

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING  
CHESAPEAKE BUILDING \* LEONARDTOWN, MARYLAND  
Thursday, May 11, 2017**

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

Absentee: Wayne Miedzinski

Bill Hunt, Yvonne Chaillet, and Shelia Smith 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:** VAAP 17-0371, Smith and Doonis Property  
**Property owner:** Stacy L. Smith and Carol A. Doonis  
**Location:** 25003 Briscoe Road, Hollywood, Maryland  
**Parcel ID:** tax map: 27 grid: 05 parcel: 624  
**Election District:** 6  
**Zoning:** Rural Preservation District, Limited Development Area Overlay  
**Acreage:** 2.0 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

Yvonne Chaillet presented the lot was grandfather in the 100 ft critical area due to the new high water line of Spring Cove and not in the hydro soil or hydratable soil. This request removes 1,505 of existing sq. footage on a 2,000 sq. foot lot, replacing the dwelling, adding a porch deck and stoop. Both LUGM and the Health Dept. approved the plans with the removal of the current well. The property is in the special flood zone and not in the flood plain. It will have a private well and septic.

Exhibit 2 with attachments show that the Critical Area Commission opposed the variance believing the house could be moved out to the 100 ft buffer and adding new lot coverage. Homeowners must comply with requirements obtaining a permit and begin construction before the last of the variance in one year.

*Speakers: Tom Doonis of VA and Tom Adams of Port Tobacco, MD presented 3 pictures (exhibits 1, 2 and 3). The 1930 house was purchased 3 years ago. The Health Department has approved the perk test. The intent is to build the house in the same location increasing size 2 ft by 2 ft making it a 40 x 40 dwelling with an added covered porch. Removing the outdoor fire/BBQ pit and shed. Also address the 1930 rain tank.*

A correction to the staff plans to match the site plan to 6,571.

*William Greene made the motion; In the matter of 17-0371, Smith-Doonis 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. John Brown seconds the motion.*

*For: George Hayden, John Brown, William Greene, Stuart Egeli.  
Against: Ronald Payne*

**2. Application/case no:** VAAP 16-1638, Hluchanek and Monan Property  
**Property owner:** Vickey M. Hluchanek and Patrick G. Monan  
**Location:** 16395 Ball Point Road, Piney Point Maryland  
**Parcel ID:** tax map: 69 grid: 09 parcel: 222  
**Election District:** 9  
**Zoning:** Rural Preservation District, Resource Conservation Area Overlay  
**Acreage:** 1.33 acres  
**Action requested:** Variance from Section 71.8.3 of the Comprehensive Zoning Ordinance to disturb the Critical Area Buffer to construct a single-family dwelling

Yvonne Chaillet presented that this request came before the Commission in the past 2006 and 2010 and both to the request to build was approved. The proposed is a single dwelling home with an added deck/porch and driveway. The driveway crosses other property. After the construction 4,324 sq. ft. will remain.

*Mr. Stuart Egeli made a motion In the matter of 16-1638, Hluchanek and Monan 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 single-family dwelling.  
 Mr. William Greene made a second. The motion passed unanimously.*

**3. Application/case no:** ZAAP 16-0957, Lumpkins Property  
**Property owner:** James D. and Christine C. Lumpkins  
**Location:** 44737 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 (RL) District, Intensely Developed Area (IDA) 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.

*Mr. Lumpkins has requested to reschedule the hearing. Notices will need to be sent out and the owners can bring their request on June 8, 2017.*

#### **MINUTES AND ORDERS APPROVED**

*Mr. John Brown made a motion approving the minutes for 4/13/17.  
 Mr. Ronald Payne seconded. The motion passed unanimously.*

*Mr. Greene made a motion authorizing Chairman Hayden to sign the order for Case # VAAP 16-1837, Broidock Property. Mr. Brown seconded. The motion passed unanimously.*

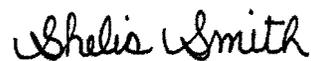
*Mr. William Greene made a motion authorizing Chairman Hayden to sign the order for Case # CUAP # 15-131-012, Long Surface Mine. Mr. John Brown seconded. The motion passed unanimously.*

#### **OTHER BUSINESS**

**ADJOURNMENT**

The meeting was adjourned at approximately 7:26 p.m.

Approved in open session: June 8, 2017



Shelia Smith  
Recording Secretary



George Allan Hayden  
Chairman