

Meeting called to order at 6:29 PM

Board of Appeals Meeting (Thursday, January 12, 2023)

Generated by Appeals Bd on Friday, January 13, 2023

Members present

Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Ronald Payne Sr, Guy Bradley, Rich Richardson

1. CALL TO ORDER:

A. January 12, 2023 Board of Appeals

2. ROLL CALL:

A. Board of Appeals Members Via: CSMC Meeting Room

Dan Ichniowski, Chair
Wayne Miedzinski, Vice Chair
Lynn Delahay, Member
Rich Richardson, Member
Guy Bradley, Member
Ronald Payne, Sr., Alternate Member
Steve Scott, Board Attorney

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

John Houser, Assistant County Attorney
Bill Hunt, Director -LUGM
Courtney Jenkins, Deputy Director -LUGM
Amanda Yowell, Zoning Administrator- LUGM
Stacy Clements, Planner III- 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

Debra G. Okoniewski and William G. Okoniewski
Kevin Norris, Esq.
Lori Jameson
Frank Staebler
Jeff Nieman - Linear Surveys, Inc.
James Bowles
Karen Taylor
Marc Berman

3. AGENDA:

A. Jan 12, 2023 - Board of Appeals Meeting

B. Nomination and Election of Board Chair

"I move to nominate Dan ichniowski for Chair of the Board of Appeals."

Motion by Wayne Miedzinski, second by Guy Bradley.

Final Resolution: Motion Carries

Yea: Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Abstain: Daniel Ichniowski

Not Present at Vote: Ronald Payne Sr

C. Nomination and Election of Vice Chair

"I move to nominate Guy Bradley for Vice Chair of the Board of Appeals."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Rich Richardson

Abstain: Guy Bradley

Not Present at Vote: Ronald Payne Sr

4. PUBLIC HEARINGS:

A. OKONIEWSKI VAAP 22-1484;

Applicant is requesting variances from the St. Mary's County Comprehensive Zoning Ordinance Section 71.8.3 to disturb the Critical Area for an after the fact wood ramp, from Schedule 32.1 for a reduction of the mandatory front and side setbacks for an after the fact shed.

"In the matter of VAAP 22-1484, the Okoniewski property, I move to continue the case to March 9, 2023 to allow the applicant to amend their application and obtain a survey."

Motion by Lynn Delahay, second by Rich Richardson.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr

B. BRETON BAY LANDINGS HOA VAAP 22-1666;

Applicant is requesting a variance from the St. Mary's County Comprehensive Zoning Ordinance Section 71.8.3 to disturb the Critical Area for a retaining wall.

"In the matter of VAAP #22-1666, the Breton Bay Landings HOA property, having made a finding that the standards for granting a Critical Area variance and the objectives of Section 24.4 of the St. Mary's County Comprehensive Zoning Ordinance (have / have not) been met, I move to (approve / deny) the applicants' request for a variance from Section 71.8.3 of the St. Mary's County Comprehensive Zoning Ordinance to construct a retaining wall."

Motion by Rich Richardson, second by Lynn Delahay.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr

C. BOWLES ZAAP 22-2229;

Applicant is requesting variances from the St. Mary's County Comprehensive Zoning Ordinance Section 71.4.2 to disturb the 100' Perennial Stream Buffer and Section 71.5.2b to disturb the expanded Nontidal Wetland Buffer for a replacement house.

"In the matter of VAAP 22-2229, the Bowles property, 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 / have not) been met, I move to (approve / deny) the variance request from Section 71.4.2 to disturb the 100' Perennial Stream Buffer and Section 71.5.2.b to disturb the expanded Nontidal Wetland Buffer for a replacement house."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr

D. TAYLOR ZAAP 22-2139;

Applicant is requesting a variance from the St. Mary's County Comprehensive Zoning Ordinance Section 71.8.3 to disturb the Critical Area for a replacement shed.

"In the matter of Taylor VAAP # 22-2139, having found that the standards for granting a variance (have/ have not) been met, I move to (approve / deny) the variance request from Section 71.8.3 to disturb the 100' Critical Area Buffer for a replacement shed."

Motion by Lynn Delahay, second by Wayne Miedzinski.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr

5. REVIEW AND APPROVAL OF MINUTES:

A. Review and Approve Minutes of the December 8, 2022 Meeting

"I move to approve the minutes of the December 8, 2022 meeting."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson
Not Present at Vote: Ronald Payne Sr

6. REVIEW AND APPROVAL OF ORDERS:

A. Guntow VAAP 22-0836

"I make a motion to approve and for Chairman, Daniel Ichniowski, to sign the order for the Guntow property, VAAP 22-0836."

Motion by Wayne Miedzinski, second by Guy Bradley.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson
Not Present at Vote: Ronald Payne Sr

B. Fleury VAAP 22-1961

"I make a motion to approve and for Chairman, Daniel Ichniowski, to sign the order for the Fleury property, VAAP 22-1961."

Motion by Guy Bradley, second by Wayne Miedzinski.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson
Not Present at Vote: Ronald Payne Sr

C. Ferber VAAP 22-2084

"I make a motion to approve and for Chairman, Daniel Ichniowski, to sign the order for the Ferber property, VAAP 22-2084."

Motion by Wayne Miedzinski, second by Lynn Delahay.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson
Not Present at Vote: Ronald Payne Sr

7. ADJOURNMENT:

"I move to adjourn the January 12, 2023 Board of Appeals meeting at 8:30 PM"

Motion by Wayne Miedzinski, second by Rich Richardson.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson
Not Present at Vote: Ronald Payne Sr