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**TOWN OF OCEAN VIEW PUBLIC NOTICE**  
**BOARD OF ADJUSTMENT MEETING**  
**August 20, 2020 6:00PM**

NOTICE IS HEREBY GIVEN BY the Board of Adjustment of the Town of Ocean View that a meeting will be held at 6:00pm or as soon as possible thereafter on Thursday, August 20, 2020 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 by appointment only.

**AGENDA**

1. **CALL TO ORDER / PLEDGE OF ALLEGIANCE**
2. **REORGANIZATION VOTE OF BOARD MEMBERS**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**
  - A. December 19, 2019 Board of Adjustment Meeting Minutes.
5. **NEW BUSINESS**
  - A. **V-401 8 Daisey Avenue (PIDN: 158.000 / CTM# 134-12.00-577.00)**

Application V-401, submitted by the property owners, Duncan G. & Cynthia R. Smith, requesting a variance from Article V, §140-32 of the Land Use and Development Chapter (L.U.D.C.) of the Town Code which requires detached accessory structures to maintain the same side yard setback as the principal structure (15 feet in the R-1 zone).

This variance application seeks to allow the applicants to maintain an existing detached accessory structure (garage) within the required side yard setback, on a property zoned R-1 (Single Family Residential District), located at 8 Daisey Avenue (PIDN: 158.000 / CTM# 134-12.00-577.00).
  - B. **V-402 55 Daisey Avenue (PIDN: 134.020 / CTM# 134-12.00-2024.00)**

Application V-402, submitted by the property owners, Brent and Ingrid Poffenberger, requesting variances from Article V, §140-32 and Article VI, §140-35-B(2)(b) of the Land Use and Development Chapter (L.U.D.C.) of the Town Code. Article V, § 140-32 requires detached accessory structures to maintain the same side yard setback as the principal structure (15 feet in the R-1 zone). Article VI, § 140-35-B(2)(b) states that a patio may project into a

required side yard setback as long as it is placed no closer than 10 feet to any lot line.

This variance application seeks to allow the applicants to maintain an existing detached accessory structure (shed) within the required side yard setback as well as an existing wooden patio that is placed closer than 10 feet to the side lot line, on a property zoned R-1 (Single Family Residential District), located at 55 Daisey Avenue (PIDN: 134.020 / CTM# 134-12.00-2024.00).

**C. V-403 14 S. Primrose Lane (PIDN: 001.070 / CTM# 134-12.00-773.00)**

Application V-403, submitted by the property owners, Larion & Carole Klimovitz, requesting variances from Article V, §140-28 and Article V, §140-32 of the Land Use and Development Chapter (L.U.D.C.) of the Town Code. Article V, § 140-28 sets a maximum lot coverage of 35% for all buildings and structures in the R-1 zone and Article V, §140-32 requires that attached accessory structures maintain the same rear yard setback as the principal structure (30 feet in R-1 zone).

This variance application seeks to allow the applicants to construct an attached accessory structure (outdoor shower) which would project into the required 30' rear yard setback and also exceed the maximum allowable lot coverage on a property zoned R-1 (Single Family Residential District), located at 14 S. Primrose Lane (PIDN: 001.070 / CTM# 134-12.00-773.00).

**D. V-404 28 Luzerne Drive (PIDN: 413.053 / CTM# 134-16.00-901.00)**

Application V-404, submitted by the property owners, Bruce and Rosemary Rose, for a variance from Article VII, §140-50-B of the Town Code, which 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. Ordinance 321 adopted by Town Council on March 10, 2015 established the following requirements for the Silverwoods Mixed-Use Planned Community (M.X.P.C.): “the minimum separation between dwelling units and attached accessory buildings/structures shall be 15 feet”; and also that “a drainage easement, equal to the minimum separation of 15 feet required between dwelling units, shall be provided.”

The property owners wish to construct an attached accessory structure (outdoor shower) on the side of their house, which would result in a reduced building separation between the attached accessory structure and the neighboring dwelling unit on property zoned M.X.P.C. (Mixed Use Planned Community), located at 28 Luzerne Drive (PIDN: 413.053 / CTM# 134-16.00-901.00).

## 6. ADJOURNMENT

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

Posted: August 13, 2020