

BOARD OF ADJUSTMENT

ELLEN MAGEE, CHAIR
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JOHN WILLIAMSON
E. BRENT WORKMAN



Sussex County

DELAWARE
sussexcountyde.gov

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AGENDA

September 14, 2020

6:00 P.M.

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

Call to Order

Pledge of Allegiance

Approval of Agenda

Old Business

Case No. 12443 – Bay Shore Community Church seeks a special use exception to operate a day care center and a variance from the maximum fence height requirement (Sections 115-23, 115-182, 115-185 and 115-210 of the Sussex County Zoning Code). The property is located on the west side of London Avenue approximately 167 ft. southwest of Lighthouse Road (Rt. 54). 911 Address: 38288 London Avenue, Unit 6, Selbyville. Zoning District: AR-1. Tax Parcel: 533-18.00-61.02

Case No. 12453 – Paul Antonio seeks variances from the front yard, rear yard and corner front yard setback requirements for proposed structures (Sections 115-25, 115-182 and 115-183 of the Sussex County Zoning Code). The property is located on the north side of Garfield Avenue within the Edgewater Acres subdivision. 911 Address: 39176 Garfield Avenue, Selbyville. Zoning District: AR-1. Tax Parcel: 533-20.18-187.00
(Continuation of Public Hearing)

Case No. 12461 – Matthew E. Brobst seeks a variance from the front yard setback requirements for an existing structure (Sections 115-34 and 115-182 of the Sussex County Zoning Code). The property is located on the west side of Maple Lane within the Keenwick subdivision. 911 Address: 38320 Maple Lane, Selbyville. Zoning District: MR. Tax Parcel: 533-19.12-112.00
(Continuation of Public Hearing)

Case No. 12462 – Barbara J. Bainum, Trustee seeks a variance from the front yard and side yard setback requirements for an existing structure (Sections 115-34 and 115-182 of the Sussex County Zoning Code). The property is located on the east side of Windswept Way



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GEORGETOWN, DELAWARE 19947

within the Ocean Breezes subdivision. 911 Address: 39701 Windswept Way, Bethany Beach.
Zoning District: MR. Tax Parcel: 134-9.00-535.00
(Continuation of Public Hearing)

Case No. 12463 – Joyce Ferguson seeks variances from the side yard, rear yard setback and separation distance requirements between units for a proposed shed (Sections 115-25, 115-172 and 115-185 of the Sussex County Zoning Code). The property is located on the southeast side of Delaware Avenue within the Sea Air Village Manufactured Home Park. 911 Address: 20043 Delaware Avenue, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-50594
(Continuation of Public Hearing)

Case No. 12465 – Lia & Vera Lehenbauer seek variances from the side yard setback and rear yard setback requirements for a proposed garage (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the southwest side of Shockley Road approximately 516 ft. northwest of Cedar Neck Road. 911 Address: 22134 Shockley Road, Milford. Zoning District: AR-1. Tax Parcel: 330-8.00-17.10
(Continuation of Public Hearing)

Case No. 12466 – Jerry & Carole Stewart seek a variance from the front yard setback requirement for a proposed dwelling (Sections 115-34 and 115-182 of the Sussex County Zoning Code). The property is located on the east side of Bayberry Lane within the Keenwick subdivision. 911 Address: 38261 Bayberry Lane, Selbyville. Zoning District: MR. Tax Parcel: 533-20.09-106.00
(Continuation of Public Hearing)

Public Hearings

Case No. 12467 – Paula & Jeffrey Horn seek variances from the side yard setback requirements for proposed structures (Sections 115-25 and 115-183 of the Sussex County Zoning Code). The property is located on the west side of Riverwalk Drive within the Beaver Creek subdivision. 911 Address: 18852 Riverwalk Drive, Milton. Zoning District: AR-1. Tax Parcel: 235-30.00-637.00

Case No. 12468 – Donovan’s Painting & Drywall (Jose Sandoval) seeks a variance from the front yard setback requirements for a proposed structure (Sections 115-25 and 115-182 of the Sussex County Zoning Code). The property is located on the southwest side of Lewes Georgetown Highway (Rt. 9) approximately 135 ft. west of Waples Street. 911 Address: 32454 Lewes Georgetown Highway, Lewes and N/A. Zoning District: AR-1. Tax Parcel: 334-5.00-205.01 & 208

Case No. 12469 – William & Kimberle Chipman seek variances from the front yard and side yard setback requirements for proposed structures (Sections 115-34, 115-182 and 115-183 of the Sussex County Zoning Code). The property is located on the south side of Carla Avenue within the Seabreeze subdivision. 911 Address: 306 Carla Avenue, Rehoboth Beach.



Zoning District: MR. Tax Parcel: 334-20.13-220.00

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 September 4, 2020 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://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

Member 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://sussexcountye.gov/>

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountye.gov. All comments shall be submitted by 4:30 P.M. on Thursday, September 10, 2020

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