

BOARD OF ADJUSTMENT

ELLEN MAGEE, CHAIR
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JEFF CHORMAN
JOHN WILLIAMSON
E. BRENT WORKMAN



Sussex County

DELAWARE
sussexcountyde.gov

(302) 855-7878 T
(302) 845-5079 F

AGENDA

January 4, 2021

6:00 P.M.

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA**

Call to Order

Pledge of Allegiance

Introduction of Staff Members

Approval of Agenda

Approval of Minutes for November 2, 2020

Approval of Finding of Facts for November 2, 2020

Old Business

Case No. 12509 – Kevin & Patricia O’Reilly seek variances from the front yard and rear yard setback requirements for proposed and existing structures. (Sections 115-34, 115-182 and 115-183 of the Sussex County Zoning Code). The property is located on the west side of Hassell Avenue Extension within the Bay View Park Subdivision. 911 Address: 34967 Hassell Avenue EXT., Bethany Beach. Zoning District: MR. Tax Parcel: 134-20.11-22.00

Public Hearings

Case No. 12510 – Keith A. Rust seeks a variance from the maximum fence height requirement for an existing fence (Sections 115-25 and 115-185 of the Sussex County Zoning Code). The property is located on the north side of the W. Piney Grove Road, approximately 0.31 mile west of Parker Road. 911 Address: 19553 W. Piney Grove Road, Georgetown. Zoning District: AR-1. Tax Parcel: 133-5.00-6.01

Case No. 12511 – Nussbaum Q.P.R. Trust c/o Andrew Nussbaum, Trustee seeks variances from the minimum lot width requirement and the minimum lot area requirement for proposed lots (Section 115-25 of the Sussex County Zoning Code). The property is located on the east side of Holly Road within the North Shores Subdivision. 911 Address: 37 Holly



Road, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-14.05-8.00

Case 12512 – Kelly & Brian Ewing seek a variance from the side yard setback requirement for a proposed structure (Sections 115-42, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the southeast side of Mallard Drive within the Swann Keys Subdivision. 911 Address: 36918 Mallard Drive, Selbyville. Zoning District: GR. Tax Parcel: 533-12.16-141.00

Case No. 12513 – Sheldon Berger seek variances from the front yard setback, side yard setback requirements and maximum fence height requirement for proposed and existing structures. (Sections 115-42, 115-182 and 115-185 of the Sussex County Zoning Code). The property is a through lot located on the northeast side of Oak Meadow Drive and the southwest side of Oak Orchard Road within the Oak Meadows Subdivision. 911 Address: 27772 Oak Meadow Drive, Millsboro. Zoning District: GR. Tax Parcel: 234-29.00-117.00

Additional Business

Request for 12-month time extension for Case 12237 – Lands of BB & Pops, LLC

Board of Adjustment meetings can be monitored on the internet at
www.sussexcountyde.gov.

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on December 28, 2020 at 4:00 p.m., and at least seven (7) days in advance of the meeting.

This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting. Agenda items listed may be considered out of sequence.



-MEETING INSTRUCTIONS-

** The Sussex County Board of Adjustment is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.

The public is encouraged to view the meeting on-line. Any person attending in person will be required to go through a wellness and security screening, including a no-touch temperature check. The public will be required to wear a facial mask.

Chambers seating capacity is limited, and seating assignments will be enforced.

The meeting will be streamed live at <https://sussexcountype.gov/council-chamber-broadcast>

The County is required to provide a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.** Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via phone, please dial:

Conference Number: 1 302 394 5036

Conference Code: 570176

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments for those items under public hearings on this agenda.

The Board of Adjustment meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountype.gov/>

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountype.gov. All comments shall be submitted by 4:30 P.M. on Wednesday, December 30, 2020

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