

CECIL COUNTY PLANNING COMMISSION
MEETING MINUTES
16 November 2009

Present: Doordan, B. Patrick; Edwards, Guy; Janusz, Joe; McDowell, H. Clay; Wallace, Wyatt; Demmler, Rebecca – ex Officio; Houston, Clifford; Sennstrom, Eric

Absent: Mortimer, William; Wiggins, Kennard

Call to Order: Vice Chairman Doordan called the meeting to order at 7:00 p.m.

Approval of Minutes: Motion was made by Guy Edwards to approve the 19 October 2009 meeting minutes. Motion was seconded by Wyatt Wallace. All members present voted in favor of motion. Motion carried.

Rezoning 2009-08: H. Barry Montgomery and Jeff Sellars appeared to present the application to change the zoning designation of the subject property from Business Local (BL) and Suburban Residential (SR) to Multi-Family residential (RM). Mr. Montgomery described the subject property, the surrounding zoning designations, the water and sewer availability, and the changes in the area. Mr. Montgomery noted that the new strip center, expanded college, new motel and zoning changes all justify his request. He also stated that the mixed uses permitted by the Multi-Family Residential zone would fit the character of Bayview. Discussion ensued on the amount of the property that is presently zone Business Local (BL) and Suburban Residential (SR), what type of development is proposed, various tax credit programs, and the number of units contemplated.

H. Clay McDowell read the Health Department comments.

Vice Chairman Doordan asked if anyone desired to speak in favor of the request. No one spoke. Vice Chairman Doordan asked if anyone desired to speak in opposition. Ray Lindsay spoke.

Cliff Houston read a letter from Roger Lamb in opposition to the requested rezoning.

Staff recommended disapproval due to there being no demonstrated change in the character of the neighborhood since the last comprehensive rezoning.

Motion was made by Joe Janusz to recommend approval based on a substantial change in the character of the neighborhood since the last comprehensive rezoning. Motion was seconded by Wyatt Wallace. Janusz, McDowell, and Wallace voted in favor of the motion. Edwards voted in opposition. Motion carried.

Special Exception 3487: Jan Fryman and Jean Crawford appeared to present an application for Ms. Fryman to operate a dog kennel. Ms. Fryman testified that she will not be erecting a building but will

house the animals in crates on her four season porch. She will also have runs available for the animals in her care. The entire area dedicated to the proposed use will be 1 acre out of the 305 acre farm. Discussion ensued on the amount of property encumbered by the proposed use, the distance to the nearest residences, the number of animals contemplated, the activities associated with the kennel, and the types of crates to be used.

H. Clay McDowell read the Health Department comments.

Vice Chairman Doordan asked if anyone desired to speak in favor or in opposition to the request. No one rose to speak.

Staff recommended approval for two (2) years.

Motion was made by Wyatt Wallace to recommend approval for two (2) years. Motion was seconded by Joe Janusz. All members present voted in favor of motion. Motion carried.

Special Exception 3488: Dwight Thomey, Steven Cochran and Anne Cochran appeared to present the Cochran's request to renew their antique shop and to establish an Office Building Class "C". Mr. Thomey stated that the antique shop has been operating for five years. The Cochran's also conduct a glass repair business at remote locations. They would like to establish an office for the glass repair business on site. Mr. Cochran testified that he has had no problems over the past five (5) years and that he would like to have a long term approval. He also noted that there is very little foot traffic generated by the glass repair business as it is by appointment only.

H. Clay McDowell read the Health Department comments.

Vice Chairman Doordan asked if anyone desired to speak in favor or in opposition. No one rose to speak.

Staff recommended approval for as long as the applicants own the property and operate the business.

Motion was made by Guy Edwards to recommend approval for as long as the applicants own the property and operate the business. Motion was seconded by Wyatt Wallace. All members present voted in favor of the motion. Motion carried.

Special Exception 3489: Yvette and Victor Valentin appeared to present their application to renew a special exception for a home occupation to sell laboratory glassware on the internet. Yvette Valentin described the business and noted that there are no customers arriving at their home. Only pick-up and deliveries occur.

H. Clay McDowell read the Health Department comments.

Vice Chairman Doordan asked if anyone desired to speak in favor or in opposition to the request. No one rose to speak.

Staff recommended approval for as long as the applicant operates the business and owns the property.

Motion was made by Guy Edwards to recommend approval for as long as the applicant operates the business and owns the property. Motion was seconded by H. Clay McDowell. All members present voted in favor of the motion. Motion carried.

Special Exception 3491: Scott Gonce and Melissa Gonce appeared to present the application of MAC Holdings LLC to place a doublewide manufactured home on the property for hardship purposes. Mr. Gonce explained that his parents are elderly and are prone to declining health. His sister, Melissa Gonce, is acting as the primary caregiver, however, that situation is taxing the limits of her abilities. The placement of the doublewide manufactured home would aid in the provision of 24 hour care for the Gonce's parents. Discussion ensued on the location of the manufactured home as well the size of the property.

H. Clay McDowell read the Health Department comments.

Vice Chairman Doordan asked if anyone desired to speak in favor or in opposition to the request. No one rose to speak. Clifford Houston read a letter from Woodlands Farm concerning this application.

Staff recommended approval for as long as the applicants own the property and the parents reside in the manufactured home.

Motion was made by Guy Edwards to recommend approval as long as the applicants own the property and the parents reside in the manufactured home. Motion was seconded by H. Clay McDowell. Edwards, Janusz, and McDowell voted in favor of the motion. Wallace opposed. Motion carried.

Special Exception 3492: Carl Schaumann and Beth Renzulli appeared to present their application for a home occupation for a bread baking business. They testified that the bakery would be located in an attached addition to their dwelling. The product would be sold at farmer's markets, at organic farms, and through distribution networks. No customers would come to their home to purchase their product. The applicants estimate flour delivery every two (2) weeks.

H. Clay McDowell read the Health Department comments.

Vice Chairman Doordan asked if anyone desired to speak in favor or in opposition to the request. No one rose to speak.

Staff recommended approval for two (2) years.

Motion was made by Joe Janusz to recommend approval for two (2) years. Motion was seconded by Wyatt Wallace. All members present voted in favor of the motion. Motion carried.

Adjournment: Vice Chairman Doordan adjourned the meeting at 7:46 p.m.

Next Meeting: 7:00 p.m., Monday, 21 December 2009, Elk Room, County Administration Building, 200 Chesapeake Boulevard, Elkton, MD.

Respectfully submitted:

Eric S. Sennstrom, AICP
Director – Planning & Zoning