

**Administrative Official and Public Works Department**  
**Monthly Report for April 14, 2017 Town Council Meeting**

*(Covers period from 030817 through 040617)*

**Administrative Official:**

- There were 27 building and sign permits and 2 Certificates of Zoning Compliance/Occupancy issued during February 2017.
- To date, we have issued 924 business and rental licenses for CYE17 and staff continues to contact individuals who have not yet obtained business and rental licenses for CYE 17.
- Gross Rental Receipt Tax (GRRT):
  - ✓ Staff has processed GRRT for CYE 2016 as follows:
    - Have processed \$161,000 for period 16-2, which is due February 15, 2017 and covers rental period from July 1, 2016 thru December 31, 2016.
    - Received and processed \$1000.00 for period 17-1, which is due August 15, 2017 and covers the rental period from January 1, 2017 thru June 30, 2017.
- The department continues to:
  - ✓ Phone calls to management companies & property owners regarding GRRT and also emailing property owners GRRT is past due.
  - ✓ Phone calls to contractors, insurance companies & outside agencies for DE BL, professional license & insurance certificates.
  - ✓ 7 violation letters sent for failure to obtain a Rental License & submit GRRT.
  - ✓ phone calls to In-town Businesses & Rentals to renew their license for 2017
  - ✓ Updating professional licenses & insurance in Z.
  - ✓ Run reports to match all monies paid for all licenses & GRRT in Z & Edmunds.
  - ✓ Processed BL, RL & GRRT and passed onto clerk & account clerk.
  - ✓ assume duties of the Receptionist when she is unavailable, which includes answering phones, taking messages, accepting permit & license applications, accepting tax payments & taking park & Town Hall reservations.
- The Board of Adjustment met on March 16, 2017 and heard the following applications:
  - ✓ **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 sought 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). *Approved 4-1 (Reddington – Nay)*

- ✓ **V-339:** A request 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 the Land Use and Development Chapter (L.U.D.C.) and Article II, § 187-10-A of the Streets and Sidewalks Chapters of the Town Code. Article V, §140-32, required 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 sought 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). ***Approved 5-0 (Garage side yard encroachment of 6.7' and height of garage, which is to be provided on SLD for new DU, can increase 8" to accommodate one course of block as proposed during meeting.***

***Denied 5-0 the outside shower and the driveway removed from the request at the beginning of the meeting.***

- ✓ **V-340:** A variance application 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 sought 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: 408.00 / Sussex CTM#: 134-17.00-11.00). ***Approved 3-2 (Kerwin & Legates - Nay) Only three signs w dimensions as requested but cannot change language during time displayed which was limited until 031620 or until last home in OVBC within OV sold – whichever comes first.***

- ✓ **V-341:** An application 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 the Fairway Village is 45% which includes all buildings and structures as stated in §140-28 of the L.U.D.C.

This variance sought 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). **Approved 5-0**

- The Board of Adjustment is scheduled to meet at 6 P.M. on Thursday April 20<sup>th</sup> to hear the following application:
  - ✓ **V-343:** An application submitted by the property owners Chris & Marie Dispoto, 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 the applicant to construct a detached accessory structure (garage) that will exceed the maximum permissible height on a lot zoned R-1, located at 7 LONGVIEW DRIVE (PIDN: 103.151 / SUSSEX CTM#: 134-12.00-311.05).
- The Planning and Zoning Commission is scheduled to meet at 7 P.M. on Thursday, March 16, 2017 to review the following application:
  - ✓ **P-285:** A review of a Final Land Development Plan submitted by Steven J. Collazuol on behalf of the property owners Ann Bennett Collazuol & Steven J. Collazuol in conjunction with application P-285 to combine two parcels of Land for subdivision into six individual parcels of land, on property zoned R-1 (single family residential), located at 34 Woodland Avenue (PIDN's: 116.000 & 116.001 / Sussex CTM#: 134-12.00-317.00 Parcels A & B). **Maximum Extension of four months given for applicant to provide all necessary documentation. Also to work with Herrington Application P-303 which also requires approval.**
  - ✓ **P-258 & 266:** Review a revision to a previously approved land development site plan to upgrade landscaping at the Ocean View Beach Club (OVBC). **Approved 5-0**
  - ✓ **P-282:** A review of a Final Land Development Plan, submitted by The Evergreene Companies on behalf of the property owners Raze Properties, LLC and Sigurd Berzins - Trustee, to create a community with fifty (50) single family lots and an area set aside for future commercial development on land zoned MXPC (Mixed Use Planned Community), located at S/RD 361 - Parcel B and SW Corner SRD's 361 and 363 – Parcel C - Muddy Neck and Double Bridges Roads (PIDN: 410.000 / Sussex CTM#: 134-17.00-30.03 and 134-17.00-30.04). **An administrative request to extend their previously approved extension for an additional two months until June 15<sup>th</sup> so that the developer can provide all necessary documentation for recordation was Approved 5-0.**
- The Planning and Zoning Commission is not scheduled to meet in April.
- Staff continues visits to construction sites throughout Town are ongoing to ensure that contractors and property owners have the required building permits and/or business licenses. Verbal violation warnings were provided to contractors in violation of the Code for failure to have the proper Building Permit(s) and/or Business License(s). Followed up to ensure compliance.
- Property maintenance violation notices were forwarded to property owners who were not in compliance with the property maintenance requirements of the Code.

- The 2016 Amendment to the Comprehensive Land Use Plan (CLUP) was forwarded to the Office of State Planning and an ordinance to adopt a new zoning map, reflective of the Land Use changes included in the amended CLUP, is to be introduced by Council. The ordinance will then be forwarded to Planning and Zoning for review and recommendation during a public hearing and returned to Town Council for two additional public hearings at which time the ordinance can be adopted, if Council so chooses.
- March 16<sup>th</sup>: Met with Country Village HOA representatives to discuss the demolition and re construction of their new pool house as well as associated drainage issue with same. A building Permit was subsequently issued for this work.
- March 24<sup>th</sup>: Met with Mike Baiocco of Kercher Engineering and Josh Mastrangelo of Evergreene Homes to discuss inspections and billing for the Johnson's Glade, Tidewaters, and Tidalwalk developments.
- March 27<sup>th</sup>: Met with Josh Mueller of Barn Hill Preserve to discuss his request for a permissible use by Special Exception to allow Barn Hill Preserve to establish an animal sanctuary and educational center on property zoned GB-1.

### **Public Works:**

- Projects:
  - ✓ A pre-construction meeting was held for the Y2017 Street Rehabilitation Project (Micro, etc.), Project Number 2017-03 on March 23<sup>rd</sup> at 201 Central Avenue. The Contract was awarded to the lone bidder Asphalt Paving Systems. Work is to begin on the project mid to late April when the patch work which precedes the micro application starts.
  - ✓ T2 - Pedestrian Pathway Projects:
    - Phase III along Central Ave: Met with officials from DelDOT, Century Engineering and Greenscapes (Contractor awarded the project bid) on Tuesday April 4<sup>th</sup> at 10AM in Georgetown. The contractor was to begin initial work on April 5<sup>th</sup> and a work schedule was provided. This schedule has been placed on the Town website for viewing.
- March 23<sup>rd</sup>: Met with Mike Baiocco and Kevin Smith of Kercher Engineering as well as & Todd Moyer of Fairway Cap, LLC, to discuss the work needed in the Right-of-Way of Fairway Village for purposes of road dedication.
- March 29<sup>th</sup>: Met with Eastern Shore Porch & Patio at 32 West Avenue.
- March 30<sup>th</sup>: Met with Vines Creek Nursery at 32 West Avenue to discuss plantings in beds.
- DPW continued their efforts to take an inventory of supplies and restock as necessary.
- In addition to their normal duties the DPW personnel completed the following tasks:
  - ✓ Weed Flower Beds and treat with pre-emergent
  - ✓ Hand-Edge flower beds to prep for mulch
  - ✓ Hand-Rake 32 West, 6 Oakwood, John West Park
  - ✓ Pressure Wash sidewalks and herbicide expansion joints
  - ✓ Pressure Wash structures at park
  - ✓ Scrub playground equipment with algaecide

## Central Avenue Pipe Failure:

- March 15, 2017: Notified by unknown source via phone that pipe had undermined and the road was washing out. Had DPW Field Supervisor, Kurt Olsen, stop by to verify and he sent the picture below. Upon receipt of photo, I had Kurt close road and sent Greg Durstine, our Code Compliance person, to assist at other intersection (Cedar Dr.). I called DelDOT yard in Dagsboro to begin notifications and then went to gather barricades from DPW shop and took to Cedar & Woodland on Central to close road. Captain Heath Hall from OVPD came by and blocked Central at Cedar while Kurt went to retrieve barrels to close left turn lane off of Cedar lane.

Wesley from Dagsboro yard arrived and informed me that additional DelDOT personnel were enroute and would provide barricades and road signs. We continued blocking traffic until DelDOT relieved us and then reported off. Our barricades and barrels were retrieved next day by OV DPW.

- March 22, 2017: I contacted Dagsboro yard and Jason McCloskey of DelDOT in an attempt to ascertain how long it may be before the road is opened again to traffic. Jason indicated that the work must be contracted out because DelDOT does not install concrete pipe, which is needed here. On a positive note, DelDOT was aware of issues with the pipe / road and had already obtained necessary permits from outside agencies (DNREC). DelDOT has a contractor that is able to do the necessary contract work. Unfortunately, the approved contractor is just starting another large road project on SR24, tentatively scheduled to begin on March 27th, weather permitting, and is projected to take about two weeks. The Central Avenue project would be next and, if all goes according to plan with the SR24 project, they anticipate beginning Central Avenue sometime during the week of April 10th and estimate that the job would take about 3-5 days to complete. Allowing for weather related delays that might affect both projects, I would anticipate Central Avenue will be reopened to traffic again by the end of April and possibly even sooner.



*Central Avenue Pipe Failure*