

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING
ROOM 14 * GOVERNMENTAL CENTER * LEONARDTOWN, MARYLAND
Thursday, June 28, 2007**

Members present were George Hayden, Chair; Ronald Delahay, Wayne Miedzinski, Veronica Scriber, and George Edmonds. Department of Land Use & Growth Management (LUGM) staff present were Denis Canavan, Director; Yvonne Chaillet, Zoning Administrator, and Jada Stuckert, Recording Secretary. County Attorney Christy Chesser was also present.

The Chair called the meeting to order at 6:30 p.m.

PUBLIC HEARINGS

VAAP #04-0739 – Suite

The applicant is requesting a variance from Section 72.3 of the Comprehensive Zoning Ordinance to clear in excess of 30 percent of the existing vegetation to construct a single-family dwelling and appurtenances. The property contains 15,006 square feet; is zoned Residential Neighborhood Conservation (RNC) District, Limited Development Area (LDA) Overlay; and is located on Beach Drive just before the intersection with Dockser Drive, Mechanicsville, MD; Tax Map 05, Block 06, Parcel 340.

Owner: William and Virginia Suite
Present: William Higgs and William and Virginia Suite

This property was advertised in the Enterprise on June 13, 2007 and June 20, 2007. The property was posted and certified mail receipts were submitted to staff for the files.

Mr. Miedzinski made a motion to accept the staff report and Ms. Scriber seconded. The motion passed by a 5-0 vote.

Mr. Hayden opened the hearing for public testimony. Hearing none, Mr. Hayden closed the hearing for public testimony.

After discussion Ms. Scriber made a motion in the matter of VAAP #04-0739, Suite, having made a finding that the standards for variance in the Critical Area and the objectives of Section 72.3 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move that the variance to clear in excess of 30 percent of the existing woodland be approved with the recommended condition to adhere to the Critical Area Planting Agreement and Mr. Miedzinski seconded. The motion passed by a 5-0 vote.

VAAP #06-132-033 – Watts Commercial Center

The applicant is requesting a variance from Section 63.4 of the Comprehensive Zoning Ordinance to reduce the required buffer yard. The property contains 4.34 acres; is zoned Rural Commercial Limited (RCL) District; and is located on the southwest side of Three Notch Road, approximately 750 feet northwest of the intersection of MD Route 5 and Three Notch Road, MD; Tax Map 09, Block 21, Parcel 194.

Owner: Village Center LLC
Present: Jonathan Blasco & Tom Watts

This property was advertised in the Enterprise on June 13, 2007 and June 26, 2007. The property was posted and certified mail receipts were submitted to staff for the files.

Mr. Miedzinski made a motion to accept the staff report and Ms. Scriber seconded. The motion passed by a 5-0 vote.

Mr. Hayden opened the hearing for public testimony. Hearing none, Mr. Hayden closed the hearing for public testimony.

After discussion Mr. Miedzinski made a motion in the matter of VAAP #06-132-033, Watts Commercial Center, having accepted the staff report and having made a finding that the standards for variance and the objectives of Section 63.4 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move that the variance to reduce the required buffer yard by eliminating the requirement for a solid visual barrier in the form of a fence, berm or combination thereof be approved with the condition to develop a planting agreement with Land Use & Growth Management staff and Mr. Edmonds seconded. The motion passed by a 5-0 vote.

MINUTES AND ORDERS APPROVED

The minutes of June 14, 2007 were approved as recorded and the minutes of May 10, 2007 were approved with amendments.

ADJOURNMENT

The meeting was adjourned at 7:10 p.m.

Jada Stuckert, Recording Secretary

Approved in open session: July 12, 2007

George Allan Hayden
Chairman