

ST. MARY’S COUNTY BOARD OF APPEALS

In the Matter of the application of Michael and Delia Felps for a variance from Section 41.5.3.i of the St. Mary’s County Comprehensive Zoning Ordinance to exceed the lot coverage limit to construct a shed and walkways in the Critical Area.

Case No. VAAP #13-0908
Felps

ORDER

WHEREAS, Application VAAP #13-0908 – Felps was duly filed with the St. Mary’s County Board of Appeals (the “Board”) by Michael and Delia Felps (the “Applicant”), on or about July 9, 2013; and

WHEREAS, the Applicant seeks a Variance from Section 41.5.3.i of the St. Mary’s County Comprehensive Zoning Ordinance, as amended, (the “Ordinance”), to exceed the lot coverage limit to construct a shed and walkways in the Critical Area. The property contains 29,555 square feet; is zoned Rural Preservation District (RPD), Limited Development Area (LDA) Critical Area Overlay ; and is located at 47877 Waterview Drive, St. Inigoes, Maryland; Tax Map 63, Grid 21, Parcel 169 (the “Property”); and

WHEREAS, after due notice, a public hearing was conducted by the Board on Thursday, September 12, 2013 and October 10, 2013 in Main Meeting Room, Chesapeake Building, 41770 Baldrige Street, of the Governmental Center in Leonardtown, Maryland, at 6:30 p.m., and all persons desiring to be heard were heard, documentary evidence received, and the proceedings electronically recorded.

NOW, THEREFORE, having reviewed the testimony and evidence presented at the hearing, the following facts, findings, and decision of the Board are noted:

SUMMARY OF TESTIMONY

September 12, 2013

Carrie Ann Heinz, Environmental Planner, summarized the Staff Report. Delia Felps, Applicant, explained the need to exceed the approved lot coverage and request for the variance. After discussion, the hearing was continued to October 10, 2013.

SUMMARY OF TESTIMONY

September 12, 2013

Carrie Ann Heinz, Environmental Planner, summarized the revised Staff Report. Michael Felps, Applicant, explained the need to exceed the approved lot coverage and request for the variance explaining he worked with staff to reduce the overall lot coverage by 414 square feet.

SUMMARY OF DOCUMENTARY EVIDENCE

The Board accepted into evidence the following exhibits:

09/12/13

Exhibit No. 1 – Affidavit of Property Posting and Mailing Receipts

Exhibit No. 2 – Staff Report

Exhibit No. 3 – Table containing lot coverage (dual sided)

10/10/13

Exhibit No. 1 – Revised Staff Report