



Board of Zoning Appeals MEETING AGENDA

Tuesday, August 20, 2024 - 9:00 AM
Council Chambers, Easton Town Office
14 S Harrison Street

1. Call to Order

2. Approval of Minutes

- a. Approval of the Draft Decision Summary from the July 16, 2024 meeting.

3. Applications

- a. **Application:** V - 1243 / V 24 - 05
Applicant: Z.H. Stafford III
Location: 20 S. Aurora Street
Tax Map 0104, Grid 0000, Parcel 1572
Zoning District: R-7A
Request: Variance request pursuant to Section 28-1303.5 C of the Town of Easton Zoning Ordinance from Section 28-302.2.C, the minimum front and side setbacks for all uses and structures in the R-7A zoning district; Section 28-302.2.E, the minimum building envelope of sixty (60) feet deep by thirty (30) feet wide; Section 28-302.2.G, the maximum density for multi-family dwelling units per acre; and Section 28-1001.3.A, the minimum number of required off street parking spaces for all uses and structures in the R-7A zoning district.
- b. **Application:** V - 1250 / V 24 - 06
Applicant: Talbot 3 LLC
Location: 9 S. Harrison Street
Tax Map 0104, Grid 00EA, Parcel 1527, Lot 9
Zoning District: CB
Request: Variance request pursuant to Section 28-1303.5.C of the Zoning Ordinance of the Town of Easton, to obtain a

variance from Section 28-305.2.H, the maximum density of sixteen (16) dwelling units per acre for multifamily dwellings. The applicant is seeking to add one (1) additional apartment to the first floor of the dwelling for a total of seven (7) units.

4. Discussion Item



Town of Easton Board of Zoning Appeals

Draft Decision Summary

Tuesday, July 16, 2024 at 9:00 a.m.

Town Hall Chamber 2

14 S. Harrison Street, Easton, Maryland

Archived video of the meeting is available at:

[Town of Easton Agendas and Minutes](http://eastonmd.gov)
(eastonmd.gov)

Attendance:

Board Members:

Peter Cotter, Chairman
Gary Molchan, Vice Chairman
Zakary A. Krebeck
Paul Weber, Alternate

Staff:

Joseph Mayer, Plan Reviewer
Nicholas Johnson, Town Planner - Current
Sharon Van Emburgh, Esq. Town Attorney
Aaron Cooper, Esq. Legal Associate
Samantha Smith, Administrative Specialist

Absent:

Staff:

Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas, Town Planner - Long Range

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

2. Decision Summary Review —

**Vice Chairman Molchan moved to approve the June 18, 2024 Decision Summary.
Board Member Krebeck seconded the motion.**

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

3. Applications —

a. File No.: SE - 1235 / SE 24 - 07

Applicant: Sunny Side Reproductive Innovations

Location: 611 Dutchmans Lane Unit B, Easton, MD 21601
Tax Map 0107, Grid 0000, Parcel 2477

Zoning: CG

Request: The applicant is requesting a Special Exception pursuant to Section 28-201 of the Zoning Code (Table 2.1 (2) (232)) to be utilized as an Animal Hospital or Veterinary Clinic* in the CG - Commercial General zoning district. This veterinary hospital provides a specialty in veterinary medicine known as Theriogenology that is focused on assisted animal reproduction. The subject property is located in an existing three-unit office building with existing uses within Units A and C that may be most accurately defined as medical services. The applicant is seeking to relocate their niche veterinary services to this facility.

Staff recommends the following condition:

1. The applicant shall submit a plan to staff for review prior to the issuance of an occupancy permit for the proper disposal of any pet waste generated by this use.

Staff Presentation:

Nicholas Johnson, Planner

Applicant Presentation:

Katie Withowski

Public Comment — None

Public Comment Written — None

Chairman Cotter moved to approve the Special Exception request with the following conditions:

1. Prior to the issuance of an occupancy permit, the applicant shall provide a waste disposal plan as deemed appropriate by staff.
2. The approval of this Special Exception is limited to the use as presented in this application. The Special Exception shall lapse if the scope of the use is intensified or otherwise changed.

Vice Chairman Molchan seconded the motion.

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

99 **4. Discussion Item** — None

100

101

102 **5. Adjournment** — Chairman Cotter motioned to adjourn. Vice Chairman Molchan
103 seconded. The meeting was adjourned at 9:10 a.m.



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

EXHIBIT SUMMARY
for 20 S. AURORA STREET
V-1243 / V 24-05
2024-08-20

Applicant notified of hearing date: Email: 2024-07-26 – 25 days

Exhibit A: Staff Report: 2024-08-13 – 7 days

Exhibit B: Application

Application: 2024-07-02 – 49 days

Proof of Payment: 2024-06-05 – 76 days

Exhibit C: Notice Compilation

Applicant Hearing Letter: 2024-07-26 – 25 days

400' Notices Distributed: 2024-07-30 – 21 days

Picture of Property Sign Posting: 2024-08-02 – 18 days

Exhibit D: Public Advertisement

Advertisement sent to the Star Democrat: 2024-07-29 – 22 days

Advertisement run in Star Democrat: 2024-08-03 – 17 days

Date of Hearing: August 20, 2024

3a

**BOARD OF ZONING APPEALS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: SPECIAL EXCEPTION 1243

ELECTION WARD: Ward 4

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson - Town Planner - Current
Miguel Salinas – Director of Planning and Zoning

APPLICANT: Zebulon Stafford III on behalf of Oscar Alvarado

PURPOSE: The applicant is seeking variances from the required front and side setbacks (§28-302.2(C)), the minimum building envelope width (§28-302.2(E)), the maximum permitted density (§28-302.2(G)), and the minimum number of required off-street parking spaces (§28-1001.3.A.3).

APPLICATION INFORMATION:	
APPLICANT: Oscar Alvarado	REPRESENTATIVE: Zebulon Hopkins Stafford III
PARCELS/ACREAGE:	
Parcel Information	Acreage
Map 104, Parcel 1573	0.09
ACCEPTANCE DATE: July 2, 2024	LOCATION: 20 S Aurora Street

EXISTING ZONING R-7A	EXISTING LAND USE: Residential
HISTORIC DISTRICT: Yes	FUTURE LAND USE: Residential

CONTEXT:

Location/Site Access – The subject property is located on the corner of S Aurora Street and South Lane. It is zoned R-7A and is within the Historic Overlay District. The property is bordered by single family dwelling units to the south and east.

Existing Conditions – The subject property is best described as a 3,900 square foot vacant parcel.

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
South	Residential	R-7A	Residential
East	Residential	R-7A	Residential
North	Commercial	CBD	Residential
West	Residential	R-7A	Residential

20 S Aurora Street Vicinity Map



Figure 1 Vicinity Map

PROPOSAL: The applicant is proposing to construct two duplexes within the R-7A Zoning District. The proposed structures each have a building footprint of approximately 608 square feet. The applicant is also proposing to construct a 5-foot-wide access walk, two off-street parking spaces, and landings on the south façades of the structures.

BACKGROUND:

In September of 2007, the Board of Zoning Appeals unanimously denied a special exception and variance request to construct two residential structures with a density exceeding the maximum permitted density within the Planned Redevelopment Overlay District.¹ At this time, the Board found that granting the variance request would be “contrary to the public interest and would not be in harmony with the purpose and intent of the Ordinance, and because no circumstances peculiar or unique to the subject property exist which warrant the relief sought by this

¹ The Planned Redevelopment Overlay District boundary was subsequently revised and no longer applies to this property.

application.”



Figure 2: Exhibit Depicting Denied 2007 Application

The applicant received a certificate of appropriateness from the Historic District Commission on May 13th 2024 for the construction of a single two-story 1,500 square foot structure on this property. This approval was conditioned upon the use of half-round style gutters. Staff notes that the structure that was approved by the Historic District Commission differs significantly from what is proposed in this application.

At the June 18, 2024 Board of Zoning Appeals meeting, the Board heard a request for multiple variances and a special exception to construct a stacked fourplex on this property. The table below compares the items requested in the June 18th application to what is currently requested. This request was withdrawn by the applicant prior to action being taken by the Board.

June 18 th Request	Current Request
Special Exception – Stacked Fourplex	Variance – Maximum Permitted Density
Variance – Minimum Front Setback	Variance – Minimum Front Setback

Variance – Minimum Side Setback	Variance – Minimum Side Setback
Variance – Minimum Building Envelope Width	Variance – Minimum Building Envelope Width
Variance – Minimum Lot Width (Stacked Fourplex)	Variance – Minimum Required Off-Street Parking Spaces (1 space)
Variance – Minimum Required Off-Street Parking Spaces (3 spaces)	

POLICY ANALYSIS (VARIANCE):

- 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;**

Analysis – Providing relief to the Zoning Ordinance’s dimensional and parking requirements to allow for the construction of compatible infill residential development is in the public’s interest. The proposed development is consistent with the purpose statement for the R-7A district (§28-302.1) which is to “encourage the residential development and redevelopment of certain established areas of the Town of Easton. The district will provide land areas for high and medium density residential development with a variety of housing types...” These structures will be residential and should not have any detrimental impacts 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.**

Analysis – The peculiarity surrounding this property is its small size and small building envelope. The lot is only 3,900 square feet in area and 28.85 feet wide with a building envelope that is at a minimum 6 feet wide. The R-7A Zoning District’s current minimum lot size is 7,500 square feet and the minimum building envelope width is 30 feet. This small building envelope necessitates the need for setback variances in order to construct any typical residential structure on this property.

In regards to the variance request from the maximum permitted density, staff notes that a variance would not be necessary for the construction of a single duplex on this property. The supplemental standards for both stacked and side-by-side duplexes state that *“one duplex shall be permitted on any legally recorded lot that complies with the development standards applicable to the zoning district, other than the density provisions...”* (28-1007.1(13)). The construction of a single duplex on this lot would require no variance from the maximum permitted density or minimum off-street parking requirements as only two off-street parking spaces would be required.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **approve** Special Exception 1184 based on the following findings...

OR

2. I move that the Board of Zoning Appeals **deny** Special Exception 1184 based on the following findings...

OR

3. I move an alternate motion.



TOWN OF EASTON
PLANNING AND ZONING
14 SOUTH HARRISON STREET, EASTON, MD 21601

RECEIVED
JUL 02 2024
TOWN OF EASTON

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☒ VARIANCE ☐ APPEAL ☐ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	20 SOUTH AURORA STREET				
TAX MAP		GRID		PARCEL	LOT
DEED REFERENCE	LIBER		FOLIO		
PLAT REFERENCE	LIBER		FOLIO		ATTACHED
EXISTING USE	RESIDENTIAL VACANT LOT INFILL.				
ZONING DISTRICT					

HISTORIC DISTRICT Y ☒ N ☐ Planned Redevelopment District Y ☐ N ☐

OWNER

NAME	OSCAR ALVARADO				
MAILING ADDRESS	P.O. BOX 3030 EASTON, MD 21601				
TELEPHONE NO.	410-924-5011	EMAIL	OSCAR.ALVARADO@2534EQMAIL.COM		

APPLICANT OR AGENT

NAME	Z.H. STAFFORD III				
MAILING ADDRESS	P.O. BOX 3030 EASTON, MD 21601				
TELEPHONE NO.		EMAIL			

Surveyor / Engineer

NAME	LANE ENGINEERING				
License Number and Expiration	ON FILE WITH TOWN OF EASTON				
MAILING ADDRESS	BAY STREET, EASTON, MD 21601				
TELEPHONE NO.	410-822-8003	EMAIL			

REQUEST DETAILS

SUBJECT TO PREVIOUS BOZA APPLICATION Y ☒ N ☐

ZONING ORDINANCE SECTION VARIANCES ATTACHED

☒ INCLUDE ALL REQUIRED ITEMS FROM THE APPLICABLE CHECKLIST

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	06.	26-2024
PRINTED NAME OF APPLICANT OR AGENT	Z. H. Safford	

For Office Use Only

Project Number	V 24 - 05	Fee Received	-
Application Number	V - 1243	Application Notification	08/05/2024
Filing Date	07/02/2024	Property Posting Date	08/05/2024
BOZA Hearing Date	08/20/2024	Notice(s) Published	08/04/2024
If ESDR, Date	-		

Revised 11-2023

BOARD OF APPEALS
VARIANCE APPLICATION
20 SOUTH STREET
EASTON , MARYLAND 21601

RE: Written Response Variance Findings of Fact

1. This property is a vacant lot and infill which the Town of Easton planning office seeks development in these area of Easton.
The constraints on this property is it faces two streets and the setbacks at 15 feet on both streets and a Variance is needed to 5 foot setbacks (which most houses on Aurora street are with 5 foot setbacks.) A Variance is needed under Article 28-302.2C in order to construct 608 square foot houses
2. The property is located in an area of needed workforce apartments and meets all the public safety concerns of the Town of Easton as the property is located on Aurora Street and has existing sidewalks and streets and water, sewer and electric, which Easton Utilities has approved for service
3. As the construction of the house is an historic house copied from the original design with modifications of the Railroad Hotel on Goldsbrough Street and the property does meet the universal ethic of the historic district

4. As the property is only using 50 % of lot coverage due to future Variance approved setbacks and the view easement on Aurora Street shows reduction in consumption
5. The development encourages the need for workforce housing in Easton and appropriate and sustainable economic growth in Easton's need for more rental housing
6. As the Attached lot shows the lot is not square and demands variances to set backs and because the lot is constrained by a view easement by the Town for South Lane , the use of the buildable area is reduced to 50% of lot coverage and is zoned R-7A which allows 8 houses per acre and therefore needs a Variance from Article 28-302.2G to allow more density to create two dwellings each with 2 apartments each totaling 1216 square feet which is in harmony with asking for only 50% lot coverage of the entire property.
7. The property meets the Towns Zoning Ordinance with Variances needed to construct these units , Comprehensive plan desiring workforce housing in Easton and any applicable area small plan on existing vacant lots
8. As Aurora Street and South Lane exist and the sidewalks exist and the View easement is in place for the protection of the public it is in no way harmful to the neighborhood and the construction of these houses , adds value to the existing properties that will surround this property.
9. The property as stated is not a rectangle lot as shown on the attached plat , and the view easement restricts the building to be set back on Aurora Street. The Variances need to be approved to build a structure to be approved by the Historic Commission .

10. No action has been taken to cause the variance approval ,the action is necessary to construct the building under the approved set backs, easement .
11. The hardship is unless the variances is granted the construction could not take place to build workforce housing in a needed area of Easton or any house on the attached plat of the current building envelope. As stated the lot is not square and causes the property to require variances so it may be constructed as by the Historic Commission requests
12. As shown on the attached Lane Engineering plans building envelope is highlighted in red ,and to be able to extend the width outside the current building area in red the applicant needs a Variance to Article 28.302.2E
13. The attached plat shows off South Lane a Parking area for 2 cars and the need is for one additional parking space under the code and as 4 existing parking spaced exist along the property line of 3 spaces on Aurora Street and one space on South Lane. The applicant needs a Variance for one additional parking area which currently exists on the street but needs a Variance from Article 28-1001-3A for parking requirements.

02 Exhibit E
Page 18 of 8



Town of Easton
Planning and Zoning
14 S. Harrison Street Easton, MD 21601 410-822-1943
HISTORIC DISTRICT COMMISSION
CERTIFICATE OF APPROPRIATENESS

Meeting Date: 5/13/2024
Application Number: 2024-1184
Location: 20 S Aurora Street
Applicant: Z.H. Stafford III

Commissioner Stuart moved to **approve the application with the condition that Half-round gutters shall be installed.**
Commissioner Greer seconded the motion.

FOR: 5 - Demby, Brophy, Bateman, Greer, Stuart

If the scope of work changes and or the materials and methods used are contrary to that understood by the application and any supplemental information provided, the work shall not continue until such time that the Commission is notified and said differences are considered and approved by the Commission.

"A Certificate of Appropriateness shall lapse upon the expiration of the corresponding Building Permit. For applications that require a building permit but for which none is issued, this Certificate of Appropriateness shall lapse six (6) months after issuance. In the event a building permit is not required, the Certificate of Appropriateness shall lapse six (6) months from its issuance if substantial work is not underway. For good cause shown, this period may be extended by the Commission".

Prior to start of work please contact the Building Inspection Department at 410 822 2525 to ensure all required building permits have been obtained. Also, please reach out to the Building Inspection department to ensure your project complies with the Town of Easton's building codes.

Nicholas Johnson
Representative, Historic District Commission

5/29/2024
Date

TO: Town Of Easton

ATTN : Nick Johnson

RE : 20 South Aurora Street

Gentleman and Ladies ,

I AUTHOZIZE , ZEBULON HOPKINS STAFFORD III , TO APPLY ON THE OWNERS
BEHALF FOR 20 SOUTH AURORA STREET , EASTON , MARYLAND 21601

A handwritten signature in black ink, appearing to read "Oscar R. Alvarado", is written over a horizontal line.

OSCAR ALVARADO

MAY 20, 2024

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 23 day of September, 2021, by and between Gerson Martinez and Samantha Martinez, Maryland residents, Grantors and Oscar Rolando Alvarado and Ruth Maribel Andrade Sanchez, Grantees.

- Witnesseth -

THAT FOR AND IN CONSIDERATION of the sum of **FORTY TWO THOUSAND AND 00/100 DOLLARS (\$42,000.00)** and other good, valuable and sufficient consideration, in hand paid, the receipt of which is hereby acknowledged, the said Gerson Martinez and Samantha Martinez, do hereby grant and convey unto the said **Oscar Rolando Alvarado and Ruth Maribel Andrade Sanchez**, husband and wife, as 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 that lot, piece or parcel of ground situate, lying and being in the Town of Easton, First Election District of Talbot County, State of Maryland and more particularly described as follows, that is to say:

BEGINNING for the said part at a stone marked LXXXIV, set in the ground at the place where the East side of Aurora Street intersects the South side of South Lane and running from thence with said South Lane, North 88° 30' East 10 ½ perches to another stone set in the ground at the West side of East Lane; thence with East Lane, South 1° East 3 ¾ perches; thence South 88° 30' West 10 ½ perches to Aurora Street aforesaid; and thence with said Street, North 1° West 3 ¾ perches to the aforesaid place of beginning, containing the quantity of 39 ½ square perches of land, more or less, as shown on a Plat entitled: "MAP OF EASTON, MD" prepared by John Anderson Civil Engineer, dated September 15, 1911 and recorded among the Land Records of Talbot County, Maryland in Liber No. 160, folio 124.

SAVE AND EXCEPT Therefrom all that land conveyed in a Deed by and between Harry S. Wrightson and John W.D. Jump dated December 6, 1912 and recorded among the Land Records of Talbot County, Maryland in Liber No. 167, folio 225; ALSO SAVE AND EXCEPT Therefrom all that land conveyed in a Deed by and between Harry S. Wrightson and Alexander Fountain dated September 19, 1912 and recorded among the Land Records of Talbot County, Maryland in Liber No. 163, folio 8.

BEING the same property conveyed unto Gerson Martinez and Samantha Martinez from Jo Ann Genova by Deed dated July 24, 2019 and recorded among the Land Records of Talbot County, Maryland in Liber No. No. 2629, folio 283.

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 **Oscar Rolando Alvarado and Ruth Maribel Andrade Sanchez**, husband and wife, as tenants

TALBOT COUNTY FINANCE OFFICE
 RECORDATION TAX
 AMT: \$504.00
 DATE: 9/28/2021
 INITIALS: SPH
 REG ID: 01-026135

EASTERN SHORE TITLE COMPANY
 P.O. BOX 857
 EASTON, MD 21601

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
 DATE: 9/28/2021



Easton
MARYLAND

RECEIPT

TOWN OF EASTON

Planning & Zoning Department

P.O. BOX 520

Easton, Maryland 21601

APPLICATION #	DATE
2024 - 1184	6/5/2024
PROJECT ID	
SE 24-06 & V 24-04	

TO:

Z.H. Stafford III

P.O. Box 3030

Easton, Maryland 21601

RE: Application 2024 - 1184 / SE 24-06 & V 24-04

20 S. Aurora Street

Tax Map 0104, Grid 000, Parcel 1572

Easton, Maryland 21601

Date	Description	Transaction	Amount
05/16/2024	BOZA - VARIANCE	Check # 1342	250.00
05/21/2024	BOZA - SPECIAL EXCEPTION	Check # 223	700.00
			-
			-
			-
			-
			-
			-
			-
Thank you!			TOTAL \$950.00

Paid in full. Thank you!

If you have any questions about this invoice, please contact
Samantha N. Smith, Administrative Specialist (410) 822-1943, ssmith@eastonmd.gov



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

July 26, 2024

Mr. Z.H. Stafford III
P.O. Box 3030
Easton, Maryland 21601

Re: BOZA Application V-1243 / V 24-05
20 South Aurora Street
Tax Map 0104, Grid 000, Parcel 1572
Easton, Maryland 21601

Mr. Stafford,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, August 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.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

August 5, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, August 20, 2024 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 Application V-1243 / V 24-05 has been filed by Z.H. Stafford III (Applicant), pursuant to Section 28-1303.5 C of the Town of Easton Zoning Ordinance to request a variance from Section 28-302.2.C, the minimum front and side setbacks for all uses and structures in the R-7A zoning district; Section 28-302.2.E, the minimum building envelope of sixty (60) feet deep by thirty (30) feet wide; Section 28-302.2.G, the maximum density for multi-family dwelling units per acre; and Section 28-1001.3.A, the minimum number of required off street parking spaces for all uses and structures in the R-7A zoning district. The Applicant is proposing to construct two (2) two-story structures on the vacant parcel located at 20 S. Aurora Street, also known as Tax Map 0104, Grid 0000, Parcel 1573, and is situated in the R-7A – Residential District. The property is owned by Oscar Alvarado. A Certificate of Appropriateness was granted by the Historic District Commission at their May 13, 2024 meeting.

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. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov



Subject property posting pursuant to Section 28-901.2.H.2 of the Town of Easton Zoning Code - August 02, 2024.

NOTICE

Notice is hereby given that Variance Application V-1243 / V 24-05 has been filed by Z.H. Stafford III (Applicant), pursuant to Section 28-1303.5 C of the Town of Easton Zoning Ordinance to request a variance from Section 28-302.2.C, the minimum front and side setbacks for all uses and structures in the R-7A zoning district; Section 28-302.2.E, the minimum building envelope of sixty (60) feet deep by thirty (30) feet wide; Section 28-302.2.G, the maximum density for multi-family dwelling units per acre; and Section 28-1001.3.A, the minimum number of required off street parking spaces for all uses and structures in the R-7A zoning district. The Applicant is proposing to construct two (2) two-story structures on the vacant parcel located at 20 S. Aurora Street, also known as Tax Map 0104, Grid 0000, Parcel 1573, and is situated in the R-7A – Residential District. The property is owned by Oscar Alvarado. A Certificate of Appropriateness was granted by the Historic District Commission at their May 13, 2024 meeting.

A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, August 20, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

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.

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Variance Application V-1243 / V 24-05..." was published in the:

The Star Democrat 08/03/24



James F. Normandin
President & Publisher

NOTICE

Notice is hereby given that Variance Application V-1243 / V 24-05 has been filed by Z.H. Stafford III (Applicant), pursuant to Section 28-1303.5 C of the Town of Easton Zoning Ordinance to request a variance from Section 28-302.2.C, the minimum front and side setbacks for all uses and structures in the R-7A zoning district; Section 28-302.2.E, the minimum building envelope of sixty (60) feet deep by thirty (30) feet wide; Section 28-302.2.G, the maximum density for multi-family dwelling units per acre; and Section 28-1001.3.A, the minimum number of required off street parking spaces for all uses and structures in the R-7A zoning district. The Applicant is proposing to construct two (2) two-story structures on the vacant parcel located at 20 S. Aurora Street, also known as Tax Map 0104, Grid 0000, Parcel 1573, and is situated in the R-7A – Residential District. The property is owned by Oscar Alvarado. A Certificate of Appropriateness was granted by the Historic District Commission at their May 13, 2024 meeting.

A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, August 20, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

EASTON BOARD OF ZONING APPEALS

3059586 SD

8/3/2024



TOWN OF EASTON
Planning & Zoning Department
14 South Harrison Street
P.O. Box 520
Easton, Maryland 21601

EXHIBIT SUMMARY
FOR 9 S. HARRISON STREET
V-1250 / V 24-06
2024-08-20

Applicant notified of hearing date: Email: 2024-07-26 – 25 days

Exhibit A: Staff Report: 2024-08-13 – 7 days

Exhibit B: Application

Application: 2024-07-12 – 39 days

Proof of Payment: 2024-07-12 – 39 days

Exhibit C: Notices

Applicant Hearing Letter: 2024-07-26 – 25 days

400' Notices Distributed: 2024-07-30 – 21 days

Picture of Property Sign Posting: 2024-08-02 – 18 days

Exhibit D: Public Advertisement

Advertisement sent to the Star Democrat: 2024-07-29 – 22 days

Advertisement run in Star Democrat: 2024-08-03 – 17 days

3b

**BOARD OF ZONING APPEALS
PUBLIC HEARING
STAFF REPORT**

SUBJECT: **VARIANCE 1250**

ELECTION WARD: Ward 4

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson – Town Planner
Miguel Salinas - Director of Planning and Zoning

APPLICANT: Thomas Haschen on behalf of Talbot 3 LLC

PURPOSE: The applicant is seeking a variance from §28-305.2.H of the Town’s Zoning Ordinance to exceed the maximum permitted density for multifamily dwelling units of sixteen (16) dwelling units per acre. The applicant is seeking to convert a vacant first floor commercial space into one (1) additional dwelling unit.

RECOMMENDATION:

Staff supports a Board **approval with conditions**. The proposal to convert a vacant commercial space into a residential dwelling unit is consistent with the purpose statement for the CB Zoning District and the Downtown Plan for Infill Development. Also, the location and configuration of this space is more conducive to residential uses than traditional commercial/retail uses.

APPLICATION INFORMATION:	
APPLICANTS: Talbot 3 LLC PO Box 437 Easton MD, 21601	REPRESENTATIVE: Thomas Haschen
PARCELS/ACREAGE:	
Parcel Information	Acres

Map 104, Parcel 1526,		0.07
ACCEPTANCE DATE: July 12, 2024	LOCATION: 9 S Harrison Street	
EXISTING ZONING CB	EXISTING LAND USE: Mixed-Use (Commercial/Residential)	
HISTORIC DISTRICT: Yes	FUTURE LAND USE: Commercial	

CONTEXT:

Location/Site Access – The subject property is a 3,060 square foot property located on S Harrison Street block between Dover Street and Glenwood Avenue. This is within the study area of the 2008 Downtown Plan for Infill Development. It is zoned Central Business (CB) and is located within the Historic Overlay District. The property is bordered to the south by a fifty (50) stall public parking lot and the Avalon Theater to the north. The property has road frontage along S. Harrison Street which is a two-lane road with on street parking along both sides.

Existing Conditions – The subject property contains six (6) existing dwelling units and a commercial space occupied by an art gallery. The primary structure is a part of the Easton Historic District and is considered a contributing structure to the District. The existing residential density is approximately 85 dwelling units per acre.

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
South	Public Parking	CB	Commercial
West	Public Parking	CB	Commercial
North	Commercial	CB	Commercial

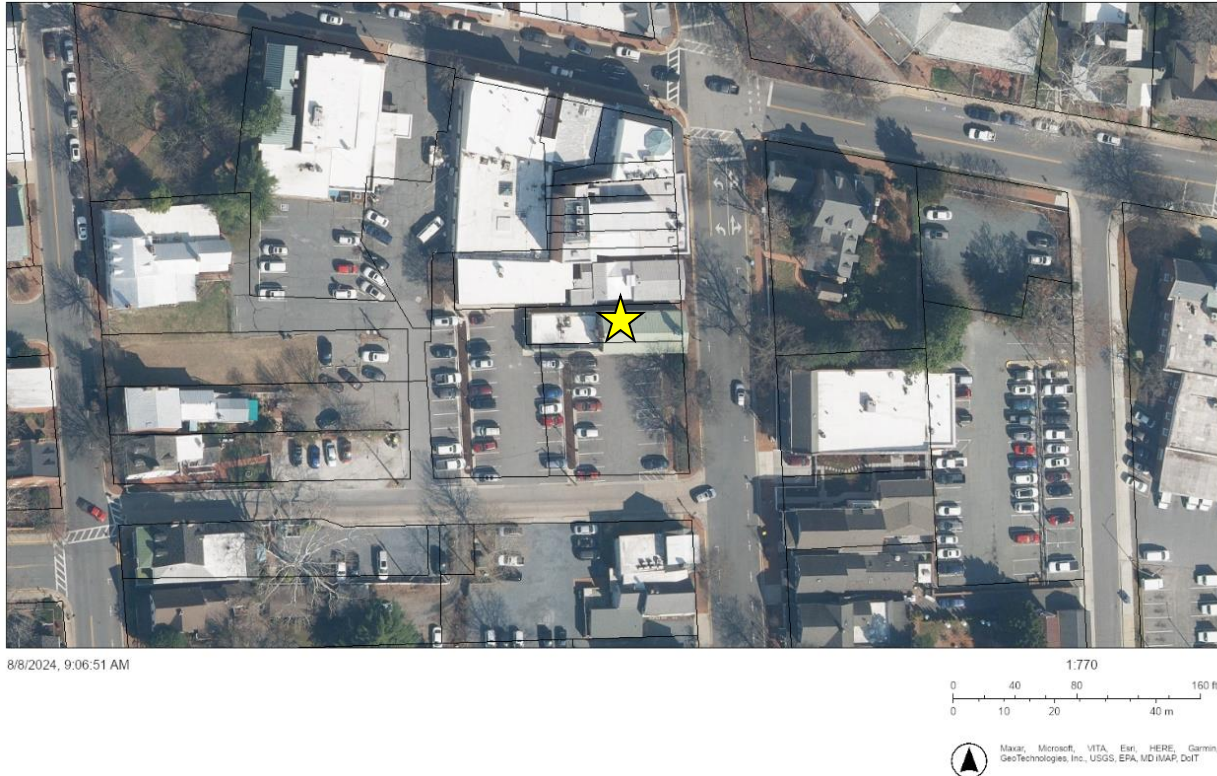


Figure 1: Vicinity Map

PROPOSAL: The applicant is proposing to convert a currently vacant portion in the rear of the building into a 700 square foot residential dwelling unit. This would increase the residential density of the building from approximately 85 dwelling units per acre to 100 dwelling units per acre.

POLICY ANALYSIS (VARIANCE):

- 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;**

Analysis – §28-305.1 of the Zoning Ordinance which outlines the purpose of the CB Zoning District states that “It is further the purpose of this District to encourage reinvestment in existing structures, increase the supply of affordable housing, and provide flexibility to allow businesses to adjust to changing market conditions.” This proposal aligns with that vision by providing a type of housing not commonly found within the CB Zoning District. Furthermore, *the Easton Downtown Plan for Infill Development* recommends providing for additional residential development within Downtown as a method of economic development. This proposal represents a reinvestment in an existing structure where no additional building footprint is being added. This portion of the building is not appropriate for retail uses as it is not visible from the primary right-of-way and does not have a traditional storefront. There is adequate public parking directly adjacent to this property to serve the proposed additional dwelling unit.

- 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.**

Analysis – The peculiarity associated with this property is that this portion of the building is not appropriate for traditional commercial/retail uses as it is not visible from S Harrison Street and does not have a traditional storefront. This portion of the building is better suited for residential uses as it resembles a traditional townhome in appearance. However, due to the presence of six existing dwelling units this space could not be converted to a dwelling unit without a variance from the maximum permitted density.

RECOMMENDED CONDITIONS:

1. The applicant shall pay both Town of Easton and Talbot County impact fees prior to the issuance of a certificate of occupancy for the dwelling unit.
2. A rental license shall be obtained through the Town’s rental license program for the additional dwelling unit.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **approve Variance 1250 with staff’s recommended conditions** as submitted based on staff’s draft findings.

OR

2. I move that the Board of Zoning Appeals deny Variance 1250 based on the following findings...

OR

3. I move an alternate motion.



TOWN OF EASTON
PLANNING AND ZONING
14 SOUTH HARRISON STREET, EASTON, MD 21601

RECEIVED
JUL 12 2024
TOWN OF EASTON

BOARD OF ZONING APPEALS APPLICATION

APPLICATION TYPE

☒ VARIANCE ☐ APPEAL ☐ SPECIAL EXCEPTION

PROPERTY INFORMATION

ADDRESS	9 S. Harrison St				
TAX MAP		GRID		PARCEL	LOT
DEED REFERENCE	LIBER	1393	FOLIO	520	
PLAT REFERENCE	LIBER		FOLIO		
EXISTING USE	Residential/Retail				
ZONING DISTRICT					

HISTORIC DISTRICT Y ☒ N ☐ Planned Redevelopment District Y ☐ N ☒

OWNER

NAME	Tallbot 3 LLC	
MAILING ADDRESS	PO 437 Easton, MD	
TELEPHONE NO.	410-340-8776	EMAIL Tom@haschen8.com

APPLICANT OR AGENT

NAME	Thomas Haschen	
MAILING ADDRESS	303 S. Harrison St Easton, MD	
TELEPHONE NO.	410-340-8776	EMAIL Tom@haschen8.com

Surveyor / Engineer

NAME		
License Number and Expiration		
MAILING ADDRESS		
TELEPHONE NO.		EMAIL

REQUEST DETAILS

SUBJECT TO PREVIOUS BOZA APPLICATION Y ☐ N ☐

ZONING ORDINANCE SECTION

☐ INCLUDE ALL REQUIRED ITEMS FROM THE APPLICABLE CHECKLIST

A NY 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	<i>Thomas Haschen</i>	
Date		<i>July 10, 2024</i>
PRINTED NAME OF APPLICANT OR AGENT	<i>Thomas Haschen</i>	

For Office Use Only

Project Number	V 24 - 06	Fee Received	\$250.00
Application Number	V - 1250	Application Notification	08/05/2024
Filing Date	07/12/2024	Property Posting Date	08/05/2024
BOZA Hearing Date	08/20/2024	Notice(s) Published	08/04/2024
If ESDR, Date	-		

Revised 11-2023

Board of Zoning Appeals

Variance Application

7-9 S Harrison St

VARIANCE REQUEST

The applicant is requesting that the Board of Zoning Appeals approve an increase the residential density of 7-9 S. Harrison St from the current six units to a total of seven units. There are currently six apartments on the second floor, this variance will allow one additional apartment to be placed on the ground floor.

PROPERTY HISTORY

The building was built in 1920 and has been part of the town's retail and residential community since that time. Troika Art Gallery, along with six apartments on the second floor have been tenants for the last twenty-five years. In April of 2023 the property was purchased by Talbot 3 LLC (Tom Haschen and Chris Sadler). All six apartments have undergone a complete high-quality renovation.

NEW APARTMENT

Pending variance approval, the new apartment will be located at the west end of the building, on the ground floor and contained within the existing structure.

- The apartment size would be 700 sq. ft.
- Plumbing, electrical service and heat and air conditioning are in place.
- No excavation on the interior or exterior will be required.
- No exterior changes will be necessary.(See attached photos)
- The apartment will be handicap accessible, one of very few in downtown Easton.

VARIANCE FINDINGS OF FACT

1. Objectives of the Zoning Ordinance

- The apartment will provide quality and reasonably priced housing in the downtown area.
- This project will provide an additional residence downtown, without utilizing any additional land and will have zero impact on existing structures or the infrastructures of the town of Easton.
- No additional land or surface area used, there will be no effect on the Chesapeake Bay or the surrounding land.
- Electrical demand will be reduced by increasing insulation and utilizing high efficiency appliances,
- Not appropriate.
- A new tenant will be supporting downtown shops and restaurants.

2. The new apartment will contribute to the town's plans to have a vibrant downtown area.

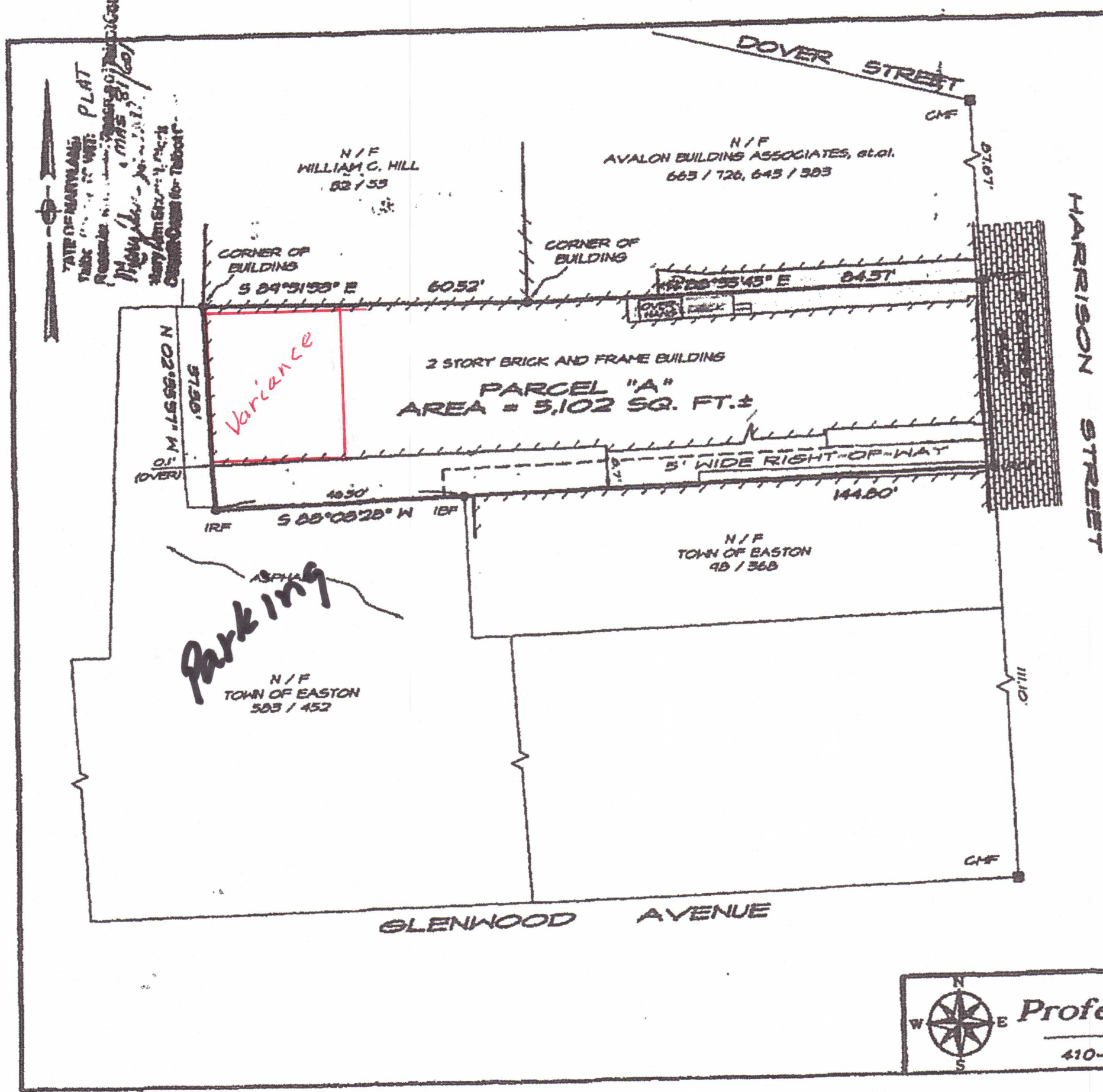
3. The new apartment will be beneficial to the neighborhood by adding activity and light to an area that badly needs it.

4. The apartment is ideally located downtown, is handicap accessible and will not require on street parking.

5. No action has been taken prior to applying for this variance.

6. If a variance is not granted the space will continue to be vacant as it has been for the last 8 months resulting in a loss of income form the space. The location is not conducive for retail and the market is flooded with office space for rent. An apartment installed in the space would be rented immediately.

7/10/2024



NOTES

1. ADDRESS: 7-9 HARRISON STREET EASTON, MARYLAND
2. CURRENT DEED REF: 1015 / 341
3. PLAT REFERENCE: 63 / 33
4. TAX MAP: 104, PARCEL 1527
5. THE LAND SHOWN HEREON APPEARS TO BE WITHIN FLOOD ZONE "C", AS SCALED FROM F.I.R.M. 240067 0002 B DATED SEPTEMBER 28, 1984.
6. IRCF = IRON ROD W/ CAP FOUND
 CMF = CONCRETE MONUMENT FOUND
 IBF = IRON BAR FOUND

PLAT FEE - \$	2.50
TOTAL	2.50
RECEIVED	10/11/05
DATE	10/11/05
BY	10/11/05



SURVEYOR CERTIFICATION

I DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECTION, WITHOUT REVIEW OF AN ABSTRACT OF TITLE AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Robert M. Hughes
 ROBERT M. HUGHES
 REGISTERED PROFESSIONAL LAND SURVEYOR
 MARYLAND NO. 21049
 DATE 10-13-05

PLAT SHOWING
 THE LAND OF
NOBLE SQUARE, LTD.
 IN THE TOWN OF EASTON
 TALBOT COUNTY, MARYLAND

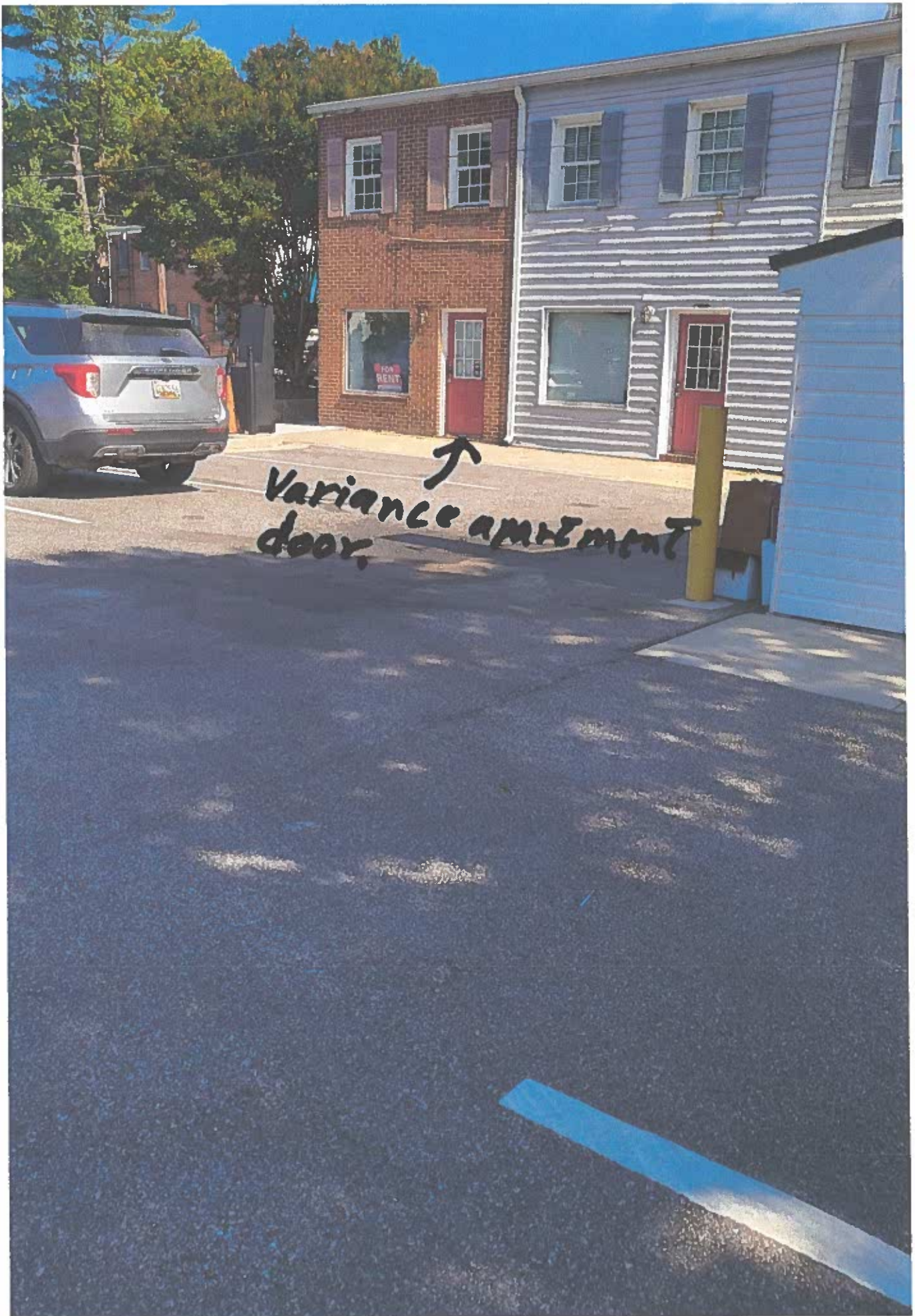
C & R
Professional Land Surveyors
LLC
 410-819-0333 - FAX 410-478-9957

DATE: 10 / 11 / 05
 SCALE: 1" = 20'
 DRAWN BY: SHH
 JOB NO. 05714

P114576 MSA CSu 2399 13692



Harrison
St.





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 (w Taxes)
Recording Fee no RT 20.00
Name: Gullett/Talbot LLC
Ref: MWS06E Fully
Exempt
LR - Deed (with Taxes)
Surcharge 40.00
LR - Deed State
Transfer Tax 6,635.00
LR - County Transfer
Tax - linked 13,270.00
LR - NR Tax - 1kd 0.00
=====
SubTotal: 19,965.00
=====
Total: 19,965.00
04/04/2023 11:52
CC20-M
#17114178 CC0205 -
Talbot
County/CC02.05.02 -
Register 02

DOCUMENT VALIDATION
(excluded from page count)

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 30th day of March, 2023, by and between John H. Gullett and Marilyn L. Gullett, Grantors; and Talbot 3, LLC, a Maryland limited liability company, Grantee.

The transfer of the subject property is part of an Internal Revenue Code Section 1031 Exchange of Property and represents the simultaneous effectuation of all parties obligations and rights to transfer and receive such property.

- Witnesseth -

THAT FOR AND IN CONSIDERATION of the sum of ONE MILLION THREE HUNDRED TWENTY SEVEN THOUSAND AND 00/100 DOLLARS (\$1,327,000.00) and other good, valuable and sufficient consideration, in hand paid, to an accommodator pursuant to a 1031 Exchange of Property, the receipt of which is hereby acknowledged, the said John H. Gullett and Marilyn L. Gullett, do hereby grant and convey unto the said Talbot 3, LLC, a Maryland limited liability company, its successors and assigns, forever, in fee simple, all the hereinafter described property:

PROPERTY NO. 1 - TAX ID #01-006541, #01-006533, #01-006525

ALL those lots, pieces or parcels of ground situate, lying and being in the First Election District, Town of Easton, Talbot County, Maryland, and designated as "TOTAL AREA = 1,985 SQ. FT., TOTAL AREA = 1,800 SQ. FT., TOTAL AREA = 1,800 SQ. FT. JOHN H. GULLETT MARILYN L. GULLETT MAP 104, P. 1120 - 1122 LIBER 1424, FOLIO 62", as shown on a Plat entitled: "SURVEY BOUNDARY LINE AND RIGHT OF WAY AGREEMENT FOR PROPERTIES OWNED BY 301 EAST DOVER LLC CHARLES R. RATHELL, JR. & CONSTANCE M. RATHELL RE INVESTMENTS, LLC JOHN H. GULLETT & MARILYN L. GULLETT TOWN OF EASTON, MARYLAND", prepared by William C. Craig & Company LLC, dated April 20, 2009 and recorded among the Plat Records of Talbot County, Maryland in Liber No. 82, folio 301; reference to said Plat and the recording thereof is hereby made for a more particular description of said lot by metes and bounds, courses and distances.

SAVE AND EXCEPT all that property conveyed by Quitclaim deed dated June 29, 2009, and recorded among the Land Records of Talbot County, Maryland on June 30, 2009, in Liber No. 1712, folio 293. ALSO SAVE AND EXCEPT therefrom all that property conveyed by Quitclaim deed dated June 29, 2009, and recorded among the Land Records of Talbot County, Maryland on June 30, 2009, in Liber No. 1712, folio 309. ALSO SAVE AND EXCEPT therefrom all that property conveyed by Quitclaim deed dated June 29, 2009, and recorded among the Land Records of Talbot County, Maryland on June 30, 2009, in Liber No. 1712, folio 346.

TOGETHER WITH AND SUBJECT TO a free, clear and unencumbered right-of-way in common, in and to the entire width and length of the area shown and designated on the aforesaid Plat as "17 FOOT WIDE RIGHT OF WAY" and being more particularly set forth in a Right of Way Agreement and Settlement Agreement in a Deed dated June 29, 2009 and recorded in Liber No. 1712, folio 327.

SUBJECT, HOWEVER, TO RIGHT OF WAY AGREEMENT, by and between Charles R. Rathell, III and Jeffrey D. Rathell, Sr., Co-Personal

TALBOT COUNTY CIRCUIT COURT (Land Records) KMD 3041, P. 0407, MSA CE91_2980. Date available 04/06/2023. Printed 07/08/2024.

TALBOT COUNTY FINANCE OFFICE

RECORDATION TAX

AMT: \$15,264.00

DATE: 4/4/2023

INITIALS: SPH

Prop ID: 20230301

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

DATE

4/4/2023

Representatives of the Estate of Charles R. Rathell, Jr. and Constance M. Rathell and RE Investments, LLC, a Maryland limited liability company and John H. Gullett and Marilyn L. Gullett and 301 East Dover LLC, a Maryland limited liability company, dated June 29, 2009 and recorded in Liber No. 1712, folio 364.

BEING the same property which by deed dated March 1, 2006, and recorded among the Land Records of Talbot County, Maryland on March 3, 2006, in Liber No. 1424, in folio 62, was granted and conveyed by Kenneth Morgan and Emma Jean Morgan unto John H. Gullett and Marilyn L. Gullett. ALSO BEING the same property which by Quitclaim deed dated June 29, 2009, and recorded among the Land Records of Talbot County, Maryland on June 30, 2009, in Liber No. 1712, in folio 327, was granted and conveyed by 301 East Dover LLC, a Maryland limited liability company, RE Investments, LLC, a Maryland limited liability company and Charles R. Rathell, III and Jeffrey D. Rathell, Sr., Personal Representatives of the Estate of Charles Reynolds Rathell, Jr. and Constance M. Rathell unto John H. Gullett and Marilyn L. Gullett.

PROPERTY NO. 2 - TAX ID #01-007513

ALL that lot or parcel of land situate, lying and being on Harrison Street, known as 7-9 S. Harrison Street, in the Town of Easton, Talbot County, Maryland, and more particularly described as Parcel A in accordance with a Certificate of Survey prepared by Brent K. Spicer, Registered Land Surveyor, dated May, 1984, and described as follows, that is to say:

BEGINNING at a hole and cross on the Westerly side line of Harrison Street (60 feet wide), said point being S 21° 38' 23" E, 87.67 feet from a lead plug at the intersection of the Southerly side line of Dover Street with the Westerly side line of Harrison Street; thence (1) with the Westerly side line of Harrison Street, passing over a lead plug at 26.50 feet, South two degrees, thirty-five minutes, fifty-seven seconds East, thirty-four and twenty-five one hundredths feet (S 21° 35' 57" E 34.25 ft.) to another lead plug; thence (2) with the Northerly line of a lot conveyed by Jacob Williams to the Commissioners of Easton, now the Town of Easton, (Deed dated April 16, 1884, recorded in Liber 98, folio 368 of the Land Records of Talbot County) and with the projection of said line, passing over an iron rod at 98.30 feet, South eighty-eight degrees, eight minutes, twenty-eight seconds West, one hundred forty-four and eighty one hundredths feet (S 88° 08' 28" W 144.80 ft.) to a lead plug at a point being S 21° 35' 57" E, 37.38 feet from the Southwesterly corner of a building belonging to William C. Hill; thence (3) with the newly established Westerly line of the herein described parcel, parallel to the Westerly side line of Harrison Street, North two degrees, thirty-five minutes, fifty-seven seconds West, thirty-seven and thirty-eight one hundredths feet (N 21° 35' 47" W 37.38 ft.) to the before mentioned building corner; thence (4) with the Southerly fact of the Hill Building, South eighty-nine degrees, thirty-one minutes, thirty-three seconds East, sixty and fifty-two one hundredths feet (S 89° 31' 33" E 60.52 ft.) to the Southwesterly corner of a building belonging to Avalon, Inc.; thence (5) with the Southerly line of Avalon, Inc., North eighty-eight degrees, thirty-five minutes, forty-five seconds East, eighty-four and thirty-seven one hundredths feet (N 88° 35' 45" E 84.37 ft.) to the place of beginning, containing 5,102 square feet of land.

SUBJECT TO a five (5) feet wide right-of-way for ingress and egress adjacent to the Southerly line of the previously described parcel for the Town of Easton, described as follows:

BEGINNING at a lead plug on the Westerly side line of Harrison Street at the Northeasterly corner of a lot conveyed by Jacob Williams to the Commissioners of Easton, now the Town of Easton; thence (1) with the Northerly line of the above mentioned Town of Easton lot, passing over an iron rod at 98.30 feet, South eighty-eight degrees, eight minutes, twenty-eight seconds West, one hundred three and thirty one hundredths feet (S 88° 08' 28" W 103.30 ft.) to a point five (5) feet Westwardly from the Northwesterly corner of the said Town of Easton lot; thence (2) Northwardly, with a right angle, North one degree, fifty-one minutes, thirty-two

seconds West, five feet (N 11 51' 32" W 5.0 ft.); thence (3) parallel to and five (5) feet Northwardly, at right angles, from the Southerly line of the herein described right-of-way, North eighty-eight degrees, eight minutes, twenty-eight seconds East, one hundred three and sixty-nine one hundredths feet (N 88 8' 28" E 103.69 ft.) to the westerly side of line Harrison Street; thence (4) South two degrees, thirty-five minutes, fifty-seven seconds East, five and two one hundredths feet (S 21 35' 57" E 5.02 ft.) to the place of beginning, containing 517 square feet of land.

THE aforesaid property is designated as Parcel A on a Plat entitled: "PLAT SHOWING THE LAND OF NOBEL SQUARE, LTD. IN THE TOWN OF EASTON, TALBOT COUNTY, MARYLAND", prepared by C & R Professional Land Surveyors, LLC, dated October 11, 2005 and recorded among the Plat Records of Talbot County, Maryland in Liber No. 81, folio 601.

BEING the same property which by deed dated October 14, 2005, and recorded among the Land Records of Talbot County, Maryland on October 13, 2005, in Liber No. 1383, in folio 520, was granted and conveyed by Noble Square, LTD, a Maryland corporation unto John H. Gullett and Marilyn L. Gullett.

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 Talbot 3, LLC, a Maryland limited liability company its successors and assigns, 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.

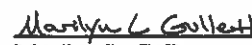
As Witness the hands and seals of said Grantors, the day and year first above written.

WITNESS:



 {Seal}
John H. Gullett



 {Seal}
Marilyn L. Gullett

STATE OF MARYLAND, COUNTY OF TALBOT, to wit:

I hereby certify that on this 30th day of March, 2023, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **John H. Gullett and Marilyn L. Gullett**, 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

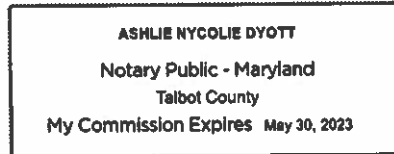
and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

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



Notary Public

My commission expires: 05/30/2023



This notarial act involved a remotely located individual and the use of communication technology

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.



C. LEE GORDON, ESQUIRE

AFTER RECORDING, PLEASE RETURN TO:
EASTERN SHORE TITLE COMPANY
114 N. West Street
Easton, Maryland 21601
File No. EST-28107-CH

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 _____				
		☐ Deed of Trust	☐ 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)	Recordation						
	Cite or Explain Authority	State Transfer						
		County Transfer						
4	Consideration and Tax Calculations	Consideration Amount			Finance Office Use Only			
		Purchase Price/Consideration \$ 1,327,000.00			Transfer and Recordation Tax Consideration			
		Any New Mortgage \$			Transfer Tax Consideration \$			
		Balance of Existing Mortgage \$			X () % = \$			
		Other: \$			Less Exemption Amount - \$			
		Other: \$			Total Transfer Tax = \$			
		Full Cash Value: \$			Recordation Tax Consideration \$			
					X () per \$500 = \$			
					TOTAL DUE \$			
5	Fees	Amount of Fees		Doc. 1	Doc. 2	Agent:		
		Recording Charge		\$ 20.00	\$	Tax Bill:		
		Surcharge		\$ 40.00	\$	C.B. Credit:		
		State Recordation Tax		\$ 15,924.00	\$	Ag. Tax/Other:		
		State Transfer Tax		\$ 6,635.00	\$			
		County Transfer Tax		\$ 13,270.00	\$			
		Other		\$	\$			
		Other		\$	\$			
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).	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG	
		01	006541,006533,006525,007513	1424/62 1383/520	104	1120,1121,1122,1527	(5)	
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)
		Location/Address of Property Being Conveyed (2)						
		311 East Dover Street, 313 E Dover Street, 315 E Dover Street, 7-9 S Harrison Street, Easton, MD 21601						
		Other Property Identifiers (if applicable)						
		Water Meter Account No.						
		Residential ☐ Or Non-Residential ☐ Fee Simple ☒ or Ground Rent ☐ Amount: \$						
		Partial Conveyance ☐ Yes ☒ No Description/Amt. of SqFt/Acreage Transferred						
		If Partial Conveyance, List Improvements						
7	Transferred From	Doc. 1 - Grantor(s) Name(s)			Doc. 2 - Grantor(s) Name(s)			
		John H. Gullett and Marilyn L. Gullett						
	Transferred To	Doc. 1 - Owner(s) of Record, if Different from Grantor(s)			Doc. 2 Owner(s) of Record, if Different from Grantor(s)			
		Talbot 3, LLC, a Maryland limited liability company						
		New Owner's (Grantee) Mailing Address						
		P.O. 437, Easton, MD 21601						
9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)			Doc. 2 - Additional Names to be Indexed (Optional)			
10	Contact/Mail Information	Instrument Submitted By or Contact Person				☒ Return to Contact Person		
		Name: Candace L. Harrison				☐ Hold for Pickup		
		Firm: Eastern Shore Title Company				☐ Return Address Provided		
		Address: 114 N. West Street						
		Easton, MD 21601						
		Phone: (410) 820-4426						
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER	Assessment Information						
		Yes ☐ No ☒ Will the property being conveyed be the grantee's principal residence?						
		Yes ☐ No ☒ Does the transfer include personal property? If yes, identify: _____						
		Yes ☐ No ☒ Was property surveyed? If Yes, attach copy of survey (if recorded, no copy required).						
		Assessment use only - Do Not Write Below This Line						
	Terminal Verification		Agricultural Verification		Whole Part		Tran. Process Verification	
	Transfer Number	Date Received:		Deed Reference:		Assigned Property No.:		
	Year	20	20	Geo.	Map	Sub	Block	
	Land			Zoning	Grid	Plat	Lot	
	Buildings			Use	Parcel	Section	Occ. Cd.	
	Total			Town Cd.	Ex. St.	Ex. Cd.		
	REMARKS:							

Distribution: White - Clerk's Office
Pink - Office of Finance

Canary - SDAT
Goldenrod - Preparer

AOC-CC-100(3/7007)

File No.: EST-28107-CH



RECEIPT

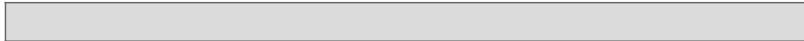
TOWN OF EASTON

Planning & Zoning Department

P.O. BOX 520

Easton, Maryland 21601

APPLICATION #	DATE
2024 - 1250	7/12/2024
PROJECT ID	
V 24 - 06	



Talbot 3 LLC

P.O. BOX 437

Easton, Maryland 21601

RE: BOZA Application 2024 - 1250 / V 24 - 06

9 S. Harrison Street

Tax Map 0104, Grid 0EA, Parcel 1527

Easton, Maryland 21601

Date	Description	Transaction	Amount
07/12/2024	BOARD OF ZONING APPEALS - VARIANCE	Check # 1206	250.00
			-
			-
			-
			-
			-
			-
Thank you!			TOTAL \$250.00

Paid in full. Thank you!

If you have any questions about this invoice, please contact
Samantha N. Smith, Administrative Specialist (410) 822-1943, ssmith@eastonmd.gov





TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

July 26, 2024

Mr. Thomas Haschen
Talbot 3 LLC
P.O. Box 437
Easton, Maryland 21601

Re: BOZA Application V-1250 / V 24-06
9 S. Harrison Street
Tax Map 0104, Grid 00EA, Parcel 1527
Easton, Maryland 21601

Mr. Haschen,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, August 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.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

August 5, 2024

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, August 20, 2024 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 Application V-1250 / V 24-06 has been filed on behalf of Talbot 3 LLC, pursuant to Section 28-1303.5.C of the Zoning Ordinance (Ordinance) of the Town of Easton, to obtain a variance from Section 28-305.2.H, the maximum density of sixteen (16) dwelling units per acre for multifamily dwellings. The applicant is seeking to add one (1) additional apartment to the first floor of the dwelling for a total of seven (7) units. The property is located at 9 S. Harrison Street, Easton, Maryland, also known as Tax Map 0104, Grid 00EA, Parcel 1527, Lot 9 and is situated in the CB – Central Business Commercial 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. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning & Zoning Department
410-822-1943 ssmith@eastonMD.gov



Subject property posting pursuant to Section 28-901.2.H.2 of the Town of Easton Zoning Code - August 02, 2024.

NOTICE

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A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, August 20, 2024 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

EASTON BOARD OF ZONING APPEALS

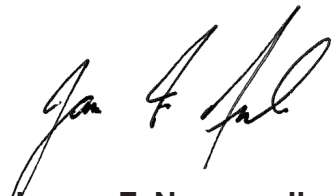
Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

CERTIFICATE OF PUBLICATION

STATE OF : MARYLAND
COUNTY OF: Talbot County

This is to certify that the annexed legal advertisement has been published in the publications and insertions listed below. "Application V-1250 / V 24-06..." was published in the:

The Star Democrat 08/03/24



James F. Normandin
President & Publisher

NOTICE

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EASTON BOARD OF ZONING APPEALS

3059587 SD

8/3/2024