

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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## PLEASE NOTE

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



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

## BOARD OF ADJUSTMENT

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



# Sussex County

DELAWARE  
sussexcountype.gov

(302) 855-7878

## AGENDA

January 23, 2023

6:00 P.M.

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

### Call to Order

### Pledge of Allegiance

### Approval of Agenda

### Approval of Minutes for November 21, 2022

### Approval of Finding of Facts for November 21, 2022

### Public Hearings

**Case No. 12783 – Michael and Robyn Mooney** seek variances from the front yard setback requirements for proposed structures (Sections 115-42, and 115-182 of the Sussex County Zoning Code). The property is located on the southeast side of Pine Needle Drive within the Pine Crest Terrace Subdivision. 911 Address: 30319 Pine Needle Drive, Ocean View. Zoning District: GR. Tax Map: 134-9.00-109.00

**Case No. 12784 – Theodore and Candy Mills** seek variances from the side yard setback and rear yard setback requirements for an existing shed (Sections 115-42, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the southeast side of South Bay Shore Drive at the corner of Adams Avenue. 911 Address: 201 South Bay Shore Drive, Milton. Zoning District: GR. Tax Parcel: 235-4.17-5.00

**Case No. 12785 – Lloyd Harrison** seeks a variance from the maximum fence height requirement for a proposed fence (Sections 115-34, 115-182, and 115-185 of the Sussex County Zoning Code). The property is a through lot located on the southeast side of Robinsons Drive approximately 620 ft. southwest of Silver Lake Drive. 911 Address: 38254 Robinsons Drive, Rehoboth Beach. Zoning District: MR. Tax Map: 334-20.09-36.00



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

**Case No. 12786 – Marcus Dodge** seeks variances from the side yard setback requirement for proposed structures (Sections 115-42, 115-183, and 115-185 of the Sussex County Zoning Code). The property is located on the northwest side of Blue Teal Drive within the Swann Keys Subdivision. 911 Address: 37031 Blue Teal Road, Selbyville. Zoning District: GR. Tax Map: 533-12.16-426.00

**Case No. 12787– Douglas and Christie Conaway** seek variances from the maximum fence height and front yard setback requirements for proposed and existing structures (Sections 115-34, 115-182, and 115-185 of the Sussex County Zoning Code). The property is a through lot located on the west side of Apple Court within the Quillens Point Subdivision. 911 Address: N/A. Zoning District: MR. Tax Map: 134-5.00-381.00

### **Additional Business**

\*\*\*\*\*

#### **-MEETING DETAILS-**

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on December 22, 2021 at 9:30 p.m. and at least seven (7) days in advance of the meeting.

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

Agenda items may be considered out of sequence.

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

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

To join the meeting via telephone, please dial:

**Conference Number: 1 302 394 5036**

**Conference Code: 570176**

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

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

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

####



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

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

Case # 12783  
Hearing Date 1/23  
202216605

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

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☒

Code Reference (office use only)

115-42 115-182

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

30319 Pine Needle Drive Ocean View, DE 19970

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

Seeking a variance on the current 30 feet frontage setback, to 15 feet frontage setback, to the construct a new dwelling on the lot.

Tax Map #: 1-34-9-00-109

Property Zoning: Suburban GR

**Applicant Information**

Applicant Name: Michael & Robyn Mooney

Applicant Address: 1721 Gunning Drive

City Wilmington State DE Zip: 19803

Applicant Phone #: (302) 650-7238 Applicant e-mail: mjmooney@hotmail.com

**Owner Information**

Owner Name: Michael & Robyn Mooney Trust

Owner Address: 1721 Gunning Drive

City Wilmington State DE Zip: 19803 Purchase Date: 5/15/19

Owner Phone #: (302) 650-7238 Owner e-mail: mjmooney@hotmail.com

**Agent/Attorney Information**

Agent/Attorney Name: \_\_\_\_\_

Agent/Attorney Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

Agent/Attorney Phone #: \_\_\_\_\_ Agent/Attorney e-mail: \_\_\_\_\_

**Signature of Owner/Agent/Attorney**

*Michael & Robyn Mooney*  
*Rhonda Mooney*

Date: 11/15/22





**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 current lot's frontage has a unique "U" shape frontage setback. That uniqueness coupled with the fact that the back part of the property line is 50 feet into the lagoon/water, which is unusable for a dwelling purposes and causes hardship, thus this would appear to be considered reasonable justification for this variance relief.

---

**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.

Given the uniqueness of the front property line, along with the back property line being 50 feet into a lagoon, the possibility of constructing a reasonably suitable structure on the lot is very limited.

---

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

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

This situation has not been caused by the applicant, and is caused by the uniqueness of the property lines.

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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.

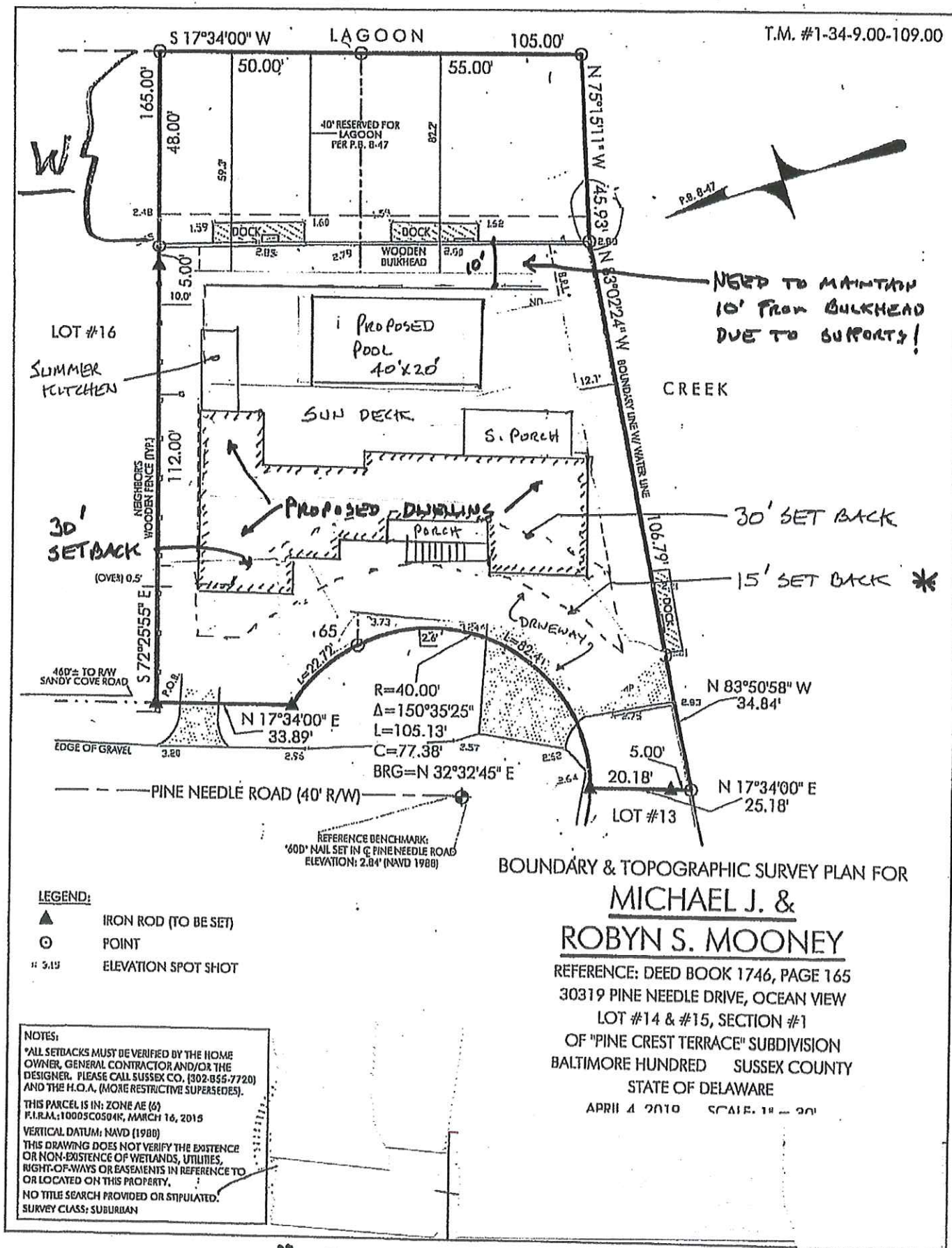
This variance, if granted, will allow construction of a dwelling that will add value to the surrounding homes, and will not detract to any of the properties nearby, and will not be detrimental to the public welfare whatsoever.

---

**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.

Given the uniqueness of both the front property line as well as the back property line, this variance, if granted, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.



November 2022

Board of Adjustment, Sussex County Delaware  
**Sussex County Planning & Zoning Department**  
2 The Circle (PO Box 417)  
Georgetown, DE 19947

**Re: 30319 Pine Needle Drive, Ocean View, DE 19970 Variance Relief Request**

To Whom it May Concern:

I am a neighbor of Robyn and Michael Mooney, whose property is located at 30319 Pine Needle Drive, Ocean View, DE 19970.

Our property address is 30320 Pine Needle Drive.

I have reviewed the plot plan for the variance relief they are seeking, and I am in favor of granting this relief.

Allowing the Mooney's to construct the planned house on their property with this variance relief granted, will add value to the surrounding neighborhood properties, and will not have any detrimental impact whatsoever to the area.

Thank you in advance.

Kind Regards,

*John F. Corrozi*  
*Ann Marie B. Corrozi*



November 2022

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Board of Adjustment, Sussex County Delaware  
Sussex County Planning & Zoning Department  
2 The Circle (PO Box 417)  
Georgetown, DE 19947

**Re: 30319 Pine Needle Drive, Ocean View, DE 19970 Variance Relief Request**

To Whom it May Concern:

I am a neighbor of Robyn and Michael Mooney, whose property is located at 30319 Pine Needle Drive, Ocean View, DE 19970.

Our property address is 30312 + 30314 Pine Needle Dr.

I have reviewed the plot plan for the variance relief they are seeking, and I am in favor of granting this relief.

Allowing the Mooney's to construct the planned house on their property with this variance relief granted, will add value to the surrounding neighborhood properties, and will not have any detrimental impact whatsoever to the area.

Thank you in advance.

Kind Regards,

*Nancy Brook*

November 2022

Board of Adjustment, Sussex County Delaware  
Sussex County Planning & Zoning Department  
2 The Circle (PO Box 417)  
Georgetown, DE 19947

Re: 30319 Pine Needle Drive, Ocean View, DE 19970 Variance Relief Request

To Whom it May Concern:

I am a neighbor of Robyn and Michael Mooney, whose property is located at 30319 Pine Needle Drive, Ocean View, DE 19970.

Our property address is 30309 Pine Needle Drive, Ocean View DE  
19970

I have reviewed the plot plan for the variance relief they are seeking, and I am in favor of granting this relief.

Allowing the Mooney's to construct the planned house on their property with this variance relief granted, will add value to the surrounding neighborhood properties, and will not have any detrimental impact whatsoever to the area.

Thank you in advance.

Kind Regards,

Step McCaughan

Stephen McCaughan  
267 - 240 - 5660



November 2022

Board of Adjustment, Sussex County Delaware  
**Sussex County Planning & Zoning Department**  
2 The Circle (PO Box 417)  
Georgetown, DE 19947

**Re: 30319 Pine Needle Drive, Ocean View, DE 19970 Variance Relief Request**

To Whom it May Concern:

I am a neighbor of Robyn and Michael Mooney, whose property is located at 30319 Pine Needle Drive, Ocean View, DE 19970.

Our property address is 30303 PINE NEEDLE DRIVE, OCEAN VIEW, DE 19970.

I have reviewed the plot plan for the variance relief they are seeking, and I am in favor of granting this relief.

Allowing the Mooney's to construct the planned house on their property with this variance relief granted, will add value to the surrounding neighborhood properties, and will not have any detrimental impact whatsoever to the area.

Thank you in advance.

Kind Regards,

A handwritten signature in black ink, appearing to read "Robert J. Casper". The signature is written in a cursive style with a long horizontal flourish extending to the right.

November 2022

Board of Adjustment, Sussex County Delaware  
**Sussex County Planning & Zoning Department**  
2 The Circle (PO Box 417)  
Georgetown, DE 19947

**Re: 30319 Pine Needle Drive, Ocean View, DE 19970 Variance Relief Request**

To Whom it May Concern:

I am a neighbor of Robyn and Michael Mooney, whose property is located at 30319 Pine Needle Drive, Ocean View, DE 19970.

Our property address is 30208 Mariners Lane Ocean View DE 19970

I have reviewed the plot plan for the variance relief they are seeking, and I am in favor of granting this relief.

Allowing the Mooney's to construct the planned house on their property with this variance relief granted, will add value to the surrounding neighborhood properties, and will not have any detrimental impact whatsoever to the area.

Thank you in advance.

Kind Regards,

*Bu Hob*  
*Jennifer S. Hollerbush*

Brian Hollerbush  
Jennifer Hollerbush

November 2022

Board of Adjustment, Sussex County Delaware  
**Sussex County Planning & Zoning Department**  
2 The Circle (PO Box 417)  
Georgetown, DE 19947

**Re: 30319 Pine Needle Drive, Ocean View, DE 19970 Variance Relief Request**

To Whom it May Concern:

I am a neighbor of Robyn and Michael Mooney, whose property is located at 30319 Pine Needle Drive, Ocean View, DE 19970.

Our property address is \_\_\_\_ 30315 Pine Needle Drive, Ocean View, DE 19970

I have reviewed the plot plan for the variance relief they are seeking, and I am in favor of granting this relief.

Allowing the Mooney's to construct the planned house on their property with this variance relief granted, will add value to the surrounding neighborhood properties, and will not have any detrimental impact whatsoever to the area.

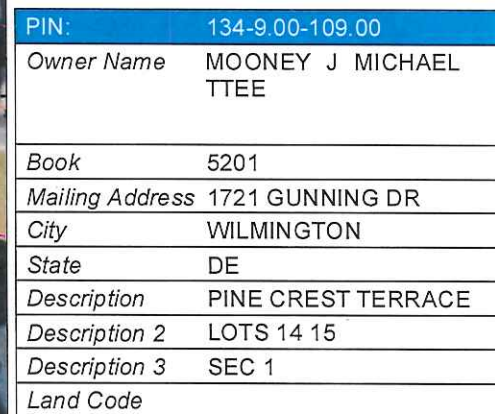
Thank you in advance.

Kind Regards,

Walter Eyer

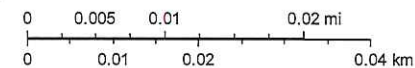
Maureen Eyer





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

1:564





Workspaces v

© 2022 Earthstar

map: Auto (Oblique) - Dates: Latest - < image 1 of 11 > 03/01/2022

Search

Search by TaxParcels -

134-9.00-109.00

134-9.00-109.00

Search results (1) Options -

Name: 134-9.00-109.00

120 ft  
5 m





RECEIVED

NOV 17 2022

SUSSEX COUNTY  
PLANNING & ZONING

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

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

Case # 12784  
Hearing Date 1/23 Tentative  
2022/6615

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

Variance ☒  
Special Use Exception ☐  
Administrative Variance ☐  
Appeal ☐

Existing Condition ☐  
Proposed ☐  
Code Reference (office use only)  
115-42 115-183  
115-185

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

201 S. Bayshore Dr. Broadkill Beach-Milton, DE.

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

- 1) 4.5 ft. variance from the 5ft side yard setback requirement
- 2) 3.0 ft variance from the 5ft rear yard setback requirement

Tax Map #: 235-4.17-5.00

Property Zoning: GR

**Applicant Information**

Applicant Name: Theodore D. Mills + Candy H. Mills  
Applicant Address: 8 Tuscan Rd.  
City Aston State PA Zip: 19014  
Applicant Phone #: 610-608-6492 Applicant e-mail: m3up@comcast.net

**Owner Information**

Owner Name: Theodore D. Mills + Candy H. Mills  
Owner Address: Same  
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**

Candy H. Mills

Date: 11-17-22



**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.

*see attach*

---

**2. Cannot otherwise be developed:**

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

---

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

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

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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.

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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.

**1. Uniqueness of property**

Most lots in the older sections of Broadkill Beach are small in size. Our lot is one of the smallest in the area, at 50 by 80 Feet. Others are 50 by 100 Ft or larger.

**2. Cannot otherwise be developed**

Position of house and septic system components on small lot will not permit meeting setbacks required.

Shed has been on site for 29 years and currently meets requirement for setback on 203 Bayshore lot side.

Shed currently is approximately 4 feet onto the rear adjoining property owned by the Taylor's, who are family relation.

Mrs. Taylor has requested the shed be moved off her property.

Due to position of the house, relocation of the shed would be possible but would not meet side and rear setback requirements.

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

Relocation of the shed after 29 years has been requested by the Taylor's.

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

Many properties in Broadkill Beach have small sheds or outbuildings for the storage of beach and boating equipment due to the small size of some of the houses and lots. If the variance is approved, we plan to renew the siding on the shed with a low maintenance metal siding and also renew the roof. In addition at least one nearby property currently has a shed that required a variance for setback requirements.

**5. Minimum Variance required**

We are requesting 2 feet setback on the rear property line (Taylor) and 6 inches on the side property line (203 Bayshore).

Frank and Laura Lynn Taylor

120 Woodstream Rd  
Upper Chichester, PA 19061

October 27, 2018

Theodore and Candy Mills  
8 Tuscany Rd  
Aston, PA 19014

Dear Ted and Candy,

We are having a fence installed at the beach in December.

Your shed will need to be removed from our property as well as the siding piled behind it, your crab pots, and your two propane tanks.

Your cooperation is appreciated.

Sincerely,



Laura Taylor



### TRAFFIC-RATED TANKS

THE SEPTIC & DOSING TANKS ARE TO BE RATED FOR VEHICLE TRAFFIC BY THE PRECAST MANUFACTURER AND PROVIDED WITH TRAFFIC RATED ACCESS RISERS (i.e. MANHOLE FRAMES & COVERS). THE MANHOLE COVERS ARE TO BE PROVIDED w/ POLY WATERTIGHT INSERTS BENEATH THE COVERS AND SET FLUSH w/ FINAL DRIVEWAY GRADE.

FOLLOW MANUFACTURERS SPECIFICATIONS FOR PREPARATION OF EXCAVATION UNDER TANKS AND BACKFILL AROUND THE TANKS TO PROVIDE THE TRAFFIC RATING. IN THE ABSENCE OF ANY SUCH SPECIFICATIONS, PROVIDE 6" MIN. LAYER OF GRAVEL BEDDING BENEATH THE TANKS AND BACKFILL AROUND THE TANKS w/ 8" MAXIMUM DEPTH OF LAYERS w/ COMPACTED SELECT FILL

### SPARE AREA

SAND-LINED SYSTEM IN AREA OF INITIAL SYSTEM, WHICH IS TO BE EXCAVATED

### NOTE

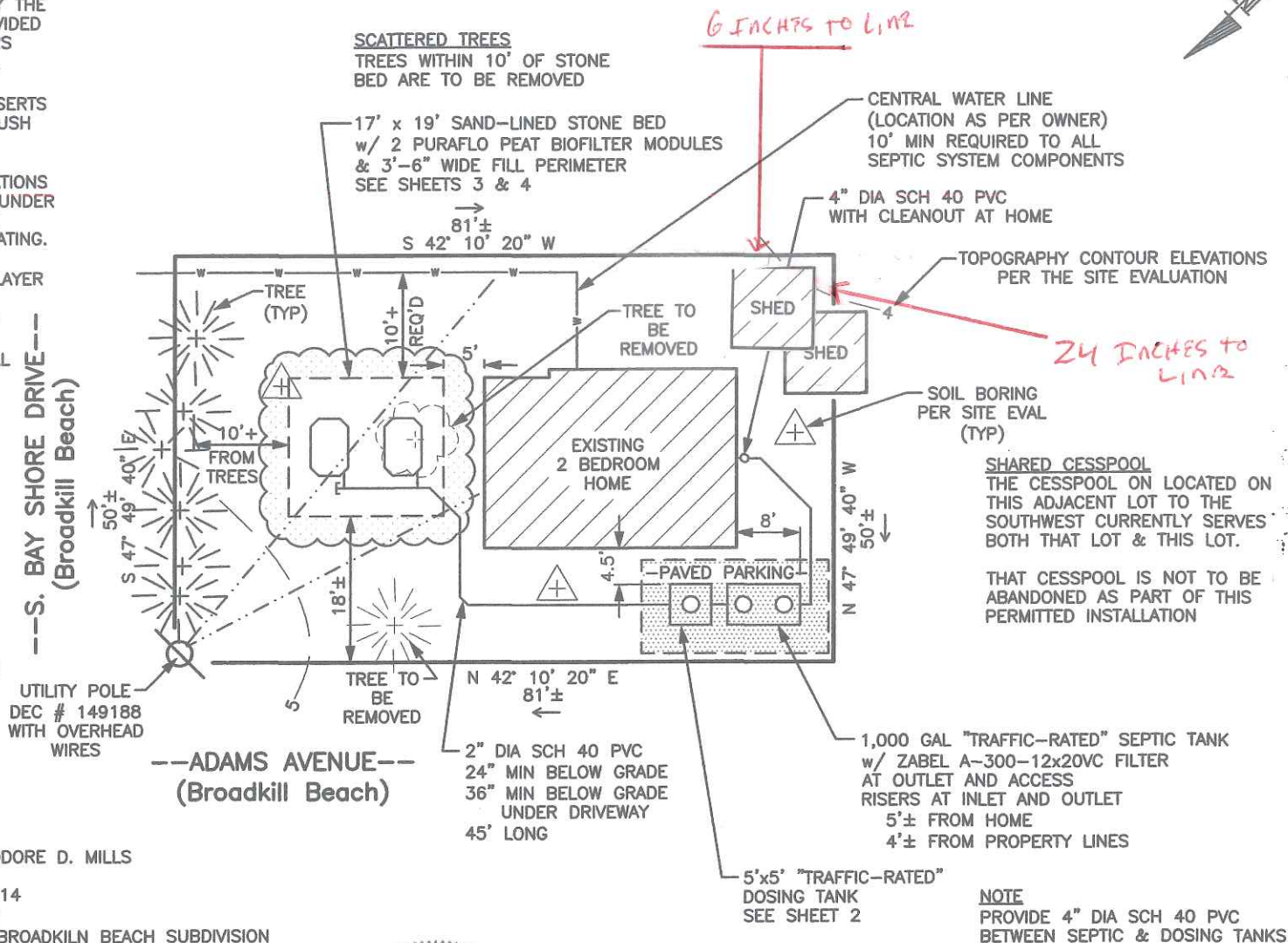
ADJ LOTS SERVED w/ CENTRAL WATER PUBLIC WELL SERVING THESE LOTS IS MORE THAN 150' FROM THIS LOT

### APPROVED SOILS

ENTIRE LOT IS IN APPROVED SOILS PER SITE EVAL

### NOTES

- OWNERS: CANDY H. & THEODORE D. MILLS  
8 TUSCANY ROAD  
ASTON, PA 19014
- TAX MAP # 2-35-4.17-5.00  
PART OF LOT 5 BLOCK 3 BROADKILN BEACH SUBDIVISION  
201 S. BAY SHORE DRIVE ( BROADKILL BEACH )  
SUSSEX COUNTY, DELAWARE
- PROPERTY LINE INFORMATION FROM SITE EVALUATION, COUNTY TAX MAPS WITH ANGLE SHOWN FROM SURVEY ON ADJACENT LOT ON SAME BLOCK  
TOPOGRAPHY FROM SITE EVALUATION - FLAT SITE  
(NO SURVEY PERFORMED BY STEPHEN R. LEHR)
- FLOOD ZONE AE-9 PER FIRM MAP #10005C0180K,  
REVISION DATED 3/16/2015
- LIMIT OF DISTURBANCE IS SITE AREAS ON THE NORTHEAST & NORTHWEST SIDES OF THE HOUSE



SEPTIC PLOT PLAN	
MILLS	
STEPHEN R. LEHR ENGINEERING P.O. BOX 165 LINCOLN, DE 19960 (302) 930-0920 S.Lehr.PE@gmail.com	DATE: 10/8/20 SCALE: 1" = 20' SHEET: 1





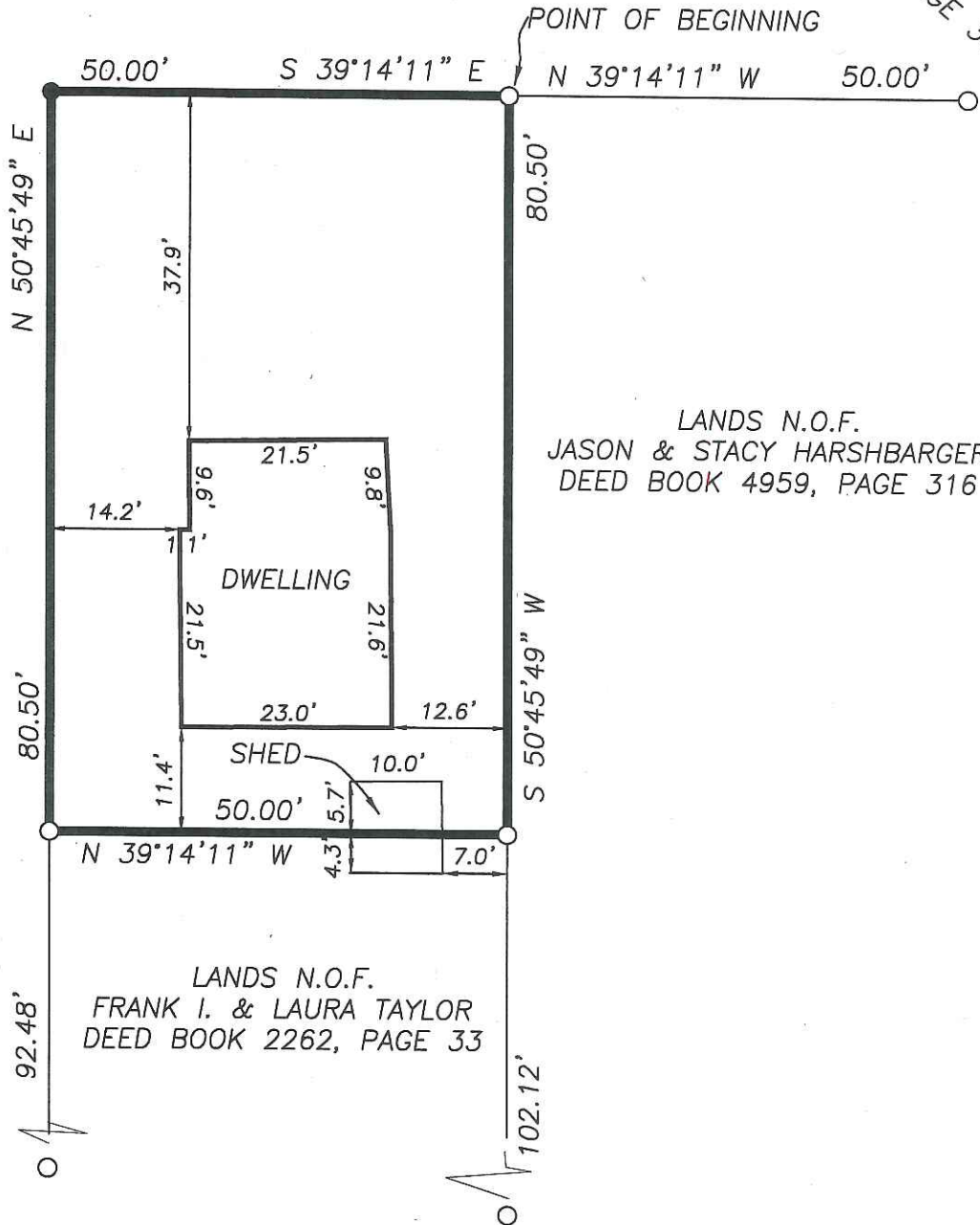




BEARING REFERENCE  
DEED BOOK 2262, PAGE 33

SOUTH BAY SHORE DRIVE

ADAMS AVE.



LANDS N.O.F.  
JASON & STACY HARSHBARGER  
DEED BOOK 4959, PAGE 316

LANDS N.O.F.  
FRANK I. & LAURA TAYLOR  
DEED BOOK 2262, PAGE 33

NOTES:

- 1) CLASS "B", SUBURBAN SURVEY
- 2) SOURCE OF TITLE: DEED BOOK 1631, PAGE 70
- 3) THIS BOUNDARY SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH
- 4) ALL SETBACKS MUST BE VERIFIED BY THE HOME OWNER AND/OR CONTRACTOR WITH THE APPROPRIATE REGULATORY AUTHORITIES, PRIOR TO CONSTRUCTION.

BOUNDARY SURVEY PLAN

WITH EXISTING IMPROVEMENTS  
PREPARED FOR

CANDY H. MILLS &  
THEODORE D. MILLS

FOR PROPERTY KNOWN AS PORTION  
LOT 5, BLOCK 3, OLD BROADKILN BEACH  
REF: MCCANN SURVEY DEED 2262 PG 35  
(A.K.A. 201 S. BAY SHORE DRIVE)

TAX MAP TAX MAP NO. 2-35-4.17, PARCEL 5.00  
BROADKILL HUNDRED

SUSSEX COUNTY

STATE OF DELAWARE

AREA: 4,025± SQUARE FEET

SCALE: 1" = 20'

DATE: JANUARY 7, 2019

LEGEND:

- FOUND IRON PIPE
- SET IRON BAR

Prepared By  
ADAMS-KEMP ASSOCIATES, INC. ♦  
PROFESSIONAL LAND SURVEYORS  
AND PLANNERS  
217 SOUTH RACE STREET  
GEORGETOWN, DELAWARE 19947  
PHONE: (302) 856-6699  
WWW.ADAMSKEMP.COM

I, CHARLES E. ADAMS, JR.,  
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 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.

*Charles E. Adams, Jr.*

CHARLES E. ADAMS, JR., P.L.S. 506





# Sussex County



PIN:	235-4.17-5.00		
Owner Name	MILLS	CANDY	H
	THEODORE D		
Book	0		
Mailing Address	8 TUSCANY RD		
City	ASTON		
State	PA		
Description	BROADKILL BEACH		
Description 2	BROADKILN BEACH		
Description 3	LOT P/O 5 BLOCK 3		
Land Code			

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





Search

Search by TaxParcels

235-4.17-5.00

235-4.17-5.00

Search results (1) Options

Name: 235-4.17-5.00



# Board of Adjustment Application

## Sussex County, Delaware

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

Case # 12785

Hearing Date \_\_\_\_\_

202216947

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

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☒

Proposed ☐

Code Reference (office use only)

115-34 115-182  
115-185

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

#8, (911 address) 38254 Robinsons Drive, Rehoboth Beach, Delaware 19971

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

At 38254 Robinson Drive, allow a 1-foot fence height variance, from 3 ½ feet to 4 ½ feet, along the property rear lot line adjacent to Anna B Street

Tax Map #: 3-34-20.09-36.00

Property Zoning: MR

### Applicant Information

Applicant Name: Lloyd Harrison

Applicant Address: 1221 Algonquin Road, , Md

City Crownsville State MD Zip: 21032

Applicant Phone #: (410) 849-2117 Applicant e-mail: Lloyd@Harrison.net

### Owner Information

Owner Name: Lloyd Harrison

Owner Address: 1221 Algonquin Road

City Crownsville State MD Zip: 21032 Purchase Date: 4/8/00

Owner Phone #: (410) 353-8826 Owner e-mail: Lloyd@Harrison.net

### Agent/Attorney Information

Agent/Attorney Name: \_\_\_\_\_

Agent/Attorney Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

Agent/Attorney Phone #: \_\_\_\_\_ Agent/Attorney e-mail: \_\_\_\_\_

### Signature of Owner/Agent/Attorney

Lloyd Harrison

Date: Nov 23 2022



## **Criteria for a Variance**

### **Variance**

At 38254 Robinson Drive, allow a 1-foot fence height variance, from 3 ½ feet to 4 ½ feet, along the property rear lot line adjacent to Anna B Street

#### **1. Uniqueness of the property.**

Robinsons Drive is on the only two-way street in Dodd's Addition on the south side of Rehoboth which connects Route. 1 to Silver Lake Drive. Both pedestrian and vehicular traffic has grown greatly since 2000.

Our 38254 Robinson Drive property is one of only four Robinson Drive lots that extend to Anna B street. All four lots are positioned in a grouping side by side. Two of these lots have 6 foot fences on their property line along Anna B street. My property has a 4 ½ foot picket fence along my rear property line with Anna B street. The fourth through lot is a vacant lot.

My Robinsons Drive property is the only through-lot with a garage in the rear yard accessed to/from Anna B. The garage covers 50% of the rear yard thereby limiting the fence length along Anna B Street to 24 feet.

The contractor who designed and built my existing fence obtained both the county-approved building permit as well as the final inspection.

The adjacent vacant property is a through-lot from Anna B to Robinsons Drive. It is used as a very busy pedestrian cut through to Robinsons Drive and as a visitor parking area. Many people from Dodd's Addition transit this vacant lot on their way to the beach and downtown Rehoboth.

DelDOT recently recognized the increase in congestion on Robinsons Drive. DelDOT added speed limit signs and a stop sign. They also, very recently, constructed a sidewalk down the length of Robinsons Drive and repaved the street. Traffic has also increased on Anna B Street where it dead ends near my property. This is a problem because people, trying to avoid the congestion on Robinsons Drive, rush down to Anna B's dead-end only to turn around on my garage driveway next to my fence.

**38254 Robinson Drive, Rehoboth Beach variance request**

10/2



## **Criteria for a Variance**

### **2 Cannot otherwise be developed.**

The fence height is needed for personal safety and security due to increase of congestion and traffic on Robinsons Drive. The 4 ½ foot fence height provides additional security while fitting in well with the residential character of the neighborhood. Any reduction in the existing fence height would lessen security and safety while also causing considerable unnecessary expense.

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

The need for a higher fence is the result of the growth in pedestrian and vehicular traffic on Robinsons Drive and the adjacent vacant lot. As discussed earlier, DelDOT's safety improvements, the GPS routing, increased traffic and parking on the vacant lot all created the need for this higher fence.

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

The Robinsons Drive neighborhood has numerous high fences in their front and rear yards. The 6-foot privacy fence is very popular. Our existing 4 1/2-foot picket fence is well within the neighborhood's character. For example, our two adjacent neighbors have solid 6-foot fences on Anna B.

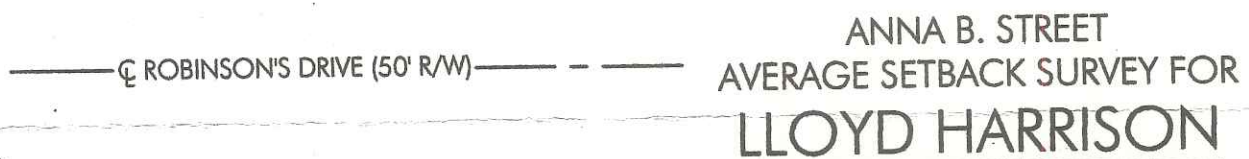
### **5. Minimum variance.**

The one-foot variance provides the least modification necessary to improve rear yard security by further discouraging climbing intruders, as well as in part screening the view from pedestrians and cars. There will be no additional cost involved while the safety and security of my rear yard will remain enhanced. Any lessening of the fence height will both generate additional expenditures and reduce my family's security and privacy on the property.

**We respectfully request that the one-foot height variance, from 3 ½ feet to 4 ½ feet, for our existing rear yard picket fence along Anna B. Street be granted.**

**38254 Robinson Drive, Rehoboth Beach variance request**

— 4 ANNA B. STREET (50' R/W) —



2103A Coastal Highway









Search

Search by TaxParcels +

334-20.09-36.00

Search results (1) Options -

Name: 334-20.09-36.00

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

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

Case # 12786  
Hearing Date 202216872

Type of Application: (please check all applicable)

Variance ☒  
Special Use Exception ☐  
Administrative Variance ☐  
Appeal ☐

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

Site Address of Variance/Special Use Exception:

37031 Blue Teal Rd Selbyville, DE 19975

Variance/Special Use Exception/Appeal Requested:

Variance from Side Yard Set-back for 2 sheds

Tax Map #: 533-12.16-426.00

Property Zoning: GR

**Applicant Information**

Applicant Name: Marcus L. Dodge  
Applicant Address: 37031 Blue Teal Rd  
City Selbyville State DE Zip: 19975  
Applicant Phone #: 410-739-2814 Applicant e-mail: MARCUSDODGE67@ICLOUD.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: N/A  
Agent/Attorney Address: \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_  
Agent/Attorney Phone #: \_\_\_\_\_ Agent/Attorney e-mail: \_\_\_\_\_

**Signature of Owner/Agent/Attorney**

Marcus L. Dodge

Date: 11-22-2022





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

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

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

1. Uniqueness of property:

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

2. Cannot otherwise be developed: *lot Size is 40x100 Placement of sheds can only be accomplished as shown.*
- 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.

*Other placement NOT Possible. only 4 ft to property Line. even less Room.*

3. Not created by the applicant:

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

*SHED SIZE IS NEEDED TO ACCOMPLISH STORAGE VOLUME.*

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.

*ALL surrounding homes have sheds as STORAGE FACILITIES*

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.

*These sizes are needed to accommodate PERSONAL BELONGINGS.*



**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.

*Will not affect either neighbors.*

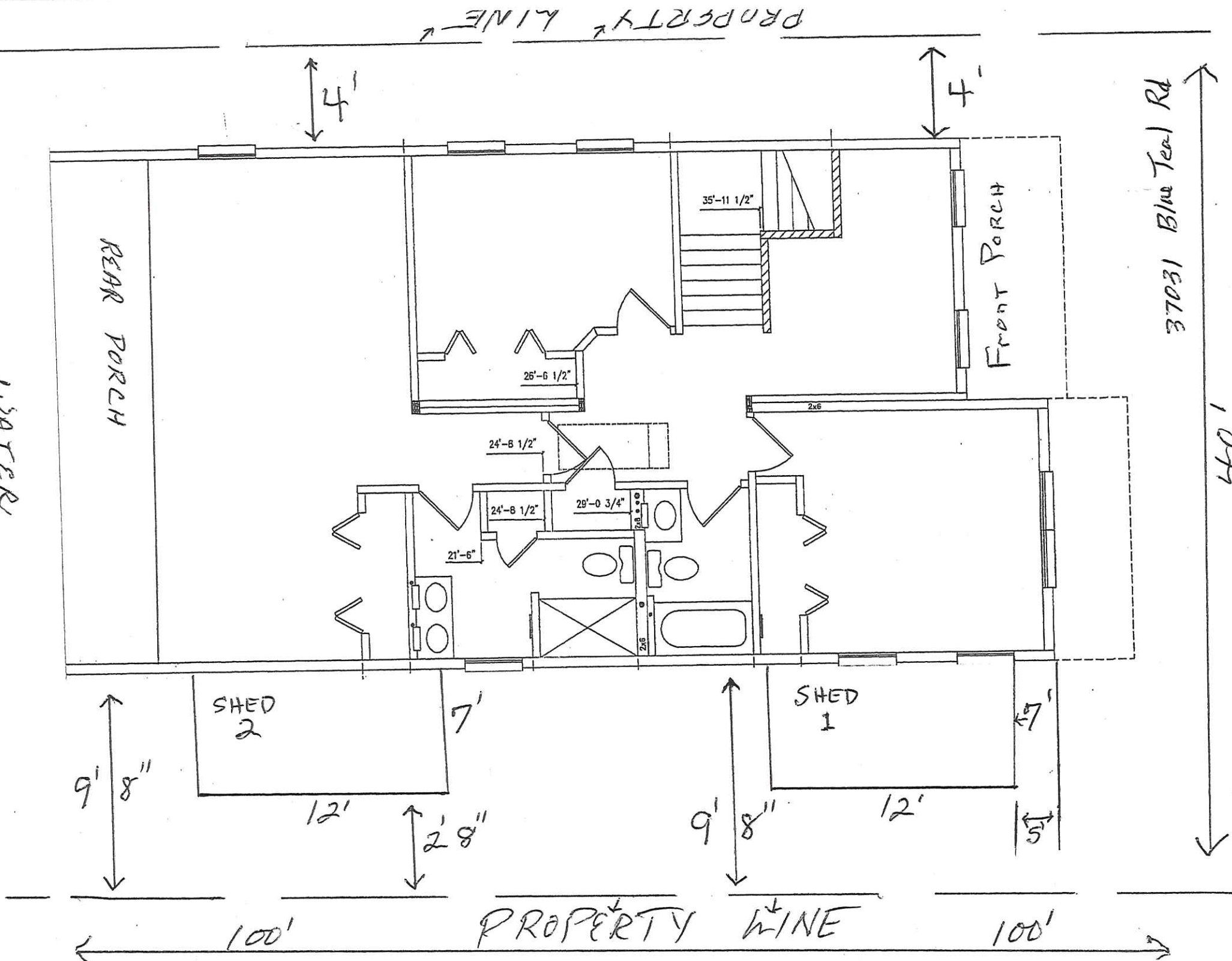
- 
2. Any other requirements which apply to a specific type of special use exception as required by the Sussex County Code. (Ex. Time limitations – 5 year maximum)

---

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

---

1. WATER



CEILING 8'-0"

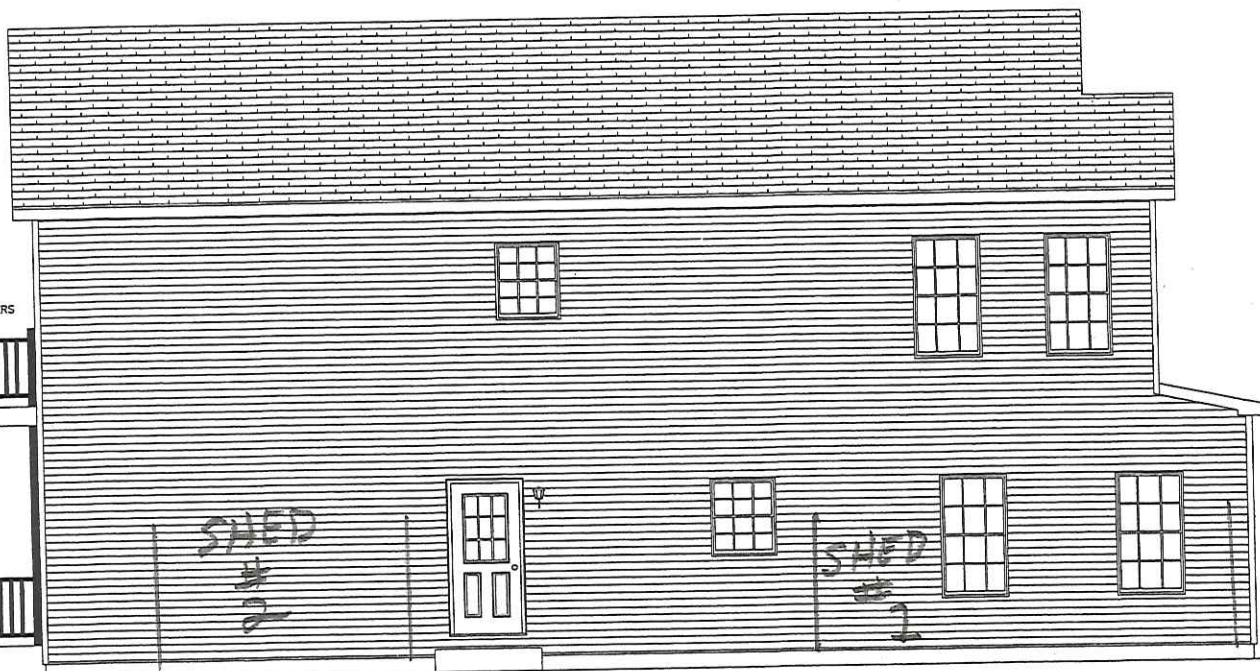
FLOOR

CEILING 9'-0"

FLOOR

DECK, POSTS AND RAILING  
TO BE SUPPLIED AND  
INSTALLED ON-SITE BY OTHERS

DECK, PORCH OVERHANG, SLAB, POSTS AND RAILING  
FOR PORCH TO BE SUPPLIED AND  
INSTALLED ON-SITE BY OTHERS



NOTE - ACTUAL HOUSE MAY VARY FROM ELEVATION

BOTH SHEDS 7x12

BUILDER	TAPA HOMES LLC		CUSTOMER		DODGE	
	CITY	SELBYVILLE	COUNTY	SUSSEX	STATE	DE
WIND SPEED	100 MPH	3 SECOND GUST	20 PSF	SNOW LOAD	254B	SQ. FT.
ORDER NO.	47606	SERIAL NO.	P47606(770)	FILE NO.		
2644-PRESTIGE 2 STORY LEFT ELEVATION			72 EAST MARKET STREET P.O. BOX 219 MIDDLEBURG, PA 17042 PHONE: (570) 837-1424 FAX: (570) 837-6133			
DATE:	6/26/12	STATUS:	PRINT REQUEST	PROFESSIONAL		
	7/24/12		S.H.	P.B.S.I. BUILDING SYSTEMS, INC.		
	8/01/2012		S.H.			
	8/13/12		H.M.			
			S.H.			
PAGE:						

1 of 4



64'-0"

61'-0"

45'-0"

5'-0"

3'-0"

10'-0"

26'-0"

13'-0"

28'-0"

10'-0"

54'-0"

6'-6"

6'-6"

6'-6"

2'-5"

2'-5"

3'-4"

4'-3"

4'-9"

6'-0"

3'-3"

22'-9"

25'-2"

27'-8"

35'-3"

40'-0"

66'-3 11/16"

59'-0 15/16"

16"x18" BLOCK PER FOR CRAWL SPACE

30"x30" CONC. FOOTER

8" MINIMUM CONCRETE WALLS OR SUPERIOR WALLS

PORCH SLAB

PORCH SLAB

9'

8"

4' Side Walkway

#2

WALKWAY

CUT-OUT

STEPS

8'

SHED

12'

7'

5'

25'

BUILDER TO PROVIDE ACCESS TO CRAWL SPACE

PROP LINE

FOUNDATION DRAWINGS ARE TO BE USED AS A GUIDE ONLY. PROFESSIONAL BUILDING SYSTEMS WILL NOT BE LIABLE FOR INCORRECT FOUNDATIONS.

6. MAX. ANCHOR BOLT SPACING: 6'-0" O.C.  
(4'-0" O.C. MAX. IN AREAS WHERE WIND VELOCITY IS @ OR EXCEEDS 100 MPH)
7. WINDOWS OR VENTS (INSTALLED BY BLDG) ARE REQ'D. TO PROVIDE 1/150 OF FLOOR AREA AS FREE VENTILATION  
AND SHALL BE LOCATED AS CLOSE TO CORNERS AS POSSIBLE.
8. NOTES ON THIS PAGE TAKE PRECEDENCE OVER NOTES ON TYPICAL FOUNDATION

2 of 4

[illegible]

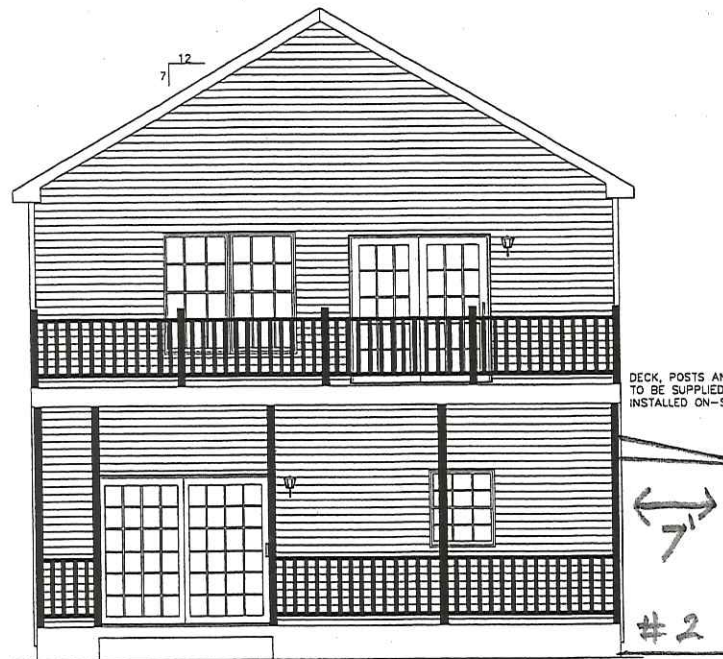
3 of 4

CEILING 8'-0"

FLOOR

CEILING 9'-0"

FLOOR



DECK, PORCH OVERHANG, SLAB, POSTS AND RAILING  
FOR PORCH TO BE SUPPLIED AND  
INSTALLED ON-SITE BY OTHERS

DECK, POSTS AND RAILING  
TO BE SUPPLIED AND  
INSTALLED ON-SITE BY OTHERS

NOTE - ACTUAL HOUSE MAY VARY FROM ELEVATION

PAGE:	DATE:	DRAWN BY:	STATUS:	2644-PRESTIGE 2 STORY REAR ELEVATION				TAPA HOMES LLC CITY: SELBYVILLE COUNTY: SUSSEX WIND SPEED: 100 MPH SNOW LOAD: 20 PSF ORDER NO: 47606 SERIAL NO: 47606 FILE NO: P47606(770)	DODGE STATE: DE SQ. FT.: 2548
				6/26/12 7/24/12 8/01/2012 8/13/12	SWH SWH HMS SWH	PRINT REQUEST S.T.F. REV. FINAL REV. FINAL	PROFESSIONAL P.B. BUILDING SYSTEMS, INC. 72 EAST MARKET STREET HUNTERDON, PA 17042 PHONE: (570) 837-1424 FAX: (570) 837-6133		

SHED #2  
7x12

4 of 4





Prop Line 9' 8"







Shed #2

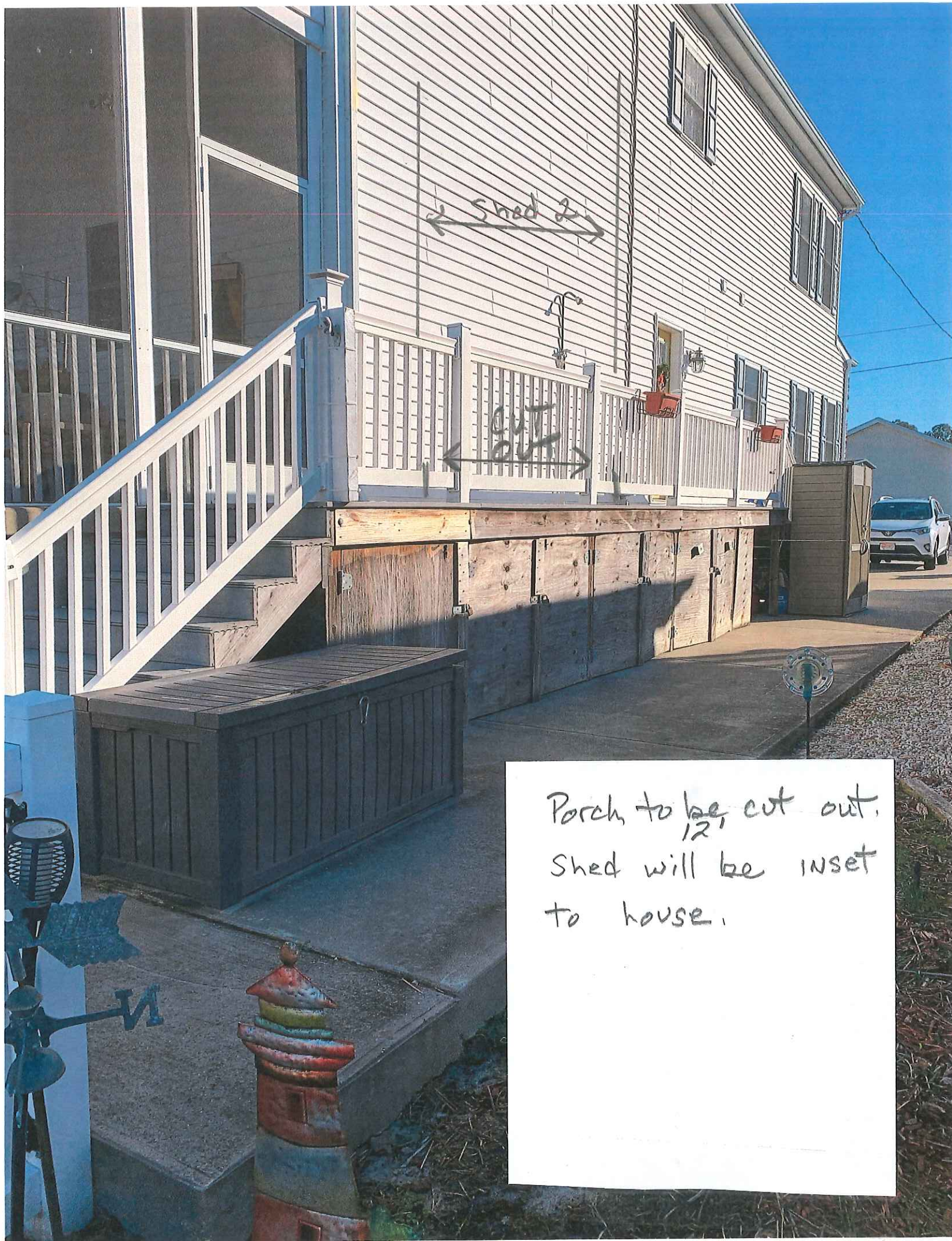
12'



Inset 4'

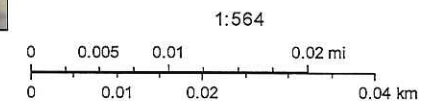




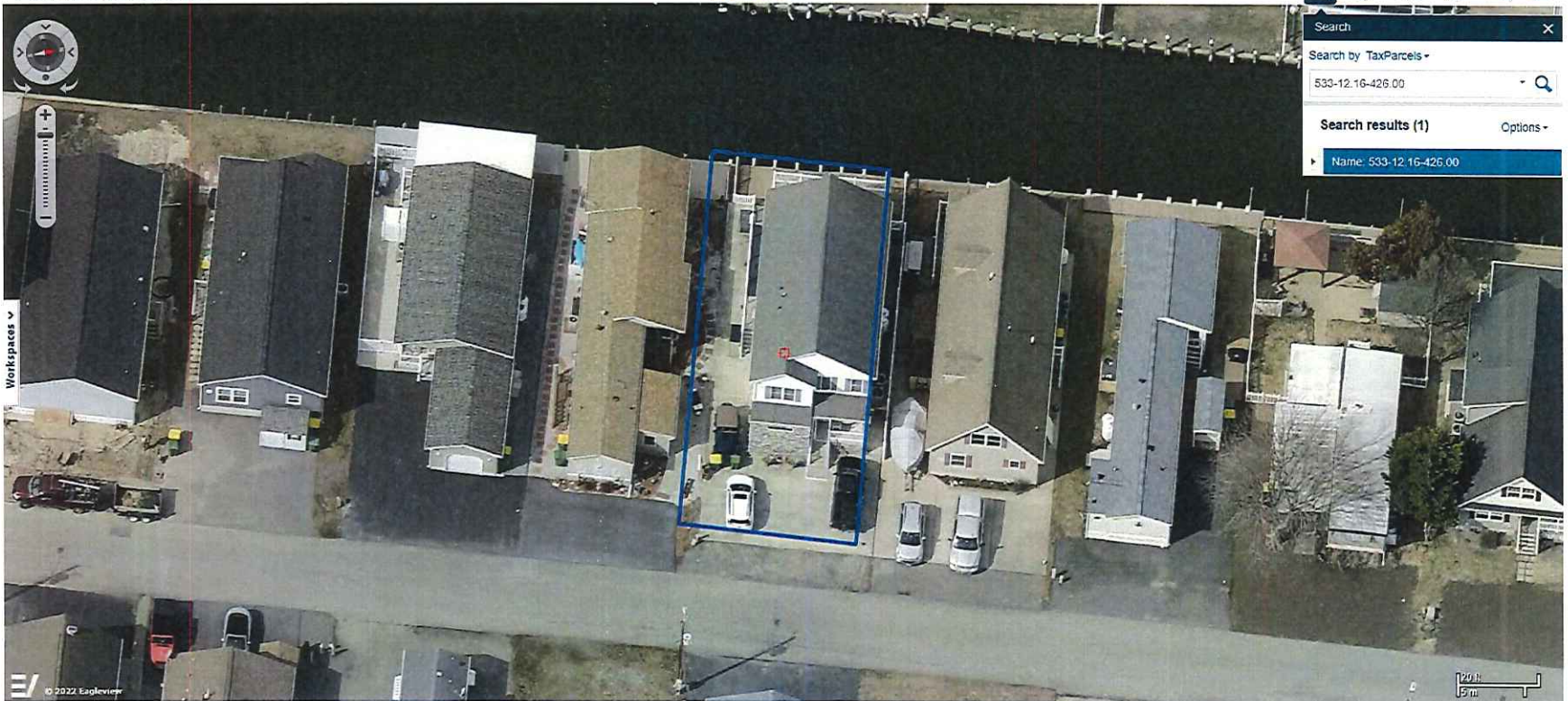


Porch to be cut out,  
Shed will be inset  
to house.









Search

Search by TaxParcels

533-12.16-426.00

Search results (1) Options

Name: 533-12.16-426.00



Case # 12787  
Hearing Date 1/23/23

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

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

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

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☒

Code Reference (office use only)

115-34 115-182  
115-185

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

Lot 72 Quillens Point, Ocean View, DE

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

1. A variance of 5' be considered along the rear BRL for an elevated deck.
2. A variance to increase the maximum fence height to 7' along Cedar Neck Road.

**Tax Map #:** 134-5.00-381.00

**Property Zoning:** MR

**Applicant Information**

Applicant Name: Douglas & Christie Conaway

Applicant Address: 34364 Fox Hound Lane

City Millsboro State DE Zip: 19966

Applicant Phone #: (302) 448-9783 Applicant e-mail: 23conaway@gmail.com

**Owner Information**

Owner Name: Douglas & Christie Conaway

Owner Address: 34364 Fox Hound Lane

City Millsboro State DE Zip: 19966 Purchase Date: 12/20/00

Owner Phone #: (302) 448-6726 Owner e-mail: 23conaway@gmail.com

**Agent/Attorney Information**

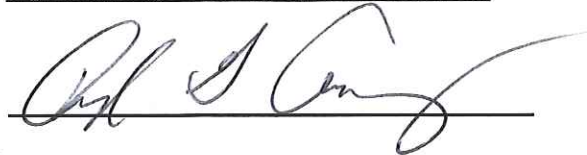
Agent/Attorney Name: \_\_\_\_\_

Agent/Attorney Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_

Agent/Attorney Phone #: \_\_\_\_\_ Agent/Attorney e-mail: \_\_\_\_\_

**Signature of Owner/Agent/Attorney**



Date: 11/27/22



**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.

Lot 72 is positioned in a cul-de-sac (Apple Court) within Quillen's Point and is a through lot with roadways on the east (Apple Court) and west (Cedar Neck Road) of the property boundaries, producing what is considered by the county two fronts. In addition to its unique layout, it is an irregularly shaped lot (pie) with the largest boundary of the lot along Cedar Neck Rd. which covers the largest BRL (40').

---

**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.

When designing the residence, the decks were reduced from 12' to 8' in order to reduce the footprint in an attempt to conform with the setbacks. All decks are attached to the residence without stairways to the ground level in an effort to minimize the footprint.

---

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

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

The community of Quillen's Point was established in the 1980's. Over the past 40 years of change, growth and development within Sussex County many changes have occurred to preserve quality of life and safety. As a recent owner to this property (DEC 2020), these limitations were in place before I purchased the property.

---

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

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

Request of this nature are not uncommon for owners of unique lots and will not be detrimental to the marine community of Quillen's Point (QP) where having multiple decks at varied levels is common throughout the community. In addition to this request, the QP Architectural Review Committee (ARC) has reviewed the building plans and site layout, finding no issues with the design and placement of this home.

---

**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.

We are requesting a variance of 5' be considered along the rear BRL, or if the property is truly a dual frontage lot the BRL along Cedar Neck Road be reduced to 30', which is the standard for front BRL's. Additionally, if the property is a dual frontage lot, we are requesting a variance for a fence to be erected along the property lines (10' off Cedar Neck Rd) be granted a variance allowing the fence height to be increased to 7', which is the standard for the rear of the property.

---



# NOTES:

THIS DRAWING DOES NOT VERIFY THE LOCATION, EXISTENCE, AND/OR NON-EXISTENCE OF RIGHT-OF-WAYS OR EASEMENTS CROSSING THE SUBJECT PROPERTY.

THIS DRAWING DOES NOT VERIFY THE EXISTENCE AND/OR NON-EXISTENCE OF WETLANDS OR PLANT SPECIES.

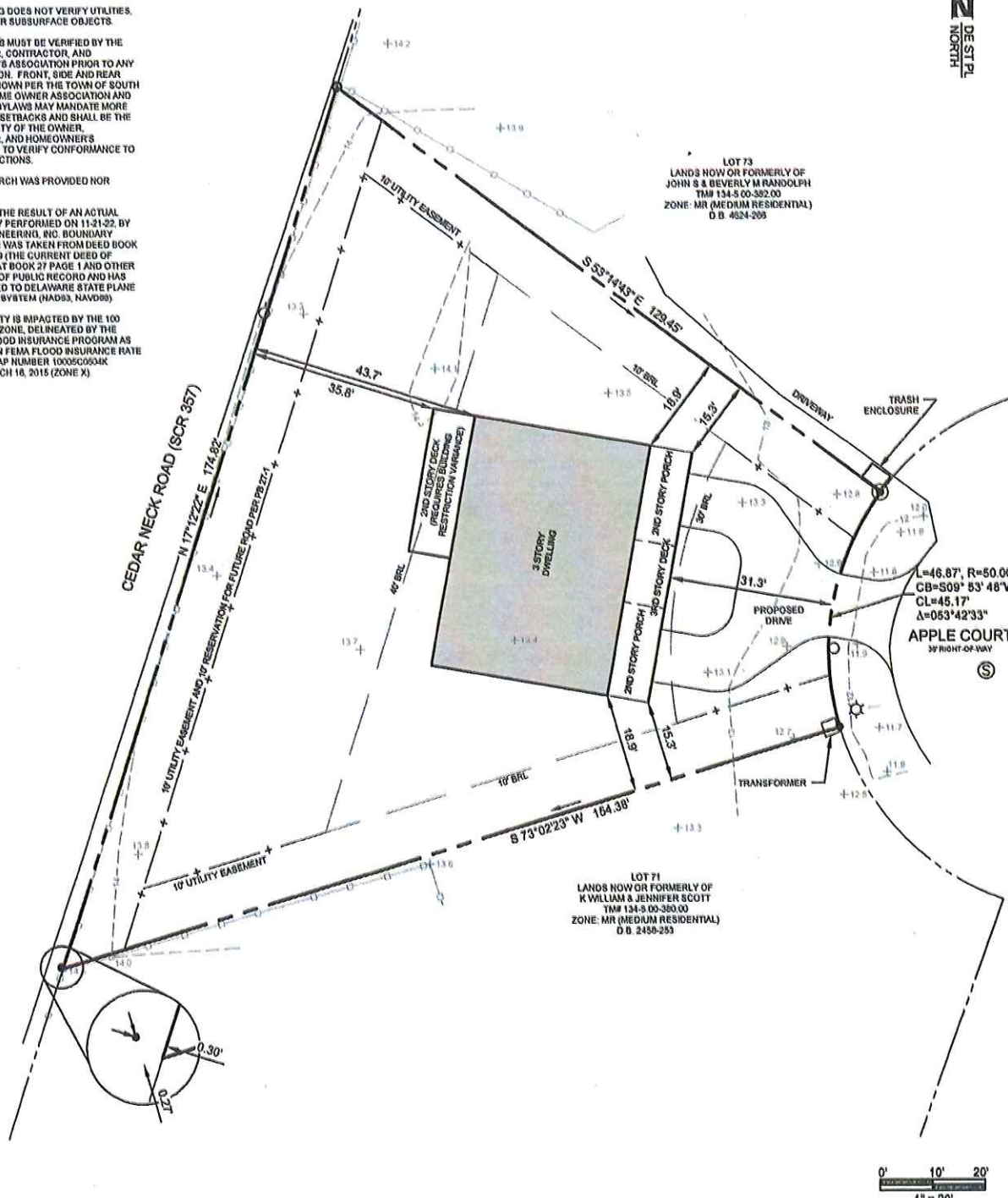
THIS DRAWING DOES NOT VERIFY UTILITIES, OR ANY OTHER SUBSURFACE OBJECTS.

ALL SETBACKS MUST BE VERIFIED BY THE HOME OWNER, CONTRACTOR, AND HOMEOWNER'S ASSOCIATION PRIOR TO ANY CONSTRUCTION. FRONT, SIDE AND REAR SETBACKS SHOWN PER THE TOWN OF SOUTH BETHANY HOME OWNER ASSOCIATION AND COMMUNITY BYLAWS MAY MANDATE MORE RESTRICTIVE SETBACKS AND SHALL BE THE RESPONSIBILITY OF THE OWNER, CONTRACTOR, AND HOMEOWNER'S ASSOCIATION TO VERIFY CONFORMANCE TO SUCH RESTRICTIONS.

NO TITLE SEARCH WAS PROVIDED NOR STIPULATED.

THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED ON 11-31-22, BY SCALED ENGINEERING, INC. BOUNDARY INFORMATION WAS TAKEN FROM DEED BOOK 5378 PAGE 269 (THE CURRENT DEED OF RECORD), PLAT BOOK 27 PAGE 1 AND OTHER DOCUMENTS OF PUBLIC RECORD AND HAS BEEN ROTATED TO DELAWARE STATE PLANE COORDINATE SYSTEM (NAD83, NAVD83).

THIS PROPERTY IS IMPACTED BY THE 100 YEAR FLOOD ZONE, DELINEATED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS SHOWN AS ON FEMA FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 100505054K REVISED MARCH 16, 2015 (ZONE X).



## SURVEYOR CERTIFICATION:

I, RYAN M. PHIFER, 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.

RYAN M. PHIFER, P.L.S. DE No. 829  
1/28/2022  
DATE

## PROPOSED CONDITIONS SITE PLAN

PREPARED FOR:  
DOUGLAS GRANT & CHRISTIE RAE CONAWAY  
FOR PROPERTY KNOWN AS:

LOT 72 - QUILLENS POINT  
OCEAN VIEW, DE 19970

TM: # 134-5.00-381.00

BALTIMORE HUNDRED | SUSSEX COUNTY | DELAWARE

DATE: NOVEMBER 22, 2022

SCALE: 1" = 20'

CLASS: SUBURBAN

PROJECT: DGBD010

LOT AREA: 13,810 SQ.FT.

FB: \_\_\_\_\_



SCALED ENGINEERING, INC.  
20240 Coastal Highway  
Rehoboth Beach, DE 19971  
Phone: (302) 227-7808

## LEGEND:

- IRON REBAR FOUND
- ⊙ CAPPED REBAR FOUND
- IRON PIPE FOUND
- SUBJECT BOUNDARY LINE
- ADJOINER BOUNDARY LINE
- BRL
- BUILDING RESTRICTION LINE
- EASEMENT
- 13.3' EXISTING SPOT
- EXISTING CONTOUR
- FENCE
- ⊙ LIGHT POLE
- ⊙ UTILITY POLE
- ⊙ SEWER MANHOLE / CLEANOUT
- PROPOSED BUILDING







Lot 71  
16' Varaince #9733

Cedar Neck Road

Lot 72











Lot 71

Cedar Neck Road

Lot 72









Cedar Neck Road

Lot 73

Lot 72





Lot 71

Apple Court

Lot 72





Cedar Neck Road

Lot 73

Lot 72



## Ann Lepore

---

**From:** douglasbuildersofde@gmail.com  
**Sent:** Tuesday, December 6, 2022 6:38 PM  
**To:** Ann Lepore  
**Subject:** Variance for Conaway Projected hearing 23 January

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

Ann

I have included the email from the Quillen's Point Architectural Review Committee for submission with the variance. Thank you

---

**From:** James Rich <jrich@ZuckermanGravely.com>  
**Sent:** Tuesday, December 6, 2022 6:32 PM  
**To:** douglasbuildersofde@gmail.com; 23conaway@gmail.com  
**Cc:** David Green <dgreentax@gmail.com>; Ferne Cooper <lady-coop@hotmail.com>; Peter Hoffberger <cphoffberger@gmail.com>  
**Subject:** Conaway, Lot 72

Doug and Christie,

Thank you for submitting plans for a new house on Lot 72 to the Quillen's Point Homeowners Association (QPHA) Architectural Review Committee (ARC) in accordance with the QPHA Architectural Review Guidelines. We are pleased to inform you that your project is approved. In keeping with the Guideline requirements, this project is classified as a Major Project and we require that you please mail a security deposit in the amount of \$1,000 payable to the QPHA to 450 Bayfront Drive, Ocean View, DE 19970.

Please keep the ARC informed of Sussex County's determination of whether a variance is required for your rear deck. As noted in the Guidelines, any anticipated variances must be discussed with the ARC in advance.

Do not commence any construction until a permit for that work has been issued by the County, a copy has been provided to the ARC and your security deposit has been sent.

The ARC concurs with your proposal to temporarily remove a section of the fence along Cedar Neck Road to accommodate construction vehicles.

Please note that you are responsible for restoring the fence once construction is complete.

The QPHA is investigating future trash company requirements for trash containers. While many of your neighbors have trash container corrals, we suggest you defer construction of any corral until the trash company's requirements are agreed to in 2023. Rolling trash and recycle containers can be provided by our trash contractor.

Please submit a landscape plan once it is available.



Upon completion of the project, ARC members will conduct an inspection to determine if there has been any damage to Common Areas or private property.

If damage has occurred, the ARC reserves the right to withhold some or all of your deposit to repair the damage. If the ARC determines that no damage has occurred, all of your deposit will be returned.

Please inform your contractor of the Contractor Rules contained in the General and Contractor Requirements in the Guidelines.

Thank you for coordinating with the ARC and good luck with your project.

QPHA Architectural Review Committee

James Rich, Chair

David Green

Ferne Cooper

Peter Hoffberger

James Rich

Vice President

Zuckerman Gravely Development, Inc

Two Wisconsin Circle

Suite 1050

Chevy Chase, MD 20815

240 395 2315 direct dial

301 657 8083 fax

[jrich@zuckermangravely.com](mailto:jrich@zuckermangravely.com)



# Sussex County



PIN:	134-5.00-381.00
Owner Name	CONAWAY DOUGLAS GRANT
Book	5378
Mailing Address	34364 FOX HOUND LN
City	MILLSBORO
State	DE
Description	QUILLENS POINT
Description 2	LOT 72
Description 3	N/A
Land Code	

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

