



# 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)

**Town of Berlin  
Planning Commission  
January 14, 2026 - 5:30 PM  
Berlin Town Hall – Council Chambers**

- 1. Call To Order**
- 2. Agenda Adoption**
- 3. Approval of Minutes** – November 12, 2025
- 4. Case # PC-1-14-26-01:** 9413 Evans Road, Storage Sense – Retroactive approval for work that deviated from approved site plan
- 5. Case # PC-1-14-26-02:** 33 Burley Street - Resubdivision/Boundary line adjustment
- 6. Comments from the Public**
- 7. Comments from the Staff**
- 8. Comments for the Chairman**
- 9. Comments from the Commission**
- 10. Adjournment**

*Any persons with questions about the above-referenced meeting or any persons needing special accommodations should contact Kate Daub at 410-641-4002. Written materials in alternate formats for persons with disabilities are made available upon request. TTY users dial 7-1-1 in the State of Maryland.*

Town of Berlin  
Planning Commission  
Wednesday, November 12, 2025  
Meeting Minutes

Chairman Matt Stoehr called the Planning Commission meeting to order on November 12, 2025, at 5:31 PM. The members present included Vice Chairman Austin Purnell, Pete Crosby, Newt Chandler, Steven Scheiber, Dirk Widdowson, and Erich Pfeffer. Alternate commission members present were Logan Hall and Jenelle Gerthoffer. The town staff present included Acting Planning Director Ryan Hardesty, Special Projects Administrator Kate Daub, and Permits Coordinator Kaitlin Ahlers.

Chairman Stoehr called the meeting to order and asked for a motion to approve the agenda for the November 12, 2025, meeting. Mr. Cosby made the motion, seconded by Mr. Chandler, and it was unanimously approved by the Commission.

Chairman Stoehr then called for a motion to approve the minutes from the October 8, 2025, meeting. Mr. Widdowson moved to approve the minutes, and Mr. Chandler seconded the motion. The minutes were approved unanimously.

Chairman Stoehr introduced Case #PC-11-12-25-09 regarding the lot reconfiguration between Lot 4 and Parcel 91 for Ocean's East Phase 2B. Mr. Brock Parker of Parker and Associates was present on behalf of Ocean's East II, LLC, and presented the application. He explained that the applicant is seeking approval to adjust the lot lines shown on the previously approved plan.

Mr. Widdowson asked whether the original Phase 2B submission did not include the lot lines currently depicted. Mr. Parker clarified that the revised lot lines are being created to reflect the actual building locations.

Mr. Parker further explained that under the previously reviewed plan, a lot line was shown running through a proposed building, which prompted the request to come before the Commission. He added that when Worcester County pulled the permit for recordation, it was discovered that the originally depicted lot lines were incorrect.

Mr. Widdowson then asked staff whether the discrepancy had been identified by Ocean's East or by staff. Ms. Hardesty reiterated Mr. Parker's explanation that the discrepancy was identified by the Worcester County GIS Department, which subsequently notified staff.

Following the discussion, Chairman Stoehr noted that the information presented was largely administrative and indicated his preparedness to approve the request. Chairman Stoehr then called for a motion to approve the proposed lot reconfiguration. Mr. Widdowson moved to approve Case # PC-11-12-25-09, and Mr. Chandler seconded the motion. The motion was unanimously approved by the Commission.

Chairman Stoehr initiated a discussion regarding items he had been asked to address by community members. He referenced the project completed at the Berlin Activities Depot, specifically noting the relocation of the HVAC system from the roof to the ground. He stated that while the installation met applicable code requirements, it was not visually appealing. Chairman Stoehr noted that had the proposal been presented to the Commission without appropriate screening or enclosure, the Commission would not have approved it.

This led to a broader discussion regarding the extent of the Commission's authority when a developer makes changes to a project years after Planning Commission approval. Ms. Hardesty acknowledged the Commission's concerns and stated that there is currently nothing in the code requiring HVAC systems to be screened or enclosed. Chairman Stoehr then cited the Tax Office on South Main Street as an example, questioning what authority the Commission would have if a sign were approved and later changed two years after approval.

Ms. Hardesty acknowledged these concerns and raised the broader issue of how to determine which changes should be required to return to the Planning Commission for review. She stated that she had been advised that if a change has a significant visual impact on the public, it should be considered a major change and presented to the Commission. Mr. Pfeffer added that, from a developer's perspective, there may be instances where certain details are omitted during the initial approval process, with changes made a year or two later.

Mr. Widdowson stated that his understanding of the Town of Berlin's vision for Old Ocean City Boulevard includes the creation of a cohesive streetscape, and that the work approved at the Berlin Activities Depot runs counter to the Commission's goals for that corridor. He further expressed concern about what constitutes a "major" change and how the Commission should define it.

Chairman Stoehr stated that even minor changes can have a significant impact on the visual character of Old Ocean City Boulevard. He added that some developers may intentionally omit certain details from their submissions to the Commission, only to complete or alter those elements later.

Ms. Hardesty requested clarification, asking whether, once a project has been approved, any changes made a year or more later must be returned to the Commission for review. Chairman Stoehr responded that it would be beneficial for staff to first review proposed changes and then determine whether they warrant Commission review. Ms. Hardesty acknowledged the discussion and noted that the Berlin Activities Depot was directed to obtain a permit after the work had been completed.

Chairman Stoehr acknowledged this and stated that the Commission would like to maintain a record of changes in order to preserve the intended streetscape and overall visual appeal.

Mr. Widdowson proposed that language be included requiring any deviation from approved plans to be submitted to staff for review, with staff determining whether the changes must be presented to the Commission. Chairman Stoehr agreed, stating that any changes to landscaping, lighting, signage, or mechanical elements should require additional approval.

Mr. Widdowson then asked staff whether there was any mechanism for the Commission to take action regarding the Berlin Activities Depot. Ms. Hardesty responded that she does not believe there is anything in the code that would require the Berlin Activities Depot to modify the work already completed.

Chairman Stoehr redirected the discussion to Harbor Freight and asked whether there was any way to require the business to reduce the brightness of its lighting, noting that the Commission would not have approved the lighting as currently installed. Ms. Hardesty stated that staff would follow up by visiting the site to review the lighting.

Chairman Stoehr then inquired about the new Buckingham Elementary School and when the project would be presented to the Commission. Ms. Hardesty responded that the plans are still under stormwater review and that she has been informed that construction may begin in 2027.

Chairman Stoehr expressed concern that the project could go before the Commission when it is already too far along to be meaningfully reviewed or denied. He requested that the Mayor and Council ask the applicant to present their plans earlier in the process. Ms. Hardesty confirmed that the project will be coming before the Commission.

With no further comments from the Commission, a motion was made by Mr. Purnell to adjourn, and Mr. Widdowson seconded, adjourning the meeting at 6:18 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kaitlin Ahlers', with a stylized flourish at the end.

Kaitlin Ahlers  
Permits Coordinator



# Mayor & Council of Berlin

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

Agenda Item 4

received  
12/9/25

berlin  
and arts district

## PLANNING COMMISSION APPLICATION

DATE: 12-9-2025

CASE NUMBER: PC-1-14-26-01

### APPLICATION TYPE: (check one)

- |   |  |
|---|--|
| <input type="checkbox"/> Concept Site Plan Review     | <input type="checkbox"/> Concept Subdivision     |
| <input type="checkbox"/> Preliminary Site Plan Review | <input type="checkbox"/> Preliminary Subdivision |
| <input type="checkbox"/> Final Site Plan Review       | <input type="checkbox"/> Final Subdivision       |

☒ Other: DESIGN ALTERATION

Has this project already been reviewed by the Planning Commission?

☐ No

☒ Yes

FEB 9, 2022

Date of Meeting

PROJECT NAME/DESCRIPTION: EVANS PARC VENTURE LLC STORAGE PARK

LOCATION OF PROPERTY: 9413 EVANS RD.

SIZE OF PROPERTY: 5.0 ACRES ZONING: B-2 TOTAL LOTS: (1)

PROPERTY OWNER/AGENT: EVANS PARC VENTURE LLC PHONE #: 202-437-0176

ADDRESS: 6914 RUM POINTE RD BERLIN, MD 21811 EMAIL: PARKINGEXPERT67@GMAIL.COM

### IMPORTANT:

- Applications must be submitted at least thirty (30) days before a regularly scheduled Planning Commission meeting. Meeting dates and filing deadlines are available at: [berlinmd.gov/government/boards-commissions-and-committees](http://berlinmd.gov/government/boards-commissions-and-committees)
- Nine (9) complete copies of the proposed subdivision or site plan must accompany the application.
- All applicable review fees are due at the time of submission.
- Submission by the stated deadline does not guarantee placement on the next agenda. Each application is subject to a comprehensive review process, which may extend beyond the next meeting date.

### ADDITIONAL INFORMATION/EXPLANATION:

THIS APPLICATION AND DESIGN HAS BEEN APPROVED

The applicant, or an authorized representative, has been advised to appear at the meeting of the Planning Commission scheduled for JAN 14 2026 (date).

Applicant Signature Marc Kavin Date 12-9-2025

### IF APPROVED:

\_\_\_\_\_  
Planning Commission Chair

\_\_\_\_\_  
Date

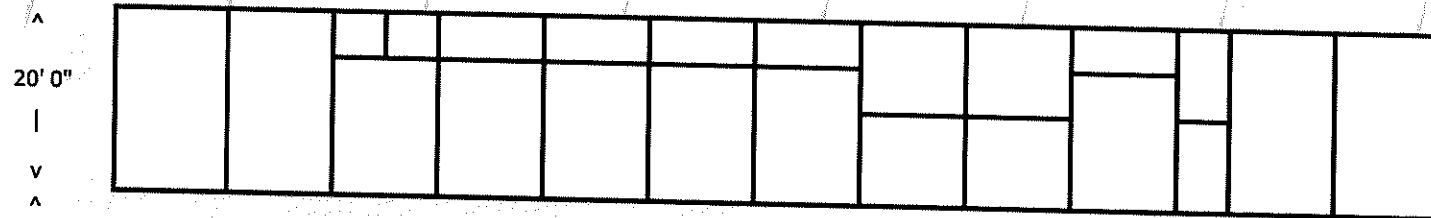
\_\_\_\_\_  
Planning Director

\_\_\_\_\_  
Date

# EVANS PARC BUILDINGS 10 - 11

← 30' 0" →

← 124' 11" →



Building 11 - Drive Up

20' 0"

|

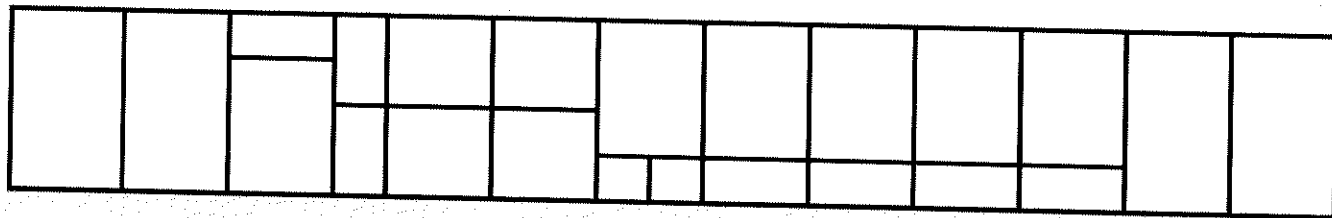
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^

20' 0"

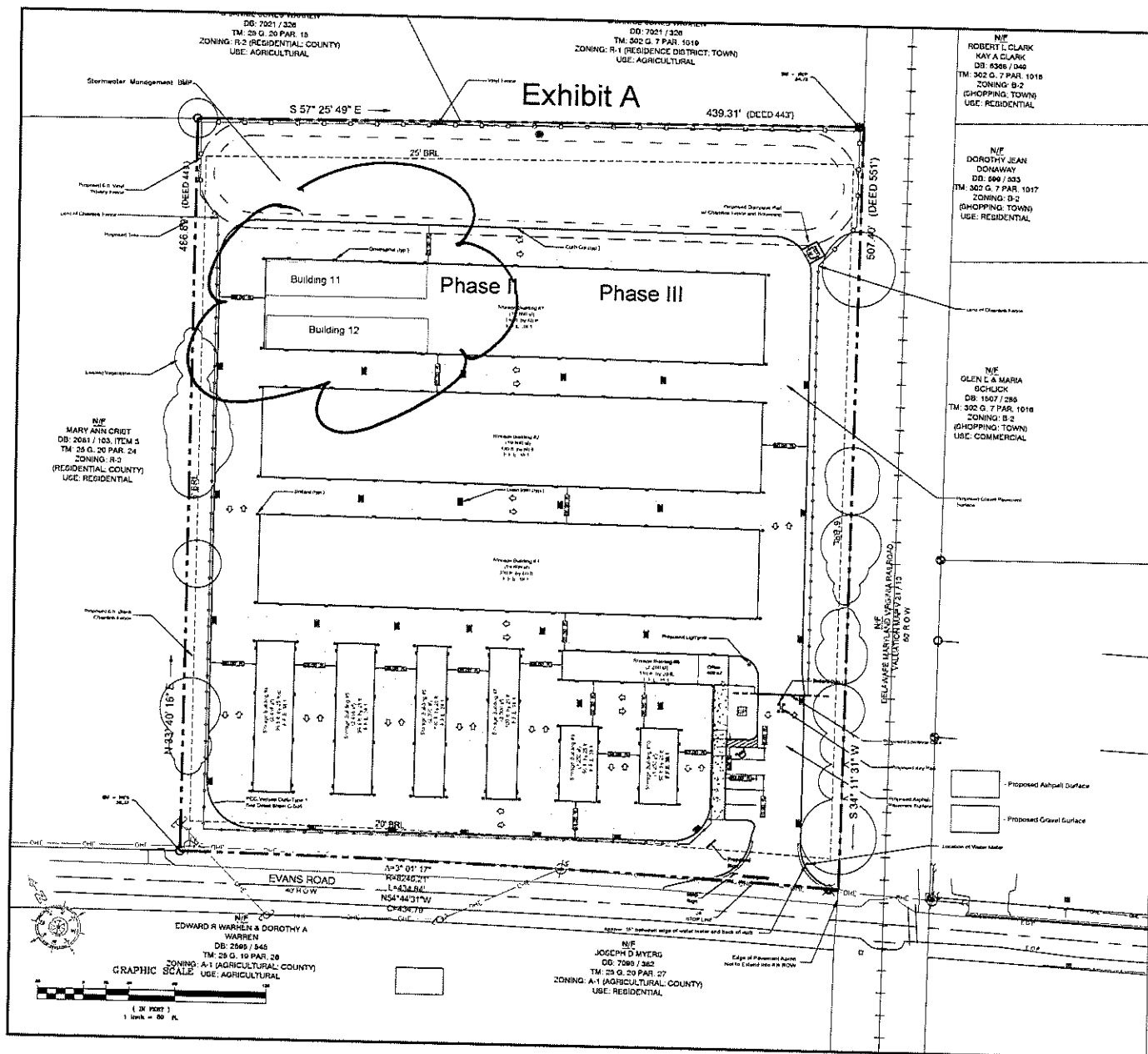
|

v



Building 10 - Drive Up

Each cell is 5' 0" x 5' 0"



**PLANS ISSUED FOR REVIEW**

REVISED	REVISION	DATE
1	EA COMMENTS	4/10/2012
2	EA COMMENTS	10/10/2012
3	EA COMMENTS	10/10/2012
4	EA COMMENTS	10/10/2012
5	EA COMMENTS	10/10/2012

**Evans Parc Storage**

9413 Evans Road  
Worcester County, Maryland

**SITE DATA**

- OWNER/DEVELOPER:**  
EVANS PARC STORAGE, LLC  
1004 OLD OCEAN CITY BOULEVARD  
BETHESDA, MD 20814  
patrick.evans@evansparcstorage.com  
202-407-0176
- TAX MAP:** MAP 25 PARCEL 339
- TAX ACCOUNT #:** 03018029
- DEED REF:** DB345 / 310
- OTHER THAN SHOWN:** THIS SURVEY PLAT DOES NOT WARRANT THE EXISTENCE OR NON-EXISTENCE OF RIGHT-OF-WAY OR EASEMENTS ON THIS PROPERTY. NO TITLE SEARCH WAS PROVIDED FOR OUR USE.
- SURVEY PLAT DATA:** IS MARYLAND STATE GRID NORTH NAD 83

**GENERAL NOTES:**

- ZONING:** B-2 SHOPPING DISTRICT
- SITE AREA:** 11.4 SF ACRES
- PROPERTY SURVEY:**  
FRONT: 26 FEET  
SIDE: 4 FEET  
REAR: 24 FEET
- FLOOD ZONE:** ZONE X PER FIRM MAP 2404C0133N DATED JULY 16, 2016
- PROPOSED USES:**  
**TEN WAREHOUSE STRUCTURES:**  
BUILDINGS: 18,000 SQ. FT. (MAXIMUM)  
TOTAL BUILDING SQ. FT. (MINIMUM): 17,500 SQ. FT.  
BUILDING HEIGHT: 12 FT. (MAXIMUM)  
OFFICE SPACE: 400 SQ. FT.
- PARKING CALCULATIONS:**  
REQUIRED PARKING: 3 ON 1 SPACE FOR EVERY 2 EMPLOYEES  
PROPOSED PARKING: 6 SPACES (IN TYP. 1 HANDICAP)
- OPEN SPACE:**  
PROPOSED OPEN SPACE: 25% (1.8 AC.)  
REQUIRED OPEN SPACE: 15% (1.7 AC.)
- ALL PROPOSED BUILDINGS ARE TO BE CONSTRUCTED BY OTHERS**
- BUILDING DIMENSIONS:**  
330 FT BY 60 FT (BUILDING 1-3)  
90 FT BY 25 FT (BUILDING 4-6)  
100 FT BY 20 FT (BUILDING 6-7)  
110 FT BY 20 FT (BUILDING 8)  
80 FT BY 25 FT (BUILDING 9-10)

**ALL DIMENSIONS ARE PER MANUFACTURER'S SPECIFICATIONS**  
PROPOSED MAXIMUM BUILDING HEIGHT IS 12 FT. BUILDINGS TO HAVE HAVES CENTER RIDGED ROOFS WITH PERIMETER DOWNSPOUTS. BUILDING DOWNSPOUTS PROPOSED TO BE FED INTO STORM DRAIN PIPES.

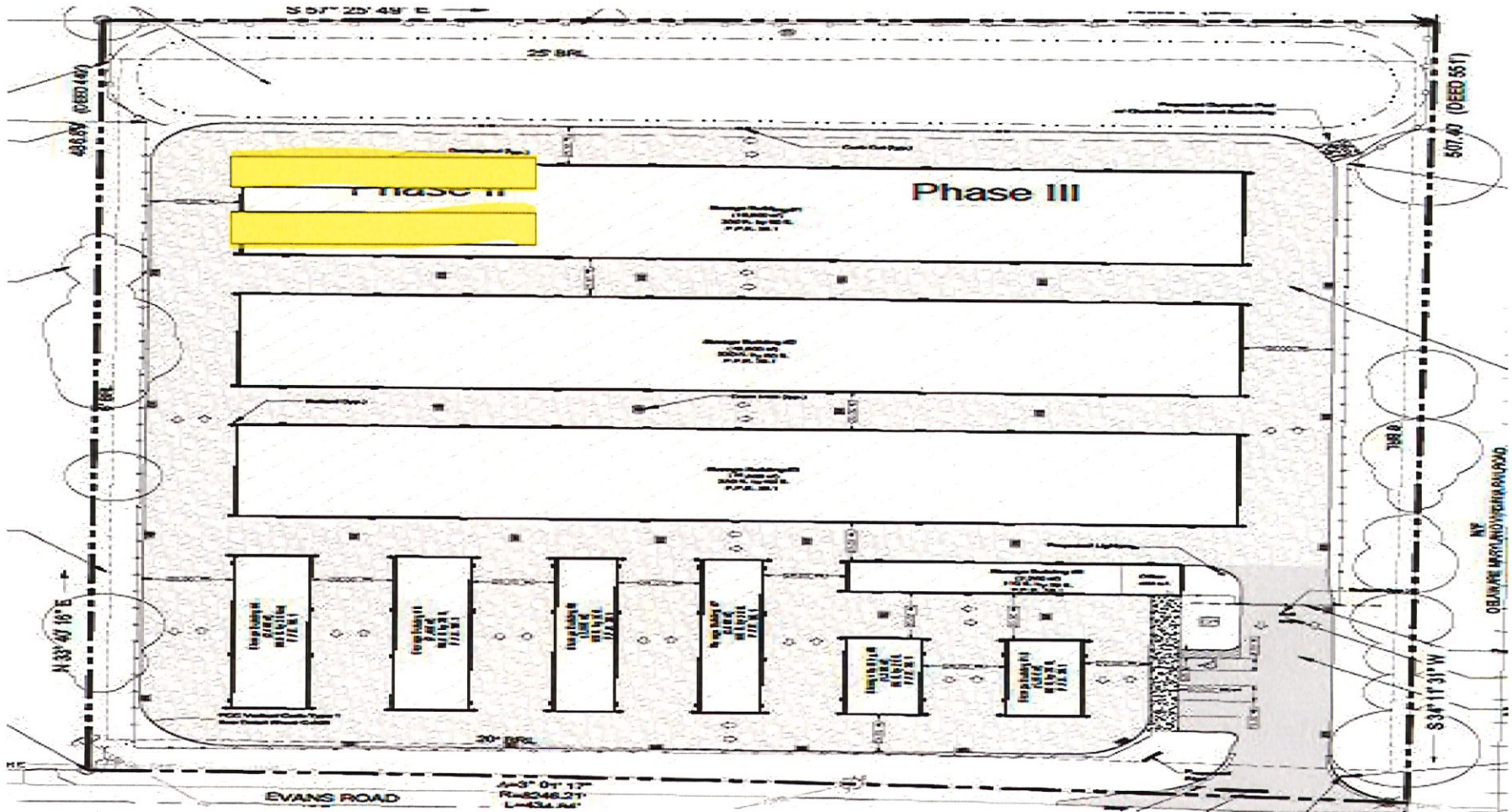
- ALL LIGHTING INCLUDING EXTERIOR LIGHTS, FLOODLIGHTS AND STREETLIGHTS SHALL BE DIRECTED, CONTROLLED AND FOCUSED WITHIN THE SITE PROPERTY LINES. LIGHTING SHALL MINIMIZE GLARE AND ILLUMINATION OF NEIGHBORING PROPERTIES AND TO SPECIFICALLY DIRECT LIGHT AWAY FROM ADJACENT LOTS AND ROADS.**
- FOREST CONSERVATION TO BE PROVIDED THROUGH OFF-SITE MITIGATION BANK.**
- 1" WATER MAIN REQUIRED FOR FIRE SUPPRESSION SYSTEM**
- ESTIMATED WATER USAGE: 1.8 GAL/DAY**
- ESTIMATED DRAINAGE FLOW: 1.3 GAL/DAY (1 + 1 EDDH)**

**FOREST CONSERVATION NOTE:**  
This site is subject to the Worcester County Forest Conservation Law. This site is subject to forest conservation plan no. 23-12. This site has met compliance with the Worcester County Forest Conservation Law by installing a credit from an off-site mitigation area. A plan depicting the off-site forest conservation area and a Forest Mitigation Agreement was previously recorded in the Land Records of Worcester County, Maryland. A Certificate of Mitigation has been associated and recorded in the Land Records between the Grantor of the Mitigation Area and User who is ensuring a credit from the mitigation area in order to obtain compliance with the Forest Conservation Law.



Evans Parc Venture LLC  
Landscape / Lighting Plan  
Presented to: Berlin Board Of Zoning Commission

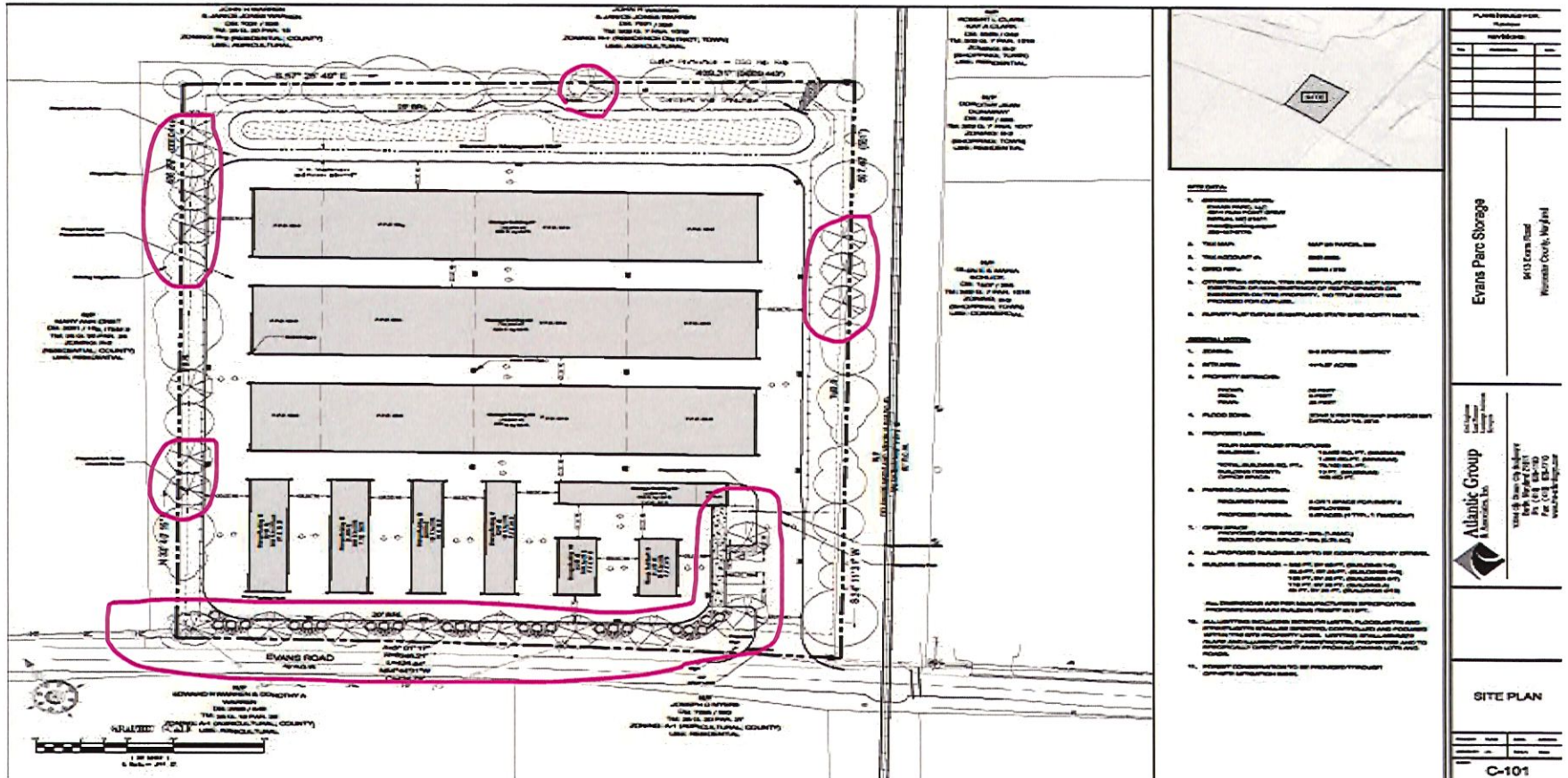
received  
12/23/25



Evans Parc Venture LLC  
9413 Evans Road, Berlin  
Landscape /Lighting Layout  
Submitted December 22, 2025



Evans Parc Venture LLC  
**Landscape / Lighting Plan**  
 Presented to: Berlin Board Of Zoning Commission



**Landscape Notes:**

- The above plan was the original design approved by the **Planning Commission**.
- All shrubs and trees were installed according to plan (circled areas represent the planted areas).

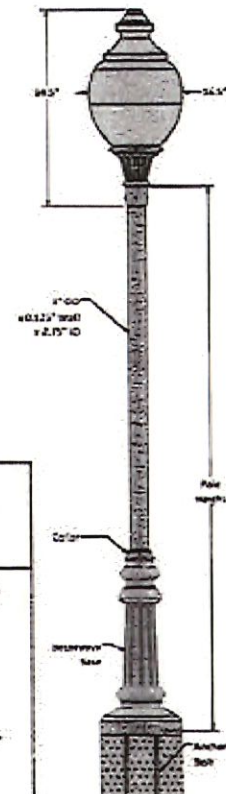
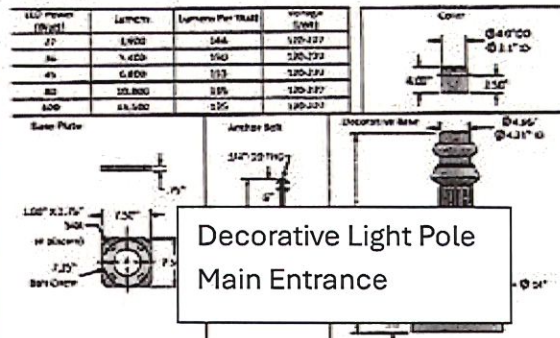
Evans Parc Venture LLC  
 9413 Evans Road, Berlin  
**Landscape /Lighting Layout**  
 Submitted December 22, 2025

Evans Parc Venture LLC  
**Landscape / Lighting Plan**  
 Presented to: Berlin Board Of Zoning Commission



**LIGHT POLE**  
 Pole shaft: 3 inch round straight aluminum with 0.125" wall thickness.  
 Finishes: excluded from 5082-16 alloy.  
 Pole height: standard pole height is 14 ft. Optional heights are 12, 10 and 8 ft.  
 Custom heights are available.  
 Handhole: 2" x 4" size handhole is located at 18 inches from the base. An aluminum handhole cover with 2 screws is provided. A ground lug with set screw is located next to the handhole opening for proper grounding of the pole.  
 Decorative Base: 2 piece, 6 inch high style cast aluminum base not.  
 Cast aluminum cover is included for proper closure of 2" OD pole into the base.  
 4 stainless steel, 6061-T6 cast aluminum screws are included for attachment.  
 Weight: 17 lbs.  
 Color: Black powder coat.  
 Anchor Bolt: A set of 4 galvanized steel anchor bolts is provided with each pole assembly. Each anchor bolt includes 3 nuts and 3 washers. Top portion of the anchor bolt is threaded for securing and turning the pole with the provided nuts and washers. An actual line paper anchor bolt template is provided.  
 Maximum wind loading: 100 mph with a pole with 2.0 gust factor.  
 Warranty: 5 years.  
 Foundation design: Foundation should be designed by an engineer. Cellular wall block and and steel plate as well as local code where the pole(s) will be installed.

**ACORN FIXTURE**  
 Standard LED Acorn Light Fixture: formed clear polycarbonate shade and is attached to the cast aluminum base with 4 set screws. Cast aluminum base sits over top of the pole and is secured with 3 set screws.  
 All LED systems include a Mogul socket.  
 Mogul location: standard.  
 Weight: 13 lbs.



**Lighting Plan**

**Notes:**

- All lighting was installed per plan approved by the Planning Commission.

Evans Parc Venture LLC  
 9413 Evans Road, Berlin  
**Landscape /Lighting Layout**  
 Submitted December 22, 2025

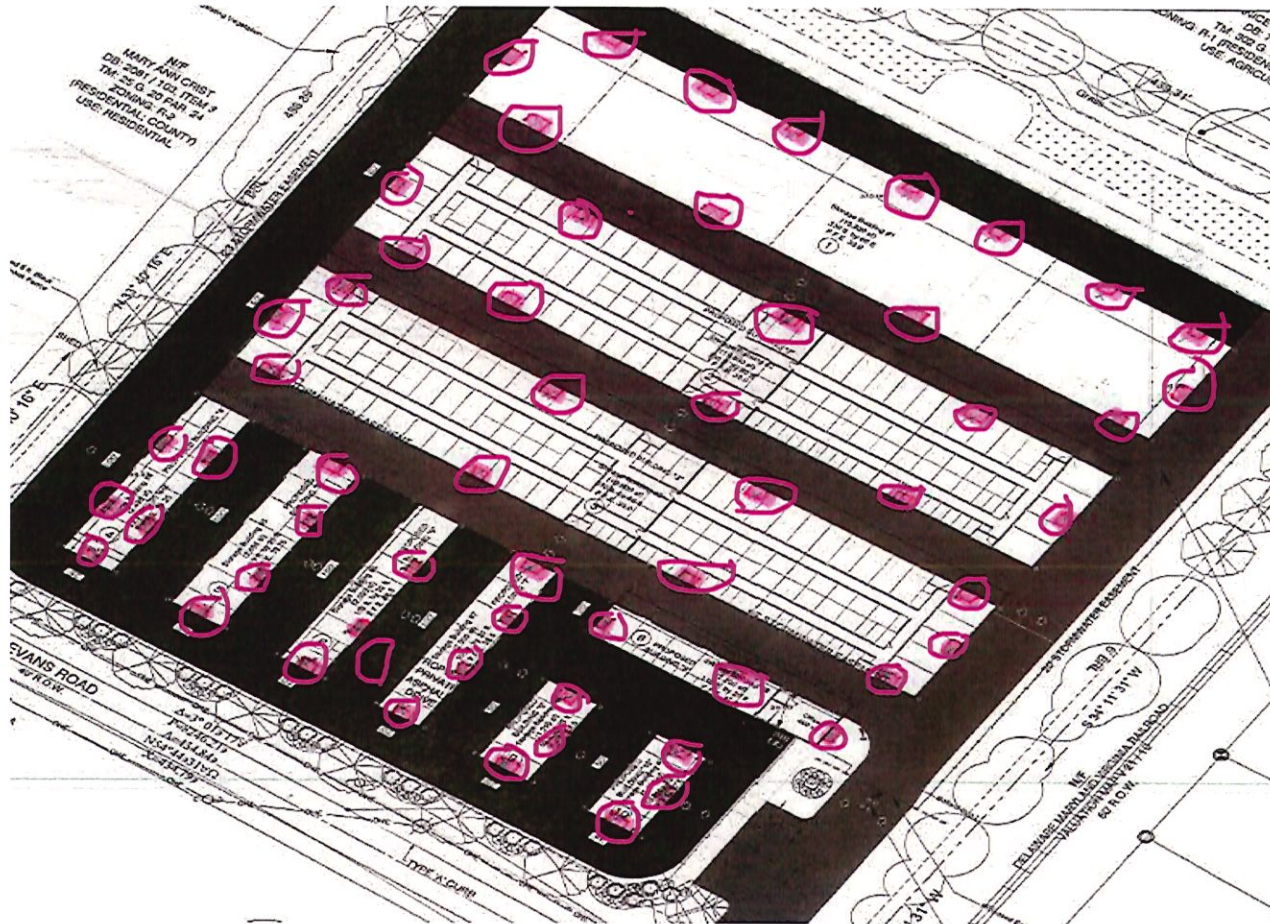


Evans Parc Venture LLC  
**Landscape / Lighting Plan**  
Presented to: Berlin Board Of Zoning Commission



Evans Parc Venture LLC  
9413 Evans Road, Berlin  
**Landscape /Lighting Layout**  
Submitted December 22, 2025

Evans Parc Venture LLC  
**Landscape / Lighting Plan**  
Presented to: Berlin Board Of Zoning Commission



**Wall Pack Layout Notes**

- Pink blocks represent locations of lighting Wall Packs

Evans Parc Venture LLC  
9413 Evans Road, Berlin  
**Landscape /Lighting Layout**  
Submitted December 22, 2025





# STAFF REPORT

**TO:** Planning Commission

**FROM:** Ryan Hardesty, Acting Planning Director

**MEETING DATE:** January 14, 2026

**SUBJECT:** 9413 Evans Rd.- Storage Sense

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## **SUMMARY:**

The owner of Storage Sense, located on Evans Road, has brought to the Planning Departments attention that construction was completed outside of what was previously approved by the Planning Commission. The applicant is seeking to bring the property into compliance.

## **BACKGROUND:**

In late October to early November of this year, Marc Slavin, owner of Storage Sense located on Evans Road, met with staff in the Planning Office and advised that he had completed work beyond what was previously approved by the Planning Commission. Mr. Slavin further indicated that he required an updated Certificate of Occupancy due to a change in square footage.

At that time, staff informed Mr. Slavin that the Town would need to review what had been constructed and determine how it differed from the plans previously approved by the Planning Commission.

Upon review of the project, it was determined that Mr. Slavin deviated from the approved site plan. The approved plan called for the construction of three larger buildings toward the rear of the property. Mr. Slavin did not construct the building located furthest to the rear as part of the approved project.

Subsequently, at a later date, believed to be sometime in 2025, Mr. Slavin constructed two smaller buildings toward the rear of the property without obtaining Planning Commission approval or building permits. No inspections were conducted during construction.

## **FINDINGS:**

- The two buildings constructed toward the rear of the property were not part of the plan approved by the Planning Commission at the February 2022 meeting.
  - The buildings were constructed without Planning Commission approval and without building permits.
  - No inspections by the Town were conducted during construction.
  - The applicant has expressed a desire to bring the property into compliance and obtain the required permits.
  - Due to the lack of inspections, the Town's Building Inspector is requiring a stamped engineer's report
-



verifying that the two structures are code compliant.

- Town Code permits the assessment of double building permit fees for after-the-fact permits.
- Applicable impact fees will be assessed based on the additional square footage.

**RECOMMENDATIONS:**

Staff recommends that the Planning Commission acknowledge the deviations from the previously approved plan and allow the applicant to proceed with the after-the-fact permitting process, subject to the following:

1. Submission and approval of a stamped engineer's report verifying that the two unpermitted structures are code compliant.
2. Submission of building permit applications for the two structures.
3. Payment of double building permit fees as permitted by Town Code.
4. Payment of all applicable impact fees.
5. Compliance with all Town requirements prior to issuance of an updated Certificate of Occupancy.

**CONCLUSION:**

The applicant constructed two buildings without Planning Commission approval or obtaining building permits. While this represents a deviation from the approved plan, the applicant has indicated a willingness to bring the property into compliance. Approval to proceed with the after-the-fact permitting process, subject to the stated conditions, will allow the Town to ensure the structures meet all applicable code requirements and bring the property into compliance with Town regulations.



# Mayor & Council of Berlin

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

Agenda Item 5



## PLANNING COMMISSION APPLICATION

DATE: 12/10/2025

CASE NUMBER: PC-1-14-26-02

### APPLICATION TYPE: (check one)

- |   |   |
|---|---|
| <input type="checkbox"/> Concept Site Plan Review     | <input type="checkbox"/> Preliminary Subdivision  |
| <input type="checkbox"/> Preliminary Site Plan Review | <input checked="" type="checkbox"/> Final Subdivision (Re-subdivision/Boundary line adjustment) |
| <input type="checkbox"/> Final Site Plan Review       | <input type="checkbox"/> Other: _____   |

Has this project already been reviewed by the Planning Commission?

☒ No

☐ Yes \_\_\_\_\_  
Date of Meeting

PROJECT NAME/DESCRIPTION: 33 Burley

LOCATION OF PROPERTY: 33 Burley St., Berlin, Md. 21811

SIZE OF PROPERTY: ~4 acres ZONING: R1 TOTAL LOTS: 6

PROPERTY OWNER/AGENT Todd and Allison Bescak PHONE # 443-669-5032 or 443-880-1918

ADDRESS 33 Burley St., Berlin, Md. 21811 EMAIL abescak@gmail.com  
tbescak@gmail.com

### IMPORTANT:

- Applications must be submitted at least thirty (30) days before a regularly scheduled Planning Commission meeting. Meeting dates and filing deadlines are available at: [berlinmd.gov/government/boards-commissions-and-committees](http://berlinmd.gov/government/boards-commissions-and-committees)
- Nine (9) complete copies of the proposed subdivision or site plan must accompany the application.
- All applicable review fees are due at the time of submission.
- Submission by the stated deadline does not guarantee placement on the next agenda. Each application is subject to a comprehensive review process, which may extend beyond the next meeting date.

### ADDITIONAL INFORMATION/EXPLANATION:

Our vision for our property: 33 Burley (build a garage + pool pavillion) for the other lots to please allow 2 homes to be built for future familial housing.

The applicant, or an authorized representative, has been advised to appear at the meeting of the

Planning Commission scheduled for \_\_\_\_\_ (date).

Applicant Signature Allison Bescak Date 12/10/2025

one up front  
#31 Burley  
and one  
around  
back.

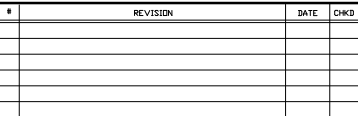
### IF APPROVED:

\_\_\_\_\_  
Planning Commission Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Director

\_\_\_\_\_  
Date



PROJECT

RESUBDIVISION OF LOTS 5,6,7,18,19, & 20

MAP OF HARRISONS ADDITION BERLIN,MD.

THIRD TAX DISTRICT, WORCESTER COUNTY, MARYLAND

PLAT BOOK : O.D.C. 2/16

TITLE

BOUNDARY LINE ADJUSTMENT

LANDS OF TODD & ALLISON BESCAK

PROFESSIONAL SEAL

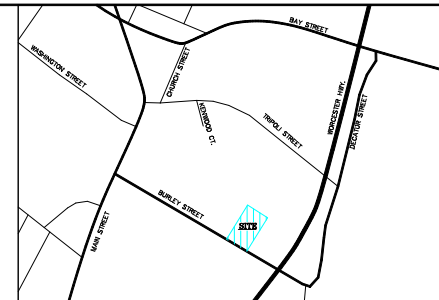
EXPIRES 2-21-2026

Frank G. Lynch, Jr.  
& Associates, Inc.

**SURVEYING • LAND PLANNING**  
10685 RACETRACK ROAD • BERLIN, MARYLAND 21812

DESIGNED BY	N/A	SURVEYED BY	FGL3/PL	FILE NO. 12029-25  SHEET 1 OF 1
DRAWN BY	F.G.L. JR.	DATE	12-22-2025	
CHECKED BY	FRANK G. LYNCH	SCALE	1" = 30'	

ST#2/C/JOB FILES 2025/12029-25.D\\M



## BERLIN PLANNING AND ZONING COMMISSION

NOT MORE THAN ONE PRINCIPAL BUILDING SHALL BE PERMITTED ON ANY RESIDENTIAL LOT AND NO SUCH LOT MAY EVER BE RESUBDIVIDED SO AS TO PRODUCE A BUILDING SITE OF LESS AREA OR WIDTH THAN THE MINIMUM REQUIRED BY THE APPLICABLE ZONING REGULATIONS.

CHAIRMAN \_\_\_\_\_ DATE: \_\_\_\_\_

ZONING OFFICIAL \_\_\_\_\_ DATE: \_\_\_\_\_

**OWNER'S CERTIFICATION**

THE SUBDIVISION OF LAND AS SHOWN ON THIS PLAT IS WITH FREE  
CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS,  
PROPRIETORS, AND TRUSTEES, IF ANY, THEREOF. THE REQUIREMENTS  
OF SECTION 3-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED  
CODE OF MARYLAND (LATEST EDITION) AS FAR AS THEY RELATE TO  
THE MAKING OF THIS PLAT AND SETTING OF MARKERS HAVE BEEN COMPLIED  
WITH.

OWNER: TODD M. RESCAK DATE:

33 BURLY STREET  
BERLIN, MD. 21811

OWNER: ALLISON H. BESCAK DATE:

33 BURLEY STREET  
BERLIN, MD. 21811

**SURVEYOR'S CERTIFICATION**

I Heresly 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 Settling Of Workers and the Existence of Prior recorded Plats Have Been Complied With.

Frank G. Lynch, Jr.	Dates
Reg. MD. 4 10782	

**WORCESTER COUNTY ENVIRONMENTAL PROGRAMS**

THIS SUBDIVISION SHOWN HEREON IS APPROVED AS BEING IN CONFORMANCE WITH THE WORCESTER COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN PROVIDING FOR CENTRAL WATER SUPPLY AND CENTRAL SEWERAGE.

APPROVING AUTHORITY \_\_\_\_\_ DATE \_\_\_\_\_

**WORCESTER COUNTY FOREST CONSERVATION LAW NOTE**

IN ACCORDANCE WITH SUBTITLE IV, SECTION 1-403 (B)(14) OF THE NATURAL RESOURCES ARTICLE OF THE WORCESTER COUNTY CODE OF PUBLIC LOCAL LAWS THIS SUBDIVISION IS EXEMPT FROM THE COUNTY'S FOREST CONSERVATION LAW SINCE THE SUBDIVISION IS A BOUNDARY LINE ADJUSTMENT WITH NO ACCOMPANYING CHANGE IN LAND USE. ANY FUTURE APPROVAL OF THIS LAND FOR A REGULATED ACTIVITY SHALL BE SUBJECT TO THE COUNTY'S FOREST CONSERVATION LAW.



# STAFF REPORT

**TO:** Planning Commission

**FROM:** Ryan Hardesty, Acting Planning Director

**MEETING DATE:** Wednesday, January, 14, 2026

**SUBJECT:** 33 Burley St. Resubdivision/Boundary line adjustment

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## SUMMARY:

The applicant has submitted a request for a resubdivision/boundary line adjustment affecting properties located at 31 Burley Street and 33 Burley Street. The request proposes to resubdivide the existing parcels into three (3) lots. The properties are currently zoned R-1. The intent of the request is to create compliant residential lots that allow for future single-family development for family members while meeting all applicable zoning and subdivision requirements.

## BACKGROUND:

The subject properties consist of the following existing lots:

- **33 Burley Street:** Lots 7 and 20
- **31 Burley Street:** Lots 5, 6, 18, and 19

The owners are requesting a boundary line adjustment to reconfigure the existing lots into three buildable residential lots. The parcels are currently zoned R-1, which permits single-family residential development subject to applicable dimensional standards and access requirements.

## FINDINGS:

- The applicant proposes the creation of a “flag lot” configuration for proposed Lot 18A. This design ensures that Lot 18A abuts a public street and is therefore compliant with Section 106-140(3)(h) of the Town Code.
- A 20-foot-wide access easement is proposed across Lot 6A to provide access to the rear lot (Lot 18A). This easement is intended to function as a shared/joint driveway for both Lot 6A and Lot 18A.
- Proposed Lot 6A remains compliant with R-1 zoning requirements. The minimum required lot width in the R-1 zone is 80 feet; Lot 6A will have a lot width of 91 feet.
- The remaining two lots meet all applicable dimensional requirements of the R-1 zoning district, including building setback standards:
  1. Front yard setback: 25 feet
  2. Rear yard setback: 35 feet
  3. Side yard setback: a combined total of 25 feet, with a minimum of 10 feet on any one side

- The proposed reconfiguration allows for the development of single-family homes and is consistent with the owners' stated intent to build future homes for family members.

**RECOMMENDATIONS:**

Staff recommends approval of the proposed boundary line adjustment.

**CONCLUSION:**

The proposed boundary line adjustment for 31 and 33 Burley Street results in three code-compliant residential lots within the R-1 zoning district. The revised layout ensures proper street access, meets all dimensional standards, and supports reasonable residential development consistent with the Town's zoning regulations. Staff finds the request to be appropriate and recommends approval as outlined above.