

**BOARD OF ZONING APPEALS**  
**MEETING MINUTES**  
Monday, February 11, 2019  
Town Office  
5:30 p.m.

Present: Vice Chairman Douglas Rollow, member John Hunnicutt, and Alternate Member Maurice Nelson, Town Manager Jean Weisman, and Zoning Officer Kymberly Kudla.

**I. CALL TO ORDER**

Vice Chairman Douglas Rollow convened the meeting of the St. Michaels Board of Appeals (BOZA) at 5:30 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland. Vice Chairman Rollow introduced the board members and made a change in the agenda, putting the Approval of Minutes at the end of the meeting to accommodate the applicants.

**II. NEW BUSINESS**

**1. BOZA 591-19 – 107 Carpenter Street – John and Michele Blevins - Request for a variance from the R2 side and rear yard setbacks for construction of garden shed**

Vice Chairman Rollow said Exhibit Nos. 1-12 were a part of the case file and incorporated herein by reference. Vice Chairman then swore in the applicants and all those planning to testify. All board members attested they had visited the site. Zoning Officer Kudla provided background on the application, noting that the lot was a small one – 3600 square feet, or 60’ x 60’. Mr. Blevins submitted pictures, which Vice Chairman Rollow designated as Exhibit No. 13 for the record. Mrs. Blevins said the structure would be placed on the west side of the house at the back to enable better use of the green space in the yard, and that it would be an 8’ x 8’ shed, as approved by the Historic District Commission. Victor MacSorley of Cherry Street said he owns 105 Carpenter Street, which is adjacent to the applicant’s property. Mr. MacSorley said he objected to the height and location of the shed so close to his property line, and suggested that the shed be smaller and placed 4’ and 4’ from the line instead. The applicants answered a question about the roof style. As there were no additional comments or questions, Member Hunnicutt made a motion to accept the application as presented. Member Nelson seconded the motion. After a brief discussion of possible conditions, none were put forward, and the members voted 3-0 in favor. Vice Chairman re-opened discussion of BOZA 591-19 to issue Findings of Fact, noting that the property was shallow and non-conforming and would be adversely affected without a variance from the established setback regulations. Vice Chairman Rollow continued that the relief from standard setback regulations was not injurious to adjacent properties, did not adversely impact the public welfare and was in keeping with the character of the neighborhood.

**2. BOZA 592-19 – 103 W. Chestnut Street – Michael and Jaime Grimes – Request for a variance from the R1 side yard setback for 2 side yard additions**

David Braly, Mitchell Street, introduced himself and Vice Chairman Rollow swore him in for testimony on behalf of Applicants Michael and Jaime Grimes, who could not be present. Vice Chairman Rollow said that Exhibits 1-13 were incorporated by reference into the record and Exhibit No. 14, a set of plans and elevations, was also made a part of the record. Mr. Braly said he was helping the Grimes’ with the design of their additions and had been present for the

project's review by the Historic District Commission at the end of 2018. He added that the existing house is modest and the planned addition is modest, but the lot is very narrow, hence the request for a variance of the side yard setback. The members had no additional questions. Ms. Kudla then presented her staff report, noting that the variance request was for a six-foot setback instead of the eight feet required. Ms. Kudla said the normal lot size in the R1 Zone is 7200 square feet, and the non-conforming Chestnut Street lot was 4,033 square feet, with a lot width of thirty feet, with the require width being sixty feet. Vice Chairman Rollow noted that the lot was almost the size of a standard Town half-lot. As there were no further questions or comments, Vice Chairman Rollow called for a motion. Member Hunnicutt made the motion to approve the application for a variance as presented. Member Nelson seconded, it and the motion to approve passed on a voice vote of 3-0 in favor. Vice Chairman Rollow then re-opened the record for BOZA 592-19 to present the Findings of Fact, citing Chapter 340-75(1) "Special conditions peculiar to the land and structures." He noted that the structure is within the regulatory setbacks and the addition does not expand the depth of the incursion into the setbacks. Vice Chairman Rollow continued, saying the lot is non-conforming and extremely narrow, and that the regulatory restrictions present a hardship for this property due to its narrowness, therefore justifying relief. Vice Chairman Rollow said that the variance is in harmony with the intent of Chapter 340, is not injurious to adjacent properties or the public welfare, and is compatible with the character of the neighborhood.

### III. APPROVAL OF MINUTES

As there were no comments or changes to the minutes of the Board of Appeals meeting on January 14, 2019, Vice Chairman Rollow made a motion to approve the minutes as presented. Member Hunnicutt seconded it, and the motion passed on a voice vote of 3-0 in favor.

### IV. ADJOURNMENT

The meeting was adjourned at 6:12 p.m.

Minutes approved by 2-0-1 vote in favor on 8<sup>th</sup> day of April, 2019.

  
\_\_\_\_\_  
J. Douglas Rollow, Vice Chairman