

**TOWN OF ELKTON  
BOARD OF ZONING APPEALS  
JANUARY 20, 2022  
MINUTES**

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

**Absent:** Kelly Bedder

The meeting was called to order by Mr. Olewine. He asked if there were any corrections to the minutes. There being no corrections he called for a motion to approve the minutes from the December 16, 2021 meeting as written.

**ACTION:** Motion was made by Ms. Schwartz to approve the minutes from the December 16, 2021 meeting as written. The motion was seconded by Ms. Hicks with the remaining Board members voting as follows: Ms. Mahaffey – Aye; Mr. Olewine – Aye. The motion passed unanimously.

Mr. Olewine called for all presenters to be sworn in. Ms. Blackson swore in the presenters.

**CASE # 1599 – REQUEST OF TIM’S USED TIRES FOR A SPECIAL EXCEPTION FOR THE PLACEMENT OF FOUR (4) STORAGE TRAILERS. THIS ACTION CONCERNS PROPERTY LOCATED AT 1183 E. PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 033C, PARCEL 2333 AND ZONED C-2 (HIGHWAY COMMERCIAL)**

Ms. Jacqueline Sexton representing Tim’s Used Tires was in attendance to address this request. Mr. Olewine asked if the request was for one year or three years. Ms. Sexton stated they are requesting a three year period.

Mr. Olewine stated he had no questions regarding the storage trailers at this location. He asked Mr. Bromwell if there have been any issues since the special exception was approved previously. Mr. Bromwell stated there have been no issues.

Mr. Olewine entertained questions from the other Board members. There were no questions. Mr. Olewine entertained questions from the audience. There were no questions.

**MOTION:** Motion was made by Ms. Hicks to approve the special exception for four (4) storage trailers for Tim’s Used Tires for a three year period. The motion was seconded by Ms. Schwartz with the remaining members voting as follows: Ms. Mahaffey – Aye; Mr. Olewine – Aye. The motion passed unanimously.

**CASE # 1600 – REQUEST OF WILLIAM ROSENBERG REPRESENTING 7-ELEVEN FOR THE FOLLOWING VARIANCES: FOR THE MAIN BUILDING: 1) TO EXCEED THE MAXIMUM ALLOWABLE NUMBER OF WALL SIGNS BY TWO SIGNS; 2) TO EXCEED THE MAXIMUM ALLOWABLE SQUARE FOOTAGE FOR A WALL SIGN FOR THREE SIGNS BY 21.5 SQUARE FEET EACH. FOR THE CAR WASH BUILDING: 3) TO EXCEED THE MAXIMUM ALLOWABLE NUMBER OF WALL SIGNS BY ONE SIGN; 4) TO EXCEED THE MAXIMUM ALLOWABLE SQUARE FOOTAGE FOR A WALL SIGN FOR TWO SIGNS:**

**1 BY 13 SQUARE FEET AND 1 BY 18 SQUARE FEET. FOR PYLON SIGNS FOR THE PROPERTY: 5) TO EXCEED THE HEIGHT OF THE BUILDING FOR TWO PYLON SIGNS; SIGN P1 BY 10 FEET AND SIGN P2 BY 15 FEET; 6) TO EXCEED THE TOTAL ALLOWABLE SQUARE FOOTAGE OF SIGNAGE FOR THE PROPERTY BY 203 SQUARE FEET; 7) A FRONT SETBACK (PULASKI HIGHWAY) OF 23.26 FEET FOR SIGN P2. THIS ACTION CONCERNS PROPERTY LOCATED AT 732 E. PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 033C, PARCEL 170 AND ZONED C-2 (HIGHWAY COMMERCIAL)**

Mr. Will Rosenberg of Econo Sign, Inc. was in attendance to address this request. Mr. Rosenberg stated he had spoken with Mr. Bromwell with regard to the signs they wished to place at 732 E. Pulaski Highway for the proposed 7-Eleven and was informed variances would be required.

He stated they have new 7-Eleven's in Maryland and Delaware which are situated along main roadways. The signage they are proposed is part of their corporate design standards. Most of the stores have very similar designs especially at intersections and major highways. These specific stores are designed for commercial trucks and vehicles. The pylon signs will provide better visibility for these vehicles as the 7-Eleven colors are well known. They will also be providing directional signs to assist with the flow of traffic throughout the property. The main purpose for the variance requests are for visibility for customers.

Mr. Olewine asked for clarification of the pylon sign location. Mr. Rosenberg stated that the pylon sign labelled P1 is on Maloney Road and the pylon sign labelled P2 is on Pulaski Highway. Mr. Rosenberg pointed out that the height variance is being requested so that large trucks can see their branding at a distance in order to safely make the turn into the property.

Mr. Olewine asked if all the signs are illuminated. Mr. Rosenberg asked if his customer, who represents the sign company, could join the meeting in order to answer these specific questions. Ms. Victoria Cox representing Cummings Signs joined the meeting and was sworn in by Ms. Blackson.

Mr. Olewine asked Ms. Cox which signs would not be lighted. Ms. Cox stated that the signs on the car wash are not lighted. Mr. Olewine asked if the remainder of the signs on the main building, the pylon signs and the gas canopy signs were all lighted. Ms. Cox confirmed that they are all lighted.

Mr. Olewine asked if these are typical signs which had been done in the past for new 7-Eleven stores. Ms. Cox confirmed they are typical corporate signs for 7-Eleven. Ms. Cox stated that not all stores provide access for commercial vehicles but this proposed location will. There are a few additional directional signs for the large trucks to access the diesel gas pumps. Discussion ensued regarding the specific location of the different buildings on the property.

Mr. Olewine entertained questions from the Board. Ms. Schwartz asked about concerns with ingress & egress for the large trucks. Mr. Bromwell stated that is reviewed by State Highway and the Town.

There were no questions from the other Board members. Mr. Olewine moved on to the next case on the agenda.

**VARIANCES FOR THE MAIN BUILDING:**

**MOTION:** Motion was made by Ms. Hicks to approve a variance to exceed the maximum allowable number of wall signs by two signs. The motion was seconded by Ms. Schwartz with the remaining Board members voting as follows: Ms. Mahaffey – Aye; Mr. Olewine – Aye. The motion passed unanimously.

**MOTION:** Motion was made by Ms. Hicks to approve a variance to exceed the maximum allowable square footage for a wall sign for three signs by 21.5 square feet each. The motion was seconded by Ms. Schwartz with the remaining Board members voting as follows: Ms. Mahaffey – Aye; Mr. Olewine – Aye. The motion passed unanimously.

**VARIANCES FOR THE CAR WASH BUILDING:**

**MOTION:** Motion was made by Ms. Hicks to approve a variance to exceed the maximum allowable number of wall signs by one sign. The motion was seconded by Ms. Schwartz with the remaining Board members voting as follows: Ms. Mahaffey – Aye; Mr. Olewine – Aye. The motion passed unanimously.

**MOTION:** Motion was made by Ms. Hicks to approve a variance to exceed the maximum allowable square footage for a wall sign for two signs: 1 by 13 square feet and 1 by 18 square feet

**VARIANCES FOR PYLON SIGNS:**

**MOTION:** Motion was made by Ms. Hicks to approve a variance to exceed the height of the building for two pylon signs; sign P1 by 10 feet and sign P2 by 15 feet. The motion was seconded by Ms. Schwartz with the remaining Board members voting as follows: Ms. Mahaffey – Aye; Mr. Olewine – Aye. The motion passed unanimously.

**MOTION:** Motion was made by Ms. Hicks to approve a variance to exceed the total allowable square footage of signage for the property by 203 square feet. The motion was seconded by Ms. Schwartz with the remaining Board members voting as follows: Ms. Mahaffey – Aye; Mr. Olewine – Aye. The motion passed unanimously.

**MOTION:** Motion was made by Ms. Hicks to approve a front setback variance along Pulaski Highway of 23.26 feet for sign P2. The motion was seconded by Ms. Schwartz with the remaining Board members voting as follows: Ms. Mahaffey – Aye; Mr. Olewine – Aye. The motion passed unanimously.

**CASE # 1601 – REQUEST OF POLLITT SIGNS REPRESENTING SERVICE CHAMP FOR THE FOLLOWING VARIANCES: 1) TO EXCEED THE ALLOWABLE NUMBER OF WALL SIGNS BY ONE SIGN; AND 2) TO EXCEED THE MAXIMUM ALLOWABLE SQUARE FOOTAGE FOR A WALL SIGN BY 45.75 SQUARE FEET. THIS ACTION CONCERNS PROPERTY LOCATED AT 1002 KONICA DRIVE, ELKTON, MARYLAND, TAX MAP 033C, PARCEL 2340 AND ZONED BI (BUSINESS INDUSTRIAL)**

Ms. Barbara Pollitt representing Pollitt Signs and Mr. Tom Leonard representing Service Champ were in attendance to address this request. Mr. Olewine asked what kind of business Service Champ provides.

Mr. Leonard stated they are an automotive after-market company. Some of their primary products are oil, cabin air filters and a number of other automotive products, similar to items found in AutoZone. He noted they are part of Highline Aftermarket which is currently located in the building on Konica Drive. Mr. Leonard stated that Service Champ is a distribution center and that customers would not be coming to their location.

Mr. Olewine asked if they are placing just the one wall sign. Ms. Pollitt stated that is correct and mentioned that the sign is not illuminated.

Discussion ensued regarding the location of the property. Mr. Olewine asked if there were any questions from the Board members. None of the board members had any further questions.

**MOTION: Motion was made by Ms. Schwartz to approve the variance to exceed the allowable number of wall signs by one (1) sign for Service Champ. The motion was seconded by Ms. Hicks with the remaining board members voting as follows: Ms. Mahaffey – Aye; Mr. Olewine – Aye. The motion passed unanimously.**

**MOTION: Motion was made by Ms. Schwartz to approve the variance to exceed the maximum allowable square footage for a wall sign by 45.75 square feet. The motion was seconded by Ms. Hicks with the remaining board members voting as follows: Ms. Mahaffey – Aye; Mr. Olewine – Aye. The motion passed unanimously.**

**OLD BUSINESS:** None

**NEW BUSINESS:** Mr. Olewine asked if any cases had been submitted for the February meeting. Mr. Bromwell stated there have been three special exceptions submitted to date.

**NEXT MEETING:** Mr. Olewine stated the next meeting of the Board of Zoning Appeals will be Thursday, February 17, 2022.

There being no further business to discuss Mr. Olewine adjourned the meeting at 6:35 p.m.

Respectfully submitted,

Brie Humphreys