

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

April 12, 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 February 1, 2021

Approval of Finding of Facts for February 1, 2021

Approval of Minutes for February 15, 2021

Approval of Finding of Facts for February 15, 2021

Old Business

Case No. 12390 – Mary Lou Dickson (Noelle Rose Calzone) seeks a special use exception to operate a day care center (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the east side of John J. Williams Hwy. (Rt. 24) approximately 0.22 miles south of Angola Rd. 911 Address: 22467 John J. Williams Hwy., Lewes. Zoning District: AR-1. Tax Parcel: 234-11.00-56.01

Public Hearings

Case No. 12525 – East-Side Developers Group Inc. seek a special use exception to place an off-premise sign and an electronic message center off-premise sign. (Sections 115-80, 115-81, 115-159.5, 115-161.1 & 115-210 of the Sussex County Zoning Code). The property is located on the east side of DuPont Boulevard (Rt. 113) approximately 579 feet south of Frankford Avenue. 911 Address: 34425 DuPont Boulevard, Frankford. Zoning District: C-1. Tax Parcel: 433-11.00-21.01



Case No. 12536 – Gary M. Desch & Judd M. Elkins seeks a variance from the side yard setback requirements for an existing structure (Sections 115-42, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the southwest side of Gracie Lane within the Beachwoods I Subdivision. 911 Address: 33132 Gracie Lane, Lewes. Zoning District: GR. Tax Parcel: 334-11.00-104.11

Case No. 12537 – Alieca Mollock seeks a special use exception to operate a day care center (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the west side of Jamore Drive within the Beaver Dam Heights Subdivision. 911 Address: 24188 Jamore Drive, Seaford. Zoning District: AR-1. Tax Parcel: 331-6.00-194.00

Case No. 12538 – Marc Forman seeks variances from the side yard setback requirements for proposed structures (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the east side of Reynolds Road approximately 807 ft. northwest of Zion Church Road. 911 Address: 12921 Reynolds Road, Milton. Zoning District: AR-1. Tax Parcel: 235-8.00-18.00

Case No. 12539 – Russell & Iris Hobbs seek variances from the front yard setback requirements for existing and proposed structures (Sections 115-34 and 115-182 of the Sussex County Zoning Code). The property is located on the east side of Keenwick Road within the Keenwick Subdivision. 911 Address: 38153 Keenwick Road, Selbyville. Zoning District: MR. Tax Parcel: 533-20.09-75.00

Case No. 12518 – Furniture & More seeks a special use exception to place a tent for special events (Sections 115-80 and 115-210 of the Sussex County Zoning Code). The property is located on the northeast side of Coastal Highway (Rt. 1) at the intersection of Munchy Branch Road. 911 Address: 19287 Coastal Highway, Rehoboth Beach. Zoning District: C-1. Tax Parcel: 334-13.00-325.04

Case No. 12540 – Rebecca Wright seeks a variance from maximum fence height requirement for an existing fence. (Sections 115-34, 115-182 and 115-185 of the Sussex County Zoning Code). The property is located at the intersection of Coastal Highway (Rt. 1) and Dodd Avenue within the Ann Acres Subdivision. 911 Address: 20994 Dodd Avenue, Rehoboth Beach. Zoning District: MR. Tax Parcel: 334-20.13-92.00

Case No. 12550 – Timothy Ramey Construction, Inc. seeks a variance from the side yard setback requirements for an existing structure (Sections 115-25 and 115-183 of the Sussex County Zoning Code). The property is located on the east side of East Trap Pond Road approximately 352 ft. south of Phillips Hill Road. 911 Address: 31205 East Trap Pond Road, Laurel. Zoning District: AR-1. Tax Parcel: 232-20.00-20.25

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 April 5, 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 are encouraged to be submitted by 4:30 P.M. on Thursday, April 8, 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 # 12518
Hearing Date 1/25
202015554

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:

19287 Coastal Highway Rehoboth DE 19958

Variance/Special Use Exception/Appeal Requested:

Previous BDA Approvals - 10739 & 11748

3rd Renewal of SLOs for tent over a 3 day period

Tax Map #: 3-34-13.20 Parcel 1325.04 Property Zoning: Commercial

C-1

Applicant Information

Applicant Name: Furniture & More
Applicant Address: 19287 Coastal Highway
City Rehoboth State DE Zip: 19971
Applicant Phone #: 302 226-5900 Applicant e-mail: athompson53@comcast.net

Owner Information

Owner Name: _____
Owner Address: _____
City _____ State _____ Zip: _____ 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

Deborah Thompson

Date: 12/4/20



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

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

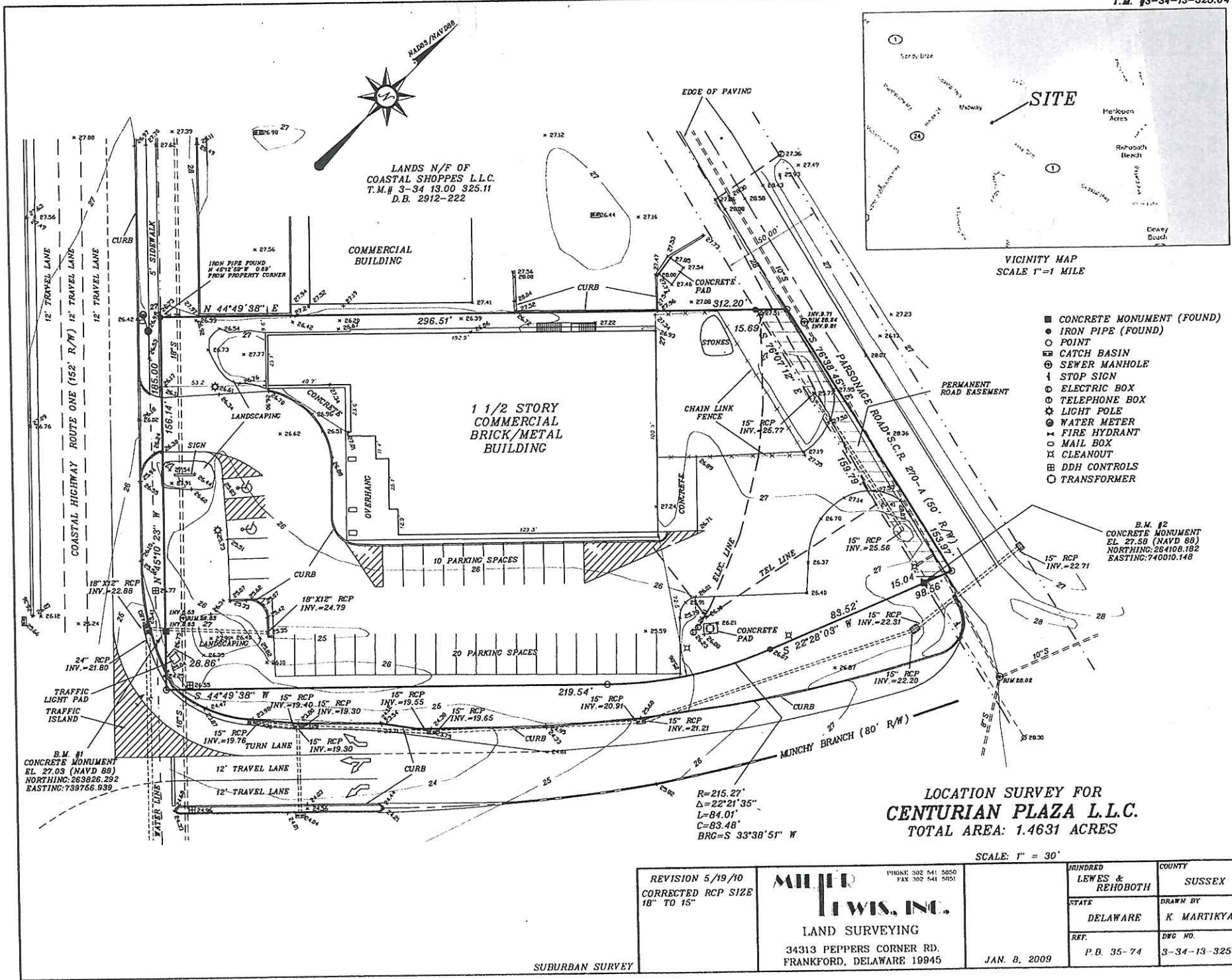
1. Such exception will not substantially affect adversely the uses of adjacent and neighboring property.

temporary tent twice a year

-
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)

temporary tent twice a year
10 days surrounding Memorial Day & Labor Day
5 yr. permit

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



N 44°49'38" E

CURB

CONCRETE PAD

312.20'

1 1/2 STORY
COMMERCIAL
BRICK/METAL
BUILDING

CHAIN LINK
FENCE

15" RCP
INV. = 25.77

OVERHANG

10 PARKING SPACES

TENT

20 PARKING SPACES

CONCRETE PAD

83.52

4°49'38" W

15" RCP
INV. = 19.40

15" RCP
INV. = 19.30

15" RCP
INV. = 19.55

15" RCP
INV. = 19.65

219.54'
15" RCP
INV. = 20.91

15" RCP
INV. = 21.21

TURN LANE

15" RCP
INV. = 19.30

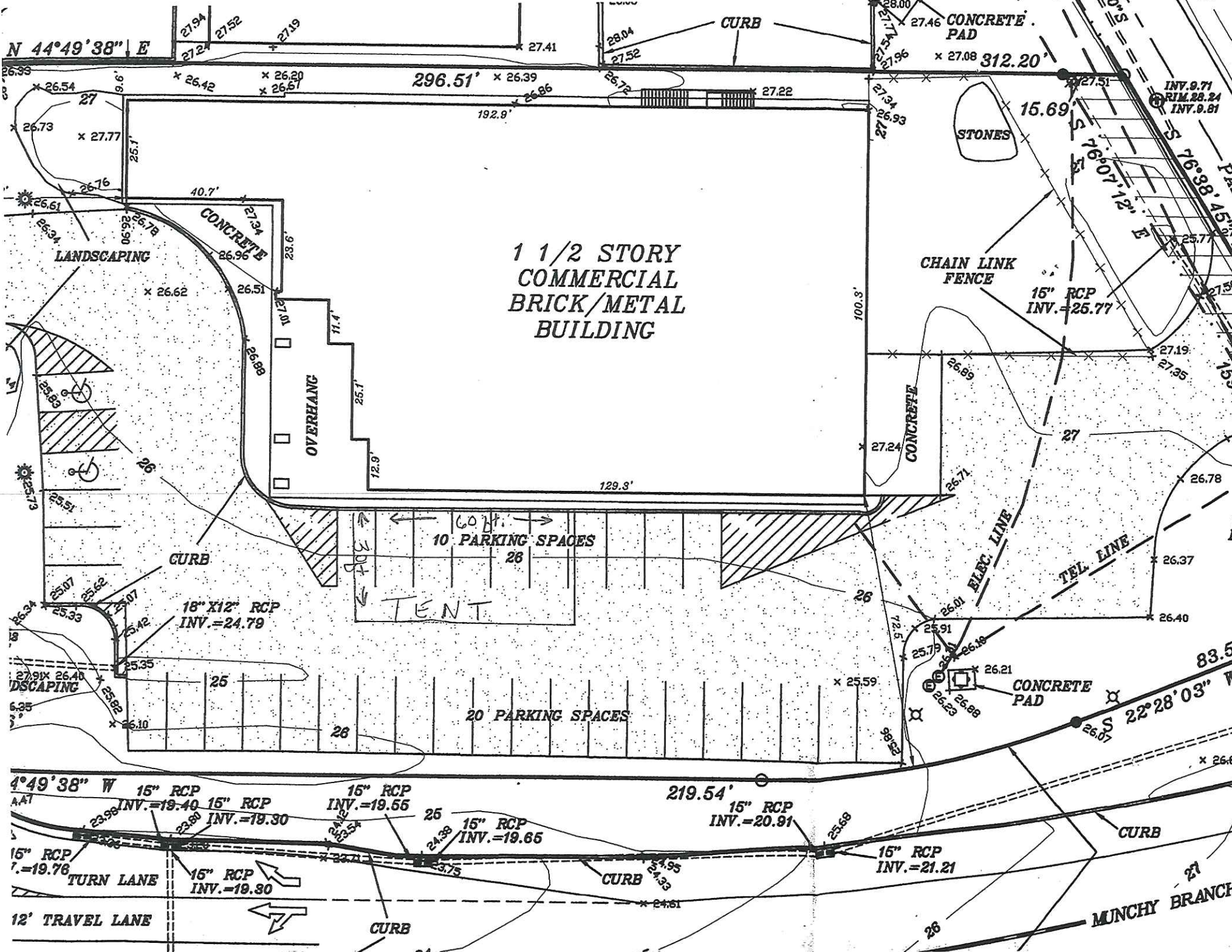
12' TRAVEL LANE

CURB

CURB

CURB

MUNCHY BRANCH



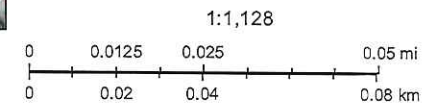


PIN:	334-13.00-325.04
Owner Name	SEASIDE PLAZA LLC
Book	4142
Mailing Address	1050 INDUSTRIAL RD STE
City	MIDDLETOWN
State	DE
Description	N/RT 1
Description 2	S/RT 270A
Description 3	N/A
Land Code	

- polygonLayer

 - Override 1
- polygonLayer

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



BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: FURNITURE AND MORE

(Case No. 11748)

A hearing was held after due notice on April 4, 2016. The Board members present were: Mr. Dale Callaway, Mr. John Mills, Mr. Jeff Hudson, Mr. Norman Rickard, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for a special use exception for tents for a special purpose exceeding three (3) days.

Findings of Fact

The Board found that the Applicant is requesting a special use exception for tents for a special purpose exceeding three (3) days. This application pertains to certain real property located on northeast corner of Coastal Highway and Munchy Branch Road (911 Address: 19287 Coastal Highway, Lewes); said property being identified as Sussex County Tax Map Parcel Number 3-34-13.00-325.04. After a hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, a copy of the Findings of Fact for Case No. 10739-2010, a survey of the Property dated May 19, 2010, a letter from Lawrence Lank to the Applicant, and a portion of the tax map of the area.
2. The Board found that the Office of Planning and Zoning received one letter in opposition to the Application and no letters in support of the Application.
3. The Board found that Deborah Thompson was sworn in and testified regarding the Application.
4. The Board found that Ms. Thompson testified that the Applicant was previously approved for this use in 2010. The tent will be located in the same location and used during the same dates as previously approved.
5. The Board found that Ms. Thompson testified that the tents are used during Memorial Day and Labor Day Weekends. The tent will be erected seven (7) days prior to Memorial Day Weekend and Labor Day Weekend and will be removed seven (7) days after the stated weekends.
6. The Board found that Ms. Thompson testified that there will be no change in the use of the tents.
7. The Board found that Ms. Thompson testified that there have been no complaints in the last five (5) years.
8. The Board found that Ms. Thompson testified that the tent will be solely for retail purposes.
9. The Board found that Ms. Thompson testified that there is adequate parking available during the time the tent is used.
10. The Board found that Ms. Thompson testified that there is no additional signage on the tent or the Property.
11. The Board found that Ms. Thompson testified that the location of the tent does not block any other businesses or signage.
12. The Board found that Ms. Thompson testified that the use has not and will not substantially adversely affect the uses of the neighboring and adjacent properties.
13. The Board found that Michael Vasilikos was sworn in to testify about the Application. Craig Aleman, Esquire, represented Mr. Vasilikos and stated that, since the request is the same as the prior approval, his client has no opposition

to the Application. Mr. Aleman previously submitted a letter opposing the request but withdrew this opposition.

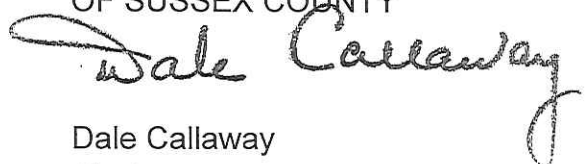
14. The Board found that no parties appeared in support of or in opposition to the Application.
15. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, which the Board found credible, persuasive and un rebutted, the Board determined that the application met the standards for granting a special use exception because the tent will not substantially affect adversely the uses of neighboring and adjacent properties. The findings below further support the Board's decision to approve the Application.
 - a. The Applicant owns a furniture retail store and wishes to hold tent sales during Memorial Day and Labor Day weekends. The Applicant has held such sales on the Property for the past five years.
 - b. The Applicant intends to erect the tent seven (7) days before and seven (7) days after each of those holiday weekends on an annual basis.
 - c. The Applicant has used the tent for a special purpose in the same location for the same period of time as proposed for each of the past five years and the Applicant has not received any complaints related to the tent.
 - d. A neighbor who previously had concerns about the tent withdrew its objection after hearing the Applicant's testimony and reviewing the record.
 - e. The tent will not block the visibility of any neighboring businesses or signs.
 - f. The Applicant will still have adequate parking even with the tent in place.
 - g. The tent will be used only on a temporary basis during limited times of the year.
 - h. The approval is conditioned on the following:
 - i. The tent shall be no larger than 30 feet by 60 feet in size.
 - ii. The tent shall be placed on the south side of the building on the Property as shown on the survey dated May 19, 2010, submitted by the Applicant.
 - iii. The approval is valid for a period of five (5) years.

The Board granted the special use exception application for a period of five (5) years with conditions finding that it met the standards for granting a special use exception.

Decision of the Board

Upon motion duly made and seconded, the special use exception application was approved with conditions for a period of five (5) years. The Board Members in favor were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman. No Board Members voted against the Motion to approve the special use exception application with conditions.

BOARD OF ADJUSTMENT
OF SUSSEX COUNTY



Dale Callaway
Chairman

If the use is not established within one (1) year from the date below the application becomes void.

Date May 17, 2016

**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 # 12525
Hearing Date 2/15/21
2020 16175

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)
115-80 115-81 115-159.5
115-161.1 115-210

Site Address of Variance/Special Use Exception:

34425 DuPont Blvd, Frankford, DE 19945

Variance/Special Use Exception/Appeal Requested:

Request Special Use exception for a 15' x 30' 2-sided Billboard to be installed on the property.
1- Side (SOUTH SIDE) to be LED. 1- Side (NORTH SIDE) to be static Vinyl.

Tax Map #: 4-33-11-21.01

Property Zoning: C-1

Applicant Information

Applicant Name: East-Side Developers Group Inc.
Applicant Address: P.O. Box 1776
City Millsboro State DE Zip: 19966
Applicant Phone #: (302) 934-9454 Applicant e-mail: Kinsley@jimparkerbuilders.com

Owner Information

Owner Name: East-Side Developers Group Inc.
Owner Address: P.O. Box 1776
City Millsboro State DE Zip: 19966 Purchase Date: 7/6/20
Owner Phone #: (302) 934-9454 Owner e-mail: Info@jimparkerbuilders.com

Agent/Attorney Information N/A

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

Signature of Owner/Agent/Attorney

James D. Park

Date: 12/22/2020



East-Side Developers Group, Inc.,

P.O. Box 1776, Millsboro DE 19966
(302)934-9454

Billboard Board Special Use Exception Request

Property Location: 34425 DuPont Blvd, Frankford DE 19945

Tax Map #: 4-33-11-21.01

We are requesting a special use exception to install a 15' x 30' Off- Premises Billboard on our property located at 34425 DuPont Blvd, Frankford DE 19945. The Property is Zoned C-1 General Commercial and consist of 1.028 ± acres.

The proposed off-premises billboard will be a double-sided V-Shaped outdoor billboard. 1-Side (NORTH FACING SIDE) will be static vinyl and 1-side (SOUTH FACING SIDE) will be LED. The sign will Measure 15' (height) x 30' (width) totaling 450 Sq. Ft. per side. The proposed sign does meet all set back requirements and is 300'± from the nearest residence.

The LED Side (North Facing side) digital operations will be as follows:

- 8 Ads (Each AD remains fixed for a minimum of 10 Seconds)
- AD transitions will be accomplished in 1 second or less, simultaneously and in unison
- Sign will default to SHUT DOWN if a malfunction occurs
- All ADS will be still and will not include any light effects, flashing or animation of any kind.
- Electronic message center will have automatic dimmer controls in order to control adjust the lighting level at night to be into compliance with light illumination standards.
- Automatic Dimming Controls will be provided by: Photocell, hardwire or software settings. Documentation of dimmer provider will be provided prior to installation.
- Electronic Message Center will include NO audio, verbal announcements, or noise.

This off premise sign will bring great opportunity for local businesses to advertise locally. Thank you for considering our request.

Thank you,



James D. Parker

President East-Side Developers Group Inc.,

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.

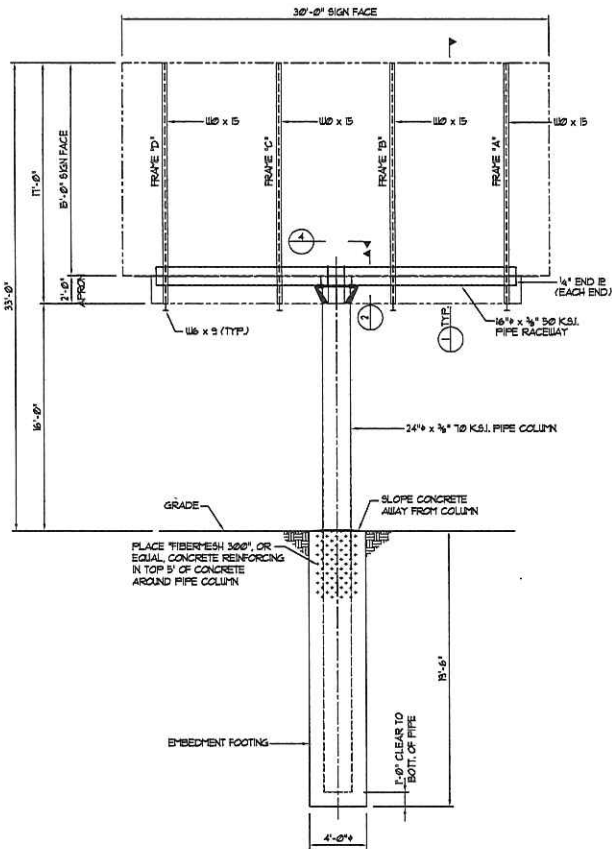
This special use exception will not affect the uses of adjacent and or neighboring properties in any way. The neighboring property NORTH is a commercial retail building. The neighboring property South is farm land that is separated by a buffer of trees.

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)

The LED Side (North Facing side) digital operations will be as follows:

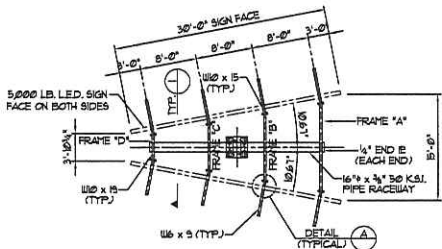
- 8 Ads (Each AD remains fixed for a minimum of 10 Seconds)
- AD transitions will be accomplished in 1 second or less, simultaneously and in unison
- Sign will default to SHUT DOWN if a malfunction occurs
- All ADS will be still and will not include any light effects, flashing or animation of any kind.
- Electronic message center will have automatic dimmer controls in order to control adjust the lighting level.

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

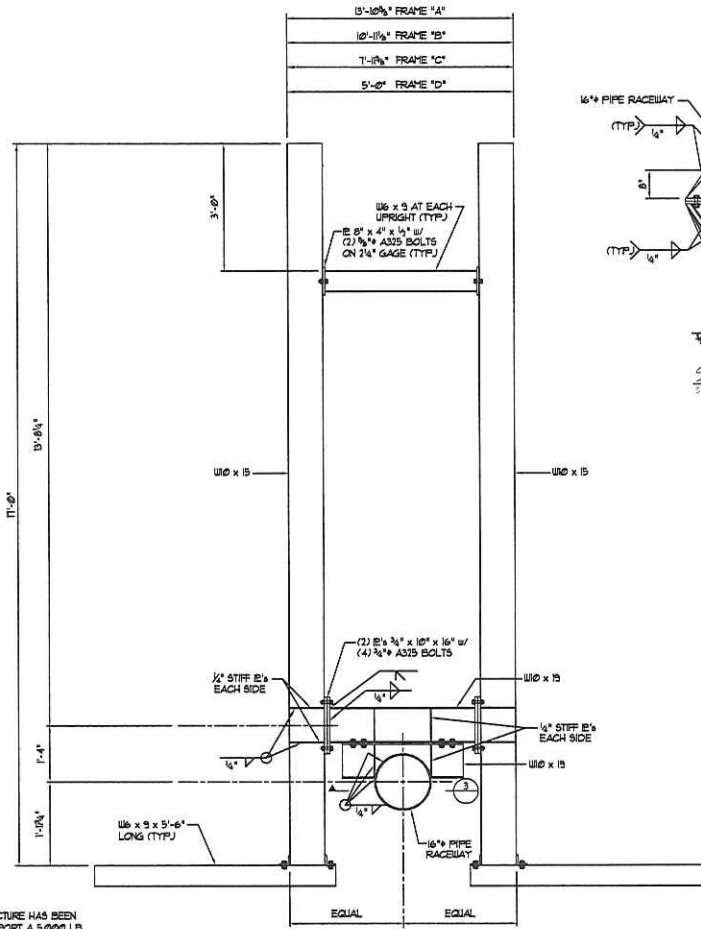


SIGN FRAME ELEVATION
SCALE: 1/4" = 1'-0"

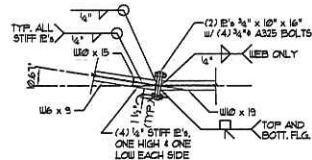
NOTE: THIS STRUCTURE HAS BEEN DESIGNED TO SUPPORT A 5,000 LB. LED. SIGN FACE ON EACH SIDE



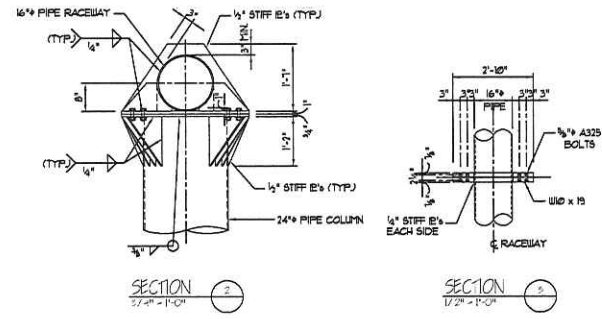
PLAN OF SIGN FRAME
SCALE: 1/4" = 1'-0" (B' VEE SIGN FACES)



SECTION 1
5/2" - 1'-0"

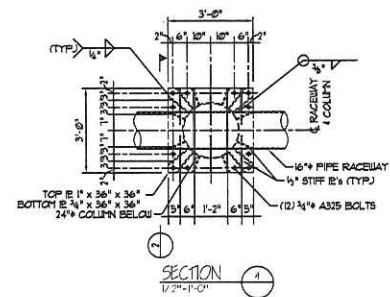


DETAIL
1/2" - 1'-0"



SECTION 2
5/2" - 1'-0"

SECTION 3
1/2" - 1'-0"



SECTION 4
1/2" - 1'-0"

NOTES:

1. ALL BOLTS SHALL BE 3/4" A325 GALVANIZED UNLESS NOTED OTHERWISE. CONCRETE SHALL BE STANDARD WEIGHT 3000 P.S.I. # 28 DAYS COMPRESSIVE STRENGTH UNLESS NOTED OTHERWISE.
2. DESIGN WIND LOAD MEETS 2005 INTERNATIONAL BUILDING CODE CRITERIA FOR 15 MPH EXPOSURE C RISK CATEGORY II.
3. ALL STEEL SHALL BE A572M A36 UNLESS NOTED OTHERWISE. WIDE FLANGE MEMBERS SHALL BE A572M A990-50.
4. ALL WELDS SHALL BE MADE BY AN AMERICAN WELDING SOCIETY CERTIFIED WELDER USING E70 FILLER MATERIAL.
5. MAXIMUM SIGN FACE AREA SHALL BE 450 SQUARE FEET FOR EACH SIGN AND 600 SQUARE FEET FOR EACH APRON.
6. MINIMUM LATERAL PASSIVE SOIL BEARING CAPACITY FOR SIGNS SHALL BE 550 P.S.F. PER FOOT OF DEPTH (X 3 + 300 P.S.F.) PER THE INTERNATIONAL BUILDING CODE AND SHALL BE VERIFIED IN THE FIELD BY CONTRACTOR.
7. CATWALKS AND STRINGERS ARE NOT SHOWN FOR CLARITY.

B 4 P JCS NO. 20255.00020

		OUTDOOR SPECIALIST, INC. Augusta, Georgia	
		SIGN LOCATION: FRANKFORD, DELAWARE	
scale :	NOTED	revisions :	ISJ
date :	10/24/20		
drawn :	TEB		
chkd. :	TFE		
SIGN FRAME #3883-051			



State of Delaware

Department of Transportation

23697 DuPont Boulevard

Georgetown, DE 19947

December 21, 2020

East-Side Developers Group Inc.,
P.O. Box 1776
Millsboro, DE 19966

Dear Mr. Parker:

The Roadside Control Section of the Department of Transportation is charged with the responsibility of enforcing statutory regulations pertaining to Outdoor Advertising as set forth under Title 17, Chapter 11, of the Delaware Code.

The Department has received your outdoor advertising application for a new off premise VMS (variable message sign) to be situated on the property belonging to an East-Side Developers Group Inc., with a (tax parcel #: 433-11-21.01) located on SCR 113 / (Dupont Blvd.) in Sussex County.

I have reviewed the proposed site plan that was submitted, as well as the application. As long as the sign is constructed per the specifications submitted and the required building permits are obtained by the local land use authority, the Department has no objection to the proposed sign application. It is the responsibility of the sign owner to seek approval from the local authority before installation of the sign.

This letter serves as a letter of no objection to assist with your application to the Board of Adjustment. This letter **does not** grant permission to construct the sign. Should the Board of Adjustment approval be granted for this sign structure, you must notify the Department in writing and provide all necessary documentation, including the Board of Adjustment findings and any revisions to the sign structure that may have occurred. Once the Department has received all necessary documentation and verified that conditions for approval have been met, a Notice to Proceed letter will be issued to allow for the construction of the sign.




Mr. Parker
Page 2
December 21, 2020

This letter of no objection is provided to you as a courtesy to assist you in securing approval from the appropriate entities prior to construction of the sign structure. **This letter is not a permit.**

Should you have any questions or concerns, or to schedule your pre-construction or final inspection, please contact me at (302) 259-7074.

Sincerely,



Amber Godwin
Investigator 1
South District / DOT

ARG/ag
By certified mail
Cc: Christopher King, Roadside Control Manager

SQUARE FOOTAGE / PERMIT FEE

SIZE OF SIGN (sq. ft.)	ANNUAL FEE (per panel)
0 to 30	\$5
31 - 100	\$10
101 - 300	\$15
> 300	\$20

Application
for
Outdoor Advertising Permit



Delaware
Department of Transportation

OFFICE USE ONLY

Date received: _____
 Time received: _____
 Received by: _____
 Check No.: _____
 Amount Paid: _____
 Date Approved: _____
 GPS Coord: _____
 Owner ID: _____
 Structure ID: _____

Sign will be attached to a building or other structure that is not specifically a free standing sign structure (check if yes)
 Application is for a public service / school bus shelter sign (check if yes and attach State Department of Education permission)

Sign Owner (individual or company responsible for billing): EAST-SIDE DEVELOPERS GROUP INC.,

Address (for billing & legal notices): P.O. BOX 1776

City / State / Zip: Millsboro, DE 19966

Telephone #: (302)934-6400 **E-Mail:** info@jimparkerbuilders.com

If Sign Owner is a foreign national, non-resident alien or non-Delaware Corporation, institution or agency, bond may be required (check if yes)

Property Owner (if different than above): SAME AS ABOVE

Mailing Address: _____

City / State / Zip: _____ **Telephone #:** _____

Sign Installer: OUTDOOR SPECIALIST **E-Mail:** sonnykuhn@cs.com **Telephone #:** (706)823-0075

The complete footprint of the sign (supports and both outside edges of the advertising area) as well as the Right of Way must be staked in the field prior to approval being granted. Is the sign site completely marked? Yes No

If no, date site will be marked: December 1, 2020

Sign location (physical street address): 34425 DUPONT BLVD, FRANKFORD DE 19945 **Tax Parcel ID:** 4-33-11-21.01

Within city/town limits? Yes No **If yes, name of municipality:** _____ **Zoning:** C-1

Is zoning conditional? Yes No **Setback** (distance from r-o-w to edge of sign nearest r-o-w) _____ ft.

(If yes, explain on back of form)

Number of Sign Facings		Number of Panels per Face	
<input type="checkbox"/> One <input checked="" type="checkbox"/> Two		<input checked="" type="checkbox"/> One <input type="checkbox"/> Two	
Face One	Panel One	Area: <u>450</u> sq. ft.	Length: <u>30</u> ft. Height: <u>15</u> ft.
	Panel Two	Area: _____ sq. ft.	Length: _____ ft. Height: _____ ft.
Face Two	Panel One	Area: <u>450</u> sq. ft.	Length: <u>30</u> ft. Height: <u>15</u> ft.
	Panel Two	Area: _____ sq. ft.	Length: _____ ft. Height: _____ ft.

Total Annual Fee (example: # panel(s) x \$/panel): \$ 30.00

Surface Treatment Poster Painted LED Other **Support Type** Wood Metal Monument

Will the sign be illuminated? Yes No **Premise** On-premise Off-premise

Type of Display Back-to-Back 2. Side-by-Side 3. Single Face 4. V-Type 5. Stacked

Clearance (bottom of sign to ground) 33 ft. **Electronic Variable Message** Yes No

A plot plan showing the location of the proposed sign structure (on the Tax ID / Map Number noted) as well as a diagram of the proposed sign structure (with dimensions) must accompany this application.

State of Delaware Outdoor Advertising Permits are NOT building permits!

You **MUST** have a county or municipal building permit, a letter of permission, or a letter of no objection to legally maintain any type or form of outdoor advertising sign, display, or device. If you erect a sign, display, or device without obtaining local permission or approval, your State Outdoor Advertising permission will be revoked and the sign, display, or device will be required to be REMOVED. Should the sign, display, or device fall into a state of disrepair, the Department reserves the right to revoke any permits issued after 30 days written notice. CONSTRUCTION MUST BEGIN WITHIN 6 MONTHS AND COMPLETED WITHIN 1 YEAR OF THE DATE OF THE APPROVAL LETTER.

Use this space to provide details if the signs location is conditionally zoned, or to provide any other necessary explanations or further details about any of the answers given on the front of this form, or to give any additional information that may be useful to the approval process for the sign, display, or device. (If necessary, attach additional sheets).

This Proposed sign will be two sided. One side will be Digital (8 ads per side and change every 10 seconds) and the other is to be static vinyl. We are looking to use this sign as advertisement for several of our local businesses that we own and operate in the general area. We have 2 residential communities on rt 30 that we can promote through this sign. We also will be able to run updated storage ads for our 2 facilities. Our vinyl static side will be an ad for my company Jim Parker Builders Inc., I do residential and commercial construction and think this sign will benefit me and my families small businesses.

By my signature below, I agree to all terms, conditions, definitions and regulations for Outdoor Advertising as specified in and by this form and its attendant instructions, definitions and advisories, and as further specified in and by the laws of the State of Delaware and in and by the regulations of its Department of Transportation. I further attest by my signature below that the information provided by me and / or my representatives or agents pertaining to this application (including related documents), is true, accurate, and complete to the best of my knowledge.

Signature (must be owner of sign):



Date: 11/25/20

print name here: JAMES D. PARKER

AFFIDAVIT (of property owner)

This form must be notarized **ONLY** if the advertising sign, display, or device is to be erected on **PRIVATE** property that is **NOT** owned by the same person(s) or entity that will be the owner(s) of the advertising sign, display, or device.

State of _____ County of _____

On this _____ day of the month of _____ in the year _____, before me

personally appeared _____, who being duly

sworn according to law doth depose and say that the information given herein and in accompanying documents is true to his / her best knowledge and belief.

Property Owners Signature: _____

Notary's Signature: _____

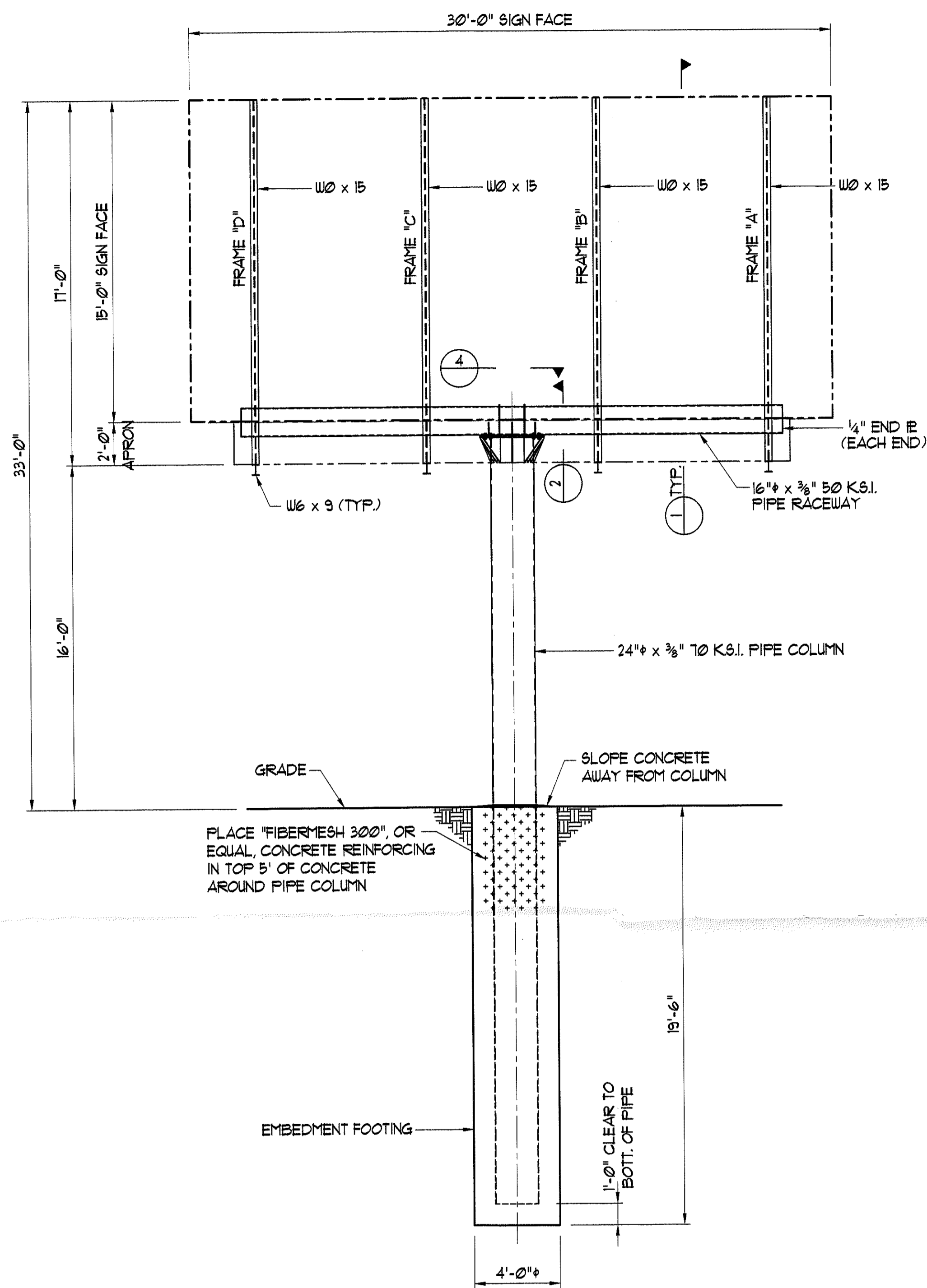
commission expires _____

DeIDOT CONTACTS

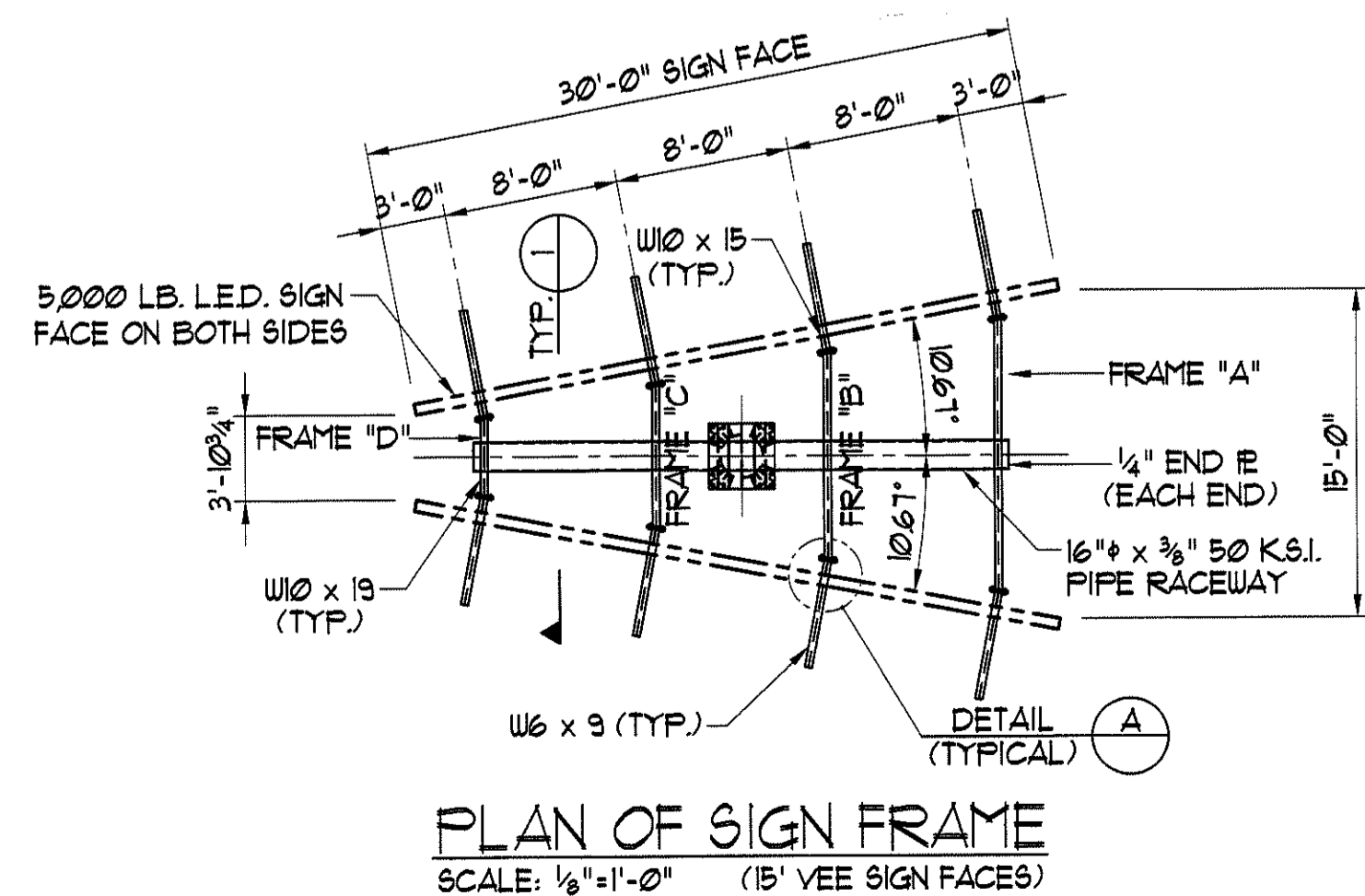
North / Canal District (New Castle County)
Outdoor Advertising Agent, Public Works Section
250 Bear Christiana Road Bear, DE 19701 (302) 326-4688

Central District (Kent County)
Outdoor Advertising Agent, Public Works Section
930 Public Safety Blvd. Dover, DE 19901 (302) 760-2443

South District (Sussex County)
Outdoor Advertising Agent, Public Works Section
23697 DuPont Blvd. Georgetown, DE 19947 (302) 853-1327

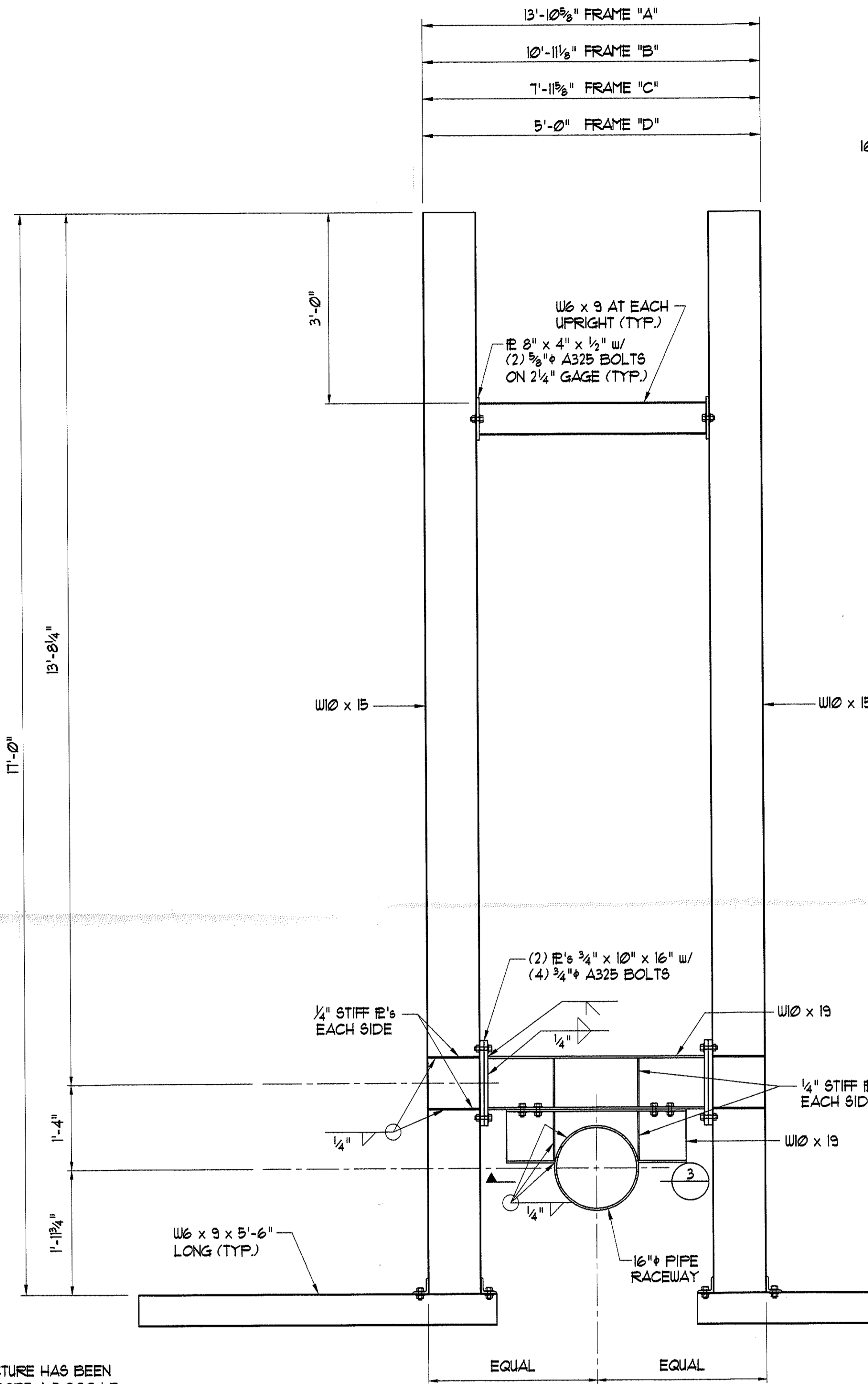


SIGN FRAME ELEVATION
SCALE: 1/4"=1'-0"

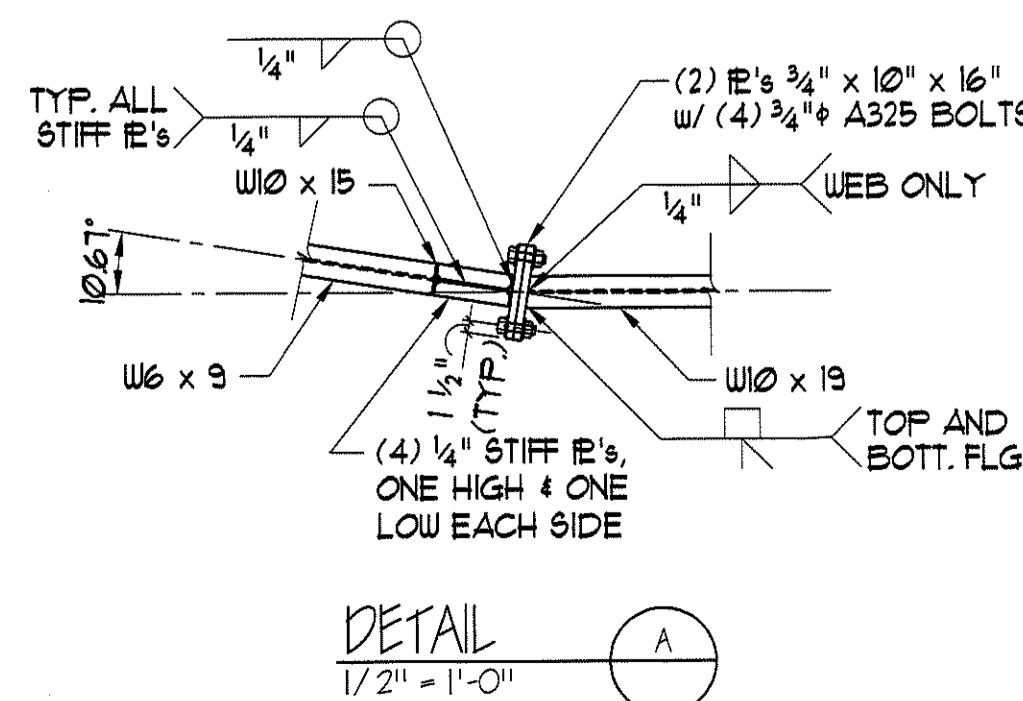


PLAN OF SIGN FRAME
SCALE: 1/8"=1'-0" (15' VEE SIGN FACES)

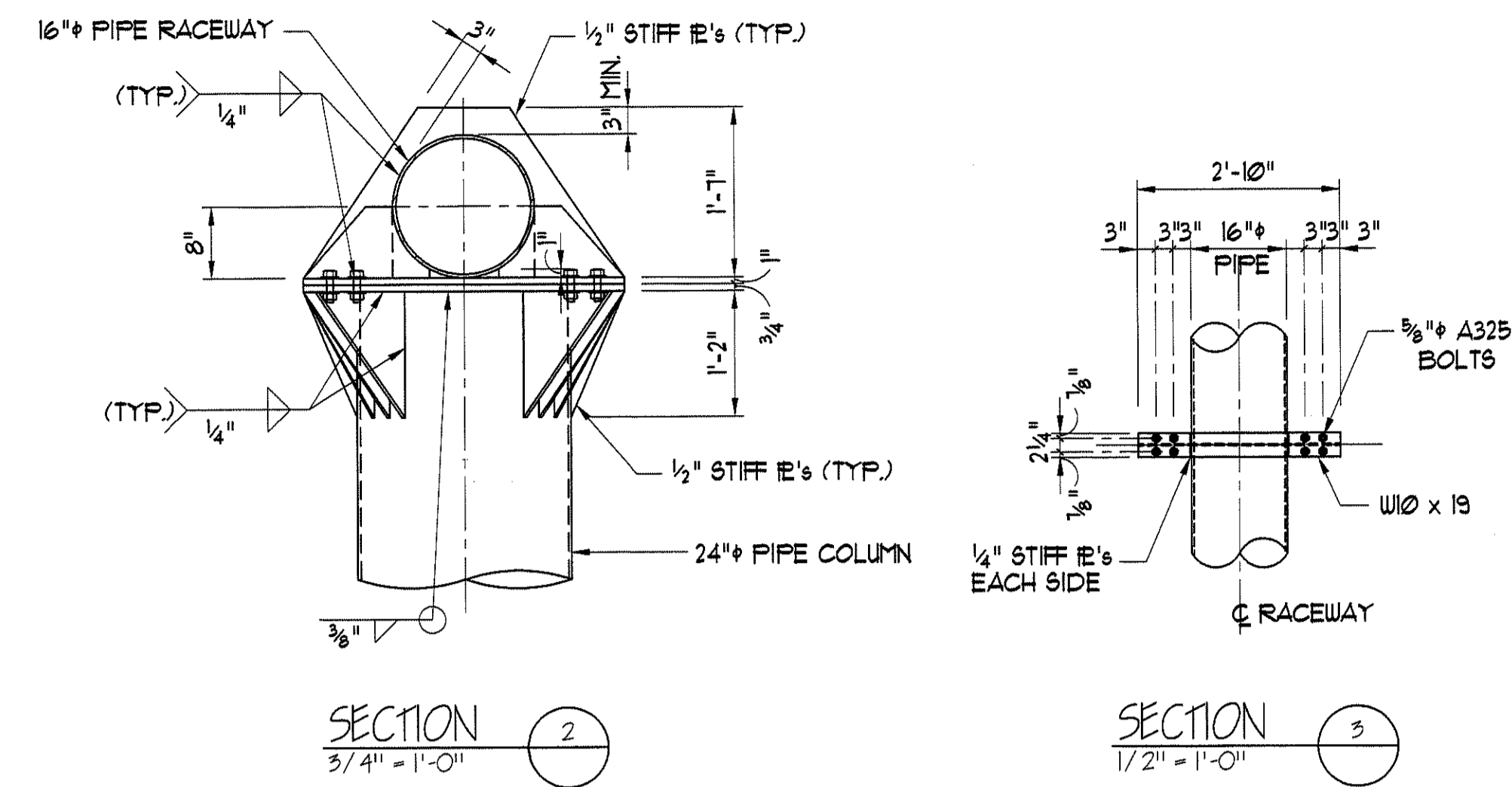
NOTE: THIS STRUCTURE HAS BEEN DESIGNED TO SUPPORT A 5,000 LB. L.E.D. SIGN FACE ON EACH SIDE



SECTION 1
3/4"=1'-0"

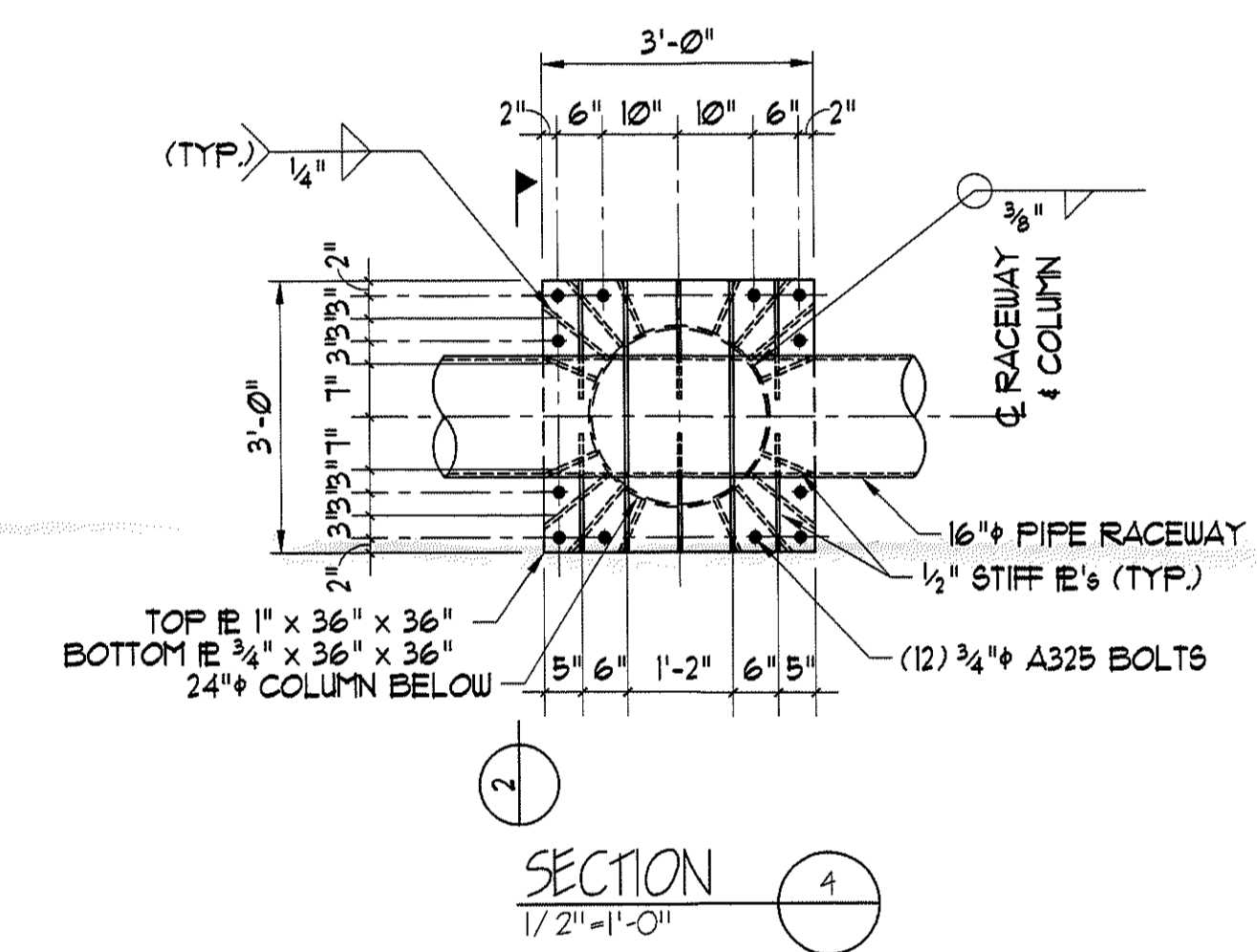


DETAIL A
1/2"=1'-0"



SECTION 2
3/4"=1'-0"

SECTION 3
1/2"=1'-0"

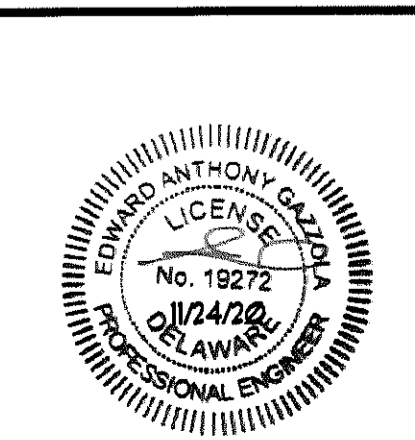


SECTION 4
1/2"=1'-0"

NOTES:

1. ALL BOLTS SHALL BE 3/4" A325 GALVANIZED UNLESS NOTED OTHERWISE.
2. CONCRETE SHALL BE STANDARD WEIGHT 3000 P.S.I. @ 28 DAYS COMPRESSIVE STRENGTH UNLESS NOTED OTHERWISE.
3. DESIGN WIND LOAD MEETS 2015 INTERNATIONAL BUILDING CODE CRITERIA FOR 125 M.P.H. EXPOSURE C, RISK CATEGORY II.
4. ALL STEEL SHALL BE A.S.T.M. A36 UNLESS NOTED OTHERWISE. (WIDE FLANGE MEMBERS SHALL BE A.S.T.M. A992-50).
5. ALL WELDS SHALL BE MADE BY AN AMERICAN WELDING SOCIETY CERTIFIED WELDER USING E70 FILLER MATERIAL.
6. MAXIMUM SIGN FACE AREA SHALL BE 450 SQUARE FEET FOR EACH SIGN AND 60 SQUARE FEET FOR EACH APRON.
7. MINIMUM LATERAL PASSIVE SOIL BEARING CAPACITY FOR SIGNS SHALL BE 150 P.S.F. PER FOOT OF DEPTH (X 2 = 300 P.S.F.) PER THE INTERNATIONAL BUILDING CODE AND SHALL BE VERIFIED IN THE FIELD BY CONTRACTOR.
8. CATWALKS AND STRINGERS ARE NOT SHOWN FOR CLARITY.

B & P JOB NO. 20.05.000.118



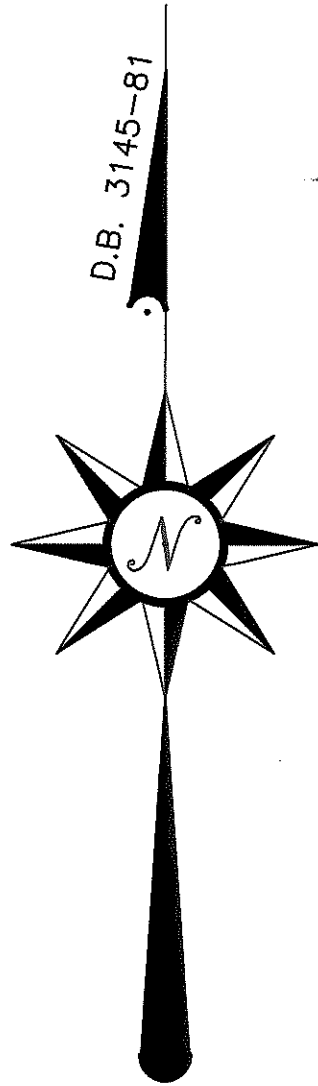
OUTDOOR SPECIALIST, INC.
Augusta, Georgia

SIGN LOCATION:
FRANKFORD, DELAWARE

scale	revisions	by
NOTED		
date: 11/24/20		
drawn: TED		
ckd.: TFI		

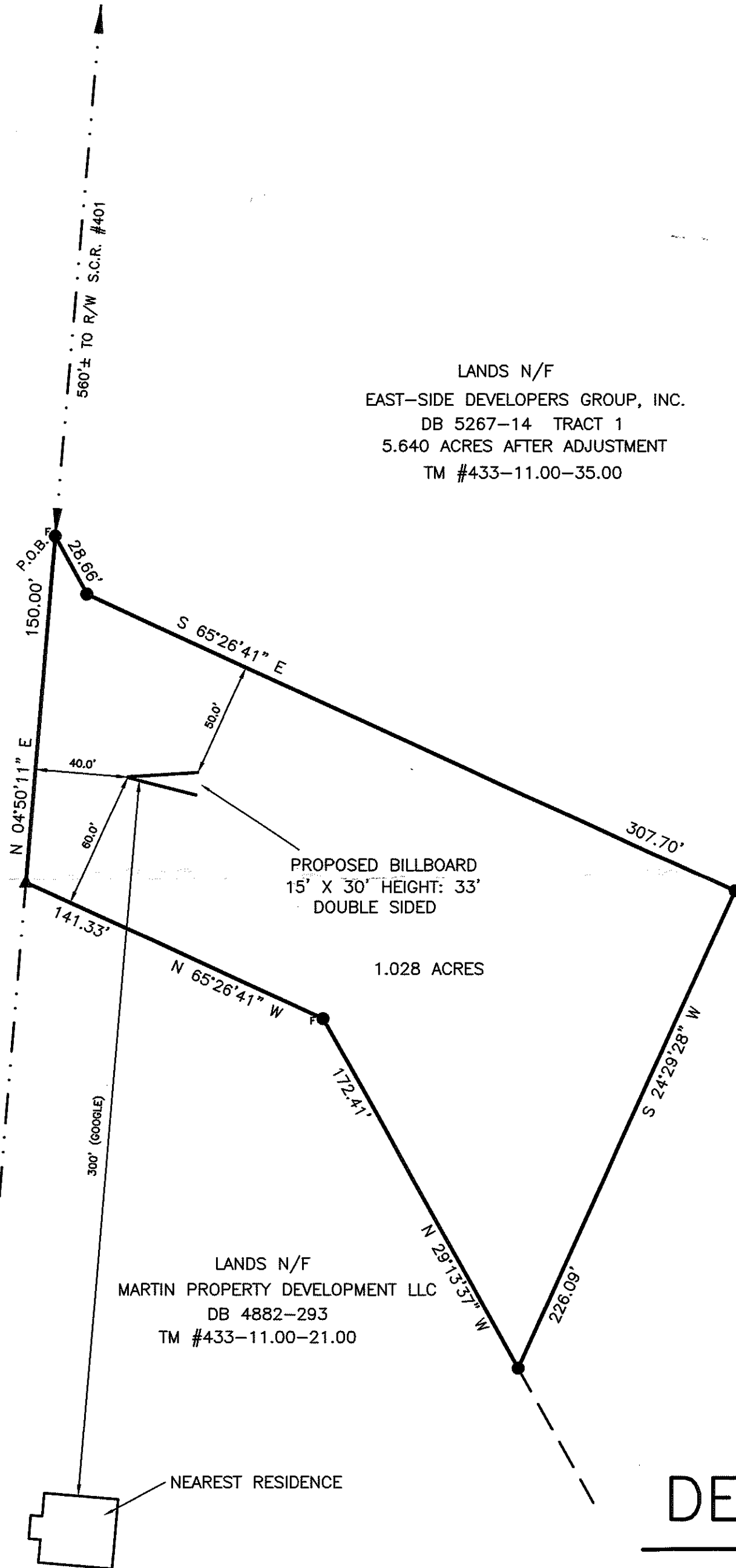
SIGN FRAME #3883-OSI

ES-218



DUPONT BLVD. (U.S. ROUTE 113)

LANDS N/F
EAST-SIDE DEVELOPERS GROUP, INC.
DB 5267-14 TRACT 1
5.640 ACRES AFTER ADJUSTMENT
TM #433-11.00-35.00



LANDS N/F
EAST-SIDE DEVELOPERS GROUP, INC.
DB 5267-14 TRACT 2
8.79 ACRES AFTER ADJUSTMENT
TM #433-11.00-34.00

BILLBOARD NOTES:
ZONING: C-1 (GENERAL COMMERCIAL)
PROPOSED BILLBOARD WILL MEET ALL REQUIREMENTS FOR SUSSEX COUNTY CODE 115-159.5 AND WILL NOT BE WITHIN 150' FROM ANY DWELLING.
HEIGHT OF SIGN: 33' (FROM GRADE)
AREA OF COVERAGE: 450 SQ. FT. (15.00' H x 30.00' W)
EXISTING BILLBOARD SOUTH IS 4,224' FROM PROPOSED SIGN. (DISTANCE DETERMINED BY OTHERS)
EXISTING BILLBOARD NORTH IS 1,584' FROM PROPOSED SIGN. (DISTANCE DETERMINED BY OTHERS)
ILLUSTRATION BRIGHTNESS: LED TECHNOLOGY
ENVIRONMENTAL CONTROL: HAS ABILITY TO USE PHOTOCELL AND/OR TIMER

I, THE UNDERSIGNED, HEREBY CERTIFY TO THE OWNERSHIP OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND THAT I DESIRE THE PLAN BE RECORDED ACCORDING TO LAW.

James O. Parker
CORPORATE OFFICER
11/17/2020
DATE

BILLBOARD PLACEMENT SURVEY FOR EAST-SIDE DEVELOPERS GROUP, INC.

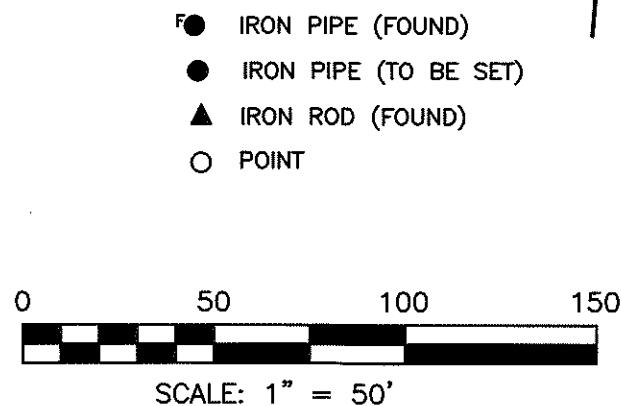
34425 DUPONT BOULEVARD, FRANKFORD, DE 19945

LANDS N/F
MARTIN PROPERTY DEVELOPMENT LLC
DB 4882-293
TM #433-11.00-21.00

NEAREST RESIDENCE

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.

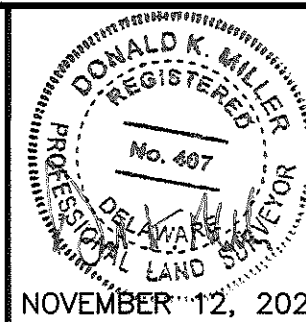
Donald K. Miller
DONALD K. MILLER, PLS 407
11/12/20
DATE



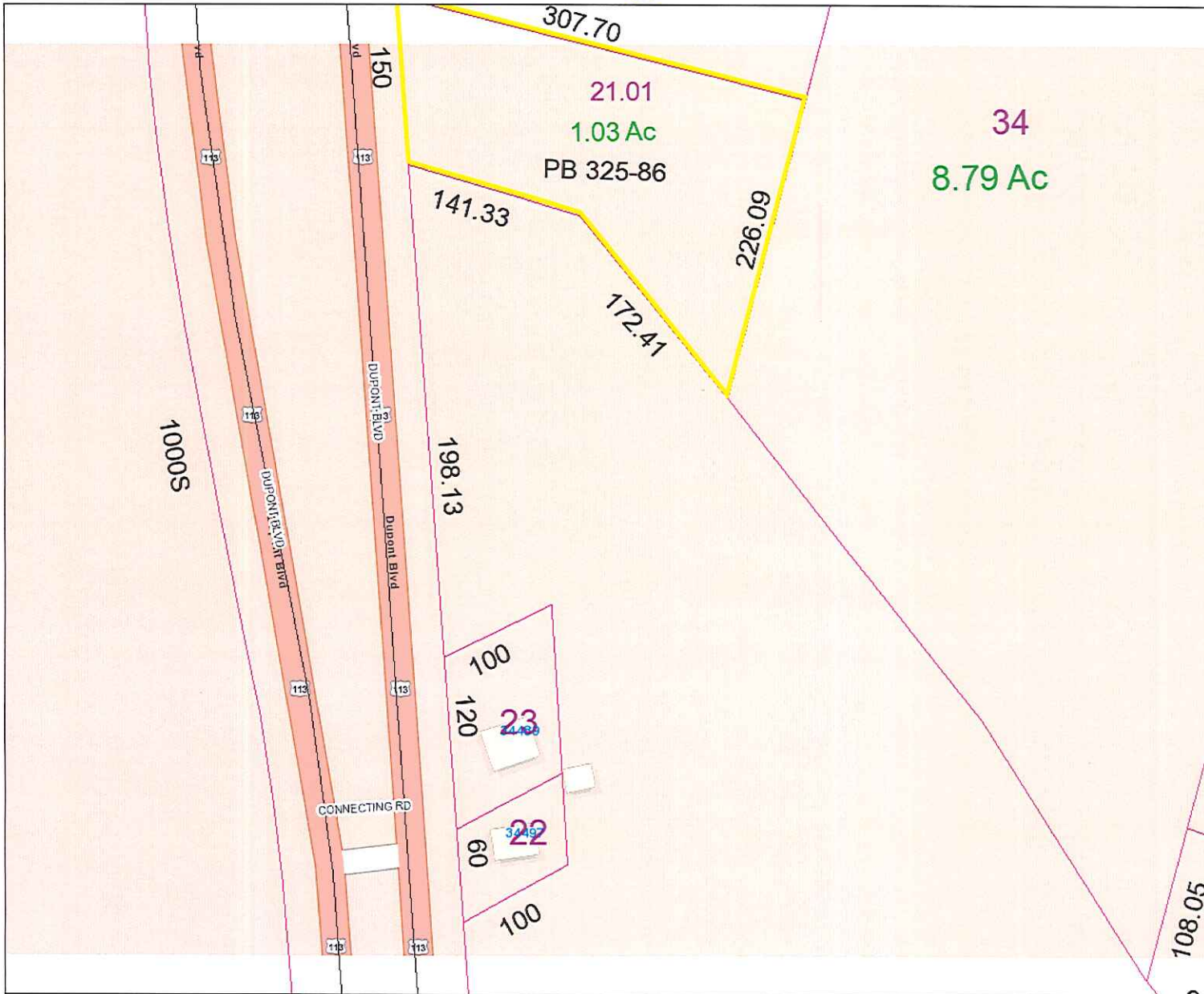
- EXISTING RIGHT-OF-WAY LINE
- PROPOSED RIGHT-OF-WAY LINE
- PROPERTY LINE
- CENTERLINE
- NEXT PROPERTY LINE
- PROPERTY LINE TO BE EXTINGUISHED
- PROPOSED PROPERTY LINE

THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY.
NO TITLE SEARCH PROVIDED OR STIPULATED.
SURVEY CLASS: SUBURBAN

MILLER LEWIS, INC.
LAND SURVEYING
1560 MIDDLEFORD RD.
SEAFORD, DELAWARE 19973
PH: 302-629-9895 FAX: 302-629-2391



HUNDRED	DAGSBORO	COUNTY	SUSSEX
STATE	DELAWARE	DRAWN BY	D.K. MILLER
REF.	DB 5267-14	FILE NO.	PARKER 4-33-11-21.01...

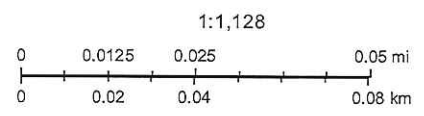


PIN:	433-11.00-21.01
Owner Name	EAST-SIDE DEVELOPERS GROUP INC
Book	5267
Mailing Address	PO BOX 1776
City	MILLSBORO
State	DE
Description	E/DUPONT BLVD
Description 2	N/A
Description 3	N/A
Land Code	

- polygonLayer

 - Override 1
- polygonLayer

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



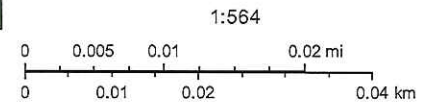


PIN:	433-11.00-21.01
Owner Name	EAST-SIDE DEVELOPERS GROUP INC
Book	5267
Mailing Address	PO BOX 1776
City	MILLSBORO
State	DE
Description	E/RT 113
Description 2	500' SOUTH OF
Description 3	POSS REV
Land Code	

- 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 # 12536
Hearing Date 3-15-21
202101281
RECEIVED

JAN 27 2021

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)
115-42, 115-183
115-185

Site Address of Variance/Special Use Exception:

33132 Gracie Lane, Lewes, DE 19958

Variance/Special Use Exception/Appeal Requested:

Applicants seek a 5.9' variance from the side yard setback requirement of 10' for an existing unenclosed, covered deck. There is no variance sought for the shed or the deck on the northwesterly side of the Property. The shed will be relocated to comply with the 5' side yard setback requirement for an accessory building less than 600 square feet and an administrative correction was made on January 26, 2021 for the deck.

Tax Map #: 334-11.00-104.11

Property Zoning: GR

Applicant Information

Applicant Name: Gary M. Desch & Judd M. Elkins
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: Gary M. Desch & Judd M. Elkins
Owner Address: c/o Sergovic Carmean Weidman McCartney & Owens, P.A., PO Box 751
City Georgetown State DE Zip: 19947 Purchase Date: 4/4/14
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: 2021.01.27 09:31:45 -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 very irregular and unusual shaped lot located on a private road known as Gracie Lane in the heavily wooded Beach Woods Subdivision. 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 Zoning Code. It would be necessary to remove a portion of the deck as well as the roof which has been in its current location since 2014 without any complaints. A variance is therefore necessary to enable the reasonable use of the Property.

3. Not created by the applicant:

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

The exceptional practical difficulty has not been created by the Applicants. The Applicants engaged a contractor in 2014 to add to the existing deck and to cover the deck to provide shade. They were unaware that the improvements encroached into the side yard setback until a recent survey of the Property was performed. Applicants simply seek to bring the existing improvements into compliance with the Code.

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

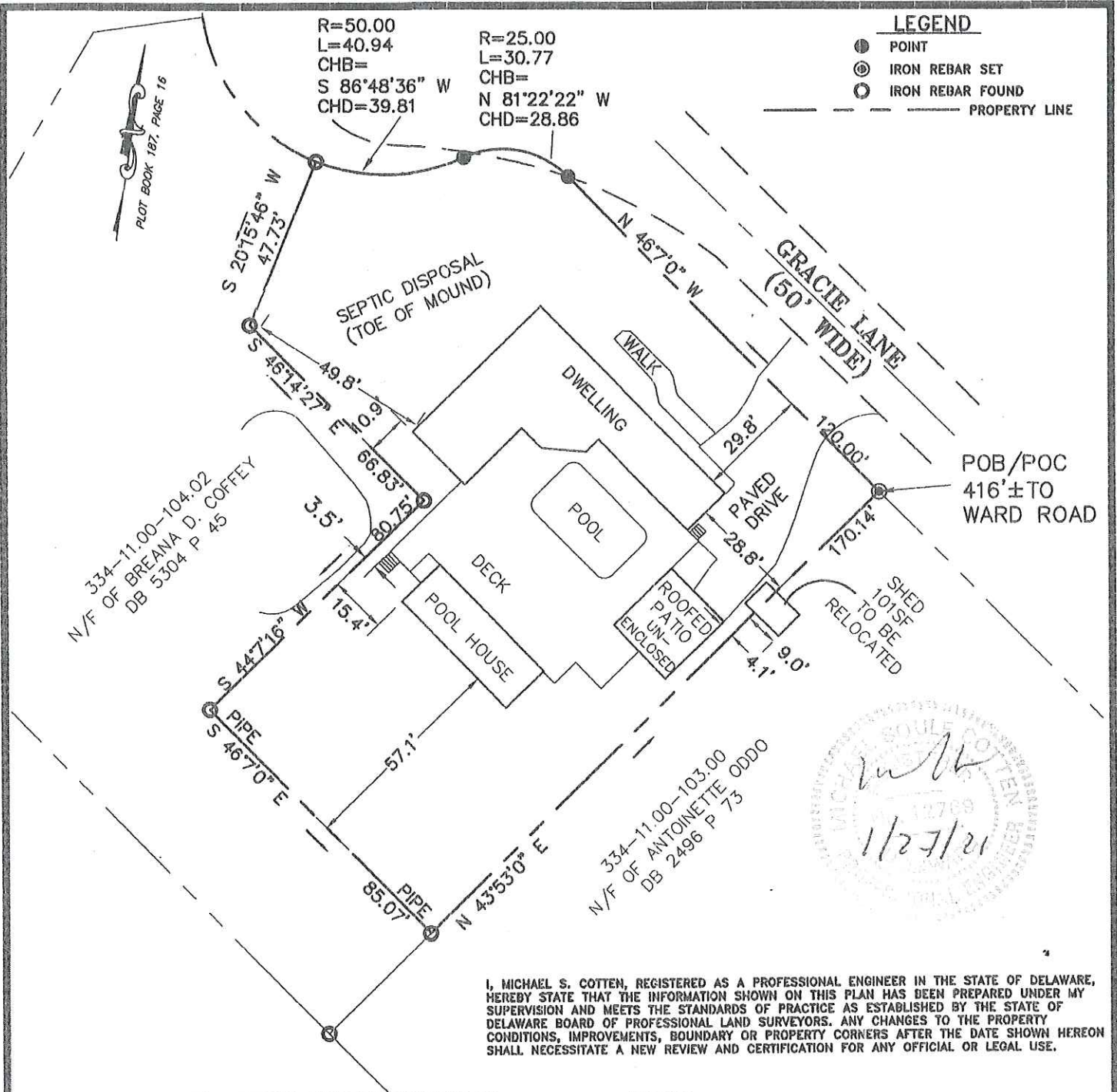
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

The variance 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. Applicants are unaware of any complaints made about the location of the covered, unenclosed deck. Rather, the neighboring property owner does not oppose this application.

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.

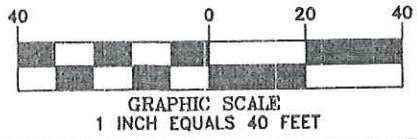
The variance represents the minimum variance that will afford relief and represents the least modification possible of the regulation in issue. The Applicants simply seek to bring the existing improvements into compliance with the Zoning Code.



LEGEND

- POINT
- ⊙ IRON REBAR SET
- ⊙ IRON REBAR FOUND
- PROPERTY LINE

BOUNDARY SURVEY PLAN
FOR GARY ROBERT MAZAT &
SHIRLY HUANG MAZAT
OF LANDS N/F OF GARY M. DESCH &
JUDD M. ELKINS
LOT 9, BEACH WOODS SUBDIVISION
33132 GRACIE LANE
LEWES, DE 19958
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DE
TAX MAP #334-11.00-104.11
TOTAL AREA: 20,638±SF OR 0.474±ACRES



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 4245, PAGE 291.
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.

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 CLIENTS 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: 1	JOB # 21-026
DRAWN BY: JCD	DATE: 01/27/2021	SHEET 1 OF 1
CHECKED BY: MSC	SCALE: AS-SHOWN	

Case # ACP-21-02

**Administrative Correction Process
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:

Permit/CO issued in Error

Site Address of Variance:

33132 Gracie Lane

Variance Requested:

C.O Issued for Deck Permit #61399

Tax Map #: 334-11.00-104.11

Property Zoning: GR

Owner/Applicant Information

Applicant Name: Gary Desch

Applicant Address: 33132 Gracie Lane

City Lewes

State DE

Zip: 19958

Applicant Phone #: Applicant e-mail: _____

Alternate Reference Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____

State _____

Zip: _____

Agent/Attorney Phone #: _____

Agent/Attorney e-mail: _____

Signature of Director/Director Designee



Date: 1/26/2021

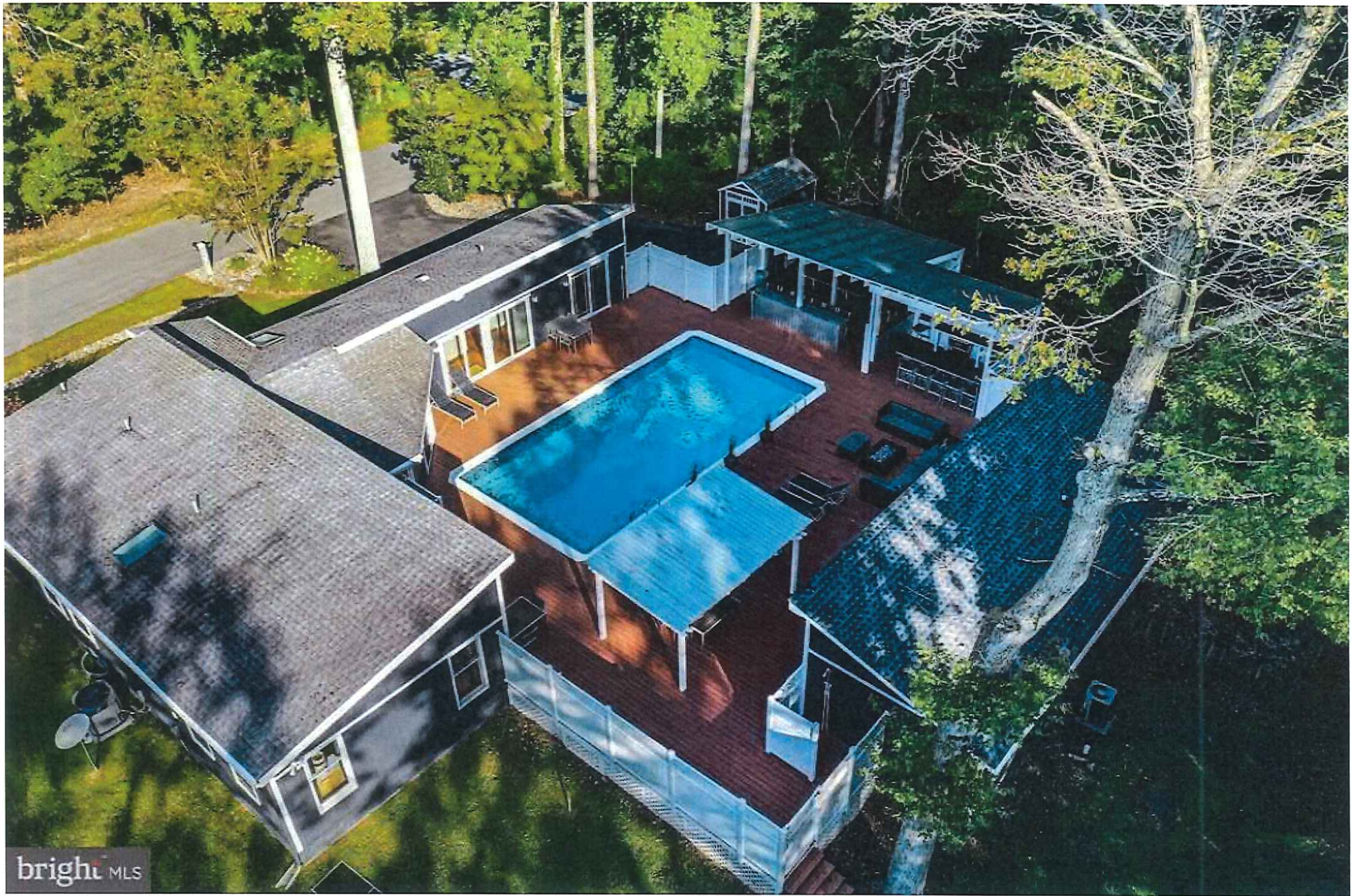


brighi MLS

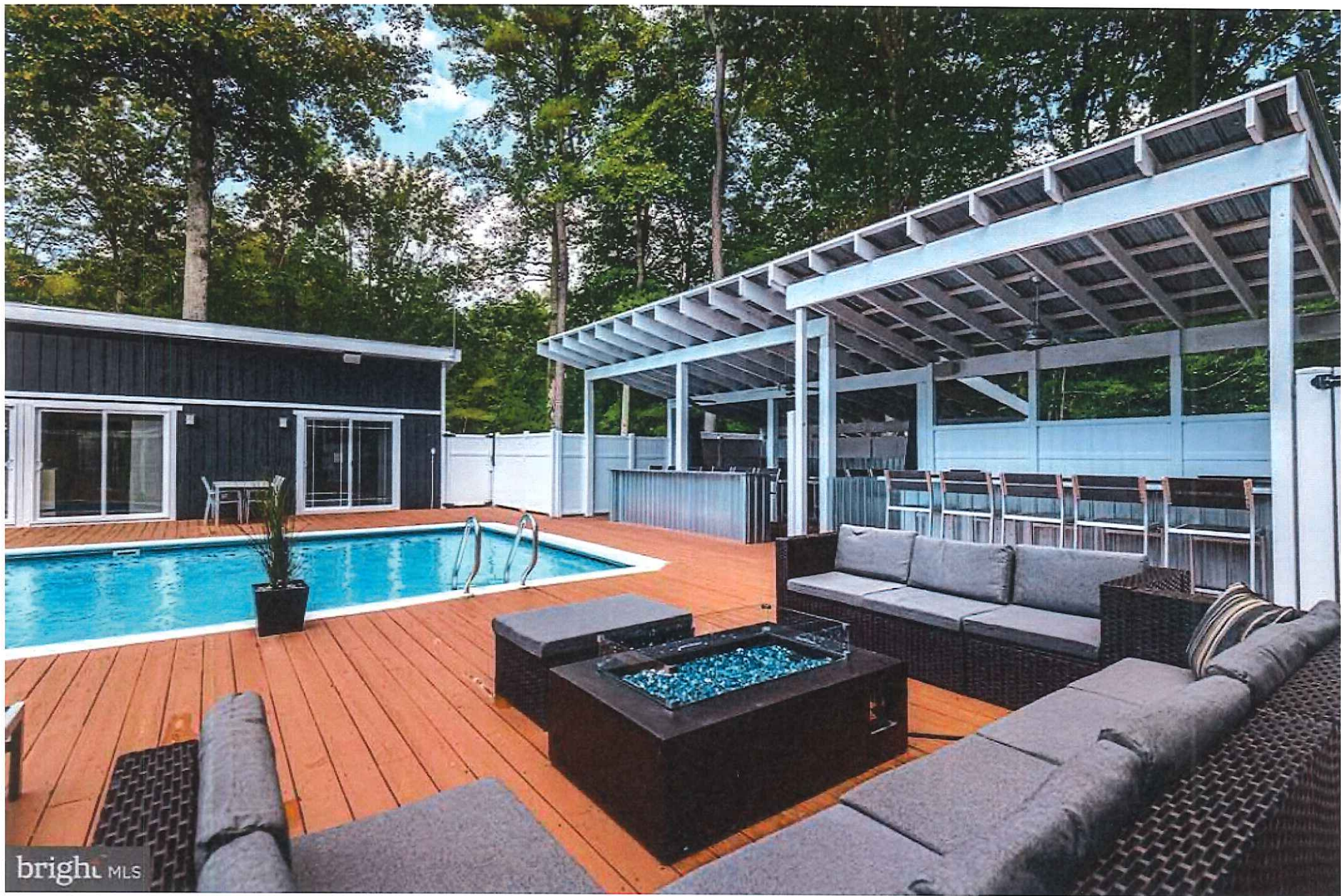


brighi MLS

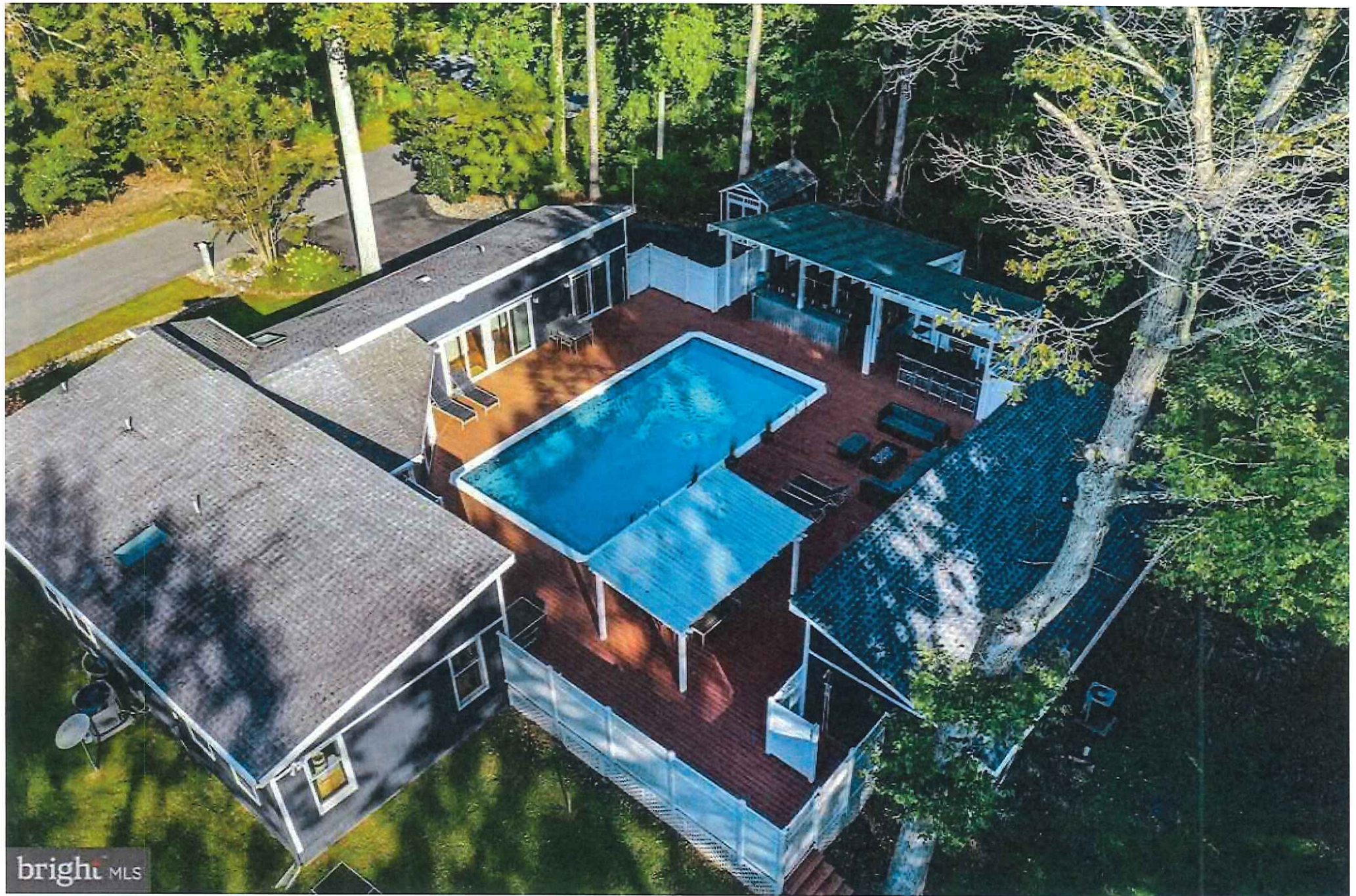




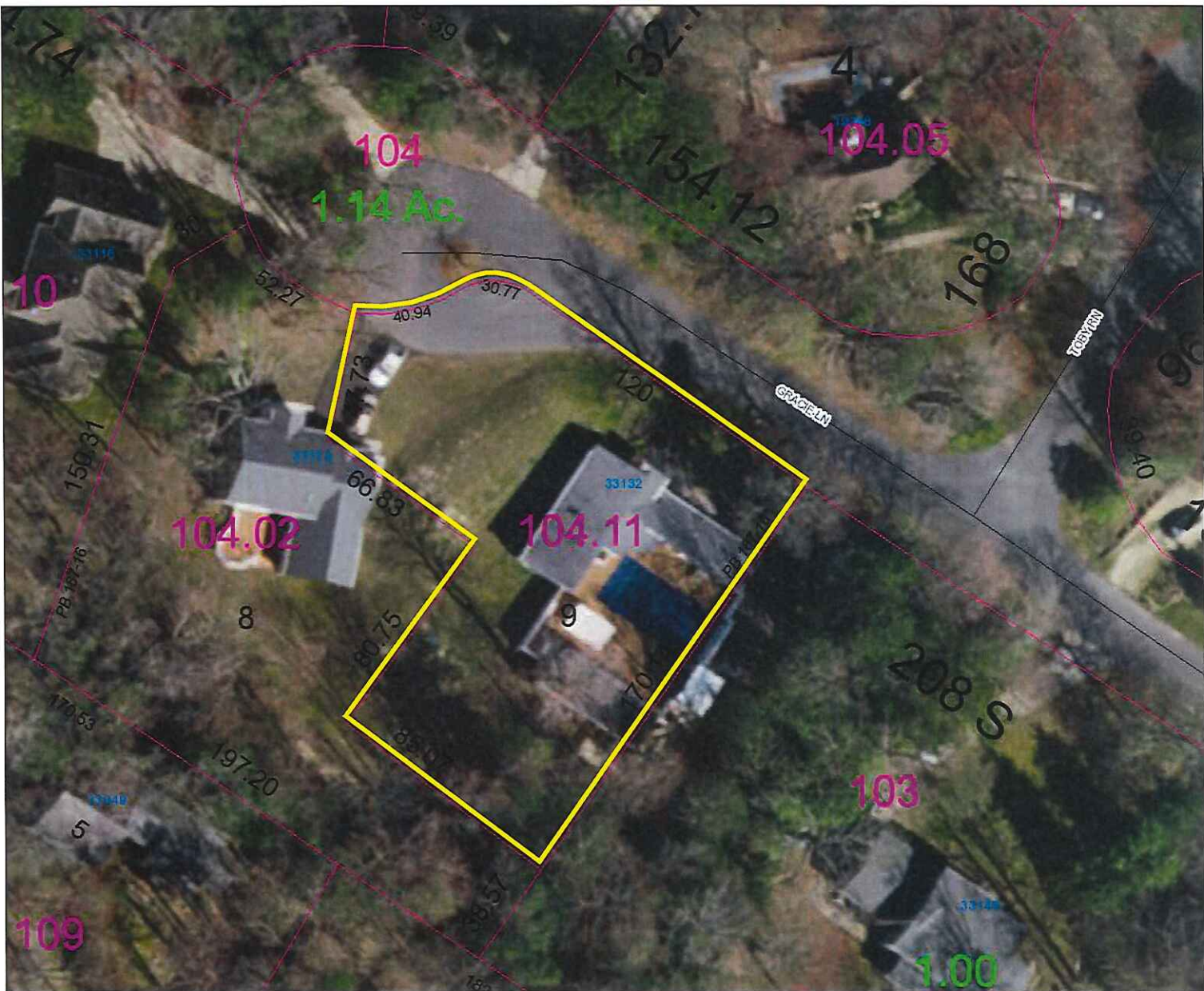
brighi MLS



brigh MLS



bright MLS



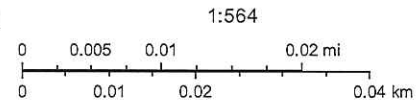
PIN:	334-11.00-104.11
Owner Name	DESCH GARY M
Book	4245
Mailing Address	33132 GRACIE LANE
City	LEWES
State	DE
Description	BEACH WOODS
Description 2	LOT 9 W/IMP
Description 3	S W/GRACIE RUN
Land Code	

- polygonLayer

Override 1
- polygonLayer

Override 1

 - Tax Parcels
 - 911 Address
 - Streets
 - County Boundaries



**SUSSEX COUNTY
BOARD OF ADJUSTMENT**

Case No. 12536

DOCUMENT SUBMISSION

FOR

GARY M. DESCH & JUDD M. ELKINS

33132 Gracie Lane

Lewes, DE 19958

TMP: 334-11.00-104.11

April 12, 2021

**Shannon Carmean Burton, Esquire
Sergovic Carmean Weidman McCartney & Owens, P.A.
P.O. Box 751
Georgetown, DE 19947
(302) 855-1260**

GARY M. DESCH & JUDD M. ELKINS
Case No. 12536
April 12, 2021

<u>Exhibits</u>	<u>Description</u>
A	Variance Application dated January 27, 2021 (without exhibits)
B	Deed dated April 4, 2014 and filed in the Office of the Recorder of Deeds in and for Sussex County, Delaware in Deed Book 4245, Page 291
C	Boundary Survey Plan prepared by Cotten Engineering LLC dated January 27, 2021
D	Photos of the Property
E	Administrative Corrective Process for Existing Deck
F	Letter in Support of Application

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 # _____
Hearing Date _____

RECEIVED

JAN 27 2021

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)

Site Address of Variance/Special Use Exception:

33132 Gracie Lane, Lewes, DE 19958

Variance/Special Use Exception/Appeal Requested:

Applicants seek a 5.9' variance from the side yard setback requirement of 10' for an existing unenclosed, covered deck. There is no variance sought for the shed or the deck on the northwesterly side of the Property. The shed will be relocated to comply with the 5' side yard setback requirement for an accessory building less than 600 square feet and an administrative correction was made on January 26, 2021 for the deck.

Tax Map #: 334-11.00-104.11

Property Zoning: GR

Applicant Information

Applicant Name: Gary M. Desch & Judd M. Elkins
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: Gary M. Desch & Judd M. Elkins
Owner Address: c/o Sergovic Carmean Weidman McCartney & Owens, P.A., PO Box 751
City Georgetown State DE Zip: 19947 Purchase Date: 4/4/14
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: 2021.01.27 09:31:45 -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 very irregular and unusual shaped lot located on a private road known as Gracie Lane in the heavily wooded Beach Woods Subdivision. 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 Zoning Code. It would be necessary to remove a portion of the deck as well as the roof which has been in its current location since 2014 without any complaints. A variance is therefore necessary to enable the reasonable use of the Property.

3. Not created by the applicant:

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

The exceptional practical difficulty has not been created by the Applicants. The Applicants engaged a contractor in 2014 to add to the existing deck and to cover the deck to provide shade. They were unaware that the improvements encroached into the side yard setback until a recent survey of the Property was performed. Applicants simply seek to bring the existing improvements into compliance with the 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 variance 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. Applicants are unaware of any complaints made about the location of the covered, unenclosed deck. Rather, the neighboring property owner does not oppose this application.

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 represents the minimum variance that will afford relief and represents the least modification possible of the regulation in issue. The Applicants simply seek to bring the existing improvements into compliance with the Zoning Code.

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.

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

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

Check List for Applications

The following shall be submitted with the application

- **Completed Application**
- **Provide a survey of the property (Variance)**
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.
- **Provide a Site Plan or survey of the property (Special Use Exception)**
- **Provide Fee \$400.00**
- **Provide written response to criteria for Variance or Special Use Exception (may be on a separate document if not enough room on the form)**
- **Copy of Receipt (staff)**
- **Optional - Additional information for the Board to consider (ex. photos, letters from neighbors, etc.)**
- **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearing for the application.**

**Please be advised that the decision of the Board of Adjustment is only final when the written decision is filed with the Board's secretary. To determine whether the written decision has been filed, you may call the Planning & Zoning Department at 302-855-7878. The written decision is generally completed within thirty (30) to sixty (60) days following the Board's vote on the application or appeal. Please include the case number when calling about the decision.*

**Please be advised that any action taken in reliance of the Board's decision prior to the filing of the written decision and the expiration of any applicable appeal period is taken at the Property Owner's Risk.*

The undersigned acknowledges that that he or she has read the application completely and that if the appellant / applicant is unable to convince the Board that the standards for granting relief have been met, the appeal / application will be denied.

Signature of Owner/Agent/Attorney

Shannon Carmean Burton, Digitally signed by Shannon Carmean Burton, Esquire
Date: 2021.01.27 09:36:30 -05'00'

Date: _____

For office use only:

Date Submitted: _____ Fee: \$400.00 Check #: _____
Staff accepting application: _____ Application & Case #: _____
Location of property: _____

Subdivision: _____ Lot#: _____ Block#: _____
Date of Hearing: _____ Decision of Board: _____

Tax No.: 3-34 11.00 104.11
PREPARED BY & RETURN TO:
Tunnell & Raysor, P.A.
770 Kings Highway
Lewes, DE 19958
File No. HD19098/TLM

THIS DEED, made this 4th day of April, 2014,

- BETWEEN -

ANTECH COMPUTER SOLUTIONS, LLC, a Delaware limited liability company, of PO Box 555, Nassau, DE 19969, party of the first part,

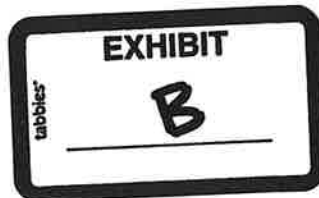
- AND -

GARY M. DESCH and JUDD M. ELKINS, of 33132 Gracie Lane, Lewes, DE 19958, as joint tenants with right of survivorship and not as tenants in common, parties of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **ONE DOLLAR (\$1.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain lot, piece, or parcel situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, designated as lot Nine (9) in a subdivision known as Beachwoods, according to a plat of record in the Office of the Recorder of Deeds, Georgetown, Delaware, in Plat Book 29, Page 333, and the Lot Line Adjustment Plan filed for record in Plot Book 187, page 16.

BEING a portion of the same lands conveyed to Antech Computer Solutions, LLC., a Delaware limited liability company from Federal Home Loan Mortgage Corporation, by Deed dated May 14, 2013, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on May 29, 2013, in Deed Book 4130, Page 322.

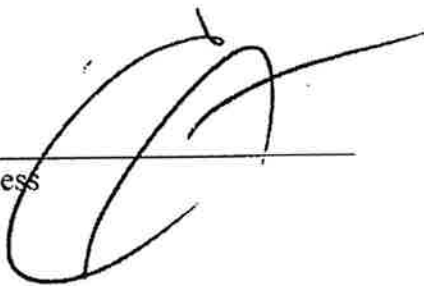


MS

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

IN WITNESS WHEREOF, the said Antech Computer Solutions, LLC, a Delaware limited liability company, has caused its name to be hereunto set under seal by Anton Balakin, Member of Antech Computer Solutions, LLC, the day and year first above written.

ANTECH COMPUTER SOLUTIONS, LLC

Witness 

By: A. Balakin (SEAL)
Anton Balakin, Member

Consideration: 398,000.00

STATE OF DELAWARE

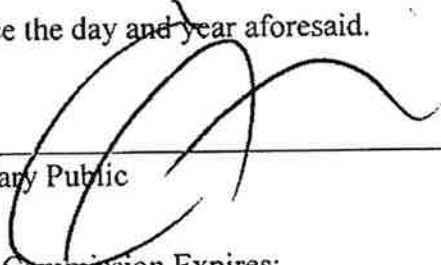
COUNTY OF SUSSEX

Count: SS 5,970.00
State 5,970.00
Town Total 11,940.00
Received: Mary W Apr 07, 2014

BE IT REMEMBERED, that on this 4th day of April, 2014, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Anton Balakin, Member of Antech Computer Solutions, LLC, a Delaware limited liability company, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said limited liability company; that the signature of the Member is in his/her own proper handwriting and by his/her authority to act; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by a resolution of the limited liability company.

GIVEN under my Hand and Seal of Office the day and year aforesaid.

CRAIG DE MARIANA ALEMAN
ATTORNEY AT LAW WITH
POWER TO ACT AS NOTARY PUBLIC
PER 29 DEL. C SEC 4323 (A) 3

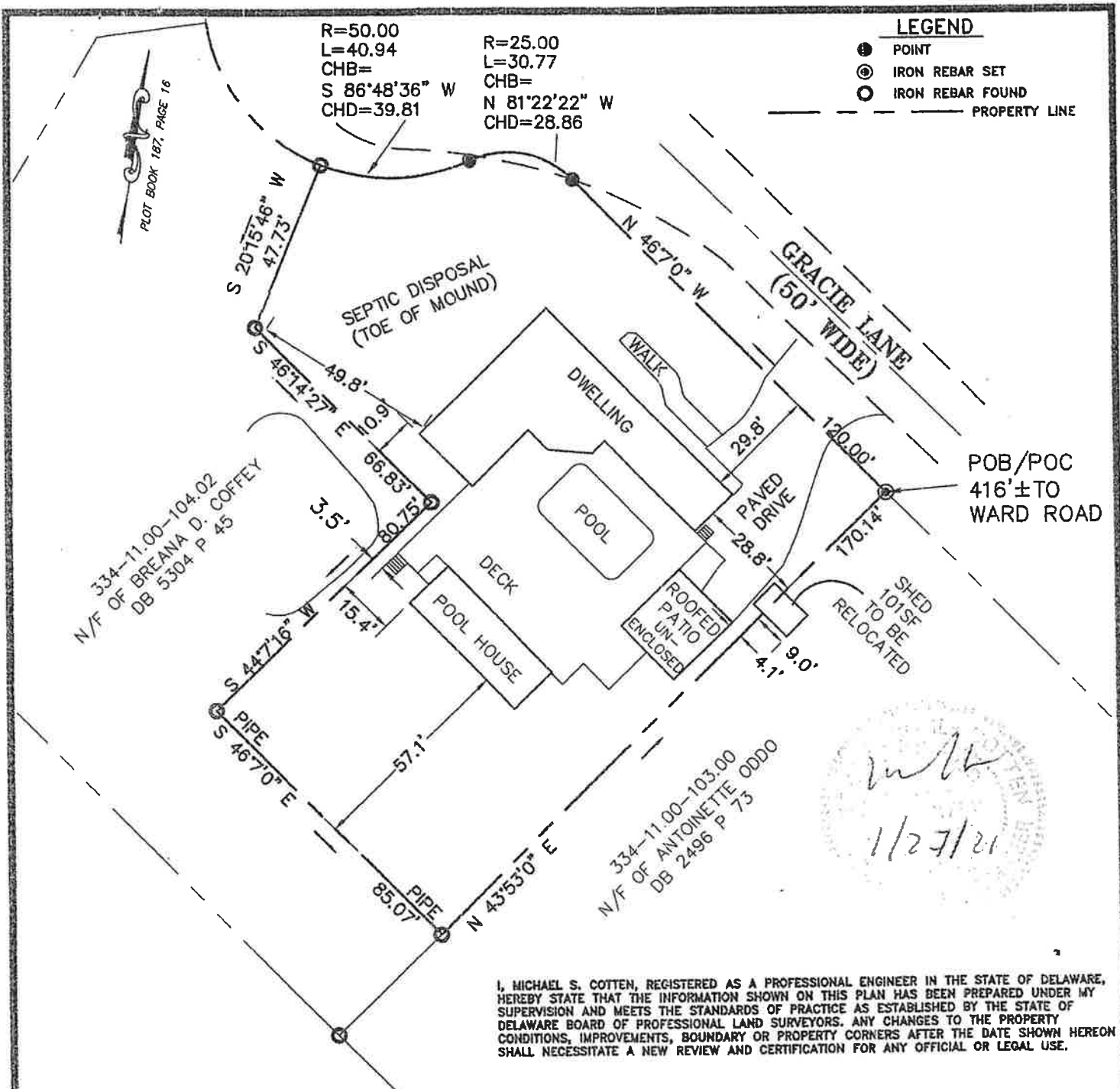

Notary Public
My Commission Expires: _____

RECEIVED

APR 07 2014

ASSESSMENT DIVISION
OF SUSSEX COUNTY

Recorder of Deeds
Scott Dailey
Apr 07, 2014 02:12P
Sussex County
Doc. Surcharge Paid



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.

Michael S. Cotten
 1/27/21

BOUNDARY SURVEY PLAN
FOR GARY ROBERT MAZAT &
SHIRLY HUANG MAZAT
OF LANDS N/F OF GARY M. DESCH &
JUDD M. ELKINS
LOT 9, BEACH WOODS SUBDIVISION
33132 GRACIE LANE
LEWES, DE 19958
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DE
TAX MAP #334-11.00-104.11
TOTAL AREA: 20,638±SF OR 0.474±ACRES

NOTES

1. TITLE REFERENCED TO DEED BOOK 4245, PAGE 291.
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.

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.

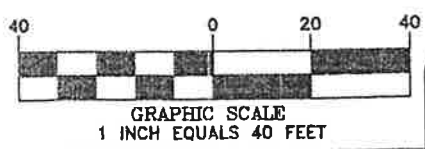
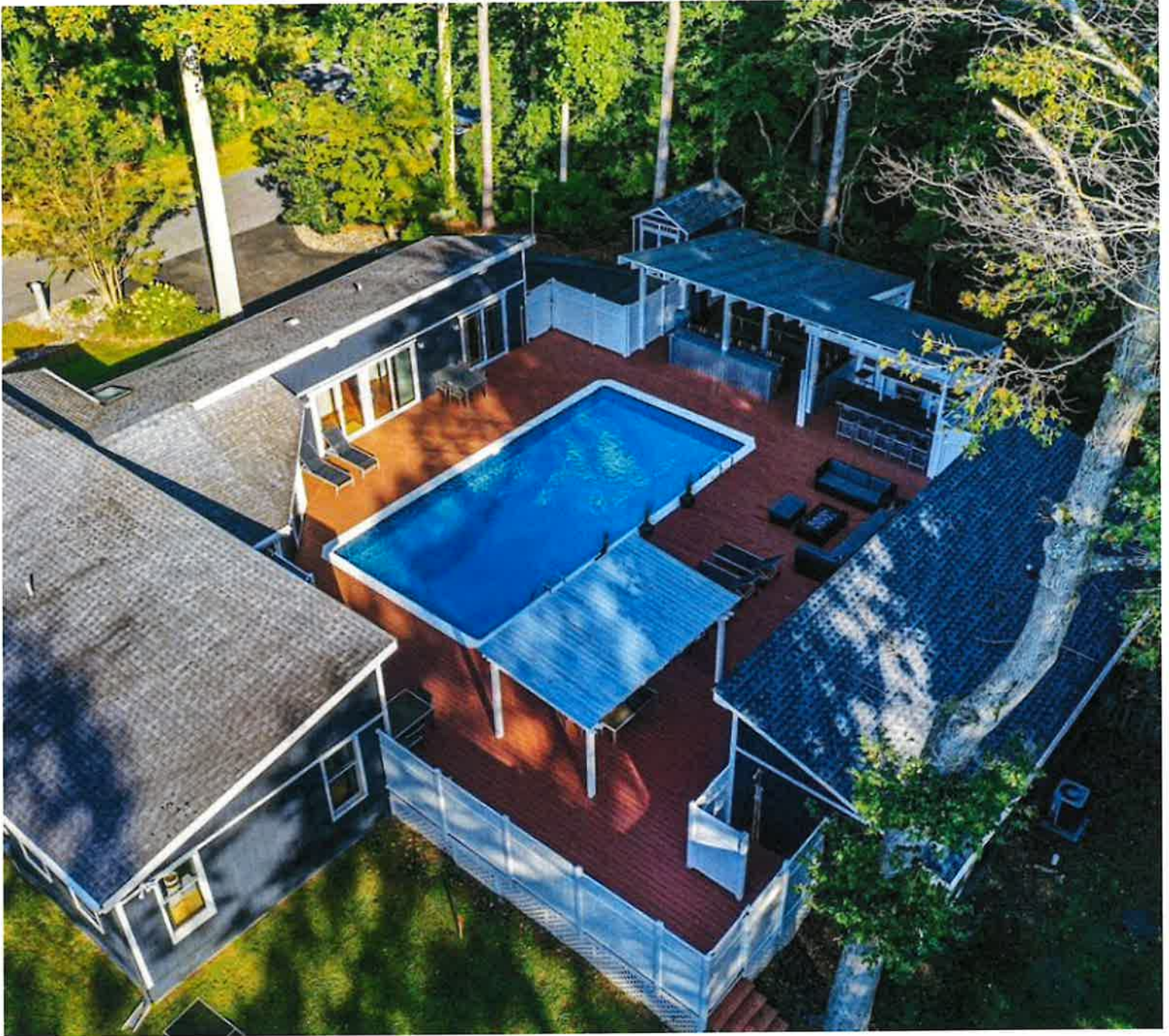


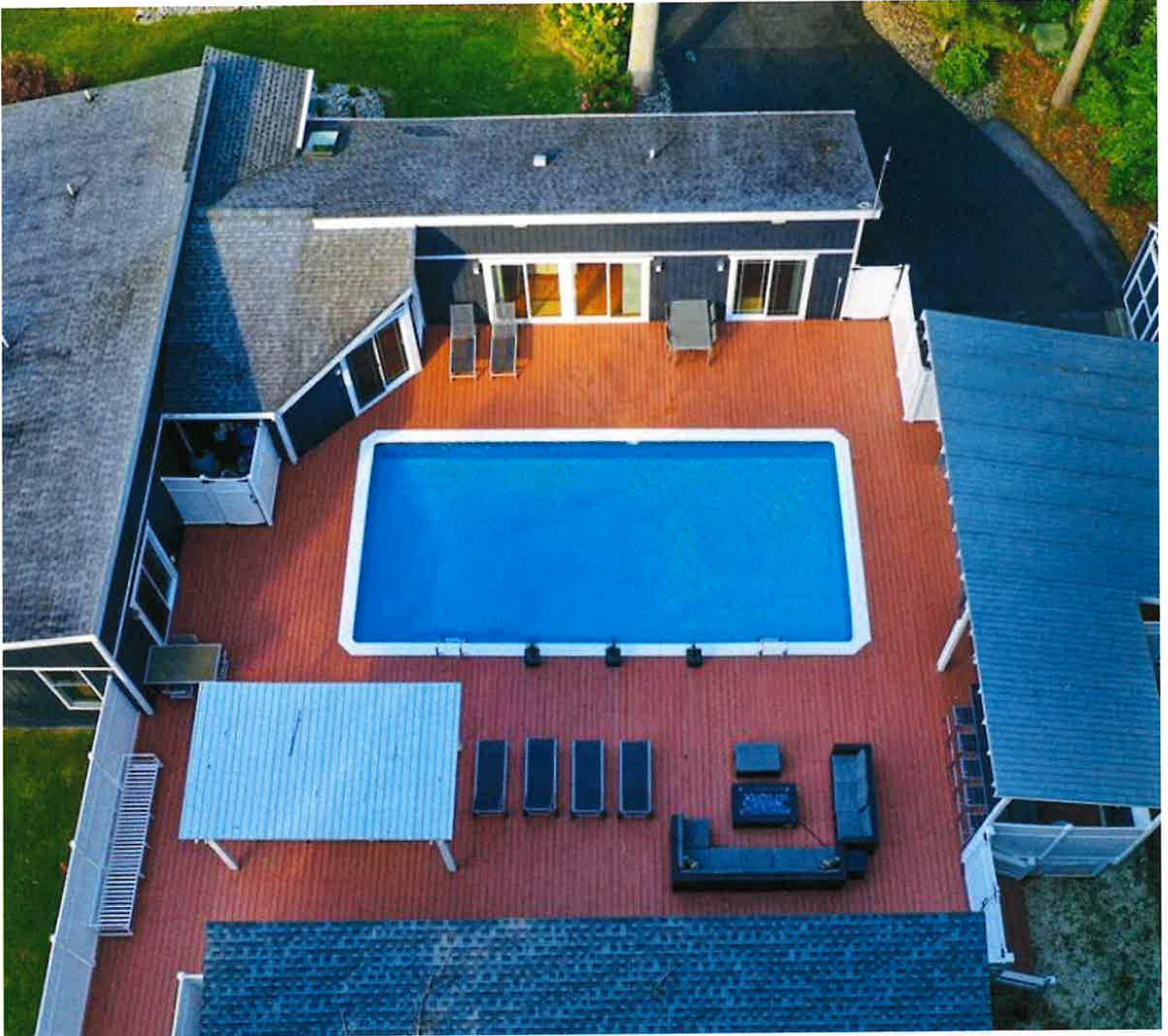
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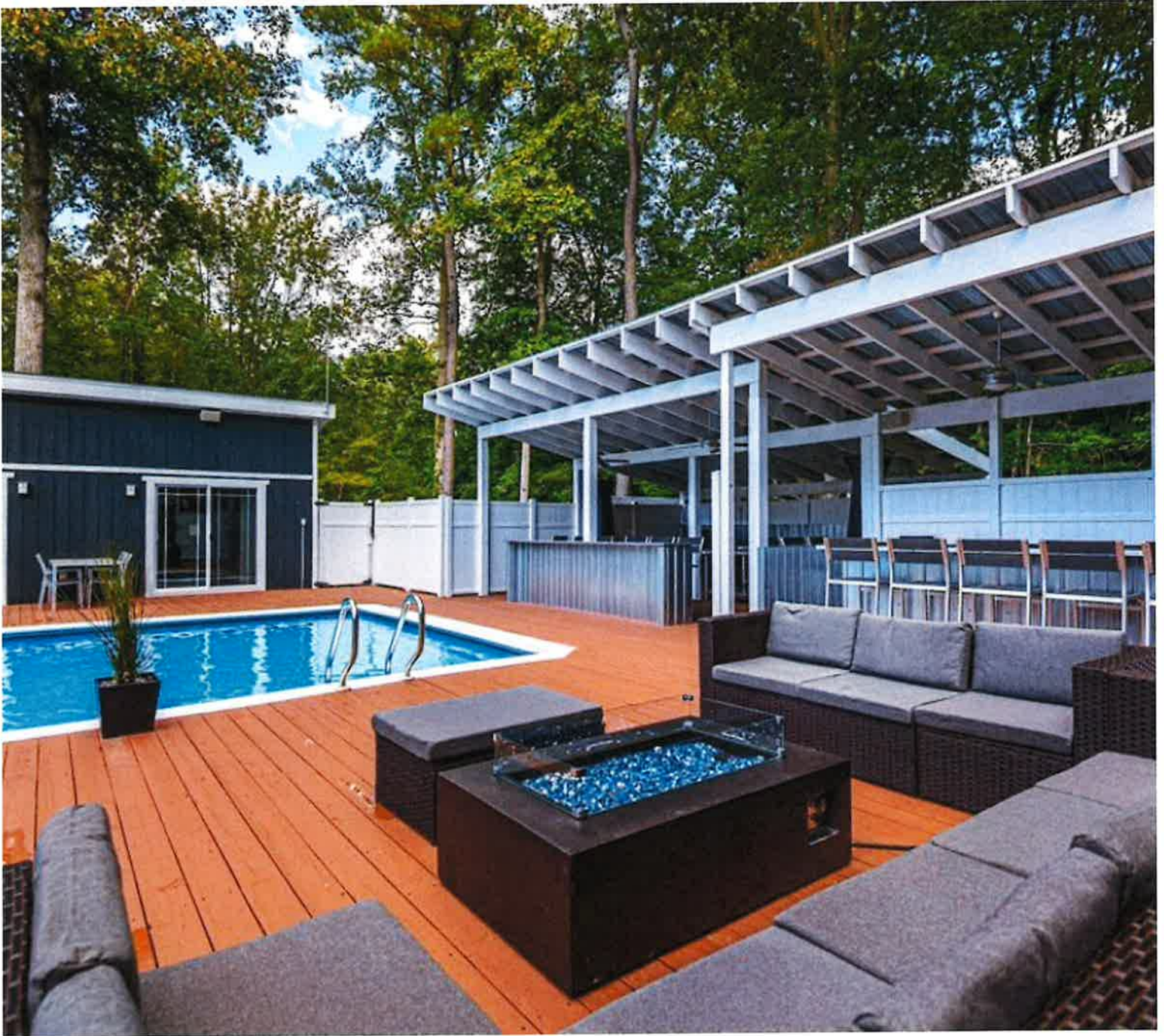
REV: 1	JOB # 21-026
DATE: 01/27/2021	SHEET 1 OF 1
SCALE: AS-SHOWN	

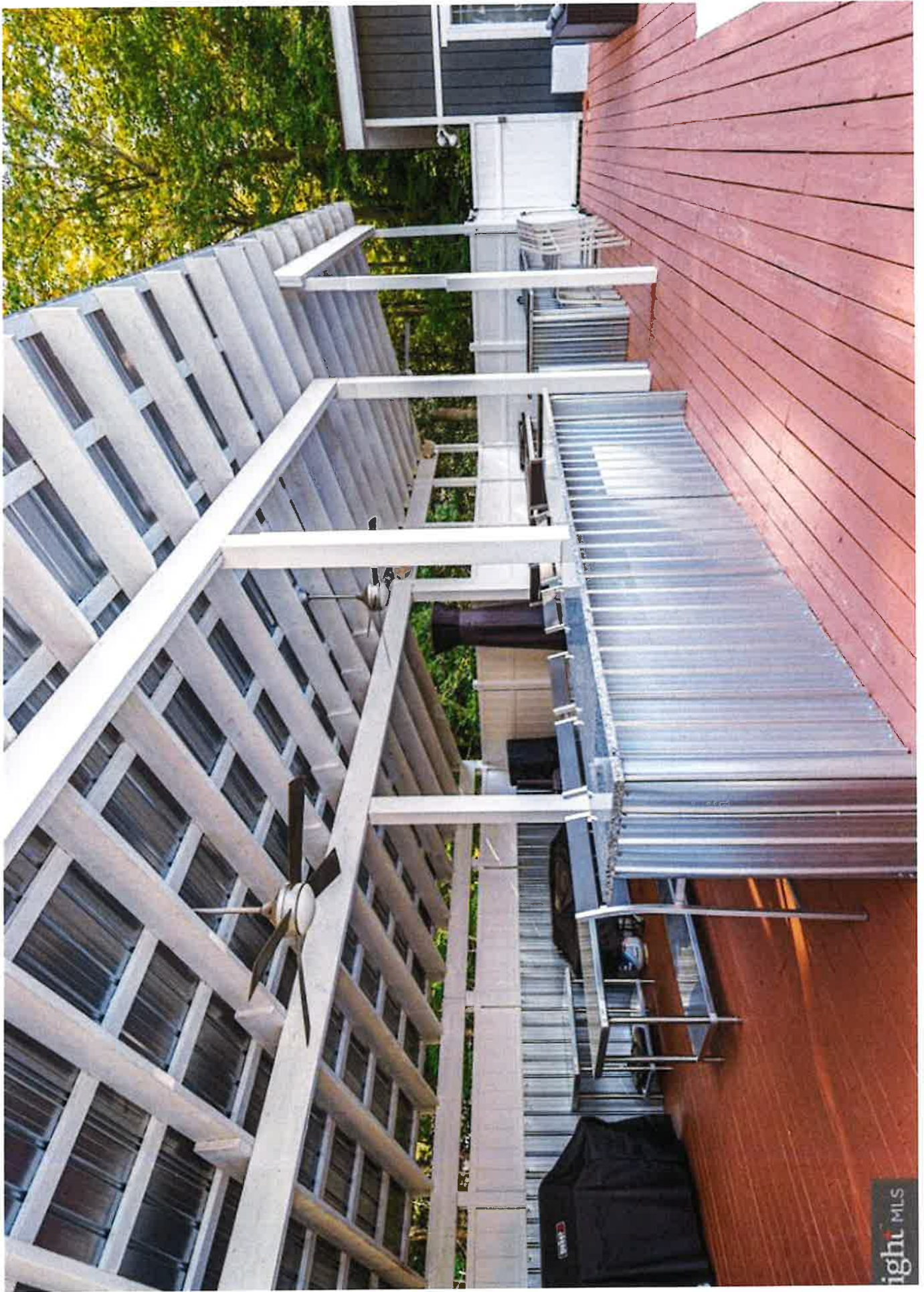


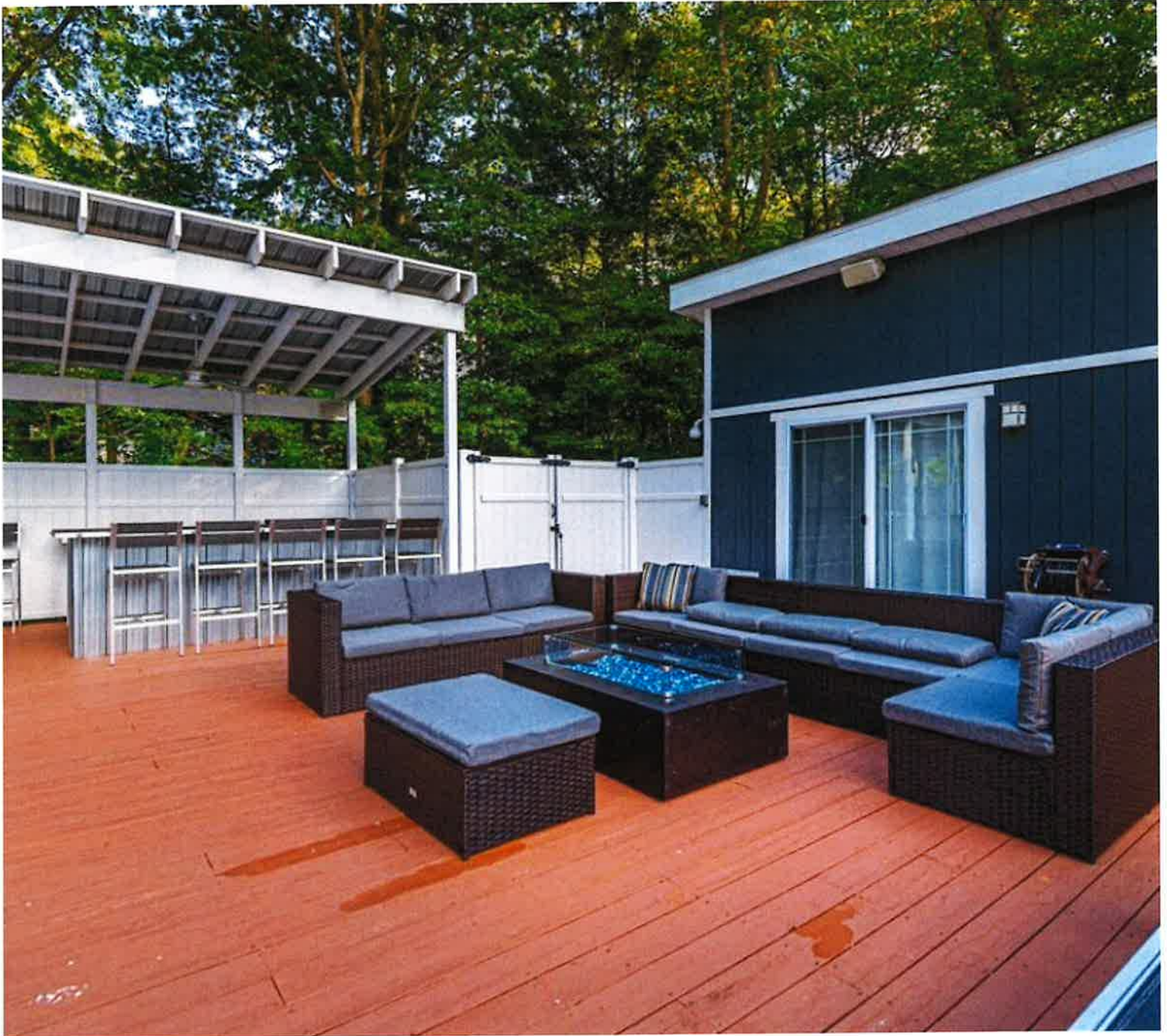
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EXHIBIT
D











Case # ACP-21-02

**Administrative Correction Process
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:

Permit/CO issued in Error

Site Address of Variance:

33132 Gracie Lane

Variance Requested:

C.O Issued for Deck Permit #61399

Tax Map #: 334-11.00-104.11

Property Zoning: GR

Owner/Applicant Information

Applicant Name: Gary Desch

Applicant Address: 33132 Gracie Lane

City Lewes

State DE

Zip: 19958

Applicant Phone #: Applicant e-mail: _____

Alternate Reference Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____

State _____

Zip: _____

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

Signature of Director/Director Designee

[Signature]

Date: 11/26/2021



33132 Grace Lane Lewes DE 19958
Variance for existing deck to remain and not be altered.

After the sale of 33132 Grace Lane Lewes DE it has come to my knowledge that a portion of the deck has encroached over the building envelope of 33132 Grace Lane's property only. The deck is NOT over the property line, just the building envelope. We are applying for a variance to get approved by the county to allow the deck to stay.

- 33153 Grace Lane

A. D. Smith 508 Pine Drive 2/24

2/24 33116 Grace Lane Andrew Madhous Andrew Madhous

2/24 19728 Toby Run Virginia Donnell

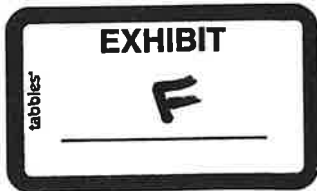
2/24 19748 Toby Run Katherine Ryan

2/24 33126 Grace Ln. Summer Collier

2/24 [Signature]

2/24 Linda F. Bova 33117 Grace Lane

2/26 Toni Oddo - 33148 Grace Lane, Lewes, DE 19958



**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 # 12537
Hearing Date 3/15
202101301

Type of Application: (please check all applicable)

Variance

Special Use Exception

Administrative Variance

Appeal

Existing Condition

Proposed

Code Reference (office use only)

115-23 115-210

Site Address of Variance/Special Use Exception:

24188 Jamore Drive Seaford, DE 19973

Variance/Special Use Exception/Appeal Requested:

**Please see attached form with
written response*

Tax Map #: 331-6.00-194.00

Property Zoning: AR-1

(Agricultural Residential District)

Applicant Information

Applicant Name: Alieca Mollock

Applicant Address: 24188 Jamore Drive

City Seaford

State DE

Zip: 19973

Applicant Phone #: 309-438-6040

Applicant e-mail: aliecamollock@upha.com

Owner Information

Owner Name: Andre Mollock

Owner Address: 24188 Jamore Drive

City Seaford

State DE

Zip: 19973

Purchase Date: May 2016

Owner Phone #: 309-438-6700

Owner e-mail: n/a

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____

State _____

Zip: _____

Agent/Attorney Phone #: _____

Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

Andre Mollock

Date: 1/25/2021



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

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

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

This exception will not affect the adjacent and neighboring property. I have two (2) designated outdoor play areas to prevent the children from wandering in neighbor's yard. Also the children are closely monitored.

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)

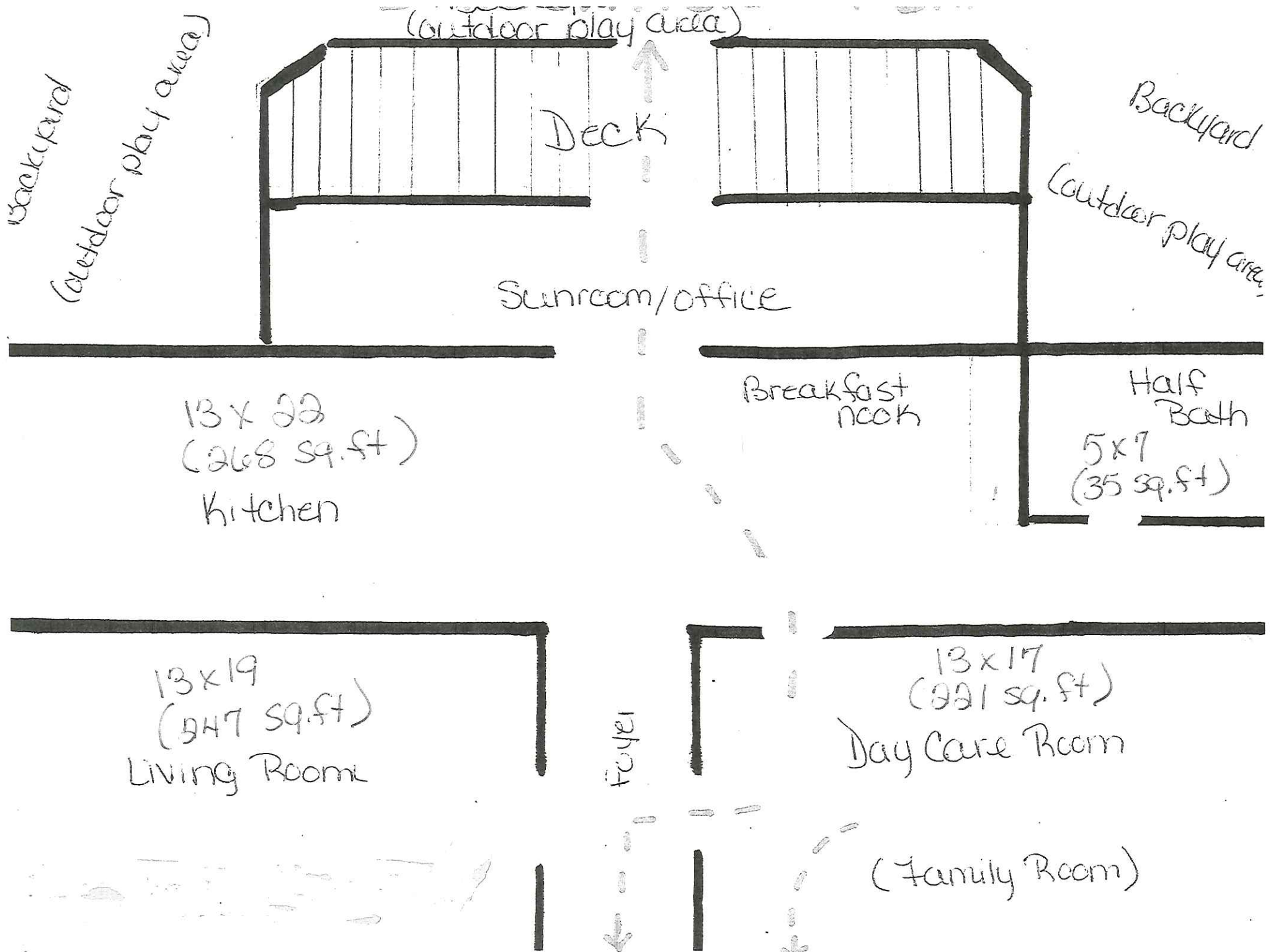
n/A

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

n/A

Variance/Special Use Exception/Appeal Requested:

During the current tough and stressful times, parents are choosing to send their children back to school, while they go back to work. This pandemic has affected us all and has made things difficult for many parents. Knowing this and being a parent of a school ager, I understand being torn whether or not to send your child back to school, while being concerned about their health, safety and educational needs. Being a daycare provider, I would like to relieve some of this stress from the parents in our community. This is why I'm asking for a special use exception to increase the number of children I am currently caring for. Office of Child Care licensing has licensed me for 6 children. Because of the size of my home and the space that can be utilized, they have approved me for 9 children, and possibly 12 in the future. I am asking the Board of Adjustment to please consider me being approved for a larger number of children. Since the decision has been made to offer face to face in the classroom for a couple of days a week, I have received several calls throughout the day asking for open availability for school aged. There is such a great demand for child care now. Unfortunately, I have turned parents away because of planning and zoning only approving me for the 6 children. I would like to be a blessing to more parents that are in need of child care. With your approval, we can make this happen for the children and their families. I provide a quiet, safe, loving Christian environment for my current families now and would like to do the same for others that are in need.



Backyard
(outdoor play area)

(outdoor play area)

Deck

Backyard

(outdoor play area)

Sunroom/office

13 x 22
(286 sq. ft.)
Kitchen

Breakfast
nook

Half
Bath
5 x 7
(35 sq. ft.)

13 x 19
(247 sq. ft.)
Living Room

Foyer

13 x 17
(221 sq. ft.)
Day Care Room

(Family Room)

Shape

Number

Color

Letter















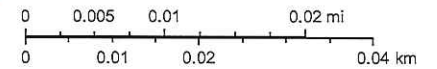
PIN:	331-6.00-194.00
Owner Name	MOLLOCK ANDRE J JR
Book	4549
Mailing Address	24188 JAMORE DRIVE
City	SEAFORD
State	DE
Description	BEAVER DAM HGTS SEC
Description 2	II LOT 77 W/JAMORE
Description 3	SPEC COMM LIEN
Land Code	

- polygonLayer

 - Override 1
- polygonLayer

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

1:564



March 15, 2021

RECEIVED

MAR 17 2021

SUSSEX COUNTY
PLANNING & ZONING

Dear Planning and Zoning Dept,

I, Alieca Mollock, am writing this letter to inform you that I have enclosed parent letters of testimonials regarding my daycare, Kingdom Kids Child Care, which is located in Seaford, De. My original hearing date was March 15, 2021. However I was notified that it will be rescheduled in the near future. And I will be notified when that rescheduled date will be. If there are any questions or concerns, please do not hesitate to call me at 302-438-6040 or via email @ aliecamollock@yahoo.com.

Sincerely,

A handwritten signature in cursive script that reads "Alieca M. Mollock". The signature is written in black ink and has a long, sweeping underline that extends to the right.

Alieca Mollock
Kingdom Kids Child Care

My children attend Alicia Mollock's child care (Kingdom Kids). It has been a blessing for my kids to attend this child care. I can honestly tell that Alicia cares a lot about the children, she is very nice and teaches them while they are in her care. Not only are they playing but they also learn while there so your getting best of both worlds. The child care is very clean and neat. I'm very thankful that everyday i pick up i get a paper telling me what they ate, learned, and how their day was. All around I highly recommend her child care, it feels so good knowing while I'm working my kids are well taking care of.

Macy Hill

Dear City Council,

I am writing this letter on behalf of Mrs. Alieca Mollock owner of Kingdom Kids Child Care. We are the parents of two children who have attended her daycare of 2 years. Mrs. Alieca has been the biggest blessing to our family. If we haven't learned anything else about her we learned that she is very genuine and passionate about the kids she teach on a day to day basis and takes pride into caring for the children. Since attending her childcare I have seen a major change in my children as they are eager now to come home everyday and tell us what they have learned, say their daily affirmation (all which they have learned from her. My children are very devoted to her, they love her just as much as she loves them. If anyone is deserving its definitely Mrs. Alieca and I believe allowing her to expand her daycare would be great for our town, that way others can receive the same education that she offers to our children. My two year old knows her ABC's, can count to ten, knows her shapes & colors. My four year old attended a private school last year and was very behind from the lack of teaching. Within one week of attending Mrs. Mollock daycare she learned her ABC's, how to count to 20, her shapes and colors, to write her name, and now ~~to~~ to read short sentences. Please consider her expansion.

Rodrigue & Jamare Tazewell

To whom it may concern:

It is with great pleasure that I recommend **Alecia Mollock** as a child care provider for anyone's (child)ren. She has served as a child care provider for our family for months and I would use her again if needed. I would recommend her for anyone. Her work has helped my child improve his education and behavioral habits as well as develop a liking for sports and outdoors. Her strong love of faith also assisted me in molding my son into the inquiring individual that he is from his experience at **Kingdom Kids Child Care**. My son loved the well balanced nutritious meals that she prepares daily the most!

We had an awesome experience with **Alecia Mollock** and I am very sure that if allowed to service more children that if offered the opportunity the additional families would also be very satisfied with her performance.

If you have additional questions, please do not hesitate to contact me through any of the contact details **302 462 5533** or mail at **kfountain.80.22@gmail.com**

Regards,

A handwritten signature in blue ink that reads "Kateri C. Fountain". The signature is written in a cursive style with a large initial "K" and a decorative flourish at the end.

Kateri C. Fountain

To Whom it May Concern:

I'm writing, on behalf of Alicea Mollack and Kingdom Come Daycare. My daughter attended daycare here several months, Mrs. Mollack provided so many essential values, morals, and fundamentals to the kids and parents that attended there. Not only was daycare home like environment and emphasis but the learning and positive surroundings was profound with respect, gratitude, love. Kingdom Come Daycare made an impressionable impact on my daughter as well as other kids and parents. Mrs. Mollack goes over and beyond daily to meet every child where they are and their needs are met and we as parents are satisfied as well with the service rendered upon us. I recommend any parent to Kingdom Come daycare whether they are starting out as new parents or ~~experienced~~ experienced parents with multiple children Mrs. Mollack will and guarantee exceptional care and service for families. We wish Kingdom Come and Mrs. Mollack the best of luck in continuing care and services for years to come. God Bless

The parrichophins - parent

Case # 12538
Hearing Date 3/15

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)
115-25 115-183
115-185

Site Address of Variance/Special Use Exception:

12921 Reynolds Rd Milton Delaware 19968

Variance/Special Use Exception/Appeal Requested:

The Variance we are requesting is 5 +- feet into our 10 foot setback at the front of the addition and 2 ft +- at the back.

Tax Map #: 235-8.00-18.00 **Property Zoning:** AR1

Applicant Information

Applicant Name: Marc Forman
Applicant Address: 12921 Reynolds Rd
City Milton State De Zip: 19968
Applicant Phone #: (610) 745-9716 Applicant e-mail: Marcforman@gmail.com

Owner Information

Owner Name: Marc Forman
Owner Address: 12921 Reynolds Rd
City Milton State De Zip: 19968 Purchase Date: _____
Owner Phone #: (610) 745-9716 Owner e-mail: Marcforman@gmail.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Marc Forman

Date: 2/2/21



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

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

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

1. Uniqueness of property:

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

The property boundary is a parallelogram shape and the dwelling is placed square to the front and back boundaries. This creates a angled setback that wider at the back of the addition and narrows towards the front. This unique shape, existing septic field and a mature tree restricts the ability to place addition further back on property.

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 request for variance is to promote the addition of a attached two car garage with bedroom, bathroom and laundry room. The unique shape of property, existing septic field and mature tree limits ability to enable reasonable use of property. In this case a standard 24'x 24' size garage plus addition will require a variance of (5'-0") at the front and (2'-0") at the rear of addition.

3. Not created by the applicant:

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

The unique Shape of the property the location of dwelling on property the existing septic field and mature tree existed prior to our ownership.

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.

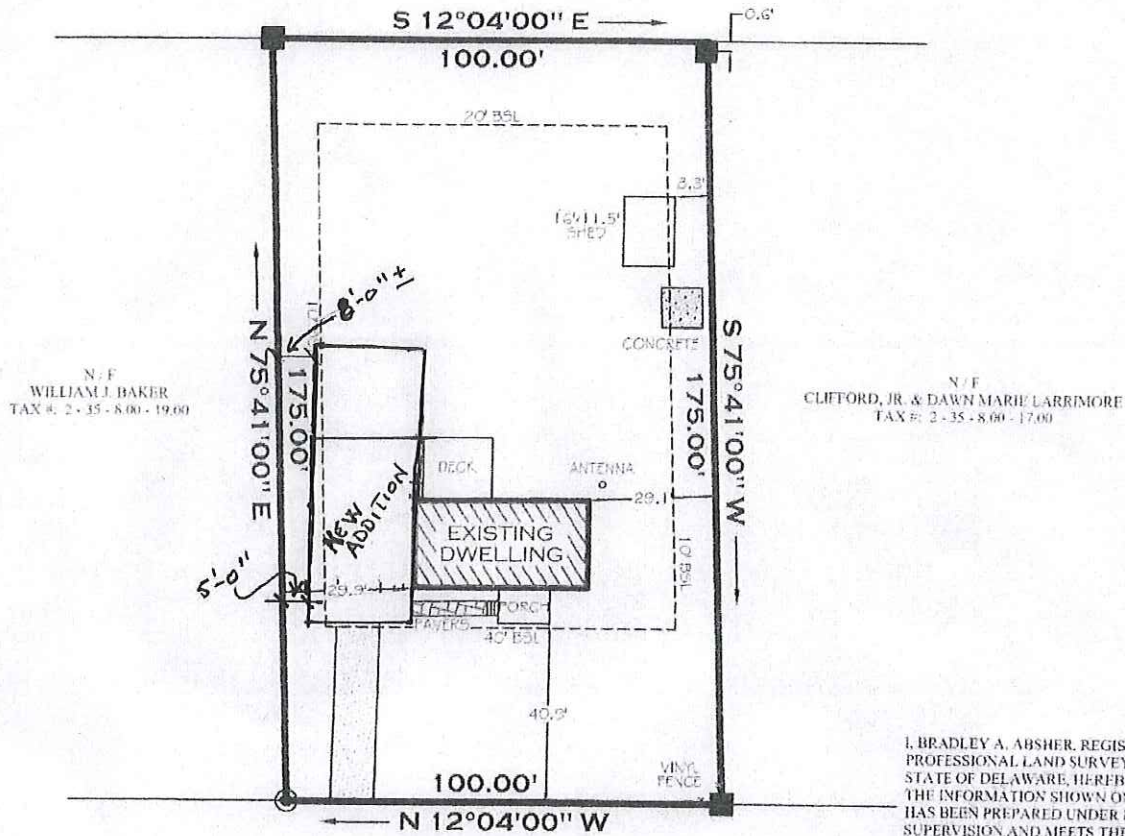
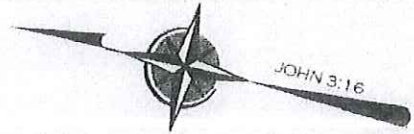
The character of our neighborhood is quiet single family residential. Our design will compliment the existing architecture and location of garages and additions that exist on other neighborhood properties. The requested variance would not restrict or impair the development to our adjacent property. Our neighbor is providing a letter of agreement to our request of said variance.

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 requested is the minimum that will afford relief to safely place standard width two car garage

N/F
CLYDE BETTS & SON INC
TAX #: 2-35-8.00-15.10



N/F
WILLIAM J BAKER
TAX #: 2-35-8.00-19.00

N/F
CLIFFORD, JR. & DAWN MARIE LARRIMORE
TAX #: 2-35-8.00-17.00

**REYNOLDS ROAD
50' RIGHT OF WAY**

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN

2. ZONE: AR-1

3. BUILDING SETBACK LINES (BSL)

- FRONT 40'
- SIDE 10'
- REAR 20'

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.

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: 10.6.2020

LEGEND

- CONCRETE MONUMENT FOUND
- IRON ROD W/ CAP SET

TRUE NORTH



LAND SURVEYING

118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19970
DE 302-539-2466
MD: 410-430-2092

TAX MAP	2-35-8.00-18.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BROAD KILL
TOWN	- - -
AREA	17,487 ± SQ. FT.
DEED REF.	4744 / 183
PLAT REF.	1668 / 135
DRAWN BY	JMH
DATE	10/06/2020
SCALE	1" = 40'
SURVEY #	DE-07123

**BOUNDARY SURVEY
PLAN**

FOR
MARK & KRISTIN FORMAN

12921 REYNOLDS ROAD, MILTON, DE 19968

January 28, 2021

To whom it may concern:

We are writing at the request of our neighbor Marc Foreman who spoke with us regarding the setback between our properties on Reynolds Road Milton DE.

This letter is to confirm that we have agreed to Mr Foreman's request that his proposed garage be 5' off our property line as opposed to the normal 10 feet.

Should you have any questions, feel free to contact us at 302-381-1693 or 302-542-5304.

Sincerely,

William Baker and Valerie Chastain Baker
12911 Reynolds Road
Milton DE 19968







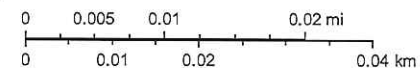
PIN:	235-8.00-18.00
Owner Name	FORMAN MARK
Book	5330
Mailing Address	101 YALE SQ
City	MORTON
State	PA
Description	E. SIDE CO. RD. 233
Description 2	LOT W/IMP.
Description 3	N/A
Land Code	

polygonLayer
 Override 1

polygonLayer
 Override 1

- Tax Parcels
- 911 Address
- Streets

1:564



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 # 12539
Hearing Date 3/15
202101616

Type of Application: (please check all applicable)

Variance Existing Condition
Special Use Exception Proposed
Administrative Variance Code Reference (office use only)
Appeal 115-34 115-182

Site Address of Variance/Special Use Exception:

38153 Keenwick Road, Selbyville, DE 19975

Variance/Special Use Exception/Appeal Requested:

We would like to exten the front of our home an additional 5 feet staying within the keenwik on the Bay front setback of 25' for our saftey in accessing our mechanical/storage room. Currently we can only access from the outside and would like to be able to access from inside.

Tax Map #: 5-33-20.09-75 Property Zoning: MR

Applicant Information

Applicant Name: Russell & Iris Hobbs
Applicant Address: 38153 Keenwick Road
City Selbyville State DE Zip: 19975
Applicant Phone #: (410) 299-1448 Applicant e-mail: ocrdhobbs@comcast.net

Owner Information

Owner Name: Russell & Iris Hobbs
Owner Address: 38153 Keenwick Road
City Selbyville State DE Zip: 19975 Purchase Date: 7/24/08
Owner Phone #: (410) 299-1448 Owner e-mail: ocrdhobbs@comcast.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

Iris B. Hobbs

Date: 2/3/21



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

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

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

1. Uniqueness of property:

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

Please see attached sheet

2. Cannot otherwise be developed:

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

Please see attached sheet

3. Not created by the applicant:

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

Please see attached sheet

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

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

Please see attached sheet

5. Minimum variance:

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

Please see attached sheet

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

Russell & Iris Hobbs
38153 Keenwik Road
Selbyville, DE 19975

REQUEST FOR A VARIANCE

1. 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.

Currently our mechanical/storage room is only accessible from the outside. We would like to extend the front of our home an additional 5 feet staying within the Keenwik on the Bay front setback of 25' for our safety in accessing some of the mechanicals of the home and our storage area. Currently we can only access from the outside. As we get older in bad weather or in the dark it is hard to get to the area. As this is our primary residence and plan on aging in place this extension is necessary.

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 way for us to access this area unless we make the room larger. It is not practical the way it is now. We will be breaking through the laundry room and need the

additional space to access the area. As we age going outside to access this area is more and more difficult the way the home was built.

3. Not created by the applicant: That such exceptional practical difficulty has not been created by the appellant.

The house was built this way. When we bought the home we were much younger and we did not have the problems we are having now accessing the space. The current design is not practical.

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 extension will be in line with the homes on either side of ours. Other homes are closer to the road than ours. This will make the front of the home conform to the others and give the home more curb appeal. This will actually improve the homes character and improve the look of the neighborhood. Our neighbors on both sides have approved this plan and agree it will improve the community. Copies of letters are included in this application. We will be removing the doors and installing a large window to match the other side of the home. This will also make the home safer by having additional egress from the home in case of fire or other peril.

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.

After speaking to several builders to be able to access from the inside we will need all of the 5 feet. Right now when accessing the area from the current doors we are standing in the weather. We are not looking to expand the living space but need to extend this room to make it safe and allow ingress to the new inside space.

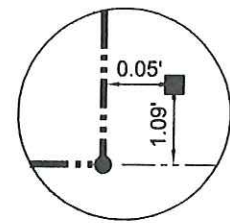
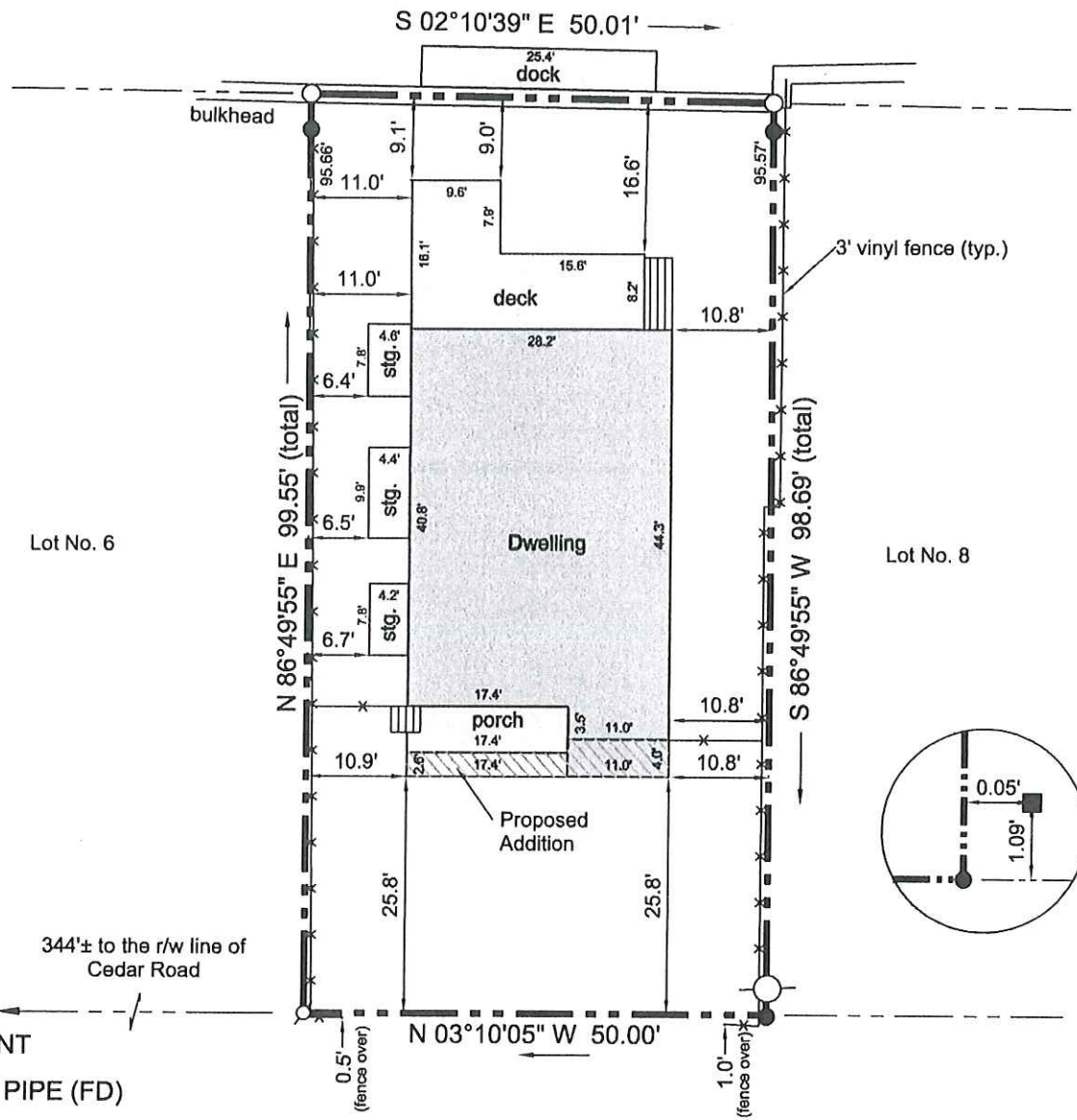
NOTES:

• 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.



Lagoon



- POINT
- 3/4" PIPE (FD)
- CONC. MON. (FD)
- ⊕ 5/8" RE-BAR w/CAP (SET)
- UTILITY POLE

KEEN WIK ROAD
(40' r/w)

Lands of IRIS HOBBS and RUSSELL HOBBS. Being known as LOT NO. 7, BLOCK "G", SECTION NO. 3, KEEN WIK. Ref: Plat Book 03, Page 19.

FIRM INFORMATION:
100029 - 0654 - K
MARCH 16, 2015
ZONE: "AE", B.F.E.= 4.0'
& "X", Shaded
CLASS "B" SURVEY

SCALE: 1"=20'
AREA: 4,956 SQ. FT.
TAX MAP NO. 5-33-20.09-75

Revised: 01-28-2021, Proposed Addition Site Plan.

HUNDRED: BALTIMORE
COUNTY: SUSSEX
STATE OF DELAWARE
DATE OF ORIGINAL: 08-13-2020
DRAWN BY: MICHAEL LOVELAND

SIMPLER SURVEYING & ASSOCIATE, INC.
32486 POWELL FARM ROAD, FRANKFORD, DE 19945
www.delawaresurveyor.com
PHONE: (302) 539-7873 FAX: (302) 539-4336

SEAL
GREGORY M. HOOK
REGISTERED PROFESSIONAL LAND SURVEYOR
02/16/2021
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.



① South
 3/16" = 1'-0"



www.tylerbuildingcompany.com

Project Name
 Hobbs Front
 Extension

Front Elevation

Prj. Adr.

Date

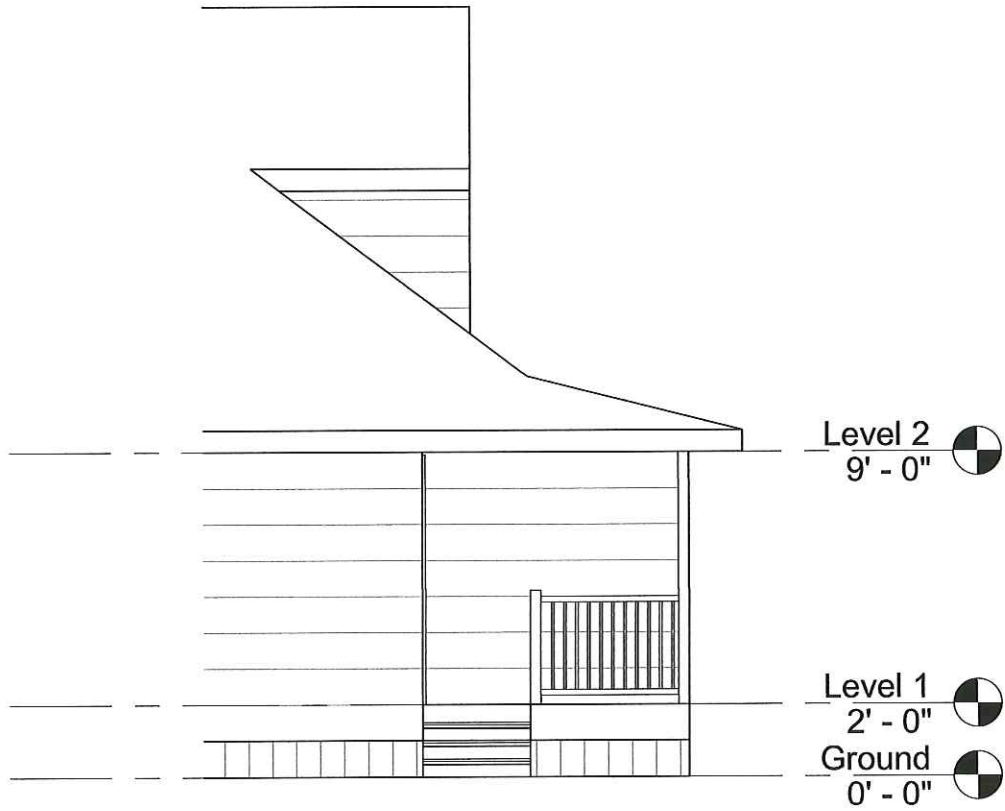
Drawn By

11/23/2020

Robert Duong

A102

Scale 3/16" = 1'-0"



① West
3/16" = 1'-0"



www.tylerbuildingcompany.com

Project Name
Hobbs Front
Extension

Side Elevation

Prj. Adr.

Date

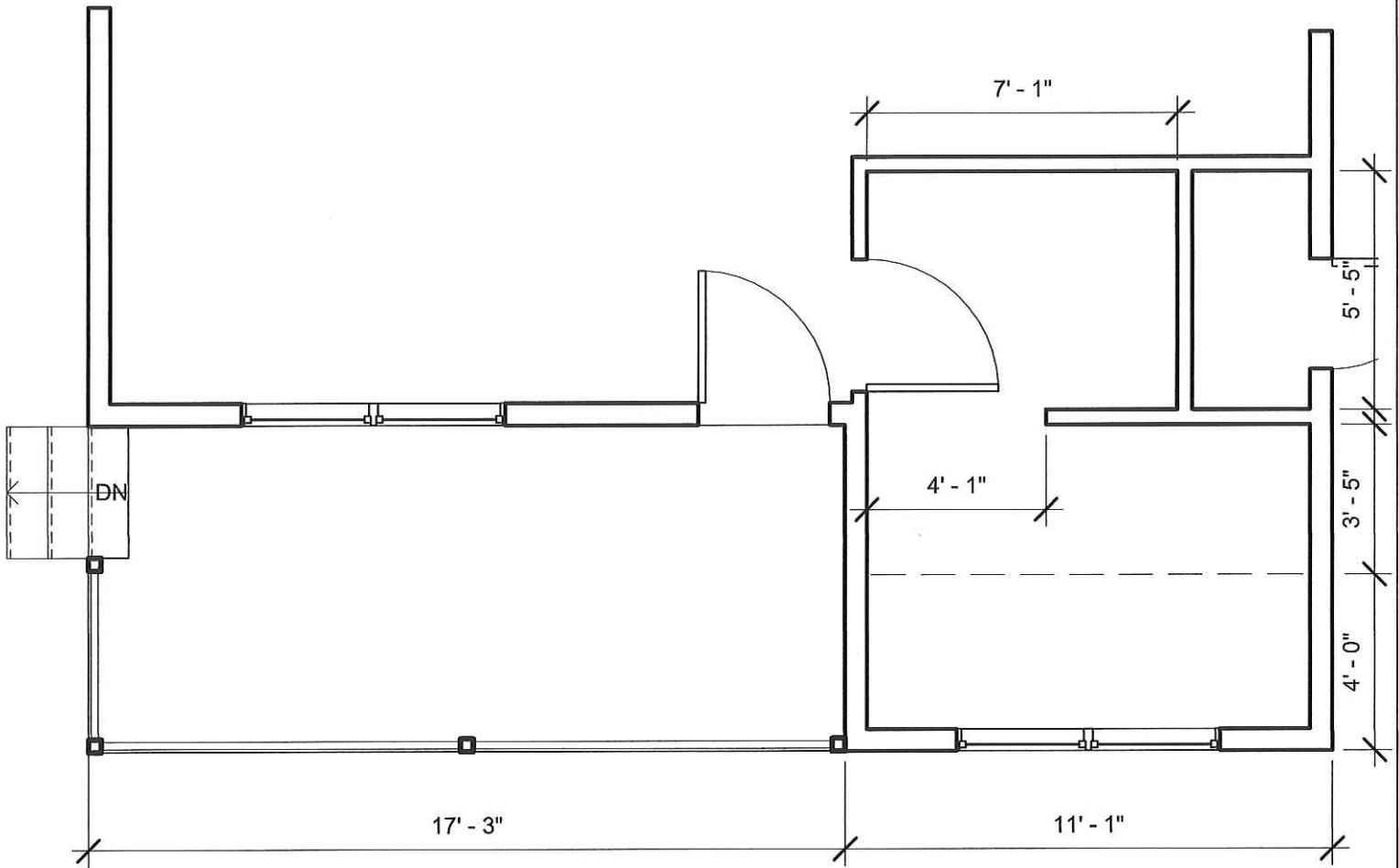
Drawn By

11/23/2020

Robert Duong

A103

Scale 3/16" = 1'-0"



① Level 1
 1/4" = 1'-0"



www.tylerbuildingcompany.com

Project Name
 Hobbs Front
 Extension

Floor Plan

Prj. Adr.

Date

Drawn By

11/23/2020

Robert Duong

A101

Scale 1/4" = 1'-0"



CURRENT
VIEW



Proposed
VIEW



Building Plans and Permits

The Keenwik on the Bay deed covenants specify that "No building, house or other structure shall be erected or commenced or maintained, nor any addition to, or change or alteration thereon shall be made until plans and specifications showing the nature, kind, shape, height, materials, floor plans, locations, and approximate cost of such structure and the grading plan of the lot to be built upon, shall have been submitted and approved in writing..." The exact information required to be submitted can change by the type of structure being submitted and in no instance will I require that the approximate cost be submitted.

BUILDING SETBACKS

- Sussex County: Front – 30 feet; Side – 10 feet (except corner lots require 15 feet); Rear – 10 feet.
- Keenwik: Front – 25 feet; Side – 5 feet; Rear – 20 feet.
- Sussex County Front and Side setbacks take precedence over Keenwik's. Anything less than the Sussex County Front or Side setbacks require a variance from the Sussex County Board of Adjustment.
- Keenwik's Rear setback of 20 feet takes precedence over Sussex County's 10 feet.
- Keenwik has exceptions to the 20 foot minimum setback for: (1) an open deck that cannot be covered or enclosed and the deck floor cannot exceed 46" above the finished adjacent grade, and (2) in-ground pools. These two exceptions must be a minimum of 10 feet from the property line. All steps, pool filters, heaters, etc. must be contained within the 10 foot setback.

Remember that all new buildings, houses and ALL other structures, changes and alterations must comply with the Keenwik deed covenants, and all plans for such projects must be submitted to and approved by the Association before starting construction.

Submit [Property Improvement & Architectural Review Form](#) online.

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

Elaine & Jim Eastman
38157 Keenwik Road
Selbyville, DE 19975

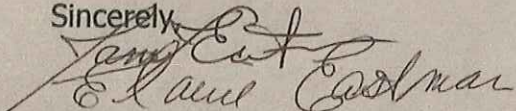
To Whom It May Concern,

Russell & Iris Hobbs, our adjacent neighbors have shown us the plans to extend out the front of their home.

Over the years we have seen the Hobbs have a difficult time accessing the area. During one winter with heavy snow they could not even get into the room. When lightening hit their home a few years back late one evening they had to go out into the rain to take care of issues due to the storm.

We totally agree with this plan and think the design will improve not only their home but enhance the neighborhood.

Sincerely,



Elaine & Jim Eastman

Mr. Russell Hobbs

January 19, 2021

RE: Utility Room Renovation – 38153 Keenwik Road., Keenwik on the Bay

Mr. Hobbs,

Thank you for submitting your home renovation plans to the Keenwik Association for review and approval. Our primary purpose is adherence to the Deed Covenants for the community of Keenwik on the Bay. The minimum building setbacks for Keenwik on the Bay are as follows: Front – 25 feet, Sides – 5 feet, and Rear – 20 feet. These minimum building setbacks are different from the Sussex County setbacks.

In reviewing your proposed plans I found them to fall within the guidelines and restrictions. Adherence to all Keenwik covenants and restrictions, county and municipal permits and codes and all safety regulations is required and the responsibility of the owner and their contractors. The county and the Keenwik Association will require a final as-built survey to verify compliance.

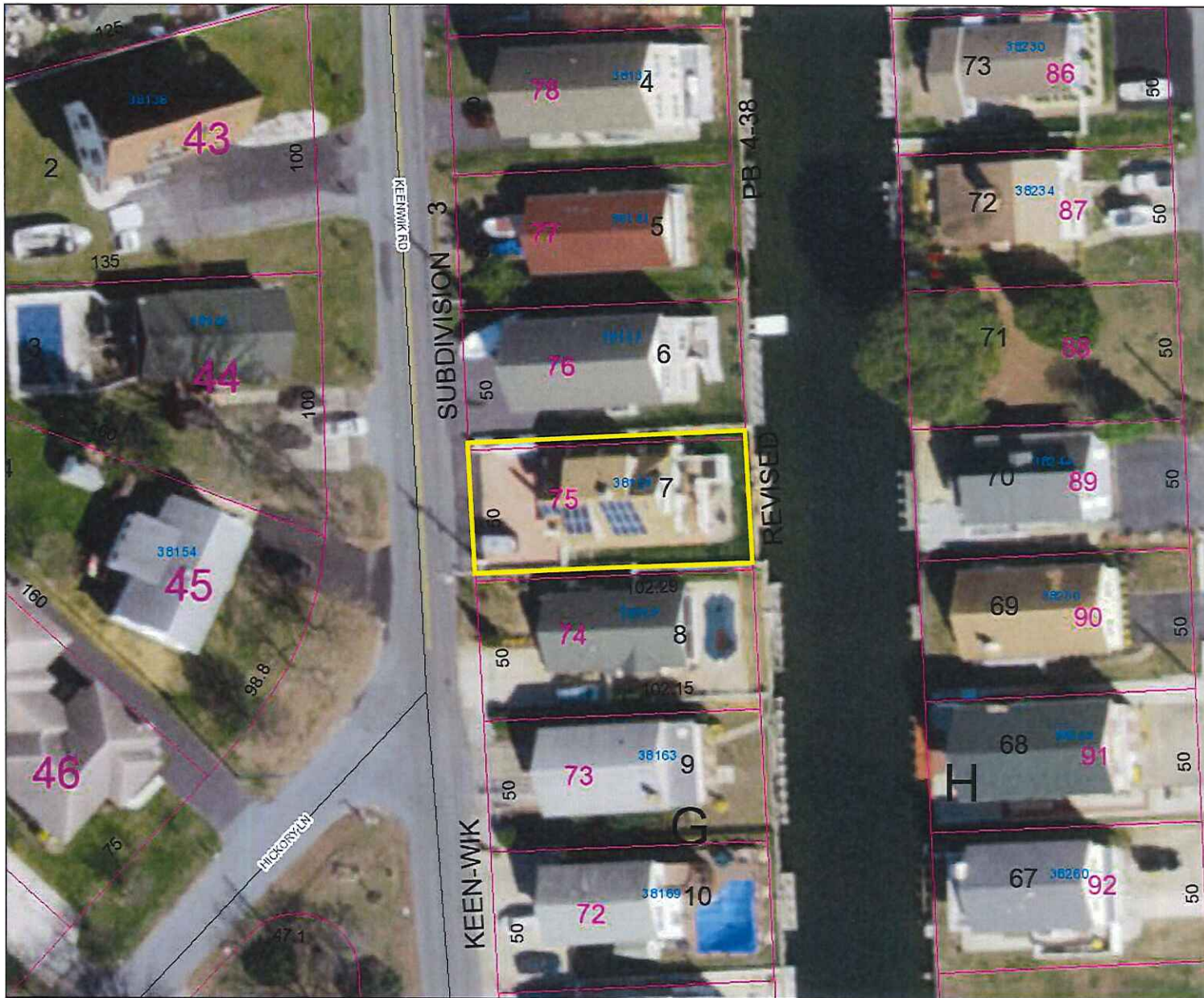
Based on the information provided by you and the conditions set forth above your house plan has been approved by the Keenwik Association. If you have any questions or concerns please contact me at your convenience.

Respectfully,

Ernest R. Tyler

Ernie Tyler
Chairman, Keenwik Building Committee
Keenwik Association

House Plans submitted. Electronic and hard copies on file.

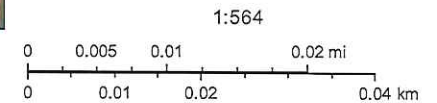


PIN:	533-20.09-75.00
Owner Name	HOBBS RUSSELL IRIS HOBBS
Book	3599
Mailing Address	38153 KEENWIK RD
City	SELBYVILLE
State	DE
Description	KEENWIK
Description 2	LOT 7 BLK G SUBD 3
Description 3	N/A
Land Code	

- 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 # 12540
Hearing Date 4/12

202101814

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
115-185

Site Address of Variance/Special Use Exception:

20994 Dodd Avenue Rehoboth beach DE 19971

Variance/Special Use Exception/Appeal Requested:

Variance for a 4ft fence, (6" adjustment) over the 3.5 ft
I am requesting a 4ft safety fence so a 6" adjustment over the 3.5ft.) For the safety and containment of my large
two dogs and two children I hired LSG Fence company to contain my yard. I was told everything was taken care
of. The Fence is purposefully split rail with a wire mesh in order to allow all safety and visibility.

Tax Map #: 334-20.13-92.00

Property Zoning: MR

Applicant Information

Applicant Name: Rebecca Wright
Applicant Address: 110 Shinnecock hill
City Avondale State PA Zip: 19311
Applicant Phone #: (484) 905-1958 Applicant e-mail: rwright1974@yahoo.com

Owner Information

Owner Name: Rebecca Wright
Owner Address: As above
City _____ State _____ Zip: _____ Purchase Date: 2/19/20
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

[Signature]

Date: 1/11/20

1/11/21
[Signature]



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.

20994 Dodd Avenue in a 50 x 100 lot on a busy road. We are seeking a 6 " adjustment to the height restriction, For the safety and containment of my large two dogs and two children I hired LSG Fence company to contain my yard. I was told everything was taken care of. The Fence is purposefully split rail with a wire mesh in order to allow all safety and visibility,

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 side contained with the fence is the largest area on the property to allow safe access for children and dogs. The proximity to a major highway makes this a dangerous for my children and dogs. The rear of the property is narrow and has large trees that we could not to contain in the fenced area due to large growth of the trees and the roots. Even at 4feet the dogs can reach the top of the fence

3. Not created by the applicant:

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

3. Setback to coastal highway, and was not created by owner. The speed of traffic is a safety issue. Owner hired a licenced fence contractor to erect a fence for her children and dogs in new house. They failed to obtain permission for a 4ft fence.

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.

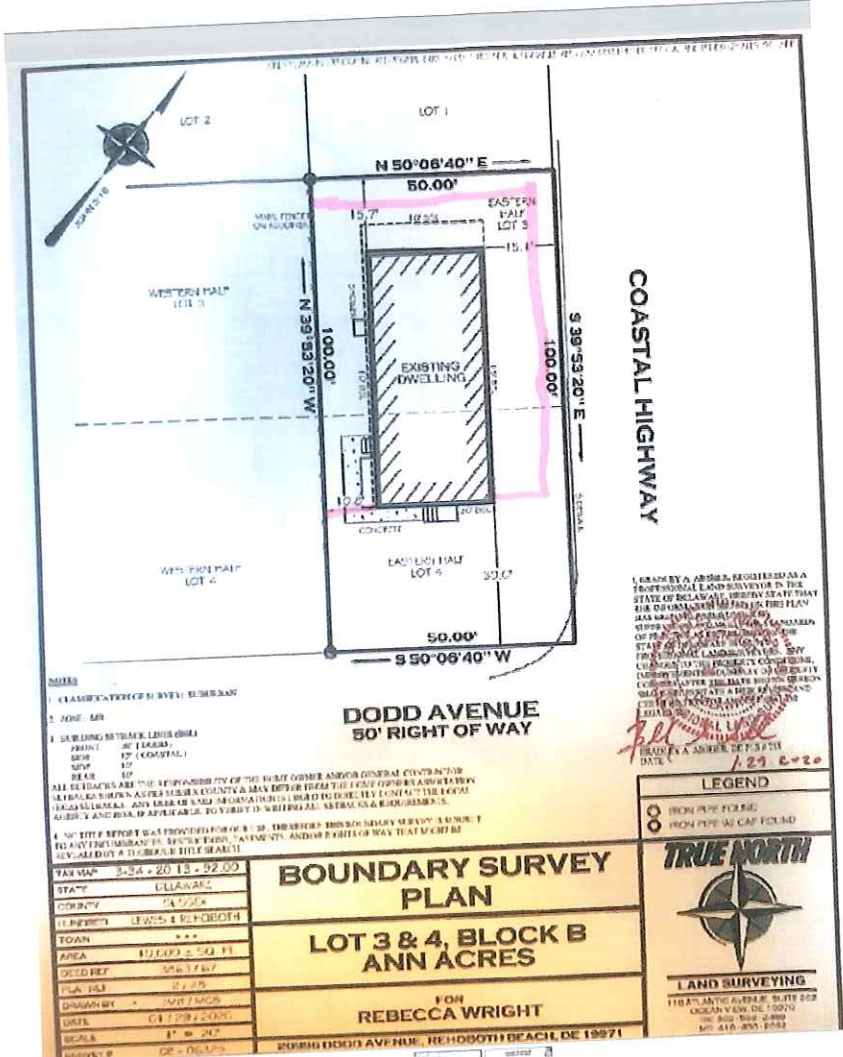
The variance and fence will not alter the essential character of the neighborhood and does not impair any neighbor. We purposefully chose natural wood and split rail with wire mesh in order to provide an esthetically improved look and provide full visibility.
Please find additional information and pictures attached

5. Minimum variance:

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

5. I am requesting a 4ft safety fence so a 6 " adjustment over the 3.5ft. In addition other properties (next to our house and along coastal high way have 6 foot vinyl and wood privacy fences, pictures provided. These do not allow any visibility

1. 20994 Dodd Avenue in a 50 x 100 lot on a busy road. For the safety and containment of my large two dogs and two children I hired LSG Fence company to contain my yard. I was told everything was taken care of. The Fence is purposefully split rail with a wire mesh in order to allow all safety and visibility; we also purposefully set the fence back from the front of Dodd avenue so that there would be no impact to visibility at the stop sign. We are seeking a 6" (1/2 foot variance) in order to be safe and secure.
2. The side contained with the fence is the largest area on the property to allow safe access for children and dogs. The proximity to a major highway makes this a dangerous for my children and dogs. The rear of the property is narrow and has large trees that we could not to contain in the fenced area due to large growth of the trees and the roots. Even at 4feet the dogs can reach the top of the fence.
3. Setback to coastal highway, and was not created by owner. The speed of traffic is a safety issue. Owner hired a licenced fence contractor to erect a fence for her children and dogs in new house. They failed to obtain permission for a 4ft fence.
4. The variance and fence will not alter the essential character of the neighborhood and does not impair any neighbor. We purposefully chose natural wood and split rail with wire mesh in order to provide an esthetically improved look and provide full visibility. We are planning to add landscaping to further improve the curb appeal of the neighborhood. We purposefully did not add any fence to the front of the property (Dodd avenue side of house) in order **to allow full visibility at the intersection**. Many neighbors have welcomed the fence as they had previously had noise complaints due to loitering easily onto the property. In addition other properties (next to our house and along coastal high way have 6 foot vinyl privacy fences, pictures provided.
5. I am requesting a 4ft safety fence so a 6" adjustment over the 3.5ft. In addition other properties (next to our house and along coastal high way have 6 foot vinyl and wood privacy fences, pictures provided. These do not allow any visibility



Fence highlighted in pink

30' from front of property

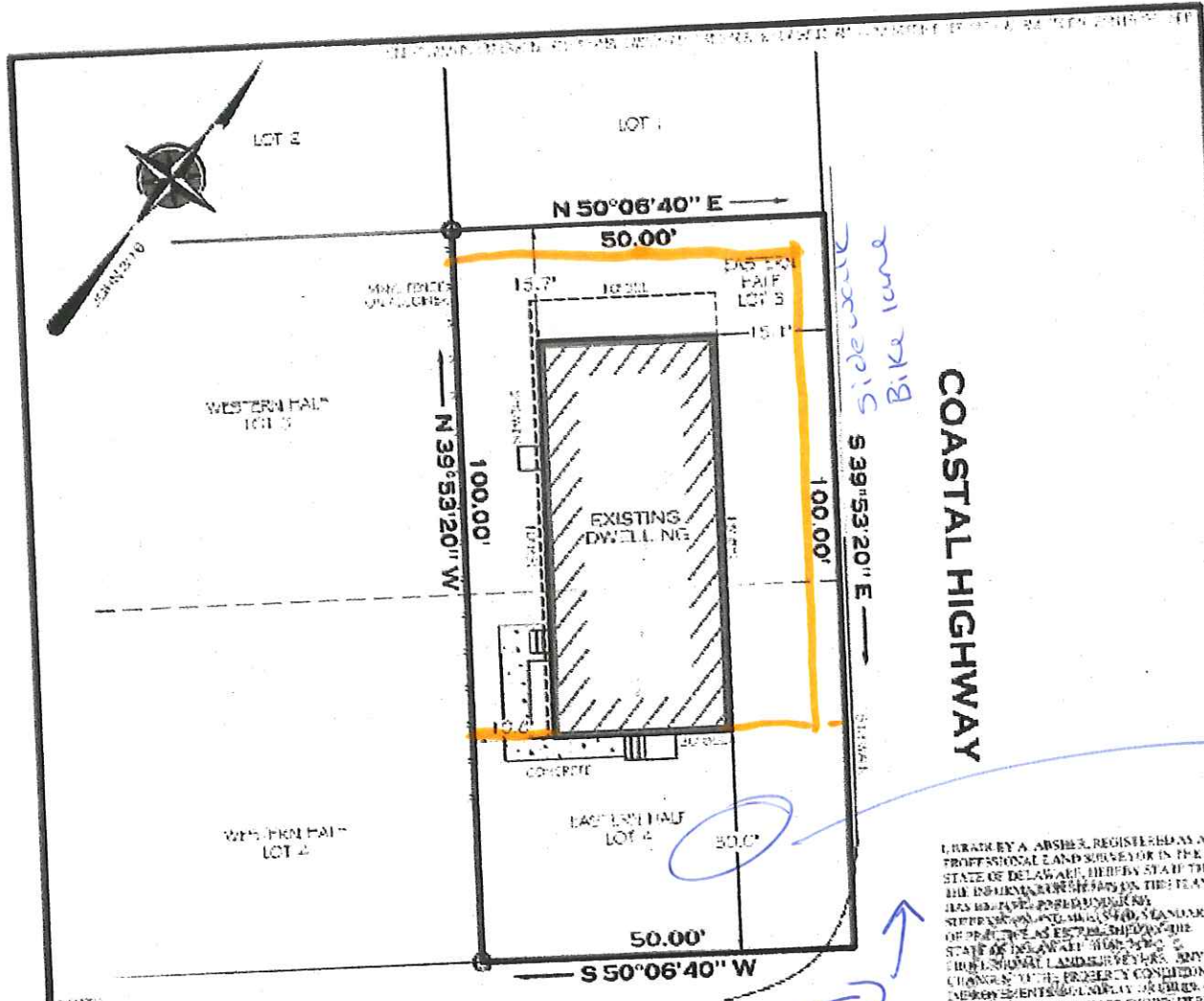
1. CLASSIFICATION OF SURVEY: BOUNDARY
 2. ZONE: MR
 3. BUILDING SETBACK LIMITS (FEET):
 FRONT: 30'
 SIDE: 10' (COASTAL)
 REAR: 10'

ALL MEASUREMENTS ARE THE RESPONSIBILITY OF THE BUYER. OWNER AND/OR GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTING RECORDS AND SURVEY DATA. ANY DISCREPANCIES SHALL BE THE RESPONSIBILITY OF THE LOCAL AGENT AND SHALL BE SUBJECT TO THE LOCAL AGENT'S AND/OR GENERAL CONTRACTOR'S REVIEW.

TAX MAP	3-24-2013-32-00
STATE	DELAWARE
COUNTY	DELAWARE
CITY/TOWNSHIP	LEWES & REHOBOTH
TOAN	---
AREA	10,000 ± SQ. FT.
DEED REF.	306-1-667
PLA. FILE	2-1-25
DRAWN BY	JMT / MCB
DATE	01-29-2009
SCALE	1" = 20'
PROJECT #	02-06-10

I, GRABY A. ADAMS, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT FOR CONFORMANCE WITH PUBLIC POLICY AND THE PROFESSIONAL LAND SURVEYING ACT, I HAVE CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND FOUND THE SURVEY TO BE ACCURATE AND CORRECT. I HAVE ALSO CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND FOUND THE SURVEY TO BE ACCURATE AND CORRECT. I HAVE ALSO CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND FOUND THE SURVEY TO BE ACCURATE AND CORRECT.

Grabby A. Adams
 GRABY A. ADAMS, DE 7-3751
 DATE: 1-29-2009



NOTES

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

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOMEOWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AFTER SUSSEX COUNTY & MAY DIFFER FROM THE HOMEOWNERS ASSOCIATION RECORDS/BOOKS. ANY USE OF SAID MEASUREMENTS SHOULD DIRECTLY CONTACT THE LOCAL AGENCY AND/ROA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.

4. NO TITLE REPORT WAS PROVIDED FOR USE. THEREBY THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, EASEMENTS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A TITLE SEARCH.

TAX MAP	2-24-2013-92.00
STATE	DELAWARE
COUNTY	SUSSEX
TOWNSHIP	LEWES & REHOBOTH
TOWN	---
AREA	13,000 ± SQ. FT.
DEED REF.	3553767
FILE #	2725
DRAWN BY	JWH/MGR
DATE	01/29/2020
SCALE	1" = 20'
DRAWN BY	DE-01325

BOUNDARY SURVEY PLAN

LOT 3 & 4, BLOCK B ANN ACRES

FOR **REBECCA WRIGHT**

20516 DODD AVENUE, REHOBOTH BEACH, DE 19971

I, BRADLEY A. ARBIE, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION CONTAINED ON THIS PLAN WAS OBTAINED FROM A VISUAL SURVEY OF THE PROPERTY AND THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY OF ANY KIND, INCLUDING BUT NOT LIMITED TO, THE ACCURACY OF THE INFORMATION CONTAINED ON THIS PLAN. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY OF ANY KIND, INCLUDING BUT NOT LIMITED TO, THE ACCURACY OF THE INFORMATION CONTAINED ON THIS PLAN.

Bradley A. Arbie
 BRADLEY A. ARBIE, DE 5231
 DATE: 1/29/2020

LEGEND

- FROM PIPE FOUND
- FROM PIPE W/ CAP FOUND

TRUE NORTH

LAND SURVEYING
 11637 ANTONYVILLE SUITE 102
 GREENVILLE, DE 19070
 TEL: 302-650-2488
 MO: 410-470-2742

30' to road



30' Back from road

This is
Intersection
you can see no issue
with visibility



Although no issues with intersection
visibility can still see
clearly through



Intersection

Good + 1

no issues with

visibility

Along coastal highway
multiple houses
have 6ft privacy
fence



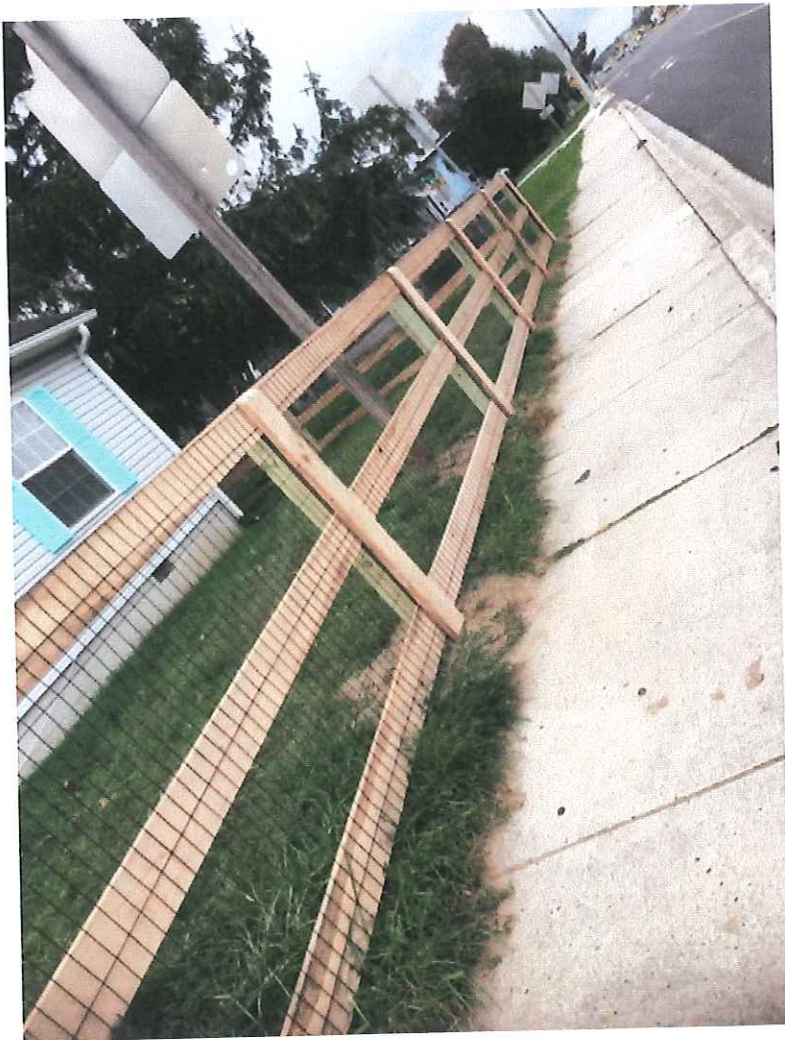


Inside fence
can easily
see
through





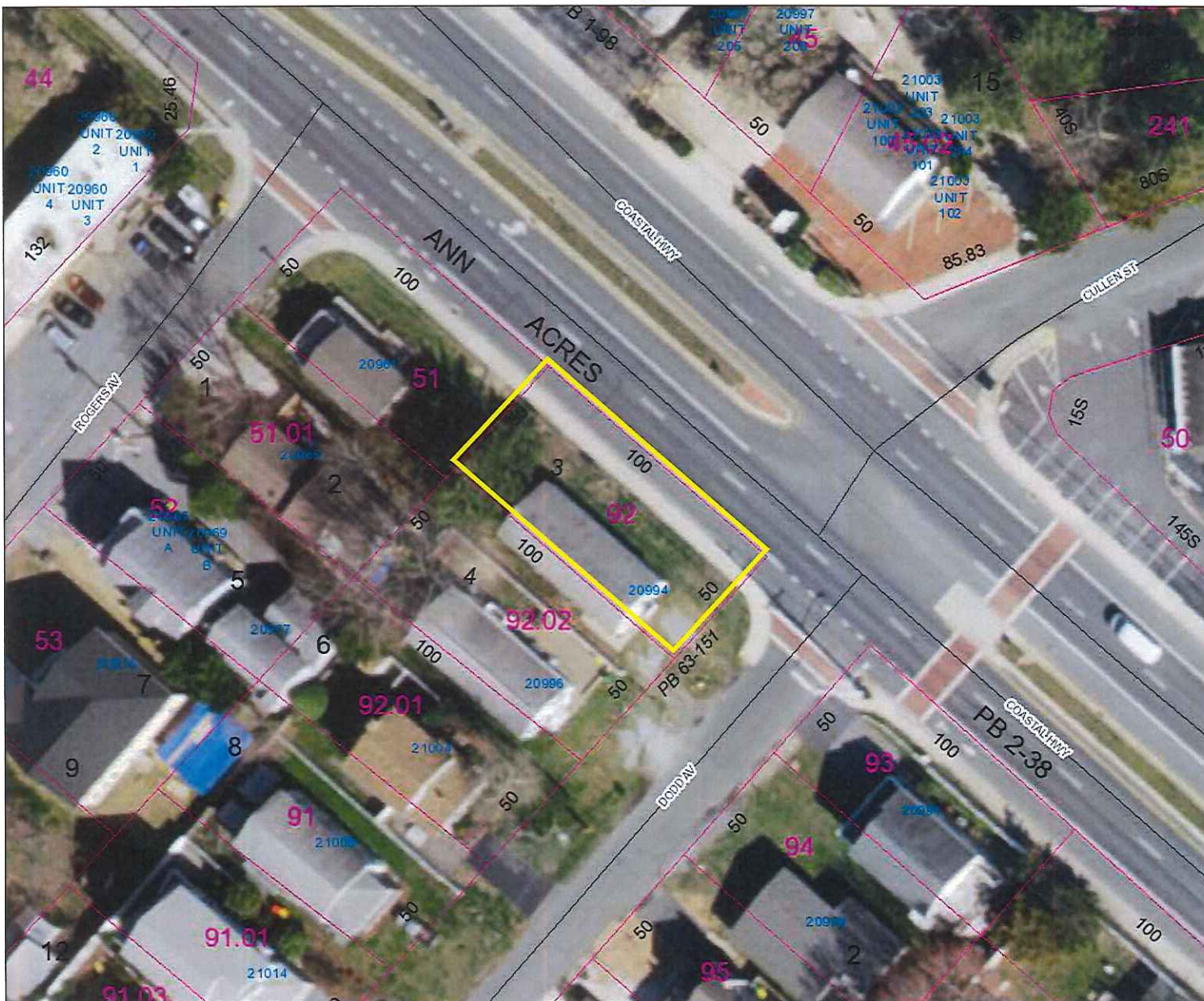
large area
around
intersection
More than 30'
Back from
intersection







Sussex County



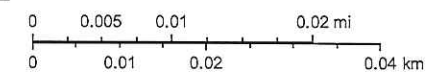
PIN:	334-20.13-92.00
Owner Name	WRIGHT REBECCA C
Book	5206
Mailing Address	110 SHINNECOCK HILL
City	AVONDALE
State	PA
Description	ANN ACRES
Description 2	LOT 3 BLK B
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

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

1:564



Jennifer Norwood

From: Rebecca Wright <rwright1974@yahoo.com>
Sent: Tuesday, March 23, 2021 9:02 AM
To: Jennifer Norwood
Subject: Fw: Variance hearing April 12th
Attachments: IMG_8764.jpg; IMG_8768.jpg; IMG_8769.jpg; IMG_8770.jpg

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

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

From: Rebecca <rwright1974@yahoo.com>
To: "jnorwood@sussexcountyde.com" <jnorwood@sussexcountyde.com>
Sent: Monday, March 22, 2021, 02:28:11 PM EDT
Subject: Variance hearing April 12th

Please find the attached photos to add to my variance appeal documents. Thank you so much for offering to add these for me. I just visited this weekend and won't be back until after the hearing.

Dog can still reach top at this height

This is the corner from the street where the fence is allegedly blocking a view

This is the opposite side of the road where the fence is not only solid and taller it also comes forward from the house.

This is the view of the road from my car at the stop sign.

Regards, Rebecca

Sent from my iPhone
Rebecca Wright
Director of business development
484 905-1958

RECEIVED

MAR 22 2021

SUSSEX COUNTY
PLANNING & ZONING

Applicant
Exhibit









Russell Warrington

From: Susan Lucey <sflucey@gmail.com>
Sent: Monday, March 29, 2021 11:38 AM
To: Planning and Zoning
Subject: Zoning variance

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

Case#12540

I am the property owner of 21014 Dodd Avenue in Rehoboth beach Delaware and have a objection to the variance case #12540. This fence obstructs view from southbound traffic and the bicycle lane when exiting Dodd Avenue. Susan Lucey

Ann Lepore

From: webmaster@sussexcountyde.gov on behalf of Sussex County DE
<webmaster@sussexcountyde.gov>
Sent: Wednesday, March 31, 2021 11:10 AM
To: Ann Lepore
Subject: Submission from: Board of Adjustment contact form

RECIPIENTS: Ann Lepore, Jamie Whitehouse

Submitted on Wednesday, March 31, 2021 - 11:10am

Name: Amy Fries and Mark Eisenhower
Email address: amy.fries@gmail.com
Phone number: 571-215-8105
Subject: Case Number 12540

Message: This is in reference to a variance for maximum fence height Case number 12540. We have a home on Dodd Avenue, and we do have some concerns over the impact on visibility for cars and pedestrians crossing at this busy intersection of Route 1 and Dodd Avenue. We have noticed that when trying to cross Route 1 or turn with a car while positioned heading east on Dodd Avenue, it is harder to see beyond the fence. Normally, we don't like to get involved but it does seem to be a safety matter; perhaps the fence could be lowered a bit. Other neighbors have expressed similar concerns. Thank you for your attention.

March 27, 2021

TO: Board of Adjustment, Sussex County, Delaware

RE: 124540, Variance on 20994 Dodd Ave, Rehoboth Beach, filed by Rebecca Wright,
Hearing on Mon, April 12, 2021 6pm

I am against this variance and a fence of any kind since the fence on this corner lot blocks my view of oncoming vehicles, pedestrians, and bicycles when I am at the stop sign on Dodd Ave and RT 1 in front of subject property. To see southbound traffic because the fence blocks the view you must pull almost into the intersection and block the crosswalk. Very dangerous and an accident waiting to happen. This is a very busy intersection and it is the primary exit of Ann Acres and Seabreeze neighborhoods.

I live 3 houses from subject property.

Sincerely,



Richard Poppleton
21008 Dodd Ave
Rehoboth Beach, DE 19971

703 861 3008

RECEIVED

APR 01 2021

SUSSEX COUNTY
PLANNING & ZONING

**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 # _____
Hearing Date 5/3

2021 03187

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:

31205 E. Trap Pond Rd., Laurel, DE

Variance/Special Use Exception/Appeal Requested:

Side back reduced 3.6 ft to be 11.4 ft.

Tax Map #: 232-20.00-20.25

Property Zoning: AR-1

Applicant Information

Applicant Name: Timothy Ramey Construction, Inc.
Applicant Address: 28282 Riverside Dr. Ext.
City Salisbury State MD Zip: 21801
Applicant Phone #: 410-543-1192 Applicant e-mail: Ramey.Construction@gmail.com

Owner Information

Owner Name: Timothy Ramey Construction, Inc.
Owner Address: 28282 Riverside Dr. Ext.
City Salisbury State MD Zip: 21801 Purchase Date: 6/25/20
Owner Phone #: 410-543-1192 Owner e-mail: Ramey.Construction@gmail.com

Agent/Attorney Information

Agent/Attorney Name: Timothy Ramey
Agent/Attorney Address: 28282 Riverside Dr. Ext.
City Salisbury State MD Zip: 21801
Agent/Attorney Phone #: 410-603-6350 Agent/Attorney e-mail: Ramey.Construction@gmail.com

Signature of Owner/Agent/Attorney

[Signature]

Date: 2/12/21



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

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

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

1. Uniqueness of property:

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

The house was accidentally put within the setback and is almost complete.

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.

It cannot; the house is already constructed and set to be complete within the next month.

3. Not created by the applicant:

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

The lots were surveyed/laid out based on subdivided piece of farm land (purchased together). The renting farmer accidentally planted past the back property line and took out the back right property corner marker. When laying out the house, it wasn't realized that the lot line was at such a slant (they used the front markers as guidance); the front of the house is within the setback, but the back encroached.

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.

No, it will not. The adjacent house (foundation currently) is far away from the property line and is approximately 47' away from the existing house in question.

5. Minimum variance:

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

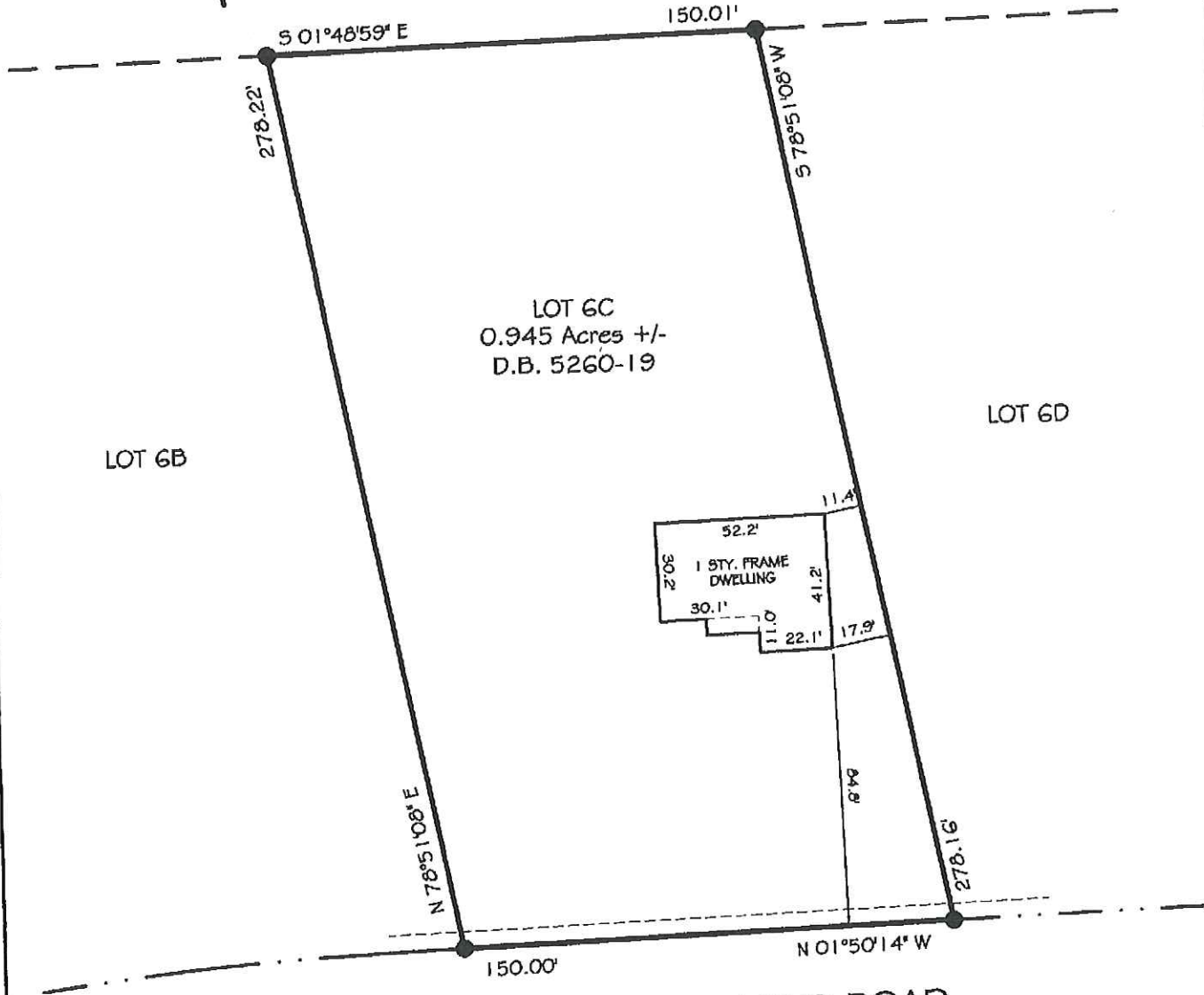
Please adjust the side setback to 10' required instead of the normal 15'

47'

T.M. #232-20.00-20.25

P.B. 310-65

LANDS OF
TIMOTHY RAMEY CONSTRUCTION, INC
D.B. 5260-19



LOT 6B

LOT 6C
0.945 Acres +/-
D.B. 5260-19

LOT 6D



● PIPE (FD)

SEE PLOT BOOK 310 PAGE 65 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.

EAST TRAP POND ROAD

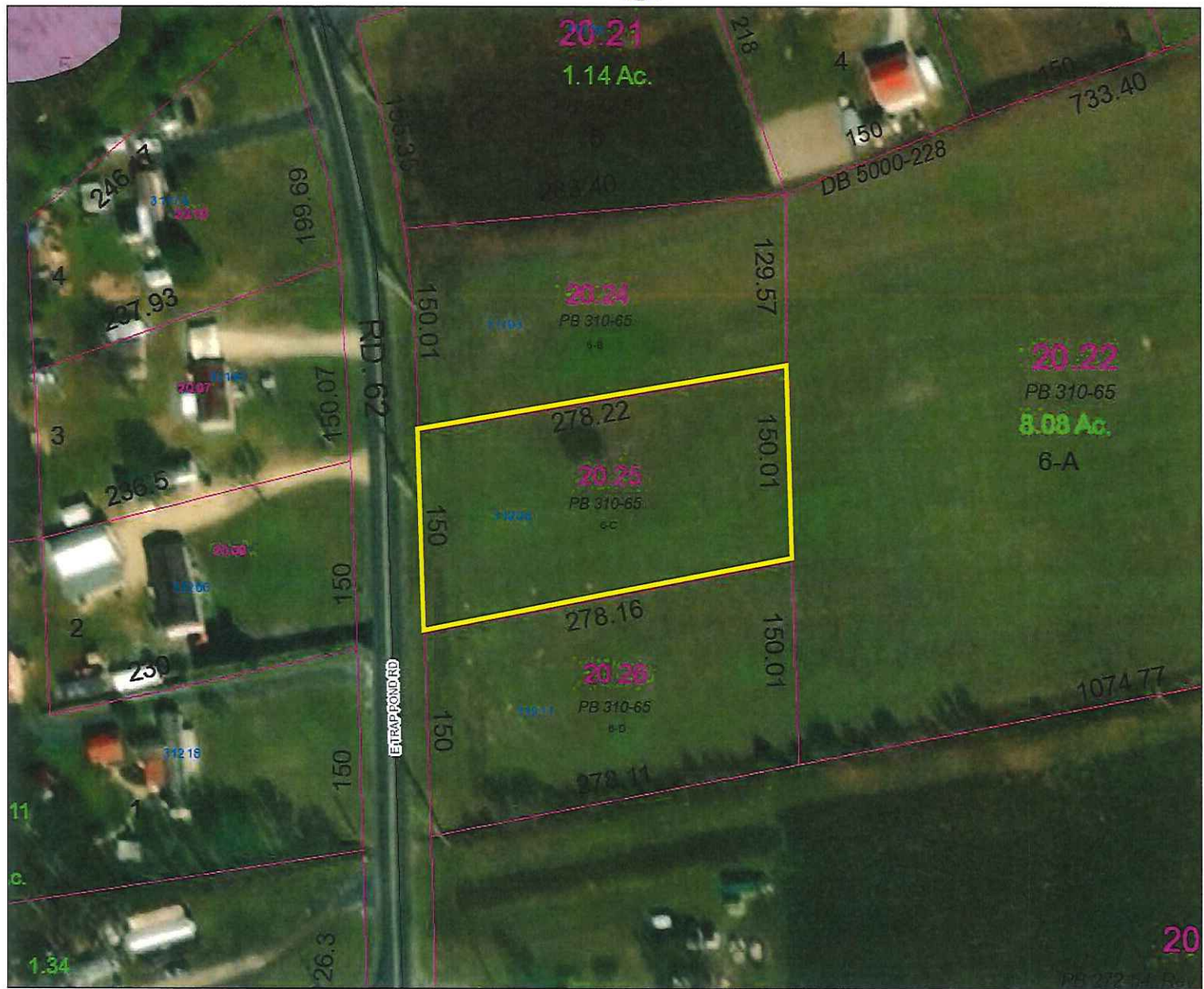
LOCATION PLAN FOR
TIMOTHY RAMEY CONSTRUCTION, INC.

31205 EAST TRAP POND ROAD, LAUREL, DE. 19956
LOT #6C OF "PLATBOOK 310 PAGE 65" SUBDIV.
BROAD CREEK HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
SCALE 1" = 50' FEBRUARY 15, 2021

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
STEPHEN M. SELLERS PLS 566 DATE 2/15/2021
SURVEY CLASS: SUBURBAN

PREPARED BY:
MILNER LEWIS, INC. LAND SURVEYING
1560 MIDDLEFORD RD. • SEAFORD, DE. 19973
PH: 302-629-9895
FAX: 302-629-2391



PIN:	232-20.00-20.25
Owner Name	TIMOTHY RAMEY CONSTRUCTION INC
Book	5260
Mailing Address	28282 RIVERSIDE DR
City	SALISBURY
State	MD
Description	E/E TRAP POND RD
Description 2	NE / ADAMS RD
Description 3	LOT 6-C
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
 - Municipal Boundaries

