

BOARD OF ADJUSTMENT MINUTES
TOWN OF OCEAN VIEW
June 18, 2026, 3:00pm

1. The Board of Adjustment Chair Greg Neuner was not present. Vice Chair Ron Galey called the meeting to order at 3:00pm with the Pledge of Allegiance. In attendance were Board Members Jeffrey Byrd, Preston Coppels and Eric Thornton. Planning, Zoning and Development Director Ken Cimino, Solicitor Lisa Hatfield, Town Engineer Jim Lober, and Planner Jill Oliver. Town Clerk Donna Schwartz was present. The meeting was being held at 32 West Avenue.

2. **SWEARING-IN OF JEFFREY BYRD**

3. **APPROVAL OF THE AGENDA**

A motion was made by Mr. Thorton, seconded by Mr. Coppels, to approve the agenda. The motion was carried unanimously 4/0.

4. **APPROVAL OF THE MINUTES**

A motion was made by Mr. Thornton, seconded by Mr. Coppels, to approve the minutes for the meeting April 16, 2026. The motion was carried unanimously 4/0.

5. **NEW BUSINESS**

- A. **V-471 4 Oakwood Avenue (PIDN:232.000/CTM:134-12.00-616.00)**

Application V-471, submitted by the property owner, Dylan Stedman, requests relief from Article V, §140-32, which sets the maximum height of a detached accessory structure to 14 feet on property zoned R-1 (single family residential) located at 4 Oakwood Avenue (PIDN 232.000 / CTM 134-12.00-616.00).

The property owner has constructed a detached accessory structure (garage) to a height of 15.4 feet. The existing garage exceeds the maximum allowable height by 1.4 ft.

A Variance is outlined in Article XVII, § 140-108 with the following 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.

Article XVII, § 140-108-G lists the Required Findings for the granting of a Variance.

G. Required findings. Pursuant to Title 22, Section 327, of the Delaware Code and applicable law, the Board of Adjustment shall determine whether each variance application meets the following criteria:

1. The variance relates to a specific parcel of land, and the hardship is not shared generally by other properties in the same zoning district and vicinity;
2. The variance can be granted without substantial detriment to the public good;
3. The benefits from granting the variance would substantially outweigh any detriment;
4. Approval of the variance would not substantially impair the intent and purposes of the Comprehensive Plan or this chapter; and
5. All requirements for the grant of a variance under Delaware law.

Town Comments: As of the date of this letter, the Department has not received any correspondence in support of, or in opposition to the application. The requested 1.4' of additional height is 0.4' beyond the 1.0' permissible by administrative variance.

The single lot grading plan process has been completed for this application. It was determined upon as-built that the garage was too tall. This is the last step in that process.

Mr. Dillion Stedman, property owner, was sworn in by Ms. Hatfield. He explained how the height error happened and that it was unintended.

PUBLIC COMMENTS: none
PUBLIC CLOSED.

A motion was made by Mr. Coppels, seconded by Mr. Thornton, to grant the variance, and notify the builder of the error. All voted in favor, citing to incorporate all comments in Mr. Lober's overview. motion carried unanimously 4/0.

B. V-472 3 Atlantic Avenue (PIDN:284.002/CTM:134-13.00-30.00)

Application V-472, submitted by the property owner, Rebecca Adams of Adams Family Enterprises, LLC and Shipwrecked, LLC, requests the following relief:

1. From Article V, §140-65 - Signs permitted in GB-1 and GB-2 Zones - Freestanding Sign for a Single Business Site, which sets the maximum area of this type of sign at 24 sq. ft. per side with a total maximum surface area not to exceed 48 sq.ft. for both sides.
2. From Article V, §140-63-A(3)(a), which sets the maximum allowable area of changeable copy of a sign face to 50% of the area of that face. Combined with the maximum allowable area of 24 sq. ft. per

side, the maximum allowable area of changeable copy is 12 sq. ft. per sign face.

3. From Article V, §140-65 - Signs permitted in GB-1 and GB-2 Zones - Freestanding Sign for a Single Business Site, which sets the maximum height of this type of sign at 12 ft. On property zoned GB-1 (General Business District), located at 3 Atlantic Ave (PIDN 284.002 / CTM 134-13.00-30.00).

The property owner proposes to construct a freestanding sign for a single business site that:

1. Adds 23.2 sq. ft. of additional sign area to the existing 19.9 sq. ft. sign bringing the total requested square footage to 43.1 sq. ft. on each side, for a total of both sides of 86.2 sq. ft. The newly proposed 23.2 sq.ft. is a changeable copy sign on both sides. The overall sign will exceed the allowable square footage per side by 19.1 sq. ft. and the allowable total square footage by 38.2 sq. ft.
2. Has a changeable copy area of 20 sq.ft. per face. The 20 sq. ft. of changeable copy sign will exceed the allowable square footage per face by 8 sq. ft.
3. Is 14 ft. tall. The sign will exceed the maximum allowable height by 2 ft.

A Variance is outlined in Article XVII, § 140-108 with the following 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.

Article XVII, § 140-108-G lists the Required Findings for the granting of a Variance.

G. Required findings. Pursuant to Title 22, Section 327, of the Delaware Code and applicable law, the Board of Adjustment shall determine whether each variance application meets the following criteria:

1. The variance relates to a specific parcel of land, and the hardship is not shared generally by other properties in the same zoning district and vicinity;
2. The variance can be granted without substantial detriment to the public good;
3. The benefits from granting the variance would substantially outweigh any detriment;

4. Approval of the variance would not substantially impair the intent and purposes of the Comprehensive Plan or this chapter; and
5. All requirements for the granting of a variance under Delaware law.

Town Comments: As of the date of this letter, the Department has not received any correspondence in support of, or in opposition to the application. Should the Board choose to grant the variance, the Department recommends that the Board solicit testimony from the applicant that the sign will be compliant with Article V, §140-63-A(3)(c), and (d), which limit how often the sign message and/or graphics may change, and require that the colors, text styles, graphic patterns and brightness are compatible with and complimentary to other signs on the premises and signs on other properties in the immediate vicinity.

Mrs. Rebecca Adams, property owner, was sworn in by Ms. Hatfield. She explained the need for the sign. She stated that her neighbors are in favor. A changeable sign is easier to read. Mr. Patrick Adams, property owner, was sworn in and stated that they have an accurate measurement of the existing sign. Mr. Byrd questioned the removal of the old sign and a tree. Mr. Adams explained that the sign will have a still picture and words.

PUBLIC COMMENT: none

PUBLIC CLOSED.

A motion was made by Mr. Gale, seconded by Mr. Thornton, to approve the first variance from Article V, §140-65. All were in favor based on the comments made. The motion carried unanimously 4/0.

A motion was made by Mr. Gale, seconded by Mr. Thornton, to approve the variance from Article V, §140-63-A(3)(a), which sets the maximum allowable area of changeable copy of a sign face to 50%. All were in favor. The motion carried unanimously 4/0.

A motion was made by Mr. Gale, seconded by Mr. Thornton, to approve the variance from Article V, §140-65 - Signs permitted in GB-1 and GB-2 Zones - Freestanding Sign for a Single Business Site, which sets the maximum height of this type of sign at 12 ft. All were in favor. The motion carried unanimously 4/0.

6. ADJOURNMENT

A motion was made by Mr. Byrd, seconded by Mr. Copples, to adjourn the meeting at 3:47 pm. The motion was carried unanimously 5/0.

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

