

**TOWN OF ELKTON
BOARD OF ZONING APPEALS
JULY 19, 2012
MINUTES**

Present: Robert Olewine; Jared Roudybush; Dawn Schwartz; Charles E. Cramer, Jr.,
J. Craig Trostle, Jr., Director, Building & Zoning; H. Norman Wilson, Jr., Esquire,
Attorney

Absent: Shirley Hicks

Mr. Olewine called the meeting to order at 7:00 p.m.

ACTION: Motion was made by Mr. Roudybush to approve the minutes of the June 21, 2012 meeting. Motion was seconded by Ms. Schwartz and unanimously approved.

CASE # 1434 – REQUEST OF IZZ, LLC, 40 EAST MAIN STREET, PMB 324, NEWARK, DELAWARE FOR THE FOLLOWING VARIANCES FOR SIGNAGE: 1) EXCEED SQUARE FOOTAGE ALLOWANCE FOR WALL SIGN BY 34 SQUARE FEET; 2) TWO ADDITIONAL WALL SIGNS. THIS ACTION CONCERNS PROPERTY LOCATED AT THE VILLAGE AT ELKTON, 801 EAST PULASKI HIGHWAY, SUITE 181, ELKTON, MARYLAND 21921, TAX MAP 316, PARCEL 2327, ZONED C-2

Mr. Robert C. Carlozzi was sworn in and introduced himself to the Board. He informed the Board that he would like to place a sign at the Village of Elkton for the space where the Milk Bar has previously been located. Their intention is to increase the amount of wall signage allowed by 34 square feet in order for their sign to be seen from Route 40. He referred to the provided sign rendering to show what the sign would look like at 40 sf and 74 sf from Pulaski Highway at a distance of 340 linear feet. He indicated they plan to place awnings on either side of the proposed sign. He stated the infrastructure currently exists for the awnings they are proposing to place. Mr. Carlozzi stated they have received approval from the property manager for the Village at Elkton, Mr. Jim Oeste, to place the additional signage.

Mr. Olewine asked whether the signage on the awnings would be lighted. Mr. Carlozzi stated that the signage would be backlit. Ms. Schwartz asked for clarification of the signage and infrastructure. Mr. Carlozzi explained that the signage will be on the center awning with a plain awning located on either side of the sign. He noted that several other signs at the shopping center are larger than those they are proposing.

Ms. Schwartz inquired if the restaurant was a franchise. Mr. Carlozzi stated that Hurricane Grill & Wings is a franchise the majority of which are mostly located in Florida but they are branching out into Atlanta and the Minnesota area. He pointed out that their request for signage is based on what is required from the franchisee and follows the corporate guidelines.

Mr. Olewine entertained questions or comments either for or against this request. There were none.

MOTION: Motion was made by Mr. Roudybush to approve the variance to exceed the square footage allowance for a wall sign by 34 square feet for Hurricane Grill & Wings. The motion was seconded by Mr. Cramer and unanimously approved.

MOTION: Motion was made by Ms. Schwartz to approve the variance request for two additional wall signs for Hurricane Grill & Wings. The motion was seconded by Mr. Cramer and unanimously approved.

CASE # 1435 – REQUEST OF HERTRICH PROPERTIES XII, LLC, 1427 BAY ROAD, MILFORD, DELAWARE FOR A SPECIAL EXCEPTION TO PERMIT AUTO SALES WITHIN THE C-2 ZONE. THIS ACTION CONCERNS PROPERTY LOCATED ON THE NORTH SIDE OF WESTBOUND PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 316, PARCEL 2332, ZONED C-2

Mr. Fred W. Hertrich, IV and Ms. Jessica Bradley of Hertrich Properties and Mr. Jeff Williams of Kercher Engineering were sworn in and introduced to the Board. They are proposing a Chrysler Dodge Jeep dealership at this location which requires a special exception. They feel this site is best suited for their needs due to acreage, access, proximity to other dealerships and traffic count. Most importantly it was approved by the Chrysler Corporation. They propose to sell new and used vehicles and gave specifics with respect to the Town Zoning Ordinance. They will also service new and used cars and light trucks and are planning to place a non-public carwash as well as a non-public fuel tank to maintain their vehicles. He added that they will also be renting vehicles to their customers as necessary.

Mr. Hertrich reviewed each of the conditions of the special exception and affirmed that they would be in compliance with each applicable condition. They are proposing a nice facility that will be architecturally consistent with other businesses in the area. He provided copies of the fascia that would be used for the building. He noted that they are currently working with State Highway regarding access to and from the site.

Mr. Olewine entertained questions from the Board. He asked if the billboards would remain on site. Mr. Hertrich stated that they are working with the current owner but that they would probably be removed. Ms. Schwartz inquired about landscaping of the property and they will work with the Town through the approval process to determine the type of landscaping required.

Mr. Roudybush asked if fencing would be placed anywhere on the property. Mr. Williams stated that they would be placing some fencing at the rear of the property to prohibit foot traffic which would possibly be higher than normal fencing.

Mr. Olewine entertained questions from the audience. There were none.

MOTION: Motion was made by Mr. Roudybush to recommend approval of the special exception for Hertrich Chrysler Dodge Jeep to the Board of Zoning Appeals. The motion was seconded by Ms. Schwartz and unanimously approved.

CASE # 1436 – REQUEST OF MERIDIAN HOLDINGS, LLC, 138 CATHEDRAL STREET, ELKTON, MARYLAND FOR VARIANCES TO: 1) MAINTAIN (IN FRONT OF BUILDING) AND 2) CREATE (IN REAR OF PROPOSED ADDITION) PARKING AISLES HAVING WIDTHS OF 16.9 FEET EACH, RATHER THAN THE REQUIRED 18 FEET, TO ACCESS EXISTING 60 DEGREE PARKING SPACES. THIS ACTION CONCERNS PROPERTY

**LOCATED AT 115 NORTH BRIDGE STREET, ELKTON, MARYLAND, TAX MAP 310,
PARCEL 1425, ZONED C-1**

Mr. Mike Paraskevich of Pelsa Engineering was sworn in and introduced to the Board. Mr. Olewine asked for clarification as to which variance they would be withdrawing. Mr. Paraskevich stated that they are withdrawing the first variance request.

Mr. Paraskevich stated that he is working with the doctors who are currently operating their office on Cathedral Street and are proposing to move to 115 Bridge Street. They wish to place an addition to the rear of the existing building at the new location. He pointed out that the Ordinance requires an 18' parking aisle width and they are asking for a variance to allow a 16'9" aisle width in order to have an adequate width for the curb and sidewalk. They need to enlarge the curbed area in order to keep vehicles from hitting the building while parking. They would be staying within the intent of the Code.

Mr. Olewine asked if there would be ingress and egress off Bridge Street only. Mr. Paraskevich confirmed that all ingress and egress would be from Bridge Street. Mr. Cramer inquired about the number of parking spaces they would be providing. Mr. Paraskevich stated there would be fourteen (14) spaces.

Mr. Olewine entertained comment from the audience. Mr. Norman Wilson spoke in favor of the project and mentioned that one of the neighboring properties owned by Mr. Williams has no issues with the project either.

OLD BUSINESS: None

NEW BUSINESS: None

It was noted that there would be cases for the meeting on August 16th. There being no further items for discussion Mr. Olewine adjourned the meeting at 7:39 p.m.

Respectfully submitted,

Brenda Humphreys