



Board of Zoning Appeals MEETING MINUTES

Tuesday, February 15, 2022 - 9:00 AM
Council Chambers, Easton Town Office
14 S Harrison Street

Call to Order

Board of Zoning Appeals Members Present:

Chair Peter Cotter
Mr. Michael O'Keefe
Mr. Zak Krebeck

Staff Present

Lynn Thomas
Katie Reedy
Joseph Mayer
Sharon Van Emburgh - Attorney for Building Inspection Division
William Chapman - Attorney for the Board of Zoning Appeals

Approval of Minutes.

1/18/2022 Minutes

Upon motion by Mr. O'Keefe seconded by Mr. Krebeck and carried 3-0, minutes of the January 18, 2022 meeting were approved as written.

Application: V-790/V-22-02

Location: 10 Prospect Avenue

Applicant: Zach A. Smith on behalf of Habitat for Humanity Choptank, Inc

Owner: Habitat for Humanity Choptank, Inc.

Request: Variance to subdivide subject property into four lots

Mr. Zach Smith from Armistead, Lee, Rust & Wright, P.A. and Mr. William Stagg were present on behalf of application V-790/V-22-02 for variances necessary to enable the creation of four building lots in the R-7A Zoning District.

It was discussed that the three lots on Prospect Avenue and a fourth house on South Street would require variances for setbacks, building envelopes, density and lot sizes. Lot orientation is consistent with the existing area and the architecture is compatible with the surrounding Carroll's Addition area.

There were no public comments.

Mr. Krebeck noted this is a reasonable request. Mr. Cotter noted that the request represents infill and is consistent with many of the provisions of the Comprehensive Plan regarding increased density, variety of lot sizes, and redevelopment opportunities to promote more housing opportunities.

Upon motion by Chair Cotter, seconded by Mr. O'Keefe and carried 3-0 to approve all five variance requests for **V-790/V-22-02**: building envelope, density, setback from 25' to 15', side setback on lots 1, 2 and 3 and the 500' variance on lot 1.

Application: SE-822/ SE-22-02

Location: 400 Winton Avenue

Applicant: Heather Grant & Beth Ruberry

Owner: Heather Grant & Beth Ruberry

Request: Special Exception for a short-term rental and accessory dwelling unit

Ms. Heather Grant was present on behalf of application **SE-822/S-22-02** to allow a short-term rental and accessory dwelling unit. The request involves the conversion of an existing shed into an accessory structure which would be rented as a short-term rental.

It was discussed that the existing 375 SF detached structure would have one dedicated parking space for the short-term rental and the existing fence would be moved over to make room for that parking spot. The applicant is just adding a different use to an accessory dwelling unit and it is consistent with the Town Code in regards to short-term rental.

There was no public comment.

Upon motion by Chair Cotter, seconded by Mr. Krebeck and carried 3-0, **SE-822/S-22-02** was approved subject to continued compliance with any rental requirements or if there are any renovations required for a building permit.

Application: A-22-01

Location: 7837 Ocean Gateway

Applicant: Derek Hills on behalf of Motor Works LLC

Owner: LAWAS, LLC

Request: Appeal building inspectors decision

Mr. Derek A. Hills, Esq. from The Law Office of Derek A. Hills, LLC was present to represent Mr. Sandy Thompson, owner of Coventry Motor Works, LLC for application **A-22-01** for an Appeal of actions of the Town's Building Department. Mr. Thomas Diem and Mr. Robert Haas from the Town of Easton's Building Inspection Division were present. Mr. Zach Smith from Armistead, Lee, Rust & Wrigfht, P.A. was present representing the property owner. Ms. Sharon VanEmburch was present, representing Town of Easton Staff and Mr. Will Chapman was present to advise the Board.

Mr. Hills described the history of Mr. Thompson's use of the property up to his decision to appeal the Building Inspections Department's actions. He questioned the requirements for architectural renderings and the denial of a Temporary Occupancy Permit.

Ms. Van Emburch, reviewed the Town Code Application and Waiver Authority. She noted that the applicant was reminded to apply for a Certificate of Occupancy. Mr. Hills requested the town to allow for the extension of Certificate of Occupancy.

Upon motion by Mr. O'Keefe, seconded by Chair Cotter and carried 3-0, the Building Code Officials were correct in their actions throughout this process. Therefore, Appeal **#A-22-01** was denied.

Adjournment

At 11:49 AM, upon a motion by Chair Cotter seconded by Mr. Krebeck and carried unanimously, Chair Cotter adjourned the regularly scheduled meeting.