

BOARD OF ZONING APPEALS

MEETING MINUTES

Monday, April 8, 2019

Town Office

5:30 p.m.

I. CALL TO ORDER

Chairman William Harvey 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. Also present were board members John Hunnicutt and Douglas Rollow, and Zoning Officer Kymberly Kudla.

II. Review of Minutes

Chairman Harvey noted that he was not present for the February 11, 2019 and turned the discussion over to Vice Chairman Rollow. Member Rollow asked that a copy of the draft minutes be sent to Member Maurice Nelson for his review. Member Rollow and Member Hunnicutt said they had reviewed the minutes and found them to be correct. Member Rollow then made a motion to adopt the minutes as presented, subject to the provision that a copy be provided for Member Nelson's comments, if any, and that the motion remain open until Member Nelson responds. Member Hunnicutt seconded the motion, which then passed on a voice vote of 3-0 in favor.

III. BOZA 593-19 – Request of applicant Susan James, 209 Seymour Avenue, Tax map 0201, parcel 1325) for a variance from the R1 side yard setback minimum of eight (8) feet, from the western property line for the construction of a new shed.


Chairman Harvey introduced the board members and cited the above application and the applicable sections of Chapter 340 of the Town Code. Chairman Harvey also read and incorporated by reference all Exhibits (1-14), plus the prior application BOZA 590-19 as Exhibit 15 and the opinion and decision from BOZA 590-19 as Exhibit 16. Chairman Harvey then swore in Applicant Susan James and asked if there were any additional exhibits. Ms. James said there were no additional exhibits. Ms. James stated that she was happy with the Board's decision on her original application, but that since then she had discovered the positioning of the new shed would interfere with her pre-existing irrigation system, hence the re-application for a variance. Chairman Harvey said that since the only two changes to the previous variance were the new location and another "no objection" letter from the neighbor Ms. Olley, no further information was required. Chairman Harvey asked if the irrigation system had been installed by the previous owner. Ms. James said no, that she had had the system installed. Chairman Harvey noted that the reason for the variance cannot be the result of the owner's actions. Chairman Harvey then invited members' comments. Member Rollow said he had looked at the new application de novo, and came to the same favorable conclusion. He added that the new location was just as good as the first one, and Ms. James was to be commended for coming back to the

board of her own volition, which had cost her another \$150.00. Member Hunnicutt also had no objection. Chairman Harvey made a motion to accept Application 593-19 as presented, with the developmental condition that the old shed be removed seven days from the construction of the new one. Ms. James noted that the new shed would be delivered and the old shed removed at the same time. Member Hunnicutt seconded it, and the motion passed on a voice vote of 3-0 in favor.

III. Adjournment

The meeting was adjourned at 5:50 p.m.

Minutes approved by 3:0 vote in favor on 13 day of May, 2019.



William C. Harvey II, Chairman