

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

January 8, 2020

12:00 p.m.

Mayor David Genshaw called the meeting to order with City Manager, Charles Anderson 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 4, 2019. 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-01-20**: Lakeshore Motor Company LLC., located on Sussex Hwy., Tax Map and Parcel # 331-3.00-193.00, 193.12 and 193.13 are requesting a variance to allow a 7x16 digital sign to be placed on the property.

Mr. Bailey stated that the location for the sign to be placed is not in City limits, however, when the new location for the dealership is operable, the sign will be moved to that location, which is in City limits.

Mayor Genshaw solicited any questions from the Board members;

City Solicitor, asked where the presented photo of the proposed sign, that the board members received, was from.

Mr. Bailey stated the photo was a rendering of the proposed sign and is not currently at that location, but that is what it will look like once it is moved to the location within City limits.

City Manager, Charles Anderson, stated that per the City's code, they are permitted 150 sq. ft. of signage per each side for the referenced type of sign.

Mr. Bailey stated yes, for a ground sign. But it also restricts the size for the message center to 32 sq. ft. He also stated that they are under square footage for a ground sign but over the required footage for the electric message center.

Mr. Anderson asked if the sign will be placed close to the property line, ex: 5 ft.

Mr. Bailey stated yes, it will be in that proximity. Five feet is the set-back so it will be at least that.

Mr. Anderson stated that the right-of-way is approximately 200 feet so from the edge of pavement, it will probably sit back at least 50-60 feet. That with its location, limiting them to the 32 sq. ft. will make the sign look small so that would be a consideration.

City Solicitor, Daniel Griffith, asked if the sign flashed or if it stays the same.

Mr. Bailey stated it will probably rotate through different screens however, the City code does restrict the rotate speed to a minimum of every 5 seconds; the signs are not permitted to be strobing and/or flashing.

Mr. Dale McCalister, representing First State Sign, came forward to present some information.

Mr. McCalister stated that everything Mr. Bailey presented was true. However, they are considering reducing the signage by keeping the same size sign, but having a static section on the top of the sign that states the name of the business. So with that, instead of it being 7ft. high it would be 5ft. high, which would bring the signage request closer to the ordinance.

Mr. Anderson asked if the Board were to limit the size to no more than 150 sq. ft. of signage per side; would that be enough for what you are looking to accomplish.

Mr. McCalister stated yes. That would be sufficient for now. However, the dealership will be a Jeep dealership and with that, Chrysler may require something else, signage wise, so we may very well come back for another signage request at a later date.

Mayor Genshaw asked if there was a way that they could approve of something at today's meeting to prevent the dealership from having to come back at a later date for another signage request.

Mr. Anderson stated no, without knowing what the requirements for the next sign may be.

Mr. McCalister stated that the owners just wanted to know that they could purchase the sign/ message center and be able to move it onto the property when the time comes without having any problems.

Mr. Griffith asked what Mr. McCalister's preference for size would be; the requested is 7x16 or the 150 sq. ft. of signage as discussed.

Mr. McCalister stated he would rather it be approved as a 5x16 for the message center and can request for additional sq. ft. of signage if need be in the future.

Mayor Genshaw called for a motion. City Solicitor Griffith made a motion to approve the variance request from Lakeshore Motor Company LLC., located on Sussex Hwy., Tax Map and Parcel # 331-3.00-193.00, 193.12 and 193.13 to allow a 5x16 digital message center to be placed on the property as presented. City Manager Charles Anderson, seconded the motion. Motion so passed with all present voting in favor.

### **Decision**

City Solicitor Griffith approved the variance request for a 5x16 digital sign from Lakeshore Motor Company LLC., as they have met the standard for a use variance. It would be an unnecessary hardship to use the referenced sign according to the current code provision.

City Manager Anderson seconded the motion and the motion was unanimously approved dated February \_\_\_\_\_, 2020.

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 Manager, Charles Anderson, made a motion to adjourn. City Solicitor, Daniel Griffith, seconded the motion; the regular meeting of Board of Adjustment and Appeals was adjourned at 12:10 p.m.

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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