

**PLANNING AND ZONING COMMISSON
MINUTES
NOVEMBER 19, 2013**

ATTENDEES:

Members
Pam Buckley
John Staley
Peck Miller
Lauren Taylor
Joel Brous
Chris Shanahan
Palmer Gillis

Staff
Blaine Smith
Kay Stroud
Will Esham

CALL TO ORDER – 6:30 PM

I. APPROVAL OF MINUTES:

Minutes of October 15, 2013 delayed until next meeting for a vote.

II. SITE PLAN:

Site Plan Review of proposed redevelopment of a single-family residence into three (3) 3-BR multi-family units. The site of this application is described as Lot 13, Block 13N, Sinepuxent Beach Company Plat, 1891; further described as located on the west side of Atlantic Avenue (Boardwalk) and mid-block between 12th and 13th Streets, and known locally as 1211 Atlantic Avenue, in the Town of Ocean City, Maryland.

APPLICANT: WALT MAIZEL (FILE #13-18100016)

Blaine Smith, Assistant Director of Planning and Zoning, presented the application of this 3 unit multi-family structure for family use. Jennifer Martin, property owner, previously had a single-family dwelling on the lot which was demolished in anticipation of building this 3 unit structure, one unit per floor. Staff recommendations were presented, as below:

1. Trash refuse containers and recycling containers shall comply with the minimum standards set forth in Chapter 70 subject to the Solid Waste Department approval. All exterior garbage or rubbish containers shall be screened from the street on all but one side by an opaque fence, landscaping, an earth berm or other suitable opaque enclosure. The average height of the enclosure shall be one foot more than the height of the container but shall not be required to exceed eight feet in height.
2. The project shall comply with all regulations pertaining to stormwater management, and infiltration as per Chapter 30, Environment, Article III, Stormwater Management, prior to issuance of a building permit.
3. The parking lot shall be paved in accordance with Chapter 74 of the Town Code.

4. Any disturbance to the alleys during construction shall be improved to Ocean City specifications at the expense of the owner/developer.
5. The location of transformers shall be subject to the approval of Delmarva Power and the Zoning Administrator.
6. All landscape shall be installed in accordance with Chapter 30, Article VII, Atlantic Coastal Bays Critical Area criteria, where applicable.
7. Location, height, type, and direction of lighting designed per Section 110-865.21 (1)(b) (Upper Downtown Design Area).
8. It is required that the owner provides a location survey verifying compliance with minimum setbacks when the building foundation is completed above grade.
9. The project is subject to the provisions of the Atlantic Coastal Bays Critical Areas Protection Act.
10. The project is subject to impact fees adopted by the Mayor and City Council.
11. All site plan approvals are subject to building code, fire code and all other applicable governmental regulations.
12. All work shall be completed as shown on the approved site plan and any revisions to the approved site plan shall be in accordance with Section 110-184.
13. Final site plan approval shall expire eighteen (18) months after the date of approval unless a building permit for the project is obtained prior thereto pursuant to Section 110-52(c)(2).
14. Subject to obtaining a building permit for all site work.
15. Design of structure subject to OCDC recommendations, attached.

Glenn Irwin, Executive Director of OCDC, spoke in full support of the redevelopment project.

MOTION/Taylor SECONDED/Shanahan (7-0) Motion to approve as presented.

After reviewing this site plan, the Commissioners discussed the possibility of having Kevin Brown, CBO, and Matt Margotta, Director, Planning & Community Development, speak with them regarding what could be amended in the building code regarding the 51% substantial improvement law that appears to be a deterrent of improving existing structures.

III. ELECTION OF OFFICERS

The Commission conducted their annual business meeting in choosing officers for Chairman and Secretary. Peck Miller motioned to re-elect Pam Buckley as Chairman and John Staley as Secretary. Lauren Taylor seconded the motion. The vote was unanimous, (7-0).

ADJOURNMENT @ 7:30 p.m.

John Staley 12/17/13
John Staley Commission Sec. Date