

BOARD OF ADJUSTMENT

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Sussex County

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TELECONFERENCE MEETING** DRAFT AGENDA

June 15, 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

Old Business

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

Public Hearings

Case No. 12434 – Matthew & Regina Pyzik seek variances from the rear yard setback requirement and from the aggregate of the front yard and rear yard setbacks for proposed structures (Sections 115-34, 115-183, 115-185 and 115-188 of the Sussex County Zoning Code). The property is located on the north side of Cormorant Way within the Bay Forest Club subdivision. 911 Address: 21036 Cormorant Way, Ocean View. Zoning District: MR-RPC. Tax Parcel: 134-8.00-1195.00

Case No. 12435 – Jeff-Kat, LLC seeks variances from the side yard and rear yard setback requirements for a proposed structure (Sections 115-82, 115-83.22 115-183, 115-185 of the Sussex County Zoning Code). The property is located on the east side of Kings Highway (Rt. 9) approximately 0.35 mile northeast of Gills Neck Road. 911 Address: 1007 Kings Highway,



Lewes. Zoning District: C-1 & C-3. Tax Parcel: 335-8.00-39.00

Case No. 12436 – Tomato Sunshine (Harold E. Dukes & Anthony Crivella) seeks a special use exception to place a tent for special events (Sections 115-80 & 115-210 of the Sussex County Zoning Code). The property is located on the northeast side of Central Avenue approximately 40 ft. southwest of Canal Crossing Road. 911 Address: 19827 Central Avenue, Rehoboth Beach. Zoning District: C-1. Tax Parcel: 334-13.20-22.00

Case No. 12437 – Eric Reed seeks a variance from the rear yard setback requirements for an existing structure (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the east side of Shoemaker Drive approximately 325 ft. north of E. Redden Road. 911 Address: 17863 Shoemaker Drive, Georgetown. Zoning District: AR-1. Tax Parcel: 135-6.00-27.02

Case No. 12438 – Tirana White seeks a special use exception to operate a day care center (Sections 115-40 and 115-210 of the Sussex County Zoning Code). The property is located on the south side of Coastal Highway (Rt. 1) opposite the ramp to Argos Corner Road. 911 Address: 9010 Coastal Highway, Milford. Zoning District: GR. Tax Parcel: 230-8.00-20.01

Case No. 12439 – Sharon Denise McPhatten seeks a special use exception to operate a day care center (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the north side of Johnson Road approximately 0.25 mile east of Dupont Boulevard (Rt. 113). 911 Address: 18073 Johnson Road, Lincoln. Zoning District: AR-1. Tax Parcel: 130-6.00-113.15

Additional Business

Consideration of Request for Rehearing for case 12416 – Lands of Jessica F. Peake.

Consideration of Request for Rehearing for case 12427 – Lands of Robert Barkey & Janet Hynes.

**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 June 5, 2020 at 5:00 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 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, June 11, 2020

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ⁱ **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/>.**

