

JAMIE WHITEHOUSE, AICP  
DIRECTOR OF PLANNING & ZONING  
(302) 855-7878 T  
(302) 854-5079 F  
jamie.whitehouse@sussexcountyde.gov



**Sussex County**

DELAWARE  
sussexcountyde.gov

## PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



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

## BOARD OF ADJUSTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov

(302) 855-7878

## AGENDA

March 21, 2022

6:00 P.M.

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

### Call to Order

### Pledge of Allegiance

### Approval of Agenda

### Approval of Minutes for January 24, 2022

### Approval of Finding of Facts for January 24, 2022

### Public Hearings

**Case No. 12669 – Wheatley Ventures Inc** seek variances from the front yard setback requirement for existing structures (Sections 115-25 and 115-182 of the Sussex County Zoning Code). The property is located on the north side of Madelyn Avenue within the Morning Side Village Subdivision. 911 Address: 11594 Madelyn Avenue, Bridgeville. Zoning District: AR-1. Tax Parcel: 430-19.00-267.00

**Case No. 12670 – Wheatley Ventures Inc** seek variances from the front yard setback requirement for existing structures (Sections 115-25 and 115-182 of the Sussex County Zoning Code). The property is located on the north side of Madelyn Avenue within the Morning Side Village Subdivision. 911 Address: 11598 Madelyn Avenue, Bridgeville. Zoning District: AR-1. Tax Parcel: 430-19.00-268.00

**Case No. 12671 – Charles Albano** seeks a variance from the front yard setback and side yard setback requirements for a proposed structure (Sections 115-34, 115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the east side of Shore Drive approximately 116 ft. northwest of Dogwood Street. 911 Address: 9307 Shore Drive, Milford. Zoning District: MR. Tax Parcel: 230-17.00-60.00



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

**Case No. 12672 – Steve McCarron** seeks a variance from the rear yard setback requirement for a proposed structure (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the north side of Earlee Avenue within the Passwater Estates Subdivision. 911 Address: 302 Earlee Avenue, Bridgeville. Zoning District: AR-1. Tax Parcel: 131-10.20-113.00

**Additional Business**

\*\*\*\*\*

**-MEETING DETAILS-**

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on March 14, 2022, at 4:30 p.m. and at least seven (7) days in advance of the meeting.

The Agenda was prepared by the Director of Planning and Zoning and is subject to change to include the additional or deletion of items, including Executive Sessions, which arise at the time of the meeting.

Agenda items may be considered out of sequence.

The meeting will be streamed live at <https://sussexcountyde.gov/council-chamber-broadcast>

The County is required to provide a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.** Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

**Conference Number: 1 302 394 5036**  
**Conference Code: 570176**

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments for those items under public hearings on this agenda.

The Board of Adjustment meeting materials, including the “packet” are electronically accessible on the County’s website at: <https://sussexcountyde.gov/agendas-minutes/board-of-adjustment>



If any member of the public would like to submit comments electronically, these may be sent to [pandz@sussexcountyde.gov](mailto:pandz@sussexcountyde.gov). All comments are encouraged to be submitted by 4:30 P.M. on Thursday, March 17, 2022

####



**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 # 12669  
Hearing Date 3/21  
202201164

RECEIVED

JAN 27 2022

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

Variance   
Special Use Exception   
Administrative Variance   
Appeal

SUSSEX COUNTY  
PLANNING & ZONING  
Existing Conditions   
Proposed   
Code Reference (office use only)  
115-25 115-182

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

11594 Madelyn Avenue, Bridgeville, DE 19933

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

When the lot and house stake out were completed the porch was inadvertently omitted even though it was shown on the house plans. Once the porch was built, per the plans, we discovered the setback had been encroached upon making it necessary to obtain a variance from the HOA and the County.

Tax Map #: 430-19.00-267.00

Property Zoning: RES AR-1

**Applicant Information**

Applicant Name: Wheatley Ventures Inc  
Applicant Address: 19115 Freeland Lane  
City Bridgeville State DE Zip: 19933  
Applicant Phone #: (302) 337-7286 Applicant e-mail: Lynda@wheatleyfarms.com

**Owner Information**

Owner Name: Wheatley Ventures Inc  
Owner Address: 19115 Freeland Lane  
City Bridgeville State DE Zip: 19933 Purchase Date: \_\_\_\_\_  
Owner Phone #: \_\_\_\_\_ Owner e-mail: \_\_\_\_\_

**Agent/Attorney Information**

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

**Signature of Owner/Agent/Attorney**



Date: 1/20/20



**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.

There is nothing unique about this property. It is located within and governed by an HOA, which has granted a variance.

---

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 house and foundation are in existence. An inspection must take place so that we can continue with siding the house, especially with this weather. We understand we need the County variance in place to get the Certificate of Occupancy but would appreciate being allowed to proceed with weather proofing the house.

---

3. Not created by the applicant:

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

We did not take notice to the proposed stake out before the physical stakes for the foundation were in place so we did overlook that the porch had not been accounted for.

---

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 requested variance will not alter the essential character of the neighborhood, nor impair the use of the property or be detrimental to the public welfare. The two properties needing a front setback variance are side by side and in between an existing house and a SWM pond, thus they will not draw attention or cause distraction.

---

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 porch is 6' wide without steps, so a 10' variance would be the minimum that would be needed.

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

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

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

The requested variance will not alter the essential character of the neighborhood, nor impair the use of the property or be detrimental to the public's welfare. The two properties needing a front setback variance are side by side and in between an existing house and a SWM pond, thus they will not draw attention or cause distraction.

---

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

Weather related - getting the siding onto the house.

---

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

When the lot and house stake out were completed the porch was inadvertently omitted even though it was shown on the house plans. Once the porch was built, per the plans, we discovered the setback had been encroached upon making it necessary to obtain a variance from the HOA and the County.

---

# Morningside Village II Homeowner's Association, Inc.

19115 Freeland Lane, Bridgeville, DE 19933 msviihoa@gmail.com

January 20, 2022

Wheatley Ventures Inc  
19115 Freeland Lane  
Bridgeville DE 19933

RE: Front setback variance  
Lot 84, 430-19.00-267.00, 11594 Madelyn Avenue, Bridgeville  
Lot 85, 430-19.00-268.00, 11598 Madelyn Avenue, Bridgeville

The Architectural Review committee is granting a special exemption on the front setback variance, for the above lots only, from 30' to 20' to accommodate an existing structure under construction.

Respectfully,

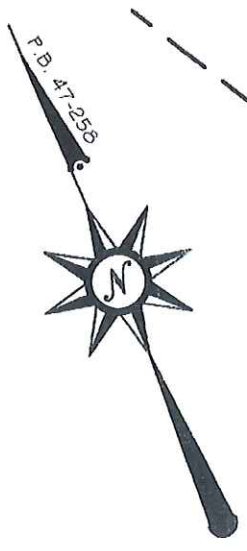


E. Dale Wheatley

ldh



T.M. #430-19.00-267.00



LOT #81

S 48°29'52" E

140.90'

S 23°44'55" W

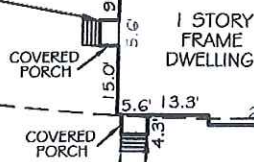
LOT #84  
22,476 Sq. Feet

LOT #85

N 34°51'50" E

164.14'

LOT #83



1 STORY  
FRAME  
DWELLING

COVERED  
PORCH

COVERED  
PORCH

75.23' N 66°15'05" W

126.92'

R=470.00'  
Δ=11°06'55"  
A=91.18'  
C=91.04'  
B=N 60°41'38" W

MADELYN AVENUE (50' R/W)

- IRON PIPE (FOUND)
- POINT

SEE PLOT BOOK G8 PAGE 103 FOR EASEMENT RESERVATIONS. THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY OTHER THAN THOSE SHOWN. NO TITLE SEARCH PROVIDED OR STIPULATED.

I, DONALD K. MILLER 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.

*Donald K. Miller*  
DONALD K. MILLER PLS 407 1/24/21 DATE  
SURVEY CLASS: SUBURBAN

*7.7' var from 30' Front - Covered porch*  
*3.8' var from 30' Front - Covered porch*  
*1.7' var from 30' Front - Only*

### FINAL LOCATION SURVEY FOR WHEATLEY VENTURES

11594 MADELYN AVENUE, BRIDGEVILLE, DE 19933  
LOT #84 OF "MORNINGSIDE VILLAGE II" SUBDIVISION  
NANTICOKE HUNDRED SUSSEX COUNTY  
STATE OF DELAWARE  
SCALE 1" = 40' JANUARY 24, 2022

SURVEYED/PREPARED BY:

**MILLER** LAND SURVEYING  
**LEWIS, INC.**

1560 MIDDLEFORD RD.

SEAFORD, DE. 19973

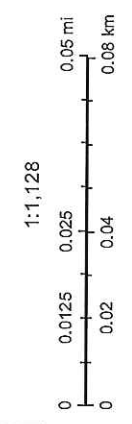


# Sussex County



<b>PIN:</b>	430-19.00-267.00
<b>Owner Name</b>	WHEATLEY VENTURES INC
<b>Book</b>	2607
<b>Mailing Address</b>	19115 FREELAND LN
<b>City</b>	BRIDGEVILLE
<b>State</b>	DE
<b>Description</b>	MORNINGSIDE VILLAGE II
<b>Description 2</b>	LOT 84
<b>Description 3</b>	N/A
<b>Land Code</b>	

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



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

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

Case # 12670  
Hearing Date 3/21  
2022 01165

RECEIVED

JAN 27 2022

SUSSEX COUNTY  
PLANNING & ZONING

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

Variance   
Special Use Exception   
Administrative Variance   
Appeal

Existing Condition   
Proposed   
Code Reference (office use only)  
115-25 115-182

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

11598 Madelyn Avenue, Bridgeville, DE 19933

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

When the lot and house stake out were completed the porch was inadvertently omitted even though it was shown on the house plans. Once the porch was built, per the plans, we discovered the setback had been encroached upon making it necessary to obtain a variance from the HOA and the County.

Tax Map #: 430-19.00-268.00

Property Zoning: RES AR-1

**Applicant Information**

Applicant Name: Wheatley Ventures Inc  
Applicant Address: 19115 Freeland Lane  
City Bridgeville State DE Zip: 19933  
Applicant Phone #: (302) 337-7286 Applicant e-mail: Lynda@wheatleyfarms.com

**Owner Information**

Owner Name: Wheatley Ventures Inc  
Owner Address: 19115 Freeland Lane  
City Bridgeville State DE Zip: 19933 Purchase Date: \_\_\_\_\_  
Owner Phone #: \_\_\_\_\_ Owner e-mail: \_\_\_\_\_

**Agent/Attorney Information**

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

**Signature of Owner/Agent/Attorney**



Date: 1/20/20



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There is nothing unique about this property. It is located within and governed by an HOA, which has granted a variance.

---

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---

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

Weather related - getting the siding onto the house.

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

When the lot and house stake out were completed the porch was inadvertently omitted even though it was shown on the house plans. Once the porch was built, per the plans, we discovered the setback had been encroached upon making it necessary to obtain a variance from the HOA and the County.

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# Morningside Village II Homeowner's Association, Inc.

19115 Freeland Lane, Bridgeville, DE 19933 msviihoa@gmail.com

January 20, 2022

Wheatley Ventures Inc  
19115 Freeland Lane  
Bridgeville DE 19933

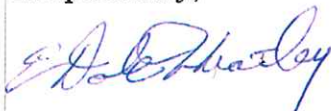
RE: Front setback variance

Lot 84, 430-19.00-267.00, 11594 Madelyn Avenue, Bridgeville

Lot 85, 430-19.00-268.00, 11598 Madelyn Avenue, Bridgeville

The Architectural Review committee is granting a special exemption on the front setback variance, for the above lots only, from 30' to 20' to accommodate an existing structure under construction.

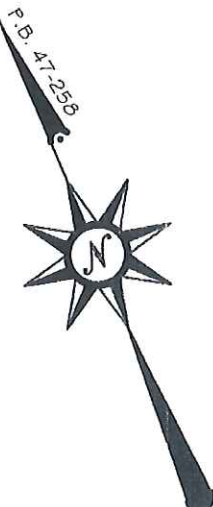
Respectfully,



E. Dale Wheatley

ldh

T.M. #430-19.00-268.00



S.W.M. POND #2

LOT #80

LOT #81

LOT #85  
22,822 Sq. Feet

LOT #84

R=470.00'  
Δ = 18°55'49"  
A = 155.29'  
C = 154.58'  
B = N 45°40'16" W

MADelyn AVENUE (50' R/W)

- IRON PIPE (FOUND)
- POINT

*6' walk from 30' front covered porch*  
*5.5' walk from 30' front porch*

SEE PLOT BOOK 68 PAGE 103 FOR EASEMENT RESERVATIONS. THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY OTHER THAN THOSE SHOWN. NO TITLE SEARCH PROVIDED OR STIPULATED.

I, DONALD K. MILLER 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.

*DK Miller*  
DONALD K. MILLER PLS 407 DATE 1/24/21  
SURVEY CLASS: SUBURBAN

### FINAL LOCATION SURVEY FOR WHEATLEY VENTURES

11598 MADelyn AVENUE, BRIDGEVILLE, DE 19933  
LOT #85 OF "MORNINGSIDE VILLAGE II" SUBDIVISION  
NANTICOKE HUNDRED SUSSEX COUNTY  
STATE OF DELAWARE  
SCALE 1" = 40' JANUARY 24, 2022

SURVEYED/PREPARED BY:

**MILLER** LAND SURVEYING  
**LEWIS, INC.**

1560 MIDDLEFORD RD.

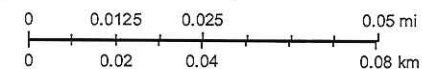
SEAFORD, DE. 19973



<b>PIN:</b>	430-19.00-268.00
<b>Owner Name</b>	WHEATLEY VENTURES INC
<b>Book</b>	2607
<b>Mailing Address</b>	19115 FREELAND LN
<b>City</b>	BRIDGEVILLE
<b>State</b>	DE
<b>Description</b>	MORNINGSIDE VILLAGE II
<b>Description 2</b>	LOT 85
<b>Description 3</b>	
<b>Land Code</b>	

- 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

1:1,128





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

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

Case # 12671  
Hearing Date 3-21-2022

2022 01420

Type of Application: (please check all applicable)

Variance   
Special Use Exception   
Administrative Variance   
Appeal

Existing Condition   
Proposed   
Code Reference (office use only)  
115-34 115-182  
115-183 115-185

Site Address of Variance/Special Use Exception:  
9307 Shore Drive, Milford, DE 19963

Variance/Special Use Exception/Appeal Requested:

Variance to front and side setbacks (115-34.B) to allow addition overtop of existing garage for proposed office/studio space

Tax Map #: 2-30-17.00-60.00

Property Zoning: MR

**Applicant Information**

Applicant Name: Mark Redden  
Applicant Address: 107 S Washington Street  
City Milford State DE Zip: 19963  
Applicant Phone #: (302) 339-5566 Applicant e-mail: mark@archologyde.com

**Owner Information**

Owner Name: Charles Albano  
Owner Address: 9307 Shore Drive  
City Milford State DE Zip: 19963 Purchase Date: 10/6/20  
Owner Phone #: (610) 314-9870 Owner e-mail: deborahalbano@aol.com

**Agent/Attorney Information**

Agent/Attorney Name: Mark Redden  
Agent/Attorney Address: 107 S Washington Street  
City Milford State DE Zip: 19963  
Agent/Attorney Phone #: (302) 339-5588 Agent/Attorney e-mail: mark@archologyde.com

**Signature of Owner/Agent/Attorney**

Date: 12/22/20



**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.

This property sits on Prime Hook Beach, and like most of the bay beaches, the lots predate the zoning code and are improperly sized to begin with and many of the structures are built within the setbacks. In addition, the location of existing structures and septic system limit the ability to improve the lot within the setbacks

**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 septic system is currently located between the house and existing garage which fills most of the available allowable buildable area.

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

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

The garage predates their purchase of the lot, so the existing encroachment that we wish to expand to create a separate work space on 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.

Two neighbor on one side, as do many others on this beach, These lots are all oriented towards the bay or marsh, and as such, accessory buildings are often built along the street towards the front yard. Many of these structures are actually quite large, so adding a small, 600 s.f. addition ovetop of the garage would not be out of place.

**5. Minimum variance:**

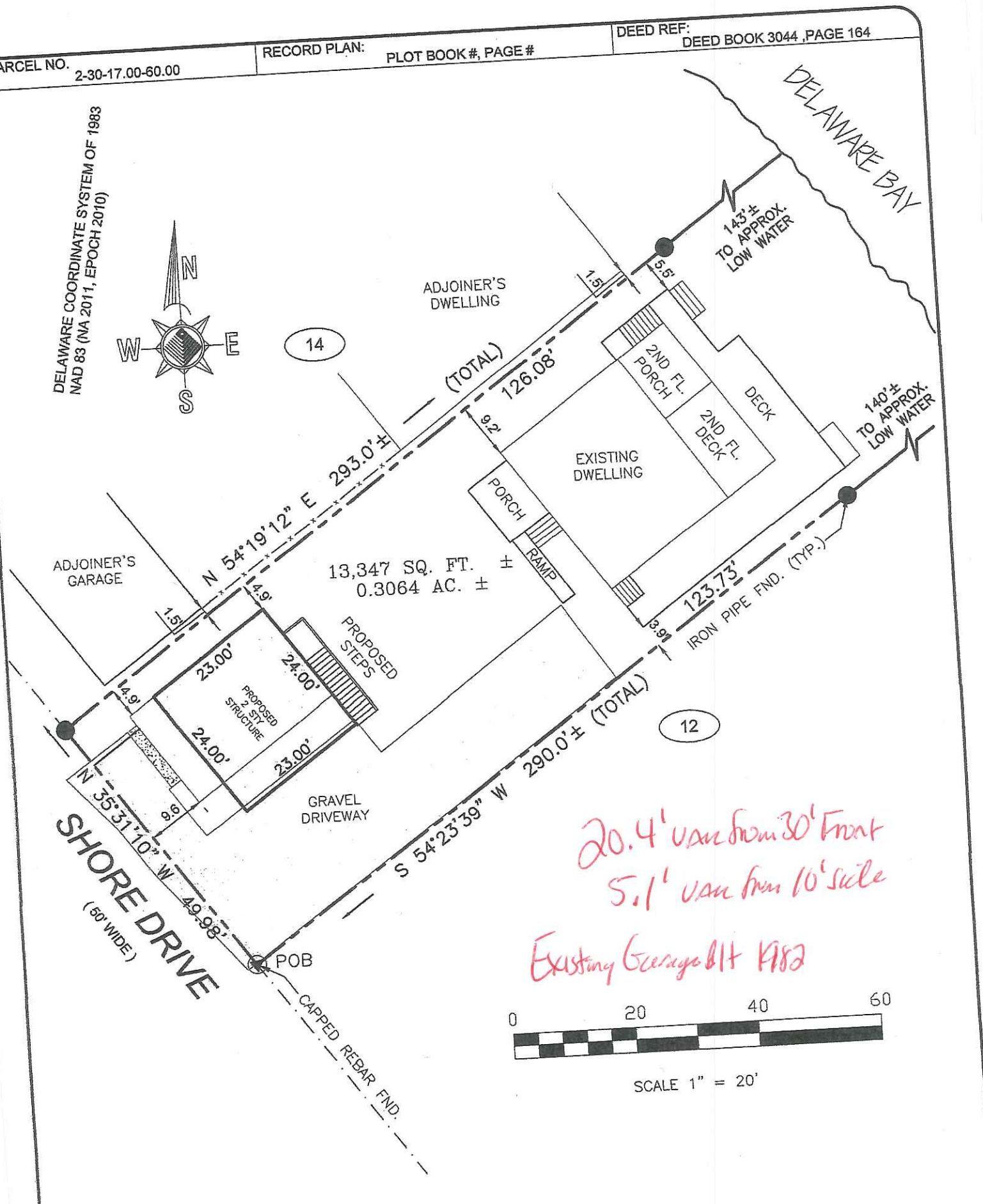
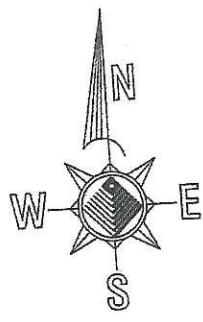
That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

As stated, there is very little space on this lot to create a separate work space. The garage itself is within the flood plain and cannot be finished legally. The septic system fills the center of the lot and the existing home is also within the setbacks and would be difficult to add onto economically due to foundation concerns. Modifying any of these items to allow for an office space would be cost prohibitive or still require a variance of equal or greater impact to the neighborhood.

PLAN #24471L-130701

PARCEL NO. 2-30-17.00-60.00 RECORD PLAN: PLOT BOOK #, PAGE # DEED REF: DEED BOOK 3044, PAGE 164

DELAWARE COORDINATE SYSTEM OF 1983  
NAD 83 (NA 2011, EPOCH 2010)



13,347 SQ. FT. ±  
0.3064 AC. ±

*20.4' van from 30' front  
5.1' van from 10' side  
Existing Garage 6/11/18*



SCALE 1" = 20'

**GARAGE PLACEMENT SURVEY PLAN**

PREPARED FOR:  
**CHARLES & DEBORAH ALBANO**  
FOR PROPERTY KNOWN AS:  
**LOT 13 \* PRIME HOOK BEACH**  
ALSO KNOWN AS:  
**9307 SHORE DRIVE**  
SITUATE IN:  
**CEDAR CREEK HUNDRED \* SUSSEX COUNTY**  
**STATE OF DELAWARE**  
SCALE: 1" = 20'  
DATE: 26 JANUARY 2022

- NOTES:**
- 1. THIS PLAN IS VALID ONLY WHEN SIGNED IN RED INK AND EMBOSSED WITH A RAISED IMPRESSION 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**  
**CONSULTANTS, INC.**

**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

*Deborah Albano*  
PROFESSIONAL LAND SURVEYOR

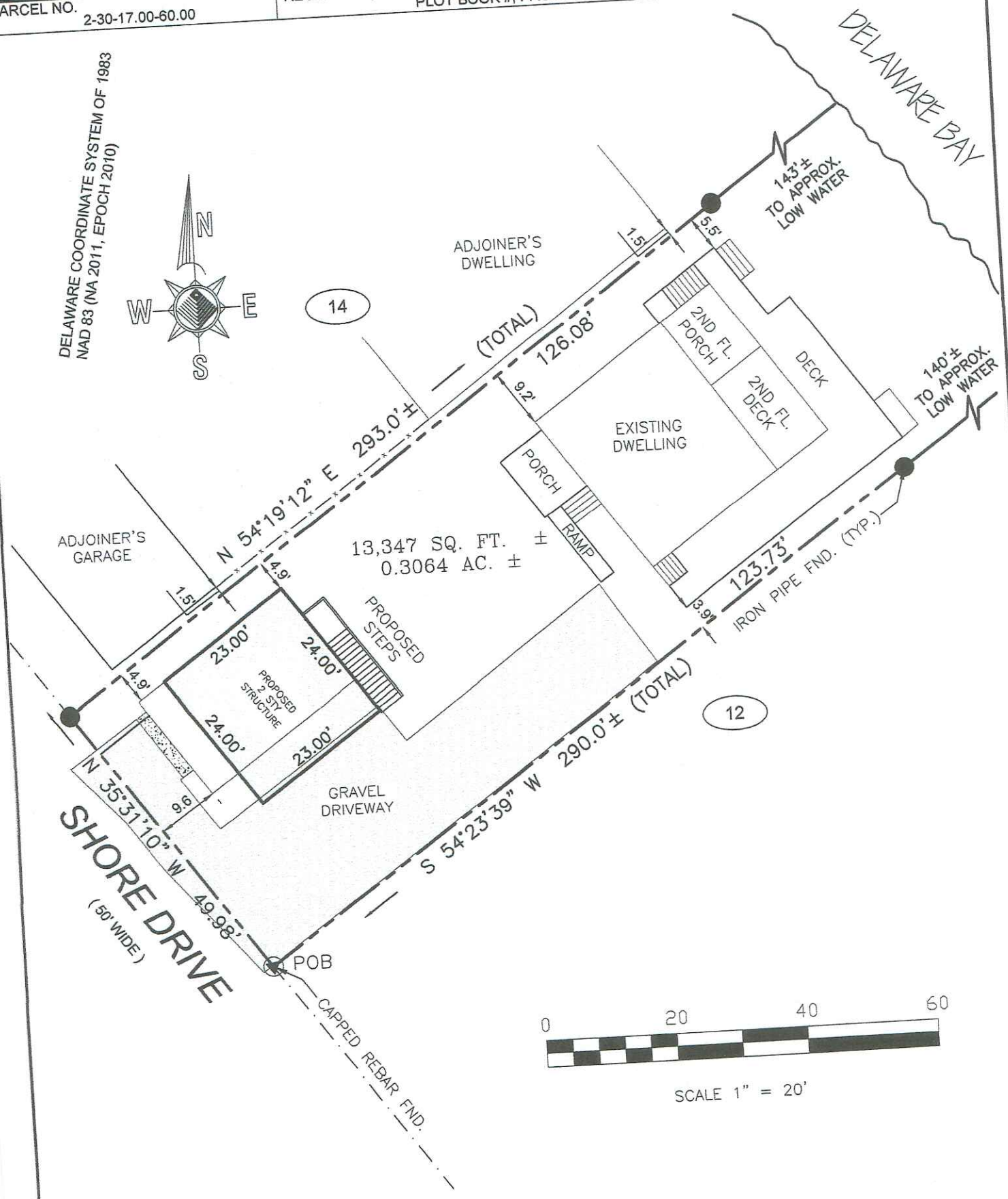
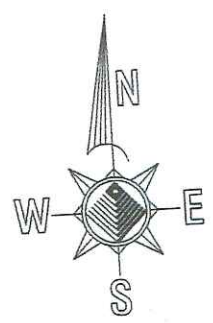
*1/26/2022*  
DATE

PLAN #24471L-130701

PLAN #24471L-130701

PARCEL NO. 2-30-17.00-60.00 RECORD PLAN: PLOT BOOK #, PAGE # DEED REF: DEED BOOK 3044 ,PAGE 164

DELAWARE COORDINATE SYSTEM OF 1983  
NAD 83 (NA 2011, EPOCH 2010)



13,347 SQ. FT. ±  
0.3064 AC. ±



SCALE 1" = 20'

### GARAGE PLACEMENT SURVEY PLAN

PREPARED FOR:  
**CHARLES & DEBORAH ALBANO**  
FOR PROPERTY KNOWN AS:  
**LOT 13 \* PRIME HOOK BEACH**  
ALSO KNOWN AS:  
**9307 SHORE DRIVE**  
SITUATE IN:  
**CEDAR CREEK HUNDRED \* SUSSEX COUNTY**  
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SCALE: 1" = 20'  
DATE: 26 JANUARY 2022

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



**MERESTONE**  
**CONSULTANTS, INC.**

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

*Deborah Albano*  
PROFESSIONAL LAND SURVEYOR  
© MERESTONE CONSULTANTS, INC. 2022

1/26/2022  
DATE

PLAN #24471L-130701



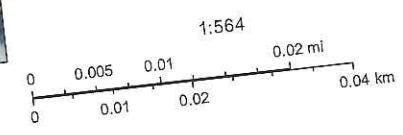
Sussex County

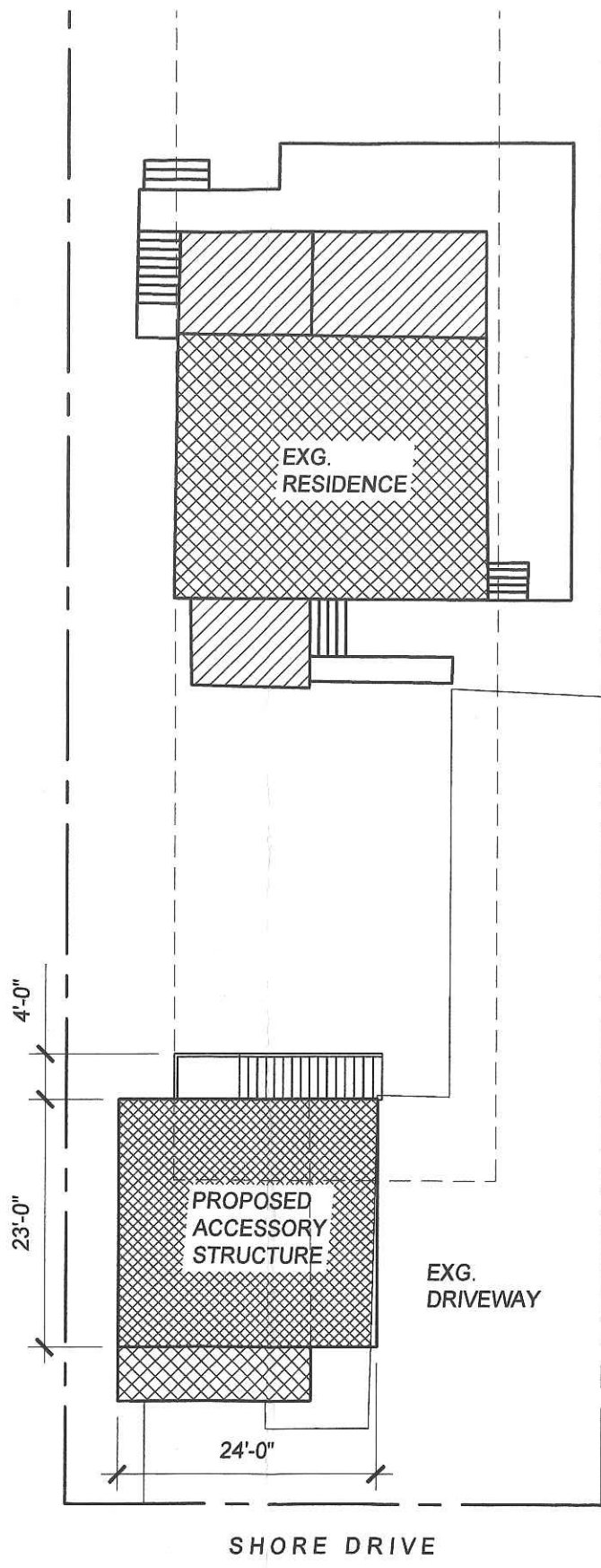
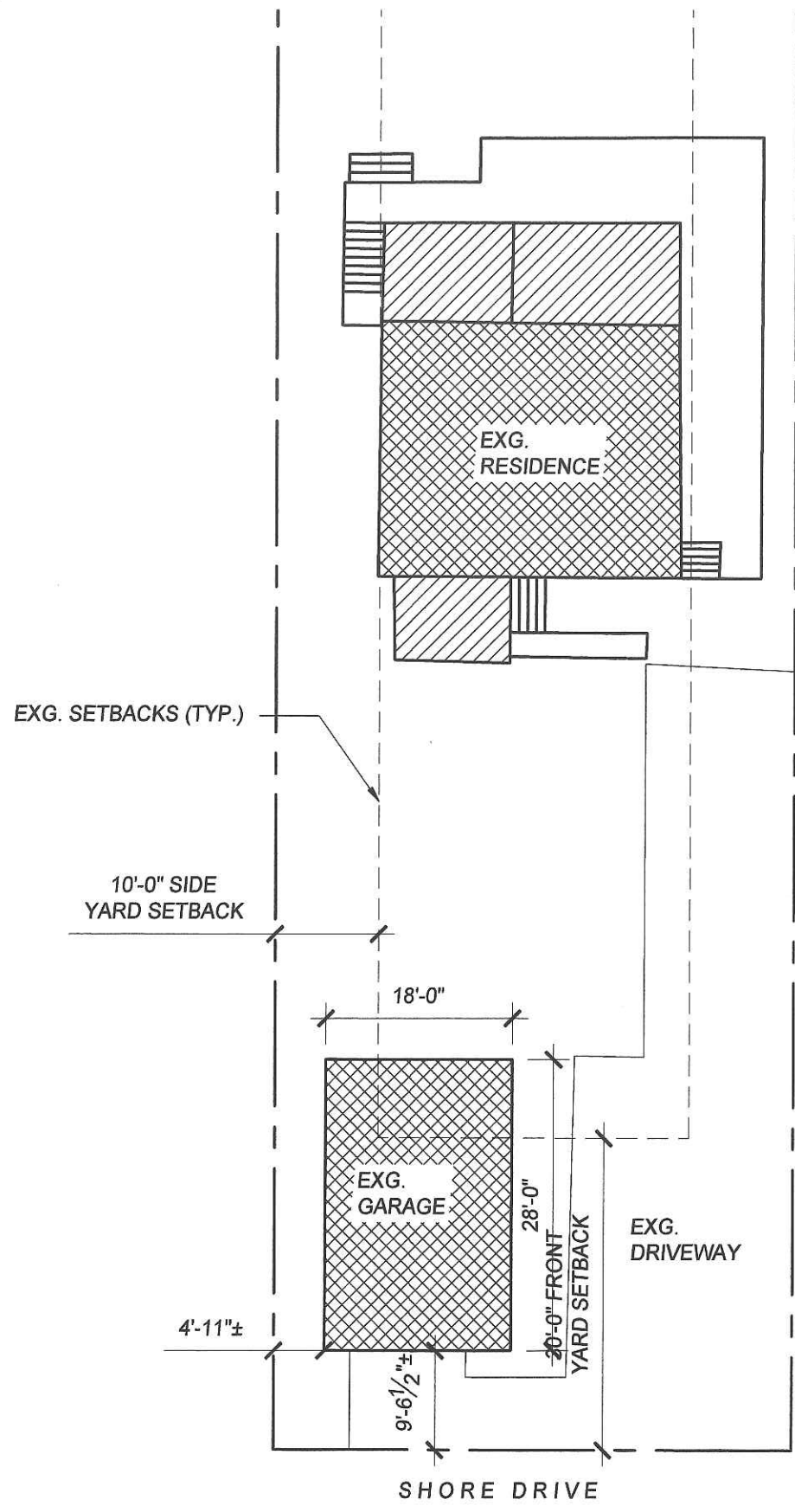
Case # 12671  
Charles Albano



PIN:	230-17-00-60.00
Owner Name	ALBANO CHARLES A JR
Book	3044
Mailing Address	9307 SHORE DR
City	MILFORD
State	DE
Description	JOSEPH D SHORT
Description 2	LOT 13
Description 3	2ND ADD
Land Code	

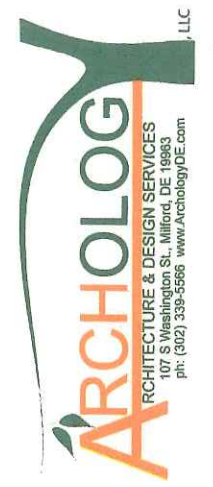
- polygonLayer  
Override 1
- polygonLayer  
Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries





A1 SCHEMATIC SITE PLANS

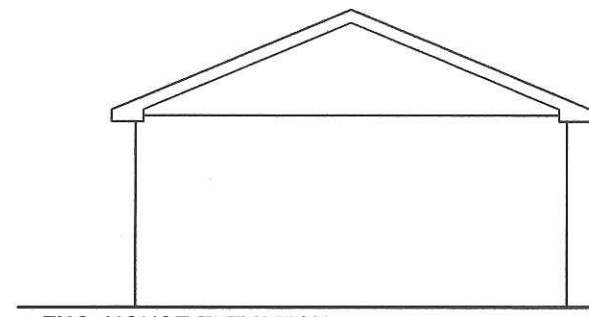
1/16" = 1'-0"



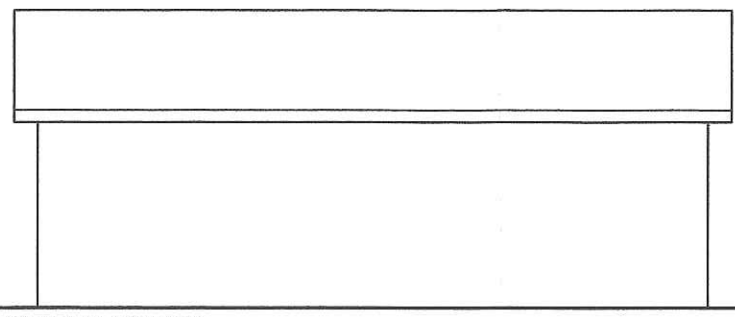
ALL DESIGN, CONCEPTS, IDEAS AND ARRANGEMENTS DEPICTED ON THESE DRAWINGS ARE THE PROPERTY OF ARCHIOLOGY, LLC AND ARE INTENDED TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PURPOSE WHATSOEVER WITHOUT THE WRITTEN CONSENT OF ARCHIOLOGY, LLC. NO CHANGES OR DEVIATIONS SHALL BE MADE WITHOUT THE WRITTEN CONSENT OF ARCHIOLOGY, LLC. ARCHITECTURE AND DESIGN SERVICES

CONSTRUCTION DRAWING FOR THE NEW:	REV. DATE:	ARCHIOLOGY, LLC
ALBANO RESIDENCE		© 2021
8307 SHORE DRIVE		
MILFORD, SUSSEX COUNTY, DELAWARE		
PROJECT #		
20395		
DRAWING TITLE		

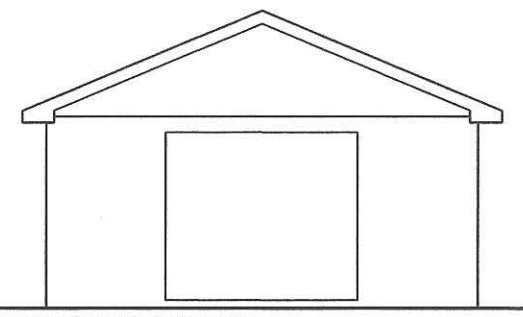
DATE:
###/###/2021
SHEET #
SD-1.01



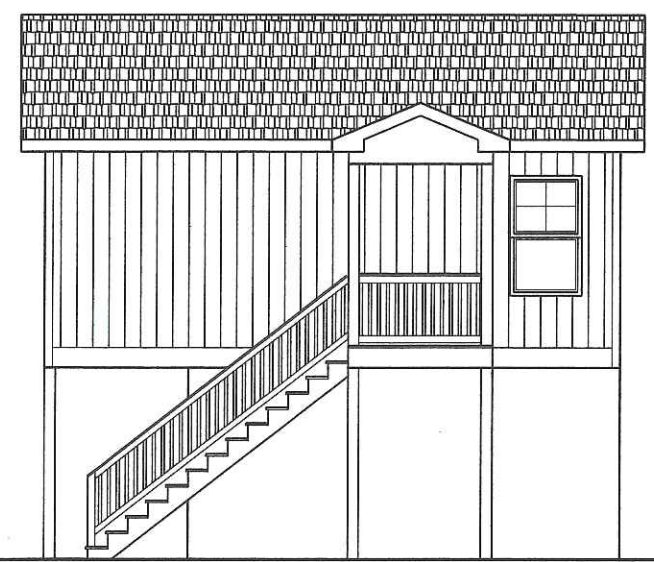
EXG. HOUSE ELEVATION



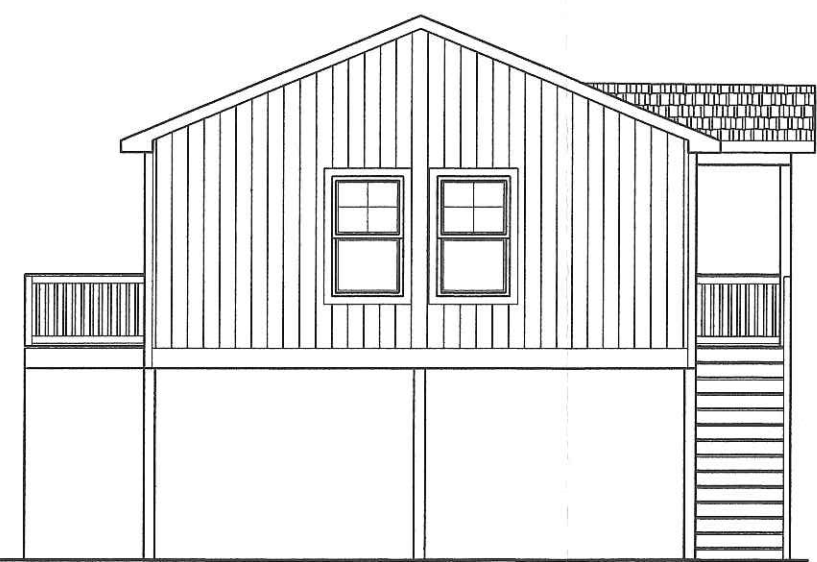
EXG. SIDE ELEVATION



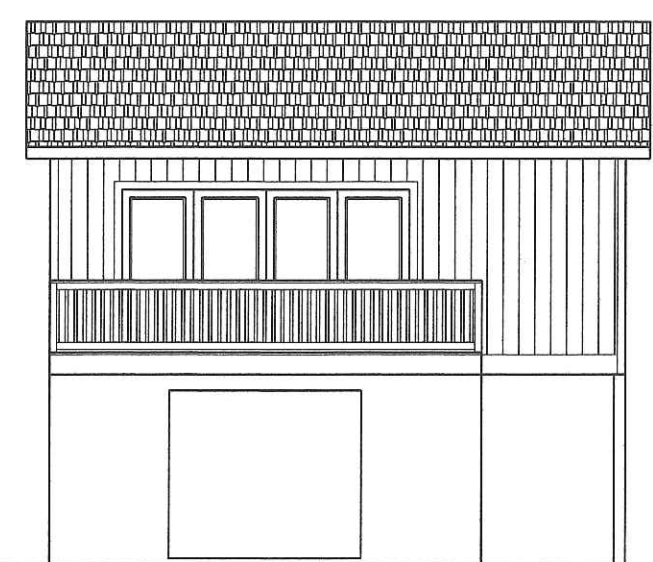
EXG. STREET ELEVATION



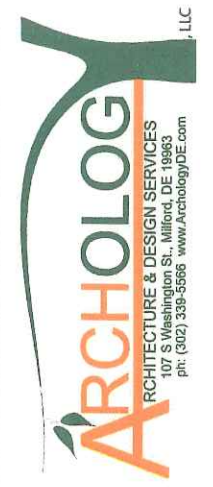
PROPOSED HOUSE ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED STREET ELEVATION



ALL DESIGN CONCEPTS, DRAWINGS AND ARCHITECTURAL DETAILS SHOWN HEREIN ARE THE PROPERTY OF ARCHOLOG, LLC AND ARE INTENDED TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF ARCHITECTURE AND DESIGN SERVICES. NO CHANGES OR DEVIATIONS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF ARCHITECTURE AND DESIGN SERVICES.

REV. DATE:	
ARCHOLOG, LLC	© 2021
CONSTRUCTION DRAWING FOR THE NEW: <b>ALBANO RESIDENCE</b> 8907 SHORE DRIVE MILFORD, SUSSEX COUNTY, DELAWARE	
PROJECT #	20395
SCHEMATIC ELEVATIONS	

DATE:	###/###/2021
SHEET #	SD-1.02

March 3, 2022

**SUPPORT EXHIBIT**

Jamie Whitehouse  
Planning & Zoning Director  
County Administrative Offices  
2 The Circle PO Box 417  
Georgetown, DE 19947

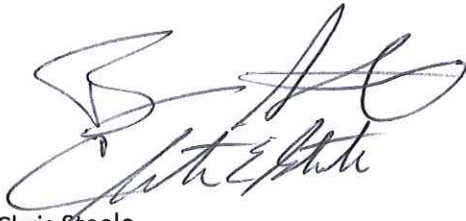
**Subject: CASE NO. 12671 CHARLES ALBANO REQUEST FOR VARIANCE, 9307 SHORE DR MILFORD, DE**

Dear Jamie Whitehouse,

My wife and I have a home next door to the Albano's in Primehook Beach at 9313 Shore Dr Milford and have known them since 2004. The proposed addition is in character to what already exists in Primehook Beach.

We are in favor of the variance request.

Sincerely,



Brian and Chris Steele

RECEIVED

MAR 09 2022

SUSSEX COUNTY  
PLANNING & ZONING



March 3, 2022

**SUPPORT EXHIBIT**

Jamie Whitehouse  
Planning & Zoning Director  
County Administrative Offices  
2 The Circle PO Box 417  
Georgetown, DE 19947

**Subject: CASE NO. 12671 CHARLES ALBANO REQUEST FOR VARIANCE, 9307 SHORE DR MILFORD, DE**

Dear Jamie Whitehouse,

I have a home two doors down from the Albano's in Primehook Beach at 9317 Shore Dr Milford and have known them since 2004.

I am in favor of the variance request.

Sincerely,



Blanche Embery

RECEIVED

MAR 09 2022

SUSSEX COUNTY  
PLANNING & ZONING

March 3, 2022

**SUPPORT EXHIBIT**

Jamie Whitehouse  
Planning & Zoning Director  
County Administrative Offices  
2 The Circle PO Box 417  
Georgetown, DE 19947

Subject: **CASE NO. 12671 CHARLES ALBANO REQUEST FOR VARIANCE, 9307 SHORE DR MILFORD, DE**

Dear Jamie Whitehouse,

My wife and I have a home across the street from the Albano's in Primehook Beach at 9302 Shore Dr Milford. We are happy the Albano's are investing in the community and support their proposed garage addition.

We are in favor of the variance request.

Sincerely,

*Marc Forman + Kristin Forman*

Marc & Kristin Forman

RECEIVED

MAR 09 2022

SUSSEX COUNTY  
PLANNING & ZONING

March 3, 2022

Jamie Whitehouse  
Planning & Zoning Director  
County Administrative Offices  
2 The Circle PO Box 417  
Georgetown, DE 19947

**SUPPORT EXHIBIT**

RECEIVED

MAR 10 2022

SUSSEX COUNTY  
PLANNING & ZONING

Subject: **CASE NO. 12671 CHARLES ALBANO REQUEST FOR VARIANCE, 9307 SHORE DR MILFORD, DE**

Dear Jamie Whitehouse,

We have a home next door to the Albano's in Primehook Beach at 9303 Shore Dr Milford. We are happy they are investing in the Primehook Beach neighborhood. They are very good neighbors, take care of their property, and we welcome their garage addition.

We are in favor of the variance request.

Sincerely,

A handwritten signature in black ink, appearing to read "William & Katherine McInnes". The signature is written in a cursive style and is positioned above the printed name.

William & Katherine McInnes

**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

202201967  
Case # 12672  
Hearing Date \_\_\_\_\_  
tentative: 04/04/2022

RECEIVED

FEB 11 2022

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

Variance   
Special Use Exception   
Administrative Variance   
Appeal

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

SUSSEX COUNTY  
PLANNING & ZONING

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

302 Earlee Avenue, Bridgeville, DE 19933

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

Place new 44' X 56' shop within 5' of rear property line (alley)  
Move existing shed to within 5' of side property line

Tax Map #: 131-10.20-113.00

Property Zoning: GR AR-1

**Applicant Information**

Applicant Name: Steve McCarron  
Applicant Address: 302 Earlee Avenue  
City Bridgeville State DE Zip: 19933  
Applicant Phone #: (302) 337-8050 Applicant e-mail: steve@ampelectricdelaware.com

**Owner Information**

Owner Name: Steve McCarron  
Owner Address: 302 Earlee Avenue  
City Bridgeville State DE Zip: 19933 Purchase Date: 11/12/12  
Owner Phone #: (302) 337-8050 Owner e-mail: steve@ampelectricdelaware.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**

[Signature]

Date: 2/11/2022



RECEIVED

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

FEB 11 2022

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

SUSSEX COUNTY  
PLANNING & ZONING

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 rear of the property is an alley. While I am requesting the new shop be placed within 5' of my property line, there is also an existing 12' alley between my neighbor. The alley is unused, and the layout of the alley prevents any possible future use.

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 placement of my residence and our driveway would be impacted by having to move the building forward to conform with the 20' distance.

3. Not created by the applicant:

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

The request is being made to keep the building situated behind the front line of my residence and also to retain the irrigated lawn in the center of my driveway. Moving the building forward would cause having to eliminate irrigated lawn area to have a suitable entrance to the front of the shop.

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.

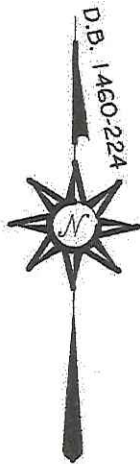
The request is to place a metal pole building within 5' of my property line and relocate my existing shed to within 5' of my Western side yard. These building are typical of building seen in a residential setting. The rear building will be seperated by the 5' plus the width of the alley from my neighbor's residence to the rear. I am requesting the shed to be placed within 5' of the Western side yard, it will be in a similar area as my neighbors (2) existing sheds.

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.

Allowing the requested setbacks will allow both the new shop, and the relocated shed to be behind the line of the residence, and will allow the driveway to function with the buildings. From the rear, there will still be the alley and the 5' setback separating the neighboring properties. Regarding the shed to the Western side yard, the shed will be accompanied by the neighboring sheds on the adjacent property.

T.M. #131-10.20-113.00



NIF  
STANLEY W. HIGNUTT &  
JOANN SLACUM  
D.B. 1036-336  
T.M. 131-10.20-114.00

NIF  
FRANK E. & SHIRLEY R. KEEL  
D.B. 1460-224, 4056-110  
T.M. 131-10.20-97.01



EARLEE AVENUE (50' RM)

THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY OTHER THAN THOSE SHOWN.  
NO TITLE SEARCH PROVIDED OR STIPULATED.

BOUNDARY SURVEY PLAN &  
PROPOSED BUILDING LOCATION PLAN FOR  
**STEVEN C. & SHELLY D. MCCARRON**

302 EARLEE AVENUE, BRIDGEVILLE, DE. 19933  
LOTS #2 & 3, SECT. 1B OF "PASSWATERS ESTATES" SUBDIV.  
NORTHWEST FORK HUNDRED SUSSEX COUNTY  
STATE OF DELAWARE

SCALE 1" = 60'      JANUARY 12, 2022 REV. 1-25-2022

I, STEPHEN M. SELLERS 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.

STEPHEN M. SELLERS PLS 566      DATE 1/25/2022  
SURVEY CLASS: SUBURBAN

AREA: 0.920 Acres +/-

- CONC. MON. (FD)
- ▲ NAIL (FD)
- POINT

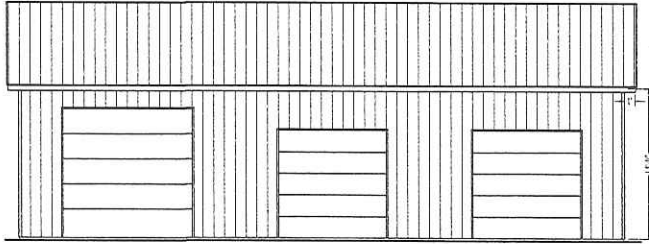
PREPARED BY:

**MILNER**  
**LEWIS, INC.**  
LAND SURVEYING

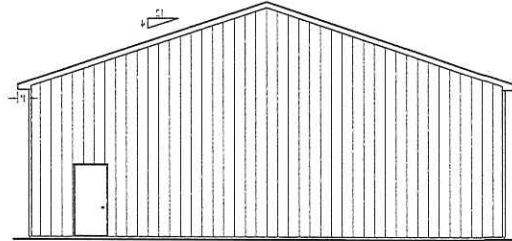
1560 MIDDLEFORD RD.

• SEAFORD, DE. 19973

PH: 302-629-9895  
FAX: 302-629-2391

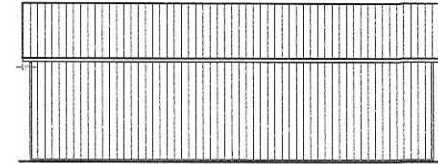


**FRONT ELEVATION**  
SCALE: 3/16" = 1'-0"

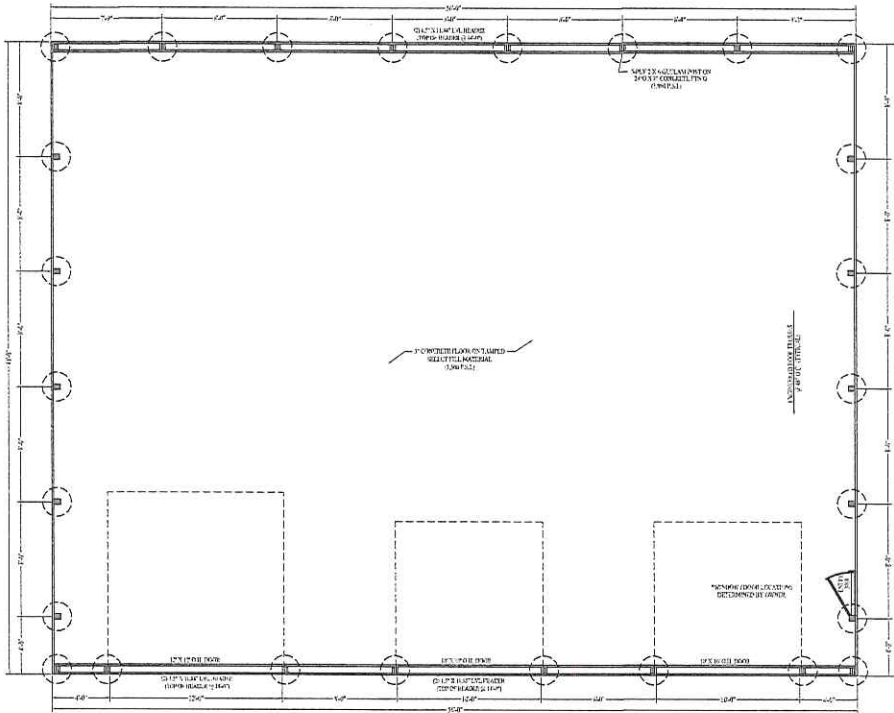


**RIGHT END ELEVATION**  
SCALE: 3/16" = 1'-0"  
\*LEFT ELEVATION SIMILAR\*

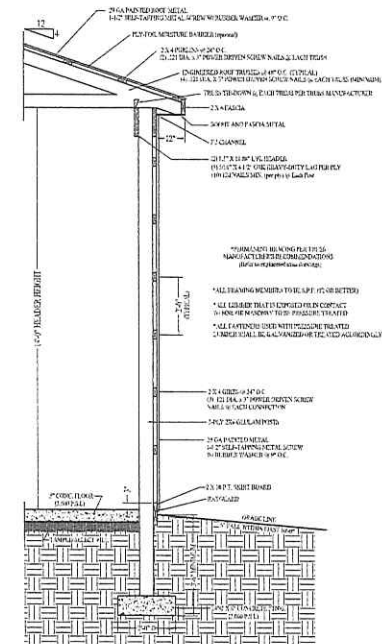
**ROOF LOADING:**  
20 PSF TOP CHORD LIVE LOAD  
3 PSF TOP CHORD DEAD LOAD  
4 PSF BOTTOM CHORD LIVE LOAD  
5 PSF BOTTOM CHORD DEAD LOAD  
25 PSF SNOW LOAD  
WIND SPEED: 115 mph  
Trusses are not loaded in storage.  
Truss Spacing = 6-00 o.c.



**REAR ELEVATION**  
SCALE: 1/8" = 1'-0"



**FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**TYPICAL DETAIL SECTION**  
SCALE: 1/2" = 1'-0"

DISCLAIMER:  
OWNER/CONTRACTOR ASSUMES RESPONSIBILITY OF BUILDING TO APPLICABLE  
\*DESIGNER IS NOT RESPONSIBLE FOR MISTAKES FOUND AFTER CONSTRUCTION  
\*DESIGNER IS NOT A LICENSED ARCHITECT  
NO WARRANTY IS EXPRESSED OR IMPLIED

**KL Drafting & Design**  
SPECIALIZING IN RESIDENTIAL HOUSE PLANS

SCALE	AS NOTED
DATE	12-15-21
DESIGNED BY	KEL
DRAWN BY	1 OF 1

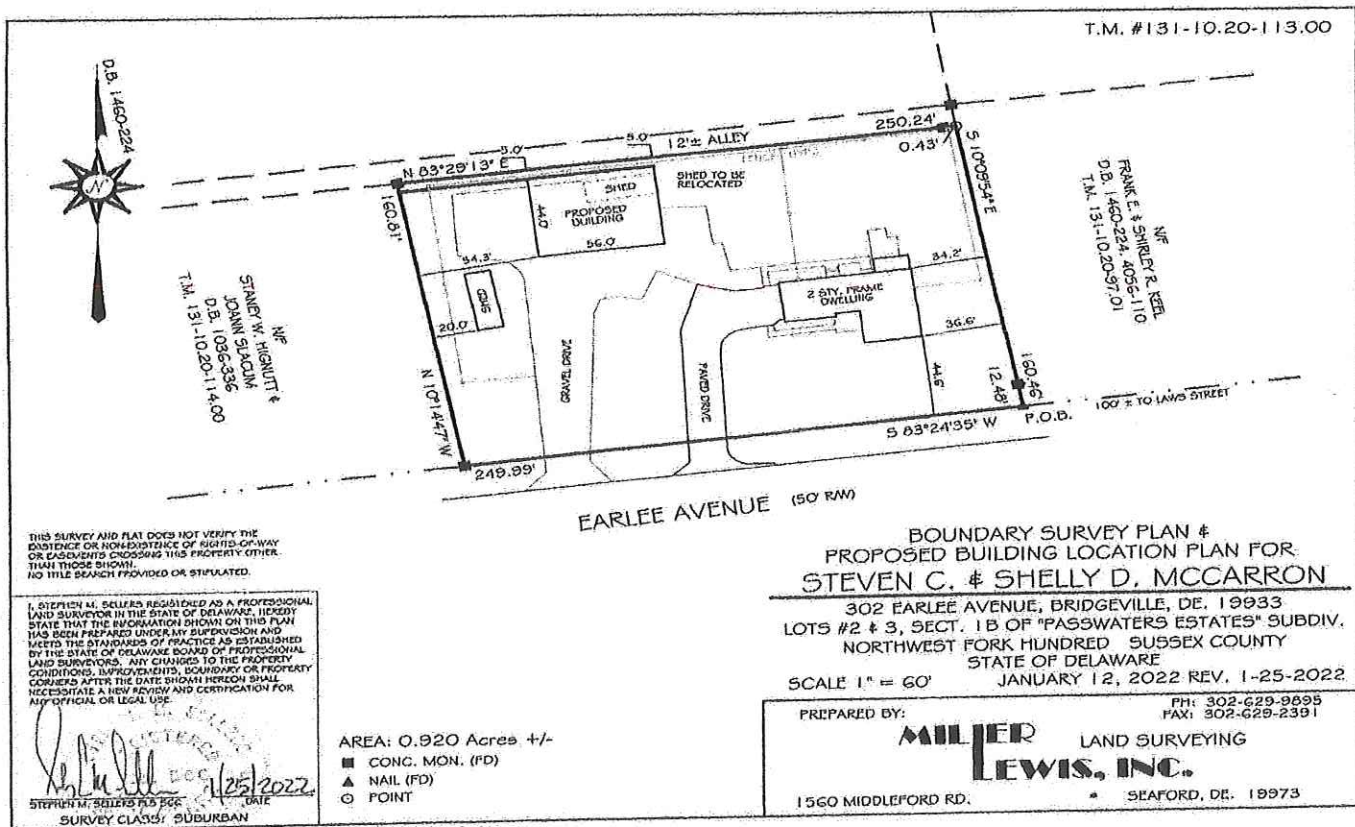
**A&S CONTRACTORS**  
(McCarron - 44' X 56' X 14')  
Sussex County, DE

# Variance Request Information

**Subject Property:** Steve McCarron residence at 302 Earlee Avenue, Bridgeville, DE 19933

**Variance Requested:** Build new metal sided pole building (identified as proposed building in drawing below) within 5' of property line.

Please accept this as notification that I will be applying for a variance to build a shop within 5' of the North property line at the below identified property. As a neighboring property owner/resident, this document may be included with my application packet to the Sussex County Board of Adjustments.



I have reviewed the above diagram. Mr. McCarron has detailed his proposed shop location at 5' off the property line.

As a neighboring property owner / resident I have no objection to the proposed location of the shop as shown in the above diagram.

Name: Darcielle S. Barced

Address: 311 Jacobs Ave

Bridgeville, DE. 19933

Signature: Darcielle S. Barced

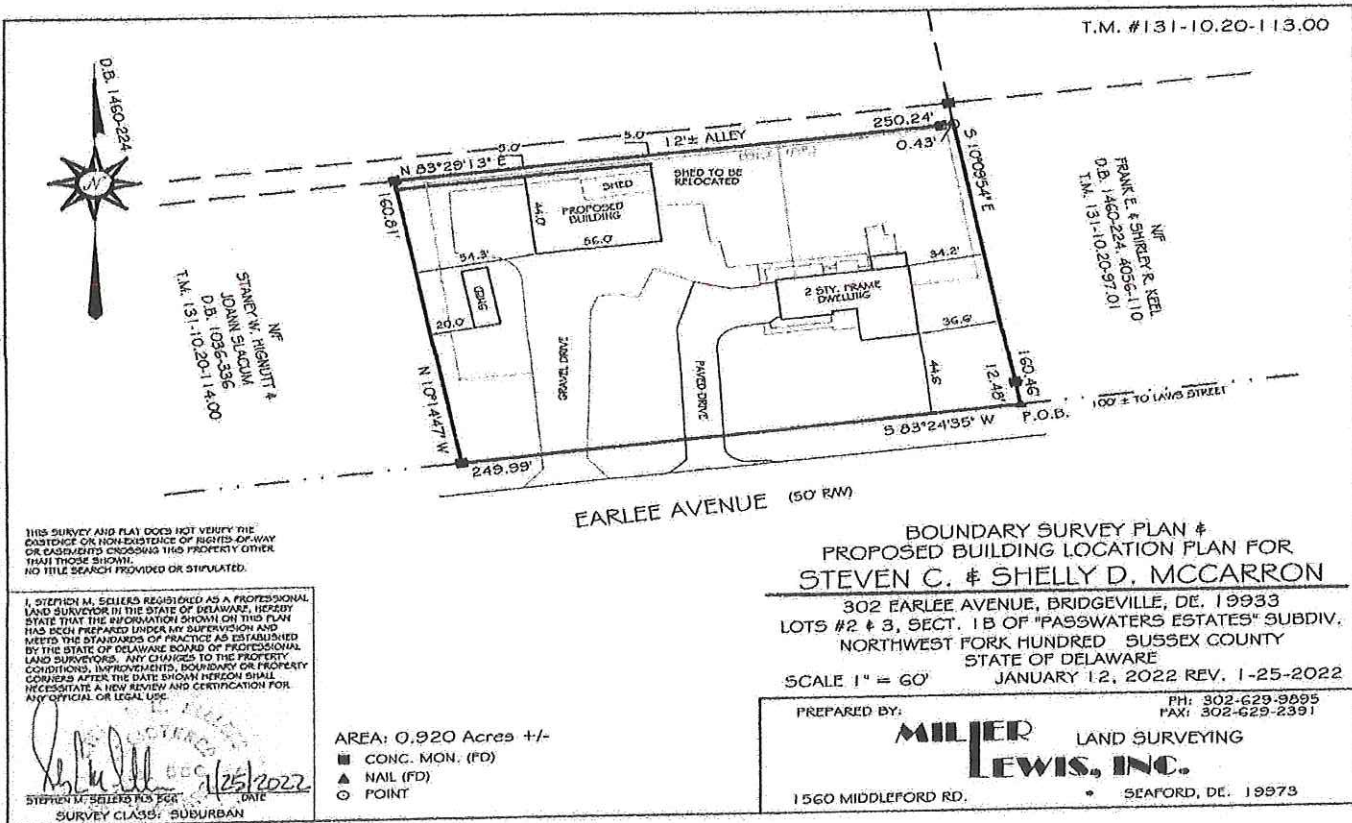


# Variance Request Information

**Subject Property:** Steve McCarron residence at 302 Earlee Avenue, Bridgeville, DE 19933

**Variance Requested:** Build new metal sided pole building (identified as proposed building in drawing below) within 5' of property line.

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I have reviewed the above diagram. Mr. McCarron has detailed his proposed shop location at 5' off the property line.

As a neighboring property owner / resident I have no objection to the proposed location of the shop as shown in the above diagram.

Name: David Backs 2/6/22

Address: 470 South Laws Street

Bridgeville DE

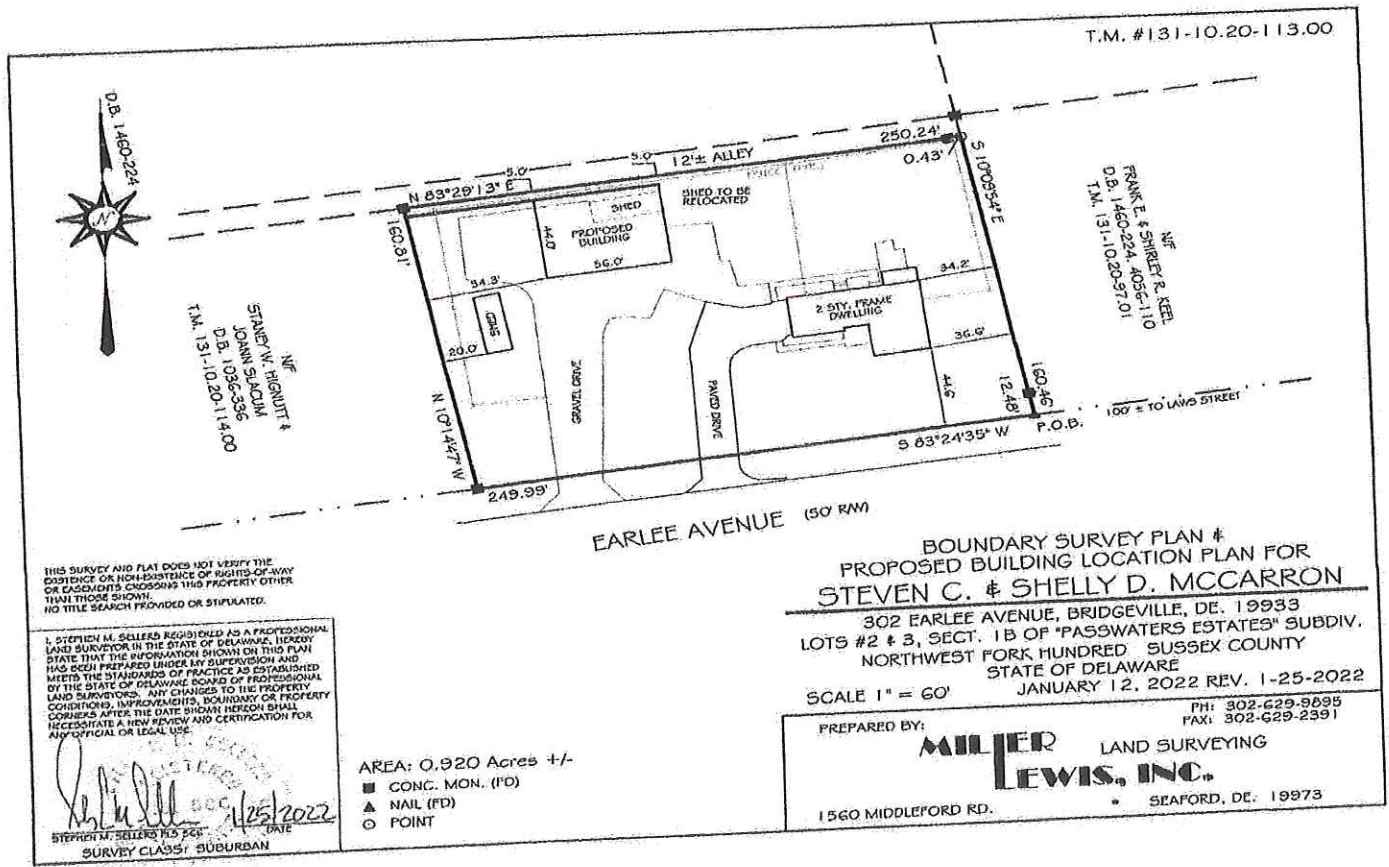
Signature: David Backs

# Variance Request Information

**Subject Property:** Steve McCarron residence at 302 Earlee Avenue, Bridgeville, DE 19933

**Variance Requested:** Build new metal sided pole building (identified as proposed building in drawing below) within 5' of property line.

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I have reviewed the above diagram. Mr. McCarron has detailed his proposed shop location at 5' off the property line.

As a neighboring property owner / resident I have no objection to the proposed location of the shop as shown in the above diagram.

Name: Stanley Aignutt

Address: 306 Earlee Ave

Bridgeville Del

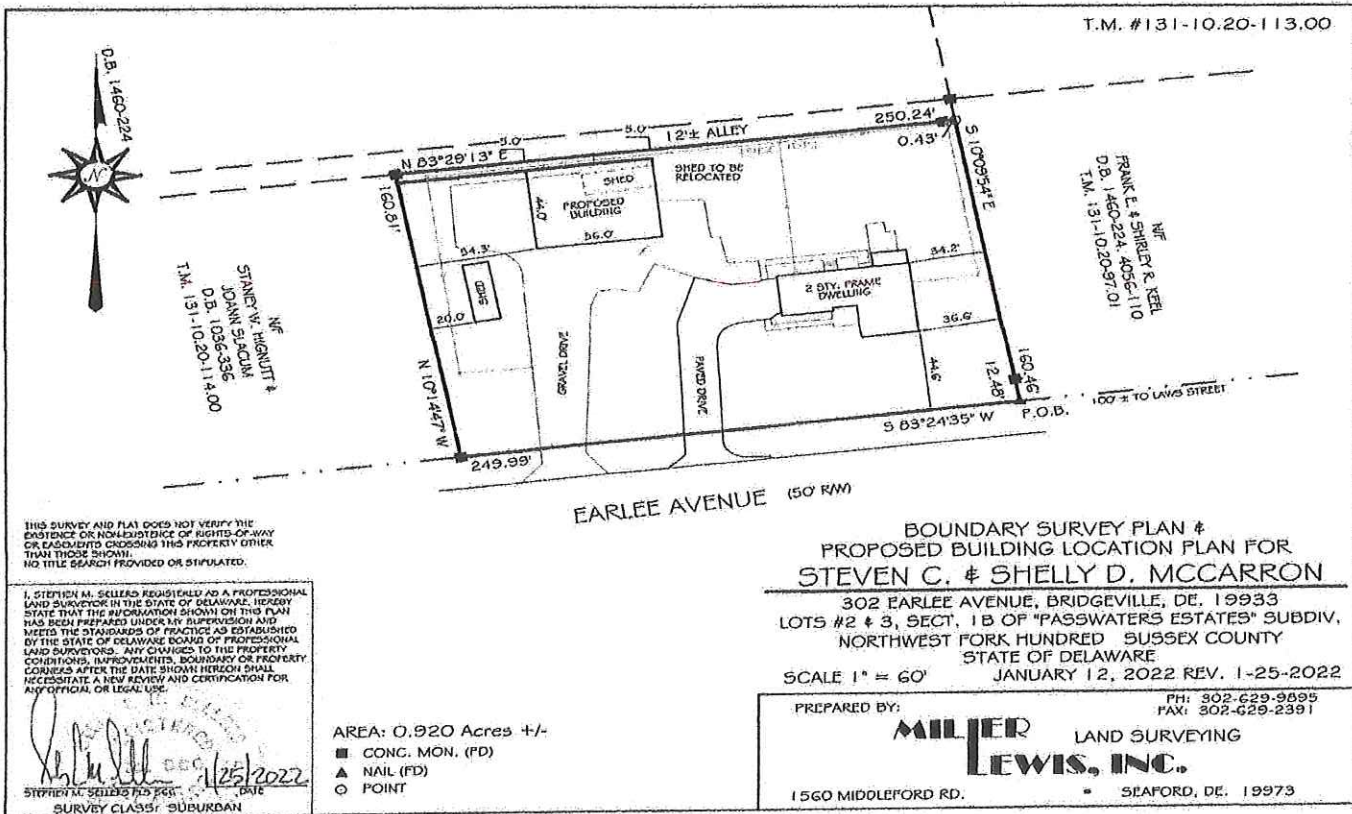
Signature: Stanley Aignutt

# Variance Request Information

**Subject Property:** Steve McCarron residence at 302 Earlee Avenue, Bridgeville, DE 19933

**Variance Requested:** Build new metal sided pole building (identified as proposed building in drawing below) within 5' of property line.

Please accept this as notification that I will be applying for a variance to build a shop within 5' of the North property line at the below identified property. As a neighboring property owner/resident, this document may be included with my application packet to the Sussex County Board of Adjustments.



I have reviewed the above diagram. Mr. McCarron has detailed his proposed shop location at 5' off the property line.

As a neighboring property owner / resident I have no objection to the proposed location of the shop as shown in the above diagram.

Name: Sylvia Hatfield

Address: 307 JACOBS DRIVE

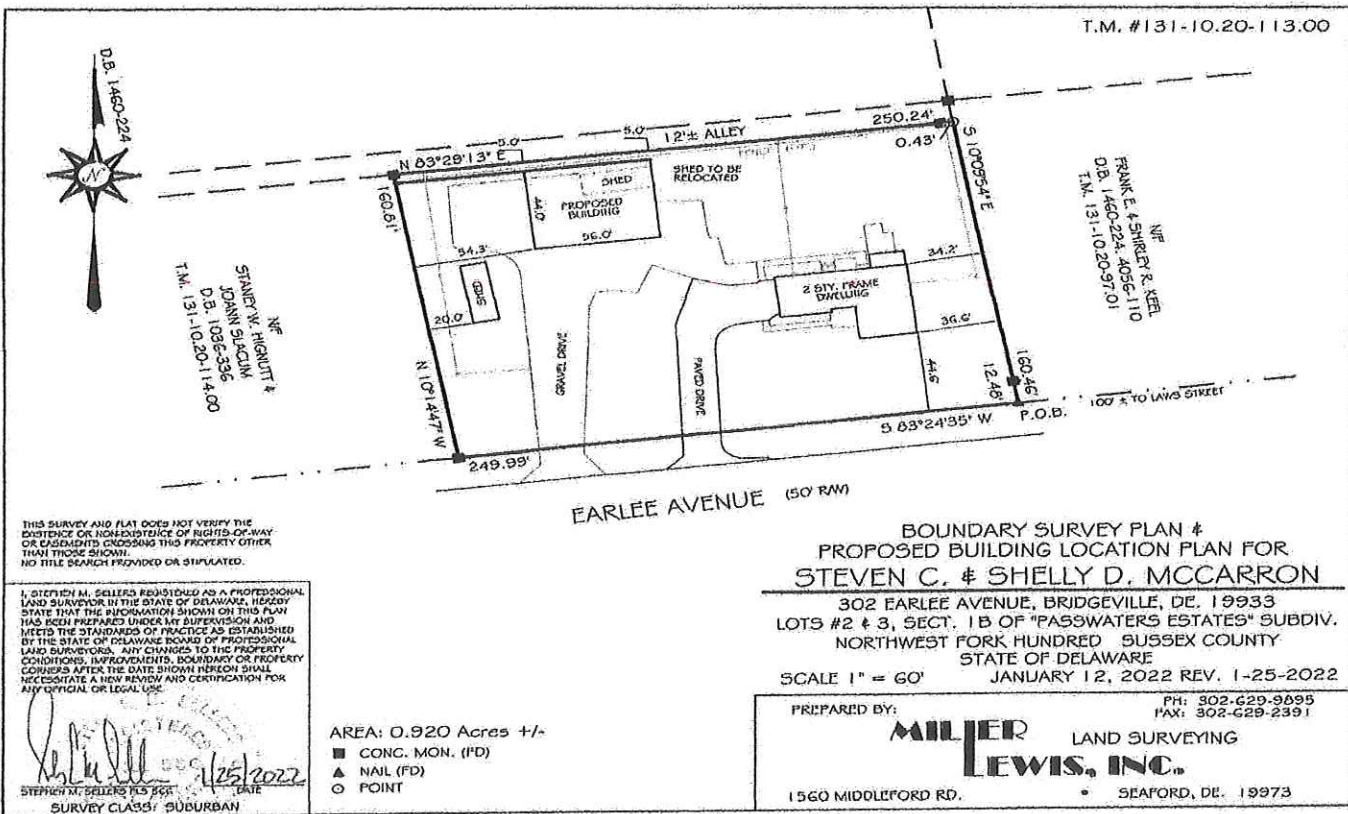
Signature: Sylvia Hatfield

# Variance Request Information

**Subject Property:** Steve McCarron residence at 302 Earlee Avenue, Bridgeville, DE 19933

**Variance Requested:** Build new metal sided pole building (identified as proposed building in drawing below) within 5' of property line.

Please accept this as notification that I will be applying for a variance to build a shop within 5' of the North property line at the below identified property. As a neighboring property owner/resident, this document may be included with my application packet to the Sussex County Board of Adjustments.



I have reviewed the above diagram. Mr. McCarron has detailed his proposed shop location at 5' off the property line.

As a neighboring property owner / resident I have no objection to the proposed location of the shop as shown in the above diagram.

Name: Erin McCafferty

Address: 305 Earlee Ave

Bridgeville, DE 19933

Signature: Erin B. McCafferty



# Sussex County



<b>PIN:</b>	131-10.20-113.00
<b>Owner Name</b>	MCCARRON STEVEN C
<b>Book</b>	4052
<b>Mailing Address</b>	302 EARLEE AVENUE
<b>City</b>	BRIDGEVILLE
<b>State</b>	DE
<b>Description</b>	PASSWATERS ESTATES
<b>Description 2</b>	LOTS 2 3
<b>Description 3</b>	SEC 1B
<b>Land Code</b>	

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

1:564

