

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Thursday, September 10, 2015**

Members present were; George Allan Hayden, Chairman; William Greene, John Brown, Wayne Miedzinski and Ronald Payne. Alternate Peter Stuart Egeli was also present.

PUBLIC HEARINGS

Case No. VAAP #15-1379, Attard & Swainson Property (The applicants plan to request that the Board of Appeals continue their case to October 8, 2015.)

Property owner: Alexander Attard and Maria K. Swainson

Location: 24774 Half Pone Point Road, Hollywood, MD

Parcel ID: tax map: 27 grid: 12 parcel: 79

Election District: 6

Zoning: Rural Preservation District (RPD), Limited Development Area (LDA) Overlay

Acreage: .50 acres

Action Requested: Variance from Section 71.8.3 of the Comprehensive Zoning Ordinance to disturb the Critical Area Buffer to construct a replacement home and appurtenances

A motion was made by Mr. Brown to continue the hearing until October 8, 2015. Mr. Greene seconded. The motion passed by a 5-0 vote.

Case No. CUAP #15-135-002, James M. Bowles Property, Commercial Communication Tower – continued from July 09, 2015

Property owner: James M. Bowles

Location: 40483 Parsons Mill RD, Leonardtown, MD

Parcel ID: tax map: 19 grid: 19 parcel: 135

Election District: 3

Zoning: Rural Preservation District (RPD) and Village Center Mixed Use (VMX) District

Acreage: 66.64 acres

Action Requested: Conditional Use Approval pursuant to Chapter 25 of the Comprehensive Zoning Ordinance to construct a commercial communication tower.

Mr. Greene made a motion in the matter of CUAP #15-135-002, James M. Bowles Property, Commercial Communication Tower, having made a finding that the standards for granting a conditional use and the objectives of Section 51.3.91 of the St. Mary's County Comprehensive Zoning Ordinance have been met, I move to approve the request to build a monopole style commercial communication tower at a height of 195 feet above ground level, subject to the following conditions:

- 1. The tower shall be constructed so as to provide adequate capacity for future co-location of other commercial and, or, government operated antennae. The system design plan shall delineate areas near the base of the tower to be used for the placement of additional equipment buildings for other users.*

2. ***No signals, lights, or illumination shall be permitted on the tower unless required by the Federal Communications Commission, the Federal Aviation Administration, or the County.***
3. ***No commercial advertising or other language shall be permitted on the tower.***
4. ***All obsolete or unused facilities, including buildings, towers, and all other improvements associated with the tower, shall automatically be deemed abandoned upon 24 months of continuous cessation of operations and shall be removed at such time without cost to the County. The Applicant shall provide a bond, letter of credit, or other appropriate surety at time of approval as approved by the County to cover the cost for demolition of the facility and site restoration.***
5. ***Contact information shall be prominently displayed on the fence enclosing each facility. This information shall be current and shall identify the company name, responsible individual, and phone number for the contact person.***
6. ***Final site plan approval is required.***

Mr. Brown seconded. The motion passed by a 5-0 vote.

Case No. VAAP #15-0902, Sohl Property

Property owner: Paul A. and Kathryn R. Sohl

Location: 44825 Three Coves Road, Hollywood, MD

Parcel ID: tax map: 27 grid: 10 parcel: 127

Election District: 6

Zoning: Rural Preservation District (RPD), Limited Development Area (LDA) Overlay.

Acreage: 1.32 acres

Action requested: Variance from Section 71.8.3 of the Comprehensive Zoning Ordinance to disturb the Critical Area Buffer to construct a shed.

Mr. Brown made a motion in the matter of VAAP #15-0902, Sohl Property, to continue the case until November 12, 2015. Mr. Miedzinski seconded. The motion passed by a 5-0 vote

MINUTES AND ORDERS APPROVED

The minutes of August 20, 2015 were approved as recorded.

The Board authorized the Chair to review and sign the following orders:

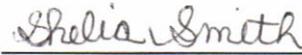
VAAP # 15-1515-RMT Properties LLC, 16394 Thomas Rd. Piney Point, MD

ZAAP # 15-1015-Appeal of Tanner Creek Community Association from the Decision of the Director to Issue a Permit for 50525 Scotland Beach Rd. Scotland, MD

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Approved in open session: October 8, 2015



Shelia Smith
Recording Secretary



George Allan Hayden
Chairman