

IN THE ST. MARY'S COUNTY BOARD OF APPEALS

VAAP NUMBER 24-2147

HESS PROPERTY

THIRD ELECTION DISTRICT

DATE HEARD: November 14, 2024

ORDERED BY:

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

ENVIRONMENTAL PLANNER: STACY CLEMENTS

DATE SIGNED: December 12, 2024

Pleadings

Henry & Mary Hess (“Applicants”) seek a variance (VAAP # 24-2147) from the St. Mary’s County Comprehensive Zoning Ordinance (“CZO”) § 71.9.6.h of the St. Mary’s Comprehensive Zoning Ordinance to reduce the southern extended property lateral line setback from 25 feet to 10 feet to construct a pier.

Public Notification

The hearing notice was advertised in *The Southern Maryland News*, a newspaper of general circulation in St. Mary’s County, on October 25, 2024 and November 1, 2024. The hearing notice was posted on the property by October 30, 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 November 8, 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 November 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 proposed variance requested by the Applicants.

The Property

Applicants own real property situate 20768 Waterside Drive, Leonardtown, Maryland (“the Subject Property”). The Subject Property is in the Rural Preservation District (“RPD”) zoning