

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING  
CHESAPEAKE BUILDING \* LEONARDTOWN, MARYLAND  
Thursday, November 10, 2016**

Members present were: George Allan Hayden, Chairman; John Brown, Co-Chair; William Greene; Wayne Miedzinski; and Ronald Payne. Alternate Stuart Egeli was also present.

Bill Hunt, Yvonne Chaillet, Kelly Palmer, and Ashley Renshaw were present from the Department of Land Use and Growth Management, as well as George Sparling from the County Attorney's Office.

**PUBLIC HEARINGS**

**1. Application/case:** VAAP #16-0002, Knott Property

**Property owner:** Jeffrey and Sheila Knott

**Location:** 45235 Nats Creek Road, Hollywood, MD

**Parcel ID:** tax map: 27 grid: 11 parcel: 93

**Election District:** 6

**Zoning:** Residential Neighborhood Conservation (RNC), Limited Development Area (LDA) Overlay.

**Acreage:** 1.24 acres

**Action requested:** Variance from Section 71.8.3 of the Comprehensive Zoning Ordinance to disturb the Critical Area Buffer to construct a replacement single-family dwelling.

Mr. Miedzinski made a motion in the matter of VAAP #16-0002, Knott Property, having made a finding that the standards for granting a variance in the Critical Area and the objectives of Section 71.8.3 of the St. Mary's County Comprehensive Zoning Ordinance **have** been met, I move to **approve** the variance request to disturb the Critical Area Buffer to construct a replacement single-family dwelling. Mr. Greene seconded. The motion passed unanimously.

**2. Application / Case:** CUAP 15-131-050, Sloan Surface Mine

**Property owners:** Mahlon S., Jr. & Shirley A. Stauffer (p. 10); Robert D. & Jennifer L. Beale (p. 107); Nathaniel B. & Miriam M. Stauffer (p. 168)

**Location:** 28451, 28455 & 28465 Point Lookout Road, Leonardtown MD

**Parcel ID:** tax map: 18 grid: 24 parcels: 10, 107, & 168

**Election District:** 3

**Zoning:** Rural Preservation District (RPD)

**Acreage:** 135.07 acres

**Action Requested:** Conditional Use approval pursuant to Chapter 25 of the Comprehensive Zoning Ordinance for an extractive industry to mine more than five acres.

Mr. Miedzinski made a motion in the matter of CUAP# 15-131-050, Sloan Surface Mine, having made a finding that the standards for granting a conditional use and the objectives of Section 51.3.82 of the St. Mary's County Comprehensive Zoning Ordinance **have** been met, I move to **approve** the request to operate an extractive industry involving more than five acres with conditions:

1. *The reduction of the hours of operation from Monday to Friday, 6:30AM – 5:00PM and Saturday, 7:00AM – 12:00PM for site maintenance only.*
2. *Compliance with State Highway Entrance requirements.*
3. *Burning on site is limited to the area as designated on sheet 13 of 23 of the site plan as submitted by RA Barrett.*
4. *Document non-interference with SMECO transmission lines.*

Mr. Brown seconded. The motion passed unanimously.

**3. Application / Case:** VAAP 15-2478, Feicht Property (continued from 9/8/16)

**Property owners:** Paul Anthony and Andy Feicht

**Location:** 45392 Sypher Road, California, MD

**Parcel ID:** tax map: 27 grid: 24 parcel: 505

**Election District:** 8

**Zoning:** Residential, Low-Density District (RL), Limited Development Area (LDA)

**Acreage:** 1.021 acres (44,475 sq. ft.)

**Action requested:** Variance from Section 71.8.3 of the Comprehensive Zoning Ordinance to disturb the Critical Area Buffer to construct a replacement single-family dwelling with an attached deck and screened porch, a pavilion, a detached garage, and a detached workshop.

Mr. Brown made a motion in the matter of VAAP 15-2478, Feicht Property, having made a finding that the standards for granting a variance in the Critical Area and the objectives of Section 71.8.3 of the Comprehensive Zoning Ordinance **have** been met, I move to **approve** the variance request to disturb the Critical Area Buffer to construct a replacement single-family dwelling with an attached deck and screened porch, a pavilion, a detached garage, and a detached workshop. With the following conditions:

1. One quarter ( ¼ ) inch spacing between deck boards.
2. Removal of the boathouse.

Mr. Miedzinski seconded. The motion passed unanimously.

**MINUTES AND ORDERS APPROVED**

*Mr. Miedzinski made a motion to approve the minutes of October 13, 2016. Mr. Brown seconded. The motion passed unanimously.*

*Mr. Miedzinski made a motion to approve the order for CUAP 15-135-008, Telecomm Capital Group. Mr. Greene seconded. The motion passed unanimously.*

*Mr. Greene made a motion to approve the order for VAAP 15-0690, Hammett Property. Mr. Miedzinski seconded. The motion passed unanimously.*


*Mr. Greene made a motion to approve the order for CUAP 13-135-002, Washington Gas. Mr. Brown seconded. The motion passed unanimously.*

**ADJOURNMENT**

The meeting was adjourned at approximately 8:45 p.m.

Approved in open session: December 15, 2016

  
 George Allan Hayden  
 Chairman

  
 Ashley Renshaw  
 Recording Secretary