

## BOARD OF ADJUSTMENT

DALE A. CALLAWAY, CHAIRMAN  
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# Sussex County

DELAWARE  
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## REVISED AGENDA

October 16, 2017

7:00 P.M.

### Call to Order

### Pledge of Allegiance

### Approval of Agenda

### Approval of Minutes for August 21, 2017

### Approval of Finding of Facts for August 21, 2017

### Public Hearings

**Case No. 12030 – Kenneth L. and Jeffrey A. Short** seek a variance from the minimum lot size and minimum road frontage requirement (Section 115-194 of the Sussex County Zoning Code). The property is located at the southeast corner of Shorts Landing Rd. and Warwick Rd. 911 Address: 28530 Warwick Rd., Millsboro. Zoning District: AR-1. Tax Map: 234-33.00-22.00

**Case No. 12038– Jo Anne Elliott, Executrix of the Harold Hartman Estate** seeks a variance from the side yard setback (Sections 115-42 and 115-185 of the Sussex County Zoning Code). The property is located at the northeast side of Baltimore Ave, 215 feet northwest of Clubhouse Rd (Rd 351). 911 Address: 36751 Baltimore Ave., Ocean View. Zoning District: GR. Tax Map: 134-12.00-1088.00

**Case No. 12039 – Robert & Natisha Harmon - Belle** seek a variance from the side yard setback (Section 115-25 of the Sussex County Zoning Code). The property is located on the northeast side of Harbeson Rd. (Rt. 5), approximately 1,471 feet southeast of Rust Rd. 911 Address: 20401 Harbeson Rd., Harbeson. Zoning District: AR-1. Tax Map: 234-4.00-16.00

**Case No. 12040 – David Herchik & Richard Looman** seek a variance from the side yard setback (Section 115-25 of the Sussex County Zoning Code). The property is located on the northwest side of Country Club Rd., approximately 4,648 ft. southwest of Coastal Hwy. (Rt.1). 911 Address: 603 Country Club Rd., Rehoboth Beach. Zoning District: AR-1. Tax Map: 334-19.00-13.04

**Case No. 12041– Somerset Green Holdings, LLC** seeks a variance from the fence height



requirement (Section 115-185 of the Sussex County Zoning Code). The property is located at the northeast corner of Shady Rd. and Plantations Rd. (Rt. 10). 911 Address: None Available, Lewes. Zoning District: C-1. Tax Map: 334-6.00-687.00

**Case No. 12042 – Love Creek Development, LLC** seeks a special use exception for a waiver or reduction from the loading space requirement (Sections 115-88 and 115-210 of the Sussex County Zoning Code). The property is located on the southeast side of John Williams Highway (Rt. 24), approximately 1,678 feet northeast of Camp Arrowhead Rd. 911 Address: 33833 Boat Hole Blvd., Lewes. Zoning District: Marine. Tax Map: 234-7.00-108.00

**Case No. 12043 – Norma T. Slade** seeks front and side yard setback variances (Section 115-42 of the Sussex County Zoning Code). The property is located on the east side of Pintail Drive, approximately 909 feet northeast of Swann Dr. 911 Address: 36998 Pintail Drive, Selbyville. Zoning District: GR. Tax Map: 533-12.16-49.00

**Case No. 12044 – Barbara McClay** seeks a special use exception for a tourist home (Bed & Breakfast) (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the east side of Doe Run, approximately 804 feet south of Woods Dr. 911 Address: 34453 Doe Run, Lewes. Zoning District: AR-1. Tax Map: 234-18.00-190.00

**Case No. 12045 – Horizon Land Co., LLC** seeks a variance for the separation distance between units (Section 115-172 of the Sussex County Planning and Zoning Code). The property is located at Lot 23, on Kings Ln., off Knight Ln. 911 Address: 25879 Kings Ln., Millsboro. Zoning District: AR-1. Tax Map: 234-23.00-307.01-54108

### Old Business

**Case No. 12029 – Bruce J. Esham** seeks variances from the front yard and side yard setbacks (Section 115-25 of the Sussex County Zoning Code). The property is located on the east side of Westwood Rd. (Rd. 426), approximately 780 feet south of Pear Tree Rd. (Rd. 424). 911 Address: 21906 Esham Ln., Millsboro. Zoning District: AR-1. Tax Map: 333-7.00-2.07

**Case No. 12036– CMH Homes d/b/a Oakwood Homes** seek a special use exception to place a manufactured home (Section 115-23C and 115-210 of the Sussex County Zoning Code). The property is located at the north side of Hoot Owl Ln. approximately 500 feet east of Irons Ln. (Rd. 348). 911 Address: 34979 Hoot Owl Ln., Dagsboro. Zoning District: AR-2 (Agricultural Residential District). Tax Map: 134-7.00-191.00

**Case No. 12037– CMH Homes d/b/a Oakwood Homes** seek a special use exception to place a manufactured home (Sections 115-23C and 115-210 of the Sussex County Zoning Code). The property is located at the west side of Julie Ct., approximately 886 feet southwest of Peppers Corner Rd. 911 Address: 34481 Julie Ct., Frankford. Zoning District: AR-1 (Agricultural Residential District). Tax Map: 134-18.00-76.00

### Other Business

**Case No. 11849 – Harry Keswani** seeks a variance from the minimum off-street parking space required for a hotel (Sections 115-162A and 115-80B(1) of the Sussex County Zoning

Code). The property is located on the northeast corner of Parsonage Rd. and Coastal Hwy. (Rt. 1). 911 Address: 35863 Parsonage Rd., Rehoboth Beach. Zoning District: C-1. Tax Map: 334-13.00-5.00

**Request for Time Extension**

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Board of Adjustment meetings can be monitored on the internet at  
[www.sussexcountyde.gov](http://www.sussexcountyde.gov).

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In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on September 22, 2017, at 9:55 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 27, 2017 (to revise legal description for Case No. 12040)

Revised: September 28, 2017 (to include Other Business Case No. 11849)

Revised: October 5, 2017 (to include Old Business Case No. 12029, Case No. 12036, and Case No. 12037 and Approval of Minutes and Finding of Facts for August 21, 2017)

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