

**MINUTES OF THE ST. MARY'S COUNTY PLANNING COMMISSION MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Monday, June 13, 2011**

Members present were Brandon Hayden, Chairman; Joe Meinert, Susan McNeill, Merl Evans, Martin Siebert, and Hal Willard. Shelby Guazzo was excused. Department of Land Use & Growth Management (LUGM) staff present were Bob Bowles, Planner IV; Jeff Jackman, Senior Planner; Yvonne Chaillet, Zoning Administrator; Dave Berry, Planner II; and Jada Stuckert, Recording Secretary. Deputy County Attorney David Weiskopf was also present.

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

APPROVAL OF THE MINUTES – The minutes of May 23, 2011 were approved as amended.

DECISION

Amendment of Zoning Maps for Buzzs Marina

Mr. Hayden stated the Commission members received an updated staff report to include written comments received. Ms. Veith stated to date staff is recommending approval of the map amendments.

Mr. Meinert made a motion in the matter of Case no. 11-245-001, proposed correction of a zoning map error for Buss's Marina, I move that the Planning Commission, having conducted a public hearing, and having accepted the findings and confirmation of error reported by staff in its memorandum dated May 5, 2011 and provided to the Planning Commission for said public hearing, recommend to the Board of County Commissioners that the Critical Area Zoning Overlay be changed from Resource Conservation Area (RCA) to Limited Development Area (LDA) on 5.31 acres that are described as the portion on Tax Map 71, Grid 20, Parcel 246, that is currently zoned Commercial Marine (CM) with an RCA overlay, located at 49675 Buzzs Marina Way in the First Election District, St. Mary's County, Maryland; I move further that the chair be authorized to sign a resolution on behalf of the Planning Commission to convey this recommendation to the County Commissioners and Ms. McNeill seconded. The motion passed by a 6-0 vote.

DEVELOPMENT REVIEW

CCSP #10-132-019 – Tractor Supply Company

The applicant is requesting review and approval of a concept site plan for a 20,110 square feet Tractor Supply Company. The property contains 3.021 acres; is zoned TMX; and is located at 23788 Mervell Dean Road, Hollywood; Tax Map 34, Grid 02, Parcel 190.

Owner: Christopher M. Turner
Presenters: Bernice Chrissman, NG&O Engineering and Keith Carter

Members expressed a concern with the chain link fence, the roof, and the offsets of the building. Mr. Evans recommended awnings down the side of the building as well as some lighting or color variation to help break up the long flat wall of the building and some type of aesthetic to cover the mechanicals on the roof. The Commission members agreed.

Mr. Evans made a motion in the matter of CCSP #11-132-001 Tractor Supply, having accepted the staff report and having made a finding that the objectives of Section 60.5.4 of the zoning ordinance have been met, and noting that the referenced project has met all requirements for concept approval, I move that the concept site plan be approved with the following condition: The applicant revise site elevations to comply with countywide design objectives as well as Commercial and Mixed Use standards found in Section 62.6 of the

Comprehensive Zoning Ordinance as well as items discussed tonight. Mr. Seibert seconded and the motion passed by a 6-0 vote.

Minor Subdivision #08-110-049 – Watson Subdivision

The applicant is requesting review of a Critical Area Intra-Family Transfer Restriction from Lot 1. The property contains 2.00 acres; is zoned RPD, RCA; and is located at 49425 Bay Forest Road, Lexington Park.

Owner: J. Frank Raley
Presenters: Bill McKissick representing J. Frank Raley

Mr. McKissick submitted an affidavit from J. Frank Raley for the record, *hereby labeled as Exhibit 1 by the Recording Secretary*. Mr. McKissick asked that a covenant be recorded rather than a confirmatory plat. He has spoken with the legal department regarding this and they agree.

Mr. Evans made a motion in the matter of Minor Subdivision #08-110-049, Watson Subdivision, containing 1 lot, having accepted the staff report and having made a finding that the foreclosure on the property by the applicant clearly demonstrates a change in circumstances that warrants the removal of the intra-family restriction, I move that the applicant's request to remove the intra-family restriction from the previously recorded Record Plat be approved. I also move that the applicant be directed to record a Covenant removing General Note 24 as well as the Critical Area Intra-family notes and stating the reason for the plat referencing this approval and Mr. Seibert seconded. The motion passed by a 4-2 vote with Mr. Meinert and Ms. McNeill opposed.

DISCUSSION

Priority Funding Areas

As a follow-up to the adoption of the Comprehensive Plan last year, the County adopted a new zoning ordinance in September 2010. Other needed steps to implement the 2010 Comprehensive Plan include updating the Comprehensive Water and Sewerage Plan and revising the boundaries of its Priority Funding Areas (PFAs).

ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

Jada Stuckert
Recording Secretary

Approved in open session: July 11, 2011

Brandon Hayden
Chairman