

2016 ANNUAL REPORT ELKTON, MARYLAND



PREPARED BY:

TOWN OF ELKTON PLANNING DEPARTMENT
FOR THE ELKTON PLANNING COMMISSION

EXECUTIVE SUMMARY

Section 1-207 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 2016. 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 2016 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 2016

Residential Subdivisions – The Planning Commission approved two (2) extension of preliminary approvals.

Subdivision Plats - The Planning Commission approved one (1) add-on subdivision and two (2) resubdivisions, which resulted in the creation of two (2) 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) was approved for preliminary and one (1) was approved for concept.

Special Exceptions, Variances, Appeals – Eighteen (18) requests were processed in 2016; five (5) special exceptions were processed of which all were approved; twelve (12) variances were processed, all of which were approved and one (1) appeal was made, which was denied.

Critical Area Permits - The Building Department issued nine (9) building permits in the Critical Area: three (3) shed permits, two (2) pool permits, two (2) paver permits and one (1) permit for an addition to an existing residence.

Historic District Work Permits - The Historic and Architectural Review Committee processed eight (8) work permits in 2016, of which seven (7) were granted and one (1) denied.

Rezoning – No property was rezoned in 2016.

Building Permits – The Town issued permits for two (2) single family dwellings.

Zoning and Code Violations – The Building Department investigated approximately six hundred seventy-five (675) Code related complaints, the majority of which were grass height infractions. The Director of Zoning issued approximately seven (7) letters addressing zoning violations in 2016.

Amendments – The Planning Commission recommended approval of two (2) amendments to the Zoning Ordinance, which was subsequently approved by the Mayor and Commissioners.

Annexations – There was one (1) annexation approved in 2016 for an addition of 1.2087 acres.

THE ELKTON PLANNING COMMISSION

2016 Members:

Mr. David Wiseman, Chair

Mr. G. Edward Ginder, Vice-Chair

Mr. David Fordyce

Mr. Richard Keane

Mr. Keith Thompson

Mr. William Muller

Mayor Robert J. Alt, Ex-Officio

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

Ms. Lisa Hamilton Blackson, Esq., 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

2016 Members:

Mr. Robert Olewine, Chair

Ms. Shirley Hicks

Ms. Dawn Schwartz

Mr. Dave Mehelas

Ms. Heather Mahaffey

Dr. Richard Czernik, Alternate

Mr. Charles Bromwell, Zoning Administrator (staff)

Ms. Lisa Hamilton Blackson, Esq., Legal Counsel

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

2016 Members:

Ms. Paula Newton, Chair

Ms. Brittany Schwartz

Mr. Will Whiteman

Mr. Jonathan Pugh

Mr. Brian Morgan

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

Mr. John Downs, 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

2016 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.

The Planning Department is also responsible for grant research, application and administration of state and federal grants such as the Community Development Block Grant, Critical Area Grant, Community Legacy, Sidewalk Retrofit, Maryland Historical Trust and Program Open Space Grants.

RESIDENTIAL BUILDING PERMITS ISSUED IN 2016
BY LAND USE DISTRICT

MONTH	TYPE OF PERMIT	NUMBER ISSUED	ZONING DISTRICT	TOTAL SF	ESTIMATED CONSTRUCTION COST
January		0			
February		0			
March		0			
April		0			
May		0			
June		0			
July	Single-family	1	R-2	3,888.84	\$105,000.00
August	Single-family	1	R-1	4,038.89	\$110,000.00
September		0			
October		0			
November		0			
December		0			
TOTAL		2		7,927.73	\$215,000.00

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 - 2016
CRITICAL AREA

MONTH	PERMITS ISSUED IN CRITICAL AREA – 2016	NUMBER OF WHICH WERE NEW DWELLINGS
January	0	0
February	0	0
March	0	0
April	3	0
May	3	0
June	0	0
July	1	0
August	1	0
September	0	0
October	1	0
November	0	0
December		
TOTALS	9	0

SPECIAL EXCEPTIONS, VARIANCES, APPEALS
2016

	APPROVED	DENIED	WITHDRAWN	TOTAL
SPECIAL EXCEPTIONS				
In-home occupations	1	0	0	1
Other	4	0	0	4
VARIANCES	12	0	0	12
APPEALS	0	1	0	1

APPLICATIONS

2016 Residential Subdivisions

DATE	NAME	LOCATION	ZONING	USE	STATUS
03/07/16	Overlook at Walnut Hill	TM 306, p. 2143&2429	R-2 & RO	Residential (10 residential lots)	Extension of Revised Preliminary Major Plan
09/08/16	Summit at Walnut Hill, Section 2	TM 306, p. 2162, p/o 2435	RO	Residential (21 residential lots)	Extension of Preliminary Major Plan

2016 Subdivision Plats

DATE	NAME	LOCATION	ZONING	TYPE	NEW LOTS CREATED	STATUS
06/06/16	Belle Hill LLC	TM 303, p. 257	C-3	Resubdivision	One (1) parcel into two (2) parcels	Approved
08/08/16	Lidl US Operations LLC	TM 304, p. 2464, lot 5	C-2	Resubdivision	One (1) parcel into two (2) parcels	Approved
09/12/16	Lenore Wood	TM 301, p. 2473 & 450	C-2	Add-On Subdivision	Two parcels into one (1) parcel	Approved

2016 Site Plans

Commercial, Industrial, and Institutional Development

PLANNING COMMISSION MEETING DATE	NAME	LOCATION	ZONING	USE	STATUS
03/07/16	Gilpin Manor Elementary School	TM 306, p. 1723	R-2	Public elementary school	Final
08/08/16	First Gladwyne Corporation	TM 304, p. 2464, lot 5	C-2	Mini-warehouse	Concept
09/12/16	Lidl US Operations LLC	TM 316, p. 2462	C-2	Grocery store	Final
12/12/16	Segall Development Associated	TM 315, p. 728	C-2	Strip mall	Preliminary

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

C-2 - Highway Commercial
 C-3 - Interchange Commercial

ELKTON HISTORIC DISTRICT COMMISSION
2016

The following requests were heard by the Historic District Commission:

DATE	LOCATION	REQUEST	ACTION
02/24/16	144/146 E. Main Street	Installation of a sign	Approved
02/24/16	132 E. High Street	Replacement of siding and windows	Approved
03/30/16	321 Hermitage Drive	Installation of a fence	Denied
04/27/16	116 & 118 E. Main Street	Installation of signs and exterior renovations	Approved
05/25/16	128 W. Main Street	Installation of a sign	Approved
05/25/16	135 W. Main Street	Exterior renovations and replacement of windows	Approved
07/27/16	210 North Street	Installation of a sign	Approved
09/28/16	135 E. Main Street	Façade improvements	Approved

AMENDMENTS

2016

(deletions are bold and struck through, insertions are bold and underlined)

Ordinance 03-2016, effective October 11, 2016

Town of Elkton Zoning Ordinance

Article XII Supplementary Use Regulations, Section 25 Motor Vehicle Sales or Rental (9.100)

A lot for the sale or rental of only the following vehicles: automobiles, light trailers of such limited size and capacity so as to be capable of being safely towed by a passenger motor vehicle designed for carrying less than ten (10) passengers, and light and medium duty trucks, shall be permitted in the C-2, C-3, and B-P Districts provided that:

1. Vehicles shall be stored or parked only on an asphalt or concrete surface surround by a raised curb. The curb shall be located so that no vehicle can be parked or stored within fifteen (15) feet of any street line, nor within fifteen (15) feet of any property line adjoining land in a residential zone, nor within three (3) feet of any property line.
2. There shall be at least twenty (20) feet between access driveways on each street, and all driveways shall be perpendicular to the curb or street line.
3. When such a use occupies a corner lot, no access driveway shall be located less than twenty (20) feet from the intersection of the front and side street lines of the lot, as defined in Article XIII, and no such driveway shall exceed forty-five (45) feet in width. In areas where no master plan of highways has been adopted, the street line shall be considered to be at least forty (40) feet from the centerline of any abutting street or highway.
4. When such use abuts a residential zone or institutional premises and is not effectively screened by a natural terrain feature, the use shall be screened by a solid wall or a sightly, substantial solid fence not less than five (5) feet in height, together with a three-foot planting strip on the outside of such wall or fence, planted in shrubs and evergreens. The failure of the owner and/or operator to maintain any required planting so that they exist in a flourishing and healthy condition is grounds for revocation of the occupancy permit.

Cargo truck and trailer sales and rentals shall be permitted in the C-3 District provided that:

- 5. The lot is in compliance with the conditions listed above.**
- 6. No stacking of trailers shall be permitted.**

Ordinance 09-2016, effective December 27, 2016

Town of Elkton Zoning Ordinance

Article XVI Signs, Section 16 Enforcement

Section 16. Enforcement

1. The Zoning Inspector shall remove a sign that is: (a) an immediate or potential hazard to the public health, safety and welfare; and/or (b) in violation of this chapter. Except in a case where a sign presents an immediate hazard to the public health, safety and welfare, the owner of the sign, its representative or agent, prior to the removal of a sign by the zoning inspector, shall be given ten (10) days written notice to remove said sign or to take such other action as set forth in the notice. Notice shall be delivered in person or sent by United States Postal Service certified mail, return receipt requested, to the owner, its representative or agent, and describe the violation and direct the owner, its representative or agent, to remove said sign, or take such other action as set forth in the notice and/or as otherwise provided by law. In the event that the zoning inspector removes a sign that presented an immediate or potential hazard to the public, the owner of the sign, its representative or agent, shall be notified after the fact in accordance with the notice provisions set forth herein.
2. In case such sign is maintained by a person engaged in the business of erecting and maintaining signs such notice may be served by addressing and mailing such notice to the last known address of such person.
3. No person shall maintain or display on or in connection with any premises owned, occupied or used by him any sign in violation of this Article.
4. Any person violating the provisions of the Article shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to a fine of not more than one thousand dollars (\$1,000) and/or imprisonment for not more than ~~six (6) months~~ ninety (90) days.
5. The Zoning Inspector shall remove any sign of immediate danger or hazard to persons or property, without notice. No person shall maintain or permit to remain upon any premises owned, leased or occupied or used by him, with notice thereof, any unsafe sign or insecure sign liable to injure any person or property.
6. Any property owner within the corporate limits of the Town of Elkton where a business has ceased or is terminated shall be responsible for the removal of all signs, posts, and standards and the building and grounds shall be restored to their original condition within thirty (30) days after notification by the Zoning Official of the Town of Elkton.
7. All expenses incurred by the Zoning Inspector in taking down or removing any sign under this Article shall be charged to the person responsible for such sign and shall constitute a lien on the property upon which such sign was installed as well, which shall be enforceable as a lien for taxes.

ANNEXATIONS
2016

Owner	Tax Map/Parcel #	Acreage	Current County Zoning	Proposed Town Zoning	Planning Commission Hearing	Mayor & Commissioners Hearing Date// Date Effective
Acorn Investment Company II, LLC	316/728	1.2087	BG	C-2	08/08/16	09/07/16 10/22/16