

**Board of Appeals Meeting (Thursday, March 9, 2023)***Generated by Appeals Bd on Friday, March 10, 2023***1. CALL TO ORDER: 6:31 PM**

A. March 9, 2023 Board of Appeals

**2. ROLL CALL:**

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

**3. AGENDA:**

A. Board of Appeals March 9, 2023 Agenda

**4. PUBLIC HEARINGS:**

**A. ABBOTT VAAP 22-1699**; Variance from Section 71.8.3 to disturb the 100' Critical Area Buffer for the expansion of an existing deck and patio.

“In the matter of VAAP 22-0093, having found 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 Section 71.8.3 for the expansion of an existing deck and patio.”

Motion by Rich Richardson, second by Lynn Delahay.

Final Resolution: Motion Carries 4-1

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

Nay: Wayne Miedzinski

Not Present at Vote: Ronald Payne Sr

**B. TAYLOR & YANNAYON VAAP 22-0093**; Variance from Section 71.8.3 to disturb the 100' Critical Area Buffer to replace a brick walkway and patio, culvert, and a retaining wall.

“In the matter of VAAP 22-0093, having found 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 Section 71.8.3 to disturb the 100' Critical Area Buffer to replace a brick walkway and patio, culvert, and a retaining wall.”

Motion by Lynn Delahay, second by Wayne Miedzinski.

Final Resolution: Motion Carries 5-0

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

Not Present at Vote: Ronald Payne Sr

**C. RAFI VAAP 22-1672**; Variance from the St. Mary’s County Comprehensive Zoning Ordinance Section 71.8.3 to disturb the 100' Critical Area Buffer and from Section 71.5.2 to disturb the non-tidal wetland buffer to construct a single-family dwelling.

"In the matter of VAAP 22-1672 having made a finding that the standards for granting a variance and the objectives of Sections 24.3 and 24.4 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the variance request from Section 71.8.3 to disturb the 100' Critical Area Buffer and from Section 71.5.2 to disturb the expanded non-tidal wetland buffer to construct a single-family dwelling with a detached garage.

Motion by Lynn Delahay, second by Rich Richardson.

Final Resolution: Motion Carries 5-0

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

Not Present at Vote: Ronald Payne Sr

**D. Continuance of OKONIEWSKI VAAP 22-1484;** Variances from the St. Mary's County Comprehensive Zoning Ordinance Section 71.8.3 to disturb the Critical Area for an after the fact wood ramp, from Schedule 32.1 for a reduction of the mandatory front and side setbacks for an after the fact shed.

"In the matter of VAAP 22-1484, the Okoniewski property, having made a finding that the standards for granting a variance and the objectives of Section 24.3 and 24.4 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the variance requests from the St. Mary's County Comprehensive Zoning Ordinance Section 71.8.3 to disturb the Critical Area for an after the fact wood ramp, and from Schedule 32.1 for a reduction of the mandatory front and side setbacks for an after-the-fact shed with the following conditions:  
 1). Front yard setback, shed to remain set at 3.6 feet instead of 25 feet.  
 2). Side yard setback variance is denied. "

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries 5-0

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

Not Present at Vote: Ronald Payne Sr

## **5. REVIEW AND APPROVAL OF ANNUAL REPORT**

A. Review and Approval of the 2022 Board of Appeals Annual Report

"I make a motion to approve and for Chairman, Daniel Ichniowski, to sign the 2022 Board of Appeals Annual Report."

Motion by Lynn Delahay, second by Rich Richardson.

Final Resolution: Motion Carries 5-0

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

Not Present at Vote: Ronald Payne Sr

## **6. REVIEW AND APPROVAL OF MINUTES:**

A. Review and Approve Minutes of the February 9, 2023 Meeting

"I move to approve the minutes of the February 9, 2023 meeting."

Motion by Wayne Miedzinski, second by Guy Bradley.

Final Resolution: Motion Carries 5-0

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

Not Present at Vote: Ronald Payne Sr

**7. REVIEW AND APPROVAL OF ORDERS:****A. BOOTHE ORDER VAAP 22-1643**

"I make a motion to approve and for Chairman, Daniel Ichniowski, to sign the order for Boothe VAAP 22-2084."

Motion by Guy Bradley, second by Lynn Delahay.

Final Resolution: Motion Carries 5-0

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

Not Present at Vote: Ronald Payne Sr

**B. WHITTLES ORDER VAAP 22-1882**

"I make a motion to approve and for Chairman, Daniel Ichniowski, to sign the order for Whittles Order VAAP 22-1882."

Motion by Guy Bradley, second by Wayne Miedzinski.

Final Resolution: Motion Carries 5-0

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

Not Present at Vote: Ronald Payne Sr

**C. AULDRIDGE ORDER VAAP 22-2696**

"I make a motion to approve and for Chairman, Daniel Ichniowski, to sign the order for Auldridge Order VAAP 22-2696."

Motion by Guy Bradley, second by Lynn Delahay.

Final Resolution: Motion Carries 5-0

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

Not Present at Vote: Ronald Payne Sr

**8. ADJOURNMENT:**

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

"I move to adjourn the March 9, 2022 Board of Appeals meeting at 8:23 pm."

Motion by Wayne Miedzinski, second by Rich Richardson.

Final Resolution: Motion Carries 5-0

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

Not Present at Vote: Ronald Payne Sr