



**Town of Easton Board of Zoning Appeals
Decision Summary**

Tuesday, April 18, 2023 at 9:00 a.m.

Town Hall Chamber 2
14 S. Harrison Street, Easton

Archived video of the meeting is available at:

[Town of Easton Agendas and Minutes](https://www.eastonmd.gov/Agendas/Agendas%20and%20Minutes)
[\(eastonmd.gov\)](https://www.eastonmd.gov/)

Attendance:

Board Members:

Peter Cotter, Chairman
Gary Molchan, Vice Chairman
Zakary A. Krebeck

Staff:

Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas, Town Planner
Joseph Mayer, Plan Reviewer
Nicholas Johnson, Planner
Sharon Van Emburgh, Town Attorney
Samantha Smith, Administrative Specialist

1. Call to Order—Chairman Cotter called the meeting to order at 9:00 a.m.

2. Decision Summary Review—
March 21, 2023-

**Vice Chairman Molchan moved to approve the March 21, 2023 Decision Summary.
Board Member Krebeck seconded the motion.**

Vote	3-0
FOR:	3- Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

3. Applications —

a. Applicant: Courtney Philbin
File No.: V-872
Location: 601 & 603 Walnut Lane, Easton, MD 21601
Tax Map 106, Grid 000, Parcel 2576
Zoning: R-10A

Request: The applicant is requesting a Variance from Section 28-303.2.A., the minimum 10,000 square foot lot size in the R-10A Zoning District. The applicant is also seeking a variance from Section 28-303.2.C.2. for relief from the minimum rear yard setback requirements; and Section 28-303.2.C.3. for relief from the minimum side yard setback requirements. This would allow the applicant to subdivide the existing duplex into two separate lots.

Staff recommend the following conditions:

1. Two off street parking spaces shall be provided on each lot that meet the Zoning Ordinance’s dimensional requirements.
2. A minor subdivision shall be obtained.

Staff Presentation:

Nicholas Johnson, Planner
Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Courtney Philbin
Elizabeth Fink

Public Comment— None

Board Member Krebeck moved to approve the Variance request as submitted by the applicant with conditions:

1. Two off street parking spaces shall be provided on each lot that meet the Zoning Ordinance’s dimensional requirements;
2. A minor subdivision shall be obtained;
3. The applicant shall verify the existence of a common firewall in the units; and shall comply with all firewall separation requirements as deemed necessary by the Building Inspection Division.

Chairman Cotter seconded the motion.

<u>Vote</u>	<u>3-0</u>
FOR:	3- Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

- b. Applicant:** Chris and Debra Soussanin
File No.: SE-889 and V-889
Agent: Zachary A. Smith
Location: 25 S. Aurora Street, Easton, MD 21601
Tax Map 104, Grid 000, Parcel 1560

Zoning: R-7A

Request: The applicant is requesting a Special Exception pursuant to Section 28-1303.5.B of the Zoning Ordinance of the Town of Easton, to permit an Accessory Dwelling Unit per 1.101 in Table 2.1, Section 28-202 of the Ordinance. The applicant is also seeking to obtain a Variance pursuant to Section 28-1303.5.C of the Zoning Ordinance of the Town of Easton, from Section 28-302.2.C.2 from the minimum 25' rear yard setback requirement; and Section 28-302.2.C.3 to request a variance from the minimum 8' side yard setback requirement.

Staff recommend the following conditions:

1. The applicant shall obtain a Historic District Commission Certificate of Appropriateness for the new construction.
2. The applicant shall obtain a Right-of-way permit to install the proposed off-street parking spaces, or shall obtain a parking waiver.
3. The applicant shall obtain a Town of Easton rental license for the Accessory Dwelling Unit.
4. The principal residence shall be occupied by the owner of the property.

Staff Presentation:

Nicholas Johnson, Planner

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Zachary A Smith

Chris Soussanin

Public Comment — None

Chairman Cotter moved to approve the Variance request and to adopt findings consistent with those submitted in writing by the Applicant (“Attachment A”). Vice Chairman Molchan seconded the motion.

<u>Vote</u>	<u>3-0</u>
FOR:	3- Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

Chairman Cotter moved to approve the Special Exception request and to adopt the staff’s proposed findings. Board Member Krebeck seconded the motion.

<u>Vote</u>	<u>3-0</u>
FOR:	3- Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0

ABSENT: 0

c. **Applicant:** 313 LLC
File No.: SE-909 and V-896
Agent: Stacy Luhrman
Location: 313 North Street, Easton, MD 21601
Tax Map 103, Grid 0EA, Parcel 0717

Zoning: R-7A

Request: The applicant is requesting a Special Exception pursuant to Section 28-1303.5 B of the Town of Easton Zoning Ordinance, use (1) 105 in Table 2.1 of Section 28.202 to be utilized as a Multifamily Apartment Complex in the R-7A zoning district. The applicant is also requesting a Variance pursuant to Section 28-1303.5 (C) of the Town of Easton Zoning Ordinance, to obtain a Variance from Section 28-302.2 G and 28-1007.1 (14) j (i) in the Zoning Ordinance. The Applicant seeks to create four (4) additional units to the existing eighteen (18) units onsite. The applicant is requesting a Variance of the permitted density of 8 units/acre to allow for a density of 21.78 units/acre. The Variance request is to permit a total of 22 units on the existing 43,995.6 sq. ft. lot.

Staff recommend a continuance of the Special Exception and Variance requests pending a revised site plan that includes parking, landscaping, and open space that is consistent with the Zoning Ordinance.

Staff Presentation:

Nicholas Johnson, Planner

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Stacy Luhrman

Public Comment: None

Chairman Cotter moved to continue the Special Exception and Variance applications to July 18, 2023 to allow the applicant to address all staff recommended conditions. Board Member Krebeck seconded the motion.

<u>Vote</u>	<u>3-0</u>
FOR:	3- Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

d. **Applicant:** Aspire Outdoors LLC
File No.: SE-911 and V-911
Agent: Robert Rauch

Location: Camac Street Street, Easton, MD 21601
Tax Map 026, Grid 020, Parcel 0186

Zoning: R-10A

Request: The applicant is requesting a Special Exception pursuant to Section 28-1303.5 B of the Town of Easton Zoning Ordinance, use (1) 105 in Table 2.1, Section 28.202 to be utilized as a Multifamily Apartment Complex in the R-10A zoning district. The applicant is also requesting a Variance pursuant to Section 28-1303.5 C of the Town of Easton Zoning Ordinance, to obtain a Variance from Section 28-303.2.C.3 from the minimum 8' side yard setback requirement. The applicant is proposing to develop the property at the south end of Camac Street into a six-building apartment complex with twenty-seven units each, totaling 162 units.

Staff recommend a continuance of the Special Exception and Variance applications. Outstanding issues regarding connectivity, the traffic study, and public facilities capacity should be addressed before action by the Board.

Staff Presentation:

Nicholas Johnson, Planner

Joseph Mayer, Plan Reviewer

Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:

Derrick Daly, Aspire Outdoors LLC

Robert Rauch, Rauch Engineering

Public Cross-Examination: None

Chairman Cotter moved to continue the Special Exception and Variance applications to at least 180 days (October 17, 2023) to allow the applicant to address all staff recommended conditions; and with the condition that the applicant shall receive a Planning Commission recommendation prior to the next appearance before the Board of Zoning Appeals. Vice Chairman Molchan seconded the motion.

<u>Vote</u>	<u>3-0</u>
FOR:	3- Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

4. **Adjournment**– Chairman Cotter motioned to adjourn. Vice Chairman Molchan seconded. The meeting was adjourned at 9:43 a.m.