

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

July 27, 2015

The Board of Adjustment Meeting of the City of Rehoboth Beach was called to order at 7:00 p.m. by Chairman Thomas Evans on Monday, July 27, 2015 in the Commissioners Room in City Hall, 229 Rehoboth Avenue, Rehoboth Beach, DE.

ROLL CALL

Present: Mr. Clifton Hilderley
Mr. Chuck Donohoe
Mr. Thomas Evans
Ms. Myrna Kelley
Mr. Doug Popham

Also in attendance: Mr. Craig Karsnitz, Esq., Board of Adjustment Solicitor

A quorum was present.

CORRESPONDENCE

There was none.

APPROVAL OF MINUTES

Minutes of the June 22, 2015 Board of Adjustment Meeting were not available for approval.

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

OTHER BUSINESS

Board Member orientation from Board Solicitor including question and answer session.

Copies were distributed to the Board of Adjustment members of the Sussex County checklist, a decision of the Delaware Supreme Court and a Kwik Check case for an area variance.

Board Solicitor Craig Karsnitz noted the standard jurisdiction and powers of the Board of Adjustment with reference to appeals by any person aggrieved, appeals of the decision of the building inspector coupled with a variance, special exceptions and variances. He also noted that granting a variance at Sussex County is different from any other Board of Adjustment in the State of Delaware. A Kwik Check case applies to area variances only. In the C-1 district, applications are fundamentally based on economics. The Board of Adjustment is not equipped with doing an economic analysis. Attorney Karsnitz suggested that each Board member should be vigilant in articulating reasons for decisions when taking a vote.

There was discussion among the Board members. Comments from the Board members were that the Mayor and Commissioners should look at drafting language for brew-pubs and distilleries, and applicants deserve a written opinion to explain the rationale for the decision.

There being no further business, Chairman Evans adjourned the meeting at 7:53 p.m.

Respectfully submitted,

(Ann M. Womack, City Secretary)

**MINUTES APPROVED ON
OCTOBER 26, 2015**

(Thomas Evans, Chairman)