



**AGENDA
BOARD OF APPEALS
MARCH 31, 2025
6:30 PM**

- I. Call to order and roll call.**
- II. Approval of the minutes of the March 17, 2025 Board of Appeals Case #2023-03 Rod n Reel Inc./Donovan Estates, LLC.**

III. Deliberations:

Board of Appeals Case #2023-03 Rod n Reel Inc./Donovan Estates LLC to consider an application from Rod & Reel, Inc./Donovan Estates, LLC of 4160 Mears Avenue, Chesapeake Beach, MD, for a Decision on Interpretation or Alleged Error to Article VI, §290-23; §290-31 A(1) & (6) of the Chesapeake Beach Zoning Ordinance; and C-309, C-310, and C-311 of the Chesapeake Beach Town Charter. Applicant requests the Chesapeake Beach Zoning Board of Appeals to "order the Zoning Administrator and Planning and Zoning Commission (to) immediately commence and prioritize the processing and review of the relevant site plans submitted by Rod & Reel, Inc./Donovan Estates, LLC and that the Zoning Administrator and Planning and Zoning Commission be ordered to apply the Zoning ordinances in effect as of January 29, 2021, when the applications were submitted, and for such other and further relief as the nature of their cause requires".

VIII. Adjournment



**MINUTES OF THE BOARD OF APPEALS
CASE #2023-03 ROD N REEL INC/DONOVAN ESTATES LLC
MARCH 17, 2025**

I. The meeting was opened at 6:30 p.m. by Chair Jody Hoon-Starr. In attendance were Chair Hoon-Starr, Paul Doherty, and Amy Everett, Board of Appeals Members, Sharon L. Humm, Board Clerk, and Fred Sussman, Board Counsel. Absent were Richard Burch, and Stephen Sharp, Board Members.

II. Approval of the minutes of the March 6, 2025 Board of Appeals Case #2023-03 Rod n Reel Inc./Donovan Estates, LLC .

MOTION: Ms. Everett moved to approve the minutes of the March 6, 2025 Board of Appeals Case #2023-03 Rod n Reel Inc./Donovan Estates, LLC meeting. Seconded by Mr. Doherty, all in favor.

III. Deliberations Continued:

Board of Appeals Continuation Case #2023-03 Rod n Reel Inc./Donovan Estates LLC - to consider an application from Rod & Reel, Inc./Donovan Estates, LLC of 4160 Mears Avenue, Chesapeake Beach, MD, for a Decision on Interpretation or Alleged Error to Article VI, §290-23; §290-31 A(1) & (6) of the Chesapeake Beach Zoning Ordinance; and C-309, C-310, and C-311 of the Chesapeake Beach Town Charter. Applicant requests the Chesapeake Beach Zoning Board of Appeals to "order the Zoning Administrator and Planning and Zoning Commission (to) immediately commence and prioritize the processing and review of the relevant site plans submitted by Rod & Reel, Inc./Donovan Estates, LLC and that the Zoning Administrator and Planning and Zoning Commission be ordered to apply the Zoning ordinances in effect as of January 29, 2021, when the applications were submitted, and for such other and further relief as the nature of their cause requires."

The Board continued its discussions from the March 6th meeting. To recap, the Board was to consider the evidence discussed and compile a list of questions that the Board could consider together to determine, 1) if there was a decision point, 2) when was that decision point and from what entity, 3) was there an error as a result of a misinterpretation of the code, and 4) if the appeal was timely filed.

After discussion, the Board believes the email of February 5, 2021, from Mr. Jakubiak, Town Zoning Administrator, to Appellant's representative, Mr. Woodburn, constituted a decision point that could have been appealed but was not. The Board also believed that there were no other decision points that were or could have been appealed.

There was a consensus of the Board to have Counsel Sussman prepare a draft resolution based on the Board's deliberations and related matters. Mr. Sussman will circulate a draft to Board members and request that once the Board has the opportunity to review, any suggested revisions or comments be sent directly to him only, preferably before the Board meets again on March 31st. Mr. Sussman reminded the Board that its deliberations and decision are not final until the Board approves a Resolution.

There being no further business, upon a motion made by Mr. Doherty and seconded by Ms. Everett, the Chair declared the meeting adjourned at 7:15 p.m. to continue again on March 31, 2025, at 6:30 p.m.

Submitted by,

Sharon L. Humm
Board of Appeals