

## BOARD OF ADJUSTMENT

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# Sussex County

DELAWARE  
sussexcountyde.gov

(302) 855-7878

## AGENDA

May 1, 2023

6:00 PM

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

### Call to Order

### Pledge of Allegiance

### Approval of Agenda

### Approval of the Minutes for March 6, 2023

### Approval of the Findings of Fact for March 6, 2023

### Public Hearings

#### Case No. 12811 – Tilcon Materials, Inc.

seeks renewal of a special use exception to operate an asphalt batching plant (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the west side of Joseph Lane approximately 1,745 feet north of Bunting Road. 911 Address: 22351 Joseph Lane, Georgetown. Zoning District: AR-1. Tax Parcel: 133-6.00-53.09

#### Case No. 12817 – Coastal One Properties, LLC

seeks a special use exception to place an off-premise sign (Sections 115-80, 115-81, 115-159.5, and 115-210 of the Sussex County Zoning Code). The property is located on the northeast side of Coastal Highway (Rt. 1) approximately 1,800 feet northwest of Holland Glade Road (Rt. 271). 911 Address: 19563 Coastal Highway, Rehoboth Beach. Zoning District: C-1. Tax Parcel: 334-13.00-325.33

#### Case No. 12818 – Kimberly A. Morrow

seeks a special use exception to operate a commercial dog kennel on a property of less than 5 acres (Sections 115-20, 115-23, and 115-210 of the Sussex County Zoning Code). The property is located on the southeast side of Fawn Road approximately 0.54 miles from Sugar Hill Road. 911 Address: 10244 Fawn Road, Greenwood. Zoning District: AR-1. Tax Map: 430-11.00-100.00

**Case No. 12819 – Frank Garrison**

seeks a variance from the maximum fence height requirement for a proposed structure (Sections 115-34 and 115-185 of the Sussex County Zoning Code). The property is a lot located on the northwest side of Rogers Avenue within the Ann Acres Subdivision. 911 Address: 20980 Rogers Avenue, Rehoboth Beach. Zoning District: MR. Tax Map: 334-20.13-41.00

**Case No. 12821 – Donovan Builders and Renovations LLC**

seeks a special use exception and a variance from the maximum square footage requirements for a proposed garage/studio apartment (Sections 115-40, 115-42, and 115-210 of the Sussex County Zoning Code). The property is a lot located on the southeast side of Pinetown Road within the Pinetown Subdivision. 911 Address: 30122 Pinetown Road, Lewes. Zoning District: GR. Tax Map: 334-4.00-26.00

**Case No. 12823 – Yong J. Park, et al.**

seek variances from the 200 ft. and 50 ft. commercial poultry building setback requirements from boundary lines and an existing dwelling and side yard and rear yard setback requirements for accessory structures (Sections 115-20, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located on the west side of Mount Pleasant Road approximately 0.15 miles south of Lucky Lane. 911 Address: 31568 Mount Pleasant Road, Laurel. Zoning District: AR-1. Tax Map: 432-6.00-8.01

**Additional Business**

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-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on April 24, 2023. 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://sussexcountysde.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://sussexcountysde.gov/agendas-minutes/board-of-adjustment>

If any member of the public would like to submit comments electronically, these may be sent to [pandz@sussexcountysde.gov](mailto:pandz@sussexcountysde.gov). All comments are encouraged to be submitted by 4:30 P.M. on April 27, 2023.

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