



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

Meeting Minutes for June 30, 2021

Case # MT-B-21-5

The Middletown Board of Appeals (BoA) met on Wednesday, June 30, 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)

Minutes – Chairwoman Gabb asked if there were any corrections to the April 27, 2021 BoA meeting minutes as submitted. Hearing no comments, the minutes were approved.

Case MT-B-21-5 - The applicant is filing for variance from a section of the Middletown Municipal Code. Section 17.20.030 - Building height regulations in commercial districts requires that “*No building shall exceed thirty-six (36’) in height or exceed sixty thousand (60,000) square feet in size.*” The Applicant is requesting a variance that allows a maximum height of approximately forty-two feet six inches (42’ 6”).

Staff notes that this project has previously been submitted and approved by the Planning Commission, the building that was approved was three stories and 52’ 6”. The developer has reimagined the project and changed course, they have a desire to reduce the size of the building and to reduce the footprint on the existing lot however, section 17.20.030 was modified on September 14, 2020, to reduce building heights in Commercial Districts to 36’ and therefore the proposed building is no longer in compliance.

The Applicant states a variance is required to Sections 17.20.0300 – Building height regulations. The requested variance and continued prudence by the Planning Commission will ensure an appropriately sized and visually appealing building will greet residents and visitors as they enter Middletown from the east.

Staff notes that if the variance requested is granted, it will not alter the essential character of the neighborhood or district in which the property is located, nor substantially impair the appropriate use or development of adjacent properties, nor be detrimental to the public welfare.

Discussions: Mark Lancaster stated that the reason for the height decrease is due to the original green hip-roof being removed and replacing it with a flat roof.

Board members asked if the building will be more than 60,000 square feet in size. Mr. Lancaster stated that the building will be less than 40,000 square feet in size.

Action: Motion by Board member Kundrick to approve the height variance of 42' 6" with the understanding that this is still to be reviewed by the Middletown Planning Commission for all other requirements related to the development of this property. Seconded by Board member Mahar. Motion carried (3-0).

The meeting adjourned at 7:09p.m.

Respectfully submitted,

Patty Guyton
Town Receptionist