

**TOWN OF ELKTON  
BOARD OF ZONING APPEALS  
MAY 21, 2020  
MINUTES**

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

**Absent:** Dawn Schwartz; Sam Goldwater

The meeting was called to order by Mr. Olewine. He called for any additions or corrections to the minutes of the February 20, 2020 meeting. There being no corrections he called for the motion.

**ACTION:** Motion was made by Ms. Hicks to approve the minutes from the February 21, 2020 meeting. The motion was seconded by Ms. Mahaffey and unanimously approved.

**CASE # 1563 – REQUEST OF HES SIGNS REPRESENTING MERION MANOR APARTMENTS, LP, 459 OLD AIRPORT ROAD, NEW CASTLE, DELAWARE FOR A VARIANCE TO ALLOW TWO ADDITIONAL WALL SIGNS. THIS ACTION CONCERNS PROPERTY LOCATED AT 260 BELLE HILL ROAD (KFC/TACO BELL), ELKTON, MARYLAND, TAX MAP 304, PARCEL 2116 AND ZONED C-3 (HIGHWAY INTERCHANGE COMMERCIAL)**

Mr. Jeffrey D'Ambrosia, Permit Specialist for HES Signs was in attendance to address this request. He stated the reason for their request is placement of two additional wall signs for better public visibility. He stated people recognize the Taco Bell logo and therefore will made the business to be easier to locate.

Mr. Olewine questioned whether the signage is consistent with the standard signage for Taco Bell restaurants. Mr. D'Ambrosia stated that it is and since they are sharing the property with another restaurant chain (KFC) they need to be able to distinguish between the two businesses. Discussion ensued regarding the size of the proposed signs. They will each be 2'8" x 2'5".

Mr. Olewine entertained questions from the Board. None of the Board members had any questions. He asked if the audience had any questions. There was no one in attendance with any questions.

**MOTION:** Motion was made by Ms. Bedder to approve the variance for two additional wall signs for the Taco Bell. The motion was seconded by Ms. Hicks and unanimously approved.

**CASE # 1564 – REQUEST OF MORRIS & RITCHIE ASSOCIATES, INC. REPRESENTING SOUTH STREAM FIRST, LLC, 222 N. CONSTITUTION AVENUE, NEW FREEDOM, PENNSYLVANIA FOR A 12.7 FOOT REAR SETBACK VARIANCE. THIS ACTION CONCERNS PROPERTY LOCATED AT SOUTH STREAM DRIVE,**

**LOT 5, ELKTON, MARYLAND, TAX MAP 319, PARCEL 2405 AND ZONED R-2  
(SUBURBAN RESIDENTIAL)**

Mr. Johnny Bates of Morris & Ritchie Associates was in attendance to address this request. Mr. Bates stated they are requesting a variance in order to place a new single family home in the South Stream Subdivision. He stated this particular lot requires a variance due to its unusual geometry and the angle of the rear property line which comes to a point.

Mr. Bates referenced the Town Zoning Ordinance in Article XIII Density and Dimensional Regulations, Section 4. Building Setback Requirements, Item 4. Rear yards which states 'Where the rear wall of a building is not parallel with the rear lot line or a is broken or otherwise irregular, the average depth of the rear yard shall not be less than the otherwise required rear yard provided however, that such rear wall shall at all points be within five (5) feet of the otherwise required rear yard depth.' The required rear yard setback for this unusually shaped lot is forty (40) feet. He stated that in order to place a house on this lot they would need a rear setback variance.

Mr. Olewine asked Mr. Bromwell if he considered this request to be necessary. Mr. Bromwell stated that there really isn't any other way for a house to be placed on the lot. He stated that regardless of the shape of any house they might try to place, it would be difficult due to its geometry.

Mr. Olewine asked if any of the Board members had any questions for Mr. Bates. There were no questions from the Board.

Mr. Olewine entertained questions or comments from any other persons attending the meeting. There were no additional questions or comments offered.

**MOTION: Motion was made by Ms. Bedder to approve the 12.7 foot rear setback variance for Lot 5 in South Stream. The motion was seconded by Ms. Hicks and unanimously approved.**

**OLD BUSINESS:** None

**NEW BUSINESS:** None

Mr. Bromwell stated there were no cases submitted for the June meeting.

Mr. Olewine noted the next meeting would therefore be in July. There being no further business to discuss he adjourned the meeting at 6:18 p.m.

Respectfully submitted,

Brie Humphreys