



COUNTY COMMISSIONERS HEARING ROOM
400 HIGH STREET
CHESTERTOWN, MARYLAND

AGENDA

Thursday, September 5, 2024
1:30 p.m.

MINUTES

August 1, 2024

APPLICATIONS FOR REVIEW

- Ag Preservation District Application..... Rec to BOCC
APD 24-01 Claude and Stephen Westcott
12982 Augustine Herman Highway, Kennedyville
- 24-27 Freedom Properties GOM, LLC – Major Site Plan (Concept) – Retreat..... PC Review
10568 Cliff Road, Chestertown – Sixth Election District – Zoned CAR
- 24-28 Freedom Properties GOM, LLC – Special Exception – Redesignation as a Retreat..... Rec to BOA
10568 Cliff Road, Chestertown – Sixth Election District – Zoned CAR
- 24-42 William and Linda Joyce – Variance – Steep Slope and Expanded Buffer..... Rec to BOA
29349 Glencoe Road, Kennedyville – Second Election District – Zoned CAR

GENERAL DISCUSSION

STAFF REPORTS

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: **909 572 878#**

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: [@kentcountygovernment2757](https://www.youtube.com/@kentcountygovernment2757).

Meetings are conducted in Open Session unless otherwise indicated. All or part of the Planning Commission 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 Chairman. 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.

MINUTES

August 1, 2024

1:30 p.m.

Video recordings of the Kent County Planning Commission meeting are available online for viewing on the County's YouTube channel at <https://www.youtube.com/@kentcountygovernment2757>.

The Planning Commission met in regular session on Thursday, August 1, 2024, in the County Commissioners' Hearing Room at 400 High Street, Chestertown, Maryland. Members of the public were invited to attend in person or via conference call.

The following members were in attendance: Chair Joe Hickman, Vice Chair Paul Ruge, Jim Saunders, Ray Strong, Paula Reeder, William Crowding, and Sean Jones.

Acting Planning Commission Attorney Elissa Levan, Esquire, was present. Staff attending included William Mackey, AICP, Director; Carla Gerber, AICP, Deputy Director; Rob Tracey, AICP, Associate Planner; Beth Grieb, Office Manager, serving as Acting Clerk; and Tyler Arnold, GIS Coordinator.

Mr. William Ashmore and Mr. Richard Zaveta each represented himself online regarding his own respective application.

Representatives for Delmarva Power included Ryan D. Showalter, Esq., McAllister, DeTar, Showalter & Walker LLC (MDSW); Ida Parrett, Real Estate Representative, Delmarva Power; and George Zebley, Jr., Senior Designer, Verdantas.

Representatives for the Morgnec Solar project included Genevieve H.R. Macfarlane, Esq., Partner with Stevens Palmer, LLC.; Matt McCluskey, Chief Development Officer, Urban Grid; Val Newcomb, Vice President, Economic & Community Development, Urban Grid; Nick Leffner, P.E., Kimley Horn and Associates; and Jake Dixon, Project Manager, Urban Grid.

Members of the public who spoke were Janet Christensen-Lewis, KCPA; John Lysinger, KCPA; Bonnie Tucker; Tom Tucker; Judy Gifford; Thomas Kocubinski, RA, AIA, Principal Architect, Kocubinski Architects; A. Elizabeth Watson, FAICP; and Pat Langenfelder.

Chair Hickman called the meeting to order at 1:30 p.m.

MINUTES

The minutes of the July 11, 2024 meeting were reviewed. Chair Hickman requested an addition to page 2. Mr. Crowding moved to accept the minutes with Chair Hickman's addition. Mr. Strong seconded. The motion passed unanimously.

APPLICATIONS FOR REVIEW

*22-17 William and Valerie Ashmore - Major Site Plan - Extension of Approval -- PC Decision
Map 55, Parcel 128, Lot 1 - Fifth Election District - Marine (M)*

Ms. Gerber presented the request for a second one-year extension of the site plan approval for a private destination residence club. The applicant submitted a letter explaining the need for additional time, hoping to begin construction next year. Staff recommended extending the approval with the same conditions as previously applied.

Mr. Ashmore testified via Teams that he had nothing to add beyond the extension request.

Adopted on [Insert date]

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Mr. Crowding moved to grant a one-year extension to William and Valerie Ashmore for the major site plan for a private destination residence club, with the following conditions:

- Submission of all sureties for stormwater management, sediment erosion control, and landscaping; and
- Recordation of the slip agreement.

Vice Chair Ruge seconded. The motion passed unanimously.

*24-34 Richard and Madeline Zaveta - Variance - Pier Length -- PC Recommendation to BOA
6278 Burriss Road, Rock Hall - Seventh Election District - Zoned Resource Conservation District (RCD)*

Ms. Gerber provided an overview of the application for a 21-foot variance to install a 6-foot-wide pier extending 171 feet into Tavern Creek. The practical difficulty is caused by limited water depth and the requirement for safe operation of a proposed boat lift. Staff recommended a favorable recommendation be made to the Board of Appeals.

Mr. Zaveta testified via Teams, explaining the need for the longer pier due to shallow water depths and safety concerns with the current setup.

Mr. Crowding moved to send a favorable recommendation to the Board of Appeals for Richard and Madeline Zaveta's variance request for the property located at 6278 Burriss Road in the 5th election district, finding that:

- 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 is approximately 800 feet to the north;
- There are no known substantial detriments to adjacent or neighboring properties that would be created;
- No known changes to the character of the neighborhood will be caused;
- The variance is not inconsistent with the Comprehensive Plan or Critical Area Program;
- The proposed length will extend the pier beyond subaquatic vegetation in keeping with the Comp Plan;
- 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.

Vice Chair Ruge seconded. The motion passed unanimously.

*24-13 Delmarva Power and Light Co. of MD - Major Site Plan (Preliminary) -- PC Decision
509 Morgnec Road, Chestertown - Fourth Election District - Zoned Commercial (C)*

Mr. Tracey presented the application for preliminary site plan approval for reconfiguration and improvements to the existing substation. The proposal includes rearranging electrical components and buildings, consolidating driveways, replacing fencing, and modifying landscaping. Mr. Tracey highlighted that changes to landscaping would require specific approval of the Planning Commission for a reduction in the number of plantings and changes in the species.

Representatives from Delmarva Power testified regarding the proposed changes, including the new non-conductive fencing and revised landscaping plan. There was extensive discussion about the proposed landscaping, fencing materials, and screening of the substation.

Members of the public A. Elizabeth Watson, FAICP, and John Lysinger, KCPA, spoke in opposition to the application.

Mr. Crowding moved to grant preliminary approval to Delmarva Power and Light Company of Maryland for their project located at 509 Morgnec Road in Chestertown, in the 4th election district, Kent County, Maryland. They're requesting preliminary site plan approval for improvements to the existing substation. Proposed upgrades will include rearranging electrical components, buildings, consolidating four driveways into two, replacing an existing chain link fence with a non-conductive panel system with modifications to the existing, approved landscape plan from 2021. We find that:

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- The proposal is consistent with many strategies and goals of the Comprehensive Plan;
- Stormwater management, sediment control and the affiliate sureties must be approved prior to final approval;
- There are no unreasonable demands on public services or infrastructure;
- The applicant has noted that the area is removed from any interaction with the public, such as all vehicular and pedestrian movements will be governed by the company in strict compliance with workplace safety;
- Off street parking is provided for vehicles when maintenance is required;
- No new signage is proposed at this time; and
- The applicant has proposed replacing the existing 6-foot chain link privacy fence with an 8-foot nonconductive panel-based fence.

In order to receive final site plan approval, the applicant must address and submit the following outstanding items:

- Stormwater management, and sediment and erosion control plans must be approved, and any required sureties must be submitted;
- A final landscaping plan and any required sureties must be approved, noting that the Planning Commission wants to see some change in the configuration and that will need to be approved by this board to get final approval; and
- The renderings of the proposed panel fencing and the landscaping along Morgnec Road must be reviewed and approved by this board.

Mr. Strong seconded. The motion passed unanimously.

Ms. Reeder moved that the Planning Commission reduce or waive the landscape requirement, previously discussed with the applicant, when they can demonstrate that the spirit and intent of the requirement is achieved through other means. Mr. Saunders seconded. The motion passed 4:3.

23-34 Morgnec Road Solar, LLC - Major Site Plan (Preliminary) -- PC Decision

Map 37, Parcel 40 and 174 - Fourth Election District

Intense Village (IV), Community Residential (CR), Rural Residential (RR), and Resource Conservation District (RCD)

The applicant presented revised plans addressing previous concerns expressed about landscaping and visibility. There was extensive discussion about the proposed partial berm waiver, landscaping plans, and screening of the solar arrays.

Members of the public who spoke were Janet Christensen-Lewis, KCPA; John Lysinger, KCPA; Bonnie Tucker; Tom Tucker; Judy Gifford; Thomas Kocubinski, RA, AIA, Principal Architect, Kocubinski Architects; A. Elizabeth Watson, FAICP; and Pat Langenfelder. All members of the public spoke in opposition. A PowerPoint presentation was presented and narrated by Janet Christensen-Lewis, KCPA, and a video was presented and narrated by John Lysinger, KCPA.

After discussion, the Commission voted on the berm waiver request.

Vice Chair Paul Ruge moved to approve the requested waiver for the berm that has been presented by the applicant. Ms. Reeder seconded. The motion failed 2:5.

Mr. Jones moved to deny the waiver for partial berm relief, because it would not provide adequate screening. Mr. Crowding seconded. The motion passed 5:1 with one abstention by Mr. Saunders.

Following the denial of the berm waiver, the applicant requested a continuance and to resubmit their application.

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Mr. Crowding moved to allow Morgnec Road Solar LLC to resubmit their preliminary plan for a utility-scale solar project on a 245-acre system at 616 Morgnec Road, Chestertown, Maryland, in the 4th election district of Kent County, Maryland. Mr. Strong seconded. The motion passed unanimously.

STAFF REPORTS

There were no staff reports.

ADJOURN

Mr. Crowding moved to adjourn. Mr. Jones seconded. The meeting was adjourned at approximately 4:30 p.m.

/s/ Francis J. Hickman
Francis J. Hickman, Chair

/s/ William Mackey
William Mackey, AICP, Director

Please note 95% of this document was created by Claude 3 from Anthropic, using a transcript from Microsoft Teams.



To: Kent County Planning Commission
From: Rob Tracey, AICP, Associate Planner
Meeting: September 5, 2024
Subject: Agricultural Preservation District

Executive Summary

Proposed Ag Preservation Districts

Claude and Stephen Westcott, wish to create an Agricultural Preservation District on their 124-acre farm located at 12982 Augustine Herman Highway near Kennedyville in the Second Election District. The farm consists of 37 acres of crop land, 30 acres of pasture, and 57 acres of woodland. Approximately 71% of the soils are considered Class II or III. There is one dwelling on the property. The farm is zoned Agricultural Zoning District (AZD) and is within the Priority Preservation Area. It is adjacent to over 7,500 acres of easements that stretches from the Chester River to the Sassafras River. It is outside the 10-year water and sewer plan service areas.

Relevant Issues

Agricultural Preservation District - Criteria

- A. Comprehensive Plan: "Large contiguous areas of prime agricultural land are critical to an expanding and prosperous agricultural industry. The preservation of such areas reduces the potential for conflicts between farmers and their non-farm neighbors, allows the diversification of agricultural operations and reduces the need for regulations governing the nuisances sometimes associated with agribusiness." (p. 45)
- B. Applicable Laws: Code of Public Laws of Kent County in Chapter 171-5. Agricultural Preservation Districts, which sets forth the process and criteria for establishment of districts.
 - ☞ The Agricultural Preservation Advisory Board and the Planning Commission shall advise the County Commissioners as to whether the establishment of the district meets the criteria of the Agricultural Article, Title 2, Subtitle 5, of the Annotated Code of Maryland and is compatible with existing County plans and overall County policy.
 - ☞ The application shall be consistent with the criteria to sell an easement to the Maryland Agricultural Land Preservation Foundation (MALPF) established in the Agricultural Article, Title 2, Subtitle 5, of the Annotated Code of Maryland and Maryland Regulations 15.15.01.
 - a. The minimum size is 50 acres, unless the property is contiguous to an existing Agricultural Land Preservation District or Easement property.
 - b. At least 50% of the land consists of Soil Capability Classes I, II, or III or Woodland Groups 1 or 2.
 - c. Generally, the land lies outside the 10-year water and sewer service area.
 - d. The property consists of land which is either used primarily for the production of food or fiber or is of such open space character and productive capability that continued agricultural production is feasible.
 - e. In its consideration, MALPF is to evaluate the land for location in a priority preservation area of the county (§2-509(d)(6)).
 - f. The land must have development potential.

- C. Staff Comments: The proposed district complies with MALPF criteria for applying to sell an easement. Therefore, the property meets or exceeds the criteria for creating an Agricultural Land Preservation District and complies with the goal of the Comprehensive Plan to preserve large blocks of contiguous prime agricultural land.

Staff Recommendation

The Agricultural Preservation Advisory Board has reviewed this application and recommends approval of the district. Staff recommends forwarding a favorable recommendation to the County Commissioners for the establishment of an Agricultural Preservation District on this farm.

**PROPOSED AGRICULTURAL LAND PRESERVATION DISTRICT
STAFF REPORT SUMMARY**

FILE #: APD – #24-01
LANDOWNER(S): Claude & Stephen Westcott
LOCATION: 12982 Augustine Herman Highway, Kennedyville
TAX MAP, PARCEL #: Map 14, Parcel 10

SIZE: 124 Acres

RELATIONSHIP TO OTHER PRESERVED LAND This property is adjacent to over 1,000 acres of districts and easements.

TOTAL LAND USE:	<u>CROPLAND</u>	<u>PASTURE</u>	<u>WOODLAND</u>	<u>WETLAND</u>	<u>OTHER</u>
ACRES	37	30	57	0	0

DWELLINGS: 1 dwelling

GENERAL FARMING OPERATION: Horse Pasture/Hay

PART OF LARGER OPERATION: No

OWNER OPERATED: Yes

TOTAL QUALIFYING SOILS:	<u>CLASS II</u>	<u>CLASS III</u>	<u>CLASS V</u>	<u>= TOTAL</u>
ACRES:	55.36	32.06	12.34	99.76
PERCENT:	45%	26%	10%	81%

COUNTY ZONING/DENSITY: Agricultural Zoning District (AZD), base density 1:30.

DEVELOPMENT PRESSURE: Moderate

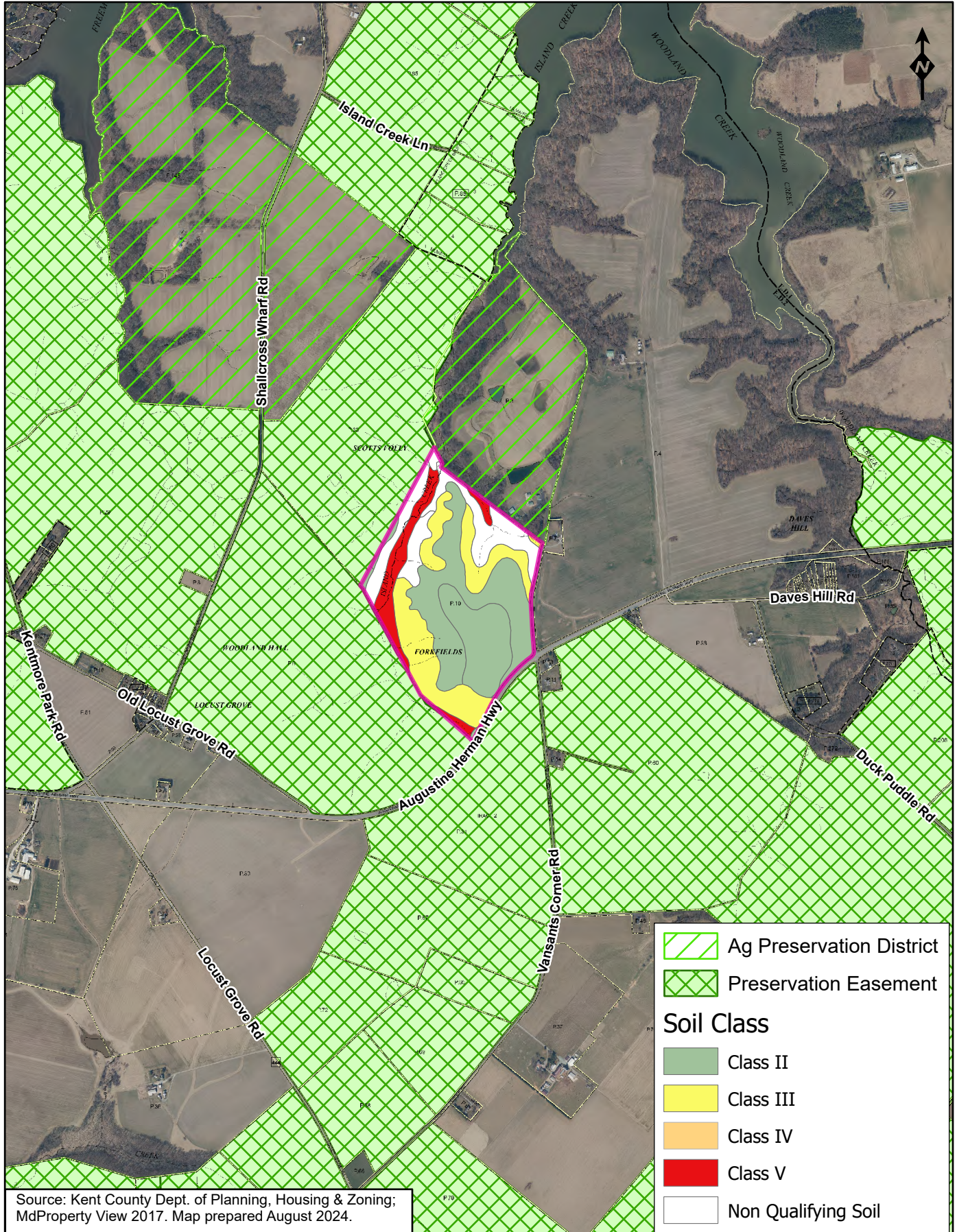
ACREAGE WITHHELD: No

OTHER INFORMATION: Farm is located within the Priority Preservation Area. The applicant is working with the Soil Conservation Office to update their Water and Soil Conservation Plan, and a nutrient management plan.

RECOMMENDATION: Staff recommends approval.



Source: Kent County Dept. of Planning, Housing & Zoning; MdProperty View 2017. Aerial taken Spring 2022. Map prepared July 2024.



Source: Kent County Dept. of Planning, Housing & Zoning; MdProperty View 2017. Map prepared August 2024.



To: Kent County Planning Commission
From: Carla Gerber, Deputy Director
Meeting: September 5, 2024
Subject: Freedom Properties GOM, LLC
24-28: Special Exception – Change from a Country Inn to a Retreat
24-27: Major Site Plan (Concept) – Accessory Uses & Structures for Retreat

Executive Summary

Request by the Applicant

Freedom Properties GOM, LLC (Great Oak Manor) is requesting a change of their special exception from a Country Inn to a Retreat and concept site plan review of a proposed accessory structure to be used as a demonstration kitchen and yoga studio.

Public Process

Per Article VII, Section 6 of the Kent County Land Use Ordinance, the Planning Commission shall review and make a recommendation to the Board of Appeals on certain special exceptions. The Board of Appeals may authorize special exceptions for retreats.

Per Article VI, Section 5 of the Kent County Land Use Ordinance the Planning Commission shall review and approve site plans.

Summary of the Staff Report

Great Oak Manor has been used as a Country Inn since 1984. The change to a retreat is to accommodate an expansion of amenities available to guests of the property for corporate retreats or small events, which may not always involve overnight lodging by attendees. No expansion in the number of guest rooms is proposed. The applicant is working with the Health Department to determine the adequacy of water and septic areas. The proposed building has been located and designed with respect to the historic nature of the site and the surrounding area. The proposed use is in conformance with the Comprehensive Plan and complies with the spirit and intent of the Land Use Ordinance.

Staff Recommendation

Staff recommends forwarding a favorable recommendation and suggests that the Board of Appeals may wish to give consideration to the following conditions:

1. No more than 15 guest rooms are permitted without prior approval to expand the retreat use.
2. No parking for events is permitted on Cliff Road.
3. No maintenance facilities or equipment is visible from outside the property.
4. A road maintenance agreement for Cliff Road is signed by all property owners and recorded.
5. Limits on hours for outdoor events.

PRELIMINARY STAFF REPORT

To: Kent County Planning Commission
Subject: Freedom Properties GOM, LLC
24-28: Special Exception – Change from a Country Inn to a Retreat
24-27: Major Site Plan (Concept) – Accessory Uses & Structures for Retreat
Date: August 29, 2024

Description of Proposal

The owners of Great Oak Manor are requesting a special exception to change their existing Country Inn to a Retreat. They propose to combine the three parcels they own to create a 15.271-acre parcel and to build an accessory structure for a demonstration kitchen/yoga studio. There will be no change in the number of guest rooms, which is currently 13 rooms. The main property also has a storage shed and several small accessory structures. The house and shed that is currently on Parcel 113 will become part of the retreat property, but it will not be used for guest lodging. The property is located on Cliff Road in the 6th Election District and is zoned Critical Area Residential. The surrounding area is characterized by residential development, a marina, and agricultural land.

History

In July 1984, the Kent County Board of Appeals approved Country Inn Special Exception Case No. 394. In September 2017, the Board of Appeals approved an amendment to the special exception to replace the original conditions with conditions that were consistent with the current requirements for country inns in the Land Use Ordinance.

Relevant Issues

I. Special Exception—General Standards

- A. *Comprehensive Plan*: “Promote development of small, locally owned businesses.” (page 10)
- B. *Applicable Law*: Article V, Section 5.3.21 of the Kent County Land Use Ordinance identifies a Retreat as a Special Exception in the Critical Area Residential District.

Article VII, Section II sets general standards for Special Exceptions and directs the Board to make the following findings 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.

C. *Staff and TAC Comments:* The use, at the current size, is appropriate to the site and consistent with the Comprehensive Plan and Land Use Ordinance.

II. Special Exception—Specific Standards

A. *Comprehensive Plan:* “Promote and expand facilities, services and activities that support natural resource-based economic development.” (page 19)

B. *Applicable Law:* Article VII, Section 7.49 sets specific standards for a Retreat in AZD, RCD, RC, RR, CAR, CR, and V provided:

- a. The project shall collectively consist of at least 15 acres.
- b. In AZD, the retreat uses buildings that existed prior to August 1, 1989. Buildings are limited to a 50% expansion of the gross floor area of each individual building above that which existed as of August 1, 1989.
- c. The retreat has at least 10 but not more than 40 guest rooms.
- d. Permanent theme parks, amusement parks, and/or stadiums are prohibited.
- e. Where applicable, the applicant has applied for growth allocation. Special exception approval will not be valid without the granting of growth allocation.
- f. The Board shall make specific findings on the availability of public and governmental services.
- g. Where they exist, historic structures shall be incorporated into the overall project.
- h. Significant view corridors, both from the site and onto the site shall be preserved in so much as possible.
- i. The height of all structures shall not exceed 38 feet.
- j. The design of the retreat and accessory uses shall reflect and complement the rural character of the area.
- k. One residential unit for use by an employee of the retreat may be provided.
- l. Permitted accessory uses include kitchen and dining facilities for guests only, recreational facilities such as tennis courts and swimming pools; spas; other recreation amenities but not including trap, skeet, clay birds, paint ball or other similar firearm activities, piers; and other accessory uses that are customarily associated with a retreat. The applicant shall describe all proposed accessory uses in the application for a special exception. The Board of Appeals may deny or limit the size and extent of accessory uses.
- m. The number of slips on an accessory pier may not exceed 5.
- n. The retreat shall be limited to 10 buildings. In AZD, the retreat is limited to existing buildings.
- o. All structures shall comply with the minimum 100-foot buffer. Primary buildings shall be 100 feet from all property lines or comply with the minimum 100-foot buffer, whichever is greater. Accessory structures may be 5 feet from the rear or side property line.
- p. At least 60% of the property shall be in open space.
- q. Parking lots shall be landscaped as required for commercial developments in Article V, Section 11 of this Ordinance.
- r. The Board of Appeals may place additional restrictions on the following:
 - i. Additional yard requirements for all structures, including patios and places of public assembly
 - ii. Lighting
 - iii. Landscaping and screening

- iv. Outdoor activities and outdoor music and their hours of operation
- v. Access
- s. The application for a retreat shall include a sketch plan and renderings of all primary and each type of accessory building and structure.

C. *Staff and TAC Comments:*

1. Upon recordation of the adjustment of lot lines, the parcel will exceed 15 acres.
2. There are currently 13 guest rooms with no plans for additional rooms.
3. In previous decisions, the Board of Appeals has determined that public and governmental services are available and adequate. No substantial changes to the use of the property are proposed.
4. The applicant has designed the proposed building in keeping with the historic nature of the setting and with respect to the character of the neighborhood.
5. View corridors were given consideration in the placement of the proposed building, and the height does not exceed 38 feet.
6. With the exception of an existing, small wooden deck overlooking the Bay, all structures are more than 100 feet from any property line.
7. New amenities include a demonstration kitchen and yoga studio in the proposed building. Any additional amenities would require approval of an amendment to the special exception.
8. More than 60% of the site is open space.
9. Parking for lodging guests is located near the Manor House and is screened. The overflow lawn parking area is to be left as a grass field and will need to be screened from adjacent properties.
10. A site plan and building elevations for the proposed building have been provided.

Staff Recommendation: Staff recommends forwarding a favorable recommendation and suggests that the Board of Appeals may wish to give consideration to the following conditions:

1. No more than 15 guest rooms are permitted without prior approval to expand the retreat use.
2. No parking for events is permitted on Cliff Road.
3. No maintenance facilities or equipment is visible from outside the property.
4. A road maintenance agreement for Cliff Road is signed by all property owners and recorded.
5. Limits on hours for outdoor events.

III. Site Plan Review

- A. *Comprehensive Plan:* "Implement thorough design review for new development and major renovations." (Page 33)
- B. *Applicable Law:* Article VI, Section 5.3 of the Kent County *Land Use Ordinance* establishes site plan review procedures. The Planning Commission shall prepare findings of fact concerning the reasonable fulfillment of the objectives listed below.
 - a. Conformance with the Comprehensive Plan and, where applicable, the Village Master Plan.
 - b. Conformance with the provisions of all applicable rules and regulations of county, state, and federal agencies.
 - c. Convenience and safety of both vehicular and pedestrian movement within the site and in relationship to adjoining ways and properties.
 - d. Provisions for the off-street loading and unloading of vehicles incidental to the normal operation of the establishment, adequate lighting, and internal traffic control.
 - e. Reasonable demands placed on public services and infrastructure.
 - f. Adequacy of methods for sewage and refuse disposal, and the protection from pollution of both surface waters and groundwater. This includes minimizing soil erosion both during and after construction.
 - g. Protection of abutting properties and County amenities from any undue disturbance caused by

- excessive or unreasonable noise, smoke, vapors, fumes, dust, odors, glare, stormwater runoff, etc.
- h. Minimizing the area over which existing vegetation is to be removed. Where tree removal is required, special attention shall be given to planting of replacement trees.
 - i. The applicant's efforts to integrate the proposed development into the existing landscape through design features such as vegetative buffers, roadside plantings, and the retention of open space and agricultural land.
 - j. The applicant's efforts to design the development to complement and enhance the rural and historic nature of the County including incorporating into the project forms and materials that reflect the traditional construction patterns of neighboring communities.
 - k. The building setbacks, area, and location of parking, architectural compatibility, signage, and landscaping of the development, and how these features harmonize with the surrounding townscape and the natural landscape.
- C. *Staff and TAC Comments:* The application is in conformance with the Comprehensive Plan. Sufficient parking is available for the guest rooms and staff. Should an event be held that requires overflow parking, an area has been designated on the site plan. Landscaping as required for commercial developments in Article V, Section 11 of the Land Use Ordinance will need to be added. A buffer enhancement plan for the additional lot coverage will be required. The applicant is working with the Health Department to determine the adequacy of water and septic areas. The change in use should not place additional demands on public services. Two trees will be removed, and mitigation will be required. The proposed building has been designed to complement the historic nature of the site and the surrounding neighborhood. A citizen participation meeting was held on June 18th.

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)

SITE PLAN APPLICATION

File Number: _____ **Amount Paid:** _____ **Date:** _____

Project Name: Great Oak Manor - Demonstration Kitchen & Yoga Studio

District: 6th Map: 26 Parcel: 76 Lot Size: 15.271ac. Deed Ref: 1229/131 Zoning: CAR

LOCATION: 10568 Cliff Road, Chestertown, MD 21620

PROPOSED USE: Retreat - proposing new structure to house a demonstration kitchen and yoga studio

OWNER OF LAND:

Name: Freedom Properties GOM, LLC Telephone: 302-559-2598

Address: 10568 Cliff Road, Chestertown, MD 21620 Email: wbellamy@mystakeholder.com

APPLICANT:

Name: (same as owner) Telephone: _____

Address: _____ Email: _____

AGENT/ATTORNEY (if any):

Name: _____ Telephone: _____

Address: _____ Email: _____

REGISTERED ENGINEER OR SURVEYOR:

Name: DMS & Associates, LLC (Kevin Shearon) Telephone: 443-262-9130

Address: P.O. Box 80, Centreville, MD 21617 Email: kjs@dmsandassociates.com

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: _____

Water Supply: Public System On lot system

Sewerage: Public System On lot system

TELEPHONE SERVICED BY: Verizon

ELECTRIC SERVICED BY: Delmarva Power

NOTICE: The Planning Office is not required to make out this Application. If the Planning Department assists you, it cannot be held responsible for its contents.

Kevin J. Shearon _____ 5/24/24
Signature of Applicant **Date**

Concept Plan Approving Authority: _____ Date _____
 Preliminary Approving Authority: _____ Date _____
 Final Approving Authority: _____ Date _____

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)

Freedom Properties GOM, LLC

10568 Cliff Road

Chestertown, Maryland 21620

Email: _____

For Office Use Only:

Case Number/Date Filed: _____

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: kjs@dmsandassociates.com

TO THE KENT COUNTY BOARD OF APPEALS: In accordance with Article VII Section 7.49

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

 Appealing Decision of Kent County Zoning Administrator Variance

 X Special Exception Nonconforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) Great Oak Manor located at 10568 Cliff Road, Chestertown, Maryland 21620

In the 6th Election District of Kent County.

Size of lot or parcel of Land: 15.271 acres (following lot consolidation)

Map: 26 Parcel: 76, 85, & 113 Lot #: n/a Deed Ref: 1229/131 & 1229/138

List buildings already on property: Great Oak Manor, existing dwelling (white house), accessory structures

If subdivision, indicate lot and block number: n/a

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

PRESENT ZONING OF PROPERTY: CAR - Critical Area Residential

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) Requesting a Special Exception to classify the property as a "retreat".

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

Present owner(s) of property: Freedom Properties GOM, LLC Telephone: 302-559-2598

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

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

If so, please give Application Number and Date: #394

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: William & Vita Pickrum

Owner(s) on the South: SHM Great Oak Landing, LLC

Owner(s) to the East: Manor Shores, LLC

Owner(s) to the West: n/a - Chesapeake Bay

Homeowners Association, name and address, if applicable: n/a

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.

Kevin J. Shearon Agent - DMS & Associates, LLC 5/24/24
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.

PROJECT NARRATIVE

GREAT OAK MANOR Special Exception Use Request for Retreat and proposed Demonstration Kitchen and Yoga Studio

Chestertown, Maryland

In accordance with Article VI, Section 5.4.B of the Kent County Zoning Ordinance, we offer the following:

Name and address of the landowner, the developer and/or representative, if different from the owner

The property is owned by Freedom Properties GOM, LLC. They are the property owners and the developers.

Street address, tax map, parcel number, and subdivision if any

The site is located at 10568 Cliff Road, Chestertown, Maryland, and is identified as Tax Map 26, Parcel 76. A lot consolidation is part of this application whereby Parcels 85 and 113 will be added to Parcel 76 bringing the overall property acreage to 15.271 acres.

Zoning of the site

The property is zoned Critical Area Residential (CAR). The properties to the north and east are also zoned CAR. Properties to the south are Resource Conservation District (RCD) and Marine (M). The Chesapeake Bay lies to the west.

This application proposes to combine three parcels as noted above and seek a special exception use approval from the Board of Appeals for a “retreat” in accordance with Article VII, Section 7.49. Regarding the conditions of the use approval we offer the following:

- a. The combined property will exceed the 15-acre minimum as it will total 15.271 acres following the lot line adjustment.
- b. N/A – not located in AZD
- c. The existing Great Oak Manor has a total of 13 guest rooms which falls within the 10 minimum, 40 maximum criteria.
- d. N/A – not proposing a permanent theme park, amusement park, or stadium.
- e. The existing and proposed lot coverage fall under the 15% maximum limitation and therefore, request of growth allocation is not necessary.

- f. Adequate public and governmental services exist for the property currently. A substantial change in the operations of the site is not proposed, therefore, no undue burden on public services will occur.
- g. The manor house was constructed in 1938 according to SDAT which makes it technically a historic structure. However, there are no easements on it or the overall property.
- h. View corridors have been preserved with the careful placement of the proposed structure.
- i. None of the existing structures or the proposed structure exceed 38-ft in height.
- j. The design of the existing and proposed structures compliments the rural character of the area.
- k. One residential unit for an employee is located on the property.
- l. Amenities on the property include:
 - a. Kitchen with dining room
 - b. Demonstration kitchen (proposed)
 - c. Yoga studio (proposed)
- m. N/A – the property does not contain a dock.
- n. A total of three structures will be located on the property following the construction of the proposed structure. They include the dwelling on Parcel 113, the existing Great Oak Manor, and the new structure.
- o. All primary structures comply with the 100-ft retreat setback.
- p. Greater than 60% of the site is open space.
- q. Parking areas are landscaped.
- r. We acknowledge that the Board of Appeals has the ability to place additional restrictions on various aspects of the property, however, we do not feel any are warranted.
- s. A rendering of the proposed structure is included with this submittal.

Current and proposed use of the property

The property is currently improved by a grand brick structure constructed in 1938 (according to SDAT) and is operated as a country inn. A two story, stand-alone structure is proposed to house a demonstration kitchen on the first floor and a yoga studio on the second floor. These facilities will be available to the guests of the bed and breakfast as well as for small gatherings of the general public by reservation and/or advanced ticketing.

An explanation of viewshed, open space, and conservation analysis undertaken during the design of the site plan

The proposed building will be constructed amongst a small grove of trees between the existing detached garage and the Chesapeake Bay. The building will not impact the shore buffer and not impact the views of the bay from Great Oak Manor.

How the proposed development complies with the Comprehensive Plan and the design and environmental standards of the Ordinance

The development complies with the Comprehensive Plan in that it promotes tourism and lodging in the area.

Proposed type of water and sewer service

The site is currently served by private well and septic.

Number of employees

Staff from the current employee group will operate the proposed structure.

The proposed development schedule and phases of development for all proposed construction

This project is intended to be constructed and operational upon receipt of all necessary permits. The construction will not be phased.

Statement of provisions for ultimate ownership and maintenance of all parts of the development including streets, structures, and open space.

The property is intended to remain in the ownership of and maintained by Freedom Properties GOM, LLC.

Water dependent uses in the Critical Area

n/a

Critical Area density calculations

n/a

Citizen Participation Plan

A meeting will be held in the near future.

SITE NOTES

- THE SITES PHYSICAL ADDRESS IS : 10568 CLIFF ROAD CHESTERTOWN, MARYLAND 21620
- PROPERTY LINE INFORMATION SHOWN HEREON IS TAKEN FROM A LOT LINE ADJUSTMENT PLAT PREPARED BY DMS & ASSOCIATES, LLC IN MAY, 2024 AND RECORDED IN PLAT BOOK LIBER S.L.K. ____ FOLIO ____
- FOR DEED REFERENCE, SEE LIBER S.L.K. 1229, FOLIO 131.
- CURRENT ZONING CLASSIFICATION IS "CAR" - (CRITICAL AREA RESIDENTIAL)
- THE PROPERTY IS ENTIRELY LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA DESIGNATION - LDA (LIMITED DEVELOPMENT AREA)
- A PORTION OF THE PROPERTY IS LOCATED WITHIN 100 YEAR FLOOD PLAIN AS SCALED FROM FLOOD INSURANCE RATE MAP COMMUNITY No. 24029C01400 (ZONE "AE") (ELEV. = 6) EFFECTIVE, JUNE 9, 2014. NONE OF THE EXISTING OR PROPOSED IMPROVEMENTS ARE LOCATED WITHIN THE FLOOD PLAIN.
- SOILS SHOWN HEREON WERE SCALED FROM <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>.
- THE EXISTING IMPROVEMENTS AND TREES SHOWN HEREON ARE TAKEN FROM A FIELD RUN SURVEY BY MICHAEL A. SCOTT, INC. IN AUGUST, 2015, AND IN JANUARY, 2021.
- NO OTHER NATURAL RESOURCE (ie...WETLANDS, STEEP SLOPES, STREAMS, EROSION HAZARD AREAS, ENDANGERED SPECIES OR HABITAT, etc...) EXIST WITHIN THE PROJECT AREA.
- AN EXISTING PRIVATE SEPTIC RESERVE AREA WILL BE UTILIZED FOR SEWAGE DISPOSAL. A PRIVATE WELL BE UTILIZED FOR POTABLE WATER SUPPLY.
- TOPOGRAPHIC CONTOURS AND EXISTING IMPROVEMENTS SHOWN WITHIN THE DEVELOPED AREA ARE THE RESULT OF A FIELD RUN SURVEY BY MICHAEL A. SCOTT, INC. IN JANUARY, 2021.
- SITE REQUIREMENTS:
MINIMUM BUILDING SETBACKS:
FRONT = 50'
REAR = 30'
SIDE = 15'
MAXIMUM BUILDING HEIGHT:
PRINCIPAL = 38' (ALLOWED)
PRINCIPAL = <40' (EXISTING & PROPOSED)

APPROXIMATE SHORELINE COURSES AND DISTANCES

LINE	BEARING	DISTANCE
1	N 42°51'02" E	77.00'
2	N 39°08'20" E	52.20'
3	N 42°17'53" E	60.16'
4	N 38°15'10" E	77.43'
5	N 41°25'02" E	44.82'
6	N 37°36'48" E	30.82'
7	N 36°14'06" E	28.95'
8	N 21°50'33" E	12.25'
9	N 34°58'47" E	27.86'
10	N 33°18'00" E	79.97'
11	N 35°34'59" E	75.74'
12	N 33°23'29" E	66.23'
13	N 35°18'03" E	97.43'
14	N 34°45'33" E	67.88'
15	N 56°52'18" W	4.41'
16	N 34°11'07" E	10.54'

STATEMENT OF PURPOSE AND INTENT

THIS SITE IS LOCATED ON THE WEST SIDE OF FAIRLEE CREEK ROAD NEAR THE VILLAGE OF FAIRLEE. IT IS THE CURRENT LOCATION OF GREAT OAK MANOR (A COUNTRY INN). THE INTENT OF THIS CONCEPTUAL SITE PLAN IS TO (a) SEEK A "RETREAT" USE THROUGH A SPECIAL EXCEPTION AND (b) CONSTRUCT A TWO STORY BUILDING WITH A DEMONSTRATION KITCHEN ON THE FIRST FLOOR AND A YOGA STUDIO ON THE SECOND FLOOR.

THE PURPOSE OF THIS CONCEPTUAL SITE PLAN IS TO SEEK REVIEW AND COMMENTS FROM KENT COUNTY PLANNING COMMISSION FOR THE PROPOSED BUILDING AND A FAVORABLE RECOMMENDATION TO THE BOARD OF APPEALS FOR A SPECIAL EXCEPTION USE AS A "RETREAT".

REVIEWED FOR THE KENT SOIL AND WATER CONSERVATION DISTRICT AND MEET TECHNICAL REQUIREMENTS
APPROVED: _____ DATE _____

NOTE: KENT SOIL AND WATER CONSERVATION DISTRICT RESERVES THE RIGHT TO ADD, DELETE, MODIFY OR OTHERWISE ALTER THE EROSION CONTROL PROVISIONS OF THIS PLAN IN THE EVENT ADDITIONAL PROTECTION BECOMES NECESSARY.

- I (WE) CERTIFY THAT:
- ALL DEVELOPMENT AND CONSTRUCTION WILL BE DONE IN ACCORDANCE WITH THIS SEDIMENT AND EROSION CONTROL PLAN AND/OR STORMWATER MANAGEMENT PLAN, AND FURTHER, AUTHORIZED THE RIGHT OF ENTRY FOR PERIODIC ON-SITE EVALUATION BY THE KENT SOIL AND WATER CONSERVATION DISTRICT SEDIMENT CONTROL INSPECTOR OR MARYLAND DEPARTMENT OF THE ENVIRONMENT.
 - ANY RESPONSIBLE PERSONNEL INVOLVED IN THE CONSTRUCTION PROJECT WILL HAVE A CERTIFICATION OF ATTENDANCE AT THE DEPARTMENT OF ENVIRONMENT APPROVED TRAINING PROGRAM FOR THE CONTROL OF EROSION AND SEDIMENT BEFORE BEGINNING THE PROJECT.
 - IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR OR SUBCONTRACTOR TO NOTIFY THE ENGINEER OF ANY DEVIATION FROM THIS PLAN. ANY CHANGE MADE IN THIS PLAN WITHOUT WRITTEN AUTHORIZATION FROM THE ENGINEER WILL PLACE RESPONSIBILITY FOR SAID CHANGE ON THE CONTRACTOR OR SUBCONTRACTOR.

SIGNATURE _____ DATE _____
ADDRESS _____ CARD No. _____
PHONE No. _____

PROPOSED DEMONSTRATION KITCHEN AND YOGA STUDIO SEE SHEET C-2 FOR ADDITIONAL INFORMATION

EXISTING TREES (2) TO BE REMOVED. MITIGATION WILL BE PROVIDED

EXISTING BUILDINGS USED AS A COUNTRY INN PER KENT COUNTY BOARD OF APPEALS CASE #394

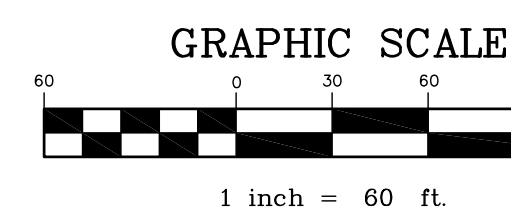
APPROXIMATE LOCATION OF EXISTING 3,000 GALLON 2 COMPARTMENT SEPTIC TANK

APPROXIMATE LOCATION OF EXISTING 2,800 GALLON 2 COMPARTMENT SEPTIC TANK

LANDS OF SHM GREAT OAK LANDING, LLC
M.L.M. 1045/153
ZONED - RCD & M
CURRENT USE - COMMERCIAL

LEGEND

- PROPERTY LINE
- CRITICAL AREA LINE
- SOILS LINE AND TYPE
- EDGE OF EXISTING TREES
- EXISTING TREE
- EXISTING TREE TO BE REMOVED



LANDS OF VITA T. & WILLIAM W. PICKRUM, TRUSTEES
M.L.M. 1039/275
ZONED - CAR
CURRENT USE - RESIDENTIAL

LANDS OF VITA T. & WILLIAM W. PICKRUM, TRUSTEES
M.L.M. 1039/275
ZONED - CAR
CURRENT USE - RESIDENTIAL

SITE STATISTICS

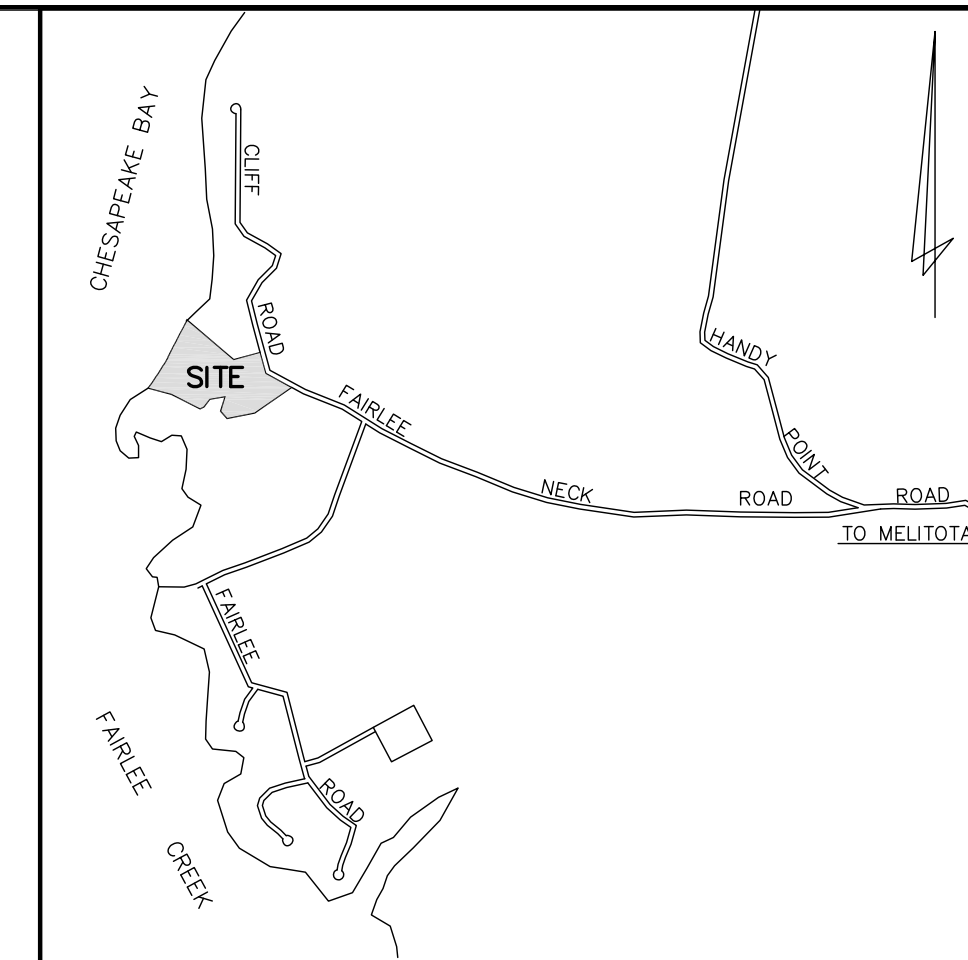
GROSS AREA	=	665,207 sq. ft.± (15.271 ac.±)
NON-CRITICAL AREA	=	20,985 sq. ft.± (0.482 ac.±)
CRITICAL AREA	=	644,222 sq. ft.± (14.789 ac.±)
NON-CRITICAL AREA:		
LOT COVERAGE (EXISTING) (3.9%)	=	812 sq. ft.± (0.019 ac.±)
STONE DRIVEWAY	=	812 sq. ft.±
CRITICAL AREA (LDA):		
MAXIMUM LOT COVERAGE ALLOWED (15%)	=	96,633 sq. ft.± (2.218 ac.±)
LOT COVERAGE (EXISTING) (7.8%)	=	50,093 sq. ft.± (1.150 ac.±)
BUILDING, GARAGE & OUT BUILDINGS	=	10,358 sq. ft.±
DWELLING & GARAGE	=	3,023 sq. ft.±
STONE DRIVEWAYS	=	3,158 sq. ft.±
CONCRETE/BRICK WALKS & PADS	=	4,177 sq. ft.±
LOT COVERAGE (TO BE REMOVED)	=	0,000 sq. ft.± (0.000 ac.±)
LOT COVERAGE (PROPOSED) (0.8%)	=	4,855 sq. ft.± (0.111 ac.±)
BUILDING	=	2,029 sq. ft.±
PATIO & STAIRS	=	1,699 sq. ft.±
CONCRETE WALKS	=	1,127 sq. ft.±
LOT COVERAGE (TOTAL) (8.5%)	=	54,948 sq. ft.± (1.261 ac.±)
LOT COVERAGE (REMAINING) (6.5%)	=	41,685 sq. ft.± (0.957 ac.±)

PARKING REQUIREMENTS

1 space/1 guest unit X 13 UNITS = 13 SPACES
1 space/employee X 5 EMPLOYEES = 5 SPACES
TOTAL PARKING (REQUIRED) = 18 SPACES*
TOTAL PARKING (PROVIDED) = 18 SPACES (EXISTING)

NOTE: PARKING REQUIREMENTS FOR THE PROPOSED A-SPECIFIC USE, DOES NOT EXIST UNDER ARTICLE VI, SECTION 1.3. HOWEVER, A TOTAL OF 37 LAWN PARKING SPACES HAVE BEEN PROVIDED.

PROPOSED LAWN PARKING. (NOT TO BE IMPROVED WITH A HARD SURFACE.) PROVIDED SPACES = 37



VICINITY MAP
SCALE 1" = 2000'

OWNER:
FREEDOM PROPERTIES GOM, LLC
c/o WERTEN BELLAMY
10568 CLIFF ROAD
CHESTERTOWN, MARYLAND 21620
PHONE No. 1-302-559-2598

ENGINEER:
DMS & ASSOCIATES, LLC
c/o KEVIN J. SHEARON, P.E. LEED
P.O. BOX 80
CENTREVILLE, MARYLAND 21617
PHONE No. 1-443-262-9130

SURVEYOR:
MICHAEL A. SCOTT, INC.
c/o MIKE SCOTT
400 S CROSS STREET
CHESTERTOWN, MARYLAND 21620
PHONE No. 1-410-778-2310

REVISION

DATE

DATE: MAY 24, 2024

SEAL

KENT COUNTY SOIL AND WATER CONSERVATION DISTRICT

KENT COUNTY PLANNING COMMISSION

KENT COUNTY HEALTH DEPARTMENT APPROVING AGENCY

DAVIS, MOORE, SHEARON & ASSOCIATES, LLC
ENGINEERING, DRAFTING/DESIGN, ENVIRONMENTAL SERVICES & SURVEYING
P.O. BOX 80
CENTREVILLE, MARYLAND 21617
PHONE: 1-443-262-9148
FAX: 1-443-262-9148

REVISION	
DATE	

OVERALL CONCEPTUAL SITE PLAN FOR DEMONSTRATION KITCHEN AND YOGA STUDIO ON THE LANDS OF FREEDOM PROPERTIES GOM, LLC

TAX MAP - 26, GRID - 2D, PARCEL - 76

SIXTH ELECTION DISTRICT, KENT COUNTY, MARYLAND

DATE	MAY 24
JOB No.	2022113
FOLDER #4	28-2022113
DESIGNED BY	KJS
SHEET No.	C-1
CADD FILE	- 22113-C1

GENERAL NOTES

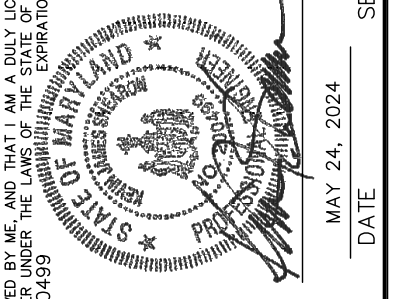
- THESE DRAWINGS SHOW INFORMATION OBTAINED FROM THE BEST AVAILABLE RECORDS REGARDING PIPES, CONDUITS, TELEPHONE LINES, AND OTHER STRUCTURES AND CONDITIONS WHICH EXIST ALONG THE LINES OF THE WORK BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE OWNER AND ENGINEER DISCLAIM ANY RESPONSIBILITIES FOR THE ACCURACY OR COMPLETENESS OF SAID INFORMATION BEING SHOWN ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. IF THE CONTRACTOR RELIES ON SAID INFORMATION, HE DOES SO AT HIS OWN RISK. THE GIVING OF THE INFORMATION ON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATIONS TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, TELEPHONE LINES, AND OTHER STRUCTURES.
- THE CONTRACTOR SHALL NOTIFY THE FOLLOWING TWO (2) WEEKS PRIOR TO THE START OF CONSTRUCTION AND SHALL COORDINATE CONSTRUCTION WITH THE UTILITY COMPANIES INVOLVED:
DELMARVA POWER & LIGHT COMPANY.....1-800-375-7117
MISS UTILITY.....1-800-441-8355
DMS & ASSOCIATES, LLC.....1-443-262-9130
KENT CO. SEDIMENT & EROSION CONTROL INSPECTOR.....1-410-778-7437
- ALL CONSTRUCTION SHALL BE MARKED FOR TRAFFIC AND PEDESTRIAN SAFETY.
- THE CONTRACTOR SHALL PROVIDE ALL EQUIPMENT, LABOR, AND MATERIALS FOR ANY MISCELLANEOUS OR TEST PIT EXCAVATIONS REQUIRED BY THE ENGINEER.
- THE OWNER IS RESPONSIBLE FOR THE ACQUISITION OF ALL EASEMENTS, BOTH PERMANENT AND TEMPORARY.
- THE CONTRACTOR ASSUMES ALL RESPONSIBILITY FOR ANY DEVIATIONS FROM THESE PLANS UNLESS SAID DEVIATIONS APPROVED BY THE ENGINEER. CONTRACTOR SHALL RECEIVE WRITTEN PERMISSION FROM THE ENGINEER IF A DEVIATION OF THE PLANS IS NECESSARY.
- ALL DISTURBED AREAS SHALL BE SMOOTHLY GRADED TO PROVIDE POSITIVE DRAINAGE IN THE DIRECTION OF FLOW ARROWS HEREIN AND STABILIZED WITH TOPSOIL, SEED AND MULCH. IF SETTLEMENT OCCURS, TOPSOIL, SEEDING, AND MULCHING SHALL BE REPEATED UNTIL SETTLEMENT SUBSIDES. SEE EROSION AND SEDIMENT CONTROL SPECIFICATIONS.
- ALL TRASH, TREES, AND UNDERBRUSH ARE TO BE CLEARED AND REMOVED OFF SITE TO AN APPROVED LANDFILL BY THE CONTRACTOR.
- ANY EXCESS EXCAVATED MATERIAL SHALL BE REMOVED OFF SITE BY THE CONTRACTOR OR MATERIAL SHALL BE PLACED ON SITE AS DIRECTED BY THE ENGINEER AND/OR OWNER.
- ANY EXISTING SURVEY MONUMENTATION THAT IS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED BY A REGISTERED SURVEYOR AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL CONDUCT HIS WORK IN EASEMENTS SO THAT THERE WILL BE A MINIMUM OF DISTURBANCE OF THE PROPERTIES CROSSED. ANY DISTURBED AREAS SHALL BE RESTORED TO ITS ORIGINAL CONDITION.
- ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL CONFORM TO THE DRAWINGS, SPECIFICATIONS, LOCAL BUILDING CODES, AND THE STANDARD SPECIFICATIONS AND DETAILS OF KENT COUNTY.
- ALL DRAINAGE STRUCTURES AND SWALES SHALL REMAIN FUNCTIONAL DURING CONSTRUCTION UNLESS OTHERWISE INDICATED ON THE PLANS.
- ALL WATER VALVES, BOXES AND HYDRANTS SHALL BE SET AND ADJUSTED TO FINISH GRADE.
- WHENEVER SEWER OR WATER MAINS OR SERVICES RUN PARALLEL TO EACH OTHER, A MINIMUM HORIZONTAL SEPARATION OF 10' SHALL BE PROVIDED.
- MINIMUM COVER OVER THE SEWER MAIN SHALL BE 42".
- ALL CONCRETE USED FOR UTILITY WORK SHALL BE IN ACCORDANCE WITH MD SHA STANDARDS AND SPECIFICATIONS FOR MIX. NO. 2.
- ALL PAVING MATERIALS AND METHODS SHALL BE IN ACCORDANCE WITH THE LATEST MD. SHE STANDARDS AND SPECIFICATIONS AND BE SUPPLIED BY A STATE CERTIFIED PLANT.
- TRENCHES SHALL NOT REMAIN OPEN OVERNIGHT. IF IT IS NECESSARY FOR TRENCHES TO REMAIN OPEN, STEEL PLATES CAPABLE OF BEARING TRAFFIC SHALL BE USED TO COMPLETELY COVER THE TRENCH OPENINGS.
- EROSION AND SEDIMENT CONTROL WILL BE STRICTLY ENFORCED BY THE KENT COUNTY SEDIMENT AND EROSION CONTROL INSPECTOR.

CHESAPEAKE BAY

LANDS OF
VITA T. & WILLIAM W. PICKRUM, TRUSTEES
M.L.M. 1039/275
ZONED - CAR
CURRENT USE - RESIDENTIAL

LANDS OF
VITA T. & WILLIAM W. PICKRUM, TRUSTEES
M.L.M. 1039/275
ZONED - CAR
CURRENT USE - RESIDENTIAL

PROVIDED FOR THESE DOCUMENTS WERE PREPARED OR REVIEWED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND LICENSE NO. 200909

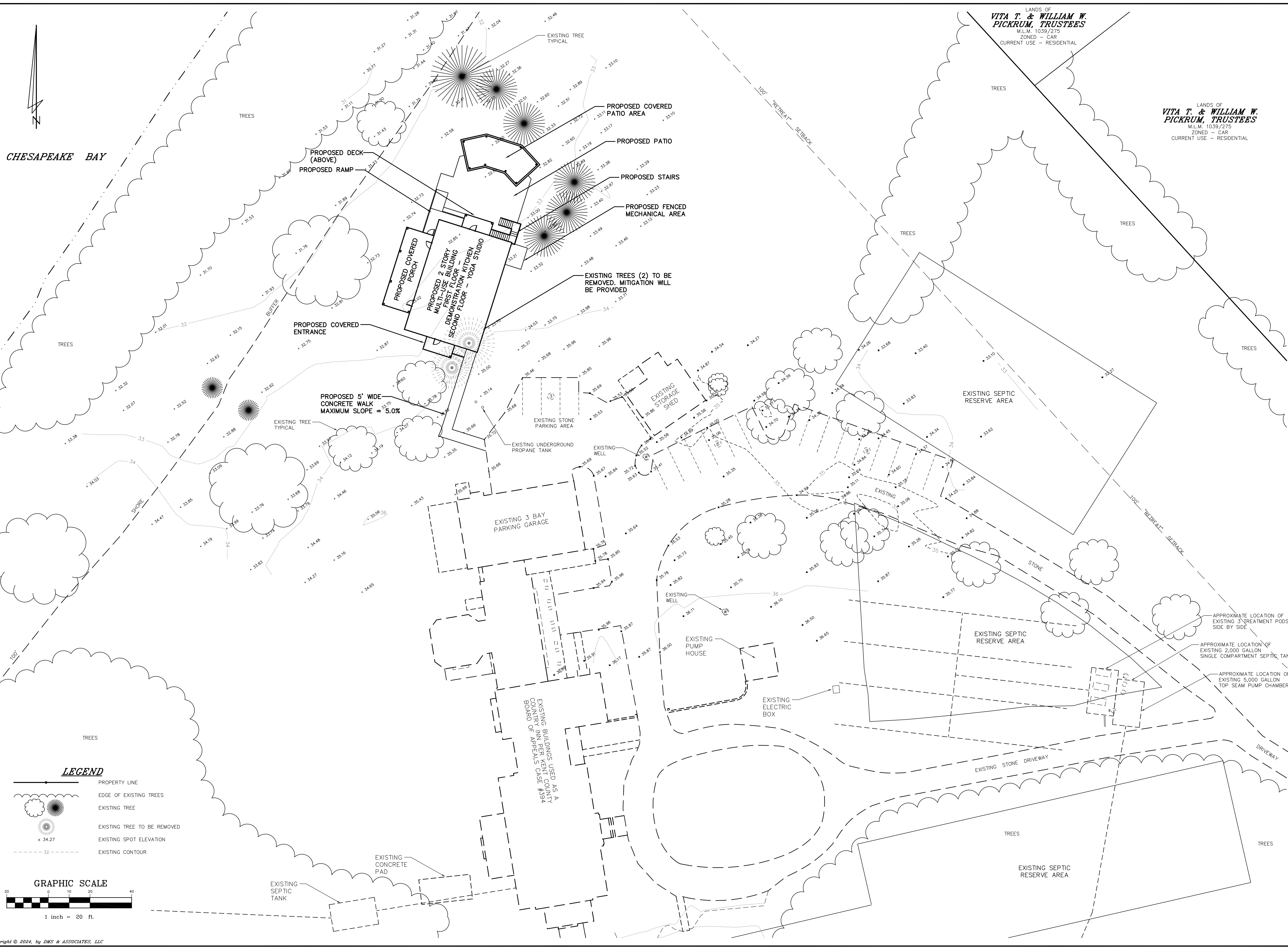


DAVIS, MOORE, SHEARON & ASSOCIATES, LLC
ENGINEERING, DRAFTING/DESIGN, ENVIRONMENTAL SERVICES & SURVEYING
P.O. BOX 80
CENTREVILLE, MARYLAND 21617
PHONE: 410-291-1111
FAX: 1-443-262-9148

REVISION	DATE

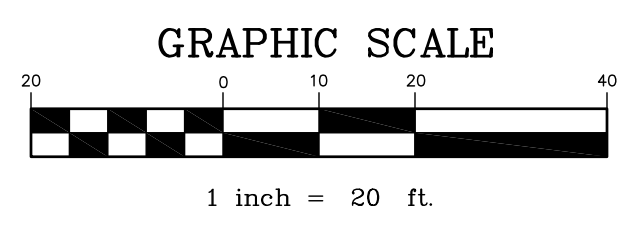
CONCEPTUAL SITE PLAN
FOR
DEMONSTRATION KITCHEN AND YOGA STUDIO
ON THE LANDS OF
FREEDOM PROPERTIES COM, LLC
TAX MAP - 26, GRID - 2D, PARCEL - 76
SIXTH ELECTION DISTRICT, KENT COUNTY, MARYLAND

DATE	SCALE
MAY 24, 2024	1" = 20'
JOB No. 202213	DRAWN BY WJM
FOLDER #44 28-202213	DESIGNED BY KJS
SHEET No. - C-2	
CADD FILE - 2213-C2	



LEGEND

- PROPERTY LINE
- EDGE OF EXISTING TREES
- EXISTING TREE
- EXISTING TREE TO BE REMOVED
- EXISTING SPOT ELEVATION
- EXISTING CONTOUR





NORTH WEST PERSPECTIVE

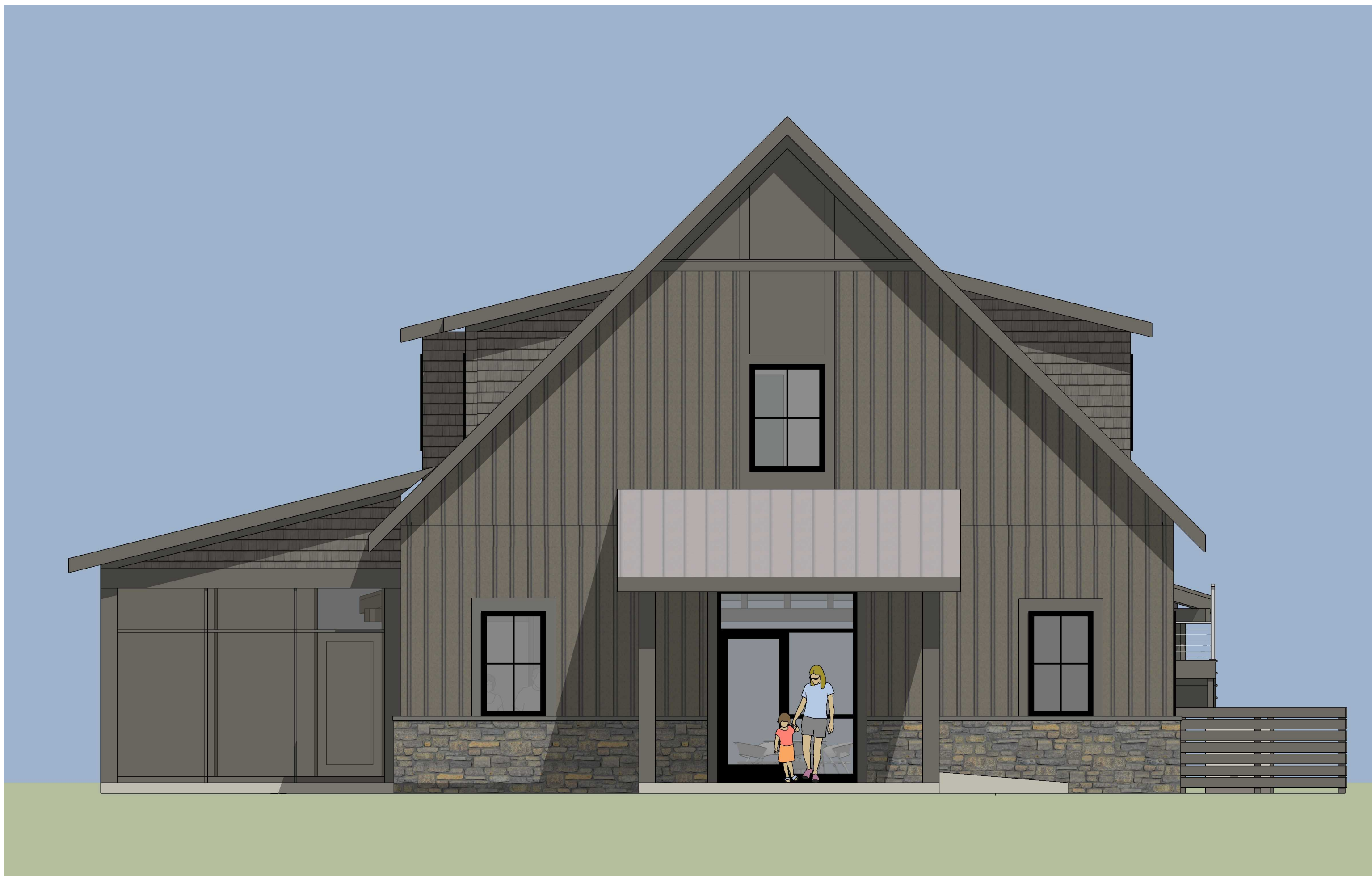


SOUTH EAST PERSPECTIVE



WEST ELEVATION

SCALE: 1/4"=1'-0"



SOUTH ELEVATION

SCALE: 1/4"=1'-0"



ROOF PLAN

SCALE: 1/8"=1'-0"



EAST ELEVATION

SCALE: 1/4"=1'-0"



NORTH ELEVATION

SCALE: 1/4"=1'-0"



To: Kent County Planning Commission
From: Mark Carper, Associate Planner
Meeting: September 5, 2024
Subject: William and Linda Joyce
24-42, Variance – Steep Slope and Expanded Buffer

Executive Summary

Request by Applicant

William and Linda Joyce, owners, are requesting a variance to construct an ADA compliant carport, retaining wall, driveway, and wooden walkway on a slope greater than 15% and in an expanded buffer within the Critical Area.

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 2.81-acre property is located at 29349 Glencoe Road, Kennedyville, in the Second Election District and is zoned Critical Area Residential (CAR).

According to the applicant, the practical difficulty is caused by existing steep slopes in the location that the applicants consider the most suitable for providing safe access to the dwelling while limiting environmental impact.

Staff Recommendation

Staff recommends forwarding a favorable recommendation to the Board of Appeals for approval of a variance to construct an ADA compliant carport, retaining wall, driveway, and wooden walkway on a slope greater than 15% and in an expanded buffer within the Critical Area as well as for a previously constructed paver walkway and steps within the buffer.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
FROM: Mark Carper, Associate Planner
SUBJECT: William and Linda Joyce
24-42, Variance – Steep Slope and Expanded Buffer
DATE: August 30, 2024

Description of Proposal

William and Linda Joyce, owners, are requesting a variance to construct an ADA compliant carport, retaining wall, driveway, and wooden walkway on a slope greater than 15% and in an expanded buffer within the Critical Area. Included in the variance request are a paver walkway and steps within the buffer that were previously constructed without a permit. An existing stone drive leading to a boat ramp is to be removed. The 2.81-acre property is located at 29349 Glencoe Road, Kennedyville, in the Second Election District and is zoned Critical Area Residential (CAR).

According to the applicant, the practical difficulty is caused by existing steep slopes in the location that the applicants consider the most suitable for providing safe access to the dwelling while limiting environmental impact.

Relevant Issues

I. Steep Slopes and Buffer Requirements

- A. *Applicable Law:* The Kent County Land Use Ordinance, Article V, Section 5.B.10 establishes that development on slopes greater than 15%, as measured before development, shall be prohibited unless the project is the only effective way to maintain or improve the stability of the land.

Article V, Section 5.B.3.a establishes that development activities, including structures, roads, parking areas, and other impervious surfaces, mining, and related activities, or septic systems shall not be permitted within the minimum 100-foot buffer.

B. *Staff and TAC Comments:*

- The applicants are requesting a variance to construct an ADA compliant carport, retaining wall, driveway, and wooden walkway on a slope greater than 15% and in an expanded buffer within the Critical Area, all comprising 1,425 square feet.
- The mitigation requirement for a variance is 3:1 for a total of 4,275 square feet of Maryland native plantings to be installed within the buffer.
- The applicants are requesting that an unpermitted paver walkway and steps, comprising 276 square feet, be included in the variance.
- The mitigation requirement for a variance is 3:1 and for a violation is 4:1, for a total of 1,932 square feet of Maryland native plantings to be installed within the buffer.
- The total mitigation requirement for the variance and the violation is 6,207 square feet of Maryland native plantings within the buffer, for which 6,208 square feet of plantings has been proposed.
- Removal of 267 square feet of vegetation and one diseased tree within the buffer requires 634 square feet of Maryland native plantings within the buffer, for which 650 square feet is proposed.
- A total of 6,858 square feet of Maryland native plantings is to be installed within the buffer
- Removal of 1,000 square feet outside of the buffer from an earlier permit is to be mitigated with the installation of 1,000 square feet of Maryland native plantings outside of the buffer.
- An existing stone drive to a long-existing boat ramp is to be removed. No mitigation is required.

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.

In the Critical Area, for a variance of 15% slope, impervious surface, or buffer requirements, it being the purpose of this provision to authorize the granting of variation only for reasons of demonstrable and exceptional unwarranted hardship as distinguished from variations sought by applicants 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.
- f. That within the Critical Area for variances of 15% slope, impervious surface, or buffer requirements:
 - i. The granting of a variance will be in harmony with the general spirit and intent of the Critical Area Law and the regulations adopted by Kent County
 - ii. That the granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat.
 - iii. That the application for a variance will be made in writing with a copy provided to the Critical Area Commission.
 - iv. That the strict application of the Ordinance would produce an unwarranted hardship.
 - v. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
 - vi. The authorization of such variance will not be a substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.
 - vii. That a literal interpretation of this Ordinance deprives the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area of Kent County.
 - viii. That the granting of a variance will not confer upon an applicant any special privilege that would be denied by this Ordinance to other lands or structures.
 - ix. Due to special features of a site, or special conditions or circumstances peculiar to the applicant's land or structure, a literal enforcement of this Ordinance would result in unwarranted hardship to the applicant.
 - x. The Board of Appeals finds that the applicant has satisfied each one of the variance provisions.
 - xi. Without the variance, the applicant would be deprived of a use of land or a structure permitted to others in accordance with the provisions of the critical area program

- 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:*

- The Kent County Health Department has no objections to the application.
- No known detriment to adjacent or neighboring properties or change in the character of the neighborhood will be caused by the proposed variance.
- The proposed is consistent with the Comprehensive Plan.
- The practical difficulty, not caused by the applicants, is created by the steep slopes around the main house, including the ravine on the east side of the property causing the buffer expansion.
- No known adverse impact to water quality, fish, wildlife, or plant habitat will be caused by the proposed variance.
- The application has been sent to the Critical Area Commission for review.
- The proposed variance would provide for continued, safe, and ADA accessible use of the property, and the strict application of the ordinance would produce an unwarranted hardship.
- The hardship is not known to be shared by other properties within the vicinity or as a common feature in the zoning district.
- The literal interpretation of the ordinance would deprive the applicants of the rights commonly enjoyed by other properties in similar areas within the Critical Area of Kent County.
- The variance would not confer upon the applicants any special privilege that would be denied to other lands or structures.

Staff Recommendation

Staff recommends forwarding a favorable recommendation to the Board of Appeals for approval of a variance to construct an ADA compliant carport, retaining wall, driveway, and wooden walkway on a slope greater than 15% and in an expanded buffer within the Critical Area as well as for a previously constructed paver walkway and steps within the buffer.

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)

William & Linda Joyce

29349 Glencoe Road

Kennedyville, MD 21645

Email: lmjoyce@aol.com 443-207-1434

For Office Use Only:

Case Number/Date Filed: 24-42
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: miles@southforkstudio.com

TO THE KENT COUNTY BOARD OF APPEALS: In accordance with Article IX Section 2.2

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

 Appealing Decision of Kent County Zoning Administrator X Variance
 Special Exception Nonconforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) Glencoe Road

In the 02 Election District of Kent County.

Size of lot or parcel of Land: Glencoe Road

Map: 6 Parcel: 10 Lot #: _____ Deed Ref: 00076/00288

List buildings already on property: Main House and Screened Porch (4,984 sf), Shed (99 sf), and
Detached Workshop (1,132 sf)

If subdivision, indicate lot and block number: Glencoe Estates, no lot and block number given (SDAT)

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

PRESENT ZONING OF PROPERTY: Critical Area Residential

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) See attached narrative.

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

Present owner(s) of property: William & Linda Joyce Telephone: 443-207-1434

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

D. Miles Barnard, Registered Landscape Architect, South Fork Studio Landscape Architecture

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

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: Robert and Linda Kjellberg
29353 Glencoe Road

Owner(s) on the South: Watson and Susan Warriner
29347 Glencoe Road

Owner(s) to the East: Sassafras River

Owner(s) to the West: Linda Weaver **mailing address:**
29365 Glencoe Road 85 Magnolia Dr., Leola, PA 17540

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.

D. Miles Barnard
Signature of Owner/Applicant/Agent or Attorney

8-1-2024
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.

VARIANCE APPLICATION SUPPLEMENTAL NARRATIVE

FOR

WILLIAM AND LINDA JOYCE
29349 GLENCOE ROAD, KENNEDYVILLE, MD
TAX MAP 6, PARCEL 10

Introduction

Dr. William F. Joyce and Mrs. Linda M. Joyce (“**Applicants**”) own a 2.81± acre parcel of land located on the Sassafras River that is addressed as 29349 Glencoe Road, Kennedyville, Maryland and designated as Parcel 10 of Tax Map 6 (“**Property**”).

The Property is entirely located within the Chesapeake Bay Critical Area, and is zoned Critical Area Residential, which is subject to the regulations found in Article V, Section 5 of the Kent County Land Use Ordinance, effective October 3, 2003 and last amended on April 19, 2022. The Property is currently improved by a Principal Dwelling Unit (“**Main House**”), a detached garage, and a boat shed.

The Applicants have owned the Property since 1995, and, through no fault of their own, require handicap-accessible improvements to the Property and access to structures that existing prior to their purchase of the property⁰. They wish to construct an attached addition (“**Carport**”) in a location that allows the Applicants to maneuver and park their vehicles closer to the Main House, providing accommodation for various assistive technology.¹ The Applicants will demonstrate the practical difficulties involved in constructing a handicap-accessible route from their vehicle to their home, from their home to their Boat Shed, and why the proposed location for the carport, and the paver path to the Boat Shed is the most efficient, accessible, and environmentally responsible option.²

This application requests approval of a variance from the prohibition of development on steep slopes contained in Article V, Section 5.7(B)(10) of the Kent County Land Use Ordinance, which states that “development on slopes greater than 15%, as measured before development, shall be prohibited unless the project is the only effective way to maintain or improve the stability of the land.” This application also requests approval of a variance from the prohibition of development activity within the 100’ Buffer or Expanded Buffer as contained in Article V, Section 5.7(B)(3) of the Kent County Land Use Ordinance, which states “Development activities, including structures, roads, parking areas, and other impervious surfaces, mining, and related activities, or septic

¹ According to the [World Health Organization](#), “the primary purpose of assistive products is to maintain or improve an individual’s functioning and independence, thereby promoting their wellbeing” and include wheelchairs and walkers, both of which are utilized by the Applicants.

² Article IX, Section 2.2(1), Kent County Land Use Ordinance

systems shall not be permitted within the minimum 100-foot buffer. This restriction does not apply to water-dependent facilities that meet the criteria set forth below.

ii. New or expanded development activities may be permitted in the minimum 100- foot buffer, provided:

- a) The use is water dependent.
- b) The project meets a recognized private right or public need.
- c) Adverse effects on water quality and fish, plant, or wildlife habitats are minimized.
- d) In so far as possible, non-water dependent structures or operations associated with water dependent projects or activities are located outside the minimum 100-foot buffer. “

Regarding the Carport, the Applicants will show that due to causes and constraints beyond their control, the location of the proposed structure must be located within the Expanded Buffer and on slopes greater than 15%. Considerable effort has been taken to ensure that the Applicant’s handicap-accessibility needs are met.

Similarly, the 276 square foot path to the Boat Shed is not an elective structure, but rather required to get from the house to the Boat Shed which is a structure that existed in its present location long before the applicants purchased this property. The Boat Shed sits within the 100’ Buffer on slopes greater than 15%. The finish floor elevation of the Boat Shed is 4.5’ lower than the main house and requires the path plus steps to navigate the route. The only way to get to the Boat Shed is to traverse through steep slopes and the 100’ Buffer. It is important to note that the paver path from house to Boat Shed already exists, and this is a retroactive request for a variance to bring the path and steps into compliance. See photos attached to this narrative

The Applicants requested the assistance of D. Miles Barnard of South Fork Studio Landscape Architecture, a Registered Landscape Architect in the state of Maryland (“**Landscape Architect**”) and John Hutchison of John Hutchison Architecture, a Registered Architect in the state of Maryland (“**Architect**”), to prepare the permit application and attached drawing sets, including an analysis of the landscape around the Main House, shown on sheet L0.2. The site analysis shows that the slopes surrounding the Main House are all greater than 15%, with one exception. Directly southwest of the Existing Screened Porch, there is a small area with slopes less than 15% which is also outside the expanded buffer; however, development in this area would require the relocation of the main front door walkway and removal of a large, *healthy* Black Walnut tree, which is contrary to the Critical Area Residential District Environmental Standard to minimize the removal of vegetation.³ This location for the Carport would also be architecturally detrimental to the existing house and screened porch facades. The site analysis outlines a total of three options for handicap-accessible routes from a new Carport that would all limit the amount of disturbance to the natural topography, as far as is possible at the Main House, limit the removal of trees and other vegetation, and provide the Applicants with a handicap-accessible route from their vehicle to the Main House.

³ Article V, Section 5.7(A)(2)

For the Applicants, handicap accessibility to and from their parked vehicle includes the following: a route with a stable and even ground surface over a gentle incline, without steps or tripping hazards, and an overall length that does not place undue stress on the Applicants. The existing primary driveway parking area requires the Applicants to park on a sloping gravel parking area, walk across the gravel parking area, including slopes in excess of 15%, and negotiate a set of steps to a deck where they can walk into the house. A shorter but still temporary access route requires the Applicants to park on a narrow and sloping gravel parking area, and negotiate a set of steps to a deck where they can walk into the house. Gravel is an unstable ground material and unsuitable for the use of assistive devices like wheelchairs and walkers; sloped gravel is extremely hazardous and poses an unwarranted hardship for the Applicants. Similarly, steps present a risk of falling and are a barrier to the future use of wheelchairs. The Carport, rather than the existing parking area, provides the Applicants with a smooth, level and sheltered place to enter and exit their vehicles, eliminating any contact with the gravel driveway. The overall length of the route must be minimized to limit both the physical toll of exertion on the Applicants and the amount of walkway to be cleared and maintained. Therefore, a handicap-accessible route for this Property includes a partial roof to minimize the amount of debris and other hazards present on the walkway.

The proposed Carport route Option 3 is only 56 feet long, compared with options ranging from 65 to 126 feet in length. Of the 56 feet, 36 feet is covered by a roof and sheltered from the elements, ensuring that the Applicants will be less likely to encounter leaves, sticks, slippery surfaces, and other debris that could impede their use of assistive devices. Grouping the Carport with the Existing Screened Porch and the Main House aligns with the Critical Area Residential District General Design Standards: “proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationships to the proposed buildings.”⁴ As a result of the analysis described above, the only practical location for the proposed Carport is next to the Existing Screened Porch.

The Applicants also require a safe route from their house to the Boat Shed where they keep all their water dependent equipment such as life jackets, paddles, sails, fishing gear, etc. The concrete pavers provide for a stable and level surface. While the goal is to minimize stairs wherever possible on this property, the distance between house and Boat Shed and the 4.5’ elevation change require steps to be a part of this path. Otherwise, the slope of the path would exceed accessibility standards.

As described, this application requests a variance to construct a structure (Carport) and a path (Path to Boat Shed) on existing slopes greater than 15% and within the Expanded Buffer. This is within the purview of the Kent County Board of Appeals to grant. The variance sought would grant the Applicants the right to continue to make use of the Property in a manner consistent with their continued health and wellbeing without any detriment to surrounding properties or to the intent of the Kent County Comprehensive Plan and Land Use Ordinance. The approval of this variance is consistent with the stated goal of the Critical Area Residential District General Design Standards: to “promote public health, safety, and welfare.”⁵

⁴ Article V, Section 5.8(A)(3)

⁵ Article V, Section 5.8

Variance Criteria
According to Article IX, Section 2.2(3)

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.

The variance simply permits Applicant to construct a Structure on slopes greater than 15% within the 100' and Expanded Buffer. Adjacent or neighboring properties will not be affected in any way by the Board's granting of the variance. The location of the Structures do not impede views or cause a detrimental change in water flow for adjacent or neighboring properties.

- b. That the variance will not change the character of the neighborhood or district.

The intensity of the use and character of activity proposed to be conducted following approval of this variance will be identical to the existing residential use and any other residential activities incidental to Applicant's continued ownership of the Property.

- c. That the variance is consistent with the Comprehensive Plan and the general intent of this ordinance.

One goal of the Kent County Comprehensive Plan is to provide a wide range of housing opportunities to meet the needs of Kent County residents.⁶ A strategy given to accomplish this goal is to support the development of a range of housing options for the elderly.⁷ The approval of this variance will not only provide the current resident (the Applicants) with continued access to their home and enjoyment of the Property, but also provide future residents with a wider variety of accessibility options for all life stages, thereby promoting long-term residence, aging in place, and multi-generational housing.

- d. That the practical difficulty or other injustice was caused by the following:
- i. Some unusual characteristic of size or shape of the property.

Not applicable.

- ii. Extraordinary topographical or other condition of the property.

The many constraints outlined herein, including the existing steep slopes near the Main House and the necessity of connecting the proposed Structure

⁶ Kent County Comprehensive Plan, April 2018, p. 90

⁷ Kent County Comprehensive Plan, April 2018, p. 92

to the Main House and free from unstable ground materials or steps, creates a unique situation where the only suitable location for The Carport is on existing slopes greater than 15% inside the Expanded Buffer. Similarly, The Boat Shed was an existing structure within the Buffer when the applicants purchased the property and the only way to gain access is through The Buffer across steep slopes. These constraints have caused the practical difficulty for which this application is made.

- iii. The use or development of property immediately adjacent to the property, except that this criterion shall not apply in the Critical Area.

Not applicable.

- e. That the practical difficulty or other injustice was not caused by the applicants own actions.

The natural topography surrounding the Main House contains slopes that are greater than 15%. The Critical Area 100-foot Buffer regulations prohibit the construction of structures within the 100-foot Buffer or Expanded Buffer.⁸ The existing Boat Shed location was not chosen by the applicants, but rather ‘inherited’ by the Applicants when they purchased the property. Accordingly, the variance requested is not based on conditions or circumstances that are the result of actions by the Applicant.

- f. That within the Critical Area for variances of 15% slope, impervious surface, or buffer requirements:

- i. The granting of a variance will be in harmony with the general spirit and intent of the Critical Area Law and the regulations adopted by Kent County.

The variance request has no environmental impact to adjacent properties and reduces environmental impact to the subject Property. It does not propose to increase lot coverage beyond the allowable 15% of the subject property area. The proposed construction that would be allowed with a variance also maintains the general character of the neighborhood.

- ii. That the granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat.

The variance request minimizes the environmental impact to the subject Property and has no environmental impact to surrounding properties. The variance would allow site work which would reduce the potential for future erosion by eliminating steep slopes which improves the quality of runoff.

⁸ Article V, Section 5.7(B)(3)(a)(i), Kent County Land Use Ordinance

- iii. That the application for a variance will be made in writing with a copy provided to the Critical Area Commission

See included drawings and applications. Critical Area Commission correspondence to be initiated by Kent County Planning and Zoning.

- iv. That the strict application of the Ordinance would produce an unwarranted hardship.

See descriptive narrative above

- v. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

Topography is a very localized physical feature of the landscape and varies from property to property

- vi. The authorization of such variance will not be a substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.

Attached garages/covered parking areas and pedestrian paths are a common feature of all residential properties. The granting of this variance to allow for a Carport and path will be consistent with that trend and will not impact views, drainage, or property values of adjacent properties.

- vii. That a literal interpretation of this Ordinance deprives the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area of Kent County.

A literal interpretation of the Land Use Ordinance would deprive the Applicants of a safe and accessible route from their vehicle into the house and from their house to their Boat Shed which is a right that all residents of Kent County should be afforded.

- viii. That the granting of a variance will not confer upon an applicant any special privilege that would be denied by this Ordinance to other lands or structures.

The granting of this variance would allow the Applicants to build on slopes that exceed 15% (thus eliminating those steep slopes) and in the 100' and Expanded Buffer in order to have a safe and accessible route into their home. The variance would not allow them to create conditions that would encourage the erosion of undisturbed existing steep slopes elsewhere on the property.

- ix. Due to special features of a site, or special conditions or circumstances peculiar to the applicant's land or structure, a literal enforcement of this Ordinance would result in an unwarranted hardship to the applicant.

Steep slopes are a natural topographic feature of this existing landscape and have not been created by the Applicants. By preventing the construction of a new Carport on these steep slopes the Applicants will be denied safe and accessible access into their home.

- x. The Board of Appeals finds that the applicant has satisfied each one of the variance provisions.
- xi. Without the variance, the applicant would be deprived of a use of land or a structure permitted to others in accordance with the provisions of the critical area program.

Without the variance, the Applicants would be deprived safe and accessible access to their home which located in the Critical Area

This permit request therefore outlines the recommendations of John Hutchison Architecture, AIA and Miles Barnard, South Fork Studio Landscape Architecture for addressing these issues. The sequence of construction looks like this:

1. Construct a 24'x20' carport with masonry half walls and shingled roof. Walls to remain open. Carport will attach to existing screened porch via a small roof connection and also a handicap accessible boardwalk and ramp. This boardwalk will allow wheelchair access from the carport to the house.
2. Extend the existing driveway closer to the house and create an area for maneuvering in and out of the carport
3. Construct a 22' long retaining wall to transition between the new entrance grade of carport and the existing ground elevations
4. Retroactively approve the construction of a concrete paver path from the main house to a water dependent 'Boat Shed'
5. Plant mitigation trees and shrubs as required by the variance approval.

Thank you for your consideration.



D. Miles Barnard, ASLA RLA
South Fork Studio Landscape Architecture
10810 Cliff Rd.
Chestertown, MD 21620
410-778-1098
miles@southforkstudio.com



Joyce Residence
29349 Glencoe Road, Kennedyville, MD



Ex. Screened Porch
Ex. Path to Boat Shed

Ex. Path to Boat Shed
Ex. Boat Shed

2024



Joyce Residence
29349 Glencoe Road, Kennedyville, MD

EXISTING PHOTOS 3 OF 3

HANDICAP ACCESSIBLE CARPORT

For Bill and Linda Joyce

PERMIT SET
VARIANCE APPLICATION

29349 Glencoe Rd
Kennedyville, MD 21645
Map 6 Grid 2D Parcel 10
Election District 02
2.818 Acres

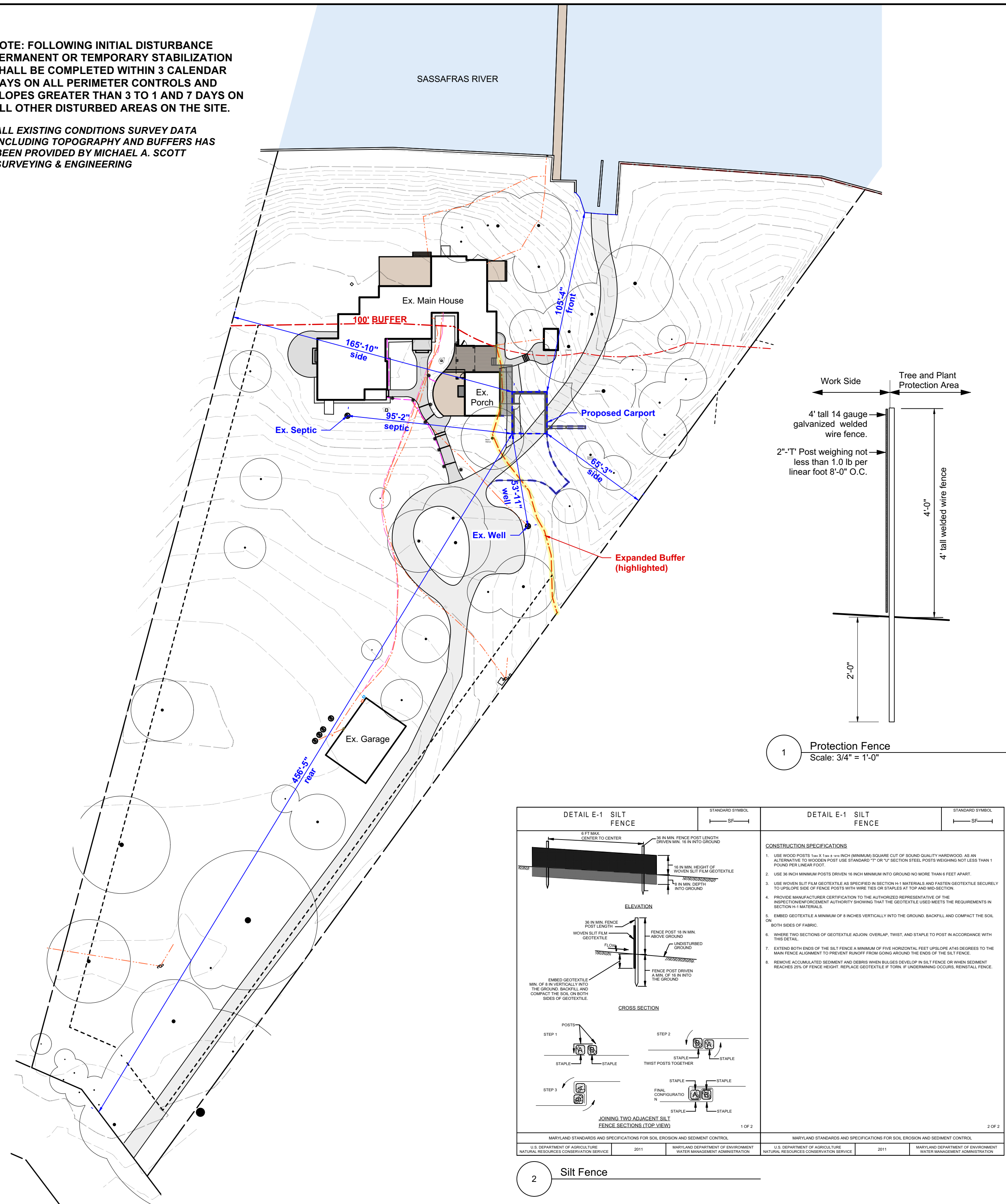
- L0.0 TITLE SHEET / EXISTING CONDITIONS / DEMO/ SEC
- L0.2 SITE ANALYSIS
- L1.0 PAVING REMOVAL AND RETENTION
- L1.1 PROPOSED CARPORT PLAN
- L1.2 TREE REMOVAL & BUFFER MANAGEMENT PLAN

LEGEND

- Ex. Tree to remain
- Ex. Tree to be removed
- Proposed Tree
- LOD + Silt Fence (SF) $\frac{2}{LO.1}$
- Protection Fence (PF) $\frac{1}{LO.1}$
- Limit of Disturbance (LOD)
- Area To Be Removed
- Existing 1' Contour
- Existing 6" Contour
- Existing Spot Elevation
- Proposed 1' Contour
- Proposed 6" Contour
- Proposed Spot Elevation
- Sleeve
- PVC Drainline
- Property Line
- Flood Zones
- Telephone
- Water
- Electric
- Propane
- Sewer

NOTE: FOLLOWING INITIAL DISTURBANCE PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED WITHIN 3 CALENDAR DAYS ON ALL PERIMETER CONTROLS AND SLOPES GREATER THAN 3 TO 1 AND 7 DAYS ON ALL OTHER DISTURBED AREAS ON THE SITE.

ALL EXISTING CONDITIONS SURVEY DATA INCLUDING TOPOGRAPHY AND BUFFERS HAS BEEN PROVIDED BY MICHAEL A. SCOTT SURVEYING & ENGINEERING



NOT FOR CONSTRUCTION

REVISIONS

07-03-24	PERMIT
08-01-24	Variance Application
08-29-24	Planning Commission

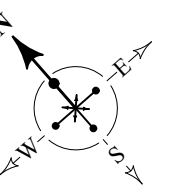
ISSUED FOR:

- Client Review
- Bid
- Permit
- Construction
- Revision
- Coordination

These drawings and specifications and the ideas represented thereby are and shall remain the property of the Landscape Architect. No part thereof shall be copied or used in connection with any work or project or by any other person for any purpose other than for the specific project for which they have been prepared and developed without the written consent of the Landscape Architect.

Joyce Residence

29349 Glencoe Rd
Kennedyville, MD



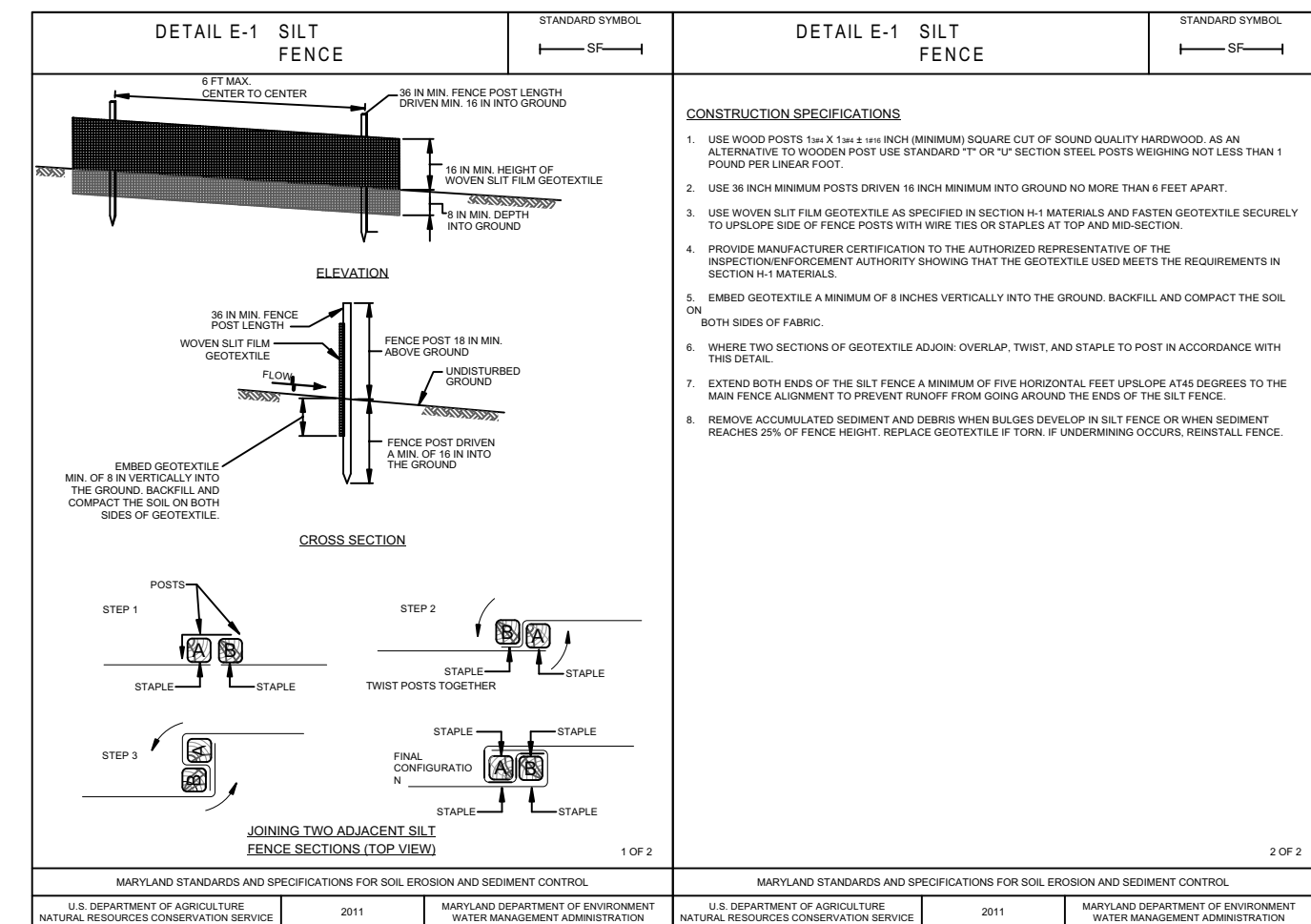
Contractors to Verify Dimensions on Site
Do Not Scale the Drawing

Existing Conditions

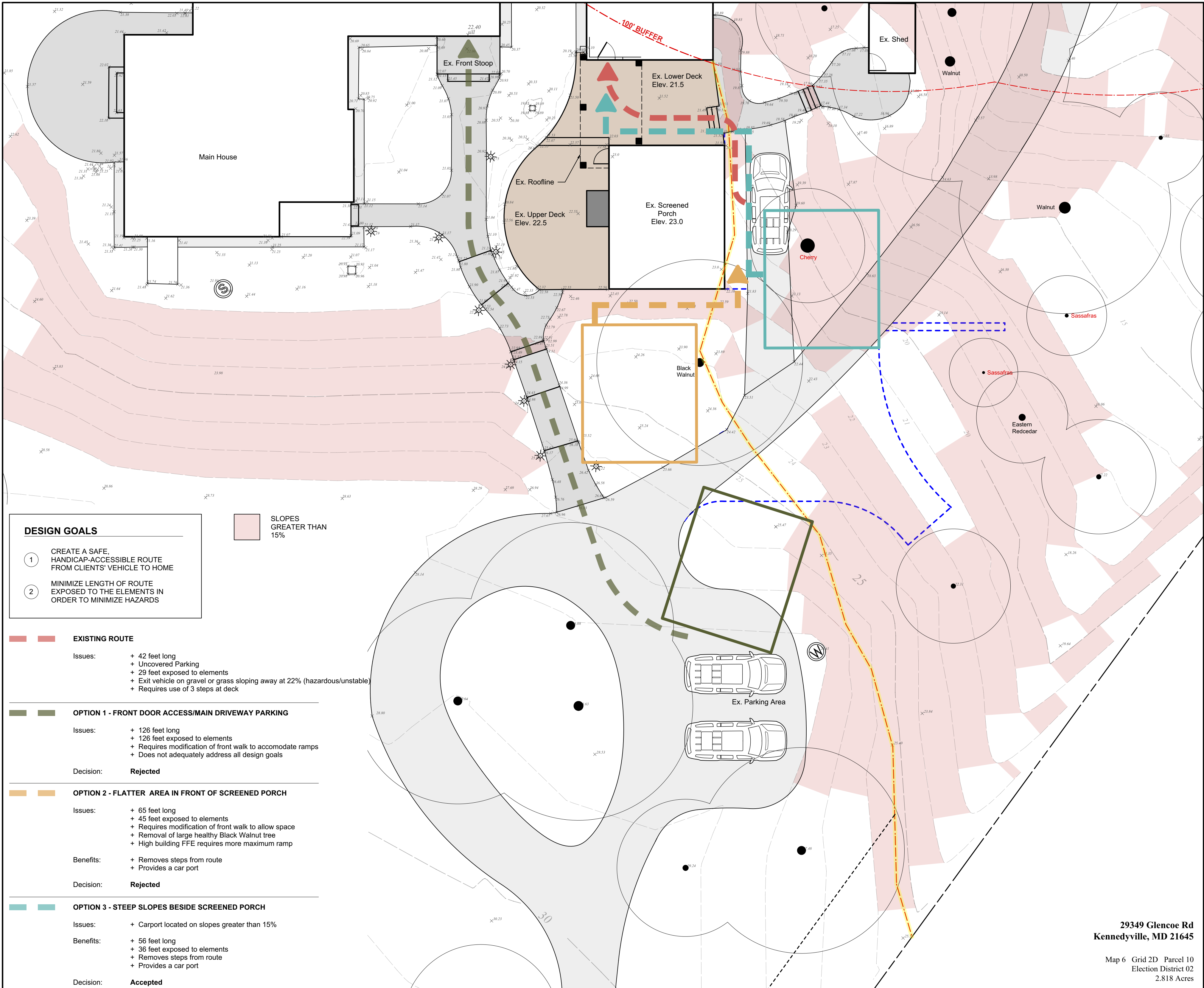
Scale : 1" = 40'-0"
Drawn by : DMB

L0.1

1st Issue Date 07-03-24



2 Silt Fence



DESIGN GOALS

- 1 CREATE A SAFE, HANDICAP-ACCESSIBLE ROUTE FROM CLIENTS' VEHICLE TO HOME
- 2 MINIMIZE LENGTH OF ROUTE EXPOSED TO THE ELEMENTS IN ORDER TO MINIMIZE HAZARDS

SLOPES GREATER THAN 15%

- EXISTING ROUTE**
- Issues:
- + 42 feet long
 - + Uncovered Parking
 - + 29 feet exposed to elements
 - + Exit vehicle on gravel or grass sloping away at 22% (hazardous/unstable)
 - + Requires use of 3 steps at deck
-
- OPTION 1 - FRONT DOOR ACCESS/MAIN DRIVEWAY PARKING**
- Issues:
- + 126 feet long
 - + 126 feet exposed to elements
 - + Requires modification of front walk to accommodate ramps
 - + Does not adequately address all design goals
- Decision: **Rejected**
-
- OPTION 2 - FLATTER AREA IN FRONT OF SCREENED PORCH**
- Issues:
- + 65 feet long
 - + 45 feet exposed to elements
 - + Requires modification of front walk to allow space
 - + Removal of large healthy Black Walnut tree
 - + High building FFE requires more maximum ramp
- Benefits:
- + Removes steps from route
 - + Provides a car port
- Decision: **Rejected**
-
- OPTION 3 - STEEP SLOPES BESIDE SCREENED PORCH**
- Issues:
- + Carport located on slopes greater than 15%
- Benefits:
- + 56 feet long
 - + 36 feet exposed to elements
 - + Removes steps from route
 - + Provides a car port
- Decision: **Accepted**

NOT FOR CONSTRUCTION

REVISIONS

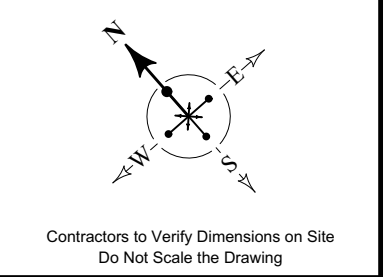
08-01-24	Variance Application
08-29-24	Planning Commission

- ISSUED FOR:**
- Client Review
 - Revision
 - Bid
 - Coordination
 - Permit
 - Construction

These drawings and specifications and the ideas represented thereby are and shall remain the property of the Landscape Architect. No part thereof shall be copied or used in connection with any work or project or by any other person for any purpose other than for the specific project for which they have been prepared and developed without the written consent of the Landscape Architect.

Joyce Residence

29349 Glencoe Rd
 Kennedyville, MD



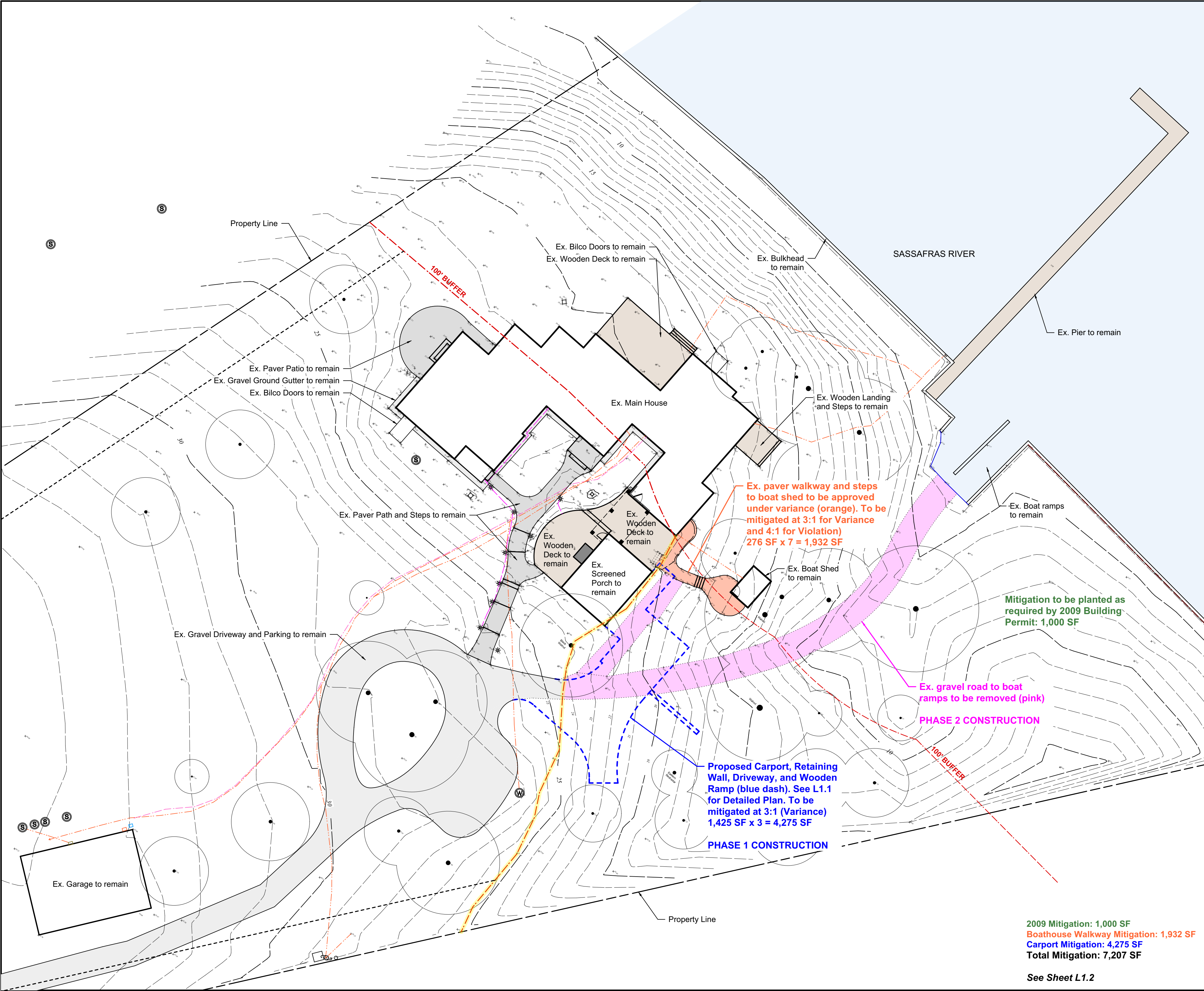
Site Analysis

Scale : 1" = 10'-0"
 Drawn by : DMB

L0.2
 1st Issue Date 07-26-24

**29349 Glencoe Rd
 Kennedyville, MD 21645**
 Map 6 Grid 2D Parcel 10
 Election District 02
 2.818 Acres

NOT FOR CONSTRUCTION



REVISIONS

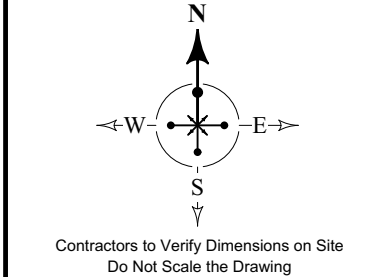
08-29-24	Planning Commission

- ISSUED FOR:
- Client Review
 - Bid
 - Permit
 - Construction
 - Revision
 - Coordination

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Joyce Residence

29349 Glencoe Rd
 Kennedyville, MD



Paving Removal and Retention

Scale : 1" = 20'-0"
 Drawn by : DMB

L1.0

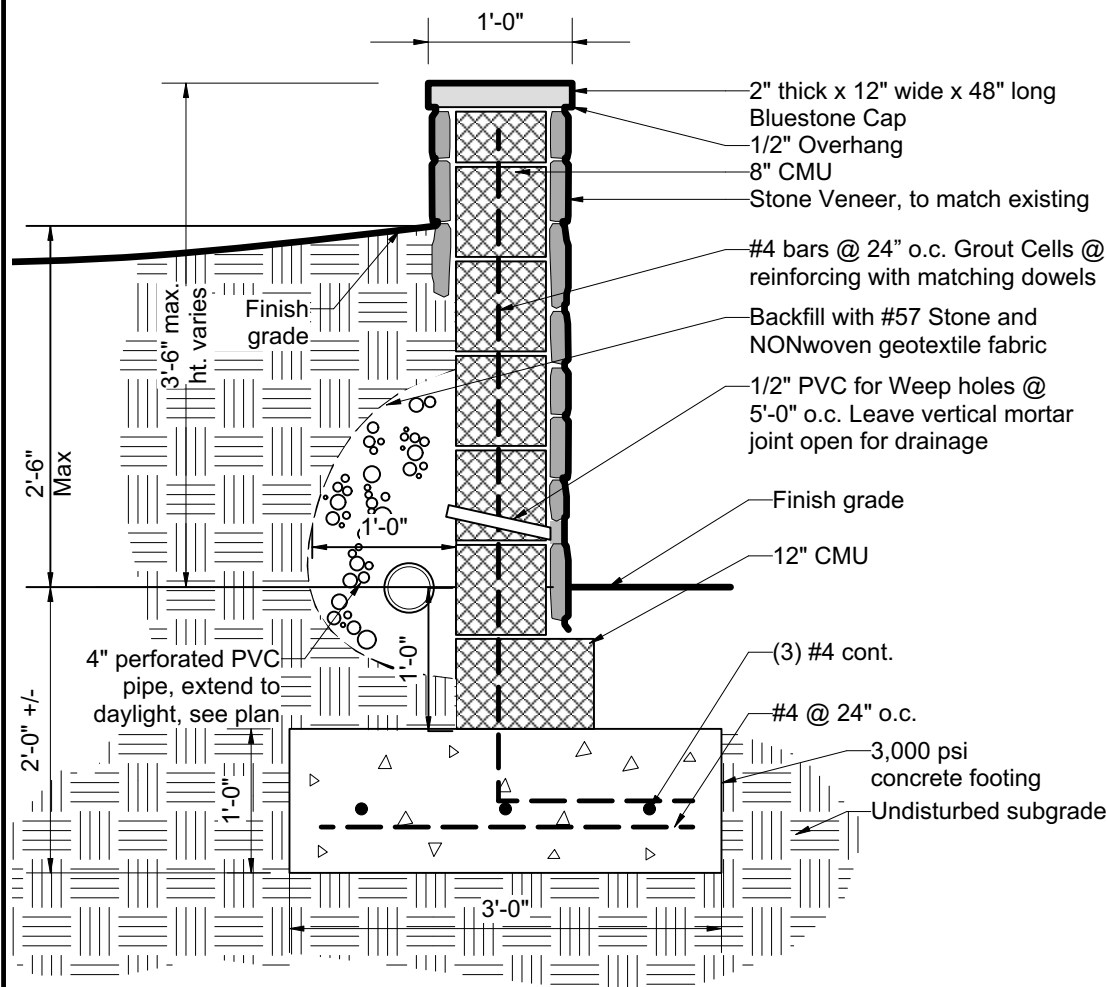
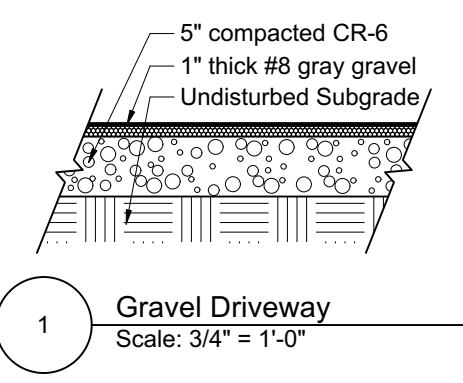
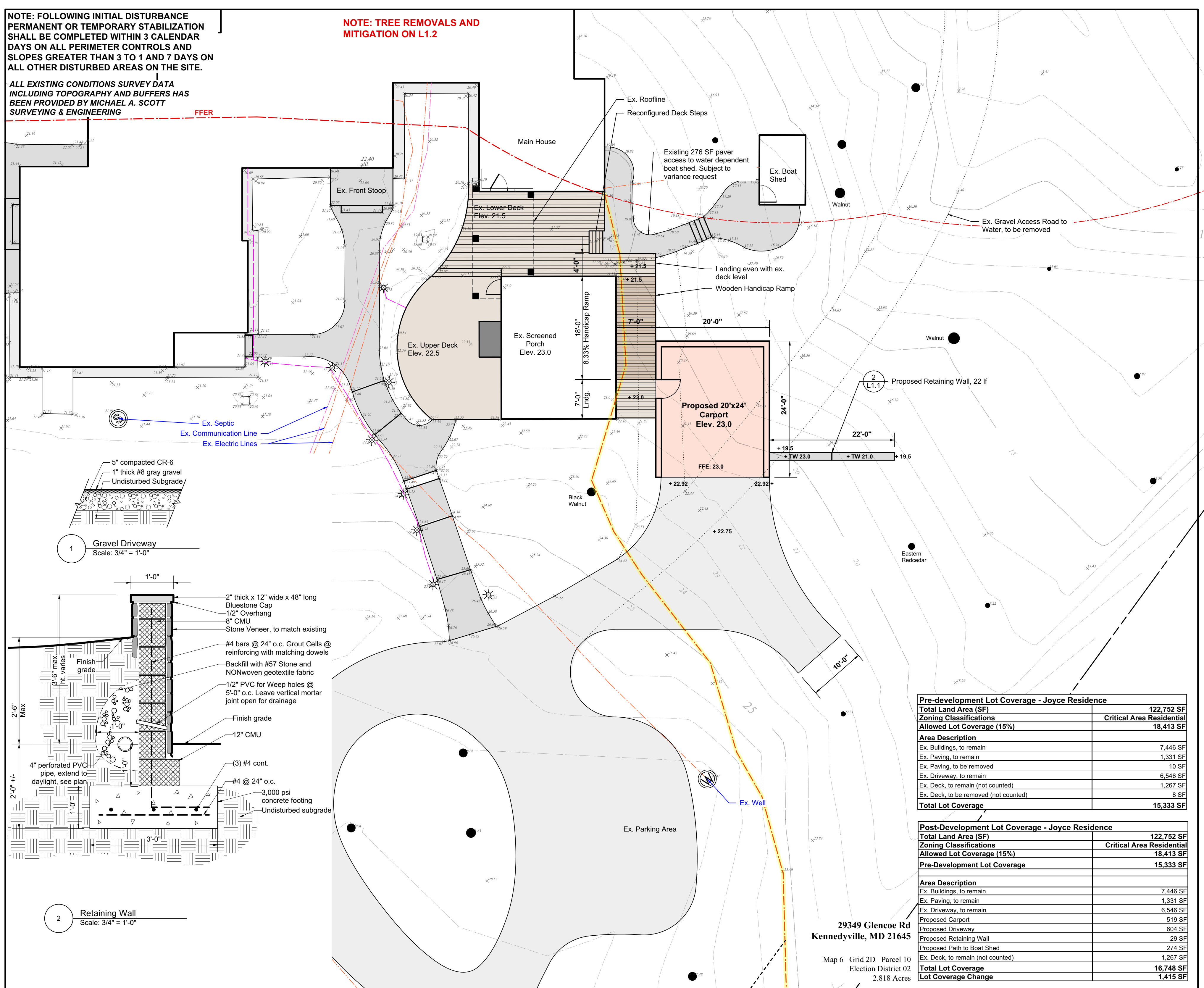
1st Issue Date 08-29-24

2009 Mitigation: 1,000 SF
 Boathouse Walkway Mitigation: 1,932 SF
 Carport Mitigation: 4,275 SF
 Total Mitigation: 7,207 SF
 See Sheet L1.2

NOTE: FOLLOWING INITIAL DISTURBANCE PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED WITHIN 3 CALENDAR DAYS ON ALL PERIMETER CONTROLS AND SLOPES GREATER THAN 3 TO 1 AND 7 DAYS ON ALL OTHER DISTURBED AREAS ON THE SITE.

ALL EXISTING CONDITIONS SURVEY DATA INCLUDING TOPOGRAPHY AND BUFFERS HAS BEEN PROVIDED BY MICHAEL A. SCOTT SURVEYING & ENGINEERING

NOTE: TREE REMOVALS AND MITIGATION ON L1.2



2 Retaining Wall
Scale: 3/4" = 1'-0"

Pre-development Lot Coverage - Joyce Residence	
Total Land Area (SF)	122,752 SF
Zoning Classifications	Critical Area Residential
Allowed Lot Coverage (15%)	18,413 SF
Area Description	
Ex. Buildings, to remain	7,446 SF
Ex. Paving, to remain	1,331 SF
Ex. Paving, to be removed	10 SF
Ex. Driveway, to remain	6,546 SF
Ex. Deck, to remain (not counted)	1,267 SF
Ex. Deck, to be removed (not counted)	8 SF
Total Lot Coverage	15,333 SF

Post-Development Lot Coverage - Joyce Residence	
Total Land Area (SF)	122,752 SF
Zoning Classifications	Critical Area Residential
Allowed Lot Coverage (15%)	18,413 SF
Pre-Development Lot Coverage	15,333 SF
Area Description	
Ex. Buildings, to remain	7,446 SF
Ex. Paving, to remain	1,331 SF
Ex. Driveway, to remain	6,546 SF
Proposed Carport	519 SF
Proposed Driveway	604 SF
Proposed Retaining Wall	29 SF
Proposed Path to Boat Shed	274 SF
Ex. Deck, to remain (not counted)	1,267 SF
Total Lot Coverage	16,748 SF
Lot Coverage Change	1,415 SF

29349 Glencoe Rd
Kennedyville, MD 21645
Map 6 Grid 2D Parcel 10
Election District 02
2.818 Acres

NOT FOR CONSTRUCTION

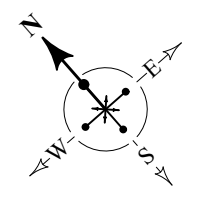
REVISIONS	
07-03-24	PERMIT
08-01-24	Variance Application
08-19-24	Buffer/Road Revisions
08-29-24	Planning Commission

ISSUED FOR:	
<input type="checkbox"/> Client Review	<input checked="" type="checkbox"/> Revision
<input type="checkbox"/> Bid	<input type="checkbox"/> Coordination
<input checked="" type="checkbox"/> Permit	
<input type="checkbox"/> Construction	

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Joyce Residence

29349 Glencoe Rd
Kennedyville, MD



Contractors to Verify Dimensions on Site
Do Not Scale the Drawing

Proposed Carport

Scale: 1" = 10'-0"
Drawn by: DMB

L1.1

1st Issue Date 07-03-24

NOT FOR CONSTRUCTION

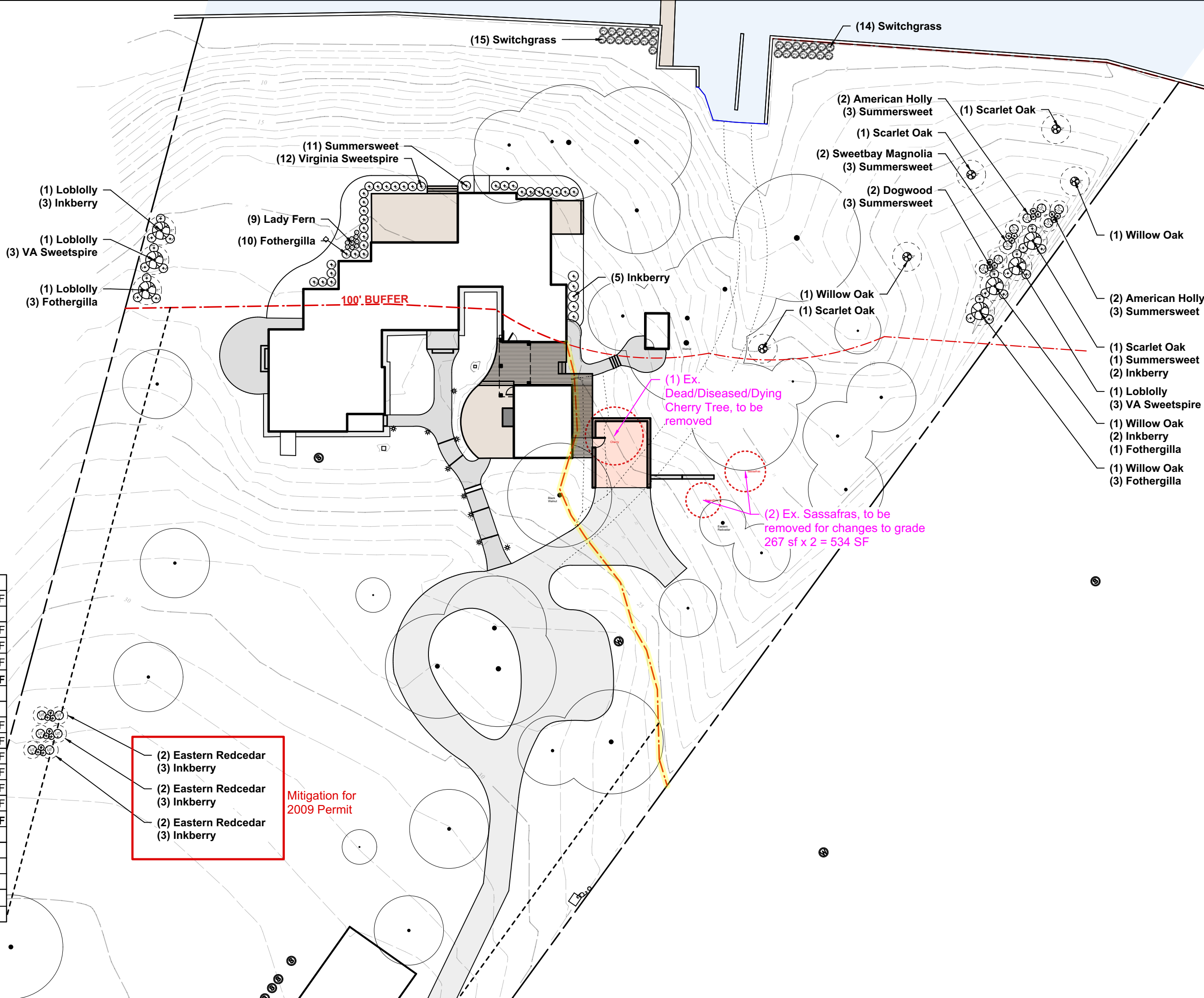
Pre-development Lot Coverage - Joyce Residence	
Total Land Area (SF)	122,752 SF
Zoning Classifications	Critical Area Residential
Allowed Lot Coverage (15%)	18,413 SF
Area Description	
Ex. Buildings, to remain	7,446 SF
Ex. Paving, to remain	1,331 SF
Ex. Paving, to be removed	10 SF
Ex. Driveway, to remain	6,546 SF
Ex. Deck, to remain (not counted)	1,267 SF
Ex. Deck, to be removed (not counted)	8 SF
Total Lot Coverage	15,333 SF
Post-Development Lot Coverage - Joyce Residence	
Total Land Area (SF)	122,752 SF
Zoning Classifications	Critical Area Residential
Allowed Lot Coverage (15%)	18,413 SF
Pre-Development Lot Coverage	15,333 SF
Area Description	
Ex. Buildings, to remain	7,446 SF
Ex. Paving, to remain	1,331 SF
Ex. Driveway, to remain	6,546 SF
Proposed Carport	519 SF
Proposed Driveway	604 SF
Proposed Retaining Wall	29 SF
Proposed Path to Boat Shed	274 SF
Ex. Deck, to remain (not counted)	1,267 SF
Total Lot Coverage	16,748 SF
Lot Coverage Change	1,415 SF

Critical Area Forest Clearing Calculations			
Total Land Area (SF)			122,752 SF
Removal Calculations			
Live Canopy removed under 2009 Permit (mitigation per SF)		Outside Buffer	1,000 SF
Live Tree Canopy, to be removed (mitigation per SF) 2:1		Inside Buffer	534 SF
Diseased / Dying / Hazardous Trees, to be removed (mitigation 100 sf / tree)		Inside Buffer	100 SF
Total Mitigation		TOTAL	1,634 SF
Proposed Mitigation Plantings			
Planting Cluster 1 (1-1" cal. tree + 3 shrubs)	0 @ 300 SF per cluster		0 SF
Planting Cluster 2 (2-1" Understry tree + 3 shrubs) - Out of Buffer	3 @ 350 SF per cluster		1,050 SF
Planting Cluster 2 (2-1" Understry tree + 3 shrubs) - In Buffer	1 @ 350 SF per cluster		350 SF
2" Canopy Trees	1 @ 200 SF per new tree		200 SF
1 gal. Shrubs (max. 30%)	1 @ 50 SF per shrub		50 SF
1 qt. Peren. (max. 10%)	0 @ 2 SF per plant		0 SF
Total Forest Clearing Mitigation Plantings (SF)			1,650 SF
Total 2" Trees	1		
Total 1" Canopy Trees	0		
Total 1" Understory Trees	8		
Total 1 gal. shrubs	13		
Total 1 qt. Perennials	0		

Critical Area Forest Clearing Mitigation Planting				
Key	Qty	Botanical / Common Names	Size	Root
Understory Trees				
MV	2	Magnolia virginiana / Sweetbay Magnolia	1" cal.	B&B
QP	1	Quercus phellos / Willow Oak	2" cal.	B&B
JV	6	Juniperus virginiana / Eastern Redcedar	4' Ht.	B&B
	9	<i>Total Understory Trees</i>		
Shrubs				
IG	10	Ilex glabra / Inkberry Holly	24" Ht.	Cont
CA	3	Clethra alnifolia / Summersweet	24" Ht.	cont
	13	<i>Total Shrubs</i>		

Critical Area Variance and Violation Mitigation			
Pre-Development Lot Coverage			15,333 SF
Post-Development Lot Coverage			16,748 SF
2009 Vegetation Removal to be Mitigated (1:1)		see Forest Clearing above	-- SF
Variance (Buffer Disturbance) to be Mitigated (3:1)			4,275 SF
Variance & Violation Lot Coverage to be Mitigated (7:1)			1,932 SF
Total Mitigation			6,207 SF
Proposed Mitigation Plantings Inside Buffer			
Planting Cluster 1 (1-1" cal. tree + 3 shrubs)	7 @ 300 SF per cluster		2100 SF
Planting Cluster 2 (2-1" Understry tree + 3 shrubs)	4 @ 350 SF per cluster		1400 SF
2" Trees	4 @ 200 SF per new tree (2" Cal.)		800 SF
1 gal. Shrubs (max. 30%)	37 @ 50 SF per shrub		1,850 SF
1 qt. Peren. (max. 10%)	29 @ 2 SF per plant		58 SF
Total Buffer Mitigation Plantings (SF)			6,208 SF
Total 2" Trees	4		
Total 1" Canopy Trees	7		
Total 1" Understory Trees	8		
Total 1 gal. shrubs	70		
Total 1 qt. Perennials	29		

Critical Area Variance and Violation Mitigation Planting				
Key	Qty	Botanical / Common Names	Size	Root
Canopy Trees				
PT	4	Pinus taeda / Loblolly Pine	1" cal.	B&B
QC	4	Quercus coccinea / Scarlet Oak	2" cal.	B&B
QP	1	Quercus phellos / Willow Oak	2" cal.	B&B
QP	2	Quercus phellos / Willow Oak	1" cal.	B&B
	11	<i>Total Canopy Trees</i>		
Understory Trees				
CF	2	Cornus florida / Dogwood	1" cal	B&B
IO	4	Ilex opaca / American Holly	4" tall	B&B
MV	2	Magnolia virginiana / Sweetbay Magnolia	1" cal	B&B
	8	<i>Total Understory Trees</i>		
Shrubs				
CA	22	Clethra alnifolia / Summersweet	36" Ht.	cont
FG	17	Fothergilla gardenii / Dwarf Fothergilla	36" Ht.	cont
IG	11	Ilex glabra / Inkberry	36" Ht.	cont
IV	20	Itea virginica / Virginia Sweetspire	36" Ht.	cont
	70	<i>Total Shrubs</i>		
Shrubs				
PV	29	Panicum virgatum / Switchgrass	1 Gal.	cont
	29	<i>Total Perennials</i>		



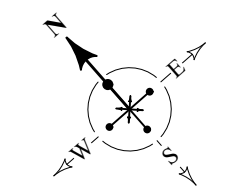
REVISIONS	
07-03-24	PERMIT
08-01-24	Variance Application
08-29-24	Planning Commission

ISSUED FOR:	
<input type="checkbox"/> Client Review	<input type="checkbox"/> Revision
<input type="checkbox"/> Bid	<input type="checkbox"/> Coordination
<input checked="" type="checkbox"/> Permit	
<input type="checkbox"/> Construction	

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Joyce Residence

29349 Glencoe Rd
 Kennedyville, MD



Contractors to Verify Dimensions on Site
 Do Not Scale the Drawing

Tree Removal and BMP

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 Kennedyville, MD 21645

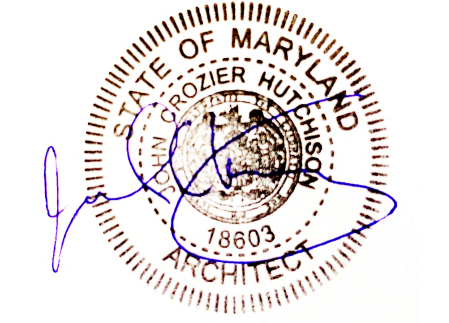
Map 6 Grid 2D Parcel 10
 Election District 02
 2.818 Acres

Scale : 1" = 30'-0"
 Drawn by : DMB

L1.2

1st Issue Date 07-03-24

Note: Drawings are not authorized for Permit or Construction unless affixed with a Professional Seal and Signature of the Architect below. Drawings authorized for Construction must also be stamped "Issued for Construction" above the Sheet Title below. Drawings stamped "Preliminary" or "For Permit Only" are not authorized for Construction.



Professional Certification: I certify that these documents were prepared or approved by me, and that I am a duly Licensed Architect under the Laws of the State of Maryland, License Number 18603, Expiration Date 6/14/2026.

Drawings and Specifications as instruments of service are and shall remain the property of the Architect. They are not to be used on extensions of the project, or other projects, except by agreement in writing and appropriate compensation to the Architect.

The General Contractor is responsible for confirming and correlating dimensions at the job site. The Architect will not be responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the project.

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Project Number: JHA 23-018
Joyce Sassafra River New (Wheelchair Accessible) Carport Entry Addition
 29349 Glencoe Road
 Kennedyville, MD 21645
 Kent County
 for
 Bill & Linda Joyce

REVISIONS

ID	Change Name	Date
02	Permit Document Submission	7/9/24
03	Variance Submission	8/1/24

Note: 3D Images are shown for reference only and shall not be used for Actual Construction.
 Note: Full Size drawings are typically printed on 22x34 or 24x36 paper. If printed on 11x17 or 13x19 paper, it is likely the drawings are printed using a 50% reduction. Please verify scale of all drawings.

PRELIMINARY FOR PERMITTING ONLY NOT FOR CONSTRUCTION

Variance Submission
 8/1/24
 Printed: 8/2/24

3D Views Car Port - Proposed

A

9.02



1
9.02 Camera 1 - Demo



2
9.02 Camera 2 - Demo

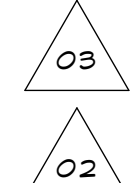


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9.02 Camera 1 - Proposed

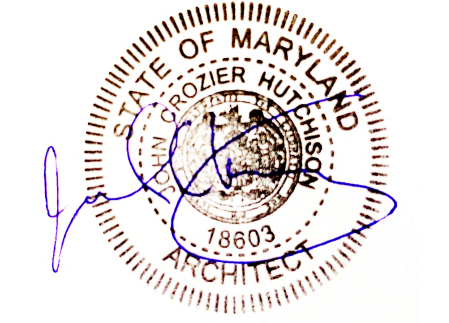


2
9.02 Camera 2 - Proposed

*Refer Landscape Architect drawings for new grading



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Project Number: JHA 23-018
Joyce Sassafra River New (Wheelchair Accessible) Carport Entry Addition
 29349 Glencoe Road
 Kennedyville, MD 21645
 Kent County
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REVISIONS

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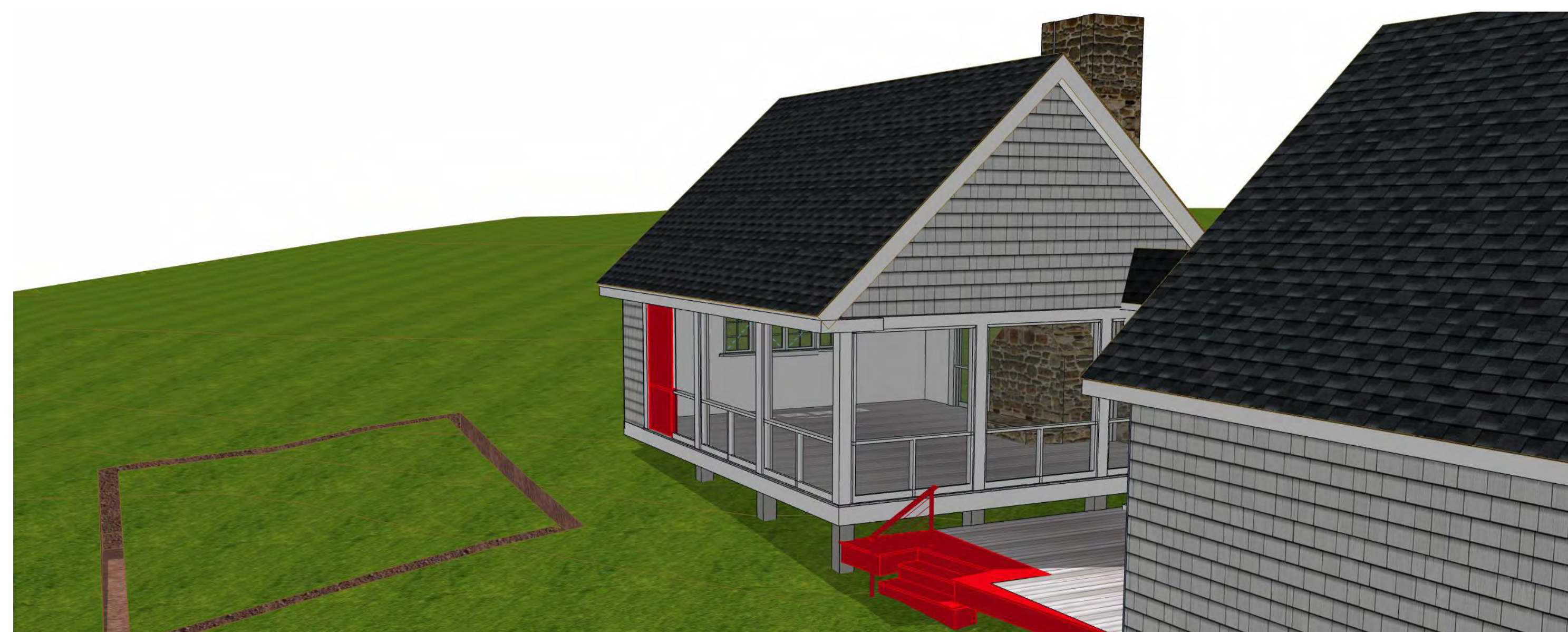
PRELIMINARY FOR PERMITTING ONLY NOT FOR CONSTRUCTION

Variance Submission
 8/1/24
 Printed: 8/2/24

3D Views Car Port - Proposed

A

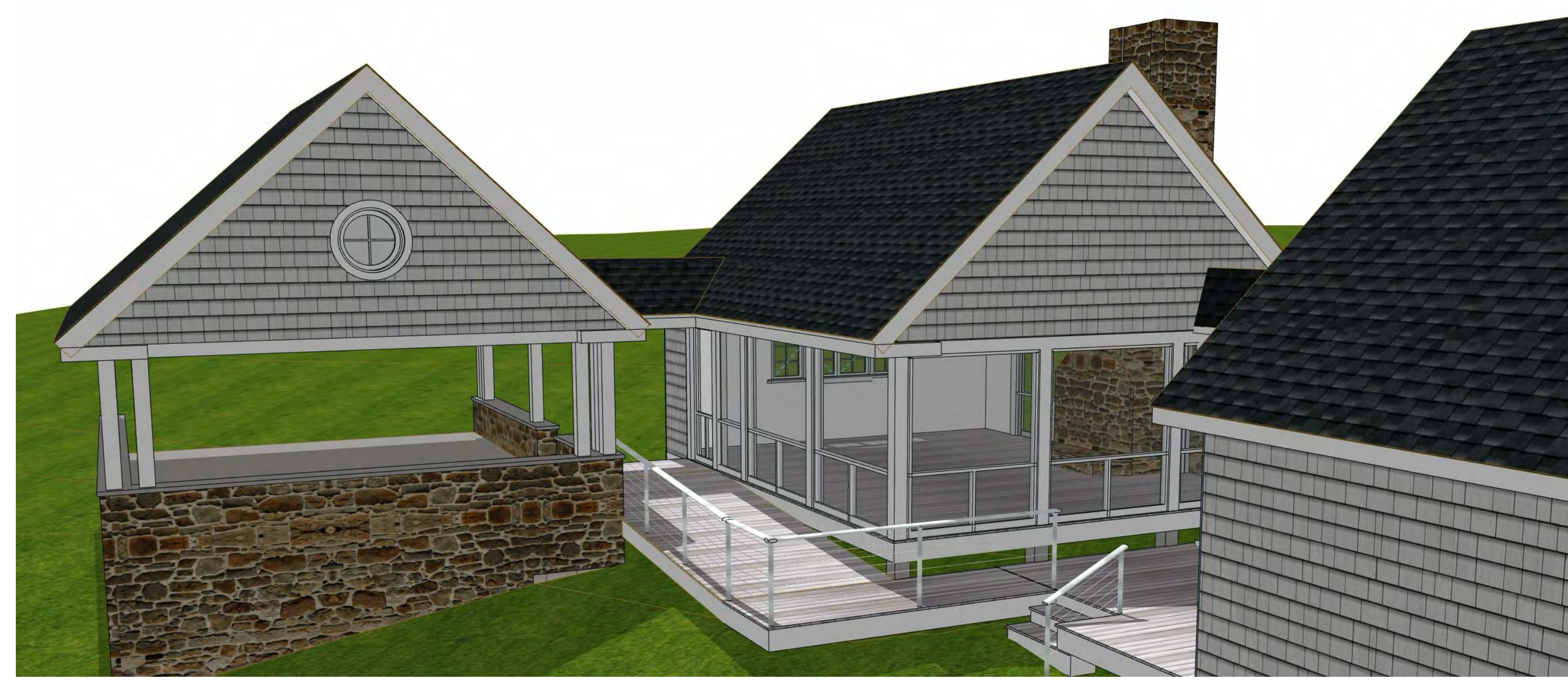
9.03



3
 9.03 Camera 3 - Demo



4
 9.03 Camera 4 - Demo



3
 9.03 Camera 3 - Proposed



4
 9.03 Camera 4 - Proposed

*Refer Landscape Architect drawings for new grading

