

**Board of Zoning Appeals  
Town of Easton  
Tuesday, March 10, 2015**

**OPEN SESSION MINUTES**

MEETING CALLED TO ORDER

Mr. Cotter called the regularly scheduled meeting to order at 9:00 a.m. Tuesday, March 10, 2015 in the Town Council Chambers in the Town Office Building.

In attendance were:

Board of Zoning Appeals Members:	Peter Cotter, Chairman, Gary Molchan, and Charles Fitzgerald.
Staff:	Lynn Thomas, Brett Ewing and Stacie Rice.

The Board had no minutes to review.

**NEW BUSINESS:**

**BOZA Case No. SE-766 – 28580 Mary’s Court**

Ramon Gras on behalf of Tri Life Christian Center, and Pastor Short were present at the meeting regarding property located at 28580 Mary’s Court Easton, MD. The owner of the property is Lot 16, LLC, c/o Tom Cohee. Mr. Gras explained he is seeking a Special Exception to operate a House of Worship from subject property. The property is located in the BC Zoning District. Mr. Gras explained that the House of Worship would occupy approximately 2,000 s.f. of building “A” as depicted on the site plan submitted by the applicant. One business (Midshore Mental Health, *Medical Services*) currently occupies approximately 4,000 sf. of building “A”. Mr. Gras stated that the site currently has 63 parking spaces including 3 handicap spaces. Per the Town Zoning Ordinance Section 1001.3 *Parking, House of Worship* requires *1 space per 3 seats of the main seating area, plus 1 space per 200 square feet of gross Sunday school area*. The staff believes no parking conflict will occur with the existing Mental Health office (16 required spaces) as the hours of operation will not overlap. The church hours of operation will solely occur during the weekend. The site is currently served by individual water and sewer. Until such time Town public water and/or sewer is available, the applicant would need Talbot County Environmental Health approval associated with any future building permit applications.

Mr. Gras addressed the criteria as set out in Article XIII, Section 1303.5 B 6 provisions for granting a Special Exception.

Upon consideration of all the evidence and testimony presented at the meeting, Mr. Cotter made a motion to approve the Applicant’s request for a Special Exception with the provision that all Talbot County Environmental Health requirements are in compliance. Motion seconded by Mr. Molchan and carried on a vote of 3-0.

**BOZA Case No. SE-767 – 2 Colonial Court**

Elizabeth Ireland, owner was present at the meeting regarding property located at 2 Colonial Court Easton, MD. Mrs. Ireland was representing her husband. Mrs. Ireland explained she is seeking a Special Exception to operate a Home Occupation from the subject property. The

property is located in the R-10A Zoning District. Mr. Ireland who was not present at the meeting is proposing to operate a gunsmith operation from a shop located at the rear of the property. Mr. Ireland proposes to fix and repair firearms only, with no retail sales occurring onsite. Customer/client visitation will occur by appointment only. All guns would be stored in a safe inside the home. No guns would left in the shop. No stock or inventory would be onsite. It will not be a retail operation. There will be no signage advertising the business. Mr. Ireland is required to obtain proper Alcohol, Tobacco, and Firearms (ATF) approval prior to operation.

### **Public Comments**

Tamara Gardner - 20 Wrightson Avenue – Concerned about the licensing and security of the home.

Mrs. Ireland addressed the criteria as set out in Article XIII, Section 1303.5 B 6 provisions for granting a Special Exception.

Upon consideration of all the evidence and testimony presented at the meeting, Mr. Cotter made a motion to approve the Applicant's request for a Special Exception provided the applicant receive the required approvals from the (ATF) to operate the business and conditioned on this use being limited to fixing/repairing of guns only, no retail sales, all guns when not being worked on be in a locked safe and the applicant take on no more guns than can be properly stored. Motion seconded by Mr. Molchan and carried on a vote of 3-0.

### **BOZA Case No. V-734 – 12 N. Park Street**

The owner of the property is Blue Dog Properties, LLC. Nelson Poe, Managing Partner was present at the meeting for property located at 12 N. Park Street, Easton, MD. Mr. Poe is seeking a Variance of the 25' front yard setback to construct a new 20' x 48' detached single family dwelling located 6.9' from the property line. The property is located in the R-7A Zoning District. The property is considered a corner lot fronting on both Park Street and Dover Street. The Zoning Ordinance, Section 1006, states, "*On corner lots, all sides of the lot which face a street must comply with the applicable front setback.*" The subject property is also considered a non-conforming lot or record due to not complying with the current minimum lot size. The property depth from Dover Street to the southern property line is approximately 35'. In theory, the remaining building area is 2' after applying required the 25' front and 8' side setback. Mr. Poe is proposing 2 parking spaces.

There was no public comment.

Mr. Poe 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 approve the Variance request as submitted. The motion was seconded by Mr. Cotter and carried on a 3-0 vote.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 10:40 a.m.

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Submitted by

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Date