

CECIL COUNTY PLANNING COMMISSION
Comprehensive Rezoning Meeting
Districts 6, 7 & 8
Text Amendments and Late Requests
Meeting Minutes
February 16, 2011, 7:00 p.m.

Present: Bill Mortimer, Chairman; Pat Doordan; Vice Chair; Joe Janusz; Randy Taylor; Ken Wiggins; Wyatt Wallace; H. Clay McDowell, alternate; Diana Broomell; Eric Sennstrom; Tony Di Giacomo; David Black; Steve O'Connor and Jennifer Bakeoven.

Absent:

Call to Order: Chairman Mortimer called the meeting to order at 7:01 p.m.

07-01 **Pamela R. Howard**
378 Linton Run Road, Port Deposit, MD
Tax Map: 23, Parcel: 482
Applicant: Pamela R. Howard
Proposed Zoning: NAR (Northern Agricultural Residential)
Requested Zoning: RR (Rural Residential)

Pamela Howard appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Janusz.
The motion was seconded by Mr. Doordan.

All approve. Motion carried.

Chairman Mortimer asked Mr. Sennstrom to call all of the applicants that feel that their property has been rezoned due to a mistake.

07-02 **Principio Iron Company**
Winch Rd & Pulaski Hwy, Perryville, MD
Tax Map: 30, Parcel: 117
Applicant: David J. Stewart
Proposed Zoning: NAR (Northern Agricultural Residential) & MEB (Mineral Extraction B)
Requested Zoning: BG (Business General)

Mike Pugh appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

L-05-57 **Bay Boat Works, Inc.**
1 Sunset Drive, North East, MD
Tax Map: 36, Parcel: 390
Applicant: Donald J. Green
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: MB (Maritime Business)

Dwight Thomey appeared and presented an overview of the requested rezoning, numbers L05-57 & L05-58-L05-63.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of rezoning item numbers L05-57 through L05-63. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

L05-58 **Shelter Cove Yacht B&M, Inc.**
N/S Riverside Drive & Sunset Drive
Tax Map: 36, Parcel: 369
Applicant: Signature not legible
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: MB (Maritime Business)

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

**L-05-59 Shelter Cove Yacht B&M, Inc.
N/S Riverside Drive & Sunset Drive
Tax Map: 36, Parcel: 349
Applicant: Signature not legible
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: MB (Maritime Business)**

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

**L-05-60 Shelter Cove Yacht B&M, Inc.
N/S Riverside Drive & Sunset Drive
Tax Map: 36, Parcel: 273
Applicant: Signature not legible
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: MB (Maritime Business)**

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

**L-05-61 Shelter Cove Yacht B&M, Inc.
N/S Riverside Drive & Sunset Drive
Tax Map: 36, Parcel: 289
Applicant: Signature not legible
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: MB (Maritime Business)**

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

**L-05-62 Shelter Cove Yacht B&M, Inc.
N/S Riverside Drive & Sunset Drive
Tax Map: 36, Parcel: 243
Applicant: Signature not legible
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: MB (Maritime Business)**

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

**L-05-63 Shelter Cove Yacht B&M, Inc.
N/S Riverside Drive & Sunset Drive
Tax Map: 36, Parcel: 348
Applicant: Signature not legible
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: MB (Maritime Business)**

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

**08-01 Richard & Joanne Henderson
79 Rock Springs Road, Conowingo, MD
Tax Map: 9, Parcel: 263
Applicant: Richard & Joanne Henderson
Proposed Zoning: NAR (Northern Agricultural Residential)
Requested Zoning: BG (Business General)**

Rick Leopold and Mark McKowski, appeared and presented an overview of the requested rezoning, item numbers 08-01 and 08-02.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of either rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Wallace.
The motion was seconded by Mr. Doordan.

All approve. Motion carried.

08-02 Richard & Joanne Henderson
W/S Rock Springs Road, Conowingo, MD
Tax Map: 9, Parcel: 320
Applicant: Richard & Joanne Henderson
Proposed Zoning: NAR (Northern Agricultural Residential)
Requested Zoning: BG (Business General)

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Wallace.
The motion was seconded by Mr. Doordan.

All approve. Motion carried.

01-01 Elk Development Corporation
Crystal Beach Road, Earleville, MD
Tax Map: 56, Parcel: 109
Chris & Regina Brown
Proposed Zoning SAR (Southern Agricultural Residential)
Requested Zoning RR (Rural Residential)

Dwight Thomey appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Wallace.

All approve. Motion carried.

03-01 Stephen & Anne Cochran
1639 Blueball Road, Elkton, MD
Tax Map: 20, Parcel: 155
Applicant: Dwight E. Thomey
Proposed Zoning: BL (Business Local)
Requested Zoning: BG (Business General)

Dwight Thomey and Anne Cochran, appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for approval was made by Mr. Wallace.
The motion was seconded by Mr. Doordan.

Members in favor of approval were Mr. Doordan and Mr. Wallace.
Members in opposition of approval were Mr. Janusz, Mr. Taylor and Mr. Wiggins.

Motion for approval defeated.

A motion for disapproval was made by Mr. Wiggins.
The motion was seconded by Mr. Taylor.

Members in favor of disapproval were Mr. Wiggins, Mr. Taylor and Mr. Janusz.
Members in opposition of disapproval were Mr. Doordan and Mr. Wallace.

Motion for disapproval carried.

03-03

Maryland Materials, Inc.
465 Stevenson Road, Elkton, MD
Tax Map: 25, Parcel: 228
Applicant: Dwight Thomey
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: MEA (Mineral Extraction A)

Dwight Thomey appeared and presented an overview of the requested rezoning, item numbers 03-03 through 03-06.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition to any of the requested rezoning (item numbers 03-03 through 03-06). No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval as it is not in the Mineral Extraction district.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

Members in favor of approval were Mr. Doordan and Mr. Janusz.
Members in opposition of approval were Mr. Wallace, Mr. Wiggins and Mr. Taylor.

Motion for approval, defeated.

A motion for disapproval was made by Mr. Wiggins.
The motion was seconded by Mr. Taylor.

Members in favor of disapproval were Mr. Wiggins, Mr. Taylor and Mr. Wallace.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

03-04

North East Land and Material Company, Inc.
461 Stevenson Road, Elkton, MD
Tax Map: 25, Parcel: 737
Applicant: Dwight E. Thomey
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: MEA (Mineral Extraction A)

Dwight Thomey appeared and presented an overview of the requested rezoning, item numbers 03-04, 03-05 and 03-06.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this requested rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval as it is not in the Mineral Extraction district.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

Members in favor of approval were Mr. Doordan and Mr. Janusz.
Members in opposition of approval were Mr. Taylor, Mr. Wiggins and Mr. Wallace.

Motion for approval, defeated.

A motion for disapproval was made by Mr. Wiggins.
The motion was seconded by Mr. Wallace.

Members in favor of disapproval were Mr. Wiggins, Mr. Taylor and Mr. Wallace.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

03-05

Maryland Materials, Inc.
17 Union Church Road, Elkton, MD
Tax Map: 25, Parcel: 638
Applicant: Dwight E. Thomey
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: MEA (Mineral Extraction A)

Dwight Thomey appeared and presented an overview of the requested rezoning, item numbers 03-04, 03-05 and 03-06.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this requested rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval as it is not in the Mineral Extraction district.

A motion for disapproval was made by Mr. Wiggins.
The motion was seconded by Mr. Wallace.

Members in favor of disapproval were Mr. Wiggins, Mr. Taylor and Mr. Wallace.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

03-06

North East Land and Material Company, Inc.
West side of Union Church Road
Tax Map: 25, Parcel: 748
Applicant: Dwight E. Thomey
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning MEA (Mineral Extraction A)

Dwight Thomey appeared and presented an overview of the requested rezoning, item numbers 03-04, 03-05 and 03-06.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this requested rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval as it is not in the Mineral Extraction district.

A motion for disapproval was made by Mr. Wiggins.
The motion was seconded by Mr. Taylor.

Members in favor of disapproval were Mr. Wiggins, Mr. Taylor and Mr. Wallace.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-03-09

273 Cherry Hill, LLC
273 Cherry Hill Road, Elkton, MD
Tax Map: 20, Parcel: 251
Applicant: Christopher Diebold
Proposed Zoning: VR (Village Residential)
Requested Zoning: RM (Multi-family Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition to this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Janusz.
The motion was seconded by Mr. Wallace.

All approve. Motion carried.

L-05-54 Christopher & Keri Diebold
131 Old Bayview Road, North East, MD
Tax Map: 25, Parcel: 9
Applicant: Christopher & Keri Diebold
Proposed Zoning: ST (Suburban Transition)
Requested Zoning: RM (Multi-family Residential)

WITHDRAWN

L-05-55 Christopher & Keri Diebold
155 Old Bayview Road, North East, MD
Tax Map: 25, Parcel: 756
Applicant: Christopher & Keri Diebold
Proposed Zoning: ST (Suburban Transition)
Requested Zoning: RM (Multi-family Residential)

WITHDRAWN

L-05-56 Rosalie Chernock & Charmie Polansky
24 Hayes Lane, Elkton, MD
Tax Map: 26, Parcel: 217
Applicant: H. Barry Montgomery
Proposed Zoning: RM (Multi-family Residential)
Requested Zoning: M2 (Heavy Industrial)

Eric Polansky appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition to this rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Janusz.
The motion was seconded by Mr. Wallace.

All approve. Motion carried.

L-05-64 John & Jacob Bailiff
424 Bailiff Road, North East, MD
Tax Map: 24, Parcel: 48
Applicant: John Bailiff
Proposed Zoning: NAR (Northern Agricultural Residential) & ST (Suburban Transition)
Requested Zoning: LDR (Low Density Residential) & ST (Suburban Transition)

Barry Montgomery appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition to this rezoning. John Bailiff spoke in favor of this rezoning.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

L-05-65

Vernon W. Tome
1568 Theodore Road, Rising Sun, MD
Tax Map: 24, Parcel: 11
Applicant: Vernon D. Tome
Proposed Zoning: NAR (Northern Agricultural Residential)
Requested Zoning: RR (Rural Residential)

Vernon Tome appeared and presented an overview of the requested rezoning, item numbers L05-65 & L05-83.

Mr. Doordan announced that his daughter and Mr. Tome's son are married. Mr. Doordan feels that he can be fair and impartial in making his decision for this rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Janusz.
The motion was seconded by Mr. Doordan.

All approved. Motion carried.

L-05-83

Vernon W. Tome
1568 Theodore Road, Rising Sun, MD (for portion of property north of Theodore Road)
Tax Map: 24, Parcel: 11
Applicant: Vernon D. Tome
Proposed Zoning: NAR (Northern Agricultural Residential)
Requested Zoning: MH (Manufactured Home)

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Janusz.
The motion was seconded by Mr. Doordan.

Members in favor of the rezoning were Mr. Doordan, Mr. Wiggins, Mr. Taylor and
Mr. Janusz.

Mr. Wallace was the sole opposing vote

Motion for approval carried.

L-05-66

Christopher J. Diebold
324 Old Bayview Road, North East, MD
Tax Map: 19, Parcel: 468
Applicant: Christopher Diebold
Proposed Zoning: VR (Village Residential)
Requested Zoning: RM (Multi-family Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of
this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

L-05-67

Perry O. Grose, Jr.
S/S Theodore Road & Biggs Hwy
Tax Map: 19, Parcel: 353
Applicant: Christopher Diebold
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning, item
numbers L05-67 through L05-80 and L05-82.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of
any request from item numbers L05-67 through L05-80 and L05-82. Nancy
Valentine, spoke in opposition of this cluster of rezoning requests.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wiggins.
The motion as seconded by Mr. Wallace.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Janusz and Mr. Doordan.

Motion for disapproval carried.

L-05-68

Land Purchase, LLC
Theodore Road, just east of Ron Biggers Lane
Tax Map: 19, Parcel: 505
Applicant: Christopher Diebold
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for approval was made by Mr. Doordan.
Motion died for lack of a second.

A motion for disapproval was made by Mr. Wallace.
The motion was seconded by Mr. Wiggins.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-69

Charles & Barbara York
S/S Theodore Road, just west of Benjamin Farm Lane
Tax Map: 19, Parcel: 69
Applicant: Christopher Diebold
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wallace.
The motion was seconded by Mr. Wiggins.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-70

Lawrence & June Benjamin
50 Benjamin Farm Lane, North East, MD
Tax Map: 19, Parcel: 70
Applicant: Christopher Diebold
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wiggins.
The motion was seconded by Mr. Wallace.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-71

Robert & Mauricealean Lynch
2466 Theodore Road, North East, MD
Tax Map: 19, Parcel: 367
Applicant: Christopher Diebold
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wiggins.
The motion was seconded by Mr. Wallace.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-72 **Elmer F. Justice & Remle, Inc.**
537 Bailiff Road, North East, MD
Tax Map: 25, Parcel: 232
Applicant: Christopher Diebold
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wallace.
The motion was seconded by Mr. Wiggins.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-73 **Bailiff Road, LLC**
525 Bailiff Road, North East, MD
Tax Map: 25, Parcel: 325
Applicant: Christopher Diebold
Proposed Zoning: ST (Suburban Transition)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wallace.
The motion was seconded by Mr. Wiggins.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-74

Thomas & Doris King
227 Old Bayview Road, North East, MD
Tax Map: 25, Parcel: 617
Applicant: Christopher Diebold
Proposed Zoning: ST (Suburban Transition)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wallace.
The motion was seconded by Mr. Wiggins.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-75

Thomas & Doris King
215 Old Bayview Road, North East, MD
Tax Map: 25, Parcel: 5
Applicant: Christopher Diebold
Proposed Zoning: ST (Suburban Transition)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wiggins.
The motion was seconded by Mr. Wallace.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-76 Christopher & Keri Diebold
155 Old Bayview Road, North East, MD
Tax Map: 25, Parcel: 756
Applicant: Christopher Diebold
Proposed Zoning: ST (Suburban Transition)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wallace.
The motion was seconded by Mr. Wiggins.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-77 Christopher & Keri Diebold
131 Old Bayview Road, North East, MD
Tax Map: 25, Parcel: 9
Applicant: Christopher Diebold
Proposed Zoning: ST (Suburban Transition)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wiggins.
The motion was seconded by Mr. Wallace.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-78

Steven & Sara Russell
48 Old Bayview Road, North East, MD
Tax Map: 25, Parcel: 11
Applicant: Christopher Diebold
Proposed Zoning: ST (Suburban Transition)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wallace.
The motion was seconded by Mr. Wiggins.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-79

Asten Woods, Inc.
N/S of Old Bayview Road & Bailiff Road
Tax Map: 25, Parcel: 441
Applicant: Christopher Diebold
Proposed Zoning: ST (Suburban Transition)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wiggins.
The motion was seconded by Mr. Wallace.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-80

Roy & Glenn Blomquist
N/S Bethel Church Rd & S/S Bailiff Road (parcel is split by I-95)
Tax Map: 25, Parcel: 32
Applicant: Christopher Diebold
Proposed Zoning: ST (Suburban Transition)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wallace.
The motion was seconded by Mr. Wiggins.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-05-81

Robert T. Crouch
Old Bayview Road & Biggs Hwy.
Tax Map: 19, Parcel: 53
Applicant: Robert T. Crouch
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: BG (Business General)

Mike Pugh appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition to this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Wallace.
The motion was seconded by Mr. Wiggins.

All approve. Motion carried.

L-05-82 Charles & Barbara York
S/S Theodore Road, just west of Benjamin Farm Lane
Tax Map: 25, Parcel:?
Applicant: Christopher Diebold
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: UR (Urbanized Residential)

Chris Diebold appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this project. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Wallace.
The motion was seconded by Mr. Wiggins.

Members in favor of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of disapproval were Mr. Doordan and Mr. Janusz.

Motion for disapproval carried.

L-07-03 Pleasant View Baptist Church
150 Downin Lane, Port Deposit, MD
Tax Map: 23, Parcel: 41
Applicant: H. Barry Montgomery
Proposed Zoning: LDR (Low Density Residential)
Requested Zoning: ST (Suburban Transition)

Pastor Harold Phillips appeared and presented an overview of the requested rezoning.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this rezoning. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Wallace.

All approve. Motion carried.

T-01 Submitted by: Ron Hartman
Section 25.2 (ZO) – Low Density Residential – Density permitted with use of
transfer of development rights (AA page 64)

Ron Hartman, 164 Little Egypt Road, Elkton, MD, appeared and presented an overview of the recommended text amendment.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition to this requested text change. Sue Fuhrman, 9 Locharron Drive, Elkton, MD, Nancy Valentine and George Kaplan, 34 Oak Street, Colora, MD, spoke in favor of this requested text change.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

Members in favor of disapproval were Mr. Doordan and Mr. Janusz.
Members in opposition of disapproval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.

Motion for disapproval defeated.

A motion for approval was made by Mr. Wiggins.
The motion was seconded by Mr. Wallace.

Members in favor of approval were Mr. Wiggins, Mr. Wallace and Mr. Taylor.
Members in opposition of approval were Mr. Janusz, Mr. Doordan and Mr. Mortimer.

Planning Commission vote deadlocked; forwarded to Board of County Commissioners without PC recommendation.

T-02

Submitted by: Michael R. Pugh
Section 33.4 (ZO) – Mineral Extraction A – Industrial uses in the MEA zone (AA pages 75 & 76)

Mike Pugh appeared and presented an overview of the requested text change.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of the requested text change. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Wallace.
The motion was seconded by Mr. Doordan.

Motion for approval carried with Mr. Taylor being the sole opposing vote.

T-03

Submitted by: Sue Fuhrman & Ron Hamlen
Section 25.2 (ZO) – Low Density Residential – Density permitted with use of transfer of development rights (AA page 64).

Applicant was not at the meeting when application was called. Chairman Mortimer stated that he would call T-03 at the end of the meeting.

T-04 **Submitted by: Office of Planning & Zoning**
Section 66 (ZO) – Commerical Kennels – Additions of subsections 5 through 8
(AA page 98).

Eric Sennstrom, Director, Office of Planning and Zoning presented and overview of the recommended text change.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition to this recommended text change. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Wallace.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

T-05 **Submitted by: Jill E. Burke**
Section 246.8(a) (ZO) – Minimum amount of acreage for parcels transferring
development rights (“sending parcels”) (AA pages 361 and 362).

Jill Burke appeared and presented an overview of text changes, T-05 and T-06. Ms. Burke stated that her request is very similar to Mr. Hartman’s earlier request.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this requested text change. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval

A motion for approval was made by Mr. Doordan.
The motion was seconded by Mr. Wiggins.

Motion for approval carried with Mr. Janusz being the sole opposing vote.

T-06 **Submitted by: Jill E. Burke**
Section 246.8(c) and 246.8(d) (ZO) – Water & Sewer service criteria for parcels
receiving transferred development rights (“receiving parcels”) (AA pages 366 &
367).

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this requested text change.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

Motion for disapproval carried.

T-07 **Submitted by: George H. Kaplan**
Section 22.2 (a) & 23.2(a) (ZO) – Minor Subdivision densities in the NAR and SAR zoning districts. (AA pages 59 & 61).

George Kaplan, appeared and presented an overview of the recommended text change.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this recommended text change. Chris Diebold, 5th district, spoke in opposition of this request.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

Motion for disapproval carried with Mr. Wiggins being the sole opposing vote.

T-08 **Submitted by: George H. Kaplan**
Section 24.2 (ZO) – Major and minor subdivision densities in the RR zoning district. (AA page 63).

George Kaplan, appeared and presented an overview of the recommended text change.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this recommended text change. Chris Diebold, 5th district, spoke in opposition of this request.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Doordan.
The motion was seconded by Mr. Janusz.

Motion for disapproval carried.

T-09 **Submitted by: George H. Kaplan**
Section 3.8 (SR) – Major subdivision public notification signage and plat posting on the county's website. (AA pages 24 & 25).

George Kaplan, appeared and presented an overview of the recommended text change.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this recommended text change. Chris Diebold, 5th district, spoke in opposition of this request.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Doordan.
The motion was seconded by Mr. Wallace.

Motion for disapproval carried.

T-10 through T-24 Submitted by: Nancy Valentine

WITHDRAWN

Pat Doordan left the meeting at this time. Mr. McDowell will now be voting.

T-25

Submitted by: Nancy Valentine

Section 28.2 (ZO) – Addition of TDR density in the RM zone (AA page 68).

Nancy Valentine appeared and presented an overview of the requested text change.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this requested text change. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Wallace.
The motion was seconded by Mr. Janusz.

All approve. Motion carried.

T-26

Submitted by: Nancy Valentine

Section 175 (ZO) – Roles of private and public sector entities in community sewerage systems (AA page 164).

Nancy Valentine appeared and presented an overview of the requested text change.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this requested text change. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Disapproval.

A motion for disapproval was made by Mr. Janusz.
The motion was seconded by Mr. Wiggins.

Motion for disapproval carried.

T-27 Submitted by: Nancy Valentine
Section 246.8(a) (ZO) – Maximum residential density in the LDR zone by use of transfer of development rights (AA page 359).

WITHDRAWN

T-28 through T-55 Submitted by: Nancy Valentine

WITHDRAWN

T-56 Submitted by: Office of Planning & Zoning
Section 24.3 (ZO) – Open Space Provisions in the RR zone (AA page 167)

Tony Di Giacomo, Principal Planner, Office of Planning & Zoning, gave an overview of the requested text change.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this requested text change. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Janusz.
The motion was seconded by Mr. Wallace.

All approve. Motion carried.

T-57 Submitted by: Office of Planning & Zoning
Sections 4.0.9, 4.0.10, 4.1.16 and 4.1.17 (SR) – Concept plat requirements, extensions and expiration dates of concept and preliminary plats (AA pages 27-32).

Tony Di Giacomo, Principal Planner, Office of Planning & Zoning, gave an overview of the requested text change.

Chairman Mortimer asked if anyone would like to speak in favor or in opposition of this requested text change. No one spoke.

Mr. Sennstrom read the recommendation of the staff:
Approval.

A motion for approval was made by Mr. Janusz.
The motion was seconded by Mr. Wallace.

All approve. Motion carried.

Text change number T-03 was recalled but no one appeared to present this request. T-03 was considered withdrawn.

Mr. Sennstrom asked for the Commission to forward a recommendation to the Board of County Commissioners on the document with the recommendations contained in the matrix of map change requests, text change requests and late change requests.

A motion for approval was made by Mr. Janusz.
The motion was seconded by Mr. Wallace.

All approve. Motion carried.

The February 16, 2011 Planning Commission Comprehensive Rezoning Hearing adjourned at 10:21 p.m.

Respectfully Submitted:

Jennifer Bakeoven