

Minutes of June 15, 1992

The regular meeting of the Sussex County Board of Adjustment was held Monday evening, June 15, 1992 in the County Council Conference Room, Courthouse, Georgetown, Delaware.

The meeting was called to order at 7:00 P.M. with Chairman McCabe presiding. The Board members present were: Mr. McCabe, Mr. Stuchlik, Mrs. Hudson, Mr. Carey, Mr. Wheatley, Mr. Jones-Attorney and Mr. Betts-Zoning Inspector.

Motion was made by Mr. Stuchlik, seconded by Mr. Carey and carried unanimously that the minutes of June 1, 1992 be approved as circulated.

Case No. 4736--Gerald Burton - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 2, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway was sworn in and testified representing this case and all cases at this meeting in Driftwood Village.

Mr. Jones, Attorney, stated that Cases 4651 thru 4659, heard on March 2, 1992, would be incorporated into the record at this meeting.

Mr. Conaway briefly gave a background summary of Driftwood Village, stating that it is believed the error was made in placing the first manufactured home and others followed. He testified that the errors were made prior to the current owner obtaining the development. He testified that drawings were done for septic and setbacks were incorrect. There were 67 violations discovered by the Zoning Inspector. There are more violations to be corrected through variance requests. Mr. Conaway stated that moving the manufactured homes will cause more problems due to the septic systems and drain fields that were put in before the manufactured homes were placed.

Mr. Conaway representing Gerald Burton, stated that the applicant requests a 15'6" variance from the front property line and a 3' variance from the side property line for their manufactured home on Lot 2, Driftwood Village. Moving the manufactured home would cause problems to the applicant due to the septic and drain fields.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Wheatley and carried unanimously that the variances be granted.

Case No. 4737--Pamela Taylor - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 69, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on the previous case also represented this case. The applicant Pamela Taylor requested a variance of 13' from the front yard setback requirement and a variance of 4' from the side yard setback requirements for her manufactured home on Lot 69, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system. The lot is unusual in shape.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Stuchlik, seconded by Mr. Carey and carried unanimously that the variances be granted, due to the unusual lot shape and drain field.

Case No. 4738--Bruce Taylor - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 72, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The Case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Bruce Taylor requested a variance of 11' from the front yard setback requirement and a variance of 1' from the side yard setback requirement for his manufactured home on Lot 72, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system. The lot

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Carey, seconded by Mr. Stuchlik and carried unanimously that the variances be granted.

Case No. 4739--Ramona Doyle - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 73, within Driftwood Village.

A variance from the front yard and the side yard setback requirement.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Ramona Doyle requested a variance of 10' from the front yard setback requirement and a variance of 4' from the side yard setback requirement for her manufactured home on Lot 73, Driftwood Village.

A copy of the septic drawing was explained in reference to the location of the septic system and drain field. At the time of the installation of the septic system it could have been moved over. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Stuchlik, seconded by Mrs. Hudson and carried unanimously that the variances be granted.

Case No. 4740--Gracine Holland - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 3, within Driftwood Village.

A variance from the front yard and the side yard setback requirement.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Gracine Holland requested a variance of 14' from the front yard setback requirement and a 3' variance from the side yard setback requirement for her manufactured home on Lot 3, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Wheatley, seconded by Mr. Carey and carried unanimously that the variances be granted.

Case No. 4741--Lorenzo West - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 5, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Lorenzo West requested a variance of 12' from the front yard setback requirement and a 3' variance from the side yard setback requirement for his manufactured home on Lot 5, Driftwood Village. A copy of the septic system and drain field drawing was explained. It was stated that to move the manufactured home would place it over the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Stuchlik and carried unanimously that the variances be granted.

Case No. 4742--Tyrone Harmon - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 7, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Tyrone Harmon requested a variance of 12' from the front yard setback requirement and a 3' variance from the side yard setback requirement for his manufactured home on Lot 7, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Carey, seconded by Mrs. Hudson and carried unanimously that the variances be granted.

Case No. 4743--Valerie White - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 9, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Valerie White requested a variance of 9' from the front yard setback requirement and a 6" variance from the side yard setback requirement for her manufactured home on Lot 9, Driftwood Village. There was no copy of the septic drawing available. Mr. Conaway stated that the lot is odd shaped and he assumes the same situation applies. The lot is next to the basin lagoon.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Wheatley, seconded by Mrs. Hudson and carried unanimously that the variances be granted, due to the unusual shape of the lot.

Case No. 4744--George Thompson - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 10, Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant George Thompson requested a variance of 11' from the front yard setback requirement and a variance of 8' from the side yard setback requirement for his manufactured home on Lot 10, Driftwood Village. A copy of the septic system and drain field drawing was explained. The lot is odd shaped and to move the manufactured home could place it close to or on top of the tank.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Stuchlik, seconded by Mr. Carey and carried unanimously that the variances be granted, due to the unusual shape of the lot.

Case No. 4745--Richard Gray, Sr. - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 13, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Richard Gray, Sr. requested a variance of 11' from the front yard setback requirement and a variance of 4'6" from the side yard setback requirement for his manufactured home on Lot 13, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Wheatley and carried unanimously that the variances be granted.

Case No. 4746--Robert Garber - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 15, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Robert Garber requested a variance of 11' front yard setback requirement and a variance of 1'6" from the side yard setback requirement for his manufactured home on Lot 15, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Stuchlik and carried unanimously that the variances be granted.

Case No. 4747--Margaret Goldhahn - Northeast side of Route 5
(Route 297), 2,500 feet southeast of
Route 24, Lot 17, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Margaret Goldhahn requested a variance of 12' from the front yard setback requirement and a variance of 4' from the side yard setback requirement for her manufactured home on Lot 17, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Carey and carried unanimously that the variances be granted.

Case No. 4748--Robert Richardson - Northeast side of Route 5
(Route 297), 2,500 feet southeast of
Route 24, Lot 18, within Driftwood
Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Robert Richardson requested a variance of 12'6" from the front yard setback requirement and a variance of 4'6" from the side yard setback requirement for his manufactured home on Lot 18, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Stuchlik and carried unanimously that the variances be granted.

Case No. 4749--Joseph Harrison - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 19, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Joseph Harrison requested a variance of 14' from the front yard setback requirement and a variance of 5' from the side yard setback requirement for his manufactured home on Lot 19, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system. The lot is odd shaped.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Wheatley, seconded by Mr. Carey and carried unanimously that the variances be granted.

Case No. 4750--Kenneth Dorsey - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 20, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Kenneth Dorsey requested a 13' variance from the front yard setback requirement and a variance of 4'6" from the side yard setback requirement for his manufactured home on Lot 20, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Stuchlik, seconded by Mrs. Hudson and carried unanimously that the variance be granted.

Case No. 4751--Terri McCabe - Northeast of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 21, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant

Terri McCabe requested a variance of 11' from the front yard setback and a variance of 5' from the side yard setback requirement for her manufactured home on Lot 21, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Carey, seconded by Mrs. Hudson and carried unanimously that the variances be granted.

Case No. 4752--Lamont Williams - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 22, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Lamont Williams requested a 12' variance from the front yard setback requirement and a 3'6" variance from the side yard setback requirement for his manufactured home on Lot 22, Driftwood Village. There was no copy of the septic system drawing, but according to Mr. Conaway the manufactured home and septic system were placed the same as the others. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Wheatley, seconded by Mrs. Hudson and carried unanimously that the variances be granted.

Case No. 4753--Stephen Jefferis - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 23, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Stephen Jefferis requested a 10' variance from the front yard setback requirement and a 4' variance from the side yard setback requirement for his manufactured home on Lot 23, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Wheatley, seconded by Mr. Carey and carried unanimously that the variances be granted.

Case No. 4754--Shirley Bratton - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 24, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Shirley Bratton requested a variance of 11' from the front yard setback requirement and a 3'6" variance from the side yard setback requirement for her manufactured home on Lot 24, Driftwood Village. There was no septic drawing, but Mr. Conaway stated that he assumes the situation is the same as the previous cases, in there is not enough room on the property. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Carey and carried unanimously that the variances be granted.

Case No. 4755--Teresa Campbell - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 25, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Teresa Campbell requested a 10'6" variance from the front yard setback requirement and a 5' variance from the side yard setback requirement for her manufactured home on Lot 25, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Wheatley and carried unanimously that the variances be granted.

Case No. 4756--Sylmer Rainey - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 26, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant Sylmer Rainey requested a 11' variance from the front yard setback and a 1'6" variance from the side yard setback requirement for his manufactured home on Lot 26, Driftwood Village. A copy of the septic system drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Carey, seconded by Mr. Wheatley and carried unanimously that the variances be granted.

Case No. 4757--James Kirck - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 29, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant James Krick requested a 15' variance from the front yard setback requirement and a 3' variance from the side yard setback requirement for his manufactured home on Lot 29, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. To move the unit could affect septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mrs. Hudson, seconded by Mr. Carey and carried unanimously that the variances be granted.

Case No. 4758--John Brooks - Northeast side of Route 5 (Route 297), 2,500 feet southeast of Route 24, Lot 68, within Driftwood Village.

A variance from the front yard and the side yard setback requirements.

The case was presented by Mr. Betts. Joe Conaway sworn in on Case No. 4736 also represented this case. The applicant John

Brooks requested a 12' variance from the front yard setback requirement and a 1' variance from the side yard setback requirement for his manufactured home on Lot 68, Driftwood Village. A copy of the septic drawing was explained in reference to the location of the septic system and drain field. The lot faces two streets and is odd-shaped. To move the unit could affect the septic system.

All comments from previous cases are incorporated into this case.

There were no parties present in opposition.

Motion was made by Mr. Carey, seconded by Mr. Wheatley and carried unanimously that the variances be granted.

DISCUSSION

Letter from Richard Stokes referencing Ocean Outlets Discount Stores Center concerning a tent and a hearing before Board of Adjustment.

Update on Jerry Edge.

Letter concerning an extension that expired in 1991.

Meeting adjourned at 7:35 P.M.