



Department of Planning, Housing, and Zoning

ADMINISTRATIVE HEARING

County Commissioners Hearing Room
400 High Street
Chestertown, Maryland

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.

1. Dial **1-872-239-8359**
2. Enter Conference ID: **109 729 671#**

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

AGENDA

January 11, 2024

10:00 AM

APPLICATIONS FOR REVIEW:

- 23-65 William and Susan Bolletino – Administrative Special Exception – Oversize Accessory Structure
9855 Breezecroft Lane, Chestertown – Sixth Election District – Critical Area Residential (CAR)

APPLICANT OR REPRESENTATIVE MUST BE PRESENT

Meetings are conducted in Open Session unless otherwise indicated. All or part of the Administrative Hearing may be held in closed session under the authority of the MD Open Meetings Law. Meetings are subject to audio and video recordings.

Applicants will be given the time necessary to assure full public participation and a fair and complete review of all projects. Items on this Agenda are subject to change due to cancellation of projects.

If you require communication assistance, please contact the Maryland Relay Service at www.mdrelay.org or 7-1-1 Voice/TDD.

To: William Mackey, Planning Director
From: Mark Carper, Associate Planner
Date: January 8, 2024
Subject: #23-65 – William and Susan Bolletino
Administrative Special Exception – Accessory Storage Structure

Preliminary Staff Report

DESCRIPTION OF PROPOSAL

William and Susan Bolletino are requesting an administrative special exception in order to construct an accessory building with a floor area of 3,000 square feet and a median height of approximately 17 feet 9 inches on a parcel less than 5 acres. The proposed structure will be a 50-foot by 60-foot pole building, which, according to the narrative, will be used for storage of boats, tools, tractor implements, riding lawnmower, and other items. The property is improved with a single-family dwelling and two sheds. The 3.32-acre property is located at 9855 Breezecroft Lane in the Sixth Election District and is zoned Critical Area Residential (CAR).

RELEVANT ISSUES

- I. Permitted and Accessory Uses
 - A. *Applicable Law:* Article V, Section 1.3 of the Kent County *Land Use Ordinance* establishes principal uses and structures that may be permitted as special exceptions within the Agricultural Zoning District.
 - B. *Staff and TAC Comments:* The applicant would like to construct an accessory building with a floor area of 3,000 square feet and a median height of approximately 17 feet 9 inches. Accessory structures with a floor area over 1,200 square feet and/or a median height over 17 feet on a parcel less than 5 acres require an administrative special exception.
- II. Special Exception – General Standards
 - A. *Applicable Law:* Article VII, Section 2 of the Kent County *Land Use Ordinance* establishes the Special Exception standards and requires the Planning Director to 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.

B. *Staff and TAC Comments:*

- The proposed accessory building will be located in the rear yard. It will be approximately 33 feet from the east property line, 140 feet from the west property line, and 165 feet from the rear property line, which is also the road frontage.
- There is a single-story residential property to the east with a single-family dwelling, and agricultural fields are across the road and to the west.
- Tax information indicates that the principal structure has 1,924 square feet of living space with an attached 640 square foot deck.
- Aerial imagery indicates that mature trees line the road frontage and along the western property line, but there appears to be no existing vegetative screening between the proposed accessory structure and the residential property to the east.
- The installation of vegetative screening between the proposed structure and the residential property to the east is recommended. Additional vegetation along the road frontage to fill in the understory of the existing trees is recommended.
- A permit was previously issued for the installation of a pad for placement of the proposed structure, and the pad has been installed along with an unauthorized expansion of the driveway. A buffer enhancement plan has been submitted and meets the requirements to mitigate the increase in lot coverage resultant from the driveway expansion.
- There are no houses of worship, schools, public structures, and other places of public gathering nearby, and there will be no impact on community facilities and services.
- The Comprehensive Plan is neutral on this matter.
- The proposal is consistent with the intent of the Ordinance.
- With adequate screening, there will be no adverse impact on property values of adjacent properties nor the character of the neighborhood as the proposed structure is in keeping with the common use of a rural, residential property.
- Per the Health Department, no plumbing or HVAC is permitted, and none is proposed.

STAFF RECOMMENDATION

Staff recommends approval with the following conditions:

1. Installation of vegetative screening along the eastern property line and road frontage to soften the appearance of the proposed structure.
2. No plumbing or HVAC is permitted.
3. That the special exception hereby granted would lapse after one year if no substantial construction in accordance with the plans herein presented were to occur.



Source: Kent County Department of Planning, Housing, and Zoning.
Aerial taken Spring 2022. Map prepared January 2024.

1 inch = 75 feet

ADMINISTRATIVE HEARING APPLICATION

Kent County Department of Planning, Housing, and Zoning

Kent County Government Center
400 High Street • Chestertown, MD 21620
410-778-7423 (phone) • 410-810-2932 (fax)

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

William & Susan Bolletino
9855 Breezechiff Lane
Chestertown, MD 21620

Email: Bolletino@comcast.net

For Office Use Only:

Case Number: 23-65
Date Filed: 11/20/2023
Filed by: William Bolletino
Applicant: William Bolletino
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: Bolletino@comcast.net

856-297-2875 phone#
TO THE DEPARTMENT OF PLANNING, HOUSING AND ZONING: In accordance with Article _____ Section _____ of the Kent County Land Use Ordinance, as amended, request is hereby made for an

Administrative Hearing for:

_____ Variance ☒ Special Exception _____ Determination of Nonconforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) 9855 Breezechiff Lane, Chestertown, MD 21620

In the 6 Election District of Kent County.

Size of lot or parcel of Land: 3.32

Map: 26 Parcel: 8 Lot #: 0004D Deed Ref: 001108100172

List buildings already on property: 2 Buildings = 560 sq feet combined
+ House

Subdivision name and address, if applicable: N/A

PRESENT ZONING OF PROPERTY: _____

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

50x60 Pole Barn
To House All of my Equipment That is currently in the weather under
Large Tarps and getting Ruined.

Present owner of property: William & Susan Belmont Telephone: 856-297-2875

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

Has property involved ever been subject to a previous application? NOT TO MY KNOWLEDGE

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: N/A

Owner(s) on the South: FREDERICK & DESAIRES LOHA

Owner(s) to the East: ANTHONY & KIM STANLATO

Owner(s) to the West: FREDERICK & DESAIRES LOHA

Homeowners Association, name and address, if applicable: N/A

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

William Belmont
Signature of Owner/Applicant/Agent or Attorney

11/20/23
Date

Please file this form at 400 High Street, Chestertown, MD 21620 accompanied by **\$200.00** filing fee made payable to the County Commissioners of Kent County. If you have any questions, contact the Kent County Department of Planning, Housing and Zoning.

NOTICE: The Department of Planning, Housing and Zoning is not required to make out this application. Application should be filled in by Applicant or its agent. If the Planning Department assists you, they 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.

Kent County Application for Special Exceptions Article VII

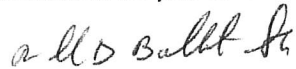
William & Susan Bolletino
9855 Breezecroft Lane,
Chestertown, MD 21620

In May of 2022, we received a Sediment Control Permit # 22-166 to extend our driveway to include a 40' X 70' stone-based pad in preparation for a future Pole Barn. This permit was issued with the condition of replacing the canopy that was taken with 7 trees and 32 bushes. This project was completed and this project was Inspected by Enforcement Officer Bryan P. Forman, and pictures were taken of these required plantings.

In reviewing an addressing Article VII Special Exceptions Section 2., Standards, question # 2 this Special Exemption for a Pole Building will not affect Traffic Patterns. There will be no affect to Nature of the surrounding area. I will not be in the proximity of dwellings, houses of worship, schools, public structures and other places of public gathering. There will be no affect regarding noise, vibration, smoke and particulate matter, toxic matter, odor, fire or explosion hazards or glare upon surrounding properties. There will be no impact of the development or project on community facilities or services. There will be no impact on fish, wildlife and plant habitat. It will be in Consistency with the Critical Area Program as directed.

The request for this Special Exception is due to the fact that we have recently moved our belongings to our home in Chestertown and don't have the room for any storage. All of my tools, equipment, boats, trailers, riding mower, tractor implementations and ATV, etc., are currently under tarps on the property. All of the above listed are getting weathered, rusted and I feel that this is presenting an eyesore to the neighbors. We have worked very hard to make our home appealing, comfortable and very much enjoy doing so. If granted this Special Exception for the proposed Pole Building, it will be an aesthetically pleasing structure and it will allow me to maintain my belongings and equipment so they don't get weathered and ultimately ruined. Under the current situation it would cost a great deal of money to replace these items. I thank you, and I appreciate your time in taking this Special Exception under consideration, and look forward to answering any questions or any direction given that the Director and the Board may provide me moving forward.

Submitted for your consideration,

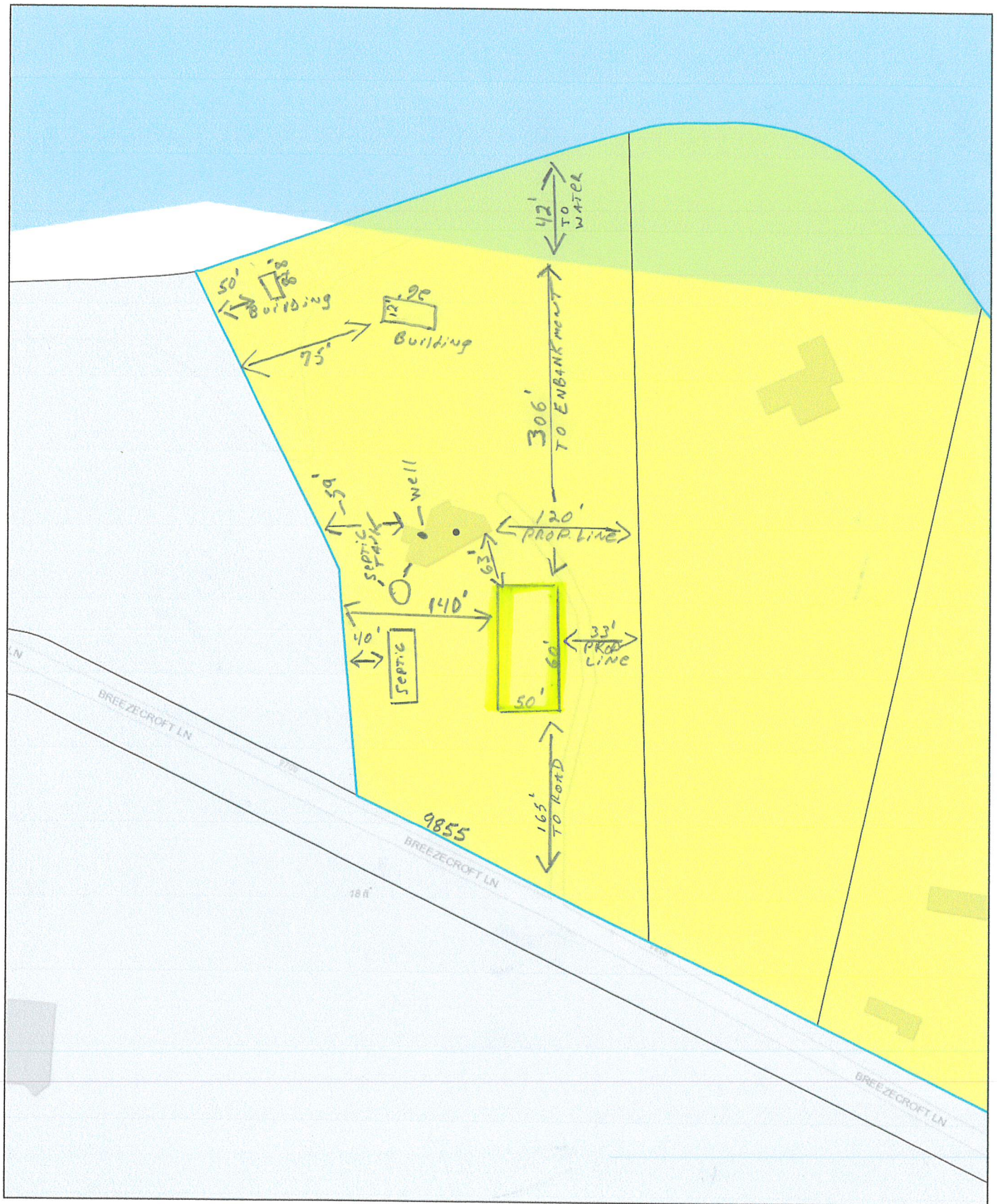


William D. Bolletino, Sr.

DEPARTMENT OF
PLANNING, HOUSING & ZONING
RECEIVED

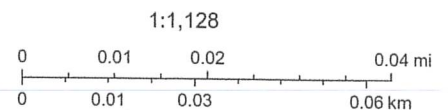
11/22/23

Kent County Parcel Viewer - ArcGIS Web Map



11/21/2023, 3:33:40 PM

- Parcels 2022
- Unincorporated Zoning
- Resource Conservation District
- Critical Area Residential



Queen Anne's County, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

DEPARTMENT OF
PLANNING, HOUSING & ZONING
RECEIVED 1/22/23

Web AppBuilder for ArcGIS

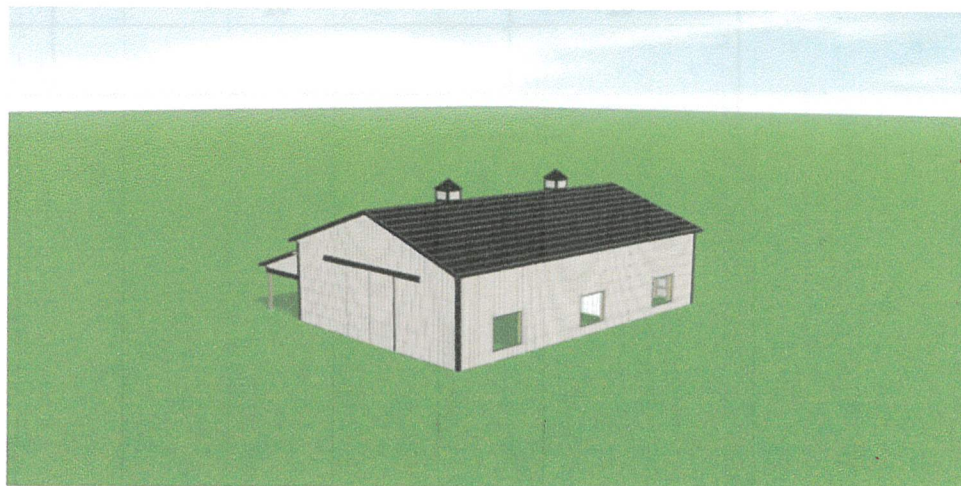
Summary Sheet

| Summary | |
|----------------|--------------------|
| Width | 40' |
| Length | 60' |
| Ceiling Height | 14' |
| Slab Depth | 0.291666666666667' |
| Slab Offset | 0.333333333333333' |
| Overhangs | 4 |
| Roof Pitch | 4/12 |

| Job Information | |
|------------------|---|
| Project Name | BILLY B BUILD |
| Company Name | |
| Contact | |
| Email | bolletino@comcast.net |
| Phone | 856-297-2875 |
| Delivery Address | 9855 Breezecroft Lane, Chestertown, MD |
| ZIP code | 21620 |
| Desired Date | |
| Comments | |
| Customer Name | BILL B |

REVIEW OF THESE PLANS DOES
NOT RELIEVE THE OWNER OR
CONTRACTOR FROM BUILDING
IN ACCORDANCE WITH ALL
APPLICABLE SECTIONS OF
THE KENT COUNTY BUILDING CODE
PLANS CHECKED BY:

[Signature] 11/29/23

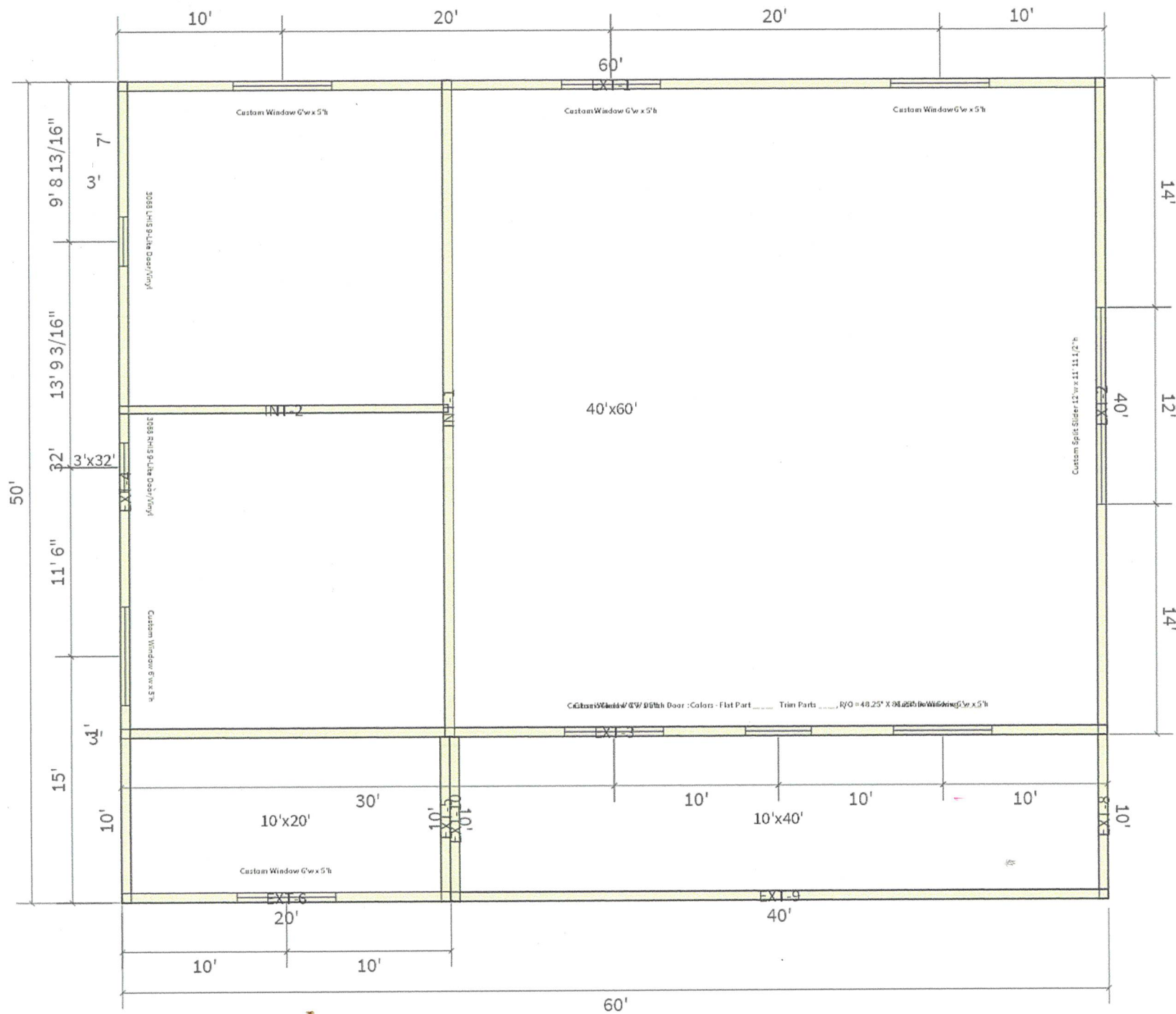


NAME: Bolletino

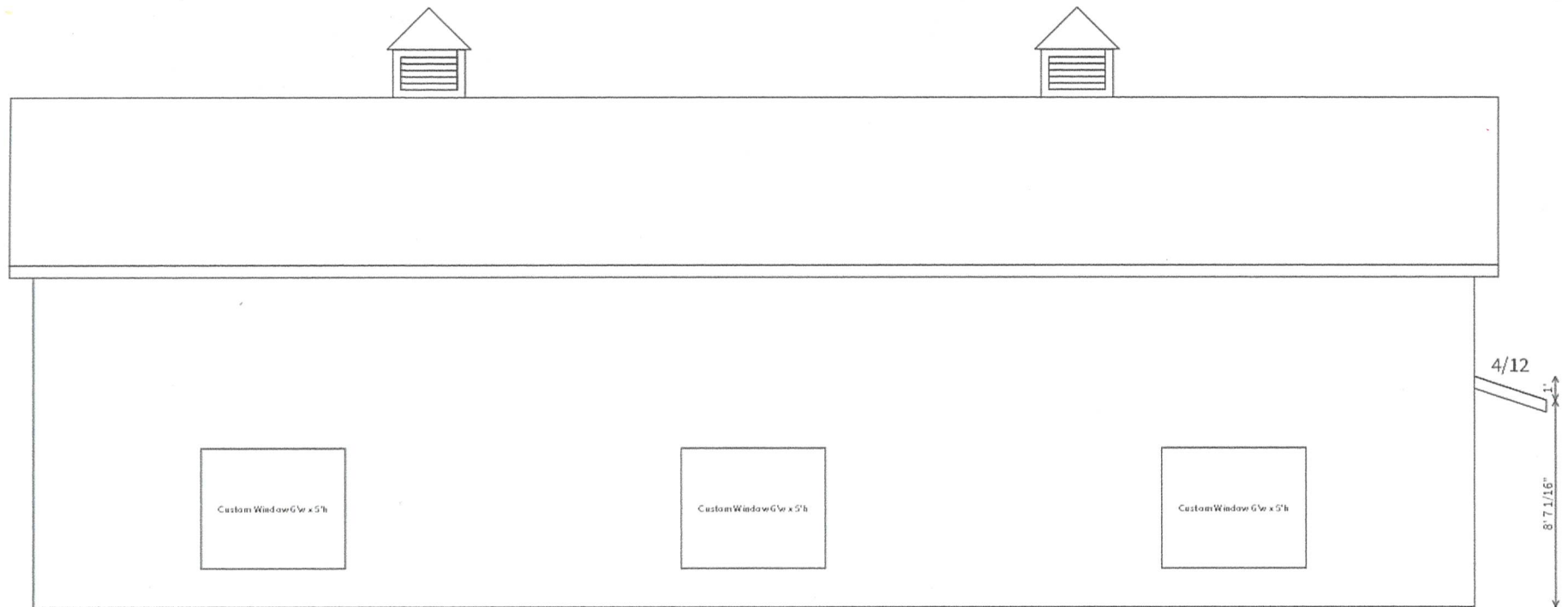
APPLICATION #: 23-454

OFFICE COPY

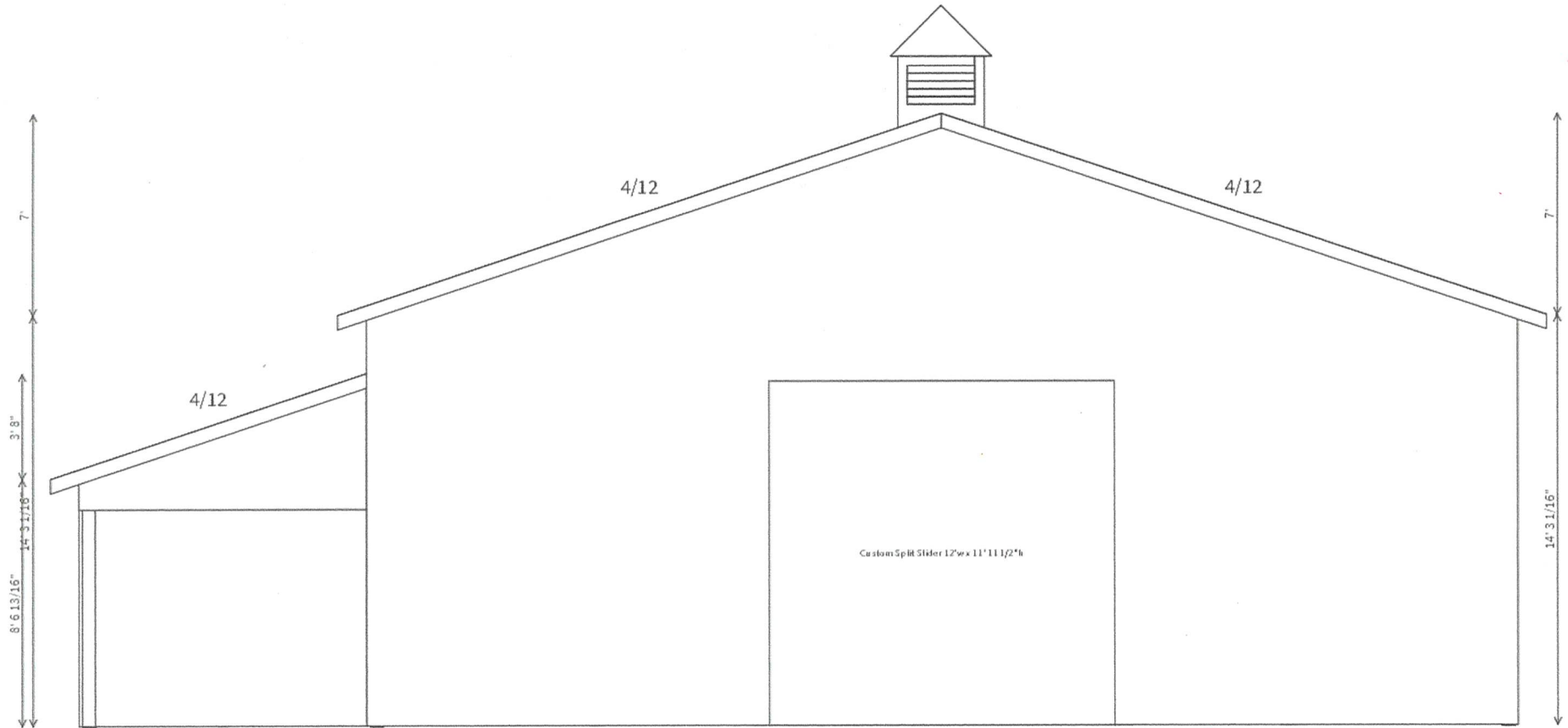
Wall Layout



Left Elevation



Front Elevation



Right Elevation



Back Elevation

