



## Planning Commission Meeting Agenda

Berlin Town Hall  
10 William Street  
Wednesday, July 8, 2020  
5:30 PM

SPECIAL NOTICE: Until further notice public attendance at Town meetings is prohibited due to gathering-size restrictions. Meetings will be streamed live on Facebook during this time. Your patience and understanding as we work to meet the restrictions on gathering size, while still conducting Town business is truly appreciated.

- Written questions will be accepted until 12:00 PM/NOON on the day of the meeting. Submit to:
  - Email: [dengelhart@berlinmd.gov](mailto:dengelhart@berlinmd.gov); please use Meeting Questions as your subject
  - Fax to: 410-641-2316
  - Mail to: Berlin Planning Department, Attn: Meeting Questions, 10 Williams St., Berlin, MD 21811. Mail should be posted no later close of business on the Friday before the meeting to help ensure delivery.
  - Drop off in one of the two drop boxes at Town Hall – one is at the rear of the building behind the stair tower, and the other is at the corner of Bay and Williams Street on the building.

**To access the Meeting via live stream on Facebook, please click on the blue Facebook icon at the top of any page on the Town website, [www.berlinmd.gov](http://www.berlinmd.gov), or type @berlinmd in the Facebook search bar.**

**No response will be given to questions and comments submitted via Facebook during a regular meeting.**

**PUBLIC HEARINGS:** If a public hearing is scheduled, questions will also be taken via Facebook during the Public Hearing portion of that meeting. A staff member will monitor the questions for duplicates, language and appropriateness to the Public Hearing topic. Depending on the volume of questions, we may not be able address everyone.

**Responses will be given out loud via the live stream; they WILL NOT be responded to via the comments on Facebook.**

Staff Report to the Berlin Planning Commission

Meeting Date: July 8, 2020, 5:30 PM

Tonight's first case is a petition for rezoning received from Two Farms, Inc. to change the zoning classification of 10712 Ocean Gateway (previously the Harley Davidson location) from the current B-1 Town Center District to B-2 Shopping District. The property was zoned B-1 Town Center district upon an annexation which included the Worcester County School Board property for Stephen Decatur Middle and High Schools.

The applicant asserts the zoning upon annexation was a mistake and more properly should have been zoned B-2 Shopping District to be consistent with Worcester County C-2 Commercial Zoning at the time , and more recent B-2 Berlin zoning for adjoining parcels.

Staff recommends a motion to recommend this rezoning request to the Berlin Mayor and Council for their review and approval at a subsequent public hearing.

Tonight's second case is also a petition for rezoning received from Mr. David Diehl to change the zoning classification of 115 Broad Street (the former Southern States location) from M-1 Light Industrial District to B-2 Shopping District.

The applicant contends that there has been a substantial change in the character of the neighborhood where the property is located, making the need for light industrial and heavier commercial uses obsolete. The proximity to the downtown business district and nearby residential areas make the B-2 Shopping District and its permitted retail and service business uses more appropriate.

I have included in your packets Section 4-204 of The Maryland Land Use Article which lists 6 items for the Commission to consider and discuss tonight as Findings of Fact for reclassification or rezoning of parcels.

Respectfully submitted,

A handwritten signature in blue ink that reads "David H. Englehart". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Planning Director

## MD Code, Land Use, § 4-204

## § 4-204. Zoning regulations--Amendment, repeal, and reclassification

Currentness**Authority**

(a) Zoning regulations and boundaries may be amended or repealed.

**Reclassification**

(b)(1) If the purpose and effect of a proposed map amendment is to change a zoning classification, the legislative body shall make findings of fact that address:

- (i) population change;
- (ii) the availability of public facilities;
- (iii) present and future transportation patterns;
- (iv) compatibility with existing and proposed development for the area;
- (v) the recommendation of the planning commission; and
- (vi) the relationship of the proposed amendment to the local jurisdiction's plan.

(2) The legislative body may grant the amendment to change the zoning classification based on a finding that there was:

- (i) a substantial change in the character of the neighborhood where the property is located; or
- (ii) a mistake in the existing zoning classification.

(3) The legislative body shall keep a complete record of a hearing on an application for reclassification and the votes of the members of the legislative body.

(4) A legislative body may not allow the filing of an application for a reclassification of all or part of any land for which a reclassification has been denied by the legislative body on the merits in the 12 months before the date of the application.

(5) The provisions of § 4-203(b) of this subtitle concerning public hearings and notice apply to applications for reclassification.

**Credits**

Added by Acts 2012, c. 426, § 2, eff. Oct. 1, 2012.

**Editors' Notes****LEGISLATIVE NOTES**

Revisor's Note (Acts 2012, c. 426):

This section is new language derived without substantive change from former Art.





## **Mayor & Council of Berlin**

10 William Street, Berlin, Maryland 21811

Phone 410-641-2770 Fax 410-641-2316

[www.berlinmd.gov](http://www.berlinmd.gov)

*‘America’s Coolest Small Town’*



**Town of Berlin  
Planning Commission Meeting  
July 8, 2020 - 5:30 PM  
Berlin Town Hall – Council Chambers**

- 1. Call to Order**
- 2. Agenda Adoption**
- 3. Approval of Minutes – June 10, 2020**
- 4. Rezoning of Two Farms Inc. Requesting Change from B-1 Town Center to B-2 Shopping District located at 10712 Ocean Gateway, Berlin MD**
- 5. Rezoning requested by David Diehl from M-1 Light Industrial to B-2 Shopping District located at 115 Broad Street, Berlin MD**
- 6. Comments from the Commissioners**
- 7. Comments from the Chairman**
- 8. Comments from the Public**
- 9. Comments from Staff**
- 10. Adjournment**



Town of Berlin  
Planning Commission Meeting  
June 10<sup>th</sup>, 2020

The Planning Commission Meeting for June 10<sup>th</sup>, 2020 was called to order at 5:36PM by Chairman Chris Denny. Members present were Chris Denny, Ron Cascio, Newt Chandler, John Barrett, Pete Cosby and Matt Stoehr. Staff present were Planning Director Dave Engelhart and Permit Coordinator Carolyn Duffy.

Chairman Chris Denny then called for a motion to adopt the June 10<sup>th</sup>, 2020 agenda. Mr. Pete Cosby made the motion to adopt the June 10<sup>th</sup>, 2020 agenda. Mr. Ron Cascio seconded the motion and it was unanimously accepted by the commission. Chairman Chris Denny called for a motion to approve the minutes from the March 11<sup>th</sup>, 2020 meeting. Mr. John Barrett made the motion to approve the minutes from the March 11<sup>th</sup>, 2020 meeting. Mr. Ron Cascio seconded the motion and it was unanimously accepted by the commission.

Chairman Chris Denny called I. G. Burton 10419 Old Ocean City Blvd. requesting site plan approval. Chairman Chris Denny told the applicants to identify themselves. Mr. Tim Metzner from Davis Bowen & Friedel, Charles Burton, Lisa Divincenzo I. G. Burton and M. J. Lawton with I. G. Burton. Mr. Tim Metzner stated they were there to request site plan approval from the town for a new showroom and service facility. He stated they had the site plans in their packet. He stated the existing building would be demolished and a new building built. He stated water & sewer would tie in on Old Ocean City Blvd. He discussed the locations for stormwater management. He stated the parcel was recently annexed into the town of Berlin. They provided elevations for the commission members. Mr. Pete Cosby asked where the service doors would be located. Mr. Metzner replied in the rear of the building. They would drive through the rear of the building to come to the service area. Discussion continued. Mr. Pete Cosby asked about sidewalks and stated they would require it. Mr. John Barrett stated they have the provision that if a business comes in, they would have to put in the sidewalks. The applicant stated they just don't want sidewalks to nowhere. Mr. John Barrett asked if there was room for sidewalks. Mr. Ron Cascio stated they would have to be shown on the plans. Mr. Charles Burton stated they would agree to the sidewalks. Planning Director told them it was State Highway's road. Mr. Pete Cosby asked if there was a master plan for the Blvd. Mr. Matt Stoehr asked if the other properties had agreed to sidewalks. Mr. Ron Cascio questioned at what point do they build the sidewalks.

Planning Director Dave Engelhart asked where they were in the process. Mr. Metzner stated they can dedicate the land. Mr. Engelhart told them that State Highway can say when to put in sidewalks and they may even want a bike lane. Mr. Metzners stated he didn't know what they would require. Mr. Newt Chandler asked if the cul- de- sac was going to be placed on Barrett Road. Mr. Charles Burton stated that was on another part of the application, but the cul-de-sac would be on Barrett Road that was in the dedication agreement. Mr. Pete Cosby asked about the lighting plan. Mr. Metzner stated it would have site lighting that is sized accordingly and down lighting. Mr. Pete Cosby stated normally we get a lighting plan along with the request for site plan approval. Mr. Engelhart stated normally they get landscaping, lighting and signage that they review. Mr. Ron Cascio thought this was premature because they had nothing that they



look at for site plan approval. Mr. Pete Cosby asked for monumental trees. Mr. Charles Burton replied they usually tell them where they want trees located. He stated they would be switching to Berlin electric. He stated they were quality people and would like to get approved so they can move on with the project. Mr. Cascio stated you don't have what we need. All members agreed that they needed to see landscaping, trees, lighting, elevations and signage. Mr. Chandler stated Davis, Bowen & Friedel has never presented on one sheet of paper. Mr. Cascio stated any roof vents HVAC should be shown on the plans. Chairman Chris Denny made a motion to table the application. Mr. Pete Cosby made the motion. Mr. Ron Cascio seconded the motion.

Chairman Chris Denny called Spiro Buas for Athena Plaza requesting Site Plan Approval. Mr. Regan Smith Attorney introduced Mrs. Maryann Buas Vice President, Mr. Spiro Buas President and Mr. Brock Parker Engineer. Mr. Brock Parker stated Athena Plaza they have seen has not changed thru the annexation process. He stated the uses have been firmed up thru the planning process. They have locked in a Seven-Eleven convenience store that has been modified with elevations and brick. He told the commission this was the biggest they have ever built. They are comparing this to the convenience stores we have in the area. The second is the Fairfield Hotel has 81 rooms, parking and pool. They also have two other pad sites for future use. They are looking at one site to be a bank at the corner and the other a type of retail. He stated they really don't know but will come back with the site plan. The entrance is State Highways they have one lane in and one lane out. They will be widening it to two lanes in and two lanes out. It would be a shared left turn in on Route 818. With a dedicated right turn on to Route 50 East. Coming into Berlin their will be a dedicated through lane first right in and will service road right across from Berlin Main Place. He stated this is what State Highway wanted and what we have provided. They have completed the design for stormwater management. They have seven retention centers on the property one foot deep with mulch. Plantings are not shown but every 20feet there are plantings. They will be landscaped and underground they are showing shrubs along Route 50 they have to have visibility from the highway. He named some of the trees Crepe Myrtle and other type of shade trees to get coverage over the parking lot. They have proposed 165 spaces and that is with 135 being required. He thought a lot of the parking would be shared with future uses.

Mr. John Barrett asked how you would turn into the property. Mr. Parker explained the entrance would be across from Main Place. He stated SHA was very adamant about lining the entrances up. Mr. Engelhart stated that Chief Downing was very concerned about the roads being lined up. Chairman Chris Denny asked when the buildings were burned down. Mr. Buas replied last August of 2019. Chairman Chris Denny told Mr. Buas being a resident of the town it was a disgrace that the property has looked the way it does the whole time. He thought he had a great project but to leave the property like that he didn't like it. He stated he appreciated what he has done so far. Mr. Pete Cosby asked about sidewalks. Mr. Engelhart stated this again is State Highway. Mr. Engelhart stated the town has already told them they would like to see sidewalks all the way down to town. Mr. Cosby said he rides his bike all the time thought they needed sidewalks with a convenience store going out here it would be busy. Mr. Cosby, they need some provisions. Mr. Parker asked if they made a sidewalk coming out to the future pad. They could volunteer that if SHA would agree. Mr. Engelhart replied to Mr. Parker he was surprised that SHA had not told them to do that. Mr. Parker told him he would put sidewalk on the drawings to



send to SHA and explain to them what you wanted. Mr. Matt Stoehr asked would they have chargers, any food or alcohol. Mr. Buas stated they have not figured that out yet. Would like to have it so they don't have to go to the board every time someone wants to have something. Mr. Newt Chandler stated this would be a change for the people that live behind the Hotel. He said he wanted to see some trees the length of the building to break that view up. Mr. Parker said like a canopy along he back. Mr. Chandler said Berlin is changing. Mr. Cascio stated he didn't think the building looked Victorian or nothing like what is here. Mr. Parker stated they used that word during annexation. He stated this building is better than the others they had. Mr. Cosby stated this is an entrance coming into town. He stated the east side of the building was showing panels and electrical boards. The west side is clean. This is the main entrance to Berlin. Mr. Parker stated they can mirror the building. Mr. Cosby stated and some bushes on that side. Mr. Parker they will change the Crepes and get some larger trees and get some plantings to go between what's on 818. Mr. Cosby told him to just soften it.

Mr. Buas told them they tried to pick the best hotel in brick they had three choices. He stated it's a franchise and it's hard to make changes. He said Microtel may have a better look, but he thought this one the Fairfield would serve for Berlin. Mr. Cosby asked for elevations from the south side. Mr. Denny said you won't be able to see from the highway. Mr. Buas told the commissioners that the brand would make you do better. He said he plans on having a management company run the hotel. Mr. Buas stated you don't want us to be Berlin we're going to strive to reflect Berlin. He said he was thinking of a name like "Berlin Market Place". He said he was willing dedicate ground to put a Welcome to Berlin sign. Chairman Chris Denny told Mr. Buas that at Main Place Gillis has always keep his pads maintained. Hoping that he keeps his maintained. Mr. Buas stated he would grass the pads. He said he would like to see 818 speed limits go to 35mph. As the hotels comes, he said he would love to sponsor this service that has golf carts that would pick you up. For example, Burley Oaks could be a sponsor the Atlantic Hotel could be a sponsor, but they must get speed limit down.

Mr. Cosby asked about the Pylon Signs on Route 50. Mr. Parker showed two signs on route 50 one at the entrance and the Seven Eleven the Main Street sign at the north west corner. Mr. Engelhart stated it was a directional sign on 818. Mr. Cosby asked would the brick be real brick. Mr. Parker stated they will mirror the side, so the service trucks are not loading on 818.

Chairman Chris Denny called for a motion to approve. Mr. Newt Chandler made the motion to approve with the conditions that trees be placed on the south side of the Hotel, sidewalks, mirror the Seven Eleven, change the eastern landscaping at Seven Eleven and to designate a space for a welcome sign, to be decided ask council to see if they would maintain area. Bring sign back for approval. Mr. John Barrett seconded the motion. Mr. Ron Cascio opposed. 5/1 Approved


Chairman Chris Denny called the next case on the agenda Ocean East Site Plan Approval Phase 2. Mr. Mark Cropper expressed how nice it was to come to a night meeting. Mr. Mark Cropper stated everyone was familiar with Phase 1 it is now completed and mostly occupied. This will be Phase 2 consistent with the annexation. Mr. Brock Parker designed phase 2 of this project. He introduced Mr. Blair Rinner and stated this had been a successful project. Even with Covid-19 it has been steady and picking up.

Mr. Brock Parker stated the plan was to expand Oceans East 1. Without interrupting the first phase. With this phase they want to include townhouses. The existing phase 1 has 180 garden



style apartments. In phase 2 they are proposing a total of 154. Broken down would be 132 apartments and 22 townhouses. He stated there is a diffinent need for more apartments and for townhouse separate front doors and garages. They are expanding but also keeping it together. Extending the existing driveway with two separate locations. Between the two they will have the stormwater submerged gravel wetlands the State's new method of cleaning the water. Then you would see the beginning of the new project. They also are proposing a lake they may oversize the lake so it would be an amenity to the project. He stated most of the units are together, so you're provided with greenery and a view. As far as the parking he stated they were about 40 spaces over in phase 1. They still would like to utilize those spaces, but they have just what is needed. The landscaping would be like what is there now. The elevations have been submitted for review. He asked they keep in mind that this is the same project just the second phase of it.

Chairman Denny asked if they townhomes were for sale or for rent. Mr. Blair Rinner replied for rent. They stated they are trying to focus on the ponds. Mr. Engelhart asked if the 36-unit building had the elevator. Mr. Rinner replied yes, it is taking the same exact building in phase 1 doing it in phase 2. Chairman Chris Denny asked if they could kayak in the pond. They replied no, not meant to be for swimming or kayaking. Mr. Newt Chandler asked with what you have there now are you filled up. Mr. Rinner stated in all they have about forty that are not rented. Mr. Chandler stated he has not heard anything bad about it. Mr. Engelhart stated that Chief Downing had said about a week ago that the police had not had a problem out there. Mr. John Barrett asked about the road was its town or county. Mr. Engelhart replied it's a town road. Mr. Barrett said he knew some people that lived there and said the island doesn't work. Mr. Mark Cropper stated the original approval came from the community some complaints came to Blair and asked if he would voluntarily make some changes. Blair was not obligated but was trying to be a good steward. Mr. John Barrett said he thought the whole plan looked nice landscaping, but something needs to be done now with that entrance. Mr. Rinner said if you saw this project anywhere else you wouldn't see that entrance. Mr. Rinner said if they wanted to change, it he would be a part of that process. Mr. Engelhart was asked who could make that change. Mr. Engelhart replied the request was from Mayor & Council at community request. Blair said he would be on board to make changes. Chairman Denny said that was done to keep traffic off Flower Street. Mr. Engelhart stated that Mr. Rinner had been cooperative with all of the changes. Mr. Barrett stated he is being asked to approve more apartments he said something has to be done. It's a weird spot but needs to be looked at. Mr. Pete Cosby told Mr. Rinner as far as the project it was good, he was reaching all levels for people that need a place to live apartments, and townhouses very attractive. Mr. Cosby asked about the pond and big trees. Chairman Chris Denny called for a motion to approve. Mr. Pete Cosby made the motion to approve. Mr. Newt Chandler seconded the motion and it was unanimously accepted by the commission. Mr. Chandler asked about a property in town. Mr. John Barrett asked who he could talk to about the road by Oceans East. Mr. Chandler asked about a house on Washington Street. Chairman Denny asked about a house on North Main. With no other comments meeting was adjourned at 7:41PM.

Respectfully Submitted,  
  
Carolyn Duffy

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JOSEPH G. HARRISON, JR.

June 1, 2020

Mr. David Engelhart  
Planning Director, Town of Berlin  
10 William Street  
Berlin, MD 21811

Re: rezoning request-Two Farms, Inc. Part of Parcel 411

Dear Dave,

As we have discussed, I enclose the rezoning application and exhibits regarding the area of Tax Map 25, Parcel 411 that is presently in the corporate limits of the Town of Berlin owned by Two Farms, Inc T/A Royal Farms.

It is presently zoned B-1 Town Center Zone, when the entire remaining properties around, except for the Board of Education property are zoned B-2 in town and C-2 in the county.

Therefore, it is submitted that the current zoning of B-1 is a Mistake in zoning. Submitted with the application are plats of the property as required by Section 108- 215 of the Code; a metes and bounds description; and the zoning maps of both Berlin and Worcester County showing the existing inconsistent zoning of the surrounding area.

I also enclose the rezoning application fee of \$375.00. I am hopeful that we will be placed on a Planning Commission agenda as soon as possible.

Thanks for your consideration.

Sincerely yours,

Joseph E. Moore







## Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811  
Phone 410-641-2770 Fax 410-641-2316  
www.berlinmd.gov



### PLANNING COMMISSION APPLICATION

DATE: JUNE 1, 2020 HEARING DATE: 7-8-20 CASE NUMBER: 7-8-20-12

APPLICATION FOR: ☐ SUBDIVISION ☐ SITE PLAN REVIEW ☒ REZONING

PROJECT NAME: TWO FARMS, INC. PORTION OF TAX MAP 25 PARCEL 411 (3.218 ACRES-REZONING TO B-2)

LOCATION OF PROPERTY: SOUTHERLY SIDE OF U.S. ROUTE 50 AND EAST SIDE OF SEA HAWK ROAD

SIZE OF PROPERTY: 3.218 acres of land ZONING: B-1; REQUEST B-2 TOTAL LOTS: ONE

PROPERTY OWNER/AGENT TWO FARMS, INC.; BY JOSEPH MOORE, ESQ. PHONE # 410-289-3553

ADDRESS 3509 COASTAL HIGHWAY, OCEAN CITY, MD EMAIL jmoore@whmsh.com

SIGNATURE OF APPLICANT

\*\*\*\*AS NOTED IN THE ATTACHED MEMORANDUM, IT IS SHOWN THAT THE PRESENT ZONING B-1 "TOWN CENTER DISTRICT" IS A MISTAKE IN ZONING AND THE PROPER ZONING SHOULD BE "B-2 SHOPPING DISTRICT".\*\*\*\*

- Applications must be submitted at least two weeks prior to a regularly scheduled meeting of the Planning Commission.
- Three copies of the proposed subdivision or site plan must be provided with this application.
- Applicable review fees must be paid when application is submitted.



**APPLICATION FOR REZONING OF PROPERTY OF  
TWO FARMS, INC. AT THE SOUTH EASTERLY CORNER OF THE  
INTERSECTION OF U.S. ROUTE 50 AND SEAHAWK ROAD**

The subject property was originally the location of Safeway Stores, supermarket. Subsequently, the property was conveyed to Meinhardt-Rogers, Inc., and was to be the location of Sherwood Ford Automobile Dealership. At the time of annexation of the property into the Town of Berlin, at the request of D. Bruce Rogers, the property was zoned B-1 "Town Center District", presumably to comport with the zoning of the property owned by Worcester County, Board of Education, whereon is located both Stephen Decatur High School and Stephen Decatur Middle School.

1. Upon the purchase by Spuck, LLC, the use of the property became a Harley-Davidson Motorcycle sales facility. Subsequently, Spuck, LLC conveyed the property to Two Farms, Inc., the applicant.
2. The previous uses of the property, through two owners were (A). intended by the owner to be utilized as an automobile dealership with automobiles for display, sale and general repair and (B). the actual use by Spuck, LLC was as a Harley-Davidson motorcycle establishment for display, sale and general repair of motorcycles, including its sales lot.
3. Neither of those intended or actual uses is allowed in the B-1 Town Center District which has twelve principal permitted uses, neither of which allow the uses for which the property was previously purchased. Rather, by §108-464, Principal Permitted Use Number Nine in the B-2 Shopping District is "automobile, tire, battery, recreational vehicle and implement establishments for display higher, sale or general repair, including sales lots." which uses were the actual previous intended and implemented use within the subject property.
4. Accordingly, it is evident that the previous establishment of the B-1 Town Center District (which, was intended to be the same as the high school property adjacent and across Seahawk Road), was a mistake in zoning. Indeed, the property is not located anywhere near the "Town Center" wherein the significant B-1 Zone is located. But for the annexation of the Board of Education property on the westerly side of Seahawk Road, none of the Berlin annexed property in the area is zoned "B-1" but, all of the other annexed property, including two other properties owned by applicant Two Farms, Inc., are already zoned B-2 shopping district in the corporate limits of the Town of Berlin. All property to the east of the Corporate Limits along Route 50 is zoned C-2 General Commercial District in the Worcester County Zoning Code.
5. The section of the Berlin community, in which the subject property is located, has changed from a formerly rural area to a commercial area and thus, in order to fully comply with the comprehensive plan of the Town of Berlin, the zoning of the subject property should more appropriately conform with the nature of the previous and potential uses located thereon, that is; B-2 Shopping District.

### **CONCLUSION**

For the reasons stated above, it is submitted that the previous zoning of "Town Center District-B-1" was a mistake and the property should more appropriately be zone B-2 Shopping District to comport with the recent annexation of property immediately to the east and contiguous to the requested rezoning which was annexed and, thereupon, Zone B-2 Shopping District.

Finally, the B-2 Shopping District Zoning more appropriately coincides with all of the annexed property adjacent to the subject property and to the east thereof, which lies in the county, which is all zoned C-2 General Commercial District, the uses thereof being similar to the uses in the Town of Berlin B-2 Shopping District.

Exhibit "A"

Recorded plat showing Rezoning property Highlighted



(only portions of it are annexed)



Exhibit "B"

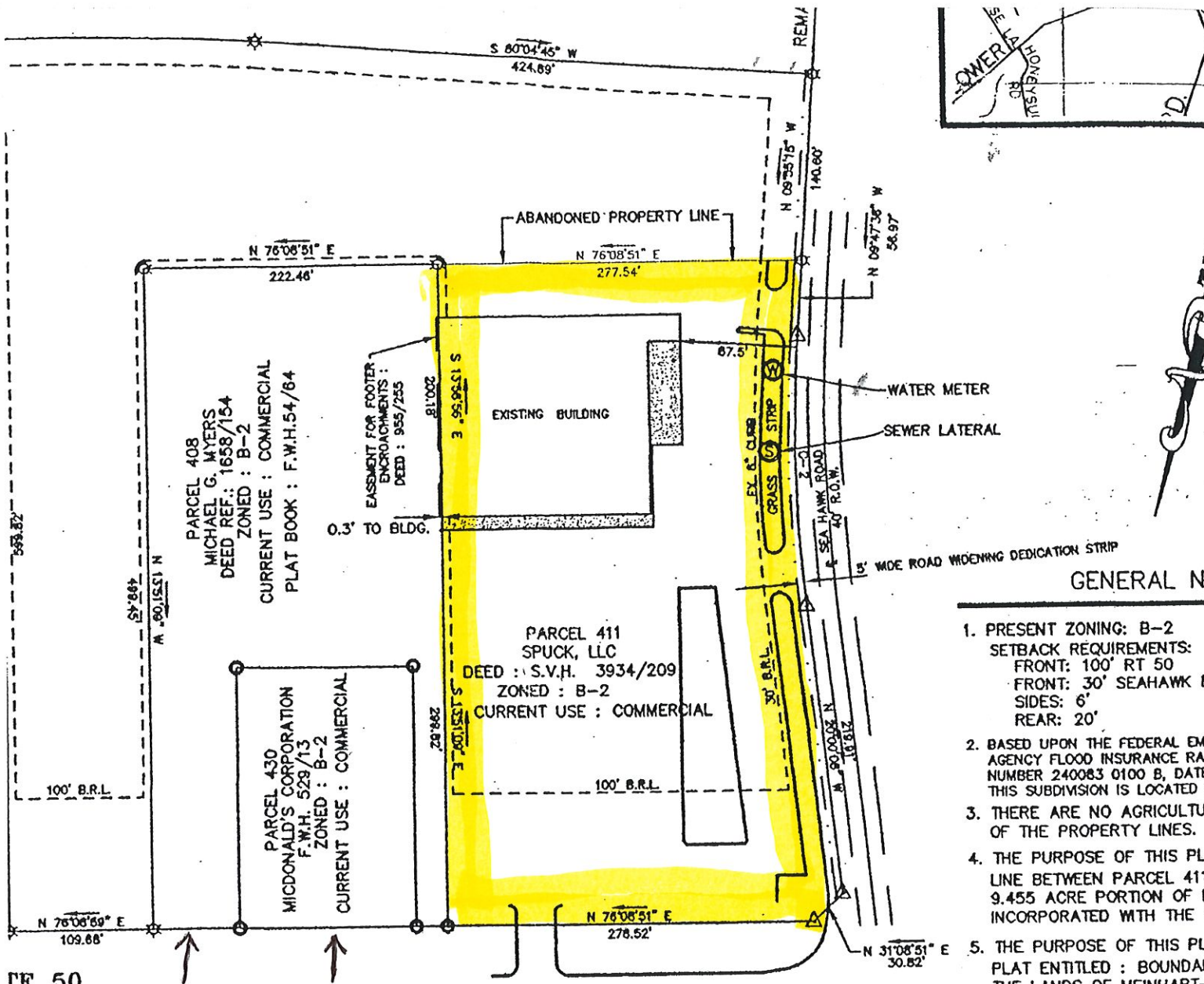
Excerpt of recorded plat showing Rezoning property Highlighted



1970.00'	27'42.19"	952.59'	485.80'	943.33'	N 66°13'35" E
1139.56'	10°12'30"	203.03'	101.79'	202.77'	N 14°53'53" W

Excerpt of recorded plat showing subject property in highlight

Presently zoned B-1



1. PRESENT ZONING: B-2  
SETBACK REQUIREMENTS:  
FRONT: 100' RT 50  
FRONT: 30' SEAHAWK R  
SIDES: 6'  
REAR: 20'
2. BASED UPON THE FEDERAL EMI  
AGENCY FLOOD INSURANCE RA  
NUMBER 240083 0100 B, DATE  
THIS SUBDIVISION IS LOCATED I
3. THERE ARE NO AGRICULTU  
OF THE PROPERTY LINES.
4. THE PURPOSE OF THIS PL  
LINE BETWEEN PARCEL 411  
9.455 ACRE PORTION OF F  
INCORPORATED WITH THE I
5. THE PURPOSE OF THIS PL  
PLAT ENTITLED : BOUNDAR  
THE LANDS OF MEINHART-  
AS RECORDED IN PLATBOC  
REVISIONS TO OWNER'S NA  
NOTES WERE MADE.
6. THE PURPOSE OF THIS PL  
THE LANDS OF MEINHARDT  
THE LANDS OF SPUCK,LLC  
THIS PLAT IS TO ELIMINAT  
89 AND 411.

FE 50

2019 Annexation of Two Farms Inc

Parcel 430

and Myers Trust Parcel 408- All Zoned B-2

#### MENT

1-403 (B)(14) OF THE NATURAL  
COUNTY CODE OF PUBLIC LOCAL LAWS,  
COUNTY'S FOREST CONSERVATION LAW  
VE ADJUSTMENT WITH NO  
FUTURE APPROVAL OF THIS LAND  
JECT TO THE COUNTY'S FOREST

#### SURVEYOR'S CERTIFICATION

I Hereby Certify, To The Best Of My Knowledge And Belief, That  
The Requirements Of Section 3-108 Of The Real Property Article  
Of The Annotated Code Of Maryland (Latest Edition) Concerning The  
Making Of This Plat And The Setting Of Markers As Well As All Of The  
Requirements Of The County Commissioners And Ordinances Of The  
County Of Worcester, Maryland Regarding The Platting Of  
Subdivisions Within The County Have Been Complied With.

#### ENVIRONMENTAL

PLANS FOR CENTRAL WATER AND SEWER/  
BY THE DEPARTMENT OF THE ENVIRONMEI  
AVAILABLE TO ALL LOTS OFFERED FOR S.

THIS SUBDIVISIONSHOWN HEREON IS APPR  
WITH THE WORCESTER COUNTY COMPREHE  
PROVIDING FOR CENTRAL WATER SUPPLY



Exhibit “C”

Property Metes and Bounds Description

DESCRIPTION OF PROPERTY TO BE REZONED

BEGINNING for the same at a point on the southerly right of way line of U.S. Route No. 50 at its intersection with Sea Hawk Road; thence from said point of beginning and running with the said right of way of U.S. Route No. 50 (1) North 76 degrees 17 minutes 50 second East a distance of 278.52 feet to a point; thence (2) South 13 degrees 42 minutes 10 seconds East a distance of 299.82 feet to a point; thence (3) South 13 degrees 49 minutes 57 seconds East a distance of 200.18 feet to a point; thence (4) South 76 degrees 17 minutes 50 seconds West a distance of 277.54 feet to a point on the easterly right of way line of the Sea Hawk Road; thence with the said line of Sea Hawk Road; (5) North 09 degrees 38 minutes 39 seconds West a distance of 56.98 feet to a point of curve; thence continuing by the same (6) On the Arc of a circle curving to the left having a radius of 1139.56 feet and arc distance of 203.03 feet and having a chord bearing and distance of North 14 degrees 44 minutes 54 seconds West 202.77 feet to a point of tangency; thence continuing by and with the same (7) North 91 degrees 51 minutes 09 seconds west a distance of 219.91 feet to a point; thence continuing by the same (8) North 31 degrees 17 minutes 50 seconds East a distance of 30.82 feet to the point of beginning; containing 140,192 square feet or 3.2184 acres, et seq.

Exhibit “D” Berlin Zoning Map



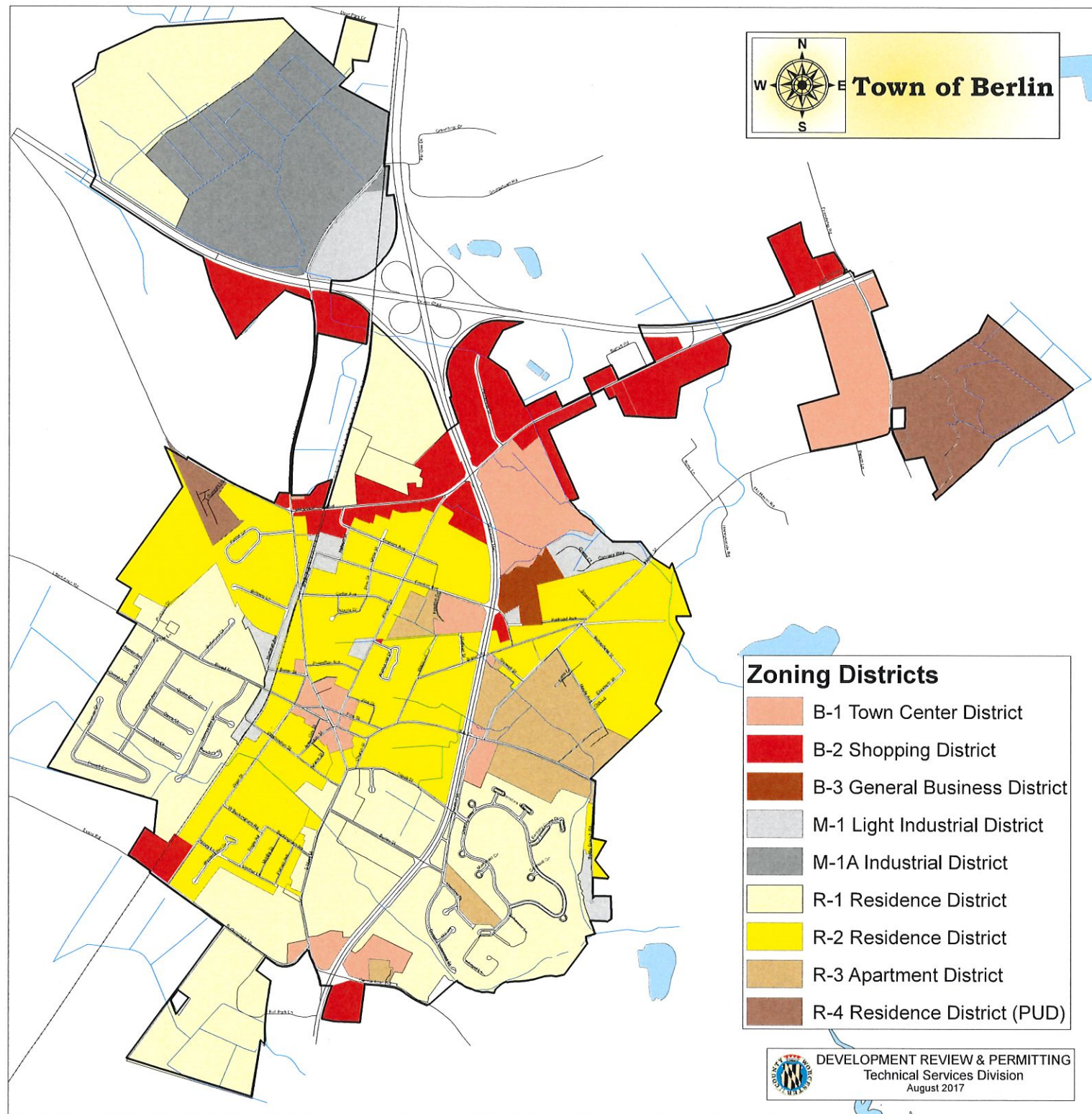
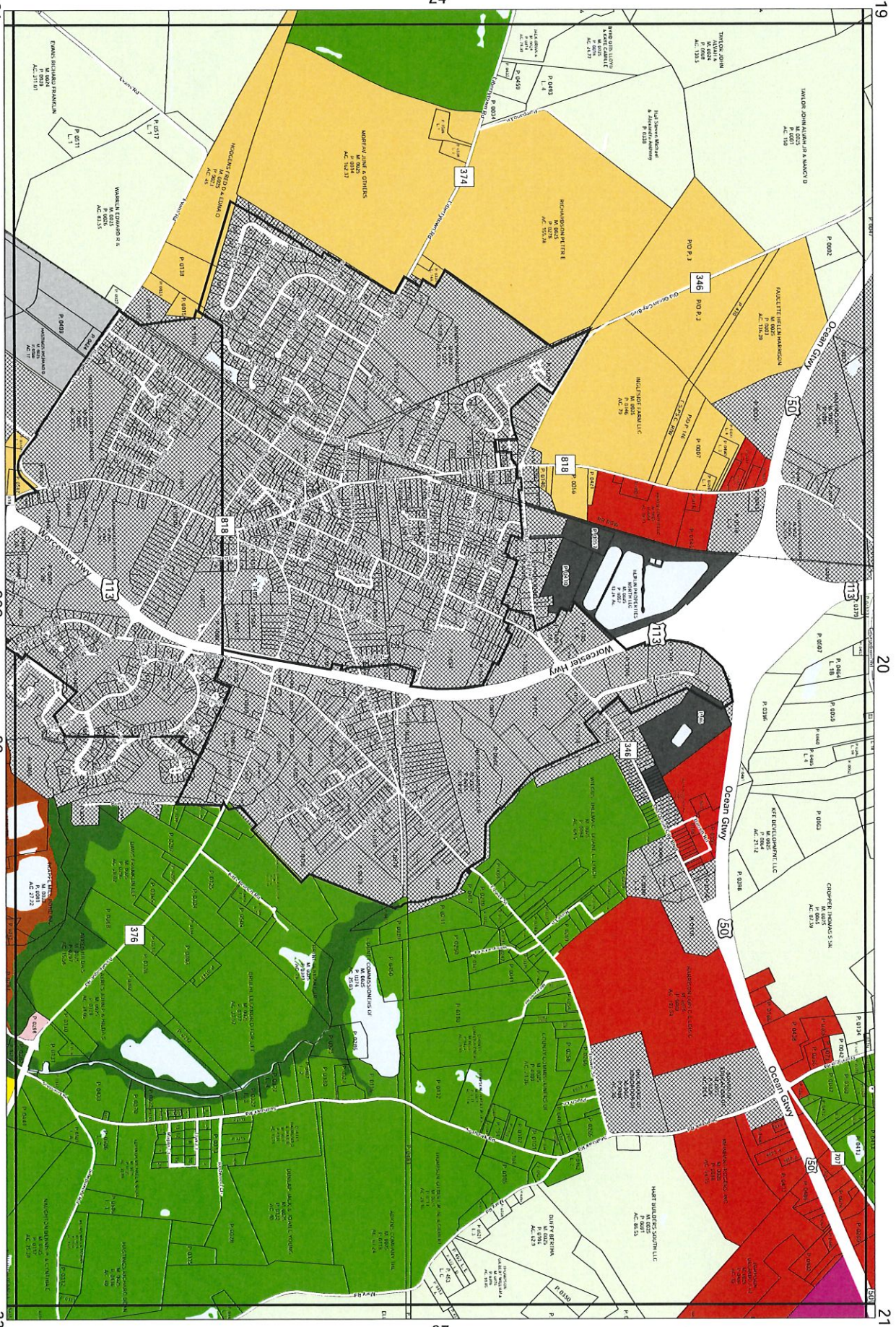


Exhibit “E” Worcester County Zoning Map No. 25









# Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811  
Phone 410-641-2770 Fax 410-641-2316  
www.berlinmd.gov



7-1-2020  
PA  
\$25.00  
FC 7-8-2020

## PLANNING COMMISSION APPLICATION

DATE: 7-1-2020 HEARING DATE: 7-8-2020 CASE NUMBER: 7-8-20-13  
APPLICATION FOR: ☐ SUBDIVISION ☐ SITE PLAN REVIEW ☒ Rezoning  
PROJECT NAME: 115 BROAD STREET (BROAD STREET STATION)  
LOCATION OF PROPERTY: 115 BROAD STREET  
SIZE OF PROPERTY: 3/4 Acres +/- ZONING: INDUSTRIAL TOTAL LOTS: 1  
PROPERTY OWNER/AGENT DAVID DIETRICH PHONE # 443-944-7673  
ADDRESS 10157 HARRISON ROAD EMAIL OCMCRABS@YAHOO.COM  
SIGNATURE OF APPLICANT [Signature]

- Applications must be submitted at least two weeks prior to a regularly scheduled meeting of the Planning Commission.
- Three copies of the proposed subdivision or site plan must be provided with this application.
- Applicable review fees must be paid when application is submitted.



BEARING DATUM  
FROM WDP SURVEY  
DATED MAY 1979  
MAG BEARINGS 1974

HARRISON AVE.  
36' WIDE

BAKER ST.

N / F  
NICHOLAS G. RIGOPOULAS  
SRB 6812 / 0496  
PARCEL # 1268  
TAX MAP # 300  
EXISTING DWELLING

N / F  
OAK-KWANG PARK  
SOON-AE PARK  
FWH 683/290  
PARCEL # 1233  
TAX MAP # 300  
EXISTING DWELLING

BELIEVED TO BE  
PART OF LANDS OF  
MD. DE. RAIL ROAD  
CO. SVH 2828/527.

(PART OF ORIGINAL LANDS OF  
LOHMEYER PER DEED 1593/268)

N / F  
PATSY M. (LOHMEYER) BELL  
SVH 4819 / 0335  
PARCEL # 1231  
TAX MAP # 300  
EXISTING DWELLING

LOT 1  
PLAT BK 128/63

N / F  
PATSY M. (LOHMEYER) BELL  
SVH 4819 / 0335  
PARCEL # 1231  
TAX MAP # 300  
VACANT

LOT 2  
PLAT BK 128/63

(PART OF ORIGINAL LANDS OF  
LOHMEYER PER DEED 1593/268)

LEGEND:  
● DENOTES IRON PIPE, FOUND

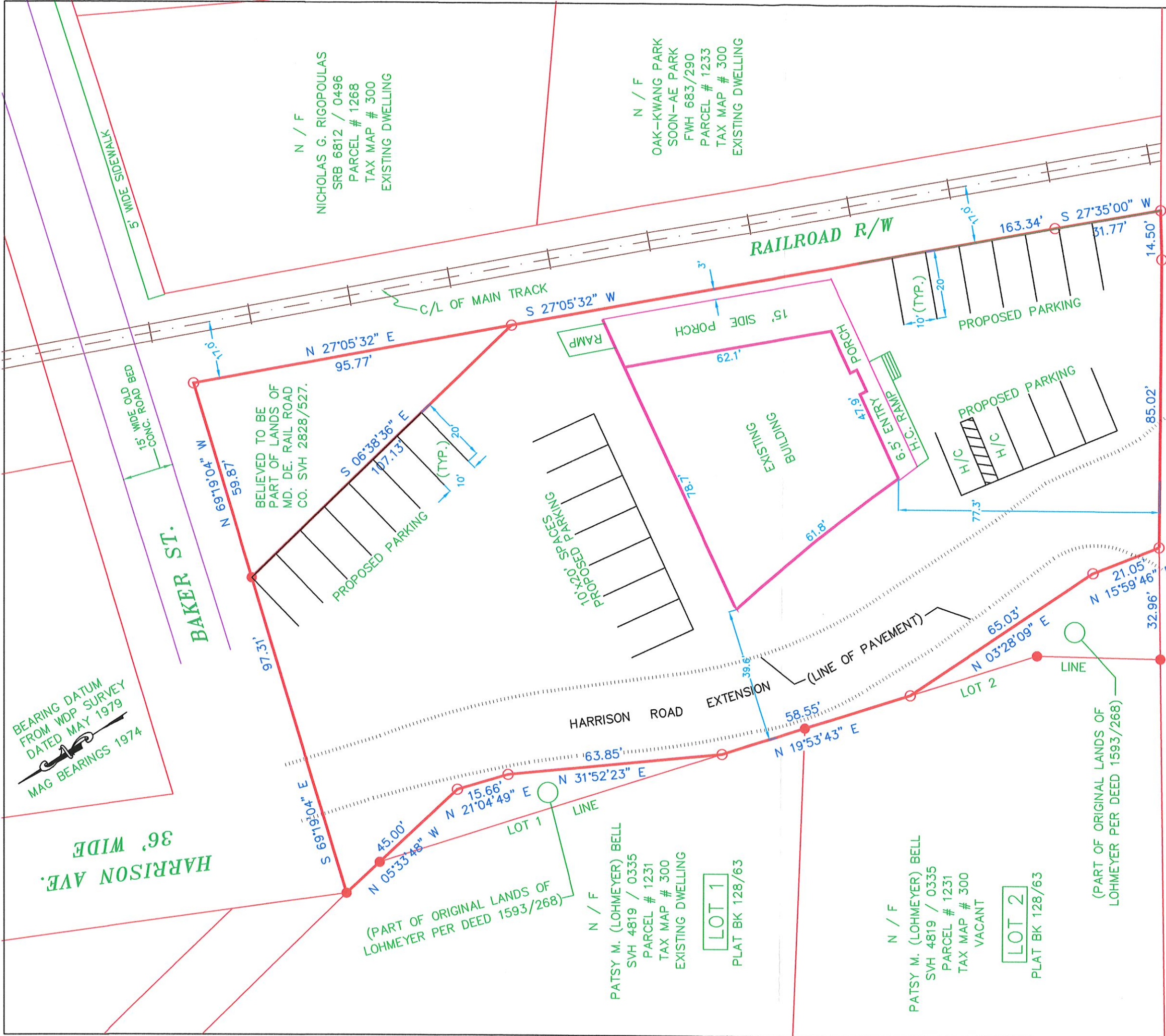
ADDRESS:  
# 115 BROAD STREET  
BERLIN, MARYLAND 21811

**FIT-OUT SITE PLAN**  
FOR  
**DAVE & BONNIE DIEHL**  
TAX MAP 300, PARCEL 1232  
TOWN OF BERLIN  
THIRD ELECTION DISTRICT  
WORCESTER COUNTY, MARYLAND  
DATE: 06/29/20  
SCALE: 1" = 30'  
JOB NO. 4070\_FIT-OUT

AREA OF PARCEL 1232= ±0.734 ACRES  
TOWN OF BERLIN- ZONED M-1 (LIGHT INDUSTRIAL)



L. E. Bunting Surveys, Inc.  
MARYLAND & VIRGINIA  
LAND SURVEYING  
24 BROAD STREET  
BERLIN, MARYLAND 21811  
410-641-3313



BROAD STREET  
MD RTE 376

TO BERLIN BUSINESS