

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

(Covers period from 110615 through 120315)

Administrative Official:

- There were 15 building and sign permits and 20 Certificates of Zoning Compliance/Occupancy issued during November 2015.
- The Town is in the transition period for business and rental licenses where we are still issuing licenses to close out the calendar year but are also processing renewals for calendar year 2016. Total licenses processed for 2015 to date is 1075 and there have been 175 processed thus far for 2016. The Gross Rental Receipt Tax (GRRT) collected for the period ending 063015 is \$82,000 and the next required due date is 021516 at which time payment for rentals from July through December 2015 are due.
- The Board of Adjustment met on November 19th and heard 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 sought 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).

APPROVED: 5' encroachment into required side yard setback for attached accessory structure (carport) and encroachment of detached accessory structure (garage) into required rear lot line setback by maintaining a minimum rear yard setback at back property line of 5.1'.

DENIED: 2.9' encroachment into required rear yard setback of proposed structures attached to principal structure (room and covered patio) and required 5' minimum separation between structures be maintained.

- ✓ **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).

APPROVED: §140-66-B (11) allowing placement of offsite development sign and minimum 10' from street line required by §140-63-D (2) for placement of development sign in 20' wide entrance median strip

DENIED: proposed area of sign coverage and proposed height of sign from grade thus requiring sign to comply with Town Code requirements.

- ✓ **V-313:** 30 Kent Avenue (PIDN: 321.280/Sussex CTM#: 134-12.00-1761.00)
Deferred at request of applicant.
- The Board of Adjustment will meet on December 17th to hear the following applications:
 - ✓ **V-315:** submitted by Stephen Grimberg and Michael Scanlon on behalf of the property owners William and Kimberly Mercadante, seeking a variance from Article V, §140-28 which requires a 30 foot rear yard setback for principal structures and attached accessory structures and from Article V, §140-33 which limits the projection of uncovered steps into the required rear yard setback to a maximum of 4 feet.
This variance seeks to allow an existing deck to encroach into the required rear yard setback, and to allow existing uncovered steps to exceed the maximum allowable encroachment into the required rear yard setback on property zoned R-1, at 9 Sussex Avenue (PIDN: 036.220 / Sussex CTM# 134-12.00-477.00).
 - ✓ **V-316:** submitted by the property owner Paula Howard, seeking a variance from Article V, §140-28 which requires a 25 foot side yard setback for a side lot line abutting a street and Article V, §140-25-A (1) which requires that an accessory structure be incidental and subordinate to the principal use.
This variance seeks to allow an existing dwelling unit to encroach into the required 25 foot setback of a side lot line abutting a street and for an existing detached accessory structure (garage) to remain on a lot where there is no principal structure on property zoned R-1, at 111 Central Avenue (PIDN: 057.010 / Sussex CTM# 134-12.00-498.01).
- The Planning and Zoning Commission did not meet on November 19th because application P-261 was deferred.
- The Planning and Zoning Commission will meet on December 17th to review the following application:
 - ✓ **P-298:** submitted by the property owners Paula, Peter and Adam Howard, for a lot combination/subdivision to combine two parcels of land for the purpose of subdivision into three parcels of land on property zoned R-1, located at 111 Central Avenue / 95 Woodland Avenue (PIDN's: 057.010 / 057.020 - Sussex CTM#'s: 134-12.00-498.01 & 498.02)
- 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.
- Have had a number of meetings and calls with Linda Raab, a planner from the Institute for Public Administration at the University of Delaware (IPA UDel), who is assisting the Town with State mandated revisions to the Comprehensive Land Use Plan (C.L.U.P.). Land Use and Zoning maps have been updated to reflect current use, zoning and proposals by the Planning and Zoning Commission (P&Z) and revisions and updates are being prepared for the written portion of the C.L.U.P. This will be presented to the P&Z Commission at a public hearing of the C.L.U.P. amendment on February 18, 2016.

Public Works:

- The ADA curb ramp project is to begin on December 7th.
- Drainage Projects:
 - ✓ The Avon Park Drainage project was to begin on November 30th but due to weather the start date was moved to December 7th and the contractor anticipates 14 working days until completion.
 - ✓ Phase I of the Country Village drainage project was expanded to include additional parcels that drain to the same outflow. This increased the number of easements required from eight to fifteen. In addition, the rerouting of a drainage ditch was included due to a spur of the ditch that was abandoned during an earlier drainage project. We have received signed easements from six of the original eight property owners and the remaining two have agreed to sign. The additional seven easement packets are being processed so that we can present them to the property owners for signatures. The HOA has offered their assistance in obtaining signatures if needed. The expansion of the project brings along with it additional project costs that are available in the budget.
 - ✓ The Woodland Park project involves 42 parcels and was separated into two phases. Phase I affects 22 property owners, nine of whom have signed easements. Phase II encompasses the other 20 parcels and only one property owner has signed an easement at this time.
 - ✓ The Woodland Avenue Extended project as you know has a number of easements associated with it as well as DNREC approval that we are still awaiting. We have an added twist with the recent sale and development of the Reserves which brings with it heavy truck traffic that will be using the Woodland Avenue to access this development, which is largely outside of the Town limits. Mr. West, who previously stated he would assist with property owner signatures for easements, has granted an easement across his unimproved parcel to be used as a construction entrance for the project. This helps to reduce or eliminate the construction traffic from entering the main entrance of the Reserves. It does not however reduce traffic on Woodland Avenue Extended. I have reached out to officials at NVR Homes to see if they will consider a request that construction traffic use West Avenue to access the construction entrance on Woodland Avenue. As of the date of this report I have not received an answer. I've asked the Town engineer to provide an update on the life expectancy of the existing roadway with the increase in construction traffic as well as the effects it will have on the proposed improvements.
- Work on the decks/landings at the Town Hall is very close to being completed and may well be done by meeting time. There was significant water damage to the underlying structure and sill areas on and adjacent to all steps/landings due to earlier construction methods that were questionable. There was also structural issues with the handicap ramp and support posts on the front porch that had to be addressed. In spite of this the project is on schedule and should be finished by the 11th of December.
- Christmas lights were hung along Central Avenue by the Public Works personnel on November 21st. A malfunctioning timer, that was replaced, caused a breaker to trip and the lights were not working for a short period. This was brought to my attention a number of times by concerned citizens and the lights are now in good working order. Public works personnel also decorated the inside of Town Hall for the holiday season.

- Christmas Décor has installed the Christmas decorations at Town facilities located at 201 Central Avenue and 32 West Avenue. Some additional decorations will be added to the front porch at 32 West Avenue once the construction is complete.
- The public water system valves were opened to release sediment and air by the Public Works personnel in areas where there is no loop for the water system.
- Public works have completed winterizing the irrigation systems at 32 West and 201 Central Avenues.
- Preventive maintenance and winterization of equipment will begin shortly and activation of seasonal equipment for the upcoming months has begun.