

**TOWN OF ELKTON
BOARD OF ZONING APPEALS
MARCH 21, 2024
MINUTES**

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

Absent: None

Ms. Bedder called the meeting to order. She asked if there were any corrections or additions to the minutes from the December 21, 2023 meeting. There being no corrections or additions, she called for a motion to approve the minutes.

ACTION: Motion was made by Ms. Schwartz to approve the minutes from of the December 21, 2023 meeting as written. The motion was seconded by Mr. Goldwater with the remaining Board members voting as follows: Ms. Hicks – Aye; Mr. Chastain – Aye; Ms. Bedder – Aye. The motion passed unanimously.

Ms. Bedder asked if there were any corrections or additions to the minutes from the February 22, 2024 meeting. There being no corrections or additions, she called for a motion to approve the minutes.

ACTION: Motion was made by Ms. Schwartz to approve the minutes from the February 22, 2024 meeting as written. The motion was seconded by Mr. Chastain with the remaining Board members voting as follows:

CASE # 1636 – REQUEST OF ELKTON COMMERCE, LLC FOR A VARIANCE FOR THREE (3) ADDITIONAL WALL SIGNS. THIS ACTION CONCERNS PROPERTY LOCATED AT 312 EAST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 033B, PARCEL 2377 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Adam Taylor, Esquire and Mr. Joe Depascale, Development Manager for Elkton Commerce, LLC were in attendance to address this request. They were sworn in by the stenographer. Mr. Taylor confirmed with Mr. Depascale that he is an agent of Elkton Commerce, LLC.

Mr. Taylor stated they are before the Board to request a variance for the property purchased by Elkton Commerce, LLC at 312 East Pulaski Highway where the Ruby Tuesday restaurant had been located. He stated they will be constructing a new building in which they will be placing a Taco Bell restaurant. Mr. Taylor said they are requesting the variance because the current sign allotment is for one sign but there were already two signs allowed at the Ruby Tuesday and therefore they are requesting to place three additional signs on the Taco Bell building for a total of five wall signs.

Mr. Taylor explained that the size of the wall signs does not exceed the square footage which is allowed for a wall sign and does not go over the total square footage that is allowed for the property. Mr. Taylor asked Mr. Depascale to explain how the building will line up with Pulaski Highway. Mr. Depascale explained that the building they are proposing is long and narrow, 30' wide x 98' long. The short side of the building will face Pulaski Highway. There is a tower feature on the corner of the building that would typically have two signs. One sign would be on the side which faces Pulaski Highway and the other

would be on the drive thru side of the building to the west. They will also be placing their prototype plans have a sign with a 'bell' and the words 'Taco Bell' over the main doors which enter the building. These signs will face the entrance road which is shared between them, the Olive Garden and the storage building at the rear of the shopping center.

Mr. Taylor asked if the signage would have any effect on vehicular traffic in and out of the shopping center. Mr. Depascale said the sign would have no effect on traffic. Mr. Taylor said he would be happy to answer any questions from the Board. Ms. Bedder stated that all the signs will be on the building. Mr. Taylor confirmed she was correct.

Ms. Bedder asked if there were any other questions from the Board. There were no further questions. Ms. Bedder asked if anyone in attendance had any questions. There was no one in attendance who wished to speak for or against this request.

MOTION: Motion was made by Mr. Chastain to approve the variance for three (3) additional wall signs for Elkton Commerce, LLC. The motion was seconded by Ms. Hicks with the remaining Board members voting as follows: Ms. Schwartz – Aye; Mr. Goldwater – Aye; Ms. Bedder - Aye. The motion passed unanimously.

CASE # 1637 – REQUEST OF KC SIGN COMPANY REPRESENTING KONICA 2022, LLC FOR THE FOLLOWING VARIANCES: 1) VARIANCE FOR AN ADDITIONAL 103.75 SQUARE FEET FOR A WALL SIGN AND 2) VARIANCE FOR A SECOND WALL SIGN. THIS ACTION CONCERNS PROPERTY LOCATED AT 1003 KONICA DRIVE, SUITE B, ELKTON, MARYLAND, TAX MAP 033C, PARCEL 2442 AND ZONED BI (BUSINESS AND INDUSTRIAL)

Ms. Bedder stated that the applicant has requested to postpone this case and therefore it will not be presented this evening.

CASE # 1638 – REQUEST OF TUPP SIGNS REPRESENTING APPLE AUTO MITSUBISHI FOR THE FOLLOWING: 1) VARIANCE FOR ONE ADDITIONAL WALL SIGN AND 2) VARIANCE TO EXCEED THE ALLOWABLE SQUARE FOOTAGE FOR A WALL SIGN BY 35 SQUARE FEET. THIS ACTION CONCERNS PROPERTY LOCATED AT 560 EAST PULASKI HIGHWAY, ELKTON, MARYLAND, TAX MAP 033B, PARCEL 2386 AND ZONED C-2 (HIGHWAY COMMERCIAL)

Mr. Ryan Stout with Tupp Signs was in attendance to address this request for Apple Auto Mitsubishi. He was sworn in by the stenographer. Mr. Stout said they are requesting a variance in order to place an extra wall sign on the side of the building because there is no room for an additional wall sign on the front of the building. This new sign is for a separate division of the company so there would be no way for customers to know about this division without the signage.

Mr. Stout explained they will be using an existing cabinet which had been removed from the building and refacing it for this new division of the company.

Ms. Bedder asked if there were any questions from the other Board members. There were none. Ms. Bedder asked if anyone in the audience had any questions. There was no one who wished to speak for or against this request.

MOTION: Motion was made by Ms. Schwartz to approve the variance for one additional wall sign for Apple Auto Mitsubishi. The motion was seconded by Mr. Chastain with the remaining Board members voting as follows: Ms. Hicks – Aye; Mr. Goldwater – Aye, Ms. Bedder – Aye. The motion passed unanimously.

MOTION: Motion was made by Ms. Schwartz to approve the variance to exceed the allowable square footage for a wall sign by 35 square feet for Apple Auto Mitsubishi. The motion was seconded by Mr. Chastain with the remaining Board members voting as follows: Ms. Hicks – Aye; Mr. Goldwater – Aye, Ms. Bedder – Aye. The motion passed unanimously.

OLD BUSINESS: None

NEW BUSINESS: Mr. Bromwell reviewed the cases for the April 18th meeting.

There being no additional items for discussion Ms. Bedder called for a motion to adjourn the meeting.

MOTION: Motion was made by Ms. Schwartz to adjourn the meeting. The motion was seconded by Mr. Goldwater with the remaining Board members voting as follows: Ms. Hicks – Aye; Mr. Chastain – Aye; Ms. Bedder – Aye. The motion passed unanimously.

There being no further business to discuss Ms. Bedder adjourned the meeting at 6:15 p.m.

Respectfully submitted,

Brie Humphreys