

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

November 9, 2016

12:00 p.m.

Mayor David Genshaw called the meeting to order with Charles D. Anderson, Assistant City Manager and Mr. James A. Fuqua, Jr. City Solicitor were in attendance, as was Mr. Joshua Littleton, the Building Official.

Mayor Genshaw turned the meeting over to Mr. Littleton. Mr. Littleton presented **Case No. V-21-16: ACTS Retirement Life Communities, Inc.**, property owners of 1001 Middleford Road, identified as Tax Map and Parcel 331-7.00-17.00, are seeking relief from the Zoning Ordinance, Section 15-65 Temporary sign regulations, (A)(1)(d) All signs shall be located at least five (5) feet from any property and/or right of way line. The owners wish to install temporary banners on the existing fence line along Middleford Road. Mr. Littleton introduced Mr. George Clemes, Executive Director of ACTS, also known as the Manor House.

The request is to fasten temporary signs to the black fence that runs along Middleford Road. The banners meet the permitted size requirements. The issue is the distance from the property line; the desire is to place the signs on the fence which is not five feet from the property line.

City Solicitor Fuqua had concern about the time frame in the ordinance. Mr. Clemes thought six months up and then take them down for six months and put them back up. The signs are made of vinyl and will deteriorate. Mr. Clemes explained the purpose of the signs is that a lot of people know where the Manor House is, but they don't know about the other services offered to the community. The Manor House is regarded as a nursing home, but for instance, they have outpatient services, such as a rehabilitation center. They offer a lot of services to the community. City Solicitor Fuqua noted that in the Zoning Ordinance under temporary signs no time frame is stated. Mr. Littleton said the time frame is generally determined by the requirement that signs are to be kept in good repair, we rely on the condition of the sign as to how long they can remain.

City Solicitor Fuqua said if this is approved, it will be just for these banners, they will have to come back to the Board if they want new ones. The Board would like to keep some control over the signs.

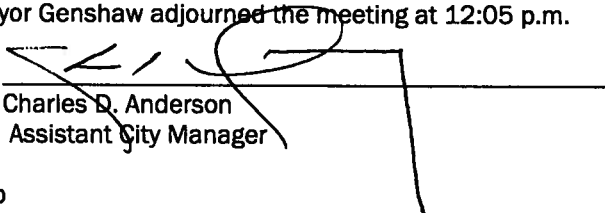
City Solicitor Fuqua summarized the situation – the question is can it be closer than five feet to the property line? The existing fence is within five (5) feet of the road; the signs would be parallel to the road; two of the signs will be east of the entrance; two signs will be west of the entrance; the placement doesn't impair traffic. City Solicitor Fuqua was still wondering about the temporary issue. If the application is approved, we approve it for these particular signs, if the signs change, ACTS will have to come back before the Board.

Mr. Clemes stated they are in the process of redoing all the signage on the campus, including new signs at the main entrance. The temporary signs would be put up and down for a year.

City Solicitor Fuqua made a motion to approve a variance to place these four signs with no replacement of the signs. Assistant City Manager Anderson asked if a time frame should be included. City Solicitor Fuqua amended his motion to say "to approve a variance to place these four signs with no replacement signs and will have up to two years from today's date." Assistant City Manager Anderson seconded the amended motion. All present voted in favor.

Mayor Genshaw adjourned the meeting at 12:05 p.m.

By:

  
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Charles D. Anderson  
Assistant City Manager

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Anyone taking exceptions to any statements contained herein should notify the writer within 10 days. If no exception is made, the minutes will stand as approved after the 10<sup>th</sup> day.