

**MINUTES OF THE ST. MARY'S COUNTY BOARD OF APPEALS MEETING
CHESAPEAKE BUILDING * LEONARDTOWN, MARYLAND
Thursday, October 18, 2018 at 6:30 p.m.**

Members present: George Allan Hayden, Chairman; John Brown, Vice-Chair; William Greene, Wayne Miedzinski, Lynn Delahay and Rich Richardson, Alternate

Bill Hunt, Director; Yvonne Chaillet, Zoning Administrator; Brandy Glenn, Planner II and Sandie Greene, Recording Secretary were present from the Department Land Use and Growth Management

David Weiskopf, Acting County Attorney, James Tanavage, Assistant County Attorney; John Deatruck, Director Public Works and Transportation

CALL TO ORDER

PUBLIC HEARINGS

Prior to the start of the hearing George Allen Hayden, Chair; explained that this evenings hearing was a continuation of the Hearing of the Concept Site Plan No. 16-132-004, Hollywood Auto held on August 30, 2018. The evening's hearing will open with the continuation of Public Speaking. Individuals who were unable to speak at the August 30, 2018 meeting will be allowed to speak this evening. Individuals who have already spoken will not allowed a second opportunity to speak.

1. **Application / Case: Continuation:** Concept Site Plan No. 16-132-004, Hollywood Auto
Property Owner: Dean Limited Partnership, LLP
Location: 24813 Hollywood Road, Hollywood
Parcel ID: Tax Map: 26 Grid: 11 Parcel: 179
Election District: 6
Zoning: Town Center Mixed Use (TMX)
Acreage: 22.20 acres Site acreage: 7.76 acres
Action requested: Appeal of the March 26, 2018 Planning Commission decision, approving the Concept Site Plan for a 29,969 square-foot building for automotive retail sales and service.

Exhibit 1- Proof of Public Ad, USPS Certified Receipts and Posted signs from the August 30, 2018 meeting

Exhibit 2- Staff Reports, August 30, 2018

Attachments:

- 1 Location Map
- 2 Health Department Approval
- 3 Metropolitan Commission Approval
- 4 St. Mary's Soil Conservation District Approval
- 5 Department of Public Works and Transportation Approval
- 6 State Highway Administration Approval with TIS Conclusions/Recommendations
- 7 Wetlands, Soils & Flood maps
- 8 Land Use Map
- 9 Zoning Map
- 10 Planning Commission minutes 4/24/17
 Planning Commission minutes 3/28/16
 Board of Appeals Motions 3/23/17
 Board of Appeals Motions 7/21/16
- 11 Conceptual Rendering
- 12 Site Plan
- 13 TIS

- Exhibit 3 Letter from Bill Hunt to Winegardner Motor Company dated March 26, 2018 submitted by Applicant
- Exhibit 4 Resume of Nicholas Leffner, PE of Kimley Horn submitted by Applicant
- Exhibit 5 Resume of Edward Y. Papazian, P.E. of Kimley Horn submitted by Applicant
- Exhibit 6 Letter from Chris Longmore to Bill Hunt to dated May 26, 2017 submitted by Applicant
- Exhibit 7 SDAT Real Property Search submitted by Appellant
- Exhibit 8 Two letters SHA dated January 12, 2017 and Kimley Horn dated February 10, 2017 submitted by Appellant as one packet.
- Exhibit 9 Letter from Bill Hunt to Chris Longmore dated May 22, 2017 submitted by Appellant.
- Exhibit 10 Letter from Bill Hunt to The Honorable Pete K. Rahn Secretary Maryland Department of Transportation dated December 6, 2017 submitted by Applicant.
- Exhibit 11 Letter from MDOT to Bill Hunt dated January 29, 2018 submitted by Applicant
- Exhibit 12 Letter from MDOT to Chris Longmore dated January 25, 2018 submitted by Applicant
- Exhibit 13 Memo from George Erichsen to Phil Shire submitted by Appellant.

Chairman Hayden opened the hearing to public comment:

1. Joe Joseph, 24510 Half Pone Point Road, Hollywood, MD 20636
2. Diane Wieble, 24702 Old Three Notch Road, Hollywood, MD 20636
3. Mike Thompson, 43865 Thompson Farm Lane, Hollywood, MD 20636
4. Mark Duke, 45260 Cuckold Creek Lane, Hollywood, MD 20636

Exhibit 14 Applicant Presentation

Hearing no others, the case was closed to public comment.

Speakers Representing Hollywood Auto are as Follows:

Chris Longmore of Dugan, McKissick & Longmore, LLC, 22738 Maple Road, Suite 101, Lexington Park, MD 20653

Nick Leffner of Kimley-Horn and Associates, Inc., 1215 Fort Avenue, Suite 304, Baltimore, MD 21230

Edward Papazian of Kimley-Horn and Associates, Inc., 11400 Commerce Park Drive # 400, Reston, VA 20191

Speakers Representing Appellant:

Eileen E. Powers, Blumenthal, Delavan, Powers & Palmer, P.A. 181 Harry S. Truman Parkway, Suite 200, Annapolis, Maryland 21401

Ms. Delahay made a motion "In the matter of Concept Site Plan #16-13200004 Hollywood Auto, having accepted the staff report and having made a finding that the Objectives of Section 60.6 of the Comprehensive 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 conditions:

1. *Signage restricting tractor trailers on Old Three Notch Road.*
2. *DPW {Department of Public Works and Transportation} review the entrance to the Commercial Center from Old Three Notch Road with the intention to restrict the turn radius into the center to prohibit tractor trailers.*
3. *The Concept Site Plan reference to sidewalks should be completed.*

Mr. Greene seconded the motion. The motion passed unanimously.