

**PLANNING AND ZONING COMMISSION
MINUTES
June 15, 2010**

ATTENDEES:

Members

Pam Buckley
John Staley
Lauren Taylor
Peck Miller
Joel Brous
Tom Singman

Staff

Blaine Smith
Kay Stroud
Bob Nelson
Will Esham

I. CALL TO ORDER – 6:00 p.m.

II. DISCUSSION

1. Montego Bay Civic Association is requesting public input into using attic space as habitable space.

APPLICANT: Montego Bay Civic Association

R. Blaine Smith, Zoning Administrator, presented a brief history of development of Montego Bay, which was conceived in 1969. It began as a recreational-type community of second homes and was very uniform and regimented in community features. Prior to 1985, the community had moved to allow modular homes in the community after successfully petitioning the Mayor and City Council. To use existing mobiles and cut costs, many singlewide mobile homes were updated with “build-overs” on the remaining chassis. In more recent years custom-built homes were approved by the Mayor and City Council, so all types of homes are currently allowed in the community. Since late 2009 the Board of Directors has been working with Blaine to evaluate whether it’s time to start utilizing the attic space as habitable space. Maximum building height in accordance with Zoning Code is 15’ in the MH district. The roof pitch has evolved from 5/12 to 7/12 maximum under Montego Bay’s regulations. Limited dormer windows are allowed on each side of the roofline, neither of which can exceed 4’ in width. Under current zoning regulations, though the structures can almost be classified as Cape Cod type dwellings, it has prohibited the use of attic space as habitable space, only storage and mechanical, due to Life Safety codes. Permanent stairs to the attic have historically been prohibited until recently agreed upon to meet all life safety codes. Crucial to request, once Montego Bay is ready, Blaine would bring it forward as an initiative of the Planning Commission or the Mayor and Council. The Board of Directors has recently polled the ownership of approximately 1500 sites and 63% of respondents were in favor of the change, 37% in opposition. Since majority has been reached, they believe it’s time to go to the Mayor and Council to ask for this code change. Pre-requisites: Clarification of building height: to be measured from the crown of the road to the top plate of the wall, limiting the maximum building height to 15’. 7/12 maximum roof pitch could be codified in MH District with PZ concurrence. Habitation in that space would be in accordance with all life safety regulations.

Vera McCullough, President, and John McDermott, who chaired the committee and survey, were present. Tax structure and consequence of the changes are concerns of some residents. Bob Nelson showed a power-point program showing several Montego Bay homes to illustrate the building features Mr. Smith had presented. The three-bedroom limit will be maintained due to square-footage and off-street parking limitations. The Commission agreed by Lauren Taylor's motion and Peck Miller's second to bring the issue to public hearing. The vote was unanimous (7-0).

2. Request for approval to operate a temporary commercial parking lot located on the east side of Philadelphia Avenue and north side of 2nd Street, and known locally as 204 Philadelphia Avenue.
APPLICANT: Absolute Demolition

Absolute Demolition demolished the old Greyhound Bus Station located at 204 Philadelphia Avenue in 2009. Blaine Smith gave permission after demolition waste removal to operate a temporary parking lot and they would like to continue this use in the interim before someone develops stronger interest in this property. Maintenance of the property and storm water will continue, so there will be no nuisance factor. Glenn Irwin of OCDC has approved the site plan before the Commission members with a fence, parking layout, and landscaping. Mr. Irwin indicated he would like final approval on the fencing material prior to permitting. Bryant Bunting of Absolute Demolition explained the concrete/asphalt remaining onsite and how this factors into landscaping. All 9 trees that are required are located in the 3' wide grass strip on the northern end of the property. Peck Miller motioned to approve the 2-year temporary parking lot with Glenn Irwin's (OCDC's) approval of the fence with John Staley seconding. The vote was unanimous (7-0).

3. Introduction to the Route 50 Corridor Committee and its plan to conduct a regional corridor study which would extend from the Chesapeake Bay Bridge to Ocean City.
APPLICANT: Route 50 Corridor Committee

Bob Nelson, Planner, discussed the intent and goals of the Route 50 Corridor Committee, of which he is a member as Ocean City's representative. The Committee asked that the Planning Commission send a favorable recommendation to the Mayor and Council, who would in turn forward a letter to the SHA and have the State Senator sign it seeking funding for the hiring of the Consultant to undertake the Corridor Plan. Details at this time are quite vague. The next meeting will be held on June 18, 2010. The Planning Commission determined that when Bob is able to attend future meetings that would create a more comprehensive view that they would examine our role at that time. The goal is that SHA would do nothing until all communities along Route 50 have input into the Plan. The discussion was tabled pending further details.

4. Informal discussion reflecting on May 18th's public hearing concerning reducing residential density in commercial zoning districts.

Peck Miller offered that the thing he'd like to see come out of this tabled issue would be to increase the setback to 100' along Coastal Highway on the bayside for residential properties instead of reducing the density. Commercial properties could be located in the increased setback only. Blaine explained that the Special Bayside Regulations (height by right) offered some protection by backing buildings up to 50'. The Code

currently would allow 5 story residential buildings at a setback of 10' creating a corridor effect. Mr. Miller's recommendation is to open the hearing again and not change the density but to change the setback as abovementioned for residential use prior to the next building boom. Lauren Taylor stated that the Commission needed to be very specific in advertising a public hearing about not reducing residential density, but to change setbacks.

Chairman Buckley requested that the staff take specific properties and see what would happen to them with redevelopment and submit to the Commission prior to opening another public hearing. Mrs. Buckley asked Kay for a copy of the zoning map and a new house number map.

III. ELECTIONS

Lauren Taylor made motion to maintain current slate of officers (below), Peck Miller seconded. Vote was unanimous (7-0).

Pam Greer Buckley – Chairman
John Staley – Secretary

The Commission was apprised of upcoming hearings and meetings.

IV. ADJOURNMENT – 7:10 p.m.

John Staley, Secretary 8/03/10
John Staley, Secretary Date