

**TOWN OF ELKTON  
BOARD OF ZONING APPEALS  
JANUARY 17, 2019  
MINUTES**

**Present:** Robert Olewine; Heather Mahaffey; Shirley Hicks; Dawn Schwartz; Lisa Hamilton Blackson, Esq., Legal Counsel; Chip Bromwell

**Absent:** Richard Czernik

The meeting was called to order by Mr. Olewine. He called for a motion to approve the minutes from the December meeting.

**ACTION:** Motion was made by Ms. Schwartz to approve the minutes from the December 20, 2018 meeting as written. The motion was seconded by Ms. Hicks and unanimously approved.

**CASE # 1541 – REQUEST OF RAJESH B. PATEL FOR THE FOLLOWING VARIANCES FOR A GROUND SIGN: 1) 28’4” HEIGHT VARIANCE AND 2) 31’ FRONT SETBACK VARIANCE AT BELLE HILL ROAD. THIS ACTION CONCERNS PROPERTY LOCATED AT THE INTERSECTION OF BELLE HILL AND WARNER ROADS, ELKTON, MARYLAND, TAX MAP 304, PARCEL 2116 AND ZONED C-3 (HIGHWAY INTERCHANGE COMMERCIAL)**

Mr. Brad Stover and Mr. Mitch Ensor of Bay State Land Services, along with Mr. Rajesh B. Patel and Mr. Darrin Bvono (property partner owners) were sworn in to address this request.

The property is 0.89 acres and located 2100 feet from I-95. Between this parcel and Rt. 213 is the Taco Bell/KFC restaurant. They are proposing a building approximately 1850 square feet with a drive thru that circles the building. There will be two way access from both Warner Road and the private drive between the parcel and Taco Bell, which provides access to the Sunrise motel.

Mr. Ensor noted the proposed sign will be located at the northwest corner of the parcel, 29’ from the private drive and 14’ from Belle Hill Road. They are requesting a height variance to place the sign at 50’ which includes the 7 ½’ tall by 16’ wide. The support for the sign will be at approximately 30’ from the property line. He noted that the reasoning for the height variance is so the sign may be viewed by travelers on I-95 as well as local drivers.

The representatives pointed out that there are a number of other signs in the area which are similar in height with their proposed sign. These include Carroll Fuels, Cracker Barrel, and McDonalds, for which they provided illustrations. Mr. Ensor stated that it would be an advertising hardship if their proposed sign would only be allowed to be the same height as the proposed building.

Mr. Olewine asked if any additional proposed signage would require a variance. Mr. Ensor stated they do not. Ms. Schwartz asked if the sign is lighted. Mr. Ensor stated it would be

lighted. She asked how this sign compares to the height and size of the other signs in the area. Mr. Ensor determined it was similar to the McDonald's sign size and height. Discussion ensued with regard to comparisons of size and height with other signs in the area. Ms. Hicks inquired whether this business would be replacing another Dunkin Donuts in the area. Mr. Bvono stated it would be in addition to other businesses in the area.

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

**MOTION: Motion was made by Ms. Schwartz to approve the 28'4" height variance for Dunkin Donuts as presented. The motion was seconded by Ms. Hicks and unanimously approved.**

**MOTION: Motion was made by Ms. Hicks to approve the 31' front setback variance for the Dunkin Donuts sign as presented. The motion was seconded by Ms. Schwartz and unanimously approved.**

**OLD BUSINESS:** There was no business to discuss.

**NEW BUSINESS: Election of Officers**

**MOTION: Motion was made by Ms. Schwartz for Mr. Olewine to continue as Chair of the Board of Zoning Appeals. The motion was seconded by Ms. Hicks and unanimously approved.**

**MOTION: Motion was made by Ms. Schwartz for Ms. Mahaffey to continue as Vice Chair of the Board of Zoning Appeals. The motion was seconded by Ms. Hicks and unanimously approved.**

Mr. Olewine asked if there were any cases for the February meeting. Mr. Bromwell stated that at this point there have not been any cases submitted but there is still a possibility we could have a variance submitted for the next meeting.

There being no further business to discuss the meeting was adjourned.

Respectfully submitted,

Brie Humphreys