

PLANNING AND ZONING COMMISSON
MINUTES
April 7, 2015

ATTENDEES:

Members

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

Staff

Blaine Smith
Kay Stroud
Will Esham

I. MINUTES 6:45 PM

Minutes of March 17, 2015

MOTION/Gillis SECOND/Taylor Motion to approve as presented with a vote of (6-0-1) Joel Brous absent for March 17th meeting, abstained.

II. PUBLIC HEARING 7 PM

Pursuant to the provisions of Article II, Section 5, Conditional Uses, a request has been filed under the provisions of Section 110-514, Uses permitted by Conditional Use in the LC-1, Local Commercial District, to amend and/or alter an existing Conditional Use permit (#13-16100001) to remove the condition of approval (#9) imposed by the Mayor and City Council that stated no outside seating was to be utilized, in order to remove three (3) non-required parking spaces to create a deck with outdoor seating. The site of the appeal is described as an unnumbered lot of the Isle of Wight Plat, further described as located on the west side of Coastal Highway and on the south side of 56th Street, and known locally as 5509 Coastal Highway, in the Town of Ocean City, Maryland.

APPLICANT: OCEAN CITY BREWING COMPANY – (FILE #15-12100004)

Blaine Smith, Zoning Administrator, presented the application to amend the Conditional Use request approved in 2014 for this company. Joshua Shores, business owner/applicant, represented himself. He testified that he is requesting the ability to have limited outdoor seating at a deck to be built if approved, but this is contingent upon the Mayor and Council removing a condition of approval that stipulated no outdoor seating. He further testified that he would have no music, only outdoor seating under umbrellas on the deck, which would be gated.

Matt Rankin, general manager, testified that they'd received many requests for outdoor seating and with Mr. Shores submitted a 25-page petition with signatures of patrons who support this request.

Monica Whitehead, manager of the Maresol Home Owner's Association, presented a letter in opposition to the lifting of the conditions placed by the Mayor and City Council in February 2014. They object to allowing outdoor seating and to removing three parking spaces in order to build the deck.

The hearing was closed to testimony at 7:25 pm. After initial deliberation, Palmer Gillis motioned to reopen the hearing at 7:32 for more specific testimony and comment. Joel Brous seconded and the vote was unanimous (7-0).

The Commissioners determined they would rather see the outdoor seating be placed on the northeast side of the structure instead of the south side and to move the handicapped accessible parking spaces to the south where the original deck was intended to be built for greater accessibility. This would give the opportunity to create a landscaping area adjacent to Coastal Highway and the outdoor decking; which would be built to a maximum size of 1200 square feet and be fully fenced.

The Commissioners requested that the hearing be continued with a new professionally drawn site plan showing the recommendations above, new landscaping, and new interior configuration which would allow access to the outdoor dining from the kitchen area.

MOTION/Staley SECOND/Miller Vote to continue the hearing until April 21, 2015 if everything is ready to be put on the agenda (7-0)

With no further business to review, the meeting was adjourned.

John C Staley 4/21/15
John Staley, Secretary Date