

TOWN OF GEORGETOWN - BOARD OF ADJUSTMENT

Meeting Minutes June 1, 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 MAY 4, 2022 MEETING MINUTES

Member DiGiacoma moved, seconded by Member Howard, to approve the May 4, 2022 regular meeting minutes as presented. **APPROVED** (UNANIMOUS)

3. Public Hearing: BOA CASE #2022-12

An application by Ira Brittingham, requesting from §230-16 of the Code of the Town of Georgetown (1) a variance for the reduction of the required 40' front yard setback to the proposed 17' setback (2) a variance for an increase in fence height from the allowable 4' to the proposed 5' and 6'. The property is located at 21315 Berlin Road, identified as Sussex County Tax Map ID 135-14.15-54.00 zoned HC (Highway Commercial District).

Chair Hovington confirmed with Ms. Huff that the only piece of correspondence received was received from the applicant and in the Members packets.

Ira Brittingham presented the application for a fence to restrict access to the property. A letter in favor of the request, from the adjoining property to the south (ACE Center), was included in the packet. A four feet tall fence will not be tall enough, as it could be jumped over. A six feet tall fence is proposed to be installed with slats in it. The fence will be placed 3" – 6" within the property line. Visibility will not be impacted. The five feet tall fence will start after the proposed 17 feet setback, next to the ACE sign for ten linear feet and then convert to six feet tall to the back property line.

Kevin Short, spoke during public comment, in favor of the request as he owns the adjacent property and his tenant, a homeless resource center, is a primary source for the pedestrian traffic on the property.

The applicant stated the proposed fence will be chain link with slats to reduce visibility as requested by his tenant, the Federal government. Vinyl fence is not recommended as it breaks easily in the colder temperatures.

Member Baker moved, seconded by Member DiGiacoma, to approve the variance for the reduction of the required 40' front yard setback to the proposed 17' setback.

Roll call vote:

Member Baker – Yes, no issues created with line of sight of oncoming traffic. If not granted, would not accomplish what the tenant is requesting and it is not unusual for separation of commercial properties.

Member DiGiacoma – Yes, will not be out of character with the area.

Member Edwards – Yes, neighbor stated there would be no harm if granted.

Member Howard – Yes, the 17' setback is sufficient.

Chair Hovington – Yes, approval is not contrary to public interest. It would be unnecessary hardship if denied.

APPROVED (UNANIMOUS).

Member DiGiacoma moved, seconded by Member Baker, to approve the variance for an increase in fence height from the allowable 4 feet to the proposed 5 and 6 feet.

Roll call vote:

Member Baker – Yes, the additional feet in height will reduce potential issues.

Member DiGiacoma – Yes, as stated, there would be undue harm to the owner if not approved as requested.

Member Edwards – Yes, the effect on the neighbors would be minimal.

Member Howard – Yes, as already stated.

Chair Hovington – Yes, no detriment to the public and the spirit of the ordinance would be observed with the request.

APPROVED (UNANIMOUS).

4. ADJOURNMENT

Member DiGiacoma moved, seconded by Member Edwards, to close the meeting at 5:15 p.m. **APPROVED (UNANIMOUS)**

APPROVED:


Jane Hovington, Chairperson

ATTEST:


Jocelyn Huff, Planning Department