

Board of Appeals (Thursday, February 13, 2020)

Drafted by Sherrie Young, Recording Secretary on Thursday, February 20, 2020

1. CALL TO ORDER: Meeting called to order at 6:35 pm.

2. ROLL CALL: Attendance of Members, Presenters and Staff Support

Board of Appeals Members in Attendance

George Allan Hayden, Chairman

John E. Brown, Vice Chair

Wayne Miedzinski, Member

Rich Richardson, Member

Lynn Delahay, Member

Supporting County Staff in Attendance

Bill Hunt, Director, AICP

Harry Knight, Deputy Director

Stacy Clements, Environmental Planner

Sherrie Young, Recording Secretary

David Weiskopf, County Attorney

Neil Murphy, Deputy County Attorney

Steve Scott, Board of Appeals Attorney

Amy Carter, Video/ Media Producer

3. AGENDA: February 13, 2020 Board of Appeals

4. PUBLIC HEARING: VAAP 19-1873, TREMPER PROPERTY

Variance from Section 51.2.4.c. of the St. Mary's County Comprehensive Zoning Ordinance (CZO) to reduce the 10-foot setback from the inground pool (measured from edge of water) to a proposed new deck and replacement of an existing deck.

“In the matter of VAAP # 19-1873, Tremper Property, having made a finding that the standards for granting a variance and the objectives of Section 51.2.4.c of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the variance requests to reduce the 10-foot setback from the existing inground pool (measured from edge of water) to a proposed new deck and replacement of an existing deck.”

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

5. PUBLIC HEARING: VAAP 19-2560 ALLEN PROPERTY – Case Withdrawn. *by County*

6. PUBLIC HEARING: VAAP 15-132-015 PENROD AUTOMOTIVE

Variance from Schedule 63.3.b of the Comprehensive Zoning Ordinance to waive the required 65-foot Type B front and rear buffer yard and to reduce the planting requirements for the 30-foot Type C side buffer yards.

“In the matter of VAAP #15-132-015, Penrod Automotive Repair, having made a finding that the standards for granting a variance and the objectives of Schedule 63.3.b of the St. Mary’s County Comprehensive Zoning Ordinance have been met; I move to approve the variance request to waive the required 65-foot Type B front and rear buffer yards with the Type B front yard to be reduced to a Type A buffer, only from the existing canopy trees to the entrance and the 30-foot Type C side buffer yard to be reduced to double rows of Leyland Cypress.”

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

7. REVIEW AND APPROVAL OF MINUTES:

I move to accept the minutes of the January 9, 2020 Board of Appeals meeting.

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

8. ANNOUNCEMENTS:

A. Request letter received from Applicants of the Whitetail VI Solar Project for another continuance, to postpone hearing to an undetermined future date.

1. The Board of Appeals Members, recognized the request received and sent notice back to the Applicants, requiring that they withdraw current application submitted and to reapply when they are ready to move forward in the future. The request was denied for a continuance due to the following factors: Applicants would not be ready by time of hearing and failure to supply the Board of Appeals with the required recommendation’s information by today’s deadline of February 13, 2020. The Board of Appeals Hearing of the Whitetail VI Solar Project set for February 27, 2020 is hereby canceled.

B. The Critical Area Commission Training has been rescheduled to the Thursday, May 14, 2020 Board of Appeals meeting at 6:30 pm.

C. The Board of Appeals Members reviewed a comparison list of available Commissioners room dates, to add possible future Board of Appeals Hearings as needed. Members will be available for additional Board of Appeals meetings on the following (Thursdays): March 26th, April 16th, 23rd, 30th and May 21st, 2020.

9. ADJOURN: Meeting Adjourned at 7:36 pm.

"I move to adjourn the February 13, 2020, Board of Appeals meeting. "

Motion: Lynn Delahay Second: Wayne Miedzinski Final Resolution: Motion Carried 5-0