

**PLANNING AND ZONING COMMISSION  
MINUTES  
AUGUST 5, 2014**

**ATTENDEES:**

**Members**

Pam Buckley  
John Staley  
Peck Miller  
Lauren Taylor

**Staff**

Blaine Smith  
Kay Stroud  
Will Esham

**CALL TO ORDER – 6:30 PM**

**I. MINUTES**

Minutes of July 15, 2014 –

**MOTION/Taylor    SECOND/Miller    (4-0) Motion to approve as presented.**

**II. SITE PLANS**

Proposed redevelopment of a 63-unit hotel (currently the Riviera Motel) to be part of the Crystal Beach Hotel, located on Lots 1-8, Block 74N, Sinepuxent Beach Company Plat, 1891; further described as located on the east side of Baltimore Avenue, between 25<sup>th</sup> and 26<sup>th</sup> Streets, and locally known as 2510 Baltimore Avenue, in the Town of Ocean City, Maryland.

**APPLICANT: ATLANTIC GROUP & ASSOCIATES, INC – FILE #14-18100009**

Blaine Smith, Zoning Administrator, introduced the site plan application. He gave a brief history of the redevelopment proposal, along with the zero lot line variance granted by BZA for the site on July 10, 2014, which allows the two contiguous lots along Baltimore Avenue to remain in separate ownership. The owners and members of the Atlantic Group were on hand to answer brief questions.

**MOTION/Taylor    SECONDED/Miller    (4-0) Motion to approve as presented in accordance with staff recommendations:**

1. Design Guidelines, per Section 110-181, apply to all of the corporate limits of the Town of Ocean City.
2. 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. Because the two properties are under separate ownership, applicant must provide a shared facilities agreement to be recorded in the Land Records of Worcester County prior to Certificate of Occupancy issuance.

3. The project shall comply with all regulations pertaining to stormwater management and infiltration as per the Standards of the Worcester County Soil Conservation District and the State of Maryland prior to issuance of a building permit.
4. All construction and/or repairs of curb cuts, sidewalks and streets and/or street amenities shall be approved by the Department of Engineering and shall be installed in accordance with the specifications and standards of that department. Any existing curb cuts that are being abandoned must be removed and replaced with a sidewalk subject to city specifications.
5. It is the policy of the Planning Commission to require 8' wide sidewalks on all public streets adjoining the project. Pervious pavers may be considered to meet this need subject to specifications set forth by the Engineering Department.
6. All vehicular use areas shall maintain headroom clearance of seven (7) feet, clear of all obstructions including utilities and lighting fixtures. All supporting columns within the vehicular use areas shall not encroach into any minimum parking space or access drive.
7. All loading zones and service areas shall maintain a minimum headroom clearance of fourteen (14) feet and a minimum size of 540 square feet, clear of all obstructions including utilities and lighting fixtures.
8. The parking lot shall be paved in accordance with Chapter 74 of the Town Code.
9. If any disturbance is made in the alleys abutting the project, they shall be improved per Ocean City specifications at the expense of the owner/developer.
10. The location of transformers/generators shall be subject to the approval of Delmarva Power and the Zoning Administrator. The generators shall be subject to the noise regulations set forth in Chapter 30, Article V.
11. Location and/or relocation of fire hydrants shall be subject to the approval of the Water Department and the Fire Marshal.
12. All landscape shall be installed in accordance with Chapter 30, Article VII, Atlantic Coastal Bays Critical Area criteria, where applicable.
13. Location, height, type, and direction of lighting designed per Section 110-876(h) Lighting Requirements, including at a minimum a photometric plan to illuminate site and off-street parking areas expressed in footcandles throughout the property.
14. It is required that the owner provides a location survey verifying compliance with minimum setbacks when the building foundation is completed above grade.
15. The project is subject to the provisions of the Atlantic Coastal Bays Critical Areas Protection Act.

16. The project is subject to impact fees adopted by the Mayor and City Council.
17. The hotel/motel project shall be operated in compliance with Section 110-907, items 1 thru 11, Hotel/Motel Definition, following:
  - (1) Be operated exclusively as a place of temporary lodging for compensation.
  - (2) Be open to the public generally rather than to a limited group.
  - (3) Contain a public lobby and guest registration office with guest rooms & suites.
  - (4) Provide full-time on-site management, guest registration personnel, daily maid service and maintenance to all guest rooms and suites.
  - (5) Limit the number of different guest room and suite keys to the number of guest rooms and suites approved by Ocean City; rooms or suites shall not be subdivided or used to provide more separate living areas than approved by Ocean City.
  - (6) Individual guest rooms and suites shall not have individual utility connections metered separately, including water, sewer and electric connections.
  - (7) Maintain a sign with the name of the hotel/motel on the outside of the property, with the word "hotel/motel" prominently displayed.
  - (8) Maintain records, for at least the most recent two years, of all guests, including names, addresses, rooms or suites assigned and term of stay, and make said records available for inspection by the department on 24 hours' notice.
  - (9) Comply with the minimum lot area per dwelling unit specified in the district regulations.
  - (10) Not to be construed to include any building or structure defined as a multiple-family dwelling in this chapter for the purpose of calculating lot area per unit and off-street parking per dwelling unit. In the case of mixed dwelling types, the required minimum lot area per unit and parking requirements shall equal the sum of the requirements of the various uses computed separately.
  - (11) In the event that that hotel/motel units are to be sold as condominiums, timeshare, partnerships or other forms of individual ownership, the condominium plats, bylaws and covenants shall be reviewed and approved by the administrator and the Planning Commission attorney.
18. All site plan approvals are subject to building code, fire code and all other applicable governmental regulations.
19. 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.
20. All parcels shall be deed consolidated as per Section 110-874. The Board of Zoning Appeals granted a variance for a zero lot line on the south side on July 10, 2014.
21. 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).
22. All sign permits shall be issued in accordance with those signs shown on the site

plan.

23. Subject to obtaining a building permit for all site work.

### III. **DISCUSSION**

To discuss adding the following statement to Chapter 110, the Zoning Code, in the MH, Mobile Home Districts: "The roof line of a mobile home must be constructed in relationship to the width of the unit and not with the length of the unit." The purpose is to prevent homes with minimal setbacks from being constructed with 7/12 roof pitches in relationship to the length of the home in order to decrease fire hazards, and restrict and limit the flow of air, light and ventilation between units.

**PETITIONER: ISLE OF WIGHT TRAILER PARK, INC – GLENN A. KURKA, PRESIDENT**

Mr. Kurka of Isle of Wight Trailer Park and Tony Kendrick of Montego Bay Mobile Home Park were both present to explain their concerns with excessive roof height and the above restrictions and hazards associated with it in the MH, Mobile Home, Zoning Districts with such narrow lots and minimal setbacks between units. Mr. Kendrick also gave the staff a few photographs explaining how Montego Bay has begun to handle the issue.

**MOTION/Miller      **SECONDED/Taylor**      (4-0)** Motion to take the proposed code amendment to a public hearing in September, 2014.

**ADJOURNMENT @ 7:35 p.m.**

*John Staley 8/19/14*

John Staley    Secretary                      Date