

**TOWN OF OCEAN VIEW PUBLIC NOTICE**  
**BOARD OF ADJUSTMENT MEETING**  
**February 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, February 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** - from the December 15, 2016 Board of Adjustment Meeting.
4. **New Business**
  - A. **V-335 62 Fairway Drive (PIDN: 402.284 / Sussex CTM#: 134-16.00-2043.00)**

Application V-335, submitted by the property owners Vernon R. & Catherine M. Steffe, requesting a variance from Article VII, §140-50-B and Article V, §140-32 of the Land Use and Development Chapter (L.U.D.C.) of the Town Code. Article VII, § 140-50-B allows Town Council to set dimensional regulations within Planned Communities and Article V, §140-32 requires attached accessory structures to maintain the same side yard setback as the principal structure. The minimum side yard setback, as determined by Town Council, for the Residential Planned Community (R.P.C.) of Fairway Village is ten (10) feet, as stated on the Record Plat recorded in the office of the Sussex County Recorder of Deeds on March 25, 2009. This variance seeks to allow the applicants to maintain an existing trash storage bin that encroaches into the required ten (10) foot side yard setback, on a lot zoned R.P.C., located at 62 Fairway Drive (PIDN: 402.284 / Sussex CTM#: 134-16.00-2043.00).
  - B. **V-336 7 Mitchell Avenue (PIDN: 036.510 – CTM#: 134-12.00-1950.00)**

Application V-336, submitted by the property owners Dean A. & Tammy A. Mitchell, requesting a variance from Article V, §140-28 and §140-33 and Article XVI, §140-100-D(12)(b)[2] & [3] of the Land Use and Development Chapter (L.U.D.C.) and Article II, §187-10-A of the Streets and Sidewalks Chapter of the Town Code. Article V, §140-28, requires a minimum side yard setback of fifteen (15) feet in the R-1 Zoning District and §140-33 limits to two feet, the projection of a chimney into any required setback. Article XVI, §140-100-D(12)(b)[2] & [3] and Article II, §187-10-A of the Code require that driveways be a minimum of 5' from any adjacent property line. This variance seeks to allow the applicants to maintain an existing dwelling unit, chimney and driveway that encroach into the required setbacks as indicated in the Town Code on a lot zoned R-1, located at 7 Mitchell Avenue (PIDN: 036.510 – CTM#: 134-12.00-1950.00).

**C. V-337 3 Avondale Drive (PIDN: 325.110 / Sussex CTM#: 134-17.00-586.00)**

Application V-337, submitted by the property owners James C. & Deborah A. Stuart, requesting a variance from Article V, §140-32 of the Land Use and Development Chapter (L.U.D.C.) of the Town Code. Article V, § 140-32 limits detached accessory structures to a maximum height of fourteen (14) feet from grade. This variance seeks to allow the applicants to construct a detached accessory structure (garage) that will exceed the maximum height allowable by Code, on a lot zoned Residential Planned Community, (R.P.C.), located at 3 Avondale Drive (PIDN: 325.110 / Sussex CTM#: 134-17.00-586.00).

**5. Adjournment**

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

Posted: February 8, 2017