

## GARRETT COUNTY PLANNING AND LAND DEVELOPMENT OFFICE

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### MINUTES

**The Garrett County Planning Commission** held its regular monthly meeting on Wednesday, April 4, 2007, at 7:00 pm, in the County Commissioners Meeting Room. Members and guests in attendance at the meeting include:

George Brady	Fred Holliday	Paul Durham
Tim Schwinabart	Gary Fratz	Richard Skipper
Jeff Messenger	Joseph McRobie	Dr. William Pope
Troy Ellington	John Nelson-staff	Karen Myers
Ruth Beitzel	Chad Fike-staff	

1. Call to Order – By Chairman, George Brady at 7:00 pm.
2. The March minutes were unanimously approved as submitted.
3. Reports of Officers – None
4. Unfinished Business – None
5. New Business-

**A. Meetings on the Comprehensive Plan-** John Nelson, Director of the Office of Planning and Land Development, led a discussion concerning the comments received at the March 27<sup>th</sup> meeting at Southern High School. This meeting highlighted the “rural issues” aspect of the Comprehensive Plan.

Mr. Nelson feels that for the next meeting, break out groups should be chosen in a more orderly fashion to evenly divide the number of people into each group. A topic of conversation of the March meeting was discussion regarding the creation of more Priority Funding Areas (PFA) within the county. Mr. Nelson noted that the State criteria to designate PFA’s are rather stringent and that eligible areas in the county for this designation are limited. The minimum density requirement for PFA’s is 3.5 units per acre, eliminating areas designated on the land classification map as Suburban Residential from consideration.

Mr. Nelson also noted that some people in attendance at the meeting advocated a maximum lot size, as a means to protect productive farmland. Some suggestions also include the merging of Agricultural Resource and Rural Resource boundaries, thus eliminating some of the designated Rural area. Discussion of the Comprehensive Plan

will continue at the next regularly scheduled meeting of the Commission on May 2<sup>nd</sup> and at the McHenry planning meetings to be held May 4<sup>th</sup> and 5<sup>th</sup> at the Wisp.

**B. Amendment to the Deep Creek Watershed Zoning Ordinance regarding LED and LCD signs-** Mr. Nelson, as directed, has summarized the recommendations of the Planning Commission for regulation of such signs. The criteria were developed at the last regular meeting of the Commission. Mr. Nelson noted that this draft could be forwarded to the County Commissioners for their consideration as an amendment to the Ordinance regarding regulation for these types of signs. The draft reads as follows:

*LED, LCD and Scrolling Message Signs*

*Amend the Zoning Ordinance to control the location, display and frequency of changing messages on LED, LCD and Scrolling Message Signs by adding a new Section 704F as follows:*

*Section 704F – Special Provisions for Light Emitting Diode (LED), Liquid Crystal Display (LCD) and Scrolling Message Signs. LED, LCD and Scrolling Message signs shall be permitted pursuant to the provisions of Section 707, Signs Accessory to On-Premise Uses and shall not be permitted for off-premises advertising. LED, LCD and Scrolling Message signs shall be subject to the following additional standards and locations:*

- 1. All such signs shall be limited to a single color and toggling between colors is not permitted.*
- 2. No reverse lighting images are permitted on such signs.*
- 3. The illuminated portion of the sign shall not exceed 25% of the total area at any given time.*
- 4. Animation in the copy or change of copy of the sign shall not be permitted.*
- 5. No flashing illuminations of the sign shall be permitted; single line message signs shall not change messages more frequently than one-second intervals and multiple line message signs shall not change messages more frequently than four-second intervals.*

Karen Myers requests that the Commission consider the enforcement problems associated with the 25% illumination aspect of the proposed amendment. She feels there should be some clarification to allow for a marquee on the sign. Ms. Myers also feels that there should be some allowance for some type of off premise signage, possibly by a Special Exception before the Board of Appeals.

The Board recommended making off premise identification signs subject to a Special Exception permit providing these signs only change messages at one-hour intervals. The sign would also be subject to the existing off-premise sign criteria. Mr. Nelson will make the necessary changes and forward the proposed amendment to the County Commissioners.

After discussion, the Planning Commission recommended approval of the amendment to the Ordinance, as amended, by a vote of 6 to 1, with one abstention.

### **C. Miscellaneous**

#### **1. Deep Creek Watershed Zoning Appeals Cases - None**

**2. Minor Subdivisions** – Mr. Nelson has approved, or is about to approve, a number of minor plats since the last Planning Commission meeting. Copies of the plats were included in the packet mailed to the Commission members.

#### **3. Waiver Requests-**

**A. Jeffrey Ackerman-** Jeffrey Ackerman is seeking permission to subdivide a 2.018-acre parcel, tax map 42, parcel 139, into two one-acre lots. The ownership of the two lots would be transferred to each of his children. The parcel is located along Bumble Bee Road. Staff have interpreted that a waiver is required since the exception allowing one-acre lots to be transferred to the child of the owner of record does not apply when the parent tract is already smaller than the minimum 3-acre lot size required in the Agricultural Resource land classification. This interpretation has been made by the Planning Office and upheld by the County Attorney. After discussion, the Planning Commission recommended approval of the waiver request by a vote of 8 to 0.

**B. Richard Klein Jr.-** Mr. Klein is seeking a waiver from the minimum lot-size requirement of 30,000 sq. ft. and minimum lot-width requirement of 100 ft. in the Town Residential land classification. The property is located at 2120 Jennings Road and is located on tax map 26, parcel 18. Public sewer serves the parcel and two dwellings have been on the property for many years, according to the applicant. After discussion, the Planning Commission recommends approval of the waiver requests by a vote of 8 to 0.

#### **4. Ag-land Preservation District Applications- none**

### **6. Action on Planned Residential Development (PRD)-**

**A) Ridge Run, North Camp Section 4C, Final Plat.** The developers, DC Development LLC, submitted a Final Plat showing 28 duplex units. Ridge Run, North Camp 4C, is part of the Wisp Resort Planned Residential Development and located in

a Rural land classification. The applicant is seeking final approval of this submission contingent on Stormwater/Sediment and Erosion, Health Department, and Public Utilities approvals. The Commission granted conditional approval of this Final Plat by a unanimous vote of 8 to 0.

**7. Action on Major Subdivision Plats-**

**A) Sketch Plat-George Poovan Property.** George Poovan submitted a Sketch Plat of a proposed 11-lot cluster subdivision located along Mayhew Inn Road. The property is located on tax map 57, parcels 535 and 603 in a Lake Residential zoning district. The Planning Commission reviewed and made comments on the Sketch Plat. The Commission acknowledged and expressed their concern over the extensive wetlands on this property. The Commission's primary concern and comment is regarding certain building sites and whether they are compliant with all setback requirements for wetlands. The Commission questions if the required building envelope and setback area is available for Lot 1.

**B) Record Plat- Smith Pointe.** The developers, Thousand Acres Development, Inc. submitted a Record Plat for Lot 7 of the Smith Pointe Subdivision. The Final Plat for the subdivision was approved on February 7, 2003, and the developer has submitted Record Plats of individual lots for recording purposes. The Commission previously granted approval of this Final Plat for Smith Point.

**C) Major Subdivision-Green Lantern Farm.** The developers, Green Lantern Properties LLC, proposed an 11-lot subdivision along Green Lantern and Sam Crow roads. The property is located on map 20, parcel 8 in an Agricultural Resource land classification. The Planning Commission approved a previous version of the final plat, showing only 6 lots, on March 7, 2007. This plat is intended to replace the previously approved plat. The applicant is seeking conditional final approval of this subdivision contingent on Stormwater Management and Sediment & Erosion Control approval and approval of the homeowner documents. The Commission granted conditional approval of this Final Plat by a unanimous vote of 8 to 0.

**8. Next Scheduled meeting -** The next regular meeting of the Planning Commission is scheduled for Wednesday, **May 2, 2007**, in the County Commissioners Meeting Room, at **1:30 pm**.

**9. Adjournment-** 8:15 pm.

Respectfully submitted,

William J. DeVore  
Zoning Administrator

