

**BOARD OF ADJUSTMENT**

JEFF CHORMAN, CHAIRMAN  
KEVIN E. CARSON  
JOHN T. HASTINGS  
SHAWN LOVENGUTH  
JOHN WILLIAMSON



**Sussex County**

DELAWARE  
sussexcountyde.gov  
(302) 855-7878

**AGENDA**

**March 24, 2025**

**6:00 PM**

**Call to Order**

**Pledge of Allegiance**

**Approval of Agenda**

**Approval of the Minutes for January 27, 2025**

**Approval of the Findings of Fact for January 27, 2025**

**Public Hearings**

**Case No. 13044 – Juan and Marisela Serna**

seeks a variance from the lot width re-requirement for a proposed lot (Section 115-25 of the Sussex County Zoning Code). The property is located on the north side of Woodland Ferry Road and east of Ship Builders Drive. 911 Address: 6869 Woodland Ferry Road, Seaford. Zoning District: AR-1. Tax Map: 132-11.00-20.00

**Case No. 13045 – Michael and Maria Calandra**

seeks variances from the front yard setback requirements for proposed structures (Section 115-34 and 115-182 of the Sussex County Zoning Code). The property is located on the west side of Salty Way West located within the Keen-Wik West Subdivision. 911 Address: 37830 Salty Way West, Selbyville. Zoning District: MR Tax Map: 533-19.07-31.01

**Case No. 13052 - Jim and Michelle Lattanzi**

seeks variances from the front yard set-back requirement, separation distance requirements and lot coverage requirement for proposed structures (Section 115-25 and 115-172 of the Sussex County Zoning Code). The property is located South of Harbor Road within the Malone's Bayside Manufactured Home Park. 911 Address: 21 Harbor Road, Millsboro. Zoning District: AR-1. Tax Parcel: 234-25.00-6.00-42880 Lot 27

**Case No. 13053 – Matthew and Colleen Schweitzer**

seeks variances from the front and side yard setback requirements for existing and proposed structures. (Sections 115-34, 115-182 and 115-183 of the Sussex County Zoning Code). The property is located on the northeast side of Snow Goose Road. 911 Address: 9643 Snow Goose Road, Milford. Zoning District: MR. Tax Map: 230-17.00-167.00

**Case No. 13054 – Michael Turssline**

**seeks variances from the front, side and rear yard setback requirements for existing and proposed structures. (Sections 115-25, 115-182 and 115-183 of the Sussex County Zoning Code). The Property is located on the north side of Calais Court and to the east of Penn Street. 911 Address: 33523 Calais Court, Dagsboro. Zoning District: AR-1. Tax Map: 134-7.00-66.00**

**Case No. 13055 – Coastal One Properties**

**seeks a special use exception for an off- premise electronic message center. (Section 115-161.1 and 159.5 (B) of the Sussex County Zoning Code). The property is located on the north side of Coastal Highway. 911 Address: 19563 Coastal Highway, Rehoboth. Zoning District: C-1. Tax Map: 334-13.00-325.33**

**Additional Business**

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**-MEETING DETAILS-**

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on Monday, March 17, 2025, 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 Board of Adjustment meeting materials, including the “packet” are electronically accessible on the County’s website at: <https://sussexcountyde.gov/>.

If any member of the public would like to submit comments electronically, these may be sent to [pandz@sussexcountyde.gov](mailto:pandz@sussexcountyde.gov). All comments are encouraged to be submitted by 4:30 P.M. on Thursday, March 20, 2025.

####



Case # 13044  
Hearing Date 3-24-25  
202500695

### Board of Adjustment Application Sussex County, Delaware

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

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

Variance

Special Use Exception

Administrative Variance

Appeal

Existing Condition

Proposed

Code Reference (office use only)

\_\_\_\_\_

\_\_\_\_\_

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

6869 WOODLAWN FERRY ROAD, SEAFORD, DELAWARE 19973

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

A VARIANCE IS BEING SOUGHT FOR THE PROPOSED LOT 2 TO HAVE A LOT FRONTAGE OF 132.91 FEET, WHEREAS CHAPTER 115 SECTION 23.A.1 SPECIFIES A 150 FEET MINIMUM ROAD FRONTAGE FOR A LOT WITH AN ON-SITE SEPTIC SYSTEM.

Tax Map #: 132-11.00-20.00

Property Zoning: AR-1

**Applicant Information**

Applicant Name: EMMANUEL SERNA

Applicant Address: 29078 SEAFORD ROAD

City LAUREL State DE Zip: 19947

Applicant Phone #: (302) 841-1529 Applicant e-mail: SERNADUDE120@AOL.COM

JCMARVASILLC@GMAIL.COM

**Owner Information**

Owner Name: JUAN & MARISELA SERNA

Owner Address: 29078 SEAFORD ROAD

City LAUREL State DE Zip: 19956 Purchase Date: 4/20/23

Owner Phone #: (302) 519-2269 Owner e-mail: JUANS@COMCAST.NET

**Agent/Attorney Information**

Agent/Attorney Name: SERGOVIC CARMEN WEIDMAN MCCARTNEY & OWENS, P.A.

Agent/Attorney Address: 25 CHESTNUT STREET

City GEORGETOWN State DE Zip: 19947

Agent/Attorney Phone #: (302) 855-1260 Agent/Attorney e-mail: JOAN@SUSSEXATTORNEY.COM

**Signature of Owner/Agent/Attorney**



Date: 1/17/25



**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 EXISTING PROPERTY HAS A ROAD FRONTAGE OF 282.91 FEET ALONG WOODLAND FERRY ROAD. THE SUBDIVISION OF THIS PROPERTY WILL LEAVE THE EXISTING HOME A ROAD FRONTAGE LENGTH OF 150.00 FEET, AND YIELD 132.91 FEET FOR THE PROPOSED LOT.

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**2. Cannot otherwise be developed:**

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

THE PROPOSED LOT SHALL BE 39,248 S.F. AND HAVE A DEPTH OF 295.36 FEET. THE MINIMUM LOT AREA IN THIS ZONING IS 32,670 S.F. AND MINIMUM DEPTH 100 FEET. THE LOT WIDTH IS BEING ASKED FOR A VARIANCE FOR NOT CONFORMING TO SECTION 115-25.A.1 OF THE SUSSEX COUNTY LAND DEVELOPMENT CODE.

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

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

THE WIDTH OF LESS THAN 150' IS CREATION OF THE ORIGINAL LOT WIDTH OF 282.91 FEET.

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**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 PROPOSED HOUSE ARCHITECTURE WILL BE DESIGNED TO BE SIMILAR TO THAT OF THE ORIGINAL HOME, AND/OR THAT OF THE NEWER HOMES OF THE DEVELOPMENT OF CYPRESS POINTE, WHICH IS THE NEAREST DEVELOPMENT.

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**5. Minimum variance:**

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

THE MINIMUM VARIANCE REQUESTED IS THAT OF THE ROAD FRONTAGE. THE EXISTING LOT OF 6869 WOODLAWN FERRY ROAD WILL NOT BE SUBDIVIDED FURTHER.

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### 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 relevant Application Fee (please refer to fees effective July 1, 2022)
- 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



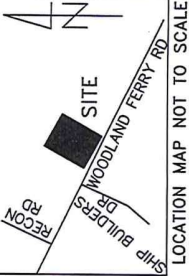
Date: 1/17/25

For office use only:

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

Subdivision: \_\_\_\_\_ Lot#: \_\_\_\_\_ Block#: \_\_\_\_\_  
 Date of Hearing: \_\_\_\_\_ Decision of Board: \_\_\_\_\_





LOCATION MAP NOT TO SCALE

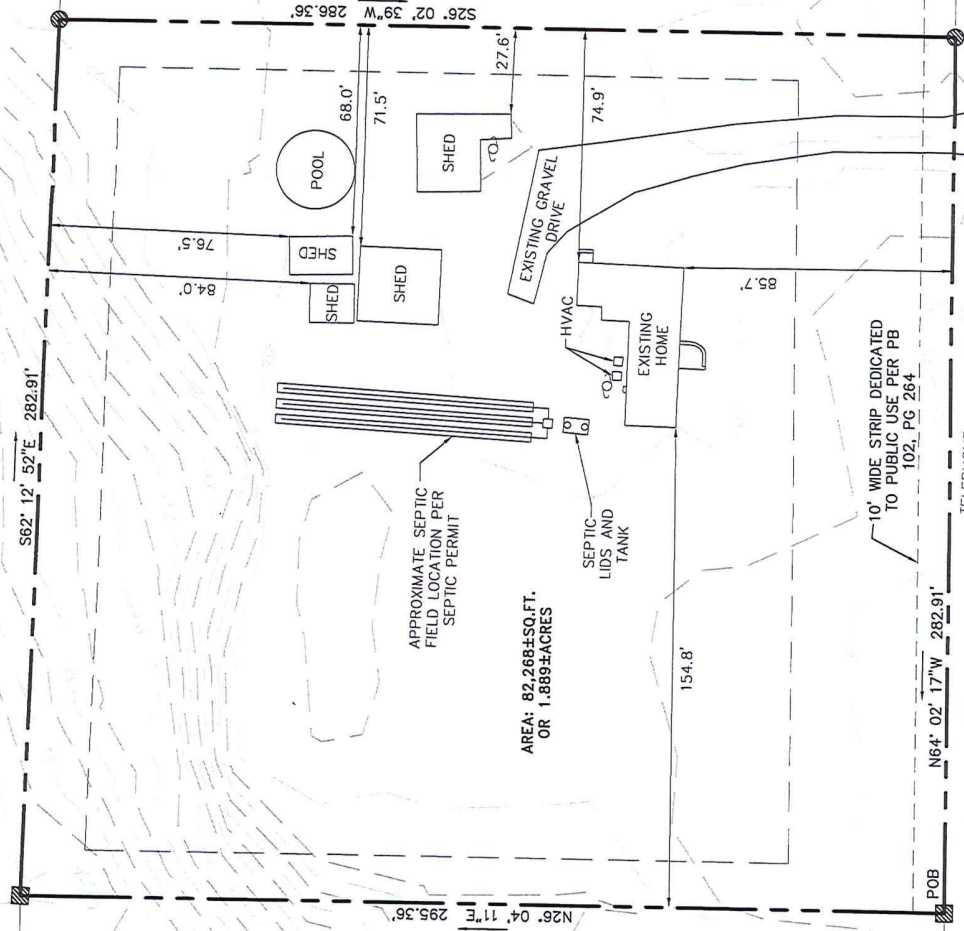
DS/PC NSRS 2011

**PLAN DATA:**

1. TITLE REFERENCED TO:  
 TM# 132-11.00-20.00, DB 5893, PG 106, PB 102, PG 264,  
 6869 WOODLAND FERRY ROAD, SEAFORD, DELAWARE 19973  
 RESIDUAL LANDS, MINOR SUBDIVISION FOR CATHY J. MCGLAUGHLIN  
 BROAD CREEK HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
2. NO TITLE REPORT PERFORMED OR FURNISHED IN PREPARATION OF THIS PLAT.
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 ONLINE GIS, ZONING  
 IS AR-1 AND SETBACKS ARE: F-40, S-15, AND R-20.
5. ELEVATIONS BASED ON NAVD 88, GEOID 12B.

LOT 1, TM# 132-11.00-20.02  
 N/F JAMEK L MATTHEWS  
 DB 5868, PG 40

TM# 132-11.00-22.00  
 N/F GLEN W. ESKRIDGE  
 AND LINDA L. ESKRIDGE  
 TRUSTEES  
 DB 4749, PG 33



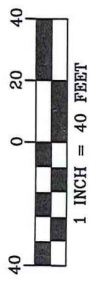
TM#132-11.00-19.02  
 N/F GILBERT W. STEVENSON SR.  
 DB 3817, PG 328

P.O.C. 468.84'  
 TO RECON ROAD

N64° 02' 17" W 282.91'

TELEPHONE  
 PEDESTAL

WOODLAND FERRY ROAD  
 (WIDTH VARIES)



**LEGEND:**

- CAPPED IRON PIN FOUND
- CONCRETE MONUMENT FOUND
- UTILITY POLE
- EXISTING PROPERTY LINE
- ADJOINING PROPERTY LINE
- BUILDING RESTRICTION LINE
- ROAD EDGE
- ROAD SEAM
- 1 FOOT CONTOUR
- HALF FOOT CONTOUR



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.

ALAN O'DALE KENT, P.L.S.#738, DATE

THIS IS A SUBURBAN SURVEY  
 BOUNDARY SURVEY PLAN AND  
 TOPOGRAPHIC SURVEY PLAN  
 OF THE LANDS NOW OR FORMERLY OF  
 JUAN SERNA AND  
 MARISELA SERNA

PREPARED BY  
 ALAN O KENT LAND SURVEYING, LLC  
 SEAFORD, DE 19975  
 (302) 745-1725

JOB #	2024314
DATE OF PLAN	02 JAN 2025
DATE OF LAST FIELD WORK	31 DEC 2024

Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

Selected Features: 1) 132-11.00-20.00

Parcels (1)

Zoom

BOOK	5893
PAGE	106
FULLNAME	SERNA JUAN
Second_Owner_Name	MARISELA SERNA
MAILINGADDRESS	29078 SEAFORD RD
CITY	LAUREL
STATE	DE
a_account	
DESCRIPTION	NE/RD 78
DESCRIPTION2	
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	19100
APRLAND	4700
PINWASSEMENTUNIT	132-11.00-20.00
PIN	132-11.00-20.00

Selected Features (1)  
Clear Selected





Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

Selected Features:

Parcels (1)

1 132-11.00-20.00

Zoom

BOOK	5893
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CAP	0
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APRLAND	4700
PINWASSEMNTUNIT	132-11.00-20.00
PIN	132-11.00-20.00

Selected Features (1)

Clear Selected



Sussex County Government | Sussex County Mapping and Addressing | Maxar, Microsoft

POWERED BY esri





Workspaces

© 2023 Eagleview



Search

Search by SUSSEXPARCELS

132-11.00-20.00

Search results (1)

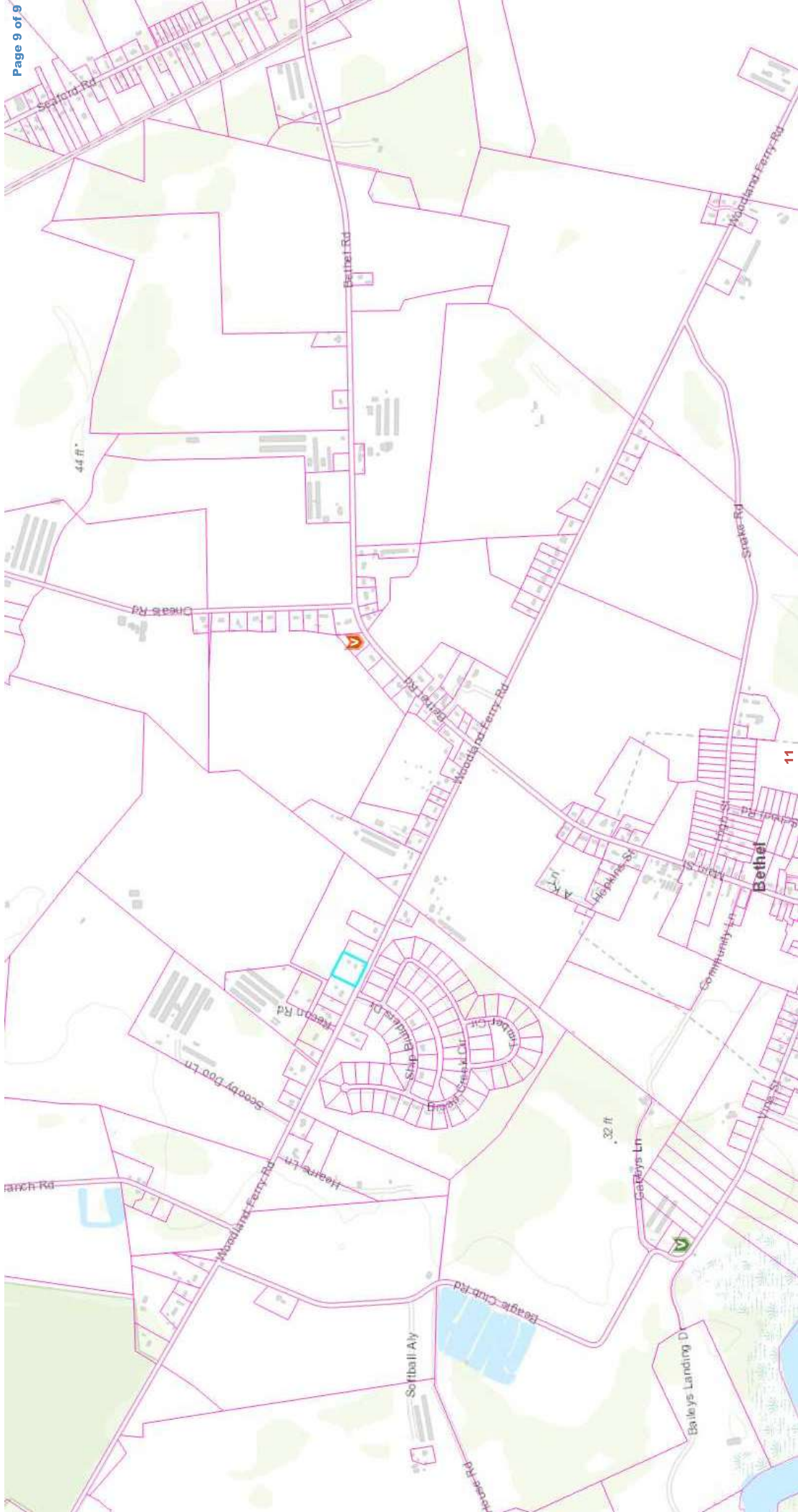
Options

132-11.00-20.00









Case # 13045  
Hearing Date 3-24-25  
202500988

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

Type of Application: (please check all applicable)

- Variance
- Special Use Exception
- Administrative Variance
- Appeal
- Existing Condition
- Proposed
- Code Reference (office use only) \_\_\_\_\_

Site Address of Variance/Special Use Exception:

37830 SAITY WAY WEST SEIBVILLE DE 19975

Variance/Special Use Exception/Appeal Requested:

Garage w/ Bedroom above.

Tax Map #: 5-33-19.07-31.01 Property Zoning: MR

Applicant Information

Applicant Name: Michael & Maria Calandra  
 Applicant Address: 13531 Villadest Drive  
 City Highland State MD Zip: 20777  
 Applicant Phone #: \_\_\_\_\_ Applicant e-mail: \_\_\_\_\_

Owner Information

Owner Name: LA FAMIGLIA II LLC  
 Owner Address: 13531 VILLADEST DRIVE  
 City HIGHLAND State MD Zip: 20777 Purchase Date: 8/23/2024  
 Owner Phone #: 301-674-2789 Owner e-mail: mike@calandracontracting.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Michael E. Calandra

Date: 1/3/25





**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 AN IRREGULAR SHAPED LOT

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 WOULD WANT THE PROPOSED GARAGE AND BEDROOM ADDITION NEXT TO THE EXISTING GARAGE

3. Not created by the applicant:

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

THIS IS THE ONLY PRACTICAL LOCATION FOR THE PROPOSED 1 CAR GARAGE AND BEDROOM ABOVE

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

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

THIS APPLICATION WILL NOT ALTER OR CHANGE THE CHARACTER OF THE NEIGHBORHOOD

5. Minimum variance:

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

(ZONING REQ 30' SB) VARIANCE NEEDED 16'

10' FOR THE BUILDING (GARAGE)  
6' FOR THE PORCH.

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

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

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

THIS VARIANCE WILL NOT ADVERSELY AFFECT THE ADJACENT LOT OR NEIGHBORHOOD

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

THE TIME LIMITATION SHOULD BE NO MORE THAN 2 YEARS.

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

OWNER WISH'S TO ADD 1 CAR GARAGE AND BEDROOM ON THE SECOND FLOOR  
THE PROPERTY IS ON A CUL-DE-SAC AND THEREFORE HAS NO CROSS TRAFFIC STREET  
THE LOT IS ALSO AN IRREGULAR SHAPE.  
THE OWNER WOULD LIKE THE PROPOSED GARAGE AND BEDROOM TO BE NEXT TO THE EXISTING GARAGE.

### Check List for Applications

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- 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 relevant Application Fee (please refer to fees effective July 1, 2022)
- 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.

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*\*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

Michael S. Columbus

Date: 1/3/25

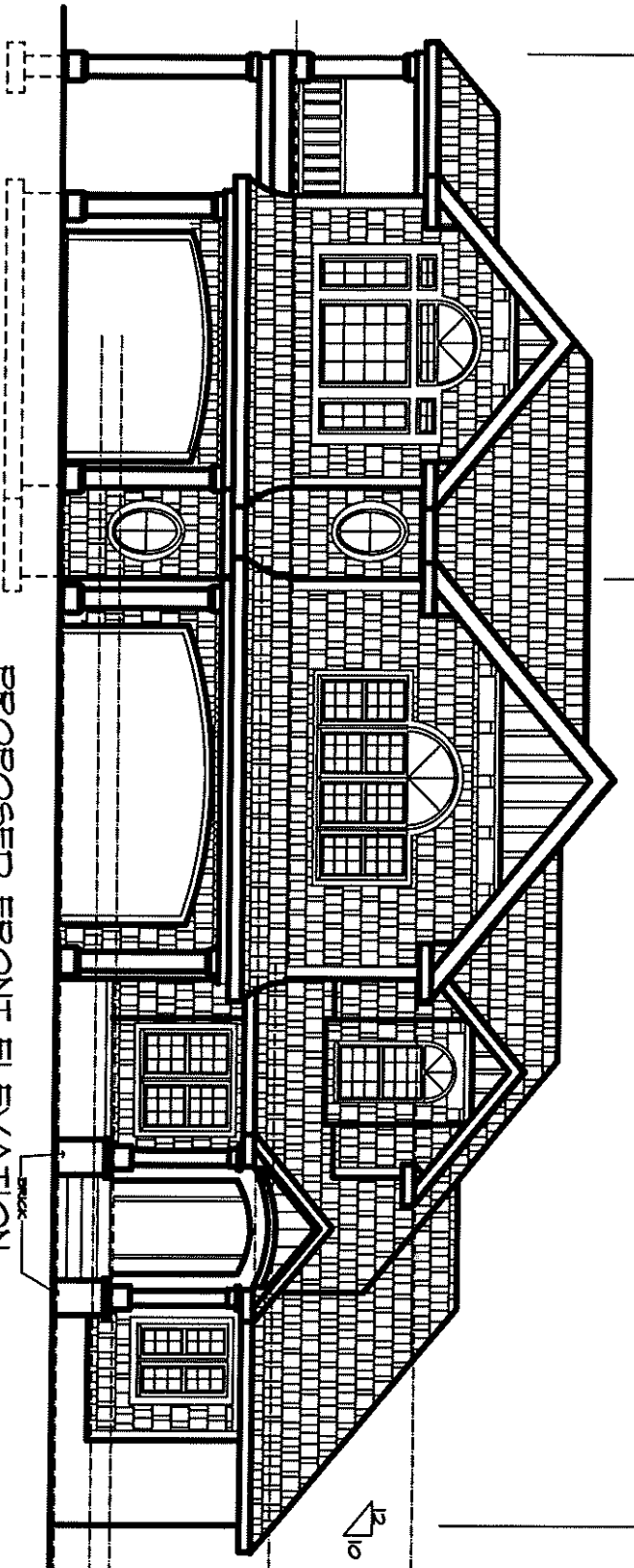
For office use only:

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

Subdivision: \_\_\_\_\_ Lot#: \_\_\_\_\_ Block#: \_\_\_\_\_  
 Date of Hearing: \_\_\_\_\_ Decision of Board: \_\_\_\_\_

PROPOSED ADDITION

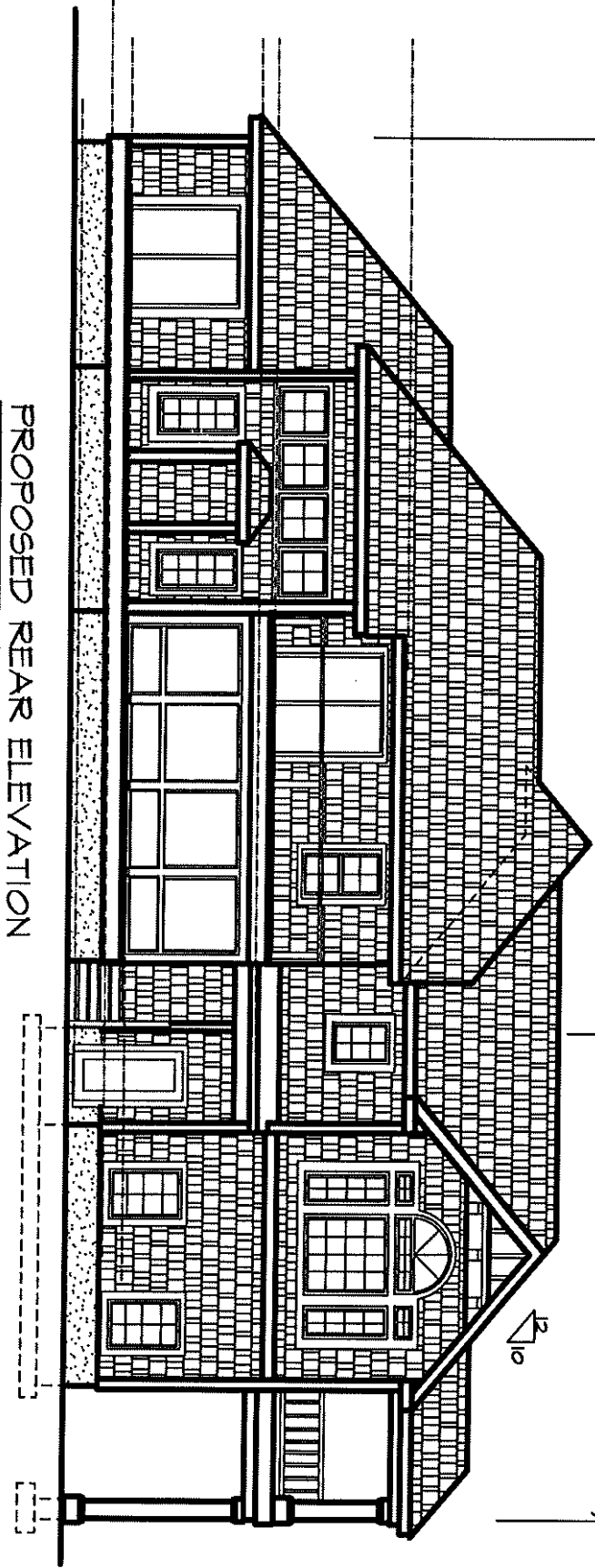
EXISTING TWO STORY DWELLING



PROPOSED FRONT ELEVATION

EXISTING TWO STORY DWELLING

PROPOSED ADDITION



PROPOSED REAR ELEVATION

CONSTRUCTION CO

USE GROUP

CONSTRUCTION TYPE

NUMBER OF STORES

HEIGHT

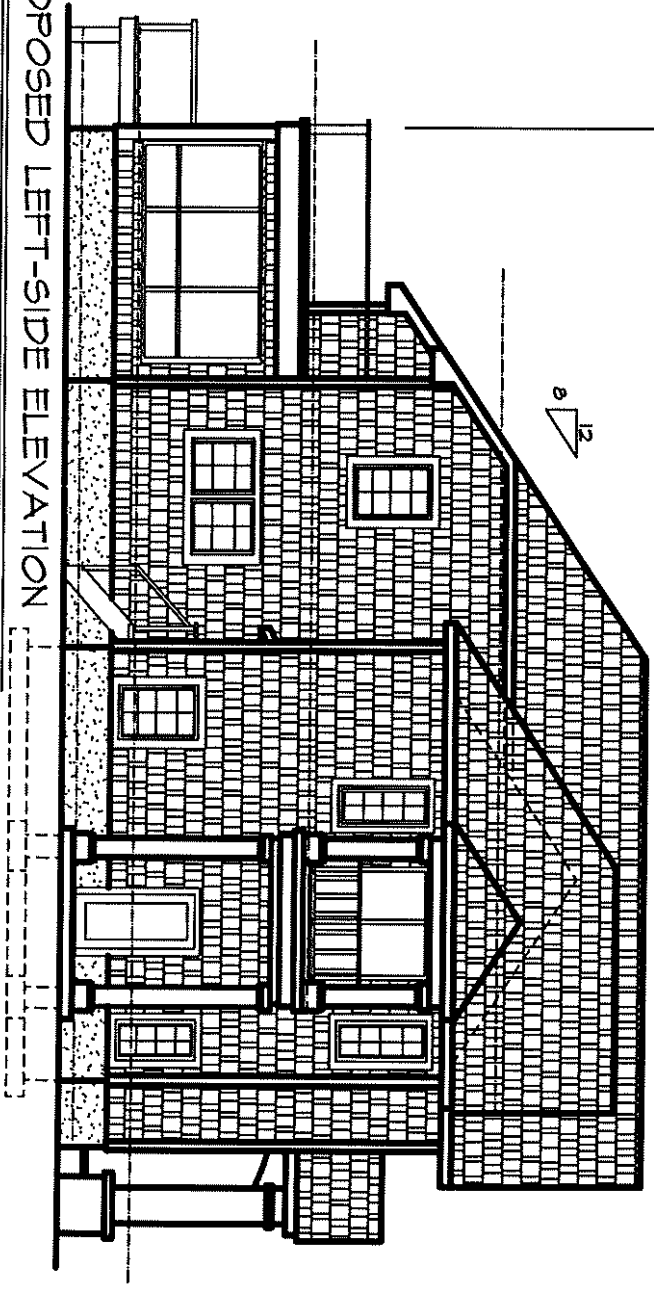
EXISTING FIRST FLOOR

EXISTING SECOND FLOOR

PROPOSED PART A 003



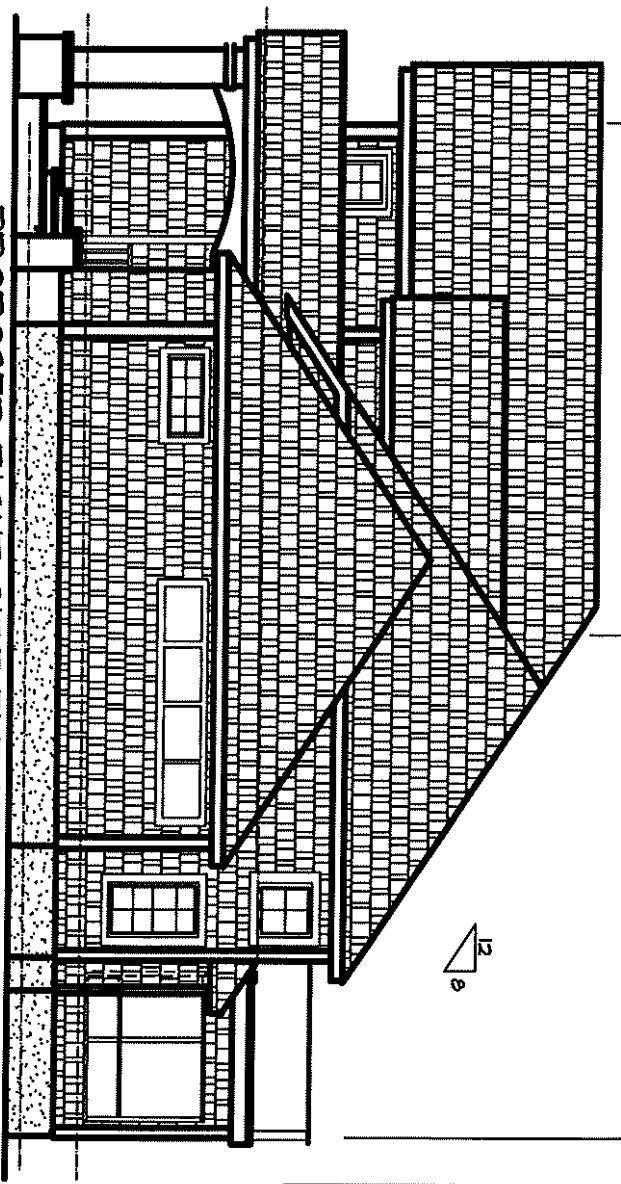
PROPOSED LEFT-SIDE ELEVATION



EXISTING DWELLING

PROPOSED ADDITION

PROPOSED RIGHT-SIDE ELEVATION



PROPOSED ADDITION

EXISTING DWELLING

CONSTRUCTIVE  
 USE GROUP  
 CONSTRUCTION  
 NAME OF STD  
 HEIGHT  
 EXISTING PART  
 EXISTING SECTION  
 PROPOSED PART

B  
12

PROPOSED ADDITION

21'-8"  
18'-0"  
5'-8"

GARAGE

NO DECK

PROPOSED ADDITION

12'-0"

3'-8"

9'-4"

6'-4"

24'-0"

4'-0"

SUNROOM

KITCHEN

PANTRY

BATH

GARAGE

DINING ROOM

GREAT ROOM

PROPOSED SCREEN POR

FIRE PLACE

MASTER B

PORCH

MASTER BATH

BATH

STONE COLUMNS

DOWN

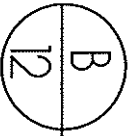
DOWN

DOWN

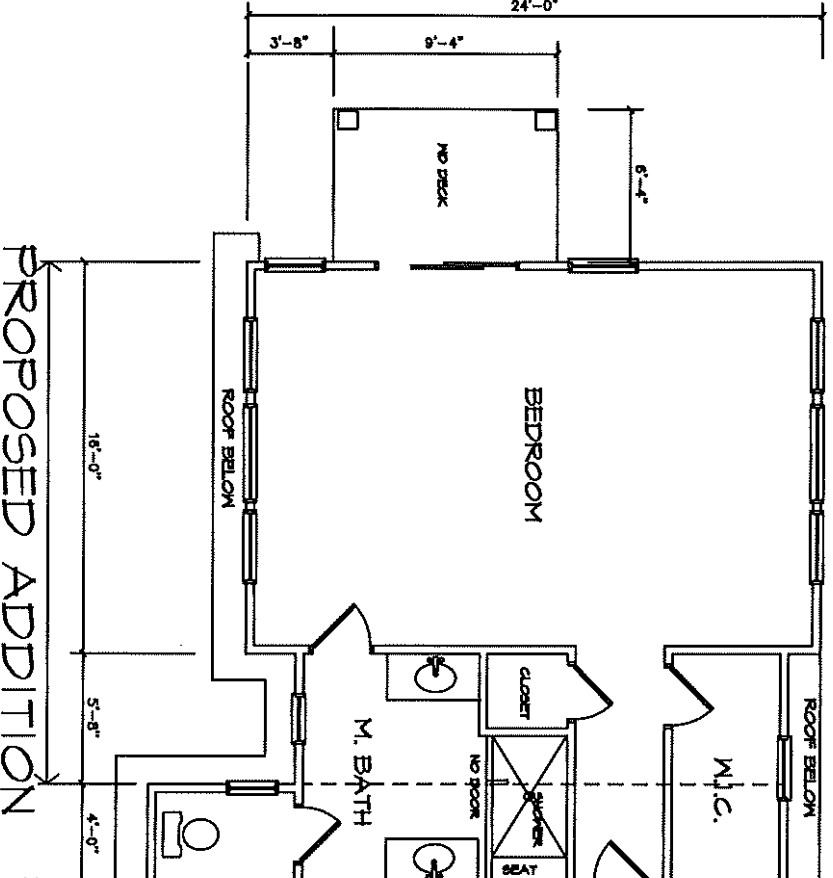
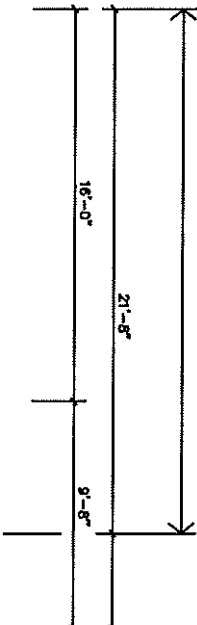
DOWN

PROPOSED FIRST FLOOR PLAN



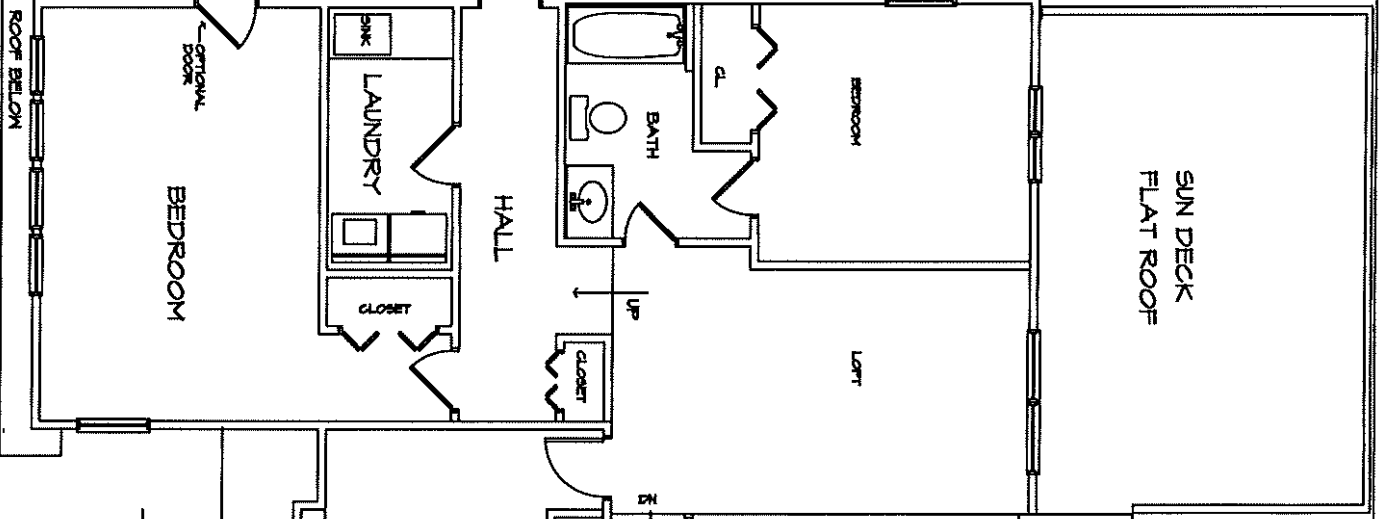


PROPOSED ADDITION

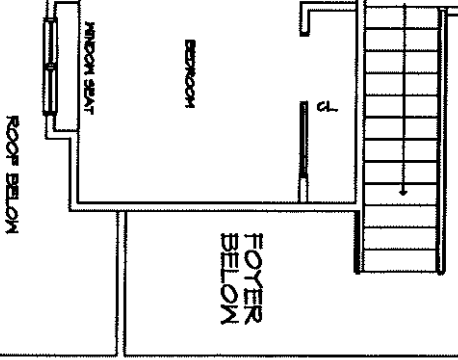
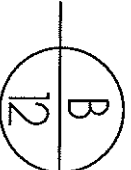


PROPOSED ADDITION

SUN DECK  
FLAT ROOF

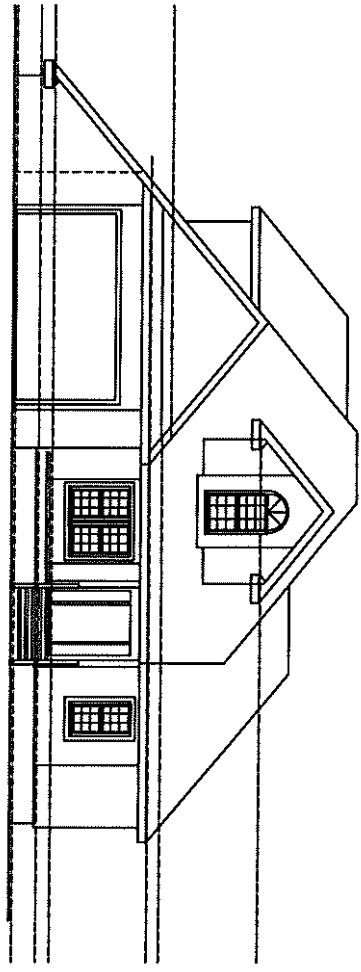


OPEN TO GREAT  
ROOM BELOW

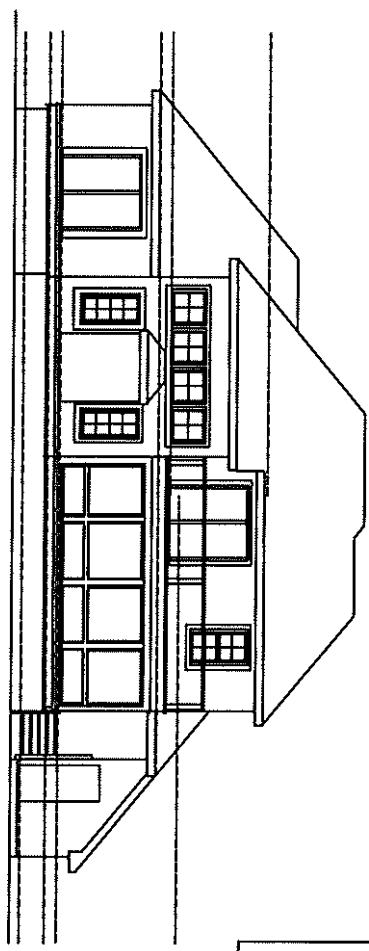


ATTIC

PROPOSED SECOND FLOOR PLAN



EXISTING FRONT ELEVATION



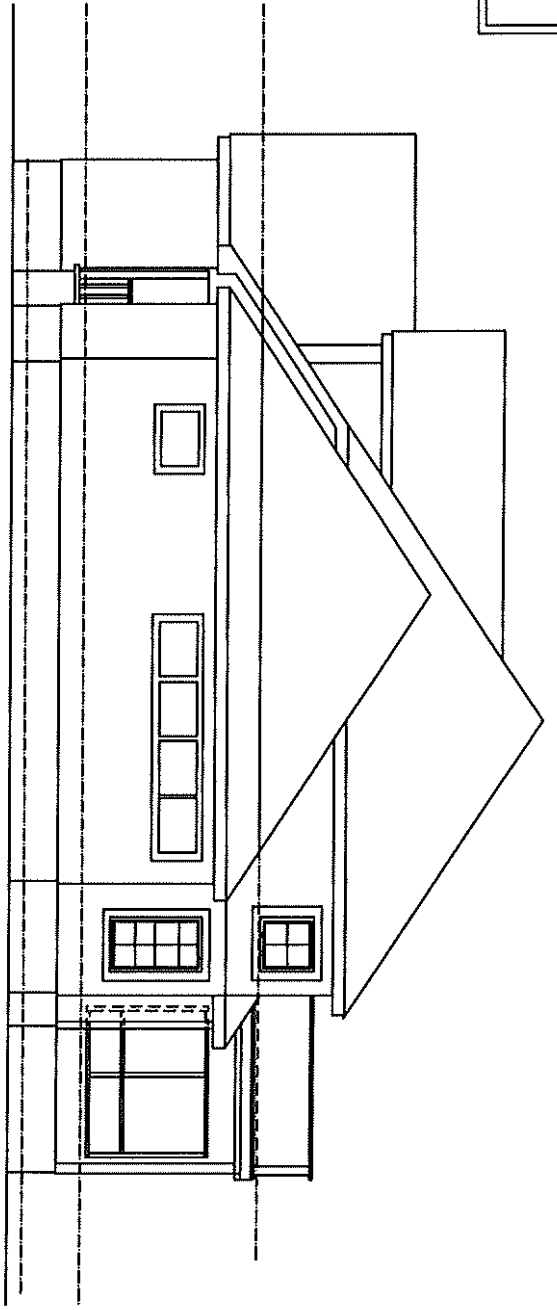
EXISTING REAR ELEVATION

AS-BUILT

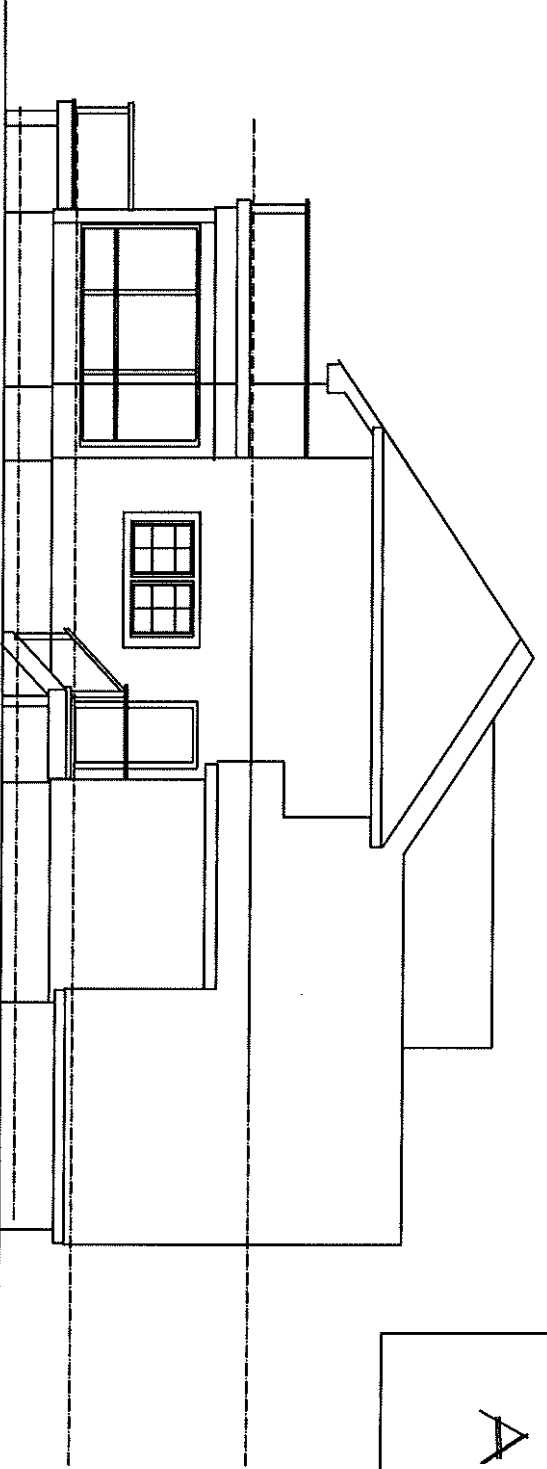
CONSTRUCTION CODE ANALYSIS	
DATE	12/18/18
COMMISSION TYPE	1/4
NUMBER OF FLOORS	2
NUMBER OF STORIES	2
NUMBER OF FLOORS TO BE BUILT	2
NUMBER OF FLOORS TO BE DEMOLISHED	0
TOTAL FLOOR AREA (SQ. FT.)	1,200
TOTAL FLOOR AREA (SQ. FT.)	1,200
TOTAL FLOOR AREA (SQ. FT.)	1,200

IS TO SUPPLY SHOP DRAWINGS FOR  
 DIST. BEAMS, OPEN WEB WOOD FLOOR  
 TRUSSES,  
 TRUSSES SHALL BE SIGNED BY A  
 STRUCTURAL ENGINEER.

TRACTOR IS TO  
 ALL BEAM LOCATIONS,  
 COLUMN LOCATIONS, AND  
 FOUNDATIONS IN THE FIELD  
 BEGINNING CONSTRUCTION.  
 SCALE DRAWING



EXISTING RIGHT-SIDE ELEVATION



EXISTING LEFT-SIDE ELEVATION

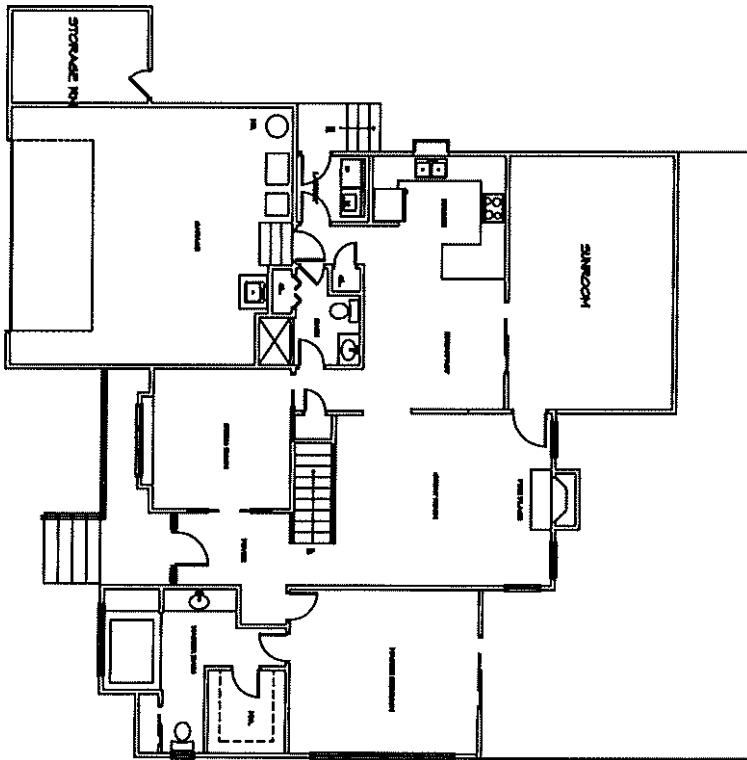
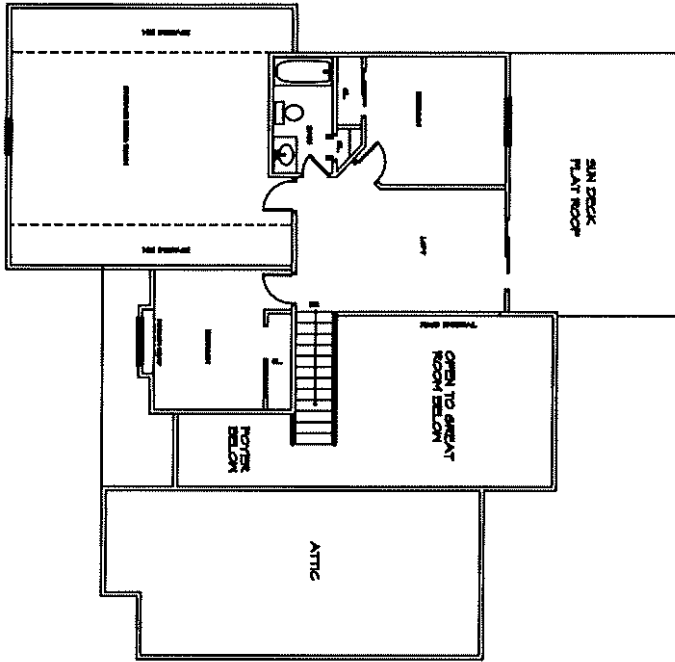
CTIONS OF  
 L, FLOORING  
 S, SIDING, ROOFING  
 WORKS ARE BY OWNER

NOTE: ALL HEIGHTS  
 SHALL BE 2'-0"  
 UNLESS NOTED

BEDROOM EGRESS WINDOW RET.	44"	SILL HEIGHT	MAX.
	24"	HIGH	MIN.
	20"	WIDE	MIN.
	5.7	SQ. FT.	MIN.

AS-BUILT

CONSTRUCTION CODE ANALYSIS	
USE GROUP	R-2
CONSTRUCTION TYPE	V-1B
NUMBER OF STORIES	2
HEIGHT	32'
EXISTING FIRST FLOOR AREA	2299 SQ. FT.
EXISTING SECOND FLOOR AREA	1037 SQ. FT.
PROPOSED FIRST FLOOR ADDITION AREA	440 SQ. FT.
PROPOSED SECOND FLOOR ADDITION AREA	54 SQ. FT.
TOTAL NEW FLOOR AREA	940 SQ. FT.
TOTAL FLOOR AREA	4239 SQ. FT.



AS-BUILT

CONSTRUCTION CODE ANALYSIS	
NO. OF STORIES	2
CONSTRUCTION YEAR	1984
NO. OF UNITS	2
NO. OF FLOORS ABOVE GROUND	2
NO. OF FLOORS BELOW GROUND	0
TOTAL FLOOR AREA (SQ. FT.)	1,000
TOTAL FLOOR AREA (SQ. FT.)	1,000
TOTAL FLOOR AREA (SQ. FT.)	1,000
TOTAL FLOOR AREA (SQ. FT.)	1,000
TOTAL FLOOR AREA (SQ. FT.)	1,000

02

AS BUILT FLOOR PLANS  
SEPT 27, 2004

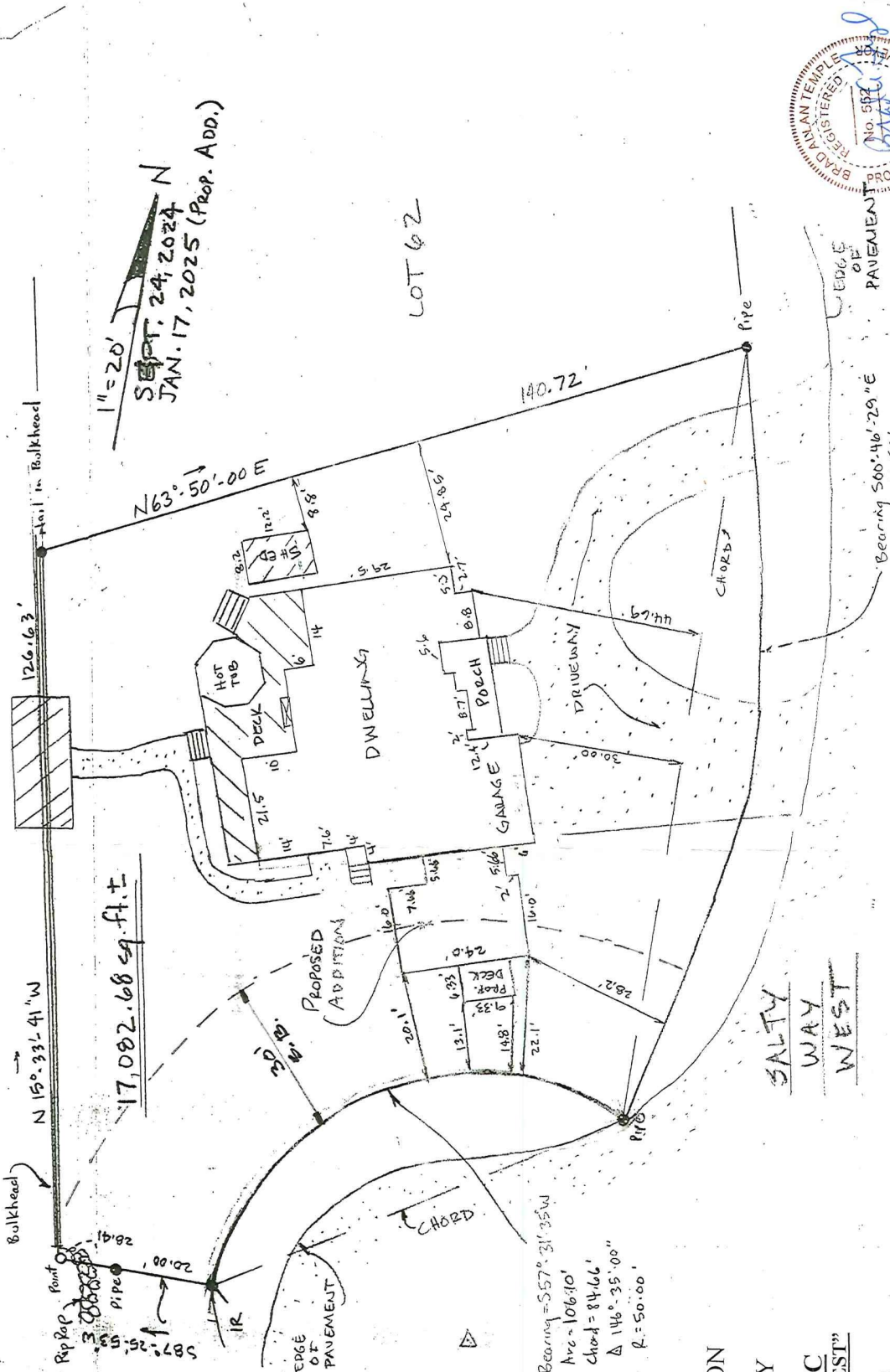
CLANDRA RESIDENCE  
37830 SALTY WAY WEST

WILLIAM STUBBS STUDIO  
ARCHITECTURAL DESIGN



"LAGOON"

ROY CREEK



1" = 20'  
 SEPT. 24, 2024  
 JAN. 17, 2025 (PROP. ADD.)

17,082.68 sq. ft.

LOT 64

LOT 62

SALTY WAY WEST

DEED REF: 0157-263  
 PLOT BOOK 8 - PAGE 181

Bearing = S57° 31' 35" W  
 Arc = 106.90'  
 Chord = 84.66'  
 Δ = 146° 35' 00"  
 R = 50.00'

PROPOSED ADDITION  
 AND  
 LOCATION SURVEY  
 OF THE LANDS OF  
**LA FAMILGA V LLC**  
 LOT 63 OF "KEEN-WIK WEST"

BALTIMORE HUNDRED  
 SUSSEX COUNTY, STATE OF DELAWARE  
 TM 533-19.07-31.01

Bearing S00° 46' 29" E  
 Arc = 156.50'  
 Chord = 150.60'  
 Δ = 44° 35' 00"  
 R = 200.00'







Search Results

Selected Features: Parcels (1)

Zoom

BOOK	6157
PAGE	263
FULLNAME	LA FAMILIA V LLC
Second_Owner_Name	
MAILINGADDRESS	13531 VILLADES DR
CITY	HIGHLAND
STATE	MD
a_account	04-09-031.1
DESCRIPTION	KEEN-WIK WEST
DESCRIPTION2	LOT 63
DESCRIPTION3	SPEC COMM LIEN
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	60500
APRLAND	9000
PINWASSEMMENTUNIT	533-19.07-31.01
PIN	533-19.07-31.01

Selected Features (1)

Clear Selected



Search Results

Selected Features: Parcels (1)

1) 533-19.07-31.01

BOOK	6157
PAGE	263
FULLNAME	LA FAMILIA V LLC
Second_Owner_Name	
MAILINGADDRESS	13631 VILLADES DR
CITY	HIGHLAND
STATE	MD
a_account	04-09-031.1
DESCRIPTION	KEEN-WIK WEST
DESCRIPTION2	LOT 63
DESCRIPTION3	SPEC COMM LIEN
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	60500
APRLAND	9000
PINWASSEMMENTUNIT	533-19.07-31.01
PIN	533-19.07-31.01

Clear Selected





Search

Search by SUSSEXPARCELS

533-19.07-31.01

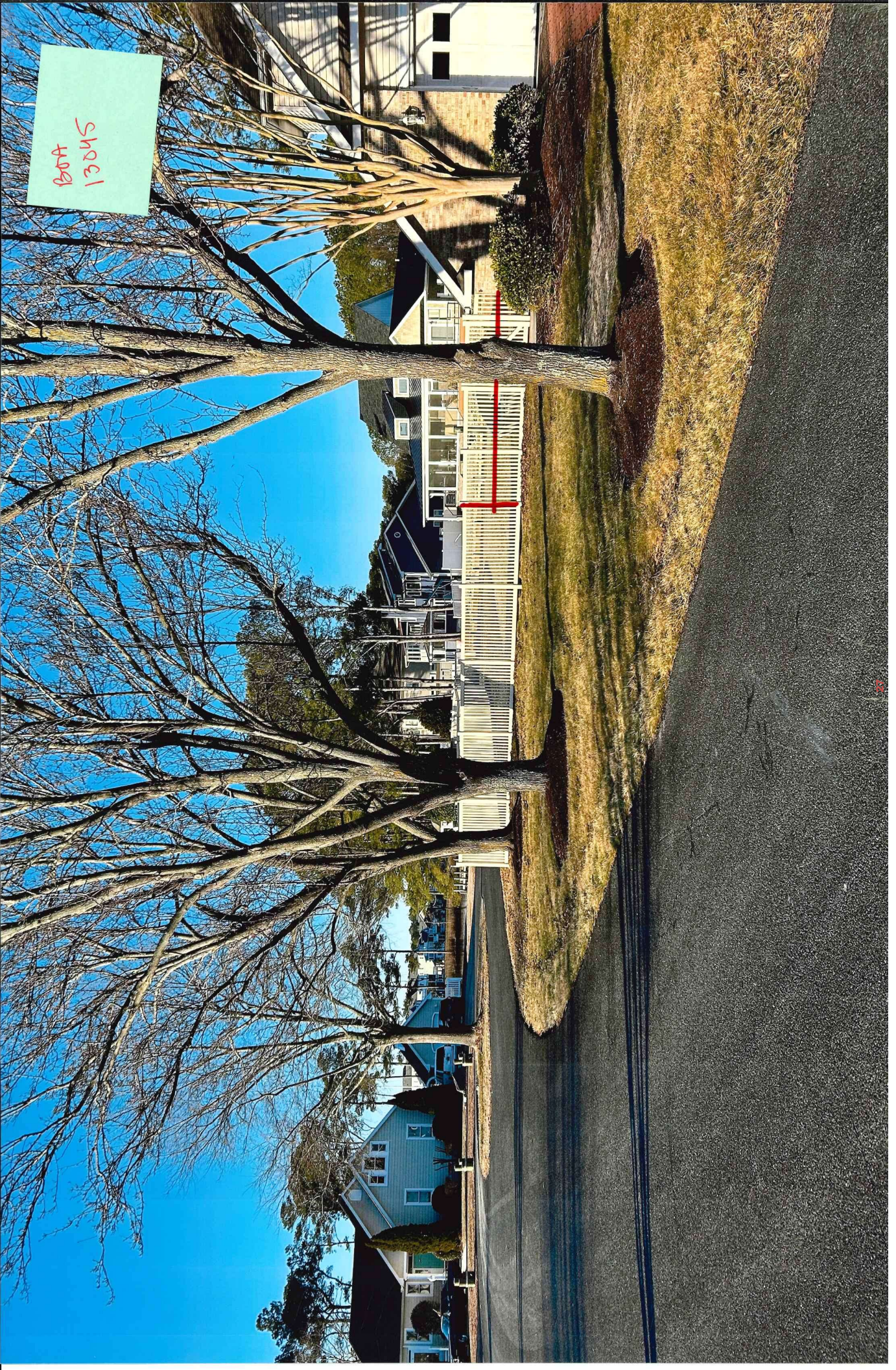
Search results (1)

Options

533-19.07-31.01

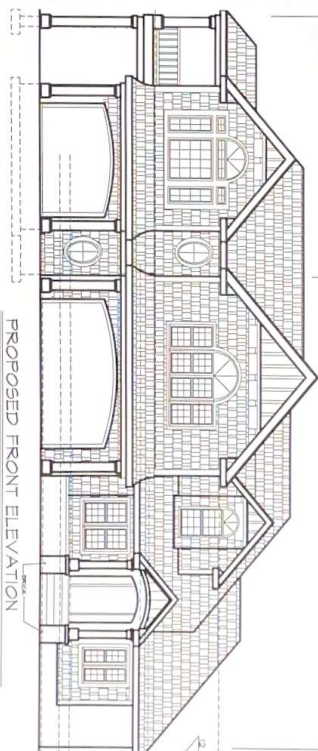
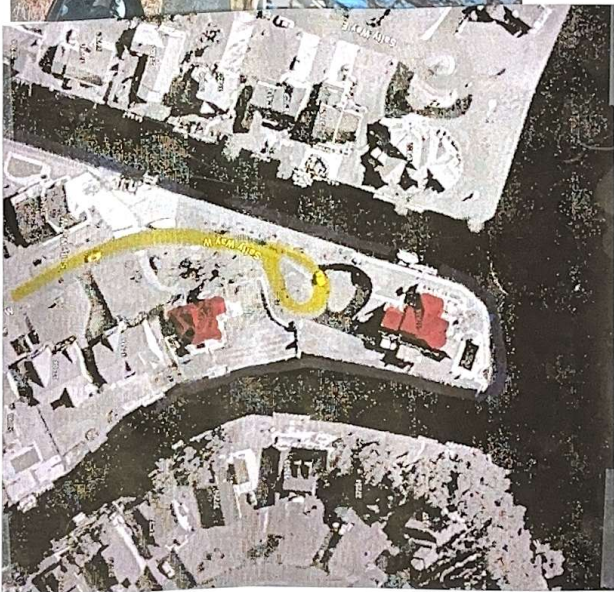


13045  
1004

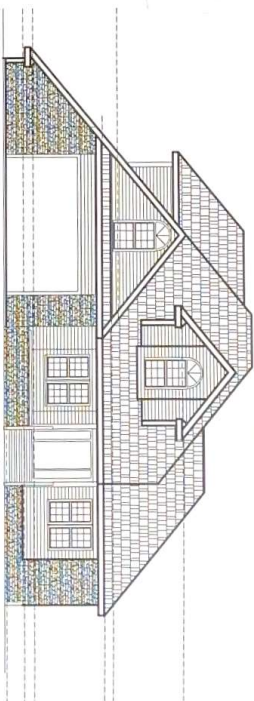




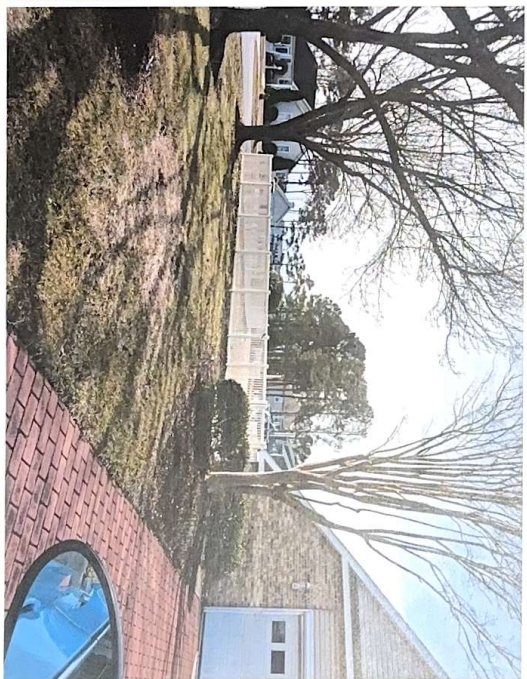
2789  
 301-674-7881  
**CALANDRA**  
 CONTRACTING  
 1500 W. 10TH ST.  
 SUITE 100  
 FARGO, ND 58103  
 701-281-4477  
 info@calandracontracting.com  
 Call →



PROPOSED FRONT ELEVATION



EXISTING FRONT ELEVATION







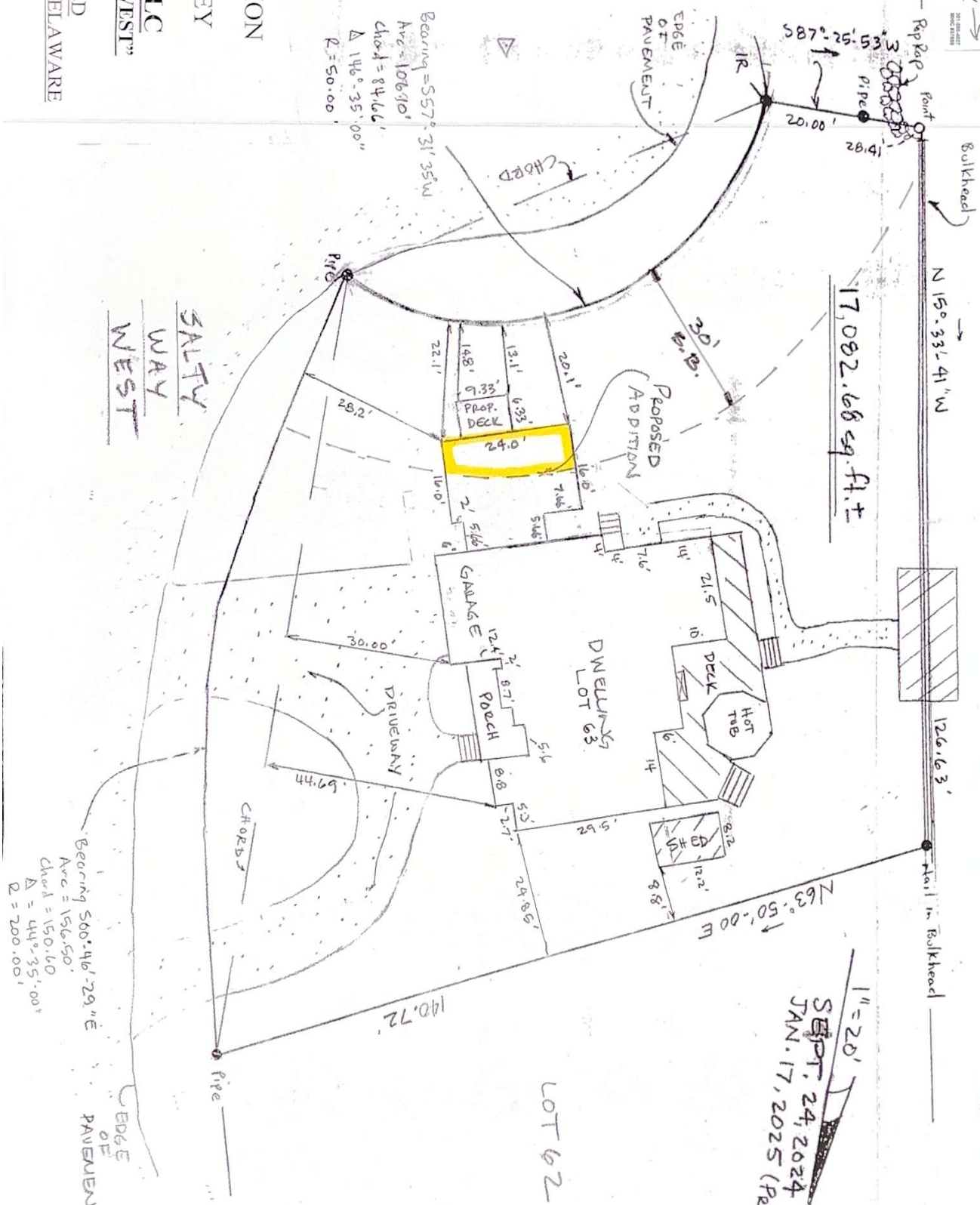
EK

LOT 64

REF: 6157-263  
BOOK 8 - PAGE 181

PROPOSED ADDITION  
AND  
LOCATION SURVEY  
OF THE LANDS OF  
A FAMILIA V LLC  
63 OF "KEN-WIK WEST"

BALTIMORE HUNDRED  
COUNTY, STATE OF DELAWARE  
TM 533-19.07-31.01



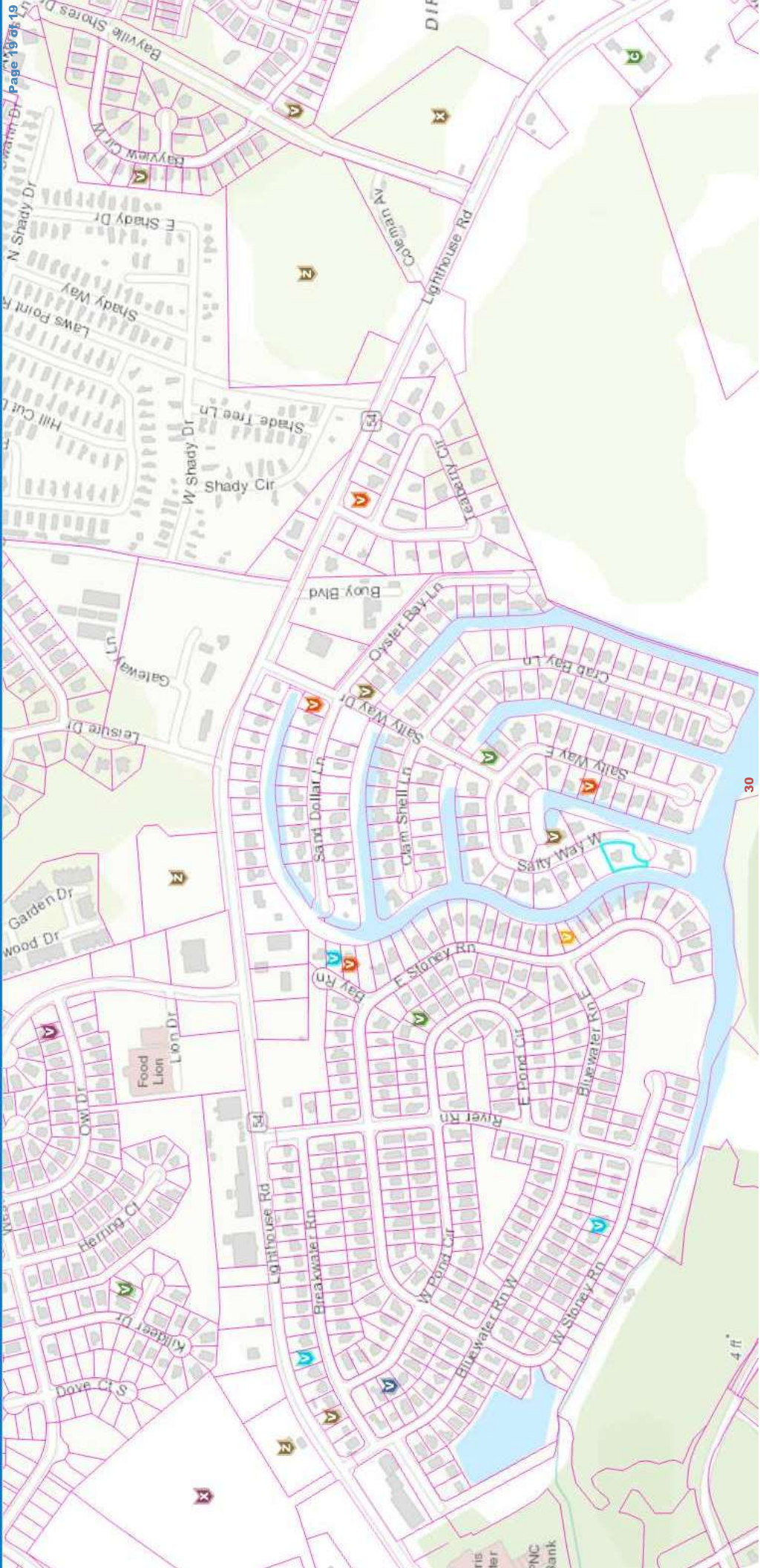
LAGOON

1" = 20'  
SEPT. 24, 2024  
JAN. 17, 2025 (Prop. Add.)

Bearing = 557° 31' 35" W  
Arc = 106.90'  
Chord = 84.66'  
Δ = 146° 35' 00"  
R = 50.00'

SALTY  
WAY  
WEST





30

4 ft



Case # 13052  
Hearing Date 3-24-25  
202501270

### Board of Adjustment Application Sussex County, Delaware

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

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

Variance   
Special Use Exception   
Administrative Variance   
Appeal

Existing Condition   
Proposed   
Code Reference (office use only)  
\_\_\_\_\_  
\_\_\_\_\_

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

21 Harbor Road, Millsboro, DE 19966 (Paradise Cove)

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

Applicants requests a variance of 13' form the 20' separation requirement between 19 Harbor Rd and 21 Harbor Rd in addition to the 5' set back at same location. Also a 5' set back variance from property line at road front. Applicant also request a total square Footage variance for an additional 208.2 square feet of allowable building space.

Tax Map #: 234-25.00-6.00

Property Zoning: AR-1

**Applicant Information**

Applicant Name: Jim & Michelle Lattanzi  
Applicant Address: 24791 Rivers Edge Rd, Millsboro, DE 19966  
City Millsboro State DE Zip: 19966  
Applicant Phone #: \_\_\_\_\_ Applicant e-mail: jimlatt14@gmail.com

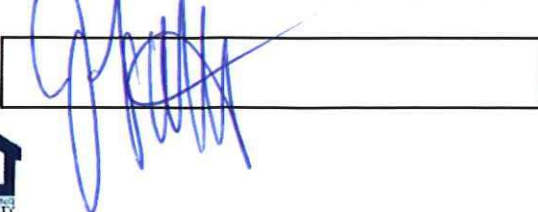
**Owner Information**

Owner Name: same as above  
Owner Address: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_ Purchase Date: \_\_\_\_\_  
Owner Phone #: \_\_\_\_\_ Owner e-mail: \_\_\_\_\_

**Agent/Attorney Information**

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

**Signature of Owner/Agent/Attorney**



Date: 1-31-2025



Sussex County, DE - BOA Application

**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 itself is a very unique piece as it has an irregular shape consisting of 2860 sq. ft. It's located in Paradise Cove in Long Neck DE.

**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.

With the size and shape of this property, I am finding it impossible to put something on this lot with out an approved variance. I even met with a drafts person to have a stick built home drawn. We were unable to make anything work. In addition, the community will not allow stick built homes.

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

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

I did not create the lot size issue, it was like this when I inquired about it. The difficulty is due to the shape and size of the existing condition.

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

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

The variances will not impact or alter the essential character of the community or neighboring homes. In fact, it will enhance the community along with home values with in the community.

**5. Minimum variance:**

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

The variances I am applying for seek only the minimum variances needed to bring the property into compliance with zoning codes.

Sussex County, DE - BOA Application

**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.

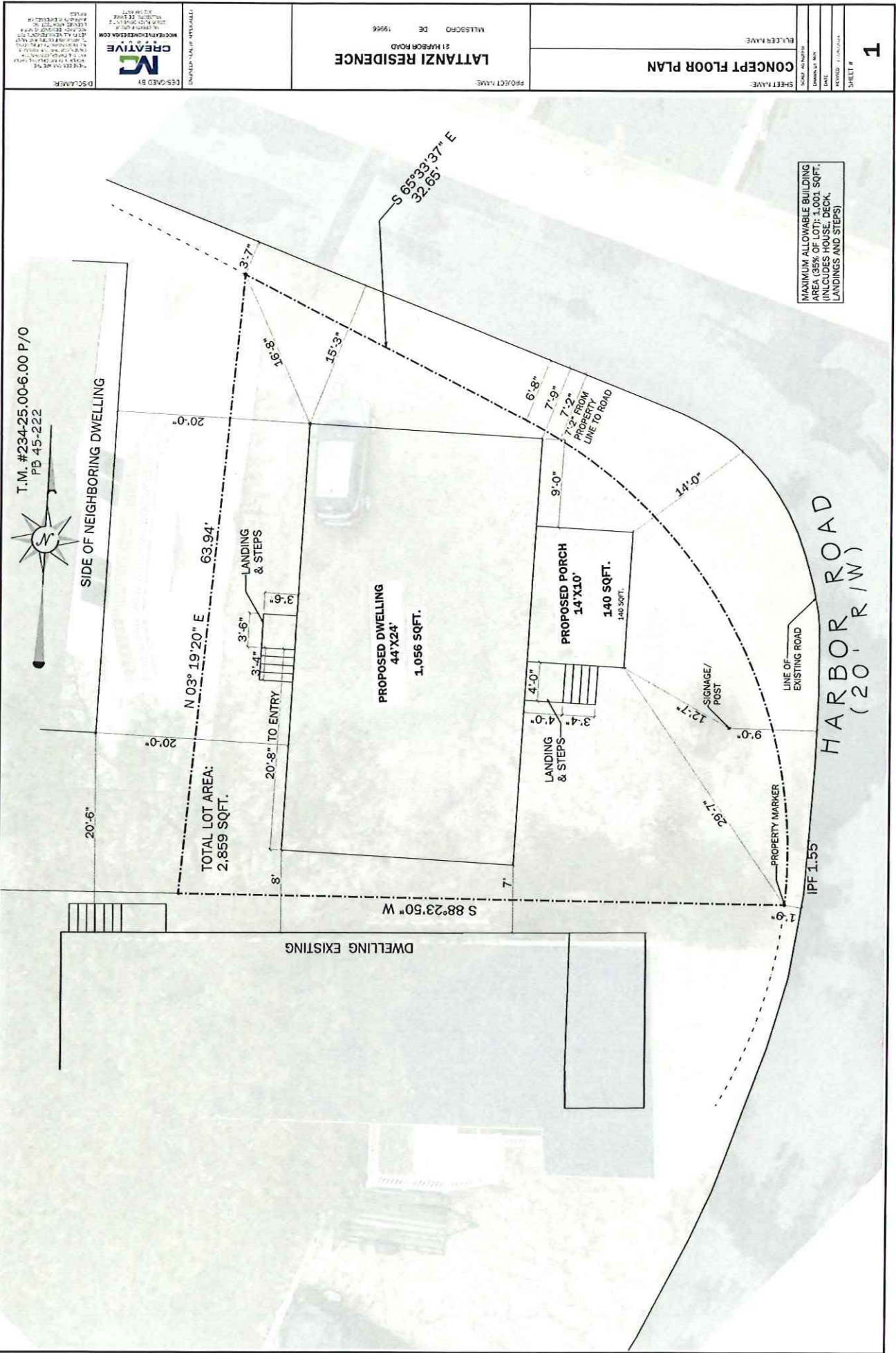
---

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)

---



T.M. #234-25.00-6.00 P/O  
PB 45-222



SIDE OF NEIGHBORING DWELLING

TOTAL LOT AREA:  
2,859 SQFT.

DWELLING EXISTING

PROPOSED DWELLING  
44' X 24'  
1,056 SQFT.

PROPOSED PORCH  
14' X 10'  
140 SQFT.

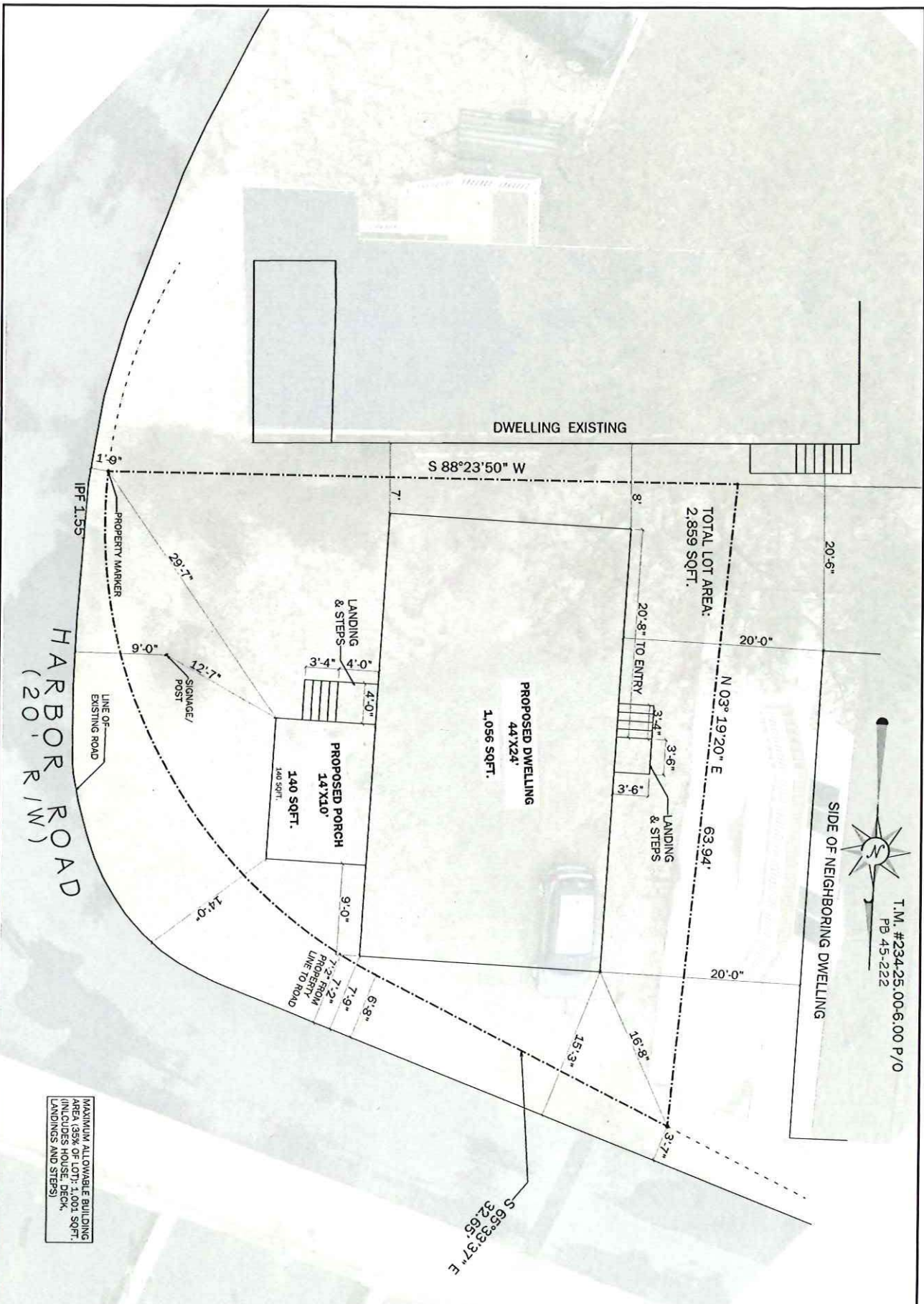
MAXIMUM ALLOWABLE BUILDING  
AREA (35% OF LOT): 1,001 SQFT.  
(INCLUDES HOUSE, DECK,  
LANDINGS AND STEPS)

LATTANZI RESIDENCE  
21 HARBOR ROAD  
MILLSBORO DE 19966

CONCEPT FLOOR PLAN

1





MAXIMUM ALLOWABLE BUILDING AREA (33% OF LOT): 1,001 SQ.FT. (INCLUDES HOUSE, DECK, LANDINGS AND STEPS)



T.M. #234-25,006:00 P/O  
PB 45-222

SHEET NAME:	<h1>1</h1>
SHEETS TOTAL:	
DRAWN BY:	
CHECKED BY:	

**CONCEPT FLOOR PLAN**

OWNER NAME:

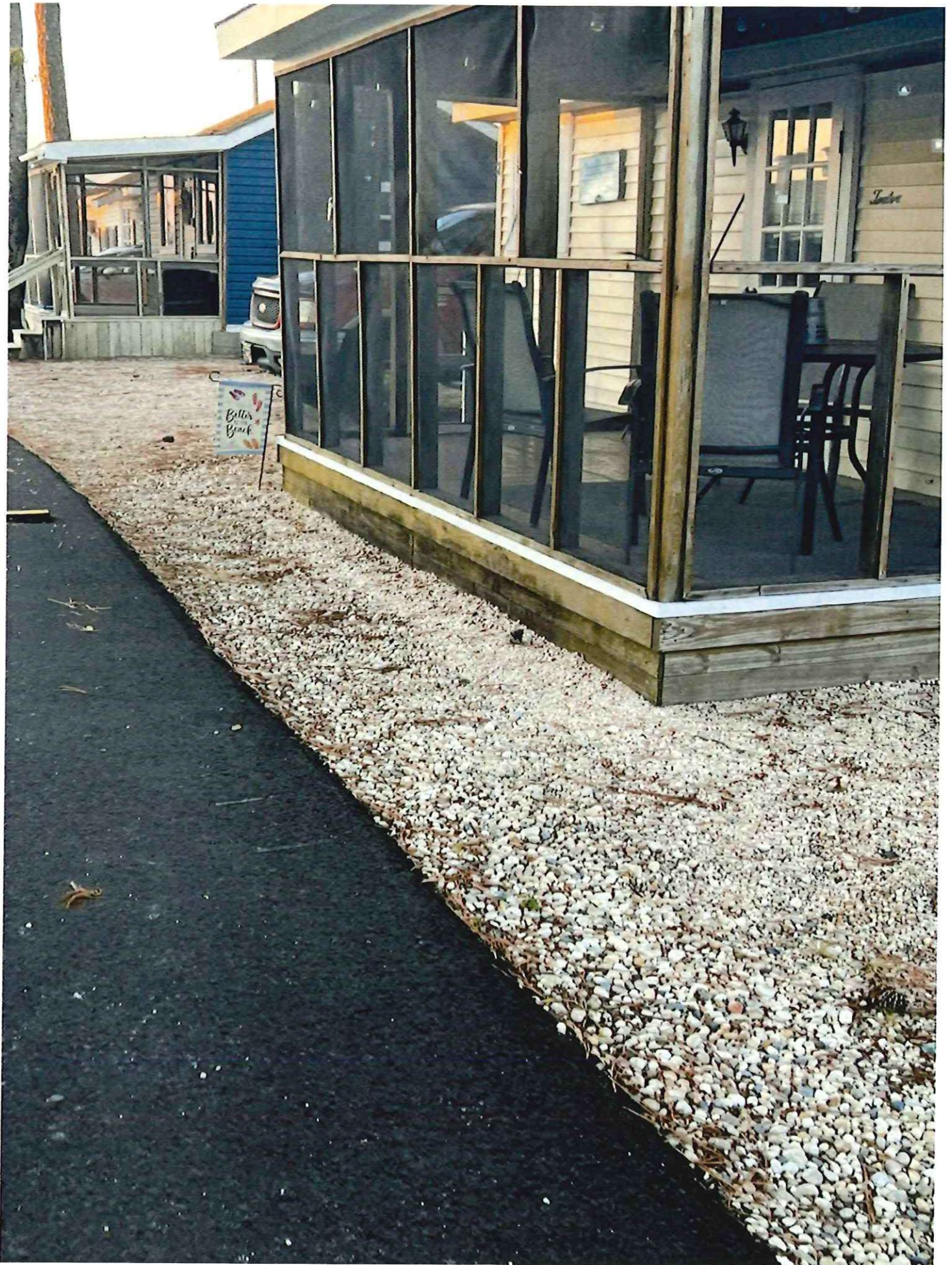
PROJECT NAME:  
**LATTANZI RESIDENCE**  
21 HARBOR ROAD  
MILLSBORO DE 19966

DESIGNED BY  
**CREATIVE**  
ARCHITECTURE & DESIGN  
INC.  
1205 STATE STREET  
MILLSBORO, DE 19966  
PH: 302.839.3780

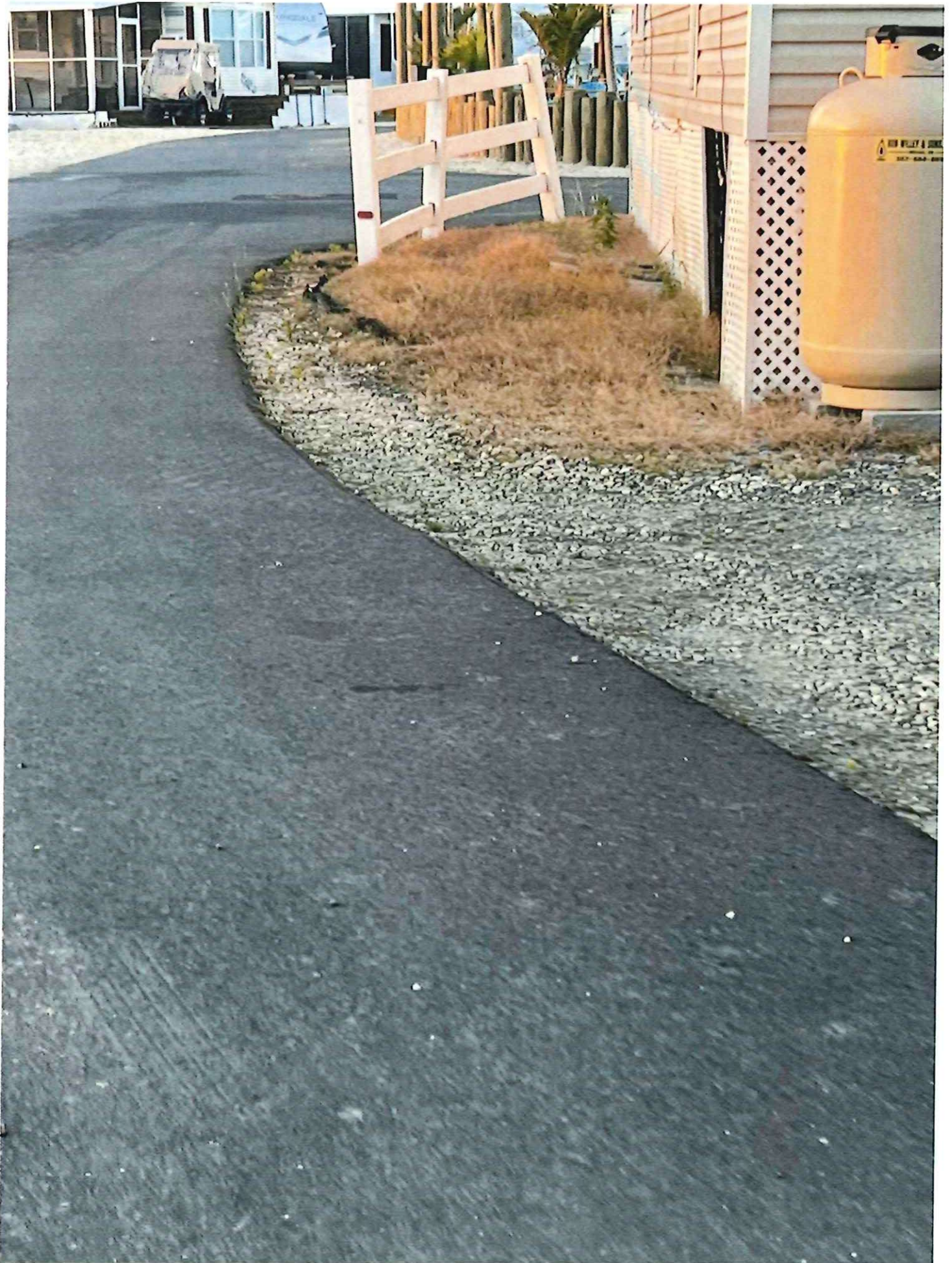
**DISCLAIMER**

THIS DESIGN AND THE MATERIALS AND METHODS ARE THE PROPERTY OF CREATIVE ARCHITECTURE AND DESIGN. THIS DESIGN IS FOR THE PROJECT AND IS NOT TO BE REPRODUCED OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF CREATIVE ARCHITECTURE AND DESIGN. THE CLIENT ACCEPTS THE DESIGN AND METHODS AND AGREES TO HOLD CREATIVE ARCHITECTURE AND DESIGN HARMLESS FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES AND COSTS, THAT MAY BE INCURRED BY THE CLIENT IN CONNECTION WITH THIS DESIGN.

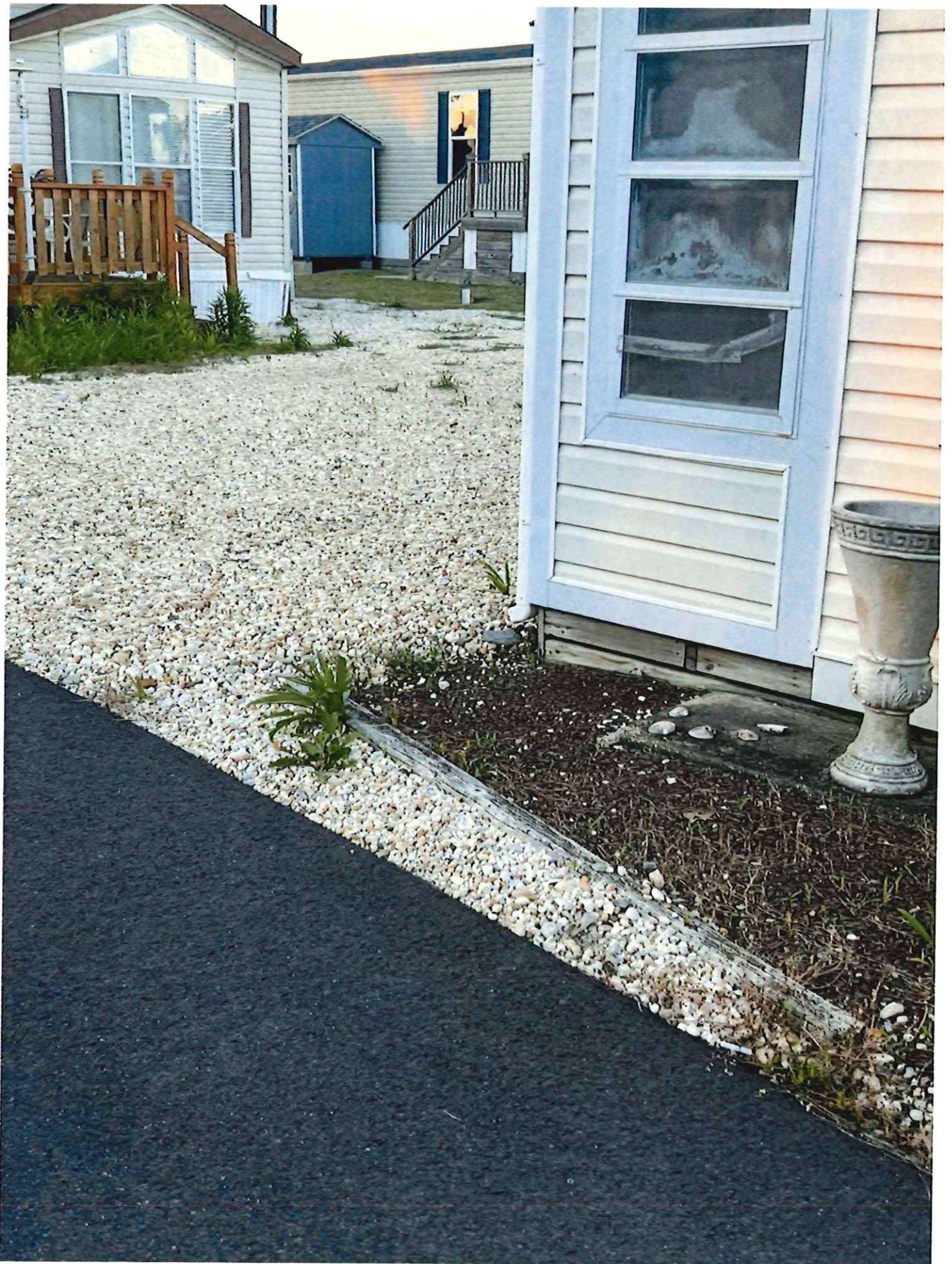




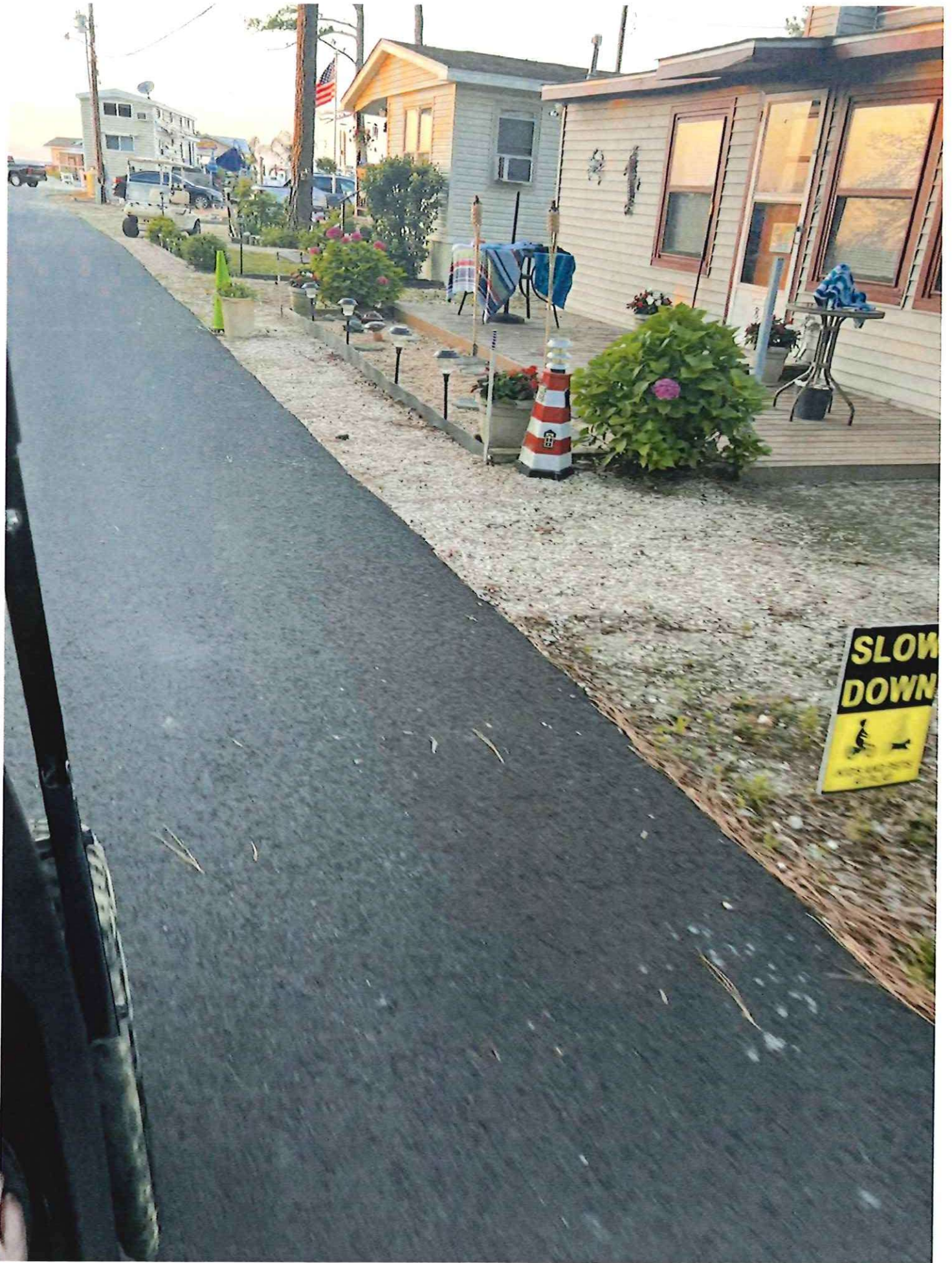












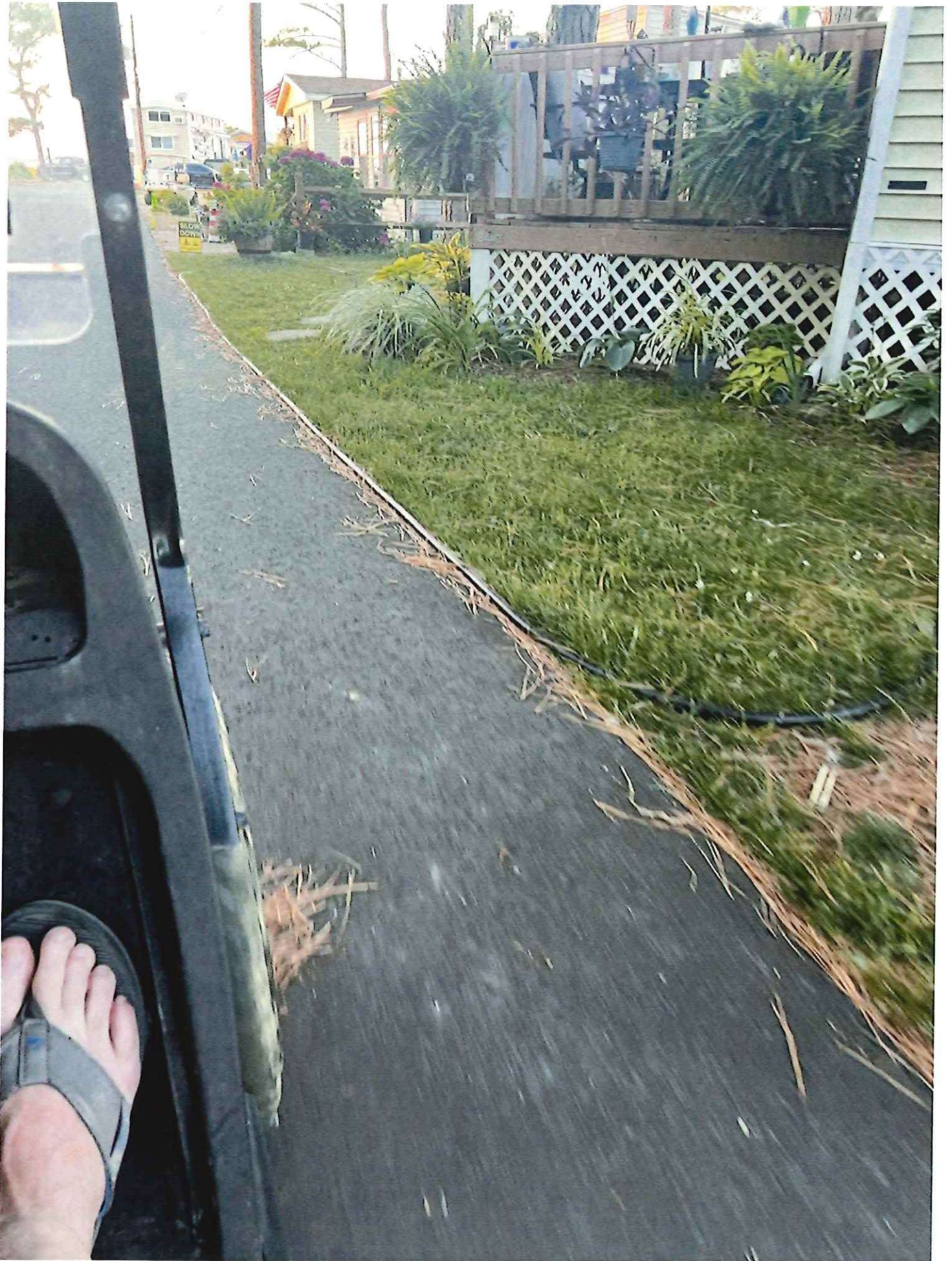
















Paradise Cove Community & Campground

34814 Long Neck Rd  
Suite 1  
Long Neck, DE 19966  
302-492-2683

March 11, 2024

To Whom it May Concern,

I am Al Tortella, owner of Paradise Cove previously known as Malone's Mobile Home Park. I have reviewed the attached survey and am in agreement to allow the placement and layout of this seasonal home.

If you have any concerns or questions regarding this matter, please feel free to contact me at (302) 598-4663.

Thank you,

A handwritten signature in black ink, appearing to read "Al Tortella", with a long horizontal line extending to the right.

Al Tortella



October 29, 2015

Malone's Bayside Marina  
314 Thomas Landing Road  
Middletown, DE. 19709

Dear Mr. Malone:

In lieu of my husband Richard Stevenson passing away this month. I do not have the funds to keep the trailer located at 21 Harbor Road , Millsboro DE.. Sorry for this short notice.

As far as the repairs that had to be done before I could sell the trailer, some of them were completed. I did not want to spend more money not knowing if the trailer would be purchased. There were people that were very interested in purchasing the trailer, but the problem was Carl's place looking like a junk yard.

Sincerely,

*Norma Stevenson*  
Norma Stevenson

*called on 10/11/15 @ 11:35 left message  
11/15 sk called back she will sign  
from Harold's*



N 20\*29 36

## MALONE BAY SIDE MARINA AND MOBILE HOME PARK

LEASE AGREEMENT

Oct. THIS IS A LEASE AGREEMENT, made and entered into this 1<sup>st</sup> day of 1945 A.D. 1945, by and between MALONE BAY SIDE MARINA, INC. of Malone Bay Side (hereinafter "Lessor") and RICHARD SKERSON (hereafter "Lessee").

NOW THEREFORE, in consideration of the mutual covenants hereinafter expressed, and for good and valuable consideration, the receipt of which is hereby acknowledged as set forth below, the parties hereto agree as follows:

1. Lessor hereby rents unto Lessee, and Lessee hereby rents from Lessor Lot 214 Malone Bay Side Mobile Home Park, Long Neck Road, Sussex County, Delaware.

2. The annual rental of the above described premises shall be the sum of \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_), per year. The lease year shall run from the first day of April to the last day of MARCH.

3. The annual rental shall be payable in full, in advance on or before the \_\_\_\_\_ day of \_\_\_\_\_ of the lease year.

4. Upon expiration of this Lease Agreement, this Lease automatically renew for additional one year periods, subject to the modified provisions relating to the amount of rent payable, unless the Lessee shall notify the Lessor a minimum of sixty (60) days prior the expiration of the Lease Agreement that he or she does not intend to renew the Lease, or the Lessor shall notify the Lessee in writing a minimum of sixty (60) days prior to the expiration of the Lease Agreement that this Lease Agreement will not be renewed. The Lessor shall notify the Lessee in writing a minimum of seventy-five (75) days prior to the expiration of the Lease Agreement of the new annual rental payment amount. Lessee shall then have fifteen (15) days to notify Lessor of non-renewal.

5. In order to protect the Lessor against any increase in taxes, it is herein agreed that in addition to the yearly rental fee, the Lessee will pay all of his pro rata share of any increase in real estate taxes upon the land devoted to the use and benefit of the Lessee at Malone Bay Side Mobile Home Park, which may be imposed upon the Lessor by any governmental authority, which is attributed to the space rented by the Lessee; for example, mobile home tax or leasehold tax or tax on the park computed on either the number of mobile homes or the number of mobile home spaces in the park shall be included in such calculation.

6. This Lease is governed by 25 Del.C., §7000, et seq., a copy of which has been provided to the Lessee and receipt for which has been acknowledged by the Lessee by execution of a copy of this Agreement and a receipt therefor as set forth at the end of this Lease Agreement.

7. Lessor agrees to endeavor to keep continuous operation facilities for furnishing Lessee domestic water for the use of his household. Specifically, Lessor agrees to provide a well and to endeavor to provide from such well an adequate supply of water. As to quantity, flavor, clarity, odor, purity or other water qualities, however, Lessor certainly intends to take care, but it makes no express or implied warranty to Lessee as to the results, and Lessee hereby undertakes to indemnify Lessor against any legal action or claim (except as to negligence) in respect to the same at the suit of any member of his family or any guest or third person on his premises. Lessor's duty to provide water is limited to supplying it from the park itself. If the sweet water becomes unavailable in sufficient quantity in the park, so that water has to be brought in from elsewhere, Lessor will discontinue supplying water, and Lessee will pay his charges either to Lessor or to the public utility in accordance with whichever arrangement is made between such utility and the Lessor.

8. Lessee shall provide his own sewage disposal facilities and take the responsibility for maintenance of the same, all as may be required from time to time by any governmental authority having jurisdiction over such matters, and Lessee further agrees to abide by Lessor's direction with respect to the location of such sewage facilities. In the event that sewage should for any reason flow out upon the ground surface or begin to pollute a lagoon or the water of the Bay, Lessee agrees to cease to occupy the mobile home or cottage on the premises hereby leased until he has caused such condition to be corrected without abatement of rent. If a public sewerage system becomes available, Lessee will promptly connect to it and cease use of his septic tank. Thereafter, he will pay his sewer service fees and assessments or exercise his right to terminate this Lease.

9. Lessor reserves an easement to enter upon the land at any time for the purpose of installing, inspecting, maintaining or replacing, bulkheads, pipes, drainage arrangements, electric lines, telephone lines, television cables or any other facility, or for the purpose of inspecting the premises in order to see if the rules of the park are being observed.

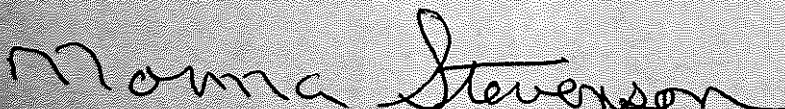


2 December 2015

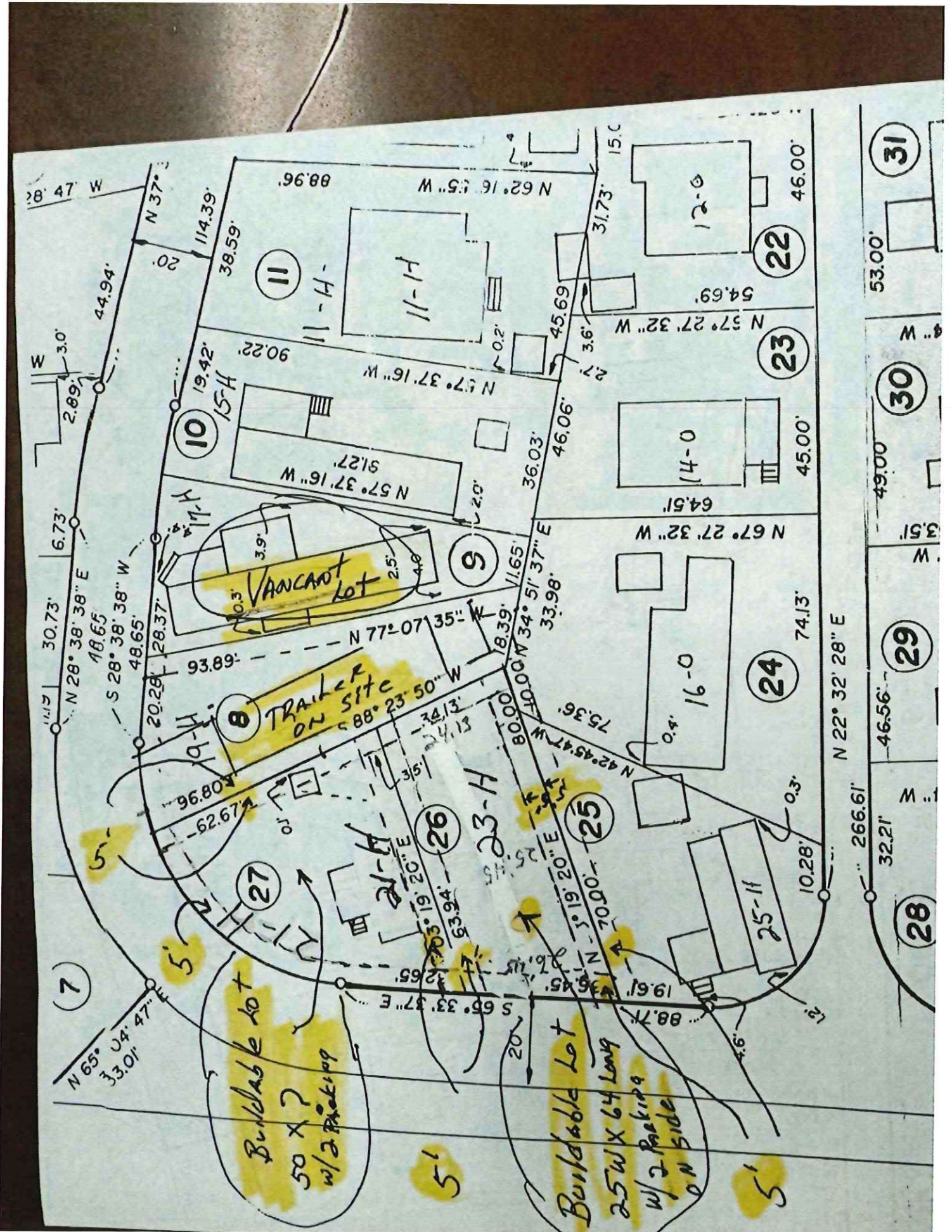
Malone's Bayside Marina  
314 Thomas Landing Road  
Middletown, DE. 19709

RE: Bill Of Sale

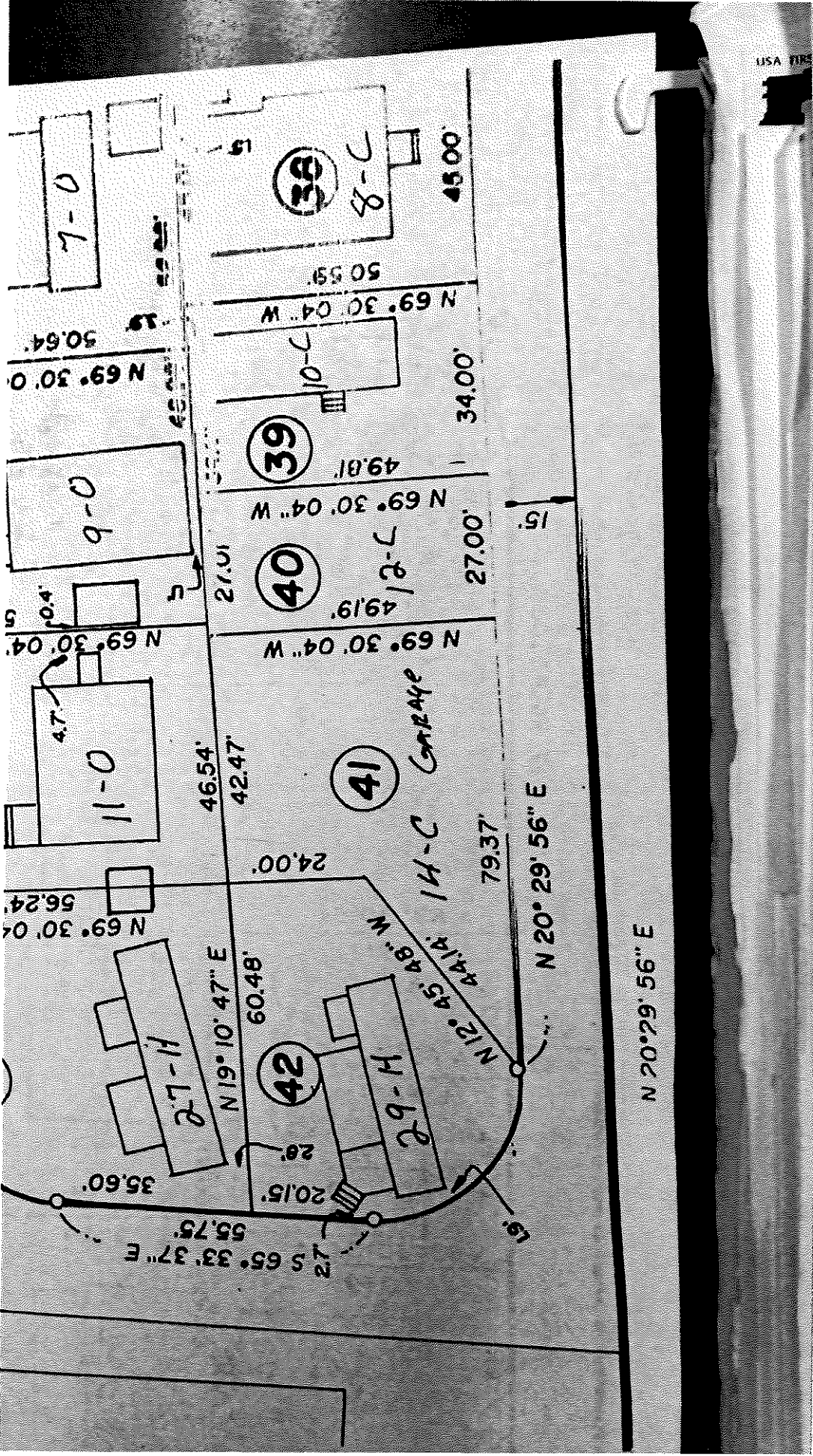
I Norma Stevenson sold the trailer and the shed located at 21 Harbor Road  
Millsboro, Delaware to Mario Malone for the amount of One dollar (\$1.00).

  
Norma Stevenson









USA FIRE



MALONE'S BAYSIDE MARINA  
314 THOMAS LANDING ROAD  
MIDDLETOWN, DE 19709  
(302) 449-5890 FAX(302)449-5891  
[mario4toni@yahoo.com](mailto:mario4toni@yahoo.com)

June 25, 2015

Mr. Richard Stevenson  
360 Stratford Ave  
Aberdeen, Md 21001

Re 21 Harbor Dr. Malone's Bayside Marina Millsboro De

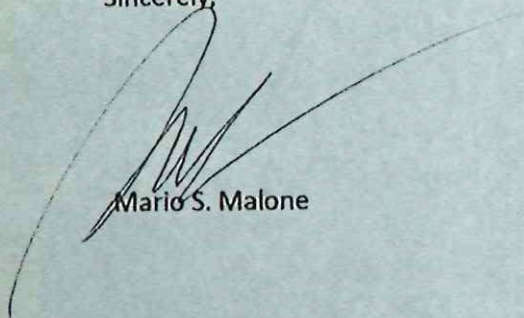
Dear Mr. Stevenson:

An inspection of your residence at the above captioned address was conducted on June 23, 2015.

The following items noted in the attached inspection, is in need of immediate attention.

Should you have any questions, please feel free to contact me

Sincerely,



Mario S. Malone

Encl.

Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

Selected Features:

Parcels (46)

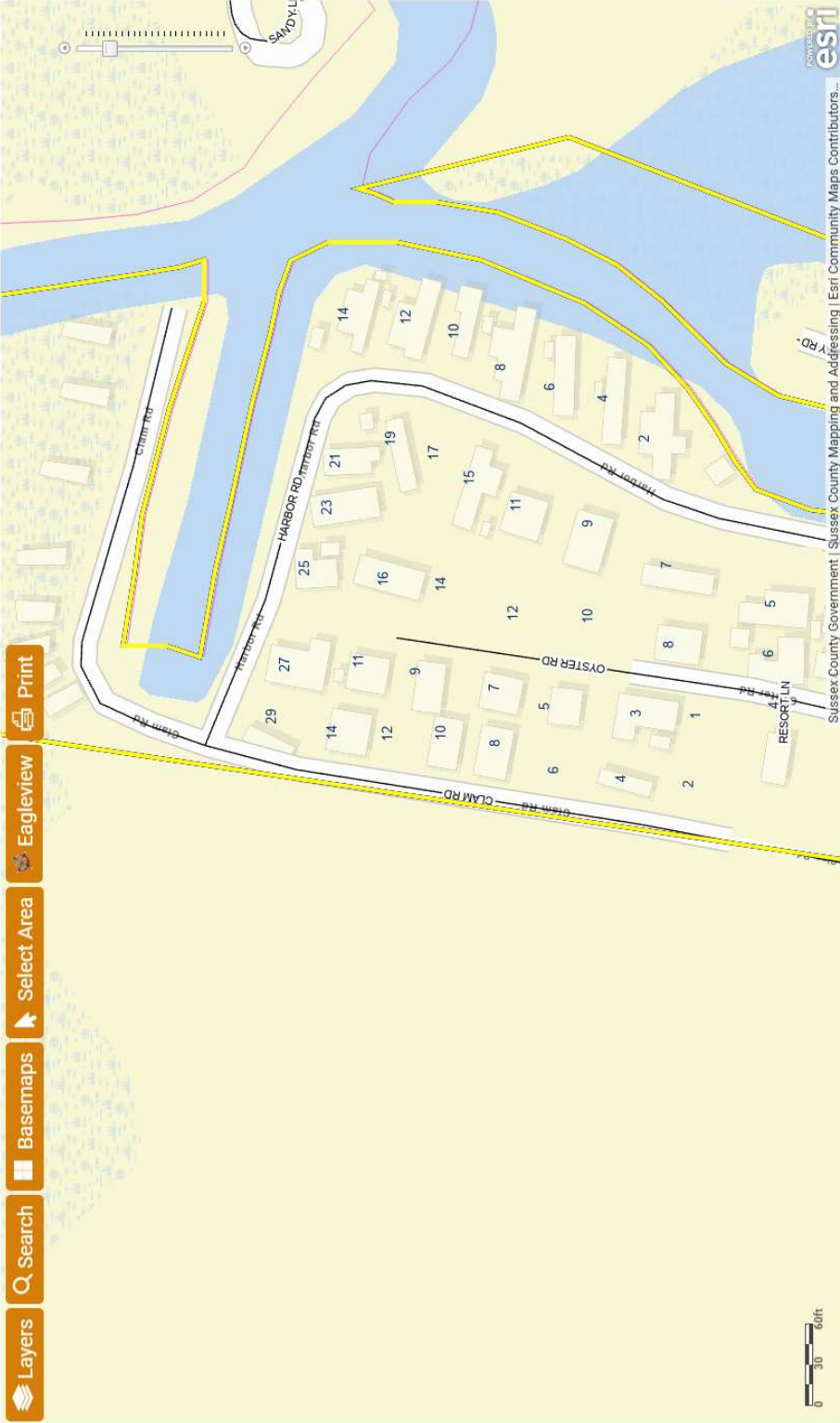
1) 234-25.00-6.00

Zoom

BOOK	0
PAGE	0
FULLNAME	MARIO MALONE ENTERPRISES LLC
Second_Owner_Name	
MAILINGADDRESS	314 THOMAS LANDING RD
CITY	MIDDLETOWN
STATE	DE
a_account	
DESCRIPTION	GIS TIEBACK
DESCRIPTION2	DUMMY ACCOUNT
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	0

- 2) 234-25.00-6.00-13891 Zoom
- 3) 234-25.00-6.00-13893 Zoom
- 4) 234-25.00-6.00-13928 Zoom
- 5) 234-25.00-6.00-15105 Zoom

Selected Features (1 - 5 of 46)  
Clear Selected



Sussex County Government | Sussex County Mapping and Addressing | Esri Community Maps Contributors...



Layers Search Select Area Eagleview Print

Eagleview Search Results

Selected Features: 1) 234-25.00-6.00

Parcels (46)

Zoom

BOOK	0
PAGE	0
FULLNAME	MARIO MALONE ENTERPRISES LLC
Second_Owner_Name	
MAILINGADDRESS	314 THOMAS LANDING RD
CITY	MIDDLETOWN
STATE	DE
a_account	
DESCRIPTION	GIS TIEBACK
DESCRIPTION2	DUMMY ACCOUNT
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	0

2) 234-25.00-6.00-13891	Zoom
3) 234-25.00-6.00-13893	Zoom
4) 234-25.00-6.00-13928	Zoom
5) 234-25.00-6.00-15105	Zoom

Navigation icons: Home, Previous, Next, Refresh, Stop

Selected Features (1 - 5 of 46)

Clear Selected



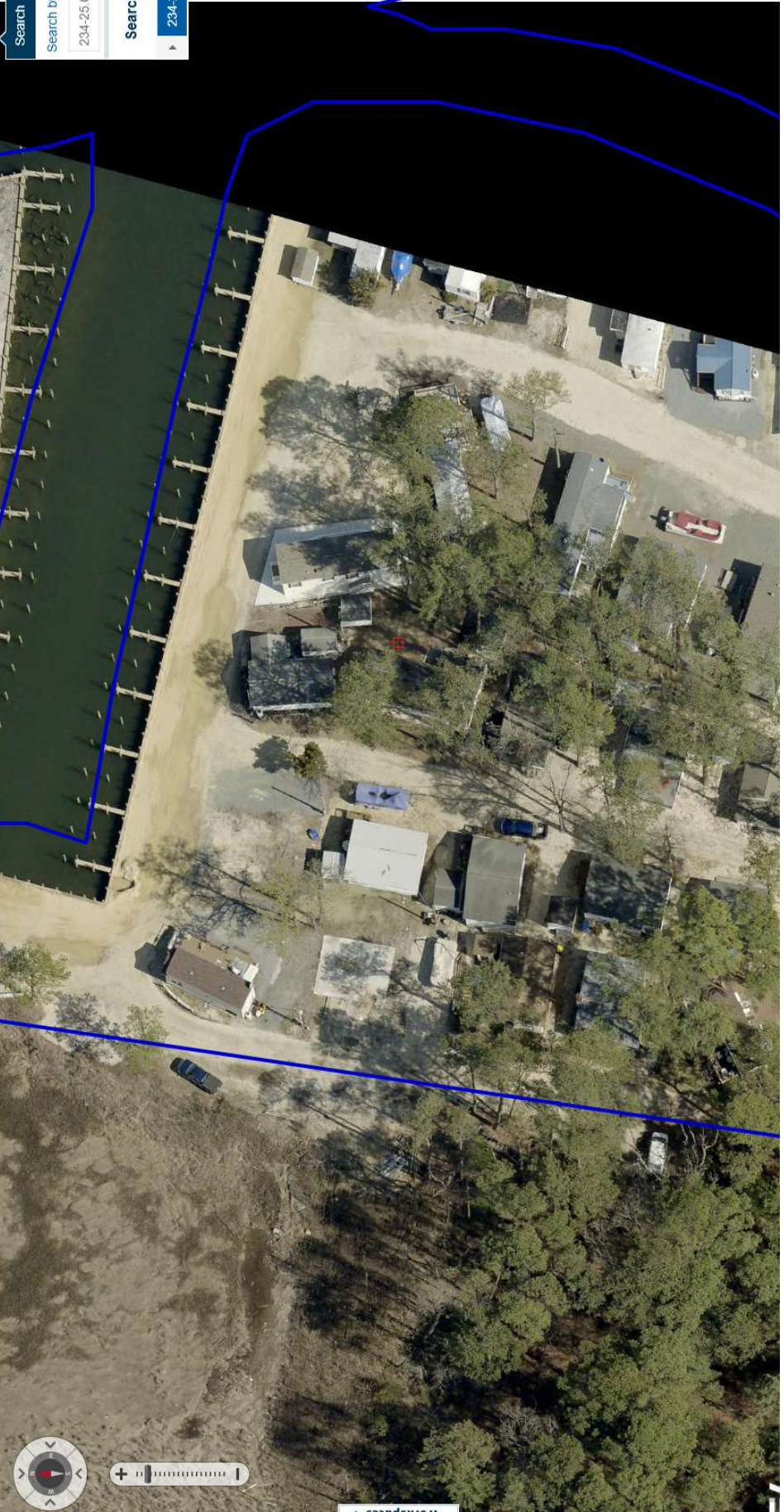
Sussex County Government | Sussex County Mapping and Addressing | Maxar, Microsoft  
POWERED BY esri





Search  
Search by SUSSEXPAPCELS  
234-25-00-6-00

Search results (1)  
Options  
234-25-00-6-00





Case #

202405852

### 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

RECEIVED

APR 23 2024

SUSSEX COUNTY  
PLANNING & ZONING

Type of Application: (please check all applicable)

- Variance
- Special Use Exception
- Administrative Variance
- Appeal

Site Address of Variance/Special Use Exception:

21 Harbor Rd., Millsboro, DE 19966

Variance/Special Use Exception/Appeal Requested:

Applicants request a 10' variance from the 20' separation requirement and a 5' variance from the front yard setback for purposes of placing a manufactured home on the property. The Applicants intend to remove a portion of the front of the home so that there is no encroachment on the road.

Tax Map #: 234-25.00-6.00 - 45013 Lot 27

Property Zoning: AR-1

#### Applicant Information

Applicant Name: Jim & Michelle Lattanzi  
 Applicant Address: 24791 Rivers Edge Rd.  
 City Millsboro State DE Zip: 19966  
 Applicant Phone #: (302) 396-1400 Applicant e-mail: jimlatt14@gmail.com

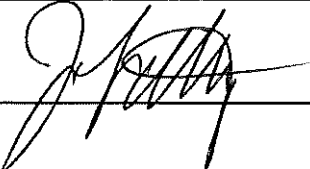
#### Owner Information

Owner Name: same as above  
 Owner Address: \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_ Purchase Date: \_\_\_\_\_  
 Owner Phone #: \_\_\_\_\_ Owner e-mail: \_\_\_\_\_

#### Agent/Attorney Information

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

#### Signature of Owner/Agent/Attorney

  
\_\_\_\_\_

Date: 4/23/24



Sussex County, DE - BOA Application

**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 an irregular shaped lot consisting of only 2,860 sq. ft. and located in the Malone's Bayside Mobile Home Park. The exceptional practical difficulty is due to the uniqueness of the Property and not due to circumstances or conditions generally created by the provisions of the Zoning 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 provisions of the Zoning Code due to the irregularity of the shape and the size of the lot. Variances are therefore necessary to enable the reasonable use of the Property.

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

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

Such exceptional practical difficulty has not been created by the Applicants. The exceptional practical difficulty is directly related to the shape and size of the lot and location of adjoining homes.

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

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

The variances will not alter the essential character of the neighborhood in which the Property is located. They will not substantially/permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare. Rather, the proposed home will enhance the community and the Applicants lease the adjoining property. Other variances have been approved as well.

**5. Minimum variance:**

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

The variances represent the minimum variances that will afford relief and represent the least modification possible of the regulations in issue. The Applicants seek only the minimum variances necessary to bring the Property into compliance with the Zoning Code, and nothing more.





PLEASE POST

# A MANUFACTURED HOME PLACEMENT PERMIT

*F-5  
R-5  
S-5*

Has Been Issued

## To Place A Manufactured Home ON THESE PREMISES

IN ACCORDANCE WITH CONDITIONS OF PERMIT

This poster or sign shall be conspicuously displayed on the property closest to a street or public highway for which the mobile home is placed, so that such poster or sign shall be visible to the general public at all times.

THIS POSTER SHALL REMAIN VISIBLY DISPLAYED ON THE PROPERTY UNTIL THE REQUIRED FINAL INSPECTION FOR A PLANNING AND ZONING CERTIFICATE OF COMPLIANCE HAS BEEN ISSUED.

*JTL Lettore*

**ASSESSMENT DIVISION**

SUSSEX COUNTY COURTHOUSE

A - 20

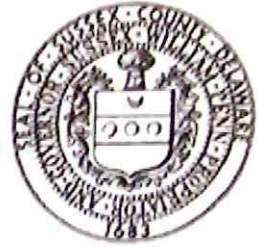
*202401009*

# Sussex County

DELAWARE  
**PLANNING & ZONING DEPARTMENT**

[www.sussexcountyde.gov](http://www.sussexcountyde.gov)  
 302-855-7878 T  
 302-854-5079 F

JAMIE WHITEHOUSE, AICP MRTPI  
 DIRECTOR



## STAFF REVIEW OF BUILDING PERMIT APPLICATION

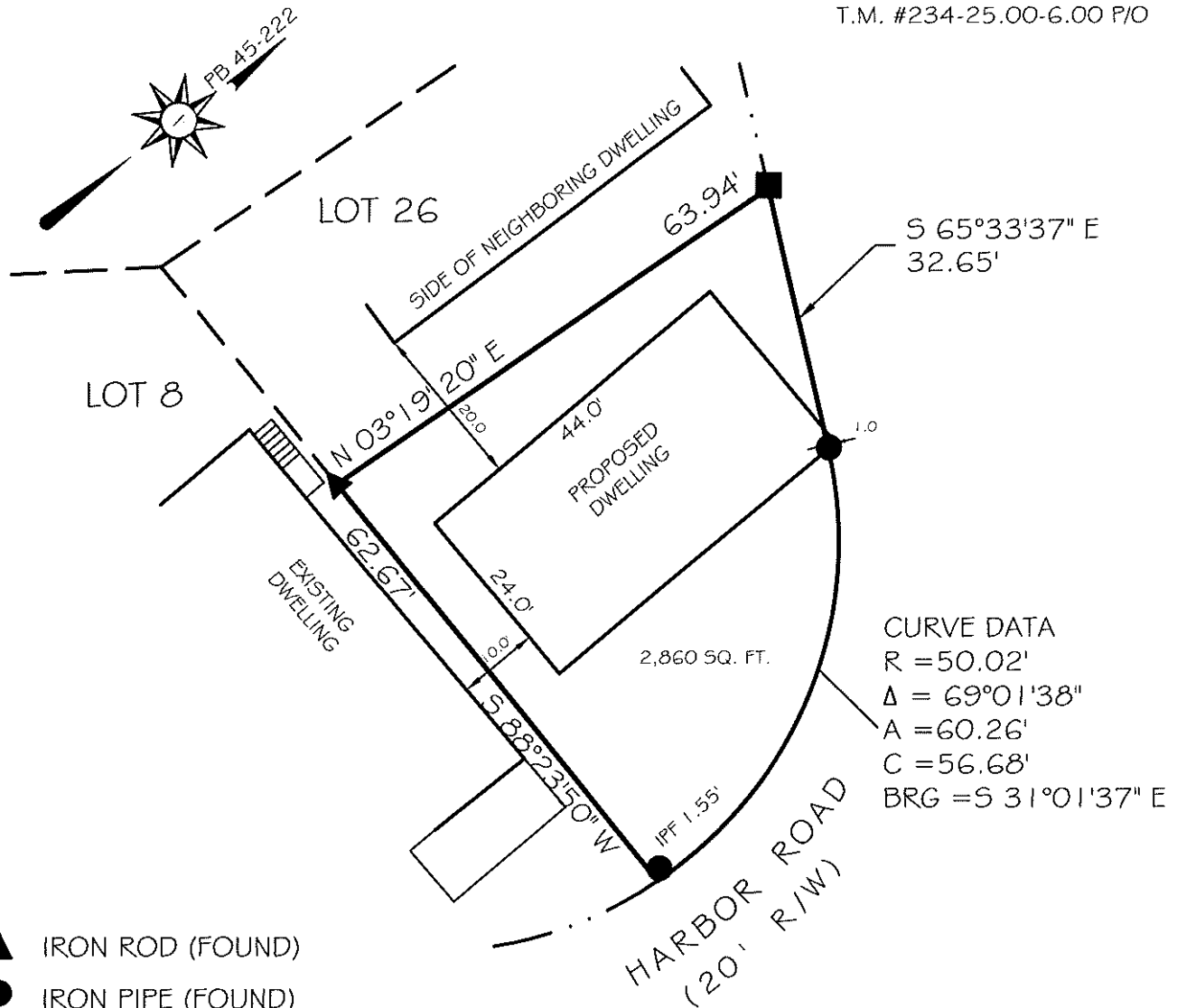
Date of Review:	01/30/2024
Parcel Address:	21 Harbor Road
Tax Parcel ID:	234-25.00-6.00-57070
Permit Number:	202401009

<ul style="list-style-type: none"> <li>-Subdivision Name – Malone’s MHP, Lot 27</li> <li>-Zoning District – AR-1</li> <li>-Setbacks – 5-ft front / 5-ft side / 5-ft rear</li> <li>-Separation requirement between units – 20-ft</li> <li>-Maximum allowable lot coverage – 35%</li> <li>-Maximum Height – 22-ft</li> <li>-Flood Zone – AE</li> <li>-Wetland Buffer – n/a</li> <li>-Tax Ditch R.O.W – n/a</li> <li>-Ag Preservation – n/a</li> <li>-TID Fee – n/a</li> <li>-Individual Lot Grading Plan &amp; Lot Grading Certificate – n/a</li> <li>-As-built survey may be required prior to issuance of a Certificate of Compliance.</li> <li>-A placement survey was not submitted with this application. <b>The dwelling must meet the setback and building separation requirements as well as the maximum allowable coverage.</b></li> <li>-Applicant noted existing dwelling has been/will be demoed.</li> </ul>
--

Name of Staff Member	Amy Mendelson
----------------------	---------------



T.M. #234-25.00-6.00 P/O



- ▲ IRON ROD (FOUND)
- IRON PIPE (FOUND)
- CONCRETE MONUMENT (FOUND)

SEE PLOT BOOK 45 PAGE 222 FOR EASEMENT RESERVATIONS. THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY OTHER THAN THOSE SHOWN. NO TITLE SEARCH PROVIDED OR STIPULATED.

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

DONALD K. MILLER PLS 407 \_\_\_\_\_ DATE \_\_\_\_\_  
 SURVEY CLASS: SUBURBAN

PROPOSED PLACEMENT SURVEY FOR

**JIM LATTANZI**

21 HARBOR ROAD, MILLSBORO, DE 19966  
 LOT #27 OF MALONE'S BAYSIDE MOBILE HOME PARK  
 INDIAN RIVER HUNDRED SUSSEX COUNTY  
 STATE OF DELAWARE

SCALE 1" = 20' NOVEMBER 22, 2023

PREPARED BY:

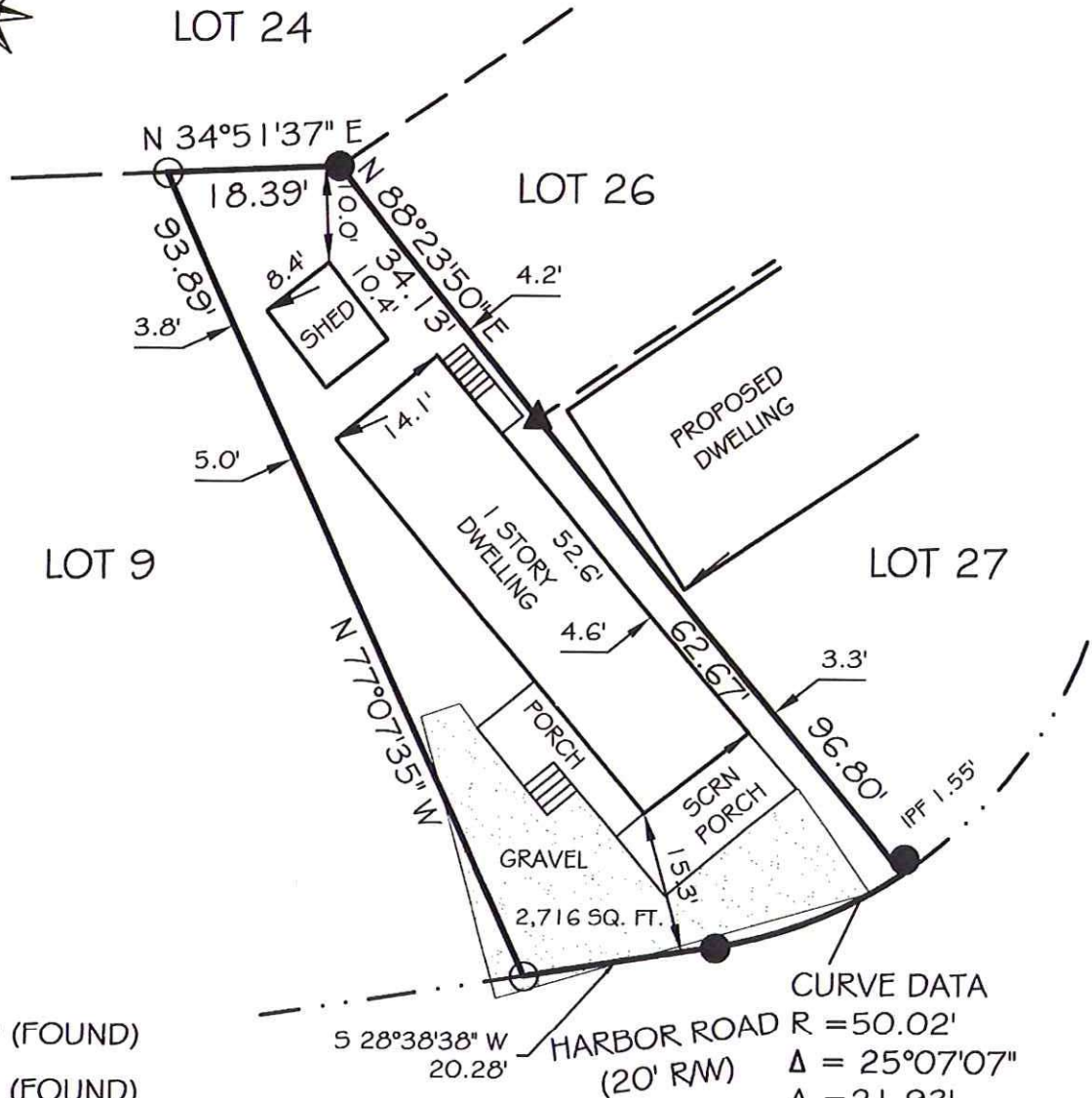
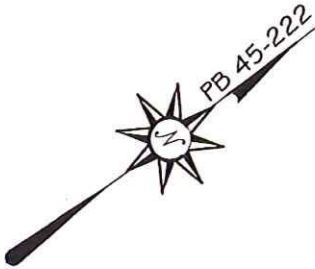
**MILNER** LAND SURVEYING  
**LEWIS, INC.**

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

1560 MIDDLEFORD RD.

SEAFOORD, DE. 19973

T.M. #234-25.00-6.00 P/O



- ▲ IRON ROD (FOUND)
- IRON PIPE (FOUND)
- POINT

SEE PLOT BOOK 45 PAGE 222 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.

CURVE DATA  
 R = 50.02'  
 Δ = 25°07'07"  
 A = 21.93'  
 C = 21.75'  
 BRG = S 16°02'46" W

BOUNDARY SURVEY FOR

**JIM LATTANZI**

19 HARBOR ROAD, MILLSBORO, DE 19966  
 LOT #8 OF MALONE'S BAYSIDE MOBILE HOME PARK  
 INDIAN RIVER HUNDRED SUSSEX COUNTY  
 STATE OF DELAWARE

SCALE 1" = 20' NOVEMBER 22, 2023

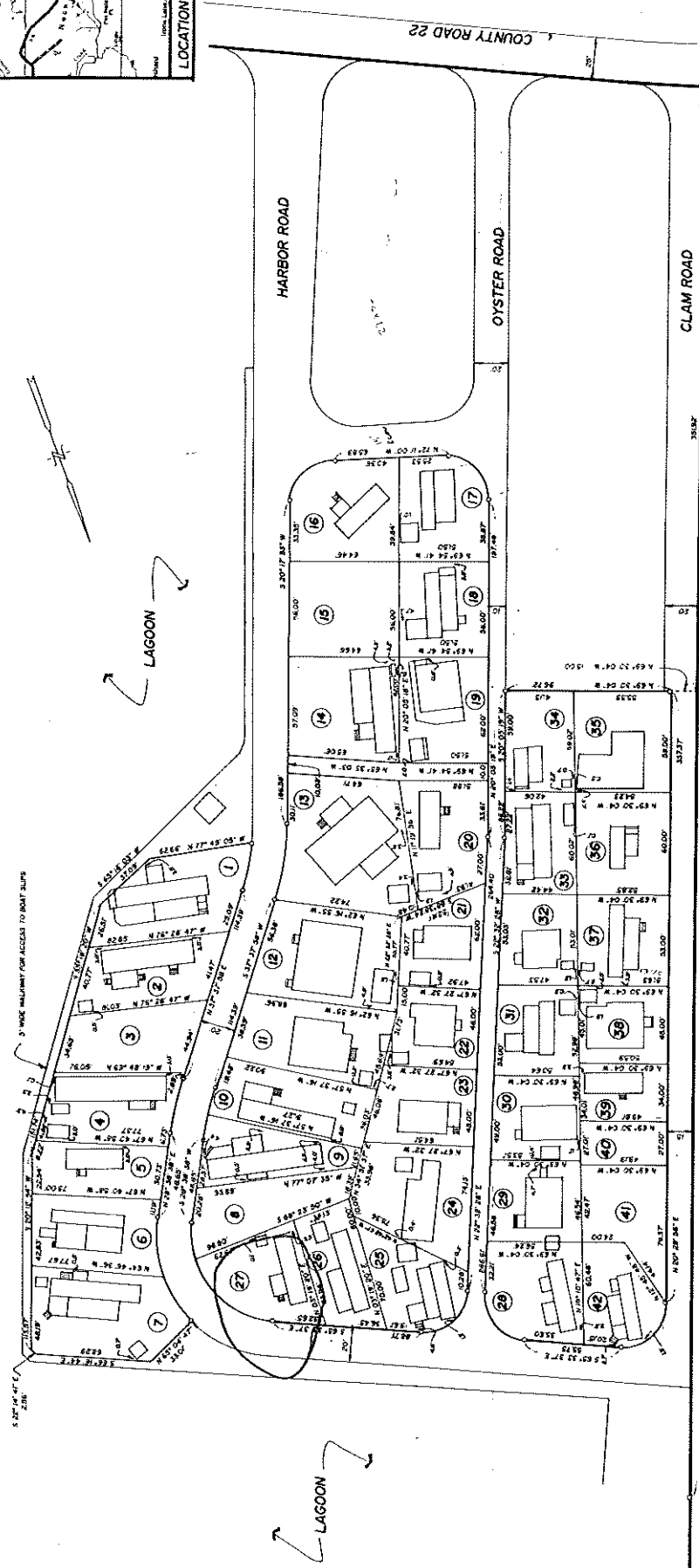
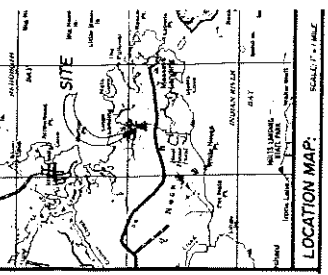
I, DONALD K. MILLER REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES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

*Donald K. Miller* 12/18/23  
 DONALD K. MILLER FLS 407 DATE  
 SURVEY CLASS: SUBURBAN

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



PART OF MAP NO. 2-18-20, PARCEL 6



**CURVE DATA:**

LOT	RADIUS	DELTA	ARC	CHORD	BEARING
1	150.00'	158.98'	27.53'	27.00'	N 319° 23' 45" E
2	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
3	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
4	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
5	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
6	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
7	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
8	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
9	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
10	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
11	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
12	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
13	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
14	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
15	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
16	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
17	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
18	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
19	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
20	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
21	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
22	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
23	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
24	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
25	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
26	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
27	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
28	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
29	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
30	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
31	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
32	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
33	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
34	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
35	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
36	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
37	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
38	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
39	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
40	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
41	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E
42	120.00'	127.58'	21.62'	21.00'	N 139° 02' 51" E

**LOT AREAS:**

LOT NO.	AREA (SQ. FT.)	LOT NO.	AREA (SQ. FT.)	LOT NO.	AREA (SQ. FT.)
1	3,102	12	4,131	21	2,875
2	2,938	13	3,852	22	2,875
3	2,938	14	3,852	23	2,875
4	2,938	15	3,852	24	2,875
5	2,938	16	3,852	25	2,875
6	2,938	17	3,852	26	2,875
7	2,938	18	3,852	27	2,875
8	2,938	19	3,852	28	2,875
9	2,938	20	3,852	29	2,875
10	2,938	31	3,142	30	2,875
		32	3,142	31	2,875
		33	3,142	32	2,875
		34	3,142	33	2,875
		35	3,142	34	2,875
		36	3,142	35	2,875
		37	3,142	36	2,875
		38	3,142	37	2,875
		39	3,142	38	2,875
		40	3,142	39	2,875
		41	3,142	40	2,875
		42	3,142	41	2,875
				42	2,875

**NOTES:**

- IMPROVEMENTS SHOWN HEREON BASED UPON A RECENT FIELD SURVEY.
- ONLY THOSE BUILDING OR STRUCTURE FOOTPRINTS LEAD FROM PLY OR FEET FROM A LOT LINE ARE SHOWN. ALL DIMENSIONS REPRESENT THE EXISTING OR PROPOSED LOT LINE AND SHOWN APPROXIMATELY ONLY WITHOUT OFFSET DIMENSIONS.

**LEGEND:**

- FOUND CONCRETE MONUMENT
- SET IRON PEG

Prepared By: **RAMMO-REMP ASSOCIATES, INC.**  
 10000 Highway 101, Suite 100  
 San Diego, California 92121  
 Phone: (619) 521-6669

**SITE PLAN**  
 FOR PROPERTY KNOWN AS  
**MALONE'S BAYSIDE MOBILE HOME PARK**

APPROVED BY THE  
 SAN DIEGO COUNTY BOARD OF SUPERVISORS  
 DATE: OCTOBER 12, 1989

SCALE: 1" = 1/4" AC





























Eagleview Search Results

Selected Features: Parcels (46)

- ▶ 6) 234-25.00-6.00-44287 Zoom
- ▼ 7) 234-25.00-6.00-45013 Zoom

BOOK	0
PAGE	0
FULLNAME	LATTANZI JAMES
Second_Owner_Name	MICHELLE LATTANZI
MAILINGADDRESS	24791 RIVERS EDGE RD
CITY	MILLSBORO
STATE	DE
a_account	08-03-006-8
DESCRIPTION	MALONES MHP
DESCRIPTION2	IMP ON LOT 8
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	2

- ▶ 8) 234-25.00-6.00-4563 Zoom
- ▶ 9) 234-25.00-6.00-4564 Zoom
- ▶ 10) 234-25.00-6.00-4565 Zoom

Selected Features (6 - 10 of 46)

Navigation icons: Home, Previous, Next, Refresh, Stop

Clear Selected



Layers

Search

Basemaps

Select Area

Eagleview

Print

Eagleview

Search Results

[Parcels (46)]

X



Sussex County Government | Sussex County | DNREC, Division of Watershed Stewardship, Drainage Pro...

Selected Features:

▶ 6) 234-25.00-6.00-44287

▼ 7) 234-25.00-6.00-45013

Zoom

Zoom

BOOK	0
PAGE	0
FULLNAME	LATTANZI JAMES
Second_Owner_Name	MICHELLE LATTANZI
MAILINGADDRESS	24791 RIVERS EDGE RD
CITY	MILLSBORO
STATE	DE
a_account	08-03-006-8
DESCRIPTION	MALONES MHP
DESCRIPTION2	IMP ON LOT 8
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	2

▶ 8) 234-25.00-6.00-4563

▶ 9) 234-25.00-6.00-4564

▶ 10) 234-25.00-6.00-4565

Zoom

Zoom

Zoom

Selected Features (6 - 10 of 46)

Clear Selected





Workspaces



Search

Search by SUSSEXPARCELS

234-25.00-6.00



Search results (1)

Options

234-25.00-6.00





**BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY**

**IN RE: JIM LATTANZI & MICHELLE LATTANZI**

**(Case No. 12954)**

A hearing was held after due notice on July 1, 2024. The Board members present were: Dr. Kevin Carson, Mr. Jeffrey Chorman, Mr. Jordan Warfel, and Mr. John Williamson.

Nature of the Proceedings

This is an application for variances from the front yard setback and separation distance requirements for proposed structures.

Findings of Fact

The Board found that the Applicants are requesting the following:

- a. A variance of 10 feet from the twenty (20) feet separation distance requirement for a proposed manufactured home from the existing manufactured home on Lot 8;
- b. A variance of 5 feet from the five (5) feet front yard setback requirement for a proposed manufactured home;
- c. A variance of 3 feet from the twenty (20) feet separation distance requirement for a proposed manufactured home from the existing manufactured home on Lot 26;
- d. A variance of 4 feet from the five (5) feet front yard setback requirement for a proposed landing and steps; and
- e. A variance of 4 feet from the twenty (20) feet separation distance requirement for a proposed landing and steps from the existing manufactured home on Lot 26

This application pertains to certain real property that is located south of Harbor Road within the Malone's Bayside Manufactured Home Park (911 Address: 21 Harbor Road, Millsboro); said property being identified as Sussex County Tax Map Parcel Number 234-25.00-6.00-42880 Lot 27 ("the Property"). After a public hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, aerial photographs of the Property, a building permit application, a survey of the Property dated November 22, 2023, a survey of Lot 8 dated November 22, 2023, a site plan for Malone's Bayside Mobile Home Park, photographs, a survey of the Property dated March 27, 2024, a concept floor plan, correspondence, and a portion of the tax map of the area.
2. The Board found that the Office of Planning & Zoning received one letter in support of and no correspondence in opposition the Application.
3. The Board found that Jim Lattanzi was sworn in to give testimony about the Application.
4. The Board found that Mr. Lattanzi testified that he has worked to design the house which will have 3 bedrooms and 1 bathroom.
5. The Board found that Mr. Lattanzi testified that the house on the neighboring lot has been there for 30 years and is too close to the property line.
6. The Board found that Mr. Lattanzi testified that the existing house and shed have been removed from the Property and the new house will be in a similar location as the prior dwelling. He doubts the house will be closer to the road than the prior dwelling.
7. The Board found that Mr. Lattanzi testified that the proposed house would have the means to accommodate everyone as needed.



8. The Board found that Mr. Lattanzi testified that the lot shape prohibits building within the setback and separation distance requirements.
9. The Board found that Mr. Lattanzi testified that he contacted a custom builder who drew custom house plans that would comply with the setback requirements but the cost would be astronomical.
10. The Board found that Mr. Lattanzi testified that many homes within the community encroach into the building setbacks and that the proposed home would blend in with the community.
11. The Board found that Mr. Lattanzi testified that the placement of the neighboring homes aid in the separation distance issue at hand.
12. The Board found that Mr. Lattanzi testified that there are a roughly 6-8 feet between the edge of pavement of Harbor Road and the property line.
13. The Board found that Mr. Lattanzi testified that there will be steps coming from the proposed dwelling but they will not encroach into any setback areas.
14. The Board found that Mr. Lattanzi testified that the proposed dwelling would not cause an issue with line of site on Harbor Road.
15. The Board found that Mr. Lattanzi testified that there is public water and sewer on the Property.
16. The Board found that Mr. Lattanzi testified that the survey of the Property shows the corner of the proposed dwelling to be over the property by one (1) foot and that others in the neighborhood have done that as well.
17. The Board found that Mr. Lattanzi testified that the concept plan shows the effort was made to have a home built that met all setback requirements but the cost was not feasible.
18. The Board found that Mr. Lattanzi testified that the prior house was closer to the corner of Lot 8 and Lot 26 than what is proposed.
19. The Board found that Mr. Lattanzi testified that the house will be elevated and is in a flood zone.
20. The Board found that Mr. Lattanzi testified that the proposed dwelling was tilted closer to the road than to the neighboring home due to the neighboring home being tilted and maintaining the separation distance.
21. The Board found that Mr. Lattanzi testified that the Applicants have paid for roughly 8 surveys of the Property to find the best solution.
22. The Board found that Mr. Lattanzi testified that the proposed dwelling will have mini-split HVAC systems.
23. The Board found that Mr. Lattanzi testified that the proposed dwelling is a manufactured home.
24. The Board found that Mr. Lattanzi testified that there is plenty of parking along the road and the community has an overflow parking lot.
25. The Board found that Mr. Lattanzi testified that the proposed dwelling was placed so close to the road to try and maintain the separation distance.
26. The Board found that Mr. Lattanzi testified that the Applicants have purchased two (2) homes to place on this lot before, neither of which fit to compliance.
27. The Board found that Danielle Bartman was sworn in to give testimony in opposition of the Application.
28. The Board found that Ms. Bartman testified that her in-laws reside in 25 Harbor Road which is two homes down from the Property.
29. The Board found that Ms. Bartman testified that there was a previous denial for the Property for a family friend.
30. The Board found that Ms. Bartman testified that other members of the community may ask for similar relief if this application is approved.
31. The Board found that Ms. Bartman testified that the Applicants have not installed the proposed dwelling yet.



32. The Board found that Ms. Bartman testified that the photographs shown in the Applicant's testimony are older photographs.
33. The Board found that Ms. Bartman testified that the community now has a paved road.
34. The Board found that Ms. Bartman testified that there has not been a prior dwelling on the Property to her knowledge but there has been a shed.
35. The Board found that Ms. Bartman testified that she was told that the Property was not large enough to hold a dwelling.
36. The Board found that Ms. Bartman testified that there has not been a dwelling on the Property within the six (6) years that she has been residing in the community.
37. The Board found that Ms. Bartman testified that there are other homes in the community that are close to the road but they have been there for many years and before the road was paved.
38. The Board found that Ms. Bartman testified that she is unaware of the lot sizes within the community.
39. The Board found that no one appeared in support of the Application and one (1) person appeared in opposition to the Application.
40. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, which the Board weighed and considered, the Board determined that the application failed to meet the standards for granting a variance. The findings below further support the Board's decision to deny the Application.
  - a. The Board notes its frustration with the Applicant for failing to present a survey which shows all of the proposed structures on the Property; including landings and steps. A more detailed survey would provide the Board with a better understanding of the plan presented by the Applicant and a picture of the full relief sought. Rather, the Board relied on the survey provided by the Applicant along with testimony about the location of other structures. The survey provided by the Applicant also shows the location of the proposed dwelling extending over the front property line. The Board does not have authority to grant variances over property lines and, in this case, the proposed dwelling will extend approximately 1 foot into the adjacent Harbor Road near a bend in that road.
  - b. The Board finds that the Applicants are creating their own exceptional practical difficulty by proposing to place the proposed dwelling of this size in this location. The Property, which consists of 2,860 square feet and is triangularly shaped, is currently vacant and is a proverbial "blank slate". The Applicants propose to place a home on the Property which will extend into the adjacent Harbor Road while also failing to meet the setback and separation distance requirements. The Board acknowledges that the Property has unique conditions but the Applicants have created their own exceptional practical difficulty by presenting a proposal whereby they need a 100% variance from the front yard setback requirement to place a house. Moreover, the house will project off the Property onto an adjacent road. This decision by the Applicants is bad design choice. The Board is not convinced by the Applicants that there were not other options which would have limited the need for a variance and which would have kept the dwelling on the lot entirely. To that end, the Board was not convinced that the variance requests were the product of a *need*. Instead, the variance requests appear to be the product of a *want* as the Applicants seek to place the proposed structures on the lot in this location for purposes of convenience, profit, and / or caprice. The need for the variances is something created by the Applicants' wants rather than an unusual physical



- condition relating to the Property. The Applicants have thus created their own exceptional practical difficulty.
- c. The Board also finds that the approval of these requests would alter the essential character of the neighborhood. Testimony reflects that Harbor Road has recently been paved and that the community has been changing. The proposed dwelling will project off the Property onto Harbor Road near a bend in the road. The placement of the dwelling in this location would jeopardize the rights of the neighborhood to reasonably expand Harbor Road within the right-of-way and would present challenges to persons traversing on Harbor Road. Moreover, the approval of these requests could lead others in the neighborhood to seek similar 100% variance relief with no setbacks. The Board shares the concerns raised by the opposition that doing so would alter the essential character of the neighborhood.
  - d. The Board also finds that the variances requested do not represent the minimum variances necessary to afford relief. The placement of the dwelling over the front property line and the need for a 100% variance in the front yard is excessive and not needed. The Property has room to the southwestern corner where a dwelling could be located away from Harbor Road. The Applicants also presented a building setback plan which shows a building footprint and they did not convince the Board that the Property could not otherwise be developed within that footprint. Rather, the Applicants argued that the cost would be too high without presenting any substantial evidence to support that notion.
  - e. The Board also has concerns about the effect a variance approval would have on the neighborhood. If the Board were to approve these requests, the approval may embolden neighbors to seek similar variances. Doing so, would threaten the integrity of the Sussex County Zoning Code.

The Board denied the variance application finding that it failed to meet the standards for granting a variance.

#### Decision of the Board

Upon motion duly made and seconded, the variance application was denied. The Board Members in favor of the Motion to deny were Dr. Kevin Carson, Mr. Jeffrey Chorman, and Mr. John Williamson. Mr. Jordan Warfel voted against the Motion to deny the variance application. Mr. Travis Hastings did not participate in the discussion or vote on this application.

BOARD OF ADJUSTMENT  
OF SUSSEX COUNTY



Jeffrey Chorman  
Chair



If the use is not established within two (2)  
years from the date below the application  
becomes void.  
Date September 9, 2024.





74

Case # 13053  
Hearing Date Mon March 24, 2025  
6:00pm  
202501297

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

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

Variance   
Special Use Exception   
Administrative Variance   
Appeal

Existing Condition   
Proposed   
Code Reference (office use only)  
\_\_\_\_\_  
\_\_\_\_\_

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

9643 Snow Goose Road, Milford, DE

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

Reduction of front yard setback to 15.2' and side yard setback to .6', the current existing setbacks for the existing deck and residence, respectively

Tax Map #: 2-30-17.00-167.00

Property Zoning: AR-1

**Applicant Information**

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

**Owner Information**

Owner Name: Matthew and Colleen Schweitzer  
Owner Address: 1756 HOLLADAY PARK RD  
City Gambrils State MD Zip: 21054 Purchase Date: 1/1/21  
Owner Phone #: (703) 795-6906 Owner e-mail: colleen.m.schweitzer@gmail.com

**Agent/Attorney Information**

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

**Signature of Owner/Agent/Attorney**



Date: 1/30/25





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

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

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

**1. Uniqueness of property:**

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

The house is located on the lot in a manner not consistent with the zoning setbacks. It is likely that this house predates the zoning code and as such, the front corners are over both the front and side yardsetbacks, limiting what can be done to the front of the house.

---

**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.

Because of existing conditions, the front of the house is located over the setback. The foundation is minimal making going up difficult (and still potentially non-compliant) and the space behind the house is currently being utilized for the septic.

---

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

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

This house was built a long time before my clients purchased it. They are attempting to create some usable outdoor space without complete redevelopment of the lot, but are hemmed in by zoning, septic, and FEMA requirements.

---

**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 house will still be a small beach cottage, much like the adjacent property which is the only other residential home on this street. In fact, that house sits even closer to the street than this one does/will. This is a short, single block, side street with 2 homes, barely visible from any other property. We do not believe this will adversely affect any other site or set any precedents.

---

**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.

This is the minimum option as going up would still require a variance for the height or structural gymnastics to stay within the setbacks. Going back is blocked by the septic system, and the side is the driveway. This will create a minimum of some exterior space that is protected from the elements and insects that thrive in the adjacent marshland.

---

### 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 relevant Application Fee (please refer to fees effective July 1, 2022)
- 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**

  
\_\_\_\_\_

Date: 1/30/25  
\_\_\_\_\_

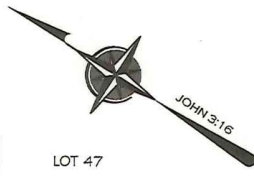
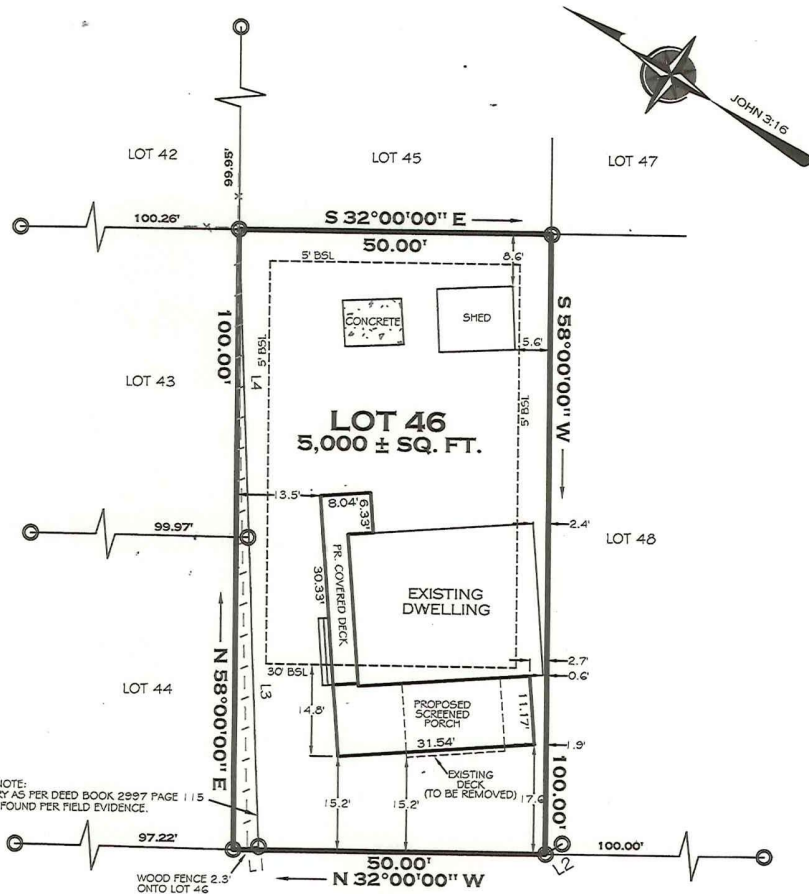
**For office use only:**

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

Subdivision: \_\_\_\_\_ Lot#: \_\_\_\_\_ Block#: \_\_\_\_\_  
 Date of Hearing: \_\_\_\_\_ Decision of Board: \_\_\_\_\_



ONLY PLANS INCORPORATING AN ORIGINAL EMBOSSED / RED SEAL & SIGNATURE ARE CONSIDERED TO BE OFFICIAL AND RELIED UPON BY THE USER.



SURVEY NOTE:  
BOUNDARY AS PER DEED BOOK 2997 PAGE 115  
OVERLAP FOUND PER FIELD EVIDENCE.

LINE	BEARING	DISTANCE
L1	S 39°12'03" E	4.11'
L2	S 63°40'19" E	3.19'
L3	N 55°39'05" E	49.82'
L4	N 55°39'05" E	49.80'

**NOTES**

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: MR
3. BUILDING SETBACK LINES (BSL)  
FRONT 30'  
SIDE 10' (REDUCED TO 5')  
REAR 10' (REDUCED TO 5')

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.

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

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

*Bradley A. Absher*  
BRADLEY A. ABSHER, DE PLS # 735  
DATE 01/30/25

**LEGEND**

- IRON PIPE FOUND

TAX MAP	2-30-17.00-167.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	CEDAR CREEK
TOWN	---
AREA	5,000 ± SQ. FT.
DEED REF.	2997 / 115
PLAT REF.	---
DRAWN BY	MCS
DATE	01 / 30 / 2025
SCALE	1" = 20'
SURVEY #	DE - 08726


**SITE PLAN**

**LOT 46**  
**LANDS OF JOSEPH D. SHORT**

FOR  
**MATTHEW & COLLEEN SCHWEITZER**

9643 SNOW GOOSE ROAD, MILFORD, DE 19963

**TRUE NORTH**



**LAND SURVEYING**

35322 BAYARD ROAD  
FRANKFORD, DE 19945  
302-539-2488

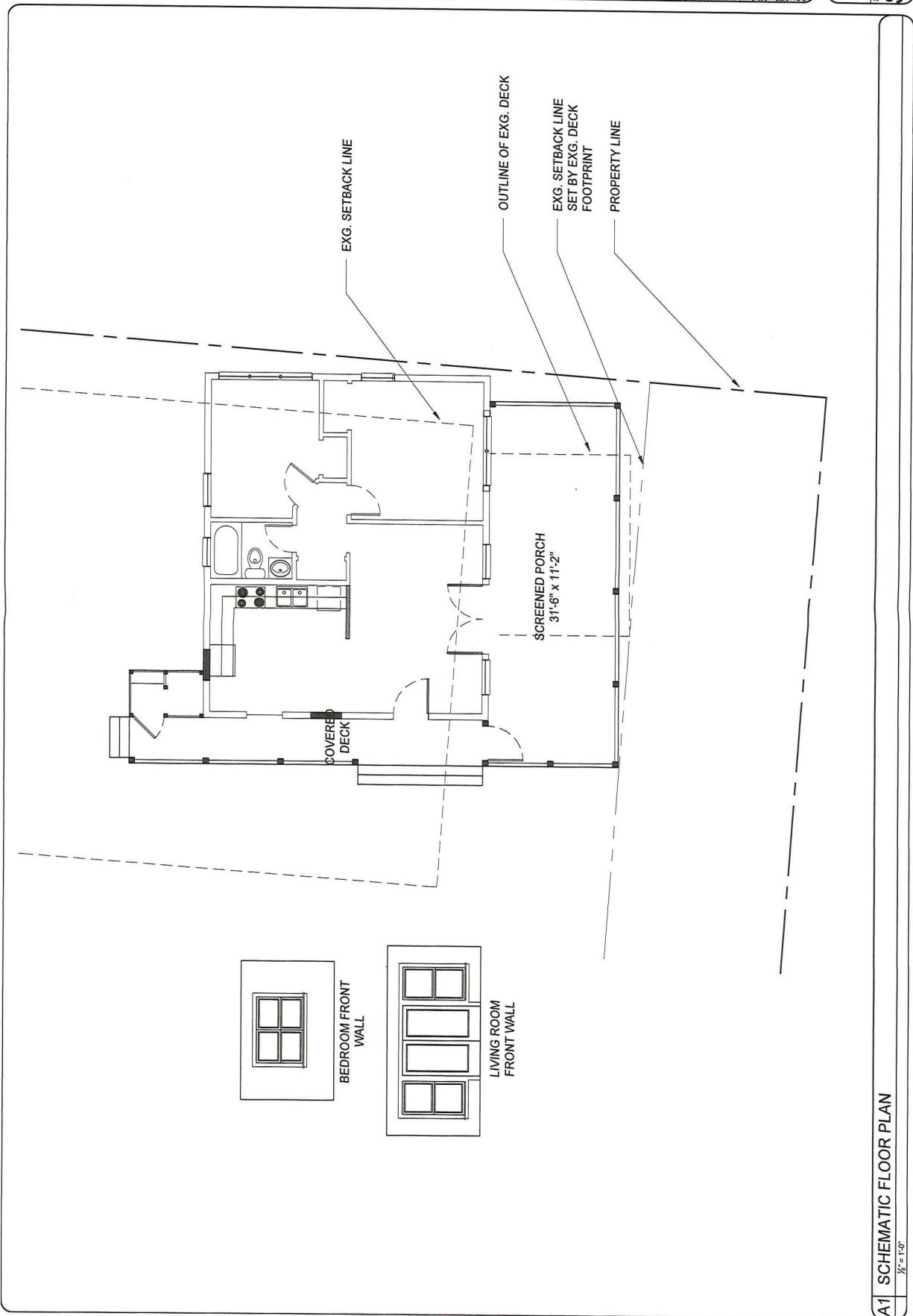


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ARCHOLOG, LLC	© 2024
REV. DATE:	

CONSTRUCTION DRAWING FOR THE NEW:  
SCHWITZER SCREENED PORCH ADDITION  
9643 SNOW GOOSE ROAD  
MILFORD, SUSSEX COUNTY, DELAWARE  
PROJECT # 23258  
SCHEMATIC FLOOR PLAN

DATE: 07/19/2024  
SHEET # SD-5.01



A1 SCHEMATIC FLOOR PLAN  
1/8" = 1'-0"



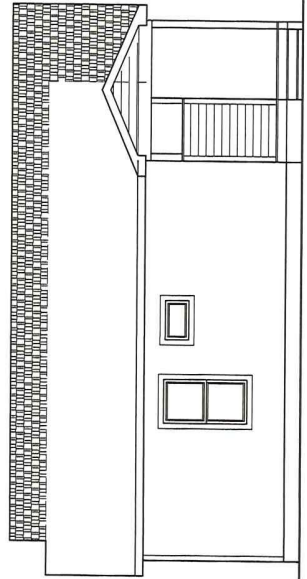


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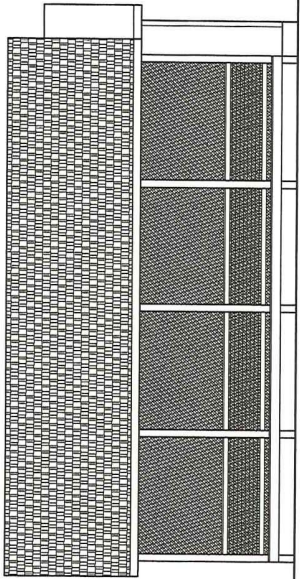
REV.	DATE	DESCRIPTION

CONSTRUCTION DRAWING FOR THE NEW:  
**SCHWEITZER SCREENED PORCH ADDITION**  
 9644 SNOW GOOSE ROAD  
 MILFORD, SUSSEX COUNTY, DELAWARE  
 SCHEMATIC ELEVATIONS  
 PROJECT # 23258

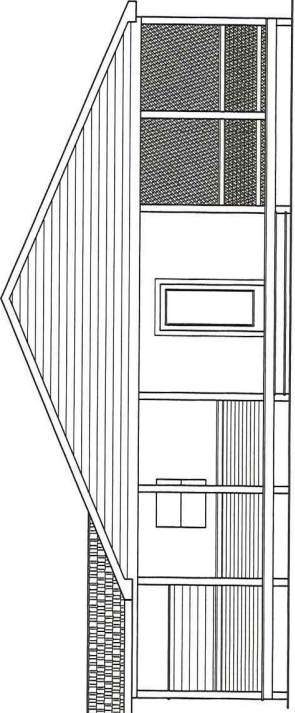
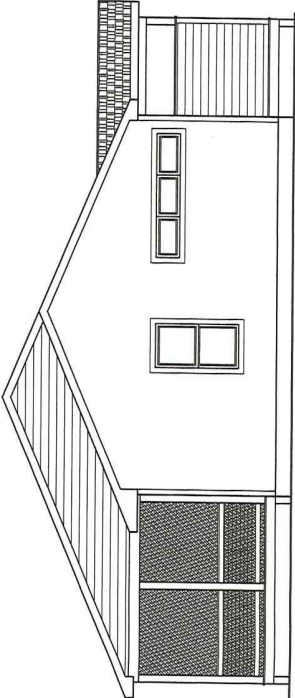
DATE: 07/19/2024  
 SHEET # SD-5.02



REAR ELEVATION



FRONT ELEVATION



SIDE ELEVATIONS

A1 SCHEMATIC ELEVATIONS  
1/8" = 1'-0"

Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

Selected Features:

Parcels (1)

1) 230-17.00-167.00

Zoom

BOOK	5686
PAGE	144
FULLNAME	SCHWEITZER MATTHEW
Second_Owner_Name	COLLEEN SCHWEITZER
MAILINGADDRESS	1756 HOLLADAY PARK RD
CITY	GAMBRILLS
STATE	MD
a_account	
DESCRIPTION	JOSEPH D SHORT
DESCRIPTION2	LOT 46
DESCRIPTION3	2ND ADD
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	10300
APRLAND	4200
PINWASSEMMENTUNIT	230-17.00-167.00
PIN	230-17.00-167.00

Selected Features (1)  
Clear Selected



Sussex County Government | Sussex County Mapping and Addressing | Esri Community Maps Contributors...



Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

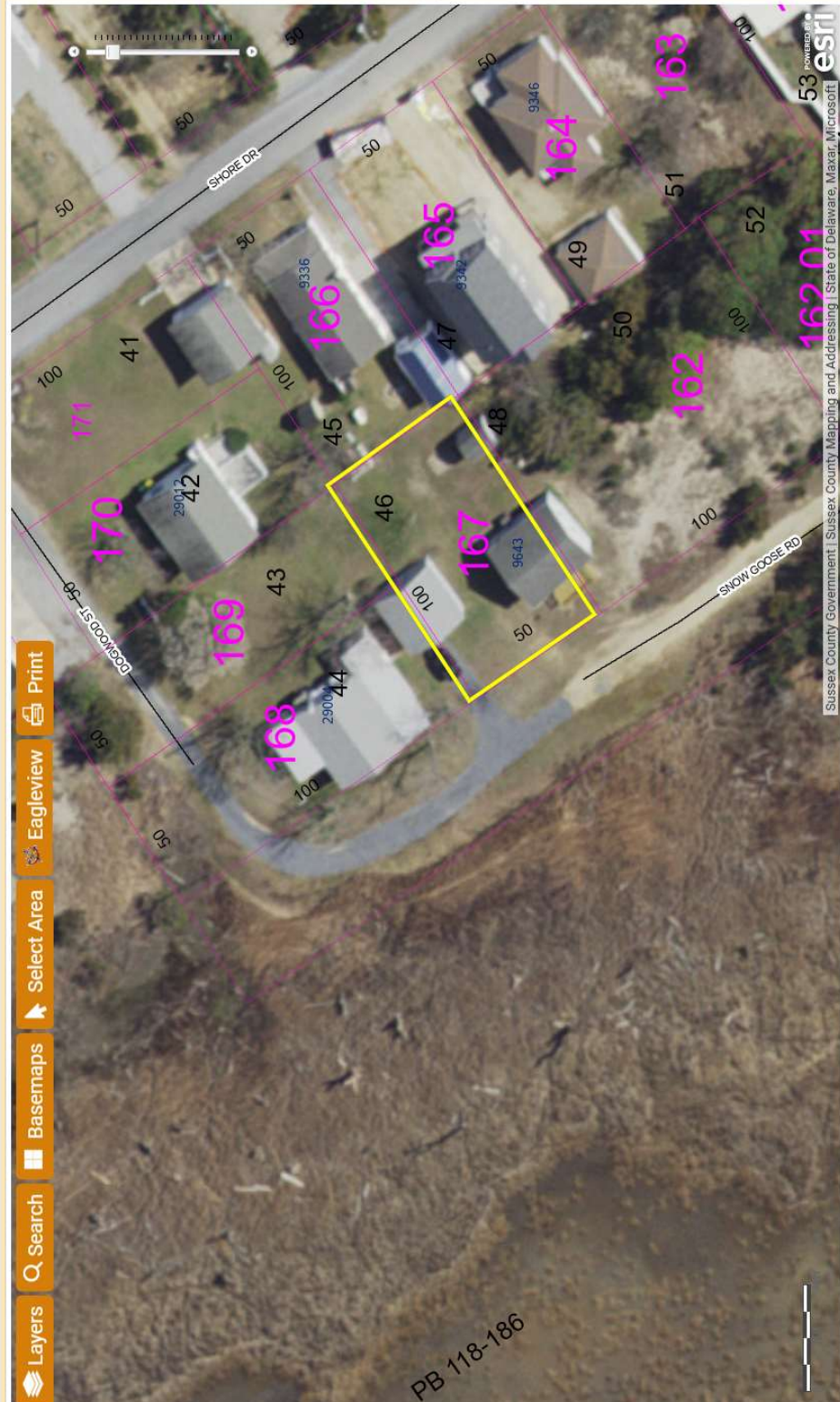
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DESCRIPTION3	2ND ADD
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	10300
APRLAND	4200
PINWASSEMMENTUNIT	230-17.00-167.00
PIN	230-17.00-167.00

Selected Features (1)  
Clear Selected



Sussex County Government | Sussex County Mapping and Addressing | State of Delaware, Maxar, Microsoft

PB 118-186





Workspaces



Search

Search by SUSSEXPARCELS

230-17.00-167.00

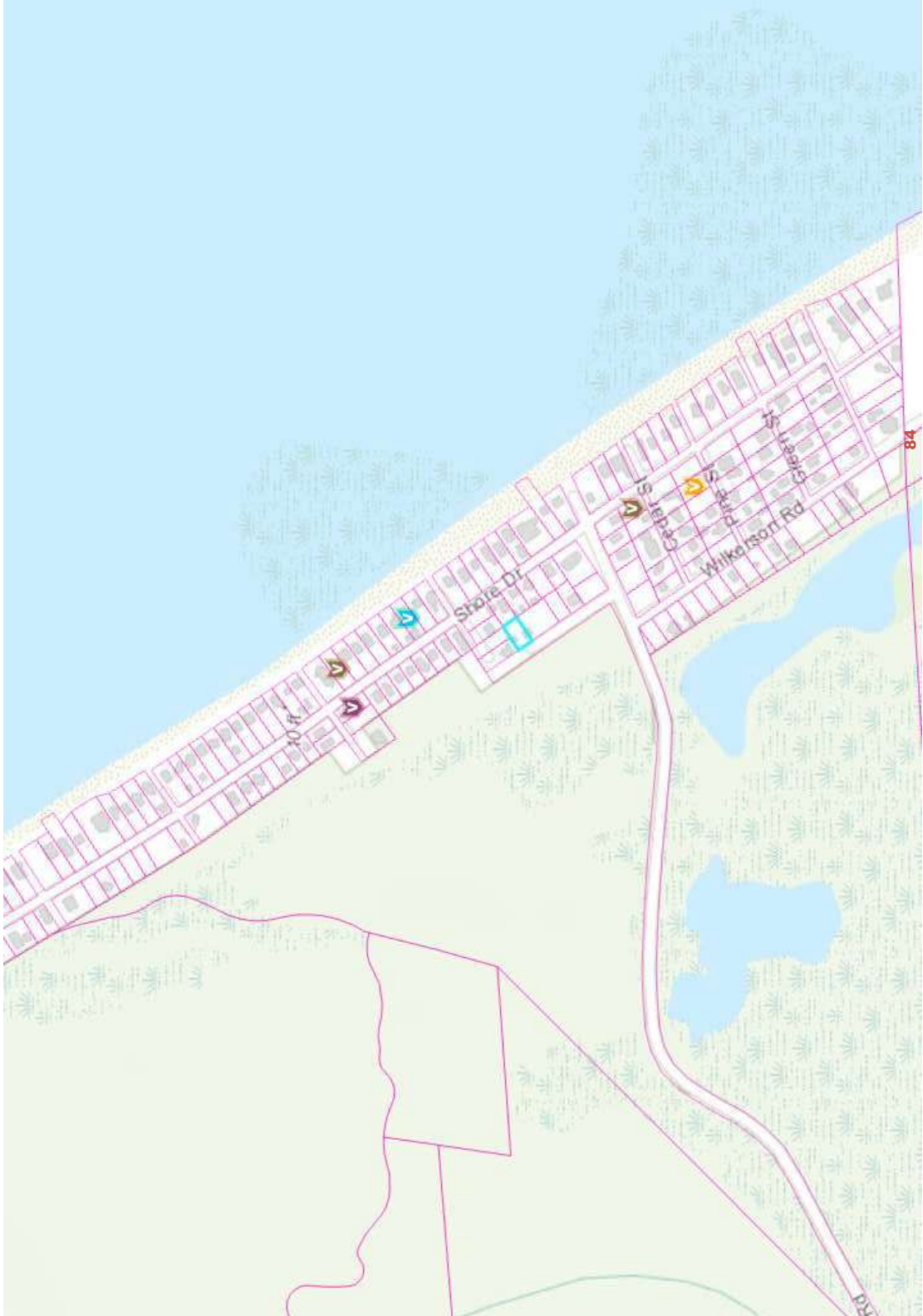
Search results (1)

230-17.00-167.00

Options







Case # 13054  
Hearing Date Mon March 24, 2025  
6:00 pm  
202501299

### Board of Adjustment Application Sussex County, Delaware

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

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

Variance   
Special Use Exception   
Administrative Variance   
Appeal

Existing Condition   
Proposed   
Code Reference (office use only)  
\_\_\_\_\_  
\_\_\_\_\_

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

33523 Calais Court, Dagsboro, Delaware

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

Reduction in Front Yard setback to 2'-8", Reduction of side yard setback to existing 2'-11" and Reduction of Rear Yard Setback to existing 2'-1 1/4"

**Tax Map #:** 134-7.00-66.00

**Property Zoning:** AR-1

**Applicant Information**

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


**Owner Information**

Owner Name: Michael D. Turssline  
Owner Address: 33523 Calais Court  
City Dagsboro State DE Zip: 19939 Purchase Date: 1/1/02  
Owner Phone #: (302) 377-1882 Owner e-mail: mdt798@comcast.net

**Agent/Attorney Information**

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

**Signature of Owner/Agent/Attorney**



Date: 1/21/25





**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 lots in this neighborhood are all undersized. This lot would not be legal today and the existing setbacks to the original structure are non-conforming. These houses are also all built low to the flood plain and are in need of modification and upgrading prior to being destroyed in a flood.

---

**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.

If we were forced to use the by right setbacks, only a narrow strip of approx. 200 s.f. sits within the setbacks. Almost any use of this property would require a variance. Given the need to bring this structure into compliance with FEMA regulations, we would have to increase the height of the encroachment to become compliant.

---

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

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

This house is an original structure dating from well before my clients inherited the property. They did not subdivide the lots or build so close to the lines. Nor did they create the non-compliance with modern flood zone regulations that did not even exist at the time of the construction of this property.

---

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

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

The neighborhood is full of small cottages similar in size and scope to this. We are not asking to get any closer to the property lines in that we are raising on top of the original footprint to comply with flood zone regulations and infilling the existing carport with additional bedrooms which is less disruptive than the original plan to add additional bedrooms above the structure. We are only asking to encroach closer to fit a ~~stair and exterior access to the newly raised house~~

---

**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 only new encroachment is the stair access on the street side, where we already have the largest practical space between structures in the neighborhood. This is the end of a narrow lane and in fact are one of only two houses addressed to this lane. Without these reliefs, it would be impossible to maintain this structure given the fact that the lot is virtually unbuildable per the zoning code as existing and the existing structure is not compliant with flood regulations as is.

### 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 relevant Application Fee (please refer to fees effective July 1, 2022)**
- **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**

  
\_\_\_\_\_

Date: 1/24/25

**For office use only:**

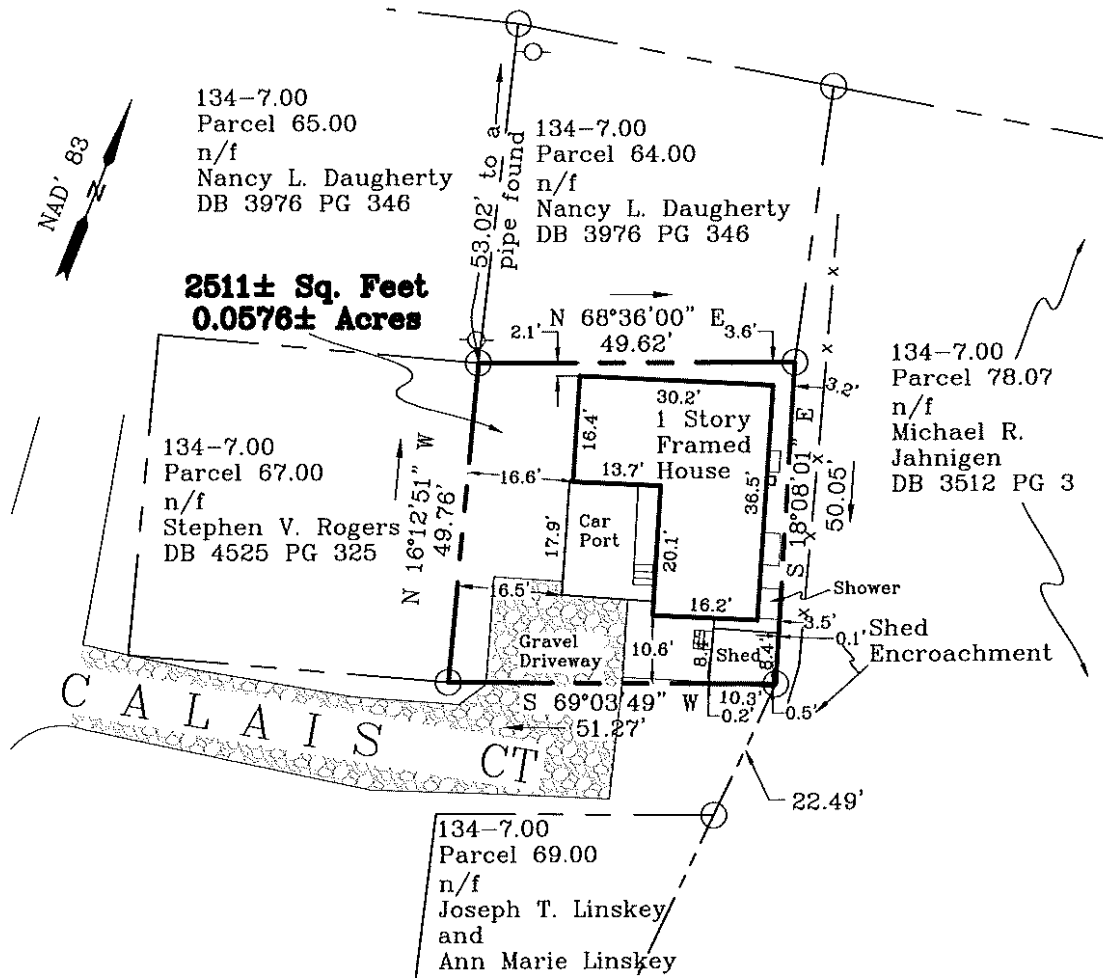
Date Submitted: \_\_\_\_\_ Fee: \_\_\_\_\_ Check #: \_\_\_\_\_  
 Staff accepting application: \_\_\_\_\_ Application & Case #: \_\_\_\_\_  
 Location of property: \_\_\_\_\_

Subdivision: \_\_\_\_\_ Lot#: \_\_\_\_\_ Block#: \_\_\_\_\_  
 Date of Hearing: \_\_\_\_\_ Decision of Board: \_\_\_\_\_



BOUNDARY SURVEY PLAN  
 LANDS OF "MICHAEL D. TURSSLINE"  
 ALSO KNOWN AS: "33523 CALAIS CT DAGSBORO DE"  
 SITUATE IN: "BALTIMORE HUNDRED"  
 SUSSEX COUNTY \* STATE OF DELAWARE  
 TAX MAP #: 134-7.00-66.00  
 DEED REFERENCE: DB 371, PG 48

ZONING CLASSIFICATION: AR-1  
 YARD REQUIREMENTS:  
 FRONTYARD: 30'  
 SIDERYARD: 5'  
 REARYARD: 15'



**LEGEND**

- IRON PIPE FOUND
- CAPPED REBAR FOUND
- POWER POLE
- — — — — PROPERTY LINE
- x — x — FENCE LINE

**NOTES**

1. THIS SURVEY IS CLASSIFIED AS A "SUBURBAN" SURVEY.
2. UNLESS THIS PLAT HAS A SEAL WITH AN ORIGINAL SIGNATURE OF ENGINEER, IN RED INK, THIS IS NOT AN AUTHORIZED COPY.
3. THE SURVEY DOES NOT VERIFY THE EXISTENCE OF OR NONEXISTENCE OF ANY EASEMENTS OR RIGHT OF WAYS.



22184 MELSON ROAD  
 GEORGETOWN, DELAWARE 19947  
 PHONE NO. 302-856-1565

DRAWN BY: JBR

DATE: 08-07-2024

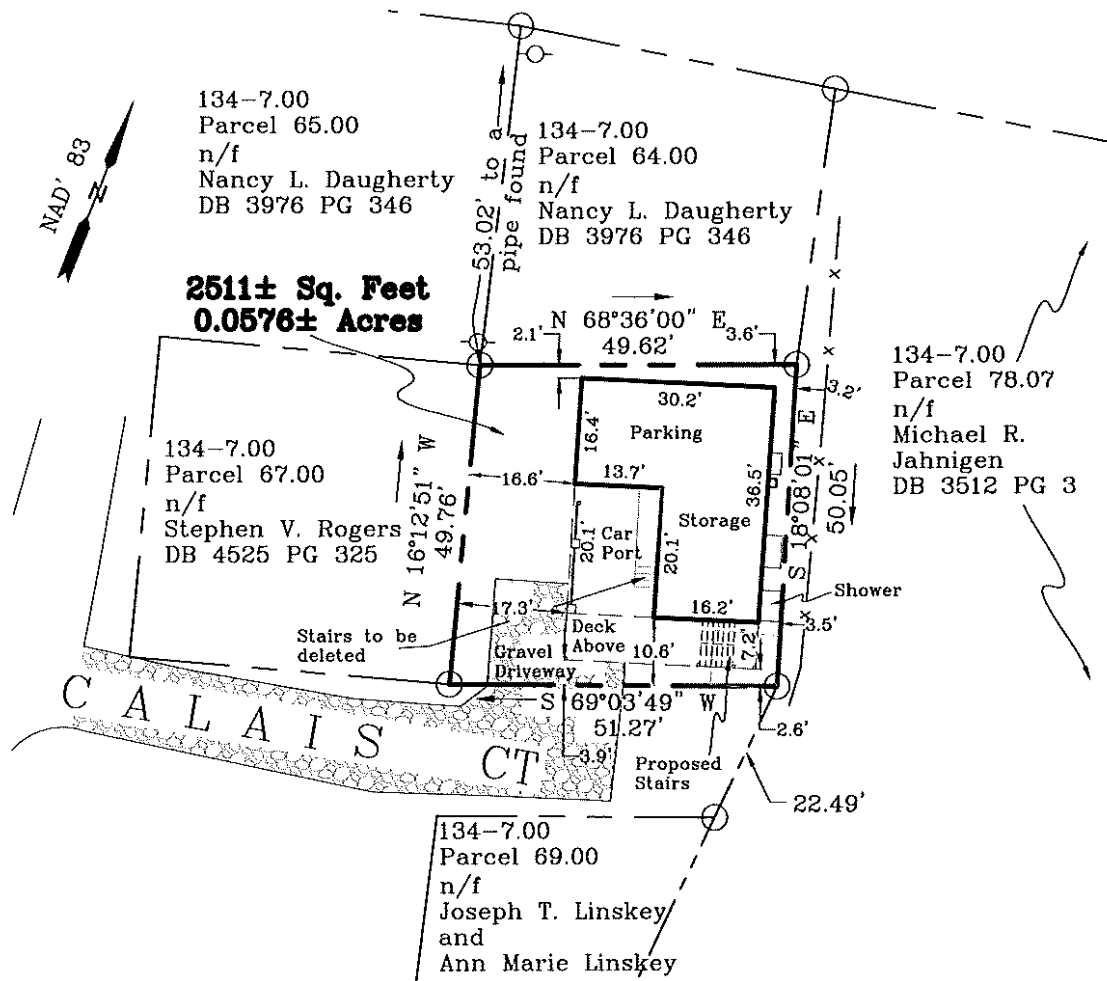
SCALE: 1"=30'

SHEET 1/1

PROFESSIONAL ENGINEER

HOUSE SITE PLAN  
 LANDS OF "MICHAEL D. TURSSLINE"  
 ALSO KNOWN AS: "33523 CALAIS CT DAGSBORO DE"  
 SITUATE IN: "BALTIMORE HUNDRED"  
 SUSSEX COUNTY \* STATE OF DELAWARE  
 TAX MAP #: 134-7.00-66.00  
 DEED REFERENCE: DB 371, PG 48

ZONING CLASSIFICATION: AR-1  
 YARD REQUIREMENTS:  
 FRONTYARD: 30'  
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**LEGEND**

- IRON PIPE FOUND
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22184 MELSON ROAD  
 GEORGETOWN, DELAWARE 19947  
 PHONE NO. 302-856-1565

DRAWN BY: JBR

DATE: 01-07-2025

SCALE: 1"=30'

SHEET 1/1

PROFESSIONAL ENGINEER



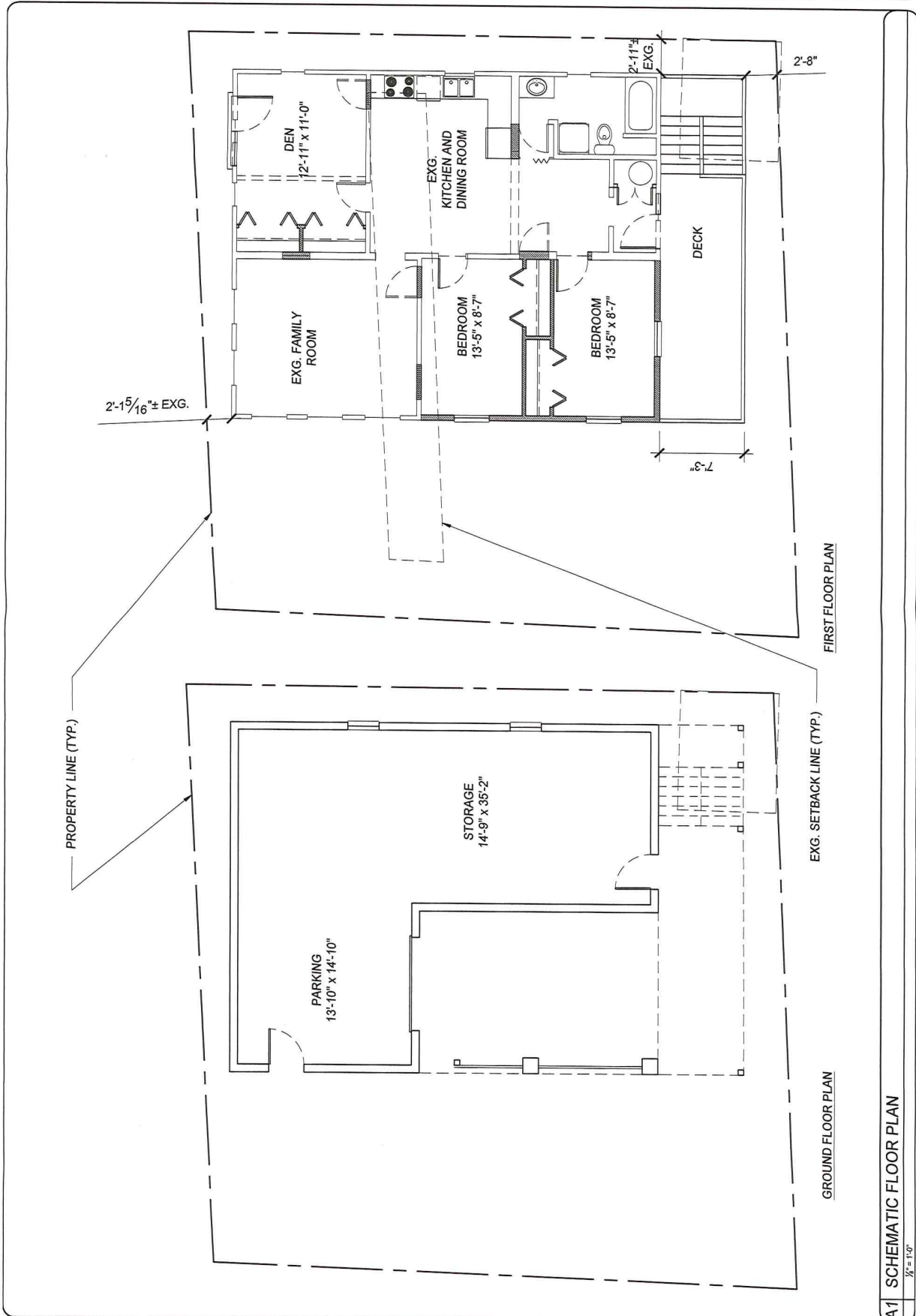


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REV. DATE:	
ARCHITECTURE, LLC	

CONSTRUCTION DRAWING FOR THE NEW TURSSLINE RESIDENCE ADDITION  
3822 CALAIS COURT  
DAGSBORO, SUSSEX COUNTY, DELAWARE  
PROJECT # 24096  
SCHEMATIC FLOOR PLAN

DATE: 12/03/2024  
SHEET # SD-2.01



A1 SCHEMATIC FLOOR PLAN  
1/8" = 1'-0"

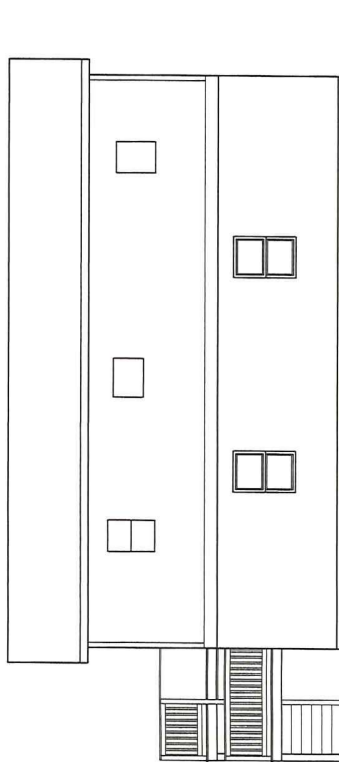


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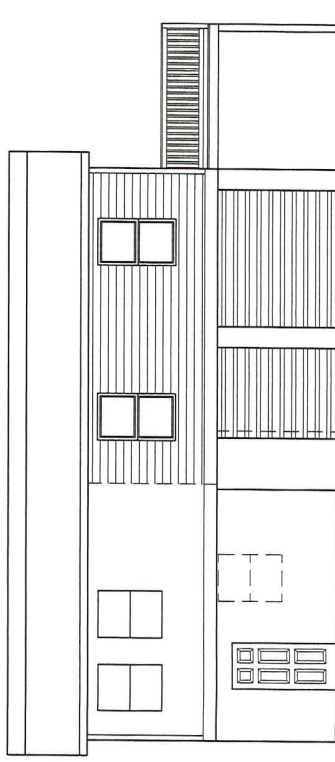
ARCHOLOG, LLC	REV. DATE:

CONSTRUCTION DRAWING FOR THE NEW  
 TURSSLINE RESIDENCE ADDITION  
 3522 CALAIS COURT  
 DAGSBORO, SUSSEX COUNTY, DELAWARE  
 SCHEMATIC ELEVATIONS  
 PROJECT # 24096

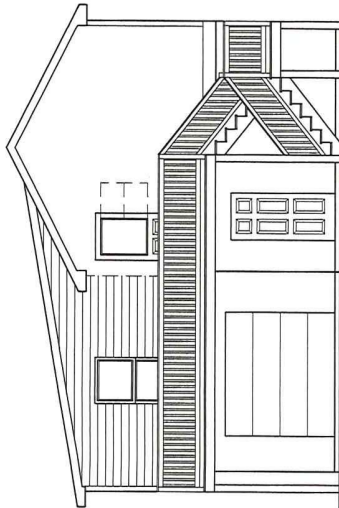
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 SHEET # SD-2.02



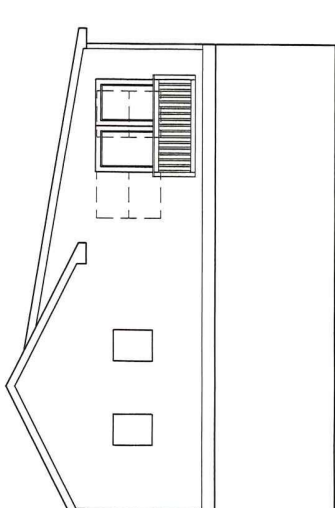
SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION

A1 SCHEMATIC ELEVATIONS  
 1/8" = 1'-0"





Eagleview

Search Results

Parcels (1)

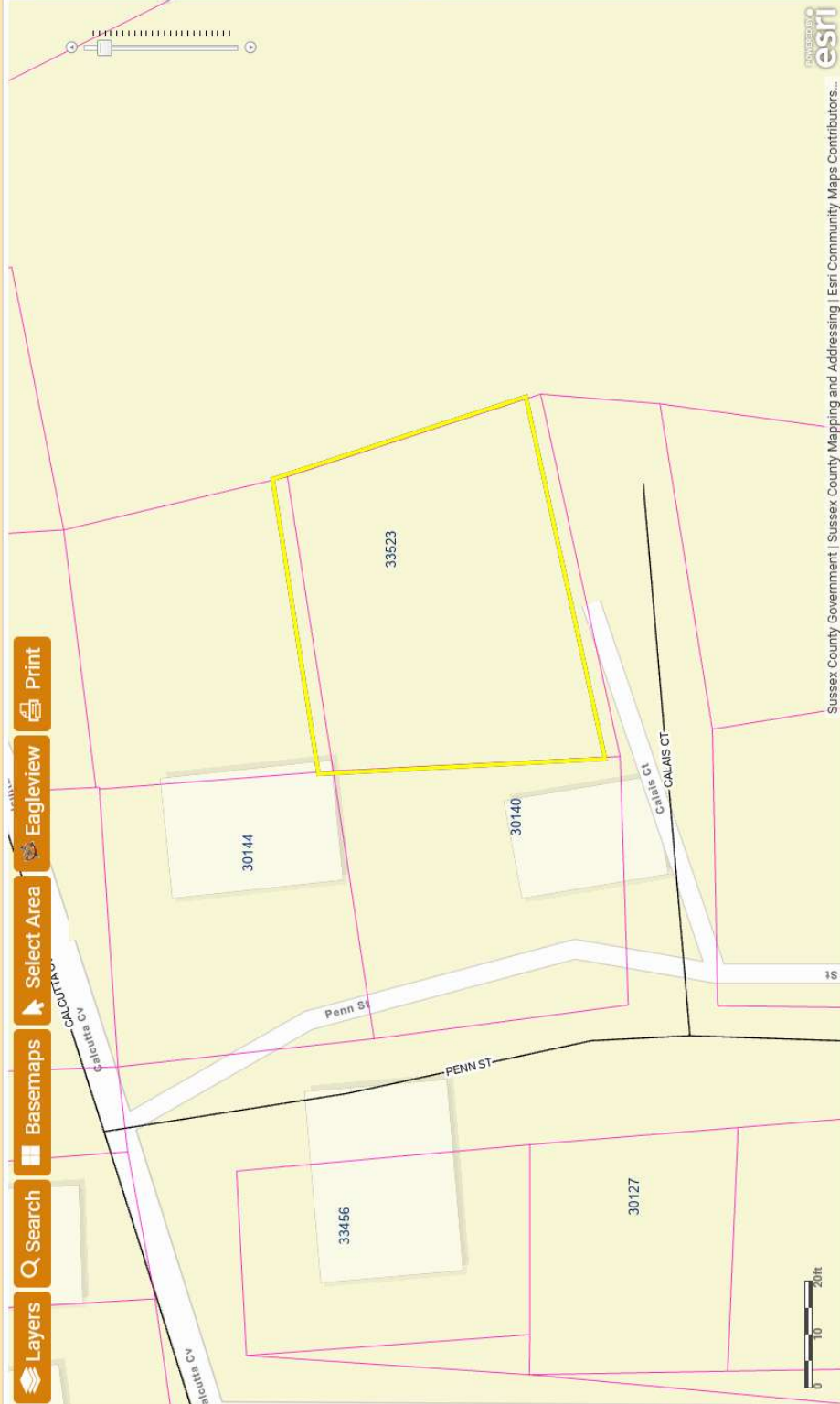
Selected Features:  
1) 134-7.00-66.00

Zoom

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PAGE	48
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Second_Owner_Name	
MAILINGADDRESS	33523 CALAIS CT
CITY	DAGSBORO
STATE	DE
a_account	
DESCRIPTION	LOT
DESCRIPTION2	
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	10500
APRLAND	2000
PINWASSEMMENTUNIT	134.7.00-66.00
PIN	134.7.00-66.00

Selected Features (1)

Clear Selected





Sussex County Government | Sussex County Mapping and Addressing | State of Delaware, Maxar, Microsoft

Eagleview Search Results

Selected Features: Parcels (1)

1) 134-7.00-66.00

Zoom

BOOK	371
PAGE	48
FULLNAME	TURSSLINE MICHAEL D SR
Second_Owner_Name	
MAILINGADDRESS	33523 CALAIS CT
CITY	DAGSBORO
STATE	DE
a_account	
DESCRIPTION	LOT
DESCRIPTION2	
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	10500
APRLAND	2000
PINWASSEMUNTUNIT	134-7.00-66.00
PIN	134-7.00-66.00

Navigation icons: Home, Previous, Next, Previous, Next, Home

Selected Features (1)

Clear Selected





Workspaces

723 Engleview



20 ft  
5 m

Search

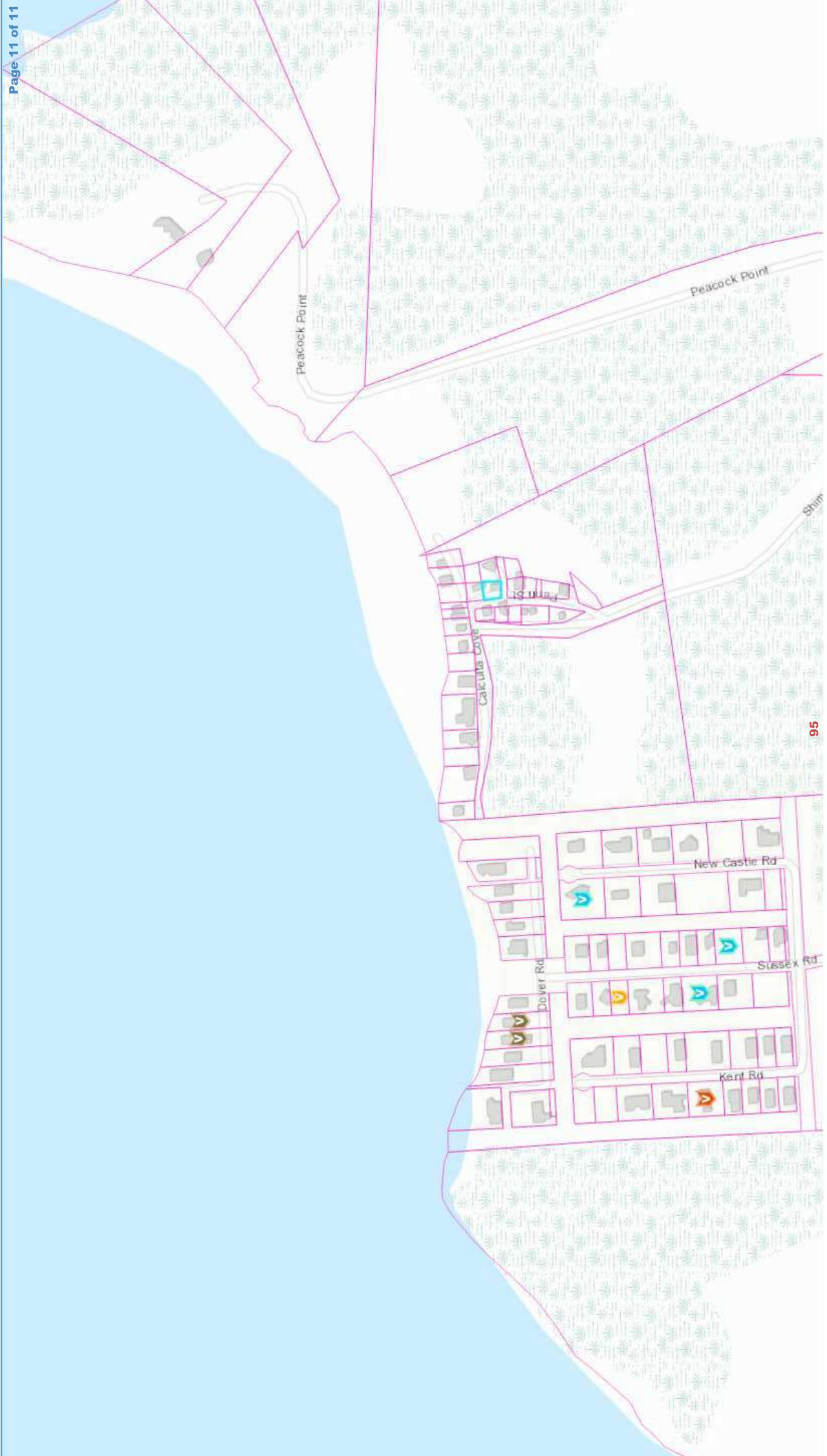
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134-7.00-66.00

Search results (1)

134-7.00-66.00







Case # 13055  
Hearing Date 4-28-25  
202501300

### Board of Adjustment Application

### Sussex County, Delaware

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

Type of Application: (please check all applicable)

Variance   
Special Use Exception   
Administrative Variance   
Appeal

Existing Condition   
Proposed   
Code Reference (office use only)  
\_\_\_\_\_  
\_\_\_\_\_

Site Address of Variance/Special Use Exception:  
19563 Coastal Hwy Rehoboth Beach, DE 19971

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

Billboard was previously approved both faces static with change being South Face North Read will be Digital Board.

Tax Map #: 334-13.00-325.33 Property Zoning: C-1

**Applicant Information**

Applicant Name: Coastal One Properties  
Applicant Address: P.O Box 326  
City Rehoboth Beach State DE Zip: 19971  
Applicant Phone #: (302) 265-7400 Applicant e-mail: brent@reedventures.net

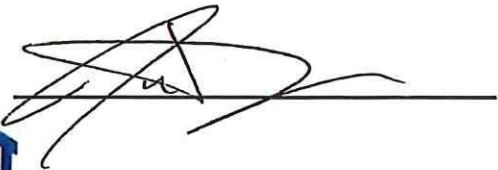
**Owner Information**

Owner Name: Coastal One Properties  
Owner Address: PO Box 326  
City Rehoboth Beach State DE Zip: 19971 Purchase Date: \_\_\_\_\_  
Owner Phone #: (302) 265-7400 Owner e-mail: joe@reedventures.net

**Agent/Attorney Information**

Agent/Attorney Name: N/A Applicant Representing Themselves  
Agent/Attorney Address: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_  
Agent/Attorney Phone #: \_\_\_\_\_ Agent/Attorney e-mail: \_\_\_\_\_

**Signature of Owner/Agent/Attorney**



Date: 1/29/25



Sussex County, DE - BOA Application

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

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

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

This property is zoned C-1 and located on the most heavily traveled corridor in Sussex County. Property is adjacent to Tanger Outlets, who will not be adversely impacted by the proposed billboard. This section of Coastal Highway is intensely developed with commercial uses. The proposed billboard will not adversely impact any neighboring or nearby properties and is consistent with the surrounding infrastructure.

- 
- 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)

Billboard falls within all County required setbacks as outlined on submitted survey. Billboard will be monitored and maintained appropriately to ensure safety and overall curb appeal.

---

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

---





STATE OF DELAWARE  
 DEPARTMENT OF TRANSPORTATION  
 800 BAY ROAD  
 P.O. BOX 778  
 DOVER, DELAWARE 19903

NICOLE MAJESKI  
 SECRETARY

01/27/2025

JD Sign Company LLC  
 411 E Railroad Ave  
 Felton, DE 19943

Dear Sir or Madam:

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


The Department has received your outdoor advertising application for a new off premise sign to be situated on the property belonging to Coastal One Properties at 19563 Coastal Hwy, Rehoboth Beach, DE 19971 (tax parcel #: 334-13.00-325.33). I have reviewed the proposed site plan that was submitted as well as the application. As long as the sign is constructed per the specifications submitted it will meet the Department's requirements for an off premise outdoor advertising permit. This letter serves as notice to proceed for construction of the sign. It is the responsibility of the sign owner to seek approval from the local authority before installation of the sign. Should there be any revisions to the sign in regards to size, location, or message; the Department must be notified immediately. Failure to disclose any revisions to the sign prior to construction will result in the revocation of this notice to proceed and the removal of the sign structure.

Please be advised that construction of the sign must begin by 07/28/2025 and must be complete by 01/27/2026. Failure to meet the necessary requirements of either of these dates will result in the expiration of this notice to proceed and the Department will not issue the final permit.

The sign installer shall provide copies of the local building permit and notify the Department 24 hours prior to the start of construction. Upon completion of the construction of the sign, the installer shall notify the Department within 48 hours for a final field inspection. Once the final inspection has been completed and the sign has been constructed as per the specifications submitted, the Department will issue an invoice. After confirmation that the invoice has been paid, the final permit will be issued. Should you have any questions or concerns, please contact me at (302) 259-7074.

Stipulation:  
 South read face must be static message board. North read face is approved to be a VMS


Sincerely,

  
 Maddison Staniszewski  
 Roadside Control Investigator

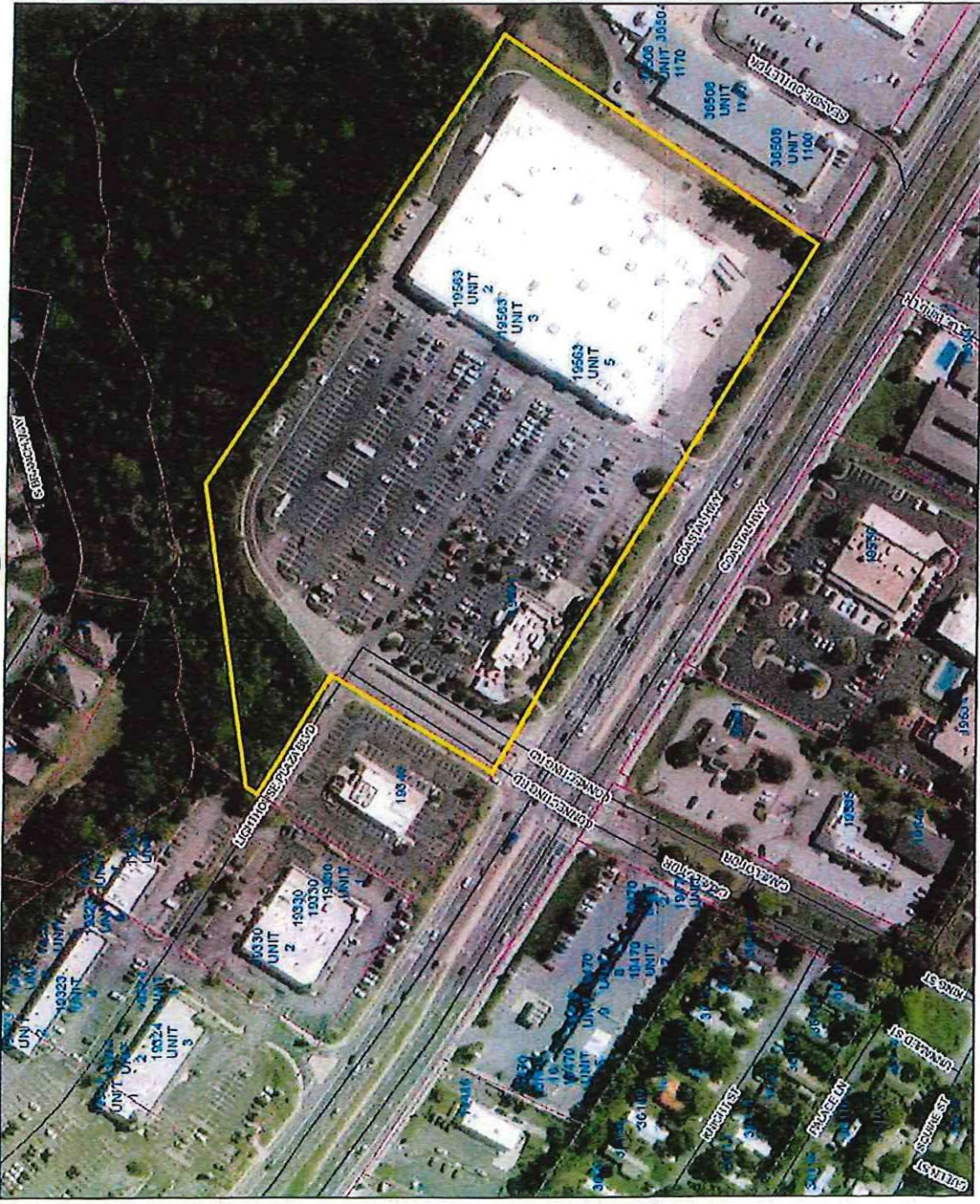




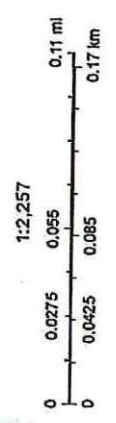


 **Sussex County**

PIN	334-13 00-325 33
Owner Name	COASTAL PROPERTIES LLC
Book	5812
Mailing Address	PO BOX 326
City	REHOBOTH BEACH
State	DE
Description	NE SD RT 1
Description 2	1800' NW RD 271
Description 3	#
Land Code	

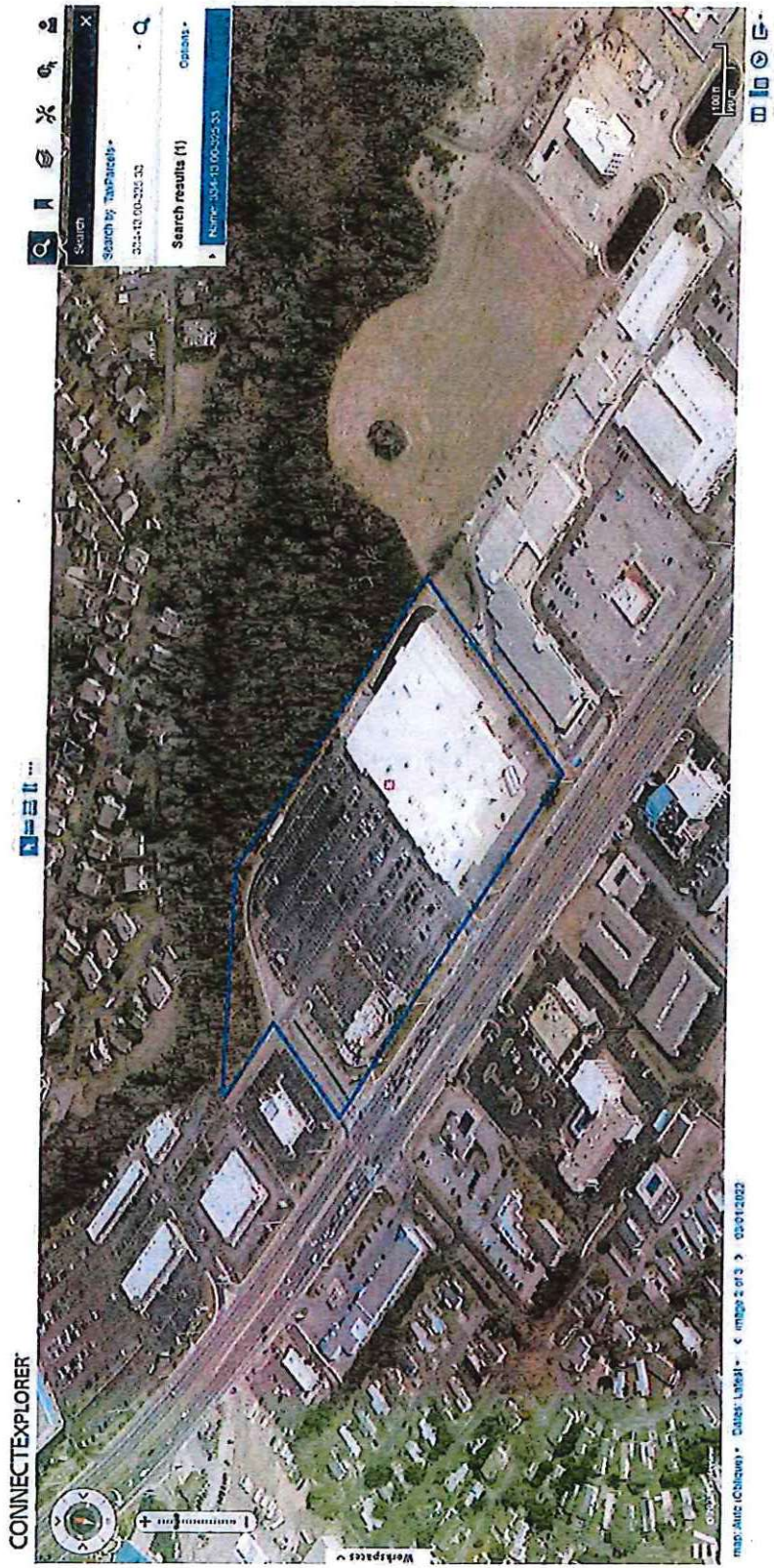


- polygonLayer Override 1
- polygonLayer Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries



March 17, 2023







Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

Selected Features:

1) 334-13.00-325.33

Parcels (1)

Zoom

BOOK	5812
PAGE	82
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Second_Owner_Name	
MAILINGADDRESS	PO BOX 326
CITY	REHOBOTH BEACH
STATE	DE
a_account	10-10-325.33
DESCRIPTION	NE SD RT 1
DESCRIPTION2	1800' NW RD 271
DESCRIPTION3	#
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	1352600
APRLAND	458200
PINWASSEMENTUNIT	334-13.00-325.33
PIN	334-13.00-325.33

Selected Features (1)

Clear Selected



Sussex County Government | Sussex County Mapping and Addressing | Esri Community Maps Contributors...



Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

Selected Features: Parcels (1)

1) 334-13.00-325.33

Zoom

BOOK	5812
PAGE	82
FULLNAME	COASTAL ONE PROPERTIES LLC
Second_Owner_Name	
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CITY	REHOBOTH BEACH
STATE	DE
a_account	10-10-325.33
DESCRIPTION	NE SD RT 1
DESCRIPTION2	1800' NW RD 271
DESCRIPTION3	#
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SCHOOL	
MUNI	00
CAP	0
APRBLDG	1352600
APRLAND	458200
PINWASSEMNTUNIT	334-13.00-325.33
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Sussex County Government | Sussex County Mapping and Addressing | Maxar, Microsoft





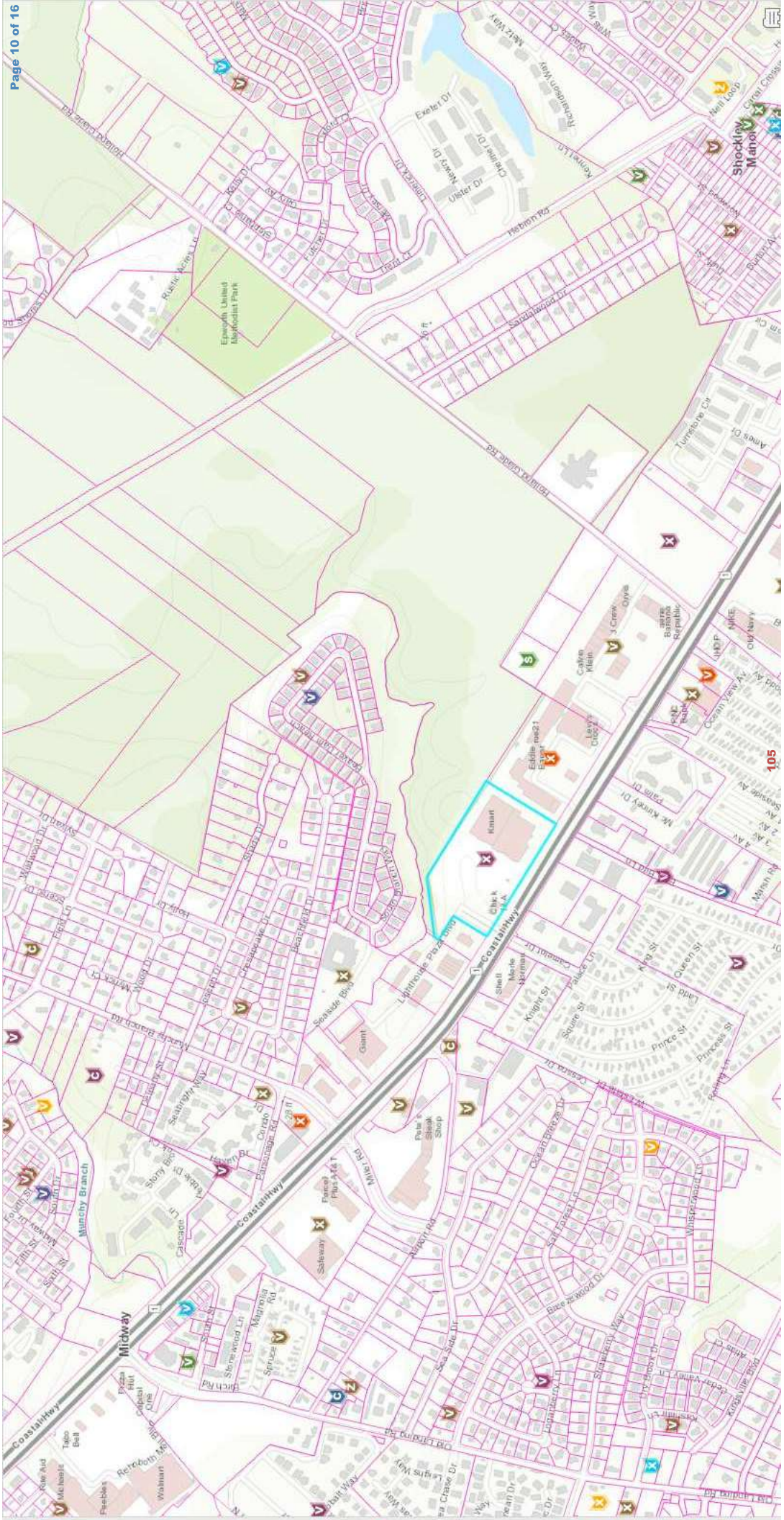
Search  
Search by SUSSEXPARCELS  
334-13.00-325.33

Search results (1)  
334-13.00-325.33

Options







105



## Coastal One Properties, LLC

P.O Box 326  
Rehoboth Beach, DE 19971

December 18, 2024

JD Sign Company  
411 E Railroad Ave,  
Felton, DE 19943

RE: 19563 Coastal Highway, Rehoboth Beach, DE 19971 (Tax ID 334-13.00-325.33)

Please let this letter serve as written authorization for JD Sign Company to construct a 12'x48' billboard located on the lands of Coastal One Properties, LLC, further identified as Tax ID 334-13.00-325.33.

Respectfully,



Brent M. Reed

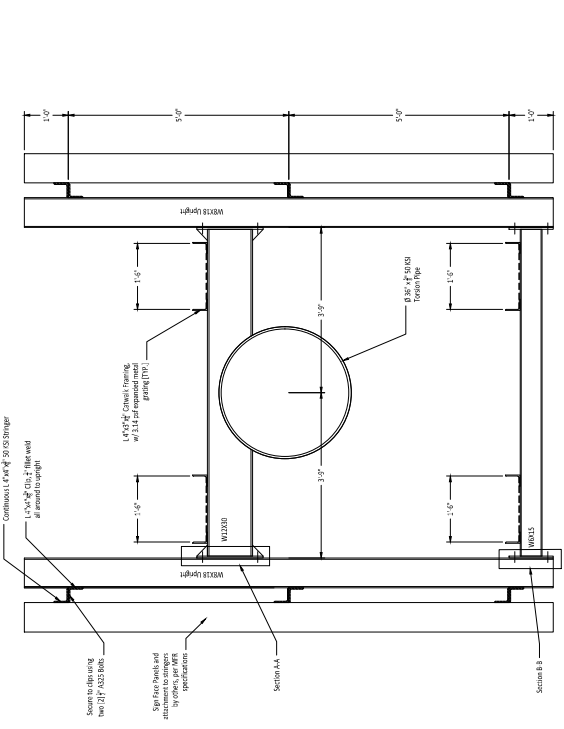
**PROJECT DESCRIPTION**  
 12' x 48' FREESTANDING BILLBOARD  
 1963 COASTAL HWY  
 REHOBOTH BEACH DE 19971

REVISONS	
DATE	DESCRIPTION

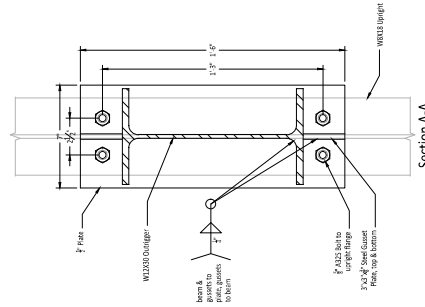
**MURDOCH ENGINEERING**  
 SIGN STRUCTURE PROFESSIONALS  
 2 HUMMINGBIRD CT., HOWELL, NJ 07731  
 Phone: 973-970-8413  
 Email: jmurdoch@murdochengineering.com  
 Web: www.murdochengineering.com

SD-44  
 NEW HAMPSHIRE

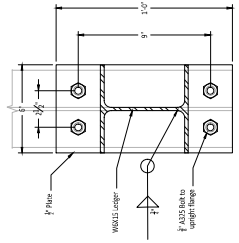
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ENGS. NO.	
SG - 001.00	
SHEET	1 OF 1



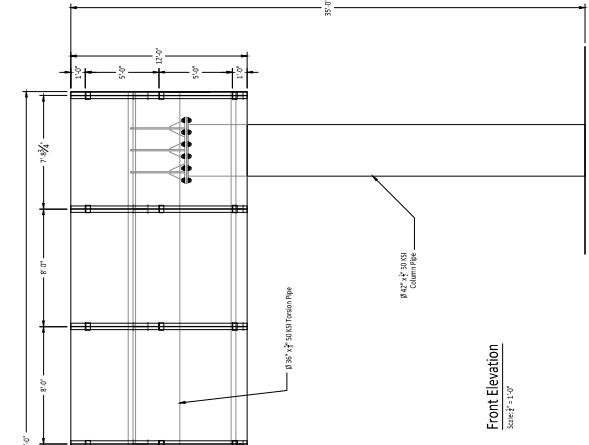
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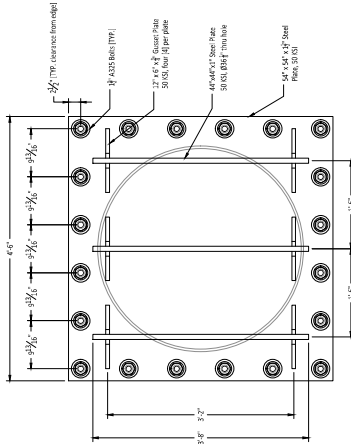
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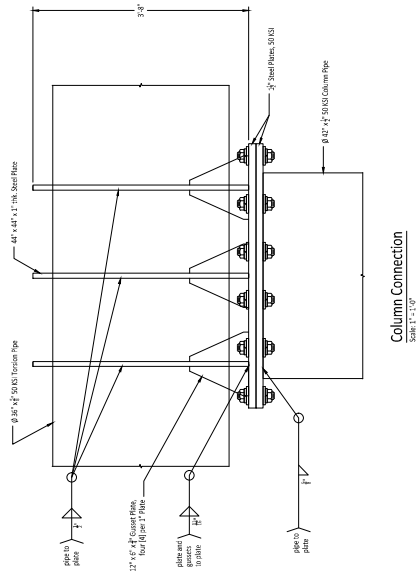
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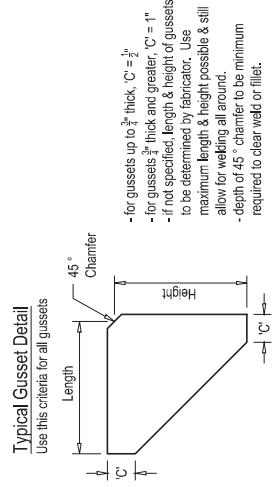
Front Elevation  
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Plan View (Torsion Pipe Omitted)  
 Scale: 1" = 1'-0"



Column Connection  
 Scale: 1" = 1'-0"



Typical Gusset Detail  
 Use this criteria for all gussets

- for gussets up to 3/8" thick, C' = 1/2"
- for gussets 3/8" thick and greater, C' = 1"
- if not specified, length & height of gussets to be determined by fabricator. Use maximum length & height possible & still allow for welding all around.
- depth of 45° chamfer to be minimum required to clear weld or fillet.

DESIGN SPECIFICATIONS	
IBC	2015 with DE amendments
ASCE	7-10 Minimum Design Loads for Buildings & Other Structures
ACI	318-14 Building Code Requirements for Structural Concrete
ANSI/ASC	360-10 Specification for Structural Steel Buildings
DESIGN LOADS	
Wind	V <sub>ult</sub> = 125 mph
Seismic	C
Risk Cat.	II



**PROJECT DESCRIPTION**  
 12' x 48' FREESTANDING BILLBOARD  
 19563 COASTAL HWY  
 REHOBOTH BEACH DE 19971

**REVISIONS**

NO.	DATE	DESCRIPTION

**MURDOCH ENGINEERING**  
 SIGN STRUCTURE PROFESSIONALS  
 2 HUMMINGBIRD CT., HOWELL, NJ 07731  
 Phone: 973-926-8213  
 Email: jerry@murdochengineering.com  
 Web: www.murdochengineering.com

SPL  
 10/14/2014

BLOCK	LOT
MAP	ZONE
DWG. NO.	
<b>SG-001.00</b>	
SHEET	1 OF 1

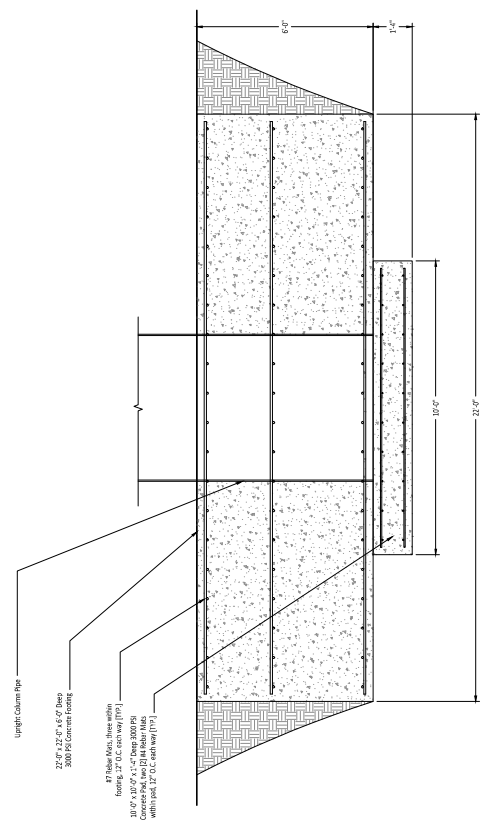
**DESIGN SPECIFICATIONS**

IBC	2015	with	DE	amendments
ASCE	7.10			
ACI	308.14			
ANSI/ASC	300.10			

Minimum Design Loads for Buildings & Other Structures  
 Building Code Requirements for Structural Concrete  
 Specification for Structural Steel Buildings

**DESIGN LOADS**

Wind	Veloc = 125 mph
Exposure	C
Risk Cat.	II



**BOARD OF ADJUSTMENT**

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



Sussex County

DELAWARE  
 sussexcountyde.gov

(302) 855-7878

July 10, 2023

Coastal One Properties, LLC  
 P.O. Box 326  
 Rehoboth Beach, DE 19971

Dear Coastal One Properties, LLC:

Attached please find the formal written decision on Case No. 12817, the application Coastal One Properties, LLC, filed by the Board of Adjustment on May 1, 2023. Please remember that although the decision is now final, an appeal is possible up to thirty days following the date of filing.

Any work done prior to the expiration of the appeal period or during an appeal, is at risk. Nevertheless, if you wish, you may now begin the process of obtaining permits, if any are needed. Obtaining those permits may require payment of fees. Please call the Permit Department at 302-855-7720 prior to applying for any permits, in order to make certain that you have all necessary documentation. It is important that you inform the counter clerk of the above-referenced case number when you apply for a permit.

If the Board has ruled against you, you must comply with the Board's decision within thirty days of the date of filing. In order to avoid enforcement action, you should notify the office once you are in compliance.

Should you have any questions about your legal rights, you are advised to contact an attorney, as this office cannot provide legal advice.

Sincerely,

Amy Hollis  
 Recording Secretary





- a. Did the prior billboard ever get built? The structure has been engineered and is scheduled to be constructed this spring.
- b. The Applicant must submit documentation showing that it meets the separation distance requirements for other off-premises signs and EMCs. Atlantic social on-premise EMC to North 894 feet

Blue Rock Financial on premise EMC 6547.2 feet to the south

Off Premise Donovan Painting and Drywall Static Billboard to the South 3,589 ft.

WSfS Static Billboard to the North 2,341 ft

- c. We should also refer to 159.5 since one side will be an off-premises sign and since 161.1 refers to 159.5.

North Face South View ALREADY APPROVED STATIC South Face North View  
ALREADY APPROVED STATIC

For all off-premises signs which are located on properties adjacent to roads which have four or more travel lanes (excluding turn lanes), the following regulations shall apply:

(a)

An off-premises sign shall not be erected within 600 feet of another off-premises sign. This separation distance shall be measured from the edges of the off-premises sign and shall apply only to signs which are located on the same side of the road.

(b)

No off-premises sign shall exceed 35 feet in height from ground level. 35 ft OAH

(c)

An off-premises sign shall not exceed 600 feet of sign area per side and shall not exceed more than 1,200 square feet of sign area per off-premises sign structure. 576

(5)

An applicant for a special use exception for an off-premises sign must, at the time the application is filed with the Office of Planning and Zoning, submit documentation from the Delaware Department of Transportation which confirms that the Delaware Department of Transportation does not object to the proposed off-premises sign.

(6)

Except as otherwise permitted in § 115-161.2, no variances shall be issued from any of the regulations in this article for off-premises signs which have been erected or approved to be erected after August 1, 2016.

South Face North View applying to add digital that has DelDot Approval

d. The agenda should state “a special use exception for an off-premises sign and for an off-premises electronic message center”.

e. The Applicant must present documentation at the time of application showing that the EMC will comply with the County’s requirements on lighting. See 161.1(c)(1)(e). The EMC like all EMC’s we sell, will have hardware and software control to meet lighting standards set forth by County.

f. The Applicant must submit documentation showing that it meets the separation distance requirements for EMCs. See 161.1(b)(3). This application is on a 4 lane highway and 161.1 (b)(3) does not apply.

g. The Applicant must submit documentation showing that the sign meets the separation distance requirements for an off-premises billboard. See 159.5(b)(4).

An off-premises sign shall not be erected within 600 feet of another off-premises sign. This separation distance shall be measured from the edges of the off-premises sign and shall apply only to signs which are located on the same side of the road. See B.

Multi-tenant Pylon 362 feet to the North. 50’ Required

South Side Setback is 50’

h. We also need documentation showing the height and size of the billboard as no variances are permitted from those requirements. This engineered drawing was submitted with the application.