

# 2012 ANNUAL REPORT ELKTON, MARYLAND



PREPARED BY:

TOWN OF ELKTON PLANNING DEPARTMENT  
FOR THE PLANNING COMMISSION

## **EXECUTIVE SUMMARY**

Section 3.09 of Article 66B of the Annotated Code of Maryland requires that the Planning Commission prepare, adopt, and file an annual report with the local legislative body. This document has been prepared by the Town of Elkton Department of Planning to satisfy that requirement.

The format and content of this report cover the development activity that has occurred in the Town of Elkton during the calendar year 2012. This activity includes major and minor subdivisions, rezonings, annexations, special exceptions, variances, appeals, historic district work permits, historic district designation, building permits and site plans. This information is presented in summary fashion.

Article 66B of the Annotated Code of Maryland requires that the Annual Report state whether changes in land use patterns which occurred during the period covered in the report, including land use, transportation, community facilities, zoning map amendments, and subdivision plats are or are not consistent with each other; the recommendations of the last annual report; the adopted plans of the local jurisdictions; and the adopted plans of the state and local jurisdictions that have responsibility for financing and constructing public improvements necessary to implement the local jurisdiction's plan and should contain statements and recommendations for improving the planning and development process within the local jurisdiction. During calendar year 2012 these changes were consistent with the above mentioned items. URS is currently working with the Town on updating the Town's Zoning Ordinance, Subdivision Regulations and Zoning Maps.

This office's actions concerning rezonings, special exceptions, variances, subdivisions, Chesapeake Bay Critical Area, historic district work permits, and other associated projects presented this office with a number of challenging and varied assignments.

## **APPLICATIONS PROCESSED 2012**

Planned Unit Developments - The Planning Commission recommended denial of one (1) concept plan for a 2,477 unit planned unit development. The Mayor and Commissioners approved the concept plan for the respective planned unit development.

Major Subdivisions – The Planning Commission approved One (1) concept plan; one (1) preliminary plan; one (1) final plan; two (2 ) revised preliminary extensions; and one (1) extension of final.

Minor Subdivisions - The Planning Commission approved two (2) add-on subdivisions with no net increase in lots.

Site Plans - A total of four (4) commercial/industrial/institutional site plans were approved by the Planning Commission. Two (2) plans were approved for final; one (1) plan was approved for extension of final; and one (1) plan was approved for concept.

Special Exceptions, Variances, Appeals –Twenty-two (22) requests were processed in 2012; six (6) special exception were processed of which one (1) was denied; fifteen (15) variances were processed of which thirteen were approved, two (2) denied and one withdrawn; and one (1) appeal was processed, which was denied.

Critical Area Permits - The Building Department issued twenty-six (26) building permits in the Critical Area: four (4) shed permits; ten (10) deck permits; seven (7) single family dwelling permits; four (4) pool permits and one (1) handicap ramp permit.

Historic District Work Permits - The Historic and Architectural Review Committee processed ten (10) work permits in 2012. Eight (8) work permits were granted; one (1) was tabled; and one (1) was denied.

Rezoning – The Planning Commission recommended approval of three (3) rezonings, which were part of annexations requests. The Mayor & Commissioners subsequently approved the annexations with the requested rezoning designations.

Building Permits – The Town issued permits for fourteen (14) single family dwellings; six (6) townhouses and seven (7) apartment buildings for a total of eighty-four (84) apartment units.

Zoning Violations – The Building Department investigated approximately 1,235 violation complaints.

Annexations - The Town approved three (3) annexations requests in 2012 for a total of 193.353 acres annexed.

## **THE ELKTON PLANNING COMMISSION**

### **2012 Members:**

Mr. David Wiseman, Chair

Ms. Asma Manejwala, Vice Chair

Mr. Brad Carillo

Ms. Sue Whitaker

Mr. Fred Thomas

G. Edward Ginder

Ms. Mary Jo Jablonski, Ex-Officio

Ms. Clara Campbell, Legal Counsel

The Planning Commission is appointed by the Mayor and approved by the Board of Commissioners. The Planning Commission serves as a citizen board and makes recommendations to the Board of Zoning Appeals or the Mayor and Commissioners regarding special exceptions, rezonings, and amendments or changes to the Town's Zoning Ordinance and Subdivision Regulations. The Planning Commission has the authority to approve all major and minor subdivision of land and all industrial, institutional, and commercial site plans.

Planning Commission public meetings are scheduled on the first Monday after the first Wednesday of each month. The meetings are held at 7:00 pm in the Elkton Municipal Building at 100 Railroad Avenue, Elkton, Maryland.

## **THE ELKTON BOARD OF ZONING APPEALS**

### **2012 Members:**

Mr. Robert Olewine, Chair

Mr. Jared Roudybush, Vice-Chair

Ms. Shirley Hicks

Ms. Dawn Schwartz

Mr. Charles Cramer, Jr.

Mr. Jason Allison, Legal Counsel

Mr. J. Craig Trostle, Zoning Administrator (staff)

The Board of Zoning Appeals is appointed by the Mayor and approved by the Board of Commissioners and serves as a citizen review board for administrative decisions of the Department of Zoning. The Board is a quasi-judicial body which makes decisions on special exceptions, variances and appeals.

Board of Zoning Appeals public meetings are scheduled on the first Thursday after the third Wednesday of the month in the Elkton Municipal Building at 100 Railroad Avenue, Elkton, Maryland.

## **THE ELKTON HISTORIC AND ARCHITECTURAL REVIEW COMMITTEE**

### **2012 Members:**

Ms. Paula Newton, Chair

Mr. Josh Brown

Mr. Mark Clark

Mr. Steven Leonard

Mr. Kenneth Wilcox

Mr. H. Norman Wilson, Legal Counsel

Ms. Jeanne D. Minner AICP, Director of Planning (staff)

The following member resigned during 2012:

Ms. Linda Griffith

The Historic and Architectural Review Committee (HARC) is appointed by the Mayor and approved by the Board of Commissioners. The Historic and Architectural Review Committee is a citizen review board that reviews applications for work permits in the designated historic overlay zone and makes recommendations to the Mayor and Commissioners on applications for inclusion in or petitions for removal from historic overlay zones. It is a five (5) member board of which the majority of members must be residents of the Town.

The Historic and Architectural Review Committee meets on the last Wednesday of the month at 6:00 PM in the Municipal Building at 100 Railroad Avenue, Elkton, Maryland.

## **ELKTON DEPARTMENT OF PLANNING**

### **2012 Staff:**

Jeanne D. Minner AICP, Director

Theresa C. Thomas, Planner

Brenda S. Humphreys, Administrative Secretary (Building Department staff, provides secretarial assistance for Planning Commission meetings)

This department provides staff support to the Mayor and Commissioners, Planning Commission and Historic and Architectural Review Committee, as well as other boards and commissions. Additionally, this office implements the goals and objectives of the Town's Comprehensive Plan through the administration of the Zoning Ordinance and Subdivision Regulations. Members of the staff participate on various committees and represent the Town on regional organizations.

**RESIDENTIAL BUILDING PERMITS ISSUED IN 2012**

**BY LAND USE DISTRICT**

<b>MONTH</b>	<b>TYPE OF PERMIT</b>	<b>NUMBER ISSUED</b>	<b>ZONING DISTRICT</b>	<b>TOTAL SF</b>	<b>ESTIMATED CONSTRUCTION COST</b>
April	Single-family	3	R-2	4,997	\$205,660.00
		1	R-3	3,252	\$100,000.00
	Townhouse	6	R-3	17,332	\$600,000.00
May	Single-family	3	R-2	5,857	\$370,175.00
June	Single-family	1	R-1	5,047	\$176,456.00
July	Single-family	2	R-2	6,911	\$227,125.00
September	Single-family	1	R-2	3,359	\$120,000.00
October	Single-family	1	R-2	3,037	\$130,000.00
November	Single-family	1	R-2	3,258	\$125,000.00
December	Single-family	1	R-2	4,433	\$130,000.00
	Apartments buildings (12 units each)	7	R-3	109,412	\$7,853,902.00
<b>TOTAL</b>		<b>27</b>		<b>166,895</b>	<b>\$10,038,318.00</b>

R-1 - Town Estate, low density  
R-2 –Town Residential, medium density  
R-3 – Multi-family Residential  
RO - Residential Office



**BUILDING PERMITS ISSUED - 2012**

**CRITICAL AREA**

<b>MONTH</b>	<b>PERMITS ISSUED IN CRITICAL AREA – 2012</b>	<b>NUMBER OF WHICH WERE NEW DWELLINGS</b>
January	1	0
February	1	0
March	1	0
April	3	2
May	7	0
June	3	1
July	2	1
August	2	0
September	2	1
October	2	1
November	2	1
December	0	0
<b>TOTALS</b>	26	7

**SPECIAL EXCEPTIONS, VARIANCES, APPEALS**

**2012**

	<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>WITHDRAWN</b>	<b>TOTAL</b>
<b>SPECIAL EXCEPTIONS</b>				
<b>In-home occupations</b>	3	0	0	3
<b>Other</b>	2	1	0	3
<b>VARIANCES</b>	13	2	1	15
<b>APPEALS</b>	0	1	0	1

**REZONINGS**

There were no rezonings during 2012 other than the rezonings associated with the three (3) annexations. See Annexations 2012.

## APPLICATIONS

### **2012 Residential Subdivisions**

<b>DATE</b>	<b>NAME</b>	<b>LOCATION</b>	<b>ZONING</b>	<b>USE</b>	<b>STATUS</b>
03/12/12	Summit at Walnut Hill, 1	TM 306, p. 2125, p/o 2435, p/o 2447	R-O	Residential (27 townhouses)	Extension of Final
05/07/12	Overlook at Walnut Hill	TM 306, p. 2143, 2429, lot F	R-2, R-O	Residential (8 single family - detached)	Extension of Revised Preliminary
09/10/12	Belle Hill Manor	TM 303, p. 1128, 1131, 1132	R-3	Apartments (84 apartments)	Concept
10/08/12	Summit at Walnut Hill, 2	TM 306, p. 2162, p/o 2435	R-O	Residential (21 townhomes)	Extension of Revised Preliminary
10/08/12	Belle Hill Manor	TM 303, p. 1128, 1131, 1132	R-3	Apartments (84 apartments)	Preliminary
12/10/12	Belle Hill Manor	TM 303, p. 1128, 1131, 1132	R-3	Apartments (84 apartments)	Final

### **2012 Planned Unit Development**

<b>NAME</b>	<b>LOCATION</b>	<b>ZONING</b>	<b>USE</b>	<b>PLANNING COMMISSION ACTION</b>	<b>MAYOR &amp; COMMISSIONERS ACTION</b>
Southfields	TM 316, p. 169; TM 319, p. 2450; TM 320, p. 2369, 2371, 454; TM 324, p. 2394	R-1, R-2, R-3, RP	Residential/ Commercial (2,477 dwelling units)	01/09/12 Recommended Denial of Concept	05/02/12 Approved Concept

### **2012 Minor Subdivisions**

<b>DATE</b>	<b>NAME</b>	<b>LOCATION</b>	<b>ZONING</b>	<b>TYPE</b>	<b>NEW LOTS CREATED</b>	<b>STATUS</b>
05/07/12	Lands of Romanek	TM 310, p. 1695, 2035	C-2	Add-On Subdivision	0	Final
10/08/12	Belle Hill Development, LLC	TM 303, p. 1128, 1131, 1132	R-3	Add-On Subdivision	0	Final

**2012 Site Plans****Commercial, Industrial, and Institutional Development**

<b>DATE</b>	<b>NAME</b>	<b>LOCATION</b>	<b>ZONING</b>	<b>USE</b>	<b>STATUS</b>
3/12/12	Meridan Holdings, LLC	TM 310, p. 1425	C-1	Medical Office	Final
3/12/12	Summit at Walnut Hill	TM 306, p. 2125, 2162, p/o 2435, p/o 2447	R-O	Offices	Extension of Final
07/16/12	Hertrich Properties XII, LLC	TM 316, p. 2332	C-2	Car Sales	Concept
12/12/12	Verizon Box Store	TM 315, p. 2227	C-2	Cell Phone Sales	Final

**HISTORIC AND ARCHITECTURAL REVIEW COMMITTEE**  
**APPLICATIONS**

**2012**

The following requests were heard by the Historic and Architectural Review Committee:

<b>DATE</b>	<b>LOCATION</b>	<b>REQUEST</b>	<b>ACTION</b>
01/25/12	129 W. Main Street	Addition	Granted
01/25/12	166 W. Main Street	Signage	Granted
01/25/12	123 North Street	Monument sign	Granted
02/29/12	190 E. Main Street	Signage	Granted
02/29/12	131 E. Main Street	Replace slate shingles	Tabled
02/29/12	213 E. Main Street	Signage	Granted
07/12/12	214 North Street	Amendment to the Zoning Ordinance for Redevelopment	Denied
09/26/12	139 W. Main Street	Signage	Granted
09/26/12	214 E. Main Street	Modifications to approved plans	Granted
09/26/12	100 E. Main Street	Signage	Granted

## AMENDMENTS

2012

### Amendment 6-2012, effective September 25, 2012

Article II. Definitions and Interpretations, Part I. Definitions  
Section 1. Definitions of Basic Terms

[ Note: The following terms are added to this section and will appear alphabetically with respect to the other terms included under this section.]

Clinic. “Clinic” means a freestanding health care facility that is not licensed as a hospital, part of a hospital, or nursing home and is not administratively part of a physician’s, or osteopath’s office, but which has a separate staff functioning under the direction of a clinic administrator or health officer and is organized and operated to provide ambulatory or outpatient health services.

Clinic Services. “Clinic Services” means preventive, diagnostic, therapeutic, rehabilitative or palliative items or services furnished by or under the direction of a licensed physician in a Clinic.

State Licensed Medical Clinic. (a) Freestanding ambulatory-care facility licensed under Title 19, Subtitle 3B, of the Health-General Article of the Annotated Code of Maryland; (b) A detoxification facility certified under Title 8, Subtitle 4, of the Health-General Article of the Annotated Code of Maryland; or (c) An alcohol abuse and drug abuse treatment program certified under Title 8, Subtitle 4, of the Health-General Article of the Annotated Code of Maryland.

Article X. Permissible Uses, Section 8., Permissible Uses Tables, Subsection 2., Table of Permissible Uses, Table Line:

~~3.130 Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area (see Article XII, Section 15) permitted with conditions in the C-1, C-2, C-3, BI, and B-P Zoning Districts.~~

3.130 Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area (see Article XII, Section 15) permitted by Special Exception with Conditions in the C-1, C-2, and C-3 Zoning Districts.

Article XII. Supplementary Use Regulations, Section 15. Clinics (3.130)

~~Medical clinics of less than 10,000 square feet of gross floor area may be permitted in the C-1, C-2, and C-3, BI or B-P Districts subject to the following:~~

- ~~a. Minimum lot area, 40,000 square feet.~~
- ~~b. Minimum frontage, 200 feet.~~
- ~~c. Minimum setback, 40 feet from all property lines.~~
- ~~d. Maximum building height, as specified in zone.~~

Clinics and State Licensed Medical Clinics of less than 10,000 square feet of gross floor area may be permitted in the C-1, C-2, and C-3 Zoning Districts by Special Exception subject to the following conditions:

- a. Minimum lot area, 40,000 square feet.
- b. Minimum frontage, 200 feet.
- c. Minimum setback, 40 feet from all property lines.
- d. Maximum building height, as specified in zone.
- e. Off street parking – 1 space for each employee - shall be provided for the maximum employee shift and 1 space per patient as determined by the number of patients the clinic is licensed to serve by the State of Maryland divided by the number of hours that are solely dedicated to the dispensing of medication.
- f. Provide a copy of the application for licensure from the State of Maryland for a State Licensed Medical Clinic.
- g. All permits and licenses required to operate the clinic must be verified prior to opening to the public.
- h. As part of the Special Exception approval, the Board may impose other reasonable requirements deemed necessary to safeguard the health, safety and general welfare of the public.
- i. Waiting Area. – Shall provide an interior waiting area sufficient in size to accommodate one person per parking space as required. Area shall be calculated using five (5) square feet for each person waiting.

**Note:** Deletions are strikethrough and insertions are underlined.

## ANNEXATIONS

2012

Owner	Tax Map/Parcel #	Acreage	Current County Zoning	Proposed Town Zoning	Planning Commission Hearing	Mayor & Commissioners Hearing
Wilber Properties, et al	<b>308</b> /177,178,612,179,390,1067,737 <b>312</b> /277,733,182,183,181,661,1093,281,328,184,267,907	60.235	RM	R-3	February 6, 2012	March 31, 2012
Tenby Ridge, LP	<b>304</b> /69, 879, 881, 892, 1126	122.143	RM, M-1	RO, R3	June 11, 2012	October 3, 2012
Belle Hill Development, LLC et. al.	<b>303</b> /1128, 1131, 1132	10.975	RM	R-3	August 8, 2012	September 30 2012