

FREDERICK COUNTY BOARD OF APPEALS MEETING MINUTES FOR THURSDAY, JULY 24, 2008.

Billy Shreve, Chairman, called to order a meeting of the Frederick County Board of Appeals ("Board") for Thursday July 24, 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, Craig Terry, 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.

Annual Election of Officers

Mr. Shreve turned the meeting over to Mr. Terry to conduct the annual election of officers in accordance with the Bylaws of the Board.

Mr. Terry called for nominations for Chairman. Mr. Bordenick nominated Mr. Shreve to continue as Chairman, seconded by Mr. Lawrence. Hearing no others, the call for nominations was closed. Mr. Shreve was reappointed Chairman (Yeas-4, Nays-0, Abstain-1 (Shreve)).

The meeting was turned back over to Mr. Shreve.

Mr. Shreve called for nominations for Vice Chairman. Mr. Lawrence nominated Ms. Roholt Westdorp as Vice Chairman, seconded by Mr. Peppe Sr. Hearing no others, the call for nominations was closed. Ms. Roholt Westdorp was unanimously appointed Vice Chairman.

Mr. Shreve called for nominations for Secretary. Mr. Shreve nominated Mr. Rick Brace as Secretary, seconded by Mr. Peppe Sr. Hearing no others, the call for nominations was closed. Mr. Rick Brace was unanimously appointed Secretary.

Approval of Minutes

The Board unanimously approved the Thursday, June 26, 2008 minutes as written, on a motion from Mr. Lawrence, seconded by Ms. Roholt Westdorp.

CASES

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

B-08-09 Bryan Boswell (continued from June hearing)

At the June 2008 hearing, the Applicant requested a special exception to establish an accessory apartment, located on the north side of Ward Kline Road, ¼ mile east of Easterday Road, (Tax Map 38, Parcel 188), zoned Resource Conservation, to which the Board granted the Applicants request for a one month

continuance. Prior to the July 2008 hearing, the Applicant requested a six-month continuance of the case.

The Board unanimously granted the Applicant a six-month continuation on a motion from Mr. Peppe Sr., seconded Mr. Bordenick.

B-08-13 Verizon Wireless/STC Three LLC

An application was filed requesting a special exception to expand a previously approved (B-95-27) communications tower and ground compound to permit additional communication equipment and to add more antenna users, located on the east side of Round Hill Road, approximately 2,500 ft. southeast of the intersection of I-70 and Ridge Road (Tax Map 66, Parcel 736), zoned Resource Conservation.

Ms. Roholt Westdorp moved to grant the extension of the ground compound and additional ground communications equipment shelter, but limit the total number of antenna users to six (6), seconded by Mr. Lawrence.

Mr. Bordenick moved to split the motion into two parts to address separately the issues of the extension of the ground complex and equipment, and the request for removal of any limitation on antenna users. The motion was seconded by Ms. Roholt Westdorp and unanimously approved by the Board.

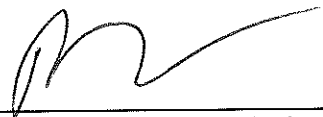
The Board unanimously approved the motion by Ms. Roholt Westdorp to grant the ground compound expansion of 12 ft. by 40 ft. and the additional ground communication equipment requested, seconded by Mr. Bordenick.

The Board unanimously approved the motion by Ms. Roholt Westdorp to change decision item #6 (page 3) of the 1995 Findings and Decisions for case B-95-27 to read "The tower can be utilized by up to six (6) users, similar in nature.", seconded by Mr. Lawrence.

Being no further business, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Erica Cooke
Recording Secretary



Mr. Billy Shreve, Chairman