

**BOARD OF ADJUSTMENT MINUTES**  
**TOWN OF OCEAN VIEW**  
**September 15, 2022 4:00pm**

1. Board of Adjustment Chair Susan Kerwin called the meeting to order at 4:00pm with the Pledge of Allegiance. In attendance were Board Members Greg Neuner, Preston Coppels, John Planchart, and Bob Lawless. 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. **APPROVAL OF THE AGENDA**

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

3. **APPROVAL OF THE MINUTES**

*A motion was made by Mr. Neuner, seconded by Mr. Lawless, to approve the minutes for the July 21, 2022, meeting. The motion carried unanimously 5/0.*

Ms. Faust swore in Mr. Ken Cimino and Ms. Donna Schwartz. Ms. Schwartz confirmed that the applications had been advertised, noticed, and posted in accordance with the rules of the hearing.

4. **NEW BUSINESS**

- A. **V-433 4 Middletown Court (PIDN:400.002/CTM# 134-16.00-1474.00)**

Application V-433, submitted by applicant, Deborah Bunch, for property zoned R.P.C. (Residential Planned Community) located at 4 Middleton Court (PIDN:400.002/CTM# 134-160.00-1474.00). The property owner wishes to construct a paver patio with landing in the rear yard and requests variances from the following code requirements:

1. Article VII, §140-50-B sets line 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 Article V, §140-29 for R-3 zoning requirements. The proposed patio, in addition to all existing structures, will exceed the maximum lot coverage of 45% allowed in the Wedgefield Residential Planned Community.

2. Article V, §140-35-B(2) indicates that a patio may project into a required side or rear yard setback as long as it is placed no closer than 10 feet to any lot line. The property owner wishes to install the patio approximately 9.6 feet from the side property line and 6.7 feet from the rear property line.

Mr. Cimino had the following comments:

1. This parcel of land is encumbered with 46.9% of impervious cover, or 1.9% over the maximum allowance of 45%. The proposed paver patio of 316 S.F. will increase the amount of impervious cover by 4.0%, for a total impervious lot coverage of 50.9%.

2. The paver patio will extend into the rear yard setback 3.3 ft., and the side yard setback .4 ft. This parcel of land backs up to open space which is not buildable. The .4 ft. into the side yard setback is negligible.

Ms. Debbie Bunch was sworn-in by Ms. Faust. She explained her reasons for the ground level patio, stating there are no homes behind her house. The exit from the rear of her house to the patio is for safety and access from the kitchen.

Mr. Neuner questioned the side setback. Ms. Bunch stated it is squared off. Ms. Kerwin asked about a sitting area. Ms. Bunch replied that she is not considering it at this time.

There was an email from Karin Pszczola who was not in agreement with giving the variance. A Ms. Sharon Dinoto, 11 Middleton Court, was sworn-in by Ms. Faust. She noted that she was concerned about the email from Karin Pszczola.

***A motion was made by Mr. Coppels, seconded by Mr. Lawless, to approve the variance request. The motion carried unanimously 5/0.***

**5. ADJOURNMENT**

***A motion was made by Mr. Lawless, seconded by Mr. Planchard, to adjourn the meeting at 5:20pm. The motion carried unanimously 5/0.***

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