

THE SMITH FIRM, LLC

ATTORNEYS AT LAW

MICHAEL R. SMITH
smith@vslegal.net

CHAD R. LINGENFELDER*
lingenfelder@vslegal.net

*ADMITTED IN DE & MD

8866 RIVERSIDE DR.
P.O. BOX 1587
SEAFORD, DELAWARE 19973
PHONE: (302) 875-5595
FAX: (302) 280-6592

BLAKE W. CAREY
carey@vslegal.net

February 16, 2022

Transmitted via USPS First Class Mail

Board of Adjustment
2 The Circle
P.O. Box 417
Georgetown, DE 19947

RE: C/U 12661 – Karen and James Wright

To Whom It May Concern:

Please be advised that I provide legal representation to Karen and James Wright in the above-referenced matter before the Board of Adjustment. My clients have asked me to enter my appearance in the above-referenced matter and to provide representation at the February 21, 2022 Board of Adjustment Public Hearing on the Wright's Variance Request regarding the maximum lot coverage condition. My clients will be attending the hearing.

Lastly, I have enclosed with this representation letter supplemental documents for the Board's consideration. I understand that it is past ten (10) days to supplement the record, however the documents included are only pictures showing the property and the surrounding properties in addition to samples of the proposed structures to be placed along with letters of support.

Thank you for your time and attention. If you have any questions, comments, or concerns, please feel free to contact me.

Respectfully,
The Smith Firm, LLC



Chad R. Lingenfelder, Esq.

Enclosures

Petition of Support for Variance

By signing below, I hereby submit my acknowledgement and support towards Jim and Karen Wright in their application for a variance from Sussex County at the 25859 Berry Street, Millsboro, DE 19966 address for the construction of a deck and shed. I am a current neighbor in this community, I am familiar with Jim and Karen's plans and variance request, and I believe such construction will enhance the overall appearance and enjoyment of the neighborhood and will not have any adverse effects on me or any of our fellow neighbors.

Name: Robert Haas/ Tara Everhart

Address: 25862 Berry Street
Millsboro DE 19966

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Name:
Address:

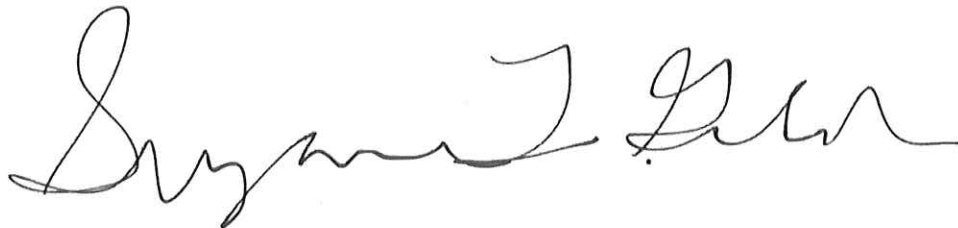
J. A. Williams & Barbara Wise
35870 Bayview Vista Ext.
Millsboro, DE 19966

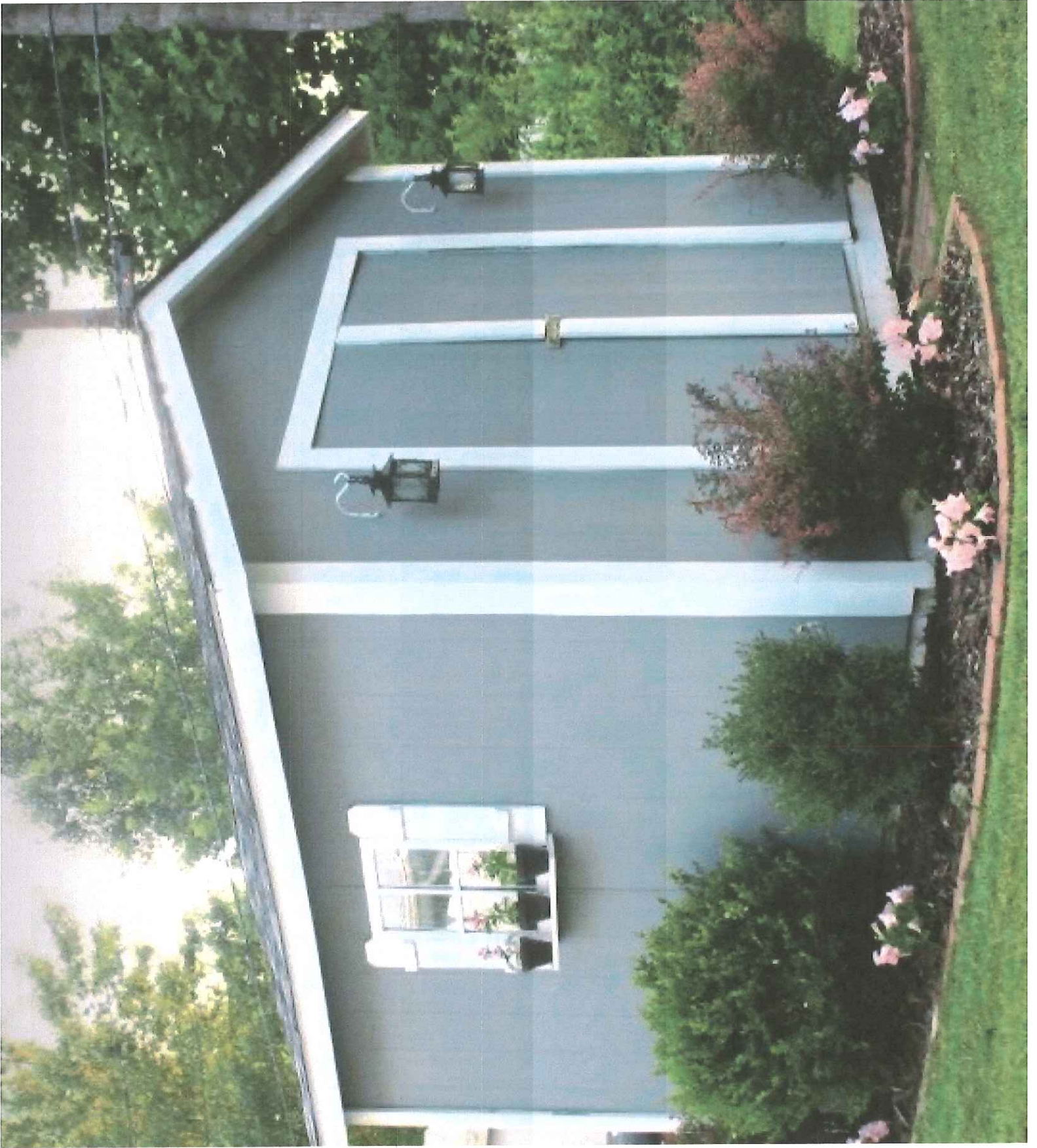
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Name: Suzanne L Gildea

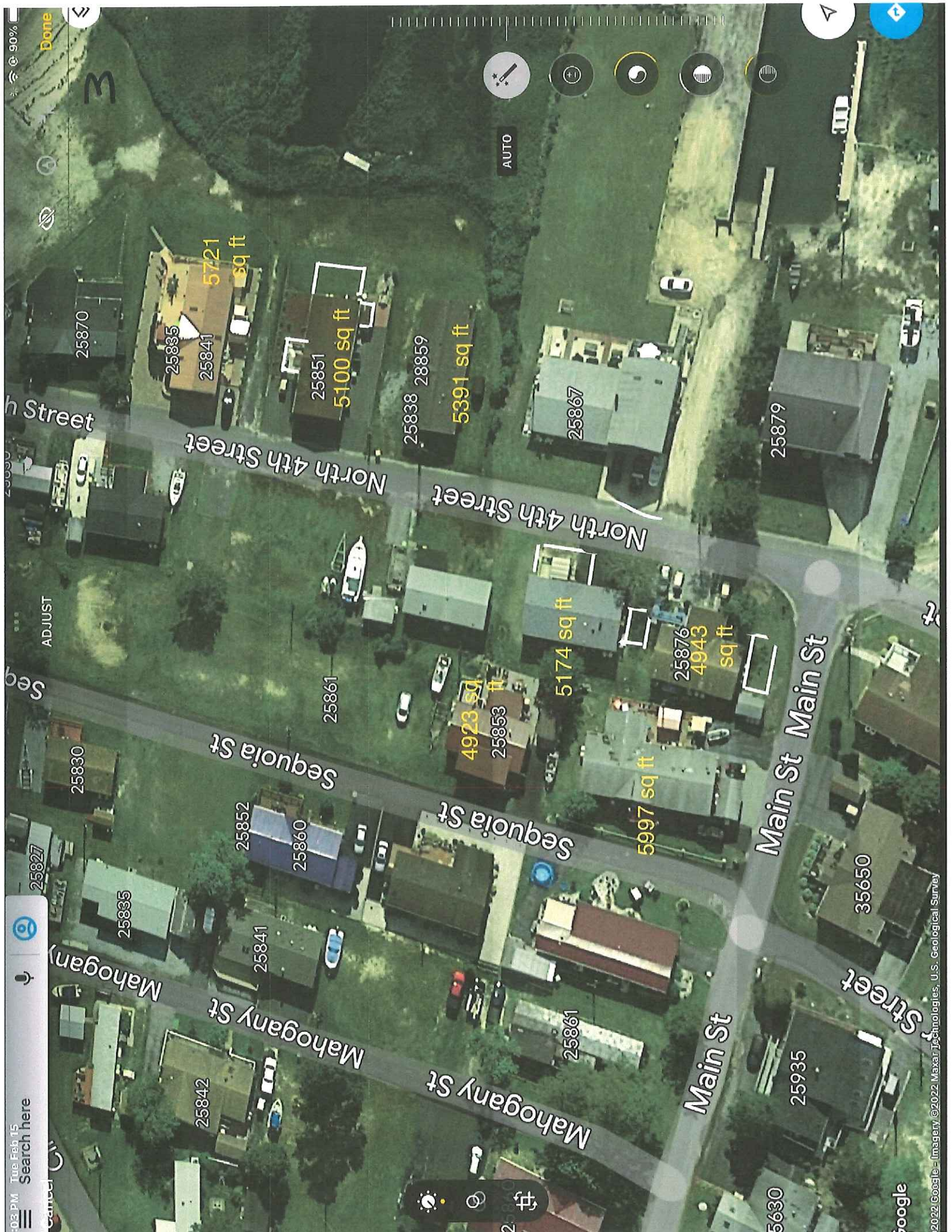
Address: 25977 South Oak Street, Bay City,
Millsboro DE 19966

A handwritten signature in cursive script, appearing to read "Suzanne L Gildea". The signature is written in black ink on a white background.



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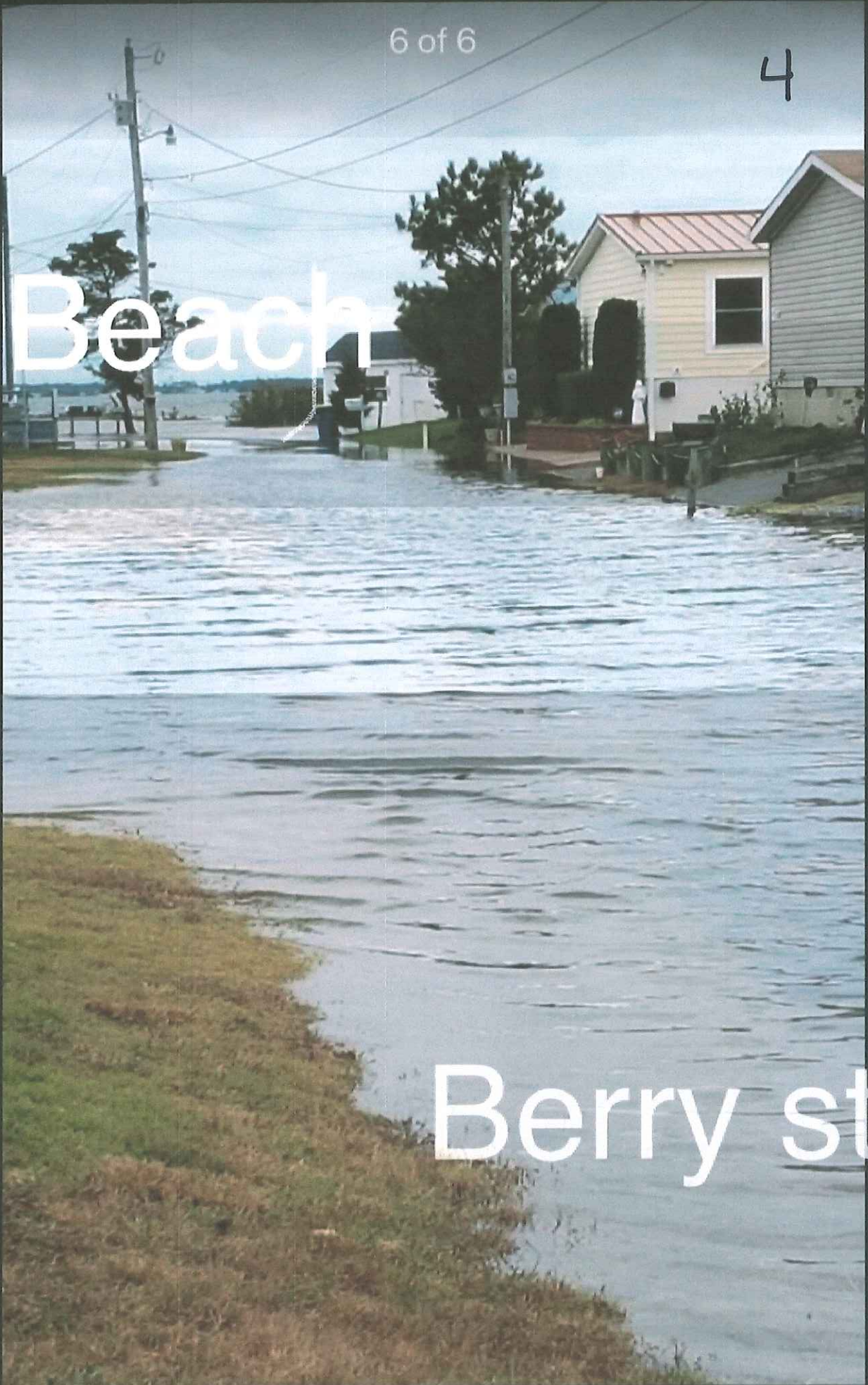
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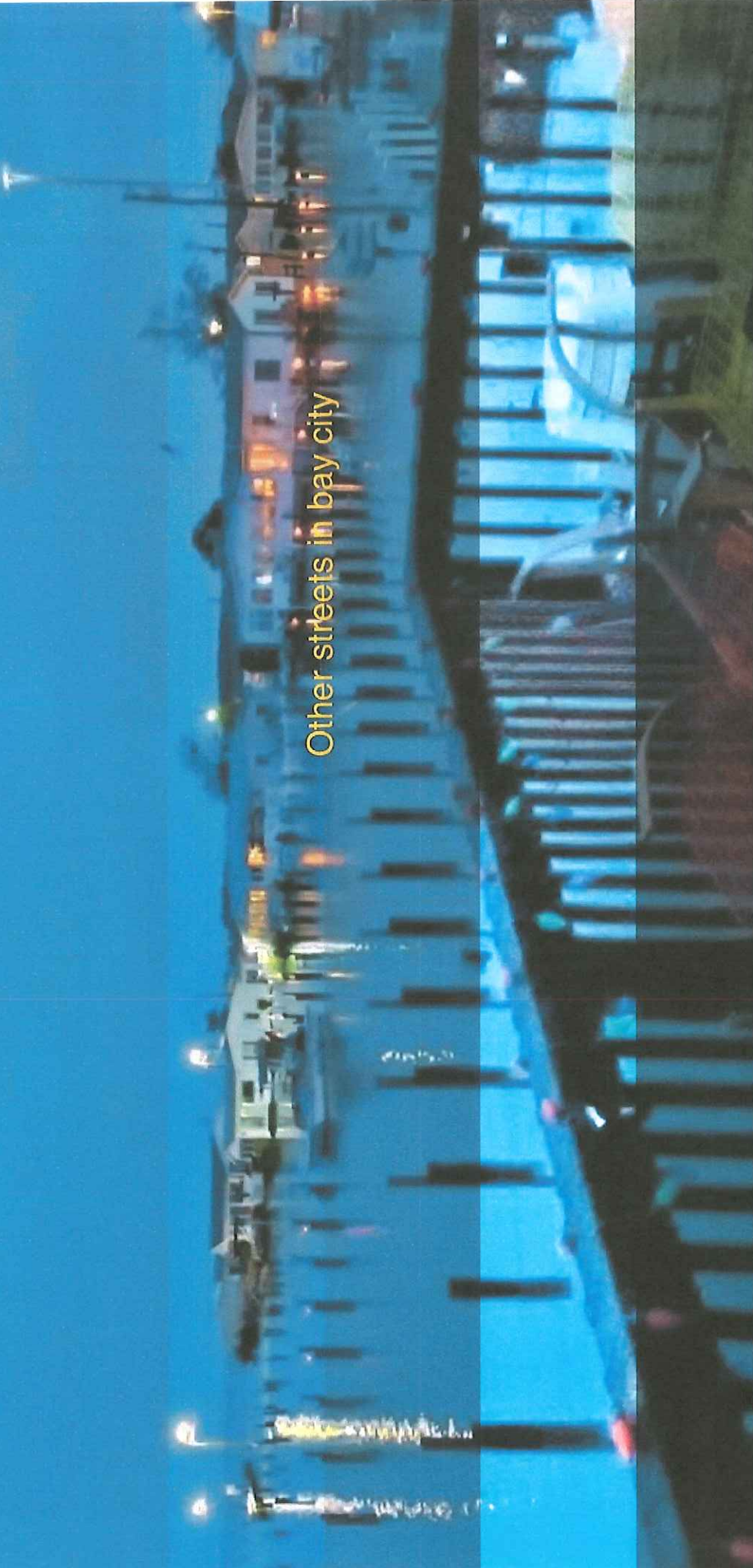
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Beach

Berry st



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Other streets in bay city

in

to right: canal/launch area, covered parking lot, my canal area, covered Bayview Rd, covered yards

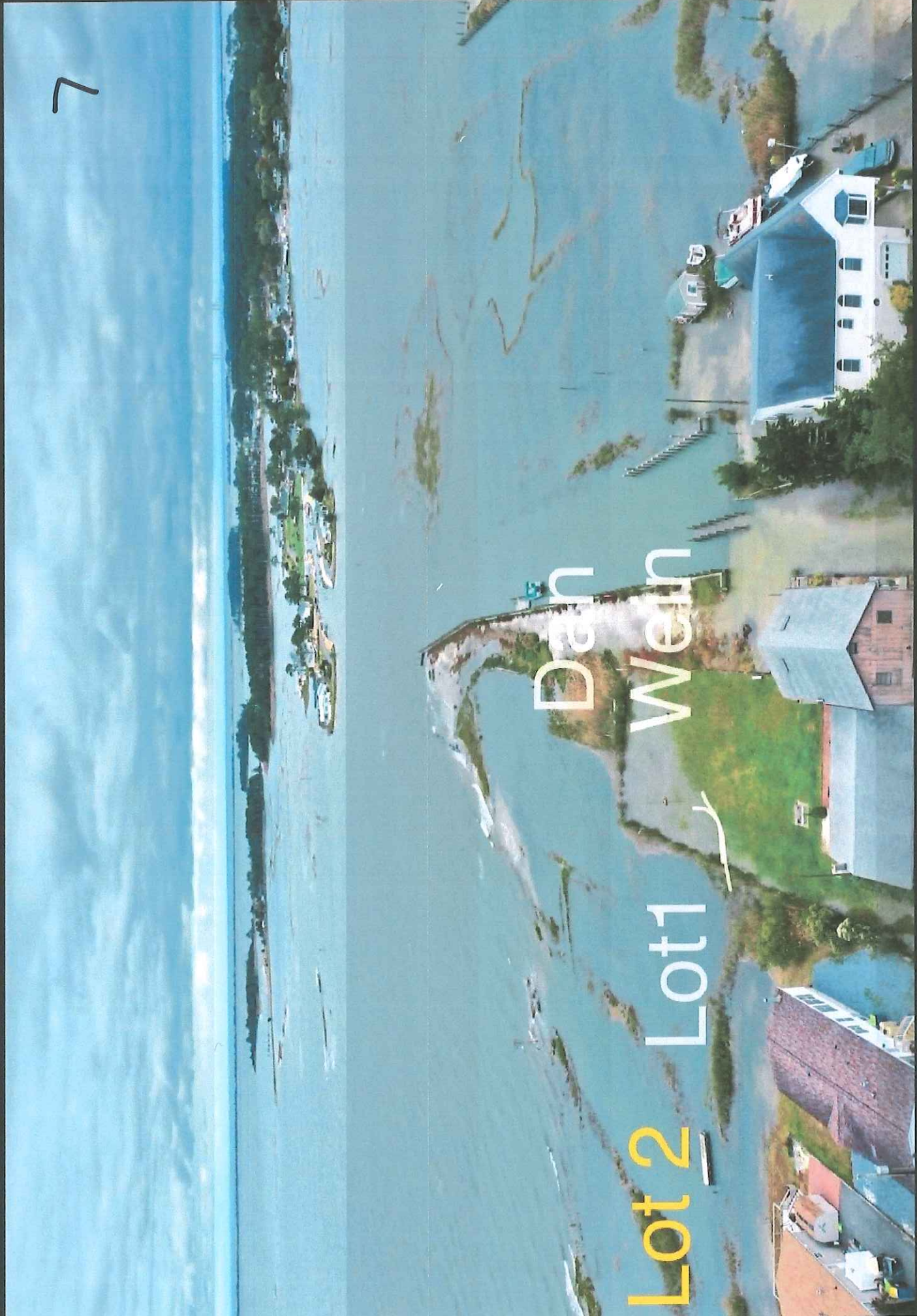
Comment



7

Lot 2 Lot 1

Dan Wein





Ann Lepore

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Tuesday, February 15, 2022 9:21 PM
To: Ann Lepore
Subject: Submission from: Board of Adjustment contact form

RECIPIENTS: Ann Lepore, Jamie Whitehouse

Submitted on Tuesday, February 15, 2022 - 9:20pm

SUPPORT EXHIBIT

Name: Ron Amadio
Email address: umpron@verizon.net
Phone number: 302 258 3067
Subject: 221-22 Board of Adjustment Meeting

Message:

CASE NO. 12661 KAREN & JAMES WRIGHT

My name is Ron Amadio, I live in Bay City and I'm righting this in support of Jim and Karen's request for a variance from the 35% lot coverage in mobile home community's. My wife and I bought a single wide in 1984, we used it for weekend get a ways and vacations to the beach with our children. For the past 20 years with have lived here in a double wide manufactured home full time. Back in 1984 all most all the homes were single wide or fishing or hunting shacks. Things have changed for the better, Bay City has grown into a full time development with all most all double wide manufactured homes. We have the same needs and wants as every home owner. We need sheds for storage of garden equipment , tools and fishing and boating supplies. We also would like to have outside decks, patios and other outside areas to enjoy with our family, friends and neighbors .We have been here before asking for your help. The small lots were not laid out with double wide homes or full time living in mind. I ask for your help in the continued improvement of our community. Please grant this variance to Karen and Jim. Thank you for your time and service to Sussex County.

Jesse Lindenberg

From: Pat Weyl <patweyl@gmail.com>
Sent: Monday, February 14, 2022 8:55 PM
To: Planning and Zoning
Subject: Board of Adjustments-CASE # 12661 Monday, February 21, 2022, at 6:00 p.m.,
Attachments: Sussex County Bay City Lot 1 Variance Hearing.docx

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.

February 14, 2022

To the Board of Adjustments:

Opposition
Exhibit

John Williamson-Chairman
Kevin E. Carson
Jeffrey A. Chorman
John Travis Hastings
Jordon Warfel

Pat Weyl
26391 Winds Way
Millsboro, DE 19966

Re: MY OBJECTION FOR VARIANCE APPLICATION CASE # 12661

The Sussex County Board of Adjustment will hold a Public Hearing on Monday, February 21, 2022, at 6:00 p.m., to hear and consider the following applications.

Case No. 12661 – Karen & James Wright 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 the east side of Berry Street within the Bay City Manufactured Home Park. 911 Address: 25859 Berry Street, Millsboro. Zoning District: AR-1. Tax Map: 234-24.00-34.00-53131

Dear Board of Adjustments,

I am writing in reference to the above request case #12661 for a variance for the maximum of the lot.

I do not support this request and kindly request the Board of Adjustments deny this application.

Janet Oliva, the landowner for Bay City, sold the home on Lot 1 the first time to Mr. and Mrs. Orvine E. Reidell, III. Mr. and Mrs. Riedell also filed for a variance in 2010. Their request was also the maximum of the lot. In the process they discovered that the decks and shed added were over the allotted amount permitted for coverage to a lot, thus the variance application. However, not only was the lot filled in at a very high level, three other homes were added. All with raised lots. This caused major storm water runoff on the street, which also flooded the next street where I lived. Anytime it would rain, the rush of water would fill the street and run down to other roads that were downhill, flooding our lots. We took Janet Oliva to court for the massive stormwater runoff problem and no drainage when it rained. We

did succeed in the case because it was proven that Paul Oliva, Janet's husband, was not an engineer. He filled the lots 2-3 feet high and did nothing for storm water drainage. He not only failed at putting storm water drainage in the community, but he also put concrete in the older drainage pipes that were in place.

The previous info on Lot 1 in 2010 is listed below. I'm sure if you pull up the old case number, you will see where the previous request was denied for a rehearing due to the landowner, Janet Oliva, offering to make the corrections to the lot to bring it into code. She removed the decks and the shed.

The Sussex County Board of Adjustment will hold a public hearing on Monday evening, MARCH 15, 2010, at 7:00 P.M., in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware.

OTHER BUSINESS Case No. 10548 Jocelyn and Orvine E. Reidell, III – east of Route 22, east of Berry Street, being Lot 1 within Bay City Mobile Home Park. A variance from the rear yard setback requirement and a variance from the maximum allowable lot coverage in a mobile home park. Request for a rehearing.

OTHER BUSINESS Case No. 10548 – Jocelyn and Orvine E. Reidell, III- east of Route 22, east of Berry Street, being Lot 1 within Bay City Mobile Home Park. A variance from the rear yard setback requirement and a variance from the maximum allowable lot coverage in a mobile home park. This is a request for a rehearing. **Minutes March 15, 2010 Page 6 Motion by Mr. Mills, seconded by Mr. Workman, and carried unanimously that the request for a rehearing be denied as the park owner stated they would correct the situation at their cost.**

The application for a variance for Lot #1 was denied in 2010. Janet Oliva agreed to buy the home back from the Riedell's. The home has sat empty for over 10 years now. Janet Oliva has sold it again and the Wright's are applying for this variance. Again, this means decks and a shed to be added, per the Wright info.

It should make no difference that over 10 years has passed since the last variance request was denied for rehearing. The landowner sold a home and she knew the last variance was denied. Did she even tell the new owners that info? Dear friends still suffer considerable flooding issues when it rains because of the raised lots and no storm water runoff prevention in place.

I am requesting that the Board of Adjustments deny this request. Adding to the maximum amount creates more storm water runoff issues when there is nothing in place to support the current issues of flooding for every resident on Berry Street and connecting streets. Again, please deny this request for a variance.

Thank you for your consideration.

Sincerely,

Pat Weyl