

BOARD OF ADJUSTMENT

DALE A. CALLAWAY, CHAIRMAN
ELLEN MAGEE
JOHN M. MILLS
NORMAN C. RICKARD
E. BRENT WORKMAN



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878 T
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REVISED AGENDA

September 18, 2017

7:00 P.M.

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Revision of Minutes and Findings of Fact for Case No. 11986 from July 10, 2017

Approval of Minutes for July 24, 2017

Approval of Finding of Facts for July 24, 2017

Approval of Minutes for August 7, 2017

Approval of Finding of Facts for August 7, 2017

Public Hearings

Case No. 12020 – DRC Properties seeks special use exception to use a manufactured home type structure as an office (Sections 115-48 and 115-210 of the Sussex County Zoning Code). The property is located at the north side of Lighthouse Rd. (Rt. 54), approximately 553 feet east of Old Mill Bridge Rd. (Rt. 381). 911 Address: 32033 Seashore Way, Selbyville. Zoning District: HR-1. Tax Map: 533-12.00-76.05

Case No. 12021 – Jeffrey A. and Ruth L. Duerbeck seek a variance from the side yard setback (Section 115-34 of the Sussex County Zoning Code). The property is located on the south side of Judson Ln., approximately 960 feet northwest of Seagrass Plantation Ln. 911 Address: 30046 Judson Ln., Dagsboro. Zoning District: MR. Tax Map: 134-7.00-704.00

Case No. 12022 – John and Gloria Yenish seek a variance from the rear yard setback (Sections 115-34 and 115-183 of the Sussex County Zoning Code). The property is located at the north side of Owl Drive, approximately 150 feet west of West Fenwick Blvd. 911 Address: 36996 Owl Dr., Selbyville. Zoning District: MR. Tax Map: 533-12.00-721.00

Case No. 12023 – Charles Hairston seeks a special use exception to operate a daycare facility



(Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located at the north side of Johnson Rd. (Rt. 207), approximately 300 feet east of Marshall St. (Rt. 225). 911 Address: 18601 Johnson Rd., Lincoln. Zoning District: AR-1. Tax Map: 330-15.13-38.00

Case No. 12024 – Ralph and Patricia McBride seek a variance from the rear yard setback (Sections 115-34 and 115-181 of the Sussex County Zoning Code). The property is located on the northwest side of Mute Swan Ln., approximately 540 feet east of Dot Sparrow Dr. 911 Address: 34831 Mute Swan Lane, Rehoboth Beach. Zoning District: MR. Tax Map: 334-12.00-796.00

Case No. 12025 – Chester V. Townsend IV seeks a special use exception to use a manufactured home type structure to accommodate a person with an emergency or hardship situation (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the west side of Falling Point Rd. (Rt. 341), approximately 1,320 feet north of Ballast Point Rd. (Rt. 341A). 911 Address: 32523 Falling Point Rd., Dagsboro. Zoning District: AR-1. Tax Map: 134-6.00-161.04

Case No. 12026 – Green Acres Farm, LLC seeks a special use exception to operate a tourist home (bed-and-breakfast inn) (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the north side of Fisher Rd. (Rt. 262), 1,667 feet northeast of Hopkins Rd. (Rt. 286). 911 Address: 30249 Fisher Rd., Lewes. Zoning District: AR-1. Tax Map: 334-10.00-53.00

Case No. 12027 – S & S Property Holdings, LLC seeks a variance from the front yard setback (Section 115-25 of the Sussex County Zoning Code). The property is located on the southeast side of Sharon's Rd. (Rd. 641), approximately 152 feet northeast of DuPont Blvd. (Rt. 113). 911 Address: 18010 Sharon's Rd., Ellendale. Zoning District: AR-1. Tax Map: 230-26.00-117.00

Old Business

Case No. 12003 – Coastal Station Development Co., LLC seeks a special use exception to allow multi-family dwellings and structures of mixed commercial and residential use and a variance from the building length for a multi-family dwelling (Sections 115-80, 115-83.6, and 115-188(E) of the Sussex County Zoning Code). The property is located at the northeast corner of Coastal Hwy (Rt. 1) and Holland Glade Rd. (Rt. 271). 911 Address: 19791 Coastal Hwy., Rehoboth Beach. Zoning District: C-1/CR-1. Tax Map: 334-13.00-325.08

Case No. 12015 – Jason M. Harshbarger seeks an appeal of a determinations by the Planning Director (Sections 115-208 and 115-209 of the Sussex County Zoning Code). The property is located at the south side of South Shore Dr. Ext., approximately 432 feet south of Marina View Ct. 911 Address: 32 South Shore Dr., Bethany Beach. Zoning District: MR. Tax Map: 134-2.00-3.01 & 4.00

Additional Business

Public Comment for the purpose of recognizing Mr. Rickard's retirement from the Board of Adjustment.

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 August 28, 2017, at 8:45 a.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.

Revised: September 1, 2017 (to add Approval of Minutes and Finding of Facts for July 24, 2017)

Revised: September 11, 2017 (to add Approval of Minutes and Finding of Facts for August 7, 2017 and the Approval of Revised Minutes and Finding of Facts for Case No. 11986 from July 10, 2017 and Old Business Case No. 12015 Jason M. Harshbarger and Case No. 12003 and Additional Business)

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