

**IN THE ST. MARY'S COUNTY BOARD OF APPEALS**

**VAAP NUMBER 24-0709**

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**GASS PROPERTY**

**SEVENTH ELECTION DISTRICT**

**DATE HEARD: July 11, 2024**

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**ORDERED BY:**

**Mr. Hayden, Mr. Bradley, Mr. Loughran,  
Mr. Payne and Mr. Richardson**

**ENVIRONMENTAL PLANNER: STACY CLEMENTS**

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**DATE SIGNED: July 25, 2024**

### **Pleadings**

Michael Kevin Gass and Jennifer F. Gass (“Applicants”) seek a variance (VAAP # 24-0709) from the St. Mary’s County Comprehensive Zoning Ordinance (“CZO”) Section 71.8.3 to disturb the 100’ Critical Area Buffer to construct a new deck with steps.

### **Public Notification**

The hearing notice was advertised in *The Southern Maryland News*, a newspaper of general circulation in St. Mary’s County, on June 21, 2024 and June 28, 2024. The hearing notice was posted on the property by June 26, 2024. The file contains the certification of mailing to all adjoining landowners, even those located across a street. Each person designated in the application as owning land that is located within two hundred feet of the subject property was notified by mail, sent to the address furnished with the application. The agenda was also posted on the County’s website on July 5, 2024. Therefore, the Board finds and concludes that there has been compliance with the notice requirements.

### **Public Hearing**

A public hearing was conducted at 6:30 p.m. on July 11, 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 proposed variance requested by the Applicants.

### **The Property**

Applicants own real property situate 20485 Waterloo Lane, Coltons Point, Maryland (“the Subject Property”). The Subject Property is in the Rural Preservation Zoning District (“RPD”), has a Limited Development Area (“LDA”) Critical Area overlay, and is identified at Tax Map 46, Grid 22, Parcel 91, Lot 5000-7 of the Waterloo Shores subdivision.