

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING  
CHESAPEAKE BUILDING \* LEONARDTOWN, MARYLAND  
Thursday, September 10, 2010**

Members present were Howard Thompson, Chairman; Wayne Miedzinski, Randy Guy, Veronica Neale, and George T. Edmonds. Department of Land Use & Growth Management (LUGM) staff present were Yvonne Chaillet, Zoning Administrator; and Jada Stuckert, Recording Secretary. Deputy County Attorney David Weiskopf was also present.

A sign-in sheet is on file at LUGM. All participants in all cases were sworn in. The Chair called the meeting to order at 6:30 p.m.

**PUBLIC HEARINGS**

**VAAP #09-1485 – Lynch**

The applicant is requesting a variance to disturb the Critical Area Buffer including steep slopes and highly erodible soils with after-the-fact lot coverage and clearing and to disturb the Buffer with proposed lot coverage to replace an existing single-family dwelling. The property contains 2.09 acres; is zoned Rural Preservation District (RPD), Limited Development Area (LDA) Overlay; and is located at 44826 Three Coves Road, Hollywood, Maryland; Tax Map 27, Grid 10, Parcel 130.

Owner: Joseph M. Lynch and Micheline Lopez-Estrada  
Present: Chris Longmore

The property and variance were advertised in The Enterprise on September 8, 2010 and September 15, 2010. Ms. Chaillet submitted the certification of property posting and mailing receipts for the record, *hereby labeled as Exhibit 1 by the Recording Secretary*.

Mr. Chris Longmore, agent for the applicant, requested a continuance so that his clients can revise their Critical Area Buffer mitigation / management plan in accordance with new buffer regulations adopted in March 2010. Mr. Longmore asked that this case be continued to October 14, 2010.

***Ms. Neale made a motion in the case of VAAP #09-1485 I move to continue the hearing to October 14, 2010 and Mr. Edmonds seconded. The motion passed by a 5-0 vote.***

**CUAP #10-131-033 – Dynard Elementary School**

The applicant is requesting conditional use approval to add modular classrooms. The property contains 14.53 acres; is zoned Rural Preservation District (RPD); and is located at 23510 Bushwood Road, Chaptico, Maryland; Tax Map 30, Grid 11, Parcel 81.

Owner: St. Mary's County Board of Education  
Present: Kim Howe

The property and conditional use were advertised in The Enterprise on September 8, 2010 and September 15, 2010. Ms. Chaillet submitted the certification of property posting and mailing receipts for the record, *hereby labeled as Exhibit 1 by the Recording Secretary*. Ms. Chaillet gave an overview of the staff report September 13, 2010 and the Use classifications, types and location within zoning districts. Ms. Chaillet submitted the staff report September 13, 2010 for the record, *hereby labeled as Exhibit 2 by the Recording Secretary*.

Ms. Howe stated the School feels staff has done a remarkable job on this project therefore we have no additional presentation at this time. Mr. Edmonds stated he did not see during his site visit where emergency services would have access to this building. Mr. Hartwick stated there is access off Hurry Road as well as a single gate for children to exit the area. Mr. Hartwick stated he would confirm that the access on Hurry Road is sufficiently accessible for emergency services.

Mr. Miedzinski stated he is concerned that emergency equipment may block the children's egress. Ms. Howe stated the school works with the local Fire Department during their fire drills so that this situation does not arise. Ms. Howe stated the safety of the students is top priority.

Chairman Thompson opened the hearing to public comment, hearing none, closed the hearing to public comment.

***Mr. Miedzinski made a motion to accept the staff report as findings of fact in this case and Ms. Neale seconded. The motion passed by a 5-0 vote.***

***Ms. Neale made a motion in the matter of CUAP #10-131-033, Dynard Elementary School, having made a finding that the standards for granting a conditional use and the objectives of Section 51.3.27, education facility, of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the request to modify an approved conditional use with the placement of a modular classroom unit on the School's property and Mr. Edmonds seconded. The motion passed by a 5-0 vote.***

#### **MINUTES AND ORDERS APPROVED**

The minutes of September 9, 2010 were approved as recorded.

**The Board authorized the Chair to review and sign the following orders:**  
VAAP #09-2282 - Caldwell

#### **ADJOURNMENT**

The meeting was adjourned at 8:30 p.m.

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Jada Stuckert, Recording Secretary

Approved in open session: October 14, 2010

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Howard Thompson  
Chairman