

**PLANNING AND ZONING COMMISSION
MINUTES
February 7, 2012**

ATTENDEES:

Members
John Staley
Peck Miller
Lauren Taylor
Joel Brous

Staff
Blaine Smith
Kay Stroud
Will Esham
Robert Nelson

CALL TO ORDER – 6:30 PM

I. APPROVAL OF MINUTES:

Minutes of January 18, 2012 – Lauren Taylor made the motion, Peck Miller seconded. Unanimous approval (4-0).

II. APPOINTMENT:

1. Application has been made for a subdivided two-family dwelling (Lots 10A & 10B) in accordance with BZA #10-09400019 and Building Permit #11-19735, located at Lot 10, Block 44N of the J. E. Evans Development Plat, and further described as located on the west side of Edgewater Avenue and north of 5th Street, and locally known as 505 Edgewater Avenue, in the Town of Ocean City, Maryland.

APPLICANT: RESORT HOMES (FILE #12-07800001)

Blaine Smith gave history of project, including BZA 2305 from January 13, 2011 which granted approval for a special parking exception to design standards to allow stacked parking and backing out onto Edgewater Avenue; and to allow subdivision of the parcel into two lots with less than 2,500 square feet each in order to build an attached two-family dwelling. The structure was built in accordance with Building Permit #11-19735.

Commissioner Miller asked that a notation be put in the file concerning the state-owned waters as part of the platted lot. The Wyatt's retain riparian rights to the waters there even though that portion of the platted lot is now state-owned.

MOTION/Miller **SECONDED/Taylor** Vote was unanimous (4-0) to approve the site plan for subdivision as presented.

6. The watersport operation shall comply with all State of Maryland personal watercraft regulations.
7. The approval shall be for one (1) parasail boat and twelve (12) wave runners.
8. The fuel handling and storage is to maintain approval by the Fire Marshal's office.
9. This approval shall be for a period of five (5) years.
10. The Mayor and City Council may revoke the Conditional Use permit should the applicant not comply with all of the above conditions and with federal, state, and local regulations pertaining to the watersport operation.
11. The screen enclosure shall be maintained around the fuel tank.
12. A low visibility trash receptacle shall be maintained on site.
13. The wave runners shall be restricted to the capacity specified by the manufacturer.
14. Landscape shall be maintained adjacent to South 1st Street and Philadelphia Avenue.
15. Applicant shall maintain signage in compliance with the Downtown Design Overlay Zone District.
16. This approval is for this applicant only. Any change in ownership would necessitate coming back to the Planning and Zoning Commission for review.

IV. ADJOURNMENT – 7:30 PM

<u>John Staley, Secretary</u>	<u>2/22/12</u>
John Staley, Secretary	Date

