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Robert L. Ehrlich, Jr. Governor

Michael S. Steele Lt. Governor



Martin G. Madden Chairman

> Ren Serey Executive Director

STATE OF MARYLAND CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS

March 30, 2006

1804 West Street, Suite 100, Annapolis, Maryland 21401 (410) 260-3460 Fax: (410) 974-5338 www.dnr.state.md.us/criticalarea/

Ms. Staci Merriman Planning Specialist St. Mary's County Government Department of Land Use and Growth Management P.O. Box 653 Government Center 23115 Leonard Hall Drive Leonardtown, Maryland 20650

RE: SM 0042-06 24305 Mariner Lane Local Case #: 05-3752

Dear Ms. Merriman:

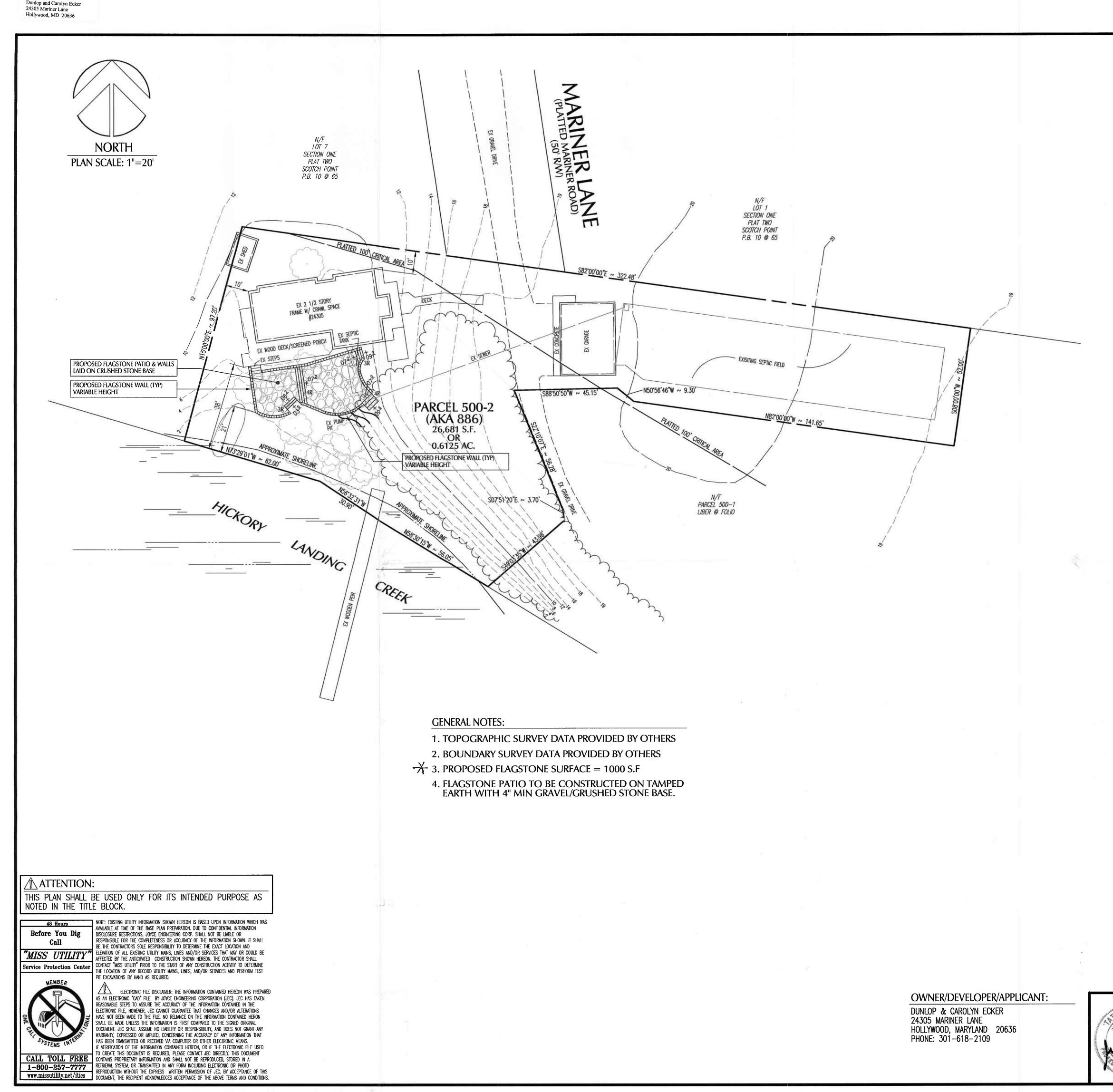
Thank you for providing information on the above referenced after-the-fact variance for new impervious surface within the 100-foot Critical Area Buffer at 24305 Mariner Lane. The property is a .6125 acre lot located in the LDA and is impacted by the expanded Buffer. The applicants are requesting a variance to locate a 1,000 square foot stone patio in the 100-foot Buffer.

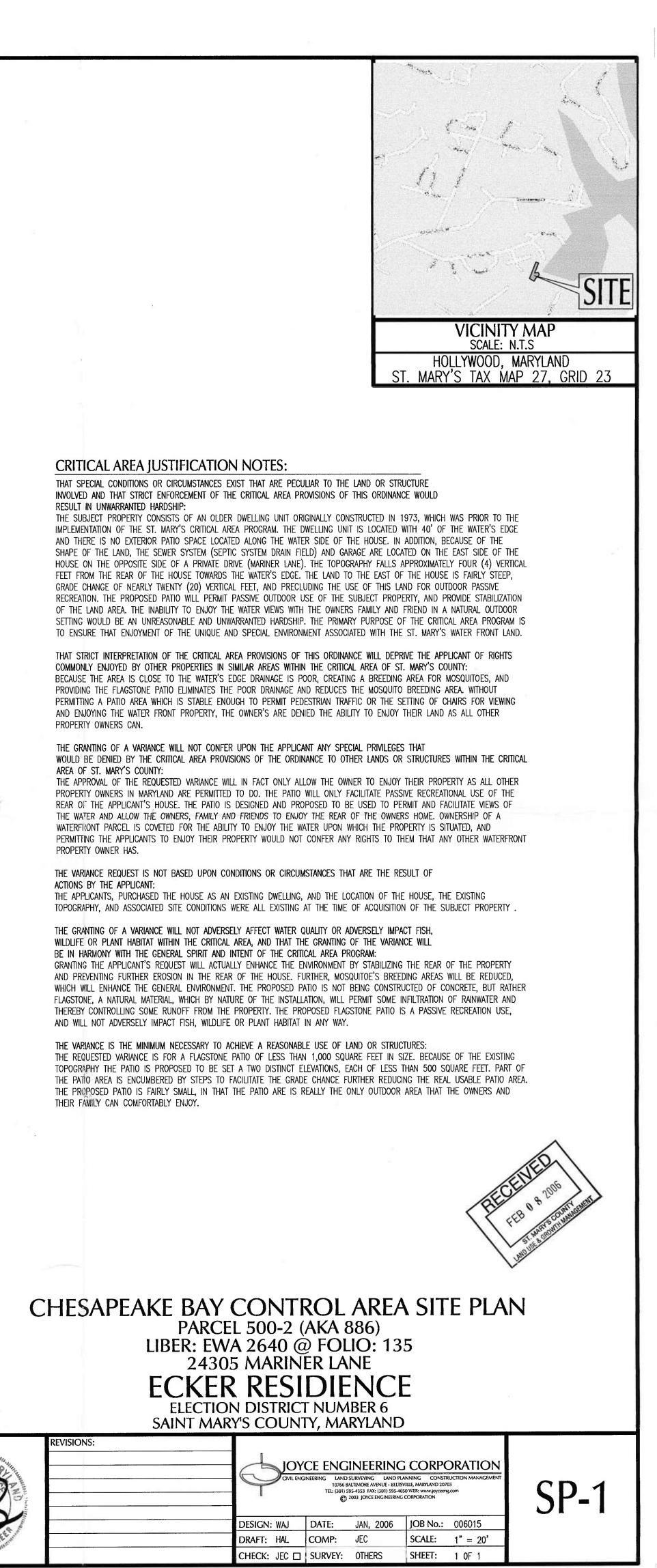
As currently proposed we oppose this variance as it is not the minimum necessary to provide relief to the applicant. It is unfortunate that the applicants did not apply for this variance prior to constructing their patio; if they had done so then County staff could have easily worked with them to find an appropriate size and location for their desired use. On March 22, 2006, we visited the site with County planning staff. In visiting the site, meeting with the applicant and reviewing the application it is clear that the parcel is constrained by environmental features that make locating a patio elsewhere difficult. Provided the lot is properly grandfathered, we would not oppose a variance for a smaller patio. If the variance is granted, we recommend that 3:1 mitigation for the entire patio be provided. It appears there is room on site to accommodate the mitigation.

Thank you for the opportunity to comment. Please include this letter in the file, and submit it as part of the record for the variance. Please notify the Commission in writing of the decision in this case.

Sincerely,

Jennifer Lester Natural Resources Planner





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