

Garrett Park Land Use Task Force
Minutes
January 28, 2010

Present: Lizzie Glidden-Boyle, Harry Gordon, Suzanne Grefsheim, Kay Hager, Todd Harris, Barbara Jackson, Pat Keating, John King, Cindy Kratz, Peter Kratz, Pam Morgan, Kevin Pope, Bob Reinhardt, Natalie Shelton, and Nancy Schwartz. Ex-officio: Beth Irons, Council Liaison. Chris Keller, Mayor.

Absent: Ken Ingham

Approval of November 19 Minutes.

The minutes were approved with modification by a vote of 14 yea and 2 abstain.

Response to LUTF Questions re Exemptions

The attorney's opinion (attached), dated January 20, 2010, was that Montgomery County Code applies to the Town "regardless of whether the Town incorporates it by reference in its own Code, and regardless of whether or not particular sections or terms are specifically recognized or included in the Town Code." The Town may impose stricter requirements than the County in the areas of fences, walls, hedges, etc.; signs; residential parking, residential storage, the dimensions of structures, including height, bulk, massing, and design; and lot coverage, including impervious surfaces. Although Town requirements are more restrictive than the County's in several allowed areas, with regard to exemptions from setbacks, it's current Code only places such stricter restrictions on open porches in the front yard setback. (The County allows covered, open porches to extend 9 feet into the setback, the Town limits this to 8 feet and only for existing houses, not for new construction.) Therefore, the other exemptions for bay windows, cornices, chimneys, etc., in the opinion of the attorney, are by reference to the County Code allowed.

The Town Council asked the Task Force to examine each of these exemptions from setbacks and make recommendations about each in its report. In the meantime, the Town Council advised the Setback Advisory Committee (SAC) to incorporate Montgomery County exemptions to setbacks in its consideration of recommendations on building permit applications. Harry Gordon stated on behalf of the SAC that the committee was so advised and will do so.

Bob Reinhardt moved and Natalie Shelton seconded that this be included in Town Council minutes so that the decision and direction to the SAC be on the record. The motion passed with 14 in favor, one against and one abstention.

Sub-committee Reports

Communications: Cindy Kratz reported there were 96 responses from 90 households to the survey conducted during the fall. Ken Ingham prepared a preliminary report. The Sub-committee has yet to meet to finalize its report. That meeting should take place in the next week or two. Once it does, the Sub-committee will send it by email to the Task Force as a whole. It

was noted that the survey is not scientifically valid, but an expression of the opinions of self-selected respondents.

Technical Standards: Bob Reinhardt read the preliminary recommendations of the Technical Standards Sub-committee. He agreed to send the minutes of the Sub-committee's January 14 meeting, where these recommendations were introduced, to the LUTF as a whole for consideration before the next LUTF meeting on February 25. A primary recommendation of the Sub-committee is to work with the County to amend the Garrett Park overlay rather than amend the Garrett Park ordinance. Pam Morgan presented slides showing various graphic representations of the levels of review a building permit goes through or could go through under different scenarios to support the recommendation.

The report also contained a preliminary list of recommendations discussed by the Sub-committee for amending the Garrett Park Overlay Zone. It was agreed that rationale for the recommendations and examples of how recommendations could be implemented, especially a sliding scale, would be helpful/necessary for the LUTF when considering these recommendations.

Action Items

Bob Reinhardt to distribute by email the Technical Standards Sub-committee draft meeting minutes for January 14 to entire LUTF as soon as possible.

Cindy Kratz will send final Communications Sub-committee report (email) to the LUTF.

Chair will draft an outline of the Task Force Report for consideration by the LUTF.

Respectfully submitted,

Suzanne Grefsheim, Chair