

Maryland Board of Zoning Appeals
July 25, 2017

Board Member Phiefer called the meeting to order at 7:30 p.m. Those in attendance were Board Members Joel Maher, Daniel Baker, Christine Phiefer, Earl “JR” Wells, Code Enforcement Officer Gaylon Bounds, Community Development Coordinator William Hardin, Planning and Zoning Member Donald Scholl, Town Attorney Robert Benson and Clerk of Council Fisher. Guest: Charlie Towers.

Called to Order

Board Member Phiefer administered the Oath to everyone who will be giving testimony this evening.

New Business

Charlie Towers- Towers Signs- Sign Variance Request for the Truck Store, 8640 Ocean Highway, Delmar, MD

Mr. Towers introduced himself and stated that he was here on behalf of The Truck Store in Delmar, Maryland. They are requesting a variance to change their sign. The logo is changing and all the franchises will be using this new signage. He said that when he went before the Planning and Zoning Commission, their biggest issue was the size of the sign. The size of the sign before the Board this evening is smaller than what the Planning and Zoning Commission reviewed.

Board Member Phiefer stated that in the documentation Mr. Towers provided, it seems that the sign will be on the existing pylon legs but will be shorter. Mr. Towers said that they will be using the same poles, but will cut them down and use a cross bar in the middle for support of the sign. It will be 2 boxes wrapped in sheet metal. He said that there is no need for safety concern. These type of signs will with stand winds up to hurricane strength. Mr. Towers said that he plans to cut off approximately 8 ft. of the poles for the sign. The top of the sign on the cut-down pole will basically still be the same height as the sign currently.

Community Development Coordinator Hardin said that the sign itself is non-conforming. If it were to stay as it is, with just the changing of the sign, then it would have the grandfathered protection. CDC Harden stated that originally The Truck Store wanted to lower the sign. To change the pylons at all would alter the grandfathering. The sign would then have to comply with the current sign ordinance, which would be no taller than 10 ft. The current height of the sign is approximately 38 ft. and he is requesting lowering the sign height to be around 28 ft. tall.

Town Attorney Benson said that the change that was made in the Zoning Code was not to exceed 10 ft. If Mr. Towers wants to lower the sign, it would still be a non-conforming sign but it would be closer to the standards.

Board Member Wells asked about the height of the sign at the Subaru Dealership. He was told that the Subaru sign does meet the standards as set in the 2015 Zoning Regulations.

The reason for the grandfathering of the pylon sign at The Truck Store is that it existed before the zoning code.

Mr. Towers said that a 10 ft. sign would be blocked by their inventory. They would have to move whole rows of cars so the sign could be seen. He said the monument sign is only 10 ft. and the trucks are about 6-7 ft. high. They don't have a large grassy area in front to put the monument sign.

Board Member Wells stated that he doesn't think any variances should be made.

Board Member Baker said that if the Board allows for the reduction of the existing pylon sign, then they are setting a precedent for others to follow. If they want to change the height of their sign, then they will have to conform to the current regulations.

Board Member Baker made a motion to grant the variance for the proposed sign change as it was presented this evening but the height of the sign will remain the same with no height reduction allowed. Board Member Wells seconded the motion which passed with 4 ayes and 1 absent.

Approval of Minutes

Board Member Maher made a motion to approve the November, 2016 minutes as circulated. Board Member Phiefer seconded the motion which passed with 4 ayes and 1 absent.

Adjournment

Upon hearing no comments, the Board made a motion to adjourn which was seconded and passed.

Cindy Fisher
Clerk of Council