

Meeting Minutes: Expanded Permitting To-Do List W/ Notes 2/13/2013

In attendance: M Sheehan; Pat Baptiste; Tom Jackson; David Jones; Ellen Sands

Decisions in red; **Bullets** are things on the initial To Do list that we did not address or reach resolution on at the meeting

Chapter 8-1: Definitions

Rear Yard definition for corner lots: A corner lot has two front yards. The question then becomes which yard is the side yard and which is the rear yard, which has setback implications, and impacts where accessory buildings may be located. Montgomery County allows applicants to determine which will be the side and which will be the rear yard. We do not make an applicant specify a rear yard- we allow two front yards and two side yards. But our Code specifies that accessory buildings be located in the rear yard of the property. Therefore currently a property on a corner lot cannot construct an accessory building. **Recommended that we continue to allow residents to select which will be the rear yard- add a line to the Rear Yard definition stating such along the lines of "For corner lots, the rear yard shall be determined by the resident in accordance with Montgomery County zoning regulations."**

Walls: At what height is a wall a structure? If it retains earth is it a wall? Is an 8" high decorative landscape wall a structure? **Add a definition of "wall" which includes the language "for the purpose of dividing or enclosing" but exclude cheekwalls under 'xx-inches' in height alongside a set of steps".**

Section 8-4: Residential Building Permits

Definition and regulation of decorative landscape ponds- currently neither the County nor Village have regulations specific to ponds. **Landscape ponds to be a special permit from the Board of Managers for the time being until it is determined how the Board would like to proceed and/or until Montgomery County introduces regulation. Language to include: "water containment feature of any depth"- should that be modified to say "less than 18 in depth", so it doesn't conflict with swimming pools?**

- **Outdoor Kitchens- currently not regulated**
- **Need setback requirements for outdoor therapeutic baths**
- **Need to clarify the confusing language for outdoor therapeutic baths and swimming pools**

8-4(4):

In-kind replacement of a non-compliant driveway requires a special permit from the Board. **Modify to make this an administrative permit- what about a change of material in the same footprint?**

In-kind replacement of a sidewalk requires a license to use the right-of-way (as does construction of a new walkway). **Modify to make this an administrative permit and no right-of-way license required.**

Construction of a new walkway requires a permit.

We do not regulate the amount of impervious surface.

8-4(5):

Suspend requirement for planting a tree within 7' of the property line – **Yes- unless we are going to further regulate location and type of trees- many people complain about trees planted so that they shade abutting properties.**

8-4(6):

The following are not specifically called out as requiring permits on private property:

Irrigation systems (**don't require**); pet containment fences; (**not required**) generators (**yes**); and geothermal systems (**yes**).

NEXT MEETING: February 27, 7:30PM