

**MINUTES OF THE MEETING OF THE  
CITY OF SEAFORD BOARD OF ADJUSTMENT AND APPEALS**

January 2, 2019

12:00 p.m.

Mayor David Genshaw called the meeting to order with Charles Anderson, City Manager and City Solicitor, Daniel Griffith in attendance. Mike Bailey, Building Official was also present.

Mayor Genshaw called for a motion to approve the minutes of the Board of Adjustment meeting held on December 5, 2018. City Solicitor, Daniel Griffith made a motion to approve the minutes. City Manager, Charles Anderson, seconded the motion; motion so passed with all present voting in favor.

Mayor Genshaw then turned the meeting over to Mike Bailey, Building Official.

Mr. Bailey presented **Case No. V-13-18: Nerla Despinasse, on behalf of Socrates Guerrier Bernadin**, owner of 206 N Market St., Tax Map and Parcel 431-5.00-181.00, seeks a variance to use the referenced location as a Church.

Mr. Bailey stated that the property is zoned R-2, therefore a variance is required for the property to be a Church. He also stated that the applicant, Mr. Socrates Guerrier, was present to answer any questions.

Mayor Genshaw solicited any questions from the Board members.

City Manager, Charles Anderson, asked if the whole building was being utilized for the purpose of the Church.

Mr. Guerrier stated no. They are only leasing half of the building.

Mr. Anderson asked what size congregation they were expecting for the Church.

Mr. Guerrier stated approximately forty people.

Mr. Anderson asked if they have any future plans for growth of the number of attendees of the Church and also the number of parking spaces provided at the location.

Mr. Guerrier stated possibly, however the lease is only for three years with no plans to renew, as the property owner is looking to sell after that time period. He also stated he was unsure of the number of parking spaces.

Building Official, Mike Bailey stated that he was unsure of number of spaces, as they need re-striping.

Mr. Anderson asked what the square footage of the space was.

Mr. Guerrier stated approximately 3,500 sq. ft.

City Solicitor, Daniel Griffith, asked when Church services would be held.

Mr. Guerrier stated services would be Saturday morning, Sunday afternoons and Friday evenings.

Mr. Griffith also asked about the number of employees the Church has.

Mr. Guerrier stated none currently.

Mayor Genshaw asked how many restrooms the building had.

Mr. Guerrier stated one.

Mr. Anderson stated that in the City Ordinance, any public place would need to have separate restrooms for male/ females for an occupancy over fifteen people.

Mr. Anderson also stated that given the number of parking spaces would determine the number of occupants the space would be allowed at any given time. The Code states, three people per one parking space. You can also not account for on-street parking.

Mayor Genshaw solicited any questions or comments from the public.

Mrs. Peterson, a resident of Arch Street, stated that her only concern was on-street parking becoming a nuisance from attendees since the property is close to her residence.

Mr. Anderson stated that onsite parking will be looked at and determined and on-street parking shouldn't have an affect given the occupancy allowance.

With no further questions or comments, the Mayor called for a motion.

City Solicitor, Daniel Griffith, made a motion to approve the variance request for use of the building being a Church, upon approval of compliance with building codes discussed including, restrooms, occupancy load, and parking. City Manager, Charles Anderson, seconded the motion; motion so passed with all voting in favor.

With no further business to discuss; Mayor Genshaw called for a motion to adjourn the regular meeting of the Board of Adjustment and Appeals. City Solicitor, Daniel Griffith made a motion to adjourn. City Manager Charles Anderson seconded the motion; the regular meeting of Board of Adjustment and Appeals was adjourned at 12:11 p.m. with all voting in favor of the motion.

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Daniel A. Griffith, City Solicitor

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David Genshaw, Mayor

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Charles D. Anderson, City Manager