



**MIDDLETOWN BOARD OF APPEALS
Middletown, Maryland 21769**

Meeting Minutes for April 27, 2021

Case #MT-B-21-3 & MT-B-21-4

The Middletown Board of Appeals (BoA) met on Tuesday, April 27, 2021 at 7:00 p.m. via Zoom meeting. Present were BoA members Daphne Gabb (Chairwoman), Alex Kandruck, Sean Mahar, and Jonathan Minchoff (alternate), Mark Hinkle (Zoning Administrator) and Patty Guyton (recording secretary).

Others present: Mark Lancaster (Lancaster Builders), Shawn Putnam (Putnam Homes), Bob Smart (resident 7525 Coblenz Rd), Richard Favarulo (resident 103 Manda Dr.), and Bernard Pond (resident 105 Manda Dr.).

Minutes – Chairwoman Gabb asked if there were any corrections to the January 26, 2021 BoA meeting minutes as submitted. Hearing no comments, the minutes were approved.

Case MT-B-21-3 - The applicant is filing for a special exception use for a self-storage facility in the General Commercial District (GC) near 815 East Main Street. Historically, this is the second time this case is before you. The first hearing was held February 26, 2020 and approved 3-0 however, after one year, the decision has expired, and the applicant is required by Town Code to re-apply.

After review of all applicable code and historical background provided by the Town Staff Planner, I would recommend approval for Special Exception use of a self-storage facility with the condition that the Middletown Planning Commission will review all plans moving forward to include architectural drawings and elevations, parking provisions, and size limitation authority. This project and specific standards for the proposed use are being met or will be met upon review and approval by the Planning Commission during the appropriate review period. The Middletown Planning Commission met on March 15, 2020 and recommended approval of the special exception use requested as “the proposal is consistent with the prior approval by the commission with the regulations for self-storage facilities and the proposed use for the property in question being consistent with the requirements of the specific standards for a self-storage facility and the zoning for the property.”

The applicant has requested hours of operation to include “key code access to units by customers seven (7) days a week, 5:00 AM to 11:00 PM; and staffed hours Monday-Saturday 8:00 AM-5:00 PM.” Based on a review of several local self-storage facilities staff would recommend hours as follows, include “key code access to units by customers seven (7) days a week, 6:00 AM to 9:00 PM; and staffed office hours Monday-Saturday 8:00 AM-5:00 PM.” The proposed hours of operations are more inline and potentially lessens any impact to neighboring properties.

Discussions: Mark Lancaster stated that there are no changes from the previous submission, this is just an extension due to Covid causing delays in production.

Richard Favarulo (103 Manda Dr) stated that residents have concerns with the type of fencing being proposed at the back side of the property. Board of Appeals members stated that the Planning Commission is responsible for approving site plans with proposed fencing. This case is just for the Special exception approval for the self-storage facility.

Bernard Pond (105 Manda Dr) asked Mr. Lancaster what the projected estimated start of construction for the Self-storage facility is. Mr. Lancaster said they do not know exactly when construction will start due to delays and needing Planning Commission approval on Site and Improvement Plans but plan to start in the next 4 to 5 months.

Action: Motion by Board member Kundrick to approve the Special Exceptions with key code access to units by customers seven (7) days a week, 6:00 AM to 9:00 PM; and staffed office hours Monday-Saturday 8:00 AM-5:00 PM. Seconded by Board member Mahar. Motion carried (3-0).

Case MT-B-21-4 - The applicant has requested the following variance from the Middletown Municipal Code, Section 17.16.070 (*Required lot area, lot width and yards*) that states that the desired variance is to reduce minimum lot width from 75' to 73' to build a single-family home in the R-1 district as found at 114 E. Main Street. The current lot width requirement found in the Middletown Municipal Code is 75'. This lot is an irregular, narrow, older, undeveloped lot. Access to the single-family dwelling would appear to be from E. Main Street.

Based on the application it appears that a request is being made to construct a single-family dwelling. The lot has long been vacant is uniquely shaped and narrows toward the rear of the lot. It appears that the lot was created prior to zoning laws and does not meet current standards as established by the Town. A variance would need to be granted to afford the applicant appropriate use of their property. The applicant has submitted all required documentation and justifications for the requested. Staff has reviewed all information provided and concurs with the applicant that the variance should be granted.

Discussions: Board member Kundrick stated he would have liked the proposed building pictured on the plans, to be able to view the building location on the lot.

Shawn Putnam (Putnam homes) stated that the house being built will be compatible with the surrounding homes and will have parking in the rear of the lot.

Bob Smart (7525 Coblentz Rd) stated that Habitat for Humanity was looking to build a house on this lot years ago but the type of building they wanted, would not fit on the lot.

Action: Motion by Board member Mahar to approve the 2' variance from the required 75' to 73'. Seconded by Board member Kundrick. Motion carried (3-0).

The meeting adjourned at 7:22p.m.

Respectfully submitted,

Patty Guyton
Town Receptionist