

**BOARD MEMBERS IN ATTENDANCE:** Chairperson-Peter Helt, Roxanne Hemphill, Patricia Washabaugh, Wade Gallagher, Sean Kelly-Alternate

**BOARD MEMBERS ABSENT:** Judi Stull

**STAFF MEMBERS:** John Breeding – Director of Planning & Zoning  
Debra Clinton – Planning & Zoning Review Coordinator

**OTHERS:** Tom McCarron, Town Attorney

**CALL TO ORDER**

Chairperson, Peter Helt called the public hearing to order at approximately 7:30 p.m. and led the Board in the Pledge of Allegiance

**APPROVAL OF MINUTES**

MOTION: Chairman, Peter Helt motioned to approve the minutes from the January 12, 2023, Board of Appeals meeting. Seconded by Wade Gallagher. Vote: 2-0 in favor (Peter Helt, Wade Gallagher), none opposed, 3 abstained, due to being new members of the Board. (Roxanne Hemphill, Patricia Washabaugh, Sean Kelly)

**APPROVAL OF FINDINGS AND DECISION**

- CASE NO. MA-BOA-2023-01: Approval of the special exception for King State, LLC. Twin Arch Business Park, Lot 15, Section 4, 2310 Back Acre Circle – Special Exception for two 1000-gallon and one 500-gallon above-ground fuel storage tank(s). Chairman, Peter Helt, motioned to approve the Findings and Decision. Seconded by Wade Gallagher. Vote: 2-0 in favor (Peter Helt, Wade Gallagher), none opposed, 3 abstained, due to being new members of the Board. (Roxanne Hemphill, Patricia Washabaugh, Sean Kelly)

**CASE NO. MA-BOA-2023-04: South Side Plaza**

<b>APPLICANT:</b>	TABASSEM REALTY, LLC
<b>LOCATION:</b>	South Main Street, Mount Airy, MD 21771
<b>CURRENT ZONING:</b>	LC – Limited Commercial
<b>CURRENT USE:</b>	Vacant Land
<b>PROPOSED USE:</b>	Medical Office Building

The applicant is requesting a variance based on hardship related to the size restrictions on building in the LC Zone parcels along South Main Street, Mount Airy, MD 21771, to allow a 3-story building. These parcels are located south of 1502 S. Main Street, Medical Office building. Chairperson, Peter Helt, motioned to grant the variance. Seconded by Roxanne Hemphill. Vote: 2-3, Patricia Washabaugh, Wade Gallagher, Sean Kelly - NAY.

**CASE NO. MA-A-10-05: Wildwood Section VII – Request for Extension of the Expiration of Special Exception for Elderly Housing on August 31, 2010.**

**APPLICANT:** MD Canterbury Group of Maryland, LLC  
**LOCATION:** 1015 Ridge Avenue  
**CURRENT ZONING:** R3 – Medium Density Residential  
**CURRENT USE:** Vacant Land  
**PROPOSED USE:** Residential Subdivision

The applicant is requesting an extension of the special exception approval that was granted on July 31, 2020, and is due to expire on July 31, 2023. Chairperson, Peter Helt, motioned to grant an extension of the special exception for 1 year (12 months) per the town staff recommendation. Seconded by Patricia Washabaugh. Vote: 4-1, with Wade Gallagher abstaining.

**ADJOURNMENT** - Chairperson, Peter Helt, adjourned the meeting at 9:42 p.m.

Approved by Peter Helt, Chairperson

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Peter Helt

Prepared by Debra Clinton