

BEFORE THE TALBOT COUNTY BOARD OF APPEALS

IN THE MATTER OF	*	CASE NO. CAVR-26-6
RICHARD AND KATHY SWANN	*	VARIANCE REQUEST APPLICATION (Critical Area)
* * * * *	*	* * * * *

The Board of Appeals (the “Board”) held a hearing on September 28, 2026, in the Bradley Meeting Room, Court House, South Wing at 11 N. Washington Street, Easton, Maryland, to consider the modification request of Richard and Kathy Swann (the “Applicants”) for a modification of the variance issued by decision dated August 4, 2026. Chairman Frank Cavanaugh, Vice Chairman Louis Dorsey, Jr., Meredith Watters, Jeff Adelman, and Zakary Krebeck were present. Board Secretary Christine Corkell and Planner Andrew Nixon appeared on behalf of the County.

GRANT OF MODIFICATION REQUEST

1. SUMMARY OF REQUEST

The Applicants requested, pursuant to Talbot County Code § 20-20(B), a modification of the conditions of the Board’s approval and decision dated August 4, 2026. The original approval included a condition (Condition B) requiring the Applicants to move an existing 300-square-foot shed out of the Critical Area Buffer and place it onto an existing impervious driveway.

2. SUMMARY OF TESTIMONY & BOARD REASONING

At the hearing, attorney Lyndsey Ryan appeared on behalf of the Applicants. She stated that although the Applicants originally believed the shed could be relocated onto the existing driveway, contractors informed them post-hearing that the move is not feasible. Specifically, the shed is built upon an cement foundation, and its structural supports risk collapsing if lifted or moved. Mrs. Ryan also contended that undertaking the necessary excavation within the Critical Area, to remove the foundation, would cause significantly more environmental damage than leaving the structure in place.

The Applicants requested that, rather than relocating the shed, the condition be modified to permit the shed to remain in place while fulfilling the underlying objective of removing lot coverage from the Critical Area. To accomplish this, the Applicants offered to remove 300 square feet of existing lot coverage elsewhere.

The Board considered the modification request and determined that, in lieu of moving the shed, the Applicants must remove the landscape stone identified on the original hearing drawings as Area A (250 square feet of stone) and Area B (162 square feet of stone), totaling 412 square feet of lot coverage removal. The Board concluded that this alternative abatement fulfills the

condition of reducing lot coverage while avoiding the structural risks and Buffer disturbance associated with moving the shed.

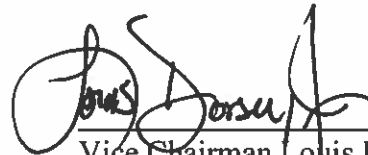
This decision does not alter the Board's underlying variance approval in any way, other than modifying Condition B of the August 4, 2026, decision to replace the shed relocation requirement with the removal of the specified landscape stone.

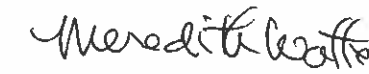
Mr. Krebeck moved that the Applicant be granted the modification. The motion was seconded by Vice Chairman Dorsey. By a unanimous vote, the Board grants the modification request.

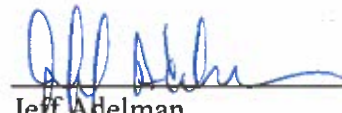
This approval is only for the requested improvements and additions in the previously approved application and does not cover or permit any other changes or modifications. Items not specifically addressed in the previously approved application may require additional approvals.

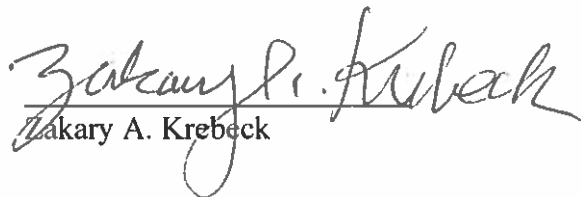
IT IS THEREFORE, this 19th day of October 2026, **ORDERED** that the Applicant's extension request is GRANTED.


Frank Cavanaugh, Chairman


Vice Chairman Louis Dorsey, Jr.


Meredith Watters


Jeff Adelman


Zakary A. Krebeck