

Frederick County Board of Appeals
Meeting Minutes
November 16, 2017

Mr. John Greenwell, Chair, called to order the regular hearing of the Frederick County Board of Appeals ("Board") for Thursday, November 16, 2017 ("Hearing") at 7:00 p.m. in the 1st. Floor Hearing Room in Winchester Hall, Frederick, MD. In addition to the Chair, Mr. Mike Bowersox, Mr. Earl Bell, Mr. Ken Farrell and Mr. Don Miller, Mr. Michael Chomel, Assistant County Attorney, and for the Division of Planning and Permitting ("Staff") Mr. Tolson DeSa, Zoning Administrator and Mr. Craig Terry, Zoning Planner.

Official Minutes of the Board of Appeals' meetings are kept on file in the Community Development Division.

Introductions

The Chair welcomed the audience to the hearing and requested that all cell phones and other electronic devices be turned off.

Approval of Minutes

On a motion by Mr. Bowersox, and a second by Mr. Miller, The Board approved the minutes of the August 24, 2017 meeting by a vote of 5-0.

Elections of Officers

The Board nominated and voted to elect Mr. John Greenwell as Chairman, Mr. Earl Bell as Vice Chairman and Mr. Don Miller as Secretary.

Rules and Procedures

The Chair stated the rules and procedures for the hearing and swore in all persons who expected to testify or cross-examine at the hearing.

Site Visits

All Board members present, indicated that they had visited the sites for the Cases before them.

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(Continued)

Request of Reconsideration of Case B-17-10, TowerCom VI, LLC.

The Board addressed a Request of Reconsideration of Case B-17-10, TowerCom VI, LLC. From the opponents of the approval. Mr. Bell made a motion to reconsider the case but, since second for the motion was not offered, the Request for Reconsideration was denied.

B-17-12 Randy B. & Kathi Stockman

Randy B. & Kathi Stockman, as represented by David Severn, Esq. of Offit Kurman has requested a Variance of 1 acre from the 10 acre minimum lot size for the subdivision of one lot in the RC zoning district located on the northwest side of Basford Road (3718 Basford Road, Tax Map 93, Parcel 23, Tax IDs #14-308016) and is zoned Resource Conservation (RC).

The Applicable Zoning Ordinance are:

- 1-19-3.220 Variances
- 1-19-6.334 Design Requirements

Mr. Terry read the staff report. Mr. Tolson noted no agency comments. David Severn presented his client's case. No one spoke in opposition or in favor of the Application. Based upon the evidence and testimony presented at the hearing the Board found that the request for the Variance did meet the requirements of the Zoning Ordinance Section 1-19-3.220 and Section 1-19-6.334. On a motion by Mr. Bowersox, seconded by Mr. Bell, the Board voted 5-0 to approve the Applicant's request

The meeting adjourned at 7:19 p.m.



Respectfully submitted,
Donald L. Miller, Secretary