

## BOARD OF ADJUSTMENT

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# Sussex County

DELAWARE  
sussexcountyde.gov

(302) 855-7878

## REVISED AGENDA

January 24, 2022

6:00 P.M.

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

### Call to Order

### Pledge of Allegiance

### Approval of Agenda

### Approval of Minutes for November 1, 2021

### Approval of Finding of Facts for November 1, 2021

### Approval of Minutes for November 15, 2021

### Approval of Finding of Facts for November 15, 2021

### Public Hearings

**Case No. 12649 – James C. DiPaula, TTEE** seeks variances from the front yard setback, side yard setback, and maximum fence height requirement requirements for proposed structures (Sections 115-34, 115-182, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located on the south side of Penn Street at the East Lake Drive and Penn Street intersection. 911 Address: 2 Penn Street, Rehoboth Beach. Zoning District: MR. Tax Parcel: 334-20.06-112.00

**Case No. 12650 – Sandy Wilkinson** seeks variances from the rear yard setback requirements and from the minimum aggregate front yard and rear yard requirements for proposed structures (Sections 115-34, 115-183 and 115-188 of the Sussex County Zoning Code). The property is located on the north side of Tower Place within the Overlook subdivision. 911 Address: 30569 Tower Place, Selbyville. Zoning District: MR-RPC. Tax Parcel: 533-20.00-90.00



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DELAWARE 19947

**Case No. 12651 – Beachfire Brewing Company, LLC** seek a special use exception to place a tent for more than three days. (Sections 115-80 and 115-210 of the Sussex County Zoning Code). The property is located on the northeast corner of Central Avenue and Johnston Street within the Shockley subdivision. 911 Address: 19841 Central Avenue, Rehoboth Beach. Zoning District: C-1. Tax Parcel: 334-13.20-24.00

**Case No. 12652 – Theodore John Banks** seeks a variance from the front yard setback requirement for a proposed structure (Sections 115-25 and 115-182 of the Sussex County Zoning Code). The property is located at the west side of Whites Neck Road approximately 380 feet north of Old Mill Road. 911 Address: 30708 Whites Neck Road, Dagsboro. Zoning District: AR-1. Tax Map: 134-8.00-10.00

~~**Case No. 12653 – Rodger Pearce** seeks a special use exception for a garage studio apartment (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located at the east side of Seagull Lane at the intersection of Bunting Road and Seagull Lane. 911 Address: 23004 Seagull Lane, Georgetown. Zoning District: AR-1. Tax Map: 133-6.00-56.15~~

**Case No. 12654 – DMR Properties, LLC** seek a variance from the front yard setback and the rear yard setback requirements for a proposed structure (Sections 115-82, 115-182, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located at the west side of John J. Williams Highway (Rt. 14) approximately 851 feet north of Bay Farm Road. 911 Address: N/A. Zoning District: C-1. Tax Map: 234-23.00-180.00 and 234-23.00-181.00

**Additional Business**

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-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on January 13, 2022, at 2:30 p.m. and at least seven (7) days in advance of the meeting.

The agenda was revised on January 19, 2022, to remove Case No. 12653 at the request of the Applicant.

The Agenda was prepared by the Director of Planning and Zoning and is subject to change to include the additional or deletion of items, including Executive Sessions, which arise at the time of the meeting.

Agenda items may be considered out of sequence.

The meeting will be streamed live at <https://sussexcountyde.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 telephone, 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://sussexcountyde.gov/agendas-minutes/board-of-adjustment>

If any member of the public would like to submit comments electronically, these may be sent to [pandz@sussexcountyde.gov](mailto:pandz@sussexcountyde.gov). All comments are encouraged to be submitted by 4:30 P.M. on Thursday, January 20, 2021

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