

Frederick County Board of Zoning Appeals

Meeting Minutes

July 28, 2022

Board Member Mr. Dan Lawton called to order the regular hearing of the Frederick County Board of Zoning Appeals on Thursday, July 28, 2022, at 7 pm. This was a public meeting using WebEx and Public input via telephone. Board members present: Mr. John Greenwell, Shannon Bohrer, Mr. Dan Lawton, Mr. Jack Felton and Mr. Gerald Ciemba were present. Chairman Mr. John Farrell and board member Mr. Andrew Brown were absent, so Mr. Jack Felton, an alternate member, served in his place.

The County staff members present were Ms. Kathy Mitchell, Senior Assistant County Attorney, Mr. Tom Sinton, Assistant County Attorney, Mr. Justin Horman, Zoning Planner, II and Mr. Michael Paone, Zoning Planner I, and Mary Dolan, Administrative Specialist.

Board Member Lawton reviewed the guidelines and procedures for the Board and Public Attendees present.

Official minutes of the Board of Appeals meetings are kept on file in the Frederick County Planning and Permitting Division, 30 North Market Street, Frederick, Maryland 21701

Cases

B27-3349 (B-22-23) Henry

Requesting a 2 ft. variance to a 40 ft. front building restriction line in order to construct a covered porch, in accordance with Section 1-19-3.220 Variances, and Section 1-19-6.100 Design Requirements, of the Frederick County Zoning Ordinance. If approved, the variance would create a 38 ft. front building restriction line.

The Property is described as 7203 Jasper Court, Middletown MD 21769, Tax Map 0065, Parcel 0136, Tax ID# 03145484, Zoning - Low Density Residential (R3), Size 17,000 sq. ft.

The applicant was not present, and the case could not be presented to the board.

Mr. Greenwell made a motion to continue to case to the next Board meeting in August. Seconded by Mr. Bohrer. Voted on and was unanimously approved.

<u>VOTE</u>	<u>5-0-0-2</u>
FOR:	5
AGAINST:	0
ABSTAIN:	0
ABSENT:	2

B273349 (B-22-24) Carroll Creek Montessori Public Charter School

Requesting a Temporary Special Exception in accordance with Section Sec. 1-19-8.300 Temporary Structures and Uses Requiring Special Exception Approval of the Frederick County Zoning Ordinance to continue a previously approved public charter elementary school (Original case B-12-03).

The Property is described as 7215 Corporate Court, Frederick MD, 21703, Tax Map 86, Parcel 215, Lot 17, Tax ID# 28559909 Zoning Office, Zoning - Research Industrial (ORI), Size 3.54 Acres.

Lisa Graditor, McCurdy Dean & Graditor Law firm, 31 W. Patrick Street, Frederick, MD 21701 presented the case to the board and noted that there will be no changes in enrollment. It will operate the same as it has for the past 10 years. Also, present with Ms. Graditor was the chairperson of the Carroll Creek Montessori Public Charter School.

Mr. Felton made a motion to approve the request for a Temporary Special Exception in accordance with Section Sec. 1-19-8.300 Temporary Structures and Uses Requiring Special Exception Approval of the Frederick County Zoning Ordinance to continue a previously approved public charter elementary school (Original case B-12-03).

The Property is described as 7215 Corporate Court, Frederick MD, 21703, Tax Map 86, Parcel 215, Lot 17, Tax ID# 28559909 Zoning Office, Zoning - Research Industrial (ORI), Size 3.54 Acres.

Seconded by Mr. Bohrer. Voted on and was unanimously approved.

<u>VOTE</u>	<u>5-0-0-2</u>
FOR:	5
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

B267828 (B-22-25) Toms

Requesting approval of a Special Exception to permit an Accessory Dwelling Unit (ADU) Greater than 1,000 sq. ft. in accordance with Section 1-19-3.210 and Section 1-19-8.321 of the Frederick County Code.

The Property is described as 7619 Blue Mountain Road, Thurmont, MD 21788 Tax Map 25, Tax ID#15325690, Zoning – Agricultural (A), Size 1.7 Acres.

The Applicant Ms. Toms and her Designer Mr. Poffenberger were present for the presentation of the request. Ms. Toms stated that she wants to build a smaller house with only one level, something that she can handle better as she gets older. Mr. Poffenberger noted that the new structure will match the original house on the property in appearance.

Mr. Greenwell made a motion regarding a Special Exception to permit an Accessory Dwelling Unit (ADU) greater than 1,000 sq. ft. in accordance with Section 1-19-3.210 and Section 1-19-8.321 of the Frederick County Code to approve this request.

Seconded by Mr. Felton. Voted on and was unanimously approved.

<u>VOTE</u>	<u>5-0-0-2</u>
FOR:	5
AGAINST:	0
ABSTAIN:	0
ABSENT:	2

Adjournment

There being no additional business before the Board, the meeting was adjourned by Board Member Lawton at 7:20 pm.

Respectfully Submitted
Mary Dolan, Administrative Specialist II