

## **FREDERICK COUNTY BOARD OF APPEALS MEETING MINUTES FOR THURSDAY, November 15, 2007**

Billy Shreve, Chairman, called to order a meeting of the Frederick County Board of Appeals ("Board") for Thursday, November 15, 2007, at 7:00 p.m. Present were Bernard Bordenick, Robert Lawrence, Lara Roholt Westdorp, and Ron Peppe, Sr.. Also present were Michael Chomel, Senior Assistant County Attorney, and Planning Division staff Larry Smith, Zoning Administrator, Rick Brace, Principal Planner II, and Erica Cooke, Recording Secretary.

*Official Minutes of the Board of Appeals' meetings are kept on file in the Planning Division.*

Mr. Shreve stated the rules and procedures for the evening.

### **Approval of Minutes**

The Board unanimously approved the October 25 and 29, 2007 minutes as written, on a motion from Ms. Westdorp, seconded by Mr. Lawrence.

### **CASES**

Mr. Shreve swore in all persons who expected to testify at the meeting.

#### **B-07-27      Braveheart Kennels and Game Birds LLC/Daniel Rice & Barbara Kramer c/o Scott Miller, Esquire    (Continued from September 27, 2007 hearing)**

An application was filed requesting a special exception to establish a kennel for boarding and training of 28 dogs and a variance of 139 feet from the 150 feet setback required for outdoor runs, located on the north side of Tuscarora Road [MD Route 28], approximately 1 mile east of Catoclin Mountain Highway [US Route 15] (Tax Map 10, Parcel 35), zoned Agricultural.

The Board unanimously denied the variance request on a motion from Mr. Lawrence, seconded by Mr. Bordenick.

The Board approved the special exception subject to all oral and written testimony and agency comments and exhibits on a motion from Ms. Westdorp, seconded by Mr. Bordenick – Yeas - 3, Nays - 2 (Shreve, Lawrence).

*Mr. Shreve announced a break at 9:10 p.m. The meeting resumed at 9:25 p.m.*

#### **B-07-30      Allegheny Power (Continued from Oct. 25/29, 2007 hearings)**

An application was filed requesting a special exception to expand an existing building [16' x 28'] with an addition [16' x 12'] in an existing nongovernmental utility facility, located on the north side of Jefferson Pike (MD Route 180) at its intersection with I-70 (Tax Map 76, Parcel 465), zoned R-3.

The Board unanimously granted the special exception subject to all oral and written testimony and agency comments and exhibits, noting no testimony was heard from any

adjacent residents in the area, on a motion from Mr. Peppe, Sr., seconded by Mr. Bordenick.

**B-07-33      Douglas & Carol Renshaw**

An application was filed requesting a special exception to establish an accessory apartment, located on the south side of Merricks Court, approximately 1,000 feet east of Lynn Burke Road (Tax Map 89, Parcel 246, Lot 9B), zoned R-1.

The Board unanimously approved the special exception on a motion from Ms. Westdorp, seconded by Mr. Lawrence.

**ADJOURN**

Being no further business, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Erica Cooke  
Recording Secretary



Mr. Billy Shreve, Chairman