

BOARD OF ADJUSTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov

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

TELECONFERENCE MEETING** REVISED AGENDA

June 1, 2020

6:00 P.M.

PLEASE NOTE – AS PERMITTED BY GUBERNATORIAL AUTHORITY, IN ORDER TO LIMIT THE RISK OF POTENTIAL COVID-19 EXPOSURE, THE PUBLIC SHALL BE DENIED ENTRY TO THE BOARD OF ADJUSTMENT MEETING.¹ THE PUBLIC IS ENCOURAGED TO PARTICIPATE IN THE MEETING ELECTRONICALLY. FURTHER INSTRUCTIONS ARE LISTED AT THE BOTTOM OF THIS AGENDA.

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutes for May 4, 2020

Old Business

Public Hearings

Case No. 12381 – American Legion, Post 28 seeks special use exceptions to place an off-premise signs and an electronic message center off-premise sign (Sections 115-83.6, 115-83.7, 115-159.5, 115-161.1 & 115-210 of the Sussex County Zoning Code). The property is located on the southeast corner of Legion Road and John J. Williams Highway (Rt. 24). 911 Address: N/A. Zoning District: CR-1. Tax Parcel: 234-29.00-263.00

Case No. 12428 – Sun Leisure Point Resort, LLC seeks variances from the separation distance requirement for proposed structures (Section 155-172 of the Sussex County Zoning Code) The property is location on the southwest side of Diplomat Street, approximately 440 ft. southeast of Radie Kay Lane. 911 Address: N/A. Zoning District: AR-1. Tax Parcel: 234-24.00-39.02 and 39.06

Case No. 12429 – Joann Teiken seeks variances from the separation distance requirement between units for proposed structures (Sections 115-42, 115-172 and 115-185 of the Sussex County Zoning Code). The property is located on the north side of Dove Road within the



Bayshore manufactured home park. 911 Address: 38015 Dove Road, Ocean View. Zoning District: GR. Tax Parcel: 134-9.00-94.01-13051

Case No. 12430 – Garth & Madeline Troescher request a Special Use Exception to operate a Bed and Breakfast (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the southeast side of Dirickson Creek Road, approximately 0.59 mile east of Millers Neck Road. 911 Address: 37428 Dirickson Creek Road, Frankford. Zoning District: AR-1. Tax Parcel: 134-21.00-20.02

Case No. 12431 – Sarah Peterson 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 on the northwest side of Morning Glory Road, approximately 0.33 mile northwest of Portsville Road. 911 Address 8982 Morning Glory Farms Road., Laurel. Zoning District: AR-1. Tax Parcel: 432-3.00-41.06

Case No. 12432 – Barbara Walker seeks a variance from the front yard setback requirement for an existing dwelling (Sections 115-25 and 115-182 of the Sussex County Zoning Code). The property is located on the southwest corner of White Oak Road within the Rehoboth Beach Yacht and Country Club subdivision. 911 Address: 30 White Oak Road, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-19.00-73.00

Case No. 12433 – Donna M. Sulecki & Brenda L. Blackburn seek variances from the front yard setback and side yard setback requirements for existing structures (Sections 115-41, 115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the northeast side of Rose Lane within the Orchard Manor subdivision. 911 Address: 28337 Rose Lane, Millsboro. Zoning District: GR. Tax Parcel: 234-34.08-28.00

~~**Case No. 12454 – Beachfire Brewing Company, LLC** seeks a variance from the number of required parking spaces and a special use exception to permit off-street parking. (Sections 115-80, 115-82, 115-162, 115-165 & 115-210 of the Sussex County Zoning Code). The property is located on the northwest corner of Central Avenue and Canal Crossing Road. 911 Address: 19826 Central Avenue, Rehoboth Beach (Off Street Parking 19817 Hebron Road & N/A). Zoning District: C-1. Tax Parcel: 334-13.20-21.00 (Off Street Parking 334-13.20-13.00 & 14.00)~~

Additional Business

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 May 22, 2020 at 12:30 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 meeting will be conducted using teleconference technology.

To join the meeting via phone, please dial:

Conference Number: 800-988-0494

Passcode: 1695792

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

The County will stream this meeting using the same technology it uses for its Chamber Broadcast that can be viewed at <https://sussexcountyde.gov/council-chamber-broadcast>. This stream will broadcast the meeting materials and audio only, the public will not be able to comment or speak using this broadcast. This stream will experience a 30-second delay.

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

Please note - Other than verbal testimony, the Board of Adjustment will not be able to accept the submission of any written comments, documents, materials or photographs during the teleconference meeting. These must be submitted to the office of Planning & Zoning no later than 4:30 p.m on Thursday, May 28, 2020

#####

¹ **These restrictions are being implemented to limit the exposure and risk related to “COVID-19” for County personnel and members of the public who seek to attend the Board of Adjustment Meeting. These decisions are being made under the authority issued by Governor John C. Carney through Proclamation No. 17-3292. See: <https://governor.delaware.gov/proclamation-173292-03132020/>.**

Revised on 5-26-20 to note that Case No. 12454 has been withdrawn by the Applicant.

