

**BOARD OF ADJUSTMENT MEETING
CITY OF REHOBOTH BEACH**

August 24, 2009

The Board of Adjustment Meeting of the City of Rehoboth Beach, was called to order at 7:05 p.m. by Chairman Thomas Evans on Monday, August 24, 2009 in the Commissioners Room in City Hall, 229 Rehoboth Avenue, Rehoboth Beach, DE.

ROLL CALL

Present: Ms. Myrna Kelley
Mr. Thomas Evans
Mr. Paul Flexer
Mr. Clifton Hilderley

Absent: Mr. Craig Karsnitz, Esq.

A quorum was present.

APPROVAL OF MINUTES

Minutes of the June 22, 2009 Board of Adjustment meeting were distributed prior to the meeting.

Ms. Myrna Kelley made a motion, seconded by Mr. Paul Flexer, to approve the minutes of the June 22, 2009 meeting as written. Motion carried unanimously.

CORRESPONDENCE

There was no general correspondence.

OLD BUSINESS

There was none.

NEW BUSINESS

Case No. 0609-05. REQUEST FOR A VARIANCE in regard to Section 270-25 of the Municipal Code of Rehoboth Beach to allow a hot tub spa in the rear setback area. The property is located in the R-1 Zoning District on Lots 7 & 8, Block 33. The property is located at 1000 King Charles Avenue. The Variance has been requested by JoAnn and Richard Maslana, owners of the property.

Building Inspector Terri Sullivan gave her report with exhibits. (Copy attached.)

Mrs. Joann Maslana and Mr. Richard Maslana provided testimony to allow the Variance

Correspondence received in support of:

1. Letter received August 12, 2009 from Lisa M. Gamuciello, St. Lawrence Street.
2. Letter received August 12, 2009 from William A. Gamuciello, St. Lawrence Street.
3. Letter received August 12, 2009 from Bruce A. Hiler, 100 St. Laurence Street.
4. Letter received August 12, 2009 from Ernest Wagener, 12 Rodney Street.
5. Letter received August 12, 2009 from Michael J. Finley, 21 Queen Street.
6. Letter received August 12, 2009 from Kathleen Stecklein, 905 King Charles Avenue.
7. Letter received August 12, 2009 from Mary Lynn Downs, 1001 King Charles Avenue.
8. Letter received August 12, 2009 from William T. Harra, 900 King Charles Avenue.
9. Letter received August 12, 2009 from Suzanne M. Goldstein, 701 King Charles Avenue.
10. Letter received August 12, 2009 from Winton S. Holladay, 1 St. Lawrence Street.
11. Letter received August 12, 2009 from J. Robert Harris, Jr., 2 St. Lawrence Street.
12. Letter received August 12, 2009 from Sandra S. Gregg, 6 St. Lawrence Street.
13. Letter received August 12, 2009 from Evelyn and George E. Christopher, 9 St. Lawrence Street.
14. Letter received August 12, 2009 from Carson B. Smith, 10 St. Lawrence Street.
15. Letter received August 12, 2009 from Sallie Abell, 11 St. Lawrence Street.
16. Letter received August 12, 2009 from Allen Fred Fielding 12 St. Lawrence Street.
17. Letter received August 12, 2009 from Nellie K. Jones, 21 St. Lawrence Street.

18. Letter received August 12, 2009 from Dana S. Greenwald, 111 St. Lawrence Street.
19. Letter received August 12, 2009 from C.R. Bailey, Jr., 112 St. Lawrence Street.
20. Letter received August 12, 2009 from George and Carol Warner, 113 St. Lawrence Street.
21. Letter received August 12, 2009 from W. Holladay, 2 Rodney Street.
22. Letter received August 12, 2009 from Mary and Gary Wais, 7 Rodney Street.
23. Letter received August 12, 2009 from Amy Speakman, 15 Rodney Street.
24. Letter received August 12, 2009 from Peter C. Wintermute, 5 Queen Street.
25. Letter received August 12, 2009 from Donnan C. Wintermute, 5 Queen Street.
26. Letter received August 19, 2009 from Mark Fernstrom, 107 St. Lawrence Street.
27. Letter received August 19, 2009 from John J. Menz III, 107 St. Lawrence Street.
28. Letter received August 19, 2009 from Robert V.A. Harra, Jr. and Linda B. Harra, 14 Rodney Street.
29. Letter received August 24, 2009 from Dr. John and Martha S. Russell, 901 King Charles Avenue.

Correspondence received in opposition to:

1. Letter received August 18, 2009 from Bruce and Violet Chilcoat, 11 Queen Street.
2. Letter received July 27, 2009 from Mary Wolcott Davis and Robert Renard Davis, 1007 King Charles Avenue.

Public Comment:

1. Ms. Dottie Blakeley, 337 Laurel Street – in opposition to.
2. Mr. Richard Taylor, 1003 King Charles Avenue – in opposition to.

Mr. Clifton Hilderley made a motion, seconded by Ms. Kelley, to deny the Variance as requested. (Kelley – for, Evans – for, Flexer – for, Hilderley – for.) Motion carried unanimously.

Case No. 0709-06. REQUEST FOR A VARIANCE in regard to Section 270-24 of the Municipal Code of Rehoboth Beach to allow the replacement and enlargement of an existing front screened porch in the front setback area. The property is located in the R-1 Zoning District on Lots 9 & 11 at 11 Park Avenue. The Variance has been requested by Jacqueline A. Karlson on behalf of the Jacqueline a. Karlson Trust, Etal, owners of the property.

Building Inspector Terri Sullivan gave her report with exhibits. (Copy attached.)

Ms. Jacqueline A. Karlson provided testimony to allow the Variance.

There was no correspondence.

Public Comment:

1. Ms. Hawsie Nash, 31 Park Avenue – in support of.

Mr. Hilderley made a motion, seconded by Mr. Flexer, to grant the Variance as requested. (Kelley – for, Evans – opposed, Flexer – for, Hilderley – for.) Motion carried.

OTHER BUSINESS

There was none.

There being no further business, Chairman Evans declared the meeting adjourned at 8:35 p.m.

Respectfully submitted,

(Ann M. Womack, Recording Secretary)

**MINUTES APPROVED ON
SEPTEMBER 28, 2009**

(Thomas A. Evans, Chairman)