

LAYTONSVILLE BOARD OF APPEALS

MEETING MINUTES

February 6, 2017 – 7:30 p.m.

Roll Call

A meeting of the Laytonsville Board of Appeals was called to order by Chair Cecere at 7:35 p.m. Board Members Foster, Seebold, and Whittington were present.

Guests

Ms. S. Wenger, Mr. E. Wenger, Mr. C. Hendricks, Mr. and Mrs. Graeves, and Mr. Keeler.

Minutes

The minutes of the Board meeting held on November 14, 2016, were submitted. Member Seebold made a motion to accept the minutes, which was seconded by Member Foster. The minutes were approved unanimously.

Old Business

Messrs. Pawulak and Fitts were not present to address the Board because the survey regarding St. Bartholomew's Church for the Application Variance (D-116) had not been completed.

Mr. Hendricks (7011 Brink Road, Laytonsville, MD, 20882) addressed the Board indicating that he and Messrs. Pawulak and Fitts are at present reviewing various options for the plan.

Board Members agreed to postpone the hearing concerning St. Bartholomew's request until the next meeting.

New Business

Hearing

This was a Hearing conducted by the Board of Appeals of the Town of Laytonsville to discuss the Special Exception application, 01-17, submitted by Ms. S. Graeves, for the property located at 7407 Whitehouse Lane, Laytonsville, Maryland 20882.

The Chair swore in all persons providing testimony.

The Chair opened the Hearing for the Special Exception (01-17) submitted by Ms. Graeves and requested all persons giving testimony to address the Board.

Ms. Graeves is requesting a special exception to operate a home business (hair salon) at above-mentioned address three days a week. The days and hours of operation would be: Tuesdays from 1:00 p.m. to 9:00 p.m.; Thursdays from 11:00 a.m. to 7:00 p.m.; and Fridays from 9:00 a.m. to 4:00 p.m. Ms. Graeves informed the Board that her driveway can accommodate five cars and two cars are permitted to park on the street in front of her home. It is Ms. Graeves intention to operate the business from her home for a few years and then move it offsite.

Sheree Wenger, 6715 Maple Wood Drive, Laytonsville, Maryland, 20882, asked the following questions: (a) if Ms. Graeves had a current license from the Maryland Board of Labor, State Board of Cosmetology; (b) was the property insured for this type of home business; (c) would Ms. Graeves accept walk-in appointments that would extend the closing hours beyond those stated; (d) had the Home Owners Association for the development given their approval for the home business; and (e) how would Ms. Graeves dispose of the chemicals and hair products resulting from her business.

Ms. Graeves provided a picture of her current license which was up to date. She informed the Board that she had obtained prior approval from the Home Owners Association and that she was adequately insured. She assured the Board that the chemical products used for her salon would be disposed of as recommended by the manufacturer and that a proper exhaust system was in place.

Mr. Hendricks ask if any business signs would be posted on the property and was informed that this was against the Home Owners Association by-laws.

Board Members requested clarification regarding the number of employees which Ms. Graeves would employ as well as whether the electrical system in the basements was in accordance with the needs of the business and in keeping with the county's regulations. Mr. and Mrs. Graeves responded that one employee would be working on the premises and that the electrical system had been upgraded to deal with the added demand of the salon equipment.

Chair Cecere made a motion to approve the Special Exception with the following stipulations:

- No more than five cars may be parked in the driveway and two additional cars on the street in accordance with the zoning ordinance;
- Ms. Graeves would need to provide a copy of her professional license, approval letter from the development's Home Owners Association, and Use and Occupancy Permit for her home business from Montgomery County Government.

Member Foster seconded the motion; the motion passed unanimously.

Mr. Wayne Keeler of Laytonsville addressed the Board regarding his plans for constructing a home with a separate dwelling in Laytonsville. A discussion followed with the Board Members and guests regarding the type of structure, the location, and if a special exception would be necessary.

Adjourn

There being no further business, Member Whittington made a motion to end the meeting. The motion was seconded by Member Foster and passed unanimously. The meeting adjourned at 8:42 p.m. The next Board meeting will be held on March 6, 2017, contingent upon St. Bartholomew's Church.

Respectively submitted,


Nadine Tarwater