

IN THE ST. MARY'S COUNTY BOARD OF APPEALS

VAAP NUMBER 23-0317

WALKER & KELLY PROPERTY

THIRD ELECTION DISTRICT

VARIANCE REQUEST HEARD: JANUARY 11, 2024

ORDERED BY:

**Mr. Hayden, Mr. Bradley, Mr. Payne,
Mr. Richardson, and Ms. Weaver**

ENVIRONMENTAL PLANNER: STACY CLEMENTS

DATE SIGNED: February 8, 2024

Pleadings

Mark Walker and Mary Kathleen Kelly (“Applicants”) seek a variance from the St. Mary’s County Comprehensive Zoning Ordinance (“CZO”) § 71.8.3 disturb the Critical Area Buffer (“the Buffer”) to construct a replacement home.

Public Notification

The hearing notice was advertised in *The Southern Maryland News*, a newspaper of general circulation in St. Mary’s County, on December 22, 2023 and December 29, 2024. A physical posting was made on the property and all property owners within 200’ were notified by certified mail on or before December 27, 2023. The agenda was also posted on the County’s website on January 5, 2024. Therefore, the Board of Appeals (“Board”) finds and concludes that there has been compliance with the notice requirements.

Public Hearing

A public hearing was conducted at 6:30 p.m. on January 11, 2024 at the St. Mary’s County Governmental Center, 41770 Baldrige Street, Leonardtown, Maryland. All persons desiring to be heard were duly sworn, the proceedings were recorded electronically, and the following was presented about the proposed amendment requested by the Applicants.

The Property

The subject property may be found at 21658 Joe Hazel Road, Leonardtown, Maryland (“the Property”). The Property is 2.03 acres, more or less, is zoned Rural Preservation District (“RPD”), has a Limited Development Area (“LDA”) Critical Area overlay, and is found at Tax Map 39, Grid 24, Parcel 351.