

Town of Camden  
Board of Adjustment Meeting  
Camden Municipal Building  
September 20, 2023

CALL TO ORDER

Member Prystajko called the meeting to order at 6:00 p.m. and noticed that this regular Board of Adjustment meeting is being held in compliance with the Delaware Open Public Meeting Act by posting the agenda on September 13, 2023, in the following manner:

- The official bulletin boards;
- Posted on the official electronic sign;
- Delaware State News; and
- Posted on the official website

Member Prystajko led attendees in the Pledge of Allegiance.

Members Attending: Member Badger, Member Bongers, Member Prystajko

Members absent: Member Christensen

Staff Attending: Town Clerk Sarah Cahall, Town Manager Harold Scott Jr., and Town Engineer Kevin Minnich.

MINUTES

Motion made by member Bongers, seconded by member Badger to approve the July 26, 2023 regular meeting minutes. All in favor; none opposed.

NEW BUSINESS

*MC5 LLC, 2015 S. Dupont HWY Dover, DE 19901, Map #7-02-085.20-01.06.00-001. The applicant is seeking a variance for a telecommunication tower.*

John Tracy with Cellco Partnership stated that his client is seeking a variance to construct a telecommunication tower from 50 feet to 140 with a 5-foot lightning rod on top of it. It will be located in a heavily tree area behind First State Signs.

Member Bongers asked if a light was needed on the Tower.

Mr. Tracy stated that the FAA determined that it doesn't need one. He added that they completed the FAA analysis, and it is not in the flight path.

Member Bongers asked if this would be a long-term lease.

Mr. Tracy said yes with the property owner.

Member Prystajko asked what the hardship was.

Mr. Tracy stated that there wouldn't be cell phone coverage in the area, and this requires height.

A motion was made by member Bongers, and seconded by member Badger, to approve the variance. All in favor; none opposed.

*Savannah Farms, Inc & Savannah Farms II LLC, Willow Grove Rd. 07-02-094.00-01.22.000 & 7-02-094.00-01.1000-000. The applicant submitted for reliefs from Lot size coverage Variance request from 11,000 square feet to 7,500 square feet, Lot Width Variance request from 100 feet to 60 feet, Side Yard Setbacks, Variance request one at 10 feet to sum of both 20 feet, Rear Yard Setbacks Variance request from 40 feet to 25 feet.*

Elio Battista Jr. with Parkowski, Guerke & Swayze, P.A.- Stated that 3 previous variances were previously approved and after a thorough review and discussion with the Town Solicitor and staff, the 4 other variance requests were needed. He read Camden subdivision ordinance article 6c and quoted "Uniform lot sizes and narrow price ranges are to be avoided within residential subdivision". He added that the legal basis for the request for the variance is that it is sectional practical difficulty.

Dev Sitaram with Karins Engineering- Said they are seeking variances for only the single-family detached lot and there is a total of 221. Mr. Sitaram went into detail about the Towns 2019 Comprehensive Plan, Zoning Code, Future Land Use and Existing map, and Subdivision Ordinance regarding the mixed-use. He added that they are provided for the preservation of the wood area, acquiring diverse housing, and recreational amenities. Mr. Sitaram went over the subdivision article 6 B & C density requirements and lot widths that are permitted and they have more than 75 lots and must include 3 density types.

He stated they are providing different densities and diversity, and they are complying with the subdivision ordinance with narrow price range housing are to be avoided. He explained that on their site plan, the blue and pink categories are different types of housing/pricing within the single-family detached lots. He added there is a disconnected area, width, side, and rear yards when it comes to the zoning requirement. Mr. Sitaram said they provide a diverse community, diverse housing types, and multiple price ranges. He added that the site plan is the same as that was present 5 months ago. Dev Sitaram said they are seeking a variance from 11,000 square feet to 7,500 square feet. He added that they are not seeking increased density. He stated that they are below the 3 units per acre for single families. He said the approval of the variance will not be a substantial deterrent to the public good they are staying within the permitted density of 3.0 dwelling units to the acre.

Member Bonger asked why they wanted the deduction to 7,500 square feet.

Dev Sitaram said they aren't adding additional houses. They are leaving it as a natural area.

Jay Heilman with D.R. Horton said it will be an open space. He reiterated that the area lots shown on the plan are 7,500 square feet.

Member Badger asked what square footage of housing would be on the lots.

Jay Heilman said they would range from 2,600-3,800 square feet.

*A motion was made by member Badger, and seconded by member Bongers, to approve the Lot size coverage Variance request from 11,000 square feet to 7,500 square feet. All in favor; none opposed.*

Mr. Sitaram said they are complying with the 50-foot minimum and seeking a variance in the lot width variance from 100 feet to 60 feet. He stated the hardship is that it limits the builder from offering a choice of building size and price points.

*A motion was made by member Bongers, and seconded by member Badger, to approve the Lot Width Variance request from 100 feet to 60 feet. All in favor; none opposed.*

Mr. Sitaram said they are seeking side yard setbacks, a variance request one at 10 feet to a sum of both 20 feet, rear yard setback variance request from 40 feet to 25 feet. He said this allows for a building to be situated within each lot.

*A motion was made by member Badgers, and seconded by member Bongers, to approve the Lot Width Variance request from 100 feet to 60 feet, side yard setbacks, and variance request one at 10 feet to sum of both 20 feet. All in favor; none opposed.*

Mr. Sitaram said they are seeking a rear yard setback variance request from 40 feet to 25 feet. This will allow flexibility of different sized homes and different price points in the lots.

*A motion was made by member Bongers, and seconded by member Badger, to approve the rear yard setback variance request from 40 feet to 25 feet.*

## **ADJOURNMENT**

At 7:15 p.m. a motion was made by member Prystajko, seconded by member Badger, to adjourn the meeting. All in favor; none opposed.

*Respectfully submitted,  
Sarah Cahall, Town Clerk*