



Department of Planning, Housing, and Zoning

**ADMINISTRATIVE HEARING
COUNTY COMMISSIONERS HEARING ROOM
400 HIGH STREET
CHESTERTOWN, MARYLAND**

AGENDA

Friday, June 13, 2025
10:30 AM

APPLICATIONS FOR REVIEW

- 25-10 Chandra Dye – Administrative Special Exception – Large Accessory Structure
7420 Quaker Neck Road, Chestertown – Seventh Election District – Zoned Rural Residential
- 25-18 David C. and Sandra L. Chance – Administrative Front Yard Setback Variance
East Beechwood Road, Galena (Map 7, Parcel 295, Lots 1 and 2) – First Election District – Zoned CAR
-

Members of the public are welcome to attend meetings in person or via conference call.

Public participation and audio-only call-in number:

1. Dial **1-872-239-8359**
2. Enter Conference ID: **707 572 773#**

PHONE PARTICIPATION – Members of the public are asked to mute their phones/devices, until the Administrator opens the floor for comment. Please note that phone participation is dependent on service carriers and internet providers, this option may not be available for all meetings or be available during the entire meeting. In-person attendance is always recommended.

ONLINE VIEWING – Please note that although many meetings are recorded, the availability of video online is dependent on internet availability and functionality. Some members of the public may be able to watch a live video feed and/or view the video after the meeting at the County's YouTube channel at <https://www.youtube.com/@kentcountygovernment2757>.

PROTOCOL – Meetings are conducted in open session unless otherwise indicated. All or part of the meetings can be held in closed session under the authority of the MD Open Meetings Law. Breaks are at the call of the Administrator. Meetings are subject to audio and video recordings. All applicants will be given the time necessary to assure full public participation and a fair and complete review of all projects. Agenda items are subject to change due to cancellations.

APPLICANT OR REPRESENTATIVE MUST BE PRESENT

PLEASE PLACE THE FOLLOWING IN THE KENT COUNTY NEWS: June 5, 2025

BILL SHOULD BE SENT TO: Kent County Department of Planning, Housing, & Zoning
c/o Beth Grieb
400 High Street
Chestertown, MD 21620
mgrieb@kentgov.org

ANY QUESTIONS, CALL: Carla Gerber @ 410-778-7474
cgerber@kentgov.org

NOTICE OF PUBLIC HEARING

On **Friday, June 13, 2025, at 10:30 a.m.**, the Kent County Director of Planning, Housing, and Zoning will hold a public hearing in the County Commissioners' Hearing Room, 400 High Street, Chestertown, Maryland, on the following matters:

David C. and Sandra L. Chance are requesting a 24-foot variance from the 50-foot side yard setback requirement for the construction of a new single-family dwelling and attached pool. The property is located at East Beechwood Road, Galena (Map 7, Parcel 295, Lots 1 and 2).

Chandra Dye is requesting an administrative special exception to construct a 1,700-square foot accessory building with a mean height of approximately 14 feet on a property less than five acres. The property is located at 7420 Quaker Neck Road, Chestertown.

If you have any questions, please contact the Department at 410-778-7423. If you need communication assistance, please contact the Maryland Relay Service at www.mdrelay.org or 7-1-1 for voice/TDD.

To: Carla Gerber, AICP, Deputy Director, Department of Planning, Housing, and Zoning
From: Rob Tracey, AICP, Associate Planner
Date: June 13, 2025
Subject: 25-10 – Chandra Dye
Administrative Special Exception – Accessory Storage Structure

Preliminary Staff Report

DESCRIPTION OF PROPOSAL

Mr. Dye is requesting an administrative special exception to construct a 1,700 square foot pole building on a property less than five acres. The proposed building will be located in the rear yard and will be used for the storage of boats, an RV, and miscellaneous equipment. The approximately 0.64-acre property is located at 7420 Quaker Neck Road, Chestertown, in the Seventh Election District and is zoned Rural Residential (RR).

RELEVANT ISSUES

I. Permitted and Accessory Uses

- A. *Applicable Law:* Article V, Section 4.3 of the Kent County *Land Use Ordinance* establishes principal uses and structures that may be permitted as special exceptions within the Rural Residential (RR) Zoning District.
- B. *Staff and TAC Comments:* The applicant is proposing construct a 1,700 square foot pole building with a mean height of approximately 14 feet on a property less than five acres. Accessory structures with a floor area over 1,200 square feet and/or a median height over 17 feet on a parcel less than five acres require an administrative special exception.

II. Special Exception – General Standards

Special exception uses are allowed and presumed to be compatible with other permitted uses in a zoning district; however, a review process is required to evaluate whether the particular use proposed at a particular location would have any adverse effects above and beyond those inherently associated with such a use irrespective of its location within the zoning district; and to ensure that development complies with the Comprehensive Plan, the Land Use Ordinance, and various agency requirements, thereby promoting the health, safety, and general welfare of Kent County's residents.

The Planning Director, or his designee, must consider the impacts of the specifically proposed special exception use as indicated on the submitted site plan upon neighboring uses and the surrounding area of that particular location. The Planning Director, or his designee, may place conditions and restrictions authorized by the Land Use Ordinance to limit the special exception use to address the identified impacts on neighbors and the area. The Planning Director, or his designee, may also place conditions and restrictions to ensure that the special exception use that is granted does not exceed the reasonable expectations of that specific and particular use as proposed on the concept site plan.

- 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. According to the applicant's site plan, the proposed accessory building will be approximately 68 feet from the west side property line, 10 feet from the east side property line, 181 feet from the front/south property line, and 40 feet from the rear/north property line. According to aerial imagery, the north, west, and east property lines are lined with existing trees.
 - The existing 28,096 square foot parcel is currently improved by a single-family dwelling.
 - The site is approximately 1.6 miles from the Emmanuel United Methodist Christ Church near Pomona and is over 1.9 miles from Kent School (a private elementary and middle school).
 - There are no known impacts on community facilities and services.
 - The Comprehensive Plan is neutral on this matter.
 - The proposal is consistent with the intent of the Ordinance.

STAFF RECOMMENDATION

Staff recommends approval with the following condition:

1. That the special exception hereby granted would lapse after two years if no substantial construction in accordance with the plans herein presented were to occur.

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)**

Chandra Dye
7420 Quaker Neck Road
Chestertown MD 21620
Email: dyc3721@yahoo.com

For Office Use Only:

Case Number: 25-10 200-102
Date Filed: _____
Filed by: _____
Applicant: _____
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: dyc3721@yahoo.com

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 X Special Exception _____ Determination of Nonconforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) Quaker Neck Road

In the Kent Election District of Kent County.

Size of lot or parcel of Land: 6.45 Acres
Map: 44 Parcel: 36A Lot #: 3 Deed Ref: _____

List buildings already on property: 10x20 building (shed) to be removed

Subdivision name and address, if applicable: _____

PRESENT ZONING OF PROPERTY: RR

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) Pole building 1200 sq ft & 500 sq ft Leanto

1700 sq ft

Present owner of property: Chandra Dye Telephone: 321 360 6576

DEPARTMENT OF
PLANNING, HOUSING & ZONING
RECEIVED
3/10/25
CG

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

Has property involved ever been subject to a previous application? yes for shed 10x20

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: _____

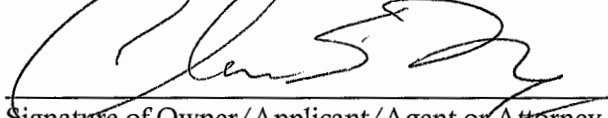
Owner(s) on the South: _____

Owner(s) to the East: _____

Owner(s) to the West: _____

Homeowners Association, name and address, if applicable: _____

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.



Signature of Owner/Applicant/Agent or Attorney

3/10/25

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.

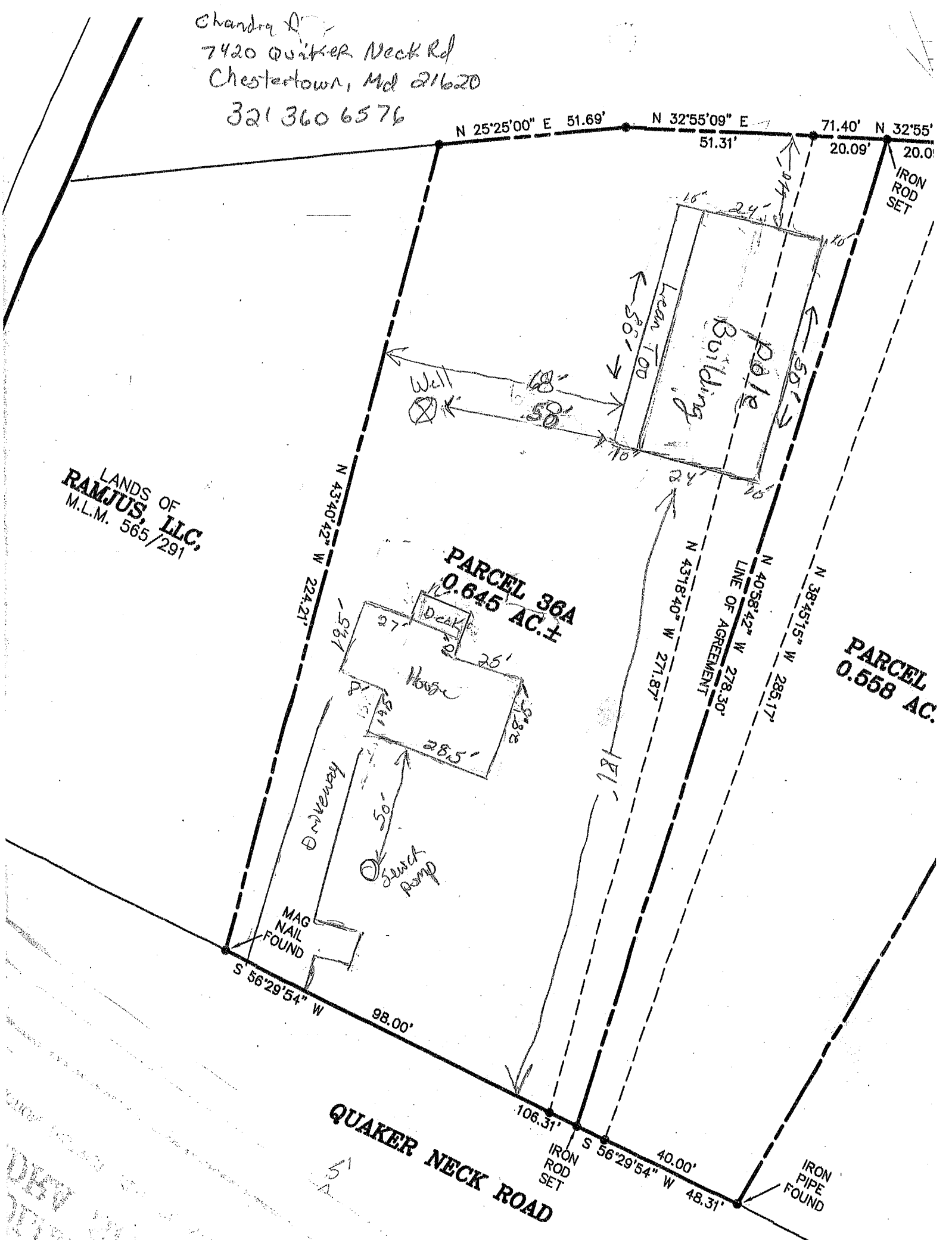
Chandra D
7420 Quaker Neck Rd
Chestertown, Md 21620
321 360 6576

LANDS OF
RAMJUS, LLC.
M.L.M. 565/291

PARCEL 36A
0.645 AC.±

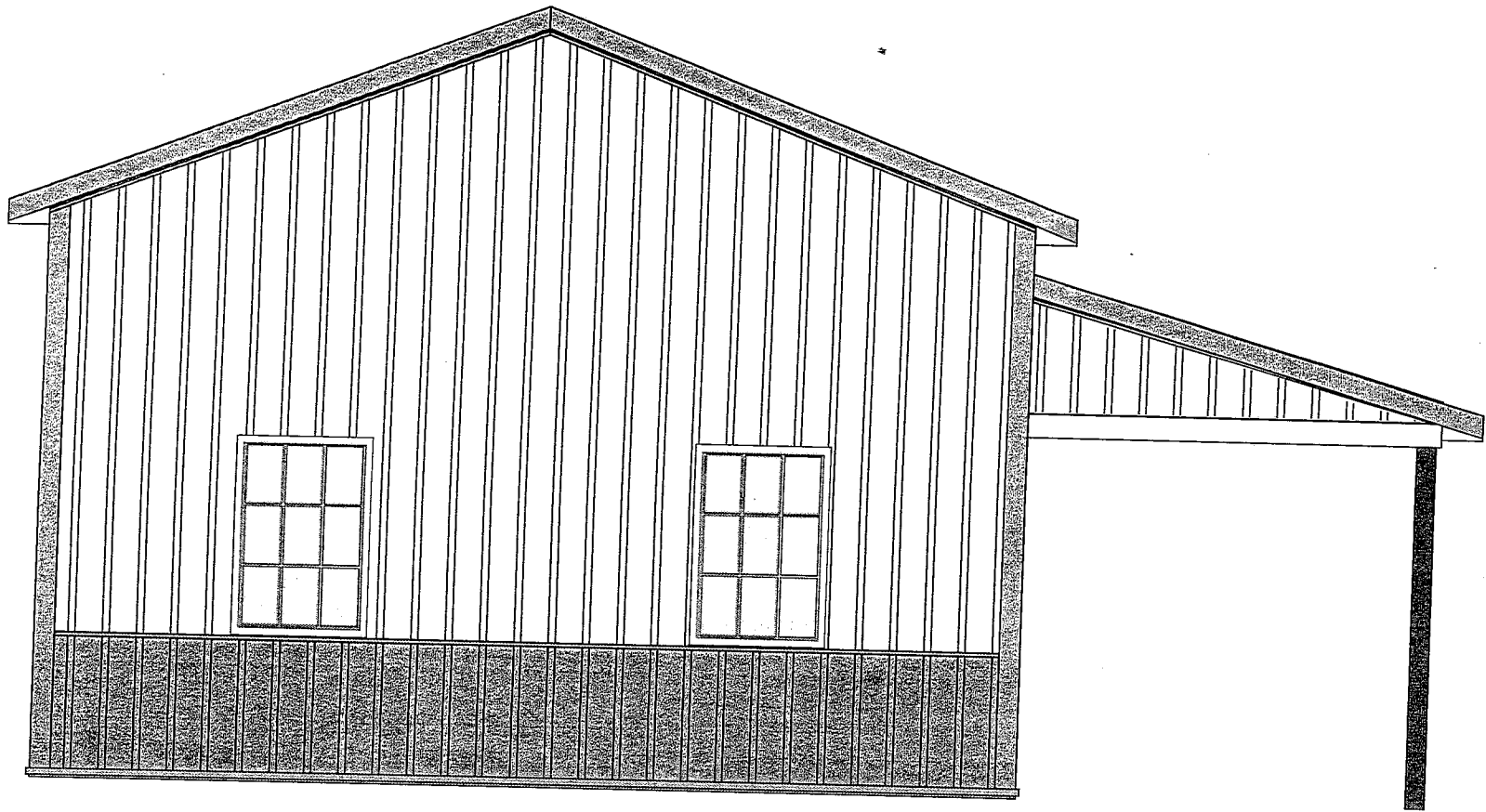
PARCEL
0.558 AC.

QUAKER NECK ROAD



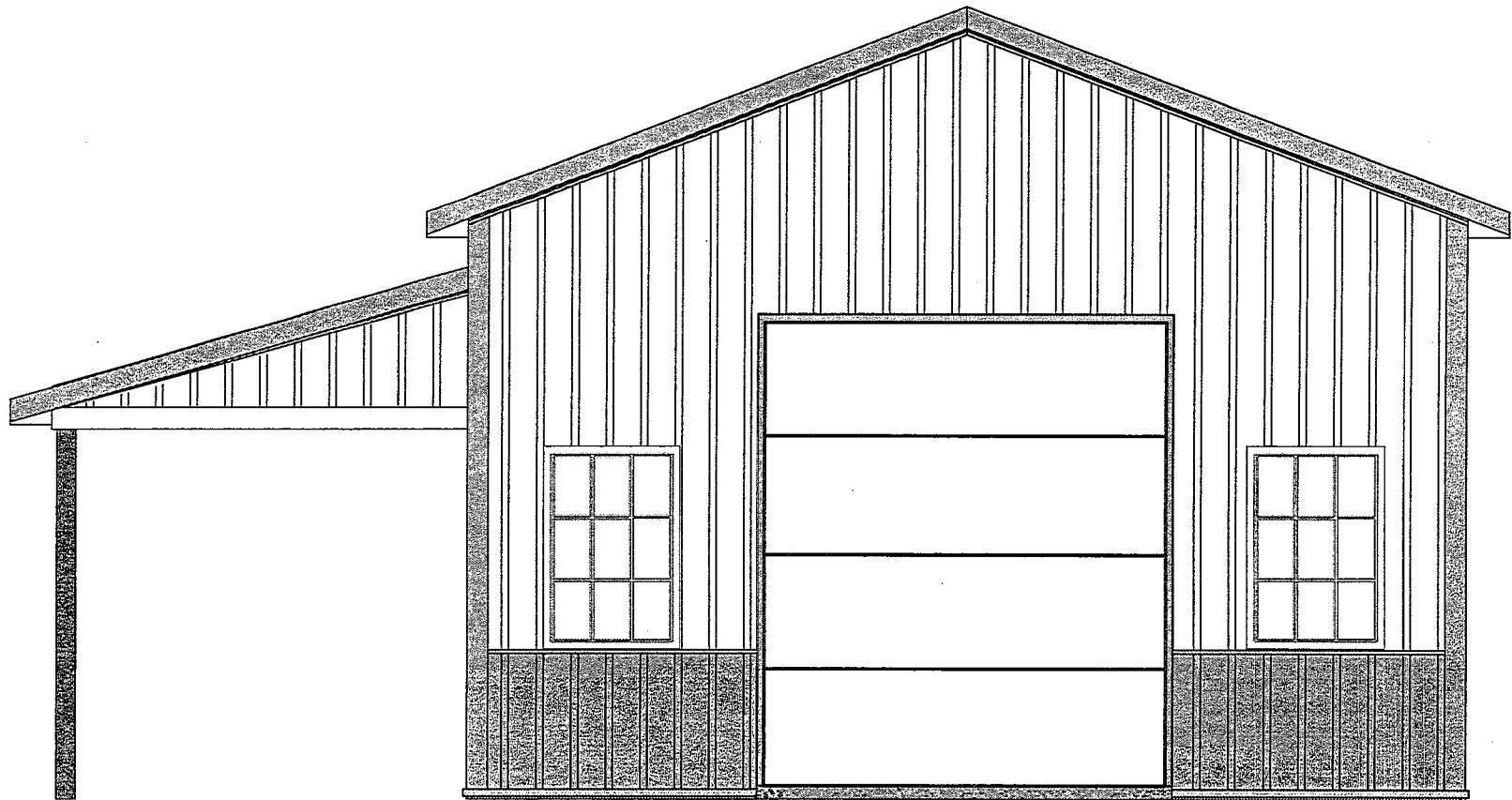


GABLE 1 ELEVATION





GABLE 2 ELEVATION

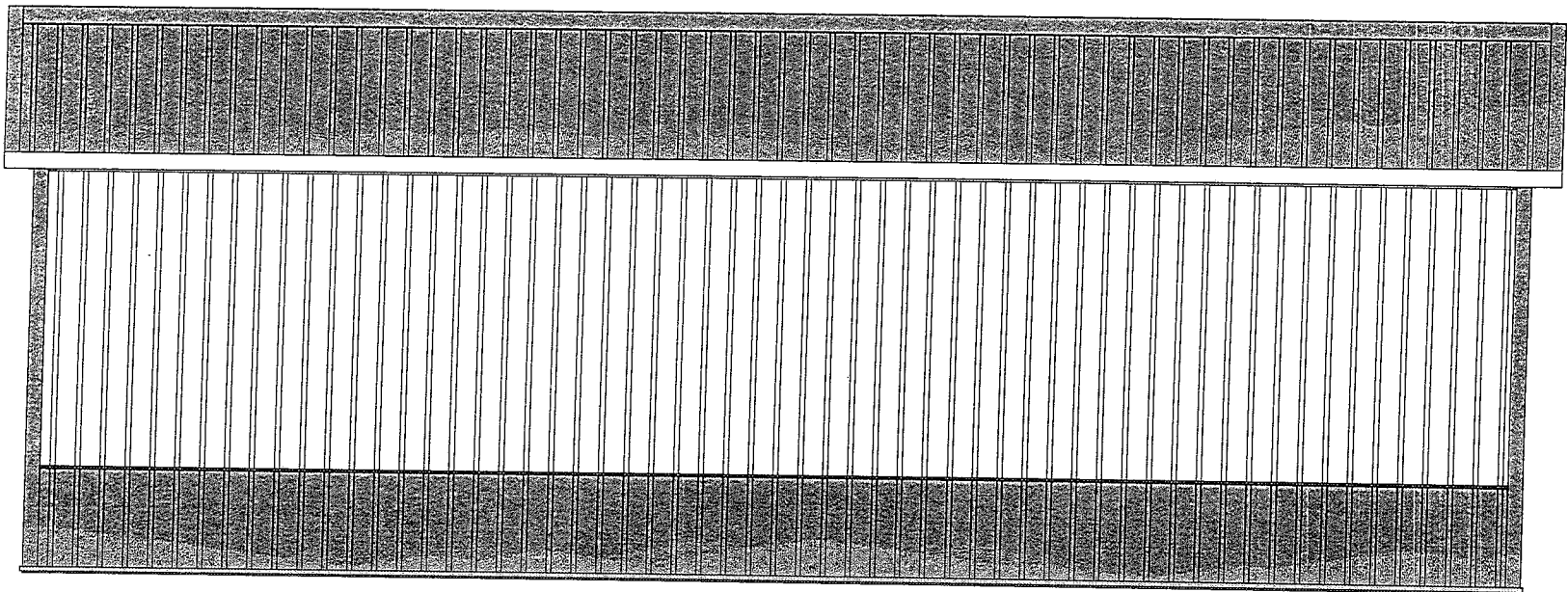


Chandra Dye
24x50x12 w/ 10x50 LT

DEPARTMENT OF
PLANNING, HOUSING & ZONING
RECEIVED 3/10/25

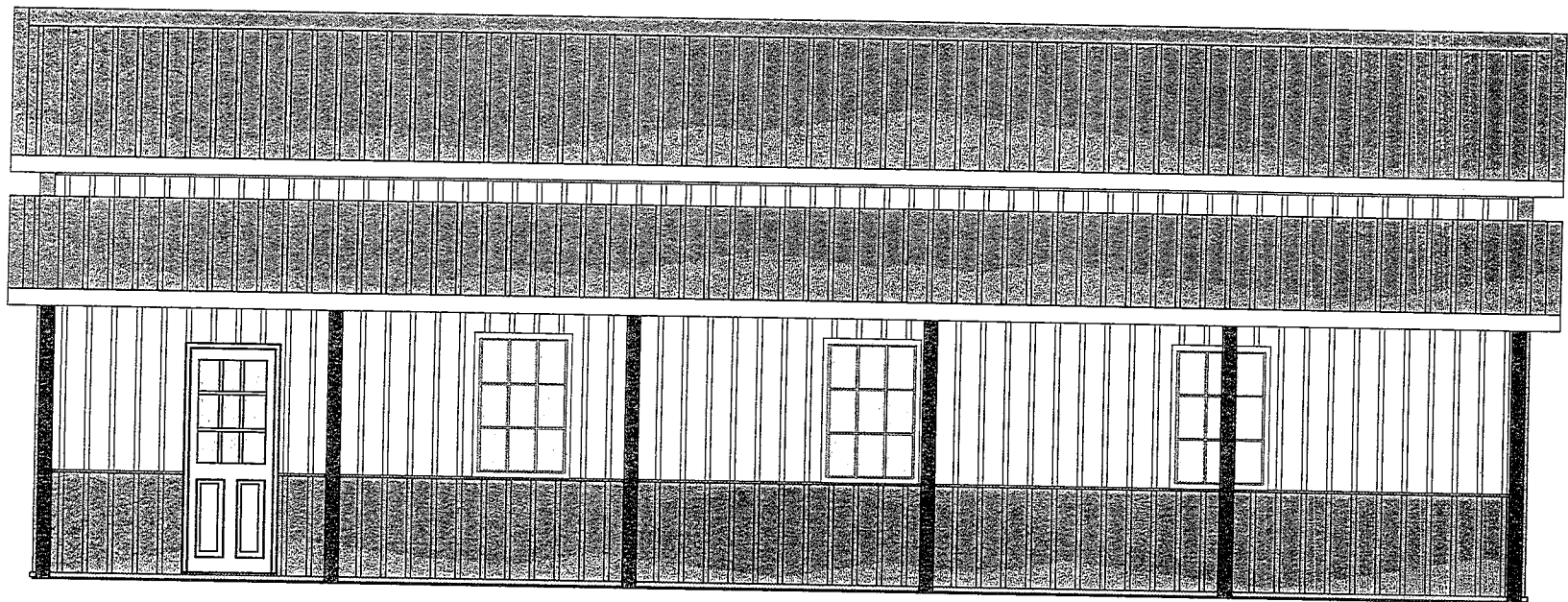


EAVE 1 ELEVATION





EAVE 2 ELEVATION



To: Carla Gerber, AICP, Deputy Director of Planning, Housing and Zoning
From: Rob Tracey, AICP, Associate Planner
Date: June 13, 2025
Subject: #25-18 – David Chance
Administrative Variance – Front Yard Setback

Preliminary Staff Report

DESCRIPTION OF PROPOSAL

Mr. Chance is requesting a 24-foot variance from the 50-foot front yard setback requirement to construct a single-family dwelling and attached swimming pool. The 32,408 square foot property is located at East Beechwood Road, Tax Map 7, Parcel 295, lots one and two, in the First Election District and is zoned Critical Area Residential (CAR).

RELEVANT ISSUES

I. Permitted and Accessory Uses

- A. *Applicable Law:* Article V, Sections 5.1 and 5.2 of the *Kent County Land Use Ordinance* outlines the permitted and accessory uses/structure within the Critical Area Residential zoning district.
- B. *Staff and TAC Comments:* The applicants are proposing to construct a 59-foot by 54-foot single family dwelling and a 40-foot by 25-foot swimming pool.

Density, Height, Width, Bulk, and Fence Requirements

- A. *Applicable Law:* Article V, Section 5.5 of the *Kent County Land Use Ordinance* establishes the density, height, width, bulk, and fence requirements in the Critical Area Residential (CAR).

Minimum Yard

Front	50 feet
Side	15 feet
Rear	30 feet

B. *Staff and TAC Comments:*

- The applicants are proposing to construct a 59-foot by 54-foot single family dwelling and a 40-foot by 25-foot swimming pool.
- A 24-foot variance from the 50-foot front yard setback requirement is requested.

II. Variance

- A. *Applicable Law:* Article IX Section 2.1 of the *Kent County Land Use Ordinance* authorizes the Planning Director, or the Planning Director's designee, to grant variances from the yard (front, side, or rear) requirements in an amount that does not exceed 50% of the required yard for the applicable zoning district so as to relieve practical difficulties or other injustices arising out of the strict application of the provision of the 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 Planning Director, or the Planning Director's designee, 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.
- f. ...
- g. In considering an application for a *variance*, the Planning Director, or the Planning Director's designee, 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 Planning Director, or the Planning Director's designee, 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 Planning Director, or the Planning Director's designee, may consider the cause of the *variance* request and if the *variance* request is the result of actions by the applicant, including the commencement of *development* activity before an application for a *variance* has been filed.

B. *Staff and TAC Comments:*

- The practical difficulty for this case is not the result of the applicant's actions; instead, it is caused by the location of the approved septic reserve area and the size of the parcel.
- There are no known substantial detriments to adjacent or neighboring properties that will be caused by the variance.
- There are no known houses of worship, schools, public structures, or other places of public gathering immediately adjacent to the property.
- There are no known impacts on community facilities and services.
- The Comprehensive Plan is neutral on this matter.
- The proposal is consistent with the intent of the Ordinance.

STAFF RECOMMENDATION

Staff recommends approval of a 24-foot variance from the minimum 50-foot front yard setback requirement with the following conditions:

That the variance hereby granted would lapse after two years if no substantial construction in accordance with the plans herein presented were to occur.

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)

David C. and Sandra L. Chance
10014 Peacock Corner Road
Millington, Md. 21651 410-708-4417
Email: davidcchance@gmail.com

For Office Use Only:

Case Number: 25-13
Date Filed: _____
Filed by: _____
Applicant: _____
Hearing: _____
Parties Notified: _____
Notice in Paper: _____
y 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:
davidcchance@gmail.com

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:

X Variance _____ Special Exception _____ Determination of Nonconforming Use

DESCRIPTION OF PROPERTY INVOLVED:

Located on: (Name of Road, etc.) East side of East Beechwood Road

In the First Election District of Kent County.

Size of lot or parcel of Land: 0.747 Ac.
Map: _____ Parcel _____ Lot #: _____ Deed Ref: _____
7 : 295 1 and 2 836/18

List buildings already on property: None

Subdivision name and address, if applicable: Beechwood Glen Annex

PRESENT ZONING OF PROPERTY: Critical Area Residential

DESCRIPTION OF RELIEF REQUESTED: (List here in detail what you wish to do with property that requires the Appeal Hearing.) To construct a single family residence with an attached swimming pool. The building envelope is very limited due to the size and configuration of the septic reserve area as required by the Environmental Heath Department. The request is for a 24 foot variance from the 50 foot front yard setback requirement.

Present owner of property: David C. and Sandra L. Chance Telephone: 410-708-4417

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

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: Harry G. Rhodes, Jr.

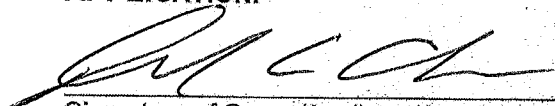
Owner(s) on the South: Stan C. Herrin

Owner(s) to the East: Stan C. Herrin

Owner(s) to the West: East Beechwood Road

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.



Signature of Owner/Applicant/Agent or Attorney

4-28-25

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.

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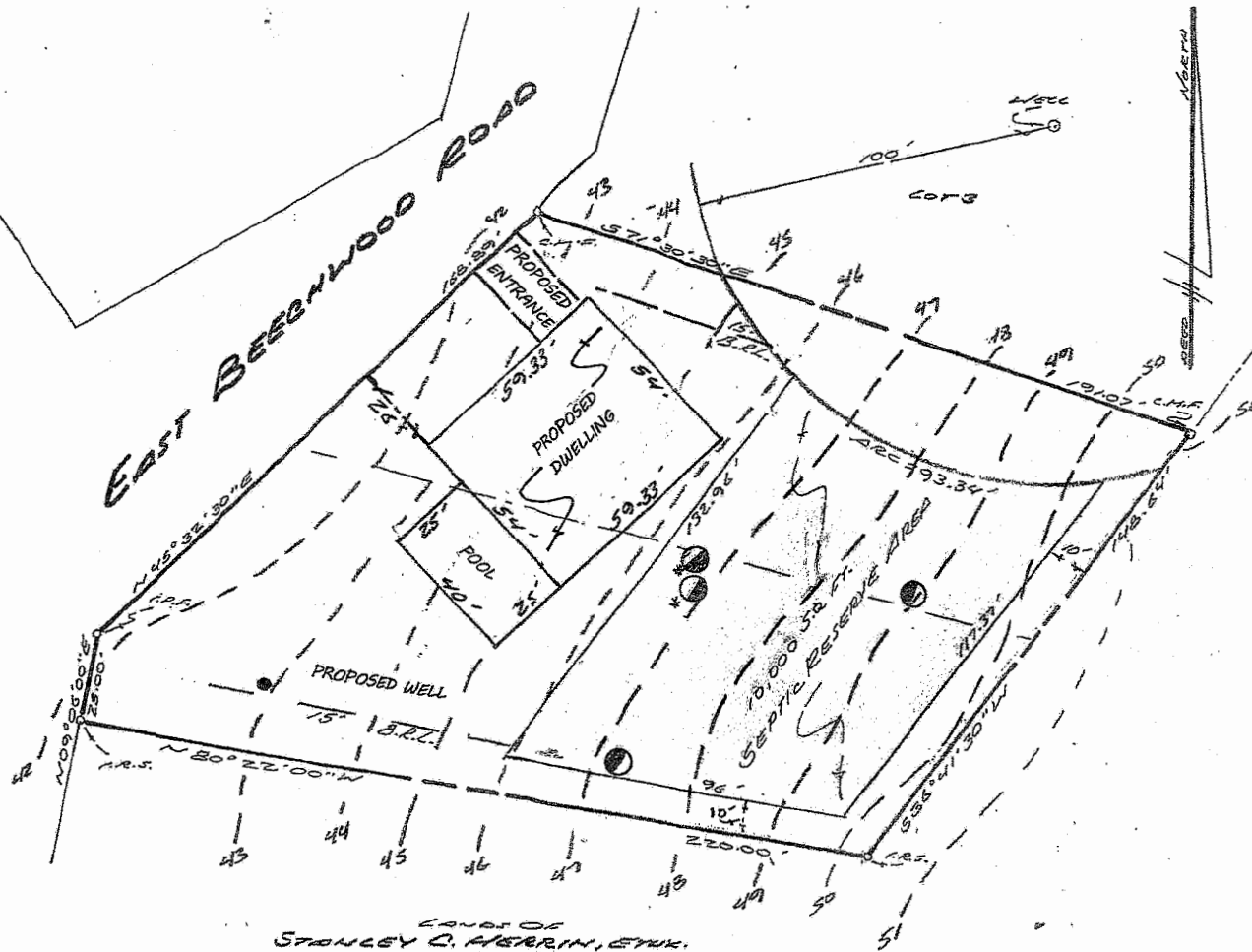
REFERENCE David C. and Sandra L. Chance

FINDINGS OF FACT:

- a.** This variance will not cause any detriment to adjacent neighboring properties.
The septic reserve area encompasses most of the property it is located 100 feet from the well on the adjacent property. The building set back from East Beechwood Road is consistent with many dwelling in the general area.
- b.** This variance will be in harmony with the character of the neighborhood and district.
The proposed dwelling location will be consistent with other dwellings in the neighborhood. Because of the properties configuration and the fact that no structural improvements can be place on the required septic reserve area the proposed dwelling is being located in the only area suitable for construction.
- c.** This variance is consistent with the comprehensive plan as it fulfills the need for infill development. The new sanitary system which will theoretically reduce the amount of pollutants entering into the Chesapeake Bay and its tributaries.
- d.** The practical difficulty is caused by the fact that the septic reserve area encompasses most of the property and using the 50 front yard setback requirement leaves a very small building envelope
- e.** The practical difficulty exist because of the size and configuration of the property.
That the Kent County Department of Environmental Health determined that the area designated for the proposed septic system is the only suitable location.

West Beechwood Road

East Beechwood Road



LANDS OF
STANLEY C. HERRIN, ETUX.
M.L.N. 203,147

AREA = 0.747 ACRES ±

- LEGEND:
1. I.P.F. DENOTES IRON PIPE FOUND.
 2. C.M.F. DENOTES CONCRETE MONUMENT FOUND.
 3. I.R.S. DENOTES IRON ROD SET.
 4. DENOTES CONTOUR LINE.
 5. DENOTES SOIL TEST SITE
 6. DENOTES SOIL TEST SIT FROM 2011
 7. B.R.L. DENOTES BUILDING RESTRICTION LINE.

- NOTES:
1. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AN ASSUMED DATUM.
 2. 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 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
PROPERTY LINE SURVEYOR
EXPIRES 11-03-2026

SURVEY PLAT.
OF LOT 1 AND LOT 2
OF A PLAT ENTITLED
SUBDIVISION PLAT
BEECHWOOD GLEN ANNEX
FIRST ELECTION DISTRICT, KENT CO., MARYLAND
SCALE 1" = 40' MARCH 26, 2025

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

REVISED 04/08/2025 SEPTIC RESERVE AREA