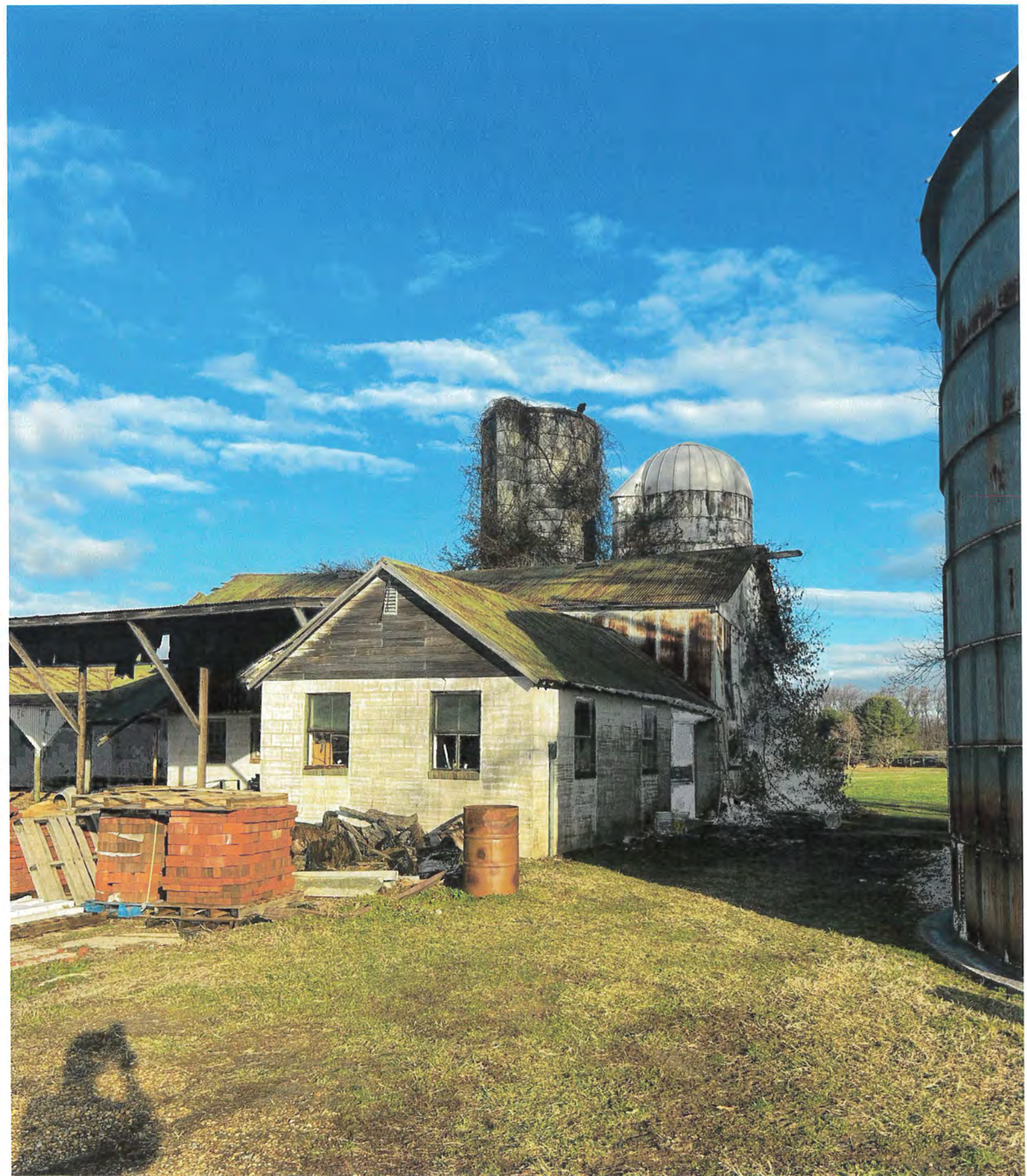












To: William Mackey, Planning Director
From: Mark Carper, Associate Planner
Date: March 22, 2024
Subject: #24-11 – Julie Honish-Carman and John Carman
Administrative Special Exception – Accessory Structures in Front Yard of Waterfront Parcel

Preliminary Staff Report

DESCRIPTION OF PROPOSAL

Julie Honish-Carman and John Carman are requesting a special exception for accessory structures in the front yard of a waterfront parcel. The applicants are proposing to build a 1,257 square-foot inground pool, patio, and steps in the front yard of their parcel. The 2.33-acre property is located at 24329 Water Drive, Woton, in the Third Election District and is zoned Critical Area Residential (CAR).

RELEVANT ISSUES

- I. Permitted and Accessory Uses
 - A. *Applicable Law:* Article V, Section 5.3 of the Kent County *Land Use Ordinance* establishes principal uses and structures that may be permitted as special exceptions within the CAR.
 - B. *Staff and TAC Comments:* The applicants are proposing to construct an inground pool, patio, and steps in the front yard of their parcel.
- II. Special Exception – General Standards
 - A. *Applicable Law:* Article VII, Section 2 of the Kent County *Land Use Ordinance* establishes the Special Exception standards and requires the Planning Director to make findings on the following where appropriate:
 1. The nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
 2. Traffic Patterns;
 3. Nature of surrounding area;
 4. Proximity of dwellings, houses of worship, schools, public structures, and other places of public gathering;
 5. The impact of the development or project on community facilities and services;
 6. Preservation of cultural and historic landmarks, significant natural features and trees;
 7. Probable effect of noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards, or glare upon surrounding properties;
 8. The purpose and intent of this Ordinance as set forth in Article II;
 9. Design, environmental, and other standards of this Ordinance as set forth in Article V;
 10. The most appropriate use of land and structure;
 11. Conservation of property values;
 12. The proposed development’s impact on water quality;
 13. Impact on fish, wildlife and plant habitat;
 14. Consistency with the Comprehensive Plan, Land Use Ordinance, and where applicable the Village Master Plan;
 15. Consistency with the Critical Area Program; and

16. Compatibility with existing and planned land use as described in the Comprehensive Plan, Land Use Ordinance, and where applicable the Village Master Plan.

B. *Staff and TAC Comments:*

- The Health Department, SHA, and County Finance Office have reviewed the application and have no objections to the proposal. The Betterton Volunteer Fire Company has no issues and noted that the pool could serve as an alternative water supply if needed.
- The proposed pool, patio, and steps will be located between the principal dwelling and the shoreline.
- The proposed improvements will be positioned more than 100 feet from adjacent dwellings on either side, and vegetative screening between properties is already established. The special exception will not have a negative impact on surrounding properties.
- Existing and proposed lot coverage are included in the site plan, and the resultant lot coverage remains within the allowable limits according to Critical Area Law.
- The proposed buffer enhancement plan meets the mitigation required for the proposed improvement.
- The Comprehensive Plan does not address this matter.
- The proposal is consistent with the intent of the Ordinance.

STAFF RECOMMENDATION

Staff recommends approval of the pool, patio, and steps with the following condition:

1. That the special exception hereby granted would lapse after one year if no substantial construction in accordance with the plans herein presented were to occur.

John Carman
24329 Waterview Drive, Worton



Source: Kent County Department of Planning, Housing, and Zoning.
Aerial taken Spring 2022. Map prepared March 2024.

1 inch = 400 feet

ADMINISTRATIVE HEARING APPLICATION

Kent County Department of Planning, Housing, and Zoning
Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7423 (phone) • 410-810-2932 (fax)

200 -
50 -

IN THE MATTER OF THE APPLICATION OF:
(Name, Address and Telephone Number of Applicant)

Kurt Moyer
6608 Ocean Gateway, Queenstown,
MD, 21658

Email: kurt@coastalpoolbuilders.net
Phone: 302-396-0534

For Office Use Only:

Case Number: 24-11
Date Filed: 2/22/2024
Filed by: Coastal Pool
Applicant: Carman, John & Julie
Date of Hearing:
Parties Notified:
Notice in Paper:
Property Posted:

Please provide the email of the one person who will be responsible for responding to comments. Only this person will be contacted by staff and will be the person responsible for forwarding the comments or requests for additional information to any other interested parties. EMAIL: kurt@coastalpoolbuilders.net

TO THE DEPARTMENT OF PLANNING, HOUSING AND ZONING: In accordance with Article
Section of the Kent County Land Use Ordinance, as amended, request is hereby made for an

Administrative Hearing for:

Variance [checked] Special Exception Determination of Nonconforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) 24329 Waterview Dr, Worton, MD, 21678

In the 03 Election District of Kent County.

Size of lot or parcel of Land: 2.33 Acres

Map: 0011 Parcel: 0073 Lot #: 8 Deed Ref:

List buildings already on property: Existing house, driveway, porch

Subdivision name and address, if applicable: Waterview Drive Clearview

PRESENT ZONING OF PROPERTY: Residential

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) The installation of residential in ground swimming pool on the waterside of the house requires a special exception.

Present owner of property: John Carman Telephone: (410)-220-8541

DEPARTMENT OF PLANNING & ZONING
2/22/24
KB

If Applicant is not owner, please indicate your interest in this property: Kurt Meyer / Coastal Pools
↳ the Pool Contractor

Has property involved ever been subject to a previous application? NO

If so, please give Application Number and Date:

PLEASE FILL IN BELOW, OR ATTACH HERETO, A SKETCH OF THIS PROPERTY.
List all property measurements and dimensions of any buildings already on the property.

Put distances between present buildings or proposed buildings and property lines.

NAMES OF ADJOINING PROPERTY OWNERS:

Owner(s) on the North: _____

Owner(s) on the South: _____

Owner(s) to the East: Johnathon Wright

Owner(s) to the West: Robert Miller

Homeowners Association, name and address, if applicable: _____

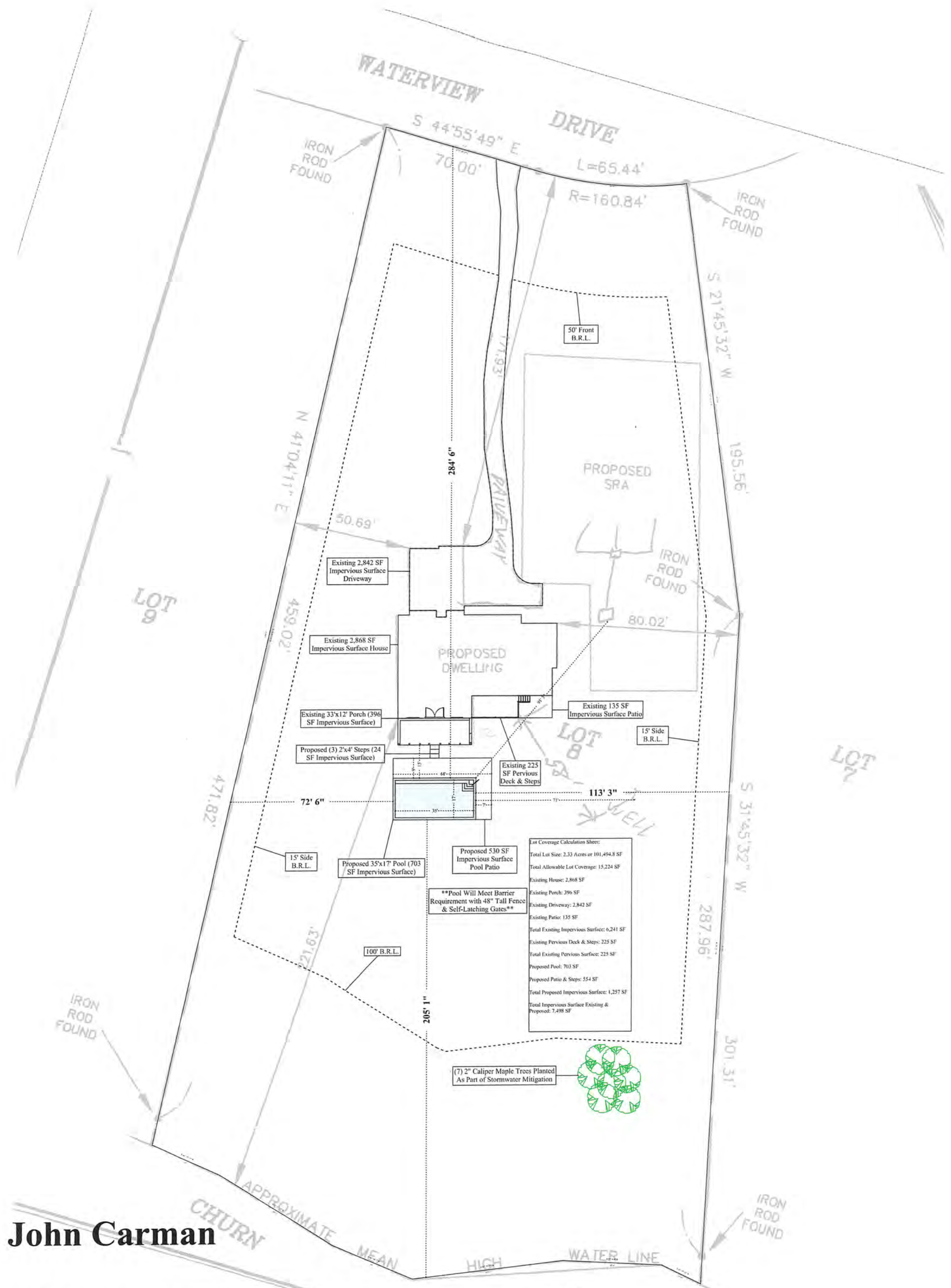
BY SIGNING THIS APPLICATION, I GRANT THE DEPARTMENT OF PLANNING, HOUSING AND ZONING THE RIGHT TO ENTER ONTO THE PROPERTY FOR THE PURPOSE OF VIEWING THE SITE OF THE APPLICATION.

Kurt Meyer _____ 2/15/2024
Signature of Owner/Applicant/Agent or Attorney Date

Please file this form at 400 High Street, Chestertown, MD 21620 accompanied by **\$200.00** filing fee made payable to the County Commissioners of Kent County. If you have any questions, contact the Kent County Department of Planning, Housing and Zoning.

NOTICE: The Department of Planning, Housing and Zoning is not required to make out this application. Application should be filled in by Applicant or its agent. If the Planning Department assists you, they cannot be held responsible for its contents.

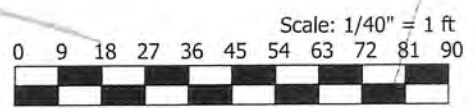
Applicants arriving more than 10 minutes after the scheduled hearing will not be heard and will be re-scheduled at the applicant's expense.

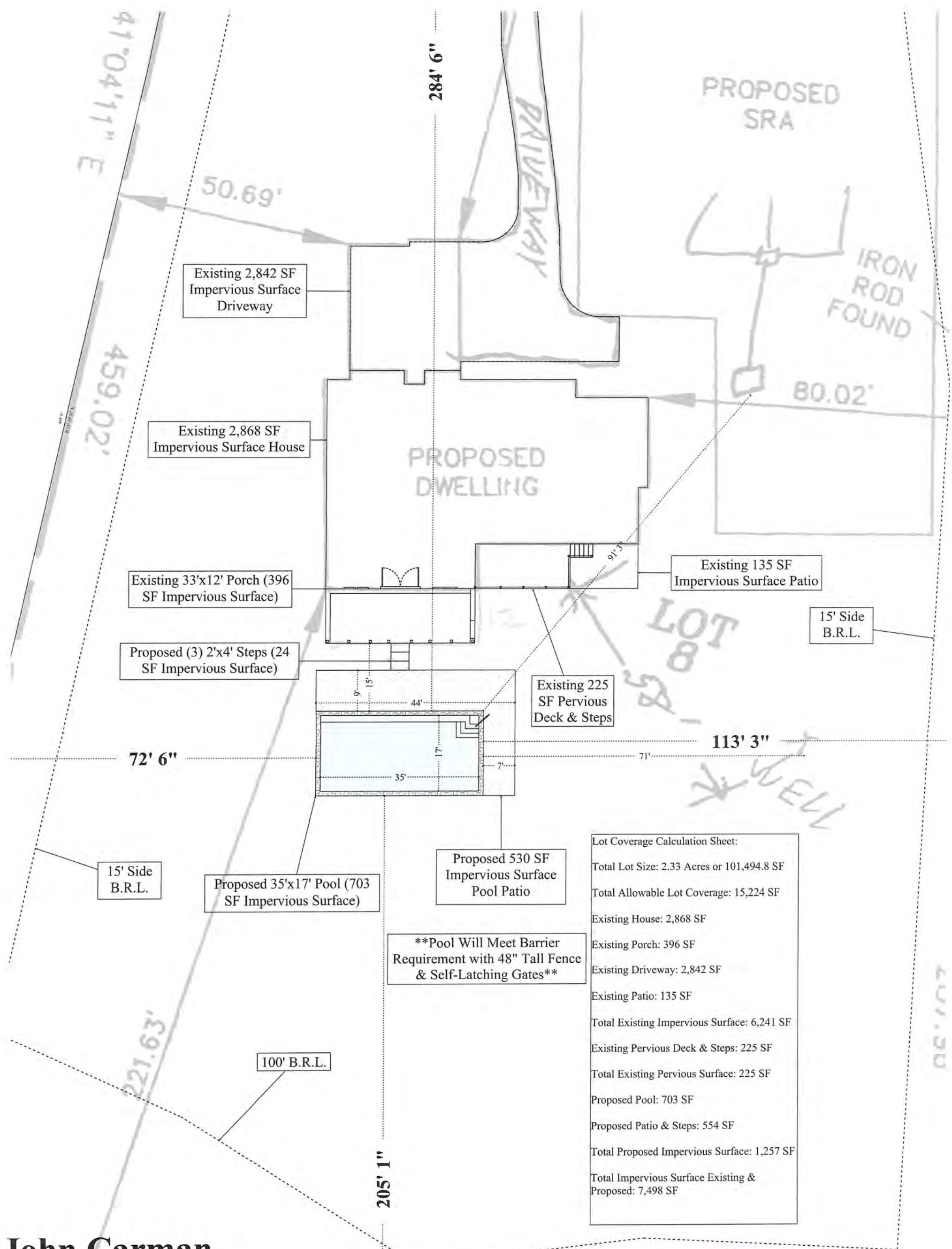


John Carman

**24329 Waterview Dr,
Worton, MD, 21678**

Scale: 1/40"=1'-0"



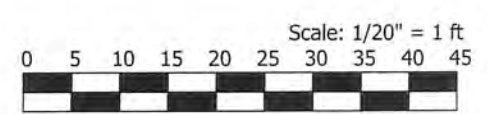
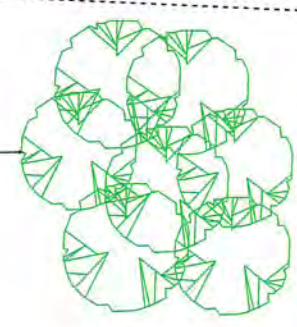


John Carman

24329 Waterview Dr,
Worton, MD, 21678

Scale: 1/20" = 1'-0"

(7) 2" Caliper Maple Trees Planted
As Part of Stormwater Mitigation



Existing 2,868 SF
pervious Surface House

PROPOSED
DWELLING

Existing 33'x12' Porch (396
Impervious Surface)

Existing (3) 2'x4' Steps (24
Impervious Surface)

Existing 225
SF Pervious
Deck & Steps

Proposed 35'x17' Pool (703
SF Impervious Surface)

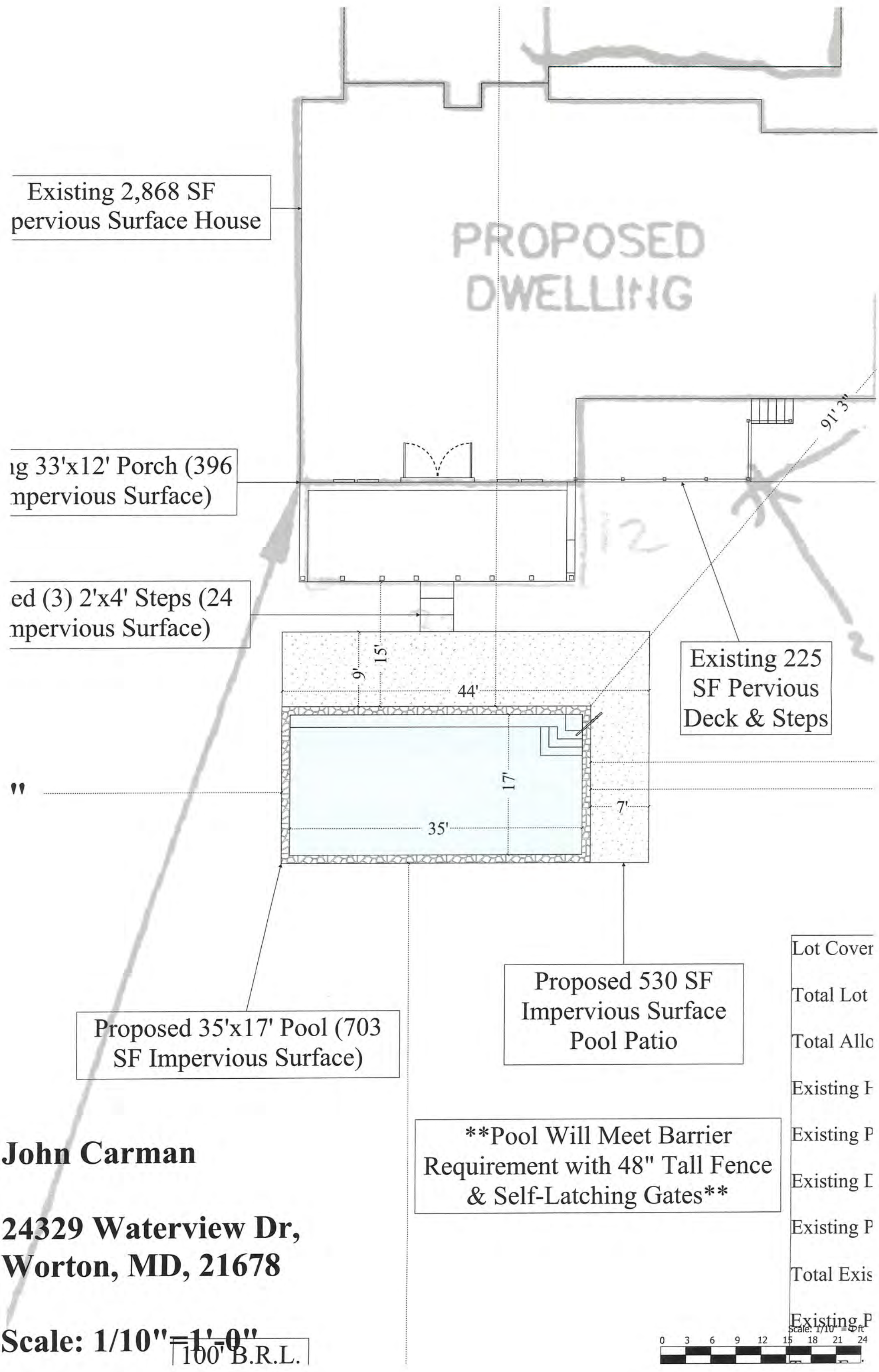
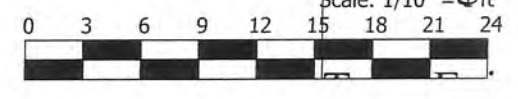
Proposed 530 SF
Impervious Surface
Pool Patio

****Pool Will Meet Barrier
Requirement with 48" Tall Fence
& Self-Latching Gates****

Lot Cover
Total Lot
Total Allc
Existing I
Existing P
Existing I
Existing P
Total Exis
Existing P

John Carman
24329 Waterview Dr,
Worton, MD, 21678

Scale: 1/10" = 1'-0"
100' B.R.L.



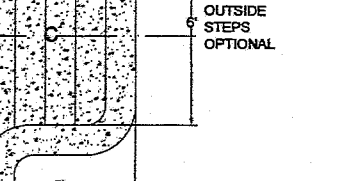
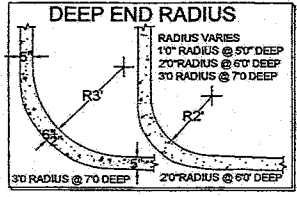
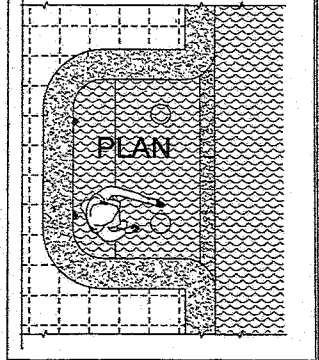
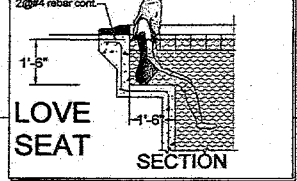
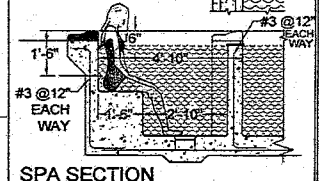
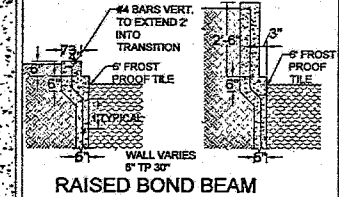
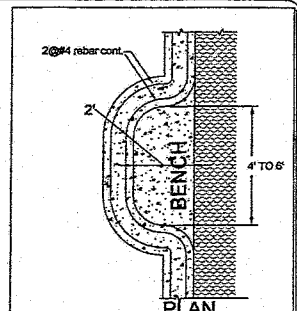
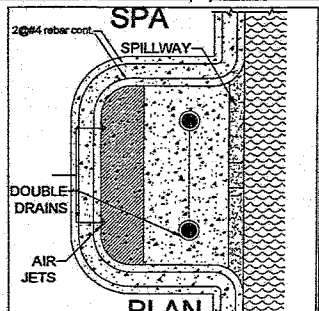
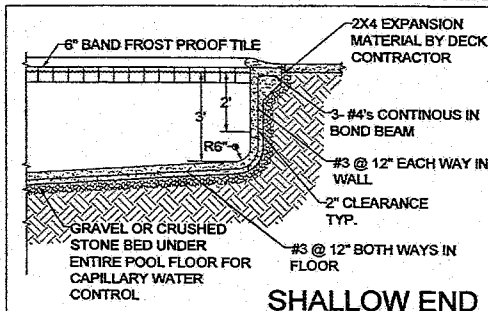
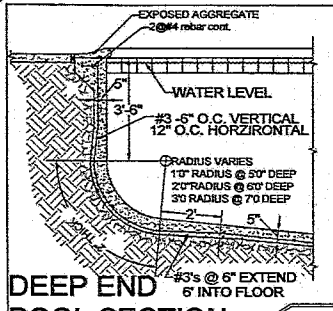
VARIES 60" MAXIMUM

PLAN

Professional Certification: I hereby certify that these documents were prepared or approved by me. I am a duly licensed professional engineer under the laws of the State of Maryland. License #11468 - Exp. May 28, 2025



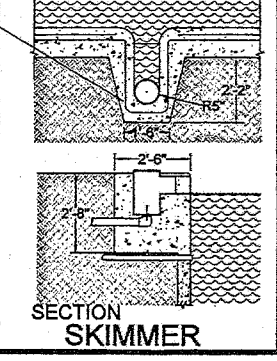
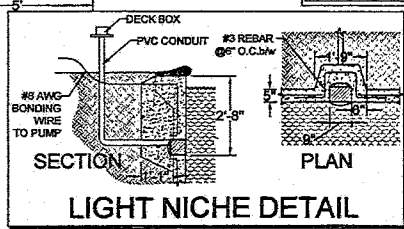
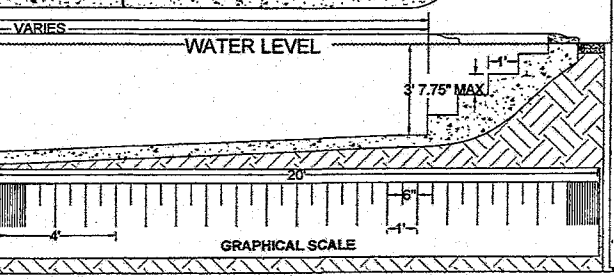
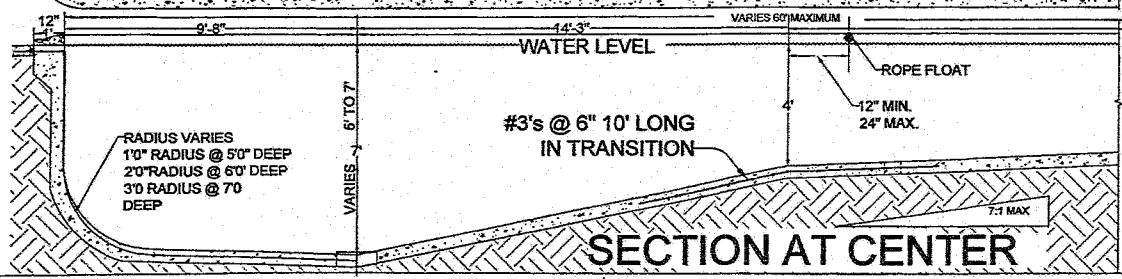
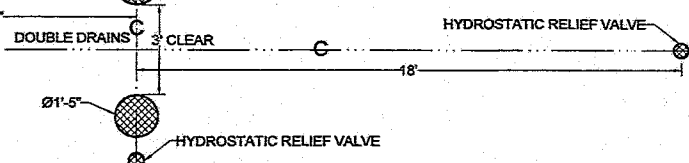
Spade
6/24/23



SWIMMING POOL SPECIFICATIONS

- Concrete shall have $f_c = 4,000$ p.s.i. strength @ 28 days.
- Reinforcing steel shall be A.S.T.M. A-615, $f_s = 60$ k.s.i.
- Minimum soil bearing capacity required: 2,000 p.s.f.
- The engineer shall be notified if groundwater, organic material/deleterious soil or rock is encountered during excavation. Any engineered fill, if required, shall be placed in 8-inch layers of recommended material, 95% compacted @ optimum moisture content.
- The design and the integrity of the construction are based on and subject to compliance with and implementation of excavation, removal / replacement of any fill, compaction of soil base, site drainage and storm water management recommendations, details, and specifications; and if needed, monitoring and approval of all work by a Geotechnical Engineer, and maintenance / winterization recommendations of the National Swimming Pool Institute.
- Owner shall install adequate fence and electric approved by local building department.
- Pool construction shall comply with ICC-2018 codes provisions including 2018-IRC, 2018-ISPPSC sections and

VARIES 30" MAXIMUM



DATE: AUGUST 26, 2021
NOT TO ANY SCALE
DRAWN BY PAUL LANNI

To: William Mackey, Planning Director
From: Rob Tracey, AICP, Associate Planner
Date: March 28, 2024
Subject: #24-12 – St. Mary’s Roofing and Home Improvement, LLC
Administrative Special Exception – Adaptive Reuse in the AZD on a Parcel under 20 acres

Preliminary Staff Report

DESCRIPTION OF PROPOSAL

Mike Granger, representing St. Mary’s Roofing and Home Improvements, LLC., is requesting an administrative special exception for the adaptive reuse of an existing structure on a parcel under 20 acres in the Agricultural Zoning District (AZD) to open a home improvement business. According to the applicant’s narrative, the main structure, that was previously the animal shelter, will be renovated so that the front half of the building may be utilized as an office space, conference room, break room, and storage for the operation of his business. The back of the main building will be renovated and utilized for storage.

According to the narrative, the hours of operation will be Monday through Friday, 8AM to 5PM. The applicant estimates they will hire four full time employees (Project Manager, Estimator, Office Manager, and Receptionist) with other employees (construction crews) utilizing the building on an as-needed basis. The property also contains a garage which will be utilized as a storage building. The 3.18-acre property is located at 10720 Augustine Herman Highway in the Second Election District.

RELEVANT ISSUES

- I. Adaptive Reuse in the Agricultural Zoning District
 - A. *Applicable Law:* Article V, Section 1 of the Kent County *Land Use Ordinance* establishes principal uses and structures that may be permitted as special exceptions within the Agricultural Zoning District.
 - B. *Staff and TAC Comments:* The applicant is requesting an administrative special exception for the adaptive reuse of the existing building to operate a home improvement business. The adaptive reuse of existing structures in the AZD, located on parcels under 20 acres requires an administrative special exception.
- II. Special Exception – Adaptive Reuse Standards
 - A. *Applicable Law:* Article VII, Section 2 of the Kent County *Land Use Ordinance* establishes the Special Exception standards and requires the Planning Director to make findings on the following where appropriate:
 1. The nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
 2. Traffic Patterns;
 3. Nature of surrounding area;
 4. Proximity of dwellings, houses of worship, schools, public structures, and other places of public gathering;
 5. The impact of the development or project on community facilities and services;
 6. Preservation of cultural and historic landmarks, significant natural features and trees;
 7. Probable effect of noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards, or glare upon surrounding properties;
 8. The purpose and intent of this Ordinance as set forth in Article II;
 9. Design, environmental, and other standards of this Ordinance as set forth in Article V;

10. The most appropriate use of land and structure;
11. Conservation of property values;
12. The proposed development's impact on water quality;
13. Impact on fish, wildlife and plant habitat;
14. Consistency with the Comprehensive Plan, Land Use Ordinance, and where applicable the Village Master Plan;
15. Consistency with the Critical Area Program; and
16. Compatibility with existing and planned land use as described in the Comprehensive Plan, Land Use Ordinance, and where applicable the Village Master Plan.

Article VII, Section 7 of the Kent County Land Use Ordinance establishes the specific standards for adaptive reuse of structures in the AZD on parcels less than 20 acres.

Adaptive reuse of existing structures in the AZD, located on parcels under 20 acres provided:

- a. The *site* will have access to a public road adequate for the traffic generated;
- b. The proposed use will not generate traffic of a type or amount inappropriate for access roads and the surrounding area;
- c. The use does not require road improvements detrimental to the character of the area;
- d. The number of *dwelling*s will not exceed the density permitted in the district in which the structure is located;
- e. The proposed use does not create an unacceptable impact by way of noise, odor, noxious materials or other nuisances; and
- f. Landscaping is in keeping with the character of the *building or location*.

B. Staff and TAC Comments:

- The site has access to a public road, which appears to be adequate for the traffic generated.
- There are no known traffic impacts which would be inappropriate for access roads and the surrounding area.
- There are no road improvements being proposed at this time.
- There are no dwelling units being proposed.
- There are no known unacceptable impacts by way of noise, odor, noxious materials or other nuisances.
- Article VI, Section 1.3 of the Kent County Land Use Ordinance outlines the parking requirement for office buildings of one parking space per 400 square feet of gross floor area. The standard would require 12 spaces and the applicant has shown 10 spaces on the site plan. Based on the use, as described in the narrative, reducing the parking requirement may be appropriate.
- The existing landscaping is in keeping with the character of the building and location. No additional landscaping is necessary.
- There are no houses of worship, schools, public structures, and other places of public gathering nearby, and there will be no impact on community facilities and services.
- The Comprehensive Plan is supportive of the adaptive reuse of existing buildings.
- The proposal is consistent with the intent of the Ordinance.

STAFF RECOMMENDATION

Staff recommends approval with the following conditions:

1. That the special exception hereby granted would lapse after one year if no substantial construction in accordance with the plans herein presented were to occur.

St. Mary's Roofing and Home Improvement LLC
10720 Augustine Herman Highway, Chestertown



Source: Kent County Department of Planning, Housing, and Zoning.
Aerial taken Spring 2022. Map prepared March 2024.

1 inch = 400 feet

ADMINISTRATIVE HEARING APPLICATION

Kent County Department of Planning, Housing, and Zoning

Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7423 (phone) • 410-810-2932 (fax)

IN THE MATTER OF THE APPLICATION OF: (Name, Address and Telephone Number of Applicant)

St. Mary's Roofing and Home Improvement, LLC
10720 Augustine Herman Highway, Chestertown, MD 21620
240-538-8468
Email: mike@stmarysroofing.com

For Office Use Only:

Case Number: 24-12
Date Filed: 2/26/2024
Filed by: _____
Applicant: St. Mary's Roofing & Home Improvement
Date of Hearing: _____
Parties Notified: _____
Notice in Paper: _____
Property Posted: _____

Please provide the email of the one person who will be responsible for responding to comments. Only this person will be contacted by staff and will be the person responsible for forwarding the comments or requests for additional information to any other interested parties. EMAIL: mike@stmarysroofing.com

TO THE DEPARTMENT OF PLANNING, HOUSING AND ZONING: In accordance with Article V Section 1 of the Kent County Land Use Ordinance, as amended, request is hereby made for an

Administrative Hearing for:

 Variance Special Exception Determination of Nonconforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) 10720 Augustine Herman Highway, Chestertown, MD 21620

In the 02 Election District of Kent County.

Size of lot or parcel of Land: 3.181 Acres

Map: 0029 Parcel: 0072 Lot #: _____ Deed Ref: 02-013282

List buildings already on property: Prior Animal Shelter with kennels and Garage/Storage Building

Subdivision name and address, if applicable: NA

PRESENT ZONING OF PROPERTY: Agricultural

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) Utilize building and land as Home Improvement Business

Present owner of property: St. Mary's Roofing and Home Improvement, LLC

Telephone: 240-538-8468



If Applicant is not owner, please indicate your interest in this property: NA

Has property involved ever been subject to a previous application? NA

If so, please give Application Number and Date: NA

PLEASE FILL IN BELOW, OR ATTACH HERETO, A SKETCH OF THIS PROPERTY.
List all property measurements and dimensions of any buildings already on the property. See attached.

Put distances between present buildings or proposed buildings and property lines.

NAMES OF ADJOINING PROPERTY OWNERS:

Owner(s) on the North: Sutton William Stanley and Ann W


Owner(s) on the South: Thornmar Farm LLC

Owner(s) to the East: Kent Hills LLC

Owner(s) to the West: Noordhoek Annelieke

Homeowners Association, name and address, if applicable: NA

BY SIGNING THIS APPLICATION, I GRANT THE DEPARTMENT OF PLANNING, HOUSING AND ZONING THE RIGHT TO ENTER ONTO THE PROPERTY FOR THE PURPOSE OF VIEWING THE SITE OF THE APPLICATION.


Signature of Owner/Applicant/Agent or Attorney

February 23, 2024
Date

Please file this form at 400 High Street, Chestertown, MD 21620 accompanied by **\$200.00** filing fee made payable to the County Commissioners of Kent County. If you have any questions, contact the Kent County Department of Planning, Housing and Zoning.

NOTICE: The Department of Planning, Housing and Zoning is not required to make out this application. Application should be filled in by Applicant or its agent. If the Planning Department assists you, they cannot be held responsible for its contents.

Applicants arriving more than 10 minutes after the scheduled hearing will not be heard and will be re-scheduled at the applicant's expense.



March 22, 2024

Kent County Maryland
400 High Street
Chestertown, MD 21620
Attention: Carla Gerber, Deputy Director of Planning, Housing, and Zoning

RE: Administrative Hearing for 10720 Augustine Herman Highway, Chestertown, MD

St. Mary's Roofing and Home Improvement, LLC ("St. Mary's Roofing") has purchased 10720 Augustine Herman Highway in Chestertown, MD. The purpose of buying the property is to serve the Eastern Shore's construction needs. The property will give us a hands-on presence in the community and allow us to provide consultations. The main structure, that was the Animal Shelter, will be renovated and the front half of the building will be utilized as office space, conference room, break room, and storage. Hours of operation will be Monday through Friday 8AM to 5 PM Eastern standard time. To start, the building will be primarily occupied by four full time employees (Project Manager, Estimator, Office Manager, and Receptionist) with other employees (Construction crews) utilizing as needed. Construction material, such as shingles, gutters, downspouts, and siding, will be stored in the garage.

History of St. Mary's Roofing and Home Improvement, LLC

St. Mary's Roofing started in February 2008, growing primarily with residential roofing. In 2015, we began targeting State and Government projects, landing several three-year contracts with the State Highway Administration (SHA) doing carpentry and roof maintenance on all Salt Treatment Facilities. In 2017, we began working on Federal Government building roof projects at Patuxent River NAS, Indian Head NAS, and Dahlgren. Primarily, the scope of these projects was the removal and installation of flat roofing projects to include EPDM, TPO, and PVC. In 2019, we began a three-year contract with St. Mary's County maintaining and replacing all government roofs for St. Mary's County Government, St. Mary's County Public Schools, St. Mary's County Parks and Recreation, and Charles County Public schools. St. Mary's Roofing renewed that contract for another five years in 2022. In 2023, St. Mary's Roofing was awarded the State Highway Administration contracts for maintenance of Salt Structure facilities in all seven districts of Maryland. In 2023/2024, St. Mary's Roofing was awarded several school roof replacements in Baltimore. St. Mary's Roofing also has a location in Hagerstown, MD which serves as our Northern District headquarter.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Granger", is written over a horizontal line.

Mike Granger, Owner
St. Mary's Roofing and Home Improvement, LLC.
Phone: 240-538-2207



www.exactalands.com | office: 443.819.3994



PROPERTY ADDRESS:
10720 AUGUSTINE HERMAN HIGHWAY, CHESTERTOWN, MARYLAND 21620

SURVEY NUMBER: 2309.4604

DATE SIGNED: 09/28/23

FIELD WORK DATE: 9/28/2023

REVISION DATE(S):
(REV.1 9/28/2023)

POINTS OF INTEREST
NONE VISIBLE



Matthew Nigel Brien
State of Maryland Professional Land Surveyor
License Number 21406

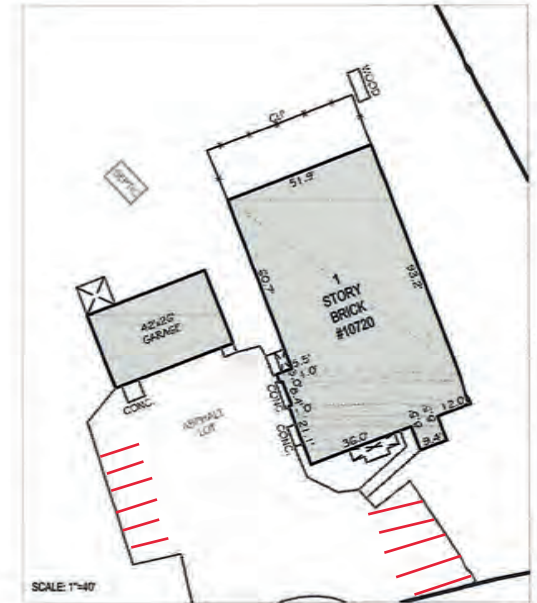
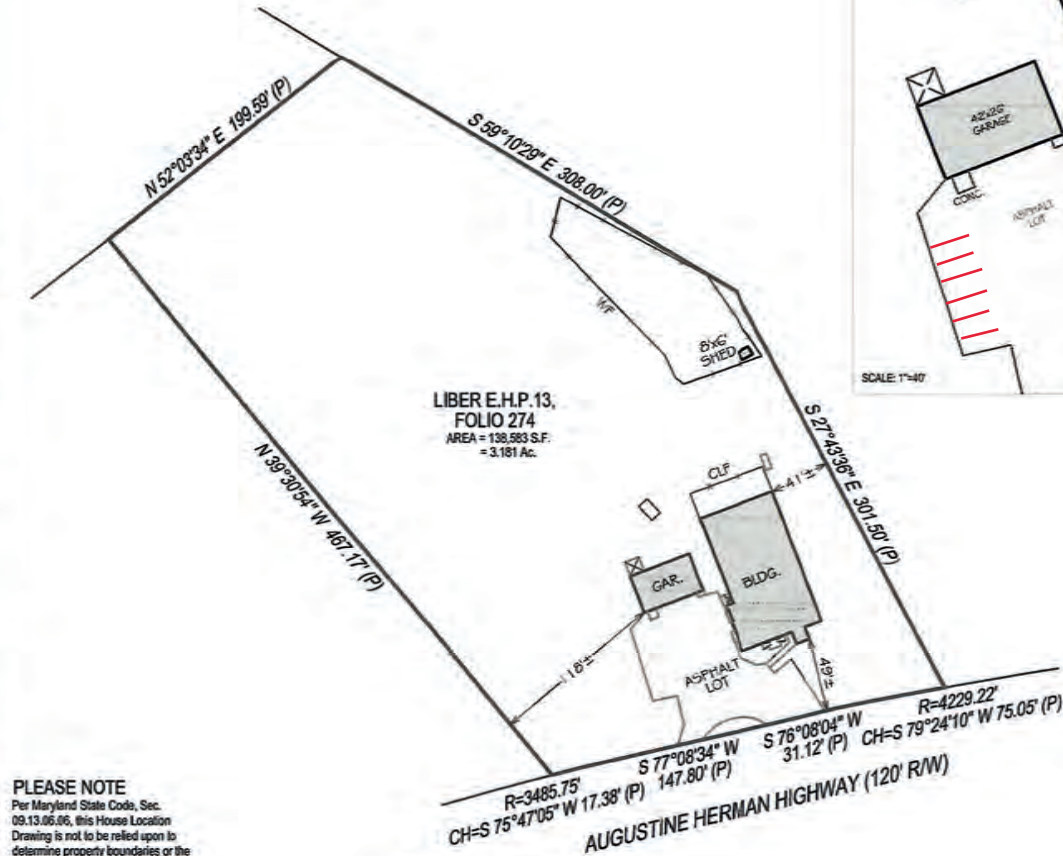
SURVEYORS CERTIFICATE
THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH C.O.M.A.R. SECTION 09.13.06.06 AS NOW ADOPTED BY THE MARYLAND BOARD FOR PROFESSIONAL LAND SURVEYORS AND IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE COMPANY IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING THE PROPERTY DEPICTED HEREON.



Exacta Land Surveyors, LLC
LS#21937
office: 443.819.3994
4424 Ventura Way, Apt L | Aberdeen, MD 2100



2309.4604
LOCATION DRAWING
KENT COUNTY



PLEASE NOTE
Per Maryland State Code, Sec. 09.13.06.06, this House Location Drawing is not to be relied upon to determine property boundaries or the establishment or location of existing or future improvements.

SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION
PAGE 1 OF 2 - NOT VALID WITHOUT ALL PAGES

