

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Thursday, July 13, 2017 at 6:30 p.m.**

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

Bill Hunt, Director; Yvonne Chaillet Zoning Administrator; and Sandie Greene, Recording Secretary were present from the Department of Land Use and Growth Management.

George Sparling was present from the County Attorney's Office.

CALL TO ORDER

AGENDA REVIEW: ADDITIONS-DELETIONS

DISCUSSIONS

PUBLIC HEARINGS

1. Application/case no: ZAAP 16-0957, Lumpkins Property
Property owner: James D. and Christine C. Lumpkins
Location: 044737 Lighthouse Road, Piney Point, Maryland
Parcel ID: tax map: 65 **grid:** 22 **parcel:** 204 (Lot 5000-12, Tolson Subdivision)
Election District: 9
Zoning: Residential, Low-Density District, Intensely Developed Area Overlay
Acreage: 13,233 square feet
Action requested: Appeal of the decision by the Director of Land Use and Growth Management on December 6, 2016 to approve a variance request to reduce the side yard setbacks on the northeast and southwest sides of the property to construct a replacement single-family dwelling.

Speakers: Mr. Christopher T Longmore, Dugan, McKissick & Longmore LLC representing James D and Christine C Lumpkins; and Joseph Mitchell, representing Mr. & Mrs. William Johnson requested a postponement without a scheduled date, waiving the six month requirement as they two families are working on a settlement through mediation.

No public testimony presented.

Mr. John Brown made the motion "In the matter of ZAAP # 16-0957, Lumpkins Property is postponed. Mr. William Greene seconds the motion. The motion passed unanimously.

2. Application/case no: VAAP 17-0518, Kurtz Property (continued from June 8, 2017)
Property owner: Gary and Carol Kurtz
Location: 45894 Patuxent Lane, California, Maryland 20619
Parcel ID: tax map: 35 **grid:** 01 **parcel:** 01
Election District: 8
Zoning: Residential Low-Density District, Limited Development Area Overlay and Buffer Management Overlay
Acreage: 11,500 square feet
Action requested: Variance from Section 41.5.3.i of the Comprehensive Zoning Ordinance to exceed the lot coverage limit in the Critical Area to construct a walkway and expand a patio.

Speaker: Mr. Gary Kurtz of 45894 Patuxent Lane, California Maryland 20619.

Exhibit 1- An updated visual and printed powerpoint presentation, proposed project plan, pictures of the proposed changes and properties and a reference to the letter from the doctor of Mrs. Kurtz regarding her special conditions.

No public testimony presented.

Mr. John Brown made the motion; "In the matter of VAAP #17-0518, Kurtz Property, having made a finding that the standards for granting a variance in the Critical Area and the objectives of Section 41.5.3.i of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the variance request to exceed the lot coverage limit by 175 feet to construct a walkway and install a new patio adjacent to the existing patio."

Mr. Wayne Miedzinski seconds the motion. The motion passed unanimously.

3. Application/case no: VAAP 17-0040, Woodward Property

Property owner: John L. and Flora M. Woodward

Location: 24818 Half Pone Point Road, Hollywood, Maryland 20636

Parcel ID: tax map: 27 grid: 12 parcel: 241

Election District: 6

Zoning: Rural Preservation (RPD) District, Limited Development Area (LDA) Overlay

Acreage: 25,536 square feet

Action requested: Variance from Section 71.8.3 of the Comprehensive Zoning Ordinance to disturb the Critical Area Buffer to construct an addition to the existing single-family dwelling.

Staff Report by Yvonne Chaillet, Zoning Administrator

Exhibit 1- Staff Proof of Ad

Exhibit 2- Staff Report

Attachment #1 Standards Letter dated April 26, 2017 from Wayne P. Hunt

Attachment #2 Critical Area Commission Comments dated May 22, 2017

Attachment #3 Land Use Map

Attachment #4 Site Plan

Attachment #5 2014 Ortho Photo

Speaker: *Mr. Wayne Hunt of Little Silence Rest Inc (SLR) on behalf of Mr. John L. and Flora M. Woodward.*

Exhibits: Presented a visual powerpoint presentation to include a copy of the letter Mr. Hunt sent to the Board of Appeals (found in original staff report).

No public testimony presented.

Mr. Wayne Miedzinski made the motion "In the matter of VAAP #17-0040, Woodward 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 352 square-foot addition to the existing single-family dwelling, adding a net increase of 165 square feet of lot coverage in the Buffer."

Mr. John Brown seconds the motion. The motion passed unanimously.

4. Application/case no: VAAP 16-1573, Perraut Property

Property owner: Edward and Sharon Perraut

Location: 21660 Potomac View Drive, Leonardtown, Maryland 20650

Parcel ID: tax map: 40A grid: 01 parcel: 02

Election District: 3

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

Acreage: 3 acres

Action requested: Variance from Section 71.8.3 of the Comprehensive Zoning Ordinance to disturb the Critical Area Buffer to construct a concrete pad and an addition to the existing single-family dwelling.

Staff Report by Yvonne Chaillet, Zoning Administrator

Exhibit 1- Proof of Ad

Exhibit 2- Staff Report

Attachments 1: Standard Letter dated April 10, 20017 from Michael A. Bailey, Sr.

Attachments 2: Critical Area Commission Comments dated March 29, 2017

Attachments 3: Land Use Map

Attachments 4: Site Plan

Attachments 5: 2014 Orotho Photo

Speaker: Mr. Michael Bailley, Office Manager of DH Stephens on behalf of Edward and Sharon Perraut.

Exhibits: A visual powerpoint presentation.

No public testimony presented.

Mr. William Greene "In the matter of VAAP #16-1573, Perraut 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 additions to the existing single-family dwelling for a net increase of 171 square feet of lot coverage in the Critical Area Buffer."

Mr. Wayne Miedzinski seconds the motion. The motion passed unanimously.

MINUTES AND ORDERS APPROVED

Mr. William Greene made a motion approving the minutes for 6/8/17.

Mr. John Brown seconded. The motion passed unanimously.

OTHER BUSINESS

N/A

ADJOURNMENT

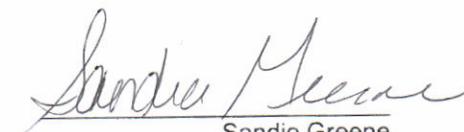
Mr. George Hayden made the motion to adjourn the meeting. Mr. Stuart Egeli seconded the motion.

The motion passed unanimously

The meeting was adjourned at approximately 7:32 p.m.

Approved in open session: August 10, 2017


George Allan Hayden
Chairman


Sandie Greene
Recording Secretary