

Board of Appeals Meeting (Thursday, November 10, 2022)

Generated by Appeals Bd on Monday, November 14, 2022

Members present

Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Ronald Payne Sr, Guy Bradley, Rich Richardson

1. CALL TO ORDER:

A. November 10, 2022 Board of Appeals meeting called to order at 6:30 pm

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 Supporting Staff to be in Attendance Via: CSMC Meeting Room

John Houser, Assistant County Attorney
Bill Hunt, Director -LUGM
Courtney Jenkins, Deputy Director -LUGM
Amanda Yowell, Zoning Administrator- LUGM
Stacy Clements, Planner III- LUGM
Jim Gotsch, Director - DPW&T
Donnie Mills, Deputy Director - DPW&T

Via: Media Control Room

Amy Carter, Video / Media Producer

Applicants, Representatives & Speakers to be in Attendance Via: CSMC Meeting Room

Scott Kelly, Applicant
Christina Kelly, Applicant
Chris Longmore, Esq., Attorney for Applicants, Kelly
Kyle Matthews, Applicant
Rose Ellen Guyther, Applicant
Joseph Guyther, Applicant
John Weber, Applicant
Jaime Weber, Applicant
Austin Davis, Weber Representative

3. PUBLIC HEARINGS:

A. KELLY VAAP 19-1713

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 a swimming pool.

“In the matter of VAAP # 19-1713, the Kelly Property, having found that the standards for granting a variance and the objectives of Sections 24.4 of the St. Mary’s County Comprehensive Zoning Ordinance have been met, I move to approve the variance request from Section 71.8.3 to disturb the Critical Area Buffer to construct a swimming pool with a 25' setback from Beach Drive.”

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. MATTHEWS CUAP 22-1771

WillowBee Airfield Landing Strip; Applicant is seeking conditional use approval pursuant to Chapter 25 of the Comprehensive Zoning Ordinance for use type 88, Airport, Landing Strip and Heliport in the Rural Preservation District.

“In the matter of CUAP #22-1771, Matthew Private Grass Airstrip, having found the standards for granting a conditional use and the objectives of Section 51.3.88 of the St. Mary’s County Comprehensive Zoning Ordinance have been met, I move to approve the request to allow a private landing strip, Use 88 as amended by Ordinance No. 2019-03, within the Rural Preservation District and Resource Conservation Area overlay.”

Motion by Guy Bradley, 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. GUYTHER VAAP 22-1658

Applicant is requesting a variance from the St. Mary’s County Comprehensive Zoning Ordinance Schedule 32.1 for a reduction of the mandatory front yard setbacks and Section 51.2.4.c. to reduce the 10-foot setback to 2-feet to replace a carport.

“In the matter of VAAP # 22-1658, the Guyther Property, having made a finding that the standards for granting a variance and the objectives of Section 24.3 and Schedule 32.1 of the St. Mary’s County Comprehensive Zoning Ordinance have been met, I move to approve the variance request from Schedule 32.1 for a reduction of the front yard setback and Section 51.2.4.c. to reduce the 10-foot setback to 2-feet to replace a carport.”

Motion by Wayne Miedzinski, second by Lynn Delahay.

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

Not Present at Vote: Ronald Payne Sr

D. WEBER VAAP 22-1460

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 a sunroom.

"In the matter of the VAAP # 22-1460, the Weber Property, having found that the standards for granting a variance and the objectives of Sections 24.4 of the St. Mary’s County Comprehensive Zoning Ordinance have been met, I move to approve the variance request from Section 71.8.3 to disturb the 100’ Critical Area Buffer to construct a sunroom."

Motion by Lynn Delahay, second by Guy Bradley.

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson
Not Present at Vote: Ronald Payne Sr

4. REVIEW AND APPROVAL OF MINUTES:

A. Review and Approve Minutes of the October 27, 2022 Meeting

"I move to approve the minutes of the October 27, 2022 meeting."

Motion by Wayne Miedzinski, second by Lynn Delahay.

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. SCHLUETER ORDER VAAP 22-0992

"I make a motion to approve and for Chairman, Daniel Ichniowski, to sign the SCHLUETER ORDER VAAP 22-0992."

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

7. ADJOURNMENT:

A. Adjourn the November 10, 2022, Board of Appeals meeting

"I move to adjourn the November 10, 2022, Board of Appeals meeting at 8:44 PM."

Motion by Rich Richardson, second by Wayne Miedzinski.

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson
Not Present at Vote: Ronald Payne Sr