

BOARD OF ADJUSTMENT

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Sussex County

DELAWARE
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AGENDA

May 17, 2021

6:30 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 March 15, 2021

Approval of Finding of Facts for March 15, 2021

Old Business

Public Hearings

Case No. 12527 – Kathleen D. Stone & John C. Meyer seek variances from the side yard, front yard setback requirements and the landscape buffer requirement in the Combined Highway Corridor Overlay Zone (CHCOZ) for proposed structures. (Sections 115-82, 115-182, 115-183, 115-185 and 115-194.1 of the Sussex County Zoning Code). The property located on the west side of Carolina Street approximately 90 ft. northeast of Coastal Highway (Rt. 1). 911 Address: 38439 Carolina Street, Dewey Beach. Zoning District: C-1. Tax Parcel: 334-20.09-167.00

Case No. 12542 – Jeff & Victoria Rushie seek variances from the corner front yard setback requirements for proposed structures (Sections 115-34 and 115-182 of the Sussex County Zoning Code). The property is located at the intersection of North Bay Shore Drive and Maryland Avenue in Broadkill Beach. 911 Address: 10 Maryland Avenue, Broadkill Beach. Zoning District: MR. Tax Parcel: 235-4.13-63.00

Case No. 12557 – Key Properties Group, LLC (Elmer G. Fannin) seek variances from the front yard setback requirements and the landscape buffer requirement in the Combined



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GEORGETOWN, DELAWARE 19947

Highway Corridor Overlay Zone (CHCOZ) for existing and proposed structures (Sections 115-82, 115-182 and 115-194.1 of the Sussex County Zoning Code). The property is located on the northeast side of Coastal Highway (Rt. 1) approximately 546 ft. southeast of Kings Highway. 911 Address: 18315, 18321, 18327 Coastal Highway and 34670, 34673, 34677, 34682, 34703, 34704 Villa Circle, Lewes. Zoning District: C-1. Tax Parcels: 334-6.00-74.00, 75.00 & 70.01 (Portion of).

Case No. 12558 – Sequence Properties, LLC seek variances from the side yard setback requirements for existing and proposed structures (Sections 115-82 and 115-183 of the Sussex County Zoning Code). The property is located on the southwest side of Coastal Highway (Rt. 1) approximately 397 ft. southeast of Sea Air Avenue. 911 Address: 19724 Coastal Highway, Rehoboth Beach. Zoning District: C-1. Tax Parcel: 334-13.00-319.01

Case No. 12559 – Steve T. Fitzgerald seeks a variance from the corner yard setback requirements for a proposed structure (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the corner of Riverside Drive and Marjorie Drive within The Island Subdivision. 911 Address: 9001 Riverside Drive, Seaford. Zoning District: AR-1. Tax Parcel: 331-7.00-51.00

Case No. 12560 – Yasin & Layla, LLC (Mahmut & Dawn Yilmaz) seeks a special use exception to operate a day care center (Sections 115-23, 115-72 and 115-210 of the Sussex County Zoning Code). The property is located on the southeast side of John J. Williams Highway (Rt. 24) at the intersection with Oak Orchard Road (Rt. 5). 911 Address: 31507 Oak Orchard Road, Millsboro. Zoning District: B-1 and AR-1. Tax Parcel: 234-29.00-263.12

Case No. 12561 – Kevin Phelan seek variances from the front yard, side yard and rear 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 intersection of Cedar Creek Road (Rt. 30) and Cabbage Pond Road approximately 658 ft. south of Benson Road. 911 Address: 8952 Cedar Creek Road, Lincoln. Zoning District: AR-1. Tax Parcel: 230-14.00-68.00

Case No. 12562 – David Bower seek variances from the side yard and rear yard setback requirements for a proposed structure (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the southwest side of Mulberry Knoll Road approximately 0.25 mile northwest of John J. Williams Highway (Rt. 24). 911 Address: 19490 Mulberry Knoll Road, Lewes. Zoning District: AR-1. Tax Parcel: 334-12.00-16.02

Additional Business

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



In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on May 10, 2021 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://sussexcountycle.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://sussexcountycle.gov/>

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountycle.gov. All comments are encouraged to be submitted by 4:30 P.M. on Thursday, May 13, 2021

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