

Topic: Town of Ocean View - BOA Meeting
Time: Jun 17, 2021 06:00 PM Eastern Time (US and Canada)

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TOWN OF OCEAN VIEW PUBLIC NOTICE
ZOOM TELECONFERENCE ONLY
BOARD OF ADJUSTMENT MEETING
June 17, 2021 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, June 17, 2021 by ZOOM 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. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES**
 - A. May 20, 2021 Board of Adjustment Meeting Minutes.
4. **NEW BUSINESS**
 - A. [V-416 13 Sussex Avenue \(PIDN: 036.340 / CTM# 134-12.00-479.00\)](#)

Application V-416, submitted by the property owners, Randolph & Patricia A. Cripps, requesting variances from Article V, §140-32 and Article VI, §140-35-A(2)(b) of the Town Code. Article V, §140-32 requires attached accessory structures to maintain the same rear setback as the principal structure. Article VI, §140-35-A(2)(b) states that decks (over 24" high) attached to a building or structure shall be subject to the same rear yard setback as the principal building to which it is attached.

The property owners wish to construct a screened porch, outdoor shower, and a deck that would encroach into the required 30 foot rear yard setback on a parcel zoned R-1 (Single-Family Residential District), located 13 Sussex Avenue (PIDN: 036.340 / CTM# 134-12.00-479.00).
 - B. [V-417 23 Luzerne Drive \(PIDN: 413.006 / CTM# 134-16.00-854.00\)](#)

Application V-417, submitted by the property owner, Joseph A. Wroblewski, for a variance from Article VII, §140-50-B and Article V, §140-32 of the Town Code. Article VII, §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. Ordinance 321 adopted by Town Council on March 10, 2015 established the requirements for the Silverwoods Mixed-Use Planned Community (MXPC), including: a minimum 5 (five) foot side yard setback, a minimum 15 foot separation between adjacent dwelling units and attached accessory buildings/structures, and the establishment of a drainage easement equal to the minimum separation of 15 feet required between dwelling units.

The property owner wishes to construct an outdoor shower & trash enclosure that would project into the five (5) foot minimum side yard setback and result in a reduced building separation between the attached accessory structures and the neighboring dwelling unit on property zoned MXPC (Mixed-Use Planned Community), located at 23 Luzerne Drive (PIDN: 413.006 / CTM# 134-16.00-854.00).

C. [V-418 8 Port Royal Road \(PIDN: 094.800 / CTM# 134-12.00-2125.00\)](#)

Application V-418, submitted by the property owners, Kenneth M. & Stephanie E. German, requesting a variance from Article I, §116-5-B(1)(a) of the Environmental Protection Chapter of the Town Code, which requires the lowest floor of a residential structure to be elevated to or above the base flood elevation plus 2.0 feet.

The property owners wish to reconstruct and expand an existing attached accessory structure (sunroom) with a lowest floor elevation that is below the requirement of base flood elevation plus 2.0 feet on property zoned R-1 (Single-Family Residential District), located at 8 Port Royal Road (PIDN: 094.800 / CTM# 134-12.00-2125.00).

D. [V-419 65 Luzerne Drive \(PIDN: 413.039 / CTM# 134-16.00-887.00\)](#)

Application V-419, submitted by the property owner, Velna Niederhauser, for variances from Article V, §140-32 and Article VI, §140-35-A(2)(b) of the Town Code. Ordinance 321 adopted by Town Council on March 10, 2015 established Silverwoods as a Mixed-Use Planned Community (MXPC) with a rear yard setback of 20 feet. Article V, §140-32 requires attached accessory structures to maintain the same rear setback as the principal structure. Article VI, §140-35-A(2)(b) states that a deck (over 24" high) attached to a building or structure shall be subject to the same rear yard setback as the principal building to which it is attached.

The property owners wish to construct an attached accessory structure (screened porch) with a deck/landing (over 24" high) that would encroach into the rear yard setback on property zoned MXPC (Mixed-Use Planned

Community), located at 65 Luzerne Drive (PIDN: 413.039 / CTM# 134-16.00-887.00).

E. [V-420 7 Luzerne Drive \(Silverwoods Clubhouse\)\(PIDN: 413.113 / CTM# 134-16.00-43.02\)](#)

Application V-420, submitted by the property owner/developer, Robert Thornton (Silverstock WP, LLC), for variances from Article V, §140-32 and Article VI, §140-35-B(2)(c) of the Town Code. Ordinance 321 adopted by Town Council on March 10, 2015 established Silverwoods as a Mixed-Use Planned Community (MXPC) with a rear yard setback of 20 feet. Article V, § 140-32 requires detached accessory structures to maintain a rear yard setback of 10 feet. Article VI, § 140-35-B(2)(c) states that a patio may project into a required rear yard setback as long as it is placed no closer than 10 feet to any lot line.

The developer wishes to maintain an existing mechanical shed that is constructed within the required 10 foot rear yard setback for accessory structures and an existing concrete patio that is placed closer than 10 feet to the rear lot line on property zoned MXPC (Mixed-Use Planned Community), located at 7 Luzerne Drive, the Silverwoods Clubhouse (PIDN: 413.113 / CTM# 134-16.00-43.02).

5. ADJOURNMENT

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

Posted: June 10, 2021

Summary Rules of Order for Meetings

Each person addressing the Town Council, or any Town Commission shall identify him/herself by name and place of residence for the record and shall address all remarks to the Town Council/Town Commission as a body and not to any member thereof.

Each person shall limit their remarks to the matter under discussion, shall be permitted to speak only one time on any topic, and shall be limited to (3) minutes. A written statement in lieu of or in addition to verbal comments is permissible.

No one other than a member of the Town Council/Commission, is permitted to enter discussions without approval of the Mayor/presiding officer. No members of the public are permitted to ask questions of any speaker while they are addressing the Town Council/Commission or of a Town Councilmember/ Commissioner without permission from the presiding officer.

All persons attending in person or participating electronically in a Town Council/Commission meeting should conduct themselves in an orderly fashion. All shall follow the direction of the Mayor/presiding officer, no disruptive behavior is permitted, and electronic devices shall be silent.