

PUBLIC MEETING MINUTES FOR TUESDAY, JULY 22, 2014

Commissioner Blaine R. Young, *President*, called to order a public meeting of the Board of County Commissioners (“Board”) of Frederick County, Maryland, for Tuesday, July 22, 2014, at 7:00 p.m. in Winchester Hall. Present were Commissioners C. Paul Smith, *Vice President*; David Gray, Billy Shreve and Kirby Delauter. Also in attendance were Ms. Lori Depies, County Manager and Ms. Patti Morrow, Recording Secretary.

The meeting began with a moment of silence followed by the recitation of the Pledge of Allegiance.

PUBLIC HEARING

Zoning Map Amendment #R-14-01 - Ratley Property – Tolson DeSa, Community Development Division

Commissioner Young swore in all who would give testimony.

A public hearing was held, as duly advertised, on Zoning Map Amendment #R-14-01.

Mr. DeSa presented the request to rezone 23.6 acres located on the east and west sides of Terra Firma Road, between I-70 and MD 144 from Agricultural and R-1 to Planned Unit Development (PUD).

He indicated the staff had recommended approval of #R-14-01, based upon a review of the Approval Criteria as set forth in §1-19-3.110.4; and a finding that the project adequately addressed the Planned Development District Approval Criteria as set forth in §1-19-10.500.3; and subject to the following conditions of approval:

1. A maximum of 60 dwelling units may be constructed.
2. The developer shall provide a physical street connection to the adjacent parcel to the east.
3. The lots with direct access to Terra Firma Road shall use shared driveways.

Mr. DeSa noted the Frederick County Planning Commission recommended approval of #R-14-01 subject to the staff conditions and with the following revisions to the staff recommendations:

1. A maximum density of 34 single family detached dwelling units may be constructed.
2. The Applicant shall remove all proposed townhouse units.
3. The developer shall provide a physical street connection(s) to the adjacent parcel to the east.
4. The lots with direct access to Terra Firma Road shall use shared driveways.
5. No building permits for this development shall be issued until January 1, 2020, or the Meadow Road interchange is guaranteed and permitted by State Highway, whichever comes first.

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The following citizens cross-examined the staff:

- Gabriela Cadena Lopez
- Dennis Kensel

The applicant, Mr. Tim Hogan of Hogan Realty Capital, LLC, was present and represented by Mr. Noel Manalo, Esquire, Miles and Stockbridge; Mr. Dan Anderson, Dewberry; and Mr. Victor White, Hogan Companies.

The following citizens cross-examined the applicant’s representatives:

- Gabriela Cadena Lopez
- Anthony Martin
- Charles Hill
- Mindy Hanlon

Public comment was heard from:

- Gabriela Cadena Lopez
- Dwayne Damuth
- Anthony Martin
- Mindy Hanlon
- Alicia Soranu

The applicant’s representatives gave a rebuttal on the public comments heard this evening.

Commissioner Gray made a motion to send the applicant’s proposed concept plan back to the Frederick County Planning Commission for its review and recommendation. The motion did not receive a second.

Motion to approve Zoning Map Amendment #R-14-01 to rezone 23.61 acres from Agricultural and R-1 to Planned Unit Development (PUD) as presented with the following conditions: a maximum of 43 single family detached dwelling units; the developer shall provide a physical street connection to the adjacent parcel to the east; and the lots with direct access to Terra Firma Road shall use shared driveways. Staff was also directed to prepare an ordinance for the Board’s signature to be presented at a future meeting – Passed 3-2.

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

Commissioner Young directed the Division of Public Works staff to work with the Sheriff’s Office in addressing the road and traffic issues on Terra Firma Road and report back to the Board at a future meeting.

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PUBLIC COMMENTS AND/OR REQUESTS

- Dennis Kensel

ADJOURN

The meeting adjourned at 9:00 p.m.

Patti Morrow
Recording Secretary