



COUNTY COMMISSIONERS HEARING ROOM
400 HIGH STREET
CHESTERTOWN, MARYLAND

AGENDA
August 19, 2024
5:00 p.m.

APPLICATIONS FOR REVIEW

24-34 Richard and Madeline Zaveta – Variance – Pier Length
6278 Burris Road, Rock Hall – Seventh Election District – Zoned Resource Conservation District (RCD)

MINUTES

January 22, 2024; February 12, 2024; March 18, 2024; June 17, 2024; July 15, 2024; July 15, 2024 Closed Session

ADJOURN

Members of the public are welcome to attend meetings in person or via conference call.

Public participation and audio-only call-in number:

1. Dial **1-872-239-8359**
2. Enter Conference ID: **147 235 613 #**

PHONE PARTICIPATION - Members of the public are asked to mute their phones/devices, until the Chair opens the floor for comment. Please note that phone participation is dependent on service carriers and internet providers, this option may not be available for all meetings or be available during the entire meeting. In-person attendance is always recommended.

ONLINE VIEWING - Please note that although many meetings are recorded, the availability of video online is dependent on internet availability and functionality. Some members of the public may be able to watch a live video feed and/or view the video after the meeting at the County's YouTube channel at <https://www.youtube.com/@kentcountygovernment2757>.

PROTOCOL – Meetings are conducted in open session unless otherwise indicated. All or part of the meetings can be held in closed session under the authority of the MD Open Meetings Law by vote of the members. Breaks are at the call of the Chair. Meetings are subject to audio and video recordings. All applicants will be given the time necessary to assure full public participation and a fair and complete review of all projects. Agenda items are subject to change due to cancellations.



August 2, 2024

Dr. Al Townsend
Kent County Board of Appeals
400 High Street
Chestertown, MD 21620

RE: Richard and Madeline Zaveta – Variance (Pier Length)

Dear Dr. Townsend,

At its meeting on August 1, 2024, the Kent County Planning Commission reviewed the application of Richard and Madeline Zaveta requesting a 21-foot variance to install a 6-foot-wide pier that is proposed to extend into Tavern Creek 171 feet channelward of the mean high-water line. The 28.06-acre property is located at 6278 Burris Road in the Fifth Election District and is zoned Resource Conservation District (RCD).

Following discussion, the Planning Commission voted to make a favorable recommendation for the variance. The decision was based on the following findings of fact:

- Piers are a common feature for waterfront properties;
- The proposed pier would not encroach on the channel and is less than 25% of the width of the waterway;
- The nearest pier to this one is approximately 800 feet to the north;
- There are no known substantial detriments to adjacent or neighboring properties that would be created;
- No known change to the character of the neighborhood will be caused by the variance;
- The variance is not inconsistent with the Comprehensive Plan or the Critical Area Program; a strategy of the Comprehensive Plan is to “Encourage the protection of important aquatic resources (page 63),” such as submerged aquatic vegetation, which serves as important food, nursery, and habitat for fish;
- The proposed length will extend the pier beyond the range of subaquatic vegetation;
- The practical difficulty is caused by limited water depth and safe operation requirements; and,
- The application has been reviewed by relevant agencies with no objections or concerns.

Sincerely,
Kent County Planning Commission

Joe Hickman
Chair

FJH/mc

cc: Richard and Madeline Zaveta



To: Kent County Planning Commission
From: Mark Carper, Associate Planner
Meeting: August 1, 2024
Subject: Richard and Madeline Zaveta
Variance – Pier Length

Executive Summary

Request by Applicant

Richard and Madeline Zaveta, owners, are requesting a 21-foot variance to install a 6-foot-wide pier that is proposed to extend into Tavern Creek 171 feet channelward of the mean high-water line.

Public Process

Per Maryland State Law and Article IX, Section 2.2 of the Kent County *Land Use Ordinance*, the Planning Commission shall review and make a recommendation to the Board of Appeals for variances.

Summary of Staff Report

The 28.06-acre property is located at 6278 Burris Road in the Fifth Election District and is zoned Resource Conservation District (RCD). Piers are not to "exceed 25% of the width of the waterway, the edge of the channel, or 150 feet in length, whichever is less." The Maryland Department of the Environment authorized the proposed pier along with a 15-foot long by 10-foot-wide floating platform, a 58-foot long by 3-foot-wide floating finger pier with a 90-degree bend, a 45-foot long by 30-foot-wide floating finger pier with a 90-degree bend, and a boat lift with associated piles.

According to the applicant, the practical difficulty is caused by limited water depth and the requirement of a minimum of 2.5 feet for safe operation of the proposed boat lift. The proposed length will extend the pier beyond the range of subaquatic vegetation, greatly reducing impact.

Staff Recommendation

Staff recommends sending a favorable recommendation to the Board of Appeals.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
FROM: Mark Carper, Associate Planner
SUBJECT: Richard and Madeline Zaveta
#24-34, Variance – Pier Length
DATE: July 16, 2024

Description of Proposal

Richard and Madeline Zaveta, owners, are requesting a 21-foot variance to install a 6-foot-wide pier that is proposed to extend into Tavern Creek 171 feet channelward of the mean high-water line.

The 28.06-acre property is located at 6278 Burris Road in the Fifth Election District and is zoned Resource Conservation District (RCD). Piers are not to "exceed 25% of the width of the waterway, the edge of the channel, or 150 feet in length, whichever is less." The Maryland Department of the Environment authorized the proposed pier along with a 15-foot long by 10-foot-wide floating platform, a 58-foot long by 3-foot-wide floating finger pier with a 90-degree bend, a 45-foot long by 30-foot-wide floating finger pier with a 90-degree bend, and a boat lift with associated piles.

Relevant Issues

- I. Pier Length
 - A. *Applicable Law:* The Kent County Land Use Ordinance, Article V, Section 2.4.B.7 permits as an accessory use, "Private piers, community piers, and private shared piers, not to exceed 25% of the width of the waterway, the edge of the channel, or 150 feet in length, whichever is less and subject to the stipulations of Article VI, Section 3.7 of this ordinance."
 - B. *Staff and TAC Comments:*
The applicants are requesting a 21-foot variance to install a 6-foot-wide pier that is proposed to extend into Tavern Creek 171 feet channelward of the mean high-water line.

- II. Variance
 - A. *Applicable Law:* Article IX, Section 2.2 of the Kent County Land Use Ordinance authorizes the Board of Appeals to grant variances from the yard (front, side, or rear), height, bulk, parking, loading, shoreline cliff, 15% slope, pier length, impervious surface, stream protection corridor, and buffer requirements so as to relieve practical difficulties or other injustices arising out of the strict application of the provisions of this Ordinance.

Such granting of a variance shall comply, as nearly as possible, in every respect to the spirit, intent, and purpose of this Ordinance; it being the purpose of this provision to authorize the granting of variation only for reasons of demonstrable practical difficulties as distinguished from variations sought for purposes or reasons of convenience, profit, or caprice.

- In order to grant a variance, the Board of Appeals must find all of the following:
- a. That the variance will not cause a substantial detriment to adjacent or neighboring property.
 - b. That the variance will not change the character of the neighborhood or district.
 - c. That the variance is consistent with the Comprehensive Plan and the general intent of this Ordinance.

- d. That the practical difficulty or other injustice was caused by the following:
 - i. Some unusual characteristic of size or shape of the property.
 - ii. Extraordinary topographical or other condition of the property.
 - iii. The use or development of property immediately adjacent to the property, except that this criterion shall not apply in the Critical Area.
- e. That the practical difficulty or other injustice was not caused by the applicant's own actions.
...
- g. In considering an application for a variance, the Board shall consider the reasonable use of the entire parcel or lot for which the variance is requested.
- h. In considering an application for a variance, the Board of Appeals shall presume that the specific development activity in the Critical Area that is subject to the application and for which a variance is required does not conform with the general purpose and intent of this Ordinance and the Critical Area Law.
- i. The Board may consider the cause of the variance request and if the variance request is the result of actions by the applicant, including the commencement of development activity before an application for a variance has been filed.

B. *Staff and TAC Comments:*

- Piers are a common feature for waterfront properties. The proposed pier would not encroach on the channel and is less than 25% of the width of the waterway. The nearest pier to this one is approximately 800 feet to the north on an adjacent property.
- There are no known substantial detriments to adjacent or neighboring properties that would be created by the proposed pier.
- No known change to the character of the neighborhood will be caused by the variance.
- The variance is not inconsistent with the Comprehensive Plan or the Critical Area Program. A strategy of the Comprehensive Plan is to "Encourage the protection of important aquatic resources" (Page 63), such as submerged aquatic vegetation, which serves as important food, nursery, and habitat for fish.
- The proposed length will extend the pier beyond the range of subaquatic vegetation.
- According to the applicant, the practical difficulty is caused by limited water depth and the requirement of a minimum of 2.5 feet for safe operation of the proposed boat lift.
- The proposal has been reviewed by the Kent County Health Department, MDOT SHA, and the Kent County Office of Emergency Services, and none have objections or concerns. The proposed pier has been authorized by the Maryland Department of the Environment.

Staff Recommendation

Staff recommends sending a favorable recommendation to the Board of Appeals for the pier variance.

BOARD OF APPEALS 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)

Madelaine Zaveta
P.O. BOX 244
Erwinna PA 18920
Email: mZAVETA9@gmail.com
267-664-0842

For Office Use Only:
Case Number/Date Filed: 24-34/6-4-24
Filed by:
Applicant:
Planning Commission:
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: rZAVETA@gmail.com

TO THE KENT COUNTY BOARD OF APPEALS: In accordance with Article Section

of the Kent County Zoning Ordinance, as amended, request is hereby made for:

Appealing Decision of Kent County Zoning Administrator [checked] Variance
Special Exception Nonconforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) 6278 Burris Rd, Rock Hall Md 21661

In the 5 Election District of Kent County.

Size of lot or parcel of Land: 28.06
Map: 45 Parcel: 49 Lot #: 13 Deed Ref: 78 / 465

List buildings already on property:

If subdivision, indicate lot and block number: Lot 13

If there is a homeowner's association, give name and address of association: LNFHOA

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.) move boat dock out in to deeper water

If appealing decision of Zoning Administrator, list date of their decision:

Present owner(s) of property: Telephone:

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

OWNER

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: _____

Mr. Dwight Gorsuch

443-398-5606

Owner(s) on the South: _____

Paddy [Signature]

Owner(s) to the East: _____

Owner(s) to the West: _____

Homeowners Association, name and address, if applicable: _____

BY SIGNING THIS APPLICATION, I GRANT MEMBERS AND ALTERNATE OF THE BOARD OF ZONING APPEALS THE RIGHT TO ENTER ONTO THE PROPERTY FOR THE PURPOSE OF VIEWING THE SITE OF THE APPLICATION OR APPEAL.

[Signature]

6-3-24

Signature of Owner/Applicant/Agent or Attorney

Date

Please file this form at 400 High Street, Chestertown, MD 21620 accompanied by **\$350.00** filing fee made payable to the **County Commissioners of Kent County**. The filing fee for appeals of a Zoning Administrator's decision is \$250.00. If you have any questions, please contact the Clerk at 410-778-7467.

NOTICE: Neither the Board of Appeals nor the Planning Department is required to make out this Application. If the Planning Department assists you, it 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.



Maryland
Department of
the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

March 14, 2024

Richard Zaveta
c/o Victoria Payne
Waterfront Engineering, Design and Construction, Inc
8348 Governor Ritchie Hwy
Pasadena, MD 21122

Via email: Victoria.Payne@waterfrontedc.com

Re: Agency Interest Number: 96388
Tracking Number: 202460009
Tidal Authorization Number: 24-PR-0009

Dear Richard Zaveta:

Your application to alter tidal wetlands has been evaluated by the Tidal Wetlands Division. Your State wetlands license or permit authorizing work in tidal wetlands is attached. Please take a moment to read and review your authorization to ensure that you understand the limits of the authorized work and all of the general and special conditions.

Your project qualifies for federal approval under the Maryland State Programmatic General Permit (MDSPGP); however your project requires a separate review by the U.S. Army Corps of Engineers and issuance of the required federal permit. The federal permit is not attached. You should not begin any work until you have obtained all necessary State, local, and federal authorizations.

This State authorization is a final agency decision; there is no further opportunity for administrative review. Any person with standing, who is either the applicant or who participated in the public participation process through the submission of written or oral comments, may petition for judicial review in the circuit court in the county where the authorized activity will occur. The petition for judicial review must be filed with the court within 30 days of receipt of this decision. Please contact Matt Godbey at Matt.Godbey@maryland.gov or 410-901-4033 with any questions.

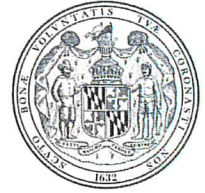
Sincerely,

A handwritten signature in blue ink, appearing to read "J. Stewart".

Jonathan Stewart, Chief
Eastern Region
Tidal Wetlands Division



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
GENERAL TIDAL WETLANDS LICENSE



Pier, Piling and Boat Lift Construction

LICENSE NUMBER: 24-PR-0009

EFFECTIVE DATE: March 14, 2024

EXPIRATION DATE: March 13, 2027

LICENSEE: Richard Zaveta Jr.

ADDRESS: 4030 Skyron Dr, Ste H
Doylestown, PA 18901-1135

PROJECT LOCATION: 6278 Burris Rd
Rock Hall, MD 21661
Tavern Creek in Kent County

PURSUANT TO THE AUTHORITY OF THE BOARD OF PUBLIC WORKS, TITLE 16 OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AND CODE OF MARYLAND REGULATIONS 26.24 AND 23.02.04, **Richard Zaveta Jr.** ("LICENSEE") IS AUTHORIZED BY THE WATER AND SCIENCE ADMINISTRATION ("ADMINISTRATION") TO CONDUCT THE FOLLOWING REGULATED ACTIVITY IN STATE TIDAL WETLANDS, IN ACCORDANCE WITH THE CONDITIONS OF THIS LICENSE AND THE ATTACHED PLANS DATED March 14, 2024, PREPARED BY **Waterfront Engineering, Design and Construction, Inc.**, AND APPROVED BY THE ADMINISTRATION'S TIDAL WETLANDS DIVISION ON March 14, 2024, AND INCORPORATED HEREIN:

1. *Remove an existing pier and associated structures;*
2. *Construct a 171-foot long by 6-foot wide floating timber pier with a 15-foot long by 10-foot wide floating platform, a 58-foot long by 3-foot wide floating finger pier with a 90 degree bend, a 45-foot long by 3-foot wide floating finger pier with a 90 degree bend, and a boat lift with associated piles, all extending a maximum of 171 feet channelward of the mean high water line.*

SPECIAL CONDITIONS

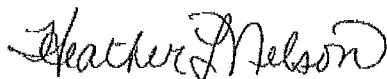
- A. The Licensee shall remove an existing pier and associated structures prior to the commencement of the construction of a new pier.
- B. The existing or authorized pier shall not comprise more than a maximum of 6 slips, lifts, or hoist inclusive of a maximum of six mooring piles with no greater than 4 boat slips, lifts, or hoists.
- C. The total platform area shall not exceed 200 square feet.
- D. The Licensee shall not attach accessory platforms to any existing or proposed boat lifts.

GENERAL CONDITIONS

- A. The Maryland Department of the Environment has determined that the proposed activities comply with, and will be conducted in a manner consistent with the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- B. The Licensee shall comply with all Critical Area requirements and obtain all necessary authorizations from local jurisdiction. This License does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. "Disturbance" in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land disturbing activity, from local jurisdiction in the form of a Buffer Management Plan.
- C. If the authorized work is not performed by the property owner, all work performed under this Tidal Wetlands License shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland. A list of licensed marine contractors may be obtained by contacting the MCLB at 410-537- 3249, by e-mail at MDE.MCLB@maryland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.
- D. The Licensee certifies real property interest in the contiguous upland.
- E. The issuance of this permit is not a validation or authorization by the Department for any of the existing structures depicted on the plan sheets on the subject property that is not part of the authorized work description, nor does it relieve the Licensee of the obligation to resolve any existing noncompliant structures and activities within tidal wetlands.
- F. The Licensee acknowledges that this authorization is based on current water depths that are existing and indicated on the attached plan sheet. This License proposes no dredging and this license provides no justification or assurances for future dredging. All dredging projects will be evaluated on the biological and physical characteristics of the site at the time an application is made.
- G. The Licensee shall obtain an approved sediment and erosion control plan from the local soil conservation district when the area disturbed is greater than 5000 square feet or 100 cubic yards of fill.
- H. The Licensee shall ensure that a copy of this License, including the approved plans, is available at the site until the authorized work is complete.
- I. The Licensee shall make every reasonable effort to design and construct the structure or perform the activity authorized in this License in a manner which minimizes adverse impacts on natural resource values, including water quality, plants, wildlife, plant and wildlife habitat, and on historic property values.
- J. The Secretary of the Environment may suspend or revoke a License if the Secretary finds that the Licensee has not complied with any condition or limitation in the License or has exceeded the scope of the authorized activities.

- K. The Licensee shall indemnify, defend and hold harmless the State of Maryland, its officials, officers, and employees from and against any and all liability, suits, claims and actions of whatever kind, caused by or arising from the work authorized by the License.
- L. The Licensee acknowledges that this License does not transfer any property interest in State tidal wetlands. This License allows the Licensee to use State tidal wetlands only for the structure or activity authorized herein and in no way limits the use of waters of the State by the public.
- M. This License is valid only for use by the Licensee. Permission for transfer of the License shall be obtained from the Water and Science Administration, Tidal Wetland Division. The terms and conditions of this License shall be binding on any assignee or successor in interest of the License.
- N. The Licensee shall allow representatives of the Maryland Department of the Environment to inspect the authorized activities.
- O. The Licensee shall notify the Maryland Department of the Environment, Water and Science Administration, Compliance Program at least 10 days before starting the authorized activities at (410) 901-4020.
- P. The Licensee shall complete construction of the activity authorized under this License by the expiration date, otherwise a new General License shall be obtained.
- Q. Upon completion of the authorized activities, the Licensee shall notify the Maryland Department of the Environment, Water and Science Administration, Compliance Program at (410) 901-4020.


By authority of the Secretary of the Environment:




Heather L. Nelson, Program Manager
Wetlands and Waterways Protection Program

03/18/2024

Date

Tidal Wetland Reviewer: 

Supervisor Concurrence: 

Tracking Number: 202460009
Agency Interest Number: 96388

Enclosure: Plans dated March 14, 2024
cc: WSA Inspection & Compliance Program



VICINITY MAP 1" = 2000'



REVISED 3/14/2024

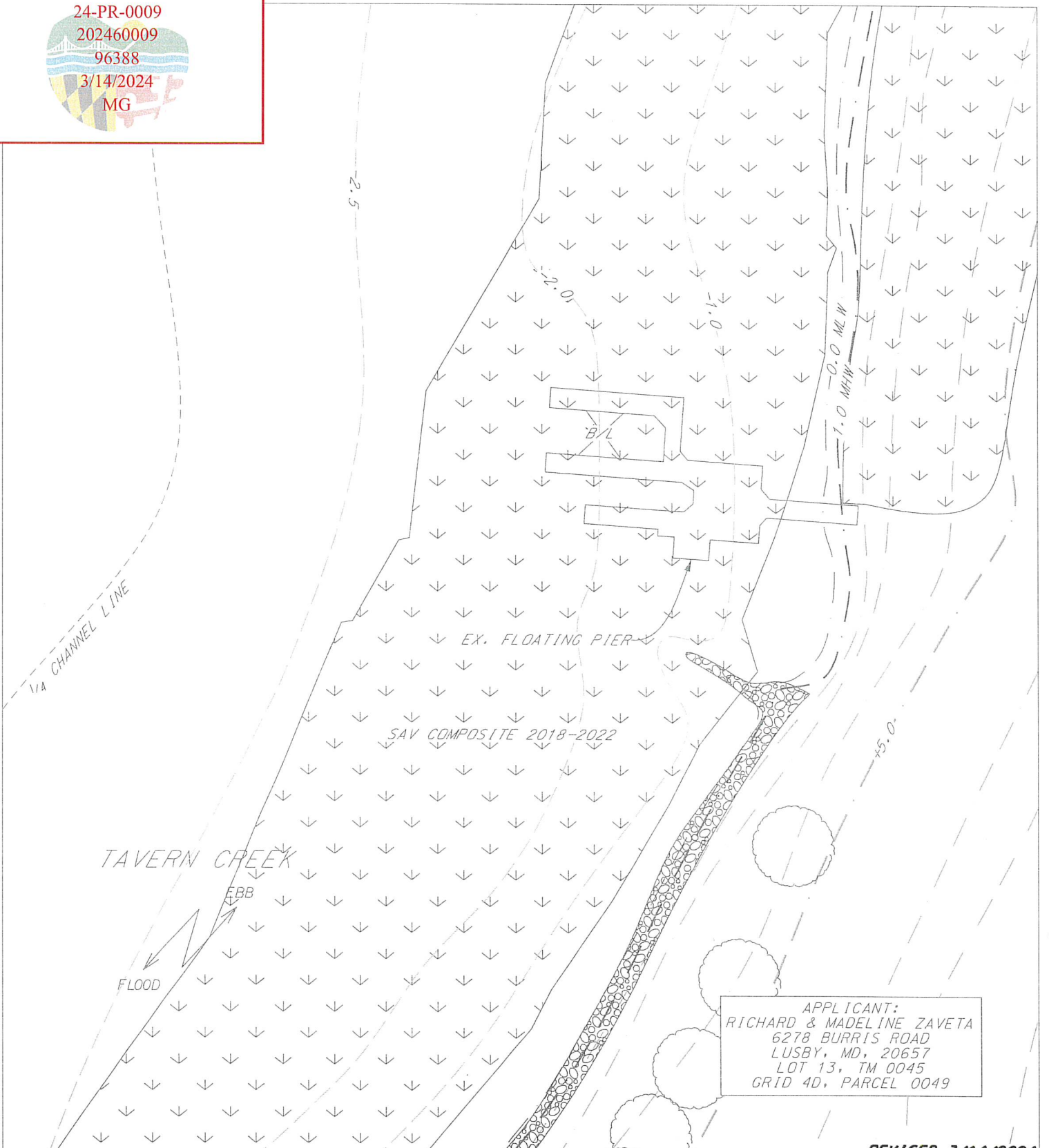
Tax Account No.:
0502-6636
Tax Map: 0045
Parcel: 0049
Deed Ref: 00078/00465
Lot: 13
Zoning: RCD
Lot Size: 1,222,729 SF

VICINITY MAP
Waterfront Engineering,
Design and Construction, Inc.
8348 Ritchie Hwy.
Pasadena, MD 21122
(410) 798-1494
waterfrontdesign@verizon.net

PROPOSED:
Pier Work

in: Tavern Creek
co: Kent
Application by: Richard & Madeline Zaveta
Sheet 1 of 9 Date: November 14, 2023
State: Maryland
at: Little Neck Farm

24-PR-0009
 202460009
 96388
 3/14/2024
 MG



APPLICANT:
 RICHARD & MADELINE ZAVETA
 6278 BURRIS ROAD
 LUSBY, MD, 20657
 LOT 13, TM 0045
 GRID 4D, PARCEL 0049

REVISED 3/14/2024

Tax Account No.:
 0502-6636
 Tax Map: 0045
 Parcel: 0049
 Deed Ref: 00078/0046
 Lot: 13
 Zoning: RCD
 Lot Size: 1,222,729 SF

EXISTING SITE PLAN
 SCALE: 1" = 40'
 Waterfront Engineering,
 Design and Construction, Inc.
 8348 Ritchie Hwy.
 Pasadena, MD 21122
 (410) 798-1494
 waterfrontdesign@verizon.net

PROPOSED:
 Pier Work
 in: Tavern Creek
 co: Kent
 Application by: Richard & Madeline Zaveta
 Sheet 2 of 9 Date: November 14, 2023
 State: Maryland
 at: Little Neck Farm

LON: -76.26207°
 LAT: 39.14859°

NOTE: All dimensions and measurements shall be field verified by contractor.

24-PR-0009
 202460009
 96388
 3/14/2024
 MG



APPLICANT:
 RICHARD & MADELINE ZAVETA
 6278 BURRIS ROAD
 LUSBY, MD, 20657
 LOT 13, TM 0045
 GRID 4D, PARCEL 0049

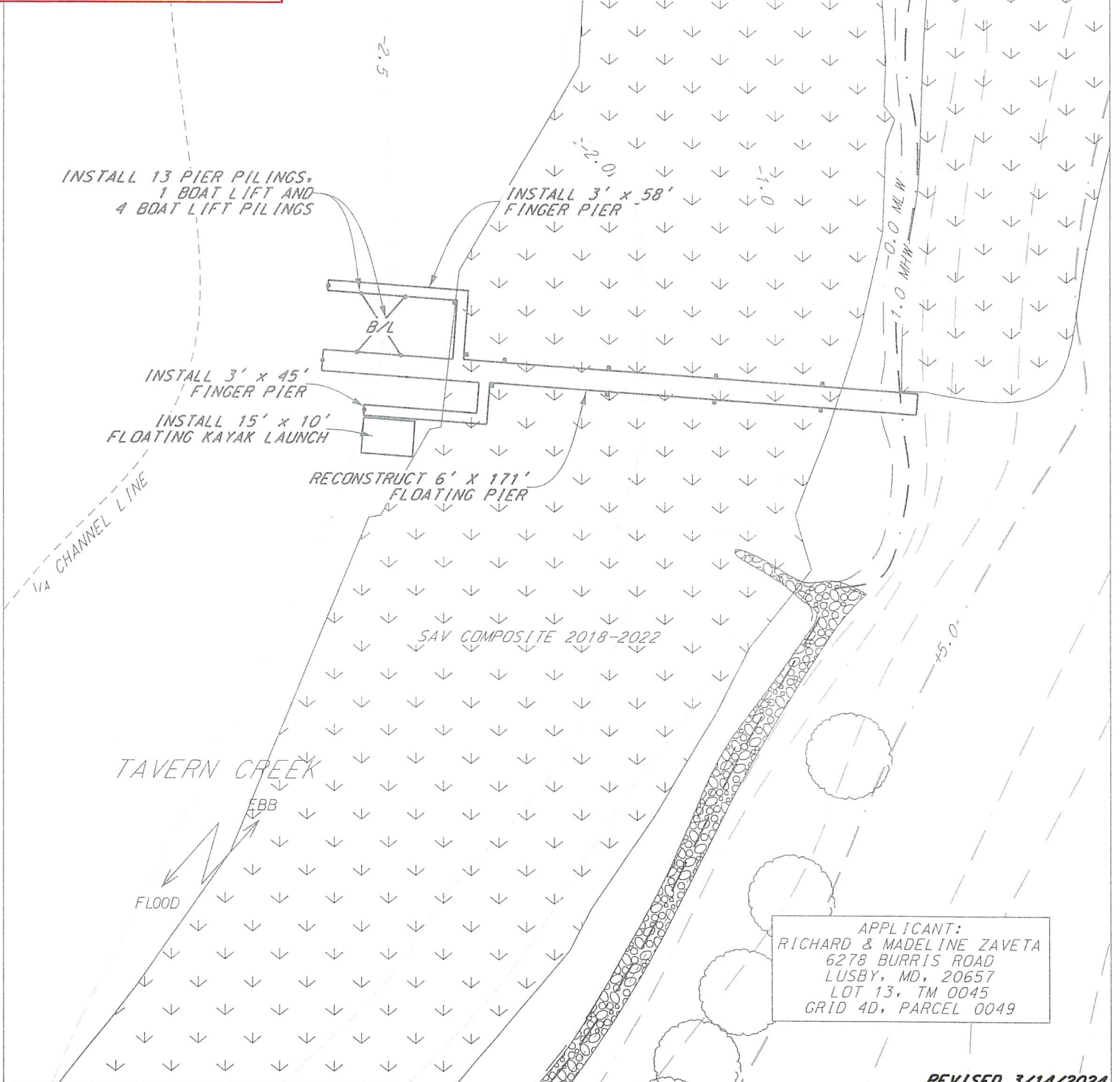
REVISED 3/14/2024

Tax Account No.:
 0502-6636
 Tax Map: 0045
 Parcel: 0049
 Deed Ref: 00078/0046
 Lot: 13
 Zoning: RCD
 Lot Size: 1,222,729 SF

EXISTING SITE OVERLAY
 SCALE: 1" = 40'
 5' 10' 50' 100'
 Waterfront Engineering,
 Design and Construction, Inc.
 8348 Ritchie Hwy.
 Pasadena, MD 21122
 (410) 798-1494
 waterfrontdesign@verizon.net

PROPOSED:
 Pier Work
 LON: -76.26207°
 LAT: 39.14859°
 in: Tavern Creek
 co: Kent
 Application by: Richard & Madeline Zaveta
 Sheet 3 of 9 Date: November 14, 2023
 State: Maryland
 at: Little Neck Farm

NOTE: All dimensions and measurements shall be field verified by contractor.



APPLICANT:
 RICHARD & MADELINE ZAVETA
 6278 BURRIS ROAD
 LUSBY, MD, 20657
 LOT 13, TM 0045
 GRID 4D, PARCEL 0049

REVISED 3/14/2024

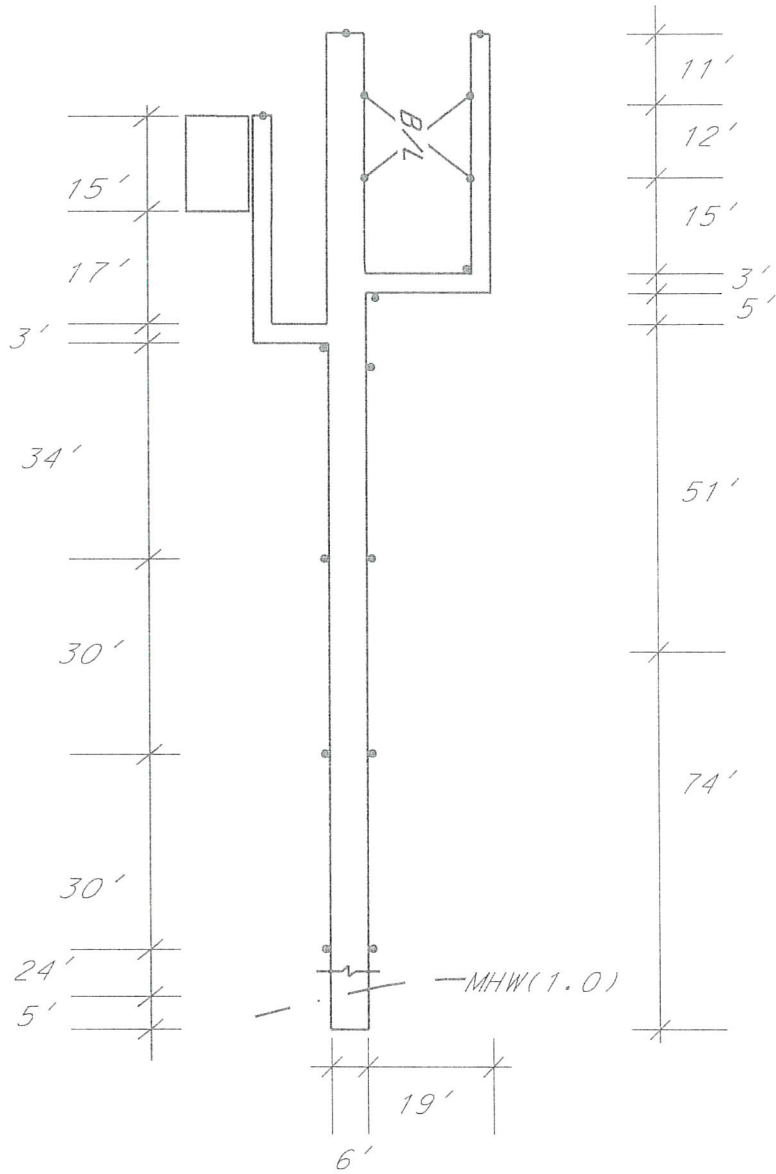
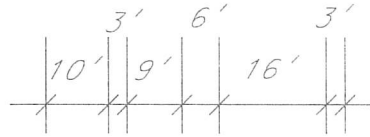
Tax Account No.:
 0502-6636
 Tax Map: 0045
 Parcel: 0049
 Deed Ref: 00078/0046
 Lot: 13
 Zoning: RCD
 Lot Size: 1,222,729 SF

PROPOSED SITE PLAN
 SCALE: 1" = 40'
 Waterfront Engineering,
 Design and Construction, Inc.
 8348 Ritchie Hwy.
 Pasadena, MD 21122
 (410) 798-1494
 waterfrontdesign@verizon.net

PROPOSED:
 Pier Work
 in: Tavern Creek
 co: Kent
 Application by: Richard & Madeline Zaveta
 Sheet 4 of 9 Date: November 14, 2023
 State: Maryland
 at: Little Neck Farm

LON: -76.26207°
 LAT: 39.14859°

NOTE: All dimensions and measurements shall be field verified by contractor.



REVISED 3/14/2024

Tax Account No.:
0502-6636
Tax Map: 0045
Parcel: 0049
Deed Ref: 00078/0046
Lot: 13
Zoning: RCD
Lot Size: 1,222,729 SF



PIER DIMENSIONS
SCALE: 1" = 30'

Waterfront Engineering,
Design and Construction, Inc.
8348 Ritchie Hwy.
Pasadena, MD 21122
(410) 798-1494
waterfrontdesign@verizon.net

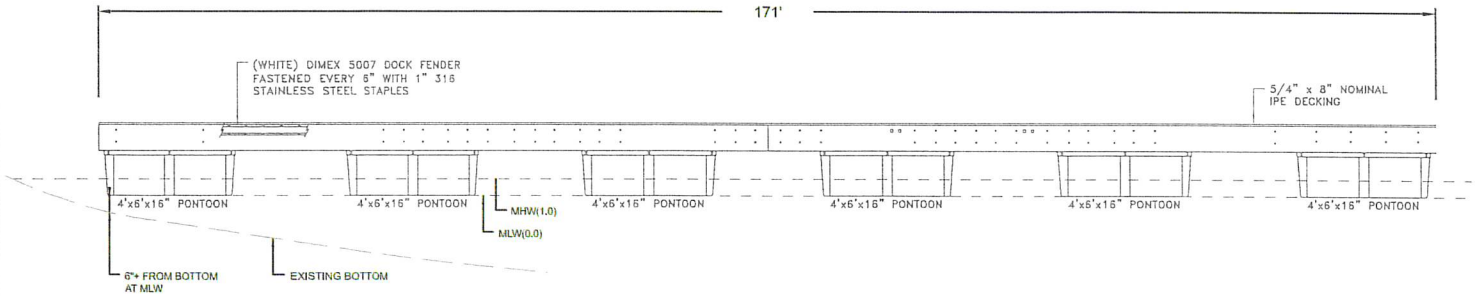
PROPOSED: Pier Work
in: Tavern Creek
co: Kent
Application by: Richard & Madeline Zaveta
Sheet 5 of 9 Date: November 14, 2023

State: Maryland
at: Little Neck Farm

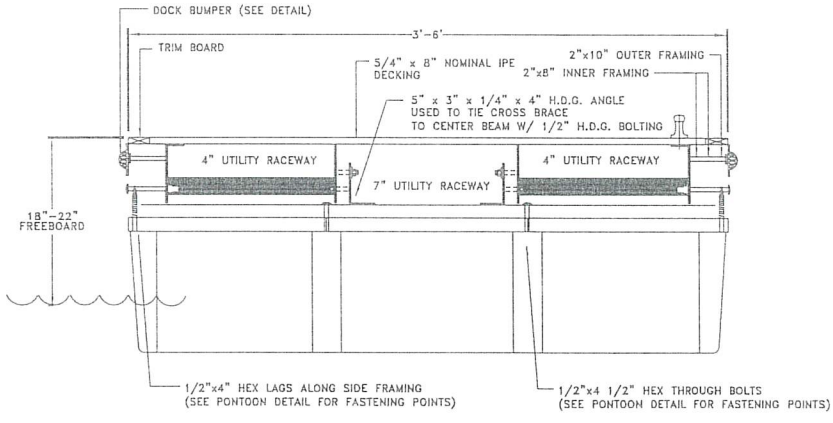
LON: -76.26207°
LAT: 39.14859°

NOTE: All dimensions and measurements shall be field verified by contractor.

24-PR-0009
 202460009
 96388
 3/14/2024
 MG



SIDE ELEVATION OF PIER



SECTION VIEW OF FLOATING PIER

Tax Account No.:
 0502-6636
 Tax Map: 0045
 Parcel: 0049
 Deed Ref: 00078/00465
 Lot: 13
 Zoning: RCD
 Lot Size: 1,222,729 SF

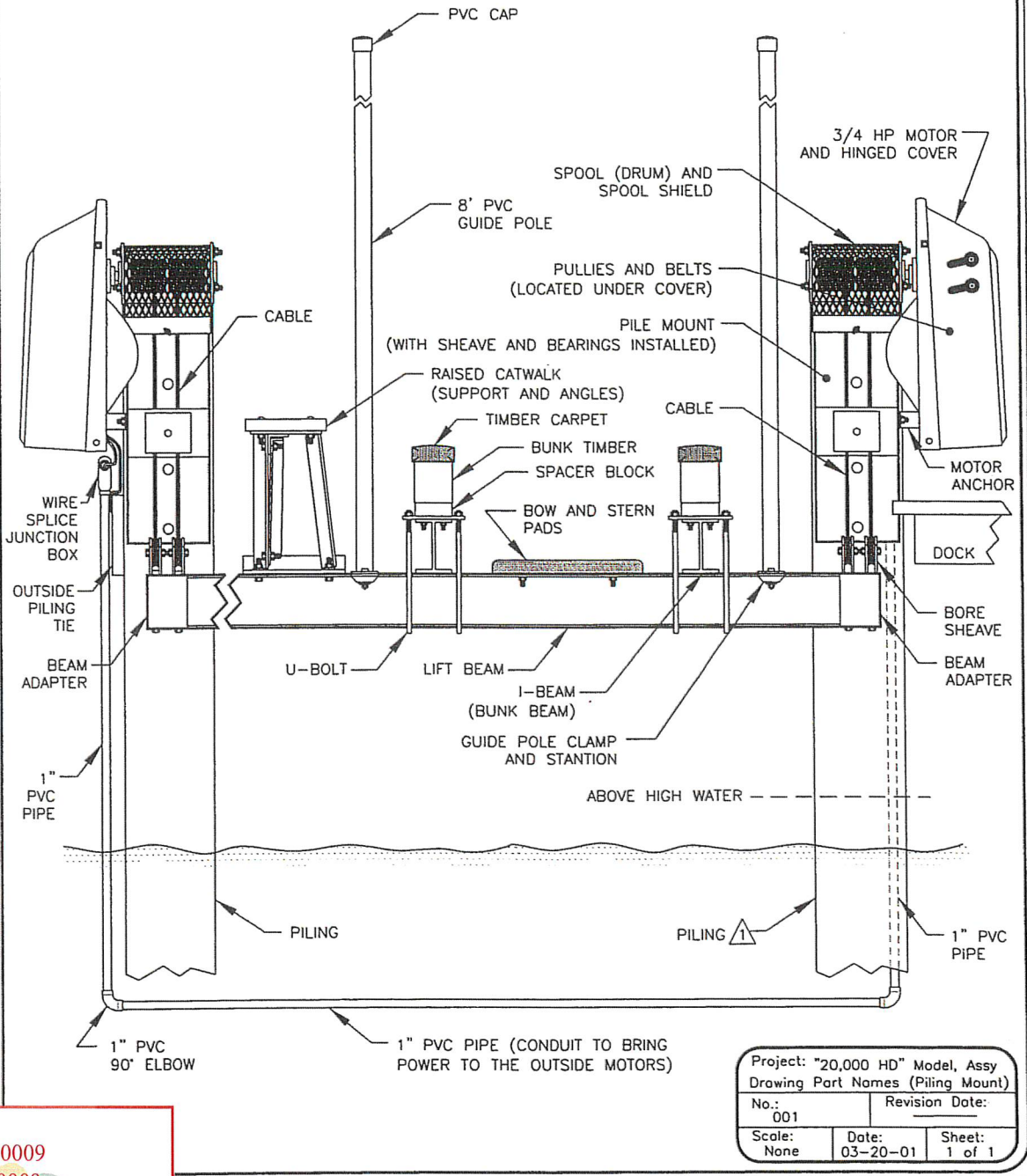
FLOATING PIER
 DETAIL SHEET
 Waterfront Engineering,
 Design and Construction, Inc.
 8348 Ritchie Hwy.
 Pasadena, MD 21122
 (410) 798-1494
 waterfrontdesign@verizon.net

PROPOSED:
 Pier Work
 in: Tavern Creek
 co: Kent
 Application by: Richard & Madeline Zaveta
 Sheet 6 of 9 Date: November 14, 2023
 State: Maryland
 at: Little Neck Farm

REVISED 3/14/2024

GENERAL NOTES:

⚠ IMPORTANT—PILINGS SHOULD BE SECURELY ANCHORED TO A SEAWALL OR INTEGRATED INTO A DOCK.



Project: "20,000 HD" Model, Assy
 Drawing Part Names (Piling Mount)
 No.: 001 Revision Date:
 Scale: None Date: 03-20-01 Sheet: 1 of 1

24-PR-0009
 202460009
 96388
 3/14/2024
 MG

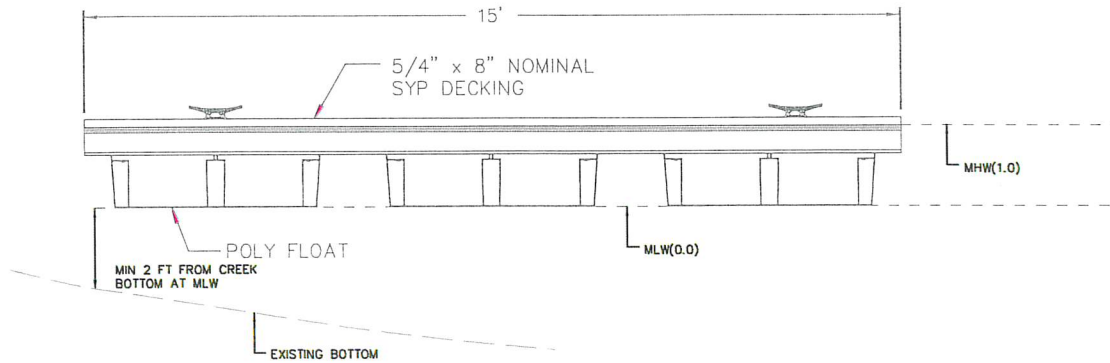
BOAT LIFT DETAIL

REVISED 3/14/2024

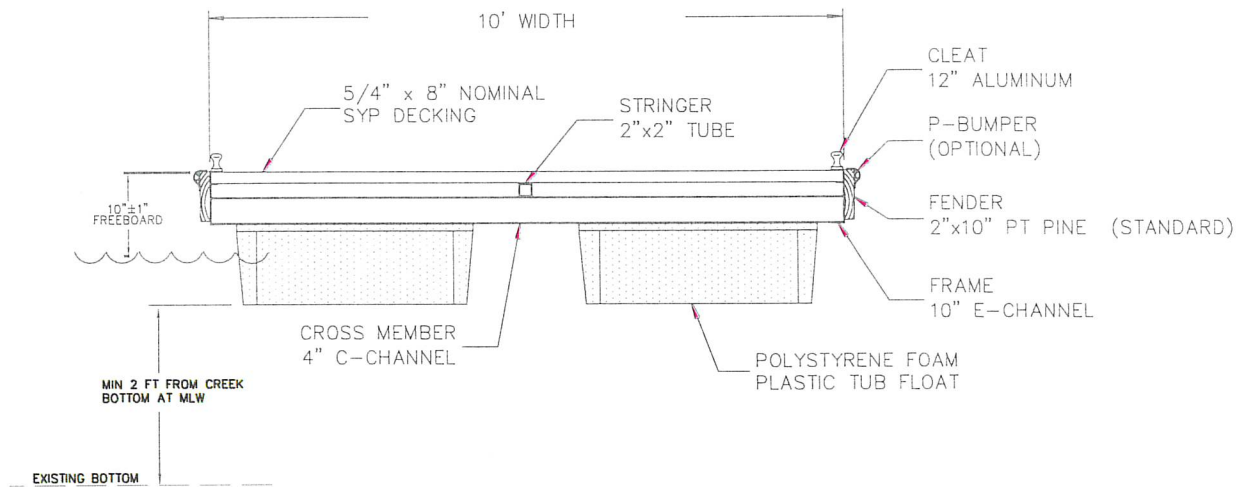
Tax Account No.:
 0502-6636
 Tax Map: 0045
 Parcel: 0049
 Deed Ref: 00078/00465
 Lot: 13
 Zoning: RCD
 Lot Size: 1,222,729 SF

BOAT LIFT DETAIL
 Waterfront Engineering,
 Design and Construction, Inc.
 8348 Ritchie Hwy.
 Pasadena, MD 21122
 (410) 798-1494
 waterfrontdesign@verizon.net

PROPOSED:
 Pier Work
 in: Tavern Creek State: Maryland
 co: Kent at: Little Neck Farm
 Application by: Richard & Madeline Zaveta
 Sheet 7 of 9 Date: November 14, 2023



SIDE ELEVATION OF KAYAK LAUNCH



SECTION VIEW OF KAYAK LAUNCH

REVISED 3/14/2024

Tax Account No.:
0502-6636
Tax Map: 0045
Parcel: 0049
Deed Ref: 00078/00465
Lot: 13
Zoning: RCD
Lot Size: 1,222,729 SF

KAYAK LAUNCH
DETAIL SHEET
Waterfront Engineering,
Design and Construction, Inc.
8348 Ritchie Hwy.
Pasadena, MD 21122
(410) 798-1494
waterfrontdesign@verizon.net


PROPOSED:
Pier Work




in: Tavern Creek
co: Kent
Application by: Richard & Madeline Zaveta
Sheet 8 of 9 Date: November 14, 2023
State: Maryland
at: Little Neck Farm

SITE PLAN NOTES AND DISCLAIMERS

1. PROPERTY LINES SHOWN HEREON HAVE BEEN TAKEN FROM FIELD EVIDENCE, AND/OR AVAILABLE DEEDS AND PLATS AND SHOULD NOT BE CONSTRUED TO BE REPRESENTATIVE OF THE ACCURACY OF A BOUNDARY SURVEY. THIS IS NOT A BOUNDARY SURVEY! THIS SITE PLAN WAS DEVELOPED WITHOUT THE BENEFIT OF A TITLE SEARCH AND MAY NOT REFLECT ENCUMBRANCES, DEDICATIONS, AND/OR RESTRICTIONS WHICH MAY EXIST AND COULD POTENTIALLY BE REVEALED THROUGH A THOROUGH TITLE EXAMINATION.
2. ALL SHORELINE WORK WILL BE CONDUCTED FROM WATER WITH ACCESS FROM BARGE. STOCKPILE AREA WILL BE ON BARGE.
3. CONTRACTOR IS RESPONSIBLE FOR THE LOCATION OF ANY PROPOSED STRUCTURES IN RELATION WITH THE PROPERTY CORNERS. NEIGHBORING STRUCTURES SHOWN ON THIS DRAWING ARE APPROXIMATE IN LOCATION AND SHOULD NOT BE USED TO LOCATE NEW OR REPLACEMENT STRUCTURES. A SURVEY IS REQUIRED TO LOCATE ANY NEW OR REPLACEMENT STRUCTURES. THIS SURVEY MUST BE PERFORMED BY A STATE OF MARYLAND LICENSED SURVEYOR.
4. THIS SITE PLAN HAS BEEN PREPARED TO CONSTRUCT A FLOATING PIER. ANY CHANGE TO THESE PLANS WILL REQUIRE A SEPARATE PERMIT FROM KENT CO., FOR WORK ABOVE MHW. IF ANY WORK WILL BE BELOW MHW OR WITHIN TIDAL OR NON-TIDAL WETLANDS THEN ADDITIONAL PERMITS ARE REQUIRED FROM THE MARYLAND DEPARTMENT OF THE ENVIRONMENT AND THE ARMY CORPS OF ENGINEERS. THIS WILL REQUIRE MORE DETAILS AND INFORMATION. THIS DRAWING SHALL NOT BE UTILIZED FOR SUCH LICENSES OR PERMITS THAT ARE NOT SPECIFICALLY OUTLINED ON THIS PLAN.
5. CONTACT MS. UTILITY AT LEAST 48 HOURS PRIOR TO START OF ANY ON LAND OR IN WATER WORK. ALL UTILITIES MUST BE LOCATED PRIOR TO ANY CONSTRUCTION. THIS PLAN SHALL NOT BE UTILIZED FOR LOCATING ANY UTILITIES EITHER ABOVE OR BELOW GROUND.
6. TOPOGRAPHY WAS OBTAINED FROM 2017 DATUM AND FIELD OBSERVATIONS.

24-PR-0009
 202460009
 96388
 3/14/2024
 MG



<i>LEGEND</i>	
EXISTING CONTOUR	- - - 4.0 - - -
EX. MEAN LOW WATER (MLW)	- - - - -
EX. MEAN HIGH WATER (MHW)	- - - - -
EXISTING TREE LINE	
PROPERTY LINE	- - - - -
EXISTING RIP-RAP	
EXISTING/PROPOSED IMPROVEMENTS	
LIMIT OF DISTURBANCE	- - - - -
TURBIDITY CURTAIN	- - - <i>TBC</i> - - -

Tax Account No.: 0502-6636 Tax Map: 0045 Parcel: 0049 Deed Ref: 00078/00465 Lot: 13 Zoning: RCD Lot Size: 1,222,729 SF	SITE PLAN NOTES AND DATA Waterfront Engineering, Design and Construction, Inc. 8348 Ritchie Hwy. Pasadena, MD 21122 (410) 798-1494 waterfrontdesign@verizon.net	PROPOSED: Pier Work in: Tavern Creek co: Kent Application by: Richard & Madeline Zaveta Sheet 9 of 9 Date: November 14, 2023
		REVISED 3/14/2024 State: Maryland at: Little Neck Farm











24-PR-0009 License

Final Audit Report

2024-03-18

Created:	2024-03-14
By:	Matt Godbey (matt.godbey@maryland.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAQBnFqPp98J82WHRkvaxGig7_rfzJR4d5

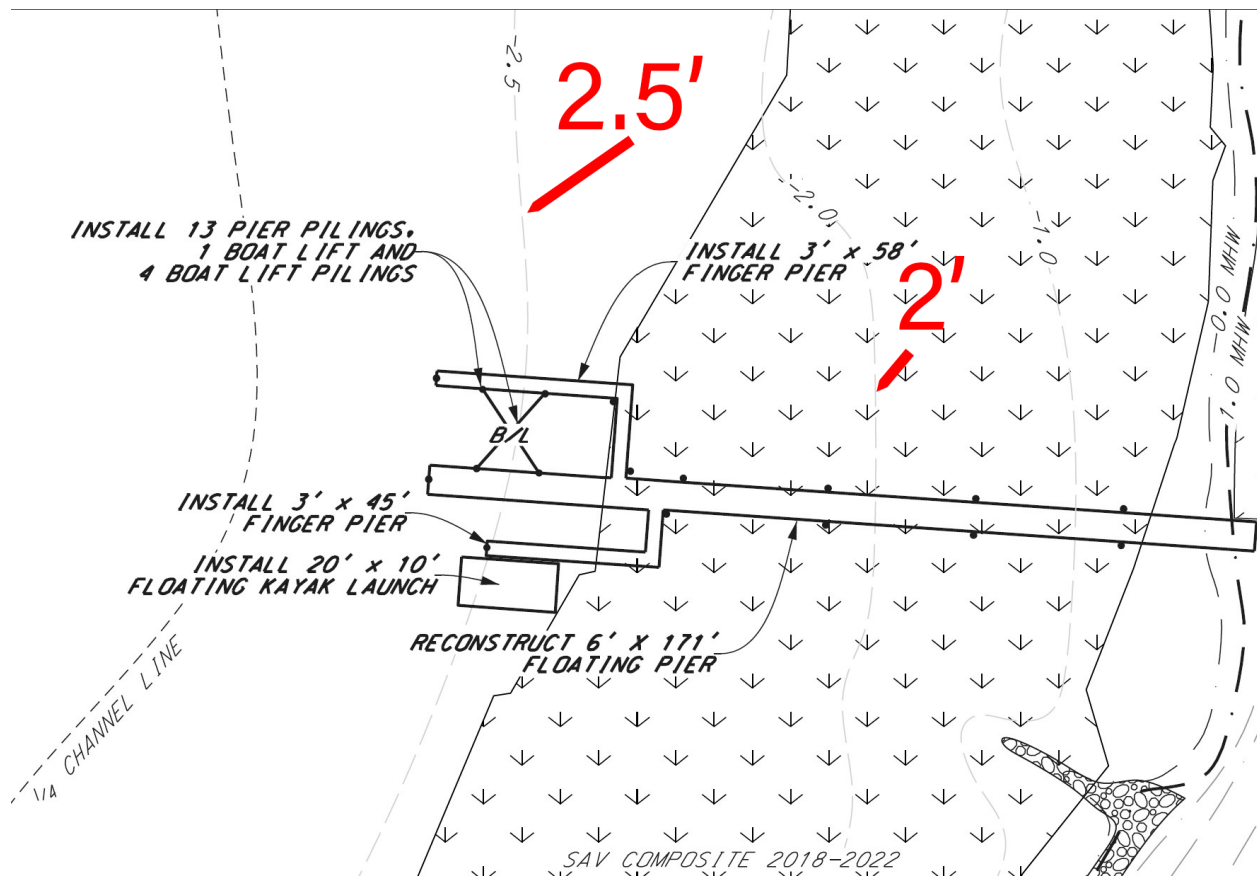
"24-PR-0009 License" History

-  Document created by Matt Godbey (matt.godbey@maryland.gov)
2024-03-14 - 6:20:43 PM GMT
-  Document emailed to twdeastpermit.mde@maryland.gov for signature
2024-03-14 - 6:27:29 PM GMT
-  Email viewed by twdeastpermit.mde@maryland.gov
2024-03-15 - 2:52:51 PM GMT
-  Signer twdeastpermit.mde@maryland.gov entered name at signing as Jonathan Stewart
2024-03-15 - 2:53:09 PM GMT
-  Document e-signed by Jonathan Stewart (twdeastpermit.mde@maryland.gov)
Signature Date: 2024-03-15 - 2:53:11 PM GMT - Time Source: server
-  Document emailed to wwppepermits.mde@maryland.gov for signature
2024-03-15 - 2:53:13 PM GMT
-  Email viewed by wwppepermits.mde@maryland.gov
2024-03-18 - 12:51:05 PM GMT
-  Signer wwppepermits.mde@maryland.gov entered name at signing as Heather L. Nelson
2024-03-18 - 12:51:19 PM GMT
-  Document e-signed by Heather L. Nelson (wwppepermits.mde@maryland.gov)
Signature Date: 2024-03-18 - 12:51:21 PM GMT - Time Source: server
-  Agreement completed.
2024-03-18 - 12:51:21 PM GMT

June 4, 2024

Dear Appeals Board,

I am respectfully requesting a variance for our dock on Tavern Creek at our 28 acre parcel lot 13, Little Neck Farm, Rock Hall Maryland. As of this writing, we have spent the last year and a half procuring permits from the related agencies which was facilitated through Waterfront Engineering, Design and Construction, Inc. As of this writing, we have just learned that the approved plan, while having met all respective agencies, exceeds Kent County's requirement of maximum length which is 150'. Specifically, the dock which is now approved is 171' as prescribed by the Waterfront Engineering company which still falls under the acceptable ratio for transgressing the waterway.



Their recommendation of 171' was exclusively predicated as to provide a minimum of 2'6" of water so that the boat lift will function in a safe manner. As you can see, if one were to back off the 21', we quickly start to approach 2' of depth which is marginally functional.

With the above being said, my specific substantiation of the variance is as follows:

- a. Our property is the peninsula that projects into the bay. As such, I only have one additional neighbor, Dwight Gorsuch at lot 14, who equally has a dock which is 765' away. Hence, predicated on the distance and the fact that he has his own dock immediately behind his residence, there is no detrimental effect. Further, he was notified through the dock application and advised me that he had no issues with the dock.
- b. The variance is for 21'. As such, it will be virtually indistinguishable from an aesthetic standpoint going from 150' to 171', hence no change in character.
- c. The modest relief is exclusively for technical reasons of depth; hence it is in the keeping and spirit of the ordinance.
- d. The practical difficulty is exclusively predicated on the existing ground topography which renders the extreme shallow condition which is further aggressively aggravated by any form of northerly wind that dramatically lowers the tide far more so than the posted water depth.
- e. In layman's terms, the health of the waterway can be gauged by the extent of natural aquatic grasses and plant life in the shallows. The shoreline area in this particular tributary provides for strong levels of vegetation. This vegetation promotes fishery and crab propagation and by moving to the 171', disturbing these grasses via outboard motor propulsion is dramatically reduced, hence creating a more environmentally friendly area for fisheries.

In summary, anyone who has experienced a partially grounded boat lift with the boat precariously not fully supported by the lift or partially grounded by mud, will understand the dangers of free spooling cables off pulley with thousands of pounds of pressure. It is my intent that my wife will be able to utilize this boat without me being present, hence I would appreciate the board's consideration in lessening the potential precarious situation of a marginally functional lift, hence providing us with variance approval.

In closing, thank you for your time and consideration of our request.

Best regards,

Rich and Madeline Zaveta