



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Chesapeake Bay

Critical Area Conservation Plan

CP-10004

Application	General Data	
Project Name: Eagle Harbor, Lots 10–18 (Lagana) Location: West side of Weaver Trail 150 feet south of Trueman Point Road. Applicant/Address: 23311 Pine Trail Aquasco, MD 20608	Planning Board Hearing Date:	04/14/11
	Staff Report Date:	N/A
	Date Accepted:	N/A
	Planning Board Action Limit:	N/A
	Most Recent Revision:	N/A
	Plan Acreage:	.46
	Zone:	R-R/L-D-O
	Proposal:	N/A
	Planning Area:	87B
	Council District:	09
	Municipality:	Eagle Harbor
	200-Scale Base Map:	230SE16

Purpose of Application	Notice Dates	
Requesting waiver of filing fees for a Chesapeake Bay Critical Area Conservation Plan (CBCA), Variances and sign posting fee.	Adjoining Property Owners: (CB-15-1998)	07/14/10 04/07/11
	Previous Parties of Record: (CB-13-1997)	N/A
	Sign(s) Posted on Site:	N/A
	Variance(s):	27-442

Staff Recommendation		Staff Reviewer: Tom Lockard Phone Number: 301-952-3410 E-mail: Tom.Lockard@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
			X

April 11, 2011

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Jimi Jones, Zoning Supervisor

FROM: Tom Lockard, Planner Coordinator, Zoning Section

SUBJECT: Request for Waiver of Filing Fee
for a Chesapeake Bay Critical Area Conservation Plan, Variances and Sign Posting Fee
Lagana Property-CP-10004

The applicant is requesting a waiver of the filing fee for a Chesapeake Bay Critical Area Conservation Plan application, including several variances and the sign posting fee. The applicant (Daniel and Kimberlie Lagana) were cited in 2007 for building a screened pavilion structure on their property in Eagle Harbor without permits. A conservation plan must be approved by the Planning Board before permits can be issued validating the existing structure because the site is in the Chesapeake Bay Critical Area (CBCA).

The applicant states that the \$730.00 filing fee represents an undue financial hardship. The applicant is petitioning the Planning Board for a waiver of the entire filing fee and sign posting fee.

Section 27-125.02(m) of the Zoning Ordinance authorizes the Planning Board to waive filing fees under the following scenarios:

- (4) Refunds and waivers.**
 - (A) No part of a fee shall be refunded or waived unless the Planning Board determines that one (1) of the following applies:**
 - (i) The fee was paid by mistake, and the applicant has requested (in writing) a refund.**
 - (ii) The application is filed by (or on behalf of) any department or agency of the County, or any municipal, State, or Federal government, except as otherwise provided.**

It does not appear that the applicant's situation fits under either scenario.