



Kent County Board of Zoning Appeals
Department of Planning, Housing, and Zoning
400 High Street, Suite 130
Chestertown, MD 21620
410-778-7423 (voice/relay)

County Commissioners Hearing Room
400 High Street
Chestertown, Maryland

AGENDA

Monday, January 10, 2022

5:00 p.m.

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

Public participation and audio-only call-in number:

1. Dial **1-872-239-8359**
2. Enter Conference ID: **250 403 685#**

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

MINUTES

December 13, 2021

APPLICATIONS FOR REVIEW:

21-65 The Bungalow, LLC – Variance (Side Yard Setback)

25171 Wymont Park Road – Third Election District – Zoned Critical Area Residential (CAR)

21-66 Beechwood Glen HOA – Variance (Pier Length)

North end of Gregg Neck Road – First Election District – Zoned Critical Area Residential (CAR)

APPLICANT OR REPRESENTATIVE MUST BE PRESENT

APPLICANTS ARRIVING MORE THAN 10 MINUTES AFTER THE SCHEDULED HEARING WILL NOT BE HEARD AND WILL BE RESCHEDULED AT THE APPLICANT'S EXPENSE.

Meetings are conducted in Open Session unless otherwise indicated. All or part of the Board of Appeals 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 applications 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.

Other business without assigned times may be discussed during the meeting.

MINUTES

Meeting: Kent County Board of Zoning Appeals
 Date: December 13, 2021
 Time: 5:00 P.M.
 Location: County Commissioners Hearing Room, 400 High Street, Chestertown, Maryland

Agenda Item	Sitting for the Board	Action Taken	Vote
<p>#21-50 Chris and Susan Pavon – Buffer Variance</p> <p>The applicants are requesting a buffer variance in order to remodel an existing single-family dwelling and to reconfigure an existing deck.</p> <p>The property is located at 24188 Macs Lane in the Third Election District and is zoned Resource Conservation District (RCD).</p> <p>The Critical Area Commission provided written comment and did not object to the buffer variance.</p>	<p>Dr. Albert Townshend, Chairman</p> <p>David Hill, Member</p> <p>Joan Horsey, Member</p> <p>John Massey, Member</p> <p>Mr. Christopher Drummond, Attorney for the Board</p> <p>Michael Pelletier, Clerk</p>	<p>Ms. Horsey made a motion to approve the buffer variance with the following conditions:</p> <p>The applicants submit a Buffer Mitigation Plan with a 3 to 1 ratio for replanting or a fee-in-lieu be filed with the County.</p> <p>The motion was seconded by Mr. Massey; the motion passed with all in favor.</p>	<p>Unanimous Approval</p>
<p>MINUTES: November 15, 2021</p>		<p>Joan Horsey made a motion to approve the minutes; the motion passed with all in favor.</p>	<p>Approved</p>
<p>Adjourn</p>		<p>Mr. Massey made a motion to adjourn the meeting, and Ms. Horsey seconded the motion; the motion passed with all in favor. The meeting adjourned at 5:25 p.m.</p>	<p>Unanimous Approval</p>

Dr. Albert Townshend, Chairman

/s/ Michael Pelletier
 Michael Pelletier, Clerk



Kent County Planning Commission
Department of Planning, Housing, and Zoning
400 High Street, Suite 130
Chestertown, MD 21620
410-778-7423 (voice/relay)

January 6, 2022

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

RE: The Bungalow, LLC – Variance (Side Yard Setbacks)

Dear Dr. Townshend:

At its January 6, 2022, meeting, the Kent County Planning Commission reviewed an application submitted by The Bungalow, LLC requesting a 14-foot variance from the required 15-foot side yard setback to demolish an existing dwelling and replace it with a small, single-family residence that will be one (1) foot from the side property line. They are also requesting a 12-foot variance from the required 15-foot side yard setback to remove a portion of an existing patio and replace it with a small swimming pool that will be three (3) feet from the opposite side property line. The property is located at 25171 Wymont Park Road in the Third Election District and is zoned Critical Area Residential (CAR).

Following discussion, the Planning Commission voted to make a favorable recommendation for a variance of the side yard setbacks to complete this proposed project. The decision was based on the following findings of fact:

- Granting a variance will neither cause a substantial detriment to neighboring properties nor will it change the character of the neighborhood and district. The variance is in harmony with the neighborhood, and the side yard setbacks are consistent with other dwellings in the area.
- The proposed dwelling and swimming pool will not be located nearer to the boundary lines than the existing dwelling and stone patio, and they will enhance the appearance of the neighborhood, which consists of older, single-family dwellings.
- The variance is consistent with the Comprehensive Plan as it rehabilitates a substandard structure with a structurally sound dwelling that will be more energy efficient, equipped with an improved septic system, visually appealing, and increasing of the tax base.
- The proposed structures will be on the level footprint of the existing structures, there will be no further extension toward the waterline in the modified buffer, and there will be no increase in lot coverage.
- The practical difficulty is caused by narrowness of the lot and the steep slopes that occur across much of the length of the property, the only level portions of which are occupied by the existing dwelling and septic systems. These conditions existed prior to the purchase by the current owner, The Bungalow, LLC, and the dwelling was built before the current ordinance and bulk standards were adopted.

Sincerely,
Kent County Planning Commission

Kim Kohl
Chairman

cc: William Crowding, William Crowding Surveys



Kent County Department of Planning, Housing, and Zoning

TO: Kent County Planning Commission
FROM: Mark Carper, Associate Planner
MEETING: January 6, 2022
SUBJECT: The Bungalow, LLC
 #21-65, Setback Variance

EXECUTIVE SUMMARY

Request by Applicant

The applicant is requesting a 14-foot and a 12-foot variance from the required 15-foot side yard setbacks in the Critical Area Residential (CAR) District.

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 property is located at 25171 Wymont Park Road in the Third Election District and is zoned Critical Area Residential (CAR). The practical difficulty is caused by narrowness of the lot and the steep slopes that occur across much of the length of the property, conditions that existed prior to the purchase by the current owner.

Recommendation

Staff recommends forwarding a favorable recommendation to the Board of Appeals for the variances.

PRELIMINARY STAFF REPORT

TO: Kent County Planning Commission
FROM: Mark Carper, Associate Planner
SUBJECT: The Bungalow, LLC
 #21-65, Setback Variance
DATE: December 30, 2021

DESCRIPTION OF PROPOSAL

The Bungalow, LLC is requesting a 14-foot variance from the required 15-foot side yard setback to demolish an existing dwelling and replace it with a small, single-family residence that will be one (1) foot from the side property line. They are also requesting a 12-foot variance from the required 15-foot side yard setback to remove a portion of an existing patio and replace it with a small swimming pool that will be three (3) feet from the opposite side property line. The property is located at 25171 Wymont Park Road in the Third Election District and is zoned Critical Area Residential (CAR).

RELEVANT ISSUES

I. Density, Area, Height, Width, and Yard Requirements

- A. *Applicable Law:* Article V, Sections 5.5 of the *Kent County Land Use Ordinance* requires the following area and minimum yard in the Critical Area Residential (CAR) District:

Minimum lot size	½ acre
Minimum lot width	75 feet
Minimum yard	
Front	50 feet
Side	15 feet
Rear	30 feet
Waterfront	Minimum 100-foot buffer or modified buffer

- B. *Staff and TAC Comments:* The applicant is requesting a variance of 14 feet from the required 15-foot side yard setback to construct a single-family dwelling. The applicant is also requesting on the other side a variance of 12 feet from the required 15-foot side yard setback to install a small swimming pool. The property is within a Modified Buffer Area, but the proposed redevelopment will not be located closer to the water than the existing development. With an area of 0.226 acres and a lot width of 47 feet, the property does not meet current bulk standards.

II. Variance

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

Such granting of a variance shall comply, as nearly as possible, in every respect to the spirit, intent, and purpose of this Ordinance; it being the purpose of this provision to authorize the granting of

variation only for reasons of demonstrable practical difficulties as distinguished from variations sought for purposes or reasons of convenience, profit, or caprice.

In order to grant a variance, the Board of Appeals must find all of the following:

- a. That the variance will not cause a substantial detriment to adjacent or neighboring property.
- b. That the variance will not change the character of the neighborhood or district.
- c. That the variance is consistent with the Comprehensive Plan and the general intent of this Ordinance.
- d. That the practical difficulty or other injustice was caused by the following:
 - i. Some unusual characteristic of size or shape of the property.
 - ii. Extraordinary topographical or other condition of the property.
 - iii. The use or development of property immediately adjacent to the property, except that this criterion shall not apply in the Critical Area. James Peary #21-12, Setback and Forest Clearing Variance 3
- e. That the practical difficulty or other injustice was not caused by the applicant's own actions.
...
- g. In considering an application for a variance, the Board shall consider the reasonable use of the entire parcel or lot for which the variance is requested.
- h. In considering an application for a variance, the Board of Appeals shall presume that the specific development activity in the Critical Area that is subject to the application and for which a variance is required does not conform with the general purpose and intent of this Ordinance and the Critical Area Law.
- i. The Board may consider the cause of the variance request and if the variance request is the result of actions by the applicant, including the commencement of development activity before an application for a variance has been filed

- B. *Staff and TAC Comments:* Granting a variance will not cause any detriment to adjacent properties or the neighborhood. The proposed dwelling and swimming pool will not be located nearer to the boundary lines than the existing dwelling and stone patio, and they will enhance the appearance of the neighborhood, which consists of older, single-family dwellings.

The proposed structures will be on the level footprint of the existing structures, there will be no further extension toward the waterline in the modified buffer, and there will be no increase in lot coverage. Therefore, a Buffer Enhancement Plan is not required.

The proposed activity is consistent with the Comprehensive Plan as it rehabilitates a substandard structure with a structurally sound dwelling that will be more energy efficient, equipped with an improved septic system, visually appealing, and increasing of the tax base.

The practical difficulty is caused by narrowness of the lot and the steep slopes that occur across much of the length of the property, the only level portions of which are occupied by the existing dwelling and septic systems. These conditions existed prior to the purchase by the current owner, The Bungalow, LLC, and the dwelling existed years before the current ordinance and bulk standards were adopted.

STAFF RECOMMENDATION

Staff recommends forwarding a favorable recommendation to the Board of Appeals for the variances.

WILLIAM M. CROWDING SURVEYS, LLC

25237 PORTERS GROVE ROAD

WORTON, MARYLAND 21678

410-778-2622

November 22, 2021

The Kent County Department of Planning, Housing and Zoning
County Government Center
400 High Street
Chestertown, Maryland 21620

Attention: Director of Planning, Housing and Zoning

Dear Director,


The Bungalow, llc., are the owners of a 0.226 acre parcel of land located at 25171 Wymont Park Road and indicated as Lot 13, Section "A" of Parcel 278 on Tax Map 12. The property is zoned Critical Area Residential, it is located in a buffer modified area and is improved with a one story single family residence, two detached frame sheds and a large slate patio. The dwelling has numerous structural problems and does not meet the existing building code. The existing dwelling is located 0.12 feet from the property line at its nearest point and 6.6 feet from the adjacent property line. The Bungalow, llc., would like to demolish the existing dwelling and replace it with a small single family residence. The new dwelling will be located 1.0 from the boundary line requiring a 14 foot variance from the required 15 foot side yard setback. They would also like to remove a portion of the existing stone patio area and replace it with a small swimming pool. The pool will not be located nearer the boundary line than the existing patio and retaining wall, however it will be located 3.0 feet from the boundary line and will require a 12 foot variance from the required 15 foot side yard setback.

The Bungalow, llc., had originally hoped to just renovate and down size the existing structure to give it a more modern appeal, upgrade the heating and air conditioning system, replace the windows and just try to create a more harmonious appearance. However once they and their builder started to really look at the how the existing dwelling was constructed, obvious problems started to emerge. The replacement dwelling will be located further from the boundary lines than the existing dwelling, the proposed pool will replace a portion of the existing slate patio.

- 1) Board of Appeals Application along with the required application fee.
- 2) Copy of the Existing Conditions Plat indicating all existing improvements.
- 3) Copy of the Proposed Conditions Plat.
- 4) Background explanation.
- 5) List of the Findings Of Fact
- 6) Existing and Proposed lot coverage explanations.
- 7) Critical Area Lot Coverage Checklist
- 8) Set of the proposed construction plans.

Please do not hesitate to contact me at 410-778-2622 if you have any questions or comments.

Sincerely,


William M. Crowding
Registered Surveyor

BOARD OF APPEALS APPLICATION

Kent County Department of Planning, Housing and Zoning

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

IN THE MATTER OF THE APPLICATION OF:

(Name, Address and Telephone Number of Applicant)

The Bungalow, LLC.

8008 Macarthur Blvd.

Cabin John, Md., 20818

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: wmc surveys@atlanticbb.net

TO THE KENT COUNTY BOARD OF APPEALS: In accordance with Article Section of the Kent County Zoning Ordinance, as amended, request is hereby made for:

Appealing Decision of Kent County Zoning Administrator X Variance
Special Exception Non-conforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) 25171 Wymont Park Road

In the Third Election District of Kent County.

Size of lot or parcel of Land: 0.226 acres

Map: 12 Parcel: 278 Lot #: 13 Deed Ref: M.L.M.1123/111

List buildings already on property: Concrete Block Dwelling (2) frame sheds

If subdivision, indicate lot and block number: Lot 13, Section A, Wymont Park

If there is a homeowners association, give name and address of association: None

PRESENT ZONING OF PROPERTY: C.A.R.

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) Requesting a 14 foot side yard setback variance in order to replace an existing non-conforming single family residence within 1 foot of the side boundary line. Requesting a 12 side yard setback variance in order to replace a portion of the existing slate patio with a 18 foot by 24 foot swimming pool within 3 feet of the side boundary line.

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

Present owner(s) of property: The Bungalow, llc. c/o Kathleen Flanagan Telephone: 1-240-426-2744

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

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

If so, please give Application Number and Date: _____

PLEASE FILL IN BELOW, OR ATTACH HERETO, A SKETCH OF THIS PROPERTY.

List all property measurements and dimensions of any buildings already on the property.

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

NAMES OF ADJOINING PROPERTY OWNERS:

Owner(s) on the North: Susan W. Berson & Katina W. Lee

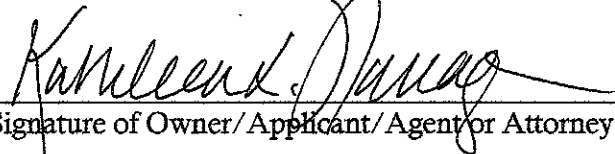
Owner(s) on the South: Larry L. Orr & Kathleen L. Flanagan

Owner(s) to the East: Wymont Park Road

Owner(s) to the West: Still Pond Creek

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.


Signature of Owner/Applicant/Agent or Attorney

11.21.21
Date

Please file this form at 400 High Street, Chestertown, MD 21620 accompanied by **\$350.00** filing fee made payable to the Board of Appeals. If you have any questions, contact Clerk at 410-778-7467.

NOTICE: Neither the Board of Appeals or the Planning Office 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.

**THE BUNGALOW, LLC.
25171 WYMONT PARK ROAD
WORTON, MARYLAND 21678**

BACKGROUND:

The Bungalow, llc., purchased this property in February of 2021. According to Maryland Tax Assessment Records, the original portion of the dwelling was constructed in 1950. The property is 47 feet wide and has a steep slope from Wymont Park Road to Still Pond Creek. The property has a timber bulkhead along the water line of Still Pond Creek and is improved by single family dwelling, two frame sheds, a pier and a large slate patio area. The original dwelling has had several additions over the years, all of which were prior to the purchase by The Bungalow, llc., The dwelling has numerous structural problems and does not meet the existing building code.. The existing dwelling is located 0.12 feet from the property line at its nearest point and 6.6 feet from the adjacent property line. The Bungalow, llc., would like to demolish the existing dwelling and replace it with a small single family residence. The new dwelling will be located 1.0 from the boundary line requiring a 14 foot variance from the required 15 foot side yard setback. They would also like to remove a portion of the existing stone patio area and replace it with a small swimming pool. The pool will not be located nearer the boundary line than the existing patio and retaining wall, however it will be located 3.0 feet from the boundary line and will require a 12 foot variance from the required 15 foot side yard setback. The Bungalow, llc., had originally hoped to just renovate and down size the existing structure to give it a more modern appeal, upgrade the heating and air conditioning system, replace the windows and just try to create a more harmonious appearance. However once they and their builder started to really look at the how the existing dwelling was constructed, obvious problems started to emerge. The most severe problem was the foundation under the original portion of the dwelling was in bad shape and would have to be replaced at considerable cost in order to meet current building code. The materials used in the original construction were not up to current standards and would have to be replaced. The builder, architect and home owners all came to the conclusion that the only viable solution would be to remove the existing dwelling and replace it with a more compact and energy efficient dwelling.

**THE BUNGALOW, LLC.
25171 WYMONT PARK ROAD
WORTON, MARYLAND 21678**

REFERENCE: The Bungalow, llc.

FINDINGS OF FACT:

- a.** This variance will not cause any detriment to adjacent neighboring properties. The resulting dwelling and swimming pool will not be located nearing the boundary lines than the existing dwelling and stone patio area.
By allowing a portion of the existing dwelling to be replaced and construction of the swimming pool, it will enhance the appearance of neighborhood. The neighborhood predominantly consists of older single family dwelling units which are all very well maintained.
- b.** This variance will be in harmony the character of the neighborhood and district. The proposed dwelling side yard setbacks will be consistent with other dwellings in the neighborhood.
- c.** This variance is consistent with the comprehensive plan as this rehabilitates a substandard structure with a structurally-sound dwelling. This dwelling will be more energy efficient, visually pleasing, and will add to the value of the tax base. In anticipation of receiving approvals, a new nitrogen removal septic system will be installed which theoretically reduces the amount of pollutants entering into the Chesapeake Bay and its tributaries.
- d.** The practical difficulty is caused by the steep slope which exists along the entire length of this property. The width of the lot is only 47 feet wide and the location of the required septic system encompasses all the open area on road side of the existing dwelling. The existing dwelling and septic reserve area are located on the only portion of the property which does not have steep slopes.
- e.** The practical difficulty existed prior to The Bungalow, llc., purchasing the property. The dwelling existed years before the current zoning ordinance which has established the required 15 foot side yard setbacks.
- f.** A variance of the 15% slope easement is not required.
A variance of the impervious surface requirement is not required due to the fact this dwelling replacement and pool construction will not increase the amount of impervious surface currently existing on the property.

A buffer variance is not required because this property lies in a "Modified Buffer Area" and the proposed construction will not extend any further towards the approximate waterline of Still Pond Creek than the existing dwelling.

- i. This variance is in harmony with the general spirit and intent of the Critical Area Law and the regulations adopted by Kent County. Because it allows for the replacement of a structure which is in need of repair and will be located as far from the property lines as possible.
- ii. This variance will not adversely affect the water quality or adversely impact fish, wildlife or plant habitat. It will have a positive impact on all of the above because of the required Storm Water Management practices which will be installed during and after construction.
- iii. The application has been made in writing and a copy has been provided to the Critical Area Commission.
- iv. The strict application of the Ordinance will produce an unwarranted hardship, as it would not allow the portion of the dwelling which is structurally unsound to be replaced without extending the dwelling towards the waterline which would require a Slope Variance.
- v. Other properties in this zoning district and same vicinity are located close to the boundary lines.
- vi. This variance will not be a detriment to adjacent property and the character of the district will not change by the granting of this variance as other building have similar setbacks and this is a replacement of a of an existing structure with one that is smaller in size and is located further from closer to the boundary line.
- vii. The literal interpretation of the ordinance will deprive the applicant rights commonly enjoyed by other properties in similar areas within the Critical Area of Kent County.
- viii. The granting of this variance will not confer upon this applicant any special privilege that would be denied by this ordinance to other lands or structures because similar variances have been granted over the years.
- ix. This site has special features such as a lot width of 50 feet, steep slopes with only a small portion of lot having an area of 2% or less slope and that area is being used for the required septic reserve area.
The site has special conditions and circumstances because if the existing dwelling that needs to be replaced was to be remolded in the same area as the existing structure no side yard variance would be required. The site also has a required septic reserve area that encompasses all of the flat area directly adjacent and east of the existing structure.
- x. The applicant believes they have satisfied each one of the variance provisions.
- xi. Without this variance the applicant would be deprived of a use of land and structure permitted to others in accordance with the provisions of the critical area program.

**THE BUNGALOW, LLC.
25171 WYMONT PARK ROAD
WORTON, MARYLAND**

TAX MAP 12, PARCEL 278

LOT 13, SECTION "A" , WYMONT PARK

AREA = 0.226 ACRES ± OR 9,844 SQUARE FEET±

AREA OF EXISTING COVERAGE

**DWELLINGS & OVERHANGS =775 SQUARE FEET
CONCRETE STEPS=.....284 SQUARE FEET
SLATE PATIO & WALK =.....1,960 SQUARE FEET
FRAME SHEDS=.....108 SQUARE FEET
WATER PUMP PIT=.....66 SQUARE FEET
SLATE SLAB=.....27 SQUARE FEET
STONE=.....170 SQUARE FEET
TOTAL COVERAGE =.....3,390 SQUARE FEET**

AREA OF RESULTING COVERAGE

**DWELLINGS & OVERHANGS =561 SQUARE FEET
SWIMMING POOL=.....432 SQUARE FEET
CONCRETE STEPS=.....284 SQUARE FEET
SLATE PATIO & WALK =.....1,742 SQUARE FEET
FRAME SHEDS=.....108 SQUARE FEET
WATER PUMP PIT=.....66 SQUARE FEET
SLATE SLAB=.....27 SQUARE FEET
STONE=.....170 SQUARE FEET
TOTAL COVERAGE =.....3,390 SQUARE FEET**



**Kent County Department of Planning and Zoning
Critical Areas Lot Coverage Checklist**

Following is a list of items meant to simplify lot coverage calculations on permits for building in Critical Areas. Any development item must be listed as existing or proposed as restrictions apply to new lot coverage created in a Critical Area. See acreage calculations listed below for lot coverage limits on your parcel.

	Existing Lot Coverage (sq. ft.)	Proposed Lot Coverage (sq. ft.)	Total Lot Coverage (sq. ft.)
New or Existing Single Family Dwelling (including roof overhangs)	775	561	561
Decks/porches (without spaces to allow water to pass through freely)	0	0	0
Driveway/sidewalks (gravel, dirt, paved)	2,414	2,150	2,150
Detached/attached garage	0	0	0
Outbuildings (sheds, gazebos, boat houses)	174	174	174
Swimming pools (including any concrete areas or decking)	0	478	478
Tennis courts	0	0	0
Other (barbeque pits, concrete slabs)	27	27	27
Guest or tenant houses	0	0	0
Proposed additions	0	0	0
Totals:	3,390	3,390	3,390

Lots Created prior to 1 July 2008



<i>Lot Coverage Limit</i>	<i>Lot Size</i>
* .15%	(36,301 sq. ft. or more)
* 5,445 sq. ft.	(21,781 - 36,300 sq. ft.)
* .3125%	(8,001 - 21,780 sq. ft.)
* .25%	(8,000 sq. ft. or less)

Lots Created after to 1 July 2008

Lot Coverage Limit: 15%

AREA = 0.226 ACRES ±

LEGEND:

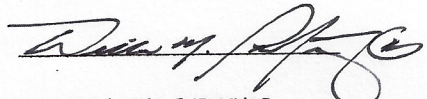
- 1.  DENOTES LAMP POST.
- 2.  DENOTES IRON ROD SET.

NOTES:

- 1. PROPERTY ADDRESS: 25171 WYMONT PARK ROAD
- 2. THE DWELLING ON THE LOT SHOWN HEREON APPEARS TO EXIST WITHIN FLOOD ZONE "X UNSHADED" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SCALED FROM F. E. M. A. COMMUNITY PANEL No. 2400450155D. NO ON SITE ELEVATION TAKEN TO VERIFY CONDITIONS.
- 3. THIS SURVEY AND PLAT HAVE BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND ARE SUBJECT TO THE FINDINGS THEREIN. DOCUMENTS OF RECORD MAY EXIST THAT AFFECT THE SURVEYED PROPERTY REFLECTED HEREON INCLUDING BUT NOT LIMITED TO EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS AND PLAT RESTRICTIONS.

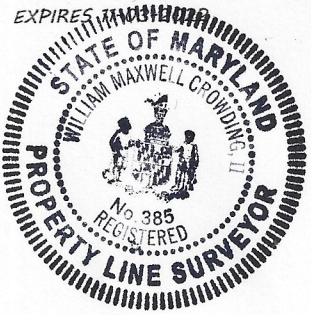
SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE BOUNDARY SURVEY SHOWN HEREON WAS PREPARED BY THE UNDERSIGNED REGISTERED SURVEYOR AND IS IN COMPLIANCE WITH THE REQUIREMENTS STATED IN REGULATION 09-13-06-12 OF THE MINIMUM STANDARDS FOR SURVEYORS.



PROPERTY LINE SURVEYOR

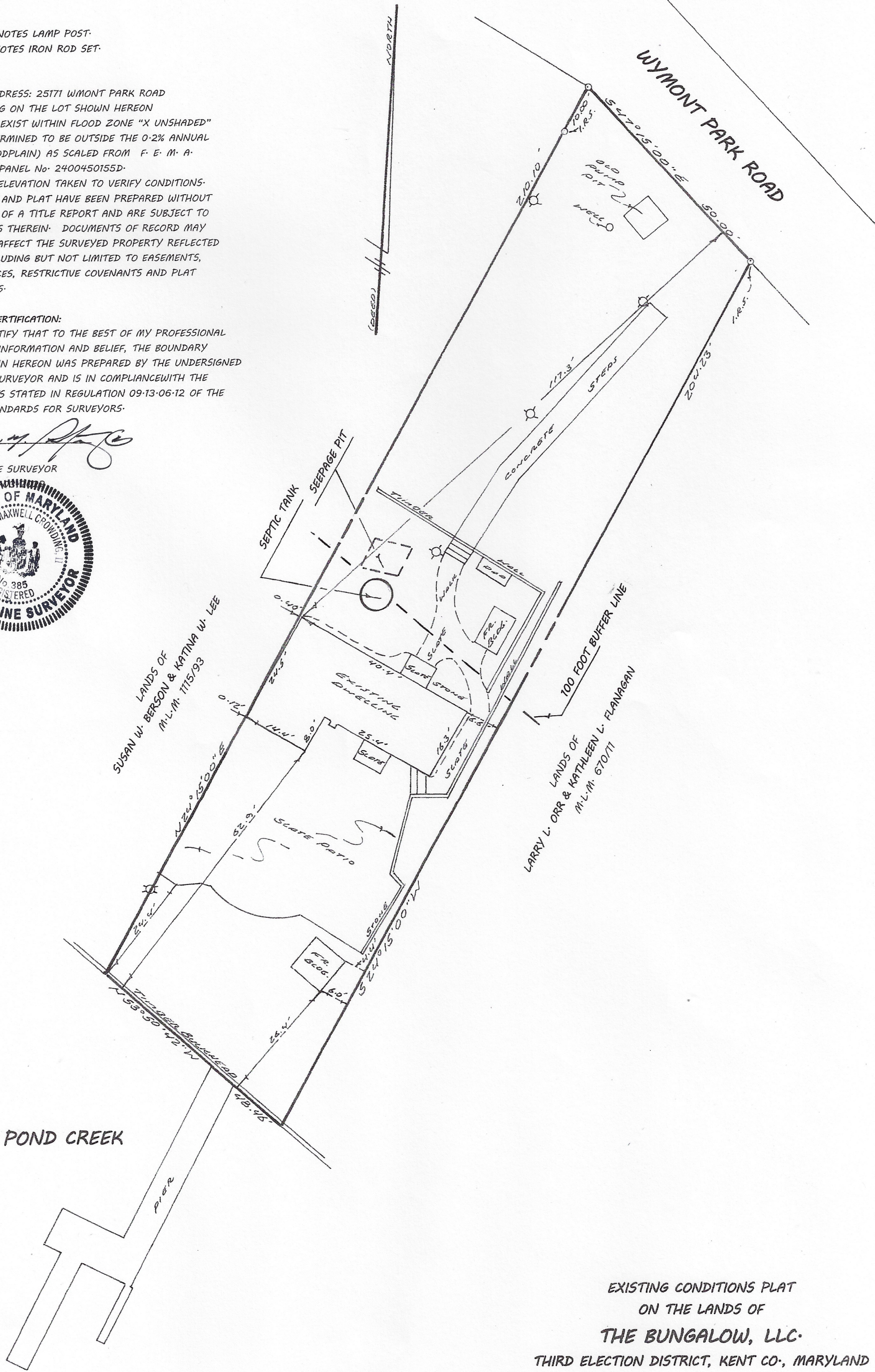
EXPIRES



LANDS OF
SUSAN W. BERSON & KATINA W. LEE
M.L.M. 1115/93

LANDS OF
LARRY L. ORR & KATHLEEN L. FLANAGAN
M.L.M. 670/11


STILL POND CREEK



EXISTING CONDITIONS PLAT
ON THE LANDS OF
THE BUNGALOW, LLC.
THIRD ELECTION DISTRICT, KENT CO., MARYLAND
SCALE 1" = 20' NOVEMBER 2021

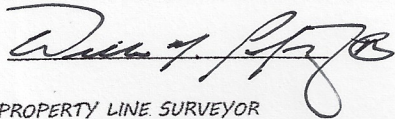
WILLIAM M. CROWDING SURVEYS, LLC
WILLIAM M. CROWDING, II
REGISTERED SURVEYOR
WORTON, MARYLAND
410-778-2622

AREA = 0.226 ACRES +

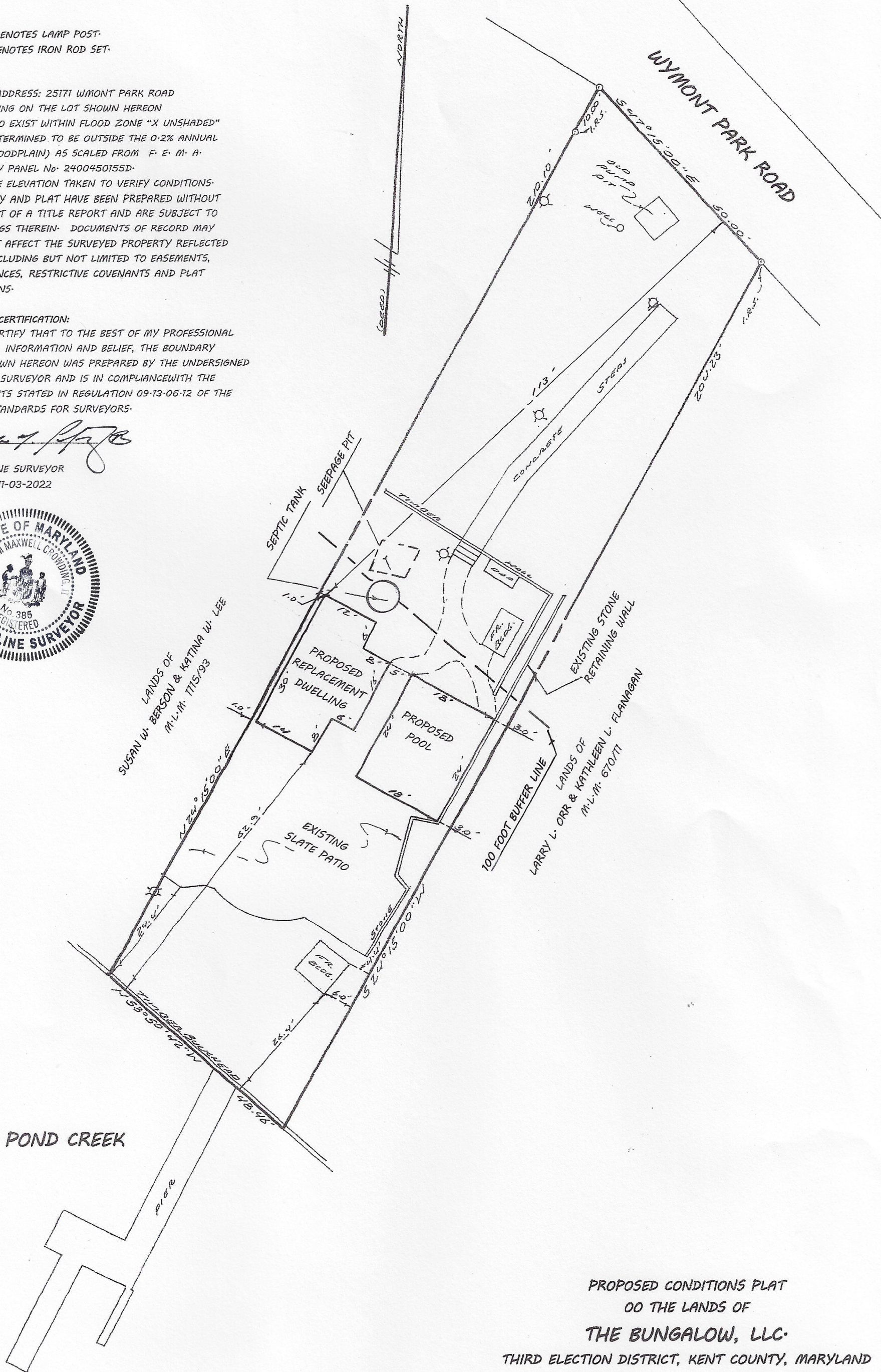
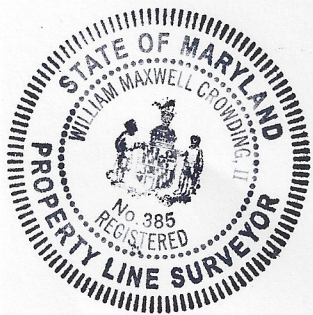
- LEGEND:
 1.  DENOTES LAMP POST.
 2. I-R-S DENOTES IRON ROD SET.

- NOTES:
 1. PROPERTY ADDRESS: 25171 WYMONT PARK ROAD
 2. THE DWELLING ON THE LOT SHOWN HEREON APPEARS TO EXIST WITHIN FLOOD ZONE "X UNSHADED" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SCALED FROM F. E. M. A. COMMUNITY PANEL No. 2400450155D. NO ON SITE ELEVATION TAKEN TO VERIFY CONDITIONS.
 3. THIS SURVEY AND PLAT HAVE BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND ARE SUBJECT TO THE FINDINGS THEREIN. DOCUMENTS OF RECORD MAY EXIST THAT AFFECT THE SURVEYED PROPERTY REFLECTED HEREON INCLUDING BUT NOT LIMITED TO EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS AND PLAT RESTRICTIONS.

SURVEYORS CERTIFICATION:
 I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE BOUNDARY SURVEY SHOWN HEREON WAS PREPARED BY THE UNDERSIGNED REGISTERED SURVEYOR AND IS IN COMPLIANCE WITH THE REQUIREMENTS STATED IN REGULATION 09-13-06-12 OF THE MINIMUM STANDARDS FOR SURVEYORS.

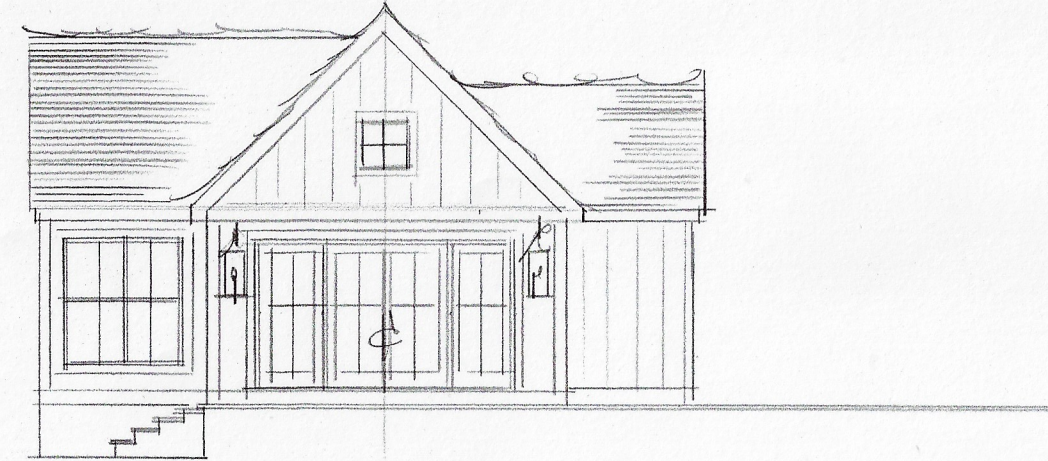
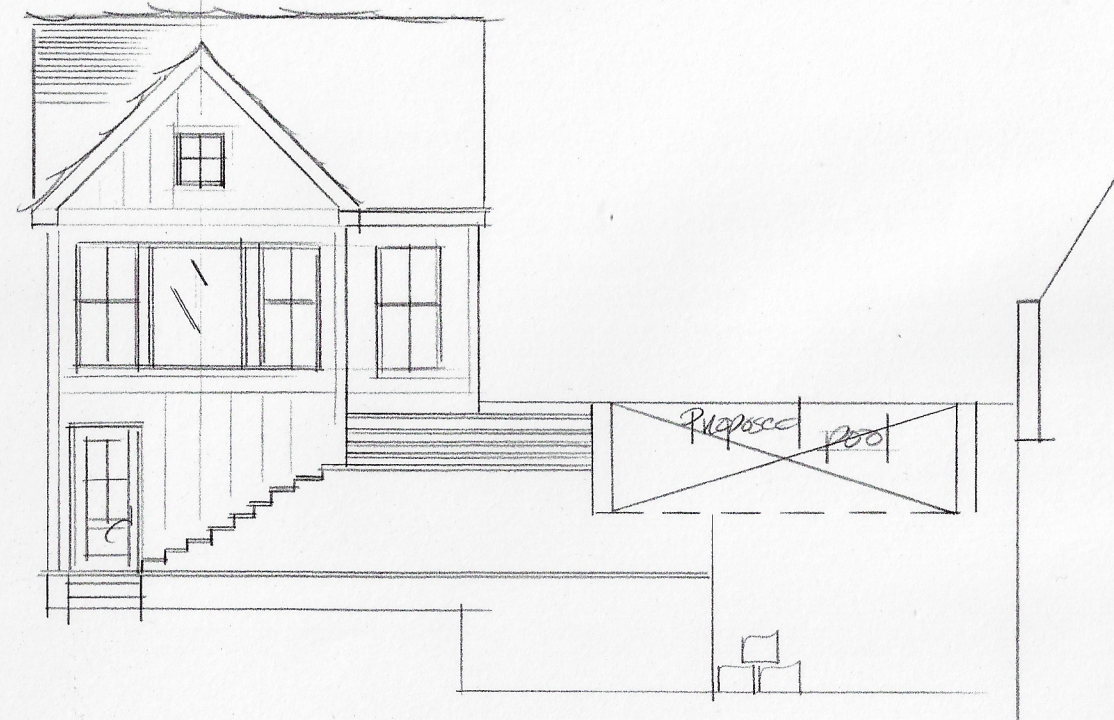
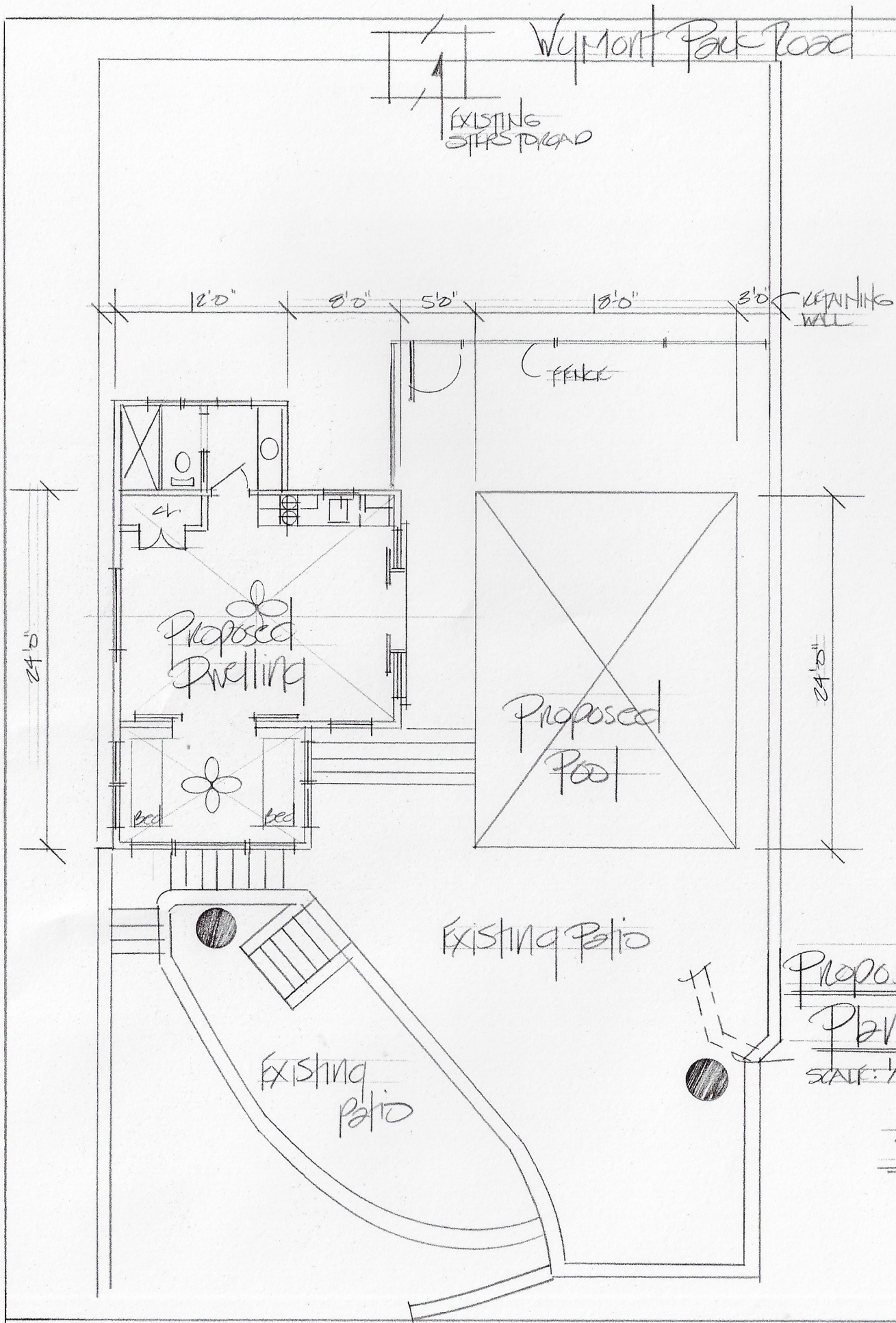


PROPERTY LINE SURVEYOR
 EXPIRES 11-03-2022



PROPOSED CONDITIONS PLAT
 OO THE LANDS OF
THE BUNGALOW, LLC.
 THIRD ELECTION DISTRICT, KENT COUNTY, MARYLAND
 SCALE 1" = 20'
 NOVEMBER 2021

WILLIAM M. CROWDING SURVEYS, LLC
 WILLIAM M. CROWDING, II
 REGISTERED SURVEYOR
 WORTON, MARYLAND
 410-778-2622

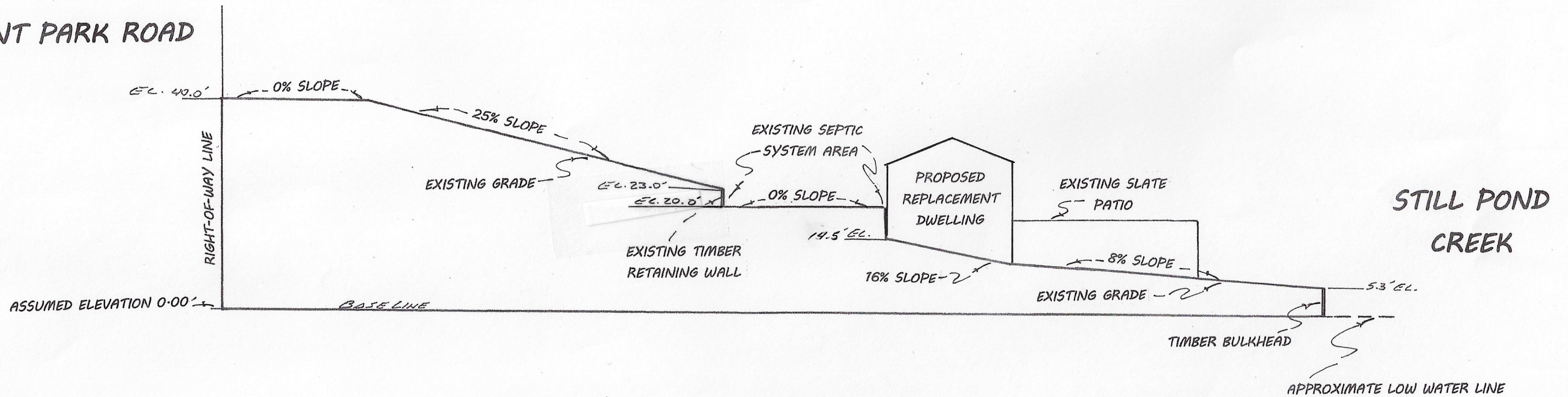


THE BUNGALOW LLC
 25111 WYOMONT PARK ROAD
 WYOMONT, MD 21678
 10/24/2022

Proposed Plan for

South & Main Designs LLC
 P.O. Box 217, CHRISTERS TOWN, MD 21620
 1-410-778-4300

WYMONT PARK ROAD



NOTES:

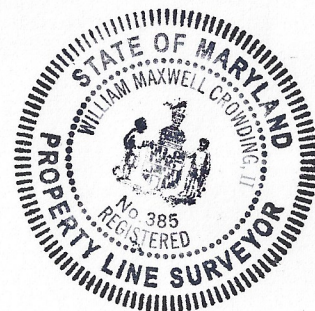
1. PROPERTY ADDRESS: 25171 WYMONT PARK ROAD
2. TOPOGRAPHIC INFORMATION INDICATED HEREON IS BASED ON AN ASSUMED ELEVATION.
3. THIS SURVEY AND PLAT HAVE BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND ARE SUBJECT TO THE FINDINGS THEREIN. DOCUMENTS OF RECORD MAY EXIST THAT AFFECT THE SURVEYED PROPERTY REFLECTED HEREON INCLUDING BUT NOT LIMITED TO EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS AND PLAT RESTRICTIONS.

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE BOUNDARY SURVEY SHOWN HEREON WAS PREPARED BY THE UNDERSIGNED REGISTERED SURVEYOR AND IS IN COMPLIANCE WITH THE REQUIREMENTS STATED IN REGULATION 09-13-06-12 OF THE MINIMUM STANDARDS FOR SURVEYORS.

William M. Crowding, II

PROPERTY LINE SURVEYOR
EXPIRES 11-03-2022



PROFILE PLAT
ON THE LANDS OF
THE BUNGALOW, LLC.
THIRD ELECTION DISTRICT, KENT COUNTY, MARYLAND
SCALE 1" = 20' DECEMBER 2021

WILLIAM M. CROWDING SURVEYS, LLC
WILLIAM M. CROWDING, II
REGISTERED SURVEYOR
WORTON, MARYLAND
410-778-2622



VIEW FROM ROAD LOOKING TOWARDS WATER



WEST SIDE OF EXISTING DWELLING



VIEW FROM WATER LOOKING TOWARDS ROAD



EAST SIDE OF EXISTING DWELLING AND STONE RETAINING WALL



Kent County Planning Commission
Department of Planning, Housing, and Zoning
400 High Street, Suite 130
Chestertown, MD 21620
410-778-7423 (voice/relay)

January 6, 2022

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

RE: Beechwood Glen HOA – Variances (Pier Length and Side Yard Setbacks)

Dear Dr. Townshend:

At its January 6, 2022, meeting, the Kent County Planning Commission reviewed an application submitted by Corey Downer, Dockmaster, Beechwood Glen Homeowners Association, requesting a variance from the 150-foot pier length limit and side yard setback requirements in order to construct a replacement pier. The applicant is proposing to construct a 256-foot pier for use by the Beechwood Glen Homeowners Association. A variance of 106 feet is needed to exceed the 150-foot pier length limit and variances of 1.5 feet and 2.5 feet are needed for the side setbacks for the T-head at the end of the pier. The 0.46-acre property is located at the mouth of Swantown Creek on the Upper Sassafas River in the First Election District and is zoned Critical Area Residential (CAR).

Following discussion, the Planning Commission voted to make a favorable recommendation for variances for pier length and side yard setbacks. The decision was based on the following findings of fact:

- The current pier is in poor condition and needs to be replaced for safety.
- The proposed pier will better comply with side setback requirements.
- Granting a variance will neither cause a substantial detriment to neighboring properties nor will it change the character of the neighborhood and district.
- The proposed pier will match the angles of adjacent piers.
- Although neighboring piers are shorter, they are for single family dwellings.
- The proposed pier provides water access for the twenty homes in the Beechwood Glen neighborhood.
- The granting of a variance is not inconsistent with the Comprehensive Plan and general intent of the Land Use Ordinance and Critical Area Law.
- Access to the water is a reasonable use of the property.
- The practical difficulty is a need to provide safe access to the water and protect habitat for potential submerged aquatic vegetation.
- The need for a variance was not caused by the property owner's actions but existing natural conditions.
- The granting of the variance will not adversely affect water quality, impact fish, wildlife, or plant habitat.

Sincerely,
Kent County Planning Commission

Kim Kohl
Chairman

cc: Corey Downer, Dockmaster, Beechwood Glen HOA
Lori Sample, Riptide Marine Construction



Kent County Department of Planning, Housing, and Zoning

To: Kent County Planning Commission
From: Carla Gerber, Deputy Director
Meeting: January 6, 2022
Subject: Beechwood Glen, Inc.
21-66: Variance – Pier Length and Side Setback

EXECUTIVE SUMMARY

Request by Applicant

The applicant is proposing to construct a 256-foot replacement pier for use by the Beechwood Glen Homeowners Association. A variance of 106 feet is needed to exceed the 150-foot pier length limit and variances of 1.5 feet and 2.5 feet are needed for the side setbacks for the T-head at the end of the pier.

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 property is located at the mouth of Swantown Creek on the Sassafras River and is zoned Critical Area Residential (CAR). The pier will be longer than adjacent piers, but the number of slips is the same as were originally available on the existing pier. The proposal is not inconsistent with the Comprehensive Plan and practical difficulties appear to exist due to the shallowness of the river and the narrowness of the property.

Staff Recommendation

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

PRELIMINARY STAFF REPORT

TO: Kent County Board of Appeals
SUBJECT: Beechwood Glen, Inc. - Pier Length Variance
DATE: December 30, 2021

Description of Proposal

Beechwood Glen, Inc., also known as the Beechwood Glen Homeowners Association, requests a variance from the 150-foot pier length limit and side setback requirements in order to construct a replacement pier. The applicant proposes to remove and replace the existing 187-foot pier with a 256-foot pier. The number of slips will not change, but the slips will be wider. The property is owned by the Homeowners Association and serves the Beechwood Glen section of Gregg Neck. It is zoned Critical Area Residential (CAR), and the surrounding area is characterized by a residential neighborhood and the Gregg Neck Boat Yard just to the north. The property is at the mouth of Swantown Creek on the Upper Sassafra River.

Relevant Issues

I. Yard Requirements

A. Applicable Law

Article V, Section 5.5 of the Kent County Land Use Ordinance requires the minimum yard:

Front	50 ft
Side	15 ft
Rear	30 ft
Waterfront	Minimum 100 ft buffer or modified buffer

B. Staff Comments:

The current pier sits approximately 7 feet from the southern property line and is at such an angle that it crosses the extended property line. Although the new pier will be relocated to the center of the 0.46-acre parcel, the proposed 46-foot-wide T-head will not meet the side setback requirements. As proposed, the setback on the north side of the pier will be 13.5 feet, requiring a 1.5-foot variance, and the setback on the south side will be 12.5 feet, requiring a 2.5-foot variance.

II. Pier Length

A. Comprehensive Plan:

"Submerged aquatic vegetation (SAV) serves as an important food, nursery, and habitat for many species of fish and fowl. In recent times, SAV in Kent's tributaries have followed a recurring pattern of abundant beds in some years followed by severe declines and then full recovery in a few years. ... Activities such as pier construction and sewerage outfalls must be limited and those permitted must be designed to minimize their impacts." (Page 63)

B. Applicable Law:

The Kent County Land Use Ordinance, Article V, Section 5.4.8 permits as an accessory use, "Private piers, community piers, and private shared piers, not to exceed 25% of the width of the waterway, the edge of the channel, or 150 feet in length, whichever is less and subject to the stipulations of Article VI, Section 3.7 of this ordinance."

Article VI, Section 3.7, states the following regulations shall apply to boathouses, boat docks, piers, and wharves, in any district:

- 3) No boat house or pier may be closer to the side property line or its extension over water than the required side yard width of the district in which it is located. A pier shall not be

closer to the side line or its extension over the water than the required side yard width of the district in which it is located.

- 5) Projections of docks, wharves, and piers into waterways beyond the waterway line, lot lines, or established bulkhead lines shall be limited by applicable county ordinances, state laws, and applicable regulations of the United States Army Corps of Engineers.

C. Staff Comments:

The existing pier is considered nonconforming because it is greater than 150 feet in length; once a nonconforming structure is voluntarily removed it must be replaced in conformance with the Ordinance provisions. A variance of 106 feet is needed in order to construct the proposed replacement pier.

The width of the waterway is approximately 1,600 feet, and the proposed pier will be approximately 16% of the width of the Sassafra River in this location; therefore, the replacement pier would not exceed 25% of the width of the waterway.

The edge of the channel is approximately 300 feet from the shore. The proposed pier would not encroach within the edge of the channel. A permit has been authorized by the Maryland Department of Environment and Army Corps of Engineers for the proposed pier. The State of Maryland also limits piers to no more than 25% of the width of the waterway and the edge of the channel, but it does not regulate pier length.

III. Variance

A. Applicable Law:

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

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

In order to grant a variance, the Board of Appeals must find all of the following:

- a. That the variance will not cause a substantial detriment to adjacent or neighboring property.
- b. That the variance will not change the character of the neighborhood or district.
- c. That the variance is consistent with the Comprehensive Plan and the general intent of this Ordinance.
- d. That the practical difficulty or other injustice was caused by the following:
 - i. Some unusual characteristic of size or shape of the property.
 - ii. Extraordinary topographical or other condition of the property.
 - iii. The use or development of property immediately adjacent to the property, except that this criterion shall not apply in the Critical Area.
- e. That the practical difficulty or other injustice was not caused by the applicants own actions.
...
- g. In considering an application for a variance, the Board shall consider the reasonable use of the entire parcel or lot for which the variance is requested.

- h. In considering an application for a variance, the Board of Appeals shall presume that the specific development activity in the Critical Area that is subject to the application and for which a variance is required does not conform with the general purpose and intent of this Ordinance and the Critical Area Law.
- i. The Board may consider the cause of the variance request and if the variance request is the result of actions by the applicant, including the commencement of development activity before an application for a variance has been filed.

C. Staff Comments:

This neighborhood is characterized by small properties, and the community pier serves the approximately twenty houses of the Beechwood Glen Area of Gregg Neck. The current pier was built approximately 60 years ago. The character of the neighborhood would not be changed by the granting of the variance. The applicant is proposing to match the angle of adjacent piers to provide maximum access. However, piers within the immediate vicinity are shorter in length than the applicant's existing and proposed pier.

The variance is not inconsistent with the Comprehensive Plan or the Critical Area Program. The intent of the Ordinance is that once a nonconforming structure is removed voluntarily, it is to be replaced in compliance with all Ordinance requirements (specifically, the 150-foot length requirement). The granting of a variance is required in order to construct a replacement pier at such proposed length.

Conditions have changed over the past 50-60 years. Currently, there are eight slips which are unusable due to the shallowness of the river close to shore. The Mean Low Water (MLW) level is approximately 4 feet at 100 feet from shore. The applicant is proposing that no slips be located with less than 4 feet of depth at MLW. Boats are also wider now. In order to accommodate modern boats and provide the same number of slips as the existing pier, the pier must be longer.

A pier is a reasonable use/structure for a water access community, and a practical difficulty exists due to the shallowness of the river.

As for the side setbacks, the community property does meet the current minimum lot width requirements at the shoreline, but extended property lines are not straight extensions from the landward lines. The lines are extended as the perpendicular line to the tangent where the property line hits the shore, and therefore, these extended property lines are less than the minimum lot width of 75 feet at 256 feet from shore.

The parcel is located within the following sensitive species locations: historic waterfowl staging area and anadromous fish spawning habitat. Although subaquatic vegetation does not appear to be present in this location according to DNR data layers available to staff, limiting disturbance of the river bottom in shallow areas supports conditions for SAV to grow.

Staff Recommendation

Staff recommends sending a favorable recommendation to the Board of Appeals for the side setback and pier length variances.

Beechwood Glen, Inc - Community Pier



Source: Kent County Department of Planning, Housing, and Zoning.
Aerial taken Spring 2019. Map prepared January 2022.

1 inch = 400 feet

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)

BEECHWOOD GLEN HOA c/o Dockmaster:
COMMUNITY PROPERTY Corey Downer
GALENA, MD 21635 Ph: 302-233-1206

Email: coreydowner@gmail.com

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: riptidemarine@gmail.com

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

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

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

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) N. end of Greg Neck Rd. - Bchwd Glen - Greg Neck

In the _____ Election District of Kent County.

Size of lot or parcel of Land: _____

Map: 7 Parcel: 246 Lot #: _____ Deed Ref: 00065/00453

List buildings already on property: Gazebo

If subdivision, indicate lot and block number: unknown

If there is a homeowner's association, give name and address of association: Beechwood Glen Inc.
c/o Teri Gillstrom 15 Mildred Ln. Glen Mills, PA 19342

PRESENT ZONING OF PROPERTY: Residential

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) Community wishes to rebuild community pier to extend further then the 150' limit

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

Present owner(s) of property: Beechwood Glen Inc. Telephone: _____

Contact: Corey Downer
Dockmaster
Ph: 302-233-1206

If Applicant is not owner, please indicate your interest in this property: RIPTIDE Marine Construction is applying on behalf of Beechwood Glen Community

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

If so, please give Application Number and Date: _____

PLEASE FILL IN BELOW, OR ATTACH HERETO, A SKETCH OF THIS PROPERTY.

List all property measurements and dimensions of any buildings already on the property.

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

NAMES OF ADJOINING PROPERTY OWNERS:

Owner(s) on the North: TORRANCE & LYNNE PITCAIRN - 14141 W. BEECHWOOD RD.


Owner(s) on the South: PATRICK & MARGARET MCCOY - 14102 E BEECHWOOD RD.

Owner(s) to the East: NO RESIDENCE - SASSAFRAS RIVER

Owner(s) to the West: BLAZE M. KOTLER - 14135 W BEECHWOOD RD.

Homeowners Association, name and address, if applicable: BEECHWOOD GLEN INC. c/o Teri Gillstrom 15 Mildred Ln. Glen Mills, PA 19342

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.

 11/23/21
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.

Supporting Information for the Approval of the Pier Variance – Beechwood Glen Community Pier

Below are some factors we would like for you to review when considering our application for a variance to build a new pier for the Beechwood Glen Community.

- **RELOCATION:** Please see the attached drawing prepared which shows that all parties agree to relocate the pier to the center of the property. Currently the pier sits approximately 7' from the South side property line. With the construction of the new pier, the community and contractor agree to move the pier to the center of the property at an angle that corresponds to neighboring piers to provide maximum access for each neighbor as well as the Beechwood Glen Community residents. When the new pier is constructed, we will abide by current 10' setbacks for property lines.
- **EXISTING PIER SLIP WIDTHS:** Currently there are 18 small slips located at the existing Beechwood Glen Community Pier. The original pier had 20 slips, but 2 of the fingers piers have deteriorated and rotted away. Each slip is approximately 8' wide. These slip widths were a part of the original build in approximately 1950 or 1960. The build was before many modern boats were even designed. With the size of traditional boats today, these slips are much too narrow for new, average sized boats to fit in. Many of the existing slips are unusable due to this factor. The new pier will have the same number of slips as the original pier. The community is not trying to double the number of slips available but make the footprint of the pier more acceptable to accommodate average boat sizes today.
- **WATER DEPTHS OF CURRENT SLIPS:** Currently there are 18 slips available at the Beechwood Glen Community Pier. Of the 18 slips, approximately 8 of them are unusable. These 8 slips are located before you get to the 100' mark of the pier. Where they are currently located, there is only 2'-3' of water at MLW. This is not a safe depth to store an expensive boat. At the 100' mark, the MLW is approx. 4' and this is a more acceptable depth for boat storage. This is where we propose to start the new slips on the new pier.
- **NEIGHBORHOOD ACCEPTANCE:** The community normally has a yearly meeting to review community issues or HOA topics. Over the last 3 years, they have had 2 meetings a year specifically to review the topic of the replacement of the community pier. It has taken many brainstorming meetings to get all in agreement on how to save enough money to have this large project done. Finally, they agreed on a pier assessment for each resident. All agreed. This is a historic waterfront community on the Sassafra River in which many residents have families that have passed down homes for decades. The residents would like to keep the appeal of the community by having a usable pier and swim platform for all to enjoy. Letters were sent to members; votes have been taken and all are in favor.

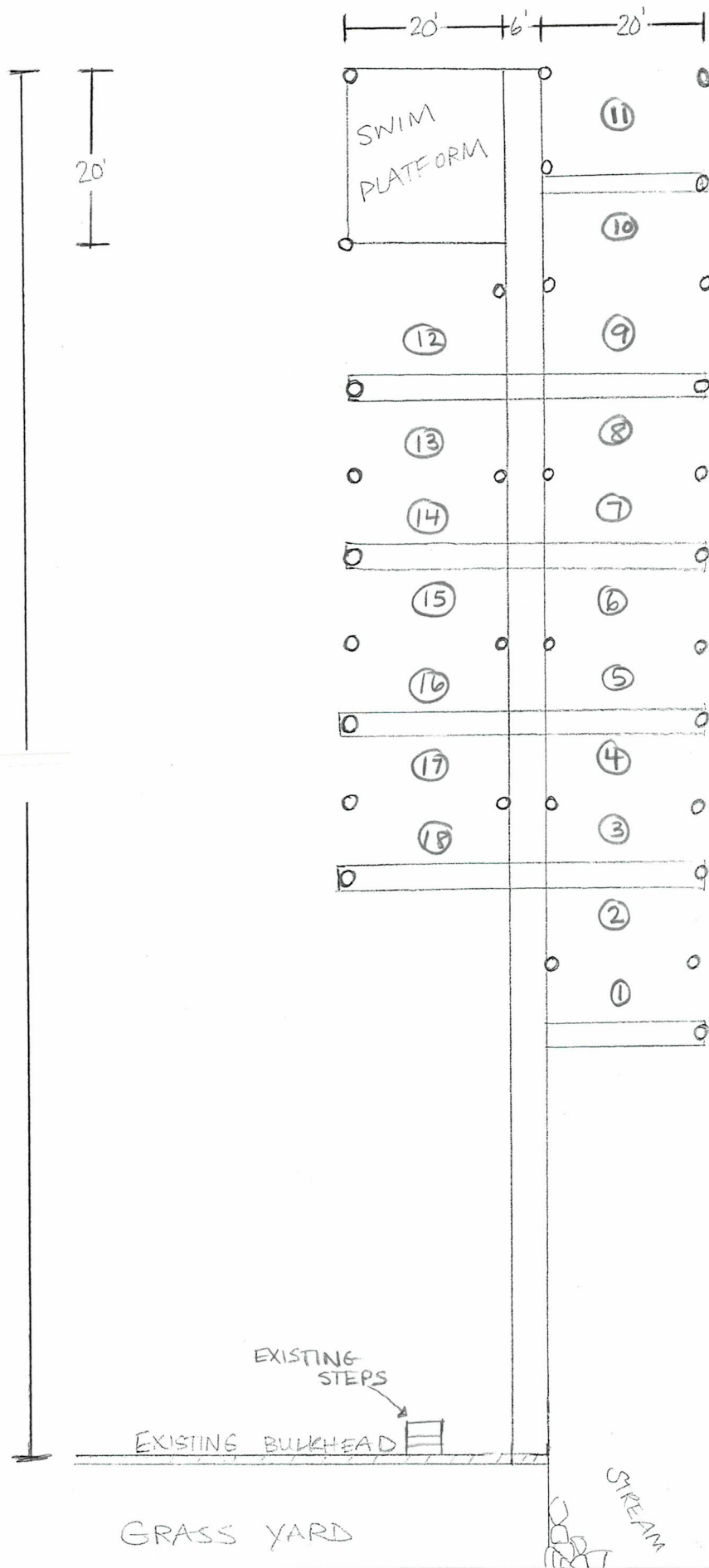
- **COMMUNITY AGREEMENT OF REASONABLE RESTRICTIONS:** Beechwood Glen Community would be happy to abide by reasonable restrictions that Kent County may have for this project. They just want a usable pier with enough slips for community members.
- **COMPLIANCE WITH WATER WIDTH:** One of the pier restrictions listed is that any new pier shall not exceed 25% of the width of the waterway. For our proposed pier of 250', the width of the waterway is approximately 1600' across. (see attached) So this project would only be out approximately 15% into the waterway.
 - **CHANNEL:** The pier will not encroach the navigable channel. (see attached)
 - **PUMP OUT STATION:** As required by the MDE for approval of this pier, a portable pump out station will be located on the property. On the drawing there is a concrete slab located for this.
 - **TIMING:** Riptide Marine met with the head of the MDE, Jonathan Stewart over 2 years ago to get his opinion and ideas on the permit submission prior to even preparing the permit for the State of Maryland. In this process we are required to advise adjoining neighbors of the project and give them a chance to respond. We also have to advise Kent County of our proposed project as well. On 9/18/2020, a letter and drawings of this proposed pier were mailed to the adjoining neighbors and Kent County Permits. Once the MDE state approval was obtained, copies of that approval along with the county permit application were dropped off to Kent County permits on Friday July 9th, 2021. After approximately 6 follow up emails to check the status, I received notice on November 3rd that we would need a variance for this project, and that would be in January. I know everyone is busy, but this project has been delayed enough. We have worked hard and followed rules and we would really love to get this project started.
 - **CONDITION:** The condition of the pier is dangerous. If this does not get approved, the community will have to spend a lot of money to re-deck the entire pier and replace the majority of the pilings that are rotted. There are many screws and popped nails in plain sight. The wood and material have lived its life span. They are faced with rebuilding an unaccommodating pier as it is currently unsafe, or rebuilding it to bring it into compliance, with current regulations and a pier where everyone can keep their boat. Residents have tried to maintain this pier for years. It is time for a new pier that will remain strong and safe for the next 50 years.

Thank you very much for considering our request for a variance for this community pier. If you have any questions, we would be happy to answer.

Thank you very much,
 Doug Sample & Lori Sample
 RIPTIDE Marine Construction, LLC

EXISTING CONDITIONS

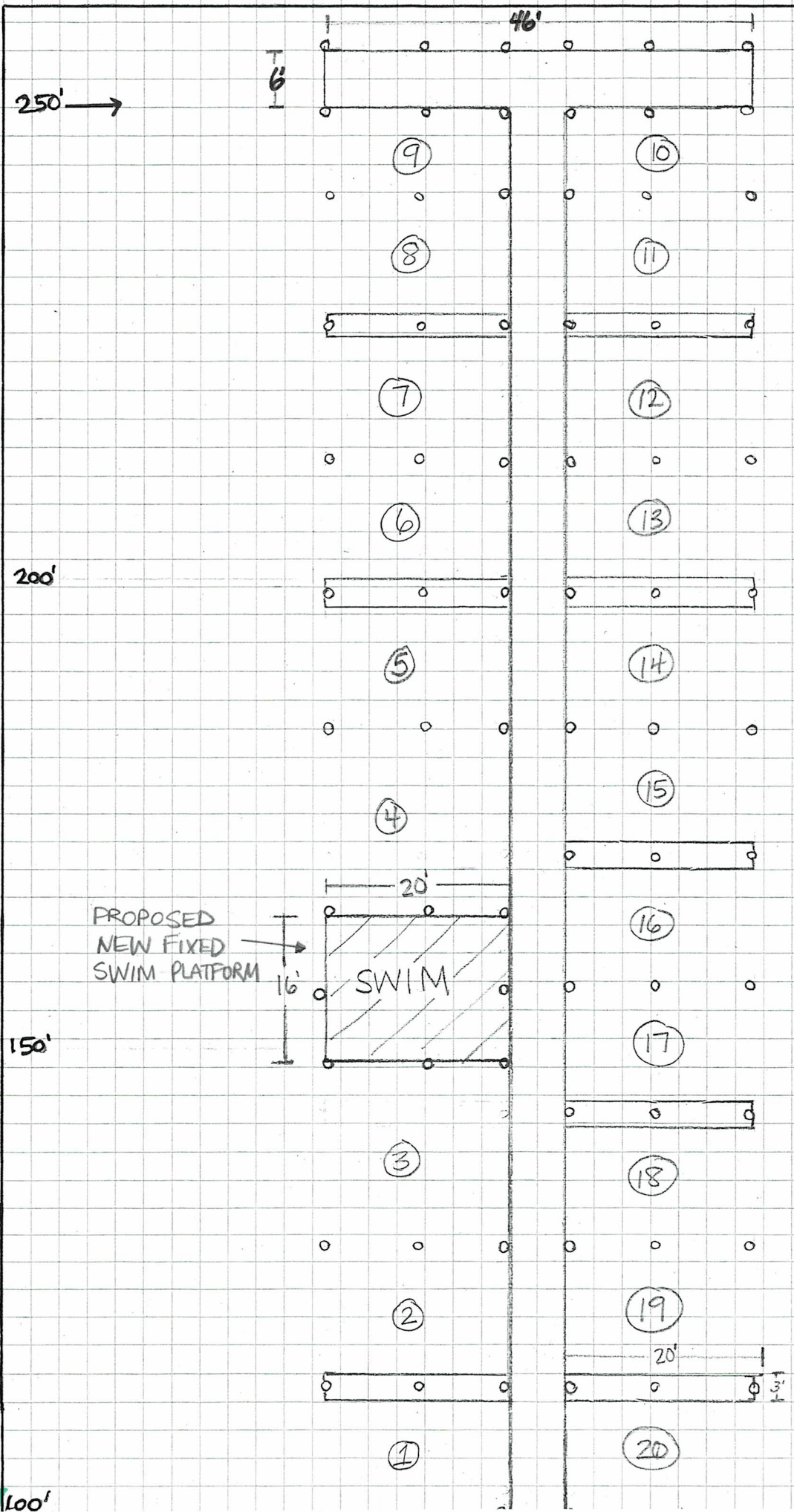
BEECHWOOD GLEN
 c/o COREY DOWNER
 BEECHWOOD GLEN
 COMMUNITY PIER
 LOCATED BETWEEN
 WEST & EAST
 BEECHWOOD RD.
 GALENA MD



NOTES:

- PIER IS DETERIORATING AND BOAT SLIPS BREAKING AND FALLING APART.
- CONDITION IS BECOMING DANGEROUS
- 18 EXISTING SLIPS ARE TOO NARROW AND ACCESS IS VERY DIFFICULT
- NEAR SHORE SLIPS ARE IN TOO SHALLOW OF WATER FOR MOTOR BOATS TO USE

PLAN VIEW 1.



WATER DEPTHS		
DEPTH	MLW	MHW
300'	7'	9'6"
275'	7'	9'6"
250'	7'	9'6"
225'	7'	9'6"
200'	7'	9'6"
175'	6'6"	9'
150'	6'	8'6"
125'	5'	7'6"
100'	4'	6'6"
75'	3'	5'6"
50'	2'	4'6"
25'	1'	3'6"
0'	0'	2'6"

CONNECT PAGES →

← CONNECT PAGES

1

CONNECT PAGES →

← CONNECT PAGES

PLAN VIEW₂

100'

50'

EXISTING STEPS

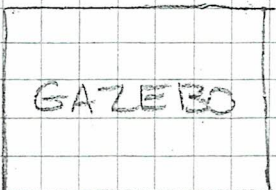


EXISTING BULKHEAD



GRASS YARD

GAZEBO



STREAM

BEECHWOOD GLEN
HOA

c/o COREY DOWNER

BEECHWOOD GLEN
COMMUNITY PIER
GALENA, 21635
MD,
KENT COUNTY, MD

DESCRIPTION OF WORK:

- REMOVE & DISPOSE OF EXISTING PIER
- BUILD A NEW 6' WIDE X 250' PIER
- BUILD A 16' x 20' SWIM PLATFORM
- BUILD 8 FINGER PIERS - 3' x 20'
- DRIVE ADDITIONAL PILINGS FOR FINGER PIERS
- BUILD A 46' x 6' "T" FOR LOADING AND UNLOADING

Parcel
no: 0032

Parcel
no: 0246

Parcel
no: 0051

Handwritten annotations in yellow:
31'-5"
46'
12'-5"
65'-5"
18'

Beechwood Glenn
Community Pier
Item 01

Parcel
no: 0032

5.5'
Pump Station

Parcel
no: 0246

Parcel
no: 0051

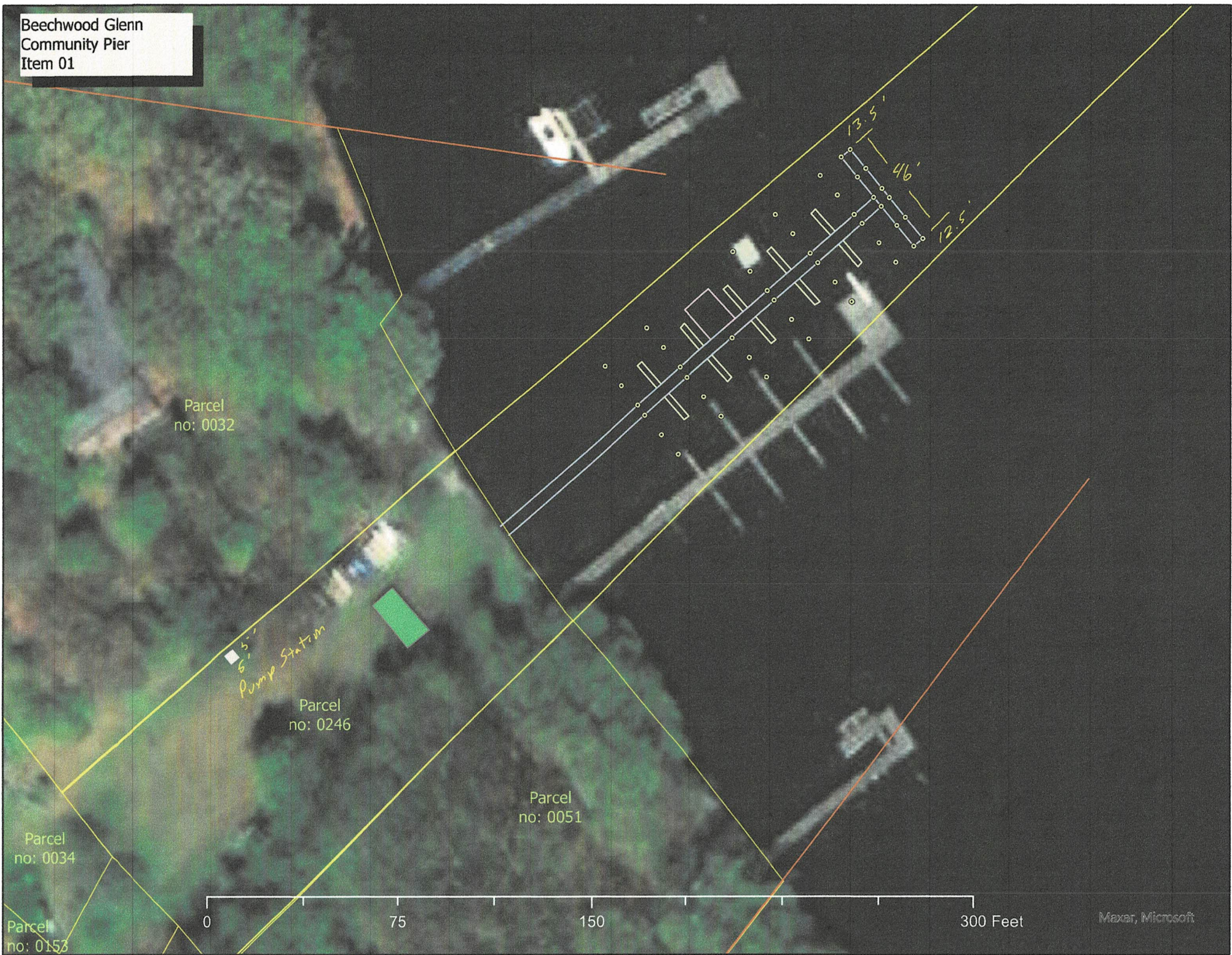
Parcel
no: 0034

Parcel
no: 0153

13.5'
46'
12.5'

0 75 150 300 Feet

Maxar, Microsoft



Beechwood Glenn
Community Pier
Item 02

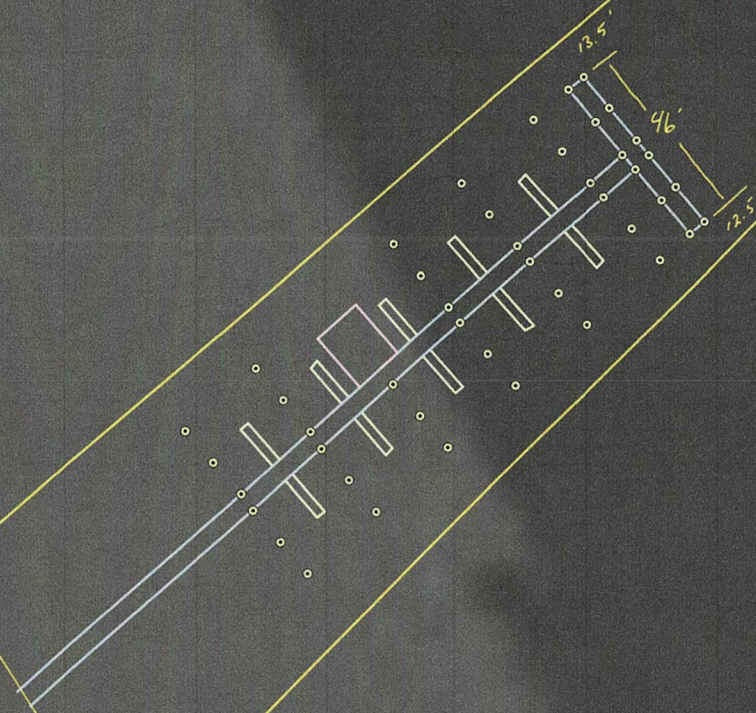
Parcel
no: 0032

Parcel
no: 0246

Parcel
no: 0051

Parcel
no: 0034

Parcel
no: 0153

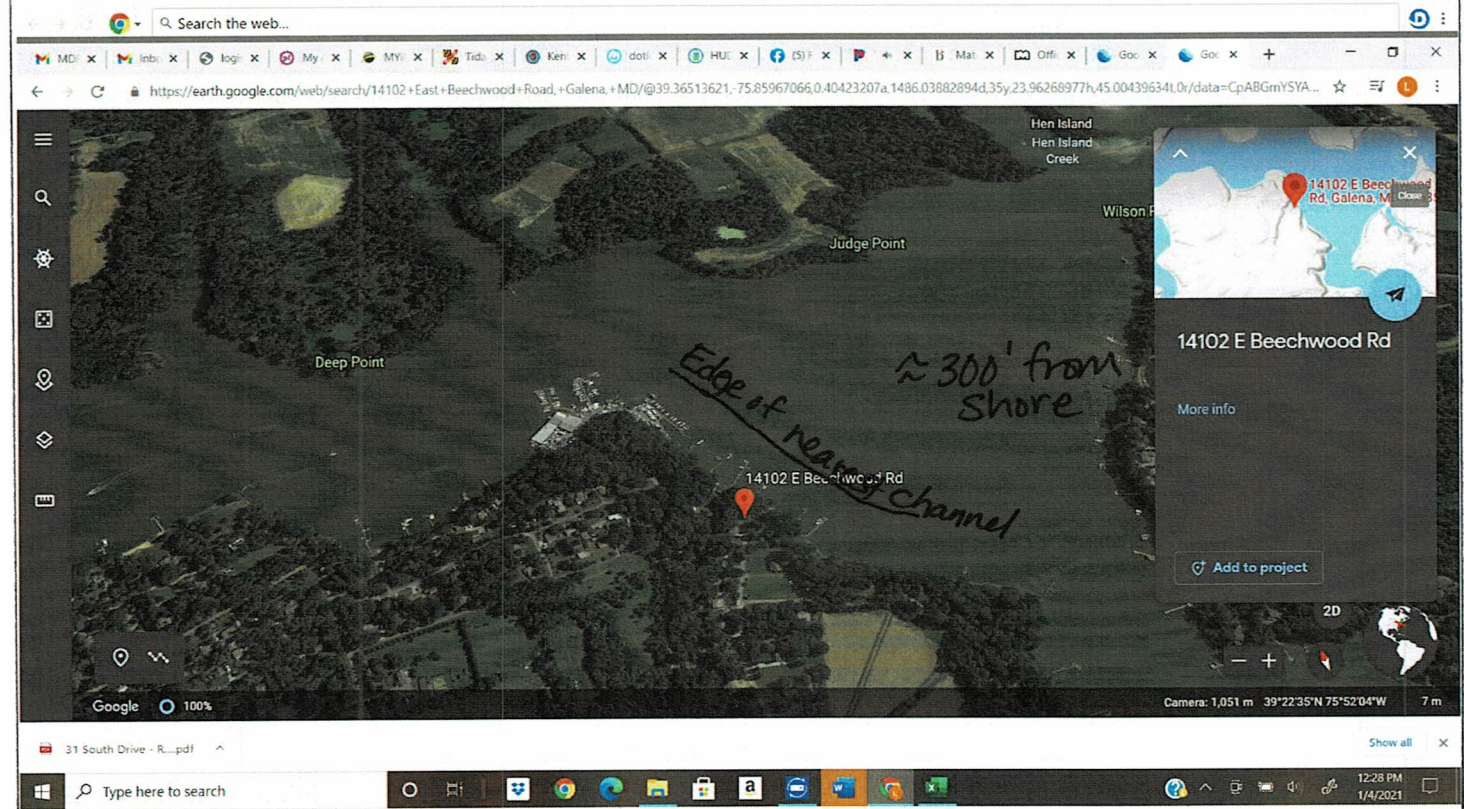
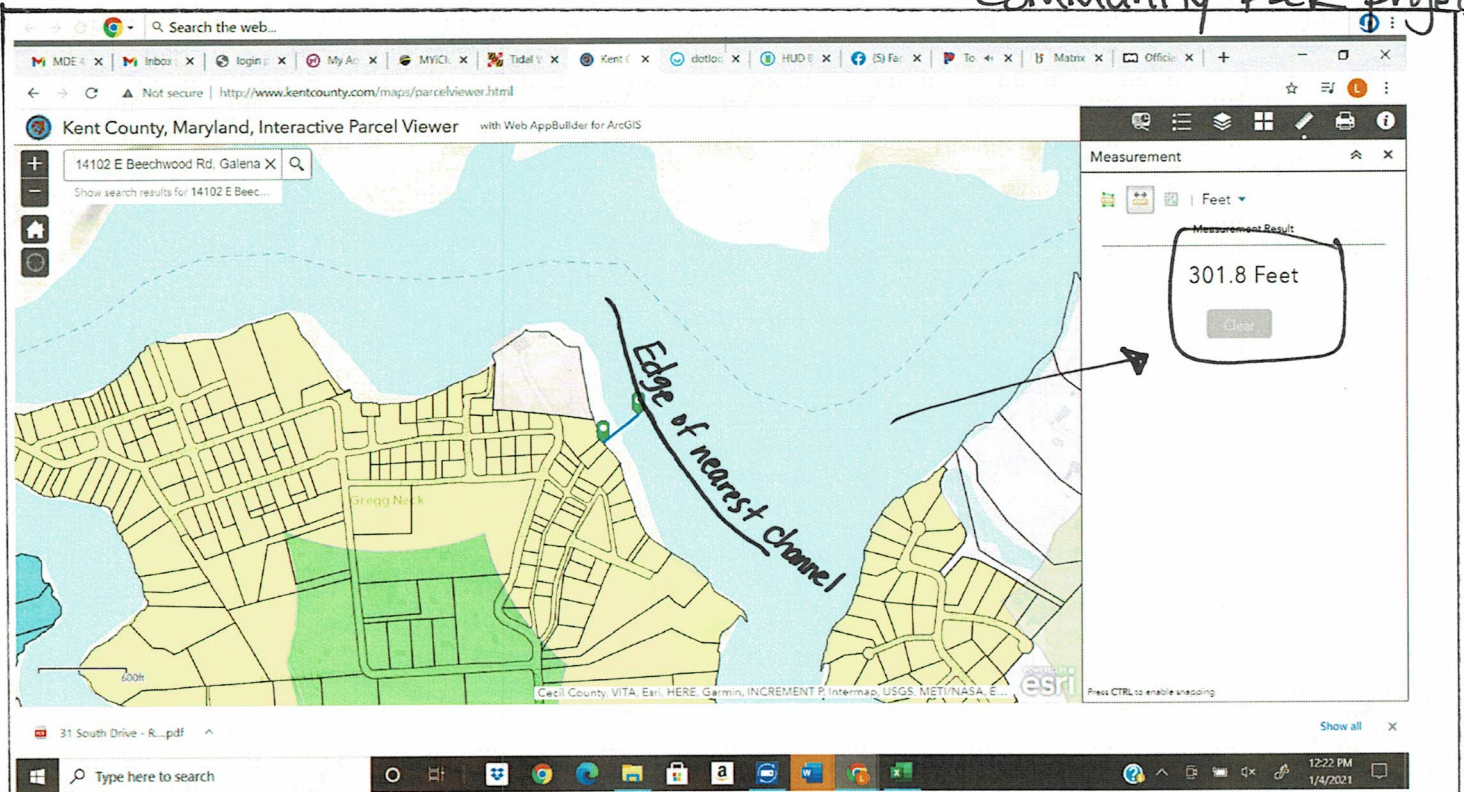


WIDTH OF THE WATERWAY ACROSS FROM THE BEECHWOOD GLEN COMMUNITY PIER

The screenshot shows a web browser window with the following elements:

- Browser Address Bar:** <https://www.arcgis.com/apps/webappviewer/index.html?id=499c1661c72e425e810a55b84ab1f0a4>
- Page Title:** Kent County, Maryland, Interactive Parcel Viewer with Web AppBuilder for ArcGIS
- Search Bar:** Contains the text "e beechwood road galena md".
- Map:** Shows a parcel viewer interface with a blue line indicating a measurement across a waterway. A scale bar for 600ft is visible in the bottom left of the map area.
- Measurement Panel:** Located on the right side of the map, it displays "Measurement Result" as "1,604.8 Feet". A "Clear" button is present below the result.
- Footer:** Includes the Esri logo and the text "Powered by esri" and "Press CTRL to enable snapping".

Beechwood Glen
COMMUNITY PIER project



Nearest
channel to shore ≈ 300'

Search the web...

https://www.vims.edu/research/units/programs/sav/access/maps/index.php

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Interactive SAV Map

E Beechwood Rd, Galena, VA

Show search results for E Beech...

To scale Pier map...pdf

Show all

Type here to search

47°F

4:01 PM 12/28/2021

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