

**SUSSEX COUNTY
BOARD OF ADJUSTMENT
Case No. 12493**

**DOCUMENT SUBMISSION
OF**

YEKATERINA BARG

136 White Pine Drive

Millsboro DE 19966

TMP: 234-23.00-859.00

November 16, 2020

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

Yekaterina Barg
Case No. 12493
November 16, 2020

Exhibits

Description

- | | |
|---|--|
| 1 | Variance Application dated September 30, 2020 (without exhibits) |
| 2 | Deed dated March 31, 2017 (Book 4687, page 267) |
| 3 | Survey dated September 8, 2020 |
| 4 | Letter of no objection |
| 5 | Photos of the property |
| 6 | Tax Map Overlay |

Exhibit 1

RECEIVED

SEP 30 2020

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 # 12493
Hearing Date 11/16/2020

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:

136 White Pine Dr., Millsboro, DE 19966

Variance/Special Use Exception/Appeal Requested:

Applicant seeks a 7.2' variance from the side yard setback requirement of 10' for an existing trellis and a 8.7' variance from the side yard setback requirement of 10' for the overhang of the trellis.

Tax Map #: 234-23.00-859.00

Property Zoning: GR

Applicant Information

Applicant Name: Yekaterina Barg

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: Yekaterina Barg

Owner Address: c/o Sergovic Carmean Weidman McCartney & Owens, P.A., PO Box 751

City Georgetown State DE Zip: 19947 Purchase Date: 3/31/17

Owner Phone #: (302) 855-1260 Owner e-mail: shannonb@sussexattorney.com

Agent/Attorney Information

Agent/Attorney Name: Shannon Carmean Burton, Esquire

Agent/Attorney Address: 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: 2020.09.24 14:22:51 -04'00'

Date: 9/30/20



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

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

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

1. Uniqueness of property:

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

The property is unique in that it is a narrow rectangular lot located in The Pines at Long Neck Subdivision and consisting of only 7,500 square feet of land. The exceptional practical difficulty is due to such uniqueness and not due to circumstances or conditions generally created by the provisions of the Zoning Code in the neighborhood or district in which the property is located.

2. Cannot otherwise be developed:

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

There is no possibility that the property can be developed in strict conformity with the Code. The purpose of the trellis was to create a natural shaded area for Applicant's children to play. If the trellis must meet setback requirements, its purpose would be defeated. The space would be too small for the children to play and little, if any, shade would be created. A variance is 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 Applicant. The Applicant had no control over the size of the lot or the house, or the placement of the house. The Applicant engaged a contractor to construct the trellis to create a natural shaded area for her children to play on this unique, undersized lot.

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

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

The variance will not alter the essential character of the neighborhood or district in which the property is located, nor will it substantially or permanently impair the use or development of adjacent property, or be detrimental to the public welfare. Rather, the adjoining property owner who would be most affected by the variance supports this application and Applicant received permission from the HOA to construct the trellis.

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.

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: 2020.09.24 14:22:40 -04'00'

Date: 9/30/20

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: _____

Exhibit 2

12339

BK: 4687 PG: 267

TAX MAP AND PARCEL #: 2-34 23.00
859.00

PREPARED BY & RETURN TO:
Haller & Hudson
101 S. Bedford St.
P.O. Box 533
Georgetown, DE 19947
File No. 10004-KH/

RECEIVED
APR 03, 2017
ASSESSMENT DIVISION
OF SUSSEX COUNTY

THIS DEED, made this 31st day of March, 2017,

- BETWEEN -

FRANK A. RICCI, JR. and VIRGINIA A. RICCI, of 233 Cheyenne Drive, Bear, DE 19701, parties of the first part,

- AND -

YEKATERINA BARG, of 804 Longmaid Drive, Reisterstown, MD 21136, as sole owner, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **One and 00/100 Dollar (\$1.00)**, lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and her 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 and parcel of land, lying and being in Indian River Hundred, Sussex County and State of Delaware, being known and designated as Lot #150, Pines at Long Neck, more fully shown on the subdivision plot of Pines at Long Neck, as recorded with the Office of the Recorder of Deeds, in and for Sussex County, Georgetown, Delaware, in Plot Book 56, Page 310, together with any and all improvements located thereon.

NS

NS

1

BK: 4687 PG: 268

BEING the same land conveyed unto Frank A. Ricci, Jr. and Virginia A. Ricci by deed Pines of Long Neck, Inc. dated August 13, 1993 of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 2313 at Page 68.

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 parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

Consideration:	
County	
State	
Town	Total 49.00
Received: Teresa C Apr 03, 2017	

WIT [Signature]

Frank A. Ricci, Jr. (SEAL)
Frank A. Ricci, Jr.

WIT [Signature]

Virginia A. Ricci (SEAL)
Virginia A. Ricci
Consideration: 51,250.00

County	768.75
State	768.75
Town	Total 1,537.50
Received: Teresa C Apr 03, 2017	

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on March 31, 2017, personally came before me, the subscriber, Frank A. Ricci, Jr. and Virginia A. Ricci, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

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

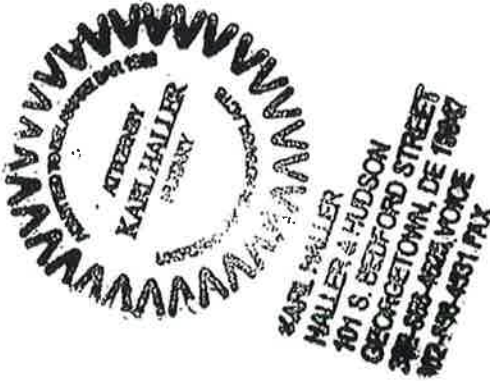
[Signature]

KARL HALLER
HALLER & HUDSON
101 S. BEDFORD STREET
GEORGETOWN, DE 19947
302-858-4525 VOICE
302-858-4531 FAX

Notary Public

My Commission Expires: MA IS ATTORNEY

BAR NO 56



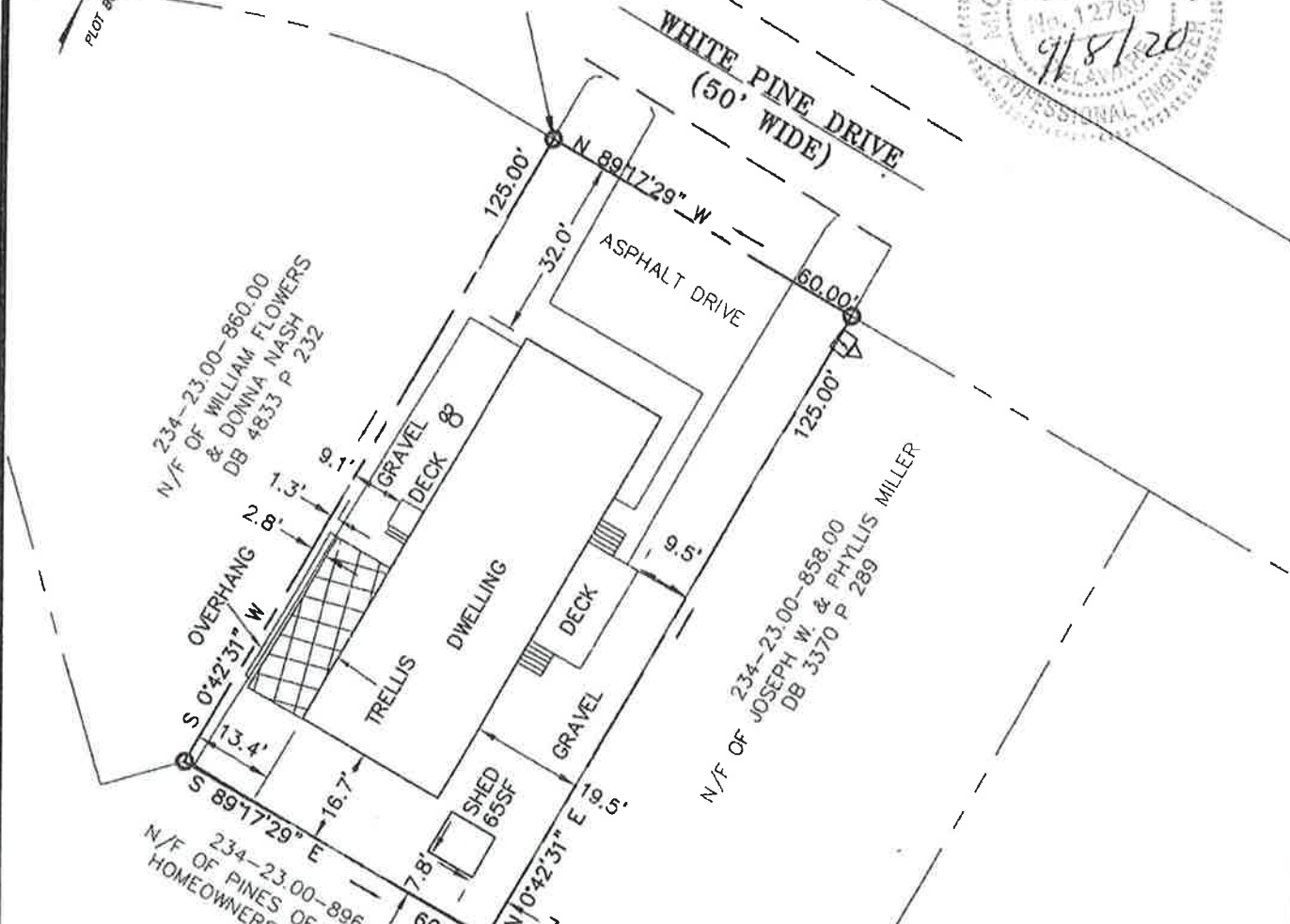
NOTARIAL OFFICER PURSUANT TO DELCODE, SECT 1329(D) ATTORNEY AT LAW - DELAWARE ID #56

Recorder of Deeds
Scott Dailey
Apr 03, 2017 10:35A
Sussex County
Doc. Surcharge Paid

Exhibit 3

PLOT BOOK 54, PAGE 124

1375'± TO
INT OF
NORTHEASTERLY AND
NORTHWESTERLY ROW
OF WHITE PINE DRIVE



LEGEND

- IRON REBAR FOUND
- PROPERTY LINE
- - - EDGE OF PAVING

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 OF LEGAL USE.

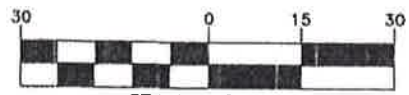
NOTES

1. TITLE REFERENCED TO DEED BOOK 4687, PAGE 267.
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 THE EXISTENCE OR NON EXISTENCE OF ANY EASEMENTS OR RIGHT OF WAYS AFFECTING THIS PROPERTY. NO TITLE SEARCH WAS PERFORMED OR PROVIDED.

**BOUNDARY SURVEY
FOR YEKATERINA BARG
LOT 150, PHASE II, THE PINES AT LONG
NECK SUBDIVISION
136 WHITE PINE DRIVE
MILLSBORO DE 19966
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE
TAX MAP #234-23.00-859.00
AREA: 7,500±SF OR 0.172±ACRES**

COTTEN ENGINEERING LLC

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



THIS DRAWING, SPECIFICATIONS, AND WORK PRODUCED BY COTTEN ENGINEERING LLC FOR THIS PROJECT ARE INSTRUMENTS OF SERVICE FOR THIS PROJECT ONLY, AND REMAINS THE COPYRIGHTED PROPERTY OF COTTEN ENGINEERING LLC. REUSE OR REPRODUCTION OF ANY OF THE INSTRUMENTS OF SERVICE OF COTTEN ENGINEERING LLC BY THE CLIENT OR ASSIGNEES WITHOUT THE WRITTEN PERMISSION OF COTTEN ENGINEERING LLC WILL BE AT THE 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:	JOB # 20-378
DRAWN BY: JCD	DATE: 09/08/2020	SHEET 1 OF 1
CHECKED BY: MSC	SCALE: AS-SHOWN	

Exhibit 4

From: DONNA NASH <dlanash@comcast.net>
Date: August 8, 2020 at 3:58:48 PM EDT
To: "katyabarg@yahoo.com" <katyabarg@yahoo.com>
Subject: 136 White Pine Drive Millsboro De

To Whom It May Concern,

My husband and I own the property at 138 White Pine Drive. It has come to our attention that there is an issue with the recently installed pergola at above property. Please be advised we have no issue with the pergola as it does not interfere with our residence at all. If you have any questions please feel free to contact me at 302-584-7857.

Donna L. Nash

Exhibit 5









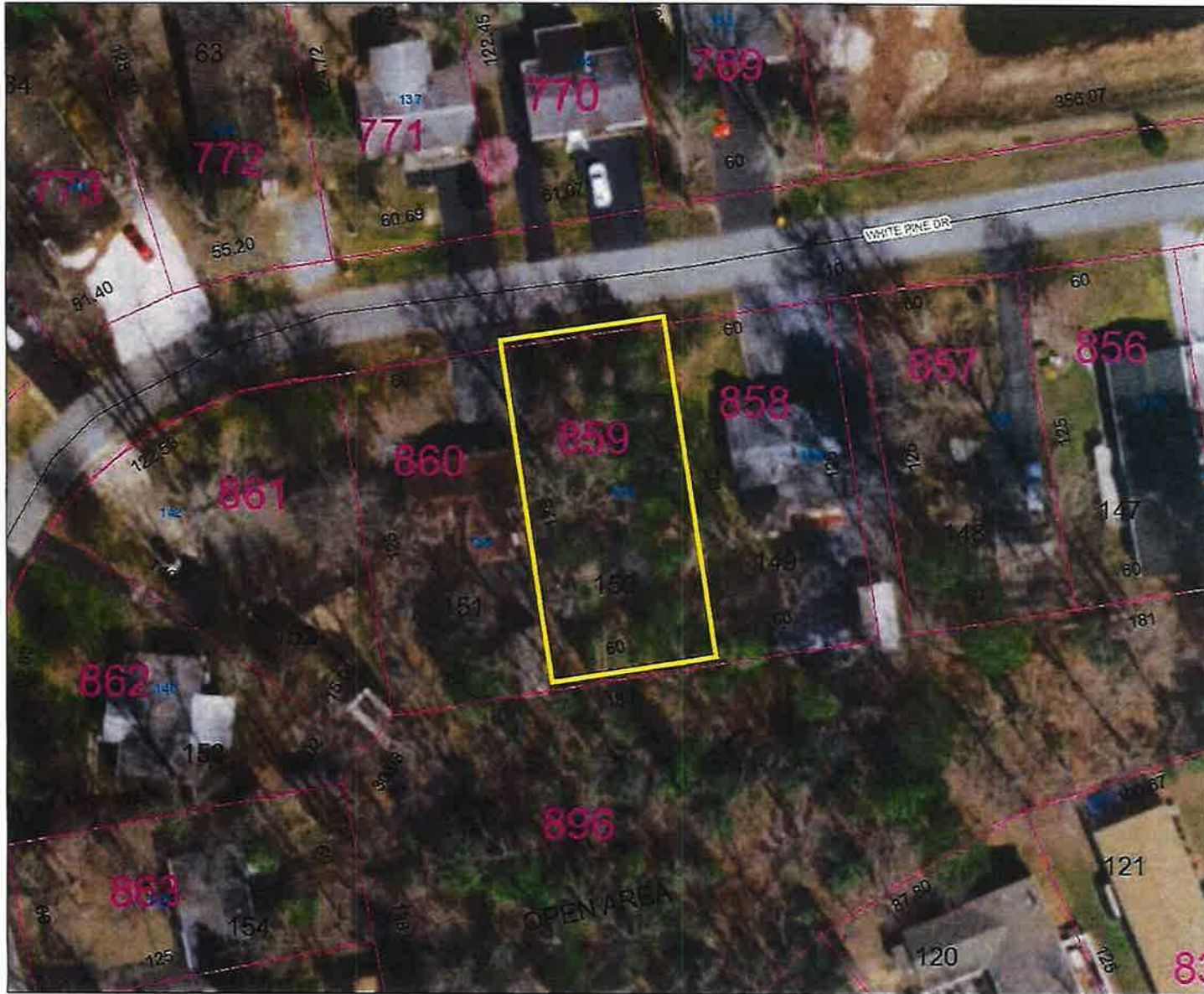


Sent from my iPhone

Exhibit 6

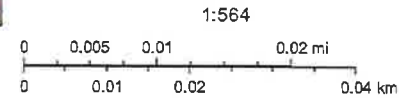


Sussex County



PIN:	234-23.00-859.00
Owner Name	BARG YEKATERINA
Book	4687
Mailing Address	804 LONGMAID DR
City	REISTERSTOWN
State	MD
Description	PINES AT LONG NECK
Description 2	PHASE II LOT 150
Description 3	T#55597
Land Code	

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



October 8, 2020

**SUSSEX COUNTY
BOARD OF ADJUSTMENT**

Case No. 12494

**DOCUMENT SUBMISSION
OF
JAMES AND ELIZABETH WADE**

**14 White Pine Drive
Millsboro DE 19966
TMP: 234-23.00-808.00**

November 16, 2020

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

**James and Elizabeth Wade
Case No. 12494
November 16, 2020**

Exhibits

Description

- | | |
|---|---|
| 1 | Variance Application dated October 5, 2020 (without exhibits) |
| 2 | Deed dated September 30, 2020 (Book 5422, page 216) |
| 3 | Survey dated October 2, 2020 |
| 4 | Tax Map Overlay |

Exhibit 1

RECEIVED

OCT 05 2020

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 # 12494
Hearing Date 11/16/2020

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:

14 White Pine Drive, Millsboro, DE 19966

Variance/Special Use Exception/Appeal Requested:

Applicants seek a 5' variance from the rear yard setback requirement of 5' for an existing shed.

Tax Map #: 234-23.00-808.00

Property Zoning: GR

Applicant Information

Applicant Name: James and Elizabeth Wade
Applicant Address: c/o Sergovic Carmean Weidman McCartney & Owens, P.A., P.O. Box 751
City Georgetown State DE Zip: 19947
Applicant Phone #: (302) 855-1260 Applicant e-mail: shannonb@sussexattorney.com

Owner Information

Owner Name: James and Elizabeth Wade
Owner Address: c/o Sergovic Carmean Weidman McCartney & Owens, P.A., P.O. Box 751
City Georgetown State DE Zip: 19947 Purchase Date: 9/30/20
Owner Phone #: (302) 855-1260 Owner e-mail: shannonb@sussexattorney.com

Agent/Attorney Information

Agent/Attorney Name: Shannon Carmean Burton, Esquire
Agent/Attorney Address: Sergovic Carmean Weidman McCartney & Owens, P.A., P.O. 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: 2020.10.05 11:20:01 -04'00'

Date: _____



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

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

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

1. Uniqueness of property:

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

The property is unique as it is a narrow, rectangular lot located in the Pines at Long Neck Subdivision and contains only 7,500 sq. ft. of land. The rear of the property abuts open space lands owned by the HOA. The exceptional practical difficulty is due to such conditions and not to circumstances or conditions generally created by the Code.

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. The shed has been in its current location since 1999 and there is no other location to place it on the property. 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 recently purchased the property and learned of the encroachment upon receipt of a survey. The Applicants did not have any control over the size of the lot, the location of the dwelling or the location of the shed.

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, substantially or permanently impair the appropriate use or development of adjacent property or be detrimental to the public welfare. The lands that would be affected by the variance are open space lands owned by the HOA, which has entered into a license agreement to allow the encroach onto the HOA lands.

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, if authorized, represents the minimum variance that will afford relief and represents the least modification possible of the regulation in issue. The Applicants seek to bring the shed into compliance with the Zoning Code and nothing more.

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: 2020.10.05 11:22:53 -04'00'
Esquire

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: _____

Exhibit 2

2-34 23.00 808.00 & 899.00
Prepared by & Return to:
Sergovic Carmean Weidman
McCartney & Owens, P.A.
25 Chestnut Street
Georgetown, DE 19947-0751
File No. RE-11685

THIS IS A LICENSE AGREEMENT, made and entered into this 30th day of September, A.D., 2020, by and between **THE PINES AT LONG NECK HOMEOWNERS' ASSOCIATION, INC.**, a Delaware non-profit corporation, party of the first part, hereinafter referred to as "Licensor" and **EDWIN S. BARLOW AND KAREN L. BARLOW**, of 800 East Avenue, New Castle, DE 19720, parties of the second part, hereinafter collectively referred to as "Licensees".

WHEREAS, Licensor is the owner of certain real property designated as Tax Map 2-34 23.00 899.00, as described in a Deed filed for record in the Office of the Recorder of Deeds, in and for Sussex County at Georgetown, Delaware in Deed Book 2622, page 343 (the "Lands of Licensor"); and

WHEREAS, Licensees are the present owners of certain real property designated as Tax Map 2-34 23.00 808.00 as conveyed to Licensees by a Deed filed for record in the Office of the Recorder of Deeds, in and for Sussex County at Georgetown, Delaware in Deed Book 2096, page 200 (the "Lands of Licensees");

WHEREAS, the improvements of Licensees, more specifically a deck and garage, encroach onto the Lands of the Licensor, said encroachments being more particularly shown on a recent survey made by Cotten Engineering LLC dated September 18, 2020, a copy of which is attached hereto as Exhibit "A" (the "Survey"); and

NOW, THEREFORE, in consideration of the mutual covenants hereinafter expressed, the parties hereto agree as follows:

1. Licensor hereby grants to Licensees a License to occupy and use, subject to the terms and conditions set forth herein, the Lands of Licensor caused by the encroachment of a deck and

garage hereinafter presently existing and as more particularly shown on the Survey, attached hereto as Exhibit "A".

2. Licensees agree to pay the Licensor an annual license fee in the amount of One Dollar (\$1.00).

3. Licensees agree that no further improvements or modifications shall be made to the improvements of Licensees presently existing on the Lands of Licensor without the express written consent of the Licensor, its successors or assigns, except for regular maintenance or repair to the existing improvements.

4. Licensees agree that this License shall cease and come to an end if the encroaching improvements are destroyed by Licensees, act of God, disuse, disrepair, or natural causes or are damaged to such an extent that they cannot be repaired as a result of any of the foregoing causes. Licensees further agree that if the License is terminated pursuant to this Paragraph, Licensees shall remove all debris from the Lands of Licensor within sixty (60) days following the date that the improvement was destroyed or damaged.

5. Licensees agree that no interest or estate in the Lands of Licensor has been acquired by the use and occupancy of the Lands of Licensor prior to the date of this License Agreement and that they do not and shall not claim at any time subsequent to the date of this License Agreement any interest or estate in the Lands of Licensor as a result of the occupancy or use of the Lands of Licensor pursuant thereto.

6. Licensees agree to defend and hold Licensor harmless from any liability or damages for personal injury, including death, and property damage resulting from, or in any way connected with, the improvements of Licensees covered by this License Agreement.

7. Licensees agree that if Licensor waives any breach of any covenant or condition set forth herein, such waiver shall not be construed as a waiver of any subsequent breach of the same or different covenant or condition.

8. This License Agreement shall be construed and interpreted under the laws of the State of Delaware. In the event that a dispute arises between the parties hereto under the terms of this License Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs in addition to any other remedies available under Delaware Law.

9. It is mutually agreed by the parties hereto that the terms and conditions of this License Agreement shall run with the land and shall be binding not only upon the parties hereto but also upon their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, Licensor and Licensees have hereunto set their hands and seals, the day and year first above written.

Licensor:

THE PINES AT LONG NECK
HOMEOWNERS' ASSOCIATION, INC.

By: *John C. Dupont*
President

[corporate seal]

Attest: *Jane Zang*
Secretary

Licensees:

Edwin S. Barlow (SEAL)
Edwin S. Barlow

Karen L. Barlow (SEAL)
Karen L. Barlow

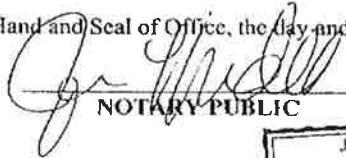
[Signature]
Witness

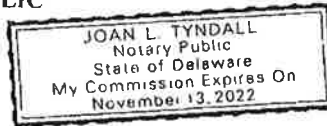
[Signature]
Witness

STATE OF De :
:SS.
COUNTY OF Sussex :

BE IT REMEMBERED, That on this 24th day of September, A.D. 2020, personally came before me, The Subscriber, a Notary Public for the State and County aforesaid, John Duplaga, President of The Pines at Long Neck Homeowners' Association, Inc., a corporation of the State of Delaware, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and Deed, and the act and the Deed of the said corporation; that the signature of the President is in his own proper handwriting; that the seal affixed is the common and corporate seal of the said corporation duly affixed by its authority; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by resolution of the Board of Directors of the said corporation.

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

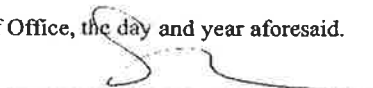

NOTARY PUBLIC



STATE OF DELAWARE :
:SS.
COUNTY OF SUSSEX :

BE IT REMEMBERED, that on this 30 day of September, A.D. 2020, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, Edwin S. Barlow and Karen L. Barlow, parties to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their deed.

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


NOTARY PUBLIC

Shannon Carmean Burton
Attorney
Admitted to the Delaware Bar 12-15-03
Bar ID #004366
Uniform Law on Notarial Acts
Pursuant to 29 Del C Sec. 4323(a)(3)

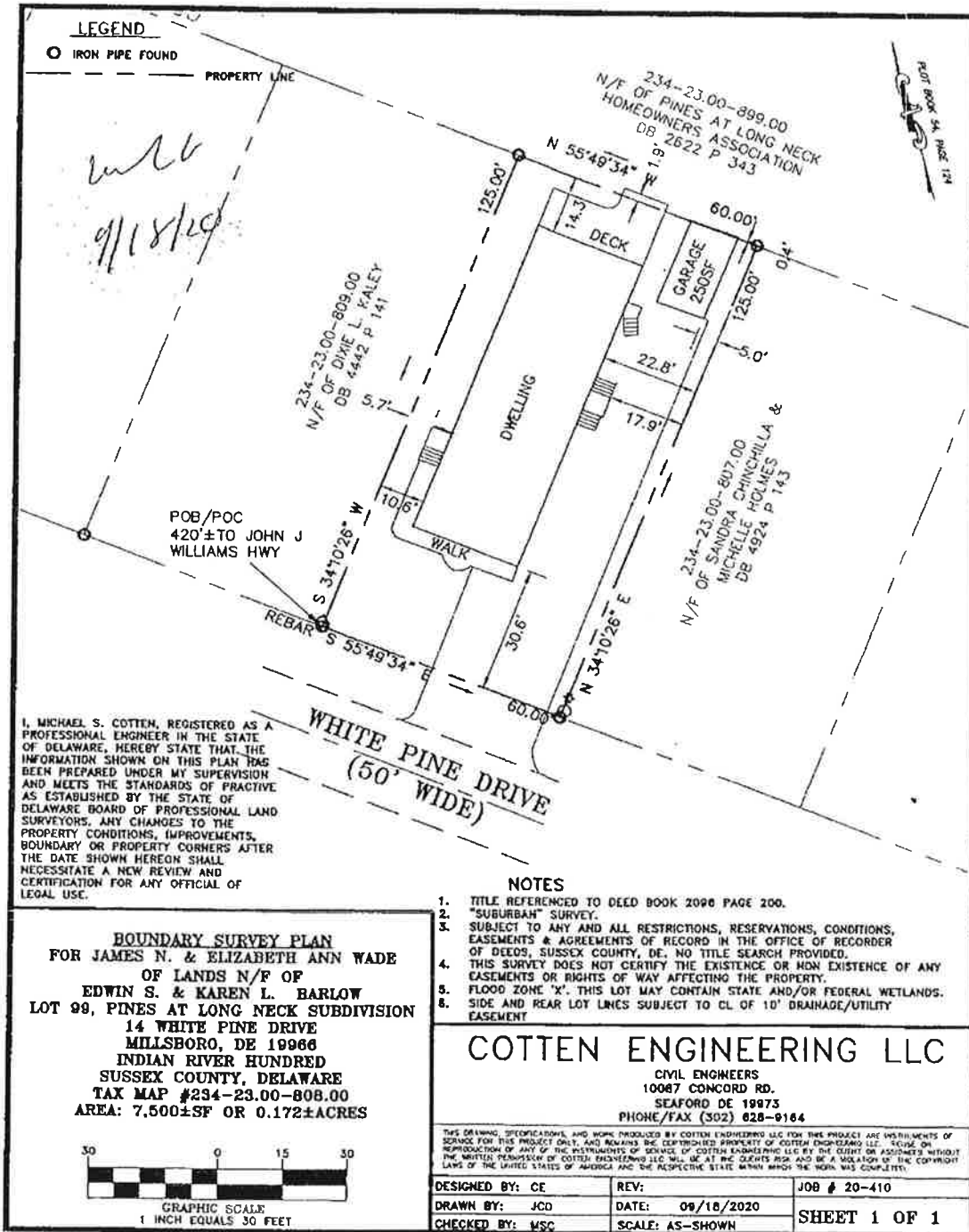


Exhibit "A"

Exhibit 3

LEGEND

○ IRON PIPE FOUND

--- PROPERTY LINE

PLOT BOOK 54, PAGE 124

234-23.00-899.00
N/F OF PINES AT LONG NECK
HOMEOWNERS ASSOCIATION
DB 2622 P 343

234-23.00-809.00
N/F OF DIXIE L. KALEY
DB 4442 P 141

234-23.00-807.00
N/F OF SANDRA CHINCHILLA &
MICHELLE HOLMES
DB 4924 P 143

POB/POC
420'± TO JOHN J
WILLIAMS HWY

REBAR S 34°10'26" W
S 55°49'34" E

WHITE PINE DRIVE
(50' WIDE)



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 OF LEGAL USE.

NOTES

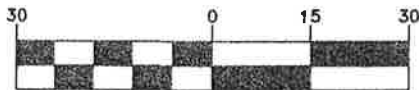
1. TITLE REFERENCED TO DEED BOOK 2096 PAGE 200.
2. "SUBURBAN" SURVEY.
3. SUBJECT TO ANY AND ALL RESTRICTIONS, RESERVATIONS, CONDITIONS, EASEMENTS & AGREEMENTS OF RECORD IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DE. NO TITLE SEARCH PROVIDED.
4. THIS SURVEY DOES NOT CERTIFY THE EXISTENCE OR NON EXISTENCE OF ANY EASEMENTS OR RIGHTS OF WAY AFFECTING THE PROPERTY.
5. FLOOD ZONE 'X'. THIS LOT MAY CONTAIN STATE AND/OR FEDERAL WETLANDS.
6. SIDE AND REAR LOT LINES SUBJECT TO CL OF 10' DRAINAGE/UTILITY EASEMENT

BOUNDARY SURVEY PLAN
FOR JAMES N. & ELIZABETH ANN WADE
OF LANDS N/F OF
EDWIN S. & KAREN L. BARLOW
LOT 99, PINES AT LONG NECK SUBDIVISION
14 WHITE PINE DRIVE
MILLSBORO, DE 19966
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE
TAX MAP #234-23.00-808.00
AREA: 7,500±SF OR 0.172±ACRES

COTTEN ENGINEERING LLC

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

THIS DRAWING, SPECIFICATIONS, AND WORK PRODUCED BY COTTEN ENGINEERING LLC FOR THIS PROJECT ARE INSTRUMENTS OF SERVICE FOR THIS PROJECT ONLY, AND REMAINS THE COPYRIGHTED PROPERTY OF COTTEN ENGINEERING LLC. REUSE OR REPRODUCTION OF ANY OF THE INSTRUMENTS OF SERVICE OF COTTEN ENGINEERING LLC BY THE CLIENT OR ASSIGNEES WITHOUT THE WRITTEN PERMISSION OF COTTEN ENGINEERING LLC WILL BE AT THE 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.



GRAPHIC SCALE
1 INCH EQUALS 30 FEET

DESIGNED BY: CE	REV: 1	JOB # 20-410
DRAWN BY: JCD	DATE: 10/2/2020	SHEET 1 OF 1
CHECKED BY: MSC	SCALE: AS-SHOWN	

Exhibit 4



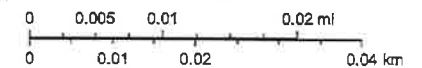
Sussex County



PIN:	234-23.00-805,00
Owner Name	WADE JAMES N
Book	5322
Mailing Address	426A HOPE DR
City	MIDDLETOWN
State	DE
Description	PINES AT LONG NECK
Description 2	LOT 99
Description 3	CT47962
Land Code	

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

1:564



October 8, 2020

**SUSSEX COUNTY
BOARD OF ADJUSTMENT**

Case No. 12495

DOCUMENT SUBMISSION

OF

CARL ANDERSON AND MARIA ANDERSON

10116 Locust Street

Laurel DE 19956

TMP: 232-12.18-29.01

November 16, 2020

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

Carl Anderson and Maria Anderson
Case No. 12495
November 16, 2020

<u>Exhibits</u>	<u>Description</u>
1	Variance Application dated October 5, 2020 (without exhibits)
2	Deed dated February 6, 2020 (Book 5196, page 345)
3	Survey dated September 30, 2020 depicting existing improvements
4	Sussex County Building Permit issued 8/24/2020
5	Excerpt from Tax Map
6	Survey dated 10/14/2020 depicting existing and proposed improvements
7	Tax Map overlay

Exhibit 1

RECEIVED

OCT 05 2020

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 # 12495
Hearing Date 11/10/2020

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:

10116 Locust Street, Laurel, DE 19956

Variance/Special Use Exception/Appeal Requested:

Applicants seek a 7.9' variance from the side yard setback requirement of 15' to construct a two-car attached garage.

Tax Map #: 232-12.18-29.01

Property Zoning: AR-1

Applicant Information

Applicant Name: Carl Anderson and Maria Anderson

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: Carl Anderson and Maria Anderson

Owner Address: c/o Sergovic Carmean Weidman McCartney & Owens, P.A., PO Box 751

City Georgetown State DE Zip: 19947 Purchase Date: 10/2/08

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: 2020.10.05 10:23:23 -04'00'

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 rectangular lot located in the Woodland Heights Subdivision and contains 15,050 square feet of land. There is no other location for the garage due to the location of the septic system. The exceptional practical difficulty is due to such uniqueness and not due to circumstances or conditions generally created by the Zoning Code in the neighborhood/district in which the property is located.

2. Cannot otherwise be developed:

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

There is no possibility that the property can be developed in strict conformity with the Code. A two-car garage is a reasonable addition to the property. There is no other location on the property for the garage due to the location of the septic system. A variance is 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. They had no control over the size of the lot or the placement of the septic system. Applicants simply seek to construct a garage for their cars and for storage purposes. Many of the neighboring properties have detached garages that are located to the rear of the properties; however, due to the location of the septic system, that is not feasible.

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 or district in which the property is located, nor will it substantially or permanently impair the use or development of adjacent property, or be detrimental to the public welfare. Many of the properties in close proximity to the Applicants' property have garages. In addition, the garage will enhance the Applicants' property and increase its value.

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 construct an attached two-car garage to park their cars and for storage of other personal property.

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: 2020.10.05 10:23:52 -04'00'
Esquire

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: _____

Exhibit 2

Document# 202000005831 BK: 5196 PG: 345
Recorder of Deeds, Scott Dailey On 2/7/2020 at 12:41:22 PM Sussex County, DE
Consideration: \$0.00 County/Town: \$0.00 State: \$0.00 Total: \$0.00
Doc Surcharge Paid Town: SUSSEX COUNTY

2-32 12.18 29.01
PREPARED BY & RETURN TO:
Sergovic Carmean Weidman
McCartney & Owens, P.A.
25 Chestnut Street
P.O. Box 751
Georgetown, DE 19947-0751
File No. SCB/anm

NO TITLE SEARCH REQUESTED OR PERFORMED

THIS DEED, made this 6 day of February, 2020,

- BETWEEN -

CARL ANDERSON, of 10116 Locust Street, Laurel, DE 19956, party of the first part,

- AND -

CARL ANDERSON and **MARIA ANDERSON**, of 10116 Locust Street, Laurel, DE 19956, husband and wife, as tenants by the entirety, 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:

ALL that certain lot, piece or parcel of land situated lying and being in Broad Creek Hundred, Sussex County, State of Delaware, on the south side of Locust Street, and being known as lots Nos. 12 and 13 Block "E" as shown on a plot of Woodland Heights as surveyed by Edgar L. Mustard in February 1948 and January 1950, said plot being of record in the Office of the Recorder of Deeds, Sussex County, Delaware in Plot Book 2, page 22, Dated May 12, 1950.

BEING the same lands conveyed to Carl Anderson by a deed of James R. Cummings and Juanita H. Cummings, dated October 2, 2008 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County at Georgetown, Delaware, in Deed Book 3625, page 83.

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.

Document# 202000005831 BK: 5196 PG: 346
Recorder of Deeds, Scott Dailey On 2/7/2020 at 12:41:22 PM Sussex County, DE
Doc Surcharge Paid

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal
the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

_____ Carl Anderson (SEAL)
Carl Anderson

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on February 6, 2020, personally came before me, the
subscriber, Carl Anderson, party of the first part to this Indenture, known to me personally to be
such, and acknowledged this Indenture to be his act and deed.

Given under my Hand and Seal of office the day and year aforesaid.



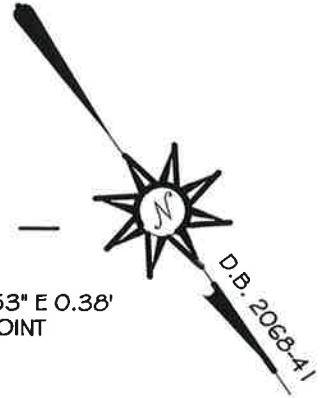
Ashley N. Miller
Notary Public
Printed Name: Ashley N. Miller
My Commission Expires: 7/11/21

Exhibit 3

T.M. #232-12.18-29.01

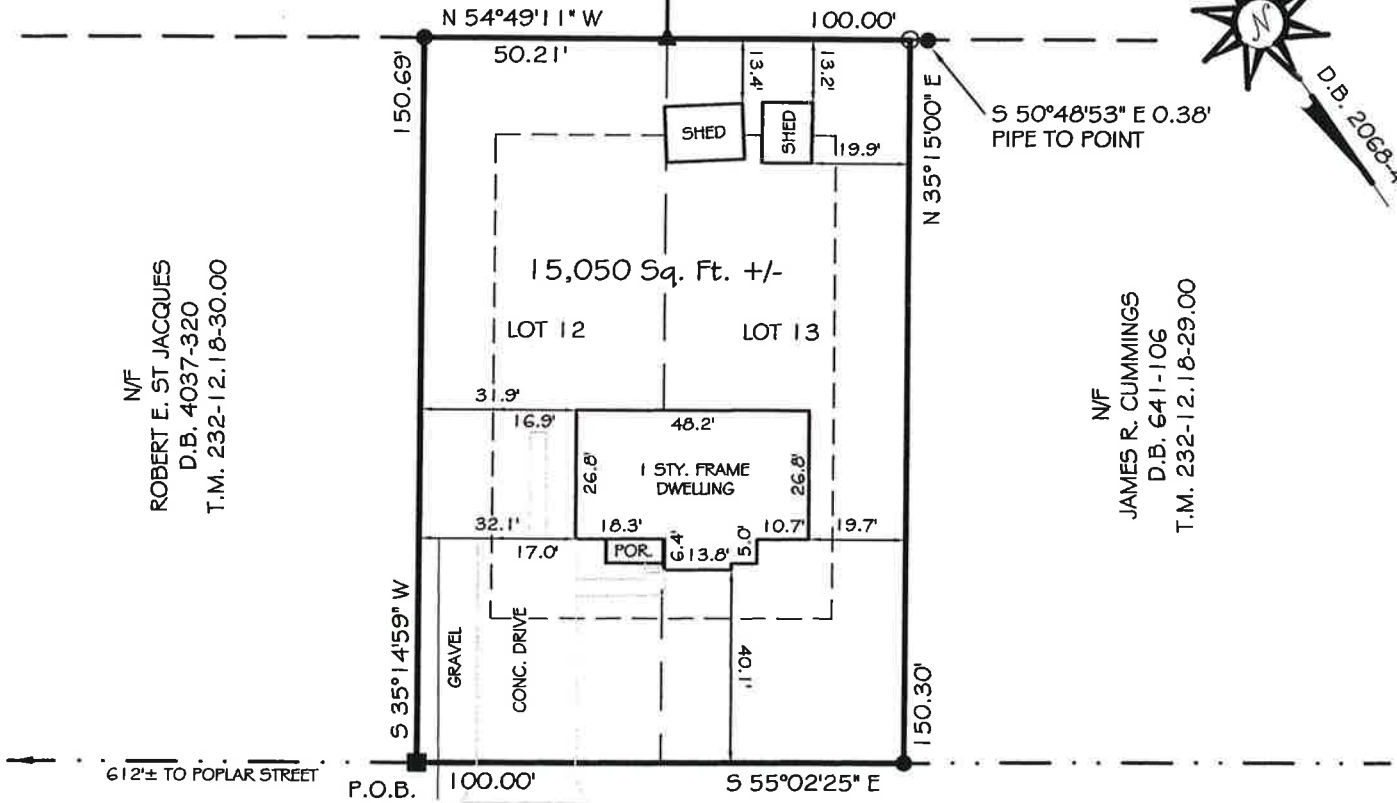
N/F
NICOLE L. ANDREWS
W.B. 426-163
T.M. 232-12.18-39.00

N/F
RONALD L. & FRANCES GRAY
D.B. 3156-257
T.M. 232-12.18-39.00



N/F
ROBERT E. ST JACQUES
D.B. 4037-320
T.M. 232-12.18-30.00

N/F
JAMES R. CUMMINGS
D.B. 641-106
T.M. 232-12.18-29.00



612± TO POPLAR STREET

P.O.B.

LOCUST STREET (40' WIDE)

ZONING: AR-1
SETBACKS: FRONT 30'
SIDE: 15'
REAR: 20'

- CONC. MON. (FD)
- PIPE (FD)
- ▲ IRON ROD (FD)
- POINT


DEED REF: 5196-345

SEE PLOT BOOK 2 PAGE 22 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.

BOUNDARY SURVEY PLAN FOR CARL & MARIA ANDERSON

10116 LOCUST STREET, LAUREL, DE. 19956
LOTS #12 & 13, BLOCK "E" OF "WOODLAND HEIGHTS" SUBDIV.
BROAD CREEK HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
SCALE 1" = 40' SEPTEMBER 30, 2020

I, STEPHEN M. SELLERS REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.


STEPHEN M. SELLERS PLS 566 DATE 9/30/2020
SURVEY CLASS: SUBURBAN

PREPARED BY:

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

MILNER
LAND SURVEYING
LEWIS, INC.

1560 MIDDLEFORD RD.

• SEAFORD, DE. 19973

Exhibit 4



Sussex County
Building Permit
 P.O. Box 589
 Georgetown, DE 19947
 302-855-7720

Application Number
202009642
Issue Date: 08/24/2020
Expire Date: 08/24/2021

Permit Type: ACCESSORY STRUCTURE OUT OF TOWN

Parcel ID	Address	Zone Code
232-12.18-29.01	10116 LOCUST STREET	AR-1

Owner Information	Applicant Information
Name: ANDERSON CARL Phone:	Name: ANDERSON CARL Phone:

Contractor Information	
Name: ANDERSON CARL CID: 281939 Phone:	License Number: License Exp. Date: Insurance Exp. Date:

Building Information
Proposed Use: ATTACHED GARAGE Construction Type: Estimated Cost of Construction: \$ 5,184 Cannot Occupy More than _____ of Total Lot Area Distance from any Dwelling of other Ownership: _____ Distance from any other Mobile Home or Accessory Structure: _____

Property Information
Measurements taken from Property Lines Front Setback: 40.00 / _____ Rear Setback: 20.00 / _____ Side Setback: 15.00 / _____ Corner Setback: _____ / _____ Maximum Building Height: 42 Location Description: FLOOD ZONE WOODLAND HEIGHTS 12 13 Flood Zone: XP 404 L _____ If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.

Project Description: ACC STRUCT 400'+

Scope of Work:
24X24 ATT GAR

Permit Details:

Signature of Approving Official

Signature of Owner/Contractor

Building Permit Acknowledgement:

I fully understand the Zoning Requirements of this permit.

I/we the undersigned, acknowledge I/we have read and accept the terms of this Building Permit and shall comply with the rules and restrictions related to this building activity. This permit shall expire one (1) year from the date of issue. This permit may be renewed prior to its expiration date if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit-holder's control. Grading or surface-shaping of the site shall not be considered as actual construction. I/we further acknowledge, ASSESSORS AND INSPECTORS HAVE A RIGHT TO ENTER AND ACCESS THE PREMISES TO ASSESS AND INSPECT PROPERTY. The owner or owners of these premises do hereby consent to Sussex County Officials' right to enter upon said premises during the construction of which this permit is granted, or within a reasonable time thereafter, for the purposes of assessing and inspecting said property. THE APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCY, WHICH MAY PERTAIN TO THIS SITE. AND FURTHER, IT IS ACKNOWLEDGED AND UNDERSTOOD THAT THIS PERMIT MAY BE REVOKED BY SUSSEX COUNTY FOR ANY VIOLATION OF THE TERMS OF THIS PERMIT OR OF ANY COUNTY, STATE OR FEDERAL LAW APPLICABLE TO THIS PERMIT.

Permit Number	BP-138679
----------------------	-----------

TOTAL FEES:	\$ 35.46
--------------------	----------



Building Description

Total Bedrooms:

Heat Type:

Full Baths:

Half Baths:

Roofing:

SHINGLE

Total Rooms:

Exterior Walls:

VINYL

Basement:

Foundation Type:

BLOCK

Interior Walls:

Fireplace Type:

Flooring:

Air Conditioning:

N

CONCRETE

Additional Requirement/Restrictions

_____ Accessory Building 900 Square Feet or Greater
No more than four (4) vehicles permitted in structure without a Planning & Zoning Hearing.

_____ Agricultural Storage Structures
Storage only. NO LIVESTOCK PERMITTED.

_____ Campgrounds
Must conform to the location approved by the park.

_____ Farm-Use Permits
Prior to issuance of the Certificate of Occupancy, it must be confirmed that the building will be used for farm use only. Otherwise, the permit will be voided and plans must be submitted to the Building Code Department.

_____ Fences
Fence may only be 3.5' tall along the front property line and from the road back to the mandated front yard setback. Thereafter, fence may be a maximum of 7' tall. On corner lots, the fence may only be 3' tall along the corner fronts and 25' from the intersection of property lines. Fence may be installed on property line.

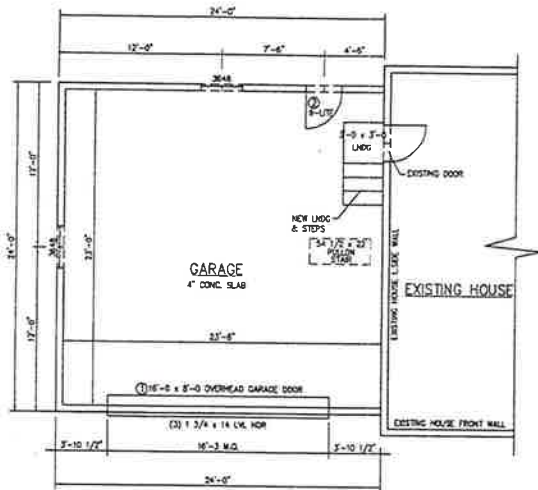
_____ Parcel Setbacks
All building structures and improvements shall comply with the parcel setback measurement requirements as mandated in the Sussex County Zoning Ordinance. Failure to comply with the parcel setback measurement requirements is a violation.

_____ Pools (Above-Ground)
Must have ladder up and locked at all times when not in use. Pool must be 4' high above grade. If not, a fence is required around perimeter of pool

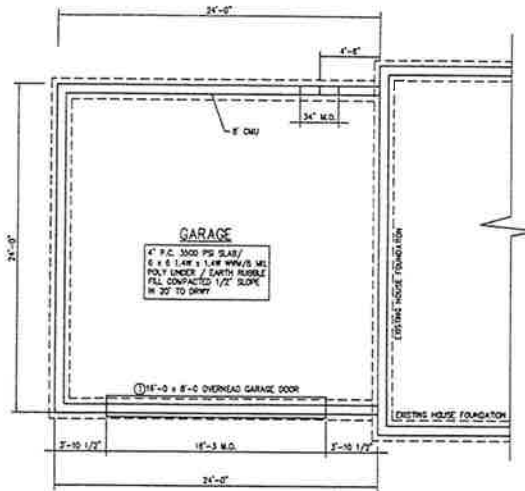
_____ Pools (In-Ground)
A minimum 4' tall fence must be around the perimeter of the pool. A minimum 3' walkway must be between the pool and fence. Gate must be locked at all times when the pool is not in use.

_____ Pools or Guest Homes
No Cooking facilities of any kind are permitted in the structure. No separate electrical meters are permitted.

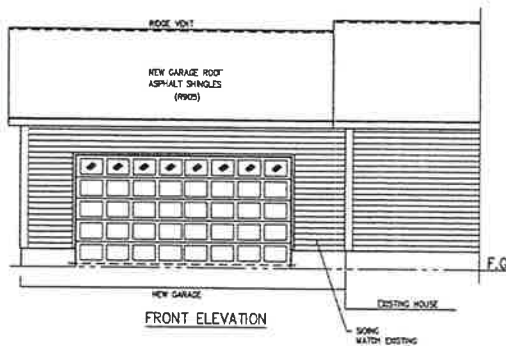
_____ Tax Ditch
Property records indicate a State regulated tax ditch appears on this property. All building activity shall comply with the rules and requirements related to State regulated tax ditches and the respective tax ditch easements.



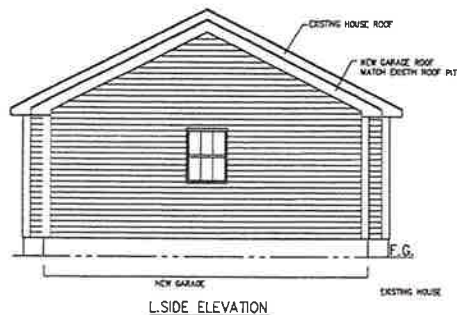
GARAGE PLAN
NOTE: 2 x 6 EXTERIOR WALLS



FOUNDATION PLAN



FRONT ELEVATION



L SIDE ELEVATION

WINDOW SCHEDULE				
SLOCOMB WINDOW INC.				
LOCATION	SIZE	NO.	SQ. FT.	NOTES
GARAGE	36" x 48"	1	1.44	1/2"

DOOR SCHEDULE				
DOOR	SIZE	NO.	SQ. FT.	NOTES
1	15'-0" x 8'-0"	1	120.00	OVERHEAD GARAGE DOOR
2	2'-8" x 8'-6"	2	15.36	8-LITE

- GENERAL NOTES**
- DIM. UNLESS NOTED ARE TO WOOD STUDS
 - CONSTRUCTION SHALL BE WITH THE FOLLOWING SECTION OF THE "INTERNATIONAL RESIDENTIAL CODE 2018"
 - BUILDING PLANNING - CHAPTER 2
 - EGRESS OPENING - SECT. R301
 - EMERGENCY ESCAPE & RESCUE OPENINGS - SECT. R310
 - MINIMUM OPENING AREA - R310.2.1 (1)
 - HEADS OF DOORS - SECT. R311
 - EGRESS DOOR - R311.2
 - FLOOR & LANDINGS AT DOORS - R311.3
 - HALLWAYS - R311.3
 - STAIRWAYS - R311.3
 - GUARDS AND WINDOW FALL PROTECTION - SECT. R312
 - SMOKE ALARMS - SECT. R314
 - SMOKE DETECTORS (1) W/ WIRE #1/ BATTERY BACK UP & INTERCONNECTED
 - CARBON MONOXIDE ALARM - SECT. R315
 - COMBINATION CARBON MONOXIDE/ SMOKE ALARM (2) (2)
 - PROTECTION AGAINST BURSTS - SECT. R316
 - FLEED-RESISTANT CONSTRUCTION - SECT. R322
 - FOUNDATIONS - CHAPTER 4
 - FOOTINGS - SECT. R401
 - FOOTING MINIMUM SIZE - R401.1.1
 - FOOTINGS MINIMUM DEPTH - R401.1.4
 - FOUNDATION DRAINAGE - R405
 - FOUNDATION ANTI-TERMITE - SECT. R406
 - COLUMNS - SECT. R407
 - LATCH-FLOOR SPACE - SECT. R409
 - VENTILATION - R401.1
 - OPENINGS FOR UNDER FLOOR VENT. - R401.2
 - ACCESS - R401.1
 - FLOOR GRADE - R401.1
 - FLOOR RESISTANCE - R401.1
 - FLOOR - CHAPTER 5
 - ALLOWABLE JOIST SPANS - R501.2
 - WALL CONSTRUCTION - CHAPTER 6
 - WALL COVERING - CHAPTER 7
 - ROOF-CEILING CONSTRUCTION - CHAPTER 8
 - RAFTER SPANS - TABLE R601.1 (1)
 - CEILING JOIST SPANS - TABLE R601.1 (1)
 - ROOF ASSEMBLIES - CHAPTER 9
 - CHIMNEYS & PRELUCE - CHAPTER 10
 - ALL DOOR & WINDOW HEADERS TO BE (1) 2" x 12" 1/2" COX PLYWOOD (UNLESS OTHERWISE NOTED)
 - DIMENSIONS/CONTRACTORS TO VERIFY ALL ASPECTS OF PLAN AND ELEVATION PRIOR TO CONSTRUCTION

GARAGE = 376.50 FT

MR. & MRS. ANDERSON RESIDENCE
10116 LOCUS STR.
LAUREN, DE

GARAGE PLAN & FOUNDATION
FRONT & L SIDE ELEVATION
WINDOW & DOOR SCHEDULE

DRAWING NUMBER	SCALE: 1/4" = 1' = 0"	REVISION
LS - 1001		

DRAWN BY	SA	06-03-20
REVISOR BY		
SALES REP.		

THIS DRAWING IS THE PROPERTY OF
BROOKS & PALMER CUSTOM HOMES, INC.
GOSPERTOWN, DE
(302) 534 - 1107

CONTRACTOR NOTES

PRIOR TO PERFORMING WORK, THE CONTRACTOR/OWNER SHALL VERIFY THE EXISTING LOCAL CODES, ORDINANCES AND CONDITIONS OF ALL EXISTING STRUCTURAL COMPONENTS INCLUDING BUT NOT LIMITED TO CEILING JOISTS, FLOOR JOISTS, RAFTERS ETC. TO MAKE SURE PROPER INTERACTION WITH THE NEW COMPONENTS.

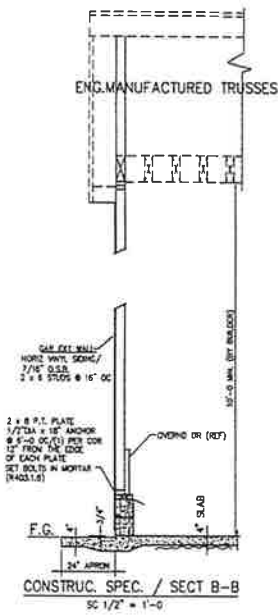
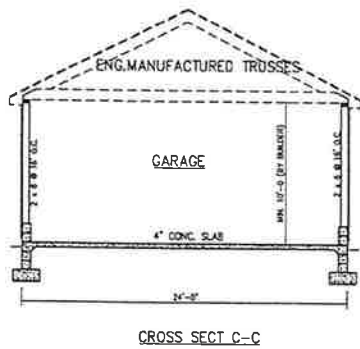
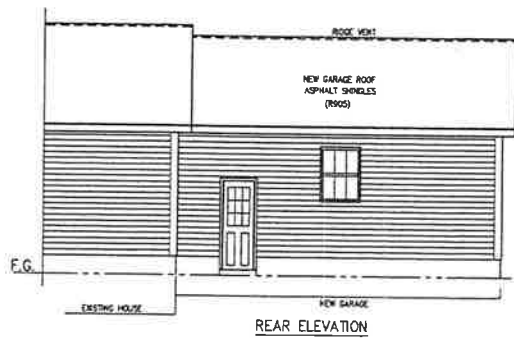
SD BAMSON DESIGN & DRAFTING L.L.C.
LAUREN, DE 19068
(302) 847-0964

Carl Anderson
SIGNATURE

6/8/2020
Date

Maria Anderson
SIGNATURE

6/8/2020
Date



MR. & MRS. ANDERSON RESIDENCE
10116 LOCUS STR.
LAUREN, DE

REAR ELEVATION
CONSTRUC. SPEC. / SECT B-B
CROSS SECT C-C

DRAWING NUMBER	SCALE 1/4" = 1'-0"
LS - 1002	REVISION
DRAWN BY	SA
REVISED BY	
SALES REP.	

THIS DRAWING IS THE PROPERTY OF
BROOKS & PALMER CUSTOM HOMES, INC.
CORPORAION, DC
(202) 554-1137

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

SD SAMSON DESIGN & DRAFTING L.L.C.
LEWIS, DE 19654
(302) 841-0968

Carl Anderson
SIGNATURE

6/8/2020
Date

Maria Anderson
SIGNATURE

6/8/2020
Date

BUILDING CODE
REQUIRED YES 60606

BUILDING PERMIT APPLICATION
SUSSEX COUNTY, DELAWARE

PERMIT NO 271611

NEEDS TOWN PERMIT: NO (DENREC # 215273) S&W _____ Div of Rev spec
LOCATION
Route WOODLAND HGTS LOTS (N) (S) (E) (W) Side: 12 & 13 BLKE (ft) (miles) (N) (S) (E) (W) of PARCEL A
Subdiv. Or TP: _____ Lot No _____ Section or Block _____
Town _____ Street locust st

District No: 232 Map No: 12-1A Parcel No: 29.01 Manufactured Home #: _____
Frontage: 100 Depth: 150 Acreage: _____

ASSESSMENT

I. TYPE OF IMPROVEMENT

Cost of Improvements \$ 79,065.00 Stories _____
New Building DW Size 40x33
Addition FRT PORCH Size 10x5
Relocation _____ Size _____
A. Structure _____ Size _____
Slgn _____ Size _____
Remodeling _____ Size _____
Other _____ Size _____

II. INTERIOR

No of Bedrooms 3
No of Bathrooms 2
No of Rooms 5
Basement CRAWL

VI. FOUNDATION

Pad Brick
Piling Conc Blk
Poured Concrete Slab
Other _____

III. HEATING

Electric Gas
Heat Pump FHA
Air Condition

VII. FIRE PLACE

Yes No
Masonry Metal

IV. EXTERIOR WALLS

Vinyl Wood
Alum Sliding Brck
Other _____ Stone

VIII. ROOFING

Built-Up Metal
Asph Shingle
Wood Shingle
Other _____

IV. INTERIOR WALLS

Dry Wall
Panelling
Other _____

IX. FLOORING

Earth Vinyl
Carpet Tile
Concrete Wood
Other _____

ZONING

TYPE OF USE

Existing Use DW, FRT PORCH
Proposed Use DW, FRT PORCH
Single Family Commercial _____ Other _____
Zoning District AR1 No of Units _____

SETBACKS

Front Yard 30 Side Yard 15 Rear Yard 20
Rd Name - RY _____
Side yard on side street or corner Lot _____
From any dwelling or other ownership _____
From any unit or Assessor's Structure _____
Cannot occupy more than _____ of total lot area
Height 42' MAX
Board of Adjustment Case No. _____
Conditional Use Case No. _____
Approved by Planning and Zoning Crystal Adams

Flood Zone XP 404J
Elevation Required above mean sea level _____
To be measured to _____
1. Finished first floor _____
2. Lowest structural member _____
Elevation certification _____
Breakaway walls _____
Placement Survey _____
Height Certification _____
Venting _____
I fully understand the Zoning Requirement of this Permit.
ADDITIONAL REQUIREMENTS AND COMMENTS _____

OWNERS IDENTIFICATION

Name CUMMINGS, JAMES R & JUANITA H
Address 10106 LOCUST ST
City: LAUREL ST DE Zip 19956
On Lands of STA 81

Name & Address of recipient of Certificate of Compliance (Builders)
Name mahetta construction
Address 11 sandpebble dr
City seaford State de Zip: 19973

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

Signature of Applicant [Signature] Name Printed _____ Phone Number 628-1976
Permit Fee \$244.50 + \$197.66 + \$0.00 = \$442.16 Payment Type Check 9083 Date Issued: 10/2/08

BP FEE + FIRE ST FEE + DISC FEE + VIOL FEE + MAIL FEE + OTHER FEES = TOTAL PERMIT FEE

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue. Permit may be renewed if construction has begun and continued in a normal manner and not discontinued for reasons other than those BEYOND THE PERMIT-HOLDERS CONTROL. GRADING OR SURFACE-SHAPING OF THE SITE SHALL NOT BE CONSIDERED AS "ACTUAL CONSTRUCTION." PERMIT MUST BE RENEWED PRIOR TO DATE. ASSESSORS AND INSPECTORS RIGHT TO GO ON PREMISES TO ASSESS AND INSPECT PROPERTY: The owner or owners of those premises do hereby consent to the Board of Assessment and Planning and Zoning Agent and Building Code Officials to enter said premises during the construction for which this PERMIT is granted, or within a reasonable time thereafter, for the purpose of assessing and inspecting said property, said consent being given on the signing of this permit. THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN ALL INCLUSIVE APPROVAL FOR THE REQUIREMENTS OF OTHER GOVERNMENTAL AGENCIES, WHICH MAY PERTAIN TO THIS SITE.

GRADING

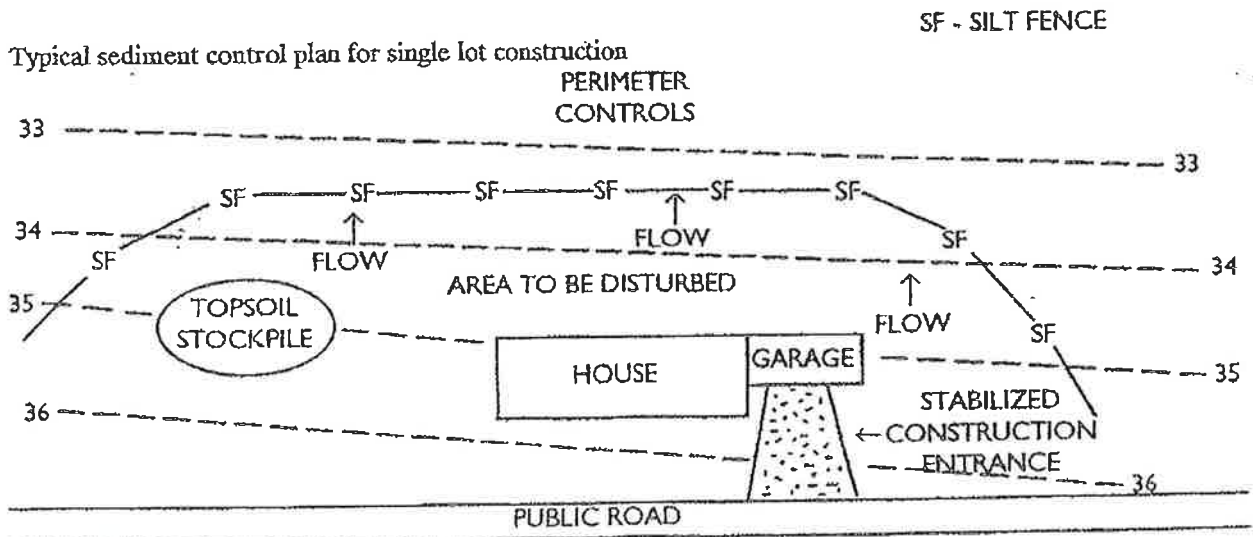
- Initial earth disturbance will be limited to that area necessary to install sediment control measures.
- The permanent driveway or entrance location shall be used as the stabilized construction entrance. Two inch stone shall be placed 6 inches deep, fifty feet long and as wide as necessary to accommodate all construction vehicles.
- At any location where sediment laden run-off may exit the property, perimeter controls will be installed to prevent sediment from being transported off-site.
- Any sediment transported off-site to roads or road rights of way including ditches shall be removed. Any damage to ditches shall be repaired and stabilized to original condition.
- Grading shall not impair surface drainage, create an erosion hazard or create a source of sediment to any adjacent watercourse or property owner.
- Local grading requirements may supplement these grading conditions.

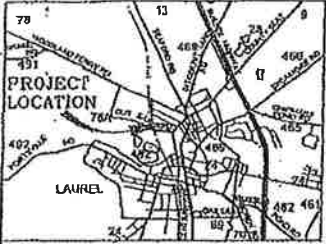
STABILIZATION

- **FOLLOWING INITIAL SOIL DISTURBANCE OR REDISTURBANCE, TEMPORARY OR PERMANENT STABILIZATION WITH SEED AND MULCH SHALL BE COMPLETED WITHIN 14 DAYS TO THE SURFACE OF ALL DISTURBED AREAS NOT ACTIVELY UNDER CONSTRUCTION.**
- Specific stabilization recommendations may be found in the Delaware Erosion and Sediment Control Handbook 1989.
- Swales or other areas that transport concentrated flow will be stabilized with erosion control matting or sod. Downspouts will be protected by splashblocks, sod or other means of adequate protection to prevent erosion.

SPECIFICATIONS

For specifications regarding all sediment control practices, reference the Delaware Erosion and Sediment Control Handbook 1989.

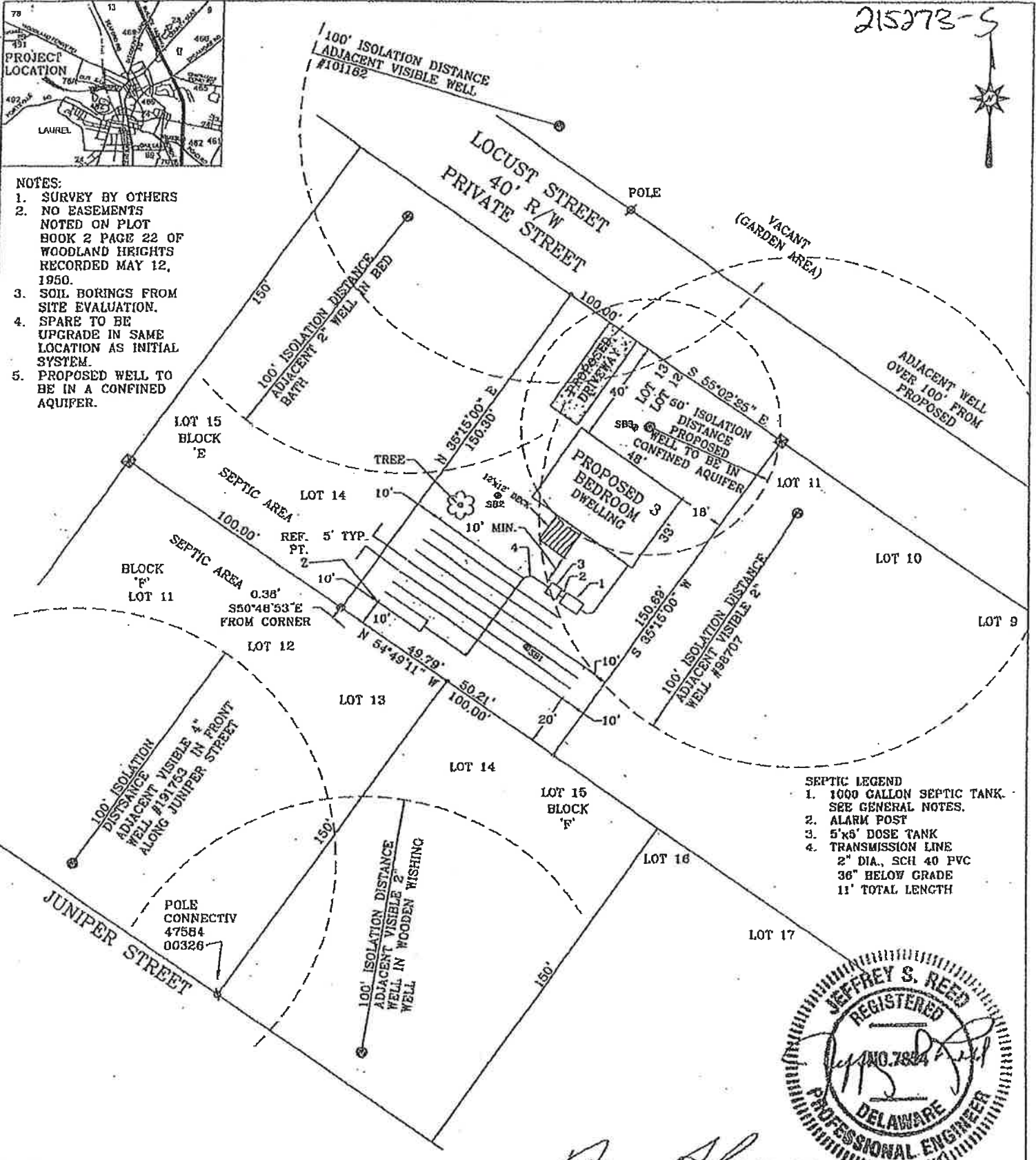




215273-5



- NOTES:
1. SURVEY BY OTHERS
 2. NO EASEMENTS NOTED ON PLOT BOOK 2 PAGE 22 OF WOODLAND HEIGHTS RECORDED MAY 12, 1950.
 3. SOIL BORINGS FROM SITE EVALUATION.
 4. SPARE TO BE UPGRADE IN SAME LOCATION AS INITIAL SYSTEM.
 5. PROPOSED WELL TO BE IN A CONFINED AQUIFER.



- SEPTIC LEGEND
1. 1000 GALLON SEPTIC TANK. SEE GENERAL NOTES.
 2. ALARM POST
 3. 5'x6' DOSE TANK
 4. TRANSMISSION LINE
2" DIA., SCH 40 PVC
36" BELOW GRADE
11' TOTAL LENGTH



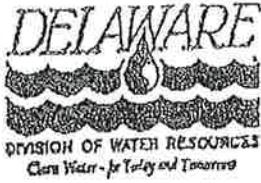
- LEGEND
- ⊕ CONCRETE MONUMENT FOUND
 - IRON PIPE FOUND

OWNER'S/AUTHORIZED AGENT SIGNATURE: *James R. Lewis* DATE: _____
 *A copy of this page must be submitted with both the septic system and well construction report(s).

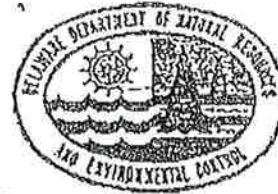
Scale: 1"=50'
 Sheet: N/A
 Date: 9-4-08
 Drawn by: JVR
 Client: MAHETTA
 Client #: 08158

SEPTIC PLOT PLAN
 WOODLAND HEIGHTS
 LOTS 12 & 13
 PARCEL "A"

CITADEL
 ENGINEERING, INC.
 Jeffrey S. Reed, P.E.
 17129 Webbs Road
 Ellendale, DE 19941
 (302) 422-2574



ON-SITE WASTEWATER SYSTEM CONSTRUCTION REPORT



MAHETTA - CUMMINGS RECEIVED

(Please Type or Print Legibly)

JAN 14 2009

Permit #: 215273-5

GROUNDWATER

Tax Map#: 2-32-12.18-29.01

Installer's Name: BRENT T SUTTON

License #: 4105

Phone #: 337-7293

Construction Start Date: 12-17-08

Authorization #: 4503

Completion Date: 01-13-09

THIS FORM MUST BE SUBMITTED WITHIN 10 DAYS OF COMPLETION

(Please check all boxes that apply)

CF = Cap & Fill / FD = Full Depth

Type of Construction:

- Replacement
New Construction
Component Replacement
Repair to Existing System

System Type:

- Low Pressure Pipe (FD)
Elevated Sand Mound
Pressure Dose (FD)
Holding Tank
Gravity (FD)
Std. Pressure Dose (FD)
Std. Pressure Dose (CF)

- Low Pressure Pipe (CF)
Wisconsin At-Grade
Pressure Dose (CF)
Subsurface Micro Irrigation
Gravity (CF)
Other

- Bed or Trench
Graveless Chamber or Stone/Gravel
Sand-lined Existing System Malfunctioning
Yes No

- Yes No N/A

Pre-Treatment Units

- Bio-Clear
Septic Tank
Other
Klargester
Recirculating Sand Filter

-AS-BUILT CONSTRUCTION CHANGES-

(Please describe any changes different from approved permit)

ANY LOCATION CHANGE MUST BE MARKED (USE RED INK) ON COPY OF ORIGINAL PERMIT (PLEASE ATTACH)

No Changes

SEE ENGINEER REPORT

I hereby affirm that the sewage disposal system for permit number 215273-5 was constructed in accordance with all requirements and conditions of the permit. I further certify that if I made any changes that the copy of the original permit (with red markings) is an accurate representation of the installation.

01/14/09 Date

Contractor's Signature

Certificate of Satisfactory Completion

Approved By: [Signature] Date: 1/14/09

273931

BUILDING CODE
REQUIRED NO

BUILDING PERMIT APPLICATION
SUSSEX COUNTY, DELAWARE

PERMIT NO. 275931

NEEDS TOWN PERMIT: _____ DENREC # _____ S&W _____ Div of Rev _____

Route WOODLAND HGTS LOTS (N) (S) (E) (W) Side: 12 & 13 BLK E (ft) (miles) (N) (S) (E) (W) of PARCEL A

Subdiv. Or TP: _____ Lot No _____ Section or Block _____

Town LAUREL Street 10116 LOCUST STREET

District No. 232 Map No. 12.18 Parcel No. 29.01 Manufactured Home # _____

Frontage: 100 Depth 150 Acreage: _____

ASSESSMENT

I. TYPE OF IMPROVEMENT

Cost of Improvements \$ 500.00 Stories _____

New Building _____ Size _____

Addition STORAGE SHED Size 10 X 12

Relocation _____ Size _____

A. Structure COMING FROM Size _____

Sign 432-8.06-222.01 Size _____

Remodelling _____ Size _____

Other _____ Size _____

II. INTERIOR

No of Bedrooms _____

No of Bathrooms _____

No of Rooms _____

Basement _____

III. HEATING

Electric Gas

Heat Pump FHA

Air Condition

IV. EXTERIOR WALLS

Vinyl Wood

Alum Siding Brick

Other _____ Stone

IV. INTERIOR WALLS

Dry Wall

Paneling

Other _____

VI. FOUNDATION

Pad Brick

Piling Conc Blk

Poured Concrete Slab

Other RUNNERS

VII. FIRE PLACE

Yes No

Massonary Metal

VIII. ROOFING

Built-Up Metal

Asph Shingle

Wood Shingle

Other _____

IX. FLOORING

Earth Vinyl

Carpet Tile

Concrete Wood

Other _____

ZONING

TYPE OF USE

Existing Use DWELLING

Proposed Use STORAGE SHED, COMING FROM 432-8.06-222.01

Single Family Commercial _____ Other _____

Zoning District AR1 No of Units _____

SETBACKS

Front Yard 30' Side Yard 5' Rear Yard 5'

Rd Name - RY _____

Side yard on side street or corner Lot _____

From any dwelling or other ownership

From any unit or Assesory Structure _____

Cannot occupy more than _____ of total lot area

Height 42' Max

Board of Adjustment Case No. _____

Conditional Use Case No. _____

Approved by Planing and Zoning Sherry Collins

FLOOD

Flood Zone NA

Elevation Required above mean sea level _____

To be measured to _____

1. Finished first floor _____

2. Lowest structural member _____

Elevation certification _____

Breakaway walls _____

Placement Survey _____

Height Certification _____

Venting _____

I fully understand the Zoning Requirement of this Permit.

ADDITIONAL REQUIREMENTS AND COMMENTS _____

OWNERS IDENTIFICATION

Name ANDERSON, CARL

Address 10116 LOCUST ST

City LAUREL ST DE Zip 19956

On Lands of STA 81

Name & Address of recipient of Certificate of Compliance (Builders)

Name _____

Address _____

City _____ State _____ Zip: _____

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

Signature of Applicant X C.A. Name Printed _____ Phone Number 302-609-7271

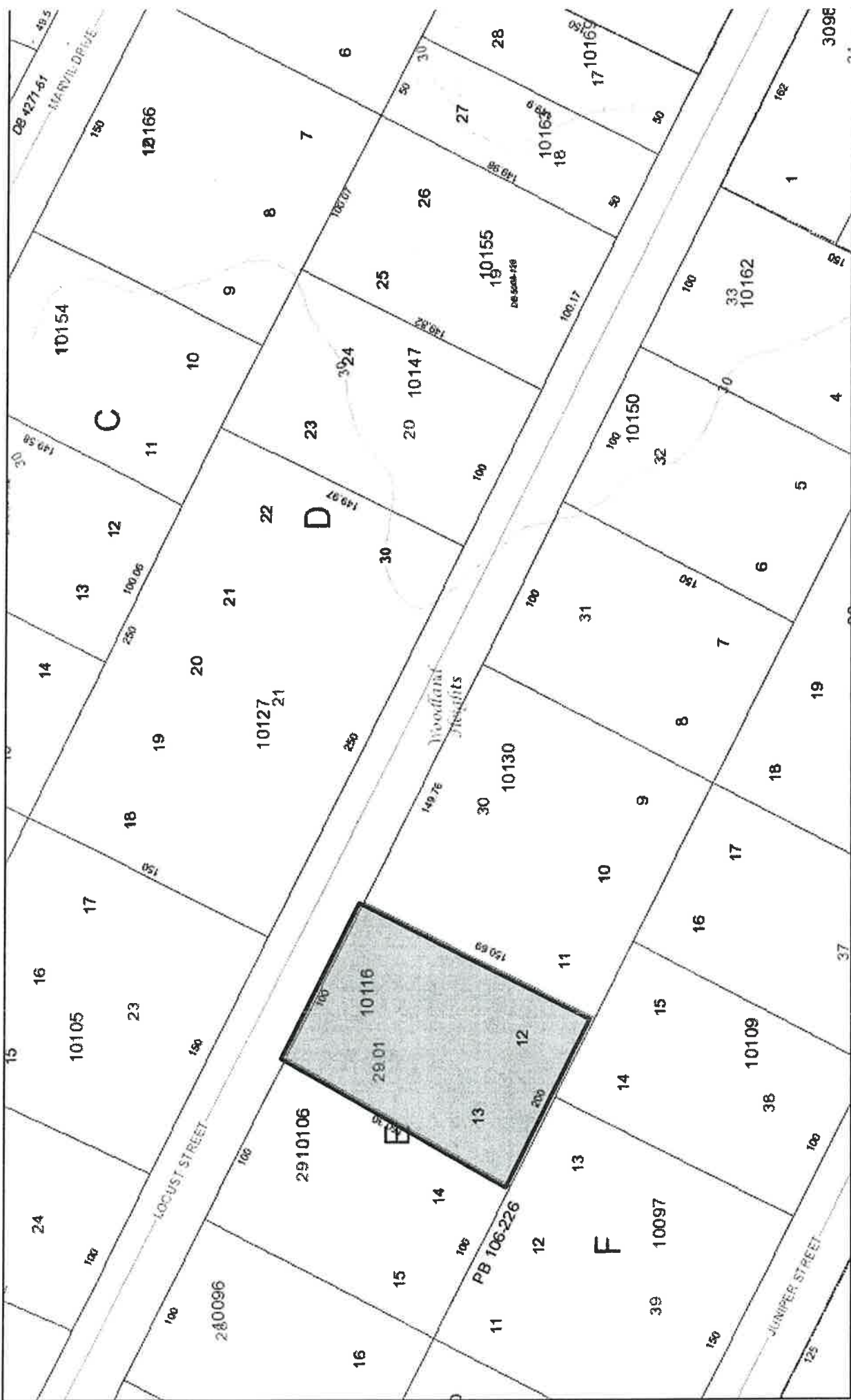
Permit Fee \$7.50 + \$1.25 + \$0.00 = \$8.75 Payment Type Cash Date Issued: 3/16/09

BP FEE + FIRE ET FEE + DISC FEE + VIOL FEE + MAIL FEE + OTHER FEES = TOTAL PERMIT FEE

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue. Permit may be renewed if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the PERMIT-HOLDER'S CONTROL. GRADING OR SURFACE-SHAPING OF THE SITE SHALL NOT BE CONSIDERED AS "ACTUAL CONSTRUCTION." PERMIT MUST BE RENEWED PRIOR TO DATE. ASSESSORS AND INSPECTORS RIGHT TO GO ON PREMISES TO ASSESS AND INSPECT PROPERTY: The owner or owners of these premises do hereby consent to the Board of Assessment and Planning and Zoning Agent and Building Code Officials to enter said premises during the construction for which this PERMIT is granted, or within a reasonable time thereafter, for the purpose of assessing and inspecting said property, said consent being given on the signing of this permit. THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN ALL INCLUSIVE APPROVAL FOR THE REQUIREMENTS OF OTHER GOVERNMENTAL AGENCIES, WHICH MAY PERTAIN TO THIS SITE.

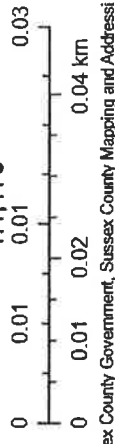
Exhibit 5

232-12.18-29.01 10116 LOCUST ST, LAUREL, DE, 19956



September 22, 2020

1:1,176



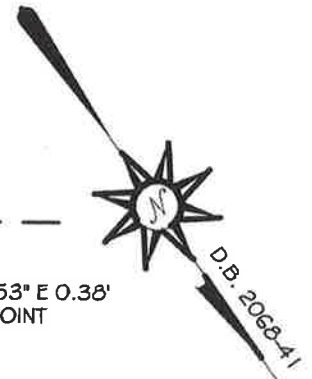
Sussex County Government, Sussex County Mapping and Address

Exhibit 6

T.M. #232-12.18-29.01

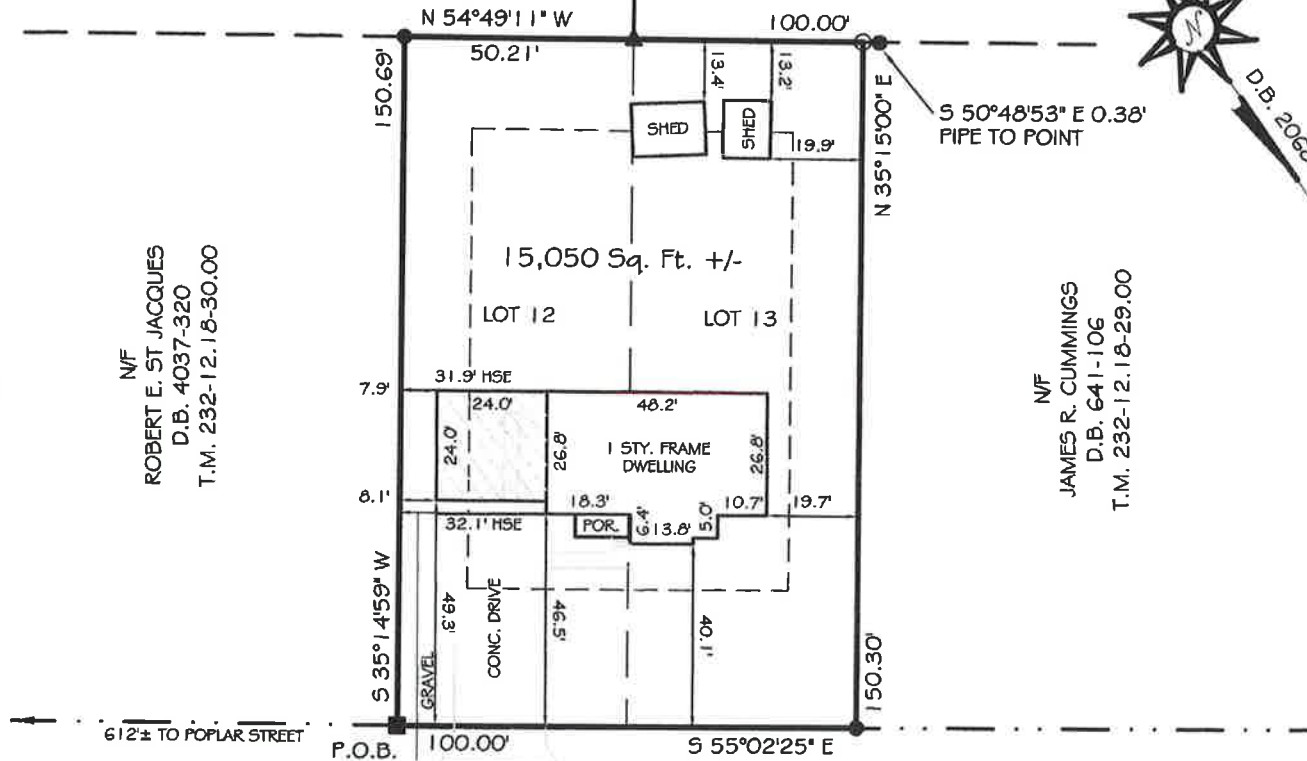
N/F
NICOLE L. ANDREWS
W.B. 426-163
T.M. 232-12.18-39.00

N/F
RONALD L. & FRANCES GRAY
D.B. 3156-257
T.M. 232-12.18-39.00



N/F
ROBERT E. ST JACQUES
D.B. 4037-320
T.M. 232-12.18-30.00

N/F
JAMES R. CUMMINGS
D.B. 641-106
T.M. 232-12.18-29.00



- CONC. MON. (FD)
 - PIPE (FD)
 - ▲ IRON ROD (FD)
 - POINT
- DEED REF: 5196-345

LOCUST STREET
(40' WIDE)

ZONING: AR-1
SETBACKS: FRONT 30'
SIDE: 15'
REAR: 20'

SEE PLOT BOOK 2 PAGE 22 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.

BOUNDARY SURVEY PLAN FOR CARL & MARIA ANDERSON

10116 LOCUST STREET, LAUREL, DE. 19956
LOTS #12 & 13, BLOCK "E" OF "WOODLAND HEIGHTS" SUBDIV.
BROAD CREEK HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
SCALE 1" = 40' SEPTEMBER 30, 2020
REVISED 10-14-2020 TO SHOWN PROPOSED GARAGE

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.

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

Stephen M. Sellers
STEPHEN M. SELLERS PLS 566 DATE 10/14/2020
SURVEY CLASS: SUBURBAN

MILNER
LEWIS, INC.
LAND SURVEYING

1560 MIDDLEFORD RD. • SEAFORD, DE. 19973

Exhibit 7

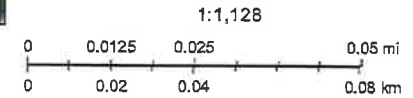


Sussex County



PIN:	232-12.18-29.01
Owner Name	ANDERSON CARL
Book	5196
Mailing Address	10116 LOCUST ST
City	LAUREL
State	DE
Description	WOODLAND HEIGHTS
Description 2	12 13
Description 3	N/A
Land Code	

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



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.

CORNER Lot Boat yard limited space for turning boats around. A SAFETY CONCERN.

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.

Small yard Small Boat yard, no other place would work
Due to the size of property
Work due to slope of property. In case of emergency vehicle location of building is again the safest location. Boat lift is near
Again location of barn to be built is the proper location.

3. Not created by the applicant:

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

Work inside to do motor work, shrink wrap, electric lights on boat trailer. Another entrance off 24 cannot happen due to new turning lane, will be next year. Due to slope the barn location is the safest location. Also due to turning radius barn needs to be located asked for location of barn needs to where asked due to backing up condition into the barn

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

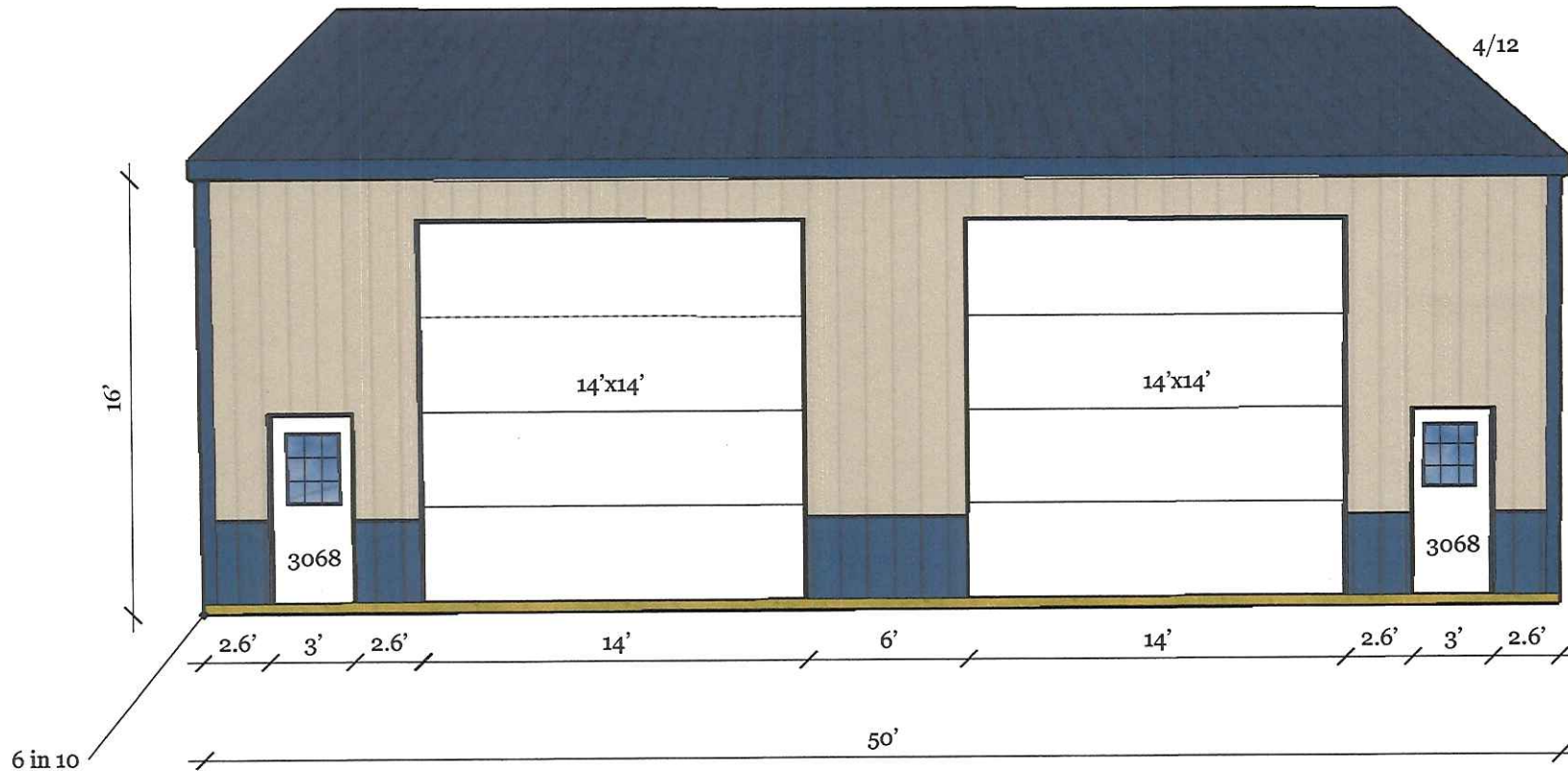
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

Lot of barns in the area will not hurt the area surrounding this property. Corn fields on both sides & rear of property.

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.

Yes to use the variance is needed due to small area of the property. Due to turning boats around the location is the safest location and away from boat lift.

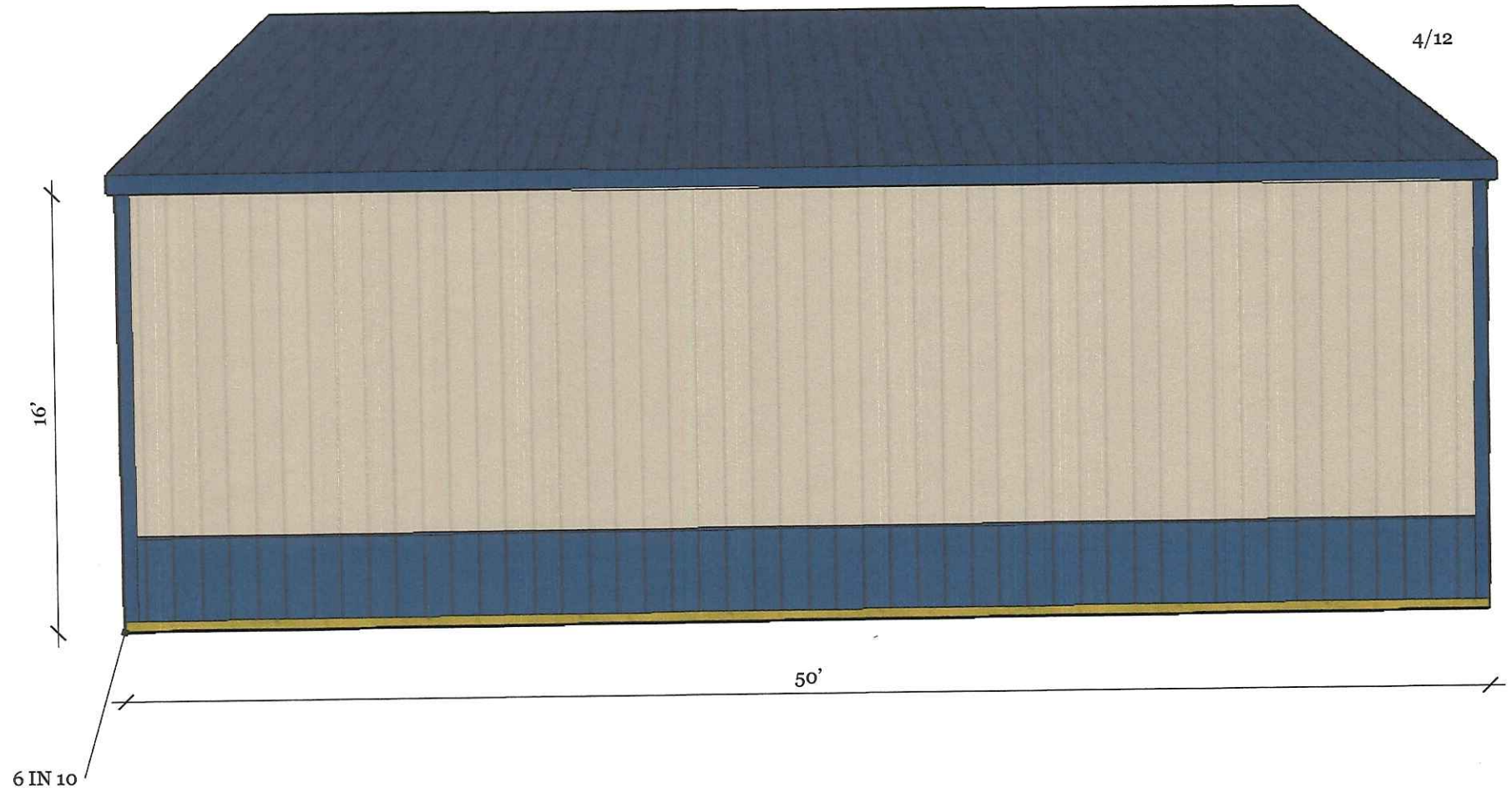


Dick Ennis
22357 John J. Williams Hwy
Lewes, De 19958



John Sapp Jr.
(302) 943-3974
Dreamstructuresllc@gmail.com

October 21, 2020

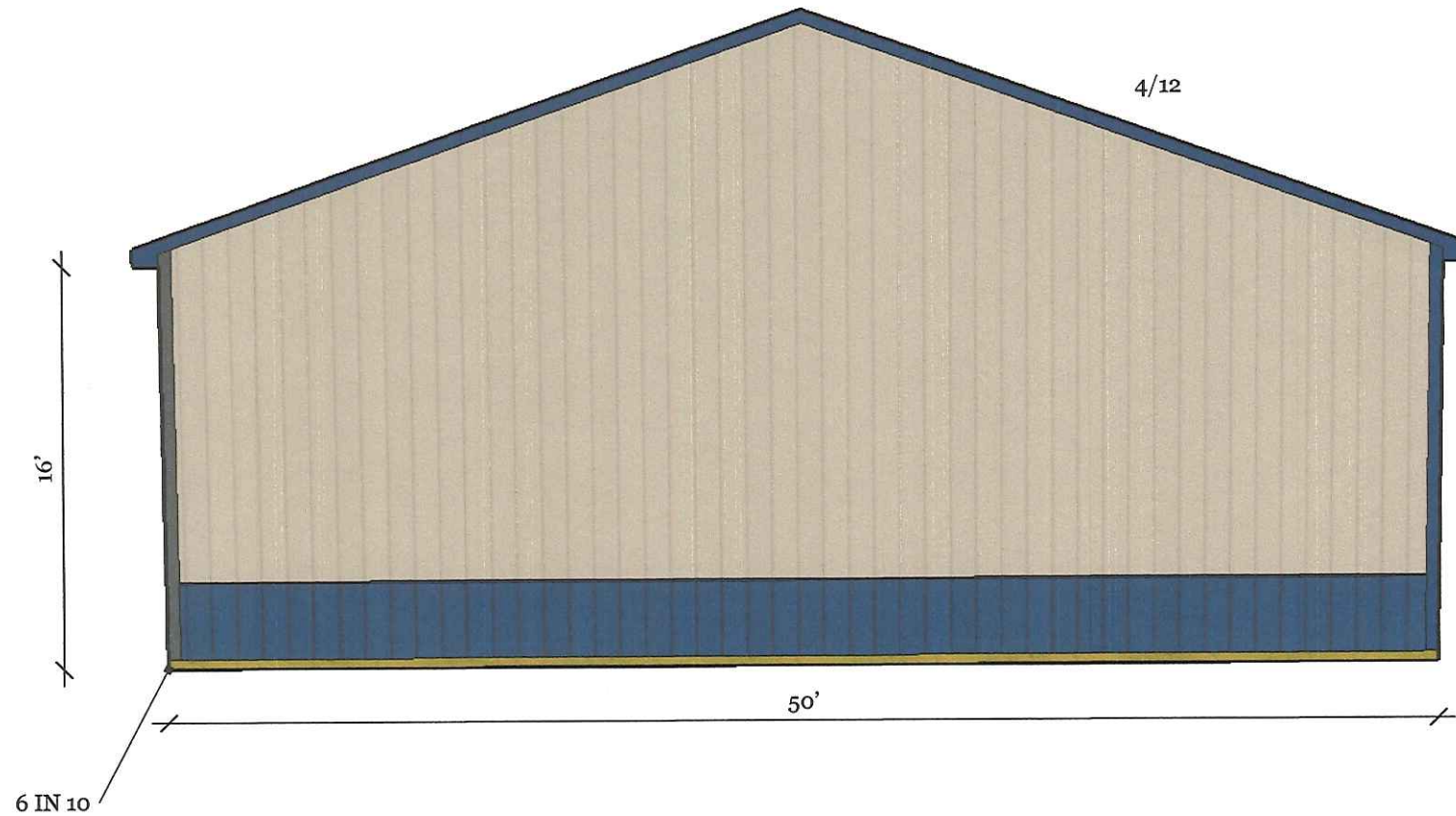


Dick Ennis
22357 John J. Williams Hwy
Lewes, De 19958



John Sapp Jr.
(302) 943-3974
Dreamstructuresllc@gmail.com

October 21, 2020



Dick Ennis
22357 John J. Williams Hwy
Lewes, De 19958



John Sapp Jr.
(302) 943-3974
Dreamstructuresllc@gmail.com

October 21, 2020

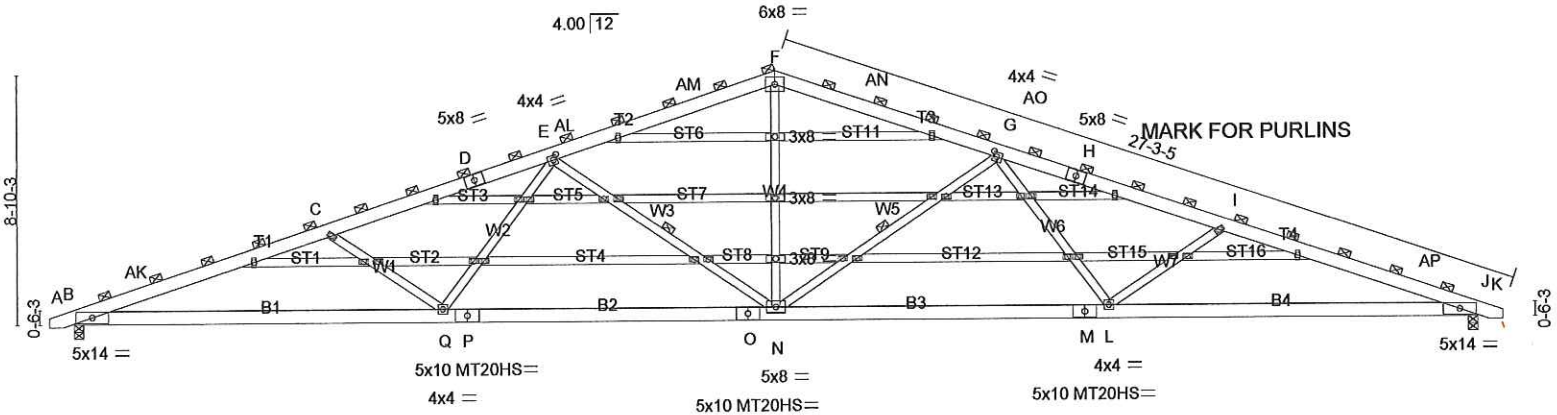
Job 76273	Truss T1GB	Truss Type GABLE	Qty 2	Ply 1	Ennis
--------------	---------------	---------------------	----------	----------	-------

Sam Yoder & Sons, Inc., Greenwood, DE - 19950

Run: 83.300 s Mar 22 2019 Print: 8.300 s Mar 22 2019 MiTek Industries, Inc. Fri Oct 30 15:54:54 2020 Page 1
ID:HsbxB13cUgWPUhbev4WEuYyA4NZ-Jk6A_zaZWG0FHzozcQz3P20vTN?GwYJ8lxXj_QyOBBl

0-10-8	9-2-4	17-1-2	25-0-0	32-10-14	40-9-12	50-0-0	50-10-8
0-10-8	9-2-4	7-10-14	7-10-14	7-10-14	7-10-14	9-2-4	0-10-8

Scale = 1:81.8



13-1-11	25-0-0	36-10-5	50-0-0
13-1-11	11-10-5	11-10-5	13-1-11

Plate Offsets (X,Y)-- [E:0-1-12,0-2-0], [G:0-1-12,0-2-0]

LOADING (psf)		SPACING-	4-0-0	CSI.		DEFL.	in (loc)	l/defl	L/d	PLATES	GRIP
TCLL (roof)	20.0	Plate Grip DOL	1.15	TC	0.83	Vert(LL)	-0.58	N	>999	MT20	197/144
Snow (Ps/Pg)	19.3/25.0	Lumber DOL	1.15	BC	0.74	Vert(CT)	-0.90	N-Q	>661	MT20HS	148/108
TCDL	5.0	Rep Stress Incr	NO	WB	0.79	Horz(CT)	0.28	J	n/a		
BCLL	0.0	Code IRC2018/TPI2014		Matrix-SH							
BCDL	5.0									Weight: 360 lb	FT = 10%

LUMBER-		BRACING-	
TOP CHORD	2x6 SP DSS *Except* T2,T3: 2x6 SPF 1650F 1.5E	TOP CHORD	2-0-0 oc purlins (2-5-10 max.).
BOT CHORD	2x6 SP DSS *Except* B2,B3: 2x6 SPF 1650F 1.5E	BOT CHORD	Rigid ceiling directly applied or 4-8-0 oc bracing.
WEBS	2x4 SPF No.2 *Except* W3,W4,W5: 2x4 SPF 1650F 1.5E	WEBS	1 Row at midpt E-N, G-N
OTHERS	2x4 SPF No.2 *Except* ST4,ST12: 2x4 SPF 1650F 1.5E		

REACTIONS. (lb/size) B=2984/0-4-0 (min. 0-3-1), J=2984/0-4-0 (min. 0-3-1)
Max Horz B=-301(LC 15)
Max Uplift B=-1330(LC 10), J=-1330(LC 11)
Max Grav B=3061(LC 2), J=3061(LC 2)

FORCES. (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD B-AK=-7743/3619, C-AK=-7613/3645, C-D=-6908/3263, D-E=-6739/3278, E-AL=-4849/2469, AL-AM=-4830/2486, F-AM=-4694/2499, F-AN=-4694/2499, AN-AO=-4830/2486, G-AO=-4849/2469, G-H=-6739/3278, H-I=-6908/3263, I-AP=-7613/3645, J-AP=-7743/3619
BOT CHORD B-Q=-3286/7197, P-Q=-2553/5856, O-P=-2553/5856, N-O=-2553/5856, M-N=-2553/5856, L-M=-2553/5856, J-L=-3286/7197
WEBS C-Q=-967/750, E-Q=-362/1118, E-N=-1965/1046, F-N=-997/2240, G-N=-1965/1046, G-L=-364/1118, I-L=-967/751

- NOTES-**
- Unbalanced roof live loads have been considered for this design.
 - Wind: ASCE 7-16; Vult=115mph (3-second gust) Vasd=91mph; TCCL=3.0psf; BCDL=3.0psf; h=25ft; Cat. II; Exp C; Enclosed; MWFRS (envelope) gable end zone and C-C Exterior(2E) 0-7-11 to 2-4-5, Interior(1) 2-4-5 to 22-0-0, Exterior(2R) 22-0-0 to 28-0-0, Interior(1) 28-0-0 to 47-7-11, Exterior(2E) 47-7-11 to 50-7-11 zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
 - Truss designed for wind loads in the plane of the truss only. For studs exposed to wind (normal to the face), see Standard Industry Gable End Details as applicable, or consult qualified building designer as per ANSI/TPI 1.
 - TCLL: ASCE 7-16; Pr=20.0 psf (roof LL: Lum DOL=1.15 Plate DOL=1.15); Pg=25.0 psf; Ps=19.3 psf (Lum DOL=1.15 Plate DOL=1.15); Is=1.0; Rough Cat C; Partially Exp.; Ce=1.0; Cs=1.00; Ct=1.10
 - Roof design snow load has been reduced to account for slope.
 - Unbalanced snow loads have been considered for this design.
 - This truss has been designed for greater of min roof live load of 12.0 psf or 2.00 times flat roof load of 19.3 psf on overhangs non-concurrent with other live loads.
 - Dead loads shown include weight of truss. Top chord dead load of 5.0 psf (or less) is not adequate for a shingle roof. Architect to verify adequacy of top chord dead load.
 - All plates are MT20 plates unless otherwise indicated.
 - All plates are 2x4 MT20 unless otherwise indicated.
 - Horizontal gable studs spaced at 2-2-0 oc.
 - This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.

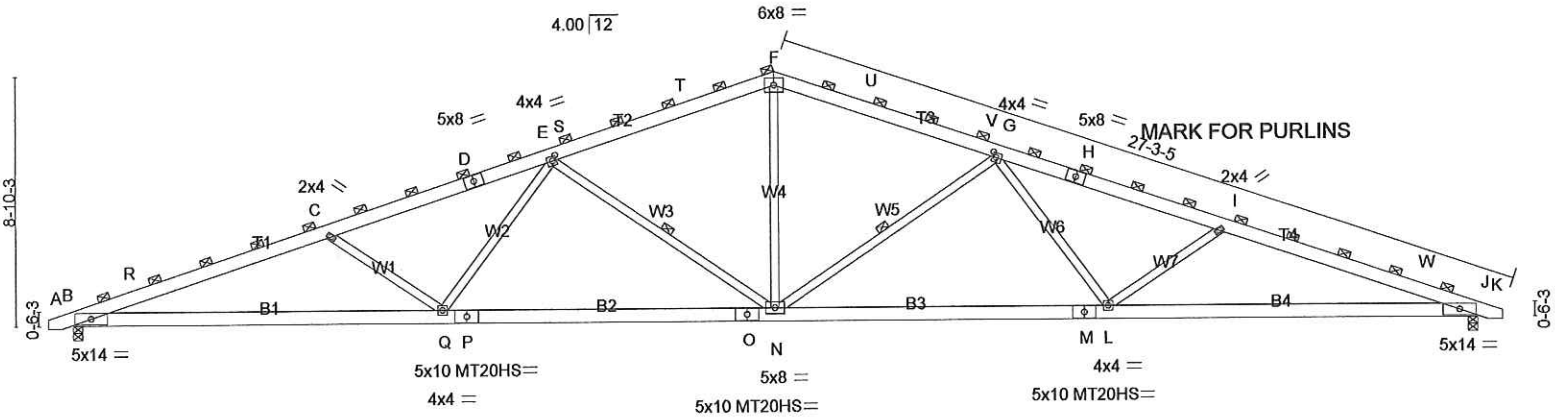
Job 76273	Truss T1	Truss Type MOD. QUEEN	Qty 12	Ply 1	Ennis
--------------	-------------	--------------------------	-----------	----------	-------

Sam Yoder & Sons, Inc., Greenwood, DE - 19950

Run: 83.300 s Mar 22 2019 Print: 8.300 s Mar 22 2019 MiTek Industries, Inc. Fri Oct 30 15:54:54 2020 Page 1
ID:HsbxBI3cUgWPUhbev4WEuYyA4NZ-Jk6A_zazWG0FHozocQz3P20vTN?GwYJ8lxXj_QyOBbl

0-10-8	9-2-4	17-1-2	25-0-0	32-10-14	40-9-12	50-0-0	50-10-8
0-10-8	9-2-4	7-10-14	7-10-14	7-10-14	7-10-14	9-2-4	0-10-8

Scale = 1:81.8



13-1-11	25-0-0	36-10-5	50-0-0
13-1-11	11-10-5	11-10-5	13-1-11

Plate Offsets (X,Y)-- [E:0-1-12,0-2-0], [G:0-1-12,0-2-0]

LOADING (psf)	SPACING-	4-0-0	CSI.	DEFL.	in (loc)	I/defl	L/d	PLATES	GRIP
TCLL (roof) 20.0	Plate Grip DOL	1.15	TC 0.83	Vert(LL)	-0.58	N	>999	MT20	197/144
Snow (Ps/Pg) 19.3/25.0	Lumber DOL	1.15	BC 0.74	Vert(CT)	-0.90	N-Q	>661	MT20HS	148/108
TCDL 5.0	Rep Stress Incr	NO	WB 0.79	Horz(CT)	0.28	J	n/a		
BCLL 0.0	Code IRC2018/TPI2014		Matrix-SH						
BCDL 5.0								Weight: 277 lb	FT = 10%

LUMBER-	BRACING-
TOP CHORD 2x6 SP DSS *Except* T2,T3: 2x6 SPF 1650F 1.5E	TOP CHORD 2-0-0 oc purlins (2-5-10 max.).
BOT CHORD 2x6 SP DSS *Except* B2,B3: 2x6 SPF 1650F 1.5E	BOT CHORD Rigid ceiling directly applied or 4-8-0 oc bracing.
WEBS 2x4 SPF No.2 *Except* W3,W4,W5: 2x4 SPF 1650F 1.5E	WEBS 1 Row at midpt E-N, G-N

REACTIONS. (lb/size) B=2984/0-4-0 (min. 0-3-1), J=2984/0-4-0 (min. 0-3-1)
Max HorzB=179(LC 18)
Max UpliftB=-773(LC 10), J=-773(LC 11)
Max GravB=3061(LC 2), J=3061(LC 2)

FORCES. (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD B-R=-7743/3619, C-R=-7613/3645, C-D=-6908/3263, D-E=-6739/3278, E-S=-4849/2469,
S-T=-4830/2486, F-T=-4694/2499, F-U=-4694/2499, U-V=-4830/2486, G-V=-4849/2469,
G-H=-6739/3278, H-I=-6908/3263, I-W=-7613/3645, J-W=-7743/3619
BOT CHORD B-Q=-3286/7197, P-Q=-2553/5856, O-P=-2553/5856, N-O=-2553/5856, M-N=-2553/5856,
L-M=-2553/5856, J-L=-3286/7197
WEBS C-Q=-967/685, E-Q=-313/1118, E-N=-1965/962, F-N=-997/2240, G-N=-1965/962,
G-L=-313/1118, I-L=-967/685

- NOTES-**
- 1) Unbalanced roof live loads have been considered for this design.
 - 2) Wind: ASCE 7-16; Vult=115mph (3-second gust) Vasd=91mph; TCDL=3.0psf; BCDL=3.0psf; h=25ft; Cat. II; Exp C; Enclosed; MWFRS (envelope) and C-C Exterior(2E) -0-7-11 to 2-4-5, Interior(1) 2-4-5 to 22-0-0, Exterior(2R) 22-0-0 to 28-0-0, Interior(1) 28-0-0 to 47-7-11, Exterior(2E) 47-7-11 to 50-7-11 zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
 - 3) TCLL: ASCE 7-16; Pr=20.0 psf (roof LL: Lum DOL=1.15 Plate DOL=1.15); Pg=25.0 psf; Ps=19.3 psf (Lum DOL=1.15 Plate DOL=1.15); Is=1.0; Rough Cat C; Partially Exp.; Ce=1.0; Cs=1.00; Ct=1.10
 - 4) Roof design snow load has been reduced to account for slope.
 - 5) Unbalanced snow loads have been considered for this design.
 - 6) This truss has been designed for greater of min roof live load of 12.0 psf or 2.00 times flat roof load of 19.3 psf on overhangs non-concurrent with other live loads.
 - 7) Dead loads shown include weight of truss. Top chord dead load of 5.0 psf (or less) is not adequate for a shingle roof. Architect to verify adequacy of top chord dead load.
 - 8) All plates are MT20 plates unless otherwise indicated.
 - 9) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
 - 10) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 100 lb uplift at joint(s) except (jt=lb) B=773, J=773.
 - 11) This truss is designed in accordance with the 2018 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
 - 12) See Standard Industry Piggyback Truss Connection Detail for Connection to base truss as applicable, or consult qualified building designer.

**For Framing Reference ONLY.
NOT TO SCALE.**

2x12 Southern Yellow Pine Lumber #1
3-4" Simpson SDWS Timber Screws at each Girder and Post Connection.
12-3-1/4" Power Driven nails

2x8 Treated Skirtboard.
Tarpaper behind metal trim on treated skirt board.

Engineered Trusses 4/12
Usp-7az Hurricane Ties (2) at each Truss
Braces to Truss Manufacture Specs.

3 PLY 2x6 GLU-LAM Posts

4/12

2x6 Faceboard.

(2) 14'x14' Garage Doors on Eave

6" in 10'

2x4 Purlins and Girts 2' on center
3- 3-1/4" power driven nails at each post connection

50'

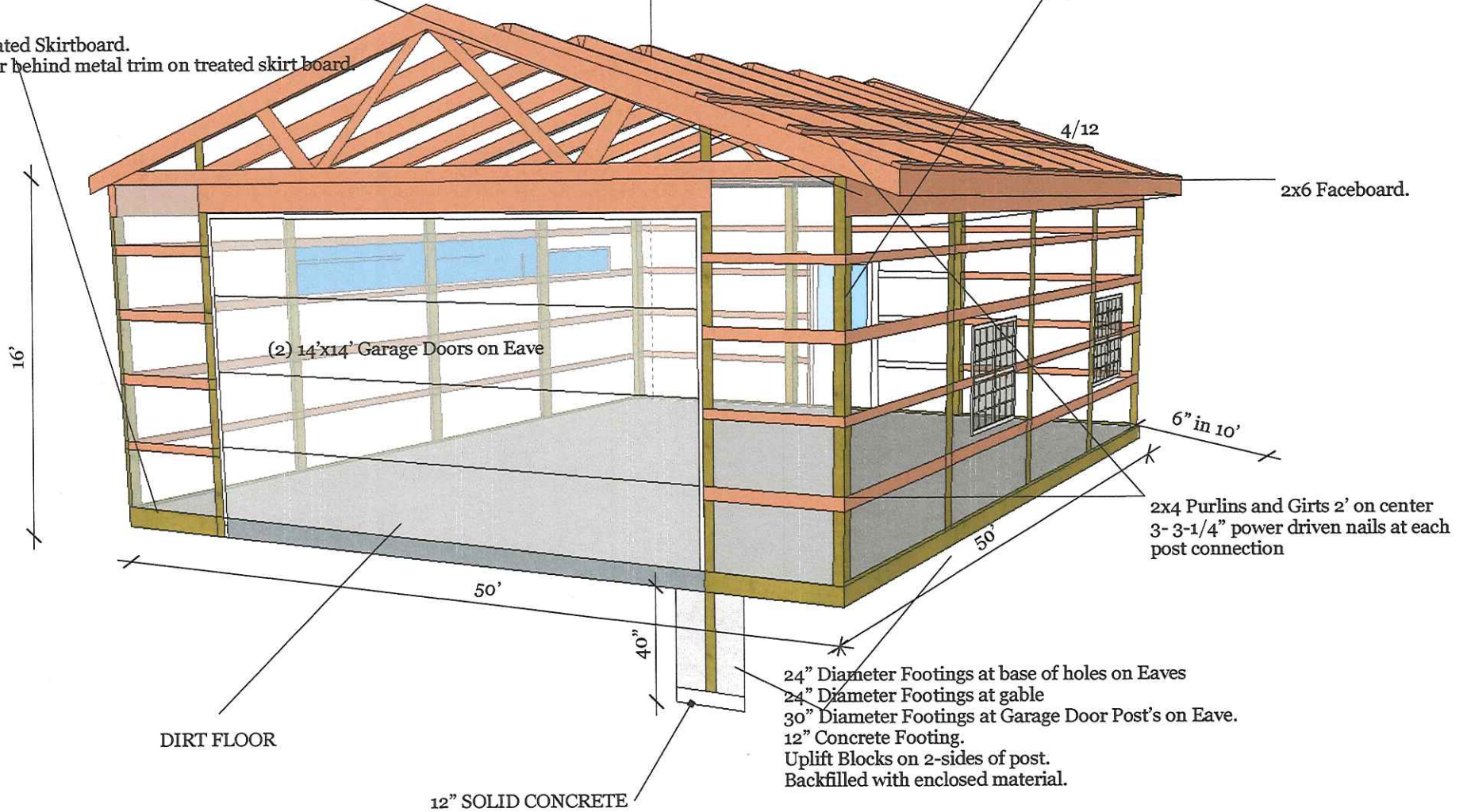
50'

40"

DIRT FLOOR

12" SOLID CONCRETE

24" Diameter Footings at base of holes on Eaves
24" Diameter Footings at gable
30" Diameter Footings at Garage Door Post's on Eave.
12" Concrete Footing.
Uplift Blocks on 2-sides of post.
Backfilled with enclosed material.



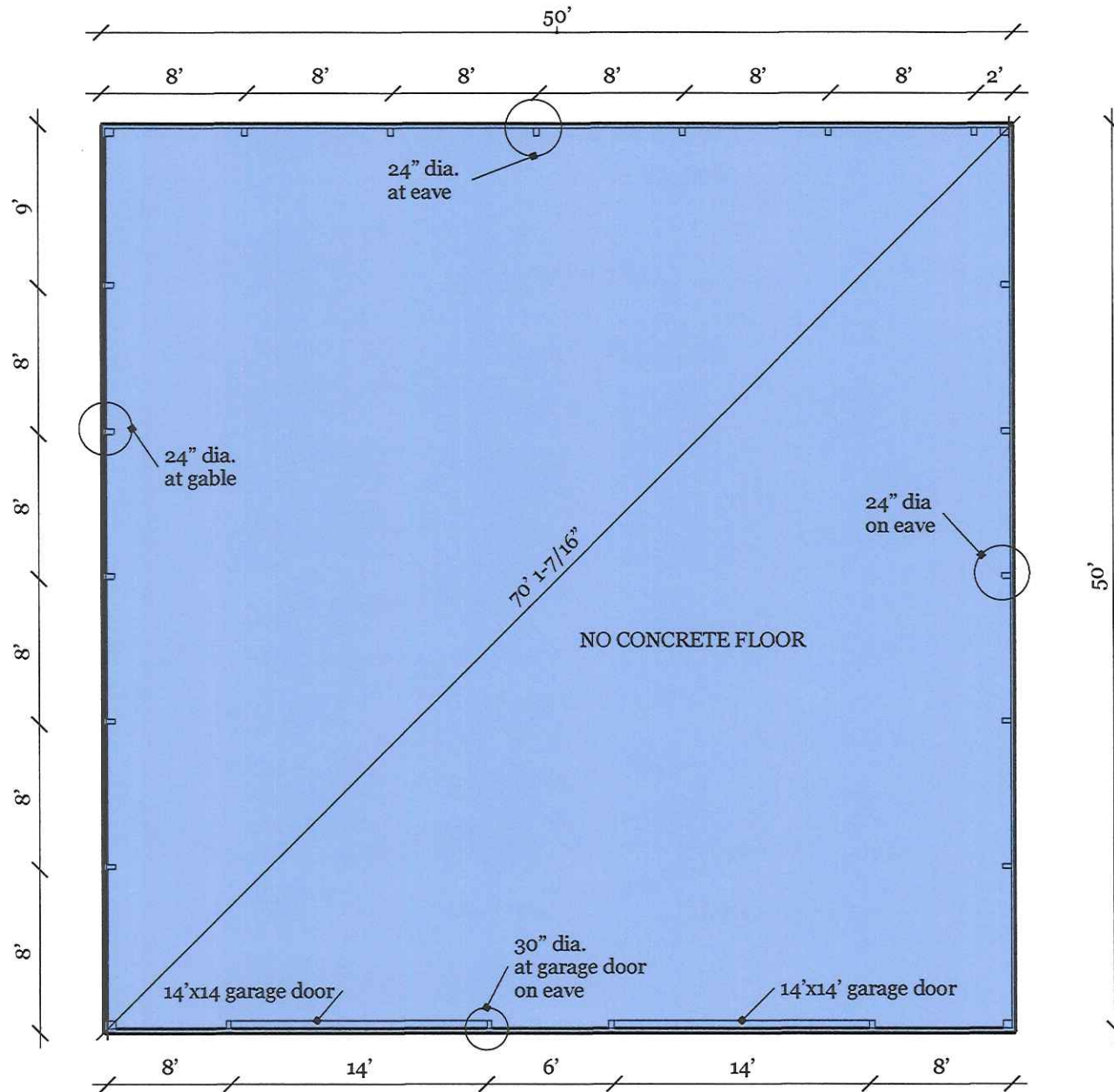
Dick Ennis
22357 John J. Williams Hwy
Lewes, De 19958



John Sapp Jr.
(302) 943-3974
Dreamstructuresllc@gmail.com

November 2, 2020

Pg. 2 POST LAYOUT



Dick Ennis
22357 John J. Williams Hwy
Lewes, De 19958



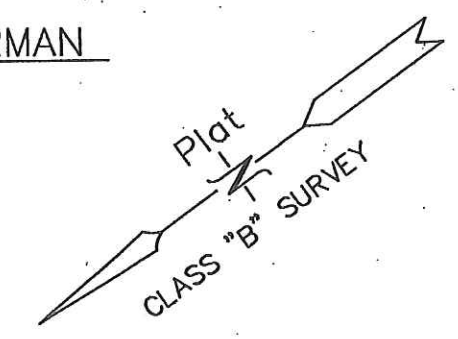
John Sapp Jr.
(302) 943-3974
Dreamstructuresllc@gmail.com

November 2, 2020

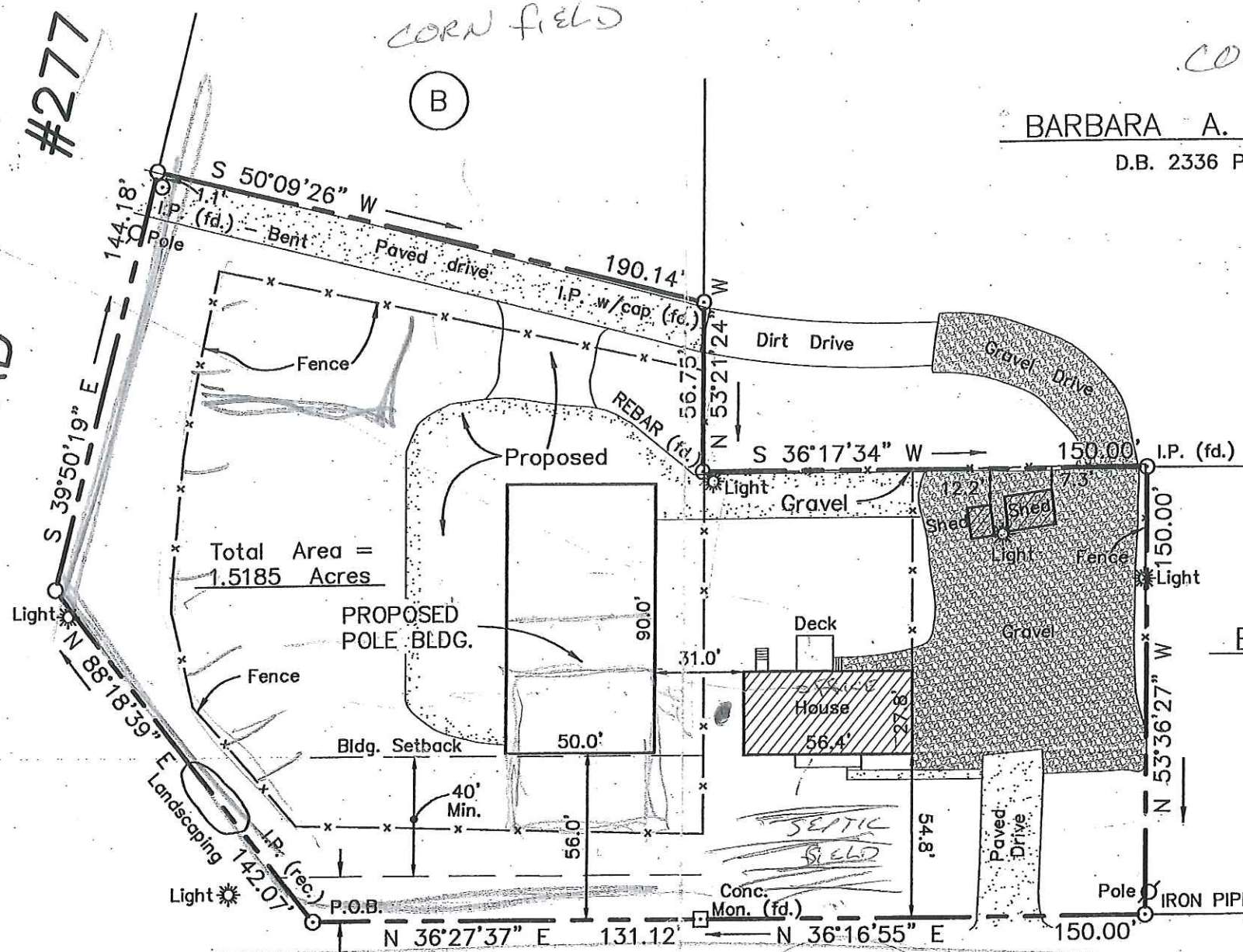
CORN FIELD
(B)

CORN FIELD

BARBARA A. DORMAN
D.B. 2336 P. 350



COUNTY ROAD #277



TREES ROW

BARBARA A. DORMAN
D.B. 1856 P. 6

TREE ROW

ROUTE #24
15' Wide Strip Reserved for Future Acquisition by the State of Delaware (DOT) - P.B. 74-3

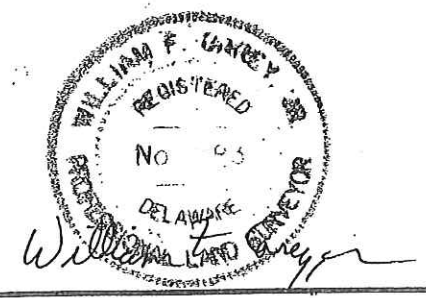
COUNTY ROAD #288-A

Parcel "A" - "ROBERT KIDD SUBDIVISION"
& 22,500 s.f. Lot

Prepared for
HAROLD R. ENNIS, Jr.

Located in
INDIAN RIVER HUNDRED - SUSSEX COUNTY - DELAWARE
Scale: 1" = 50'
March 14, 2011

COAST SURVEY, INC.
Land Surveying & Planning
P.O. Box 117
Nassau, DE 19969
(302) 645-7184



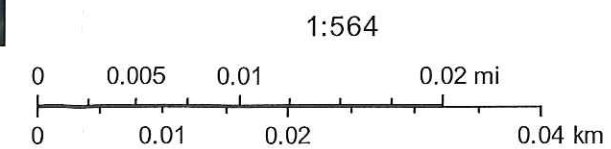


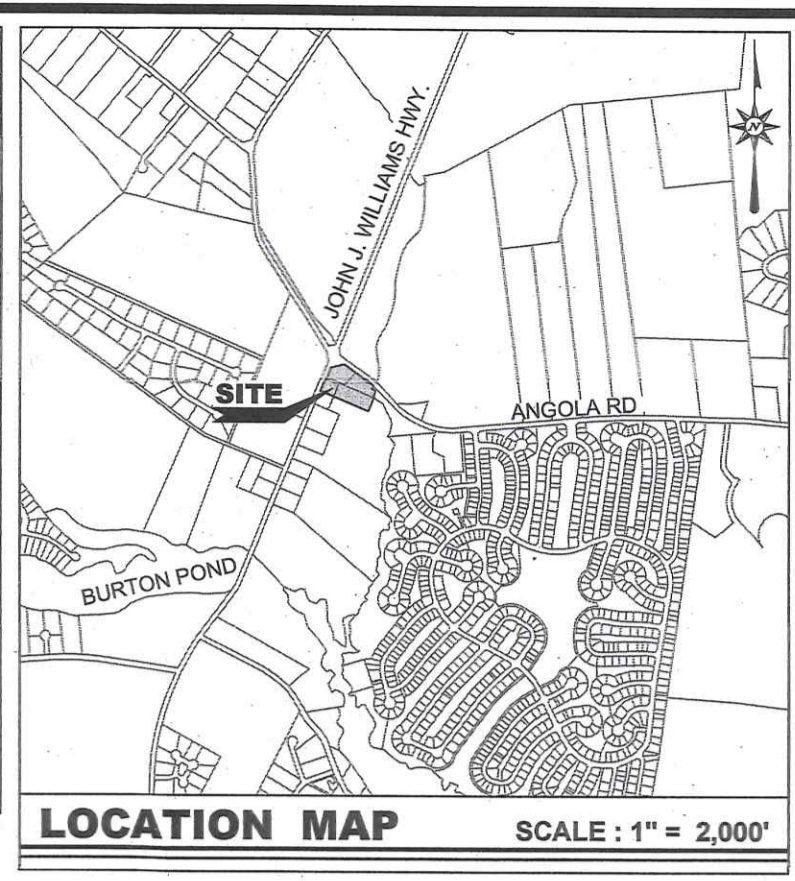
PIN:	234-11.00-56.06
Owner Name	ENNIS HAROLD R JR
Book	3253
Mailing Address	22357 JOHN J WILLIAMS HWY
City	LEWES
State	DE
Description	E/RT 24
Description 2	150'S/RT 277
Description 3	
Land Code	

- polygonLayer**

Override 1
- polygonLayer**

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





PARCELS TO BE EXPUNGED

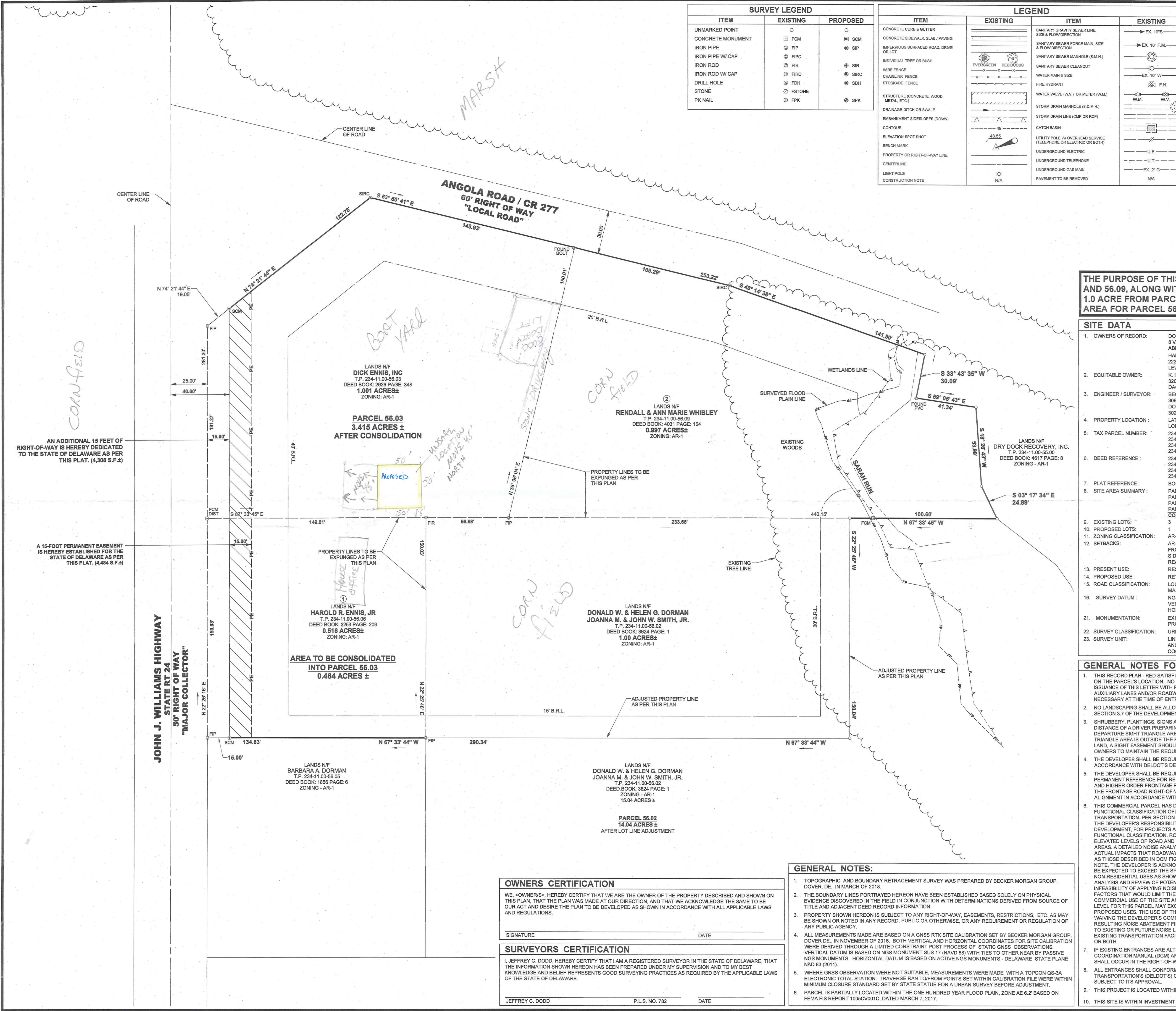
PARCEL NO.	TAX MAP #	DEED REF.
1	234-11.00-56.06	D-3253-209
2	234-11.00-56.09	D-4031-164

SURVEY LEGEND

ITEM	EXISTING	PROPOSED
UNMARKED POINT	○	○
CONCRETE MONUMENT	□ FCM	□ SCM
IRON PIPE	● FIP	● SIP
IRON PIPE W/ CAP	● FIPC	● SIPC
IRON ROD	⊙ FIR	⊙ SIR
IRON ROD W/ CAP	⊙ FIR	⊙ SIR
DRILL HOLE	⊙ FDH	⊙ SDH
STONE	⊙ FSTONE	⊙
PK NAIL	⊙ FPK	⊙ SPK

LEGEND

ITEM	EXISTING	ITEM	EXISTING
CONCRETE CURB & GUTTER	—	SANITARY GRAVITY SEWER LINE, SIZE & FLOW DIRECTION	— EX. 10" S
CONCRETE SIDEWALK, SLAB / PAVING	—	SANITARY SEWER FORCE MAIN, SIZE & FLOW DIRECTION	— EX. 10" F.M.
IMPERVIOUS SURFACED ROAD, DRIVE OR LOT	—	SANITARY SEWER MANHOLE (S.M.H.)	—
INDIVIDUAL TREE OR BUSH	—	SANITARY SEWER CLEANOUT	—
WIRE FENCE	—	WATER MAIN & SIZE	— EX. 10" W
CHAINLINK FENCE	—	FIRE HYDRANT	— F.H.
STOCKADE FENCE	—	WATER VALVE (W.V.) OR METER (W.M.)	— W.M. W.V.
STRUCTURE (CONCRETE, WOOD, METAL, ETC.)	—	STORM DRAIN MANHOLE (S.D.M.H.)	—
DRAINAGE DITCH OR SWALE	—	STORM DRAIN LINE (CMP OR RCP)	—
EMBANKMENT SLOPES (DOWN)	—	CATCH BASIN	—
CONTOUR	—	UTILITY POLE W/ OVERHEAD SERVICE (TELEPHONE OR ELECTRIC OR BOTH)	— U.E.
ELEVATION SPOT SHOT	—	UNDERGROUND ELECTRIC	— U.T.
BENCH MARK	—	UNDERGROUND TELEPHONE	— EX. 2" G
PROPERTY OR RIGHT-OF-WAY LINE	—	UNDERGROUND GAS MAIN	—
CENTERLINE	—	PAVEMENT TO BE REMOVED	—
LIGHT POLE	—		
CONSTRUCTION NOTE	—		



THE PURPOSE OF THIS PLAN IS TO DISSOLVE PARCELS 56.06 AND 56.09, ALONG WITH A LOT LINE ADJUSTMENT CONVEYING 1.0 ACRE FROM PARCEL 56.02 INTO PARCEL 56.03. THE NEW AREA FOR PARCEL 56.03 TOTALING

SITE DATA

1. OWNERS OF RECORD:	DONALD W. & HELEN G. DORMAN 8 VALIANT DRIVE ABINGDON, MD 21009	DICK ENNIS, INC 2257 JOHN J. WILLIAMS HWY LEWES, DE 19958
2. EQUITABLE OWNER:	HAROLD R. ENNIS, JR 2257 JOHN J. WILLIAMS HWY LEWES, DE 19958	RENDALL & ANN MARIE WHIBLEY 2285 CAMP ARROWHEAD RD LEWES, DE 19958
3. ENGINEER / SURVEYOR:	BECKER MORGAN GROUP INC. 309 SOUTH GOVERNORS AVE. DOVER, DELAWARE 19904 302-734-7950	
4. PROPERTY LOCATION:	LATITUDE: N38° 40' 35.89" WRS80 - NAD83 (2011) LONGITUDE: W75° 10' 58.82" WRS80 - NAD83 (2011)	
5. TAX PARCEL NUMBER:	234-11.00-56.02 234-11.00-56.03 234-11.00-56.06 234-11.00-56.09	
6. DEED REFERENCE:	234-11.00-56.02 BOOK: 3624 PAGE: 1 234-11.00-56.03 BOOK: 2928 PAGE: 348 234-11.00-56.06 BOOK: 3253 PAGE: 209 234-11.00-56.09 BOOK: 4031 PAGE: 164	
7. PLAT REFERENCE:	BOOK: 74 PAGE: 3, BOOK: 119 PAGE: 321	
8. SITE AREA SUMMARY:	PARCEL 56.02 (PORTION) = 43,560 SQ. FT. ± PARCEL 56.03 = 41,528 SQ. FT. ± PARCEL 56.06 = 20,227 SQ. FT. ± PARCEL 56.09 = 43,425 SQ. FT. ± CONSOLIDATED PARCEL 56.03 = 148,744 SQ. FT. ± 3,415 AC. ±	
9. EXISTING LOTS:	3	
10. PROPOSED LOTS:	1	
11. ZONING CLASSIFICATION:	AR-1 (AGRICULTURAL RESIDENTIAL)	
12. SETBACKS:	AR-1 (AGRICULTURAL RESIDENTIAL) FRONT YARD: 40 FT. SIDE YARD: 15 FT. REAR YARD: 2 FT.	
13. PRESENT USE:	RESIDENTIAL	
14. PROPOSED USE:	RETAIL CONVENIENCE STORE	
15. ROAD CLASSIFICATION:	LOCAL ROAD - ANGOLA ROAD (40 M.P.H.) MAJOR COLLECTOR - JOHN J. WILLIAMS (50 M.P.H.)	
16. SURVEY DATUM:	VERTICAL: NAVD 88 - SUS17 HORIZONTAL: NAD 83 (2011) DSP - CORS	
21. MONUMENTATION:	EXISTING: 6 FOUND PROPOSED: 4 TO BE SET	
22. SURVEY CLASSIFICATION:	URBAN SURVEY	
23. SURVEY UNIT:	LINEAR: US SURVEY FOOT ANGULAR: DEGREES MINUTES SECONDS (DMS) COORDINATE: GROUND	

GENERAL NOTES FOR DELDOT:

- THIS RECORD PLAN - RED SATISFIES THE DEPARTMENT'S RECORDATION REQUIREMENTS AND ARE BASED ON THE PARCELS LOCATION. NO COMMITMENTS ARE STATED OR IMPLIED BY DELDOT THROUGH THE ISSUANCE OF THIS LETTER WITH RESPECT TO: ENTRANCE LOCATION(S), ACCESS CONFIGURATIONS, AUXILIARY LINES AND/OR IMPROVEMENTS WHICH WILL BE EVALUATED AND REQUIRED AS NECESSARY AT THE TIME OF ENTRANCE CONSTRUCTION PLAN REVIEW OR APPROVAL FOR THE SITE.
- NO LANDSCAPING SHALL BE ALLOWED WITHIN RIGHT OF WAY UNLESS THE PLANS ARE COMPLIANT WITH SECTION 3.7 OF THE DEVELOPMENT COORDINATION MANUAL (DCM).
- SHRUBBERY, PLANTINGS, SIGNS AND/OR OTHER VISUAL BARRIERS THAT COULD OBSTRUCT THE SIGHT DISTANCE OF A DRIVER PREPARING TO ENTER THE ROADWAY ARE PROHIBITED WITHIN THE DEFINED DEPARTURE SIGHT TRIANGLE AREA ESTABLISHED ON THIS PLAN. IF THE ESTABLISHED DEPARTURE SIGHT TRIANGLE AREA IS OUTSIDE THE RIGHT-OF-WAY OR PROJECTS ONTO AN ADJACENT PROPERTY OWNER'S LAND, A SIGHT EASEMENT SHOULD BE ESTABLISHED AND RECORDED WITH ALL AFFECTED PROPERTY OWNERS TO MAINTAIN THE REQUIRED SIGHT DISTANCE.
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MONUMENTS IN ACCORDANCE WITH DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM).
- THE DEVELOPER SHALL BE REQUIRED TO FURNISH AND PLACE RIGHT-OF-WAY MARKERS TO PROVIDE A PERMANENT REFERENCE FOR RE-ESTABLISHING THE RIGHT-OF-WAY AND PROPERTY CORNERS ON LOCAL AND HIGHER ORDER FRONTAGE ROADS. RIGHT-OF-WAY MARKERS SHALL BE SET AND/OR PLACED ALONG THE FRONTAGE ROAD RIGHT-OF-WAY AT PROPERTY CORNERS AND AT EACH CHANGE IN RIGHT-OF-WAY ALIGNMENT IN ACCORDANCE WITH SECTION 3.2.4.2 OF THE DEVELOPMENT COORDINATION MANUAL.
- THIS COMMERCIAL PARCEL HAS DIRECT FRONTAGE ALONG ANGOLA ROAD (CR 277), WHICH HAS A FUNCTIONAL CLASSIFICATION OF LOCAL ROAD AS DEFINED BY THE STATE OF DELAWARE'S DEPARTMENT OF TRANSPORTATION. PER SECTION 3.3.1 OF THE DELDOT DEVELOPMENT COORDINATION MANUAL (DCM); IT IS THE DEVELOPER'S RESPONSIBILITY TO EVALUATE NOISE LEVELS AND THEIR IMPACTS ON PROPOSED DEVELOPMENT, FOR PROJECTS ADJACENT TO EXISTING TRANSPORTATION FACILITIES WITH THIS FUNCTIONAL CLASSIFICATION. ROADWAYS WITH THIS CLASSIFICATION CAN BE EXPECTED TO GENERATE ELEVATED LEVELS OF ROAD AND TRAFFIC RELATED NOISE, SIMILAR TO WHAT CAN BE EXPECTED IN URBAN AREAS. A DETAILED NOISE ANALYSIS PER DCM 3.6 IS TYPICALLY RECOMMENDED TO HELP GAUGE THE ACTUAL IMPACTS THAT ROADWAY RELATED NOISE MAY HAVE ON VARIOUS POTENTIAL LAND-USES (SUCH AS THOSE DESCRIBED IN DCM FIGURE 3.6.3-A, NOISE ABATEMENT CRITERIA). WITH THE INCLUSION OF THIS NOTE, THE DEVELOPER IS ACKNOWLEDGING THAT THE PROPOSED SITE AND/OR BUILDING LOCATION CAN BE EXPECTED TO EXCEED THE SPECIFIC MAXIMUM NOISE LEVELS FOR CERTAIN COMMERCIAL AND NON-RESIDENTIAL USES AS SHOWN IN DCM FIGURE 3.6.3-A. THE DEVELOPER'S WAIVER OF THE NOISE ANALYSIS AND REVIEW OF POTENTIAL NOISE MITIGATION MEASURES ARE SUPPORTED BY THE INFEASIBILITY OF APPLYING NOISE MITIGATION MEASURES, BASED ON ENGINEERING CONSIDERATIONS AND FACTORS THAT WOULD LIMIT THE ABILITY TO ACHIEVE SUBSTANTIAL NOISE REDUCTION, RELATED TO THE COMMERCIAL USE OF THE SITE AND/OR BUILDINGS. THIS WAIVER ACKNOWLEDGES THAT THE DECIBEL LEVEL FOR THIS PARCEL MAY EXCEED THE APPLICABLE LIMITS FOR SOME CURRENT OR FUTURE PROPOSED USES. THE USE OF THIS NOTE SIGNIFIES THE SUBDIVISION ENGINEER'S CONCURRENCE WITH WAIVING THE DEVELOPER'S COMPLETION OF A DETAILED NOISE STUDY AND SUBSEQUENT REVIEW OF RESULTING NOISE ABATEMENT FINDINGS OR MITIGATION MEASURES. ANY FUTURE COMPLAINTS RELATING TO EXISTING OR FUTURE NOISE LEVELS IMPACTING PROPOSED USES ON THIS SITE AND ALONG THIS EXISTING TRANSPORTATION FACILITY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER OR LAND OWNER OR BOTH.
- IF EXISTING ENTRANCES ARE ALTERED, THEY SHALL CONFORM TO DELDOT'S DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL. NO CONSTRUCTION ACTIVITY SHALL OCCUR IN THE RIGHT-OF-WAY (ROW) WITHOUT A DELDOT PERMIT.
- ALL ENTRANCES SHALL CONFORM TO THE DELAWARE DEPARTMENT OF TRANSPORTATION'S (DELDOT'S) CURRENT DEVELOPMENT COORDINATION MANUAL (DCM) AND SHALL BE SUBJECT TO ITS APPROVAL.
- THIS PROJECT IS LOCATED WITHIN THE TRANSPORTATION IMPROVEMENT DISTRICT.
- THIS SITE IS WITHIN INVESTMENT LEVEL 3 FOR THE STATE STRATEGIES.

OWNERS CERTIFICATION

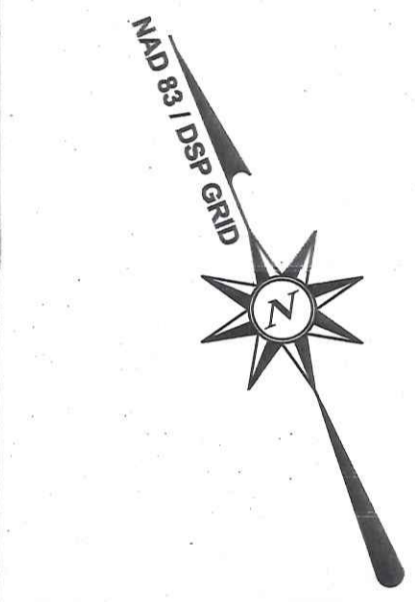
WE, «OWNERS», HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE _____ DATE _____

SURVEYORS CERTIFICATION

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

JEFFREY C. DODD P.L.S. NO. 782 DATE _____



PROJECT TITLE

LANDS OF DORMAN, ENNIS, INC., & WHIBLEY

JOHN J WILLIAMS HWY & ANGOLA ROAD
INDIAN RIVER HUNDRED
SUSSEX COUNTY, DE

SHEET TITLE

CONSOLIDATION PLAN

SCALE: 1" = 30'

ISSUE BLOCK

MARK	DATE	DESCRIPTION

PROJECT NO.: 2017222.00
DATE: 03/22/2018
SCALE: 1" = 30'
DRAWN BY: D.S.G., PROJ. MGR.: J.C.D.
SHEET
1 OF 1
COPYRIGHT 2015