



MINUTES

Board of Appeals

April 4, 2023 7:00 pm

Virtual Meeting

The Board of Appeals of the City of Annapolis held its regularly scheduled public meeting on April 4, 2023 as a virtual meeting. **Chair** Gallagher called the meeting to order at 7:02 pm.

Commissioners Present: **Chair** Robert Gallagher, Michael Walsh, Dr. Nadine Chien, Robert Hector III

Commissioners Absent: Christian Zazzali

Staff Present: Kim Burke, Planning and Zoning, Jacquelyn Rouse, Planning & Zoning, Tom Smith, Acting Director, Planning & Zoning, Mark “Tripp” Fulton, Assistant City Attorney

Others Present: Lisa Bell, Counsel to the Board

A. APPROVAL OF AGENDA

Mr. Walsh moved to approve the agenda as amended. Dr. Chien seconded the motion. The motion passed 3-0.

Mr. Hector arrived at the meeting at 7:04 pm.

B. APPROVAL OF MINUTES

1. Minutes of February 7, 2023

Dr. Chien moved to approve the minutes of February 7, 2023 as written. Mr. Walsh seconded the motion. The motion passed 4-0.

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C **NEW BUSINESS**

1. Extension Request: SE2018-003: Special Exception Application for a Standard Restaurant located at 424 Fourth Street - SE2018-003.

The Board had no questions or comments regarding this request for a second extension. The Applicant has explained the reasons for the request, including delays in the permitting process and supply chain problems.

Mr. Walsh moved to approve the Extension Request. Mr. Hector seconded the motion. The motion passed 4-0.

D. **PUBLIC HEARINGS**

1. Special Exception application by FWCI Annapolis 2, LLC, property owner and FWCI Annapolis 2, LLC and Ogle Hall Alumni Organization, Inc., co-applicants; to establish a twenty (20) room inn and a social organization on the property located at 247 King George St. and 49 College Ave. SE2022-007.

Mr. Walsh disclosed that he is employed part time by the U.S. Naval Academy in the Business Services Division, which is a separate entity from the Naval Academy Alumni Association, a party involved with this Application. He has no interaction with the Alumni Association and assured the parties involved that he can hear this case without bias. The Board Members, Applicant and counsel indicated that they had no objection to Mr. Walsh remaining a voting member on this case.

Those parties planning to testify were sworn in by **Chair** Gallagher.

Ms. Burke introduced the project in brief.

It was pointed out that notifications were possibly deficient, as several neighbors of the property had not received notice by mail. Phil Dales, Attorney for the Applicant, reported that his staff was not able to resolve the notification issue at this time.

Chair Gallagher ruled that the Applicant's presentation would not be heard until adequate notification has been achieved; however, the Board would proceed with presenting questions for the Applicant to address in the May meeting. Issues that the Board Members requested clarifying information for included ownership and use,

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purposes for Ogle Hall, ways to reduce impervious surfaces, potential for adding electric vehicle charging stations, and the plans for employee parking.

Chair Gallagher admitted the following Applicant exhibits into the record.

EXHIBIT NUMBER	EXHIBITS
A.1	Special Exception Application dated 3/21/23
A.2	Statement in Support dated 3/27/23
A.3	Vicinity Map
A.4	Zoning Map
A.5	Aerial photos
A.6	Draft plan
A.7	Detailed plan with elevators
A.8	Plans
A.9	Supplemental Statement in Support dated 3/27/23
A.10	List of persons having a financial interest in the property

Chair Gallagher admitted the following City staff exhibits into the record.

EXHIBIT NUMBER	EXHIBITS
C.1	Staff Report dated 3/28/23
C.2	DOT Traffic Impact Analysis dated 12/2/22

Chair Gallagher admitted the following Public Comment exhibits into the record

EXHIBIT NUMBER	NAME	ADDRESS	EXHIBIT
T.1	Susan Eckart	234 Prince George St	Email 4/3/23
T.2	Sarah Clarke	240 Prince George St	Email 4/3/23
T.3	Adrienne Young	238 Prince George St	Email 3/29/23
T.4	Linda Washington	15 College Ave	Email 3/30/23
T.5	Chris Lynch	266 King George St	Email 4/2/23
T.6	Wes Farrell	244 King George St	Email 4/3/23
T.7	John Yeager	53 College Ave	Email 4/3/23
T.8	Robin Funk	236 Prince George St	Email 4/3/23
T.9	Benjamin Mednick	232 Prince George St	Email 4/4/23
T.10	Susan Eckhart	234 Prince George St	Email 4/3/23
T.11	Robin Elliott	16 College Ave	Email 4/3/23
T.12	David Smulski	16 College Ave	Email 4/3/23
T.13	Gavin Waters	7423 Hayden Ave	Email 4/3/23
T.14	Sharon Kennedy	9 Randall Court	Email 4/3/23
T.15	Hollys Arneson	520 Post Oak Rd	Email 4/3/23

E. ADMINISTRATIVE BUSINESS

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Chair Gallagher led discussion about the potential to return to in-person meetings. The City's position is to remain in virtual format, at least until the new parking garage is completed. The topic will be revisited at a later time.

F. PROPOSED CLOSED SESSION

In accordance with the Annotated Code of Maryland, General Provisions Article §3-305(b) (1). Disclosure of the topic discussed for citation: To discuss personnel matters.

Mr. Walsh moved to adjourn the public hearing and go into closed session. Dr. Chien seconded the motion. The motion passed 4-0.

The Board of Appeals entered closed session at 7:44 pm.

The Board adjourned closed session at 8:08 pm.

G. ADJOURNMENT

With there being no further business before the Board, Mr. Hector moved to adjourn. Dr. Chien seconded the motion. The motion passed 4-0 and the meeting adjourned at 8:08 pm.

Kimberly Consoli, Recorder

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