

Administrative Official and Public Works Department
Monthly Report for September 8, 2015 Town Council Meeting

(Covers period from 101015 through 110515)

Administrative Official:

- There were 30 building and sign permits and 51 Certificates of Zoning Compliance/Occupancy issued during July & August 2015.
- There have been 997 business and rental licenses issued this far for the calendar year. Renewal applications have been prepared and will be mailed shortly for applicants 2016 calendar year licenses.
- Gross Rental Receipt Tax (GRRT) collected for the period ending 063015 is \$77,000 which is slightly above that collected for the same period in FYE15.

- The Board of Adjustment met on October 15th to hear the following applications:

- ✓ **V-305:** submitted by the property owners Suzanne & William Morrow seeking a variance from Article V, §140-28 & §140-32 of the Land Use and Development Chapter (L.U.D.C.) of the Code. Article V, §140-28 & §140-32 of the L.U.D.C. each require a rear yard setback of 30' for principal structures and attached accessory structures and §140- 32 of the L.U.D.C. requires a rear yard setback of 10' for detached accessory structures.

This variance seeks to allow an existing utility room, shed and O/S to remain within the required setbacks on property located at 20 N. Horseshoe Drive (PIDN:004100 / Sussex CTM# 134-12.00-722.00). – **GRANTED 5-0**

- ✓ **V-306:** submitted by the property owners Brice & Wanda Butler seeking a variance from Article V, §140-32 of the Land Use and Development Chapter (L.U.D.C.) of the Code which restricts the height of a detached accessory structure to 14' from grade.

This variance seeks to allow an existing detached accessory structure that exceeds this height limitation to remain on property located at 37945 Muddy Neck Rd. / CTM# 134-17.00-3.00). **GRANTED 5-0**

- ✓ **V-308:** submitted by Mr. Russell Archut on behalf of the property owner CJ Pines, LLC, seeking a variance from Article V, §140-31 of the Land Use and Development Chapter (L.U.D.C.) of the Town Code which limits lot coverage in GB-1 & GB-2 Zones to 50%, Article XVI, §140-100-D (12)(b)[4] of the L.U.D.C. & Article II, §187-10-A of the Streets and Sidewalks Chapter of the Town Code which limits the width of a driveway through the Right of Way (R.O.W.) to 20 feet and Article XI, §140-73-B (1)(b) of the L.U.D.C. which requires screening for all non-residential uses.

This variance seeks to allow lot coverage to exceed the maximum 50% permissible by Code, to construct a commercial driveway that would exceed the maximum width of 20' permissible by Code and to eliminate or reduce required screening on the GB-1 parcel located at 83 Atlantic Avenue (PIDN: 093.000 / CTM# 134-12.00-300.00).

GRANTED 5-0 for width of driveway and lot coverage and DENIED for screening request.

- ✓ **V-310:** submitted by Mr. Timothy Tribbitt on behalf of the property owner Ms. Sally W. Hickman, seeking a variance from Article VI, §140-34-A of the Land Use and Development Chapter (L.U.D.C.) of the Town Code which requires that every building or structure be on a lot adjacent to a public street.

This variance seeks to allow a lot subdivision that will create three lots which will abut a private street on parcel zoned R-1 parcel located at 33 Betts Avenue (PIDN: 129.000 / CTM# 134-12.00-321.00). **GRANTED 5-0**

- ✓ **V-311:** submitted by Mr. Steve Smith, seeking a variance from Article V, §140-31 which requires a 30' front yard setback and a 15' side yard setback for principal structures and attached accessory structures, limits lot coverage to 50%, on GB-1 parcels, and §140-33 that limits permitted projections into required setbacks. Also from Article XVI, §140-100-D (12)(b)[2] and Article II, §187-10-A requiring driveways to be a minimum of 5' from adjacent property lines.

This variance seeks to allow an encroachment into the required front and side yard setbacks, lot coverage to exceed 50%, the front steps to exceed the 4' permissible encroachment into the required front yard setback and the driveway to be within 5' of the adjacent property line on a parcel zoned GB-1 at 68 Atlantic Avenue (PIDN: 064.000 / Sussex CTM# 134-12.00-531.00). **GRANTED 5-0 w conditions**

- ✓ **V-312:** submitted by Mr. Steve Smith, seeking a variance from Article V, §140-31 which limits lot coverage to 50%, on GB-1 parcels.

This variance seeks to allow lot coverage to exceed 50% on a parcel zoned GB-1 at 70 Atlantic Avenue (PIDN: 065.001 / Sussex CTM# 134-12.00-530.00). **GRANTED 5-0**

- The Board of Adjustment is scheduled to meet on November 19th to hear the following applications:

- ✓ **V-307:** submitted by Mr. Gregg White on behalf of the property owner Ms. Effie Sullivant, seeking a variance from Article V, §140-28 and §140-32 of the Land Use and Development Chapter (L.U.D.C.) of the Code. Article V, §140-28 & §140-32 each require a rear yard setback of 30' and a 15' side yard setback for principal structures and attached accessory structures. Article V, §140-32, requires that detached accessory structures maintain a 10' rear yard setback, a 15' side yard setback and a minimum 5' separation between structures.

This variance seeks to allow proposed additions to be within the required 30' rear yard setback, a proposed attached accessory structure (carport) to be within the required 15' side yard setback and a proposed detached accessory structure (garage) to be within the required rear yard setback and within 5' of another structure on property located at 37 N. Primrose Ln. (PIDN: 002.630 / Sussex CTM#: 134-12.00-747.00).

- ✓ **V-313:** submitted by the property owners Lynn and Mark Ricker, seeking a variance from Article IV, §140-25-C (5)(b)[3], Article V, §140-32, Article XVI, §140-100-D (12)(b)[2] of the Land Use and Development Chapter (L.U.D.C.) of the Town Code and Article II, §187-10-A of the Streets and Sidewalk Chapter of the Town Code. Article IV, §140-25-C(5)(b)[3] prohibits the water's edge of a swimming pool to be within the front yard setback, Article V, §140-32 restricts the maximum height of detached accessory structure to 14' from grade and Article XVI, §140-100-D(12)(b)[2] and Article II, §187-10-A require driveways to be a minimum of 5' from any adjacent property line.

This variance seeks to allow the water's edge of an existing pool to encroach into the required 25' front yard setback, a detached accessory structure (garage) to exceed the maximum height limit of 14' and a driveway to be closer than 5' to an adjacent property line on property zoned R-1, located at 30 Kent Avenue (PIDN: 321.280/ Sussex CTM#: 134-12.00-1761.00).

- ✓ **V-314:** submitted by the property owner TAC Beacon II, LLC, seeking a variance from Article X, §140-63-D (2) and §140-66-B (11) of the Land Use and Development Chapter (L.U.D.C.) of the Town Code. Article X, §140-63-D(2) restricts the area of a development sign to 12 sq. feet per side, maximum 24 sq. feet for two sided sign, the height to 8 feet from grade and placement a minimum of 10 feet from the street line. Article X, §140-66-B (11) prohibits Off Site Signs.

This variance seeks to allow the applicant to erect a sign that exceeds the maximum area square footage, the maximum height and required placement distance from the street line and to have off site signs promoting sale of homes that are not within the Town on property located at Belle Via Way and Woodland Avenue (PIDN's:033.100 & .110 / Sussex CTM# 134-12.00-468.11).

- The Planning and Zoning Commission met on October 15th to review the following applications:
 - ✓ **P-295:** Review of a preliminary site plan submitted by Mr. Timothy Tribbitt on behalf of the property owner Ms. Sally W. Hickman, to subdivide one parcel of land into four parcels of land on property zoned R-1, located at 33 Betts Avenue (PIDN: 129.000 / Sussex CTM#: 134-12.00-321.00). *Approved 5-0*
 - ✓ **P-296:** review of a preliminary site plan submitted by Mr. Steven W. Smith, to create a general business on property zoned GB-1, located at 68 Atlantic Avenue (PIDN: 064.000 / Sussex CTM#: 134-12.00-531.00). *Approved 5-0*
- The Planning and Zoning Commission was scheduled to meet on November 19th to review the following application but the review has been deferred:
 - ✓ **P-261:** the review of a Final Land Development Site Plan for Phase II, of a Mixed Use Planned Community (MXPC), submitted by the property owner Robert Thornton, under Application P-261 for property located on Beaver Dam Road (PIDN: 413.000 / Sussex CTM# 134-16.00- various). *Deferred*
- The Planning and Zoning Commission met at 6PM on October 15th to discuss amendments to the Comprehensive Land Use Plan (C.L.U.P.) and provided direction regarding the zoning of within the Town limits as well as in areas of proposed growth. We are to revise land use maps to reflect these proposals and meet again with the Commission in December to discuss the revisions. Once these are completed the proposals will be presented to Council for additional input before being forwarded to the Office of State Planning for Preliminary Land Use Service, more commonly referred to as PLUS, for review and comments.
- We continue to work with residents of Woodland Park and Country Village to gain signatures on easements for the Public Works drainage projects. The Country Village project was revisited on September 23rd when a representative from Kercher Engineering and I met onsite with a number of the property owners whose parcels abut the project. We discussed the parameters and addressed their concerns. Kercher has revised the plan and we are to meet again with those affected property owners on November 12th to review the changes and hopefully obtain signatures for easements.

- Forwarded property violation notices in response to community complaints. Have followed up with response or action as needed to resolve the issue(s).
- Continue to meet with representatives for a number of land development projects prior to and after Board of Adjustment and Planning and Zoning meetings to discuss documents and materials required for the meetings and afterwards to discuss conditions set by the Board and Commission. The purpose of these meetings is to assist in their preparation of follow up documents for presentation at the next review or to complete recordation of the project.

Public Works:

- There was a pre bid meeting on October 14th for the Avon Park Drainage project and a subsequent bid opening on October 27th at which time bids from Common Sense Solutions, LLC and Kent Construction Co., Inc. were opened. The bids were then reviewed by the Town engineer for completeness to ensure that they met the bid specifications. Kercher Engineering has presented a letter of recommendation to award the bid to the lowest bidder that will be presented to Council for approval this evening. The Town Solicitor has also reviewed the bid.
- Work began on the decks/landings at the Town Hall and is proceeding, for the most part, according to the construction schedule. Additional repairs were required on the three decks/landings at the rear and side of the building due to rotted wood that was discovered when the old decks/landings were removed.
- A plan has been developed to address a drainage issue that has caused erosion of a road in Savannah's Landing however the bidding of the project may require additional discussion.
- Jim Winterbottom from Ameri Health / DFIT stopped by to review the second floor area of 201 Central for safety compliance and provided some tips about safe lifting techniques.
- The Town Manager and I met with Mike Gray from Christmas Décor about placement of Christmas decorations at our facilities. The decorations are to be installed before November 26th so that they can be activated on Thanksgiving.