

SINCE 1889



**TOWN OF OCEAN VIEW, DELAWARE
BOARD OF ADJUSTMENT
VARIANCE APPLICATION**

Land Use • Permitting • Licensing • Code Enforcement • Public Works

302 539-1208 (office) • 302 537-5306 (fax)

admin@oceanviewde.com / www.oceanviewde.com

SINCE 1889



V- 434

Fee: \$ 750.00

Variance is defined as relief from the strict application of the provisions of Chapter 140 of the Code when, owing to special conditions or exceptional situations, a literal interpretation of this Chapter will result in exceptional practical difficulties to the property owner.

Application, requesting a variance from the Code of the Town of Ocean View, is hereby made for property located at: 62 WEST AVE. OCEAN VIEW. The Justification for the Variance

(Explanation of Hardship) is: PROPERTY RE-ZONED FROM R-1 to GB-1

BY THE TOWN, NOT AT MY REQUEST.

I/We, the property owner(s) and/or applicant(s) do certify that all information and documents provided for this application are accurate, to the best of our knowledge, and I/We further understand that a hearing will not be scheduled until this application is complete as determined by the Administrative Official of the Town of Ocean View.

Owner(s) of Record (Print): BRIAN; JUDITH FLINT Phone #: 845-978-3535

Address of residence: 62 WEST AVE. OCEAN VIEW, DE 19970

Signature(s): Brian Flint Judith Flint Date: 8/22
(Property Owner(s))

Applicant(s) (Print): SAME Phone #: _____

Address: _____

Signature(s): _____ Date: _____
(Applicant(s))

TOWN USE ONLY:**Administrative Official Signature:**

CTMH

Zoned: _____

62 West Avenue

(PIDN: 210.000 / CTM# 134-12.00-637.00)

NOTICE IS HEREBY GIVEN BY the Board of Adjustment of the Town of Ocean View that a public hearing will be held on Application V-434, submitted by the property owners, Brian and Judith Flint, for property zoned GB-1 (General Business District 1) located at 62 West Avenue (PIDN: 210.000 / CTM# 134-12.00-637.00). The property owners are seeking relief from Article XIV §140-91-B(1) of the Town Code, which prohibits the extension or enlargement of non-conforming uses. The property owners wish to construct a swimming pool and concrete apron as an extension/enlargement of a non-conforming residential use in the GB-1 zoning district.

Variance Requested: _____

Date Received: 9/29/22 Date Advertised: 10/28/22 Hearing Date: 11/17/22

BOARD OF ADJUSTMENT USE ONLY:

Approved: _____
Date

Chairperson, Board of Adjustment

Denied: _____
Date

Chairperson, Board of Adjustment

Town of Ocean View

****RECEIPT FOR TOWN FEES****

Financial Good Standing

DATE	PROPERTY OWNER NAME
09/29/2022	Flint
PIDN	PROPERTY LOCATION
210.000	62 West Ave.

Taxes current?	Checked:
Yes No N/A	
Invoices, if any, current?	
Yes No N/A	
Water charges, if any, current?	
Yes No N/A	

MCSJ Acct #	Description of Fees	Amount
01-400-120-105	Building Permit # _____	
01-400-120-110	Sign Permit # S- _____	
01-400-120-115	Impact Fees (\$1,436.00 per New Construction for Capital Costs)	
01-400-120-120	Impact Fees (\$ 500.00 per New Construction for ESEF Program)	
01-400-120-120	ESEF @ .5%	0.00
01-400-120-125	Single Lot Development Fee	
01-400-125-175	P- _____ P&Z V- 434 Board of Adj Fees	750.00
01-400-120-130	Other Fee (circle): Deed Recordation Bid Package	
	Other (describe): _____ Subtotal	\$ 750.00
01-400-130-175	CREDIT CARD CONVENIENCE FEE: General 3%	
	TOTAL FOR MCSJ FINANCE MODULE (General Fund Money Market)	\$ 750.00
01-400-121-110	Temp Bus License # _____	
01-400-121-135	Business License # _____	
01-400-121-155	Rental License # _____	
01-400-130-175	CREDIT CARD CONVENIENCE FEE: General 3%	
	TOTAL FOR MCSJ A/R MODULE (General Fund Money Market)	\$ -
01-400-115-003	Real Estate Transfer Tax @ 1.5% (Transfer Tax Acct)	
01-400-130-175	CREDIT CARD CONVENIENCE FEE: General 3%	
	TOTAL TRANSFER TAX MONEY MARKET ACCOUNT	\$ -
05-400-101-102	Water Permit # _____ (Water Fund)	
05-400-101-103	Water Service Connection (Water Fund)	
05-400-101-104	Water Inspection (Water Fund)	
	Subtotal	\$ -
05-400-201-110	CREDIT CARD CONVENIENCE FEE: Water 3%	
	TOTAL WATER SYSTEM CHECKING ACCOUNT	\$ -
	TOTAL DEPOSIT RECEIVED (May pay on one check)	\$ 750.00

Payment received by:	JO	Check #/CC Auth Code	355
Name on Check if not Property Owner		Date Received	09/29/22

Updated: cal 06/15/2015

BOARD OF ADJUSTMENTS STANDARDS FOR RELIEF

In order for the Board of Adjustment to grant a variance or a special use exception, the Applicant must be prepared to answer the following questions and address the following factors:

VARIANCES

1. Uniqueness

- a. Do you have a unique circumstance or condition, such as, irregularity, narrowness or shallowness of lot size or shape or exceptional typographical or other physical condition peculiar to the property? If so, please explain:

MY IRREGULARITY IS THAT MY PROPERTIES AT 60 & 62 WEST AVE. HAVE BEEN REZONED FROM R-1 TO GB-1 BY THE TOWN WITHOUT OUR KNOWLEDGE OR REQUEST. THE OTHER PARCELS REMAIN R-1.

- b. Is there an exceptional practical difficulty due to such unique condition (and not related to general circumstances or conditions)? If yes, please explain:

SEE QUESTION 1A.

2. Possibility of Development

- a. Can the property be developed in strict conformity with the zoning ordinance without a variance? If not, please explain:

NO. THE POOL IS NOT PERMITTED BECAUSE WE WILL BE EXPANDING AN EXISTING NON-CONFORMITY WHICH IS MY RESIDENTIAL DWELLING UNIT IN THE GENERAL BUSINESS DISTRICT.

b. Is the variance necessary to enable reasonable use of the property?

YES.

3. Has the difficulty been created by the Applicant? If not, please explain:

NO, CREATED BY THE TOWN.

4. Effect on Surroundings

a. Will the variance alter the essential character of the neighborhood?

NO, THERE ARE OTHER POOLS IN THIS NEIGHBORHOOD ON THE NORTH SIDE OF TOWN.

b. Will the variance substantially or permanently impair the appropriate use for development of adjacent property?

NO. WE OWN THE ADJACENT PROPERTY.

c. Will the variance be detrimental to the public welfare?

NO. THE POOL WILL BE ENCLOSED WITHIN A FENCE AS PER TOWN CODE.

5. Extent of variance

- a. Will the variance represent the least modification possible of regulations at issue? **YES.**

- b. Is the variance necessary to afford relief?

YES.

- c. Will the variance represent the least modification possible of regulations at issue? **YES.**

SPECIAL USE EXCEPTION

1. Will the exception substantially affect adversely the uses of adjacent and neighboring property? **No.**

2. Are there any other requirements, which are applicable to the specific exception being requested (for example, time limitations)? **No.**

TOWN OF OCEAN VIEW

201 CENTRAL AVE, 2ND FLOOR
OCEAN VIEW, DE 19970

TO: Board of Adjustment

FROM: Kenneth L. Cimino – Director of Planning, Zoning and Development

DATE: November 17, 2022

SUBJECT: **OVERVIEW OF APPLICATION V-434**

Application V-433, submitted by the property owners, Brian and Judith Flint, for property zoned GB-1 (General Business District 1) located at 62 West Avenue (PIDN: 210.000 / CTM# 134-12.00-637.00). The property owners are seeking relief from Article XIV §140-91-B(1) of the Town Code, which prohibits the extension or enlargement of non-conforming uses. The property owners wish to construct a swimming pool and concrete apron as an extension/enlargement of a non-conforming residential use in the GB-1 zoning district.

TOWN COMMENTS

1. This parcel of land was zoned R-1, Single Family Residential District until 2015 when the Town of Ocean View re-zoned the parcel to GB-1.

The applicants were the owners of the property at the time of the rezoning, which was not done at their request. This parcel of land is located on a quiet residential street with houses and lots of similar size. The residence has been maintained as a single-family residence since the rezoning. The parcel of land appears to be of sufficient size to accommodate the proposed improvement.

Chapter 140. Land Use and Development

Article XIV. Nonconforming Situations

§ 140-91. Nonconforming uses.

- A. Definition. A "nonconforming use" is a use or activity, which was lawful before this chapter was adopted, revised or amended, that is not permitted pursuant to this chapter.
- B. Continued existence. Although nonconforming uses are incompatible with permitted uses in their respective zoning districts, any nonconforming use may continue under the following conditions:
 - (1) A nonconforming use of a building, structure, or lot shall not be extended or enlarged;
 - (2) A building or structure containing a nonconforming use shall not be enlarged, extended, constructed, reconstructed, moved or structurally altered to extend or enlarge the area devoted to a nonconforming use; and
 - (3) A nonconforming use shall not be changed to, or replaced with, another nonconforming use.
- C. Termination of legal, nonconforming status.
 - (1) When a nonconforming use ceases for any reason for more than one year and one day, its legal, nonconforming status is terminated. Any subsequent use shall conform to the applicable regulations in this chapter.
 - (2) When a building or structure containing a nonconforming use is destroyed by more than 50% of its replacement cost at the time of destruction, the nonconforming use may not be reestablished. Any subsequent use of the land must conform to the provisions of this chapter.

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TOWN OF OCEAN VIEW

201 Central Avenue – 2nd Floor

Ocean View, DE 19970

Land Use • Permitting • Licensing • Code Enforcement • Public Works

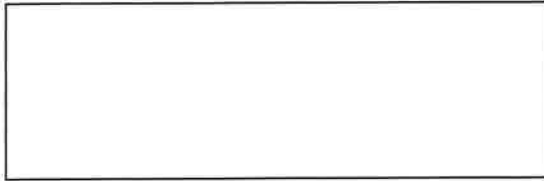
302 539-1208 (office) • 302 537-5306 (fax)

admintov@oceanviewde.com / www.oceanviewde.com

SINCE 1889



November 30, 2016



TOWN OF OCEAN VIEW PUBLIC NOTICE

ORDINANCE TO ADOPT THE 2015 COMPREHENSIVE LAND USE PLAN AMENDMENT

NOTICE IS HEREBY GIVEN BY the Planning and Zoning Commission of the Town of Ocean View that a public hearing of an ordinance to Adopt the 2015 Comprehensive Land Use Plan Amendment will be held at 7PM or as soon as possible thereafter on Thursday, December 15, 2016, in the Ocean View Town Hall located at 32 West Avenue. All interested parties are welcome to attend and present their views. If you plan to attend please call the Administrative Official on the day of the review to ensure that the application is still on the schedule.

This notice is sent to you because your property has been designated for Land Use Change as noted below:

Location	Current Land Use and Zoning	Proposed Land Use and Zoning
129 Central Avenue	GB-1 / GB-1	Residential / Residential - TBD
60 and 62 West Avenue	Residential / R-1	Commercial / GB-1
		Community Facility (Church-Parsonage) / GB-1
		(These are permissible uses in all zoning districts therefore the current use will not be adversely affected)
51 and 55 West Avenue	Community Facility (Church & Parsonage) / R-1	
5 Town Road	Assawoman Canal Trail Head / GB-1	Assawoman Canal Trail Head / Open Space
Assawoman Canal Trail	None / None	Canal Trail / Open Space

The appropriate material may be examined by 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.

Sincerely,

Charles F. McMullen
Town Administrative Official

Jill Oliver

From: Jill Oliver
Sent: Thursday, August 18, 2022 8:57 AM
To: Michael Loveland
Cc: 'Brian Flint'; Kenneth Cimino; Greg Durstine; Jessica Snader; Susie Miller
Subject: FW: 1-34-12-637 - 62 West Avenue (PIDN: 210.000) - Flint - Pool site plan
Attachments: Variance - entire package eFORM 012218.pdf

Good morning Mike,

Hope you are enjoying your time off! Jim's comments are below. We're happy to walk Mr. Flint through the variance process. The application and questionnaire are attached here. The fee for a variance is \$750.

Have a great day!
Jill

From: Jim Lober <Jim.Lober@mottmac.com>
Sent: Monday, August 15, 2022 3:22 PM
To: Jill Oliver <joliver@oceanviewde.gov>
Cc: Kenneth Cimino <kcimino@oceanviewde.gov>; Greg Durstine <codetov@oceanviewde.com>; Jessica Snader <jasnader@oceanviewde.gov>
Subject: RE: 1-34-12-637 - 62 West Avenue (PIDN: 210.000) - Flint - Pool site plan

Jill,

As per our discussion, preliminary comments below.

I've reviewed the plan title Proposed Site and Grading Plan for 62 West Avenue and have the following comments.

1. The lot is currently zoned GB-1, and as such, the residential use is considered an existing non-conforming use in accordance with §140-91-A. §140-91-B(1) prohibits the extension or enlargement of non-conforming uses. The construction of the swimming pool represents an extension of the non-conforming residential use within the GB-1 zoning district, and is, therefore, prohibited. A variance from the Board of Adjustment will be required to permit the swimming pool.

If a variance is obtained to permit the pool, the following comments will need to be addressed prior to plan approval.

1. There appear to be some anomalies in the existing topo points. Based on comparison to data we have for West Ave., I don't believe that the centerline reaches elevation 13.0 along the frontage of this lot. Also a sewer manhole is shown in West Ave. with a rim elevation of 18.05. Please double check your points and make any changes to the existing topography that are necessary.
2. Show the required building restriction lines on the plan.
3. Show the required 10' drainage easement on the plan.
4. The note regarding drainage references a different lot. A similar note may be required for this plan, but until the grading scheme has been finalized, it remains to be seen exactly what the note will need to say.
5. No spot grades are provided along the rear of the dwelling. The plan appears to call for fill against the rear wall. Provide existing spot grades in this area and ensure that changes to proposed grades don't adversely affect the dwelling.

6. No pedestrian connection is shown from the dwelling to the pool apron. It seems unlikely that the apron won't come all the way to the house or at a minimum a sidewalk will be built. Please verify the final design parameters with the homeowner and account for any additional impervious cover within the lot coverage calculation.
7. The fill proposed for the pool creates a sump along the southern property boundary between the proposed 12 contour and the existing 12 contour. The grading scheme should "pull" the existing 12 contour into the center of the lot to create the plateau for the pool and a ridgeline that will direct runoff around the pool and the dwelling to the east and the west.
8. Place the following notes on the plan:
 - a. The existing dwelling violates the side and front building setbacks. This condition is considered to be an existing non-conformity.
 - b. The existing shed violates the side building setback. This condition is considered to be an existing non-conformity.
 - c. (a note referencing the variance approval)

Jim Lober

Territory Manager - Engineering

C 302-383-8803

jim.lober@mottmac.com

From: Jill Oliver <joliver@oceanviewde.gov>

Sent: Monday, August 1, 2022 9:42 AM

To: Jim Lober <Jim.Lober@mottmac.com>

Cc: Kenneth Cimino <kcimino@oceanviewde.gov>; Greg Durstine <codetov@oceanviewde.com>; Jessica Snader <jasnader@oceanviewde.gov>

Subject: FW: 1-34-12-637 - 65 West Avenue (PIDN: 210.000) - Flint - Pool site plan

Hi Jim!

Please review the attached site plan for compliance with our single lot development requirements.

Thanks so much 🍌

Jill

From: Michael Loveland <mike@delawaresurveyor.com>

Sent: Wednesday, July 27, 2022 9:20 AM

To: Jill Oliver <joliver@oceanviewde.gov>; Greg Durstine <codetov@oceanviewde.com>; Kenneth Cimino <kcimino@oceanviewde.gov>

Cc: 'Brian Flint' <brianefflint1958@gmail.com>

Subject: 1-34-12-637

To All,

Please see the attached plan for review. Thanks, hope you all are having an amazing day.

Thank you for Entrusting Simpler Surveying & Associate, Inc. for all your Professional Land Surveying needs. If you have and questions and/or concerns please give us a call. Please make sure that all correspondence has the tax map number to help expedite the process.

Michael Loveland, Surveyor Intern 013

Project Manager
Simpler Surveying & Associate, Inc.
32486 Powell Farm Road
Frankford, Delaware 19945
(302) 539-7873 ~ (302)539-4336 Fax
mike@delawaresurveyor.com

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TOWN OF OCEAN VIEW

201 Central Avenue – 2nd Floor

Ocean View, DE 19970

Land Use • Permitting • Licensing • Code Enforcement • Public Works

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kcimino@oceanviewde.gov / www.oceanviewde.gov

SINCE 1889



November 1, 2022

State of DE (DelDOT)
250 Bear Christiana Rd.
Bear, DE 19701

209.000

TOWN OF OCEAN VIEW PUBLIC NOTICE **BOARD OF ADJUSTMENT HEARING**

62 West Avenue

(PIDN: 210.000 / CTM# 134-12.00-637.00)

NOTICE IS HEREBY GIVEN BY the Board of Adjustment of the Town of Ocean View that a public hearing will be held on Application V-434, submitted by the property owners, Brian and Judith Flint, for property zoned GB-1 (General Business District 1) located at 62 West Avenue (PIDN: 210.000 / CTM# 134-12.00-637.00). The property owners are seeking relief from Article XIV §140-91-B(1) of the Town Code, which prohibits the extension or enlargement of non-conforming uses. The property owners wish to construct a swimming pool and concrete apron as an extension/enlargement of a non-conforming residential use in the GB-1 zoning district.

The Town will hold this hearing on **Thursday, November 17, 2022 at 3:00pm** or as soon as possible thereafter in the Ocean View Community Center located at 32 West Avenue, adjacent to John West Park. All interested parties are welcome to attend. The meeting will be available online via livestream on the Town's YouTube channel. The link to the livestream will appear on the posted agenda for the meeting and in the calendar portion of the Town's website, www.oceanviewde.gov. Please note that the meeting agenda is subject to change.

The material may be examined by interested parties on the second floor of the Wallace A. Melson Municipal Building located at 201 Central Avenue between 8:30 a.m. and 12:00 p.m. and 1:00 p.m. through 4:00 p.m., Monday through Friday. For additional information, please contact Kenneth L. Cimino, Director of Planning, Zoning & Development, at (302) 539-1208 or via email at kcimino@oceanviewde.gov.

PIDN	CTM#	PL#	Property Location Street	Owner	OMA #	OMA Street	OMA City	OMA State	OMA Zip
209.000	134-12.00-638.00	45	Atlantic Ave.	State of DE (DeDOT)	250	Bear Christiana Rd.	Bear	DE	19701
208.000	134-12.00-639.00	49	Atlantic Ave.	State of DE (DeDOT)		P.O. Box 778	Dover	DE	19903
207.000	134-12.00-640.00	51	Atlantic Ave.	State of DE (DeDOT)		P.O. Box 778	Dover	DE	19903
206.010	134-12.00-635.00- Unit#1	53	Atlantic Ave. - # 1	Ford, Thomas J. & Sarah L. & Parsons, D. Stephen & Valerie W.	53	Atlantic Ave. - # 3	Ocean View	DE	19970
206.020	134-12.00-635.00- Unit#2	53	Atlantic Ave. - # 2	Parson, D, Stephen & Valerie		P.O. Box 246	Dagsboro	DE	19939
206.030	134-12.00-635.00- Unit#3	53	Atlantic Ave. - # 3	JOLO, LLC (Ford, Thomas J. & Sarah)	53	Atlantic Ave. - # 3	Ocean View	DE	19970
212.000	134-12.00-634.00	71	Central Ave.	Ocean View Presbyterian Church	67	Central Ave.	Ocean View	DE	19970
213.000	134-12.00-633.00	67	Central Ave.	Ocean View Presbyterian Church	67	Central Ave.	Ocean View	DE	19970
210.000	134-12.00-637.00	62	West Ave.	Flint, Brian & Judith		P.O. Box 1753	Pine Bush	NY	12566
214.000	134-12.00-636.00	60	West Ave.	Flint, Brian & Judith		P.O. Box 1753	Pine Bush	NY	12566
215.000	134-12.00-632.00	58	West Ave.	Stevenson, Ariel, Neil, & Ruth	6 N.	Manor Dr.	Rehoboth Beach	DE	19971
216.000	134-12.00-631.00	56	West Ave.	Miller, Stephen C & Weinman, Nancy	6655	Wayne Ave.	Philadelphia	PA	19119
217.000	134-12.00-630.00	54	West Ave.	Ocean View Presbyterian Church	67	Central Ave.	Ocean View	DE	19970
269.001	134-13.00-16.00	55	West Ave. (Church)	Ocean View Church of Christ	55	West Ave.	Ocean View	DE	19970

Standard Detail & Specifications
Silt Fence

Section

Plan

DE-45C-3.12.1
Standard FEB 2015

Standard Detail & Specifications
Silt Fence

Construction Detail

Construction Notes:

Materials:

Standard Detail & Specifications
Stabilized Construct. Entrance

Plan

Profile

Section A-A (Std)

SCE

DE-45C-3.4.7
Standard FEB 2015

Standard Detail & Specifications
Stabilized Construct. Entrance

Section A-A (Opt.)

Construction Notes:

Standard Detail & Specifications
ESC for Minor Development

Plan

Section A-A (Std)

SCE

DE-45C-3.7.1
Standard FEB 2015

Standard Detail & Specifications
ESC for Minor Development

Construction Notes:

STANDARD LEGEND

These standard symbols will be found in the drawing

- | | |
|-------------------------------|------------------------------------|
| ● 3/4" PIPE (FD) | EX. SPOT ELEVATION |
| ○ 5/8" REBAR (SET) | PR. SPOT ELEVATION |
| ■ 5/8" REBAR (FD) | SEWER CLEAN OUT (FD) |
| ○ UTILITY POLE | SEWER MAN HOLE (FD) |
| ---13.0'--- EXISTING CONTOURS | WATER METER (FD) |
| ---13.0'--- PROPOSED CONTOURS | PROPANE TANK (FD) |
| ---SF--- SILT FENCE | WELL (FD) |
| | [SCE] STABILIZED CONSTRUCTION ENT. |

SURVEYOR CERTIFICATION

I, GREGORY M. HOOK, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE, AND THIS PLAN INCLUDES ALL INFORMATION REQUIRED BY THE LATEST REVISION OF THE SINGLE LOT DEVELOPMENT SITE PLAN CHECKLIST.

GREGORY M. HOOK, PLS 711 Date
GREGORY M. HOOK, 32486 POWELL FARM ROAD, FRANKFORD, DE 19945 302-539-7873
PRINTED NAME AND ADDRESS PHONE NUMBER

OWNER CERTIFICATION

I, _____ CERTIFY THAT I AM THE OWNER OF THE PROPERTY WHICH IS THE SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS AT MY DIRECTION.

OWNER NAME _____ Date _____
PRINTED NAME AND ADDRESS _____ PHONE NUMBER _____

FLOOD DATA

This property is in Zone "X", (non-shaded) of the Flood Insurance Rate Map, Community Panel No. 100048-100050512-K which has an effective date of MARCH 16, 2015 and IS NOT in a Special Flood Hazard Area.

DATE OF ORIGINAL: JULY 27, 2022

REVISION: _____	DATE: _____, 2022
REVISION: _____	DATE: _____, 2022
REVISION: _____	DATE: _____, 2022
REVISION: _____	DATE: _____, 2022
REVISION: _____	DATE: _____, 2022
REVISION: _____	DATE: _____, 2022
REVISION: _____	DATE: _____, 2022
REVISION: _____	DATE: _____, 2022
Drawn by: MICHAEL LOVELAND	Checked by: GREGORY M. HOOK

PROPOSED SITE AND GRADING PLAN

For 62 West Avenue, Ocean View, DE 19970

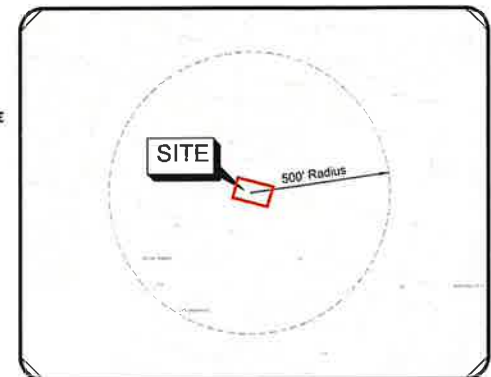
Lands of BRIAN FLINT and JUDITH FLINT. Situated in the Town of Ocean View.

SEAL

SIMPLER
SURVEYING
& ASSOCIATE, INC.

32486 POWELL FARM ROAD, FRANKFORD, DE 19945
www.delawaresurveyor.com
PHONE: (302) 539-7873 FAX: (302) 539-4336

PLS 711



VICINITY MAP

Scale: 1" = 400'

SITE DATA

- TAX MAP NO. 1-34-12-637
- STATE: DELAWARE
- COUNTY: SUSSEX
- HUNDRED: BALTIMORE
- MUNICIPALITY: TOWN OF OCEAN VIEW
- AREA: 9,880 SQ. FT.
- SCALE: 1"=20'
- CLASS "A" SURVEY

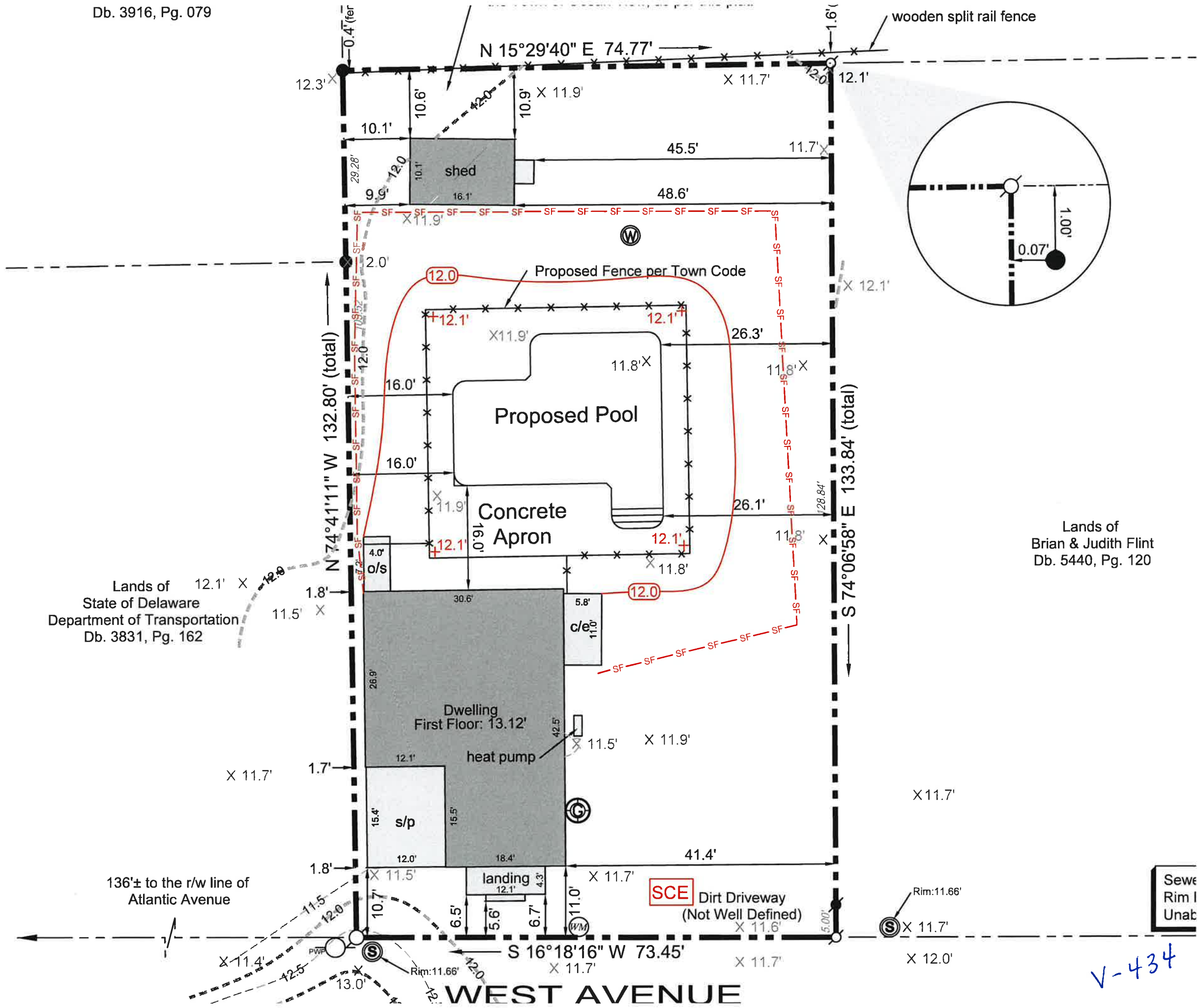
Zoning data for the subject parcel was taken from the town zoning map (<http://www.oceanviewde.com/Zoning-Map-Regulations/>) and Restrictions shown hereon were obtained through General Code Website: eCode360, Town of Ocean View, Chapter 140 - Land Use and Development (<https://ecode360.com/15703531>).

- ZONING- GB-1 (General Business)
- BUILDING RESTRICTION LINE (B.R.L.)
 - A. -FRONT= 30'
 - B. -SIDE = 15'
 - C. -REAR = 30'
 - D. -HEIGHT RESTRICTIONS- NOT TO EXCEED STORIES OR 42'
- DETACHED ACCESSORY BUILDINGS AND STRUCTURE
 - A. -SIDE = 15'
 - B. -REAR = 10'
 - C. -HEIGHT RESTRICTIONS- 14' MAXIMUM ALLOWABLE
- LOT COVERAGE CALCULATION: MAX ALLOWABLE AREA 50%
 - EXISTING 18.95% (1,872 SQ. FT.)
 - Dwelling deck, shed, steps, s/p, landing, ect.
 - PROPOSED 31.83% (3,145 SQ. FT.)
 - Existing Conditions and Proposed Pool
- VERTICAL DATUM- NAVD'88 (1988 NORTH AMERICAN VERTICAL DATUM)
- HORIZONTAL DATUM- NAD'83 (1983 NORTH AMERICAN DATUM)
- ALL DISTURBED AREAS SHALL BE PROPERLY STABILIZED IN ACCORDANCE WITH THE STATE OF DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK (LATEST EDITION) PRIOR TO THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY
- THE 10' WIDE DRAINAGE EASEMENT SHOWN WITHIN THE SUBJECT PARCEL IS HEREBY DEDICATED TO THE TOWN OF OCEAN VIEW AS PER THIS PLAN.
- DUE TO EXISTING GRADES ON THE SUBJECT PROPERTY AND WITHIN THE ROW OF N HORSESHOE IT IS IMPOSSIBLE TO PROVIDE THE MINIMUM CODE REQUIRED SLOPE OF 1% TO DRAIN RUNOFF TO A POSITIVE POINT OF OUTFALL. THE PROPERTY OWNER IS AWARE THAT THE SWALES PROVIDED DO NOT MEET THE CODE REQUIRED MINIMUM SLOPE, AND, AS SUCH, MAY NOT CONVEY RUNOFF CONSISTENTLY. GIVEN THAT THE DESIGN MAXIMIZES THE POTENTIAL FOR WATER TO DRAIN, THE TOWN IS APPROVING THE GRADING AS DESIGNED.

SURVEYOR NOTES

- This plat and survey does not verify the existence or nonexistence of right-of-ways and/or easements pertaining to this property. Including but not limited to Tax Ditch Easements.
- No title search provided or stipulated.
- Deed Book Reference:
 - Db. 3691, Pg. 52
 - Db. 5440, Pg. 120
 - Db. 3915, Pg. 079
 - Db. 3831, Pg. 162
- Plat Book Reference:
 - Pb. 35, Pg. 180

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Lands of
Brian & Judith Flint
Db. 5440, Pg. 120

Lands of
State of Delaware
Department of Transportation
Db. 3831, Pg. 162

Sewer
Rim 11.66'
Unab

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