

**ST. MARY’S COUNTY BOARD OF APPEALS**

In the Matter of the Application of James E. Richards for conditional use approval pursuant to Chapter 25 of the St. Mary’s County Comprehensive Zoning Ordinance to mine 7.77 acres.

Case No. CUAP #12-131-020  
Kronlund Pit

**ORDER**

**WHEREAS**, Application CUAP #12-131-020– Kronlund Pit was duly filed with the St. Mary’s County Board of Appeals (the “Board”) by James E. Richards, III, VP of Jimmy Richards & Sons (the “Applicant”), on or about July 26, 2013; Property owners are John L. and Rebecca D. Stoltzfus; and

**WHEREAS**, the Applicant seeks conditional use approval, as provided in Chapter 25 of the St. Mary’s County Comprehensive Zoning Ordinance, as amended, (the “Ordinance”), to mine 7.77 acres. The property contains 46.51 acres, is zoned Rural Preservation District (RPD); and is located at 28255 Briscoe Anderson Lane, Mechanicsville, Maryland; Tax Map 08, Grid 16, Parcel 74 (the “Property”); and

**WHEREAS**, after due notice, a public hearing was conducted by the Board on Thursday, September 12, 2013 in Main Meeting Room, Chesapeake Building, 41770 Baldrige Street, of the Governmental Center in Leonardtown, Maryland, at 6:30 p.m., and all persons desiring to be heard were heard, documentary evidence received, and the proceedings electronically recorded.

**SUMMARY OF TESTIMONY**

No testimony was presented.

**SUMMARY OF DOCUMENTARY EVIDENCE**

The Board accepted into evidence the following exhibits:

- Exhibit No. 1 – Affidavit of Property Posting and Mailing Receipts
- Exhibit No. 2 – Staff Report

**FINDINGS OF FACT**

None.

**CONCLUSIONS OF LAW**

See *East Star, LLC v. County Comm'rs of Queen Anne's County*, 38 A.3d 524, 203 Md. App. 477 (2012).

**DECISION**

**NOW, THEREFORE, BE IT ORDERED**, that the application for a conditional use permit be approved upon the following conditions:

1. The Applicant obtains site plan approval.

This Date: October 10, 2013



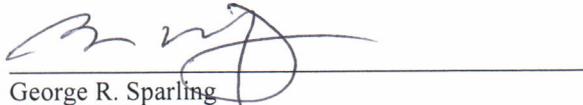
George A. Hayden  
Chairman

Those voting in favor of the request:

Mr. Hayden, Mr. Guy, Mr. Greene, Mr. Payne, and  
Mr. Moreland

Those voting against the requested variance:

Approved as to form and legal sufficiency:



George R. Sparling  
Attorney