

**TOWN OF ELKTON
BOARD OF ZONING APPEALS
MARCH 19, 2015
MINUTES**

Present: Robert Olewine; Jared Roudybush; Dawn Schwartz; Shirley Hicks; Charles E. Cramer, Jr.; Lisa M. Blackson, Esq., Legal Counsel; Charles A. Bromwell, Director, Building & Zoning

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 from the January 22, 2015 meeting. The motion was seconded by Ms. Hicks and unanimously approved.

CASE # 1473 – REQUEST OF KC SIGNS & AWNINGS, 142 CONCHESTER HIGHWAY, ASTON, PENNSYLVANIA REPRESENTING BRIDGE STREET LIQUORS AND REQUESTING THE FOLLOWING VARIANCES: 1) EXCEED THE ALLOWABLE SQUARE FOOTAGE FOR SIGNAGE BY EIGHTY FIVE (85) SQUARE FEET; AND 2) TWENTY SEVEN FOOT, SIX INCH (27’ 6”) FRONT SETBACK FOR PLACEMENT OF A PYLON SIGN. THIS ACTION CONCERNS PROPERTY LOCATED AT 701 NORTH BRIDGE STREET, ELKTON, MARYLAND, TAX MAP 310, PARCEL 2437, ZONED C-2

Mr. Greg Feld of KC Signs & Awnings was in attendance to address this request. He was sworn in by Ms. Lisa Blackson, Legal Counsel and presented his case before the Board.

He stated the application is a follow-up to a case that presented before the Board last year. He noted that the approved sign has never been placed and provided the Board with a photograph of the existing location and the proposed sign at the same location. He mentioned that he did not know what had transpired prior to him becoming involved with this project. He stated that a front setback variance of 27’6” had been approved in order to place the sign at the location that would give adequate visibility for the business.

He went on to say that the owner has decided to place a free standing sign which will require an additional 85 square feet of area for the proposed sign. The sign will be double sided and includes a marquee sign for advertising of sale items. Mr. Olewine inquired whether the store will be split into two businesses. Mr. Bromwell stated that Mr. Patel has been working on a dollar store in the unit at the back of the building. It was noted that the dollar store sign shown on the pylon would be used for whatever business is placed in that location.

Mr. Cramer questioned the location of the sign. Mr. Feld noted that the front setback would be determined by the leading edge of the sign rather than the location of the pole.

Ms. Schwartz asked the reason the owner felt the sign needed to be enlarged. Mr. Feld stated that there are other businesses along the road with similar size and location of signs. He pointed out the Vlamis Liquors sign and stated it would be approximately the same size and type of sign.

Mr. Feld pointed out that the height from the ground to the bottom of the sign is eight (8) feet. Mr. Bromwell pointed out that the Town Ordinance requires seven (7) feet so they are above the height required. Discussion ensued regarding the size of the sign and the amount of square footage allowed for the property. It was determined that there was a credit of 14 square feet of signage still available prior to this variance request and that was taken into consideration when the request was submitted.

Mr. Bromwell noted that the variances from last year are no longer in effect because they have expired. Ms. Hicks asked if the remaining signs, such as the Miller High Life sign, would remain after the proposed sign is placed. Mr. Bromwell responded that the other signs would be removed per the Town Ordinance.

Mr. Olewine entertained any additional comments or questions from the Board. There were none.

OLD BUSINESS: None

NEW BUSINESS: Mr. Bromwell informed the Board there were no cases submitted for the April meeting and therefore a meeting would not be required.

As there were no further items for discussion Mr. Olewine moved into the discussion and motion phase of the meeting.

MOTION: Motion was made by Ms. Schwartz to deny the variance request to exceed the allowable square footage by 85 square feet for the proposed sign provided the construction is completed within one year from the date the legal opinion is signed. There was no second to the motion and therefore the motion failed.

MOTION: Motion was made by Mr. Roudybush to approve the variance request to exceed the allowable square footage for the proposed sign by 85 square feet provided the construction of the sign is completed within one year from the date the legal opinion is signed. The motion was seconded by Ms. Hicks with the remaining members voting as follows: Mr. Cramer – Aye; Ms. Schwartz – Nay and Mr. Olewine – Aye.

MOTION: Motion was made by Mr. Roudybush to approve the front setback variance request of 27'6". The motion was seconded by Mr. Cramer with the remaining members voting as follows: Ms. Schwartz – Nay, Ms. Hicks – Aye and Mr. Olewine – Aye.

Mr. Olewine asked if the Board wished to amend the motions to require the work to be completed within one year of the date of the opinion. The consensus of the Board was affirmative and the motions were amended to reflect that change.

There being no further business to discuss Mr. Olewine adjourned the meeting at 7:20 p.m.

Respectfully submitted,

Brenda Humphreys