

Board of Appeals Meeting (Thursday, February 8, 2024)

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1. CALL TO ORDER: Meeting called to order at 6:36 PM.

A. February 8, 2024 Board of Appeals Meeting

2. ROLL CALL:

A. Attendance of Members, Staff Support, Applicants, Representatives and Speakers

Board of Appeals Members Via: CSMC Meeting Room

George Allan Hayden, Chair

Guy Bradley, Vice Chair

Rich Richardson, Member

Rita Weaver, Member

Ronald Payne, Sr., Member

Steve Scott, Board Attorney

Excused

Joseph I. Russell, Alternate Member

SMCG Supporting Staff to be in Attendance Via: CSMC Meeting Room

John Sterling Houser, Assistant County Attorney

Courtney Jenkins, Deputy Director - LUGM

Stacy Clements, Planner III - LUGM

Sherrie Young, Sr. Planning Specialist/ Recording Secretary- LUGM

Jim Gotsch, Director - DPW&T

Via: Media Control Room

Amy Carter, Video / Media Producer

Applicants, Representatives & Speakers to be in Attendance Via: CSMC Meeting Room

Chris Longmore, Esq

Steve Vaughan, LSR, Inc.

Pat Mudd, Mudd Engineer, LLC. (via ZOOM)

Gregory Hosendorf, PE, Associate, Senior Project Manager at Soltesz, Inc.

Tiffanie Bockey, Compass Point Montessori

Kyle Bockey, Compass Point Montessori

3. AGENDA:

A. February 8, 2024 Board of Appeals Agenda

4. PUBLIC HEARINGS:

A. **JOSEPH VAAP 23-1082;** The Applicant requests a variance from Section 71.8.3 to disturb the 100' Critical Area Buffer to construct a home.

“In the matter of VAAP 23-1082, Joseph Property, having made a finding that the standards for granting a variance and the objectives of Sections 24.4 of the St. Mary’s County Comprehensive Zoning Ordinance have been met, I move to approve the variance request from Section 71.8.3 to disturb the 100' Critical Area Buffer to construct a home.”

Condition:

1.) The steps on the waterside porch be covered under the variance granted as required.

Motion by Rich Richardson, second by Rita Weaver.

Final Resolution: Motion Carries

Yea: Ronald Payne Sr, Guy Bradley, Rich Richardson, Rita Weaver, George Allan Hayden Sr

B. COMPASS POINT MONTESSORI VAAP 23-0178; The Applicant requests a variance from Schedule 63.3.a to modify the buffer yard and buffer yard planting requirements.

“In the matter of VAAP 23-0178, Compass Point Montessori, having made a finding that the standards for granting a variance and the objectives of Section 24.3 of the St. Mary’s County Comprehensive Zoning Ordinance have been met, I move to approve the variance request from Schedule 63.3.a to remove the 65’ Type B Buffer adjacent to the residential use properties.”
Condition:

1.) No healthy existing vegetation to be removed.

Motion by Rich Richardson, second by Guy Bradley.

Final Resolution: Motion Carries

Yea: Ronald Payne Sr, Guy Bradley, Rich Richardson, Rita Weaver, George Allan Hayden Sr

C. VILLAS AT LEXWOOD VAAP 22-0256; The Applicant requests variances from Section 32.3.4 & Schedule 32.1 to reduce the required open space from 50% to 0%, from Section 51.14.a.(4) to reduce the minimum 20' width of a townhouse to 16', and from Section 71.5.2.b to disturb the non-tidal wetland buffer.

“In the matter of VAAP 22-0256, Villas at Lexwood, having made a finding that the standards for granting a variance and the objectives of Section 24.4 of the St. Mary’s County Comprehensive Zoning Ordinance have been met with conditions, I move to approve the variance requests from Section 32.3.4 & Schedule 32.1 to reduce the required open space from 50% to 0%, from Section 51.3.14.a.(4) to reduce the minimum 20' width of a townhouse to 16', and from Section 71.5.2.b to disturb the non-tidal wetland buffer, and from 51.3.14.a (5) screened in from rear yards attached dwelling units by 6' privacy fence extending not less than 15' from the rear wall, only in those applicable dwelling units that it is required.”

Motion by Guy Bradley, second by Rich Richardson.

Final Resolution: Motion Carries

Yea: Ronald Payne Sr, Guy Bradley, Rich Richardson, Rita Weaver, George Allan Hayden Sr

5. REVIEW AND APPROVAL OF MINUTES:

A. Review and Approve the January 11, 2024 Board of Appeals Meeting Minutes

"I move to approve the minutes of the January 11, 2024 Board of Appeals meeting."

Motion by Rich Richardson, second by Guy Bradley.

Final Resolution: Motion Carries

Yea: Ronald Payne Sr, Guy Bradley, Rich Richardson, Rita Weaver, George Allan Hayden Sr

6. REVIEW AND APPROVAL OF ORDERS:

A. MELLE ORDER VAAP 23-0834

"I make a motion to approve and for Chairman, George R. Hayden, Sr., to sign the MELLE ORDER VAAP 23-0834."

Motion by Rich Richardson, second by Guy Bradley.

Final Resolution: Motion Carries

Yea: Ronald Payne Sr, Guy Bradley, Rich Richardson, Rita Weaver, George Allan Hayden Sr

B. WALKER/KELLY ORDER VAAP 23-0317

"I make a motion to approve and for Chairman, George Allan Hayden, to sign the WALKER/KELLY ORDER VAAP 23-0317."

Motion by Rich Richardson, second by Guy Bradley.

Final Resolution: Motion Carries

Yea: Ronald Payne Sr, Guy Bradley, Rich Richardson, Rita Weaver, George Allan Hayden Sr

7. ADJOURNMENT:

A. Adjourn the February 8, 2023 Board of Appeals Meeting

"I move to adjourn the February 8, 2023 Board of Appeals meeting at 10:06 pm."

Motion by Guy Bradley, second by Rich Richardson.

Final Resolution: Motion Carries

Yea: Ronald Payne Sr, Guy Bradley, Rich Richardson, Rita Weaver, George Allan Hayden Sr