

**Board of Zoning Appeals
Town of Easton
Tuesday, April 15, 2014**

OPEN SESSION MINUTES

MEETING CALLED TO ORDER

Mr. Cotter called the regularly scheduled meeting to order at 9:00 a.m. Wednesday, April 15, 2014 in the Town Council Chambers in the Town Office Building.

The Board did not have any minutes to vote on at this meeting.

In attendance were:

Board of Zoning Appeals Members:	Peter Cotter, Chairman, Gary Molchan, and Tom Moore, Alternate.
Staff:	Zach Smith and Stacie Rice.

NEW BUSINESS:

Mr. Cotter stated at the beginning of the meeting that 107 Goldsborough Street (Talbot Interfaith Shelter) would not be heard at today's meeting as the applicant (TIS) has asked that the application for Special Exception be postponed due to there not being a full Board present. Mr. Cotter explained that one the Board member had a conflict with the application and one member was not being present due to illness. He stated that the new date will be advertised in the Star Democrat and notice letters will be sent.

BOZA Case No. V-729

Tom Gianni, with Imageone Industries on behalf of Dick's Sporting Good was present at the meeting for property located at 28564 Marlboro Avenue Easton, MD. Mr. Gianni is seeking a Variance to permit wall signage in excess of what is ordinarily permitted. The property is located in the PUD Zoning District. Mr. Gianni stated that Dick's Sporting Goods would like to erect 2 wall signs onto the future building that are proposed to be larger than the Town's rules permit. Specifically the applicant is requesting: 1. Sign #1 (east façade of building) = 263 square feet - (max permitted by code = 194 square feet) 2. Sign #2 (south façade of building) = 263 square feet - (max permitted by code = 200 square feet). He stated that the hardship in this case would be the position of the Dick's store on the lot and that a smaller sign would be harder to read.

Public Comment

- *Larry Albright, Albright's Gun Shop* – Mr. Albright stated that the increased signage would be a negative impact and asked that the Town enforce the Zoning Regulations as written.
- *Jamie Latham, Shore Sportsman* – Mr. Latham stated that Dick's should have to comply with the sign regulations like everyone else and should not be treated differently.
- *Alexa Sipe, resident on Bloomfield Road* – Ms. Sipe stated that a 35,000 sq. ft. Dick's Sporting Goods store will be hard to miss and doesn't feel the increased signage

would be appropriate and that the Town should enforce the sign regulations as written.

- *Bill Hall, 12 N. Washington Street* – Mr. Hall stated that Dick’s Sporting Goods should be held to the same sign standards as everyone else in the Town of Easton.

Mr. Gianni addressed the criteria as set out in Section 1303.5 C provisions for granting a Variance.

Upon consideration of all the evidence and testimony presented at the meeting, Mr. Molchan made a motion to deny the sign Variance request. The motion was seconded by Mr. Moore and carried on a 3-0 vote.

BOZA Case No. SE-759

Donald Elliott, applicant and Willard Parker, Mr. Elliott’s attorney were present at the meeting for property located at 346 N. Aurora Street Easton, MD. Mr. Elliott is seeking a Special Exception to entitle the operation of an automotive repair garage from the subject property. The property is located in the CG Zoning District.

Mr. Parker stated that the property is currently improved with a commercial building. The property was most recently used as Chessie Sales. Mr. Parker stated that the property would be open Monday through Friday (closed Saturday & Sunday). Mr. Elliott is proposing a total of five employees and appointments are staggered throughout the day. He stated that he received deliveries several times a day and the delivery person on site for more than five minutes. Mr. Elliott stated that the longest a vehicle would sit on the site would be two weeks while awaiting parts. Mr. Elliott described the existing building stating that the building has three bay doors, a dumpster in the rear and that all tires, oil, etc will be stored inside. Mr. Parker stated there are six parking spaces located in the front of the building and they could accommodate thirteen spaces in the easement area at the rear of the site. Mr. Parker provided the Board with a copy of a plat that showed the easement.

Public Comment:

- *Doug James, adjacent property owner* – Mr. James stated that he has tenants in the building right next to the proposed automotive repair use and felt as though the noise generated from automotive repair would be a distraction to his tenants, feels there is a better location in the Town for the proposed use and also stated that he has concerns about the shared easement in the rear.
- *Bruce Armistead, representing an adjacent property owner* – Mr. Armistead had concerns about the storage of vehicles to the rear of the site as well as screening of vehicles and had concerns about the shared easement in the rear.

The Board asked the applicant to provide them with a site plan showing the proposed parking layout and asked for clarification on the shared easement. After discussion the Board voted 3-0 to continue the Special Exception hearing to Tuesday, May 6th at 9:00 a.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:45 a.m.

Submitted by

Date