



**Town of Easton  
Board of Zoning Appeals**

14 South Harrison Street  
Easton, Maryland 21601  
410-822-1943

**MEETING MINUTES  
TUESDAY AUGUST 14<sup>TH</sup>, 2018**

**Members Present:** Peter Cotter – Chairman, Gary Molchan – Vice Chairman, Tom Moore and Michael O’Keefe – Alternate

**Staff Present:** Sierra Crist – Current Planner / GIS Analyst, Lynn Thomas – Town Planner, Trevor Newcomb – Planning and Zoning Manager

**Opening Statement**

Peter Cotter, Chairman, called the regularly scheduled meeting to order at 9:00 a.m. Tuesday August 14<sup>th</sup>, 2018 in the Town Council Chambers. No minutes had been prepared for the Board to review at that time.

**BOZA Case No. V-754 9433 Ocean Gateway**

John Selby of Selby Sign Co. and Dan Stein, representative for J.D. Oliver Company were present at the meeting. Mr. Selby stated that the subject property located at 9433 had been recently annexed into the Town. The signs that existed on site were installed and approved under the County’s Zoning regulations, which did not meet the Town of Easton’s Signage regulations; therefore, any additions to the existing sign would have unlawfully expanded the existing nonconformity. The

owners of the property requested an additional freestanding sign to represent one of their servicers – Western Star. Mr. Molchan asked staff for clarification on the location of the property and its proximity to other Town incorporated parcels. Ms. Crist displayed on the screen the location of the site and its relationship to other Town and County properties.

Mr. Selby stated that the property had 300 feet of street frontage along Ocean Gateway (MD Rt. 50) where the speed limit is 55mph. Taking into consideration of the location, the speed at which cars travel and all neighboring properties being under less restrictive County sign regulations, Mr. Selby stated that it was important to the business that an additional freestanding sign be installed on the property. Mr. Selby stated the location selected for this sign was due to visibility and orientation on the property itself. The applicant requested a variance of section 28 – 1101.5 (B) 1 and 28 – 1101.5 (B) 2 to permit a second freestanding sign be installed on the property and to permit the sign to be installed with none of the required landscaping due to its proposed placement in the parking lot.

Mr. Cotter asked staff whether or not an easement would be required for this purpose since there are two parcels, one fronting Ocean Gateway and the other located behind. Ms. Crist clarified that the section of the Ordinance regarding easements for signs would be applicable for a situation in which a separate owner of a separate property wanted to install a sign at an offsite location, in this instance both parcels are under common ownership. Mr. Cotter addressed the applicant to inquire whether an easement existed or was proposed to be created in the event the rear parcel was to be sold, and whether the fronting parcel would be permitted to retain two signs. Mr. Stein replied that the property is under common ownership and use and to grant an easement to himself would be of little significance to the overall intent of the property. Mr. Cotter asked staff whether landscaping for signs was required. Ms. Crist confirmed landscaping is required for freestanding signs.

After no public comment, the Chairman entertained a motion. The motion was made by Mr. Molchan and seconded by Mr. O’Keefe to approve the request 3-0.

The Board voted 3-0 to approve the request for variance 754 as submitted:

1. An additional freestanding sign – a variance from section 28 – 1101.5 (B) 1. Freestanding sign to not require a landscaped area – a variance from section 28 – 1101.5 (B) 2.

**BOZA Case No. V-756 8289 Ocean Gateway**

Charlie Powers of Powers Sign Co. was present at the meeting on behalf of the application to request a variance of section 28 – 1101.1 (A) 1 to permit an additional wall sign. Mr. Powers addressed the Board indicating the property is the site of a newly constructed Verizon building. The building was approved for two signs – a freestanding sign and one wall sign fronting Ocean Gateway. Ms. Crist confirmed that these two signs were previously issued by a building permit and that the request before the Board was for an additional wall sign to be installed on the southern elevation, fronting Ocean Gateway. Ms. Crist confirmed that these two signs were previously issued by a building permit and that the request before the Board was for an additional wall sign to be installed on the southern elevation, fronting the parking lot that has no street frontage. Mr. Molchan asked staff if a street were located along the southern facade of the building, would a sign be permitted to be located on that wall plane? Mr. Thomas confirmed that yes, wall signs are permitted only on sides of buildings with street frontage. Mr. Powers indicated that the orientation of the Verizon building resulted in one front of the building facing Ocean Gateway, while the actual entrance to the building fronts the parking lot. Mr. Powers stated that the proposed sign would only be visible from the parking lot not Ocean Gateway since the adjacent property, Wendy's, will block most of the view. He further added that the model for signage being included above the entry door is a characteristic of Verizon's corporate store design.

Mr. Cotter asked staff whether the sign designs were reviewed during the site plan review for the building. Mr. Newcomb replied that while signs are reviewed separately from Planning Commission site plan review, a conceptualized design for the facades to the building were reviewed and an overall architecture design was approved by the Commission. Mr. Cotter then asked what the undue burden on the applicant was and if the applicant designed the building to be oriented in the way selected what would warrant the Variance be granted. Mr. Thomas indicated that it appears that the orientation of the building was done so to comply with other standards in the ordinance such as parking required and the design standard that requests parking lots be located behind the commercial structures. to be located in the side and rear of the property.

After no public comment, the Chairman entertained a motion. The motion was made by Mr. Molchan and seconded by Mr. Moore to approve the request 3-0. The request was approved as submitted:

1. Variance 756 from section 28 – 1101.5 (A) 1 was approved 3-0 to permit a second wall sign to be installed on the southern façade of the building.

### **Open Discussion**

Mr. Molchan addressed staff to ask about the potential for Zoning Ordinance review regarding sign standards on Route 50. He indicated that had either of the two cases on the agenda been located within the downtown, Town they would have most likely been denied, but since they were on Route 50 a unique situation was apparent and that because of the unique and commercial aspect of the Route 50 corridor, modified regulations should be considered.

Mr. Thomas responded that a comprehensive Zoning Ordinance revision is on staff's agenda. He further stated that while the Ordinance in its entirety may not need a complete overhaul, there are sections, like the Sign Regulations that need attention.

Mr. Newcomb added that there has been conversation among staff to address the Sign Regulations specific to those that were reviewed today. Mr. Newcomb indicated a few conceptual ideas between staff such as wall signage being permitted on non-street fronting sides but with more restrictive regulations than those fronting streets, namely to size

### **ADJOURNMENT**

There being no further business, Mr. Cotter requested a motion to adjourn. The motion was made by Mr. O'Keefe, seconded by Mr. Cotter and in favor 3-0. The meeting adjourned at 9:30 a.m.