

**TOWN OF ELKTON  
BOARD OF ZONING APPEALS  
DECEMBER 19, 2019  
MINUTES**

**Present:** Robert Olewine; Heather Mahaffey; Sam Goldwater; Kelly Bedder; Chip Bromwell, Zoning Administrator; Lisa Blackson, Esq., Legal Counsel

**Absent:** Dawn Schwartz; Shirley Hicks

The meeting was called to order by Mr. Olewine. He called for a motion to approve the minutes from the November 21, 2019 meeting. Mr. Goldwater provided two corrections which needed to be made.

**ACTION:** Motion was made by Ms. Mahaffey to approve the minutes from the November 21, 2019 meeting as amended. The motion was seconded by Mr. Goldwater and unanimously approved.

**CASE # 1556 – ROBERT V. JONES, ESQUIRE REPRESENTING DELAWARE CARDIOVASCULAR ASSOCIATES FOR A SPECIAL EXCEPTION TO OPEN AND OPERATE A MEDICAL OFFICE USE. THIS ACTION CONCERNS PROPERTY AT 106 E. MAIN STREET, ELKTON, MARYLAND, TAX MAP 310, PARCEL 1167 AND ZONED TC (TOWN CENTER)**

Mr. Robert V. Jones, Esquire was in attendance to address this request. He was sworn in and stated his address for the record. He stated he represents the Delaware Cardiovascular Associates who currently have an office in Elkton. The special exception is pursuant to an amendment passed in August of 2019 under Article X, Section 3-130 of the Town Zoning Ordinance. Mr. Jones explained this allows an existing physician's office of 3 or 4 physicians to relocate one time within the TC (Town Center) zone. The professionals can be nurses, licensed physicians or nurse practitioners. It is permitted by special exception in the Town Center Zone.

He noted the building in question is the building located at 106 E. Main Street and owned by Elktowne Partners, LLC. The building was purchased by Dr. Fortunato, a dentist in Wilmington, Delaware and Mr. Tim Dewson who is a major residential/commercial contractor in the Mid Atlantic area. They acquired the office and made substantial improvements. The building is over 28,400 square feet. It is a valuable asset to the community and is assessed at \$1.8 million.

He noted this cardiology practice has been in the Downtown area on North Street in the Town Center zone and therefore qualifies for the special exception. The reason for their move is due to an increase in clientele and therefore they need a larger space to accommodate their patient base. As Union Hospital expands to provide for new patients the cardiovascular practice is expanding along with it.

Cardiovascular issues are a condition many people must deal with and this fact makes it important not only to people in Elkton but also in surrounding areas. As everyone gets older cardiovascular needs become greater. He also noted that younger people have needs for this specialty as well. The

practice is currently in a facility that doesn't provide the space necessary to handle all the patients they see. Their projected use in the facility, if they are granted the special exception, would be about 20 patients a day. They would be leasing approximately 2,600 square feet in the Elktowne Center.

There is a substantial build out that will be required, in the area of \$300,000, and the landlord has a substantial commitment to supply them with all the utilities required for their specialized equipment and also the ability to see the number of patient they require per day. There will be 4-5 full time practitioners involved with this practice. It is important that the Town provide medical office facilities near the hospital, particularly in the field of cardiology.

He pointed out that most of the medical offices in the general area of the hospital, as well as the hospital, are located in the TC (Town Center) zone. He stated there is talk of greater medical facilities acquiring Union Hospital in the future so the medical business in Elkton is going to continue to grow. The Town needs to consider plans to provide space for that growth to be accommodated.

Mr. Jones stated for all of these reasons he feels the Board should give their approval to the request for the special exception for this much needed specialty. He noted the building is currently sprinklered and is state of the art. He said that everything that has been or will be done in that building is of the highest quality.

He confirmed that the building opens on to Howard Street and thirty six (36) parking spaces are provided at the rear of the building as well as some along Main Street. Mr. Olewine commented that the parking is critical and questioned whether there would be access off the parking lot at the rear of the building. Mr. Jones confirmed there was access to be building from Howard Street

Mr. Goldwater inquired as to the amount of space they current have at their present location. Mr. Jones answered they have less than 2,000 square feet and relocating would provide them with an additional 30% of office space. Mr. Goldwater asked on which floor their office space would be located. It was determined their space is located one level below Main Street.

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

Mr. Olewine read the recommendation from the Planning Commission regarding this special exception request from their meeting on December 9, 2019. (see attached)

There was no one in the audience to speak for or against this request.

**MOTION: Motion was made by Mr. Goldwater to approve the special exception to open and operate a medical office use. The motion was seconded by Ms. Bedder and unanimously approved.**

**OLD BUSINESS:** There were no items of old business for discussion.

**NEW BUSINESS:** Mr. Bromwell informed the Board there is one case for the January meeting, a special exception requesting a warehouse use for the PUD (Planned Unit Development). Mr. Olewine inquired where this use would be located specifically with the PUD. Mr. Bromwell stated it would be between Pulaski Highway and Frenchtown Road. He noted that this use was not in the original PUD language and therefore a special exception is required for that use.

**Election of Officers**

Mr. Olewine called for nominations for Chair of the Board of Zoning Appeals for Fiscal Year 2020.

**MOTION: Motion was made by Mr. Goldwater for Mr. Olewine to continue as Chair of the Board of Zoning Appeals. The motion passed unanimously.**

Mr. Olewine called for nominations for Vice Chair of the Board of Zoning Appeals for Fiscal Year 2020.

**MOTION: Motion was made by Mr. Olewine for Ms. Mahaffey to continue as Vice Chair of the Board of Zoning Appeals. The motion passed unanimously.**

The next scheduled meeting of the Board of Zoning Appeals will be January 16, 2020.

There being no further business to discuss the meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Brie Humphreys