



Board of Zoning Appeals MEETING AGENDA

Tuesday, March 19, 2024 - 9:00 AM
Council Chambers, Easton Town Office
14 S Harrison Street

1. **Call to Order**

2. **Approval of Minutes.**

- a. Approval of the Draft Decision Summary from the January 16, 2024 meeting.

3. **Applications**

- a. **Application:** V - 1136 / V 24 - 02
Applicant: The Deck and Fence Company LLC
Location: 29555 Meadow Gate Drive
Tax Map 102, Grid 0EA, Parcel 2939A, Lot 11
Zoning District: R-10A
Request: Variance request pursuant to Section 28-1303.5.C of the Zoning Ordinance of the Town of Easton, to obtain a variance from Section 28-303.2.C.2, the minimum 30' rear setback for all uses and structures in the R-10A zoning district. The applicant is proposing to construct a 16' x 16'-6" open deck that extends 3' beyond the building restriction line.
- b. **Application:** SE - 1141 / SE 24 - 01
Applicant: Carson Beasley
Location: 364 Ashby Commons Drive
Tax Map 101, Grid 0EA, Parcel 0265A, Lot 71
Zoning District: PUD
Request: Special Exception request pursuant to Section 28-1303.5 B of the Zoning Ordinance of the Town of Easton, use (1) 121 in Table 2.1 of Section 28-202 to be utilized as Short-term Housing

within the Planned Unit Development
known as Ashby Commons.

4. Discussion Item

5. Adjournment



**Town of Easton Board of Zoning Appeals
Draft Decision Summary**

Tuesday, January 16, 2024 at 10:00 a.m.
Town Hall Chamber 2
14 S. Harrison Street, Easton, Maryland

Archived video of the meeting is available at:
[Town of Easton Agendas and Minutes](http://eastonmd.gov)
 [\(eastonmd.gov\)](http://eastonmd.gov)

Attendance:

Board Members:

Peter Cotter, Chairman
Gary Molchan, Vice Chairman
Zakary A. Krebeck
Paul Weber, (Alternate)

Staff:

Lynn B. Thomas, Town Planner
Joseph Mayer, Plan Reviewer
Nicholas Johnson, Planner

Absent:

Staff:

Miguel Salinas, Planning and Zoning Director
Samantha Smith, Administrative Specialist

1. Call to Order — Chairman Cotter called the meeting to order at 10:00 a.m.

2. Decision Summary Review —

Vice Chairman Molchan moved to approve the December 19, 2023 Decision Summary. Chairman Cotter seconded the motion.

Vote	<u>2 - 0 - 1</u>
FOR:	2 - Cotter, Molchan
AGAINST:	0
ABSTAIN:	0
ABSENT:	1 - Krebeck

3. Applications —

a. File No.: V-004 / V 24-01
Applicant: Curtis and Tricia Kubick

Location: 719 Howard Street, Easton, MD 21601
Tax Map 103, Grid 0EA, Parcel 0861

Zoning: R-10A

Request: The Applicant is seeking a variance from the following section of the Zoning Ordinance: Section 28-1006.D.1, the maximum height for fences in any front yard. The applicant is proposing to replace the existing non-conforming six (6) foot wooden privacy fence within the front yard on a corner lot. Section 28-1006.D.1 of the Zoning Ordinance prohibits fences from exceeding four (4) feet in height within any front yard. The replacement of any non-conforming structure must meet all minimum requirements of the Zoning Ordinance, or receive approval for a variance from the Board of Zoning Appeals.

Staff Presentation:
Nicholas Johnson, Planner

Applicant Presentation:
Curtis Kubick
Tricia Kubick

Public Comment — None

Chairman Cotter moved to approve the variance request as submitted. The Board made a request for the Applicant to work with staff to determine any improvements to be made to the configuration of the sight line at the intersection. Board Member Krebeck seconded the motion.

<u>Vote</u>	<u>3 - 0</u>
FOR:	3 - Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

4. Discussion Item — None

5. Adjournment — Chairman Cotter motioned to adjourn. Vice Chairman Molchan seconded. The meeting was adjourned at 10:32 a.m.



Exhibit 'A'

TOWN OF EASTON
PLANNING AND ZONING
14 SOUTH HARRISON STREET, EASTON, MD 21601

RECEIVED
FEB 16 2024
TOWN OF EASTON

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☒ VARIANCE ☐ APPEAL ☐ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	29555 Meadow Gate Dr. Easton MD 21601				
TAX MAP	0102	GRID	00EA	PARCEL	2939A LOT 11
DEED REFERENCE	LIBER	03024	FOLIO	00453	
PLAT REFERENCE	LIBER	83	FOLIO	349	
EXISTING USE	SFD				
ZONING DISTRICT					

HISTORIC DISTRICT Y ☐ N ☒ Planned Redevelopment District Y ☐ N ☒

OWNER

NAME	Maxie & Isabel Cerna	
MAILING ADDRESS	29555 Meadow Gate Dr. Easton MD 21601	
TELEPHONE NO.	757 870 7359	EMAIL

APPLICANT OR AGENT

NAME	Michelle Clancy The Deck & Fence Co.	
MAILING ADDRESS	PO Box 310 U.S. Bank MD 21765	
TELEPHONE NO.	443 610 7514	EMAIL michelle@appliedandapproved.com

Surveyor / Engineer

NAME		
License Number and Expiration		
MAILING ADDRESS		
TELEPHONE NO.		EMAIL

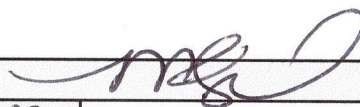
REQUEST DETAILS

SUBJECT TO PREVIOUS BOZA APPLICATION Y ☐ N ☒
ZONING ORDINANCE SECTION

☒ INCLUDE ALL REQUIRED ITEMS FROM THE APPLICABLE CHECKLIST

A NY MODIFICATIONS DURING REVIEW SHALL WARRANT AN UPDATED APPLICATION.

I DO HEREBY SOLEMNLY DECLARE AND AFFIRM THAT THE INFORMATION PROVIDED BY THIS APPLICATION AND THE DOCUMENTS ATTACHED HERETO ACCURATELY REPRESENT THE CONDITIONS OF THE REQUEST AND THAT SUBMISSION OF AN INCOMPLETE APPLICATION WILL BE RETURNED FOR CORRECTION PRIOR TO PROCESSING.

SIGNATURE OF APPLICANT OR AGENT		
Date	2/14/23	
PRINTED NAME OF APPLICANT OR AGENT	Michelle Clancy	

For Office Use Only

Project Number	V 24-02	Fee Received	\$250.00
Application Number	V -1136	Application Notification	03/04/2024
Filing Date	02/16/2024	Property Posting Date	03/04/2024
BOZA Hearing Date	03/19/2024	Notice(s) Published	03/03/2024
If ESDR, Date	-		

Revised 11-2023

Purpose of the Request

The property owners of the single-family residential dwelling located at 29555 Meadow Gate Drive in Easton Maryland are requesting a 3' (three foot) variance to the applicable zoning code to allow for the construction of a proposed open deck. The proposed deck will be 16 feet by 16 feet 6 inches (16' x 16'-6"). The deck will have steps to grade (approximately 6). The deck will be open, with no roof cover, and will be approximately 4' (four feet) high above grade.

This deck is proposed to be positioned on the rear of the existing dwelling in an alcove of the house that measures 12' x 16'-6"; thus, the deck is only going 4' (four feet) beyond the rear façade of the existing house. However, the existing house at its deepest point is built one foot from the building restriction line, thus the proposed deck would go 3' (three feet) past the BRL. Because the deck is more than 30" (thirty inches) high, it is required to meet the setback requirements of the principle dwelling which is why a variance of 3' (three feet) is being requested.

This lot is very small for the size and shape of the existing dwelling. Nearly the entire area inside the building restriction lines is taken up by the existing dwelling. The location chosen for the proposed deck was intentional in order to minimize the amount of variance requested. The restricting size of the lot and amount of buildable area is the reason the variance is needed.

Variance Findings of Fact

The property owners of the single-family residential dwelling located at 29555 Meadow Gate Drive in Easton Maryland are requesting a 3' (three foot) variance to the applicable zoning code to allow for the construction of a proposed open deck. The proposed deck will be 16 feet by 16 feet 6 inches (16' x 16'-6"). The deck will have steps to grade (approximately 6). The deck will be open, with no roof cover, and will be approximately 4' (four feet) high above grade.

The following is intended to address each criteria necessary to allow the approval of a variance request of this nature.

1. The granting of this variance in no way would be detrimental to satisfying any of the following objectives of the Zoning Ordinance:

- ***help accomplish the coordinated, adjusted, and harmonious development of the Town and its environs in accordance with present and future needs;***

As this request is for an open deck on the rear of an existing residential dwelling, this in no way is outside of the norm of structures. Quite the opposite, many residences enjoy the use of the rear yard amenity space with similar improvements. Driving through nearly every residential neighborhood, one would recognize similar deck structures on the rear of dwellings, thus granting this variance to allow the deck actually aids in coordinated and harmonious development. The only oddity here is that the dwelling at the time of development was allowed to be positioned on a rather small lot (only 7500 sf), creating a situation where the house takes up nearly the entire area within the building restriction lines (BRL). Despite the applicant's efforts to position the deck on a portion of the house that allows for the least amount of impact to the BRL, there is still no way to avoid the request without relegating the deck to too small of a size to be practical. Furthermore, with still having 27' to the rear property line, there is no detrimental impact to this objective of the Zoning Ordinance.

- ***promote health, safety, morals, order, convenience, prosperity, and general welfare; including among other things, adequate provisions for traffic, the promotion of public safety, adequate provision for light and air, conservation of natural resources, the prevention of environmental pollution, and the promotion of the healthful and convenient distribution of population;***

As stated, this is an open deck on the rear of an existing residential dwelling. This is one of the most, if not the most common exterior improvement onto a residence. No public would enter the rear yard of this private dwelling, hence there is no impact at all to health or safety. As a typical use, there is no affect to morals, order, convenience,

prosperity or general welfare. Since the residential lot does not provide access to anyone other than the residential owner (applicant), there is no impact to traffic or public safety. The proposed structure is an open, uncovered deck and thus has no impact to light and air. In fact, since it is open and not an enclosed porch or other structure, it actually promotes the objective of maintaining light and air. This is an open area of the residential lot now and no vegetation such as bushes or trees need to be removed or impacted in any way. And since this deck will be constructed using post and pier footings/foundation, there will be no impact to natural resources. It is a pervious structure creating no new impervious surface, so there is no impact to environmental pollution. Finally, being that this is for a residential use, there is no impact to the healthful and convenient distribution of the population.

- ***encourage and, where necessary, require land use development and uses which exemplify good civic design and arrangement and the stewardship of the Chesapeake Bay and the land as a universal ethic;***

The use of this lot is residential, and that use will not change. As stated earlier, an open deck is among the most common improvements to a residential structure. Therefore, this improvement is very typical of good civic design and arrangement. Again, as a pervious deck built on post/pier foundation, there will be no impact at all to the Chesapeake Bay and the land as a universal ethic. This was an intentional design by the applicant, specifically choosing to not cover the deck in an effort to avoid any environmental impact. This design is a good steward of this objective of the Zoning Ordinance.

- ***encourage the conservation of resources, including a reduction in resource consumption;***

Again, the project is an uncovered, pervious deck serving a single residential dwelling and contained entirely on a residential lot. No vegetation will need to be removed for the construction. The foundation is post/pier construction, consisting of only 6x6 posts. There will be no impact to groundwater or runoff as no new impervious surface will be created. For these reasons, there is no impact at all to resources and no resource consumption.

- ***locate development in locations suitable for it given existing and reasonably foreseeable development; and***

The proposed deck is on a residential lot, on the rear of an existing residential structure. In fact, the proposed deck, while modest in size at only 264 square feet, is actually almost entirely within the designated building restriction lines. The deck only projects beyond the line by 3 feet. This means over 80% of the proposed deck actually completely meets the setback requirements. It should be noted that at its closest points, the house is positioned only one foot away from the rear and both side building

restriction lines. This means the lot was intentionally designed undersized with no consideration to “foreseeable development”. It is much more common to foresee that a residential owner would most likely plan to improve upon the rear amenity space with such a deck structure in the future, but that was not planned for at time of development. Even with that oversight (which was not created by the applicant here), this proposed deck only minimally projects beyond the allowed line and instead, still maintains 27 feet setback to the rear property line. This successfully meets the objective of a suitable location.

- ***encourage appropriate and sustainable economic growth.***

Again, as this is a residential property, the objective of economic growth does not truly apply. However, it should be restated that the proposed deck is in harmony with numerous other residential dwellings throughout the Town of Easton. In fact, denying the application actually relegates the owner to not enjoy an amenity that nearly all other residents have the ability to enjoy.

2. The proposed variance will be in harmony with the Town’s Zoning Ordinance, Comprehensive Plan, and any applicable small area plans. This is evident by recognizing that the request is for an uncovered, open pervious deck on the rear of an existing single-family dwelling. That type of improvement is ubiquitous among similar residential dwellings throughout the entire Town, not just this subdivision. Similarly, the use of the rear amenity space behind residential structures is most commonly improved upon by the construction of an open deck. As stated earlier, *denying* this application actually breaks this harmony by denying this owner this commonly enjoyed use. The constricting factor here is the lot size which was reviewed and approved back at the time of the development by the builder. That oversight should not be held against this applicant now, especially given the minor nature of the request. This application should actually assist with maintaining harmony with both the Zoning Ordinance *and* the Comprehensive Plan.
3. The proposed variance will not be harmful to the neighborhood or endanger public safety, health, or welfare. Again, this is a residential lot with no access to or through by the general public. Therefore, no public safety, health, or welfare will be impacted in any way. The request is for a 3’ extension beyond the BRL. There is still 27 more feet from the proposed deck to the rear lot line, where there is even *more* open space right on the other side. The deck stays within both side BRL’s so each neighbor on either side is not impacted in any way as well. Not only will this request not be harmful, but it will also not actually have any impact at all on these objectives.
4. The conditions that are peculiar to this property is the lot size and building envelope. This lot is only 7500 square feet. While the immediate neighbors may experience a similar constraint, it is highly irregular throughout the Town to have residential dwellings take up nearly the entire building area inside a residential lot. As shown, the existing house is a single foot, only 12 inches, from the rear and both side BRL’s. This is an unusual and extraordinary circumstance

regarding this property that warrants a variance being granted. Even with such a constricting and peculiar factor, the applicant is still only asking for a 3-foot variance.

5. This applicant took no action that resulted in the need for this variance request. The action that created the need for this variance was development of this lot by the builder. While that development was reviewed and approved by the Town, it was surely understood at that time that this lot exhibited significant improvement constraints. None of those constraints were created by this applicant. Moreover, this applicant has actually taken significant strides to minimize the need for this variance. The size of the deck is very modest, and the construction is an uncovered, non-enclosed, pervious deck. Only 3 feet are beyond the BRL due to the location chosen on the back of the house. This applicant is a good steward of the Zoning Ordinance in this area.
6. Literal enforcement of the Ordinance this variance is requesting relief from as written would place a practical hardship and difficulty upon this applicant. The rear yard of residential dwellings is typically used as the dwelling's outside amenity area. Many residents improve upon this amenity with large impervious patios, pools, additions, etc. This applicant simply wishes to improve upon that space with a modest open deck. Denying this request would relegate the deck to an even smaller size, making the practical nature of the structure questionable. The house was constructed with an exterior door in the rear façade in the location of this proposed deck. That door is at the same height of this proposed deck, which is 4' above grade. Without a deck, this door is useless. This difficulty would deny this applicant rights that nearly every other resident enjoys.

(B.R.L.) BUILDING RESTRICTION LINE

ZONED - "R-10A"

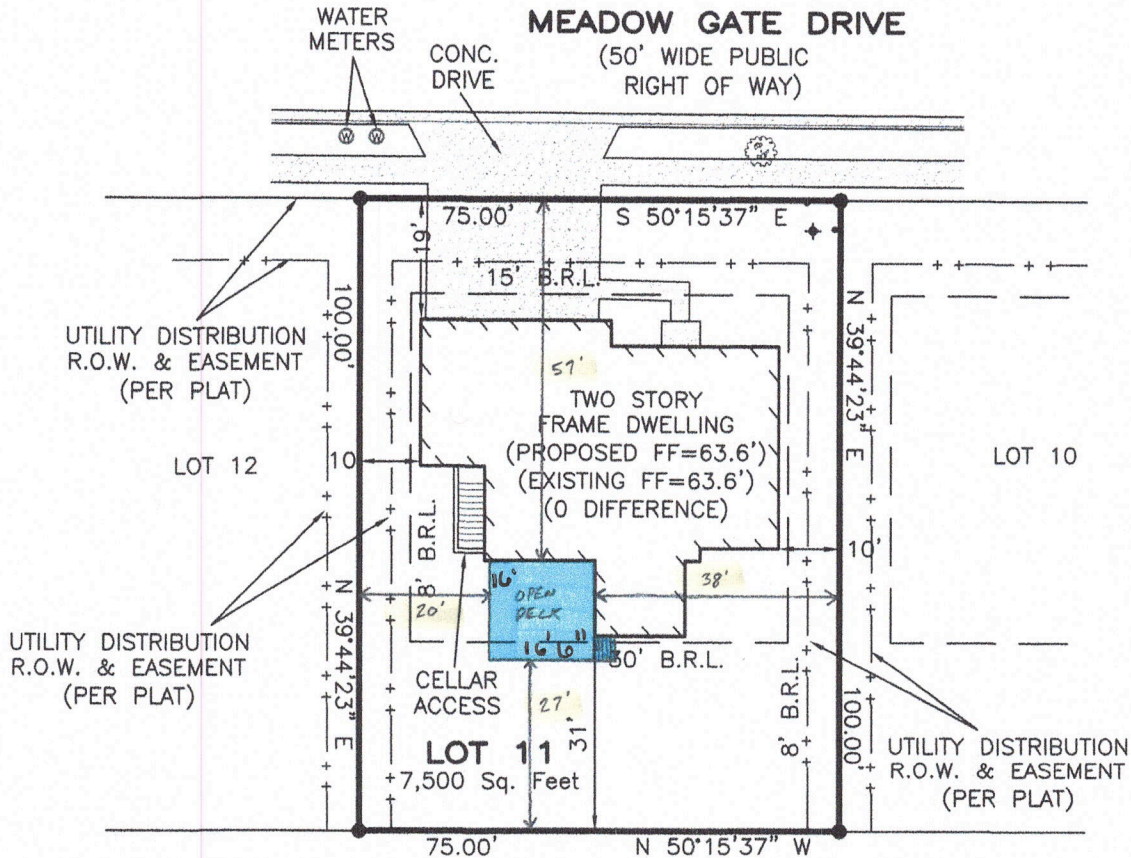
FRONT - 15'

SIDE - 8'

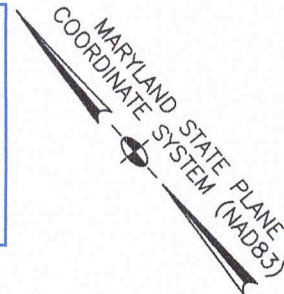
DEVELOPER

LACROSSE HOMES
721 MAIN STREET
STEVENSVILLE MARYLAND 21666

TAX MAP 102 PARCEL 2939A LOT 11
MEADOW GATE DR. EASTON, MARYLAND



PROPOSING A 16'X16'6" OPEN DECK
WITH STEPS ON REAR OF SFD.
WITH A REAR SEBACK OF 27' INSTEAD
OF THE REQUIRED 30'
DECK HEIGHT IS 4'



Christopher D. Waters

MY CURRENT LICENSE EXPIRES 2-10-23



DAVIS,
BOWEN &
FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS

EASTON, MARYLAND (410) 770-4744
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

LOCATION DRAWING

**LOT 11
BRETRIDGE
SUBDIVISION**

IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND

Date: 11-21-22 Scale: 1" = 30' Proj. No.: 1231A048



CONTACT INFORMATION

OWNER

MAXIE CERNA
29555 MEADOW GATE DR.
EASTON, MD 21601
PH: 757-870-7359

GENERAL CONTRACTOR / DESIGNER

DECK & FENCE COMPANY LLC.
408 HEADQUARTERS DR. SUITE 1
MILLERSVILLE, MD. 21108

MATERIAL SPECIFICATIONS

ITEM REF.	MATERIAL	MANUFACTURER	STYLE	COLOR	NOTES
DECKING BOARDS	COMPOSITE	TIMBERTECH	EDGE PRIME	MARITIME GRAY	
RAILING	VINYL	SHORELINE	100 SERIES	WHITE	
RAIL CAP					
RAIL POST	VINYL	SHORELINE	100 SERIES	WHITE	
POST CAP	VINYL	SHORELINE	NEW ENGLAND	WHITE	
BALUSTERS	ALUMINUM	SHORELINE	ROUND	BLACK	

SCOPE OF WORK

SCOPE OF WORK TO INCLUDE:

- CONSTRUCTION OF NEW DECK
- INSTALL LATTICE AROUND PERIMETER OF FINISHED DECK

NOTES

DECK HEIGHT IS APPROXIMATELY 4'

BUILDING INFORMATION

BUILDING: 2 STORY SINGLE FAMILY DWELLING
COUNTY: TALBOT

DRAWING INDEX

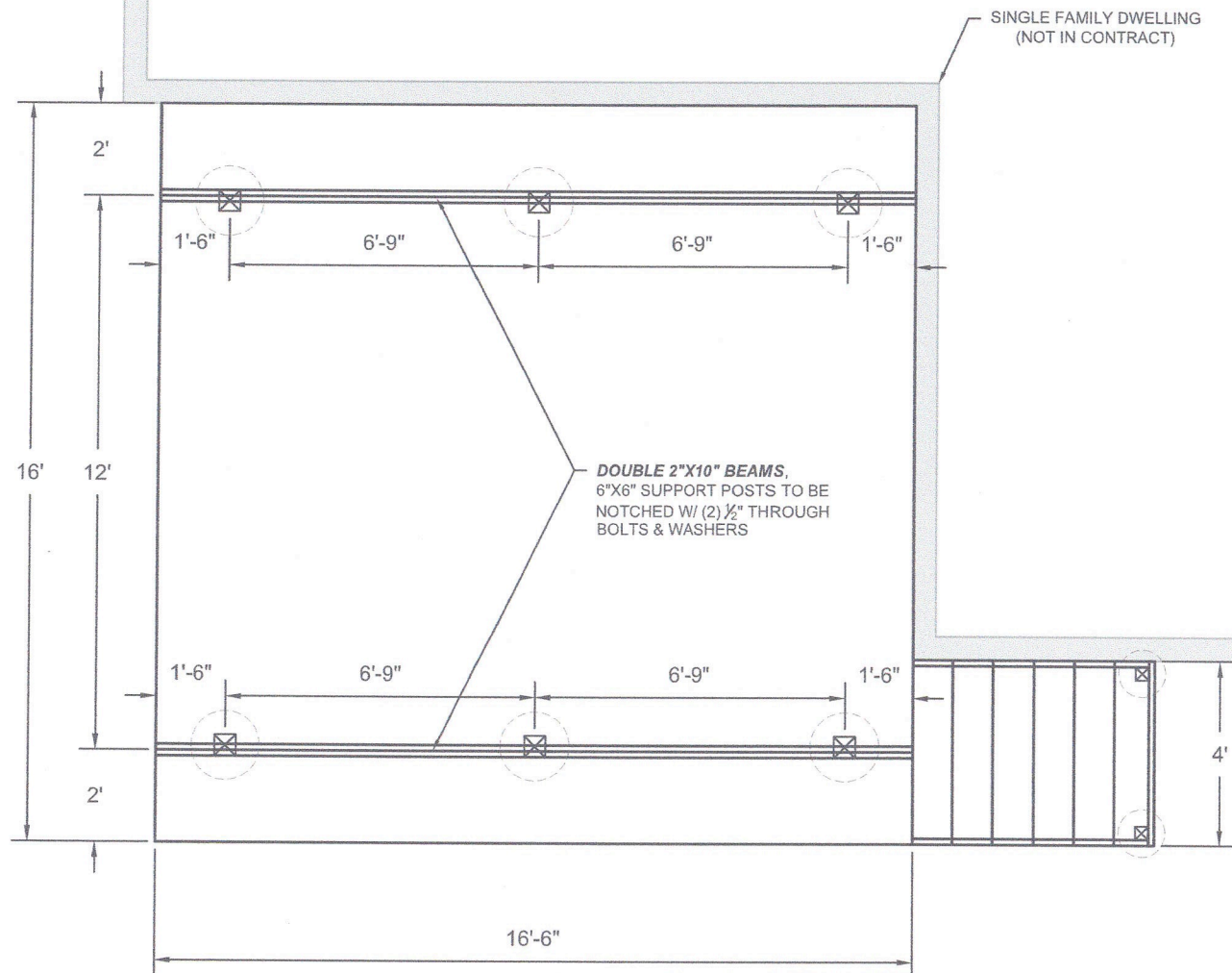
G1	COVER SHEET, GENERAL NOTES, & DRAWING INDEX
A1	POST & BEAM PLAN
A2	FRAMING PLAN
A3	CROSS SECTION
A4	STAIR DETAILS
A5	BRACING CONNECTIONS



SHEET NAME: COVERSHEET,
GENERAL NOTES, DRAWING
INDEX, & MATERIAL SCHEDULE

SHEET NUMBER:

G1



CERNA RESIDENCE

29555 MEADOW GATE DR.
EASTON, MD 21601

SHEET NAME: POST & BEAM PLAN

SCALE: 1/4" = 1'-0"

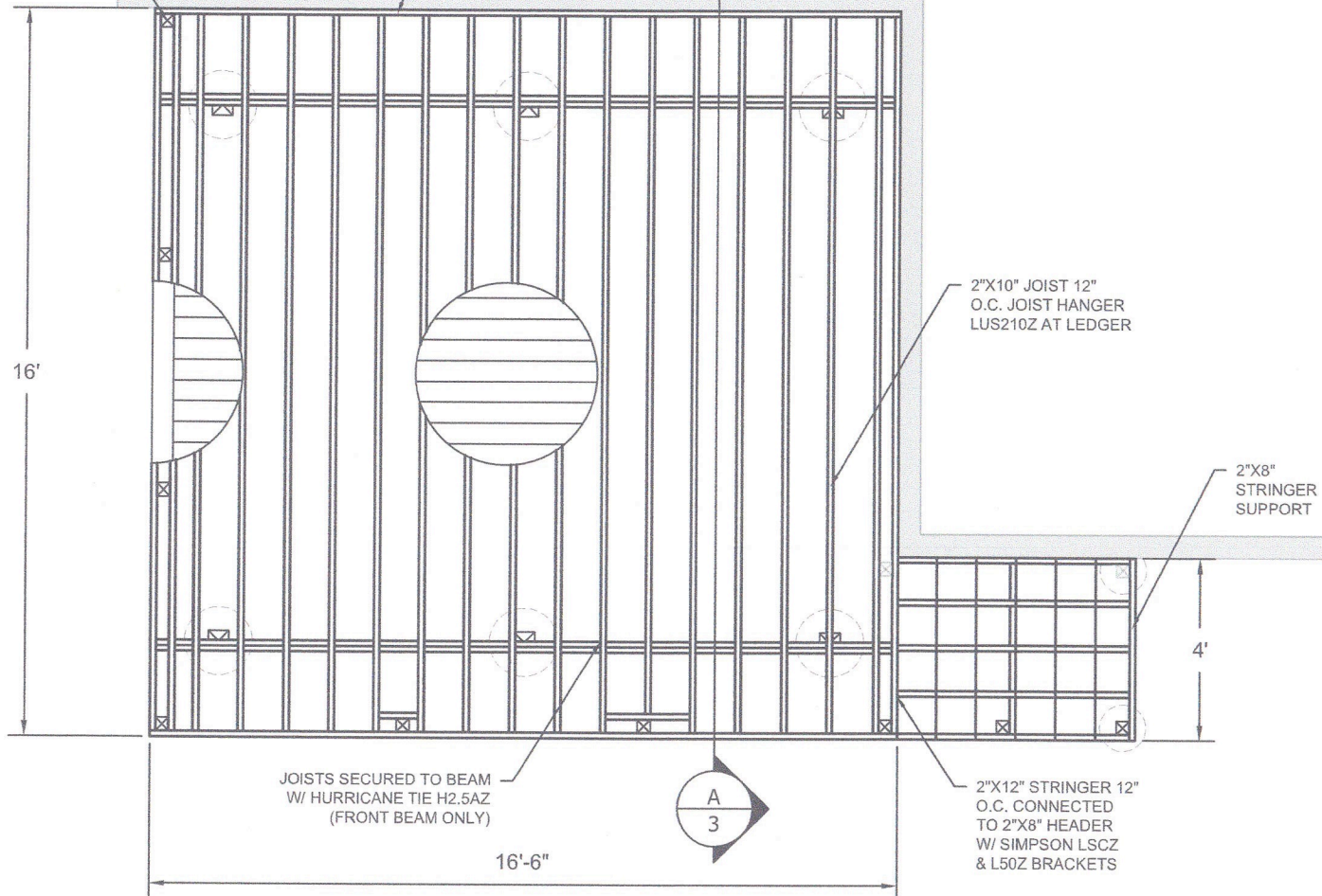
SHEET NUMBER:

A1

4"x4" RAIL POST,
(2) 1/2" THROUGH
BOLT PER POST

2"x10" LEDGER
LAGGED 12" O.C.
W/ 1/2" LAG, FLASHED

SINGLE FAMILY DWELLING
(NOT IN CONTRACT)



CERNA RESIDENCE

29555 MEADOW GATE DR.
EASTON, MD 21601

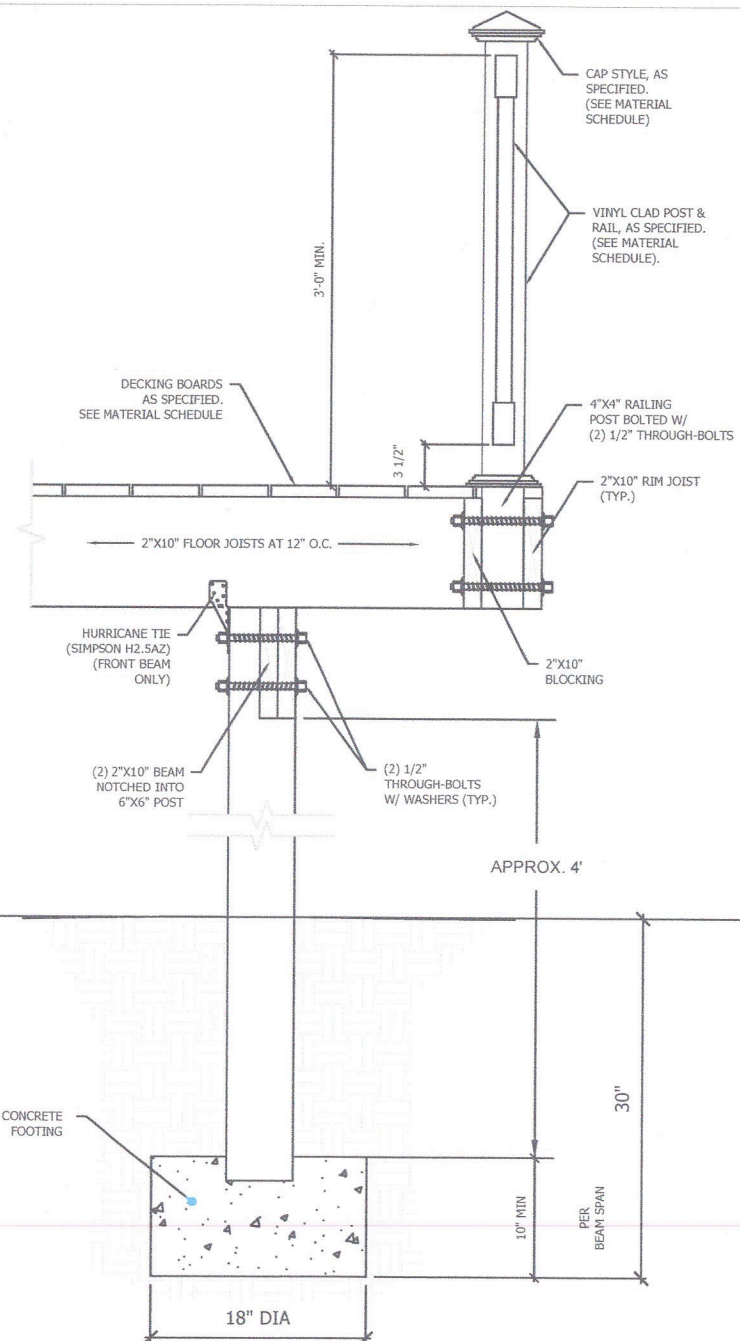
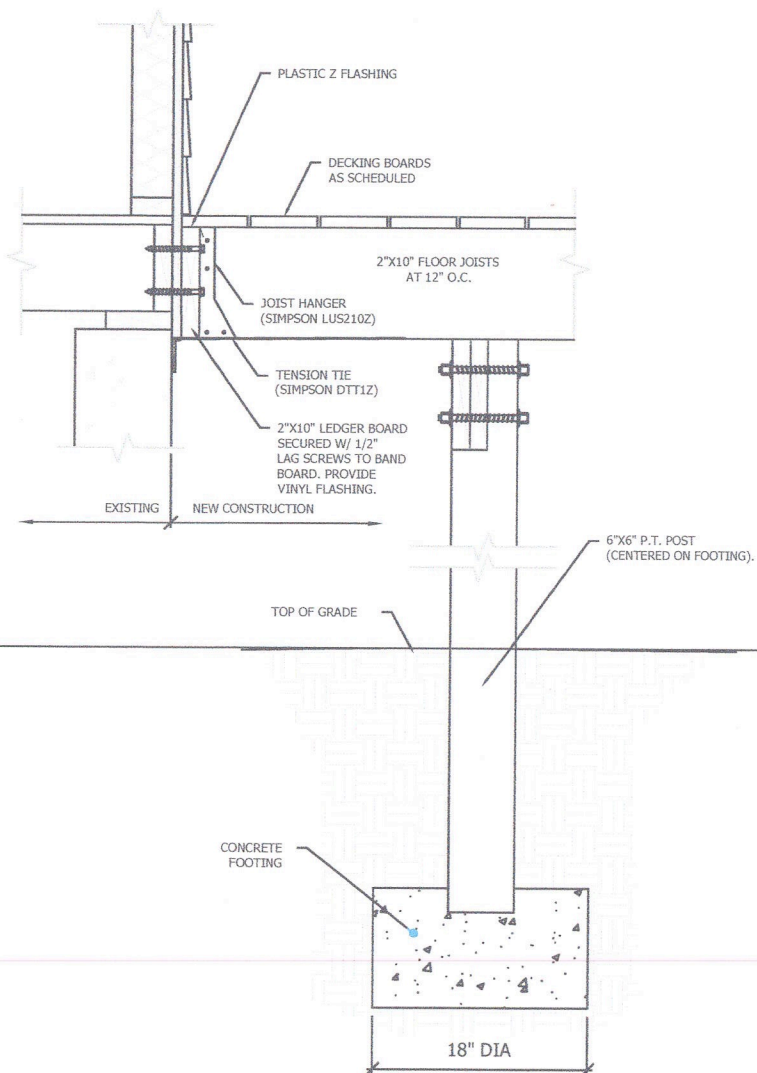
SHEET NAME: FRAMING PLAN

SCALE: 1/4" = 1'-0"

SHEET NUMBER:

A2

A
3 CROSS SECTION (TYP)
3/4"=1'-0"



3 1/2" SPACE
BETWEEN BALUSTERS
(TYP.)

4"X4" P.T.
POST

4"X4" P.T.
POST

MAX. RISER
HEIGHT TO
BE 7 3/4"

(2) 1/2" THROUGH
BOLTS

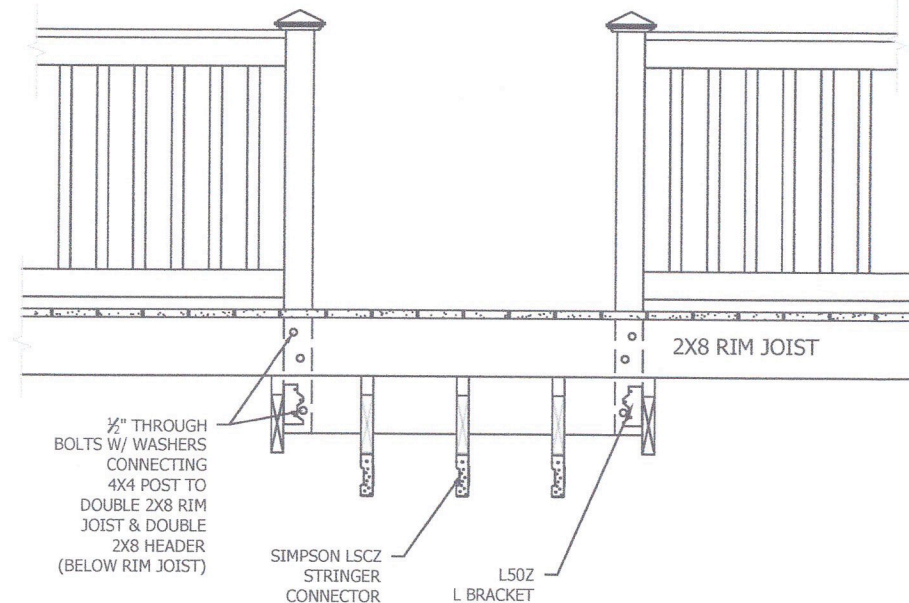
ANGLED STRINGER
CONNECTOR
SIMPSON LSCZ

2"X12" STRINGER
AT 12" O.C.

MIN. TREAD DEPTH
TO BE 10".
NOSING LENGTH
TO BETWEEN
3/4" - 1 1/4"

30" MIN

12" MIN



A

STAIR DETAILS

4.1

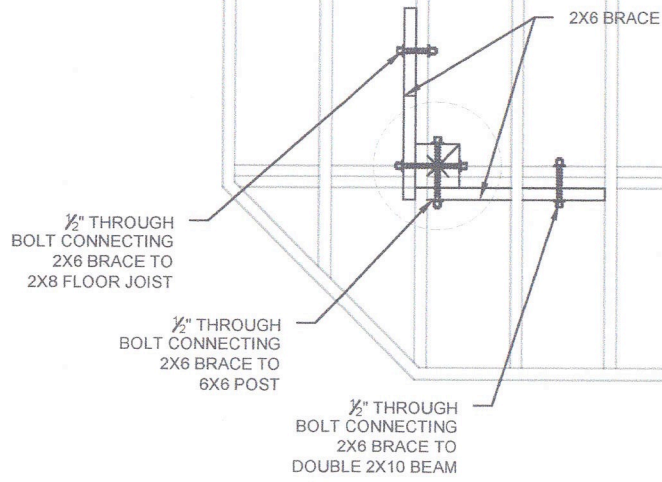
1/2" = 1'-0"

A

STRINGER CONNECTION

4.2

1/2" = 1'-0"

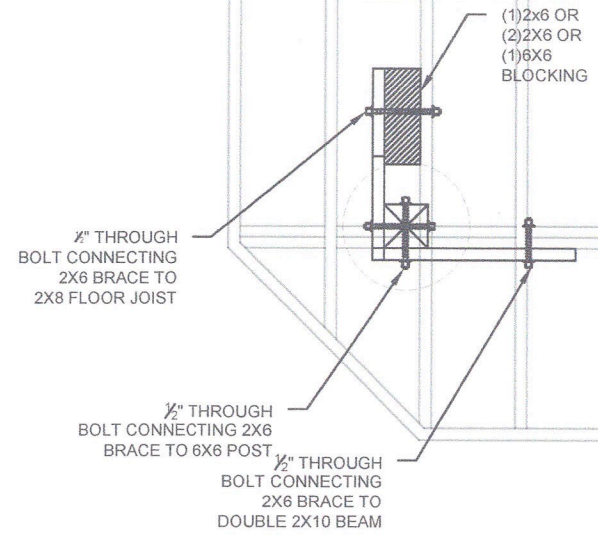


BRACE CONNECTION OPTION #1

A

1/2" = 1'-0"

5.1

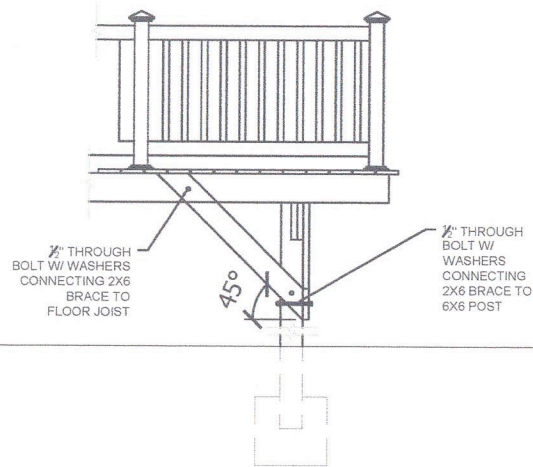


BRACE CONNECTION OPTION #2

A

1/2" = 1'-0"

5.2

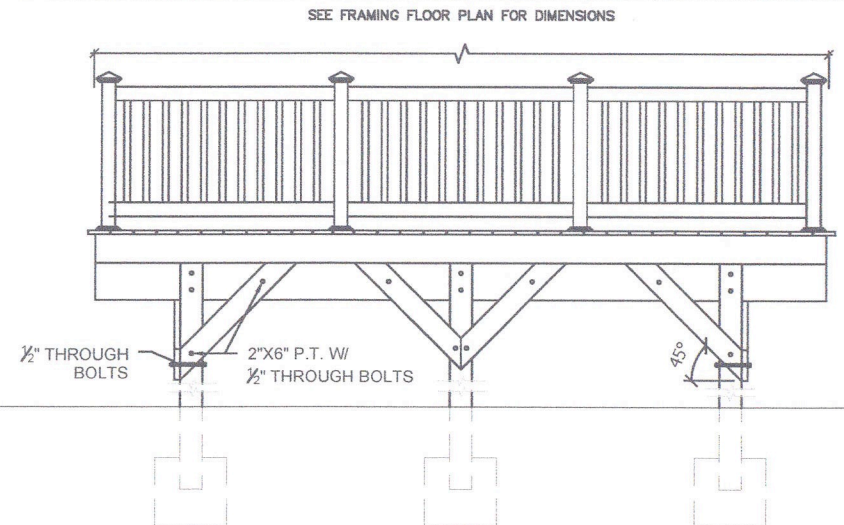


BRACE DETAIL

A

1/4" = 1'-0"

5.3



BRACE DETAIL

A

1/4" = 1'-0"

5.4



Contract Work Order: Deck & Patio

1 of 4

408 Headquarters Drive, Suite 1, Millersville MD 21108 - Phone 877-553-3623 - Fax 443-407-0806 - MHIC License #125136

Date 1/11/24 County TALBOT / EASTON Customer Source GOOGLE
Name MAXIE CERNA Email MCERNA5979@GMAIL.COM Phone 757-870-7359
Name _____ Email _____ Phone _____
Address 29555 MEADOWGATE DRIVE City EASTON State MD Zip Code 21601

Deck Description of Work

Install approximately 272 sq.ft. deck. Tear out and haul approximately 0 sq.ft. of deck/steps.
The height of the deck is approximately 4 ft. The exterior of the house at the deck connection is SIDING.
☒ Conventional Framing: The deck will be built with a self-supporting framing structure. 6"x6" support posts with concrete footers attached to 2"x10" double beams, connected to 2"x8" joists, spaced 12 inches on center. All framing to be pressure treated pine #2 grade or better. The Deck & Fence Company LLC reserves the right to upgrade the size of beams and joists.
☐ Resurface only: Contract is for resurface only and does not include any framing unless specified otherwise.

Decking		Railing	Steps
Style/Brand: <u>TIMBERTECH EDGE PRIME</u>	Style/Brand: <u>SHORELINE</u>	# of Standard Steps: <u>6</u>	
Color: <u>MARITIME GREY</u>	Description: <u>VINYL</u>	Width of Standard Steps: <u>4'</u>	
Pattern: <u>STRAIGHT</u>	Color: <u>WHITE</u>	# of Custom Steps: <u>0</u>	
Deck Trim/Wrap Board	Post Cap: <u>NEW ENGLAND</u>	Landings	
Style/Brand: <u>COMPOSITE</u>	Rail Cap: <u>NONE - STD TOP RAIL</u>	Level: _____ Size: _____	
Color: <u>WHITE</u>	Balusters: <u>BLACK ALUM</u>	Level: _____ Size: _____	

Accessories (check if included, see notes for details)

☒ Low Voltage Lighting ☒ Picture Framed Deck ☐ Accent Board(s) ☐ Movable Bench
☐ Vinyl wrapped posts and beams ☒ Lattice Skirt ☐ Trellis Work ☐ Other

☐ Project includes Roof over deck. Porch Description of Work follows below

Install approximately _____ sq.ft. porch with a _____ style roof. Support posts to be 4" x 4" attached to deck project which will extend up to a minimum double 2" x 8" header. Open rafter framing with T-111 on top of rafters and plywood above the T-111. Roof framing will be visible unless specified otherwise. Roof finished with drip edge, felt paper and asphalt shingles. Shingles to be similar color of existing house roof when possible. Roofs attached to house shall include white gutters and downspouts. Free-standing Gazebo and Pavilion style roofs will not have gutters or downspouts. Roof framing will be untreated pine.

☐ Tie Back over House Roof ☐ Screening ☐ Siding above header ☐ Storm Door, color _____
☐ Wrapped Headers, Posts and Fascia, color _____ ☐ Finished Ceiling, _____

Patio Description of Work

Install approximately _____ sq.ft. paver patio. Tear out and haul approximately _____ sq.ft. of pavers/concrete.
Install _____ paver steps _____ ft. wide in _____ Wall with _____ Treads
Project includes base foundation of 4"-6" of tamped CR-6 on top of a Geotextile Fabric. A layer of Washed Concrete Sand to be screed above CR-6 for Paver bedding. Pavers will be laid onto the sand and supported on the outside by concrete, plastic edging or wall stone. Polymeric Sand will be swept into joints and wet down. Seating Walls will sit approximately 15"-18" above finished patio grade. Paver patio installation does not include any landscaping, seeding or lawn repair around the disturbed area outside of the pavers unless otherwise specified in contract. Excavated spoils from jobsite will be used for grading where necessary.

Pavers	Soldier Course	Retaining Wall approximately _____ sq.ft.
Style: _____	Style: _____	Style: _____ Color: _____
Color: _____	Color: _____	Seating Wall approximately _____ in.ft.
Size: _____	Size: _____	Wall Style: _____ Color: _____
Pattern: _____		Wall Cap: _____ Color: _____

Accessories (check if included, see notes for details)

☐ Low Voltage Lighting ☐ Trench downspouts ☐ Circle Kit ☐ Columns ☐ Floor Drains ☐ Other

Total Contract Price \$20,770

Down Payment \$5,470 check # _____ or cc processed ☒

Due upon Material Delivery _____

Due upon Flooring Completion _____

Due upon Substantial Completion \$15,300

Financed Amount \$15,300 Promo 12 MONTHS S.A.C. #1019

Financed Amount Submitted for Funding at Substantial Completion.

Project Schedule: Construction of project shall begin approximately 12-16 weeks from receipt of a complete and scaled location drawing from the Buyer. The project will be substantially completed in approximately 1-2 week(s) after the project has started. These approximate dates do not take into account unforeseen delays that may occur. Projects that need HOA approval may incur additional delays as well.

(MC) Buyer may cancel this transaction prior to midnight of the 5th business day after the date of this contract, or midnight of the 7th business day after the date of this contract if the buyer is at least 65 years old.

Buyer(s) agrees they have received a legible copy of all parts of the contract and agree to all terms, front and back of the contract.

Contract Approved and Accepted by Buyer(s)

Approved and accepted by The Deck & Fence Company LLC

X [Signature] Date: 01/11/24 X [Signature] Date: 1/11/24
(Buyer) (Sales Representative and license)

X _____ Date: _____ X _____ Date: _____
(Buyer) (Company officer) Contract not valid until company officer approval



408 Headquarters Dr. Suite 1, Millersville MD, 21108
Phone: 877-553-3623 Fax: 443-407-0806 MHIC #125136

Contract Change Order

☐

Check box if a new drawing is included with this change order.

This change order dated: 2/8/24 applies to the contract between The Deck & Fence Company LLC.

and Homeowner: MAXIE CERNA originally signed on Date: 1/11/24

for site work to done at address: 29555 MEADOW GATE DRIVE EASTON MD 21601

The following changes will be made to the contract:

PROVIDE, PRODUCE & SUBMIT REQUIRED PAPERWORK FOR EASTON CITY
VARIANCE APPEAL. THERE IS NO GUARANTEE VARIANCE WILL BE APPROVED.
VARIANCE FEE IS NOT REFUNDABLE.

These changes will be made at a cost to the homeowner in the amount of ~~\$5~~ \$600

Original contract amount \$ 20,770 New contract amount \$ 21,370

The new payment schedule will be as follows: • CHANGE ORDER FEE TO BE PAID BY 2/28/24
• AMOUNT FINANCED DOES NOT CHANGE.

These changes will impact the job schedule as follows: ADD 1 MONTH TO LEADTIME

Approved and accepted by customer

The Deck & Fence Company LLC.

By: [Signature] Date: 02/13/24
(Homeowner)

By: [Signature] Date: 2/14/24
(Sales Representative)

By: _____ Date: _____ By: _____ Date: _____
(Homeowner) (Company Officer)

Certification is made that all taxes due on the property indicated in this deed have been paid.
Finance Office of Talbot County
Clay B. Stamp Fin. Officer
CL 12/27/2022

Talbot County Cir Crt	
IMP FD SURE	\$40.00
RECORDING FEE	\$20.00
TR TAX STATE	\$1,275.78
TR TAX CTY	\$4,603.10
TOTAL	\$5,938.88
KMD MG	
Dec 27, 2022	11:56 am

Talbot County Finance Office
Recordation Tax \$6,126.00
PK 12/27/2022
Prop ID: 01-198704

AFTER RECORDING, PLEASE RETURN TO:
Newlyn Title Assurance Co., Inc.
1104 Butterworth Court
Stevensville, MD 21666
File No. 15201DN
Tax ID # 01-198704

This Deed, made this 16 day of Dec, 2022, by and between MD Residential by Lacrosse LLC, a Maryland Limited Liability Company, GRANTOR, and Maxie Cerna and Isabel Rosa Cerna, GRANTEES.

Witnesseth –

That in consideration of the sum of Five Hundred Ten Thousand Three Hundred Ten and 00/100 Dollars (\$510,310.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantees, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the County of Talbot, State of Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 11 in the subdivision known as 'Bretridge Addition' and more particularly shown on a plat entitled "Subdivision and Line Abandonment Plat for Phase 2, Bretridge Addition, in the Town of Easton, Talbot County, Maryland", dated December 6, 2013, prepared by Land Engineering, LLC, Registered Engineers and Surveyors and recorded among the Plat Records of Talbot County, Maryland in Plat Book No. MAS 83, pp. 349-350.

Being or intending to be a part of the same property as described in a Deed dated September 30, 2021, by and between Meadow Farm Joint Venture LLC, a Maryland Limited Liability Company and MD Residential by Lacrosse LLC, a Maryland Limited Liability Company and recorded among the Land Records of Talbot County Maryland in Liber 2900, Folio 127.

PROPERTY ADDRESS: 29555 Meadow Gate Drive, Easton, MD 21601

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Maxie

•Name TRC
•Tenancy ML
•Property

Cerna and Isabel Rosa Cerna, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

And the Grantor hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant Specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

**MD RESIDENTIAL BY LACROSSE LLC, A
MARYLAND LIMITED LIABILITY
COMPANY**

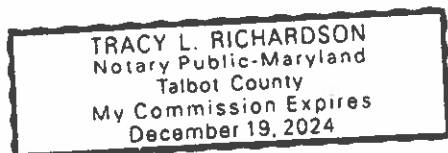
By:  (SEAL)
**Lindsay E. Dixon, Manager of
LaxStone Communities LLC, Sole
Member**

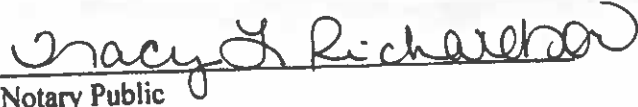
[Corporate Seal]

STATE OF Maryland } ss
COUNTY OF Talbot

I hereby certify that on this 15 day of Dec., 2022 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Lindsay E. Dixon, Manager of LaxStone Communities LLC, Sole Member of MD Residential by Lacrosse LLC, a Maryland Limited Liability Company**, and that as such officer, being authorized to do so, executed the foregoing Deed for the purposes therein contained, by signing the name of the limited liability company, by himself/herself as such officer and further, did certify that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer of all, or substantially all, of the property and assets of the limited liability company, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.




Notary Public

My Commission Expires: 12/19/2024

MARYLAND
FORM
WH-AR

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2022

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor MD Residential by Lacrosse LLC, a Maryland Limited Liability Company

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).
29555 Meadow Gate Drive, Easton, MD 21601

3. Reasons for Exemption

- Resident Status** ☐ As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.
- ☒ Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.
- Principal Residence** ☐ Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name

**Date

Signature

3b. Entity Transferors

Witness/Attest

**MD RESIDENTIAL BY LACROSSE LLC, A
MARYLAND LIMITED LIABILITY COMPANY**

Name of Entity

By

**Lindsay E. Dixon, Manager of
LaxStone Communities LLC**

Name

12/16/22

**Date

Sole Member

Title

** Form must be dated to be valid.

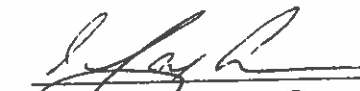
Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

**AFFIDAVIT OF GRANTEES AS
FIRST-TIME MARYLAND HOME BUYERS
CO-MAKER/GUARANTOR**

The undersigned state under penalties of perjury that the contents of this affidavit are true to the best of his/her/their knowledge, information and belief:

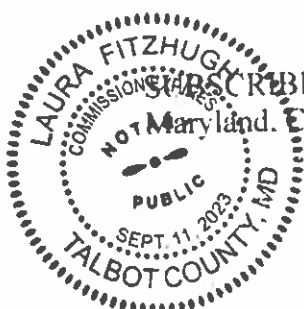
1. Each of the undersigned is a Grantee of residentially improved real property located at 29555 Meadow Gate Drive, Easton, MD 21601, and being more particularly described as Lot 11, Bretridge Addition, Tax ID Number 01-198704, Talbot County, Maryland.
2. This affidavit is being executed in order to qualify for and obtain a partial exemption from applicable Maryland State Transfer Tax of an amount equivalent of .25 of 1% of the consideration stated on the attached Deed for Real property described above, pursuant to Section 13-203, of the Tax Property Volume of the Maryland Annotated Code
3. Each of the undersigned is a first-time Maryland home buyer (defined as an individual who has never owned in the state residential real property that has been the individual's principal place of residence, and as defined under the aforesaid statute) who will occupy the property as Grantee's principal residence;


Maxie Cerna

Isabel Rosa Cerna

If additional grantees signatures appear above the following Notary affidavit, then, the following affirmation and oath is made in conjunction with item #2 above:

4. Each of the undersigned is a co-maker or guarantor of the purchase money mortgage or purchase money deed of trust on the property who will not occupy the property as Grantee's principal residence, pursuant to the aforesaid statute.



SUBSCRIBED AND SWORN to before me, a Notary Public in and for the State of Maryland, County of Talbot, this 14 day of Dec, 2022.


Notary Public

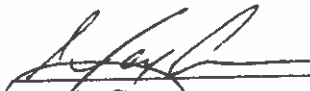
My Commission Expires: 9/11/23

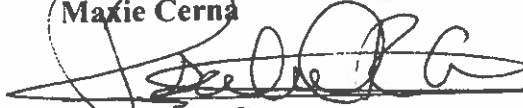
TALBOT COUNTY CIRCUIT COURT (Land Records) KMD 3024, p. 0457, MSA_CE91_2963. Date available 01/06/2023. Printed 02/15/2024.

**AFFIDAVIT OF GRANTEES AS
PRIMARY OCCUPANT HOME BUYERS**

The undersigned state under penalties of perjury that the contents of this affidavit are true to the best of his/her/their knowledge, information and belief:

1. Each of the undersigned is a Grantee of residentially improved real property located at 29555 Meadow Gate Drive, Easton, MD 21601, and being more particularly described as Lot 11, Bretridge Addition, Tax ID Number 01-198704, Talbot County, Maryland.
2. Each of the undersigned is Primary Occupant Maryland home buyer defined as an individual who will occupy the property as Grantee's principal residence
3. This affidavit is being executed in order to qualify for and obtain a partial exemption from applicable County Transfer Tax.

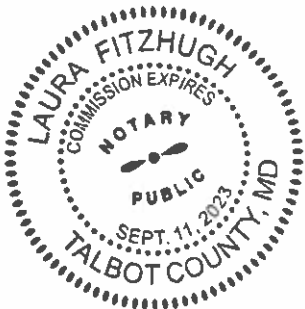

Maxie Cerna 12/16/22


Isabel Rosa Cerna 12/16/2022

If additional grantees signatures appear above the following Notary affidavit, then, the following affirmation and oath is made in conjunction with item #2 above:

4. Each of the undersigned is a co-maker or guarantor of the purchase money mortgage or purchase money deed of trust on the property who will not occupy the property as Grantee's principal residence, pursuant to item No. 3 above.

SUBSCRIBED AND SWORN to before me, a Notary Public in and for the State of Maryland, County of Talbot, this 16 day of Dec, 2022.



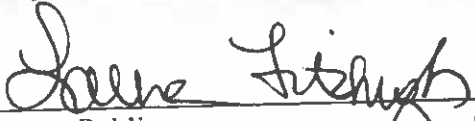

Notary Public
My Commission Expires: 9/11/23



Exhibit 'B'

RECEIPT

TOWN OF EASTON

Planning & Zoning Department

P.O. BOX 520

Easton, Maryland 21601

APPLICATION #	DATE
2024 - 1136	2/19/2024
PROJECT ID	
V 24 - 02	

TO:

The Deck and Fence Co.
c/o Michelle Clancy
PO Box 310
Lisbon, Maryland 21765

RE: BOZA Application V-1136 / V 24 - 02

29555 Meadow Gate Drive
Tax Map 102, Grid 0EA, Parcel 2939A, Lot 11
Easton, Maryland 21601

Date	Description	Transaction	Amount
02/19/2024	BOZA VARIANCE	Check # 8850	250.00
			-
			-
			-
			-
			-
			-
Thank you!			TOTAL \$250.00

Paid in full. Thank you!

If you have any questions about this invoice, please contact
Samantha N. Smith, Administrative Specialist (410) 822-1943, ssmith@eastonmd.gov

Exhibit 'C'



Sign posted on March 4, 2024

Exhibit 'D'

Date of Hearing: March 19, 2024

3a

**BOARD OF ZONING APPEALS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: **VARIANCE 1136**

ELECTION WARD: Ward 2

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson - Planner
Miguel Salinas - Director of Planning and Zoning

APPLICANT: Michelle Clancy on behalf of Maxie and Isabel Cerna

PURPOSE: The applicant is seeking a variance from §28-303.2.C(1) of the Town’s Zoning Ordinance to construct a structure that encroaches three (3) feet beyond the required rear setback.

RECOMMENDATION:

APPLICATION INFORMATION:	
APPLICANTS: Maxie and Isabel Cerna 29555 Meadow Gate Drive Easton MD, 21601	REPRESENTATIVE: Michelle Clancy The Deck and Fence Company PO Box 310 Lisbon MD, 21765
PARCELS/ACREAGE:	
Parcel Information	Acres
Map 102, Parcel 2939A, Lot 11	0.17
ACCEPTANCE DATE: February 16, 2024	LOCATION: 29555 Meadow Gate Drive

EXISTING ZONING R-10A	EXISTING LAND USE: Residential
HISTORIC DISTRICT: No	FUTURE LAND USE: Residential

CONTEXT:

Location/Site Access – The subject property is located on Meadow Gate Drive within the Bretridge subdivision.

Existing Conditions – The subject property contains an existing 2 story single-family dwelling that was constructed in 2022. The property has town utility easements running along each of the side property lines.

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
South	Open Space	R-10A	Residential
West	Residential	R-10A	Residential
East	Residential	R-10A	Residential



Figure 1: Vicinity Map

PROPOSAL: The applicant is proposing to construct a 16' x 16' open deck in the rear yard attached to the principal structure. The proposed deck and steps encroach into the required rear setback of thirty (30) feet by three (3) feet. The Zoning Ordinance does allow decks to encroach beyond the required rear setback by no more than ten feet (28-1006(F)). Decks are defined by the Zoning Ordinance as an "an open-air structure above grade, but not more than thirty (30) inches above grade, and immediately adjacent or attached to the principal structure." Since this proposed structure is over 30 inches in height above grade, it does not meet the Zoning Ordinance definition of a deck and is required to meet the required setbacks of the R-10A Zoning District.

POLICY ANALYSIS (VARIANCE):

- a. Granting the application: (i) will not be contrary to the public interest, (ii) will be in harmony with the purpose and intent of the Ordinance and (iii) will not be injurious to the neighborhood or otherwise detrimental to the public welfare;**

Analysis – The purpose of the rear setback requirement is to ensure adequate separation in structures between abutting properties. In this case, the neighboring rear property is an open space parcel containing stormwater management features for the subdivision. Because of this open space parcel, there is approximately 80 feet between the rear property line of this parcel and the rear property line of the closest neighboring residential parcel. Permitting this structure to encroach three feet past the rear setback line should not have any detrimental impacts on the neighborhood as rear decks of a similar size are a common occurrence in this neighborhood.

- b. Owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.**

Analysis – This lot and its neighboring lots, are significantly shallower than other properties found in this subdivision. This lot has a depth of just one hundred feet while the lots across the street have a depth of approximately 125 feet. The height of the house above grade also makes it difficult to construct a deck below 30 inches in height that would otherwise be able to encroach ten feet past the rear setback line. Photos of the home and construction plans for the deck show that the height between the bottom of the rear door that would lead to the deck and the surface of the ground is approximately 4 feet.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **approve** Variance 1136 as submitted based on staff's draft findings.

OR

2. I move that the Board of Zoning Appeals deny Variance 24-01 based on the following findings...

OR

3. I move an alternate motion.

Exhibit 'E'

THE STAR DEMOCRAT - ONE TIME - SUNDAY, MARCH 3, 2024

NOTICE

Notice is hereby given that Application V-1136 / V 24-02 has been filed pursuant to Section 28-1303.5 C of the Zoning Ordinance of the Town of Easton, to obtain a variance from Section 28-303.2.C.2, the minimum 30' rear setback for all uses and structures in a R-10A zoning district. The applicant is proposing to construct a 16' x 16'.6" open deck that extends 3' beyond the building restriction line.

The property is located at 29555 Meadow Gate Drive, Easton, Maryland also known as Tax Map 102, Grid 0EA, Parcel 2939A, Lot 11 and is situated in the R-10A – Residential District. The property is owned by Maxie and Isable Cerna. A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, March 19, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

EASTON BOARD OF ZONING APPEALS

Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

APG Media of Chesapeake, LLC
29088 Airpark Drive
Easton, MD 21601

02/29/24

Phone: Fax:
<http://www.chespub.com>

Cust. AcctID:	Creation Date: 02/29/24
	Ad Date: 03/03/24
	Class: 10
Name: Joanne Drummer	Ad ID:
Company: TOWN OF EASTON (L)	Ad Taker: AHALL
Address: PO Box 520	Sales Person: 503
EASTON, MD 21601	Words: 189
	Lines: 21
Telephone: (410) 822-2525	Agate Lines: 66
Email:	Depth: 2.75
Description: PH - Application V-1136/V	Inserts: 2
	Blind Box:

Other Charges:

Total:

Discount:

Paid Amount:

Surcharge:

Credits:

Amount Due:

Bill Depth:

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	Cost
The Star Democrat	03/03/24	03/03/24	1	

NOTICE

Notice is hereby given that Application V-1136 / V 24-02 has been filed pursuant to Section 28-1303.5 C of the Zoning Ordinance of the Town of Easton, to obtain a variance from Section 28-303.2C.2, the minimum 30' rear setback for all uses and structures in a R-10A zoning district. The applicant is proposing to construct a 16' x 16'-6" open deck that extends 3' beyond the building restriction line.

The property is located at 29555 Meadow Gate Drive, Easton, Maryland also known as Tax Map 102, Grid OEA, Parcel 2939A, Lot 11 and is situated in the R-10A - Residential District. The property is owned by Maxie and Isable Cerna. A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, March 19, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/123/Agendas-Minutes> for agenda updates.

EASTON BOARD OF ZONING APPEALS

3047788 SD 3/3/2024

Ad Note:

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

Exhibit 'F'



TOWN OF EASTON

Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

NOTICE OF APPLICATION SUMMARY

2024-03-19

V-1136 / V 24-02

Applicant notified of hearing date: Email: 2024-02-29 – 19 days

Exhibit A: Application – 2024-02-16 – 32 days

Exhibit B: Paid Receipt – 2024-02-16 – 29 days

Exhibit C: Picture of Property Sign Posting – 2024-03-04 – 15 days

Exhibit D: Staff Report – 2024-03-11 – 8 days

Exhibit E: Public Advertisement

Advertisement sent to the Star Democrat: 2024-02-23 – 25 days

Advertisement run in Star Democrat: 2024-03-03 – 16 days

Exhibit F: Notices

Applicant Hearing Letter: 2024-02-29 – 19 days

400' Notices Distributed: 2024-03-04 – 15 days



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

February 29, 2024

Maxie and Isable Cerna
29555 Meadow Gate Drive
Easton, Maryland 21601

Re: BOZA Application V - 1136 / V 24 - 02
29555 Meadow Gate Drive
Tax Map 102, Grid 0EA, Parcel 2939A, Lot 11
Easton, Maryland 21601

Mr. and Mrs. Cerna,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, March 19, 2024 at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. That granting the application will not be contrary to the public interest;
2. that granting the application will be in harmony with the purpose and intent of the Ordinance;
3. that granting the application will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
4. that owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.

Please be prepared to answer the four listed items above at the time of the Hearing. If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

March 4, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, March 19, 2024 at 9:00 a.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Application V-1136 / V 24-02 has been filed on behalf of Maxie and Isable Cerna pursuant to Section 28-1303.5 C of the Zoning Ordinance of the Town of Easton, to obtain a variance from Section 28-303.2.C.2, the minimum 30' rear setback for all uses and structures in the R-10A zoning district. The applicant is proposing to construct a 16' x 16'-6" open deck that extends 3' beyond the building restriction line. The property is located at 29555 Meadow Gate Drive, Easton, Maryland and is situated in the R-10A – Residential District.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON
PLANNING AND ZONING
14 SOUTH HARRISON STREET, EASTON, MD 21601

9ΕΚ10λÚ 4!4

RECEIVED
FEB 26 2024
TOWN OF EASTON

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☐ VARIANCE ☐ APPEAL ☒ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	364 ASHBY COMMONS DRIVE						
TAX MAP	01	GRID	00EA	PARCEL	0265A	LOT	71
DEED REFERENCE	LIBER	KMD 3013	FOLIO	0075-0081			
PLAT REFERENCE	LIBER		FOLIO				
EXISTING USE	RESIDENTIAL (OWNER OCCUPIED)						
ZONING DISTRICT	PUD						

HISTORIC DISTRICT Y ☐ N ☒ Planned Redevelopment District Y ☐ N ☒

OWNER

NAME	CARSON HEWETT BEASLEY, MORGAN TRISHA MERRITT		
MAILING ADDRESS	364 ASHBY COMMONS DRIVE		
TELEPHONE NO.	443-987-3501	EMAIL	CARSONBEASLEY22@GMAIL.COM

APPLICANT OR AGENT

NAME	CARSON HEWETT BEASLEY		
MAILING ADDRESS	364 ASHBY COMMONS DRIVE		
TELEPHONE NO.	443-987-3501	EMAIL	CARSONBEASLEY22@GMAIL.COM

Surveyor / Engineer

NAME			
License Number and Expiration			
MAILING ADDRESS			
TELEPHONE NO.		EMAIL	

REQUEST DETAILS

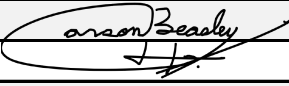
SUBJECT TO PREVIOUS BOZA APPLICATION Y ☐ N ☒

ZONING ORDINANCE SECTION 680 SUBSECTION 14-19,1,3

☒ INCLUDE ALL REQUIRED ITEMS FROM THE APPLICABLE CHECKLIST

A NY MODIFICATIONS DURING REVIEW SHALL WARRANT AN UPDATED APPLICATION.

I DO HEREBY SOLEMNLY DECLARE AND AFFIRM THAT THE INFORMATION PROVIDED BY THIS APPLICATION AND THE DOCUMENTS ATTACHED HERETO ACCURATELY REPRESENT THE CONDITIONS OF THE REQUEST AND THAT SUBMISSION OF AN INCOMPLETE APPLICATION WILL BE RETURNED FOR CORRECTION PRIOR TO PROCESSING .

SIGNATURE OF APPLICANT OR AGENT		
Date	02/26/2024	
PRINTED NAME OF APPLICANT OR AGENT	CARSON HEWETT BEASLEY	

For Office Use Only

Project Number	SE 24-01	Fee Received	\$700.00
Application Number	SE -1141	Application Notification	03/04/2024
Filing Date	02/26/2024	Property Posting Date	03/04/2023
BOZA Hearing Date	03/19/2024	Notice(s) Published	03/03/2024
If ESDR, Date	-		

Revised 11-2023



Board of Zoning Appeals Checklist Special Exception Application

Application review shall not commence unless a complete application is submitted. A complete application includes all **minimum** submission materials and documents on this Checklist of Minimum Submission Requirements.

	Provided	N/A
Required fee payment as determined by the fee schedule adopted by the Town Council	X	
Completed application along with a written, detailed explanation for the purpose of the request	X	
Site plan drawn to scale to include at a minimum the items listed below.	X	
Property boundaries and dimensions	X	
Locations and dimensions of all existing and proposed structures and their locations measured from the nearest property lines	X	
Setbacks from property lines	X	
Adjoining roads	X	
Established easements		X
Perennial and intermittent streams		X
Tidal and non-tidal wetlands		X
Architectural drawings, photographs, elevations, specifications, or other detailed information depicting the exterior appearance of existing and proposed construction, including parking, access, exterior lighting, and signs	X	
A statement explaining in detail how the use is to be operated, including hours of operation, number of anticipated employees, occupants and clientele, traffic impact, and any special equipment, conditions, or limitations that the applicant proposes	X	

If the applicant is not the owner of the subject property, documentation of legal interest in the property or authorization to file application from or on behalf of the owner		×
A copy of the deed conveying present ownership of the property	×	
A copy of any covenants or restrictions on the property recorded among the Land Records of Talbot County		×
Additional documents, records, and exhibits that the applicant intends to introduce or rely upon at the public hearing	×	
Written responses to all the Board's required consideration of the principles relevant to the request (see attached)	×	

Special Exception Findings of Fact

- a. the proposed use conforms in all aspects to minimum requirements of the district in which it is located;
- b. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;
- c. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;
- d. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
- e. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;
- f. the proposed use will not adversely affect the established character of the area.
- g. the proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance

Dear Board of Zoning Appeals,

I, Carson Hewett Beasley, am the owner of the property located at 364 Ashby Commons Drive, Easton, Maryland, which is currently listed on Airbnb. This letter serves to provide a detailed explanation for the request for a special exception to the zoning ordinance as it pertains to short-term rentals.

The use of my property as a short-term rental is a necessity born out of a personal family health crisis. My daughter has been diagnosed with a chronic heart condition known as aortic stenosis, resulting in significant medical expenses. To subsidize these costs, I have turned to the sharing economy, specifically Airbnb, to generate additional income.

The special exception is required because the current zoning ordinance does not permit the use of a dwelling for short-term rentals without proper licensing and approval. As noted in the violation notice dated February 16, 2024, my property is not registered as a rental property with the town of Easton, which I am now seeking to amend through this application.

I understand the concerns that may arise from the use of a property as a short-term rental. However, I want to assure the Board and my neighbors that I am committed to managing the property responsibly. This includes screening of potential guests, ensuring that the quiet character of the neighborhood is maintained, and adhering to all noise and safety regulations.

Furthermore, my use of the property as an Airbnb rental can have positive impacts on the town. It can bring in visitors who contribute to the local economy by patronizing restaurants, shops, and other services within Easton. Additionally, the presence of well-maintained short-term rental properties can enhance the attractiveness of the town as a destination.

In conclusion, while I seek this special exception to address personal financial challenges, I am mindful of the broader implications. I am committed to ensuring that my property contributes positively to the community and does not detract from the quality of life in any way.

I respectfully request that the Board of Zoning Appeals grant this special exception, allowing me to continue using 364 Ashby Commons Drive as a short-term rental.

Sincerely,

Carson Hewett Beasley



TOWN OF EASTON
PO BOX 520
EASTON, MD 21601



February 16, 2024

Carson Beasley
364 Ashby Commons Dr
Easton MD 21601

Case # 24-0266

Re: Rental License notice for: 364 Ashby Commons Drive Easton MD 21601

Dear Property Owner:

Your property is listed for rent on Airbnb, this qualifies your property as a short term rental which is only allowed through a special exception from the department of planning and zoning. It is also not registered as a rental property with the town of Easton.

The Town of Easton Code Chapter 28 Article II

Table 2.1 Table of Permissible Uses – Lines 120 & 121 only granted for residential property through special exception.

The Town of Easton Code Chapter 14 Article II

§ 14-14. Housing License.

It shall be unlawful for any person to let for occupancy or allow the occupancy of any dwelling, dwelling unit, rooming unit or part thereof, whether for use on a nightly, weekly, monthly, or yearly basis, within the Town of Easton without having first obtained a license for said unit as hereinafter provided.

Corrective Action Required:

Apply for a special exception with the planning and zoning by February 23, 2024. If approved, submit a rental license application to the Town of Easton. This rental license will be for the 2023 licensing period, the licensing period runs from April 1st, to March 31st.

Failure to correct the above stated code violation(s) could result in fines under Section 1-8(B) of the Town of Easton Charter and Code. In addition, this letter is notice that any future violations as stated above, could result in immediate fines without further notice.

You may contact me at 410-822-2525 ext. 403 or newing@eastonmd.gov with any questions concerning this notice.

Sincerely,
TOWN OF EASTON

Nick Ewing
Code Enforcement Officer

Board of Zoning Appeals Application No. 24-1141- Special Findings of Fact

Property Information:

Address: 364 Ashby Commons Drive

Tax Map: 01, Grid 00EA, Parcel 0265A

Deed Reference: Liber KMD 3013, Folio 0075-0081

Existing Use: Residential (Owner Occupied)

Zoning District: PUD (Planned Unit Development)

Applicant: Carson Hewett Beasley and Morgan Trisha Merritt

Findings of Fact:

A. Compliance with Zoning Requirements: The proposed use of the property at 364 Ashby Commons Drive conforms to all aspects of the minimum requirements of the PUD zoning district. The application details, demonstrate compliance with the district's regulations and standards.

B. Impact on Health, Safety, and General Welfare: Based on the application submitted by Carson Hewett Beasley and Trisha Merritt, the proposed use does not adversely affect the health, safety, or general welfare of residents in the area. The detailed explanation and site plan ensure that the residential use is compatible with the neighborhood's character and does not introduce hazards or nuisances.

C. Public Facilities and Services: The application assures that the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area. The residential nature of the proposed use aligns with existing infrastructure and services.

D. Traffic and Congestion: The proposed use at 364 Ashby Commons Drive will not create undue traffic hazards or congestion. Adequate egress and ingress have been provided in the site plan, maintaining safe and efficient access for occupants and visitors.

E. Environmental Impact: The application has demonstrated that the proposed use will not adversely affect the area and surrounding properties due to adverse environmental characteristics. Measures have been taken to mitigate potential impacts related to noise, lighting, and drainage, ensuring compatibility with the neighborhood's environment.

F. Character of the Area: The proposed use maintains and respects the established character of the area. The residential use, design, and landscaping are in harmony with surrounding properties, contributing positively to the neighborhood's aesthetic and community feel.

G. Conformity with Comprehensive Plan: The proposed use is in conformity with the Easton Comprehensive Plan, adhering to design and performance standards for residential development. The application supports the vision for orderly and harmonious development within the PUD zoning district.

Dear Ms. Pulver,

Thank you for sharing your concerns with us regarding the use of our property at 364 Ashby Commons Drive as a short-term rental. We truly value the quiet and safe environment that Ashby Commons offers and understand the importance of preserving the integrity of our neighborhood.

We want to assure you that our family's decision to host Airbnb guests stems from a deeply personal need. As parents to four wonderful children, we have experienced firsthand the unexpected turns life can present, particularly with medical challenges. Hosting through Airbnb has been a critical support to us, helping to manage the costs associated with our daughter's heart condition.

Your worry about increased traffic and the disruption it could bring is a concern we share, especially since our children are part of the community playing and walking in the same areas as our neighbors. Last year, when we began renting our home through Airbnb, we were careful to observe the impact. We were pleased to note that there were no reports of increased traffic or additional disruptive noise. Our guests, often here for local events like weddings, become temporary members of our community, stepping into our daily lives while we're away, thus not adding to the number of cars or activity on the streets.

We select our guests with great care, ensuring they have positive reviews and understand the expectations of staying in a family-oriented neighborhood. This careful vetting process has worked well for us and our neighbors, without exception. We've noticed that our guests, typically families themselves, choose our home for its quiet charm and the welcoming nature of our community, much like the reasons that likely drew you to Ashby Commons.

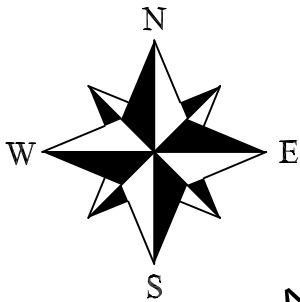
To address concerns directly, we have the ability and have taken steps through our Airbnb listing to inform every guest about the importance of maintaining peace and respecting traffic regulations. In effect, every guest agrees to be a considerate part of our community during their stay.

In addition, we understand your concern about setting a precedent that might encourage other homeowners to list their properties on Airbnb. Please be assured, the approval of our special exception is a unique circumstance driven by our specific situation and does not automatically pave the way for an influx of short-term rentals. Each application is evaluated on its own merits, with careful consideration by the town's zoning board, which takes into account the character and well-being of our community. Our commitment is to maintain the family-friendly environment of Ashby Commons, and we believe our application supports this ethos.

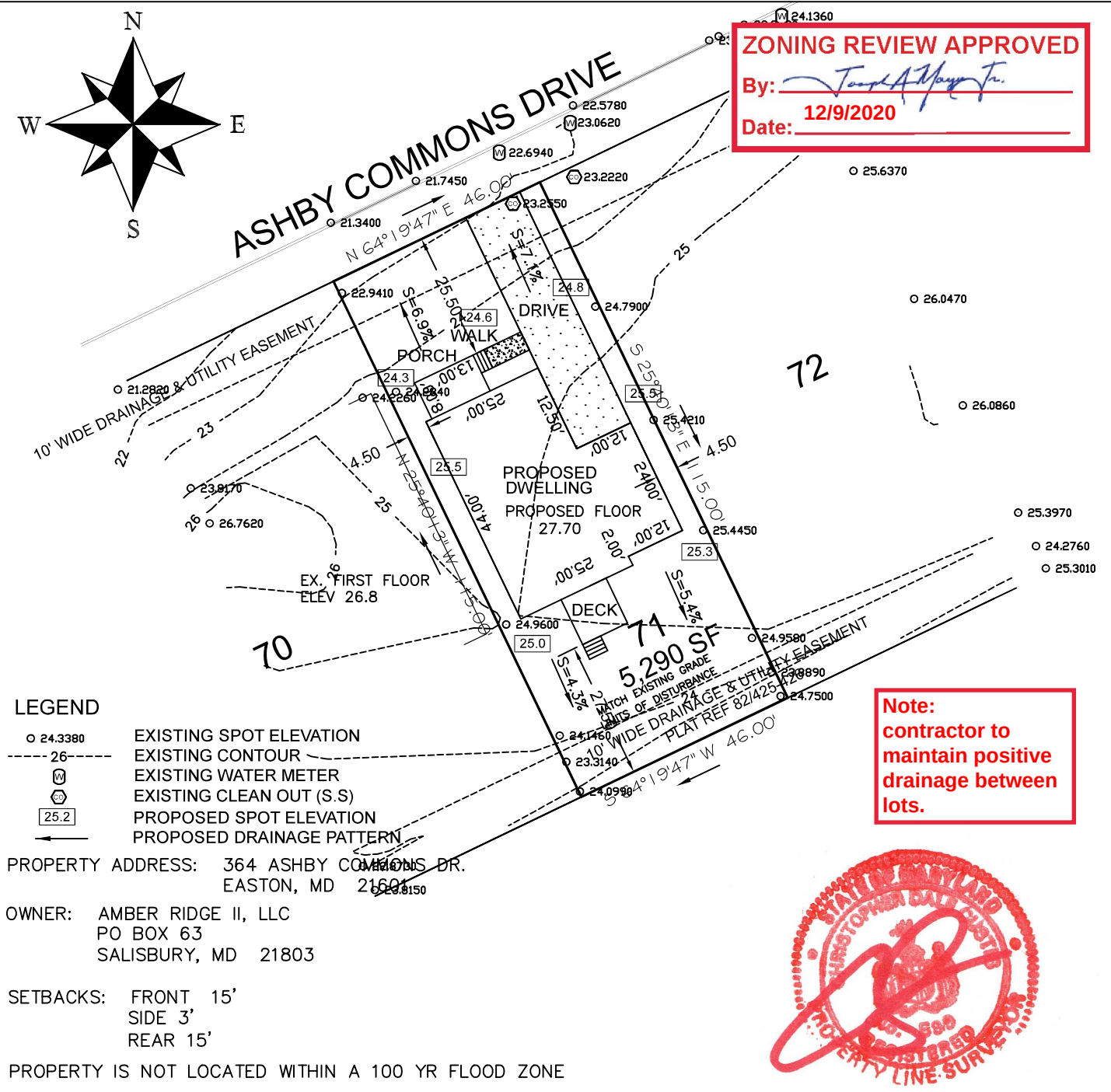
Please rest assured that our commitment to our neighborhood's well-being is unwavering. We believe that our responsible use of Airbnb can coexist with the peaceful environment we all cherish, and we're open to any further dialogue to address any ongoing concerns you may have.

Warm regards,

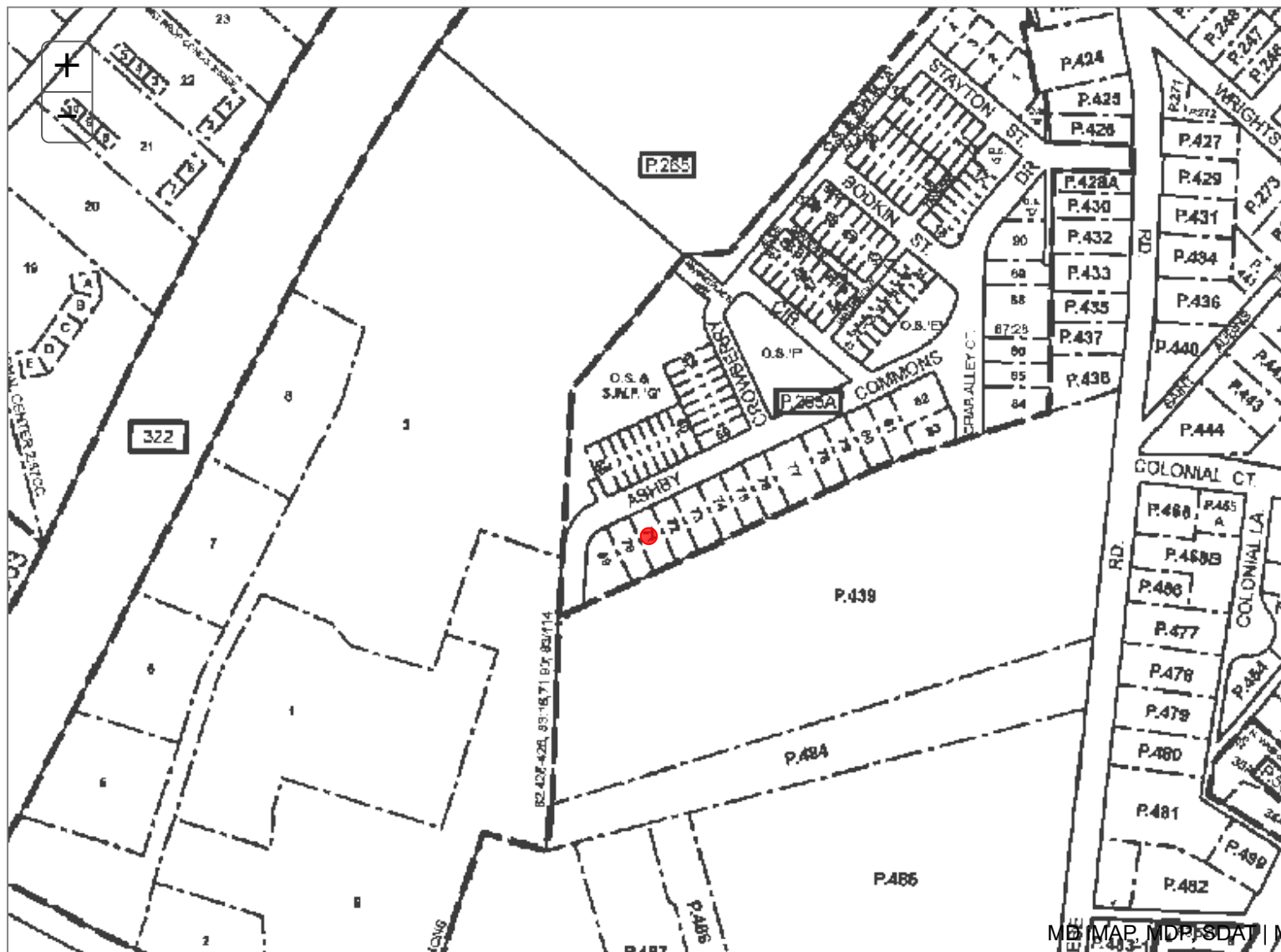
Carson Hewett Beasley



ZONING REVIEW APPROVED
 By: Joseph A. May Jr.
 Date: 12/9/2020



TITLE			SITE PLAN FOR	
			LOT 71, PHASE 3, ASHBY COMMONS	
COUNTY TALBOT	STATE MD		SCALE 1"= 30'	● ○ ■ ▣ △ ----- IRON PIPE FD IRON PIPE TO BE SET CONC. MONU FD. CONC MONU TO BE SET IRON ROD TO BE SET DITCH
TAX DISTRICT 01				
TAX MAP 101	GRID 0	PARCEL 265A		
DEED REF. 1877/455				
PLAT REF 83/71				
DATE 12/03/2020				HRIS EUSTIS SURVEYING 410.726.3576 P.O. BOX 786 11457 SOMERSET AVENUE PRINCESS ANNE, MD 21853 Surveying, Topography, Flood Elevations Construction Layout, Terrain Modeling, Consulting cdcsurveying@gmail.com

District: **01** Account Number: **198563**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

Real Property Data Search ()
Search Result for TALBOT COUNTY

View Map

View GroundRent Redemption

View GroundRent Registration

Special Tax Recapture: None

Account Identifier:District - 01 Account Number - 198563

Owner Information

Owner Name:BEASLEY CARSON H
MERRITT MORGAN T

Use:RESIDENTIAL
Principal Residence:YES

Mailing Address:364 ASHBY COMMONS DR
EASTON MD 21601-

Deed Reference:/03013/ 00075

Location & Structure Information

Premises Address:364 ASHBY COMMONS DR
EASTON 21601-0000

Legal Description:LOT 71-5,290 SF
ASHBY COMMONS DRIVE
ASHBY COMMONS

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0101	00EA	0265A	1230032.21	0002			71	2022	Plat Ref: 83/ 71

Town: EASTON

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2022	1,794 SF		5,290 SF	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1 1/2	NO	STANDARD UNIT	SIDING/	4	2 full	1 Attached	

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2022	07/01/2023	07/01/2024
Land:	61,700	60,400		
Improvements	232,600	232,600		
Total:	294,300	293,000	293,000	293,000
Preferential Land:	0	0		

Transfer Information

Seller: AMBER RIDGE II LLC	Date: 10/26/2022	Price: \$405,000
Type: ARMS LENGTH IMPROVED	Deed1: /03013/ 00075	Deed2:

Seller: ASHBY COMMONS LC	Date: 10/14/2020	Price: \$97,500
Type: ARMS LENGTH MULTIPLE	Deed1: /02757/ 00199	Deed2:

Seller:	Date:	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /01877/ 00455	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

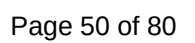
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:



AFTER RECORDING RETURN TO:
 Carson H. Beasley
 364 Ashby Commons Drive
 Easton, MD 21601

DOCUMENT PREPARED BY:
 Sage Title Group, LLC
 183 Harry S. Truman Parkway, Suite 116
 Annapolis, MD 21401

TAX ID No. 01-198563

File Number: 357997APSS

This Deed, MADE THIS 30 day of Sept., 2022, by and between Amber Ridge II, LLC, a Maryland limited liability company, party of the first part, and Carson H. Beasley and Morgan T. Merritt, his wife, parties of the second part.

WITNESSETH, That in consideration of the sum of **FOUR HUNDRED FIVE THOUSAND AND 00/100 DOLLARS (\$405,000.00)**, the receipt of which is hereby acknowledged, the said party of the first part does grant and convey to the said parties of the second part, in fee simple, all that parcel of ground situated in **Talbot County, Maryland** and as described as follows, that is to say:

ALL THAT lot or parcel of land situate, lying and being in the Town of Easton, in the First Election District, Talbot County, State of Maryland and being shown and designated as all of Lot No. 71 as shown on that certain Plat entitled "FINAL PLAT, PHASE 3, Subdivision of Remaining Land Parcels 'G' and 'H,' ASHBY COMMONS" as per plat recorded at Plat Book M.A.S. 83, at Plat No. 71, among the Land Records of Talbot County, Maryland, previously and erroneously referred to as "FINAL PLAT, PHASE 2, Subdivision of Remaining Land Parcels 'A', 'B', 'C', & 'I.' ASHBY COMMONS" as per plat recorded at Plat Book M.A.S. 83, at Plat No. 16. The improvements thereon being commonly known as No. 364 Ashby Commons Drive, Easton, Maryland.

TAX ID No. 01-198563

SUBJECT TO a Declaration and Agreement for Deferred Water and Sewer Charges by Ashby Commons, L.C., for the benefit of Wakefield Development, LLC, dated July 2, 2010, and recorded among the Land Records of Talbot County in Liber MAS No. 1810, folio 260.

BEING part of the same property which by Deed dated August 28, 2020, and recorded among the Land Records of Talbot County in Liber KMD No. 2757, folio 199, was granted and conveyed by Ashby Commons, L.C. unto Amber Ridge II, LLC, the herein Grantor.

THE GRANTOR HEREBY CERTIFIES THAT THIS CONVEYANCE IS NOT PART OF A TRANSACTION IN WHICH THERE IS A SALE, LEASE, EXCHANGE OR OTHER TRANSFER OF ALL OR SUBSTANTIALLY ALL OF THE PROPERTY AND ASSETS OF THE GRANTOR.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

SUBJECT TO all rights, easements, restrictions, covenants and reservations of record.

TALBOT COUNTY FINANCE OFFICE
RECORDATION TAX
 AMT: \$4,860.00
 DATE: 10/26/2022
 INITIALS: SPH
 Prop ID: 01-198563

CERTIFICATION IS MADE THAT ALL TAXES DUE ON THE PROPERTY INDICATED IN THIS DEED HAVE BEEN PAID
FINANCE OFFICER OF TALBOT COUNTY

CLAY B. STAMP, FIN. OFFICER
 DATE 10/26/2022 CF

TO HAVE AND TO HOLD the said described lot(s) of ground and premises to the said parties of the second part, as tenants by the entirety, their assigns, the survivor of them and unto the survivor's personal representatives, heirs and assigns, in fee simple.

BUYERS' INITIALS:

CHS

M-TM

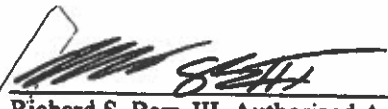
AND the said party of the first part does hereby covenant that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

THIS AREA IS LEFT INTENTIONALLY BLANK

WITNESS the hand and seal of the said party of the first part:

WITNESS:

AMBER RIDGE II, LLC,
a Maryland limited liability company

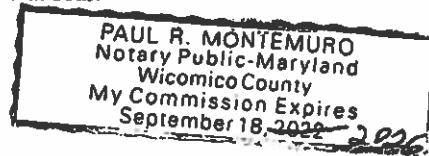
 (SEAL)
Richard S. Barr, III, Authorized Agent

STATE OF Maryland, CITY/COUNTY OF Wicomico to wit:

I HEREBY CERTIFY, that on this 22nd day of September, 2023 before me, the subscriber, a Notary Public of the State and County/City as aforesaid, personally appeared Richard S. Barr, III who acknowledged himself to be the Authorized Agent of Amber Ridge II, LLC, a Maryland limited liability company, and that he as such Authorized Agent being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, the name of the entity grantor by himself as such Authorized Agent.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:

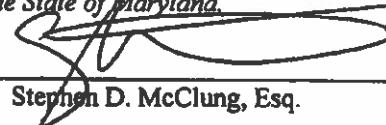

Notary Public



My Commission Expires: 9-18-26

ATTORNEY CERTIFICATION

This is to certify that the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals in the State of Maryland.


Stephen D. McClung, Esq.

OCCUPANCY AFFIDAVIT

I/We, Carson H. Beasley and Morgan T. Merritt Grantee(s) in the Deed dated 27th day of September, 2022, from Amber Ridge II, LLC, a Maryland limited liability company, Grantor(s), Hereby certify under penalty of perjury, that the property conveyed in the said Deed is residentially improved owner occupied real property and the residence hereon will be occupied by me/us for at least seven of the next twelve months.

As Witness, our hands and seals this 27th day of September, 2022.

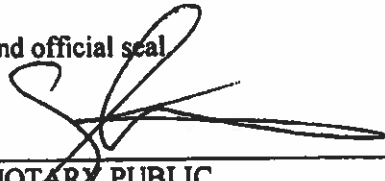

Carson H. Beasley


Morgan T. Merritt

State of Maryland
County of Anne Arundel

I hereby certify that on this 27th day of September, 2022, before me, the subscriber, a notary in the State aforesaid, personally appeared, Carson H. Beasley and Morgan T. Merritt known to me or satisfactorily proven to be the person(s) whose name(s) is/are subscribed to the within affidavit, and having been duly sworn, executed the same in my presence.

In Witness Whereof I hereunto set me hand and official seal


NOTARY PUBLIC

My Commission Expires: **STEPHEN DAVID MCCLUNG**
Notary Public-Maryland
Anne Arundel County
My Commission Expires
July 27, 2024

357997APSS

**MARYLAND
FORM
WH-AR**

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2022

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence

1. Transferor Information

Name of Transferor Amber Ridge II, LLC, a Maryland limited liability company

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers.)

364 Ashby Commons Drive, Easton MD

3. Reasons for Exemption

Resident Status

☐ As of the date this form is signed, I, Transferor, am a resident of the State of Maryland

☒ Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

☐ Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name

**Date

Signature

3b. Entity Transferors

Amber Ridge II, LLC, a Maryland limited liability company

Name of Entity

By

Richard S. Barr, III Authorized Agent

Name

Authorized Agent

Title

9/30/2022

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

01/22



Kathleen M. Duvall, Clerk
Circuit Court for Talbot County
11 N. Washington St., Suite 16
Easton, Maryland 21601

License and Recording
410-822-2611 Ext. 4

LR - Deed (w Taxes)
Recording Fee no RT 20.00
Name: Amber Ridge II
LLC/Beasley-Merritt
Ref:
LR - Deed (with Taxes)
Surcharge 40.00
LR - Deed State
Transfer Tax 2,025.00
LR - County Transfer
Tax - linked 3,550.00
LR - NR Tax - 1kd 0.00
SubTotal: 5,635.00
Total: 5,695.00
10/26/2022 11:34
CC20-M6
#16732640 CC0205 -
Talbot
County/CC02.05.02 -
Register 02

DOCUMENT VALIDATION
(excluded from page count)

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Talbot

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

(Type or Print in Black Ink Only-All Copies Must Be Legible)

Type(s) of Instruments	☐ Check Box if Addendum Intake Form is Attached					
	1 Deed	Mortgage	Other	Other		
Conveyance Type Check Box	Improved Sale	Unimproved Sale	Multiple Accounts	Not an Arms-Length Sale(9)		
	Arms-Length(1)	Arms-Length(2)	Arms-Length(3)			
Tax Exemptions (if Applicable)	Recordation					
	State Transfer					
Cite or Explain Authority	County Transfer					
Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only			
	Purchase Price/Consideration	\$405,000.00	Transfer and Recordation Tax Consideration			
	Any New Mortgage	\$419,500.00	Transfer Tax Consideration	\$		
	Balance of Existing Mortgage		X () % =	\$		
	Other:	\$	Less Exemption Amount -	\$		
	Other:	\$	Total Transfer Tax =	\$		
Fees	Amount of Fees		Doc 2			
	Recording Charge	\$20.00	\$20.00	Agent		
	Surcharge	\$40.00	\$40.00	Tax Bill		
	State Recordation Tax	\$4,914.00	\$ 180.00	CB Credit		
	State Transfer Tax	\$3,025.00	\$	Ag Tax/Other		
	County Transfer Tax	\$3,550.00	\$			
Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District	Property Tax ID No.(1)	Grantor Liber/Folio	Map	Parcel No.	Var. Log
		01-198563	2757/199			☐ (5)
	Subdivision Name	Lot (3a)	Block (3b)	Section(3c)	Plat Ref.	SqFt/Acreage(4)
	Pine Meadows	71				
	Location/Address of Property Being Conveyed (2)					
	364 Ashby Commons Drive, Easton, MD 21601					
	Other Property Identifiers (if applicable)					
	Water meter Account					
	Residential ☒ or Non-Residential ☐					
	Fee Simple ☒ Ground Rent ☐ Amount					
Partial Conveyance ☐ Yes ☒ No						
Description/Amt. Of SqFt/Acreage Transferred:						
If Partial Conveyance, List Improvements Conveyed-						
Transferred From	Grantor(s) Name(s)		Doc 2 - Grantor(s) Name(s)			
	Richard S. Barr, III Authorized Agent		Carson H. Beasley			
	Amber Ridge LLC		Morgan T. Merritt			
	Doc 1 - Owner(s) of Record, if Different from Grantor(s)		Doc 2 - Owner(s) of Record, if Different from Grantor(s)			
Transferred To	Doc 1 Grantee(s) Name(s)		Doc 2 - Grantee(s) Name(s)			
	Carson H. Beasley		Craig A. Parker			
	Morgan T. Merritt					
	New Owner's (Grantee) Mailing Address					
364 Ashby Commons Drive, Easton, MD 21601						
Other Names to Be Indexed	Doc 1 - Additional Names to be indexed (Optional)		Doc 2 - Additional Names to be indexed (Optional)			
			Veterans United Home Loans			
Contact/Mail information	Name: Diane Meyer					
	Firm: Sage Title Group, LLC					
	Address: 183 Harry S. Truman Parkway, Suite 116 Annapolis, MD 21401					
	Phone: 410-266-7566					
Assessment Information	☐ Return to Contact Person					
	☐ Hold for Pickup					
	☒ Return Address Provided					
	☒ Yes ☐ No Will the property being conveyed be the grantee's principal residence? ☐ Yes ☒ No Does transfer include personal property? If yes, identify ☐ Yes ☒ No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required)					
☐ Terminal Verification ☐ Agricultural ☐ Whole ☐ Part ☐ Tran Process Verification Transfer Number: Date Received: Deed Reference: Assigned Property No. Year Land Buildings Total Use Town Ctl Map Ord Parcel Bx. St. Bx. Cd. Sub Plat Section Lot Dec Cd. REMARKS:						
Grantor's Mailing Address: 364 Ashby Commons Drive Easton, MD 21601						

File No. 357997APSS

TALBOT COUNTY CIRCUIT COURT (Land Records) KMD 3013, p. 0081, MSA_CE91_2952, Date available 11/02/2022, Printed 02/23/2024.

Cozy, convenient, Easton home

[Share](#) [Saved](#)

Entire home in Easton, Maryland

7 guests · 4 bedrooms · 5 beds · 2.5 baths

\$400 night**5.0**
★★★★★**16**
[Reviews](#)**CHECK-IN**
Add date**CHECKOUT**
Add date**GUESTS**
1 guest**Hosted by Carson**

Superhost · 8 months hosting

[Check availability](#)**Fast wifi**

At 125 Mbps, you can take video calls and stream videos for your whole group.

**Self check-in**

Check yourself in with the lockbox.

**Carson is a Superhost**

Superhosts are experienced, highly rated Hosts.

[Report this listing](#)

Discover the charm of Easton from our modern home, just a stroll away from the historic downtown. Nestled in the serene Ashby Commons neighborhood, enjoy the best of both worlds - a peaceful retreat that's minutes from vibrant shops, eateries, and the picturesque St. Michael's. Everything you need, from groceries to gourmet dinners, is within a 10-minute walk. Experience a delightful stay in a place that feels like home.

Where you'll sleep

1 / 3



Bedroom 1
1 single bed



Bedroom 2
1 king bed

What this place offers



Kitchen



Fast wifi – 125 Mbps



Free driveway parking on premises – 2 spaces



Pets allowed



TV



Free washer – In unit



Free dryer – In unit



Central air conditioning



Bathtub



Security cameras on property

Show all 63 amenities

Select check-in date

Add your travel dates for exact pricing

February 2024							March 2024				
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th
				1	2	3					
4	5	6	7	8	9	10	3	4	5	6	7
11	12	13	14	15	16	17	10	11	12	13	14
18	19	20	21	22	23	24	17	18	19	20	21
25	26	27	28	29			24	25	26	27	28
							31				



Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5 4 3 2 1	4.9	4.9	5.0	5.0	4.9	4.8

**Dana**

2 years on Airbnb

★★★★★ · October 2023 · Stayed with kids

We had such an amazing time!! House was spotless, clean and our kids had a blast. It was the perfect space for our family and we wish we could have stayed longer! We will definitely try to book again. Highly recommend to all, especially those with little ones!

[Show more](#)**Shawn**

Suwanee, Georgia

★★★★★ · October 2023 · Stayed with kids

Carson was a great host and has a lovely home in Easton!

**Christ**

Paradise, Pennsylvania

★★★★★ · September 2023 · Group trip

Really was a great place to stay

**Lisbett**

1 year on Airbnb

★★★★★ · September 2023 · Stayed with kids

Very nice house to stay in, everything was nice and clean.

Very good location.

**Maggie**

Sewickley, Pennsylvania

★★★★★ · September 2023 · Stayed with a pet

Everything was great! The place was very clean and had plenty amenities! Would definitely stay here again!

**Amara**

Yorktown, Virginia

★★★★★ · August 2023 · Stayed with kids

Great stay in a spotless home. Our 2 year old loved the home equipped with toys and kid-friendly amenities (crib, high chair, stair gate). We had multi-generation group and it worked nicely. Super short drive into town.

[Show more](#)[Show all 16 reviews](#)

Where you'll be

Easton, Maryland, United States

Quiet, family friendly neighborhood with a central playground. All recent construction.

[Show more >](#)



Hosted by Carson

Joined in June 2023

★ 16 Reviews

✔ Identity verified

🏆 Superhost

Carson is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Languages: Deutsch, English

Response rate: 100%

Response time: within an hour

Contact Host

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.



Things to know

House rules

Check-in: 11:00 AM - 2:00 PM

Checkout before 12:00 PM

7 guests maximum

[Show more >](#)

Safety & property

Security camera/recording device

Carbon monoxide alarm

Smoke alarm

[Show more >](#)

Cancellation policy

Add your trip dates to get the cancellation details for this stay.

[Add dates >](#)

Support

Help Center

Get help with a safety issue

AirCover

Anti-discrimination

Disability support

Cancellation options

Report neighborhood concern

Hosting

Airbnb your home

AirCover for Hosts

Hosting resources

Community forum

Hosting responsibly

Airbnb-friendly apartments

[Join a free Hosting class](#)

Airbnb

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[Airbnb.org emergency stays](#)

 [English \(US\)](#) [\\$ USD](#)

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Exhibit 'B'

RECEIPT

TOWN OF EASTON

Planning & Zoning Department

P.O. BOX 520

Easton, Maryland 21601

APPLICATION #	DATE
2024 - 1141	2/29/2024
PROJECT ID	
SE 24 - 01	0013410100

TO:

Carson H. Beasley and Morgan T. Merritt

364 Ashby Commons Drive

Easton, Maryland 21601

RE: BOZA Application: 2024 - 1141

364 Ashby Commons Drive

Tax Map 101, Grid 0EA, Parcel 0265A, Lot 71

Easton, Maryland 21601

Date	Description	Transaction	Amount
02/28/2024	BOZA - SPECIAL EXCEPTION	Check # 002	700.00
			-
			-
			-
			-
			-
			-
			-
Thank you!		TOTAL	\$700.00

Paid in full. Thank you!

If you have any questions about this invoice, please contact
Samantha N. Smith, Administrative Specialist (410) 822-1943, ssmith@eastonmd.gov

Exhibit 'C'



Sign posted on March 4, 2024

Exhibit 'D'

Date of Hearing: March 19, 2024

3b

**BOARD OF ZONING APPEALS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: SPECIAL EXCEPTION 1141

ELECTION WARD: Ward 1

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson - Town Planner - Current
Miguel Salinas - Director of Planning and Zoning

APPLICANT: Carson Hewett Beasley

PURPOSE: The applicant is seeking a special exception to operate a short-term housing unit within the R-7A Zoning District in the Planned Unit Development known as Ashby Commons. The request stems from a Code Enforcement case opened on February 16, 2024.

RECOMMENDATION: Staff supports a Board **approval** of the application with the condition that the applicant obtains a rental license from the Town. The proposed use is residential in nature and will not alter the neighborhood’s existing residential character of the area. The Town has implemented a rental license program that has additional requirements for short term rentals that will help mitigate any possible negative externalities.

APPLICATION INFORMATION:	
APPLICANT: Carson Hewett Beasley 364 Ashby Commons Drive Easton MD, 21601	REPRESENTATIVE: N/A
PARCELS/ACREAGE:	
Parcel Information	Acreage

Map 101, Parcel 265A, Lot 71		0.12
ACCEPTANCE DATE: February 26, 2024	LOCATION: 364 Ashby Commons Drive	
EXISTING ZONING R-7A PUD	EXISTING LAND USE: Residential	
HISTORIC DISTRICT: No	FUTURE LAND USE: Residential	

CONTEXT:

Location/Site Access – The subject property is located within the Planned Unit Development known as Ashby Commons which consists of a mix of townhomes and single-family homes. The subdivision is accessed via Glebe Road and a connection through the Easton Marketplace Shopping Center.

Existing Conditions – The subject property is best described as an existing four-bedroom single family dwelling unit. The home has a roughly 50 feet long by 10 feet wide off street parking area. Code Enforcement discovered through an online search that an Airbnb is being operated out of this property.

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
South	Institutional	R-7A	Residential
East	Residential	R-7A, PUD	Residential
West	Residential	R-7A, PUD	Residential



Figure 1 Vicinity Map

PROPOSAL: The applicant is proposing to operate a short-term housing unit within the R-7A Zoning District. Short-term housing is permitted within the R-7A Zoning District by special exception and is subject to additional requirements for rental housing. These additional requirements are found in §14-19 of the Town Code and are as follows;

1. *The structure in which the Short Term housing takes place shall be the principal residence of the owner of the property, or an outbuilding located on the same property provided said outbuilding satisfies all Building, Fire, and Safety Codes and Regulations for use in this manner.*
2. *The owner shall provide personal contact information (name, address, telephone number and e-mail address) to be contacted 24 hours a day for any complaints or problems. If the owner of the property does not remain in Talbot County during the rental period, the owner must provide contact information for an agent that can be contacted 24 hours a day regarding any problems or issues. The named agent must have a principal residence within Talbot County.*
3. *Availability. Upon request by any neighbor or other person who may be affected by the short-term housing, the Code Enforcement Office may provide the property owner's and/or agent's name and contact information.*

4. *In addition to providing the information to the Town of Easton, the owner shall provide the contact information to all properties within 400 feet of the owner's property by certified mail, return receipt requested, and regular mail on at least an annual basis.*
5. *The property owner or agent shall provide proof of the notifications to the Code Enforcement Office with their housing license application.*
6. *Multiple occupancies of the same property at the same time shall be prohibited. Only one lease of the property shall be permitted at any one time.*
7. *There shall be no commercial food sales or preparation. Meals provided by the owner for guests shall be limited to continental breakfast items. Nothing herein shall limit the guests' ability to prepare their own food on the property.*
8. *The property owner shall maintain property and liability insurance with an insurer who is aware of the owner's short term housing exposure and that will respond in the event of a covered loss with liability limits of at least Five Hundred Thousand Dollars (\$500,000.00) and shall provide proof of said insurance at the time of application for a license.*
9. *Short Term Housing shall be required to pay all applicable Accommodations Taxes.*

BACKGROUND: On February 16, 2024, Code Enforcement opened a case and sent a letter regarding a short-term rental (Airbnb) operating without a special exception or rental license at 364 Ashby Commons Drive. The letter directed the property owner to apply for a special exception by February 23, 2024 in order to correct the violation. The property owner subsequently filed an application for a special exception.

POLICY ANALYSIS (SPECIAL EXCEPTION)

a. The proposed use conforms in all aspects to minimum requirements of the district in which it is located.

Analysis – The proposed short term rental unit will be required to obtain a rental license through the Town's Rental Housing Program. Chapter 14 of the Town Code outlines various requirements that must be met in order for a rental license to be granted.

b. The proposed use is not adversely affecting the health, safety, and general welfare of residents of the area.

Analysis – Chapter 14 of the Town Code outlines various requirements that property owners must follow in order to protect the health, safety, and general welfare of the area. These include establishing a reporting network for any potential issues by providing the owner's contact information to all residents within 400 feet of the premises and a requirement to obtain liability insurance.

c. The proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;

Analysis – One of the findings that had to be made by the Town Council during the Planned Unit Development hearings for the Ashby Commons subdivision was “the proposed PUD development, in conjunction with existing and reasonably anticipated development in the neighborhood surrounding the site for the proposed PUD, will not interfere with the adequate and orderly provision of public services to the area.” This development also went through a thorough site plan review process to verify the availability of adequate public facilities that included representatives from Easton Utilities and the Town’s Engineering Department. The issuance of a short-term rental license in an existing dwelling unit will not interfere with the provision of these facilities.

d. The proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;

Analysis – Vehicular egress and ingress to the property is provided via Ashby Commons Drive with connections to Glebe Road and the Easton Marketplace Shopping Center. The proposed use should not generate enough additional traffic to cause an undue traffic hazard.

e. The proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;

Analysis – The proposed use is residential in nature and does not generate any adverse environmental impacts such as smoke or odor. The rental license requirements to have the home be the principal residence of the property owner and to provide the owner’s contact information all properties within 400 feet may help limit any noise related impacts. There are no proposed changes to the footprint of the structure that would affect the existing drainage. Adequate pedestrian and vehicular access is provided to the property through Ashby Commons Drive.

f. The proposed use will not adversely affect the established character of the area.

Analysis – The proposed use is residential in nature which is in keeping with the established character of the area.

g. The proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complementary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

Analysis – The Comprehensive Plan’s future land use map designates this property as residential which is in keeping with the proposed use. There are no proposed changes to the structure that would relate to the Comprehensive Plan’s design and performance standards.

RECOMMENDED CONDITION:

1. The applicant shall obtain a rental license to operate a short term rental through the Town's Rental Housing Program.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **approve** Special Exception 1141 with staff's recommended condition.

OR

2. I move that the Board of Zoning Appeals **deny** Special Exception 1028 based on the following findings...

OR

3. I move an alternate motion.

NOTICE

Notice is hereby given that Application SE-1141 / SE 24-01 has been filed pursuant to Section 28-1303.5 B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for Short-term housing, use (1) 121 in Table 2.1 of Section 28-202 to be utilized as Short-term Housing (Air BnB) within the Planned Unit Development known as Ashby Commons.

The property is located at 364 Ashby Commons Drive, Easton, Maryland, also known as Tax Map 101, Grid 0EA, Parcel 0265A, Lot 71 and is situated in the PUD zoning district with an underlying zoning of R-7A Residential District. The property is owned by Carson H. Beasley and Morgan T. Merritt. A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, March 19, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

EASTON BOARD OF ZONING APPEALS

Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

APG Media of Chesapeake, LLC
29088 Airpark Drive
Easton, MD 21601

02/29/24

Phone: Fax:
<http://www.chespub.com>

Cust. AcctID:	Creation Date: 02/29/24
	Ad Date: 03/03/24
	Class: 10
Name: Joanne Drummer	Ad ID:
Company: TOWN OF EASTON (L)	Ad Taker: AHALL
Address: PO Box 520	Sales Person: 503
EASTON, MD 21601	Words: 192
	Lines: 22
Telephone: (410) 822-2525	Agate Lines: 72
Email:	Depth: 3.0
Description: PH - Application SE-1141/	Inserts: 2
	Blind Box:

Other Charges:

Total:

Discount:

Paid Amount:

Surcharge:

Credits:

Amount Due:

Bill Depth:

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	Cost
The Star Democrat	03/03/24	03/03/24	1	

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Notice is hereby given that Application SE-1141 / SE 24-01 has been filed pursuant to Section 28-1303.5 B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for Short-term housing, use (1) 121 in Table 2.1 of Section 28-202 to be utilized as Short-term Housing (Air BnB) within the Planned Unit Development known as Ashby Commons.

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EASTON BOARD OF ZONING APPEALS

3047792 SD 3/3/2024

Ad Note:

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

Exhibit 'F'



TOWN OF EASTON

Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

NOTICE OF APPLICATION SUMMARY

2024-03-19

SE-1141 / SE 24-01

Applicant notified of hearing date: Email: 2024-02-29 – 19 days

Exhibit A: Application – 2024-02-26 – 22 days

Exhibit B: Paid Receipt – 2024-02-28 – 20 days

Exhibit C: Picture of Property Sign Posting – 2024-03-04 – 15 days

Exhibit D: Staff Report – 2024-03-11 – 8 days

Exhibit E: Public Advertisement

Advertisement sent to the Star Democrat: 2024-02-27 – 21 days

Advertisement run in Star Democrat: 2024-03-03 – 16 days

Exhibit F: Notices

Applicant Hearing Letter: 2024-02-29 – 19 days

400' Notices Distributed: 2024-03-04 – 15 days



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

February 29, 2024

Carson H. Beasley
364 Ashby Commons Drive
Easton, Maryland 21601

Re: BOZA Application SE-1141 / SE 24 -01
364 Ashby Commons Drive
Tax Map101, Grid 0EA, Parcel 0265A, Lot 71
Easton, Maryland 21601

Mr. Beasley,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, March 19, 2024 at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. the proposed use conforms in all aspects to minimum requirements of the district in which it is located;
2. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;
3. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exception;
4. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
5. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;
6. the proposed use will not adversely affect the established character of the area;
7. the proposed use shall be in conformity with the provisions of the Easton

Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complementary to uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

NOTE: In the event your application pending before the Easton Board of Zoning Appeals requires a recommendation to the Board from the Easton Planning and Zoning Commission, the Appeals Board will not hear your application until it is in receipt of the Planning and Zoning Commission's recommendation. It is your responsibility to see that the recommendation required is before the Board of Zoning Appeals before any evidence is heard.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

March 4, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, March 19, 2024 at 9:00 a.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Application SE-1141 / SE 24-01 has been filed on behalf of Carson H. Beasley and Morgan T. Merritt pursuant to Section 28-1303.5 B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for Short-term housing, use (1) 121 in Table 2.1 of Section 28-202 to be utilized as Short-term Housing (Air BnB) within the Planned Unit Development (PUD) known as Ashby Commons. The property is located at 364 Ashby Commons Drive, Easton, Maryland, also known as Tax Map 101, Grid 0EA, Parcel 0265A, Lot 71 and is situated in the PUD zoning district with an underlying zoning of R-7A Residential District.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov

March 4, 2024

Mayor Megan Cook
Council President Frank Gunsallus
First Ward Councilmember Maureen Curry

Dear Mayor Cook
Council President Gunsallus
Councilmember Curry,

I am writing to you regarding an application for use as an Airbnb for the property located at 364 Ashby Commons Drive in the Ashby Commons Development.

As a resident of Ashby Commons, I oppose granting this application for the following reasons.

Though I understand this petitioner has indicated offering the property as an Airbnb for limited one-time use, I am unaware of a mechanism for effectively limiting any property to one-time Airbnb use only, as permits are issued for two-year intervals and can be renewed without review thereafter.

Granting this application will open the door for any owner including absentee owners (landlords), to make their property an Airbnb. This would be very detrimental to the community feel of our neighborhood as it was originally designed.

Ashby Commons is a densely populated community of townhomes and single-family homes. With single-family homes, including 364 Ashby Commons Drive, being mere feet from one another, any home with an Airbnb permit would negatively impact neighbors. It would also impact the Ashby Commons community in general by introducing transient renters to a neighborhood where children play and pet owners frequently walk their dogs in the evening.

Ashby Commons has become a regular cut-through between Glebe Road and the Easton Marketplace shopping plaza. This includes both commercial and regular vehicles transporting materials to and from Lowe's. Traffic signs are regularly ignored, including an especially important one at Crowberry Circle adjacent to the playground. Additional traffic caused by Airbnbs would negatively impact resident safety and increase traffic volume in our neighborhood.

Renters of Airbnbs are frequently those on vacation and celebrating, which may likely result in the work-life tempo of families living here being interrupted. Our community is currently fraught with loud late-night noise from music at Tiger Lily as well as tractor trucks and forklifts unloading late-night deliveries at Lowe's. I respectfully ask that additional disruption to our community not be allowed to occur.

The Ashby Commons community deserves to enjoy the comfort and security that knowing your neighbors brings. Opening our community to Airbnbs and the like would negatively impact the reason many families have purchased homes here and could potentially affect our property values.

I respectfully ask this committee to rule to preserve the current family-friendly environment that we enjoy at Ashby Commons.

Sincerely,

Kathleen Pulver
417 Bodkin St
772-646-2449

RECEIVED
MAR 05 2024
TOWN OF EASTON