



CALVERT COUNTY

BOARD OF APPEALS

The Calvert County Board of Appeals has scheduled the following cases for public hearing at the times listed below on **Thursday, March 5, 2020** in the Commissioners Hearing Room in the Calvert County Circuit Courthouse, located at 175 Main Street, Prince Frederick, Maryland. For additional information, please contact the Board of Appeals staff at (410) 535-2348 or (301) 855-1243, ext. 2335. Entire case files are available for review by contacting the Board of Appeals staff in the Department of Planning & Zoning.

Note: Part of the meeting may be closed to the public in accordance with Open Meetings Act procedures.

Cases Scheduled for 9:00 A.M.:

Prior to hearing testimony, The Board will consider the status of Case No. 19-3967 and Case No. 20-4021. Specifically, the Board will hear from the applicant and/or applicant's counsel as to whether Rule 5-101.A should apply.

The Board will then consider the pending motion to consolidate Case Nos. 19-3967, 20-4012, 20-4013, and 20-4021, and any oppositions thereto.

Dependent upon determination of the foregoing preliminary matters, the following cases may be heard:

Case No. 19-3967: The Spout Farm Association, Inc. and individual property owners Richard Spigler and Brian Ayres have applied for a decision on alleged errors by the Zoning Office in (1) denying permit approval for replacement of a community pier; (2) the Zoning Officer's determination that the building permit application was not "in-kind" replacement of an existing structure; (3) the Zoning Officer's determination that the existing community pier is non-conforming; and/or (4) the Zoning Officer's determination that the existing pier could not be replaced because removal of it to replace it would constitute intentional destruction of the pier. The subject property is known as the Open Space tract of the Spout Farm subdivision, 2730 Spout Lane, Lusby (Tax Map 42, Parcel 335) and is zoned Farm and Forest District/Limited Development Area 3 (FFD/LDA-3). [APPLICATION WITHDRAWN](#)

Case No. 20-4012: Timothy & Amy Dent, Patrick McGlohn, and Vankirk & Cynthia Fehr have applied for a Decision on Alleged Error made by the Zoning Officer, the Zoning Officer's designee and other administrative officials charged with the administration and enforcement of the Zoning Ordinance when approving Permit #COM2018-1427 on the basis that the permit to re-construct

a community pier should not have been approved and its approval is contrary to applicable law and the requirements of the Calvert County Zoning Ordinance in general and the requirements of Article 9 in particular. The subject property is located at 2730 Spout Lane, Lusby (Tax Map 42, Parcel 335) and is zoned Farm and Forest District and Limited Development Area 3 (FFD/LDA-3). [APPLICATION](#) **PLANNING AND ZONING DECISION UPHELD 3-0**

Case No. 20-4013: Timothy & Amy Dent, Patrick McGlohn, and Vankirk & Cynthia Fehr have applied for a Decision on Alleged Error made by the Zoning Officer, the Zoning Officer's designee and other administrative officials charged with the administration and enforcement of the Zoning Ordinance when issuing Permit #COM2018-1427 on the basis that the permit to re-construct a community pier should not have been issued and its issuance is contrary to applicable law and the requirements of the Calvert County Zoning Ordinance in general and the requirements of Article 9 in particular. The subject property is located at 2730 Spout Lane, Lusby (Tax Map 42, Parcel 335) and is zoned Farm and Forest District and Limited Development Area 3 (FFD/LDA-3). [APPLICATION](#) **PLANNING AND ZONING DECISION UPHELD 3-0**

Case No. 20-4021: Timothy & Amy Dent, Patrick McGlohn, and Vankirk & Cynthia Fehr have applied for a Decision on Alleged Error made by the Zoning Officer, the Zoning Officer's designee and other administrative officials charged with the administration and enforcement of the Zoning Ordinance when issuing Permit #RES2019-3690 on the basis that the permit to re-construct a private pier should not have been issued and its issuance is contrary to applicable law and the requirements of the Calvert County Zoning Ordinance in general and the requirements of Article 9 in particular. The subject property is located at 2745 Spout Lane, Lusby (Tax Map 42, Parcel 1, Lot 4) and is zoned Farm and Forest District, Wetlands District, and Limited Development Area 3 (FFD/WL/LDA-3). [APPLICATION](#) **POSTPONED UNTIL MARCH 26, 2020 DUE TO TIME CONSTRAINTS**