

# 2013 ANNUAL REPORT ELKTON, MARYLAND



PREPARED BY:

TOWN OF ELKTON PLANNING DEPARTMENT  
FOR THE ELKTON PLANNING COMMISSION

## **EXECUTIVE SUMMARY**

Section 3.09 of The Land Use Article 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 2013. 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.

The Land Use Article 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 2013 these changes were consistent with the above mentioned items. URS worked with the Town in updating the Town's Zoning Ordinance, Subdivision Regulations and Zoning Maps. The new Subdivision Regulations became effective on October 22, 2013 and the new Zoning Ordinance and Zoning Maps became effective on November 26, 2013.

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 2013**

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

Minor Subdivisions - The Planning Commission approved one (1) add-on subdivision; one (1) resubdivision; and one (1) revised resubdivision. None of which yielded a net increase in lots.

Site Plans - A total of five (5) commercial/industrial/institutional site plans were approved by the Planning Commission. One (1) plan was approved for final; three (3) plans were approved for preliminary and one (1) plan was approved for concept.

Special Exceptions, Variances, Appeals –Twenty-two (22) requests were processed in 2013; seven (7) special exception were processed of which one (1) was denied; fifteen (15) variances were processed, all of which were approved.

Critical Area Permits - The Building Department issued five (5) building permits in the Critical Area: one (1) shed permit; three (3) single family dwelling permits; and one (1) addition.

Historic District Work Permits - The Historic and Architectural Review Committee processed eight (8) work permits in 2013. All eight (8) work permits were granted.

Rezoning – The Planning Commission recommended approval of one (1) rezoning due to mistake. The Mayor & Commissioners subsequently approved the rezoning designation. A comprehensive rezoning of the Town was completed in 2013. The new zoning maps became effective on November 26, 2013.

Building Permits – The Town issued permits for seventeen (17) single family dwellings and one (1) apartment building with a total of fifty-three (53) apartment units.

Zoning Violations – The Building Department investigated approximately four hundred thirty-three (433) violation complaints.

## **THE ELKTON PLANNING COMMISSION**

### **2013 Members:**

Ms. Asma Manejwala, Chair (Vice Chair under David Wiseman)

Ms. Sue Whitaker

Mr. G. Edward Ginder, Vice-Chair

Mr. David Fordyce (seated August 2013)

Mr. Richard Keane (seated December 2013)

Ms. Mary Jo Jablonski, Ex-Officio

Ms. Clara Campbell, Legal Counsel

The following members resigned during 2013:

Mr. David Wiseman, Chair

Mr. Brad Carillo

Mr. Fred Thomas

William Gowen

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**

### **2013 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**

### **2013 Members:**

Ms. Paula Newton, Chair

Mr. Josh Brown

Mr. Mark Clark

Mr. Steven Leonard

Mr. H. Norman Wilson, Legal Counsel

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

The following member resigned during 2013:

Mr. Kenneth Wilcox

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**

### **2013 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 2013**

**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>
January	Single-family	1	R-2	3,292.00	\$125,000.00
		1	R-3	3,342.00	\$100,000.00
February	Single-family	2	R-2	10,185.00	\$369,267.00
March	Single-family	1	R-2	5,874.00	\$203,111.00
April	Single-family	4	R-2	18,778.00	\$747,181.00
May	Single-family	1	R-2	3,058.00	\$120,000.00
June	Single-family	2	R-2	7,955.00	\$284,948.00
July	Single-family	1	R-2	3,191.00	\$140,000.00
August	Single-family	1	R-2	3,885.00	\$154,675.00
September	Single-family	1	R-2	4,655.00	\$160,438.00
October	Single-family	1	R-2	4,193.00	\$167,906.00
November	Single-family	1	R-2	4,632.00	\$100,000.00
December	Apartment building (53 units)	1	TC	42,197.00	\$6,000,000.00
<b>TOTAL</b>		<b>18</b>		<b>115,237.00</b>	<b>\$8,672,526.00</b>

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



**BUILDING PERMITS ISSUED - 2013**

**CRITICAL AREA**

<b>MONTH</b>	<b>PERMITS ISSUED IN CRITICAL AREA – 2013</b>	<b>NUMBER OF WHICH WERE NEW DWELLINGS</b>
January	2	2
February	0	0
March	0	0
April	1	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
October	1	0
November	1	1
December	0	0
<b>TOTALS</b>	<b>5</b>	<b>3</b>

**SPECIAL EXCEPTIONS, VARIANCES, APPEALS**

**2013**

	<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>WITHDRAWN</b>	<b>TOTAL</b>
<b>SPECIAL EXCEPTIONS</b>				
<b>In-home occupations</b>	2	0	0	2
<b>Other</b>	4	1	0	5
<b>VARIANCES</b>	15	0	0	15
<b>APPEALS</b>	0	0	0	0

**REZONINGS**

**2013**

<b>Owner</b>	<b>Tax Map/Parcel</b>	<b>Current &amp; Proposed Zoning</b>	<b>Planning Commission Recommendation Date</b>	<b>Mayor and Commissioners Meeting Date</b>	<b>Reason for Rezoning Request</b>	<b>Mayor &amp; Commissioners Decision</b>
503 E. Pulaski LLC	TM 315/P. 2051, lot 58	From R-1 to C-2	June 10, 2013	July 3, 2013	Mistake	Approved

## APPLICATIONS

### **2013 Residential Subdivisions**

DATE	NAME	LOCATION	ZONING	USE	STATUS
02/11/13	Summit at Walnut Hill, 1	TM 306, p. 2125, p/o 2435, p/o 2447	R-O	Residential	Extension of Final Site Plan
08/12/13	North Street Senior Apartments	TM 310, p. 1204, lot 1	C-1	Residential	Concept Site Plan
09/09/13	North Street Senior Apartments	TM 310, p. 1204, lot 1	C-1	Residential	Preliminary Site Plan
11/11/13	North Street Senior Apartments	TM 310, p. 1204, lot 1	C-1	Residential	Final Site Plan

### **2013 Minor Subdivisions**

DATE	NAME	LOCATION	ZONING	TYPE	NEW LOTS CREATED	STATUS
04/08/13	South Street Associates	TM 311, p. 1085 & 1858	RO	Add-On Subdivision	0	Approved Final
05/06/13	Lands of Cecil County	TM 310, p. 1204, lots 1 & 2	C-1	Resubdivision	0	Approved Final
11/11/13	Lands of Cecil County	TM 310, p. 1204, lots 1 & 2	C-1	Resubdivision	0	Revised Approved Final

### **2013 Site Plans**

#### **Commercial, Industrial, and Institutional Development**

DATE	NAME	LOCATION	ZONING	USE	STATUS
05/06/13	Hertrich Properties XII	TM 316, p.2332	C-2	Car dealership	Preliminary Major Site Plan
07/08/2013	Hertrich Properties XII	TM 316, p.2332	C-2	Car dealership	Final Major Site Plan
10/07/13	Ramsey Ford	TM 315, p. 2042,2043, p/o 2051 lot 58	C-2	Car dealership	Concept Major Site Plan
11/11/13	U Tri C	TM 316, p. 2443	BI	Commercial building	Preliminary Major Site Plan
12/09/13	Ramsey Ford	TM 315, p. 2042,2043, p/o 2051 lot 58	C-2	Car dealership	Preliminary Major Site Plan

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

**2013**

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

<b>DATE</b>	<b>LOCATION</b>	<b>REQUEST</b>	<b>ACTION</b>
04/24/13	202 E. Main Street	Signage	Granted
04/24/13	Hermitage Drive	Repair of entrance wall	Granted
06/26/13	214 North Street	Adaptive reuse of an historic structure	Recommended approval to the Board of Zoning Appeals
08/28/13	132 W. Main Street	Signage	Granted
09/25/13	214 North Street	Exterior rendering	Granted
10/30/13	101 W. Main Street	Exterior renovations	Granted
10/30/13	129 E. Main Street	Exterior renovations, elevator addition, extension of lobby	Granted
11/25/13	207 W. Main Street	Signage	Granted

**AMENDMENTS**  
**2013**

Amendment 2-2013, effective June 4, 2013

**Article XII Supplementary Use Regulations, Section 29 Housing for the Elderly or Handicapped (1.430)**

Housing for the elderly and handicapped may be permitted as a Special Exception by the Board of Appeals in the R-1, R-2, R-3, MH, RO, C-2, C-3 and PUD Districts subject to the following:

1. For the purposes of occupancy, elderly and handicapped shall include only:
  - a. People who are 62 or more years of age.
  - b. Families where either ~~the husband or wife~~ **partner** is 62 or more years of age, **where the term 'partner(s)' refer(s) to lawfully married individuals.**
  - c. Handicapped people under 62 if determined to have physical impairments that:
    - (1) Are expected to be of long-continued and indefinite duration;
    - (2) Substantially impede the ability to live independently; and
    - (3) Are of such a nature that the ability to live independently could be improved by more suitable housing conditions.
2. The minimum area shall be one and one-half acres.
3. Maximum density.
  - a. One residential unit per 1,500 square feet of net lot area in the R-1 zone.
  - b. One residential unit per each 750 square feet of net lot area in the R-2 and R3 zones.
  - c. One residential unit per 600 square feet of net lot area in the RO and C-1 zones.
  - d. One residential unit per each 300 square feet of net lot area in the C-2 and C-3 zones.
4. Maximum coverage: as required in the applicable zone.
5. Parking. There shall be off-street parking as required in Article XVII.
6. The Board shall grant the application only upon a finding that such use will not affect adversely the use or development of the surrounding area.

Housing for the elderly and handicapped may be permitted as a Special Exception by the Board of Appeals in the Central Business District. The following standards shall apply:

1. Minimum lot size: 1.0 acres
2. Minimum front yard setback: Fifteen (15) feet
3. Minimum side yard setback: Ten (10) feet; forty (40) foot in aggregate
4. Minimum road frontage: ~~One hundred fifty (150) feet~~ **One hundred (100) feet**
5. Minimum open space: Twenty (20) percent
6. Maximum lot coverage: Seventy five (75) percent
7. Minimum off-street parking spaces: .85 parking spaces per dwelling unit
8. The Board shall grant the application only upon finding that such use will not affect adversely the use or development of the surrounding area.

#### Ordinance 8-2013

The Mayor and Commissioners of the Town of Elkton adopted the amended Zoning Ordinance and Zoning Maps as presented on November 6, 2013. The new Zoning Ordinance and Zoning Maps became effective on November 26, 2013.

#### Ordinance 9-2013

The Mayor and Commissioners of the Town of Elkton adopted the amended Subdivision Regulations in its entirety and the new Subdivision Regulations became effective on October 22, 2013.

### **ANNEXATIONS** **2013**

There were no annexations in 2013