

From: [Charles County Government](#)
To: [Public Record](#)
Subject: *NEW SUBMISSION* Submit Comments - Commissioners' Public Comment Sessions
Date: Tuesday, April 30, 2024 10:01:11 AM

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Submit Comments - Commissioners' Public Comment Sessions

Submission #: 3171141
IP Address: 167.102.160.10
Submission Date: 04/30/2024 10:00
Survey Time: 19 minutes, 38 seconds

You have a new online form submission.

Note: all answers displaying "*****" are marked as sensitive and must be viewed after your login.

Read-Only Content

Name

Keith and Sharon Elkins

Address

12084 Ell Lane
Waldorf, MD 20602

Phone

(301) 535-3617

Email

elkinskarate@aol.com

Comment

Please see attached letter and documentation regarding violation regarding window coverings on my small business.

Upload File(s)

[04302024_Letter re signage requirements and violation fees.pdf](#)

Thank you,

Charles County, MD

This is an automated message generated by Granicus. Please do not reply directly to this email.

April 30, 2024

Charles County Board of Commissioners
200 Baltimore Street
LaPlata, MD 20646

RE: *Signage Violations for Businesses in Charles County*

I have received a notice of a violation at my business ***Elkins Karate Center*** located at ***12084 Ell Lane Waldorf, MD 20602*** regarding the Charles County Zoning Ordinance specifically 297-320 “Signs requiring neither permit nor payment of a fee” and/or 297-320 and 291-321 “Prohibited Signs”.

The violation notification states that ***“Penalties typically accrue when the violation is first observed, and then on the date of the compliance inspection date noted above; each day thereafter that the violation exists constitutes a separate offense. For this Special Enforcement Initiative only, if the violation(s) is observed abate by the compliance inspection noted above, then no civil penalty shall be imposed. However, if the violation(s) is observed unabated during the compliance inspection date noted above, such violation(s) will be considered both a first and second offense for each observed violation and a penalty of \$150.00 for each observed violation will be imposed. If the violation(s) remain unabated the following day, such violation(s) will be considered a third offense and an additional penalty of \$200.00 for each observed violation will be assessed. An additional penalty of \$500.00 for each observed violation will be assessed for each subsequent day the violation(s) remain unabated.”***

I placed window coverings on my business for a multitude of reasons. I am teaching youth in the County martial arts and my commercial space is on the corner of the building facing the road, the sun shines directly into the windows causing it to heat the space up when I am operating classes. Having the window coverings cools the space down efficiently and causes less distraction with my students during their training with the passing traffic on Leonardtown Road. This is important for financial reasons as well especially with the increases in fees that SMECO has imposed. I also placed them for advertising of my small business as well as keeping criminal activity at bay due to how bad it has gotten in Charles County. These window covering were expensive, and I am

concerned that the County is imposing violation fees on small businesses that are trying to operate successfully pulling out of the pandemic and support their families. The fees imposed are high and no business should have to worry about being fined for something like this.

Are you going through the county and checking every single business that has window coverings? Because if so, that would mean most of the businesses in Charles County are going to be imposed these fines. Do you know what kind of financial hardship this will cause to small businesses? We had a professional company come in to wrap our windows and it was very expensive.

It states that there is no permit requirement for the windows to have coverings, but you are imposing fines if they are covering more than 25% of the surface area. What reasons were these decisions made to not allow a business to cover more than 25% of the surface area?

I am asking that you consider making an amendment to the signage requirements and take into consideration the financial hardship that this will cause businesses in Charles County.

I have attached the letter sent to my landlord as well as a picture of the window coverings at my business reference above.

Sincerely,
Keith and Sharon Elkins



CHARLES COUNTY GOVERNMENT
Department of Planning & Growth Management

Jason R. Groth, AICP
Acting Director

Phone | 301-645-0692
Email | PGMAdmin@CharlesCountyMD.gov

CORRECTIVE ACTION LETTER

RICHARD & K KONKA ET AL EARNSHAW
PO BOX 2511
LA PLATA MD 20646-2511

March 15, 2024

VIA CERTIFIED & FIRST CLASS USPS

RE: Zoning Violation # ZV-240103 -1 (Premise Address: 12084 ELL Lane WALDORF MD 20602)

Dear Property Owner:

On February 29th, 2024, an inspection revealed a commercial property in violation of the Charles County Zoning Ordinance, specifically §297-320 "Signs requiring neither permit nor payment of a fee" and/or §297-321 "Prohibited Signs". Copies of §§ 297-320 and 297-321 are provided herein; we implore you to review these codes carefully and then abate the violation(s) accordingly.

Typically, the County would afford a property owner fifteen (15) calendar days to abate violation(s) such as this. However, the Board of Charles County Commissioners voted to implement a *Special Enforcement Initiative* providing all commercial businesses observed in violation of the sign provision(s) of the Charles County Zoning Ordinance an amnesty period during which the commercial business may abate the observed violation(s) without accruing civil penalties.

This amnesty period shall begin March 15th, 2024, and shall last until June 20th, 2024, at which point all cited violation(s) must be abated. A compliance inspection will be conducted on or after June 24th, 2024. Questions and / or concerns relating to these violation(s) and / or of the provisions of the Charles County Zoning Ordinance cited herein may be directed to Inspector Charles Battle.

§297-4 of the Charles County Ordinance illustrates how civil penalties are imposed in relation to this matter. Penalties typically accrue when the violation is first observed, and then on the date of the compliance inspection date noted above; each day thereafter that the violation exists constitutes a separate offense. For this *Special Enforcement Initiative* only, if the violation(s) is observed abated by the compliance inspection noted above, then no civil penalty shall be imposed. However, if the violation(s) is observed unabated during the compliance inspection date noted above, such violation(s) will be considered both a first and second offense for each observed violation and a penalty of \$150.00 for each observed violation will be imposed. If the violation(s) remain unabated the following day, such violation(s) will be considered a third offense and an additional penalty of \$200.00 for each observed violation will be assessed. An additional penalty of \$500.00 for each observed violation will be assessed for each subsequent day the violation(s) remain unabated.

If you fail to take the corrective action, this/these matter(s) will be referred to the County Attorney's Office for enforcement, which may include filing a complaint in the District Court of Maryland.

Respectfully,

Charles Battle

Charles Battle, Inspector I
Department of Planning & Growth Management "PGM" / Planning Division
BattleC@charlescountymd.gov
Office Direct Telephone #: 301-638-2410

cc: Attachments / files

§ 297-320. Signs requiring neither permit nor payment of a fee.

The following signs are exempt from regulation under this article except for construction and safety regulations and the following standards:

- A. Political campaign signs. Political campaign signs are permitted in all zones. In residential zones, political campaign signs shall not exceed 32 square feet in area and shall not be illuminated. Political campaign signs shall be confined to private property and shall not be affixed to any public structure.
- B. Signs identifying the name of the property and/or residents thereon. Such signs shall not exceed three square feet in area.
- C. Signs having an area of not more than eight square feet each, the message of which is limited to warning of any danger, prohibition or regulation of the use of property or traffic or parking thereon.
- D. Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and information signs, and traffic, directional Ag tourism or regulatory signs. [Amended 5-1-2012 by Bill No. 2012-07]
- E. The erection or maintenance of a sign designating the location of a transit line, a railroad station or other public carrier when not more than three square feet in area.
- F. Temporary special decorative displays, without commercial advertising, used for holidays, public demonstrations or the promotion of civic welfare or charitable purposes.
- G. A sign identifying an approved automobile inspection station, in accordance with the requirements of the State of Maryland Vehicle Administration, not exceeding 16 square feet in area. Such sign shall contain no advertising of services or products at its location.
- H. Signs not exceeding four square feet in area, securely attached to a gasoline pump, stating the price and octane of gasoline at the service station.
- I. Signs attached temporarily to the interior of a building window or glass door. Such signs, individually or collectively, may not cover more than 25% of the surface area of the transparent portion of the window or door to which they are attached.
- J. A temporary sign without illumination, on-site, and not exceeding 32 square feet in area advertising the sale of farm livestock or farm products produced on the premises.
- K. Signs within an enclosed structure, and not visible from the exterior of the building.
- L. Flags or insignia of any governmental or nonprofit organization when properly displayed. This does not include company flags or pennant signs. Nonprofit flags may only be displayed on the premises of the nonprofit.
- M. Signs directing and guiding traffic on private property that do not exceed four square feet each and that bear no commercial message.
- N. Homeowner association signs stating time and place of homeowner association meetings. [Added 5-1-2012 by Bill No. 2012-07]

O. Ag tourism signs. **[Added 5-1-2012 by Bill No. 2012-07]**

- (1) Any Ag tourism farm that meets the definition contained in this chapter is allowed up to three off-site directional signs to direct the traveling motorists to their farm.
- (2) These signs will be designed, constructed and sized in accordance with Appendix K of this chapter.¹
- (3) These signs will be located within the road right-of-way in accordance with Appendix K. Where it is not possible to locate these signs in the road right-of-way, signs may be placed on private property with permission of the property owner.

P. Balloons. The use of balloons in commercial advertising is permitted in accordance with the following conditions: **[Added 7-8-2014 by Bill No. 2014-06]**

- (1) Permitted only on weekends (Saturday and Sunday), state and federal holidays, and during prescheduled special events of a specified duration.
- (2) They shall not be placed in any right-of-ways, sight distance easements, or in locations which obscure any traffic signage.
- (3) They shall not float any higher than the building height of the business.
- (4) They shall be securely attached to ensure that they are not released and create any type of hazard to passing traffic. The balloons must be reused or disposed of properly and shall not be displayed after sunset.
- (5) They shall not be attached to any existing signage or light poles on the property.
- (6) Each individual balloon shall not exceed 20 inches in diameter and shall not be illuminated.

1. Editor's Note: Appendix K is included as an attachment to this chapter.

§ 297-321. Prohibited signs.

A. The following signs or devices are prohibited:

- (1) Signs which interfere with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads.
- (2) Signs which, by their location, color, size, shape, nature, or message may obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies.
- (3) Signs that revolve or are animated or that utilize movement or apparent movement to attract the attention of the public. This includes, but is not limited to, three-dimensional models, pennants, and propeller discs. **[Amended 7-8-2014 by Bill No. 2014-06]**
- (4) Signs or devices, including searchlights, spotlights and holograms, which contain or are illuminated by flashing, chasing, or intermittent effects. Scrolling message boards may not change the message more than once every 10 seconds. This provision shall not prohibit time, date, and/or temperature signs that convey information by words, letter or numbers and which are not in motion and are changed not more than once every 10 seconds.
- (5) Off-premises signs other than directional signs for real estate sales and event signs to include any sign mounted on wheels.
- (6) Signs mounted to or painted on vehicles visible from the public right-of-way unless the vehicle is used for transport in the normal day-to-day operations of the business.
- (7) Signs temporarily and or not securely mounted to vehicles. This does not include magnetic business identification signs, vehicle graphics or wraps.
- (8) Commercial advertising signs permanently placed or erected in the bed of a truck or on the deck of a trailer or a truck.
- (9) Roof signs.
- (10) Signs that emit sound, vapor, smoke, odor, particles or gaseous matter.
- (11) Signs within any government right-of-way except for official government signs, signs authorized by the appropriate government authority or directional signs erected in accordance with § 297-325G. Illegal signs erected in the government right-of-way may be removed by the County. An administrative fine of \$25 per commercial sign may be assessed by the County against the person that places or maintains a sign within the right-of-way of the state or County. **[Amended 5-1-2012 by Bill No. 2012-07]**
- (12) Promotional/special sale signs posted on machinery or equipment.

B. The locking, painting, posting or affixing of signs, posters or banners of any kind or description on the walls of buildings, barns, sheds, trees, utility poles, posts, fences, rocks, walls or other structures is prohibited. The following signs shall be exempt from the provision of this subsection: signs identifying the name of property and/or residents thereof;




temporary on-premises real estate signs; signs warning of any danger, prohibition or regulation of the use of property or traffic or parking thereon; and official government signs.

CHARLES COUNTY BUSINESS RESOURCE INFORMATION


The Charles County Economic Development Department (CCEDD) promotes economic growth and job creation by offering strategies, incentives, and programs to support all businesses. To help businesses within this sign enforcement zone, we have provided a list of specific resources to aid with compliance and enhance business operations. These resources are part of a wider array of assistance available from CCEDD, aimed at fostering a thriving business climate in Charles County.

THESE RESOURCES INCLUDE:



LOCAL RESOURCES

- **The Small Business Development Center** provides free or low-cost consulting services for new entrepreneurs and existing businesses. 
- **The WURC Façade Improvement Program** offers funding to enhance visible residential and commercial properties within the WURC, prioritizing projects fronting Old Washington Road.
- **The Commercial Real Property Improvement & Rehabilitation Tax Credit** defers and phases in new real estate property taxes resulting from increased property value due to renovations. 
- **Tri-County Council for Southern Maryland - Southern Maryland JobSource** provides proven tools to job seekers through four Southern Maryland American Job Centers, an "on the go" Mobile Career Center, workshops, and a dedicated team of resource and job specialists. 

STATE RESOURCES

- **The Maryland Department of Housing and Community Development - Neighborhood Business Works Loan Program** provides flexible financing to new or expanding small businesses and nonprofit organizations in Sustainable Communities and Priority Funding Areas throughout the state. 

FEDERAL RESOURCES

- **The SBA HUBZone Program** helps small businesses that operate and employ people in historically underutilized business zones by providing access to set-aside contracts and a 10% price evaluation preference. 
- **IRS Opportunity Zones** offer tax incentives to spur economic growth and job creation in low-income communities while providing tax benefits to investors. 

If you have questions or need help navigating these resources, please reach out to the Charles County Economic Development Department:

Charles County Government Economic Development Department
10665 Stanhaven Place, Suite 206 | White Plains, MD 20695
301-885-1340 | info@MeetCharlesCounty.com



Charles
CHARLES COUNTY, MARYLAND
ECONOMIC DEVELOPMENT DEPARTMENT

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- 4&5 YR OLDS
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