

4:00 P.M. Item - RZ-2000-MA-036 - S&R DEVELOPERS
Mason District

On Wednesday, January 17, 2001, the Planning Commission voted 10-0-1 (*Commissioner Kelso abstaining; Commissioner Harsel absent from the meeting*) to recommend the following actions to the Board of Supervisors:

Approval of RZ-2000-MA-036, subject to the execution of proffers consistent with those dated January 16, 2001, with the deletion of the following phrase from proffer #8: "...without requiring a proffer interpretation or the approval of a proffered condition amendment."

Waiver of the minimum district size requirement.

Planning Commission Meeting
January 17, 2001
Verbatim Excerpts

RZ-2000-MA-036 - S&R DEVELOPERS, INC.

Decision Only During Commission Matters
(Public Hearing was held on January 10, 2001)

Commissioner Hall: On the evening of January 10th, we heard another case in Mason District, RZ-2000-MA-026. The applicant is S&R Developers, Inc. If you recall, the Mason District Land Use Committee supports this application. And Joe Allison, a member of the Bryn Mawr Committee and long standing member of the Land Use Committee came and spoke in favor. However, there was one issue which had just recently been brought up by the applicant. It had to do with the sun rooms and there was a need to revise the proffers and staff needed an opportunity to look over what was being proposed. This evening I have -- I just received the revised proffers and I was uncomfortable with the language because it talked about approval without requiring the approval of a proffered condition amendment. I think that is inappropriate language for a proffer and I have asked Mr. Martin to remove that language. So I would like him to talk to the proffers this evening.

Keith Martin, Esquire: For the record, I'm Keith Martin of Walsh, Colucci. We agree to that language, although it's not unusual. This is not precedent setting. We would agree to delete that language.

Commissioner Hall: Okay. Specifically, would you read the one sentence and how you're going to change it?

Mr. Martin: It will read: "Open space as shown on the GDP may be reduced from approximately 56 percent to approximately 53 percent to accommodate rear yard extensions, subject to substantial compliance with the easements and landscaping as shown on the GDP."

Commissioner Hall: Thank you. Okay. That being the only issue, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE RZ-2000-MA-036, SUBJECT TO THE EXECUTION OF THE PROFFERS CONSISTENT WITH THOSE DATED JANUARY 16, 2001, AS AMENDED THIS EVENING BY THE APPLICANT'S REPRESENTATIVE, SPECIFICALLY, LANGUAGE UNDER PROFFER NUMBER 8, "...WITHOUT REQUIRING A PROFFER INTERPRETATION OR THE APPROVAL OF A PROFFERED CONDITION AMENDMENT" WILL BE DELETED FROM NUMBER 8.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ-2000-MA-036 with the amended proffers, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Kelso: Abstain.

Chairman Murphy: Motion carries. Mr. Kelso abstains; not present for the public hearing.
Ms. Hall.

Commissioner Hall: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE A WAIVER OF THE MINIMUM DISTRICT REQUIREMENT.

Commissioner Byers: Second.

Chairman Murphy: Seconded by Mr. Byers. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Kelso: Abstain.

Chairman Murphy: Motion carries. Mr. Kelso abstains.

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(Each motion carried by a vote of 10-0-1 with Commissioner Kelso abstaining;
Commissioner Harsel absent from the meeting.)

GLW