

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

Generated by Appeals Bd on Monday, November 13, 2023

Meeting called to order at 6:29 PM

1. CALL TO ORDER:

A. November 9, 2023 Board of Appeals Meeting

2. ROLL CALL:

A. Attendance of 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

Stacy Clements, Planner III- LUGM

Via: Media Control Room

Amy Carter, Video / Media Producer

Via: John Savich Conference Room

Sherrie Young, BOA Recording Secretary

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

Danny A. Williams

Wade Gahl

Kate Gahl

Barry Vukmer

Timothy Farrell

Steven Vaughan, LSR, Inc.

Bonnie Schulmeyer

James Moore

3. AGENDA:

A. Board of Appeals November 9, 2023 Agenda

4. PUBLIC HEARINGS:

A. **WILLIAMS VAAP 23-1158**; Variance from 71.9.6.h of the St. Mary's Comprehensive Zoning Ordinance to encroach on the southern extended property lateral line setback to add a boat lift to replacement in kind pier.

“In the matter of VAAP 23-1158, the Williams 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 to encroach on the southern extended property lateral line setback to add a boat lift to replacement in kind pier.”

Motion by Lynn Delahay, second by Wayne Miedzinski.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Ronald Payne Sr, Rich Richardson

Not Present at Vote: Guy Bradley

B. GAHL VAAP 23-1158; Variance from the St. Mary’s County Comprehensive Zoning Ordinance Section 71.5.2.b to disturb the non-tidal wetland buffer to construct a 24’ x 28’ deck.

“In the matter of VAAP 23-1370, the Gahl 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 Section 71.5.2.b to disturb the non-tidal wetland buffer to construct a 24’ x 28’ deck.”

Motion by Rich Richardson, 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. FARRELL (PUMPFREY) VAAP 23-1031; Variance from the St. Mary’s County Comprehensive Zoning Ordinance Section 72.3.1.c(2) for clearing more than 30% of the existing forest cover to construct a house.

“In the matter of VAAP 23-1031, the Farrell 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 Section 72.3.1.c(2) for clearing more than 30% of the existing forest cover to construct a house.”

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

D. MOORE & SCHULMEYER VAAP 23-1084; Variance from the St. Mary’s County Comprehensive Zoning Ordinance Section 71.5.2.b to disturb the expanded non-tidal wetland buffer and Section 71.8.3 to disturb the expanded Critical Area Buffer to construct a house and driveway.

“In the matter of VAAP 23-1084, the Moore & Schulmeyer 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 request from Section 71.5.2.b to disturb the non-tidal wetland buffer and Section 71.8.3 to disturb the Critical Area Buffer to construct a house and driveway.”

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 ORDERS:

A. NORRIS ORDER VAAP 23-1210

"I make a motion to approve and for Chairman, Daniel Ichniowski, to sign the NORRIS ORDER VAAP 23-1210."

Motion by Lynn Delahay, second by Wayne Miedzinski.

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. October 12, 2023 BOA Meeting Minutes

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

Motion by Guy Bradley, 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

B. October 26, 2023 Board of Appeals Meeting Minutes

"I move to approve the minutes of the October 26, 2023 BOA meeting."

Motion by Guy Bradley, 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

7. ADJOURNMENT:

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

"I move to adjourn the November 9, 2023 Board of Appeals meeting at 7:27 pm."

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