

BOARD OF ADJUSTMENT

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



Sussex County

DELAWARE
sussexcountype.gov

(302) 855-7878

AGENDA

December 13, 2021

6:00 P.M.

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

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutes for October 18, 2021

Approval of Finding of Facts for October 18, 2021

Old Business

Case No. 12627 – Jack & Jeanine Zaccara seek a variance from the rear yard setback requirement for a proposed structure (Sections 115-34 and 115-183 of the Sussex County Zoning Code). The property is located on the southwest side of Falmouth Way within Coastal Club Condominiums. 911 Address: 31339 Falmouth Way, Lewes. Zoning District: MR-RPC. Tax Parcel: 334-11.00-394.00

Public Hearings

Case No. 12631 – Deena A. Dorey seeks variances from the side yard setback requirement for an existing structure (Sections 115-25, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located at the north side of Indian Town Road approximately 0.48 mile east of Revel Road. 911 Address: 23745 Indian Town Road, Millsboro. Zoning District: AR-1. Tax Map: 133-20.00-74.02

Case No. 12632 – Nicholas J. Flomp, Jr. seeks variances from the side yard setback requirement for a proposed structure (Sections 115-25, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located on the southeast side of Lavinia Street approximately 425 ft. northeast of Sand Hill Road. 911 Address: 15749 Lavinia Street, Milton. Zoning District: AR-1. Tax Parcel: 235-20.00-13.03



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

Case No. 12633 – Brent Beaver seek variances from the front yard setback requirement for existing structures (Sections 115-25, 115-182, and 115-185 of the Sussex County Zoning Code). The property is located at the northeast side of East Redden Road approximately 0.20 mile northeast of DuPont Highway (Rt. 113). 911 Address: 18932 East Redden Road, Georgetown. Zoning District: AR-1. Tax Map: 135-6.00-10.03

Case No. 12634 – Mark & Nancy Keyasko seeks variances from the side yard setback requirement for an existing structure (Sections 115-34, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located at the northeast side of South Carolina Avenue approximately 88 ft. northeast of North Bay Shore Drive. 911 Address: 9 South Carolina Avenue, Milton. Zoning District: MR. Tax Map: 235-4.13-5.00

Case No. 12635 – Michael Milligan seeks a variance from maximum fence height requirement for an existing fence and a variance from front yard setback requirement for an existing structure. (Sections 115-25, 115-182 and 115-185 of the Sussex County Zoning Code). The property is located on the east side of Jestice Farm Road approximately 810 ft. north of Pepper Pond lane. 911 Address: 31531 Jestice Farm Road, Laurel. Zoning District: AR-1 Tax Parcel: 232-19.00-12.02

Case No. 12636 – Ralph & Susan Galbreath seek variances from the front yard setback requirements for proposed structures (Sections 115-34 and 115-182 of the Sussex County Zoning Code). The property is located at the northeast side of Indian Queen Land with the Blackwater Village Subdivision. 911 Address: 34020 Indian Queen Lane, Dagsboro. Zoning District: MR. Tax Map: 134-11.00-337.00

Additional Business



-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on December 6, 2021 at 4:30 p.m. and at least seven (7) days in advance of the meeting.

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

Agenda items may be considered out of sequence.

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

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

To join the meeting via telephone, please dial:

Conference Number: 1 302 394 5036

Conference Code: 570176

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

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

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountyde.gov. All comments are encouraged to be submitted by 4:30 P.M. on Thursday, December 9, 2021

####



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

Case # 12627
Hearing Date 11/15
2021/4/232

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☒

Code Reference (office use only)

15-34 15-183

Site Address of Variance/Special Use Exception:

31339 Falmouth Way Lewes, Delaware 19958

Variance/Special Use Exception/Appeal Requested:

8' var from 20' rear yard rear proposed addition

Tax Map #: 334-11-394

Property Zoning: MR-RPC

Applicant Information

Applicant Name: Jack and Jeanine Zaccara

Applicant Address: 31339 Falmouth Way

City Lewes State DE Zip: 19958

Applicant Phone #: 9143843272 Applicant e-mail: jnzaccara31@gmail.com

Owner Information

Owner Name: Jack and Jeanine Zaccara

Owner Address: 31339 Falmouth Way

City Lewes State DE Zip: 19958 Purchase Date: 7/21/2016

Owner Phone #: 9143843272 Owner e-mail: jnzaccara@gmail.com

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

Jeanine M. Zaccara

Date: 9/27/2021



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

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

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

1. Uniqueness of property:

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

We are a townhome community where several homeowners have built 3 season rooms on the rear of their homes. It provides shelter from sun and protection from insects while enjoying the outdoors. Mosquitos are a huge problem due to poor drainage in the swail.

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.

We must and will follow the homeowners code and keep the size of the room in accordance with the rules and plans laid out in our homeowner contract.

3. Not created by the applicant:

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

We agreed to these constructs and will continue to honor all codes. We have immensely enjoyed our neighbors 3 seasons rooms and would like to enjoy our own.

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

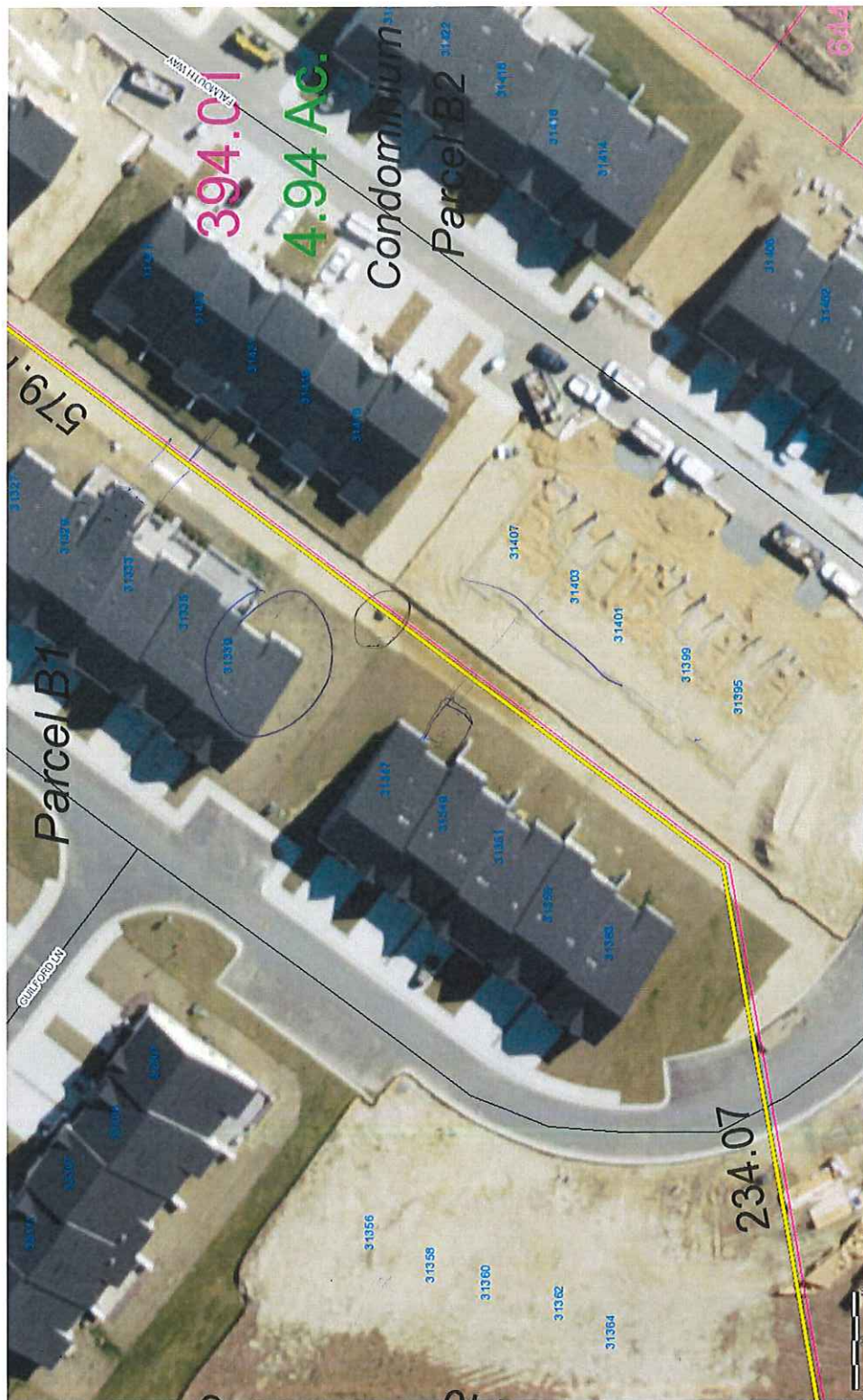
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

We chose a contractor and a plan identical to our next door neighbor's 3 season room. We would like to include a table, 4 chairs and love seat for comfort.

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.

My husband has had skin cancer and Parkinson's Disease. We note that his anxiety lessens with exposure to nature. The 3 season room would greatly benefit his health. It is a minimum distance to make it a usable porch. Thank you.



resubmitted as requested with the required changes. Please expedite. Thank you so much.

COASTAL CLUB
ARCHITECTURAL APPLICATION
C/O SeaScape Property Management
17563 Nassau Commons Blvd
Lewes, DE 19958
302-645-2222 * 302-645-1292 FAX

Please include your application fee of \$50.00. Make checks payable to:
COASTAL CLUB HOMEOWNERS ASSOCIATION, INC.

Applicant: Jack and Jeanine Zaccara
Address: 31339 Falmouth Way
Home phone: 914 621 6252 Work phone: _____
Mailing Address (if different): _____

Directions:

In order to be considered by the Architectural Committee your application must include detailed information describing the proposed change (typically, plans and specifications including sketches, photos, catalog illustrations, etc. showing the nature, kind, shape, color, dimensions, and materials; and a copy of the survey with the location marked). Make sure your application is complete. An application submitted without all required submissions will be considered incomplete. In such case, the Architectural Committee's review period will not commence until all required submissions have been provided. Other exhibits may be requested to permit adequate evaluation of the proposed change. If you have any questions regarding the required submissions or the application process, you are advised to seek guidance from SeaScape Property Management prior to submission of an application.

Description of Proposed Change:

Describe all proposed improvements, alterations, or changes to your lot or home. Please provide required details by attaching sketches, drawings, clippings, pictures, catalog illustrations, and a copy of your house location survey (recorded plat) with the location of the modification marked, etc. to fully describe the proposed change.

Addition of sunroom

Purpose of Improvement: addition of comfort and living space

ESTIMATED START DATE OF CONSTRUCTION: Oct 2021
(After approval by the ARC)

ESTIMATED COMPLETION DATE: January 2022

Neighbors' Acknowledgments:

You are requested to obtain the signatures of all lot owners whose lots are adjacent to your lot. Signature by your neighbors indicates an awareness of your proposed change and *does not* constitute approval or disapproval on their part.

Name: Steven Krasnow
Address: 31335 Falmouth Way
Lot: _____
Signature: [Signature]

Name: William E. Bach
Address: 31347 FALMOUTH WAY
Lot: _____
Signature: [Signature]

Owner's Acknowledgments:

(please initial below)

I/we understand and agree:

1. [Initials] that approval by the Committee shall in no way be construed as to pass judgment on the correctness of the location, structural design, suitability of water flow or drainage, location of utilities, or other qualities of the proposed change being reviewed.
2. [Initials] that approval by the Committee shall in no way be construed as to pass judgment on whether the proposed change being reviewed is in compliance with the applicable building and zoning codes of the county in which the property is located.
3. [Initials] that approval of any particular plans and specifications or design shall not be construed as a waiver of the right of the Committee to disapprove such plans and specifications, or any elements or features thereof, in the event such are subsequently submitted for use in any other instance.
4. [Initials] that no work on the proposed change shall begin until written approval of the Committee has been received by me; that, if work is begun prior to approval, I may be required to return the property to its former condition at my own expense if this application is disapproved wholly or in part; and I may be required to pay all legal expenses incurred.
5. [Initials] that there shall be no deviations from the plans, specifications, and location approved by the Committee without prior written consent of the Committee; any variation from the original application must be resubmitted for approval.
6. [Initials] that I authorize members of the Committee or managing agent to enter upon my Property to make one or more routine inspection(s).
7. [Initials] that construction or alterations in accordance with the approved plans and specifications must commence within 6 months of the approved date of this application and completed within 12 months of the approved date, otherwise the approval by the Committee shall be deemed conclusively to have lapsed and to have been withdrawn.
8. [Initials] that it is my responsibility and obligation to obtain all required building permits, to contact *Miss Utility*, and to construct the improvements in a workmanlike manner in conformance with all applicable building and zoning codes.
9. [Initials] that I am responsible for any damage and all cost to repair greenspace or community property that results from the proposed modification.

Required Attachment: Descriptive information (typically plans and specifications, including sketches, photos, catalog illustrations, etc. showing the nature, kind, shape, color, dimensions, materials, and a copy of the survey with the location marked).

Owner(s) Signature: _____

Date: _____

Home Owner – Do not complete area below this line.

DATE APPLICATION RECEIVED: _____

APPLICATION FEE RECEIVED: _____ CHECK# _____

COMMITTEE USE: APPROVED _____ DISAPPROVED _____

NEED MORE INFORMATION: _____

SIGNATURE: _____ TITLE: _____

COUNCIL: APPROVED _____ DISAPPROVED _____

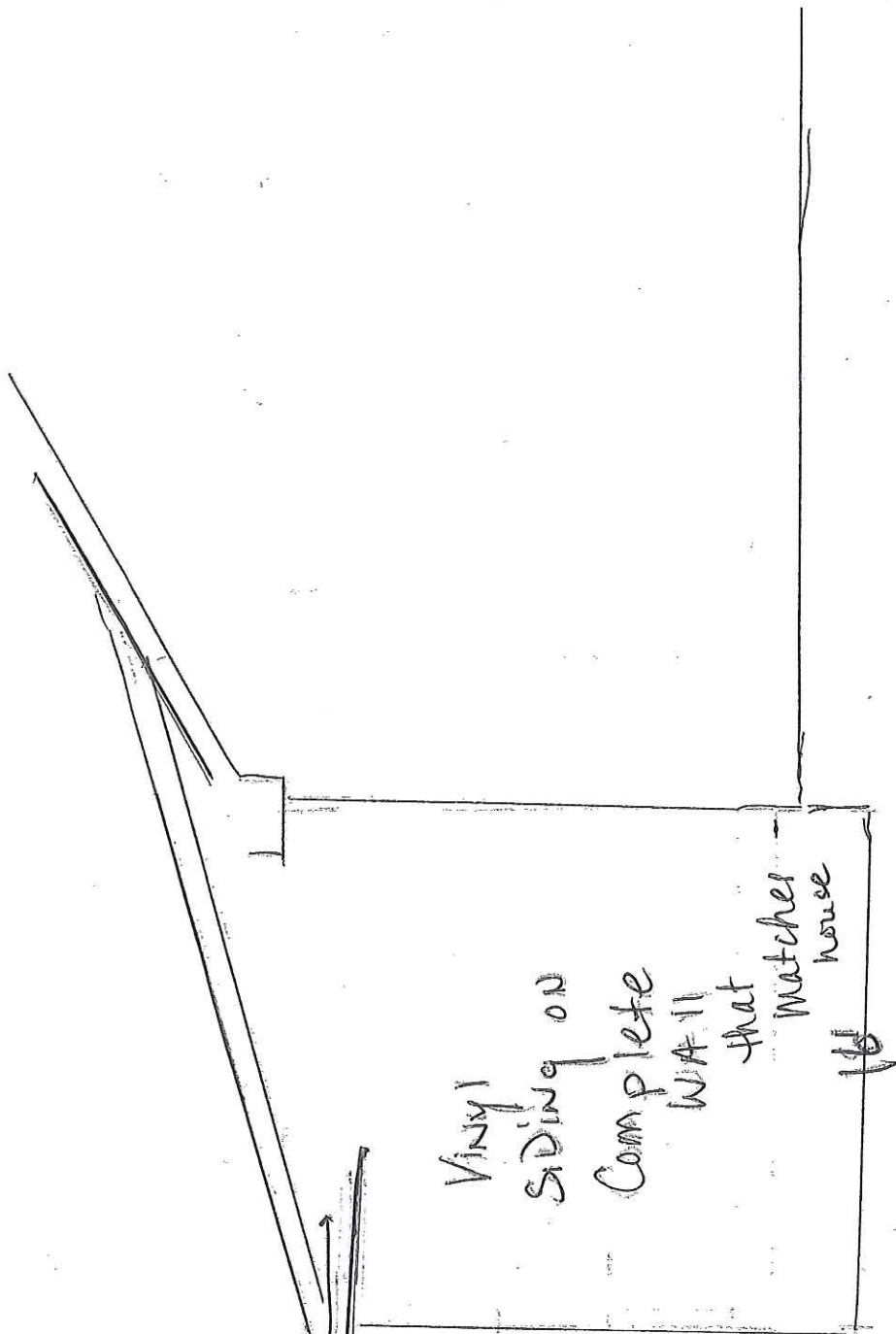
REASON: _____

MORE INFO REQUIRED: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

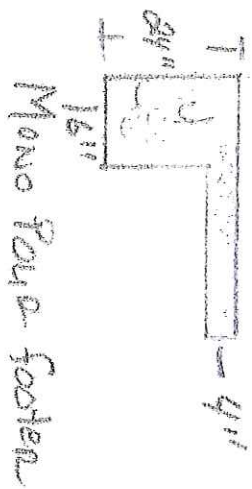
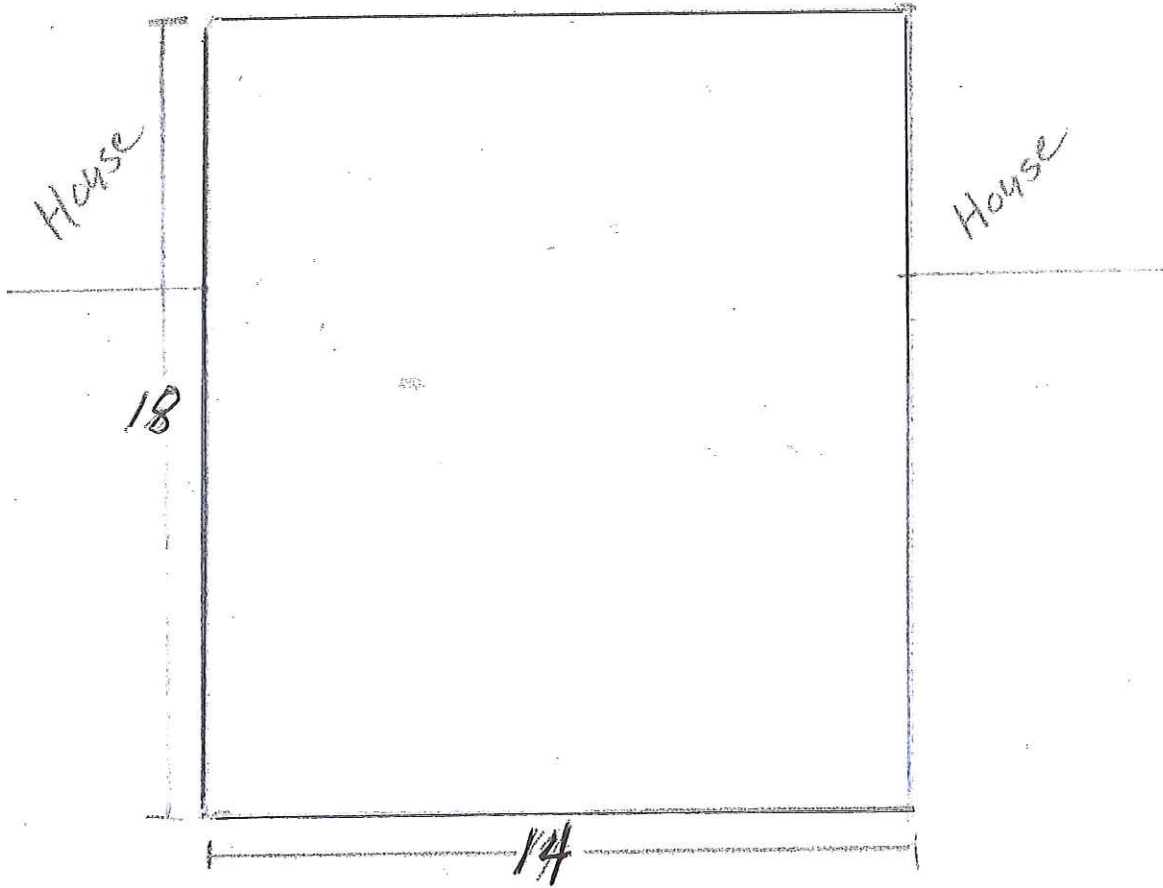


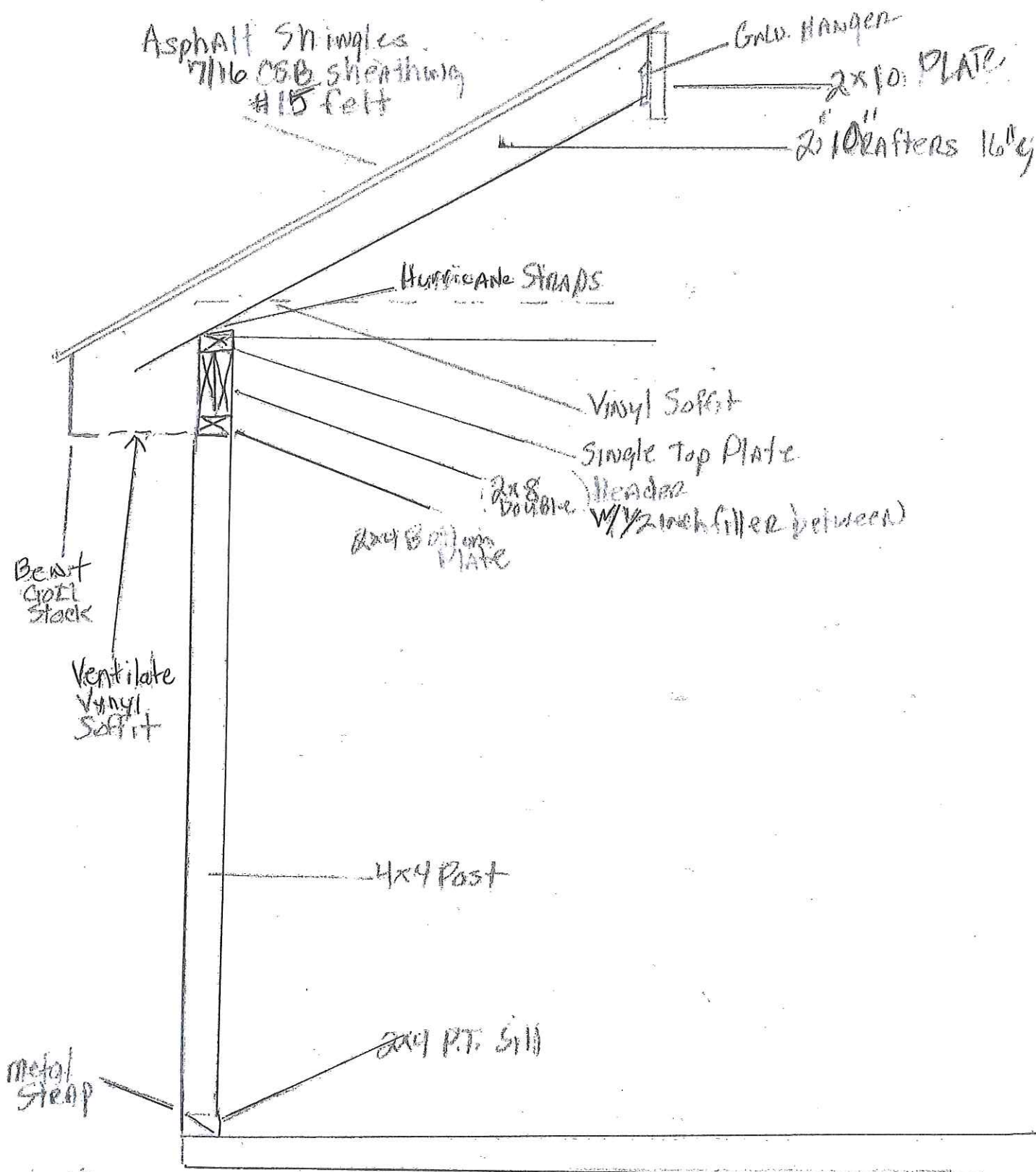
Color Match
Siding

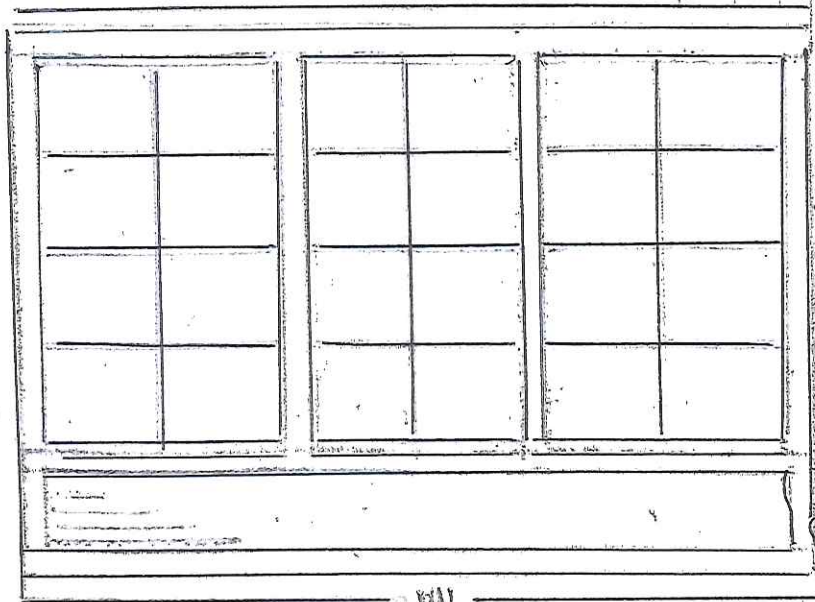
Vinyl
Siding on
Complete
Wall that
matches
house

Fire Rated
Plywood
w/ Tyvek
wrap
for Code
Reference

home

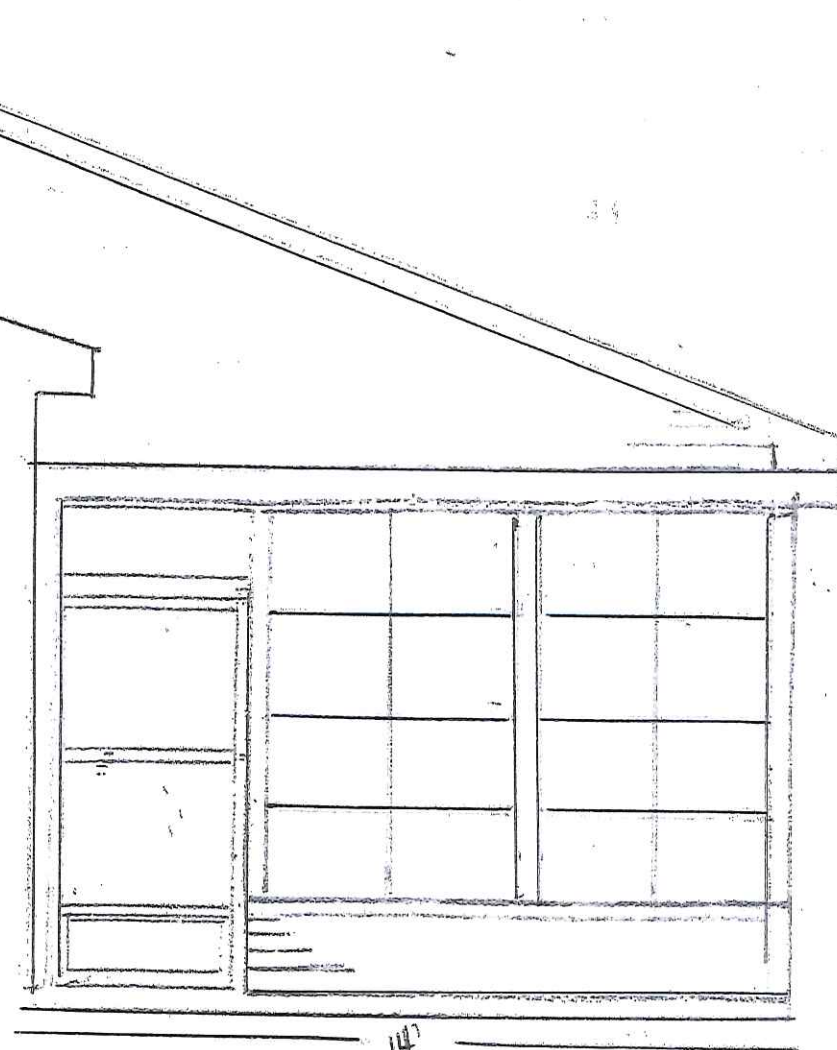






14

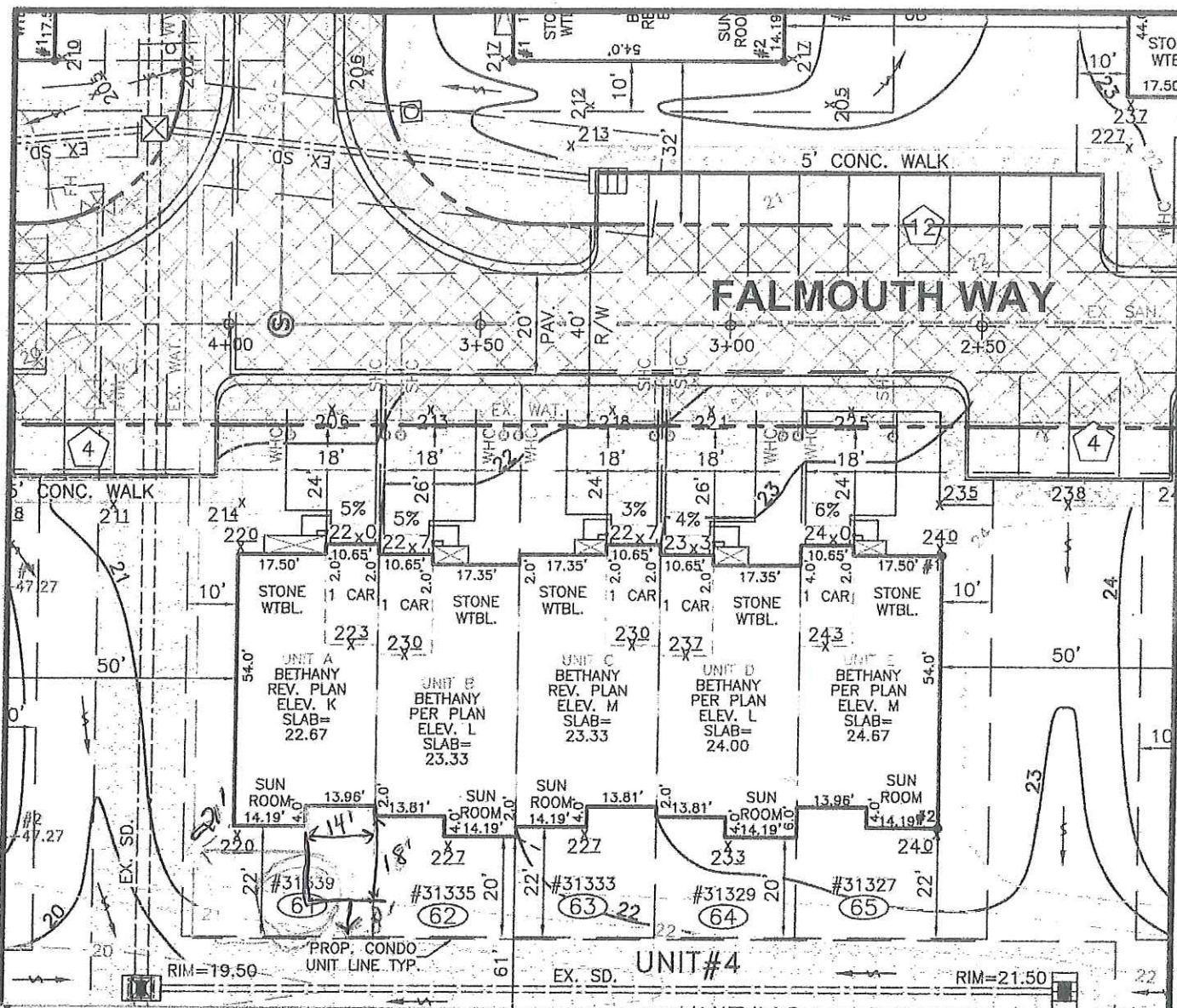
House




LEFT

14'

side



 MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 3445-A BOX HILL CORPORATE CENTER DRIVE ABINGDON, MD 21009 (410) 515-9000 FAX: (410) 515-9002 www.mragta.com	SITE AND GRADING PLAN FOR COASTAL CLUB UNIT #4 RYAN HOMES UNITS 61-65 #31327-#31339 FALMOUTH WAY LEWES-REHOBOTH HUNDRED SUSSEX COUNTY, DELAWARE			
	SCALE: 1"=30' DATE: MARCH 2, 2016 DRAWN BY: M.E. DESIGN BY: M.E. REVIEW BY: D.A. JOB NO.: 18892			

Case 12627

Dear Ann

Please find the photos of our neighbors porches. The last set is of the porch next door to us which is what we are contracted for.

Case #202114232



Applicant
Exhibit

RECEIVED

NOV 01 2021

SUSSEX COUNTY
PLANNING & ZONING















Ann Lepore

From: Jason Ippolito <jeaninemzaccara@icloud.com>
Sent: Monday, November 1, 2021 11:21 AM
To: Ann Lepore
Subject: Zaccara

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

This is the one we contracted for.





Sent from my iPhone

To: The Sussex County, Delaware Board of Planning and Zoning

We the undersigned, are neighbors of Jack and Jeanine Zaccara, who live at 31339 Falmouth Way, in Lewes, DE. We are writing in support of their application for a zoning variance at said address, in order to add a sunroom to the back of their townhouse.

The sunroom plans have been approved by the Coastal Club HOA and they are in keeping, in size and design, with the essential character of our neighborhood, where a number of sunrooms have been added by other residents.

Date	Name	Address	Contact Phone
1. 9-28-21	Pauline Watowicz	31333 Falmouth Way	623 696-9761
2. 9-28-21	Diane H. Deed	31347 Falmouth Way	30-938-8546
3. 9/28/21	Laura Brennan	31407 Falmouth Way	484-354-6047
4. 11/1/21	Martene Evans	31329 Falmouth Way	717-903-7684

Thank you for your consideration on matter.

The Neurology Center of South Delaware, P.A.

24488 Sussex Highway, Suite 6
Seaford, DE 19973
Phone (302)628.7730
Fax (302)628.7791

21635 Biden Ave, Suite 203
Georgetown, DE 19947
Phone (302)858.4524
Fax (302)858.4766

Bruce Dopler, M.D.
Board Certified Neurologist
Board Certified Vascular Neurologist

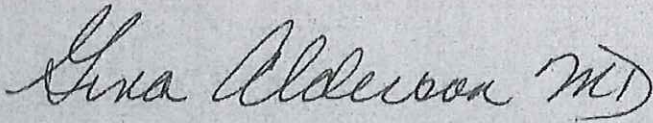
Gina Alderson, M.D.
Board Certified Neurologist

09-29-2021

To whom it may concern:

Mr. Jack Zaccara is followed in my office for Parkinson's disease and associated anxiety. Some of the symptoms do much better when he can be out in the sun/outdoors. Obviously this is not always possible secondary to weather and excessive sun exposure given his history of cancer. A great option for him to help deal with some of his symptoms would be a sun porch.

Thank you,

A handwritten signature in cursive script that reads "Gina Alderson MD". The signature is written in dark ink and is positioned above the electronic signature line.

Electronically signed by: Electronically signed by Gina Alderson, M.D. 09-29-2021 11:59 a.m.

To: Jennifer Norwood
Planning Manager
Planning and Zoning Department
Sussex Co. DE 19947

From:
Jack J. Zaccara
31339 Falmouth Way
Lewes, DE 19958

Dear Ms. Norwood,
Jeanine and I would like to thank you for your help in our case before the Board of Planning and Zoning (case # 12627).

As it turns out that no variance was needed, we hereby request that the case be withdrawn. In addition, we would respectfully request a refund of the \$400 fee.

We regret not having figured out the issue prior to seeking a building permit and coming before the Board.

If it is possible, we would very much appreciate having something in writing as to our ability to move ahead with our project as soon as possible.

Once again, we are deeply grateful for your assistance.

Regards,
Jack Zaccara

RECEIVED

OCT 08 2021

SUSSEX COUNTY
PLANNING & ZONING

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

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

Case # 12631
Hearing Date 12/13

20211839

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☒

Proposed ☐

Code Reference (office use only)

115-25 C
115-183 115-185

Site Address of Variance/Special Use Exception:

23745 Indian Town Rd. Millsboro, DE 19966

Variance/Special Use Exception/Appeal Requested:

The pole building is _____ ft. and _____ inches past the side setback line.

See placement survey for further clarification.

Filing for Variance of 9 ft. From Side Set Backs.

Tax Map #: 133-20.00-74.02 RS

Property Zoning: AR-1

Applicant Information

Applicant Name: Deena A. Dorey

Applicant Address: 23745 Indian Town Rd

City Millsboro State DE Zip: 19966

Applicant Phone #: (302) 542-5929 Applicant e-mail: dorey99@aol.com

Owner Information

Owner Name: Deena A. Dorey

Owner Address: 23745 Indian Town Rd.

City Millsboro State DE Zip: 19966 Purchase Date: 9/23/19

Owner Phone #: (302) 542-5929 Owner e-mail: dorey99@aol.com

Agent/Attorney Information

Agent/Attorney Name: N/A

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

Deena A. Dorey

Date: 10.8.2021



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

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

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

1. Uniqueness of property:

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

The location of the existing Septic System and size of existing drain field, prevents the pole building from being moved in the opposite direction, in order to comply with the side setbacks.

2. Cannot otherwise be developed:

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

Due to the location of the existing septic system and size of the existing drain field, the property cannot be developed to conform with the side setbacks.

3. Not created by the applicant:

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

The lot is existing and was not created by the applicant. Applicant is the second owner of the property. The lot dimensions, and thus the narrowness of the lot, and the location of the septic system and the drain field were in place when purchased by the applicant. The applicant has not altered the lot dimensions.

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

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

The request for variance will not alter the essential character of the neighborhood, as the existing residential dwelling and pole building are common structures of the area.

5. Minimum variance:

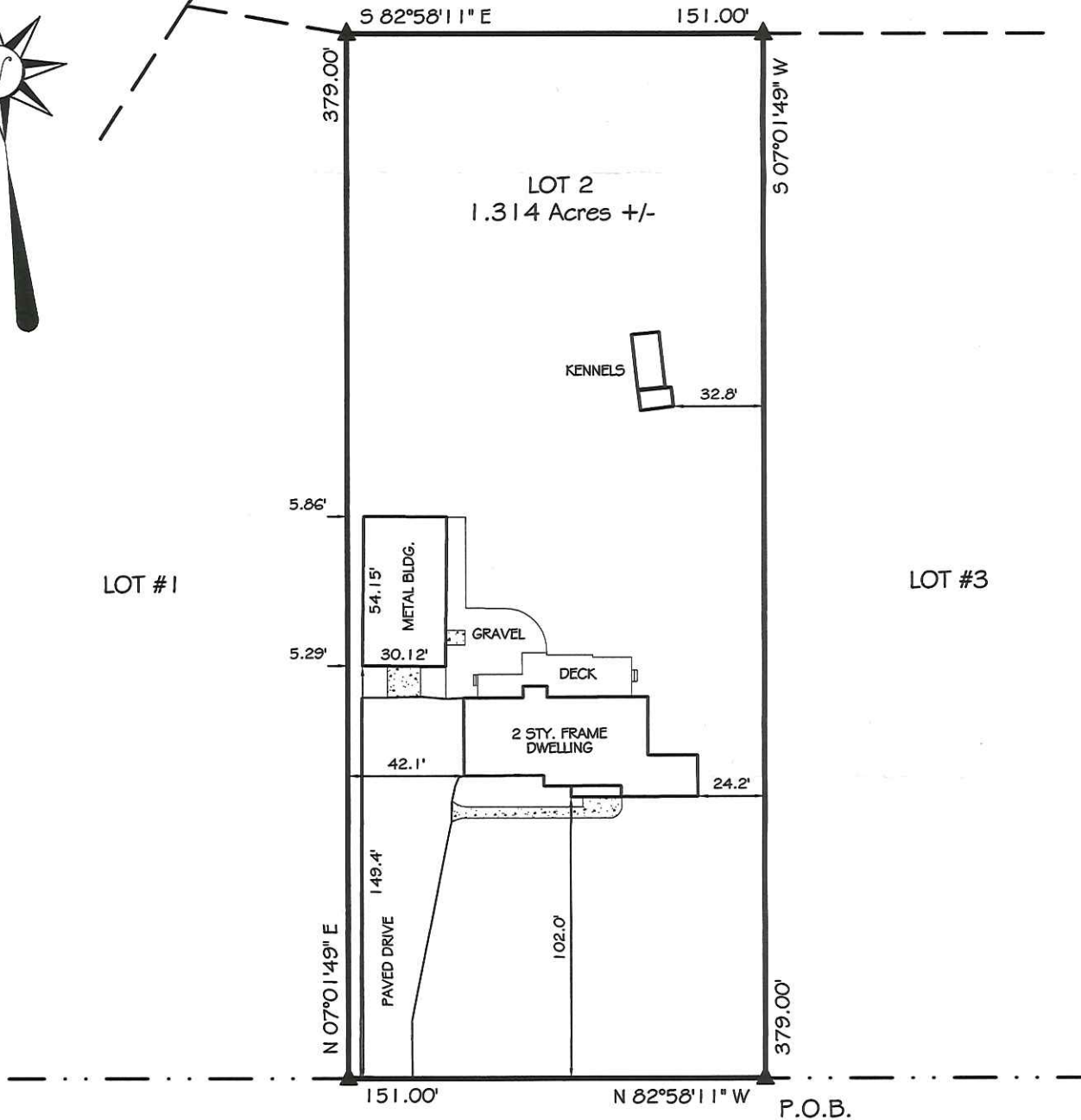
That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

The requested variance will represent the minimum variance possible for the property as the pole building is near or over the side setback line.

T.M. #133-20.00-74.02



N/F
TIMOTHY P. & BERNADETTE M. WEBSTER
D.B. 5510-42
T.M. 133-20.00-74.09



S.C.R. #408 (50' RW) INDIAN TOWN RD.

▲ IRON REBAR (FOUND)

DEED REF: 5124-343

SEE PLOT BOOK 205 PAGE 94 FOR EASEMENT
RESERVATIONS. THIS SURVEY AND PLAT DOES NOT
VERIFY THE EXISTENCE OR NON-EXISTENCE OF
RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS

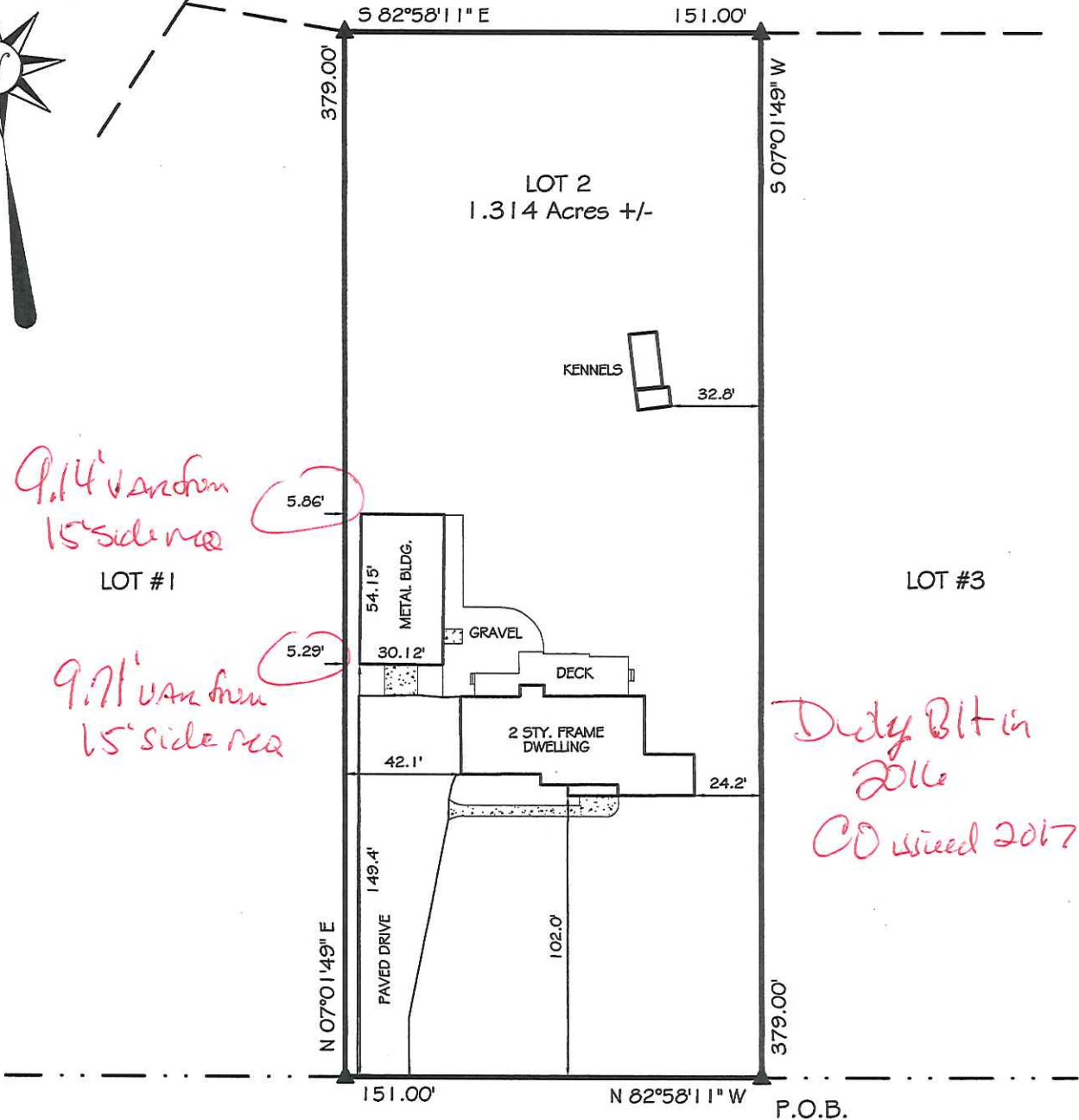
BOUNDARY SURVEY PLAN FOR

Pt 2 Review Copy

T.M. #133-20.00-74.02



N/F
TIMOTHY P. & BERNADETTE M. WEBSTER
D.B. 5510-42
T.M. 133-20.00-74.09



9.14' variance
15' side req

9.71' variance
15' side req

Duty Bit in
2016
CO issued 2017

S.C.R. #408 (50' RW) INDIAN TOWN RD.

BP for pole building issued on 3/11/2020
Renewed on 3/26/2021

Failed Foster inspection - due to setback issue

▲ IRON REBAR (FOUND)

DEED REF: 5124-343

SEE PLOT BOOK 205 PAGE 94 FOR EASEMENT
RESERVATIONS. THIS SURVEY AND PLAT DOES NOT
VERIFY THE EXISTENCE OR NON-EXISTENCE OF
RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS

BOUNDARY SURVEY PLAN FOR

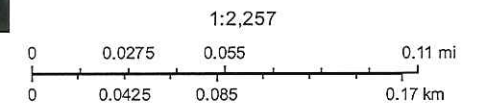


Sussex County



PIN:	133-20.00-74.02
Owner Name	DOREY DEENAA
Book	5124
Mailing Address	23745 INDIAN TOWN RD
City	MILLSBORO
State	DE
Description	N/RD 408
Description 2	2190' W/RD 409
Description 3	LOT#2
Land Code	

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



Board of Adjustment Application
Sussex County, Delaware

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

Case # 12632
Hearing Date 12/13
Application: 20215003

Terative Date: 12-13-21
@6pm

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☐

Code Reference (office use only)

115-25 115-183
115-185

Site Address of Variance/Special Use Exception:

15749 Lavinia St. Milton, DE 19968

Variance/Special Use Exception/Appeal Requested:

Set Back To Be 9.85 AT Front of Bldg along tree line
Set Back To Be 10.63 AT Rear of Bldg along tree line

Tax Map #: 235-20.00-13.00 13.03

Property Zoning: A/R 1

Applicant Information

Applicant Name: Nicholas J Flomp Jr

Applicant Address: 15749 Lavinia St

City Milton State DE Zip: 19968

Applicant Phone #: 847 340 1276 Applicant e-mail: NICK F R NEES. US

302 684 4484 H (*) 847 340 1276 Cell. Best number *

Owner Information

Owner Name: Nicholas J Flomp Jr

Owner Address: 15749 Lavinia St

City Milton State DE Zip: 19968 Purchase Date: 11/2004

Owner Phone #: 847-340-1276 Owner e-mail: NICK F R NEES. US

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

Date: _____



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 a Tree lined ~~lot~~ To Build the structure
10 feet from the line along the Existing Oak Tree to Remain
standing Tall To keep Bldg line to home setback will vary by 1 ft.
on Lt side.

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 are Trees separating the property line between the
house & garage next door currently being built.

3. Not created by the applicant:

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

On the Rt side of property, Septic system limits Rear access to
possible Bldg. on Lt side of property Existing Oak Tree would
have to be removed. Rear of property has well pump system.
Proposed ~~Back~~ side is Best for Location needed.

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

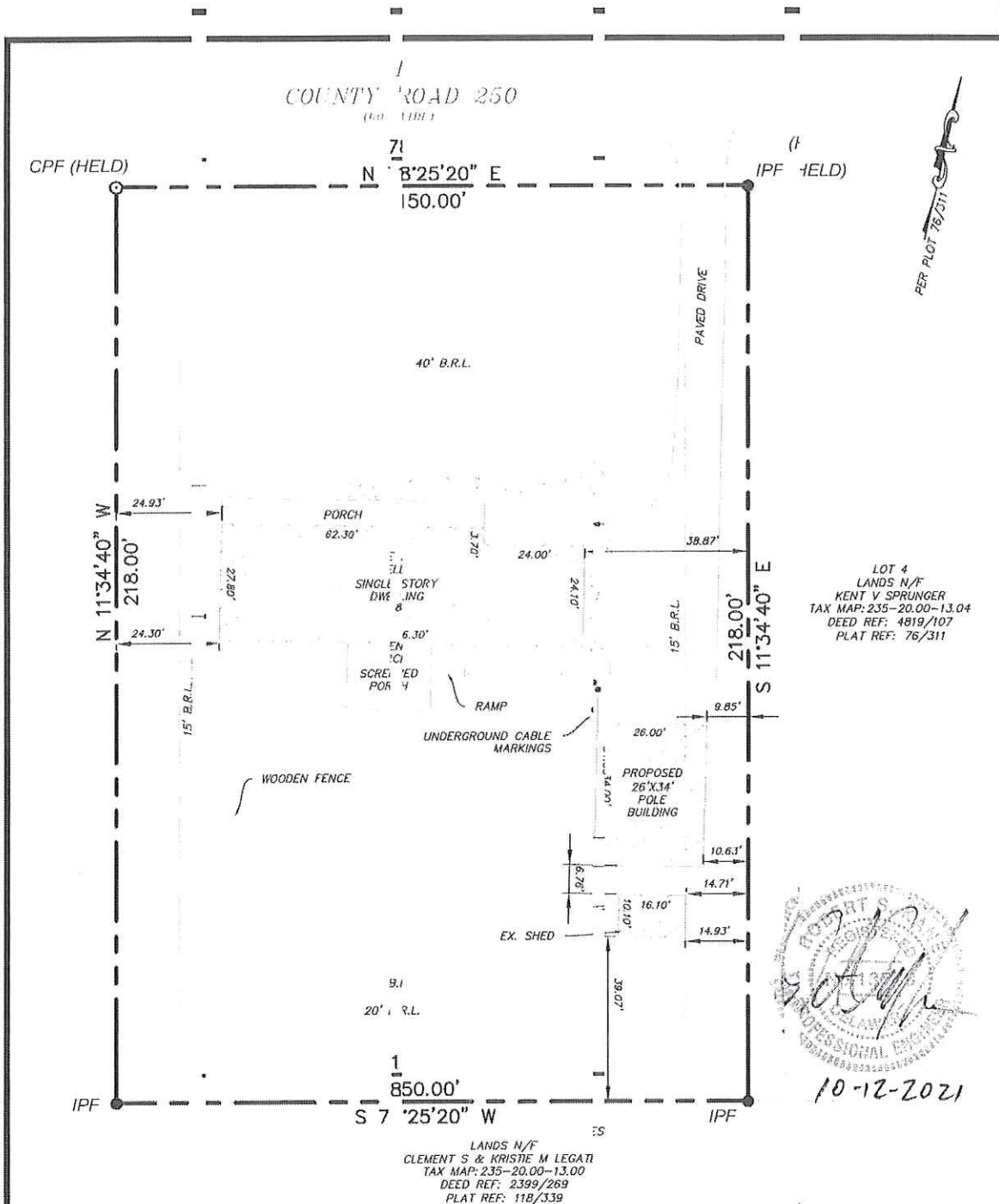
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

The Building will be set back to the rear of the property.
Land behind Building is not buildable. Land to the west
side of property is my Back Yard fenced in for Dog.

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 new structure if allowed will be no closer than
8-10 ft from Property Line.



NOTES:

- OWNERS: NICHOLAS J FLOMP JR. & DON A M FLOMP
15745 LANINA STREET
MILTON, DELAWARE 19968
- TAX MAP: 235-20.00-13.03
- DEED REF: 5561/09
- PLAT REF: 76/339
- ZONED: AR-1
- BUILDING SETBACKS: FRONT: 40' - SIDE: 1' - REAR: 20'

LEGEND

- IPF ● IRON PIPE FOUND
CPF ○ CAPPED PIN FOUND
WOODEN FENCE
CONCRETE

I HEREBY CERTIFY THAT THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THAT THE SURVEY SHOWN HEREON IS CORRECT. THAT IT IS A SURVEY OF LOT 3 OF "LANDS OF LEGATES", DEED SEPTEMBER 7, 1999, AND FILED FOR RECORD IN THE OFFICE OF RECORDER OF DEEDS IN SUSSEX COUNTY DELAWARE IN PLOT VOLUME 76 PAGE 31.

ROBERT S KANE, Delaware Professional Engineer # 13538

Date

SITE PLAN

FOR
LOT "3"

LANDS OF LEGATES
MILTON, SUSSEX COUNTY, DELAWARE
Prepared for: NICHOLAS FLOMP

McCRONE

- Engineering
- Construction
- ANAPOLIS
- CENTREVILLE
- ELKTON
- SALISBURY
- 11500 MILL ROAD, SUITE 8
SALISBURY, MD 21801
PH: 410-648-1422 FAX: 410-648-2005
- Environmental Sciences
- Land Planning & Surveying

DRAWN BY SG

SCALE 1"=30'

DATE 10/11/2021

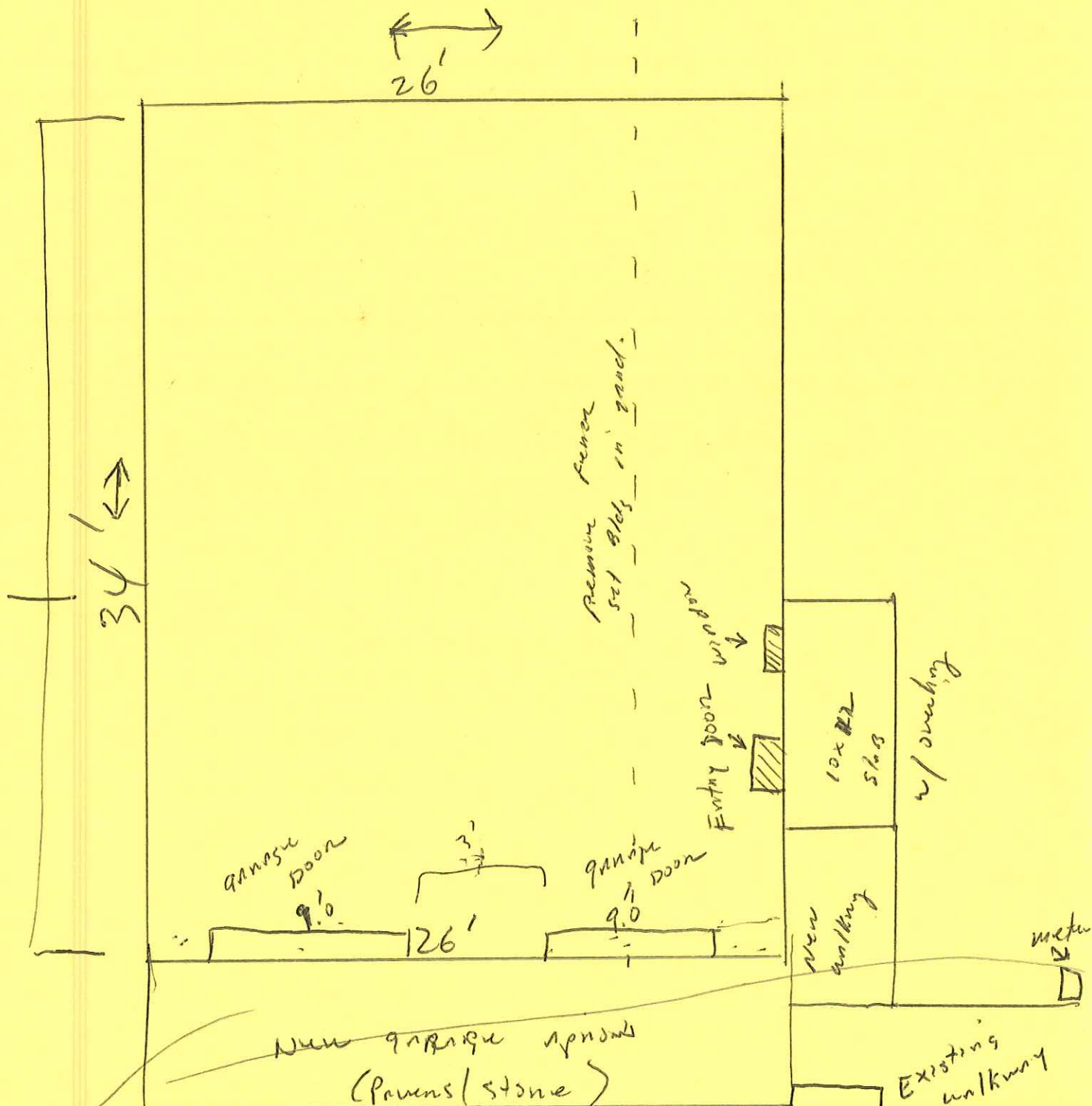
JOB NO. D2210114

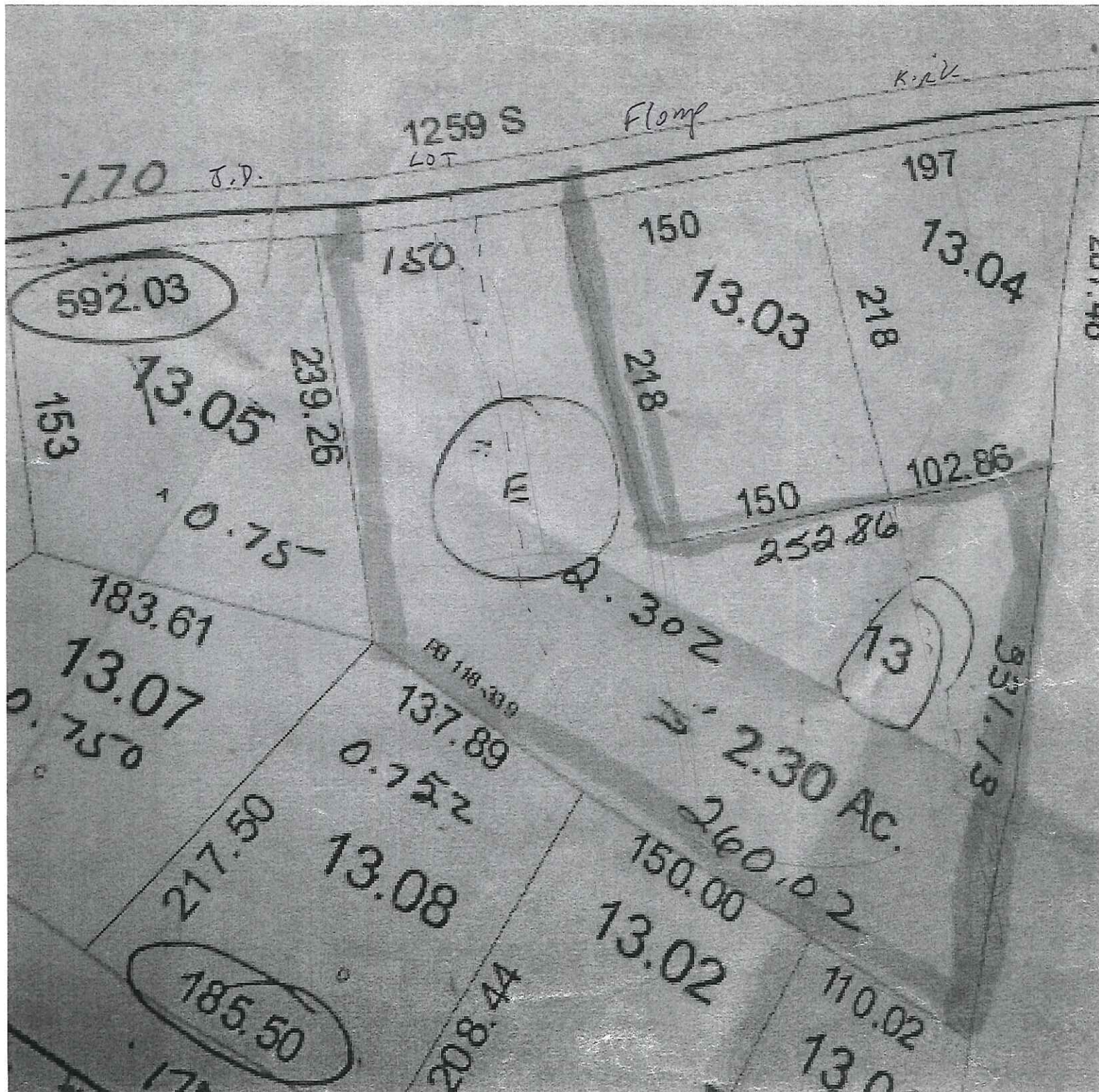
SHEET No. 1

Power
from
Transformer

Existing
Driveway

Backyard
Entry gate





Case No. 12632 Lands of Nicholas J. Flomp, Jr. Applicant Exhibit













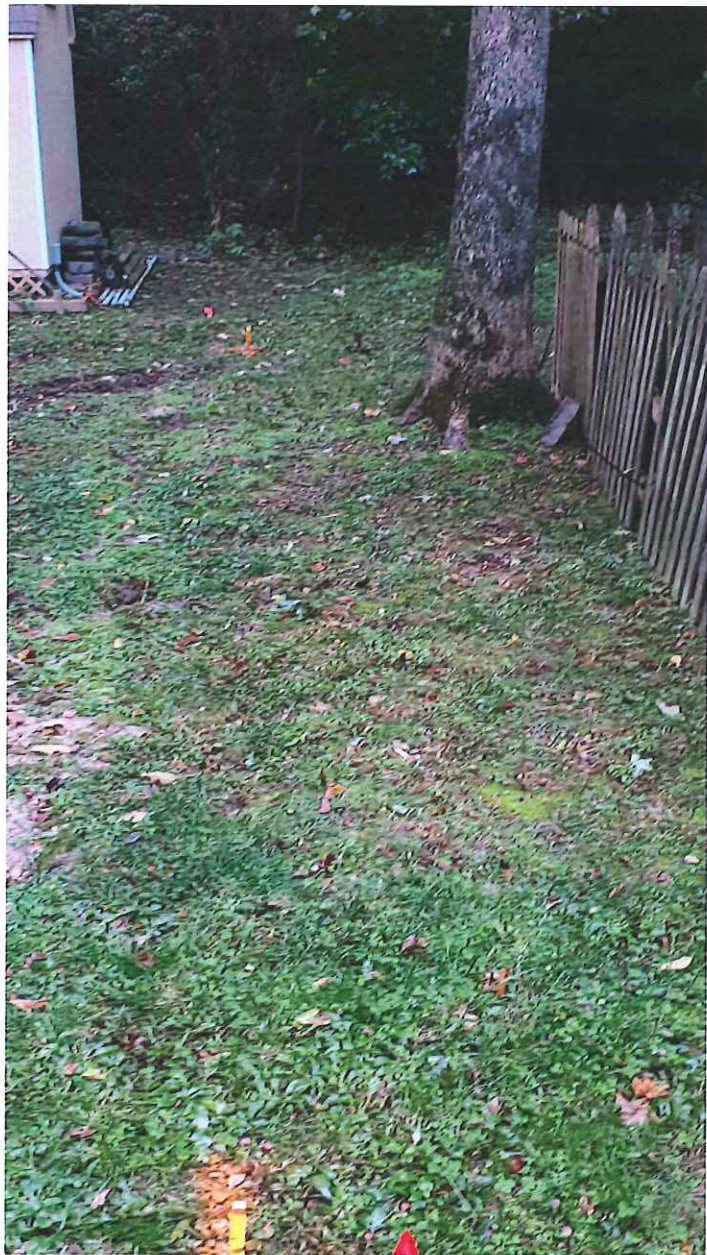


















































Sussex County

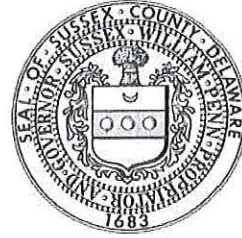
DELAWARE
PLANNING & ZONING DEPARTMENT

sussexcountyde.gov

302-855-7878 T

302-854-5079 F

JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR



SETBACK INFORMATION REQUEST

Date of Request 11/3/21 Zoning District AR-1

Customer Name Maria Glenn

Customer Contact mariaglenn@millerlewisinc.com, 302-629-9895

Tax Parcel ID 234-11.00-58.03 Lot/Unit Number Parcel A1

Parcel Address John J Williams Hwy, Lewes

Front Yard Setback 40'

Side Yard Setback 15'

Rear Yard Setback 20'

Corner Front Yard Setback N/A

Maximum Height 42'



The Customer was provided general zoning setbacks, as a specific parcel was not identified. Therefore, the setbacks provided may not be for a specific parcel. The setbacks could be different based on the specific nature of the property.

Additional Notes:

Online Deeds: Book: 5469, Page: 25

Sussex County Permit Dept: 302-855-7720

Name of Staff Member Ashley Paugh

Checked By _____



PIN:	235-20.00-13.03
Owner Name	FLOMP NICHOLAS J JR
Book	5561
Mailing Address	15749 LAVINIA ST
City	MILTON
State	DE
Description	SE/RD 250
Description 2	LOT 3
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1



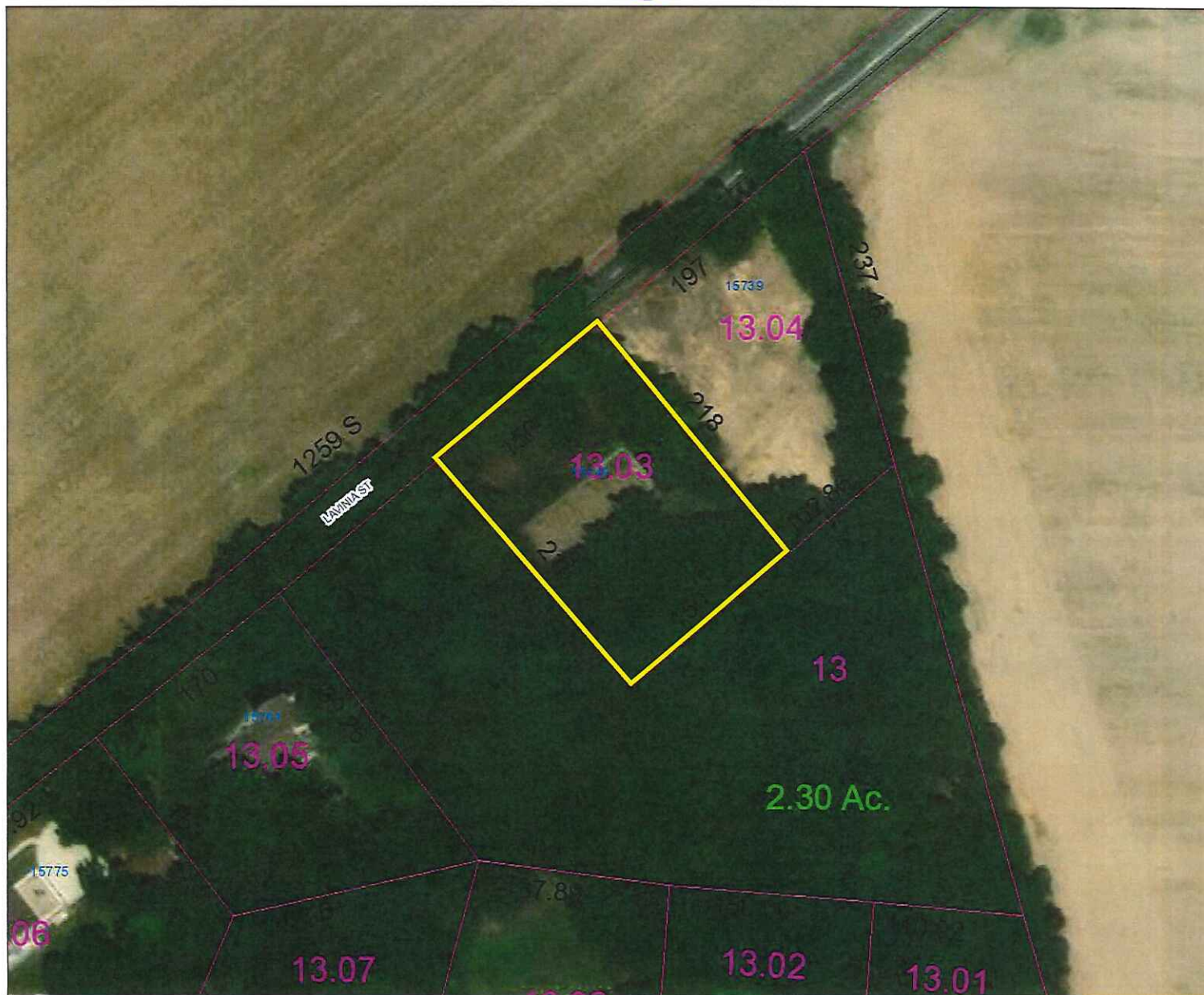
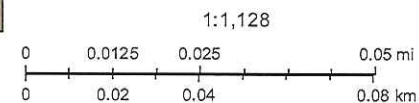
Tax Parcels

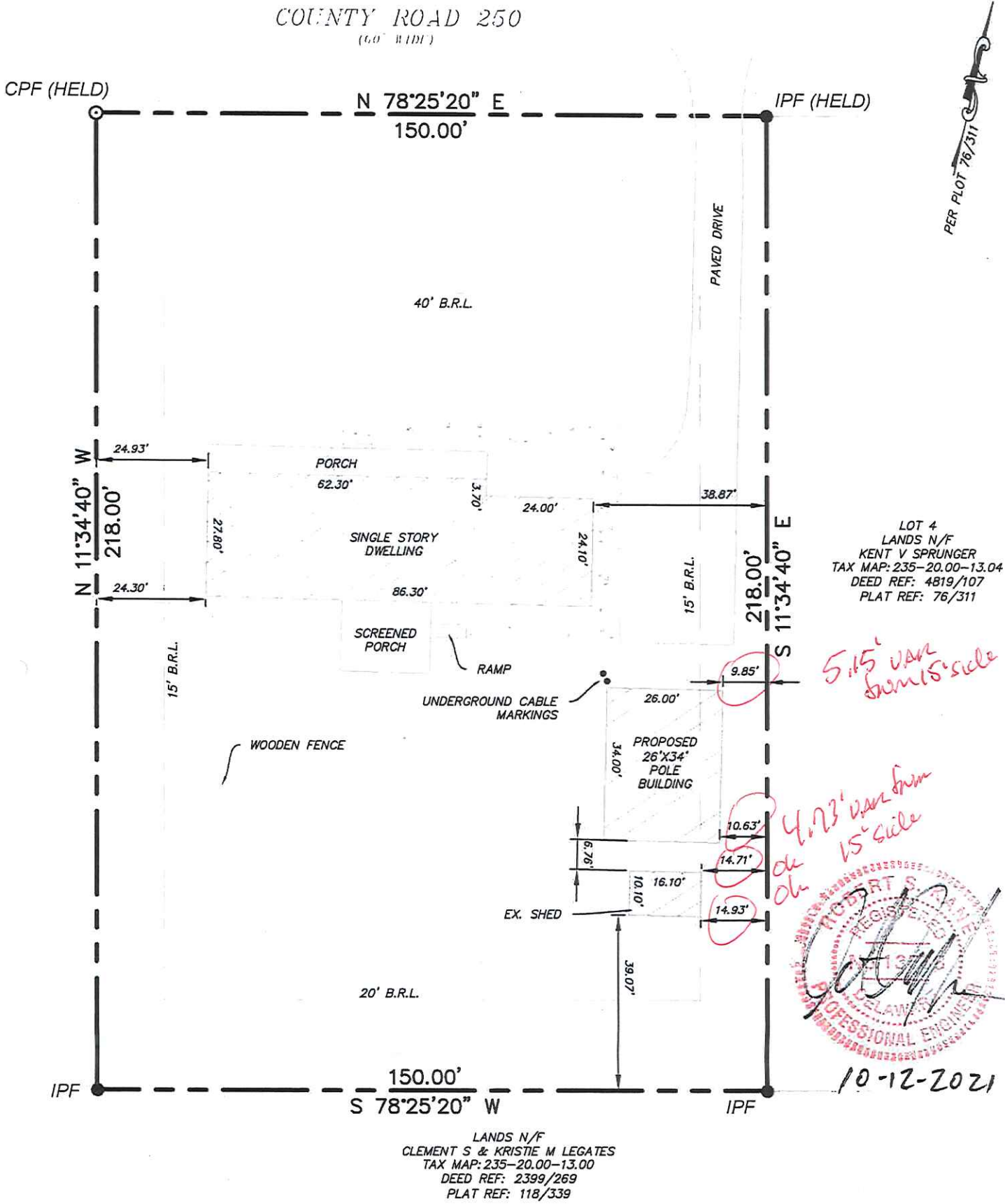


911 Address



Streets





NOTES:

- OWNERS: NICHOLAS J FLOMP JR. & DONNA M FLOMP
15749 LANINA STREET
MILTON, DELAWARE 19968
- TAX MAP: 235-20.00-13.03
- DEED REF: 5561/109
- PLAT REF: 76/311
- ZONED: AR-1
- BUILDING SETBACKS: FRONT: 40' - SIDE: 15' - REAR: 20'

LEGEND

- IPF ● IRON PIPE FOUND
CPF ⊙ CAPPED PIN FOUND
WOODEN FENCE
CONCRETE

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THAT THE SURVEY SHOWN HEREON IS CORRECT. THAT IT IS A SURVEY OF LOT 3 OF "LANDS OF LEGATES", DATED SEPTEMBER 7, 1999, AND FILED FOR RECORD IN THE OFFICE OF RECORDER OF DEEDS IN SUSSEX COUNTY, DELAWARE IN PLOT VOLUME 76 PAGE 311.

ROBERT S KANE, Delaware Professional Engineer # 13538

Date

SITE PLAN
FOR
LOT "3"
LANDS OF LEGATES
MILTON, SUSSEX COUNTY, DELAWARE
Prepared For: NICHOLAS FLOMP

MICRONE

- Engineering
- Environmental Sciences
- Construction Services
- Land Planning & Surveying

ANNAPOLIS • CENTREVILLE • ELKTON • SALISBURY
110 HAYLOR MILL ROAD, SUITE 8
SALISBURY, MD 21801
PHONE 410-548-1422 • FAX 410-548-2065

www.microne-engineering.com

Copyright © 2019

DRAWN BY SG
SCALE 1"=30'
DATE 10/11/2021
JOB NO. D2210114
SHEET No. 1









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 # 12633
Hearing Date 12/13/21
20215033

Type of Application: (please check all applicable)

Variance ☒
Special Use Exception ☐
Administrative Variance ☐
Appeal ☐

Existing Condition ☒
Proposed ☐
Code Reference (office use only)
115-25 115-182
115-185

Site Address of Variance/Special Use Exception:

18932 East Redden Rd Georgetown DE 19947

Variance/Special Use Exception/Appeal Requested:

Entire House is not within the 40' setback as
required by planning & zoning. House is existing and has had a C.O.
given. 20' from 40' front = existing deck

Tax Map #: 135-6.00-10.03

Property Zoning: AR-1

Applicant Information

Applicant Name: Brent Beaver
Applicant Address: 20231 Grand Hill Rd
City Georgetown State DE Zip: 19947
Applicant Phone #: 304-444-5448 Applicant e-mail: Brent Beaver @ hotmail.com

Owner Information

Owner Name: Beaver Enterprise LLC
Owner Address: 20231 Grand Hill Rd
City Georgetown State DE Zip: 19947 Purchase Date: 9/15/21
Owner Phone #: 304-444-5448 Owner e-mail: Brent Beaver @ hotmail.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Brent Beaver

Date: 10/12/21



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

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

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

1. Uniqueness of property:

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

Deck was Built in 1996

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.

Its almost Be there

3. Not created by the applicant:

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

House is existing; additions were permitted by Home & C. O.

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.

House is existing

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.

Deck was added onto, Just Bought house in sheriff sale
on 9/15/21

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

DEED BOOK 5552 P 81

135-6.00-11.00
N/F OF TROY &
DEBORAH BOOTH
DB 2785 P 12

135-6.00-10.05
N/F OF NEWAL S. ISAACS JR
DB 2452 P 301

135-6.00-10.00
N/F OF ECO
PROPERTIES LLC
DB 4817 P 345



LEGEND

- POINT
- IRON PIN FOUND
- PROPERTY LINE

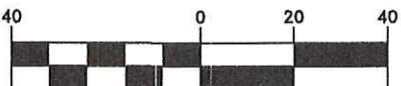
NOTES

1. TITLE REFERENCED TO DEED BOOK 5552, PAGE 81.
2. "SUBURBAN" SURVEY.
3. SUBJECT TO ANY AND ALL RESTRICTIONS, RESERVATIONS, CONDITIONS, EASEMENTS & AGREEMENTS OF RECORD IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DE. NO TITLE SEARCH PROVIDED.
4. THIS SURVEY DOES NOT CERTIFY AS TO THE EXISTENCE OR NON EXISTENCE OF ANY EASEMENTS OF RIGHT OF WAYS AFFECTING THIS PROPERTY.

COTTEN ENGINEERING LLC

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

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



GRAPHIC SCALE
1 INCH EQUALS 40 FEET

**BOUNDARY SURVEY PLAN
FOR DIEGO CHAVEZ**
OF LANDS N/F OF BEAVER ENTERPRISES
18932 E. REDDEN ROAD
GEORGETOWN, DE 19947
GEORGETOWN HUNDRED
SUSSEX COUNTY, DELAWARE
TAX MAP #135-6.00-10.03
TOTAL AREA: 20,000±SF OR 0.459±ACRES

DESIGNED BY: CE	REV:	JOB # 21-592
DRAWN BY: JCD	DATE: 10/07/2021	SHEET 1 OF 1
CHECKED BY: MSC	SCALE: AS-SHOWN	



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▷

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100% ▾

▾

Find | Next

case1 permit		case1	issue date	BC/Occup date	PZ/Compli date	Return Date	cost
163082	Shed	0	3/31/1997		4/17/1997	6/25/1997	2304
129169	Bohrer Schuy	0	5/21/1992		2/1/1996	11/10/1992	7188
157354	Deck	0	6/11/1996			10/16/1996	1700
72929	Sawn porch	0	6/20/1983			9/13/1984	1825

10/12/2021 3:21:38 PM

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

DEED BOOK 5552 P 81

135-6.00-11.00
N/F OF TROY &
DEBORAH BOOTH
DB 2785 P 12

135-6.00-10.00
N/F OF ECO
PROPERTIES LLC
DB 4817 P 345

LEGEND

- POINT
- IRON PIN FOUND
- PROPERTY LINE

NOTES

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3. SUBJECT TO ANY AND ALL RESTRICTIONS, RESERVATIONS, CONDITIONS, EASEMENTS & AGREEMENTS OF RECORD IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DE. NO TITLE SEARCH PROVIDED.
4. THIS SURVEY DOES NOT CERTIFY AS TO THE EXISTENCE OR NON EXISTENCE OF ANY EASEMENTS OF RIGHT OF WAYS AFFECTING THIS PROPERTY.

COTTEN ENGINEERING LLC

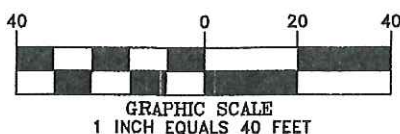
CIVIL ENGINEERS
10087 CONCORD RD.
SEAFORD DE 19973
PHONE/FAX (302) 628-9164

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DESIGNED BY: CE	REV:	JOB # 21-592
DRAWN BY: JCD	DATE: 10/07/2021	SHEET 1 OF 1
CHECKED BY: MSC	SCALE: AS-SHOWN	

BOUNDARY SURVEY PLAN FOR DIEGO CHAVEZ

OF LANDS N/F OF BEAVER ENTERPRISES
18932 E. REDDEN ROAD
GEORGETOWN, DE 19947
GEORGETOWN HUNDRED
SUSSEX COUNTY, DELAWARE
TAX MAP #135-6.00-10.03
TOTAL AREA: 20,000±SF OR 0.459±ACRES



135-6.00-10.05
N/F OF NEWAL S. ISAACS JR
DB 2452 P 301

REDDEN ROAD
(60' WIDE)

POB/POC
PIPE
1135± TO
DUPONT
BOULEVARD NB

GRAVEL DRIVE

WALK
DECK

DWELLING

CONC

SHED
90 SF

Age of home unknown - neighbor's Adj's are
per County Records Non-confirming

135-6.00-10.03
N/F OF BEAVER ENTERPRISES
DB 2785 P 12

PIPE
N 70°0'0" E
0.30'

N 20°0'0" W
28.3'

199.70'
20.0'
27.0'

200.00'
STEEL BAR
S 70°0'0" W

200.00'
REBAR
100.00'



PIN:	135-6.00-10.03	
Owner Name	CHAVEZ CHAVEZ	DIEGO
Book	5572	
Mailing Address	18317 CLENDANIEL DR	
City	GEORGETOWN	
State	DE	
Description	S/RT 565	
Description 2	1070'E/RT 113	
Description 3	N/A	
Land Code		

polygonLayer

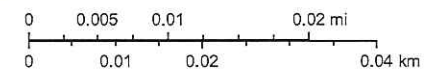
Override 1

polygonLayer

Override 1

- Tax Parcels
- 911 Address
- Streets
- County Boundaries

1:564



Case No. 12633 Lands of Brent Beaver Applicant Exhibit



Case No. 12633 Lands of Brent Beaver Applicant Exhibit



Case No. 12633 Lands of Brent Beaver Applicant Exhibit



Christin Scott
302-855-7878

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 # 12634
Hearing Date 12/13

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☒

Proposed ☒

Code Reference (office use only)

115-185F

Site Address of Variance/Special Use Exception:

9 South Carolina Ave East.

Variance/Special Use Exception/Appeal Requested:

2.2-Ft Var from 5-Ft side yard for Det. Shed

2.5-Ft Var from 5-Ft side yard for Det. Shed

Tax Map #: #2-35 413 5.00

Property Zoning: MR

Applicant Information

Applicant Name:

Mark + Nancy Keyasko

Applicant Address:

9 South Carolina Ave

City

Milton (Brookhill Beach)

State DE

Zip:

19968

Applicant Phone #:

845-337-1009

Applicant e-mail:

NANCEK9711@yahoo.com

845-820-0030

Owner Information

Owner Name:

MARK + NANCY KEYASKO

Owner Address:

9 SOUTH CAROLINA AVE

City

MILTON

State

DE

Zip:

19968

Purchase Date:

2001

Owner Phone #:

845-337-1009

Owner e-mail:

NANCEK9711@yahoo.com

Agent/Attorney Information

Agent/Attorney Name:

Agent/Attorney Address:

City

State

Zip:

Agent/Attorney Phone #:

Agent/Attorney e-mail:

Signature of Owner/Agent/Attorney

Mark Keyasko
Nancy Keyasko

Date:

10-17-21

10-17-21



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

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

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

1. Uniqueness of property:

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

Su At for All Answers

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.

3. Not created by the applicant:

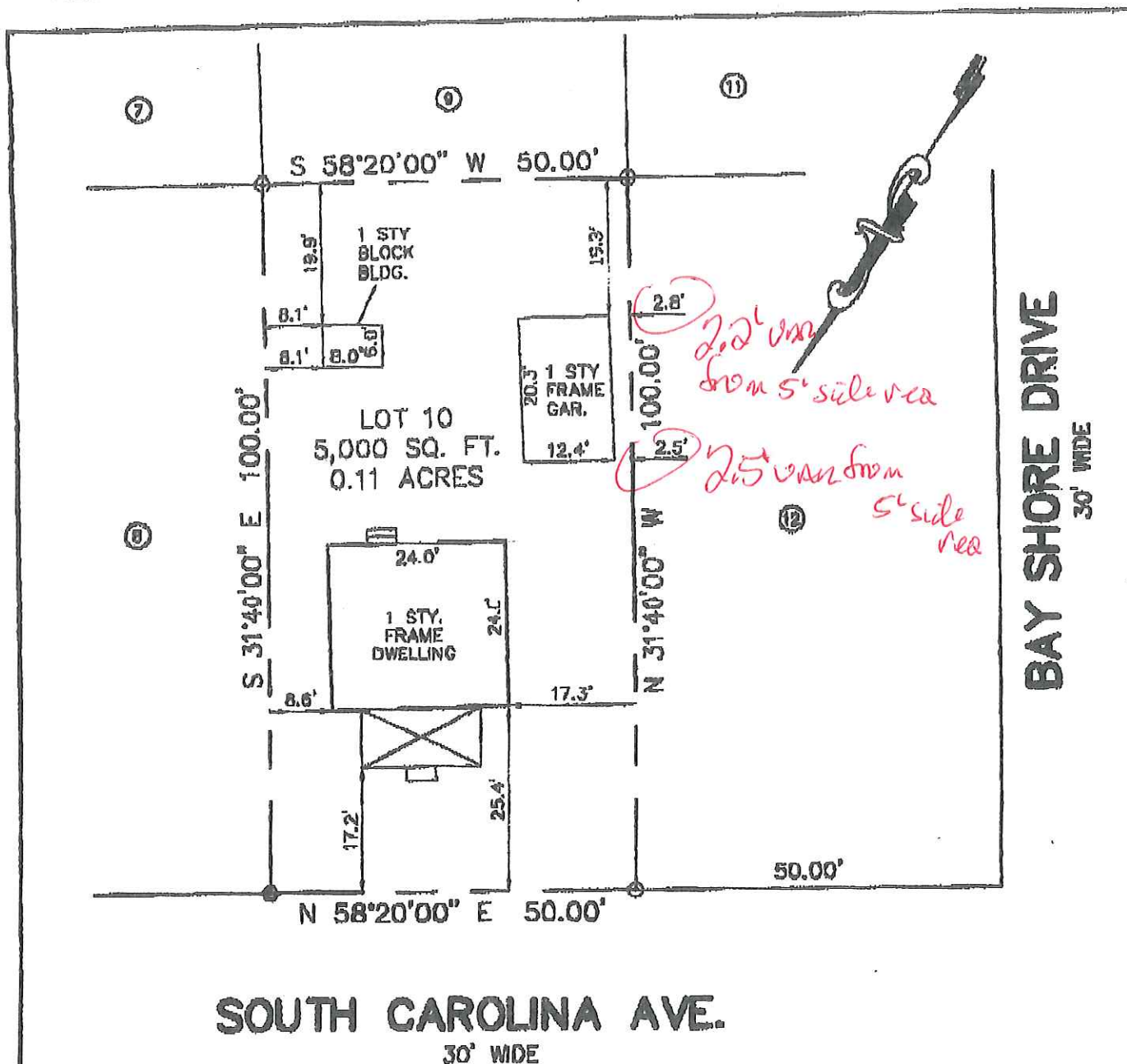
That such exceptional practical difficulty has not been created by the appellant.

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.

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.



LEGEND:

○ IP SET
○ IP FOUND

⊗ MON. FOUND
⊗ MON. SET

NOTE: THIS PLAN VALID ONLY WITH ORIGINAL SEAL AND SIGNATURE

THIS IS TO CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS ON THE LOT SHOWN HEREON, AND THAT SAID IMPROVEMENTS EXIST, AND THAT SAID IMPROVEMENTS ARE ENTIRELY WITHIN THE BOUNDARIES, EXCEPT WHERE SHOWN OTHERWISE. NO CERTIFICATION IS MADE AS TO LOCATION OF FENCES, TREES, SHRUBS OR DRIVEWAYS, UNLESS SPECIFICALLY DIMENSIONED. SUBJECT TO ALL RESTRICTIONS, EASEMENTS AND RIGHT OF WAYS OF RECORD.

LOT SURVEY PLAN
9 S. CAROLINA AVE.
LOT 10, BLOCK "F"
BROADKILL BEACH DEVELOPMENT
BROADKILL HD.
SUSSEX COUNTY - DELAWARE

TAX PARCEL #2-35 4.13 5.00

AES-PENINSULA
SURVEYING & SITE DESIGN

303 W. NORTH STREET, SUITE A, DOVER DE. 19904
TEL: (302) 672-7204 FAX: (302) 672-7207

SCALE: 1"=20'

DATE: 10/17/01

JOB # 21087

DEED REFERENCE: 441-131

PLAT REFERENCE:

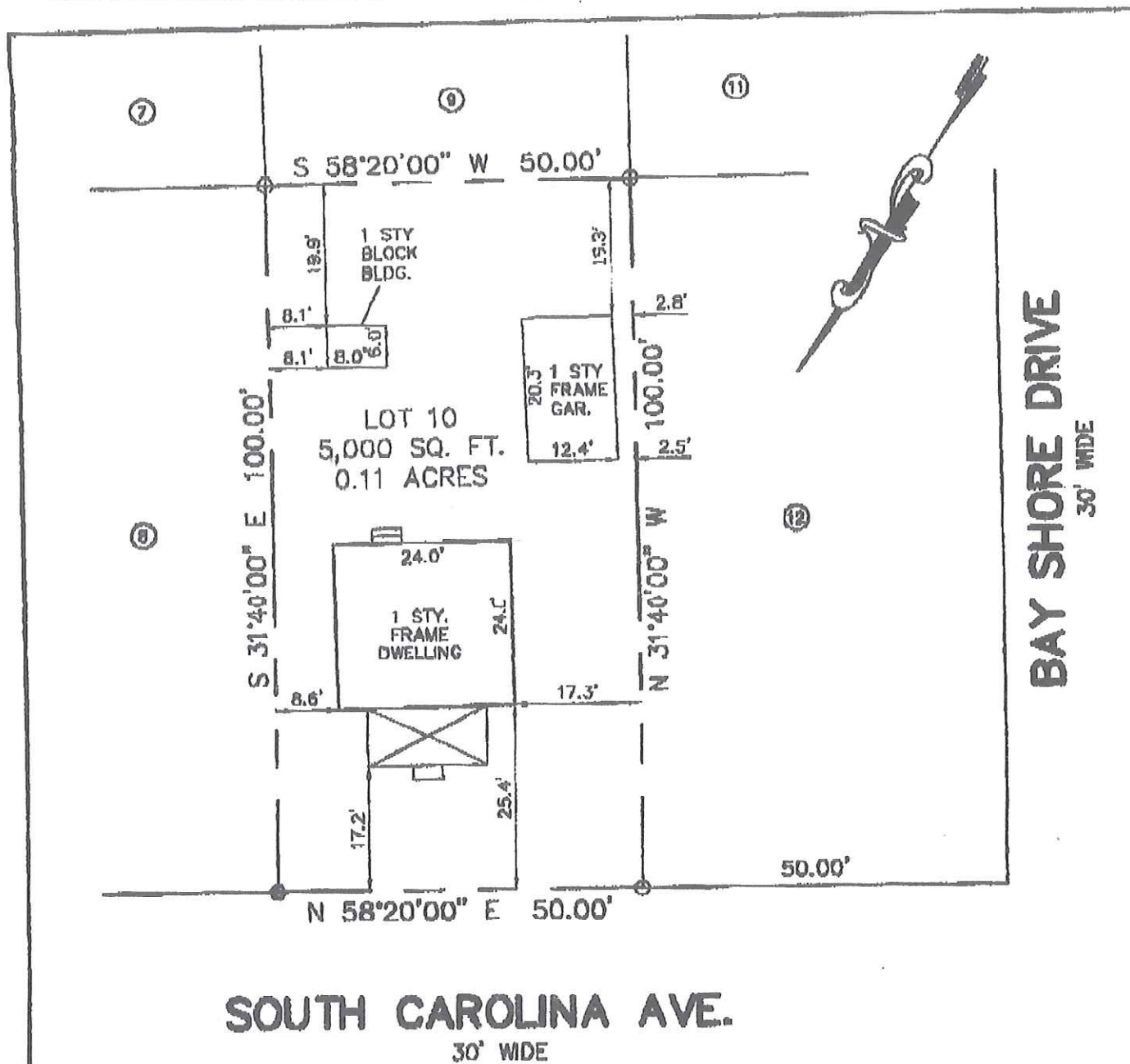
GRANTEE:

SURVEY CLASS: B

NRL

Deed + Grant
Non-Conforming
Per Assessment Records

By 2006/10 issued 2007
to lift home
CO issued 2008
Admin Approval for Deed

**LEGEND:**

○ IP SET

□ MON. FOUND

○ IP FOUND

■ MON. SET

NOTE: THIS PLAN VALID ONLY WITH ORIGINAL SEAL AND SIGNATURE

THIS IS TO CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS ON THE LOT SHOWN HEREON, AND THAT SAID IMPROVEMENTS EXIST, AND THAT SAID IMPROVEMENTS ARE ENTIRELY WITHIN THE BOUNDARIES, EXCEPT WHERE SHOWN OTHERWISE. NO CERTIFICATION IS MADE AS TO LOCATION OF FENCES, TREES, SHRUBS OR DRIVEWAYS, UNLESS SPECIFICALLY DIMENSIONED. SUBJECT TO ALL RESTRICTIONS, EASEMENTS AND RIGHT OF WAYS OF RECORD.

LOT SURVEY PLAN
9 S. CAROLINA AVE.
LOT 10, BLOCK "F"
BROADKILL BEACH DEVELOPMENT
BROADKILL HD.
SUSSEX COUNTY - DELAWARE
TAX PARCEL #2-35 4.13 5.00

AES-PENINSULA
SURVEYING & SITE DESIGN
303 W. NORTH STREET, SUITE A, DOVER DE. 19904
TEL: (302) 672-7284 FAX: (302) 672-7287

SCALE: 1"=20'

DATE: 10/17/01

JOB # 21687

DEED REFERENCE: 441-131

PLAT REFERENCE:

GRANTEE:**SURVEY CLASS: B**

REV.

**Administrative Correction Process
Sussex County, Delaware**

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

Type of Application:Permit/CO issued in Error ☒**Site Address of Variance:** 9 South Carolina Ave**Variance/Special Use Exception/Appeal Requested:** front yard after raising home to comply with flood zone
building permit 260646 issued in 2007 and CO issued 2008**Tax Map #:** 235-4.13-5.00**Property Zoning:** MR**Owner Information**Owner Name: Mark & Nancy KeyaskoOwner Address: 9 South Carolina AveCity, State, Zip: Milton DE 19968Purchase Date: 2001Owner Phone #: 845-337-1009Owner e-mail: nancek9711@yahoo.com**Alternate Reference Information**

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City, State, Zip: _____

Agent/Attorney Phone #: _____

Agent/Attorney e-mail: _____

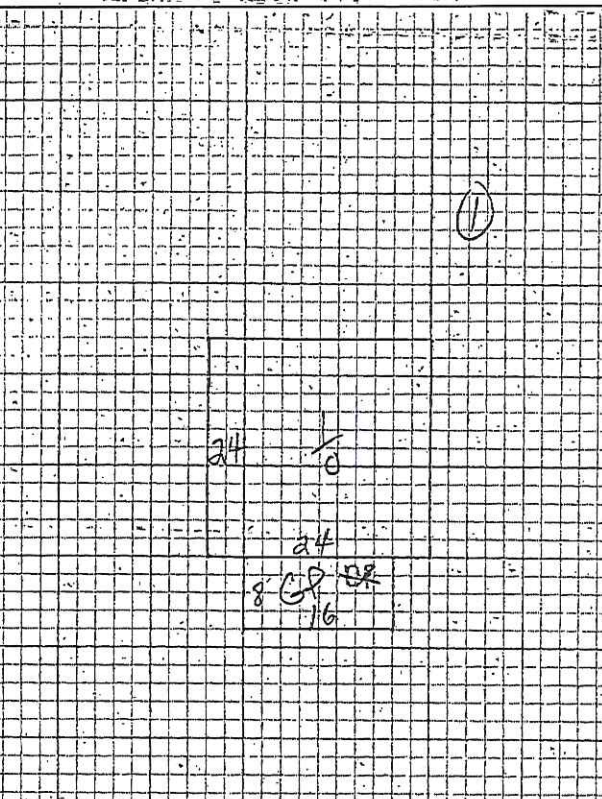
Signature of Director/Director DesigneeDate: 11/2/2021

PROPERTY RECORD CARD

CARD 1 OF 1

DIST. <u>2-35</u>	MAP <u>4.13</u>	PARCEL <u>5</u>	CONTROL NO.
ADDRESS		OWNERSHIP RECORD	
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> 2-35 4.13 5 Morgan, Elwood J. & Marguerite M. 2605 Monroe St. Wilmington, Del., 19800 6 50' x 100' Broadkilm Beach, Blk. F, Lot 10 </div>		DATE OF TRANSFER	GRANTEE

LAND RECORD AND VALUATION SUMMARY										BUILDING PERMIT RECORD			
PROPERTY FACTORS				LAND COMPUTATION						DATE	NUMBER	AMOUNT	
IMPROVEMENTS		STREET OR ROAD		DIMENSIONS		UNIT VALUE	FACTORS		ADJ UNIT VALUE	VALUE			
CITY WATER		PAVED		FRONT	DEPTH		DEPTH	OTHER					
SEWER		SEMI-IMPROVED		50	100	70	10	-	70	3500			
GAS		UNIMPROVED											
ELECTRICITY		OTHER											
ALL UTILITIES		SIDEWALK											
ASSESSMENT RECORD				SUMMARY OF VALUES		TOTAL LAND		TOTAL IMPROVEMENTS		TOTAL APPRAISED VALUE		<div style="text-align: center;"> H. L. YOH COMPANY A DIVISION OF DAY AND ZIMMERMANN, INC. PHILADELPHIA, PA. </div>	
19	19	19	19										
19	19	19	19										
19	19	19	19										
NOTES BP#208161 new window & siding - CV 12300-10-003 9-7-06 BP#225152 interior work no change 11-22-06 BP#225152 OP into GP 4/12/00 N/V 12,800													

DIST. 235	MAP 413	PARCEL 5																																							
CONTROL NO.																																									
			TYPE	OCC.	GRADE	DIMENSIONS		AREA	WALLS	STORY HT	1/2 STY	ATTIC	UNIT COST	BASE COST																											
			1	1	1	1	1	576	1	1				11,145																											
			H. L. YOH CO. PHILA., PA.																																						
			TOTAL GROUND AREA																																						
			TOTAL BASE COST \$ 11,145																																						
PRINCIPAL BUILDING DESCRIPTION													M/C	± %	± PTS																										
MASONRY-1			PIER-2			SLAB-3			FOUNDATION			2	-																												
NONE-0			1/4-1			1/2-2			3/4-3			FULL-4			BASEMENT			0																							
NONE-0			REC AREA-1			APT-2			% OF BASEMENT			SQ FT			BSMT FINISH			0																							
NONE-0			PIPELESS GHA-1			ELECTRIC-2			FHA-3			STM-HW-4			HEAT SYS			1	-4																						
3-FIXT BATH			2-FIXT BATH			SG FIX			TOTAL FIXT			FIRE PLACE			0																										
NONE-0			1/2-1			1-2			1 1/2-3			2-4			2 1/2-5			3-6			4-7			5-8			CER TILE			0											
1ST FLOOR			2ND FLOOR			3RD FLOOR			INT FINISH																																
NONE			PL			WB			(WP)			NONE			PL			WB			WP			NONE			PL			WB			WP			WLS-CLG					
DIRT			CONC			HW			(SW)			HW			SW			HW			SW			FLOORS																	
NONE-0			HOME POWER UNIT-2			PUBLIC-3			ELECTRICITY			3																													
NONE-0			ONE CAR-1			TWO CAR-2			BLT-IN GAR			0																													
WOOD-1			SHGL-2			ALUM-3			BLK-4			BRK OR, STN-5			STUCCO-6			COMP-7			EXT WALLS			3																	
HIP-1			GABLE-2			FLAT-3			MANSARD-4			GAMBREL-5			ROOF TYPE			2																							
WD-COMP-SHGL-1			SLATE-2			METAL-3			TILE-4			ROLL-5			T & G-6			ROOFING			1																				
AREA 128			SQ FT			INDICATE QTY									PORCH-OPEN			0						6.4																	
AREA			SQ FT			INDICATE QTY									PORCH-GLZD			0						7.7																	
NONE-0			CENTRAL-1												AIR-COND			0																							
NONE-0			1 CAR-1			2 CAR-2			SQ FT						ATT GAR/CP			0						1																	
									SQ FT						UTILITY			0																							
															OTHER			0																							
															OTHER			0																							
BUILDING SKETCH			NOTES:													INDEX TOTALS			96% 67.7																						
BASE COST \$ 11,145			INDEX % \$ 10,609.9													INDEX PTS \$ 11,469.1			X GRADE FACTOR 95			96 = REPLACEMENT COST																			
ACTUAL AGE YRS			EFF AGE 20 YRS			PHYS COND GOOD X FAIR			POOR			PER CENT GOOD 92 %						\$ 10,896																							
OBSOLESCENCE FUNC %			OV RIMP %			UND RIMP %			OTHER ECON %			NET COND %			DEPRECIATED BLDG VALUE			\$ 8,717																							
ACCESSORY BUILDINGS																																									
CODE	BUILDING NAME	EXT WALL	GRADE	FLOOR	STY HT	LGTH	WIDTH	AREA	DIA	HGT	UNIT COST	REPL COST	COND	% GOOD	DEPRECIATED VALUE																										
F-19	Garage	WD	C	Conc	1	20	12	240			406	974	Good	65	630																										
TRAILERS																																									
OCCUPANCY TRAILER	NAME	YEAR	SIZE	COLOR	MODEL NO	SERIAL NO	REPL VAL	PHYS DEPR	SOUND VAL																																
TOTAL TRAILERS VALUE										\$																															
TOTAL ACCESSORY BLDGS VALUE										\$ 630																															
TOTAL BLDGS VALUE										\$ 9,347																															
INSPECTED BY BKM 8-27-74																CHECKED BY			APPROVED BY																						



Mark Keyasko <mkeyit333@gmail.com>

Criteria for Variance 10/11/21

2 messages

Mark Keyasko <mkeyit333@gmail.com>
To: nance9711@yahoo.com

Sun, Oct 17, 2021 at 2:45 PM

1. Uniqueness of property-

This bungalow, 9 South Carolina Ave, Milton, De., is located in the historic section of Broadkill, built in 1955 of rough cut framing covered with tongue and groove on the floor walls and ceiling. The garage was built with the same materials. The other detached structure is an outdoor shower built in block construction. We purchased this property because we liked the one and two story beach style houses. Many years ago, we had our house raised 3 feet to the base flood elevation, after years of storms and blowing sand which had our house sitting well below grade. This lowered our homeowner's insurance, FEMA, and also made repairs possible in the crawl space under the house. We moved here, as full time residents last December 2020. Our present interior space is 634 feet which includes the front porch, with the garage serving as our main storage space. Our insurance company notified us that they will not insure the garage and storage items, unless it is raised to the same level as the house or greater. We have had the same insurance company, Cumberland, for 20 years, and they no longer write new policies in this location. It is difficult to find homeowners insurance that is not rated high risk on broadkill beach. We are trying to comply with our insurance company, with hopes that we will not be dropped.

2. Cannot otherwise be developed-

Moving the garage from the current location would create a hardship by making our house operating system less functional and impractical.

The septic waste line, LP gas, water, and septic lines run up against the southeast corner of the garage. All of these systems would have to be moved as it exists now. The waste system line has a long but straight run to the tank, over 45 feet and is behind the garage. If the garage is moved, the waste line would change direction and a minimum of 2 elbows would be needed. It is difficult to get the correct pitch and flow in a waste line when elbows are added. Elbows slow the flow and create a backup condition.

There is an existing concrete slab and tongue in the garage. If this garage remains in the current location, the slab would be used to stop the undermining of the garage in a storm surge flood condition.

If the garage is moved, the garage door would be located past the plane of the house and make it difficult to drive into the garage.

3. Not created by the applicant-

The garage is pre-existing for 66 years.

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

Immediately around the house, are 2 and 3 story homes. Several homes are built on the property line, with no setbacks at all in the historic district.

My plan is to raise this single bay garage up 3 feet, to the same elevation of the house, in its current footprint and add a second floor for storage.

5. Minimum variance-

My plan is to construct a perimeter block foundation for the garage in the same location as the old block pilings, wrap the exterior walls and soffit with zero burn cement siding, cover trim and fascia with metal flashing. My intention is to create a safer and stronger garage structure that would match the house and surrounding community.

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: mkeyit333@gmail.com

Sun, Oct 17, 2021 at 2:45 PM

FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAMO.M.B. No. 3067-0077
Expires July 31, 2002

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1 - 7.

SECTION A - PROPERTY OWNER INFORMATION

BUILDING OWNER'S NAME KEYASKO		Policy Number
BUILDING STREET ADDRESS (Including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. 9 SOUTH CAROLINA AVE		Company/NAO Number
CITY BROADKILL BEACH	STATE	ZIP CODE
PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 10, BLOCK F, BROADKILL BEACH, TP # 2-35 4113 5.00		
BUILDING USE (e.g., Residential, Non-residential, Addition, Accessory, etc. Use Comments section if necessary.) RESIDENTIAL		
LATITUDE/LONGITUDE (OPTIONAL) (.##°-##'-##" or ##.####°)	HORIZONTAL DATUM: <input type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983	SOURCE: <input type="checkbox"/> GPS (Type); <input type="checkbox"/> USGS Quad Map <input type="checkbox"/> Other:

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP COMMUNITY NAME & COMMUNITY NUMBER 100029 - UNINCORPORATED		B2. COUNTY NAME SUSSEX	B3. STATE DE
B4. MAP AND PANEL NUMBER 100050490 F	B5. SUFFIX F	B6. FIRM INDEX DATE JUNE 16, 1995	B7. FIRM PANEL EFFECTIVE/REVISED DATE JUNE 16, 1995
B8. FLOOD ZONE(S) AE		B9. BASE FLOOD ELEVATION(S) (Zone AO, use depth of flooding) 9.0	

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9.

☐ FIS Profile ☐ FIRM ☐ Community Determined ☐ Other (Describe):B11. Indicate the elevation datum used for the BFE in B9: ☒ NGVD 1929 ☐ NAVD 1988 ☐ Other (Describe):B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
Designation Date:

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Building Diagram Number **3** (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

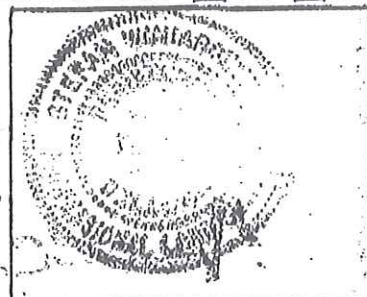
C3. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO
Complete items C3a-d below according to the building diagram specified in item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section G, as appropriate, to document the datum conversion.

Datum **NGVD** Conversion/Comments

Elevation reference mark used **RM 47** Does the elevation reference mark used appear on the FIRM? ☒ Yes ☐ No

<input type="checkbox"/> a) Top of bottom floor (including basement or enclosure)	8.8 ft.(m)
<input type="checkbox"/> b) Top of next higher floor	9.0 ft.(m)
<input type="checkbox"/> c) Bottom of lowest horizontal structural member (V zones only)	9.0 ft.(m)
<input type="checkbox"/> d) Attached garage (top of slab)	9.0 ft.(m)
<input type="checkbox"/> e) Lowest elevation of machinery and/or equipment servicing the building	8.5 ft.(m)
<input type="checkbox"/> f) Lowest adjacent grade (LAG)	8.2 ft.(m)
<input type="checkbox"/> g) Highest adjacent grade (HAG)	8.2 ft.(m)
<input type="checkbox"/> h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade	4
<input type="checkbox"/> i) Total area of all permanent openings (flood vents) in C3h	5.0 sq. ft. (sq. cm)

License Number, Embossed Seal, Signature, and Date



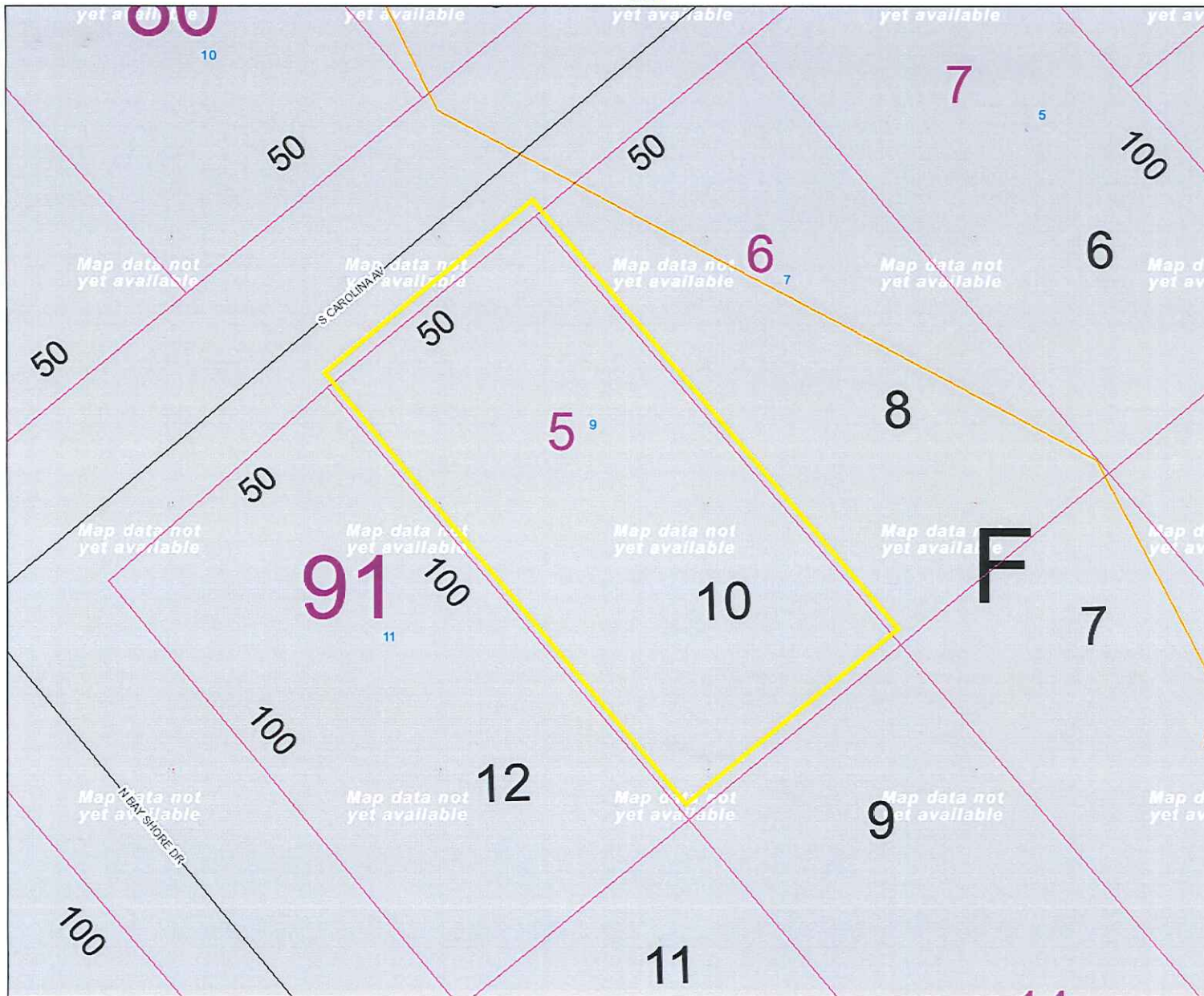
SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.
I certify that the information in Sections A, B, and C on this certificate represents my best efforts to interpret the data available.
I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME STEPAN WINIARZKY	LICENSE NUMBER PLS 562
TITLE SURVEYOR	COMPANY NAME ACS-PENINSULA SURVEYING
ADDRESS 861 PINE DR	CITY MILLSBORO STATE DE ZIP CODE 1996
SIGNATURE <i>[Signature]</i>	DATE 10-17-01 TELEPHONE 302-945-6683

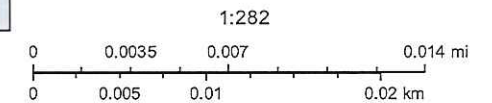


Sussex County



PIN:	235-4.13-5.00
Owner Name	KEYASKO MARK A & NANCY L
Book	2644
Mailing Address	9 S CAROLINA AVE
City	MILTON
State	DE
Description	S CAROLINA AVE
Description 2	LOT 10 BLK F
Description 3	N/A
Land Code	

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



parcel 235-4.13-5.00

View Report

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1 of 1

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100% ▼

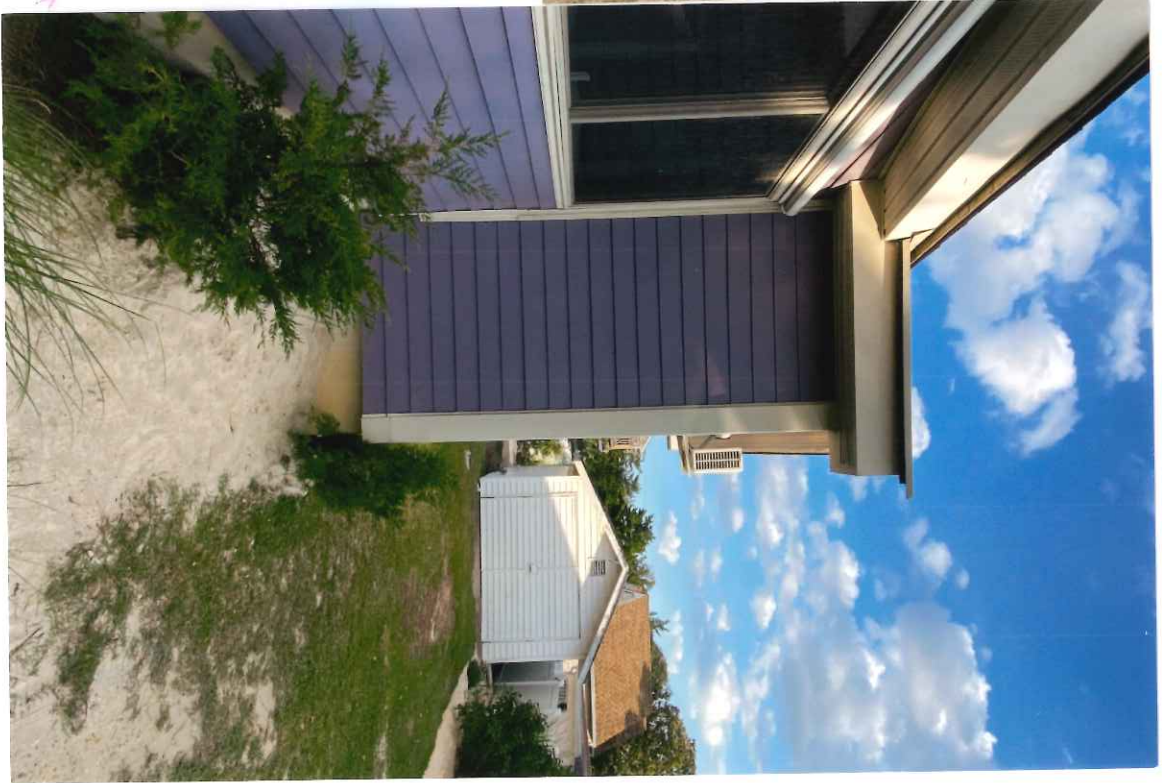
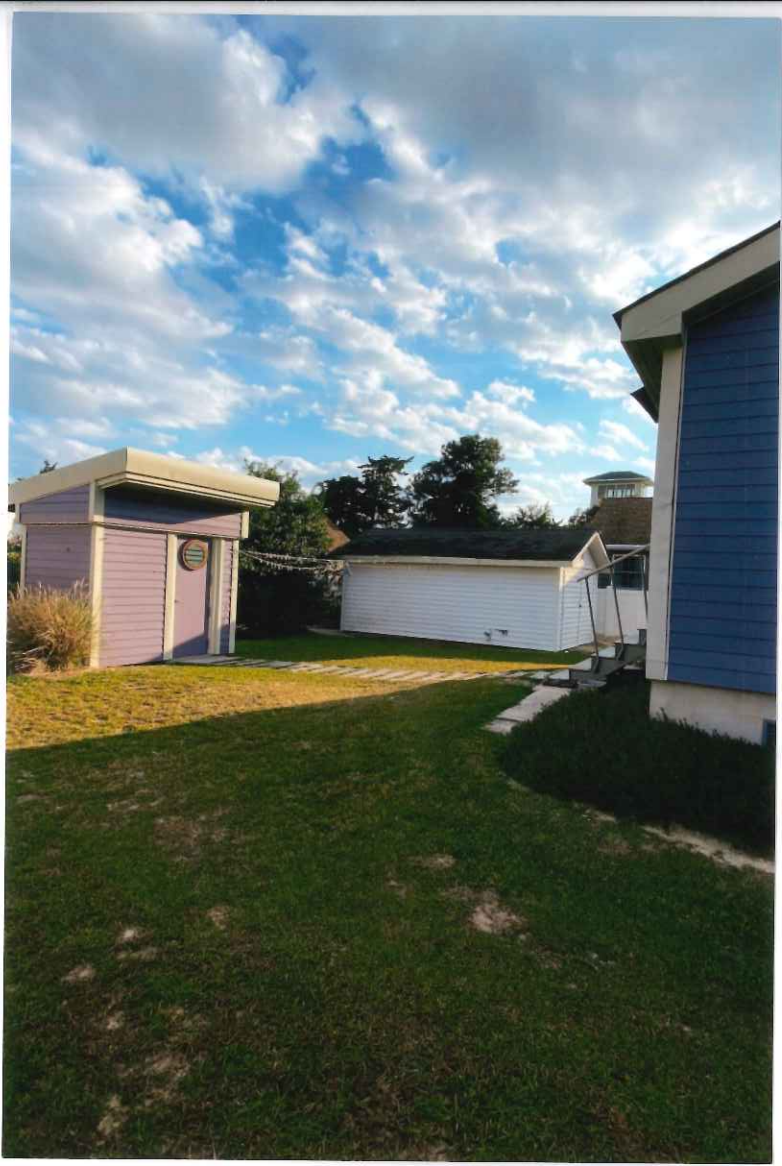
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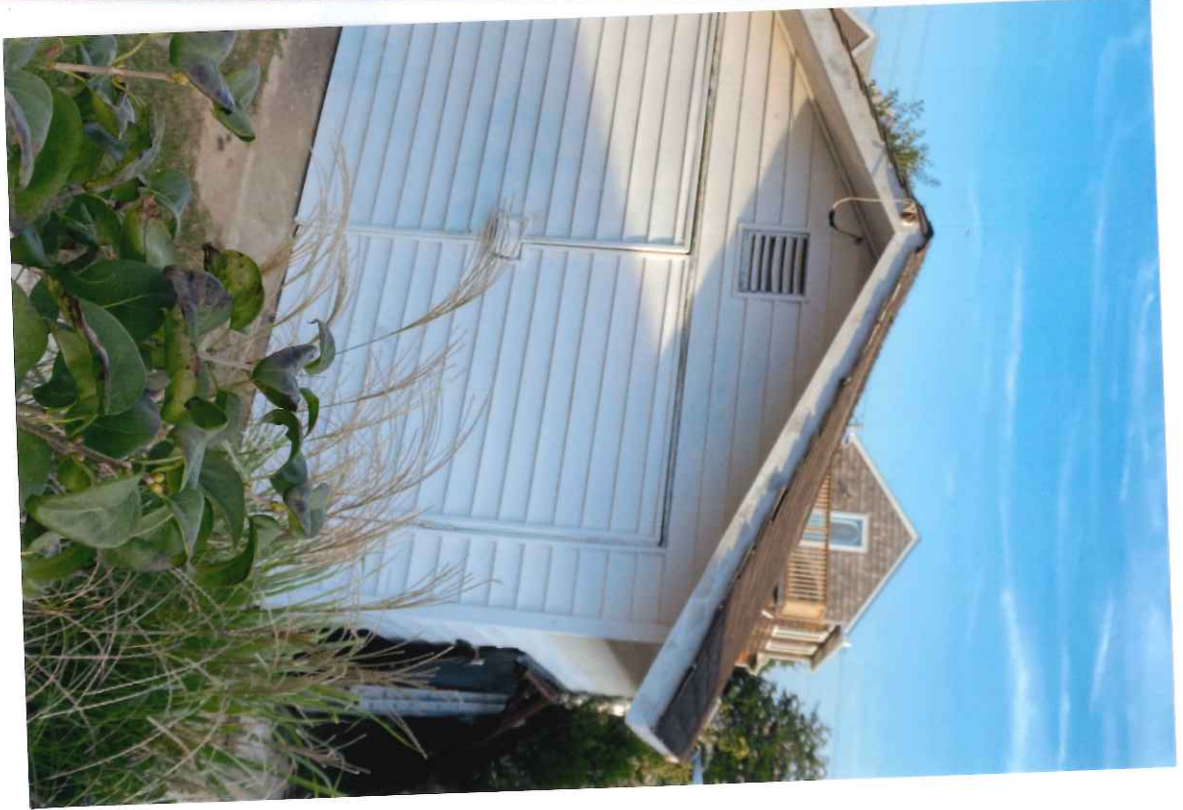
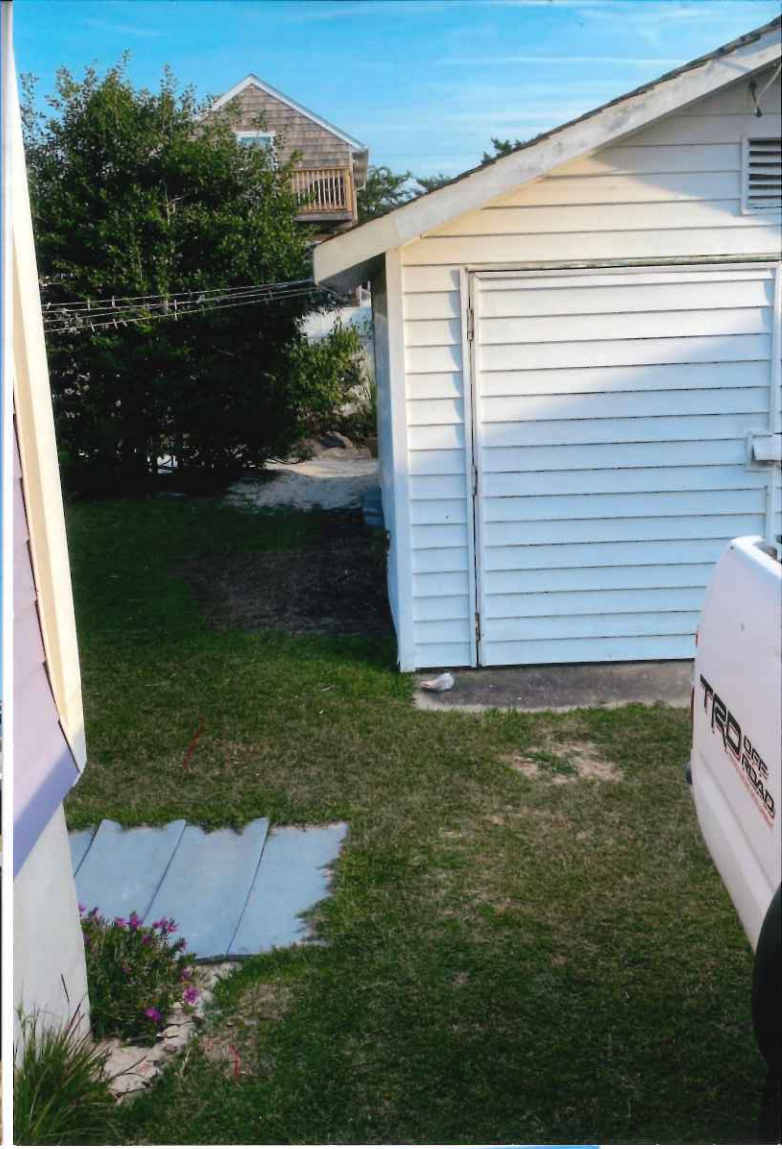
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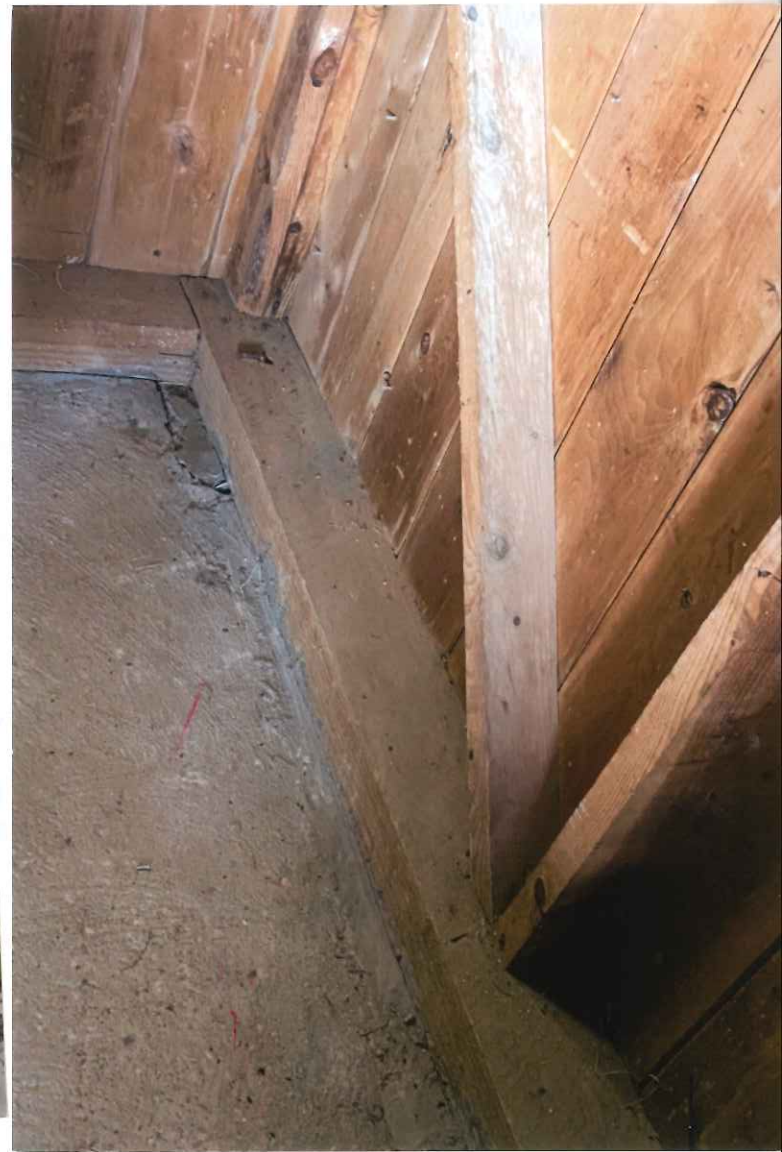
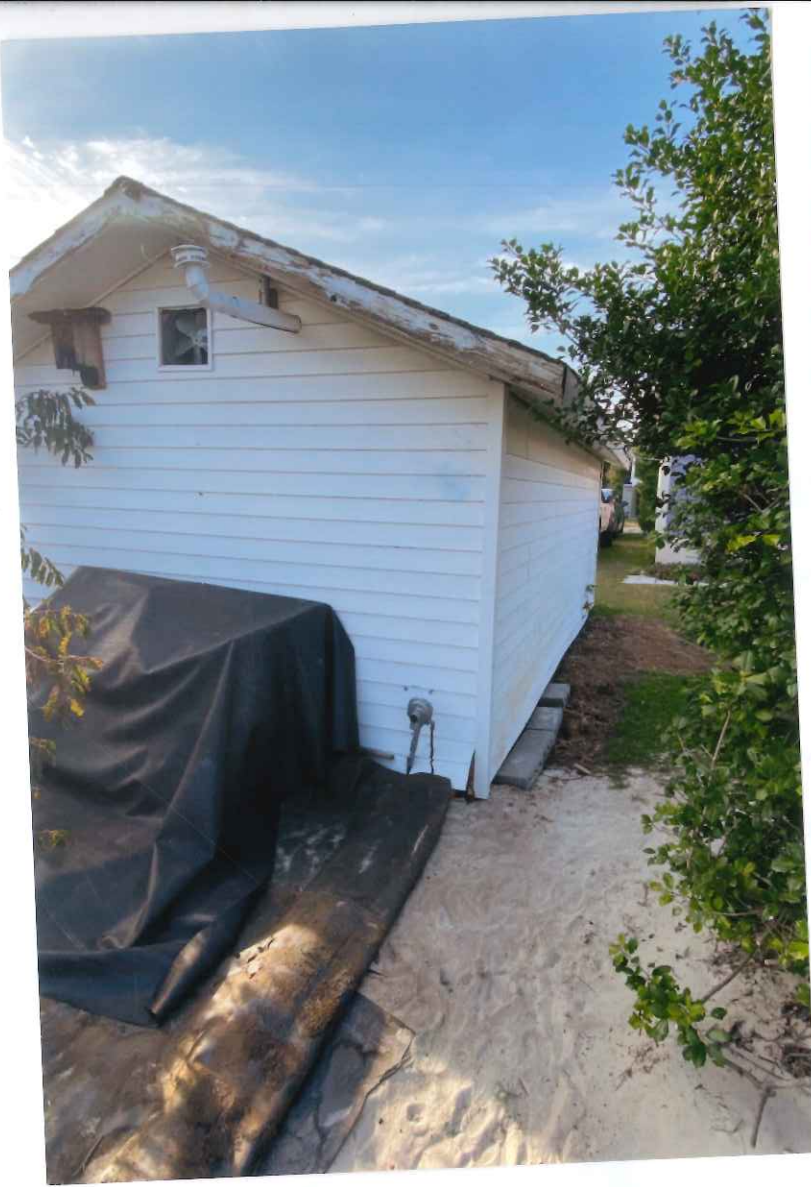
🖨

Find | Next

parcel	type type1 permit			case1	issue date	BC/Occup date	PZ/Compli date	Return Date	cost
235-4.13-5.00	BP	RM	225152	0	3/22/2004			8/23/2006	4000
	BP	RL	260646	0	6/15/2007		9/13/2007	2/1/2008	7900
	BP	RM	208161	0	6/26/2002			6/24/2003	3300















Board of Adjustment Application
Sussex County, Delaware

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

Case # _____
Hearing Date 12/13
202114859

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:

31531 Jestice Farm Rd Laurel DE 19956

Variance/Special Use Exception/Appeal Requested:

Electric Entrance Gate w/ keypad

Tax Map #: 232-19-00-12-02

Property Zoning: AR-1

Applicant Information

Applicant Name: Michael Milligan

Applicant Address: 31531 Jestice Farm Rd Laurel DE 19956

City Laurel State DE Zip: 19956

Applicant Phone #: 302-381-2135 Applicant e-mail: starr.trans@yahoo.com

Owner Information

Owner Name: Michael Milligan

Owner Address: 31531 Jestice Farm Rd

City Laurel State DE Zip: 19956 Purchase Date: 2008

Owner Phone #: 302-381-2135 Owner e-mail: starr.trans@yahoo.com

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

[Signature]

Date: 10-6-21



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

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

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

1. Uniqueness of property:

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

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.

3. Not created by the applicant:

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

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.

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.

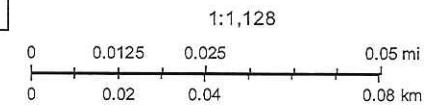


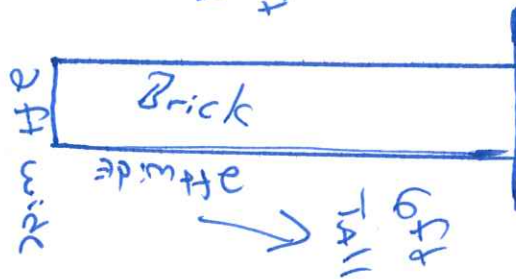
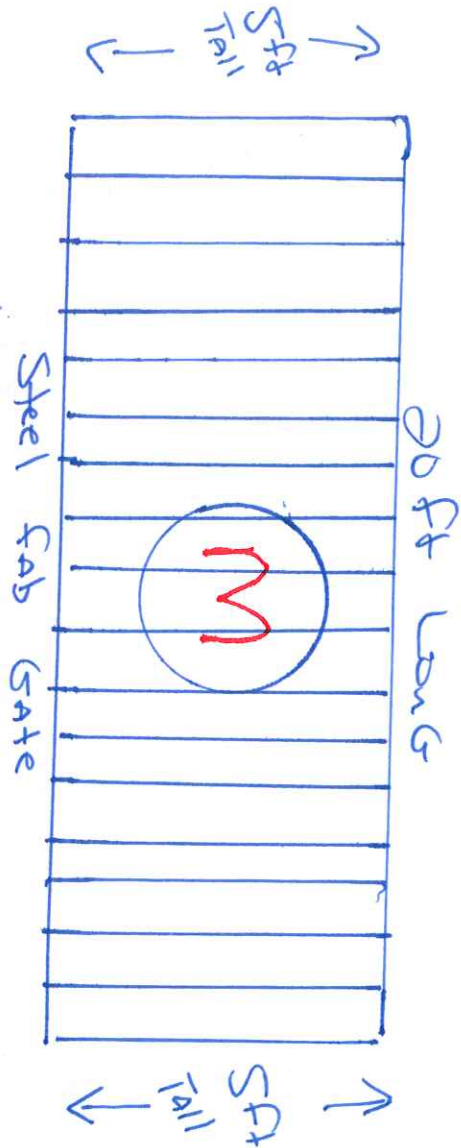
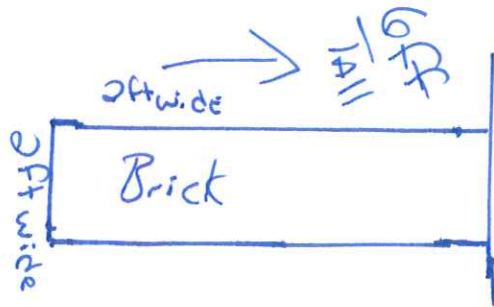
Sussex County



PIN:	232-19.00-12.02
Owner Name	MILLIGAN MICHAEL R
Book	3331
Mailing Address	31531 JESTICE FARM RD
City	LAUREL
State	DE
Description	E/S RD 449
Description 2	1050' S RD 447
Description 3	
Land Code	

polygonLayer
Override 1
polygonLayer
Override 1
Tax Parcels
911 Address
Streets







Sussex County



PIN:	232-19.00-12.02
Owner Name	MILLIGAN MICHAEL R
Book	3331
Mailing Address	31531 JESTICE FARM RD
City	LAUREL
State	DE
Description	E/S RD 449
Description 2	1050' S RD 447
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

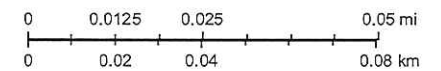
--- Tax Parcels

911 Address

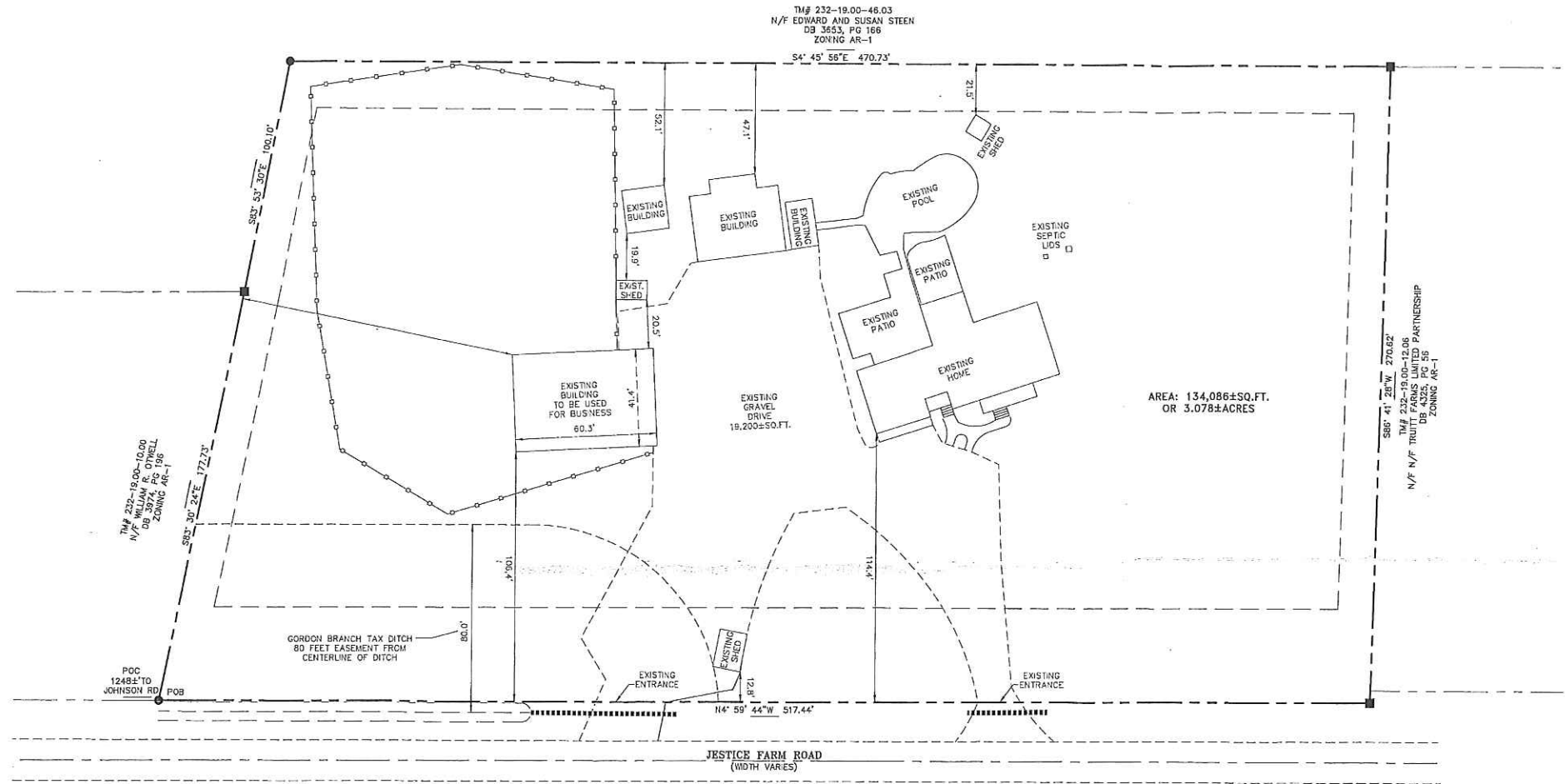
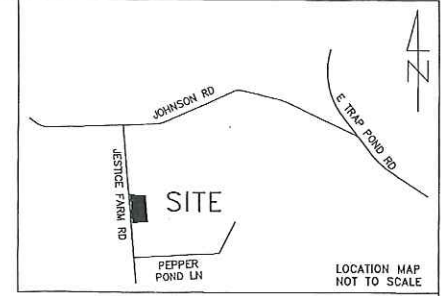
— Streets

--- County Boundaries

1:1,128



October 28, 2021



LEGEND:
● AXEL FOUND
■ CONCRETE MONUMENT FOUND
○ IRON PIPE FOUND
— PROPERTY LINE
- - - ADJOINING PROPERTY LINES
- - - BUILDING RESTRICTION LINE
- - - ROAD CROWN
- - - ROAD EDGE
- - - EXISTING CULVERT PIPE

SCALE
30 0 15 30 60
1 INCH = 30 FEET

SURVEYOR'S CERTIFICATION
I, ALAN O'DALE KENT, 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.



29 JUNE 2021
DATE

PLAN DATA:
1. TITLE REFERENCED TO: TM# 232-19.00-12.02, DB 3331, PG 12
31531 JUSTICE FARM ROAD, LAUREL, DE 19956
LANDS OF EDWARD JUSTICE AND ROBIN JUSTICE
SEAFORD HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
2. NO TITLE REPORT PERFORMED OR FURNISHED IN PREPARATION OF THIS PLAN.
3. THIS PLAN DOES NOT CERTIFY THE EXISTENCE OR NON-EXISTENCE OF EASEMENTS OR RIGHTS OF WAY AS A FULL AND COMPLETE SEARCH MAY REVEAL IN THE SUSSEX COUNTY RECORDER OF DEEDS.
4. ACCORDING TO SUSSEX COUNTY PLANNING AND ZONING, ZONING IS AR, AND SETBACKS ARE: FRONT-40, SIDE-15, AND REAR-20.

1.5' var from 3.5' height need for Fence
Pending Cll 2296 for towing business
Violation Reference 4309 - regarding business + gate w/o permit

JOB # 2021234		THIS IS A SUBURBAN CLASS SURVEY	
DATE OF PLAN	27 JUN 2021	BOUNDARY SURVEY PLAN AND CONDITIONAL USE REQUEST OF THE LANDS NOW OR FORMERLY OF MICHAEL R. MILLIGAN	
DATE OF LAST FIELD WORK	25 JUN 2021		
		PREPARED BY ALAN O KENT LAND SURVEYING 9505 SUSSEX STREET SEAFORD, DE 19973 (302) 745-1735	



2021/06/07 14:06:24



2021/06/07 14:06:32



2021/06/07 14:06:59



2021/06/07 14:07:36



2021/06/07 14:10:18

Board of Adjustment Application
Sussex County, Delaware

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

Case # 12536
Hearing Date 12/13
Application # 20215260

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☐

Code Reference (office use only)

115-34 115-182

Site Address of Variance/Special Use Exception:

34020 Indian Queen Lane Dagsboro DE

Variance/Special Use Exception/Appeal Requested:

To build a porch on the front of the home that is 7'8" out by 10' in length and add vertical siding in place of the horizontal siding that is currently there

Tax Map #: 1-34-11-337

Property Zoning: X MR

Applicant Information

Applicant Name: Thomas Bowden

Applicant Address: 12832 Selby Road

City Bishopville State MD Zip: 21813

Applicant Phone #: 443 754 0977 Applicant e-mail: TBowden07@hotmail.com

Owner Information

Owner Name: Ralph & Susan Galbreth

Owner Address: 34020 Indian Queen Lane

City Dagsboro State DE Zip: 19939 Purchase Date: ?

Owner Phone #: 302.542.7622 Owner e-mail: rsbeachbum@mchsi.com

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

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.

2. Cannot otherwise be developed: The home had to be set @ the front of property line due to septic requirements

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.

3. Not created by the applicant: There is no other way to build without the variance due to the placement of the home.

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

I'm not sure that I am answering this correctly, but I don't feel as though this would be a difficult porch for anyone to inspect. It would be easily accessible and extremely

4. Will not alter the essential character of the neighborhood: professional and clean

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.

5. Minimum variance: If accepted, the allowed construction will better the overall appearance of the home and will add to the appearance of the neighborhood

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.

No more building would be necessary. This would be a one time request

Case # ACP-21-42

Administrative Correction Process
Sussex County, Delaware

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

Type of Application:

Permit/CO issued in Error ☒

Site Address of Variance: 34020 Indian Queen Lane

Variance/Special Use Exception/Appeal Requested: existing shed, deck, and pool all permitted and CO'd
side yard encroachments

Tax Map #: 134-11.00-337.00

Property Zoning: MR

Owner Information

Owner Name: Thomas Bowden

Owner Address: 12832 Selby Rd

City, State, Zip: Bishopville, MD 21813

Purchase Date: _____

Owner Phone #: 443-754-0977

Owner e-mail: tbowden07@hotmail.com

Alternate Reference Information

Agent/Attorney Name: Ralph & Susan Galbreth

Agent/Attorney Address: 34020 Indian Queen Lane

City, State, Zip: Dagsboro, DE 19939

Agent/Attorney Phone #: 302-542-7622

Agent/Attorney e-mail: rsbeachbum@mchsi.com

Signature of Director/Director Designee



Date: 11/2/2021



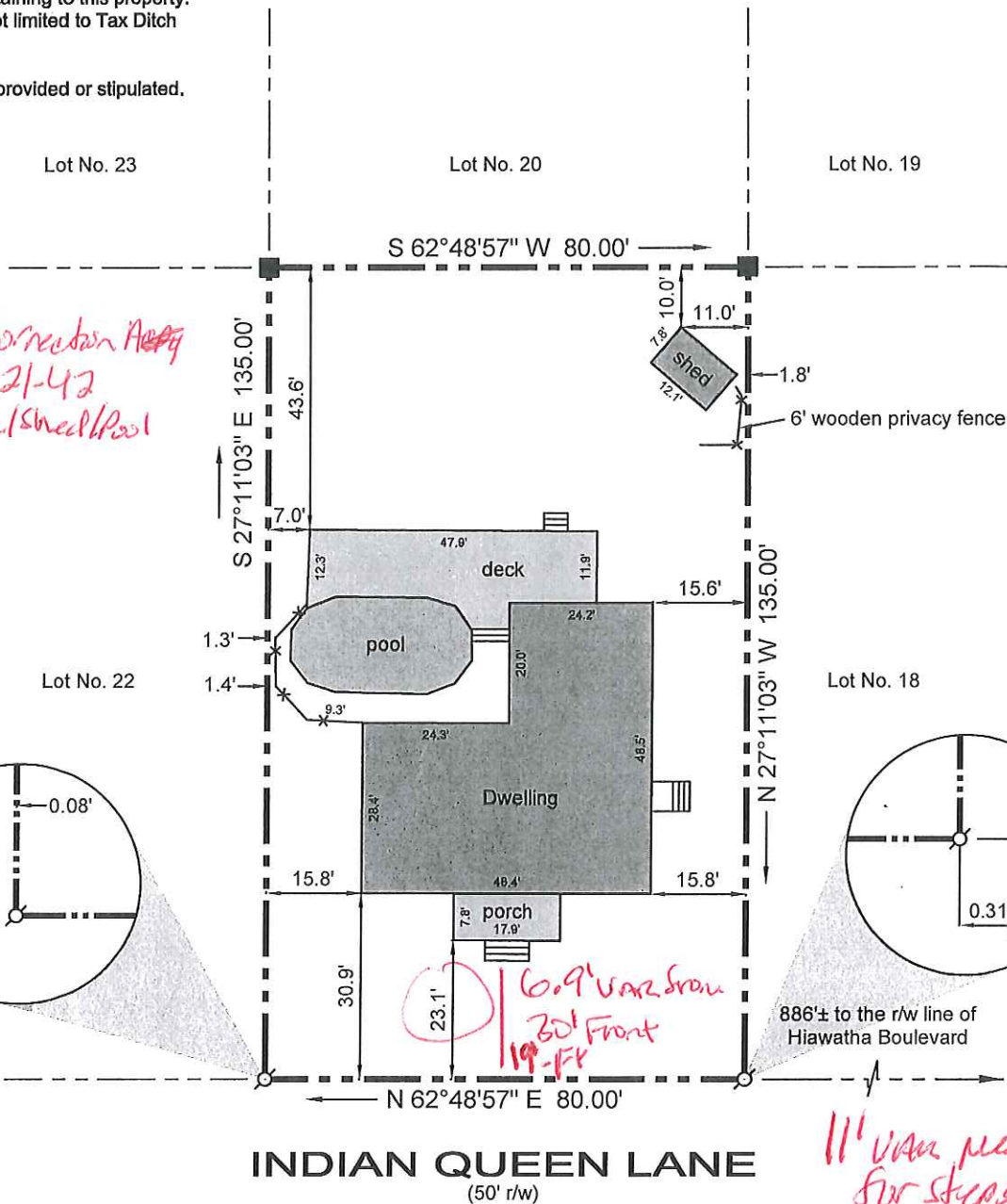
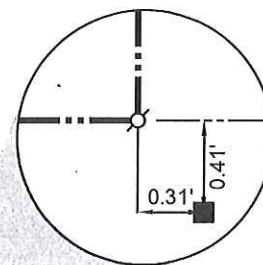
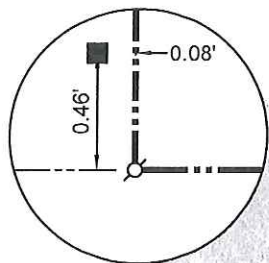
NOTES:

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

• No title search provided or stipulated.



Admin Correction ACP-21-42 for Deck/Pool



■ CONC. MON. (FD)

⌀ 5/8" RE-BAR w/CAP (SET)

SCALE: 1"=30'

AREA: 10,800 SQ. FT.

TAX MAP NO. 1-34-11-337

Lands of RALPH J. GALBREATH and SUSAN L. GALBREATH. Being known as LOT NO. 21, BLOCK "F", BLACKWATER VILLAGE. Ref: Plat Book 10, Page 63.

FIRM INFORMATION:

100029 - 0495 - K

MARCH 16, 2015

ZONE: "X", Shaded & Non-Shaded

CLASS "B" SURVEY

HUNDRED: BALTIMORE

COUNTY: SUSSEX

STATE OF DELAWARE

DATE OF ORIGINAL: 09-22-2021

DRAWN BY: MICHAEL LOVELAND

SIMPLER SURVEYING & ASSOCIATE, INC.

32486 POWELL FARM ROAD, FRANKFORD, DE 19945

www.delawaresurveyor.com

PHONE: (302) 539-7873 FAX: (302) 539-4336

SEAL

Gregory M. Hook
09/29/2021

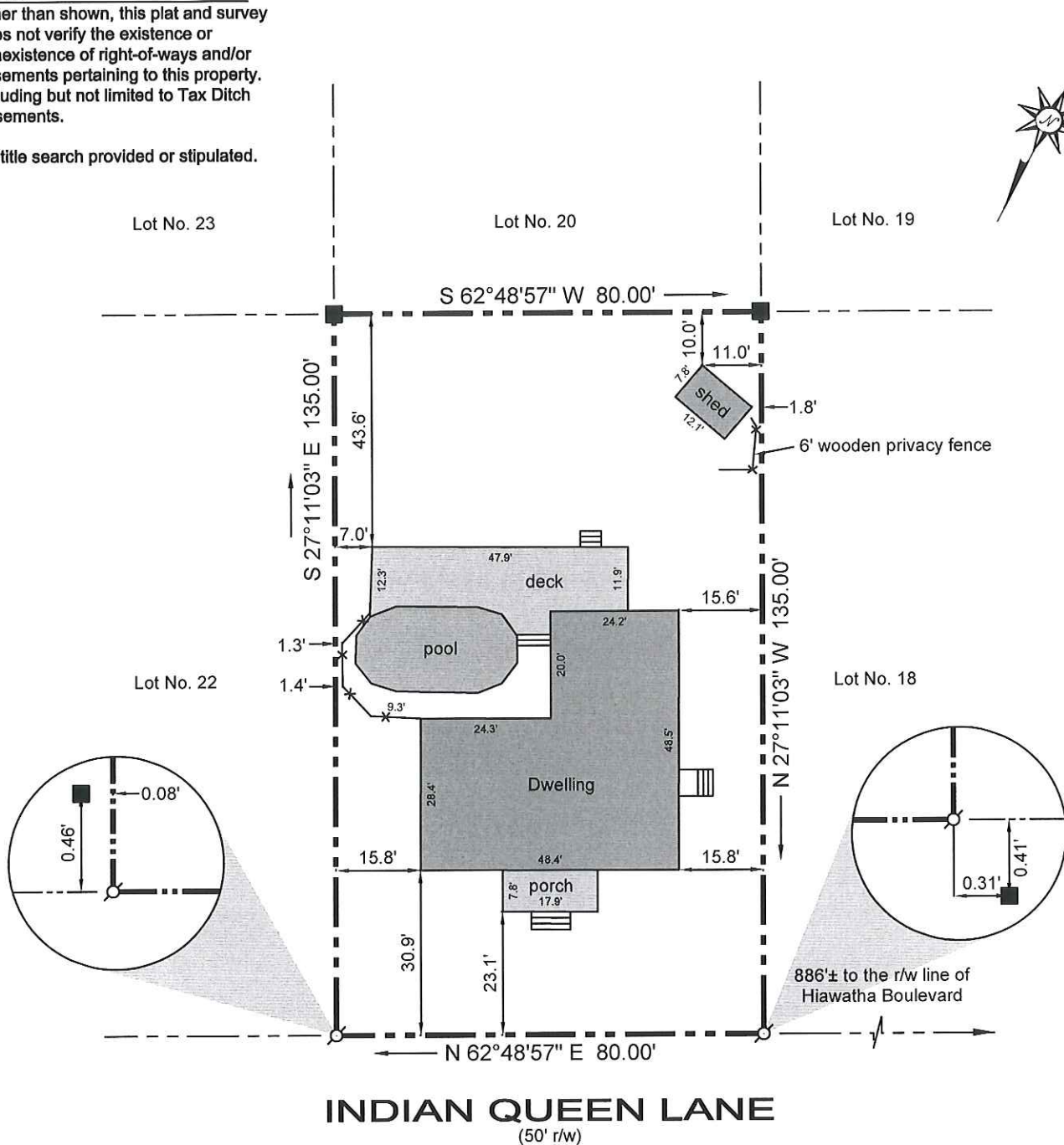
I, Gregory M. Hook, registered as a Professional Land Surveyor in the State of Delaware, hereby state that the information shown on this plan has been prepared under my supervision and meets the standards of practice as established by the State of Delaware Board of Professional Land Surveyors. Any changes to the property conditions, improvements, boundary or property corners after the date shown hereon shall necessitate a new review and certification for any official or legal use.

P.L.S. 711

NOTES:

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

- No title search provided or stipulated.



INDIAN QUEEN LANE

(50' r/w)

■ CONC. MON. (FD)

⌀ 5/8" RE-BAR w/CAP (SET)

SCALE: 1"=30'

AREA: 10,800 SQ. FT.

TAX MAP NO. 1-34-11-337

Lands of RALPH J. GALBREATH and SUSAN L. GALBREATH. Being known as LOT NO. 21, BLOCK "F", BLACKWATER VILLAGE. Ref: Plat Book 10, Page 63.

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SEAL

Gregory M. Hook
09/27/2021

I, Gregory M. Hook, registered as a Professional Land Surveyor in the State of Delaware, hereby state that the information shown on this plan has been prepared under my supervision and meets the standards of practice as established by the State of Delaware Board of Professional Land Surveyors. Any changes to the property conditions, improvements, boundary or property corners after the date shown hereon shall necessitate a new review and certification for any official or legal use.

P.L.S. 711

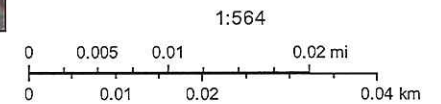


Sussex County



PIN:	134-11.00-337.00
Owner Name	GALBREATH SUSAN L & RALPH J
Book	2321
Mailing Address	34020 INDIAN QUEEN LN
City	DAGSBORO
State	DE
Description	BLACKWATER VILLAGE
Description 2	LOT 21
Description 3	BLK F
Land Code	

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



October 28, 2021

parcel 134-11.00-337.00

View Report

|< < 1 of 1 > >| ↺ ↻ 100% ⏏ ⏏ Find | Next

parcel	type	type1	permit	case1	issue date	BC/Occup date	PZ/Compli date	Return Date	cost
134-11.00-337.00	BP	RA	147396	0	1/25/1995		8/1/1996	3/16/1995	1428
	BP	AS	264364	0	11/5/2007	1/7/2008	1/10/2008	6/3/2008	4182
	BP	DW	120808	0	4/24/1991		5/30/1991	7/9/1991	61600
	BP	SP	209245	0	8/2/2002		10/2/2003	7/7/2003	3795
	BP	RA	230825	0	8/30/2004	8/3/2006	8/7/2006	2/1/2005	23040
	BP	AS	167060	0	9/11/1997		1/11/2000	12/2/1997	18980

11/3/2021 8:30:53 AM