

Kent County Board of Appeals

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Kent County Government Center
400 High Street
Chestertown, Maryland 21620

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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, and citizens may call in with questions when the Chair opens the floor for comment.

To access the Kent County conference bridge service off site:

1. Call 410-810-2213.
2. Enter PIN number **55266** when prompted.
3. Announce yourself to the group. Please mute your phone / device until the Chair opens the floor for comment.

Visit the County's website at <https://www.kentcounty.com> for the most up to date information regarding County Government operations.

AGENDA

Monday, July 20, 2020
7:00 p.m.

APPLICATIONS FOR REVIEW:

- 20-26 Dixie Land Energy – Set Back Variance (Side & Rear Yards)
East side of Massey and Sassafras Road – First Election District – Zoned Industrial “I”

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: June 15, 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>20-20 – John E. and Susan M. Rutkowski – The applicants are requesting a 20-foot variance from the 100-foot buffer requirements in order to construct a privacy fence 80 feet from the shoreline.</p> <p>The property is located at 22086 Harrington Park Road in the Fifth Election District and is zoned Critical Area Residential “CAR.”</p> <p><u>Applicant:</u> John E. Rutkowski</p> <p><u>Staff:</u> Carla Gerber, GIS Specialist</p> <p>All were sworn in.</p> <p>No correspondence was received.</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>Based on the applicant’s testimony and verification of the following:</p> <ul style="list-style-type: none"> • The applicant made an effort to naturally create a barrier, but due to the extraordinary conditions of the property it will not survive. • The requested variance will not cause a detrimental impact to neighboring properties • The requested variance is consistent with the Comprehensive Plan. • The Applicant did not create the practical difficulty. <p>Mr. Massey made a motion to approve the variance with the following conditions:</p> <ul style="list-style-type: none"> • Mitigation be set at a ratio of 1:1 for removal of the existing vegetation and that the areas of mitigation be planted with native cultivars. • The variance shall lapse if construction of the fence is not commenced within one (1) year of the termination of the state of emergency declared by Governor Larry Hogan on March 5, 2020. • The fence shall be substantially similar to the fence set forth in the Applicant’s submission to the Board. <p>Ms. Horsey seconded the motion; all were in favor.</p>	<p>Unanimous Approval</p>

Agenda Item/Case	Sitting for the Board	Action Taken	Vote
Adjourn		At 7:20 PM, Dr. Townshend asked for motion. Mr. Massey made a motion to adjourn the meeting, and Ms. Horsey seconded the motion; the motion passed with all in favor.	Unanimous Approval

Dr. Albert Townshend, Chairman

Brian Jones, Clerk