



**CALVERT COUNTY
DEPARTMENT OF PLANNING & ZONING**

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Prince Frederick, Maryland 20678
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Director
Gregory A. Bowen

March 10, 2010

Board of Commissioners
Gerald W. Clark
Linda L. Kelley
Wilson H. Parran
Susan Shaw
Barbara A. Stinnett

Mr. Edward Gibbs, Esq.
Gibbs and Haller
1300 Caraway Court, Suite 102
Largo, MD 20774

Re: College Station / SD 02-23: Violation Notice Case No. 1469

Dear Mr. Gibbs:

This is in response to your letter dated February 3, 2010 regarding the February 1, 2010 meeting to discuss how to proceed with a resolution to the above referenced Zoning Code Violation Case for College Station.

A Notice of Violation was issued as permitted under Section 1-7.01.B.1.a.iii. for any work that exceeds the scope of, or is not in compliance with, any order or action of the Planning Commission. In addition, Section 1-7.01.G specifies that no other applications for permits on the same property shall be approved until a pending violation is corrected to the satisfaction of the Zoning Officer, unless the issuance of the permit will serve to correct the pending violation. While it was discussed at the meeting that this office would be willing to release approval of the building permit for Lot 104, we require assurances that the violation is close to being resolved prior to releasing approval. Corrective Action required to resolve the violation is cited on the Notice as further review and approvals from the Planning Commission and Historic District Commission. Therefore, before the permit for Lot 104 can be released, the following items must be conditionally approved by the Planning Commission :

- The replatting to create a buildable lot for the historic house,
- The revised plat conditions removing the requirement to keep the barn on Lot 104, and
- The requirements for the refurbishment of the historic house.

Under item #5 of your letter it states that withholding issuance of the use and occupancy (U&O) for Lot 104 until the Notice of Violation is resolved will create a timing issue for your client. Your client has requested that the U&O for Lot 104 be released at such time as your client has agreed in writing to the steps which will be included in the refurbishment of the house and the staff has issued a report confirming its agreement to the steps to be included within the refurbishment to be submitted to the Planning Commission as part of the revisions to the plat

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conditions. However, since these items are required to provide final resolution of the enforcement case, the following conditions will be applied in the Hansen Permit Tracking System to be addressed prior to the release of U&O Lot 104:

- The replatting to provide a buildable lot for the historic house shall be approved by the Planning Commission and recorded,
- The existing plat conditions regarding retention of the barn shall be revised and any additional conditions required by the Planning Commission (PC) shall be provided on the plat and recorded, and
- The requirements for the refurbishment of the historic house must be bonded based on an estimate prepared by the applicant and approved by County staff.

In addition any and all required permits must be obtained prior to moving the historic house onto a permanent foundation and beginning renovations.

Please contact me if you have any questions.

Sincerely,



Mary Beth Cook
Zoning Officer

c: Greg Bowen
Pam Lucas, Esq.
Kirsti Uunila
Robert Cohn
Carolyn Sunderland
John Yacovelle, Esq.
Brooke Kaine
Rick Bailey
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