Andrew Cheney

From: Andrew Cheney
Sent: Thursday, August 28, 2025 12:51 PM
To: svaughan@lsrcorp.com
Cc: Amanda Yowell
Subject: Permit #24-0666

Hi Steve,

We reviewed the redesign and discussed the options as a team. Unfortunately, since the house plan has been significantly redesigned from the house approved in the variance in 2024, a revision to the order approved by the Board of Appeals is required as proposed. Section 41.5.3.i. of the St. Mary's County Comprehensive Zoning Ordinance limits a lot that is an acre or larger to a lot coverage limit of 15% (9,334 square feet). Currently with what is being proposed, the proposed/existing lot coverage will total 11,965 square feet. Further, CZO Section 71.8.3. prohibits new development in the 100' foot buffer. There are two options available: (1) remove the proposed structure from the buffer and remove excessive lot coverage, or (2) you may apply for a revision to the permit from the Board of Appeals. In granting a variance/revision, the Board of Appeals must determine that the application satisfies the following seven conditions, which are as follows:

(1) Due to special features of the site or special conditions or circumstances peculiar to the applicant's land or structure, a literal enforcement of the local Critical Area program would result in an unwarranted hardship to the applicant;

(2) A literal interpretation of the local Critical Area program would deprive the applicant of a use of land or a structure permitted to others in accordance with the provisions of the local Critical Area program;

(3) The granting of the variance would not confer upon the applicant any special privilege that would be denied by the local Critical Area program to other lands or structures in accordance with the provisions of the local Critical Area program;

(4) The variance request is not based upon conditions or circumstances that are the result of actions by the applicant;

(5) The variance request does not arise from any conforming or nonconforming condition on any neighboring property;

(6) The granting of the variance would not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the jurisdiction's local Critical Area; and

(7) The granting of the variance would be in harmony with the general spirit and intent of the Critical Area law, the regulations in this subtitle, and the local Critical Area program.

If you wish to apply for a variance, please submit sherrie.young@stmaryscountymd.gov.

Andrew “A.J.” Cheney Jr
Environmental Planner II
Department of Land Use & Growth Management
Phone: 301-475-4200 ext. 71581

Please submit all plans and revisions to bpservice@stmaryscountymd.gov
or to the front counter of the Department of Land Use and Growth Management
to ensure proper processing of reviews.