

## MINUTES

Meeting: Kent County Board of Zoning Appeals  
 Date: January 13, 2020  
 Time: 7:00 P.M.  
 Location: County Commissioners Hearing Room, 400 High Street, Chestertown, Maryland

Agenda Item/Case	Sitting for the Board	Action Taken	Vote
<p><b>MINUTES: December 16, 2019</b></p> <p><b>19-59 – Robert Fry and Judy Gifford</b> – The applicants are requesting a 363-foot variance from the rear yard setback requirement and a 227-foot variance from the front yard setback requirement in order to construct a 48 x 124-foot waste management structure on their 61.73-acre dairy farm. Currently, the County’s Land Use Ordinance requires waste management structures to be a minimum of 600-feet from all parcel boundary lines.</p> <p>The property is located at 12246 Locust Grove Road, Kennedyville, Maryland in the Second Election District and is zoned Agricultural Zoning District “AZD”.</p> <p><u>Applicants:</u>                      Dr. Robert Fry</p> <p>Rob Tracey, Community Planner</p> <p>All were sworn in.</p> <p>No correspondence has been received.</p> <p>There were no protestants in the audience.</p>	<p>Dr. Albert Townshend,                      Chairperson</p> <p>Joan Horsey, Member</p> <p>John Massey, Member</p> <p>David Hill, Alternate                      Member sitting in observing                      capacity only</p> <p>Mr. Christopher Drummond                      Attorney for the Board</p> <p>Sandy Adams, Clerk</p>	<p>Minutes approved as presented</p> <p>Based on the applicant’s testimony and verification of the following:</p> <ul style="list-style-type: none"> <li>• There is a practical difficulty as the structure cannot meet the required setback requirement anywhere on the property.</li> <li>• It is environmentally safe in protection of the Bay.</li> <li>• The request is in compliance with the Comprehensive Plan.</li> <li>• The request is in compliance with Best Management Practices.</li> <li>• The structure will not create a detriment to the adjacent properties.</li> <li>• The structure will not change the character of the neighborhood.</li> </ul> <p>Ms. Horsey made a motion to approve the variance based on the following finding(s) of fact:</p> <ul style="list-style-type: none"> <li>• The proposed 48 x 124-foot waste management structure will be used for the storage of manure to comply with dairy farm Best Management Practices and to meet the requirements associated with Maryland’s Nutrient Management Guidelines.</li> </ul> <p>Mr. Massey seconded the motion; all were in favor.</p>	<p>Unanimous Approval</p> <p>Unanimous Approval</p>
<p><b>Adjourn</b></p>		<p>At 7:18 PM, Dr. Townshend asked for motion.</p> <p>Ms. Horsey made a motion to adjourn the meeting, and Mr.</p>	<p>Unanimous Approval</p>

<b>Agenda Item/Case</b>	<b>Sitting for the Board</b>	<b>Action Taken</b>	<b>Vote</b>
		Massey seconded the motion; the motion passed with all in favor.	

---

Dr. Albert Townshend, Chairman

---

Sandy Adams, Clerk