

**FRUITLAND PLANNING COMMISSION
TUESDAY, AUGUST 4, 2015
MINUTES**

The Fruitland Planning Commission met at City Hall on Tuesday, August 4, 2015 at 7:00 p.m. with the following members present:

Chairman Leland Bonneville, Derek Bland, Darlene Kerr and Jason Pearce.

Also present were:

City Solicitor Andrew C. Mitchell Jr. and Administrative Assistant Linda Powell.

Our guests included:

Bob Marvel, Councilor Chuck Nichols, Attorney Walter Webster and Mary Stevens.

Chairman Bonneville called the meeting to order at 7:00 p.m. and acknowledged receipt of the minutes of the July 7, 2015 Planning Commission Meeting, calling for additions or corrections. As there were none, **Mr. Bland moved to adopt the minutes as presented; Mrs. Kerr seconded and the motion was approved by four votes in favor.**

OLD BUSINESS

1. Proposed New Home Occupation Definition Recommendation

Solicitor Mitchell stated that all should have received the draft ordinance of the New Home Occupation Definition. Mrs. Kerr confirmed that all had received the draft and were ready to make a recommendation to City Council at the July meeting but wanted to wait until Mr. Pearce returned from vacation so that he could give his comments. Mr. Pearce acknowledged that he had reviewed the draft and was in full agreement with its content.

Mr. Bland made a motion that the Commission make a recommendation to City Council to adopt the New Home Occupation Definition as presented, Mr. Pearce second and the motion was approved by a four to zero vote in favor.

2. Other

Solicitor Mitchell reiterated that based on previous meeting discussions, there appeared to be a favorable consensus of the Commission to allow churches as a permitted use by special exception in the C-4 and C-5 business districts of the zoning ordinance. He further stated that if the Commission was still in favor of amending the text in those business districts, then he would move forward with drafting the proposed ordinance. In response, the Commission stated that they were still in favor of the amending the zoning ordinance to allow churches as a permitted use in the proposed business districts.

NEW BUSINESS

1. Subdivision of Land for Proposed Sale (109 Poplar Street)

Attorney Walter Webster came forward to present a request on behalf of Mary Stevens, who was interested in purchasing a portion of land from a neighboring property owner with an abutting rear yard. He informed the Commission that Ms. Stevens had approached Mrs. Bertina Farrare, who resides at 109 Poplar Street, to ask if she would be willing to sell a portion, approximately 3,194 square feet, off the rear of her property for the purpose of gardening and, if possible, for future driveway access to Poplar Street. Attorney Webster stated that a tentative agreement had been reached pending the feasibility of city approval for the subdivision.

Discussion ensued among the Commission which resulted in a general consensus that the subdivision would be permitted based upon their review of a final plat denoting all pertinent property criteria such as zoning, newly created lot lines and lot lines to be removed and all other relevant information as is standard procedure.

It was suggested that Doug Jones, having produced the recent boundary survey for Mrs. Farrare, be contacted to produce the required subdivision plat.

Finally, Attorney Webster and Ms. Mary Stevens were advised that once they had obtained an official subdivision plat of the properties, they would need to come back before the Commission for review and final approval.

2 Comprehensive Plan Update Review Process

Solicitor Mitchell stated that he merely wanted to introduce the Comprehensive Plan update review process. He began by informing the Commission of the adoption date (February 2009) of the last Comprehensive Plan update. He reiterated that the Comprehensive Plan update used to be required every six years, but has since been changed to every ten years and that we now have four more years in which to complete the process. Solicitor Mitchell then provided a recap of the State's definition of a Comprehensive Plan as is referenced below.

("A comprehensive plan is a document, officially adopted by the local governing body, which spells out the manner in which a municipality, county or sub-area of a county must develop. Typically, it includes a map showing proposed future land use and anticipated transportation and community facilities. It also contains policies for protecting environmental features and recommendations for amending local development-related ordinances in a manner that helps achieve the comprehensive plan's objectives. It must also explain how the jurisdiction will provide water for development and address the handling of sewage treatment plant discharges. Municipal comprehensive plans must explain how anticipated growth will impact community facilities and the environment, and identify areas where growth will occur. The plan has legal significance in that zoning, provision of water and sewer, and other local actions and other actions must be consistent with its recommendations." Source: MDP website - <http://www.mdp.state.md.us/OurWork/CompPlans/Background.shtml>)

Solicitor Mitchell then briefed the Commission on the various growth elements to be addressed, with emphasis on sensitive areas, which refers to development along waterways.

Finally, Solicitor Mitchell provided the Commission with a web site address that would offer them helpful information and lead them to other valuable resources while preparing for the upcoming review process.

General Discussion

Mr. Bland brought up a concern as it relates to multiple occupancy on residential property. He stated that as a property owner with aging parents, he could find himself having to deal with the issue of establishing private living quarters for family unable to manage on their own. He felt this would be a good topic for future zoning discussions in an effort to be proactive in city planning matters.

Solicitor Mitchell, for clarification, stated that multiple occupancy on single family residential property is not permitted. He further referred to a past instance wherein a property owner was faced with a similar situation and the city suggested constructing a breezeway to attach an accessory structure so as to comply with the creation of a single family dwelling for family member.

Several members of the Commission agreed that this type of occupancy occurs more than is realized and that it would be a good idea to begin looking at ways to address the issue.

With no further business to discuss, **Mr. Bland moved to adjourn and Mrs. Kerr seconded. The motion was approved by a four to zero vote in favor and the meeting adjourned at 7:30 p.m.**

Submitted by,

*Linda J. Powell
Administrative Assist.*

Approved September 1, 2015