

Kent County Board of Appeals

TELEPHONE 410-778-7475

Kent County Government Center
400 High Street
Chestertown, Maryland 21620

FACSIMILE 410-810-2932

County Commissioners Hearing Room MEETING TO BE HELD VIRTUALLY via CONFERENCE CALL

COVID-19 Special Announcement Regarding Meeting Attendance

In response to the State of Emergency, individuals must refrain from attending meetings. Board of Appeals meetings are live streamed (<https://www.kentcounty.com/commissioners/meeting-live-video>), and citizens may call in with questions when the Chair opens the floor for comment.

To participate via Microsoft Teams:

1. Call 1-872-239-8359
2. Enter Conference ID: # 943 636 554

To participate via the Kent County Conference Bridge service:

1. Call 410-810-2213
2. Enter PIN number 55266

Please mute your phone / device until the Chair opens the floor for comment.

AGENDA

Monday, October 19, 2020
7:00 p.m.

APPLICATIONS FOR REVIEW:

- 20-34 Melinda M. Zupon – Special Exception – Adaptive Reuse of Historic Structure**
4959 Piney Neck Road, Rock Hall, Maryland – Fifth Election District – Community Residential “CR”
(Staff: Rob Tracey)..... BOA Decision

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.

Please note that times listed on the agenda are only estimates; however, projects will not be reviewed prior to their scheduled time. Applicants will be given the time necessary to assure full public participation and a fair and complete review of all projects. Therefore, the time each application is heard may be later than the time indicated on the agenda. Items on this agenda are subject to change due to cancellation of projects.

Other business without assigned times may be discussed during the course of this meeting as time allows.



MINUTES

Meeting: Kent County Board of Zoning Appeals
 Date: August 17, 2020
 Time: 7:00 P.M.
 Location: Virtual Meeting/County Commissioners Hearing Room, 400 High Street, Chestertown, Maryland

Agenda Item/Case	Sitting for the Board	Action Taken	Vote
<p>MINUTES: July 20, 2020</p> <p>20-26 Dixie Land Energy – Set Back Variance (Side & Rear Yards)</p> <p>– The applicant is requesting an 85-foot variance to both sides and a 50-foot variance to the rear yard, from the required 100-foot setback, to construct a liquid propane and fuel oil storage and distribution facility.</p> <p>The property is located along the east side of Maryland Route 299 on the north side of Massey (Sassafras Road) in the First Election District and is zoned Industrial “I”.</p> <p><u>Applicant:</u> Kevin Shearon, representing Dixie Land Energy, LLC.</p> <p>Kevin Price, representing Dixie Land Energy, LLC.</p> <p>All were sworn in.</p> <p><u>Staff:</u> Stephanie Jones, Environmental Planner.</p> <p>No correspondence was received.</p> <p>Mr. Mackey provided an update of the Comprehensive Re-Zoning project and reminded everyone of the first public forum on Tuesday, August 18, 2020 at 6 P.M.</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>Brian Jones, Clerk</p>	<p>Minutes approved as presented</p> <p>Based on the applicant’s testimony:</p> <ul style="list-style-type: none"> • The variance will not cause a substantial deterrent to adjacent or neighboring properties. • The proposed development is consistent with adjacent uses that include a large grain storage facility, a large stone stockpile yard, a multi-track railroad, and a Crop Production Services operation. • Granting of the variance will not negatively change the character of the neighborhood. Many of the surrounding uses are also storage facilities with a distribution component. • Granting of the variance is consistent with the <i>Comprehensive Plan</i> by locating industrial uses on Industrial zoned properties. • The practical difficulty arose from applying the 100-ft setbacks from all property lines resulting in no usable or developable area. • The practical difficulty was not caused by the applicant’s own actions, but rather the nature of the zoning and, more importantly, the surrounding zoning. If the adjacent properties were also zoned industrial, the side and rear setbacks would only be 15-ft. • Without a variance, there would be no usable area for the property. • The property is not in the Critical Area. • No construction has begun on the project. 	<p>Unanimous Approval</p> <p>Unanimous Approval</p>

Agenda Item/Case	Sitting for the Board	Action Taken	Vote
		Ms. Horsey made a motion to grant the variance with the condition that the applicant shall secure final site plan approval from the Planning Commission and begin construction within one year. Mr. Massey seconded the motion; all were in favor.	
Adjourn		Ms. Horsey made a motion to adjourn the meeting, and Mr. Massey seconded the motion; the motion passed with all in favor. The meeting adjourned at 7:45 P.M.	Unanimous Approval

Dr. Albert Townshend, Chairman

Brian Jones, Clerk

DRAFT

Kent County Planning Commission

TELEPHONE 410-778-7475

Kent County Government Center
400 High Street
Chestertown, Maryland 21620

FACSIMILE 410-810-2932

October 5, 2020

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

RE: #19-59: Melinda Zupon
Special Exception for Adaptive Reuse of a Historic Structure

Dear Dr. Townshend:

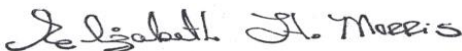
At its October 5, 2020 meeting, the Kent County Planning Commission reviewed the application of Melinda Zupon for a special exception for an adaptive reuse of a historic structure. Ms. Zupon proposes to renovate the existing two-story dwelling into a private office/storage structure. The 1.99-acre property is zoned Community Residential, "CR", and located in the 5th Election District. Following a review of all applicable laws and the Comprehensive Plan, the Planning Commission voted to send a favorable recommendation on the special exception conditioned upon site plan approval.

The Planning Commission cited the following findings of fact:

- The proposal is consistent with many comprehensive plan strategies.
- The 1.99-acre property is zoned Community Residential, CR, and is located approximately 3 miles south-west of the Town of Rock Hall.
- The applicant proposes to renovate the existing two-story dwelling into a private office/storage structure. The applicant plans to construct a single-family dwelling to live in and the existing structure will become an accessory structure.
- Although the property is not listed in the Maryland Inventory of Historic Properties, the applicants thorough research demonstrates the structure's historic nature.
- The structure has been determined to be historically significant.
- Extensions or enlargements of the structure will not exceed 25% of the gross floor area.
- The parcel will be accessed by an existing driveway. The proposed use will not create additional traffic. The landscaping is in keeping with the character of the building and neighborhood.
- The site is served by public sewer and private water.
- In a deteriorating condition for decades, the restoration of the structure should have a positive impact on property values.
- The applicant has outlined the use of the property, which is specific and clearly defined and should not have a negative impact on property values.
- The number of dwellings will not exceed the density permitted in Community Residential Zoning District.
- The proposed use does not create an unacceptable impact by way of noise, odor, noxious materials or other nuisances.
- The proposed renovations to the structure should not negatively impact water quality or the overall habitat onsite.
- The proposed use is consistent with many aspects of the purpose and intent of the Community Residential Zoning District.
- Final approval of the special exception is conditioned upon minor site plan approval.

Sincerely,

Kent County Planning Commission



Elizabeth H. Morris
Chairman
EHM/rwt





Kent County Department of Planning, Housing, and Zoning

To: Kent County Board of Appeals
From: Rob Tracey, Community Planner
Meeting: October 19, 2020
Subject: Melinda Zupon: Special Exception- Adaptive Reuse of a Historic Structure

EXECUTIVE SUMMARY

Request by Applicant

Ms. Zupon is requesting a special exception for an adaptive reuse of a historic structure on her property located at 4959 Piney Neck Road. Ms. Zupon proposes to renovate the existing two-story dwelling into a private office/storage structure. According to the applicant's research, the existing structure is on land that can be traced back to an original land grant on January 20, 1658 to John Langford. The existing house was built in the mid to late 1800s based on deeds, property taxes, and census records. The house is not listed on the Maryland Historic Inventory of Properties. The 1.99-acre property is zoned Community Residential, CR, and located in the 5th Election District. This property is located approximately 3 miles south-west of the Town of Rock Hall.

Public Process

Per Maryland State Law and Article VII, Section 6.2 of the Kent County *Land Use Ordinance* the Planning Commission shall send a recommendation to the Board of Appeals on special exceptions for the adaptive reuse of historic structures.

Summary of Staff Report

The applicant has addressed all specific and general special exception standards. The intent of the special exception provisions is to provide for certain uses with unique characteristics. The Commission must consider the impact of the uniqueness of these characteristics upon neighboring uses, the surrounding area, and the public need for the particular use at the particular location. Limitations and standards are established by the special exception performance standards.

This application addresses all standards and outlines limitations on its proposed uses onsite. There is a definite uniqueness to the applicant's site and the historic structure specifically. The use as proposed, in conjunction with the limitations outlined, offers a novel community interface with a valuable historic structure.

Recommendation

Staff recommends approval of the special exception conditioned upon site plan approval.

PRELIMINARY STAFF REPORT

TO: Kent County Board of Appeals
SUBJECT: Melinda Zupon – Special Exception, Adaptive Reuse of Historic Structure
DATE: October 15, 2020

DESCRIPTION OF PROPOSAL

Ms. Zupon is requesting special exception for an adaptive reuse of an historic structure on her property located at 4959 Piney Neck Road. Ms. Zupon proposes to renovate the existing two-story dwelling into a private office/storage structure. The applicant plans to construct a new single-family dwelling to live in and the existing structure will become an accessory structure. According to the applicant's research, the house is on land that can be traced back to an original land grant on January 20, 1658 to John Langford. The existing house was built in the mid to late 1800s based on deeds, property taxes, and census records. The house is not listed on the Maryland Historic Inventory of Properties.

The 1.99-acre property is zoned Community Residential, CR, and located in the 5th Election District. The property is currently improved with a two-story dwelling. The surrounding area is characterized by agricultural and forested land with sparse residential development. This property is located approximately three miles south-west of the Town of Rock Hall.

RELEVANT ISSUES

I. Special Exception – Specific Standards for Adaptive Reuse of Historic Structures

A. *Comprehensive Plan:*

- The County seeks the adaptive reuse of historic structures and resources as appropriate, through the development review process. (Page 127)
- Assist property owners in preserving historic sites. (Page 124)

B. *Applicable Laws:* Article V, Section 6.3 identifies the adaptive reuse of historic structures as a principal use permitted as a special exception in the CR District, subject to site plan review and standards found in Article VII.

Article VII, Section 7.4 of the Kent County Land Use Ordinance authorizes the Kent County Board of Appeals to grant a special exception for the adaptive reuse of historic structures in the CR District provided the application complies with the following:

- a. Structures shall be listed in the Kent County Historic Site Survey or approved as a historically significant structure by the Planning Commission.
- b. It is shown that exterior changes to site structures will be minimized. Extensions or enlargement of the principal and accessory structures may not exceed 25% of the gross floor area of each individual building above that which existed as of August 1, 1989. Enlargements shall be designed in keeping with the character of the building.
- c. Landscaping is in keeping with the character of the building.
- d. The site must have access to a public road adequate to handle traffic generated. The proposed use shall not generate traffic of a type or amount inappropriate for all access roads and the surrounding area. The use does not require road improvements detrimental to the character of the area.

- e. The number of dwellings shall not exceed the density permitted in the district in which the structure is located.
- f. The proposed use does not create an unacceptable impact by way of noise, odor, noxious materials or other nuisances.
- g. In CRD, adaptive reuse projects shall be limited to non-commercial and non-industrial uses.

C. *Staff and TAC Comments:*

- a. The property is located on Piney Neck Road outside of Rock Hall. According to the applicant's research, the house is on land that can be traced back to an original land grant on January 20, 1658 to John Langford. The house itself dates to 1860-1880 based on deeds, property taxes, and census records. The structure is not listed in the Maryland Historic Inventory of Properties (MIHP). Please see the attached narrative relative to the history of the building and the overall project proposal.
- b. The applicant intends to preserve the history of the property and proposes minimal alteration while ensuring the stability and longevity of the structure. The applicant proposes to remove a small kitchen/bath located on the rear of the house that is in poor condition. The resulting size of the house will be approximately 960 square feet. No additions to the structure are proposed at this time.
- c. The site plan identifies existing forest on the south east portion of the property. Landscaping is in keeping with the character of the building.
- d. The applicant proposes access to the site from the existing driveway on Piney Neck Road. There is currently no access point from the site to Crouches Lane. The proposed use will not generate traffic.
- e. The number of dwellings does not exceed the density permitted in the Community Residential district.
- f. The proposed use does not create an unacceptable impact by way of noise, odor, noxious materials or other nuisances.

III. Special Exception - General Standards

A. *Comprehensive Plan:*

- The County will continue to promote the compatible adaptive reuse of significant historic structures through the use of flexible protocols. (Page 124)

B. *Applicable Law:* Article VII, Section 2 of the Kent County Land Use Ordinance requires that the Board of Appeals make findings on the following 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:*

1. The property is currently improved with a two-story dwelling. The site is screened by mature trees along the south-east portion of the property with open areas along the north and west property lines.
2. The site will continue to be accessed by the existing driveway. The project will not generate additional traffic to the area.
3. The surrounding area is characterized by sparse residential development along Piney Neck Rd. Otherwise, the property is surrounded by both agricultural and forested land.
4. This property is located approximately three miles south-east of the Town of Rock Hall where the closest churches, schools, and places of public gathering are located.
5. The Kent County Department of Public Works commented that the existing house will need to be disconnected from sewer and water services at the owner's expense.
6. The purpose of the CR District is to provide for single family residential development in areas of existing residential development, together with facilities and accessory uses normally compatible with residential surroundings, and at the same time to permit agricultural uses and to preserve open spaces and rural character. This district is in areas near existing developed areas, villages and incorporated towns. The proposed use is consistent with the intent of this district.
7. The Comprehensive Plan and the Ordinance encourage the preservation of historic structures. The full scope of the proposal of the uses onsite has been described, identified, and limited by the applicant in the narrative.
8. In a deteriorating condition for decades, the restoration of this property should have a positive impact on property values. The applicant has outlined use of the property which is specific and clearly defined which should not have a negative impact on property values.
9. The proposed demolition of the small kitchen/bath and the reduction in impervious surfaces will not negatively impact water quality or the overall habitat onsite.
10. The proposal is consistent with many comprehensive plan strategies preserving historic structures.

STAFF RECOMMENDATIONS

The applicant has addressed all specific and general performance standards. The intent of the special exception provisions is to provide for certain uses with unique characteristics. The Commission must consider the impact of the uniqueness of these characteristics upon neighboring uses, the surrounding area, and the public need for the particular use at the particular location. Limitations and standards are established by the special exception performance standards.

This application addresses all standards and outlines limitations on its proposed uses onsite. There is a definite uniqueness to the applicant's site and the historic structure specifically. The use as proposed, in

conjunction with the limitations outlined, offers a novel community interface with a valuable historic structure.

Staff recommends approval of the special exception conditioned upon site plan approval.

Melinda Zupon - Adaptive Reuse of a Historic Structure



Source: Kent County Department of Planning, Housing, and Zoning. Aerial taken Spring 2019. Map prepared September 2020.

IN THE MATTER OF APPLICATION OF:
(Name, Address and Telephone Number of
Applicant)

Melinda M Zupon
4959 Piney Neck Road
Rock Hall, MD 21661
803-270-5784
Melz1331@yahoo.com

August 29, 2020

FOR OFFICE USE ONLY
CASE NO.:

Date Filed: _____

Filed by: _____
Applicant

Planning Commission: _____

Date of Hearing: _____

Parties Notified: Notice in Paper: _____

TO THE KENT COUNTY BOARD OF APPEALS: In accordance with Article VI Section 6 of the Kent County Land Use Ordinance, as amended, request is hereby made for:

Appealing Decision of Kent County Zoning Administrator

Variance

Special Exception: **Section 6: Community Residential- 6.3: Special Exceptions**

1: Accessory storage structures with a floor area of more than 1,200 square feet or a height that exceeds 17 feet on parcels less than 5 acres

3: Adaptive reuse of historic structures

Section VII: Section VII: Special Exception- Adaptive reuse of historic structures in AZD, RCD, RC, RR, CR, V, IV, IVCA, and M

Non conforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) 4959 Piney Neck Road
In the 5th Election District of Kent County.

Size of lot or parcel of Land: 1.99 Acres Map # 0055 Parcel # 0044 Lot # _____ Deed # MLM 945/ 298

List buildings already of property: **Per tax records there is an old house 1,212 square feet. The back kitchen/ bath area will eventually be removed as it is not original, which will take the house to 960 square feet. Tax records show the house built in 1920 but it is much older based on records.**

Subdivision name and address if applicable: NA

PRESENT ZONING OF PROPERTY: **Unincorporated Zoning- CR Community Residential**

DEPARTMENT OF
PLANNING, HOUSING & ZONING
RECEIVED 9/3/2020

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

I want to save an Historic house and build a new house on my property. I bought 4959 Piney Neck Road in May 2018. It was a hoarding situation. I have spent thousands of dollars to remove junk not only from the house but the 1.99 acres including fallen trees, brush, overgrowth, a dilapidated deck, junk, and two abandoned sheds. Neighbors repeatedly stop and thank me for restoring the property. I was told by the current Planning/ Zoning team that my old house could be considered an accessory building. But would have to be listed as adaptive reuse of an Historic structure because it is currently 12 feet too big, and over 17 feet high (it is approximately 22 feet high) per Unincorporated Zoning- CR Community Residential that accessory structures have to be less than 1,200 square feet and less than 17 feet high. Of course, the house was built 1860-1880s and does not comply with either for Zoning that was adopted in 2003.

Before:



(I can provide more before and after pictures if needed)

History: The house is on land that can be traced back to an original land grant on January 20, 1658 to John Langford. The house itself dates to 1860-1880 based on deeds, property taxes, and census records.

2018: MLM 945/ 298-304 Trego to Zupon

1975: EHP 64/661- Carrie Mae Hepbron (d 2008- daughter of Clara and DC Ashley) to Trego

1955: Clyda Hill (sister to Carrie Mae) to Louis S Hepbron (d 1974) and Carrie Mae his wife- WHG 40/507

1940 Census: David C Ashley, Clara M Ashley- at house

1936: RAS 16/354 Louis S Hepbron (husband) and Carrie Mae (wife) to Thomas and Clyda Hill (sister to Carrie Mae)- same size- **DAUGHTER of Clara and DC**

1935: Clara M Ashley and David C Ashley to Louis S Hepbron and Carrie Mae- **DAUGHTER of David and Clara- RAS 14/622**

1930-40s: Trego thinks that back part was put on

1930 Census: David C Ashley, Clara M, Carrie M daughter- John C Middleton (nephew) living **NEXT** to John W Grant- says both houses are **owned**

1923: RRA 2/112- May 4- Charles W Beck and his wife Helen B- Hattie L Edwards and Maurice P her husband- William S Beck- Etta C Strong and her husband William R (heirs of Edward L Beck)- to Clara M Ashley (THEIR MOM)- 1 a 5 1/3 p- SAME- mtg APR 2/237- Edward L Beck died before making a will- he died 1897 and the property descended to the mentioned children of Edward Beck-it went to Clara not her new husband David Ashley

1920: Tax records state the house was built- but people living there longer than 1920.

1920 Census: Clara M, David C Ashley, David C, Ada O, Joseph H, Allen R, Carrie M, William Selby Beck- stepson to David C- John Middleton- (nephew- son of Martha Ashley and John Middleton)- **NEXT** to Hudson- John W Grant- William Coleman next- all **OWN**-in correct order- 9 people living in the house

1909-1918: tax assessment- 2nd page says furniture – p 12

https://msa.maryland.gov/megafile/msa/transer/t4100/t4174/000200/000246/pdf/mdsa_t4174_246.pdf

Tract or Parcel No.	Area	Value	Assessment	Total
113	30	70	205	275

1910 Census: David C Ashley, Clara M, 10 kids- Herbert R Beck- William S Beck- Mary M Beck- Clara E Beck, Claude R Beck, David C Ashley- Ada O Ashley, Joseph H Ashley- Allen R Ashley- Carry M Ashley- Grant NOT next door- RENT from Beck kids

After 1909 tax list: Clara M Ashley: 1 and ½ acre- 30 perches- **HOUSE AND KITCHEN**- heir of Edward Beck- District 5

https://msa.maryland.gov/megafile/msa/transer/t4100/t4174/000200/000200/pdf/msa_t4174_000200.pdf

Clara Ashley Heir of Edward Beck.	Parcel of land in Cincy nech. last side of road from Cincy nech. in Beck Hall Containing 1 1/2 acres @ 30 perches House & kitchen	40 200 240	House hold furnished	Total 150 50
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1900 census: David C and Clara Ashley- (**OWN**)- 7 kids- 6 living-boarder living with them- 8 people in the house- only property they own

1900- 1911: tax assessment- Edward L Beck died in 1897 but property still in his name bec no will- no David Ashley or Clara listed as owning land. **1907**

https://msa.maryland.gov/megafile/msa/transer/t4100/t4174/000200/000256/pdf/mdsa_t4174_256.pdf

Edw L Beck							Rock Hall						
DATE	NAME OF LINK	No. of Acres	Perches	TAXE	RENTS	DATE	Assessed Property	Value	Perches	ABATEMENTS	DATE	Value	Perches
	Part of Elburn lot in 1/3 containing 30 perches same as	30		40	150	190	103			1320	1/3	50	27
						add	47					27	
							150						

1899: Clara M **married** David C Ashley per the 1900 census.

March 1897: tax list shows Edward L Beck owning lot of 1 1/3 – part of the Elburn Lot- adjoins Crosby-Shriver- MCOB Hall (est 1884)

https://msa.maryland.gov/megafile/msa/transer/t4100/t4174/000200/000207/pdf/msa_t4174_000207.pdf

Edward L. Beck Rocks Hall, Md	One lot of land on Long Neck part of the "Elburn Lot" + adjoins County, Shuren + M. C. A. B. Club + contains 1/3 Acre ³⁰ Improvements	40. 150. 190.00	1 Acre	150.00
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*1887: Thomas C **Maslin** and his wife Myra to **Edward L Beck**- SB 10/115- adj Mutual Beneficial Society- 1/3 Elburn Lot- 1 acre 5 and 1/3 p

- Based on Census records Maslin never lives there- rents maybe- he bought up a lot of property

1882: George Washington Elburn and Mary Virginia Beck his wife to **Thomas C Maslin**- SB 3/363- Elburn Lot- 3 acres and 16 perches – adj Mrs Thomas Shrivens- Mrs John Apsley- part of Langford Neck- commonly called Elburn Lot- deed August 1882- registered Sept 28, 1882- Maslin evenly splits the Elburn Lot and sells to Edward L Beck- Lemuel Beck- and John V Crosby

1866 Tax records:

George Washington Elburn- 3 acres in Langford Neck **AND FRAME HOUSE**

https://msa.maryland.gov/megafile/msa/transer/t4100/t4174/000200/000203/pdf/msa_t4174_000203.pdf

Elburn Geo Washington 3 1/2 Langford Neck frame House	3.	300
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1860 Census: Sarah Elburn has a Washington living with her- prob her son or Aunt

1852: James Elburn dies- no will- land goes to family- George W Elburn- 3 acres from Crouch

1850: August 20- JR 1/ 224- James and Martha Crouch to George W Elburn (1837-1899)- corner lot purchased by James Elburn from James Crouch- 1 a- 23 p

1850 Census: James Elburn 8 has a George W 13- living next to John W Grant and James Wilson

1847: August 14- JNG 11/442- James and Martha Crouch to James Elburn- stone outbound line of the whole of LN- near turn of main road- corner stone of land of Samuel Coleman's heirs- James Glenn- 2 acres

1850: August 20- JR 1/ 224- James and Martha Crouch to George W Elburn (1837-1899)- corner of lot purchased by James Elburn from James Crouch- 1 a- 23 p

1783: James Crouch 67 acres of Langford Neck- son of Thomas Crouch

January 19, 1737: John Smithers to Richard Crouch; "Langford's Neck" , 67 acres- JS 22/21- Crouch dies in 1738. Wife Judith Wedge d 1740. – Son Thomas Crouch his son James manages the land

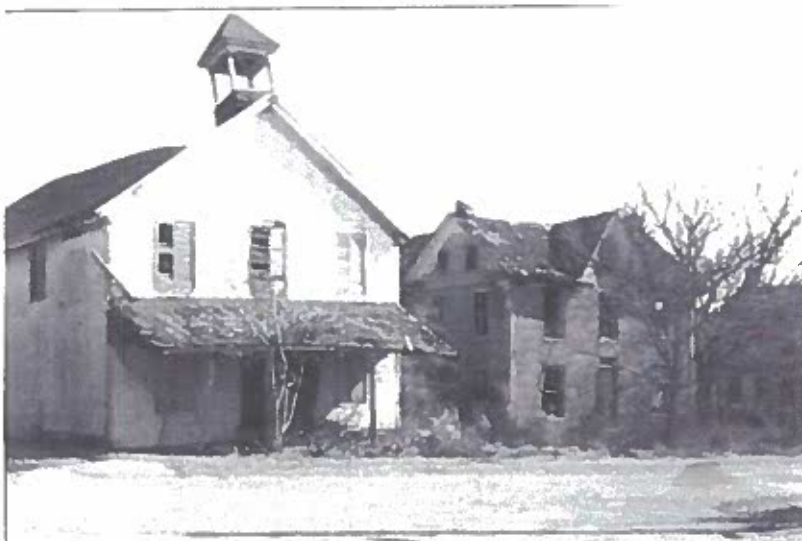
April 7, 1736: John Smithers added 450 more acres of Langford Neck

Dec 1734: John Smithers had 1500 acres of Langford Neck surveyed-includes map-
<http://plats.net/pages/unit.aspx?cid=KE&qualifier=S&series=1224&unit=125&page=adv1&id=307256690>

???: Richard Wells bought Langford Neck from Langford- went down to Blanch Wells- she married Richard Smithers in 1699- they had John Smithers

January 20, 1658: **John Langford** 1,500 acres LQ/ 328 SR7345 Kent County- Baltimore Manor- N side of the Chester River on Langford's Bay beginning at a marked Pine standing by Gray's Inn Creek- adjoins Hans Hanson's tract called *Hanson's choice* {Also ref *Early sketches by Richardson*}

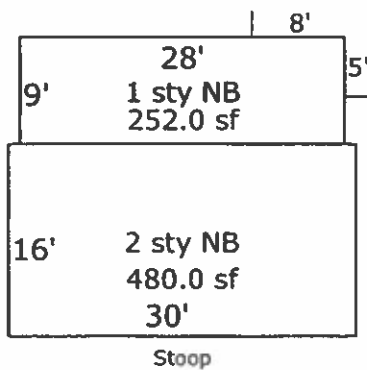
The property was combined with a lot to the south in 1997 for a combined 1.99 acres. Originally there were 3 houses on what is now the property. One was built in 1884 as a town hall and beneficial society hall. It later became a Knights of Pythias Hall and town meeting place. In the 1930s/1940s it became a locally significant store called Crouch's Store. The other structure was a lodge for the Knights of Pythias and was later owned by a founding member, my Great Great Grandfather John W Grant. Both houses were destroyed by Rock Hall Fire Department in the 1980s by the previous owner because of neglect. No records found about the burning. Just oral history. Below is the town hall on the left and Lodge on the right before they were burned.





1972 Ariel map shows the old house that stands (bright white), driveway, and 2 other structures.

The Old: The old house that remains on the property is 1,212 square feet with a 1930s/40s kitchen and bath added on. The kitchen/ bath area will be removed as it is not original to the house and because of neglect from the previous owner. The remaining structure will be approximately 960 square feet. It has a right parlor and left parlor. Upstairs it has 3 small rooms. Numerous local families called the house home. My distant relatives lived and died in this house. The previous owners told me it was the 1st house to have telephone service in the area. I tried the Historic Preservation Commission, and Historical Society of Kent County for answers about the Historic Site Surveys for Kent County but had no luck



Tax records floorplan

After:



The Plan: A new house will be built on the property and will fit my family's needs. The new house was custom designed to match the old house in look and feel, plus fit into the neighborhood. The new house is being built by Berach Homes. The chosen construction type will be modular as it will lessen impacts to the environment and neighborhood. The modular system goes together in 1 day and will be completed in a few months which will lessen construction workers and materials from impacting the area and property. The new house will be 2,688 square feet. The new house will blend with the old house and the neighborhood integrity. The graphic below is a rendering of what the new house will look like along with a picture of the old house. At one time the old house had a porch that went all the way across the front and fireplaces in each parlor. All were removed by the previous owner.



Neither structure will affect traffic patterns, other dwellings or structures, or the environment. They will help to preserve local features.

The old house will not be a dwelling unit and never rented. It will be used as office and storage space. I work from home teaching History virtually and will eventually use the old house as my office. Water and sewer will be disconnected from the old house with only electric hooked up. The houses will be clearly marked for emergency purposes, mail, etc. There will be no parking included for the old house so as to keep the historic nature. Once the new house is completed and I am moved from SC to MD I will rehab the old house.

A wetlands study was completed in 2018. No wetlands were found. The property has never been completely surveyed and recorded. Buck Nickerson with Extreme Measures is completing a site survey/boundary survey and a site plan to be recoded with the county. The new structure will not be placed on the footprints of the old houses that were burned in the 1980s. The new house will be my family's permanent residence with the old house as my personal office.

The Importance of Locally Historic Structures: In the last 5 years at least 4 old homes in the Piney Neck area have been burned by the local fire department for removal. Some were historically significant. If the trend continues there will be nothing left of the historic structural features of the area. By saving this old house it will help to preserve local features.

The Plea: I am a Historian by nature. I teach American History. Although I have never lived in Kent County my relatives have been there since the late 1600s. My distant relatives lived in the old house. My Great Great Grandfather died on the property. My Great Grandmother owned part of the Property. I have put hours and hours toward researching the families that owned the property and the history of the area. I hate to see old structures destroyed. Once History is gone, we cannot replace it. The old house on my property cannot be replaced. But it can be lovingly rehabbed and brought back to life. It has survived a lightning strike. It has survived numerous storms and hurricanes. It has survived neglect and abandonment. Please make the special exception so that it can stand for another 100+ years.

If appealing decision of Zoning Administrator, list date of decision here: NA

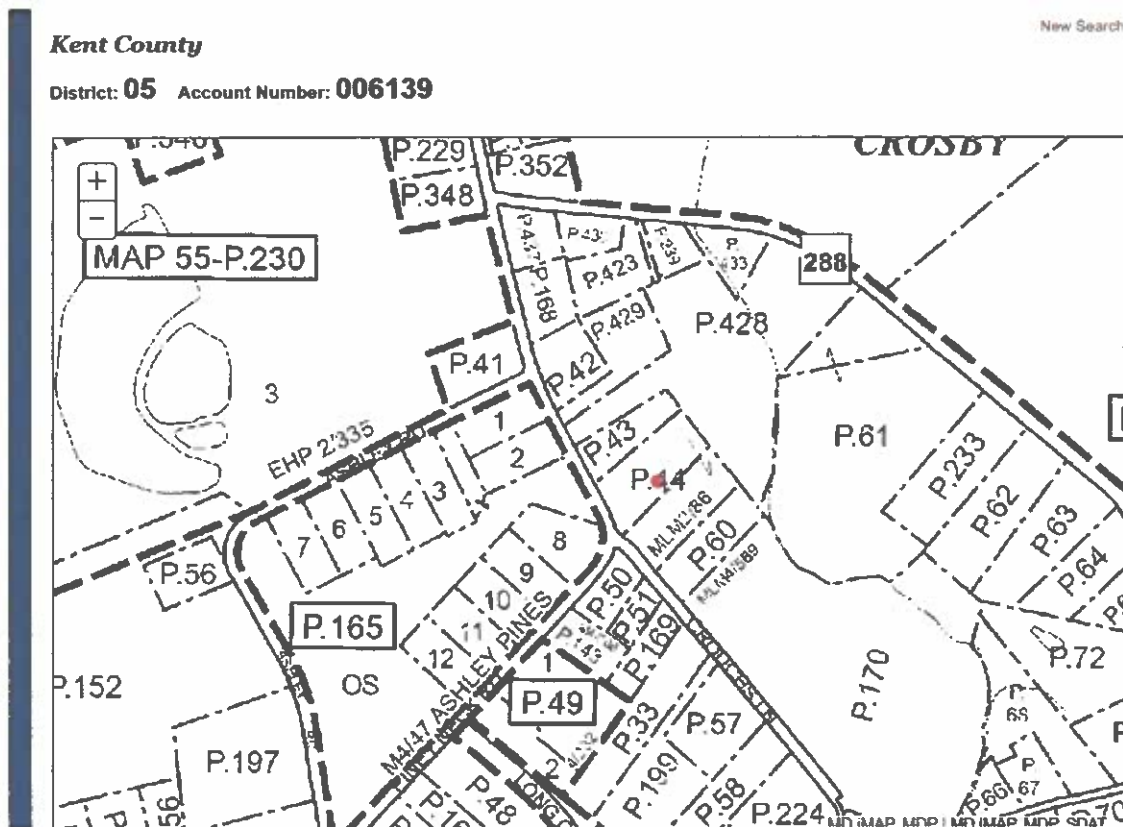
Present owner of property: Melinda M and Rosemary Zupon Telephone: 803-270-5784

If Applicant is not owner:

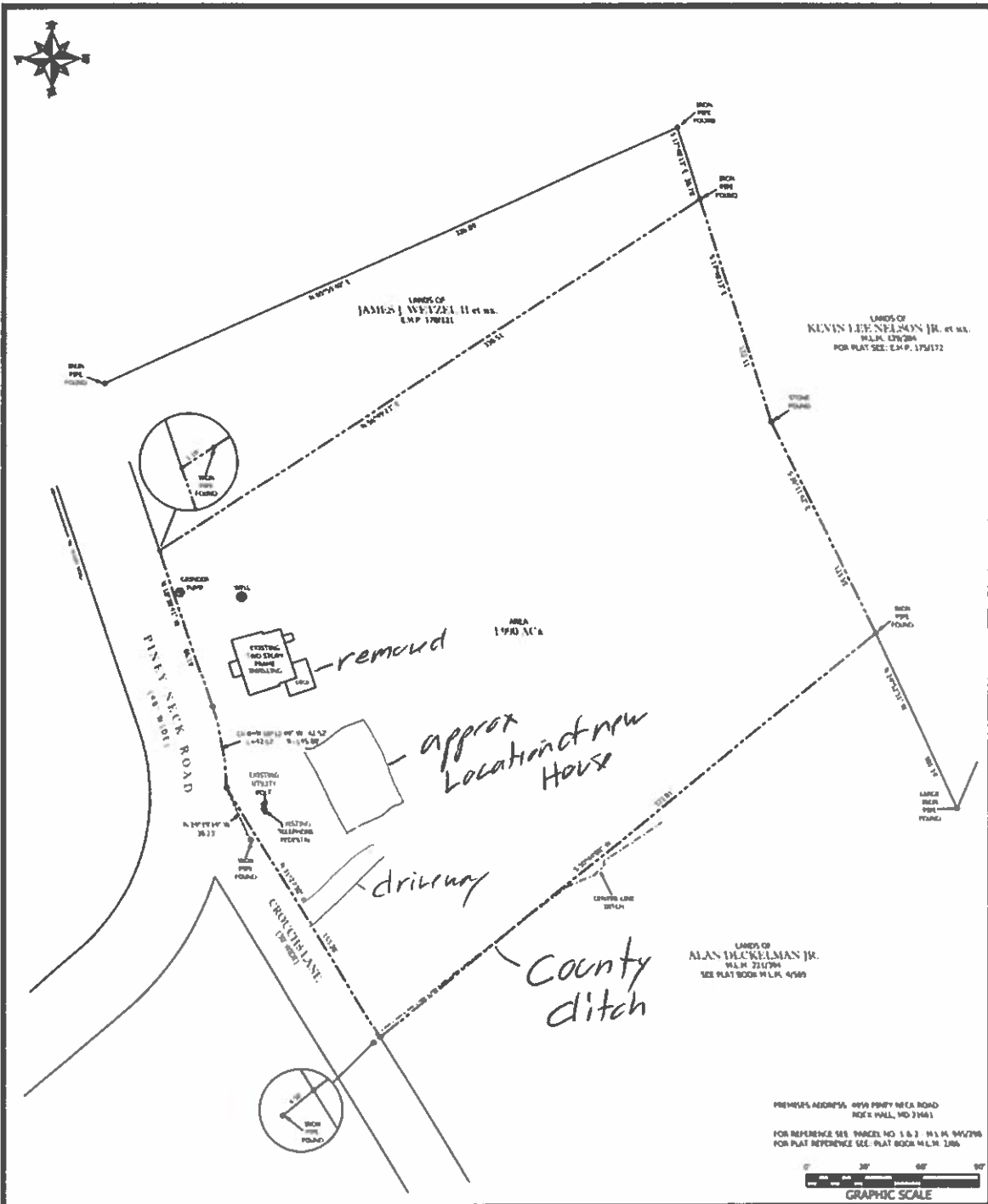
Has property involved ever been subject of previous application? No

If so, please give Application Number and Date: NA

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.







BOUNDARY SURVEY OF THE LANDS OF MELINDA M. ZUPON et al. CRIBBIER TOWNSHIRE, EASTERN COUNTY, MARYLAND TAX MAP NO. PARCEL 14		<table border="1"> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> </table>											<p>EXTREME MEASURES LAND SURVEYORS 1 Chesapeake, MD 21620 (703) 951-4800 www.extrememeasuresllc.com</p>

NAMES OF ADJOINING PROPERTY OWNERS:

(These must be listed or the application cannot be processed.)

Owner(s) on the North:

Sharon Evans
Map: 0055
Parcel: 0043
Acres: .5
House: 1,512 square feet with outbuildings
Built: 1910
4973 Piney Neck Road, Rock Hall, MD 21661

Owner(s) on the South:

Alan Deckelman, Jr
Map: 0055
Parcel: 0060
Acres: .8
Address: 22460 Crouch's Lane, Rock Hall, MD
There is no house on this lot. It is in the critical area.

Owner(s) to the East:

Kevin Lee and Karen Lynn Nelson, Jr
Map: 0051
Parcel: 0428
Acres: 3.821
House: 1,456 square feet with detached garage
Built: 1998
Address: 5010 Crosby Road, Rock Hall, MD 21661

Owner(s) to the West:

Piney Neck Land, LLC
Map: 0055
Parcel: 0165
Acres: 5.43
No structures. This is open space for the Ashley Pines subdivision.

Webfoot Land LLC
Map: 0055
Parcel: 0165
Acres: LOT 8 - 27,200 SQ FT
Lot for sale within Ashley Pines subdivision.

Robert E Fisher III
Map: 0055
Parcel: 0050
Acres: .440
House: 1,163 square feet
Built: 1910
Address: 4925 Piney Neck Road, Rock Hall, MD 21661

Homeowners Association, name and address if applicable: NA

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

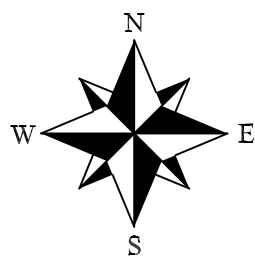
Signature of Owner/Applicant or Agent or Attorney:

Date

There is a \$350 fee made payable to the County Commissioners of Kent. Per Robert Tracey (Community Planner)-email July 13, 2020.

Check is enclosed to the County Commissioners of Kent County.

Mailed: August 31, 2020 to
Kent County Planning, Housing, and Zoning
400 High St.
Chestertown, MD 21620



LANDS OF SHARON EVANS
M.L.M. 1018/282

LANDS OF KEVIN LEE NELSON JR. et ux.
M.L.M. 129/284
FOR PLAT SEE: E.H.P. 175/275

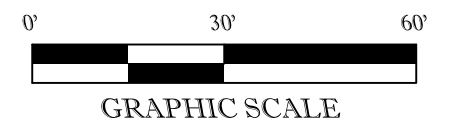
LANDS OF ALAN DECKELMAN JR.
M.L.M. 221/394
SEE PLAT BOOK M.L.M. 4/569

AREA:
1.990± Ac

DEED REFERENCE: PARCEL NO. 1 & 2 - M.L.M. 945/298
PLAT REFERENCE: PLAT BOOK M.L.M. 2/86
PREMISES ADDRESS: 4959 PINEY NECK ROAD
ROCK HALL, MD 21661

CURRENT SITE ZONING: CR - COMMUNITY RESIDENTIAL

THE DWELLING SHOWN HEREON APPEARS TO EXIST WITHIN ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SCALED FROM FLOOD INSURANCE RATE MAP 24029C0380D. NO ON SITE ELEVATION WAS TAKEN TO VERIFY FIELD CONDITIONS.



SITE PLAN

OF THE LANDS OF

MELINDA M. ZUPON, et al

FIFTH ELECTION DISTRICT, KENT COUNTY

MARYLAND

TAX MAP 55 PARCEL 44

SCALE
1"=30'
DRAWN BY
WJE
DATE
8/11/20
JOB NO.
935-A
REVISIONS

