



St. Mary's County Department of Land Use and Growth Management
23150 Leonard Hall Drive, Leonardtown, Md. 20650
Phone (301) 475-4200, ext. 71500 Fax (301) 475-4672
**BOARD OF APPEALS / ADMINISTRATIVE VARIANCE
APPLICATION**



INSTRUCTIONS TO APPLICANT:

Please complete the information below prior to Board of Appeals submission. This application will be required in order to accept and process your submission. All application materials must be folded or of a size which will fit into a standard legal folder.

CONTROL NUMBER: JAAP 23-0834 (To be completed by LUGM personnel)

PROJECT NAME: Mellen Replacement House at 38035 Beach Road

PROPERTY OWNER: Richard L. Mellen, III and Erika Mellen

ADDRESS: 38035 Beach Road, Coltons Point, MD 20626

PHONE #: (301) 502-3466 E-MAIL ADDRESS: rmellen@scheibelconstruction.com

AGENT (if other than property owner): Jeffrey Nieman c/o Linear Surveys, Inc.

ADDRESS: 42120 St. Andrews Church Road, Leonardtown, MD 20650

PHONE #: (301) 475-9000 E-MAIL ADDRESS jeff@linearsurveys.com

PROPERTY LOCATION (Street Address or Tax Identification Number):

38035 Beach Road, Coltons Point, MD 20626
Tax I.D. # 009585

PARCEL IDENTIFICATION: TAX MAP: 53A GRID: 5 PARCEL: 001 LOT: BLOCK:

ZONING: RNC C.A. OVERLAY: LDA ELECTION DISTRICT: 7 ACREAGE: 1.21

☐ Administrative Variance
☐ Variance

☐ Area
☐ Bulk
☐ Density
☐ Other

☐ Critical Area Administrative Variance
☒ Critical Area Variance

☒ Encroachment in 100' buffer
☐ Increase of Impervious Surface of
☐ Other

☐ Appeal of Administrator's Decision

☐ Conditional Use Approval

Received

OCT 06 2023

St. Mary's County
Land Use & Growth Management

Please describe requested action:

The applicant is requesting a Critical Area variance from the provisions of Section 71.8.3.b.(1) of the St. Mary's County Zoning Ordinance to demolish an existing single family dwelling and construct a new dwelling in its place.

APPLICATION SUBMISSION REQUIREMENTS:

☐ Pre-Application Conference Held with _____ on _____
(staff) (date)

☒ Letter of Intent addressing standards

☐ Non-CA Site Plan/Plot Plan

9 Prints – BOA

3 Prints - Administrative

☒ Critical Area Site Plan/Plot Plan

9 Prints – BOA

3 Prints - Administrative

* Please show topography on all Critical Area Site Plans.

Review Fees:

☐ \$750

☒ \$500 -

☐ \$0 -

☐ \$500 -

☐ \$670 -

☐ \$25 each

Conditional Use

Variance/ Critical Area Variance

*Appeal

Administrative Variance - All

Expansion of Non-Conforming Use

Resubmissions

Received
10/12/23
check # 5188
JTH

Approvals Received:

☒ Health Department (HD)
☒ Soil Conservation District (SCD)
____ Critical Area (CA)
____ Critical Area Commission (CAC)
____ DPWT (if applicable)

**All advertising fees to be determined;
applicants will be billed. Applicants are
responsible for mailing and posting
costs.**

Other fees may apply. See the St. Mary's County User Fee Schedule, effective July 1, 2018.

***APPEALS:** Pursuant to Section 23.1.2 of the Comprehensive Zoning Ordinance an appeal shall be filed within 30 days of the date of the action being appealed by filing an application for Board of Appeals review with St. Mary's County Government, Office of the County Attorney. An application for appeal **shall identify with specificity all grounds for the appeal**. Please state in detail your grounds for appeal. Please provide a separate written Notice of Appeal, if more space is needed.

☒ I hereby swear or affirm that I have the authority from the property owner to make this application and that this application is correct.

☐ I hereby swear or affirm that I am the property owner and that this application is correct.

Staff and Board members are hereby authorized to enter the site to view the particulars of the application.

PROPERTY OWNER/AUTHORIZED AGENT'S

SIGNATURE:

Jeffrey T. Nieman

PRINT NAME: Jeffrey T. Nieman

DATE: 9/22/2023

St. Mary's County
Land Use & Growth Management

OCT 06 2023

☐ I prefer all correspondence be sent to (circle one): U.S. Mail/Email/FAX

(Fax #) _____