

## Planning and Zoning Commission Meeting

A meeting of the Pocomoke City Planning and Zoning Commission was held by social media/zoom access on Wednesday, January, 20 2021. The meeting was called to order at 5:02 PM.

Chairman: Alex Kagan-Not Present  
Rebecca Skorobatsch  
Steven Mills  
Kyle Pilchard  
Ryan Hurley-Not Present

Director of Planning: Dan Brandewie  
Mayor: Susan Marshall Harrison  
City Clerk: Michelle Beckett-El Soloh

Commissioner Skorobatsch called the meeting to order.

Approval of minutes for December 16, 2020 were tabled.

### Public Hearing and Review of Zoning Text Amendments

Mr. Brandewie noted that the public hearing was on the following zoning text amendments:

1. To amend Article IV General Regulations Section 230-18 Accessory structures in residence districts: to amend setback distances for accessory structures depending on size or uses; to allow nonconforming structures to be rebuilt under certain conditions; to set limits on the coverage within rear yard areas; to set height limits and other standards.
2. To amend Article XIV Exceptions and Modifications, § 230-99 Other exceptions to yard requirements: to clarify the application process to obtain a fence permit to set standards for height, location and materials for fencing; to require standards for maintenance and other items.
3. To amend Article IV General Regulations, Section 230-20, Off-street parking and loading. To prohibit the parking of semi-truck and trailers within residential districts.

Mr. Brandewie presented a summary of the proposed zoning text amendments. The zoning text amendments are in the form of an ordinance. Under Section 230-18, modifications were made on the accessory building regulations regarding setback lines. Since the last review, staff recommended having setbacks between accessory buildings and property lines based on the size of the accessory building. Smaller accessory structures (120 square feet or less) would be allowed a reduced setback distance of three (3) feet; and larger accessory structures over 624 square feet would require an 8-foot set back from a property line. It clarified that dog kennels, animal shelters, pools would be ten (10) feet from the property lines. Existing accessory structures that do not meet setbacks distances, and if on permanent foundations could be rebuilt without increasing nonconformity. There is a height limit of 25 feet. The most important change limits the accessory buildings to cover no more than 35% of the rear yard area and one cannot include the area of the front yard setback in that calculation of

area of rear yards. Some language such as converting an accessory structure into a residence would not be allowed.

Mr. Brandewie reported that fence regulations is the next modification. There is a new section in Article IX, 200-100, while Section 230-99 B (1) and B (2) would be deleted. Most of the proposed changes are common sense with improved language on maintenance and materials, especially prohibited materials. Under this draft chain link fences would not be permitted in front yards. Height limits stay the same: six feet in rear yards and four feet in front yards. Fencing in front yards would need to be one foot away from the front property line due to street or sidewalk repairs. In the B1 or M1 zoning districts, industrial fencing can have exceptions to height requirements. Section G identifies materials and requires that fences in front yards cannot be less than 50% solid. It also requires that the finished side of the fence face outside. Also, there must be an entrance gate that opens into the property and cannot encroach upon easements or public right of way. To replace fencing would require a permit but no fee charged. For pools or spas that are 24 inches or more a 4-foot fence would be required.

The third topic was to amend the General Regulations under Section 230-20 which would prohibit the parking of semi-truck trailers in all residential districts. Mr. Brandewie noted that the parking of certain commercial vehicles including semi-trucks are already prohibited to be parked on residential streets and this would prohibit them to be parked on private property within all residential zoning districts. Mr. Brandewie clarified that parking a large commercial vehicle on private property in violation of the proposed ordinance could be fined under the new language. There are concerns over noise in certain residential areas caused by large commercial vehicles.

Commissioner Mills asked where people who drive semi-trucks for a living would be able to park? Sometimes drivers do not have alternative transportation to home if they park away from home in an approved area. The Commissioners agreed that language of other zoning codes need to be looked at. Mr. Brandewie reviewed Section 220-17, Vehicles & Traffic, no commercial vehicle shall be parked on residential streets for more than 2 hours between 11:00 pm and 7:00 am. For example, under Section 220-21, a person cannot leave a commercial vehicle for longer than 72 hours on city streets. There are other requirements if it is a refrigerated trailer. Commissioner Skorobatsch wanted to know if that also applied to moving vehicles. Other towns require temporary permits. Mr. Brandewie didn't feel that was necessary to restrict vehicles intended for moving vans or trucks as they are allowed to load and unload.

Committee members and Mayor Susan Marshall Harrison had no comment and were satisfied with the updates.

#### Public Comment

Travis Cowger, said his thoughts are that residential streets are for residents. Larger commercial vehicles do damage to the streets and doesn't mix well where children ride bicycles. It is not visually appealing to the neighborhood. Anything over 1 ton would exclude 6-wheel vehicles or larger. Most pickup like 350s are 1 ton or less. He noted that a semi-truck is parked on his street.

Commissioner Skorobatsch said she has found where other commercial vehicles are restricted from residential areas in other Maryland towns. She supported classifications for weight limits to better define what is a commercial vehicle.

Motion to recommend adoption of new ordinances as written. (Skorobatsch, Pilchard)

Acclamation: Mills-aye, Skorobatsch-aye, Pilchard-aye; Mills “aye” was contingent on adding more specific language regarding weights and vehicle classifications. The other Commissioners were in agreement. Motion carried

Mr. Brandewie stated that a updated code will be forwarded to City Council for a public hearing. He stated that Commissioner Alex Kagan has submitted his resignation and the Mayor will be notified.

Motion to adjourn (Skorobatsch, Pilchard)

Acclamation: Mills-aye, Skorobatsch-aye, Pilchard-aye; none opposed, motion carried

Approved: K. M. Beckett-El Solah

City Clerk