

**TOWN OF ELKTON  
BOARD OF ZONING APPEALS  
APRIL 21, 2011  
MINUTES**

**Present:** Robert Olewine; Jared Roudybush; Richard Rinehart; Shirley Hicks; Dawn Schwartz; J. Craig Trostle, Jr., Director, Building & Zoning; Brenda Sexton-Wilson, Esquire, Attorney; Brenda Humphreys, Building & Zoning Department

**Absent:** None

Mr. Olewine called the meeting to order at 7:00 p.m.

**ACTION:** Motion was made by Mr. Roudybush to approve the minutes of the January 20, 2011 meeting. Motion was seconded by Mr. Rinehart and unanimously approved.

**CASE # 1412 – REQUEST OF HOMES FOR ELKTON, LLC, 318 SIXTH STREET, ANNAPOLIS, MARYLAND FOR THE FOLLOWING VARAINCES FROM THE REQUIRED FIFTY (50) FOOT SETBACK FOR CONSTRUCTION OF BUILDINGS A & B AS SUBMITTED:**

- 1) 3' FRONT SETBACK FOR BUILDING A FROM PROPERTY LINE ADJACENT TO BRIDGEWELL PARKWAY;
- 2) 15' SETBACK BETWEEN BUILDING A AND BUILDING #100;
- 3) 11' SETBACK BETWEEN BUILDING B AND BUILDING #400;

**AND VARIANCES FROM THE REQUIRED FIFTY (50) FOOT SETBACK FOR THE EXISTING BUILDINGS AS FOLLOWS:**

- 4) 26' FRONT SETBACK FOR RECREATIONAL BUILDING FROM PROPERTY LINE ADJACENT TO BRIDGEWELL PARKWAY;
- 5) 17' FRONT SETBACK FOR BUILDING #1-4 FROM PROPERTY LINE ADJACENT TO BRIDGEWELL PARKWAY;
- 6) 17' FRONT SETBACK FOR BUILDING #5-8 FROM PROPERTY LINE ADJACENT TO BRIDGEWELL PARKWAY;
- 7) 10' FRONT SETBACK FOR BUILDING #100 FROM PROPERTY LINE ADJACENT TO BRIDGEWELL PARKWAY;
- 8) 10' FRONT SETBACK FOR BUILDING #200 FROM PROPERTY LINE ADJACENT TO BRIDGEWELL PARKWAY;
- 9) 10' FRONT SETBACK FOR BUILDING #300 FROM PROERPTY LINE ADJACENT TO BRIDGEWELL PARKWAY;
- 10) 11' FRONT SETBACK FOR BUIDLING #800 FROM PROPERTY LINE ADJACENT TO BRIDGEWELL PARKWAY;
- 11) 17' FRONT SETBACK FOR BUILDING #19-22 FROM PROPERTY LINE ADJACENT TO WHITEHALL ROAD;
- 12) 12' SIDE SETBACK FOR BUILDING #5-8 FROM PROPERTY LINE;
- 13) 19' SIDE SETBACK FOR BUILDING #14-18 FROM PROPERTY LINE;
- 14) 19' SIDE SETBACK FOR BUILDING #28-32 FROM PROPERTY LINE;
- 15) 29' SIDE SETBACK FOR BUILDING #800 FROM PROPERTY LINE;
- 16) 28' SIDE SETBACK FOR BUILDING #700 FROM PROPERTY LINE;
- 17) 27' REAR SETBACK FOR BUIDLING #23-27 FROM PROPERTY LINE;
- 18) 27' REAR SETBACK FOR BUILDING #28-32 FROM PROPERTY LINE;

**THIS ACTION CONCERNS PROPERTY LOCATED AT WHITEHALL ROAD AND BRIDGEWELL PARKWAY, ELKTON, MARYLAND, TAX MAP 320, PARCELS 2367 & 2368,**

**LOTS 1 & 2, ZONED R-2. (REZONED TO R-3 AT MARCH 16, 2011 MAYOR & COMMISSIONERS MEETING, EFFECTIVE APRIL 30, 2011)**

Mr. Dwight Thomey, Ms. Kathy Ebner of Homes for Elkton, LLC and Mr. Lou Schaffer of Frederick Ward Associates were present to address this request. Mr. Thomey stated that the applicant is a joint venture comprising Homes for America, Inc. and Severn Management Company. These entities currently manage Foxridge Manor Apartments and Chesapeake Apartments, one of which is age related. The goal is to manage these apartments together. He stated the apartments have been in existence for approximately 20 years.

Mr. Thomey noted that the properties were rezoned from R-2 to R-3 and re-subdivided. He mentioned that two new buildings being constructed will consist of eight (8) new one bedroom apartments and an office for an onsite management team and a meeting room the community will be able to use as an improvement to the neighborhood. Because of the way the two projects were financed originally they must be kept as individual parcels.

Mr. Thomey stated there are only three new variances requested that will be created by not conforming to the required setback of fifty (50) feet. The remaining variances reflect the fact that under the current code all of the buildings are closer to the property lines than allowed by the previous zoning requirements. He stated if these variances are approved the property will be in full compliance should any of the buildings be destroyed catastrophically.

Ms. Kathy Ebner stated that Homes for America is a non-profit housing developer. They are a mission based company and currently own approximately 60 properties in Delaware, Pennsylvania, Maryland and Virginia. Their company owns one of the parcels and Severn Management owns the other parcel and they will jointly own and manage these properties together.

She stated that the existing apartments will be rehabbed inside and out. The tenants will not be required to move during the renovations. Renovations will be done to the exterior of all the buildings and windows and to the roofs as required. The interior of the apartments will have renovations done to the kitchens, baths, and appliances but the carpeting will be replaced only as needed. The renovations will be done with low income housing tax credit financing and will remain affordable for the focus group of people earning 60% of the area median income and below.

Ms. Ebner noted the community building will contain a meeting room with computers available with internet service 24 hours a day. The meeting room will be used for these activities but will not be rented out for parties, etc.

The new apartment building will be two-stories and house eight one-bedroom apartments. The first floor (4 apartments) of the apartment building will be fully handicap accessible.

Mr. Thomey pointed out that a substantial amount of investment will be going into the rehab of these apartments.

Mr. Trostle asked what would be done with the existing recreation center. Ms. Ebner stated that they will retain that space specifically for elderly services but both groups would have access to the building.

Ms. Schwartz inquired about whether rehab would be done outside of the existing buildings as well. Ms. Ebner stated that they would be rehabbing inside and out. She added that the schedule for the rehab would be after their closing in late August. It would take approximately one year to complete the rehab and new construction.

Mr. Thomey pointed out that the renovations would be done little by little so that not one apartment would have all areas worked on at one time. Ms. Ebner stated they did a similar project in Perryville at the Concord Apartments and they will be using the same contractor but a different architect for this project.

Ms. Hicks asked how the need for this upgrade was brought to their attention and what made them focus on this project in particular. Ms. Ebner stated as the owner of the property they were aware of the needs at this location. When they were made aware that the management company for the neighboring property was Severn Management Company, who manages some of their other properties and felt this was a good opportunity to work together.

Ms. Hicks asked if the new apartments would cause concern for too many additional children for the existing school system. Mr. Thomey noted that because they are one bedroom apartments that there would be a minimal number of children added to the school system.

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

Ms. Hicks pointed out that there were no street signs in this area and she voiced her concern about emergency vehicles located the properties. Mr. Schaffer stated that he would make sure that was noted and that signs would be placed. He stated placement of signs would probably be part of the exterior work being done.

Ms. Schwartz stated that she was familiar with the apartments they renovated in Perryville and stated she thought they had done an excellent job.

**MOTION: Motion was made by Ms. Schwartz to approve the 3' front setback variance for Building A from the property line adjacent to Bridgewell Parkway. The motion was seconded by Mr. Rinehart and unanimously approved.**

**MOTION: Motion was made by Ms. Schwartz to approve the 15' setback variance between Building A and Building #100. The motion was seconded by Mr. Roudybush and unanimously approved.**

**MOTION: Motion was made by Mr. Roudybush to approve the 11' setback variance between Building B and Building #400. The motion was seconded by Ms. Schwartz and unanimously approved.**

**MOTION:** Motion was made by Mr. Roudybush to approve the 26' front setback variance for the Recreational Building from the property line adjacent to Bridgewell Parkway. The motion was seconded by Ms. Schwartz and unanimously approved.

**MOTION:** Motion was made by Mr. Roudybush to approve the 17' front setback variance for Building #1-4 from the property line adjacent to Bridgewell Parkway. The motion was seconded by Ms. Schwartz and unanimously approved.

**MOTION:** Motion was made by Mr. Rinehart to approve the 17' front setback variance for Building #5-8 from the property line adjacent to Bridgewell Parkway. The motion was seconded by Mr. Roudybush and unanimously approved.

**MOTION:** Motion was made by Mr. Roudybush to approve the 10' front setback variance for Building #100 from the property line adjacent to Bridgewell Parkway. The motion was seconded by Mr. Rinehart and unanimously approved.

**MOTION:** Motion was made by Mr. Roudybush to approve the 10' front setback variance for Building #200 from the property line adjacent to Bridgewell Parkway. The motion was seconded by Mr. Rinehart and unanimously approved.

**MOTION:** Motion was made by Mr. Roudybush to approve the 10' front setback variance for Building #300 from the property line adjacent to Bridgewell Parkway. The motion was seconded by Mr. Rinehart and unanimously approved.

**MOTION:** Motion was made by Ms. Schwartz to approve the 11' front setback variance for Building #800 from the property line adjacent to Bridgewell Parkway. The motion was seconded by Mr. Roudybush and unanimously approved.

**MOTION:** Motion was made by Ms. Schwartz to approve the 17' front setback variance for Building #19-22 from the property line adjacent to Whitehall Road. The motion was seconded by Mr. Roudybush and unanimously approved.

**MOTION:** Motion was made by Ms. Schwartz to approve the 12' side setback variance for Building #5-8 from the property line. The motion was seconded by Mr. Roudybush and unanimously approved.

**MOTION:** Motion was made by Mr. Roudybush to approve the 19' side setback variance for Building #14-18 from the property line. The motion was seconded by Mr. Rinehart and unanimously approved.

**MOTION:** Motion was made by Mr. Roudybush to approve the 19' side setback variance for Building #28-32 from the property line. The motion was seconded by Mr. Rinehart and unanimously approved.

**MOTION:** Motion was made by Mr. Roudybush to approve the 29' side setback variance for Building #800 from the property line. The motion was seconded by Mr. Rinehart and unanimously approved.

**MOTION:** Motion was made by Mr. Roudybush to approve the 28' side setback variance for Building #700 from the property line. The motion was seconded by Mr. Rinehart and unanimously approved.

**MOTION:** Motion was made by Mr. Roudybush to approve the 27' rear setback variance for Building #23-27 from the property line. The motion was seconded by Mr. Rinehart and unanimously approved.

**MOTION:** Motion was made by Mr. Roudybush to approve the 27' rear setback variance for Building #28-32 from the property line. The motion was seconded by Mr. Rinehart and unanimously approved.

**OLD BUSINESS:** There were no items presented for discussion.

**NEW BUSINESS:** There were no items presented for discussion.

There were no additional items for review or discussion and Mr. Olewine adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Brenda Humphreys