



**Board of Zoning Appeals**  
**Department of Planning, Housing, and Zoning**

**MINUTES**

Meeting: Kent County Board of Zoning Appeals  
 Date: April 17, 2023  
 Time: 5:35 P.M.  
 Location: County Commissioners Hearing Room, 400 High Street, Chestertown, Maryland

| Agenda Item   | Sitting for the Board   | Action Taken  | Vote                      |
|---|---|---|---------------------------|
| <p><b>23-15 Thomas and Susan Schwarzwaldler – Buffer Variance</b></p> <p>The applicants are requesting a variance to replace 88 feet of an existing 4-foot high fence in the buffer. The property is located at 9827 Breezecroft Lane, Chestertown.</p> <p>The in-kind replacement fence will follow the same configuration as the existing fence in the front yard of a waterfront property, will be 4 feet high, will include two gates, and will be set in concrete. A 2" x 4" wire fence is to be added and attached to the wooden structure.</p> <p>The Kent County Planning Commission forwarded a favorable recommendation to the Board of Appeals in regard to this application.</p> <p><u>Applicant/Representative</u><br/>         Thomas Schwarzwaldler, property owner, was sworn in and presented a summary of the case.</p> <p><u>Public Comment</u><br/>         No correspondence was received on this application.</p> <p><u>Planning Staff</u><br/>         Mark Carper, LEED Green Associate, Associate Planner, was sworn in.</p> | <p>Dr. Albert Townshend,<br/>Chairman</p> <p>Joan Horsey, Member</p> <p>John Massey, Member</p> <p>Mr. Christopher Drummond,<br/>Attorney for the Board</p> <p>Campbell Safian, Clerk</p> | <p>Ms. Horsey made a motion to grant a buffer variance to replace 88 feet of existing 4-foot high fence in the buffer area at 9827 Breezecroft Lane in the Sixth Election District, owned by Thomas and Susan Schwarzwaldler which is zoned Critical Area Residential (CAR). The variance is granted with the following conditions: the boundary line is to be located prior to the installation of the proposed fencing, a Buffer Management Plan for mitigating the impacts of installation is to be submitted to the Planning Department for review and approval before the fence is installed, a 3:1 mitigation ratio locating the plantings between the improvements and the shoreline, the variance will lapse after the expiration of one year if no substantial construction in accordance with the plans herein presented occurs.</p> <p>The motion was seconded by Mr. Massey; the motion passed with all in favor.</p> | <p>Unanimous Approval</p> |

| Agenda Item                    | Sitting for the Board | Action Taken   | Vote               |
|--------------------------------|-----------------------|--|--------------------|
| <b>MINUTES: March 13, 2023</b> |                       | Dr. Townshend moved to approve the minutes. Mr. Massey seconded the motion; the motion passed with all in favor.   | Approved           |
| <b>Adjourn</b>                 |                       | Mr. Massey made a motion to adjourn the meeting, and Ms. Horsey seconded the motion; the motion passed with all in favor. The meeting adjourned at 5:56 p.m. | Unanimous Approval |

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Dr. Albert Townshend, Chairman

*/s/ Campbell Safian*  
Campbell Safian, Planning Specialist