

BOARD OF ADJUSTMENT MINUTES
TOWN OF OCEAN VIEW
May 15, 2025, 3:00pm

1. The Board of Adjustment Chair Susan Kerwin called the meeting to order at 3:00pm with the Pledge of Allegiance. In attendance were Board Members Greg Neuner, John Planchart, Preston Coppels, and Ron Galey. Planning Zoning and Development Director Ken Cimino, Solicitor Veronica Faust, Planner Jill Oliver, and Town Clerk Donna Schwartz. The meeting was held at 32 West Avenue.

2. **REORGANIZATION OF BOARD**

A motion was made by Mr. Coppels, seconded by Mr. Galey, to nominate Mr. Planchard for Chair. The motion carried unanimously 5/0.

A motion was made by Mr. Planchart, seconded by Mr. Neuner, to nominate Mr. Galey as Vice-Chair. The motion carried unanimously 5/0.

3. **APPROVAL OF THE AGENDA**

A motion was made by Mr. Coppels, seconded by Mr. Galey, to approve the agenda. The motion was carried unanimously 5/0.

4. **APPROVAL OF THE MINUTES**

A motion was made by Mr. Galey, seconded by Mr. Coppels, to approve the minutes for the April 17, 2025, meeting. The motion was carried unanimously 5/0.

5. **NEW BUSINESS**

- A. **V-459 11 Woodland Road (PIDN:169.000/CTM#134-12.00-567.01)**

Mrs. Faust swore in Donna Schwartz, Ken Cimino, and Jill Oliver. Mr. Planchart read Application V-460, submitted by the property owners, Glenn and Diane Eklund. The property owners seek a variance from Article VII, §140-50-B and Article V, §140-29 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 #282 (later amended by Ordinances #321 & #353) established the zoning designation of Mixed-Use Planned Community (MXPC) for Silver Woods and established some dimensional regulations for the single-family portion of the MXPC, including a maximum lot coverage of 45% for single-family lots, except for selected models erected on non-adjacent lots.

The property owners wish to construct a paver patio and walkway and are seeking a variance for all existing and proposed buildings/structures to exceed the maximum allowable lot coverage of 45% on property zoned MXPC (Mixed-Use

Planned Community), located at 44 Old Forge Drive (PIDN: 413.067 / CTM# 134-16.00-916.00).

Town Comments made by Mr. Cimino about §140-108 Variances

The property owners wish to construct a paver patio which will exceed the maximum allowable lot coverage of 45%. This proposed improvement would increase the lot coverage to 48.8%, resulting in an overage of 3.8% or 309 square feet.

Definition. A "variance" is relief from the strict application of the provisions of this chapter when, owing to special conditions or exceptional situations, a literal interpretation of this chapter will result in exceptional practical difficulties to the property owner.

The applicant, by definition, does not have special conditions or exceptional situations related to their lot. The applicant, however, does have mobility issues, making this variance request necessary to improve quality of life.

Construction of this paver patio and walkway will not adversely impact the surrounding properties as many homes in this community have paver patios and walkways.

Mr. Glenn Ekland was sworn in by Mrs. Faust. He noted that he had no additional comments expect ne needs a walkway, and more space to enjoy his yard.

PUBLIC COMMENT - none
PUBLIC COMMENT CLOSED

A motion was made by Mr. Gale, seconded by Mr. Neuner, to approve the application to allow the 3.8% minimum increase in allowable lot coverage. The motion carried unanimously 5/0.

V-461 was postponed until a later date...

6. ADJOURNMENT

A motion was made by Mr. Neuner, seconded by Mr. Coppels, to adjourn the meeting at 3:14pm. The motion was carried unanimously 5/0.

Respectfully submitted, Donna M. Schwartz, MMC, Town Clerk

