

IN THE MATTER OF                      \*        CASE NO. SPEX-25-3

DANNY AKERS, JR.                      \*                      SPECIAL EXCEPTION

\* \* \* \* \*

The Board of Appeals (the “Board”) held a hearing on September 15, 2025, in the Bradley Meeting Room, Court House, South Wing at 11 N. Washington Street, Easton, Maryland to consider the application of Danny Akers, Jr. (the “Applicant”). The Applicant requested a Special Exception for a property located at 10680 Kittys Corner Rd., Cordova, Maryland (“Property”). Chairman Frank Cavanaugh, Vice Chairman Louis Dorsey Jr., Board Members Meredith Watters, Jeff Adelman, Zakary Krebeck, and Board Attorney Lance M. Young were present. Board Secretary Christine Corkell and Andrew Nixon, Planner, appeared on behalf of the County.

## STATEMENT OF THE CASE

The Applicant requested approval for a Special Exception to construct a storage building on a lot where there is no imminent plan for the establishment of a principal use. The Talbot County Planning Commission unanimously recommends granting the request.

## SUMMARY OF TESTIMONY

The Applicant, Danny Akers, Jr. testified. Mr. Akers intends to build a home on the Property within a year or two. He currently keeps the Property maintained with a tractor mower and needs a place to store the mower. He requests the special exception so that he can construct a small storage shed. The Property has a septic system and well installed.

Andrew Nixon testified that the intent of the special exception is to allow special consideration when property owners want to install structures for the purpose of operating a business on residential lots with no residential principal use. Staff supports the request for a small structure that is necessary to protect the tractor mower that is used to maintain the Property. Mr. Nixon also anticipates that approval of the lot for a primary residential structure should be granted without incident.

Mr. Akers submitted written answers to the criteria for a special exception, which are incorporated herein and which the Board has reviewed and considered in making this decision.

## **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Board finds by a preponderance of the evidence that the request satisfies the requirements of the Talbot County Code, § 190-56.2.

1. The use will be consistent with the purposes and intent of the Talbot County Comprehensive Plan.

The Comprehensive Plan, Section 2.22 (Rural Reserve Planning Area Policy) states: “open space, agriculture, forestry, and low density single-family detached residential uses are the preferred uses in the Rural Reserve Planning Area.” The Property is in the Agricultural Conservation (AC) district. The Property is surrounded by residential properties. The proposed shed will eventually serve a personal, residential use and the property will not be used for commercial operations.

2. The use will comply with the standards of the zoning district in which it is located, except as those standards may have been modified by the granting of a variance.

Residential storage sheds are a permitted accessory use in the AC zoning district if they meet bulk standards and setbacks. The code allows the structures on a lot where there is no imminent plan to establish a principal use after consideration by this Board of a special exception.

3. The scale, bulk and general appearance of the use will be such that the use will be compatible with adjacent land uses, with existing and potential uses in its general area, and will not be detrimental to the economic value of the neighboring property.

The shed will be modest in size and storage sheds are common for the surrounding area. It will not be detrimental to the economic value of any neighboring properties. The parcel is surrounded by heavily wooded properties and other residences.

4. The use will not constitute a nuisance to other properties and will not have significant, adverse impacts on the surrounding area due to trash, odors, noise, glare, vibration, air and water pollution, and other health and safety factors or environmental features (resulting from the structure).

The Board does not see any evidence that the shed will be a nuisance or disturbance.

5. The use will not have significant impact on public facilities or services, including roads, schools, water and sewer facilities, police and fire protection or other public facilities or services.

The shed will have no impact on public facilities or have any impact on Kittys Corner Road.

6. The use will not have a significant, if any, adverse effect upon marine, pedestrian, or vehicular traffic.

The improvement is merely an accessory storage structure and the Board does not anticipate that the structure will have any effect on marine, pedestrian, or vehicular traffic.

7. The use will not produce traffic volumes, which would exceed the capacity of public or private roads in the area or elsewhere in the County, based on the road classifications established in Chapter 134, the Talbot County Roads and Bridges Ordinance, and other applicable standards for road capacity.

No additional traffic or adverse impacts are anticipated.

8. Any vehicle access to proposed off-street parking areas and drive-in facilities will be designed to minimize conflicts between vehicular, bicycle and pedestrian traffic and to minimize impacts on adjacent properties and on public or private roads.

The use will not require any additional vehicular access. A dwelling used to exist on the Property and there is already vehicular access to it.

9. The use will not significantly adversely affect wildlife with respect to the site's vegetation, water resources, or its resources for supplying food, water, cover, habitat, nesting areas, or other needs of wildlife.

The improvement is merely an accessory storage structure and the Board finds that the structure will not impact wildlife or natural resources in any significant way.

9. Nearby agricultural uses will not be impacted.

The accessory storage structure will not impact any neighboring agricultural uses and such structures are common on agricultural lands.

#### Documents on Record


1. Application for Special Exception.
2. Tax Map with subject property highlighted.
3. Notice of Public Hearing for Advertising.
4. Newspaper Confirmation.
5. Notice of Public Hearing with List of Adjacent Property Owners attached.
6. Special Exception Standards.
7. Staff Report, prepared by Andrew Nixon.
8. Planning Commission's Recommendation.
9. Sign Maintenance Agreement/picture of signs posted.
10. Independent Procedures Disclosure and Acknowledgement Form.
11. Aerial Photos.
12. Site Plan by Davis, Bowen & Friedel, Inc.
13. Property Line Survey by McCrone.

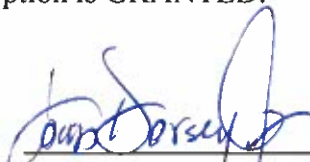
14. Elevation Drawings.
15. Floor Plans.
16. Deed.

Mr. Krebeck moved to grant the Special Exception subject to staff conditions. Mrs. Watters seconded the motion. Based upon the foregoing, the Board, by unanimous vote, grants the Special Exception subject to the following conditions:

1. The Applicant shall make an application to the Office of Permits and Inspections, and follow all rules, procedures, and construction timelines as outlined regarding new construction.
2. The Applicant shall commence construction of the proposed improvements within eighteen (18) months of the date of this approval.
3. This approval is only for the requested improvements and additions in this application and does not cover or permit any other changes or modifications. Items not specifically addressed in this application may require additional approvals.


**IT IS THEREFORE**, this 30<sup>th</sup> day of September 2025, **ORDERED** that the Applicant's request for modification of the special exception is **GRANTED**.

  
Frank Cavanaugh, Chairman

  
Louis Dorsey, Jr.

Unavailable for Signature  
Meredith Watters

  
Zakary A. Krebeck

  
Jeff Adelman