

PLANNING COMMISSION

January 17, 2007

Trappe Town Hall

7:30 p.m.

The regular Planning and Zoning Commission meeting was opened by Chairperson Edgar Harrison at 7:30 p.m. Planning Commission members present were Mr. Bobby Quidas, Mr. Jerry Adams, and Mr. Norm Fegel. The minutes of the previous Planning Commission meeting were unanimously approved.

PERMITS ISSUED:

T-01-07 – Daniel Adams – 3856 Rumsey Drive – Room Addition
T-02-07 – Brian McNaught – 29250 Maple Ave. – Porch
T-06-07 – Mitchum’s Enterprises – 4021 Maple Street – Porch
T-07-07 – Arthur & Susan Townsend – 3819 Rumsey Drive – New House

PERMITS PENDING AND ZONING ISSUES:

T-04-07 – Brian McNaught – 29250 Maple Avenue – Garage
T-05-07 – Stephen Leonard – 29335 Greenfield Ave. - Garage

OLD BUSINESS:

Dr. Anthony Calabro – Leash Free Park

On behalf of Dr. Calabro, Mr. Hall asked the Planning Commission members if they would like to visit the Quiet Waters Leash Free Dog Park in Annapolis and meet with the Anne Arundel County Parks Director to discuss issues relating to leash free parks. From the audience, Mr. Richard Dorbin stated he visited the park and he found it to be “pretty cool”. Mr. Harrison stated he would like to make a site visit before the next Planning Commission meeting. Mr. Hall said he will make the arrangements for the site visit.

NEW BUSINESS

Mitchum’s Enterprises LLC - Amendment Special Exception

Mr. Don English, Zoning Administrator, explained the applicant’s request which is to convert the previously approved second floor apartments/offices into second floor dining. One business office would remain. Mr. English also explained that the change in use would also require the Board of Appeals to waive five (5) additional off-street parking spaces.

Mr. Adams noted that he welcomes the removal of the apartments from the second floor of the restaurant. Mr. Adams stated that his only concern was the need for additional parking spaces. Mr. Hall explained that the Board of Appeals has the power to waive the off-street parking spaces and that eight (8) parking spaces were waived to date. The expanded dining area, after considering the spaces that would have been used for the apartments, requires that an additional (5) parking spaces be waived. Mr. Hall also reminded the Planning Commission that the Town Council added additional on-street parking on Maple Avenue.

In response to a question asked by Mr. Adams regarding parking spaces and uses on the applicant's property, Mr. Hall briefly reviewed the history of the site. Mr. Adams asked if the second floor dining area needed to be handicap accessible. Mr. English stated he is checking into the requirements, but since customers can receive the same service on either floor, he does not believe it will be a problem.

Mr. Harrison asked for public input for or against the request. No public inputs were received. Mr. Adams questioned the procedure of the vote for the use of the second floor dining area without the available parking spaces. Mr. Hall, Mr. English, and Mr. Harrison reviewed the procedures of a Special Exception application for Mr. Adams.

After much discussion regarding Board of Appeals procedures and review of available on-street parking along Maple Avenue, a motion was made by Mr. Adams, seconded by Mr. Quidas, to recommend to the Board of Appeals that they approve the Special Exception amendment and parking waiver for five (5) spaces as requested by the applicant, Mitchum's Enterprises, LLC. The motion passed by unanimous vote.

Bryon McNaught – Recommendation to Board of Appeals

Mr. English briefly reviewed the request by the applicant to vary the side yard setback from 15 feet to 6 feet in order to construct an attached garage. Mr. English and Mr. Hall both recommended approval of the variance request.

Mr. Adams asked about the variance criteria responses from the applicant and if all of the criteria had to be answered in order to approve a variance. After reviewing the applicant's responses, Mr. Adams felt the response to the first criteria was not met. He also added that the removal of the mud room from the site plan would allow the applicant to meet the setbacks. Mr. Danny Adams, contractor for the applicant, explained the site plan and existing conditions on the lot including the shared driveway and the offset location of the house. Mr. Danny Adams stated the applicant found the application questions confusing. Mr. Adams stated that it appears the special conditions could be the shared driveway and the location of the house on the property.

Mr. Harrison asked the Planning Commission to review each variance criteria and the applicant's responses. Mr. Adams debated the applicant's responses to each criterion. Mr. Adams suggested ways for the applicant to improve his responses to each criterion. Mr. Adams added that he is inclined to support the variance application because the location for the garage is logical and that he would not want to encourage additional impervious surface.

Mr. Adams motioned to recommend to the Board of Appeals that they approve the variance application for Mr. McNaught. Mr. Quidas seconded the motion. The motion passed by unanimous vote.

Stephen Leonard - Recommendation to Board of Appeals

Mr. English explained the location of Mr. Leonard's property and the specifics of his request. Mr. English also added that Mr. Leonard's property has two front yards as defined by the Trappe Zoning Ordinance. Mr. Danny Adams, contractor for the applicant, passed out a site plan drawn on an aerial photograph. Mr. Harrison acknowledged the corner lot situation of Mr. Leonard's property. Mr. English described the setback distances from the edge of Harrison Circle to Mr. Leonard's proposed garage. Mr. Hall explained that the applicant's lot is zoned R-1, but it is contiguous to the first R-3 lot for the Lakeview neighborhood.

In response to a question by Mr. Harrison, Mr. Hall explained that the setback distance from Greenfield Avenue would not create any safety issue in regards to site distances on the corner.

The members of the Planning Commission discussed other possible alternatives for the garage location. They also carefully reviewed each of the applicant's responses to the variance criteria. Mr. Harrison reminded the Planning Commission that corner lots have two front yards as defined by the Zoning Ordinance in order to keep a clear site distance for traffic. Mr. Harrison added that Mr. Leonard's yard would still have a clear vision area on the corner if the variance for the garage was granted. Mr. Harrison stated that he did not have any problem with the garage from either an aesthetic or safety viewpoint. Mr. Adams asked Mr. Hall to assist the applicant with their responses to the variance criteria. Mr. Hall said he would gladly help Mr. Leonard and Mr. McNaught, but he added that the application should really be completed by the applicant or the applicant's agent.

Mr. Quidas motioned to recommend to the Board of Appeals that they approve the variance application for Mr. Leonard. Mr. Adams seconded the motion. The motion passed by unanimous vote.

Trappe Fire Company – Lot Line Revision

Mr. English asked Mr. Hall to present the lot line revision since Mr. English is a life member of the Trappe Fire Company. Mr. Hall presented the Planning Commission with a plat that showed the lot line revision as requested by the Trappe Fire Company. The plat showed three lots that would be combined into one large lot that would include the main fire department building and the house that is owned by the Company. Mr. Hall added that no other changes are being proposed in regards to access points, use, or acreage. The removal of the lot line would permit the fire department greater flexibility when they expand the main building in the future.

Mr. Harrison stated that the removal of the lot lines would create a single lot with two uses. Mr. Hall stated that the principal use would be the fire department and the secondary use would be the rental house. Mr. Hall stated that the request is not unlike a church being a principle use on a lot with the parsonage being a secondary use. Mr. Hall explained that the ordinance only allows one principle use and that in his opinion; the fire department is clearly the principle use. Mr. Adams questioned Mr. Hall's comments. Mr. Hall repeated his opinion and he stated that the plat meets all the requirements for a lot line revision.

Mr. Adams motioned to approve the lot line revision for the Trappe Fire Company. Mr. Fegel seconded the motion. The motion passed by unanimous vote.

ANNOUNCEMENTS:

January 26th Special Trash Pickup – Christmas Trees Also
February 7, 2007 – Public Hearing Workshop 7:00 p. m.
February 15th – MDE Meeting Trappe Fire House – Lakeside Water Allocation
7:00 p.m.

The meeting was adjourned at 7:42 p.m.

Respectfully submitted:

Joedy Cecil, Clerk

Approved by: Edgar Harrison, Chairperson