

**TOWN OF ELKTON  
BOARD OF ZONING APPEALS  
FEBRUARY 21, 2008  
MINUTES**

**Present:** Sharon Foster, Chair; Ronald Rae; Robert Olewine; Cindy Fetterolf; Don Williams; Leonard Wilson, Esquire, Attorney; J. Craig Trostle, Jr., Zoning Administrator

**Absent:** None.

**Steno:** Carol Beresh

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

**ACTION:** Motion was made by Mr. Williams to approve the minutes of the November 29, 2007 meeting. Motion was seconded by Ms. Fetterolf and unanimously approved.

**CASE # 1334 – REQUEST OF CECIL COUNTY PUBLIC SCHOOLS, 201 BOOTH STREET, ELKTON, MARYLAND FOR A SPECIAL EXCEPTION TO PLACE A 1,000 GALLON DIESEL FUEL TANK ON A CONCRETE SLAB FOR SERVICING OF COUNTY SCHOOL BUSES. THIS ACTION CONCERNS PROPERTY LOCATED AT 801 ELKTON BOULEVARD, ELKTON, MARYLAND, TAX MAP 310, PARCEL 736, ZONED B-I**

Mr. Perry Willis, Executive Director for Support Services for Cecil County Public Schools, and Mr. Wayne Holt, Supervisor of Facilities for Cecil County Public Schools were sworn in and introduced to the Board. Mr. Willis stated that several months ago they entered into an agreement with Mr. Montgomery to relocate their Transportation Department (which included 10 route buses and two spare buses) from Route 7 to 801 Elkton Boulevard. Due to the nature of the use a diesel fuel tank was necessary to service the buses being housed at the Route 7 location. They do this because they are able to receive a discounted rate for fuel provided they have a tank for fuel storage. They are requesting to relocate the tank to 801 Elkton Boulevard so that the buses can be fueled at the storage location and avoid traveling back and forth to the tank located on Route 7.

Mr. Foster asked if the tank is above ground at its current location. Mr. Willis stated that it is above ground and described it as a double walled sled type tank. He stated that he believes a precedent has been set in the Town and offered pictures of above ground tanks at the Town Public Works Department and asked that the Board allow them to place the tank at the 801 Elkton Boulevard location as well.

Mr. Williams inquired as to the size of the current tank. After discussion it was determined that the tanks are most likely less than 1,000 gallons. Mr. Willis added that the tank is safe and capable of being monitored for leaks.

Mr. Williams asked if the tanks are used strictly for school buses. Mr. Willis stated that the tanks will be used throughout most of the school year as there is an extended year program for special needs students for six weeks in the summer. He added that the Transportation Department is active for the entire year with a staff of five and the Operations and Warehouse staff are active for the entire year as well.

Mr. Williams asked if the tank on Route 7 is fenced. Mr. Willis responded that the tank is fenced but not the area where the buses were parked and CCPS monitored that location. Mr. Williams asked if a special exception was required to place the tank at the Route 7 location. Mr. Willis stated that he did not believe one was required.

Mr. Fetterolf asked if the 801 Elkton Boulevard property was fenced. Mr. Willis stated that stored materials are fenced but the buses are not fenced nor the entire exterior of the property. Mr. Holt stated that although they had not planned to fence the area they could certainly provide fencing upon request.

There was discussion concerning on how the tank would be placed, whether stone or grass and whether any absorbent material or fire hydrants would be provided for possible leaks. Mr. Willis stated that the tank would be located on concrete and that he believed there were fire hydrants currently located at the back of the building. Mr. Williams confirmed that hydrants were located at the back of the building. The location of the tank would be located between where the buses will be parked and the fenced area. Mr. Rae voiced his concern that the fire equipment is 136 feet from the tank and felt this was too far considering children may be in this building. Mr. Willis stated that he was not aware that any children would be located in this building.

Mr. Williams asked what type of adverse affect would be created if the tank was placed underground. Mr. Willis stated that he could not answer that question but was aware that there are tremendous regulations associated with placement of tanks underground as the school system has oil tanks stored underground. Mr. Williams asked if the lease would prohibit the use of the tank if it was required to be placed underground. Mr. Willis stated that it would have to be determined through the lease agreement and he was unsure what Mr. Montgomery's thoughts would be. Mr. Williams asked if Mr. Montgomery was aware of the Town ordinance when the property was leased. Mr. Willis stated that he did not know if Mr. Montgomery was aware of the ordinance.

Ms. Foster asked if the tank they are proposing to place could be placed underground. Mr. Holt stated that the tank is for above ground usage. Mr. Willis added that if they were to relocate in the future the tank would be moved at the same time. Ms. Fetterolf asked how long the school has maintained an above ground tank. Mr. Holt stated that it a 1,000 gallon tank was originally located for years at Elkton High School before the tank at Route 7 and that there has never been an incident. Mr. Willis interjected that the tank is mainly for convenience and requires less operational expense to CCPS.

Mr. Trostle noted that according to the current ordinance a recreational center would not be allowed in the B-I zone. The Planning Commission is assessing an amendment to this specific ordinance to allow recreation within this zone, however the Mayor & Commissioners will have to make the final decision.

Mr. Olewine addressed the issue of the concrete pad and whether it is built to contain a spill. Mr. Holt stated that they would be providing the concrete pad according to the tank manufacturer's specifications. Mr. Olewine asked if that included any safety provisions. Mr. Holt stated that a dike could be built around the concrete pad but that none was located around the tank at the Route 7 location.

Ms. Foster asked the age of the tank they are moving. It was determined that the tank was approximately four years old. Mr. Rae asked how long it had been since the tank was inspected. Mr. Holt stated that these tanks are required to be inspected every 15 years but that he was not sure about underground tanks. He stated that they could have an inspection made if necessary. Ms. Foster asked if moving the tank could cause any problems. Mr. Holt stated that it should not generate any problems.

Ms. Foster read the Planning Commission recommendations pertaining to this case. She entertained additional questions from the Board or comment from the audience. There were none. Mr. Willis added that he believed requiring the tank to be placed underground, when the school system does not own the property, may be an issue and not be permitted by the property owner.

**MOTION: Motion was made by Ms. Fetterolf to approve the request of Cecil County Public Schools to place a 1,000 gallon diesel fuel tank above ground contingent upon curbing being provided to address spills and providing fencing around the tank. The motion was seconded by Mr. Williams and unanimously approved.**

**CASE # 1335 – REQUEST OF AMERICAN SIGN & GRAPHICS, 1409 EASTLAWN AVENUE, WILMINGTON, DELAWARE FOR A VARIANCE TO EXCEED THE ALLOWABLE SQUARE FOOTAGE FOR SIGNAGE BY 168.66 SQUARE FEET. THIS ACTION CONCERNS PROPERTY LOCATED AT 360 EAST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 315, PARCEL 2384, ZONED C-2**

Mr. Michael Hewitt of American Sign & Graphics was sworn in and introduced to the Board. He stated that they are proposing to manufacture and install the sign per the submitted drawing. He added that the sign is larger than the 198 square feet that are allowed by code for this property. They are trying to provide a sign that will address the name of the property and the address. In addition to that they are requesting a listing of the seven tenant spaces which are able to be provided for in this building.

Ms. Foster asked if the base of the sign will be open. Mr. Hewitt stated that at grade there will be masonry work that will fit in with the masonry work of the building. Between grade and the top of the masonry work will be open approximately 10 feet.

The sign will be double sided and placed perpendicular to Route 40 and located 30' from the property line.

Mr. Olewine asked if he knew the difference between the square footage of the Fair Hill Florist sign and their proposed sign. Mr. Hewitt did not have the square footage of Fair Hill Florist but he noted that the Ruby Tuesday sign was 77 square feet and the A Storage Depot sign was 108 square feet in size. Mr. Hewitt pointed out that these signs are for a single user whereas their proposed sign is for seven users with each one having 22 square feet per side.

There was discussion regarding whether the property name and address requires such a large amount of square footage. Mr. Hewitt stated that the name is the primary message when someone is looking for the building. The patient looking for the building will need to identify the building first and the doctor second so he feels the amount of square footage designated for the building name and address (49.5 square feet per side) are typical for most signs along Route 40.

Mr. Jonathan Seidenberg was sworn in and introduced to the Board. He stated that no additional signage is planned for the building and that the address numbers are required to be placed on the building per the building code. He also pointed out that some of the people who are coming to this building have eye problems and therefore this is being addressed with the proposed sign size.

Mr. Williams asked for clarification of the statement on the submission that the way the size of the signage was determined related to the required setback and the speed of the traffic. Mr. Hewitt pointed out that the speed of the traffic determines the amount of time the signage can be viewed. He stated that they used 50 mph as the speed to determine the appropriate size for the signage and feel it is appropriate for the speed and distance from the sign at this location.

Mr. Williams asked if the tenants pay for individual signs. Mr. Seidenberg stated that each tenant would pay for their part of the sign.

Ms. Foster invited any additional questions or comment from the Board or audience. Dr. Jeffrey Cohen stated that they are moving from Big Elk Mall where they have been located for 20 years and are removing a 14' channel letter sign and will be decreasing their signage to two 2' x 11' signs. He noted that this decrease in total signage is of concern to them if their patients are unable to locate them at their new office. Ms. Foster asked if he was pleased with the design and size of this proposed sign for the new location. Dr. Cohen stated that he was pleased with the presentation of the sign.

Mr. David Gipson, COO of Union Hospital was sworn in and introduced to the Board. He stated that the hospital will be a tenant at this building and wanted to reinforce what had already been said. In the hospital's experience dealing with patients you want to direct them to a building name and then have a secondary identification which reinforces the offices within the building. They feel that this type of sign showing secondary identification is important. He noted consistent complaints from other non-campus hospital locations when patients are trying to locate physicians.

There were no additional comments regarding this case.

**MOTION: Motion was made by Mr. Rae to approve the variance to exceed the allowable square footage of signage by 168.66 square feet. The motion was seconded by Ms. Fetterolf and the remaining members voted as follows: Mr. Olewine – Aye; Mr. Williams – Nay; Ms. Foster – Aye.**

**CASE # 1326 – REQUEST OF BANGUS BUSINESS SERVICES, 203 WEST PULASKI HIGHWAY, ELKTON, MARYLAND FOR A SPECIAL EXCEPTION TO PERMIT OPERATION OF A VEHICLE/TRAILER RENTAL BUSINESS. THIS ACTION CONCERNS PROPERTY LOCATED AT 203 WEST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 314, PARCEL 312, ZONED C-2**

Mr. Shujaat Chowdhury of Bangus Business Services and Mr. Dale Martin of U-Haul were sworn in and introduced to the Board. Mr. Martin stated that the property consists of a motel, restaurant and the Basic Food store. He stated that parking provided would be sufficient. He noted that there are approximately 50 parking spaces currently, 35 of those are for use by the restaurant, motel and grocery. He stated that they will not be keeping more than 5 or 6 trucks and some trailers. Ms. Foster noted that there are currently 8 trucks at the business. Mr. Martin stated that the number of trucks could be limited if required by the Board, by sending them to another location. He stated that there is additional room for truck storage at the rear of the store.

Ms. Foster asked if they have been renting trucks up to this point. Mr. Martin stated that they were allowed to continue the business until the Board made their decision and they have been postponed for two months due to them not attending the December meeting and the January meeting being cancelled due to weather. Mr. Chowdhury stated that they were given permission to continue the business until the meeting was held.

Ms. Foster asked how many trucks on average are at the location. Mr. Martin stated that there is dynamic inventory depending upon the needs of the community. There was discussion concerning the size of the trucks and it was stated that the 14' & 17' are the sizes most rented. They do not have notice far in advance of the size of trucks being dropped at their location. Mr. Chowdhury stated that he told the Planning Commission he would be able to redirect trucks if a limit is made on the number of trucks allowed at the site.

Mr. Williams noted that at some time there may be another business at this location and he does not want to see the parking of trucks impacting the other businesses. They stated that they would be willing to locate the trucks wherever they are required by the Board. The number of trucks per location was discussed and Mr. Martin stated that it would depend upon the size of the property and the community the business is in.

Mr. Chowdhury added that if there are restrictions placed on the size of trucks he can have at his U-Haul location then he will lose revenue if he has to refer customers to another location. There was discussion regarding the number and size of trucks being rented through his business currently. Mr. Chowdhury stated that he would prefer the number of trucks to be restricted rather than the size of trucks because this would give him more flexibility. He stated that it would be necessary for him to have at least two trailers to provide to his customers. Ms. Foster stated that if they restrict the number of trucks that total would include the trailers. Mr. Chowdhury added that the trailers sometimes generate more revenue.

Mr. Trostle inquired as to the average number of parking spaces, over the last six months, being used for truck parking. Mr. Chowdhury stated that 6 or 7 spaces have been used for truck parking. He stated that they also place dollies along the curb on Pulaski Highway and trailers on the sides where there are currently no lined parking spaces.

Ms. Foster read the recommendation of the Planning Commission which recommended approval contingent upon the Board of Zoning Appeals placing limits on the number and size of vehicles allowed on site.

Ms. Foster entertained any comment for or against this case. There was none.

**MOTION: Motion was made by Mr. Williams to approve the special exception to permit operation of a vehicle/trailer rental business at 203 E. Pulaski Highway contingent upon all vehicles being placed on the east side of the existing building, no vehicles being placed past the front of the existing building and no vehicles being placed along Route 40. The motion was seconded by Mr. Olewine and unanimously approved.**

**CASE # 1337 – REQUEST OF UNION HOSPITAL OF CECIL COUNTY HEALTH SERVICES, INC., 106 BOW STREET, ELKTON, MARYLAND FOR A SPECIAL EXCEPTION TO PERMIT A 41,160 SQUARE FOOT, THREE-STORY MEDICAL OFFICE BUILDING IN THE C-1 ZONE. THIS ACTION CONCERNS PROPERTY LOCATED AT 127, 129, 131, 135, 137 & 141 WEST HIGH STREET, ELKTON, MARYLAND, TAX MAP 310, PARCELS 862, 863, 864, 904, 905 & 1371, ZONED C-1**

Ms. Foster announced that Ms. Fetterolf wished to recuse herself from Cases 1337 & 1336.

Mr. David Gipson, Chief Operating Officer of Union Hospital, Mr. David Strouss of McCrone, Inc. and Mr. Robert Reed of Tevebaugh Associates were sworn in and introduced to the Board. Mr. Gipson addressed the Board and stated that the hospital is not an infrequent presence before the Town Boards. They have continued to grow their services and facilities within Elkton and Cecil County to serve the community needs. He stated that they have for some time experienced a significant shortfall in the availability of medical office space for both hospital and private based physicians who wish to practice on or near the campus. The current medical office building has been without a vacancy for almost ten years and they have a waiting list of physicians who wish to move onto the campus or existing physicians and practices who wish to recruit and expand their practice. In the past eighteen months they have been in conversation with the medical staff to try to address these needs and therefore they are proposing this new medical office building. He stated that the facility will be consistent, in terms of size, scale and architecture, with campus growth and in keeping with their commitment to provide high level quality medical services.

Ms. Foster asked the number of offices which would be provided in this building. Mr. Gipson stated that it would be flexible because the facilities will be customized to the practices that will occupy each office. Currently the different types of physicians interested are OB-GYN, General Surgery, Pediatricians and Physical Therapy. There are current physicians at the Medical Office Building who will expand their practices once other physicians are transferred to the new building. Part of the new building will not be occupied initially in order to provide room to recruit new physicians.

Ms. Foster asked if a smaller building had been considered. Mr. Gipson stated that a number of different building sizes have been reviewed and found this size the most efficient in order to provide the blocks of space and layouts that are preferred and usable for the specific needs of the anticipated physicians.

Mr. Gipson stated that the design would be similar to the existing buildings on the campus. They plan for the entrance to be visible from High Street. Ms. Foster inquired about a pedestrian bridge. Mr. Gipson stated that they are planning a bridge between the current medical office building and the proposed building which would be an advantage for the OB-GYN physicians to gain quick access to the delivery rooms at the hospital.

Mr. Williams asked if an architect's rendering had been made of the proposed building. Mr. Gipson stated that they have not made a rendering but that the building would be a three-story brick building with architectural features which tie into the existing hospital buildings.

Mr. Williams asked what is included in the 12.9 acres of the hospital campus. Mr. Gipson stated that it starts at the back of the hospital at Cathedral and Bow and extends to the Parking Garage up Railroad Avenue to include the Adult Day Care building and Staff Parking adjacent to Cecil Community College. In addition they also own an undeveloped lot behind the Napa Auto Parts building on Railroad Avenue.

Mr. Williams asked if they intended to purchase properties further down Bridge Street. Mr. Gipson stated that they do not have any plans in the near future but stated that they will continue to grow and it is likely that it will occur within the next five to seven years.

Mr. Williams asked if they felt the property was too small for the size of building they are proposing to place. Mr. Gipson stated that they felt that this project is part of the development of a campus and they believe there is a different approach to developing any campus whether it be education, healthcare, etc. and they look at the property as a whole. Mr. Williams stated that his reasoning was that they are requesting a relaxation of over 86% of the required acreage. Mr. Gipson noted that a campus project is not really recognized in the code and stated that the hospital would not be able to be developed today because of that fact. Mr. Williams stated that he believed the parking is more of a priority than the proposed building. Mr. Gipson stated that the employees at the proposed medical building would be shifted to either the garage or to Railroad Avenue where staff parking exists. Mr. Williams stated that parking is at a premium in Town and some of the hospital employees use the municipal parking on Howard Street, Bow Street and Railroad Avenue rather than take advantage of the hospital parking provided. Mr. Gipson stated that he cannot legislate where employees park but that the hospital provides more than adequate parking for the number of employees they have but he cannot require them to park in certain parking lots. He stated that the vast majority of employees take advantage of hospital parking but 30-45 may choose to park off campus. He believes the hospital parking provided is more convenient and safer.

Mr. Williams asked if any parking is being considered on the lower level of the proposed building. Mr. Gipson said that they are not considering that due to the fact that it is not a functional design and is more expensive, less safe and used in dense urban environments.

Mr. Olewine asked the difference in size as compared to the existing Medical Office Building. Mr. Gipson stated that it would be approximately two thirds the size of the current building.

Ms. Foster asked the size of the lot the current office building sits on. Mr. Strauss stated that it is approximately the same size as the lot where the current office building is located. Mr. Rae stated that he felt the building overpowers the size of the lot for the proposed building. Mr. Gipson stated that it is compatible with other hospital buildings on campus. Mr. Rae asked if they have plans to expand the building. Mr. Gipson stated that probably some time in the future. Mr. Strauss stated that the reason it may seem to be large on the lot is because there is an alleyway between the two parcels (one for the building and one for the parking).

Ms. Foster stated that even with the size of the proposed parking they will have enough parking for patients, employees and staff. Mr. Gipson stated that all the parking at the proposed building will be for patients only. The only employees or physicians that park in the garage are the night shift employees and designated parking for staff from specific offices determined by square footage of the office.

Ms. Foster read the recommendation from the Planning Commission concerning this case.

Ms. Foster entertained question or comment from the audience. There was none.

**Ms. Foster announced that Cases 1336 & 1337 will be placed on continuance until the March 20<sup>th</sup>, 2008 meeting at 7:00 p.m. in order to have time to review the extensive requests discussed. She stated that the vote on these two cases will be the first item on the agenda. She stated that the meeting will remain open and further discussion can be presented at that time.**

**CASE # 1336 – REQUEST OF UNION HOSPITAL OF CECIL COUNTY HEALTH SERVICES, INC., 106 BOW STREET, ELKTON, MARYLAND FOR THE FOLLOWING VARIANCES: 1) REQUEST A RELAXATION OF THE MINIMUM LOT SIZE BY 4.33 ACRES; 2) TO EXCEED THE MAXIMUM FLOOR AREA RATIO BY .86; 3) REQUEST A RELAXATION OF MINIMUM DISTANCE BETWEEN ANY OTHER NON-RESIDENTIAL USE OF 18 FEET; 4) REQUEST A RELAXATION OF MINIMUM GRASS AREA (OPEN SPACE) FROM 40% to 34%; 5) REQUEST A RELAXATION OF MAXIMUM BUILDING HEIGHT OF 28 FEET; 6) REQUEST A RELAXATION OF MINIMUM PARKING SPACE REQUIREMENT BY 136 SPACES. THIS ACTION CONCERNS PROPERTY LOCATED AT 127, 129, 131, 135, 137 & 141 WEST HIGH STREET, ELKTON, MARYLAND, TAX MAP 310, PARCELS 862, 863, 864, 904, 905 & 1371, ZONED C-1**

Mr. David Gipson, COO of Union Hospital, Mr. David Strouss of McCrone, Inc. and Mr. Robert Reed of Tevebaugh Associates presented this case to the Board. Mr. David Strouss began by saying that Article XII, Section 27 of the Town of Elkton Zoning Ordinance requires a special exception for a medical clinic in excess of 10,000 square feet requires a number of conditions. He stated that they are able to meet all but three of those conditions.

Item a) states: Total area: five (5) acres minimum. Mr. Strouss stated that they are requesting a waiver for this condition. He stated that the lot provided for this proposed building is 0.671 acres and they see the property as part of the larger hospital campus. The building would sit on this property although the parking and amenities are already part of the overall campus. He noted that the hardship is that strict adherence to the Town Zoning Ordinance would not allow the hospital to grow in the downtown area as a campus. He referred to Mr. Gipson's statement that the Ordinance is not set up for a campus type development.

Ms. Foster asked whether the hospital planned to expand to the other side of High Street. Mr. Gipson stated that they have no plans to incorporate the other side of High Street into the overall campus.

Mr. Williams asked what type of restrictions it would place on the hospital if this variance was not granted. Mr. Strouss responded that the main issue would be that parking is not immediately on this parcel. Mr. Williams pointed out that based upon their request they are asking the Board to relax this condition by 87% based on the numbers you are providing. Mr. Strouss interjected that the parking that would typically be provided within that 5 acre minimum is being provided on campus and is therefore no longer necessary.

Ms. Foster asked if the size of the building made any difference whether they would provide parking on that site. Mr. Gipson stated that regardless of building size the parking was not going to be provided on this lot. Mr. Strouss added that the difference between the 30,000 sf & 41,160 sf buildings is the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the larger building are cantilevered over the drop off area.

The second waiver being requested is floor area ratio. Mr. Strouss stated that the proposed floor area ratio is 1.41 and the requirement is 0.55. He stated that if this lot were combined with the parking lot on the other side of McQuilken Street then the floor area ratio would fall to 0.57 which is within 2% of the required floor area ratio. Again the hardship is that the parking lot and the building are on separate lots and without the waiver they would not be allowed to expand the hospital campus in the downtown area.

The third waiver being requested is Item c) which states: All structures shall be located at least two hundred (200) feet from any adjacent residential lot and fifty (50) feet from any other use. Mr. Strouss noted that the adjoining property to the west, zoned R-O, would be 32 feet from that property line. He submitted a letter from Romilvest Associates stated their support of the project. The reasoning for this request is that the adjacent property is an existing medical office and there is no specific need to provide the 50 foot distance. Requiring this distance would provide a hardship in developing this property and provides no benefit to the adjoining property owner. Ms. Foster asked if buffering is planned between the two buildings. Mr. Strouss stated that they propose placing a landscape screen.

The next waiver was for Item f) which states: A minimum of forty (40) percent of the gross site area shall be open space. The open space shall be generally continuous, accessible to the patients, and protective of natural features. Mr. Strouss stated that they are providing 34% green space on the property which will be heavily landscaped according to the Town Ordinance with buffers along High Street and Singerly Avenue. He pointed out in the application that typical C-1 zone is required to have 15% open space and the requirement for medical office building is 40%. Since they are meeting 34% he feels they are providing more than the typical C-1 zone.

Another waiver was for Item h) which states: Building height limit: as determined by the Board of Appeals but in no case more than 100 feet. Mr. Strouss stated that they are proposing a typical building height of 48-50 feet with a peak height to allow for an architectural feature to be designed on the building. There was some discussion

regarding this feature and they are looking at different options but have not made a final decision. Their thinking is that this feature will provide a distinction to this building but in keeping with the overall campus environment and in particular to tie in with the more recent expansions of the hospital both on High Street and Bow Street and with the new Adult Daycare Center. Mr. Strouss stated that the vast majority of the building will remain at or below 50 feet except for the architectural feature.

The final waiver was to reduce the required parking by 130 parking spaces. Mr. Strouss stated that the requirement for this office building is 1 space per 250 square feet of floor area which would require 165 parking spaces. He pointed out that the Town had set a requirement for parking spaces for the hospital. He used that requirement of 988 parking spaces, added the 165 parking spaces for a new requirement of 1,153 parking spaces. He then added the 6 new spaces being provided in the existing parking lot on McQuilken which will give the hospital a total of 1,023 parking spaces currently being provided. He stated that their request is to reduce the overall campus parking by 130 parking spaces. He noted that for the past three or four months they have counted the number of empty spaces in all parking areas and have submitted that parking rationale. The maximum number of empty spaces shown by the rationale is 448 and the minimum empty spaces are 333. The majority of those are on the second and third floors of the parking garage. They will be reallocating parking out of the lot on McQuilken to allow patients to park in that lot. The staff currently parking in the McQuilken lot would be moved to the garage and other available spaces in the parking lot. If the minimum currently is 333 they would therefore only be using 165 of those with this proposal and they would still show open parking of 170 spaces after this building is built.

Ms. Foster asked if someone would monitor this lot to be sure staff do not park there. Mr. Gipson stated that it would be monitored and added that they currently monitor staff parking. They do encourage evening and night shift staff to use the parking garage.

Discussion continued between the Board and the hospital representatives regarding their insight into the parking needs at the hospital and within the Town.

Mr. Gipson stated that since the parking garage was constructed he has not received any complaints other than people complaining about having to cross High Street. Mr. Williams stated that there is definitely a parking deficiency on North Street. Mr. Gipson stated that if there is a deficiency that the hospital did not create the problem. Mr. Williams pointed out that there are hospital employees who park on North Street and have helped to cause this problem.

Ms. Foster asked what would be done to the McQuilken Street lot. Mr. Gipson stated that they plan to reconfigure the lot and add lighting and landscaping and they would continue to provide 45° parking as they do currently.

Mr. Williams asked if the 90 spaces at the McQuilken Street lot were taken into consideration during the parking rationale. Mr. Strouss stated that they were taken into consideration.

Ms. Foster asked if parking had been allocated for any of the physicians in the proposed building. Mr. Gipson stated that the physicians who own their suites in the current medical office condominium are typically allotted 2 spaces in the garage and they will do the same with the proposed building. He stated that approximately 26 spaces are allotted for physicians at the current medical office building.

Mr. Olewine asked where in the garage those spaces are allotted. Mr. Gipson stated that they are near the dead end ramp at the center of the garage.

Mr. Gipson addressed the Board and commented that the hospital does not come before the Board casually in requesting these waivers. They believe they have shown themselves to be good neighbors and have a good track record in doing what they say they will do within the Town.

Ms. Foster entertained additional comment from the Board or audience. There were none.

**Ms. Foster announced that Cases 1336 & 1337 will be placed on continuance until the March 20<sup>th</sup>, 2008 meeting at 7:00 p.m. in order to have time to review the extensive requests discussed. She stated that the vote on these two cases will be the first item on the agenda. She stated that the meeting will remain open and further discussion can be presented at that time.**

**Old Business:**

1) Ms. Foster called for the election of officers for the 2008 Board of Zoning Appeals.

**Motion was made by Ms. Fetterolf for Ms. Foster to continue as Chairman for Board of Zoning Appeals. The motion was seconded by Mr. Olewine and unanimously approved.**

**Motion was made by Ms. Foster for Mr. Rae to continue as Vice Chair for Board of Zoning Appeals. The motion was seconded by Mr. Olewine and unanimously approved.**

2) Mr. Williams asked if the Code Enforcement Office could follow up the decision by the Board concerning the property at 703 Graymount Circle and find out if they have complied with the Board's decision. Mr. Trostle stated that he would follow up on this request.

**New Business:** None

There being no further items for discussion Ms. Foster adjourned the meeting at 9:43 p.m

Respectfully submitted,

Brenda Humphreys