



**Minutes of the
Planning and Zoning Commission September 16, 2014**

I. Jeff LaBar called the meeting to order at 7:05 p.m. In attendance were Commission Members; Nancy Feuerle, Keith Pardieck, Lee Phillips, and Megan Reiser. Also in attendance were the Planning and Zoning Administrator Christopher Jakubiak and Secretary Fran Addicott. Absent was Commission Member Dave Coull.

II. Approval of the September 16, 2014 Agenda

MOTION: Mrs. Feuerle moved to approve the Agenda of the September 16, 2014 Planning and Zoning meeting. Seconded by Mrs. Reiser, all in favor.

III. Approval of the minutes from the July 9, 2014 Planning and Zoning meeting

MOTION: Mrs. Reiser moved to approve the minutes of the July 9, 2014 Planning and Zoning meeting. Seconded by Mr. Pardieck, all in favor.

IV. Critical Area Ordinance

Mr. Jakubiak spoke with the critical area staff and they have made a number of changes to the model ordinance that we based our model on. Mr. Jakubiak will be meeting with them to review what we have and give them the opportunity to point out what the new regulations are before bringing it back to the planning commission for adoption. Chairmen LaBar and the planning commission would like to have it finished by end of the year.

V. Plat Amendment for Chesapeake Village Concerning Enlargement of HOA Open Space Area

The Planning Commission reviewed and unanimously approved a plat amendment to the Chesapeake Village subdivision. The plat revision eliminates one lot by removing its lot lines and making it part and parcel of a much larger open space lot. The HOA offered supportive comments in favor of the amended plat.

Two errors on the plat were discovered by Mr. Jakubiak. 1. The words "still applicable" are repeated twice. 2. Note 4 states that the plat is not a boundary survey, and does not meet the minimum standards for boundary surveys defined by COMAR regulations. There is also a surveyor's certificate which states that the survey is correct and is in accordance with the State of Maryland minimum standards practice. Due to the conflict of the two statements

on the plat, Mr. Jakubiak recommends that #4 be removed, and to keep the surveyor's stamp on the subdivision plat (milar).

MOTION: Mr. Phillips moved to approve the plat amendment with the changes Mr. Jakubiak has proposed. Seconded by Mrs. Feuerle, all in favor.

VI. Consideration of Zoning Amendments concerning Infill Development on Non-Conforming Lots

The Planning Commission voted unanimously to approve and recommend for adoption zoning amendments pertaining to redevelopment of houses on small "non-conforming" lots. The Board of Appeals concurred with the Planning Commission submitting a letter in support. The Planning Commission will transmit a resolution to the Mayor and Town Council recommending official Town adoption of the amendments, which would:

- Reduce the time it takes for an applicant to appear before the Board of Appeals.
- Allow single-family houses on small non-conforming lots to be built on their same footprints without obtaining a variance from the Board of Appeals, even when those footprints are located closer to the side front, or rear lot lines than current zoning standards require. (Essentially, this would exempt redevelopment projects from meeting strict setback standards if they are rebuilt on the same footprint and are no taller than the structures they replace. A house in the floodplain could of course be elevated to the required flood protection elevation without restriction).

The Planning Commission is also recommending that the Town reduce the fees required to process a zoning variance and a zoning appeal to \$250. The fees are currently set at \$500 for a variance and \$1,000 for an appeal.

MOTION: Mrs. Reiser made a motion to approve and transmit to the Town Council the recommended regulation changes and the recommendations for the fees for an appeal. Seconded by Mrs. Feuerle, all in favor.

Public Comment:

Jeff Krahling- 3216 Ina Chase, Chesapeake Beach, MD 20732
Theresa York-8256 C St., Chesapeake Beach, MD 20732

There being no further business, the meeting adjourned at 7:45 pm on a motion made by Mr. Phillips. Seconded by Mrs. Feuerle, all in favor.

Fran Addicott,

Secretary of Planning and Zoning