

[Skip To Main Content](#)**Board of Appeals Meeting (Thursday, September 8, 2022)**

Appeals Bd Generated by Amanda Yowell on Friday, September 9, 2022

Meeting called to order at 6:30 PM**1. CALL TO ORDER:****A. September 8, 2022 Board of Appeals****2. ROLL CALL:****A. Board of Appeals Members Via: CSMC Meeting Room**

Dan Ichniowski, Chair

Wayne Miedzinski, Vice Chair

Lynn Delahay, Member

Rich Richardson, Member

Guy Bradley, Member

Ronald Payne, Sr., Alternate Member

Steve Scott, Board Attorney

SMCG Supportig Staff to be in Attendance Via: CSMC Meeting Room

John Houser, Assistant County Attorney

Bill Hunt, Director -LUGM

Courtney Jenkins, Acting Deputy Director -LUGM

Amanda Yowell, Zoning Administrator- LUGM

Stacy Clements, Planner III- LUGM

Jim Gotsch, Director - DPW&T

Via: Media Control Room

Amy Carter, Video / Media Producer

Applicants, Representatives & Speakers to be in Attendance Via: CSMC Meeting Room Michele Rosenfeld - **Via Zoom**

Chris Longmore, Esq.

Margot Geary

Payam Bakaje

Steve Vaughan, LSR Inc.

3. AGENDA:**A. Board of Appeals September 8, 2022, Agenda****4. PUBLIC HEARINGS:****A. DISMISSAL- KING & CARR APPEALS of PC Decision ZAAP 21-0176 (Royal Farms- Lexington Park)**

Pursuant to Chapter 23 of the St. Mary's County Comprehensive Zoning Ordinance, the Applicant requests an Appeal of a Planning Commission decision made on April 25, 2022, to approve the Concept Plan for a proposed for a 5,154 square foot convenience store with a 5,280 sq. ft. fuel sales canopy.

"In the matter of ZAAP #21-0176 - King & Carr Appeals of the Planning Commission's Decision on April 25, 2022 to Approve the Royal Farms Lexington Park Concept Site Plan, I move to (approve, deny) the Parties' Joint Motion for Dismissal of the Appeals."

Motion by Lynn Delahay, second by Rich Richardson.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr

B. GEARY VAAP 22-0320

Applicant is requesting a variance from the St. Mary's County Comprehensive Zoning Ordinance Section 71.8.3 to disturb the Critical Area Buffer to construct two decks and a porch addition.

"In the matter of VAAP # 22-0320, having made a finding that the standards for granting a variance (have/have not) been met, I move to (approve/deny) the variance request from Section 71.8.3 to disturb the buffer to construct porch and deck additions."

Motion by Rich Richardson, second by Lynn Delahay.

Final Resolution: Motion Carries

Yea: Wayne Miedzinski, Lynn Delahay, Ronald Payne, Sr., Guy Bradley, Rich Richardson

Not Present at Vote: Daniel Ichniowski

C. BAKHAJE VAAP 20-1247

Applicant is requesting a variance from the St. Mary's County Comprehensive Zoning Ordinance Section 71.8.3 to disturb the Critical Area Buffer and from Section 71.5.2 to disturb the non-tidal wetland buffer to construct a single-family home.

"In the matter of VAAP 20-1247, having made a finding that the standards for granting a variance (have, have not) been met, I move to (approve, deny) the variance request from Section 71.8.3 to disturb the Critical Area Buffer and from Section 71.5.2 tp disturb the non-tidal wetland buffer to construct a single-family home."

Motion by Wayne Miedzinski, second by Rich Richardson.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr

5. REVIEW AND APPROVAL OF MINUTES:

A. August 25, 2022 Board of Appeals Meeting Minutes

"I move to approve the August 25, 2022, Board of Appeals Meeting Minutes."

Motion by Lynn Delahay, second by Wayne Miedzinski.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr

6. REVIEW AND APPROVAL OF ORDERS:

A. HUCKO ORDER VAAP 21-2955

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the HUCKO ORDER VAAP 21-2955."

Motion by Rich Richardson, second by Wayne Miedzinski.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr

B. STAUFFER BUTCHER SHOP ORDER VAAP 22-0056

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the STAUFFER BUTCHER SHOP ORDER VAAP 22-0056."

Motion by Lynn Delahay, second by Wayne Miedzinski.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne, Sr.

C. R.E. MICHEL COMPANY ORDER VAAP 20-1002

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the R.E. MICHEL COMPANY ORDER VAAP 20-1002."

Motion by Lynn Delahay, second by Guy Bradley.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr

D. O'GRADY APPEAL ORDER ZAAP 21-0058

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the O'GRADY APPEAL ORDER ZAAP 21-0058."

Motion by Rich Richardson, second by Wayne Miedzinski.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne, Sr.

7. ADJOURNMENT:

A. Adjourn the September 8, 2022, Board of Appeals meeting

"I move to adjourn the September 8, 2022, Board of Appeals meeting at 7:26 pm."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr