

**JOINT BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY
AND ST. MARY'S COUNTY PLANNING COMMISSION
PUBLIC HEARING
ON THE PROPOSED COMPREHENSIVE REVISION OF THE MAPS AND TEXT OF
THE ST. MARY'S COUNTY COMPREHENSIVE ZONING ORDINANCE**

**MARGARET BRENT MIDDLE SCHOOL
29675 POINT LOOKOUT ROAD, HELEN, MD**

**6:30 pm
Wednesday, May 19, 2010**

Present: Commissioner President Francis Jack Russell
Commissioner Kenneth R. Dement
Commissioner Lawrence D. Jarboe
Commissioner Thomas A. Mattingly, Sr.
Commissioner Daniel H. Raley
Donna Gebicke (Recorder)

Brandon Hayden, Chairman, Planning Commission
Larry Chase, Planning Commission
Shelby Guazzo, Planning Commission
Susan McNeil, Planning Commission
Joe Meinert, Planning Commission
Martin Seibert, Planning Commission

Commissioner President Russell opened the joint public hearing at 6:34 pm.

Mr. Berlage presented a PowerPoint summary of the zoning map and text revisions of the Zoning and Subdivision Ordinances that will be reviewed as next steps in the implementation of the 2010 Comprehensive Plan.

The process includes public work sessions and three joint Board of County Commissioners and Planning Commission public hearings. The record will be kept open for written comments from the public until June 15, 2010. Notices were mailed to every property owner recommended for re-zoning.

Commissioner President Russell opened the hearing for public comments. *(Public comments as noted below are intended as highlights of testimony given and are not verbatim)*

Public Comments:

John Parlett, Charlotte Hall, MD

Areas that still need attention: 24.10 Variances from Forest Conservation Priority Retention Areas – will cause an undue burden on the applicant and the County will take approximately 60 days to complete (just to cut down a tree. 32.3.1 Affordable Housing Standards – definition of Household Income Qualifications for affordable housing needs to be revisited. As written, unlikely any affordable housing units will be created. 32.3.4 Alternative Open Space Standards in the RL, RH, and RMX Zones – agree we should reduce the open space requirements in these zones, but items in paragraph a are too easily achieved. Entire section needs to be reworked. Recommend this be done outside of the Ordinance update with input from Workforce Housing Task Force and other stakeholders. 32.2 Modifications to Development Standards – bonus density suggested for LEEDS Certified Site or Building Design is too low to encourage this type of design. 16.4.c Dwelling Unit, Multi-family Residence, Apartments – At least 30% of total tract should be maintained as Usable Open Space and at least 25% of that space shall be Amenity Space is unreasonable requirement. On-going costs to Homeowners Associations. Recommend pull this outside of Ordinance update and get input from stakeholders. 60.6.2.a(1) Concept Site Plan Application – Requirement to identify all 5% or greater owners of a corporation or limited liability company is an invasion of privacy and serves no useful purpose. 62.3.9 Countywide Design Standards, Mixed Use – Disagree with prohibiting single story strip center development. 62.6 Commercial Design Standards All – Entire section needs careful consideration. Support intention but has significant impact. Pull out and consider as separate issue in the future. Subdivision Ordinance, 31.2.2 Developed Recreational Open Space Standards – Places an undue burden on developer and Homeowners Associations that will have to maintain them. Amenity Space as prescribed in the Zoning Ordinance does not seem to be mentioned in the Subdivision Ordinance. *(Comments were provided in writing that expand and add to the above.)*

Buddy Winslow, 23703 Bill Dixon Rd., California, MD, representing Town Creek Point Marina and Greenwell Energy Systems

Want to verify that Town Creek Point Marina will be rezoned from non-conforming to Commercial Marine. Marina was completely rebuilt and developed to commercial standards and green construction 3 years ago. Paying commercial taxes, no future development planned. 30 deep water slips, main pier is 8' wide and 328' long and small pier is 6' wide and 244' long.

Requesting consideration of a provision under 32.2 to add geo thermal, wind and solar back in the Ordinance. Greenwell Energy Solutions installs and promotes alternative sustainable energy systems. Government is paying 30% of cost to install. Need to give developers an incentive to install alternative energy sources. The provision would include geothermal (ground source heat pump systems), but to state and IGSHPA standards. Additional conditions should be included in the Ordinance for both solar

systems and wind and turbine, electric power systems to meet aesthetics, setback and maximum/minimum size requirements and should be listed in the proposed zoning ordinances in 32.2 or elsewhere. (*Written comments also provided.*)

Larry Chappellear, 28185 Mechanicsville Rd., Charlotte Hall Village

Thought we would see maps tonight. From Church Road to Village Road is proposed for rezoning. A vacant building is the only thing on that corner. Why are you changing from RL to RMX. Can an individual ask for this change? This involves my home and another lot. Will this change affect my property taxes and value of my property? Opposed to any change. Who is prompting this change on this small corner?

Sonny Burch, one of the owners of Burch Oil Co.

We have bulk plant for heating oil in Leonardtown that is zoned Industrial. Recently, when we went to enlarge the facility we found out that it was down zoned from Industrial to Limited Commercial. I wrote a letter a couple of months ago asking that it be changed back to Industrial. It hasn't been changed. Please change back to Industrial. Commend staff for notifying property owners.

Suzanne K. Henderson, 45263 Mill Cove Harbor Rd., California, MD

Support adding RLT zoning. Seems to be a compromise between future value of saving the Bay and value developers see. Do not support change to text re Open Space Standards (32.3.4b), which states that the 50% open space requirement may be reduced in the RL, RH and RMX zones, to an amount determined by the Planning Commission that is not less than 30% when . . . ” Appears to be a subjective assessment whether to reduce from 50% to 30%. There should be a justification or reasons stated as why you would reduce the percentage.

Jonathan Beasley, P.O. Box 156, Leonardtown, MD and Clarke's Landing Rd.,
Hollywood

Planning to build a home on my mother's property on Rue Purchase Road. This cuts my plans off at the knees. Wholesale changes are being made that impact a lot of people. (46420 Rue Purchase Rd.)

Pat Croson, 37720 Mohawk Drive, Charlotte Hall

There is no identification for roads or town centers, etc. on the maps (difficult to read, unfair). RL is going all around us. How will this affect us sewer and water-wise. Will it impact our area by having low density around our residential area. Will we be forced into water and sewer? Will this affect our taxes. Can't take any more increases.

Linda Reno, 37950 Mohawk Drive, Charlotte Hall

Back of my property backs up to Charles County (North Indian Creek). We want to be removed from Charlotte Hall Town Center. Request that a buffer zone be created between two counties. Look at this possibility again.

Commissioner President Russell closed the hearing at 7:20 pm.

Minutes Approved by the Board of County Commissioners on _____

Donna Gebicke, Administrative Assistant (Recorder)