

## BOARD OF ADJUSTMENT

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# Sussex County

DELAWARE  
sussexcountyde.gov

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## AGENDA

June 7, 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 April 12, 2021

### Approval of Finding of Facts for April 12, 2021

### Old Business

**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 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).

### Public Hearings

**Case No. 12563 – Zachary Hess** seeks a variance from the maximum fence height requirement for a proposed fence. (Sections 115-34, 115-182 and 115-185 of the Sussex County Zoning Code). The property is located on a through lot on the on the northwest side of Hickman Drive and the southeast side of Club House Road within the Whites Creek Manor Subdivision. 911 Address: 739 Hickman Drive, Ocean View. Zoning District: MR. Tax Parcel: 134-12.00-1030.00



**Case No. 12564 – Dan Krausz** seek variances from the front yard setback requirements for proposed structures (Sections 115-34 and 115-182 of the Sussex County Zoning Code). The property is a through lot located on the west side of Arabian Parkway and the east side of Tennessee Walk within the Arabian Acres Subdivision. 911 Address: N/A. Zoning District: MR. Tax Parcel: 334-10.00-35.00

**Case No. 12565 – Michael Kelly** seeks variances from the corner front yard setback requirements for proposed structures (Sections 115-25, 115-182 and 115-185 of the Sussex County Zoning Code). The property is located on the east side of Wilson Avenue within Cape Windsor Subdivision. 911 Address: 38765 Wilson Avenue, Selbyville. Zoning District: AR-1. Tax Parcel: 533-20.14-70.00

**Case No. 12566 – Lindsey Smith** seeks a special use exception operate a day care center (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the west side of Deerfield Lane at the intersection with West Stein Highway. 911 Address: 25362 Deerfield Lane, Seaford. Zoning District: AR-1. Tax Parcel: 531-12.00-70.00

**Case No. 12567 – Anthony A. Kempinski, Jr.** seek variances from the front yard setback and rear yard setback requirements for existing and proposed structures (Sections 115-42, 115-182 and 115-183 of the Sussex County Zoning Code). The property is located on the southwest side of Forest Drive within Orchard Manor Subdivision. 911 Address: 28296 Forest Drive, Millsboro. Zoning District: GR. Tax Parcel: 234-34.08-95.00

**Case No. 12568 – Mary Ann Brewer** seek variances from the side yard setback requirements for proposed structures (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the southeast side of Bayview East within Bayview Estates Subdivision. 911 Address: 38825 Bayview East, Selbyville. Zoning District: AR-1. Tax Parcel: 533-19.00-132.00

**Case No. 12569 – Lisa & David A. Wenerd, Sr.** seeks variances from the 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 north side of Woodland Court South withing the Angola by the Bay Subdivision. 911 Address: 33173 Woodland Court South, Lewes. Zoning District: AR-1. Tax Parcel: 234-12.17-103.00

**Case No. 12570 – Keystone Novelties Distributors, LLC (Tanger Properties LP)** seeks a special use exception to place a tent for special events (Sections 115-80 and 115-210 of the Sussex County Zoning Code). The property is located on the northeast side of Coastal Highway (Rt. 1) approximately 0.24 mile northwest of Holland Glade Road. 911 Address: 36470 Seaside Outlet Drive, Rehoboth Beach. Zoning District: C-1. Tax Parcel: 334-13.00-325.16



**Additional Business**

Discussion regarding the time Board of Adjustment meetings will begin.

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**Board of Adjustment meetings can be monitored on the internet at**

**[www.sussexcountyde.gov](http://www.sussexcountyde.gov)**

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**In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on May 29, 2021 at 12:00 noon, 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://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 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://sussexcountyde.gov/>

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, June 3, 2021

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