

PLANNING COMMISSION MEETING

January 20, 2010

7:00 p.m.

PRESENT: Mortimer, (Chairman), Doordan, Janusz, Wiggins, Wallace, Edwards, Sennstrom, Houston and Dempsey.

ABSENT: McDowell, (Alternate) and Demmler, (Ex-Officio).

APPROVAL OF MINUTES – Motion made by Janusz, seconded by Doordan and unanimously carried to approve the Monday, December 21, 2009, 7:00 p.m. minutes as mailed.

**ZONING ORDINANCE TEXT AMENDMENT:**

Amend Article V, Part 11, Section 67; Amend Article V, Part XII, Section 153; Amend Article V, Part X11, Section 154; and Article XI, Part 1, Section 197.7 to delete language relative to the placement of coal combustion byproducts.

Eric Sennstrom, Director of Planning and Zoning presented this Text Amendment to delete language relative to the placement of coal combustion byproducts. Director Sennstrom stated the proposed language to be deleted is on the following items: Mineral Extraction, Rubble Landfill, Sanitary Landfill and General Regulation for Development and Land Use within the Critical Area District. The Board of County Commissioners amended into the Zoning Ordinance in June 2008. Legal challenge filed in the Circuit Court of Cecil County challenging the new language the County Commissioners adopted in June 2008. The Court case was adopted in November 2009 when Judge Thompson invalidated the action by Cecil County and stated; “The State specifically (The Maryland Department of the Environment) adopted new regulations, which preempted any County regulation at the local level.”

Health Department Report – No comments required.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

**SPECIAL EXCEPTION:**

**FILE: 3502** - APPLICANT: Sonya Cathryn Sapp.

FOR: Renewal of a Special Exception to retain a singlewide manufactured home for hardship purposes.

PROPERTY LOCATION: 427 New Bridge Road, Rising Sun, MD 21911, Election District: 8, Tax Map: 2, Parcel: 167.

PROPERTY OWNER: Sonya Cathryn Sapp.

PRESENTLY ZONED: Rural Residential, (RR).

Sonya Cathryn Sapp, 427 New Bridge Road, Rising Sun, MD would like to renew her special exception to retain a singlewide manufactured home for hardship purposes. Ms. Sapp stated her parents are both older and her mother had leukemia (in remission) and her father is close to 70 years old. There is a hedgerow between her

property and her neighbor so you cannot see the manufactured home from the road or neighbors. There have been no complaints by any adjacent property owners.

Health Department Report – Permit 200901577 issued to upgrade septic system and drill new well for special exception mobile home. The Health Department has no objection to the renewal of the special exception.

COMMENTS IN SUPPORT: None.

COMMENTS IN OPPOSITION: None.

**RECOMMENDATIONS:**

APPLICANT; Cecil County.

FOR: Zoning Ordinance Text Amendment, Amend Article V, Part 11, Section 67; Amend Article V, Part XII, Section 153; Amend Article V, Part X11, Section 154; and Article XI, Part 1, Section 197.7 to delete language relative to the placement of coal combustion byproducts.

Staff recommended approval.

ACTION: Motion made to approve by Janusz, seconded by Doordan.

VOTE: All in favor, motion carried.

**SPECIAL EXCEPTION:**

APPLICANT: Sonya Cathryn Sapp.

FOR: Renewal of a Special Exception to retain a singlewide manufactured home for hardship purposes.

Staff recommended approval for as long as the Sapp's own the property and their parents reside in the manufactured home.

ACTION: Motion made to approve with staff recommendations by Doordan, seconded by Wallace.

VOTE: All in favor, motion carried.

Meeting was adjourned at 7:18 p.m.

NEXT PLANNING COMMISSION MEETING: Tuesday, February 16, 2010, at 7:00 p.m.

Respectfully submitted:

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Gale L. Dempsey, Administrative Assistant  
Office of Planning and Zoning