

Town of Milton

*115 Federal Street
Milton, DE 19968*



*George Dickerson
Town Manager*

To: Mayor Don Post
Council members

From: George Dickerson

Date: December 15, 2006

Subject: Board of Adjustment/Historic District Commission

This memorandum is to advise of the Board of Adjustment/Historic District Commission violating Delaware Code Title 22, Chapter 3, Subchapter II. Subsection 323 and the Zoning Ordinance of the Town of Milton, Article 11, Section 11.0.4 (2).

The above two (2) referenced statutes require a roll call vote be taken by the chair. Members' votes must be recorded in the affirmative or negative with regard to each question or application coming before the Board.

The violations occurred at the October 24, 2006, and November 28, 2006, meetings. At each of the meetings the chair failed to call for the statute required roll call vote on applications appearing before the Board.

At the December 14, 2006, Board of Adjustment/Historic Preservation Commission meeting, I made the chair (Mr. John Collier) aware of the state as well as the Town of Milton Zoning Ordinance. Also, copies of the statutes were distributed to the Board members as well as the Town Solicitor (Mr. John Brady).

After discussion, Mr. Brady confirmed procedures for the October and November meetings were not followed. Mr. Brady stated the procedure to correct the violations were to re-notice the public and reaffirm the previous votes at a meeting in January 2007.

Thanks

jlp

Cc: File