

**TOWN OF ELKTON  
BOARD OF ZONING APPEALS  
MARCH 18, 2021  
MINUTES**

**Present:** Robert Olewine; Heather Mahaffey; Shirley Hicks; Sam Goldwater; Kelly Bedder; Chip Bromwell, Zoning Administrator; Lisa Blackson, Esq., Legal Counsel

**Absent:** Dawn Schwartz

The meeting was called to order by Mr. Olewine. He called for a motion to approve the minutes from the December 17, 2020 meeting.

**ACTION:** Motion was made by Ms. Mahaffey to approve the minutes from the December 17, 2020 meeting as written. The motion was seconded by Ms. Bedder and unanimously approved by the remaining Board members.

**CASE # 1573 – REQUEST OF MARK MEARS REPRESENTING CHRISTIANA CARE FOR THE FOLLOWING SIGN VARIANCES: 1) AN ADDITIONAL 86 SQUARE FEET EACH FOR SEVEN (7) MONUMENT SIGNS – SIGNS 7 THROUGH 13; 2) AN ADDITIONAL 42 INCHES OF HEIGHT EACH FOR SEVEN (7) MONUMENT SIGNS – SIGNS 7 THROUGH 13; 3) AN ADDITIONAL 26 SQUARE FEET EACH FOR TWO (2) MONUMENT SIGNS – SIGNS 16 & 21; 4) AN ADDITIONAL 63.88 SQUARE FEET FOR A WALL SIGN – SIGN B2; 5) AN ADDITIONAL 56.98 SQUARE FEET FOR A WALL SIGN – SIGN B3; 6) AN ADDITIONAL 5.85 SQUARE FEET FOR A WALL SIGN – SIGN B4; 7) AN ADDITIONAL 56.98 SQUARE FEET FOR A WALL SIGN – SIGN B5; 8) AN ADDITIONAL 5.85 SQUARE FEET FOR A WALL SIGN – SIGN B6. THIS ACTION CONCERNS PROPERTY LOCATED AT CATHEDRAL STREET ON THE SOUTH, BOW STREET ON THE EAST, BRIDGE STREET ON THE WEST AND RAILROAD AVENUE ON THE NORTH, ELKTON, MARYLAND, TAX MAP 027G (310), PARCEL 1351 AND ZONED TC (TOWN CENTER)**

Mr. Mark Mears, Director of Facilities Management for Christiana Care Union Hospital was in attendance to present these variance requests. He was sworn in by Ms. Blackson. Mr. Bromwell explained that although this appears to be a lot of additional signage, the signs which are currently in place were located prior to the Town Center Zone being created. The TC zone is very restrictive on the size of signs and therefore instead of trying to go from the existing square footage to the small increase (for what they are requesting) the requests reflect what the TC zone allows and what they are requesting to place.

Mr. Mears stated that if you look at the campus map you'll notice the largest signs are on the border of the campus area. The hospital has worked with the Town to try to create a hospital zone or campus within the confines of the space they own. Signs 7-11 circle the campus and now that they are now part of a much larger facility they are more of a destination center than they have ever been before. They will be offering new and improved services at the hospital and have tried to adapt to the needs of the community, such as the Radiation Oncology building on Railroad Avenue.

Mr. Olewine said if someone lives in and is familiar with Elkton they know where they need to go but he feels visitors from outside the area will be benefited from the signage which can direct them to where they

need to go. Mr. Mears said that the hospital will be bringing people in from a much larger area as opposed to just Elkton.

Mr. Olewine said these signs look like the ones at Christiana Care in Delaware. Mr. Mears said that Christiana sees this hospital as an integral part of their facility and want to have a uniformed look and similar service lines as the main facility.

Mr. Olewine opened the floor for Board member questions or comments. There were no questions. Mr. Olewine opened the floor for any audience comments. There was no one in the audience who wished to speak for or against this request.

**MOTION: Motion was made by Ms. Mahaffey to approve the additional 86 square feet of signage for each of seven (7) monument signs (Signs 7 through 13). The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.**

**MOTION: Motion was made by Ms. Mahaffey to approve the additional 42 inches of height for each of seven (7) monument signs (Signs 7 through 13). The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.**

**MOTION: Motion was made by Ms. Mahaffey to approve the additional 26 square feet of signage for each of two (2) monument signs (Signs 16 & 21). The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.**

**MOTION: Motion was made by Ms. Mahaffey to approve the additional 63.88 square feet of signage for a wall sign (Sign B2). The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.**

**MOTION: Motion was made by Ms. Mahaffey to approve the additional 56.98 square feet of signage for a wall sign (Sign B3). The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.**

**MOTION: Motion was made by Ms. Mahaffey to approve an additional 5.85 square feet of signage for a wall sign (Sign B3). The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.**

**MOTION: Motion was made by Ms. Mahaffey to approve an additional 56.98 square feet of signage for a wall sign (Sign B5). The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.**

**MOTION: Motion was made by Ms. Mahaffey to approve an additional 5.85 square feet of signage for a wall sign (Sign B6). The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.**

**CASE # 1574 – DWIGHT E. THOMEY, ESQUIRE REPRESENTING CHICK-FIL-A FOR THE FOLLOWING: 1) AN ELEVEN (11) FOOT FRONT SETBACK VARIANCE TO CONSTRUCT A SIGN; 2) A TWELVE (12) FOOT FRONT SETBACK VARIANCE TO CONSTRUCT A CANOPY WITH COLUMNS. THIS ACTION CONCERNS PROPERTY LOCATED AT 1100**

**EAST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 033C (316), PARCEL 986  
AND ZONED C-2 (HIGHWAY COMMERCIAL)**

Mr. Dwight Thomey, Esquire; Mr. Tom Wilt of JLL, Chick-Fil-A's owner's rep project manager and Mr. Andrew Stine of Bohler Engineering were in attendance and sworn in by Ms. Blackson.

Mr. Thomey stated they are requesting setback variances from Pulaski Highway. The purpose of this request is to have two lanes of traffic when picking up food. He stated the way customers use Chick-Fil-A has changed since the store was constructed a number of years ago. Specifically since the onset of the virus people now use apps to place their orders and simply drive through to pick up their meals and therefore less people are entering the restaurant.

He noted that the main issue is the parcel was created prior to Chick-Fil-A purchasing the property and it is a tight fit. The parcel is bounded on one side by Pulaski Highway, on one side by the entrance road into the Walmart and the other two sides is the main drive going into the Walmart parking area as well as the Chick-Fil-A. This increase in traffic, by people trying to enter the drive thru, has caused back-ups into the roadway. Since this is not a safe situation they are proposing some changes.

Mr. Stine stated they are proposing an expansion to the drive thru by adding a second lane which would wrap three sides of the site. This will increase the number of cars which can be separated from the rest of the parking field which will improve the overall efficiency of the layout and customer access to the site.

It was noted that due to the unique shape and access to the parcel this is the only way to place the second lane.

Mr. Stine stated that due to the addition of the second drive thru lane on the Pulaski Highway side the existing sign will be too close to the curb line of the proposed second lane. This will move the sign further into the setback and therefore would require the setback variance. Mr. Stine provided an illustration showing the proposed canopy and dual lane layout along Pulaski Highway. (see attachment)

Mr. Olewine inquired about the distance from the base of the sign to the sidewalk along Pulaski Highway. Mr. Stine estimated it to be 15 to 17 feet. It was noted that the height of the sign will be in keeping with the Town sign regulations.

Mr. Thomey asked Mr. Wilt for Chick-Fil-A's reasoning to make these improvements here as well as most of their other locations. Mr. Wilt explained there are two main reasons, it increases the stacking capacity for vehicles accessing the drive thru and the second lane will be used as a flex lane. If orders are taking longer than expected it will not hold up other customers accessing and being served. This will make the restaurant more efficient in serving their customers.

Mr. Wilt stated they believe the trend of ordering food on the app will remain in place even after the restaurant dining rooms are reopened to the public. He mentioned that the improvements will further expedite employees taking orders and getting food to customers.

Mr. Olewine asked if the first entrance into the parking lot will be eliminated. Mr. Wilt affirmed that it would be eliminated. He asked if there will be 2 way traffic at the new entrance. Mr. Wilt stated there would be for a short distance and then the traffic would be directed back into one lane to enter the drive thru lane.

Mr. Goldwater asked about delivery trucks and fire department access to the site. Mr. Wilt stated that both the main deliveries and miscellaneous deliveries are scheduled to arrive after hours. He stated those deliveries will utilize the loading zone on the north side of the building. Mr. Stine mentioned there is an existing striped loading zone area which meets the Town requirements. He also noted that the aisle widths meet the emergency vehicle requirements as well.

Mr. Olewine opened the floor to Board member questions or comments. There were no questions. He opened the floor to audience questions or comments. There was no one in attendance to speak either for or against this request.

**MOTION: Motion was made by Ms. Bedder to approve the eleven (11) foot front setback variance to construct a sign for the Chick-Fil-A. The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.**

**MOTION: Motion was made by Ms. Bedder to approve the twelve (12) foot front setback variance to construct a canopy with columns at the Chick-Fil-A. The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.**

**CASE # 1575 – REQUEST OF POLLITT SIGNS REPRESENTING HIGHLINE  
AFTERMARKET FOR A VARIANCE TO ALLOW AN ADDITIONAL 145 SQUARE FEET OF  
SIGNAGE FOR A WALL SIGN. THIS ACTION CONCERNS PROPERTY LOCATED AT 1002  
KONICA DRIVE, ELKTON, MARYLAND, TAX MAP 033C (316), PARCEL 2340 AND ZONED  
BI (BUSINESS INDUSTRIAL)**

Ms. Barbara Pollitt, VP of Pollitt Signs was in attendance to address this variance request. She explained that the owners of the building at 1002 Konica Drive felt that the forty square foot allowance for wall signs would not permit their customers to be able to identify their building. They believe a larger sign would be easier to read for people to locate their building. The building is a large facility and is tall and therefore would need a sign appropriate to its size and height.

Mr. Olewine asked if the illustration provided for the meeting represents what the sign will look like. Ms. Pollitt affirmed it is. Mr. Olewine asked if the sign was back lit and Ms. Pollitt confirmed they are channel letters with LED lighting inside.

Mr. Olewine asked if there is currently any signage on the building. Ms. Pollitt stated there is not. She mentioned that there had been signage in the past.

Mr. Olewine entertained questions from the Board members. There were no questions. He entertained questions from the audience. Mr. McConnell, representative for the property owner, stated they wanted to express their endorsement of the sign. He noted that the property has a frontage of 850' and they feel the sign which Highline has put together is appropriate and attractive for the new building and they are very proud of the new facility.

Mr. Will Aaron, Senior VP of Operations, Jason Brodie, VP of Regional Distribution and Tom Leonard, Project Manager stated they hoped the Board would be favorable to their request for the variance.

**MOTION:** Motion was made by Ms. Hicks to approve the variance to allow an additional 145 square feet of signage for a wall sign for Highline Aftermarket at 1002 Konica Drive. The motion was seconded by Ms. Bedder and unanimously approved by the remaining Board members.

**OLD BUSINESS:** None

**NEW BUSINESS:** Election of Officers

**MOTION:** Motion was made by Mr. Olewine to nominate Ms. Mahaffey as Vice Chair of the Board of Zoning Appeals. The motion was seconded by Ms. Hicks and unanimously approved by the remaining Board members.

**MOTION:** Motion was made by Sam Goldwater to nominate Mr. Olewine as Chair of the Board of Zoning Appeals. The motion was seconded by Ms. Bedder and unanimously approved by the remaining Board members.

**NEXT MEETING:** The next meeting of the Board of Zoning Appeals is April 22, 2021. Mr. Bromwell stated there has been one case submitted for the meeting. Tractor Supply will be requesting additional time for their on-site storage trailers.

There being no further business to discuss Mr. Olewine called for a motion to adjourn the meeting at 6:52 p.m.

**MOTION:** Motion was made by Ms. Mahaffey to adjourn the meeting. The motion was seconded by Ms. Bedder and unanimously approved by the remaining Board members.

Respectfully submitted,

Brie Humphreys