

**ST. MARY'S COUNTY GOVERNMENT  
DEPARTMENT OF LAND USE  
AND GROWTH MANAGEMENT**  
*Jessica S. B. Andritz, Director*



**COMMISSIONERS OF ST. MARY'S COUNTY:**  
James R. Guy, President  
Michael R. Alderson, Jr., Commissioner  
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Michael L. Hewitt, Commissioner  
Scott R. Ostrow, Commissioner

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February 12, 2026

Commissioners of St. Mary's County  
Chesapeake Building  
41770 Baldrige Street  
Leonardtown, Maryland 20650

Re: Board of Appeals 2025 Annual Report

Dear Commissioners:

On behalf of the Board of Appeals, I am pleased to present our Annual Report for Calendar Year 2025. The report provides an overview of the Board's responsibilities and includes several charts that show the trend of case types during the past four years. Included in the report is a summary noting the cases heard in 2025 and the Board's decisions.

Sincerely,

  
George Allan Hayden, Sr., Chair  
St. Mary's County Board of Appeals

# St. Mary's County Board of Appeals 2025 Annual Report



**MEMBERS**

George Allan Hayden, Sr., Chair  
John Brown, Vice-Chair  
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Rita Weaver, Member  
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Michael Valcke, Alternate Member

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## **I. INTRODUCTION**

### **A. Formation of the Board of Appeals in St. Mary's County**

The Board of Appeals (hereinafter the "Board") was created pursuant to § 4-301 of the Land Use Article of the Annotated Code of Maryland.

The Board consists of five (5) members and one (1) alternate appointed by the Commissioners of St. Mary's County. Board members can serve no more than two consecutive, three-year, staggered terms. To ensure the Board can meet its quorum requirements and hold public hearings, the *Land Use Article* authorizes a local legislative body to designate one alternate member who has been empowered to sit on the Board in the absence of any member.

### **B. Functions of the Board of Appeals in St. Mary's County**

The Board is a quasi-judicial body responsible for presiding over public hearings on appeals, variances, and conditional uses as set forth in the *Land Use Article*, the County's Comprehensive Zoning Ordinance (CZO), and Subdivision Ordinance.

The powers and duties of the Board include the following:

- 1) To hear and decide appeals when it is alleged there is an error in any order, requirement, decision, or determination made regarding the enforcement of the CZO;
- 2) To authorize, upon application in specific cases, a variance from specific regulations of the CZO, which are limited to density, bulk, dimensional, and/or area requirements;
- 3) To hear and act upon conditional use applications in accordance with Chapter 25 of the CZO;
- 4) To authorize, upon appeal of specific cases, a variance from the County's Subdivision Ordinance; and
- 5) To adopt and promulgate such rules and regulations as it shall deem necessary in the conduct of its hearings.

All findings and decisions of the Board are subject to judicial review.

## II. 2025 CASELOAD

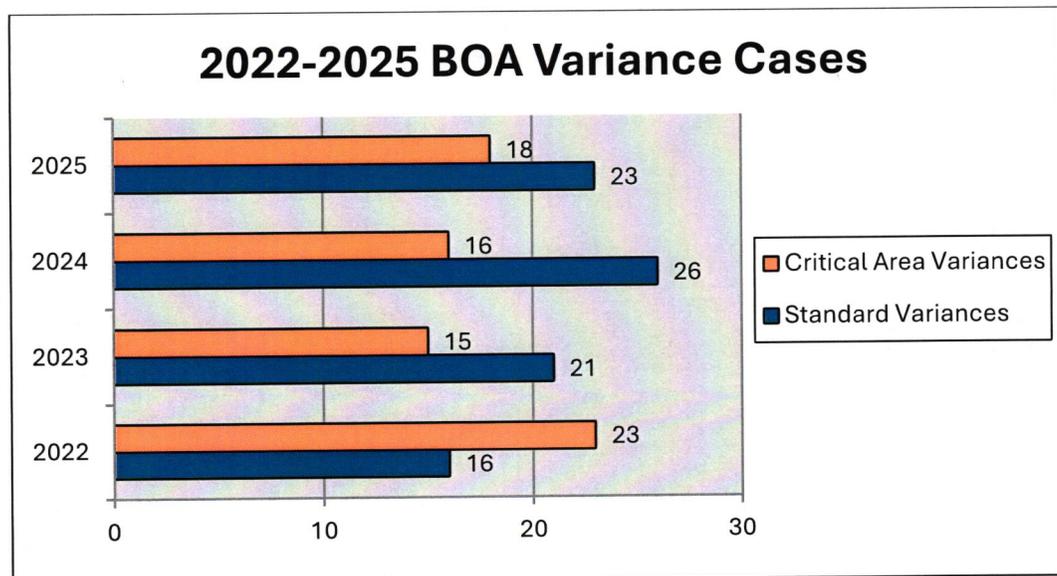
### A. Variance Applications

As explained above, the Board has the authority to vary the density, bulk, dimensional, or area requirements of the CZO. Variances are only permitted when, owing to conditions peculiar to the property and not because of any action taken by the applicant, a literal enforcement of the Ordinance would result in practical difficulty as specified in the CZO. A variance may not be contrary to the public interest.

Variances may be granted from the provisions of the Critical Area Program as implemented in Chapter 41 of the Ordinance, Chesapeake Bay Critical Area Overlay Districts, and Chapter 71, Resource Protection Standards, when it has been found that the literal enforcement of those provisions would result in unwarranted hardship on the landowner. The most common Critical Area variance cases originate from the request to disturb the Critical Area Buffer, which is a protected area measured a minimum of 100 feet landward from the mean high-water line of tidal waters, tidal wetlands, and tributary streams in the Critical Area.

In 2025, **41 variance requests** were placed on the Board’s docket, but ultimately, **1 case** (VAAP 25-0787, Simms Property) was withdrawn (see [Appendix A](#)). As illustrated in *Figure 1*, most of the variance cases (56%) stemmed from the Critical Area regulations. All variance requests were **approved** by the Board.

As *Figure 1* illustrates, the number of variance cases (VAAP) heard and decided by the BOA in 2025 was **more than average** in recent years, which is an important trend to consider when evaluating the CZO for necessary amendments.



*Figure 1. Number of Variance Cases Between 2022-2025.*

## B. Applications for Conditional Use Approval

In 2025, **4 applications** for conditional use approval (CUAP) were placed on the Board's docket, but **1 case** was withdrawn (see [Appendix A](#)); all other conditional use applications were **approved** by the Board.

The number of conditional use applications placed on the Board's docket in 2025 is **consistent** with the average number of cases heard and decided between 2022-2025 (see [Figure 2](#)).

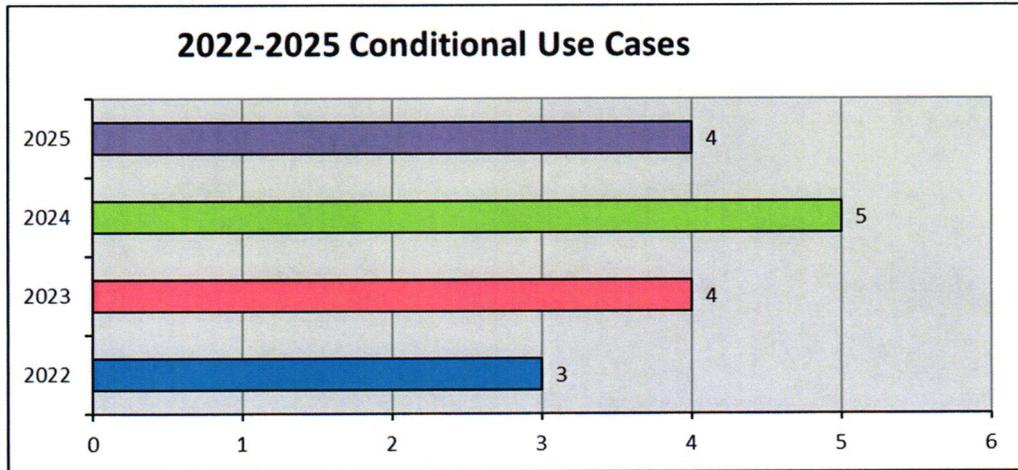


Figure 2. Number of Conditional Use Applications Docketed Between 2022-2025.

## C. Appeals

In 2025, **3 applications** for appeals (ZAAP) were placed on the Board's docket. Of those three cases, **2 cases were withdrawn**, and **1 case was denied** (see [Appendix A](#)).

The number of appellate cases placed on the Board's docket in 2025 was slightly **more than average** during 2022-2025 (see [Figure 2](#)).

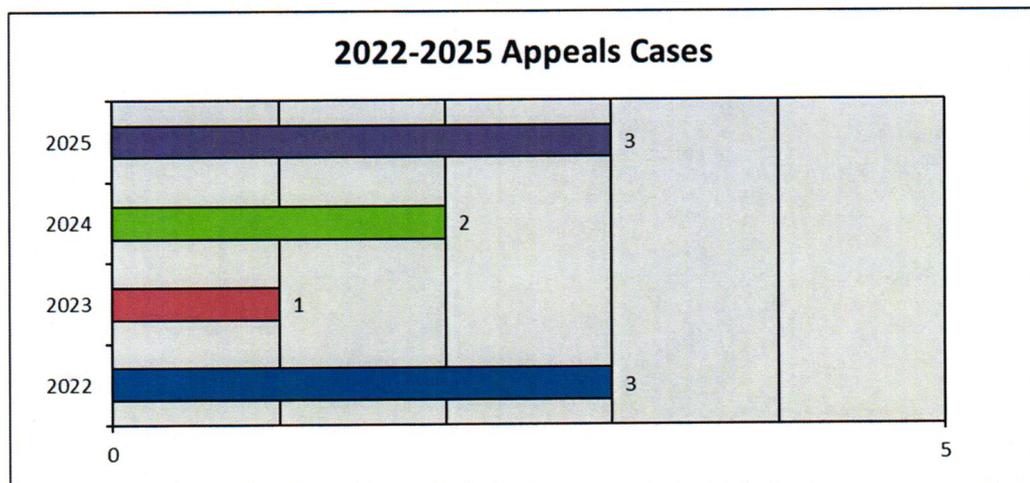


Figure 3. Number of Appellate Cases Docketed between 2022-2025.

## APPENDIX A

Note to the Reader: Some of the cases listed below were scheduled for a hearing but the applicant requested/required a postponement; the cases appear below in the order of the hearing/decision date. If the case was withdrawn, this has been noted.

### January 23, 2025:

1. VAAP24-0144/Moll Dyer Minor Subdivision - **Approved**  
Variance from the St. Mary's County Subdivision Ordinance Section 30.14.5.c private right-of-way requirements.  
3<sup>rd</sup> Election District: 21824 Beem Lane, Leonardtown, MD
2. VAAP24-1125/Quade - **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
7<sup>th</sup> Election District: 20386 Bowles Road, Coltons Point, MD
3. VAAP24-1003/Tippett - **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements and Schedule 32.1 side yard setback requirements.  
6<sup>th</sup> Election District: 24644 Tippett Lane, Hollywood, MD

### February 13, 2025:

1. VAAP24-2192/Sauler Property- **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
3<sup>rd</sup> Election District: 40026 Ben Morgan Road, Leonardtown, MD
2. VAAP23-0534/Mclaughlin - **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
5<sup>th</sup> Election District: 40405 Beach Drive, Mechanicsville, MD

### March 13, 2025:

1. VAAP24-2067/Sohn - **Approved**  
Variance from Section 41.5.3.i.(1) lot coverage limits requirements.  
2<sup>nd</sup> Election District: 18151 River Road, Tall Timbers, MD
2. VAAP24-1624/Reing - **Approved**  
Variances from Section 41.5.3.i.(1) lot coverage limits and Section 71.8.3 Critical Area Buffer requirements.  
6<sup>th</sup> Election District: 44689 Three Coves Road, Hollywood, MD

3. VAAP24-0338/Cullison - **Approved**  
Variance from the St. Mary's County Subdivision Ordinance Section 30.14.5.c private right-of-way requirements.  
2<sup>nd</sup> Election District: Montana Way, Leonardtown, MD

March 27, 2025:

1. ZAAP24-0018/Riverside Townhomes - **Denied**  
Continued from the 2/13/2025; Appeal the 11/18/2024 Planning Commission's to deny the Concept Site Plan.  
8<sup>th</sup> Election District: 23200 & 23206 Three Notch Road, California, MD

April 10, 2025:

1. ZAAP23-0309/Tidal Wave - **Withdrawn**  
Appeal the 10/07/2024 Planning Commission decision to deny the Concept Site Plan.  
8<sup>th</sup> Election District: 23186 Three Notch Road, California, MD
2. VAAP23-0309/Tidal Wave - **Withdrawn**  
Variances from Schedule 63.3.a Type "B" Bufferyard, Schedule 32.1 landscaping, Section 63.2.6.c parking landscaping, and Section 64.3.6 landscaping requirements.  
8<sup>th</sup> Election District: 23186 Three Notch Road, California, MD

April 24, 2025:

1. VAAP 25-0376/Waite Property - **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
9<sup>th</sup> Election District: 16584 Piney Point Road, Piney Point, MD

May 8, 2025:

1. VAAP25-0207/Raymond - **Approved**  
Variances from Schedule 32.1 the front setback and Section 71.8.3 Critical Area Buffer requirements.  
1<sup>st</sup> Election District: 49521 Portney's Overlook Rd, Ridge, MD
2. VAAP24-0244/Williams Refuge - **Approved**  
Variances from the St. Mary's County Subdivision Ordinance Section 30.14.5.c private right-of-way requirements and Section 30.14.6 from the private road standards.  
4<sup>th</sup> Election District: 23695 East Plum Lane, Chaptico, MD
3. VAAP25-0178/Portnoy - **Approved**  
Variance from the St. Mary's County Subdivision Ordinance Section 30.14.5.c private right-of-way requirements.  
6<sup>th</sup> Election District: 26221 Fawn Lane, Hollywood, MD

4. VAAP25-0169/Stevenson - **Approved**  
Variances from Section 71.5.2.b Wetland Buffer requirements.  
6<sup>th</sup> Election District: 26221 Fawn Lane, Hollywood, MD

May 22, 2025:

1. VAAP21-13100002/One Eyed Jacks - **Approved**  
Variance from Section 61.5.1 to locate a refuge storage area within the front yard setback.  
5th Election District: 23905 Mervell Dean Road, Hollywood, MD
2. CUAP25-0039/The Senator Jack Bailey Bldg., Pascal Crisis Stabilization Center - **Withdrawn**  
Conditional Use approval for Use Type 22 (Residential Services) within the Residential, Low-Density Zone.  
5th Election District: Mount Wolf Road, Charlotte Hall, MD

June 12, 2025:

1. VAAP24-0345/The Cottage Apartments - **Approved**  
Variance from Section 63.3 Type "B" Bufferyard requirements.  
5th Election District: 28055 Three Notch Road, Mechanicsville, MD
2. ZAAP24-0997/J Whitson Rogers Appeal - **Continued to July 24, 2025**  
Appeal the 03/07/2025 Planning Director's approval of Permit Number 24-0997.  
2nd Election District: 17246 Piney Point Road, Piney Point, MD

June 26, 2025:

1. VAAP25-0400/Beidleman - **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
2nd Election District: 44996 Lighthouse Road, Piney Point, MD
2. VAAP25-0306/Parsons - **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
6th Election District: 43085 Island View, Hollywood, MD
3. VAAP24-0304/Pembrooke 140-Unit Townhouse - **Approved**  
Variance from Section 71.7.4.c Stream Buffer requirements.  
8th Election District: Meadow Creek Drive on Willows Road, Lexington Park, MD
4. CUAP25-0035/Drift Inn Communication Tower - **Continued to July 24, 2025**  
Conditional Use approval for Use Type 91, Communication Tower, Commercial.  
5th Election District: 40951 New Market Turner Road, Mechanicsville, MD

July 10, 2025:

1. VAAP24-1611/Keefe – **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
1<sup>st</sup> Election District: 50810 Holly Point Road, Dameron
2. CUAP25-0023/Southern Waves Dispensary – **Approved**  
Conditional Use approval for Use Type 76A, Medical Cannabis Dispensary.  
8<sup>th</sup> Election District: 22805 Three Notch Road, California

July 24, 2025:

1. ZAAP24-0997/J. Whitson Rogers Appeal – **Withdrawn**  
Appeal the 03/07/2025 Planning Director’s approval of Permit Number 24-0997.  
2<sup>nd</sup> Election District: 17246 Piney Point Road, Piney Point, MD
2. CUAP 25-0035/Drift Inn Communication Tower – **Approved**  
Conditional Use approval for Use Type 91, Communication Tower, Commercial.  
5<sup>th</sup> Election District: 40951 New Market Turner Road, Mechanicsville

August 14, 2025:

1. VAAP25-1100/Hines – **Approved**  
Variances from Section 51.2.4.c setback requirements and Section 51.3.122.a (2) rear setback requirements.  
6<sup>th</sup> Election District: 24367 Broad Creek Drive, Hollywood, MD
2. VAAP24-2243/Nevill Byers – **Approved**  
Variance from Section 41.5.3.i.(1) lot coverage limits requirements.  
6<sup>th</sup> Election District: 24548 Half Pone Point Road, Hollywood, MD
3. VAAP25-1027/Klika – **Approved**  
Variance from Section 41.5.3.i.(1) lot coverage limits requirements.  
4<sup>th</sup> Election District: 23864 Old Chaptico Wharf Lane, Chaptico, MD

August 28, 2025:

1. VAAP25-1134/Burks – **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
8<sup>th</sup> Election District: 23460 River Hill Court, Lexington Park, MD
2. VAAP23-0267/Evergreen – **Approved**  
Variances from Section 51.3.96.a.(3)(b) general standards.  
5<sup>th</sup> Election District: 37315 Carpenter Lane, Chalotte Hall, MD

3. VAAP25-0035/Drift Inn Communication Tower – **Approved**  
Variance from Section 51.3.91.b(10) setback requirement.  
5<sup>th</sup> Election District: 40951 New Market Turner Road, Mechanicsville, MD

September 11, 2025:

1. VAAP25-0728/Richard - **Approved**  
Variance from Section 41.7.4.a.(5) Buffer Management Overlay requirements.  
3<sup>rd</sup> Election District: 40383 Old Breton Beach Road, Leonardtown, MD

October 9, 2025:

1. VAAP23-1978/Boothe – **Continued**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
2<sup>nd</sup> Election District: 18833 Hodges Lane, Leonardtown
2. VAAP25-0787/Simms – **Continued**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
2<sup>nd</sup> Election District: 18833 Hodges Lane, Leonardtown
3. VAAP25-0103/Martinez Machine Shop – **Approved**  
Variance from Section 63.3 Type “B” Bufferyard requirements.  
5<sup>th</sup> Election District: 29745 Three Notch Road, Charlotte Hall
4. VAAP24-0666/Gladu – **Approved**  
Variances from Sections 41.5.3.i.(1) lot coverage requirements and 71.8.3 Critical Area Buffer requirements.  
2<sup>nd</sup> Election District: 17581 Whitestone Drive, Tall Timbers

October 23, 2025:

1. VAAP25-1761/Wicomico Valley Foundation – **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
7<sup>th</sup> Election District: 22800 Lower Brambly Lane, Chaptico
2. CUAP25-0066/Sloan Loveville Gravel Mine – **Approved**  
Modification of Conditional Use approvals 15-131-050, 20-131-0001 and 23-0047 for Use Type 82, Extractive Industry.  
3<sup>rd</sup> Election District: 28635 Abell's Way, Loveville

November 19, 2025:

1. VAAP25-1801/Rickett - **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
3<sup>rd</sup> Election District: 21829 Rosebank Court, Leonardtown, MD

2. VAAP23-1978/Boothe - **Approved**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
2<sup>nd</sup> Election District: 18833 Hodges Lane, Leonardtown, MD
  
3. VAAP 25-0787/Simms - **Continued to November 19, 2025 - Withdrawn**  
Variance from Section 71.8.3 Critical Area Buffer requirements.  
2<sup>nd</sup> Election District: 47030 Christianna Lane, Drayden, MD