

Somerset County
Board of Zoning Appeals

January 18, 2019

BOARD MEMBERS PRESENT: Brian Laird, Isaac Ballard, William Cottman, Donald Price, Andrew Baines and Paul Emely

SUBJECT OF APPEAL: Special Exception SE-2018-2496

Michael Steven Martin of 212 W Board St. Shillington, PA 19607 has applied for a Special Exception (SE) to place a Travel Trailer on an Agriculture Residential (AR) zoned parcel to be used as a temporary residence for no more than 30 days in a year, pursuant to section 5.2.b (14) of the Somerset County Zoning Code. The parcel is located on the Northwest side of MD Rt. 413(Crisfield Highway) approximately 430 feet to the Northeast side of Stanford RD, in Lawson Election District at 4720 Crisfield Highway. The property can be found on tax map 64, Block 12, Parcel 575.

Testimony:

The case advertisement was read into the record. The Board determined the exact location of the parcel. Michael S. Martin was sworn in. He stated his address and said he lives near Reading PA. Mr. Laird asked Mr. Martin to explain his request. Mr. Martin stated he owns two abutting parcels. Parcel 575 is the front parcel closest and adjacent to Crisfield Highway. It has a well, septic system and the electric hook-ups on the property. At this time this parcel is leased to a friend who currently has a (5th wheel) totally self-contained, Montana Travel Trailer licensed by the state of Pennsylvania for "over the road" travel. This parcel is 4720 Crisfield Highway and is located on Tax Map 64, Grid 12, Parcel 575. Currently the Montana Travel Trailer is hooked to the septic system. A hose and pump are temporarily hooked to the well and the electric is temporarily hooked to the travel trailer.

Mr. Martin stated that his arrangement was only temporary for three years. He originally wanted to place a Single Wide Manufactured Home (SWMH) on the site but Mr. Spery had informed him that it was zoned Agriculture-Residential (AR) and that he needed twenty five (25) acres, and he only has 0.50 acres. He then switched to a Double Wide Manufactured Home (DWMH). He said that he intends to place a DWMH on this site within three years. He is aware that the Somerset County Zoning Code (section 5.2.b (14)) requires Special Exception Approval from the Board of Zoning Appeals to place a

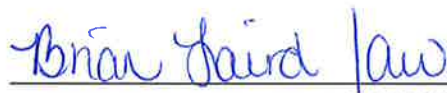
Travel Trailer on an AR zoned parcel. In such case it can only be occupied for thirty (30) days in any calendar year and must be licensed and road ready. He said the travel trailer had been occupied less than thirty days last year. Mr. Martin stated that he had owned these two parcels for two years and had been cleaning the trash on the property, but that there was quite a lot left. He submitted a Site Plan of the property as Exhibit 1 into the record.

There were no persons in attendance in opposition to the request.

Findings: SE 2018-2496

The Board voted unanimously to hold its decision in abeyance for six (6) months until Friday, July 19, 2019, to determine whether Mr. Martin would:

1. Remove the two smaller Travel Trailers on the rear parcel 796.
2. Legally place the large travel trailer on parcel 796 meeting the required setbacks of forty (40) feet from the front boundary line, thirty (30) feet from the rear boundary line, and ten (10) for each side boundary line.
3. Remove all junk, trash and debris from both parcels 575 and 796.
4. Establish a landscaping buffer in the front and partial sides using large plants and larger trees (5' min.-2" ball and burlap) that will obscure the site from Crisfield Highway.
5. Have the septic system on the parcels approved by the Somerset County Health Department.



BRIAN LAIRD, CHAIRMAN / AW
Board of Zoning Appeals

Board Vote:

- Laird- Approval of abeyance for review on July 19, 2019
- Price- Approval of abeyance for review on July 19, 2019
- Cottman- Approval of abeyance for review on July 19, 2019
- Baines- Approval of abeyance for review on July 19, 2019
- Emely- Approval of abeyance for review on July 19, 2019
- Ballard- Approval of abeyance for review on July 19, 2019

Subject of Appeal: Special Exception Se 2018-2497

Michael Steven Martin of 212 W Board St. Shillington, PA 19607 has applied for a Special Exception (SE) to place a Travel Trailer on an Agriculture Residential (AR) zoned parcel to be used as a temporary residence for no more than 30 days in a year, pursuant to section 5.2.b (14) of the Somerset County Zoning Code. The parcel is located on the Northwest side of MD Rt. 413(Crisfield Highway) approximately 430 feet to the Northeast side of Stanford RD, in Lawson Election District. The property can be found on tax map 64, Block 12, Parcel 796.

Testimony:

The case advertisement was read into the record. The Board determined the exact location of the parcel. Michael S. Martin was sworn in. He stated his address and said he lives near Reading PA. Again Mr. Laird asked Mr. Martin to explain his request. Mr. Martin said he owned two (2) abutting parcels. Parcel 796 is the rear parcel. It has no utilities. At this time there are three (3) travel trailers on the parcel. Mr. Martin's travel trailer is located near the front boundary line. There are two (2) smaller pop-up travel trailers toward the rear. Mr. Martin's trailer is hooked up to the septic on the front parcel (P. 575). At this time all travel trailers are licensed by Pennsylvania and are road ready. All the travel trailers when in use have temporary well and electric hook-ups to parcel 575.

All the facts related to parcel 796 and stated in the previous Special Exception Request (SE 2018-2496) are incorporated in this Special Exception Request (SE 2018-2497).


Mr. Martin is aware that the Somerset County Zoning Code (Section 5.2.b (14)) requires Special Exception Approval of the Board of Zoning Appeals to place one travel trailer on an AR zoned parcel. In such case it can only be occupied for (30) days in any calendar year and must be licensed and road ready. He said the three (3) trailers had been occupied less than 30 days last year. Again Mr. Martin said during the two years that he owned this parcel he had been cleaning it of junk, trash and debris.

There were no persons in attendance in opposition to this request.

Findings: SE 2018-2497

The Board voted unanimously to hold its decision in abeyance for six (6) months until Friday, July 19, 2019, to determine whether Mr. Martin would:

1. Remove the two smaller Travel Trailer on the rear parcel 796.
2. Legally place the large travel trailer on parcel 796 meeting the required setbacks of forty (40) feet from the front boundary line, thirty (30) feet from the rear boundary line, and ten (10) for each side boundary line.
3. Remove all junk, trash and debris from both parcels 575 and 796.
4. Establish a landscaping buffer in the front and partial sides using large plants and larger trees (5' min.-2" ball and burlap) that will obscure the site from Crisfield Highway.
5. Have the septic system on the parcels approved by the Somerset County Health Department.


BRIAN LAIRD, CHAIRMAN / AW
Board of Zoning Appeals

Board Vote:

- Laird- Approval of abeyance for review on July 19, 2019
Price- Approval of abeyance for review on July 19, 2019
Cottman- Approval of abeyance for review on July 19, 2019
Baines- Approval of abeyance for review on July 19, 2019
Emely- Approval of abeyance for review on July 19, 2019
Ballard- Approval of abeyance for review on July 19, 2019

Subject of Appeal: Variance 18-1042

Donna M. White of 23540 Deal Island Road, Chance, MD , has applied for a Variance of the required minimum square footage of a single family dwelling to be constructed on the south side of Harrison Road, approximately eight hundred thirty (830) feet to the

west of Deal Island Road, in the Deal Island Election District. The property can be located on Tax Map #28, Block #5, Parcel #415, Lot #10. The property is zoned Maritime Residential Commercial (MRC) and Section 5.6(c) of the Somerset County Zoning Ordinance requires 960 square feet of heated living space for single family dwellings. Applicant is requesting a 720 square foot single family dwelling. The requested Variance would be 240 square feet.


Testimony:

The case advertisement was read into the record. The Board determined the exact location of the parcel. Donna M. white and her daughter (witness) were sworn in. Ms. White stated her address and said that she had a stroke affecting her right side. She stated she wanted to build a 720 sq. ft. ranch home on the land. She said she understood the parcel was zoned Maritime Residential, Commercial (MRC) and that the minimum size of a single family dwelling (SFD) under the Somerset County Zoning Code (section 5.6.C) is 960 sqft. and accordingly Ms. White is requesting a 240 sq. ft. variance.

There were no persons in attendance in opposition to the request.

Findings: Variance 2018-1042

The Board voted unanimously to approve a variance of 240 sq. ft. in the size of the dwelling in this case.


BRIAN LAIRD, CHAIRMAN / AW
Board of Zoning Appeals

Board Vote:

Laird- For
Price- For
Cottman- For
Baines- For
Emely- For
Ballard- For