

2014 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 2014. 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 2014 these changes were consistent with the above mentioned items.

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 2014

Major Subdivisions – The Planning Commission approved two (2) extensions of preliminary approvals.

Minor Subdivisions - The Planning Commission approved one (1) add-on subdivision and one (1) resubdivision, which resulted in the creation of one (1) lot.

Site Plans - A total of five (5) commercial/industrial/institutional site plans were approved by the Planning Commission. Four (4) plans were approved for final and one (1) plan was approved for concept.

Special Exceptions, Variances, Appeals – Seventeen (17) requests were processed in 2014; one (1) special exception was processed and approved; sixteen (16) variances were processed of which fourteen (14) were granted, one (1) was withdrawn and one (1) was denied.

Critical Area Permits - The Building Department issued four (4) building permits in the Critical Area: two (2) shed permits and two (2) single family dwelling permits.

Historic District Work Permits - The Elkton Historic District Commission processed seven (7) work permits in 2014. Six (6) of which were granted and one (1) of which was tabled and subsequently approved.

Rezoning – The Planning Commission recommended approval of one (1) rezoning due to annexation. The Mayor & Commissioners subsequently approved the rezoning designation.

Building Permits – The Town issued permits for twelve (12) single family dwellings.

Zoning Violations – The Building Department investigated approximately three hundred ninety three (393) violation complaints.

Amendments – The Planning Commission recommended approval of one (1) amendment to the Zoning Ordinance and one (1) amendment to the Subdivision Regulations, which were subsequently approved by the Mayor and Commissioners.

Annexations – The Planning Commission recommended approval of the annexation of 34.6117 acres, which the Mayor and Commissioners subsequently approved and the Mayor and Commissioners approved of the annexation of 0.3081 acres owned by the Town.

Deannexations – The Mayor and Commissioners deannexed 3.234 acres of land at the request of the owners.

THE ELKTON PLANNING COMMISSION

2014 Members:

Mr. G. Edward Ginder, Vice-Chair

Mr. David Fordyce

Mr. Richard Keane

Mr. Keith Thompson

Ms. Mary Jo Jablonski, Ex-Officio

Ms. Clara Campbell, Legal Counsel

The following members resigned during 2014:

Ms. Asma Manejwala, Chair (December 2014)

Ms. Sue Whitaker, (March 2014)

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

2014 Members:

Mr. Robert Olewine, Chair

Mr. Jared Roudybush, Vice-Chair

Ms. Shirley Hicks

Ms. Dawn Schwartz

Mr. Charles Cramer, Jr.

Mr. Charles Bromwell, Zoning Administrator

The following members resigned during 2014:

Mr. Jason Allison, Legal Counsel (December)

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

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 DISTRICT COMMISSION

2014 Members:

Ms. Paula Newton, Chair

Mr. Josh Brown

Mr. Mark Clark

Mr. Steven Leonard

Ms. Brittany Schwartz (July 2014)

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

Mr. John Downs, Legal Counsel (July 2014)

The following member resigned during 2014:

Mr. H. Norman Wilson, Legal Counsel

The Historic District Commission is appointed by the Mayor and approved by the Board of Commissioners. The Historic District Commission 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 District Commission 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

2014 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 District Commission, 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 2014

BY LAND USE DISTRICT

MONTH	TYPE OF PERMIT	NUMBER ISSUED	ZONING DISTRICT	TOTAL SF	ESTIMATED CONSTRUCTION COST
January	Single-family	1	R-2	5,119	\$181,502
February		0		0	0
March		0		0	0
April		0		0	0
May	Single-family	2	R-2	8,593	\$420,000
June	Single-family	1	R-2	4,334	\$161,985
July	Single-family	2	R-2	9,707	\$406,155
August	Single-family	2	R-2	10,862	\$366,632
September	Single-family	1	R-1	4,384	\$173,760
	Single-family	1	R-2	2,493	\$120,000
October	Single-family	1	R-2	4,112	\$120,000
November		0		0	0
December	Single-family	1	R-2	4,815	\$191,789
TOTAL		12		54,419	\$2,141,823.00

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 - 2014

CRITICAL AREA

MONTH	PERMITS ISSUED IN CRITICAL AREA – 2014	NUMBER OF WHICH WERE NEW DWELLINGS
January	1	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	1	1
October	2	1
November	0	0
December	0	0
TOTALS	0	0

SPECIAL EXCEPTIONS, VARIANCES, APPEALS

2014

	APPROVED	DISAPPROVED	WITHDRAWN	TOTAL
SPECIAL EXCEPTIONS				
In-home occupations	0	0	0	0
Other	1	0	0	1
VARIANCES	14	1	1	16
APPEALS	0	0	0	0

REZONINGS

2014

Owner	Tax Map/Parcel	Current & Proposed Zoning	Planning Commission Recommendation Date	Mayor and Commissioners Meeting Date	Reason for Rezoning Request	Mayor & Commissioners Decision
Mayor and Commissioners of the Elkton	TM 315/Parcels 724, 723, 726	DR to R-2	---	May 21, 2014	Annexation	Approved
25 YMCA Blvd	TM 309/Parcel 100	From Cecil County BI to Town C-2	November 10, 2014	December 3, 2014	Annexation	Approved

APPLICATIONS

2014 Residential Subdivisions

DATE	NAME	LOCATION	ZONING	USE	STATUS
04/07/14	Overlook at Walnut Hill	TM 306, p. 2143&2429	R-2 & RO	Residential (10 residential lots)	Extension of Revised Preliminary Major Plan
10/06/14	Summit at Walnut Hill, Section 2	TM 306, p. 2162, p/o 2435	RO	Residential (21 residential lots)	Extension of Preliminary Major Plan

2014 Minor Subdivisions

DATE	NAME	LOCATION	ZONING	TYPE	NEW LOTS CREATED	STATUS
06/09/14	Ramsey Ford	TM 315,p. 2042, 2043, p/o 2051	C-2	Add-On	0	Approved Final
12/10/14	Delmarva Substation	TM 310, p. 2003	TC	Subdivision	1	Approved Final

2014 Site Plans

Commercial, Industrial, and Institutional Development

DATE	NAME	LOCATION	ZONING	USE	STATUS
03/10/14	Collins Family, LLC	TM 310, p. 675&676	C-2	Dental office	Final Modified Site Plan
03/10/14	UTriC5, LLC	TM 316,p. 2443	BI	Commercial building	Final Major Site Plan
05/12/14	WaWa	TM314, p. 193,197,198	C-2	Convenience store	Concept Plan
06/09/14	Ramsey Ford	TM 315,p. 2042,2043,p/o 2051	C-2	Car dealership	Final Major Site Plan
08/11/14	Elkton Memorial Post #8175	TM 310,p. 416, 419	TC	VFW	Minor Site Plan

HISTORIC DISTRICT COMMISSION APPLICATIONS

2014

The following requests were heard by the Historic District Commission:

DATE	LOCATION	REQUEST	ACTION
05/28/14	144/146 E. Main Street	Sign installation	Approved
06/25/14	323 Hermitage Drive	Replace windows	Tabled
07/30/14	323 Hermitage Drive	Replace windows	Approved
	214 North Street	Sign installation	Approved
10/9/14	213 North Street	Sign installation	Approved
	128 W. Main Street	Sign installation	Approved
12/15/14	132/134 W. High Street	Demolition of duplex	Approved

AMENDMENTS
2014

Ordinance 5-2014, effective January 27, 2015

Town of Elkton Zoning Ordinance

**Article X Permissible Uses, Section 7.2 Table of Permissible Uses, Use Description
9.300 Motor Vehicle Repair and Maintenance, Not Including Body Work**

SC in the C-1 and TC Districts and PC in the C-2, C-3, BI and B-P Districts

**Article XII, Supplementary Use Regulations, Section 23, Motor Vehicle Repair and
Maintenance, Not Including Body Work (9.300)**

Motor vehicle repair and maintenance is limited to the sale, installation, repair, replacement, modification, adjustment, or servicing of the power plant or drive-train of a vehicle, and may be permitted as a Special Exception by the Board of Appeals in C-1 and TC Districts and shall be permitted in the C-2, C-3, BI and B-P Districts subject to the following standards:

1. The minimum lot size shall be 20,000 square feet in the C-1, C-2, C-3, BI and B-P Districts **and shall be 10,000 square feet in the TC District.**
2. All activity and storage of parts with the permitted use shall occur entirely within a completely enclosed building. Any vehicle storage shall be temporary, in side or rear yards, and screened from adjacent properties. **Temporary vehicle storage means vehicles which must be held pending settlement of insurance and similar claims or a vehicle recently purchased, pending inspection. In either case the period of time shall not exceed thirty (30) days.**
3. Wall openings in structures are permitted in those walls directly facing an existing Commercial or Industrial zoning district. Wall openings necessary for ventilation, fire exits, and light, pursuant to the standards of the Building Code and the Fire Safety Code, shall be permitted.
4. The maximum permitted total floor area shall not exceed twenty-five (25) percent of total lot area.
5. A minimum ten (10) foot wide landscape strip shall be provided adjacent to and completely across all property lines **(may be reduced to five (5) feet in the TC District).** Curb cuts shall be minimized.
6. No outdoor display of merchandise sold, serviced, or rented is permitted.
7. Vehicles shall not be parked so as to overhang the public right-of-way.
8. Lubrication Equipment and Outdoor Storage and Refuse Areas. Hydraulic racks and service pits shall be located within the main structure. Any outdoor storage or refuse area

shall be fenced or screened from view and must be approved as to location and design. The site plan shall indicate the disposal methods to be used for all waste material including recycling of waste oil generated by the operation. Such use shall not be located in a Wellhead Protection Area.

9. No maintenance or repair work on motorized vehicles or equipment shall be performed after the hour of 9:00 PM **or before seven a.m. Monday through Friday or eight a.m. Saturday and Sunday in any area that contains or allows residential uses.**

Ordinance 7-2014, effective January 27, 2015

Town of Elkton Subdivision Regulations

Article IV Major Subdivision Approval,

Section 2 Preliminary Subdivision Plat

1. **d. Provide notification requirements as described in Section 1.2.b(4) and Section 1.2.b(5) of this Article.**

Section 4 Final Plat Procedure

2. Application, Distribution, and Review. The application, distribution, and review procedures for final subdivision plats shall be generally a two-step procedure: pre-approval from any agency required to give approval, and approval by the Planning Commission. After approval of the Preliminary Plat, the Developer shall submit his Final Plat. Submittal shall be presented to the Planning Department . Applications are submitted to the Planning Department, at the Building and Planning Office, for completeness review at least twenty (20) working days before the Planning Commission meeting. Submittal shall be accompanied by 13 copies of the Final Plat, fees, and required Public Improvement Plans and shall be certified by the Planning Department as to the date of receipt. **Provide notification requirements as described in Section 1.2.b(4) and Section 1.2.b(5) of this Article.**

ANNEXATIONS
2014

Owner	Tax Map/Parcel #	Acreage	Current County Zoning	Proposed Town Zoning	Planning Commission Hearing	Mayor & Commissioners Hearing
Mayor and Commissioners of Elkton	315/724, 723, 726	0.3081	DR	R-2	--	05/21/14
YMCA	309/100	34.6117	BI	C-2	11/10/14	12/3/14

DE-ANNEXATIONS
2014

Owner	Tax Map/Parcel #	Acreage	Current Town Zoning	Proposed County Zoning	Planning Commission Hearing	Mayor & Commissioners Hearing
Mark W. Nemec	308/737, 312/328, 281	3.234	R-3	RM	--	12/3/14