

BOARD OF ADJUSTMENT

DR. LAUREN A. HITCHENS
NATHAN KINGREE
SHAWN LOVENGUTH
JOHN WILLIAMSON



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878

AGENDA

January 5, 2026

6:00 PM

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of the Minutes for November 3, 2025

Approval of the Findings of Fact for November 3, 2025

Public Hearings

Case No. 13152 – James Mendelsohn

seeks a variance from the maximum fence height within the front yard setback requirement for a proposed structure (Section 115-25 and 115-185 of the Sussex County Zoning Code). The property is located on the northwest side of Wilson Myrtle Lane. 911 Address: 31199 Wilson Myrtle Lane, Millsboro. Zoning District: AR-1. Tax Parcel: 234-29.00-59.01

Case No. 13153 – Marvin Montoya

seeks variances from the side yard setback requirement and separation distance requirements for a proposed structure (Section 115-25, 115-172 and 115-183 of the Sussex County Zoning Code). The property is located on the southeast side of Center Avenue within the Sea Air Village Manufactured Home Park. 911 Address: 19939 Center Avenue, Lot D69, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-3048

Case No. 13156 – Recordo and Veronica Nock

seek variances from the rear yard setback requirement for an existing structure (Section 115-25 and 115-183 of the Sussex County Zoning Code). The property is located on the east side of Chaplains Chapel Road. 911 Address: 19614 Chaplains Chapel Road, Bridgeville. Zoning District: AR-1. Tax Map: 430-23.00-44.03

Case No. 13157 – James Swalm, Jr.

seeks variances from the rear yard setback requirement and separation distance requirements for proposed structures (Section 115-25, 115-172 and 115-183 of the Sussex County Zoning Code). The property is located on the north side of Center Avenue and the east side of Tanglewood Avenue within the Sea Air Village Manufactured Home Park. 911 Address: 19998 Center Avenue, Lot C94, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-56929

Additional Business

-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on December 29, 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. All comments are encouraged to be submitted by 4:30 P.M. on Thursday, January 1, 2026.

####

**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 # 13152
Hearing Date 1.6.26

202514450

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:

31199 Wilson Myrtle Lane Millsboro De 19966

Variance/Special Use Exception/Appeal Requested:

max fence height in front yard
3.5' → 6'

Tax Map #: 234-29.00-59.01

Property Zoning: AR-1

Applicant Information

Applicant Name: James Mendelsohn

Applicant Address: 31199 Wilson Myrtle Lane

City Millsboro State De Zip: 19966

Applicant Phone #: 914 826 5645 Applicant e-mail: jamesmendelsohn@gmail.com

Owner Information

Owner Name: _____

Owner Address: _____

City _____ State _____ Zip: _____ Purchase Date: _____

Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

[Signature]

Date: 10/28/25



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.

Very unique I own 3 lots at the end of ^{private} dirt road

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.

I'm across from a corn field on my private dirt road.
No close neighbors

3. Not created by the applicant:

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

Leach field is in the way abiding by 3061 Grondage rule

I bought the property with the leach field already set up.

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 fence will have no effect on surroundings
as I have no neighbors who are close to it

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.

I am asking to be allowed to go 6' back fence on front property line.

Sussex County, DE - BOA Application

Check List for Applications

The following shall be submitted with the application

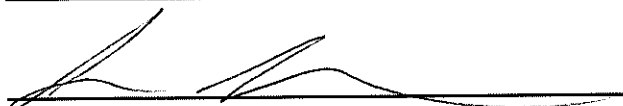
- ☐ • Completed Application
- ☐ • Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed 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

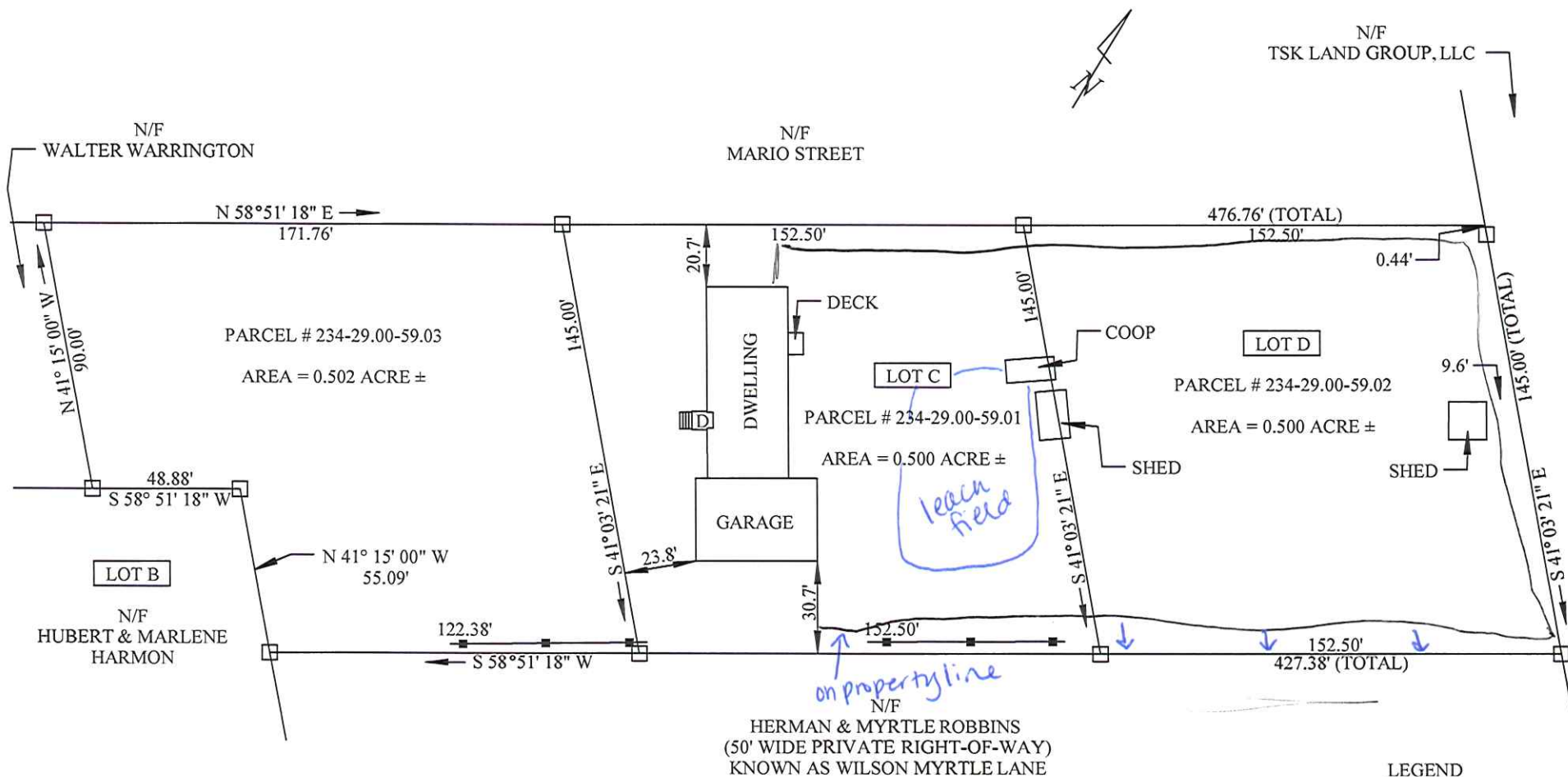


Date: 10/28/25

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: _____



ADDRESS: 31199 WILSON MYRTLE LANE

TAX PARCEL #: 234-29.00-59.01; 234-29.00-59.02; 234-29.00-59.03

I CERTIFY THAT THIS SURVEY WAS PREPARED FOR IDENTIFICATION PURPOSES ONLY FOR THE INDIVIDUALS NOTED BELOW. NO RESPONSIBILITY IS EXTENDED AND/OR ASSUMED BY THE ENGINEER TO ANY FUTURE LAND OWNERS OR OCCUPANTS. I CERTIFY THAT THE IMPROVEMENTS INDICATED HEREON ARE LOCATED AS SHOWN.

RICHARD K. VETTER, P.E. #10329

BUYER: JAMES MENDELSON

SURVEY BASED ON PHYSICAL EVIDENCE DISCOVERED IN THE FIELD AND A "PROPERTY PLAN OF HEIRS OF MYRTLE HARMON", AS RECORDED IN PLOT BOOK 40, PAGE 163.

LEGEND

- FOUND MONUMENT
- D DECK
- SPLIT RAIL FENCE

SURVEY PLAN

LANDS OF
MARIO A. STREET

INDIAN RIVER HUNDRED
SUSSEX COUNTY, DELAWARE

RICHARD K. VETTER, P.E.
307 BAYBERRY DRIVE
LEWES, DE 19958

SCALE: 1" = 50' JULY 13, 2025



Sussex County Building Permit

P.O. Box 589
Georgetown, DE 19947
302-855-7720

Application Number

202514380

Issue Date: 10/27/2025

Expire Date: 10/27/2026

Permit Type: FENCE OUT OF TOWN

Parcel ID	Address	Zone Code
234-29.00-59.01	31199 WILSON MYRTLE LANE	AR-1

Owner Information	Applicant Information
Name: MENDELSON JOHN Phone:	Name: MENDELSON JOHN Phone:

Contractor Information		
Name:	MENDELSON JOHN	License Number:
CID:	375656	License Exp. Date:
Phone:		Insurance Exp. Date:

Building Information
Proposed Use: FENCES Construction Type: Estimated Cost of Construction: \$ 3,000 Cannot Occupy More than _____ of Total Lot Area Distance from any Dwelling of other Ownership: _____ Distance from any other Mobile Home or Accessory Structure: _____

Property Information
Measurements taken from Property Lines Front Setback: 30.00 /3.5 Side Setback: _____ /LINE Maximum Building Height: 7' MAX Location Description: NW/PRIVATE RD 271'NE/RT 312A FLOOD ZONE Flood Zone: XP 477K _____ If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.

Project Description: RESIDENTIAL FENCE OUT OF TOWN

Scope of Work:

200 LINEAR FT FENCE 6' HEIGHT WOOD

Permit Details:

Phone # 9/4 828 5645

Signature of Approving Official

Signature of Owner/Contractor

I fully understand the Zoning Requirements of this permit.

Building Permit Acknowledgement:

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

Permit Number	BP-266892	TOTAL FEES:	\$ 21.00
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Sussex County Government
Treasury
2 The Circle, PO Box 601
Georgetown, DE 19947

10/28/2025 01:15PM Catherine
Receipt number: 33030593-0021 001253439

PERMITS / INSPECTIONS
2025 20251445012020 \$500.00

\$500.00

Subtotal \$500.00
Total \$500.00

Tenders
CASH \$500.00

Change due \$0.00

Paid by: JAMES MENDELSON

Thank you for your payment.

CUSTOMER COPY
DUPLICATE RECEIPT

SUSSEX COUNTY
DELAWARE
? Help

Layers Search Basemaps Select Area Eagleview Print

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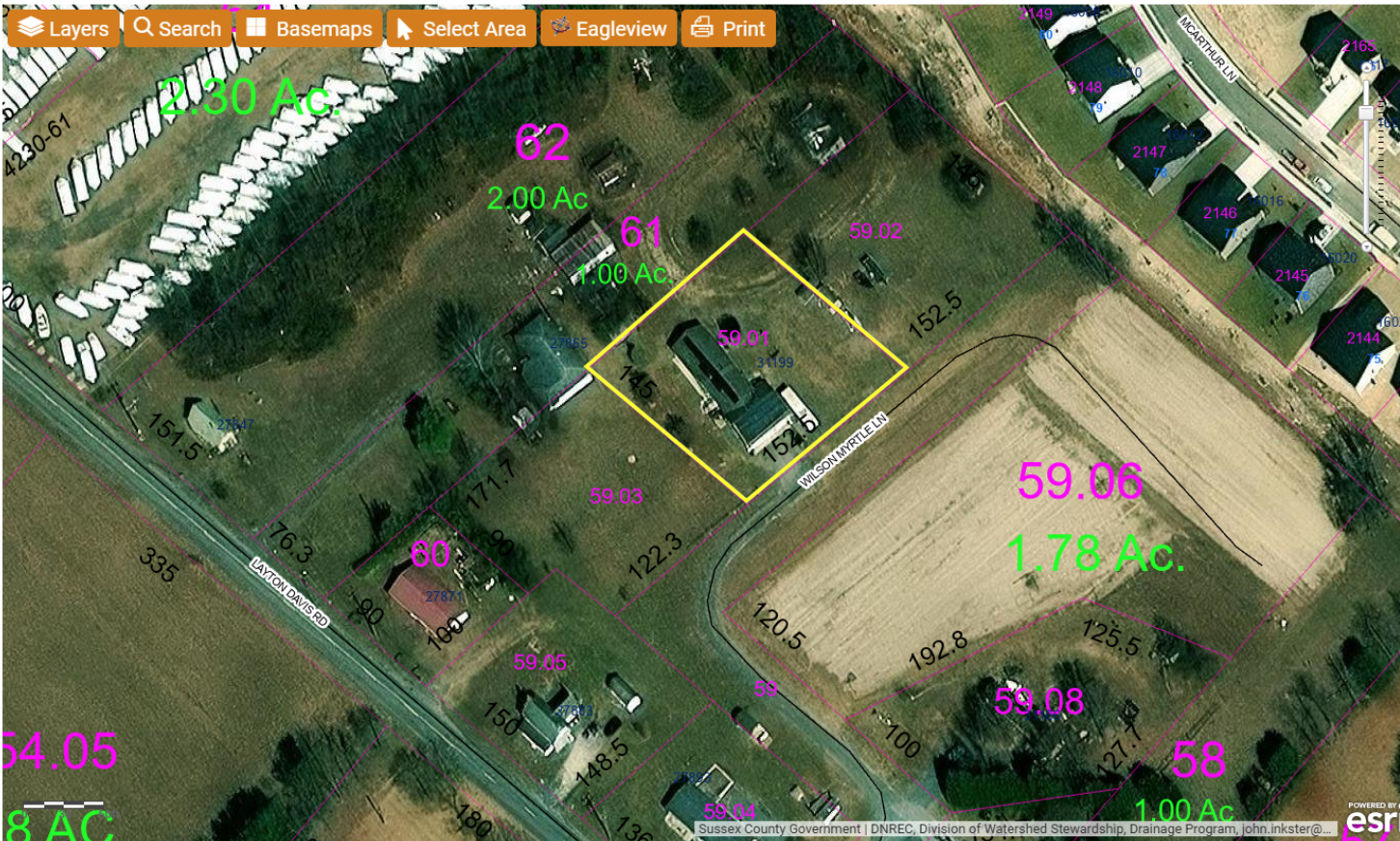
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SUSSEX COUNTY

DELAWARE

[Help](#)

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (1)

1) 234-29.00-59.01 Zoom

BOOK	6365
PAGE	123
FULLNAME	MENDELSON JAMES
Second_Owner_Name	
MAILINGADDRESS	31199 WILSON MYRTLE LN
CITY	MILLSBORO
STATE	DE
a_account	
DESCRIPTION	NW/PRIVATE RD
DESCRIPTION2	271'NE/RT 312A
DESCRIPTION3	
LUC	101
SCHOOL	1
MUNI	00
CAP	1
APRBLDG	238400
APRLAND	62200
PINWASSEMENTUNIT	234-29.00-59.01
PIN	234-29.00-59.01

Selected Features (1)

Clear Selected



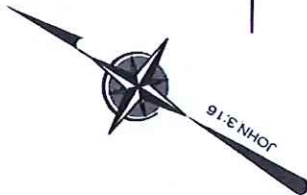








ONLY PLANS INCORPORATING AN ORIGINAL EMPLOYER / RED SEAL & SIGNATURE ARE CONSIDERED TO BE OFFICIAL AND RELIED UPON BY THE USER



NOTE:
THE PURPOSE OF THIS SURVEY IS TO COMBINE
TAX PARCEL 59.01 & 59.02 INTO ONE PARCEL.

OWNER'S CERTIFICATION

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

JAMES MENDELSON

DATE

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 IN ACCORDANCE WITH 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, DE PLS # 735
DATE 12.3.25

LEGEND

- CONCRETE MONUMENT FOUND
- IRON ROD W/ CAP SET

TRUE NORTH



LAND SURVEYING

35522 BAYARD ROAD
FRANKFORD, DE 19945
302-539-2488

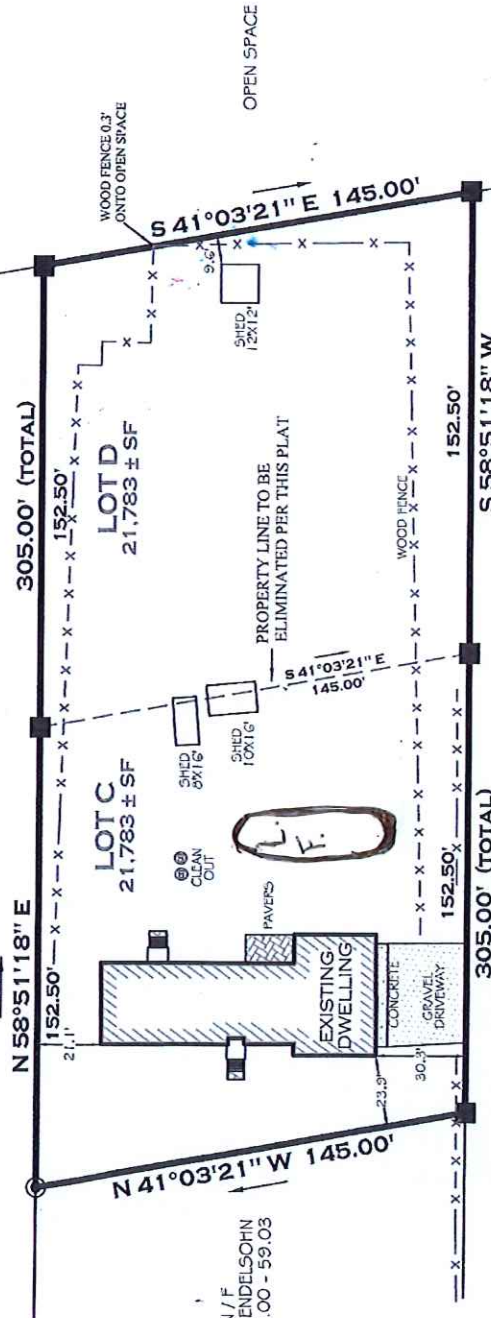
CONSOLIDATION
PLAN

LOT C & D
"PROPERTY PLAN
HEIRS OF MYRTLE HARMON"

FOR
JAMES MENDELSON

31199 WILSON MYRTLE LANE, MILLSBORO, DE 19966

TAX MAP	2-34 - 29.00 - 59.01 # 2-34 - 29.00 - 59.02
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	INDIAN RIVER
AREA	1.00 ± ACRES TOTAL
DEED REF.	6365 / 123
PLAT REF.	40 / 163
DRAWN BY	JMH
DATE	12 / 03 / 2025
SCALE	1" = 50'
SURVEY #	DE - 11446



WILSON MYRTLE LANE
50' PRIVATE RIGHT OF WAY

RECEIVED

DEC 22 2025

SUSSEX COUNTY
PLANNING & ZONING

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. 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.

INVOICE

TRUE NORTH LAND SURVEYING
35322 Bayard Rd
Frankford, DE 19945

brad@truenorthls.com
+5392488
www.truenorthls.com

RECEIVED

DEC 22 2025

SUSSEX COUNTY
PLANNING & ZONING

TRUE NORTH

LAND SURVEYING

Bill to
DE-11446
JAMES MENDELSON

Ship to
DE-11446
JAMES MENDELSON

Invoice details

Survey #: DE-11446

Invoice no.: 251065
Terms: Net 30
Invoice date: 12/10/2025
Due date: 01/09/2026

#	Date	Product or service	Description	Qty	Rate	Amount
1.		COMBINATION PLAT	31199 WILSON MYRTLE LANE 234-29.00-59.01 & 59.02	1	\$1,250.00	\$1,250.00

Total**\$1,250.00****Ways to pay**

View and pay

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



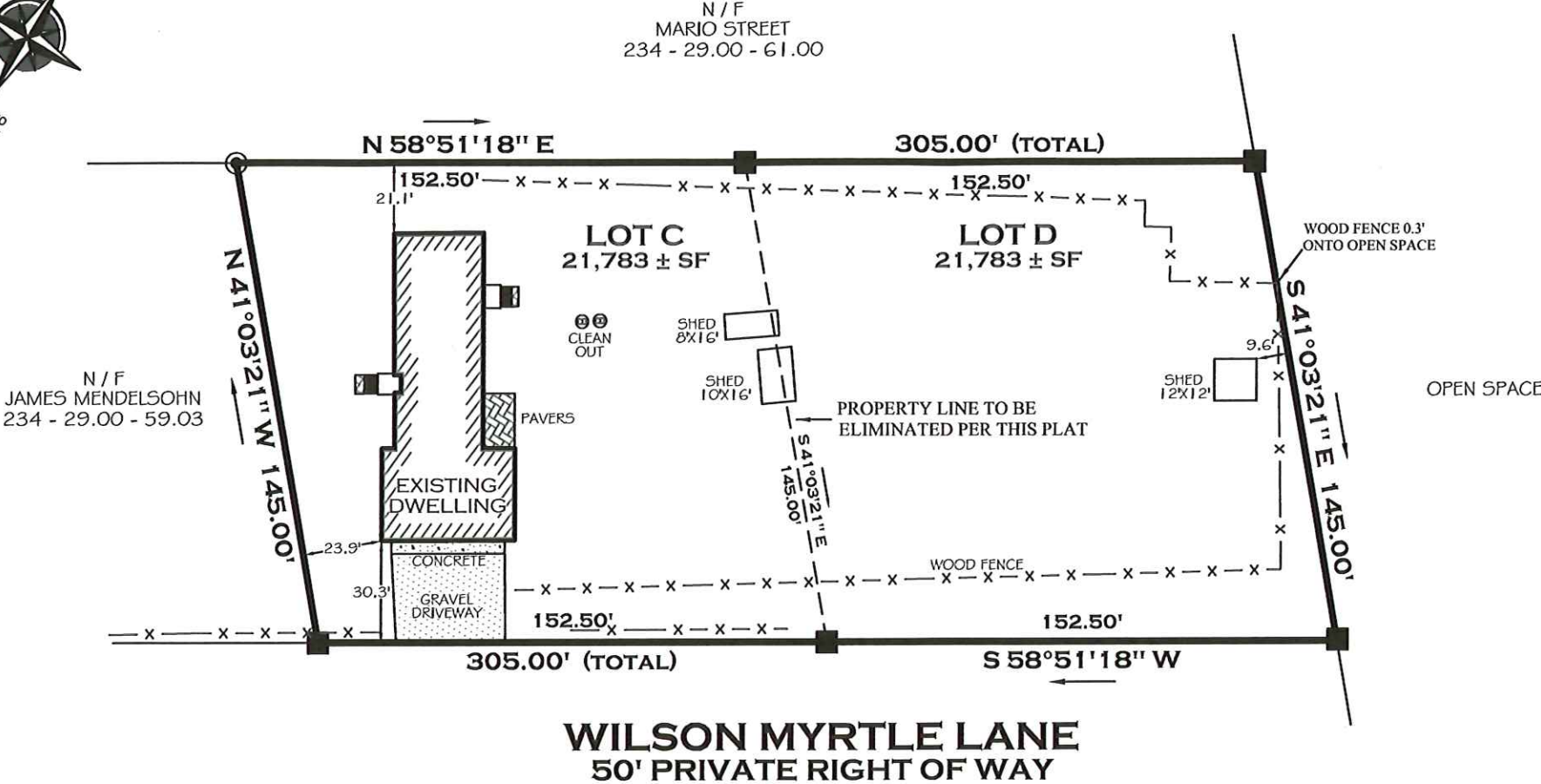
NOTE:
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MY ACT AND THAT I DESIRE THE PLAN TO BE RECORDED ACCORDING TO
LAW.

JAMES MENDELSON

12/19/25
DATE



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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
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CERTIFICATION FOR ANY OFFICIAL OR
LEGAL USE.

BRADLEY A. ABSHER, DE PLS # 735
DATE
12.3.25

LEGEND

■

 CONCRETE MONUMENT FOUND

●

 IRON ROD W/ CAP SET

TRUE NORTH

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

APPROVED
Lot Consolidation
DEC 19 2025
AMH SUSSEX COUNTY 1 page
PLANNING & ZONING COMMISSION

- NOTES
1. CLASSIFICATION OF SURVEY: SUBURBAN
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TAX MAP	2-34 - 29.00 - 59.01 & 2-34 - 29.00 - 59.02
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	INDIAN RIVER
AREA	1.00 ± ACRES TOTAL
DEED REF.	6365 / 123
PLAT REF.	40 / 163
DRAWN BY	JMH
DATE	12 / 03 / 2025
SCALE	1" = 50'
SURVEY #	DE - 11446

CONSOLIDATION
PLAN

LOT C & D
"PROPERTY PLAN
HEIRS OF MYRTLE HARMON"

FOR
JAMES MENDELSON

31 199 WILSON MYRTLE LANE, MILLSBORO, DE 19966

202514717

Case # 13153

Hearing Date 1-5-2026

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

NOV 03 2025

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check all applicable)

Variance ☒Special Use Exception ☐Administrative Variance ☐Appeal ☐Existing Condition ☐Proposed ☐

Code Reference (office use only)

Site Address of Variance/Special Use Exception:

19939 Center Avenue

Variance/Special Use Exception/Appeal Requested:

Tax Map #: 3-34-13.00-310.00-3048Property Zoning: AR-1Applicant Information

Applicant Name:

Marvin Montoya

Applicant Address:

19939 Center AvenueCity Rehoboth BeachState DE

Zip:

19971

Applicant Phone #:

(302) 864-5797

Applicant e-mail:

Subaru.integra18@gmail.comOwner Information

Owner Name:

Owner Address:

City

State

Zip:

Purchase Date:

Owner Phone #:

Owner e-mail:

Agent/Attorney Information

Agent/Attorney Name:

Agent/Attorney Address:

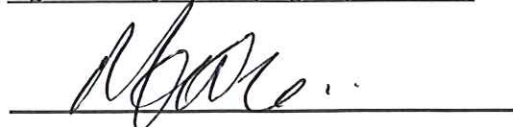
City

State

Zip:

Agent/Attorney Phone #:

Agent/Attorney e-mail:

Signature of Owner/Agent/Attorney

Date:

10/23/2025

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 lots were defined prior to county code are, small in comparison to newer lots, thus 20' separation distance is not possible.

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.

Rear steps are needed for proper use of the property in any emergency case.

3. Not created by the applicant:

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

Replacing the current steps (Rear) Needed for the property have a safe and adequate emergency exit.

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.

Replacing the current steps will not alter the neighborhood or other parts, the character and dimensions will be on the property limits

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 community requires 4' platform but I need to reduce the size to contain within the lot. And without the variance, are unable to have stairs at the back door.

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)

Sussex County, DE - BOA Application

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: 10/23/2025

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

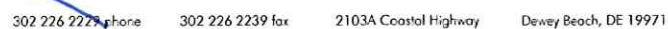
Subdivision: _____

Lot#: _____

Block#: _____

Date of Hearing: _____

Decision of Board: _____



EXTERIOR IMPROVEMENT REQUEST

Martin Montoya Sea Air village.
 RESIDENT NAME COMMUNITY NAME
19939 Center Ave Rehoboth Beach, DE 19971 10-8-2025
 ADDRESS DATE OF REQUEST
302-864-5797 6 months
 TELEPHONE NUMBER PROPOSED COMPLETION DATE

The above named Resident requests approval to build, add-on, or otherwise alter his/her manufactured home, its associated structures, or site. Approval by the Community Management does not waive Resident's responsibility to secure any and all permits required by the governing municipality whose name and telephone number is: _____

Sussex County 302-855-7720
 Description of Alteration: Rear pressure treated wood steps
with 3.7" x 9" landing with handrails.
enclosed with white vinyl skirting.
- must have handrail on all exposed sides and be fully enclosed.
Replacement of existing stairs requires variance from Sussex
County and permit displayed prior to work starting.

☒ Upon review of the above request, we find it is within our guidelines. *pending Sussex County Approval
 Resident will obtain any and all permits necessary to construct improvement.
 If Resident hires an independent contractor, it is recommended that they be licensed and insured.

☐ Upon review of the above request, we find it is not within our guidelines.

James Bennett 10-8-2025
 DISTRICT MANAGER/COMMUNITY MANAGER DATE

USE SPACE BELOW TO SKETCH THE ALTERATIONS AND LOCATION ON YOUR HOME SITE.
 (ATTACH SEPARATE SHEET IF NECESSARY)

FOLLOW-UP INSPECTION

Management reserves the right to inspect the alterations described above upon completion.

 DISTRICT MANAGER/COMMUNITY MANAGER DATE

WHITE - Community Files YELLOW - Resident

S12 EIF 203

Sussex County Government
Treasury
2 The Circle, PO Box 601
Georgetown, DE 19947

11/03/2025 08:52AM Megan D.
Receipt number: 33030605-0005 001254764

PERMITS / INSPECTIONS
2025 20251471717020 \$500.00

\$500.00

Subtotal
Total \$500.00
\$500.00

Tenders
CASH \$500.00

Change due \$0.00

Paid by: MARVIN MONTOYA

Thank you for your payment.

CUSTOMER COPY

SUSSEX COUNTY
D E L A W A R E

Help

LayersSearchBasemapsSelect AreaEagleviewPrint

Sussex County Government | Delaware Department of Natural Resources and Environmental Control | Sussex County, DE

EagleviewSearch Results

Selected Features:Parcels (384)

71) 334-13.00-310.00-3036Zoom

72) 334-13.00-310.00-3038Zoom

73) 334-13.00-310.00-3039Zoom

74) 334-13.00-310.00-3040Zoom

75) 334-13.00-310.00-3048Zoom

BOOK	0
PAGE	0
FULLNAME	MONTOYA MARVIN
Second_Owner_Name	
MAILINGADDRESS	19939 CENTER AVE
CITY	REHOBOTH BEACH
STATE	DE
a_account	10-10-310-D69
DESCRIPTION	SEA AIR
DESCRIPTION2	IMP ON LOT D-69
DESCRIPTION3	
LUC	104
SCHOOL	6
MUNI	00
CAP	

Selected Features (71 - 75 of 384)

Clear Selected

SUSSEX COUNTY

D E L A W A R E

Layers

Search

Basemaps

Select Area

Eagleview

Print

Help

Selected Features:

Parcels (384)

71) 334-13.00-310.00-3036

Zoom

72) 334-13.00-310.00-3038

Zoom

73) 334-13.00-310.00-3039

Zoom

74) 334-13.00-310.00-3040

Zoom

75) 334-13.00-310.00-3048

Zoom

BOOK	0
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DESCRIPTION3	
LUC	104
SCHOOL	6
MUNI	00
CAP	

Selected Features (71 - 75 of 384)

Clear Selected

1

20

400

Sussex County Government | Delaware Department of Natural Resources and Environmental Control | Suss...

POWERED BY esri



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 # 13156
Hearing Date 01-05-2026
202515350

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:

19614 Chaplains Chapel Rd. Bridgeville DE 19933

Variance/Special Use Exception/Appeal Requested:

9.8' Var + 8.8' Var from 30' rear yard setback

Variance

Tax Map #: 432-23.10-44.03

Property Zoning: A21

Applicant Information

Applicant Name: Recordo Nock

Applicant Address: 19614 Chaplains Chapel Rd.

City Bridgeville State DE Zip: 19933

Applicant Phone #: (302) 245-8270 Applicant e-mail: cardinock@aol.com

Owner Information

Owner Name: Recordo Nock / Veronica Nock

Owner Address: 19614 Chaplains Chapel Rd

City Bridgeville State DE Zip: 19933 Purchase Date:

Owner Phone #: (302) 245-8270 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: 11/14/25



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.

2. Cannot otherwise be developed: The building was placed at the rear of the property line so I could utilize my back yard.

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.

Cant otherwise be developed.

3. Not created by the applicant: I purchased the building and was notified that I didn't need a permit.

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

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

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

No

5. Minimum variance:

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

Yes this is the minimum variance to afford relief.

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)

Sussex County Government
Treasury
2 The Circle, PO Box 601
Georgetown, DE 19947

11/14/2025 12:46PM Megan D.
Receipt number: 33030693-0049 001258/14

PERMITS / INSPECTIONS
2025 202515350/2020 \$500.00

\$500.00

Subtotal \$500.00
TP CC SF \$15.00
Total \$515.00

Tenders
TYLER PAYMENTS CC \$515.00
*****8238

Ref=074ea265-38e0-4ac5-bf7c-f281b1abdc05
Auth=014620

Change due \$0.00

Paid by: CARDHOLDER/VISA

Signature: _____

Thank you for your payment.

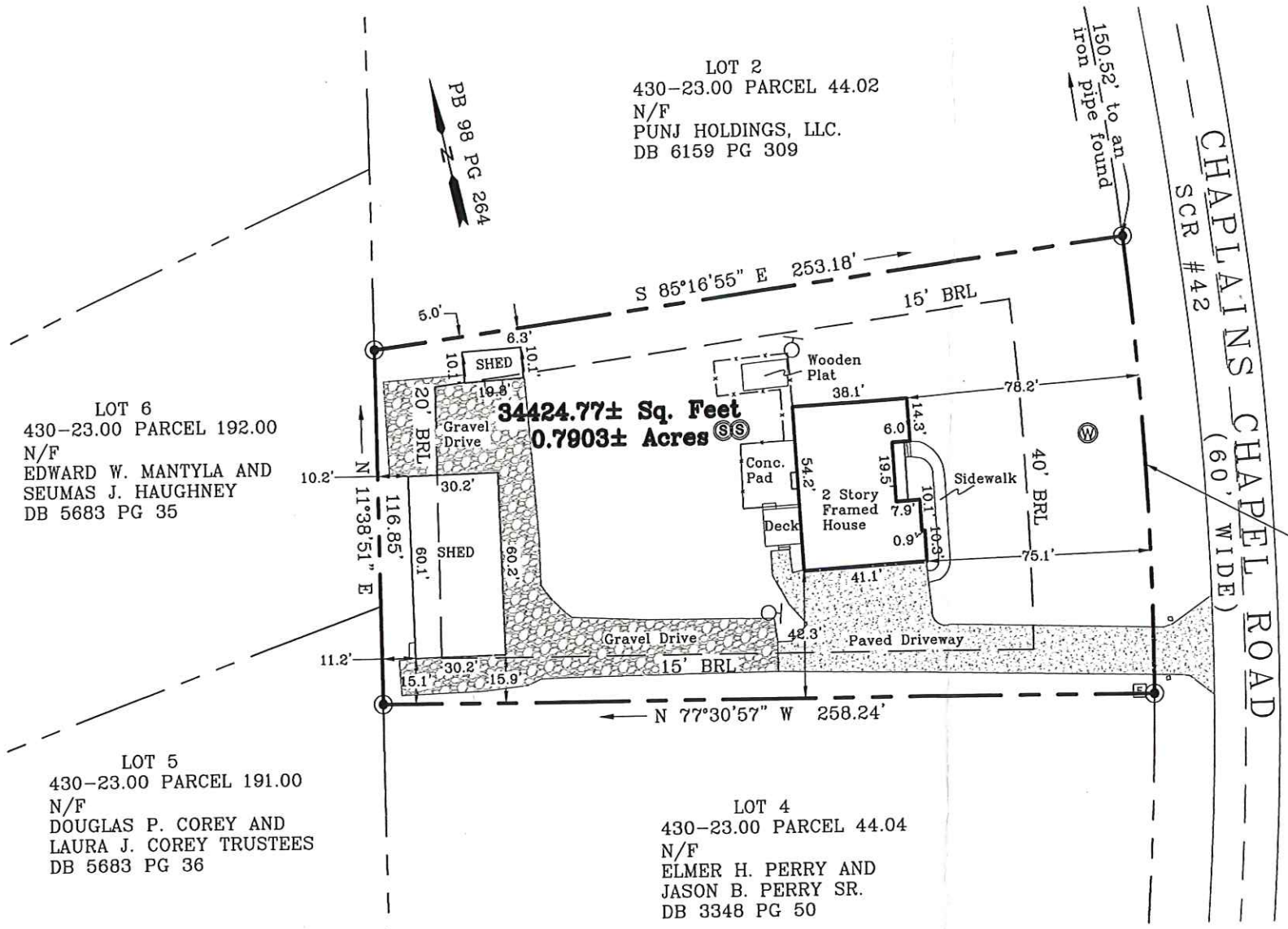
Sussex County Government COPY
DUPLICATE RECEIPT

service fee

TYLER PAYMENTS

APPROVED BY: _____
DATE: _____
04

BOUNDARY SURVEY PLAN
LANDS OF "VERONICA NHAN"
ALSO KNOWN AS: "LOT 3- 19614 CHAPLAINS
CHAPEL ROAD BRIDGEVILLE DE"
SITUATE IN: "NANTICOKE HUNDRED"
SUSSEX COUNTY * STATE OF DELAWARE
TAX MAP #: 430-23.00-44.03
DEED REFERENCE: DB 3308, PG 119
PLAT REFERENCE: PB 98, PG 264



ZONING CLASSIFICATION: AR-1
YARD REQUIREMENTS:
FRONT YARD: 40'
SIDEYARD: 15'
REARYARD: 20'

- LEGEND
- CAPPED PIPE FOUND
 - ⊙ WELL
 - ⊙ SEWER LID
 - ⊙ ELECTRIC BOX
 - ⊙ LIGHT POLE
 - PROPERTY LINE
 - BUILDING RESTRICTION LINE
 - 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.



John B. Roach, Jr.
PROFESSIONAL ENGINEER

JOHN B. ROACH Engineering LLC	22184 MELSON ROAD GEORGETOWN, DELAWARE 19947 PHONE NO. 302-856-1565
DRAWN BY: JBR	DATE: 09-03-2025
SCALE: 1"=50'	SHEET 1/1

SUSSEX COUNTY
D E L A W A R E
? Help

Layers Search Basemaps Select Area Eagleview Print

X: -8408092.628303 Y: 4680961.11807

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

X: -8408092.628303 Y: 4680961.11807

Eagleview

Search Results

x

Selected Features: Parcels (1)

1) 430-23.00-44.03 Zoom

BOOK	3308
PAGE	119
FULLNAME	NHAN VERONICA
Second_Owner_Name	
MAILINGADDRESS	19614 CHAPLAINS CHAPEL RD
CITY	BRIDGEVILLE
STATE	DE
a_account	
DESCRIPTION	W/RD 42
DESCRIPTION2	LOT 3
DESCRIPTION3	
LUC	101
SCHOOL	5
MUNI	00
CAP	1
APRBLDG	338900
APRLAND	67600
PINWASSEMENTUNIT	430-23.00-44.03
PIN	430-23.00-44.03

Selected Features (1)
Clear Selected

SUSSEX COUNTY

DELAWARE

Help

Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

Selected Features: Parcels (1)

1) 430-23.00-44.03 Zoom

BOOK	3308
PAGE	119
FULLNAME	NHAN VERONICA
Second_Owner_Name	
MAILINGADDRESS	19614 CHAPLAINS CHAPEL RD
CITY	BRIDGEVILLE
STATE	DE
a_account	
DESCRIPTION	W/RD 42
DESCRIPTION2	LOT 3
DESCRIPTION3	
LUC	101
SCHOOL	5
MUNI	00
CAP	1
APRBLDG	338900
APRLAND	67600
PINWASSEMENTUNIT	430-23.00-44.03
PIN	430-23.00-44.03

Selected Features (1)

Clear Selected

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

POWERED BY esri

CONNECTEXPLORER™

Workspaces ▾

Search

Search by SUSSEXPARCELS ▾

430-23.00-44.03

Search results (1) Options ▾

430-23.00-44.03

20 ft

5 m

map: Auto (Oblique) ▾

Mar 2025 - Mar 2025 ▾

< image 1 of 10 >

03/18/2025

36

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 # 13157
Hearing Date 1.26.25

202515673

RECEIVED

NOV 21 2025

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☐

Code Reference (office use only)

Site Address of Variance/Special Use Exception:

19998 Center Ave, Rehoboth Beach DE 19971 lot C94

Variance/Special Use Exception/Appeal Requested:

On the west side of the proposed Screened in Porch where the separation distance from the rear corner of the porch to the corner of the neighbors shed to the rear is 14.0'

Tax Map #: 334-13.00-310.00-226 56929

Property Zoning: AR-1

Applicant Information

Applicant Name: James Swalm Jr

Applicant Address: 117 Shannon Blvd

City Middletown State DE Zip: 19709

Applicant Phone #: (302) 293-4164 Applicant e-mail: jamie@jamieswalm.com

Owner Information

Owner Name: James Swalm Jr and Cathy Swalm

Owner Address: 117 Shannon Blvd

City Middletown State DE Zip: 19709 Purchase Date: 3/17/23

Owner Phone #: (302) 293-4164 Owner e-mail: jamie@jamieswalm.com

Agent/Attorney Information

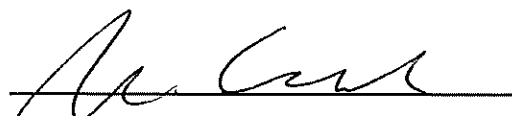
Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney



Date: 11/5/25



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.

See Attached

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.

See Attached

3. Not created by the applicant:

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

See Attached

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.

See Attached

5. Minimum variance:

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

See Attached

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)

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: 11/5/25

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: _____

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

While the lot that this proposed screened in porch is a corner lot that is larger and more sizeable than other interior lots in the community, the uniquely narrow dimensions of the surrounding lots and the build out create a challenge create a challenge placing the screened in porch and maintaining minimum separation distance between the rear corner of the neighbors shed and the rear corner of the porch. This lot was laid out with others in the community in the 1950's and 1960's. As a result the lot sizes are small in comparison with the size of the modern manufactured home.

2.Cannot otherwise be developed:

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

Due to the physical circumstances on both this lot and the adjoining lots, the rear corner of the screened in porch cannot be developed in strict conformity with the Sussex County Zoning Code. I propose to build a normal size screened in porch consistent with the size of other screened in porches in the community however am unable to do so without violating the separation distance requirements between the rear corner of the neighbors shed and the rear corner of the porch. The variance is necessary to enable reasonable use of the property and screened in porch.

3.Not created by the applicant:

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

The exceptional practical difficult has not been created by the applicant. The neighboring shed in question is placed at the rear boundary of the neighbors property with no space between the rear of the shed and the applicant's property. Although the placement of the neighbors shed is currently not in conformity with the current Sussex County Zoning Code, the shed was erected and placed so long ago it's placement has been grandfathered in. It is

the placement of the neighboring shed which is not in conformity with the current Sussex County Zoning Code that is creating this practical difficulty. If the shed were constructed and placed under current code regulations, this practical difficulty would not be present.

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

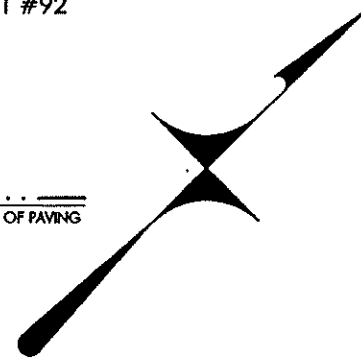
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

The variance, if authorized, will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare thereof.

5. Minimum variance:

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



The variance sought is the minimum variance necessary to afford relief and represents the least modifications possible of the regulations at issue. The placement of the screened in porch relative to the neighbors shed conforms with similar placements within the community.



19998 CENTER AVENUE

LOT #94, BLOCK C OF "SEA AIR VILLAGE" PARK
LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

OCTOBER 17, 2023 SCALE: 1" = 20'

	IRON ROD (FOUND)
	POINT IN UTILITY POLE
	POINT

ALL SETBACKS MUST BE VERIFIED BY THE OWNER,
GENERAL CONTRACTOR AND/OR THE DESIGNER.
PLEASE CONTACT SUSSEX COUNTY (302-855-7878)
AND THE PARK MANAGER.

~~THIS DRAWING DOES NOT VERIFY THE EXISTENCE
OR NON-EXISTENCE OF WETLANDS, UTILITIES,
RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO
OR LOCATED ON THIS PROPERTY.~~

NO TITLE SEARCH PROVIDED OR STIPULATED.

FORESIGHTServices

Surveying & Precision Measurement

302 226 2229 phone

EXTERIOR IMPROVEMENT REQUEST

Jamie and Cathy Swalm
RESIDENT NAME
19998 Center Ave, Rehoboth, DE 19971
ADDRESS
302-293-4164
TELEPHONE NUMBER

Sea Air - Rehoboth DE
COMMUNITY NAME
1/3/2025
DATE OF REQUEST
01/2026
PROPOSED COMPLETION DATE

The above named Resident requests approval to build, add-on, or otherwise alter his/her manufactured home, its associated structures, or site. Approval by the Community Management does not waive Resident's responsibility to secure any and all permits required by the governing municipality whose name and telephone number is: _____

Sussex County, 302-855-7700

Description of Alteration:

See Attached

Shower must be locked when not in use, winterized by NOV 15th + Plumbed into sewer.

☒ Upon review of the above request, we find it is within our guidelines.

Resident will obtain any and all permits necessary to construct improvement.

If Resident hires an independent contractor, it is recommended that they be licensed and insured.

☐ Upon review of the above request, we find it is not within our guidelines.

[Signature]
DISTRICT MANAGER/COMMUNITY MANAGER

1/3/2025
DATE

USE SPACE BELOW TO SKETCH THE ALTERATIONS AND LOCATION ON YOUR HOME SITE.
 (ATTACH SEPARATE SHEET IF NECESSARY)

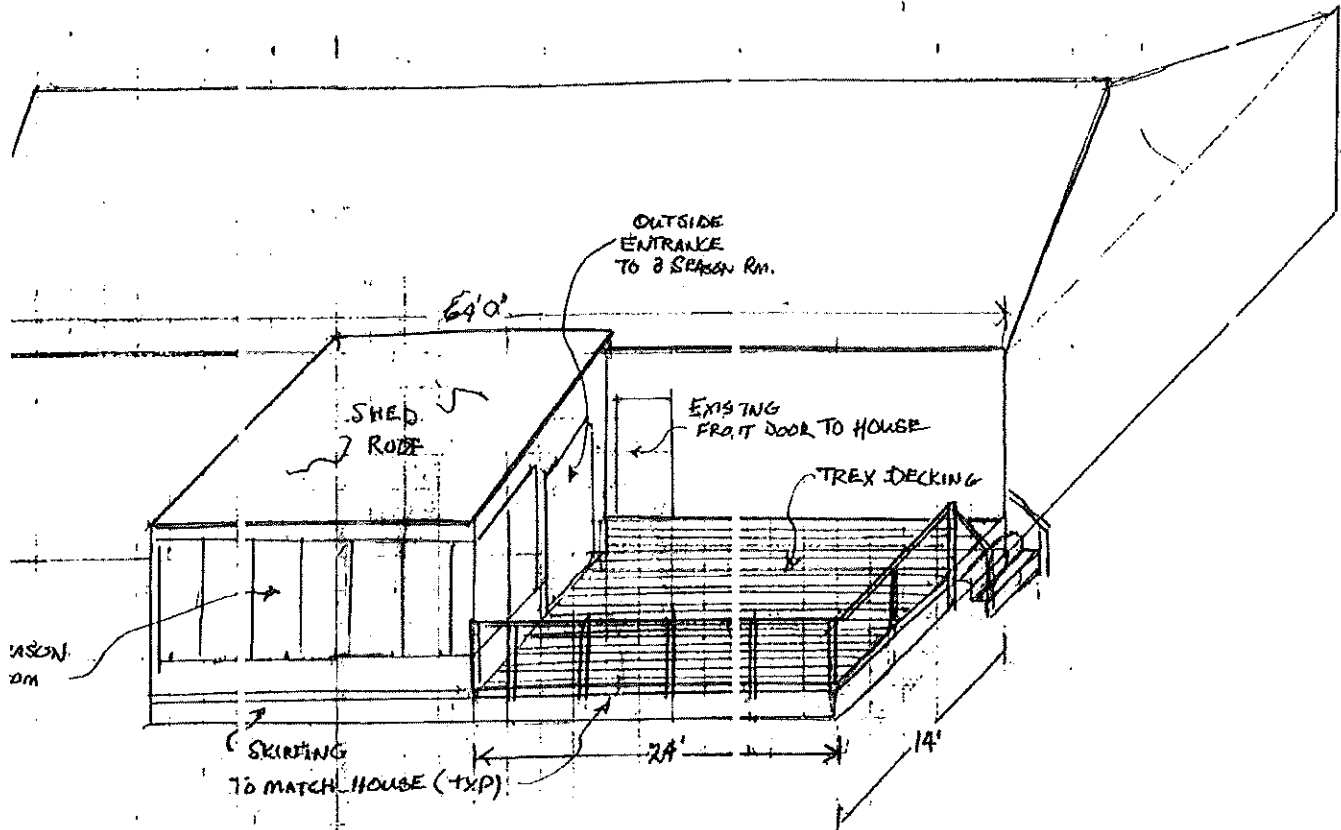
See Attached

FOLLOW-UP INSPECTION

Management reserves the right to inspect the alterations described above upon completion.

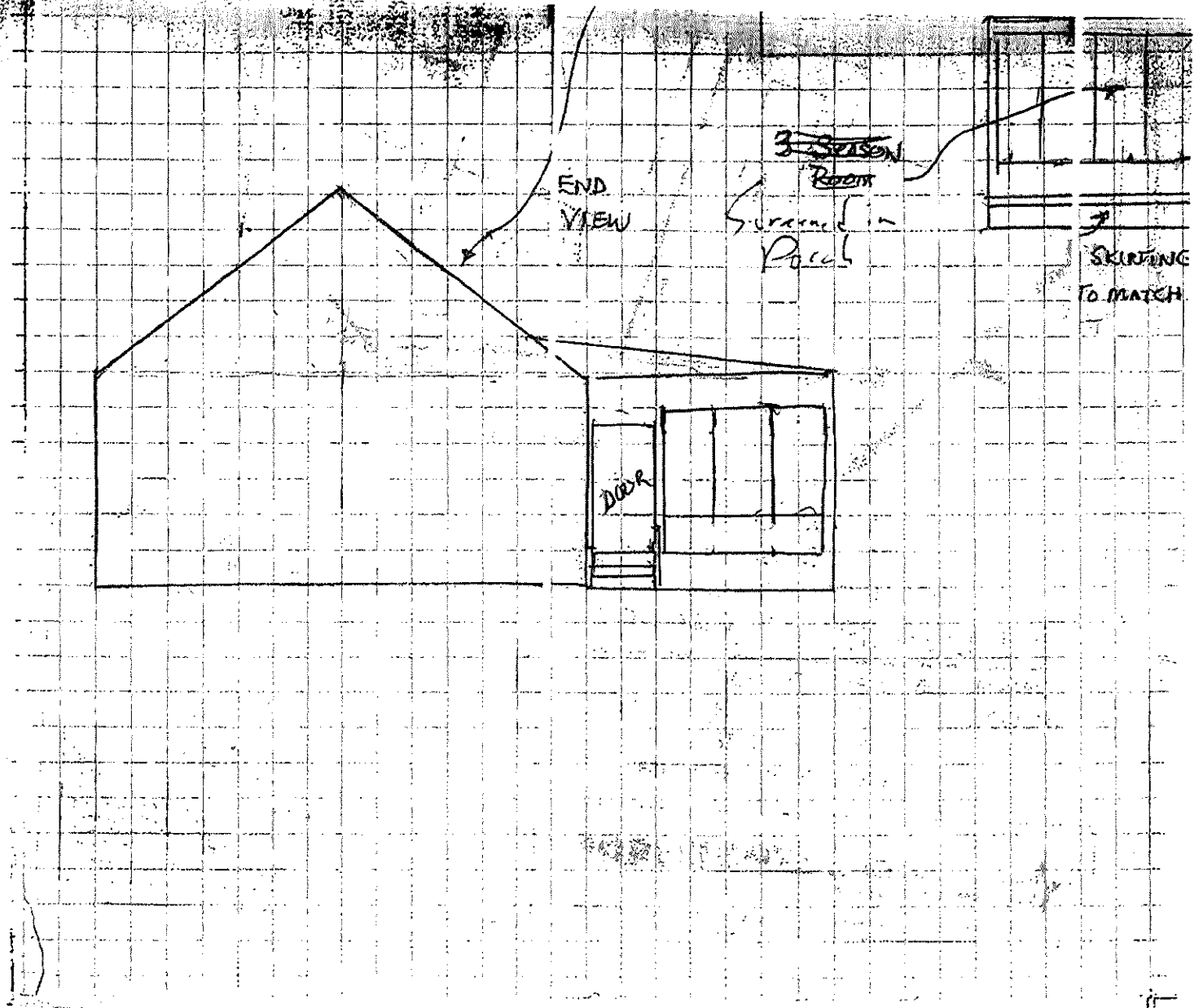
DISTRICT MANAGER/COMMUNITY MANAGER


DATE



JAMIE & CATHY SWALM
18998 CENTER AVE
SEA AIRE VILLAGE

Reviewed
11/3/25




 Reviewed
 11/3/25


Description of Alteration for Exterior Improvement Request 19998 Center Ave, Lot #94, Block C of Sea Air Village Park; Lewes & Rehoboth Hundred, Sussex County, State of Delaware

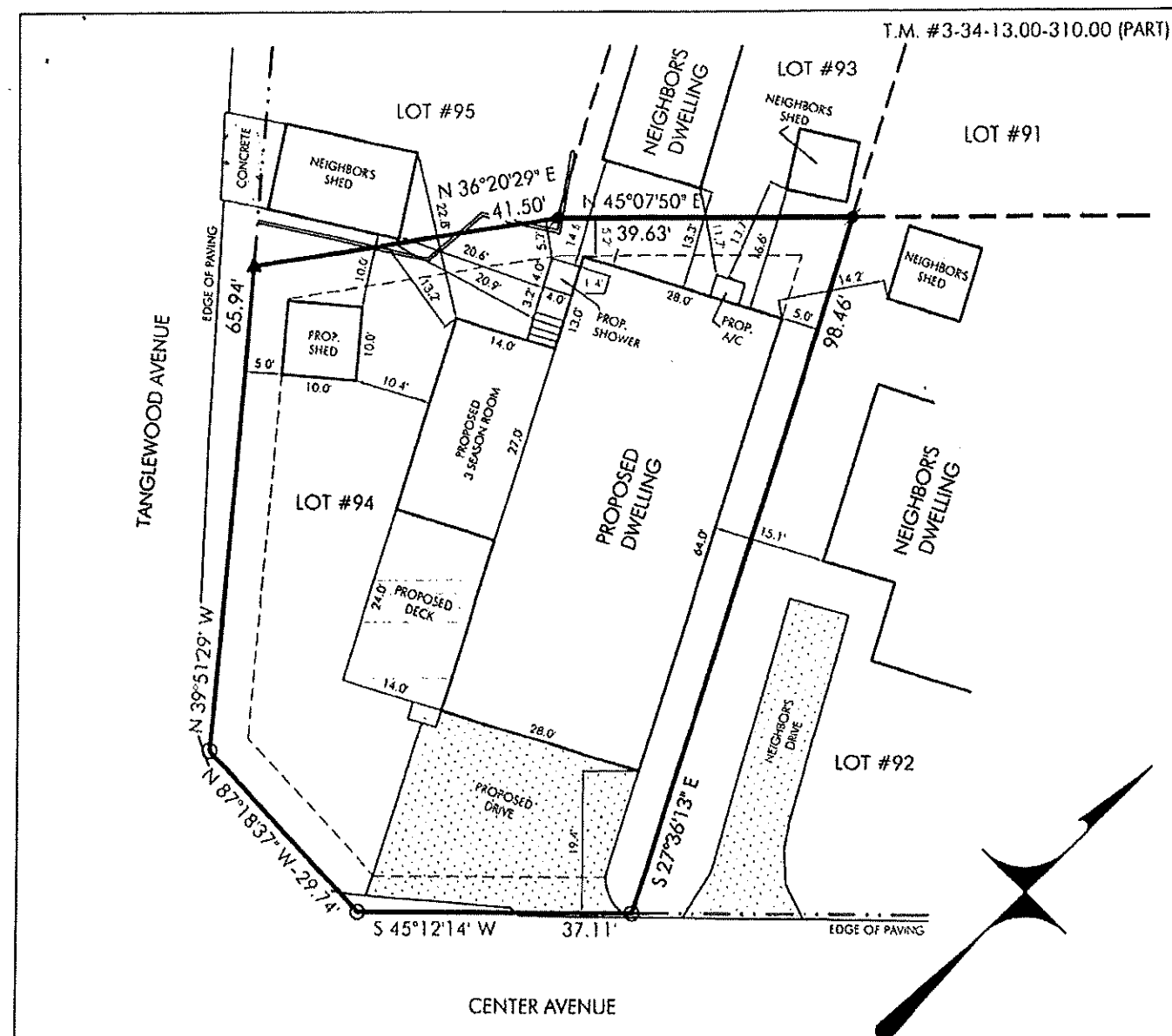
The requested alteration is a proposed 14 X 24 foot deck (Already Constructed after initial approval), and a 14 X 27 foot screened in porch, and a 4 X 4 outdoor shower, all attached to the left side of the home as per the attached plan.

Deck: The deck is Composite Board with Composite Railing around the outside and vinyl skirting around the bottom.

Screened in Porch: The exterior of the screened in porch will be a combination of a low wall with vertical screens from the top of the wall to the top of the porch. The outside will be vinyl siding matching the current home. The roof will be shingled with shingles matching the current home. The interior will use pvc composite sheets for the low wall and supporting posts as well as the ceiling.

Outdoor Shower: The shower will be a PVC/Vinyl Shower Enclosure on a concrete slab. * see notes

 Reviewed
1/3/2025

**LEGEND:**

- ▲ IRON ROD (FOUND)
- ⊗ POINT IN UTILITY POLE
- POINT

NOTES:

ALL SETBACKS MUST BE VERIFIED BY THE OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT SUSSEX COUNTY (302-855-7878) AND THE PARK MANAGER.

THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.

NO TITLE SEARCH PROVIDED OR STIPULATED.

OPTION #2
 PROPOSED CONDITIONS &
 LOCATION PLAN FOR
19998 CENTER AVENUE

LOT #94, BLOCK C OF "SEA AIR VILLAGE" PARK
 LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
 STATE OF DELAWARE

SEPTEMBER 5, 2023 SCALE: 1" = 20'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

302 226 2229 phone

302 226 2239 fax

2103A Coastal Highway

Dewey Beach, DE 19971



Jamie Swalm <jamie@jamieswalm.com>

Variance approval

Royce Shappell <rshappell@verizon.net>

Wed, Nov 5, 2025 at 8:11 PM

To: jamie@jamieswalm.com

Hi Jamie,

Thanks for the heads up notification on your future screened in porch;

This email is to the attention of The Board
of Adjustment.

Jamie Swalm has reviewed the location of his future screened in porch with me and I am in agreement with the location.
Specifically, being located 14' from our storage shed.

My name and address is:

Royce Shappell

Lot #95

19955 Sea Air Avenue

Rehoboth Beach

Delaware 19971

All the Best, Royce-

Layers

Search

Basemaps

Select Area

Eagleview

Print

EagleviewSearch Results

Selected Features:Parcels (384)

356) 334-13.00-310.00-56929Zoom

BOOK

PAGE

FULLNAME

SWALM JAMES JR

Second_Owner_Name

CATHY SWALM

MAILINGADDRESS

19998 CENTER AVE

CITY

REHOBOTH BEACH

STATE

DE

a_account

10-10-310-C94

DESCRIPTION

SEA AIR

DESCRIPTION2

LOT C94

DESCRIPTION3

LUC

104

SCHOOL

6

MUNI

00

CAP

2

357) 334-13.00-310.00-57022Zoom

358) 334-13.00-310.00-57024Zoom

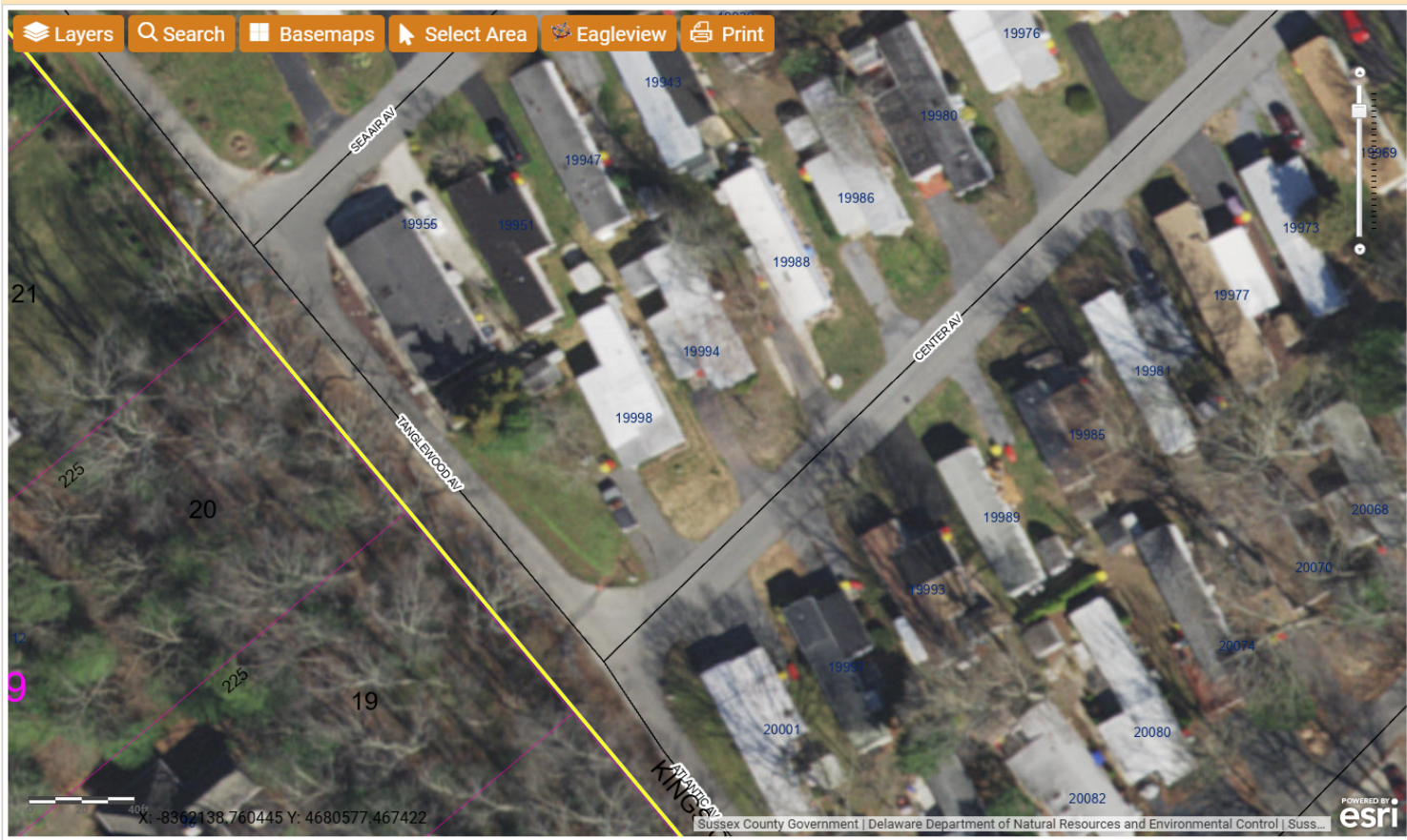
359) 334-13.00-310.00-57044Zoom

360) 334-13.00-310.00-57045Zoom

Selected Features (356 - 360 of 384)

Clear Selected

50



Eagleview Search Results

Selected Features: Parcels (384)

▼ 356) 334-13.00-310.00-56929 Zoom

BOOK	
PAGE	
FULLNAME	SWALM JAMES JR
Second_Owner_Name	CATHY SWALM
MAILINGADDRESS	19998 CENTER AVE
CITY	REHOBOTH BEACH
STATE	DE
a_account	10-10-310-C94
DESCRIPTION	SEA AIR
DESCRIPTION2	LOT C94
DESCRIPTION3	
LUC	104
SCHOOL	6
MUNI	00
CAP	2

► 357) 334-13.00-310.00-57022 Zoom

► 358) 334-13.00-310.00-57024 Zoom

► 359) 334-13.00-310.00-57044 Zoom

► 360) 334-13.00-310.00-57045 Zoom

◀ ▶ ⬅ ➡ ⬇ ⬆

Selected Features (356 - 360 of 384)

Clear Selected



CONNECTEXPLORER™

Workspaces ▾

map: Auto (Ortho) ▾

Mar 2025 - Mar 2025 ▾

< image 1 of 5 >

03/10/2025

Search

Search by SUSSEXPARCELS ▾

334-13.00-310.00

Search results (1) Options ▾

334-13.00-310.00

20 ft

5 m

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: SEA AIR VILLAGE

(Case No. 12780)

A hearing was held after due notice on January 9, 2023. The Board members present were: Dr. Kevin Carson, Mr. Jeffrey Chorman, Mr. John T. Hastings, and Mr. John Williamson.

Nature of the Proceedings

This is an application for variances from the separation distance requirements for proposed structures.

Findings of Fact

The Board found that the Applicant is requesting the following variances:

1. A variance of 0.7 feet from the ten (10) feet separation distance requirement for a proposed shed from the existing shed on Lot B-95;
2. A variance of 7.1 feet from the twenty (20) feet separation distance requirement for a proposed manufactured home from the existing manufactured home on Lot B-93;
3. A variance of 3.9 feet from the twenty (20) feet separation distance requirement for a proposed manufactured home from the existing shed on Lot B-93;
4. A variance of 6.9 feet from the twenty (20) feet separation distance requirement for a proposed manufactured home from the existing shed on Lot C-92;
5. A variance of 9.1 feet from the twenty (20) feet separation distance requirement for a proposed landing from the existing manufactured home on Lot C-92;
6. A variance of 5.1 feet from the twenty (20) feet separation distance requirement for a proposed manufactured home from the existing manufactured home on Lot C-92; and
7. A variance of 4.9 feet from the twenty (20) feet separation distance requirement for a proposed manufactured home from the existing manufactured home on Lot C-92.

This application pertains to certain real property located on the corner of Center Avenue and Tanglewood Avenue, Lot C94, within the Sea Air Village Manufactured Home Park (911 Address: 19998 Center Avenue, Rehoboth Beach) said property being identified as Sussex County Tax Map Parcel Number: 334-13.00-310.00-3369 ("the Property"). After a public hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, a site plan dated October 25, 2022, an aerial photograph of the Property, and a portion of the tax map of the area.
2. The Board found that the Office of Planning & Zoning received no correspondence in support of or in opposition to the Application.
3. The Board found that Aimee Bennett was sworn in to testify about the Application.
4. The Board found that Ms. Bennett testified that the Property is unique due to it being a corner lot that is narrower than the surrounding lots. She noted that the narrowness of the lot has created a placement challenge for this manufactured home.
5. The Board found that Ms. Bennett testified that this lot was laid out with others in the community in the 1950s and 1960s and the lot sizes are small in comparison with the modern-day manufactured homes.
6. The Board found that Ms. Bennett testified that the Applicant selected a standard size floor plan that is consistent with what the Applicant would put on similar sized corner lots but the Applicant is unable to place it on the Property while maintaining the required setbacks.

7. The Board found that Ms. Bennett testified that the narrow shape of the surrounding lots and the build-up thereof has made it difficult to place a new manufactured home consistent with others in the neighborhood while maintaining compliance with the Sussex County Zoning Code.
8. The Board found that Ms. Bennett testified that the Property cannot be developed in strict conformity with the Sussex County Zoning Code and that the variances are necessary to enable the reasonable use of the Property.
9. The Board found that Ms. Bennett testified that sheds are standard in the community.
10. The Board found that Ms. Bennett testified that the streets are higher than the lots. She noted that on the west side of the lot is a culvert that carries water and, when there is an overflow the side of the lot, the water goes down Tanglewood Avenue. In addition to that, the Applicant has learned since replacing and exploring placement issues that the water line actually truncates at the edge of between Lots C92 and C94 so it does not go all the way into the interior of the end cap lot. As such, if the home was placed elsewhere on the lot, the Applicant would be required to run new infrastructure.
11. The Board found that Ms. Bennett testified that the exceptional practical difficulty has not been created by the Applicant.
12. The Board found that Ms. Bennett testified that the Property itself is sufficient to contain the proposed home within the lot with limited accommodation, however, the neighboring lots being narrow has caused the development of the lots to be near the lot lines and it appears impossible to place a home on the Property without violating separation distance requirements.
13. The Board found that Ms. Bennett testified that this exceptional practical difficulty was created by the unique conditions of the Property itself and the development of the adjacent lots.
14. The Board found that Ms. Bennett testified that the existing home on the lot is failing and the existing homeowner seeks to replace the home with a new build. She noted that the home currently on the lot is a 1975 model.
15. The Board found that Ms. Bennett testified that, while the home is almost an equal size and width, the new builds come a little bit longer and that is why they are running into placement issues at the back of the lot.
16. The Board found that Ms. Bennett testified that the variances will not alter the essential character of the neighborhood nor will they substantially or permanently impair the appropriate use or development of adjacent property, nor will they be detrimental to the public welfare thereof.
17. The Board found that Ms. Bennett testified that the variances are being sought to replace an aging and failing home that currently exists on the lot and to add to conformity of the community by modernizing the homes within the community which will subsequently add value and improve the characteristics of the neighborhood.
18. The Board found that Ms. Bennett testified that the variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications to the regulation at issue.
19. The Board found that Ms. Bennett testified that the placement requested conforms with similar placements in the community which will help future placement needs of neighboring homes as they arise in years to come.
20. The Board found that Ms. Bennett testified that Sea Air Village was planned and developed prior to the enactment of the Sussex County Zoning Code and setbacks being put into place.
21. The Board found that Ms. Bennett testified that the Applicant's supplier of manufactured homes does not offer a narrower unit.
22. The Board found that Ms. Bennett testified that the current home on the lot is a single-wide with a full size addition, making it the dimensions of a double-wide.

23. The Board found that Ms. Bennett testified that it is not the width of the proposed manufactured home that is an issue but the length and single-wide homes are nearly equal in length to the double-wide homes.
24. The Board found that Ms. Bennett testified that the Applicant could shift the placement slightly but would have to redevelop the driveway and would run into issues at the back corner of the home where it is just 5 feet off the lot because the lot is diagonal there and there is a fence which would cause them to shift the manufactured home dramatically forward.
25. The Board found that Ms. Bennett testified that, if they moved the home forward, they would need to find placement for the driveway.
26. The Board found that Ms. Bennett testified that the corner below and to the left of the existing driveway is almost all swamp.
27. The Board found that Ms. Bennett testified that, if they move the home up they only have, from the closest corner, 20-21 feet from the stairs to place the driveway, a standard parking space is roughly 12 feet by 20 feet.
28. The Board found that Ms. Bennett testified that the shifting of the home placement would still not alleviate the need for variance and would reduce the other requirements on the lot.
29. The Board found that Ms. Bennett testified that another part of the uniqueness is that the Applicant is unaware of when the buildings on Lot 92 were placed in relation to the setback requirements but the buildings are nearer to the lot line than most homes.
30. The Board found that Ms. Bennett testified that, if the Applicant was to move the dwelling over, the Applicant would still have to shift forward on the lot to maintain the 5 feet setback in the rear which would truncate the space available for a driveway because from the edge of the driveway over would not support it.
31. The Board found that Ms. Bennett testified that the Applicant has tried to maintain conformity with the other house placements on the street.
32. The Board found that Ms. Bennett testified that the roads are higher than the lots, which should not have happened in the first place, and, as a result, the water flows towards the back of the Property to keep it from going into other lots.
33. The Board found that Ms. Bennett testified that placing a single-wide manufactured home is only a difference of a few feet and with what is currently placed there they are not making a substantial change.
34. The Board found that Ms. Bennett testified that the Applicant is able to get single-wide homes but historically their corner lots are at a premium so they would have to change their pricing if the lot was no longer going to accommodate a double-wide which would be a financial change for them.
35. The Board found that Ms. Bennett testified that the community is fully developed and there is no room for any more lots.
36. The Board found that Ms. Bennett testified that she would not refer to the lot as marshy but it does get a lot of moisture that begins at about the edge of the existing driveway.
37. The Board found that Ms. Bennett testified that the proposed shed could be moved forward and be brought into compliance. The Applicant withdrew the variance request for the shed.
38. The Board found that no one appeared in support of or in opposition to the Application.
39. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, which the Board found credible, persuasive, and un rebutted, the Board determined that the application met the standards for granting a variance. The findings below further support the Board's decision to approve the Application.

- a. The Property is unique as it is a small and narrow lot laid out prior to the enactment of the Sussex County Zoning Code. The lot is also adjacent to lots which are improved by houses and related structures and the dwelling on Lot B-93 and the shed on Lot B-95 are close to the shared property lines. The lot is required to meet separation distance requirements for structures within the park but the Applicant is unable to place a reasonably sized home with related structures on the lot while meeting all setback requirements. Moreover, the lot has drainage issues which limit development closer to Tanglewood Avenue. The water line also does not run to the southwest side of the lot thereby further complicating the Applicant's ability to place a reasonable home on the lot. The effect of the placement of the structures on the adjacent lots combined with the already small size of the lot and these unique conditions have led to an exceptionally small building envelope. These conditions have created an exceptional practical difficulty and unnecessary hardship for the Applicant who seeks to place a dwelling and related structures on the Property but cannot do so in compliance with the Sussex County Zoning Code. The situation is unique because neighboring homes have been placed on other lots and the Applicant has no control over the placement of those homes and structures.
- b. The unnecessary hardship and exceptional practical difficulty are not being created by the provisions of the Sussex County Zoning Code.
- c. Due to the uniqueness of the Property and the placement of the structures on a neighboring lot, the Property cannot be developed in strict conformity with the Sussex County Zoning Code. The Applicant proposes to place a dwelling and related structures on the lot but is unable to do so without violating the separation distance requirements between structures in a mobile home park requirement. The variances are thus necessary to enable reasonable use of the Property. The Board is convinced that the shape and location of the dwelling and related structures are also reasonable (which is confirmed when reviewing the survey).
- d. The exceptional practical difficulty and unnecessary hardship were not created by the Applicant. The Applicant did not create the size of the lot or place the structures on the neighboring property thereby restricting the building envelope on the Property. This building envelope is further limited due to the small size of the lot. The unique conditions of the Property and the development of the adjacent lot have created an exceptional practical difficulty and unnecessary hardship for the Applicant who seeks to place a reasonably sized home and related structures on the lot.
- e. The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare. The Board is convinced that the dwelling and related structures will not have a negative impact on the neighborhood. The Board notes that no complaints were noted in the record about the proposed dwelling and related structures and no evidence was presented which would indicate that the variances would somehow alter the essential character of the neighborhood or be detrimental to the public welfare. The Board also notes that the home will be located in a similar location as a prior home that was recently removed.
- f. The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible of the regulations at issue. The Applicant has demonstrated that the variances sought will allow the Applicant to place a reasonably sized dwelling and related structures on the lot. The Board notes that the dwelling is a reasonably sized manufactured home. The Applicant has demonstrated

that it has worked with its manufacturer to secure a home that minimizes the need for a variance.

- g. The condition or situation of the Property and the intended use of the Property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Sussex County Zoning Code.
- h. The Board notes that the Applicant withdrew the variance request for the proposed shed and that this approval does not apply to the proposed shed.

The Board granted the variance application, except for the request for the proposed shed, finding that it met the standards for granting a variance.

Decision of the Board

Upon motion duly made and seconded, the variance application was approved. The Board Members in favor of the motion to approve were Dr. Kevin Carson, Mr. Jeffrey Chorman, Mr. Travis Hastings, and Mr. John Williamson. No Board Member voted against the Motion to approve the variance application. Mr. Jordan Warfel 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 March 6, 2023

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 # 12780
 Hearing Date _____
202215904

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☒

Code Reference (office use only)
115-25 115-172

Site Address of Variance/Special Use Exception:

19998 Center Ave, Rehoboth Beach DE 19971

Variance/Special Use Exception/Appeal Requested:

1) on the east side of the proposed home where the separation distance between the neighboring home is 15.1' and the 2) proposed stairs on the east side are 10.9' feet from the neighboring home on lot 92. 3) Where the rear corner of the proposed home is 14.0' from the neighboring shed to the north on lot 92. 4) Where the rear of the home is 16.1' from the neighboring shed on lot 93 and 5) 12.9' from the neighboring home on lot 93 6) Where the proposed shed is 9.3' from the neighboring shed to the west on lot 95. Where the proposed AC at the rear of the home is 7) x' from the neighboring shed on lot 93 and 8) x' from the neighboring home on lot 93.

Tax Map #: 334-13.00-310.00-3369

Property Zoning: AR-1

Applicant Information

Applicant Name: Sea Air Village- Agent: Aimee Bennett

Applicant Address: 19837 Sea Air Ave

City Rehoboth Beach **State** DE **Zip:** 19971

Applicant Phone #: (302) 227-8118 **Applicant e-mail:** abennett2@suncommunities.com

Owner Information

Owner Name: Sea Breeze LP DBA Sea Air Village

Owner Address: 19837 Sea Air Ave

City Rehoboth Beach **State** DE **Zip:** 19971 **Purchase Date:** _____

Owner Phone #: (302) 227-8118 **Owner e-mail:** abennett2@suncommunities.com

Agent/Attorney Information

Agent/Attorney Name: Aimee Bennett

Agent/Attorney Address: 19837 Sea Air Ave

City Rehoboth Beach **State** DE **Zip:** 19971

Agent/Attorney Phone #: (302) 227-8118 **Agent/Attorney e-mail:** abennett2@suncommunities.com

Signature of Owner/Agent/Attorney

Aimee Bennett

Date: 10-27-22



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.

See Attached

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.

See Attached

3. Not created by the applicant:

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

See Attached

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.

See Attached

5. Minimum variance:

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

See Attached

Sussex County, DE - BOA Application

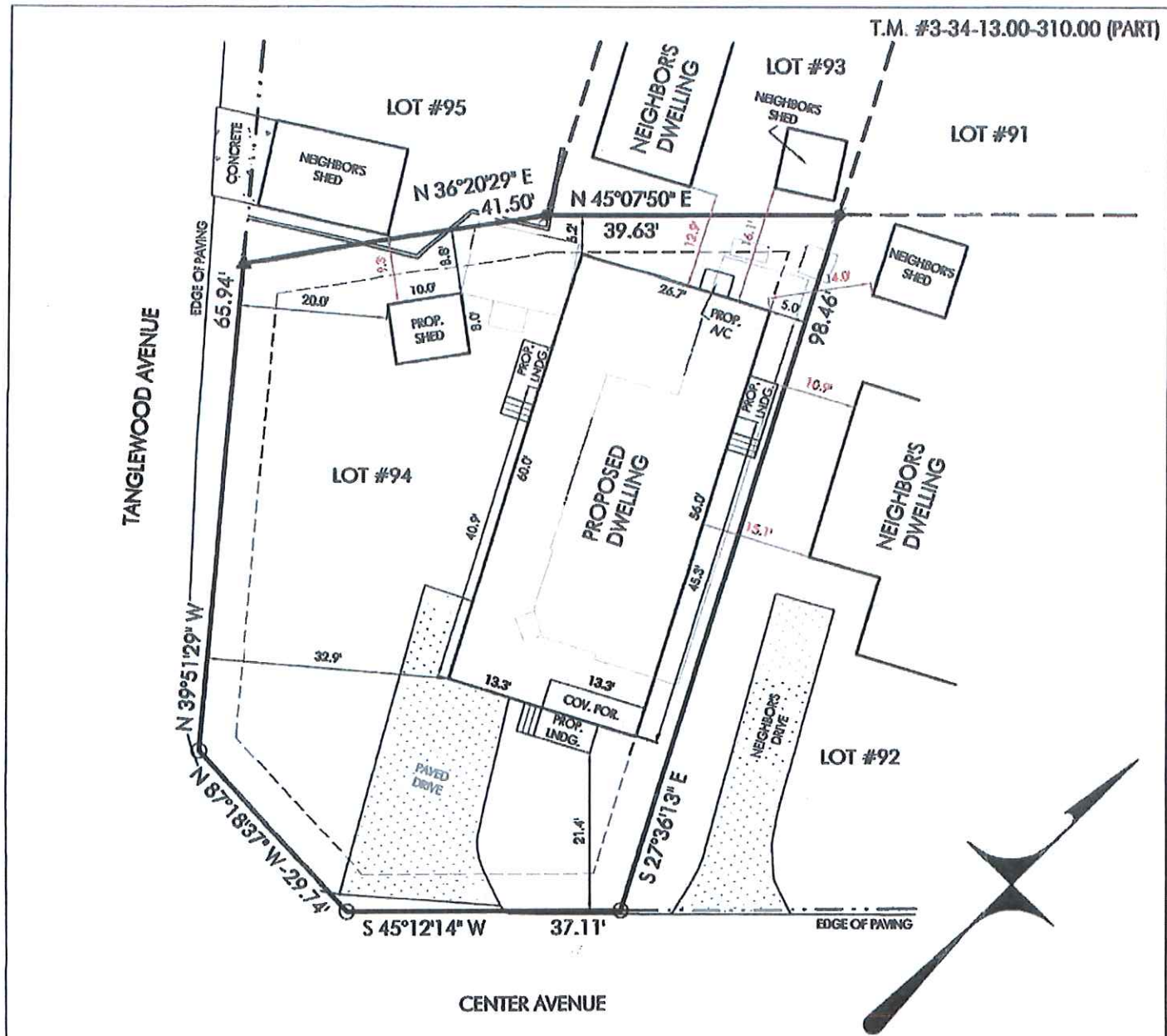
Criteria for a Special Use Exception: (Please provide a written statement regarding each criteria)

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)



PROPOSED CONDITIONS & LOCATION PLAN FOR 19998 CENTER AVENUE

LOT #94, BLOCK C OF "SEA AIR VILLAGE" PARK
LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

OCTOBER 25, 2022 SCALE: 1" = 20'

LEGEND:

- | | |
|---|-----------------------|
|  | IRON ROD (FOUND) |
|  | POINT IN UTILITY POLE |
|  | POINT |

NOTES:

ALL SETBACKS MUST BE VERIFIED BY THE OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT SUSSEX COUNTY (302-855-7878) AND THE PARK MANAGER.

THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.

NO TITLE SEARCH PROVIDED OR STIPULATED.

Prepared by:

FORESIGHTServices

Surveying & Precision Measurement

302 226 2229 phone

302 226 2239 log

2103A Coastal Highway

Dewey Gesch, DE 19971

1. Uniqueness of the 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 the 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.

- 1-8: While the lot that this manufactured home is being proposed for is a corner lot that is larger and more sizeable than other interior lots in the community, The uniquely narrow dimensions of the surrounding lots and the build out thereof create a challenge placing the manufactured home and maintaining minimum separation distance between the homes and their accessory structures. This lot was laid out with others in the community in the 1950's and 1960's. The lot sizes are small in comparison with the size of the modern manufactured home. I have selected a standard size floorplan that is consistent with similarly sized corner lots but I am still unable to place it on the lot while maintaining required setbacks. The narrow shape of the surrounding lots and the build out thereof makes it difficult to place a new manufactured home on the property consistent with others in the neighborhood, while being in compliance with Sussex County 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.

- 1-8: Due to the physical circumstances on both this lot and the adjoining lots, the property cannot be developed in strict conformity with the Sussex County Zoning Code. I propose to place a normal width sized manufactured home that is consistent with other new homes in the community and a standard size shed that is consistent with other new homes in the community but am unable to do so without violating the separation distance requirements between neighboring manufactured homes and accessory structures (ie, sheds, stairs, air conditioners, etc). The variances are necessary to enable reasonable use of the property. Changing placement within the lot will not eliminate the need for a variance.

3. Not created by the applicant:

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

- 1-8: The exceptional practical difficulty was not created by the applicant. The property itself is sufficient to contain the proposed home with limited accommodation; However, the neighboring lots are also narrow causing development of nearby lots to be nearer to lot lines/neighboring homes. It appears impossible for a home to be placed on the property without violating the separation distance requirements. The exceptional practical difficulty was created by the unique conditions of the property and the development of adjacent lots. The existing home on the lot is failing and the existing homeowner seeks to replace the home with a new build.

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 or development of adjacent property, nor be detrimental to the public welfare.

- 1-8: The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare thereof. I am seeking this variance to replace a aging/failing home that currently exists on the lot, to add to the conformity of the community, and to modernize the homes within the community which will subsequently add value and improve the characteristics of the community/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.

- 1-8: The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible of the regulations at issue. As previously mentioned, while modifications to the placement of the home could be made, the overall need for an exception for separation distances cannot be entirely averted in any one scenario. The placement requested conforms with similar placements within the community which will help future placement needs of neighboring homes as they arise in years to come.

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

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

Case # _____
Hearing Date _____

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:

19998 Center Ave, Rehoboth Beach DE 19971

Variance/Special Use Exception/Appeal Requested:

1) on the east side of the proposed home where the separation distance between the neighboring home is 15.1' and the 2) proposed stairs on the east side are 10.9' feet from the neighboring home on lot 92. 3) Where the rear corner of the proposed home is 14.0' from the neighboring shed to the north on lot 92. 4) Where the rear of the home is 16.1' from the neighboring shed on lot 93 and 5) 12.9' from the neighboring home on lot 93 6) Where the proposed shed is 9.3' from the neighboring shed to the west on lot 95. Where the proposed AC at the rear of the home is 7) 13.2' from the neighboring shed on lot 93 and 8) 11.5' from the neighboring home on lot 93.

Tax Map #: 334-13.00-310.00-3369

Property Zoning: _____

Applicant Information

Applicant Name: Sea Air Village- Agent: Aimee Bennett
Applicant Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Applicant Phone #: (302) 227-8118 Applicant e-mail: abennett2@suncommunities.com

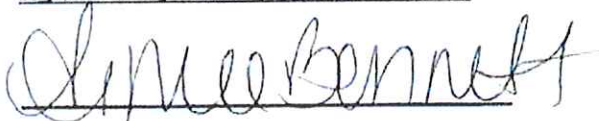
Owner Information

Owner Name: Sea Breeze LP DBA Sea Air Village
Owner Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971 Purchase Date: _____
Owner Phone #: (302) 227-8118 Owner e-mail: abennett2@suncommunities.com

Agent/Attorney Information

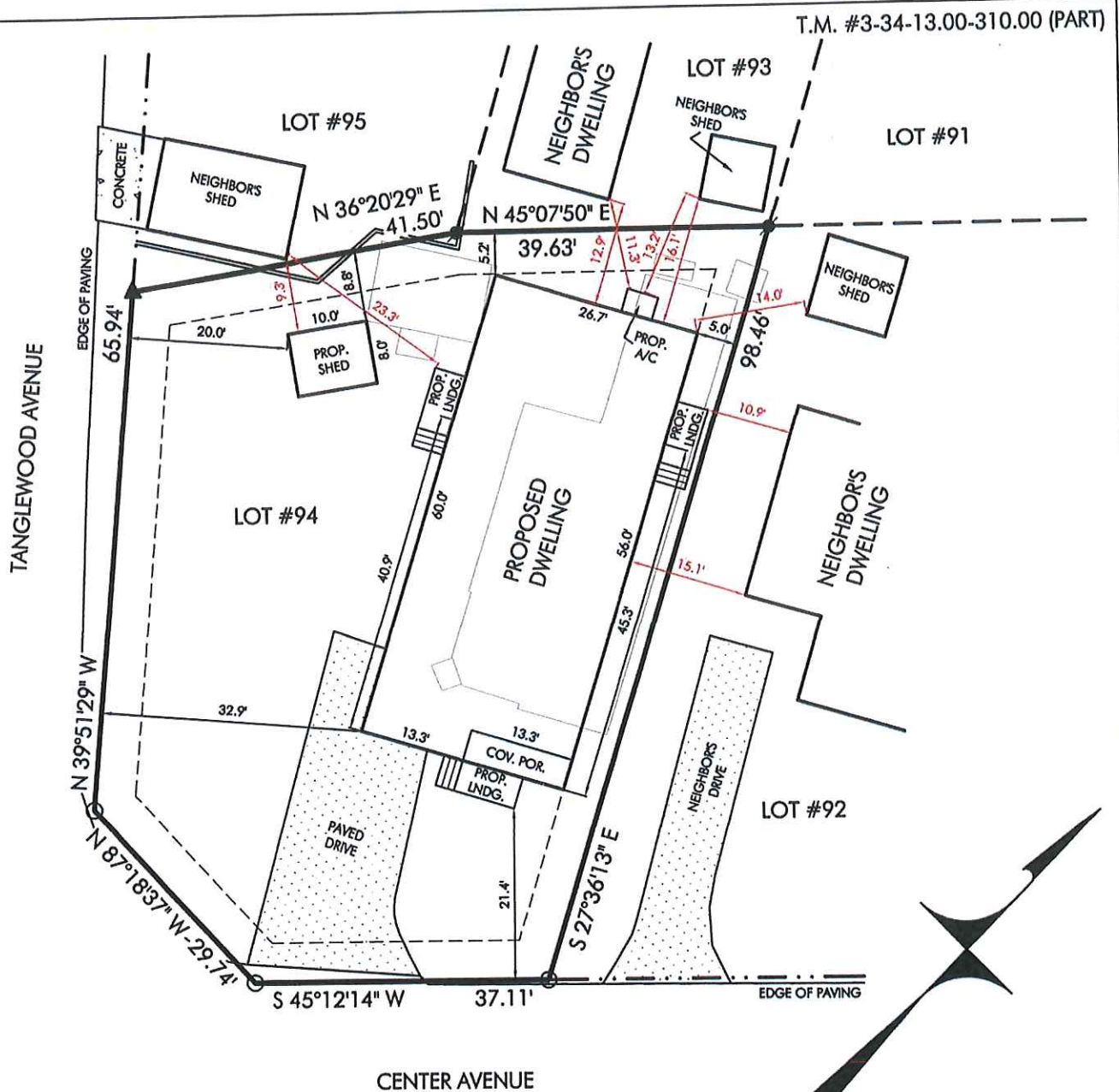
Agent/Attorney Name: Aimee Bennett
Agent/Attorney Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Agent/Attorney Phone #: (302) 227-8118 Agent/Attorney e-mail: abennett2@suncommunities.com

Signature of Owner/Agent/Attorney



Date: 10-27-22



**LEGEND:**

- ▲ IRON ROD (FOUND)
- ⊗ POINT IN UTILITY POLE
- POINT

NOTES:

ALL SETBACKS MUST BE VERIFIED BY THE OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT SUSSEX COUNTY (302-855-7878) AND THE PARK MANAGER.

THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.

NO TITLE SEARCH PROVIDED OR STIPULATED.

PROPOSED CONDITIONS & LOCATION PLAN FOR

19998 CENTER AVENUE

LOT #94, BLOCK C OF "SEA AIR VILLAGE" PARK
LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

OCTOBER 25, 2022 SCALE: 1" = 20'

Prepared by:

FORESIGHTServices

Surveying & Precision Measurement

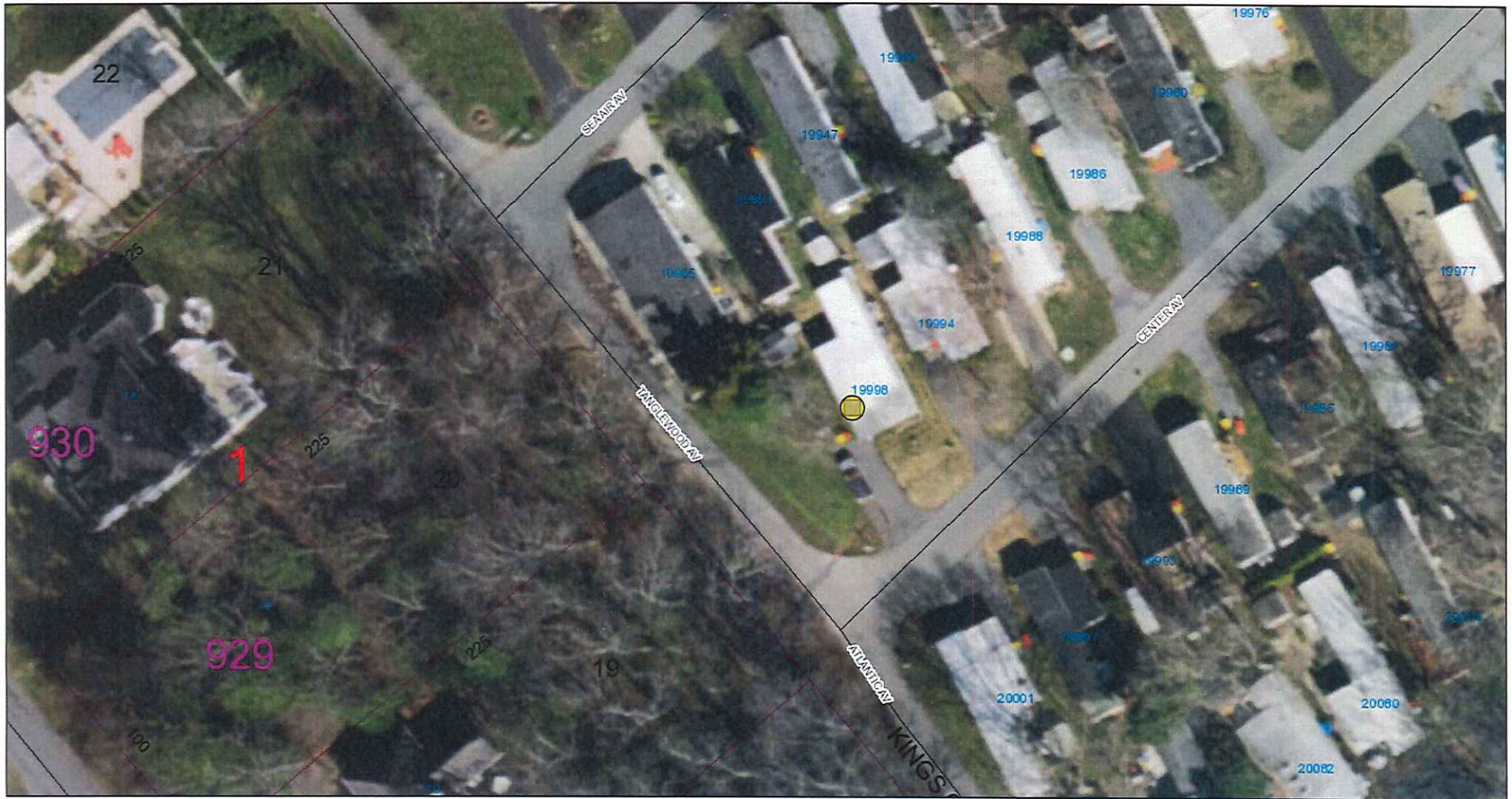
302 226 2229 phone

302 226 2239 fax

2103A Coastal Highway

Dewey Beach, DE 19971

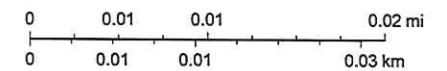
Sussex County



November 23, 2022

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

1:564



Wetland mapping is supported with funding provided by the Environmental Protection Agency, State of Delaware, Maxar, Microsoft, DNREC, Division of Watershed Stewardship, Drainage Program, john.inkster@state.de.us, Sussex County, Sussex County Government, Sussex County Mapping and Addressing, Delaware

