

**CITY OF DOVER
BOARD OF ADJUSTMENT
March 19, 2008**

The Regular Meeting of the City of Dover Board of Adjustment was held on Wednesday, March 19, 2008 at 9:00 AM with Chairman Sheth presiding. Members present were Mr. Sheth, Dr. Goate', Colonel Ericson, Mr. Hufnal, and Mr. Senato.

Staff members present were Mrs. Townshend, Ms. Cornwell, and Mr. Rodriguez. Also present were Mr. Theodore Book and Mrs. Veronica Rogers.

NOTE: These minutes were prepared using the "Action Minutes" format.

APPROVAL OF AGENDA

Mr. Senato moved to approve the agenda as submitted, seconded by Mr. Hufnal and the motion was unanimously carried.

APPROVAL OF THE REGULAR BOARD OF ADJUSTMENT MEETING MINUTES OF FEBRUARY 20, 2008

Mr. Senato moved to approve the regular Board of Adjustment meeting minutes of February 20, 2008, as submitted, seconded by Mr. Hufnal and the motion was unanimously carried.

OPENING REMARKS CONCERNING DEVELOPMENT APPLICATIONS

Mrs. Townshend presented to the audience the policies and procedures that would be followed during these hearings.

OLD BUSINESS

Applicant #V-08-01 - 260 Beiser Blvd., Lands of Delaware Surgical Associates: Delaware Surgical Associates have applied to the City of Dover Board of Adjustment requesting a variance from the requirements of Article 5 §4.7 of the *Zoning Ordinance* pertaining to the setbacks of signage.

Subject property is zoned IPM (Industrial Park/Manufacturing Zone) and the Tax Parcel ID # is ED05-076.15-01-03.03-000. The owner of record is Delaware Surgical Associates.

Representatives – Mr. Theodore Book, Contractor of Sign; and Mrs. Veronica Rogers, Office Assistant for Delaware Surgical Associates.

Ms. Cornwell presented the application.

Mr. Sheth questioned whether any member of the Board had a conflict of interest and there was none.

Dr. Goate' questioned how he would react if the Board stated that this sign was attractive and dynamic because of the pillars and bricks that are on either side; however are really not necessary? Responding to Dr. Goate', Mr. Book stated that this was correct, it was more that the

design of the sign was within the realm of the building. We constructed four other buildings previously with similar signage and feel that by eliminating the pillars, it would be less attractive and friendly because the pillars on the front of the building compliment the sign and at this point, would be costly to remove.

Mr. Senato questioned if the pillars were not there, would the sign be in compliance? Responding to Mr. Senato, Ms. Cornwell stated that no. It would still be too close to the right-of-way as it would need to be ten feet back and even with removal of the pillars, it does not meet that distance.

Mr. Hufnal stated that the report states that there is twenty (20) feet from the right of way to place a sign, if you had this, where would you put it because it looks like it would be in the parking lot? Responding to Mr. Hufnal, Mr. Book stated that there is not twenty (20) feet to place a sign anywhere that would be able to denote the four (4) different businesses in this building. The only thing they could do would be to turn it sideways and then it would lose its effect.

Mr. Sheth opened a public hearing and after seeing no one wishing to speak closed the public hearing.

Mr. Sheth questioned if there was any correspondence received for this application and there was none.

Mr. Senato moved to deny application V-08-01- 260 Beiser Blvd., Lands of Delaware Surgical Associates for the reason that the compliance was not originally made with the City to place proper signage, seconded by Dr. Goate' with the understanding that nothing of a negative nature was attempted in this particular matter and therefore reasonable. The motion carried with a 3-2 vote. Colonel Ericson and Mr. Hufnal were in opposition.

Mr. Senato moved to adjourn the meeting, seconded by Mr. Hufnal and the motion was unanimously carried.

Meeting adjourned at 9:44 AM

Sincerely,

Diane Metsch
Secretary