

CITY OF DOVER
BOARD OF ADJUSTMENT MINUTES
June 18, 2025

A Regular/Hybrid Meeting of the City of Dover Board of Adjustment was held on Wednesday, June 18, 2025, at 9:00 A.M. in person in the City Council Chambers and using the phone/videoconferencing system Webex. Members present were Chairman Sheth, Mr. Wagner, Mr. Swalm, Mr. Coburn, and Mr. Senato.

Staff members present were City Solicitor Mr. Rodriguez, Mrs. Melson-Williams, Mr. Salzano and Mrs. Mullaney.

APPROVAL OF AGENDA

Mr. Senato moved for approval of the agenda. The motion was seconded by Mr. Coburn and unanimously carried 5-0.

Chairman Sheth asked if there were any questions.

APPROVAL OF THE REGULAR BOARD OF ADJUSTMENT MEETING MINUTES OF APRIL 16, 2025

The meeting minutes of April 16, 2025, were approved by Mr. Senato with the necessary corrections. The motion was seconded by Mr. Swalm and unanimously carried 5-0.

COMMUNICATIONS & REPORTS

Mrs. Melson-Williams mentioned that the next Board of Adjustment Meeting is Wednesday, July 16, 2025, at 09:00 am. We have received at least one Application that will be scheduled for that meeting. We do appreciate City Solicitor Mr. Rodriguez for continuing to serve as Staff to this Board while the City looks for his replacement. He is retiring from service with the City, and we appreciate his work with us in the past.

Chairman Sheth wanted to let all of the Board members know that we are charged with the interpretation of the City Ordinance. And we do not create the City Ordinance. We do not make the Ordinance. We have been entrusted to make the interpretation with the help of Dawn and with the City's Solicitor as a legal entity. Lately, I see with the application that sometimes they are working on an objective basis as a member. You are a semi-judge to judge it. Many times the Application has a lot of subjectivity. They can do that, but our responsibility is not to look at the Application subjectively, but objectively. You are strictly interpreting the Ordinance and that's what they applied for. It's whether you can approve, whatever they have applied for; and in this case, it's a variance. He mentioned to Dawn that his understanding regarding this Application is an Ordinance about five chickens. Mrs. Melson-Williams suggested to Chairman Sheth that she read the statement of how business will transpire, and then we move into the actual application. At that time, those items can be placed on the record. Chairman Sheth said sure, thank you.

So, with what we know whatever we have, and what we can do, we all have to be responsible to remember that. To all the people in the audience, he suggests that you make it as limited as

possible when you give your presentation. Everyone who wishes to speak will be given an opportunity to do so. He asks if everyone could stick to the point. Thank you.

Mrs. Melson-Williams mentioned for the record that there were no items of Old Business.

Mrs. Melson-Williams read the Procedure Statement for New Business.

Mrs. Melson-Williams noted that the legal notice for this Application was published in the Daily State News on June 8, 2025, and the property owners within 200 feet of the subject site were notified by letter sent by the Planning Office in accordance with the procedures for public notice of variance application.

NEW BUSINESS

Application V-25-02

Property at 196 Merion Road. A Request has been made for a Variance from the requirements of *Zoning Ordinance*, Article 3 §1.15(e)(ii) as associated with the keeping of chickens. The Variance Request seeks an increase in the minimum allowable number of chickens that can be housed on a property from the 5 chickens permitted by code to 20 chickens or at least 14 chickens. The property is zoned R-10 (One-family Residence Zone). The owner of record is Maria Boris. Property Address: 196 Merion Road, Dover, DE. The Tax Parcel ID is ED05-067.09-01-61.00-000.

Mr. Chris Salzano gave a brief overview of the Application V-25-02 referencing the Staff Review Report and Recommendations. It's a request for relief from the number of chickens allowed to be kept by the Ordinance. This is an Area Variance so there are four things that the Board should be considering in their decision along with Staff Report and Recommendations. The first of which is the nature of the zone. In this case, it is in the R-10 zone; so, keeping chickens is a permitted accessory used to residential use in this zone. The second is the character of the immediate vicinity and uses in the Fox Hall subdivision. It consists of single-family residences and largely residential detached dwellings. There are fenced yards throughout Fox Hall. To this Office and Planning Staff's knowledge, there are not any other active backyard chicken flocks. The third thing to consider is whether if the restriction were removed such removal would substantially affect the neighboring parcels and property owners. The existing coop is located behind a fence, and it meets all the setbacks and other requirements associated with the keeping of chickens. It's purely the number of chickens that has been exceeded in this case; so, Staff does not believe that there will be any negative impacts on adjacent properties. Lastly, if the restriction were not removed, whether that would create unnecessary hardship or exceptional practical difficulty on the property owner. In this case, the number of chickens and based on the information Staff has received, the primary issue of removing the chickens would just be a reduction in the number of chickens and potentially an economic hardship for the Boris family.

Chairman Sheth asked what is the Ordinance and how many chickens a property owner is allowed? Mr. Salzano replied you are allowed to have a total of five chickens per the Ordinance. The Boris family currently has 17 chickens. At the time of filing, they had 20 chickens.

Chairman Sheth asked how did it happen from 5 to 17 chickens? Mr. Salzano replied they googled what the number of chickens they could have in the City was and Google did not return adequate information for them.

Chairman Sheth mentioned he understood the information about the solution for the problem but asked what is the interpretation of the Ordinance? He stated that the number increased unknowingly by the applicant. Mr. Salzano said yes.

Chairman Sheth mentioned that the City has not enforced it because they didn't find it or they did not look for it and/or it just happened.

Mr. Salzano mentioned that we are here actually because of a Code Enforcement case. The City was informed that there was a number of chickens that were exceeding the allowable number and Code Enforcement went out to confirm. Once confirmed, Code Enforcement began enforcement action. At the time the action commenced, the Applicant came in the Office shortly after to apply for this variance. If this variance is not granted, then enforcement will continue and the number of chickens will have to be reduced to five.

Chairman Sheth mentioned he has been a Board member for roughly 32 years and asked how we decide is a law. Since this is an unusual case and if something happened unknowingly, but that's fine. Now we can just correct it, but it's not what we are use to on this Board.

Chairman Sheth mentioned you answered my question, right? You told us five chickens were the limit and whatever happened unknowingly. Then finally you found out and they tried to correct it. They would like to have that many chickens now with proper procedures. This Board has to decide whether they agree or not agree to allow or not allow because whatever we decide here, the Board members will have to discuss if it is a precedent.

Chairman Sheth asked if there were any additional questions?

Mr. Coburn mentioned he wanted to make sure he understood. This was a Code Enforcement complaint that came in. Mr. Salzano replied yes, this is a Code Enforcement complaint that came in.

Mr. Swalm mentioned he wanted to make sure he understood as well that the Applicant "Goggled" the number of chickens they could have on their property, but they received the wrong answer. The Applicant decided to increase the number of chickens on their own. Before they even purchased the chickens and flock, they "googled" the number to try and make sure that they would be in conformance with the Ordinance. Google returned bad information for them, and they ended up with more chickens than they were allowed in the City. He asked to be clear, they didn't have five and then wanted to increase it. They got them all at the same time. Mr. Salzano replied yes.

Mr. Senato mentioned he has been a Board member roughly 33 years and this is the first time I've had redacted paperwork in a hearing. Everyone knows the meaning of "redacting". Which means items are to be examined prior to the public view or meetings such as this and maybe some of this information which I would have any privilege to I don't because it is redacted. I'm

against redacting. Maybe under the law have a right to, but in order for me to make a fair and unbiased decision with all the information seems impossible in my mind at this time. Now, we are here as Chairman Sheth has so graciously said to find out the provisions of the Ordinance and whether there is a hardship. Whether there is redactive information or not, that would help to make my decisions “yay or nay.”

Chairman Sheth mentioned to Mr. Senato that you just simply present what the case is about. We are going to start the hearing now. At that time, this question is related to the Applicant than other people. At the same time, remember your responsibility is interpretation of the Ordinance and what the case is about.

Mrs. Melson-Williams noted for the record that Planning Staff in reviewing the information, the narrative, and the exhibits that the applicant submitted initially had concerns with some of the content and the ability to have public viewing and board viewing of those items due to the Freedom of Information Act limitations. There were a number of items and statements that we did redact because of what types of items those were. Certainly, the Applicant before you, this morning can make reference to those. But that is going to be her prerogative to do so. The Staff felt that certain items needed to be redacted, and we have noted the redaction in the packet. The application file does contain a full version of her submission. But in the best interest of things related to court actions, other legal matters, and HIPPA (Health Insurance Portability and Accountability Act) from a health perspective, Planning Staff took action to redact certain items. We did consult with the City's Solicitor in that regard before preparing that packet for you. So, I think now's the opportunity that you'll be hearing from the Applicant. The Applicant may actually share some of that information, but that's her prerogative and her decision to do so in presenting her case to you as the Board.

Mr. Senato mentioned, then perhaps, to make it easy, at least for me that information that you just said to me prior to and talking to the City Solicitor, maybe a note should have been under the recommendations going under your section in the back. I would know prior to making these statements without getting kicked and blamed that how I feel about redaction. And in my opinion, that statement should have been (not necessarily in the recommendations), but in the comments on the back.

Chairman Sheth mentioned that his feeling is eventually any correction has to be done by City Council. They are the ones that have the right to add, eliminate, or whatever to the Ordinance. We (the Board) are not going to worry about it. If the City thinks that they are doing the wrong thing, we're going to draw it to their attention, and get the information to the public. In the past we have made corrections of the Ordinance. Let's say we don't take that responsibility. If you want to take responsibility, you don't have the right.

Mrs. Melson-Williams mentioned that Chris was speaking from the Staff Summary Report that was provided to the Board and to the Applicant. It detailed the Code Requirements. The information that the Board of Adjustment is charged with judging an Area Variance against that is those four criteria items. Attached to that Report was the series of Exhibits. Exhibits A through F for the Record.

Those Exhibits include the actual Application by the Applicant, her written narrative, a number of map diagrams showing the location of the property that were added by Staff, and then the series of Exhibits that we were able to include in the submission for a distribution to you.

Representative: Mrs. Maria Boris, Owner

Mrs. Maria Boris was sworn in by City Solicitor Mr. Rodriguez.

Presentation

Mrs. Maria Boris stated that she resides at 196 Merion Road in the Woodlands of Fox Hall.

The chicken coop and all this chicken stuff started out as my son's project in Culinary Arts and Ag Science at Caesar Rodney School District. He was school choice because of my mother-in-law's request. She was dying at that time, and she asked me, "Maria, would you make sure that all my grandchildren graduate from Caesar Rodney School District;" and I said yes. So, again, just to reiterate, this all began as a request of, at that time, my 10th grade son Joshua Boris, for me and his father to allow chickens in the backyard. At first, I was like, are you crazy? Are you out of your mind? And then as he presented his case, he told me about what he knew and how you know he's a football player and he wrestles. Mom, this would be a good thing. We plant things and then we put them on our table. Basically, it's healthy eating. As a matter of fact, he was made fun of in school because he was in Culinary Arts, played football, and wrestled for the high school. His response was what's wrong with eating healthy? So, I'm not sure if that's relevant or irrelevant, but that's how it all started. So, when we started out with, I would say three chickens. Then we fell in love with the chickens. She asked who were parents in the room. I am a parent. My experience with my son is that if he has a turtle, he will love it for six months and then later on it will become my turtle. So, we increased our chicken flock based on the false information that we got from the internet. I am fully agreeable to admit that this was not a scholarly source. I googled; can I have chickens in Dover Delaware? And the response was yes, chickens are allowed in Dover, and you can have up to 25. They must be kept in chicken coops that are 10 feet away from structures and 3 feet from the property lines, etc. The key word here was 25. Just like Mr. Salzano said, at the time of the Application, we had 20. We do live in the Woodlands of Fox Hall where I grew up and we still have a lot of foxes. Due to wildlife, we now have 17 chickens. I do want to share that the chickens are also registered with the Delaware Department of Agriculture. I'm not sure if that would make any difference. Mrs. Boris said to Mr. Senato, I can identify as a nurse and a teacher that you need that information to make an informed decision and a fair decision. So, if I have your permission may I share those documents with you? Mr. Senato stated for the record, yes and thank you. Ms. Boris said thank you.

Mrs. Boris shared the items (articles) with the Board.

Mrs. Boris stated that the first article is when our home was destroyed. The upper deck was destroyed by a storm in April of 2019 as you can see as evidence in the newspaper article. Our back yard for many years as we looked out our kitchen window, it became difficult, because all we could think about was that storm. As she referred to destruction on the slide, to the left was her son's room. He was 8 or 9 years old at that time. We were out of our home for seven months. So, that's one.

But now that we have the chicken flock in our backyard, we see it as life instead of death. And every structural engineer that came on our property during that time of assessment, said. "Was this room empty? Was this room occupied at the time of event?" And my answer was NO. And they asked did the person make it? And I had to walk away. Because that meant, did they die? Did they live? So that's one. And then the second one that I presented to Mr. Senato, was my traumatic car accident. I have the Police Report.

Chairman Sheth mentioned that his issue here is how many chickens you can have. I'm sorry that Mr. Senato has asked questions and you tried to answer them. The issue is can you have more than five chickens or not. You have not done anything wrong on this or that, but there's no sense for the Board to listen to all this to make a decision. That's what I am saying. I'm not trying to be rude. I hope you don't think that. Mrs. Boris said no. Chairman Sheth said in the meeting properly they should be here with the permission of the attorney.

Mrs. Boris said okay. It sounds to me like, you know, as a nurse and a teacher, how can you make an informed decision without the facts? Chairman Sheth mentioned, he understands the right thing. Unfortunately, we don't keep "Google" to be here as the witness. A Google is a general view that people get.

Chairman Sheth mentioned that Dover is a greater Dover area than within the City limits of Dover. I have no idea.

Mrs. Boris said she understood.

Chairman Sheth mentioned he appreciates the help.

Mrs. Boris said, thank you.

Chairman Sheth asked if there were any more things she wanted to add? Mrs. Boris said yes. So, it was dramatic for the accident and the last one where she was in a battle for her son's custody. He's my only child. He is now 18, but it was only months before he turned 18. A lot of people probably said ride it out. But no, that's my child.

That's not how my mother raised me, which is right here. She's right here. You don't give up on your children. So as a result, I looked at those flocks as my emotional support animals. They are registered under the emotional support animal and under the Americans with Disabilities Act of 1973. I have that documentation as well. I understand this is about the number, but I feel that, you know, like just like a nurse, you come to me with chest pain. If I don't have your vital signs, if I don't have your EKG, how can I help you, sir?

Chairman Sheth said thank you very much.

Mrs. Boris said, "Thank you."

Chairman Sheth asked if there were any questions.

Mrs. Boris mentioned moving forward, I think if there's ever a variance like this, a waiver would be nice. Like if the applicant is comfortable with the public knowing the facts, they could just sign a waiver that the City can share with the public. That would be an easy fix.

Mr. Coburn said, so let me understand this. You had 20 chickens, and now you are down to 17, right? Mrs. Boris said yes.

Mr. Coburn said secondly, what is the life expectancy of the chickens that you have?

Mrs. Boris said I am not an expert on chicken(s) unfortunately. I don't claim to be an expert. I don't honestly know the life expectancy of the chickens.

Mr. Coburn mentioned that he did a little research, and chickens can live up to twelve years. Mrs. Boris said okay and that was good to know.

Mr. Coburn mentioned secondly you use the chickens as emotional support, but you also mentioned in your thing about eggs. I don't know if you know, but the average chicken can only lay eggs for three to five years. So, after that point you are not going to get any more eggs. Mrs. Boris said okay.

Chairman Sheth asked if there were any questions.

Mrs. Boris said I saw that there were five public comments. I just want to take note that the first one came from 20 Sandwich Court, Dover Delaware. That is not at all in close proximity to my property. That is way off on Troon Road. Chairman Sheth said we will make sure it is corrected. The Peer family, as you can see, now live in Idaho. I don't understand how the son lives there, so I don't understand how the Board can listen to them.

Chairman Sheth mentioned that we have listened to you, and we must listen to everyone else. If there is anything that is not right, Mrs. Dawn will not allow it. Thank you very much. You will not get injustice.

Mrs. Boris said, I feel like this is America and I should have the right to speak the facts, thank you. Chairman Sheth said, you are welcome.

Chairman Sheth opened the public hearing.

Chairman Sheth asked if there was anyone who would like to speak in favor of the Variance Application.

My name is **Ms. Nanette Holmes**. I own the house directly next door to the Boris'. I live at 188 Merion Road, and I have been there for 33 years. I am probably the only house in Fox Hall that has chickens on both sides. I would like to say that I am fully in support of this Variance to allow it to increase to 15. I have found the chickens to be enjoyable. We love watching them. My grandchildren have been growing up with them next door and been able to watch the life cycle of them and harvest eggs. They make no more noise than the birds that come into my backyard or the dogs that bark in the neighborhood. I never noticed a smell from the chickens except when

I've been in the coop itself. They eat bugs. They eat scraps, which I love because I take my scraps out and feed the chickens. They provide fresh eggs for the family and for us occasionally. I also know that they donate eggs to the Modern Maturity Center and some other places. Having the chickens next door goes with my own mindset of you need to teach the public self-sustainability as much as possible. I have a garden, and grow fruits and vegetables, which is to me no different than having chickens. I am fully in support of them being able to keep all their chickens. Thank you.

Chairman Sheth, thank you ma'am.

My name is **Mr. Jay Paul Jones**, and I live at 180 Merion Road. I am in total support of the Variance that is being requested. We live two doors down. I have five chickens on the right-hand side. The chickens have not been a problem, and I have no objection to them having that number even though I only had five. Thank you.

Chairman Sheth, thank you so much.

My name is **Ms. Karen Cecchetti**. I live at 214 Merion Road which is two houses northwest of the property seeking the Variance to keep more than five chickens on the property. I'm not the complainant; let's put that on record. I have lived at my residence since 1978 as a result of an Air Force move to Dover. This was a great neighborhood to live in and to raise children. Now, it is what I would call a deteriorating neighborhood.

Chairman Sheth said excuse me ma'am. Can I correct you? She said, yeah. Chairman Sheth asked are you speaking in favor or against? I'm sorry. Are you speaking in favor or against? Ms. Cecchetti said against. Chairman Sheth asked if she could wait until the ones who are in favor finish.

Chairman Sheth asked if there was anyone else wishing to speak in favor of the Application. He said you did not raise your hand, that's why I didn't call on you. Would you like to come now? Ms. Cecchetti is speaking against.

My name is **Ms. Amelia Knighting**. I live at 107 Oakmont Drive since 1987. My grandson was dramatically affected by the tornado behavioral wise. I would support him when he asked for something that would help his behavior. When he started the chickens, I was very happy because, you know, this is going to support the family also. The healthy eating that he wasn't getting in the school. With the 4-H Club, I support whenever they have activities and the Delaware State Fair. I also go every year to the Delaware State Fair to support all the young boys and girls in the Agricultural Department. I was very happy with that, and it also helped my grandson. My daughter was also involved later on. We all look at the chickens as our own pets and part of the family. Later on, unexpectedly the chickens grew in numbers. I didn't know about the limit of the chickens. All we know is the family was happy. My grandson's traumatic experience from the tornado deteriorated and the chickens became part of our family. I also benefited by sharing the eggs that my daughter, son-in-law, and my grandson got from raising these chickens. The dancers from the Modern Maturity Center also get their eggs from me. I am very in favor of you approving that they continue to raise the number of chickens. Thank you very much for the time. Chairman Sheth said thank you.

Chairman Sheth asked if there was anyone else wishing to speak in favor of the Variance Application.

Chairman Sheth asked if there was anyone else wishing to speak against the Variance Application.

Chairman Sheth asked if there was anyone wishing to speak against to please raise their hand.

Again, my name is **Ms. Karen Cecchetti**. I live at 214 Merion Road which is two houses northwest of the property seeking the Variance to keep more than five chickens on the property. I've lived at my residence since 1978 as a result of an Air Force move to Dover. This was a great neighborhood to live in and to raise children. Now, it is what I would call a deteriorating neighborhood in part due to lack of oversight of *Zoning Ordinances*. Our houses tend to be one of our biggest purchases in life. We put our time and our money into our homes hoping that the time and money is well spent. This neighborhood has no HOA (Homeowners Association), which means that any infraction of the *Zoning Ordinances* is left to the City of Dover; then there lies the problem. In this particular case, involving the Ordinance that allows the five chickens to be permitted, there seems to be a lack of oversight from the City of Dover. The 196 Merion Road residence already has over the five chickens permitted. What oversight has been done by the City and what was the ultimate penalty? Apparently, none to date because here we are at City Hall with the petitioners seeking even more chickens. According to the City ordinance regarding keeping of chickens for domestic purposes, not only are you permitted no more than five chickens on any residential lot, which has to be greater than 10,890 square feet. If you fail to comply with the *Zoning Ordinance* effective June 1, 2016, you must remove the chickens. We live within a residential community in the City of Dover. We don't live in the country; we don't live on a farm. Well, I understand the appeal of backyard chickens. I think you must also consider the broader impact of *Zoning Ordinances* have on our neighborhoods in terms of health, safety, and quality of life. Chicken can present legitimate health and sanitation concerns. Chickens can carry diseases such as salmonella and avian flu which can pose serious risks especially with children, the elderly, and immune compromised individuals. If not managed properly, chicken waste can accumulate quickly leading to odors, attracting rodents and insects, and degrading the cleanliness of nearby properties. Additionally, there is the concern of the negative effect on our property value. Then you have the regulating perspective from the City of Dover to monitor and enforce these Ordinances. For all of these reasons, I respectfully request that the City deny this requested variance as well as consider removing the current chickens due to non-compliance with the original sounding Ordinances. Protecting the health and property values in quality of life of all the residents of the City of Dover should remain your top priority. Thank you.

Chairman Sheth asked if there was anyone else wishing to speak against the Variance Application.

Mrs. Melson-Williams mentioned Mr. Chair, I do need to check online. We do have one participant online; I need to see if they wish to speak.

We are on public hearing as part of Variance Application V-25-02. We have one participant online. Mrs. Melson-Williams asked the person on-line if they wished to speak. No one on-line wished to speak. For the record, the on-line person is Mr. James Keller.

Mrs. Melson-Williams also entered into the record the written correspondence from the following that was received via email to the Planning Office: The letters were read and provided to Board members.

Letter from Steven & Gail Nemcic of 20 Sandwich Court, Dover DE, 19904. They are opposed to the Variance Request V-25-02.

Letter from Anthony & Linda Peer property owners of 195 Merion Road, Dover DE, 19904. They are opposed to the Variance Request V-25-02.

Letter from Kelly & Denny Connell of 203 Merion Road, Dover DE 19904. They are in favor of the Variance Request V-25-02.

Mr. Chair, these are the written comments that were received. Mrs. Melson-Williams noted that the Applicant in her submission did have some comments in support from a couple of other neighbors and those were included in your packet in the Applicant's response. I believe we may have heard from at least one of those families today.

Chairman Sheth mentioned that he seen a basketball goal on Oakmont Road. He mentioned that it was difficult to drive on Oakmont Road due to the basketball goal. He asked Code Enforcement to look into having the basketball goal removed from the road.

Chairman Sheth asked if there was any additional correspondence. There was none.

Mr. Wagner asked for clarification if the Applicant mentioned that there were five additional responses. Mrs. Melson-Williams replied that the additional written responses that were received were three (3). And that the packet was provided to the members of the Board and a copy was also handed by Staff to the Applicant when she arrived at the meeting today.

Chairman Sheth asked if were any more questions by the Board members? There was none.

Chairman Sheth asked if there were any conflicts of interest.

Mr. Senato moved to deny Variance Application V-25-02 regarding the Applicant's request to increase the current legal of 5 chickens to 20 chickens. I feel that other information received here by various ladies and gentlemen that presented their case, I see that there is no hardship. I hear a lot of other comments made but nothing that convinces me that there is a hardship here. And, if it is passed, a precedent could be set where other homeowners or people that have the legalized five chickens in their yards, then we give an opportunity to keep raising up to that quality of 20. Therefore, I move that the Variance Application be denied. The motion to deny was seconded by Mr. Coburn and unanimously carried 5-0.

Chairman Sheth asked if there were any questions regarding the motion to deny.

Roll Call Vote (Supporting the motion to deny the Variance Application)

Yes – to deny

- Mr. Senato – yes – He supports the motion as mentioned.
- Mr. Wagner – yes – He supports the motion to deny and I’m strictly staying away from the motion. I’m referring to Exceptional Practical Difficulty (tests) which explains what our role is and I’m referring to Section D for the vote.
- Mr. Swalm – yes - I support the motion as well. I don’t believe that there is an Exceptional Practical Difficulty.
- Mr. Coburn – yes - I support motion. I feel there will be no undue hardship to reduce to the 5 per City Code. And if they kept the 17 as proposed by the City, who is going to monitor that. I think there would be a hardship on the City to keep a check on all these chickens every year. Like I said, the chickens can live up to twelve years; so, reduce the chickens to 5.
- Chairman Sheth – yes - I’m supporting the motion. I have an issue here that when we do something *unknowingly* and then we legalize it, that is my biggest issue on this one. So, I can understand Applicant’s feeling but cannot legalize it because the way you feel emotionally. So, I’m supporting the motion.

Chairman Sheth stated that the motion is 5 yes votes and zero no votes. Motion to deny carried.

Chairman Sheth asked if there were any other questions? There was none.

Mr. Senato made a motion to adjourn the meeting. It was seconded by Mr. Coburn and unanimously carried 5-0.

The meeting was adjourned at 10:14 A.M.

Sincerely,
Maretta Savage-Purnell
Secretary