



Board of Zoning Appeals MEETING AGENDA

Tuesday, September 20, 2022 - 9:00 AM
Council Chambers, Easton Town Office
14 S Harrison Street

1. Call to Order

2. Approval of Minutes.

a. Approval of Minutes from the 8/16/2022 meeting.

a. **Application:** SE-833/SE-22-13

Location: 122 Goldsborough St

Applicant: Michael and Meghan Stuart

Owner: Michael and Meghan Stuart

Request: Short-term housing

b. **Application:** SE-831/SE-22-11

Location: 220 Marlboro Ave

Applicant: Susan Wingert

Owner: LCP Easton Investors LLC

Request: Donation bin request.

c. **Application:** V-795/V22-07

Location: 507 Goldsborough St

Applicant: Trevor Robbins

Owner: Michael Malpezzi

Request: Side yard setback for Shed/carport replacement.

d. **Application:** V-793 / V-22-05

Location: 8480 Ocean Gateway

Applicant: Brittany Wallace, Lane Engineering LLC

Owner: Two Farms Inc.

Request: Additional 4th wall sign.

e. **Application:** V-794 / V-22-06

Location: 9114 Chapel Rd

Applicant: Eli Taylor

Owner: Talbot Bible Church

Request: Sign replacement is 1.53' higher than the 6' maximum height.

Exhibit 'A'



Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

SE 833
ST 22-13
22-00751
\$700 REC

Board of Zoning Appeals Application

Application Type

☐ Variance ☐ Appeal ☒ Special Exception

Property Information

Address **122 GOLDSBOROUGH STREET**
Tax Map **0103** Grid **000EA** Parcel **1138-39** Lot **4**
Deed Reference: Liber **02945** Folio **00081**
Plat Reference: Liber **90** Folio **14**
Existing Use **RESIDENTIAL - PRIMARY**
Zoning District
Historic District Y ☒ N ☐ PRD Y ☐ N ☐

Owner

Name **MICHAEL AND MEGHAN STUART**
Mailing Address **122 GOLDSBOROUGH ST., EASTON, MD 21601**
Telephone No. **202-570-0716** Email **MICHAEL.STUARTJ@GMAIL.COM**

Applicant or Agent

Name **SAME AS OWNER**
Mailing Address
Telephone No. Email

Surveyor / Engineer

Name **N/A** License No. Expiration Date
Mailing Address
Telephone No. Email

Request Details

Subject to Previous BOZA Application Y ☐ N ☒

Zoning Ordinance Section
Change From to

Please describe the purpose of the request being made to the Board of Appeals including all information pertinent to said request. Attach a formal letter detailing request.

REQUEST FOR HOUSING LICENSE UNDER TOE CODE, CHAPTER 14, ARTICLE 11, §14-14 INCL. §14-19, ADDITIONAL PROVISIONS FOR SHORT TERM HOUSING FOR THE PROPERTY LISTED ABOVE TO HAVE THE OPTION TO USE PRIMARY RESIDENCE ON OCCASSION FOR SHORT TERM RENTAL DWELLING.

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach five (5) copies of scaled plat sketch or site plan with all dimensions of lot, setbacks, improvements and the distances between any improvements.

- Provide all information related to any restrictions to the property recorded among the Land Records of Talbot County.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information, related to the request being made of the Board of Appeals.
- Fee Payment

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date

8/23/22

Printed Name of Applicant or Agent

MICHAEL J. STUART

For Office Use Only

Project Number		Fee Received	
Application Number		Application Notification	
Filing Date		Property Posting Date	
BOZA Hearing Date		Notice(s) Published	
If ESDR, Date			

See Exhibit F

Revised 2-2019

EASTERN SHORE TITLE COMPANY
114 N. West Street
Easton, Maryland 21601
Telephone: 410-820-4426 Fax: 410-820-4429
Website: www.easternshoretitle.com
Email: info@easternshoretitle.com

This Deed, made this 28th day of **January, 2022**, by and between **Jason B. Rottman and Christie Rottman**, Maryland residents, Grantors; and **Michael Stuart and Meghan Stuart**, Grantees.

Certification is made that all taxes due on the property indicated in this deed have been paid.
Finance Office of Talbot County
Clay B. Stamp Fin. Officer
CNP 02/02/2022

- Witnesseth -

THAT FOR AND IN CONSIDERATION of the sum of **SEVEN HUNDRED TWENTY FIVE THOUSAND AND 00/100 DOLLARS (\$725,000.00)** and other good, valuable and sufficient consideration, in hand paid, the receipt of which is hereby acknowledged, the said Jason B. Rottman and Christie Rottman, do hereby grant and convey unto the said **Michael Stuart and Meghan Stuart**, tenants by the entireties, their assigns, the survivor of them, and the heirs, personal representatives and assigns of the survivor, forever, in fee simple, all the hereinafter described property:

All those lots or parcels of ground situate, lying and being in the Town of Easton, Talbot County, Maryland and being known and designated as "TAX PARCEL 1138 - 4,516 SQ. FT. and TAX PARCEL 1139 - 4,413 SQ. FT." as shown on a Plat entitled: "PLAT SHOWING THE LANDS OF JASON & CHRISTIE ROTTMAN, TAX MAP: 103, GRID: EA, PARCEL: 1138 AND TAX MAP: 103, GRID: EA, PARCEL: 1139 IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND", dated January 24, 2022, prepared by Davis, Bowen & Friedel, Inc., and intended to be recorded among the Plat Records of Talbot County, Maryland simultaneously herewith; reference being hereby made to said Plat for a more complete description of said Parcels by metes and bounds, courses and distances.

BEING the same property conveyed unto Jason B. Rottman and Christie Rottman from Dorothy W. Munro by Deed dated June 19, 2006 and recorded among the Land Records of Talbot County, Maryland in Liber No. 1455, folio 290. ALSO Being the same property which by Successor Trustees' Deed dated December 16, 2021 and recorded among the Land Records of Talbot County, Maryland, in Liber No. 2930, folio 486 was granted and conveyed by Adam M. Lynn and Ryan D. Showalter, Successor Trustees, unto Jason B. Rottman and Christie Rottman.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said **Michael Stuart and Meghan Stuart**, tenants by the entireties, their assigns, the survivor of them, and the heirs, personal representatives and assigns of the survivor, forever, in fee simple.

And the said Grantors do hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby conveyed; and that they will execute such other and further assurances of the same, as may be requisite.

As Witness the hand and seal of said Grantors, the day and year first above written.

WITNESS:

[Signature]

[Signature] {Seal}
Jason B. Rottman

[Signature]

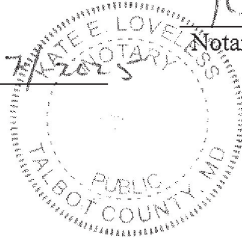
[Signature] {Seal}
Christie Rottman

STATE OF MARYLAND, COUNTY OF TALBOT, to wit:

I hereby certify that on this 28th day of January, 2022, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Jason B. Rottman and Christie Rottman**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My commission expires: 5/7/2025



[Signature]
Notary Public

This document was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland, or by one of the parties named in the within instrument.

[Signature]
PHILIP E.L. DIETZ, JR., ESQUIRE

AFTER RECORDING, PLEASE RETURN TO:
EASTERN SHORE TITLE COMPANY
114 N. West Street
Easton, Maryland 21601
File No. EST-27239-KL

**MARYLAND
FORM
WH-AR****Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence****2022**

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor InformationName of Transferor Jason B. Rottman**2. Description of Property** (Street address. If no address is available, include county, district, subdistrict and lot numbers).120 & 122 Goldsborough Street, Easton, MD 21601**3. Reasons for Exemption****Resident Status**☒

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

☐

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence☐

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Jason B. Rottman
Name1/28/22
**Date

Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

01/22

**MARYLAND
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WH-AR****Certification of Exemption from Withholding Upon
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in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor InformationName of Transferor Christie Rottman**2. Description of Property** (Street address. If no address is available, include county, district, subdistrict and lot numbers).120 & 122 Goldsborough Street, Easton, MD 21601**3. Reasons for Exemption****Resident Status**

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.



Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

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Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Christie Rottman

Name

Signature

**Date

1/23/22**3b. Entity Transferors**

Witness/Attest

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

01/22

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Talbot
 Information provided is for the use of the Clerk's Office, State Department of
 Assessments and Taxation, and County Finance Office Only.
 (Type or Print in Black Ink Only - All Copies Must Be Legible)

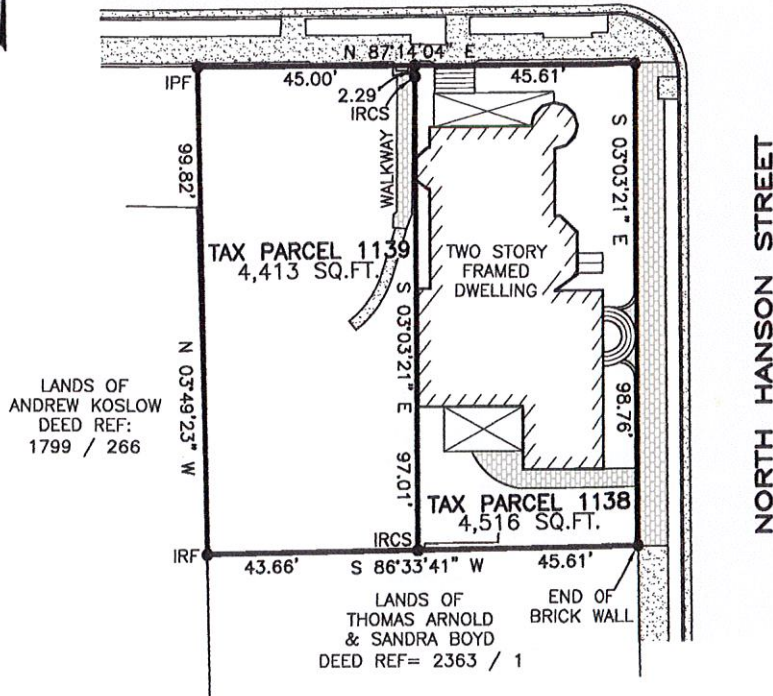
1	Type(s) of Instruments	☐ Check Box if addendum Intake Form is Attached.						
		☒ Deed	☐ Mortgage	☐ Other	☐ Lease			
2	Conveyance Type Check Box	☒ Improved Sale Arms-Length [1]	☐ Unimproved Sale Arms-Length [2]	☐ Multiple Accounts Arms-Length [3]	☐ Not an Arms- Length Sale [9]			
3	Tax Exemptions (if applicable) Cite or Explain Authority	Recordation						
		State Transfer						
4	Consideration and Tax Calculations	Consideration Amount		Finance Office Use Only Transfer and Recordation Tax Consideration				
		Purchase Price/Consideration	\$ 725,000.00	Transfer Tax Consideration	\$			
5	Fees	Any New Mortgage	\$ 543,750.00	X () %	= \$			
		Balance of Existing Mortgage	\$	Less Exemption Amount	- \$			
6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	Other:	\$	Total Transfer Tax	= \$			
		Full Cash Value:	\$	Recordation Tax Consideration	\$			
7	Transferred From	Doc. 1		Doc. 2				
		Recording Charge	\$ 60.00	\$ 115.00	Agent:			
8	Transferred To	Surcharge	\$	\$	Tax Bill:			
		State Recordation Tax	\$ 8,700.00	\$	C.B. Credit:			
9	Other Names to Be Indexed	State Transfer Tax	\$ 3,625.00	\$	Ag. Tax/Other:			
		County Transfer Tax	\$ 7,250.00	\$				
10	Contact/Mail Information	Other	\$	\$				
		Other	\$	\$				
11	Assessment Information	District						
		Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG		
12	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER	01	01-016385	1455	290	103	1138	☐ (5)
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
13	REMARKS:	4		4,500 sf				
		Location/Address of Property Being Conveyed (2)		120 & 122 Goldsborough Street, Easton, MD 21601				
14	Other Property Identifiers (if applicable)	Water Meter Account No.						
		Residential ☒ Or Non-Residential ☐ Fee Simple ☒ or Ground Rent ☐ Amount: \$						
15	Partial Conveyance ☐ Yes ☒ No	Description/Amt. of SqFt/Acreage Transferred:						
		If Partial Conveyance, List Improvements						
16	Doc. 1 - Grantor(s) Name(s)	Jason B. Rottman and Christie Rottman		Doc. 2 - Grantor(s) Name(s)		Michael Stuart and Meghan Stuart		
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)		Doc. 2 - Owner(s) of Record, if Different from Grantor(s)				
17	Doc. 1 - Grantee(s) Name(s)	Michael Stuart and Meghan Stuart		Doc. 2 - Grantee(s) Name(s)				
		New Owner's (Grantee) Mailing Address		368 Queen Anne Road, Stevensville, MD 21666				
18	Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)		Rocket Mortgage, LLC				
19	Instrument Submitted By or Contact Person	Name: Kate E Loveless		☒ Return to Contact Person				
		Firm Eastern Shore Title Company		☐ Hold for Pickup				
20	Address: 114 N. West Street	Easton, MD 21601		Phone: (410) 820-4426		☐ Return Address Provided		
21	Terminal Verification	Agricultural Verification		Whole		Part		Tran. Process Verification
		Transfer Number	Date Received:	Deed Reference:		Assigned Property No.:		
22	Year	20	20	Geo.	Map	Sub	Block	
		Land		Zoning	Grid	Plat	Lot	
23	Buildings			Use	Parcel	Section	Occ. Cd.	
		Total		Town Cd.	Ex. St.	Ex. Cd.		
24	Distribution:	White - Clerk's Office		Canary - SDAT		AOC-CC-300(5/2007).		
		Pink - Office of Finance		Goldenrod - Preparer				

Space Reserved for County Validation

MARYLAND STATE PLANE
COORDINATE SYSTEM (NAD83)



GOLDSBOROUGH STREET



SURVEYOR CERTIFICATION

THIS PLAT HAS BEEN PREPARED BY ME PERSONALLY OR UNDER MY RESPONSIBLE CHARGE AND COMPLIES WITH THE REQUIREMENTS AS SET FORTH IN REGULATION 09.13.06.12 OF THE MARYLAND MINIMUM STANDARDS OF PRACTICE FOR SURVEYORS. MY MARYLAND PROFESSIONAL LAND SURVEYOR LICENSE IS CURRENT WITH AN EXPIRATION DATE OF FEBRUARY 10, 2023.

Christopher D. Waters

01/25/22

CHRISTOPHER D. WATERS
PROFESSIONAL LAND SURVEYOR
MARYLAND No. 11052

DATE

GENERAL NOTES

- 1) PROPERTY: 120 GOLDSBOROUGH STREET
ADDRESS: EASTON, MD 21601
- 2) DEED REFERENCE: 1455 / 290
- 3) THE LAND SHOWN HEREON LIES ENTIRELY WITHIN FLOOD ZONE X PER F.I.R.M. PANEL 24041C0189D EFF. 07/20/2016.
- 4) IRF DENOTES IRON ROD FOUND
- 5) IPF DENOTES IRON PIPE FOUND
- 6) IRCS DENOTES IRON ROD WITH CAP SET



DAVIS,
BOWEN &
FRIEDEL, INC. ARCHITECTS ENGINEERS SURVEYORS

EASTON, MARYLAND (410) 770-4744
SALISBURY, MARYLAND (410) 543-9091
MILFORD, DELAWARE (302) 424-1441

PLAT SHOWING

THE LANDS OF
JASON & CHRISTIE ROTTMAN
TAX MAP: 103, GRID: EA, PARCEL: 1138
AND
TAX MAP: 103, GRID: EA, PARCEL: 1139
IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND

Date: 1/24/22 Scale: 1" = 30' Proj.No.: 2647

Exhibit 'B'

Town of Easton
R E P R I N T
*** CUSTOMER RECEIPT ***
Oper: CKAHANE Type: OC Drawer: 1
Date: 8/26/22 01 Receipt no: 3486

	Year	Number	Amount
PZ	2022	751	
		PZ - PAYMENTS	
			\$700.00

MEGHAN E STUART
MICHAEL STUART
278 N HANSON ST
EASTON MD 21601
PZ 22-751 \$700.00

Tender detail		
CK CHECK	681	\$700.00
Total tendered		\$700.00
Total payment		\$700.00

Trans date: 8/26/22 Time: 13:27:43

THANK YOU FOR YOUR PAYMENT.

Exhibit 'C'



Sign Posted September 1, 2022

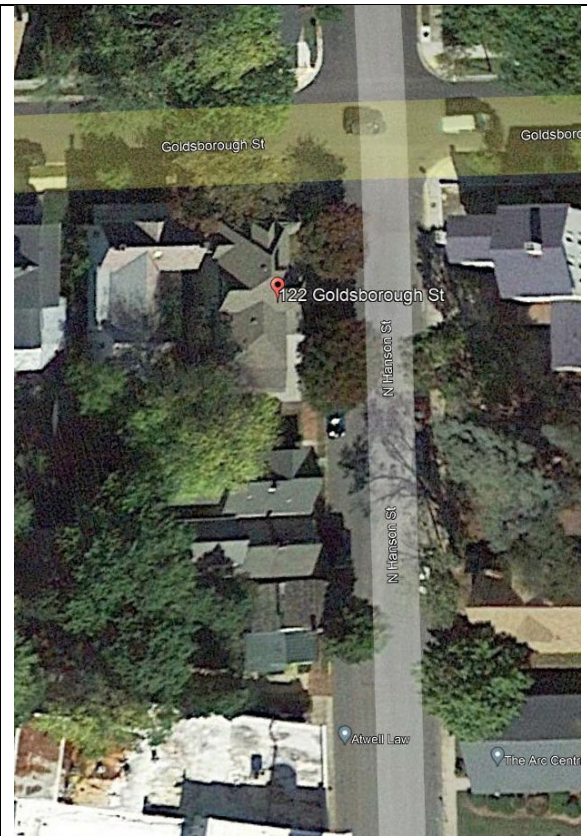
Exhibit "D"



Docket/Case/Application Number: SE-833/SE-22-13
Applicant/Owner: Mr. Michael Stuart & Ms. Meghan Stuart Applicant / Owner
Address/Location: 122 Goldsborough Street
Tax Map: 0103 Parcel: 01151 Grid: N/A Deed Reference: See Attached Plat Reference: N/A
Public Hearing Date: 9:00 AM, September 20, 2022
Staff: Joseph A. Mayer

BRIEF SUMMARY OF REQUEST

The applicant is asking to obtain a Special Exception from the following sections of the Zoning Ordinance: Section 28-201 Permitted Uses 2.1 (1) (121) to allow for a short-term housing (Air BnB) in a R7A Zone. The applicant's permanent residence is at 122 Goldsborough Street.



MAP SOURCE: Google Earth

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
Historic R7A	Single Family Dwelling	R7A, CB	Short-term housing	2,730 SF

Exhibit "D"



Request for Special Exception

Special Exception to allow for a Short-term housing (Air BnB) use in a R7A Zone.

PROPERTY HISTORY

- Annexed in 1785.

COMPATIBILITY with the ZONING ORDINANCE

The proposed use qualifies as **"Short-term housing"** which is permitted **only** with a Special Exception in the **R7A Zone**.

28-114 page 1-44

Short-term housing – Any lease or other transfer of the right to occupy a primary or accessory dwelling unit on the parcel other than a hotel, motel, inn, or bed-and-breakfast for not less than one night and not exceeding four months.

R7A

121	Short-term housing	SE	SE	SE	--	SE	P	P	--	--	--	
-----	--------------------	----	----	----	----	----	---	---	----	----	----	--

Section 28-1001.3 PARKING REQUIREMENTS

Residential Buildings

2	Single-Family Attached	2 per du	-		
---	------------------------	----------	---	--	--

Minimum Vehicle Spaces Required: 1 Proposed DU x 2 per du = 2 vehicle spaces.

Maximum Vehicle Spaces Required: --

The Applicant has 1 existing parking space on-site. Additional on-street parking is along North Hanson Street, adjacent to the house. In addition, the applicants own adjacent property, 27 N Hanson Street, which could provide on-street parking

Exhibit "D"



Action Required by the Board/Commission:

"In granting any special exception, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards when made a part of the terms under which the special exception is granted, shall be deemed a violation of this Ordinance and punishable under Section 28 – 1308 of this Ordinance. No change or addition may be made to a special exception granted by the Board of Appeals until an application for such change has been reviewed and approved by the Board of Appeals. Such application procedure shall be the same as for a special exception.

The Board of Appeals shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

6. *When hearing evidence necessary for granting of any special exception, the Board shall consider all pertinent facts in the case, and render a decision in accordance with the following principles:*
 - a. *the proposed use conforms in all aspects to minimum requirements of the district in which it is located;*
 - b. *the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;*
 - c. *the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;*
 - d. *the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;*
 - e. *the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;*
 - f. *the proposed use will not adversely affect the established character of the area.*
 - g. *the proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.*

When hearing any application for a special exception, the Board may consider the design of the proposal, site plans, feasibility studies, or construction drawings, as an integral part of the application.

7. The applicant for a special exception shall have the burden of proof on all points material to the application which shall include the burden of presenting credible evidence as to each material issue and the burden of persuasion on each material issue. The Board may disregard evidence, even if uncontroverted by an opposing party, if the Board finds such evidence not to be credible."

Exhibit "D"



Items for Consideration and Staff Comments:

SPECIAL EXCEPTION

APPROVE the special exception from Section 28 201 Table 2.1 (1) 121 of the Zoning Ordinance to permit a Short-term housing (Air BnB) in a R7A District. *If* -

- The Board finds that the proposed use is in accordance with the required Findings as outlined above.

DENY the special exception from Section 28 201 Table 2.1 (1) 121 of the Zoning Ordinance to permit a Short-term housing (Air BnB) in a R7A District. *If* -

- The Board finds that the proposed use is not in accordance with the required Findings as outlined above.

Based on the information provided in the application, Staff recommends the Board to APPROVE. The application is compliant with the Zoning Ordinances, provided the Applicant obtains all applicable Building Permits, rental license application and update Certificate of Occupancy.

Exhibit 'E'

APG Media of Chesapeake, LLC
P.O. Box 600
29088 Airpark Drive
Easton, MD 21601

INVOICE
08/29/22

Phone: Fax:

Cust. AcctID: 1001355	Creation Date: 08/29/22
	Ad Date: 09/01/22
	Class: 10
Name: Joanne Drummer	Ad ID: 2997281
Company: TOWN OF EASTON (L)	Words: 158
Address: PO Box 520	Lines: 18
EASTON, MD 21601	Agate Lines: 60
	Depth: 2.5
	Inserts: 2
	Blind Box:
Telephone: (410) 822-2525	
Description: Application SE-833 / SE-22-	

Other Charges:	\$0.00	Total:	\$87.50
Discount:	\$0.00		
Surcharge:	\$0.00	Paid Amount:	- \$0.00
Credits:	\$0.00		
Bill Depth:	2.5	Amount Due:	\$87.50

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	
The Star Democrat	09/01/22	09/01/22	1	\$87.50

Ad Note:

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

NOTICE

Notice is hereby given that Mr. Michael Stuart and Ms. Meghan Stuart have filed Application SE-833 / SE-22-13, pursuant to Section 1303.5 B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for Short-term housing, use (1) 121 in Table 2.1 of Section 28-201 to allow 122 Goldsborough Street to be utilized as short-term housing (Air BnB) in a R-7A zoning district. The property is located at 122 Goldsborough Street, Easton, Maryland and is situated in the R-7A District. The property is owned by Mr. Michael Stuart and Ms. Meghan Stuart. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on September 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

2997281 SD

9/1/2022

Exhibit 'F'



TOWN OF EASTON

Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

NOTICE OF APPLICATION SUMMARY

2022-08-30

SE-22-13

Applicant notified of hearing date: Email: 2022-08-30

400' Notices Distributed: 2022-08-23

Advertisement sent to the Star Democrat: 2022-08-25 – 26 days

Advertisement run in Star Democrat: 2022-09-01 – 19 days

Property posted with sign: 2022-09-01 – 19 days

Exhibit A: Application – 2022-08-23 – 28 days

Exhibit B: Paid Receipt – 2022-08-25 – 26 days

Exhibit C: Picture of Sign Posting – 2022-09-01 – 19 days

Exhibit D: Staff Report – 2022-08-13 – 7 days

Exhibit E: Confirmation from Star Democrat – 2022-08-29 – 22 days

Exhibit F: Notices

NOTICE

Notice is hereby given that Mr. Michael Stuart and Ms. Meghan Stuart have filed Application SE-833 / SE-22-13, pursuant to Section 1303.5 B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for Short-term housing, use (1) 121 in Table 2.1 of Section 28-201 to allow 122 Goldsborough Street to be utilized as short-term housing (Air BnB) in a R-7A zoning district.

The property is located at 122 Goldsborough Street, Easton, Maryland and is situated in the R-7A District. The property is owned by Mr. Michael Stuart and Ms. Meghan Stuart. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on September 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

August 30, 2022

Dear Resident,

The Easton Board of Zoning Appeals will hold a public hearing on **Tuesday, September 20, 2022** at 9:00 a.m. in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that an application for 122 Goldsborough Street has been filed for a special exception for Short-term housing, use (1) 121 in Table 2.1 of Section 28-201 to allow the lot to be utilized as short-term housing (Air BnB) in a R7A zoning district.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at jmayer@eastonmd.gov.

Joseph A. Mayer
Plan Reviewer
Town of Easton
410-822-1943
jmayer@eastonMD.gov



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

August 24, 2022

Mr. Michael Stuart and Ms. Meghan Stuart
122 Goldsborough Street
Easton, MD 21601

Re: Application No. SE-833/SE-22-13
Tax Map 103 Parcel 1138 Lot 4
122 Goldsborough Street,
Easton, MD 21601

Mr. Michael Stuart and Ms. Meghan Stuart

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, September 20th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. the proposed use conforms in all aspects to minimum requirements of the district in which it is located;
2. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;
3. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exception;
4. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
5. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;
6. the proposed use will not adversely affect the established character of the area;
7. the proposed use shall be in conformity with the provisions of the Easton.

Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

NOTE: In the event your application pending before the Easton Board of Zoning Appeals requires a recommendation to the Board from the Easton Planning and Zoning Commission, the Appeals Board will not hear your application until it is in receipt of the Planning and Zoning Commission's recommendation. It is your responsibility to see that the recommendation required is before the Board of Zoning Appeals before any evidence is heard.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

A handwritten signature in blue ink, reading "Joseph A. Mayer Jr.", is positioned above the printed name and title.

Joseph A. Mayer

Plan Reviewer

Town of Easton

410-822-1943

jmayer@eastonmd.gov

Exhibit 'A'



Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

SE 831/8-22-11
Nov. 22-00752
Fee Paid \$700

Board of Zoning Appeals Application

Application Type

☐ Variance ☐ Appeal ☒ Special Exception

Property Information

Address 220 Marlboro Avenue
Tax Map 0101 Grid 000 Parcel 0490 Lot
Deed Reference: Liber 2986 Folio 0204
Plat Reference: Liber 52 Folio 27
Existing Use Commercial
Zoning District CG
Historic District Y ☐ N ☒ PRD Y ☐ N ☒

Owner

Name Drew Briscoe LCP Easton Investors, LLC
Mailing Address 1055 Thomas Jefferson NW Suite L09, Washington DC 20007
Telephone No. 214-673-3577 Email db@linwaycap.com

Applicant or Agent

Name Reclothing LLC dba HELPSY
Mailing Address 100 Springdale Rd, A3 PMB 243, Cherry Hill NJ 08003
Telephone No. 877-382-7417 Email Sue@helpsy.co

Surveyor / Engineer

Name License No. Expiration Date
Mailing Address
Telephone No. Email

Request Details

Subject to Previous BOZA Application Y ☐ N ☒

Zoning Ordinance Section (6)603 in Table 2.1 of Section 28-201

Change From to

Please describe the purpose of the request being made to the Board of Appeals including all information pertinent to said request. Attach a formal letter detailing request.

Request use for Donation Bins

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach five (5) copies of scaled plat sketch or site plan with all dimensions of lot, setbacks, improvements and the distances between any improvements.

- Provide all information related to any restrictions to the property recorded among the Land Records of Talbot County.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information, related to the request being made of the Board of Appeals.
- Fee Payment

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date

Printed Name of Applicant or Agent

Susan L. Wingert
7/28/22
Susan L. Wingert

For Office Use Only

Project Number		Fee Received	
Application Number		Application Notification	
Filing Date		Property Posting Date	
BOZA Hearing Date		Notice(s) Published	
If ESDR, Date			

See Exhibit F *Revised 2-2019*



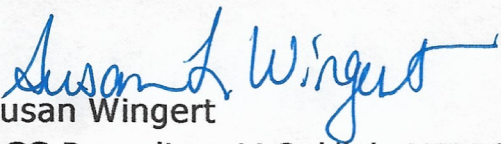
July 28, 2022

Enclosed please find a permit application to place 2 charitable clothing donation bins at The Sleep Number Plaza located at 220 Marlboro Avenue. Reclothing LLC dba HELPSY partners with the nonprofit DARE thus supporting their programs.

In the event this application is approved, please contact me so bin placement may be coordinated.

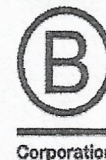
If you have any questions, please contact me directly.

Respectfully,


Susan Wingert
OGS Recycling, LLC d/b/a HELPSY
sue@helpsy.co
856-203-1155



Certified



Pay-to Name (name on check)	LCP Easton Investors, LLC		
Primary Contact	Name <u>DREW BRISCE</u>	Phone <u>(214) 613-3517</u>	Email <u>dbr@linwaycap.com</u>
Billing Address Street, City, State, Zip	<u>1055 Thomas Jefferson NW Suite 609 Wash. DC 20007</u>		
Container Location Name	<u>SLEEP NUMBER PLAZA</u>		
Container Location Street, City, State, Zip	<u>220 MARLBORO AVE EASTON, MD 21601</u>		
Secondary Contact	Name	Phone	Email
Collection Container Currently on Property? (pls circle one)	YES ☐ NO ☒	Company Name: <u>LINWAY CAPITAL PARTNERS (LLC)</u>	

Permission to Place Container(s)

HELPSY®, ("We" or "Us") a for-profit Certified B Corporation, hereby enters into this agreement with the entity named above ("You") for HELPSY to place 2 collection container(s) with Your authorization.

This agreement shall begin on 7/1/22 and last for 2 years, with automatic annual renewals, and can be canceled by either You or Us with 30 days' notice to You at the email above or Us at info@helpsy.co

HELPSY will pay You \$250 per month by mail.

HELPSY agrees that it will comply with all container regulations, and will promptly and routinely empty the container(s). HELPSY has your permission to remove all competing containers.

HELPSY Representative <u>MATT SCHALL</u>	Signature <u>[Signature]</u>	Date <u>6/28/22</u>
Organization Representative <u>Drew Briscoe</u>	Signature <u>[Signature]</u>	Date <u>6/31/22</u>

Container Placement Plan: <u>WE WILL PLACE OUR DONATION BINS AT THE AGREED UPON LOCATION WITHIN THE PROPERTY LINE.</u>

v2019071

HELPSY®

info@helpsy.co

201 FERRIS AVENUE, WHITE PLAINS, NY 10603

877-382-7417

EASTON PARKWAY

LOT B
.9 AC

MARLBORO AVENUE

RELOCATED
WALKWAY SIGN

45 PARKING
STALLS

SLEEP NUMBER
4,164 SF

VERIZON
1,977 SF

UBIF
1,498 SF

TROPICAL SMOOTHIE
1,505 SF

RELOCATED
ROAD SIGN

AREA 2

RELOCATED
SIGN

EXISTING TOWN
SHUTTLE
STOPPING CENTER

OWNED BY
OTHERS

RING ROAD

1 ARCHITECTURAL SITE PLAN
SCALE: 3/32" = 1'-0"

NOTE:
REFER TO CIVIL PLANS FOR ADA
ACCESS AND SITE DETAILS



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/6/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Consolidated Insurance + Risk Management 11403 Cronridge Drive, Ste 270 Owings Mills MD 21117		CONTACT NAME: Valerie Murray, ACSR PHONE (A/C, No, Ext): 443-738-2783 FAX (A/C, No): 410-363-3520 E-MAIL ADDRESS: vmurray@consolidatedinsurance.com	
INSURED ReClothing LLC DBA Helpsy 100 Springdale Rd. Suite A3 PMB 293 Cherry Hill NJ 08003		INSURER(S) AFFORDING COVERAGE INSURER A: Harleysville Ins Co. INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
OGSRECY-01		NAIC # 23582	

COVERAGES **CERTIFICATE NUMBER:** 1621025374 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:	Y		MPA0000008948BN	3/27/2022	3/27/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			BA 0000008949BN	3/27/2022	3/27/2023	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$0			CMB0000008951BN	3/27/2022	3/27/2023	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
A	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐	N/A	WC0000008950BN	3/27/2022	3/27/2023	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Sleep Number Plaza
220 Marlboro Ave,
Easton MD 21601
LCP Easton Investors LLC is included as additional insured.

CERTIFICATE HOLDER

LCP Easton Investors LLC
1055 Thomas Jefferson St NW Suite L09
Washington DC 20007

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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WHAT WE DO

HELPSY is the largest clothing collector in the Northeast. We partner with municipalities and organizations across ten states to collect unwanted clothing and other textiles.

Through a combination of clothing drives, thrift store partners, home pick-ups and recycling bins, HELPSY diverts **30 million pounds** of textiles from landfills every year.

HELPSY's goal is to make the process of reusing and recycling these items as easy as recycling a can of soda.

WHY RECYCLE CLOTHING AND SHOES?

Textile Waste is the **fastest growing waste stream** in the United States...occupying nearly 5% of all landfill space.

The U.S. throws away **36 BILLION** pounds of textiles each year—that is nearly **100 pounds** of discarded clothing per person!

95% of unwanted clothing can be Reused, Repurposed or Recycled, but only **15%** currently is. That amounts to **85%** of discarded textiles in the trash!

HOW CAN YOU HELP?

Business Owners, Landlords, Schools, & Churches

Become a recycling bin host! Hosts can earn money while helping to save the environment! HELPSY makes it easy.

Individuals and Groups

Consider hosting a clothing drive. You can raise funds for a cause of your choice, while offering people a venue to responsibly dispose of unwanted clothes!

Support Recycling

Contact your local town recycling department and let them know that you would like textile home pick-up in your area.



#ClothesArentTrash   

FAQs

FREQUENTLY ASKED QUESTIONS

How does HELPSY collect unwanted clothing?

HELPSY collects unwanted clothing through clothing drives, recycling bins, home pick-up and thrift store partners.

What items does HELPSY accept?

We pick up clothing, shoes, accessories, and linens, in any condition. Please make sure that everything is dry and bagged. We cannot accept glass or breakable items, furniture, electronics, books or building supplies.

What happens to collected items?

Clothing and shoes are sorted on quality and condition. The best 50% of the clothes are resold in secondhand stores while the rest are sent out for industrial use such as stuffing or insulation. Only the 5% that is wet or oil-stained is thrown away.

Is HELPSY a nonprofit?

HELPSY is a for-profit that partners with nonprofits to help raise millions for charitable programs. By adhering to the highest level of social and environmental performance, HELPSY has earned the designation of a Certified B Corporation...using business as a force of good™.

Who benefits from the items we collect?

In addition to providing low-cost clothing and shoes to communities around the world, we support thousands of American jobs. By reusing 20 million pounds of clothing, we save 7 billion gallons of fresh water and eliminate 300 million pounds of CO₂.



TO GET STARTED, CONTACT US TODAY!
INFO@HELPSY.CO

“

THERE IS NO SUCH THING AS AWAY.
WHEN WE THROW ANYTHING AWAY IT MUST GO SOMEWHERE.

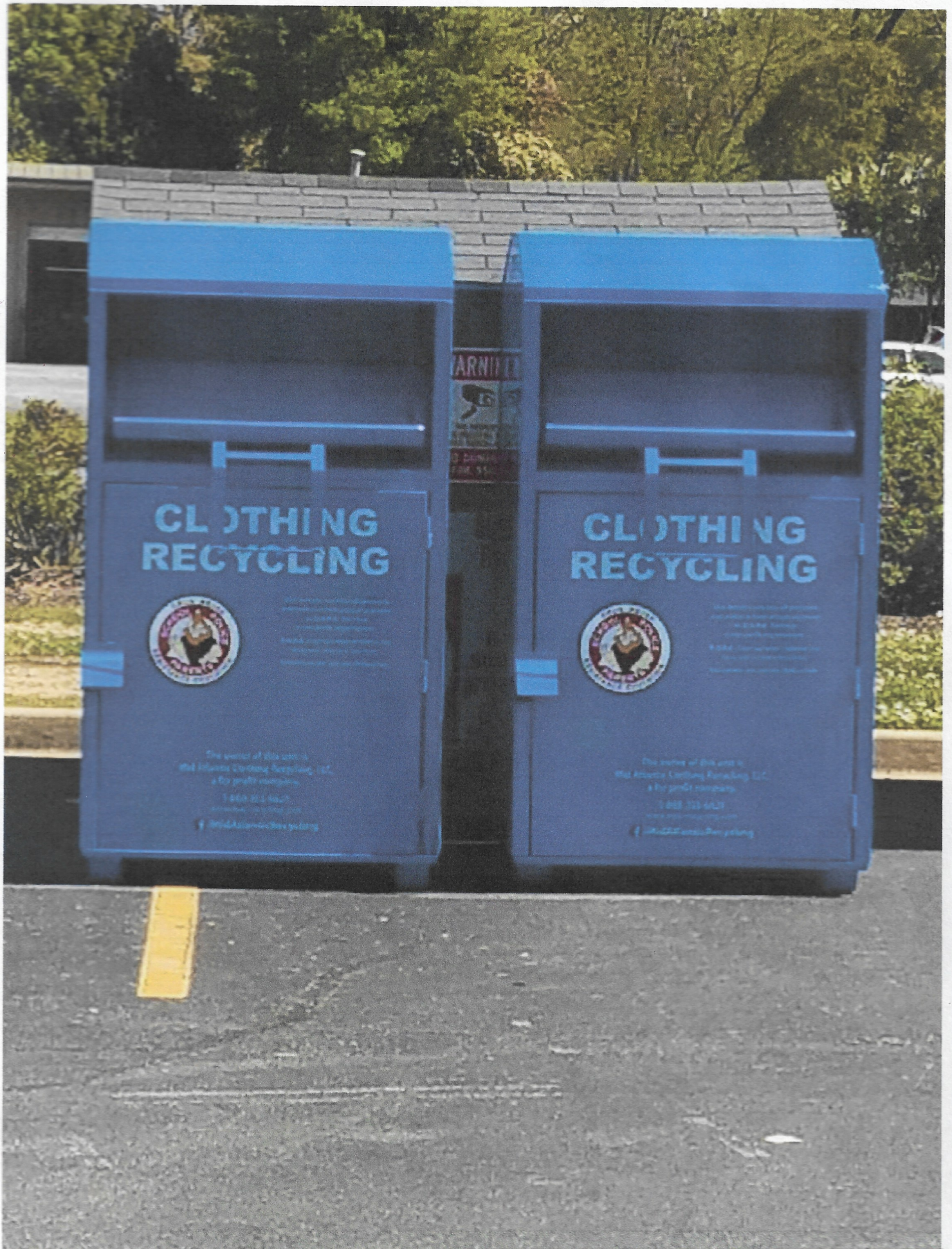
— Annie Leonard, Creator of 'The Story of Stuff'

Certified



Corporation

✉ Info@Helpsy.co | www.helpsy.co | ☎ 800.244.6350





IRS Department of the Treasury
Internal Revenue Service

P.O. Box 2508, Room 4010
Cincinnati OH 45201

In reply refer to: 4077567774
July 17, 2015 LTR 4168C 0
95-4242541 000000 00
00032560
BODC: TE

D A R E AMERICA
PO BOX 512090
LOS ANGELES CA 90051-0090

002370

Employer Identification Number: 95-4242541
Person to Contact: K GLEASON
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your June 26, 2015, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(03) of the Internal Revenue Code in a determination letter issued in June 1990.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

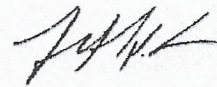
Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

4077567774
July 17, 2015 LTR 4168C 0
95-4242541 000000 00
00032561

D A R E AMERICA
PO BOX 512090
LOS ANGELES CA 90051-0090

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,



Jeffrey L. Cooper
Director, EO Rulings & Agreement

Return to:
Security American Title, LLC
8428 Quarry Road
STE 103
Manassas, Virginia 20110
 703-766-1745

TAX ID# 01-055348
 MD22-01-2

Return to: **EKKO TITLE**
ATTN: TITLE DEPT
3483 Sylvania Plantation Road
Greenwood, FL 32443

Election District: 01
 Tax Account Number: 055348

SPECIAL WARRANTY DEED

THIS DEED is made as of the 17th day of June, 2022, by and between NLA EASTON, LLC, an Alabama limited liability company ("Grantor") and LCP EASTON INVESTORS, LLC, a Virginia limited liability company ("Grantee").

In consideration of the sum of Five Million Three Hundred Seventy-Five Thousand Seven Hundred AND NO/100 DOLLARS (\$5,375,700.00), the receipt and adequacy of which are hereby acknowledged, Grantor does hereby grant and assign unto Grantee, its successors and assigns, all that/those lot(s) of ground located in Talbot County, State of Maryland and described as follows:

See Exhibit "A" attached hereto.

BEING that certain property described in, and acquired by Grantor by, that certain deed dated April 15, 2021, and recorded in Book 2853, Page 306 among the Land Records of Talbot County, Maryland

TOGETHER with the buildings and improvements thereupon made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

SUBJECT, HOWEVER, to any and all matters of record and all matters described on Exhibit "B" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the above granted and bargained premises hereby intended to be conveyed, together with the appurtenances thereof unto and to the proper use and benefit of the Grantee, its successors and assigns, in fee simple.

AND the Grantor covenants to warrant specially the property hereby granted and conveyed, and that it has done no act to encumber the real property, except as set forth herein, and to execute such further assurances of said land as may be requisite.

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

1 of 6

TALBOT COUNTY FINANCE OFFICE
 RECORDATION TAX
 AMT: \$64,512.00
 DATE: 6/23/2022
 INITIALS: SPH
 Prop ID: 01-055348

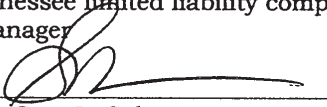
CERTIFICATION IS MADE THAT ALL TAXES
 DUE ON THE PROPERTY INDICATED IN
 THIS DEED HAVE BEEN PAID.
 FINANCE OFFICER OF TALBOT COUNTY
 CLAY B. STAMP, FIN. OFFICER CL

DATE 6/23/2022

WITNESS the hand and seal of Grantor as of the day and year first above written.

NLA EASTON, LLC,
an Alabama limited liability company

By: Net Lease Alliance, LLC,
a Tennessee limited liability company,
its Manager

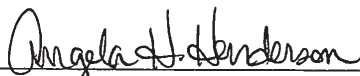
By: 
Name: Sam L. Colson
Title: Chief Financial Officer

NOTARY ACKNOWLEDGMENT

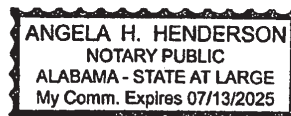
STATE OF ALABAMA COUNTY OF MONTGOMERY

I, Angela H. Henderson, a Notary Public, in and for said County in said State, hereby certify that Sam L. Colson whose name as Chief Financial Officer of Net Lease Alliance, LLC, a Tennessee limited liability company, Manager of NLA Easton, LLC, an Alabama limited liability company, is signed to the foregoing instrument or conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 15 day of June 2022.


Notary Public

My Commission Expires: 7/13/25



2 of 6

* THIS IS AN ORIGINAL PER HOPE 06-21-22 PER NANCY

ATTORNEY'S CERTIFICATION

Undersigned Counsel CERTIFIES that this instrument was prepared under the supervision of the undersigned attorney who is duly admitted to practice before and in good standing with the Court of Appeals of Maryland.



Gregory T. DuMont MD9606050122
Land, Carroll & Blair, P.C.
524 King Street
Alexandria, Virginia 22314
T: (703) 778-1466
E: GDuMont@LandCarroll.com

EXHIBIT "A"

Description of the Land

The Land referred to hereinabove is situated within the County of Talbot, State of Maryland and is described as follows:

All that parcel of land, depicted as Parcel "B" on a plat entitled "Subdivision of 14.185 Acre Parcel of Land surveyed for Marlboro Road Limited Partnership, located on Marlboro Road, 1st Dist., Talbot Co., Maryland" dated May, 1980 and recorded among the Plat Records of Talbot County, Maryland in Plat Liber 52, folio 27, and being shown thereon as more particularly described by metes and bounds as follows.

BEGINNING for the same at a Point at the southeasterly right-of-way line of Maryland Route 33 at the point of intersection of said right-of-way line with the southerly right-of-way line of Marlboro Road, and running thence, leaving Maryland Route 33 and binding on the southerly right-of-way line of Marlboro Road, South 62° 08' 34" East, 209.80 feet; thence leaving Marlboro Road and with the reserved lands of Marlboro Road Limited Partnership, a new division line of two courses, to wit: (1) South 16° 42' 52" West, 155.55 feet; and (2) North 71° 57' 17" West, 243.42 feet to the easterly right-of-way line of Maryland Route 33 aforesaid; thence binding thereon, North 27° 51' 22" East, 194.10 feet to the Place of Beginning, containing 0.902 Acres of Land, more or less.

TOGETHER WITH AND SUBJECT TO a non-exclusive easement for pedestrian and vehicular ingress-egress, and parking as granted in the Deed of Declaration recorded September 8, 1976 among the Land Records of Talbot County, Maryland in Liber JTB 505, folio 31, as amended by Amendment to Deed of Declaration and Mutual Release of Right-of-Way recorded December 7, 1992 among the Land Records of Talbot County, Maryland in Liber 739, folio 572.

4 of 6

EXHIBIT "B"

1. All matters that would be revealed or disclosed in an accurate survey of the Property.
2. A lien not yet delinquent for any general or special taxes, assessments and charges against the Property.
3. All interest in and to all oil, gas, coal, metallic ores and other minerals.
4. Front foot benefit charges due and payable after December 31, 2020, a lien not yet due or payable.
5. Rights of tenants in possession under unrecorded leases.
6. All matters of record title, including, without limitation, the following matters:
 - (a) Right of Way dated July 18, 1917, made by and among Alexis G. Pascault, et al and Chesapeake and Potomac Telephone Company of Baltimore City, and recorded on August 10, 1917 among the Land Records of Talbot County, Maryland in Liber CBL 176, folio 464.
 - (b) Deed of Right-of-Way and Easement among Henry M. Witt, et al and Irvin L. Siegel, et al dated March 24, 1970 and recorded on March 31, 1970 among the Land Records of Talbot County, Maryland in Liber JTB 442, folio 438.
 - (c) Utility Easement dated February 2, 1973, made by Erwin Greenberg, and recorded on March 2, 1973 among the Land Records of Talbot County, Maryland in Liber JTB 471, folio 601.
 - (d) Right of Way Easement dated July 27, 1976, made by and among Clark Mackenzie, et al and Chesapeake and Potomac Telephone Company of Maryland, and recorded on August 6, 1976 among the Land Records of Talbot County, Maryland in Liber JTB 504, folio 169.
 - (e) Deed of Declaration by and between Marlboro Road Limited Partnership, a limited partnership and The First National Bank of Maryland, a national banking association dated September 3, 1976 and recorded on September 8, 1976 among the Land Records of Talbot County, Maryland in Liber JTB 505, folio 31; as amended by Amendment to Deed of Declaration and Mutual Release of Right-of- Way by and among John H. Mears, Jr., et al and Maryland National Bank, a national banking

5 of 6

association, et al dated November 10, 1992 and recorded on December 7, 1992 among the Land Records of Talbot County, Maryland in Liber 739, folio 572.

(f) Deed by and among Clark F. MacKenzie, et al and Parkway Limited Partnership dated June 9, 1980 and recorded on June 20, 1980 among the Land Records of Talbot County, Maryland in Liber 546, folio 462.

(g) Declaration by HK Easton, LLC, a Maryland Limited Liability Company dated April 13, 2007 and recorded on April 19, 2007 among the Land Records of Talbot County, Maryland in Liber 1535, folio 143.

(h) Deed of Right-of-Way and Easement by and between HK Easton, LLC, a Maryland Limited Liability Company and Town of Easton, a municipal corporation of the State of Maryland dated November 21, 2011 and recorded on November 22, 2011 among the Land Records of Talbot County, Maryland in Liber 1937, folio 155.

(i) Deed of Right-of-Way and Easement by and between HK Easton, LLC, a Maryland Limited Liability Company and Town of Easton, a municipal corporation of the State of Maryland dated September 17, 2013 and recorded on September 20, 2013 among the Land Records of Talbot County, Maryland in Liber 2123, folio 494.

(j) Subject to proposed easement as set forth on a plat entitled "Marlboro Road" and recorded in Plat Book JTB 52, Page 27.

(k) Subject to notes, notations, and rights of way as set forth upon a Plat entitled "Town of Easton, Marlboro Avenue" and recorded in Plat Book 22, Page 11.

(l) Subject to notes, notations, rights of way, and easements as set forth upon a Plat entitled "Witt- Siegel Property" and recorded in Plat Book 31, Page 22.

(m) Declaration of Mutual Reciprocal and Non-Exclusive Easements as recorded in Liber 502, at Folio 32, as amended in Liber 739, at Folio 572.

6 of 6

**MARYLAND
FORM
WH-AR**

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2022

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor NLA EASTON, LLC, an Alabama limited liability company

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

220 MARLBORO AVENUE, EASTON, MD 21601

3. Reasons for Exemption

Resident Status

☐

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

☒

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

☐

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name

**Date

Signature

3b. Entity Transferors

Angela Hope Henderson
Witness/Attest

NLA Easton, LLC, by Net Lease Alliance, LLC
its Manager
Name of Entity

By

SAM L. COLSON

6/16/22

Name

**Date

CHIEF FINANCIAL OFFICER

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

Exhibit 'B'

Town of Easton
R E P R I N T
*** CUSTOMER RECEIPT ***
Oper: CKAHANE Type: OC Drawer: 1
Date: 8/25/22 01 Receipt no: 3448
Year Number Amount
2022 752
PZ PZ - PAYMENTS \$700.00

MAC RECYCLING
100 SPRINGDALE RD
STE A3 PMB 293
CHERRY HILL NJ 08003
PZ 22-752 \$700.00
BOZA SPECIAL EXCEPTION

Tender detail
CK CHECK 2983 \$700.00
Total tendered \$700.00
Total payment \$700.00

Trans date: 8/25/22 Time: 14:12:08

THANK YOU FOR YOUR PAYMENT.

Exhibit 'C'



Sign posted on September 1, 2022

Exhibit "D"



Docket/Case/Application Number: SE-831/SE-22-11
Applicant/Owner: Ms. Susan Wingert c/o Reclothing LLC dba HELPSY Applicant / LCP Easton Investors LLC Owner
Address/Location: 220 Marlboro Avenue
Tax Map: 0101 Parcel: 00490 Grid: N/A Deed Reference: See Attached Plat Reference: 52/27
Public Hearing Date: 9:00 AM, September 20, 2022
Staff: Joseph A. Mayer

BRIEF SUMMARY OF REQUEST

The applicant is asking to obtain a Special Exception from the following sections of the Zoning Ordinance: Section 28-201 Permitted Uses 2.1 (6) (603) to allow for (2) Donation Bins in a CG Zone. The Bin locations will be place behind the Verizon store facing Ring Road.



MAP SOURCE: Google Earth

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
CG	Parking Lot	CG, PUD, CB	Donation Bins	0.902 Ac.

Exhibit "D"



Request for Special Exception & Variance

Special Exception to allow for Donation Bins in a CG Zone.

PROPERTY HISTORY

- Annexed in 1961.

COMPATIBILITY with the ZONING ORDINANCE

The proposed use qualifies as **"Donation Bins"** which is permitted **only** with a Special Exception in the **CG Zone**.

28-114 page 1-14

Donation Bin – Any container or receptacle held out to the public as a place for people to drop off donated items and to store such items until they are removed.

CG

603	Donation Bins*	--	--	--	--	SE	SE	SE	SE	SE	--	
-----	----------------	----	----	----	----	----	----	----	----	----	----	--

Section 28-1007.4 MISCELLANEOUS USES

3. Donation Bins

- No person or other legal entity shall place or maintain any Donation Bin on the premises open to the public except when issued by the Building Inspection Division in accordance with this section.
- All Donation Bins shall be appropriately located so as not to interfere with sight triangles, on-site circulation, required setbacks, landscaping, parking and any other requirements that have been imposed as part of the site plan approval for the property, and shall be placed on a concrete surface.
- The Donation Bin shall be of a type that is enclosed by use of a receiving door and locked so that the contents of the bin may not be accessed by anyone other than those responsible for the retrieval of the contents.
- The Donation Bin shall not cover a ground surface area in excess of thirty-one (31) square feet, nor be more than six (6) feet in height.
- Donation Bins must be maintained and kept in good repair. The Donation Bins area shall be maintained in a safe, orderly condition. Donation bins shall have no rust, peeling paint or graffiti. The areas around the Donation Bin must be kept clean and free of garbage and debris on the premises where the Donation Bin is located. Each Donation Bin shall be regularly emptied of its contents so that it does not overflow.
- There shall be no more than two Donation Bins per property.
- A permit for a Donation Bin shall be required. The permit shall be issued by the

Exhibit "D"



Building Inspection Division, but can only be granted in compliance with the following:

- i. The Donation Bin is for use by a duly registered organization in good standing in the State of Maryland. The applicant shall submit a statement or declaration of whether the organization is "for profit" or "not for profit". If the organization is "not for profit", it must submit proof of the organization's 501(c)(3) designation;*
- ii. Each duly registered nonprofit organization shall be permitted to have a maximum of eight (8) Donation Bins within the Town of Easton;*
- iii. The type, size and location of the Donation Bin comply with this subsection;*
- iv. The applicant submits a letter of authority/permission from the property owners upon which the Donation Bin is proposed to be located;*
- v. The name, address and telephone number of the nonprofit organization is displayed on each Donation Bin.*
- vi. The general use of any donations or funds raised from the sale of the donations are displayed on each Donation Bin. If the organization is "for profit" the donation bin shall be labeled "For Profit" and "Not Tax Deductible"; and*
- vii. All information required to be displayed on the Donation Bin shall be in lettering not smaller than three (3) inches tall and must be in contrasting color with the background.*

Exhibit "D"



Action Required by the Board/Commission:

"In granting any special exception, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards when made a part of the terms under which the special exception is granted, shall be deemed a violation of this Ordinance and punishable under Section 28 – 1308 of this Ordinance. No change or addition may be made to a special exception granted by the Board of Appeals until an application for such change has been reviewed and approved by the Board of Appeals. Such application procedure shall be the same as for a special exception.

The Board of Appeals shall prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the special exception.

6. *When hearing evidence necessary for granting of any special exception, the Board shall consider all pertinent facts in the case, and render a decision in accordance with the following principles:*
 - a. *the proposed use conforms in all aspects to minimum requirements of the district in which it is located;*
 - b. *the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;*
 - c. *the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;*
 - d. *the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;*
 - e. *the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;*
 - f. *the proposed use will not adversely affect the established character of the area.*
 - g. *the proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.*

When hearing any application for a special exception, the Board may consider the design of the proposal, site plans, feasibility studies, or construction drawings, as an integral part of the application.

7. The applicant for a special exception shall have the burden of proof on all points material to the application which shall include the burden of presenting credible evidence as to each material issue and the burden of persuasion on each material issue. The Board may disregard evidence, even if uncontroverted by an opposing party, if the Board finds such evidence not to be credible."

Exhibit "D"



Items for Consideration and Staff Comments:

SPECIAL EXCEPTION

APPROVE the special exception from Section 28 201 Table 2.1 (6) 603 of the Zoning Ordinance to permit (2) Donation Bins in a CG District. *If* -

- The Board finds that the proposed use is in accordance with the required Findings as outlined above.

DENY the special exception from Section 28 201 Table 2.1 (6) 603 of the Zoning Ordinance to permit (2) Donation Bins in a CG District. *If* -

- The Board finds that the proposed use is not in accordance with the required Findings as outlined above.

Based on the information provided in the application, Staff recommends the Board to APPROVE. The application is compliant with the Zoning Ordinances, provided the Applicant obtains all applicable Building Permits.

Exhibit 'E'

APG Media of Chesapeake, LLC
P.O. Box 600
29088 Airpark Drive
Easton, MD 21601

INVOICE
08/29/22

Phone: Fax:

Cust. AcctID: 1001355	Creation Date: 08/29/22
	Ad Date: 09/01/22
	Class: 10
Name: Joanne Drummer	Ad ID: 2997284
Company: TOWN OF EASTON (L)	Words: 156
Address: PO Box 520	Lines: 17
EASTON, MD 21601	Agate Lines: 54
	Depth: 2.25
	Inserts: 2
	Blind Box:
Telephone: (410) 822-2525	
Description: Application SE-831 / SE-22-	

Other Charges:	\$0.00	Total:	\$78.75
Discount:	\$0.00		
Surcharge:	\$0.00	Paid Amount:	- \$0.00
Credits:	\$0.00		
Bill Depth:	2.25	Amount Due:	\$78.75

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	
The Star Democrat	09/01/22	09/01/22	1	\$78.75

Ad Note:

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

NOTICE

Notice is hereby given that Ms. Susan Wingert on behalf of Re-clothing LLC dba HELPSY filed for Application No. SE-831 / SE-22-11, pursuant to Section 1303.5 B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for Donation Bins, use (6) 603 in Table 2.1 of Section 28-201 to allow the use of Donation Bins in a Commercial General Zoning District.

The property is located at 220 Marlboro Avenue, Easton, Maryland and is situated in the CG - Commercial General District. The property is owned by LCP Easton Investors LLC. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on September 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

2997284 SD

9/1/2022

Exhibit 'F'



TOWN OF EASTON

Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

NOTICE OF APPLICATION SUMMARY

2022-08-30

SE-22-11

Applicant notified of hearing date: Email: 2022-09-01

400' Notices Distributed: 2022-09-01

Advertisement sent to the Star Democrat: 2022-08-25 – 26 days

Advertisement run in Star Democrat: 2022-09-01 – 19 days

Property posted with sign: 2022-09-01 – 19 days

Exhibit A: Application – 2022-08-16 – 35 days

Exhibit B: Paid Receipt – 2022-08-25 – 26 days

Exhibit C: Picture of Sign Posting – 2022-09-01 – 19 days

Exhibit D: Staff Report – 2022-08-13 – 7 days

Exhibit E: Confirmation from Star Democrat – 2022-08-29 – 22 days

Exhibit F: Notices

NOTICE

Notice is hereby given that Ms. Susan Wingert on behalf of Reclathing LLC dba HELPSY filed for Application No. SE-831 / SE-22-11, pursuant to Section 1303.5 B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for Donation Bins, use (6) 603 in Table 2.1 of Section 28-201 to allow the use of Donation Bins in a Commercial General Zoning District.

The property is located at 220 Marlboro Avenue, Easton, Maryland and is situated in the CG – Commercial General District. The property is owned by LCP Easton Investors LLC. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on September 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

August 30, 2022

Dear Resident,

The Easton Board of Zoning Appeals will hold a public hearing on **Tuesday, September 20, 2022** at 9:00 a.m. in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that an application for 220 Marlboro Avenue has been filed for a special exception for Donation Bins, use (6) 603 in Table 2.1 of Section 28-201 to allow the use of Donation Bins in a Commercial General Zoning District.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at jmayer@eastonmd.gov.

Joseph A. Mayer
Plan Reviewer
Town of Easton
410-822-1943
jmayer@eastonMD.gov



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

August 30, 2022

Ms. Susan Wingert
c/o Reclothing LLC dba HELPSY
100 Springdale Road, A3 PMB 293
Cherry Hill, NJ 08003

Re: Application No. SE-831/SE-22-11
Tax Map 101 Parcel 490
220 Marlboro Avenue, Easton, MD 21601

Ms. Wingert

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, September 20th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. the proposed use conforms in all aspects to minimum requirements of the district in which it is located;
2. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;
3. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exception;
4. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
5. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;
6. the proposed use will not adversely affect the established character of the area;
7. the proposed use shall be in conformity with the provisions of the Easton.

Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complimentary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

NOTE: In the event your application pending before the Easton Board of Zoning Appeals requires a recommendation to the Board from the Easton Planning and Zoning Commission, the Appeals Board will not hear your application until it is in receipt of the Planning and Zoning Commission's recommendation. It is your responsibility to see that the recommendation required is before the Board of Zoning Appeals before any evidence is heard.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

A handwritten signature in blue ink, reading "Joseph A. Mayer".

Joseph A. Mayer
Plan Reviewer
Town of Easton
410-822-1943
jmayer@eastonmd.gov



Exhibit 'A'

Nav. 22-00741
\$200 Fee
Paid 8/18/22

Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

Board of Zoning Appeals Application

Application Type

☒ Variance ☐ Appeal ☐ Special Exception

Property Information

Address: 507 Goldsborough St. Easton MD 21601
Tax Map: 103 Grid: 000 6A Parcel: 0758 Lot: 3
Deed Reference: Liber: 2523 Folio: 393
Plat Reference: Liber: Folio:
Existing Use: Single Family Dwelling
Zoning District: R-7A
Historic District Y ☒ N ☐ PRD Y ☐ N ☐

Owner

Name: Michael Malpezzi
Mailing Address: 507 Goldsborough St Easton MD 21601
Telephone No.: 717 943 2995 Email: malpezzim@gmail.com

Applicant or Agent

Name: Trevor Robbins
Mailing Address: 3655 Choptank rd Preston MD 21655
Telephone No.: 410 829 3809 Email: trevorrobbins3655@gmail.com

Surveyor / Engineer

Name: License No.: Expiration Date:
Mailing Address:
Telephone No.: Email:

Request Details

Subject to Previous BOZA Application Y ☐ N ☐
Zoning Ordinance Section: 28-302.2(c)3
Change From: to:

Please describe the purpose of the request being made to the Board of Appeals including all information pertinent to said request. Attach a formal letter detailing request.

Variance for setbacks on the property for the Shed that is going to be demolished and built new according to the Historic District

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach five (5) copies of scaled plat sketch or site plan with all dimensions of lot, setbacks, improvements and the distances between any improvements.

- Provide all information related to any restrictions to the property recorded among the Land Records of Talbot County.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information, related to the request being made of the Board of Appeals.
- Fee Payment

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date

Printed Name of Applicant or Agent

Trevor Robbins
9/18/22
Trevor Robbins

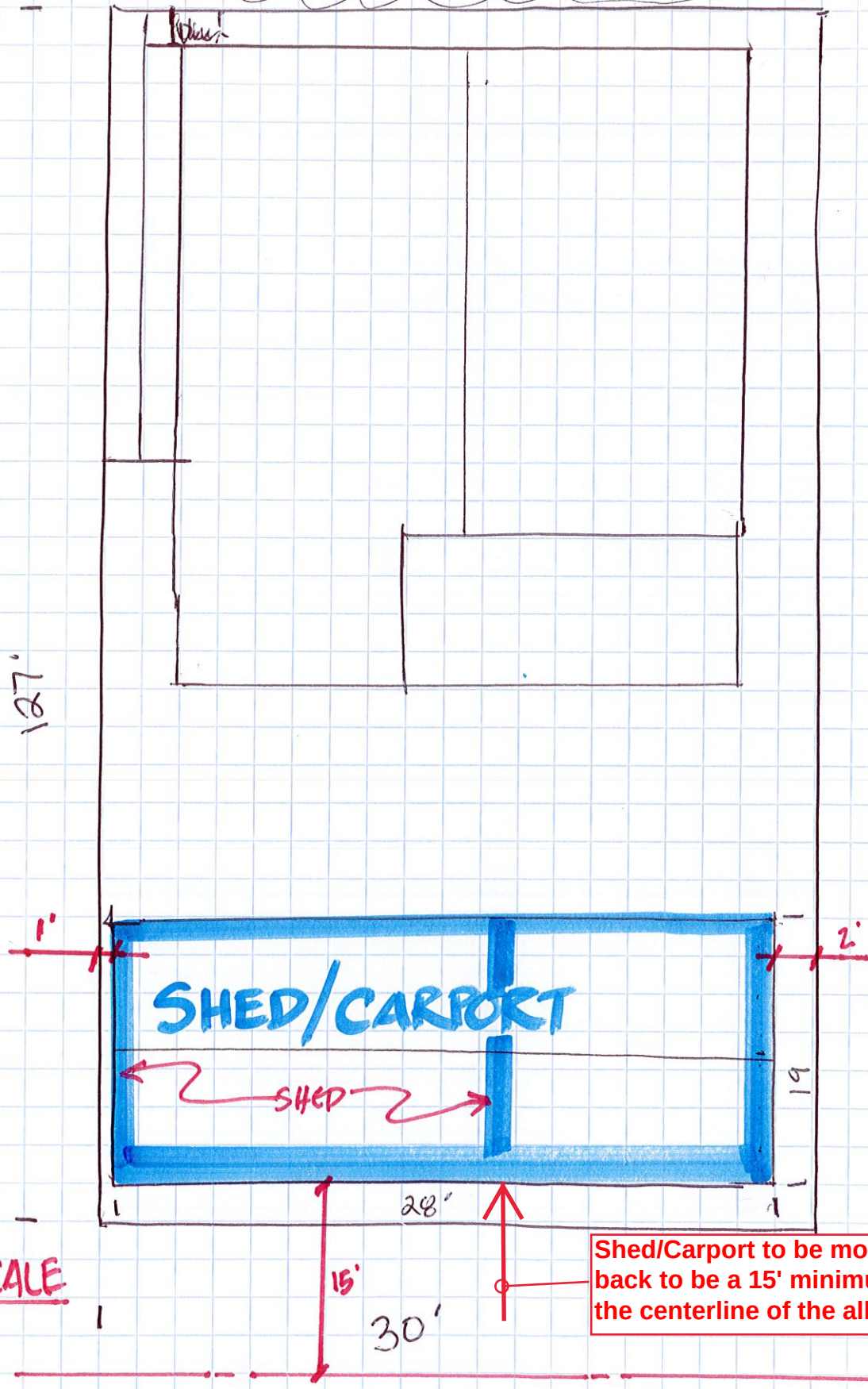
For Office Use Only

Project Number		Fee Received	
Application Number		Application Notification	
Filing Date		Property Posting Date	
BOZA Hearing Date		Notice(s) Published	
If ESDR, Date			

See Exhibit F

Revised 2-2019

Goldsborough Sf.





507 GOLDSBOROUGH ST, E X



Show search results for 507 GOL...



Replace existing
30' shed

65'



10m

40ft

-76.068 38.776 Degrees



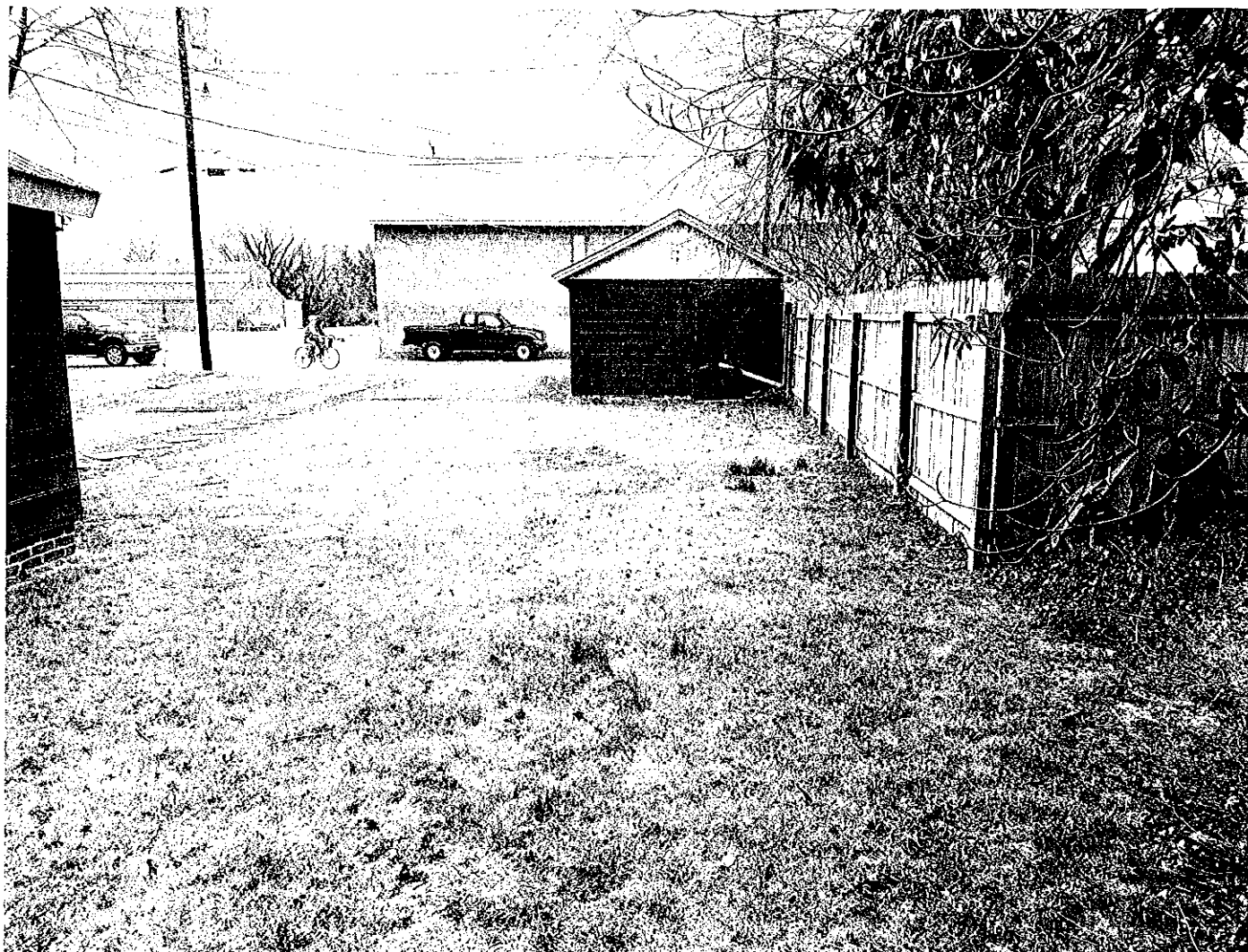
[Sent from Yahoo Mail for iPhone](#)

Mail body:

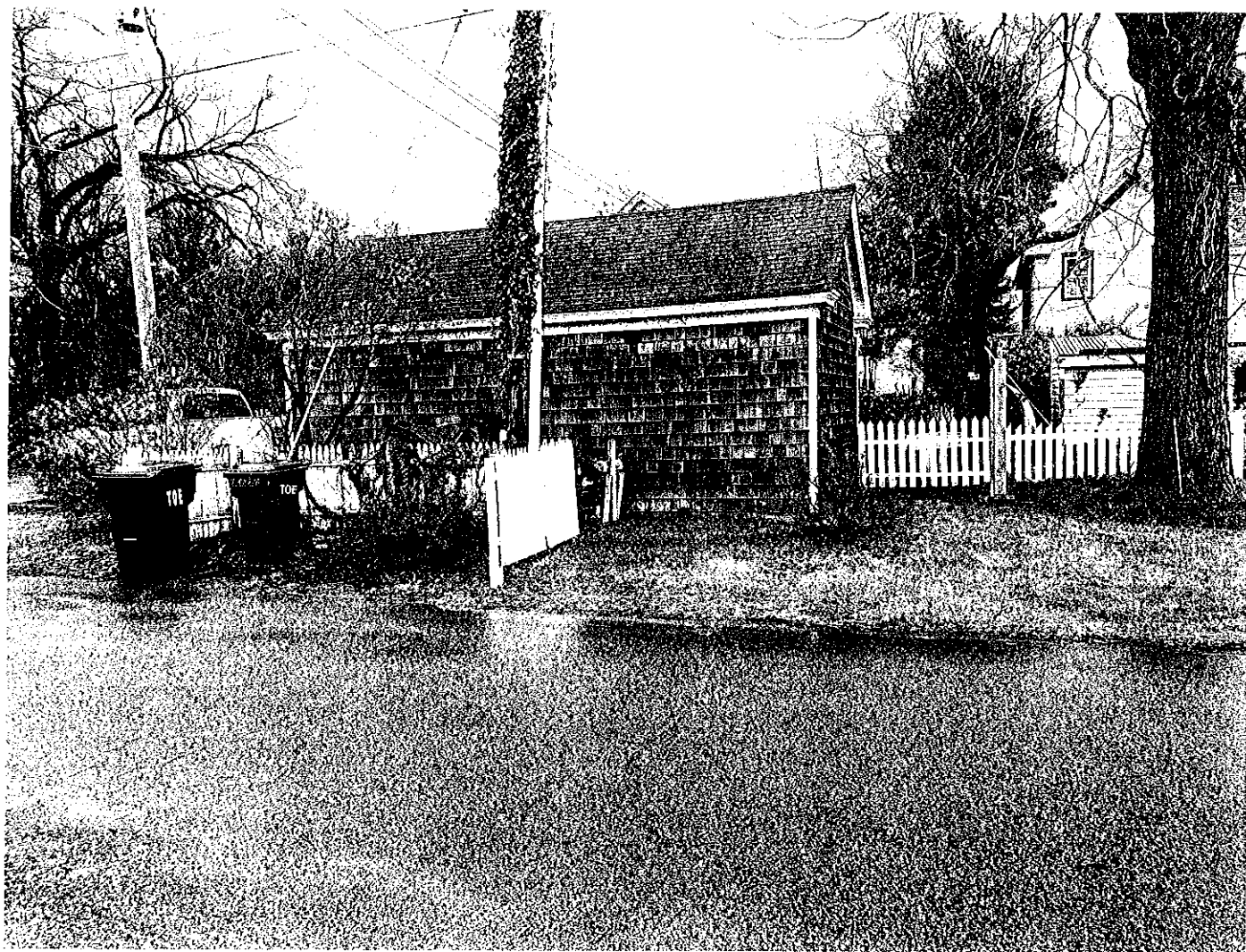


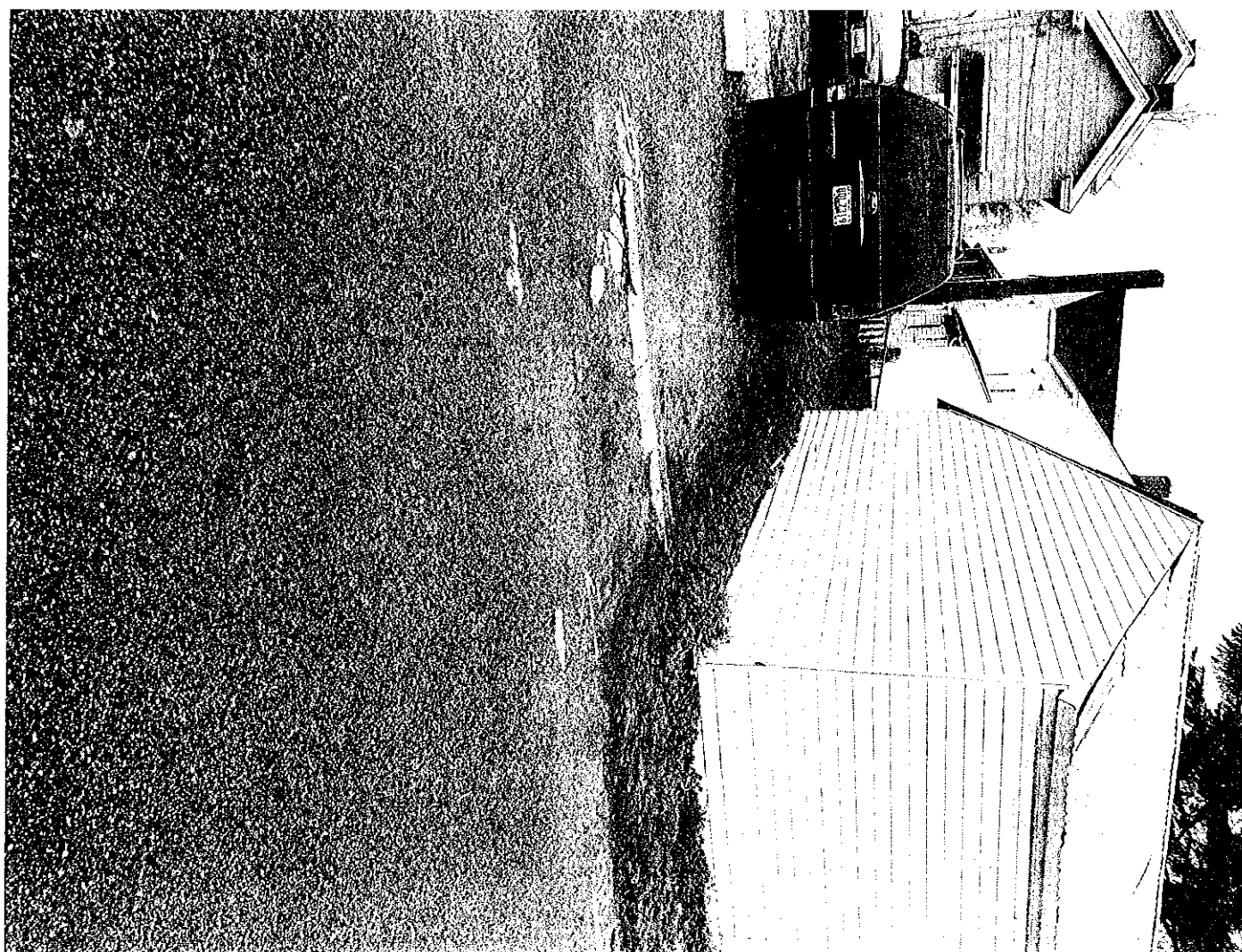
Sent from Yahoo Mail for iPhone



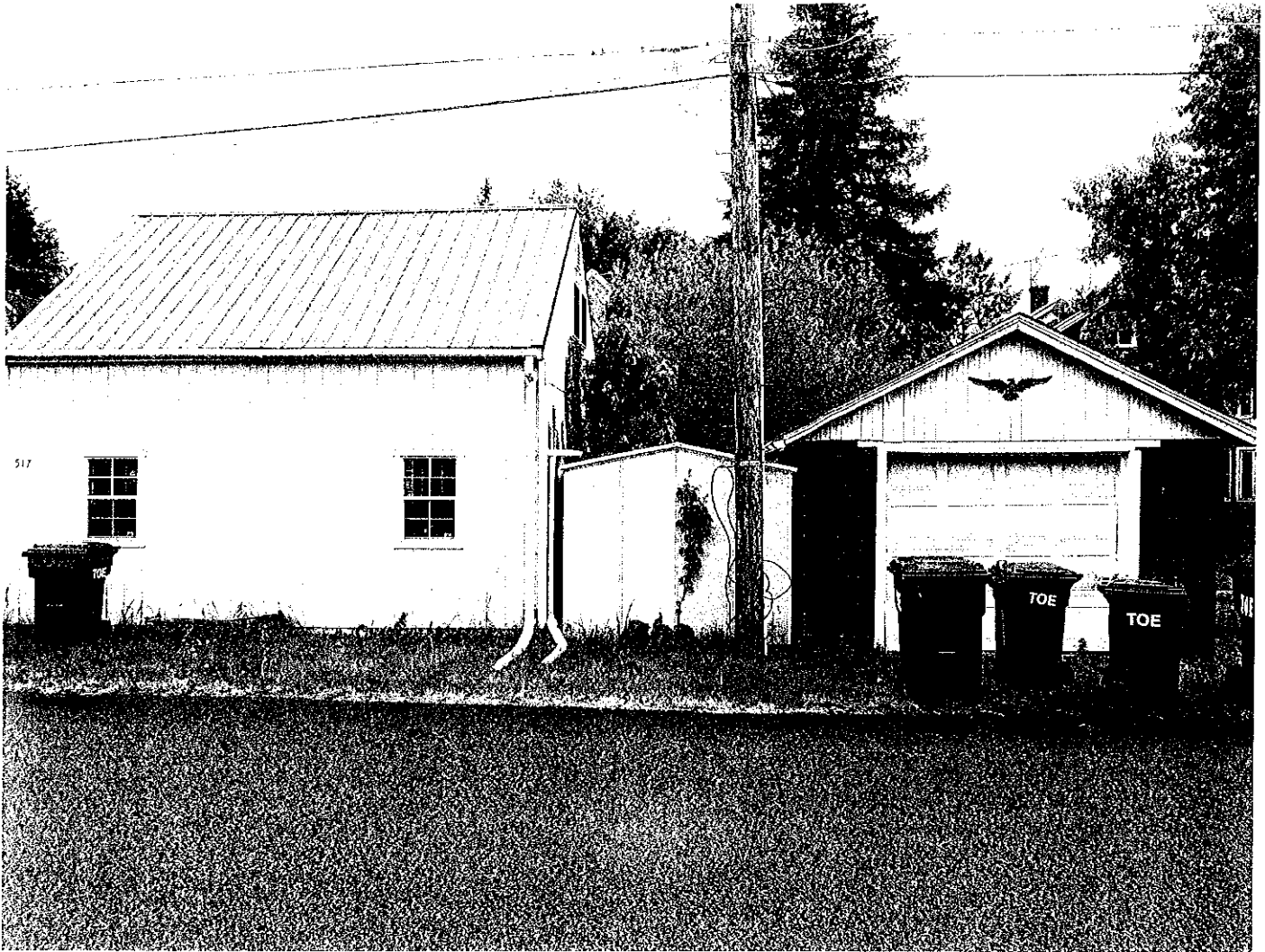


Shed 2 doors down on
property line

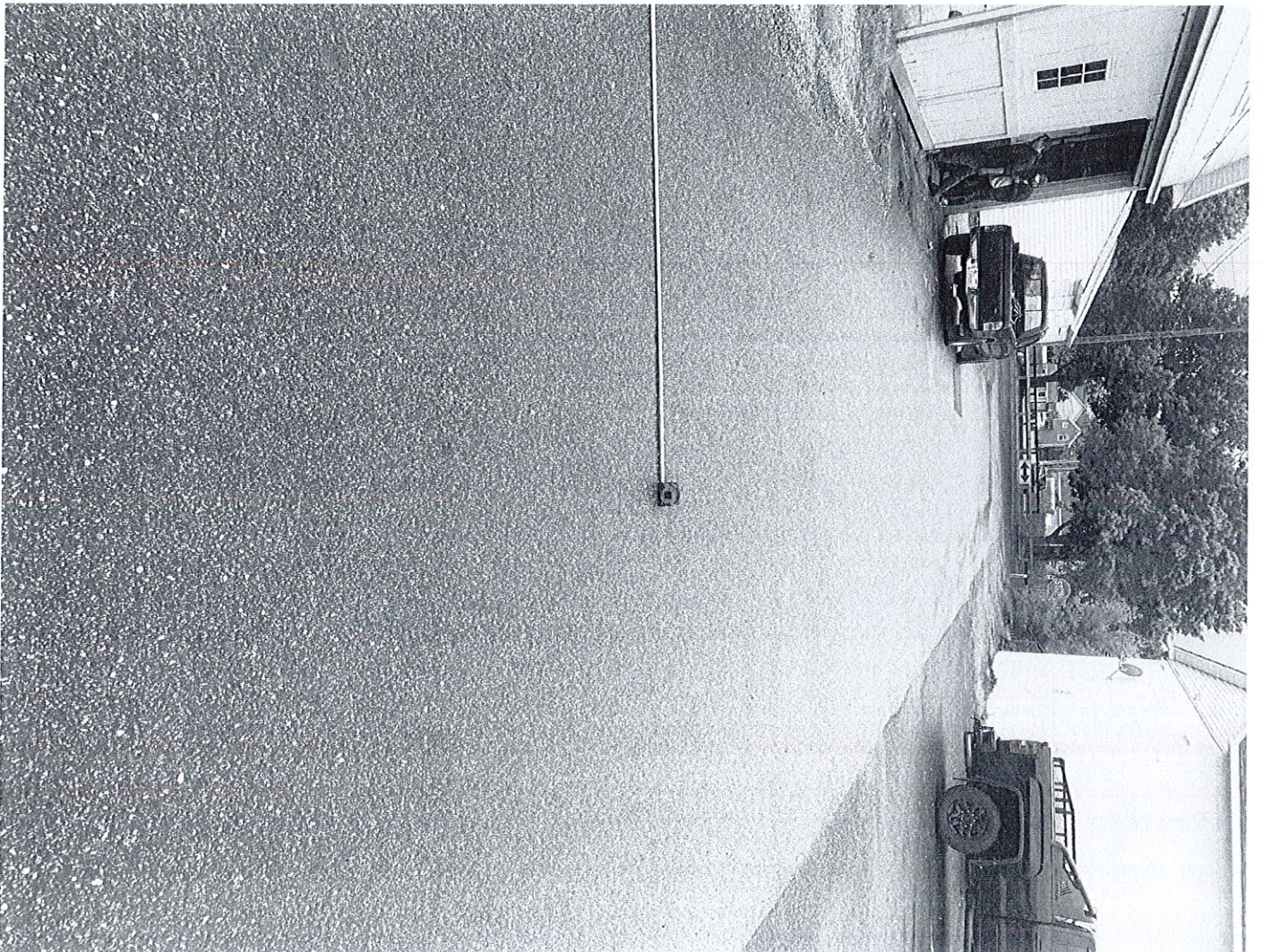




Mail body:



filled measuring tape and
back of Shed is 13'
to center of Alley. Can
move shed 2' toward house
and still not be taking over
50% of backyard. Moving
the structure 2' back, towards
the house will make the
offset 15' from the proposed
structure to the E of the
alley.





Sent from Yahoo Mail for iPhone

VENTURE TITLE COMPANY, LLC
File No. V-10286MTB
Tax ID # 01 024582

VENTURE TITLE COMPANY
117 BAY STREET
EASTON, MD 21601

This Deed, made this 27th day of March, 2018, by and between **HEATHER ANNE HILTON**, formerly known as **HEATHER ANNE KNUDSEN**, GRANTOR, and **MICHAEL A. MALPEZZI**, GRANTEE.

Witnesseth –

That in consideration of the sum of One Hundred Twenty Thousand and 00/100 Dollars (\$120,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, as sole owner, his heirs and assigns in fee simple, all that lot of ground situate in the County of Talbot, State of Maryland and described as follows, that is to say:

ALL that lot, piece or parcel of land situate, lying ad being in the Town of Easton, First Election District of Talbot County, Maryland and more particularly described as follows, that is to say:

BEGINNING at a steel pin driven in a brick pavement on the northerly sideline of Goldsborough Street and at a point one hundred sixty-five and five-tenths feet (165.5 ft.) eastwardly from the center line of the main track of the Pennsylvania Railroad; said beginning point being also the southeasterly corner of a lot belonging to William T. Neal; thence 1) with the northerly sideline of Goldsborough Street, North eighty-seven degrees, seven minutes East, thirty feet (N. 87 degrees 7' E. 30 ft.) to a steel pin and the southwesterly corner of a lot belonging to Thatcher S. Edmunds; thence 2) with the said Edmunds lot, North two degrees, twenty-nine minutes West, one hundred twenty-four and six-tenths feet (N. 2 degrees 29' W. 124.6 ft.) to an iron pipe and the southerly sideline of Scott's Alley; thence 3) with the southerly sideline of Scott's Alley, South eighty-eight degrees, no minutes West, thirty feet (S. 88 degrees 0' W. 30 ft.) to an iron pipe and the northeasterly corner of the lot belonging to William T. Neal, hereinbefore mentioned; thence 4) with the said Neal's lot, South two degrees, twenty-nine minutes East, one hundred twenty-six and five one-hundredths feet (S. 2 degrees 29' E. 125.05 ft.) to the place of beginning, containing three thousand seven hundred forty-six and twenty-five one-hundredths square feet (3,746.25 sq. ft.).

BEING the same property conveyed unto Heather Anne Knudsen, now known as Heather Anne Hilton, from Louis William Krausz by Deed dated February 20, 2015 and recorded among the Land Records of Talbot County, Maryland in Liber 2239, folio 061.

Subject to covenants, easements and restrictions of record.

TALBOT COUNTY FINANCE OFFICE
RECORDATION TAX
AMT: \$1,440.00
DATE: 3/29/2018
INITIALS: Chiorce
Prop ID: 01-024582

CERTIFICATION IS MADE THAT ALL TAXES
DUE ON THE PROPERTY INDICATED IN
THIS DEED HAVE BEEN PAID.
FINANCE OFFICER OF TALBOT COUNTY

ANDREW HOLLIS, FIN. OFFICER
DATE 3/29/2018

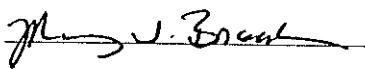
Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

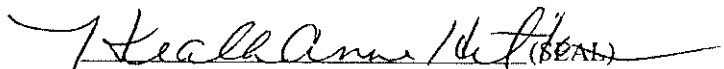
To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said MICHAEL A. MALPEZZI, as sole owner, his heirs and assigns in fee simple.

And the Grantor hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

WITNESS:




HEATHER ANNE HILTON

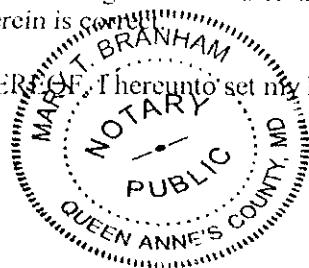
STATE OF MARYLAND

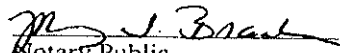
COUNTY OF TALBOT

} ss

I hereby certify that on this 27th day of March, 2018, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared HEATHER ANNE HILTON, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.




Notary Public

My Commission Expires: November 8, 2018

AFFIDAVIT OF GRANTEE

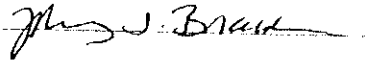
AS MARYLAND FIRST-TIME HOME BUYER

THE UNDERSIGNED EACH STATE UNDER OATH AS FOLLOWS:

1. The undersigned is a Grantee of residentially improved real property located at 507

2. Goldsborough Street, Easton, MD.
The undersigned is a "first-time Maryland home buyer", defined as individual who has never owned in the State residential real property that has been the individual's principal place of residence, who will occupy the property as Grantee's principal residence at least 7 months out of a 12-month period.

WITNESS:



 {SEAL}
MICHAEL A. MALPEZZI

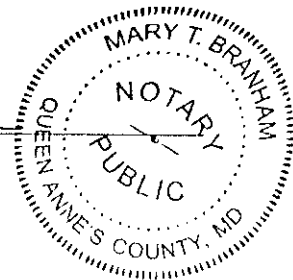
STATE OF MARYLAND, COUNTY OF TALBOT, to wit:

I HEREBY CERTIFY, That on this 22 day of March, 2018 before me, the undersigned officer, a Notary Public in and for the State aforesaid, personally appeared MICHAEL A. MALPEZZI, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he is a Maryland First Time Homebuyer.

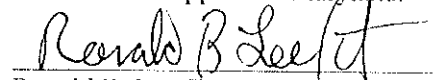
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My commission expires: 11/8/2018


Notary Public



THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.


Ronald B. Lee, Esquire, Vice-President of
Venture Title Company, LLC

AFTER RECORDING, PLEASE RETURN TO:
VENTURE TITLE COMPANY, LLC
117 BAY STREET
EASTON, MD 21601

August 16, 2022

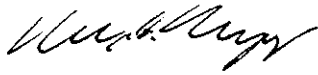
Board of Zoning Appeals
Town Office
14 S Harrison Street
Council Chambers
Easton, MD 21601

RE: Zoning appeals application

Dear Chairman and Board Members:

I own the home at 507 Goldsborough Street and am endeavoring to replace the shed at the rear of my property, along Scott's Alley. The zoning code requires a variance in order to replace it with a similar structure. This letter is to certify that I grant permission for Trevor Robbins to submit an application to the Board on my behalf for the necessary setback variances.

Thank you for your consideration.



Michael A. Malpezzi

507 Goldsborough Street
Easton, MD 21601

Exhibit 'B'

Town of Easton
R E P R I N T
*** CUSTOMER RECEIPT ***
Oper: SMILES Type: OC Drawer: 1
Date: 8/18/22 01 Receipt no: 3257

	Year	Number	Amount
PZ	2022	741	
		PZ - PAYMENTS	\$200.00
CP		SERVICE FEE FOR C263/POS	
		1.00	\$5.00

Tender detail
OC POS COMBINED \$205.00
Total tendered \$205.00
Total payment \$205.00

Trans date: 8/18/22 Time: 11:07:07

THANK YOU FOR YOUR PAYMENT.

Exhibit 'C'



Sign posted September 1, 2022

Exhibit "D"



Docket/Case/Application Number: V-795/V-22-07
Applicant/Owner: Mr. Trevor Robbins c/o Michael Malpezzi Applicant / Owner
Address/Location: 507 Goldsborough Street
Tax Map: 0103 Parcel: 0758 Grid: N/A Deed Reference: See Attached Plat Reference: N/A
Public Hearing Date: 9:00 AM, September 20, 2022
Staff: Joseph A. Mayer

BRIEF SUMMARY OF REQUEST

The Applicant is seeking a Variance from Section 28 – 302.2 (C) 3 to request a variance of 6' and 7' to enable the replacement of a 19' x 28' shed/carport, to within 2' on the west side of the property line and to within 1' on the east side of the property line. The purpose of the variance is to enable the reconstruction of the shed/carport within the same side setbacks in a R-7A Zone. In addition, the applicant proposes to offset the structure two additional feet to achieve a 15' minimum setback from the centerline of Scotts Alley.



MAP SOURCE: Google Earth

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R7A Historic District	Single Family Dwelling	R10A, R7A & BC	Replace Shed/Carport	3,750 SF

Exhibit "D"



Request for Variance

Variance of 6' and 7' to enable the replacement of a 19' x 28' shed/carport, to within 2' on the west side of the property line and to within 1' on the east side of the property line.

PROPERTY HISTORY

- Annexed in 1785.
- HDC Approval 2/14/2022

COMPATIBILITY with the ZONING ORDINANCE

The proposed use qualifies as **"Dwelling, single-family, detached"** which is outright permitted in the **R7A Zone**.

28-114 page 1-14

Dwelling, single-family, detached – A residential building containing not more than one (1) dwelling unit used by one family entirely surrounded by yards. Single family dwelling shall also include any "group home" or "small group home" for, respectively, persons affected by "developmental disabilities" or individuals suffering from a "mental disorder" or a recovery residence as those terms are defined in the Health General Article of the Maryland Annotated Code.

R7A

106	Single Family, Detached*	P	P	P	P	P	--	--	--	--	--	
-----	--------------------------	---	---	---	---	---	----	----	----	----	----	--

Section 28-1001.3 PARKING REQUIREMENTS

Residential Buildings

2	Single-Family Attached	2 per du	-		
---	------------------------	----------	---	--	--

Minimum Vehicle Spaces Required: 1 Proposed DU x 2 per du = 2 vehicle spaces.

Maximum Vehicle Spaces Required: ---

The Applicant proposes 2 vehicle spaces.

Exhibit "D"



Action Required by the Board/Commission:

"To grant variances from the literal application of the terms of this Ordinance when the applicant seeking the variance has demonstrated that the application complies with the standards set forth in this Section. The Board of Zoning Appeals may not grant a variance from the terms of this Ordinance unless and until:

- 1. A written application for a variance is submitted indicating the Section or Sections of the Ordinance for which the variance is sought and stating the grounds upon which it is requested.*
- 2. A notice of a public hearing shall be provided as is set forth in Section 28 – 1303.3. In addition, notice to surrounding property owners shall be provided in accordance with the provisions of Section 28 – 901.2 G of this Ordinance.*
- 3. A public hearing shall be held. Any party may appear in person, by agent or by attorney.*
- 4. Before granting any variance, the Board of Zoning Appeals shall issue written findings of fact that:*
 - a. Granting the application: (i) will not be contrary to the public interest, (ii) will be in harmony with the purpose and intent of the Ordinance and (iii) will not be injurious to the neighborhood or otherwise detrimental to the public welfare;*
 - b. Owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.*
- 5. Non-conforming uses of neighboring lands, structures or buildings shall not be considered grounds for the issuance of a variance nor shall permitted uses of neighboring lands, structures, or buildings.*
- 6. The Board of Zoning Appeals shall be authorized to grant variances only with regard to provisions of the Ordinance relating to density, bulk, or area requirements. Under no circumstances shall the Board of Appeals grant a variance to allow a use which is not permitted under the terms of the Ordinance or is by implication prohibited by the terms of the Ordinance relating to the zoning district in which the subject property is located.*
- 7. In granting any variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under Section 28 – 1308 of this Ordinance."*

Exhibit "D"



Items for Consideration and Staff Comments:

VARIANCE

The Board should **APPROVE** the request if it believes the Findings can successfully be made and it should **DENY** the request if this is not the case. The primary issue is, is there a compelling argument that there exists a unique or unusual circumstance relative to the subject property, such that adherence to the standard in question (in this case, the replacement of the shed/carport requires a variance of 6' and 7' to enable the structure to be within 2' on the west side of the property line and to within 1' on the east side of the property line) represents a practical difficulty to the Applicant. If the Board believes it can satisfactorily make this Finding, Staff recommends approval of the Variance as well, provided the applicant obtains a Building Permit Application and provide a Site Plan per the required items listed on the application. Historic District approval was granted on February 14, 2022. On the other hand, if the Board does not think such a condition exists (or that any such condition is the result of action taken by the Applicant), the Board should deny the Variance.

APG Media of Chesapeake, LLC
P.O. Box 600
29088 Airpark Drive
Easton, MD 21601

Exhibit 'E'

INVOICE
08/29/22

Phone: Fax:

Cust. AcctID: 1001355	Creation Date: 08/29/22
	Ad Date: 09/01/22
	Class: 10
Name: Joanne Drummer	Ad ID: 2997287
Company: TOWN OF EASTON (L)	Words: 178
Address: PO Box 520	Lines: 19
EASTON, MD 21601	Agate Lines: 60
	Depth: 2.5
	Inserts: 2
	Blind Box:
Telephone: (410) 822-2525	
Description: Application V-795 / V-22-07	

Other Charges:	\$0.00	Total:	\$87.50
Discount:	\$0.00		
Surcharge:	\$0.00	Paid Amount:	- \$0.00
Credits:	\$0.00		
Bill Depth:	2.5	Amount Due:	\$87.50

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	
The Star Democrat	09/01/22	09/01/22	1	\$87.50

Ad Note:

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

NOTICE

Notice is hereby given that Trevor Robbins on behalf of Michael Malpezzi has filed Application No. V-795 / V-22-07, pursuant to Section 1303.5 C of the Zoning Ordinance of the Town of Easton, to obtain a variance from the following section of the Zoning Ordinance: from Section 28 - 302.2 (C) 3 to request a variance of 6' and 7" to enable the replacement of a 19' x 28' shed/carport, to within 2' on the west side of the property line and to within 1' on the east side of the property line.

The property is located at 507 Goldsborough Street, Easton, Maryland and is situated in the R-7A District. The property is owned by Michael Malpezzi. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on September 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

2997287 SD

9/1/2022

Exhibit 'F'



TOWN OF EASTON

Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

NOTICE OF APPLICATION SUMMARY

2022-08-30

V-22-07

Applicant notified of hearing date: Email: 2022-09-01

400' Notices Distributed: 2022-09-01

Advertisement sent to the Star Democrat: 2022-08-25 – 26 days

Advertisement run in Star Democrat: 2022-09-01 – 19 days

Property posted with sign: 2022-09-01 – 19 days

Exhibit A: Application – 2022-08-25 – 26 days

Exhibit B: Paid Receipt – 2022-08-25 – 26 days

Exhibit C: Picture of Sign Posting – 2022-09-01 – 19 days

Exhibit D: Staff Report – 2022-09-13 – 7 days

Exhibit E: Confirmation from Star Democrat – 2022-08-29 – 21 days

Exhibit F: Notices

NOTICE

Notice is hereby given that Trevor Robbins on behalf of Michael Malpezzi has filed Application No. V-795 / V-22-07, pursuant to Section 1303.5 C of the Zoning Ordinance of the Town of Easton, to obtain a variance from the following section of the Zoning Ordinance: from Section 28 – 302.2 (C) 3 to request a variance of 6’ and 7’ to enable the replacement of a 19’ x 28’ shed/carport, to within 2’ on the west side of the property line and to within 1’ on the east side of the property line.

The property is located at 507 Goldsborough Street, Easton, Maryland and is situated in the R-7A District. The property is owned by Michael Malpezzi. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on September 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

August 30, 2022

Dear Resident,

The Easton Board of Zoning Appeals will hold a public hearing on **Tuesday, September 20, 2022** at 9:00 a.m. in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that an application for 507 Goldsborough Street, situated in the R-7A District, has been filed for a variance of 6' and 7' to enable the replacement of a 19' x 28' shed/carport, to within 2' on the west side of the property line and to within 1' on the east side of the property line.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at jmayer@eastonmd.gov.

Joseph A. Mayer

Plan Reviewer

Town of Easton

410-822-1943

jmayer@eastonMD.gov



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

August 30, 2022

Mr. Trevor Robbins
3655 Choptank Road
Preston, MD 21655

Re: Application No. V-795/V-22-07
Tax Map 0103 Parcel 758
507 Goldsborough Street, Easton, MD 21601

Mr. Trevor Robbins:

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, September 20th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. That granting the application will not be contrary to the public interest;
2. that granting the application will be in harmony with the purpose and intent of the Ordinance;
3. that granting the application will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
4. that owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.

Please be prepared to answer the four listed items above at the time of the Hearing.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Joseph A. Mayer
Plan Reviewer
Town of Easton
410-822-1943
jmayer@eastonmd.gov



Exhibit 'A'

Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

Nav. # 22-00749
Fee \$ 250
Paid on 8/25/22

Board of Zoning Appeals Application

Application Type

☒ Variance ☐ Appeal ☐ Special Exception

Property Information

Address	8480 Ocean Gateway						
Tax Map	102	Grid	0000	Parcel	2943	Lot	3
Deed Reference:	Liber	286	Folio	377			
Plat Reference:	Liber	4	Folio	37			
Existing Use	Under development (royal farms convenience store and gas station)						
Zoning District	CG						
Historic District	Y ☐	N ☒	PRD	Y ☐	N ☒		

Owner

Name	Two Farms, Inc.		
Mailing Address	3611 Roland Ave, Baltimore, MD 21211		
Telephone No.	410-889-0200	Email	jsbainbridge@royalfarms.com

Applicant or Agent

Name	Lane Engineering, LLC c/o Brittany Wallace		
Mailing Address	117 Bay St, Easton, MD 21601		
Telephone No.	410-822-8003	Email	bwallace@leinc.com

Surveyor / Engineer

Name	Lane Engineering, LLC c/o Tim Glass	License No.	23152	Expiration Date	7-5-23
Mailing Address	117 Bay St, Easton, MD 21601				
Telephone No.	410-822-8003	Email	tglass@leinc.com		

Request Details

Subject to Previous BOZA Application Y ☐ N ☒

Zoning Ordinance Section Article XI, Section 28-1101.7 (A)

Change From to

Please describe the purpose of the request being made to the Board of Appeals including all information pertinent to said request. Attach a formal letter detailing request.

Sign variance to add a sign on the southern side of the fuel canopy. See attached letter.

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach five (5) copies of scaled plat sketch or site plan with all dimensions of lot, setbacks, improvements and the distances between any improvements.

- Provide all information related to any restrictions to the property recorded among the Land Records of Talbot County.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information, related to the request being made of the Board of Appeals.
- Fee Payment

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent 
 Date 7-29-22
 Printed Name of Applicant or Agent Brittany Wallace

For Office Use Only

Project Number		Fee Received	
Application Number		Application Notification	
Filing Date		Property Posting Date	
BOZA Hearing Date		Notice(s) Published	
If ESDR, Date			

See Exhibit 'F' Revised 2-2019

Lane Engineering, LLC

Established 1986

Civil Engineering • Land Planning • Land Surveyors

15 Washington Street
Cambridge, Maryland 21613
Tel 410-221-0818
Fax 410-476-9942

117 Bay Street
P.O. Box 1767
Easton, Maryland 21601
Tel 410-822-8003
Fax 410-822-2024

354 Pennsylvania Avenue
Centreville, Maryland 21617
Tel 410-758-2095
Fax 410-758-4422

July 28, 2022

Town of Easton Board of Zoning Appeals
c/o Engineering, Planning and Zoning Department
14 South Harrison Street
Easton, MD 21601

Subject: Sign Variance Request – Royal Farms Store #421
Tax Map 102, Parcel 2943, 8480 Ocean Gateway, Easton

Dear Board of Zoning Appeals Members,

This narrative is written to request your approval of a Sign Variance application for Royal Farms (applicant). The applicant is currently redeveloping the subject property with improvements that will include a new convenience store with fuel sales, a drive through car wash and related site amenities. The subject property is the former location of Taylor Contracting, which was owned and operated for decades by the late Mr. Norris Taylor. The property is zoned CG - General Commercial.

Per the Town of Easton Zoning Ordinance, Article XI Section 28-1101.7 (A) 1, wall-mounted signage for each street frontage is permitted. Additionally, per section 28-1101.7 (A) 2, any portion of a canopy containing advertising copy shall be treated as a wall or building sign and shall be included in the overall area calculations for such signs. The proposed development will have street frontage on three sides; Ocean Gateway on the east, Calvert Street on the west, and Norris Taylor Drive to the north, which amounts to a total of 3 wall-mounted signs being permitted. The applicant specifically and respectfully requests your approval of a fourth wall mounted sign, to be located on the proposed fuel canopy within the site, which would allow visible signage to both eastbound and westbound travelers on Ocean Gateway.

Per the Town of Easton Zoning Ordinance, Section 28– 1303.5 (C) 4; the following principles are to be considered towards rendering a decision:

a) *Granting the application will not be contrary to the public interest;*

It is in the public's interest to grant the application, as it will allow both eastbound and westbound travelers to readily identify the property with enough advance notice to safely alter their driving course should they need to make use of the facility. Under the



www.leinc.com
general@leinc.com

current signage regulations, only eastbound traffic would have clear and sufficient notice of the location that would ensure they were able to access the property without hasty lane changes.

- b) *Granting the application will be in harmony with the purpose and intent of the Ordinance;*

Under current zoning, three signs have been judged to be in accordance with the zoning requirements permitted for this project – two on the convenience store and one on the northern side of the fuel canopy. The requested fourth sign will be an exact duplicate of the northern fuel canopy sign, and as such, is inherently in harmony with the Ordinance.

- c) *Granting the application will not be injurious to the neighborhood or otherwise detrimental to the applicant;*

The proposed signage is consistent with surrounding commercial land uses and poses no public health or welfare concerns. Furthermore, the lack of signage on the southern side of the fuel canopy would be prospectively detrimental to the applicant through the loss of potential customers.

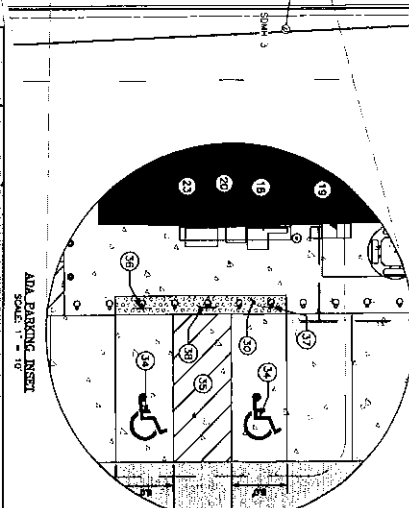
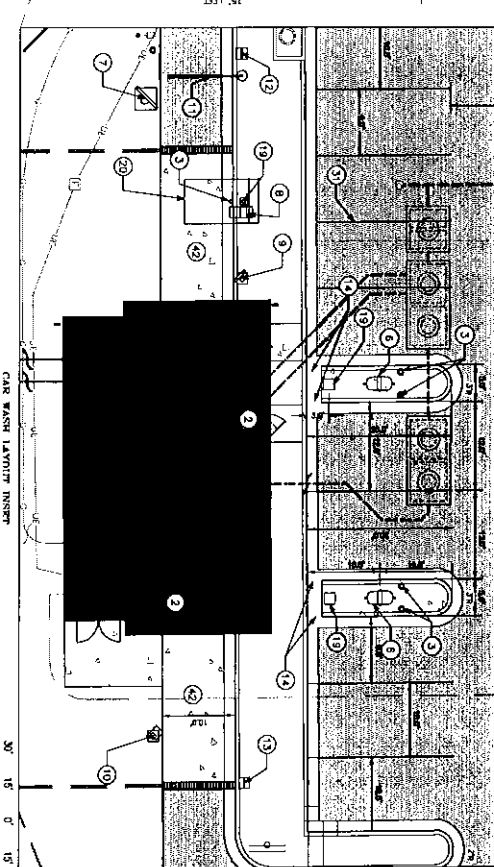
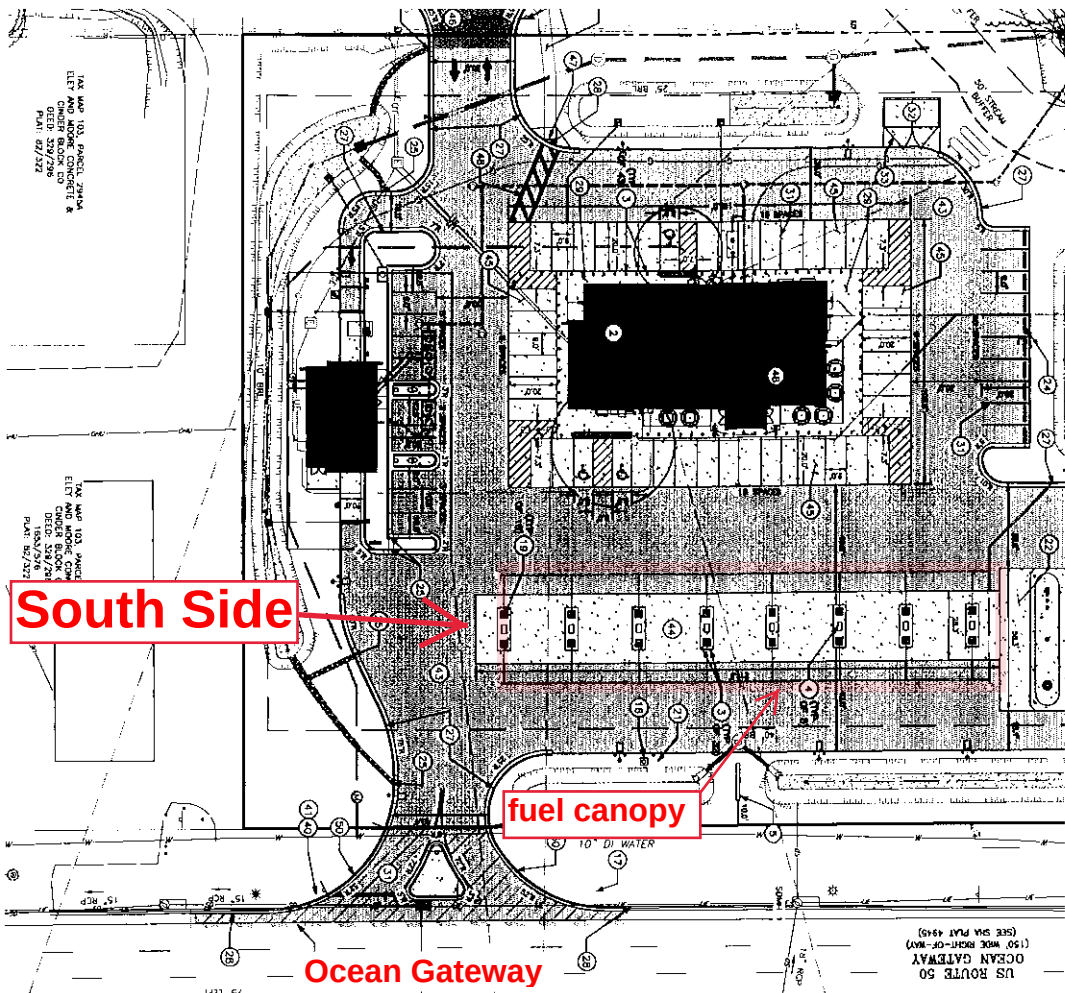
On behalf of Royal Farms, we submit that the proposed addition of a fourth wall sign (to be located on the fuel canopy) is an appropriate request, and that the above principles, as discussed, support the granting of a variance. We respectfully request your approval of this application.

Sincerely,
LANE ENGINEERING, LLC



Brittany Wallace, E.I.T.





US ROUTE 50
OCEAN GATEWAY
(150' WIDE RIGHT-OF-WAY)
(SEE SVA PLAT 4945)

- SITE NOTES**
1. BUILDING OUTLINES SHOWN BASED ON ARCHITECTURAL FLOOR PLAN PROVIDED BY OWNER. CONTRACTOR SHALL VERIFY WITH OWNER/ARCHITECT/ENGINEER EXACT BUILDING FOOTPRINT AND ADJUST AS NECESSARY. DIMENSIONS SHOWN ON SVA PLAT 4945 ARE NOT BASED ON ARCHITECTURAL PLANS FOR EXACT LOCATION OF WATER AND SEWER AND OTHER UTILITY CONNECTIONS.
 2. COORDINATE LOCATION OF LAYOUT WITH OWNER LOCATIONS FOR ARCHITECTURAL PLANS.
 3. ALL CURB STRENGTHENINGS SHALL HAVE 2" MINIMUM, UNLESS OTHERWISE SPECIFIED ON SHOWN HEREIN.
 4. PROPOSED PARKING LOT BASE SHALL BE PROOF ROLLED AND APPROVED BY OWNER PRIOR TO ASPHALT PLACEMENT.
 5. TRAFFIC FLOW ARROWS ARE SHOWN FOR GENERAL INFORMATION ONLY AND ARE NOT INTENDED TO BE INSTALLED.
 6. COORDINATE WITH UTILITY SERVICE PROVIDERS FOR THE RELOCATION OF EXISTING UTILITIES, IF REQUIRED, AND FOR THE INSTALLATION OF PROPOSED UTILITIES.
 7. EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED. ANY DAMAGE TO UTILITIES SHALL BE REPAIRED AND COMPENSATED IMMEDIATELY AFTER AWARD TO ENGINEER FOR REVIEW AND APPROVAL.
 8. CONTRACTOR SHALL COORDINATE THE RELOCATION OF BURIED CONDUITS FOR IRRIGATION SYSTEM AND SITE LAYOUT.
 9. A MINIMUM CLEARANCE OF 2 FEET SHALL BE MAINTAINED BETWEEN THE FACE OF CURB AND ANY PART OF A TRAVEL SIGN OR LIGHT POLE.
 10. DRAINAGE SHALL BE MAINTAINED AND PROTECTED. ANY DAMAGE TO DRAINAGE SHALL BE REPAIRED AND COMPENSATED IMMEDIATELY AFTER AWARD TO ENGINEER FOR REVIEW AND APPROVAL.
 11. REFER TO SHEET C-103 FOR STORM DRAINAGE, CROWN AND SEWER AND EROSION CONTROL PLAN INFORMATION.
 12. REFER TO SHEET C-104 & C-105 FOR PAVEMENT SECTION AND SITE DETAILS.
 13. REFER TO SHEET C-102 FOR WATER AND SEWER DETAILS.
 14. REFER TO SHEET C-102 FOR UTILITY LAYOUT.
 15. REFER TO SHEET C-102 FOR UTILITY LAYOUT.
 16. REFER TO SHEET C-102 FOR UTILITY LAYOUT.
 17. REFER TO SHEET C-102 FOR UTILITY LAYOUT.

MD COORDINATE SYSTEM
NAD 83 (2011)
SHEET NO. 60

THIS INSTRUMENT IS EXEMPT FROM TRANSFER AND RECORDATION TAXES PURSUANT TO TAX-PROPERTY ARTICLE 12-108(a)(1), 13-103(c)(1) AND 13-207(a)(1).

THIS INSTRUMENT HAS BEEN PREPARED BY
EWING, DIETZ, FOUNTAIN & KALUDIS, P.A., WHICH
MAKES NO REPRESENTATION OR WARRANTY WHATSOEVER
AS TO THE TITLE OF THE PROPERTY HEREIN CONVEYED.

THIS DEED, Made this 24th day of November, 2021, by JEFFREY H.

GOODMAN AND LORRAINE T. CLAGGETT, PERSONAL REPRESENTATIVES OF THE
ESTATE OF NORRIS E. TAYLOR, Grantors,

WITNESSETH, that for NO CASH CONSIDERATION, the said Grantors do hereby grant
and convey unto the TOWN OF EASTON, Grantee, in fee simple,

ALL that property shown as "CALVERT STREET EXTENSION 60' WIDE RIGHT-OF-WAY DEDICATED TO PUBLIC USE" on a plat entitled "SUBDIVISION PLAT ON THE LANDS OF THE ESTATE OF NORRIS E. TAYLOR IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND TAX MAP 102, GRID 0, PARCELS 2943 AND 2944" dated March 22, 2021, prepared by Lane Engineering, LLC and recorded among the Plat Records of Talbot County at Liber 89, folio 170.

SAID property is being transferred in accordance with a Land Transfer Agreement dated October 26, 2021, by and between the Estate of Norris E. Taylor, Transferor and the Town of Easton, Transferee, in fee simple for no monetary consideration but in exchange for the mutual promises and terms contained therein.

BEING a portion of the property more particularly described in a deed to Norris E. Taylor and Joyce W. Taylor dated January 18, 1961 and recorded among the Land Records of Talbot County at Liber 368, folio 339. The said Joyce W. Taylor having departed this life on January 23, 2009 and the said Norris E. Taylor having departed this life on September 9, 2012. Jeffrey H. Goodman and Lorraine T. Claggett were appointed as Personal Representatives of the Estate of Norris E. Taylor on September 20, 2012.

TOGETHER WITH the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in any wise appertaining.

TO HAVE AND TO HOLD said property and premises above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and

TALBOT COUNTY FINANCE OFFICE
RECORDATION TAX
AMT: EXEMPT
DATE: 11/13/2021
INITIALS: SPH
Prop ID: 01-023160

CERTIFICATION IS MADE THAT ALL TAXES
DUE ON THE PROPERTY INDICATED IN
THIS DEED HAVE BEEN PAID.
FINANCE STAMP, TALBOT COUNTY
al

DATE 11/13/2022 al Page 87 of 118

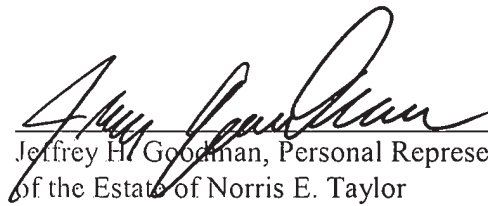
advantages thereto belonging or appertaining unto and to the proper use and benefit of the said **TOWN OF EASTON**, in fee simple.

AND the Grantors will execute such further assurances of the same as may be requisite.

IN TESTIMONY WHEREOF, the Grantors have caused this Deed to be duly executed on the day and year first above written.

WITNESS:



 (SEAL)
Jeffrey H. Goodman, Personal Representative
of the Estate of Norris E. Taylor



 (SEAL)
Lorraine T. Claggett, Personal Representative
of the Estate of Norris E. Taylor

STATE OF MARYLAND, COUNTY OF TALBOT, to wit:

I HEREBY CERTIFY that on this 24th day of November, 2021, before me, the undersigned officer, a Notary Public in and for the foregoing State, personally appeared **JEFFREY H. GOODMAN**, who acknowledged himself to be one of the Personal Representatives of the Estate of Norris E. Taylor, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and further acknowledged said instrument to be his act as such Personal Representative, giving oath under penalties of perjury that the consideration recited is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal as of the day and year first above written.



Notary Public

My Commission Expires: 12/14/24



STATE OF MARYLAND, COUNTY OF TALBOT, to wit:

I HEREBY CERTIFY that on this 24th day of November, 2021, before me, the undersigned officer, a Notary Public in and for the foregoing State, personally appeared **LORRAINE T. CLAGGETT**, who acknowledged herself to be one of the Personal Representatives of the Estate of Norris E. Taylor, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained, and further acknowledged said instrument to be her act as such Personal Representative, giving oath under penalties of perjury that the consideration recited is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal as of the day and year first above written.


Notary Public

My Commission Expires: 12/14/2024



CERTIFICATION

This is to certify that the within instrument was prepared by or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.


Sharon M. VanEmburch, Attorney at Law

Y:\Local Governments\Easton\Current Projects\Taylor Estate\Deed.Calvert Street.wpd



Kathleen M. Duvall, Clerk
Circuit Court for Talbot County
11 N. Washington St., Suite 16
Easton, Maryland 21601

License and Recording
410-822-2611 Ext. 4

LR - Deed (No-Taxes)
Recording Fee 20.00
Name: Taylor/Town of
Easton
Ref:
LR - Deed (No-Taxes)
Surcharge 40.00
=====

SubTotal:	60.00
=====	
Total:	60.00

01/13/2022 12:07
CC20-MG
#15789176 CC0205 -
Talbot
County/CC02.05.02 -
Register 02

DOCUMENT VALIDATION
(excluded from page count)

Exhibit 'B'

Town of Easton
*** CUSTOMER RECEIPT ***
Oper: CKAHANE Type: OC Drawer: 1
Date: 8/25/22 01 Receipt no: 3449

Year	Number	Amount
2022	749	
PZ	PZ - PAYMENTS	\$250.00

LANE ENGINEERING LLC
ENGINEERING, DESIGN, PLANNING
SURVEYORS
PO BOX 1767
EASTON MD 21601
410-822-8003
PZ 22-749 \$250.00
BOZA VARIANCE

Tender detail		
CK CHECK	31014	\$250.00
Total tendered		\$250.00
Total payment		\$250.00

Trans date: 8/25/22 Time: 14:16:00

THANK YOU FOR YOUR PAYMENT.

Exhibit 'C'



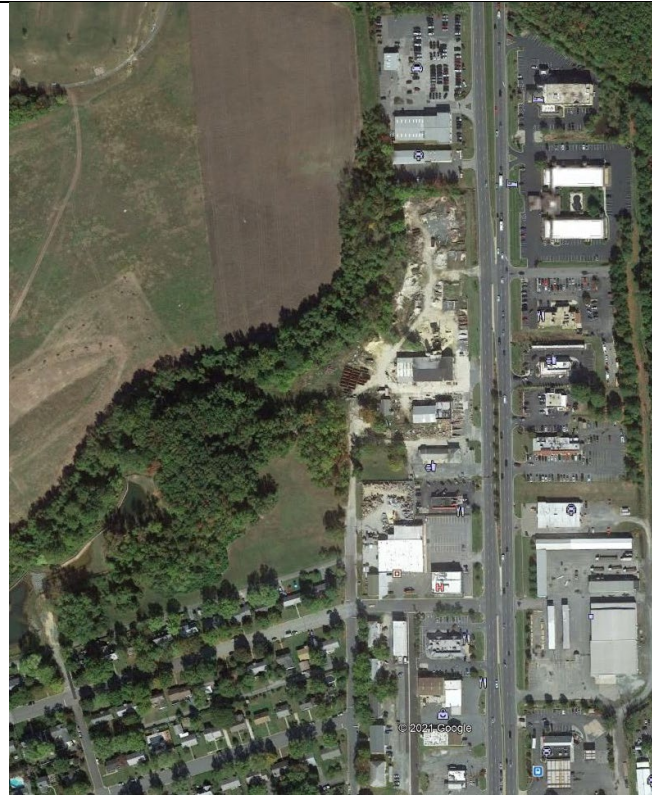
Sign posted on September 1, 2022



Docket/Case/Application Number: V-793/V-22-05
Applicant/Owner: Brittany Wallace–Lane Engineering, LLC/Two Farms Inc.
Address/Location: 8480 Ocean Gateway, Lot 2
Tax Map: 0102 Parcel: 2943 Grid: 000 Deed Reference: 2938/413 Plat Reference: 89/170
Public Hearing Date: September 20, 2022, 9:00 AM
Staff: Joseph A. Mayer

BRIEF SUMMARY OF REQUEST

The applicant is requesting a variance from the following section of the Zoning Ordinance: from Section 28 – 1101.7 (A) 1 to request a variance to permit the installation of an additional wall sign on the southern side of the fuel canopy. The purpose of the variance is to enable visible signage to both eastbound and west bound travelers on Ocean Gateway.



MAP SOURCE: Town of Easton
Planning and Zoning

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
CG	Vacant Lot with existing buildings, material storage	R-10A CG CL Office, Commercial	Proposed 5,380 SF Royal Farms convenience store with gasoline sales and carwash.	Lot 2 3.30 Ac.

**Request for Variance**

Variance to permit the installation of an additional wall sign on the southern side of the fuel canopy. The purpose of the variance is to enable visible signage to both eastbound and west bound travelers on Ocean Gateway.

PROPERTY HISTORY

- Annexed in 1967.
- 2021/04/20, BOZA Special Exception SE-812/SE-21-03 Approved for a special exception for Section 28 201 Table 2.1 (B) 46 of the Zoning Ordinance for gasoline sales.
- 2021/12/27 Site Plans Approved.

COMPATIBILITY with the ZONING ORDINANCE

The proposed use qualifies as **“Convenience Store”** is outright Permitted in the **CG** Zone.

& **“Gasoline/Service Station”** is Permitted with a Special Exception in the **CG** Zone.

28-114 page 1-12

“Convenience store – Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of 5,000 square feet or less.”

28-114 page 1-43

“Service station (See also **garage, repair**) – Any premises where gasoline and other petroleum products are sold and/or light maintenance activities such as engine tune-ups, lubrication, minor repairs, and carburetor cleaning are conducted. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.”

28-201 table 2.1 (2) 245**CG**

245. Convenience Stores*	--	--	--	--	P	P	P	-	-	-	-	--	
--------------------------	----	----	----	----	---	---	---	---	---	---	---	----	--

28-201 table 2.1 (2) 214**CG**

214. Gasoline/Service Station*	--	--	--	--	--	SE	--	--	--	--	--	--	--
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***Denotes a use of Supplemental Standards (See Section 28-1007)**

Action Required by the Board/Commission:

“To grant variances from the literal application of the terms of this Ordinance when the applicant seeking the variance has demonstrated that the application complies with the standards set forth in this Section. The Board of Zoning Appeals may not grant a variance from the terms of this Ordinance unless and until:

1. A written application for a variance is submitted indicating the Section or Sections of the Ordinance for which the variance is sought and stating the grounds upon which it is requested.
2. A notice of a public hearing shall be provided as is set forth in Section 28 – 1303.3. In addition,



notice to surrounding property owners shall be provided in accordance with the provisions of Section 28 – 901.2 G of this Ordinance.

- 3. A public hearing shall be held. Any party may appear in person, by agent or by attorney.*
- 4. Before granting any variance, the Board of Zoning Appeals shall issue written findings of fact that:*
 - a. Granting the application: (i) will not be contrary to the public interest, (ii) will be in harmony with the purpose and intent of the Ordinance and (iii) will not be injurious to the neighborhood or otherwise detrimental to the public welfare;*
 - b. Owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.*
- 5. Non-conforming uses of neighboring lands, structures or buildings shall not be considered grounds for the issuance of a variance nor shall permitted uses of neighboring lands, structures, or buildings.*
- 6. The Board of Zoning Appeals shall be authorized to grant variances only with regard to provisions of the Ordinance relating to density, bulk, or area requirements. Under no circumstances shall the Board of Appeals grant a variance to allow a use which is not permitted under the terms of the Ordinance or is by implication prohibited by the terms of the Ordinance relating to the zoning district in which the subject property is located.*
- 7. In granting any variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under Section 28 – 1308 of this Ordinance.”*

Items for Consideration and Staff Comments:

VARIANCE

The Board should **APPROVE** the request if it believes the Findings can successfully be made and it should **DENY** the request if this is not the case. The primary issue is, the Applicant specifically requests approval of a fourth wall mounted sign to be located on the proposed fuel canopy within the site, which would allow visible signage on both eastbound and westbound travelers on Ocean Gateway. If the Board believes it can satisfactorily make this Finding, Staff recommends approval of the Variance as well, provided the applicant obtains a Sign Permit Application and provide a Site Plan per the required items listed on the application. On the other hand, if the Board does not think such a condition exists (or that any such condition is the result of action taken by the Applicant), the Board should deny the Variance.

APG Media of Chesapeake, LLC **Exhibit 'E'**
P.O. Box 600
29088 Airpark Drive
Easton, MD 21601

INVOICE
08/29/22

Phone: Fax:

Cust. AcctID: 1001355	Creation Date: 08/29/22
	Ad Date: 09/01/22
	Class: 10
Name: Joanne Drummer	Ad ID: 2997288
Company: TOWN OF EASTON (L)	Words: 186
Address: PO Box 520	Lines: 20
EASTON, MD 21601	Agate Lines: 66
	Depth: 2.75
	Inserts: 2
	Blind Box:
Telephone: (410) 822-2525	
Description: Application V-793 / V-22-05	

Other Charges:	\$0.00	Total:	\$96.25
Discount:	\$0.00		
Surcharge:	\$0.00	Paid Amount:	- \$0.00
Credits:	\$0.00		
Bill Depth:	2.75	Amount Due:	\$96.25

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	
The Star Democrat	09/01/22	09/01/22	1	\$96.25

Ad Note:

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

NOTICE

Notice is hereby given that Brittany Wallace from Lane Engineering, LLC on behalf of Two Farms Inc. has filed Application No. V-793 / V-22-05, pursuant to Section 1303.5 c of the Zoning Ordinance of the Town of Easton, to obtain a variance from the following section of the Zoning Ordinance: from Section 28 – 1101.7 (A) 1 to request a variance to permit the installation of an additional wall sign on the southern side of the fuel canopy. The purpose of the variance is to enable visible signage to both eastbound and west bound travelers on Ocean Gateway.

The property is located at 8480 Ocean Gateway, Easton, Maryland and is situated in the CG –Commercial General District. The property is owned by Two Farms Inc. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on September 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

2997288 SD 9/1/2022

Exhibit 'F'



TOWN OF EASTON

Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

NOTICE OF APPLICATION SUMMARY

2022-08

V-22-05

Applicant notified of hearing date: Email: 2022-09-01

400' Notices Distributed: 2022-09-01

Advertisement sent to the Star Democrat: 2022-08-25 – 26 days

Advertisement run in Star Democrat: 2022-03-06 – 16 days

Property posted with sign: 2022-09-01 – 19 days

Exhibit A: Application – 2022-07-29 – 52 days

Exhibit B: Paid Receipt – 2022-08-25 – 26 days

Exhibit C: Picture of Sign Posting – 2022-09-01 – 19 days

Exhibit D: Staff Report – 2022-09-13 – 7 days

Exhibit E: Confirmation from Star Democrat – 2022-08-29 – 22 days

Exhibit F: Notices

NOTICE

Notice is hereby given that Brittany Wallace from Lane Engineering, LLC on behalf of Two Farms Inc. has filed Application No. V-793 / V-22-05, pursuant to Section 1303.5 C of the Zoning Ordinance of the Town of Easton, to obtain a variance from the following section of the Zoning Ordinance: from Section 28 – 1101.7 (A) 1 to request a variance to permit the installation of an additional wall sign on the southern side of the fuel canopy. The purpose of the variance is to enable visible signage to both eastbound and west bound travelers on Ocean Gateway.

The property is located at 8480 Ocean Gateway, Easton, Maryland and is situated in the CG –Commercial General District. The property is owned by Two Farms Inc. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on September 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

August 30, 2022

Dear Resident,

The Easton Board of Zoning Appeals will hold a public hearing on **Tuesday, September 20, 2022** at 9:00 a.m. in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that an application for 8480 Ocean Gateway has been filed for a variance request to permit the installation of an additional wall sign on the southern side of the fuel canopy. The purpose of the variance is to enable visible signage to both eastbound and west bound travelers on Ocean Gateway.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at jmayer@eastonmd.gov.

Joseph A. Mayer

Plan Reviewer

Town of Easton

410-822-1943

jmayer@eastonMD.gov



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

August 30, 2022

Ms. Brittany Wallace
Lane Engineering, LLC
117 Bay Street
Easton, MD 21601

Re: Application No. V-793/V-22-05
Tax Map 0102 Parcel 2943
8480 Ocean Gateway, Easton, MD 21601

Ms. Brittany Wallace:

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, September 20th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. That granting the application will not be contrary to the public interest;
2. that granting the application will be in harmony with the purpose and intent of the Ordinance;
3. that granting the application will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
4. that owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.

Please be prepared to answer the four listed items above at the time of the Hearing.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Joseph A. Mayer
Plan Reviewer
Town of Easton
410-822-1943
jmayer@eastonmd.gov



Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

Exhibit 'A'

Nav.#22-00750
Fee \$250
Paid on 8/29/22

Board of Zoning Appeals Application

Application Type

☒ Variance ☐ Appeal ☐ Special Exception

Property Information

Address 9114 Chapel Rd Easton MD 21601
Tax Map 0025 Grid 0018 Parcel 0142 Lot
Deed Reference: Liber 602 Folio 172
Plat Reference: Liber Folio
Existing Use Church
Zoning District **R-10A**
Historic District Y ☐ N ☒ PRD Y ☐ N ☐

Owner

Name Andrew Breeding (Trustee Chairman)
Mailing Address 9114 Chapel Rd Easton MD 21601
Telephone No. 410 924 2782 Email awbreeding.tbc@gmail.com

Applicant or Agent

Name Eli Taylor (Elder)
Mailing Address 9114 Chapel Rd Easton MD 21601
Telephone No. 410 310 8555 Email pitpawten@gmail.com

Surveyor / Engineer

Name License No. Expiration Date
Mailing Address
Telephone No. Email

Request Details

Subject to Previous BOZA Application Y ☐ N ☒

Zoning Ordinance Section **Section 28-1101.7 (D) 1**
Change From to

Please describe the purpose of the request being made to the Board of Appeals including all information pertinent to said request. Attach a formal letter detailing request.

Talbot Bible Church would like to replace their existing roadside sign. They would like to build a new sign that stays within the same dimensions as the existing sign (footprint, height, width etc), however the existing sign is larger than allowed by current code (by 4' in height). A variance is being requested to replace the sign with a new one that stays within the dimensions of the existing sign. Note: The new sign design otherwise abides by all codes (LED signage rules etc).

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach five (5) copies of scaled plat sketch or site plan with all dimensions of lot, setbacks, improvements and the distances between any improvements.

- Provide all information related to any restrictions to the property recorded among the Land Records of Talbot County.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information, related to the request being made of the Board of Appeals.
- Fee Payment

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date 08/16/2022

Printed Name of Applicant or Agent

Eli Taylor

For Office Use Only

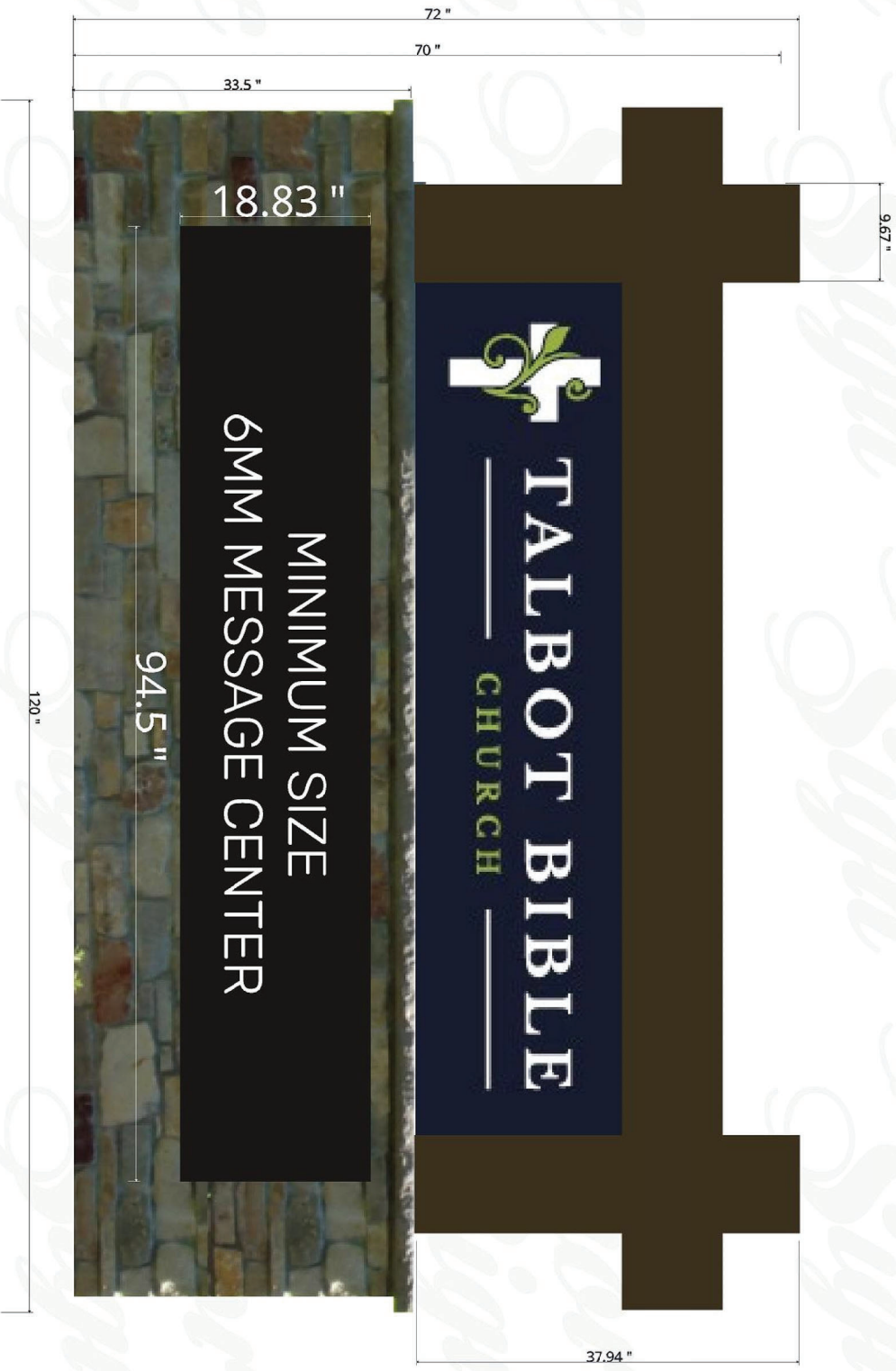
Project Number		Fee Received	
Application Number		Application Notification	
Filing Date		Property Posting Date	
BOZA Hearing Date		Notice(s) Published	
If ESDR, Date		See Exhibit F	

Revised 2-2019

SIDE VIEW



FRONT VIEW



Custom Signage | Vehicles | Boats | Print | Business Products

2013 Main Street, Chester, MD 21619

410.643.6000

Ash@ShoreSign.com

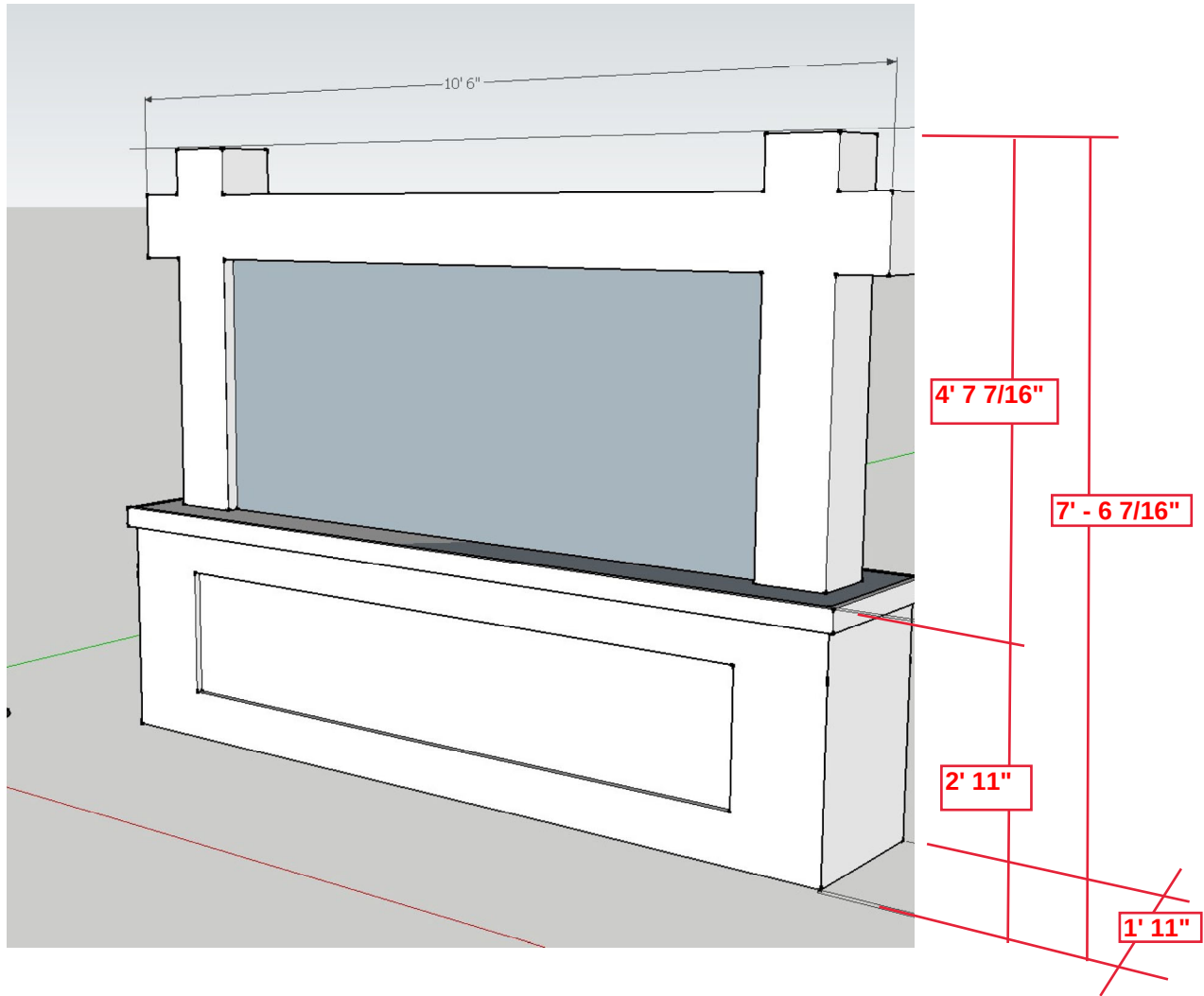
www.ShoreSign.com

NOTICE

Design is the Difference at Shore Sign Co. therefore the layout and designs contained in this email are property of Shore Sign Co., Inc. until job completion & full payment is made.



Existing Sign



LIBER 602 PAGE 172

RECFEE 15.00
RECTAX 135.30
TRFTAX 205.00
TOTL 355.30
0677CHEK 355.30
02 01985 7-03 P2:22

This Deed, MADE THIS 3rd day of July

in the year one thousand nine hundred and eighty five
Cecil H. Gannon and Sylvia J. Gannon, his wife

by and between

of Talbot County, Maryland

of the first part, and

Talbot Bible Church, a religious corporation organized under the laws of the
State of Maryland

of the second part.

WITNESSETH, That in consideration of the sum of forty-one thousand dollars (\$41,000)

the said Cecil H. Gannon and Sylvia J. Gannon, his wife

do grant and convey to the said Talbot Bible Church, its

~~personal representatives~~/successors and assigns, in fee simple, all

That lot of ground situate in Talbot County, Maryland

and described as follows, that is to say:

Beginning for the same at a Steel Fence Post found on the northwesterly side of the Public Road which leads from Maryland Highway No. U. S. 50 to Black Dog Alley, known as Old Chapel Road, said Post being at the most easterly corner of the herein described land and being at the southeasterly corner of the land of Talbot Warehousing, Inc. (Liber 452, Folio 518), and from said Place of Beginning running by and with the northwesterly side of said Old Chapel Road, the following two courses and distances: (1) South 34 degrees 50 minutes 50 seconds West 593.15 feet; thence

(continued)

(2) by and with the arc of a curve deflecting to the right, the chord of which bears South 35 degrees 44 minutes 06 seconds West 63.58 feet to a Concrete Monument set; thence by and with a new division line between the herein described land and the reserved land of Cecil H. Gannon and Sylvia J. Gannon the following three courses and distances: (3) North 28 degrees 37 minutes 37 seconds West 642.57 feet to a Tree with a Deer Stand; thence (4) North 40 degrees 23 minutes 07 seconds West 548.55 feet to an Oak Tree; thence (5) continuing North 40 degrees 23 minutes 07 seconds West 3.27 feet to a Point and the aforementioned land of Talbot Warehousing, Inc.; thence by and with the said Talbot Warehousing, Inc. land the following two courses and distances: (6) North 23 degrees 44 minutes 28 seconds East 217.98 feet to a Concrete Block found; thence (7) South 55 degrees 54 minutes 32 seconds East 1151.59 feet to the Place of Beginning, containing 10.37 Acres of Land, more or less.

Said parcel is also described on a plat showing "Part of the Land of Cecil H. Gannon and Sylvia J. Gannon in the first election district, Talbot County, Maryland," dated March 1985 and prepared by J. R. McCrone, Jr., Inc. and designated thereon as Lot #1 with an area of 10.37 acres, more or less, which plat is recorded or intended to be recorded among the Plat Records of Talbot County prior hereto.

Being a portion of the lands conveyed by deed dated 31 December 1984, by and between First Fidelity Bank, N.A., New Jersey, Johanna E. Just and John L. Plansoen, co-executors of the Estate of Louis M. Plansoen, deceased, and Cecil H. Gannon and Sylvia J. Gannon, his wife, which deed is recorded among the Land Records of Talbot County in Liber 595 Folio 14.

PROPERTY DESCR
D ON THE ASSES
PE, JR.
ESSMENTS



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OR

ORS

pra

'es

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND To HOLD the said described lot of ground and premises to the said Talbot Bible Church, its

~~personal representatives/successors~~
and assigns, in fee simple.

AND the said parties of the first part hereby covenant that They not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that They will warrant specially the property hereby granted; and that They will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors

Test:

Kerry McQuain

Cecil H. Gannon (SEAL)
Cecil H. Gannon

Sylvia J. Gannon (SEAL)
Sylvia J. Gannon

STATE OF MARYLAND, County of Talbot, to wit:

I HEREBY CERTIFY, That on this 3rd day of July, in the year one thousand nine hundred and eighty-five, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Cecil H. Gannon and Sylvia J. Gannon

known to me (or satisfactorily proven) to be the persons whose names ~~is~~ are subscribed to the within instrument, and acknowledged the foregoing Deed to be Their act, and in my presence signed and sealed the same. They further made oath that the true consideration is \$41,000.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Bruce C. Armistead
Notary Public
NOTARY PUBLIC
TALBOT CO., MD.

My Commission expires:

July 1, 1986

Agricultural Transfer Tax
in the Amount of \$ 1,640.00

Signature CLT

CERTIFICATION IS MADE THAT ALL TAXES
DUE ON THE PROPERTY INDICATED IN
THIS DEED HAVE BEEN PAID.
FINANCE OFFICER OF TALBOT COUNTY
BLANDA W. ARMISTEAD, FIN. OFFICER
DATE 7/3/85

THIS IS TO CERTIFY THAT THE PROPERTY DESCRIBED
HEREIN HAS BEEN TRANSFERRED ON THE ASSES-
SMENTS OF TALBOT COUNTY
HENRY V. TRIPPE, JR.
SUPERVISOR OF ASSESSMENTS
PER CLT

Exhibit 'B'

Town of Easton
*** CUSTOMER RECEIPT ***
Oper: CKAHANE Type: OC Drawer: 1
Date: 8/29/22 01 Receipt no: 3556

	Year	Number	Amount
PZ	2022	750	
		PZ - PAYMENTS	
			\$250.00

TALBOT BIBLE CHURCH
9114 CHAPEL ROAD
EASTON MD 21601
410-822-1110
PZ 22-00750 \$250.00

Tender detail		
CK CHECK	253	\$250.00
Total tendered		\$250.00
Total payment		\$250.00

Trans date: 8/29/22 Time: 14:01:20

THANK YOU FOR YOUR PAYMENT.

Exhibit 'C'



Sign posted on September 1, 2022



Docket/Case/Application Number: V-794/V-22-06
Applicant/Owner: Eli Taylor–Talbot Bible Church
Address/Location: 9114 Chapel Road, Lot 1
Tax Map: 0025 Parcel: 0142 Grid: 000 Deed Reference: 0508/668 Plat Reference: N/A
Public Hearing Date: September 20, 2022, 9:00 AM
Staff: Joseph A. Mayer

BRIEF SUMMARY OF REQUEST

The applicant is requesting a variance from the following section of the Zoning Ordinance: from Section 28 – 1101.7 (D) 1 to request a variance to permit the installation of an institutional sign to be 1.53' higher than the 6' maximum height. The purpose of the variance is to replace the existing sign and enable the new sign to be within the same dimensions as the existing sign.



MAP SOURCE: Town of Easton
Planning and Zoning

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-10A	Trinity Bible Church	R-10A Residential	Proposed monument sign.	Lot 1 10.37 Ac.

**Request for Variance**

Variance to permit the installation of an institutional sign to be 1.53' higher than the 6' maximum height. The purpose of the variance is to replace the existing sign and enable the new sign to be within the same dimensions as the existing sign.

PROPERTY HISTORY

- Annexed in 2011.

COMPATIBILITY with the ZONING ORDINANCE

The proposed use qualifies as **"House of Worship"** is Permitted with a Special Exception in the **R-10A** Zone.

28-114 page 1-21

"Houses of worship – A structure that people regularly attend to participate in or hold religious services, meetings, and other activities."

28-201 table 2.1 (3) 305**R-10A**

305. House of Worship	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P
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Action Required by the Board/Commission:

"To grant variances from the literal application of the terms of this Ordinance when the applicant seeking the variance has demonstrated that the application complies with the standards set forth in this Section. The Board of Zoning Appeals may not grant a variance from the terms of this Ordinance unless and until:

- 1. A written application for a variance is submitted indicating the Section or Sections of the Ordinance for which the variance is sought and stating the grounds upon which it is requested.*
- 2. A notice of a public hearing shall be provided as is set forth in Section 28 – 1303.3. In addition, notice to surrounding property owners shall be provided in accordance with the provisions of Section 28 – 901.2 G of this Ordinance.*
- 3. A public hearing shall be held. Any party may appear in person, by agent or by attorney.*
- 4. Before granting any variance, the Board of Zoning Appeals shall issue written findings of fact that:*
 - a. Granting the application: (i) will not be contrary to the public interest, (ii) will be in harmony with the purpose and intent of the Ordinance and (iii) will not be injurious to the neighborhood or otherwise detrimental to the public welfare;*
 - b. Owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.*
- 5. Non-conforming uses of neighboring lands, structures or buildings shall not be considered grounds*



for the issuance of a variance nor shall permitted uses of neighboring lands, structures, or buildings.

- 6. The Board of Zoning Appeals shall be authorized to grant variances only with regard to provisions of the Ordinance relating to density, bulk, or area requirements. Under no circumstances shall the Board of Appeals grant a variance to allow a use which is not permitted under the terms of the Ordinance or is by implication prohibited by the terms of the Ordinance relating to the zoning district in which the subject property is located.*
- 7. In granting any variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable under Section 28 – 1308 of this Ordinance.”*

Items for Consideration and Staff Comments:

VARIANCE

The Board should **APPROVE** the request if it believes the Findings can successfully be made and it should **DENY** the request if this is not the case. The primary issue is, the Applicant would like the proposed sign to be the same size as the original sign and requests the sign to be 1.53’ higher than the 6’ maximum height. If the Board believes it can satisfactorily make this Finding, Staff recommends approval of the Variance as well, provided the applicant obtains a Sign Permit Application and provide a Site Plan per the required items listed on the application. On the other hand, if the Board does not think such a condition exists (or that any such condition is the result of action taken by the Applicant), the Board should deny the Variance.

APG Media of Chesapeake, LLC
P.O. Box 600
29088 Airpark Drive
Easton, MD 21601

Exhibit 'E'

INVOICE
08/29/22

Phone: Fax:

Cust. AcctID: 1001355	Creation Date: 08/29/22
	Ad Date: 09/01/22
	Class: 10
Name: Joanne Drummer	Ad ID: 2997290
Company: TOWN OF EASTON (L)	Words: 180
Address: PO Box 520	Lines: 20
EASTON, MD 21601	Agate Lines: 66
	Depth: 2.75
	Inserts: 2
	Blind Box:
Telephone: (410) 822-2525	
Description: Application V-794 / V-22-06	

Other Charges:	\$0.00	Total:	\$96.25
Discount:	\$0.00		
Surcharge:	\$0.00	Paid Amount:	- \$0.00
Credits:	\$0.00		
Bill Depth:	2.75	Amount Due:	\$96.25

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	
The Star Democrat	09/01/22	09/01/22	1	\$96.25

Ad Note:

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

NOTICE

Notice is hereby given that Eli Taylor has filed Application No. V-794 / V-22-06, pursuant to Section 1303.5 C of the Zoning Ordinance of the Town of Easton, to obtain a variance from the following section of the Zoning Ordinance: from Section 28 – 1101.7 (D) 1 to request a variance to permit the installation of an institutional sign to be 1.53' higher than the 6' maximum height. The purpose of the variance is to replace the existing sign and enable the new sign to be within the same dimensions as the existing sign.

The property is located at 9114 Chapel Road, Easton, Maryland and is situated in the R-10A District. The property is owned by Talbot Bible Church. A copy of the application may be inspected during normal business hours in the office of the Mayor and Council of Easton. The undersigned Board will hold a public hearing with respect to said application on September 20, 2022 at 9:00 A.M. in the above-mentioned office. All interested parties are invited to attend.

EASTON BOARD OF ZONING APPEALS

2997290 SD

9/1/2022

Exhibit 'F'



TOWN OF EASTON

Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

NOTICE OF APPLICATION SUMMARY

2022-08-30

V-22-06

Applicant notified of hearing date: Email: 2022-09-01

400' Notices Distributed: 2022-09-01

Advertisement sent to the Star Democrat: 2022-08-25– 26 days

Advertisement run in Star Democrat: 2022-09-01 – 19 days

Property posted with sign: 2022-09-01 – 19 days

Exhibit A: Application – 2022-08-16 – 35 days

Exhibit B: Paid Receipt – 2022-08-29 – 22 days

Exhibit C: Picture of Sign Posting – 2022-09-01 – 19 days

Exhibit D: Staff Report – 2022-09-13 – 7 days

Exhibit E: Confirmation from Star Democrat – 2022-08-29 – 22 days

Exhibit F: Notices

NOTICE

Notice is hereby given that Eli Taylor has filed Application No. V-794 / V-22-06, pursuant to Section 1303.5 C of the Zoning Ordinance of the Town of Easton, to obtain a variance from the following section of the Zoning Ordinance: from Section 28 – 1101.7 (D) 1 to request a variance to permit the installation of an institutional sign to be 1.53' higher than the 6' maximum height. The purpose of the variance is to replace the existing sign and enable the new sign to be within the same dimensions as the existing sign.

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EASTON BOARD OF ZONING APPEALS

Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

August 30, 2022

Dear Resident,

The Easton Board of Zoning Appeals will hold a public hearing on **Tuesday, September 20, 2022** at 9:00 a.m. in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that an application for 9114 Chapel Road, situated in the R-10A District, has been filed for a variance request to permit the installation of an institutional sign to be 1.53' higher than the 6' maximum height. The purpose of the variance is to replace the existing sign and enable the new sign to be within the same dimensions as the existing sign.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via e-mail at jmayer@eastonmd.gov.



Joseph A. Mayer
Plan Reviewer
Town of Easton
410-822-1943
jmayer@eastonMD.gov



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

August 30, 2022

Mr. Eli Taylor
9114 Chapel Road
Easton, MD 21601

Re: Application No. V-794/V-22-06
Tax Map 0025 Parcel 142
9114 Chapel Road, Easton, MD 21601

Mr. Taylor:

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, September 20th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. That granting the application will not be contrary to the public interest;
2. that granting the application will be in harmony with the purpose and intent of the Ordinance;
3. that granting the application will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
4. that owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.

Please be prepared to answer the four listed items above at the time of the Hearing.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.



Joseph A. Mayer
Plan Reviewer
Town of Easton
410-822-1943
jmayer@eastonmd.gov