



# Commissioners of Leonardtown

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DANIEL W. BURRIS  
Mayor

LASCHELLE E. McKAY  
Town Administrator

**Commissioners of Leonardtown**  
**Leonardtown Planning and Zoning Commission Meeting**  
*January 27, 2014 ~ 4:00 p.m.*

Attendees: Jack Candela, Member  
Laura Schultz, Member  
Christy Sterling, Member  
Tom Collier, Alternate

Absent: Jean Moulds, Chairperson  
Heather Earhart, Member

Also in attendance were town staff members: Teri Dimsey, Recording Secretary, DeAnn Adler, Plans Reviewer and Laschelle McKay, Town Administrator; also Mr. Ray Curtis, Mr. Howard Thompson, Mr. Kennedy Abell, Mr. Anthony Mason, and Mr. Ned Brinsfield, residents of Leonardtown and Dick Myers from the Baynet. A complete list of other attendees is available on file at the Leonardtown Town Office.

Member Candela called the meeting to order at 4:00 p.m. The minutes for the December 16, 2013, meeting were presented for approval.

**Member Sterling moved to approve the December 16, 2013 minutes as submitted; seconded by Member Shultz, no further discussion; motion passed unanimously.**

**Town Administrator's Report:**

Ms. McKay discussed items that were on the Town Council agenda for the preceding month (see the Town Council meeting minutes for more detail).

**New Business:**

Ms. Adler introduced the one item on today's meeting agenda – the subject of a recommendation to forward to the Leonardtown Town Council regarding changes to the Leonardtown Zoning Map relative to Ordinance #164. She stated that we will be discussing the zoning map changes that are included in your packet at today's meeting. The comprehensive rezoning committee met a number of times and reviewed all zoning of parcels in town as of the 2010 zoning update. The attached list you received in your packet includes all parcels recommended by the committee for

rezoning. A public hearing will be held today at 4:05 also for comments. The public hearing was advertised in the County Times Newspaper two weeks ago, on January 2, 2014. Letters were also sent to each property owner informing them of the zoning change proposed for their property and the dates for the public hearing. Signs with an orange posting notice were also placed on each property recommended for a zoning change. Dan Burriss also spoke to many of the property owners personally. I have had several phone calls from neighbors asking about the proposed changes, but no objections so far. We did have to reschedule the meeting from Jan 21<sup>st</sup> to today, due to the expected snow last Tuesday. A notice was put on the front door of the town office, a copy was put on the town website and ad was also posted in the County Times newspaper last week, advertising this change. The Town Council will also hold a public hearing on these zoning changes in February at their regular meeting. Laschelle will be reviewing each property one by one.

**Member Candela asked for a motion to close the regular meeting and open a public hearing regarding the zoning map changes in Ordinances 164. A motion was made by Member Schultz and seconded by Member Sterling, motion passed unanimously. Public hearing began at 4:05 pm.**

Ms. McKay explained that a committee was formed several months ago to review all parcels in town in relation to the town's zoning map which was last changed in 2010 when we did our Comprehensive Plan update. The committee looked at whether there had been any changes in the neighborhoods or if a request had been made by a property owner for a particular parcel to be rezoned. We started with a longer list and narrowed it down to the 10 areas in front of you today. Today's changes are the result of that committee's recommendations. The comprehensive rezoning committee consisted of: Dan Burriss, Laschelle McKay, DeAnn Adler, Christy Sterling, Dan Norris and Mike Paone (with Maryland Department of Planning). Ms. McKay went through each of the proposed zoning map changes, explaining why the committee proposed each zoning change:

**#1 - #1 - Map 126/Parcel 102 – Zoned PUD – Change to C-H** – Balance of the Pennies Project – There is a small parcel in the back of that project that somehow still had PUD zoning because of the adjacent Tudor Hall Farm. The surrounding project is commercial highway and is owned by Wayne Davis and this parcel is a part of his new proposed project, the McIntosh Center. We are proposing changing it to C-H to make it consistent with the surrounding zoning.

**#2 - Map 127/Parcel 83 – Zoned R-SF – Change to C-O** – This is the Long Property. The owners requested that we look at this property. Because it is located on the busy Route 5 highway and in the section of Singletree where all the commercial offices are located, the owners would like the zoning changed to commercial office. The committee recommended that change also.

**#3 - Metrocast Property on Greenbrier Road – Map 121, Parcel 56, Lots 1 & 2 – Zoned PUD - Change to R-SF** – This property has a utility installation on it. Utility uses are allowed in residential single family, so this would still be a conforming use, and making this lot R-SF like the rest of the lots on that road would make it more consistent with the surrounding uses.

**#4 - Map 121/Parcel 42 – Single Family Parcel on Greenbrier Road – Zoned PUD now – Change to R-SF** – This lot is also on Greenbrier Road and was recommended by the committee for the same reasoning as above. This lot is owned by a private owner and is a remnant of the Singletree PUD, but was not planned as part of the original PUD.

**#5 - Map 127/Parcels 67, 68, 69, 70 – Zoned R-MF – Change to C-O and Parcels 65 & 66 - Zoned R-SF Change to C-O – Block on Hollywood Road from Rt. 5 to Peabody Street** – Includes several parcels along Route 245 from the intersection of Route 5 to Peabody Street. Currently some of the parcels are zoned multi-family and we are suggesting they be rezoned to commercial office. These properties are surrounded by commercial offices, the health department etc. and if you look at the Comprehensive Plan it has been recommended to change this area to commercial office for a while now. We would be sensitive to the historic homes in the immediate area. With commercial office we do have architectural approval, so whatever is planned for that area would still have to go through the P & Z process.

**#6 - Map 127/Parcel 288, 289, 269, 022 - Zoned C-O, 290 (Lot 1 – Zoned R-MF, Lot 2 & 3 – Zoned C-O) — Change lots fronting on Washington Street to C-B (Parcel 288 to have split zoning and 4 lots behind the car lot fronting on Lawrence Ave. to remain R-MF) and Map 127/Parcel 292 & Map 133 Parcel 293 & 294 – Change from R-MF to C-B** – this area is also being rezoned as a result of a recommendation from the comprehensive plan. The area is from the Bell Motor used car lot parcel on Washington Street, down to Church Street, and from Church Street to Shadrick Street. Several of them are presently zoned multi-family; a couple are zoned commercial office, and what the committee would like to see is all of the ones fronting on Washington Street be rezoned to commercial business. This would extend the commercial business district. The one parcel that is unique is the Bell Motor used car lot. It currently has split zoning; it has multi-family zoning for the four small homes fronting on Lawrence Ave. and the committee wants to keep that zoning in place there. Just the large parcel fronting on Washington Street would change to commercial business. This will give more flexibility in uses for that large parcel. This will give the downtown retail corridor more room to grow. We spoke to the MD Department of Planning about this split-zoned parcel and they didn't have a problem with leaving it split like that.

**#7 - Map 133/Parcel 313 & 314 – current use and zoned R-MF now – Change zoning to C-B (R-MF allowed in C-B zoning)** – Everything in that strip of parcels is currently zoned commercial business except for these two parcels, this zoning change would make everything uniform.

**#8 - Map 133/Parcel 360 (Town Owned Property) – Zoned C-O – Changed to C-B** – This is where the town's well house is located and there is some additional land surrounding it. The other two vacant properties in that area are already commercial business. Once Dean Beck's property changed zoning to residential single family from commercial office, it made sense to make all of the vacant land in that area the same zoning since there was no other vacant commercial office zoning in the area.

**#9 - Map 127/Parcel 254 – Zoned PUD – Change to R-MF** – this was a request by the owners of the property. This property was originally a part of the Academy Hills PUD and when the

Route 5 bypass was built it bisected this property and Mr. Combs property (see below). These parcels are too small to be planned as a PUD, and since Foxwell Condos is rezoned to residential multi-family, it made sense to rezone these two parcels to the same.

**#10 - Map 40/Parcel 16/Lot 2 – Zoned PUD – Change to R-MF - see above**

Member Candela asked the public if they had any comments or questions.

Mr. Kennedy Abell asked if he could get a copy of the commercial business zoning code. Ms. McKay said she would give him a copy after the meeting and explained what uses would be allowed in commercial business. Mr. Abell then asked what the final decision was regarding allowing 4 story buildings in town. Ms. McKay stated that the Town Council had voted to allow those as a special exception. He then asked when an increase in taxes on these rezoned parcels would take place. Mr. Burris stated that he talked to Sean Powell at the tax assessor's office and since the rezoning change was not initiated by the property owner, it would not change the taxes for the duration that the initial homeowner, at the time of the zoning change, owned that property, as long as he didn't change the use. If the property changes use, that is when the change in taxes would kick in.

Mr. Howard Thompson asked if he changes his building to commercial office or commercial business use, would he have to come before the Planning and Zoning Board. Ms McKay stated that any of our commercial zoning would require that he go through the Planning and Zoning process.

Mr. Anthony Mason asked if the residential boiler in his business building would have to be upgraded now to a commercial boiler with this new zoning. Ms. McKay stated that as long as he didn't change the use of his building, he won't have to make any changes to his building because of this zoning change.

Mr. Ray Curtis, the realtor who just listed the Saunder's Property, asked if there was, or had been, any consideration to rezoning this property to commercial business. Ms. McKay stated that for many years, back two comprehensive plans ago, it was always recommended by the Comprehensive Plan Committee that that parcel not be zoned commercial business because of the traffic concerns at that intersection. She also stated that Mr. Curtis's comments would go on record for consideration.

From the audience, Mr. Ned Brinsfield asked about the properties back farther on Route 245, Mr. Combs properties between 245 and the nursing home, would it go to commercial office also. It is presently zoned R-MF. Mayor Burris stated that we did not make a recommendation regarding that property, so it will stay zoned as is. We only looked at the lots fronting on 245.

**Upon hearing no further public comments Member Candela entertained a motion to close the public hearing. A motion was made by Member Sterling and seconded by Member Shultz, motion passed unanimously. The regular P & Z meeting was re-opened for further comments by the board.**

Member Collier asked about the property next to Parcel 254 (#9) the rectangular parcel above it, who owned it. Ms. McKay stated that it was owned by State Highway, it was part of the bypass, and was an access point into Parcel 254. Ms. McKay will check just to make sure.

Member Schultz asked if Parcel 254 (#9) will have one or two access points into it. Ms. McKay stated that that question has been discussed over the years; the last time it was brought up, the preference by the Town Council was just to have one access point on Fenwick Street. That discussion will come up during the development process and will come to this board.

Member Collier also stated that when this parcel was discussed last time it was also requested that a pedestrian pathway from Route 5 and Academy Hills through the parcel to Fenwick Street be built to give pedestrians a safe way to walk into the downtown.

**A motion was made by Member Sterling to recommend to the Town Council approval for all of these zoning map changes as presented here today, relative to Ordinance 164. Motion was seconded by Member Schultz. No further discussion, motion passed unanimously.**

**Review of Monthly In-House Permits** – No comments

**Review of Approved Town Council Meeting Minutes** – No comments

**Member Candela entertained a motion to close the meeting. Member Shultz made the motion, and it was seconded by Member Sterling, no further discussion, motion passed unanimously. Meeting ended at 4:32 pm.**

Respectfully Submitted:

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DeAnn Adler

**Approved:**

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Jean Moulds, Chairperson

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Jack Candela, Member

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Christy Sterling, Member

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Laura Schultz, Member

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Thomas Collier, Alternate

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Heather Earhart, Member