

GARRETT COUNTY DEPARTMENT OF PLANNING AND LAND DEVELOPMENT

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MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, September 4, 2013, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington	Jeff Conner	Deborah Carpenter-staff
Tony Doerr	Karen Myers	William DeVore-staff
Jeff Messenger	Samantha Gravelle	Chad Fike-staff
Bill Weissgerber	Jerry Plauger	

1. Call to Order - by Chairman Troy Ellington at 1:30 pm.
2. The July minutes were unanimously approved, as submitted. The Commission did not meet in August.
3. Report of Officers – None
4. Unfinished Business – Chairman Ellington noted that the public notice regarding the proposed amendments to the Deep Creek Watershed Zoning Ordinance that was sent out by Mr. Nelson was in the proper format.
5. New Business –

A. Review, Discussion and Action-Waiver Request for Wisp Resort Planned Residential Development (PRD)-

1. John Sanders of Highland Engineering submitted a waiver request on behalf of DC Development, LLC, the developers of the Wisp Resort PRD. Mr. Sanders requested that the proposed roads within the PRD be designed and constructed to the private road standards found in the Garrett County Subdivision Ordinance for private roads, rather than public road standards.

Chad Fike of the Planning and Land Development staff presented an over view of the waiver request for the Wisp PRD. The request is for all roads in the Wisp Resort PRD to be developed at private road standards instead of the required public road standards. Mr. Fike notes that the Ordinance

states that all roads in the PRD “shall conform to public road standards except that the Planning Commission may approve modifications to the standards for a road that will not be publicly maintained, provided that the modifications are consistent with the Ordinance.” Wisp Resort requests that the specifications would conform to private road design standards, as outlined in the subdivision ordinance. Road width, road slope and cul-de-sac-design specifications are more relaxed using the private road standards. Mr. Fike explained that the waiver request would pertain to the remainder of the Wisp Resort PRD.

Karen Myers stated that the request is consistent with previous PRD applications by the Wisp to comply with private road standards. Other roads in that area that were built to public standards include major arterials: Overlook Pass, Wisp Mountain Road and Shingle Camp.

The Commission discussed the origin of the public road standards and the reason for that requirement in the PRD regulations. The group also considered the percentage of private roads versus public roads in the county, along with other road requirements necessary for the county to takeover a road.

After discussion, the Commission granted approval of the waiver request by a unanimous vote of 5 to 0.

B. Discussion and Action on Major Subdivisions

- 1. Wisp Resort Phase 7, Lodestone Subdivision, Biltmore Section** - The developers, DC Development, LLC, submitted a preliminary plat showing a total of 145 lots located off of Shingle Camp Road. The property is part of the Wisp Resort PRD and is located on tax map 49, parcel 142, partially in a Lake Residential (LR1) zoning district and partially within a Rural land classification.

The Commission granted conditional approval of this Preliminary Plat by a unanimous vote of 5 to 0. The approval is conditioned on the final review and approval of legal documents establishing a single legal entity that will develop the land and submit the preliminary plats. According to Ms. Myers, the documents are currently being finalized.

C. Miscellaneous

1. Deep Creek Watershed Zoning Appeals Cases –

- a) **VR-704** - an application submitted by Paul F. Schimizzi for a Variance to allow a residence that would come to within 7.0 feet and a deck to within 0.0 feet of a rear property line. The owner has purchased the “buy-down” from the State of Maryland. The property is located at 866 Beckman’s Peninsula Road, tax map 58, parcel 748, and is zoned Lake Residential 1(LR1). The Planning Commission offered no comments on the proposed application.
- b) **VR-705** - an application submitted by Parker J. Doty for a Variance to allow an addition to a residence that would come to within 4.0 feet of a rear property line. The owner has purchased the “buy-down” from the State of Maryland. The property is located at 20476 Garrett Highway, tax map 58, parcel 712 and is zoned Town Center. The Planning Commission offered no comments on the proposed application.
- c) **VR-706** - an application submitted by Eamonn Reilly for a Variance to allow an addition to a residence that would come to within 9.0 feet of a side property line. The property is located at 2505 Lake Shore Drive, tax map 58, parcel 252 and is zoned LR1. The Planning Commission offered no comments on the proposed application.
- d) **VR-707** - an application submitted by Franklin Richards for a Variance to allow an addition to a residence that would come to within 6.0 feet of the side property line. The property is located at 270 Penelacre Lane, tax map 57, parcel 478, Lot 11 and is zoned LR1. The Planning Commission believes that if there are strong objections by the neighbors, the Appeals Board is urged to consider the Variance very carefully.
- e) **VR-708** - an application submitted by Jeffrey Jochims for a Variance to allow an addition to a residence (covered porch) that would come to within 28.0 feet of a rear property line. The property is located at 201 Sawmill Hollow Road, tax map 59, parcel 541 and is zoned LR1. The Planning Commission believes that if there are strong objections by the neighbors, the Appeals Board is urged to consider the Variance very carefully.

- 2. **Minor Subdivisions** – Approved minor subdivisions were included in the packet mailed to the Commission members prior to the meeting.

3. Mining Permit Applications – None

4. Amland Preservation District Applications-None

D. Next Scheduled meeting - The next regular meeting of the Planning Commission will be held on **October 2, 2013**, in the County Commissioners Meeting Room, at 1:30 pm.

E. Adjournment- 2:15 p.m.

Respectfully submitted,

William J. DeVore
Zoning Administrator

