

**TOWN OF OCEAN VIEW PUBLIC NOTICE**  
**BOARD OF ADJUSTMENT MEETING**  
**March 16, 2017 5:00PM**

NOTICE IS HEREBY GIVEN BY the Board of Adjustment of the Town of Ocean View that a meeting will be held at 5:00pm or as soon as possible thereafter on Thursday, March 16, 2017, in the Ocean View Town Hall located at 32 West Avenue to consider matters set out in the attached agenda. The applicable material may be examined prior to the hearing by all interested parties on the second floor of the Wallace A. Melson Municipal Building located at 201 Central Avenue between 8:30 a.m. and noon and 1 through 4 p.m., Monday through Friday.

**AGENDA**

**1. Call to Order / Pledge of Allegiance**

**2. Approval of Agenda**

**3. Approval of Minutes –**

- A.** December 15, 2016 Board of Adjustment Meeting.
- B.** February 14, 2017 Board of Adjustment Meeting.

**4. New Business**

**A. V-338 NEC Muddy Neck Rd. & Ogre Dr. (PIDN: 403.153 / Sussex CTM#: 134-17.00-826.00)**

Application V-338, a request for a variance from Article X, § 140-63-D (2) of the Land Use and Development Chapter (L.U.D.C.) of the Town Code, submitted by Ryan Homes with the permission of the property owner, Berzins Enterprises, Inc. seeking relief from the requirement that Development signs, advertising the sale or rental of a structure being built as part of a land development project, be limited to a maximum size of twelve (12) square feet per side, a total sign area not to exceed 24 square feet and a height of eight (8) feet from grade. This variance seeks to allow placement of a sign that will exceed the maximum allowable square feet per side and total as well as the maximum height from grade on property zoned R-2 located on the NE Corner of Muddy Neck Rd. & Ogre Dr. (PIDN: 403.153 / Sussex CTM#: 134-17.00-826.00).

**B. V-339 42 West Avenue (PIDN: 229.000 / Sussex CTM#: 134-12.00-619.00)**

Application V-339, submitted by the property owners Anthony and Tracy Jeremias, seeking a variance from Article V, §140-32 and Article XVI, § 140-100-D (12) (b) [4] of Land Use and Development (L.U.D.) and Article II, § 187-10-A of the Streets and Sidewalks Chapters of the Town Code. Article V, §140-32, requires detached accessory structures to maintain setbacks of ten (10) feet from the rear lot line, fifteen (15) feet from side lot line with a maximum height of fourteen (14) feet and Article XVI, § 140-100-D (12) (b) [4] and Article II, § 187-10-A require that driveways be a maximum of twenty (20) feet wide through the Town Right of Way (ROW). This variance seeks to allow an existing detached accessory structure (garage) to be within the required side lot line setback and exceed the maximum allowable height on property and an existing driveway to be greater than twenty (20) feet through the Town ROW on property zoned R-1 located at 42 West Avenue (PIDN: 229.000 / Sussex CTM#: 134-12.00-619.00).

**C. V-340 38399 Muddy Neck Road (PIDN: 408.000 / Sussex CTM#: 134-17.00-11.00)**

Application V-340, submitted by K Hovnanian Homes with the permission of the property owner, Windansea, LLC, seeking relief from Article X, § 140-63-D (2) of the Land Use and Development Chapter (L.U.D.C.) of the Town Code, which limits Development signs, advertising the sale or rental of a structure being built as part of a land development project, to a maximum size of twelve (12) square feet per side, a total sign area not to exceed 24 square feet, a height of eight (8) feet from grade and one (1) per development entrance. This variance seeks to allow placement of five (5) additional signs along the frontage of the property parallel with Muddy Neck Rd. that will exceed the maximum allowable square feet per side and total height from grade and number of signs on property zoned RPC located at 38399 Muddy Neck Road (PIDN: 408.000 / Sussex CTM#: 134-17.00-11.00).

**D. V-341 33 Fairway Drive (PIDN: 402.330 / Sussex CTM#: 134-16.00-2089.00)**

Application V-341, submitted by the property owner Thomas G. McDermott, requesting a variance from Article VII, §140-50-B and Article V, §140-28 of the Land Use and Development Chapter (L.U.D.C.) of the Town Code. Article VII, § 140-50-B sets some dimensional regulations for Planned Communities, allows Town Council to set other dimensional regulations if they choose and indicates that dimensional regulations not defined will comply with those required by R-3 zoning requirements. The maximum lot coverage permissible for a lot with a single family home in the Residential Planned Community (R.P.C.) of Fairway Village is 45% which includes all buildings and structures as stated in §140-28 of the L.U.D.C. This variance seeks to allow the applicant to construct an in ground pool with decking and patio that will exceed the maximum allowable lot coverage of 45% on a lot zoned R.P.C., located at 33 Fairway Drive (PIDN: 402.330 / Sussex CTM#: 134-16.00-2089.00)

**5. Adjournment**

Note: The agenda items as listed may not be considered in sequence.

Posted: March 8, 2017