

Meeting called to order at 6:28 PM

Board of Appeals Meeting (Thursday, December 8, 2022)

Generated by Appeals Bd on Friday, December 9, 2022

Members present

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

1. CALL TO ORDER:

A. December 8, 2022 Board of Appeals

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

Via: Media Control Room

Amy Carter, Video / Media Producer

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

Representative for Guntow, Fleury, and Ferber - Steve Vaughan, Professional Land Surveyor, LSR

Janis Marie Guntow

Wesley Allen Guntow

John Fleury

Dolores A. Ferber

Kenneth A. Ferber

3. AGENDA:

A. December 8, 2022 Board of Appeals, Agenda

4. PUBLIC HEARINGS:

A. Guntow VAAP 22-0836;

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 house with driveway.

"In the matter of VAAP #22-0836, the Guntow property, having made a finding that the standards for granting a Critical Area variance and the objectives of Section 24.4 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the applicants' request for a variance to Section 71.8.3 of the St. Mary's County Comprehensive Zoning Ordinance to construct a house with a driveway."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

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

B. Fleury VAAP 22-1961;

Applicant is requesting a variance from the St. Mary's County Comprehensive Zoning Ordinance Section 71.5.2.b to disturb the expanded non-tidal wetland buffer to construct a garage.

"In the matter of VAAP 22-1961, the Fleury property, having made a finding that the standards for granting a variance and the objectives of Section 24.3 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the variance request from Section 71.5.2.b to disturb the non-tidal wetland buffer to construct a garage."

Motion by Rich Richardson, second by Wayne Miedzinski.

Final Resolution: Motion Carries

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

C. Ferber VAAP 22-2084;

Applicant is requesting a variance from the St. Mary's County Comprehensive Zoning Ordinance Schedule 32.1 for a reduction of the mandatory front and side setbacks to replace an existing dwelling, from Section 51.2.4.c to reduce the 10-foot setback to 5-feet between the replacement house and an existing shed, and from Section 41.7.4.a(7)(a) for a new accessory structure to be closer to the water than the principal structure on the property.

"In the matter of VAAP 22-2084, the Ferber 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 requests for a reduction of the mandatory front and side setbacks to replace an existing dwelling, to reduce the 10-foot setback to 5-feet between the replacement house and an existing shed, and for a new accessory structure to be closer to the water than the principal structure on the property with a condition to move the wood shed and the concrete pad to the south side of the site."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

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

D. CHESAPEAKE REGION FOREST SCHOOL CUAP 22-0212 & VAAP22-0212;

APPLICANT REQUESTED THE APPLICATION BE WITHDRAWN

5. REVIEW AND APPROVAL OF MINUTES:

Minutes: A. Review and Approval of November 10, 2022 Board of Appeal Hearing

"I move to approve the November 10, 2022, Board of Appeals Meeting Minutes."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

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

6. REVIEW AND APPROVAL OF ORDERS:

A. Review and Approve Kelly VAAP 19-1713 Order

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the Kelly VAAP 19-1713 Order."

Motion by Wayne Miedzinski, second by Guy Bradley.

Final Resolution: Motion Carries

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

B. Review and Approve Matthew CUAP 22-1771 Order- WillowBee Airfield Landing Strip

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the Matthew CUAP 22-1771 Order with the change that the word HANGER is removed from the order."

Motion by Guy Bradley, second by Wayne Miedzinski.

Final Resolution: Motion Carries

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

C. Review and Approve Guyther VAAP 22-1658 Order

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the Guyther VAAP 22-1658 Order."

Motion by Wayne Miedzinski, second by Guy Bradley.

Final Resolution: Motion Carries

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

D. Review and Approve Weber VAAP 22-1460 Order

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the Weber VAAP 22-1460 Order."

Motion by Lynn Delahay, second by Rich Richardson.

Final Resolution: Motion Carries

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

7. ADJOURNMENT:

"I move to adjourn the December 8, 2022, Board of Appeals meeting at 7:37 PM."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

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