

**MEETING SUMMARY**  
**Carroll County Planning and Zoning Commission**

**July 29, 2015**

Location: Carroll County Office Building

Members Present: Alec Yeo, Chairman  
Richard J. Soisson, Vice Chair  
Matthew S. Helminiak  
Jeffrey A. Wothers  
Cynthia L. Cheatwood  
Daniel E. Hoff, Alternate  
C. Richard Weaver, Commissioner

Members Absent: Eugene A. Canale  
Richard S. Rothschild, Ex-Officio

Present with the Commission were the following persons: Philip R. Hager, Tay Harris, and Kelly Martin, Department of Planning; Lynda Eisenberg, Bureau of Comprehensive Planning; Tom Devilbiss, Department of Land and Resource Management; Jay Voight, Zoning Administrator; and Clay Black, Bureau of Development Review.

**CALL TO ORDER/WELCOME**

Chairman Yeo called the meeting to order at approximately 6:05 p.m.

**ESTABLISHMENT OF QUORUM**

Kelly Martin took the attendance of the Commission, noting that six members were present, and there was a quorum.

**PLEDGE OF ALLEGIANCE**

**OPENING REMARKS/ADMINISTRATIVE MATTERS**

Secretary Hager noted that staff had no proposed changes to the agenda which was previously forwarded to the Commission.

**REVIEW AND APPROVAL OF AGENDA**

The Commission, on motion of Mr. Wothers, seconded by Mr. Helminiak, and carried, approved the agenda as distributed.

**PUBLIC COMMENTS**

There were no public comments.

### **PROPOSED ZONING TEXT AMENDMENT: NONCONFORMING USES**

Secretary Hager distributed copies of the proposed technical modifications, highlighting in yellow all the changes supported by the Commission during their July 21 meeting, highlighting in green the changes requested during last week's discussion, and highlighting in pink changes recommended by staff, including: Clay Black, Jay Voight, and Tom Devilbiss.

(Ms. Cheatwood entered the meeting.)

It was the consensus of the Commission to change the word "shall" back to "may" on page 2.

The Commission discussed the changes recommended by staff. Chairman Yeo expressed concern as to how the public is going to understand this when the Commission's discussion gets confused as to whether we are talking about the use or bulk requirements. He suggested inserting language referring to dimensional requirements (including bulk compliance). Chairman Yeo expressed a desire to enable a citizen to be able to locate the appropriate information by searching headings. His fear was that without the additional language in the section titles, someone would skip right over the information they needed.

Staff noted that a definition for "dimensional" would need to be added.

Draft language was to be developed by staff for review by the Board of County Commissioners on August 6.

### **PROPOSED ZONING TEXT AMENDMENT: CONVERSION OF COMMERCIAL CONDITIONAL USE WITHOUT NEW BOARD OF ZONING APPEALS HEARING**

Secretary Hager distributed draft language to address Clark Shaffer's requested amendment as presented and discussed at the July 21 meeting. Secretary Hager noted that after discussion, staff suggested that the best way to address the need of Mr. Shaffer's client is to accept an application for a zoning map amendment change to existing zoning categories. He suggested that the County allow interested property owners to come forward for a brief period to request change/mistake rezonings on their properties prior to a moratorium during the Freedom Plan update.

Lynda Eisenberg, Bureau of Comprehensive Planning, noted that 11 property owners of 19 different properties have come forward to request land use changes. She explained that as part of the Carroll County Master Plan update process, staff requested that the Board of County Commissioners institute a moratorium on rezoning applications at the close of a 60-day period. A press release would be issued regarding the application period, as well as notice provided on the website.

Chairman Yeo expressed concern in granting someone a change to "B-NR" which allows far more uses than the property would probably receive if it was changed to a C-1 designation during the comprehensive rezoning for the Freedom Plan.

Secretary Hager noted that there are staff resource concerns to consider and that creating the C-1, C-2, and C-3 categories would keep staff from moving forward with the Freedom Plan update.

He also noted that the Freedom Plan was not created using the three-tier commercial standard, so change/mistake arguments would be questionable.

After discussion, it was the consensus of the Commission that staff move forward with a request to the Board of County Commissioners to institute a moratorium on rezoning applications after a 60-day period.

### **FREEDOM PLAN UPDATE**

Tay Harris, Planning Analyst, reviewed a PowerPoint presentation detailing: the elements of the Freedom Plan update, demographic information, changes from the 2001 to the 2014 Plan, trends and evolving issues, etc. She noted that the first three elements will be presented to the Commission for review at the September or October meeting.

(Ms. Cheatwood left the meeting.)

Secretary Hager thanked Ms. Harris for her work in the development of the Plan. He noted that the Commission had expressed a desire to meet with the Town of Sykesville regarding the Plan update. Secretary Hager suggested that an October/November timeframe would work for this meeting.

The next Commission meeting is scheduled for Tuesday, August 18. The Commission adjourned at approximately 8:15 p.m.

---

Secretary

---

Approved