

**TOWN OF ELKTON
BOARD OF ZONING APPEALS
MARCH 22, 2012
MINUTES**

Present: Robert Olewine; Shirley Hicks; Charles E. Cramer, Jr., J. Craig Trostle, Jr., Director, Building & Zoning; Jason L. Allison, Esquire, Attorney

Absent: Jared Roudybush; Dawn Schwartz

Mr. Olewine called the meeting to order at 7:11 p.m.

ACTION: Motion was made by Ms. Hicks to approve the minutes of the February 22, 2012 meeting. Motion was seconded by Mr. Olewine and unanimously approved.

Mr. Olewine notified the attendees that because there were only three members of the Board in attendance that there would need to be a unanimous decision regarding the case in order for approval of the request. Mr. Kougl's decision was to move forward with his presentation rather than come back during the next meeting.

CASE # 1430 – REQUEST OF M.N.R. INDUSTRIES/EXPRESS CARE, 1505 CHURCHVILLE ROAD, BEL AIR, MARYLAND FOR THE FOLLOWING VARIANCES: 1) THREE (3) ADDITIONAL WALL SIGNS AND 2) EXCEED THE ALLOWABLE SQUARE FOOTAGE PERMITTED FOR THREE (3) WALL SIGNS BY 326 SQUARE FEET. THIS ACTION CONCERNS PROPERTY LOCATED AT 310 E. PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 315, PARCEL 2377, ZONED C-2

Mr. Melvin W. Kougl was in attendance to represent this case. He stated that it is very important for the business that patients are able to find their location. Due to the nature of the medical emergencies, it is critical that patients be able to recognize their building from Route 40. In addition, there is a medical complex at the same location and patients need to be able to distinguish between the two buildings. Another concern is the visibility factor from Route 40 due to their location behind the Ruby Tuesday.

Mr. Olewine asked for clarification on the number of signs they are requesting. Mr. Kougl stated they are requesting a 108 sf wall sign for the business name and two trademark 'icon' signs which are 55 sf each. This is in addition to the 40 sf sign which has already been approved and placed. Discussion ensued regarding the location of each of the signs.

Mr. Olewine asked Mr. Kougl if he was aware of the location of the building prior to construction. Mr. Kougl informed the Board that they knew it would be recessed on the property but thought it would be closer to Route 40. Although most of their other locations are closer to the road they still felt confident that they could serve a need in this community. He added that they have a good working relationship with Union Hospital. They hope to alleviate some of the overflow from the emergency department at the Hospital. He stated that all the other locations have the same type of signage.

Mr. Olewine stated that he felt they were asking for a good deal more signage than other businesses. Mr. Kougl explained that their icon signs are normally placed in the windows but they are unable to do that at this location due to the size of the windows. Mr. Olewine asked if it would be acceptable to them if only the large business name sign were approved. Mr. Kougl stated that they could deal with just one sign being approved but would prefer to have the icon signs as well because they would dress up the building.

Mr. Olewine explained that the Board must consider what they have approved for other businesses. Mr. Kougl added that they have added lighting and awnings in order to dress up the building because it is rather flat without those amenities. He pointed out that the interior of their building is more like the lobby of a hotel because their goal is to make their patients comfortable.

Mr. Trostle asked whether ambulances would be transporting people to their location. Mr. Kougl stated that ambulances would only come to the location to transport people to the emergency room if their injuries require that level of care.

Mr. Trostle inquired whether they currently have signage on the pylon sign at that location. Mr. Kougl stated that they do have signage on the pylon and also a temporary sign for 30 days.

Mr. Olewine entertained questions from the Board. Mr. Cramer asked if the pictures submitted were done to scale. Mr. Kougl answered in the affirmative. Mr. Cramer asked if the icon signs were lighted. Mr. Kougl stated that there are light fixtures which are directed at the signs but that the cabinets are not back lit.

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

MOTION: Motion was made by Ms. Hicks to approve the 108 square foot wall sign for Express Care. The motion was seconded by Mr. Cramer and unanimously approved.

MOTION: Motion was made by Ms. Hicks to approve an additional 68 square feet for the Express Care building. The motion was seconded by Mr. Cramer and unanimously approved.

Mr. Olewine called for a motion regarding the first icon sign “Our Physicians Will See You Now”. The motion failed due to lack of a motion.

Mr. Olewine called for a motion regarding the second icon sign “Teddy Bear”. The motion failed due to lack of a motion.

OLD BUSINESS: None

NEW BUSINESS: None

Upon completion of motions for the case presented Mr. Olewine adjourned the meeting at 7:35 p.m.

The next meeting of the Board of Zoning Appeals will be held April 19, 2012.

Respectfully submitted,

Brenda Humphreys