

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT

GARRETT COUNTY OFFICE OF PLANNING AND LAND MANAGEMENT

203 S. 4th St –Room 208

Oakland Maryland 21550

(301) 334-1920 FAX (301) 334-5023

E-mail: planning@garrettcountry.org

MINUTES

The Garrett County Planning Commission held its regular monthly meeting on Wednesday, September 3, 2014, at 1:30 p.m., in the County Commissioners Meeting Room. Members and guests in attendance at the meeting included:

Troy Ellington

Rick Schiff

Tim Schwinabart

Robert Browning

Jeff Messenger

Bill Weissgerber

Bob Gatto

Tony Doerr

Deborah Carpenter-staff

William DeVore-staff

1. Call to Order - by Chairman Ellington at 1:30 pm.
2. The August minutes were unanimously approved, as submitted, by a vote of 7 to 0.
3. Report of Officers – None
4. Unfinished Business – None
5. New Business – Deborah Carpenter, Assistant Director of the Office of Planning and Land Management announced that all of the comments have been received regarding the Deep Creek Watershed Management Plan. The Management Plan Steering Committee will meet on Monday, September 8th, at the Garrett County Health Department, to review all of the public comments that have been submitted. The meeting will begin at 12:00, noon. Interested persons are invited to attend.

A. Discussion – Proposed Text Amendments to the Deep Creek Watershed Zoning Ordinance (Ordinance)-

Chairman Ellington explained that the Commission would consider three amendments to the Ordinance. The proposed amendments were brought to light by a recent letter from the Deep Creek Watershed Board of Zoning Appeals (Board). The Board explained that three (3) specific amendments are suggested to be considered by the Planning Commission, see the attached letter included with these minutes. Chairman Ellington explained that the task of the Commission was to decide whether these proposed amendments were needed and if so, refer them to the County Commissioners. Because these amendments, if approved, would be referred to the Commissioners, Commissioner Gatto recused himself from the voting.

Regarding the first proposed amendment, Robert Browning, Chairman of the Board of Appeals explained that at a recent interpretation hearing it became evident to the members of the Board that the definition of building height should be clarified, in the Ordinance, to match the Planning Offices interpretation. Mr. Browning suggests that the need for this amendment is fairly urgent, since he believes the Planning Office interpretation could be challenged. The first proposed amendment reads:

1. To change the language in Section 157.007 (13) of the Ordinance regarding the definition of building height to read “A building’s vertical measurement from the mean level of the ground abutting the building to a point midway between the highest and lowest points of the [highest] roof over any part of the building....”.

After discussion, the Planning Commission proposes to amend this section of the Ordinance and transmit this proposal to the County Commissioners, by a vote of 6 to 0.

Members also discussed an amendment to the parking regulations:

2. Section 157.090(E) 5, requires one parking space for every 100 square feet of area, used for servicing customers, for retail stores and businesses. The proposal is to amend this requirement to one parking space for every 200 square feet of area, used for servicing customers, for retail stores and businesses.

The Office of Planning and Land Management believes that this requirement should be reduced to one space for every 200 square feet of area for servicing customers. William DeVore the zoning administrator explained that the amendment is proposed to avoid the unnecessary creation of impervious surface and reduce the number of needless parking spaces. Some members of the Commission stated that the change would eliminate some costs, including excavation and stormwater requirements, thereby helping businesses at the lake. The Commission also believes that the change would be environmentally friendly.

After considerable discussion, the Planning Commission proposes to also amend this section of the Ordinance and transmit this proposal to the County Commissioners, by a vote of 6 to 0.

The Board also discussed an amendment regarding the scale of maps for Planned Residential Developments (PRD):

3. Section 157.067.M (6) of the Ordinance requires that a PRD final plan be drawn at a scale of one inch equals 50 feet. The Office of Planning and Land Management proposes to amend Section 157.067.M (6) a., by deleting the words “of 1 inch equals 50 feet.” The new wording would read: “The final plan of the PRD, drawn at a scale suitable for recording, and showing at least the following data:”

Mr. DeVore and Assistant Director Carpenter explained that this scale requirement is a known error in the Ordinance. The scale is too large and creates a discrepancy between the Ordinance and the Garrett County Subdivision Ordinance. The Planning Office believes that this change would resolve this discrepancy.

After discussion, the Planning Commission proposes to also amend this section of the Ordinance and transmit this proposal to the County Commissioners, by a vote of 6 to 0.

B. Miscellaneous

1. Deep Creek Watershed Zoning Appeals Cases-

- a. VR-727** - an application submitted by Thomas Morse for a Variance to allow the construction of an accessory, private swimming pool that would come to within 5.0 feet of the rear property line. The property is located at 2671 Marsh Hill Road, tax map 50, parcel 731, Lot 8 and is zoned Lake Residential 1 (LR1). The owner has purchased the “buy-down” from the State of Maryland. After discussion, the Planning Commission offered no comments on the application.

2. Minor Subdivisions – None.

3. Major Subdivisions– None.

4. Action on Planned Residential Developments (PRD’s) – None.

5. Waiver Requests – None

- C. Next Scheduled meeting** - The next regular meeting of the Planning Commission is scheduled for **October 1, 2014**, in the County Commissioners Meeting Room, at 1:30 pm.

D. Adjournment- 2:00 p.m.

Respectfully submitted,

William J. DeVore
Zoning Administrator

