

PUBLIC MEETING MINUTES FOR TUESDAY, APRIL 17, 2012

A public meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Tuesday, April 17, 2012, was called to order at 7:00 p.m. by Commissioner Blaine Young, *President*. Present were Commissioners C. Paul Smith, *Vice President*; Billy Shreve and Kirby Delauter. Also in attendance were Mr. Dave Dunn, County Manager and Ms. Patti Morrow, Recording Secretary. Commissioner David Gray 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 web page. 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 web page at www.FrederickCountyMD.gov)

NOTE: Copies of all staff reports are available in the OnBase system. If you need assistance with the OnBase system, please contact the recording secretary.

The meeting began with an invocation followed by the recitation of the Pledge of Allegiance lead by Cub Scout Pack 48.

COMMISSIONERS COMMENTS

None.

Recognition of Felicia Clements – Youth Volunteer

The Board recognized Ms. Felicia Clements as an outstanding youth volunteer.

PUBLIC HEARING

To Consider Zoning Text Amendment #ZT-12-01 through #ZT-12-13 – Proposed Ordinance to Amend Certain Sections of the Frederick County Code – Eric Soter and Shawna Lemonds, Community Development Division

A public hearing was held, as duly advertised, on the zoning text amendments proposed to amend certain sections of the Frederick County Code.

Mr. Soter and Ms. Lemonds presented the proposed text amendments as follows with the Board's action noted after each text amendment.

#ZT-12-01 – Farm Animals as Accessory Use to Residential Districts

Ms. Lemonds noted the Frederick County Planning Commission (FcPc) voted to deny #ZT-12-01 as presented.

Public comments were heard from:

- Diana Clark
- Wayne Esaias

PUBLIC MEETING MINUTES FOR TUESDAY, APRIL 17, 2012

- Eric Secula
- Ed Mordan
- Kenny Trumpowler
- Kathy Afzali, Frederick County Delegate to the Maryland General Assembly
- Lori Titus
- Chris Hill
- Dan Dotson
- Lisa Dotson
- Kate Spillman
- Alan Winpigler
- Laurie McCarty
- Bill McGriffing

Motion to adopt #ZT-12-01 for farm animals as presented, excluding bees. Bees were to be permitted by-right adopting the proposed criteria in Section 1-19-8.325 that applied to bees, with Section 1-19-8.325(D)(3) being deleted.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young	X		X			
Smith			X			
Shreve			X			
Gray						X
Delauter		X	X			

#ZT-12-02 - Limited Funeral Establishment

Ms. Lemonds noted the FcPc voted to deny #ZT-12-02 as presented.

Public comment was heard from:

- Colt Black
- Richard Cody
- J.P. French

Motion to approve #ZT-12-02 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve			X			
Gray						X
Delauter		X	X			

PUBLIC MEETING MINUTES FOR TUESDAY, APRIL 17, 2012

#ZT-12-03 – Communication Towers

Ms. Lemonds noted the FcPc voted to deny #ZT-12-03.

Public comment was heard from:

- Rand Weinberg, Esquire, Miles and Stockbridge

Motion to table the decision on #ZT-12-03 for up to 60 days.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young	X		X			
Smith		X	X			
Shreve			X			
Gray						X
Delauter			X			

#ZT-12-04 – Bed and Breakfasts in the Residential Zoning Districts

Ms. Lemonds noted the FcPc voted to deny #ZT-12-04.

There was no public comment.

Motion to approve #ZT-12-04 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young	X		X			
Smith			X			
Shreve		X	X			
Gray						X
Delauter			X			

#ZT-12-05 – Signage for Professional Office as Residential Accessory Use

Ms. Lemonds noted the FcPc voted to deny #ZT-12-05.

There was no public comment.

Motion to approve #ZT-12-05 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith			X			
Shreve	X		X			
Gray						X
Delauter		X	X			

PUBLIC MEETING MINUTES FOR TUESDAY, APRIL 17, 2012

#ZT-12-06 – Video Lottery Facility

Ms. Lemonds noted the FcPc voted to approve #ZT-12-06.

There was no public comment.

Motion to approve #ZT-12-06 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith				X		
Shreve	X		X			
Gray						X
Delauter		X	X			

(Commissioner Young passed the gavel to Commissioner Smith and left the dais.)

#ZT-12-07 – Transit Signage

Ms. Lemonds noted the FcPc voted to deny #ZT-12-07.

There was no public comment.

Motion to approve #ZT-12-07 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young						X
Smith			X			
Shreve	X		X			
Gray						X
Delauter		X	X			

(Commissioner Smith passed the gavel back to Commissioner Young.)

#ZT-12-08 - Piecemeal Zoning Map Amendments

Ms. Lemonds noted the FcPc voted to approve #ZT-12-08.

There was no public comment.

Motion to approve #ZT-12-08 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young	X		X			
Smith			X			
Shreve			X			
Gray						X
Delauter		X	X			

PUBLIC MEETING MINUTES FOR TUESDAY, APRIL 17, 2012

#ZT-12-09 – Moderately Priced Dwelling Units (MPDU) in the Low Density (R1) Zoning Districts

Ms. Lemonds noted the FcPc had no recommendation on #ZT-12-09.

There was no public comment.

Motion to approve #ZT-12-09 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve			X			
Gray						X
Delauter		X	X			

#ZT-12-10 - Mineral Mining Floating Zoning District

Ms. Lemonds noted the FcPc voted to approve #ZT-12-10.

There was no public comment.

Motion to approve #ZT-12-10 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray						X
Delauter			X			

#ZT-12-11 – Accessory Structures on Residential Properties

Ms. Lemonds noted the FcPc voted to approve #ZT-12-11.

There was no public comment.

Motion to approve #ZT-12-11 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve			X			
Gray						X
Delauter		X	X			

PUBLIC MEETING MINUTES FOR TUESDAY, APRIL 17, 2012

#ZT-12-12 – Family Day Care Home

Ms. Lemonds noted the FcPc voted to approve #ZT-12-12.

There was no public comment.

Motion to approve #ZT-12-12 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray						X
Delauter			X			

#ZT-12-13 – Farm Winery and Farm Brewery Tasting Room

Ms. Lemonds noted the FcPc voted to approve #ZT-12-13.

Public comment was heard from:

- Charlie DeNeery

Motion to approve #ZT-12-13 as presented.

COMMISSIONERS	MOTION	SECOND	YES	NO	ABSTAIN	NOT PRESENT
Young			X			
Smith	X		X			
Shreve		X	X			
Gray						X
Delauter			X			

PUBLIC COMMENTS AND/OR REQUESTS

None.

COMMISSIONER COMMENTS

Commissioner Young commended Mr. Soter and Ms. Lemonds for an outstanding job on the business friendly initiatives.

ADJOURN

The meeting adjourned at 9:30 p.m.

Patricia A. Morrow
Recording Secretary