

**Board of Appeals (Thursday, November 14, 2019)***Drafted by Sherrie Young, Recording Secretary on Monday, November 18, 2019***1. CALL TO ORDER:** Meeting called to order at 6:33 PM**2. ROLL CALL:** Attendance of Members, Presenters and Staff SupportBoard of Appeals Members in Attendance

George Allan Hayden, Chairman

John E. Brown, Vice Chair

Wayne Miedzinski, Member

Rich Richardson, Member

Dan Ichniowski, Alternate Member

County Staff Presenter and Support in Attendance

Bill Hunt, Land Use &amp; Growth Management Director, AICP

Harry Knight, Land Use &amp; Growth Management Acting Deputy Director

Stacy Clements, Environmental Planner III

Sherrie Young, Recording Secretary

David Weiskopf, County Attorney

Amy Carter, Video/Media Producer

**3. AGENDA:** November 14, 2019 Board of Appeals Meeting**4. PUBLIC HEARING:** VAAP 18-2520 TURNER; Variance from the St. Mary's County Comprehensive Zoning Ordinance Section 71.8.3.a.(1) for development activities in the 100' Critical Area Buffer to construct an addition and a deck.

Motion to Approve: "In the matter of VAAP #18-2520, Turner Property, having made a finding that the standards for granting a variance in the Critical Area Buffer and the objectives of Section 24.4 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the variance to develop in the 100' Critical Area Buffer to construct an addition and a deck."

Motion by: Wayne Miedzinski      Second by: John Brown

Final Resolution: Motion Carried 5-0

**5. PUBLIC HEARING:** VAAP 19-0566 HASKIN; Variance Request Withdrawn

**6. PUBLIC HEARING:** VAAP 19-132-004 HOLLYWOOD SQUARE; Variance from Schedule 32.1 of the St. Mary's County Comprehensive Zoning Ordinance to reduce the required 50-foot setback from Three Notch Rd (MD Route 235) and to reduce the required 35-foot setback from Mervell Dean Rd (MD Route 944). The Applicant also requests a variance from Schedule 63.3.b of the St. Mary's County Comprehensive Zoning Ordinance to waive the required 65-foot Type B Buffer Yard where adjacent to Three Notch Rd (MD Route 235), Mervell Dean Rd (MD Route 944), and Clarkes Landing Rd (MD Route 944C).

**1<sup>st</sup> Motion to Approve:** “In the matter of VAAP #19-132-004, Hollywood Square, having made a finding that the standards for granting a variance and the objectives of Schedule 32.1 and Schedule 63.3.b of the St. Mary’s County Comprehensive Zoning Ordinance have been met, I move to approve the variance request as reflected with the following conditions:

1. Reduce Mervell Dean Road (MD Route 944) from a Type B to a 10-foot Type A Buffer Yard without any canopy type trees.
2. Reduce Clarkes Landing Road (MD Route 944C) from a Type C to a 10-foot Type A Buffer Yard with all prescribed plantings.
3. Reduce Three Notch Road (MD Route 235) from a Type B to a 6-foot Type A Buffer Yard with all prescribed plantings.”

1<sup>st</sup>- Motion by: John Brown                      Second by: Wayne Miedzinski  
Final Resolution: Motion Carried 3-2

**2<sup>nd</sup>- Motion to Approve:** “In the matter of VAAP #19-132-004, Hollywood Square, having made a finding that the standards for granting a variance for setbacks, the following variance is approved; The reduction of the required 50-foot setback along Three Notch Rd (MD Route 235) to 39 feet, the required 35-foot setback from Mervell Dean Rd (MD Route 944) to 25 feet.

2<sup>nd</sup>- Motion by: Dan Ichniowski    Second by: John Brown  
Final Resolution: Motion Carried 3-2

## **7. REVIEW AND APPROVAL OF MINUTES:**

"I move to accept the minutes of the **October 10, 2019** Board of Appeals meeting."

Motion by: Wayne Miedzinski                      Second by: Rich Richardson  
Final Resolution: Motion Carried 5-0

## **8. REVIEW AND APPROVAL OF ORDERS:**

"I move to authorize Chairman Hayden to sign order VAAP 19-0770, FLEURY."

Motion by: Rich Richardson                      Second by: John Brown  
Final Resolution: Motion Carried 5-0

## **9. REVIEW AND APPROVAL OF ORDERS:**

"I move to authorize Chairman Hayden to sign order VAAP 19-1180, ROSADO."

Motion by: Wayne Miedzinski                      Second by: John Brown  
Final Resolution: Motion Carried 5-0

## **10. REVIEW AND APPROVAL OF ORDERS:**

"I move to authorize Chairman Hayden to sign order VAAP 19-1258, BLINN."

Motion by: Dan Ichniowski                      Second by: Wayne Miedzinski  
Final Resolution: Motion Carried 5-0

**11. ANNOUNCEMENTS:**

1. Reminder that the next Board of Appeals meeting on December 12, 2019 will be Training.
2. An additional Board of Appeals Meeting has been scheduled for a December 19, 2019 Hearing.

**12. ADJOURN:** 8:00 p.m.

"I move to adjourn the November 14, 2019, Board of Appeals meeting. "

Motion by: Dan Ichniowski                      Second by: John Brown

Final Resolution: Motion Carried 5-0