

## **FREDERICK COUNTY BOARD OF APPEALS MEETING MINUTES FOR THURSDAY, May 22, 2008**

Billy Shreve, Chairman, called to order a meeting of the Frederick County Board of Appeals ("Board") for Thursday May 22, 2008, at 7:00 p.m. Present were, Bernard Bordenick, Robert Lawrence, Lara Roholt Westdorp, and Ronald Peppe, Sr. Also present were Wendy Kearney, Deputy County Attorney, and Planning Division staff Larry Smith, Zoning Administrator, Rick Brace, Principal Planner, 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 Thursday, April 24, 2008 minutes as written, on a motion from Ms. Westdorp, seconded by Mr. Bordenick.

### **CASES**

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

#### **B-07-15      Birach Broadcasting**

An application was filed and continued for up to one (1) year from the May 2007 meeting, requesting a special exception to modify 3 existing communications towers and adding a new tower along with a new transmitter building previously granted in Case B-92-45, located on the east side of Crum Road, approximately 1,500 ft. northeast of the intersection of Crum Road and Route 26 (Tax Map 58, Parcel 15) Zoned Agricultural

The Board ruled to dismiss the case without prejudice on a motion from Mr. Bordenick, seconded by Ms. Westdorp. Yeas - 3, Nays - 2 (Lawrence, Peppe, Sr.)

#### **B-08-07      Ralph Fink, et al.**

An application was filed requesting a special exception to change a legal non-conforming use [butcher shop and activity area] to a HVAC contractor, located on the west side of Marker Road, 1/4 mile west of Mountain Church Road (Tax Map 64, Parcel 207) Zoned Agricultural

The Board unanimously approved the request, having met all of the requirements in sections of 1-19-48(B) and 1-19-119, with conditions that all trash and recycling receptacles shall be in the rear of the building and screened from adjoining neighbors, that there be no outside storage, the parking sufficiency shall be addressed at site plan, and the applicant be subject to all exhibits, testimony, and agency comments on a motion from Mr. Lawrence, seconded by Mr. Bordenick.

## **ADJOURN**

Being no further business, the meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Erica Cooke  
Recording Secretary

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Mr. Billy Shreve, Chairman