

FREDERICK COUNTY BOARD OF APPEALS MEETING MINUTES FOR
THURSDAY, JUNE 26, 2008.

Billy Shreve, Chairman, called to order a meeting of the Frederick County Board of Appeals ("Board") for Thursday June 26, 2008, at 7:00 p.m. Present were, Bernard Bordenick, Robert Lawrence, Lara Roholt Westdorp, and Ronald 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 Thursday, May 22, 2008 minutes as written, on a motion from Mr. Bordenick, seconded by Mr. Peppe Sr.

CASES

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

B-08-08 Dana Moran and Suzanne Quesada

An application was filed requesting a 10.8 ft. variance from the required 25 ft. front yard setback, located on the northeast side of Woodridge Rd, approximately 150' south of Woodlake Place in Woodridge, Lake Linganore (Tax Map 68, Parcel 148, Lot 207), zoned PUD.

The Board denied the request on a motion from Ms. Roholt Westdorp, seconded by Mr. Lawrence (Yea -3, Nays-2 Bordenick, Peppe Sr.)

B-08-09 Bryan Boswell

An application was filed requesting a special exception to establish an accessory apartment, located on the north side of Ward Kline Road, 1/4 mile east of Easterday Road, (Tax Map 38, Parcel 188), zoned Resource Conservation.

The Board unanimously granted the Applicant a continuation until the July 2008 hearing, with a condition that the applicant shall provide corrected materials prior to the mailing date of the July Board of Appeals packets, on a motion from Mr. Lawrence, seconded Ms. Roholt Westdorp.

B-08-10 Mt. Carmel UM Church

An Application was filed requesting a special exception to expand an existing place of worship in an R-3 Zone, located on the south side of Baltimore Road,

approximately 250 ft. west of Winding Ridge Road (Tax Map 78, Parcel 322), zoned R-3 Residential.

The Board unanimously granted the request, subject to all testimony, exhibits, staff and agency comments on a motion from Mr. Lawrence, seconded by Mr. Bordenick.

B-08-11 Barbara Waddell

An application was filed requesting a 24 ft. variance from the required 25 ft. front yard setback in order to replace an existing parking pad with a 24 ft. x 21 ft. garage and personal elevator, located on the west side of Lakeridge Court, approx. 200 ft. south of Lakeridge Rd., in Pinehurst, Lake Linganore (Tax Map 69, Parcel 96, Lot 109), zoned Planned Unit Development (PUD).

Mr. Lawrence made a motion to deny the request due to the applicant failing to meet the requirements for uniqueness, the intended structure would be injurious to the neighborhood, and because the applicant could find relief within the BRL. Mr. Shreve seconded the motion, which failed. (Yea -2, Nays-3 (Bordenick, Roholt Westdorp, Peppe Sr.).

The Board granted the request based on all testimony, examination of the requirements on Sections 1-19-47 and 1-19-321, and case law presented by counsel related to hardship, on a motion from Mr. Peppe Sr., seconded by Mr. Bordenick (Yea - 3, Nays-2 Shreve, Lawrence).

ADJOURN

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

Respectfully submitted,

Erica Cooke
Recording Secretary

Mr. Billy Shreve, Chairman