

**SBCC MEETING MINUTES**  
**JANUARY 14, 2016, 2 PM**

Attendance: Members John Fields, Bob Cestone, Wayne Schrader and Joe Hinks; and Pat Voveris and Frank Weisgerber. Frank Brady and Mike Cummings from MIKEN Builders also attended.

Public Comment: None

**House Height**

Pat Voveris discussed house height problems on the East side of Ocean Drive when adhering to the current South Bethany building code due to varying levels of the road. Representatives from MIKEN Builders presented drawings of the same house at 104 S. and 700 S. Ocean Drive. The drawings reflected the difference in interior ceiling heights due to the differences in road elevation at the two sites. After much discussion it was agreed that the house height restriction for the East side of Ocean Drive should be based on BFE rather than the road elevation.

Concern was expressed that using BFE would result in higher than desired houses if and when FEMA raised the BFE in the future thus putting height control in the hands of FEMA rather than South Bethany. After further discussion it was determined that limiting the overall height to a figure above NAVD in addition to BFE, South Bethany would still control the overall height. Concern was also raised regarding the effect of the appeal to FEMA currently in progress that could change the flood zone from VE to AO east of Ocean Drive. After more discussion it was determined that by limiting the height based on BFE and NAVD in only the VE zone that would resolve the concerns if East of Ocean Drive is changed to an AO zone by FEMA.

Finally, it was agreed to change the height limit in the VE zone to 33 feet above BFE but not to exceed 48 feet NAVD. John Fields agreed to write a draft ordinance to present at the February Council workshop.

**BOAT LIFTS**

Following some discussion on boat lift limits and allowing some floating docks, it was determined that the committee didn't have enough information at this time to write the ordinance. Frank Weisgerber agreed to contact Joe Conway of the Planning Commission Boat Lift Committee to get more information and possibly meet with the Code Committee.

**OLD BUSINESS**

After a brief discussion on a one foot set back variance allowance to the zoning chapter which was worked on at the last Code Committee meeting, Bob Cestone agreed to come up with some wording for the next meeting.

Some discussion took place regarding the current zoning code requirement for a building permit for repairs and the work load that the Code Enforcement Constable will incur and the

inconvenience that will be imposed on the South Bethany property owners. Although a requirement for a repairs permit could not be found in FEMA documents but Gregg Williams of DNREC is insisting on it, it was determined that he needs to explain why DNREC is requiring it. What law or ruling gives DNREC the authority to require it; and if required, is DNREC going to provide funding for additional personnel to perform the requirement. Pat Voveris will contact Gregg to try and set up a meeting with, Bob Cestone, Joe Hinks and Gregg Williams.

Public comment: None

The meeting adjourned at 3:55 PM