



Town of North Beach

"The Jewel of the Chesapeake Bay"

8916 Chesapeake Avenue

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Council Members

Gregg Dotson

Jane Hagen

Mickey Hummel

Elizabeth Lawton

Gwen Schiada

Paul Tronccone

Mike Benton, Mayor

Board of Appeals Meeting

January 7, 2019

7:00 p.m.

Meeting opened at 7:00 p.m. In attendance at the meeting was Jim Bradshaw, Kirk Betts, Teresa Whitten, Larry Russo, Rick Crump and Stacy Milor.

Minutes from the August 20, 2019 Board of Appeals Meeting. **MOTION** made by: Kirk Betts to approve the minutes as presented. Seconded by: Larry Russo. **Minutes approved.**

Case No: 19-01: Application for a Vacation Special Exception License at 9000 Bay Avenue, Unit 407: Rick Crumps gave background on the condo. The condo has passed all inspections required for the license. There are currently two other vacation rentals in the buildings. The Town obtained a copy of the by-laws for Southwinds and there are no regulations that prevents vacation rental from the property. Chairman Bradshaw asked the questions required in the Zoning Ordinance of the applicants.

Board Member Comments: Kirk Betts - Will adequate parking be provided for the condo. Yes, there is reserved parking for the condo. Will the special exception go with the property owner or the property itself? Rick will check on the process and advise the Board. The applicant still needs to fill out the application completely. Expected Number of days per year this unit will be rented? The applicant responded 10-12 weeks.

Public Comment - James Hagens, Southwinds Unit 201 - 2nd home - Bowie, MD - in opposition: 1st area of concern - related, safety, security and property value - 11 years - 2nd concern is safety on the 2nd, 3rd and 4th floor. We occupy the 2nd floor. 3rd element is the enjoyment - There has been some difficulty with enjoyment in past and it has been tightened up. Notice to the unit owners. Only saw the notice because it was posted on the building.

Linda Maxwell: Unit 409: In opposition of this vacation rental. Does not feel it qualifies under the association bylaws. This is her summer home. Did not know there was other vacation rental homes in the condo building. Security - Does not know what to expect.

Doug Dixon: Unit 301 & 302 - Full-time residents, two other vacation rentals are on the 1st floor and are not a problem. They do not have access to the elevator. Security is an issue having access to the elevator.

Heather Maxwell - Unit 409: Concerned and uses the property alone.

** Mr. Shanks, property owner stated when he purchased the property a year, he was told it would not a problem renting the property as a vacation property. He plans to be here 4 months out of the year.

MOTION made by Mr. Betz to approve with the noted corrections to the application of the number of days expected to rent the property and the Vacation Rental/Special Exception only goes with the current home owner. Seconded by Mrs. Whitten. Aye: Betz, Whitten, Bradshaw; Nay: Russo

Case 19-02: Application for a Variance request for a reduction in the north and south side yard setback from 8' to 4.75 at 9310 Atlantic Avenue: The applicant is applying for the construction of a new single-family home.

Denise Bowyer: Scope and Size of house: This house will be 12 feet behind the other houses on the street. Does this house fit on the street, it overshadows the other home, etc.

Tracey Shoopack - 9308 Atlantic Avenue - Just keep in mind the look and feel of North Beach.

Randolph Ivy: Owner of the lot. He is trying to make sure the house is in alignment with the community. He has listened to the neighbors concerned.

MOTION made by Mr. Betz to deny the variance of 4.75, but grant the variance from 8' to 5'. No second to the motion. The motion dies.

MOTION made by Mrs. Whitten to approve the variance request as submitted. Seconded by Mr. Russo. AYE: Whitten, Russo, Bradshaw.; Nay Betts. **Motion carries.**

Case No: 19-03: Application for a Variance at 8925, 8927, 8929 Erie Avenue and 4007 3rd Street requesting the following:

- A Variance in the rear yard setback from 20' to 8' for Lot 13-A
- A variance in the rear yard setback from 20' to 7' for the existing house on Lot 13-A
- A variance in the south side yard setback from 8' to 5' for Lot 13-B
- A variance in the north south yard setback from 8' to 5' for Lot 12-B

MOTION made by Mr. Bradshaw to approve as submitted. Seconded by Mr. Russo. All in favor. **Motion carries.**

Case No: 19-04: Application for a Variance request for a reduction in the east side yard setback from 8' to 5' at 3930 7th Street. The current house is non-conforming at 4'. This request is for the construction of a new single-family dwelling.

MOTION made by Ms. Whitten to approve as submitted. Seconded by Mr. Betz. All in favor. **Motion carries.**

Meeting closed at 8:51 pm