

Administrative Official and Public Works Department
Monthly Report for December 12, 2017 Town Council Meeting

(Covers period from 110217 through 120617)

Administrative Official:

- There were 40 building and sign permits and 37 Certificates of Zoning Compliance/Occupancy issued during the month of November 2017.
- To date, we have issued 1,185 business and rental licenses for CYE17 and staff continues to contact individuals who have not yet obtained business and rental licenses for CYE17.
- Staff processed, prepared and mailed 1,472 renewal applications for CYE18 business and rental licenses as follows:
 - ✓ 940 Business Licenses
 - ✓ 337 Rental Licenses
 - ✓ 41 Real Estate Broker Licenses
 - ✓ 84 Real Estate Agent Licenses
 - ✓ 70 Temporary Business Licenses
- Required renewals are due back by January 1, 2018 and staff is currently receiving and processing those renewals that have been returned to date. Thus far, we have issued 207 business and rental licenses for CYE18.
- Gross Rental Receipt Tax (GRRT):
 - ✓ Staff has processed GRRT as follows:
 - \$92,000.00 for period 17-1, which was due August 15, 2017 and covers rental period from January 1, 2017 thru June 30, 2017.
 - \$8,000.00 for period 17-2, which was due February 15, 2018 and covers the rental period from July 1, 2017 thru December 31, 2017.
- The department continues to:
 - ✓ Make phone calls to management companies & property owners regarding GRRT.
 - ✓ Emailing property owners whose GRRT is past due
 - ✓ Make phone calls to contractors, insurance companies & outside agencies for DE Business Licenses, professional license & insurance certificates.
 - ✓ Sent 2 violation letters for to property owners who did not have the required rental license and failed to pay the GRRT.
 - ✓ Check websites for homeowners advertising their properties for rent to ensure they have the required rental license.
 - ✓ Complete periodic ride arounds throughout Town to ensure that Real Estate agents are licensed.
 - ✓ Updating professional licenses & insurance in Z.
 - ✓ Run reports to match all monies paid for all licenses & GRRT in Z & Edmunds.
 - ✓ Process BL, RL & GRRT and pass these on to the Town clerk & account clerk for additional processing.
 - ✓ Scanning prior year Business & Rental Licenses into Shore Scan.
 - ✓ Assume the duties of the Receptionist when she is absent which includes answering phones, taking messages, accepting permit & license applications, accepting tax payments & taking park & Town Hall reservations

- Staff continues construction site visits throughout Town 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. We have mailed approximately 201 violations thus far this year.
- The Code Compliance person issued 6 violations for failure to have a building permit and 4 violations for working without a Town business license.
- Met with various property owners, developers, and contractors throughout the month to discuss land use questions and to address permitting requirements for each.
- Met with property and business owners from SR26 to discuss sign placement, variance applications and site plan modifications.
- The Board of Adjustment meeting scheduled for Thursday November 16, 2017 was cancelled and all the following applications were deferred at the applicants request because there were only three (3) BOA members available:
 - ✓ **V-352:** Submitted by the property owners, Gregory and Kathleen BAFFONE, seeking a variance from Article VII, § 140-50-B of the Land Use and Development Chapter (L.U.D.C.) of the Town Code. §140-50-B sets some dimensional regulations for Planned Communities, allows Town Council to set other dimensional regulations and indicates that dimensional regulations not defined will comply with those set forth in §140-28 (R-2) for single family parcels. The required side yard setback for accessory structures, as defined in Ordinance 214 adopted by Town Council on March 6, 2007 is 3 feet in the Ocean View Beach Club, Residential Planned Community (R.P.C.).
This variance seeks to allow the applicant to place a mechanical unit within the required side yard setback on property zoned R.P.C. located at 39 Scarborough Ln. (PIDN: 408.177 / Sussex CTM#: 134-17.00-962.00).
 - ✓ **V-353:** Submitted by Darrell LONG, seeking a Special Exception to create a Woodworking Shop on property zoned GB-1, located at 94 Central Avenue (PIDN: 060.001 / Sussex CTM#: 134-12.00-524.01).
 - ✓ **V-354:** Submitted by Davis, Bowen & Friedel on behalf of the property owner Windansea, LLC, seeking a variance from Article VII, § 140-50-B of the Land Use and Development Chapter (L.U.D.C.) of the Town Code. §140-50-B sets some dimensional regulations for Planned Communities, allows Town Council to set other dimensional regulations and indicates that dimensional regulations not defined will comply with those set forth in R-3 zoning requirements. The required setbacks for accessory structures, as defined in Ordinance 214 adopted by Town Council on March 6, 2007 are, five (5) feet front, three (3) feet sides and ten (10) feet rear in the Ocean View Beach Club, Residential Planned Community.
The applicant has installed patios and a walkway within the community which encroach into the required setbacks on property zoned Residential Planned Community (RPC) located on Old Orchard Avenue (PIDN: 408.350 / Sussex CTM#: 134-17.00-11.00).

- The Planning and Zoning Commission is scheduled to meet on Thursday, December 14, 2017 to hear the following applications:
 - ✓ **V-353:** See entry above under November 16, 2107 meeting agenda.
 - ✓ **V-354:** See entry above under November 16, 2107 meeting agenda.
 - ✓ **V-355:** Submitted by the property owner, John P. ROBERTS, seeking a variance from Article X, § 140-65 of the L.U.D.C., which limits the number of wall signs to one per business with a maximum area of ten (10) square feet.

The variance seeks to allow the applicant to erect a wall sign that will exceed the maximum number and square footage permissible by Code on property zoned GB-1, located at 13 Atlantic Avenue (PIDN: 283.000 / Sussex CTM#: 134-13.00-29.00).
 - ✓ **V-356:** Submitted by Mr. Josh Mastrangelo of Evergreene Homes, on behalf of the property owners, Raze Properties LLC & Berzins, Sigurd E., seeking a variance from Article I, § 116-5-E (2) of the Flood Damage Reduction section of the Environmental Protection Chapter of the Code which requires submission to FEMA, of engineering analyses and technical data reflecting the proposed activity in a special flood hazard area with base flood elevations to show that the cumulative effect of the proposed development activity, when combined with all other existing and potential special flood hazard area encroachments, will not increase the base flood elevation more than 1.0 foot at any point.

The variance seeks to allow the applicant to forego this submission and construct all structures on pilings, on property zoned Mixed Use Planned Community (MXPC) located at Muddy Neck and Double Bridge Roads, (PIDN: 410.000 / Sussex CTM#: 134-13.00-30.03 & 30.04).
 - ✓ **V-357:** Submitted by the property owners, Charles & Deborah BRZEZYNSKI, seeking a variance from Article V, §140-28 & §140-32, of the Land Use and Development Chapter (L.U.D.C.) of the Town Code, which requires principal structures and attached accessory structures to maintain a minimum rear yard setback of thirty (30) feet.

The variance seeks to reduce the rear yard setback to twenty (20) feet so that the applicants can construct a new dwelling unit, with attached accessory structures at the rear, that will encroach 7.88 +/- feet into the required thirty (30) foot rear yard setback on property zoned R-1, located at 36 Osprey Lane (PIDN: 261.270 / Sussex CTM#: 134-13.00-903.00).
 - ✓ **V-358:** Submitted by Mr. Anthony Christopher on behalf of the property owner, Mariners Bethel United Methodist Church, 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.

The variance seeks to allow the applicant to erect three (3) detached accessory structures (bike maintenance shop, pavilion and a HOPE center), that will exceed the maximum permissible height of on property zoned R-1, located at 81 Central Avenue (PIDN: 048.006 / Sussex CTM#: 134-12.00-645.00).
 - ✓ **V-359:** Submitted by K Hovnanian Homes DE, LLC on behalf of the property owners, Steven & Sheila STRONG, seeking a variance from Article II, § 187-10-C of the Streets and Sidewalks Chapter of the Town Code, which requires that grades on private driveways should not exceed 8%, unless specifically authorized by the Town, and in no case, shall the grade exceed 5% for the first 30 feet of driveway as measured from the road cartway.

The variance seeks to allow the slope of the driveway, that exceeds the maximum 8.0% permissible by Code, to remain on property zoned Residential Planned Community (RPC) located at 48 Bennett Point Lane (PIDN: 408.231 / Sussex CTM#: 134-17.00-974.00).

- The Planning and Zoning Commission met on Thursday November 16, 2017 to hear the following applications:
 - ✓ **P-309:** A Preliminary Land Development Site Plan submitted by Mr. Richard NIPPES, of the Ocean View Historical Society, with the permission of the Town of Ocean View in conjunction with application P-309, to enlarge the museum on property zoned O/S (R-1), located at 39 Central Avenue, (PIDN: 239.000 / Sussex CTM#: 134-12.00-609.00). *Approved (5-0) as a Final Land Development Plan with conditions.*
 - ✓ **P-310:** A Preliminary Land Development Site Plan, submitted by Mr. Jeff Harmon of Becker Morgan Group, Inc. on behalf of Mariner's Bethel United Methodist Church, in conjunction with application P-310, to construct additional structure(s) on a church property zoned R-1, located at 81 Central Avenue (PIDN: 048.006 / Sussex CTM#: 134-12.00-645.00). *Approved Phase 1 (5-0) as a Final Land Development Plan with Conditions.*
 - ✓ **P-312:** A Concept Land Development Site Plan submitted by Mr. Ken Christenbury, P.E. of Axiom Engineering, LLC, on behalf of the property owners, Jeffrey & Stephanie WILKINSON, in conjunction with application P-309, to create a five (5) lot subdivision on property zoned (R-1), located at 6 Elliott Avenue, (PIDN: 135.002 / Sussex CTM#: 134-12.00-367.00).
- The Planning and Zoning Commission is not scheduled to meet in December.
- **November 8th:** Met with Cindy Baruch to discuss Captains Court Lots 3 & 5 for development.
- **November 9th:** Met with Sam Connors from Super Clean Demolition to discuss development at 129 Central Ave.
- **November 20th:** Met with KEI to visit and discuss various sites throughout Town.
- **November 29th:** Met with Josh Mastrangelo of Evergreene Homes to discuss proposed revisions at Ocean View Beach Club.
- **December 5th:** Met with Jeff Clark of Land Tech to discuss multiple site plans.
- **December 5th:** Met with representatives from Miken Builders & GMB, LLC to discuss the Archut property development at Woodland and SR26.
- **December 5th:** Met with Rachel Allen of the Freeman Corporation to discuss signage for proposed commercial units at Bear Trap Dunes.

Public Works:

- Work on the 2nd Floor Renovations at 201 Central Avenue has been completed. The receptionist area and second floor is now much more secure. The Town thanks the public for bearing with us during the renovations.
- In addition to their regularly scheduled duties Public Works personnel also completed the following:
 - ✓ Continue visibility and low clearance trimming throughout Town and addressed a complaint about a visibility issue at the corner of Betts and Central Avenues.
 - ✓ Continue landscape maintenance throughout the Town campuses.
 - ✓ Winterized water fountain and irrigation system at John West park and irrigation system at 201 Central Avenue.
 - ✓ Applied water sealer to picnic tables at John West Park.
 - ✓ Supported Sussex Tree in removal of (2) large diseased oak trees from town park.
 - ✓ Blow-off of town water mains to clear sediment
 - ✓ Filled pothole on Daisey Ave.
 - ✓ Safety Training: reviewed safe lifting techniques & winter safety best practices.
 - ✓ Installed interior Christmas décor at 201 Central Avenue & 32 West Avenue.
 - ✓ Prepared park & Town Hall for Holiday in the Park on Saturday, December 9th.