

Board of Appeals Meeting (Thursday, February 9, 2023)

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1. CALL TO ORDER: Meeting called to order at 6:30 PM

A. February 9, 2023 Board of Appeals

2. ROLL CALL:

A. Members, Staff Support, Applicants, Representatives and Speakers

Board of Appeals Members Via: CSMC Meeting Room

- Dan Ichniowski, Chair
- Guy Bradley, Vice Chair
- Lynn Delahay, Member
- Rich Richardson, Member
- Wayne Miedzinski, 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
- Courtney Jenkins, Deputy Director -LUGM
- Amanda Yowell, Zoning Administrator- LUGM

Via: Media Control Room

Amy Carter, Video / Media Producer

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

- Chris Longmore, Esq., Representative for the Boothe Case
- Barry Vukmer, Chesapeake Trails Surveying, Representative for the Boothe Case
- Robert & Jennifer Boothe
- Steve Vaughan, Little Silence Rest LLC
- Vincent & Sherry Whittles
- David Auldridge

3. AGENDA:

A. Board of Appeals February 9, 2023 Agenda

4. PUBLIC HEARINGS:

A. **Boothe VAAP 22-1643:** Applicant is requesting a variance from the St. Mary’s County Comprehensive Zoning Ordinance Schedule 32.1 to reduce the front yard setback from 25’ to 5’ for a replacement garage.

“In the matter of VAAP 22-1643, the Boothe 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 the St. Mary’s County Comprehensive Zoning Ordinance Schedule 32.1 for a reduction of the mandatory front set back from 25’ to 5’ for a replacement garage.”

Motion by Rich Richardson, second by Lynn Delahay.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Lynn Delahay, Ronald Payne Sr, Guy Bradley, Rich Richardson

Not Present at Vote: Wayne Miedzinski

B. Whittles VAAP 22-1882: Applicant is requesting a variance from the St. Mary's County Comprehensive Zoning Ordinance Section 71.8.3 to disturb the Critical Area for a replacement pool.

"In the matter of VAAP 22-1882, the Whittles property, having made a finding that the standards for granting a 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 variance request from the St. Mary's County Comprehensive Zoning Ordinance Section 71.8.3 to disturb the Critical Area for a replacement pool, pool house, and patio."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

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

Not Present at Vote: Ronald Payne Sr

C. Auldrige VAAP 22-2696: Applicant is requesting a variance from the St. Mary's County Comprehensive Zoning Ordinance Schedule 32.1 Footnote 11 to reduce the side yard from 5' to 2' for a carport.

"In the matter of VAAP 22-2696, 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 request from Schedule 32.1 Footnote 11 to reduce the side yard setback from 5' to 2' for a carport.

Motion by Lynn Delahay, second by Guy Bradley.

Final Resolution: Motion Carries

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

Not Present at Vote: Ronald Payne Sr

5. REVIEW AND APPROVAL OF MINUTES:

A. Review and Approve Minutes of the January 12, 2023 Meeting

"I move to approve the minutes of the January 12, 2023 meeting."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

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

Not Present at Vote: Ronald Payne Sr

6. REVIEW AND APPROVAL OF ORDERS:

A. **BRETON BAY LANDINGS HOA ORDER VAAP 22-1666**

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the Breton Bay Landings HOA Order VAAP 22-1666."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

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

Not Present at Vote: Ronald Payne Sr

B. **BOWLES ORDER VAAP 22-2229**

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the Bowles Order VAAP 22-2229."

Motion by Lynn Delahay, second by Wayne Miedzinski.

Final Resolution: Motion Carries

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

Not Present at Vote: Ronald Payne Sr

C. TAYLOR ORDER VAAP 22-2139

"I make a motion to approve and for Chairman, Daniel Ichniowski to sign the Taylor Order VAAP 22-2139."

Motion by Wayne Miedzinski, second by Guy Bradley.

Final Resolution: Motion Carries

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

Not Present at Vote: Ronald Payne Sr

7. ADJOURNMENT:

A. Adjourn the February 9, 2023 Board of Appeals meeting

"I move to adjourn the February 9, 2023 Board of Appeals meeting."

Motion by Wayne Miedzinski, second by Daniel Ichniowski.

Final Resolution: Motion Carries

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

Not Present at Vote: Ronald Payne Sr