

**TOWN OF ELKTON
BOARD OF ZONING APPEALS
MAY 20, 2010
MINUTES**

Present: Sharon Foster, Chair; Ronald Rae; Jared Roudybush; Robert Olewine; Mark Clark; J. Craig Trostle, Jr. Director, Building & Zoning; Brenda Sexton-Wilson, Esquire, Attorney; Brenda Humphreys, Building & Zoning Department

Absent: None

Ms. Foster called the meeting to order at 7:08 p.m.

ACTION: Motion was made by Mr. Olewine to approve the minutes of the April 22, 2010 meeting. Motion was seconded by Mr. Roudybush and unanimously approved.

CASE # 1393 – REQUEST OF PAUL & BEATRICE HING, 103 JAMES STREET, ELKTON, MARYLAND FOR A 15’ FRONT SETBACK VARIANCE TO PERMIT ADDITIONAL PARKING AT THE FRONT OF THE PROPERTY. THIS ACTION CONCERNS PROPERTY LOCATED AT 103 JAMES STREET, ELKTON, MARYLAND, TAX MAP 306, PARCEL 1688, ZONED R-1

Mr. & Mrs. Hing were sworn in and introduced to the Board. Ms. Hing stated that their driveway is long and the width accommodates only one car. This requires them to turn sharply as they enter their garage and therefore they are constantly driving over their yard. She noted that they are currently doing construction at their home and are unable to use the driveway due to the equipment being used.

Ms. Hing stated that both her husband and brother are handicapped and her husband has a handicapped cart with a lift and it is difficult to use due to the width of the driveway.

Ms. Foster stated that with the addition of the proposed concrete the driveway will be even with where the concrete starts at the beginning of their house. Ms. Hing stated that she was correct. Ms. Foster asked if the concrete would extend slightly past the rear of the house. Mr. Hing stated that they would be extending the concrete beyond the roll gate for access to the rear yard.

Ms. Foster asked if they are only adding concrete or replacing the entire driveway. Ms. Hing stated that they would be replacing the entire driveway due to its deteriorated condition.

Ms. Foster entertained any comments from the Board. There were none. There was no one in attendance in opposition to this request.

MOTION: Motion was made by Mr. Clark to approve the 15’ front setback variance to permit additional parking at the front of the property for 103 James Street provided that the construction is completed within one year of receipt of the legal opinion. The motion was seconded by Mr. Roudybush and unanimously approved.

CASE # 1394 – REQUEST OF MICHAEL ALFORD, 521 ST. CHARLES STREET, ELKTON, MARYLAND FOR A SEVEN (7) FOOT SIX (6) INCH REAR SETBACK VARIANCE TO CONSTRUCT A DECK. THIS ACTION CONCERNS PROPERTY LOCATED AT 521 ST. CHARLES STREET, ELKTON, MARYLAND, TAX MAP 312, PARCEL 2241, ZONED R-2

Mr. Michael Alford was sworn in and introduced to the Board. He stated that he wishes to remove an existing 6' x 8' deck and replace it with an approximately 15' x 36' deck. He noted that the deck will be built to structurally hold a Jacuzzi at a later date.

Ms. Foster inquired whether there would be steps off the deck. Mr. Alford stated that there would be only one set of steps located on the far side of the deck.

Ms. Foster inquired as to the height of the deck. Mr. Alford stated that it would be 7' on the driveway side and 3' on the other side.

Ms. Foster asked if railings would be placed all around the deck. Mr. Alford said that there would be railings all around the deck.

Ms. Foster entertained comment from the Board. Mr. Clark asked Mr. Trostle if a guardrail would be required for the height of the deck. Mr. Trostle stated that the railings would be required due to the height of the deck.

Ms. Foster entertained comment from the audience. Mr. Richard Marine of 404 Graymount Circle stated that he was in favor of the variance.

Mr. Trostle added that this property was rezoned under the previous comprehensive rezoning and was changed from R-3 to R-2. The current zoning would allow a 40' rear setback but due to the fact that the recorded plat for this community shows the setback the Town is required to use those setbacks which require a 50' setback.

MOTION: Motion was made by Mr. Rae to approve the 7' 6" rear setback variance to construct a deck for 521 St. Charles Street provided that the construction is completed within one year of receipt of the legal opinion. The motion was seconded by Mr. Clark and unanimously approved.

NEW BUSINESS: None

OLD BUSINESS: Mr. Clark inquired as to the cutoff for the training through the Maryland Department of Planning. Mr. Trostle stated that the cutoff is July 1, 2010.

There were no additional items for discussion and Ms. Foster adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Brenda Humphreys