

ORDINANCE NO.: 353

**AN ORDINANCE AMENDING THE CONDITIONS OF APPROVAL
FOR 115.59 ACRES, MORE OR LESS,
ANNEXED INTO THE TOWN LIMITS BY ORDINANCE NO. 282
AND ORDINANCE NO. 321,
BEING THE LANDS OF SILVERSTOCK, LLC**

WHEREAS, the Town Council annexed into the town limits of the Town of Ocean View 115.59 acres, more or less, by Ordinance No. 282; and

WHEREAS, the territories so annexed were rezoned and designated MXPC, Mixed Use Planned Community District; and

WHEREAS, the conditions of Ordinance No. 282 were amended by Ordinance No. 321, adopted March 10, 2015; and

WHEREAS, Silverstock Builders, LLC, the owner of the annexed territory has requested that the conditions of approval be amended, relating to lot coverage and other matters; and

WHEREAS, on the 19 day of July, 2018, a hearing was held before the Planning and Zoning Commission and the Commission recommended to the Council that the application be granted; and

WHEREAS, on the 11 day of September, 2018, and the 9 day of October, 2018, public hearings were held, after notice, before the Town Council and based on the Finding of Facts, it determined that the amendment of the conditions of approval for the MXPC Mixed Use Planned Community District is for the general convenience and welfare of the present and future inhabitants of the Town of Ocean View.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF OCEAN VIEW:**

Section 1. Amend Ocean View Ordinance No. 282, An Ordinance Annexing into the Town Limits of the Town of Ocean View of 115.59 Acres, More or Less, be the Lands of Silverstock Builders, LLC, and Ordinance No. 321, An Ordinance Amending the conditions of approval for 115.59 acres More or Less, by amending the conditions of approval of the rezoning and designation of the territory annexed as a MXPC Mixed use Planned Community District, by

deleting the text in brackets and adding hereto the text underlined, as follows:

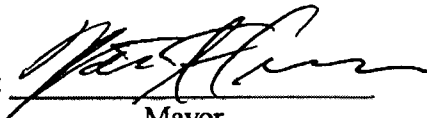
1. Setbacks shall be :
 - 20' front yard
 - 20' rear yard
 - 5' side yard
2. The Minimum separation between dwelling units and attached accessory buildings/structures shall be 15'.
3. A drainage easement, equal to the minimum separation of 15' required between dwelling units shall be provided.
4. Maximum lot coverage for single family lots shall be 45% with an exception of 50% lot coverage for single family lots on which **[the Ryan Homes Springhaven model is erected.] selected models may be erected on non-adjacent lots and comply with all other conditions set out herein.**
5. Detached accessory buildings/structures are not permitted in front or side yards and they shall be located no closer than a minimum of 10' from rear lot lines and 5' from any other structure.
6. Individual wells are not permitted on residential lots.

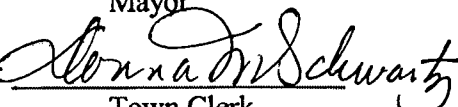
Section 2. Except as amended herein, all other conditions of approval shall remain in full force and effect.

Section 3. This Ordinance shall be effective upon its adoption by a majority of all members elected to the Town Council of Ocean View.

TOWN OF OCEAN VIEW

{Seal}

By: 
Mayor

Attest: 
Town Clerk

Adopted: 10/9/18