

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Thursday, September 13, 2018 at 6:30 p.m.**

Members present: George Allan Hayden, Chairman; John Brown, Vice-Chair; William Greene, Wayne Miedzinski, Lynn Delahay and Rich Richardson, Alternate

Kathleen Easley, Deputy Director; Yvonne Chaillet, Zoning Administrator; Sandie Greene, Recording Secretary and Ben Cohen Environmental Planner were present from the Department Land Use and Growth Management.

David Weiskopf, Acting County Attorney, James Tanavage, Assistant County Attorney

CALL TO ORDER

PUBLIC HEARINGS

Chairman Hayden announced re-arrangement of cases due to rescheduling of Toyota Annex North.

Ms. Yvonne Chaillet advised the Board of Appeals stating the VAAP 18-132-003, Toyota Annex North was advertisement for this evenings meeting, however an oversight in the advertising was found in that the oversite regarding the rear buffer yard on the Toyota property. While the variance request met some of the standards, not all were met based on Maryland codes. The hearing could not be continued as the Department would need to re-advertise with the correct variance information of 32.1 footnote 4 in addition scheduled 63.3 so advertisement is correct. Requesting the case not be opened tonight for correct advertisement.

Chris Longmore ESQ of Dugan, McKissick & Longmore, LLC, 22738 Maple Road, Suite 101, Lexington Park, MD 20653; Counsel for the Toyota Annex agreed that the Planning Commission decision is acceptable. He requested on behalf of his clients that two of the three variances be heard tonight to assist his clients in the timeline they have in purchasing the property. The Board of Appeals denied the request stating that Variances often work together and approving them separately could cause concern for the third variance.

1. **Application/case no.:** VAAP 18-0389, McCormick-Goodhart Property
Property owner: Leander Paul McCormick-Goodhart
Location: 41280 Delabrooke Road, Mechanicsville
Parcel ID: tax map 10 grid 16 parcels 07
Election District: 5
Zoning: Rural Preservation District (RPD), Resource Conservation Area (RCA)
Acreage: 100 acres
Action requested: Variance from Section 71.8.3 of the Comprehensive Zoning Ordinance to disturb the Critical Area Buffer to repair and expand an existing porch.

Presenter: Yvonne Chaillet, Zoning Administrator, Land Use and Growth Management

Exhibit 1: Proof of Ad, USPS Certified Mail Receipts and Certification of Property Posting.

Exhibit 2: Staff Report

- Attachment 1: Standards Letter received from Stephanie McCormick-Goodhart
- Attachment 2: Critical Area Commission Comments dated July 18, 2018
- Attachment 3: Land Use Map
- Attachment 4: Site Plan
- Attachment 5: 2017 Ortho Photo / Environmental Features Map

Exhibit 3: Land Use and Growth PowerPoint presentation

Speakers representing The McCormick-Goodhart Property:

Stephanie McCormick-Goodhart, homeowner 41280 Delabrooke Road, Mechanicsville, MD 20659

Exhibit 4: Applicant PowerPoint presentation.

Chairman Hayden opened the hearing to public comment, hearing none, closed the hearing to public comment.

Mr. Miedzinski made the motion "In the matter of VAAP #18-0389, McCormick-Goodhart Property, having made a finding that the standards for granting a variance in the Critical Area and the objectives of Section 71.8.3 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the variance request to disturb the Critical Area Buffer to repair and expand an existing porch."

Mr. Brown seconded the motion. The motion passed unanimously

2. **Application/case no.:** VAAP 12-0502, Ropshaw Property
 - Property owner:** Peter and Paulina A. Ropshaw
 - Location:** 16166 Drury Road, Ridge, Maryland
 - Parcel ID:** tax map 71 grid 08 parcels 069
 - Election District:** 1
 - Zoning:** Rural Preservation District (RPD), Limited Development Area (LDA)
 - Acreage:** .90 acre (39,204 square feet)
 - Action requested:** Variance from Section 71.8.3 of the Comprehensive Zoning Ordinance to disturb the Critical Area Buffer to replace a single-family dwelling.

Presenter: Yvonne Chaillet, Zoning Administrator, Land Use and Growth Management

Exhibit 1: Proof of Ad, USPS Certified Mail Receipts and Certification of Property Posting.
Exhibit 2: Staff Report

Attachment 1: Standards Letter from Peter and Paulina Ropshaw, dated June 4, 2018
Attachment 2: Critical Area Commission Comments dated July 2, 2018
Attachment 3: Land Use Map
Attachment 4: Site Plan
Attachment 5: 2017 Ortho Photo / Environmental Features Map

Exhibit 3: Land Use and Growth PowerPoint presentation

Speakers Representing the Ropshaw Property:

Steve Vaughan, Little Silence Rest, 41650 Courthouse Drive, Leonardtown MD 20650

Exhibit 4: Applicant PowerPoint presentation.

Chairman Hayden opened the hearing to public comment, hearing none, closed the hearing to public comment.

Ms. Delahay made a motion "In the matter of VAAP #12-0502, Ropshaw Property, having made a finding that the standards for granting a variance in the Critical Area and the objectives of Section 71.8.3

of the (St. Mary's County Comprehensive Zoning Ordinance) have been met, I move to approve the variance request to disturb the Critical Area Buffer to replace a single-family dwelling."

Mr. Greene seconded the motion. The motion passed 4/1.

*For: George Allan Hayden, John Brown, William Greene and Lynn Delahay
Against: Wayne Miedzinski*

3. **Application/case no.:** VAAP 18-0532, Pulliam Property
Property owner: Alex C. & Patricia A. Pulliam
Location: 17766 Lawrence Street, St. Inigoes, Maryland
Parcel ID: tax map 67 grid 02 parcels 197
Election District: 1
Zoning: Rural Preservation District (RPD), Limited Development Area (LDA)
Acreage: .58 acre (25,469 square feet)
Action requested: Variance from Section 71.8.3 of the Comprehensive Zoning Ordinance to disturb the Critical Area Buffer to replace a single-family dwelling.

Ben Cohen, Environmental Planner, Land Use and Growth Management

Exhibit 1: Proof of Ad, USPS Certified Mail Receipts and Certification of Property Posting.

Exhibit 2: Staff Report

Attachment 1: Standards Letter dated June 7, 2018 from Alex & Patricia Pulliam

Attachment 2: Critical Area Commission Comments dated July 18, 2018

Attachment 3: Land Use Map

Attachment 4A: Existing Site Plan

Attachment 4B: Proposed Site Plan

Attachment 5: 2017 Ortho Photo

Attachment 6: Letter dated August 30, 2018 from Kathleen M Cummings & Ned C. Wolfe

Exhibit 3: Land Use and Growth PowerPoint presentation

Speakers representing the: Pulliam Property:

Alex C. & Patricia A. Pulliam, 17766 Lawrence Street, St. Inigoes, MD 20684

Exhibit 4: Applicant PowerPoint presentation.

Chairman Hayden opened the hearing to public comment, hearing none, closed the hearing to public comment.

Ms. Delahay made the motion "In the matter of VAAP #18-0532, Pulliam Property, having made a finding that the standards for granting a variance in the Critical Area and the objectives of Section 71.8.3 of the (St. Mary's County Comprehensive Zoning Ordinance) have been met, I move to approve the variance request to disturb the Critical Area Buffer to replace a single-family dwelling."

Mr. Miedzinski seconded the motion. The motion passed unanimously.

MINUTES AND ORDERS APPROVED

- 1. Mr. Greene made a motion approving the minutes for August 30, 2018.
Mr. Brown seconded the motion. The motion passed unanimously.*

No orders were presented from the August 30, 2018 meeting.

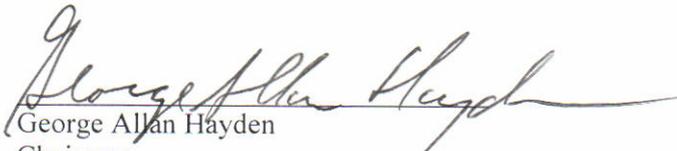
OTHER BUSINESS

ADJOURNMENT

*Mr. Miedzinski made the motion to adjourn the meeting.
Mr. Brown seconded the motion. The motion passed unanimously.*

The meeting was adjourned at approximately 7:50 p.m.

Approved in open session: September 27, 2018


George Allan Hayden
Chairman


Sandie Greene
Recording Secretary