

**TOWN OF ELKTON
BOARD OF ZONING APPEALS
FEBRUARY 16, 2023
MINUTES**

Present: Dawn Schwartz; Shirley Hicks; Sam Goldwater; Chip Bromwell, Zoning Administrator;
Lisa Blackson, Esq., Legal Counsel

Absent: Kelly Bedder

The meeting was called to order by Ms. Schwartz. She asked if there were any corrections to the minutes. There being no corrections she called for a motion to approve the minutes from the December 22, 2022 meeting as written.

ACTION: Motion was made by Mr. Goldwater to approve the minutes from the December 22, 2022 meeting as written. The motion was seconded by Ms. Hicks with the remaining Board members voting as follows: Ms. Schwartz – Aye. The motion passed unanimously.

CASE # 1619 – REQUEST OF CAPITAL SITE LIGHTING REPRESENTING APPLE ELKTON, LLC FOR A VARIANCE FOR ONE ADDITIONAL WALL SIGN. THIS ACTION CONCERNS PROPERTY LOCATED AT 560 EAST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 033B, PARCEL 2386 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Ms. Schwartz called for the presenters for Case # 1619 to be sworn in. Ms. Blackson swore them in. Ms. Pamela Chrysovergis representing Capital Site Lighting and Ms. Stephanie Hamm of Capital Site Lighting were in attendance to address this request.

Ms. Chrysovergis began her presentation and was having issues with her web link freezing. Ms. Chrysovergis was able to rejoin the meeting by way of telephone. She stated the reason for the variance request was for placement of additional exterior signage in order to meet the corporate branding standards for Apple Mitsubishi.

Ms. Schwartz asked if the signage they are requesting is traditional throughout the corporation. Ms. Chrysovergis confirmed the signage is a worldwide standard for Mitsubishi. Ms. Schwartz asked if they would be adhering to the signage specification which were submitted by Capital Site Lighting. Ms. Chrysovergis confirmed the signage being placed would adhere to those specifications.

Ms. Schwartz asked if any board members had any questions for Ms. Chrysovergis. There were no questions from the other board members. She asked if anyone in the audience had any questions. There was no one in attendance to speak for or against this request.

Ms. Schwartz called for a motion.

MOTION: Motion was made by Mr. Goldwater to approve the variance for Apple Elkton, LLC for an additional wall sign. The motion was seconded by Ms. Hicks with the remaining board members voting as follows: Ms. Schwartz – Aye. The motion passed unanimously.

CASE # 1620 – REQUEST OF THOMAS MARTINELLI FOR AN ELEVEN (11) FOOT REAR SETBACK VARIANCE TO CONSTRUCT A DECK. THIS ACTION CONCERNS PROPERTY LOCATED AT 23 JOHN ADAMS LANE, ELKTON, MARYLAND, TAX MAP 027F, PARCEL 2451 AND ZONED R-2 (SUBURBAN RESIDENTIAL)

Mr. Thomas Martinelli was in attendance to address this request. He was sworn in by Ms. Blackson. Ms. Schwartz noted the board received copies of the pictures that were provided to the Town showing the existing deck on the rear of the property.

Mr. Bromwell gave some background for the variance request. He stated they have to ask for a variance because the deck will have a roof over it. Without a roof they would be allowed to go into the rear yard at 50% of the distance to the required setback. He noted they probably will not need the full eleven feet being requested but due to the fact they are on a cul-de-sac it is difficult to measure. He had to find the center of the cul-de-sac and reason the variance was required was due to the fact the existing deck would be removed and a new screen porch will be built. He stated he suggested they ask for an eleven foot setback variance in order to be safe.

Mr. Goldwater questioned whether the property backs up to an easement. Mr. Bromwell said the back five feet of all of the lots are part of a drainage easement. He stated the property backs up to the golf course and therefore nothing would be built behind them.

Ms. Schwartz asked if Mr. Martinelli had anything to add. He stated that the existing deck was the one built when the house was originally constructed. He said they would be removing the existing deck and replacing it with a new deck with a screened in porch.

Ms. Schwartz asked if any board members had any additional questions for Mr. Martinelli. There were no questions from the other board members. She asked if anyone in the audience had any questions. There was no one in attendance to speak for or against this request.

Ms. Schwartz called for a motion.

MOTION: Motion was made by Mr. Goldwater to approve the request for an eleven foot rear setback variance for 23 John Adams Lane. The motion was seconded by Ms. Hicks with the remaining board members voting as follows: Ms. Schwartz – Aye. The motion passed unanimously.

Mr. Bromwell stated they would need to turn in plans in order for the permit to be issued. Mr. Martinelli stated a contractor would be handling that for him.

OLD BUSINESS: None

NEW BUSINESS: Mr. Bromwell stated there is one case for an additional wall sign which has been submitted for the March meeting. It will be for the Taco Master which will be moving into 239 S. Bridge Street.

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NEXT MEETING: Ms. Schwartz stated the next meeting of the Board of Zoning Appeals will be Thursday, March 16, 2023.

There being no further business to discuss Ms. Schwartz called for a motion to adjourn the meeting at 6:13 p.m.

MOTION: Motion was made by Ms. Hicks to adjourn the meeting at 6:13 p.m. The motion was seconded by Mr. Goldwater with the remaining board members voting as follows: Ms. Schwartz – Aye. The motion passed unanimously and the meeting was adjourned.

Respectfully submitted,

Brie Humphreys