

Minutes of Meeting
Dagsboro Planning & Zoning Commission
Bethel Center-28307 Clayton Street
May 3, 2018

I. Call Meeting to Order:

Chairman Brad Connor called the meeting to order at 6:00 p.m.

Those in attendance were: Chairman Brad Connor, Co-Chairperson Cathy Flowers, Commissioner Earl Savage, Commissioner Cindy Gallimore, Town Administrator Cindi Brought, and Town Engineer Kyle Gulbranson. Commissioner Scott Crater was absent. Please see the sign in sheet for others in attendance.

II. Public Comment:

No public comment was made.

III. Approval of Agenda

Commissioner Savage made a motion to approve the agenda. Co-Chairperson Flowers seconded the motion. All in favor.

IV. Approval of Minutes:

A. March 1, 2018 – Planning and Zoning Meeting minutes

Commissioner Savage made a motion to approve the March 1, 2018 meeting minutes. Seconded by Co-Chair Flowers. All in favor.

V. New Business:

A. Change of Use Application – Heathman Jewelers to Kern Restaurant/Bar

Mr. Gulbranson informed the commission that the Kerns will be going for their variance on the side setback to the Board of Adjustment on May 11th. Once they have that, their site plans will be ready to go to Town Council for pre-approval. The only thing remaining for the Planning and Zoning Commission is to recommend approval for the change of use from a jewelry store to a restaurant.

There has been some discussion of opposition of the restaurant among town residents, but there have not been any outspoken against the variance. Mr. Bodenweiser, who owns the property next to the building, on the side where the variance is being requested, sent a letter stating he is in favor of the variance.

Planning and Zoning has already approved the preliminary site plans, but they decided when it goes before the Town Council, they will recommend the approval again.

Co-Chair Flowers made a motion to approve the change of use application to change from Heathman Jewlers to the Kern restaurant/bar. Commissioner Savage seconded the motion. All in favor.

VI. Old Business:

A. Review and discuss changes to sign ordinance and results of Town Council review on February 26th

Mr. Gulbranson summarized where the sign ordinance is. Planning and Zoning worked on it for several months and then he put it in ordinance format. The town solicitor, Mr. Witsil reviewed the documents and suggested some edits to the ordinance. Mr. Gulbranson took Mr. Witsil's edits and incorporated them into his draft and now they are ready for the Commission to review.

There are three documents to review: the definitions, the actual "meat" of the ordinance, and the last part is for real estate signs in all town districts. The changes recommended by the commission were in red and the edits recommended by Mr. Witsil are in blue. The commission began reviewing the changes to the definitions. Chairman Connor asked about the canopy sign and if that was the problem for Charles Moon Plumbing. Mr. Gulbranson and Town Administrator Brought replied that the new sign ordinance will help him and he is okay with that. When reviewing the hanging sign changes, Chairman Connor asked if this would help the coffee shop. Mr. Gulbranson replied that the coffee shop could have a hanging sign now. Their problem fell with the existing pole for a hanging sign that is in front. Their building is right on the property line so everything towards the street from the building is Del-Dot property, which means that pole is not on the coffee shop's property, making it an off-premise sign.

Chairman Connor questioned Bodie's and if this will make them come into compliance because their reader sign is broken. Mr. Gulbranson stated their main problem is with the amount of signs in general and that to get them into compliance, they will have to pick and choose which signs they want. Town Administrator Brought informed the commission that she will be meeting with them next week to discuss the signs and appearance in general. Chairman Connor asked if the broken sign would have to be fixed and Mr. Gulbranson affirmed and stated that the code says signs must be maintained.

Chairman Connor stated there is nothing about electronic signs. Mr. Gulbranson stated the only electronic sign is at Savannah Square on the highway and they were grandfathered in. Electronic signs are not permitted and he personally feels they would only belong on the highway, not in town. Other commission members were in agreement.

Town Administrator Brought asked where the "open" flags would fall into the ordinance because they are a problem in town. Mr. Gulbranson can look at the code – it would need to be in the "Signs Permitted in all Districts" section.

The commission reviewed the sign ordinance for the Town Center/Commercial District and the ordinance pertaining to real estate signs. After reviewing, Chairman Connor asked if this needs to go to the town solicitor again even though he already gave his notes. Town Administrator Brought informed him that she hopes to put the revised draft into the packets for the next Town Council meeting to be reviewed again and hopefully move forward.

Co-Chair Flowers made a motion to accept the changes to the sign ordinance. All in favor.

VII. Public Comment:

No public comment was made.

VIII. Adjournment:

Motion to adjourn was made by Commissioner Savage and seconded by Co-Chair Flowers. All in favor.
Meeting adjourned at 6:42 p.m.

Respectfully Submitted,
Megan Thorp, Town Clerk