

BOARD OF ADJUSTMENT

JOHN WILLIAMSON, CHAIRMAN
KEVIN E. CARSON
JEFF CHORMAN
JOHN T. HASTINGS
JORDAN WARFEL



Sussex County

DELAWARE
sussexcountype.gov

(302) 855-7878

AGENDA

January 3, 2022

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 November 1, 2021

Approval of Finding of Facts for November 1, 2021

Public Hearings

Case No. 12643 – E. Nelson & Linda Justice seeks a special use exception for a garage/studio apartment and a variance from the maximum square footage for a garage/studio apartment for a proposed use within an existing structure (Sections 115-23, 115-25, & 115-210 of the Sussex County Zoning Code). The property is located on the northwest side of Cypress Lane approximately 0.23 mile north of Old Landing Road. 911 Address: 30478 Cypress Lane, Laurel. Zoning District: AR-1. Tax Parcel: 232-13.00-63.01

Case No. 12644 – Orlando Figueroa seeks a variance from the front yard setback requirement for a proposed garage (Sections 115-42 and 115-182 of the Sussex County Zoning Code). The property is located on the north side of Weigelia Drive approximately 340 ft. east of Wilson Hill Road. 911 Address: 15421 Weigelia Drive, Georgetown Zoning District: GR. Tax Parcel: 231-3.00-24.00

Case No. 12645 – Zachary Ulrich & Breanna Tumas seeks a variance from the maximum lot coverage requirement (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on S Canal Street within the Bay City Manufactured Home Park. 911 Address: 35851 S Canal Street, Millsboro. Zoning District: AR-1. Tax Map: 234-24.00-34.00-17838

Case No. 12646 – Donna P. Thomas seeks a variance from the side yard setback requirement



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE 19947

for a proposed structure (Sections 115-34, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located at the south side of Admiral Road within the Tower Shores Subdivision. 911 Address: 39950 1E Admiral Road, Bethany Beach. Zoning District: MR. Tax Map: 134-5.00-110.00 E-2

Case No. 12647– Jason Satterfield seeks variances from the side yard and rear yard setback requirements for an existing structure (Sections 115-34, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located at the northeast side of Shawnee Drive within the Blackwater Village Subdivision. 911 Address: 34060 Shawnee Drive, Dagsboro. Zoning District: MR. Tax Map: 134-11.00-301.00

Case No. 12648 – Katherine Benton seeks a special use exception to operate a tourist home (Sections 115-32, 115-34, 115-183, 115-185, and 115-210 of the Sussex County Zoning Code). The property is located at the northwest side of Creek Road within the Blackwater Village Subdivision. 911 Address: 34085 Creek Road, Dagsboro. Zoning District: MR. Tax Map: 134-11.00-358.00

Additional Business



-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on December 22, 2021 at 9:30 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. All comments are encouraged to be submitted by 4:30 P.M. on Thursday, December 30, 2021

####



4/ over 800 sq ft.

Case # 12643
Hearing Date 1/3/22
2021/10/19

Board of Adjustment Application
Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check all applicable)

Variance ☒
Special Use Exception ☒
Administrative Variance ☐
Appeal ☐

Existing Condition ☐
Proposed ☒
Code Reference (office use only)
115-23 115-25
115-210

Site Address of Variance/Special Use Exception:

30478 Cypress Lane, Laurel

Variance/Special Use Exception/Appeal Requested:

① ~~Garage~~ Garage/Studio Apartment @ 1,160 sq. ft.

Tax Map #: 2-32 13.00 63.01

Property Zoning: RESIDENTIAL

Applicant Information

Applicant Name: E. NELSON JUSTICE
Applicant Address: 30478 CYPRESS LANE
City, State, Zip: LAUREL DE 19956
Applicant Phone #: 302 815-4217 Applicant e-mail: nljustice1@verizon.net

Owner Information

Owner Name: E. NELSON AND LINDA JUSTICE
Owner Address: 30478 CYPRESS LANE
City, State, Zip: LAUREL, DE 19956 Purchase Date: 11-10-75
Owner Phone #: 302 542 4827 Owner e-mail: nljustice1@verizon.net
CELL

Agent/Attorney Information

Agent/Attorney Name: _____
Agent/Attorney Address: _____
City, State, Zip: _____
Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

Linda P. Justice

Date: 11/4/21



Criteria for a Variance: (Please provide a written statement regarding each criteria).

You shall demonstrate to the Board of Adjustment that the property meets all of the following criteria for a Variance to be granted.

In granting any variance the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Zoning Ordinance or Code. The Board is empowered in no case, however, to grant a variance in the use of land or structures thereon.

1. Uniqueness of property:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the exceptional practical difficulty is due to such conditions and not to circumstances or conditions generally created by the provisions of the Zoning Ordinance or Code in the neighborhood or district in which the property is located.

We are asking to use the existing space in the existing building.

2. Cannot otherwise be developed:

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

~~No possibility~~ We are asking to use the existing space in the building to have a comfortable amount of square footage for our last days.

3. Not created by the applicant:

That such exceptional practical difficulty has not been created by the appellant.

We are trying to utilize the existing building into living quarters so our son can help us during the last phase of our lives.

4. Will not alter the essential character of the neighborhood:

That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

It will in no way affect neighborhood.

5. Minimum variance:

That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

It will in no way affect neighbors. Building is existing at this current size.

Criteria for a Special Use Exception: (Please provide a written statement regarding each criteria)

You shall demonstrate to the Board of Adjustment that the property meets all of the following criteria for a Special Use Exception to be granted.

- X 1. Such exception will not substantially affect adversely the uses of adjacent and neighboring property.

Our property is surrounded by trees, farms and backs up to a pond. It will not effect any neighbors.

2. Any other requirements which apply to a specific type of special use exception as required by the Sussex County Code. (Ex. Time limitations – 5 year maximum)

Basis for Appeal: (Please provide a written statement regarding reason for appeal)



PIN:	232-13.00-63.01		
Owner Name	JUSTICE WILLIAM ELMER	JOHN TTEE OF	
Book	5258		
Mailing Address	30478 CYPRESS LN		
City	LAUREL		
State	DE		
Description	OLD CHURCH LANDING		
Description 2	N/A		
Description 3	N/A		
Land Code			

polygonLayer

Override 1

polygonLayer

Override 1

--- Tax Parcels

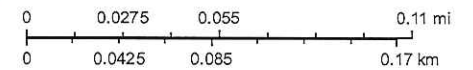
911 Address

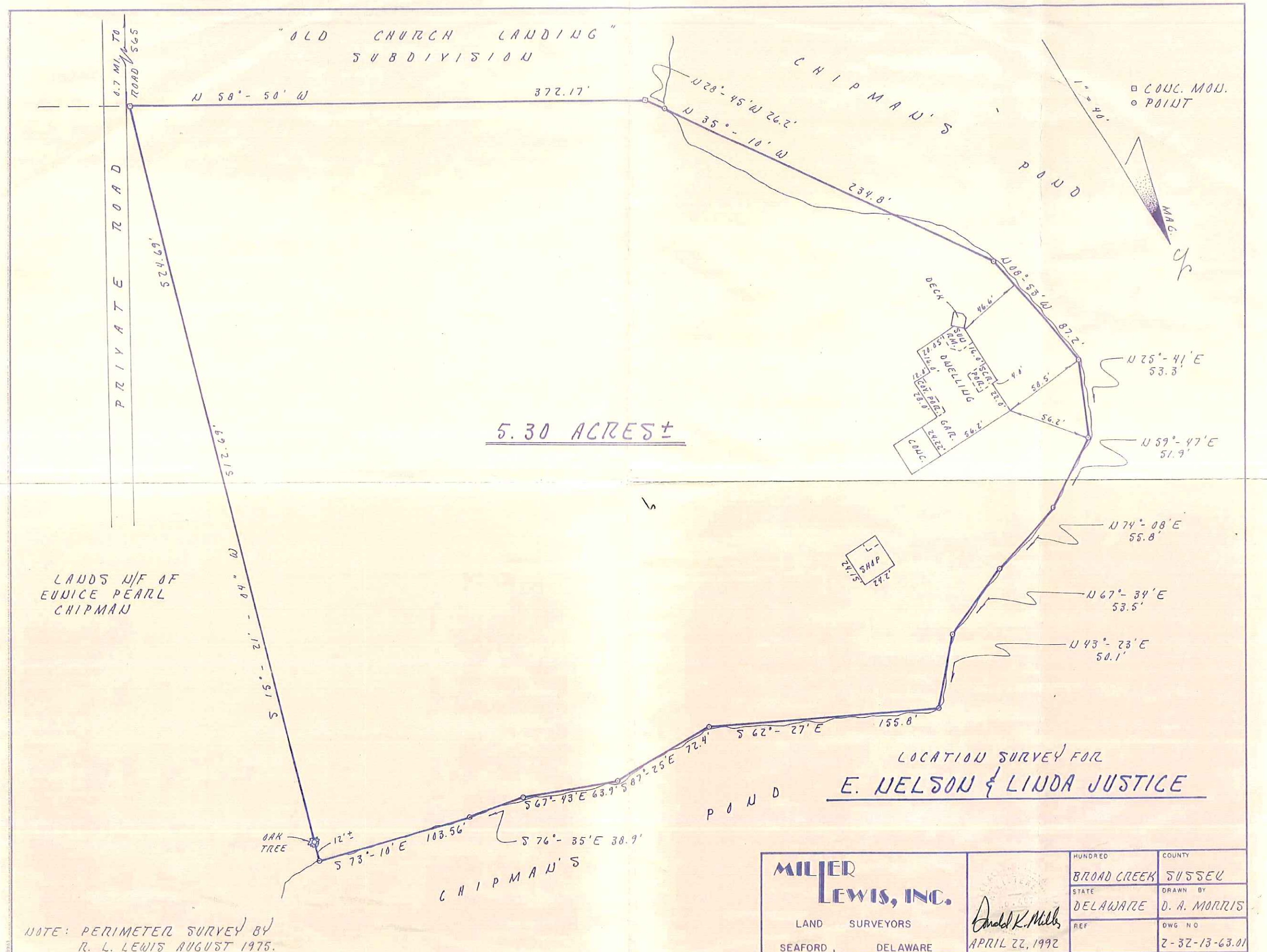
— Streets

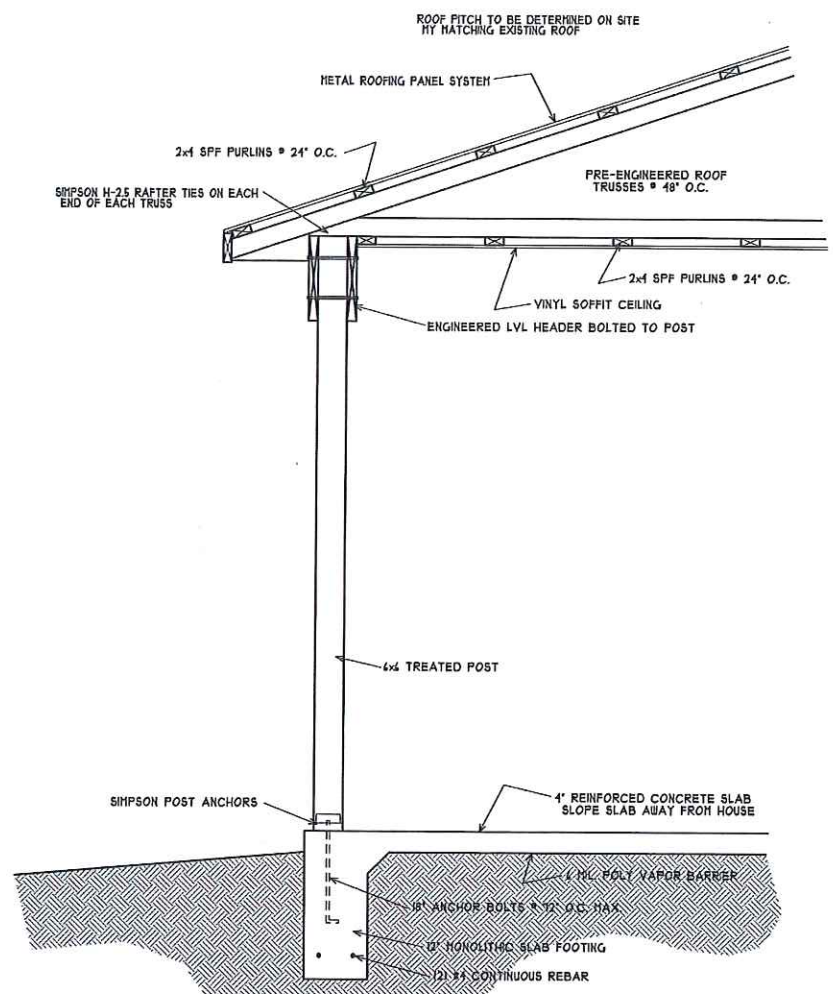
--- County Boundaries

--- Municipal Boundaries

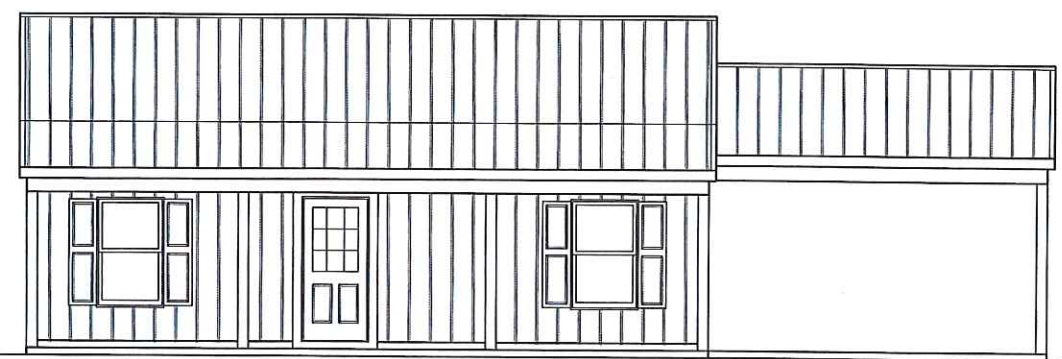
1:2,257



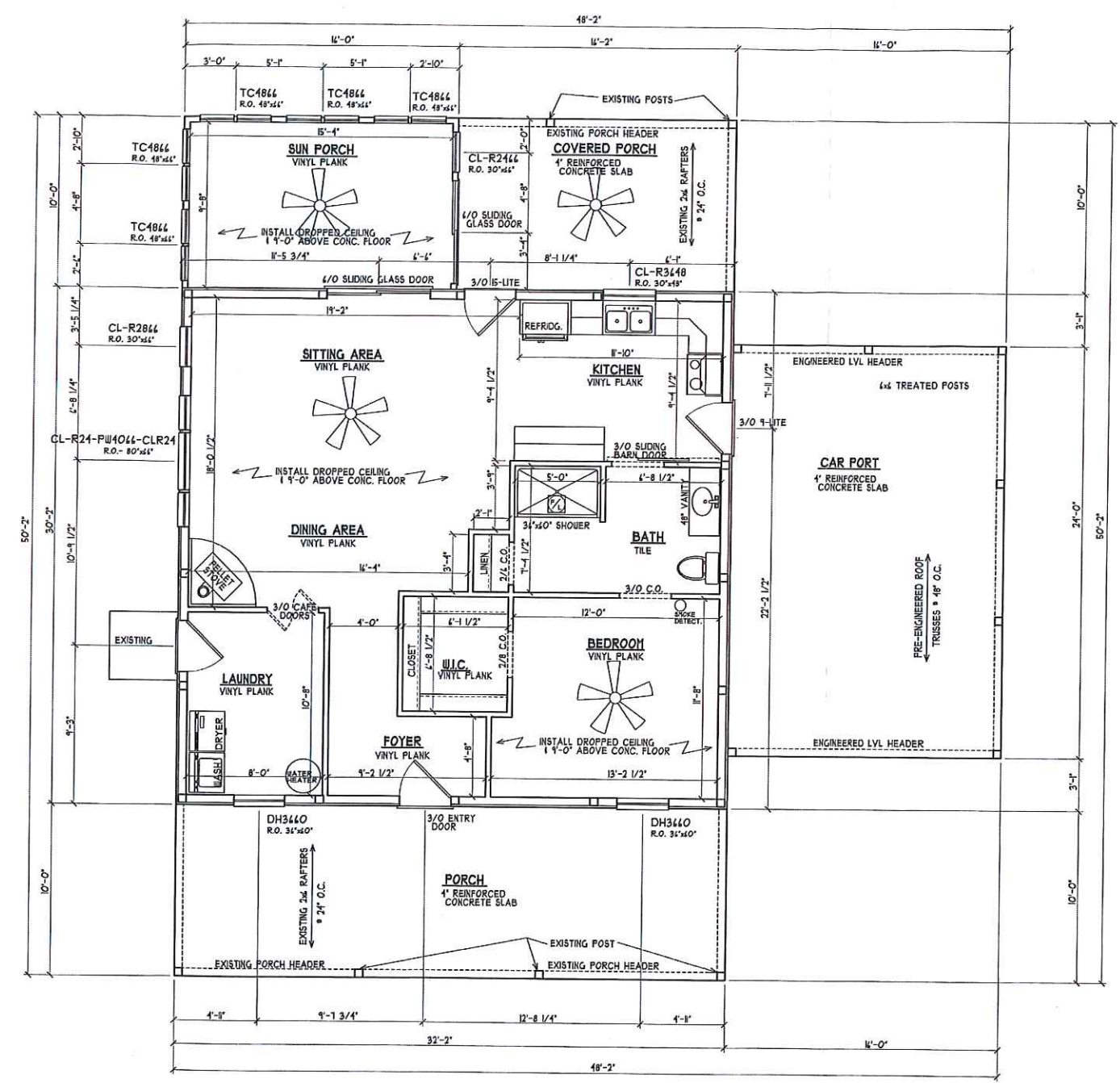




CARPORT SECTION
SCALE: 3/4" = 1'-0"



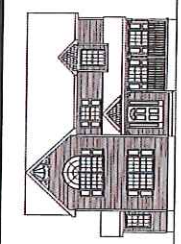
FRONT ELEVATION



FLOOR PLAN
1130 SQ. FT. LIVING AREA
* BUILDING IS EXISTING POLE FRAMED BUILDING
* FINISHED CEILING @ 9'-0"
* EXISTING CONCRETE SLAB FLOOR EXCEPT WHERE NOTED
* PRE-ENGINEERED ROOF TRUSSES
* SLOCARB INT SERIES WINDOWS & PATIO DOORS
* THERMA-TRU EXTERIOR DOORS
* INSTALL SMOKE & CO DETECTORS AS REQUIRED BY CODE

RICK EVANS DESIGN INC.
IS NOT AN ARCHITECT OR
ENGINEER. ALL STRUCT-
URAL CONSIDERATIONS
SHOULD BE VERIFIED
BY AN ARCHITECT OR
ENGINEER. ALL LOCAL
CODES SHOULD BE
FOLLOWED.

**RICK EVANS
DESIGN INC.**
Helping You Design A Place To Call Home
(302) 875-1030



SUSSEX CO
DELAWARE

IRC 2012 CODE

E. NELSON & LINDA JUSTICE

DATE: 16 JULY 2021

REVISIONS
BY: R. EVANS

REVISION: 26 OCTOBER 2021

SCALE 1/4" = 1'-0"

30478 CYPRESS LANE - LAUREL, DE

SHEET #
1 OF 3

DRAWING #
21-056

**Board of Adjustment Application
Sussex County, Delaware**

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Case # 12644
Hearing Date 1/3
2021/6/202

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☒

Code Reference (office use only)

115-42 115-182

Site Address of Variance/Special Use Exception:

15421 Weigelia DR, Georgetown, DE

Variance/Special Use Exception/Appeal Requested:

10 feet from 30' front yard.

Tax Map #: 231-3.00-24.00

Property Zoning: ER

Applicant Information

Applicant Name: Joan Turcios

Applicant Address: 212 1st St

City Bridgeville State DE Zip: 19933

Applicant Phone #: 302-727-2127 Applicant e-mail: Consumi100@gmail.com

Owner Information

Owner Name: Orlando Figueroa

Owner Address: 15421 Weigelia DR

City Georgetown State DE Zip: 19947 Purchase Date: _____

Owner Phone #: 302-381-5734 Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

[Signature]

Date: 11-4-21



Criteria for a Variance: (Please provide a written statement regarding each criteria).

You shall demonstrate to the Board of Adjustment that the property meets all of the following criteria for a Variance to be granted.

In granting any variance the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Zoning Ordinance or Code. The Board is empowered in no case, however, to grant a variance in the use of land or structures thereon.

1. Uniqueness of property:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the exceptional practical difficulty is due to such conditions and not to circumstances or conditions generally created by the provisions of the Zoning Ordinance or Code in the neighborhood or district in which the property is located.

Due to the way the land, the front yard is the only way I can get it done, and I have septic in the back

2. Cannot otherwise be developed:

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

The garage can't be done by the size given due to being too small (12') that it will only fit a car or probably none.

3. Not created by the applicant:

That such exceptional practical difficulty has not been created by the appellant.

The applicant purchased the property with the house and septic in the existing location.

4. Will not alter the essential character of the neighborhood:

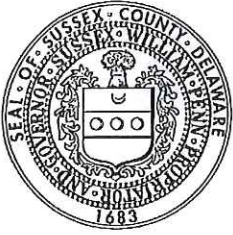
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

We have spoke to neighbors and they said the garage won't affect them in any way.

5. Minimum variance:

That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

This is the smallest garage to accomodate the applicant needs.



**Sussex County
Building Permit**
P.O. Box 589
Georgetown, DE 19947
302-855-7720

Application Number

202114889

Issue Date: 10/21/2021

Expire Date: 10/21/2022

Permit Type: RES. ADDITION OUT OF TOWN

Parcel ID	Address	Zone Code
231-3.00-24.00	15421 WEIGELIA DRIVE	GR

Owner Information	Applicant Information
Name: FIGUEROA ORLANDO Phone:	Name: Phone:

Contractor Information		
Name:	FIGUEROA ORLANDO	License Number:
CID:	104619	License Exp. Date:
Phone:		Insurance Exp. Date:

Building Information
Proposed Use: ATTACHED GARAGE Construction Type: Estimated Cost of Construction: \$ 7,290 Cannot Occupy More than _____ of Total Lot Area Distance from any Dwelling of other Ownership: _____ Distance from any other Mobile Home or Accessory Structure: _____

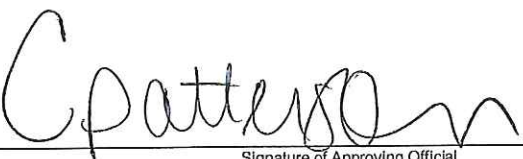
Property Information
Measurements taken from Property Lines Front Setback: 30.00 / Side Setback: 10.00 / Maximum Building Height: 42' Rear Setback: 10.00 / Corner Setback: / Location Description: PINE BLUFF #2 LOT D5 CT#51356 FLOOD ZONE Flood Zone: X280L ____ If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.

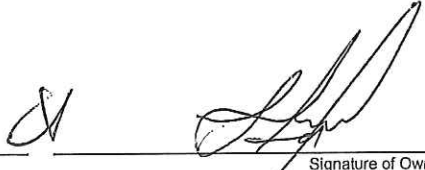
Project Description: RES ADD W/ BC

Scope of Work:
30X27 ATT GARAGE

**TO BE KEPT
ON JOB SITE**

Permit Details:


Signature of Approving Official


Signature of Owner/Contractor

302-727-2107

Building Permit Acknowledgement:

I/we the undersigned, acknowledge I/we have read and accept the terms of this Building Permit and shall comply with the rules and restrictions related to this building activity. This permit shall expire one (1) year from the date of issue. This permit may be renewed prior to its expiration date if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit-holder's control. Grading or surface-shaping of the site shall not be considered as actual construction.

I/we further acknowledge, ASSESSORS AND INSPECTORS HAVE A RIGHT TO ENTER AND ACCESS THE PREMISES TO ASSESS AND INSPECT PROPERTY. The owner or owners of these premises do hereby consent to Sussex County Officials' right to enter upon said premises during the construction of which this permit is granted, or within a reasonable time thereafter, for the purposes of assessing and inspecting said property.

THE APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCY, WHICH MAY PERTAIN TO THIS SITE. AND FURTHER, IT IS ACKNOWLEDGED AND UNDERSTOOD THAT THIS PERMIT MAY BE REVOKED BY SUSSEX COUNTY FOR ANY VIOLATION OF THE TERMS OF THIS PERMIT OR OF ANY COUNTY, STATE OR FEDERAL LAW APPLICABLE TO THIS PERMIT.

Permit Number

BP-168327

TOTAL FEES:

\$ 46.73



Building Description

Total Bedrooms:

Full Baths:

Half Baths:

Total Rooms:

Basement:

Interior Walls:

Flooring:

CONC

Heat Type:

Roofing: SHINGLE

Exterior Walls: VINYL

Foundation Type: POST

Fireplace Type:

Air Conditioning: N

Additional Requirement/Restrictions

_____ Accessory Building 900 Square Feet or Greater

No more than four (4) vehicles permitted in structure without a Planning & Zoning Hearing.

_____ Agricultural Storage Structures

Storage only. NO LIVESTOCK PERMITTED.

_____ Campgrounds

Must conform to the location approved by the park.

_____ Farm-Use Permits

Prior to issuance of the Certificate of Occupancy, it must be confirmed that the building will be used for farm use only. Otherwise, the permit will be voided and plans must be submitted to the Building Code Department.

_____ Fences

Fence may only be 3.5' tall along the front property line and from the road back to the mandated front yard setback. Thereafter, fence may be a maximum of 7' tall. On corner lots, the fence may only be 3' tall along the corner fronts and 25' from the intersection of property lines. Fence may be installed on property line.

+ ✓ _____ Parcel Setbacks

All building structures and improvements shall comply with the parcel setback measurement requirements as mandated in the Sussex County Zoning Ordinance. Failure to comply with the parcel setback measurement requirements is a violation.

_____ Pools (Above-Ground)

Must have ladder up and locked at all times when not in use. Pool must be 4' high above grade. If not, a fence is required around perimeter of pool

_____ Pools (In-Ground)

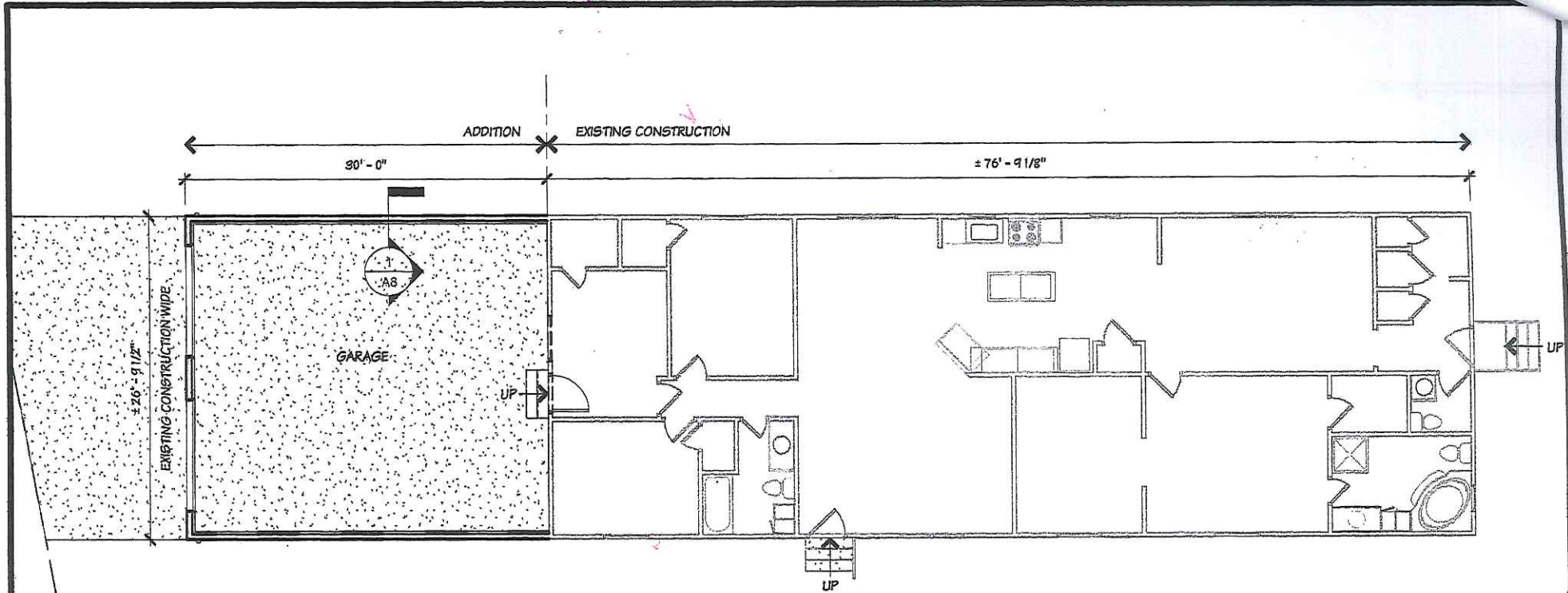
A minimum 4' tall fence must be around the perimeter of the pool. A minimum 3' walkway must be between the pool and fence. Gate must be locked at all times when the pool is not in use.

_____ Pools or Guest Homes

No Cooking facilities of any kind are permitted in the structure. No separate electrical meters are permitted.

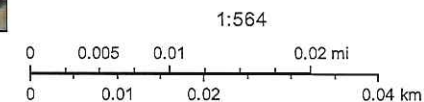
_____ Tax Ditch

Property records indicate a State regulated tax ditch appears on this property. All building activity shall comply with the rules and requirements related to State regulated tax ditches and the respective tax ditch easements.



① GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROJECT TITLE: GARAGE ADDITION For Orlando Figueroa	DRAWING TITLE: GROUND FLOOR PLAN
DATE: 07/25/21	DRAWING No.:
SCALE: 1/8" = 1'-0"	A1



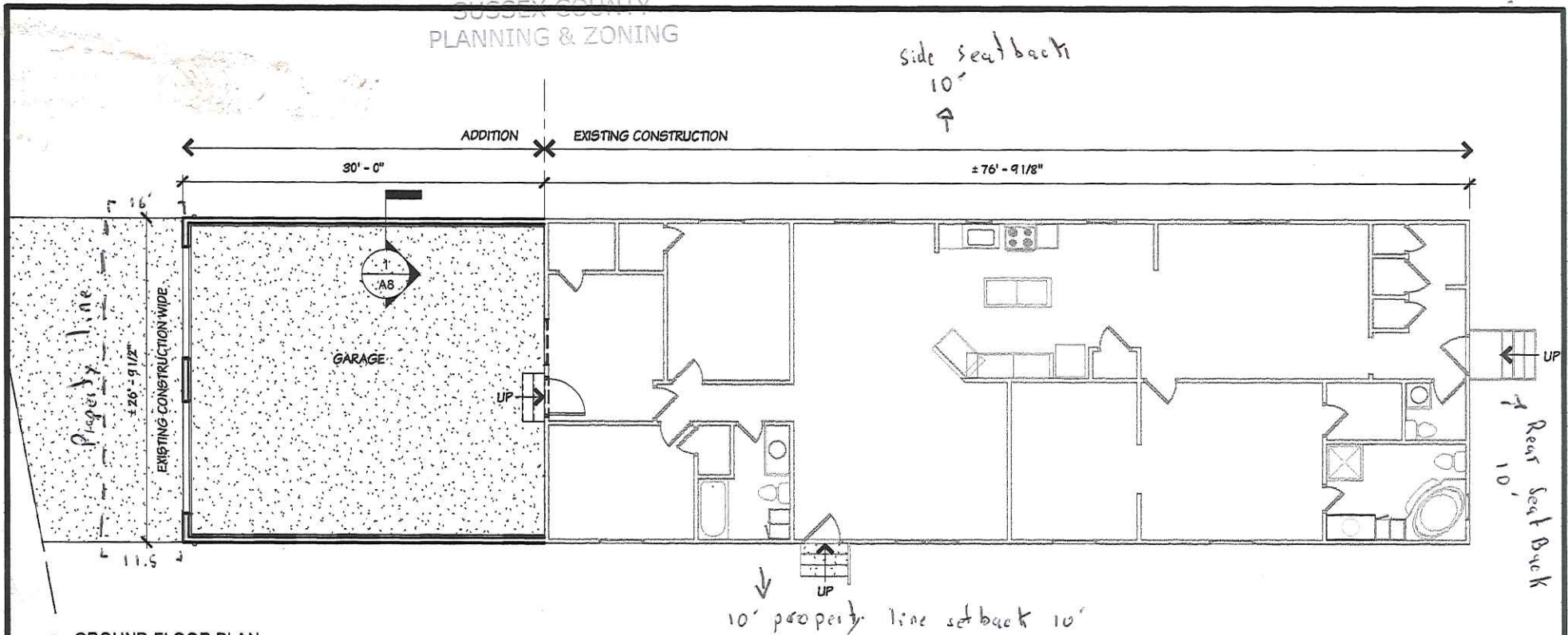
November 16, 2021

RECEIVED

DEC 16 2021

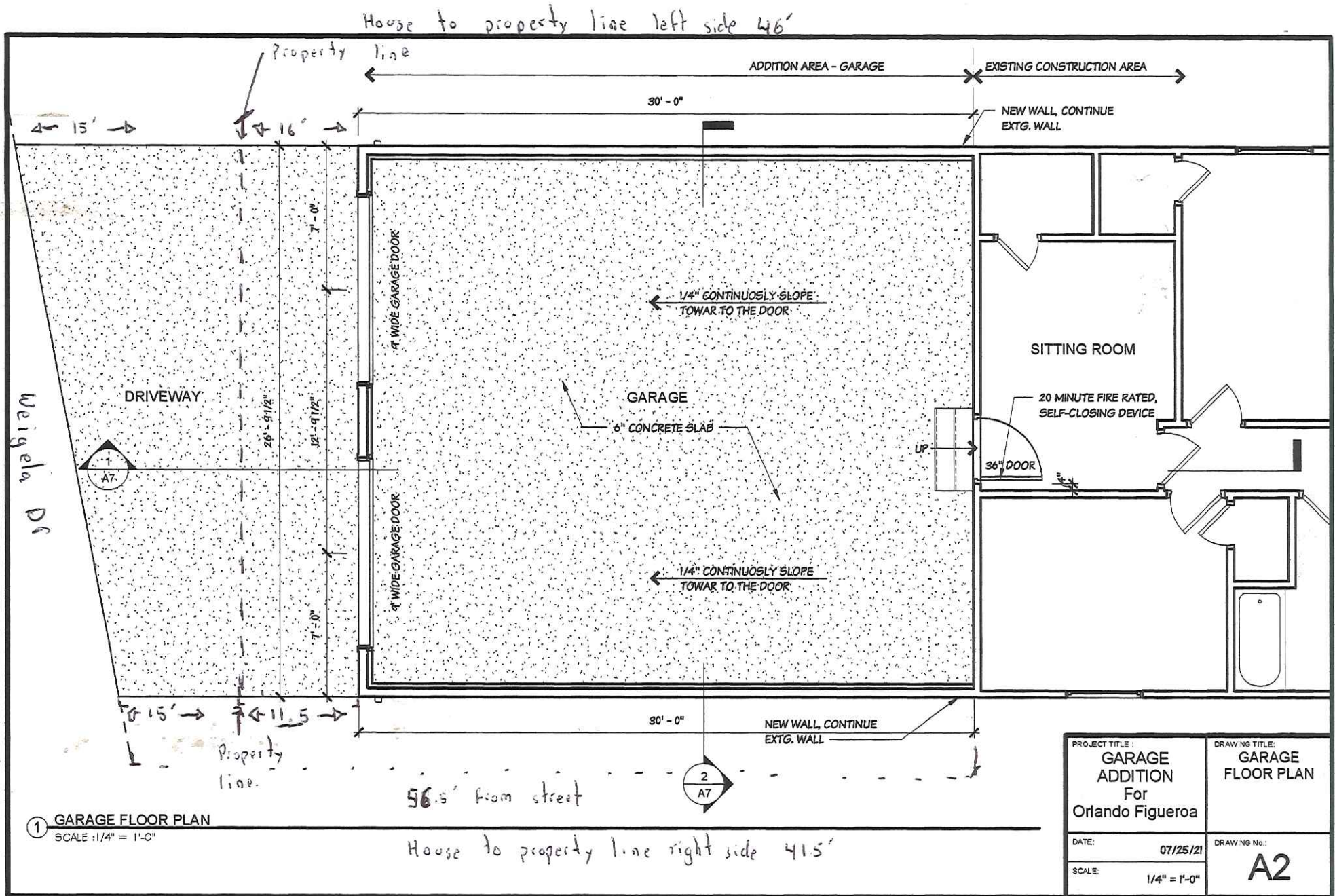
Applicant
Exhibit

SUSSEX COUNTY
PLANNING & ZONING



① GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROJECT TITLE: GARAGE ADDITION For Orlando Figueroa	DRAWING TITLE: GROUND FLOOR PLAN
DATE: 07/25/21	DRAWING No.: A1
SCALE: 1/8" = 1'-0"	



SEE ADDITIONAL
CODE REQUIREMENTS

GARAGE ADITION FOR ORLANDO FIGUEROA

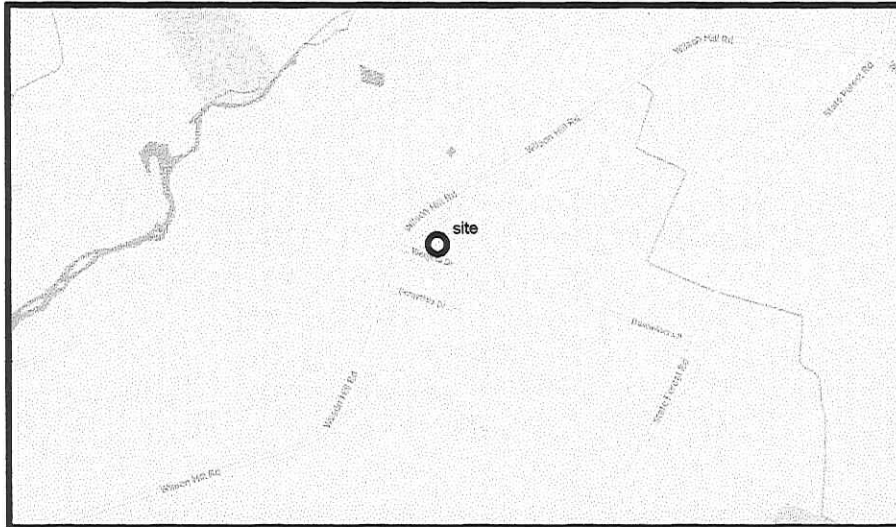
15421 WEIGELA DRIVE,
GEORGETOWN, DELAWARE, 19947

REVIEWED FOR
CODE COMPLIANCE

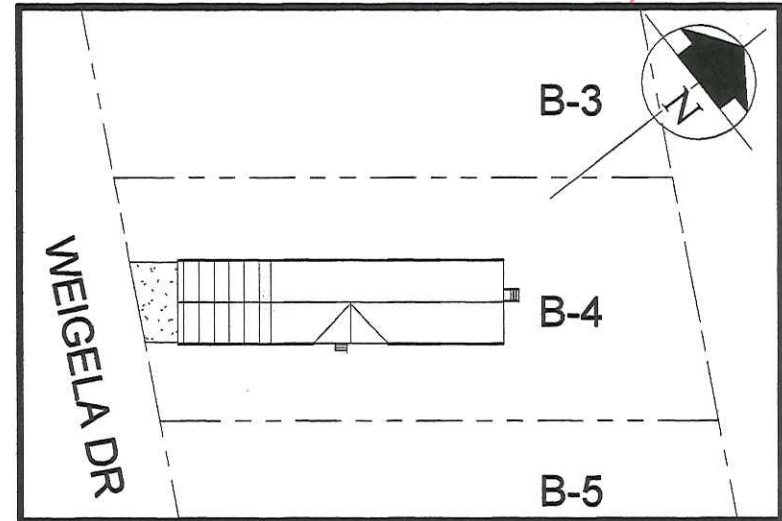
DATE 10/18/21

SIGNED ALS

202114889



① LOCATION PLAN
NOT TO SCALE



② SITE PLAN
SCALE: 1" = 40'-0"

SHEET INDEX

No.	SHEET TITLE
A0	COVER SHEET
A1	GROUND FLOOR
A1D1	DEMOLITION PLAN
A2	GARAGE FLOOR PLAN
A3	FOUNDATION PLAN
A4	FOUNDATIONS DETAILS
A5	ROOF PLAN
A6	ELEVATIONS
A7	SECTIONS
A8	WALL SECTIONS

AREAS

1ST FLOOR EXISTING LIVING AREA:	2,057 S.F.
ADDITION GARAGE AREA:	803 S.F.
TOTAL CONSTRUCTION AREA:	2,057 S.F.
HEIGHT AREA	12'-10"
TOTAL VOLUME	31,460 C.F.

TO BE KEPT
ON JOB SITE

PROJECT TITLE:
GARAGE
ADDITION
For
Orlando Figueroa

DRAWING TITLE:
COVER
SHEET

DATE: 07/25/21

DRAWING No.:

SCALE: As indicated

A0

Board of Adjustment Application
Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph, 302-855-1078 fax

Case # 12645
Hearing Date 1/3
202110345

Type of Application: (please check all applicable)

Variance ☒
Special Use Exception ☐
Administrative Variance ☐
Appeal ☐

Existing Condition ☐
Proposed ☐
Code Reference (office use only)
115-25 115-172

Site Address of Variance/Special Use Exception:

35851 S Canal St. Millsboro, DE 19966

Variance/Special Use Exception/Appeal Requested:

Our Addition is about 30 sq ft over the required less than 35% Rule. But it is well within the set backs required. We are requesting to have a variance for it.

Tax Map #: 234-24.00-34.00-17838

Property Zoning: AR1

Applicant Information

Applicant Name: Zachary Ulrich & Breanna Tumas
Applicant Address: 35851 S Canal St
City Millsboro State DE Zip: 19966
Applicant Phone #: (724) 777-7098 Applicant e-mail: zachu2428@gmail.com

Owner Information

Owner Name: Zachary Ulrich & Breanna Tumas
Owner Address: 35851 S Canal St
City Millsboro State DE Zip: 19966 Purchase Date: 02/20/19
Owner Phone #: (724) 777-7098 Owner e-mail: zachu2428@gmail.com

Agent/Attorney Information

Agent/Attorney Name: _____
Agent/Attorney Address: _____
City _____ State _____ Zip: _____
Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

ZCU

Date: 11/2/21



Criteria for a Variance: (Please provide a written statement regarding each criteria).

You shall demonstrate to the Board of Adjustment that the property meets all of the following criteria for a Variance to be granted.

In granting any variance the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Zoning Ordinance or Code. The Board is empowered in no case, however, to grant a variance in the use of land or structures thereon.

1. Uniqueness of property:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the exceptional practical difficulty is due to such conditions and not to circumstances or conditions generally created by the provisions of the Zoning Ordinance or Code in the neighborhood or district in which the property is located.

We live in a mobile home community park. The uniqueness of the property is the smaller lot sizes and the 35% Rule.

2. Cannot otherwise be developed:

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

~~The above stated~~ Our marginal restrictions are different than normal subdivisions.

3. Not created by the applicant:

That such exceptional practical difficulty has not been created by the appellant.

The house sits on a low part of the property. Water from the neighboring properties would all drain under our house, along with the rain water from ours. We put the additions on in order to push the water away from going under our house. We also put French drains to help the drainage problem and for the water to avoid going on neighboring properties.

4. Will not alter the essential character of the neighborhood:

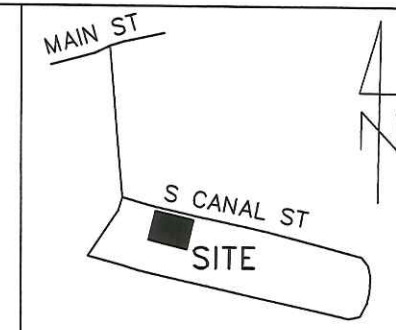
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

This has improved the drainage on not only our property but also the surrounding properties too.

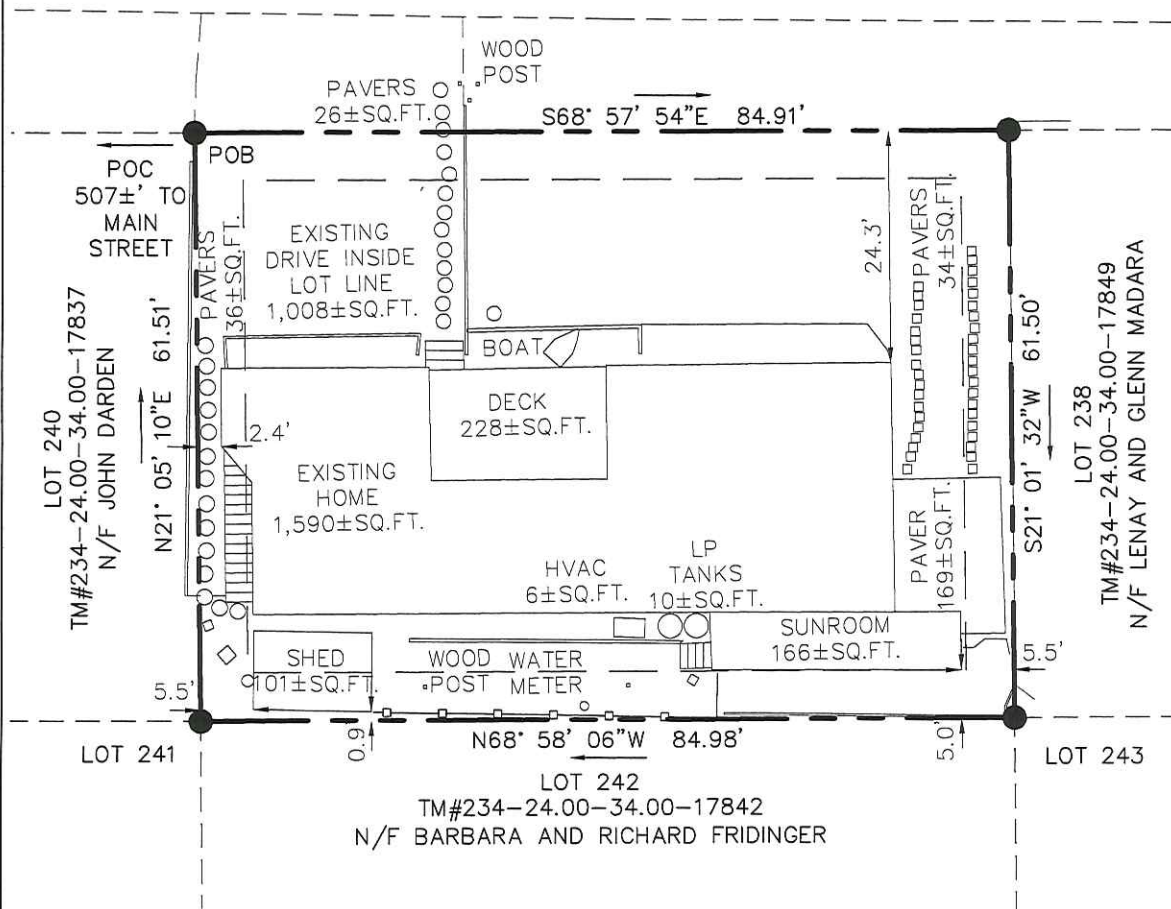
5. Minimum variance:

That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

We want to apply for a ~~minimum~~ maximum variance of 50% above the 35% of buildable lot space/coverage.



LOCATION MAP
NOT TO SCALE

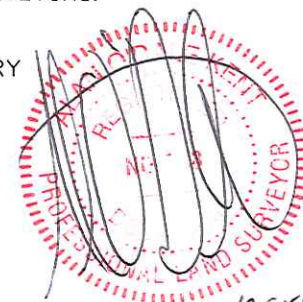
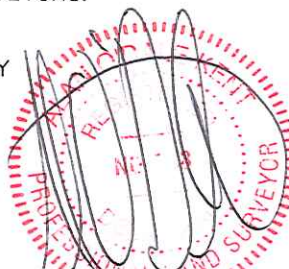


LEGEND:

-
- Diagram illustrating property boundaries and road centerline:
- IRON REBAR FOUND
 - PROPERTY LINE
 - ADJOINING PROPERTY LINE
 - BUILDING RESTRICTION LINE
 - CENTERLINE OF ROAD

I, ALAN O'DALE KENT, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS.

ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.



02 SEP 2022

ALAN O'DALE KENT, PLS#738, DATE
THIS IS A SUBURBAN SURVEY

JOB # 2021288

PLAN DATA:

1. TITLE REFERENCED TO: TM# 234-24.00-34.00-17838, PB 135, PG 80
35851 SOUTH CANAL STREET, MILLSBORO, DE 19966
LOT 239, BAY CITY
BALTIMORE HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
2. NO TITLE REPORT PERFORMED OR FURNISHED IN PREPARATION OF THIS PLAT.
3. THIS PLAN DOES NOT CERTIFY THE EXISTENCE OR NON-EXISTENCE OF EASEMENTS OR RIGHTS OF WAY AS A FULL AND COMPLETE SEARCH MAY REVEAL IN THE SUSSEX COUNTY RECORDER OF DEEDS.
4. ACCORDING TO SUSSEX COUNTY PLANNING AND ZONING THE ZONING IS AR1 AND THE SETBACKS ARE: FRONT-5', SIDE-5,' AND REAR-5'. 15' BUILDING SEPARATION REQUIREMENT

DATE OF PLAN 02 SEP 2021	<p>BOUNDARY SURVEY PLAN OF THE LANDS NOW OR FORMERLY OF ZACHARY A. ULRICH</p> <p>PREPARED BY ALAN O KENT LAND SURVEYING, LLC SEAFORD, DE 19973 (302) 745-1735</p>
DATE OF LAST FIELD WORK 16 AUG 2021	



PIN:	234-24.00-34.00
Owner Name	BAY CITY LIMITED PARTNERSHIP
Book	0
Mailing Address	34677 LONG NECK RD
City	MILLSBORO
State	DE
Description	GIS TIEBACK
Description 2	DUMMY ACCOUNT
Description 3	N/A
Land Code	

polygonLayer

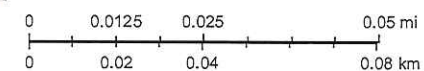
Override 1

polygonLayer

Override 1

- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Municipal Boundaries

1:1,128



Board of Adjustment Application
Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Case # 12646
Hearing Date 11/3/22
202116627

Type of Application: (please check all applicable)

Variance ☒
Special Use Exception ☐
Administrative Variance ☐
Appeal ☐

Existing Condition ☐
Proposed ☒
Code Reference (office use only)
115-34 115-183
115-185

Site Address of Variance/Special Use Exception:
39950-1E Admiral Rd. Tower Shores
Bethany Beach, DE 19930

Variance/Special Use Exception/Appeal Requested:
request a variance to place an elevator 5.5' into a 10' sideyard setback

Tax Map #: 134-5.00-110.00-E-2

Property Zoning: MR

Applicant Information

Applicant Name: Donna P. Thomas
Applicant Address: 39950 Admiral Rd
City Bethany Beach State DE Zip: 19930
Applicant Phone #: 302-893-2579 Applicant e-mail: bethanynow1220@yahoo.com

Owner Information see applicant

Owner Name: _____
Owner Address: _____
City _____ State _____ Zip: _____ Purchase Date: _____
Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information see applicant

Agent/Attorney Name: _____
Agent/Attorney Address: _____
City _____ State _____ Zip: _____
Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

Donna P. Thomas

Date: 11/10/21



See Attachment "A"

Sussex County, DE - BOA Application

Criteria for a Variance: (Please provide a written statement regarding each criteria).

You shall demonstrate to the Board of Adjustment that the property meets all of the following criteria for a Variance to be granted.

In granting any variance the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Zoning Ordinance or Code. The Board is empowered in no case, however, to grant a variance in the use of land or structures thereon.

1. Uniqueness of property:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the exceptional practical difficulty is due to such conditions and not to circumstances or conditions generally created by the provisions of the Zoning Ordinance or Code in the neighborhood or district in which the property is located.

2. Cannot otherwise be developed:

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

3. Not created by the applicant:

That such exceptional practical difficulty has not been created by the appellant.

4. Will not alter the essential character of the neighborhood:

That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

5. Minimum variance:

That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

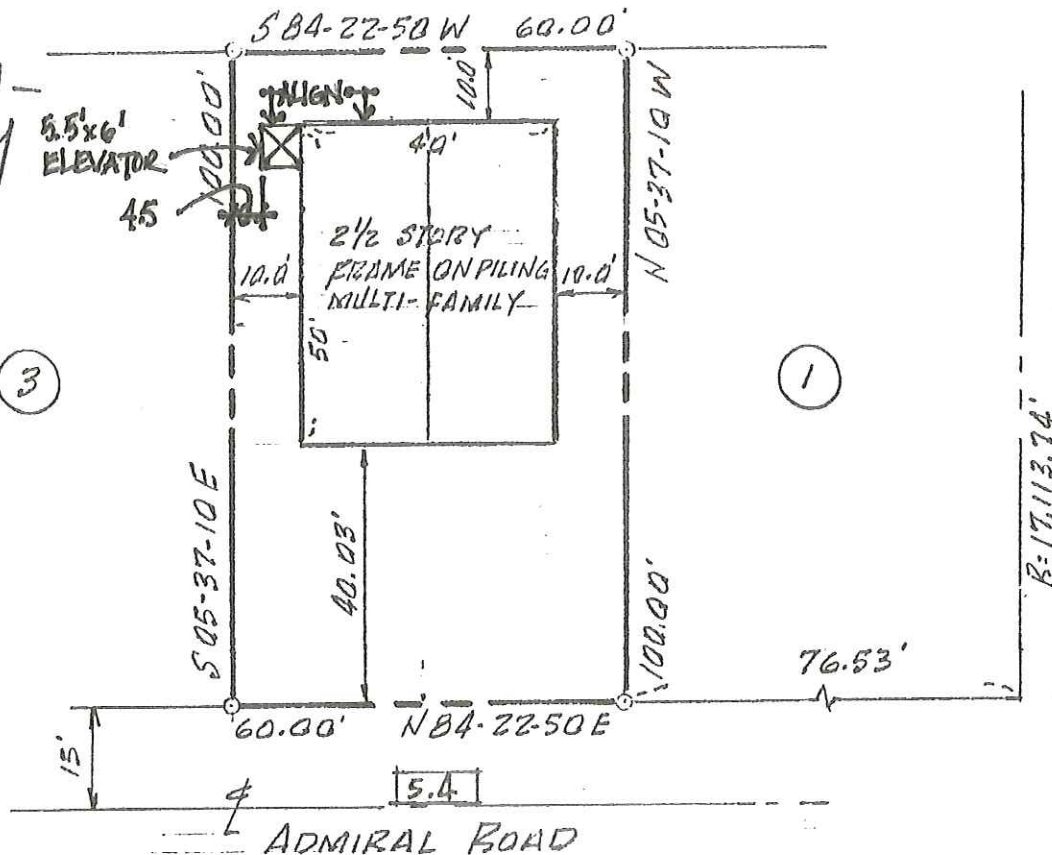
Attachment "A"

BOA Application cont. 11/10/21

Criteria for Variance statements

Donna P. Thomas

1. The lot is under 10,000 sf so it is a small lot. (6000 sf)
2. Because of the location of the existing structure on the small lot, there are few options for placement of the elevator. The proposed placement makes the best use of space.
3. The applicant has a medical diagnosis that was not created by the applicant.
4. The proposed location is at the left rear corner of the house so there is low visibility from the street & steps below the railing of the top floor level deck. Also, there are at least 3 other elevators in the community that were added after the homes were built and are located in the setbacks.
5. The applicant is requesting only minimum size space so cab/enclosure is accessible allowing min. room for wheelchair + standing person.



150' WIDE
DELAWARE ROUTE # 1 (14)

PROPOSED ELEVATOR
THOMAS RESIDENCE

39550 - IE. ADMIRAL RD. TOWER SHORES
BETHANY BEACH, DE 19930

14-201

11-10-21



WM. J. MANN, Del. P.L.S. 335

MANN ASSOCIATES, INC.

Engineering-Surveying

P.O. Box 167
Rehoboth Beach, Delaware 19971

683-39

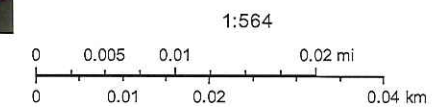


Sussex County



PIN:	134-5.00-110.00
Owner Name	PANJAG ASSOCIATES
Book	0
Mailing Address	405 W 23RD ST
City	WILMINGTON
State	DE
Description	TOWER SHORES DEV
Description 2	ADMIRAL RD
Description 3	LOT 2
Land Code	

- polygonLayer
Override 1
- polygonLayer
Override 1
- Tax Parcels
 - 911 Address
 - Streets
 - County Boundaries
 - Municipal Boundaries



**Board of Adjustment Application
Sussex County, Delaware**

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Case # 12647
Hearing Date 1/3
2021/6706

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☒

Proposed ☐

Code Reference (office use only)

115-34 115-183
115-185

Site Address of Variance/Special Use Exception:

34060 Shawnee Dr, Dagsboro, DE, 19939

Variance/Special Use Exception/Appeal Requested:

Shed rear setback reduced by 4 feet 9 inches.
Shed side setback reduced by 2 feet 10 inches.
Shed to remain in its current location.

Tax Map #: 134-11.00-301.00

Property Zoning: Medium Residential

Applicant Information

Applicant Name: Jason Satterfield

Applicant Address: 34060 Shawnee Dr

City Dagsboro State DE Zip: 19939

Applicant Phone #: 302-258-3904 Applicant e-mail: Jason.Satterfield@outlook.com

Owner Information

Owner Name: Jason Satterfield

Owner Address: 34060 Shawnee Dr

City Dagsboro State DE Zip: 19939 Purchase Date: 5/20/2020

Owner Phone #: 302-258-3904 Owner e-mail: Jason.Satterfield@outlook.com

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

Jason Satterfield

Date: 11/11/2021



Criteria for a Variance: (Please provide a written statement regarding each criteria).

You shall demonstrate to the Board of Adjustment that the property meets all of the following criteria for a Variance to be granted.

In granting any variance the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Zoning Ordinance or Code. The Board is empowered in no case, however, to grant a variance in the use of land or structures thereon.

1. Uniqueness of property:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the exceptional practical difficulty is due to such conditions and not to circumstances or conditions generally created by the provisions of the Zoning Ordinance or Code in the neighborhood or district in which the property is located.

Please see attached.

2. Cannot otherwise be developed:

That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

Please see attached.

3. Not created by the applicant:

That such exceptional practical difficulty has not been created by the appellant.

Please see attached.

4. Will not alter the essential character of the neighborhood:

That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

Please see attached.

5. Minimum variance:

That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

Please see attached.

Dear Board of Adjustment,

I really appreciate you taking the time out of your busy schedules to meet with me regarding my shed location. I hope after reading the following you'll see the difficulties I've faced and had to endure with my property being buildable and the constraints my property has placed on setbacks.

1.) My property has been extremely difficult to build on and impacted very heavily from the Blackwater Creek that runs alongside the outer edge connecting to the Indian River Bay. Our property is very close to the marsh and the majority of the front of the property is in a flood zone. The ordinary high water line as indicated by the soil scientist forced the septic to be in the front right corner with an extremely long drainfield to accommodate the narrowness of applicable area and is on the front and side 10 foot setbacks. This along with the flood zone running through the front of my property forced my house to the back 10 foot property line with only the minimum distance of 10 feet to my septic tank. Because of this I was forced to get a variance for my well and place it 100 feet from the septic in the back left corner 1 foot from the rear and side property lines. The difficulty with my property left us with almost no backyard.

2.) My shed is 10 x 14 and was constructed with 2 double doors on the left side and 1 single door and windows on the front side. If the shed is relocated to the rear and side 5 foot property lines my single door becomes completely unusable and the side double doors will make it nearly impossible to get a majority of my larger equipment like riding tractor and 13 foot kayak in and out. Every day tasks would become very difficult as a result of the shed being at the 5 foot property lines. The shed cannot be rotated with the long side facing the street or one of the doors would become inaccessible from my property and the shed would look abnormal facing a neighboring property. The shed remaining in its current location would keep my property the most usable as well esthetic for the community.

3.) My builder was responsible for purchasing and installing the shed as part of my construction contract. My family and I were not at the construction site at the time of the install and we were not living in the home yet. I myself didn't know shed county codes until I later found out the shed was installed improperly and there was no permit for it. I've filed the appropriate paperwork at this time and have a permit with the county for the shed. Since finding out the shed was not to code I've called for quotes on relocating the shed and the cost would be roughly \$350-\$400 for a large truck and shed mule. I would end up having to take all stored items out of the shed and then put them back in after and the doors would become very unusable because of the lack of space around and in front of the doors. Construction contract attached as supporting evidence.

4.) A large majority of Blackwater Village has sheds of varying sizes and shapes and is considered extremely normal and most properties have at least one shed located on the rear of a property. Our shed matches the design and color scheme of our home and is very appealing and in good taste for the community. All 3 adjacent properties have signed a letter showing support for this variance application and see no concerns with the shed in its current location near the property lines. The President as well as the Director of the Blackwater Village HOA have signed letters approving of this variance application and believe it to be perfectly acceptable for the community.

5.) The minimum variance that will afford my property relief would be to leave the shed in its current location which is perfectly acceptable to the community and adjacent property owners. The minimum variance would be to have the rear setback reduced by 4 feet 9 inches and the side setback reduced by 2 feet 10 inches.

I'd like to thank the Board of Adjustment for any and all considerations regarding my property and variance application. I look forward to meeting the Board and discussing the specifics of my property in person at the January 3rd hearing. Hope everyone gets a chance to enjoy the holidays in the meantime.

Thank you very much,

Jason Satterfield

 11/11/2021

Dear Board of Adjustment,

I'd like to formally apologize for my shed being placed too close to the property lines. There's no excuse for not being cognizant of county codes as well as the specifics at the construction site of our new home. My wife and I have been dealing with a lot lately and we haven't been able to spend as much time on other things. We are blessed to have our first child, our 7 month son Callahan, but he has made our lives a little more complicated and strained. During the construction phase of our home we weren't able to spend as much time at the work site as we would've liked. We had a lot of difficulties with our builder and general problems especially toward the end of the construction. Our builder gave us a completion date and we listed our previous home with a realtor. The builder ended up falling significantly behind schedule just prior to us accepting an offer on our new home forcing us to sign a rental agreement to stay in our old home. The timelines got further constrained and the builder rushed a lot at the very end for us to get into the house the day before our rental agreement ended. We've lived in the house approximately a month and we're far from finished unpacking, but we recently discovered the shed's location was not following County codes. The builder had apparently rushed to finish the home for us and our baby and mistakes were made. I'm terribly sorry there was no permit and the shed was not placed appropriately and I hope my family and I can rectify this situation with the County. I've since gone to the Permit Department and obtained an appropriate permit for the shed. Prior to applying for the variance I made sure no neighboring and adjacent properties had any issues with my shed and its current location and all have signed accordingly. I've talked to the Blackwater Village HOA Board and I have their full support as well and they all also signed letters stating such. I hope I've taken all the appropriate steps including this variance application to rectify my shed's current status. Please accept this letter and variance application as a sincere apology from me and my family regarding the county code for our shed. Please let me know if there are any questions or concerns from the Board of Adjustment prior to the January 3rd hearing and I'll make sure to answer them and provide appropriate documentation. Thank you very much for your time!

Thank you,

Jason Satterfield

Jason Satterfield 11/11/2021

VACANT LOT

EXISTING
DWELLING WELL
>100'DNREC
Well Location

Approved

Location

100'
WATERCOURSE
SETBACK
PER SITE
EVALUATIONEXISTING
WELLEXISTING
WELL50' WELL ARC
(TYP.)EXISTING
DWELLINGSLOPE
1 TO 2%
(SEE ADDITIONAL
NOTE A)

ADDITIONAL NOTES:

- A. SLOPES ARE COMPLEX. DISPOSAL BED SHALL BE INSTALLED MAXIMUM 24 INCHES BELOW EXISTING GRADE. IF/WHERE THE DOWNSLOPE SIDE OF BED IS INSTALLED SHALLOWER THAN 24 INCHES, CAPPING FILL WILL BE REQUIRED. SEE EXHIBIT M IN THE DNREC REGULATIONS FOR CAPPING FILL DETAIL.

OWNER/AUTHORIZED AGENT SIGNATURE:

DocuSigned by:

Jason Satterfield

15780C5A0241464...

CONSTRUCTION PLAN

JASON SATTERFIELD
LOT 32, BLOCK E, BLACKWATER VILLAGE
SHAWNEE DRIVE
DAGSBORO, DE 19939
TM: # 134-11.00-301.00

DATE: 03/05/2021

DRAWN: BMR

APPROVED: BMR

SCALE: 1" = 30'

PROJECT: SATT001

SHEET: 1 OF 3

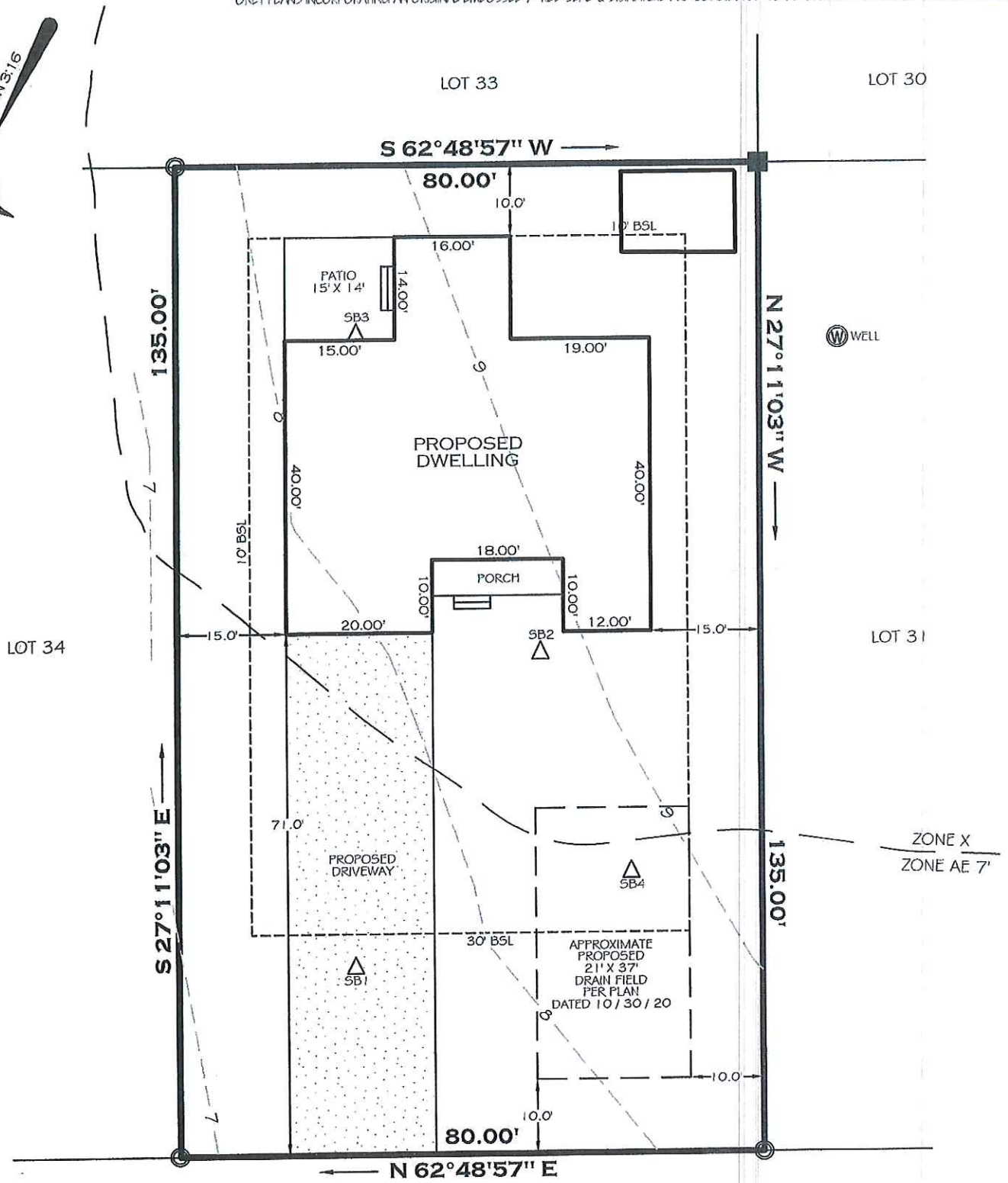
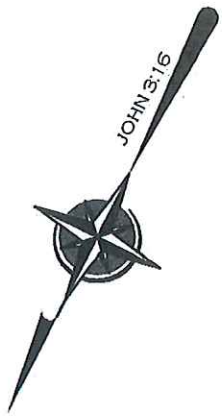
NOTES:

1. SANITARY CLEANOUT
2. TYP 4" Ø SOLID SCH 40 PVC
3. 1000 GAL SEPTIC TANK
4. 4" Ø SOLID SCH 40 PVC TRANSMISSION LINE (5 LF)
5. DISTRIBUTION BOX W/ RISER & LID
6. TYP DISPOSAL LATERAL (34 LF)
7. DISPOSAL BED (21'x37')
8. HATCHING INDICATES DNREC APPROVED OWTDS AREA
9. SPARE TO BE SAND-LINED UPGRADE IN INITIAL AREA
10. SEE GENERAL NOTES TO CONTRACTOR
(COPY ATTACHED)

0' 15' 30'



Scaled Engineering Inc.
20246 Coastal Highway
Rehoboth Beach, DE 19971
Phone: (302) 236-3600



SHAWNEE DRIVE 50' RIGHT OF WAY

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: MR
3. BUILDING SETBACK LINES (BSL)
 - FRONT 30'
 - SIDE 10'
 - REAR 10'

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.

4. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT

I, BRADLEY A. ABSHER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

BRADLEY A. ABSHER, DE PLS # 735
DATE 11/19/2020



[Home](#)

[Search](#)

Address, Watershed or Parcel:

34054 Shawnee Drive, Dagsboro, DE

Parcel Examples:

New Castle County: 1502400103

Kent County: 3-01-01700-02-2901-00001

Sussex County: 123-16.00-950.00

[Address Search Disclaimer](#)

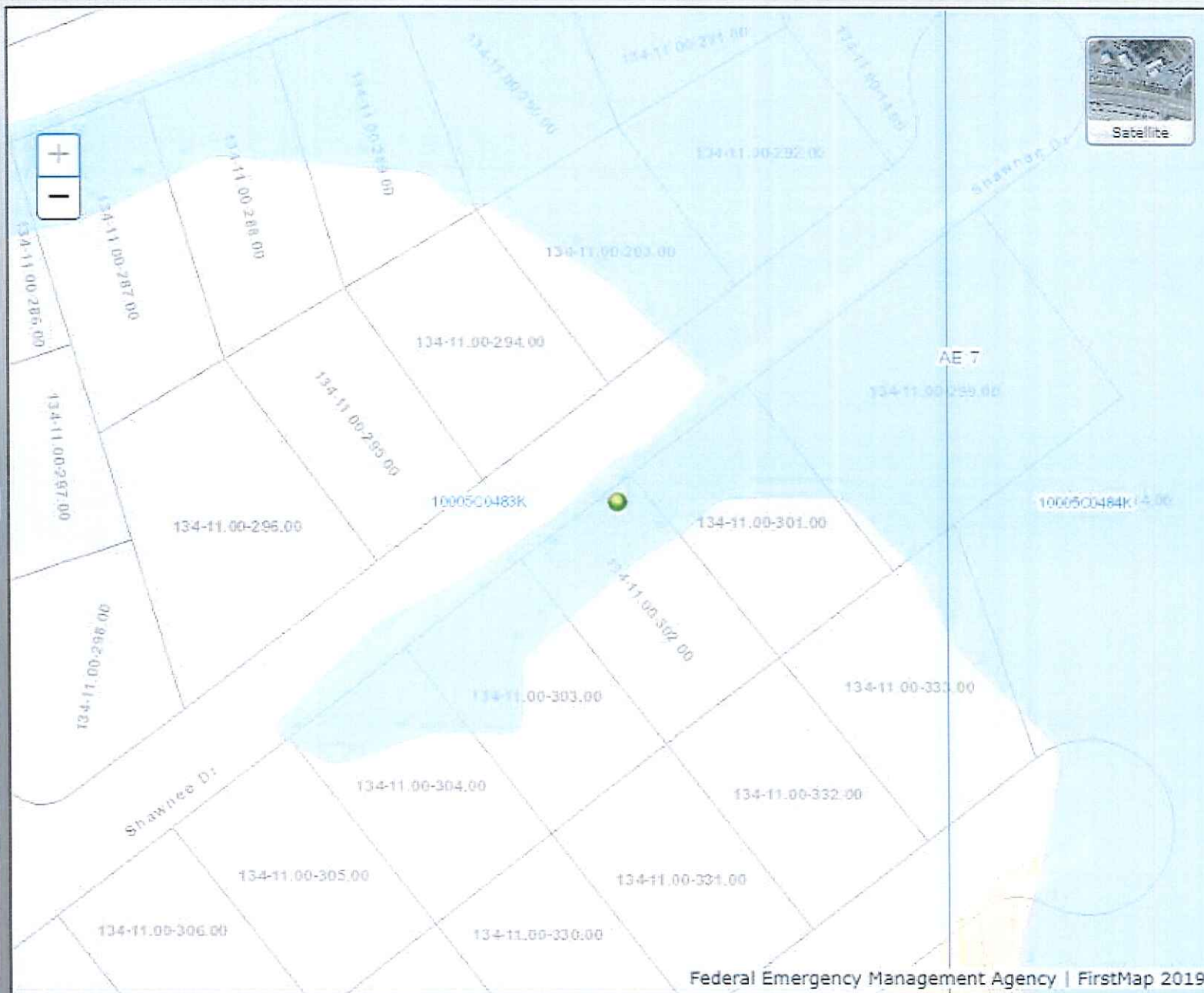
[Legend](#)

[Results](#)

[Print](#)

[Contacts](#)

[Getting Started/Help](#)




Federal Emergency Management Agency | FirstMap 2019

Draft Inspection Report

Permittee: Jason Satterfield Permit #: 244135 Auth #: 833944
 Contractor: Randall Craft Lic #: 2467 Phone #: (302) 542-1919
 Date/Time of Call: 06/02/2021 2:30 pm System Ready: 06/03/21 5:00 pm
 Property Location: 34060 Shawnee Drive, Dagsboro; Blackwater Village

Septic Tank		Lift Station		Miscellaneous	
1.	<u>1,000</u> Gal	1.	<u> </u> Gal/Dimensions	1.	<u> </u> Untreated Paper
2.	<u>X</u> Concrete <u> </u> Plastic	2.	<u> </u> Ft/Dwelling	2.	<u> </u> Filter Fabric
3.	<u>10.5'</u> Ft/Dwelling	3.	<u> </u> Ft/D-Box	3.	<u>X</u> Joints Sealed
4.	<u>X</u> Risers	5.	<u> </u> Vent	4.	<u>X</u> Dwelling On Site
5.	<u>X</u> Filter	6.	<u> </u> Concrete	5.	<u>X</u> Driveway per Plan
6.	<u>X</u> 2 Comp.	7.	<u> </u> Plastic <u> </u> Anchored	6.	<u>X</u> Bldg Connected
7.	<u>X</u> Baffles	7.	<u> </u> Alarm Type	7.	<u>67'</u> Adjacent Wells
			<u> </u> Separate Circuit		

D-Box		Drain Field		Wells	
1.	<u>X</u> Plastic	1.	<u>X</u> Ag <u> </u> Ag-free	1.	<u>x</u> Installed
2.	<u> </u> Concrete	2.	<u> </u> # of Trenches	2.	<u> </u> Central Water
3.	<u>TEE</u> Baffle	3.	<u> </u> " Width	3.	<u>106'</u> Ft./Tank(s)
4.	<u>5'</u> Ft/Tank	4.	<u> </u> ' Length	4.	<u> </u> Ft./Lift Station
5.	<u>4</u> # Outlets	5.	<u>21'x37'</u> Bed Dimensions	5.	<u>101'</u> Ft/Drain Field
6.	<u>5'</u> Solid Pipe	6.	<u>8"-12"</u> " Depth TOS/Ag-free	6.	<u>273809</u> Tag Number
		7.	<u> </u> Spacing		
		8.	<u>50'+</u> Ft./Trees		
		9.	<u>x</u> 5' Solid Pipe (sch. 40)		

Initial Inspection	Cap Inspection
Comments: <u>Installed per plan, Well's installed in confined</u>	Final Site Restoration: <u> </u>
<u>Aquifer per permit</u>	
	Thickness (of Cap): <u> </u>
	Extent of Berm: <u> </u>
Inspectors Signature: 	Inspectors Signature: <u> </u>
Date: <u>06/03/2021</u>	Date: <u> </u>
License #: <u>4298</u> Authorization Number: <u>833944</u>	License Number: <u> </u>

Site Conditions: DRY

System Meets Permit Conditions X Yes No
 System to be Covered X Yes No
 Construction Report Required X Yes No
 As Built Required Yes X No
 Needs Cap Inspection Yes X No
 Supervised Inspection Yes X No







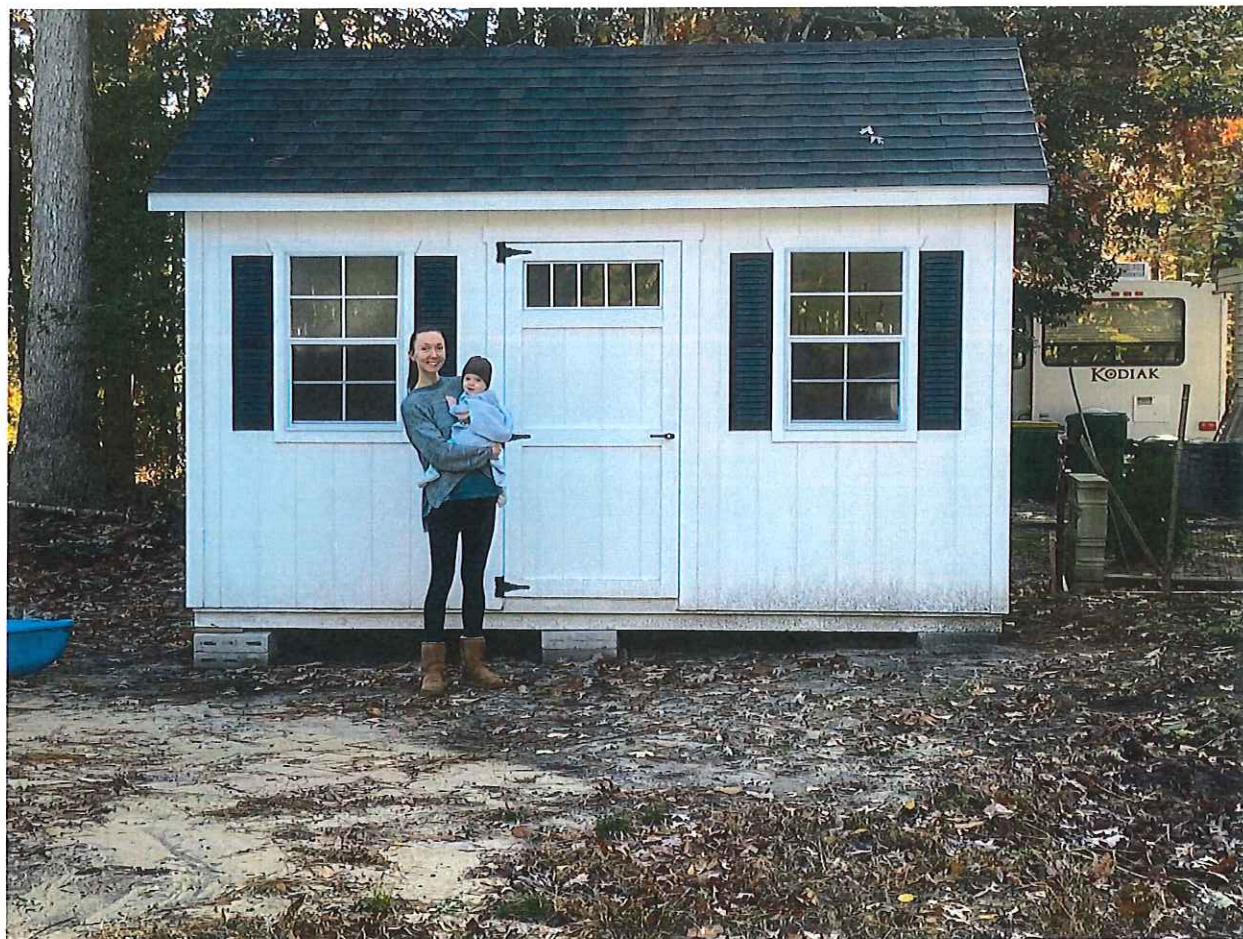


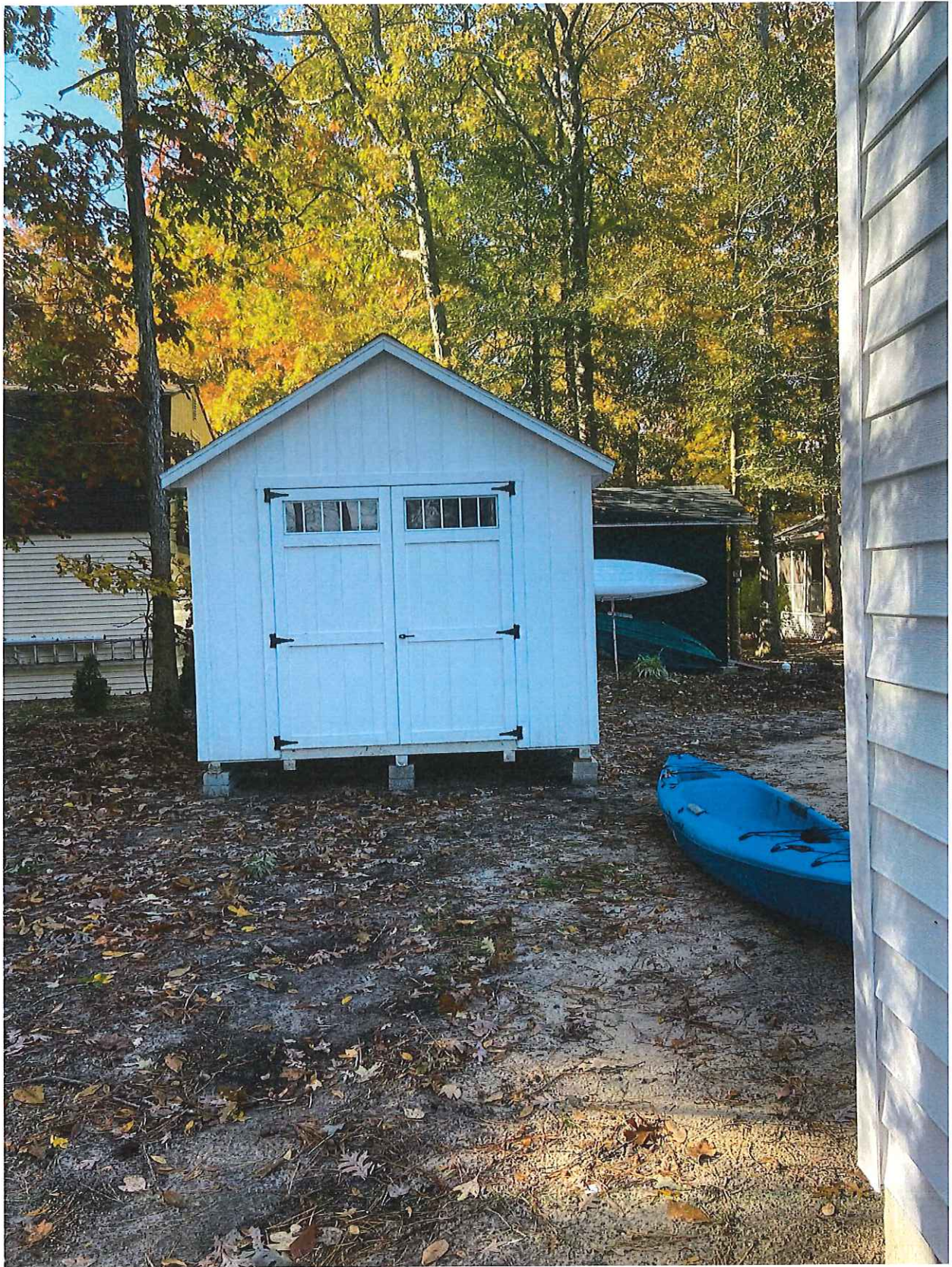














WN Builders Inc.

P.O. Box 734

Lewes, DE 19958 US



Estimate

ADDRESS

Jason Satterfield

Tax Map #1-34-11.00-301.00

ESTIMATE 1238
DATE 09/17/2020
EXPIRATION DATE 10/31/2020

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
Foundation	<p>***House Construction:</p> <p>*Foundation:</p> <ul style="list-style-type: none">-Grading and site preparation-Dig for new footing-Pour concrete in new footing-Install concrete blocks for new foundation walls-Install vapor barriers-Install approx."2" of concrete slab over vapor barriers-Install approx." 4" concrete slab for garage-Aluminum termite shield. Pressure treated sill plate. Sill sealer over-5 course 8" concrete block walls-Clean entire area-Haul away all debris	1	0.00	0.00
Frame	<p>*Frame:</p> <ul style="list-style-type: none">-Build first floor deck with 2"x10"-Build exterior walls with 2"x6"s-Build interior walls with 2"x4"s-Build upstairs per plans(To be Unfinished)-Build Stairway to upstairs per plans-Build Roof with rafters 16" O/C-Build front porch with pressure treated 6"x6" posts-Build front porch roof with 2"x8" rafters-Install house wrap-Wrap 6"x 6" post with vinyl sleeves-Install windows and doors-Seal windows and doors with caulk and window tape-Clean entire area-Haul away all debris	1	0.00	0.00
Roofing	<p>*Roofing</p> <ul style="list-style-type: none">-Install drip edge-Install ice and water shield-Install 30 years architectural designed shinglesInstall Gutters and downspouts-Clean entire area-Haul away all debris	1	0.00	0.00

Rough Plumbing	<ul style="list-style-type: none"> -Run new feeding lines for all bathrooms(Including one upstairs) -Run new feeding lines for laundry room sink -Run new feeding lines for kitchen -Run new feeding lines for all faucets (where needed)/(Including one bathroom upstairs) -Run new feeding line for spigots by driveway near front porch, rear of the house, and extra location to be determined. -Run new drain lines for all bathrooms (Including one upstairs) -Run new drain lines for kitchen -Run new drain lines for all faucets (where needed)/(Including one bathroom upstairs) 1-Rough-in for outside shower -Install water heater -Install new sump pump -Clean entire area -Haul away all debris 	1	0.00	0.00
Rough HVAC	<ul style="list-style-type: none"> -Install new 2.5 to 3 ton Rheem Heat Pump 14 Seer System -Run all necessary duct work -Install all new registers -Install new HVAC compressor -Install new HVAC Thermostat with WiFi capability -Clean entire area -Haul away all debris 	1	0.00	0.00
Rough Electrical	<ul style="list-style-type: none"> -Run wire for 5 exterior light fixtures (Being one of the them a WIFI motion light for the patio) -Run wire for 3 exterior receptacles -Run wire for light fixtures -Run wire for light switches -Run wire for receptacles -Run wire for ceiling fan in 3 bedrooms, sunroom & living room, and. -Run wire for all utilities -Clean entire areas -Haul away all debris 	1	0.00	0.00
Exterior Trim	<p>Exterior trim:</p> <ul style="list-style-type: none"> -Wrap all headers on porches with PVC trim -Install 4" Vinyl Linear around windows and doors -Install PVC trim around garage door -Clean entire area -Haul away all debris 	1	0.00	0.00
Siding	<ul style="list-style-type: none"> -Install new aluminum fascia -Install new vinyl soffit -Install new vinyl corners -Install new vinyl D4-D5 siding on entire house -Install vinyl board and batten siding on garage wall gable -Clean entire area -Haul away all debris 	1	0.00	0.00
Tile	<ul style="list-style-type: none"> -Install new cement board for laundry floor -Install new cement board on 2 bathroom floors -Install new cement board on shower walls, and floor on master bathroom -Install new cement board on shower walls on hall bathroom -Install new tile on bathroom floors, and laundry floor -Install new tile on bathroom shower walls, and floor on master bathroom 	1	0.00	0.00



- Install new grout on bathroom shower walls
- Install new grout on bathroom floors, and laundry floor
- Install new glass door for the master bathroom
- Install backsplash on kitchen (Customer will supply tile and grout)
- Haul away all debris

Insulation	<ul style="list-style-type: none"> -Install insulation on exterior walls R19 -Install insulation on ceiling R38 -Install insulation on garage -Clean entire area -Haul away all debris 	1	0.00	0.00
Drywall	<ul style="list-style-type: none"> -Install drywall on ceilings -Install drywall on walls -Install drywall on garage -Install green boards in bathrooms -Install green board in laundry -Tape and finish drywall on garage -Tape and finish drywall on all ceilings -Tape and finish drywall on all walls -Clean entire area -Haul away all debris 	1	0.00	0.00
Interior Trim	<ul style="list-style-type: none"> -Install new interior doors -Install new hardware for new interior door -Install new trim around new windows -Install new trim around new exterior door -Install new trim around new interior doors -Install new trim around doors and window on garage -Install new baseboard trim -Clean entire area -Haul away all debris 	1	0.00	0.00
Paint	<ul style="list-style-type: none"> -Prime all new drywall -Paint all ceilings with two coats of paint -Paint all walls with two coats of paint -Paint all doors with two coats of paint -Paint all interior trim with two coats of paint -Clean all surface on garage floor -Install two coats of epoxy paint -Clean entire area -Haul away all debris 	1	0.00	0.00
Kitchen Cabinets	<ul style="list-style-type: none"> -Install kitchen cabinets -Install bathroom vanities in all bathrooms -Install hardware on all cabinets -Clean entire area -Haul away all debris 	1	0.00	0.00
Finish electrical	Finish electrical: <ul style="list-style-type: none"> -Install all light fixtures (Homeowner will supply) -Install all light switches -Install all receptacles -Install switches for ceiling fan in all bedrooms, dining room, and sunroom -Install Ceiling fans (Homeowner will supply) -Install 1 outlet on rear of the house -Install 1 outlet on front porch -Install 4 outlets on garage (To be determined by homeowner) -Clean entire area -Haul away all debris 	1	0.00	0.00



Hardwood	-Install new underlayment on entire house -Install new hardwood on entire house -Install new quarter round trim on on entire house -Clean entire area -Haul away all debris	1	0.00	0.00
Counter Top	-Install all counter tops for Kitchen cabinets -Install counter top for kitchen island -Clean entire area -Haul away all debris	1	0.00	0.00
Bathroom Fixtures	-Install toilets -Install faucets(Homeowner will supply) -Install other plumbing fixtures) -Install bathroom hardware on all bathrooms(Homeowner will supply) -Clean entire area -Haul away all debris	1	0.00	0.00
Appliances	Appliances -Install all appliances -Clean entire area -Haul away all debris	1	0.00	0.00
Concrete Patio and walkway	-Dig for new concrete next to one side of sunroom, new slab for HVAC, walkway from the driveway to new patio, and new driveway -Pour approx' 4" of concrete for new walkway, new patio,slab for HVAC, and driveway -Brush concrete and finish the joins -Clean entire area -Haul away all debris	1	0.00	0.00
Glass Shower door	-Install glass shower door in the master bathroom -Clean entire area -Haul away all debris	1	0.00	0.00
Septic System	Install septic system	1		
Shed	-Shed allowance (Home owner will select the shed)	1		
Bases of Estimate	*THIS ESTIMATE IS BASED ON HOUSE MODEL SENT BY HOMEOWNER	1	0.00	0.00

*This estimates includes all material, with exceptions of kitchen faucet, bathroom faucets, bathroom hardware.

*This estimate includes labor, dump fee, drawings, permit application, and permit fee.

*This estimate is based on foundation walls built with cinder blocks parging .

*This estimate includes black United Windows 3900 series , or similar quality and price

*This estimate is based on 4" concrete driveway (20'x90')

*This estimate is based on Plygem Herald traditional , or similar quality and price products for siding and exterior trim

*This estimate is based on Plygem vinyl linear around windows

*This estimate is based on aluminum fascia

*This estimate is based on Sherwin Williams paint products or equal

*This estimate is based on \$2.00 square foot tile (homeowner will select the tile)

*This estimate is based on budget of \$13 for door handles

- *This estimate is based on \$2.00 square foot hardwood flooring (homeowner will select hardwood flooring)
- *This estimate is based on budget of for kitchen Cabinets and vanities \$4,000.00
- *This estimate is based on budget of \$1,000.00 for water heater
- *This estimate is based on budget of \$2,500.00 for all kitchen counter tops.
- *This estimate is based on budget of \$3,500.00 for all appliances.
- *This estimate is based shoreline series 100 for railing(If needed)
- *This estimate is based on concrete front porch
- *This estimate is based on house will be set up to 90' from the street
- *This estimate is based on one cable wiring per room with location chosen by homeowner
- *This estimate is based on ceiling height = 9'
- *This estimate is based on Interior doors hollow core, three hinges, color homeowner's choice.
- *This estimate is based on allowance of \$2,500.00 for landscaping, irrigation, shrubs.
- *This estimate is based on up to 4 colors for Interior paint
- *This estimate is based on batt insulation exterior walls R19 , and ceilings R38
- *This estimate is based on front door allowance of \$800.00
- *This estimate is based on 3 pendants for kitchen
- *This estimate includes light for all closet
- *This estimate includes Kitchen exhaust to exterior
- *This estimate includes door bell
- *This estimate includes garage/driveway motion lights/WiFi capability
- *This estimate includes front porch light
- *This estimate is based on standard number of electrical components per room as required by code. That is, for all request of extra light, or outlet , not listed on the bases of the estimate, there will be an additional amount of \$150 per item.
- * Electrical work to be done to meet or exceed Code.
- *This estimate includes lever type door handles, lockable for all doors except pantry/closet doors
- *This estimate is based on 1" x 6"(MDF) trim for baseboards, and 1" x 4" (MDF) for trim around doors and windows. Crown molding for living, kitchen, and dining room.
- This estimate includes pressure treated steps from slider door to concrete patio
- *This estimate is based on build unfinished upstairs with rough-ins for electrical, and plumbing for one bathroom.
- *This estimate is based on unfinished upstairs to be on floor joists.
- *This estimate is based on Shed allowance of \$4,000.00
- *This estimate is based on septic system allowance of \$15,000
- *Water Softener Allowance =\$ 3,000
- *Miscellaneous allowance (Mirrors, flooring, etc) =\$9,500
- *THIS ESTIMATE INCLUDES LOT GRADING
- ***WN Builders is not responsible for any damage of any kind caused by or to third party during the work hours or after, inside of the work site. Homeowner has to inform neighbors of the risk of a work site, and guarantee that there will be no unpermitted access to the work site.



All the work shall meet or exceed current building codes

Price	1	250,999.00	250,999.00
TOTAL			\$250,999.00

Accepted By

Jason Datterer

Accepted Date

10/27/2020

Date : 10/27/2020



Dear Board of Adjustment,

I am a nearby property owner and neighbor of Jason Satterfield and I have no concerns with the shed being close to the property lines. The shed's current location is perfectly acceptable and poses no hindrance to the community or my property.

Thank you,

Printed Name:

David Kline

Property Address:

34054 Shawnee Dr. 19939

Signature:

D. Kline

Date:

11/10/21

PARID: 134-11.00-302.00
KLINE DAVID EDWARD

ROLL: RP
34054 SHAWNEE DR

Property Information

Property Location:	34054 SHAWNEE DR
Unit:	
City:	DAGSBORO
State:	DE
Zip:	19939
Class:	RES-Residential
Use Code (LUC):	RS-RESIDENTIAL SINGLE FAMILY
Town	00-None
Tax District:	134 - BALTIMORE
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	84-Millville
Deeded Acres:	.2479
Frontage:	80
Depth:	135.000
Irr Lot:	
Zoning 1:	MR-MEDIUM RESIDENTIAL
Zoning 2:	-
Plot Book Page:	/PB
100% Land Value:	\$3,000
100% Improvement Value	\$40,100
100% Total Value	\$43,100

Legal

Legal Description	BLACKWATER VILLAGE
	LOT 31
	BLK E

Owners

Owner	Co-owner	Address	City	State	Zip
KLINE DAVID EDWARD	TINA-MARIE KLINE	34054 SHAWNEE DR	DAGSBORO	DE	19939

Dear Board of Adjustment,

I am a nearby property owner and neighbor of Jason Satterfield and I have no concerns with the shed being close to the property lines. The shed's current location is perfectly acceptable and poses no hindrance to the community or my property.

Thank you,

Printed Name:

James T. Harmon III

Property Address:

34037 INIAN Q. W. Dagsboro, DE 19939

Signature:

James T. Harmon III

Date:

11/10/21

PARID: 134-11.00-332.00
HARMON JAMES T III & MARY F

ROLL: RP
34037 INDIAN QUEEN LN

Property Information

Property Location:	34037 INDIAN QUEEN LN
Unit:	
City:	DAGSBORO
State:	DE
Zip:	19939
Class:	RES-Residential
Use Code (LUC):	RS-RESIDENTIAL SINGLE FAMILY
Town	00-None
Tax District:	134 - BALTIMORE
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	84-Millville
Deeded Acres:	.2479
Frontage:	80
Depth:	135.000
Irr Lot:	
Zoning 1:	MR-MEDIUM RESIDENTIAL
Zoning 2:	-
Plot Book Page:	/PB
100% Land Value:	\$3,000
100% Improvement Value	\$33,700
100% Total Value	\$36,700

Legal

Legal Description	BLACKWATER VILLAGE LOT 30 BLK E
-------------------	---------------------------------------

Owners

Owner	Co-owner	Address	City	State	Zip
HARMON JAMES T III & MARY F	CARMELLA	34037 INDIAN QUEEN LN	DAGSBORO	DE	19939

Dear Board of Adjustment,

I am a nearby property owner and neighbor of Jason Satterfield and I have no concerns with the shed being close to the property lines. The shed's current location is perfectly acceptable and poses no hindrance to the community or my property.

Thank you,

Printed Name:

ROBERT MCCANN

Property Address:

333 INDIAN QUEEN LANE

Signature:

Robert W. McCann

Date:

11/11/2021

PARID: 134-11.00-333.00
MCCANN ROBERT WILLIAM

ROLL: RP

Property Information

Property Location:

Unit:

City:

State:

Zip:

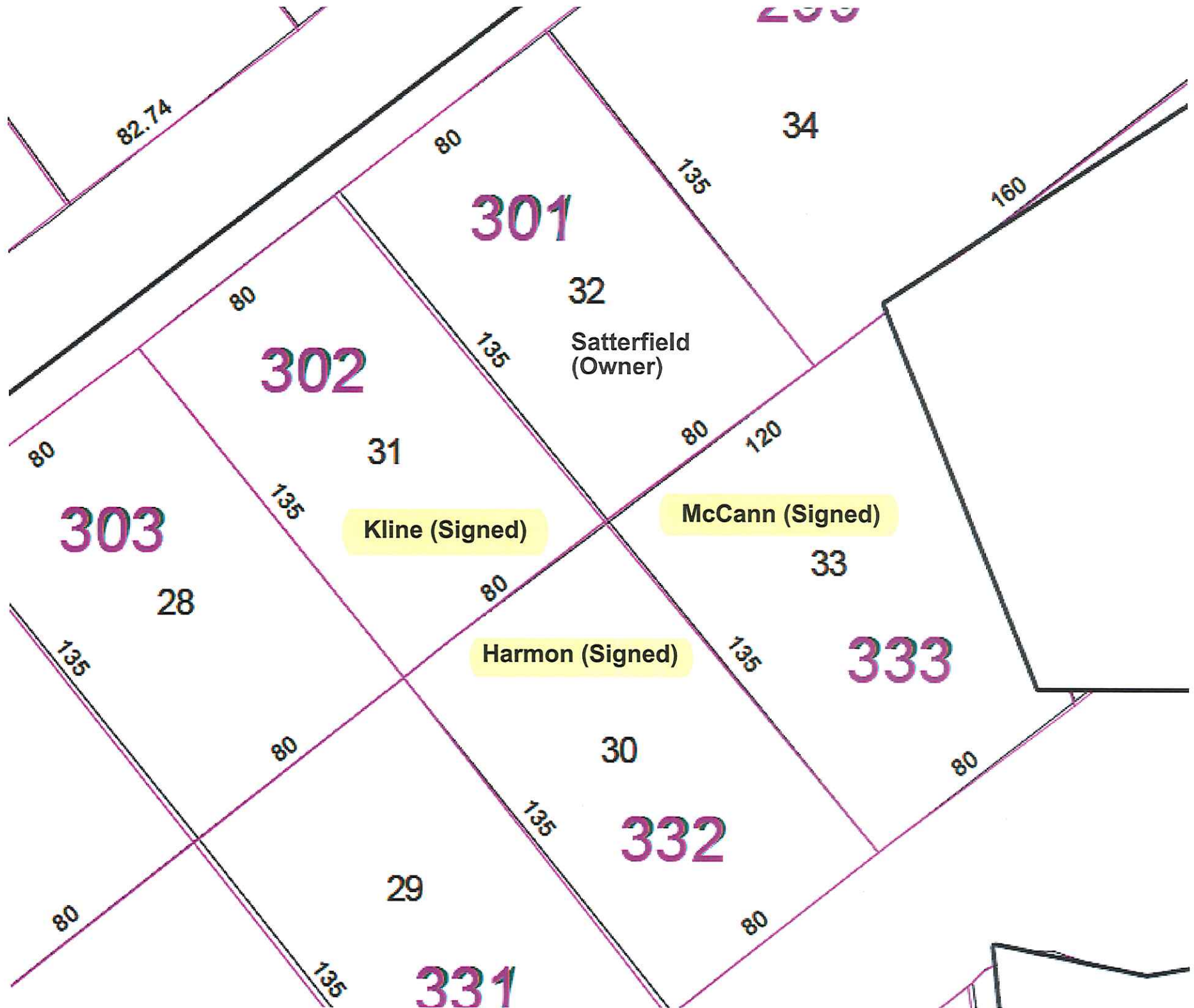
Class:	RES-Residential
Use Code (LUC):	RV-RESIDENTIAL VACANT
Town	00-None
Tax District:	134 - BALTIMORE
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	84-Millville
Deeded Acres:	.2590
Frontage:	80
Depth:	141.000
Irr Lot:	
Zoning 1:	MR-MEDIUM RESIDENTIAL
Zoning 2:	-
Plot Book Page:	/PB
100% Land Value:	\$3,000
100% Improvement Value	
100% Total Value	

Legal

Legal Description	BLACKWATER VILLAGE
	LOT 33
	BLK E

Owners

Owner	Co-owner	Address	City	State	Zip
MCCANN ROBERT WILLIAM		30613 SANDY LANDING RD	DAGSBORO	DE	19939



Dear Board of Adjustment,

I am a Board Member in the Home Owners Association for Blackwater Village and I fully support this variance application. Jason Satterfield has written approval from all 3 owners of adjacent properties in the back right corner of his property. I have no concerns with the shed being close to the property lines. The shed's current location is perfectly acceptable and poses no hindrance to the community.

Thank you,

Printed Name: BETTIE J. DUNKIN

Board Title: DIRECTOR

Address: 34023 ARROW DR, 19939

Signature: Bettie J. Dunkin

Date: 11/11/2021

Dear Board of Adjustment,

I am a Board Member in the Home Owners Association for Blackwater Village and I fully support this variance application. Jason Satterfield has written approval from all 3 owners of adjacent properties in the back right corner of his property. I have no concerns with the shed being close to the property lines. The shed's current location is perfectly acceptable and poses no hindrance to the community.

Thank you,

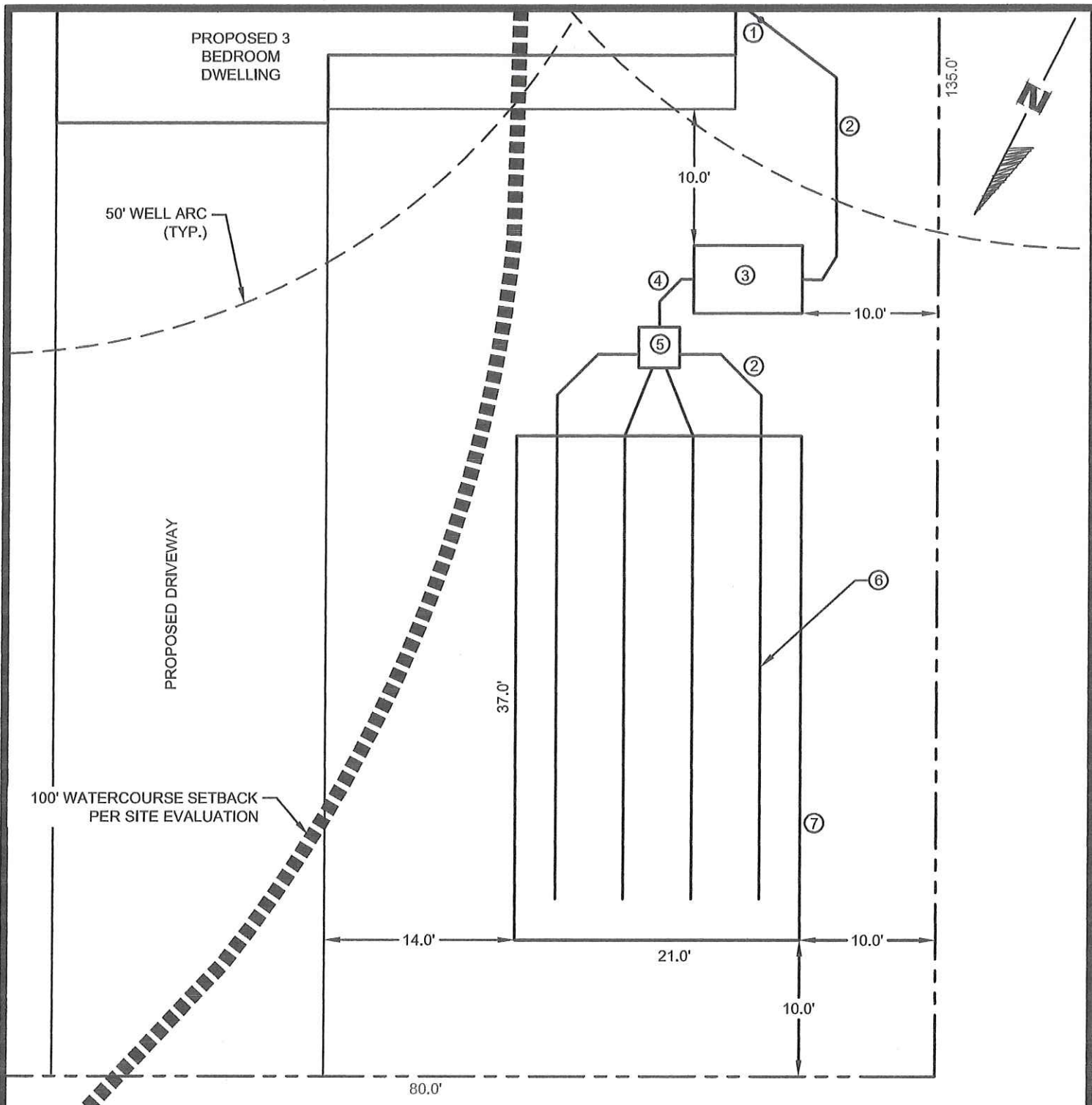
Printed Name: ROSE C. FIECHTER

Board Title: VICE Pres. - Acting PRESIDENT

Address: 34025 INDIAN QN. LN., Dagsboro

Signature: Rose C. Fiechter

Date: 12 November 2021



DISPOSAL BED PLAN

JASON SATTERFIELD
 LOT 32, BLOCK E, BLACKWATER VILLAGE
 SHAWNEE DRIVE
 DAGSBORO, DE 19939
 TM: # 134-11.00-301.00

NOTES:

1. SANITARY CLEANOUT
2. TYP 4" Ø SOLID SCH 40 PVC
3. 1000 GAL SEPTIC TANK
4. 4" Ø SOLID SCH 40 PVC TRANSMISSION LINE (5 LF)
5. DISTRIBUTION BOX W/ RISER & LID
6. TYP DISPOSAL LATERAL (34 LF)
7. DISPOSAL BED (21'x37')
8. SEE GENERAL NOTES TO CONTRACTOR
(COPY ATTACHED)

DATE: 03/05/2021

DRAWN: BMR

APPROVED: BMR

SCALE: 1" = 10'

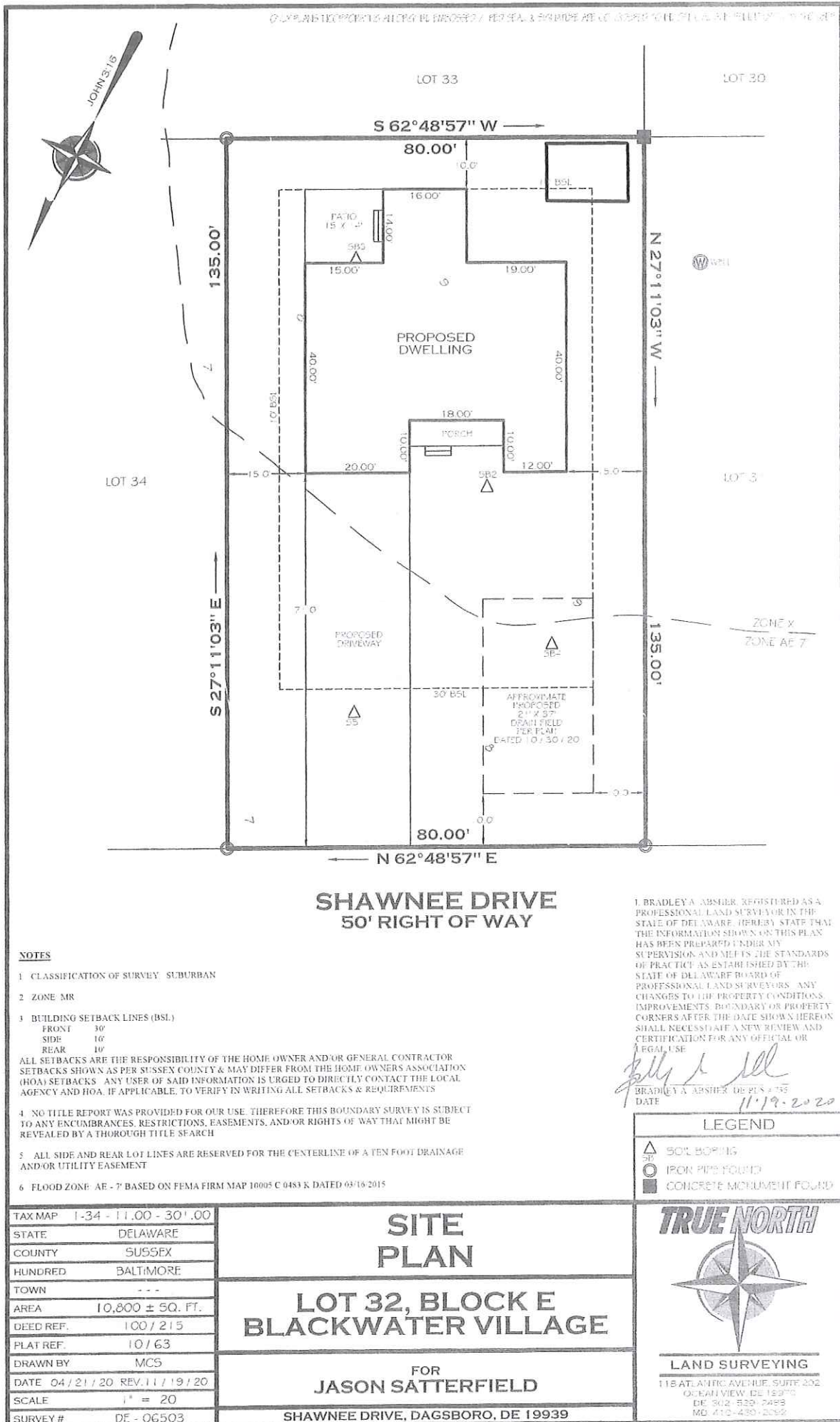
PROJECT: SATT001

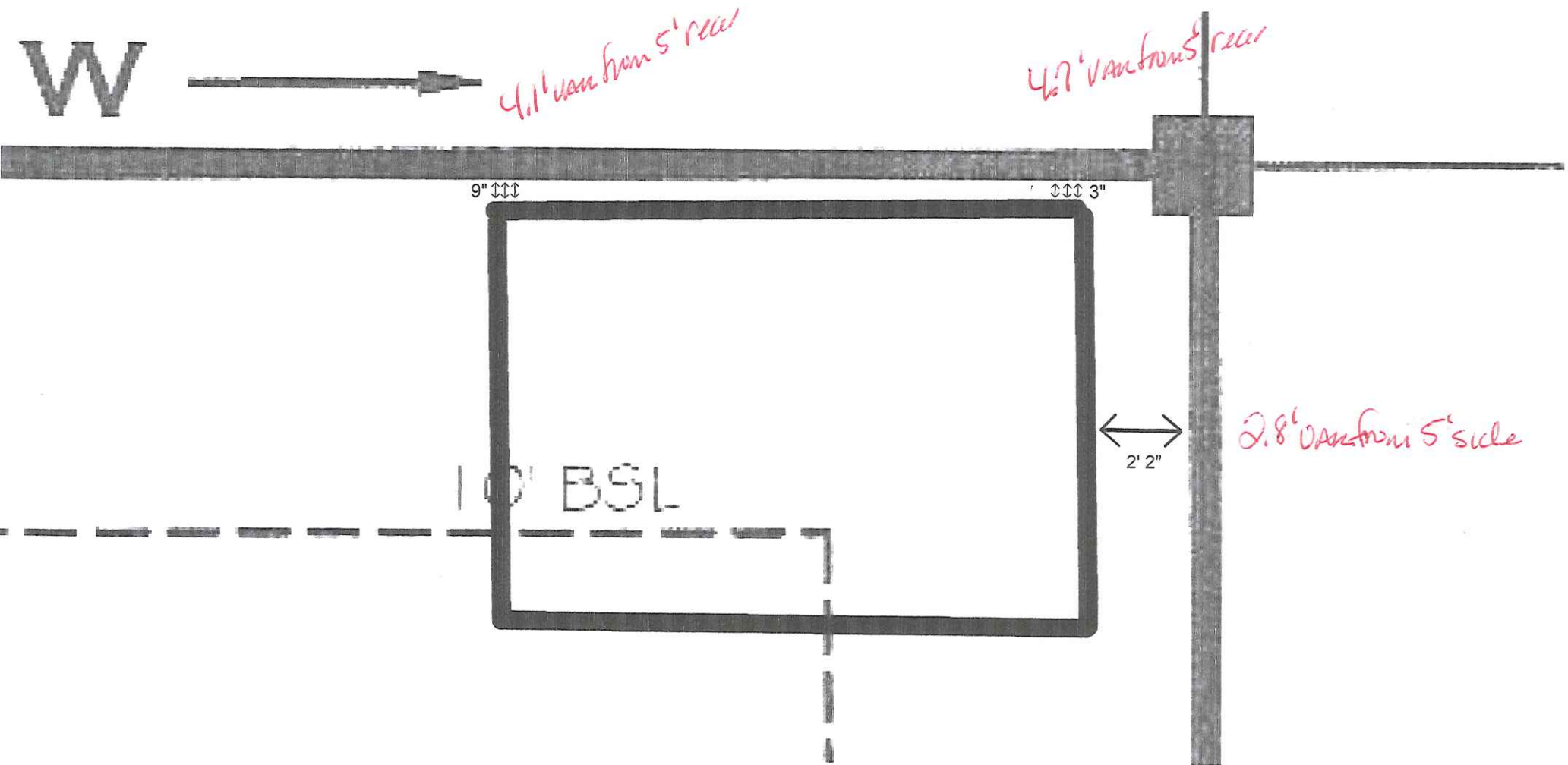
SHEET: 2 OF 3

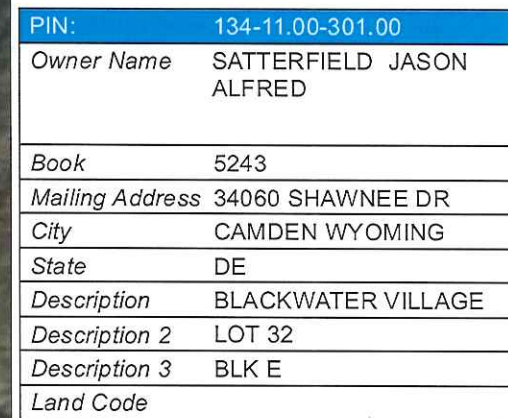
0' 5' 10'



Scaled Engineering Inc.
 20246 Coastal Highway
 Rehoboth Beach, DE 19971
 Phone: (302) 236-3600

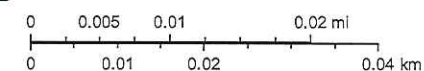






polygonLayer
 Override 1
 polygonLayer
 Override 1
 Tax Parcels
 911 Address
 Streets
 County Boundaries
 Municipal Boundaries

1:564



CONSTABLE
LESTER R. SHAFFER
CHIEF COUNTY CONSTABLE
(302) 855-7819 T
(302) 855-7798 F



Sussex County
DELAWARE
sussexcountype.gov

NOTICE OF VIOLATION

November 4, 2021

SATTERFIELD JASON ALFRED
34060 SHAWNEE DR
CAMDEN WYOMING, DE 19934

REFERENCE NUMBER: 5420
PARCEL: 134-11.00-301.00
PARCEL DESCRIPTION: BLACKWATER VILLAGE LOT 32 BLK E
LOCATION: 34060 SHAWNEE ROAD DAGSBORO

Violation: §115-185 (F)- Accessory buildings and structures

On 11/4/2021 a site visit was conducted by the Sussex County Constable's Office. Based on observations made at that time, there is reason to believe a violation of the County Code exists on the above parcel and is described as:

ACCESORY BUILDINGS MUST BE LOCATED FIVE FEET (5FT) FROM THE SIDE LOT
LINE AND FIVE FEET (5FT) FROM THE REAR LOT LINE.

Within fifteen (15) calendar days, the owner or occupant is required to comply with the County Code. Failure to comply will result in a summons issued for you to appear in the Justice of the Peace Court or other court of competent jurisdiction as may be determined by Sussex County. Violations are subject to the remedies in the Sussex County Code outlined below, and such other remedies as may be available to Sussex County in law or in equity.

§ 115-229 Violations and penalties.

Any person or corporation who shall violate any of the provisions of this chapter or who shall fail to comply therewith or with any of the requirements thereof or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be liable to a fine of not more than \$100, and each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who has assisted in the commission of any such violation shall be guilty of a separate offense and, upon conviction thereof, shall be fined as hereinbefore provided.

If you have questions regarding this violation, please contact the office to discuss. If you have any documentation that disputes the preliminary findings, please provide copies to the Planning & Zoning Department for their review. **Please include this notice with any documentation you present.**

The office is in the County Administration Building, 2 The Circle, Georgetown, Delaware. The office hours are 8:30AM – 4:30PM, Monday through Friday.

This Notice of Violation is being issued under the authority of the Sussex County Planning and Zoning Director.

KELLY PASSWATERS
Sussex County Constable



Sussex County Building Permit

P.O. Box 589
Georgetown, DE 19947
302-855-7720

Application Number

202116552

Issue Date: 11/10/2021
Expire Date: 11/10/2022

Permit Type: **ACCESSORY STRUCTURE OUT OF TOWN**

Parcel ID	Address	Zone Code
134-11.00-301.00	34060 SHAWNEE ROAD	MR

Owner Information	Applicant Information
Name: SATTERFIELD JASON ALFRED Phone: 302-258-3904	Name: SATTERFIELD JASON ALFRED Phone: 302-258-3904

Contractor Information	
Name: SATTERFIELD JASON ALFRED CID: 284956 Phone:	License Number: License Exp. Date: Insurance Exp. Date:

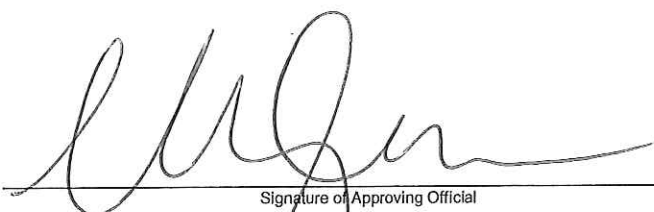
Building Information
Proposed Use: MISC COST Construction Type: Estimated Cost of Construction: \$ 1,000 Cannot Occupy More than _____ of Total Lot Area Distance from any Dwelling of other Ownership: _____ Distance from any other Mobile Home or Accessory Structure: _____

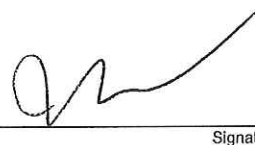
Property Information
Measurements taken from Property Lines Front Setback: 30.00 / Rear Setback: 5.00 / Side Setback: 5.00 / Corner Setback: / Maximum Building Height: Location Description: FLOOD ZONE BLACKWATER VILLAGE LOT 32 BLK E Flood Zone: AE 483 K ____ If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.

Project Description: ACC STRUCT<400'

Scope of Work:
10X14 SHED

Permit Details:


Signature of Approving Official

 302-258-3904
Signature of Owner/Contractor

Building Permit Acknowledgement:

I fully understand the Zoning Requirements of this permit.

I/we the undersigned, acknowledge I/we have read and accept the terms of this Building Permit and shall comply with the rules and restrictions related to this building activity. This permit shall expire one (1) year from the date of issue. This permit may be renewed prior to its expiration date if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit-holder's control. Grading or surface-shaping of the site shall not be considered as actual construction.

I/we further acknowledge, ASSESSORS AND INSPECTORS HAVE A RIGHT TO ENTER AND ACCESS THE PREMISES TO ASSESS AND INSPECT PROPERTY. The owner or owners of these premises do hereby consent to Sussex County Officials' right to enter upon said premises during the construction of which this permit is granted, or within a reasonable time thereafter, for the purposes of assessing and inspecting said property.

THE APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCY, WHICH MAY PERTAIN TO THIS SITE. AND FURTHER, IT IS ACKNOWLEDGED AND UNDERSTOOD THAT THIS PERMIT MAY BE REVOKED BY SUSSEX COUNTY FOR ANY VIOLATION OF THE TERMS OF THIS PERMIT OR OF ANY COUNTY, STATE OR FEDERAL LAW APPLICABLE TO THIS PERMIT.

Permit Number

BP-169769

TOTAL FEES:

\$ 10.00



Building Description

Total Bedrooms:

Heat Type:

Full Baths:

Half Baths:

Roofing:

Total Rooms:

Exterior Walls: WOOD

Basement:

Foundation Type: BLOCK

Interior Walls:

Fireplace Type:

Flooring:

Air Conditioning: N

Additional Requirement/Restrictions

_____ Accessory Building 900 Square Feet or Greater

No more than four (4) vehicles permitted in structure without a Planning & Zoning Hearing.

_____ Agricultural Storage Structures

Storage only. NO LIVESTOCK PERMITTED.

_____ Campgrounds

Must conform to the location approved by the park.

_____ Farm-Use Permits

Prior to issuance of the Certificate of Occupancy, it must be confirmed that the building will be used for farm use only. Otherwise, the permit will be voided and plans must be submitted to the Building Code Department.

_____ Fences

Fence may only be 3.5' tall along the front property line and from the road back to the mandated front yard setback. Thereafter, fence may be a maximum of 7' tall. On corner lots, the fence may only be 3' tall along the corner fronts and 25' from the intersection of property lines. Fence may be installed on property line.

_____ Parcel Setbacks

All building structures and improvements shall comply with the parcel setback measurement requirements as mandated in the Sussex County Zoning Ordinance. Failure to comply with the parcel setback measurement requirements is a violation.

_____ Pools (Above-Ground)

Must have ladder up and locked at all times when not in use. Pool must be 4' high above grade. If not, a fence is required around perimeter of pool

_____ Pools (In-Ground)

A minimum 4' tall fence must be around the perimeter of the pool. A minimum 3' walkway must be between the pool and fence. Gate must be locked at all times when the pool is not in use.

_____ Pools or Guest Homes

No Cooking facilities of any kind are permitted in the structure. No separate electrical meters are permitted.

_____ Tax Ditch

Property records indicate a State regulated tax ditch appears on this property. All building activity shall comply with the rules and requirements related to State regulated tax ditches and the respective tax ditch easements.

Board of Adjustment Application
Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Case # 12648
Hearing Date 1/3 Tentative
2021/6645

Type of Application: (please check all applicable)

Variance ☐
Special Use Exception ☒
Administrative Variance ☐
Appeal ☐

Existing Condition ☐
Proposed ☒
Code Reference (office use only)
115-32 115-210

Site Address of Variance/Special Use Exception:

34085 Creek RD Dagsboro, DE 19939

Variance/Special Use Exception/Appeal Requested:

operate tourist home

Tax Map #: 134-11.00-358.00 Property Zoning: MR

Applicant Information

Applicant Name: Katherine Benton
Applicant Address: 34085 Creek RD
City Dagsboro State DE Zip: 19939
Applicant Phone #: 302.752.8376 Applicant e-mail: Katastically

Owner Information

Owner Name: Katherine M Benton
Owner Address: 34085 Creek RD
City Dagsboro State DE Zip: 19939 Purchase Date: July
Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: _____
Agent/Attorney Address: _____
City _____ State _____ Zip: _____
Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

Katherine M Benton

Date: Nov 12, 2021



Criteria for a Special Use Exception: (Please provide a written statement regarding each criteria)

You shall demonstrate to the Board of Adjustment that the property meets all of the following criteria for a Special Use Exception to be granted.

1. Such exception will not substantially affect adversely the uses of adjacent and neighboring property.

See attached

-
2. Any other requirements which apply to a specific type of special use exception as required by the Sussex County Code. (Ex. Time limitations – 5 year maximum)

Basis for Appeal: (Please provide a written statement regarding reason for appeal)

Kyle Swiney
Katherine Benton
34085 Creek Road
Dagsboro, DE 19939
11-2-2021

Sussex County Board of Adjustments

To Whom It May Concern,

We would like to ask that the county give us permission to rent a couple rooms on short term basis, such as Air B&B. We live in the house full time and it is just the two of us and we have 2 private rooms on the first level that we like to rent from time to time. The renters have no access to the main house. We have a very large black top driveway that can accommodate 6 or more cars which is more than enough room to accommodate 2 extra cars, so there is no need for on street parking.

We feel that there would be absolutely no impact on our neighbors, as we do have off street parking and we are very particular about the clientele we would want in our home. There are no after hour activities allowed on the property, so there would be no noise impact for our neighbors in the regard.

We purchased the house from my parents and they have 5 children (me included) and 3 grandchildren and I can promise the board that there was way more activity going on when they owned the house then us renting out a couple rooms.

Thank you for you cooperation and we look forward to a positive decision.

Sincerely

Katherine Benton



PIN:	134-11.00-358.00
Owner Name	SWINEY KYLE RAY
Book	5520
Mailing Address	34085 CREEK RD
City	DAGSBORO
State	DE
Description	BLACKWATER VILLAGE
Description 2	LOT 23
Description 3	BLK F
Land Code	

- polygonLayer
Override 1
- polygonLayer
Override 1
- Tax Parcels
 - 911 Address
 - Streets
 - County Boundaries
 - Municipal Boundaries

