

## BOARD OF ADJUSTMENT

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# Sussex County

DELAWARE  
sussexcountyde.gov

(302) 855-7878 T

## AGENDA

September 20, 2021

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 July 12, 2021

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

### Old Business

**Case No. 12599 – Matthew & Jacquelyn Rhinehart** seek variances from the front yard, corner front yard, side yard, and rear yard setback requirements for proposed and existing structures (Sections 115-82, 115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the northeast side of Hebron Road at the intersection of Hebron Road and Harmon Street. 911 Address: 19875 Hebron Road, Rehoboth Beach. Zoning District: C-1. Tax Parcel: 334-13.19-77.00

### Public Hearings

**Case No. 12607 – Paul H. Nye & Jerome V. Hofer** seek a variance from maximum fence height requirement for a proposed fence. (Sections 115-25, 115-182 and 115-185 of the Sussex County Zoning Code). The property is located on the south side of S. Fieldway Court within the Kings Creek Country Club Subdivision. 911 Address: 2 S. Fieldway Court, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-996.00

**Case No. 12608 – Charles & Paula Mundell** seek a variance from the separation distance setback requirement for a proposed structure (Sections 115-25, 115-172, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located on the southeast side of Sea Air Avenue within the Sea Air Village Manufactured Home Park. 911 Address: 19913 Sea



Air Avenue, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-21298

**Case No. 12609 – Todd K. & Allyson L. Moyer** seek a variance from the front yard setback requirement for a proposed structure (Sections 115-34 and 115-182 of the Sussex County Zoning Code). The property is located on the north side of Baltimore Street within the Bay View Park Subdivision. 911 Address: 39663 Baltimore Street, Bethany Beach. Zoning District: MR. Tax Parcel: 134-20.11-32.00

**Case No. 12610 – Wade Thompson** seeks a variance from the front yard setback requirement for a proposed structure (Sections 115-42 and 115-182 of the Sussex County Zoning Code). The property is located on the west side of Shady Ridge Drive within the Shady Ridge Subdivision. 911 Address: 127 Shady Ridge Drive, Rehoboth Beach. Zoning District: GR. Tax Parcel: 334-13.00-579.00

**Case No. 12611– Charles Hairston (Roderick & Melodie Morris)** 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 Road approximately 300 ft. east of Marshall Street. 911 Address: 18601 Johnson Rd., Lincoln. Zoning District: AR-1. Tax Map: 330-15.13-38.00

**Case No. 12612 – W. Scott Collins** seeks a variance from the front yard setback requirement for an existing structure (Sections 115-25, 115-182, and 115-185 of the Sussex County Zoning Code). The property is located on the east side of Roxana Road approximately 0.27 mile southwest of Phillips Road. 911 Address: 36617 Roxana Road, Selbyville. Zoning District: AR-1. Tax Parcel: 533-10.00-65.00

**Additional Business**

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-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on September 13, 2021 at 4:00 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, September 16, 2021

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