

## BOARD OF ADJUSTMENT

JOHN WILLIAMSON, ACTING CHAIR  
KEVIN E. CARSON  
JEFF CHORMAN  
JOHN T. HASTINGS  
E. BRENT WORKMAN



# Sussex County

DELAWARE  
sussexcountyde.gov

(302) 855-7878 T  
(302) 845-5079 F

## AGENDA

February 15, 2021

6:00 P.M.

**PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA\*\***

### Call to Order

### Pledge of Allegiance

### Introduction of Staff Members

### Approval of Agenda

### Approval of Minutes for December 14, 2020

### Approval of Finding of Facts for December 14, 2020

### Other Business

Vote of Officers (Chair and Vice-Chair)

### Old Business

### Public Hearings

**Case No. 12523 – William A. & Elsie V. Pfarr** seeks variances from the front yard and side yard setback requirements for a proposed structure (Sections 115-25, 115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the northwest side of Sea Gull Road within the Bay View Estates Subdivision. 911 Address: 38860 Sea Gull Road, Selbyville. Zoning District: AR-1. Tax Parcel: 533-19.00-121.00

**Case No. 12526 – Jean Gail & Renee Cannon** seeks a special use exception to operate a tourist home (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the east side of Hickory Hill Road approximately 318 ft. south of Indian Branch Road. 911 Address: 30951 Hickory Hill Road, Millsboro. Zoning District: AR-1. Tax Parcel: 233-9.00-25.04



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

**Case No. 12528 – Todd Schultz** seek variances from the side yard setback requirements for proposed and existing structures (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the southwest side of Circle Drive West within the Hunters Mill Estates Subdivision. 911 Address: 40 Circle Drive West, Milton. Zoning District: AR-1. Tax Parcel: 235-30.00-265.00

**Case No. 12529 – Umaru Bolarinwa** seeks variances from the front yard, side yard and rear yard setback requirements for proposed structures (Sections 115-34, 115-182 and 115-183 of the Sussex County Zoning Code). The property is located on the west side of Charleys Run approximately 250 ft. southwest of Jay Bird Street. 911 Address: 31600 Charleys Run, Bethany Beach. Zoning District: MR. Tax Parcel: 134-13.00-2184.00

**Additional Business**

Discussion regarding the time Board of Adjustment meetings will begin.

\*\*\*\*\*

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

\*\*\*\*\*

**In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on February 8, 2021 at 5:00 p.m., and at least seven (7) days in advance of the meeting.**

**This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting. Agenda items listed may be considered out of sequence.**



-MEETING INSTRUCTIONS-

\*\* The Sussex County Board of Adjustment is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.

The public is encouraged to view the meeting on-line. Any person attending in person will be required to go through a wellness and security screening, including a no-touch temperature check. The public will be required to wear a facial mask.

Chambers seating capacity is limited, and seating assignments will be enforced.

The meeting will be streamed live at <https://sussexcountype.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 phone, 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://sussexcountype.gov/>

If any member of the public would like to submit comments electronically, these may be sent to [pandz@sussexcountype.gov](mailto:pandz@sussexcountype.gov). All comments shall be submitted by 4:30 P.M. on Thursday, February 11, 2021

####



Case # 12523  
Hearing Date 2/11

20201605

## 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  Existing Condition   
Special Use Exception \_\_\_\_\_ Proposed \_\_\_\_\_  
Administrative Variance \_\_\_\_\_ Code Reference (office use only)  
Appeal \_\_\_\_\_ 115-25 115-182  
115-185

Site Address of Variance/Special Use Exception: \_\_\_\_\_  
38860 Sea Gull Road, Selbyville, DE 19975

Variance/Special Use Exception/Appeal Requested: Applying for 10 foot  
variance for carport

Tax Map #: 5-33-19-121 Property Zoning: AR-1

### Applicant Information

Applicant Name: William A. Pfarr  
Applicant Address: 38860 Sea Gull Road  
City, State, Zip: Selbyville, DE 19975  
Applicant Phone #: 302-436-3606 Applicant e-mail: pfarrfamily@aol.com

### Owner Information

Owner Name: William A. & Elsie V. Pfarr  
Owner Address: 38860 Sea Gull Road  
City, State, Zip: Selbyville, DE 19975 Purchase Date: \_\_\_\_\_  
Owner Phone #: 302-436-3606 Owner e-mail: pfarrfamily@aol.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

William Pfarr

Date: 12-21-2020



**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.

The house placement does not allow enough room for a carport due to existing provisions of Zoning Ordinance. With location of sewer lines and propane tanks, it prevents the placement of carport anywhere else on property to be functional.

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 carport size is 18' x 21'. Setback is currently 40'. House was placed on property and variance was changed after construction. 40' setback is too deep to allow the carport to be constructed.

3. Not created by the applicant:

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

House was originally placed on property with a shorter variance. After purchase of house the development had sewer installed. Due to location of sewer lines we are unable to place carport in another spot on property.

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

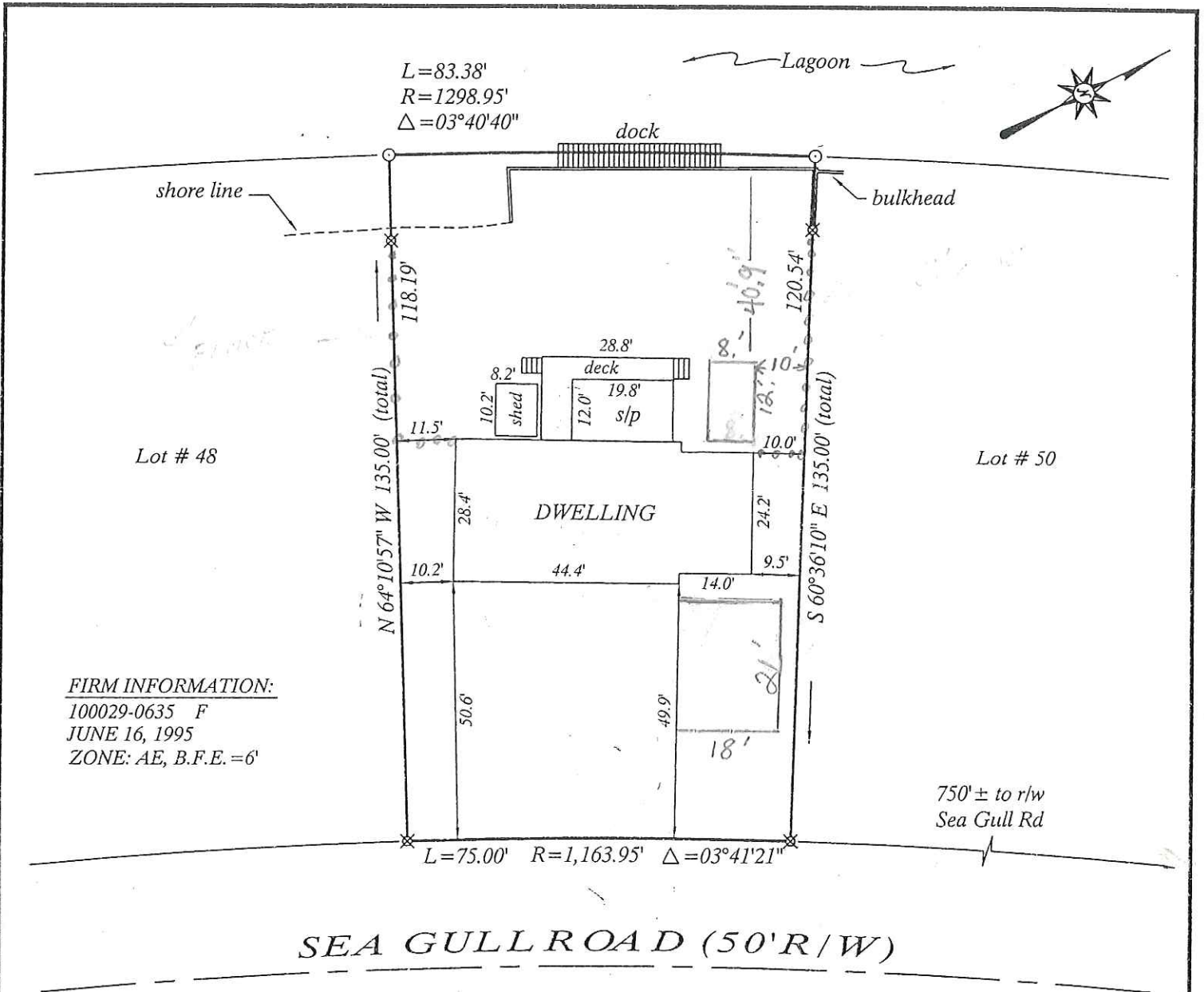
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

Carport will not change the character of the neighborhood. Currently there is a carport in the development @ 38786 Seb. Hill Rd. Photos of this carport are 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.

I am applying for a 10' variance. The 10' variance will allow the carport to be functional.



**FIRM INFORMATION:**

100029-0635 F  
 JUNE 16, 1995  
 ZONE: AE, B.F.E. = 6'

NOTE:  
 This plat and survey does not verify  
 the existence or nonexistence of  
 right-of-ways and/or easements  
 pertaining to this property.

- ⊗ T-BAR (FD)
- ⊙ POINT

Lands of ROBERT H. DAVIS and BETTY A. DAVIS,  
 TRUSTEES, to be conveyed to WILLIAM A. PFARR  
 and ELSIE V. PFARR. Being known as LOT NO. 49,  
 SECTION II, BAY VIEW ESTATES. Ref: plot 15,  
 page 8.

AREA: 10,687 SQ. FT.  
 TAX MAP NO. 5-33-19-121

SCALE: 1" = 30'

No title search provided or stipulated.  
 CLASS "B" SURVEY

HUNDRED: BALTIMORE  
 COUNTY: SUSSEX  
 STATE OF DELAWARE  
 DATE: 11/18/02  
 DRAWN BY: P. ARNOLD

**SIMPLER SURVEYING & ASSOCIATE**  
 RD. 1 BOX 98 E, FRANKFORD, DE 19945  
 www.delawaresurveyor.com  
 PHONE: (302) 539-7873 FAX: (302) 539-4336

SEAL  
  
 11/18/02  
 P.L.S. 289

**From:** williampfarr@icloud.com,

**To:** pfarrfamily@aol.com,

**Subject:** Variance pictures

**Date:** Thu, Dec 17, 2020 10:58 am

**Attachments:** IMG\_0492.jpg (2018K), IMG\_0489.jpg (2116K), IMG\_0488.jpg (3373K)

Sent from my iPhone

3 Attached Images



*Above photos are of carport on 38786 Sea Lull Road.*









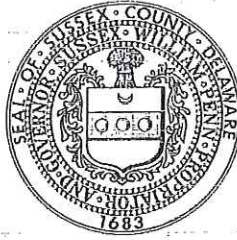


## BUILDING CODE

MAIN OFFICE (302) 855-7860  
MAIN OFFICE (FAX) (302) 855-7821

INSPECTION SCHEDULING (302) 858-5500  
INSPECTIONS (FAX) (302) 855-7821

PLAN REVIEW (302) 855-7860  
PLAN REVIEW (FAX) (302) 855-7869



# Sussex County

DELAWARE  
sussexcountyde.gov

ANDY WRIGHT  
CHIEF OF BUILDING CODE

## SETBACK INSPECTION DECKS UNDER 30", SHEDS UNDER 400 SQ. FT. & FENCES

### SETBACK INSPECTION

- Once complete, we must confirm these structures meet the setback requirements

### CERTIFICATE OF OCCUPANCY

- Issued when Sussex County setback inspection is completed

### TO SCHEDULE INSPECTIONS:

PLEASE CALL 24 HOURS IN ADVANCE AT 302-858-5500 BETWEEN 7:30 a.m. & 3:00 p.m.  
MUST HAVE APPLICATION NUMBER TO SCHEDULE INSPECTIONS.

All inspections can now be viewed on the County's website using the "Self Service Portal." To access this feature, please visit: [www.sussexcountyde.gov](http://www.sussexcountyde.gov). Click on the "Building Code" link in the Business section under Building and Construction. Once you are in the Building Code section, click on the "Inspections and Scheduling" tab on the left-hand side of the screen. Look for the "Self Service Portal" link at the top center next to picture. You will need to enter your Parcel ID or Application reference number to view all inspection results. Both numbers can be found on your building permit.



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 589  
GEORGETOWN, DELAWARE 19947



# Sussex County Building Permit

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

Application Number

202010571

Issue Date: 09/02/2020

Expire Date: 09/02/2021

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

Parcel ID	Address	Zone Code
533-19.00-121.00	38860 SEA GULL ROAD	AR-1

Owner Information	Applicant Information
Name: PFARR WILLIAM ELSIE V PFARR Phone:	Name: PFARR WILLIAM ELSIE V PFARR Phone:

Contractor Information	
Name: PFARR WILLIAM ELSIE V PFARR CID: 85511 Phone:	License Number: License Exp. Date: Insurance Exp. Date:

Building Information
Proposed Use: CARPORT Construction Type: Estimated Cost of Construction: \$ 4,680 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
<b>Measurements taken from Property Lines</b> Front Setback: 40.00 / _____ Rear Setback: 5.00 / _____ Side Setback: 5.00 / _____ Corner Setback: _____ / _____ Maximum Building Height: 42 Location Description: <b>FLOOD ZONE</b> BAY VIEW EST LOT 49 SEC 2 Flood Zone: AE/XP 635K _____ If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.

Project Description: ACC STRUCT 400'+ W/O BC

Scope of Work:

18 X 26 CARPORT

Permit Details:

Signature of Approving Official

Signature of Owner/Contractor

I fully understand the Zoning Requirements of this permit.

**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-139484

TOTAL FEES:

\$ 31.20



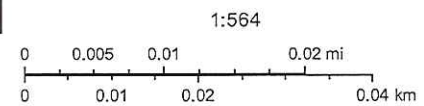


<b>PIN:</b>	533-19.00-121.00
<b>Owner Name</b>	PFARR WILLIAM ELSIE V PFARR
<b>Book</b>	2775
<b>Mailing Address</b>	38860 SEA GULL RD
<b>City</b>	SELBYVILLE
<b>State</b>	DE
<b>Description</b>	BAY VIEW EST
<b>Description 2</b>	LOT 49 SEC 2
<b>Description 3</b>	N/A
<b>Land Code</b>	

- polygonLayer**

  - Override 1
- polygonLayer**

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



## Russell Warrington

---

**From:** Jay Carmean <ckclewes@msn.com>  
**Sent:** Wednesday, February 3, 2021 1:09 PM  
**To:** Planning and Zoning  
**Subject:** Case No. 12523

**CAUTION:** This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

### Board of Adjustment

We would like to submit our objection to the variance application requested in Case No. 12523 for the following reasons:

Bayview Estates is a planned residential community governed by covenants that conform to Sussex County zoning requirements with respect to front and side yard set-backs. Residents/owners agree to abide by these covenants for the mutual benefit of the community.

The age and lot sizes of the development dictates the set-backs are administrated under the MR District, not AR-1. (30/40' front yd. ,10' side yd.)

In reviewing the zoning sections listed on the public notice, there is no applicability for a 5' side yard set-back except for Section 115-185, Paragraph F. which allows for a 5' set-back for unattached structures <600 square feet and only in **Rear** yards.

The building permit issued on 9/2/2020 lists a size that differs from the zoning application and the set-backs are incorrect.

The character of the community will be adversely affected if front yard construction is allowed by variance. Community enforcement would be moot.

Finally, we are not sure of what standing a community's covenants have vs. Sussex County Code, however we see no compelling reason why the Board would approve this application that goes against both county and community set-back requirements. We request the variance be denied.

Respectfully,  
James and Carolyn Carmean  
38882 Sea Gull Rd.  
Bayview Estates

**Nick Torrance**

---

**From:** Ellen Woodall <ellenjwoodall@gmail.com>  
**Sent:** Thursday, February 4, 2021 1:48 PM  
**To:** Planning and Zoning  
**Subject:** Case No. 12523

**CAUTION:** This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

## Board of Adjustment

We would like to submit our objection to the variance application requested in Case No. 12523 for the following reasons:

Bayview Estates is a planned residential community governed by covenants that conform to Sussex County zoning requirements with respect to front and side yard set-backs. Residents/owners agree to abide by these covenants for the mutual benefit of the community.

The age and lot sizes of the development dictates the set-backs are administered under the MR District, not AR-1. (30/40' front yd. ,10' side yd.). In fact, when we located our shed, we were required to place it 10 feet from our neighbors side yard.

In reviewing the zoning sections listed on the public notice, there is no applicability for a 5' side yard set-back except for Section 115-185, Paragraph F. which allows for a 5' set-back for unattached structures <600 square feet and only in Rear yards.

The building permit issued on 9/2/2020 lists a size that differs from the zoning application and the set-backs are incorrect.

The character of the community will be adversely affected if front yard construction is allowed by variance. Community enforcement would be



moot.

Finally, we are not sure of what standing a community's covenants have vs. Sussex County Code, however we see no compelling reason why the Board would approve this application that goes against both county and community set-back requirements. We request the variance be denied.

Thank you for your attention to this matter.

Samuel and Ellen Tsakalas  
38885 Sea Gull Road  
Bay View Estates  
Selbyville, DE 19975

2/5/2021

Sussex County Board of Adjustment

Re: Variance Case No. 12523 – William A. & Elsie V. Pfarr

The following is submitted in objection to case # 12523, request by Pfarr family for a 10 ft variance from the front yard county setback of 30 ft and a 5 ft variance from the 10 ft side yard setback to construct a covered carport.

#### Objections

1. The aluminum open structure (18'x 21') proposed in this variance has a temporary, farm building appearance, is situated only 20 ft from the street and as such detracts from the general character of this property. It also detracts from the neighborhood on Sea Gull Rd.
2. The owner's reference to the existence of a similar carport at 38786 Sea Gull Rd (with pictures) is not relevant to this variance case #12523 because the cited structure at house 38786 is fully within the prescribed front yard setback of 30 ft.
3. Under this variance, the structure is located 5' from property line of neighbor at 38852 Sea Gull Rd, where the neighbor's driveway is placed at the property line. The structure is likely to impair visibility of drivers backing out that adjoining driveway, thus creating a safety hazard.
4. The width of the proposed detached structure is 18 ft' and it is placed in full view from the street and as such it hides about 30% of the width of the house, depending on the angle of approach from the street. This front yard construction presents an undesirable view that is incompatible with the other properties on Sea Gull Rd.
5. This front yard construction is in violation of Sussex County Code and the Community Covenants that presents a precedent that has the potential to spread throughout the community.

We request that this variance be denied,

James and Mary Solan  
38831 Bayview East  
Bayview Estates  
Selbyville, DE 19975

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 # 12528  
Hearing Date 2/15/2021  
202016379

RECEIVED

DEC 28 2020

SUSSEX COUNTY  
PLANNING & ZONING

Type of Application: (please check all applicable)

- Variance
- Special Use Exception
- Administrative Variance
- Appeal

Existing Condition  Proposed   
 Code Reference (office use only)  
115-25C 115-183  
115-185F

Site Address of Variance/Special Use Exception:

40 CIRCLE DR. WEST, MILTON DE 19968

Variance/Special Use Exception/Appeal Requested:

REQUEST TO ADD 14' WIDE ADDITIONAL GARAGE TO EXISTING GARAGE ON RIGHT SIDE OF HOME. IF ALLOWED, THIS WILL LEAVE APPROX. 6' TO THE RIGHT PROPERTY LINE.  
 1) 8.08' VAR FROM 15' SIDE  
 2) 8.07' VAR FROM 15' SIDE 7 AMP ATT. GARAGE  
 3) 2' VAR FROM 5' SIDE FOR EXISTING SHED

Tax Map #: 2-35 30.00 265.00

Property Zoning: AR1

Applicant Information

Applicant Name: TODD SHULTZ  
 Applicant Address: 727 FIRST ST  
 City LANCASTER State PA Zip: 17603  
 Applicant Phone #: 717-945-9052 Applicant e-mail: \_\_\_\_\_

Owner Information

Owner Name: TODD SHULTZ  
 Owner Address: S/A  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_ Purchase Date: \_\_\_\_\_  
 Owner Phone #: \_\_\_\_\_ Owner e-mail: \_\_\_\_\_

Agent/Attorney Information

Agent/Attorney Name: N/A  
 Agent/Attorney Address: \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_  
 Agent/Attorney Phone #: \_\_\_\_\_ Agent/Attorney e-mail: \_\_\_\_\_

Signature of Owner/Agent/Attorney

Todd Shultz

Date: 12/14/20



**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.

NOT ABLE TO HAVE TWO CAR GARAGE WITHOUT A VARIANCE, DATED OFF LOT WIDTH AND HOME PLACEMENT

---

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.

BECAUSE OF LOCATION OF SEPTIC IN REAR, THERE IS NO OTHER LOCATION FOR ADDITIONAL GARAGE

---

3. Not created by the applicant:

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

HOME AND CURRENT GARAGE HAVE BEEN ON SITE AND NOT ALTERED SINCE 1996.

---

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.

GARAGE IS TO BE BUILT TO MATCH EXISTING GARAGE & HOME, NEIGHBORS HAVE ALL AGREED THIS NEW GARAGE WILL NOT HARM THE NEIGHBORHOOD.

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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.

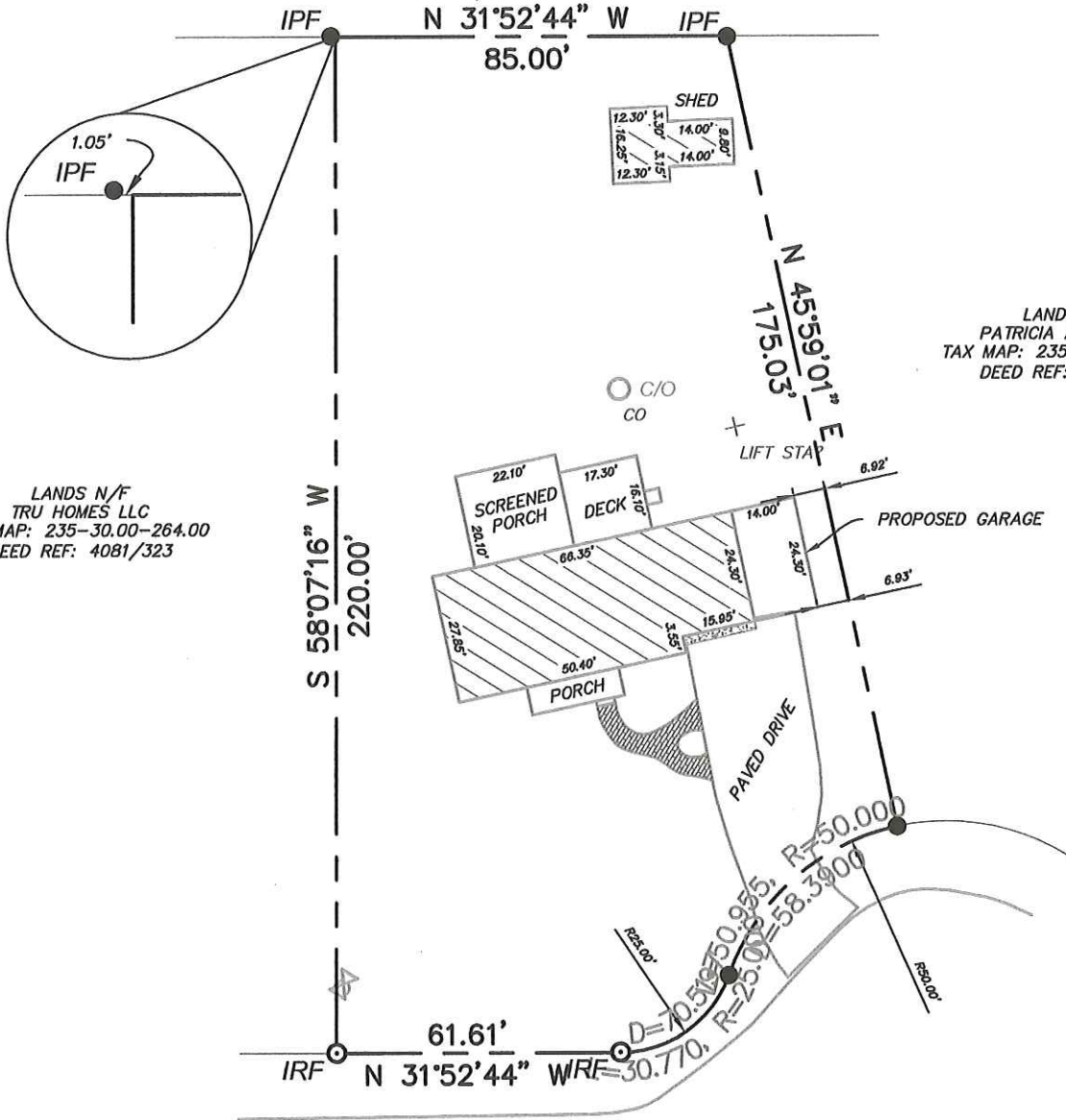
14' PROPOSED WIDTH IS MINIMUM SIZE TO ACCOMMODATE BEING A USABLE GARAGE AND BE AESTHETICALLY PLEASING TO HOME ELEVATION AND NEIGHBORHOOD.

- 1- Uniqueness of Property.  
We are not able to have a 2 car garage without a variance, based off of lot width and home placement.
- 2- Cannot otherwise be developed.  
Because of location of septic in rear, there is no other location for additional garage on the lot.
- 3- Not created by applicant.  
Home and current garage have been on site and not altered since 1996.
- 4- Will not alter the essential character of the neighborhood.  
Garage is to be built to match existing garage and home, Neighbors have all agreed that this new garage will not harm the neighborhood.
- 5- Minimum Variance.  
14 ft proposed width is minimum size to accommodate being usable garage and be aesthetically pleasing to home elevation and neighborhood.

LANDS N/F  
 BEAVER CREEK PROPERTY OWNERS  
 TAX MAP: 235-30.00-32.03  
 DEED REF: 4633/242

LANDS N/F  
 PATRICIA A SULLIVAN  
 TAX MAP: 235-30.00-266.00  
 DEED REF: 3098/100

LANDS N/F  
 TRU HOMES LLC  
 TAX MAP: 235-30.00-264.00  
 DEED REF: 4081/323








WEST CIRCLE DRIVE  
 (50' WIDE)

NOTES:

- OWNERS: TODD & TINA SHULTZ
- TAX MAP: 235-30.00-265.00
- DEED REF: 5127/335
- PLAT REF: 43/2
- THIS LOT 104, SECTION 2 OF "HUNTER MILL ESTATES" IS IN FLOOD ZONE X (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FIRM MAP No. 10005C0310L, MAP REVISED JUNE 20, 2018.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH MAY SHOW ADDITIONAL CONVEYANCES, EASEMENTS, COVENANTS, RIGHT-OF-WAY OR MORE STRINGENT BUILDING RESTRICTIONS.

LEGEND

-  EXISTING PROPERTY LINE
-  EDGE OF PAVEMENT
-  BRICK WALK
-  IPF ● IRON PIPE FOUND
-  IRF ⊙ IRON ROD FOUND

SITE PLAN

FOR

LOT 104 - "HUNTERS MILL ESTATES"

BROADKILL HUNDRED, SUSSEX COUNTY, DELAWARE

Prepared For: SAVINI CUSTOM HOMES

**McCRONE**

ENGINEERS ■ SURVEYORS ■ PLANNERS  
 ANNAPOLIS ■ CENTREVILLE ■ ELKTON ■ SALISBURY ■ DELAWARE

119 NAVLOR MILL ROAD, SUITE 6  
 SALISBURY, MD 21801  
 (410) 548-1492

www.mccrone-engineering.com

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DRAWN BY SG

SCALE 1"=40'

DATE 12/2/2020

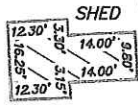
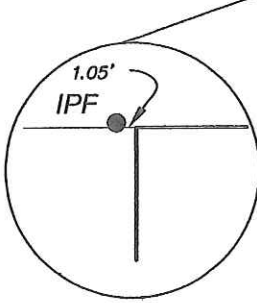
JOB NO. D2200074

SHEET No. 1

C:\2020\0074\Hunter Mill Lot 104\0000074\_Hunter Mill Site Plan.dwg 12/2/2020 4:40:44 PM

LANDS N/F  
BEAVER CREEK PROPERTY OWNERS  
TAX MAP: 235-30.00-32.03  
DEED REF: 4633/242

IPF N 31°52'44" W IPF  
85.00'



*Shed on lot for 20 years  
Not permitted  
or on  
Assessment  
Records*

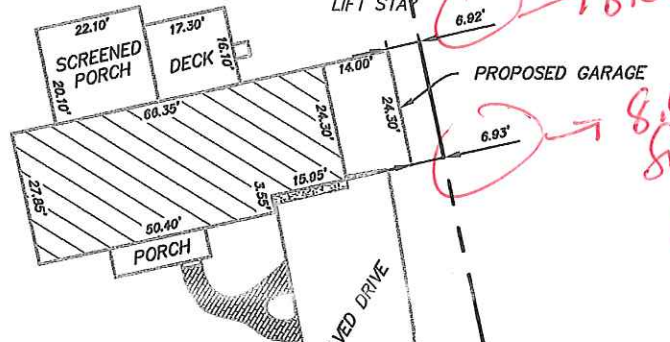
LANDS N/F  
PATRICIA A SULLIVAN  
TAX MAP: 235-30.00-266.00  
DEED REF: 3098/100

LANDS N/F  
TRU HOMES LLC  
TAX MAP: 235-30.00-264.00  
DEED REF: 4081/323

*Setbacks  
30' front  
15' sides  
2' rear*

*Duty + AG BH 1996  
CO issued  
Scrn porch + Deck  
BH 1997 + CO  
issued*

S 58°07'16" W  
220.00'



*8.08' var  
8.07' var  
from 15'  
side  
for prop.  
ATTORNEY  
Extension*

IRF N 31°52'44" W IRF  
61.61'

WEST CIRCLE DRIVE  
(50' WIDE)

- NOTES:
- OWNERS: TODD & TINA SHULTZ
  - TAX MAP: 235-30.00-265.00
  - DEED REF: 5127/335
  - PLAT REF: 43/2
  - THIS LOT 104, SECTION 2 OF "HUNTER MILL ESTATES" IS IN FLOOD ZONE X (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FIRM MAP No. 10005C0310L, MAP REVISED JUNE 20, 2018.
  - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH MAY SHOW ADDITIONAL CONVEYANCES, EASEMENTS, COVENANTS, RIGHT-OF-WAY OR MORE STRINGENT BUILDING RESTRICTIONS.

LEGEND	
	EXISTING PROPERTY LINE
	EDGE OF PAVEMENT
	BRICK WALK
IPF ●	IRON PIPE FOUND
IRF ⊙	IRON ROD FOUND

# SITE PLAN FOR

LOT 104 - "HUNTERS MILL ESTATES"  
BROADKILL HUNDRED, SUSSEX COUNTY, DELAWARE  
Prepared For: SAVINI CUSTOM HOMES

**McCRONE**  
ENGINEERS ■ SURVEYORS ■ PLANNERS  
ANNAPOLIS ■ CENTREVILLE ■ ELKTON ■ SALISBURY ■ DELAWARE  
119 NAYLOR HILL ROAD, SUITE 6  
SALISBURY, MD 21801  
(410) 548-1492  
www.mccrone-engineering.com

DRAWN BY	SG
SCALE	1"=40'
DATE	12/2/2020
JOB NO.	D2200074
SHEET No.	1

C:\p2020074\Hunters Mill\Lot-104\2020074-Hunters Mill\_Site\_Plan.dwg 12/2/2020 4:16:44 PM

HMEPOA APPLICATION FOR STRUCTURE (A separate form is available for building a house) LOT Number 104

Applicant's Name Jones-Tina Skwele Date 9/26/20 Signature [Signature]

Hunters Mill Street Address 40 CIRCLE DR. WBSY Home Phone \_\_\_\_\_ Cell Phone 717-945-9052

I. Have you received a copy of the "Restrictive Covenants, Conditions & Easements"? Yes  No \_\_\_\_\_  
Have you read & understood them? Yes  No \_\_\_\_\_

II. Type of Structure you are building or changing? Attached Garage  Detached Garage \_\_\_\_\_ Shed \_\_\_\_\_  
Fence \_\_\_\_\_ Carport \_\_\_\_\_ Porch \_\_\_\_\_ Deck \_\_\_\_\_ Patio \_\_\_\_\_ Steps \_\_\_\_\_  
Other (explain) \_\_\_\_\_

**PLEASE COMPLETE IN DETAIL THE SECTIONS WHICH PERTAIN TO YOUR STRUCTURE:**

III. Driveway (read section 6.4 of Restrictive Covenants): Width \_\_\_\_\_ Length \_\_\_\_\_ Type: Tar & Chip \_\_\_\_\_  
Hot Mix \_\_\_\_\_ Concrete \_\_\_\_\_ Right or left facing property? \_\_\_\_\_

IV. Steps, Type: Concrete \_\_\_\_\_ Brick \_\_\_\_\_ Poured Masonry \_\_\_\_\_ Wood \_\_\_\_\_ Other (describe) \_\_\_\_\_  
Relationship to house: Front \_\_\_\_\_ Back \_\_\_\_\_ Side \_\_\_\_\_ Left Side \_\_\_\_\_ Right Side \_\_\_\_\_

V. Fence, Type: Chain link \_\_\_\_\_ Wood \_\_\_\_\_ Split rail \_\_\_\_\_ Vinyl \_\_\_\_\_ Other (describe) \_\_\_\_\_  
**(PLEASE SUBMIT A DRAWING SHOWING THE LOCATION OF THE FENCE ON YOUR PROPERTY)**

VI. Garage, porch, accessory building, carport, deck, patio:  
a) Type of Construction: BLK FOUNDATION - CONCRETE FLOOR FRAMES WALLS WITH SIDING  
b) Total square feet 364 Length 24 Width 14 Height \_\_\_\_\_  
c) Type of Foundation: concrete block  poured masonry \_\_\_\_\_ brick \_\_\_\_\_  
d) Exterior: Type of Siding W/SHS Color of siding LIGHT BROWN - MATCHING HOUSE  
e) Roof: Pitch 6/12 Type GAF Color of roof SAME AS EXISTING NEAR GAR ROOF  
f) Setbacks: Front yard \_\_\_\_\_ (50' minimum) Side yard 6' Back yard \_\_\_\_\_ (15' minimum)

**FOR ALL APPLICATIONS PLEASE SUBMIT A SKETCH DEPICTING PLACEMENT OF STRUCTURE ON PROPERTY SHOWING RELATIONSHIP TO OTHER STRUCTURES AND SIDE, REAR & FRONT SETBACKS. APPLICATIONS SUBMITTED WITHOUT SKETCH WILL NOT BE ACCEPTED.**

VII. FINAL STEPS  
a) Date County building permit will be applied for: AFTER HOA APPROVAL  
b) Are you aware you must give the HMEPOA at least 5 days advance written notice as to the time and date of anticipated placement or construction will begin? Yes \_\_\_\_\_ No \_\_\_\_\_  
c) Number of exhibits attached to this application? 1  
d) You are responsible for all building & placement permits.

**PLEASE DO NOT WRITE IN THIS SPACE.**

Date Received 10/06/2020 Approved  Denied \_\_\_\_\_ By Walter BMD HOA Pres Date 10/13/2020

PLEASE SUBMIT APPLICATION DIRECTLY TO: HMEPOA, INC., PO BOX 44, HARBESON, DE 19951-0044

A COPY OF THIS APPLICATION WILL BE RETURNED TO YOU FOR YOUR RECORDS. THIS ORIGINAL WILL BE RETAINED BY HMEPOA. Current Contact Number: 302-684-8147

*Need a letter from Pat Sullivan oking the side yard clearance  
Need copy of Building Permit when obtained for your folder*



October 14, 2020

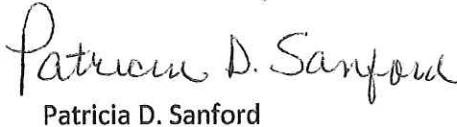
Sussex County Planning and Zoning,

We have no objection to Tina and Todd Shultz extending their garage or building on their property at 40 Circle Dr. West, Milton, DE 19968.

Respectfully,

A handwritten signature in cursive script, appearing to read "David W. Sanford".

David W. Sanford

A handwritten signature in cursive script, appearing to read "Patricia D. Sanford".

Patricia D. Sanford

44 Circle Dr. West, Milton, DE 19968

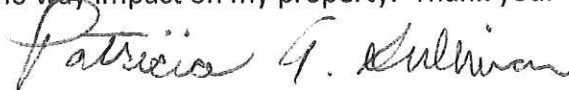
Sussex County Zoning Commission

10/15/20

To Whom It May Concern:

I am the current owner of 42 Circle West, Milton, DE 19968 which is directly to the <sup>Right P.A.</sup> ~~left~~ side, looking out to the street, of the residence of Todd and Tina Schultz. Mr. and Mrs. Schultz have approached me and requested permission to expand their garage more than the allotted 15 feet towards my property. I see no problem with this and have given permission for them to do so. The variance will in no way impact on my property. Thank you.

Patricia A. Sullivan



42 Circle Drive West, Milton, DE 19968

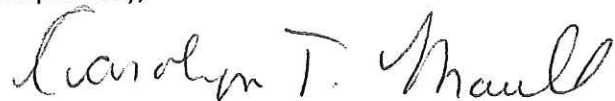
(302)664-1395

October 14, 2020

Sussex County Planning and Zoning,

I have no objection to Tina and Todd Shultz extending their garage or building on their property  
at 40 Circle Dr. West, Milton, DE 19968.

Respectfully,

A handwritten signature in cursive script that reads "Carolyn T. Maul".

Carolyn Turner Maul

46 Circle Dr. West, Milton, DE 19968

From: **Truhomes** [truhomes@comcast.net](mailto:truhomes@comcast.net)  
Subject: **Fwd: 40 Circle Drive**  
Date: **Oct 20, 2020 at 8:55:15 AM**  
To: [tshultz401@msn.com](mailto:tshultz401@msn.com)

---

Thanks,

Thad Hudson  
302-542-9695 mobile

**TruHomes**  
LLC

----- Forwarded Message -----

**Subject:**40 Circle Drive  
**Date:**Mon, 19 Oct 2020 09:43:39 -0400  
**From:**Truhomes <[truhomes@comcast.net](mailto:truhomes@comcast.net)>  
**To:**[tshultz401@msn.com](mailto:tshultz401@msn.com)

To Whom it may Concern,

I am the owner of 38 Circle Drive West and neighbor to Todd Shultz. I do not have any problem with his addition of a garage to his residence and do not feel it would degrade or violate any covenants or restrictions within the community.

--

Thanks,

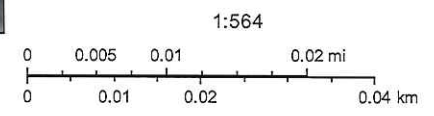
Thad Hudson  
302-542-9695 mobile

**TruHomes**  
LLC



<b>PIN:</b>	235-30.00-265.00
<b>Owner Name</b>	SHULTZ TODD D TTEE
<b>Book</b>	5127
<b>Mailing Address</b>	727 FIRST ST
<b>City</b>	LANCASTER
<b>State</b>	PA
<b>Description</b>	HUNTERS MILL ESTATES
<b>Description 2</b>	LOT 104
<b>Description 3</b>	N/A
<b>Land Code</b>	

- polygonLayer**  
Override 1
- polygonLayer**  
Override 1
- Tax Parcels
- 911 Address
- Streets





**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 # 12526  
Hearing Date 2/15/2020  
202016177

**Type of Application: (please check all applicable)**

Variance   
Special Use Exception   
Administrative Variance   
Appeal

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

**Site Address of Variance/Special Use Exception:**

30951 Hickory Hill Rd. Millsboro, DE

**Variance/Special Use Exception/Appeal Requested:**

Tourist home - 2 rented rooms

Tax Map #: 233-9.00-25.04

Property Zoning: AR-1

**Applicant Information**

Applicant Name: Renee Cannon  
Applicant Address: 30951 Hickory Hill Rd.  
City Millsboro State DE Zip: 19966  
Applicant Phone #: 302-381-1535 Applicant e-mail: ReneeCannon6@gmail.com

**Owner Information**

Owner Name: Jean Gall / Renee Cannon  
Owner Address: 30951 Hickory Hill  
City Millsboro State DE Zip: 19966 Purchase Date: \_\_\_\_\_  
Owner Phone #: 302-381-1535 Owner e-mail: ReneeCannon6@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**

Renee Cannon

Date: 12/22/20





**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.

*I have 2.4 acres with a large driveway for additional parking. No neighbors should be adversely affected.*

---

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)

---



The soils on this site are approved when the following is completed in full and signed by the approving authority. The information contained in this site evaluation reflects Delaware Department of Natural Resources and Environmental Control (DNREC) policies and procedures at the time of the review. Exhibits and Regulations cited in this report refer to DNREC "Regulations Governing the Design, Installation, and Operation of On-Site Wastewater Treatment and Disposal Systems." Isolation distance requirements, limited area of suitable soils, filling, removal, and/or compaction of the soil may negate construction permit approval or modify the type of system that can be permitted. All information should be verified by interested parties prior to design and installation of the septic system. This is not a construction permit.

**Tax Map #:** 233-9.00-25.04      **Lot #:**  
**Property Owner(s):** Thomas M & Jean R Gail  
**Evaluation Is For:** Replacement System  
**Inland Bays Wtrshd:** Yes      **Early Imp. Zone:** No  
**Shell Fish Waters:** No

**Disposal System Option 1:** Low Pressure Pipe

**Option 1 Location:** Vicinity of Boring(s) 1, 2, 3 & 4

**Option 1 Limiting Zone:** 42" to redoximorphic features.

**Disposal System Option 2:** not applicable

**Option 2 Location:** Vicinity of Boring(s)

**Option 2 Limiting Zone:**

"Nitrogen Reducing Technologies meeting PSN3 must be incorporated in the design of the on-site wastewater treatment and disposal system."

**Design Considerations & Comments:** See Exhibit O (LPP) in the 1985 Regulations (amended 1/11/2014) and not applicable in the 1985 Regulations (amended 1/11/2014). A 100 foot isolation distance is required from all domestic and commercial wells and a 150 foot isolation distance is required from all public and industrial wells. A lesser well isolation distance may be approved for domestic wells, contact the water Supply Branch at (302) 739-9944.

The potential disposal area(s) is/are scattered with trees and located within a broad flat landscape position(s) with slopes ranging from 0 to 1 percent.

All soil borings, disposal area(s), and other pertinent features of interest were located on a plot drawing adapted from the tax map. Pertinent features were recorded with a handheld GPS unit with reported sub-meter accuracy and located from the utility pole (7999) located at the northwest corner of the parcel. The system designer should field-verify all isolation distances prior to permitting.

\* Approved options to reduce well isolation distances to include: 1) incorporating advanced pretreatment, 2) including an extra 12 inches of suitable soil between the bottom of the system and the limiting zone, 3) provide documentation to indicate that the existing well is cased to a depth of forty feet and pressure-grouted with concrete or bentonite clay, or, 4) abandon the current well and relocate greater than 100 feet from the proposed disposal area.

\* If the existing system is encountered during installation sand lining will be required to one foot beneath the existing system.

\* In no case shall an active OWTDS be installed over or dispose of wastewater on top of an existing OWTDS without sand-lining or properly abandoning the old system.

\* The parcel under investigation is not impacted by tax ditch right-of-ways (map enclosed).

\* There are state mapped, non-tidal wetlands located at the southeast corner of the parcel/property under investigation (map enclosed). A formal wetland delineation was not performed.

RECEIVED

MAR 20 2017

GROUNDWATER

This report has been prepared by or under the supervision of: \_\_\_\_\_, License # D-4455

*William J. Gangloff*  
William J. Gangloff



The soils on this site are approved when the following is completed in full and signed by the approving authority. The information contained in this site evaluation reflects Delaware Department of Natural Resources and Environmental Control (DNREC) policies and procedures at the time of the review. Exhibits and Regulations cited in this report refer to DNREC "Regulations Governing the Design, Installation, and Operation of On-Site Wastewater Treatment and Disposal Systems." Isolation distance requirements, limited area of suitable soils, filling, removal, and/or compaction of the soil may negate construction permit approval or modify the type of system that can be permitted. All information should be verified by interested parties prior to design and installation of the septic system. This is not a construction permit.

Tax Map #: 233-9.00-25.04

Property Owner(s): Thomas M & Jean R Gail

Design Considerations & Comments (cont.):

\* No construction traffic is to occur in the potential disposal area. The property owner / developer is responsible for placing a substantial barrier around the potential disposal area prior to beginning any site development. Final grading must ensure that no surface water is directed towards the disposal area. Soil disturbances in the disposal area will negate this Site Evaluation (see disclaimer above) and may require a re-evaluation. System installation should occur during proper moisture conditions. Accent Environmental, LLC is not responsible for any subsurface conditions not encountered at the time of this evaluation which may become evident in the future and that may affect the placement or design criteria of the disposal system. It is important to note that conditions between borings are, in fact, unknown.

Notes:

Replacement Disposal System: Same as above if space allows or a Sand-Lined system in the area of the initial system. Note: Sand-lining of Low Pressure Pipe Disposal Systems is not permitted per DNREC regulations; in such situations a Sand-Lined Elevated Sand Mound or DNREC approved Alternative/Innovative system will be required.

Location of Replacement Disposal System: Adjacent to initial system. Limiting Zone for Replacement System: Same as Above

Instructions to Property Owner

- 1) If the prescribed system is Full Depth Gravity or Capping Fill Gravity then contact a Class B System Designer; otherwise contact a Class C System Designer. For questions or clarification call the evaluator at (302) 352-1700 or DNREC at (302) 856-4561 (Sussex) or 302-739-9948 (Kent/NC).
- 2) Soils in the vicinity of Option 1 have been assigned a permeability rate of 35 minutes per inch. Soils in the vicinity of Option 2 have been assigned a permeability rate of n/a minutes per inch. Assigned rates are based on Exhibit W (Percolation Rates) in the 1985 regulations. You may use the assigned percolation rate or, at your expense, have a percolation test conducted. If you do not choose to use the assigned percolation rate, contact the evaluator or a Licensed Class A Percolation Tester to have 3 tests conducted. Contact the Site Evaluator for testing depth and location.
- 3) If you have questions, call the evaluator at (302) 352-1700 or DNREC at 302-856-4561 (Sussex) or 302-739-9948 (Kent/NC)

This report has been prepared by or under the supervision of: William J. Gangloff, License # D-4455

For office use only

Disclaimer: Approval of this site evaluation indicates only that the site evaluation, based on information presented to us, was conducted in compliance with these regulations. It is not an indication of the correctness or quality of the evaluation nor does it guarantee the evaluation is free of omissions.

Field Checked \_\_\_\_\_

Expiration Date 4/6/22

Date 4/6/17

DNREC Reviewing Soil Scientist



Property Owner(s): Thomas M & Jean R Gail Tax Map #: 233-9.00-25.04  
 Owner(s) Address: 30951 Hickory Hill Road Lot #: FEMA V Zone: No  
 Millsboro DE 19966 Contact Phone: 302-381-1535 HUC #: 20403030204  
 Property Location: East side of CR 82; Sussex County, DE  
 Property Size: 2.4 ac +/- Central Sewer: Not Available Central Water: Not Available HUC Name: Indian River Below Ponds

**Depth to and Type of Limiting Zone Encountered:**

Number	1	45" to redoximorphic features;	>72 inches to free water	Typic Quartzipsamments
Number	2	43" to redoximorphic features;	>72 inches to free water	Arenic Hapludults
Number	3	46" to redoximorphic features;	>72 inches to free water	Typic Quartzipsamments
Number	4	42" to redoximorphic features;	>72 inches to free water	Typic Quartzipsamments
Number			inches to free water	
Number			inches to free water	

GPS:	Number	1	N:38.55895	W:75.31091	Evaluator:	William J Gangloff	License:	D-4455
	Number	2	N:38.55934	W:75.31083	Evaluation Date:	Mar 13, 2017		

**Summary of Evaluation:** See *Design Considerations & Comments* on the Approval Page for property information and details on system design. See the plot plan for potential disposal area(s) location(s).

**Disposal Option 1:** Soils in the potential disposal area(s) is/are moderately well drained with moderately (35 MPI) permeable subsoil.  
 Site conditions are suited for a(n) Low Pressure Pipe disposal system (hatched) in the vicinity of Boring(s) 1, 2, 3 & 4. The potential disposal area(s) is/are scattered with trees and located within a broad flat landscape position(s) with slopes ranging from 0 to 1 percent. For design purposes, the limiting zone for Disposal Option 1 was assigned at 42" based on the depth to redoximorphic features. Free water levels ranged from >72" to >72". The moderately permeable infiltration rate of (35 MPI) was assigned to the the most hydraulically restrictive soil material encountered from 0 to 60 inches beneath the soil surface. In this area, the most restrictive soil texture was sandy clay loam. This texture was identified in the argillic horizon of Boring(s) number 2. Clay content, soil structure and consistence, and seasonal saturation were all factored into the assigned permeability rate.

\* The parcel under investigation is not impacted by tax ditch right-of-ways (map enclosed).  
 \* There are state mapped, non-tidal wetlands located at the southeast corner of the parcel/property under investigation (map enclosed). A formal wetland delineation was not performed.

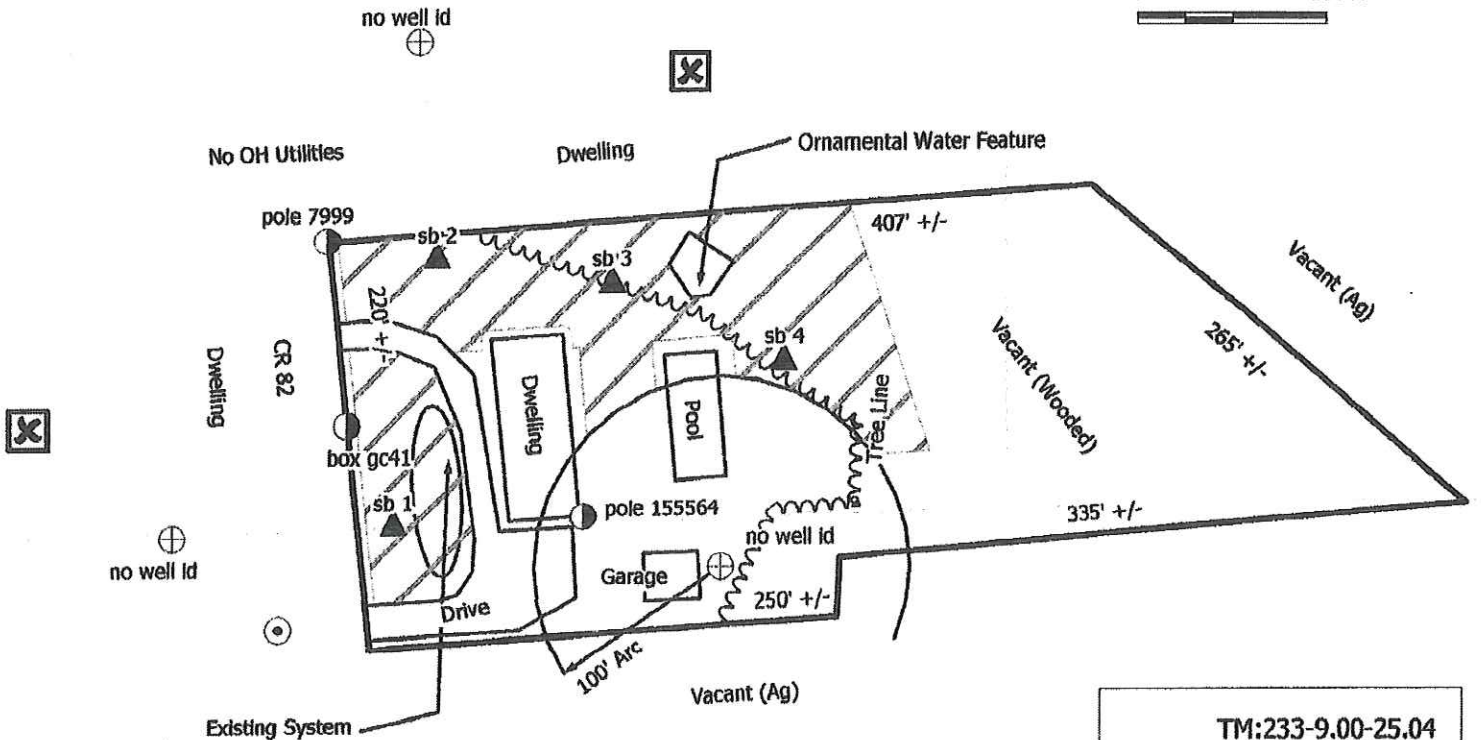
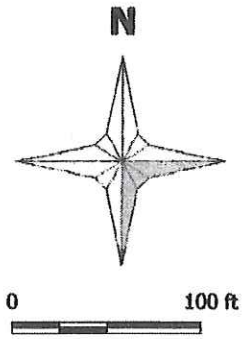
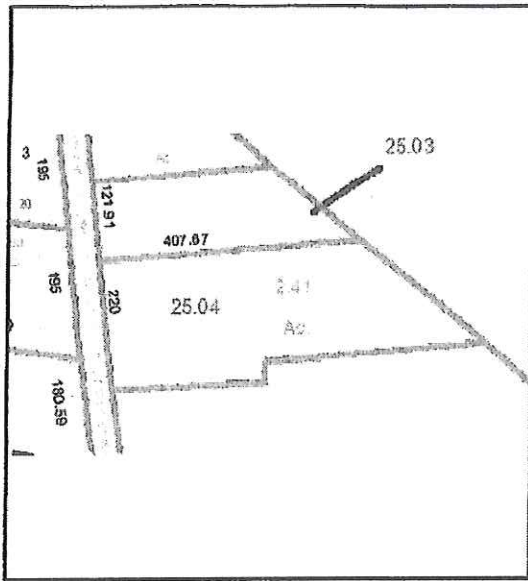
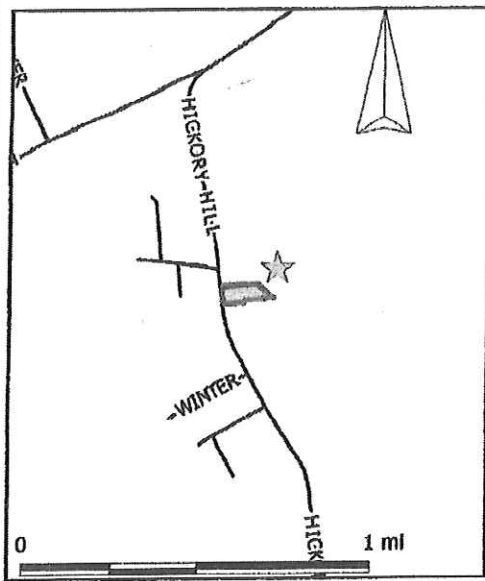
RECEIVED  
 APR 15 2017  
 GROUNDWATER

4/5/17

Date

Evaluator's Signature

Note: Site evaluation information was collected for on-site wastewater disposal interpretations only. The information in this site evaluation and plot plan has been compiled from any of the following sources: tax map, deed, survey, recorded plot, or field located property corners, and may include anecdotal information supplied by property owners, adjacent residents, and/or other interested parties. Locations of wells and septic systems are by direct observation where possible, but are often based on information provided by permits, property owners, adjacent residents, and/or other interested parties. This plot plan represents the site conditions at the time of evaluation but it is not a survey. No title search has been conducted; any easements shown are from subdivision record plans or deed. Subsequent alteration of the site or adjacent properties may negate approval by the regulatory agency(ies) involved in permitting. All information should be reverified prior to purchase or use.



TM:233-9.00-25.04  
 Job: 33-DS17-RE

	Potential Disposal Area
	Soil Boring
	Well
	Iron Pipe
	Utility Pole/Box
	On-Site System
	No Significant Slopes

Accent Environmental, LLC  
 PO Box 788  
 Millsboro, DE 19966  
 1-302-352-1700  
 www.aedelmarda.com



[Government](#)[Citizens](#)[Visitors](#)[Business](#)[Services](#)

## Map Search

### Sussex County, Delaware - Zoning and Sales Information

#### PROPERTY DETAILS

- [General Information](#)
- [Appraisal & Assessment Info](#)
- [Sales Info](#)
- [Map of Property](#)

---

## General Information

**District-Map-Parcel:**  
2-33 9.00 25.04

**Owner(s) Names:**  
GAIL , THOMAS M ,JEAN R GAIL & RENEE CHRISTENBURY

**Property Legal Description:**  
LOTS 4 & 5  
MW HICKMAN

**Billing Address:**  
30951 HICKORY HILL RD  
MILLSBORO , DE 19966

**Land Use:**  
Residential, Single dwelling & lot

**Zoning:**  
Agricultural/Residential

**Town/Municipality:**  
-No Town or Municipality Specified-

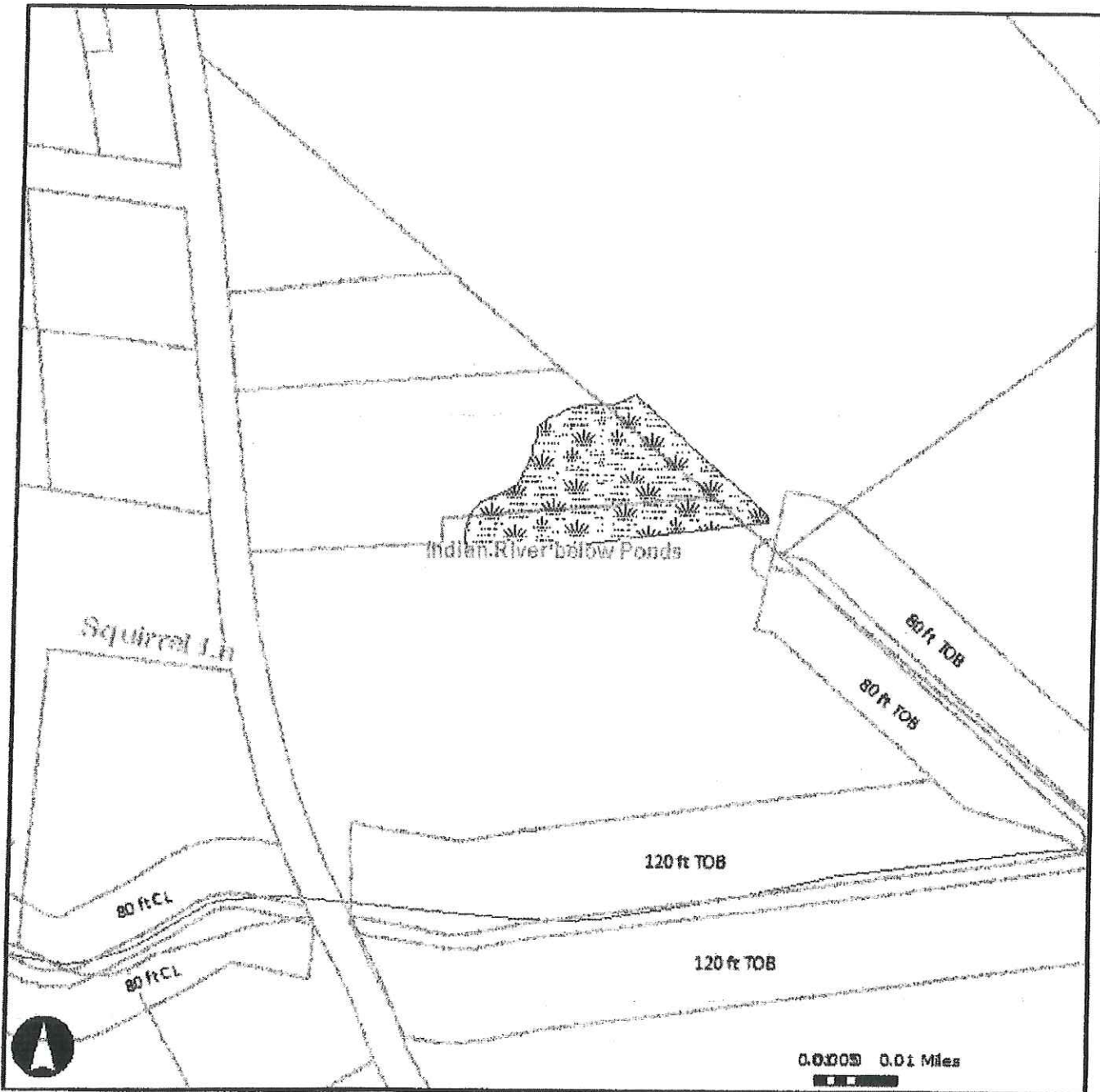
**Fire District(s):**  
Millsboro Fire District

**Tax Ditch(es):**  
Houston-Thoroughgood

**Sewer/Water District:**  
-No Sewer Records-

**Watershed:**  
CHINCOTEAGUE

# Map



### Watersheds

- Tax Ditch Segments
- 1 - 989
- 990
- 991 - 993
- 994 - 999
- Tax Ditch Maximum ROWs
  - Extent of Right-of-Way
- Tax Ditch Areas
  - Approx. Watershed Boundary
- Groundwater Management Zones

### Groundwater Management Zones (continued)

- SIRB, Zone C
- TMB, 1 Zone
- TMB, Zone A
- TMB, Zone B
- GWPB, 1 Zone
- FEMA Flood Maps
  - X 500
  - A
  - AE
  - AO

### State Wetlands 2007 (continued)

- Marine Non-vegetated
- Palustrine Emergent
- Palustrine Forested
- Palustrine Forested Deciduous
- Palustrine Forested Evergreen
- Palustrine Open Water/ Flats
- Palustrine Open Water/Flats
- Palustrine Scrub/Shrub
- Palustrine Scrub/shrub
- Palustrine Tidal Emergent

**Soil Profile Notes**

Tax Map #: 233-9.00-25.04  
 Job Number: 33-DS17-RE  
 Client / Location: CANNON / CR 82

Date: 3/10/2017



Evaluated by or under the supervision of William Gangloff, DE license # D-4455; ARCPACS CPSSc/CPAg # 24747; VA CPSSc

Profile #: 1      Soil Boring or Test Pit      Relief: FLAT      Slope: 0-1%

45 inch Depth to Limiting Zone  
>72 inch Depth to Free Water  
30 MPI Estimated Permeability  
 OH Utilities: Y (N)

Vegetation: GRASS  
 Notes:  
 - SB-3: SIMILAR TO SB-1; LZ=46"; MPI=30; Fw>72"; 0-1%  
 FLAT GRASS; TYPIC QUARTZIPSAMMANTS  
 - SB-4: SIMILAR TO SB-1; LZ=42"; Fw>72"; 30 MPI; 0-1% FLAT  
 SCATTERED TREES; TYPIC QUARTZIPSAMMANTS

Soil Classification:

TYPIC QUARTZIPSAMMANTS

Horizon	Depth	Colors		Redox Desc. Ab. S. Con.	Texture	Structure	Consistence	Notes
		Matrix	Redox					
A <sub>p</sub>	0-10	10YR 3/4	None	None	LS	1FGR	VH	
B <sub>1</sub>	10-26	2.5Y 6/4	"	"	LS	M	VH	
B <sub>2</sub>	26-45	10YR 7/3	"	"	LS	MP	VH	
B <sub>3</sub>	45-56	10YR 7/3	10YR 7/1 10YR 5/6	F1,2P F2P	LS	M	VH	
B <sub>3</sub>	56-72	10YR 5/4	10YR 7/1 10YR 5/8	C1,2P M2P	SL	M	VH	
~~~~~								
A <sub>p</sub>	0-11	10YR 3/4	None	None	LS	1FGR	VH	LZ=42; Fw>72 35 MPI 0-1%
E	11-30	2.5Y 6/4	"	"	LS	1FGR	VH	FLAT GRASS
B <sub>1</sub>	30-43	10YR 5/6	"	"	SC	1FGR	VH	ADRENIC INTERCULTS
B <sub>2</sub>	43-58	10YR 7/4	10YR 7/1 10YR 5/8	F1,2P F2P	LS	M	VH	
B <sub>3</sub>	58-72	10YR 7/1, (2)	10YR 6/8	C2P	LS	M	VH	

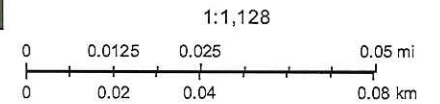
Site Evaluator's Signature: \_\_\_\_\_





<b>PIN:</b>	233-9.00-25.04
<b>Owner Name</b>	GAIL THOMAS M JEAN R GAIL &
<b>Book</b>	3671
<b>Mailing Address</b>	30951 HICKORY HILL RD
<b>City</b>	MILLSBORO
<b>State</b>	DE
<b>Description</b>	LOTS 4 5
<b>Description 2</b>	MW HICKMAN
<b>Description 3</b>	E/RT 82
<b>Land Code</b>	

- polygonLayer  
 Override 1
- polygonLayer  
 Override 1
- Tax Parcels
- 911 Address
- Streets
- County 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 # 12529  
Hearing Date 2/15  
202100150

Type of Application: (please check all applicable)

Variance

Special Use Exception

Administrative Variance

Appeal

Existing Condition

Proposed

Code Reference (office use only)

115-34 115-182  
115-183

Site Address of Variance/Special Use Exception:

31600 Charleys Run, Bethany Beach, DE 19930 - Lot 18 Bethany Woods

Variance/Special Use Exception/Appeal Requested:

Current Rear/Front Setbacks vs Proposed Setbacks

Tax Map #: 134-13.00-2184.00

Property Zoning: RV MR

Applicant Information

Applicant Name: Umaru Bolarinwa

Applicant Address: 14117 Pleasant View Drive

City Bowie State MD Zip: 20720

Applicant Phone #: (202) 270-5923 Applicant e-mail: bbday22@yahoo.com

Owner Information

Owner Name: Umaru Bolarinwa

Owner Address: 14117 Pleasant View Drive

City Bowie State MD Zip: 20720 Purchase Date: 10/8/20

Owner Phone #: (202) 270-5923 Owner e-mail: bbday22@yahoo.com

Agent/Attorney Information

Agent/Attorney Name: Timothy Naughton, President - Evergreene Homes

Agent/Attorney Address: 701 Bethany Loop, Suite 2

City Bethany Beach State DE Zip: 19930

Agent/Attorney Phone #: (443) 398-0294 Agent/Attorney e-mail: Tnaughton@EvergreeneHomes.com

Signature of Owner/Agent/Attorney

  
Evergreene Homes

Date: 12/21/20



**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.

Triangular shape of lot is very restrictive with any rectangular house fit. An odd shaped house is uncharacteristic in this neighborhood.

---

**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.

One of the last lots in the community and shape/depth does not allow construction in the architectural style of surrounding homes.

---

**3. Not created by the applicant:**

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

Recently purchased this lot, having no prior experience and not realizing houses would encroach into required left rear & front setbacks, until builder, Evergreene Homes, made us aware.

---

**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.

Variance will help the home to conform to the character of the neighborhood architecture/size. Rear property line is adjacent to conservation area, which will not impact neighbors. Only the porch will hang over front line. No neighbors to the left side.

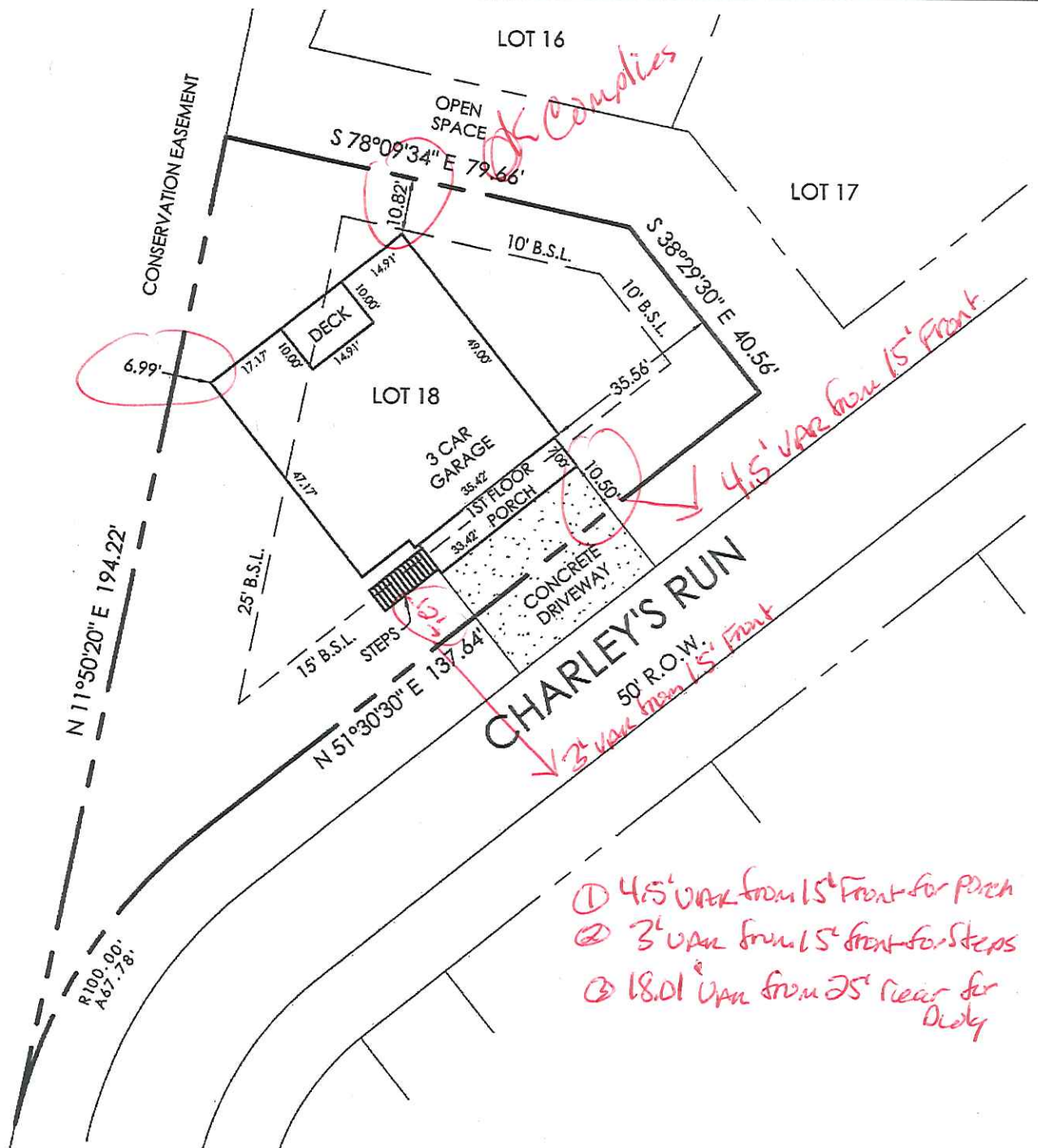
---

**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.

Home design will generate the minimum variance in order to build a home in the same design character with the other existing homes in neighborhood. This is one of the last lots in neighborhood, so it's important to build the size and style to conform to neighbors. In addition there are minimum sq. footage requirements in the HOA of 2,500 sq. ft.

RECORD PLAT NORTH (PLAT 122/44)

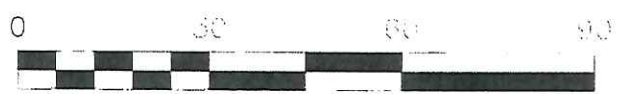


- ① 4.5' VARIANCE FROM 15' FRONT FOR PORCH
- ② 3' VARIANCE FROM 15' FRONT FOR STEPS
- ③ 18.01' VARIANCE FROM 25' REAR FOR DRIVEWAY

**GENERAL NOTES**

1. CURRENT OWNER: BOLARINWA UMARU  
14117 PLEASANT VIEW DR.  
BOWIE, MD 12900
2. TAX REFERENCE: 134-13.00-2184.00
3. DEED REFERENCE: 5327/23
4. PLAT REFERENCE: 122/44
5. AREA OF LOT: 10,023 ± SQ. FT.
6. BASED UPON F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER 10005C0512K, PANEL 512 OF 660, WITH AN EFFECTIVE DATE OF MARCH 16, 2015, THIS SITE IS LOCATED WITHIN FLOOD ZONE AE (ELEV. 6) BASE ELEVATIONS DETERMINED.
7. ELEVATION DATUM SHOWN HEREON IS REFERENCED TO NAVD 1988 DATUM.
9. OTHER THAN SHOWN, THIS PLAN DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS ON THIS PROPERTY.

SETBACKS PER APPROVED PLAT  
 FRONT = 15'  
 SIDE = 10'  
 REAR = 25'



STEVEN W. FULLER  
 REGISTERED PROFESSIONAL ENGINEER  
 No. 823  
 DELAWARE  
 12/23/2020

**solutions**  
 Integrated Planning  
 Engineering & Management, LLC

3003 Merritt Mill Road  
 Salisbury, MD 21804  
 T. 401.572.8833  
 www.solutionsipem.com  
 Copyright © 2020

VARIANCE EXHIBIT  
 LOT 18, BETHANY WOODS  
 31600 CHARLEY'S RUN  
 BALTIMORE HUNDRED  
 BETHANY BEACH, SUSSEX COUNTY, DELAWARE

**Fuller Hall**  
 & ASSOCIATES INC  
 A Wholly Owned Subsidiary

Drawn by: RAM  
 Job No.: S20068

Scale: 1" = 30'  
 Date: 12/23/2020  
 Sheet 1 of 1

Umaru Bolarinwa  
14117 Pleasant View Drive  
Bowie, MD 20720

December 21, 2020

**Sussex County Planning & Zoning Department**  
2 The Circle  
Georgetown, DE 19947

Re: Variance Request - Proposed Setback vs the Current Setback Requirement.  
31600 Charleys Run, Bethany Beach, DE 19930

Dear Sussex County Zoning,

We recently purchased this lot, having no prior experience and not realizing our proposed house would encroach into the required rear and front yard setbacks, until our builder, Evergreene Homes made us aware. We have a triangular shaped lot that was one of the last available in the neighborhood.

The reason for the variance request is to be able to build a home with curb appeal that is in harmony with the neighboring properties. Our home design will generate the minimum variance in order to build a home in the same design character at the other existing homes in neighborhood.

Approval of the variance request would allow me to build a quality home and help conform with the character of the neighborhood. I only wish to go over the front setback with front porch. I have no neighbors on the rear and left side of the lot.

Attached is a site plan showing the proposed footprint and location of the house, the current setback requirements, as well as the setback I am requesting. All other zoning requirements will be met with this home design.

If you could please support my request for a variance from the standard building guidelines, and have no problem with the proposed structure being built on this lot over the set back.

Sincerely,

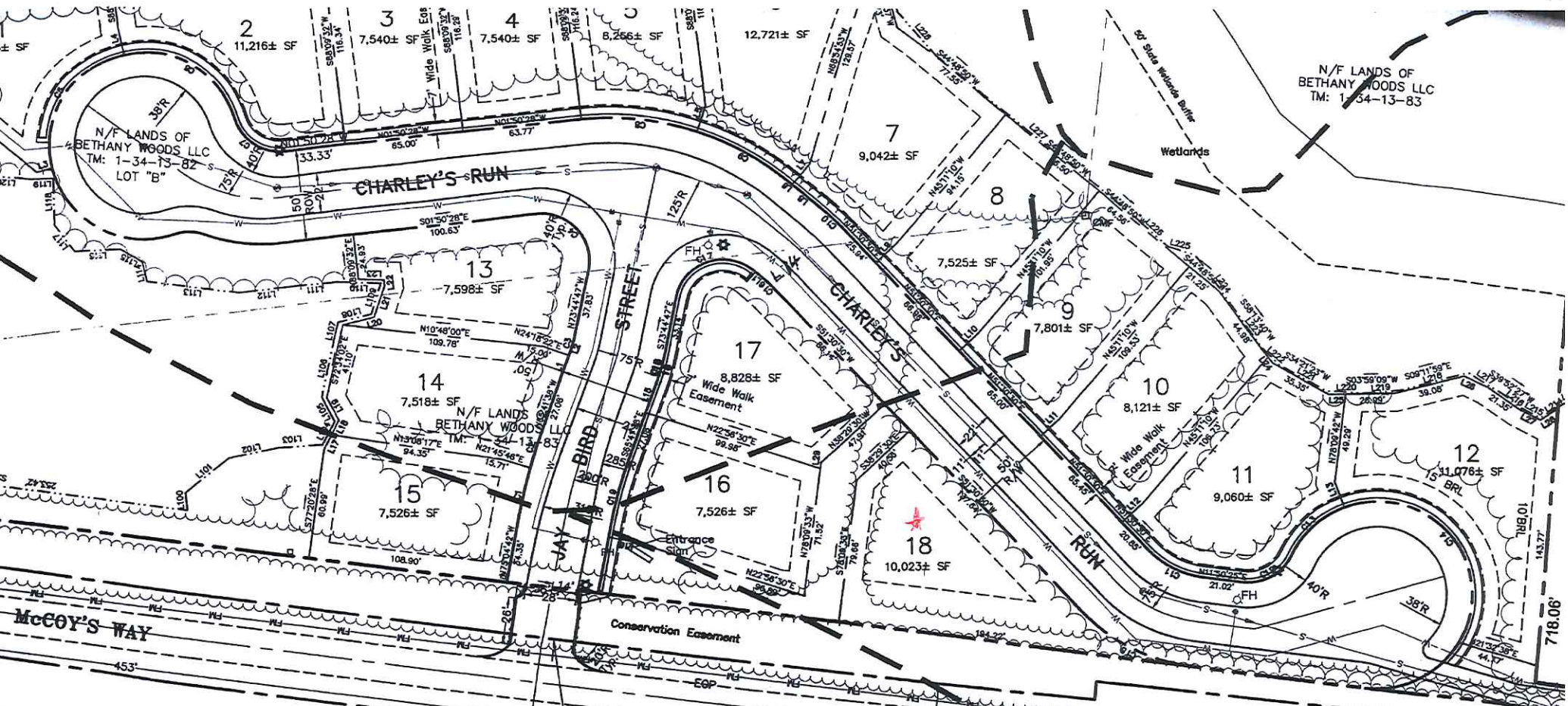
*Umaru Bolarinwa*  
Umaru Bolarinwa

Surrounding Homes



Surrounding Homes





N/F LANDS OF BETHANY WOODS LLC  
TM: 1-34-13-83

N/F LANDS OF BETHANY WOODS LLC  
TM: 1-34-13-82  
LOT "B"

N/F LANDS OF SALT POND INVESTMENT COMPANY  
TM: 1-34-13-88  
DB: 1044/081  
PB: 34/256

**APPROVED**

SUSSEX CONSERVATION DISTRICT  
SEDIMENT CONTROL & STORMWATER MANAGEMENT

Prepared by James D. White Date 8/11/08

**Pm**

TRANSFORMER  
ELECTRIC METER

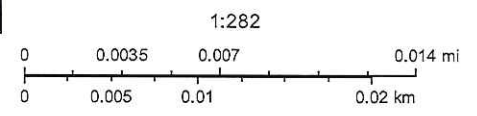
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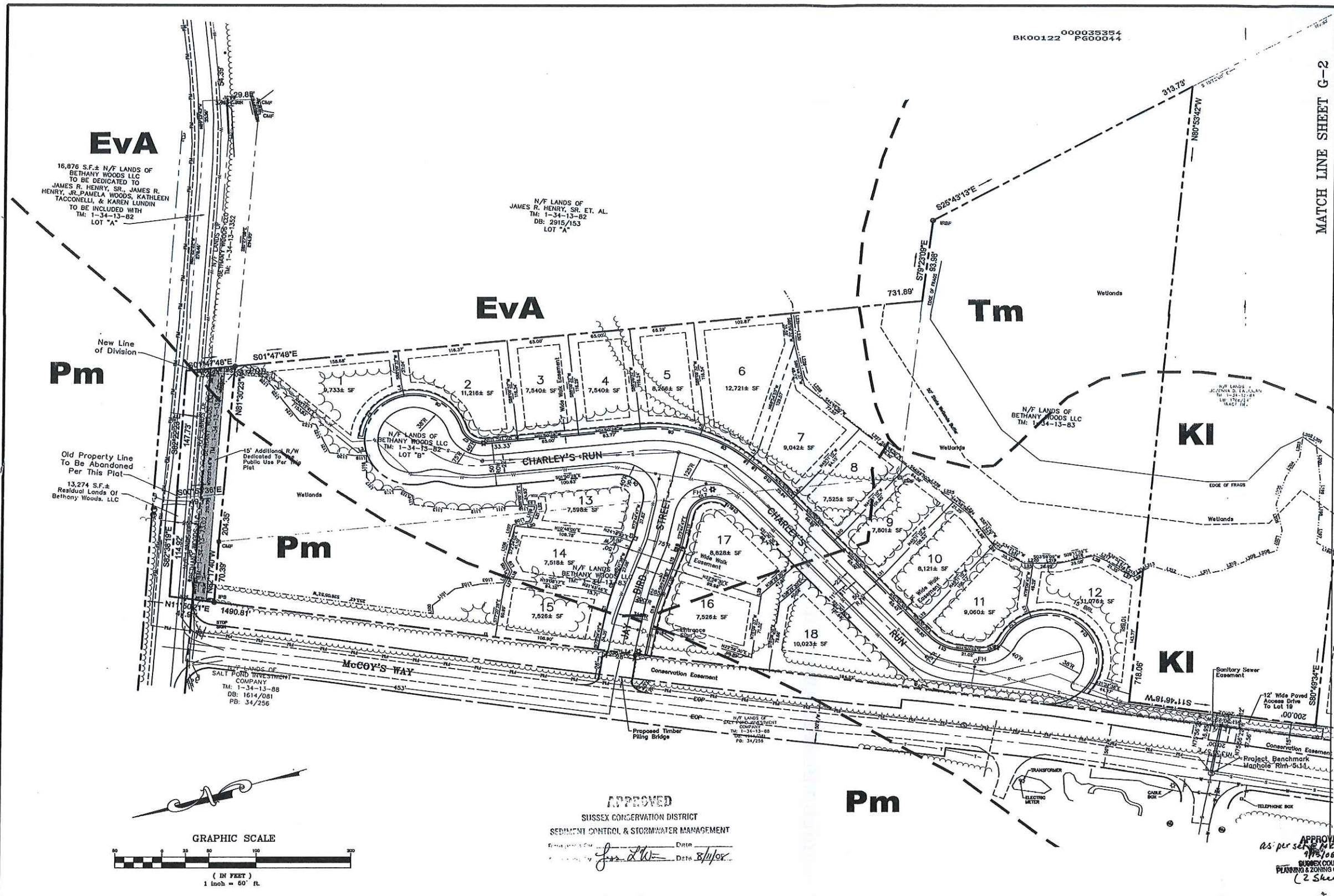


<b>PIN:</b>	134-13.00-2184.00
<b>Owner Name</b>	UMARU BOLARINWA
<b>Book</b>	5327
<b>Mailing Address</b>	14117 PLEASANT VIEW DR
<b>City</b>	BOWIE
<b>State</b>	MD
<b>Description</b>	BETHANY WOODS
<b>Description 2</b>	LOT 18
<b>Description 3</b>	N/A
<b>Land Code</b>	

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



122-44



**LEGEND**

	PROPERTY LINE
	CENTER LINE
	404 WETLANDS LINE
	EXISTING CONTOUR
	EXISTING FENCE
	EXISTING SANITARY SEWER LINE
	EXISTING STORM SEWER LINE
	EXISTING WATER LINE
	EXISTING TELEPHONE LINE
	BUILDING RESTRICTION LINE
	EXISTING TREE LINE
	PROPOSED EDGE OF PAVEMENT
	PROPOSED TREE LINE
	EXISTING IRON PIPE
	IRON PIPE TO BE SET
	EXISTING CONCRETE MONUMENT
	EXISTING ELECTRIC POLE
	EXISTING CATCH BASIN
	PROPOSED STREET LIGHT (4)
	PROPOSED WALK
	PROPOSED FIRE HYDRANT
	PROPOSED SANITARY SEWER LINE
	PROPOSED WATER LINE

**OWNER/DEVELOPER'S CERTIFICATION**  
 I HEREBY CERTIFY THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THIS PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

BETHANY WOODS, LLC  
 RICK JUDGE  
 P.O. BOX 417  
 REHOBOTH BEACH, DE 19971  
 302-227-3009

**SURVEYOR'S CERTIFICATION**  
 I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR IN THE STATE OF DELAWARE, AND THAT THE INFORMATION HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF AND REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

DARY CUPPERS, P.L.L.C.  
 ENGINEERING CONSULTANTS INTERNATIONAL, LLC  
 P.O. BOX 820 • 220 REHOBOTH AVENUE  
 REHOBOTH BEACH, DE 19971  
 PHONE: (302) 226-2844  
 FAX: (302) 226-2935

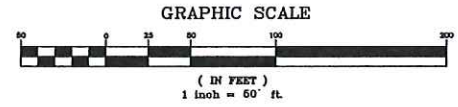
**WETLANDS CERTIFICATION**  
 I, CHARLES C. MILLER, A QUALIFIED WETLANDS PROFESSIONAL WITH ENVIRONMENTAL CONSULTANTS INTERNATIONAL, STATE THAT THIS FEDERAL AND STATE WETLANDS BOUNDARIES DELINEATED UPON THIS PLAN ARE ACCURATELY SHOWN AND THAT THE DELINEATION WAS PERFORMED UTILIZING THE 1987 WETLANDS DELINEATION METHOD.

CHARLES C. MILLER  
 01-10-2008  
 DATE

**APPROVED BY SUSSEX COUNTY PLANNING AND ZONING**  
 SHAWN ROBERTS  
 CHAIRMAN, PLANNING AND ZONING COMMISSION  
 9/15/08  
 DATE

JULY B. SMITH  
 PRESIDENT, SUSSEX COUNTY COUNCIL  
 American Consulting Engineers Council Member  
 Supporting Excellence in Engineering

**APPROVED**  
 AS PER SET BY ME 8/20/08  
 9/8/08 SA  
 SUSSEX COUNTY PLANNING AND ZONING COMMISSION  
 (2 SHEETS)



**APPROVED**  
 SUSSEX CONSERVATION DISTRICT  
 SEDIMENT CONTROL & STORMWATER MANAGEMENT  
 JAMES W. WILSON  
 8/11/08  
 DATE

#	REVISION	DATE	CHKD.	PROJECT	TITLE	PROFESSIONAL SEAL
1.				<b>BETHANY WOODS                      BALTIMORE HUNDRED                      SUSSEX COUNTY, DELAWARE</b> TAX MAP 1-34-13 PARCELS 73.02, 83 AND 1352	<b>FINAL SITE PLAN</b>	
2.						
3.						
4.						
5.						
6.						

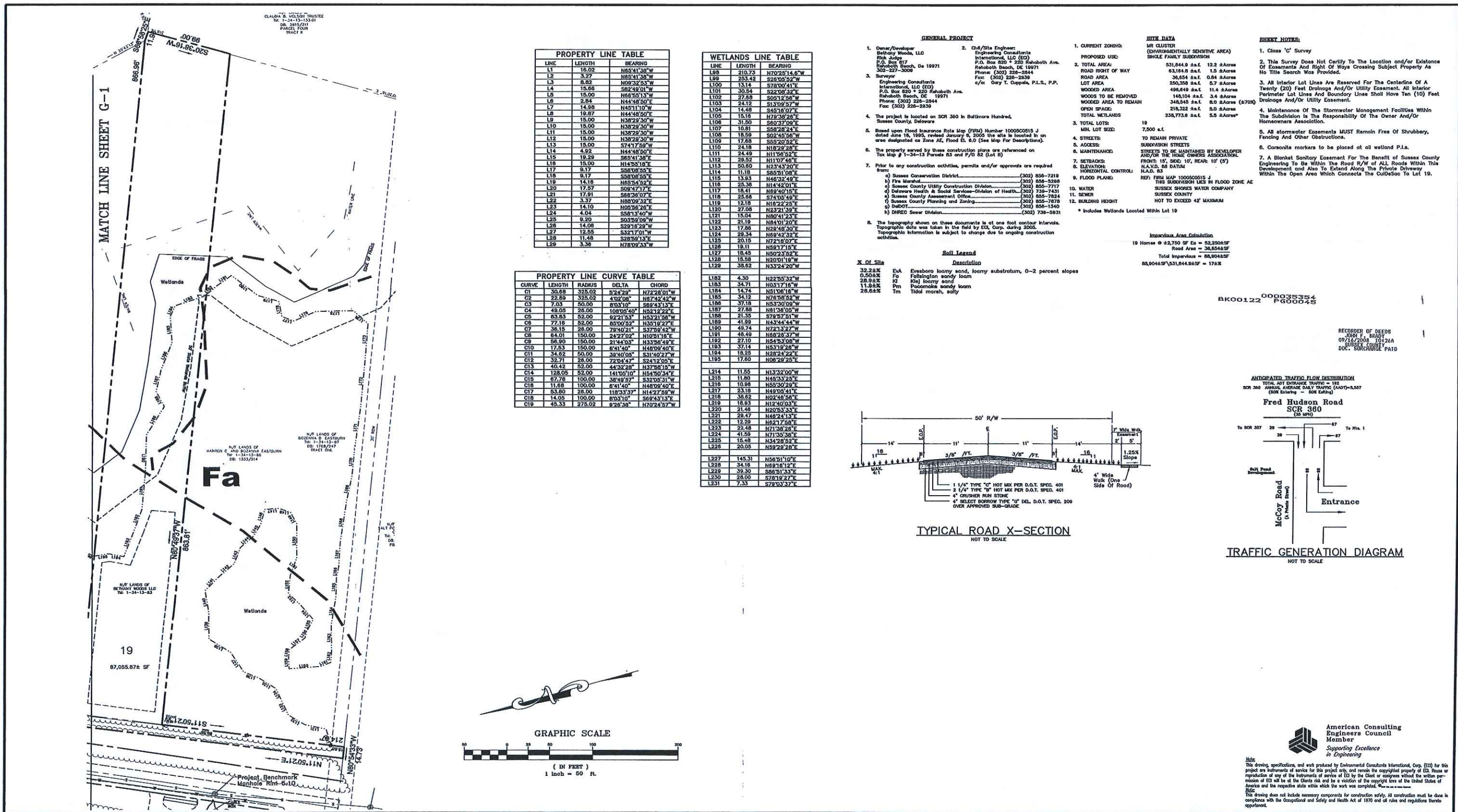
**ECI ENGINEERING CONSULTANTS INTERNATIONAL, LLC**  
 ENGINEERING, SURVEYING, PLANNING, AND MANAGEMENT CONSULTANTS  
 220 REHOBOTH AVENUE • P.O. BOX 820  
 REHOBOTH BEACH, DELAWARE 19971  
 (302) 226-2844 • FAX (302) 226-2939

ONE E. UNWICHLAN AVENUE • SUITE 118  
 EXTON, PENNSYLVANIA 19341  
 (610) 524-2440 • FAX (610) 524-2452

DESIGNED BY: ECI  
 DRAWN BY: Kbk  
 CHECKED BY: GTC

PREPARED BY: ECI  
 DATE: July 2008  
 SCALE: AS SHOWN

JOB # 04-066  
 SHEET G-2



LINE	LENGTH	BEARING
L1	15.02	N85°41'38"W
L2	3.77	N85°41'38"W
L3	8.62	S09°32'53"W
L4	15.65	S82°49'01"W
L5	15.00	N68°25'13"W
L6	2.84	N44°48'50"E
L7	14.98	N45°11'10"W
L8	19.87	N44°48'50"E
L9	15.00	N38°29'30"W
L10	15.00	N38°29'30"W
L11	15.00	N38°29'30"W
L12	15.00	N38°29'30"W
L13	15.00	S74°17'59"W
L14	4.92	N44°48'50"E
L15	19.29	S85°41'38"E
L16	15.00	N14°55'10"E
L17	9.17	S88°08'55"E
L18	9.17	S88°08'55"E
L19	14.18	N85°54'52"E
L20	17.57	S09°47'17"E
L21	17.91	S88°29'07"E
L22	3.37	N88°08'32"E
L23	14.10	N05°56'26"E
L24	4.04	S58°13'40"W
L25	9.20	S03°09'09"W
L26	14.06	S29°16'29"W
L27	12.55	S32°17'01"W
L28	11.48	S28°59'13"E
L29	3.36	N78°09'33"W

CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	30.68	325.02	52°42'29"	N72°28'01"W
C2	22.89	325.02	43°02'08"	N67°42'42"W
C3	7.03	60.00	83°31'07"	S82°41'17"E
C4	49.05	28.00	108°05'40"	N52°12'22"E
C5	63.83	52.00	92°21'53"	N53°21'56"W
C6	77.18	52.00	89°00'22"	N51°18'27"E
C7	36.18	28.00	78°40'21"	S37°59'42"W
C8	64.01	150.00	242°27'02"	N10°51'18"E
C9	56.90	150.00	214°44'03"	N33°56'49"E
C10	17.53	150.00	8°41'40"	N48°09'40"E
C11	34.82	50.00	38°40'09"	S31°40'21"W
C12	32.71	28.00	72°04'47"	S24°12'05"E
C13	40.42	52.00	44°32'28"	N37°38'18"W
C14	128.05	52.00	141°05'10"	N54°50'34"E
C15	67.78	100.00	38°49'57"	S37°05'31"W
C16	11.68	100.00	6°41'40"	N48°08'40"E
C17	53.80	28.00	118°33'37"	N14°27'59"W
C18	14.05	100.00	8°03'10"	S68°43'13"E
C19	45.33	275.02	9°28'38"	N70°45'07"W

LINE	LENGTH	BEARING
L98	210.73	N70°25'14.6"W
L99	253.42	S28°35'52"W
L100	15.14	S78°00'41"E
L101	30.54	S22°08'32"E
L102	27.68	S03°12'58"W
L103	24.12	S13°08'57"W
L104	14.48	S45°16'07"E
L105	15.16	N78°38'28"E
L106	31.50	S60°37'09"E
L107	10.81	S55°28'24"E
L108	18.59	S02°45'58"W
L109	17.68	S55°20'52"E
L110	24.18	N18°28'28"E
L111	24.49	N11°36'52"E
L112	29.52	N11°37'46"E
L113	50.60	N23°43'20"E
L114	11.10	S85°51'09"E
L115	13.93	N46°32'49"E
L116	25.38	N14°42'01"E
L117	18.41	N62°40'15"E
L118	25.68	S74°05'49"E
L119	15.18	N12°22'25"E
L120	27.08	N23°21'39"E
L121	15.04	N80°41'23"E
L122	21.18	N84°01'20"E
L123	17.86	N22°48'30"E
L124	29.34	N59°42'32"E
L125	20.15	N72°18'07"E
L126	18.11	N58°17'18"E
L127	18.48	N50°23'52"E
L128	15.58	N20°01'19"W
L129	38.62	N33°24'20"W
L182	4.30	N22°55'32"W
L183	34.71	N03°17'16"W
L184	14.74	N51°08'18"W
L185	34.12	N76°58'52"W
L186	37.18	N53°30'09"W
L187	27.88	N81°38'05"W
L188	21.35	S78°37'51"W
L189	41.99	N43°44'44"W
L190	49.74	N72°13'27"W
L191	48.49	N68°28'37"W
L192	27.10	N84°33'08"W
L193	37.14	N52°18'28"W
L194	18.25	N52°24'22"E
L195	17.60	N08°28'25"E
L214	11.55	N13°32'00"W
L215	11.80	N45°33'28"E
L216	10.96	N55°30'28"E
L217	23.18	N49°05'41"E
L218	38.62	N02°48'56"E
L219	18.93	N12°40'03"E
L220	21.46	N20°53'33"E
L221	28.47	N48°24'13"E
L222	12.29	N62°17'58"E
L223	22.48	N71°36'28"E
L224	41.59	N71°35'38"E
L225	15.48	N34°28'52"E
L226	20.05	N59°29'20"E
L227	145.31	N56°51'10"E
L228	34.18	N62°18'12"E
L229	39.30	S86°51'33"E
L230	28.00	S78°19'27"E
L231	7.33	S78°03'37"E

**GENERAL PROJECT**

- Owner/Developer: Bethany Woods, LLC, P.O. Box 820, Rehoboth Beach, DE 19971, Phone: (302) 228-2844, Fax: (302) 228-2839
- Eng/Arch: Environmental Consultants International, LLC (ECI), P.O. Box 820, Rehoboth Beach, DE 19971, Phone: (302) 228-2844, Fax: (302) 228-2839
- Surveyor: Engineering Consultants International, LLC (ECI), P.O. Box 820, Rehoboth Beach, DE 19971, Phone: (302) 228-2844, Fax: (302) 228-2839
- The project is located on SCR 360 in Baltimore Hundred, Sussex County, Delaware.
- Based upon Flood Insurance Rate Map (FIRM) Number 10005C0015 J dated June 16, 1985, revised January 8, 2002 the site is located in an area designated as Zone AE, Flood E1.0 (See Map For Descriptions).
- The property served by these construction plans are referenced on Tax Map 1-34-13 Parcels 83 and P/D 82 (Lot B)
- Prior to any construction activities, permits and/or approvals are required from:
  - a) Sussex Conservation District: (302) 856-7218
  - b) Fire Marshal: (302) 856-5328
  - c) Sussex County Utility Construction Division: (302) 856-7717
  - d) Delaware Health & Social Services-Division of Health: (302) 738-7431
  - e) Sussex County Assessment Office: (302) 856-7824
  - f) Sussex County Planning and Zoning: (302) 856-7878
  - g) DaDOT: (302) 856-1340
  - h) DWQD Sewer Division: (302) 738-5931
- The topography shown on these documents is at one foot contour intervals. Topographic data was taken in the field by ECI, Corp. during 2005. Topographic information is subject to change due to ongoing construction activities.

**Soil Legend**

% of Site	Description
32.24%	Eva Evesboro loamy sand, loamy substratum, 0-2 percent slopes
0.504%	Fa Fallington sandy loam
28.94%	Kl loamy sand
11.82%	Pm Pocomoke sandy loam
26.84%	Tm Tidal marsh, sally

**SITE DATA**

MR. CLUSTER ENVIRONMENTALLY SENSITIVE AREA SINGLE FAMILY SUBDIVISION

3. CURRENT ZONING: R1

PROPOSED USE: RESIDENTIAL PRIVATE SUBDIVISION STREETS

2. TOTAL AREA: 531,844.9 ± s.f. 12.2 ± Acres

ROAD RIGHT OF WAY: 36,554 ± s.f. 0.84 ± Acres

ROAD AREA: 250,350 ± s.f. 5.7 ± Acres

LOT AREA: 498,640 ± s.f. 11.4 ± Acres

WOODED AREA: 148,104 ± s.f. 3.4 ± Acres

WOODS TO BE REMOVED: 348,545 ± s.f. 8.0 ± Acres (±70%)

WOODED AREA TO REMAIN: 218,322 ± s.f. 5.0 ± Acres

OPEN SPACE: 238,773.8 ± s.f. 5.5 ± Acres\*

TOTAL WETLANDS: 7,500 ± s.f.

3. TOTAL LOTS: 19

MIN. LOT SIZE: 7,500 ± s.f.

4. STREETS: TO REMAIN PRIVATE SUBDIVISION STREETS

5. ACCESS: STREETS TO BE MAINTAINED BY DEVELOPER AND/OR THE HOME OWNERS ASSOCIATION.

6. MAINTENANCE: FRONT 10', SIDE 10', REAR 10' (±) N.A.V.D. 88 DATUM

7. SETBACKS: REF: FIRM MAP 10005C0015 J THIS SUBDIVISION LIES IN FLOOD ZONE AE

8. ELEVATION: SUSSEX SHORES WATER COMPANY

HORIZONTAL CONTROL: SUSSEX COUNTY

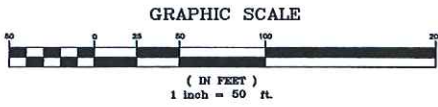
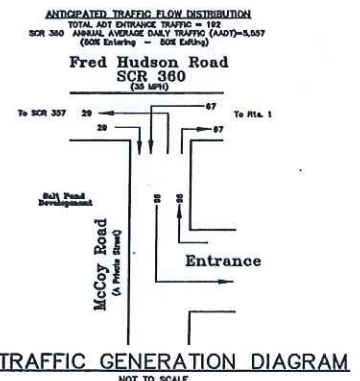
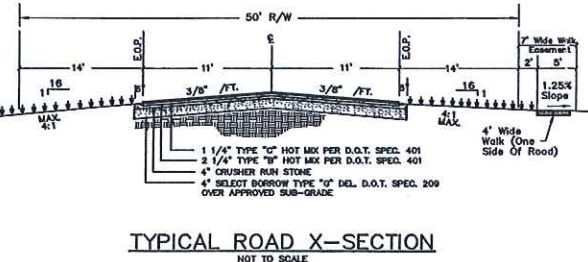
9. FLOOD PLANE: NOT TO EXCEED 42' MAXIMUM

10. WATER: SUSSEX COUNTY

11. SEWER: SUSSEX COUNTY

12. BUILDING HEIGHT: NOT TO EXCEED 42' MAXIMUM

\* Includes Wetlands Located Within Lot 19



#	REVISION	DATE	CHKD.	PROJECT
1.				
2.				
3.				
4.				
5.				
6.				

**BETHANY WOODS**  
**BALTIMORE HUNDRED**  
**SUSSEX COUNTY, DELAWARE**  
 TAX MAP 1-34-13 PARCELS 73.02, 83 AND 1352

**FINAL SITE PLAN**

PROFESSIONAL SEAL

**ECI ENGINEERING CONSULTANTS INTERNATIONAL, LLC**  
 ENGINEERING, SURVEYING, PLANNING, AND MANAGEMENT CONSULTANTS

230 REHOBOTH AVENUE • P.O. BOX 820  
 REHOBOTH BEACH, DELAWARE 19871  
 (302) 228-2844 • FAX (302) 228-2839

ONE E. UWCHLAN AVENUE • SUITE 116  
 EXTON, PENNSYLVANIA 19341  
 (610) 524-2440 • FAX (610) 524-2452

DESIGNED BY: ECI  
 DRAWN BY: Kbk  
 CHECKED BY: GTC

PREPARED BY: ECI  
 DATE: July 2008  
 SCALE: AS SHOWN

JOB # 04-066  
 SHEET G-3

American Consulting Engineers Council Member  
 Supporting Excellence in Engineering

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DISC: This drawing does not include necessary components for construction safety. All construction must be done in compliance with the Occupational Safety and Health Act of 1970 and all rules and regulations thereunto approved.