

## BOARD OF ADJUSTMENT

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# Sussex County

DELAWARE  
sussexcountyde.gov

(302) 855-7878

## AGENDA

June 27, 2022

6:00 P.M.

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

### Call to Order

### Pledge of Allegiance

### Approval of Agenda

### Approval of Minutes for April 18, 2022

### Approval of Finding of Facts for April 18, 2022

### Old Business

**Case No. 12684 – Adan Casas** seeks variances from the side yard setback, rear yard setback, and stable structure for personal keeping of animals setback requirements for existing structures (Sections 115-20, 115-25, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located on the west side of Seaford Road approximately .74 miles south of Bethel Road/Camp Road. 911 Address: 30016 Seaford Road, Laurel. Zoning District: AR-1. Tax Parcel 232-12.00-32.00

### Public Hearings

**Case No. 12703 – Jeffrey & Patricia Little** seek variances from the rear yard setback requirement for proposed structures. (Section 115-25, and 115-183 of the Sussex County Zoning Code). The property is located on the east side of Sussex Road approximately 125 ft. from the intersection of Kent and New Castle Roads within the Indian River Acres Subdivision. 911 Address: N/A. Zoning District: AR-1. Tax Parcel: 134-7.00-37.22

**Case No. 12704 – Scott & Kristin Newkirk** seek variances from the front yard setback and side yard setback requirements for a proposed garage. (Section 115-34, 115-182, and 115-183 of the Sussex County Zoning Code). The property is a through lot located on the southeast side of Hickman Drive within the White Creek Manor Subdivision. 911 Address: 725 Hickman Drive, Ocean View. Zoning District: MR. Tax Parcel: 134-12.00-1036.00



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2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DELAWARE 19947

**Case No. 12705 – Pintail Estates LLC** seeks variances from the side yard setback requirement for a propane tank and HVAC unit. (Section 115-42, and 115-183 of the Sussex County Zoning Code). The property is located on the southwest side of Pintail Drive within the Swann Keys Subdivision. 911 Address: 36953 Pintail Drive, Selbyville. Zoning District: GR. Tax Parcel: 533-12.16-7.00

**Case No. 12706 – George & Jeanne Churchwell** seek variances from the front yard setback requirement for proposed structures. (Section 115-34, and 115-182 of the Sussex County Zoning Code). The property is located on the corner of Baltimore Street and Andrew Street within the Bay View Park Subdivision. 911 Address: 39662 Baltimore Street, Bethany Beach. Zoning District: MR. Tax Parcel: 134-20.11-41.02

**Case No. 12707– Starboard Restaurant Inc.** seeks a variance from the maximum fence height requirement for existing and proposed fence. (Section 115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the south side of Coastal Highway approximately 210 ft. north of South Street. 911 Address: 19138 Coastal Highway, Rehoboth Beach. Zoning District: C-1. Tax Parcel: 334-13.00-141.00

**Case No. 12708– Charles Van Aulen** seeks a variance from the side yard setback for an existing HVAC (Sections 115-42 and 115-183 of the Sussex County Zoning Code). The property is located on the east side of Laws Point Road within the Swann Keys Subdivision. 911 Address: 36954 Laws Point Road, Selbyville. Zoning District: GR. Tax Parcel: 533-12.16-312.03

**Additional Business**

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-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on June 20, 2022 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://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 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://sussexcountyde.gov/agendas-minutes/board-of-adjustment>

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 23, 2022.

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