

# TOWN OF GEORGETOWN - BOARD OF ADJUSTMENT

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## Meeting Minutes April 6, 2022

### ATTENDANCE

#### Board Members

Jane Hovington  
Tom Baker  
Ron Howard  
Mike DiGiacoma  
Billy Edwards

#### Staff

Jamie Craddock  
Jocelyn Huff  
John Paradee, BOA Solicitor

#### 1. CALL MEETING TO ORDER

Chairperson Hovington called the meeting to order at 5:00 p.m.

#### 2. APPROVAL OF MARCH 2, 2022 MEETING MINUTES

Member Edwards moved, seconded by Member DiGiacoma, to approve the March 2, 2022 regular meeting minutes as presented. **APPROVED (UNANIMOUS)**

#### 3. Public Hearing:

##### **BOA CASE #2022-07**

*An application by 79 G Town, LLC, requesting from §230-170 (H) & (C) of the Code of the Town of Georgetown a variance to allow an increase in signage from the allowable 70 square feet to the proposed 181 square feet. The property is located at 33016 Finley Avenue, identified as Sussex County Tax Map ID 135-19.00-9.00 zoned HC (Highway Commercial).*

Ms. Huff confirmed for the Board that the application had been duly advertised and posted and that no correspondence had been received either for or against the application.

Gordon Mariner, of Ad Art Signs, and Casey Kenton, of 79 GTown LLC, presented the application. Mr. Mariner provided packets (Exhibit 1) to the Members including the proposed sign and photos of some of the existing signs within ½ mile of the site, most of them larger than the proposed sign. The applicant stated that the County and State allow signage up to 200 sq ft for commercial signage. The Town made changes to the code in 2014 reducing the size allowed for signage.

Ms. Huff informed the Board that the Town is currently working on revisions to the sign code including increasing the allowable area of signage along the highway.

Chair Hovington opened up the floor for public comments. No comments were made either for or against the application.

Board Solicitor Mr. Paradee reviewed the Kwik-Check analysis standards to be satisfied for an area variance and confirmed that the test is satisfied in that the harm to the applicant if the variance is denied (competitive disadvantage) would be greater than the probable harm to neighboring properties, which is minimal, as there are already complex signs larger in the area, if the variance is granted based on the presentation. Absent any evidence or testimony that there is going to be any terrible harm or result to the community.

**Member Baker moved, seconded by Member DiGiacoma, to approve the variance to increase signage from the allowable 70 square feet to the proposed 181 square feet. APPROVED (UNANIMOUS)**

Roll call vote:

Member Baker – Yes, the 70 sq ft size requirement in the code is inappropriate size wise when you are going to try to read what the location is and the entities within.

Member DiGiacoma – Yes, in agreement with the applicant’s presentation.

Member Edwards – Yes, the approval of the increase in size does no harm to the surrounding businesses.

Member Howard – Yes, no harm to the surrounding area as stated.

Chair Hovington – Yes, the request meets the standards for a variance.

#### 4. EDUCATION WORKSHOP

Board Solicitor John Paradee reviewed the legal standard for area variances with the Members of the Board, and addressed various questions raised by Board Members.

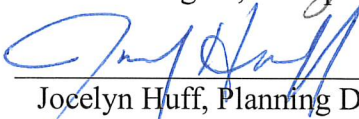
#### 5. ADJOURNMENT

Member Baker moved, seconded by Member DiGiacoma, to close the meeting at 5:16 p.m. APPROVED (UNANIMOUS)

APPROVED:

  
Jane Hovington, Chairperson

ATTEST:

  
Jocelyn Huff, Planning Department