

**TOWN OF ELKTON  
BOARD OF ZONING APPEALS  
FEBRUARY 19, 2009  
MINUTES**

**Present:** Sharon Foster, Chair; Ronald Rae; Patrick Tuer; Jared Roudybush; Brenda Sexton-Wilson, Esquire, Attorney; Brenda Humphreys, Building & Zoning Department

**Absent:** Robert Olewine

**Steno:** Carol Beresh

Ms. Foster called the meeting to order at 7:00 p.m.

**ACTION:** Motion was made by Mr. Rae to approve the minutes of the January 22, 2009 meeting. Motion was seconded by Mr. Tuer and unanimously approved.

**CASE # 1365 – REQUEST OF AMERICAN SIGN & GRAPHICS, 1409 EASTLAWN AVENUE, WILMINGTON, DE FOR A VARIANCE TO EXCEED THE SQUARE FOOTAGE OF A WALL SIGN BY 92 SQUARE FEET. THIS ACTION CONCERNS PROPERTY LOCATED AT 106 BOW STREET, ELKTON, MARYLAND, TAX MAP 310, PARCEL 1351, ZONED C-1**

Mr. Mike Hewitt of American Sign and Graphics was sworn in and introduced to the Board. Mr. Hewitt referred to some prints of the sign being proposed at Union Hospital. He provided a copy of the sign sized to the current code allowed in the Town Zoning Ordinance as well as a copy of the size as proposed. He noted that the sign will be at a height of approximately five (5) stories and therefore they feel the size requested will allow adequate visibility.

Ms. Foster asked if the logo is the same as the one currently on the hospital building. Mr. Hewitt stated that it was and provided the Board with a copy of the sign on the current hospital garage structure. Mr. Hewitt noted that the sign on the garage is slightly smaller than the one that is currently being proposed.

Ms. Foster asked where the proposed sign will be located. Mr. Hewitt stated that it will be located on the old section of the building near the emergency department entrance.

Ms. Foster entertained questions from either the Board or the audience.

**MOTION:** Motion was made by Mr. Rae to approve the variance for Union Hospital to exceed the square footage of a wall sign by 92 square feet. The motion was seconded by Mr. Tuer and unanimously approved.

**CASE # 1360 – REQUEST OF DAVID MANGANO, 405 N. BRIDGE STREET, ELKTON, MARYLAND FOR THE FOLLOWING: 1) VARIANCE TO EXCEED THE PERMITTED SIGN SQUARE FOOTAGE BY 111.41 SQUARE FEET. THIS ACTION**

**CONCERNS PROPERTY LOCATED AT 405 N. BRIDGE STREET, ELKTON, MARYALND, TAX MAP 310, PARCELS 738 AND 739, ZONED B-I**

Mr. David Mangano of Paint 'N Place Signs was sworn in and introduced to the Board.

Ms. Foster asked whether this application was the same as the one requested at the November 2008 meeting. Mr. Mangano stated that it was the same. Mr. Mangano informed the Board that the footprint of the sign is exactly the same as the previously approved sign. He mentioned that apparently the Town requires that the square footage of both sides of the sign be included in the request for a variance.

Ms. Foster entertained questions from the Board. Mr. Rae asked the reasoning behind this second variance. Mr. Mangano responded that he asked the same question. Ms. Wilson-Sexton interjected that the legal opinion defines specifically the square footage that was permitted and it did not permit the double sided. Mr. Rae stated that he thought the Board had permitted the double sided sign. Ms. Wilson-Sexton stated that unfortunately the way the motion was made and approved there was a certain amount of square feet which did not include the second side of the sign.

Mr. Mangano stated that, as far as he knows, Elkton is the only municipality to that counts both sides of signs within the square footage. He added that in his opinion it is impossible to view both sides of the sign at the same time and therefore the panels should be counted as one.

Mr. Rae suggested that Mr. Mangano appear before the Planning Commission to make that request. Mr. Mangano stated that he had considered following up his appearance with a letter regarding the sign ordinance.

Ms. Foster called for any additional questions or comments. There were none.

**MOTION: Motion was made by Mr. Tuer to approve the variance for Paint 'N Place Signs for an additional 111.41 square feet of signage as requested. The motion was seconded by Mr. Roudybush and unanimously approved.**

**OLD BUSINESS: None.**

**NEW BUSINESS: None.**

There being no further business to discuss, Ms. Foster adjourned the meeting at 7:12 p.m.

Respectfully Submitted,

Brenda Humphreys