

**BEFORE THE TALBOT COUNTY BOARD OF APPEALS**

IN THE MATTER OF	*	CASE NO. SPEX-25-5
P & D Rentals, LLC	*	SPECIAL EXCEPTION
*   *   *   *   *	*	*   *   *   *   *

The Board of Appeals (the “Board”) held a hearing on December 8, 2025, in the Bradley Meeting Room, Court House, South Wing at 11 N. Washington Street, Easton, Maryland to consider the application of P & D Rentals, LLC (the “Applicant”). The Applicant requested a Special Exception for a property located at on 32272 Matthewstown Road, Easton, Maryland, identified by Tax Map 27, Grid 4, Parcel 7 (“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 Maddie Zaprowski, Planner, appeared on behalf of the County.

**STATEMENT OF THE CASE**

The Applicant requested approval for a Special Exception to permit the change in use of an existing structure previously approved use of Personal Storage to Building Supply and Lumber Yard with Outdoor Storage. The Talbot County Planning Commission unanimously recommends granting the request.

**SUMMARY OF TESTIMONY**

Land Planner Elizabeth Fink of Fink, Whitten & Associates appeared for the Applicant. Denise Mitchell, a principal of the Applicant, was also present with Mrs. Fink.

Mrs. Fink explained that the Property has three buildings. Buildings A and B are occupied. Building C is the subject of this special exception application. The Applicant does not intend to change the building but will lease it to a lumber wholesaler. Contractors will be able to purchase lumber wholesale by appointment from the building. There will be no outdoor storage.

There are two existing sheds on the Property, and their uses and/or locations will be determined by other permit processes.

The Applicant submitted written responses to the criteria for granting a Special Exception pursuant to Talbot County Code, § 190-56.2. The Board members have reviewed those responses and incorporated them into the testimony provided.

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

All Board members have visited the Property. 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.

Chapter 7, Economic Development and Tourism, Statement 7.1 states, *The County will continue to support the Office of Economic Development in its efforts to retain and/or expand existing businesses within the county and to market the Midshore Region as a premier location for a broad range of innovative businesses which will accentuate and capitalize upon the area's assets while preserving its rural character.*

Chapter 2, Land Use, Development and Growth Sectors, Existing Commercial states, *Certain small, isolated areas of the County are zoned General Commercial (GC), Limited Commercial (LC), or Limited Industry (LI), based on past land uses such as country stores, vegetable canneries, etc. No significant growth or expansion is anticipated for these small sites.*

Since the proposed change in use will take place in Building C, a pre-existing structure, there will be little to no impacts on the rural character of the surrounding area. The proposed use is commercial, which aligns with the existing uses in Building A and Building B and with the surrounding properties within the LC zoning district.

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.

The existing structure meets all bulk standards and setbacks, and no expansions or modifications are proposed for the structure.

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 scale, bulk, and general appearance of Building C will not be altered for the change in use. The change in use is compatible with the surrounding commercial uses in the LC zoning district and will not be a detriment to the neighboring properties.

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 structure 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.

There are no anticipated impacts to public facilities. The building was previously occupied. The Board is satisfied, by the testimony provided, that there will be minimal additional impacts to Matthewstown Road or Kittys Corner Road.

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

The site is near a stream but meets the required setbacks, there is no pedestrian traffic with the change in use, and vehicular traffic will be limited to delivery trucks bringing lumber in for storage and occasionally contractors picking up lumber.

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.

The Applicant anticipates deliveries of lumber to the site once per week and all visits to the site using State Highway 328 for access. The deliveries and pick-ups will use the U-shaped driveway to enter, back up to the building, and then exit through either side. Customers will pick up lumber by appointment only. The Board does not anticipate significant impacts to traffic.

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 applicant will be providing a parking on-site circulation and new access location plan for the review of the Public Works Department during the site plan process. Additionally, State Highway reviewed the application and had no issues or concerns that would generate denial by the County.

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 Applicants is not proposing any external changes to the property and will not be impacting vegetation, water resources, or wildlife habitat.

9. Nearby agricultural uses will not be impacted.

While there are active agricultural properties neighboring the property, the establishment of this use will not affect any existing agricultural uses.

Documents on Record

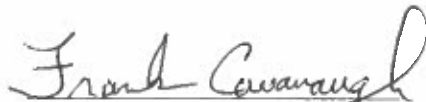
1. Application for Special Exception.
2. Tax Map with subject property highlighted.
3. Notice of Public Hearing for Advertising.
4. Newspaper Confirmation.
5. Notice of Public Hearing with List of Adjacent Property Owners attached.
6. Special Exception Standards.
7. Staff Report, prepared by Andrew Nixon.
8. Planning Commission's Recommendation.
9. Sign Maintenance Agreement/Sign Affidavit.
10. Comments from State Highway Administration, dated 10/30/25.
11. Authorization Letter, dated 10/8/25.
12. Independent Procedures Disclosure and Acknowledgement Form.
13. Aerial Photo.
14. Survey dated 1/29/09.
15. Floor Plan.
16. Elevation Plans.
17. Site Plan dated 11/3/25.

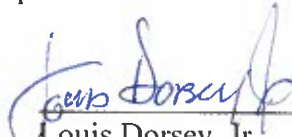
Vice Chairman Dorsey moved to grant the Special Exception subject to staff conditions. Mr. Krebeck seconded the motion. Based upon the foregoing, the Board, by unanimous vote, grants the Special Exception subject to the following conditions:

1. The Applicant shall take all required steps and acquire all necessary approvals as required for a Site Plan as required by the Talbot County Code.

2. 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 16<sup>th</sup> day of December 2025, **ORDERED** that the Applicant's request for modification of the special exception is GRANTED.

  
Frank Cavanaugh, Chairman

  
Louis Dorsey, Jr.

  
Meredith Watters

Unavailable for Signature  
Zakary A. Krebeck

  
Jeff Adelman