

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR TUESDAY, FEBRUARY 21, 2012**

Commissioner Blaine R. Young, *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, February 21, 2012, at 9:00 a.m. Present were Commissioners Billy Shreve, David Gray and Kirby Delauter. Also present were Mr. Dave Dunn, County Manager and Ms. Patti Morrow, Recording Secretary. Commissioner C. Paul Smith, *Vice President*, was absent from the meeting.

*(Official minutes of the Board of County Commissioners' meetings are kept on file in the County Manager's Office; the meetings are also video recorded. Approved minutes are available on the county's website. To receive a copy of meetings recorded on videotape or DVD, please contact the Board of County Commissioners at 301-600-1100 or visit the county's website at [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov).)*

**COMMISSIONER COMMENTS**

None.

**ADMINISTRATIVE BUSINESS****2011 Comprehensive Plan / Zoning Review (Town of New Market (Town) Draft Plan and New Market Region Requests) – Jim Gugel, Community Development Division**

Mr. Eric Soter, Community Development Division, noted how the schedule for the review of the individual property owner requests would proceed.

**Town of New Market Draft Plan**

Mr. Gugel gave a brief overview of the Town's draft plan. It was indicated the draft plan schedule would be concurrently following the county comprehensive plan / zoning review process.

Staff indicated the Town's annexation issues may come into play with the property owner requests. The county would supply the water and sewer to properties that would be annexed into the Town leaving no incentive for a property owner to seek annexation within the Town.

The Board moved forward with the property owner requests with no further discussion of the Town's draft plan.

**New Market Region**

Mr. Gugel commented the Board would be making preliminary decisions today and they could be reconsidered during workshops in the future.

Please see the attached document for the Board's decisions on the individual properties located in the New Market region.

Commissioner Young indicated the votes were a straw poll and an analysis would be done before the final vote on the plan.

**BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY MEETING MINUTES  
FOR TUESDAY, FEBRUARY 21, 2012**

**COMMISSIONER COMMENTS**

Commissioner Gray indicated he would like to hear discussions on the property requests.

Commissioner Young objected to Commissioner Gray's comment stating the Board is doing what they said they would do during the 2010 campaign.

Commissioner Shreve noted he had been following the property requests since 2000.

Commissioner Delauter said he had done his homework and was only doing what he had promised during the campaign.

**PUBLIC COMMENTS**

- Winslow Burhans, Mayor, Town of New Market
- Rand Weinberg, Esquire, Miles and Stockbridge
- Bonnie Bailey-Baker

**QUESTIONS – PRESS**

None.

**ADJOURN**

The meeting adjourned at 10:15 a.m.

Patricia A. Morrow  
Recording Secretary

2011 Comprehensive Plan & Zoning Review - Property Owner Requests - February 21, 2012

**NEW MARKET REGION**

CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
<b>CPZ11-NM-01</b>  APPLICANT: Haley/Carole Tate	TAX MAP: 80 PARCEL: 146, lot 1 ACRES: 1.01 LOCATION: N/S Old National Pike, 0.40 miles east of MD 75	COMP PLAN	Low Density Res.	Low Density Res.	Gen. Commercial	BY motion to approve request. BS second. Vote: 4-0 with PS absent.	No change from 2010 Plan. Property located within the New Market CGA. Staff supports the request in order to facilitate the adaptive reuse of an historic residential property for office uses.
		ZONING	Pre-2008 NM Plan: A	A	GC		
<b>CPZ11-NM-02</b>  APPLICANT: William Wimmer, c/o Wimmer Real Estate, LLC.	TAX MAP: 90 PARCEL: 67 ACRES: 86 LOCATION: NE corner of Sidney Rd & Old National Pike	COMP PLAN	Pre-2008 NM Plan: Rural Neighborhood	Ag/Rural	Rural Residential	BY motion to restore comp plan designation. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: Rural Neighborhood plan/Ag. zoning Property is not within a CGA nor Mt. Airy's growth/annexation area. Expansion of Rural Residential Plan designation into Ag./Rural area not indicated by the Comprehensive Plan.
		ZONING	A	A	R-1		
<b>CPZ11-NM-03</b>  APPLICANT: Harvest Wind Lutheran Church,	TAX MAP: 79 PARCEL: 34 ACRES: 19 LOCATION: South side Old National Pike, across from Eaglehead Drive	COMP PLAN	Low Density Res.	Low Density Res.	Gen. Commercial	BY motion to deny. BS second. Vote: 4-0 with PS absent.	No change from either 2010 Plan or 2008 New Market Region Plan. Staff does not support additional GC zoning at this site as approximately 200,000 sq. ft. of commercial uses proposed for Linganore Town Center plus 40 acres of GC zoning exist at the Mussetter Road/Old National Pike intersection. Should assess as part of a Corridor Plan.
		ZONING	A	A	GC		
<b>CPZ11-NM-04</b>  APPLICANT: Robert Renn & Mark Renn	TAX MAP: 78 PARCEL: 338 ACRES: 12.7 LOCATION: West side Meadow Rd, 1,100 feet south of Lake Linganore	COMP PLAN	Low Density Res.	Natural Resource	Ag/Rural	BY motion to restore. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2010 Plan: LDR plan and Ag. zoning Parcel is fully wooded, contains steep and moderate slopes and is part of a 200+acre, contiguous forested area south of Lake Linganore. NR/RC is consistent with the physical characteristics of the parcel.
		ZONING	A	RC	A		
<b>CPZ11-NM-05</b>  APPLICANT: Turnpike Farms, L.P., (Ganley)	TAX MAP: 80 PARCEL: 9 ACRES: 55 LOCATION: N/S Old National Pike, 2,400 ft west of Detrick Rd.	COMP PLAN	Low Density Res.	Low Density Res.	Low Density Res.	BY motion to restore. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: LDR plan and R-3 zoning. The Town of New Market has identified this parcel for annexation as Economic Development Flex in their 2011 Draft Master Plan. Staff recommends retention of Agricultural zoning to facilitate annexation per the Town's Plan
		ZONING	Pre-2008 NM Plan: R-3	A	R-3		

**NEW MARKET REGION**

CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
<b>CPZ11-NM-06</b>  APPLICANT: RJD Development Corp. (Richard Demitt)	TAX MAP: 88 PARCEL: 32 ACRES: 131.5 LOCATION: S/E side of Baldwin Road, south of I-70	COMP PLAN	Pre-2008 NM Plan: Office/Resch./Ind. Limited Industrial MDR	Office/Resch./Ind.	ORI (20 ac), Limited Ind. (30 ac) LDR (81 ac)	BY motion to restore. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: ORI, LI, MDR plan and ORI, LI, R-5 zoning. Town of New Market identifies this parcel for annexation as Economic Development Flex. Staff supports the retention of the ORI designation and ORI/Ag. zoning in order to facilitate an MXD development. This will allow greater development flexibility and better overall site design than can be realized from the past arbitrary locations of the R-5, LI, and ORI zoning that previously existed.
		ZONING	Pre-2008 NM Plan: ORI LI R-5	ORI (20 ac) A (111 ac)	ORI (20 ac) LI (30 ac) R-5 (81 ac)		
<b>CPZ11-NM-07</b>  APPLICANT: Market Station & Baldwin Rd, LLC (Richard Demitt)	TAX MAP: 88 PARCEL: 4 ACRES: 8.8 LOCATION: W/S MD 75, south of I-70 E/B Ramp, north of Baldwin Road	COMP PLAN	Pre-2008 NM Plan: Gen. Commercial	Natural Resource	Gen. Commercial	BY motion to restore. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: GC plan and GC zoning. A site plan was submitted for a 4-acre area in 2000. Parcel has several constraints including a sewer line on the west side of Davis Branch, streams, wetlands, slopes and woodlands. Recommend retaining NRC on northern portion.
		ZONING	Pre-2008 NM Plan: GC	RC	GC		
<b>CPZ11-MN-08</b>  APPLICANT: Beshers Land Co, No. 2, LLC (Eric Beshers)	TAX MAP: 78 PARCEL: 480 ACRES: 36 LOCATION: Terminus of Dresden Place, adjacent to Spring Ridge	COMP PLAN	Pre-2008 NM Plan: Low Density Res.	Natural Resource	Natural Res. (20 ac), LDR (16 ac)	BY motion to restore. KD second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: LDR plan and R-3 zoning. Staff supports the rezoning request for 16 acres of R-3 at the end of Dresden Place, with the remainder of the forested slopes on the parcel NR/RC and remaining out of the CGA.
		ZONING	Pre-2008 NM Plan: R-3 (16 ac)	RC	RC (20 ac) R-3 (16 ac)		
<b>CPZ11-MN-09</b>  APPLICANT: William Browning	TAX MAP: 89 PARCEL: p/o 22 ACRES: 6 LOCATION: E/S Bartholows Rd, 600 ft. north of West Oak Drive	COMP PLAN	Rural Neighborhood	Ag/Rural	Rural Residential	BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.	Pre-2010 Plan: Rural Neighborhood plan and R-1 zoning. Property is not within a CGA. This is a small remainder parcel and staff would not object to restoring the R-1 zoning.
		ZONING	R-1	A	R-1		
<b>CPZ11-NM-10</b>  APPLICANT: Clare Hill	TAX MAP: 87 PARCEL: 22 ACRES: 28 LOCATION: E/S Ijamsville Rd, south of Mahogany Run	COMP PLAN	Low Density Res.	Ag/Rural	Low Density Res.	BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.	Pre-2010 Plan: LDR plan and R-1 zoning. Subject parcel is remainder after 31 well/septic residential lots (Hunting Hills) created in early 1970's. Change to A zoning in 2010 was with concurrence of the property owner. Staff would not object to restoring the LDR Plan designation and R-1 zoning
		ZONING	R-1	A	R-1		

# NEW MARKET REGION

CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
<b>CPZ11-NM-11</b>  APPLICANT: Atanasoff Family Ltd. Pnshp	TAX MAP: 89 PARCEL: 247 ACRES: 81 LOCATION: Terminus of Ridgeway Court, Monrovia	COMP PLAN	Rur. Neigh. (12 ac) Res. Cons. (69 ac)	Natural Resource	Rural Res. (12 ac)	BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.	Pre-2010 Plan: Rural Neighborhood and RC Plan; R-1 (15 ac.) zoning Remainder parcel accesses Ridgeway Court via a 25-ft. wide 'pandhandle.' Zoning Ordinance requires a pandhandle to be 20-feet wide to serve a single lot or two 10-ft adjacent pandhandles to serve two lots. Even with R-1 zoning, the access condition would only permit 2 new residential lots. The existing RC zoning would allow two 10-acre lots.
		ZONING	R-1 (12 ac) RC (69 ac)	RC	RC (69 ac) R-1 (12 ac)		
<b>CPZ11-NM-12</b>  APPLICANT: Oakdale Investments, LLC.	TAX MAP: 68, 69, 78, 79 PARCEL: Multiple Parcels ACRES: LOCATION: Lake Linganore	COMP PLAN	Pre-2008 NM Plan: Low Density Res.	Low Density Res., Ag/Rural, Natural Resource	Low Density Res.	BY motion to grant request with futher review. KD second. Vote: 3-1 with DG opposed and PS absent.	Pre-2010 Plan: Ag/Rural, LDR Plan; A and PUD zoning. Pre-2008 NM Plan: LDR Plan, PUD zoning. 2008 NM Region Plan removed LDR Plan and PUD zoning from several land bays. 2010 Plan removed additional LDR Plan and PUD zoning. Applicant seeks restoration of all LDR Plan and PUD zoning. Subject to current litigation.
		ZONING	Pre-2008 NM Plan: PUD	A RC PUD			
<b>CPZ11-NM-13</b>  APPLICANT: Charlyn, LLC (Cline farm)	TAX MAP: 79 PARCEL: 29 & 283, lot 2 ACRES: P. 29: 170 ac., P.283, lot 2: 2 ac. LOCATION: East and west sides of Boyers Mill Road, 1 mile north of MD 144	COMP PLAN	Pre-2008 NM Plan: Low Density Res.	Ag/Rural	Low Density Res.	BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: LDR plan and Ag. zoning The Town of New Market has identified this parcel for annexation as Planned Residential Development (PDR) in their Draft Plan. Staff would not object to restoring the LDR Plan designation, though maintaining the Ag zoning to facilitate annexation per the Town's Plan.
		ZONING	A	A	A		
<b>CPZ11-NM-14</b>  APPLICANT: Justron, LLC (Smith farm)	TAX MAP: 79 PARCEL: 213 ACRES: 92 LOCATION: W/S Boyers Mill Road, 3,000 feet north of MD 144	COMP PLAN	Pre-2008 NM Plan: Low Density Res.	Ag/Rural	Low Density Res.	BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: LDR plan and Ag. zoning The Town of New Market has identified this parcel for annexation as Planned Residential Development (PDR) in their Draft Plan. Staff would not object to restoring the LDR Plan designation, though maintaining the Ag zoning to facilitate annexation per the Town's Plan.
		ZONING	A	A	A		
<b>CPZ11-NM-15</b>  APPLICANT: Richardson Ventures, LLC	TAX MAP: 89 PARCEL: 49 ACRES: 54 LOCATION: E/S Bill Moxley Road, 6,000 feet south of I-70	COMP PLAN	Pre-2008 NM Plan: Low Density Res.	Ag/Rural	Rural Residential	BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: LDR plan and R-1 zoning. Property is not within a CGA. LDR Plan and R-1 zoning were removed to maintain larger contiguous block of agricultural properties in this area. LDR indicates planned (or existing) public water and sewer, but this parcel not served by the Subregional Samhill Water or Mill Bottom Sewer systems. Ability to connect to the Subregional water and sewer system, for development on public water and sewer, not guaranteed.
		ZONING	Pre-2008 NM Plan: R-1	A	R-1		

# NEW MARKET REGION

CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
<b>CPZ11-NM-16</b>  APPLICANT: Gladhill Family Partnership	TAX MAP: 78 PARCEL: 742, lots 1-4 ACRES: Lot 1: 40 ac.; Lot 2: 31 ac.; Lot 3: 25 ac.; Lot 4: 49 ac. (146 ac. Total) LOCATION: N/S Reichs Ford Rd, 1,600 ft east of the Monocacy River	COMP PLAN	<b>Pre-2008 NM Plan: Low Density Res.</b>	<b>Ag/Rural</b>	<b>Low Density Res.</b>	BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: LDR plan and Ag zoning. Staff does not support the LDR for expansion of the CGA. Could be evaluated as part of a Community Plan.
		ZONING	<b>A</b>	<b>A</b>	<b>A</b>		
<b>CPZ11-NM-17</b>  APPLICANT: Gladhill/Bare	TAX MAP: 78 PARCEL: 55 ACRES: 8.8 LOCATION: N/S Pinecliff Park Road, 200 ft. north of Reichs Ford Rd	COMP PLAN	<b>Resource Cons.</b>	<b>Ag/Rural</b>	<b>Low Density Res.</b>	BY motion to deny. KD second. Vote: 4- 0 with PS absent.	Pre-2010 Plan: Resource Conservation Plan; Ag zoning. Staff does not support the LDR for expansion of the CGA. Could be evaluated as part of a Community Plan.
		ZONING	<b>A</b>	<b>A</b>	<b>A</b>		
<b>CPZ11-NM-18</b>  APPLICANT: James/Holly Frey	TAX MAP: 98 PARCEL: 104 ACRES: 20 LOCATION: N/S Penn Shop Rd., 850 feet east of Lomar Drive	COMP PLAN	<b>Rural Residential</b>	<b>Rural Residential</b>	<b>Low Density Res.</b>	BY motion to restore zoning only. KD second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: Rural Neighborhood Plan and R-1 zoning. Staff would not object to an LDR Plan designation with R-1 zoning for development on public water and sewer. However, the ability to connect to the Samhill/Mill Bottom Sub-regional water and sewer system, for development on public water and sewer, is not guaranteed.
		ZONING	<b>Pre-2008 NM Plan: R-1</b>	<b>A</b>	<b>R-1</b>		
<b>CPZ11-NM-19</b>  APPLICANT: James/Holly Frey	TAX MAP: 99 PARCEL: 3, lots 1, 2, 3, 4 ACRES: Lot 1: 3.1 ac.; Lot 2: 2.3 ac.; Lot 3: 2.5 ac.; Lot 4: 3.2 ac. (total: 11 acres) LOCATION: W/S Penn Shop Road	COMP PLAN	<b>Rural Residential</b>	<b>Rural Residential</b>	<b>Rural Residential</b>	BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: Rural Neighborhood plan and R-1 zoning. This 4-four lot well/septic subdivision (Shirley's Ridge) was approved and recorded in 2009. The current Agricultural zoning has no impact on future residential development on these 4 residential lots.
		ZONING	<b>Pre-2008 NM Plan: R-1</b>	<b>A</b>	<b>R-1</b>		
<b>CPZ11-NM-20</b>  APPLICANT: Hutzell Family Partnership	TAX MAP: 79 PARCEL: 112 ACRES: 16.3 LOCATION: N/S Old National Pike, adjacent to Oakdale Elementary School	COMP PLAN	<b>Pre-2008 NM Plan: MDR (44 ac), Gen. Comm. (8 ac) Gen. Commercial</b>	<b>Med. Density Res.</b>	<b>Med. Density Res.</b>	BY motion to restore. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: GC, MDR plan and R-5, GC zoning. Property is adjacent to parcel described in request # 21 and combined for acreage calculations. Parcel is part of the larger Linganore Town Center. Staff would prefer to see PUD zoning on this and the Carey parcel, which would provide greater flexibility for the overall design and for locating appropriate commercial uses.
		ZONING	<b>Pre-2008 NM Plan: R-5 (44 ac) GC (8 ac)</b>	<b>A</b>	<b>R-5</b>		

# NEW MARKET REGION

CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
<b>CPZ11-NM-21</b>  APPLICANT: E. Carlton and Gladys Carey	TAX MAP: 79 PARCEL: 162 ACRES: 35.7 LOCATION: N/S Old National Pike, adjacent to Oakdale Elementary School	COMP PLAN	Pre-2008 NM Plan: MDR (44 ac), Gen. Comm. (8 ac) Gen. Commercial	Med. Density Res.	Med. Density Res. Gen. Com. (10 ac)	BY motion to restore. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: GC, MDR plan and R-5, GC zoning. Property is adjacent to parcel described in request #20 and combined for acreage calculations. Parcel is part of the larger Linganore Town Center. Staff would prefer to see PUD zoning on this and the Carey parcel, which would provide greater flexibility for the overall design and for locating appropriate commercial uses.
		ZONING	Pre-2008 NM Plan: R-5 (44 ac) GC (8 ac)	A	R-5 (25.7 ac) GC (10 ac)		
<b>CPZ11-NM-22</b>  APPLICANT: George Delaplaine	TAX MAP: 79 PARCEL: 217 ACRES: 134 LOCATION: N/W side Old New Market Rd, west of MD 75	COMP PLAN	Pre-2008 NM Plan: Ag/Rural in CGA	Ag/Rural	Ag/Rural in CGA	BY motion to restore. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: Ag, Rural in growth area and Ag. zoning. The Town of New Market has identified this parcel for annexation as Economic Development Flex on their Draft Plan. Staff would not object to including within the New Market CGA with Ag./Rural Plan and Agricultural zoning to promote annexation per the Town Plan.
		ZONING	A	A	A		
<b>CPZ11-NM-23</b>  APPLICANT: Alan Cawood,	TAX MAP: 89 PARCEL: 113 ACRES: 1.8 LOCATION: N/S Old National Pike, west of Woodville Rd.	COMP PLAN	Ag/Rural	Ag/Rural	Village Center	BY motion to deny. BS second. Vote: 3-1 with DG opposed and PS absent.	No change made during 2010 Plan update or 2008 New Market Plan update. Property obtained S.E. approval in 1982 for auto repair in the Ag zone. Property has a commercial building and a residence. Staff would not object to VC zoning.
		ZONING	A	A	VC		
<b>CPZ11-NM-24</b>  APPLICANT: Timothy Rigler WITHDRAWN 11/14/2011	TAX MAP: 84 PARCEL: 28 ACRES: 25 LOCATION: N/S Prospect Road, adjacent to Town of Mt. Airy	COMP PLAN		Low-Density-Res.	Low-Density-Res.	BY motion to deny. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2010 Plan: Ag, Rural plan and Ag zoning, (within Mt. Airy CGA) Within Town of Mt. Airy's Annexation Area and identified on Town's Master Plan for low density residential uses.
		ZONING		A	R-3		
<b>CPZ11-NM-25</b>  APPLICANT: Mt. Airy Building Supply Co. (Howard Payne)	TAX MAP: 88 PARCEL: 177 ACRES: 0.33 LOCATION: E/S MD 75 in historic Monrovia	COMP PLAN	Gen. Commercial	Gen. Commercial	General Industrial	BY motion to approve request. KD second. Vote: 4-0 with PS absent.	Pre-2010 Plan: GC Plan/ GI zoning. Property contains a structure used as an office building for a contractors' company with associated commercial vehicular storage. 2010 zoning change made to align zoning category with Plan designation.
		ZONING	GI	GC	GI		

# NEW MARKET REGION

CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
<b>CPZ11-NM-26</b>  APPLICANT: Howard Payne	TAX MAP: 88 PARCEL: 123 ACRES: 5.9 LOCATION: W/S MD 75, Green Valley Rd, adjacent to RR	COMP PLAN	Resource Conserv.	Natural Resource	General Industrial	BY motion to deny. KD second. Vote: 3-1 with DG opposed and PS absent.	No change made during 2010 Plan update or 2008 New Market Plan update. Landscape characteristics consistent with application of RC zoning. Property is vacant, predominately wooded and adjacent to FEMA 100-yr floodplain, in addition to three residential dwellings.
		ZONING	RC	RC	GI		
<b>CPZ11-NM-27</b>  APPLICANT: Mt. Airy Building Supply Co. (Howard Payne)	TAX MAP: 88 PARCEL: 49 ACRES: 2 LOCATION: E/S MD 75, Green Valley Rd, in historic Monrovia	COMP PLAN	Gen. Commercial	Gen. Commercial	General Industrial	BY motion to approve request. BS second. Vote:3-1 with DG opposed and PS absent.	Pre-2010 Plan: GC Plan/ GI zoning. Property has an office use in an historic structure with no outdoor storage. Change in 2010 was made to have the zoning consistent with the existing use and the Plan designation.
		ZONING	GI	GC	GI		
<b>CPZ11-NM-28</b>  APPLICANT: Howard Payne	TAX MAP: 88 PARCEL: 77 ACRES: 0.25 LOCATION: W/S MD 75, Green Valley Rd, south of RR	COMP PLAN	General Industr.	Village Center	Gen. Commercial	BY motion to approve the request. BS second. Vote: 4-0 with PS absent.	Pre-2010 Plan: GI (Plan)/ GC (zoning) Staff would not object to the GC zoning and Plan designation.
		ZONING	GC	VC	GC		
<b>CPZ11-NM-29</b>  APPLICANT: Mt. Airy Building Supply Co. (Howard Payne)	TAX MAP: 88 PARCEL: 87 ACRES: 3.8 LOCATION: E/S MD 75, Green Valley Rd, in historic Monrovia	COMP PLAN	Gen. Commercial	Gen. Commercial	General Industrial	BY motion to approve request. BS second. Vote: 3-1 with DG oppose and PS absent.	Pre-2010 Plan: GC (Plan)/ GI (zoning). Property contains multiple dwellings used for contractors' office and some storage. Change in 2010 was made to have the zoning consistent with the Plan designation.
		ZONING	GI	GC	GI		
<b>CPZ11-NM-30</b>  APPLICANT: Howard Payne	TAX MAP: 88 PARCEL: 122 ACRES: 0.98 LOCATION: W/S MD 75, Green Valley Rd, south of RR	COMP PLAN	Resource Conserv.	Natural Resource	General Industrial	BY motion to deny. KD second. Vote: 4-0 with PS absent.	No change made during 2010 Plan update or 2008 New Market Plan update. Property is vacant, wooded and contains FEMA 100-yr floodplain. Landscape features consistent with application of RC zoning.
		ZONING	RC	RC	GI		



# NEW MARKET REGION

CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
<b>CPZ11-NM-31</b>  APPLICANT: Mt. Airy Building Supply Co. (Howard Payne)	TAX MAP: 88 PARCEL: 76 ACRES: 0.80 LOCATION: E/S and W/S MD 75, Green Valley Rd.	COMP PLAN	General Ind.	Village Center	Gen. Commercial	BY motion to approve request. KD second. Vote: 4-0 with PS absent.	Pre-2010 Plan: GI (Plan)/ GC (zoning) Parcel contains an unused structure and is split by MD 75. Staff supports application of GC zoning and Plan designation on the west side of MD 75. The portion on the east side of MD 75 should remain VC.
		ZONING	GC	VC	GC		
<b>CPZ11-NM-32</b>  APPLICANT: Rayburn Family, LLP	TAX MAP: 78 PARCEL: 327 ACRES: 80 LOCATION: S/S Old National Pike, west of Ijamsville Rd	COMP PLAN	Low Density Res.	Low Density Res.	Low Density Res.	BY motion to deny. KD second. Vote: 4-0 with PS absent.	No change made during 2010 Plan update or 2008 New Market Plan update. Property within the Spring Ride/Bartonsville CGA and surrounded by R-1 and R-3 zoned land. Staff would prefer to have PUD zoning applied but would not object to the R-3 zoning.
		ZONING	A	A	R-3		
<b>CPZ11-NM-33</b>  APPLICANT: Michael Thompson and Richard Lawson	TAX MAP: 68 PARCEL: 176 & 11 ACRES: P. 176: 4.9 ac.; P.11: 9.5 ac. LOCATION: S/S Gas House Pike @ Linganore Rd	COMP PLAN	Pre-2008 NM Plan: Low Density Res.	Ag/Rural	Low Density Res.	BY motion to restore comp plan designation. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: LDR plan and Ag zoning. Property is not within a CGA and has never been part of the Linganore PUD. Comprehensive Plan focuses growth within CGAs on public water and sewer, not individual wells and private septic systems. Parcel 176 is not a legal lot. Properties not subject to any prior zoning change.
		ZONING	A	A	R-1		
<b>CPZ11-NM-34</b>  APPLICANT: Greg Dorsey	TAX MAP: 79 PARCEL: 262 ACRES: 10 LOCATION: W/S Meadow Road, south of Lake Linganore	COMP PLAN	Low Density Res.	Natural Resource	Low Density Res.	BY motion to restore. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2010 Plan: LDR plan and Ag zoning. Property is fully wooded and is part of a 200+ acre, contiguous forested area south of Lake Linganore. Characteristics are consistent with the application of RC zoning and NR Plan designation.
		ZONING	A	RC	A		
<b>CPZ11-NM-35</b>  APPLICANT: Cromwell Heritage, LLC , c/o Greg Dorsey	TAX MAP: 79 PARCEL: 101 ACRES: 32 LOCATION: E/S Meadow Road, south of Lake Linganore	COMP PLAN	Low Density Res.	Ag/Rural (within CGA)	Low Density Res.	BY motion to restore. BS second. Vote: 3-1 with DG opposed and PS absent.	Pre-2010 Plan: LDR plan and Ag zoning. Parcel is part of the larger Linganore Town Center area. Staff supports addition of LDR on this property to adjoin LDR holdings to the south.
		ZONING	A	A	A		

# NEW MARKET REGION

CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
<b>CPZ11-NM-36</b>  APPLICANT: William/Lillian Blentinger	TAX MAP: 79 PARCEL: 2 & 3 ACRES: P. 2: 154.5 ac.; P. 3: 127.9 ac. (total 282.4 ac) LOCATION: E/S Boyers Mill Road	COMP PLAN	Pre-2008 NM Plan: Low Density Res.	Ag/Rural	Low Density Res.		Pre-2008 New Market Plan: LDR plan and Ag zoning. Should be evaluated as part of a Community Plan  BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.
		ZONING	A	A	A		
<b>CPZ11-NM-37</b>  APPLICANT: Kline, Scott, Visco Retirement Trust,	TAX MAP: 68 PARCEL: 174, 175 ACRES: P. 174: 12 ac.; P. 175: 4.6 ac. LOCATION: W/S Linganore Road, south of Gas House Pike	COMP PLAN	Pre-2008 NM Plan: Low Density Res.	Ag/Rural	Low Density Res.		Pre-2008 New Market Plan: LDR plan and Ag zoning. This property was not created through a valid subdivision process and this is not recognized as a legal lot. Comprehensive Plan focuses growth within CGAs on public water and sewer, not individual wells and private septic systems.  BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.
		ZONING	A	A	R-1		
<b>CPZ11-NM-38</b>  APPLICANT: Carolyn/Jack Anderson	TAX MAP: 69 PARCEL: 198 (parcel does not show on maps) ACRES: 8 LOCATION: S/S Gas House Pike, 1 mile east of McKaig Rd	COMP PLAN	Low Density Res.	Ag/Rural	Low Density Res.		Pre-2010 Plan: LDR plan and PUD zoning. Property is surrounded by the Oakdale holdings and was part of the Linganore PUD. Staff would support the LDR Plan designation, but maintain Agricultural zoning for future application of PUD zoning to facilitate design and development compatability with adjacent parcels.  BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.
		ZONING	PUD	A	R-5		
<b>CPZ11-NM-39</b>  APPLICANT: Juanita Traylor	TAX MAP: 69 PARCEL: 197 ACRES: 34 LOCATION: terminus of Crickenberger Road	COMP PLAN	Pre-2008 NM Plan: Low Density Res.	Ag/Rural	LDR (25 ac)		Pre-2008 New Market Plan: LDR plan and Ag zoning. Could be evaluated as part of a Community Plan  BY motion to restore. BS second. Vote: 3-1 with DG opposed and PS absent.
		ZONING	A	A	A		
<b>CPZ11-NM-40</b>  APPLICANT: Mayda Tsaknis	TAX MAP: 89 PARCEL: 23 ACRES: 122 LOCATION: W/S Bill Moxley Rd, 1.2 miles east of Bartholows Rd.	COMP PLAN	Ag/Rural	Ag/Rural	Rural Residential		No change made in 2010 Plan or 2008 New Market Plan. Property has used its Agricultural subdivision rights and created 8 residential lots in 1977. Agricultural zoning maintains a larger contiguous agricultural area along this corridor. Comprehensive Plan focuses growth within CGAs on public water and sewer. Expansion of Rural Residential designation into Ag/Rural areas not indicated by Comprehensive Plan.  BY motion to deny. BS second. Vote: 4-0 with PS absent.
		ZONING	A	A	R-1		

**NEW MARKET REGION**

CASE INFORMATION	PROPERTY		Pre-2010	Existing	Requested	BOCC	Staff Comments
<b>CPZ11-NM-41</b>  APPLICANT: Saul Holdings LP	TAX MAP: 88 PARCEL: 32 & 100, lot 1 ACRES: P. 32: 7 ac.; P. 100, lot 1: 28 ac. LOCATION: S/S Baldwin Road, west of current MD 75 park/ride lot	COMP PLAN	Pre-2008 NM Plan: Gen. Commercial Resource Cons.	Gen. Commercial Natural Resource	Gen. Commercial	BY motion to restore. KD second. Vote 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: RC/GC (Plan)/GC (zoning) Parcels have several environmental features including moderate and steep slopes, stream and some forested areas. Staff could not object to the GC zoning as these features would be protected through various zoning regulations.
		ZONING	Pre-2008 NM Plan: GC	GC (17.6 ac) RC (13.3 ac)	GC (30.9 ac)		
<b>CPZ11-NM-42</b>  APPLICANT: Betty Brown Casey, et al.	TAX MAP: 79/69 PARCEL: 4, 11, 30, 122 ACRES: P4: 133 ac.; P11: 143 ac.; P30: 174 ac.; P122: 188 ac. (638 total) LOCATION: E/S Boyers Mill Road, west of MD 75	COMP PLAN	Pre-2008 NM Plan: Low Density Res.	Ag/Rural	Low Density Res.	By motion to restore the comp plan designation. KD second. Vote: 3-1 with DG opposed and PS absent.	Pre-2008 New Market Plan: LDR plan and PUD zoning Should be evaluated as part of a Community Plan.
		ZONING	Pre-2008 NM Plan: PUD	A	R-3		
<b>CPZ11-NM-43</b>  APPLICANT: Twin Arch Associates Family LLLP	TAX MAP: 80 PARCEL: 21 ACRES: 32 LOCATION: N/S Woodville Rd @ Jesse Smith Rd.	COMP PLAN	Ag/Rural	Ag/Rural	Rural Residential	BY motion to deny. BS second. Vote: 4-0 with PS absent.	No change made in 2010 Plan or 2008 New Market Plan Parcel has utilized its Ag-subdivision rights (3 lots in 1992). Property is not within a CGA nor Mt. Airy's annexation area. Comprehensive Plan focuses growth within CGAs on public water and sewer. Expansion of Rural Residential designation into Ag/Rural area not indicated by the Comprehensive Plan.
		ZONING	A	A	R-1		
Zeltman	5900 Old Bohn Road Mount Airy					BY motion to restore comp plan designation. BS second. Vote: 3-1 with DG opposed and PS absent.	
Kostous property	Behind New Market Shopping Center					BY motion to approve the request as presented by staff. BS second. Vote: 4-0	