



Board of Zoning Appeals MEETING AGENDA

Tuesday, November 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 September 19, 2024 meeting.

3. Applications

- a. **Application:** V - 1310 / V 24 - 09
Applicant: Barrow & Sons LLC
Location: 714 Wayside Avenue
Tax Map 0106, Grid 00EA, Parcel 2561
Zoning District: R-10A
Request: Variance request pursuant to Section 2-1303.5 C of the Town of Easton Zoning Ordinance 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 seeking to expand the existing deck to construct a screened porch.
- b. **Application:** V - 1315 / V 24 - 10
Applicant: KustomScapes & Pools LLC
Location: 29543 Meadow Gate Drive
Tax Map: 0102, Grid 00EA, Parcel 2939A, Lot 17
Zoning District: R-10A
Request: Variance request pursuant to Section 2-1303.5 C of the Town of Easton Zoning Ordinance from Section 28-1007.1.17.b, the minimum 8' setback from any property line for swimming pools, supporting braces, pool filtration systems, or decks in the R-10A zoning

district.

On April 22, 2024 an in-ground pool permit application was approved by the Town of Easton Building Inspection Division. After reinspection, it was determined that the pool was constructed beyond the minimum required setbacks from the property line.

c. Application:
Applicant:
Location:

V - 1325 / V 24 - 11
Jennifer Benson
29557 Country Lane Way
Tax Map 0102, Grid 00EA, Parcel
2939A, Lot 3

Zoning District:
Request:

R-10A
Variance request pursuant to Section 2-1303.5 C of the Town of Easton Zoning Ordinance from Section 28-303.2.C.1, the minimum 15' front setback for all uses and structures in a R-10A zoning district.

Through the approval of the requested Variance, the Applicant is seeking to remediate an existing zoning violation that resulted from the construction of an outdoor kitchen and canopy structure closer to the front property line than is permitted by the Ordinance.

4. Discussion Item



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

Tuesday, September 17, 2024 at 9:00 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:

Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas, Town Planner - Long Range
Joseph Mayer, Plan Reviewer
Nicholas Johnson, Town Planner - Current
Sharon Van Emburgh, *Esq.* Town Attorney
Aaron Cooper, *Esq.* Legal Associate
Samantha Smith, Administrative Specialist

1. Call to Order — Chairman Cotter called the meeting to order at 9:00 a.m.

2. Decision Summary Review —

**Vice Chairman Molchan moved to approve the August 20, 2024 Decision Summary.
Board Member Krebeck seconded the motion.**

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

3. Applications —

a. File No.: V - 1280 / V 24 - 08
Applicant: Michael and Denise Ziegler
Location: 7279 Kathy Street, Easton, MD 21601

Tax Map 0108, Grid 0000, Parcel 2777L, Lot 1

Zoning: R-10A

Request: The applicant is requesting a Variance from Section 28-1001.2.K of the Town of Easton's Zoning Ordinance; the minimum setback requirement from any street line, sidewalk, or property line for residential parking or maneuvering space within three (3) feet of the side property line. The Applicant is seeking to relocate the existing driveway and retaining wall that currently encroaches onto the neighboring property at 7280 Kathy Street. The proposed off street parking space and retaining wall will be constructed with a zero (0) foot side setback from the property line.

Staff Presentation:

Nicholas Johnson, Planner

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Michael and Denise Ziegler

Public Comment:

Stanley Kosick, 7280 Kathy Street

Public Comment Written— None

Chairman Cotter moved to approve the Variance request as submitted. Board Member Krebeck seconded the motion.

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

b. File No.: SE - 1267 / SE 24 - 08

Applicant: 350 North Washington Street Investments LLC

Location: 350 N. Washington Street, Easton, MD 21601

Tax Map 0103, Grid 00EA, Parcels 0513 & 0514

Zoning: CB

Request: The Applicant is requesting a Special Exception pursuant to Section 28-201 of the Zoning Code (Table 2.1 (1) (105)) to be utilized as a Multifamily Apartment Complex* in the CB - Commercial Business zoning district. The Applicant is seeking to redevelop the property to include a 14,326 square foot, two-story multifamily residential apartment complex with sixteen (16) units.

Staff recommends the following conditions:

1. A photometric plan shall be submitted to staff for review and approval during the building permit review process.
2. Construction shall be begun or completed, or both within three (3) years after the date the Special Exception is granted.

Background: This application (2024 - 1260) is scheduled to appear on the September 19, 2024 Planning Commission agenda to request Sketch Site Plan approval for this project.

Staff Presentation:

Nicholas Johnson, Planner

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Brendan Mullaney, *Esq.*, McAllister, DeTar, Showalter & Walker LLC

Brett Ewing, Lane Engineering

Mike Lenhart, Lenhart Traffic Consulting

- i. **Oath to Testify** — Chairman Cotter called for all witnesses to declare and affirm under penalty of perjury that he or she solemnly swear to testify truthfully before the Board.

- ii. **Opening Statement** —

1. Applicant Opening Statement — Mr. Brendan Mullaney, *Esq.* addressed the board on behalf of 350 North Washington Street Investments LLC with a brief introduction to the nature of the Special Exception request (*Applicant Exhibit A*); highlighting the prior record of commercial uses of the subject property, and the potential commercial uses that are permitted by right within the CB - Commercial Business zoning district (*Applicant Exhibit B*). In consideration to feedback received from the public prior to the hearing, Mr. Mullaney presented a minor revision to the Sketch Site Plan that included the elimination of a single on-street parking space in order to significantly improve visibility at the intersection of N. Aurora Street and N. Washington Street.

- iii. **Testimony** —

1. Mr. Mullaney called Mr. Michael Lenhart of 645 Baltimore Annapolis Boulevard to testify, and requested that he be accepted as an excerpt witness for traffic engineering and transportation planning. There were no objections.

Mr. Lenhart presented the findings of a Traffic Impact Analysis as prepared on August 9, 2024. The scope of intersections that were studied included: N. Washington Street at Aurora Street, N. Washington Street at subject property access, and Aurora Street at Aurora Park Alley. Noteworthy roads in the study area included N. Washington Street, Aurora Street, Wrightson Avenue, and the Aurora Park Alley. Mr. Lenhart testified to the anticipated site trip generation for the proposed redevelopment; finding that the proposed use would add 0.3% in both the morning and evening weekday peak hours, and 0.2% in the total weekend peak hours.

a. Public Questions for the Witness:

Jason Wilford, 345 N. Washington Street

Jeff Rob, 340 N. Washington Street

Kathy Mothershead, 342 N. Washington Street

2. Mr. Mullaney called Mr. Brett Ewing of 117 Bay Street to testify, and requested that he be accepted as an expert witness on site design and land use planning. There were no objections.

Mr. Ewing described his role as a senior Planner on this project, and reviewed the minimum site and stormwater facility requirements for the subject property; highlighting the elimination of one (1) parking space on the revised Site Plan in order to improve sight line visibility along N. Washington Street (*Applicant Exhibit D*). Mr. Ewing also spoke to the proposed use of the subject property and its surrounding uses (*Applicant Exhibit C*), and testified that the proposed use is consistent with the design and performance standards of the Easton Comprehensive Plan, and would not adversely affect the general welfare of the surrounding area (*Applicant Exhibit E*).

a. Public Questions for the Witness:

Kathy Mothershead, 342 N. Washington Street

iv. Public Comment — Chairman Cotter opened for public comment.

1. Public Comment:

Jeff Roth, 340 N. Washington Street

Jason Wilford, 345 N. Washington Street

Kathy Mothershead, 342 N. Washington Street

2. Public Comment Written:

Kathy Mothershead, 342 N. Washington Street
Sheila Lawson, 418 N. Washington Street
Lyndy Galan, 10 Sycamore Avenue
Barb Jefferson
Colby Ball
Sharen and James Apple, 503 Hazelwood Drive
Lia Plaskon
Lauren Rosales, 612 Hardin Street
John Perkinson
Sam Plaskon
Ruth Jensen
George Fold, 347 N. Washington Street
Thomas and Tammy Hickey, 110 Sycamore Avenue
Peggy J. Ford
Maureen Curry
Nicholas Ewing
Carolyn Lane
Patty Quimby, 203 Willis Avenue

v. Closing Testimony —

- 1. Applicant Closing Statement —** Mr. Mullaney concluded all expert testimony. In his closing remarks, Mr. Mullaney cited the findings of case law *Schultz v. Pritts*, 291 Md. 1, in which it was determined that Special Exceptions uses are presumed to be valid. In consideration to the standards set by Maryland statutes, and the provided testimony of expert witnesses, Mr. Mullaney asked for the Board to approve the Special Exception request as presented.

vi. Board Deliberation for Special Exception SE - 1267 / SE 24 - 08

Chairman Cotter moved to approve the Special Exception request with the following conditions:

- 1. The Applicant shall submit a photometric plan for staff review and approval during the building permit review process.**
- 2. Construction shall begin or shall be completed, or both within three (3) years after the date that the Special Exception is granted.**

Board member Krebeck seconded the motion.

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

235 ABSTAIN: 0
236 ABSENT: 0
237
238

239 **4. Discussion Item** — None
240
241

242 **5. Adjournment** — Chairman Cotter motioned to adjourn. Board Member Krebeck
243 seconded. The meeting was adjourned at 10:45 a.m.



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

EXHIBIT SUMMARY
for 714 WAYSIDE AVENUE
V-1310 / V 24-09
2024-11-19

Applicant notified of hearing date: Email: 2024-11-04 – 15 days

Exhibit A: Staff Report: 2024-11-12 – 7 days

Exhibit B: Application

Application: 2024-10-03 – 47 days

Proof of Payment: 2024-10-07 – 43 days

Exhibit C: Notices

Applicant Hearing Letter: 2024-11-04 – 15 days

400' Notices Distributed: 2024-11-04 – 15 days

Picture of Property Sign Posting: 2024-11-04 – 15 days

Exhibit D: Public Advertisement

Advertisement sent to the Star Democrat: 2024-10-29 – 36 days

Advertisement run in Star Democrat: 2024-11-02 – 17 days

Date of Hearing: November 19, 2024

3a

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

SUBJECT: **VARIANCE 1310**

ELECTION WARD: Ward 2

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson – Town Planner - Current
Lynn Thomas - Town Planner - Long Range

APPLICANT: Jerry Barrow on behalf of Beth Hill

PURPOSE: The applicant is seeking a variance from §28-303.2.C.2 of the Zoning Ordinance to construct a porch that protrudes beyond the minimum 30-foot rear setback for all structures within the R-10A Zoning District.

RECOMMENDATION:

Staff supports a Board approval of this variance request as submitted. This lot (as well as others to the north) are significantly shallower than other lots on this block due to the merging of Wayside Avenue and rails-to-trails. The location of the proposed porch, minimizes any negative impacts on surrounding residences and is modest in size. The structure also will be screened from view by an existing fence and landscaping.

APPLICATION INFORMATION:	
APPLICANTS: Beth Hill	REPRESENTATIVE: Jerry Barrow Barrow and Sons LLC
PARCELS/ACREAGE:	
Parcel Information	Acres

Map 106, Parcel 2561		0.28	
ACCEPTANCE DATE: October 3, 2024		LOCATION: 714 Wayside Avenue	
EXISTING ZONING R10A		EXISTING LAND USE: Residential	
HISTORIC DISTRICT: No		FUTURE LAND USE: Residential	

CONTEXT:

Location/Site Access – The subject property is a 12,320 square foot property located on Wayside Avenue and is zoned R10A. The property is bordered to the north and south by existing single family dwelling units also zoned R10A. The property has road frontage along Wayside Avenue which is best described as a residential street and Elk Lane which is best described as an alley. The southern terminus of the Easton rails-to-trails is located on the opposite side of Wayside Avenue.

Existing Conditions – The subject property contains one existing single family dwelling unit as well as an approximately 25’ x 10’ off street parking area. In the rear yard, there is an existing un-covered deck that protrudes approximately 6 feet from the façade of the house (*See Figure 1*). A search of the Town’s records indicates that no permit was issued for the construction of this deck.



Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
South	Residential	R10A	Residential
North	Residential	R10A	Residential



Figure 2 Vicinity Map

PROPOSAL: The applicant is seeking a variance for the construction of a covered deck that protrudes beyond the required thirty (30) foot rear setback (§28-303.2.C.2). The proposed deck will be 120 square feet in area (10’ x 12’) and will have a height of approximately 12.5’ measured from grade to the peak of the roof. The new steps will be located on the right side of the deck.

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 proposed porch is located as to avoid any negative impacts on the surrounding neighborhood. It is minimal in size and is screened from view by a hedge row and fencing. This porch will abut the rear alley and will be further away from the property rear line than other structures on this block.

- 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 – As rails-to-trails meets Wayside Avenue, the road bends towards the east. Because of this shift towards the east, this lot as well as the others to the north are significantly narrower than lots on the same block to the south. This lot is approximately 85 feet deep while 718 Wayside Avenue is approximately 120 feet deep. This narrow lot size places the rear building restriction line extremely close to the rear of the primary structure leaving no room for any additional structures or additions to be constructed without a variance.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **approve Variance 1310 as submitted** based on staff's draft findings.

OR

2. I move that the Board of Zoning Appeals approve Variance 1310 based on the following findings...

OR

3. I move an alternate motion.



APP DUE OCT 15th

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

RECEIVED
OCT 03 2024
TOWN OF EASTON

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☒ VARIANCE ☐ APPEAL ☐ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	714 WAYSIDE AVE EASTON MD. 21601				
TAX MAP	0106	GRID	00EA	PARCEL	2561
DEED REFERENCE	LIBER		FOLIO		
PLAT REFERENCE	LIBER		FOLIO		
EXISTING USE					
ZONING DISTRICT	R-10a				

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

OWNER

NAME	BETH HILL				
MAILING ADDRESS	714 WAYSIDE AVE				
TELEPHONE NO.	1-678-492-0682	EMAIL	FloraBeth73.BH@gmail.com		

APPLICANT OR AGENT

NAME	JERRY L BARROW				
MAILING ADDRESS	21614 CAMPER CIRCLE TILGHMAN MD. 21671				
TELEPHONE NO.	410-310-1176	EMAIL	SHARON BARROW@hotmail.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 § 28-303.2.C.2

☐ INCLUDE ALL REQUIRED ITEMS FROM THE APPLICABLE CHECKLIST

ANY 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	<i>Shirley L. Barrow</i>
Date	Oct 3 2024
PRINTED NAME OF APPLICANT OR AGENT	Shirley L. Barrow

For Office Use Only

Project Number	V 24 -09	Fee Received	\$250.00
Application Number	V -1310	Application Notification	11/04/2024
Filing Date	10/03/2024	Property Posting Date	11/04/2024
BOZA Hearing Date	11/19/2024	Notice(s) Published	11/02/2024
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	✓	
Completed application along with a written, detailed explanation for the purpose of the request	✓	
Site plan drawn to scale to include at a minimum the items listed below.	✓	
Property boundaries and dimensions	✓	
Locations and dimensions of all existing and proposed structures and their locations measured from the nearest property lines	✓	
Setbacks from property lines	✓	
Adjoining roads	✓	
Established easements	N/A	
Perennial and intermittent streams	N/A	
Tidal and non-tidal wetlands	N/A	
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	✓	
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	✓	

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	NA	
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; *PERSONAL USE*
- b. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area; *No*
- 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;
USE is FOR PERSONAL USE + PETS
- d. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
No
- 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; *No*
- f. the proposed use will not adversely affect the established character of the area.
No
- 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

Yes



✕ Board of Zoning Appeals Checklist Variance 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	✓ 250.00	
→ Completed application along with a written, detailed explanation <u>for the purpose of the request</u>	✓	
Survey plat, site plan, or other accurate drawings, drawn to scale, to include at a minimum the items listed below.	✓	
• Property boundaries and dimensions	✓	
• Locations and dimensions of all existing and proposed structures and their locations measured from the nearest property lines	✓	
• Setbacks from property lines	✓	
• Adjoining roads	✓	
• Accurate illustration of the requested variance	✓	
• Scale Bar	1"=10'	
• Established easements	NA	
• Perennial and intermittent streams	NA	None
• Tidal and non-tidal wetlands	NA	None
• Critical Area and 100-foot shoreline buffer boundary	NA	None
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	✓	

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)		

Variance Findings of Fact



1. Would the granting of the Variance you have requested impede or in any way 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;
- 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;
- 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;
- encourage the conservation of resources, including a reduction in resource consumption;
- locate development in locations suitable for it given existing and reasonably foreseeable development; and
- encourage appropriate and sustainable economic growth.

2. Describe how the proposed variance will be in harmony with the Town's Zoning Ordinance, Comprehensive Plan, and any applicable small area plans.

3. Describe how the proposed variance will not be harmful to the neighborhood or endanger public safety, health, or welfare.
4. What conditions are peculiar to the property? (ie, an unusual or extraordinary circumstance regarding your property that warrants a variance being granted.)
5. Did you (the applicant) take any action that resulted in the need for a variance to be granted?
6. Please describe how a literal enforcement of the Ordinance you are requesting a variance from as written would place a practical hardship or difficulty upon you.

1 thru 6

3 Oct 2024

11/10 Beth Hill
714 Weyssick Ave
Easton Md. 21601

Jeff P Barrow

Mrs Hill has chosen Jeff P Barrow
of Barrow & Sons LLC to be her agent
for this project.

The deck that is in question was constructed
without a permit and not to code.
Barrow & Sons proposes to make the deck
to meet code.

The deck does not limit anybody's view.
It will also blend in with the style
of house. There is no harm to the
environment or anything else.

Mrs Hill would appreciate permission
to construct a screen porch in order
to enjoy the outdoors with her pets
in a safe environment.

Thank You
JP Barrow
Barrow & Sons LLC

BARROW & SONS LLC

GENERAL CONTRACTOR

21614 CAMPER CIRCLE TILGHMAN, MD 21671

MHBR # 1095 MHIC # 7586

WE ARE LICENSED AND INSURED

OFFICE 410-886-2539 FAX 410-886-2586

JERRY'S CELL 410-310-1176 CHUCK'S CELL 443-786-8838

EMAIL: SHARONBRRW@HOTMAIL.COM OR barrow.crb@icloud.com

DATE: 08/17/2024

PROPOSAL SUBMITTED TO:
BETH HILL

JOB ADDRESS:
714 WAYSIDE AVE.
EASTON, MD 21601

PHONE: 678-897-0682

EMAIL:

We propose to furnish all materials and perform all labor necessary to complete in accordance with specifications below, for the sum of (15,398.00). Payments to be made as follows: deposit of (5,135.00) at start and balance upon completion.

Authorized signature

Note: This proposal may be withdrawn by us if not accepted within 15 days.

We hereby submit specifications and materials: EXTEND EXISTING DECK 27" AND FRAME UP WITH SHED TYPE ROOF AND SCREEN IN

REMOVE 27" OF EXISTING STEP (3 TREADS)

EXTEND DECK FRAMING 27" TO MAKE LAYER DECK USING 2X8 ST JOIST AND PERIMETER BEAMS AND ALL HANGERS

DIG 3 PIER HOLES WITH REBAR AND 9" CEMENT FOR 6X6 POST

INSTALL 5/4X6 SYTHETIC DECK BOARDS WITH SCREW AND CAPS

FRAME UP FOR SCREEN PORCH WUTH 4X4 POST, ANCHORS, 2X10 HEADERS, HNGERS AND FLASHING

FRAME UP CEILING JOIST, LEDGER, RAFTERS, SUB FACIA AND GABLE FRAMING

7,063.00

FURNISH AND INSTALL

12" C VENT SOFFIT, F CHANNEL, J CHANNEL, ALUMINUM FACIA DIMENTIONAL ROOF SHINGLES AND ROOF EDGE, ETC.

SCREEN FRAMING AND SCREEN

1- 36" ALUMINUM SCREEN DOOR

2X4 AND 2X6 STK CEADER FRAME

48" CHARCOAL ANIDIZED SCREEN

NEW PLATFORM AND STEPS WITH 7" RISERS TO CODE

HANDICAP RAILS INSIDE REGULAR RAIL

8,135.00

PERMI ALLOWANCE

200.00

TOTAL 15,398.00

OPTIONAL!NOT IN QUOTE

SCRENEAZE (1375.00)

CEILING TO BE DETERMINED

TOWN NEEDS TO KNOW HOW EXISTING DECK WAS CONSTRUCTED.

Exhibit

B

NOTE!

ANY PLUMBING OR ELECTRICAL WORK THAT WE WOULD DO, WILL BE \$70.00 PER HOUR, PLUS MATERIALS; ALLOWANCES OR APPROXIMATES CAN BE MORE OR LESS, THEY WILL BE ADJUSTED,

ALL WORK AND MATERIAL IS GUARANTEED FOR A PERIOD OF ONE YEAR UNLESS ALTERED BY UNFORESEEN CURCUMSTANCES.

ANY ALTERATION OR DEVIATION FROM THE ABOVE SPECIFICATIONS INVOLVING EXTRA COST OF MATERIAL OR LABOR WILL BE EXECUTED UPON WRITTEN ORDER FOR SAME, AND WILL BECOME AN EXTRA CHARGE OVER THE SUM MENTIONED IN THIS CONTRACT. ALL AGREEMENTS MUST BE MADE IN WRITING. THE LABOR RATE IS \$48.00 PER HOUR PER MAN. A 15% CONTRACTORS FEE IS ADDED ON ALL SUBCONTRACTORS AND MATERIALS.

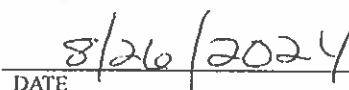
ANY LEGAL EXPENSES INCURRED TO COLLECT THIS BILL WILL BE THE RESPONSIBILITY OF THE CUSTOMER. 2% INTEREST PER MONTH.

ACCEPTANCE OF PROPOSAL:

THE ABOCE SPECIFICATIONS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY ACCEPTED. YOU ARE AUTHORIZED TO DO THE WORK AS SPECIFIED. PAYMENT WILL BE MADE AS OUTLINED ABOVE.

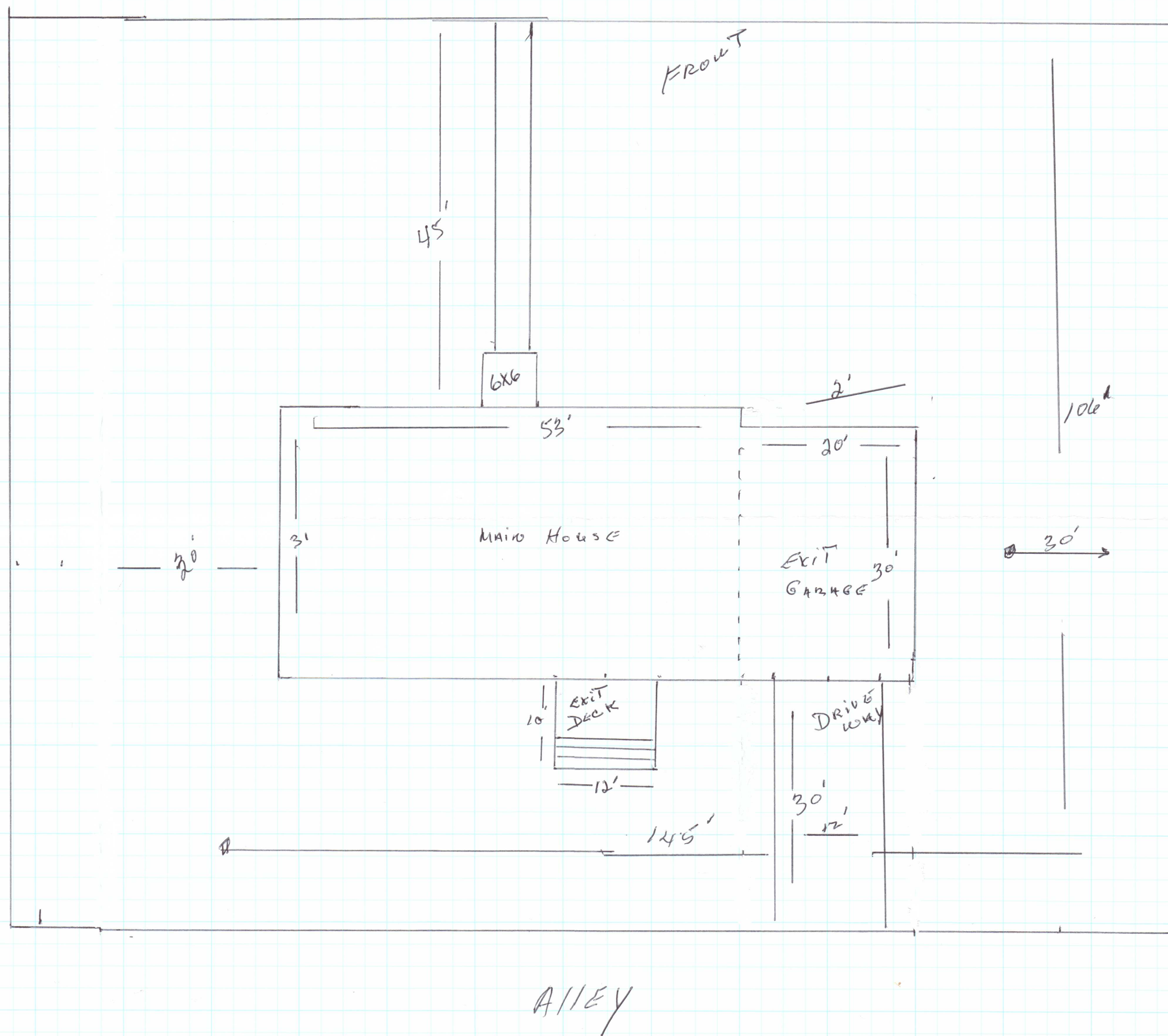
PLEASE SIGN AND RETURN ONE COPY

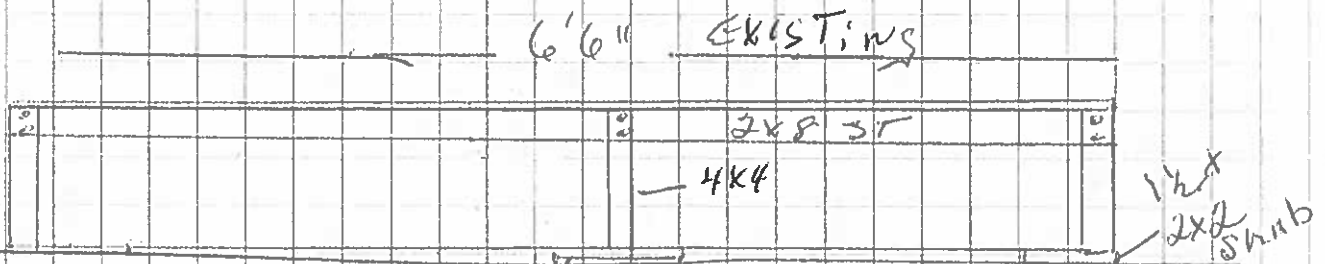

SIGNATURE


DATE

714 WAYSIDE
DRIVE

1" = 10'



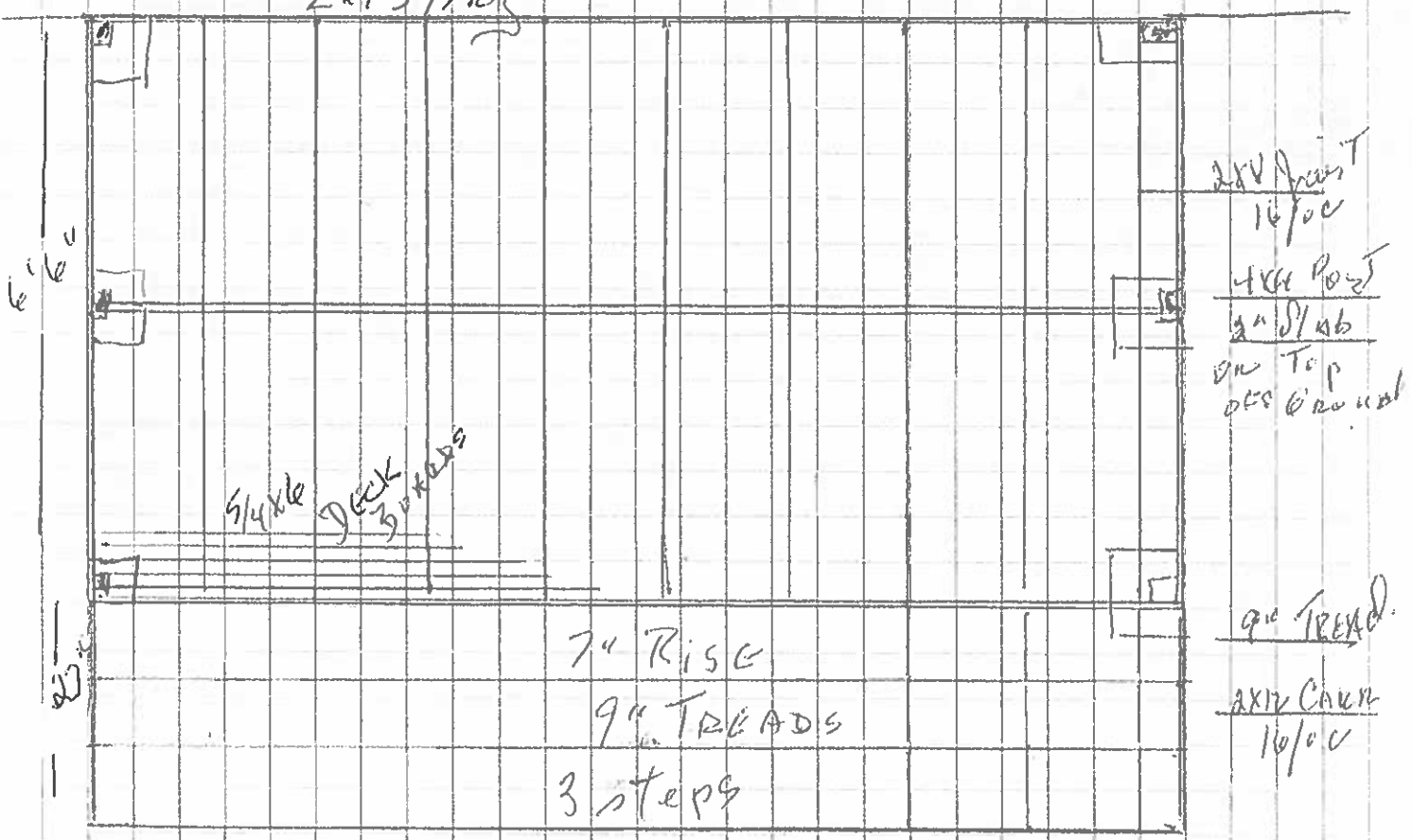


NOTE Held Hanger / New Pier holes

MAIN HOUSE

NEED To hang to house

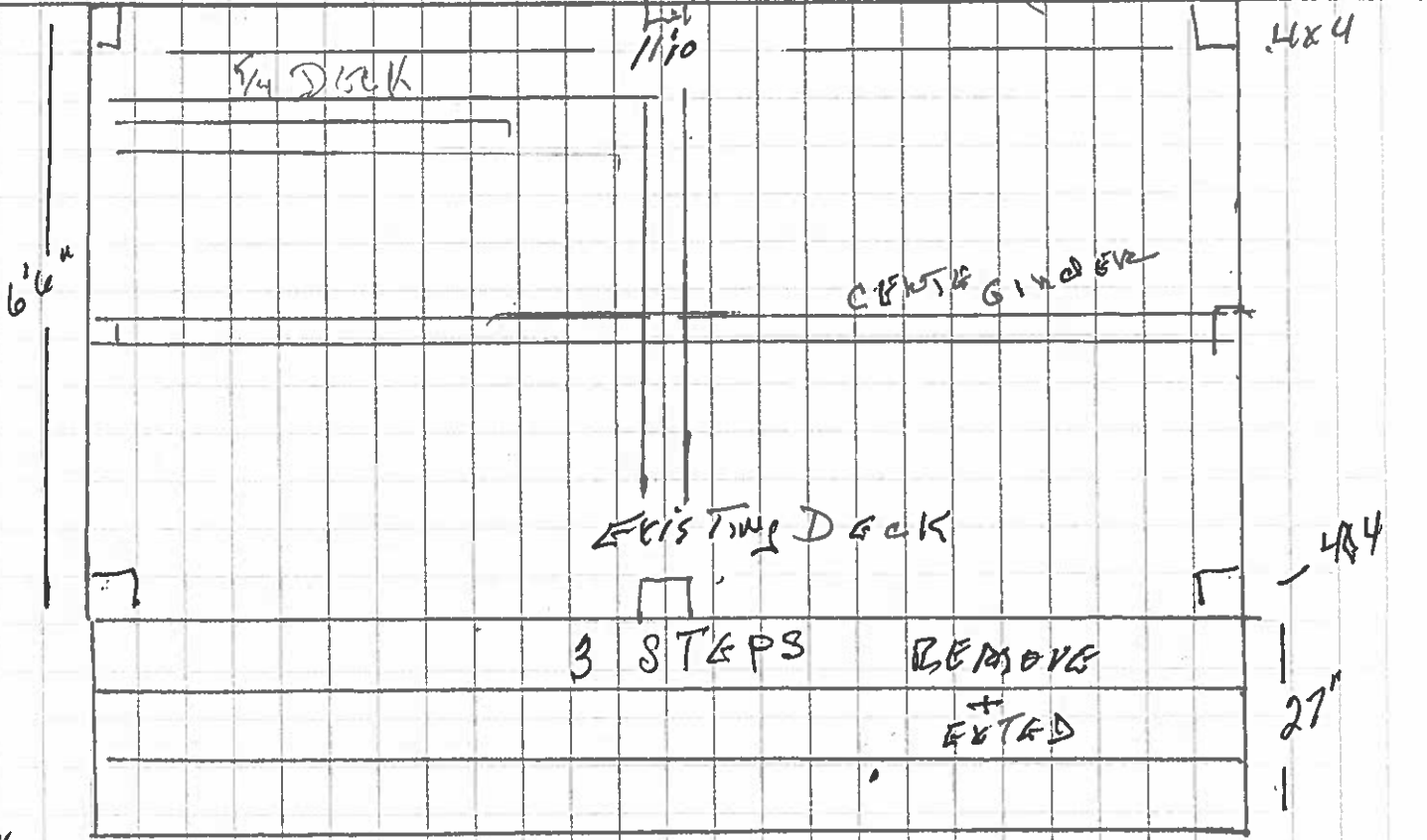
EXISTING



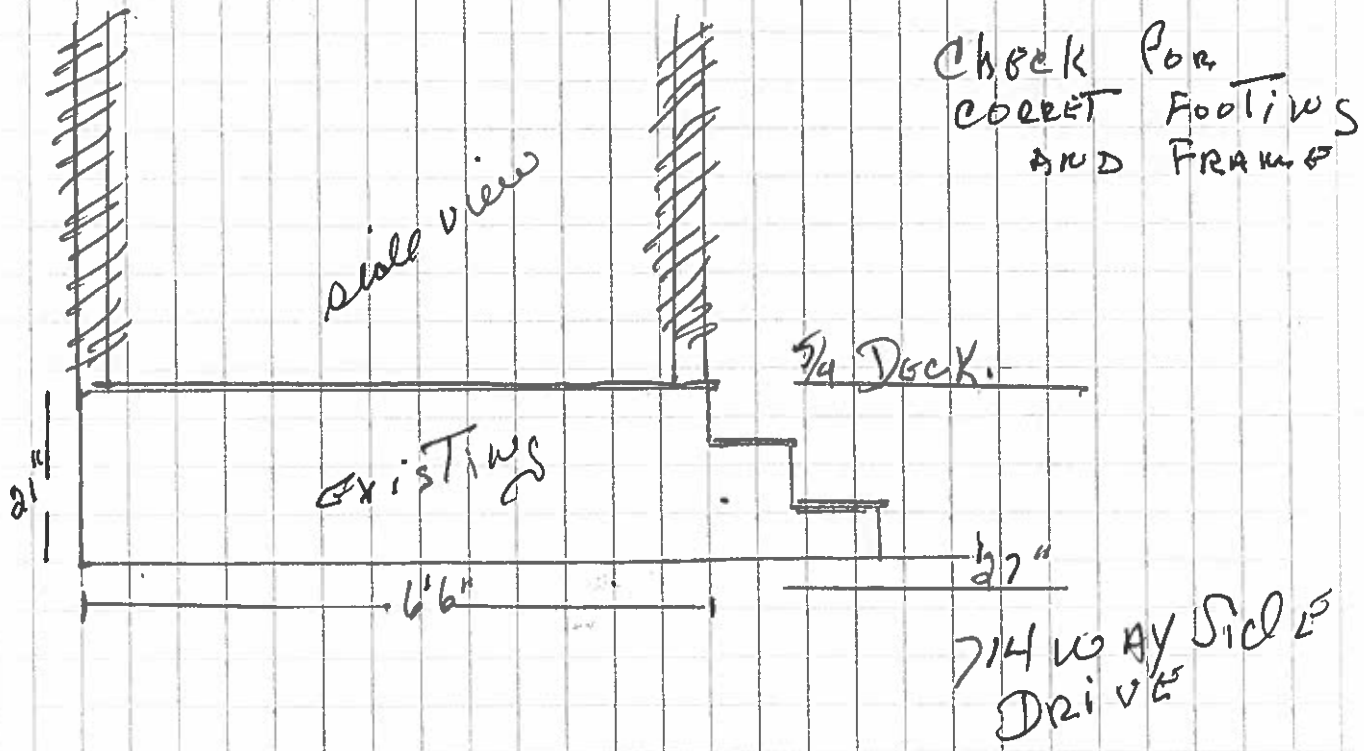
BARROW & SONS LLC
21614 CAMPER CIRCLE
TILGHMAN MD 21671

BARROW & SONS LLC
21614 CAMPER CIRCLE
TILGHMAN MD 21671

main House



1/2"

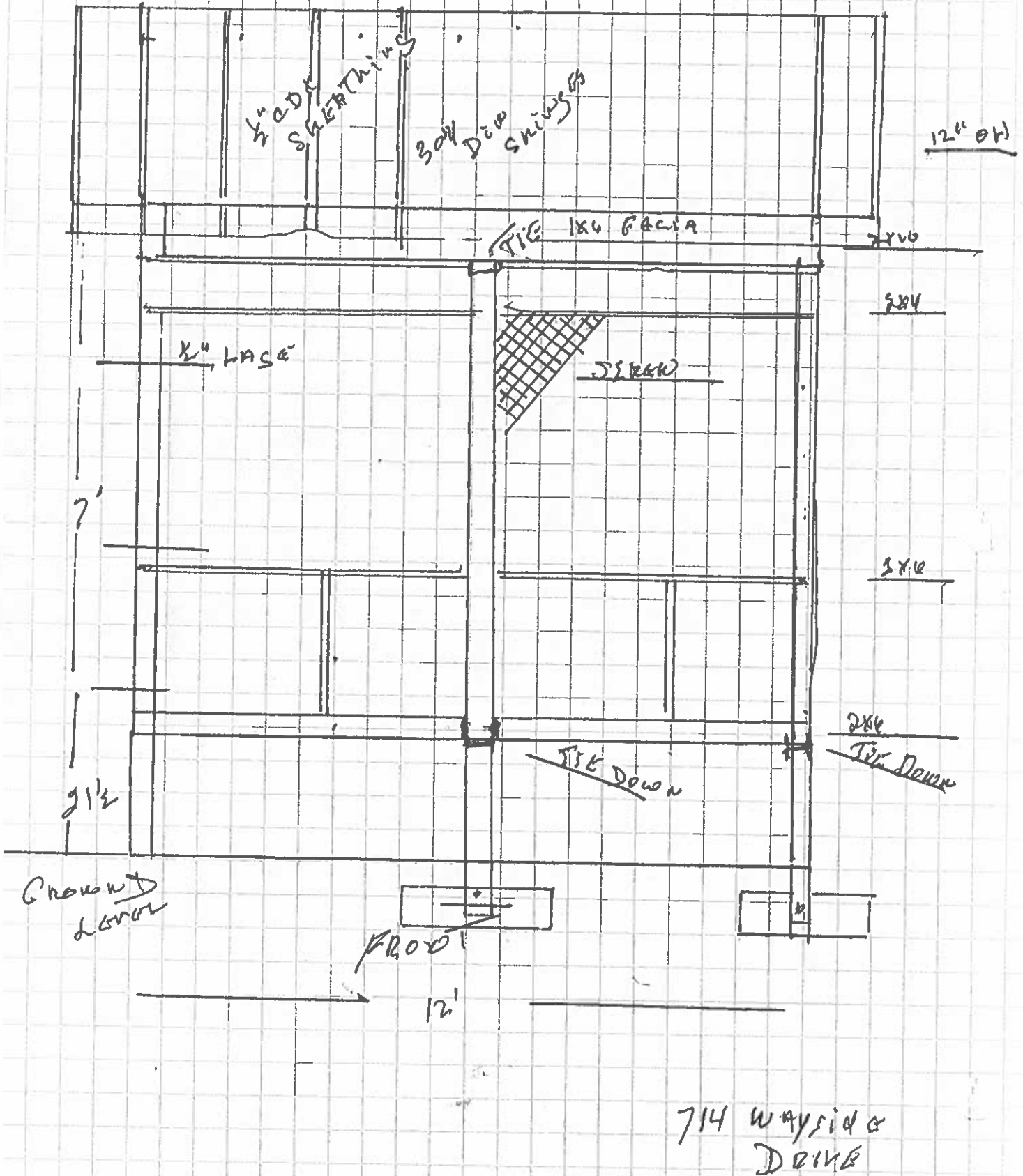


✓

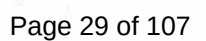


BARROW & SONS LLC
21614 CAMPER CIRCLE
TILGHMAN MD 21671

P 9

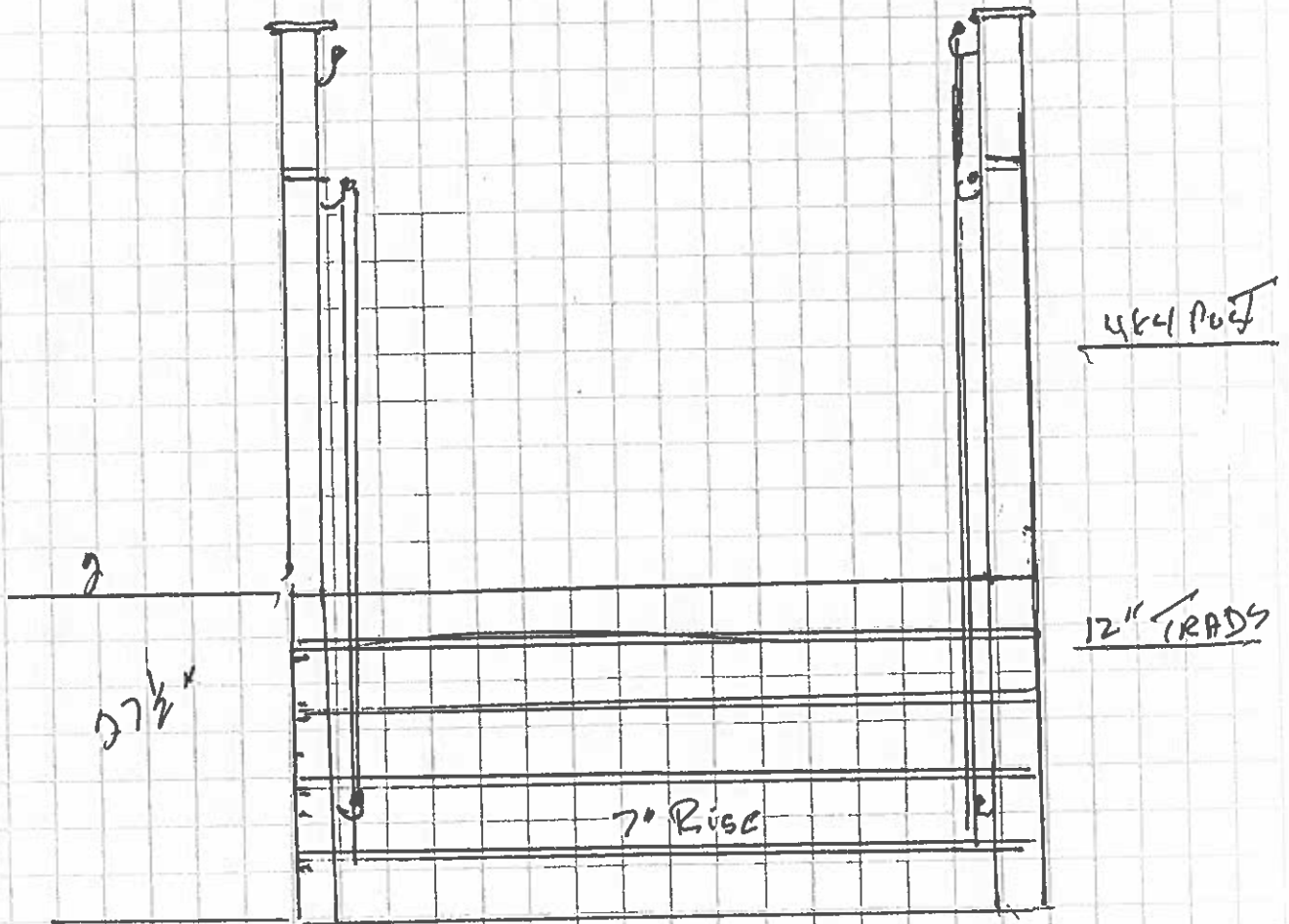


P. 4



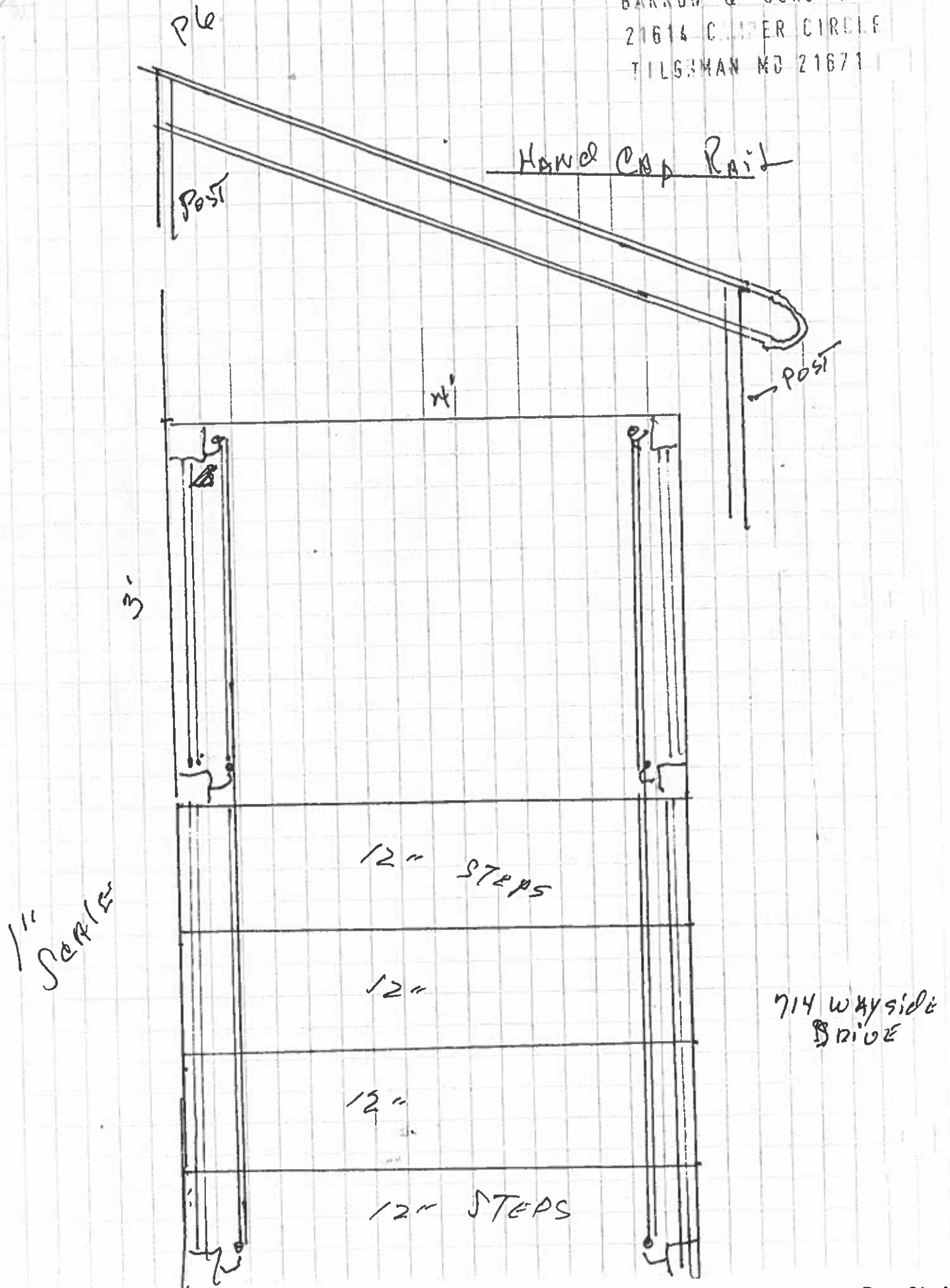
P-5

BARROW & SONS LLC
21614 CLIPPER CIRCLE
TILGHMAN MD 21671



$\frac{1}{2}$ " SCALE
714 W WIDE
DRIVE

BARROW & SONS LLC
21614 CLUSTER CIRCLE
TILGHMAN MD 21671





Samantha Smith <ssmith@eastonmd.gov>

Application representation

1 message

Beth Hill <florabeth73.bh@gmail.com>
To: planningandzoning@eastonmd.gov

Fri, Oct 4, 2024 at 2:56 PM

I authorize Jerry Barrow of Barrow and Sons to act as an agent on my behalf in applying for applications and variances.

Flora Beth Hill

[714 Wayside Ave](#)

[Easton, MD 21601](#)

678-897-0682

Talbot County Finance Office
Recordation Tax \$4,320.00
PK 06/08/2022
Prop ID: 01-004158

Talbot County Cir Crt
IMP FD SURE \$40.00
RECORDING FEE \$20.00
TR TAX STATE \$1,800.00
TR TAX CTY \$3,100.00
TOTAL \$4,960.00
KMD NAH
Jun 08, 2022 09:53 am

EASTERN SHORE TITLE COMPANY
P.O. Box 857
Easton, MD 21601
Telephone: 410-820-4426
Website: www.easternshoretitle.com
Email: info@easternshoretitle.com

This Deed, made this 1 day of June, 2022, by and between **Darrin L. Clem, Personal Representative of the Estate of Nancy J. Clem, a Maryland Estate, Grantor; and Flora Beth Spencer Hill, Grantee.**

Whereas, the said Darrin L. Clem is the Personal Representative of Estate of Nancy J. Clem, having been appointed by the Orphans' Court of Talbot County, Estate No. 24075, and pursuant to the authority granted by Section 7-401 of the Estates and Trust Article of the Annotated Code of Maryland, the Personal Representative is authorized to convey the hereinafter described property.

- Witnesseth -

THAT FOR AND IN CONSIDERATION of the sum of **THREE HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS (\$360,000.00)** and other good, valuable and sufficient consideration, in hand paid, the receipt of which is hereby acknowledged, the said **Darrin L. Clem, Personal Representative of the Estate of Nancy J. Clem, a Maryland Estate**, does hereby grant and convey unto the said **Flora Beth Spencer Hill**, her heirs, personal representatives and assigns, forever, in fee simple, all the hereinafter described property:

ALL those lots or parcels of ground situate, lying and being in the Town of Easton, First Election District, Talbot County, Maryland and described as follows, that is to say:

Parcel No. 1:

ALL that lot or parcel of ground situate, lying and being in the Town of Easton, First Election District of Talbot County, Maryland, in Smith's Subdivision of Mecklenburg, designated as Lot Number thirty-two (32) on a Plat entitled: "MAP SHOWING REVISED SOUTH PORTION OF SMITH'S SUBDIVISION 'MECKLENBURG' PROPERTY OF THOMAS F. SHOCKLEY, SCALE 100' TO 1", JULY 1960", made by Kastenhuber and Anderson, Civil Engineers and Surveyors, and recorded among the Plat Record Books of Talbot County in Liber No. 14, folio 43, and described in a Certificate of Survey made by said Kastenhuber and Anderson, dated September 30, 1960, as follows:

BEGINNING at an iron pipe driven on the Easterly side-line of Wayside Avenue, and at the Southwesterly corner of lot number thirty (30), as shown on the above mentioned Plat; thence (1) with the said lot number thirty (30), South eighty-eight degrees, thirteen minutes East, eighty-four and seventeen one-hundredths feet (S. 88° 13' E. 84.17 ft.) to an iron pipe and the Westerly side-line of Elk Lane; thence (2) with the Westerly side-line of Elk Lane, South one degree, forty-seven minutes West, one hundred twenty and five-tenths feet (S. 1° 47' W. 120.5 ft.) to an iron pipe; thence (3) North eighty-eight degrees, thirteen minutes West, eighty-nine and twenty-three one-hundredths feet (N. 88° 13' W. 89.23 ft.) to an iron pipe and the Easterly side-line of Wayside Avenue; thence (4) with the Easterly side-line of Wayside Avenue, North four degrees, twelve minutes East, one hundred twenty and six-tenths feet (N. 4° 12' E. 120.6 ft.) to the place of beginning, containing ten thousand four hundred forty-eight square feet (10,448 sq. ft.).

THE above described lot being all of the original lot number thirty-two (32) and approximately one-half of lot number thirty-four (34) as shown on a Plat entitled: "MAP OF SMITH'S SUBDIVISION OF 'MECKLENBURG' ADJACENT TO

THE TOWN OF EASTON TALBOT COUNTY MARYLAND, SCALE: 100' TO 1", MAY 1949", J. Elwood Smith Owner, and recorded among the Plat Records of Talbot County in Liber No. 3, folio 75.

BEING the same property conveyed unto Richard L. Clem and Nancy J. Clem, tenants by the entirety, from Thomas F. Shockley and Katherine S. Shockley by deed dated November 30, 1960, and recorded among the Land Records of Talbot County, Maryland, in Liber 367, folio 410; the said Richard L. Clem having departed this life on or about February 2, 1997 (Talbot County Estate No. 15289), thereby vesting title in Nancy J. Clem, surviving tenant by the entirety; the said Nancy J. Clem having departed this life on or about October 31, 2021 (Talbot County Estate No. 24075); and the said Darrin L. Clem having been appointed Personal Representative and continues to serve in that capacity.

Parcel No. 2:

ALL that part of a lot, piece or parcel of ground situate, lying and being in the Town of Easton, First Election District of Talbot County, State of Maryland, in Smith's Sub-division of "Mecklenburg" designated as a portion of Lot No. Thirty-Four (#34) on a Plat entitled: "MAP SHOWING REVISED SOUTH PORTION OF SMITH'S SUB-DIVISION 'MECKLENBURG' PROPERTY OF THOMAS F. SHOCKLEY, SCALE 100' TO 1", JULY 1960", made by Kastenhuber and Anderson, Civil Engineers and Surveyors, and recorded among the Plat Records of Talbot County in Liber J.T.B. No. 14, folio 43, and being more particularly described as follows:

BEGINNING for the same at a point twenty (20) feet South of the division line of Lot No. Thirty-Two (#32) and Lot No. Thirty-Four (#34) as shown on the aforementioned plat; thence (1) with Wayside Avenue North four degrees (4°) twelve minutes (12') East twenty (20) feet to an iron pipe and the division line of Lot No. Thirty-Two (#32) owned by former grantees, and Lot No. Thirty-Four (#34); thence (2) with the division line of Lot No. Thirty-Two (#32) South eighty-eight degrees (88°) thirteen minutes (13') East eighty-nine and twenty-three one-hundredths (89.23) feet to an iron pipe and Elk Lane; thence (3) with Elk Lane South one degree (1°) forty-seven minutes (47') West twenty (20) feet; thence (4) across Lot No. Thirty-Four (#34) North eighty-eight degrees (88°) thirteen minutes (13') West ninety and sixteen one-hundredths (90.16) feet, more or less to the point of beginning, containing quantity therein what it may.

BEING the same property conveyed unto Richard L. Clem and Nancy J. Clem, tenants by the entirety, from Thomas F. Shockley and Katherine S. Shockley by deed dated December 21, 1970, and recorded among the Land Records of Talbot County, Maryland in Liber 448, folio 423; the said Richard L. Clem having departed this life on or about February 2, 1997 (Talbot County Estate No. 15289), thereby vesting title in Nancy J. Clem, surviving tenant by the entirety; the said Nancy J. Clem having departed this life on or about October 31, 2021 (Talbot County Estate No. 24075); and the said Darrin L. Clem having been appointed Personal Representative and continues to serve in that capacity.

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

To Have and To Hold the said tracts 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 **Flora Beth Spencer Hill**, her heirs, personal representatives and assigns, forever, in fee simple; SUBJECT to an existing five foot (5 ft.) underground sewer right of way (extending along the entire Northerly line of the lot hereby conveyed) granted to The Mayor and Council of Easton on April 7, 1952, and recorded among the Land Record Books of Talbot County in Liber No. 296, folio 117, the center line of said sewer right of way runs along the division line of the above mentioned Lots No. 30 and No. 32 and is more particularly shown upon a Map entitled: "MAP OF SEWER RIGHT OF WAY TO BE ACQUIRED FROM J. ELWOOD SMITH, SCALE: 1" - 100',

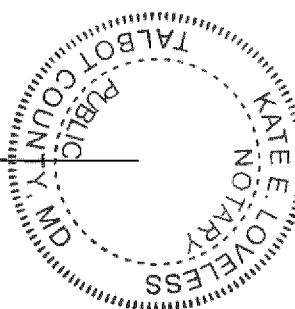
FEBRUARY 1952", and recorded among the Plat Records of Talbot County in Liber No. 6, folio 16.

And the said Grantor does hereby covenant that he will execute such other and further assurances of the same, as may be requisite.

As Witness the hand and seal of said Grantor, the day and year first above written.

WITNESS:




Estate of Nancy J. Clem, a Maryland Estate

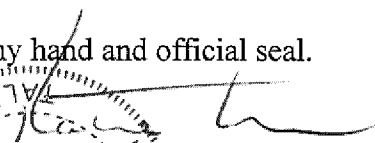

BY: Darrin L. Clem, Personal Representative {Seal}

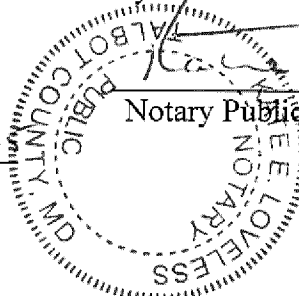
STATE OF MARYLAND, COUNTY OF TALBOT, to wit:

I hereby certify that on this 26th day of May, 2022, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Darrin L. Clem, Personal Representative of the Estate of Nancy J. Clem**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained; and further acknowledged said instrument to be his act as Personal Representative, giving oath under penalties of perjury that the consideration recited herein is correct.

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

My commission expires: 5/7/2024



Notary Public


**AFFIDAVIT OF GRANTEES
PRIMARY RESIDENCE**

THE UNDERSIGNED STATE UNDER OATH AS FOLLOWS:

1. The undersigned is the Grantee of residentially improved real property located at 714 Wayside Avenue, Easton, MD 21601
2. The undersigned states that the above referenced property will be her principal residence which she will occupy seven out of twelve months of the calendar year.



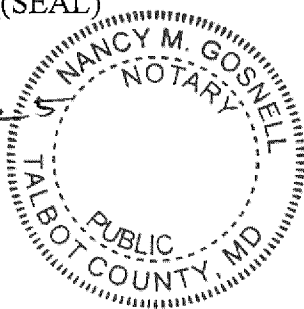
Flora Beth Spencer Hill

STATE OF MARYLAND
COUNTY OF TALBOT, to wit:

Sworn to and subscribed before me by Flora Beth Spencer Hill on this 1 day of ^{June}~~May~~, 2022.

Nancy M. Gosnell (SEAL)
Signature of Notary Public

My Commission Expires: 5/1/25



This document was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland, or by one of the parties named in the within instrument.

Willard C. Parker, II
WILLARD C. PARKER, II, ESQUIRE

AFTER RECORDING, PLEASE RETURN TO:
Eastern Shore Title Company
P.O. Box 857
Easton, MD 21601
File No. EST-27497-KL

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 Estate of Nancy J. Clem, a Maryland Estate

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

714 Wayside Avenue, 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

Estate of Nancy J. Clem, a Maryland Estate

Name of Entity

By

Darrin L. Clem

Name

**Date

Personal Representative

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.

01/22



RECEIPT

TOWN OF EASTON
Planning & Zoning Department
P.O. BOX 520
Easton, Maryland 21601

APPLICATION #	DATE
2024 - 1310	10/7/2024
PROJECT ID	
V 24 - 09	

TO:
Jerry L Barrow
Barrow & Sons LLC
21614 Camper Circle
Tilghman, Maryland 21671

RE: Application 2024 - 1310 / V 24 - 09
714 Wayside Avenue
Tax Map 0106, Grid 00EA, Parcel 2561
Easton, Maryland 21601

Date	Description	Transaction	Amount
10/03/2024	BOZA VARIANCE	Check # 28845	250.00
			-
			-
			-
			-
			-
			-
Thank you!			TOTAL \$250.00

Paid in full. Thank you!

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



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

November 4, 2024

Jerry L. Barrow
Barrow & Sons LLC
21614 Camper Circle
Tilghman, Maryland 21671

Re: BOZA Application V- 1310 / V 24 - 09
714 Wayside Avenue
Tax Map 0106, Grid 00EA, Parcel 2561
Easton, Maryland 21601

Mr. Barrow,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, November 19th 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

November 4, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, November 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 - 1310 / V 24 - 09 has been filed by Barrow & Sons LLC (Applicant) on behalf of Flora Beth Spencer Hill, pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) 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 seeking to expand the existing deck to construct a screened porch. The subject property is located at 714 Wayside Avenue, Easton, Maryland, also known as Tax Map 0106, Grid 00EA, Parcel 2561, 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



Subject property posting pursuant to Section 28-901.2.H.2 of the Town of Easton Zoning Code - November 4, 2024.

NOTICE

Notice is hereby given that Application V - 1310 / V 24 - 09 has been filed by Barrow & Sons LLC (Applicant) on behalf of Flora Beth Spencer Hill, pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) 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 seeking to expand the existing deck to construct a screened porch. The subject property is located at 714 Wayside Avenue, Easton, Maryland, also known as Tax Map 0106, Grid 00EA, Parcel 2561, and is situated in the R-10A – Residential District.

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, November 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

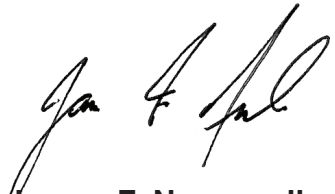
Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Application V - 1310 / V 24 - 09..." was published in the:

The Star Democrat 11/02/24



James F. Normandin
President & Publisher

NOTICE

Notice is hereby given that Application V - 1310 / V 24 - 09 has been filed by Barrow & Sons LLC (Applicant) on behalf of Flora Beth Spencer Hill, pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) 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 seeking to expand the existing deck to construct a screened porch. The subject property is located at 714 Wayside Avenue, Easton, Maryland, also known as Tax Map 0106, Grid 00EA, Parcel 2561, and is situated in the R-10A – Residential District.

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, November 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

3066697 SD

11/2/2024



Samantha Smith <ssmith@eastonmd.gov>

Variance application: V-1310/V24-09

1 message

Jarret Beyer

Mon, Nov 4, 2024 at 4:51 PM

To: "ssmith@eastonmd.gov" <ssmith@eastonmd.gov>

To whom it may concern:

We are residents at [713 Elwood Avenue](#), slightly on a diagonal across the alley (Elk Lane) from Flora Beth Spencer Hill. We fully support her request for a variance and hope that you will do the same.

Thank you,
Jarret Beyer and Nicki McKay



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

EXHIBIT SUMMARY
for 29543 MEADOW GATE DRIVE
V - 1315 / V 24 - 10
2024-11-19

Applicant notified of hearing date: Email: 2024-11-04 – 15 days

Exhibit A: Staff Report: 2024-11-12 – 7 days

Exhibit B: Application

Application: 2024-10-10 – 40 days

Proof of Payment: 2024-10-15 – 35 days

Exhibit C: Notices

Applicant Hearing Letter: 2024-11-04 – 15 days

400' Notices Distributed: 2024-11-04 – 15 days

Picture of Property Sign Posting: 2024-11-04 – 15 days

Exhibit D: Public Advertisement

Advertisement sent to the Star Democrat: 2024-10-29 – 36 days

Advertisement run in Star Democrat: 2024-11-02 – 17 days

Date of Hearing: November 19, 2024

3b

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

SUBJECT: **VARIANCE 1315**

ELECTION WARD: Ward 2

CRITICAL ACTION DATE: At the pleasure of the Board.

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

APPLICANT: Jon Glass on behalf of Cynthia Miller

PURPOSE: The applicant is seeking an after-the-fact variance from §28-1007.1.17.b of the Town’s Zoning Ordinance to construct a swimming pool deck within eight (8) feet of the side and rear property lines. The applicant received a permit for the construction of an in-ground pool on April 22nd, 2024. During an inspection of the completed construction, it was discovered that the pool was not installed per the approved site plan. The pool decking protrudes beyond the required rear setback by 10” and beyond the required side setback by 2’.

RECOMMENDATION:

Staff supports a Board denial of this variance request. No information has been presented that suggests the need for this variance is not the direct result of action taken by the applicant. If the pool were constructed per the approved building permit, no variance would be necessary.

APPLICATION INFORMATION:

APPLICANTS:
Cynthia Miller

REPRESENTATIVE:
Jon Glass
Kustom Scapes and Pools
9017 Centerville Road
Easton MD, 21601

PARCELS/ACREAGE:	
Parcel Information	Acres
Map 102, Parcel 2939A, Lot 17	0.23
ACCEPTANCE DATE: October 10, 2024	LOCATION: 29543 Meadow Gate Drive
EXISTING ZONING R10A	EXISTING LAND USE: Residential
HISTORIC DISTRICT: No	FUTURE LAND USE: Residential

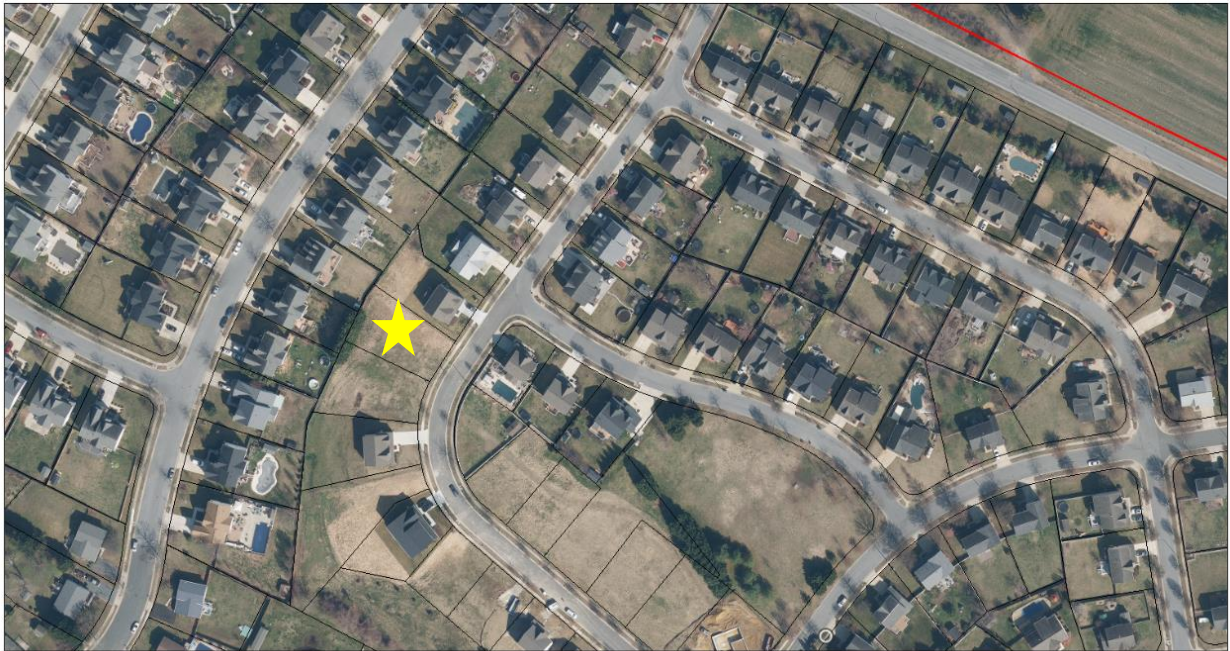
CONTEXT:

Location/Site Access – The subject property is a 10,137 square foot property located on Meadow Gate Drive within the Bretridge Addition subdivision and is zoned R10A. The property is bordered to the west, north, and south by existing single family dwelling units also zoned R10A. The property has road frontage along Meadow Gate Drive which is best described as a residential street with facilities for pedestrians on either side.

Existing Conditions – The subject property contains one existing single family dwelling unit as well as an off-street parking area, a six-foot tall privacy fence, an in-ground swimming pool, and a pool equipment pad. There are five (5) feet wide utility easements running along the rear and side property lines.

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
South	Residential	R10A	Residential
West	Residential	R10A	Residential
North	Residential	R10A	Residential



11/6/2024, 9:13:02 AM

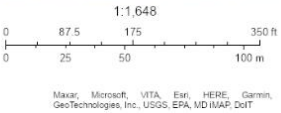


Figure 1: Vicinity Map

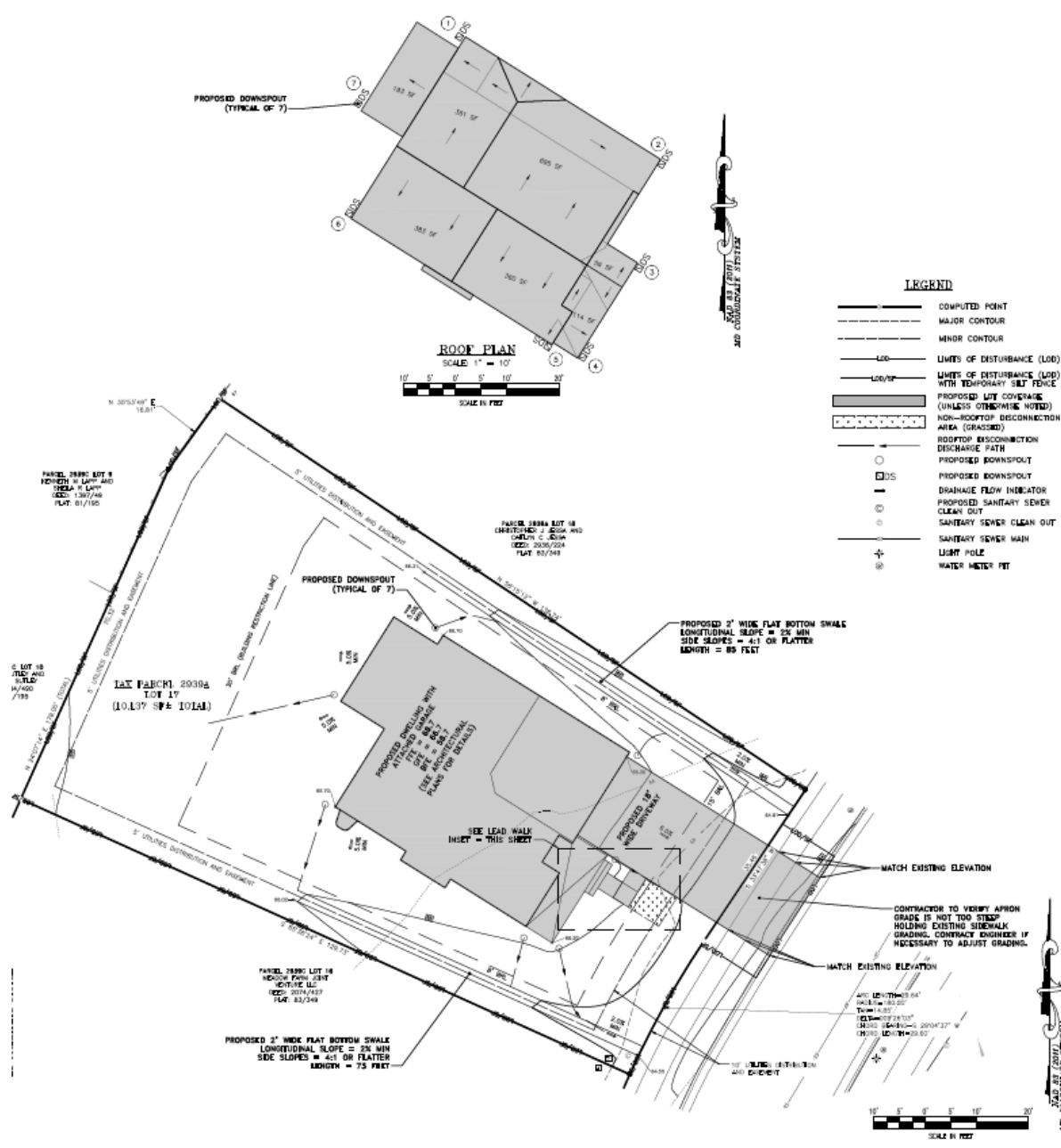


Figure 2: Approved Grading Plan (2022)

PROPOSAL: The applicant is seeking an after-the-fact variance for the construction of pool decking that protrudes beyond the required eight (8) foot setback from all property lines (§28-1007.1.17.b). A building permit was issued on April 22nd 2024 for the construction of a swimming pool and associated decking. The approved site plan for that permit shows all of the pool decking being located at least eight (8) feet away from the side and rear property lines (See Figure 3). Once the installation of the pool and decking was completed, it was discovered that the pool decking is located only six (6) feet from the side property line and 7' 2" from the rear property line.

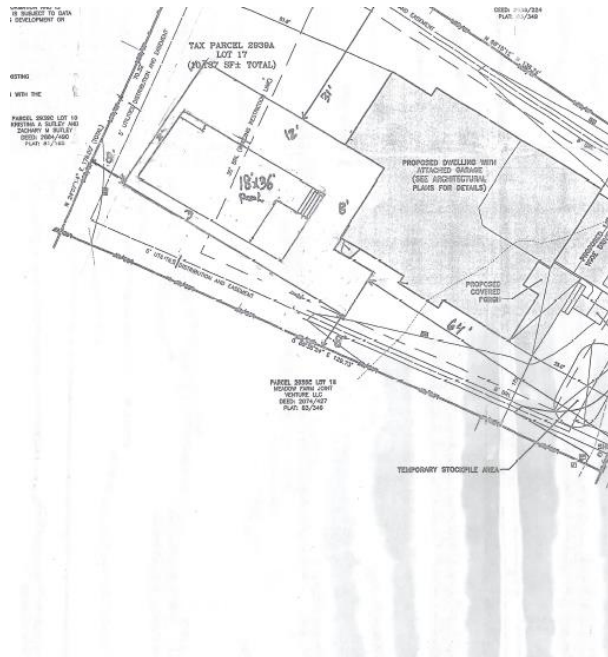


Figure 3: Approved Building Permit Plans

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 – While the pool decking protrudes beyond the required setbacks, the swimming pool itself is still located at least eight (8) feet from any property lines. The deck does not interfere with any established utilities or drainage easements and is screened from neighboring properties by a six (6) foot tall privacy fence. This privacy fence paired with the six-foot setback from the property line still provides adequate separation and screening from the neighboring residential properties.

- 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 – The need for the requested setback variance is the direct result of actions taken by the applicant. The site plan approved by staff during the building permit review process, showed the pool and all of its associated decking being located eight (8) feet from the property line. One of the Planning and Zoning Department’s conditions of approval for this permit was “it shall be the applicant’s responsibility to have property corners identified.” The applicant failed to correctly locate the property lines and to construct the pool per the approved plans necessitating this variance request.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **deny Variance 1315** based on staff’s draft findings.

OR

2. I move that the Board of Zoning Appeals approve Variance 1315 based on the following findings...

OR

3. I move an alternate motion.



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

RECEIVED
OCT 10 2024
TOWN OF EASTON

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☒ VARIANCE ☐ APPEAL ☐ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	29543 Meadow Gate Drive Easton, MD 21601						
TAX MAP	0102	GRID	00EA	PARCEL	2939A	LOT	17
DEED REFERENCE	LIBER		FOLIO				
PLAT REFERENCE	LIBER		FOLIO				
EXISTING USE							
ZONING DISTRICT	R10A						

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

OWNER

NAME	Cindy Miller		
MAILING ADDRESS			
TELEPHONE NO.	443-786-1464	EMAIL	kustomscapes@hotmail.com

APPLICANT OR AGENT

NAME	Jon Glass		
MAILING ADDRESS	9017 CENTERVILLE ROAD EASTON, MD 21601		
TELEPHONE NO.	443-786-1464	EMAIL	kustomscapes@hotmail.com

Surveyor / Engineer

NAME			
License Number and Expiration			
MAILING ADDRESS			
TELEPHONE NO.		EMAIL	

REQUEST DETAILS

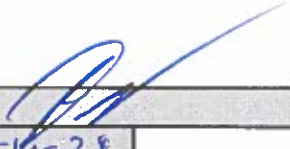
SUBJECT TO PREVIOUS BOZA APPLICATION Y ☐ N ☒

ZONING ORDINANCE SECTION **§ 28 - 1007.1.17.b**

☐ 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	11-16-24
PRINTED NAME OF APPLICANT OR AGENT	Jon Glass

For Office Use Only

Project Number	V 24 -10	Fee Received	\$250.00
Application Number	V - 1315	Application Notification	11/04/2024
Filing Date	10/10/2024	Property Posting Date	11/04/2024
BOZA Hearing Date	11/19/2024	Notice(s) Published	11/02/2024
If ESDR, Date	-		

Revised 11-2023



Board of Zoning Appeals Checklist Variance 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	
Survey plat, site plan, or other accurate drawings, drawn to scale, to include at a minimum the items listed below.		
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	
Accurate illustration of the requested variance	X	
Scale Bar	X	
Established easements	X	
Perennial and intermittent streams		
Tidal and non-tidal wetlands		
Critical Area and 100-foot shoreline buffer boundary		
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		

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	LETTER	
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)		

Variance Findings of Fact

1. Would the granting of the Variance you have requested impede or in any way 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;
NO
 - 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;
NO
 - 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;
NO
 - encourage the conservation of resources, including a reduction in resource consumption;
NO
 - locate development in locations suitable for it given existing and reasonably foreseeable development; and
NO
 - encourage appropriate and sustainable economic growth. NO

2. Describe how the proposed variance will be in harmony with the Town's Zoning Ordinance, Comprehensive Plan, and any applicable small area plans.

THE VARIANCE WILL NOT AFFECT ANY RIGHT AWAYS OR EASEMENTS ON THE EXISTING PROPERTY

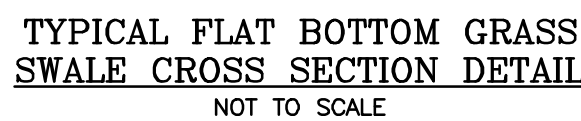
3. Describe how the proposed variance will not be harmful to the neighborhood or endanger public safety, health, or welfare. WILL HAVE NO EFFECT
4. What conditions are peculiar to the property? (ie, an unusual or extraordinary circumstance regarding your property that warrants a variance being granted.) NOTHING
5. Did you (the applicant) take any action that resulted in the need for a variance to be granted? YES THE DRY SET POOL PATIO IS SLIGHTLY IN THE 8' SET BACK
2' ON THE SW FRONT CORNER AND 10" ON THE NW CORNER
6. Please describe how a literal enforcement of the Ordinance you are requesting a variance from as written would place a practical hardship or difficulty upon you.

THE DRY LAID POOL PATIO WOULD NEED TO BE REMOVED AND BACKFILLED WITH NEW SOIL AND STABILIZED. THE PATIO WOULD NOT BE DIMENSIONAL WITH THE POOL.

1. STORMWATER QUANTITY MANAGEMENT IS ADDRESSED BY EXISTING STORMWATER MANAGEMENT POND, AS PREVIOUSLY APPROVED.
2. STORMWATER QUALITY MANAGEMENT IS ADDRESSED THROUGH DESIGN MANUAL SECTION 5.4.2 NONSTRUCTURAL PRACTICES: DISCONNECTION OF ROOFTOP RUNOFF (N-1), DISCONNECTION OF NON-ROOFTOP RUNOFF (N-2), AND GRASS SWALE (M-8).
 - (N-1): NO MORE THAN 500 SQ.FT. (HORIZONTAL AREA) OF ROOF SHALL DRAIN TO ANY SINGLE SPLASHBLOCK OR EMITTER. SEE ROOF PLAN THIS SHEET FOR GUIDANCE. DOWNSPOUTS ARE PROPOSED TO DISCONNECT DIRECTLY TO FINISHED GRADE. AVERAGE SLOPE DOWNSTREAM OF DISCHARGE SHALL NOT EXCEED 5% FOR A MINIMUM LENGTH OF 60'.
 - (N-2): NON-ROOFTOP IMPERVIOUS AREAS (SIDEWALK) SHALL BE GRADED TO PROMOTE SHEETFLOW OF RUNOFF TO PERVIOUS AREAS, WHERE SHEETFLOW CANNOT BE MAINTAINED. GRADING SHALL BE SUCH THAT NO MORE THAN 1,000 SF OF IMPERVIOUS COVER WILL DRAIN TO ONE AREA. AVERAGE SLOPE DOWNSTREAM OF IMPERVIOUS COVER SHALL NOT EXCEED 5% FOR A LENGTH EQUAL TO OR GREATER THAN THE LENGTH OF FLOW ACROSS THE IMPERVIOUS COVER.
 - (M-8): A 2' WIDE FLAT BOTTOM SWALE IS PROPOSED ALONG THE NORTH PROPERTY LINE, AND CONVEYS ROOFTOP RUNOFF FROM DOWNSPOUTS 1, AND 2. A 2' WIDE FLAT BOTTOM SWALE IS PROPOSED ALONG THE SOUTH PROPERTY LINE, AND CONVEYS ROOFTOP RUNOFF FROM DOWNSPOUTS 4, 5, AND 6.

1. VEGETATED AREAS RECEIVING RUNOFF THAT HAVE BEEN COMPACTED BY CONSTRUCTION ACTIVITIES SHALL BE SCARIFIED OR TILED TO A DEPTH OF AT LEAST 4 INCHES THEN STABILIZED.
2. BACKFILL SHALL BE PLACED AT PERIMETER OF HOUSE AS REQUIRED FOR POSITIVE DRAINAGE. REFLECT TO STORMWATER MANAGEMENT COMPLIANCE NOTES ABOVE FOR EXTERIOR GRADING REQUIREMENTS.

- BEFORE THE COMMENCEMENT OF ANY WORK ON-SITE, CONTRACTOR SHALL VERIFY EXISTING UTILITIES
- CONTRACTOR TO COORDINATE PROPOSED SEWER LATERAL AND DWELLING CONNECTION WITH THE EASTON UTILITIES COMMISSION (410-822-6110).
- SPOT ELEVATIONS REFER TO EDGE OF PAVEMENT OR GROUND SURFACE.
- SEE SHEET 1 OF 3 FOR BUILDING PERMIT AND SEDIMENT & EROSION CONTROL PLAN.
- SEE SHEET 3 OF 3 FOR SEDIMENT & EROSION CONTROL NOTES & DETAILS.

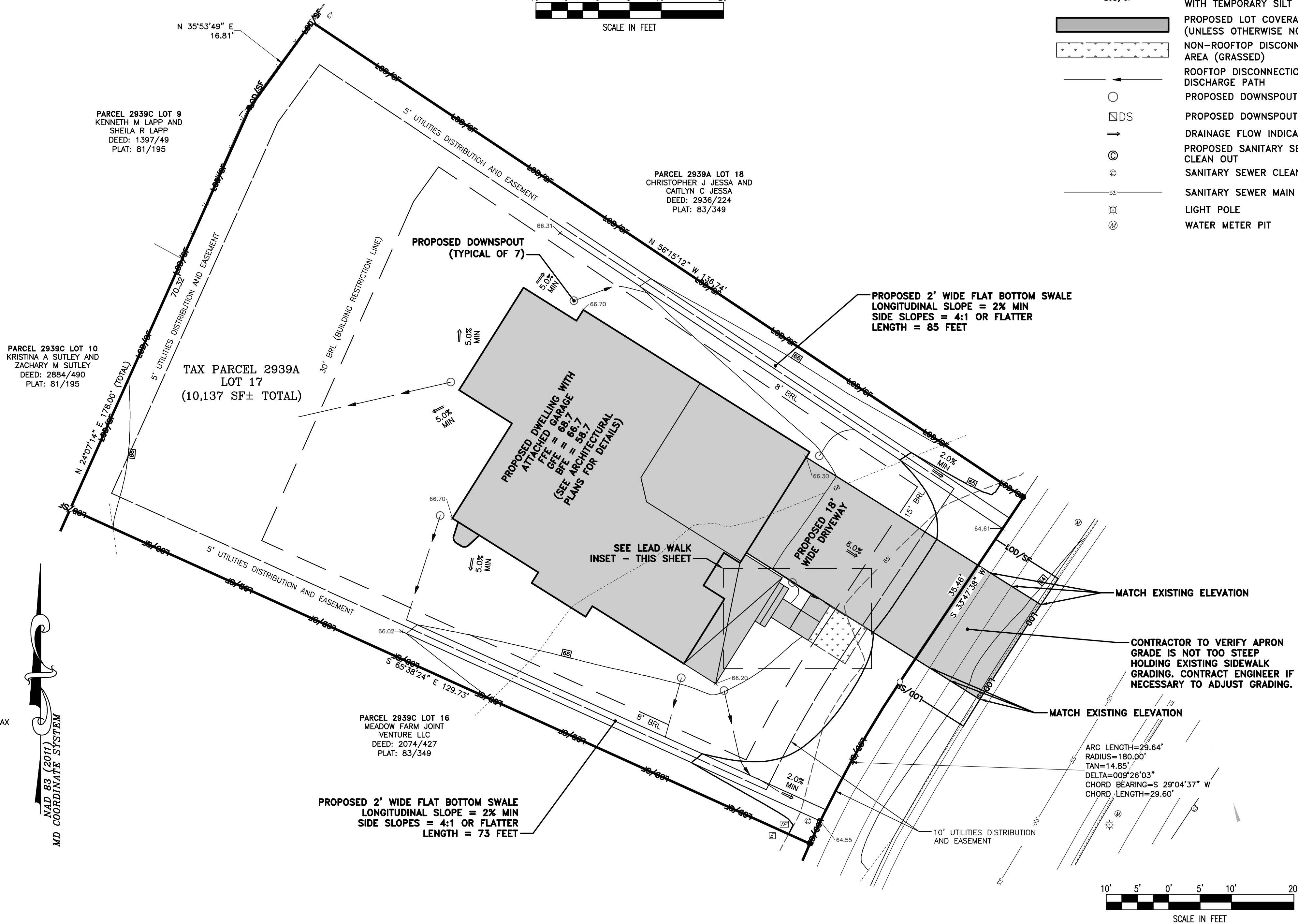
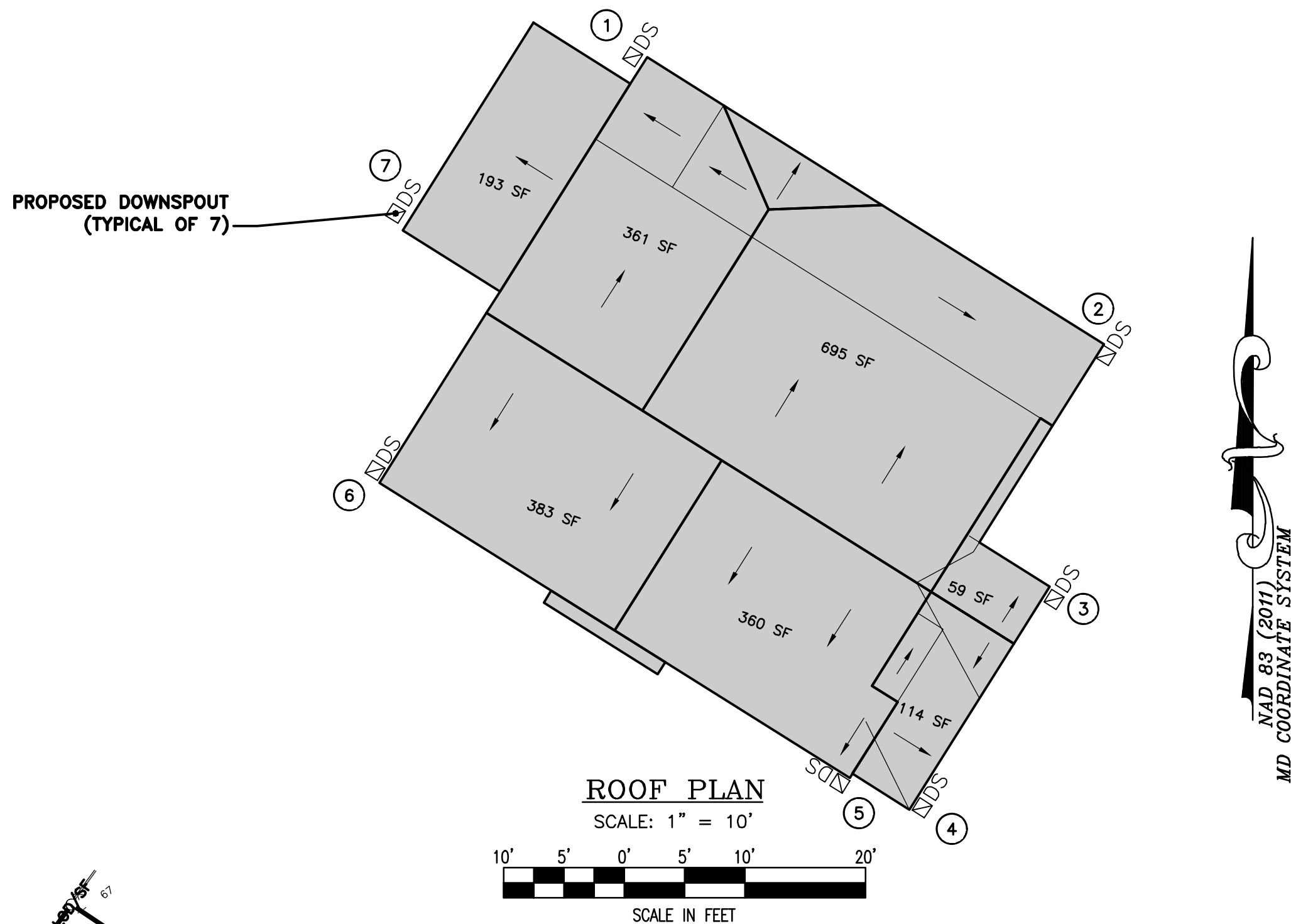
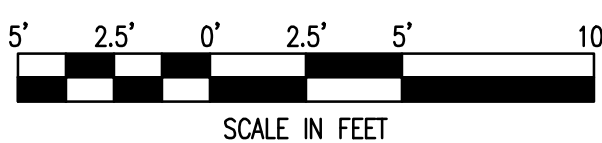


1. SLOPE = 2.0% (MIN), 5.0% (MAX)
2. BOTTOM WIDTH = PER PLAN
3. SIDE SLOPES = 4:1 OR FLATTER

REGULAR INSPECTIONS SHALL BE MADE DURING THE FOLLOWING STAGES OF CONSTRUCTION:

- UPON COMPLETION OF FINAL GRADING AND ESTABLISHMENT OF PERMANENT STABILIZATION.

- REGULAR MOWING IS CRITICAL IN ORDER TO REDUCE COMPETITION FROM WEEDS. IRRIGATION (OR WATERING) MAY BE NEEDED DURING DRY WEATHER TO ESTABLISH VEGETATION AND SHRUBBERY. SPARSELY VEGETATED AREAS NEED TO BE RE-SEEDED TO MAINTAIN DENSE COVERAGE.



	COMPUTED POINT
	MAJOR CONTOUR
	MINOR CONTOUR
	LIMITS OF DISTURBANCE (LOD)
	LIMITS OF DISTURBANCE (LOD) WITH TEMPORARY SILT FENCE
	PROPOSED LOT COVERAGE (UNLESS OTHERWISE NOTED)
	NON-ROOFTOP DISCONNECTION AREA (GRASSED)
	ROOFTOP DISCONNECTION DISCHARGE PATH
	PROPOSED DOWNSPOUT
NDS	PROPOSED DOWNSPOUT
	DRAINAGE FLOW INDICATOR
	PROPOSED SANITARY SEWER CLEAN OUT
	SANITARY SEWER CLEAN OUT
	SANITARY SEWER MAIN
	LIGHT POLE
	WATER METER PIT

[illegible]

WARNING!

THE LOCATIONS OF EXISTING UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION AND PERMITTING PURPOSES ONLY. THE CONTRACTOR SHALL VERIFY ALL QUANTITIES TO HIS OWN SATISFACTION PRIOR TO BEGINNING CONSTRUCTION.

THE CONTRACTOR SHALL TEST PIT AND LOCATE EXISTING UNDERGROUND UTILITIES PRIOR TO THE BEGINNING OF WORK ON-SITE. THE CONTRACTOR SHALL NOTIFY THE PUBLIC OF ANY POSSIBLE CONFLICTS AND REQUEST THE RELOCATION OF THE EXISTING UNDERGROUND UTILITIES BEFORE BEGINNING ANY WORK ON-SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY RELOCATION EXPENSE.



Lane Engineering, LLC

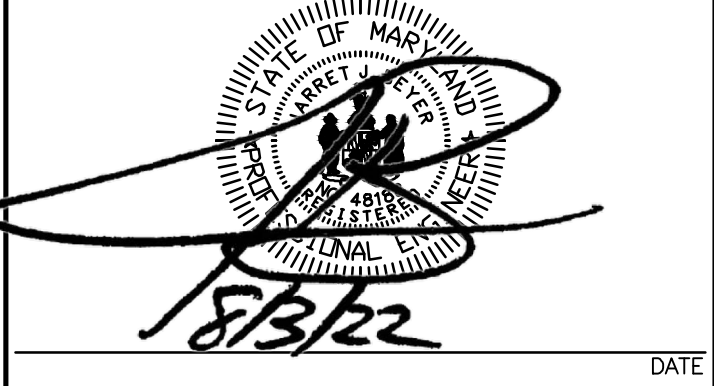
Established 1986
Civil Engineers • Land Planning • Land Surveyors



E-mail: general@ieinc.com
 117 Bay St. Easton, MD 21601 (410) 822-8003
 15 Washington St. Cambridge, MD 21613 (410) 221-0818
 354 Pennsylvania Ave. Centreville, MD 21617 (410) 758-2095

PROFESSIONAL CERTIFICATION: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 48188, Expiration Date: 12/28/2023.

SEAL



STORMWATER MANAGEMENT & GRADING PLAN
FOR 29543 MEADOW GATE DRIVE LOT 17

TOWN OF EASTON, FIRST ELECTION DISTRICT
TALBOT COUNTY, MARYLAND
TAX MAP 102, PARCEL 2939A, LOT 16

ISSUED/REVISED FOR:	DATE:	BY:
AGENCY REVIEW	08/03/22	BCE

SHEET No. 2 OF 3	
SCALE: AS NOTED	JOB No. 220163
	FILE No. B041



- TEMPORARY SEEDING SCHEDULE:

6. MULCHING SHALL BE UNCHOPPED, UNROTTED, SMALL GRAIN STRAW APPLIED AT A RATE OF 2-2 1/2 TONS PER ACRE. ANCHOR MULCH WITH A MULCH ANCHORING TOOL ON THE CONTOUR. WOOD CELLULOSE FIBER MAY BE USED FOR ANCHORING STRAW AT A RATE OF 750 LBS PER ACRE MIXED WITH WATER AT A RATE OF 50 TO 500 GALLONS PER ACRE. MULCHING SHALL BE DONE WITH A SYNTHETIC LIQUID MULCH BINDER ACCORDING TO MANUFACTURER RECOMMENDATIONS. WOOD CELLULOSE FIBER USED FOR MULCHING SHALL BE APPLIED AT A NET DRY WEIGHT OF 1,500 LBS OF ACRE. MIX WOOD CELLULOSE FIBER WITH WATER TO ATTAIN A MIXTURE WITH A MAXIMUM OF 50 LBS OF WOOD CELLULOSE FIBER PER 100 GALS. OF WATER.

7. PERMANENT SEEDING SHALL BE ACCOMPLISHED BETWEEN MARCH 1ST THROUGH MAY 15TH, OR AUGUST 15TH THROUGH OCTOBER 15TH. PERMANENT SEEDING AT OTHER THAN SPECIFIED TIMES WILL BE ALLOWED ONLY UPON WRITTEN APPROVAL. PERMANENT SEEDING SHALL CONFORM TO THE FOLLOWING APPLICATIONS: PERMANENT SEEDING SHALL BE ACCOMPLISHED BY THE FOLLOWING METHODS: DISKING, DISKING AND FERTILIZING, OR DISKING AND FERTILIZING AND FERTILIZING. DISKING AND FERTILIZING SHALL BE INCORPORATED INTO THE SOIL BY DISKING OR OTHER SUITABLE MEANS. MULCHING SHALL BE ACCOMPLISHED AS DISCUSSED IN ITEM NO. 6 OF THESE SPECIFICATIONS.

PERMANENT SEEDING SCHEDULE:

8. ANY SPOIL OR BORROW WILL BE PLACED AT A SITE APPROVED BY THE SOIL CONSERVATION DISTRICT.

9. ALL AREAS REMAINING OR INTENDED TO REMAIN DISTURBED FOR LONGER THAN SEVEN (7) DAYS SHALL BE STABILIZED IN ACCORDANCE WITH THE USDA, NATURAL RESOURCES CONSERVATION SERVICE STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL IN DEVELOPING AREAS FOR CRITICAL AREA STABILIZATION.
10. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR OR SUBCONTRACTOR TO NOTIFY THE ENGINEER OF ANY DEVIATION FROM THIS PLAN. ANY CHANGE MADE IN THIS PLAN WITHOUT WRITTEN AUTHORIZATION FROM THE ENGINEER WILL PLACE RESPONSIBILITY OF SAID CHANGE ON THE CONTRACTOR OR SUBCONTRACTOR.
- WETLAND SEEDING SCHEDULE:

SOIL CONSERVATION DISTRICT INFORMATION

SOIL TYPES:

* POSSIBLE SMALL AREAS OF HYDRIC SOIL INCLUSIONS SUBJECT TO FIELD VERIFICATION.

GENERAL NOTES

BEFORE THE COMMENCEMENT OF ANY WORK ON-SITE, CONTRACTOR SHALL VERIFY EXISTING UTILITIES.

SEE SHEET 1 OF 3 FOR BUILDING PERMIT AND SEDIMENT & EROSION CONTROL PLAN.

SEE SHEET 2 OF 3 FOR STORMWATER MANAGEMENT & GRADING PLAN.

E.3

NOTE TO CONTRACTOR:
EROSION AND SEDIMENT CONTROL WILL BE STRICTLY ENFORCED.

WARNING!!

THE LOCATIONS OF EXISTING UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL ALLOW FOR THIS PLAN TO BE FOR INFORMATIONAL AND PERMITTING PURPOSES ONLY. THE CONTRACTOR SHALL VERIFY ALL QUANTITIES TO HIS OWN SATISFACTION PRIOR TO BEGINNING CONSTRUCTION.

THE CONTRACTOR SHALL TEST PIT AND LOCATE EXISTING UNDERGROUND UTILITIES PRIOR TO THE BEGINNING OF ANY WORK. IF THE CONTRACTOR HAS ANY DOUBT OF THE DEPT. OF PUBLIC WORKS, THE CONTRACTOR SHALL CONTACT AND REQUEST THE RELOCATION OF THE EXISTING UNDERGROUND UTILITIES BEFORE BEGINNING ANY WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY RELOCATION EXPENSE.

PROFESSIONAL CERTIFICATION: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 48188, Expiration Date: 12/28/2023.

SEDIMENT & EROSION CONTROL NOTES & DETAILS
FOR 29543 MEADOW GATE DRIVE LOT 17
TOWN OF EASTON, FIRST ELECTION DISTRICT TALBOT COUNTY, MARYLAND TAX MAP 102, PARCEL 2939A, LOT 16



TOWN OF EASTON
Building Inspection Division
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601
410-822-2526 / Fax 410-822-8738



April 22, 2024

KustomScapes and Pools
C/o Jon Glass
9017 Centreville Rd.
Easton, MD 21601

Re: Permit Application 24-19114, In-ground Pool – 29543 Meadow Gate Dr.

Dear Applicant,

Your pool permit application and drawings have been reviewed and approved as submitted on March 26, 2024. The following items shall require your attention and will be specifically inspected during the construction phases of your project.

Approved plans, permit and the required inspection sheet must be on site at time of all inspections. If information is not, inspection may be withheld and a re-inspection fee of \$150.00 will be assessed.

1. Code Books:

- 2018 International Residential Code (IRC)
- 2015 International Swimming Pool & Spa Code (ISPSC)

2. Planning & Zoning Comments:

- The swimming pool and any supporting braces, pool filtration systems, or decks must be setback a minimum of eight (8) feet from any property line.
- The pool barrier shall comply with all of the requirements of the 2015 International Swimming Pools and Spas Code; of which there are 7 specific sections; 305.1 General [provisions], 305.2 Outdoor swimming pools and spa [barriers], 305.3 Gates, 305.4 Structure wall as a barrier, 305.5 On-ground residential pool structure as a barrier, 305.6 Natural barriers and 305.7 Natural topography.
- It shall be the applicant's responsibility to have property corners identified.

3. General Comments:

- **A Preliminary Inspection on-site is required and should be scheduled before construction begins. The purpose of this inspection is to discuss the scope of work for the project, but mostly to discuss how the “barrier” requirements are going to be met and who will be responsibility for ensuring compliance. The homeowner and the pool contractor should be present for this inspection.**
- An electrical application, plan review and permit shall be obtained from the Town of Easton, Building Inspection Division, 14 South Harrison Street, Easton, MD 21601, Telephone 410-822-2526.

4. Site Work:

- To ensure that site excavation work will not interfere with underground facilities, please have all lines marked by contacting Miss Utility by dialing 8-1-1, 1-800-441-8355 or www.missutilitydelmarva.com at least 48 hours prior to performing said excavation work. Please note that the existence of other underground facilities both public and private may not be marked and may require additional verification by the contractor or individual performing the excavation.

5. Construction:

- All pools in Town of Easton must comply with Maryland Building Performance Standards (MBPS).
- No work shall be concealed prior to the required inspection approvals.
- The general notes on the approved plans are acknowledged and shall be adhered to during construction.
- Pools and in-ground permanently installed spas shall comply with all applicable sections of the 2015 International Swimming Pool and Spa Code.
- All heaters shall be equipped with a readily *accessible* on-off switch that is mounted outside of the heater to allow shutting off the heater without adjusting the thermostat setting. Gas-fired heaters shall not be equipped with constant burning pilot lights.
- Time switches or other control methods that can automatically turn off and on heaters and pumps according to a preset schedule shall be installed on all heaters and pumps. Heaters, pumps and motors that have built in timers shall be deemed in compliance with this requirement.
- Pools and spas shall comply with Section 305 – Barrier Requirements, in the 2015 International Swimming Pool and Spa Code (see below).

6. Barriers:

- Barrier heights and clearances shall be in accordance with all of the following:

- The top of the barrier shall be not less than 48 inches (1219 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.
- The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
- The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
- Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).
- Openings in the barrier shall not allow the passage of a 4-inch diameter (102 mm) sphere.
- Access gates shall comply with the requirements of Sections 305.3 through 305.3.3 and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool or spa, shall be self-closing and shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from grade, the release mechanism shall be located on the pool or spa side of the gate not less than 3 inches (76 mm) below the top of the gate, and the gate and barrier shall not have openings greater than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

7. Structure Wall as a Barrier:

- **Where a wall of a dwelling or structure serves as part of the barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:**
 1. Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. **The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017.** In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located not

greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.

2. A safety cover that is listed and labeled in accordance with ASTM F 1346 is installed for the pools and spas.
3. An approved means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

If you have any questions please do not hesitate to call.

Ryan Heckler

Ryan Heckler
Plan Review
rheckler@eastonmd.gov

Please take a few minutes to let us know how we can better serve you by completing a short Customer Service Survey. Scanning the QR code below with your mobile device will take you directly to the site. Thank you.





TOWN OF EASTON
PLANNING & ZONING
14 S Harrison Street, Easton MD 21601

Plan Review Comments

Date: **March 22, 2024**
Application Number: **24-19114**
Address: **29543 Meadow Gate Drive**
Project: **Pool Permit**

- The swimming pool and any supporting braces, pool filtration systems, or decks must be setback a minimum of eight (8) feet from any property line.
- The pool barrier shall comply with all of the requirements of the 2015 International Swimming Pools and Spas Code; of which there are 7 specific sections; 305.1 General [provisions], 305.2 Outdoor swimming pools and spa [barriers], 305.3 Gates, 305.4 Structure wall as a barrier, 305.5 On-ground residential pool structure as a barrier, 305.6 Natural barriers and 305.7 Natural topography.
- It shall be the applicant's responsibility to have property corners identified.

Nicholas H Johnson

Planner

Town of Easton

Phone: 410-822-1943

njohnson@eastonmd.gov

Nicholas Johnson



TOWN OF
EASTON
ENGINEERING DEPARTMENT

DATE: March 20th, 2024
TO: Cindy Miller – Owner
Cc: Rick Van Emburgh – Town Engineer
Aaron Goller – EUC
Shelby Ruf – Building Department
FROM: Sierra Clem – Engineering Department
SUBJECT: 29534 Meadow Gate Dr – Building Permit 24-19114

Our office has reviewed the Building Permit application for the proposed pool at the subject property. The proposed pool does not appear to impact any existing drainage easements or require grading which would require a grading permit. The pool is permitted to be installed on the subject property given the property corners are marked and the fence is not located within the Town ROW. The pool and associated improvements are not permitted to be installed where it impacts a drainage easement.



Cynthia Miller

(410)490-4520 mamadawgcrazy@gmail.com 29543 Meadow Gate Drive, Easton, MD

October 9, 2024

To whom it may concern,

I, Cynthia M. Miller, authorize my pool contractor, KustomScapes and Pools, to request and facilitate action regarding a variance for my pool at 29543 Meadow Gate Drive, Easton, MD.

Sincerely,

Cynthia Miller

DEED

THIS DEED, made this 14th day of March, 2023, from **KHIWYE MILLS, LLC**, a Maryland limited liability company (the "Grantor"), to **CYNTHIA M. MILLER** (the "Grantee").

WITNESSETH, that in consideration of the sum of **FIVE HUNDRED EIGHTY THREE THOUSAND EIGHT HUNDRED FIFTY FIVE DOLLARS AND ZERO CENTS (\$583,855.00)**, the receipt and legal sufficiency of which is hereby acknowledged, the Grantor does hereby grant, convey and assign, unto the Grantee, her personal representatives, heirs and assigns, in fee simple, all that lot of ground situate in Talbot County, State of Maryland, and described as follows:

BEING KNOWN AND DESIGNATED as Lot No. 17, as shown on the Plat entitled "Bretridge Addition, Phase 2", which Plat is recorded among the Land Records of Talbot County, Maryland in Plat Book 83, Pages 349 and 350.

BEING the property conveyed to the within named Grantor by Deed dated August 30, 2022 and recorded among the Land Records of Talbot County in Liber 3000, folio 337.

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

TO HAVE AND TO HOLD the said described lot of ground and premises to the said Grantee, her personal representatives, heirs and assigns, in fee simple, forever.

TALBOT COUNTY FINANCE OFFICE
RECORDATION TAX
AMT: 87,008.00
DATE: 4/27/2023
INITIALS: SD
Prop ID: 01-1987-16

**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 cu

DATE 4/27/2023 cu

AND the said Grantor does hereby warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be duly executed, by its duly authorized officer.

WITNESS:

KHI/WYE MILLS, LLC,
a Maryland limited liability company

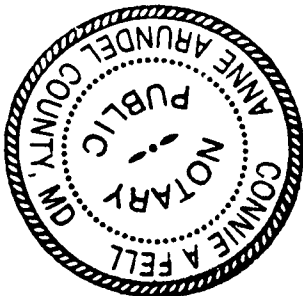
Connie A. Fell

By:  (Seal)
Richard E. Pezzullo, Jr., Vice President

STATE OF MARYLAND,
COUNTY OF ANNE ARUNDEL, TO WIT:

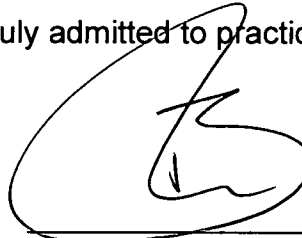
I HEREBY CERTIFY that on this 6th day of March, 2023, before me, a Notary Public of the State of Maryland, personally appeared **RICHARD E. PEZZULLO, JR.**, who acknowledged himself to be the Vice President of **KHI/WYE MILLS, LLC** (the "Company"), and that he, as such Vice President, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and as such Vice President acknowledged that he executed the foregoing instrument for the purposes and in the capacity therein contained.

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



Connie A. Fell
Notary Public
My Commission Expires: 9/18/24

I HEREBY CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.



Bryan M. Hyre

Tax Account No: 01-198710

Address of Grantees for Tax Billing purposes:

Cynthia M. Miller
29543 Meadow Gate Drive
Easton, Maryland 21601

After recording, please return to:

Northco Title Corporation
7419 Baltimore-Annapolis Blvd.
P.O. Box 1330
Glen Burnie, Maryland 21060

(NTC File Number: 2023008)

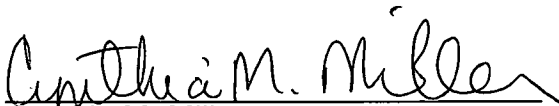


AFFIDAVIT OF PRINCIPAL RESIDENCE

The undersigned Grantee hereby certifies that the property located at 29543 Meadow Gate Drive, Easton, Maryland 21601, is being purchased for use as their principal residence, which they will occupy at least 7 out of 12 months.

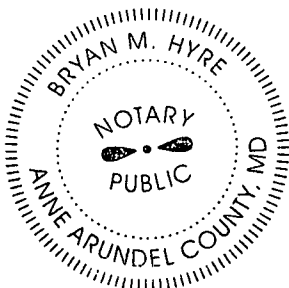
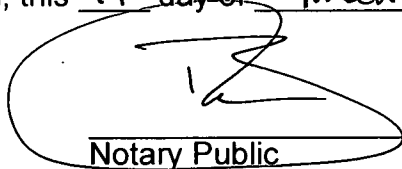


 Witness



 Cynthia M. Miller

SUBSCRIBED AND SWORN to before me, a Notary Public in and for the State of Maryland, County of Anne Arundel, this 14th day of March, 2023.

 Notary Public

 My Commission expires: 10/18/2024

MARYLAND
FORM
WH-AR

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

2023

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 KHI/WYE MILLS, LLC

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

29543 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

Connie A. Full
Witness/Attest

KHI/WYE MILLS, LLC

Name of Entity

Richard E. Pezzullo, Jr.

By

RICHARD E. PEZZULLO, JR.

Name

3/13/23

**Date

VICE PRESIDENT

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.



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: KHI/WYE MILLS
 LLC/Miller
 Ref:
 LR - Deed (with Taxes)
 Surcharge 40.00
 LR - Deed State
 Transfer Tax 2,919.28
 LR - County Transfer
 Tax - linked 5,338.55
 LR - NR Tax - 1kd 0.00
 =====
 SubTotal: 8,317.83
 =====
 Total: 8,317.83
 04/27/2023 02:20
 CC20-MG
 #17190909 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)

Space Reserved for Circuit Court Clerk Recording Validation

1	Type(s) of Instruments	☐ Check Box if addendum Intake Form is Attached.)			
		☒ Deed Deed of Trust	☐ Mortgage Lease	☐ Other _____	☐ Other _____
2	Conveyance Type Check Box	☐ Improved Sale Arms-Length [1]	☐ Unimproved Sale Arms-Length [2]	☐ Multiple Accounts Arms-Length [3]	☐ Not an Arms-Length Sale [9]
3	Tax Exemptions (if applicable) Cite or Explain Authority	Recordation			
		State Transfer			
		County Transfer			

4	Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only Transfer and Recordation Tax Consideration	
		Purchase Price/Consideration	\$ 583,855.00	Transfer Tax Consideration	\$
		Any New Mortgage	\$	X () % =	\$
		Balance of Existing Mortgage	\$	Less Exemption Amount -	\$
		Other:	\$	Total Transfer Tax =	\$
		Other:	\$	Recordation Tax Consideration	\$
		Full Cash Value:	\$	X () per \$500 =	\$
		TOTAL DUE		\$	

5	Fees	Amount of Fees	Doc. 1	Doc. 2	Agent: Tax Bill: C.B. Credit: Ag. Tax/Other:
		Recording Charge	\$ 40.00	\$	
		Surcharge	\$ 20.00	\$	
		State Recordation Tax	\$ 7,008.00	\$	
		State Transfer Tax	\$ 2,919.28	\$	
		County Transfer Tax	\$ 5,338.55	\$	
		Other	\$	\$	
		Other	\$	\$	

6	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	
			01-198710	3000/337				☐ (5)
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
		Bretridge Addition		17				
		Location/Address of Property Being Conveyed (2)						
		29543 Meadow Gate Dr., Easton, MD 21601						
		Other Property Identifiers (if applicable)					Water Meter Account No.	
		Residential ☒ or Non-Residential ☐ Fee Simple ☒ or Ground Rent ☐ Amount:						
		Partial Conveyance? ☐ Yes ☐ No Description/Amt. of SqFt/Acreage Transferred:						
If Partial Conveyance, List Improvements Conveyed:								

7	Transferred From	Doc. 1 – Grantor(s) Name(s)		Doc. 2 – Grantor(s) Name(s)	
		KHI/Wye Mills, LLC			
		Doc. 1 – Owner(s) of Record, if Different from Grantor(s)		Doc. 2 – Owner(s) of Record, if Different from Grantor(s)	

8	Transferred To	Doc. 1 – Grantee(s) Name(s)		Doc. 2 – Grantee(s) Name(s)	
		Cynthia M. Miller			
		New Owner's (Grantee) Mailing Address			
29543 Meadow Gate Drive, Easton, MD 21601					

9	Other Names to Be Indexed	Doc. 1 – Additional Names to be Indexed (Optional)		Doc. 2 – Additional Names to be Indexed (Optional)	

10	Contact/Mail Information	Instrument Submitted By or Contact Person			☒ Return to Contact Person
		Name: Mary Koch			☐ Hold for Pickup ☐ Return Address Provided
		Firm Northco Title Corporation			
		Address: 7419 Baltimore Annapolis Blvd., Glen Burnie, MD 21061			
			Phone: (410) 768-0026		

11	Assessment Information	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER			
		☒ 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).		

Assessment Use Only – Do Not Write Below This Line									
Terminal Verification		Agricultural Verification		Whole		Part		Tran. Process Verification	
Transfer Number		Date Received:		Deed Reference:		Assigned Property No.:			
Year	20	20		Geo.	Map	Sub	Block		
Land				Zoning	Grid	Plat	Lot		
Buildings				Use	Parcel	Section	Occ. Cd.		
Total				Town Cd.	Ex. St.	Ex. Cd.			
REMARKS:									

Space Reserved for County Validation



RECEIPT

TOWN OF EASTON
Planning & Zoning Department
P.O. BOX 520
Easton, Maryland 21601

APPLICATION #	DATE
2024 - 1315	10/15/2024
PROJECT ID	
V 24 - 10	

TO:
KustomScapes & Pools LLC
9017 Centreville Road
Easton, Maryland 21601

RE: Application 2024 - 1315 / V 24 - 10
29543 Meadow Gate Drive
Tax Map 0104, Grid 00EA, Parcel 2939A, Lot 17
Easton, Maryland 21601

Date	Description	Transaction	Amount
10/11/2024	BOZA VARIANCE	Check # 10718	250.00
			-
			-
			-
			-
			-
			-
Thank you!			TOTAL \$250.00

Paid in full. Thank you!

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



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

November 4, 2024

KustomScapes & Pools LLC
% Jon Glass
9017 Centreville Road
Easton, Maryland 21601

Re: BOZA Application V - 1315 / V 24 - 10
29543 Meadow Gate Drive
Tax Map 0104, Grid 00EA, Parcel 2939A, Lot 17
Easton, Maryland 21601

Mr. Glass,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, November 19th 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

November 4, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, November 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 - 1315 / V 24 - 10 has been filed by KustomScapes & Pools LLC (Applicant) on behalf of Cynthia M. Miller, pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) to obtain a Variance from Section 28-1007.1.17.b, the minimum 8' setback from any property line for swimming pools, supporting braces, pool filtration systems, or decks in the R-10A zoning district. On April 22, 2024 an in-ground pool permit application was approved by the Town of Easton Building Inspection Division. After reinspection, it was determined that the pool was constructed beyond the minimum required setbacks from the property line. The subject property is located at 29543 Meadow Gate Drive, Easton, Maryland, also known as Tax Map 0102, Grid 00EA, Parcel 2939A, Lot 17, 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



Subject property posting pursuant to Section 28-901.2.H.2 of the Town of Easton Zoning Code - November 4, 2024.

NOTICE

Notice is hereby given that Application V - 1315 / V 24 - 10 has been filed by KustomScapes & Pools LLC (Applicant) on behalf of Cynthia M. Miller, pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) to obtain a Variance from Section 28-1007.1.17.b, the minimum 8' setback from any property line for swimming pools, supporting braces, pool filtration systems, or decks in the R-10A zoning district. On April 22, 2024 an in-ground pool permit application was approved by the Town of Easton Building Inspection Division. After reinspection, it was determined that the pool was constructed beyond the minimum required setbacks from the property line. The subject property is located at 29543 Meadow Gate Drive, Easton, Maryland, also known as Tax Map 0102, Grid 00EA, Parcel 2939A, Lot 17, and is situated in the R-10A – Residential District.

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, November 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

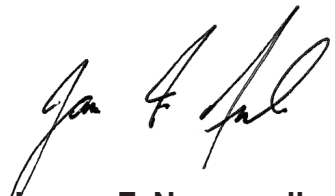
Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Application V - 1315 / V 24 - 10..." was published in the:

The Star Democrat 11/02/24



James F. Normandin
President & Publisher

NOTICE

Notice is hereby given that Application V - 1315 / V 24 - 10 has been filed by KustomScapes & Pools LLC (Applicant) on behalf of Cynthia M. Miller, pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance) to obtain a Variance from Section 28-1007.1.17.b, the minimum 8' setback from any property line for swimming pools, supporting braces, pool filtration systems, or decks in the R-10A zoning district. On April 22, 2024 an in-ground pool permit application was approved by the Town of Easton Building Inspection Division. After reinspection, it was determined that the pool was constructed beyond the minimum required setbacks from the property line. The subject property is located at 29543 Meadow Gate Drive, Easton, Maryland, also known as Tax Map 0102, Grid 00EA, Parcel 2939A, Lot 17, and is situated in the R-10A – Residential District.

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, November 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

3066696 SD

11/2/2024



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

EXHIBIT SUMMARY
for 29557 COUNTRY LANE WAY
V - 1325 / V 24 - 11
2024-11-19

Applicant notified of hearing date: Email: 2024-11-04 – 15 days

Exhibit A: Staff Report: 2024-11-12 – 7 days

Exhibit B: Application

Application: 2024-10-22 – 28 days

Proof of Payment: 2024-10-25 – 25 days

Exhibit C: Notices

Applicant Hearing Letter: 2024-11-04 – 15 days

400' Notices Distributed: 2024-11-04 – 15 days

Picture of Property Sign Posting: 2024-11-04 – 15 days

Exhibit D: Public Advertisement

Advertisement sent to the Star Democrat: 2024-10-29 – 36 days

Advertisement run in Star Democrat: 2024-11-02 – 17 days

Date of Hearing: November 19, 2024

3c

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

SUBJECT: VARIANCE 1325

ELECTION WARD: Ward 2

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson – Town Planner - Current
Lynn Thomas - Town Planner - Long Range

APPLICANT: Jennifer Benson

PURPOSE: The applicant is seeking a variance from §28-303.2.C.1 of the Zoning Ordinance to construct a structure that protrudes beyond the minimum 15-foot front setback for all structures within the R-10A Zoning District.

RECOMMENDATION:

Staff supports a Board approval of this variance request with a condition regarding permitting the existing outdoor kitchen. The relatively small size of this lot and the fact that it is a corner lot, significantly limits the building envelope area. The location of the proposed structure is on the existing concrete pool deck and is the only remaining open space within what functions as the rear yard for such a structure to be constructed.

APPLICATION INFORMATION:	
APPLICANTS: Jennifer Benson 29557 Country Lane Way Easton MD, 21601	REPRESENTATIVE: N/A
PARCELS/ACREAGE:	
Parcel Information	Acres

Map 102, Parcel 2939A, Lot 3		0.17
ACCEPTANCE DATE: October 22, 2024		LOCATION: 29557 Country Lane Way
EXISTING ZONING R10A		EXISTING LAND USE: Residential
HISTORIC DISTRICT: No		FUTURE LAND USE: Residential

CONTEXT:

Location/Site Access – The subject property is a 7,429 square foot property located at the corner of Country Lane Way and Meadow Gate Drive within the Bretridge Addition subdivision and is zoned R10A. The property is bordered to the east and south by existing single family dwelling units also zoned R10A. The property has road frontage along Country Lane Way and Meadow Gate Drive which are best described as residential streets with pedestrian facilities on either side.

Existing Conditions – The subject property contains one existing single family dwelling unit as well as an approximately 19’ x 16’ off street parking area. In the rear yard, there is an existing in ground pool that was permitted by the Town in 2016 as well as a six (6) feet tall fence permitted in 2021. There is also an existing outdoor kitchen covered by a canopy structure that violates the required front setback for all structures within the R-10A Zoning District. A search of the Town’s records indicates that no permit was issued for the construction of these structures.

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
--	----------	--------------------	-------------------------

South	Residential	R10A	Residential
East	Residential	R10A	Residential

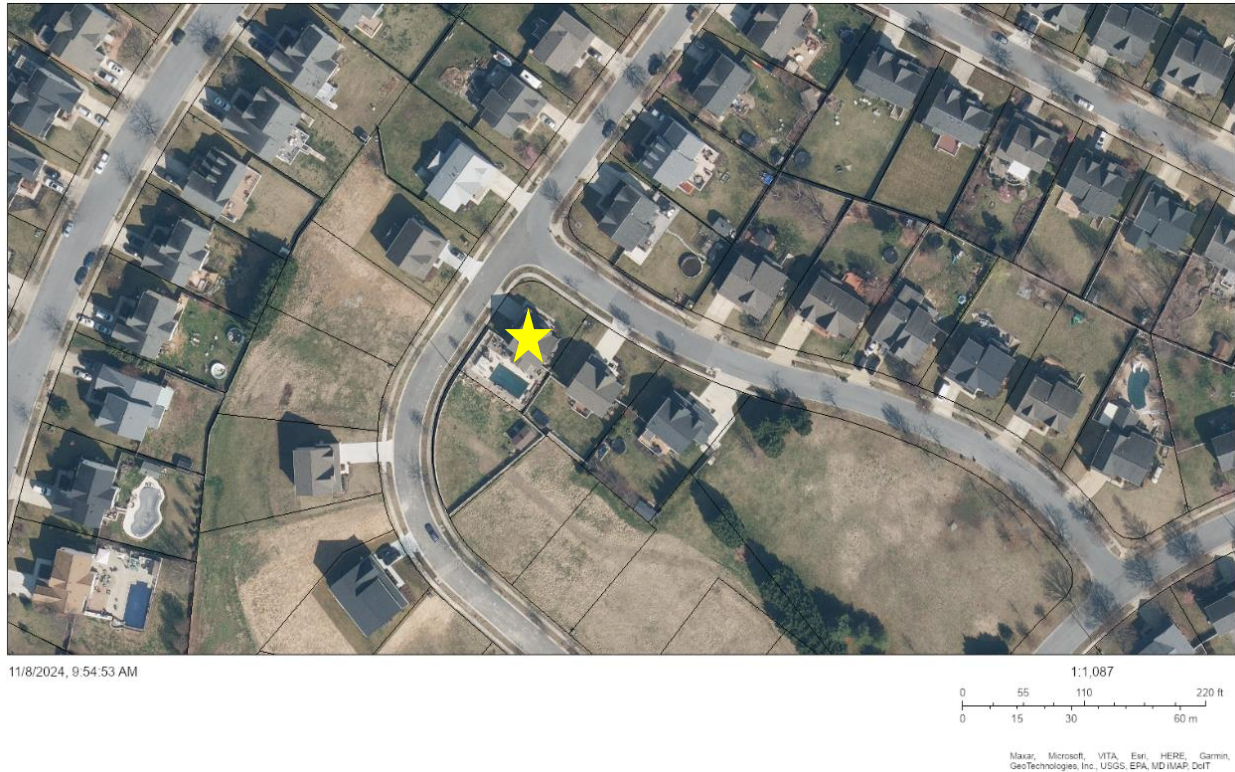


Figure 1 Vicinity Map

PROPOSAL: The applicant is seeking a setback variance to construct a new canopy over the existing outdoor kitchen space. The proposed canopy will be located approximately nine (9) feet from the front property line and will occupy the same footprint as the existing canopy.

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 proposed structure will be reviewed by the Building Inspection Department for conformance with all relevant building codes to ensure the structure poses no health or safety risks to the public. The structure is screened from Meadow Gate Drive by a six (6) foot tall fence and will have no negative impact on the surrounding community.

RECOMMENDED CONDITION

1. The applicant shall obtain all permits deemed necessary by the Building Inspection Department for the existing outdoor kitchen.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **approve Variance 1325 with staff's recommended condition** based on staff's draft findings.

OR

2. I move that the Board of Zoning Appeals approve Variance 1310 based on the following findings...

OR

3. I move an alternate motion.



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

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☒ VARIANCE ☐ APPEAL ☐ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	29557 Country Lane Way Easton, Md. 21601				
TAX MAP	0102	GRID	00EA	PARCEL	2939A LOT 3
DEED REFERENCE	LIBER		FOLIO	See attached	
PLAT REFERENCE	LIBER		FOLIO	See attached	
EXISTING USE	Family Home				
ZONING DISTRICT	Brettridge Community				

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

OWNER

NAME	Jennifer Benson		
MAILING ADDRESS	29557 Country Lane Way Easton Md. 21601		
TELEPHONE NO.	410.924.4568	EMAIL	jensgemrunning@gmail.com

APPLICANT OR AGENT

NAME	Jennifer Benson		
MAILING ADDRESS	29557 Country Lane Way Easton Md. 21601		
TELEPHONE NO.	410.924.4568	EMAIL	jensgemrunning@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 **§28 - 303.2.C.1**

☐ INCLUDE ALL REQUIRED ITEMS FROM THE APPLICABLE CHECKLIST

ANY 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	<i>Jennifer Benson</i>
Date	10/29/24
PRINTED NAME OF APPLICANT OR AGENT	Jennifer Benson

For Office Use Only

Project Number	V 24 - 11	Fee Received	\$250.00
Application Number	V - 1325	Application Notification	11/04/2024
Filing Date	10/22/2024	Property Posting Date	11/04/2024
BOZA Hearing Date	11/19/2024	Notice(s) Published	11/02/2024
If ESDR, Date	-		

Revised 11-2023

Jen Benson

29557 Country Lane Way

Easton, Md 21601

410.924.4568

Project: Replacing Pergola over Outdoor Kitchen with a Roof.

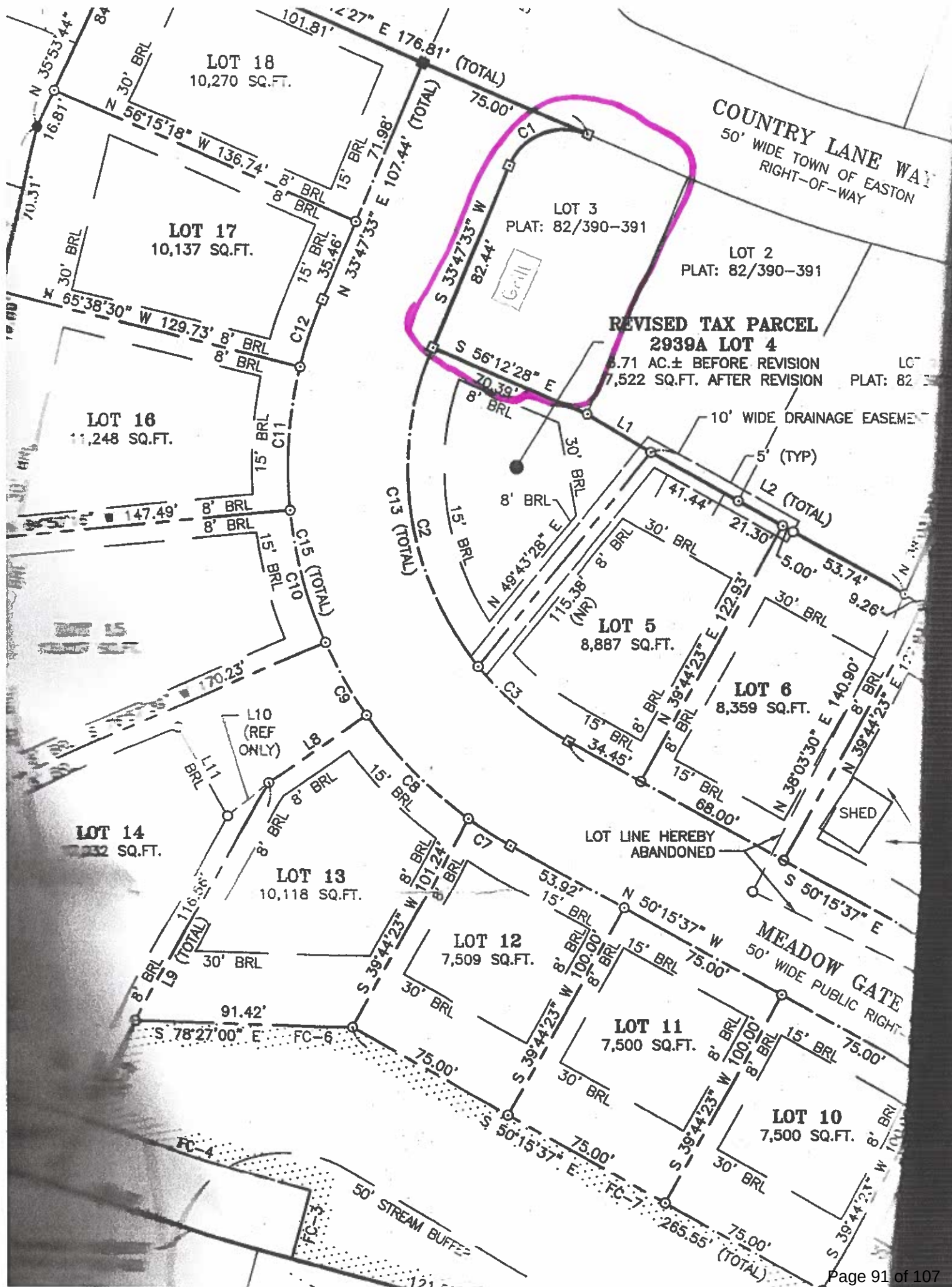
Applying for Variance

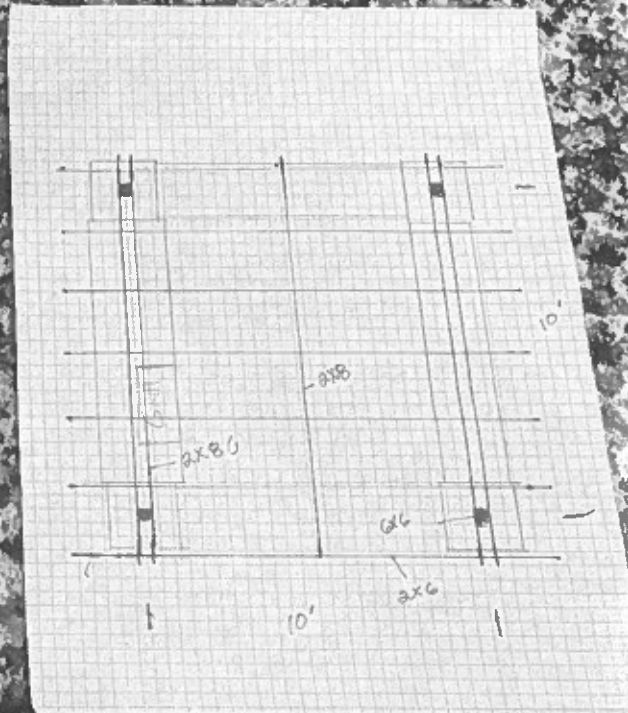
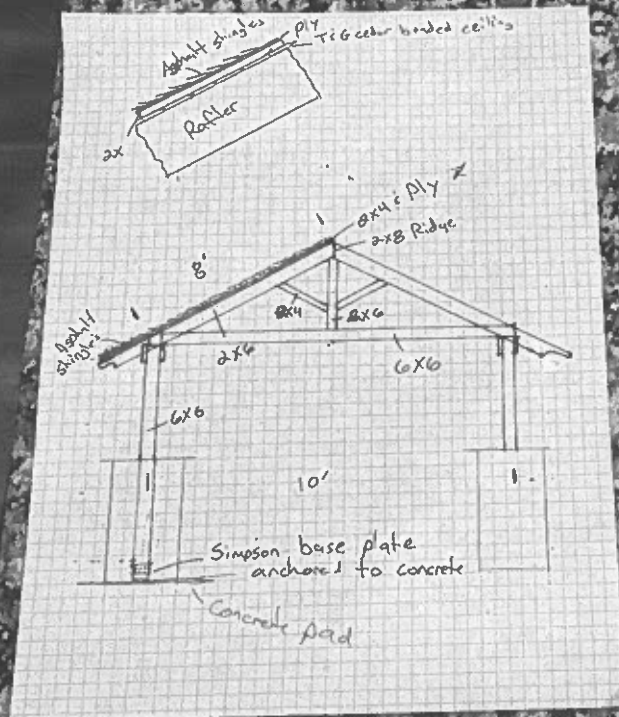
1. Adding a roof to my existing outdoor kitchen would not impede my neighbors or cause any disruption to them or the neighborhood.
2. The addition of a roof would be in harmony with the Towns Zoning Ordinance because the builder will build the roof up to the Towns Code and building regulations.
3. The roof will not be harmful to my neighbors because it will be in my backyard and would not be any different than the gazebos that my neighbors have.
4. There are no conditions that are peculiar to my property.

EXHIBIT A

ALL that lot or parcel of land situate, lying and being in the Town of Easton, in the First Election District of Talbot County, State of Maryland and being known and designated as Lot No. 3, as set forth and shown on a Plat entitled "SUBDIVISION AND LINE ABANDONMENT PLAT FOR PHASE 1, BRETRIDGE ADDITION, IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND", prepared by Lane Engineering, LLC, dated July 2010 and recorded among the Plat Records of Talbot County, Maryland in Liber MAS No. 82, folio 391; reference being made to said Plat herein for a more particular description of said Lot No. 3 by metes and bounds, courses and distances.

BEING the same property conveyed unto Jennifer L. Benson from MD Residential by Lacrosse, LLC, a Maryland limited liability company, by Deed dated June 12, 2015 and recorded among the Land Records of Talbot County, Maryland immediately prior hereto.



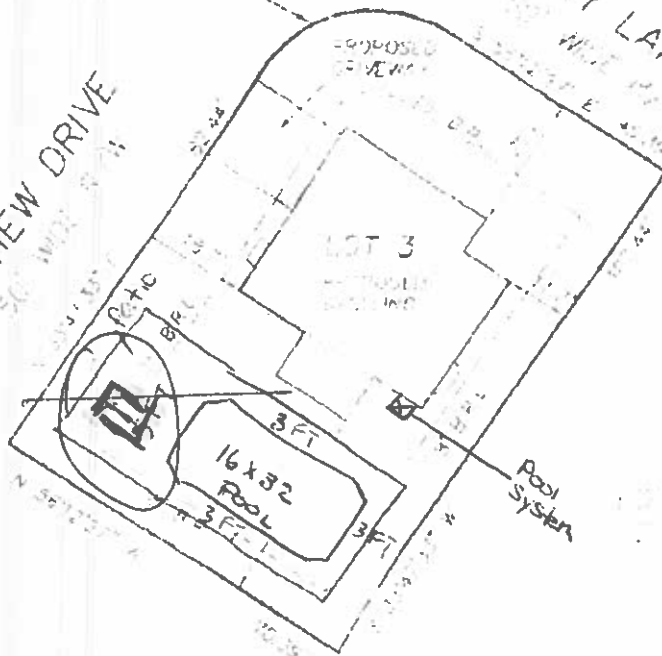


2

APC = 39.27'
RAD = 25.00'

SKYVIEW DRIVE
50' WIDE R/W

COUNTRY LANE WAY
50' WIDE R/W



JB

MODEL: THE DORAL
POSITION: PER PLAN
ELEVATION: 1
OPTIONS: MORNING ROOM, FIREPLACE IN FAMILY ROOM
LIVING ROOM SIDE BAY WINDOW
SIDE ENTRY GARAGE

ZONING REVIEW APPROVED

[Signature]
6/19/14

REVISED 6/10/2014
REVISED 4/15/2014

PERMIT DRAWING
LOT 3, PHASE 1
BRETRIDGE ADDITION
IN THE TOWN OF EASTON, TALBOT COUNTY, MD
PREPARED FOR: SPOT ON BY LACROSSE, LLC

McCRONE
ENGINEERING • ENVIRONMENTAL SCIENCES
LAND PLANNING & SURVEYING
CONSTRUCTION SERVICES
370 PENNSYLVANIA AVENUE
CENTREVILLE, MARYLAND
(410) 788-1277

DRAWN BY GTV
SCALE 1"=30'
DATE MARCH 2014
JOB NO D1130666
FOLDER 14306

Copyright © 2014 by McCrone, Inc.





VENTURE TITLE COMPANY
117 BAY STREET
EASTON, MD 21601

VENTURE TITLE COMPANY, LLC

File No. V-8901MTB

Tax ID # 01 116754

TALBOT COUNTY FINANCE OFFICE

RECORDATION TAX

AMT: \$4,092.00

DATE: 6/19/2015

INITIALS: J. Benson

Prop ID: 01-116754

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

R. ANDREW HOLLIS, FIN. OFFICER

DATE 19 June 15

This Deed, made this 12th day of June, 2015, by and between **MD RESIDENTIAL BY LACROSSE, LLC**, a Maryland limited liability company, GRANTOR, and **JENNIFER L. BENSON**, GRANTEE.

Witnesseth —

That in consideration of the sum of Three Hundred Forty Thousand Five Hundred Eighty-Seven and 00/100 Dollars (\$340,587.00), 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 Grantee, as sole owner, 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:

ALL that lot or parcel of land situate, lying and being in the Town of Easton, in the First Election District of Talbot County, State of Maryland and being known and designated as Lot No. 3, as set forth and shown on a Plat entitled "SUBDIVISION AND LINE ABANDONMENT PLAT FOR PHASE 1, BRETRIDGE ADDITION, IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND", prepared by Lane Engineering, LLC, dated July 2010 and recorded among the Plat Records of Talbot County, Maryland in Liber MAS No. 82, folio 391; reference being made to said Plat herein for a more particular description of said Lot No. 3 by metes and bounds, courses and distances.

BEING the same property conveyed unto MD Residential By Lacrosse, LLC, a Maryland limited liability company from PRD Easton 1, LLC, a Maryland limited liability company, by Deed dated March 27, 2014 and recorded among the Land Records of Talbot County, Maryland in Liber 2163, folio 357.

Subject to covenants, easements and restrictions of record.

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 JENNIFER L. BENSON, as sole owner, her heirs and assigns in fee simple.

THIS IS TO CERTIFY THAT THE PROPERTY DESCRIBED
HEREIN HAS BEEN TRANSFERRED ON THE ASSESSMENT
RECORDS OF TALBOT COUNTY.

DAVID H. EWING
SUPERVISOR OF ASSESSMENTS
PER RANDREW HOLLIS, FIN. OFFICER *19 June 15*

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.

WITNESS:

MD RESIDENTIAL BY LACROSSE, LLC, a
Maryland limited liability company

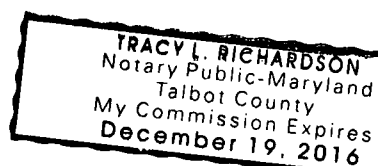
Tracy L. Richardson

By: Lindsay E. Dixon, Manager (SEAL)
LINDSAY E. DIXON, MANAGER

STATE OF MARYLAND }
COUNTY OF Talbot } ss

I hereby certify that on this 12 day of June, 2015 before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared LINDSAY E. DIXON, the Manager of MD RESIDENTIAL BY LACROSSE, LLC, 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 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.



Tracy L. Richardson
Notary Public
My Commission Expires: 12/19/2016

Re: DEED OF RESIDENTIAL REAL PROPERTY
Grantor: MD RESIDENTIAL BY LACROSSE, LLC
Grantee: JENNIFER L. BENSON

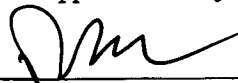
The undersigned, being the Grantee in the above-captioned Deed, hereby certify under penalties of perjury that the land conveyed in the above-captioned Deed is residentially improved, owner-occupied real property and that the residence will be occupied by the undersigned seven months out of a twelve month period.

WITNESS:

Mary J. Brant

Jennifer L. Benson {SEAL}
JENNIFER L. BENSON

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.



Ronald B. Lee, Esquire, Vice-President of
Venture Title Company, LLC

AFTER RECORDING, PLEASE RETURN TO:
VENTURE TITLE COMPANY, LLC
117 Bay Street
Easton, MD 21601

MARYLAND
FORM
WH-AR

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

2015

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. Reasons for Exemption

Resident Status

☐

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 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

Signature

3b. Entity Transferors

Witness/Attest

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

Name of Entity

By

LINDSAY E. DIXON

Name

MANAGER

Title

Mary Ann Shortall, 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
Grantor/Grantee Name:
MD Residential/Benson
Reference/Control #: 2272/001
LR - Deed (with Taxes)
Surcharge 40.00
LR - Deed State
Transfer Tax 1,702.94
LR - County Transfer
Tax - linked 2,905.87
LR - Non-Resident Tax
- linked 0.00
=====
SubTotal: 4,668.81
=====
Total: 4,728.81
06/19/2015 02:37
CC20-KD
#4420120 CC0205 -
Talbot
County/CC02.05.01 -
Register 01

DOCUMENT VALIDATION
(excluded from page count)

LIBER2272 FOLIO005

☐ 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)

Space Reserved for Circuit Court Clerk Recording Validation

1	Type(s) of Instruments	(☐ Check Box if addendum Intake Form is Attached.)																																																																	
		1 Deed	Mortgage Lease	Other _____	Other _____																																																														
2	Conveyance Type Check Box	X Improved Sale Arms-Length [1]	Unimproved Sale Arms-Length [2]	Multiple Accounts Arms-Length [3]	Not an Arms- Length Sale [9]																																																														
3	Tax Exemptions (if applicable) Cite or Explain Authority	Recordation _____ State Transfer _____ County Transfer _____																																																																	
4	Consideration and Tax Calculations	Consideration Amount			Finance Office Use Only																																																														
Purchase Price/Consideration		\$	340,587.00		Transfer and Recordation Tax Consideration																																																														
Any New Mortgage		\$	306,528.00		Transfer Tax Consideration	\$																																																													
Balance of Existing Mortgage		\$			X () % =	\$																																																													
Other:		\$			Less Exemption Amount -	\$																																																													
Other:		\$			Total Transfer Tax =	\$																																																													
Full Cash Value:		\$			Recordation Tax Consideration	\$																																																													
5	Fees	Amount of Fees		Doc. 1	Doc. 2	Agent: Tax Bill: C.B. Credit: Ag. Tax/Other:																																																													
Recording Charge		\$	20.00		\$		20.00																																																												
Surcharge		\$	40.00		\$		40.00																																																												
State Recordation Tax		\$	4,092.00		\$																																																														
State Transfer Tax		\$	1,702.94		\$																																																														
County Transfer Tax		\$	2,905.87		\$																																																														
Other		\$			\$																																																														
Other		\$			\$																																																														
6	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 01	Property Tax ID No. (1) 116754	Grantor Liber/Folio 2163/357	Map 102	Parcel No. 2939A	Var. LOG ☐ (5)																																																												
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	Sq Ft/Acreage (4)																																																											
		Location/Address of Property Being Conveyed (2) 29557 COUNTRY LANE WAY, EASTON, MD 21601																																																																	
		Other Property Identifiers (if applicable)					Water Meter Account No.																																																												
		Residential ☒ or Non-Residential ☐		Fee Simple ☒ or Ground Rent ☐		Amount: N/A																																																													
		Partial Conveyance? ☐ Yes ☒ No		Description/Amt. of SqFt/Acreage Transferred: N/A																																																															
		If Partial Conveyance, List Improvements Conveyed: N/A																																																																	
7	Transferred From	Doc. 1 – Grantor(s) Name(s) MD RESIDENTIAL BY LACROSSE, LLC, a Maryland limited			Doc. 2 – Grantor(s) Name(s) JENNIFER L. BENSON																																																														
		Doc. 1 – Owner(s) of Record, if Different from Grantor(s)			Doc. 2 – Owner(s) of Record, if Different from Grantor(s)																																																														
8	Transferred To	Doc. 1 – Grantee(s) Name(s) JENNIFER L. BENSON			Doc. 2 – Grantee(s) Name(s) David E. Waters, Trustee Anthony B. Olmert, Sr., Trustee																																																														
		New Owner's (Grantee) Mailing Address 29557 COUNTRY LANE WAY, EASTON, MD 21601																																																																	
		Doc. 1 – Additional Names to be Indexed (Optional)			Doc. 2 – Additional Names to be Indexed (Optional) FIRST HOME MORTGAGE CORPORATION																																																														
9	Other Names to Be Indexed																																																																		
10	Contact/Mail Information	Instrument Submitted By or Contact Person				☒ Return to Contact Person ☐ Hold for Pickup ☐ Return Address Provided																																																													
		Name: Mary Branham																																																																	
		Firm: VENTURE TITLE COMPANY, LLC																																																																	
		Address: 117 Bay Street																																																																	
		Easton, MD 21601	Phone: ()																																																																
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTCOPY MUST ACCOMPANY EACH TRANSFER																																																																		
Assessment Information		X	Yes	No	Will the property being conveyed be the grantee's principal residence?																																																														
			Yes	X	No	Does transfer include personal property? If yes, identify: _____																																																													
			Yes	X	No	Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).																																																													
Assessment Use Only – Do Not Write Below This Line <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Terminal Verification</th> <th colspan="2">Agricultural Verification</th> <th colspan="2">Whole</th> <th colspan="2">Part</th> <th colspan="2">Tran. Process Verification</th> </tr> <tr> <th colspan="2">Transfer Number</th> <th colspan="2">Date Received:</th> <th colspan="2">Deed Reference:</th> <th colspan="4">Assigned Property No.:</th> </tr> </thead> <tbody> <tr> <td>Year</td><td>20</td> <td></td><td>20</td> <td>Geo.</td><td>Map</td> <td>Sub</td><td colspan="3">Block</td> </tr> <tr> <td>Land</td><td></td> <td></td><td></td> <td>Zoning</td><td>Grid</td> <td>Plat</td><td colspan="3">Lot</td> </tr> <tr> <td>Buildings</td><td></td> <td></td><td></td> <td>Use</td><td>Parcel</td> <td>Section</td><td colspan="3">Occ. Cd.</td> </tr> <tr> <td>Total</td><td></td> <td></td><td></td> <td>Town Cd.</td><td>Ex. St.</td> <td>Ex. Cd.</td><td colspan="3"></td> </tr> </tbody> </table>								Terminal Verification		Agricultural Verification		Whole		Part		Tran. Process Verification		Transfer Number		Date Received:		Deed Reference:		Assigned Property No.:				Year	20		20	Geo.	Map	Sub	Block			Land				Zoning	Grid	Plat	Lot			Buildings				Use	Parcel	Section	Occ. Cd.			Total				Town Cd.	Ex. St.	Ex. Cd.			
Terminal Verification		Agricultural Verification		Whole		Part		Tran. Process Verification																																																											
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Year	20		20	Geo.	Map	Sub	Block																																																												
Land				Zoning	Grid	Plat	Lot																																																												
Buildings				Use	Parcel	Section	Occ. Cd.																																																												
Total				Town Cd.	Ex. St.	Ex. Cd.																																																													
REMARKS:																																																																			

LIBER 2272 FOLIO 006

Distribution: ☐ Clerk's Office
☐ Office of Finance

- ☐ *SDAT*
- ☐ *Preparer*

AOC-CC-300 (5/2007)

V-8901MTB



Easton
MARYLAND

RECEIPT

TOWN OF EASTON

Planning & Zoning Department

P.O. BOX 520

Easton, Maryland 21601

APPLICATION #	DATE
2024 - 1325	10/25/2024
PROJECT ID	Receipt #
V 24 - 11	

TO:

Jennifer Benson
29557 Country Lane Way
Easton, Maryland 21601

RE: Application 2024 - 1325 / V 24 - 11

29557 Country Lane Way
Tax Map 0102, Grid 00EA, Parcel 2939A, Lot 3
Easton, Maryland 21601

Date	Description	Transaction	Amount
10/24/2024	BOZA VARIANCE	Check # 663	250.00
			-
			-
			-
			-
			-
			-
			-
			-
			-
Thank you!		TOTAL	\$250.00

Paid in full. Thank you!

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

Exhibit B
102 of 107



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

November 4, 2024

Jennifer Benson
29557 Country Lane Way
Easton, Maryland 21601

Re: BOZA Application V - 1325 / V 24 -11
29557 Country Lane Way
Tax Map 0102, Grid 00EA, Parcel 2939A, Lot 3
Easton, Maryland 21601

Ms. Benson,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, November 19th 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

November 4, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, November 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 - 1325 / V 24 - 11 has been filed by Jennifer Benson, pursuant to Section 28-1303.5.C of the Town of Easton Zoning Ordinance (Ordinance), to obtain a Variance from Section 28-303.2.C.1, the minimum 15' front setback for all uses and structures in a R-10A zoning district. Through the approval of the requested Variance, the Applicant is seeking to remediate an existing zoning violation that resulted from the construction of an outdoor kitchen and canopy structure closer to the front property line than is permitted by the Ordinance. The subject property is located at 29557 Country Lane Way, Easton, Maryland, also known as Tax Map 0102, Grid 00EA, Parcel 2939A, Lot 3, 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



Subject property posting pursuant to Section 28-901.2.H.2 of the Town of Easton Zoning Code - November 4, 2024.

NOTICE

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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, November 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

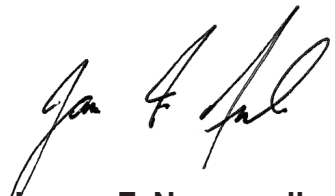
Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Application V - 1325 / V 24 - 11..." was published in the:

The Star Democrat 11/02/24



James F. Normandin
President & Publisher

NOTICE

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EASTON BOARD OF ZONING APPEALS

3066695 SD

11/2/2024