

**TOWN OF ELKTON
BOARD OF ZONING APPEALS
AUGUST 16, 2018
MINUTES**

Present: Robert Olewine; Dawn Schwartz; Shirley Hicks; Richard Czernik; Rob Massimiano;
Lisa Hamilton Blackson, Esq., Legal Counsel, Chip Bromwell, Building Official

Absent: Heather Mahaffey

ACTION: Motion was made by Ms. Schwartz to approve the minutes from the July 19, 2018 meeting as written. The motion was seconded by Mr. Massimiano and unanimously approved.

All presenters were sworn in prior to their testimony.

CASE # 1530 – REQUEST OF HES SIGN SERVICES, INC. REPRESENTING SEASONS PIZZA FOR THE FOLLOWING VARIANCES: 1) VARIANCE FOR PLACEMENT OF TWO ADDITIONAL WALL SIGNS; AND 2) VARIANCE TO EXCEED THE ALLOWABLE SQUARE FOOTAGE FOR A WALL SIGN BY 25.83 SQUARE FEET FOR EACH ADDITIONAL WALL SIGN. THIS ACTION CONCERNS PROPERTY LOCATED AT 101 W. PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 315, PARCEL 2209, LOT 1 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Mike Hewitt of HES Sign Services, Inc. was in attendance to address this request. Mr. Olewine asked in what location of the building the businesses would be located. He answered that the Starbucks would sit toward the front closed to Pulaski Highway.

Mr. Hewitt went on to explain that they had already received a permit for the wall signs for the Seasons Pizza Salad and Wings sign shown as No. 1 in the illustrations submitted. They have been placed on the east and south elevations of the building. They are requesting the variance for the ‘pizza slice’ to be added above the existing signs. He stated that the signage they are requesting is typical for all the Seasons locations and they wanted to make them consistent with their other locations.

Mr. Olewine asked if the Starbucks sign was conforming. Mr. Bromwell noted that they had initially considered apply for a variance but chose to make the sign 40 sf or less in order to be in compliance with the Zoning Ordinance requirements for wall signage.

Mr. Olewine entertained questions or comments from the Board. Ms. Schwartz asked if the sign being requested is part of the wording or a separate sign. Mr. Hewitt stated they are two separate signs. She asked if they would be lighted signs. He responded that they would be lighted.

Mr. Olewine entertained questions or comment from the audience. There was no one in attendance to speak for or against this request.

MOTION: Motion was made by Ms. Hicks to approve the variance for placement of two additional wall signs. The motion was seconded by Ms. Schwartz and unanimously approved.

MOTION: Motion was made by Ms. Schwartz to approve the variance to exceed the allowable square footage for a wall sign by 25.83 square feet for each additional wall sign.

CASE # 1531 – REQUEST OF TUPP SIGNS REPRESENTING THE BOARD OF COUNTY COMMISSIONERS FOR A VARIANCE TO EXCEED THE ALLOWABLE SQUARE FOOTAGE FOR A WALL SIGN BY 28 SQUARE FEET. THIS ACTION CONCERNS PROPERTY LOCATED AT 301 NEWARK AVENUE, ELKTON, MARYLAND, TAX MAP 306, PARCEL 2098 AND ZONED R-2 (SUBURBAN RESIDENTIAL)

Mr. Pietro D’Agostino of Tupp Signs was in attendance to address this request. Mr. Olewine asked if the library had a sign prior to this request. Mr. D’Agostino stated he did not believe they have ever had a sign. Mr. Olewine asked if the sign would be placed over the drive in entrance to the library. Mr. D’Agostino confirmed that it would. Mr. Olewine questioned whether the sign would be lighted. Mr. D’Agostino confirmed it would be lighted.

Mr. Olewine entertained questions or comments from the Board. There were no questions.

MOTION: Motion was made by Mr. Czernik to approve the variance to exceed the allowable square footage for a wall sign by 28 square feet. The motion was seconded by Ms. Schwartz and unanimously approved.

CASE # 1532 – REQUEST OF MORRIS & RITCHIE ASSOCIATES REPRESENTING GEMCRAFT HOMES FOR A 16.9 FOOT REAR SETBACK VARIANCE TO CONSTRUCT A SINGLE FAMILY DWELLING AND SUNROOM. THIS ACTION CONCERNS PROPERTY LOCATED AT 15 BONNIE MARIE COURT, LOT 23, ELKTON, MARYLAND, TAX MAP 302, PARCEL 2467 AND ZONED R-1 (TOWN ESTATE)

Mr. Johnny Bates of Morris & Ritchie Associates was in attendance to address this request. Mr. Olewine asked if the variance was for the 12’ x 11’ area at the rear of the lot. Mr. Bates stated he was correct and added that the need for the variance was due to the geometry of the lot.

This lot is similar to the previous lot, which the Board reviewed in April 2018, where they requested a similar variance. This lot lies within the R-1 (Town Estate) zoning which requires a larger rear setback requirement of 50 feet. Other areas in the neighborhood may only require a 40 foot setback. He stated they are requesting the variance to the setback in order to place the home at the best location for the buyer.

Mr. Olewine entertained questions or comments from the Board. Ms. Hicks questioned whether the home site number and the lot number were the same or different. She said when she drove by to look at the property the sign on the lot described it as home site # 27. Mr. Bates was not sure if they were the same. Mr. Bromwell stated that generally the lot number and the home site number are the same.

Mr. Olewine entertained questions or comments from the audience. There was no one in attendance to speak for or against this request.

MOTION: Motion was made by Ms. Schwartz to approve the 16.9 foot rear setback variance to construct a single family dwelling and sunroom at 15 Bonnie Marie Court. The motion was seconded by Mr. Czernik and unanimously approved.

OLD BUSINESS: None

NEW BUSINESS: None

The next meeting of the Board of Zoning Appeals will be Thursday, September 20, 2018. There have been no cases submitted to date.

There being no further questions Mr. Olewine called for a motion to adjourn the meeting at 7:42 p.m.

MOTION: Motion was made by Mr. Massimiano to adjourn the meeting. The motion was seconded by Ms. Hicks and unanimously approved.

Respectfully submitted,

Brenda Humphreys