

**TOWN OF ELKTON  
BOARD OF ZONING APPEALS  
OCTOBER 19, 2023  
MINUTES**

**Present:** Kelly Bedder; Dawn Schwartz; Derek Chastain; Chip Bromwell, Zoning Administrator; Lisa Blackson, Esq., Legal Counsel

**Absent:** Sam Goldwater; Shirley Hicks

Ms. Bedder called the meeting to order. She asked if there were any corrections or additions to the minutes. There being no corrections or additions, she called for a motion to approve the minutes from the August 17, 2023 meeting.

**ACTION: Motion was made by Ms. Schwartz to approve the minutes from the August 17, 2023 meeting as written. The motion was seconded by Mr. Chastain with the remaining Board members voting as follows: Ms. Bedder – Aye. The motion passed unanimously.**

**CASE # 1631 – REQUEST OF BRIAN WORRILOW TO ALLOW A SIX (6) FOOT PRIVACY FENCE IN PART OF THEIR FRONT YARD ALONG WHITEHALL ROAD. THIS ACTION CONCERNS PROPERTY LOCATED AT 2 THYME STREET, ELKTON, MARYLAND, TAX MAP 033E, PARCEL 2346 AND ZONED R-2 (URBAN RESIDENTIAL)**

Brian and Laura Worrilow were in attendance to address this variance request. They were sworn in by Ms. Blackson. Ms. Worrilow stated they are requesting to place a fence where they have an existing fence. She said they have been Cecil County residents their whole lives but this is the first time they have lived within the Town limits of Elkton. She stated they purchased their home in March of this year and realized the existing fence needed to be replaced. The Town considers their property to have two front facing yards. She noted that the side of their property is along Whitehall Road but is considered a front yard and the front facing property line along Thyme Street is also considered a front yard.

She mentioned there is a lot of traffic along Whitehall Road – cars, pedestrians, etc. Many people use the sidewalk next to their home to walk to the shopping center or Redners. They understood this when they purchased the property but the existing fence was a 4' slat style fence. They have a dog and wanted to alleviate the dog seeing people walking by and barking at them. She stated they did not realize they need a new permit for the 6' tall privacy fence since there was already an existing fence and they intended to place the new fence in the same location.

Ms. Worrilow also mentioned they have homeless people living in the area woods and have also found drug paraphernalia in their yard. Since their property is a high traffic location they wanted to give some protection to their yard and provide some seclusion. She stated she doesn't believe the fence will impede movement for anyone in the area since a fence was already at that location. Discussion ensued regarding the actual fence location and Mr. Bromwell explained the paperwork submitted in the packets was provided to show how large their front yard is and where the fence would be located with respect to their property. Ms. Worrilow stated they have about 1/3 of an acre, which is rather large for a townhome.

Mr. Worrilow noted that their back yard is extremely small and triangular shaped. He stated the previous owner had purchased a shed which he believed required a variance due to how close it had to be to the property line and would not meet the required setbacks. He mentioned they have no problem with kids in

the neighborhood playing in their yard, his main concern is their dog. Ms. Worrilow stated when they started the project they thought it would only take them a weekend to complete and didn't realize a new fence permit would be required. Mr. Worrilow noted they had asked Cecil County's permit office about the fence and were told they didn't need a permit since they were replacing an existing fence. They mentioned they had started constructing the fence when they received a stop work order from the Town and came in to the office to speak with Chip Bromwell, the Building Official. At that time he explained what would be required to place the privacy fence in the front yard. She stated they are now six weeks out in getting their fence constructed.

Ms. Schwartz mentioned she was having a concern with a 6' privacy fence in the front yard but after speaking with Mr. Bromwell she now understands what they are requesting to do with the placement of the fence. Ms. Worrilow noted that the picture in the Board packets shows the front of their property.

There were no further questions from the Board. Ms. Bedder asked if anyone in the audience had any questions regarding the fence. There was no one in attendance who wished to speak for or against this variance request.

**MOTION: Motion was made by Ms. Schwartz to approve the variance request for placement of a six (6) foot privacy fence in part of their front yard along Whitehall Road. The motion was seconded by Mr. Chastain with the remaining Board members voting as follows: Ms. Bedder – Aye. The motion passed unanimously.**

**CASE # 1628 – REQUEST OF DAVID CRONE, PSYD FOR A SPECIAL EXCEPTION TO OPERATE A COUNSELING OFFICE IN THE RO ZONE. THIS ACTION CONCERNS PROPERTY LOCATED AT 145 EAST MAIN STREET, ELKTON, MARYLAND, TAX MAP 027H, PARCEL 0901 AND ZONED RO (RESIDENTIAL OFFICE)**

Mr. David Crone, PsyD was in attendance to address this special exception request. He was sworn in by Ms. Blackson. Mr. Crone stated he is a local psychologist and has been in practice in Elkton for the past 18 years. His practice has been located in different locations in Elkton during that time – 155 E. High Street and 215 North Street. He is currently located at 145 E. Main Street and after he had signed the lease he found out that counseling was not allowed in the RO zone.

He stated he spoke with Mr. Bromwell and went through the process of applying for the special exception. He stated he has a small private practice for two evenings a week (Monday & Tuesday) and every other Saturday morning. He stated many of his clientele are local professionals who work in Town and it is very convenient. He mentioned that he does not prescribe any medication and his office is located on the second floor of the building.

Ms. Bedder asked if the other Board members had any questions for Mr. Crone. They had no questions. Ms. Bedder read the Planning Commission recommendation from their meeting on October 9<sup>th</sup> (see copy attached).

**MOTION: Motion was made by Mr. Chastain to recommend approval of the special exception for counseling for Mr. Crone at 145 East Main Street. The motion was seconded by Ms. Schwartz with the remaining Board members voting as follows: Ms. Bedder – Aye. The motion passed unanimously.**

**CASE # 1629 – REQUEST OF JOYCE BILSKI, CRNP REPRESENTING ENJOY WELLNESS, LLC FOR A SPECIAL EXCEPTION TO OPERATE A COUNSELING SERVICE IN THE RO ZONE. THIS ACTION CONCERNS PROPERTY LOCATED AT 145 EAST MAIN STREET, ELKTON, MARYLAND, TAX MAP 027H, PARCEL 0901 AND ZONED RO (RESIDENTIAL OFFICE)**

Ms. Joyce Bilski, CRNP was in attendance to address this special exception request for a counseling office. She was sworn in by Ms. Blackson.

Ms. Bilski stated she is a certified nurse practitioner and is located in the same building as Mr. Crone. She does integrative mental health and medical weight loss counseling. She stated her practice is mainly telehealth and she maintains the office as a virtual address as part of the requirement for her NPI (National Provider Identifier) number. She noted she has a handful of clients that come to the office so she can get blood pressure and weight.

Ms. Bilski said she also practices on the second floor with the waiting room on the first floor. She noted there is ample parking in the back parking lot for clients. She stated there are approximately eight clients who come to the office in any month and those appointments are mainly in the evenings on Saturdays.

Ms. Bedder stated that since she is a nurse practitioner she would be able to prescribe medication. Ms. Bilski confirmed that she can prescribe meds.

Ms. Bedder asked if the other Board members had any questions for Ms. Bilski. They did not.

Ms. Bedder read the Planning Commission recommendation from their meeting on October 9<sup>th</sup> (see copy attached).

**MOTION: Motion was made by Mr. Chastain to approve the special exception for counseling for Enjoy Wellness, LLC. The motion was seconded by Ms. Schwartz with the remaining Board members voting as follows: Ms. Bedder – Aye. The motion passed unanimously.**

**CASE # 1630 – REQUEST OF JENNIFER TUERKE REPRESENTING VOICES OF HOPE, INC. FOR A SPECIAL EXCEPTION TO ALLOW VEHICLE PARKING ON A LOT WHICH IS NOT RELATED TO THE PRINCIPAL USE. THIS ACTION CONCERNS PROPERTY LOCATED AT 234 HOWARD STREET, ELKTON, MARYLAND, TAX MAP 027H, PARCEL 1078 AND ZONED C-1 (CENTRAL BUSINESS DISTRICT)**

Mr. Harry Austin (owner) and Mr. Aaron Wright representing Voices of Hope, Inc. were in attendance to address this special exception request for parking at 234 Howard Street. Mr. Wright stated he is personally involved in recovery and works with Voices of Hope. He said they have three locations currently here in Elkton at 411-409 W. Pulaski Highway and at the administration building has always been at 224 East Main Street.

Mr. Wright stated they have grown exponentially and their meeting attendance for support meetings has also grown. They currently employ 54 individual employees, 14 of which are in Harford County and 40 are in Elkton at 224 East Main Street. He stated their meeting attendance is around 1,000 people per month and parking has become an issue. He said they are currently parking at 227 Howard Street which is at the back of 224 East Main Street which is the blacktop across from the cemetery.

Mr. Wright stated that Mr. Harry Austin has always been willing to help the community and they asked him if they could use his property at 234 Howard Street for staff parking. He stated they will have a lease agreement regarding the use of the parking spaces. He said they also have a copy of their liability insurance and they will be placing signs which state parking is for the use of 'Voices of Hope' staff only and all others will be towed at the owner's expense.

Ms. Bedder asked if Mr. Austin had anything to add. Mr. Austin stated that he is agreeable to help the clients and staff of Voices of Hope.

Ms. Bedder asked if any Board members had any questions or comments. Ms. Schwartz stated she was glad to see all the work that has been put into the building at 234 Howard Street. It is quite an improvement and she is glad to see it being put to good use. Mr. Chastain asked about handicapped parking at 234 Howard Street. Mr. Wright stated they will be marking handicapped spots and placing a ramp for access at the front and rear of the building. Mr. Bromwell noted that this parking use at 234 Howard Street is for remote parking only and most of the handicapped spaces are at the lot at 227 Howard Street.

Ms. Bedder asked if anyone in the audience had any questions or comments. There was no one in attendance who wished to speak for or against this request.

Ms. Bedder read the Planning Commission recommendation from their meeting on October 9<sup>th</sup> (See copy attached).

**MOTION: Motion was made by Mr. Chastain to approve the special exception for Voices of Hope to allow vehicle parking on a lot not related to the principal use. The motion was seconded by Ms. Schwartz with the remaining Board members voting as follows: Ms. Bedder – Aye. The motion passed unanimously.**

**OLD BUSINESS:** There were no items of Old Business to discuss.

**NEW BUSINESS:** Mr. Bromwell stated there are two cases that were submitted for the November meeting, a fence variance and an appeal of his interpretation of the Zoning Ordinance.

**NEXT MEETING:** Ms. Bedder stated the next meeting of the Board of Zoning Appeals will be Thursday, November 16, 2023.

There being no further business to discuss Ms. Bedder called for a motion to adjourn the meeting.

**MOTION: Motion was made by Ms. Schwartz to adjourn the meeting. The motion was seconded by Mr. Chastain with the remaining board members voting as follows: Ms. Bedder Aye. The motion passed unanimously and the meeting was adjourned at 6:25 p.m.**

Respectfully submitted,

Brie Humphreys