

IN THE ST. MARY'S COUNTY BOARD OF APPEALS

CUAP NUMBER CUAP # 24-0001

DRIFT INN COMMUNICATIONS TOWER

FIFTH ELECTION DISTRICT

DATE HEARD: March 14, 2024

ORDERED BY:

**Mr. Hayden, Mr. Bradley, Mr. Payne,
Mr. Richardson, and Ms. Weaver**

ENVIRONMENTAL PLANNER: STACY CLEMENTS

DATE SIGNED: April 11, 2024

Pleadings

Telecom Capital Group (“TCG,” and hereinafter “Applicant”) seeks conditional use approval for Use Type 91 – Communications Tower and a variance from Section 51.3.91.b.(10) requiring a setback distance of 100 percent of the height of the tower.

Public Notification

The hearing notice was advertised in *The Southern Maryland News*, a newspaper of general circulation in St. Mary’s County, on February 23, 2024 and March 1, 2024. The hearing notice was physically posted on the Property by February 28, 2024. The file contains the certification of mailings to all adjoining landowners, including those located across a street, by February 28, 2024. The agenda was also posted on the County’s website on March 8, 2024. Therefore, the St. Mary’s County Board of Appeals (“Board”) finds and concludes that Applicant has complied with the notice requirements.

Public Hearing

A public hearing was conducted at 6:30 p.m. on March 14, 2024 at the St. Mary’s County Governmental Center, 41770 Baldrige Street, Leonardtown, Maryland. All persons desiring to be heard were heard after being duly sworn, the proceedings were recorded electronically, and the following was presented about the Applicant’s request.

The Property

The proposed location of the cell tower is an unaddressed parcel on Rustin Family Way in Mechanicsville, Maryland (“the Property”). The Property consists of 41,957 square feet, more or less, is zoned Rural Preservation District (“RPD”) and may be found at Tax Map 10, Grid 13, Parcel 42.