

Planning & Zoning Commission

March 25, 2010

The regularly scheduled meeting of the Planning & Zoning Commission was held at Town Hall on March 25, 2010. In attendance were Chairman Houlihan, Commissioner Anderton, Commission Members Ferro, Dixon, Boyan, Luffman and Ring, Community Development Coordinator Hardin and Clerk of Council Fisher. Guests: James Hitch, David Davis, and David Ring, Jr.

Call to Order

Chairman Houlihan called the meeting to order.

He asked for anyone addressing the Commission to sign in.

Chairman's Comments

Chairman Houlihan reported that the Public Hearing for the Zoning Code Revision was held in February, specifically for the insertion of the word "casino" and the general provision by the Planning and Zoning Commission and the Joint Council to deny any submission. At the Hearing, there were two citizens that voiced opposition to the Joint Council in reference to casinos. The vote was 4-1 with the sole nay vote coming from Chairman Houlihan. He stated that he was uncomfortable with the word "casino" in the zoning code, and even though the Town did a survey and held public meetings, with the majority being in favor, he wanted to represent the minority of those who did not want it.

Chairman Houlihan informed the Commission Members that Mr. Lou Alberti did come before the Delaware Board of Adjustments and did receive his requested variance for his property.

Approval of Minutes

Commission Member Ferro made a motion to accept the February, 2010 minutes as circulated. Commissioner Anderton seconded the motion which passed with 6 ayes and Commission Member Boyan abstaining due to his absence last month.

New Business

Pastor Jim Hitch- Delmar Wesleyan Church- Combining of 2 parcels

Pastor Hitch asked if the Commission could table this until next month. He said that he would have to have the permission of the Church's District Superintendent before he could move forward on his request.

Commission Boyan made a motion to table this issue until the April Planning and Zoning meeting. Commission Member Ring seconded the motion which passed with 6 ayes and Commission Member Ferro abstaining.

David Davis- Davis Construction- new home construction Breckenridge II

Mr. Davis was present and described the plat as very small by being 32 ¾ ft. in the narrowest spot. He said that he checked out the style of homes in the neighborhood, and feels that the style of home he presented this evening will fit right in. He said that because of the narrowness of the property, there would not be any home that would fit in the blueprint without needing a variance.

Mr. Davis reported that he would need about 5 ft. variance in the rear. Chairman Houlihan stated that he had been to the property and had noticed stakes in the ground. Mr. Davis said that those stakes were for the first house that he had thought about putting there, but not for the house that the Commission is reviewing this evening.

Chairman Houlihan said that this property backs up to a conservation area in the rear and ensured that this house plan did not impede on that conservation area. Mr. Davis said that it would not. He would be about 25 feet away from the forest conservation area.

Community Development Coordinator Hardin reported that the property directly behind this lot is protected and is out of the development area and will also serve as a buffer area.

Commission Member Dixon made a motion for the approval of the building plan for David Davis in care of Davis Construction for the house in Breckenridge II Subdivision, Lot # 28, Roslyn Court, per attached drawing #1, Delmar, Maryland. Commission Member Luffman seconded the motion which passed with 7 ayes and 0 absent.

Commission Member Ferro made a motion for a favorable recommendation to the Maryland Board of Zoning Appeals for a variance in the rear setback for Mr. David Davis in care of Davis Construction for the building plans of a house in Breckenridge II, Lot # 28, Roslyn Court, Delmar, Maryland. Commission Member Ring seconded the motion which passed with 7 ayes and 0 absent.

David Ring- 9251 Tournament Drive- Sunroom Addition

Chairman Houlihan reported for the record, that Mr. Ring is a Member of the Planning and Zoning Commission and due to an unexpected illness in the family his wife could not be here to give this presentation. While Mr. Ring can give the presentation, he will have to abstain from any vote.

Mr. Ring reported that he would like to add on a 10' by 17' screen sunroom to his house on Tournament Drive. He said that the siding will match the back of the house and storm drains will be added that will match what is presently on the house.

Chairman Houlihan said that he has visited the property and noticed that there are 2 stakes on the property marking the placement of the sunroom. Mr. Ring is asking for a 2 ft. variance for the rear of his property that would not encroach on the other properties.

Commission Luffman made a motion for a favorable recommendation to the Maryland Board of Zoning Appeals for a 2 ft. variance in the rear setback for an addition of a sunroom on care of David Ring, Jr., 9251 Tournament Drive, Delmar, Maryland. The motion was seconded by Commissioner Anderton and passed with 6 ayes and Commission Member Ring abstaining.

Chairman Houlihan reported that this completed the agenda for tonight and the next meeting of the Planning and Zoning Commission will be held on Thursday, April 22, 2010 at 7:00 p.m.

Public Comments

Delmar Revitalization Chairman Chris Walter inquired as to the banners for his business in the Downtown area and if the Commission was okay with them. The consensus of the Commission was that the banners were fine.

He said that he has had conversations with a few businesses that are interested in his place. One is an office data research company from New York. He said that parking is an issue but that they are okay with what is available now. They could be looking to have as many as 16 employees. They want to locate to Delaware but still be close to Salisbury.

He reported that he has also been contacted by the Pharmacy who is interested in relocating. He is not happy with the landlord, but Mr. Walter said that he would not be comfortable with "stealing tenants".

Mr. Walter said that a Hard Bean Coffee Café has contacted him. They have 26 franchises in Pennsylvania and in Annapolis and like old buildings. He said that they fell in love with the museum aspect of his building along with showing interest in the Lecates Building.

Adjournment

Commission Member Dixon made a motion for adjournment which was seconded by Commission Member Ring. The motion passed with 7 ayes and 0 absent.

Respectfully submitted,

Cindy Fisher

Clerk of Council