

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

November 8, 2017

12:00 p.m.

Mayor David Genshaw called the meeting to order with Dolores Slatcher, City Manager and James A. Fuqua, Jr., City Solicitor in attendance. Mike Bailey, Building Official was also present.

Mayor Genshaw turned the meeting over to Mr. Bailey.

Mr. Bailey presented **Case No. V-13-17: Alex Diaz Bustillo**, seeks a variance from side yard setback for a deck 3 ft. from property line. The property address is 517 Elm Drive; Zoning District: R-1 Low Density Residential; Tax Map and Parcel: 531-13.05-22.00,

Mr. Bailey stated that during an inspection that he was making for the deck, he found that the deck was too close to the property line. Mr. Bustillo's neighbor, K.C. Tull, owner of 515 Elm Dr; the closest effected by this change, called and stated he had no complaints in regards to the deck. Mr. Bailey handed the board members pictures of the property for them to reference.

Mr. Bailey noted that Mr. Bustillo was present today to answer any questions that the Board may have.

Mayor Genshaw solicited any questions or comments from the Board members.

Mr. Bustillo came forward to answer any questions that the board members may have.

City Solicitor Fuqua, asked Mr. Bailey what the setback requirements for a deck are.

Mr. Bailey stated that R-1 Low Density Residential, a deck connected to the home, has an 8 ft. minimum requirement from the property line.

City Solicitor Fuqua, asked Mr. Bustillo if he was aware of these setback requirements, as they are stated on the permit.

Mr. Bustillo stated no. He did not notice the requirement on the permit, and was not told otherwise.

City Solicitor Fuqua, stated that after referencing the pictures of the deck, he found the deck to be an attractive improvement to the house.

He also asked Mr. Bustillo if he had plans on enclosing the deck, or leaving it open.

Mr. Bustillo stated that the deck will remain open.

City Solicitor Fuqua stated that the surrounding neighbors are fine with the deck and he sees no objections to the deck. He believes it is an improvement to the property, and property value.

City Solicitor Fuqua, made a motion to approve the variance of the deck with the three foot side yard set back as currently constructed.

City Manager Slatcher seconded the motion; motion so passed with all present board members in agreeance.

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Mayor Genshaw asked for a motion to adjourn the meeting of the Board of Adjustment and Appeals. City Manager Slatcher made a motion to adjourn the meeting; City Solicitor Fuqua seconded the motion; motion so passed with all voting in favor. Mayor Genshaw adjourned the Board of Adjustment meeting at 12:05 p.m.

By: _____
Dolores J. Slatcher, City Manager

/sne