



**MINUTES OF THE CITY COUNCIL WORK SESSION held
Monday, February 2, 1998, for the purpose of discussing expanded planning and
zoning authority .**

The meeting began at 8:12pm. It was held in the Council Room of the Municipal Building.

PRESENT WERE: Council members Edward V.J. Putens, Rodney M. Roberts, Alan Turnbull Thomas X. White and Mayor Judith F. Davis.

STAFF PRESENT WERE: Michael P. McLaughlin, City Manager; David E. Moran, City Clerk; Robert Manzi, City Solicitor and Celia Craze, Director of Planning and Community Development

ALSO PRESENT WERE: Sheldon Goldberg and Kerana Todorov, Gazette Newspapers

Ms. Craze began by describing the types of authority the city could assume. She described variances and hardships. Most of the things the city would see are decks, sheds, etc.

Next, Mr. Manzi described "departures". He indicated that you have to demonstrate hardship or demonstrate that you can do better another way. Mr. Manzi noted that a variance is from a lot line, departures are usually within the lot.

Ms. Craze indicated that the city is likely to see more variances. Mr. White asked if the city could deal with woodland conservation issues. Staff responded that woodland conservation would not be part of the city's authority.

It was noted that the County Attorney has determined that City Council must be the final authority.

There was discussion about the APB and their ability to review departures, salary issues, training and the number of meetings that would be required. Ms. Craze indicated that it would depend on how many departures we receive.

Ms. Craze described the process for Council to handle these items. She indicated that College Park places these items on a consent agenda, giving council the opportunity to "call up" and then there would be a hearing on a different evening.

Mr. Putens expressed the need for training of Council and board members on the zoning process. Mr. White noted that Council's role would be different. Mr. Manzi stressed that Council would need a legal reason to deny a variance. Ms Davis asked if

Council could talk to staff about these cases. Mr. Manzi responded not once the case was filed.

Mr. Turnbull agreed with the need for training. Mr. Manzi believed staff could contact M-NCPPC to get some information. Ms. Craze thought APA would be a good source of training. Mr. Roberts suggested using mock cases.

Ms. Craze described the "person of record" process. Council expressed concern about this process and stressed the need to educate the community and make the process as clear and open as possible.

Next, Ms. Craze noted that there would be ads in the News Review, postings in the municipal building and notices to adjacent property owners. She also indicated that signs would be required on commercial property variances.

Ms. Craze proposed that the city adopt the same fees as the County. She indicated that the next step was to draft an ordinance. She indicated that the County could grant the authority by July 1. In response to a question about budget impacts, Ms. Craze noted she would be requesting additional staff in the upcoming budget.

Mr. Turnbull suggested establishing qualifications for the Board of Appeals and the APB. Mr. Manzi noted that the Board may need its own attorney. He didn't feel that qualifications were necessary for APB and Board of Appeals members.

Mr. Turnbull asked if this authority could be returned to the County. Mr. Manzi believed that it could.

The meeting was adjourned at 9:25pm.

Respectfully Submitted,

David E. Moran

City Clerk