

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

April 5, 2017

12:00 P.M.

Mayor David Genshaw called the meeting to order with the following Board members in attendance: Dolores J. Slatcher, City Manager and James A. Fuqua, Jr., City Solicitor. Joshua Littleton, Building Official was also in attendance. Mayor Genshaw turned the meeting over to Mr. Littleton.

Mr. Littleton presented **Case No. V-04-17: BC Investments (Walmart)** property owners of 22899 Sussex Hwy, Tax Map and Parcel 331-6.00-4.01. They are seeking relief from the Zoning Ordinance, §15-75(9) for off street parking and from §15- 40A for seasonal storage containers. Mr. Littleton introduced Mr. Doug Avery former co-manager at Seaford store and Ms. Sharon Matthews, co-manager. Mr. Littleton noted the Board has reviewed this request for many years. The plan is to use parking spaces on the north side of the building for the garden center and have two storage containers for merchandise. Mr. Avery said the containers will be on site for a full one hundred and twenty (120) days. City Solicitor Fuqua asked if the situation was the same as in past years. Mr. Avery said yes. City Solicitor Fuqua commented that part of the parking lot will be used for mulch, pavers, etc.. From past experience, the site has more parking spaces than what is needed for the store.

Mayor Genshaw called for public comment. There being none, City Solicitor Fuqua commented we've been dealing with this for 20 plus years. Walmart removes the containers when they are supposed to do so. The Code Dept. monitors the site; it has not been a problem in the past; it will pose no adverse effect on any other properties. Therefore, based on those facts, City Solicitor Fuqua made the motion to approve the variance and special exception as presented. City Manager Slatcher seconded the motion. Motion so passed with all present voting in favor.

Mr. Littleton presented **Case No. V- 05-17: Michael Bradley and Jeff Harris**, property owners of 315 Front St, Tax Map and Parcel 431-6.00-76.00 are seeking an expansion of an existing variance granted to this property, Zoning Ordinance, §15-29 Uses by Right in C-1 General Commercial District. Mr. Littleton introduced Mr. Michael Bradley, 117 Pine Street. Mr. Littleton explained the property received a variance in the past for a warehouse as an accessory building to the furniture store that was located across the street. The warehouse was built in 1990. In 2008 the previous owners came in again and requested a variance to use the building for private storage. Now, the new owners would like to expand (add-on to the existing warehouse) the private storage. In C-1, there are no setbacks which allows them to build to the property lines. Mr. Bradley said they need additional storage as the owner has passed away who owns the location that they currently using for storage and there is a reverse mortgage on the property. They would like to add a lean-to type structure to the existing building, no windows, no electric, and concrete floors. City Solicitor Fuqua asked how large? Mr. Bradley said about 20'x60'. He went on to explain that he's tried to purchase the adjoining lot, but without success. It's tied up in a family. He stated they do keep the lot mowed, however. City Solicitor Fuqua asked why was the variance necessary? Is the use the same? Mr. Bradley said exactly.

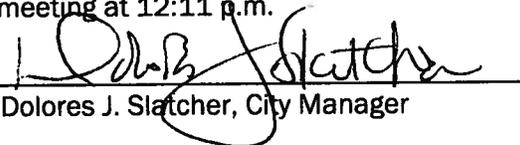
Mayor Genshaw called for public comment. There being none, City Solicitor Fuqua said the variance was granted almost ten years ago. It is not a nuisance, it is a quiet use, a small addition to the building. It has no adverse impact on the neighboring properties. It was legal when built as an accessory structure. Based on those facts, City Solicitor Fuqua made the motion to approve the expanded variance. City Manager Slatcher seconded the motion. Motion so passed with all present voting in favor.

Mr. Littleton brought up an application that the Board tabled on December 7, 2016 regarding Delmarva Teen Challenge, 22941 Sussex Highway. City Manager Slatcher stated Teen Challenge wished to keep four trailers on their property into perpetuity. The Board deferred the decision to Council because it was a code issue. Mr. Littleton stated at the January 10, 2017 Council meeting, Teen Challenge was granted an extension of use of four trailers for 240 days, after that the trailers

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would be gone or the new structure built. The Minutes of the Regular Meeting of the City of Seaford Mayor and Council dated January 10, 2017 are made a part of these Minutes. City Solicitor Fuqua asked what does the Board do now. City Manager Slatcher said the Board takes no further action and closes out the case. City Solicitor Fuqua motioned to abide by Council's decision. City Manager Slatcher seconded the motion. Motion so passed with all present voting in favor.

Mayor Genshaw asked for a motion to adjourn. City Solicitor Fuqua so moved; City Manager Slatcher seconded the motion. Motion so passed with all present voting in favor. Mayor Genshaw adjourned the meeting at 12:11 p.m.

By:   
Dolores J. Slatcher, City Manager

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