**LAYTONSVILLE BOARD OF APPEALS**

**MEETING MINUTES**

**December 6, 2021 – 7:30 p.m.**

**Roll Call**

A meeting of the Laytonsville Board of Appeals was called to order by Chair Cecere at 7:37 p.m. Board Members Foster, Kerns, Ols, and Ryan were present.

**Minutes**

The minutes for the Board of Appeals Meeting of September 13, 2021, were submitted. A motion was made by Member Foster and seconded by Chair Cecere to approve the minutes. The motion passed unanimously.

**Attendees**

Mr. David Heissner (Applicant)

Ms. A. Koval

Ms. Joy Jackson, Assistant Clerk, Laytonsville Town Hall

Ms. Nadine Hasevoets-Tarwater, Secretary

**Old Business**

None.

**New Business**

Special Exception Application (SE-03-21) submitted by Mr. and Mrs. Heissner, 7408 White House Lane, Laytonsville, MD. Mr. Heissner is requesting that an exception be made in order to permit him to erect a fence higher than four feet along the back of his property line.

***Hearing***

Chair Cecere began the hearing by outlining the procedures and administering the swearing in oath to all those providing testimony.

Chair Cecere requested Mr. Heissner to outlined his request for a Special Exception.

Mr. Heissner explained to the Board that his property is located behind a section of town which is used for commercial, warehousing, and industrial purposes. There is fencing along the property line for one of the lots, but three other lots have no fencing or barrier between the properties. The current situation presents health and safety concerns for the residents, as well as increased noise, fumes, dust, and glaring lights into the home. Mr. Heissner is requesting to install an 8-foot security fence made out of pine along the property lines.

Member Foster noted the submitted documents and pictures depicting the view from Mr. Heissner’s house and yard, as well as the condition of the neighboring properties (i.e. commercial vehicles, storage, etc.). He raised no objections to the request.

Member Kerns asked about the design of the fence and whether the neighbors had been contacted and had had an opportunity to discuss the design of the fence.

Chair Cecere enquired as to whether any of the neighbors had erected a fence, and if not, why.

Mr. Heissner stated that some of his neighbors had planted trees in order to deal with the issue, perhaps due to the elevated costs of installing a fence. He was not aware of their reasons for not wanting a fence as well.

The following documents were entered into the record:

Exhibit 1: Special Exception Application

Exhibit 2: Letter from Mr. and Mrs. Heissner

Exhibit 3: Plat and Fence

Exhibit 4: Cost Estimate for Fence

Exhibit 5: Letter of Approval from Laytonsville Preserve HOA

Exhibit 6: Letter from Mr. and Mrs. Heissner to Laytonsville Preserve HOA

Exhibits 7-11 Pictures

Chair Cecere made the motion to close the hearing. Member Kerns seconded the motion which passed unanimously.

Chair Cecere made a motion to approve Special Exception SE-03-21 submitted by Mr. and Mrs. Heissner with the proposed stipulation that the Special Exception be limited to the time that the property is owned by Mr. and Mrs. Heissner. Should the property be sold, the new owners would be required to seek re-approval for the Special Exception. Chair Cecere also stipulated that the design of the fence would be based on the approval of Laytonsville Preserves’ HOA, including any conditions that they have setforth.

Member Kerns seconded the motion which passed unanimously.

Boyland Electric, Inc. submitted a letter requesting renewal of their Special Exception which was unanimously approved.

**Adjourn**

There being no further business, Chair Cecere made a motion to adjourn the meeting which was seconded by Member Foster. Motion passed unanimously. The meeting adjourned at approximately 7:58 p.m. The next meeting was scheduled for January 3, 2022.

Respectively submitted

Nadine Tarwater