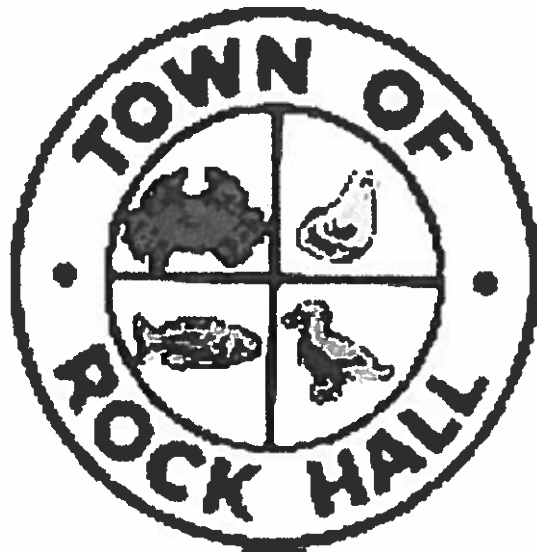


2015

Annual Report

Rock Hall Planning Commission

Kent County, Maryland



Completed June 2016

This Annual Report is an opportunity to highlight the achievements of the Rock Hall Planning Commission and Board of Appeals, identify development trends, and assess the planning and development process during 2015. The Rock Hall Planning Commission and Board of Appeals have been staffed by the Kent County Department of Planning, Housing, and Zoning since June 1999.

DEPARTMENT STAFF

Amy G. Moredock, Zoning Administrator
Carla M. Gerber
GIS Specialist
Katrina L. Tucker, Community Planner
Stephanie Jones, Critical Area Planner
(December)

M. Richard Myers, Chief Inspector
Bryan Foreman, Enforcement Officer
Sandy Adams, Office Manager
Tonya Thomas, Administrative Assistant
Beth Grieb, Administrative Assistant

PLANNING COMMISSION

The Rock Hall Planning Commission, appointed by the Rock Hall Mayor and Town Council, acts as a citizen board for all planning matters. As set forth in the Land Use Article of the Annotated Code of Maryland, the Planning Commission makes recommendations to the Town Council on zoning map and text amendments, and to the Board of Zoning Appeals on variances and conditional uses. The Commission may also prepare ordinances and plans for review by the Rock Hall Town Council. In its decision-making capacity, the Commission approves all subdivisions and site plans.

MEMBERS

Victor Costa, Chairman
Allen Riley, Vice Chair
Gerald Creighton
R. Catherine Jayne

Walter Souder (Appointed in September)
G. Mitchell Mowell, Attorney
Butch Price, Council Liaison

The Planning Commission meets the second Wednesday of every month at 7:00 P.M., in the Council Chambers in the Rock Hall Municipal Building on Main Street in Rock Hall. The agendas for all meetings are posted at Town Hall and are also available from the Kent County Department of Planning, Housing, and Zoning prior to the meeting.

The Planning Commission is a member of the Maryland Citizens Planners Association, and members attend training sessions and subcommittee meetings with Department of Planning, Housing and Zoning staff. In 2015, the Planning Commission met six times.

ZONING BOARD OF APPEALS

Appointed by the Rock Hall Mayor and Town Council, the Zoning Board of Appeals hears and decides conditional uses, variances, and appeals of any decision or determination of the Zoning Administrator in the enforcement and administration of the Zoning Ordinance.

MEMBERS

Martha Maxwell, Acting Chairman
(Resigned in January 2015)
Peter Metcalf, Chair

Jack Heffner, Vice Chair
Joe Strollo (appointed March 2015)
Thomas Yeager, Attorney

The Zoning Board of Appeals meets on the third Wednesday of each month, as may be required. In 2015, the Board of Appeals met once and considered the following application:

John E. and Deborah M. Boyer: The applicants requested a setback variance of 4 feet from the side yard 15 foot minimum setback requirement in order to construct porch and garage additions to the existing house. The 0.340 acre property is located at 5869 Beach Road in the Fifth Election District and is zoned "R-1" Low Density Residential in the Intensely Developed Area of the Chesapeake Bay Critical Area. Consistent with the staff report and the Planning Commission's recommendation the variance as requested was denied by the Board of Appeals based on finding that the applicants failed to demonstrate an unwarranted hardship and how they may be denied reasonable use of their property. However the Board of Appeals unanimously granted a revision to the variance granted in 2007 from the front yard 30 foot minimum setback requirement to increase the variance from 6 feet to 6.4 feet such that the front yard would be 23.6 feet to match the location of the existing house.

PLANNING & DEVELOPMENT

All applications are reviewed by the County Technical Advisory Committee. All adjustments of lot lines, subdivision applications, and site plans are reviewed by the Planning Commission. The economic and development slowdown which began in the last quarter of 2008, started to show signs of turning around in 2013 and 2014 with an increase in commercial development proposals, which has continued into 2015.

Adjustment of Lot Lines

Adjustment of Lot Line applications are reviewed by Planning, Housing and Zoning staff, the Technical Advisory Committee, and the Planning Commission. There were three adjustment of lot lines reviewed in 2015.

James W. Thompson: This lot line adjustment between Parcel 305 and Parcel 306, located at 20641 Rock Hall Avenue and 5882 Coleman Road, was approved on 8 April

2015 contingent upon the removal of the accessory structure located on Parcel 305. Both parcels are zoned C1-Community Commercial and located in the Intensely Developed Area of the Critical Area.

Thomas P. Connolly and Walter T. Greth: This lot line adjustment between Parcel No. 1 and Parcel No. 2 located within Parcel 720 was approved on 14 October 2015. The parcels are located at 5879 Beach Road, Rock Hall, Maryland and are zoned R-1, Low Density Residential in the Intensely Developed Area (IDA).

Robert T. Steffes and Alexander M. Urbani: The parcels that are the subject of this lot line adjustment are located at 21120 Haven Road and 6003 Boyce Lane, respectively. Both are zoned R-1, Low Density Residential in the Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area. It was approved on 12 November 2015.

Subdivisions

No subdivision applications were reviewed in 2015.

Site Plan Review

Site Plans are reviewed by Planning, Housing and Zoning staff, the Technical Advisory Committee, and the Planning Commission. There was two Site Plans reviewed in 2015.

Maryland Food Center Authority (Clam House): The approval of this site plan granted on 13 May 2015 allowed for the operation of two industrial uses in the applicant's facility known as the Clam House. The Clam House is a significant feature to the Rock Hall Harbor. Tenant #1, Rock Hall Canvas, a canvas shop, and Tenant #4, Rock Hall Restoration, a boat building/restoration shop both require site plan and Industrial Performance Standard review. The 0.37 acre property (parcel 595) is located on the south side of Chesapeake Avenue and is zoned MWD, Maritime Water Dependent District and is located in the Intense Development Area of the Chesapeake Bay Critical Area. There was no affiliated construction or impact to the property.

Rock Hall Inn (Christopher A. Maloney): On 10 June 2015 the Planning Commission renewed the previously-approved site plan for the construction and operation of a 2-story hotel. The hotel is comprised of a 5,400 square foot footprint (total enclosed area of approximately 11,000 square feet) and 15 rooms (14 guest rooms and 1 manager's room). The 0.68 acre property is located at 5769 Main Street and is zoned C-3, Town Center Commercial.

Other Projects

The following items were also presented to the Planning Commission in 2015:

Zoning Text Amendment – Maritime Water-Dependent (MWC) Zoning District: The applicant, The Maryland Food Center Authority, sought to amend the Principal Permitted Uses in the “Retail Trade/Commercial/Services” sales provision of Article V, Section 10.A in the Maritime Water-Dependent Zoning District to add “Museum” to the list of Permitted Uses, alter the existing retail sales provision by adding “Seafood” to the list of items for sale, and delete the provision that reads “primarily as a convenience for those travelling by boat.” The Planning Commission recommended:

- That “Museum” be added to the list of Conditional Uses in the MWD District. The Commission so recommended in order to maintain consistency with a similar Conditional Use provision relative to “Museums” included in eight other zoning districts as follows: “Institutions, educational or philanthropic, including museums and art galleries”;
- That “Seafood” be deleted from the proposed amended provision to retail sales; and
- That the provision restricting retail sales “primarily as a convenience for those traveling by boat” be retained.

The Town Council adopted Ordinance No. 2015-02 on 13 August 2015 that slightly differed with the Planning Commission’s recommendation. As recommended by the Planning Commission the adopted ordinance added maritime-related museums to the enumerated Conditional Uses in the MWD and retained the restriction in the retail sales provisions to state “primarily as a convenience for those traveling by boat,” but included seafood among the retail sales permitted in the District.

Waiver of Off-Street Parking Requirement for Rock Hall Inn Inc. (Stephen A. Maloney: The applicant renovated a 2-story building to include private office space on the second floor and studio space on the first floor. A total of six (6) off-street parking spaces are required (three for each use) and were the subject of the requested waiver. The building is located at 5770 Main Street in the C-3, Town Center Commercial District. The site is located in the center of the C-3 zoned properties on the west side of Main Street. The waiver was granted by the Planning Commission at its meeting on 10 June 2015.

BUILDING PERMITS

Building permits are reviewed by Planning, Housing, and Zoning staff for consistency and compliance with the Comprehensive Plan, Zoning, Forest Conservation, Sediment Control, Floodplain, and Stormwater Management Ordinances. Staff reviewed 67 building permits and issued 65 permits in 2015. There were 2 permits issued for new single family dwellings. While the total number of permits that were submitted in 2015 increased by 12 from 2014, the number of new residential dwellings decreased by one, from 3 in 2014 to 2 in 2015. One

of the new single-family dwellings was a replacement for an existing mobile home, and with its inclusion the market value listed on these two permits ranged from \$9,000 to \$650,000 for 2015.

Table 3: Building Permits by Type

Application Type	Number
Accessory Buildings	6
New Single Family Residences	1
Mobile Home Replacement	1
New Commercial Building	-
Residential Additions/Alterations	16
Decks/Porches	3
Sediment Control	5
Demolitions	12
Garages/Carports	2
Use Permits	5
Other	2
Piers	-
Fence	1
Signs	1
Commercial Additions/Alterations	4
Swimming Pools/Spas/Hot Tubs	4
Bulkhead/Retaining Wall	2
TOTAL	65
Closed, pending, denied or withdrawn	2

Table 4: New Single Family Dwellings by Zoning District*

Zoning District	Number	Percent
R-1, Low Density Residential	1	50%
MWD, Maritime Water-dependent	1	50%
TOTAL	2	100%

**Note: See Appendix A for Map showing locations of New Single Family Dwellings.*

Table 5: Value of New Single Family Dwellings

Market Value	Number	Percent
≤ \$99,000	1	50%
\$100,000 - \$150,000	-	-
\$150,001 - \$200,000	-	-
\$200,001 - \$300,000	-	-
\$300,001+	1	50%
TOTAL	2	100%

SEDIMENT CONTROL/STORMWATER MANAGEMENT

The Planning, Housing, and Zoning staff is directly involved in permitting and enforcing the Erosion and Sediment Control and Stormwater Management Ordinances. During 2015, the Staff was involved with 9 sediment control and stormwater management permits (5 sediment control, 2 bulkhead/retaining wall, and 2 new single family dwellings).

CODE ENFORCEMENT

Rock Hall's Zoning Ordinance is directly enforced by the Department of Planning, Housing, and Zoning staff. In 2015, staff was involved with 2 violation cases in Rock Hall. One case involved building without a permit and the other was an unsafe property. No violations involved the Critical Area.

Staff spends a significant amount of time meeting onsite with property owners in an effort to reduce code violations. During 2015 staff conducted 126 site inspections related to tree or vegetation removal and replacement in the Critical Area, potential projects, and staff reports. In 2015, staff reviewed 7 Critical Area Forest Clearing Plans 6 Buffer Enhancement Plans, and 7 water quality maintenance plans.

APPENDIX A: NEW SINGLE FAMILY RESIDENCES

