

BOARD OF ADJUSTMENT

JOHN WILLIAMSON, CHAIRMAN
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

March 1, 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 21, 2020

Approval of Finding of Facts for December 21, 2020

Approval of Minutes for January 4, 2021

Approval of Finding of Facts for January 4, 2021

Old Business

Case No. 12515 – RC Marshall, Inc. seek variances from the side yard, front yard setback requirements and the landscape buffer requirement in the Combined Highway Corridor Overlay Zone (CHCOZ) for proposed structures. (Sections 115-82, 115-182, 115-183, 115-185 and 115-194.1 of the Sussex County Zoning Code). The property located on the northeast side of Washington Street at the intersection of Coastal Highway (Rt. 1). 911 Address: 20469 Washington Street, Rehoboth Beach. Zoning District: C-1. Tax Parcel: 334-19.08-173.00

Case No. 12520 – Dewey Beer Company seeks variances from the side yard setback requirements for a proposed structure (Sections 115-82 and 115-183 of the Sussex County Zoning Code). The property is located on the southeast side of Iron Throne Drive off Harbeson Road (Rt. 5) approximately 0.20 mile north of Lewes Georgetown Highway (Rt. 9). 911 Address: 21241 Iron Throne Drive, Milton. Zoning District: C-1. Tax Parcel: 235-30.00-21.00



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

Public Hearings

Case No. 12524 – Linda Reichel & Ann Fones seek variances from the separation distance requirement for proposed and existing structures (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on the southwest side of Prince Street within the Camelot Meadows Manufactured Home Park. 911 Address: 19676 Prince Street, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-304.00-56145

Case No. 12530 – Jason & Jennifer Sutton seek variances from the side yard setback requirement for a proposed structure (Sections 115-42, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the west side of Blue Bill Drive within the Swann Keys Subdivision. 911 Address: 37057 Blue Bill Drive, Selbyville. Zoning District: GR. Tax Parcel: 533-12.16-171.00

Case No. 12531 – Mark & Amy Bower seek a variance from the side yard setback requirement for existing structures (Sections 115-42, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the southwest side of Quillen Road within the Rehoboth Manor Subdivision. 911 Address: 20592 Quillen Road, Rehoboth Beach. Zoning District: GR. Tax Parcel: 334-19.12-36.01

Case No. 12533 – Jyoti A. Tulsian & Kelsy Swearer seek variances from the front yard setback requirement for existing structures (Sections 115-82, 115-182, and 115-185 of the Sussex County Zoning Code). The property is located on the north side of Oak Orchard Road (Rt. 5) approximately 245 ft. northwest of Delaware Avenue. 911 Address: 32681 Oak Orchard Road, Millsboro. Zoning District: C-1. Tax Parcel: 234-34.08-57.01

Case No. 12534 – Michael & Dea O’Hopp seek a variance from maximum fence height requirement for a proposed fence. (Sections 115-50, 115-182 and 115-185 of the Sussex County Zoning Code). The property is a through lot located on the west side of Ocean Park Lane and the east side of Coastal Highway (Rt. 1) within the Fenwick Acres Subdivision. 911 Address: 37146 Ocean Park Lane, Fenwick Island. Zoning District: HR-1. Tax Parcel: 134-22.00-31.00

Additional Business

Board of Adjustment meetings can be monitored on the internet at
www.sussexcountyde.gov



In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on February 22, 2021 at 4:00 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://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 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://sussexcountyde.gov/>

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountyde.gov. All comments shall be submitted by 4:30 P.M. on Thursday, February 25, 2021

####



**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 # 12515
Hearing Date 1/4/21
202013318

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)
115-82 115-182
115-183 115-185

Site Address of Variance/Special Use Exception:

20469 Washington Street, Rehoboth Beach, DE 19971

Variance/Special Use Exception/Appeal Requested:

Reduction of setback requirements in order to obtain a building permit to construct a new building of similar nature to the existing building.

Handwritten notes:
① 15-Ft Var from 30-Ft Front for Prop. 2nd Floor
② 25-Ft Var from 30-Ft Front for Prop. 2nd Floor
③ 0.5-Ft Var from 5-Ft Side
④ 20-Ft Var from Back for
⑤ -20.8' Var from 30 Front for Deck
⑥ 20.9' Var from 30' for Prop. Deck
C1C2Z
REQ

Tax Map #: 334-19.08-173.00

Property Zoning: C-1

Applicant Information

Applicant Name: RC Marshall, Inc. (Kathy & Rob Marshall)
Applicant Address: 1700 Coastal Highway
City Dewey Beach State DE Zip: 19971
Applicant Phone #: (302) 236-1552 Applicant e-mail: katmarshall@atlanticoceanside.com

Owner Information

Owner Name: RC Marshall, Inc. (Robert & Kathy Marshall)
Owner Address: 1700 Coastal Highway
City Dewey Beach State DE Zip: 19971 Purchase Date: _____
Owner Phone #: (302) 236-1552 Owner e-mail: rcm@atlanticoceanside.com

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

[Handwritten Signature]

Date: 10/16/2020



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.

This is a corner lot at the intersection of Coastal Highway and Washington Street with an irregular shape. The small lot size and irregular shape make it impossible to build according to the existing setback requirements. Please see the attached survey for a diagram.

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.

Due to the small size and irregular shape, the current setback requirements make it impossible to construct a new building on the lot without a variance. There is a building on the property that was built prior to 1998 when we purchased it.

3. Not created by the applicant:

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

We purchased the lot and current building in 1998 as it exists today. The footprint of the building has not been changed since we purchased the 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.

We are seeking to replace the older existing house with a newly constructed house that will comply with the current building codes. This is the same use and would not change the character of the neighborhood.

5. Minimum variance:

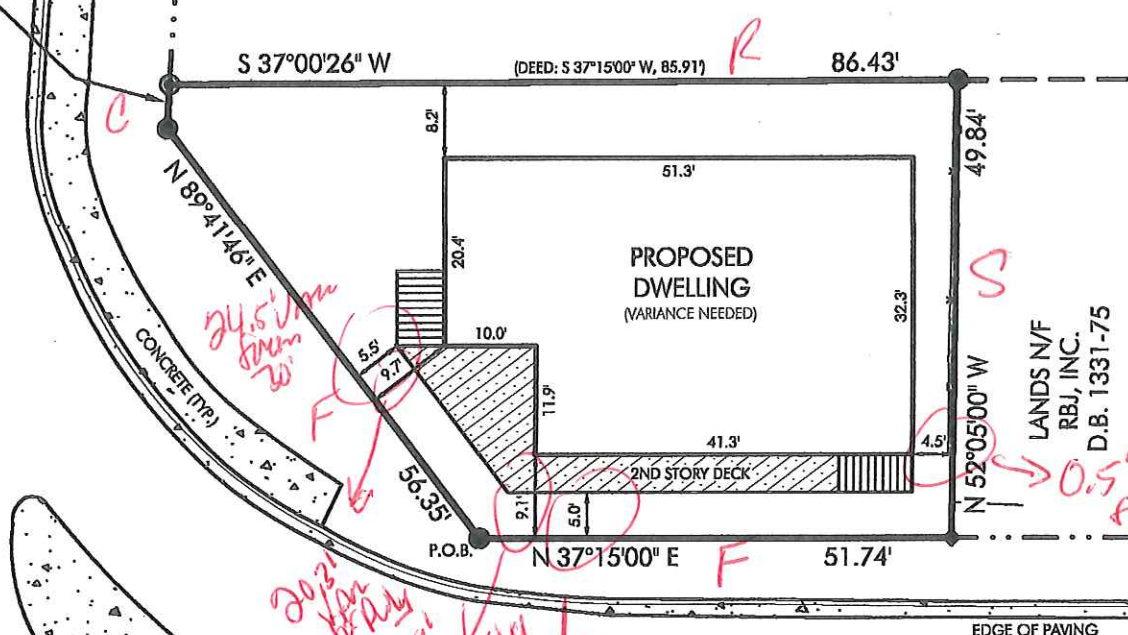
That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

The requested setback variance is similar to the existing setbacks and is the least amount necessary in order to build a new structure on the irregular lot. The two surveys provided illustrate the footprint of the existing structure and the proposed structure, which are very similar in shape and size.

R=2,779.93'
 Δ=00°05'57"
 L=4.81'
 C=4.81'
 BRG=S 49°51'54" E

LANDS N/F
 THE REHOBOTH INN
 D.B. 2221-180

☐ SOUTHBOUND LANE COASTAL HIGHWAY / DELAWARE ROUTE 1 (RW VARIES)

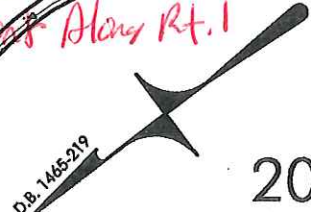


Handwritten notes:
 24.5' Var from 30'
 20.2' Var from 30' for Paving
 20.9' Var from 30' for Paving
 25' Var from 30'

Handwritten notes:
 Rear Setbacks
 30' F - Along Levee Highway St
 5' Side
 5' Near
 15' Corridor Along Rt. 1

WASHINGTON STREET (50' R/W)

EDGE OF PAVING



LEGEND:

- IRON PIPE (FOUND)
- ◎ PUNCH HOLE IN METAL DISK (FOUND)
- ◆ "PK" NAIL (SET)

NOTES:

*DRAWING REVISED ON 10/12/2020 TO SHOW PROPOSED CONDITIONS
 ALL SETBACKS ARE THE RESPONSIBILITY OF THE OWNER AND/OR GENERAL CONTRACTOR. PLEASE CONTACT SUSSEX COUNTY.
 THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.
 NO TITLE SEARCH PROVIDED OR STIPULATED.
 SURVEY CLASS: SUBURBAN

"WORKING VERSION"
 PROPOSED CONDITIONS PLAN FOR
20469 WASHINGTON STREET

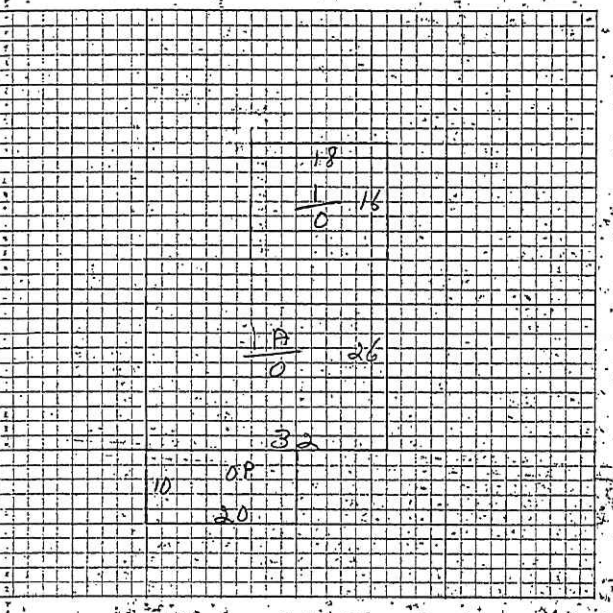
REFERENCE: DEED BOOK 1465, PAGE 219
 TOTAL AREA: 3,522 SQ. FT.
 NORTHERN PORTION OF LOT #15 OF
 "REHOBOTH MANOR" SUBDIVISION
 LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
 STATE OF DELAWARE
 AUGUST 26, 2020* SCALE: 1" = 20'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

DIST 3-34 MAP 19.08 PARCEL 173
 CONTROL NO



TYPE	OCC	GRADE	DIMENSIONS	AREA	WALLS	STORY HT	1/2 STY	ATTIC	UNIT COST	BASE COST
1	1	C-	X	832	1	1A		1		18,030
			X	288	1	1		0		
			X							
			X							
			X							
H. L. YOH CO. PHILA., PA.										
TOTAL GROUND AREA				1120						TOTAL BASE COST \$ 18,030

PRINCIPAL BUILDING DESCRIPTION										M/C	± %	± PTS										
MASONRY-1		PIER-2		SLAB-3		FOUNDATION				1	-											
NONE-0		1/4-1		1/2-2		3/4-3		FULL-4		0		-										
NONE-0		REC AREA-1		APT-2		% OF BASEMENT		SQ FT		0		-										
NONE-0		PIPELESS GHA-1		ELECTRIC-2		FMA-3		STM-HW-4		2	-2											
INDICATE QTY																						
3-FIXT BATH		2-FIXT BATH		SG FIX		TOTAL FIXT		5				8.0 +										
NONE-0		1/2-1		1-2		1 1/2-3		2-4		2 1/2-5		3-6		4-7		5-8		0		-		
1ST FLOOR				2ND FLOOR				3RD FLOOR				INT FINISH										
NONE		PL		WB		WP		NONE		PL		WB		WP		WLS-CLG						
DIRT		CONC		HW		SW		NONE		HW		SW		HW		SW		FLOORS				
NONE-0		HOME POWER UNIT-2				PUBLIC-3				ELECTRICITY		3										
NONE-0		ONE CAR-1		TWO CAR-2		BLT-IN GAR		0		-		-		-		-		-				
WOOD-1		SHGL-2		ALUM-3		BLK-4		BRK OR STN-5		STUCCO-6		COMP-7		EXT WALLS		1						
HIP-1		GABLE-2		FLAT-3		MANSARD-4		GAMBREL-5		ROOF TYPE		2										
WD-COMP-SHGL-1		SLATE-2		METAL-3		TILE-4		ROLL-5		T & G-6		ROOFING		1								
AREA		200 SQ FT		INDICATE QTY		1		PORCH-OPEN		1		10.0 +										
AREA		SQ FT		INDICATE QTY				PORCH-GLZD		0		-		-		-		-				
NONE-0		CENTRAL-1		AIR-COND		0		-		-		-		-		-		-				
NONE-0		1 CAR-1		2 CAR-2		SQ FT		ATT GAR/CP		0		-		-		-		-				
						SQ FT		UTILITY		0		-		-		-		-				
								OTHER		0		-		-		-		-				
								OTHER		0		-		-		-		-				

IDENT: 3-34 19.08 173

NOTES:

INDEX TOTALS										
BASE COST \$ 18,030		± INDEX % \$ 17,669		± INDEX PTS \$ 19,729		X GRADE FACTOR 95 = REPLACEMENT COST		98% 20.6 +		
ACTUAL AGE 14 YRS		EFF AGE 14 YRS		PHYS. COND GOOD		FAIR 4 POOR		PER CENT GOOD 85 %		\$ 18,742
OBsolescence: FUNC %		OV'RIMP %		UND'RIMP %		OTHER ECON. %		NET COND 85 %		DEPRECIATED BLDG VALUE \$ 15,930

ACCESSORY BUILDINGS															
CODE	BUILDING NAME	EXT WALL	GRADE	FLOOR	STY HT	LGTH	WIDTH	AREA	DIA	HGT	UNIT COST	REPL COST	COND	% GOOD	DEPRECIATED VALUE
<i>Existing Dwg. - Nonconforming per Assessment Records</i>															

TRAILERS									
OCCUPANCY TRAILER	NAME	YEAR	SIZE	COLOR	MODEL NO	SERIAL NO	REPL VAL	PHYS. DEPR.	SOUND VAL.

INSPECTED BY 802 \$/9/73	CHECKED BY Wm 5/3/74	APPROVED BY	TOTAL TRAILERS VALUE \$	TOTAL ACCESSORY BLDGS VALUE \$	TOTAL BLDGS VALUE \$ 15,930
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1-20-82

REASSESSMENT DIVISION

ACTION CODE: 2

WORKED BY: Laurie

DISTRICT: 3-34 MAP: 19.08 PARCEL: 173 TRL/UNIT:

NAME: Klein

ADDRESS:

PROPERTY DESCRIPTION:

ACREAGE:

TRANSFER:

LAND CLASS:

OLD VALUE: 16,400

LAND VALUE: 16,900

IMP. VALUE: 15,900

TOTAL VALUE: 32,800

ACTION REASON: Calculation error - found by Computer

BILLING:

Done on 1-20-82
COC
2/26

Letter sent 1-20-82

ASSESSMENT DIVISION

3-28-80

ACTION CODE: 2

WORKED BY: LR

DISTRICT: 3-34 MAP: 19.08 PARCEL: 173 TRL/UNIT:

NAME: Klein, MARVIN J. & BARBARA G.

1703 Addison Street

ADDRESS: Philadelphia, Pa. 19146

PROPERTY DESCRIPTION:

TRANSFER: 176377

NEW VALUE: 32,800

OLD VALUE: 29,700

ACTION REASON: STRAIGHT TRANSFER - AND DIMENSION CORRECTION
FROM MAPPING.

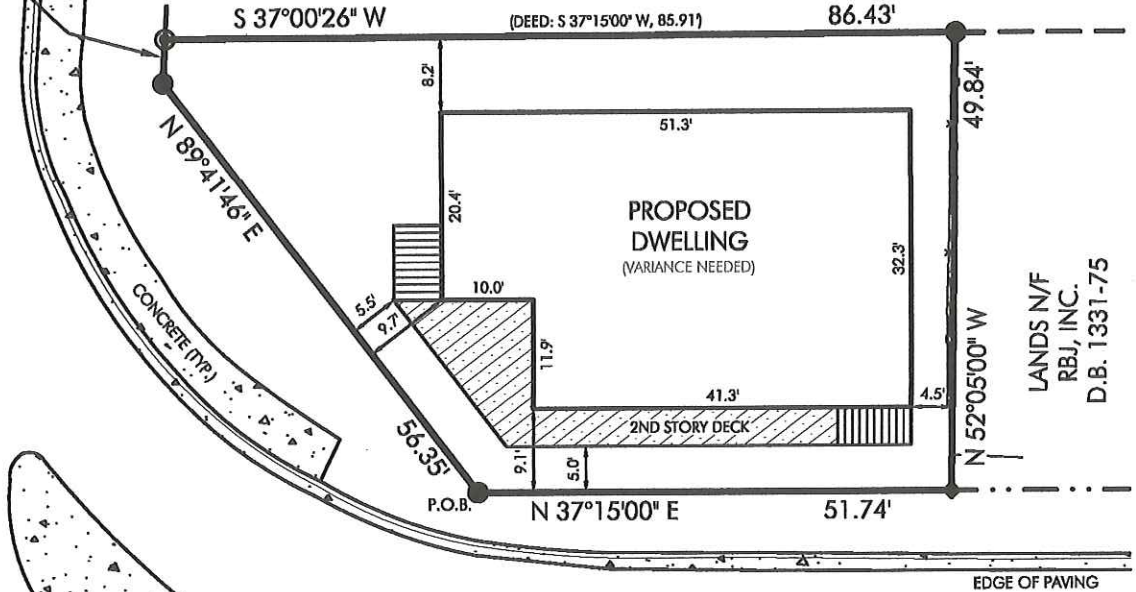
BILLING: 1980.

Done on edit
3/25/80

R=2,779.93'
 $\Delta=00^{\circ}05'57''$
 L=4.81'
 C=4.81'
 BRG=S 49°51'54" E

LANDS N/F
 THE REHOBOTH INN
 D.B. 221-180

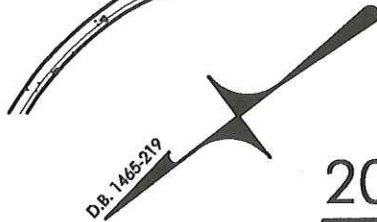
☐ SOUTHBOUND LANE COASTAL HIGHWAY / DELAWARE ROUTE 1 (R/W VARIES)



LANDS N/F
 RBJ, INC.
 D.B. 1331-75

WASHINGTON STREET (50' R/W)

EDGE OF PAVING



D.B. 1465-219

LEGEND:

- IRON PIPE (FOUND)
- ⊙ PUNCH HOLE IN METAL DISK (FOUND)
- ◆ "PK" NAIL (SET)

NOTES:

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 NO TITLE SEARCH PROVIDED OR STIPULATED.
 SURVEY CLASS: SUBURBAN

"WORKING VERSION"
 PROPOSED CONDITIONS PLAN FOR
20469 WASHINGTON STREET

REFERENCE: DEED BOOK 1465, PAGE 219

TOTAL AREA: 3,522 SQ. FT.

NORTHERN PORTION OF LOT #15 OF

"REHOBOTH MANOR" SUBDIVISION

LEWES & REHOBOTH HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

AUGUST 26, 2020* SCALE: 1" = 20'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

302 226 2229 phone 302 226 2239 fax 2103A Coastal Highway Dewey Beach, DE 19971



Sussex County

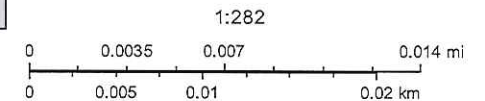


PIN:	334-19.08-173.00
Owner Name	R C MARSHALL INC
Book	2318
Mailing Address	21003 COASTAL HWY
City	REHOBOTH BEACH
State	DE
Description	WASHINGTON ST
Description 2	P/O LOT 15 W/IMP
Description 3	N/A
Land Code	

- polygonLayer

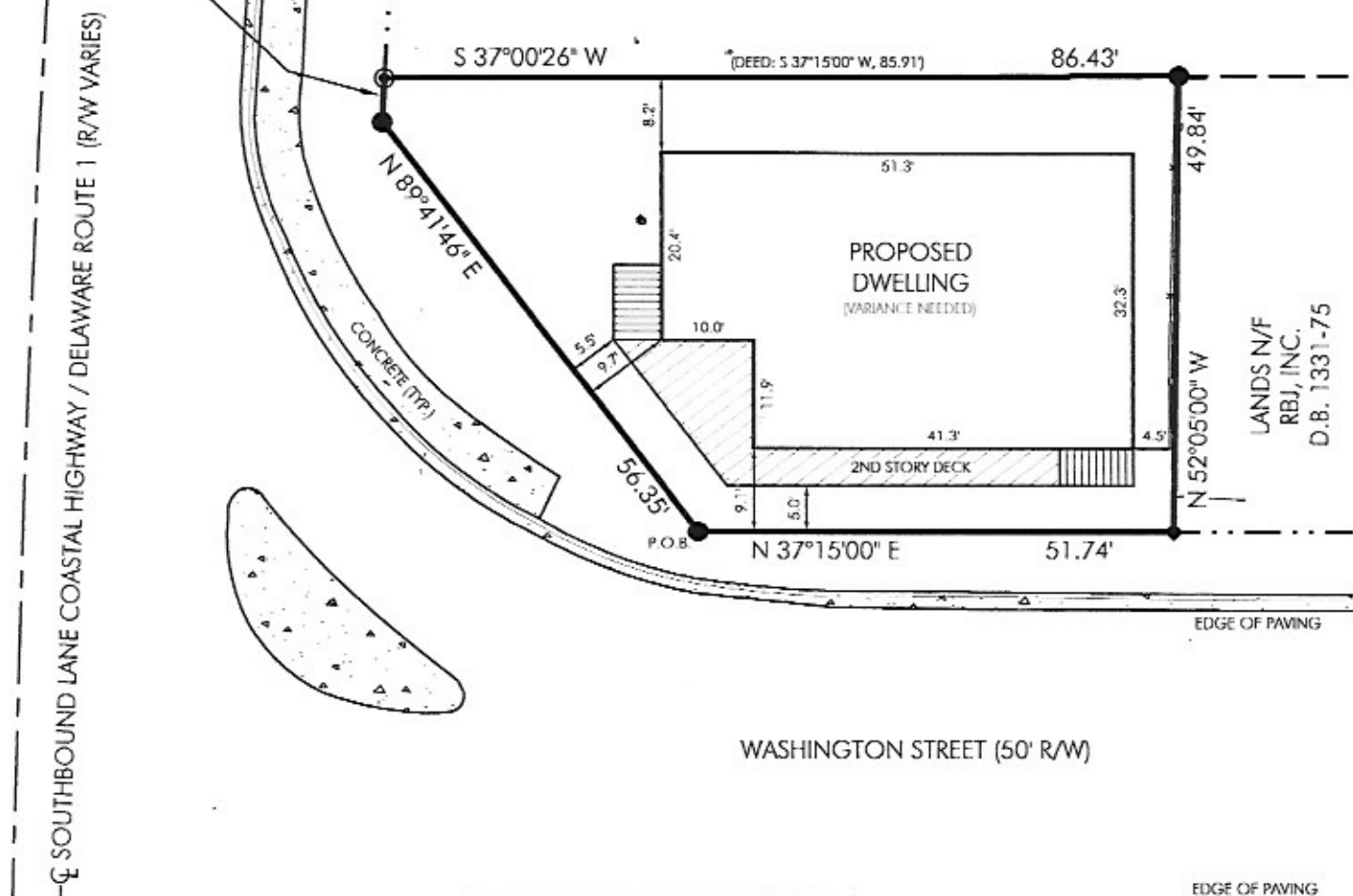
 - Override 1
- polygonLayer

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



R=2,779.93'
 $\Delta=00^{\circ}05'57''$
 L=4.81'
 C=4.81'
 BRG= $S 49^{\circ}51'54'' E$

LANDS N/F
 THE REHOBOTH INN
 D.B. 2221-180



LEGEND:

- IRON PIPE (FOUND)
- ⊙ PUNCH HOLE IN METAL DISK (FOUND)
- ◆ "PK" NAIL (SET)

NOTES:
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 SURVEY CLASS: SUBURBAN

"WORKING VERSION"
 PROPOSED CONDITIONS PLAN FOR
20469 WASHINGTON STREET

REFERENCE: DEED BOOK 1465, PAGE 219
 TOTAL AREA: 3,522 SQ. FT.
 NORTHERN PORTION OF LOT #15 OF
 "REHOBOTH MANOR" SUBDIVISION
 LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
 STATE OF DELAWARE
 AUGUST 26, 2020* SCALE: 1" = 20'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement







20469





**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 # 12520
Hearing Date 2/11
202016111

Type of Application: (please check all applicable)

Variance

Special Use Exception

Administrative Variance

Appeal

Existing Condition

Proposed

Code Reference (office use only)

115-82 115-183

Site Address of Variance/Special Use Exception:

21241 Iron Throne Drive, Milton, DE 19968 (Building 3)

Variance/Special Use Exception/Appeal Requested:

Request to reduce side yard setback in C-1 from residential parcel to 10' from 20' exclusively for location of mechanical equipment serving a brewery/microbrewery.

Tax Map #: 235-30.00-21.00

Property Zoning: C-1

Applicant Information

Applicant Name: Dewey Beer Company

Applicant Address: 2100 Coastal Hwy

City Dewey Beach State DE Zip: 19971

Applicant Phone #: (703) 901-2303 Applicant e-mail: mike@deweybeerco.com

Owner Information

Owner Name: Kings Landing at Harbeson LLC

Owner Address: 30030 Gatehouse Road Milton, DE

City Milton State DE Zip: 19968 Purchase Date: _____

Owner Phone #: (302) 542-9002 Owner e-mail: makowski0754@aol.com

Agent/Attorney Information

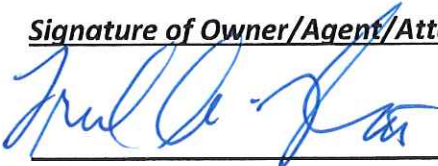
Agent/Attorney Name: Fred Townsend/ Hudson, Jones, Jaywork & Fisher

Agent/Attorney Address: 34382 Carpenters Way

City Lewes State DE Zip: 19958

Agent/Attorney Phone #: (302) 644-8330 Agent/Attorney e-mail: ftownsend@delawarelaw.com

Signature of Owner/Agent/Attorney



Date: 12.9.20



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.

Applicant is a tenant of a newly constructed pole building located just .6' beyond the 20' S/Y setback leaving inadequate room for HVAC and various other necessary mechanical equipment serving a small brewery/microbrewery. The site is located in a business park and the remaining sides of the building are not suitable locations for mechanical equipment.

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 mechanical equipment cannot be located on either of the three remaining sides of the building given the F/Y setback, the 10' separation between the subject building and the building behind it, and the site of the parking area at the opposite side of the building. For the property to be utilized as a microbrewery, its approved conditional use, or virtually any other use the requested variance is required.

3. Not created by the applicant:

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

The exceptional practical difficulty is created by the proximity of the existing building to the side boundary line. Applicant is the tenant and not the owner of the preexisting building.

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

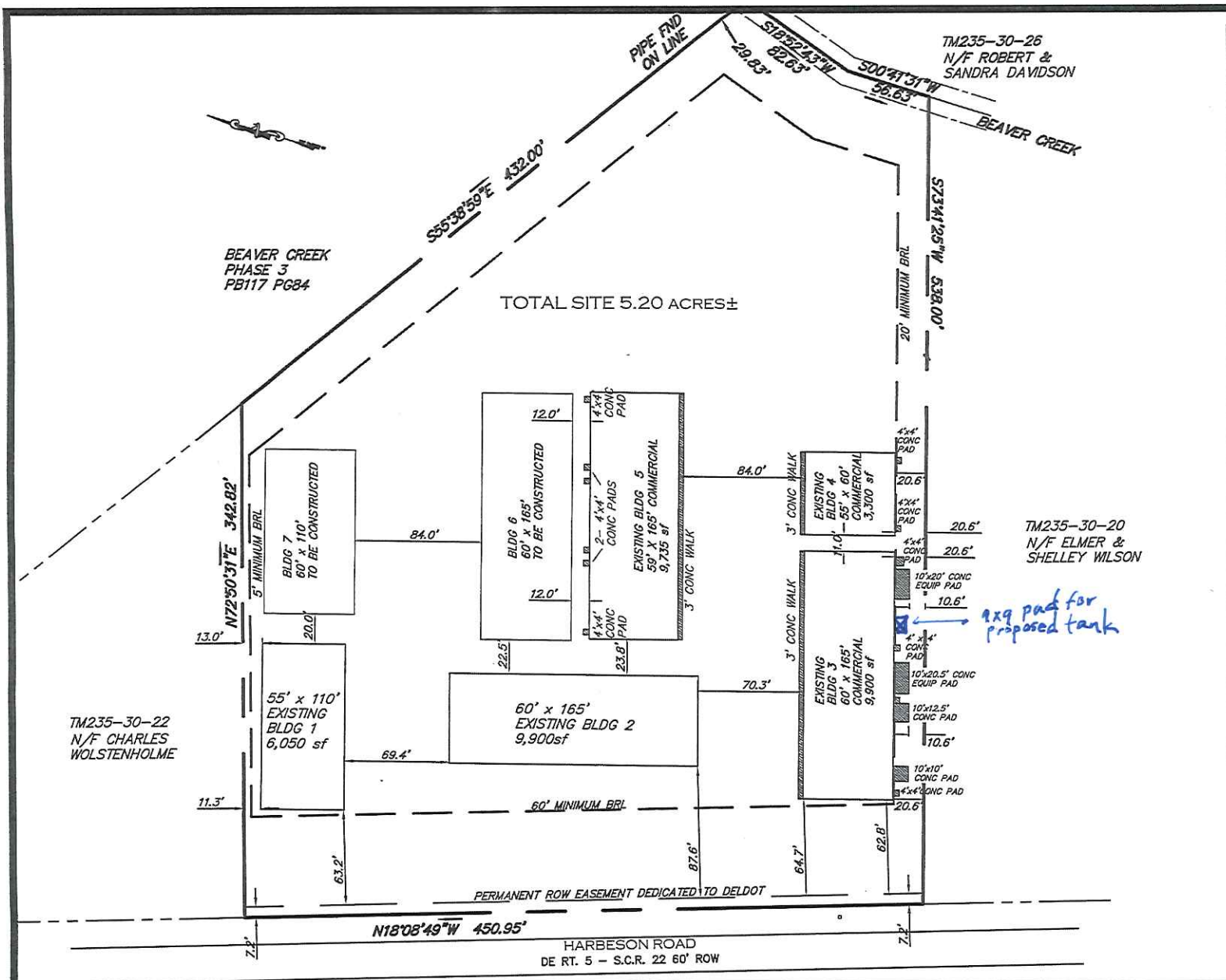
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

The building in question is located in a 5.2 acre business park consisting of seven existing commercial buildings. The requested variance will not alter the essential character of the neighborhood as the commercial building already exists. Concerning the neighboring residential parcel, its elevation falls off steeply from front to back such that the area adjacent to the proposed mechanical equipment is not suitable for residential use.

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.

The relief requested is for the location of mechanical equipment only and not for any other use. The location of the equipment is proposed to encroach in the setback to the minimum extent.



NOTE- THIS SURVEY DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF ANY EASEMENTS.

SITE DATA-
CURRENT OWNER-
KINGS LANDING AT
HARBESON LLC
DB 3752 PG 277

DATE OF SURVEY-
9-21-20



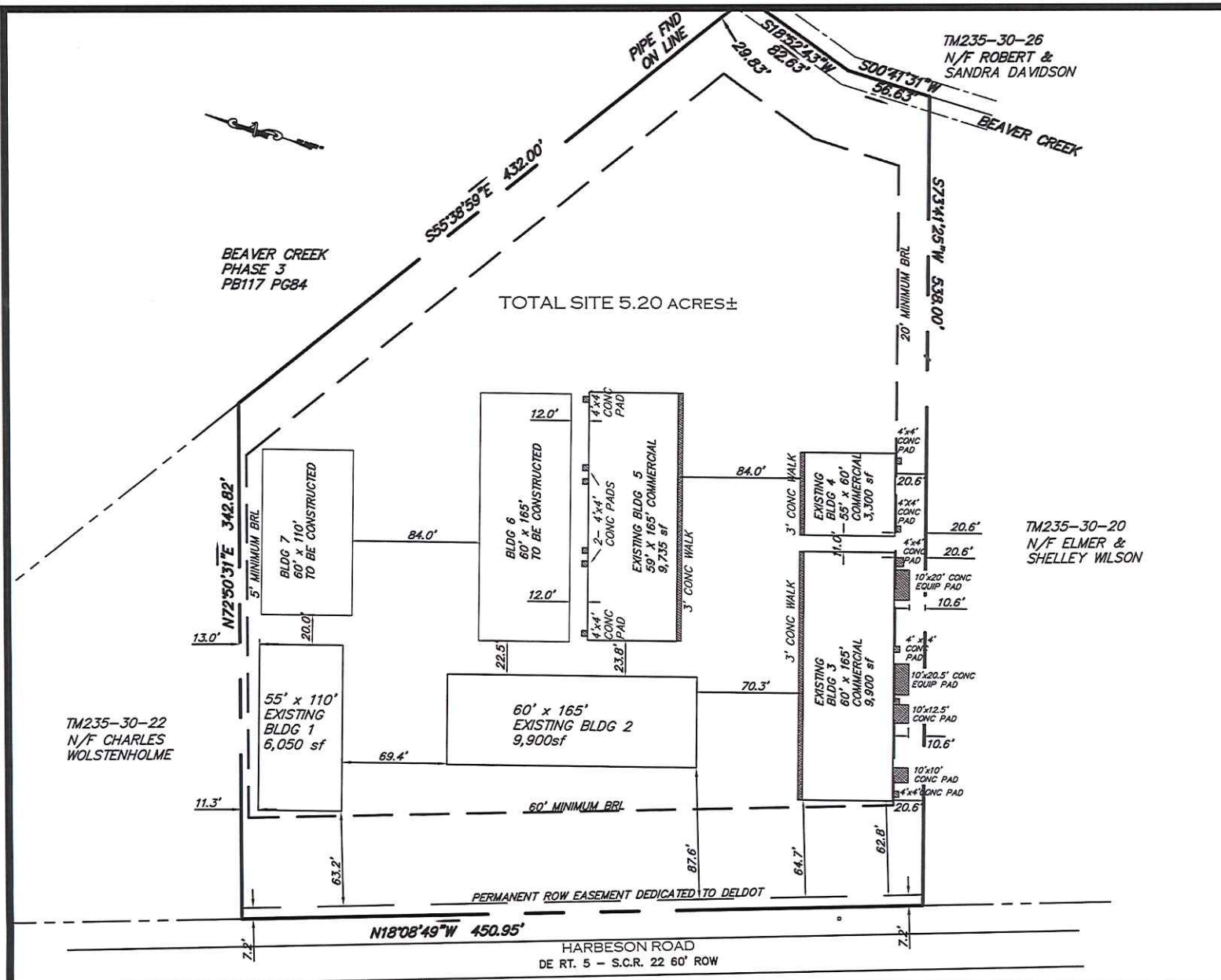
E. Scott Wallis
9-22-20

CERTIFIED CORRECT
AS SHOWN

AE AXIOM
ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
FAX: 855-0812
EMAIL: AXIOM@AXENG.COM
WEB: WWW.AXENG.COM

FINAL LOCATION SURVEY
BLDGS 3, 4, AND 5
BROADKILL HUNDRED, SUSSEX COUNTY, DELAWARE

SCALE	1"=100'	0002-1601x
DESIGNED	ESW	EXHIBIT.
DRAWN	ESW	
CHECKED		
DATE	9-22-20	
T.M.	235-30.00-21	AB



NOTE- THIS SURVEY DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF ANY EASEMENTS.

SITE DATA-
CURRENT OWNER-
KINGS LANDING AT
HARBESON LLC
DB 3752 PG 277

DATE OF SURVEY-
9-21-20



E. Scott Wallis
9-22-20

CERTIFIED CORRECT
AS SHOWN

AXIOM
ENGINEERING L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19947
(302) 855-0810
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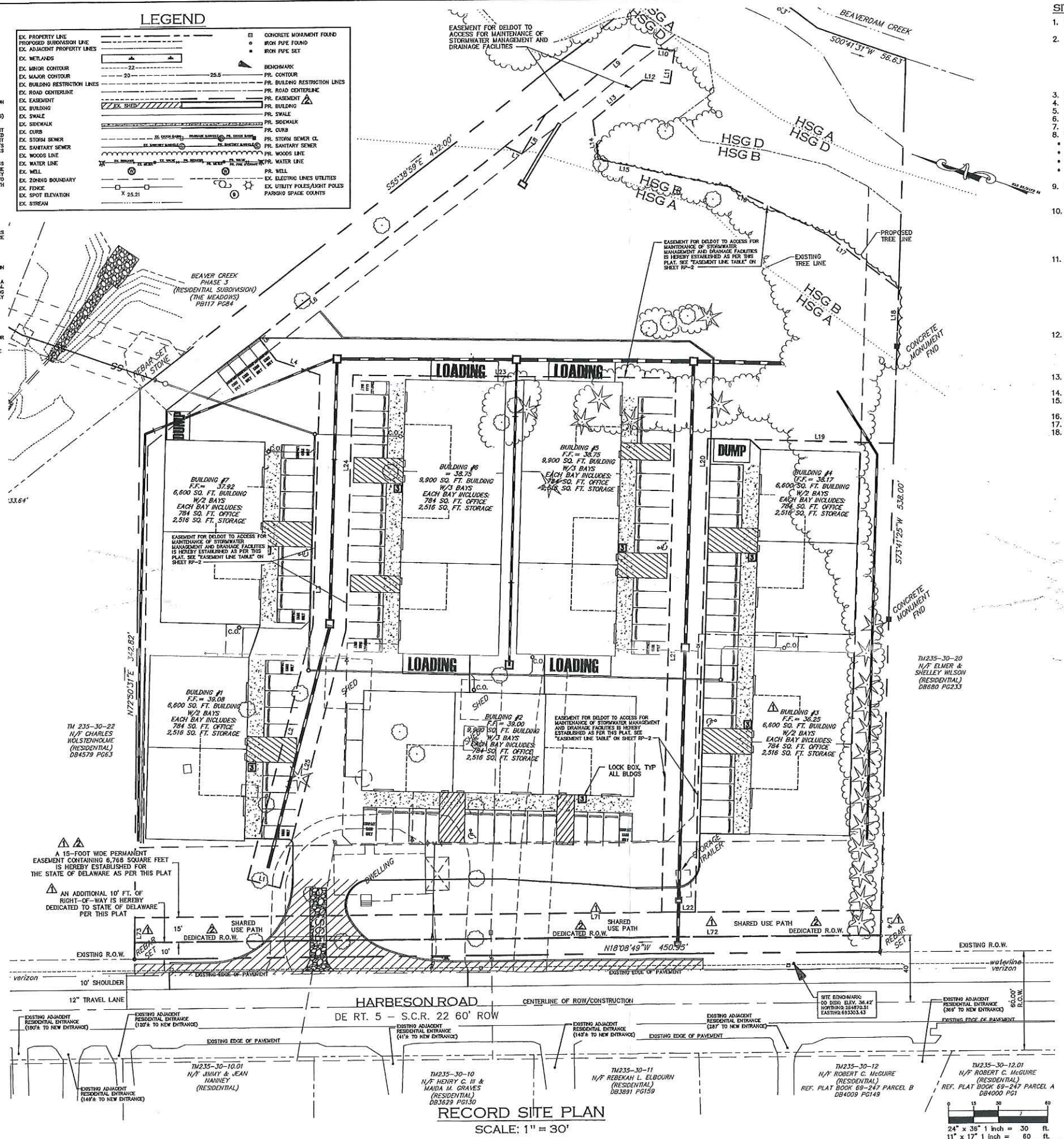
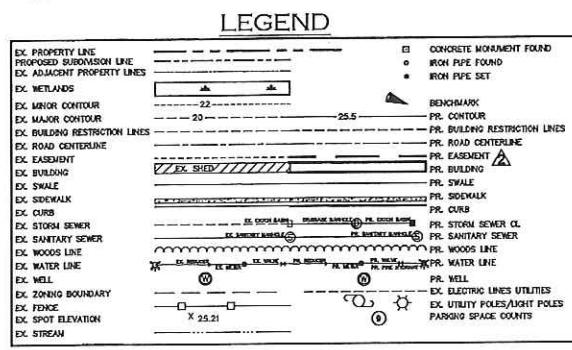
FINAL LOCATION SURVEY
BLDGs 3, 4, AND 5
BROADKILL HUNDRED, SUSSEX COUNTY, DELAWARE

SCALE	1"=100'	0002-1601x
DESIGNED	ESW	EXHIBIT.
DRAWN	ESW	AB
CHECKED		
DATE	9-22-20	
T.M.	235-30.00-21	

THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN CONFORMANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THEREOF AND APPLICABLE.

RECORD/SITE PLANS GENERAL NOTES:

- NO LANDSCAPING SHALL BE ALLOWED WITHIN R/W UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL (DCM).
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- SPURVEY PLATINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARED TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- UPON COMPLETION OF THE CONSTRUCTION OF THE SIDEWALK OR SHOULDER USE PATH ACROSS THE PROJECT'S FRONTAGE AND PHYSICAL CONNECTION TO ADJACENT EXISTING FACILITIES, THE DEVELOPER, THE PROPERTY OWNERS OF BOTH ASSOCIATED WITH THIS PROJECT, SHALL BE RESPONSIBLE TO REMOVE ANY EXISTING ROAD TIE-IN CONNECTIONS LOCATED ALONG ADJACENT PROPERTIES AND RESTORE THE AREA TO GRASS. SUCH ACTIONS SHALL BE COMPLETED AT DELDOT'S DISCRETION, AND IN CONFORMANCE WITH DELDOT'S SHOULDER USE PATH AND/OR SIDEWALK TERMINATION POLICY.
- (NOTE DELETED)
- (NOTE DELETED)
- (NOTE DELETED)
- (NOTE DELETED)
- THE SHOULDER USE PATH SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, THE PROPERTY OWNERS, OR BOTH WITHIN THE JURISDICTION. THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THE SHOULDER USE PATH.
- (NOTE DELETED)
- (NOTE DELETED)
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MONUMENTS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
- (NOTE DELETED)
- (NOTE DELETED)
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL.
- A 15-FOOT WIDE PERMANENT EASEMENT CONTAINING 6,768 SQUARE FEET IS HEREBY ESTABLISHED FOR THE STATE OF DELAWARE AS PER THIS PLAT.
- PROPERTY OWNERS OR BOTH, THE STATE OF DELAWARE ASSUMES NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF ANY EXISTING PORTIONS OF THE STORM DRAIN SYSTEM AND/OR DRAINAGE EASEMENTS.



SITE DATA:

- PROPERTY OWNER: WILLIAM C. DOWNS - TRUSTEE
- DEVELOPER/APPLICANT: KINGS LANDING, LLC. C/O MICHAEL MAKOWSKI 30030 GATEHOUSE DRIVE HILTON, DE 19968 302-542-9002 makowski0754@aol.com
- DEED REFERENCE: DB 3752 - PG 277
- CURRENT ZONING: C-1
- EXISTING USE: RESIDENTIAL
- PROPOSED USE: STORAGE AND OFFICE
- PROPOSED CONSTRUCTION TYPE: WOOD FRAME WITH STEEL SIDING
- BUILDING SETBACKS:
 - FRONT: 60'
 - SIDE: 5' (ADJACENT TO COMMERCIAL DISTRICT)
 - REAR: 20' (ADJACENT TO RESIDENTIAL DISTRICT)
 - EXCEEDED BY WETLAND LINE: 5' (EXCEEDED BY WETLAND LINE)
- PROPOSED BUILDING HEIGHT: 21' (EAVE HEIGHT) 30' (MAXIMUM HEIGHT)
- TOTAL SITE AREA: 226,548 SQ. FT. DEDICATION TO STATE OF DELAWARE: 4,510 SQ. FT. REMAINING LANDS: 222,038 SQ. FT.

11. BUILDING USE	GROSS FLOOR AREA (SQ. FT.)	PARKING REQUIRED
7 BUILDINGS:	56,100	
(4 WITH 2 UNITS)	26,400	
(3 WITH 3 UNITS)	29,700	
OFFICE SPACE (784 SF X 17)	13,328 SF	67 (1 PER 200 SQ. FT.)
STORAGE 42,772 SF (2 EMPLOYEES PER BAY)17		
TOTAL PARKING SPACES REQUIRED		84

12. PARKING SPACES PROVIDED	HANDICAP (9'x18')	PERPENDICULAR (10' x 20')	COMPACT
	4	71	9
TOTAL PARKING SPACES PROVIDED			84

13. TOTAL PARKING SPACES PROVIDED	14. LOADING SPACES REQUIRED	15. LOADING SPACES PROVIDED
84	4	4

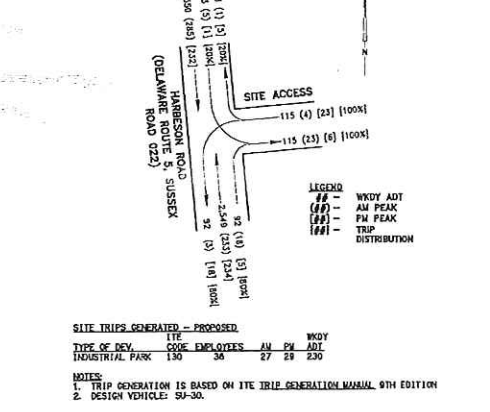
16. CENTRAL WATER PROVIDER	ARTESIAN
ARTESIAN	

17. CENTRAL SEWER PROVIDER	ARTESIAN
ARTESIAN	

18. TAX MAP NUMBER	235-30.00-21.00
235-30.00-21.00	

ROAD

HARBESON ROAD (DELAWARE ROUTE 5, SUSSEX ROAD 012)
 FUNCTIONAL CLASSIFICATION - MAJOR COLLECTOR
 DIAGONAL (9'x18')
 10 YR PROJECTED ADMT = 1.16 X 4,398 = 5,099
 PEAK HOUR ADMT BASED ON 2017 DEL AIR COUNTS = 5,329
 10 YR PROJECTED ADMT + SITE ADT (238) = 5,567
 PEAK HOUR ADMT BASED ON 2017 DEL AIR COUNTS = 5,116
 AM PEAK HOUR = 5,099 X 10.15% = 516
 DIRECTIONAL SPLIT = 54.82% (516/978) (N) 45.18% (462/978) (S)
 PM PEAK HOUR = 5,099 X 9.14% = 466
 DIRECTIONAL SPLIT = 50.25% (466/927) (N) 49.75% (461/927) (S)
 12.64 TRUCKS X 5.018 = 63.44 TRUCKS
 SPEED = POSTED 30
 TRAFFIC PATTERN GROUP -



DESIGNATION

STATE ROUTE 5 HARBESON RD. (SCR 22)
 FUNCTIONAL CLASS: MAJOR COLLECTOR D.H.M. PROJECTED YEAR: 2027
 TYPE OF CONSTRUCTION: ENHANCEMENT DESIGN SPEED: 40 MPH
 A.D.T. CURRENT: 4,388 YEAR: 2012 X TRUCKS: 12.64
 A.D.T. PROJECTED: 5,099 YEAR: 2027 DIRECTION DISTRIBUTION X 2485/6527

ENGINEER'S CERTIFICATION:

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIES WITH THE APPLICABLE STATE AND LOCAL REGULATIONS AND ORDINANCES.

Steven W. Hutchins 03/19/2018
 STEVEN W. HUTCHINS, P.E. - DE LICENSE NO. 12954 EXPIRES JUNE 30, 2018
 AXIOM ENGINEERING, LLC - 18 CHESTNUT STREET - GEORGETOWN, DE 19947
 PHONE: (302) 855-0810 FAX 302-855-0812
 EMAIL: STEVE@AXIOM.COM

OWNER'S CERTIFICATION:

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT, AND DESIRE THE PLAN TO BE RECORDED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

WILLIAM C. DOWNS 11/29/17
 KINGS LANDING, LLC. DATE
 C/O MICHAEL MAKOWSKI
 30030 GATEHOUSE DRIVE
 HILTON, DE 19968
 makowski0754@aol.com

APPROVED
 Final Site Plan
 PLS 4/20/17
 SUSSEX COUNTY SDB
 PLANNING & ZONING COMMISSION

REVISIONS PER DELDOT COMMENTS DATED 9/21/2017	DATE	BY	DESCRIPTION OF REVISION
1	10/25/2017	MM	REVISION PER DELDOT COMMENTS
2	11/29/2017	MM	REVISION PER DELDOT COMMENTS
3	11/29/2017	MM	REVISION PER DELDOT COMMENTS
4	11/29/2017	MM	REVISION PER DELDOT COMMENTS
5	11/29/2017	MM	REVISION PER DELDOT COMMENTS
6	11/29/2017	MM	REVISION PER DELDOT COMMENTS
7	11/29/2017	MM	REVISION PER DELDOT COMMENTS
8	11/29/2017	MM	REVISION PER DELDOT COMMENTS
9	11/29/2017	MM	REVISION PER DELDOT COMMENTS
10	11/29/2017	MM	REVISION PER DELDOT COMMENTS
11	11/29/2017	MM	REVISION PER DELDOT COMMENTS
12	11/29/2017	MM	REVISION PER DELDOT COMMENTS
13	11/29/2017	MM	REVISION PER DELDOT COMMENTS
14	11/29/2017	MM	REVISION PER DELDOT COMMENTS
15	11/29/2017	MM	REVISION PER DELDOT COMMENTS
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19	11/29/2017	MM	REVISION PER DELDOT COMMENTS
20	11/29/2017	MM	REVISION PER DELDOT COMMENTS
21	11/29/2017	MM	REVISION PER DELDOT COMMENTS
22	11/29/2017	MM	REVISION PER DELDOT COMMENTS
23	11/29/2017	MM	REVISION PER DELDOT COMMENTS
24	11/29/2017	MM	REVISION PER DELDOT COMMENTS
25	11/29/2017	MM	REVISION PER DELDOT COMMENTS
26	11/29/2017	MM	REVISION PER DELDOT COMMENTS
27	11/29/2017	MM	REVISION PER DELDOT COMMENTS
28	11/29/2017	MM	REVISION PER DELDOT COMMENTS
29	11/29/2017	MM	REVISION PER DELDOT COMMENTS
30	11/29/2017	MM	REVISION PER DELDOT COMMENTS

RECORD PLAN

KINGS LANDING, LLC

BROADKILL HUNDRED, SUSSEX COUNTY, DE

AXIOM ENGINEERING L.L.C.

18 CHESTNUT STREET
 GEORGETOWN, DE 19947
 PHONE: 302-855-0810
 FAX: 302-855-0812
 EMAIL: AXIOM@AXIOM.COM
 WWW.AXIOM.COM

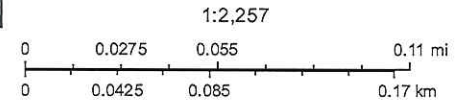
SWH
 DAD
 KRC
 07/11/2017
 24x36-00
 1" = 30'
 THIS BAR DOES NOT SCALE

PROJECT NO: 0002-1601
 DRAWING: RP-1
 SHEET: 1 OF 2



PIN:	235-30.00-21.00
Owner Name	KING'S LANDING AT HARBESON LLC
Book	3752
Mailing Address	30030 GATEHOUSE DR
City	MILTON
State	DE
Description	E/RT 5
Description 2	825'N/RT 18
Description 3	N/A
Land Code	

- polygonLayer
 - Override 1
 - polygonLayer
 - Override 1
 - Tax Parcels
 - 911 Address
 - Streets
 - County Boundaries
 - Flood Zones 2018
 - 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
 - A
 - AE
 - AO
 - OPEN WATER
 - VE
 - Tax Ditch Segments
 - Tax Ditch Channel
 - Pond Feature
 - Special Access ROW
 - Extent of Right-of-Way
 - Approx. Watershed Boundary



Case # 12524
Hearing Date 2/15/2021
202016044

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 _____

Site Address of Variance/Special Use Exception: 19676 PRINCE ST,
LOT 92, REHOBOTH BEACH, DE 19971

Variance/Special Use Exception/Appeal Requested: VARIANCE TO THE 20FT.
SETBACK RULE IN ORDER TO ADD A ROOM TO
MOBILE HOME

Tax Map #: 334-13.00-304.00-56145 Property Zoning: mobile home Park
AR-1

Applicant Information

Applicant Name: ALEJANDRO CORNEJO / CR IMPROVEMENT
Applicant Address: 34341 SUMMERLYN DR. 19958
City, State, Zip: LEWES, DE 19958
Applicant Phone #: 302-864-3785 Applicant e-mail: ACORNEJO78@hotmail.com

Owner Information

Owner Name: LINDA REICHEL / ANN FONES
Owner Address: 19676 PRINCE ST, Lot 92
City, State, Zip: Rehoboth Beach, DE 19971 Purchase Date: 11/19/2019
Owner Phone #: 717-615-5035 Owner e-mail: AHKF@PTD.NET

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]
Ann M Fones Date: 12/3/2020
12/3/2020




ATTACHMENT TO VARIATION APPLICATION

ANN FONES
LINDA REEHEL
19676 PRINCE ST, Lot 92
Rebo both Beach, DE 19971

1. UNIQUENESS OF PROPERTY (CONTINUED):
WE LATER LEARNED THAT THE FRONT CORNER OF OUR
STRUCTURE IS NOT 20 FT. DIAGONALLY FROM THE
CORNER OF OUR NEIGHBOR'S (19682 PRINCE ST.)
ADDITION.

SINCE WE, AS WELL AS MR. WALLS,
WERE NOT AWARE OF THE 20' DIAGONAL setback
RULE, WE THOUGHT WE WERE IN COMPLIANCE
SINCE WE ARE 22 FT FROM THE NEIGHBOR'S
STRUCTURE.


Ann M Fones

Marion Torres
19682 Prince Street
Rehoboth Beach, DE 19971
November 12, 2020

Ann Fones and Linda Reichel
19676 Prince Street
Rehoboth Beach, DE 19971

November 12, 2020

Dear Ann Fones and Linda Reichel:

I am in agreement with your request to build your addition as designed. It does not interfere in any way with my home. Good luck with the build.

Sincerely,

Marion Torres

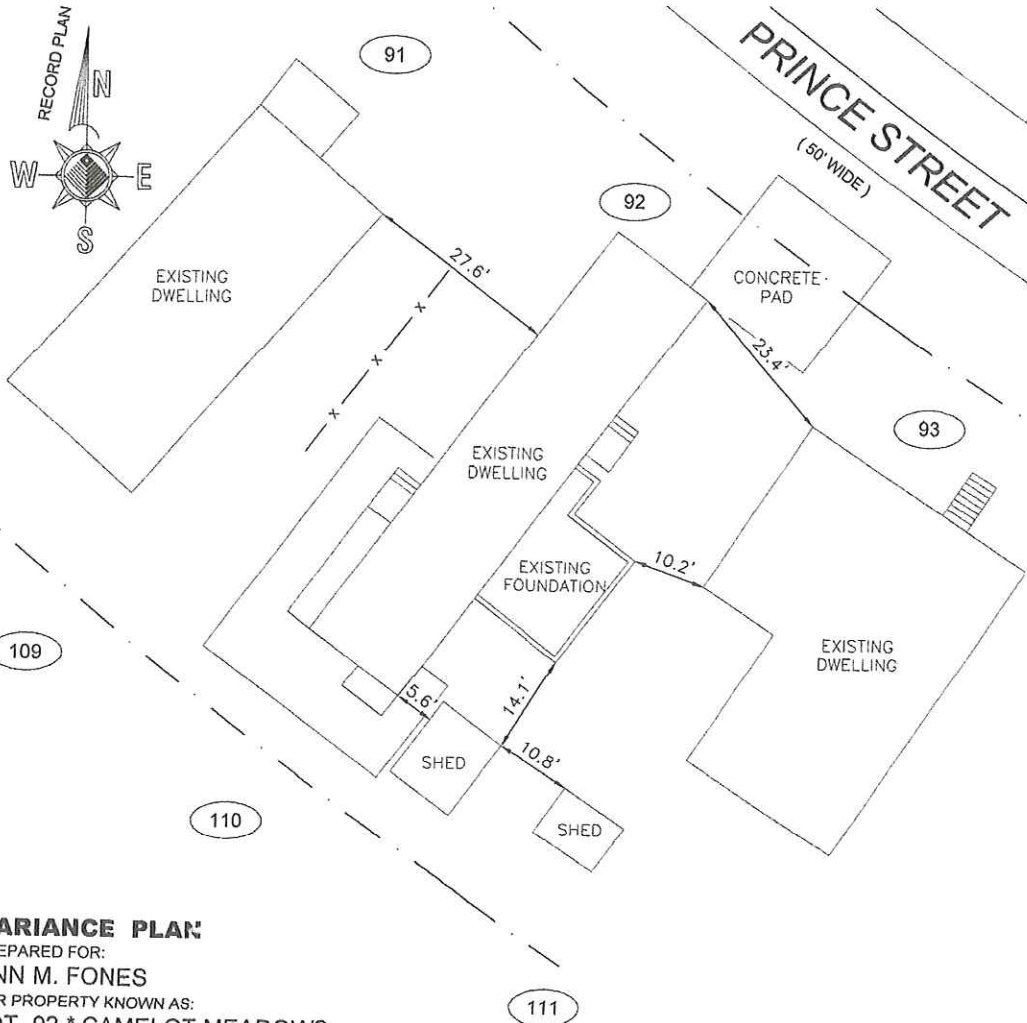
A handwritten signature in black ink that reads "Marion Torres". The signature is written in a cursive style with a long, sweeping underline.

PLAN #25082L-130351

PARCEL NO. 3-34-13.00-308.00 P/O

RECORD PLAN: PLOT BOOK #, PAGE #

DEED REF: DEED BOOK 2021, PAGE 175



VARIANCE PLAN:

PREPARED FOR:
ANN M. FONES
FOR PROPERTY KNOWN AS:
LOT 92 * CAMELOT MEADOWS
ALSO KNOWN AS:
19676 PRINCE STREET

SITUATE IN:
UNINCORPORATED SUSSEX COUNTY
STATE OF DELAWARE
SCALE: 1"= 20'
DATE: 15 JANUARY 2021

NOTES:

1. THIS PLAN IS VALID ONLY WHEN SIGNED IN RED INK AND EMBOSSED WITH A PROFESSIONAL SEAL AND WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARD OF ACCURACY FOR A SUBURBAN CLASSIFICATION.
2. NO EASEMENTS OTHER THAN SHOWN WERE PROVIDED.



M E R E S T O N E
C O N S U L T A N T S , I N C .

ENGINEERS - PLANNERS - SURVEYORS

5215 WEST WOODMILL DRIVE
WILMINGTON, DE 19808
PHONE: 302-992-7900

33516 CROSSING AVENUE, UNIT 1
FIVE POINTS SQUARE
LEWES, DE 19958
PHONE: 302-226-5880

Robert W. Nal
PROFESSIONAL LAND SURVEYOR

1-22-2021
DATE

© MERESTONE CONSULTANTS, INC. 2021

PLAN #25082L-130351

RECEIVED

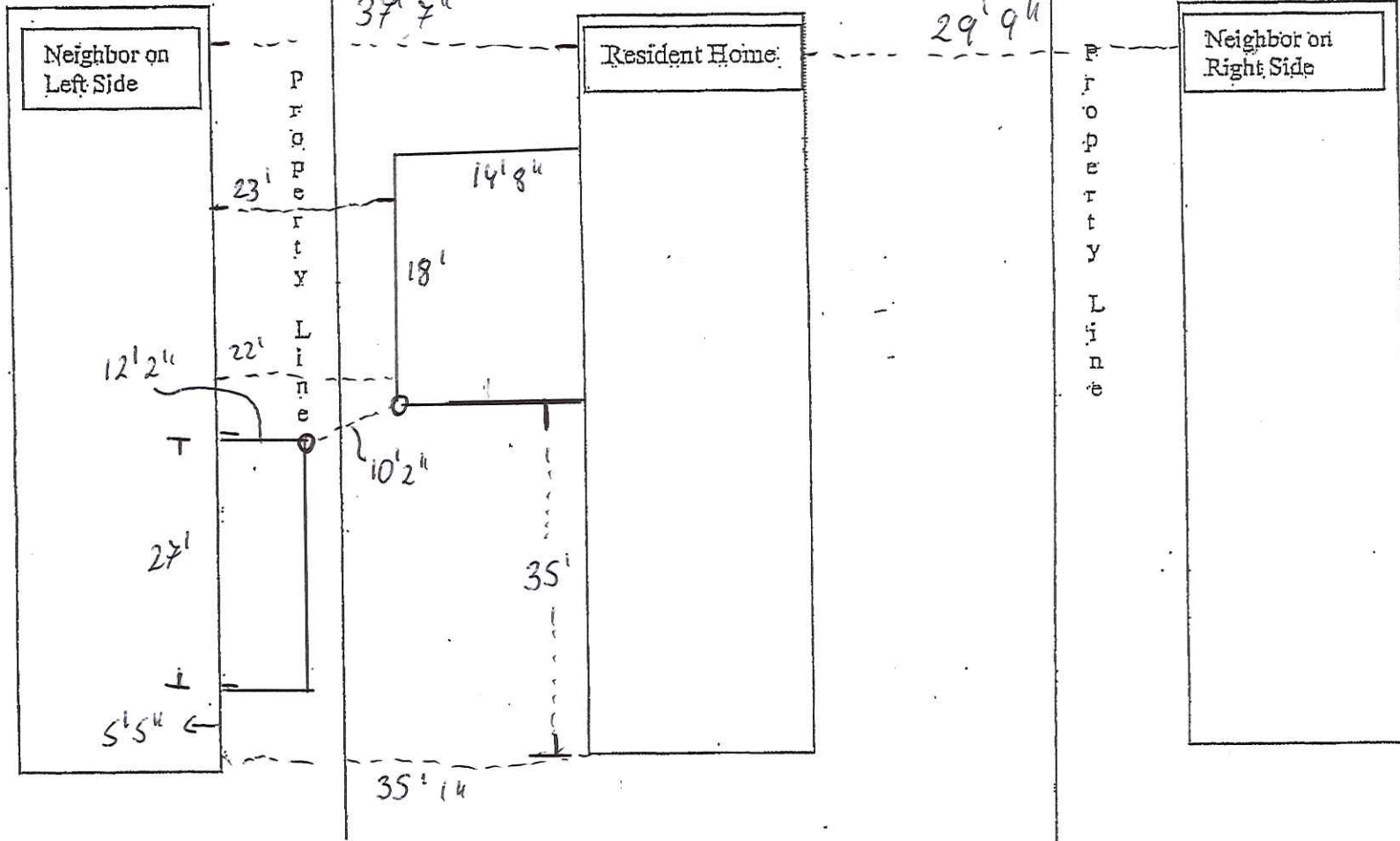
JAN 25 2021

SUSSEX COUNTY
PLANNING & ZONING

Rear Property Line

Left Prop.

Right Prop.



STREET

Start Date: _____

Completion Date: _____

Resident Name: _____ (Print)

Site Address: _____

Lot#: _____

Resident Signature: _____



Sussex County Building Permit

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

Application Number
202010766
Issue Date: 10/02/2020
Expire Date: 10/02/2021

Permit Type: RES. ADDITION OUT OF TOWN

Parcel ID	Address	Zone Code
334-13.00-304.00-56145	19676 PRINCE STREET	AR-1

Owner Information	Applicant Information
Name: REICHEL LINDA M Phone:	Name: CR IMPROVEMENT Phone:

Contractor Information	
Name: REICHEL LINDA M CID: 279629 Phone:	License Number: License Exp. Date: Insurance Exp. Date:

Building Information
Proposed Use: ADDITIONAL ROOMS Construction Type: Estimated Cost of Construction: \$ 12,960 Cannot Occupy More than <u>35%</u> of Total Lot Area Distance from any Dwelling of other Ownership: _____ Distance from any other Mobile Home or Accessory Structure: <u>22</u>

Property Information
Measurements taken from Property Lines Front Setback: <u>5.00</u> / _____ Rear Setback: <u>5.00</u> / _____ Side Setback: <u>5.00</u> / _____ Corner Setback: _____ / _____ Maximum Building Height: <u>22'</u> Location Description: _____ FLOOD ZONE IMP ON LOT 92 CAMELOT 19676 PRINCE ST Flood Zone: XP351K ____ If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.

Project Description: RES ADD W/ BC

Scope of Work:
SUNROOM 15X18

Permit Details:


Signature of Approving Official

 (302) 864-3785
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 FOR 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-141888	TOTAL FEES:	\$ 75.90
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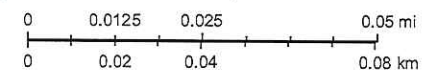
PIN:	334-13.00-304.00
Owner Name	MHC CAMELOT MEADOWS LLC
Book	0
Mailing Address	PO BOX 6115
City	CHICAGO
State	IL
Description	GIS TIEBACK
Description 2	DUMMY ACCOUNT
Description 3	N/A
Land Code	

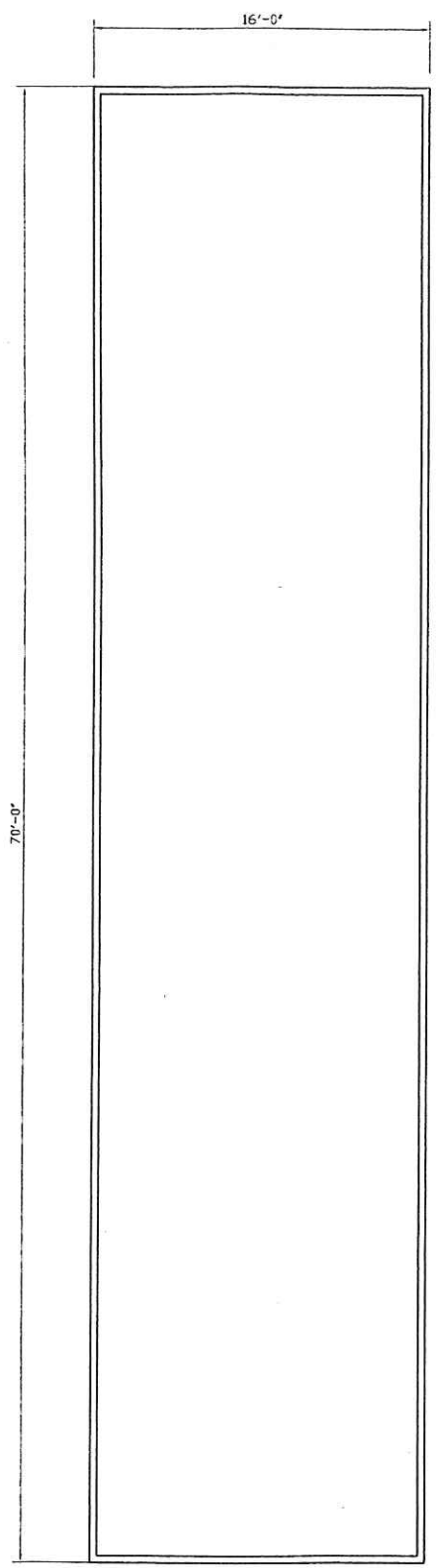
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 - Override 1
- polygonLayer**

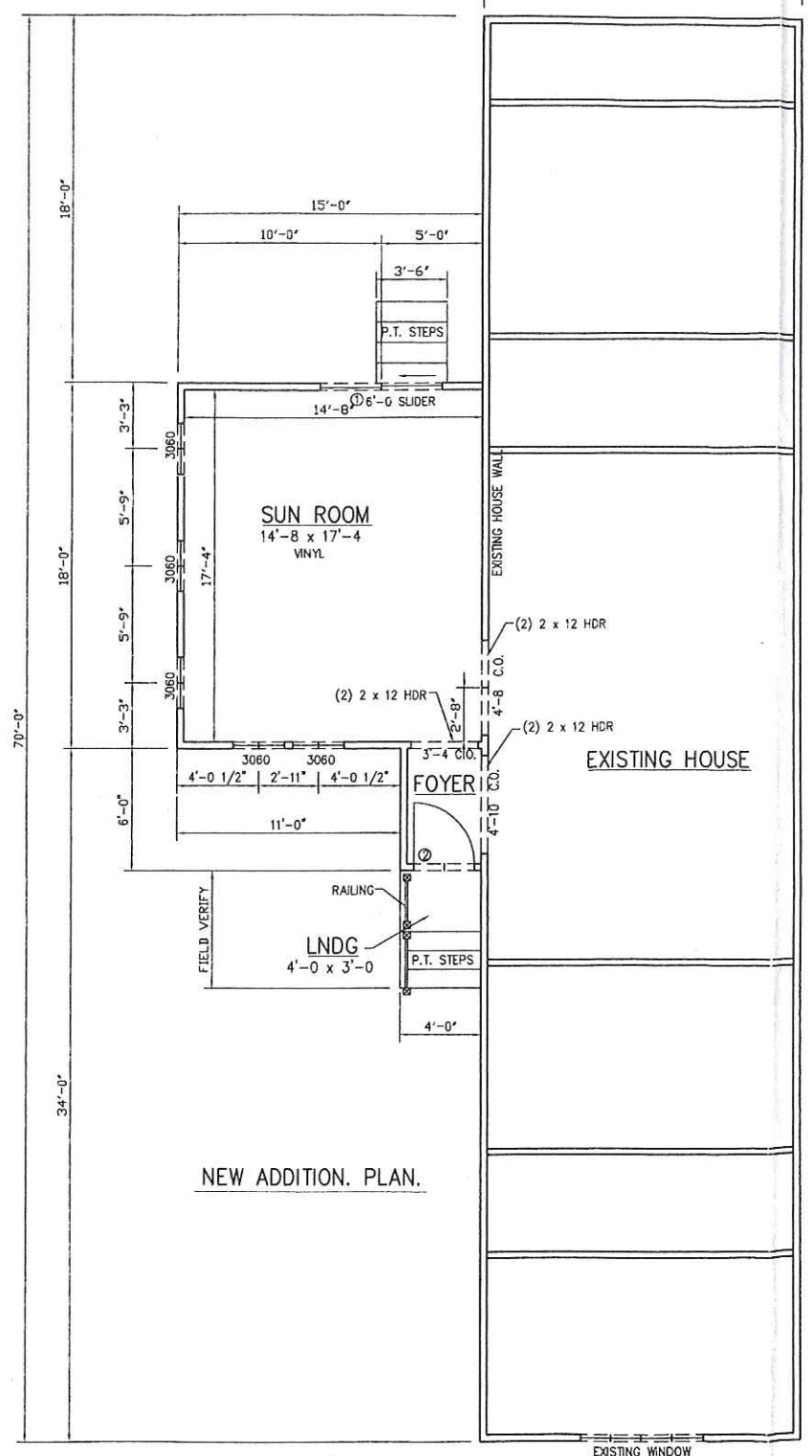
 - Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

1:1,128

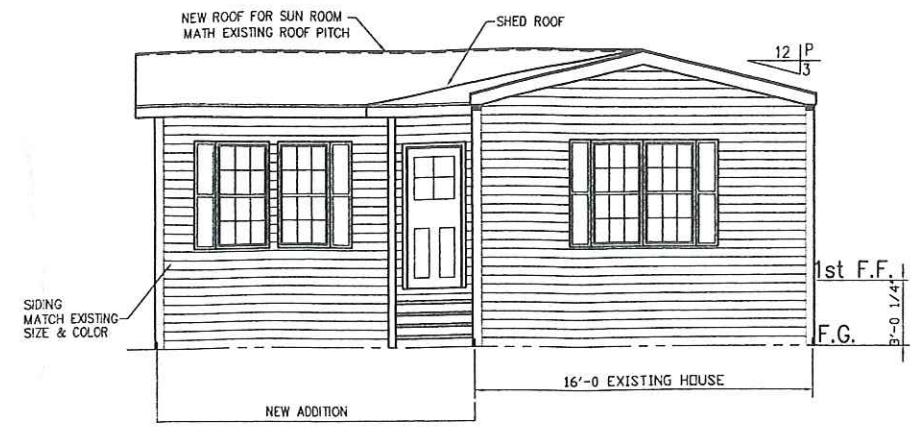




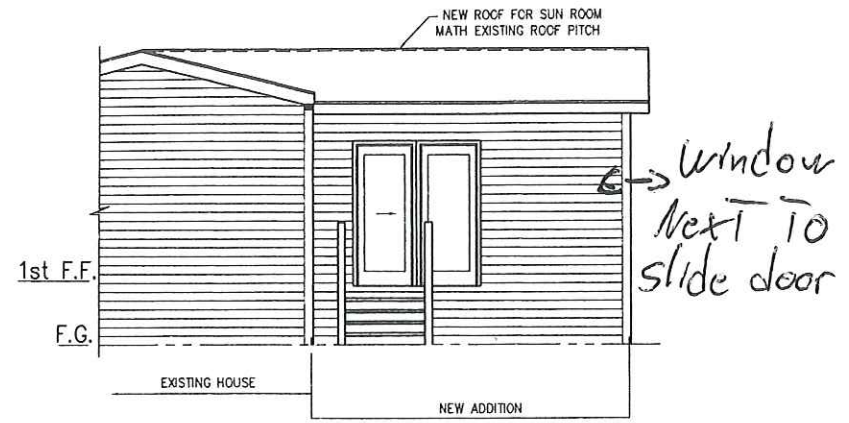
FRONT OF THE HOUSE
EXISTING HOUSE PLAN



NEW ADDITION. PLAN.

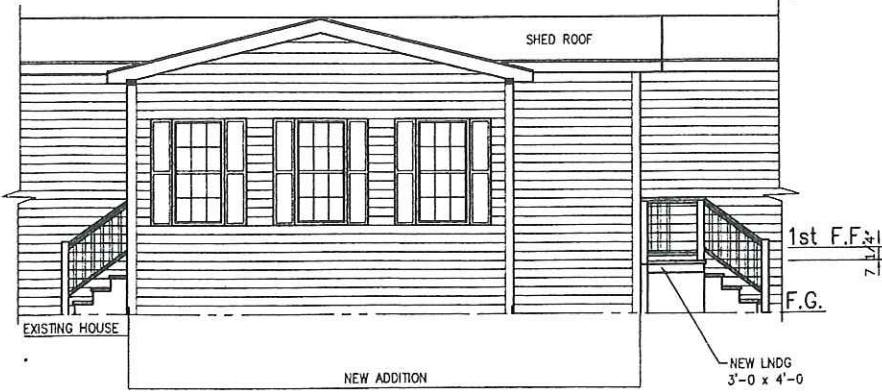


FRONT ELEVATION



REAR ELEVATION

TO BE KEPT
ON JOB SITE



L. SIDE ELEVATION

WINDOW SCHEDULE				
KINRO CO.				
LOCATION	SIZE	NO.	SQ. FT.	NOTES
SUN ROOM	30 1/2 x 60 1/2	3060		

DOOR SCHEDULE				
DOOR	SIZE	NO.	SQ. FT.	NOTES
1	6'-0 x 6'-8	6068	40.0	SLIDER
2	3'-0 x 6'-8	3068	20.0	

- GENERAL NOTES**
- DIM. INSIDE ROOMS ARE TO WOOD STUDS
 - CONSTRUCTION SHALL BE WITH THE FOLLOWING SECT OF THE "INTERNATIONAL RESIDENTIAL CODE 2018"
 - BUILDING PLANNING - CHAPTER 3
 - DESIGN CRITERIA - SECT R301.1
 - EMERGENCY ESCAPE & RESCUE OPENINGS - SECT R310
 - MINIMUM OPENING AREA - R310.2.1 (E)
 - MEANS OF EGRESS - SECT R311
 - EGRESS DOOR - R311.2
 - FLOOR & LANDINGS AT DOORS - R311.3
 - HALLWAYS - R311.6
 - STAIRWAYS - R311.7
 - GUARDS AND WINDOW FALL PROTECTION - SECT R312
 - SMOKE ALARMS - SECT R314
 - SMOKE DETECTORS (S/D) WIRED W/ BATTERY BACK UP & INTERCONNECTED
 - CARBON MONOXIDE ALARM - SECT R315
 - COMBINATION CARBON MONOXIDE/ SMOKE ALARM (S/D)
 - PROTECTION AGAINST TERMITES - SECT R318
 - FLOOD-RESISTANT CONSTRUCTION - SECT R322
 - FOUNDATIONS - CHAPTER 4
 - FOOTINGS - SECT R403
 - FOOTING MINIMUM SIZE - R403.1.1
 - FOOTINGS MINIMUM DEPTH - R403.1.4
 - FOUNDATION DRAINAGE - R405
 - FOUNDATION WATERPROOFING - SECT R406
 - COLUMNS - SECT R407
 - UNDER-FLOOR SPACE - SECT R408
 - VENTILATION - R408.1
 - OPENINGS FOR UNDER FLOOR VENT. - R408.2
 - ACCESS - R408.4
 - FINISHED GRADE - R408.6
 - FLOOD RESISTANCE - R408.7
 - FLOOR - CHAPTER 5
 - ALLOWABLE JOIST SPANS - R502.3
 - WALL CONSTRUCTION - CHAPTER 6
 - WALL COVERING - CHAPTER 7
 - ROOF-CEILING CONSTRUCTION - CHAPTER 8
 - RAFTER SPANS - TABLE R802.4.1(2)
 - CEILING JOIST SPANS - TABLE R802.5(1)
 - ROOF ASSEMBLIES - CHAPTER 9
 - CHIMNEYS & FIREPLACE - CHAPTER 10
 - ALL DOOR & WINDOW HEADERS TO BE (2) 2" x 12" W/1/2" CDX PLYWOOD (UNLESS OTHERWISE NOTED)
 - OWNER/CONTRACTOR'S TO VERIFY ALL ASPECTS OF PLAN AND ELEVATION PRIOR TO CONSTRUCTION

NEW ADDITION:
SUN ROOM = 294 SQ FT
LNDG = 12 SQ FT

MRS. ANN M. FONES RESIDENCE
19676 PRINCE ST.
REHOBOTH BEACH, DE 19971

ADDITION TO EXISTING HOUSE
SUN ROOM PLAN
FRONT, REAR & L. SIDE ELEVATION
WINDOW & DOOR SCHEDULE

DRAWING NUMBER	SCALE: 1/4" = 1'-0"	REVISION
PS - 1901	PS - 1901 PS - 1902	B

DRAWN BY	SA	07-08-20	07-16-20	08-04-20
REVISED BY				
SALES REP.				

THIS DRAWING IS THE PROPERTY OF
CR IMPROVEMENT LLC
LEWES, DE 19958
(302) 864 - 3785

COMPUTER FILE, THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO SAMSON DESIGN AND DRAFTING L.L.C., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION.

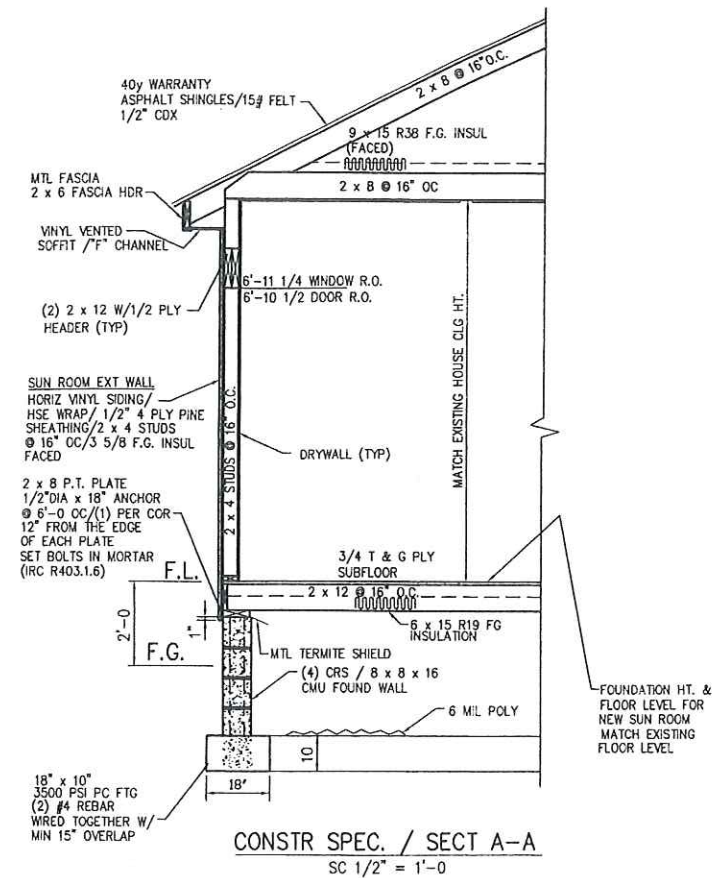
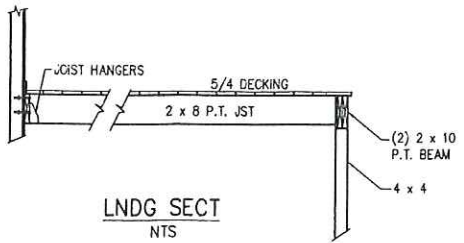
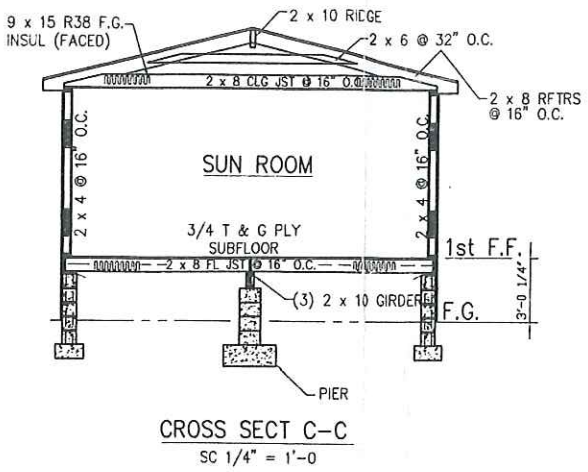
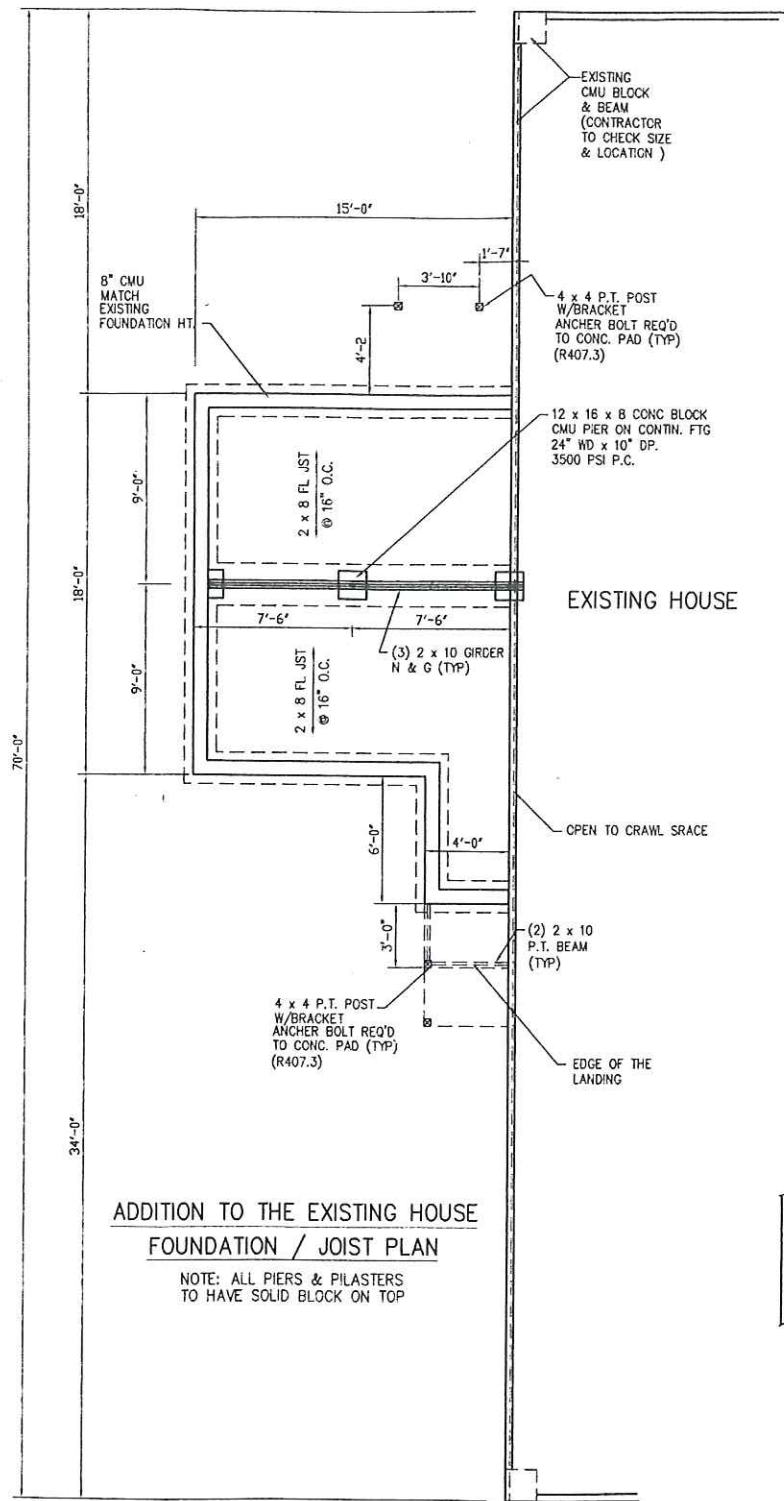
SD SAMSON DESIGN & DRAFTING L.L.C.
LEWES, DE 19958
(302) 947-0995

CONTRACTOR NOTES
PRIOR TO PERFORMING WORK, THE CONTRACTOR/BUILDER SHALL VERIFY THE EXISTING LOCATIONS, DIMENSIONS AND CONDITIONS OF ALL EXISTING STRUCTURAL COMPONENTS INCLUDING BUT NOT LIMITED TO CEILING JOISTS, FLOOR JOISTS RAFTERS ETC. TO MAKE SURE PROPER INTEGRATION WITH THE NEW COMPONENTS.

REVIEWED FOR
CODE COMPLIANCE
DATE 9/16/2020
SIGNED [Signature]

SEE ADDITIONAL
CODE REQUIREMENTS

R 408.1 VENTILATION
R 408.4 ACCESS



MRS. ANN M. FONES RESIDENCE
19676 PRINCE ST.
REHOBOTH BEACH, DE 19971

ADDITION TO EXISTING HOUSE
FOUNDATION / JOIST PLAN
CROSS SECT C-C
CONSTR SPEC. / SECT A-A

DRAWING NUMBER	SCALE: 1/4" = 1'-0"
PS - 1902	PS - 1902
DRAWN BY	REVISION
SA	A
07-14-20	08-04-20
REVISOR	
SALES REP.	

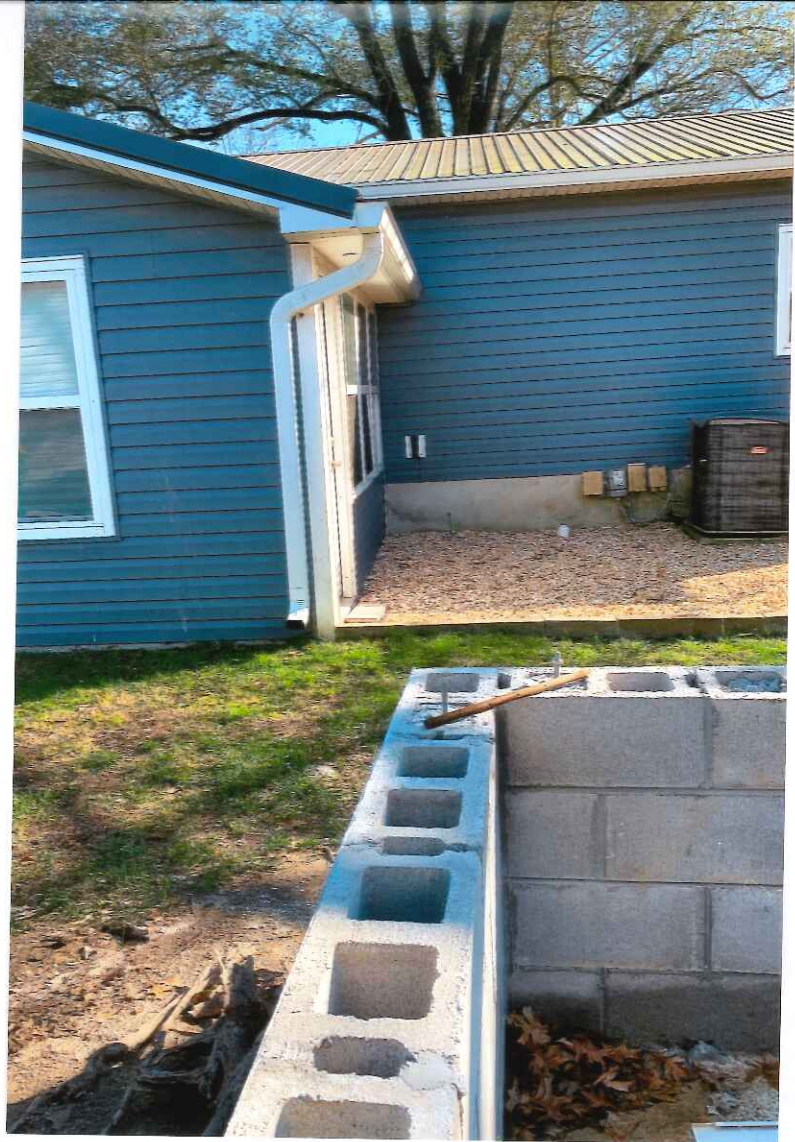
THIS DRAWING IS THE PROPERTY OF
CR IMPROVEMENT LLC
LEWES, DE 19958
(302) 864 - 3785

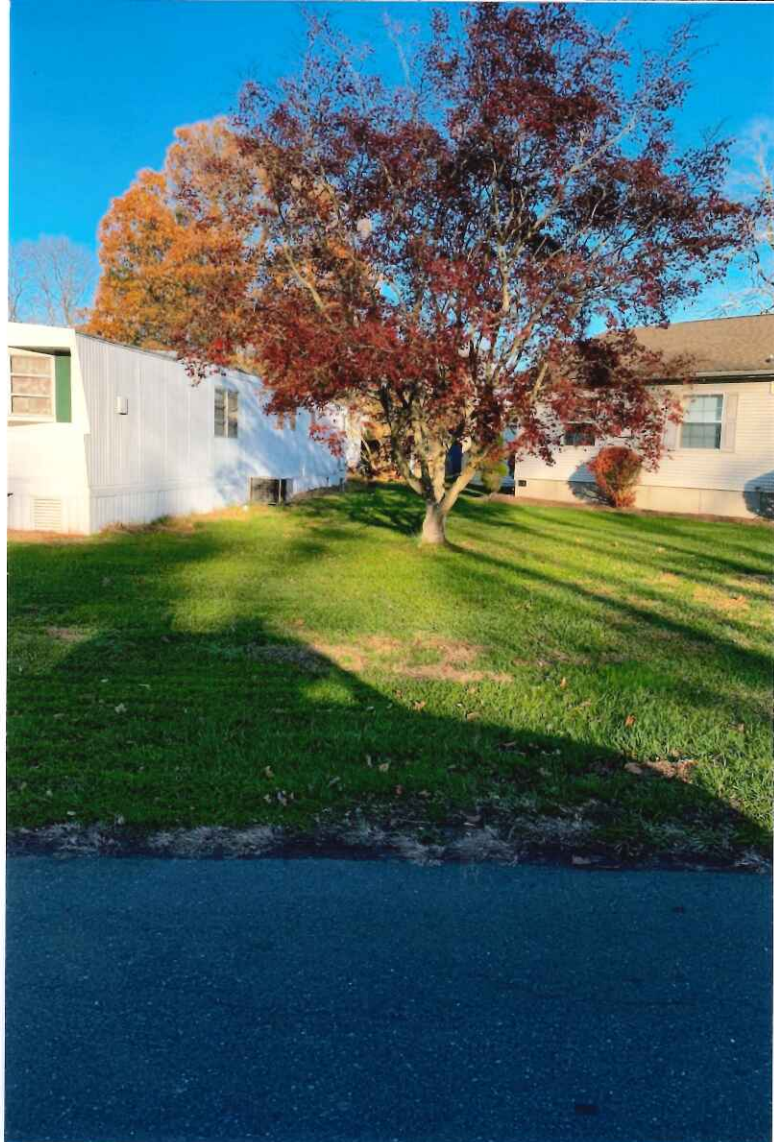
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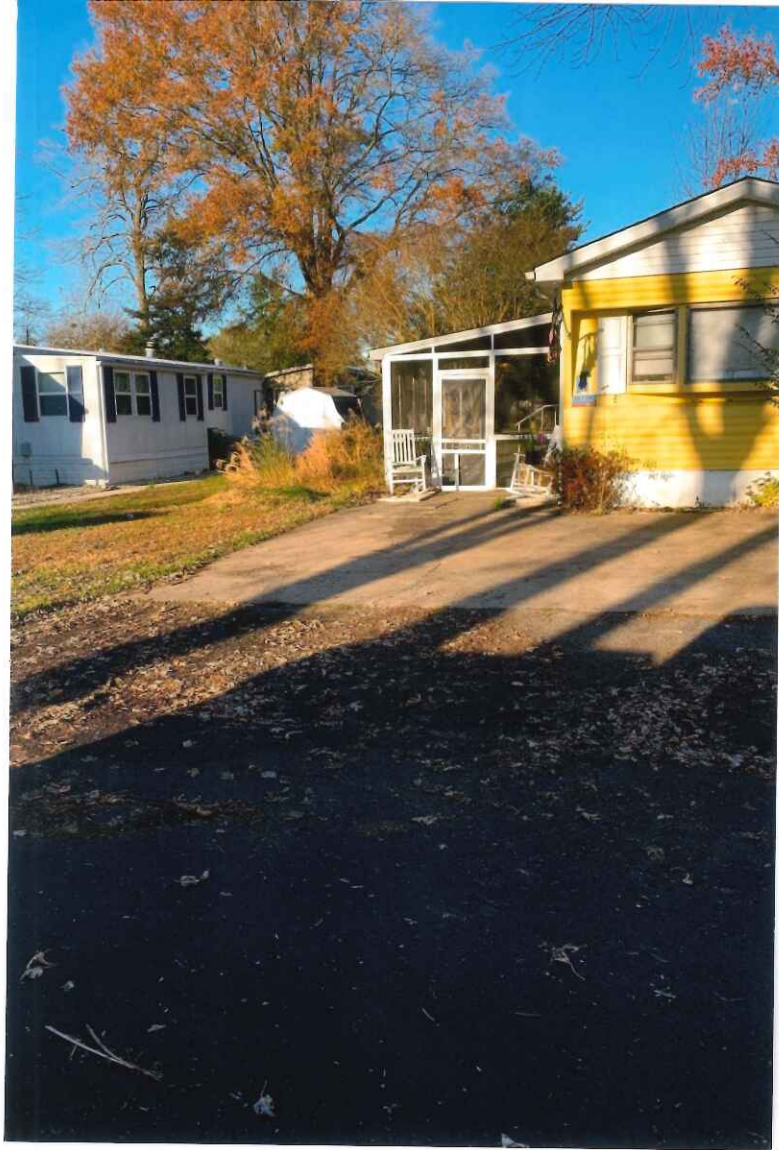
SD SAMSON DESIGN & DRAFTING L.L.C.
LEWES, DE 19958
(302) 947-0995

CONTRACTOR NOTES
PRIOR TO PERFORMING WORK, THE CONTRACTOR/BUILDER SHALL VERIFY THE EXISTING LOCATIONS, DIMENSIONS AND CONDITIONS OF ALL EXISTING STRUCTURAL COMPONENTS INCLUDING BUT NOT LIMITED TO CEILING JOISTS, FLOOR JOISTS RAFTERS ETC. TO MAKE SURE PROPER INTEGRATION WITH THE NEW COMPONENTS.











INDEPENDENT CONTRACTOR AGREEMENT

THIS INDEPENDENT CONTRACTOR AGREEMENT (the "Agreement") is dated this 21 day of January, 2021.

CLIENT

DEWEY BEER COMPANY
2100 Coastal Hwy, Dewey Beach, DE 19971,
USA
(the "Client")

CONTRACTOR

ANCHOR CONTRACTING
Lincoln Dr, Delaware 19958, USA
(the "Contractor")

BACKGROUND

- A. The Client is of the opinion that the Contractor has the necessary qualifications, experience and abilities to provide services to the Client.
- B. The Contractor is agreeable to providing such services to the Client on the terms and conditions set out in this Agreement.

IN CONSIDERATION OF the matters described above and of the mutual benefits and obligations set forth in this Agreement, the receipt and sufficiency of which consideration is hereby acknowledged, the Client and the Contractor (individually the "Party" and collectively the "Parties" to this Agreement) agree as follows:

SERVICES PROVIDED

1. The Client hereby agrees to engage the Contractor to provide the Client with the following services (the "Services"):
 - VINYL FENCE
7800.00

install 24 sections of white vinyl privacy fence.
fence is to be 6ft high. sections will be no more than 8ft. there will be a gate at the front 20ft section. the rear 20 ft will be open. fence will run 165ft along rear property line. all posts will be installed 2ft deep in poured concrete..
2. The Services will also include any other tasks which the Parties may agree on. The Contractor hereby agrees to provide such Services to the Client.

TERM OF AGREEMENT

RECEIVED

JAN 28 2021

SUSSEX COUNTY
PLANNING & ZONING

Applicant
Exhibit

3. The term of this Agreement (the "Term") will begin on the date of this Agreement and will remain in full force and effect until the completion of the Services, subject to earlier termination as provided in this Agreement. The Term may be extended with the written consent of the Parties.

PERFORMANCE

4. The Parties agree to do everything necessary to ensure that the terms of this Agreement take effect.

CURRENCY

5. Except as otherwise provided in this Agreement, all monetary amounts referred to in this Agreement are in USD (US Dollars).

COMPENSATION

6. The Contractor will charge the Client a flat fee of \$7,800.00 for the Services (the "Compensation").
7. A retainer of \$4,000.00 (the "Retainer") is payable by the Client upon execution of this Agreement.
8. For the remaining amount, the Client will be invoiced when the Services are complete.
9. Invoices submitted by the Contractor to the Client are due upon receipt.
10. In the event that this Agreement is terminated by the Client prior to completion of the Services but where the Services have been partially performed, the Contractor will be entitled to pro rata payment of the Compensation to the date of termination provided that there has been no breach of contract on the part of the Contractor.

REIMBURSEMENT OF EXPENSES

11. The Contractor will be reimbursed from time to time for reasonable and necessary expenses incurred by the Contractor in connection with providing the Services.
12. All expenses must be pre-approved by the Client.

INTEREST ON LATE PAYMENTS

13. Interest payable on any overdue amounts under this Agreement is charged at a rate of 10.00% per annum or at the maximum rate enforceable under applicable legislation, whichever is lower.

CONFIDENTIALITY

14. Confidential information (the "Confidential Information") refers to any data or information relating to the Client, whether business or personal, which would reasonably be considered to be private or proprietary to the Client and that is not generally known and where the release of that Confidential Information could reasonably be expected to cause harm to the Client.
15. The Contractor agrees that they will not disclose, divulge, reveal, report or use, for any purpose, any

Confidential Information which the Contractor has obtained, except as authorized by the Client or as required by law. The obligations of confidentiality will apply during the Term and will survive indefinitely upon termination of this Agreement.

OWNERSHIP OF INTELLECTUAL PROPERTY

16. All intellectual property and related material, including any trade secrets, moral rights, goodwill, relevant registrations or applications for registration, and rights in any patent, copyright, trademark, trade dress, industrial design and trade name (the "Intellectual Property") that is developed or produced under this Agreement, is a "work made for hire" and will be the sole property of the Client. The use of the Intellectual Property by the Client will not be restricted in any manner.
17. The Contractor may not use the Intellectual Property for any purpose other than that contracted for in this Agreement except with the written consent of the Client. The Contractor will be responsible for any and all damages resulting from the unauthorized use of the Intellectual Property.

RETURN OF PROPERTY

18. Upon the expiration or termination of this Agreement, the Contractor will return to the Client any property, documentation, records, or Confidential Information which is the property of the Client.

CAPACITY/INDEPENDENT CONTRACTOR

19. In providing the Services under this Agreement it is expressly agreed that the Contractor is acting as an independent contractor and not as an employee. The Contractor and the Client acknowledge that this Agreement does not create a partnership or joint venture between them, and is exclusively a contract for service. The Client is not required to pay, or make any contributions to, any social security, local, state or federal tax, unemployment compensation, workers' compensation, insurance premium, profit-sharing, pension or any other employee benefit for the Contractor during the Term. The Contractor is responsible for paying, and complying with reporting requirements for, all local, state and federal taxes related to payments made to the Contractor under this Agreement.

RIGHT OF SUBSTITUTION

20. Except as otherwise provided in this Agreement, the Contractor may, at the Contractor's absolute discretion, engage a third party sub-contractor to perform some or all of the obligations of the Contractor under this Agreement and the Client will not hire or engage any third parties to assist with the provision of the Services.
21. In the event that the Contractor hires a sub-contractor:
 - the Contractor will pay the sub-contractor for its services and the Compensation will remain payable by the Client to the Contractor.
 - for the purposes of the indemnification clause of this Agreement, the sub-contractor is an agent of the Contractor.

AUTONOMY

22. Except as otherwise provided in this Agreement, the Contractor will have full control over working time, methods, and decision making in relation to provision of the Services in accordance with the Agreement. The Contractor will work autonomously and not at the direction of the Client. However, the Contractor will be responsive to the reasonable needs and concerns of the Client.

EQUIPMENT

23. Except as otherwise provided in this Agreement, the Contractor will provide at the Contractor's own expense, any and all tools, machinery, equipment, raw materials, supplies, workwear and any other items or parts necessary to deliver the Services in accordance with the Agreement.

NO EXCLUSIVITY

24. The Parties acknowledge that this Agreement is non-exclusive and that either Party will be free, during and after the Term, to engage or contract with third parties for the provision of services similar to the Services.

NOTICE

25. All notices, requests, demands or other communications required or permitted by the terms of this Agreement will be given in writing and delivered to the Parties at the following addresses:

- a. DEWEY BEER COMPANY
2100 Coastal Hwy, Dewey Beach, DE 19971, USA
- b. ANCHOR CONTRACTING
Lincoln Dr, Delaware 19958, USA

or to such other address as either Party may from time to time notify the other, and will be deemed to be properly delivered (a) immediately upon being served personally, (b) two days after being deposited with the postal service if served by registered mail, or (c) the following day after being deposited with an overnight courier.

INDEMNIFICATION

26. Except to the extent paid in settlement from any applicable insurance policies, and to the extent permitted by applicable law, each Party agrees to indemnify and hold harmless the other Party, and its respective affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from or arise out of any act or omission of the indemnifying party, its respective affiliates, officers, agents, employees, and permitted successors and assigns that occurs in connection with this Agreement. This indemnification will survive the termination of this Agreement.

MODIFICATION OF AGREEMENT

27. Any amendment or modification of this Agreement or additional obligation assumed by either Party in

connection with this Agreement will only be binding if evidenced in writing signed by each Party or an authorized representative of each Party.

TIME OF THE ESSENCE

28. Time is of the essence in this Agreement. No extension or variation of this Agreement will operate as a waiver of this provision.

ASSIGNMENT

29. The Contractor will not voluntarily, or by operation of law, assign or otherwise transfer its obligations under this Agreement without the prior written consent of the Client.

ENTIRE AGREEMENT

30. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressly provided in this Agreement.

ENUREMENT

31. This Agreement will enure to the benefit of and be binding on the Parties and their respective heirs, executors, administrators and permitted successors and assigns.

TITLES/HEADINGS

32. Headings are inserted for the convenience of the Parties only and are not to be considered when interpreting this Agreement.

GENDER

33. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.

GOVERNING LAW

34. This Agreement will be governed by and construed in accordance with the laws of the State of Delaware.

SEVERABILITY

35. In the event that any of the provisions of this Agreement are held to be invalid or unenforceable in whole or in part, all other provisions will nevertheless continue to be valid and enforceable with the invalid or unenforceable parts severed from the remainder of this Agreement.

WAIVER

36. The waiver by either Party of a breach, default, delay or omission of any of the provisions of this Agreement by the other Party will not be construed as a waiver of any subsequent breach of the same or other provisions.

IN WITNESS WHEREOF the Parties have duly affixed their signatures under hand and seal on this 21
day of January, 2021.

DEWEY BEER COMPANY

Per: [Signature] (Seal)

Officer's Name: Scot Kaufman

[Signature]

ANCHOR CONTRACTING



REV.	DATE	DESCRIPTION
1	05/18/20	REVISIONS TO 05/11/20 CONSULTS
2		
3		
4		
5		
6		
7		
8		
9		
10		

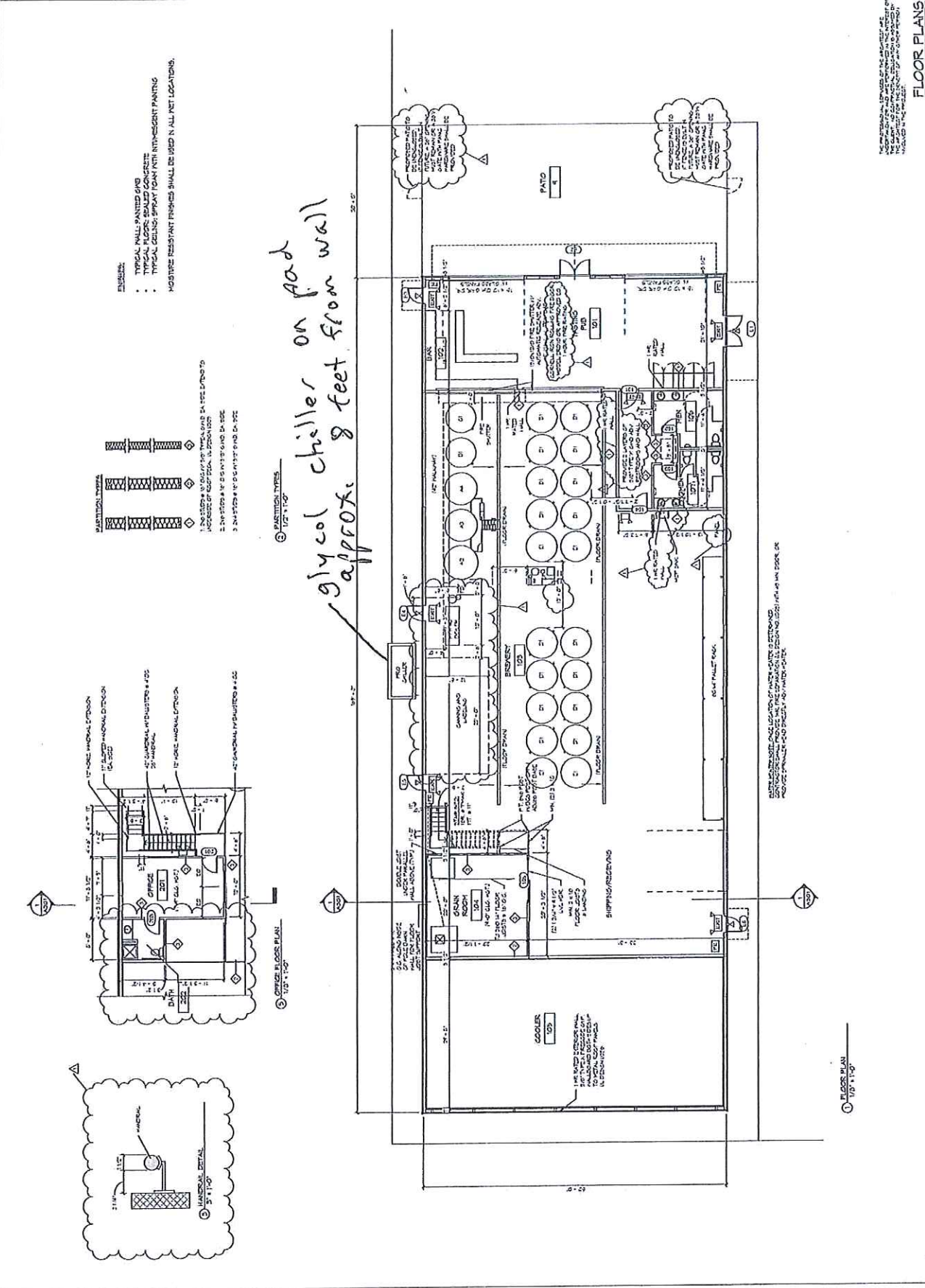
DEWEY BEER COMPANY
 BUILDING 3 FIT-OUT
 21335 HARDESON ROAD
 MILTON, DELAWARE
 TAX MAP # 235-30-00-2100

ELEMENT
 1155 North Street, 2nd Floor
 Box 415073
 Fort Lauderdale, FL 33341
 Fort Lauderdale, FL 33341
 Fort Lauderdale, FL 33341

DATE OF SUBMITTAL: _____
 DATE OF REVISION: _____
 SCALE: AS NOTED
 JOB NO. C19156
 DATE: 04/01/2020

DATE	BY	CHKD

FLOOR PLANS
 A302



THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF ELEMENT. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR REPRODUCTION OF THESE PLANS OR SPECIFICATIONS WITHOUT THE WRITTEN PERMISSION OF ELEMENT IS STRICTLY PROHIBITED.

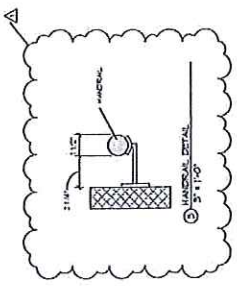
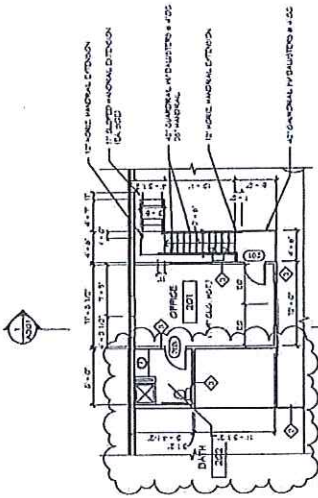
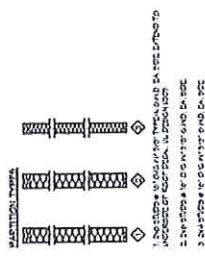
1 FLOOR PLAN
 1/8" = 1'-0"

NOTE: THE BEER COOLER LOCATION OF THIS COOLER IS DETERMINED BY THE BEER COOLER MANUFACTURER. THE BEER COOLER MANUFACTURER'S LOCATION OF THE BEER COOLER SHALL BE SHOWN ON THE BEER COOLER MANUFACTURER'S LOCATION OF THE BEER COOLER.

glycol chiller on pad
 approx. 8 feet from wall

MOISTURE RESISTANT FINISHES SHALL BE USED IN ALL NET LOCATIONS.

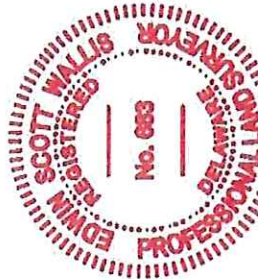
- TYPICAL WALLS PAINTED GND
- TYPICAL FLOORS SAILED CONCRETE
- TYPICAL CEILING SPOT LIGHT WITH INCANDESCENT PAINTING



NOTE- THIS SURVEY DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF ANY EASEMENTS.

SITE DATA-
CURRENT OWNER-
KINGS LANDING AT
HARBESON LLC
DB 3752 PG 277

DATE OF SURVEY-
9-21-20

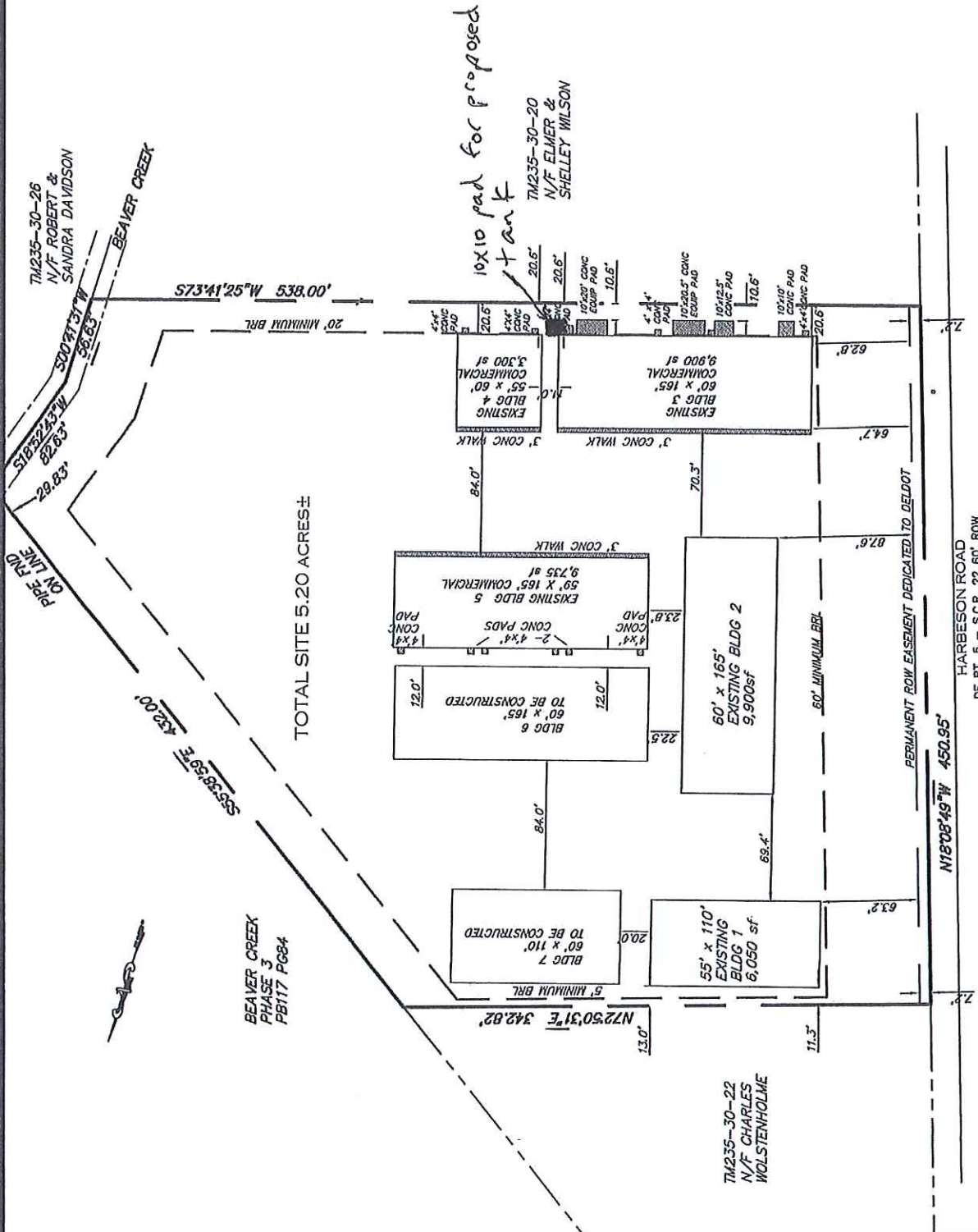


E. Scott Wallis
9-22-20

CERTIFIED CORRECT
AS SHOWN

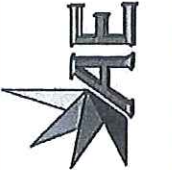
SCALE	1"=100'	0002-1601x
DESIGNED	ESW	EXHIBIT
DRAWN	ESW	
CHECKED		
DATE	9-22-20	
T.M.	235-30.00-21	

AB



FINAL LOCATION SURVEY
BLDGs 3, 4, AND 5
BROADKILL HUNDRED, SUSSEX COUNTY, DELAWARE

Axiom Engineering L.L.C.
18 CHESTNUT STREET
GEORGETOWN, DE 19847
(302) 855-0810
FAX: 855-0812
WWW.AXIOMENR.COM



TM 235-30-22
N/F CHARLES
WOLSTENHOLME



**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 # 12530
Hearing Date 3-1
202100035

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)
115-185 F
115-42 115-183

Site Address of Variance/Special Use Exception:

37057 Blue Bill Drive, Selbyville, DE 19975

Variance/Special Use Exception/Appeal Requested:

Replacing of old shed with new shed in the same location. The shed to be replaced was set within the 5ft boundary of the property line. The new shed will be placed in the same location and will be placed approximately 10 inches from the left side property line and 12ft from the rear property line.

Tax Map #: 5-33-12.16-171.00

Property Zoning: GR

Applicant Information

Applicant Name: Jason Sutton
Applicant Address: 536 Lowe Road
City New Park State PA Zip: 17352
Applicant Phone #: (410) 935-5454 Applicant e-mail: jmsirish331@aol.com

Owner Information

Owner Name: Jason Sutton and Jennifer Sutton
Owner Address: 536 Lowe Road
City New Park State PA Zip: 17352 Purchase Date: _____
Owner Phone #: (410) 935-5454 Owner e-mail: jmsirish331@aol.com

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



Date: 12/27/20



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.

The lot is 50ft wide and 100ft long. The home located on the lot is approximately 28ft wide and 56ft long. The rear property line is located 10ft inside of a canal to the rear. Due to the size and shape of the properties in this development, it is common for homes to have sheds that are on the side of the home, which then requires a variance, due to the 5ft set back requirement.

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.

Due to the narrow nature of the property and the rear property line being located 10ft into a canal, there is no other possible way to place a shed on the property without requiring a variance due to the required property line set backs.

3. Not created by the applicant:

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

This development was a planned community in the early 1980's. This applicant purchased the home in June of 2018 with a pre-existing shed in the same location that a new shed placement is being requested. The old shed was becoming deteriorated and becoming a possible hazard. A new shed would replace the pre-existing shed and be structurally sound.

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 variance would not change or alter the essential character of the neighborhood, as this variance would only allow for a new shed to be placed in the same location as the pre-existing shed on the property. This shed would be similar in style and shape and placement as the shed located to the adjoining property, of which a variance was approved. This shed would also be similar to sheds and their placement throughout the community.

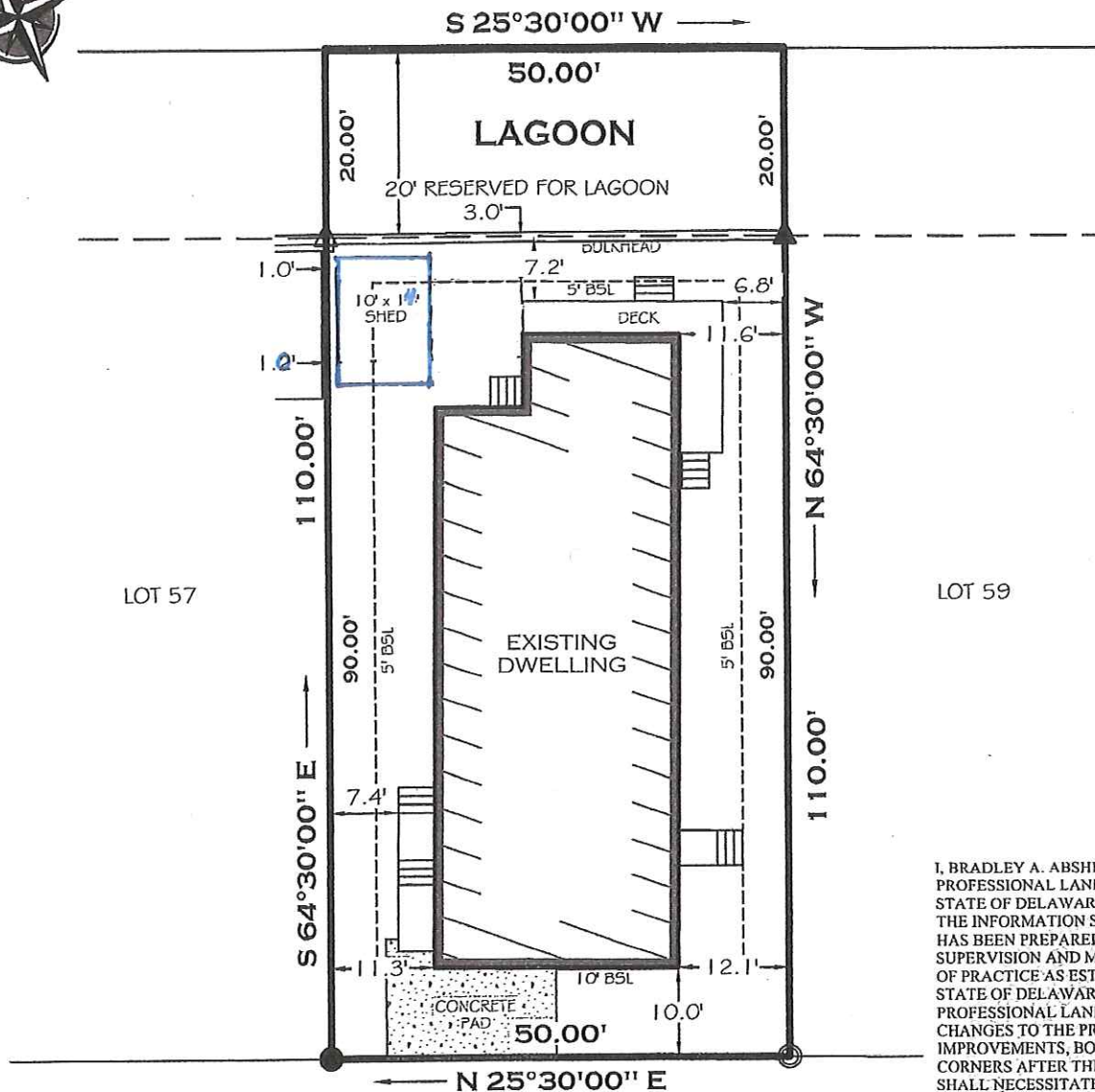
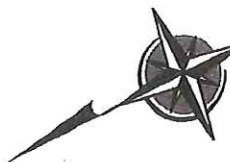
5. Minimum variance:

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.

The location of the shed would be placed in the rear yard at a point in the property to represent the minimum variance necessary to afford relief. This shed location would allow for the ability of persons to freely access the rear of the home from the left side yard and vice versa.

Edited original to show location of new shed.

JOHN 3:16



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
 BRADLEY A. ABSHER, DE PLS # 735
 DATE 6-11-14

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN

2. ZONE: GR

3. BUILDING SETBACK LINES (BSL)

FRONT 10'
 SIDE 5'
 REAR 5'

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 TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.

LEGEND	
○	IRON PIPE FOUND
●	IRON ROD W/ CAP FOUND
▲	PK NAIL FOUND
△	PK NAIL SET

TAX MAP	5-33 - 12.16 - 171.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	---
AREA	5,500 ± SQ. FT.
DEED REF.	1757/82
PLAT REF.	14/99
DRAWN BY	BAA
DATE	06/11/18
SCALE	1" = 20'
SURVEY #	DE - 04732

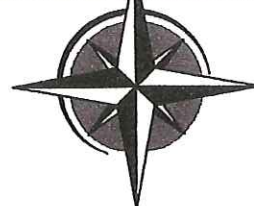
BOUNDARY SURVEY PLAN

**LOT 58, BLOCK G
 SWANN KEYS
 SECTION B**

FOR
JASON & JENNIFER SUTTON

37057 BLUE BILL DRIVE, SELBYVILLE, DE 19975

TRUE NORTH

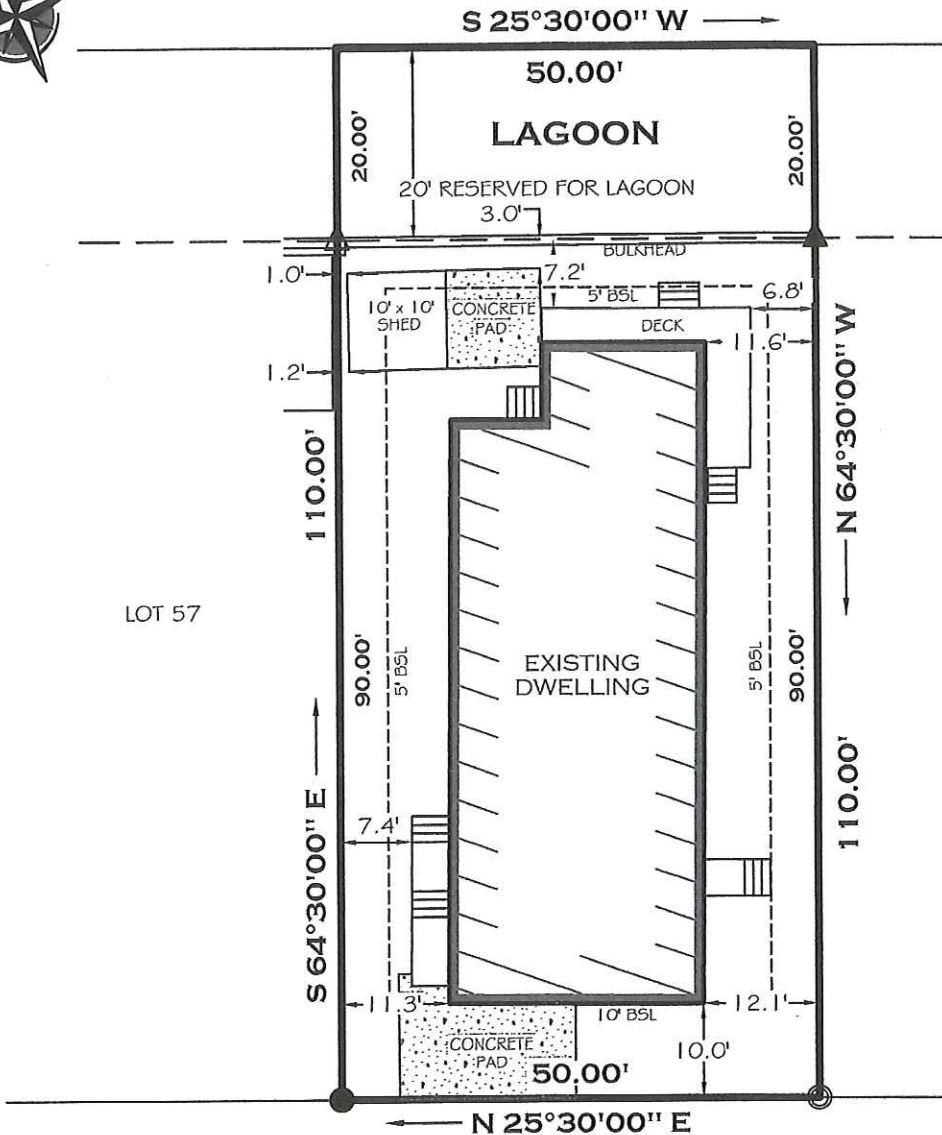


LAND SURVEYING

118 ATLANTIC AVENUE, SUITE 202
 OCEAN VIEW, DE 19970
 DE: 302-539-2488
 MD: 410-430-2092

JOHN 3:16

Existing Shed



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
 BRADLEY A. ABSHER, DE PLS # 735
 DATE 6-11-14

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: GR
3. BUILDING SETBACK LINES (BSL)
 FRONT 10'
 SIDE 5'
 REAR 5'

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 TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.

**BLUE BILL DRIVE
 30' RIGHT OF WAY**

LEGEND	
○	IRON PIPE FOUND
●	IRON ROD W/ CAP FOUND
▲	PK NAIL FOUND
△	PK NAIL SET

TAX MAP	5-33 - 12.16 - 171.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	---
AREA	5,500 ± SQ. FT.
DEED REF.	1757 / 82
PLAT REF.	14 / 99
DRAWN BY	BAA
DATE	06 / 11 / 18
SCALE	1" = 20'
SURVEY #	DE - 04732

**BOUNDARY SURVEY
 PLAN**

**LOT 58, BLOCK G
 SWANN KEYS
 SECTION B**

FOR
JASON & JENNIFER SUTTON

37057 BLUE BILL DRIVE, SELBYVILLE, DE 19975

TRUE NORTH



LAND SURVEYING

118 ATLANTIC AVENUE, SUITE 202
 OCEAN VIEW, DE 19970
 DE: 302-539-2488
 MD: 410-430-2092

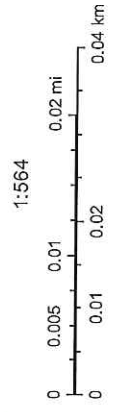


Sussex County



PIN:	533-12.16-171.00
Owner Name	SUTTON JASON M
Book	4902
Mailing Address	536 LOWE RD
City	NEW PARK
State	PA
Description	SWANN KEYS LOT 58
Description 2	BLK G W/BLUE BILL DR
Description 3	CT#44776
Land Code	

- 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 # 12531
Hearing Date 03/01/2021
2021 00393

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)

Site Address of Variance/Special Use Exception:

20592 Quillen Road, Rehoboth Beach, DE 19971

Variance/Special Use Exception/Appeal Requested:

A variance of 1.0' from the County's 5' side yard setback requirement, pursuant to the the County's reduced side yard requirements for lots under 10,000 square feet (Section 115-183D), to allow an existing outdoor shower to remain in its current location.

Tax Map #: 3-34 19.12 36.01

Property Zoning: GR

Applicant Information

Applicant Name: Carl and Darlene Merry, Trustee of the Merry Family Revocable Trust dated December 17, 2007
Applicant Address: 23304 Wilderness Walk Court
City Gaithersburg State MD Zip: 20882
Applicant Phone #: _____ Applicant e-mail: _____

Owner Information

Owner Name: Mark Bower and Amy Bower
Owner Address: 2213 N Madison St
City Arlington State VA Zip: 22205 Purchase Date: 12/18/20
Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: Chad C. Meredith of Hudson, Jones, Jaywork & Fisher, LLC
Agent/Attorney Address: 309 Rehoboth Avenue
City Rehoboth Beach State DE Zip: 19971
Agent/Attorney Phone #: (302) 227-9441 Agent/Attorney e-mail: cmeredith@delawarelaw.com

Signature of Owner/Agent/Attorney



Date: 1/5/2021



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.

This lot is undersized and only contains an area of 4,392 square feet. A variance was previously granted for the sideyards, at the time the home was built, but neither the variance or original building permit included the outdoor shower.

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.

Due to the small size of the lot, the shower, as it is currently located, cannot meet the County's zoning regulations and the variance request is therefore necessary to allow the outdoor shower to remain where it is.

3. Not created by the applicant:

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

The applicant did not cause the outdoor shower to be installed. The applicant is a recent purchaser of the property and in the course of preparing for settlement, a survey was obtained. The sellers of the property, and prior owner, also did not install the outdoor shower, nor were they aware that the shower was an issue. The shower was in place when the sellers purchased the property in 2015.

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

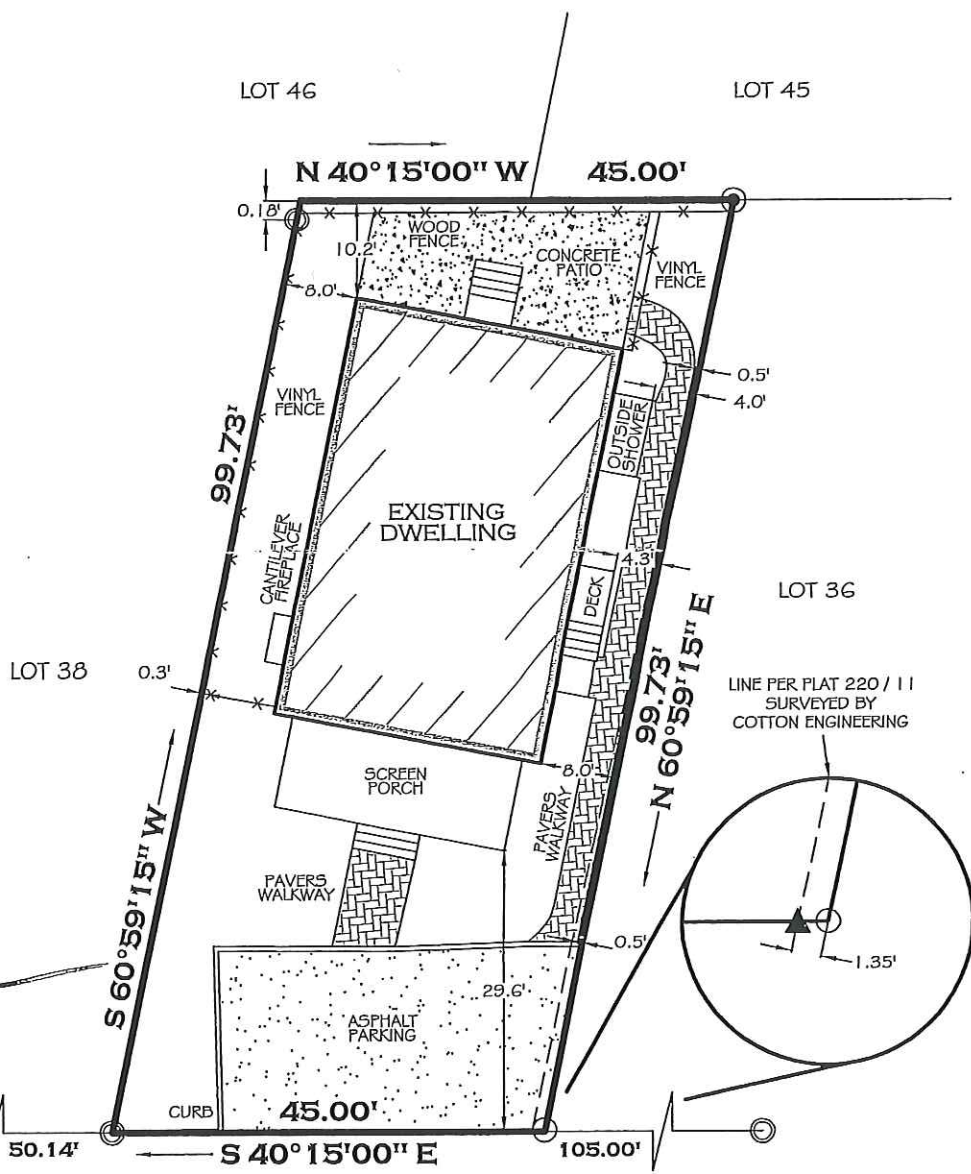
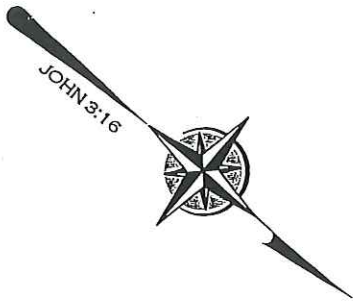
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

The shower has been in place since at least 2015 when Carl and Darlene Merry purchased the property (see survey prepared by True North). The Merrys were not aware of the outdoor shower's noncompliance with the County Code at the time of their purchase. Over the course of the Merrys' ownership, they never received a notice of violation from the County or ever received any complaints from neighbors.

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.

The variance request of 1.0' is the minimum variance necessary to afford relief under the County's code for reduced side yard setbacks on lots under 10,000 square feet.



**QUILLEN ROAD
30' RIGHT OF WAY**

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.

LEGEND

- IRON PIPE FOUND
- NAIL FOUND
- ▲ PK NAIL FOUND
- IRON ROD W/ CAP TO BE SET

TAX MAP	3-34 - 19.12 - 36.01
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	LEWES & REHOBOTH
TOWN	---
AREA	4,402 ± SQ. FT.
DEED REF.	3290 / 266
PLAT REF.	2 / 80A & 90 / 89
DRAWN BY	KTH
DATE	12 / 08 / 15
SCALE	1" = 20'
SURVEY #	DE - 02618

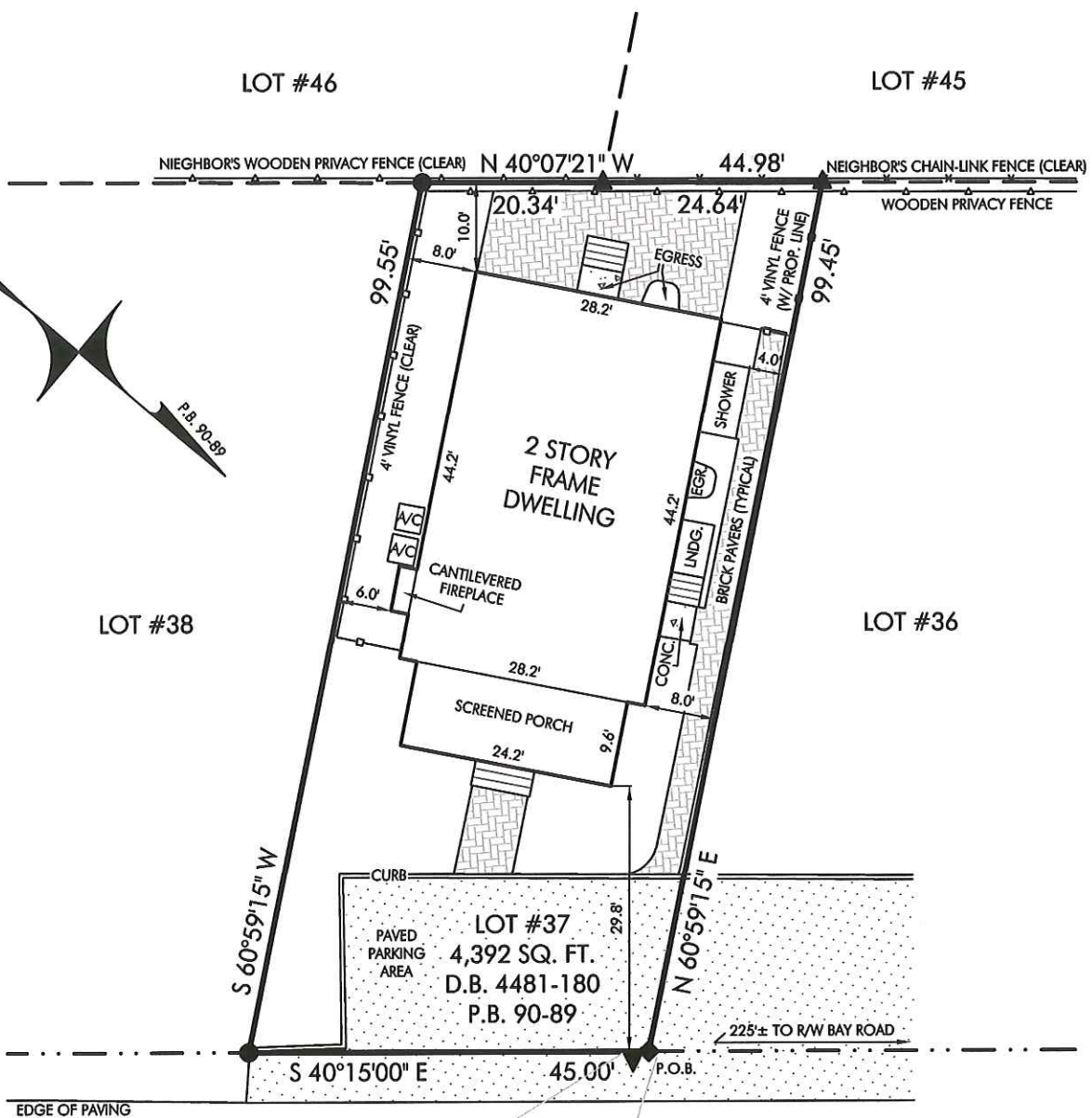
**BOUNDARY SURVEY
PLAN**

LOT 37
SUBURBAN DEVELOPMENT CORPORATION
 FOR
CARL & DARLENE MERRY
20592 QUILLEN ROAD, REHOBOTH BEACH, DE 19971

TRUE NORTH



LAND SURVEYING
 118 ATLANTIC AVENUE, SUITE 202
 OCEAN VIEW, DE 19970
 DE: 302-539-2488
 MD: 410-430-2092



QUILLEN ROAD (30' R/W)



BOUNDARY SURVEY PLAN FOR
**AMY L. BOWER &
MARK A. BOWER**

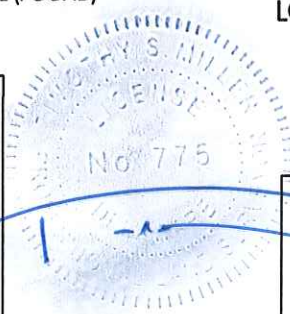
20592 QUILLEN ROAD, REHOBOTH BEACH
LOT #37 OF "SUBURBAN DEVELOPMENT CORP." SUBDIVISION
LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
DECEMBER 7, 2020 SCALE: 1" = 20'

LEGEND:

- IRON PIPE (FOUND)
- ▲ IRON ROD (FOUND)
- ◆ PAINTED HOLE FROM "PK" NAIL (FOUND)
- ▼ NAIL SET BY OWNER (FOUND)

NOTES:

ALL RESTRICTIONS MUST BE VERIFIED BY THE HOME OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT SUSSEX COUNTY TO VERIFY.
THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.
NO TITLE SEARCH PROVIDED OR STIPULATED.
SURVEY CLASS: SUBURBAN



Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

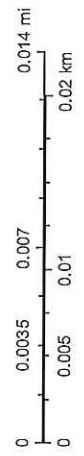


Sussex County

PIN:	334-19.12-36.01
Owner Name	BOWERAMY L
Book	5386
Mailing Address	2213 N MADISON ST
City	ARLINGTON
State	VA
Description	SUBURBAN DEV
Description 2	LOT 37 SW/OF QUILLEN
Description 3	RD 225' SE BAY RD
Land Code	



1:282



BUILDING CODE REQUIRER Yes 044364

BUILDING PERMIT APPLICATION
SUSSEX COUNTY, DELAWARE

PERMIT NO. 238369

NEEDS TOWN PERMIT _____
LOCATION _____

DNREC # _____

S & W OK

Div. of Rev. 33252

Route _____ (N) (S) (E) (W) Side: _____ (ft.) (miles) (N) (S) (E) (W) of _____
 Subdiv. or TP Purkett's Dev. Lot No. 37 Section or Block _____
 Town _____ Street St W of Purkett's Rd and 225 SE Day Rd.
 District No. 334 Map No. 19.12 Parcel No. 36.01 MANU. HOME # _____
 Frontage: 45x99 Depth: _____ Acreage: _____

ASSESSMENT

I. TYPE OF IMPROVEMENT
 Cost of Improvements 147,648 Stories (2)
 New Building Liquid Concrete 28x44
 Addition 2 story dwelling 44x28
 Relocation Liquid Concrete
 Accessory Building Garage 28x9
 Sign Garage porch 8x28
 Remodeling _____
 Other _____

II. INTERIOR
 No. of Bedrooms 6
 No. of Bathrooms 4
 No. of Rooms 11
 Basement not finished
III. HEATING
 Electric Gas
 Heat Pump FHA
 Air Conditioned
IV. EXTERIOR WALLS
 Vinyl Wood
 Alum. Siding Brick
 Other _____
V. INTERIOR WALLS
 Dry Wall
 Paneling
 Other _____

VI. FOUNDATION
 Pad Brick
 Piling Conc. Blk.
 Other Poured
VII. FIRE PLACE
 Yes No
MASONARY Metal
VIII. ROOFING
 Built-Up Metal
 Asphalt Shingle
 Wood Shingle
 Other _____
IX. FLOORING
 Earth Wood
 Carpet Vinyl
 Concrete
 Other _____

ZONING

TYPE OF USE
 Existing Use Vacant
 Proposed Use Single Family - 2 story dwelling
 Single Family Commercial Other _____
 Zoning District GR Number of Units _____

SETBACKS

Front Yard 30 Side Yard 10 Rear Yard 10
 Side yard on side street on corner lot _____
 From any dwelling of other ownership _____
 From any other unit in a manufactured home park _____
 Cannot occupy more than _____ % of total lot area
 Height 42' Max
 Board of Adjustment Case No. 84 8981 Variance Sit 4/1-3/1/05
 Conditional Use Case No. 334-19.12 Parcel 36
 Approved by Planning & Zoning Pauline Hughes

FLOOD

Flood Zone X P 355
 Elevation Required above Mean sea level _____
 To be measured to:
 1. Finished first floor _____
 2. Lowest structural member _____
 Elevation Certification Height Certification
 Breakaway Walls Vending
 Placement Survey
 ADDITIONAL REQUIREMENTS & COMMENTS _____

OWNERS IDENTIFICATION:
 Name: Curtis James L. & Patricia X. McCallin
 Address: 602 Beaver Dam Road
 City: Rehoboth Bch State: De Zip: 19971
 On Lands Of: Pat 86

Name & Address of recipient of Certificate of Compliance (Builder):
 Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____

The owner of this building or land and the undersigned agree to comply with all applicable Federal, State and County Regulations and to apply for Certificate of Compliance at Completion. This does not imply approval of other Governmental Agencies or Compliance with private deed restrictions.

Signature of Applicant: _____ Phone No. (302) 381-5347
 Permit Fee: 448.50 + 50.12 + 817.62 = 1416.24 Date Issued: 5/19/05

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue. Permit may be renewed 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". Permit must be renewed prior to expiration date.
ASSESSORS AND INSPECTORS RIGHT TO GO ON PREMISES TO ASSESS AND INSPECT PROPERTY: The owner or owners of these premises do hereby consent to the Board of Assessment and Planning and Zoning Agents and Building Code Officials to enter upon said premises during the construction for which this PERMIT is granted, or within a reasonable time thereafter, for the purpose of assessing and inspecting said property, and consent being given on the signing of this permit.
THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN ALL-INCLUSIVE APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCIES, WHICH MAY PERTAIN TO THIS SITE.

AUTHORIZATION FOR BUILDING/PLACEMENT PERMIT ISSUANCE

TO: ASSESSMENT DIVISION

FROM: PLANNING & PERMITS DIVISION

DISTRICT 334 MAP 19.12 PARCEL 36.01 UNIT _____

SUBDIVISION/STREET Suburban Dev

LOT 37 BLOCK _____

EXISTING USE Vacant

ISSUE A BUILDING / PLACEMENT PERMIT FOR (TYPE OF IMPROVEMENT):

2 Story Dwelling, Screen Porch

FEES PAID: YES NO _____ NOT APPLICABLE _____

APPROVED BY: *[Signature]* DATE: 5/19/05

(WHITE/ASSESSMENT DIVISION)

(GREEN/PROPERTY OWNER)

(YELLOW/ENGINEERING DEPARTMENT)

11/17/05



CERTIFICATE OF COMPLIANCE AND/OR OCCUPANCY
PER
BUILDING CODE DEPARTMENT AND/OR
PLANNING & ZONING DEPARTMENT
SUSSEX COUNTY, DELAWARE

Date of Issue 11-10-05 Expiration Date _____ Tax Map & Parcel 3-34 19.12 36-01
(Temporary Permit)

This certifies that the (structure) (premises) described in Permit Number 235309 conforms to and complies with the requirements of the Chapter 52 (Building Code) and Chapter 115 (Zoning Code) for Sussex County, Delaware, and may be occupied as of the above date.

Approved Use dwelling w/additions

Approved By Andy Light
Building Code Department for
Certificate of Occupancy

Applicant's Name James Coston & Sherman McClot
Address 102 Beaver Dam Rd
Rehoboth Beach, DE 19971

Approved By Don Deason
Planning & Zoning Department
for Certificate of Compliance

N/A: Non-Applicable Coston

**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 # 12533
Hearing Date 3/1
202101023

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)
115-82
115-182 115-185

Site Address of Variance/Special Use Exception:

32681 Oak Orchard Rd., Millsboro, DE 19966

Variance/Special Use Exception/Appeal Requested:

Applicants seek a 2.2' variance from the front yard setback requirement for an existing unenclosed deck and a 4.7' variance from the front yard setback requirement for existing steps to the deck.

Tax Map #: 234-34.08-57.01

Property Zoning: C-1

Applicant Information

Applicant Name: Jyoti A. Tulsian & Kelsy Swearer
Applicant Address: c/o Sergovic Carmean Weidman McCartney & Owens, P.A., PO Box 751
City Georgetown State DE Zip: 19947
Applicant Phone #: (302) 855-1260 Applicant e-mail: shannonb@sussexattorney.com

Owner Information

Owner Name: Jyoti A. Tulsian & Kelsy Swearer
Owner Address: c/o Sergovic Carmean Weidman McCartney & Owens, P.A., PO Box 751
City Georgetown State DE Zip: 19947 Purchase Date: 1/20/21
Owner Phone #: (302) 855-1260 Owner e-mail: shannonb@sussexattorney.com

Agent/Attorney Information

Agent/Attorney Name: Shannon Carmean Burton, Esquire
Agent/Attorney Address: c/o Sergovic Carmean Weidman McCartney & Owens, P.A., PO Box 751
City Georgetown State DE Zip: 19947
Agent/Attorney Phone #: (302) 855-1260 Agent/Attorney e-mail: shannonb@sussexattorney.com

Signature of Owner/Agent/Attorney

Shannon Carmean Burton, Esquire
Digitally signed by Shannon Carmean Burton, Esquire
Date: 2021.01.25 09:16:26 -05'00'

Date: _____



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 property is unique as it is a narrow, rectangular lot located on Oak Orchard Road and contains approximately 5,176 square feet of land. The exceptional practical difficulty is due to such uniqueness and not due to circumstances or conditions generally created by the Zoning Code in the neighborhood/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.

There is no possibility that the property can be developed in strict conformity with the Code. The steps and unenclosed deck serve as the entrance to the dwelling and the dwelling is only 40.9' from the front lot line. Variances are 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.

The exceptional practical difficulty has not been created by the Applicants. The Applicants recently purchased the Property with the existing improvements. They had no control over the size of the lot or the placement of the dwelling. Applicants simply seek to bring the existing improvements into compliance with the Zoning Code.

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.

The variances will not alter the essential character of the neighborhood/district in which the property is located, nor will it substantially or permanently impair the use/development of adjacent property, or be detrimental to the public welfare. Homes in close proximity to the property appear to be similarly situated on the lots. Applicants are unaware of any complaints made about the location of the deck and steps.

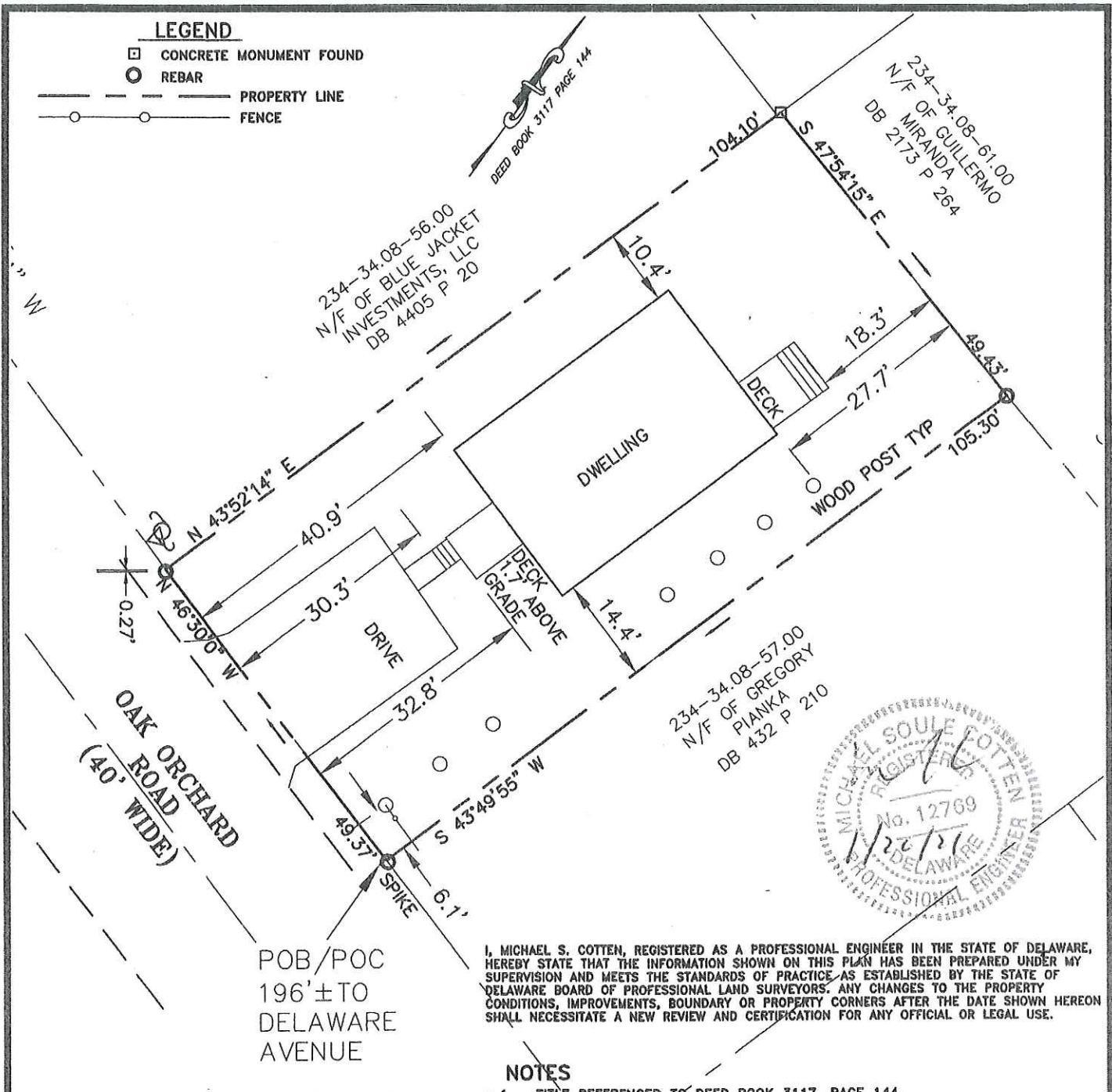
5. Minimum variance:

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.

The variances represent the minimum variances that will afford relief and represent the least modifications possible of the regulations in issue. The Applicants simply seek to bring the existing improvements into compliance with the Zoning Code.

LEGEND

- CONCRETE MONUMENT FOUND
- REBAR
- PROPERTY LINE
- FENCE



I, MICHAEL S. COTTEN, REGISTERED AS A PROFESSIONAL ENGINEER 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.

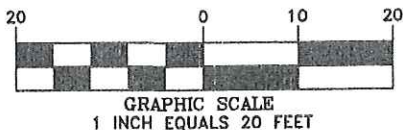
NOTES

1. TITLE REFERENCED TO DEED BOOK 3117, PAGE 144.
2. "SUBURBAN" SURVEY.
3. SUBJECT TO ANY AND ALL RESTRICTIONS, RESERVATIONS, CONDITIONS, EASEMENTS & AGREEMENTS OF RECORD IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DE. NO TITLE SEARCH PROVIDED.
4. THIS SURVEY DOES NOT CERTIFY AS TO THE EXISTENCE OR NON EXISTENCE OF ANY EASEMENTS OR RIGHT OF WAYS AFFECTING THIS PROPERTY.
5. FLOOD ZONE 'AE' ELEVATION 7.0' PER FEMA PANEL 10005C0481, EFF 3/16/15

BOUNDARY SURVEY PLAN
FOR JYOTI A. TULSIAN &
KELSY SWEARER
OF LANDS N/F OF JITEN & RACHNA SONEJI
32681 OAK ORCHARD ROAD
MILLSBORO, DE 19968
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DE
TAX MAP #234-34.08-57.01
TOTAL AREA: 5,176±SF OR 0.119±ACRES

COTTEN ENGINEERING LLC

CIVIL ENGINEERS
 10087 CONCORD RD.
 SEAFORD DE 19973
 PHONE/FAX (302) 628-9164



THIS DRAWING, SPECIFICATIONS, AND WORK PRODUCED BY COTTEN ENGINEERING LLC FOR THIS PROJECT ARE INSTRUMENTS OF SERVICE FOR THIS PROJECT ONLY, AND REMAINS THE COPYRIGHTED PROPERTY OF COTTEN ENGINEERING LLC. REUSE OR REPRODUCTION OF ANY OF THE INSTRUMENTS OF SERVICE OF COTTEN ENGINEERING LLC BY THE CLIENT OR ASSIGNEES WITHOUT THE WRITTEN PERMISSION OF COTTEN ENGINEERING LLC WILL BE AT THE CLIENT'S RISK AND BE A VIOLATION OF THE COPYRIGHT LAWS OF THE UNITED STATES OF AMERICA AND THE RESPECTIVE STATE WITHIN WHICH THE WORK WAS COMPLETED.

DESIGNED BY: CE	REV:	JOB # 21-025
DRAWN BY: JCD	DATE: 1/20/2021	SHEET 1 OF 1
CHECKED BY: MSC	SCALE: AS-SHOWN	

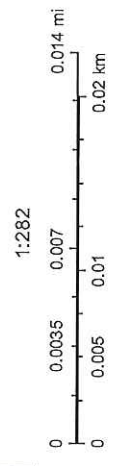


Sussex County



PIN:	234-34-08-57.01
Owner Name	SONEJI JITEN K RACHNA SONEJI
Book	3117
Mailing Address	928 WHITE CLAY TER
City	BEAR
State	DE
Description	N/RT 297
Description 2	245'E/OAK ST
Description 3	LOT 30
Land Code	

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



Case # 12534
Hearing Date 3-1-21
202101280

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)
115-50 115-182
115-185

Site Address of Variance/Special Use Exception:

37146 Ocean Park Ln, Fenwick Island DE 19944

Variance/Special Use Exception/Appeal Requested:

The lot is a through lot as it backs up to Rt 1/Coastal Highway and fronts on Ocean Park Ln, so it technically has two front yards. The height restriction for a fence is 42 inches. We are requesting a variance in the fence height to 60 inches.

Tax Map #: 134-22-00-31-00 Property Zoning: HR-1

Applicant Information

Applicant Name: Michael & Dea O'Hopp
Applicant Address: 37146 Ocean Park Ln
City Fenwick Island State DE Zip: 19944
Applicant Phone #: 301-514-2180 Applicant e-mail: ohopp.michael@outlook.com

Owner Information

Owner Name: Michael & Dea O'Hopp
Owner Address: 3216 Ramsland Way
City Fredrick State MD Zip: 21704 Purchase Date: 10-27-2020
Owner Phone #: 301-514-2180 Owner e-mail: ohopp.michael@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

Michael O'Hopp

Date: 01/26/2021



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.

Property is defined as a thru lot because it faces rt1/Coastal Highway and Ocean Park Ln. Therefore it has two front yards. The back of the house (which faces rt1/Coastal Highway) has a 40 ft BRL and the fence height for the entire back yard is limited to 42". In addition, the side facing Ocean Park Ln is located on the cul-de-sac, so that the BRL in the front is a radius creating a uniquely shaped lot. A further explanation is 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.

Having two front yard BRLs (the Ocean Park Ln side has a 30' BRL and the Rt1 side has a 40' BRL, the house is constructed so that it abuts both the Rt1 BRL and the Ocean Park Ln BRL. Thus it is impossible to use the space behind the house to safely contain the family dogs and have enough room for them to exercise. The front yard cannot have a fence.

3. Not created by the applicant:

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

We have done nothing to the property that has created this practical difficulty regarding containing the dogs. The house was built in its current location abutting the back building restriction line by a previous owner. Therefore the entire back yard is restricted to the 42" fence height. The two front yards and the BRL setbacks are created by the unique nature of the lot.

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.

The variance is for an additional fence height of 18". A fence is allowed, there are other fences in the neighborhood, a community privacy fence is already located along the back of half of the houses in the community. The proposed fence can only be seen from a limited number of houses. The fence will not be visible from Rt 1. The slight increase in the height of the allowed fence will hardly be noticed by anyone, if at all. The fence is to the benefit of 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.

The minimum height fence required to contain the dogs safely is 5 ft. The request is for 5ft.

Board of Adjustment Application Sussex County, Delaware

O'Hopp, Dea and Michael
37146 Ocean Park Ln
Fenwick Island, DE 19944

BASIS for Variance:

The house sits on a thru lot, meaning it has two front yards, with the yard (referred to hereinafter as the back yard) facing Rt1/Coastal Highway. Due to this fact the back yard has a building lot restriction of 40 feet and the house is built along that building restriction line. The house was built by a prior owner. The entire back yard is therefore restricted to a 42" fence height. Because of the two front yard building restriction line requirements (the front yard facing Ocean Park Lane has a restriction of 30 feet, and is placed along a cul-de-sac making the lot have an unusual shape. Fences cannot be constructed in the front yard due to HOA restrictions. Therefore, the only large area available for dogs is the backyard. Under normal circumstances the HOA would restrict the fence to a height of 60". However, due to the thru lot classification, the fence in the back yard is restricted to 42" by Sussex County. The owner has 4 dogs who visit the lot regularly, or live there for extended periods of time - and are capable of jumping a 42" fence, who belong to the owner or the owners' immediate family. Although the residence is a 2nd home, the owners spend approximately 50% of their time at the residence. The house abuts to Rt1/Coastal Highway and the consequences of a dog jumping the fence and running out on Rt1/Coastal Highway would be dangerous to the dog and the vehicles traveling on Rt. 1/Coastal Highway. In addition, for the protection of the dogs and the neighborhood, keeping the dogs within the fence is imperative. Not only do the immediate neighbors need to be considered, but the lot abuts on its south side to an official dune crossing pathway that has considerable foot traffic during the summer months.

The HOA has approved a 60" high fence in the location requested for the variance.

There is already a 72" plus privacy fence erected by the community along Rt1/Coastal Highway. The proposed fence at 60" would not be visible from Rt1/Coastal Highway. The proposed fence would not create any reduction in the visibility from Rt1/Coastal Highway and the entrance to Fenwick Acres. The location of the proposed fence would be on the Fenwick Acres lot furthest from the entrance to Fenwick Acres (about 9 lots back from the entrance) and would have no impact on the visibility from Rt1/Coastal Highway and the entrance to Fenwick Acres.

The proposed height increase variance for the fence would not change the neighborhood characteristics or negatively impact the neighborhood, due to:

- its location in the backyard,
- the lot being at the end of the community
- the height and privacy characteristics of the existing fence parallel to Rt1/Coastal

Highway

- The fence only being visible on the north side of the house from Ocean Park Lane
- The fence not being visible from R1/Coastal highway

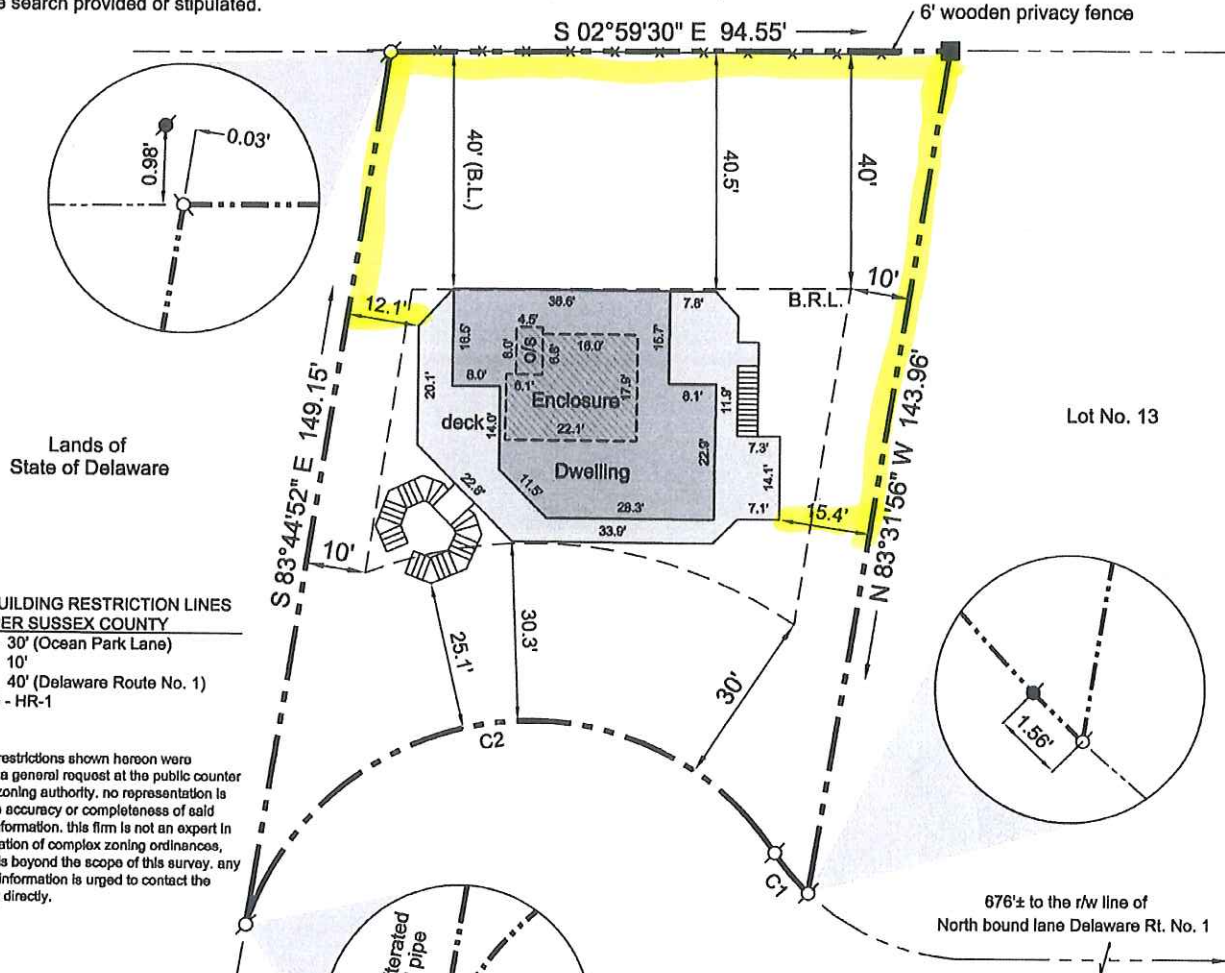
NOTES:

• Other than shown, this plat and survey does not verify the existence or nonexistence of right-of-ways and/or easements pertaining to this property. Including but not limited to Tax Ditch Easements.

• No title search provided or stipulated.

PROPERTY LINE CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	40.00'	8.85'	8.83'	N 47°09'22" E	12°40'36"
C2	50.00'	111.95'	89.99'	N 10°39'02" W	128°17'25"

DELAWARE ROUTE NO. 1
(North Bound Lane)



Lands of State of Delaware

Lot No. 13

(B.R.L.) BUILDING RESTRICTION LINES
PER SUSSEX COUNTY

- FRONT- 30' (Ocean Park Lane)
- SIDES - 10'
- REAR - 40' (Delaware Route No. 1)
- ZONING - HR-1

NOTE:
zoning and restrictions shown hereon were obtained by a general request at the public counter of the local zoning authority. no representation is made for the accuracy or completeness of said third party information. this firm is not an expert in the interpretation of complex zoning ordinances, compliance is beyond the scope of this survey. any user of said information is urged to contact the local agency directly.

(B.L.) Building Line

- 1/2" PIPE (FD)
- CONC. MON. (FD)
- ⊘ 5/8" REBAR (SET)
- ⊘ 5/8" REBAR (FD)

SCALE: 1"=30'
AREA: 11,480 SQ. FT.
TAX MAP NO. 1-34-22-31

Lands of PAUL P. SMITH and
BLANCHE BETHEA to be conveyed to
MICHAEL O'HOPP. Being known as
LOT NO. 12, FENWICK ACRES. Ref:
Plat Book 18, Page 139

FIRM INFORMATION:
100029 - 0450 - K
MARCH 16, 2015
ZONE: "AE", B.F.E.= 5.0' & 6.0'
CLASS "B" SURVEY

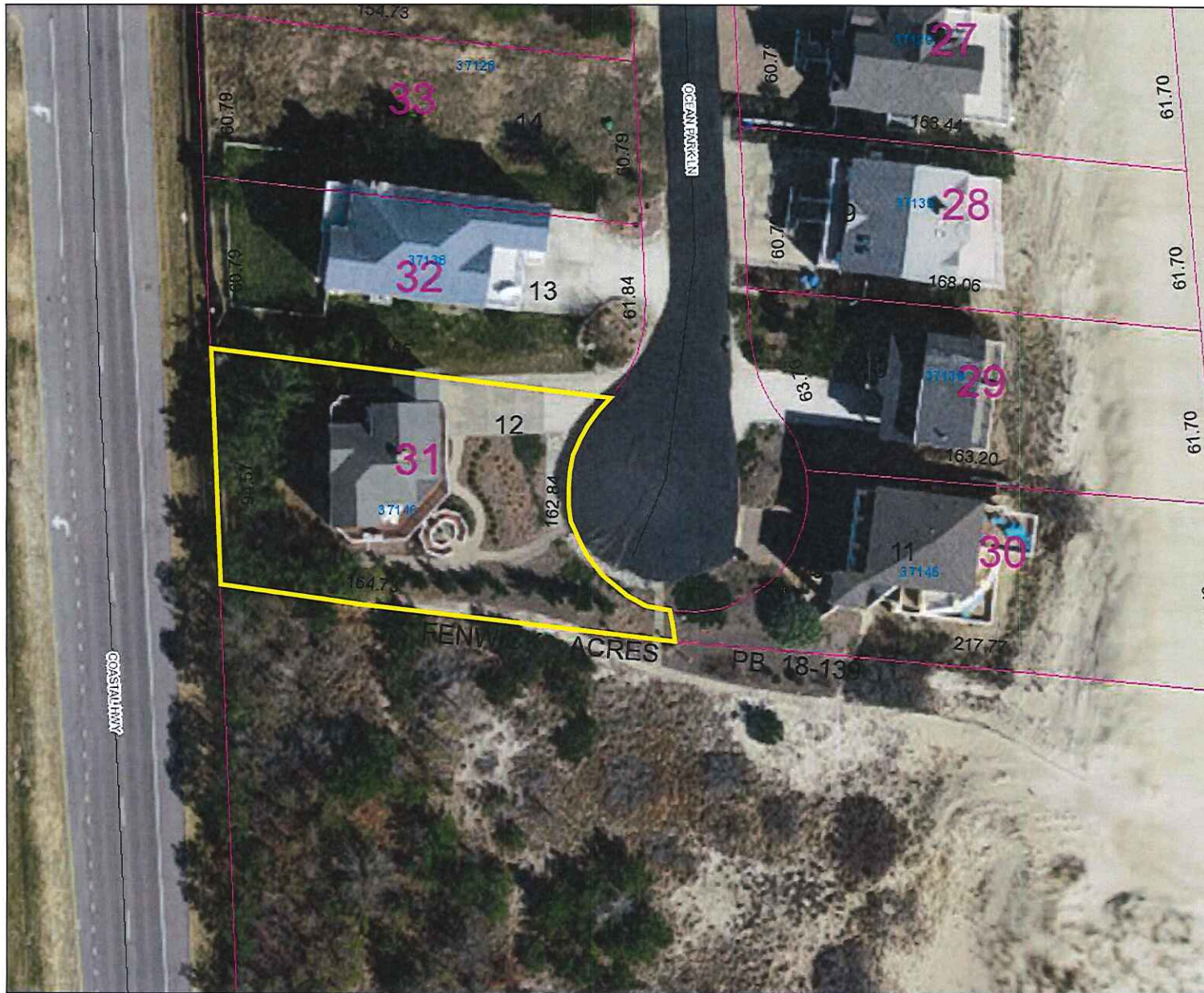
HUNDRED: BALTIMORE
COUNTY: SUSSEX
STATE OF DELAWARE
DATE OF ORIGINAL: 10-28-2020
DRAWN BY: MICHAEL LOVELAND

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SEAL

GREGORY M. HOOK
REGISTERED PROFESSIONAL LAND SURVEYOR
10/28/2020
No. S6000074
DELAWARE
P.L.S. 711

I, Gregory M. Hook, 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.



PIN:	134-22.00-31.00
Owner Name	OHOPP MICHAEL III
Book	5341
Mailing Address	3216 RAMSLAND WAY
City	FREDERICK
State	MD
Description	FENWICK ACRES
Description 2	LOT 12
Description 3	
Land Code	

- polygonLayer**
 - Override 1
- polygonLayer**
 - Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Tax Ditch Segments**
 - Tax Ditch Channel
 - Pond Feature
 - Special Access ROW
 - Extent of Right-of-Way
 - Approx. Watershed Boundary
 - Municipal Boundaries

