

## BOARD OF ADJUSTMENT

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# Sussex County

DELAWARE  
sussexcountyde.gov

(302) 855-7878

## AGENDA

February 21, 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 December 20, 2021

### Approval of Finding of Facts for December 20, 2021

### Old Business

**Case No. 12648 – Katherine Benton** seeks a special use exception to operate a tourist home (Sections 115-32, 115-34, 115-183, 115-185, and 115-210 of the Sussex County Zoning Code). The property is located at the northwest side of Creek Road within the Blackwater Village Subdivision. 911 Address: 34085 Creek Road, Dagsboro. Zoning District: MR. Tax Map: 134-11.00-358.00

### Public Hearings

**Case No. 12655 – Edwin & Candice Kelly** seek variances from the front yard setback requirement for proposed structures (Sections 115-34 and 115-182 of the Sussex County Zoning Code). The property is a through lot located at the east side of Cove Way and the west side of Coastal Highway within the Cotton Patch Hills Subdivision. 911 Address: 29563 Cove Way, Bethany Beach. Zoning District: MR. Tax Map: 134-5.00-138.00

**Case No. 12656 – Michael Walton** seeks a variance from the side yard setback requirement for a proposed structure (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located at the north side of Concord Road approximately 0.94 mile east Sussex Highway (Rt. 13). 911 Address: 10059 Concord Road, Seaford. Zoning District: AR-1. Tax Map: 132-2.00-95.00

**Case No. 12657 – Ronald J. & Lisa K. Masi** seek variances from the front yard, rear yard



and side yard setback requirements for existing and proposed structures (Sections 115-25, 115-182, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located at the east side of Peppers Corner Road approximately 192 ft. north of Lizzard Hill Road. 911 Address: 34461 Peppers Corner Road, Frankford. Zoning District: AR-1. Tax Map: 134-18.00-40.00

**Case No. 12658 – Thomas A. Habowski** seeks a variance from the maximum fence height requirement requirements for a proposed fence (Sections 115-25, 115-182, and 115-185 of the Sussex County Zoning Code). The property is located on the east side of John J. Williams Highway approximately 0.89 mile north of Angola Road. 911 Address: 21191 John J. Williams, Lewes. Zoning District: AR-1. Tax Parcel: 234-11.00-504.00

**Case No. 12659 – Richard M. & Elizabeth C. Littleton** seek a variance from the rear yard setback requirement for a proposed structure (Sections 115-34 and 115-183 of the Sussex County Zoning Code). The property is located at the northeast side of Candleberry Drive within the Bayside Community. 911 Address: 30177 Candleberry Drive, Selbyville. Zoning District: MR. Tax Map: 533-19.00-1629.00

**Case No. 12660 – J&J Cooper Family, LLC** seek variances from the side yard setback requirement for existing structures (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located at the south side of Venture Lane within the Whites Neck Village subdivision. 911 Address: 35934 Venture Lane, Millville. Zoning District: MR. Tax Map: 134-8.00-24.00

**Case No. 12661 – Karen & James Wright** seeks a variance from the maximum lot coverage requirement (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on the east side of Berry Street within the Bay City Manufactured Home Park. 911 Address: 25859 Berry Street, Millsboro. Zoning District: AR-1. Tax Map: 234-24.00-34.00-53131

**Additional Business**

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-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on February 14, 2022, at 4:30 p.m. and at least seven (7) days in advance of the meeting.

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, February 17, 2022.



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