

**TOWN OF ELKTON
BOARD OF ZONING APPEALS
APRIL 18, 2013
MINUTES**

Present: Robert Olewine; Jared Roudybush; Shirley Hicks; Charles E. Cramer, Jr.; Dawn Schwartz, J. Craig Trostle, Jr., Director, Building & Zoning; Jason L. Allison, Esquire, Attorney

Absent: None

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

ACTION: Motion was made by Ms. Schwartz to approve the minutes of the March 21, 2013 meeting. Motion was seconded by Ms. Hicks.

CASE # 1443 – REQUEST OF 3D SIGNS, 9633 LIBERTY ROAD, RANDALLSTOWN, MARYLAND FOR A VARIANCE TO EXCEED THE SIZE ALLOWED BY ZONING FOR TWO (2) WALL SIGNS. APPLICANTS ASK FOR A RELAXATION OF 107.87 SQUARE FEET FOR THE SIGN ON THE WEST SIDE OF THE BUILDING A RELAXATION OF 27.20 SQUARE FEET FOR THE SIGN ON THE SOUTH SIDE OF THE BUILDING. THIS ACTION CONCERNS PROPERTY LOCATED AT 317 W. PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 314, PARCEL 219, ZONED C-2

Mr. David Dresin of 3D Signs was in attendance to address this request. He stated that they are requesting to replace the existing sign band along the front and side of the building with their new logo. The new branding has one section which incorporates a ‘swoosh’ with the logo colors. The Zoning Ordinance considers the entire band as one sign and therefore they will need the variances being requested.

Mr. Olewine questioned the number of signs being requested. It was determined that there are two wall signs and one pylon sign. The pylon sign does not require a variance.

Ms. Schwartz asked whether they were simply requesting the same variances as those proposed at the previous meeting. Mr. Dresin advised her that they were the same signs.

Mr. Olewine entertained additional questions or comment from the Board. There were none. He entertained questions from the audience. There were none.

MOTION: Motion was made by Mr. Cramer to approve the wall sign variance for the east side of the building. The motion was seconded by Ms. Schwartz and unanimously approved.

MOTION: Motion was made by Mr. Cramer to approve the wall sign variance for the north side of the building. The motion was seconded by Ms. Schwartz and unanimously approved.

CASE # 1446 – REQUEST OF RODNEY W. HEINZE, 15 RADCLIFFE COURT, ELKTON, MARYLAND FOR A SPECIAL EXCEPTION TO OPERATE A HOME OCCUPATION. THIS ACTION CONCERNS PROPERTY LOCATED AT 15 RADCLIFFE COURT, ELKTON, MARYLAND, TAX MAP 323, PARCEL 2344, ZONED R-3

Ms. Sylvia Heinze was in attendance to address this request. She stated she is a nurse and is certified in oncology and hospice and palliative care and would like to do consulting out of their home. She noted that she would be traveling to her consulting jobs or doing the consulting over the phone. Her husband has a background as a sales person and would like to be a manufacturer's rep. They would not have any signage or have people coming to their home.

Mr. Olewine commended her and her husband for coming forward to request this special exception. He stated that the Town would probably not have been aware of their work and he commended them for doing the right thing.

Mr. Olewine entertained questions from the Board. Ms. Schwartz confirmed that no signage would be at the home and wondered how many vehicles might be at the home due to the consulting work being done. Ms. Heinze stated she could not imagine having clients at their home but that if they did it would only be one vehicle, other than their own, at the home at any given time.

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

Mr. Olewine read the recommendation from the Planning Commission regarding this request. (See attached)

MOTION: Motion was made by Mr. Roudybush to approve the special exception request for a period of one year. Motion was seconded by Ms. Hicks and unanimously approved.

CASE # 1447 – REQUEST OF MARC SCHEINER, 360 E. PULASKI HIGHWAY, ELKTON, MARYLAND FOR A VARIANCE TO EXCEED THE TOTAL ALLOWABLE SQUARE FOOTAGE FOR SIGNAGE BY AN ADDITIONAL 44.4 SQUARE FEET. THIS ACTION CONCERNS PROPERTY LCOATED AT 360 E. PULASKI HIGHWAY, TAX MAP 315, PARCEL 2384, ZONED C-2

Dr. Marc Scheiner was in attendance to address this request. He informed the Board that he had been before the Board in 2009 and had asked to place a sign at that time. The sign was not of

good quality and they have had numerous problems with the sign. Local sign companies are resistant to working on the sign and therefore they want to replace the sign with one they will be purchasing from a local company. The new sign will be larger than the existing 40 square foot sign. The new sign will be larger and therefore they will need the requested variance.

Mr. Olewine stated his concern is that in a few years they will be requesting a larger sign. Dr. Scheiner noted that this was a concern when the original sign was approved in 2009. There was discussion regarding whether the Board could restrict them coming back before the Board for additional signage. Mr. Allison informed the Board that they could not make that type of restriction.

Mr. Cramer asked if they were seeking a change in the size of the sign. Dr. Scheiner stated that there was a difference in the size of the sign from the existing sign. There was some discussion regarding the height of the sign. Dr. Scheiner stated that they would be using the same posts as the existing sign.

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

Ms. Schwartz requested to be recused from voting on this particular case.

MOTION: Motion was made by Ms. Hicks to approve the variance request for 44.4 additional square feet as presented. The motion was seconded by Mr. Roudybush and unanimously approved.

OLD BUSINESS: None

NEW BUSINESS: None

There being no further items for discussion Mr. Olewine adjourned the meeting at 7:20 p.m.

Respectfully submitted,

Brenda Humphreys