



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

Tuesday, November 19, 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

Absent:

Board Members:

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 September 19, 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 - 1310 / V 24 - 09
Applicant: Barrow & Sons LLC
Location: 714 Wayside Avenue, Easton, MD 21601

Tax Map 0106, Grid 00EA, Parcel 2561

Zoning: R-10A

Request: The Applicant is requesting a Variance from Section 28-303.2.C.2 of the Town of Easton Zoning Ordinance: the minimum 30' rear setback for all uses and structures in the R-10A Zoning District. The Applicant is seeking to construct a 120 square foot covered deck beyond the required thirty (30) foot rear setback.

Background: There is an existing un-covered deck that protrudes approximately six (6) feet from the façade of the house. The Town does not have a record of a permit issued for the construction of this deck.

Staff Presentation:

Nicholas Johnson, Planner

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Jerry Barrow, Barrow & Sons LLC

Flora Beth Spencer Hill, Owner

Public Comment — None

Public Comment Written:

Jarret Beyer and Nicki McKay

Chairman Cotter moved to approve the Variance request as submitted subject to the following condition:

- 1. The Applicant shall meet all code requirements, and obtain all permits deemed necessary by the Building Inspection Department for the porch.**

Board Member Krebeck seconded the motion.

<u>Vote</u>	<u>3 - 0</u>
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FOR:	3 - Cotter, Molchan, Krebeck
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AGAINST:	0
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ABSTAIN:	0
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ABSENT:	0
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b. File No.: V - 1315 / V 24 - 10

Applicant: KustomScapes & Pools LLC

Location: 29543 Meadow Gate Drive, Easton, MD 21601

Tax Map 0102, Grid 00EA, Parcel 2939A, Lot 17

Zoning: R-10A

Request: The Applicant is requesting an after-the-fact Variance from Section 28-1007.1.17.b of the Town of Easton Zoning Ordinance: the minimum

8’ setback for any property line for swimming pools, supporting braces, pool filtration systems, or decks in the R-10A Zoning District.

Background: On April 22, 2024 an in-ground pool permit application and site plan was approved by the Town of Easton Building Inspection Division. The approved site plan for that permit shows all of the pool decking to be located at least eight (8) feet from the side and rear property lines. During an inspection of the completed construction, it was discovered that the pool was constructed beyond the required rear setback by 10”, and beyond the required side setback by 2’.

Staff Presentation:

Nicholas Johnson, Planner

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Matthew Chapman, KustomScapes & Pools LLC

Public Comment — None

Public Comment Written — None

Board Member Krebeck moved to deny the 2’ side yard setback Variance request as submitted. Vice Chairman Molchan seconded the motion.

Vote	3 - 0
FOR:	3 - Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

Board Member Krebeck moved to approve the 10” rear yard setback Variance request as submitted. Vice Chairman Molchan seconded the motion.

Vote	2 - 1
FOR:	2 - Molchan, Krebeck
AGAINST:	1 - Cotter
ABSTAIN:	0
ABSENT:	0

c. File No.: V - 1325 / V 24 - 11

Applicant: Jennifer Benson

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

Zoning: R-10A

Request: The Applicant is requesting a Variance from the following section of the Zoning Ordinance (Ordinance): Section 28-303.2.C.1, the minimum 15’

front setback for all uses and structures in the 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 proposed canopy will be located nine (9) feet from the front property line, and will occupy the same footprint as the existing canopy.

Background: In 2016, a building permit was issued by the Town for an inground pool in the rear yard of the subject property. The Town also issued a permit for a six (6) foot tall fence in 2021. On the subject property there is also an existing outdoor kitchen covered by a canopy structure that violates the required front setbacks for all structures within the R-10A Zoning District. A search of the Town's records indicates that there was no permit issued for the construction of these structures.

Staff recommends the following condition:

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

Staff Presentation:

Nicholas Johnson, Planner
Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Jennifer Benson

Public Comment — None

Public Comment Written — None

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

Vote	3 - 0
FOR:	3 - Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

4. Discussion Item — None

5. Adjournment — Chairman Cotter motioned to adjourn. Vice Chairman Molchan seconded. The meeting was adjourned at 9:37 a.m.