

*"A Historic Past"*



*"A Bright Future"*

CITY OF DELAWARE CITY  
407 Clinton Street - P.O. Box 4159  
Delaware City, Delaware 19706  
302-834-4573

**CITY OF DELAWARE CITY  
PLANNING COMMISSION  
April 1, 2013**

**CALL TO ORDER**

Commissioner Schofield called to order the regular meeting of the Planning Commission at 7:00 p.m. The following Commissioners were present: Dilliplane, Slotter, Lewis, Snow and Maxwell.

**ACTION ON THE PREVIOUS MINUTES**

*Commissioner Slotter made a motion to accept the minutes of the March 4, 2013 Planning Commission meeting as written. Commissioner Dilliplane seconded the motion. A vote was taken, all ayes, motion carried.*

**704 FIFTH STREET – P. S. C. PROPERTIES – NEW CONSTRUCTION  
ADDITION VARIANCE – FRONT SET BACK FROM 15’ TO 0’**

Mr. Carden was not able to attend the meeting but would attend the May meeting. Discussion followed. *Commissioner Lewis made a motion to table the discussion. Commissioner Dilliplane seconded the motion. A vote was taken, all ayes, motion carried.*

**FRONT STREET (CORNER OF FRONT & ADAMS) – HENRY  
WALTON/WHITTAKER BROS. – SUBDIVISION FROM 1 LOT (100X105) TO 3  
LOTS**

- Lot #1 - 32.5' X100'
- Lot #2 - 35' X 100'
- Lot #3 - 35' X 100'

All Three (3) Lots need Variances

- Area from 6000 sq. ft. to 3200 sq. ft.

- Lot Frontage from 60' to 32'
- Front Setback from 20' to 0'
- Side Setback – Both Sides from 15' to 6'
- Lot Coverage from 30% to 42%

Mr. Whittaker presented his subdivision plan. He explained that this property is zoned residential. He showed the properties at the corner of Front and Washington Streets that set the precedence for the variances he is requesting. He said he is proposing to build three single homes, facing Front Street, and targeting the over 50 market. He said there would be 11 feet between the residences. He explained the floor plans. He would like to create a rear access with an alley behind the residences. Mr. Whittaker pointed out that Front Street is 60 feet wide, but the paved area is narrower. Discussion followed regarding four off-street parking spaces for each residence, actual variance table different than stated above and on the agenda, on street parking, eaves overhang, built two to three feet above flood elevation, flood plains, property values, gutters and water runoff. Commissioner Snow told the other commissioners that the property belongs to her parents, so if there were to be any voting, she would abstain. *Commissioner Dilliplane made a motion to accept the variances in accordance with the variance table displayed on the Record Minor Subdivision Plan. Commissioner Maxwell seconded the motion. A vote was taken, all ayes, with Commissioner Snow abstaining, motion carried.*

#### **REVIEW OF THE SIGN ORDINANCE**

Commissioner Schofield said it was determined at the last meeting that they would discuss: grandfathering existing signs, the definition of a sign, window displays, digital signs, setbacks, and the size of signs for bed and breakfasts. Discussion followed regarding grandfathering existing signs, but not banners and definitions of a sign and a banner. *Commissioner Dilliplane made a motion to add the following to the definition of sign: manipulation of a banner onto solid surface(s) does not constitute a sign. Commissioner Snow seconded the motion. A vote was taken, all ayes, motion carried.*

Additional discussion occurred regarding grandfathering existing signs. There were problems with specific signs which in part led to the origination of the sign ordinance. *Commissioner Slotter made a motion to grandfather existing signs with the exception of banners. Commissioner Dilliplane seconded the motion. A vote was taken, all ayes, motion carried.*

Discussion occurred regarding the size and location of signs for a bed and breakfast. *Commissioner Dilliplane made a motion to allow the following for bed and breakfasts: one six square foot sign per frontage, with the maximum height not to exceed the height of the building. Commissioner Slotter seconded the motion. A vote was taken, all ayes, motion carried.*

Discussion followed regarding window displays/interior advertising. City Manager Cathcart said there are other laws that pertain to windows, such as ABC's laws that refer to totally covering windows. It was determined that nothing would be done regarding window displays unless there is a problem going forward. It was also decided that a definition of window displays would not be included in the ordinance.

Discussion followed regarding digital signs, such as the one in front of the Fire Hall, as digital signs were not addressed in the original ordinance. Discussion occurred regarding whether digital signs are appropriate for the downtown historic district and/or other areas of town. *Commissioner Lewis made a motion that digital signs are permitted only on public owned property and in accordance with established sign restrictions, unless grandfathered. Council Member Maxwell seconded the motion. A vote was taken, all ayes, motion carried.*

Discussion followed regarding sign setback. It was determined that the Planning Commission would make no changes to the ordinance about sign setback as the State regulations would supersede City regulations in this case.

Discussion followed regarding windblown signs, including flags and pennants. *Commissioner Dilliplane made a motion to remove flags and pennants from the prohibited list. Commissioner Slotter seconded the motion. A vote was taken, all ayes, motion carried.*

Discussion followed regarding political signs on City property, utility poles, and rights of way. *Commissioner Dilliplane made a motion stating that political signs are not permitted on public property, utility poles or public rights of way and that they cannot to be erected more than thirty days prior to the election and must be removed within 72 hours following the election. Any sign erected prior to thirty days before the election or not removed within 72 hours post-election will be subject to a \$25 per sign fee for removal, regardless of size. Commissioner Maxwell seconded the motion. A vote was taken, all ayes, motion carried.*

### **ADJOURNMENT**

*Commissioner Dilliplane made a motion to adjourn the meeting. Commissioner Snow seconded the motion. A vote was taken, all ayes, meeting adjourned at 8:55 PM.*

Respectfully submitted,

*Dawn K. Gwynn*

City Secretary



## ATTENDANCE SHEET – PLEASE SIGN IN

MEETING: AC DATE: 4/1/13

NAME:  
Kevin Whittaker  
Megan Titus  
John Zingales

ADDRESS:  
515 Chestnut St.  
307 Clinton St.