

BOARD OF ADJUSTMENT

ELLEN MAGEE, CHAIR
KEVIN E. CARSON
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Sussex County

DELAWARE
sussexcountyde.gov

(302) 855-7878 T
(302) 845-5079 F

AGENDA

August 3, 2020

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 June 15, 2020

Approval of Findings of Fact for June 15, 2020

Old Business - None

Public Hearings

Case No. 12443 – Bay Shore Community Church seeks a special use exception to operate a day care center and a variance from the maximum fence height requirement (Sections 115-23, 115-182, 115-185 and 115-210 of the Sussex County Zoning Code). The property is located on the west side of London Avenue approximately 167 ft. southwest of Lighthouse Road (Rt. 54). 911 Address: 38288 London Avenue, Unit 6, Selbyville. Zoning District: AR-1. Tax Parcel: 533-18.00-61.02

Case No. 12453 – Paul Antonio seeks variances from the front yard, rear yard and corner front yard setback requirements for proposed structures (Sections 115-25, 115-182 and 115-183 of the Sussex County Zoning Code). The property is located on the north side of Garfield Avenue within the Edgewater Acres subdivision. 911 Address: 39176 Garfield Avenue, Selbyville. Zoning District: AR-1. Tax Parcel: 533-20.18-187.00

Case No. 12455 – Pot-Nets Homes, LLC seeks a variance from the separation distance requirement between units for proposed structures (Sections 115-25, 115-172 and 115-185 of the Sussex County Zoning Code). The property is located on the north side of Sloop Avenue approximately 450 ft. west of Ringbolt Avenue within the Pot-Nets Bayside Manufactured Home Park. 911 Address: 28176 Sloop Avenue, Millsboro. Zoning District: AR-1. Tax



Parcel: 234-30.00-3.00-56182

Case No. 12456 – Thomas M. O’Hagan seeks variances from the rear yard setback requirement and from the minimum aggregate front yard and rear yard requirements for proposed structures (Sections 115-34, 115-183 and 115-188 of the Sussex County Zoning Code). The property is located on the northwest side of Tower Place approximately 488 ft. east of Watch Tower Drive within The Overlook subdivision. 911 Address: 30603 Tower Place, Selbyville. Zoning District: MR-RPC. Tax Parcel: 533-20.00-96.00

Case No. 12457 – Andrew Goldberger & Susan Behan seeks a variance from the front yard setback requirements for proposed steps. (Sections 115-42 and 115-182 of the Sussex County Zoning Code). The property is located on the west side of Barney Lane, approximately 952 ft. south of Double Bridges Rd. 911 Address: 34750 Barney Lane, Frankford. Zoning District: GR. Tax Parcel: 134-19.00-343.00

Case No. 12458 – Michelle Blattenberger seeks a special use exception to operate a day care center (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the corner of Sandy Lane and Pine Cone Drive within the Pot-Nets Coveside Manufactured Home Park. 911 Address: 36247 Sandy Lane, Millsboro. Zoning District: AR-1. Tax Parcel: 234-25.00-27.00-17530

Case No. 12459 – Destorage.com, LLC (Cellco Partnership d/b/a Verizon Wireless) seeks a special use exception to place a telecommunications tower and a variance from the side yard setback requirements (Sections 115-82, 115-183, 115-185, 115-194.2 and 115-210 of the Sussex County Zoning Code). The property is located on a through lot on the southwest side of Dupont Boulevard approximately 830 ft. northwest of Handy Road. 911 Address: 28862 Dupont Boulevard, Millsboro. Zoning District: C-1. Tax Parcel: 233-5.00-101.00

Case No. 12460 – Scott A. Hutton & John A. Randolph seek variances from the front yard setback requirement for proposed structures (Sections 115-42 and 115-182 of the Sussex County Zoning Code). The property is located on the northeast side of Bay Front Road approximately 40 ft. southeast of Monroe Avenue. 911 Address: 502 Bay Front Road, Milton. Zoning District: GR. Tax Parcel: 235-4.17-28.00

Additional Business

Board of Adjustment meetings can be monitored on the internet at

www.sussexcountyde.gov

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on July 27, 2020 at 4:00 p.m., and at least seven (7) days in advance of the meeting.



This Agenda is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the Meeting. Agenda items listed may be considered out of sequence.

-MEETING INSTRUCTIONS-

** The Sussex County Board of Adjustment is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.

The public is encouraged to view the meeting on-line. Any person attending in person will be required to go through a wellness and security screening, including a no-touch temperature check. The public will be required to wear a facial mask.

Chambers seating capacity is limited, and seating assignments will be enforced.

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 phone, please dial:

Conference Number: 1 302 394 5036

Conference Code: 570176

Member 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/>

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountyde.gov. All comments shall be submitted by 4:30 P.M. on Thursday, July 30, 2020



12443
Case # 202003006
Hearing Date

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
MAR 13 2020

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:

38288 London Ave. Unit #6 Selbyville, DE 19975

Variance/Special Use Exception/Appeal Requested:

Bay Shore Community Church is leasing the property listed below and wishes to establish a 55 max. preschool and aftercare program

Tax Map #: 533 - 18.00 - 61.02

Property Zoning: AR-1

Applicant Information

Applicant Name: Bay Shore Community Church
Applicant Address: 36759 Millsboro Hwy.
City Millsboro State DE Zip: 19966
Applicant Phone #: 302-238-7370 Applicant e-mail: info@bayshorecc.org

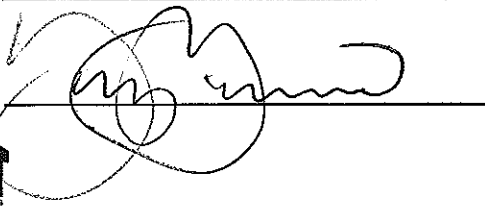
Owner Information

Owner Name: Williams Industrial Park
Owner Address: 38292 London Ave
City Selbyville State DE Zip: 19975 Purchase Date: 1999
Owner Phone #: 302 519 2553 Owner e-mail: rickstucker80@yahoo.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney



Date: 2-10-20



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

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

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

1. Uniqueness of property:

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

The entrance to the leased property comes off of the drive into the Industrial Park found at 38288 London Ave. The leased property consists of an L shaped building and a large parking lot. Off the backside of the building is a small grassy area which slopes down to a water drainage ditch. The west side of the building is close to the property line.

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.

As per Delaware Regulations, we must have a suitable playground for the childcare facility. The only place for it to be constructed and it be a suitable shape and size is to place it off the front of the building which faces closest to Lighthouse Rd.

3. Not created by the applicant:

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

Bay Shore has been involved with the property since the fall of 2019. While serving the community as a church, it became apparent there was a need for a quality childcare program in the area. We would like to provide that for the Williamsville and surrounding communities.

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 property is found in a commercial, industrial park. The addition of a 6 ft. fenced in playground will not have any impact on the adjacent properties. The fence will not inhibit the direct line of site for motorists exiting the Industrial park or driving East or West on Lighthouse Rd.

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.

Lighthouse Rd. is a busy road. Therefore, we are asking for a 6 ft. fence at the indicated area to allow for privacy for the children at play. As well, the fence will cut down on noise and emissions levels for the children

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.

No, the property has its own parking and has storage areas in close proximity.

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)

No

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

Bay Shore Community Church desires to provide the Fenwick and surrounding areas with a quality preschool and school age programming.

N/F of
Galvagna
2158/51
5-33-18-60

N 29°15'00" E 211.66'

Ex. Building

Lands of
Richard E. Tucker
Deed Ref. 2124/301
Tax Map No. 5-33-18-61.02

Ex. Septic
Tank Lid

Ex. Building

N 25°39'20" E 126.62'

175.5'

Ex. Rip-Rap at
End of Swale

Ex. Sign

65'

S 61°25'37" E 185.00'

(70' F.O.W.)

S 68°40'54" E

10

150.44'

N 71°46'44" E

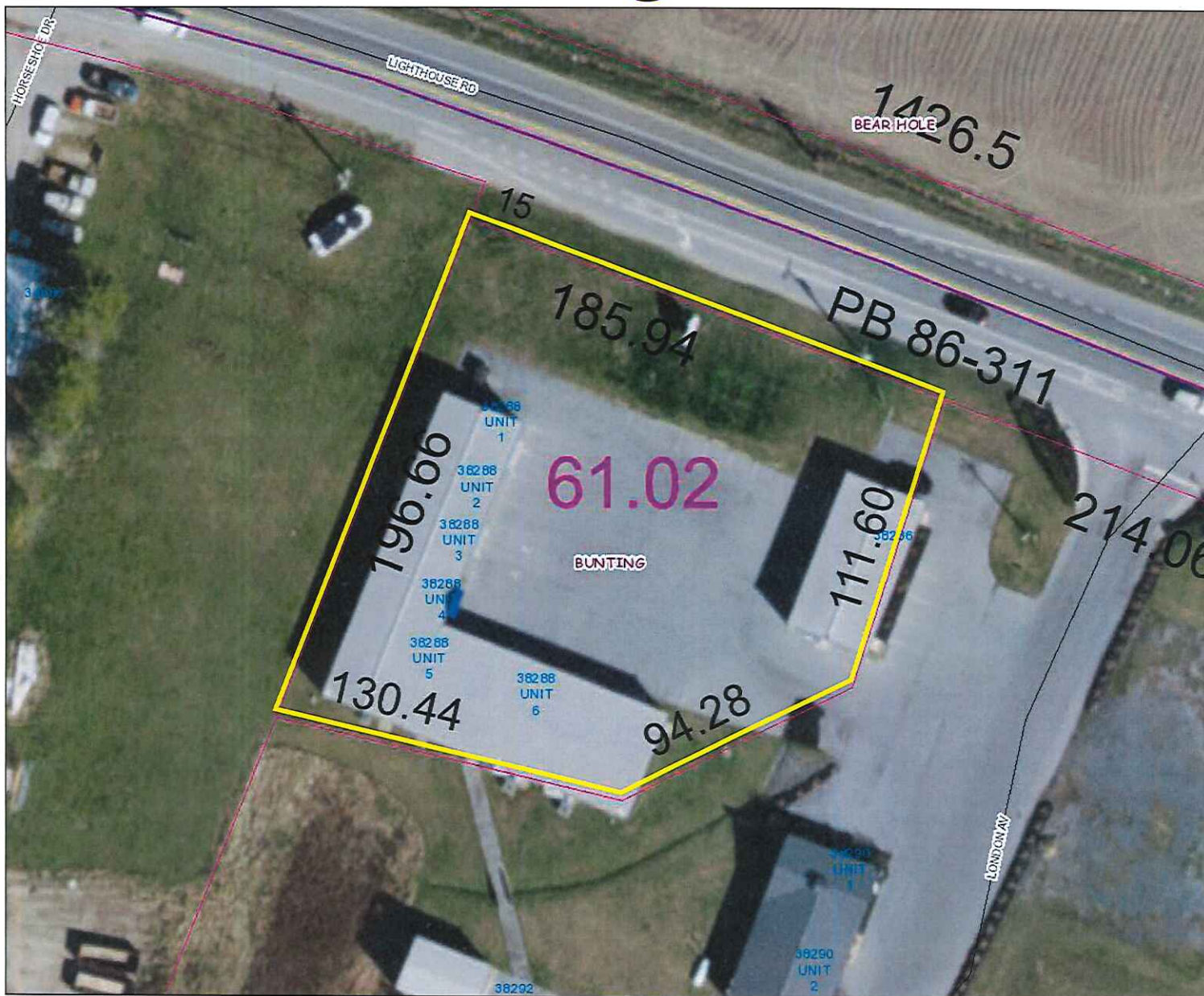
23.44'

Building removed

Ex. Building to remain

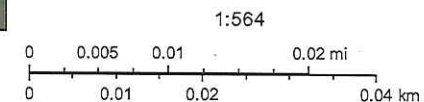
36.3'

Building to



PIN:	533-18.00-61.02
Owner Name	TUCKER RICHARD E
Book	2124
Mailing Address	35777 SEA GULL RD
City	SELBYVILLE
State	DE
Description	SW/RT 54
Description 2	2255' NW/RD 389
Description 3	N/A
Land Code	

- polygonLayer
 - Override 1
 - polygonLayer
 - Override 1
 - Tax Parcels
 - 911 Address
 - Streets
 - County Boundaries
 - Subdivisions
 - Tax Ditch Segments**
 - Tax Ditch Channel
 - Pond Feature
 - Special Access ROW
 - Extent of Right-of-Way
 - Approx. Watershed Boundary





Business Plan

38288 London Ave. Unit 6
Selbyville, DE 19975

Rachel Hall, Executive Director

(302)238-7457

rachel@bayshorecc.org

February 3, 2020

Section One:

Brief description

SPLASH Day School Fenwick will be a quality faith-based program serving children in Pre-K, ages 3 to 5 years old. It will also serve children from Kindergarten to 12 years in Before and Aftercare and in a dynamic summer program called SPLASH BASH.

Mission Statement

SPLASH Day School Fenwick will exist to provide a child friendly environment for children (3 years to 12 years). We focus on developing the child's whole self: socially, emotionally, intellectually, physically, and spiritually.

Proposed Project

SPLASH Day School Fenwick will provide a childcare service to Selbyville, Fenwick Beach, and surrounding areas with quality programming. The formative years are important for the future success of any child, and SPLASH Fenwick would provide students with the skills and learning opportunities that establish the ability for accomplishments in elementary school and beyond.

Section Two:

Business Structure

SPLASH Fenwick will be a ministry of Bay Shore Community Church and a sister company to SPLASH Day School in Millsboro, Delaware.

History of Organizations

Bay Shore has been around with its current name since the 1970s and before that as Gumboro Fellowship. SPLASH Millsboro came into existence in 2003. Since

then, it has grown in popularity and success. The local school districts often tell our parents how they can always pick out a SPLASH student due to their academic abilities and overall maturity. We desire to continue that excellence with SPLASH Fenwick. We will serve the area with a proven quality program and will meet a need in the area.

Services Planned

We will serve students in two Pre-K classrooms. One will be geared for threes and one for those heading to Kindergarten the following year. We will also run a School Age program for students from Phillip C. Showell Elementary School, Selbyville Middle School, and Southern Delaware School of the Arts. There is no childcare center within 4 miles of the site. We wish to serve families in the Fenwick area who currently must drive a distance to take their child to daycare or families looking for quality care in the area.

To lead this school, we have Abigail Dundon. She has worked as a head teacher for SPLASH for many years and knows the ins and outs of our programming. She also has the Administrator's Certificate for the state of Delaware. Going with her to our new facility will be one of our Assistant Teachers who desires to move into a Head Teacher role. Kathleen Weckerle, who is the assistant teacher in the threes program, will be heading up our pre-k programs. She has been with us over a year. She has been a large part in the development of excellence in our programming, as well as a teacher who is loved and dependable.

After having our core two individuals, SPLASH will hire 1 more full-time and 2-3 more part-time certified staff. We will be looking for individuals with their Delaware First Certification and experience.

Program Success and Goals

SPLASH completes yearly evaluations using the Environmental Rating Scale assessment, recognized by NAEYC and the state of Delaware, to continue providing quality care in all areas. Our two-year goal is to begin with a program which highly features the development of STEM and creative arts in our Pre-K

students. We will accomplish this through the creation of two focus rooms. One dedicated to each of these areas. In them, the students will have opportunities to follow their interests and passions to learn through exploration and expression. In the School Age rooms, our goal is to provide students with an engaging environment which stresses homework completion, exploration, activities, and fun. To serve the community, our goal would be to fill the center to a maximum capacity while maintaining quality programming.

Section Three:

Expansion into Fenwick

Currently, the church has newly acquired the lease of a building outside of Fenwick. During the renovations, the church and school are working together to make sure the changes will serve both the church and the school while maintaining state, local, and licensing regulations. We are adding a playground, the focus rooms, an area for meals and snacks as well as filling the areas with age appropriate activities and furniture. The building is large enough to allow students multiple areas of interest and activity. We will have our Pre-K 3s and Pre-K, and school age students sharing the areas of the school on a rotation basis. We will be open Monday through Friday from 6:30 AM to 6:00 PM. We will offer the Pre-K programs and the school age program which consist of Before and After Care and SPLASH BASH (our summer program). Attached is our diagram of how the center will be set-up to accomplish this.

Managing the Project

Heading up the expansion project into Fenwick is Executive Pastor Jeremy Ferruccio. Also, Bay Shore has hired Greenroom Consultants as our project manager/architect. The Bay Shore board and SPLASH Management Team meet monthly to discuss the construction and development of SPLASH Fenwick.

Section Four:

Demographics of Area

Competitive Analysis Completed by Children and Families First

Children and Families First provides this up-to-date statistical data compiled from our childcare provider records. For:

- Child Care Center (CCC)-19975 Capacity: 5 centers serving 380 children.
- Center size ranges from 19-206 children.
- Ages Served - Child Care Center Minimum Age Maximum Age
 - 20% start care birth to 6 week olds
 - 20% start care 7 wks to 11 months
 - 60% start care at 1 year or older
 - 20% end care at or before 5 years old
 - 0% end care between 6 and 9 years old
 - 40% end care between 10 and 12 years old
 - 20% end care between 13 and 15 years old
- Operating Hours
 - 40% open at or before 6:59 am
 - 60% close before 6:00 pm
 - 0% close after 6:00 pm
 - 20% open between 7:00 and 8:00 am
 - 40% close at 6:00 pm
- Features
 - 40% serve breakfast
 - 40% participate in USDA food program
 - 20% serve AM snack
 - 40% offer a sibling discount
 - 60% serve lunch
 - 40% accept Regular POC
 - 60% serve PM snack
 - 20% accept POC plus

- 0% serve Eve Snack (non-traditional hour care)
- Rates by age Average Minimum Maximum # of Responses
 - 0-12 months \$150.00/week \$100.00/week \$200/week
 - 1-2 years ~~\$137.50/week \$95.00/week \$180/week~~
 - 3-5 years (Not in Kind.) \$117.50/week \$85.00/week \$150/week
 - Kindergarten \$110.00/week \$80.00/week (PT) \$75.00/week
\$80/week (PT) \$145/week \$80/week (PT)
 - School-Age \$110.00/week \$62.50/week (PT) \$75.00/week \$45/week
(PT) \$145/week \$80/week (PT)

Children & Families First makes every effort to provide up-to-date data. The information contained in this document is voluntarily provided by the childcare programs. Prepared 7/2020

Supply and Demand

The need for quality care has never been higher. Parents are often scrambling to find care for their children which prepares them for school and provides an engaging environment every child wishes to attend daily. SPLASH desires to provide this care in this area. Not far from where SPLASH Fenwick would be held was a well-loved preschool which was forced to close in the fall of 2019. We will emphasize school preparation, STEM, and creative arts-based learning.

Why SPLASH Fenwick?

At the end of 2019, Bay Shore Community Church began a campus to serve the community with the love of Jesus. After discussion by the board and leadership of the church, it was decided they would open a second SPLASH location to serve the community with quality childcare.

Since 2003, SPLASH Millsboro has existed to provide for the needs of the Gumboro and greater Millsboro area. We began with just 37 students and have been known to fill the school in summers to 116 students and average 100+ students year-round.

Building off our expertise and reputation, SPLASH Fenwick would launch with the leadership and a teacher from the SPLASH Millsboro site. They would bring what

we do best to the Fenwick area. The preschool and school age classrooms would be run professionally and with the desire to help families in the area have quality care.

Marketing

With the location of the facility on Rt. 54, SPLASH would utilize signs and announcements through church to begin to spread the word of the coming of SPLASH Fenwick. We would also have a presence on social media. SPLASH will continue to use our reputation and word-of-mouth to spread the news of our opening as well.

Section Five:

Management Team

The SPLASH Management Team consists of four members of the Bay Shore board as well as the SPLASH Administrative team. They include:

- Rachel Hall
 - Executive Director of SPLASH Millsboro
 - Administration Certification
- Danielle Austin
 - Administrative Director
 - Clerical duties
- Dawn Howard
 - Curriculum Coordinator for SPLASH Millsboro
 - Curriculum Coordinator Certification
- Abigail Dundon
 - Fenwick Site Director
 - Administration Certification

Abigail Dundon will be the administrator for the Fenwick site and will work in conjunction with the Executive Director and the SPLASH Management Team.

Training

The staff will maintain their training yearly through multiple ways. First, some are continuing their education at DelTech. This option is for those interested in receiving their associate degree in Early Childhood. SPLASH partners with our employees through the T.E.A.C.H. program of Delaware to sponsor them as they continue their education. Other employees are completing quality approved training classes online and in-person which align with their professional development plan.

Section Seven:

Projected Timeline

- Open January 2021 with 20 school age and 12 Pre-K
- Launch SPLASH BASH June 2021 with 12-22 students in Pre-K and 25 school age
- School year 2021-2022 with 20-30 school age and 15-22 Pre-K
- Summer 2022 Maximum capacity met and working from a waiting list

**OFFICE OF CHILD CARE LICENSING
PLAN REVIEW GUIDELINES
EARLY CARE & EDUCATION & SCHOOL-AGE CENTERS**

Regulation

ON A SEPARATE PIECE OF PAPER, PLEASE ANSWER THE QUESTIONS BELOW:

If this plan is being submitted due to a change in the physical building and/or grounds, please describe the changes and answer the applicable questions. Please note any changes made may require approval from other regulatory agencies. Any change to the configuration of the building requires a Fire Marshal Plan Review and approval.

7	Does the building use public water or a well? If using well water, an approval certificate from the Department of Public Health (DPH) Office of Drinking Water is required. Submit documentation of approval with the plan review.
49.C	Describe materials used for floors, walls, and ceilings of the classrooms and toilet rooms; are they smooth, cleanable, and non-absorbent? <i>drywall, drop ceiling, vinyl, tile, carpeted</i>
53. A	Describe how all the unsafe outdoor areas are inaccessible to children. Describe the location and type of lighting available for outdoor areas used after dark. <i>building lighting</i>
45. B	Is center free from lead-based paint hazards? Was building built before 1978? If yes, has a lead paint risk assessment been performed? Submit documentation of the assessment with this plan review. If lead-paint hazards were identified, were they remedied? If so, provide documentation of a lead-dust clearance performed by a certified environmental testing firm.
45. C	Is center free of radon hazards? Submit radon test results with this plan review.
45. D	Are poisonous, toxic, or hazardous chemicals labeled with contents and stored in a locked storage space?
46. D	Is indoor air quality acceptable? Was facility used as a previous nail salon, dry cleaner, or other business that produced unacceptable air quality? If yes, an indoor air quality test is required. Submit certification or indoor air quality test results with this plan.
48. A & E	Describe the heating and cooling equipment. Are hot water pipes or radiators safely shielded to prevent injury to children? Does site have air conditioning?
49. A	What security procedures will be used to ensure access to children is limited to authorized people?
49. D	Describe the type of lighting to ensure adequate lighting to allow for supervision of children.
49. E	List both the dimensions and square footage of rooms used for play/instruction or sleep. Note what each room/area will be used for.
49. F	Describe how children's personal items will be stored.
49. K	How will the facility ensure the water temperature will not exceed 120 degrees Fahrenheit? Will all sinks used by children supply both hot and cold water? Will the facility use a public water treatment system or a septic tank for sewage? If facility is using a septic tank for sewage, Department of Natural Resources and Environmental Control (DNREC) approval must be submitted with the plan.

Jumster

49. L	Describe the types of garbage and rubbish containers that will be used both indoors and outdoors. How will the trash be inaccessible to children? How often will containers be emptied and cleaned? Will containers be covered? Where will outdoor containers be located?
50	Is facility is providing snacks or meals? If serving meals, is food prepared on premises or catered? Does anyone else have access to or prepare food in the kitchen? If food will be prepared for use off-site then a DPH Food Permit is required. Submit diagram of kitchen. On diagram, note location of the stove, refrigerator, sinks, dishwasher, and any other appliances. A separate hand washing sink is required.
50. J	Where will the food storage area be located? Will the food be stored off of the floor? Where will the chemicals be stored?
50. F	Describe the materials used for floors, walls, countertops and work area. Are they easily cleanable and waterproof?
51. A	State whether the toilet room has at least one operable window or a ventilation fan.
51. B	Describe the location and number of toilet fixtures. Do number of toilets meet ratios of 1:10 for children over 24 months and 1:25 for school-age children?
52	Where will the area for ill children be located? Will rest equipment and bedding be provided?
53. B & C	Are there elevated areas more than two feet in height? Describe the barriers (railing, handrails, etc.) to prevent falls. Are there stairways over four steps? If so, describe railings. Are handrails at a maximum of height 38 inches?
53. D	List both the dimensions and square footage of the outdoor play area.
53. G	Is outdoor play area adjacent or within close proximity to center; accessible by what safe route? Describe shade used for outdoor play area.
53. H	Is play area fenced? Describe height and material used for fencing. Does play area have at least two exits with at least one being remote from the building? Are gate latches self-closing?
53. J	Describe the material(s) used beneath and in the fall zones of the outdoor play equipment.
53. K	Describe the stationary equipment used for vigorous outdoor play and large muscle activity. Is it securely anchored?
53. L	If there is no outdoor play area, an indoor play space is required (minimum 700 square feet); list the dimensions and the square footage. How will large muscle activity be provided for children?
54	Is there a swimming pool on-site? If yes, how is it inaccessible to children when not in use?
56	Describe the sleeping equipment that will be used for children. Describe the bedding used for children. Will bedding be provided for children who do not bring bedding as required? Describe the safe sleep practices that will be used.
61. D	Describe the diaper-changing surface; is it washable and non-absorbent? Is the sink is within five feet of the diaper changing station. Will disposable covers be provided?
61. E	Describe the type of container used for disposable diapers. Is it foot-activated and will it contain a leak-proof liner? Where will the container be located? How often will it be sanitized?

	<p>Enclose the facility's emergency plan. Describe procedures for natural and manmade disasters. The plan must include disaster preparedness; staff's responsibilities during a disaster; accounting for children and staff; relocation process (if appropriate); communication and reunification with families; accommodations of infants, toddlers, and children with disabilities or chronic medical conditions; continuation of child care services in the period following the disaster; contacting appropriate emergency response agencies and parents/guardians; shelter-in place plan; emergency supplies available; and lockdown procedures.</p>
66	
67	<p>Will transportation be provided by the center? If yes, what are the makes and models of the vehicles that will be used?</p>
77	<p>Are there any stairways in the center? Are the accessible to infants or toddlers? If yes, please describe the safety gates that will be used to prevent access to stairs. Pressure or accordion gates are not permitted.</p>

SPLASH Fenwick

SPLASH Fenwick
 38288 London Ave. Unit 6
 Selbyville, DE 19975
 302-238-7457
 SPLASHFenwick@gmail.com
 Splash Day School

PLAN REVIEW

Regulation listed and answer to regulation follows **indicates documentation in packet

7	Well water is used. **
49.C	Floors are covered in both vinyl tile and carpeted areas. The ceilings are a range of drop ceilings, and drywall. The walls are all drywalled and painted. Each surface will be kept clean.
53.A	The classrooms have 2 outside access doors in the large classroom, one onto the playground and one leading to the parking lot. Both doors will always be monitored for safety. They will be unable to be opened from the outside without a key.
45.B	There is no lead paint. The building was built in 1999.
45.C	Yes, the facility is free of radon. **
45.D	Yes, they are locked in the utility and cleaning closets.
46.D	Yes, air quality is acceptable. The facility was not used for businesses which could produce poor air quality. It was used as a church for the last several years. **
48. A&E	The facility has a heat pump with forced air heating and air equipment. There are no potential hazards to children caused by the above equipment.
49.A	Parents will have a 4-digit code or key fob to enter the building and all doors to the outside during hours of operations will be locked and only able to be utilized from the inside.
49.D	The facility has overhead lights in each of the three classrooms and all common areas.
49.E	There are four areas the children will be using throughout the day. Circle time, eating, large group activities, and morning drop-off and pick-up will occur in the largest space. There will be a room designated for STEM and a room designated for Creative Arts. The two preschool classes will use these two focus rooms throughout the morning and afternoon at designated times. The last area is the sanctuary of the church and will be used throughout the year for large motor activities and games.
49.F	The facility will have enough cubbies in the large room to place their belongings. They will take them home each day and the cubbies will be cleaned each night.

49.K	The water thermostat will be set at 110 degrees Fahrenheit to ensure it is not too hot for children. There will be hot and cold at all sinks accessible to children. There is a septic tank for sewage. **
49.L	There will be trash containers in all spaces used by students inside. Outside there will be a place for the day's trash to be collected and picked-up by a trash company weekly. The staff will be responsible to make sure all trash is taken out of the building each day before leaving. The containers will remain covered. The trash containers will be stored in an area close to the facility.
50	SPLASH will provide 2 snacks daily. Parents will be responsible for the child's lunch. The kitchen area will not be used by anyone but the Day School during the week. **
50.J	The food will be stored in designated cabinets within the kitchen area. The chemicals used for cleaning kitchen areas will be stored in a locked cabinet under the sink in the kitchen.
50.F	
51.A	The bathrooms both contain a working ventilation fan.
51.B	The facility contains 2 bathrooms, one male and one female. The male contains 2 toilets and a urinal. The female contains 3 toilets.
52	There will be an area for the children to be separated from the group when ill. They will be placed in a separate room with adult supervision while they wait for parent pick-up. They will have a mat and blanket offered to them at this time.
53.B&C	There is a raised platform in the sanctuary. It will be inaccessible during activities to children during the times of usage of that room.
53.D	The outside play area will measure 45'x 20' for a total of 900 square feet.
53.G	You will be able to access the outside play area from the large classroom and a gate with a latch on the inside of the fence.
53.H	The outdoor play area will be fenced. It will be 6 feet tall and be made of vinyl. There will be two exits and the latch on the outside gate will be self-closing.
53.J	There will be poured rubber on the play area.
53.K	
53.L	There is an outdoor play area, however, we will be using the sanctuary (700 sq. ft.), as well. We will do activities with sports, games, music, etc. for large motor activity.
54	NO
56	As a preschool and Aftercare facility, there will not be nap time (56.A.2) In its' place will be a portion of the afternoon for a quiet time with quiet activities.
61.D	N/A
61.E	N/A
66	Emergency Plan in packet **
67	Transportation for field trips will be through a local bussing company
77	NO

**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 # 12453
Hearing Date Aug 3
202004100
RECEIVED

APR 20 2020

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)
115-23 115-182
115-183

Site Address of Variance/Special Use Exception:

39176 Garfield Ave Selbyville, DE 19975

Variance/Special Use Exception/Appeal Requested:

15-Ft Variance from 30-Ft Frontyard setback
5-Ft Variance from 15-Ft Rear Yard setback
10-Ft Variance from 15-Ft Corner Frontyard setback } For proposed only

Tax Map #: 533-20.18-187.00

Property Zoning: AR-1

Applicant Information

Applicant Name: Paul Antonio
Applicant Address: 1043 Bear RD
City New Castle State DE Zip: 19720
Applicant Phone #: 302-293-1200 Applicant e-mail: pantonio1@aol.com

Owner Information

Owner Name: Paul Antonio
Owner Address: 1043 Bear RD
City New Castle State DE Zip: 19720 Purchase Date: 2/5/20
Owner Phone #: 302-293-1200 Owner e-mail: pantonio1@aol.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

Paul Antonio

Date: 4/12/20



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

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

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

1. Uniqueness of property:

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

Paper street along the side of the parcel increases side yard set back from 5 foot to 15 foot. left side street is abandoned and used as a Driveway.

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.

model home picked to build on property want currently fit.

3. Not created by the applicant:

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

the property was bought on 2/5/20 with existing house on it. I havent made any changes to 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.

If authorized I will build a new house that will improve street and neighborhood. The current house is very old and has been vacant for a long time.

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.

If authorized Im asking for only for 5 foot side setback so I can build house.

SITE DATA:

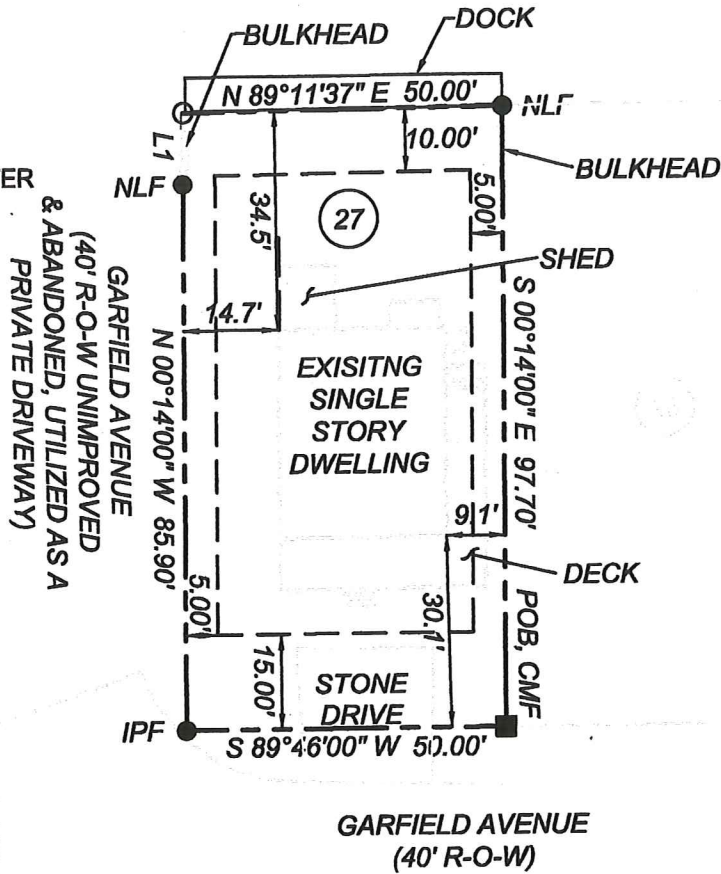
OWNER(s): PAUL MATTHEW ANTONIO
 ADDRESS: 39176 GARFIELD AVENUE
 SELBYVILLE, DE 19975
 TAX PARCEL ID: 533-20.18-187.00
 DEED REF: D.B. 3173, PG. 335
 TOTAL AREA: 4,873 S.F.1 (0.11 AC. ±)
 ZONING: AR-1

MARCH 25, 2020

BUILDING SETBACKS:
 FRONT/STREET YARD - 15 FEET
 SIDE YARD - 5 FEET
 REAR YARD - 10 FEET

*SETBACKS SHOWN ARE PER EDGEWATER ACRES DEED RESTRICTIONS.

- IPF ● IRON PIN FOUND (1)
- NLF ● NAIL FOUND (2)
- CMF ■ MONUMENT FOUND (1)



PROPERTY LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°14'00\" W	11.30'

GRAPHIC SCALE



SCALE: 1"=30'

DATE: MARCH 25, 2020	
DRAWN BY: PK	SURVEYED BY: JS
FILE: 20001 - A	
REVISIONS	

BOUNDARY SURVEY PLAN
 FOR
LOT 27
EDGEWATER ACRES
BLOCK 2
39176 GARFIELD AVENUE
 BALTIMORE HUNDRED
 SUSSEX COUNTY, DELAWARE

CEA CIVIL ENGINEERING ASSOCIATES, LLC
 ● ENGINEERING ● SURVEYING ● CONSTRUCTION SERVICES

55 WEST MAIN STREET
 MIDDLETOWN, DE 19709
 (302) 376-8833
 FAX (302) 376-8834
 CEA-DE.COM

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SITE DATA:

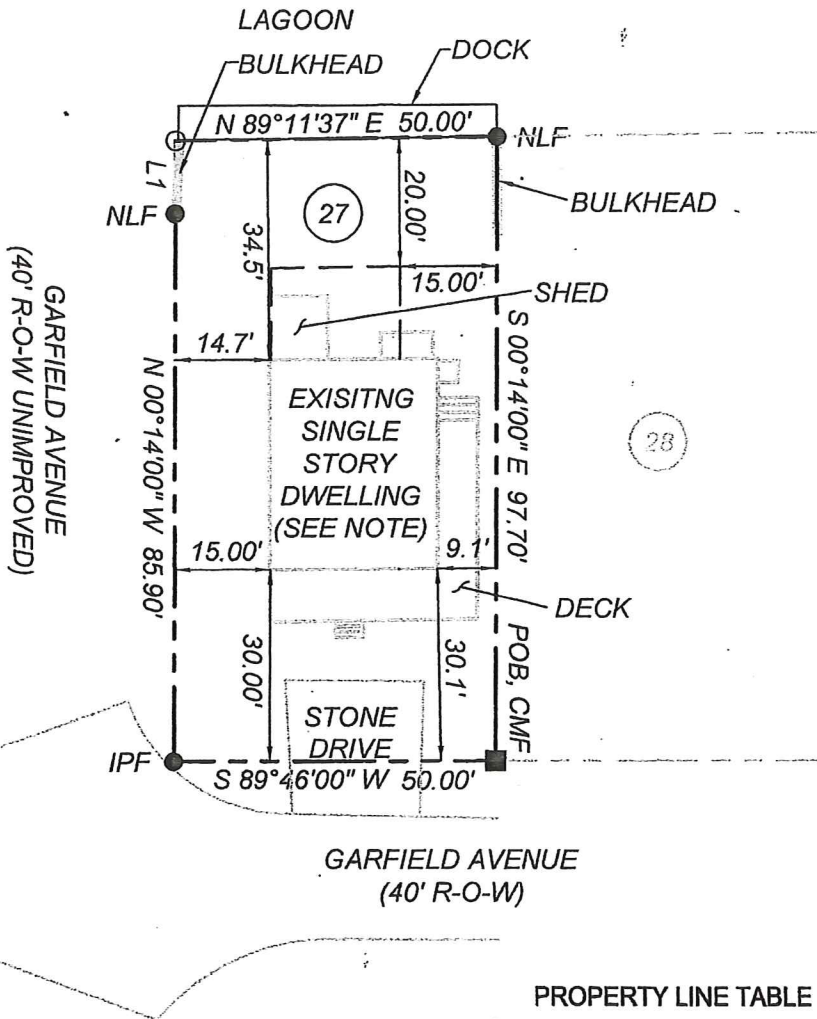
OWNER(s): PAUL MATTHEW ANTONIO
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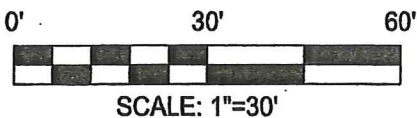
BUILDING SETBACKS:

FRONT/STREET YARD - 30 FEET
 SIDE YARD - 15 FEET
 REAR YARD - 20 FEET

- IPF ● IRON PIN FOUND (1)
- NLF ● NAIL FOUND (2)
- CMF ■ MONUMENT FOUND (1)



GRAPHIC SCALE



PROPERTY LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°14'00" W	11.30'

DATE: JANUARY 22, 2020	
DRAWN BY: PK	SURVEYED BY: JS
FILE: 20001 - A	
REVISIONS	

BOUNDARY SURVEY PLAN
 FOR
LOT 27
EDGEWATER ACRES
BLOCK 2
39176 GARFIELD AVENUE
 BALTIMORE HUNDRED
 SUSSEX COUNTY, DELAWARE

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 MIDDLETOWN, DE 19709
 (302) 376-8833
 FAX (302) 376-8834
 CEA-DE.COM

Sussex County

DELAWARE
PLANNING & ZONING DEPARTMENT

sussexcountype.gov

302-855-7878 T

302-854-5079 F

JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR



SETBACK INFORMATION REQUEST

Date of Request 3/13/2020 Zoning District AR-1

Customer Name Nate

Customer Contact ndavis@baytobeachbuilders.com

Tax Parcel ID 533-20.18-187.00 Lot/Unit Number 27 Blk 2

Parcel Address 39176 Garfield Ave

Front Yard Setback 30-ft

Side Yard Setback 5-ft

Rear Yard Setback 15-ft

Corner Front Yard Setback 15-ft

Maximum Height 42-ft

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

Additional Notes:

Flood Zone - AE
Tax Ditch R.O.W - n/a
Tidal Buffer - n/a lot created prior to 1988

Name of Staff Member Jennifer Norwood, Planner I

Checked By _____

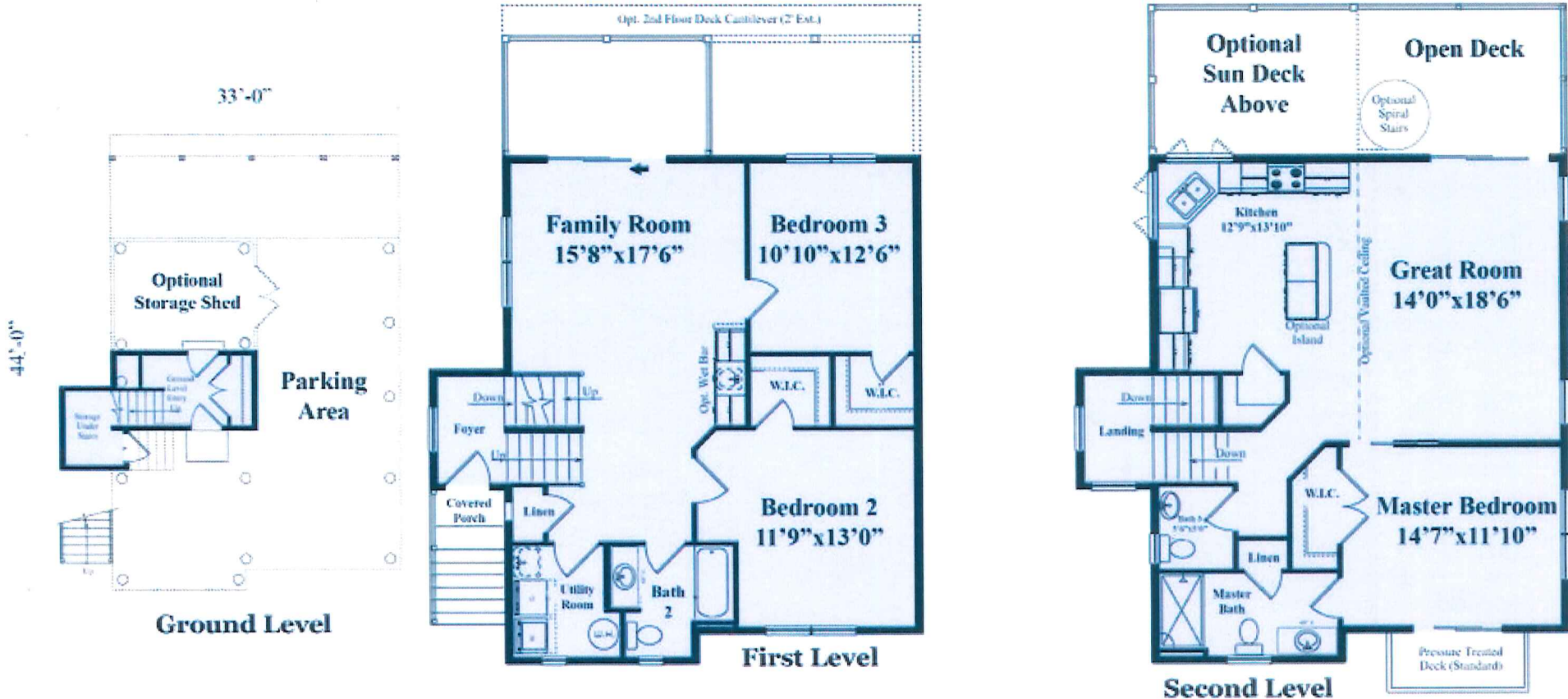
The Fenwick (A)



 **BAY to BEACH**
BUILDERS INC.

The Fenwick

3 Bedroom | 2.5 Bathroom



Square Footage
 2,008 Heated Square Feet
 2,438 Total Square Feet
 (Includes Porch & Decks)



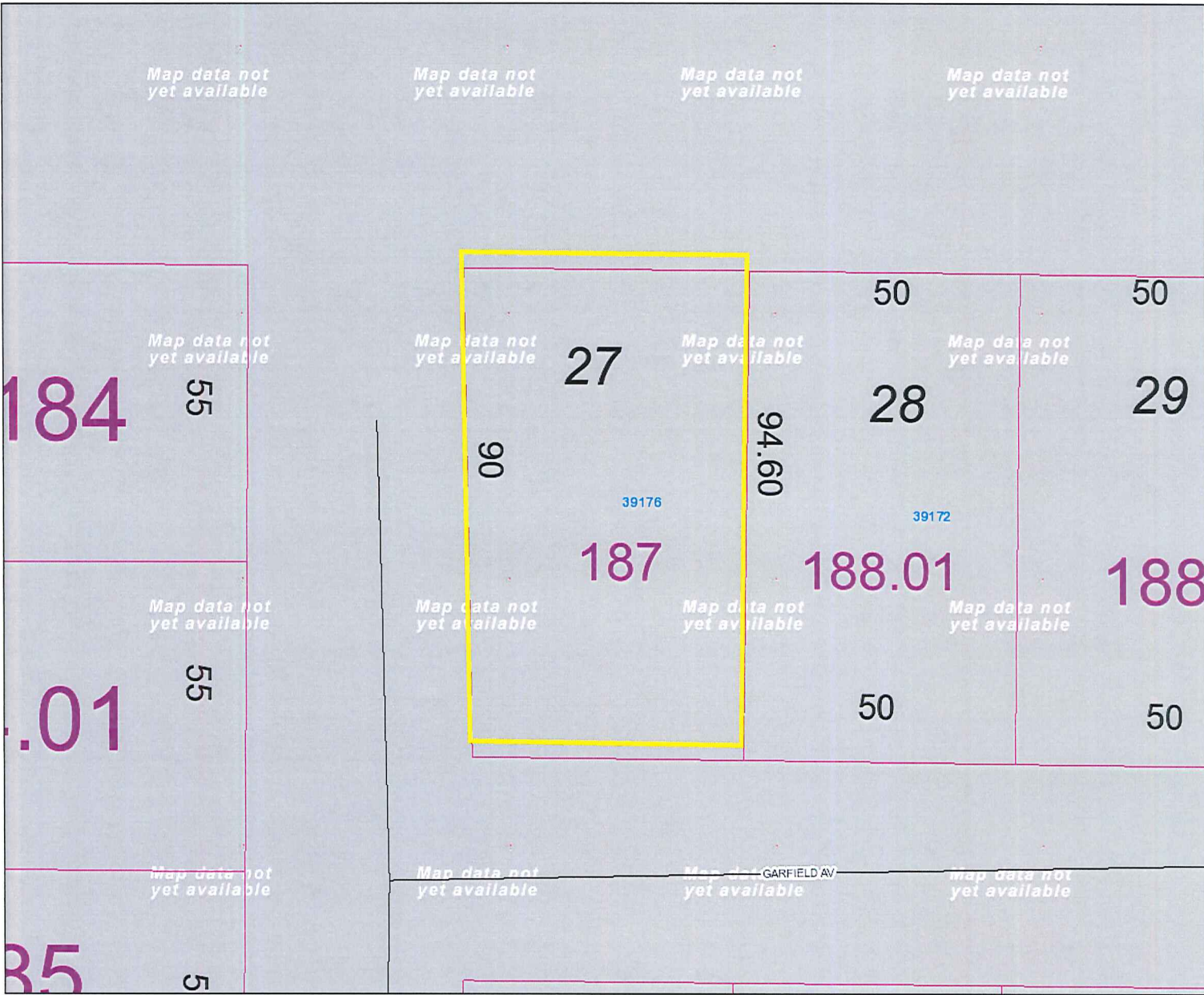
BAY to BEACH
 BUILDERS INC.

baytobeachbuilders.com | 302-349-5099 | info@baytobeachbuilders.com

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 All room sizes are approximations. Bay to Beach Builders Inc. retains the right to make modifications to such plans at any time without notice.



Sussex County

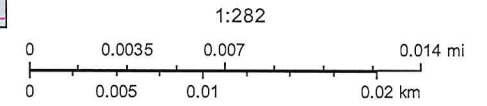


PIN:	533-20.18-187.00	
Owner Name	ANTONIO	PAUL
	MATTHEW	
Book	5197	
Mailing Address	1043 BEAR RD	
City	NEW CASTLE	
State	DE	
Description	EDGEWATER AC LT 27	
Description 2	BLK 2 W/I GARFIELD	
Description 3	AVE	
Land Code		

- polygonLayer**

 - Override 1
- polygonLayer**

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



Paul Antonio
39176 Garfield Avenue
Selbyville, DE 19975
Tax ID Number 533 20.18 187.00

Variance Request

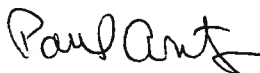
To Whom it may concern,

I am requesting a variance for my property at 39176 Garfield avenue Selbyville, DE 19975. I am asking for a 5-foot set back on both sides of the property so that I can build a new home. I have enclosed in my packet the picture of the home as well as the length and width of the new home. As pointed out in my included pictures the left side of my property appears to have a 15-foot set back when it was built many years ago because of a potential street. As you will see in my recent survey the street has been abandoned and partially used by my neighbor for a driveway.

After meeting with my builder, it was determined that I will need 34 feet to be able to build this house and my lot measures 50 foot wide. If the building was centered on the lot it would easily fit with a 5-foot setback and would still fit with a 8-foot set back.

I have enclosed 5 letters that are signed by all neighbors on both sides of my property and immediately across the street that are in support of my variance request. Please strongly consider my application and feel free to contact any of my neighbors at the number listed on their letters.

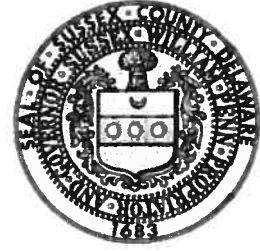
Thank you for your time,



Paul Antonio

Sussex County

DELAWARE
PLANNING & ZONING DEPARTMENT
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR



SETBACK INFORMATION REQUEST

Date of Request 3/13/2020 Zoning District AR-1

Customer Name Nate

Customer Contact ndavis@baytobeachbuilders.com

Tax Parcel ID 533-20.18-187.00 Lot/Unit Number 27 Blk 2

Parcel Address 39176 Garfield Ave

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Side Yard Setback 5-ft

Rear Yard Setback 15-ft

Corner Front Yard Setback 15-ft

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Additional Notes:

Flood Zone - AE
Tax Ditch R.O.W - n/a
Tidal Buffer - n/a lot created prior to 1988

Name of Staff Member Jennifer Norwood, Planner I

Checked By _____

SITE DATA:

OWNER(s): PAUL MATTHEW ANTONIO
 ADDRESS: 39176 GARFIELD AVENUE
 SELBYVILLE, DE 19975
 TAX PARCEL ID: 533-20.18-187.00
 DEED REF: D.B. 3173, PG. 335
 TOTAL AREA: 4,873 S.F.1 (0.11 AC. ±)
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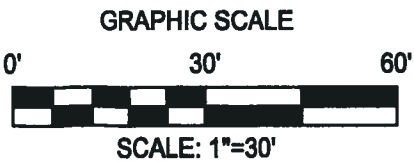
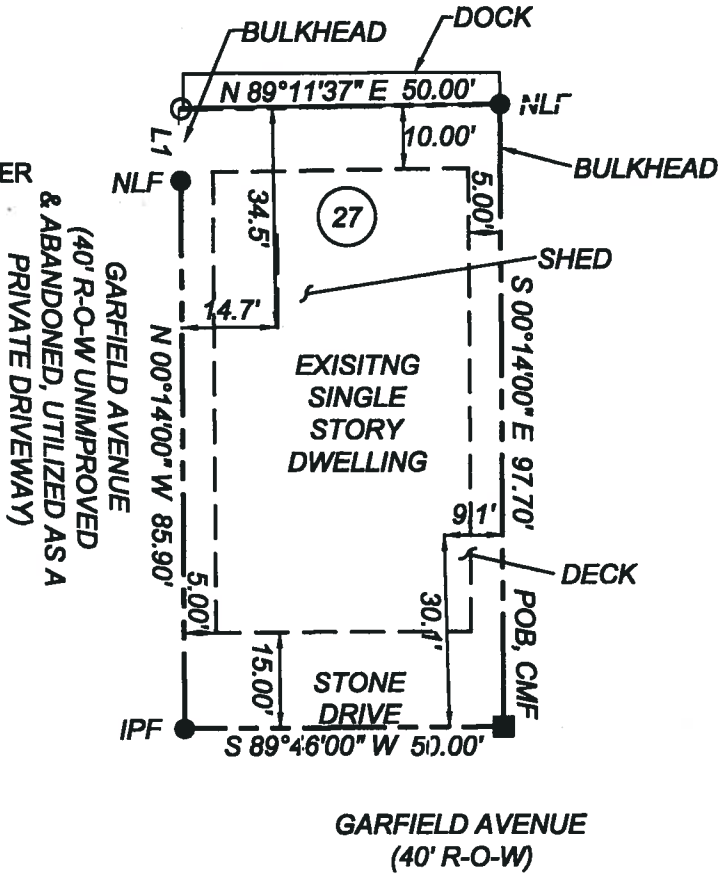
MARCH 25, 2020

BUILDING SETBACKS:

FRONT/STREET YARD - 15 FEET
 SIDE YARD - 5 FEET
 REAR YARD - 10 FEET

*SETBACKS SHOWN ARE PER EDGEWATER ACRES DEED RESTRICTIONS.

- IPF ● IRON PIN FOUND (1)
- NLF ● NAIL FOUND (2)
- CMF ■ MONUMENT FOUND (1)



PROPERTY LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°14'00" W	11.30'

DATE: MARCH 25, 2020	
DRAWN BY: PK	SURVEYED BY: JS
FILE: 20001 - A	
REVISIONS	

BOUNDARY SURVEY PLAN
 FOR
LOT 27
EDGEWATER ACRES
BLOCK 2
39176 GARFIELD AVENUE
 BALTIMORE HUNDRED
 SUSSEX COUNTY, DELAWARE

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55 WEST MAIN STREET
 MIDDLETOWN, DE 19709
 (302) 376-8833
 FAX (302) 376-8834
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SITE DATA:

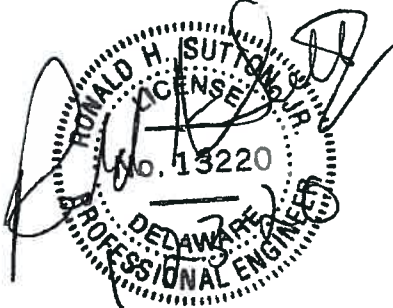
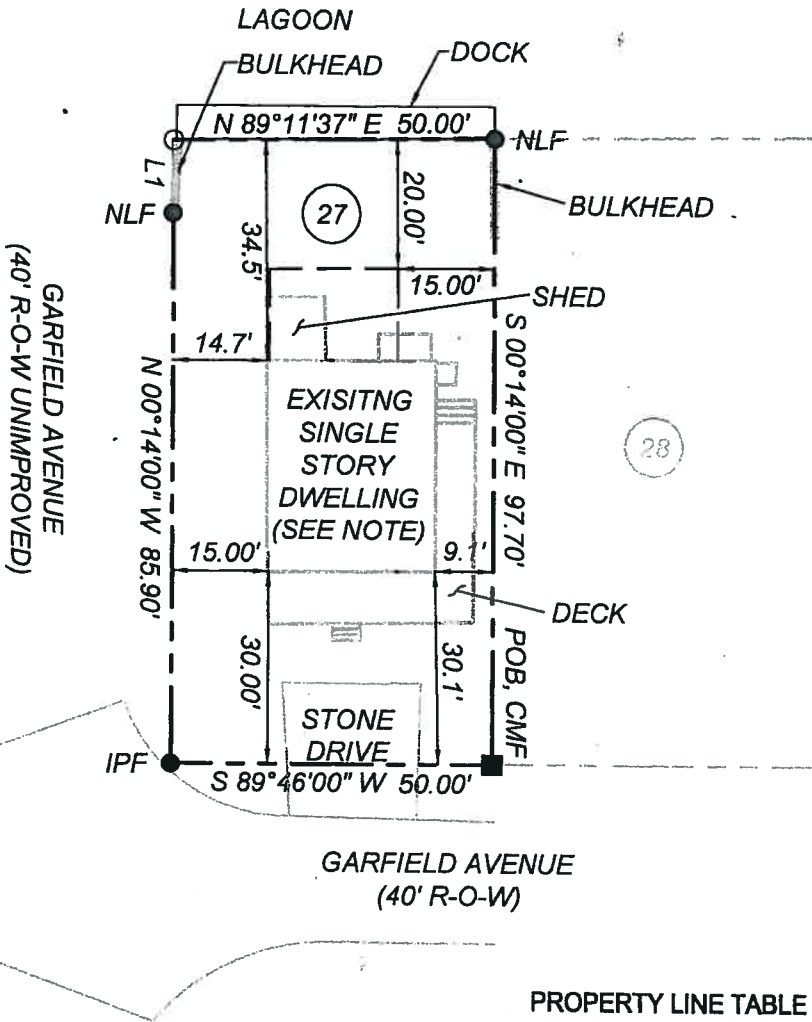
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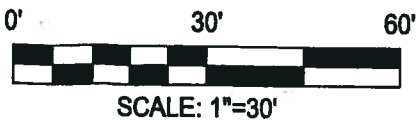
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GRAPHIC SCALE



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DATE: JANUARY 22, 2020	
DRAWN BY: PK	SURVEYED BY: JS
FILE: 20001 - A	
REVISIONS	

BOUNDARY SURVEY PLAN
 FOR
LOT 27
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BLOCK 2
39176 GARFIELD AVENUE
 BALTIMORE HUNDRED
 SUSSEX COUNTY, DELAWARE

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 55 WEST MAIN STREET
 MIDDLETOWN, DE 19709
 (302) 376-8833
 FAX (302) 376-8834
 CEA-DE.COM

EDGEWATER ACRES, INC.

1. It is expressly covenanted that nothing herein contained shall constitute a dedication of any street shown on said plat, the title to all such streets being hereby expressly reserved to the Grantor, its successors or assigns, nor shall any deed from the Grantor hereinafter made, conveying any part of the land included in said tract, be held to convey the title to the bed of any street, except where expressly so conveyed. The Grantor hereby grants to each owner hereafter acquiring title to any of the land included in said tract the right to such use of the streets shown on said plat as may be necessary for reasonable and convenient ingress and egress between the land hereby conveyed and the nearest public road; but, subject to such use by said owner, the Grantor expressly reserves to itself the title to both the surface and beds of all said streets, and the right to use the same and to allow others to do so in any manner that does not materially interfere with said user of ingress and egress, and it further expressly reserves the exclusive right to grade, change the grade of, regrade, change the location of, close or partly close any street shown on said plat, but no change of location or closing shall be made that will prevent reasonably convenient ingress and egress to and from any lot sold or conveyed by the Grantor prior to such change of location or closing. The Grantor reserves, however, the right to dedicate to public use and the right to convey to any public authority or to any corporation having power to acquire the same, all their right, title and interest in and to any street shown on said plat or hereafter laid out in said tract, subject to the rights of ownership and use as hereinbefore granted.

2. Except as hereinafter provided, no building erected on the lot or lots hereby conveyed shall be used otherwise than as a private residence, an apartment house, a hotel, a motel or a rooming house, and no other type of business shall be conducted on the premises hereby conveyed than as aforesaid and only one private residence, apartment house or rooming house may be constructed on one platted lot but one structure may be constructed so as to rest on more than one lot.

3. No building, house or other structure shall be erected on said land at a cost of less than the equivalent of \$6,500.00 based on cost of labor and material as of January 1st, 1960, exclusive of garage.

4. No building, house or other structure shall be commenced, erected or maintained (including garage unless attached to dwelling), nor any addition to, or change or alteration thereon shall be made until plans and specifications showing the nature, kind, shape, height, materials, floor plans, color schemes, locations and approximate cost of such structure and the grading plan of the lot to be built upon shall have been submitted in duplicate to and approved in writing by the Grantor (if still in existence) and a copy thereof as finally approved lodged permanently with the Grantor. The Grantor shall have the right to refuse to approve any such plans or specifications or grading plan which are not suitable or desirable in their opinion; and in so passing upon such plans, specifications and grading plan, they shall have the right to take into consideration the suitability of the proposed building or other structure, and of the materials of which it is to be built, the site upon which it is proposed to erect the same, the harmony thereof with the surroundings, and the effect of the building or other structure as planned on the outlook from the adjacent or neighboring property.

5. No building shall be moved, erected or constructed on said land unless the roofs of the same be either of slate, asbestos or other non-inflammable material, with fire underwriter's rating of Class "C" or better.

6. No tent, flat top buildings or other temporary structure of any kind may be erected on or moved to any lot or lots and no structure of any kind shall be erected thereon unless the foundation thereof is completely enclosed.

7. No building or part thereof (including but not limited to boat houses and other roofed structures) shall be erected, placed or maintained on same within fifteen (15) feet of any street, provided, however, that unenclosed porches of said buildings may extend out to not less than ten (10) feet from the property line of said streets or highways. No building or part thereof shall extend closer than five (5) feet from any side boundary line or ten (10) feet from rear boundary lines, provided, however, that if any building shall cover more than one lot, it may be erected or placed so that no part thereof shall be within five (5) feet from the side boundary lines of the adjoining lots. No building or part thereof shall be erected, placed or maintained on same within fifteen (15) feet of any street or highway, provided, however, the unenclosed porches of said buildings may extend out to not less than five (5) feet from the property line of said streets or highways. If the lot or lots hereby conveyed border upon bodies of water as shown on said plat, uncovered steps, docks, piers, wharves or other such structures may be erected from any such lot or lots to extend over said water not more than five (5) feet from the water front line of such lot or lots as shown on said plat.

8. No privy or other outside toilet facilities shall be constructed or maintained on said land. Septic tanks, sewage disposal systems and drinking water facilities shall conform to all requirements established by the Department of Health and County authorities in the State and County wherein said land is located.

9. No noxious or offensive trade, activity or entertainment shall be carried on upon said land nor shall anything be done or permitted thereon which may be or become an annoyance or nuisance to the Grantor or to the neighborhood, nor shall any hog, pig, poultry, livestock or animal of any kind be kept on said premises, except household pets.

10. Violation of any restriction or condition or breach of any covenant or agreement herein contained shall give the Grantor, in addition to all other remedies, the right to enter upon the land upon or as to which such violation or breach exists and summarily to abate and remove, at the expense of the owner thereof, any erection, thing or condition that may be or exist thereon contrary to the intent and meaning of the provisions hereof; and the Grantor, its agents and servants, shall not thereby be deemed guilty of any manner of trespass for such entry, abatement or removal.

11. The provisions herein contained shall run with and bind the land and shall inure to the benefit of and be enforceable by the Grantor or the owner of any lot shown on said plat, their respective legal representatives, heirs, successors and assigns, as the case may be, and failure by the Grantor or any lot owner to enforce any restriction, condition, covenant or agreement herein contained shall in no event be deemed a waiver of the right to do so thereafter as to the same breach or as to one occurring prior or subsequent thereto.

12. All the covenants, agreements, conditions, easements and restrictions contained herein shall continue in force until altered or rescinded according to the following plan: The above restrictions can be altered or rescinded by the written consent of two-thirds of all the property owners in the development at the time the vote is taken, with each property owner being qualified to cast one vote for each lot owned by said property owner, and upon recording the said written consent in the office of the Recorder of Deeds, at Georgetown, Delaware.

13. It is the intention of the Grantor that these restrictions shall apply only to those lots in the Development of Edgewater Acres, Inc. to which the restrictions are specifically placed from time to time as the lots are conveyed by the Grantor. It is the specific intention of the Grantor to make some lots in this development "commercial" and for this reason the restrictions above are not intended to apply to all lots.





39182
CRAZY DOG

PLOT COR. C8B



Google Maps Garfield Ave



Imagery ©2020 Google, Map data ©2020 20 ft



Garfield Ave

Delaware 19975



Directions



Save



Nearby



Send to your phone



Share

The Fenwick (A)



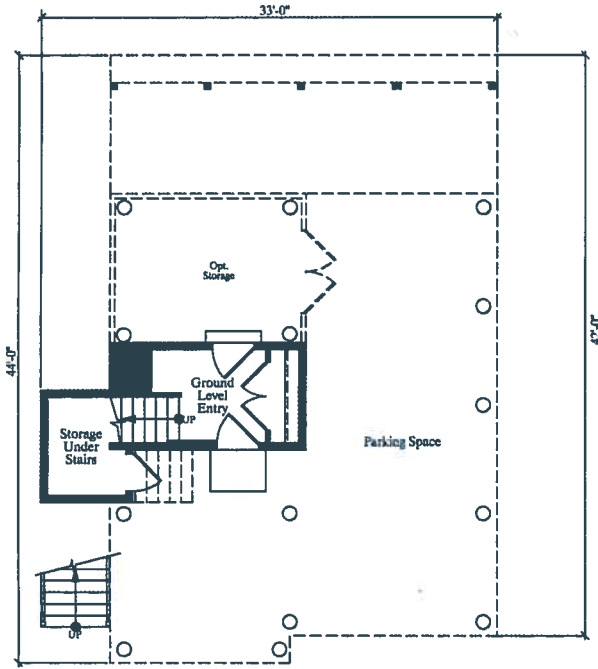
 BAY to BEACH BUILDERS INC.

The Fenwick (B)

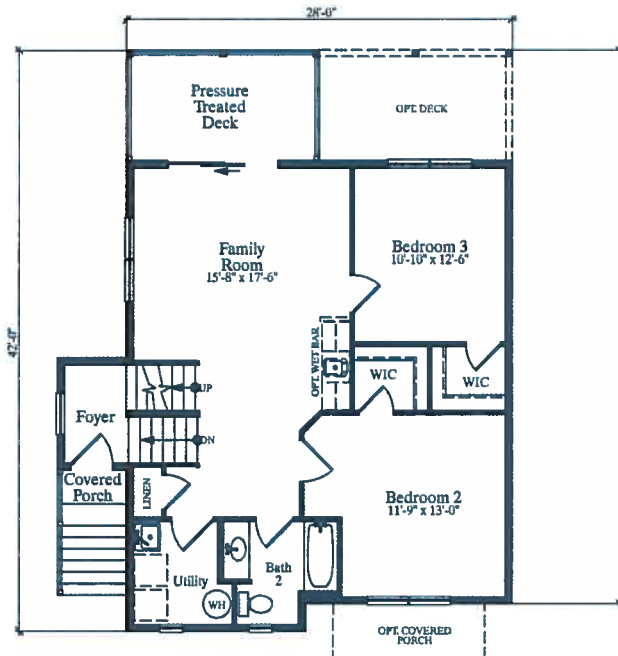


 BAY to BEACH BUILDERS INC.

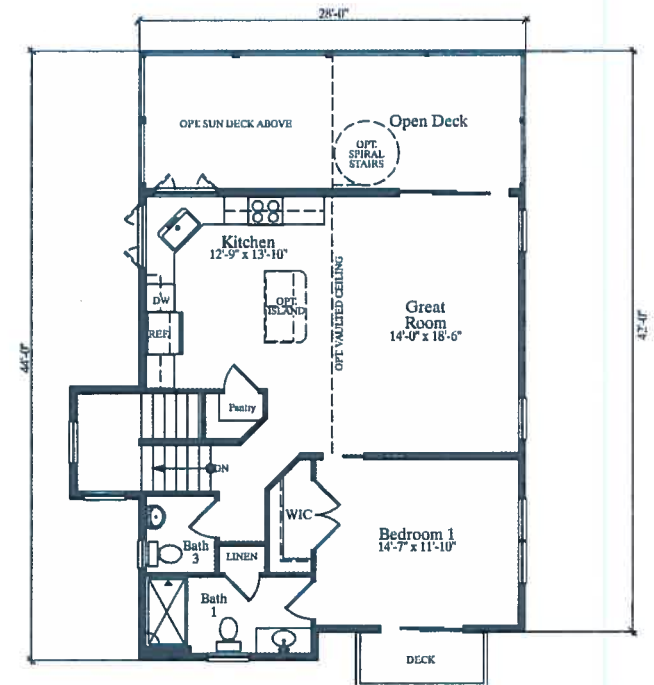
The Fenwick



Ground Level



First Floor



Second Floor

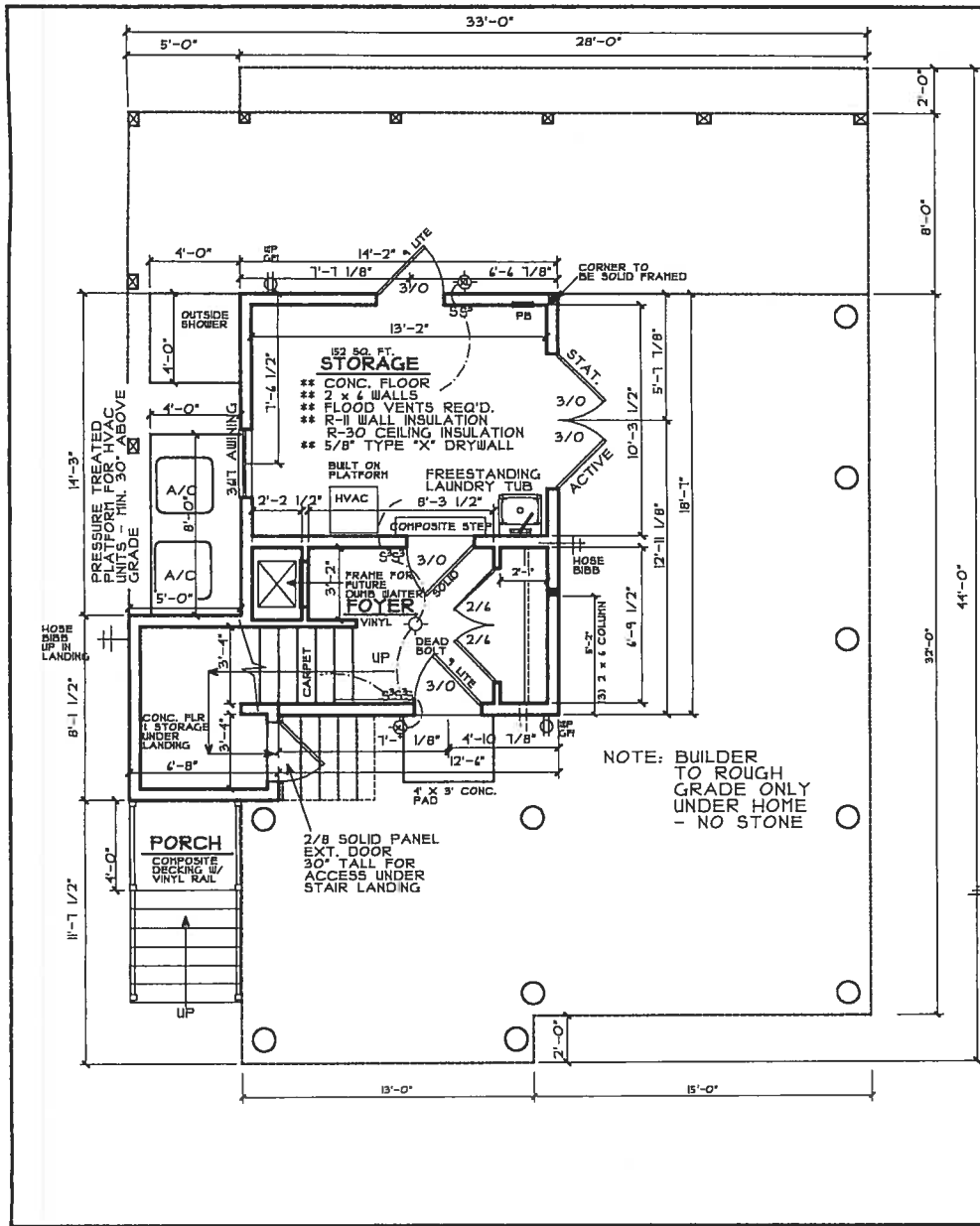
2,008 Heated Square Feet
 2,444 Total Square Feet
 (Includes Porch & Decks)



BAY to BEACH
 BUILDERS INC.

baytobeachbuilders.com | 302-349-5099 | info@baytobeachbuilders.com

All plans and renderings are the sole property and creation of Bay to Beach Builders Inc. Any unauthorized use of this content is strictly prohibited.
 All room sizes are approximations. Bay to Beach Builders Inc. retains the right to make modifications to such plans at any time without notice.



⊕ - DUPLEX OUTLET	⊕ - 220 OUTLET	⊕ - LIGHT	⊕ - RECESSED	⊕ - PENDANT
⊕ - GFI PROTECTED OUTLET	⊕ - T/Y CABLE	⊕ - BRACED OUTLET FOR SITE INSTALLED PADLOCK FAN		
⊕ - SWITCHED OUTLET	S - SWITCH	S ² - SMOKE DETECTOR		
S ³ - 3-WAY SWITCH	S ⁴ - 4-WAY SWITCH	⊕ - FAULTLIGHT COMBO	⊕ - TELEPHONE JACK	⊕ - WEATHERPROOF
		⊕ - EXT. COACH LIGHT	⊕ - CARBON MONOXIDE/ SMOKE DET. COMBO	

Electrical Options/Lighting

** Suggested locations only. Site electrician will adjust as needed.
 ** Receptacles to be located by site electrician on site to meet all codes and regulations

GROUND LEVEL

168 SQ. FT. HEATED (INCLUDES STAIRS & UPPER LANDING)
 SCALE: 3/16" = 1'-0"

PROP'

T'

Paul Antonio
1043 Bear Road
New Castle, DE 19720
(302) 293-1200
pantonio1@aol.com

39176 Garfield Avenue
Selbyville, DE 19975
Tax ID Number 533 20.18 187.00


I am aware that Paul Antonio has requested a variance for a five-foot set back on both sides of the property at 39176 Garfield Ave Selbyville, DE 19975. He has explained that he plans on building a new house with the setbacks and I sign this letter in support of the variance.

Tony Mith
39171 GARFIELD AVE
NO PROBLEM W/ VARIANCE

Paul Antonio
1043 Bear Road
New Castle, DE 19720
(302) 293-1200
pantoniol@aol.com

39176 Garfield Avenue
Selbyville, DE 19975
Tax ID Number 533 20.18 187.00

I am aware that Paul Antonio has requested a variance for a five-foot set back on both sides of the property at 39176 Garfield Ave Selbyville, DE 19975. He has explained that he plans on building a new house with the setbacks and I sign this letter in support of the variance.


Ron + Sherri Perzinski
39182 Garfield Ave
(410) 627-7657 Ron
(410) 627-7647 Sherri

Paul Antonio
1043 Bear Road
New Castle, DE 19720
(302) 293-1200
pantoniol@aol.com

39176 Garfield Avenue
Selbyville, DE 19975
Tax ID Number 533 20.18 187.00

I am aware that Paul Antonio has requested a variance for a five-foot set back on both sides of the property at 39176 Garfield Ave Selbyville, DE 19975. He has explained that he plans on building a new house with the setbacks and I sign this letter in support of the variance.

Ray Wagoner *167 Jefferson Ave*
302-540-3369

Paul Antonio
1043 Bear Road
New Castle, DE 19720
(302) 293-1200
pantoniol@aol.com

39176 Garfield Avenue
Selbyville, DE 19975
Tax ID Number 533 20.18 187.00

I am aware that Paul Antonio has requested a variance for a five-foot set back on both sides of the property at 39176 Garfield Ave Selbyville, DE 19975. He has explained that he plans on building a new house with the setbacks and I sign this letter in support of the variance.

James R. Lloyd
JAMES R. LLOYD
39172 GARFIELD AVE.
SELBYVILLE, DE 19975
410-257-0000

Paul Antonio
1043 Bear Road
New Castle, DE 19720
(302) 293-1200
pantonio1@aol.com

39176 Garfield Avenue
Selbyville, DE 19975
Tax ID Number 533 20.18 187.00

I am aware that Paul Antonio has requested a variance for a five-foot set back on both sides of the property at 39176 Garfield Ave Selbyville, DE 19975. He has explained that he plans on building a new house with the setbacks and I sign this letter in support of the variance.

Kevin Moore 609-820-6646
Edge Water Acres
13391 Jefferson St
Selbyville De. 19975

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 # 12459
Hearing Date August 3
202004479

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
115-193

Site Address of Variance/Special Use Exception:

28176 Sloop Avenue (Lot #E-4A), Long Neck, DE 19966

Variance/Special Use Exception/Appeal Requested:

Applicant requests that a variance be granted to allow the required 20-foot minimum separation distance between the home on Lot #E4-A, and the gazebo on Lot #E-5, be reduced to 17.00 feet.

Tax Map #: 234-30.00-3.00-56182

Property Zoning: AR-1

Applicant Information

Applicant Name: Pot-Nets Homes, LLC

Applicant Address: 34026 Anna's Way, Suite 3

City Long Neck State DE Zip: 19966

Applicant Phone #: (302) 945-9300 Applicant e-mail: Lincoln@potnets.com

Owner Information

Owner Name: Pot-Nets Homes, LLC

Owner Address: 34026 Anna's Way, Suite 3

City Long Neck State DE Zip: 19966 Purchase Date: N/A

Owner Phone #: (302) 945-9300 Owner e-mail: Lincoln@potnets.com

Agent/Attorney Information

Agent/Attorney Name: Not applicable.

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

[Handwritten Signature]

Date: 4/28/2020



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 E-4A is a narrow homesite, containing a newly constructed home with attached garage. The new home was constructed within all Setback Lines (10-ft), however there is a pre-existing gazebo on the adjacent homesite which is 17-feet away from the home, 3-feet closer than current regulations permit.

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.

It is not economically feasible to relocate the foundation and home on Lot #E-4A, or to make the home narrower. The home is already placed against the Building Restriction Line which is opposite the gazebo.

3. Not created by the applicant:

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

The gazebo on Lot #E-5 was installed by the then-homeowner prior to 1998 when the understanding was that ground-level screen enclosures were not subject to the side yard setback & building separation requirements.

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

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

The gazebo has been in place for at least 22 years (1998 or earlier), and has never caused detriment to adjacent properties, homeowners, property values or the public. As a pre-existing condition within Pot-Nets, it is already reflective of the character of the neighborhood.

5. Minimum variance:

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

The continued use of the gazebo would afford relief to the current homeowner at Lot #E-5, who would prefer not to have it removed.

Exhibit to Variance Application
28176 Sloop Ave (lot #E-4A), Long Neck, DE 19966
Tax Map #: 234-30.00-3.00-56182

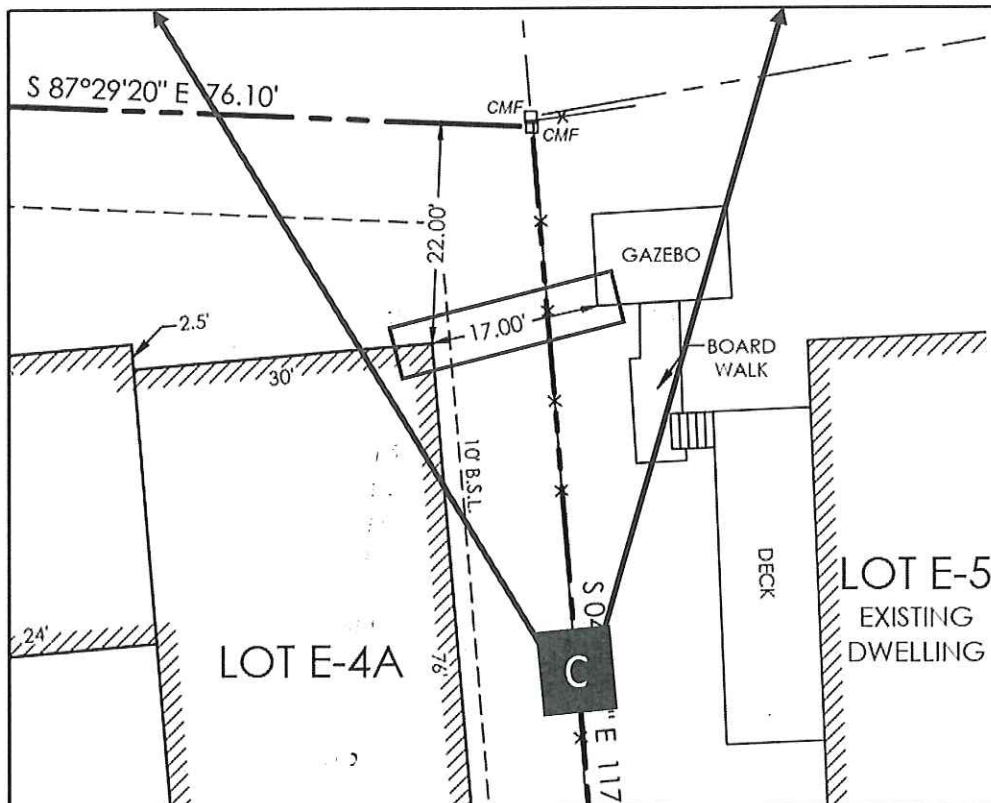
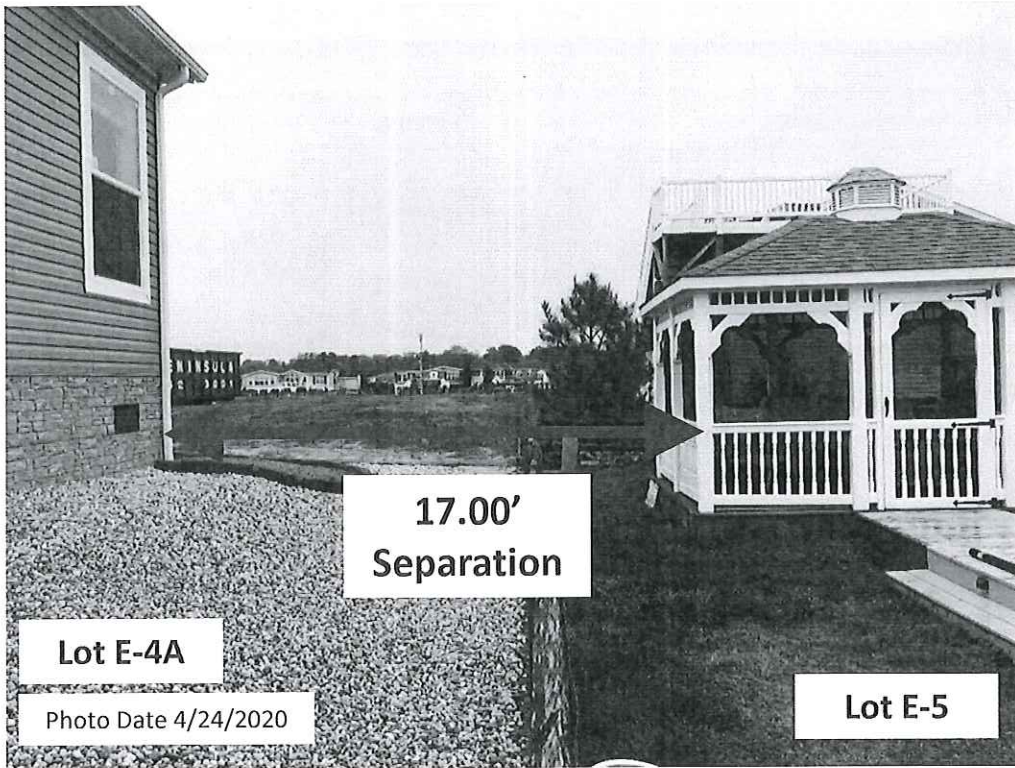


Exhibit to Variance Application
28176 Sloop Ave (lot #E-4A), Long Neck, DE 19966
Tax Map #: 234-30.00-3.00-56182

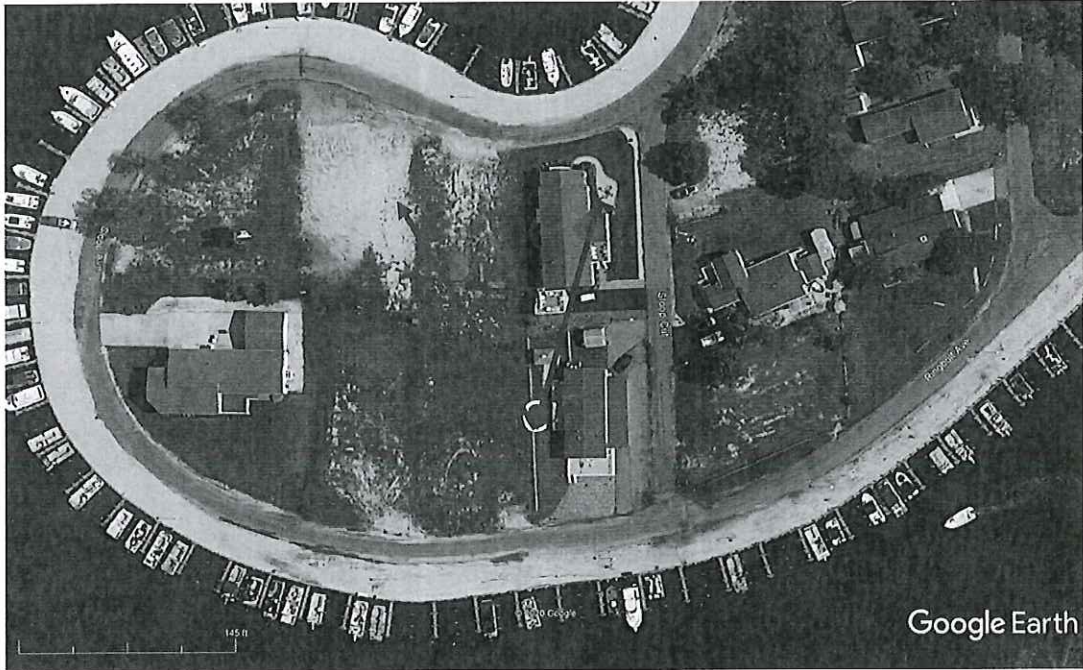


Image Date 6/13/2018

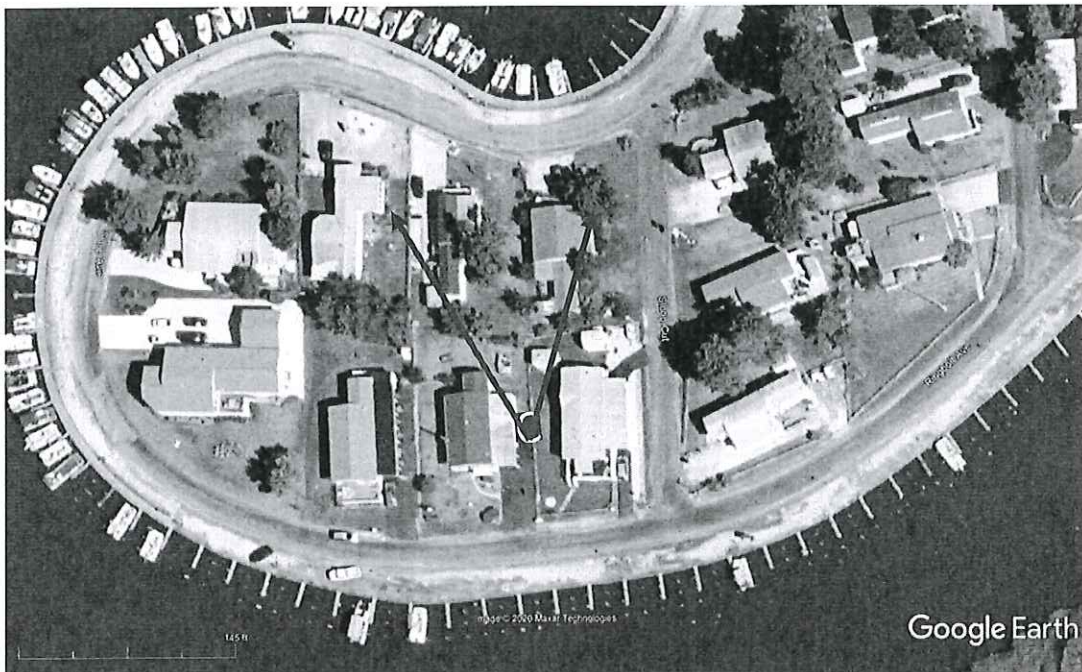
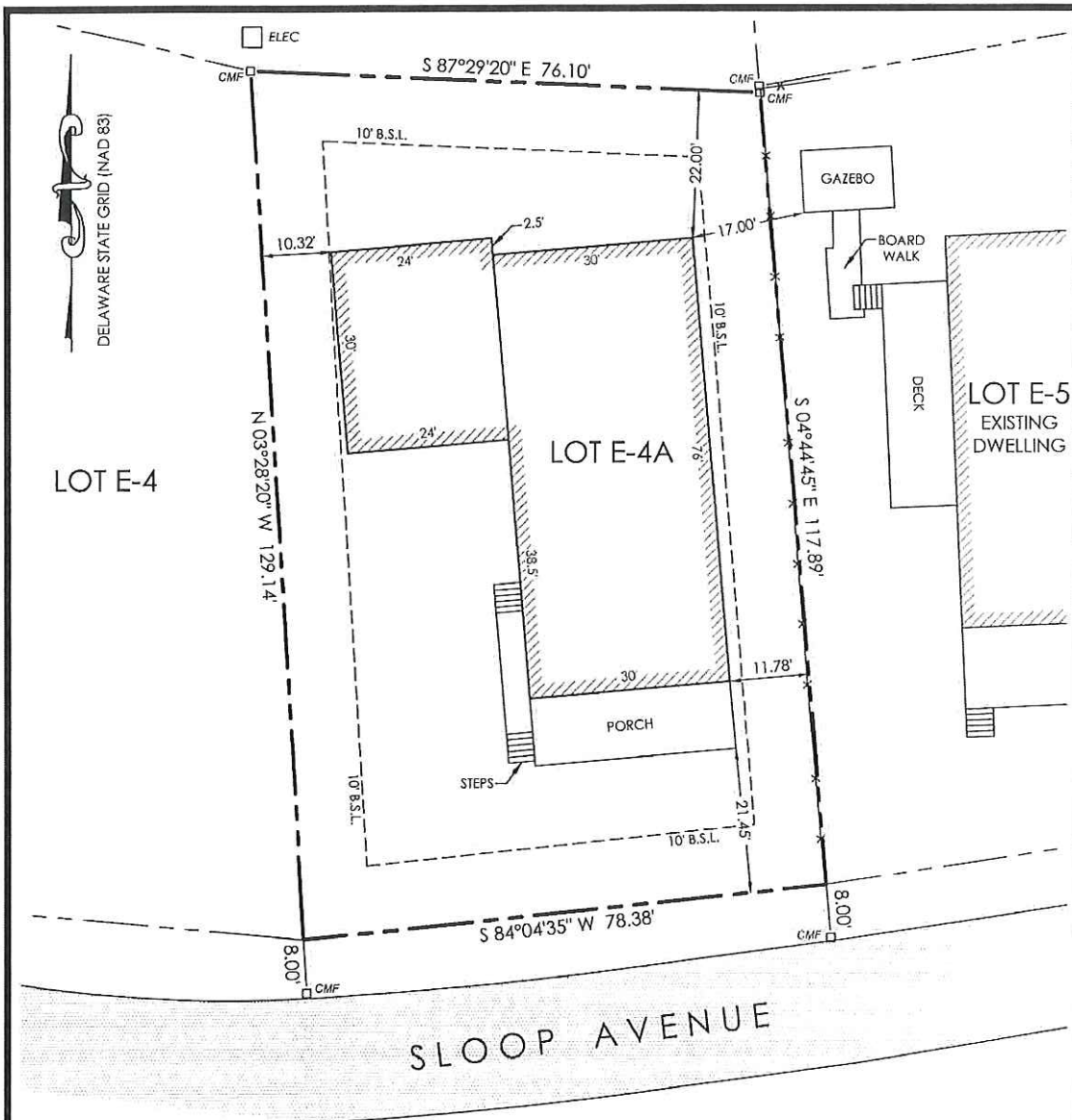


Image Date 8/31/2005



GENERAL NOTES

1. CURRENT OWNER: POT-NETS BAYSIDE LLC
34026 ANNAS WAY SUITE 1
LONG NECK, DELAWARE 19966
2. TAX REFERENCE: TAX MAP 234, GRID 30.00, PARCEL 3.00
3. BASED UPON F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER 10005C0482K, PANEL 482 OF 660, WITH AN EFFECTIVE DATE OF MARCH 16, 2015, THIS SITE IS LOCATED WITHIN FLOOD ZONE (ELEV. 7') BASE FLOOD ELEVATIONS DETERMINED
4. SETBACKS: FRONT = 10'
SIDE = 10'
REAR = 10'
5. ZONED: AR-1

Steve Fuller
 4/10/2020



LEGEND

- LOT LINE
- ADJOINING LOT LINE
- SETBACK LINE
- CONCRETE MONUMENT FOUND
- PAVEMENT
- BUILDING
- FENCE
- ELECTRIC SERVICE BOX
- TELEPHONE PEDESTAL

Integrated Planning
 Engineering & Management, LLC

303 N. Bedford St.
 Georgetown, DE 19947
 T. 302.297.9215
 www.solutionsipem.com
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Drawn by: EM
 Job No.: S19079

FULLER HALL & ASSOCIATES INC
 A Wholly Owned Subsidiary

LOT FIT PLAN
 FOR
LOT E-4A
POT-NETS BAYSIDE
 LEWES, SUSSEX COUNTY, DELAWARE

Scale: 1" = 20'
 Date: 04/10/2020
 Sheet 1 of 1

Jacqueline Duchesneau
28174 Sloop Cut
Pot-Nets Bayside
Long Neck, DE 19966

April 28, 2020

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

Re: Variance Application
28176 Sloop Avenue
Letter of No Objection

Dear Adjustment Board Members,

I am the homeowner of 28174 Sloop Cut, Pot-Nets Bayside, Long Neck, DE 19966.

A gazebo located on my property is related to a variance application submitted by Pot-Nets Homes.

I have been provided a copy of the Variance Application, and have been informed by Pot-Nets Homes, and understand that:

1. A new home has been constructed on Lot E-4A, adjacent to my home on Lot E-5.
2. The new home is located inside all of the building restriction lines on Lot E-4A.
3. My gazebo is measured approximately 17-feet away from the new home.
4. A variance from the required 20-foot building separation is needed to allow the 17-foot separation between the new home and my gazebo.

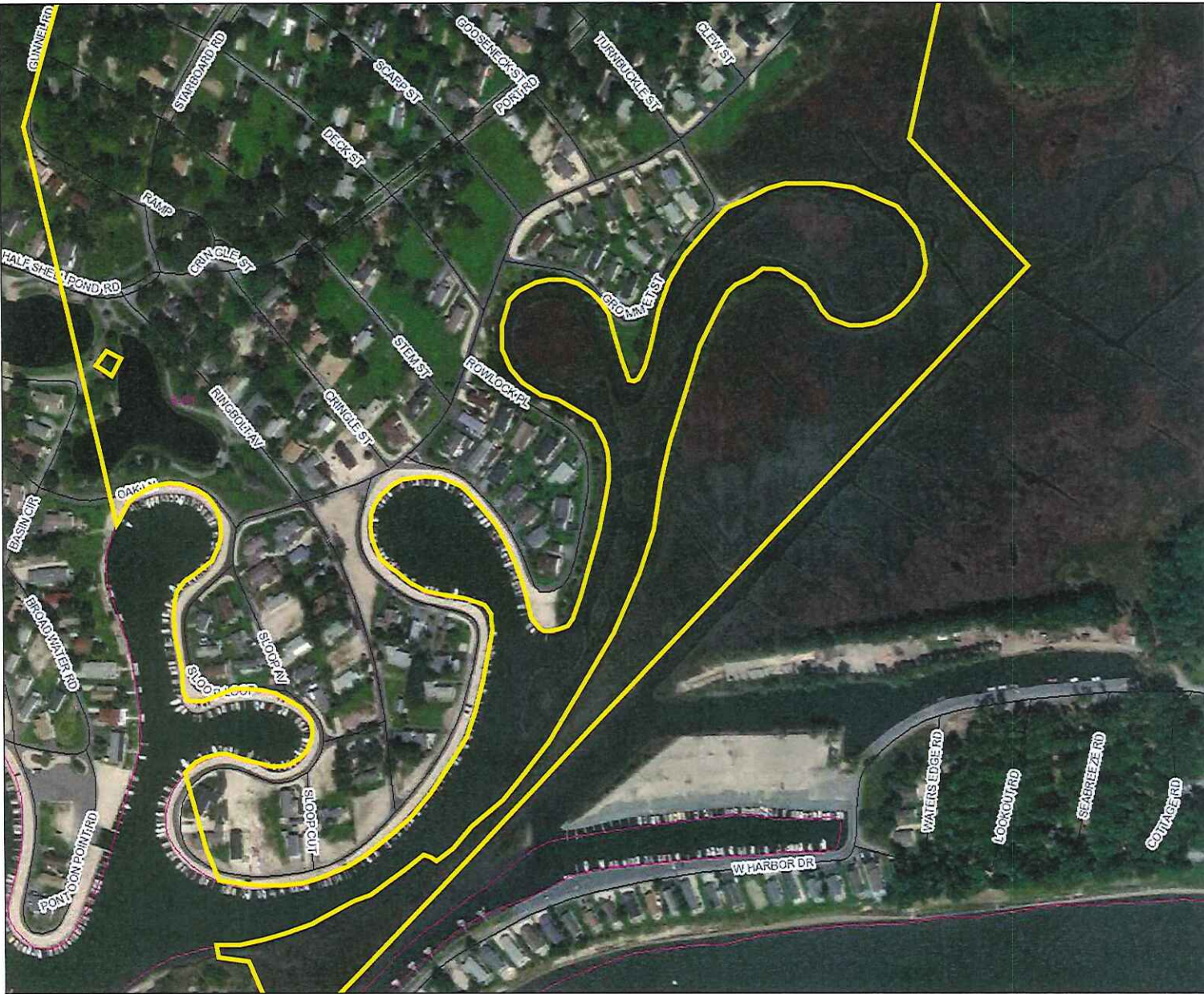
I have no objection to my gazebo remaining in place, or to the placement of the new home 17-feet away from my gazebo.

I have no objection to the variance application submitted by Pot-Nets Homes.

Sincerely,

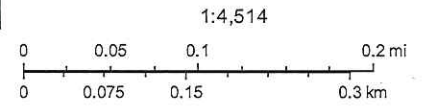


Jacqueline Duchesneau



PIN:	234-30.00-3.00
Owner Name	POT-NETS BAYSIDE LLC
Book	0
Mailing Address	34026 ANNAS WAY UNIT 1
City	MILLSBORO
State	DE
Description	GIS TIEBACK
Description 2	DUMMY ACCOUNT
Description 3	N/A
Land Code	

- polygonLayer
Override 1
- polygonLayer
Override 1
- Tax Parcels
- Streets



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 # 12456
Hearing Date Aug 3
202004493

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

Site Address of Variance/Special Use Exception:

30603 Tower Place Selbyville DE 19975

Variance/Special Use Exception/Appeal Requested:

2-Ft Variance from 10-Ft Rear Yard for Sem Porch

Tax Map #: 533-2010-96.00

Property Zoning: MR.RPE

Applicant Information

Applicant Name: THOMAS M. O'HAGAN
Applicant Address: 30603 TOWER PLACE
City Selbyville State DE Zip: 19975
Applicant Phone #: 240-375-0662 Applicant e-mail: tohagan50@AOL.com

Owner Information

Owner Name: THOMAS M. O'HAGAN
Owner Address: 30603 TOWER PLACE
City Selbyville State DE Zip: 19975 Purchase Date: 9-15-2015
Owner Phone #: 240-375-0662 Owner e-mail: tohagan50@AOL.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

Thomas M. O'Hagan

Date: 4-14-20



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

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

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

1. Uniqueness of property:

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

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.

my VILLA BACKS up to a creek and marsh area that cannot be development on. Please reference Photo's of this area

3. Not created by the applicant:

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

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

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

Please reference my drawing and Photos to show location of my House in conjunction with my Neighbor Houses

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.

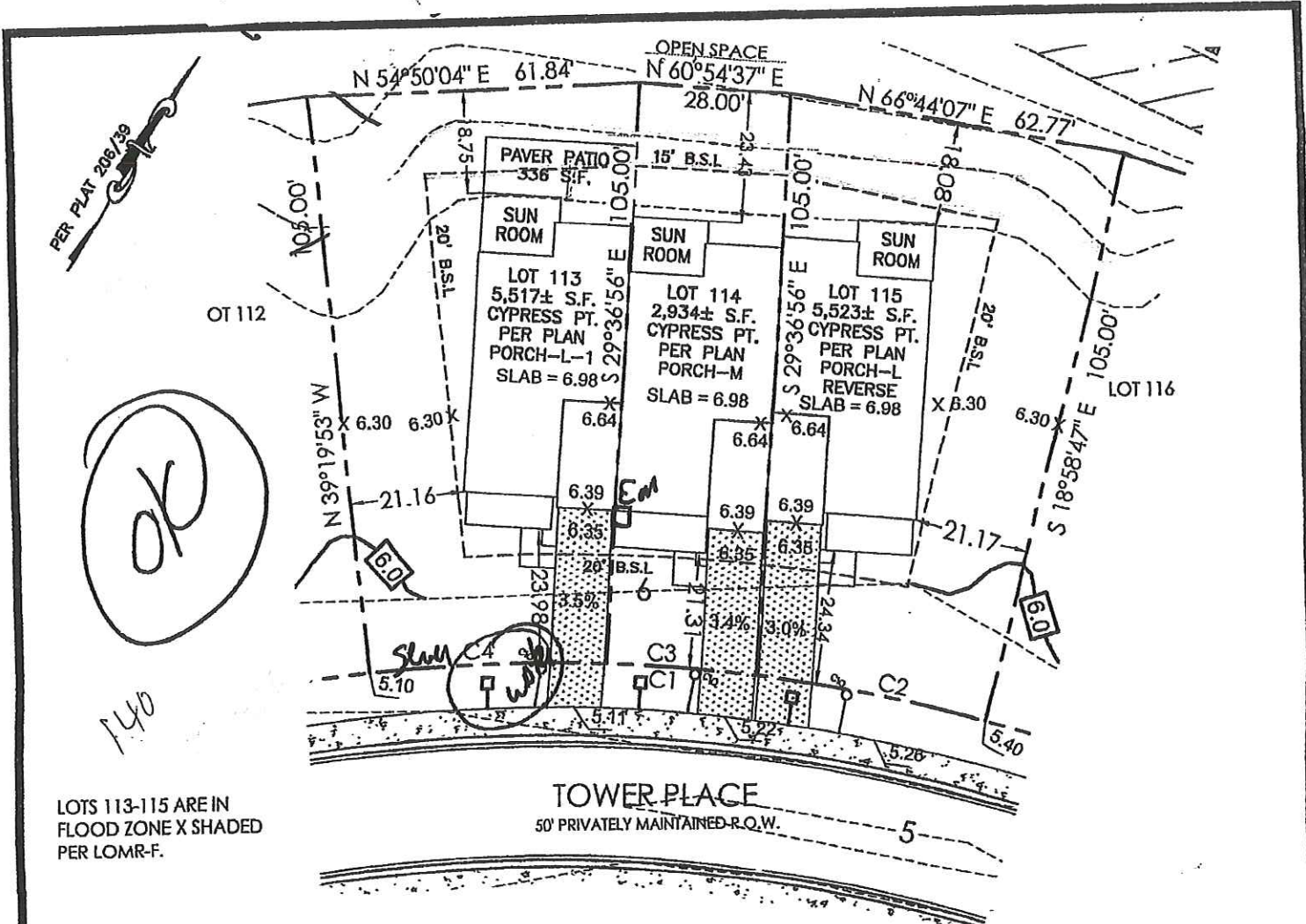
BASIS for APPROVAL

I want to put a screen porch 12' x 14' on top of my existing patio. according to my contractor I only have 10' to the B.S.L. My existing patio extends 14' out from House. My screen in porch will extend 12' from House and fit within my patio. I am asking for a variance of 2'.

There are 3 VILLA'S in a Row 113, 114, 115. Lot 114 has a screen porch, Lot 115 has a screen porch built after purchase which was approved by county & HOA.

Behind our villa's is a creek woods and marsh area that cannot be built on. Please reference pictures showing this area and villa's.

My proposed porch will be in line with Lot 114, 115 porches



LOTS 113-115 ARE IN FLOOD ZONE X SHADED PER LOMR-F.

TOWER PLACE
50' PRIVATELY MAINTAINED R.O.W.

LEGEND

- PROPOSED INLET
- PROPOSED STORM DRAIN MANHOLE
- PROPOSED WATER SERVICE
- PROPOSED SEWER CLEAN OUT
- PROPOSED SIDEWALK
- EXISTING WETLAND
- PROPOSED CURB
- PROPOSED PROPERTY LINE
- EXISTING CONTOUR LINE
- PROPOSED CONTOUR LINE
- PROPOSED SPOT GRADE

LOT 113

AREA CALCULATIONS	
DRIVEWAY	357 SF
LEADWALK	37 SF
PUBLIC WALK	212 SF
SOD	3,617 SF
WHC	34 SF
SHC	31 SF
HSE FACING	S. EAST

LOT 114

AREA CALCULATIONS	
DRIVEWAY	335 SF
LEADWALK	35 SF
PUBLIC WALK	140 SF
SOD	1,061 SF
WHC	30 SF
SHC	28 SF
HSE FACING	S. EAST

LOT 115

AREA CALCULATIONS	
DRIVEWAY	378 SF
LEADWALK	37 SF
PUBLIC WALK	207 SF
SOD	3,614 SF
WHC	33 SF
SHC	32 SF
HSE FACING	S. EAST

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	325.00'	115.44'	114.83'	S 60°50'39" W	20°21'03"
C2	325.00'	43.34'	43.31'	S 67°11'58" W	7°38'25"
C3	325.00'	28.01'	28.00'	S 80°54'37" W	4°58'17"
C4	325.00'	44.09'	44.05'	S 54°33'18" W	7°48'21"

SET BACKS:
 FRONT: 20' MIN.
 SIDE: 20' MIN.
 REAR: 15' MIN.



solutions
 Integrated Planning
 Engineering & Management, LLC

303 N. Bedford St.
 Georgetown, DE 19947
 T. 302.297.9215
 www.solutionsipem.com

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MULTI-FAMILY TOWNHOMES
 SITE AND GRADING PLAN
 THE OVERLOOK
 LOTS 113-115
 SUSSEX COUNTY, DELAWARE

Fuller Hall
 & ASSOCIATES, P.C.
 A Wholly Owned Subsidiary

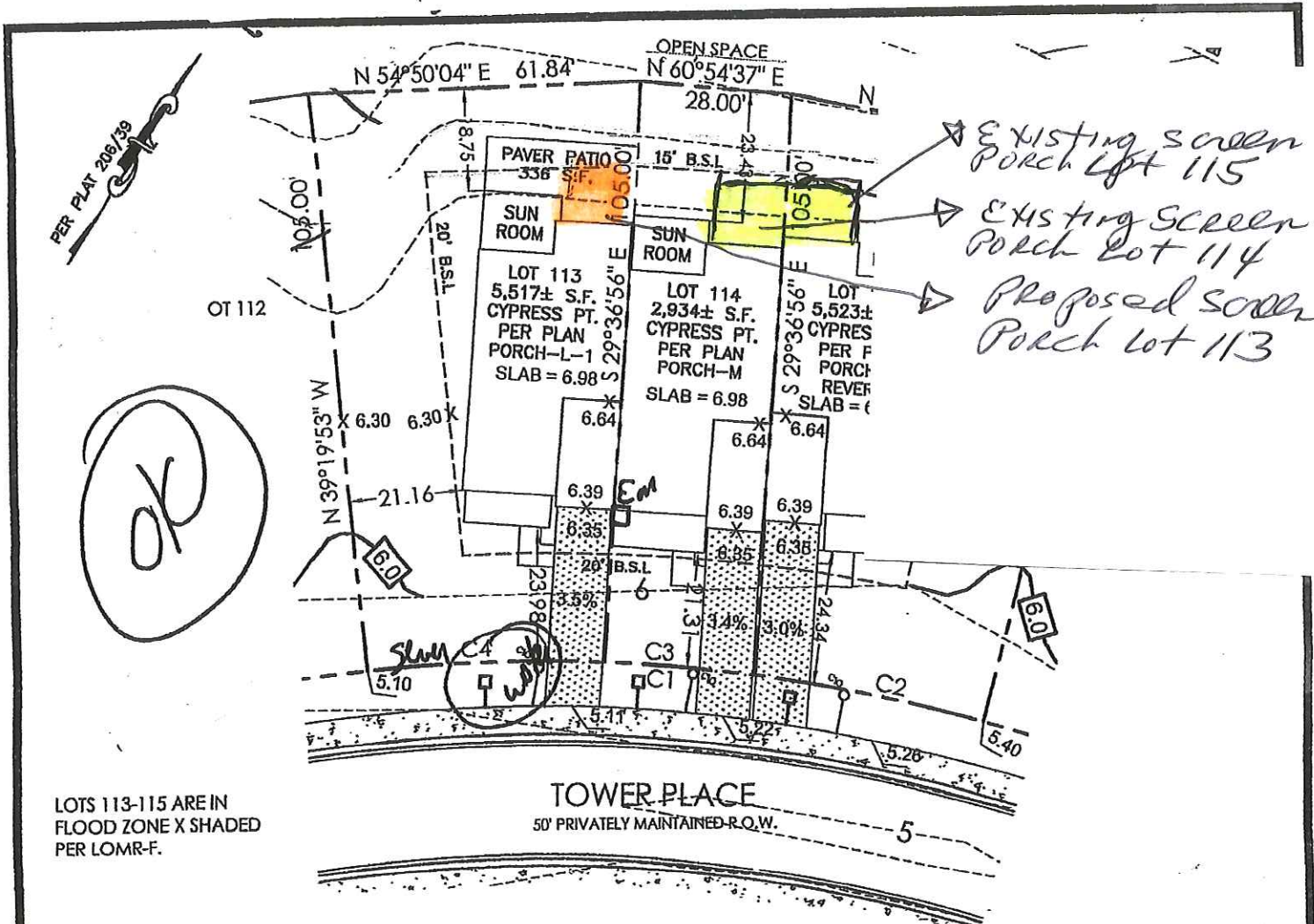
Drawn by: MRB

Job No.: 13051

Scale: 1" = 30'

Date: 05/31/2016

Sheet 1 of 1



LOTS 113-115 ARE IN FLOOD ZONE X SHADED PER LOMR-F.

LEGEND

- PROPOSED INLET
- PROPOSED STORM DRAIN MANHOLE
- PROPOSED WATER SERVICE
- PROPOSED SEWER CLEAN OUT
- PROPOSED SIDEWALK
- EXISTING WETLAND
- PROPOSED CURB
- PROPOSED PROPERTY LINE
- EXISTING CONTOUR LINE
- PROPOSED CONTOUR LINE
- PROPOSED SPOT GRADE

LOT 113	
AREA CALCULATIONS	
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SOD	3,614 SF
WHC	33 SF
SHC	32 SF
HSE FACING	S. EAST

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	325.00'	115.44'	114.83'	S 80°50'39" W	20°21'03"
C2	325.00'	43.34'	43.31'	S 67°11'58" W	7°38'25"
C3	325.00'	28.01'	28.00'	S 60°54'37" W	4°56'17"
C4	325.00'	44.09'	44.05'	S 54°33'18" W	7°46'21"

SET BACKS:
 FRONT: 20' MIN.
 SIDE: 20' MIN.
 REAR: 15' MIN.



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 Engineering & Management, LLC

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 Georgetown, DE 19947
 T. 302.297.9215
 www.solutionsipern.com

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MULTI-FAMILY TOWNHOMES
 SITE AND GRADING PLAN
THE OVERLOOK
 LOTS 113-115
 SUSSEX COUNTY, DELAWARE

Drawn by: MRB

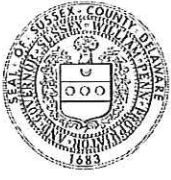
Job No.: 13051

Scale: 1" = 30'

Date: 05/31/2016

Sheet 1 of 1

Fuller Hall
 & ASSOCIATES, P.C.
 A Wholly Owned Subsidiary



Sussex County, Delaware
Finance Department - Billing Division
 2 THE CIRCLE, COUNTY ADMINISTRATIVE OFFICES
 PO BOX 601, GEORGETOWN, DE 19947-0601
 sussexcountyde.gov

2019 ANNUAL TAX BILL# 19052587

Property Tax ID Number
533-20.00-96.00

Tax Period: 07/01/2019 - 06/30/2020
 Due Date: 09/30/2019

Customer ID # 115217

PROPERTY LOCATION / DESCRIPTION

30603 TOWER
 THE OVERLOOK
 LOT 113



533-20.00-96.00
 O'HAGAN THOMAS M
 30603 TOWER PL
 12241 SELBYVILLE, DE 19975-4273
 42

DESCRIPTION OF CHARGES	CODE	ASSESSMENT (PER \$100)	RATE	CHARGE	CREDITS APPLIED	CURRENT CHARGES
COUNTY TAX	C	30,850	0.3983	122.88		\$122.88
LIBRARY	C	30,850	0.0467	14.41		\$14.41
FENWICK SEWER ASSESSMENT	C			1.76		\$1.76
SCHOOL TAX - INDIAN RIVER DISTRICT	S	30,850	3.0350	936.30		\$936.30
SUSSEX TECHNICAL HIGH SCHOOL	S	30,850	0.2646	81.63		\$81.63
SCHOOL CAPITATION TAX - INDIAN RIVER	S		12.0000	12.00		\$12.00

Questions? Please call (302) 855-7871

Visit sussexcountyde.gov or call 866-791-9802 to pay by credit/debit card. Payment by e-check is accepted online only. Fees apply for all online and phone transactions.

CODE	SUMMARY OF CURRENT CHARGES:	
C	COUNTY TAX & SERVICES	139.05
S	SCHOOL TAXES	1,029.93
N	NON-COUNTY FEES	0.00

CURRENT TAXES BILLED: **1,168.98**
 PRIOR YEAR(S)*: 0.00
 CURRENT PERIOD INTEREST: 0.00

File

TOTAL DUE: \$1,168.98
pd

*Past due balances are subject to monthly interest charges.
 Pay Online or Request an Address Change on our website sussexcountyde.gov *9-30-19*

DETACH AND RETURN BOTTOM PORTION WITH PAYMENT
 MADE PAYABLE TO SUSSEX COUNTY

08/17/2019

2019 ANNUAL TAX BILL# 19052587

Customer ID # 115217
 533-20.00-96.00
 O'HAGAN THOMAS M
 30603 TOWER PLACE
 SELBYVILLE, DE 19975

Tax Period: ~~07/01/2019 - 06/30/2020~~
 Due Date: 09/30/2019

Property Tax ID Number
533-20.00-96.00

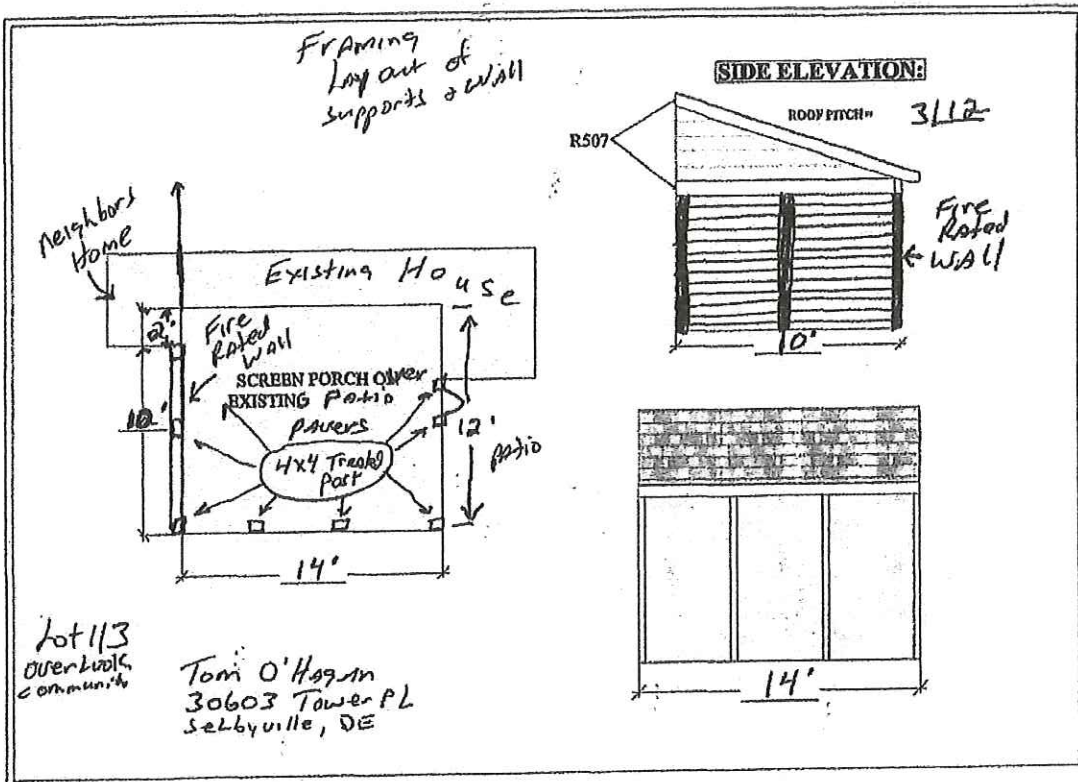
9-30-19
pd

TOTAL DUE: \$1,168.98

AMOUNT ENCLOSED

SUSSEX COUNTY
 PO BOX 601
 GEORGETOWN, DE 19947-0601

00002082019819052587300001168988



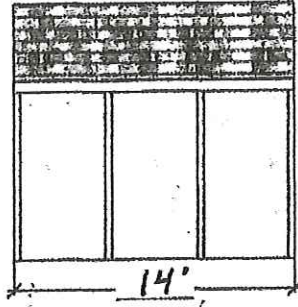
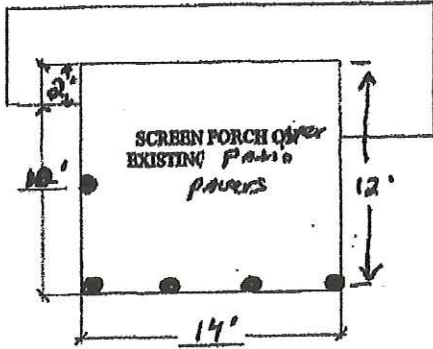
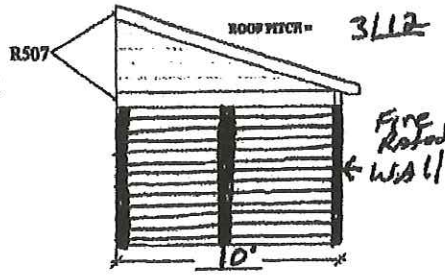
BTM Construction Inc.

Tommy Murphy
302.245-9041

Reference only to be
Submitted by contractor
later for permitting.

Footer supports for roof

SIDE ELEVATION:

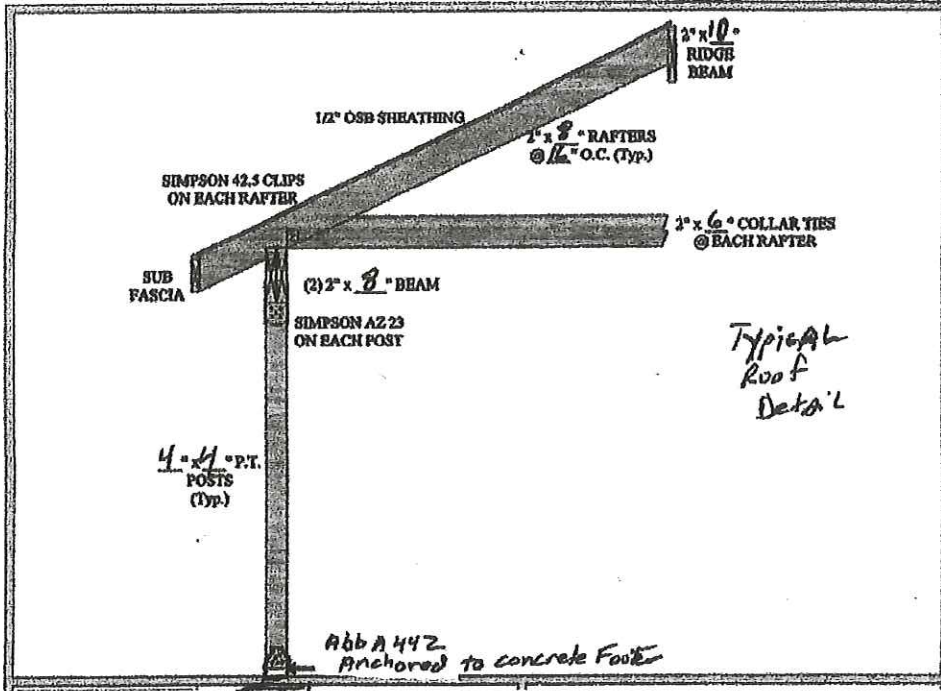


Tom O'Hagan
30603 Tower PL
Selbyville, DE

● = 18" x 26 deep
Footers

BTM Construction Inc.
Tommy Murphy
302.245.9041

Tom O'Hogari
30603 Town Pl
Selbyville DE



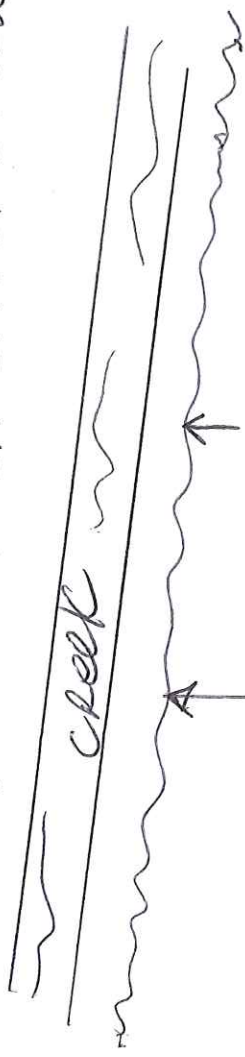
Typical
Roof
Detail



Concrete
Footer

BTM Construction
Tommy Murphy
302-245-7041

woods, marsh area cannot build on it



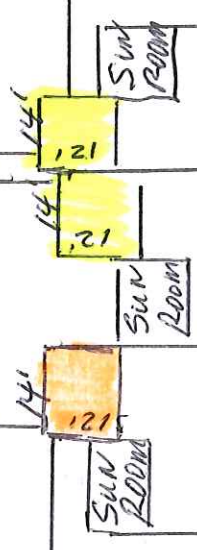
CREEK

30'

40'

EXISTING 12' X 14' SCREEN PORCH
EXISTING 12' X 14' SCREEN PORCH BUILT AFTER PURCHASE

PROPOSED 12' X 14' SCREEN PORCH



Lot 115

Lot 114

Lot 113

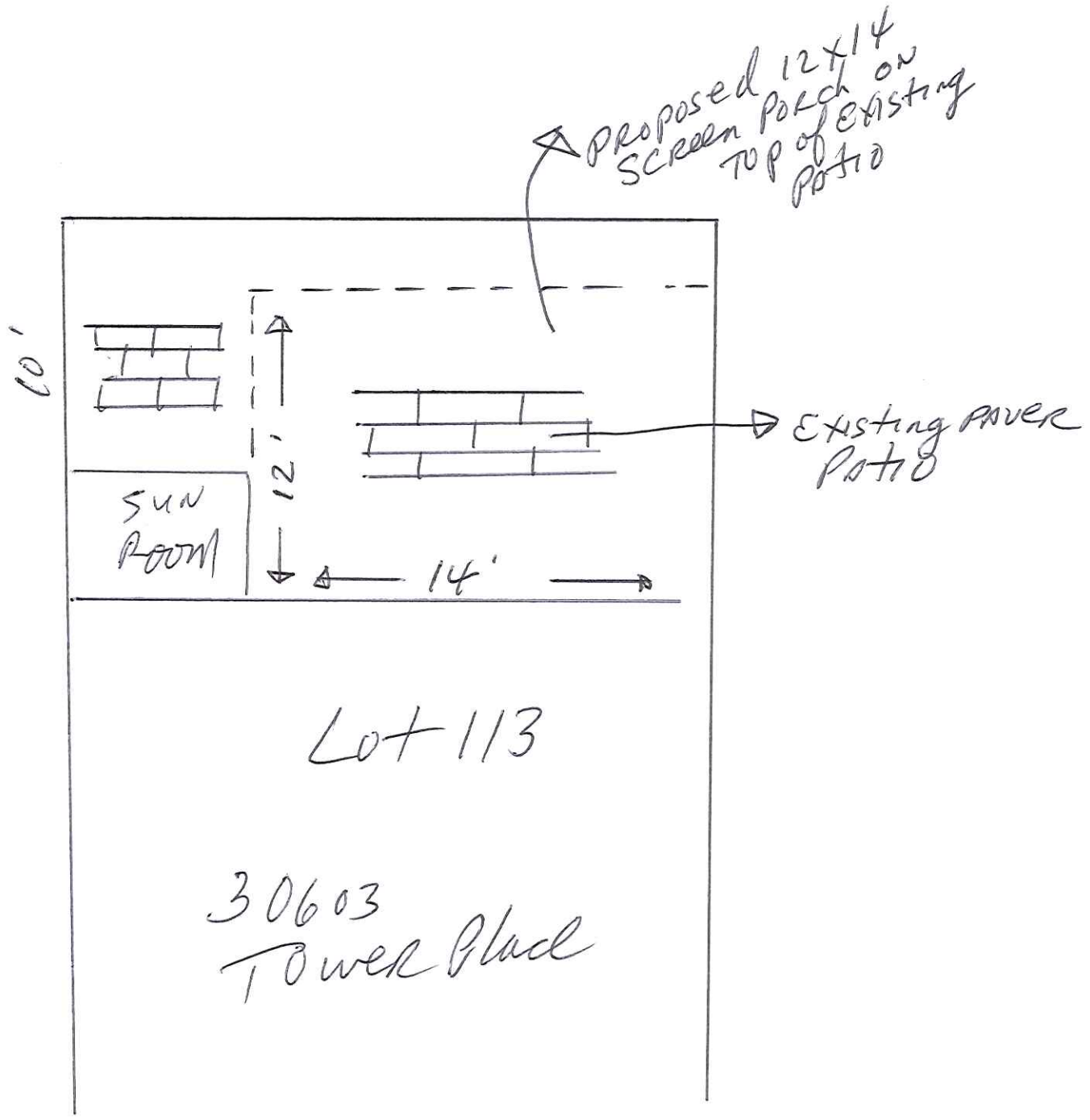
30607 TOWER PL

30605 TOWER PL

30603 TOWER PL

50' →
Between Homes

Lot 112



Proposed 12x14
Screen Porch on
TOP of Existing
Patio

Existing Over
Patio

10'

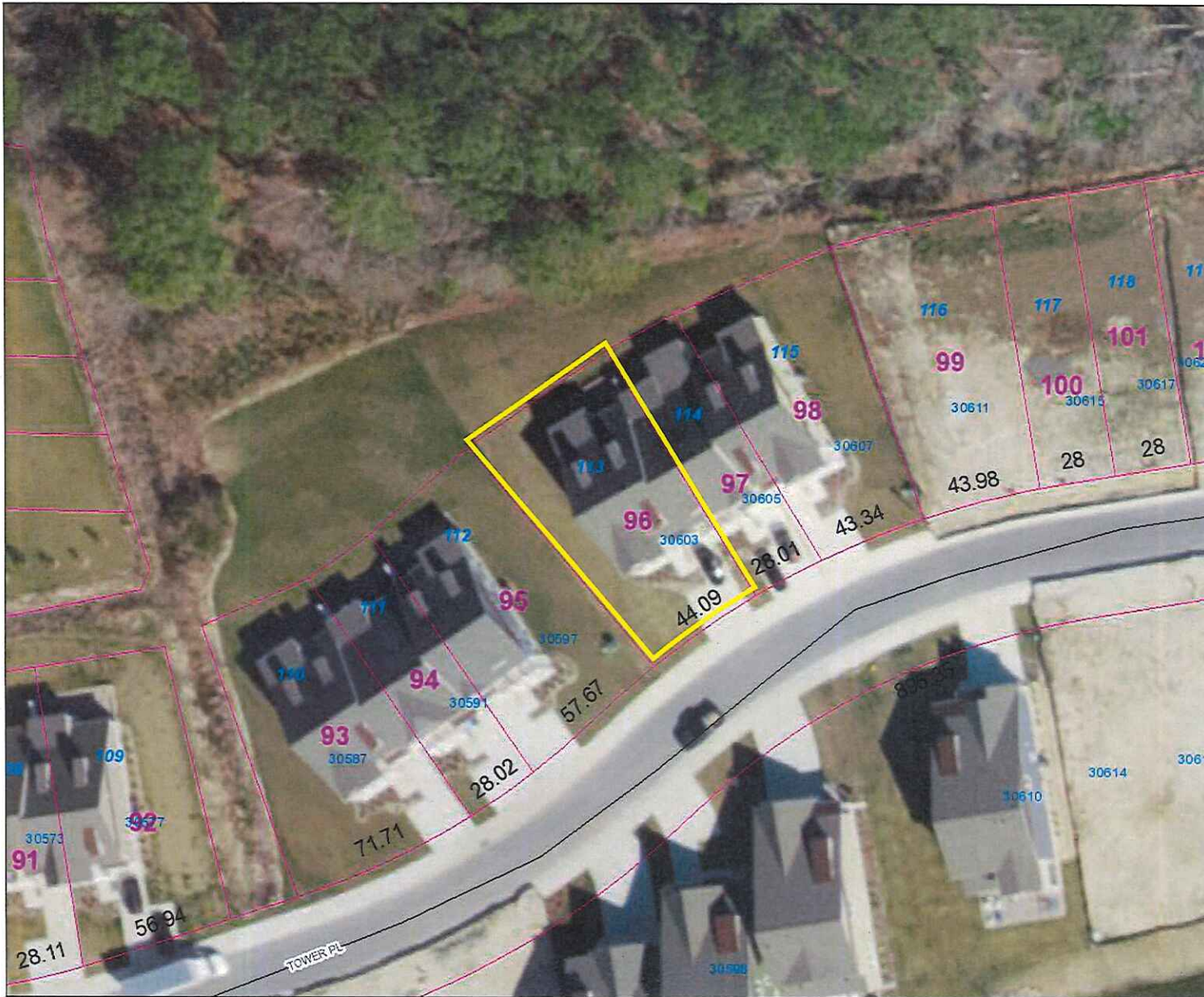
SUN
ROOM

12'

14'

Lot 113

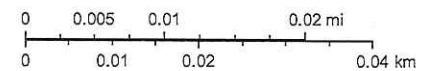
30603
Tower Place

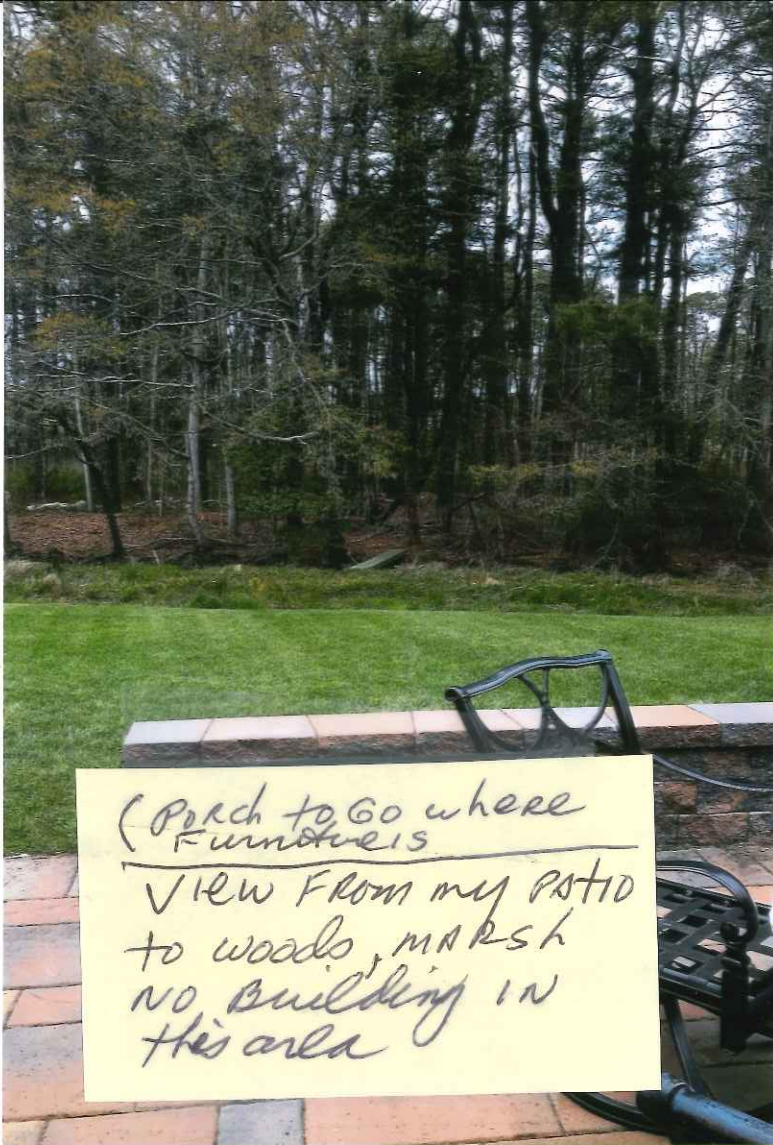


PIN:	533-20.00-96.00
Owner Name	O'HAGAN THOMAS M
Book	4597
Mailing Address	30603 TOWER PLACE
City	SELBYVILLE
State	DE
Description	THE OVERLOOK
Description 2	LOT 113
Description 3	N/A
Land Code	

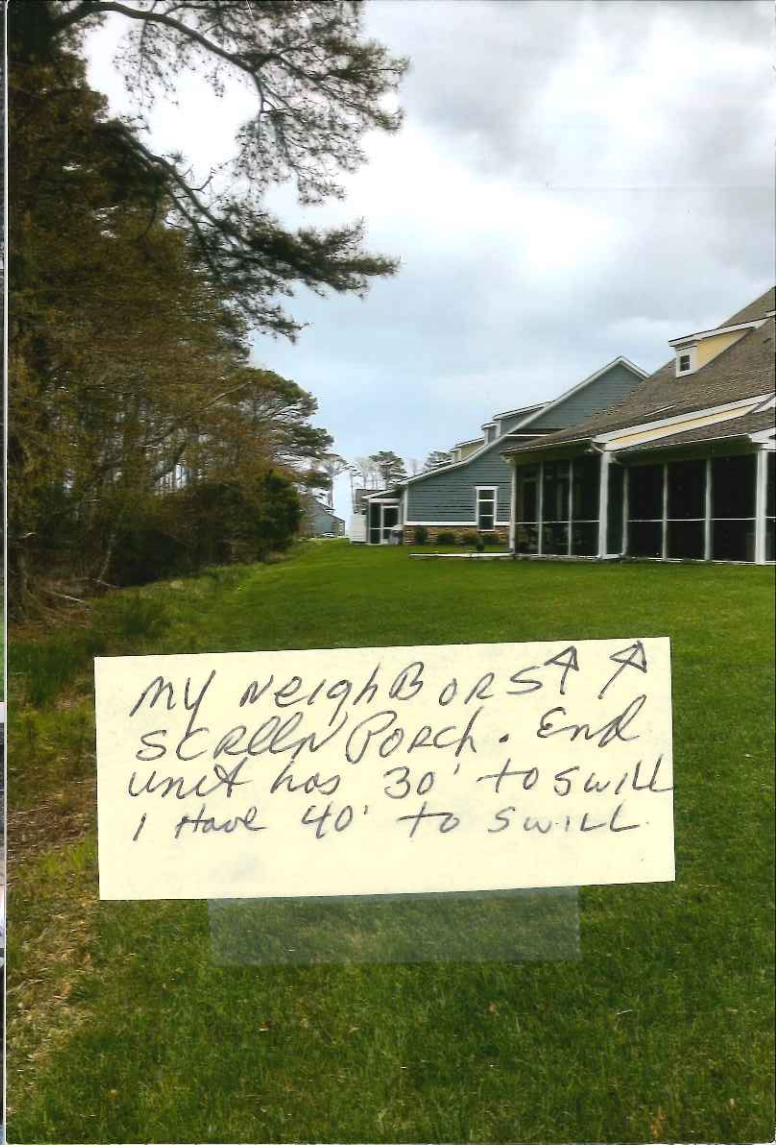
- | | |
|--------------|------------|
| polygonLayer | Override 1 |
|--------------|------------|
- | | |
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| polygonLayer | Override 1 |
|--------------|------------|
- | | |
|--|-------------|
| | Tax Parcels |
|--|-------------|
- | | |
|--|-------------|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

1:564





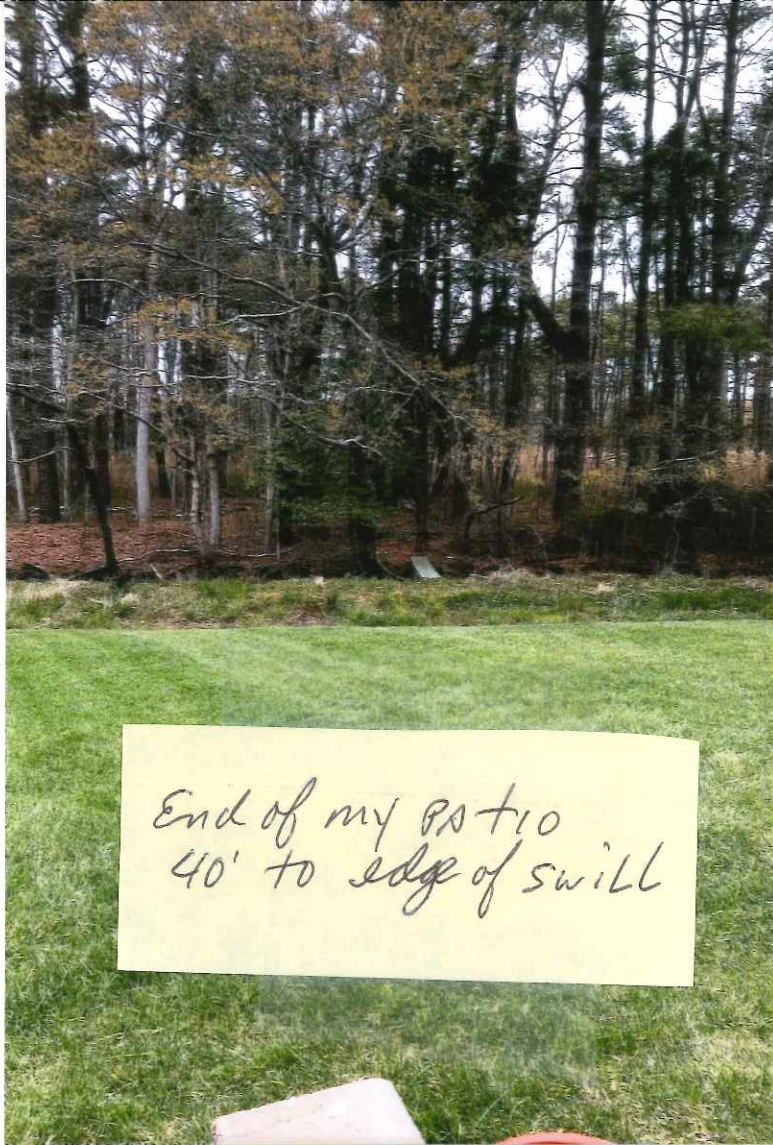
(Porch to go where
Furniture is)
VIEW FROM MY PATIO
to woods, MARSH
NO BUILDING IN
this area



my neighbor's A
SCREEN PORCH. END
UNIT HAS 30' TO SWILL
I HAVE 40' TO SWILL.



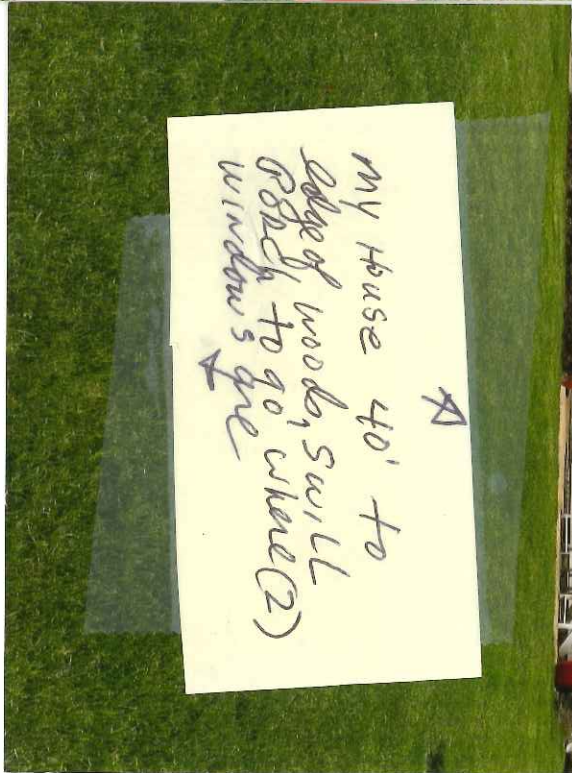
my neighbor's Screen
Porches



End of my patio
40' to edge of swill



(Neighbor Patches Ahead
Patio to go where existing
Furniture is. would be
in line with last screen
Porch. From House to
Red pot is 12' End of
Proposed ~~pat~~ Porch

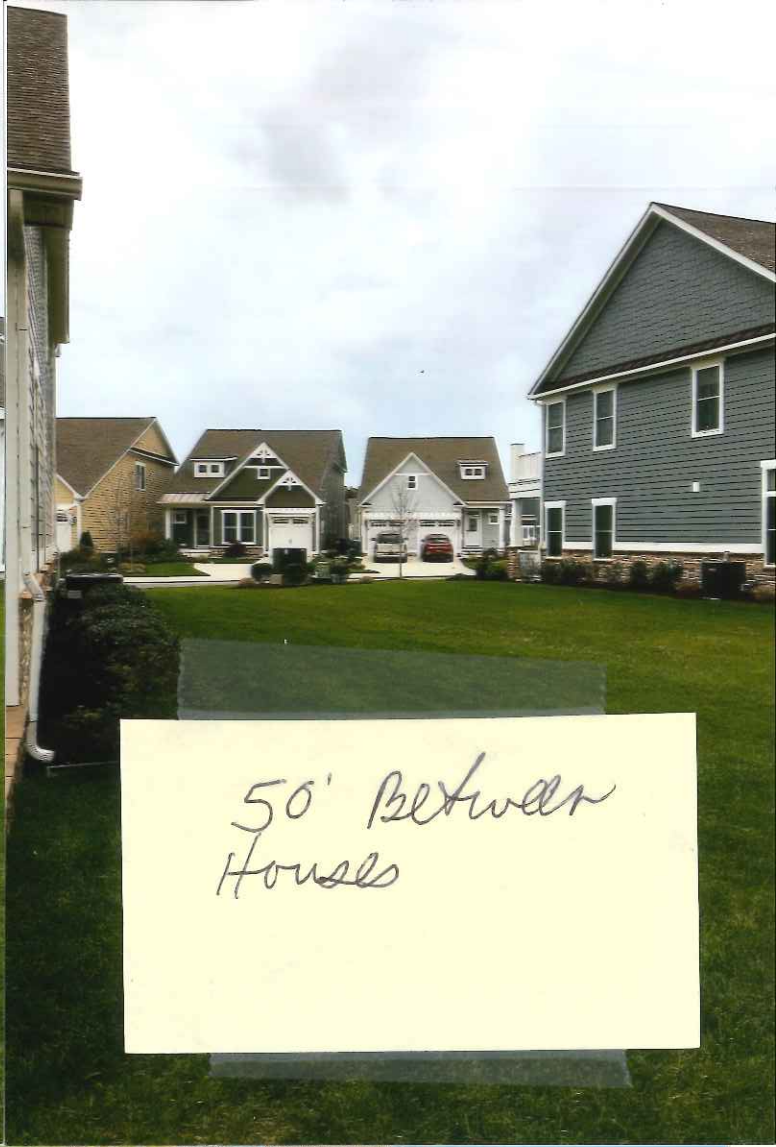


A
my House 40' to
edge of woods, swill
Porch to go where (2)
windows are





↑
neighbors next
door 50' Be-
tween Houses



50' Between
Houses



my neighbors
Screen Porch
Lot 114, 115
1m next to
114, Lot 113

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 # 12457
Hearing Date Aug 3
202004643

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:

34750 BARNEY LANE, FRANKFORD

Variance/Special Use Exception/Appeal Requested:

18.9 ft variance from front yard setback
for steps

Tax Map #: 134-19,00-343.00 Property Zoning: _____

Applicant Information

Applicant Name: Bob Brooks - Brooks + Palmer
Applicant Address: 24214 LOAR RD
City GEORGETOWN State DE Zip: 19947
Applicant Phone #: 302-228-5448 Applicant e-mail: BROOKSPALMERCH@

GMAIL.COM

Owner Information

Owner Name: ANDREW GOLDBERGER + SUSAN BEHAN
Owner Address: 34750 BARNEY LANE
City FRANKFORD State DE Zip: 19945 Purchase Date: _____
Owner Phone #: 410-948-3989 Owner e-mail: goldbehenc@gmail.com

Agent/Attorney Information

MAILING- 1612 PARK GROVE AVE
CATONSVILLE MD 21228

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

Signature of Owner/Agent/Attorney

Bob Brooks

Date: 5/4/20



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

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

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

1. Uniqueness of property:

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

The property was previously determined to be irregular in shape and size on April 1, 2019 (under Case No. 12274) due to the existing property being bounded by Barney Ln (east), lagoon (west), and Millers Creek (south). The property is located at the end of Barney Lane in the location of a proposed cul-de-sac that was not built which only on paper protrudes into the lot by 15 ft. The property is approx. 63 ft (front) and 34.45 ft (rear) (with a property line being determined by Millers Creek). This property was granted building setback relief of 7.9 ft (Case No. 12274). Based on the relief given the house was built with the intent to meet those revised setbacks. A elevation certificate prepared by the engineer determined that the house needed to be elevated to meet FEMA flood regulations therefore creating the need for additional steps/stairs. The builder was unaware of this until the final construction survey. After review, it was determined that the steps/stairs of the house encroached into the revised setback by more than 5 ft. (the max. allowable by 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.

Development of the property under strict conformity of the Zoning Ordinance is burdened by the physical conditions beyond the control of the applicant. The parcel's shape and size was previously determined to restrict construction of a typical house plan of similar character to others nearby (under Case No. 12274). The steps as built encroach into the revised front yard approximately 10 ft versus the allowable 5 ft. (max. allowable by code). The cul-de-sac that was never built protrudes in the property 15 ft. Should this protrusion have never existed the steps as constructed would be in within the allowable constraints, and therefor in line with with other allowable construction for Barney Lane.

3. Not created by the applicant:

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

The lot was created by a 1967 subdivision plan prepared by C. Kenneth Carter for what is known as the George C & Gladys E. Moore Subdivision. Due to the southern property line being Millers Creek, the parcel narrows from front to back. The buildable width at the rear building restriction line is only 26.6 feet. (This includes the reduced setbacks based on Ordinance #2557 for lots less than 10,000 square feet.) FEMA regulations necessitated the need to elevate the house on pilings. The steps as constructed were built to span from house finish floor elevation to existing grade. No additional landings or steps were installed.

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

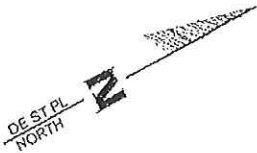
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

It was previously determined the "cul-de-sac on paper" protrudes into the property by 15 ft. The request is to regain a only the required portion of the usable space pilfered by the cul-de-sac. Relief of an additional 5 ft of building setback (17.1 ft total) or relief of an additional 5 ft of allowable protrusion by steps/stairs into the front yard (10 ft total) would afford the necessary relief. (The cul-de-sac encroaches by 15 feet as stated above). The adjacent properties setbacks of 30 ft. would remain 2.1 ft. closer to Barney Lane.

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 4. above. Only the minimum relief (additional 5 ft) is being requested to provide adequate relief for the steps/stairs. The applicant has selected a realistic house plan to stay in character with the adjacent parcels and only provided adequate steps/stairs to access the first floor of the building. The area at the front of the lot was the most suitable area for home construction, the house was constructed meeting all other setbacks, and this request would provide the necessary relief.



LANDS NOW OR FORMERLY OF
GEORGE MOORE SUBDIVISION

N 26°45'52" E 48.00' CMF TO IPF

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.

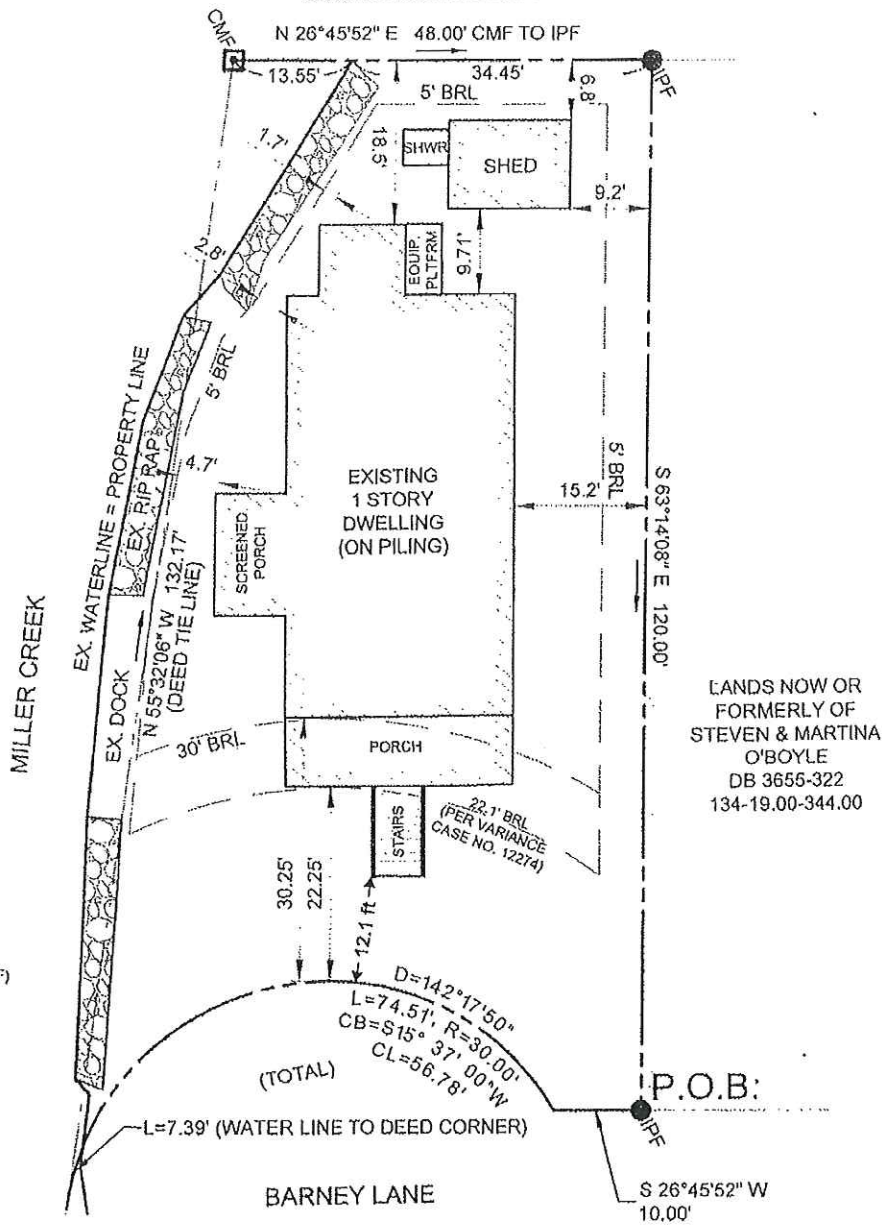
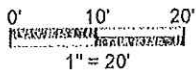
ALL SETBACKS MUST BE VERIFIED BY THE HOME OWNER, CONTRACTOR, AND HOMEOWNER'S ASSOCIATION PRIOR TO ANY CONSTRUCTION. FRONT, SIDE AND REAR SETBACKS SHOWN PER SUSSEX COUNTY.

NO TITLE SEARCH WAS PROVIDED NOR STIPULATED.

THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED ON 4/10/2020, BY SCALED ENGINEERING, INC. BOUNDARY INFORMATION WAS TAKEN FROM DEED BOOK 4526 PAGE 272 (THE CURRENT DEED OF RECORD), AND PLAT BOOK 7 PAGE 16 AND OTHER DOCUMENTS OF PUBLIC RECORD AND HAS BEEN ROTATED TO DELAWARE STATE PLANE COORDINATES.

LEGEND

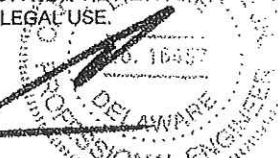
- IRON PIPE FOUND (IPF)
- CONCRETE MONUMENT FOUND (CMF)
- SUBJECT BOUNDARY LINE
- ADJOINER BOUNDARY LINE
- BUILDING STRUCTURE



LANDS NOW OR FORMERLY OF
STEVEN & MARTINA
O'BOYLE
DB 3655-322
134-19.00-344.00

CERTIFICATION:

I, CARLTON R. SAVAGE JR., HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE. 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.



CARLTON R. SAVAGE JR., DE. PE #16457

4/27/20
DATE

BOUNDARY & LOCATION SURVEY PLAN

PREPARED FOR:
ANDREW GOLDBERGER
FOR PROPERTY KNOWN AS:
LOT 53, GEORGE MOORE SUBDIVISION
FRANKFORD, DE 19945

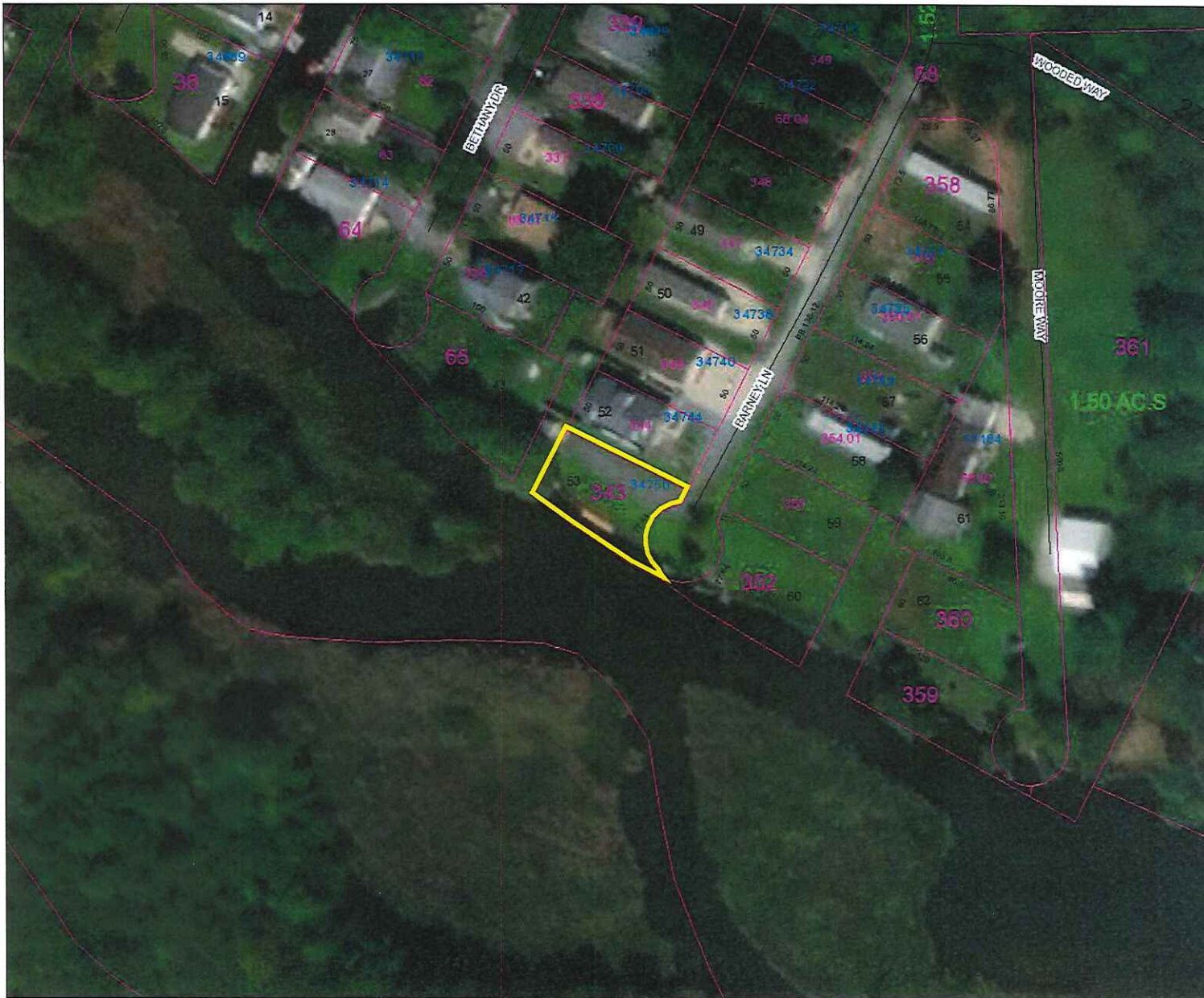
TM: # 134-19.00-343.00
BALTIMORE HUNDRED | SUSSEX COUNTY | DELAWARE
DATE: APRIL 24, 2020 SCALE: 1" = 20'
CLASS: SUBURBAN PROJECT: BPCH001
LOT AREA: ±6,189 SQ.FT. FB: _____



Scaled Engineering Inc.
20246 Coastal Highway
Rehoboth Beach, DE 19971
Phone: (302) 236-3600



Sussex County



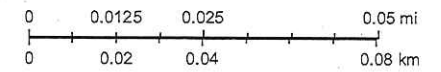
PIN:	134-19.00-343.00
Owner Name	GOLDBERGER ANDREW R
Book	4526
Mailing Address	1612 PARK GROVE AVE
City	CATONSVILLE
State	MD
Description	GEORGE C MOORE SUBD
Description 2	LOT 53
Description 3	N/A
Land Code	

- polygonLayer

 - Override 1
- polygonLayer

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

1:1,128



PREVIOUS VARIANCE APPLICATION

201900165

Case # 12274
Hearing Date 2/18/19

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)
115-42
115-182

Site Address of Variance/Special Use Exception: LOT 5.3 BARNEY LANE
FRANK FORD DE 19945 GEORGE MOORE SUBDIVISION

Variance/Special Use Exception/Appeal Requested: To change FRONT
SET BACK FROM 30' TO 22.01' TO ACCOMMODATE
Dwelling on lot. (8')

① 7.9' from req. 30' front for proposed deck

Tax Map #: 134-19.00-343.00

Property Zoning: Residential
GR

Applicant Information

Applicant Name: BOB BROOKS
Applicant Address: 24214 ZOOM RD.
City, State, Zip: GEORGETOWN DE 19947
Applicant Phone #: 302-228-5448 Applicant e-mail: BROOKS.PALMER.GH@gmail.com

Owner Information

Owner Name: Andrew R. Goldberger
Owner Address: 1617 PARK GROVE AVE
City, State, Zip: Baltimore MD 21228 Purchase Date: 4/5/16
Owner Phone #: 410-948-3987 Owner e-mail: goldberene@gmail.com

Agent/Attorney Information

Agent/Attorney Name: NONE
Agent/Attorney Address: _____
City, State, Zip: _____
Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

[Signature] Date: 1-7-19



Planning & Zoning Project Contact List

Applicant Information

Applicant Name: Bob Brooks (Brooks and Palmer custom plans)
Applicant Address: 24214 Zora Rd.
City: Georgetown State: De Zip: 19947
Phone #: 302-228-5748 E-mail: BrooksPalmerCH@gmail.com

Owner Information

Owner Name: Andrew R. Goldberger
Owner Address: 1612 Park Grove Ave
City: Baltimore State: MD Zip: 21228
Phone #: 410-948-3987 E-mail: goldbera@gmail.com

Engineer/Surveyor Information

Engineer/Surveyor Name: SCALD Engineering
Engineer/Surveyor Address: (CARLTON) 20246 Coastal Highway
City: Rehoboth Beach State: De Zip: 19971
Phone #: 302-236-3600 E-mail: _____

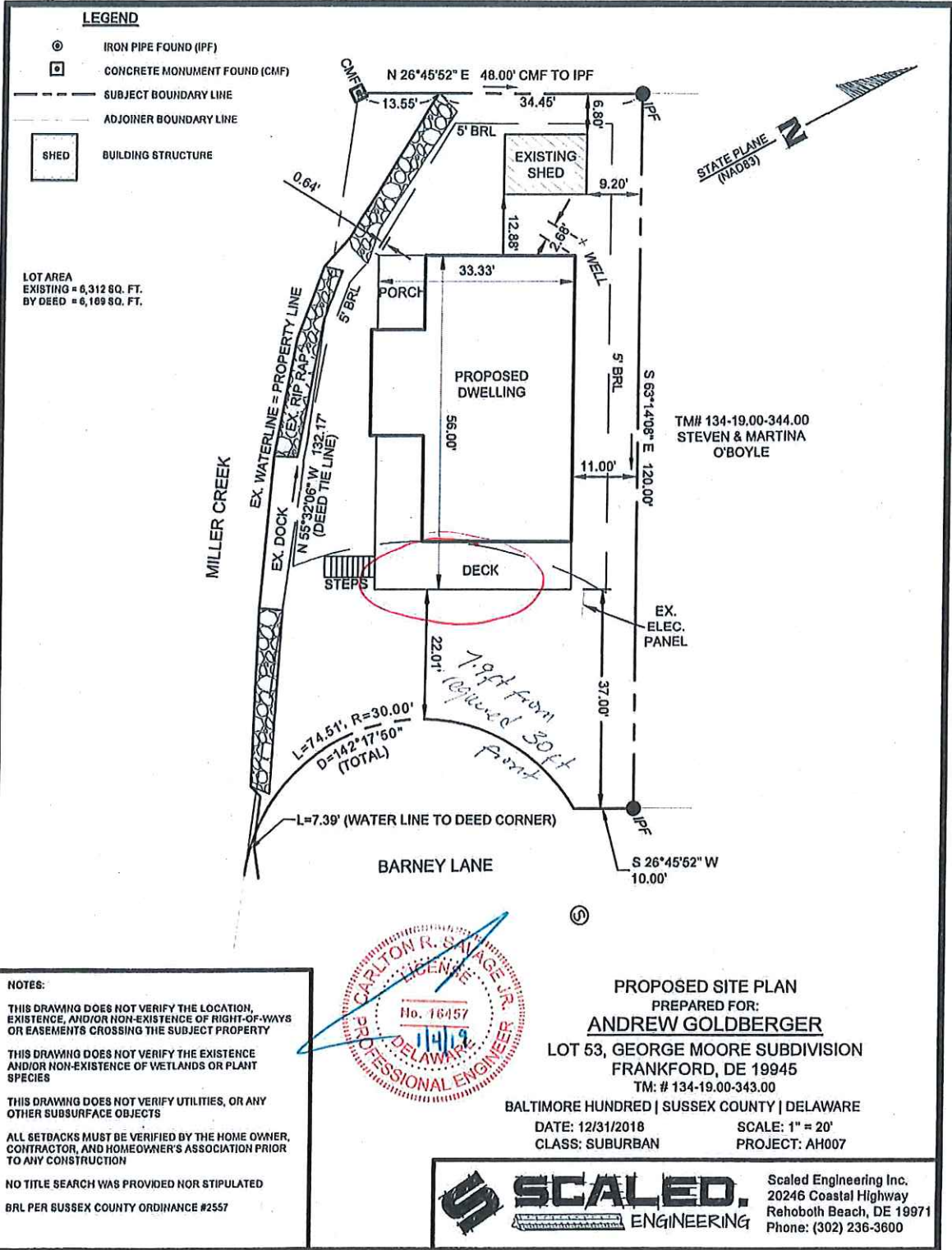
Agent/Attorney Information

Agent/Attorney/Name: None
Agent/Attorney/Address: _____
City: _____ State: _____ Zip: _____
Phone #: _____ E-mail: _____

Other

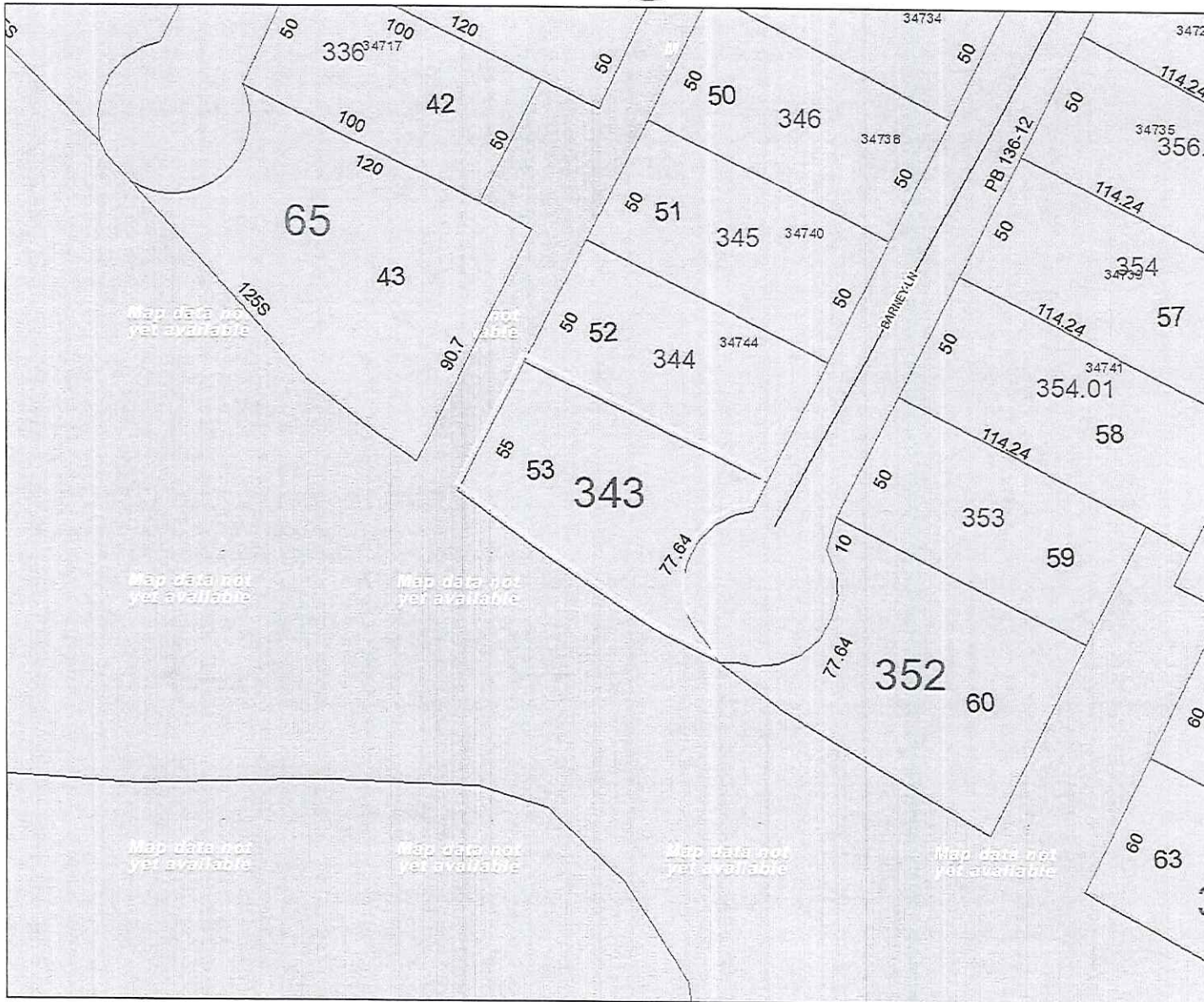
Name: None
Address: _____
City: _____ State: _____ Zip: _____
Phone #: _____ E-mail: _____







Sussex County



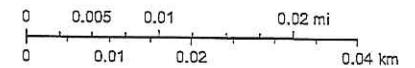
PIN:	134-19.00-343.00
Owner Name	GOLDBERGER ANDREW R
Book	4526
Mailing Address	1612 PARK GROVE AVE
City	CATONSVILLE
State	MD
Description	GEORGE C MOORE SUBD
Description 2	LOT 53
Description 3	N/A
Land Code	

polygonLayer
Override 1

polygonLayer
Override 1

- Tax Parcels
- 911 Address
- Streets

1:564



BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: BOB BROOKS

(Case No. 12274)

A hearing was held after due notice on April 1, 2019. The Board members present were: Mr. Dale Callaway, Ms. Ellen Magee, Mr. John Mills, Mr. John Williamson, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for variances from the front yard setback requirement for proposed structures.

Findings of Fact

The Board found that the Applicant is requesting a variance of 7.9 feet from the thirty (30) feet front yard setback requirement for a proposed deck and a variance of 5.0 feet from the thirty (30) feet front yard setback requirement for a proposed set of steps. This application pertains to certain real property located on the west side of Barney Lane, approximately 952 feet south of Double Bridges Road (911 Address: N/A); said property being identified as Sussex County Tax Map Parcel Number 1-34-19.00-343.00.

1. The Board was given copies of the Application, a survey of the Property dated December 31, 2018, 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 the Application or in opposition to the Application.
3. The Board found that Bob Brooks and Andrew Goldberger were sworn in to give testimony about the Application. Mr. Brooks submitted exhibits for the Board to review.
4. The Board found that Mr. Brooks testified that the Property is located at the end of a cul-de-sac but the cul-de-sac was never physically created. The cul-de-sac on paper, however, protrudes into the Property by 15 feet.
5. The Board found that Mr. Brooks testified that the Property is unique due its irregular shape and size. The lagoon is also located to the west of the Property and Miller's Creek is located to the south of the Property. The width of the Property in the front is 63 feet but narrows to 34.45 feet wide in the rear.
6. The Board found that Mr. Brooks testified that the Property cannot otherwise be developed in strict conformity with the Sussex County Zoning Code because the Property is burdened by the physical conditions beyond the control of the Applicant.
7. The Board found that Mr. Brooks testified that the size and shape of the Property restrict the construction of a typical house plan similar to others nearby. The Applicant originally wished to purchase a mobile home but the lot size and restrictions did not allow for a plan that was suitable.
8. The Board found that Mr. Brooks testified that the exceptional practical difficulty was not created by the Applicant but by a 1967 subdivision plan when the lot was created.
9. The Board found that Mr. Brooks testified that the lot is under 10,000 square feet.
10. The Board found that Mr. Brooks testified that the variances will not alter the essential character of the neighborhood.
11. The Board found that Mr. Brooks testified that the request is only to regain use of the area of Property removed by the proposed cul-de-sac. The request is for less

- e. The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible of the regulation at issue. The Applicant has demonstrated that the variances sought will allow the Applicant to construct a deck and steps. The Board is convinced that the Applicant explored other options for the placement of these structures but was constrained by the unique conditions of the lot. The house could not be placed rather into the rear yard due to the location of the well and the narrowness of the lot in the rear. As such, the house was moved closer to the front yard. The house itself is not a deep house and the Applicant appears to have taken measures to otherwise fit the structures on the lot in compliance with the Code.

The Board granted the variance application 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 were Mr. Dale Callaway, Ms. Ellen Magee, Mr. John Mills, Mr. John Williamson, and Mr. Brent Workman. No Board Member voted against the Motion to approve the variance application.

BOARD OF ADJUSTMENT
OF SUSSEX COUNTY



John Mills
Chairman

If the use is not established within two (2) years from the date below the application becomes void.

Date June 4, 2019



Sussex County

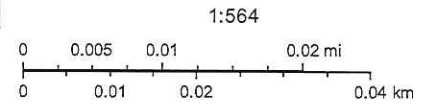


PIN:	134-19.00-343.00
Owner Name	GOLDBERGER ANDREW R
Book	4526
Mailing Address	1612 PARK GROVE AVE
City	CATONSVILLE
State	MD
Description	GEORGE C MOORE SUBD
Description 2	LOT 53
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

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



Goldberger

Case No. 12457



















RECEIVED

MAY 05 2020

SUSSEX COUNTY
PLANNING & ZONING

Board of Adjustment Application Sussex County, Delaware

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

Case # 12458
Hearing Date Aug 3
202004769

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)
115-23 115-210

Site Address of Variance/Special Use Exception:

36247 Sandy Lane Long Neck DE 19966

Variance/Special Use Exception/Appeal Requested:

Operate Daycare - 9 to 12 @ children

Tax Map #: IMP on Lot 25 Pot Nets Property Zoning: AR1
234-25.0-27.0 #17530 coreside

Applicant Information

Applicant Name: Michelle Blattenberger (Care a Lot Child Dev. Center)
Applicant Address: 36247 Sandy Lane
City Long Neck State DE Zip: 19966
Applicant Phone #: 302-259-5440 Applicant e-mail: carealotdev@gmail.com

Owner Information

Owner Name: Michelle Blattenberger
Owner Address: 36247 Sandy Lane
City Long Neck State DE Zip: 19966 Purchase Date: 6/21/16
Owner Phone #: 302-259-5440 Owner e-mail: michelle.blattenberger@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

Michelle Blattenberger

Date: 4/23/20



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. *We have a corner lot with an empty lot next to us on a .25 acre. We have a private large driveway for parking that will not affect any neighbor's property. Also Parents drop off at different times so normally there are only 1 to 2 cars arriving at the same time. Also my hrs of operation are only during normal work hrs 7:30 - 5:30. ~~Not all children come in separate cars we have~~ ^{siblings.}*
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)

Jennifer Norwood

From: Gmail <michelle.blattenberger@gmail.com>
Sent: Wednesday, May 6, 2020 9:12 AM
To: Jennifer Norwood
Subject: Re: Day Care Application

Thank you it will be 9 to 12. 9 toddlers and 3 school age
Michelle

Sent from my iPhone

On May 6, 2020, at 8:19 AM, Jennifer Norwood r<jnorwood@sussexcountyde.gov> wrote:

Michelle,

We received your application for the Special Use Exception to operate daycare, how many children will be in your care?

Thanks,
Jenny

Jennifer Norwood

Planner 1
Planning & Zoning Dept.
Sussex County Government
PO Box 417
2 The Circle
Georgetown, DE 19947
302-858-5501
jnorwood@sussexcountyde.gov



State of Delaware

*The Department of Services for
Children, Youth and Their
Families*

License Number: 1320619

Type: Annual Renewal

Capacity: 006

REGULATED SERVICES

Level II

FAMILY CHILD CARE LICENSE

The Department of Services for Children, Youth and Their Families pursuant to Title 31 Chapter 3
of the Delaware Code hereby certifies that:

MICHELLE BLATTENBERGER

36247 SANDY LANE MILLSBORO, DELAWARE 19966-5832

is hereby granted a license to operate a
licensed Family Child Care Home
for the period:

April 1, 2020 to March 31, 2021

unless revoked for cause.

NOTE: This license shall be posted.

Director

CERTIFICATE OF APPROVAL

The Office of Child Care Licensing State of Delaware

RECOGNIZES THAT

Michelle Blattenberger

IS QUALIFIED AS A

Level II Family Child Care Provider

IN ACCORDANCE WITH

DELACARE: Regulations for Family and Large Family Child Care Homes – 2019


Elizabeth Timm, Administrator

Date: April 01, 2020

Home capacity: 6

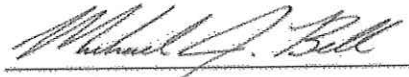
**CERTIFICATE OF FORMATION
OF
Care A Lot Child Development Center LLC**

(A Delaware Limited Liability Company)

First: The name of the limited liability company is: Care A Lot Child Development Center LLC

Second: Its registered office in the State of Delaware is located at 16192 Coastal Highway, Lewes, Delaware 19958, County of Sussex. The registered agent in charge thereof is Harvard Business Services, Inc.

IN WITNESS WHEREOF, the undersigned, being fully authorized to execute and file this document have signed below and executed this Certificate of Formation on this January 02, 2020.



Harvard Business Services, Inc., Authorized Person
By: Michael J. Bell, President

STATEMENT OF AUTHORIZED PERSON

IN LIEU OF ORGANIZATIONAL MEETING
FOR
Care A Lot Child Development Center LLC
January 2, 2020

We, Harvard Business Services, Inc., the authorized person of Care A Lot Child Development Center LLC -- a Delaware Limited Liability Company -- hereby adopt the following resolution pursuant to Section 18-201 of the Delaware Limited Liability Company Act:

Resolved: That the Certificate of Formation of Care A Lot Child Development Center LLC was filed with the Secretary of State of Delaware on January 2, 2020.

Resolved: That on January 2, 2020 the following persons were appointed as the initial members of the Limited Liability Company until their successors are elected and qualify:

Michelle Blattenberger

Douglas Blattenberger

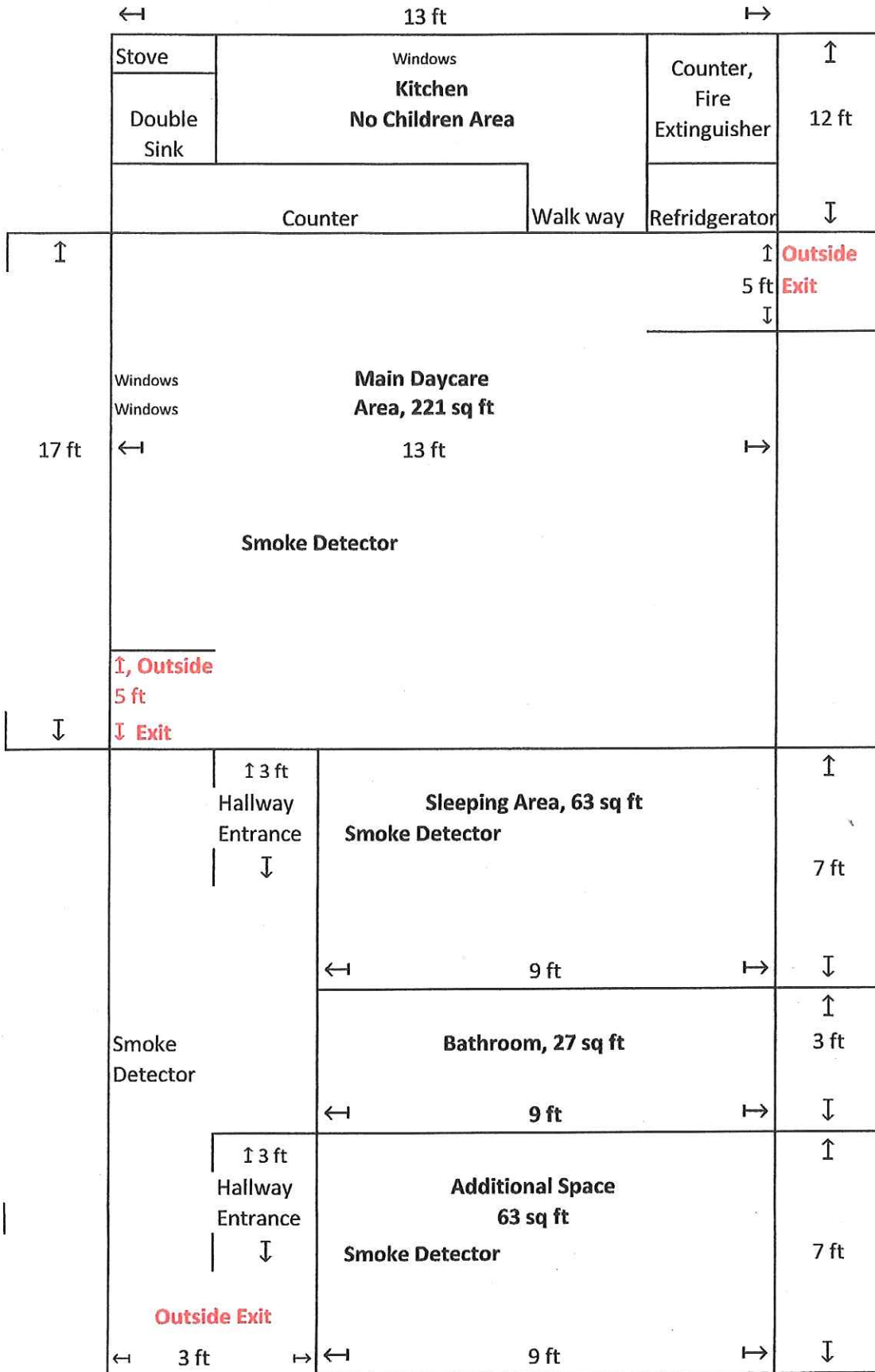
Resolved: That the undersigned signatory hereby resigns as the authorized person of the above named Limited Liability Company.

This resolution shall be filed in the minute book of the company.



Harvard Business Services, Inc., Authorized Person
By: Michael J. Bell, President

**Care-A-Lot
Daycare Emergency Exit Plan**





DELAWARE STATE FIRE MARSHAL'S OFFICE
TECHNICAL SERVICES



SFMO APPROVAL SHEET

DATE: 1/23/2019

PROJECT NAME: Care a lot Daycare PROJECT TYPE: OCC

PROJECT ADDRESS: 36247 Sandy Lane PLAN DATE: _____

CITY: Millsboro TAX ID# 2-34-25.00-27.00

PROJECT DESCRIPTION : Proposed home daycare for up to 12 clients.

The accompanying application has been accepted for Contingency Construction Start and is authorized only for the work as indicated below with the following restrictions. The owner assumes personal risk and responsibility to correct any deficiencies noted in the Fire Marshal's Plan Review or Inspection Process.

Preliminary Approval

The owner understands that this construction start approval is limited to preliminary site construction and foundation work only. No other construction of any kind shall be permitted until the required building plan review is completed.

FP Specialists FM# and Signature: _____ Date: _____

Plan Review Approval

The owner understands that plan submittals for this project are approved. If annotated below, a Progress Review will be required. No close in or concealment of any kind shall be permitted until a progress inspection is performed by the State Fire Marshal's Office. (A minimum of five days notice is needed when scheduling for a progress visit or final inspection by the State Fire Marshal's Office)

FP Specialists FM# and Signature: _____ Date: 1/23/19

Comments:

PROGRESS REVIEW REQUIRED

PROGRESS REVIEW NOT

REQUIRED

Final Approval

The Office of the State Fire Marshal recognizes that this project meets the minimum requirements of the Delaware State Fire Prevention Regulation. This recognition does not relieve the owner, designer, contractor, or designated representative from their responsibility to comply with the applicable provisions of the Delaware State Fire Prevention Regulation.

FP Specialists FM# and Signature: _____ Date: 1/25/19

Comments:

Doc. No. 75-01-98-06-06

Empty Lot Between
Parking & Neighbors



Front parking
space for 3 cars
across







@36247



Space for
6+ Cars





Play yard front

Dual Fenced
Back play yard





Sussex County

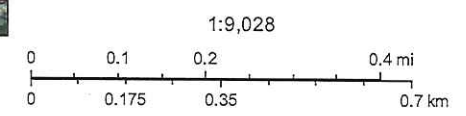


PIN:	234-25.00-27.00
Owner Name	POT-NETS COMMUNITIES-CCDS LLC
Book	0
Mailing Address	34026 ANNA'S WAY STE 1
City	MILLSBORO
State	DE
Description	GIS TIEBACK
Description 2	DUMMY ACCOUNT
Description 3	N/A
Land Code	

- polygonLayer**

Override 1
- polygonLayer**

Override 1
- Tax Parcels
- Streets
- County Boundaries
- Municipal Boundaries



July 6, 2020

**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 # 12459
Hearing Date Aug 3
202004914

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)
115-82 115-182
115-185 115-194.2
115-210

Site Address of Variance/Special Use Exception:

28862 Dupont Boulevard, Millsboro, DE 19966

Variance/Special Use Exception/Appeal Requested:

1. A Special Use Exception to permit the construction of a 150' tall telecommunications monopole.
2. A variance to permit the construction of a 150' tall telecommunications monopole 23ft. from the southeastern property line

Tax Map #: 233-05-00-101.00

Property Zoning: C-1

Applicant Information

Applicant Name: Cellco Partnership d/b/a Verizon Wireless
Applicant Address: 512 Township Line Road, Building 2, Floor 3
City Blue Bell State PA Zip: 19422
Applicant Phone #: (267) 253-2762 Applicant e-mail: smanchel@watinc.net

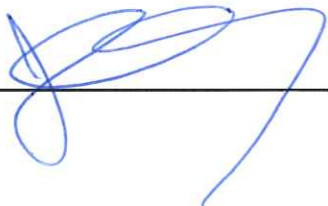
Owner Information

Owner Name: DESTORAGE.COM LLC
Owner Address: P.O. Box 139
City Rockland State DE Zip: 19956 Purchase Date: 12/18/14
Owner Phone #: 302 297-8092 Owner e-mail: Millsboro@destorage.com

Agent/Attorney Information

Agent/Attorney Name: John E. Tracey
Agent/Attorney Address: 1000 N. King Street
City Wilmington State DE Zip: 19801
Agent/Attorney Phone #: (302) 571-6740 Agent/Attorney e-mail: jtracey@ycst.com

Signature of Owner/Agent/Attorney



Date: 5/4/20



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

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

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

1. Uniqueness of property:

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

See Attached Correspondence

2. Cannot otherwise be developed:

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

3. Not created by the applicant:

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

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

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

5. Minimum variance:

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

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.

See attached correspondence and reports

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)

John E. Tracey

P 302.571.6740
F 302.576.3382
JTRACEY@YCST.COM

May 4, 2020

VIA FEDERAL EXPRESS

Mr. Jamie Whitehouse, Director
Sussex County Department of Planning
2 The Circle
P.O. Box 589
Georgetown, DE 19947

Re: Cellco Partnership d/b/a Verizon Wireless; Tax Parcel No. 233-05.00-101.00 (DOV Deck)

Dear Mr. Whitehouse:

Enclosed please find the completed "Board of Adjustment Application" and \$400.00 application fee on behalf of Cellco Partnership d/b/a Verizon Wireless ("Cellco"). Cellco is seeking to locate a new 150-foot tall telecommunications tower, including a 5-foot tall lightning rod, west of Dupont Boulevard (State Route 113) just north of its intersection with Dagsboro Road (State Route 20), northwest of Dagsboro. In addition to establishing better coverage for Verizon Wireless in this area, the tower would be designed to accommodate at least two (2) additional carriers as required by the Sussex County Code.

In order to construct this tower in the desired location I understand that Cellco requires a special use exception from the County's Board of Adjustment. In addition, due to the unique configuration of the subject property and the available area within which to construct this facility, a variance is need to place the tower 23 feet from the southeasterly property line. The tower will comply with all other requirements of the Sussex County zoning code, including the Code-mandated lighting and is designed to meet all other required setbacks and will not exceed the mandated height for this zoning district.

With regard to the variance request, it is unique to the type of use proposed. Unlike most uses, telecommunications infrastructure, as the design report notes, must be located in particular areas in order to serve the intended purpose of filling existing service deficiencies as mandated by Verizon Wireless's FCC licenses. This necessarily limits the pool of properties available for such installations. In the present circumstance, Cellco was able to enter into a lease agreement with a willing landlord for the location of this tower. While property is zoned commercially and adjacent to Route 113, it is also actively used by the landlord in the self-storage industry. As such, it is necessary that the proposed telecommunications use, which requires an approximately

YOUNG CONAWAY STARGATT & TAYLOR, LLP

Mr. Jamie Whitehouse, Director

May 4, 2020

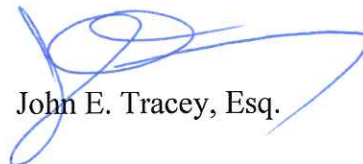
Page 2

1,500 square foot compound within which the tower and related infrastructure will be located, be located in a portion of the property that does not interfere with the on-going self-storage use. As such, the applicant is seeking the single setback variance, which allows it to utilize an unused corner of the property for the telecommunications infrastructure. Because of the unique configuration of the property in this area, the proposed tower is unable to meet the side setback requirement. In choosing this location, however, the setback intrusion is located adjacent to another commercial property (as opposed to a residentially zoned parcel). Moreover, as the enclosed structural engineering letter indicates, the design of the tower is such that in the unlikely event of a failure of the structure, it will not impact adjacent properties.

Along with the application, enclosed are five copies of the site plan, the standard RF reports, and a structural analysis letter for the proposed tower. As you will note, the RF Reports include the before and after coverage maps for the area, as well as the availability (or lack thereof) of tall structures within two (2) miles of the proposed location.

As always, should you need any further information or have any questions, please feel free to contact me at (302) 571-6740.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "John E. Tracey", with a large, sweeping flourish extending to the right.

John E. Tracey, Esq.



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

2000 Midlantic Drive, Suite 100
Mount Laurel, NJ 08054
T: 856.797.0412
F: 856.722.1120
www.maserconsulting.com

May 7, 2020

Sussex County Board of Adjustment
2 The Circle (PO Box 589)
Georgetown, DE 19947

Re: Cellco Partnership d/b/a Verizon Wireless
DOV Deck
28,862 Dupont Boulevard
Sussex County
MC Project No. 19960044A

To Whom it May Concern:

For the above referenced site, Verizon Wireless proposes the construction of a 145 ft. tall (150 ft. to top of lightning rod), galvanized steel monopole. The monopole will be designed to accommodate the antenna array for the proposed Verizon installation and will be designed for an additional three (3) wireless communication providers and/or emergency communication services. The additional space required for others will be available in the open monopole area below the Verizon antenna array (located at the top of the monopole). The design of the monopole will be prepared to accommodate co-location of these additional communications providers.

The design of the monopole would consider the loading from the Verizon antenna array which consists of twelve (12) panel antennas (four (4) per sector), nine (9) Remote Radio Units (RRUs), and three (3) distribution boxes. Additionally, three (3) Hybriflex cables are to be run within the proposed monopole. All of the proposed Verizon Wireless equipment will be installed on a proposed low-profile antenna mounting platform with safety rails. The design of the monopole will also accommodate the loading from additional wireless communication providers; each additional antenna array would be considered fully loaded with a maximum of twelve (12) panel antennas with a total of twenty-four (24) coaxial cable runs. Each array would be stacked vertically on the proposed monopole at ten (10) ft. intervals.

The design of the monopole shall be performed by the manufacturer in accordance with the AISC Manual of Steel Construction – Load Resistance Factor Design, TIA-222-G Structural Standards for Steel Antenna Monopoles and Antenna Supporting Structures, all applicable Sussex County building codes and design criteria, and the International Building Code 2012. The design shall be prepared with consideration of the aforementioned loading criteria, and a site-specific foundation design based on local soil conditions.

Additionally, the design of the monopole can be prepared such that in the unlikely event a failure the structure would collapse onto itself. Although not designed to fail, a monopole can be designed with a theoretical breakpoint at a specified elevation by purposely over designing the pole sections below this point. Verizon can require the tower manufacture to provide this theoretical breakpoint in the middle of the tower so that the tower would collapse onto itself.

If you have any questions or comments, or require additional information, please do not hesitate to contact me.

Very truly yours,

MASER CONSULTING P.A.
Matthew Graubart, P.E.
DE License #21147
Telecommunications Project Manager



\\maserconsulting.com\luj\Projects\2019\19960000A\19960044A\Structural Letter\DOV Deck - Structural Letter.docx



PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
info@dBmEng.com



April 23, 2020
Sue Manchel
Site Acquisition
Verizon Wireless
5175 Campus Drive
Plymouth Meeting, PA 19462

Subject: Radio Frequency Design Analysis
"DOV - DECK"
28862 DUPONT BOULEVARD
MILLSBORO, DE 19966
Latitude: N 38° 34' 01.6" (NAD 83)
Longitude: W 75° 16' 50.2" (NAD 83)
28.6' AMSL

Ms. Manchel:

I have received and executed the request that I perform an independent evaluation and design review for the Verizon Wireless telecommunications facility proposed at the above referenced coordinates. The intention of this study is to provide an objective, professional opinion regarding the proposed facility from a Radio Frequency design perspective. Specifically, how the site compliments the existing network and what service objectives it fulfills. As a registered Professional Engineer, I am bound by a code of ethics to hold paramount the safety, health, and welfare of the public. All statements and calculations offered herein are made in an objective and truthful manner pursuant to that code.

Summary of Findings

In my professional opinion, the proposed facility is extremely well suited to provide enhanced wireless service to the portions of southern Sussex County southeast of Millsboro targeted for service improvement. The proposed facility is the only feasible alternative that will satisfy the design objective of this search ring. The design, location, and proposed antenna height are the least intrusive means of providing improved service for Verizon Wireless subscribers in the targeted area. The proposed antenna height is the absolute minimum acceptable in order to achieve a high percentage of the site's design goals.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Petersohn", written over a white background.

Andrew M. Petersohn, P.E.
Registered Professional Engineer
Delaware license number 14438



Existing Verizon Wireless Coverage

Currently, Verizon Wireless has three (3) sites in the areas immediately surrounding proposed facility. These would be the first tier neighbors for the proposed facility. The existing sites' details are below:

Name	Structure Type	Street Address	Antenna Height (ft)
HOLIDAY ACRES	Lattice	30814 Fire Tower Road	130
MILLSBORO	Lattice	200 Monroe Street	158
DAGSBORO	Lattice	Rt 113 and Rt 26	140

The reliable coverage from the above (on-air) facilities is illustrated below in figure 1 with in-building (green) and in-car (yellow) thresholds. Highlighted with a green ring are the areas of inadequate coverage that define the coverage improvement objectives for this search ring. Specifically, these areas include the under-served portions of southwest Sussex County southeast of Millsboro along and around Route 113.

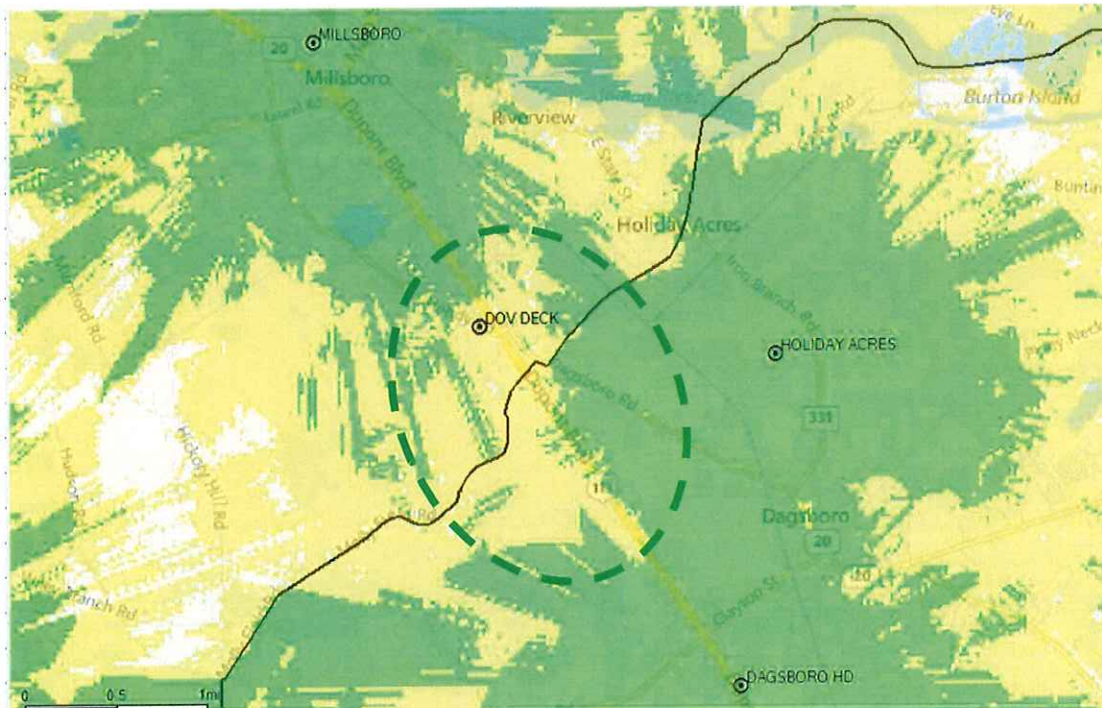


Figure 1 – Existing Coverage

Proposed Verizon Wireless Coverage

Figure 2 below illustrates the Verizon Wireless anticipated reliable coverage should the proposed facility be constructed. The new coverage from the proposed facility addresses the vast majority of the previously unreliable areas targeted for improvement. After construction is complete on the proposed facility, Verizon Wireless subscribers will experience enhanced, contiguous coverage in the newly shaded areas.

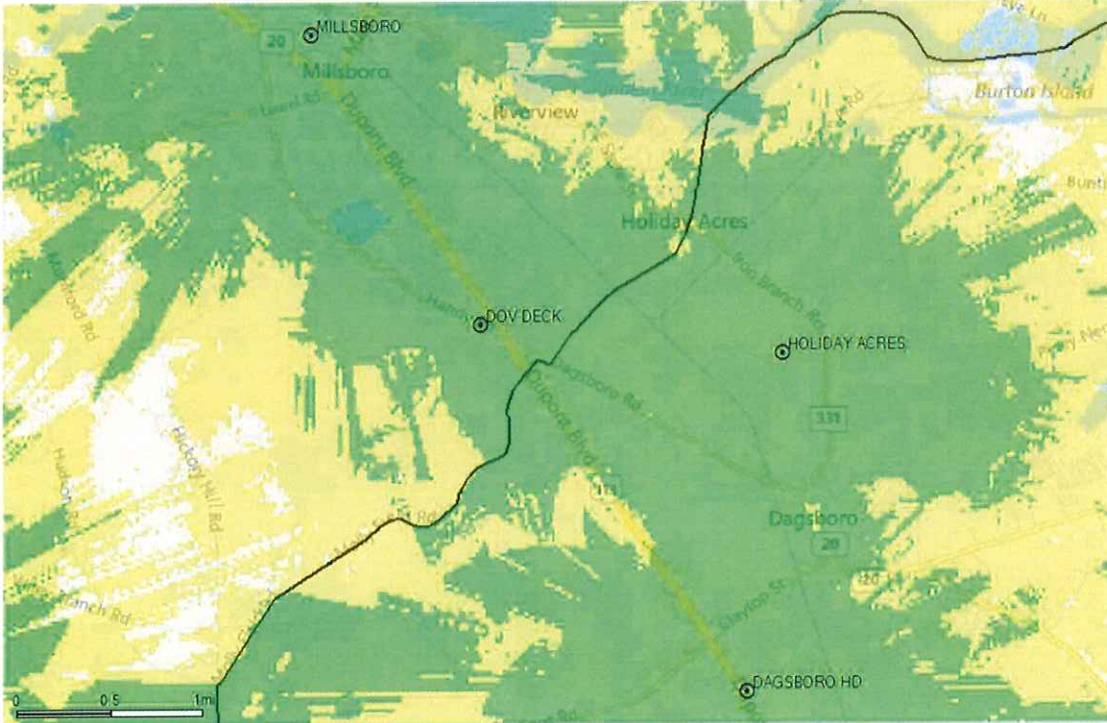


Figure 2 – Proposed Coverage

Reliable Service

The term “reliable” is used to describe areas where a Verizon Wireless subscriber has the ability to place, receive, and maintain a phone call. Additionally, the concept of reliable service extends beyond just voice communication; access to the data network with a high probability of success and adequate throughput is now a pre-requisite to reliable service. Without adequate capacity, there cannot be reliable service as users attempting to access the network through an overburdened facility will be rejected until such time that resources become available. When the network is not dimensioned properly, delays in network availability become as detrimental to the user experience as coverage gaps as both will result in a denial of service to the customer. Reliable service provided from a facility is affected by many factors including surrounding topography, clutter types, foliage, and subscriber loading during the site’s hour of heaviest use, its “busy hour”. Because the network must maintain reliability under all conditions, these factors are taken into consideration when designing a new facility. Currently, busy hour exhaustion of the sites serving the area targeted for improvement represents a potential for voice and data service interruptions that may impact public safety. If left unaddressed, the busy hour exhaustion will become increasingly prevalent as subscriber demand continues to increase resulting in exhaustion for greater periods of the day. Eventually, the network resources in the area will be in a state of chronic exhaustion with subscribers consistently experiencing call blocks, data session rejections, and unacceptable data throughput rates. This includes 911 emergency calls and public safety related data requests such as an officer’s ability to process a license plate or driving record during a traffic stop.

Wireless Substitution

According to the CDC¹ greater than one-half of American homes (57.1%) had only wireless telephones (also known as cellular telephones, cell phones, or mobile phones) during the second half of 2018. This represents an increase of over three percentage points since the second half of 2017. More than three in four adults aged 25-34 (76.5%), and a similar percentage of adults renting their homes (75.5%), were living in wireless only households. As wireless substitution continues to spread, availability of in-building wireless service, both data and voice, becomes increasingly important.

Emergency Services Implications

Wireless devices are widely used by municipal emergency services for voice and data services including those that impact public safety. Additionally enhanced 911 (E911) services, which allow a mobile caller to be located by the dispatch center, are dependent on an adequate service level to provide help in an emergency. It is estimated that approximately 70% of 911 calls originate from mobile devices². In the service challenged areas, an unreliable level of wireless service could, in many cases, negatively affect the ability of an individual in need of emergency services who is dialing 911.

¹ <http://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless201906.pdf>

² <https://transition.fcc.gov/cgb/consumerfacts/wireless911srvc.pdf>

PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
[**info@dBmEng.com**](mailto:info@dBmEng.com)



Technical Parameters of Consideration

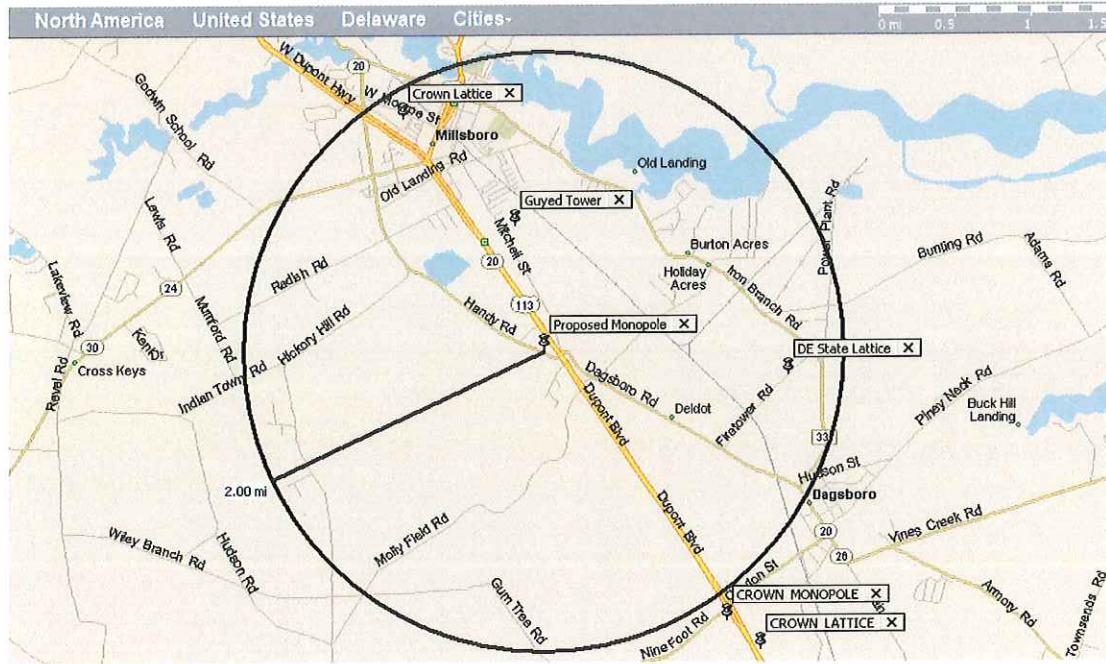
The above calculations were based on the equipment configuration information furnished by representatives of Verizon Wireless. Specifically, for this installation, Verizon Wireless plans to install up to twelve (12) panel style antennas arranged in three sectors with azimuths (direction of main pattern lobes) evenly spaced in the horizontal plane with respect to true north. The antenna centerline height above ground level is planned at 142'. Transmitting through these antennas will be up to four (4) LTE channels in the 700 MHz band (per sector) at a cumulative maximum of 160 watts, up to four (4) LTE channels in the 1900 MHz band (per sector) at a cumulative maximum of 160 watts, up to four (4) LTE channels in the 850 MHz band (per sector) at a cumulative maximum of 160 watts and up to four (4) LTE channels in the 2100 MHz band (per sector) at a cumulative maximum of 160 watts.

PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
[**info@dBmEng.com**](mailto:info@dBmEng.com)



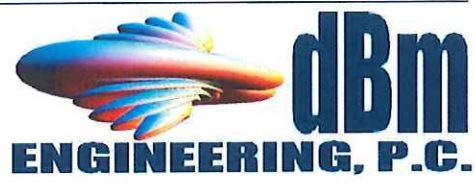
Existing Structures within Two Miles

The following map illustration accurately accounts for all known existing tall structures near the proposed tower at the above referenced location. As illustrated, there are three tall structures within two miles of the proposed; two of which Verizon is already utilizing as antenna support platforms.



There is one guyed tower roughly one (1) mile north of the proposed along Rt 113. This structure would not offer any remedy to the current coverage issue that Verizon seeks to address as it is simply too distant from the coverage objectives and would provide overly redundant coverage with the Verizon “Millsboro” site .

PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
info@dBmEng.com



DECLARATION OF ENGINEER

Andrew M. Petersohn, P.E., hereby states that he is a graduate telecommunications consulting engineer possessing Master and Bachelor Degrees in Electrical Engineering from Lehigh University (2005 and 1999, respectively). His corporation, dBm Engineering, P.C., has been retained by representatives of Verizon Wireless to perform a radio frequency design analysis for a proposed telecommunications facility.

Mr. Petersohn also asserts that the calculations and/or measurements described in this report were made personally and in a truthful and objective manner. Mr. Petersohn is a Registered Professional Engineer licensed in Pennsylvania, Delaware, Maryland, Virginia, New York, Florida and New Jersey. He has over two decades of engineering experience in the field of wireless communications. Mr. Petersohn is an active member of the National Society of Professional Engineers (NSPE) and the Pennsylvania Society of Professional Engineers (PSPE). Mr. Petersohn further states that all facts and statements contained in the foregoing document are true and accurate to the best of his knowledge. He believes, under penalty of perjury, the foregoing to be correct.



Andrew M. Petersohn, P.E.
Registered Professional Engineer
Delaware license number 14438



Executed this the 23rd day of April, 2020

PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
info@dBmEng.com



PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
info@dBmEng.com



April 23, 2020
Sue Manchel
Site Acquisition
Verizon Wireless
512 East Township Line Road
Blue Bell, PA 19422

**Subject: Electromagnetic Exposure Analysis
"DOV - DECK"
28862 DUPONT BOULEVARD
MILLSBORO, DE 19966**

Ms. Manchel:

I have received and executed your request that I perform an independent evaluation and certification of the anticipated radio-frequency exposure levels for the Verizon Wireless telecommunications facility on the structure proposed at the above referenced coordinates. The intention of this study is to verify compliance with Federal Communications Commission (hereafter "FCC") guidelines for human exposure limits to radio-frequency electromagnetic fields as per FCC Code of Federal Regulation 47 CFR 1.1307 and 1.1310. As a registered Professional Engineer, I am bound by a code of ethics to hold paramount the safety, health, and welfare of the public. All statements and calculations offered herein are made in an objective and truthful manner pursuant to that code.

Summary of Findings

The maximum exposure to radio-frequency emissions from the proposed Verizon Wireless facility will be far below FCC exposure limits. **Using upper limit assumptions for the Verizon Wireless equipment configuration, the cumulative radio-frequency exposure levels would be less than 1.6% of the applicable FCC standard at all locations of public access.** The following charts specifically illustrate the anticipated exposure levels in areas surrounding the facility. All exposure levels have been calculated using the methods prescribed in FCC Office of Engineering and Technology (OET) Bulletin 65 "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio-frequency Electromagnetic Fields". These upper-limit conditions include maximum traffic loading, significant antenna down-tilt, maximum pattern gain, and constructive interference from ground reflection. Additionally, signal attenuation due to environmental clutter such as buildings, trees, and roadways has been ignored which will overestimate actual power densities.

Applicability of the National Telecommunications Act of 1996

This Act states that "no state or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the

basis of the environmental effects of radio-frequency emissions to the extent that such facilities comply with the (Federal Communications) Commission's regulations concerning such emissions". As indicated above, this proposed facility will be in full compliance with the FCC's emissions standards and as such is beyond regulation in that regard.

Technical Parameters of Consideration

The calculation results presented are based on the equipment configuration information furnished by representatives of Verizon Wireless. Specifically, for this installation, Verizon Wireless plans to install up to twelve (12) panel style antennas arranged in three sectors with azimuths evenly spaced in the horizontal plane with respect to true north. The antenna centerline height is planned at 142' above ground level. Transmitting through these antennas will be up to four (4) LTE channels in the 700 MHz band (per sector) at a cumulative maximum of 160 watts, up to four (4) LTE channels in the 1900 MHz band (per sector) at a cumulative maximum of 160 watts, up to four (4) LTE channels in the 850 MHz band (per sector) at a cumulative maximum of 160 watts, and up to four (4) LTE channels in the 2100 MHz AWS band (per sector) at a cumulative maximum of 160 watts.

Co-location of Other Wireless Providers

In an attempt to halt the proliferation of telecommunications structures and preserve as much of their natural landscape as possible many municipalities have adopted telecommunications ordinances that specifically require new structures to accommodate additional wireless providers from a structural standpoint. **From the standpoint of radio-frequency exposure**, the installation of the proposed Verizon Wireless equipment would in no way preclude the use of this facility by other providers.

PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
info@dBmEng.com



Background Information

In 1985, the FCC first adopted guidelines to be used for evaluating human exposure to RF emissions. The FCC revised and updated these guidelines on August 1, 1996, as a result of a rule-making proceeding initiated in 1993. The new guidelines incorporate limits for Maximum Permissible Exposure (MPE) in terms of electric and magnetic field strength and power density for transmitters operating at frequencies between 300 kHz and 100 GHz.

The FCC's MPE limits are based on exposure limits recommended by the National Council on Radiation Protection and Measurements (NCRP) and, over a wide range of frequencies, the exposure limits were developed by the Institute of Electrical and Electronics Engineers, Inc., (IEEE) and adopted by the American National Standards Institute (ANSI) to replace the 1982 ANSI guidelines. Limits for localized absorption are based on recommendations of both ANSI/IEEE and NCRP.

The FCC's limits, and the NCRP and ANSI/IEEE limits on which they are based, are derived from exposure criteria quantified in terms of specific absorption rate (SAR). The basis for these limits is a whole-body averaged SAR threshold level of 4 watts per kilogram (4 W/kg), as averaged over the entire mass of the body, above which expert organizations have determined that potentially hazardous exposures may occur. The MPE limits are derived by incorporating safety factors that lead, in some cases, to limits that are more conservative than the limits originally adopted by the FCC in 1985. Where more conservative limits exist, they do not arise from a fundamental change in the RF safety criteria for whole-body averaged SAR, but from a precautionary desire to protect subgroups of the general population who, potentially, may be more at risk.

The FCC exposure limits are also based on data showing that the human body absorbs RF energy at some frequencies more efficiently than at others. The most restrictive limits occur in the frequency range of 30-300 MHz where whole-body absorption of RF energy by human beings is most efficient. At other frequencies, whole-body absorption is less efficient, and consequently, the MPE limits are less restrictive.

MPE limits are defined in terms of power density (units of milliwatts per centimeter squared: mW/cm^2), electric field strength (units of volts per meter: V/m) and magnetic field strength (units of amperes per meter: A/m). The far-field of a transmitting antenna is where the electric field vector (E), the magnetic field vector (H), and the direction of propagation can be considered to be all mutually orthogonal ("plane-wave" conditions).

Occupational / controlled exposure limits apply to situations in which persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/controlled exposure limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels

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Fairview Village, PA 19409
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Fax: 610.584.5387
info@dBmEng.com



may be above general population/uncontrolled limits, as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means.

General population / uncontrolled exposure limits apply to situations in which the general public may be exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public would always be considered under this category when exposure is not employment-related, for example, in the case of a telecommunications tower that exposes persons in a nearby residential area. **In the case of this study, the general population exposure limits have been applied as they are the more conservative set of standards.**

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Additional Remarks

The radio-frequency emission levels from Verizon Wireless and other communications base stations are similar to that of other two-way communications systems like those used by police, fire and ambulance personnel. In contrast, commercial broadcast systems like television and radio often transmit at power levels ten times greater or more than the systems discussed above. The FCC exposure limits already include a significant margin of safety. Continuous exposure at 100% of FCC limit is considered by the scientific community to be just as safe as continuous exposure at 1% of FCC limit.

The biological effects on humans of non-ionizing radio-frequency exposure have been studied extensively now for decades. There have been thousands of reports produced by government agencies, universities, and private research groups that support the standards adopted by the FCC. **To date, there have been no credible studies conducted whose results showed evidence of any adverse health effects at the applicable FCC exposure limits.**

Sincerely,



Andrew M. Petersohn, P.E.
Registered Professional Engineer
Delaware license number 14438



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Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
info@dBmEng.com



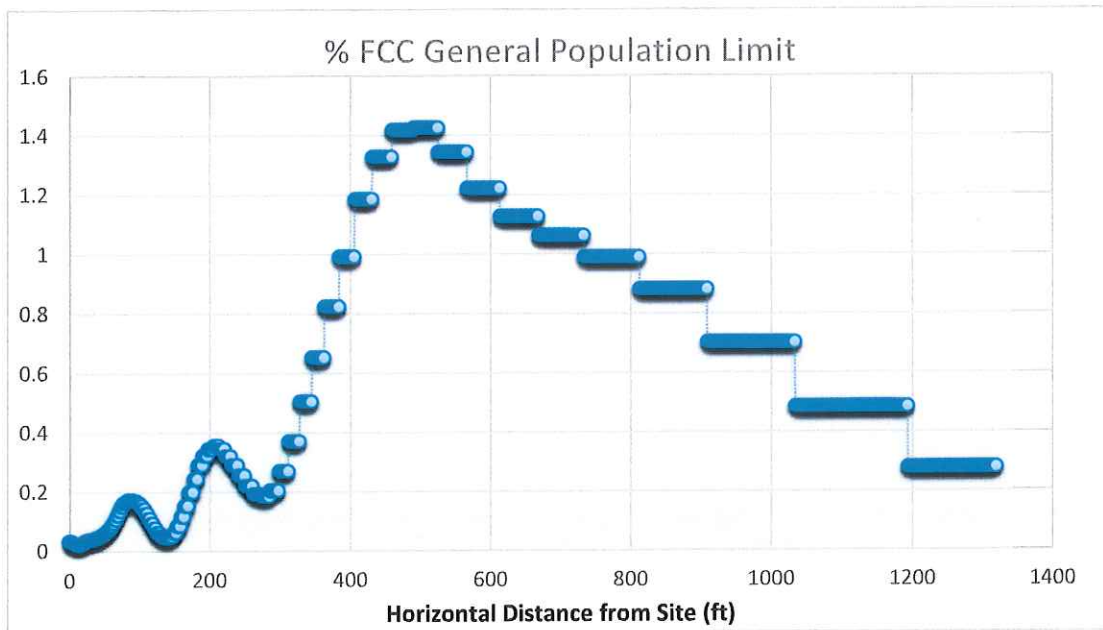


Figure-1 – calculated cumulative exposure level surrounding the proposed telecommunications facility expressed in percentage of the applicable FCC standard at ground level

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Horizontal Distance from Facility (Ft.)	Relative Height Above Ground (Ft.)	Maximum Power Density $\mu\text{W}/\text{cm}^2$ (micro-watts per square centimeter)						% of FCC Limit						Cumulative % of FCC limit across all bands
		150 MHz	700 MHz	850 MHz	1900 MHz	2100 MHz	2600 MHz	150 MHz	700 MHz	850 MHz	1900 MHz	2100 MHz	2600 MHz	
0	6	N/A	0.14	0	0.03	0	N/A	N/A	0.03	0	0.003	0	N/A	0.033
300	6	N/A	0.75	0.57	0.06	0.06	N/A	N/A	0.16	0.1	0.006	0.006	N/A	0.272
600	6	N/A	3.18	2.89	0.21	0.08	N/A	N/A	0.68	0.51	0.021	0.008	N/A	1.219
1320 (1/4 mi.)	6	N/A	0.28	0.28	0.77	0.88	N/A	N/A	0.06	0.05	0.077	0.088	N/A	0.275
FCC Exposure Limits for General Population		300 $\mu\text{W}/\text{cm}^2$	467 $\mu\text{W}/\text{cm}^2$	567 $\mu\text{W}/\text{cm}^2$	1000 $\mu\text{W}/\text{cm}^2$	1000 $\mu\text{W}/\text{cm}^2$	1000 $\mu\text{W}/\text{cm}^2$							

Figure-2 – sample calculated exposure levels near the proposed telecommunications facility

PO Box 165
 Fairview Village, PA 19409
 Phone: 610.304.2024
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DECLARATION OF ENGINEER

Andrew M. Petersohn, P.E., hereby states that he is a graduate telecommunications consulting engineer possessing Master and Bachelor Degrees in Electrical Engineering from Lehigh University (2005 and 1999, respectively). His corporation, dBm Engineering, P.C., has been retained by representatives of Verizon Wireless to perform an electromagnetic emissions analysis for a proposed telecommunications facility.

Mr. Petersohn also asserts that the calculations and/or measurements described in this report were made personally and in a truthful and objective manner. Mr. Petersohn is a Registered Professional Engineer licensed in Pennsylvania, Delaware, Maryland, Virginia, New York, Florida and New Jersey. He has over two decades of engineering experience in the field of wireless communications. Mr. Petersohn is an active member of the National Society of Professional Engineers (NSPE) and the Pennsylvania Society of Professional Engineers (PSPE). Mr. Petersohn further states that all facts and statements contained in the foregoing document are true and accurate to the best of his knowledge. He believes, under penalty of perjury, the foregoing to be correct.



Andrew M. Petersohn, P.E.
Registered Professional Engineer
Delaware license number 14438



Executed this the 23rd day of April, 2020.

PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
info@dBmEng.com



PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
info@dBmEng.com



April 23, 2020
Sue Manchel
Site Acquisition
Verizon Wireless
5175 Campus Drive
Plymouth Meeting, PA 19462

**Subject: FAA Notice Criteria Tool Screening
Proposed Verizon Wireless Facility:
"DOV - DECK"
28862 DUPONT BOULEVARD
MILLSBORO, DE 19966
Latitude: N 38° 34' 01.6" (NAD 83)
Longitude: W 75° 16' 50.2" (NAD 83)
28.6' AMSL**

Ms. Manchel:

I have received and executed the request that I perform an independent screening analysis of the proposed telecommunications facility at the above referenced coordinates. The intention of this study is to verify compliance with Federal Aviation Administration's (hereafter "FAA") guidelines for notice requirement as per Federal Aviation Regulation. As a registered Professional Engineer, I am bound by a code of ethics to hold paramount the safety, health, and welfare of the public. All statements and calculations offered herein are made in an objective and truthful manner pursuant to that code.

Summary of Findings

Based on the coordinates, ground elevation, and total structure height supplied by representatives of Verizon Wireless, this proposed facility will not exceed any standard of subpart C of 14 CFR Part 77 so **lighting and / or marking of the facility will not be required**. Filing with the FAA of form 7460-1 "Notice of Proposed Construction" **is not required**. The FAA Criteria Notice Tool results are attached.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew M. Petersohn", written over a horizontal line.

Andrew M. Petersohn, P.E.
Registered Professional Engineer
Delaware license number 14438

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

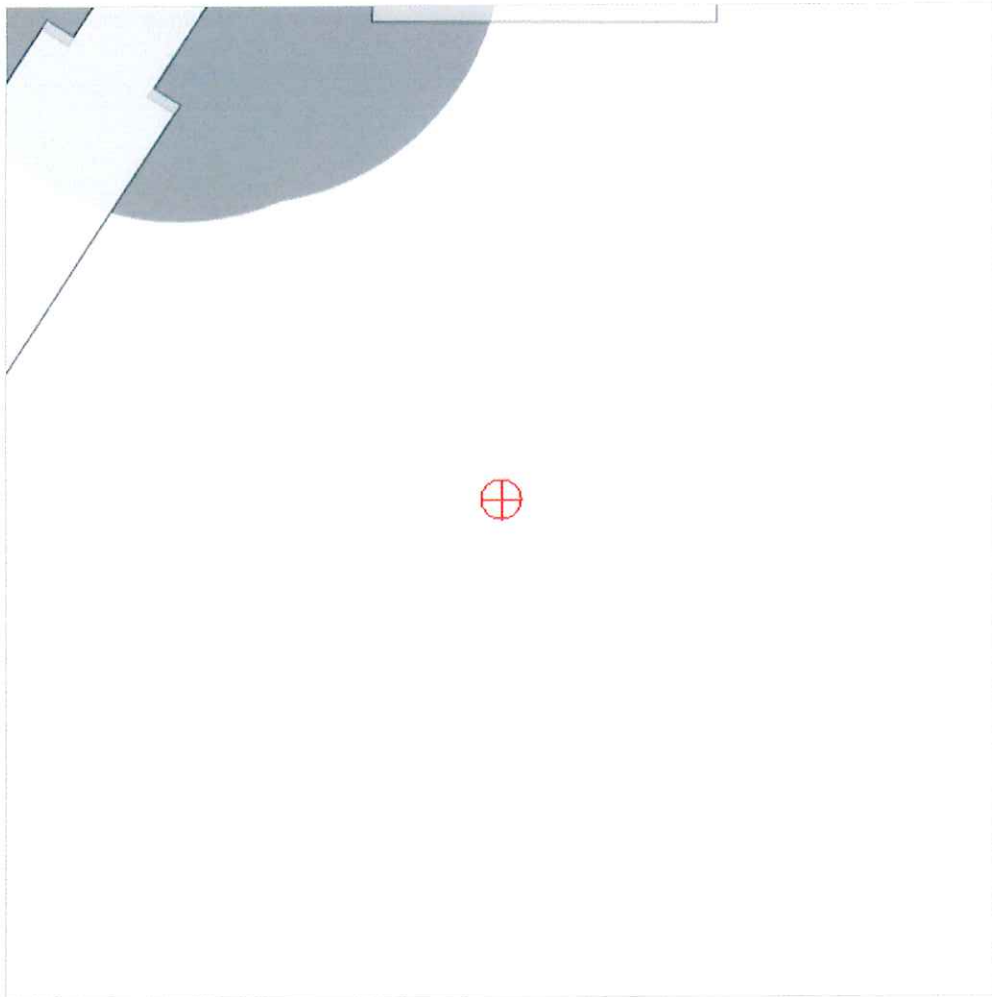
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Longitude:	<input type="text" value="75"/> Deg <input type="text" value="16"/> M <input type="text" value="50.2"/> S <input type="button" value="W"/>
Horizontal Datum:	<input type="button" value="NAD83"/>
Site Elevation (SE):	<input type="text" value="29"/> (nearest foot)
Structure Height :	<input type="text" value="150"/> (nearest foot)
Traverseway:	<input type="button" value="No Traverseway"/> (Additional height is added to certain structures under 77.9(c) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes
<input type="button" value="Submit"/>	

PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
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Results

You do not exceed Notice Criteria.



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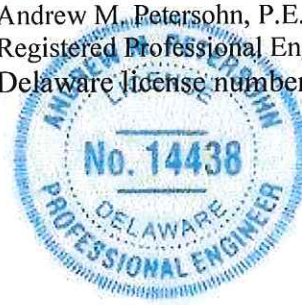
DECLARATION OF ENGINEER

Andrew M. Petersohn, P.E., hereby states that he is a graduate telecommunications consulting engineer possessing Master and Bachelor Degrees in Electrical Engineering from Lehigh University (2005 and 1999, respectively). His corporation, dBm Engineering, P.C., has been retained by representatives of Verizon Wireless to perform a Federal Aviation Administration screening analysis for a proposed telecommunications facility.

Mr. Petersohn also asserts that the calculations and/or measurements described in this report were made personally and in a truthful and objective manner. Mr. Petersohn is a Registered Professional Engineer licensed in Pennsylvania, Delaware, Maryland, Virginia, New York, Florida and New Jersey. He has over two decades of engineering experience in the field of wireless communications. Mr. Petersohn is an active member of the National Society of Professional Engineers (NSPE) and the Pennsylvania Society of Professional Engineers (PSPE). Mr. Petersohn further states that all facts and statements contained in the foregoing document are true and accurate to the best of his knowledge. He believes, under penalty of perjury, the foregoing to be correct.



Andrew M. Petersohn, P.E.
Registered Professional Engineer
Delaware license number 14438



Executed this the 23rd day of April, 2020

PO Box 165
Fairview Village, PA 19409
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Fax: 610.584.5387
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PO Box 165
Fairview Village, PA 19409
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April 23, 2020
Sue Manchel
Site Acquisition
Verizon Wireless
5175 Campus Drive
Plymouth Meeting, PA 19462

Subject: Interference Analysis
Proposed Telecommunications Facility:
"DOV - DECK"
28862 DUPONT BOULEVARD
MILLSBORO, DE 19966
Latitude: N 38° 34' 01.6" (NAD 83)
Longitude: W 75° 16' 50.2" (NAD 83)
28.6' AMSL

Ms. Manchel:

I have received and executed the request that I perform an independent evaluation of the potential for harmful interference generated by the proposed Verizon Wireless telecommunications facility at the location referenced above. The intention of this study is to determine if the manifestation of harmful interference is a viable concern through the close examination of the radio frequency (hereafter RF) parameters of the installation. As a registered professional engineer, I am bound by a code of ethics to hold paramount the safety, health, and welfare of the public. All statements and calculations offered herein are made in an objective and truthful manner pursuant to that code.

Summary of Findings

After close examination of the details of this proposal, it is my professional opinion that **no potential exists for the manifestation of harmful interference** as a result of the proposed Verizon Wireless telecommunications facility. My findings indicate that Verizon Wireless will be operating in full compliance with all applicable standards as outlined in their Federal Communications Commission licensure.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew M. Petersohn", written over a horizontal line.

Andrew M. Petersohn, P.E.
Registered Professional Engineer
Delaware license number 14438



Licensure Discussion

Verizon Wireless is bound by its Federal Communications Commission (hereafter FCC) licensure to transmit only the specific frequencies and power levels for which they are licensed. In Sussex County, Delaware these licenses include the 'B' Cellular Band, the 'E' and 'F' PCS band, the 'A', 'B', and 'J' AWS bands, and the upper 'C' 700 MHz band. Other communication facilities and services such as emergency responders, television broadcasting, AM/FM broadcasting, mobile to mobile radios, and home electronics operate at different frequencies, once again, allocated by the FCC. For this reason, the manifestation of **direct**, harmful interference is precluded by virtue of Verizon Wireless being the only entity licensed to utilize these specifically defined portions of the RF spectrum. As such, there will be no direct, significant radio frequency emissions that fall into any band other than that for which Verizon Wireless is licensed. However, when non-linear elements (such as amplifiers) are introduced in the RF path the possibility exists for **indirect** interference caused by harmonic and inter-modulated frequency emissions that may fall outside the licensed spectrum. Due to the fact that the harmonic and inter-modulated output of Cellular and PCS transmitters is extremely low (as required by FCC type approval), this only becomes a concern when there are multiple telecommunication installations in close proximity to one another. This problem is easily avoided by insuring adequate vertical separation (roughly 10') when service providers co-locate on a structure. In this specific installation, the 10' rule of thumb will be strictly adhered to. **In the unlikely event that future radio frequency interference is reported, it is Verizon Wireless policy to identify and mitigate any interference issues as quickly as possible.**

Facility Discussion

According to the information supplied by representatives of Verizon Wireless the proposed design for this facility includes a total of up to twelve (12) panel style antennas arranged in three sectors with azimuths (direction of main pattern lobes) evenly spaced in the horizontal plane with respect to true north. The antenna centerline height above ground level is planned at 142'. Transmitting through these antennas will be up to four (4) LTE channels in the 700 MHz band (per sector) at a cumulative maximum of 160 watts, up to four (4) LTE channels in the 1900 MHz band (per sector) at a cumulative maximum of 160 watts, up to four (4) LTE channels in the 850 MHz band (per sector) at a cumulative maximum of 160 watts and up to four (4) LTE channels in the 2100 MHz band (per sector) at a cumulative maximum of 160 watts.

PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
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Additional Remarks

The radio frequency emission levels from Verizon Wireless and other PCS and Cellular communications base stations are similar to that of other two-way communications systems such as those used by police, fire and ambulance personnel. In contrast, commercial broadcast systems such as television and radio often transmit at power levels ten times greater or more than the systems discussed above. Due to the relatively low power output, the potential for harmful interference is greatly reduced as the harmonic and inter-modulated emissions are typically in the noise floor of most receivers when only a few hundred feet away.

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DECLARATION OF ENGINEER

Andrew M. Petersohn, P.E., hereby states that he is a graduate telecommunications consulting engineer possessing Master and Bachelor Degrees in Electrical Engineering from Lehigh University (2005 and 1999, respectively). His corporation, dBm Engineering, P.C., has been retained by representatives of Verizon Wireless to perform an interference analysis for a proposed telecommunications facility.

Mr. Petersohn also asserts that the calculations and/or measurements described in this report were made personally and in a truthful and objective manner. Mr. Petersohn is a Registered Professional Engineer licensed in Pennsylvania, Delaware, Maryland, Virginia, New York, Florida and New Jersey. He has over two decades of engineering experience in the field of wireless communications. Mr. Petersohn is an active member of the National Society of Professional Engineers (NSPE) and the Pennsylvania Society of Professional Engineers (PSPE). Mr. Petersohn further states that all facts and statements contained in the foregoing document are true and accurate to the best of his knowledge. He believes, under penalty of perjury, the foregoing to be correct.



Andrew M. Petersohn, P.E.
Registered Professional Engineer
Delaware license number 14438



Executed this the 23rd day of April, 2020.

PO Box 165
Fairview Village, PA 19409
Phone: 610.304.2024
Fax: 610.584.5387
info@dBmEng.com

The logo for dBm Engineering, P.C. It features a stylized graphic of a signal or wave on the left, followed by the text "dBm" in a large, bold, sans-serif font, and "ENGINEERING, P.C." in a smaller, bold, sans-serif font below it.



Sussex County



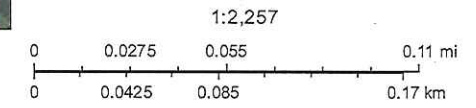
PIN:	233-5.00-101.00
Owner Name	DESTORAGECOM LLC
Book	4352
Mailing Address	P.O. BOX 139
City	ROCKLAND
State	DE
Description	SW/RT 113
Description 2	154'SE/RT 337A
Description 3	N/A
Land Code	

- polygonLayer

Override 1
- polygonLayer

Override 1

 - Tax Parcels
 - 911 Address
 - Streets
 - County Boundaries



PROJECT NOTES

1. SITE INFORMATION OBTAINED FROM THE FOLLOWING:
 - A. LIMITED FIELD OBSERVATION BY MASER CONSULTING ON 11/04/19.
 - B. A TOPOGRAPHIC SURVEY ENTITLED "CELL SITE SURVEY DOV DECK" PREPARED BY MASER CONSULTING, P.A. OF MT. LAUREL, NJ LAST REVISED 12/02/19.
2. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITY COMPANIES OR OTHER PUBLIC/GOVERNING AUTHORITIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
4. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE AS A RESULT OF CONSTRUCTION OF THIS FACILITY AT THE CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE OWNER.
6. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
7. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING THE BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND CONSTRUCTION DRAWINGS.
8. THE CONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO COMMENCING ANY WORK. ALL DIMENSIONS OF EXISTING CONSTRUCTION SHOWN ON THESE DRAWINGS MUST BE VERIFIED. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCIES PRIOR TO ORDERING MATERIAL OR PROCEEDING WITH CONSTRUCTION.
9. SINCE THE CELL SITE MAY BE ACTIVE, ALL SAFETY PRECAUTIONS MUST BE TAKEN WHEN WORKING AROUND HIGH LEVELS OF ELECTROMAGNETIC RADIATION. EQUIPMENT SHOULD BE SHUTDOWN PRIOR TO PERFORMING ANY WORK THAT COULD EXPOSE THE WORKERS TO DANGER. PERSONAL RF EXPOSURE MONITORS ARE REQUIRED TO BE WORN TO ALERT OF ANY POTENTIALLY DANGEROUS EXPOSURE LEVELS.
10. THE PROPOSED FACILITY WILL CAUSE AN INSIGNIFICANT OR "DE-MINIMUS" INCREASE IN STORM WATER RUNOFF, THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
11. NO NOISE, SMOKE, DUST OR ODOR WILL RESULT FROM THIS FACILITY AS TO CAUSE A NUISANCE.
12. THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION (NO HANDICAP ACCESS IS REQUIRED).
13. THE FACILITY DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
14. CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTHS WITH RF ENGINEERING PRIOR TO INSTALLATION.
15. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
16. CONTRACTOR MUST FIELD LOCATE ALL EXISTING UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION.
17. CONSTRUCTION SHALL NOT COMMENCE UNTIL COMPLETION OF A PASSING STRUCTURAL ANALYSIS CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER. THE STRUCTURAL ANALYSIS IS TO BE PERFORMED BY OTHERS.
18. CONTRACTOR SHALL CONTACT STATE SPECIFIC ONE CALL SYSTEM THREE WORKING DAYS PRIOR TO ANY EARTH MOVING ACTIVITIES.

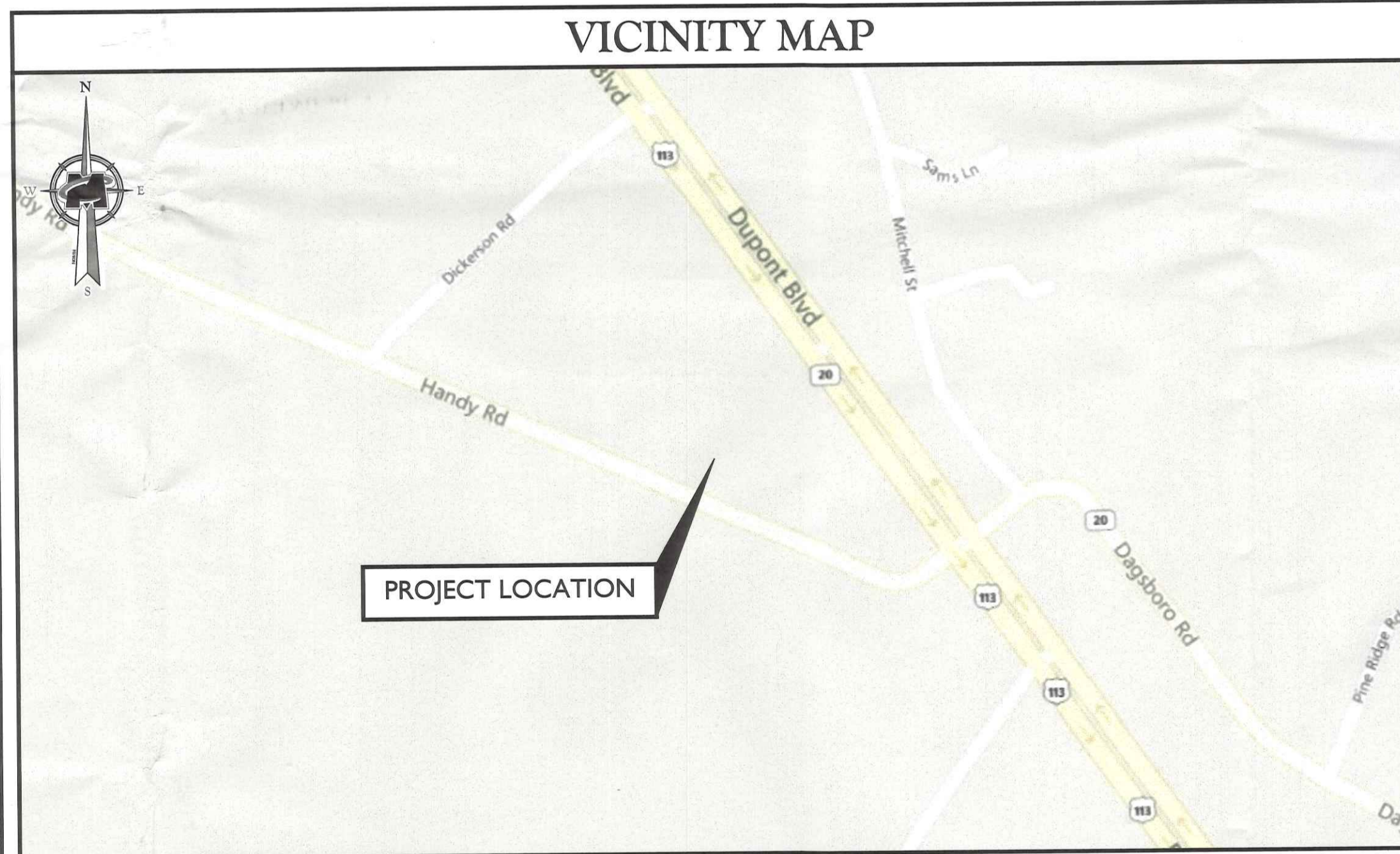
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SITE NAME: DOV DECK

**28862 DUPONT BOULEVARD
MILLSBORO, DE 19966
SUSSEX COUNTY**



CODE COMPLIANCE

- ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.
- | | |
|--|--|
| 1. 2012 INTERNATIONAL BUILDING CODE | 8. INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS 81 IEEE C2 LATEST EDITION |
| 2. NFPA 70, NATIONAL ELECTRICAL CODE, 2014 | 9. TELCORDIA GR-1275 |
| 3. DELAWARE STATE FIRE PREVENTION REGULATIONS 2015 | 10. ANSI T1.311 |
| 4. AMERICAN INSTITUTE OF STEEL CONSTRUCTION 360-10 | 11. PROPOSED USE: UNMANNED TELECOM FACILITY |
| 5. AMERICAN CONCRETE INSTITUTE | 12. HANDICAP REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED. |
| 6. TIA-222-H | 13. CONSTRUCTION TYPE: IIB |
| 7. TIA 607 FOR GROUNDING | 14. USE GROUP: U |

PROJECT INFORMATION

SITE INFORMATION

LATITUDE: N 38° 34' 01.6" (NAD 83)
 LONGITUDE: W 75° 16' 50.2" (NAD 83)
 GROUND ELEVATION: 28.6± AMSL (NAVD 88)
 COUNTY: SUSSEX COUNTY
 ZONING DISTRICT: C-1 GENERAL COMMERCIAL
 APN: 233-5.00-101.00
 PROPERTY: DEED BOOK 4352, PAGE 116

APPLICANT

COMPANY: CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS
 ADDRESS: 512 TOWNSHIP LINE ROAD BUILDING 2, FLOOR 3
 CITY, STATE, ZIP: BLUE BELL, PA 19422

PROPERTY OWNER

COMPANY: DESTORAGECOM LLC
 ADDRESS: P.O. BOX 139
 CITY, STATE, ZIP: ROCKLAND, DE

SITE ACQUISITION

COMPANY: WIRELESS ACCESS TECHNOLOGIES, INC
 CONTACT: SUE MANCHEL
 PHONE: (267) 253-2762

CONSTRUCTION MANAGER

COMPANY: CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS
 ADDRESS: 512 TOWNSHIP LINE ROAD, BUILDING 2, FLOOR 3
 CITY, STATE, ZIP: BLUE BELL, PA 19422
 CONTACT: MARK LYNCH
 PHONE: (610) 608-6101

ENGINEER

COMPANY: MASER CONSULTING P.A.
 ADDRESS: 2000 MIDLANTIC DRIVE, SUITE 100
 CITY, STATE, ZIP: MT. LAUREL, NJ 08054
 CONTACT: MATT GRAUBART, P.E.
 PHONE: (856) 797-0412
 E-MAIL: MGRAUBART@MASERCONSULTING.COM

LOCATION INFORMATION

POWER PROVIDER

NAME: DELMARVA
 PHONE: 1 (800) 232-5460

TELEPHONE PROVIDER

COMPANY: VERIZON
 PHONE: 1 (800) VERIZON

POLICE

COMPANY: MILLSBORO POLICE DEPARTMENT
 ADDRESS: 307 MAIN STREET
 CITY, STATE, ZIP: MILLSBORO, DE 19966
 PHONE: (302) 934-8174

FIRE

COMPANY: MILLSBORO FIRE DEPARTMENT
 ADDRESS: 109 E. STATE STREET
 CITY, STATE, ZIP: MILLSBORO, DE 19966
 PHONE: (302) 934-8359

IN CASE OF EMERGENCY, CALL 9-1-1

SHEET INDEX

SHEET	DESCRIPTION
T-1	TITLE SHEET
Z-1	ZONING INFORMATION
Z-2	SITE PLAN
Z-3	COMPOUND PLAN AND ELEVATION VIEW
Z-4	SOIL EROSION AND SEDIMENT CONTROL PLAN
A-1	CONSTRUCTION DETAILS
A-2	CONSTRUCTION DETAILS
A-3	CONSTRUCTION DETAILS
A-4	CONSTRUCTION DETAILS
A-5	CONSTRUCTION DETAILS
A-6	CONSTRUCTION DETAILS
A-7	CONSTRUCTION DETAILS
A-8	CONSTRUCTION DETAILS

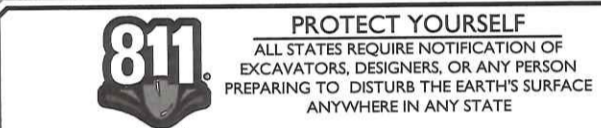


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 VERIZON WIRELESS
 512 TOWNSHIP LINE ROAD
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AS SHOWN	19960044A

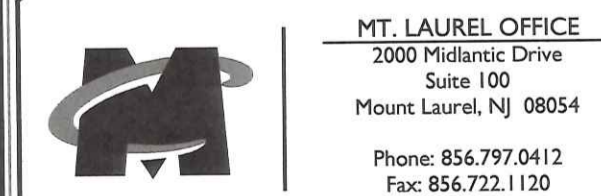
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B	04/10/20	ISSUED FOR REVIEW	SLM	MEG
A	01/27/20	ISSUED FOR REVIEW	SLM	MEG



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SHEET TITLE:
TITLE SHEET

SHEET NUMBER:
T-1

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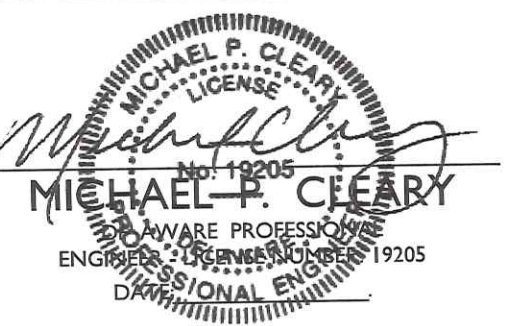
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REV	DATE	DESCRIPTION	DRAWN BY	CHECKED BY
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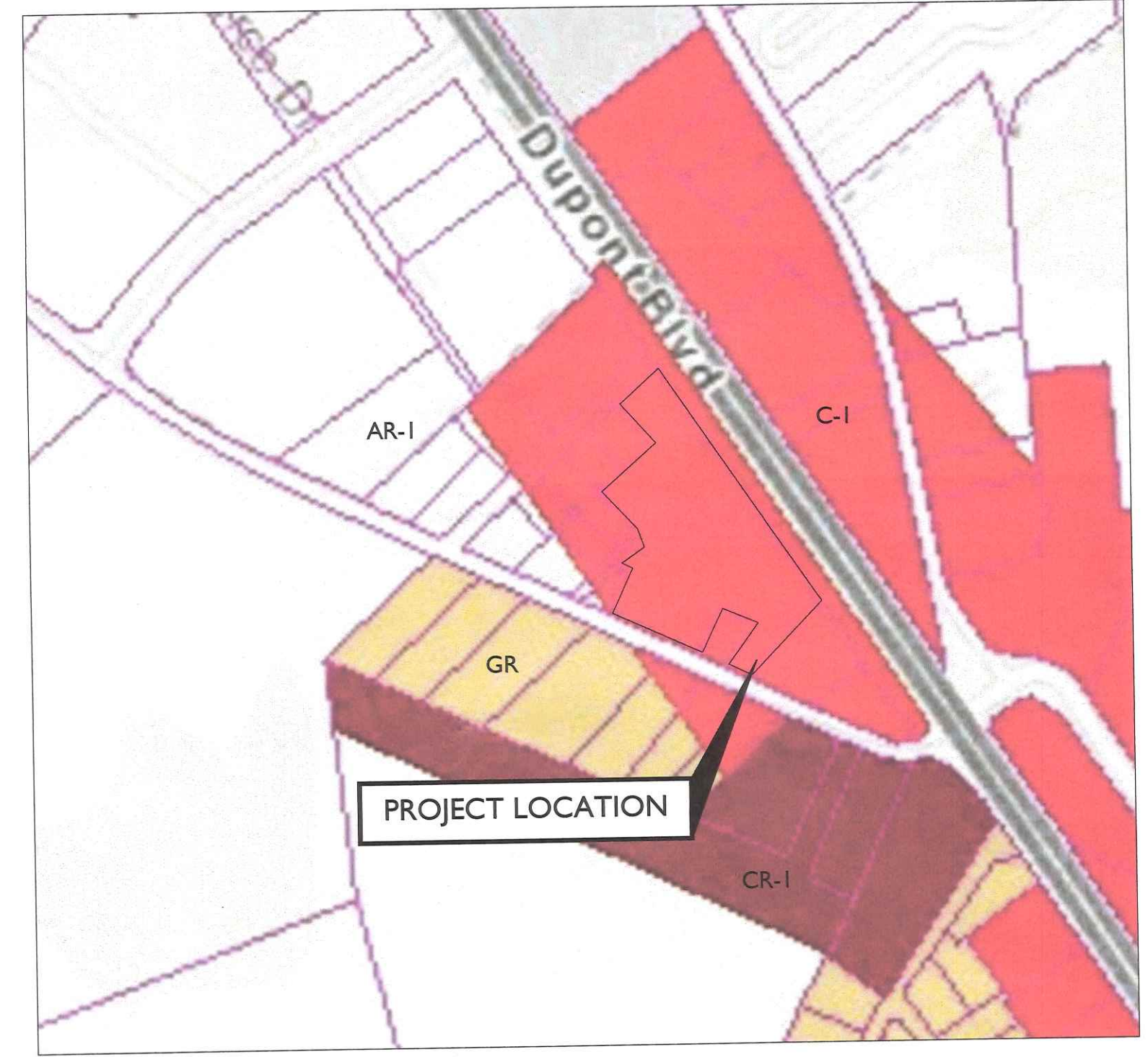
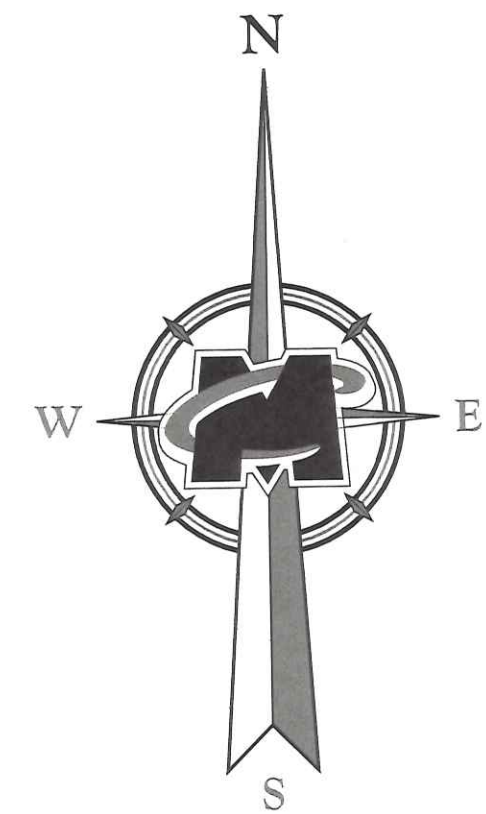
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 Fax: 856.722.1120

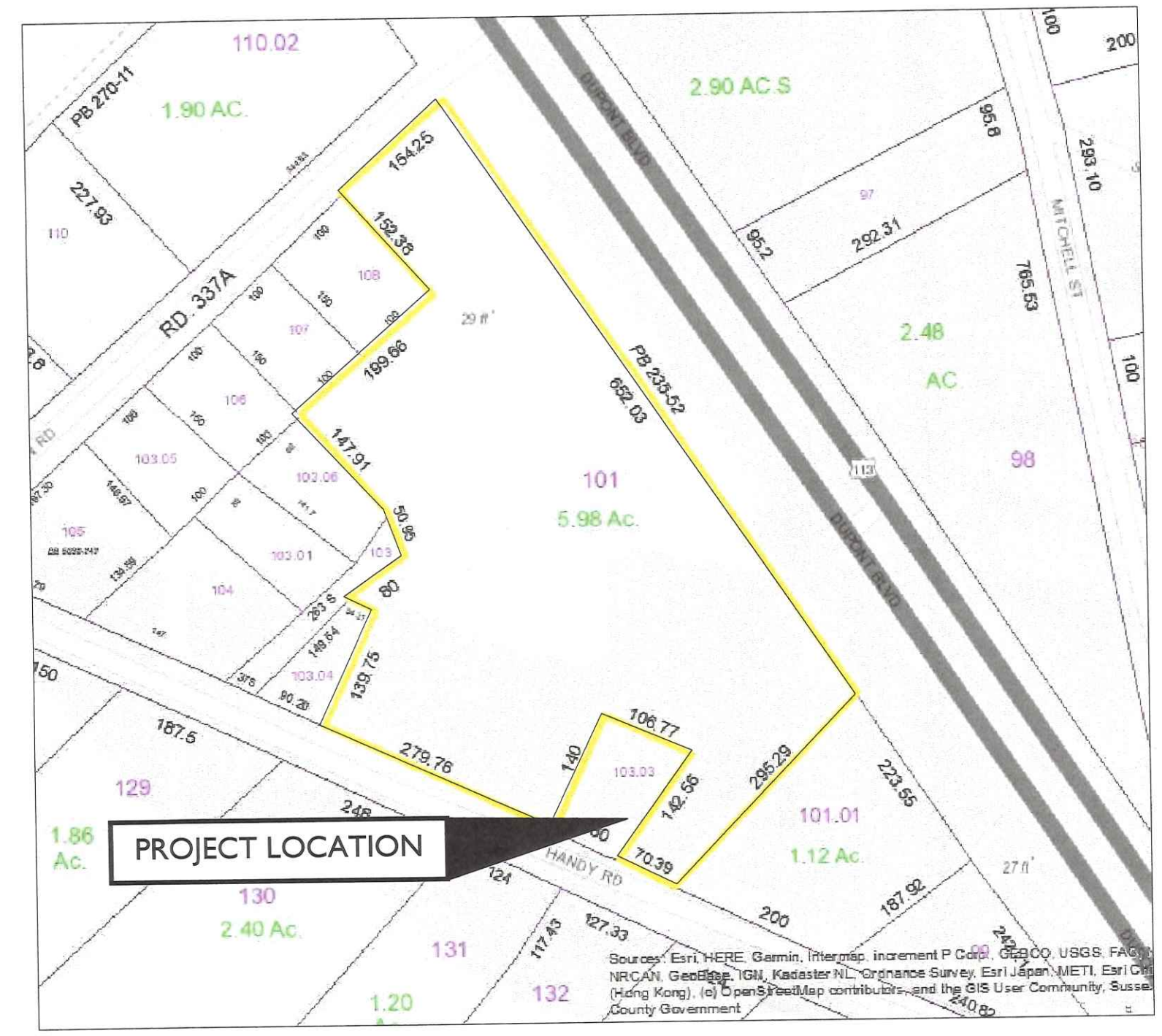
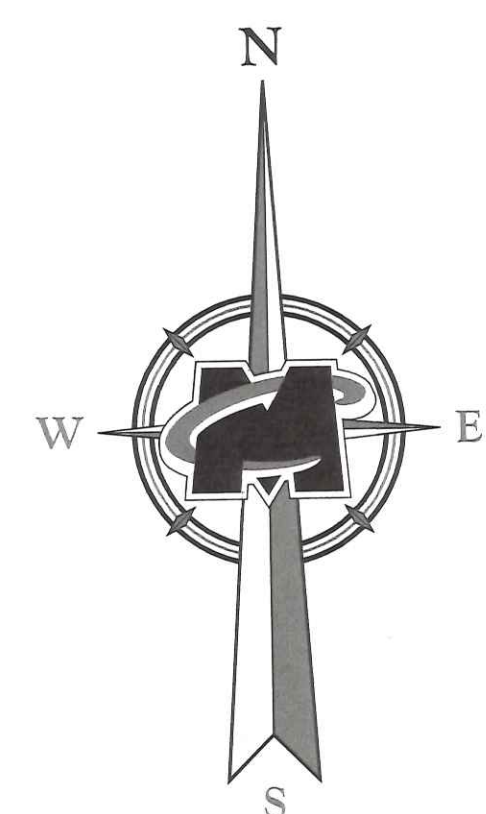
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SITE PLAN
 SHEET NUMBER:
Z-1

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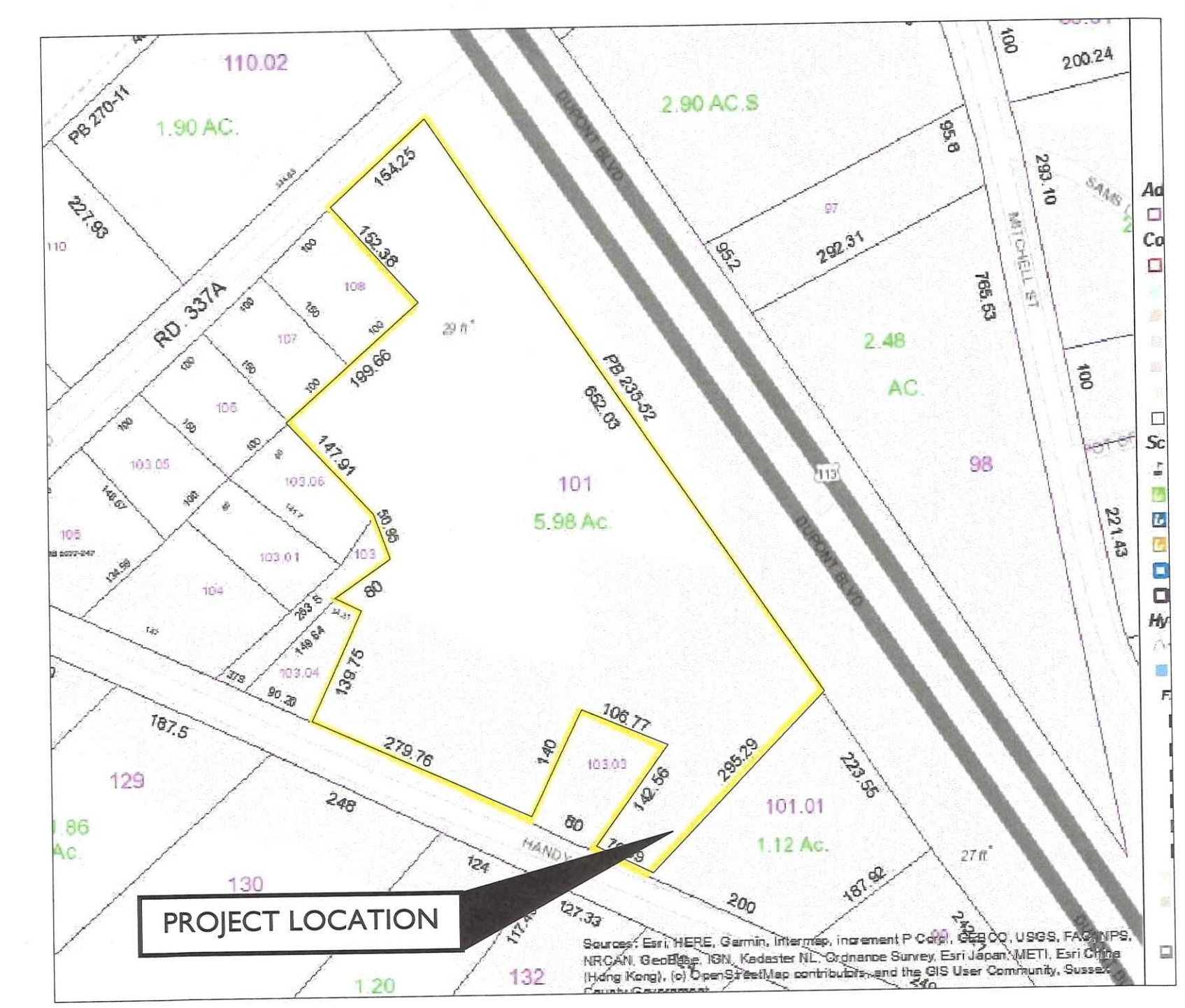
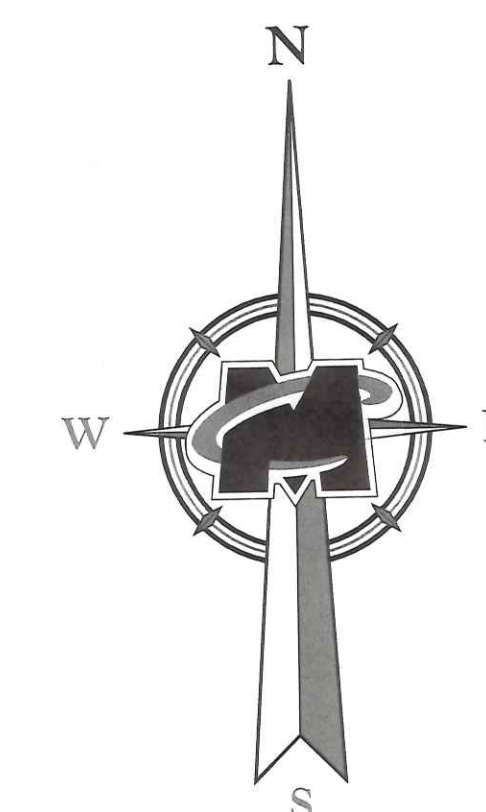


- LEGEND**
- Agricultural Residential - AR-1
 - Agricultural Residential - AR-2
 - Commercial Residential - CR-1
 - General Commercial - C-1
 - General Commercial - C-2
 - General Commercial - C-3
 - General Commercial - C-4
 - General Commercial - C-5
 - General Residential - GR
 - Heavy Industrial - HI-1
 - High Density Residential - HR-1
 - High Density Residential - HR-2
 - Institutional - I-1
 - Limited Industrial - LI-1
 - Limited Industrial - LI-2
 - Marine - M
 - Medium Residential - MR
 - Neighborhood Business - B-1
 - Neighborhood Business - B-2
 - Vacation, Retire, Resident - VRP

ZONING MAP
 SCALE: 1" = 500' FOR 22"X34"
 (SCALE: 1" = 1000' FOR 11"X17")

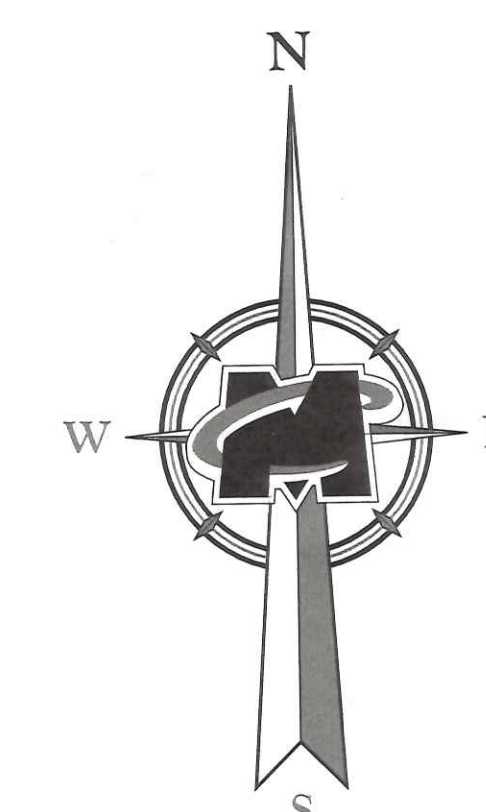


TAX MAP # 233-5.00
 SCALE: 1" = 200' FOR 22"X34"
 (SCALE: 1" = 400' FOR 11"X17")



TAX DITCH MAP
 SCALE: 1" = 200' FOR 22"X34"
 (SCALE: 1" = 400' FOR 11"X17")

THIS PROJECT IS NOT LOCATED WITHIN A TAX DITCH AREA.



WETLANDS MAP
 SCALE: 1" = 300' FOR 22"X34"
 (SCALE: 1" = 600' FOR 11"X17")

NOTES:

- THIS PROPOSAL IS FOR AN UNMANNED TELECOMMUNICATIONS FACILITY CONSISTING OF THE PLACEMENT OF PANEL ANTENNAS ON A PROPOSED MONOPOLE AND EQUIPMENT CABINETS ON A PROPOSED CONCRETE PAD, AN OUTDOOR STANDBY GENERATOR, AND ASSOCIATED APPURTENANCES WITHIN A PROPOSED FENCED COMPOUND.
- EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC
- TOTAL AREA OF DISTURBANCE UNDER THIS PROPOSAL: 2,785± S.F.
- RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
- CONTRACTOR SHALL CONTACT STATE SPECIFIC ONE CALL SYSTEM THREE WORKING DAYS PRIOR TO ANY EARTH MOVING ACTIVITIES.
- POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.
- THE PROPOSED FACILITY WILL CAUSE ONLY AN INSIGNIFICANT ("DE MINIMUS") INCREASE IN STORMWATER RUNOFF, THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
- SUBCONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS & INSPECTIONS REQUIRED FOR CONSTRUCTION.
- SUBCONTRACTOR SHALL DETERMINE EXACT ROUTE OF ANY UNDERGROUND CONDUIT, IF REQUIRED.
- ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP OF SUSSEX COUNTY, DE (AND INCORPORATED AREAS), MAP 10005C0458K, PANEL 458 OF 660, DATED 03/16/15 AND MAP 10005C0459K, PANEL 459 OF 660, DATED 03/16/15, ALL PROPOSED IMPROVEMENTS ARE LOCATED WITHIN ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- TOTAL ACREAGE WITHIN STREETS/RIGHT-OF-WAY IS 0 ACRES.
- THIS PROJECT WILL NOT REQUIRE STREETS OR PROPERTY TO BE DEDICATED FOR PUBLIC USE.
- THIS PROJECT WILL NOT REQUIRE PERMANENT MONUMENTS.
- TWO (2) EXISTING PERMANENT MONUMENTS WERE LOCATED ON THIS PROPERTY AND ZERO (0) WERE PLACED.
- THE NEAREST INTERSECTION IS LOCATED AT THE CORNER OF DUPONT BOULEVARD AND HANDY ROAD, WHICH IS 600± FROM THE EXISTING ACCESS DRIVEWAY.
- HORIZONTAL DATUM: NAD83 DE STATE PLANE COORDINATE SYSTEM VERTICAL DATUM: NAVD88 ARE BASED ON KEYNET SOLUTION COORDINATES: U.S. SURVEY FEET BENCHMARK #1 N 206696.65 E 695131.78 ELEV.=27.07 BENCHMARK #2 N 206515.27 E 695000.13 ELEV.=26.68
- THE PROPOSED INSTALLATION WILL GENERATE ONE (1) VEHICLE TRIP FOR ROUTINE MAINTENANCE EVERY FOUR (4) TO SIX (6) WEEKS.

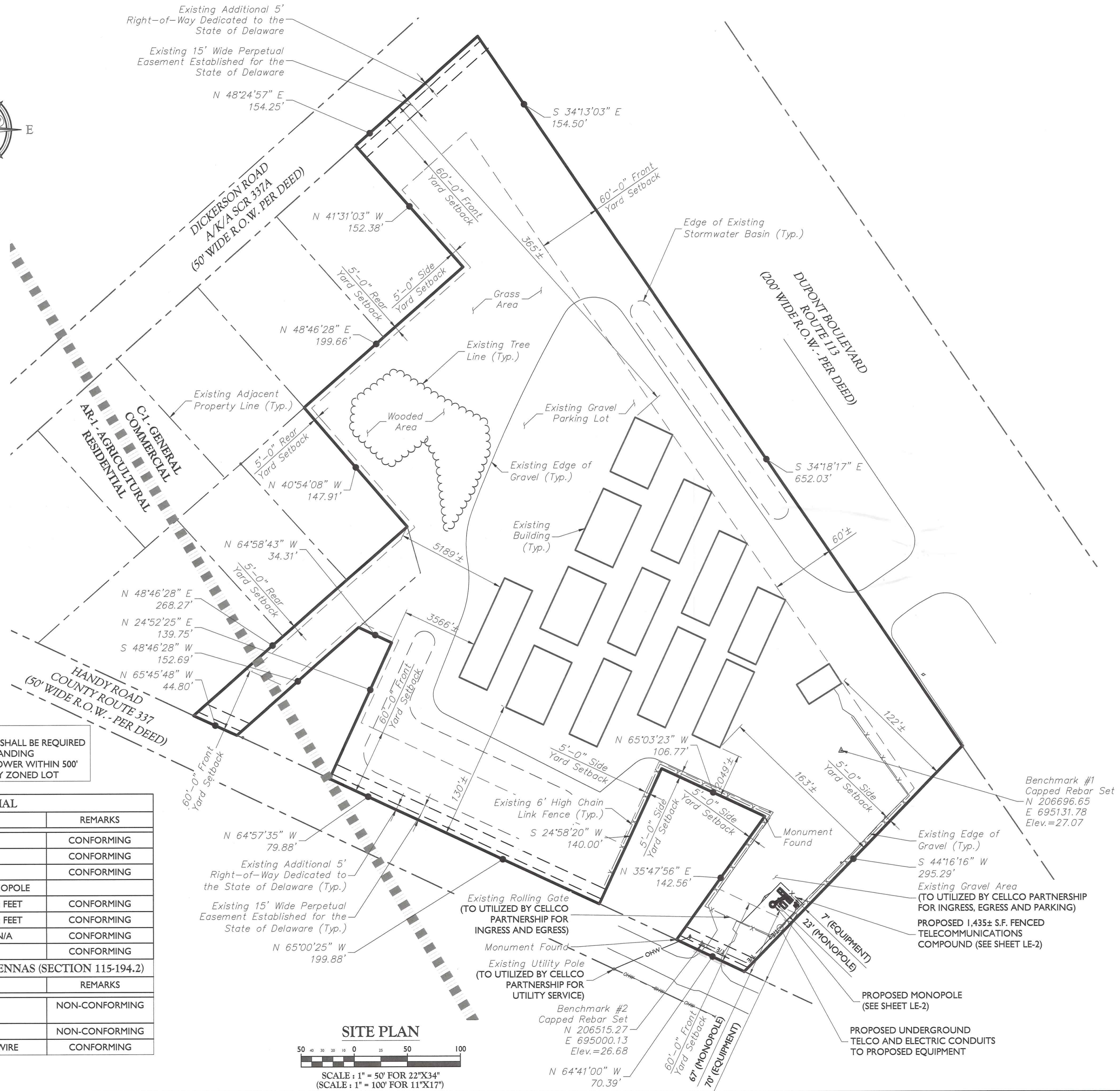
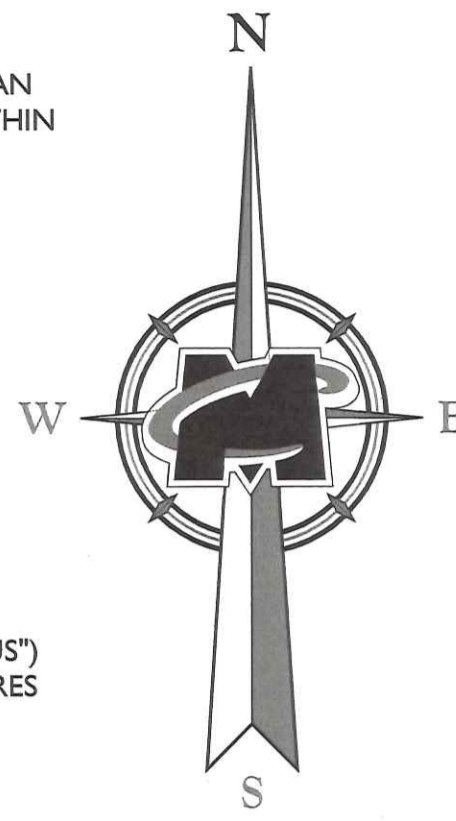
LEGEND:

- PROPERTY LINE
- RIGHT OF WAY LINE
- ADJACENT PROPERTY LINE
- SETBACK LINE
- PROPOSED FENCE
- EXISTING STRUCTURE
- EXISTING TREELINE
- EXISTING OVERHEAD WIRES
- PROPOSED UNDERGROUND ELECTRIC CONDUIT
- PROPOSED UNDERGROUND TELCO CONDUIT
- LIGHT LINEWEIGHT INDICATES EXISTING FACILITIES
- HEAVY LINEWEIGHT INDICATES PROPOSED FACILITIES
- PROPOSED UNDERGROUND UTILITIES

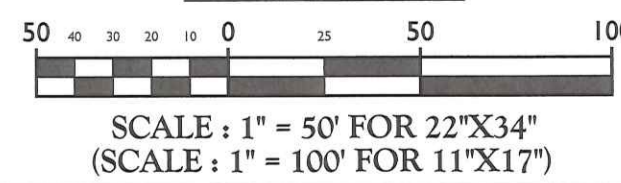
ZONING NOTE:
A SPECIAL EXCEPTION SHALL BE REQUIRED FOR ANY NEW FREESTANDING COMMUNICATIONS TOWER WITHIN 500' OF ANY RESIDENTIALLY ZONED LOT

BULK STANDARDS FOR C-1 - GENERAL COMMERCIAL				
DESCRIPTION	REQUIRED	EXISTING	PROPOSED	REMARKS
MINIMUM LOT AREA	10,000 S.F.	273,589± S.F.	NO CHANGE	CONFORMING
MINIMUM LOT WIDTH*	75 FEET	810± FEET	NO CHANGE	CONFORMING
MINIMUM LOT DEPTH	100 FEET	295± FEET	NO CHANGE	CONFORMING
			EQUIPMENT MONOPOLE	
MINIMUM FRONT YARD SETBACK	60 FEET	60± FEET	70± FEET 67± FEET	CONFORMING
MINIMUM SIDE YARD SETBACK	5 FEET	41± FEET	7± FEET 23± FEET	CONFORMING
MINIMUM REAR YARD SETBACK	5 FEET	104± FEET	N/A N/A	CONFORMING
MAXIMUM BUILDING HEIGHT	42 FEET	<42 FEET	12± FEET (GPS)	CONFORMING
STANDARDS FOR COMMERCIAL COMMUNICATIONS TOWERS AND ANTENNAS (SECTION 115-194.2)				
DESCRIPTION	REQUIRED	EXISTING	PROPOSED	REMARKS
MINIMUM DISTANCE TO RESIDENTIALLY ZONED LOT	500 FEET	N/A	116± FEET	NON-CONFORMING
TOWER SETBACK	50 FEET**	N/A	23± FEET	NON-CONFORMING
MINIMUM FENCE HEIGHT	6 FEET	N/A	6 FEET + 1' BARBED WIRE	CONFORMING

* LOT WIDTH MEASURED ALONG HIGHWAY FRONTAGE
** 1/3 OF TOWER HEIGHT = 150 * (1/3) = 50 FEET



SITE PLAN



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MICHAEL P. CLEARY
Professional Engineer
No. 19205
Exp. 12/31/2025
ENR 00000019205

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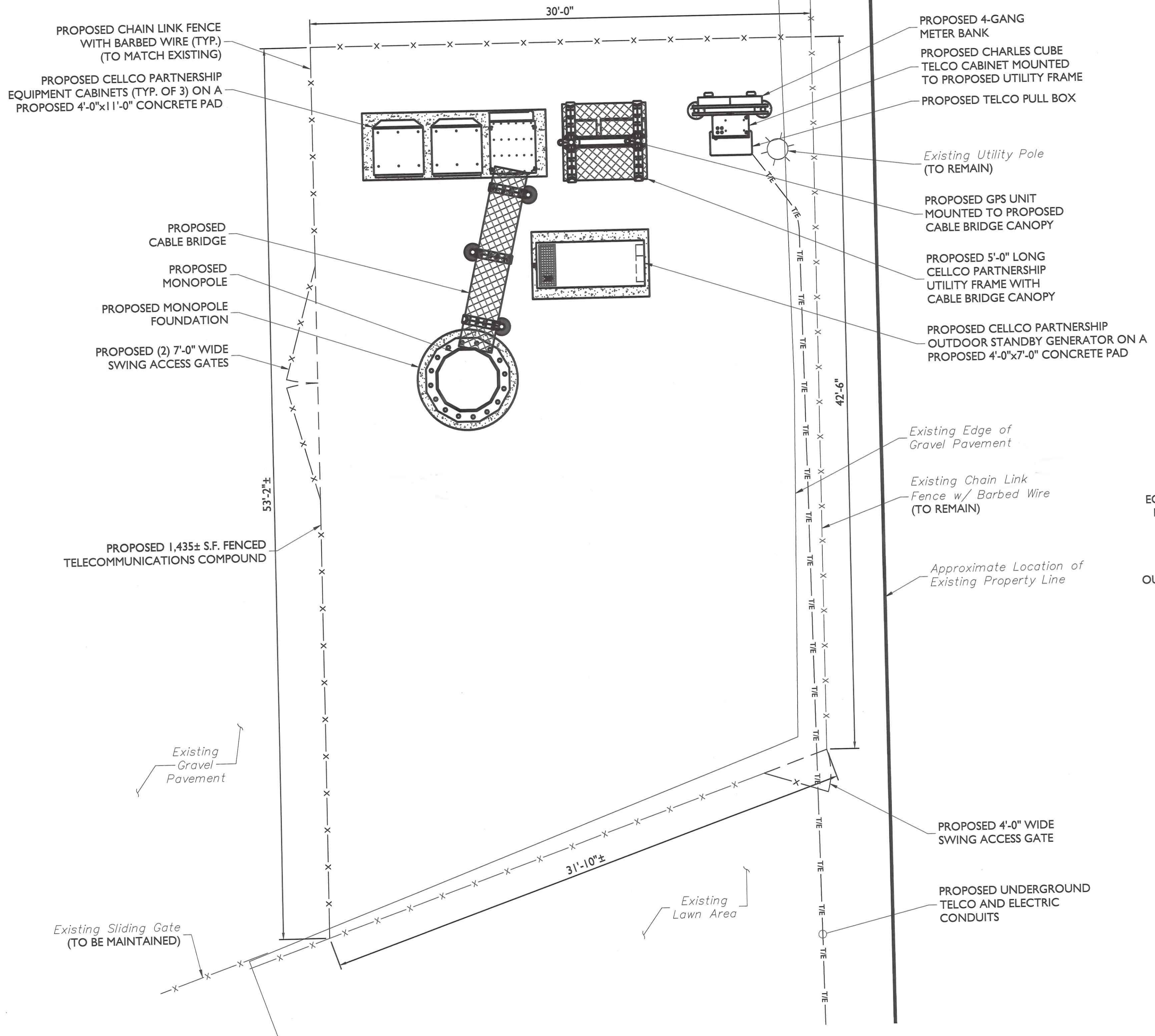
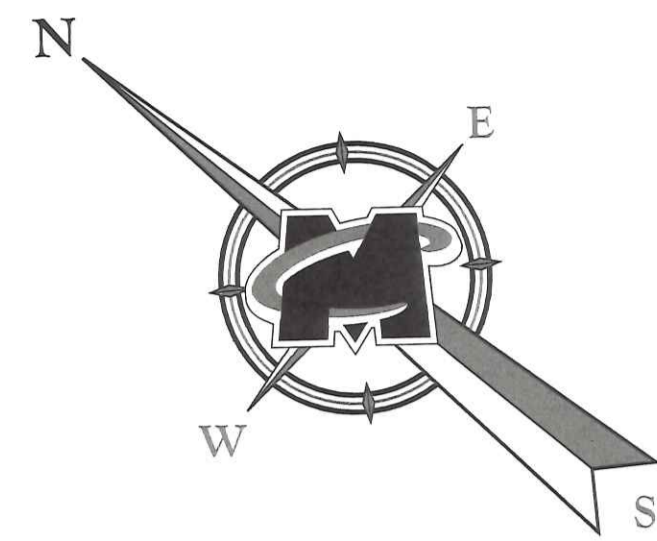
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Phone: 856.797.0412
Fax: 856.722.1120

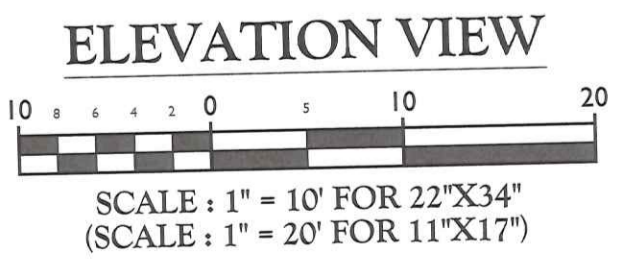
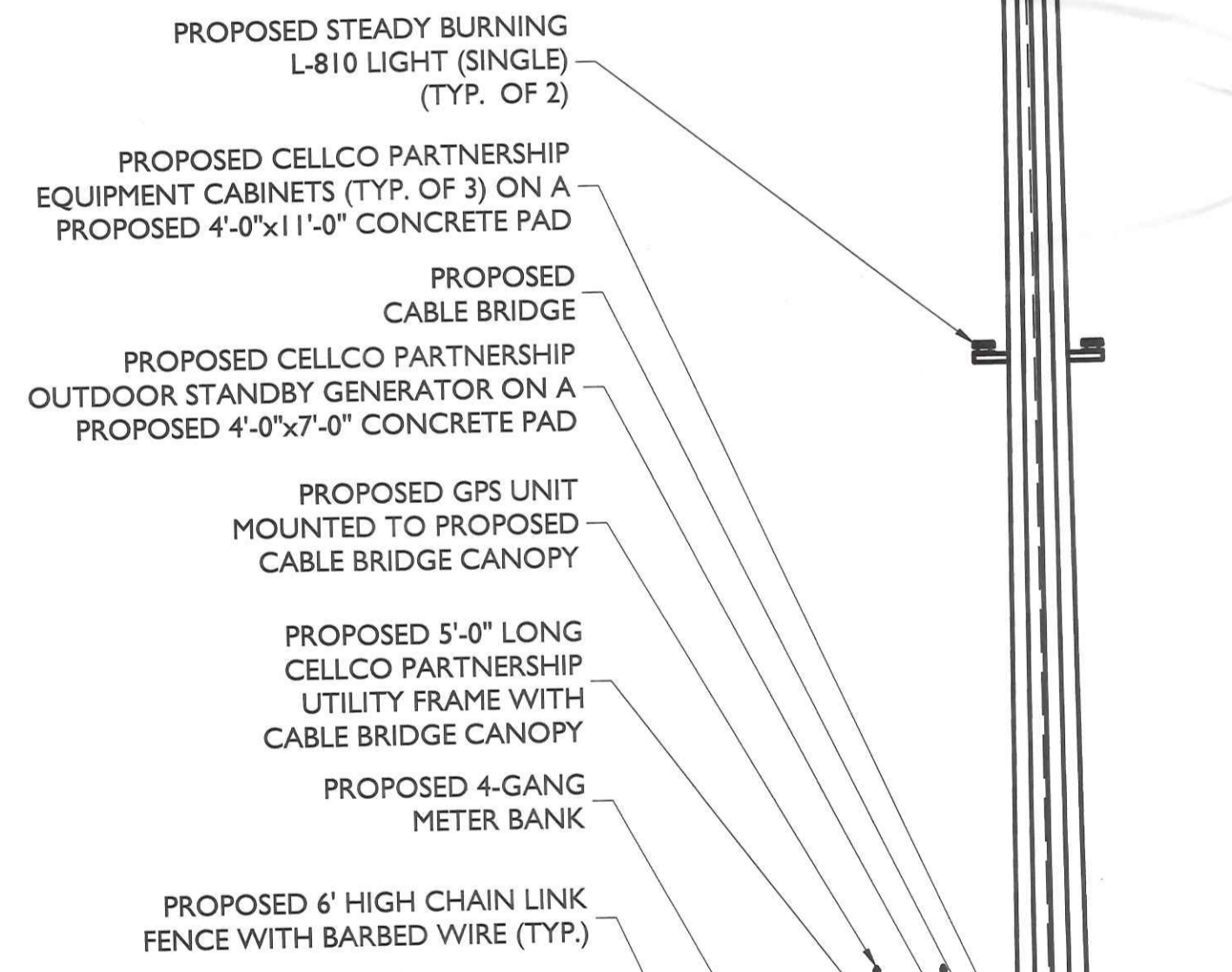
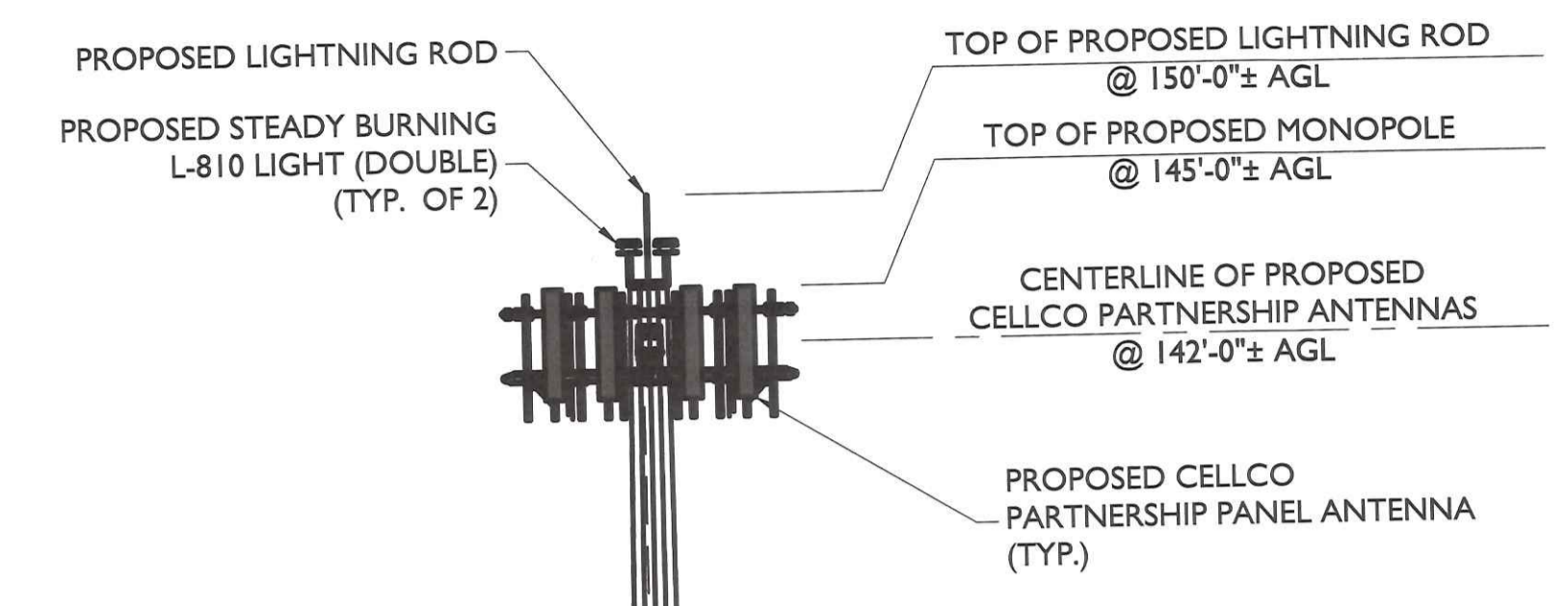
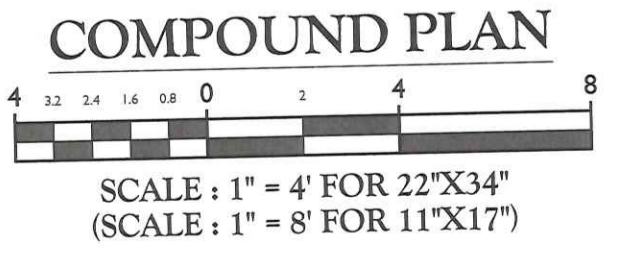
SHEET TITLE:
SITE PLAN

SHEET NUMBER:
Z-2



LEGEND:

- X-X-X- PROPOSED FENCE
- E-E-E- PROPOSED UNDERGROUND ELECTRIC CONDUIT
- T-T-T- PROPOSED UNDERGROUND TELCO CONDUIT
- LIGHT LINEWEIGHT INDICATES EXISTING FACILITIES
- HEAVY LINEWEIGHT INDICATES PROPOSED FACILITIES
- T/E-T/E- PROPOSED UNDERGROUND UTILITIES



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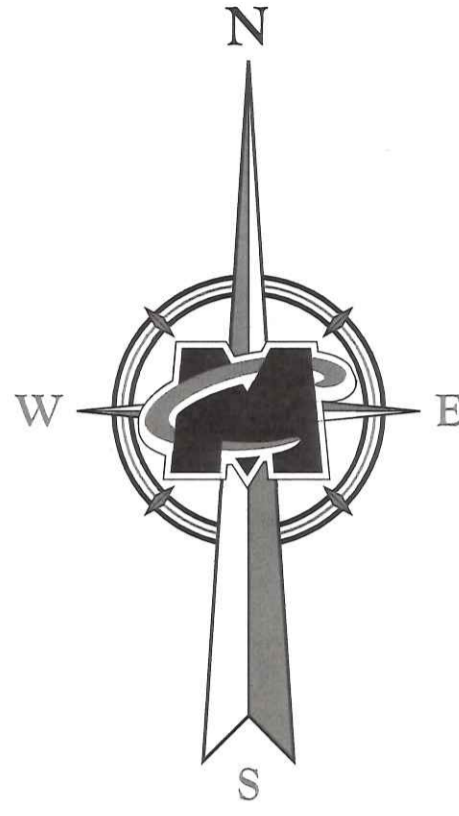
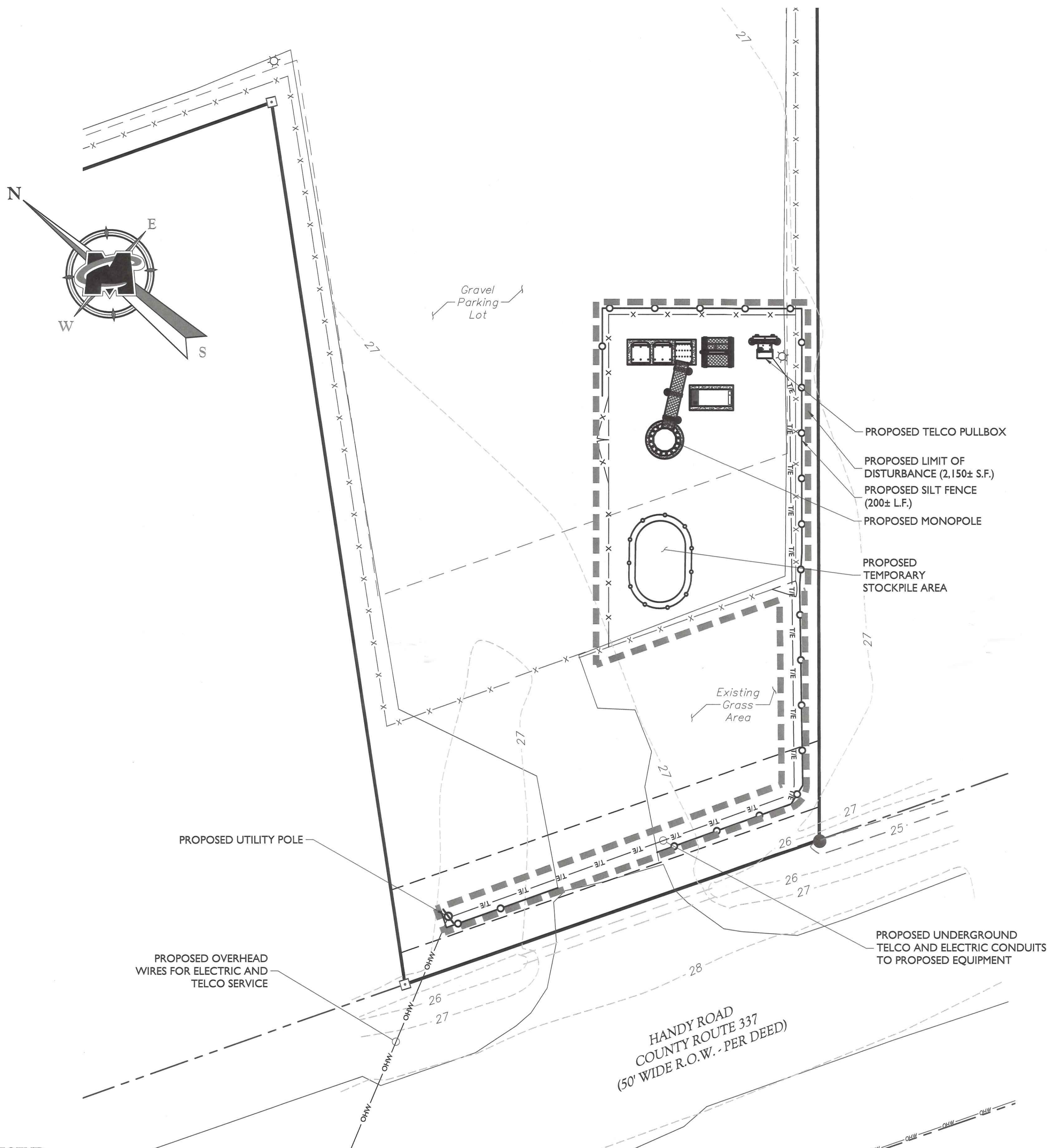
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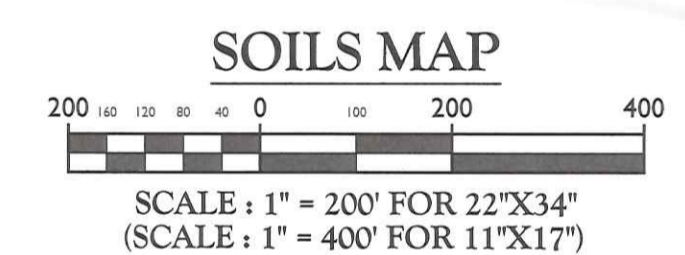
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COMPOUND PLAN AND
ELEVATION VIEW

SHEET NUMBER:
Z-3

NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.



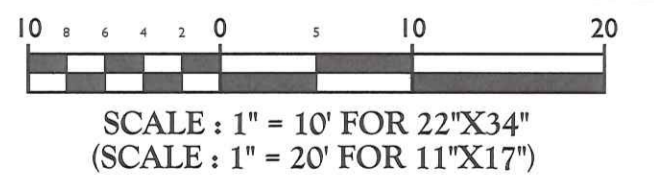
PROJECT LOCATION



Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
HuA	Hurlock loamy sand, 0 to 2 percent slopes	A/D	1.7	14.4%
PsA	Pepperbox-Rosedale complex, 0 to 2 percent slopes	A	4.3	35.8%
PsB	Pepperbox-Rosedale complex, 2 to 5 percent slopes	A	6.0	50.1%
Totals for Area of Interest			12.0	100.0%

- LEGEND:**
- LIMIT OF DISTURBANCE
 - PROPOSED SILT FENCE
 - PROPOSED FENCE LINE
 - - - .140 MAJOR CONTOUR
 - - - .139 MINOR CONTOUR

SOIL EROSION AND SEDIMENT CONTROL PLAN



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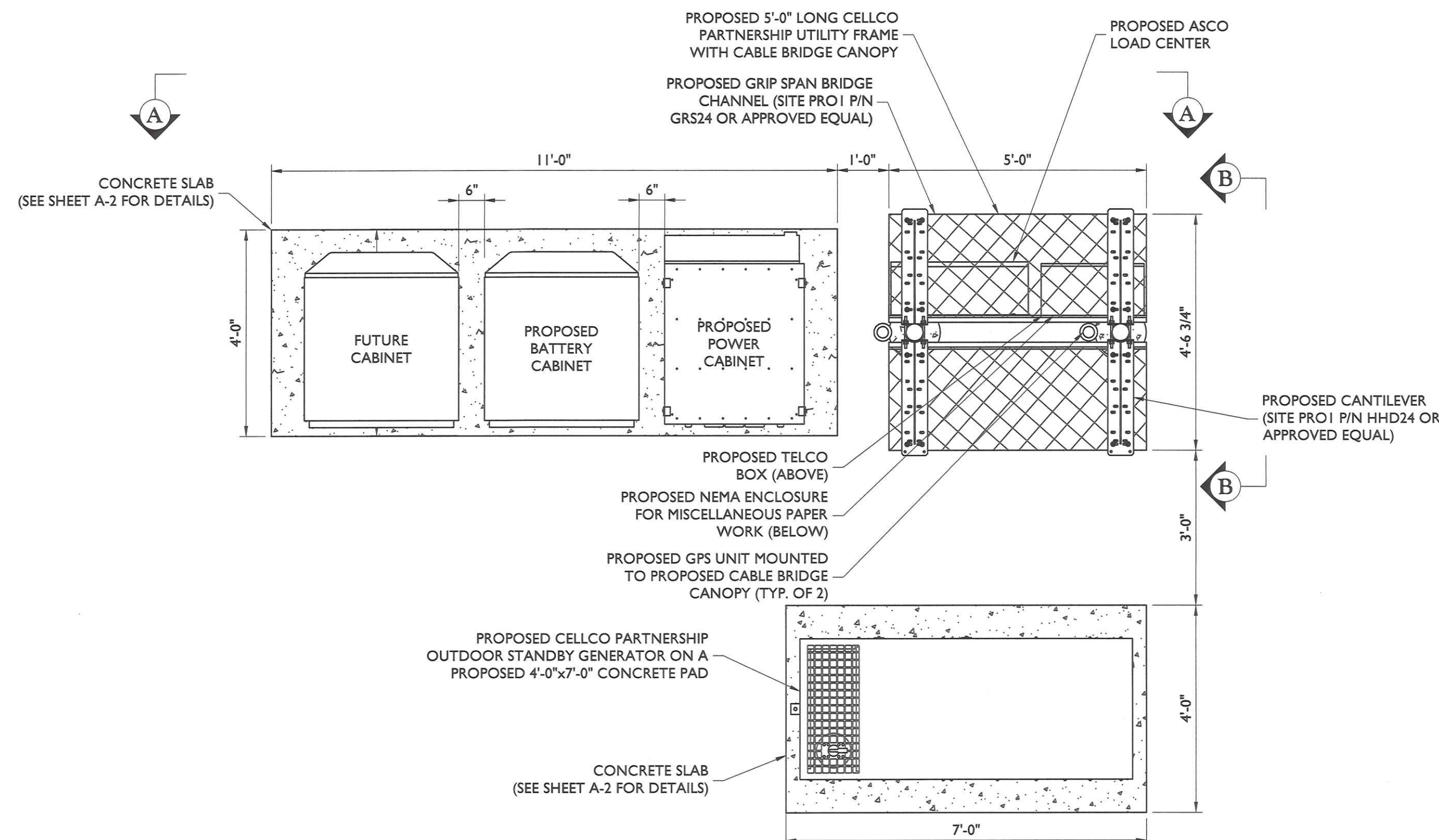
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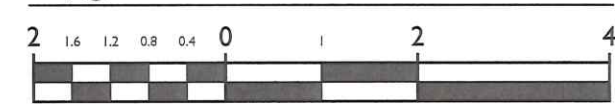


SOIL EROSION AND SEDIMENT CONTROL PLAN

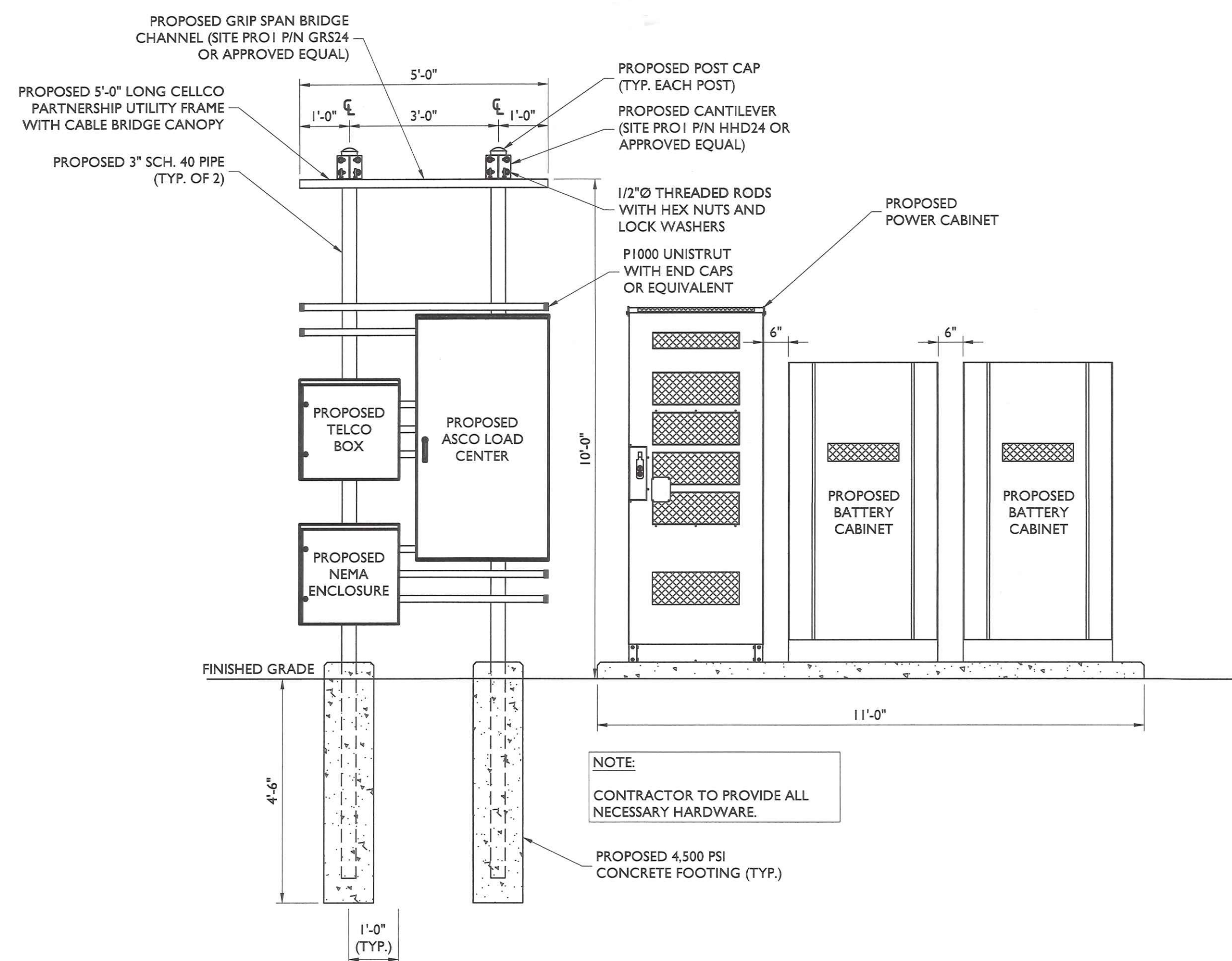
SHEET NUMBER: Z-4



EQUIPMENT LAYOUT



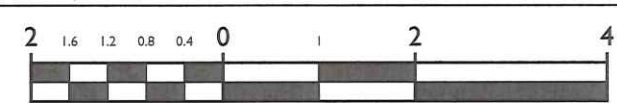
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(SCALE: 1" = 4' FOR 11"X17")



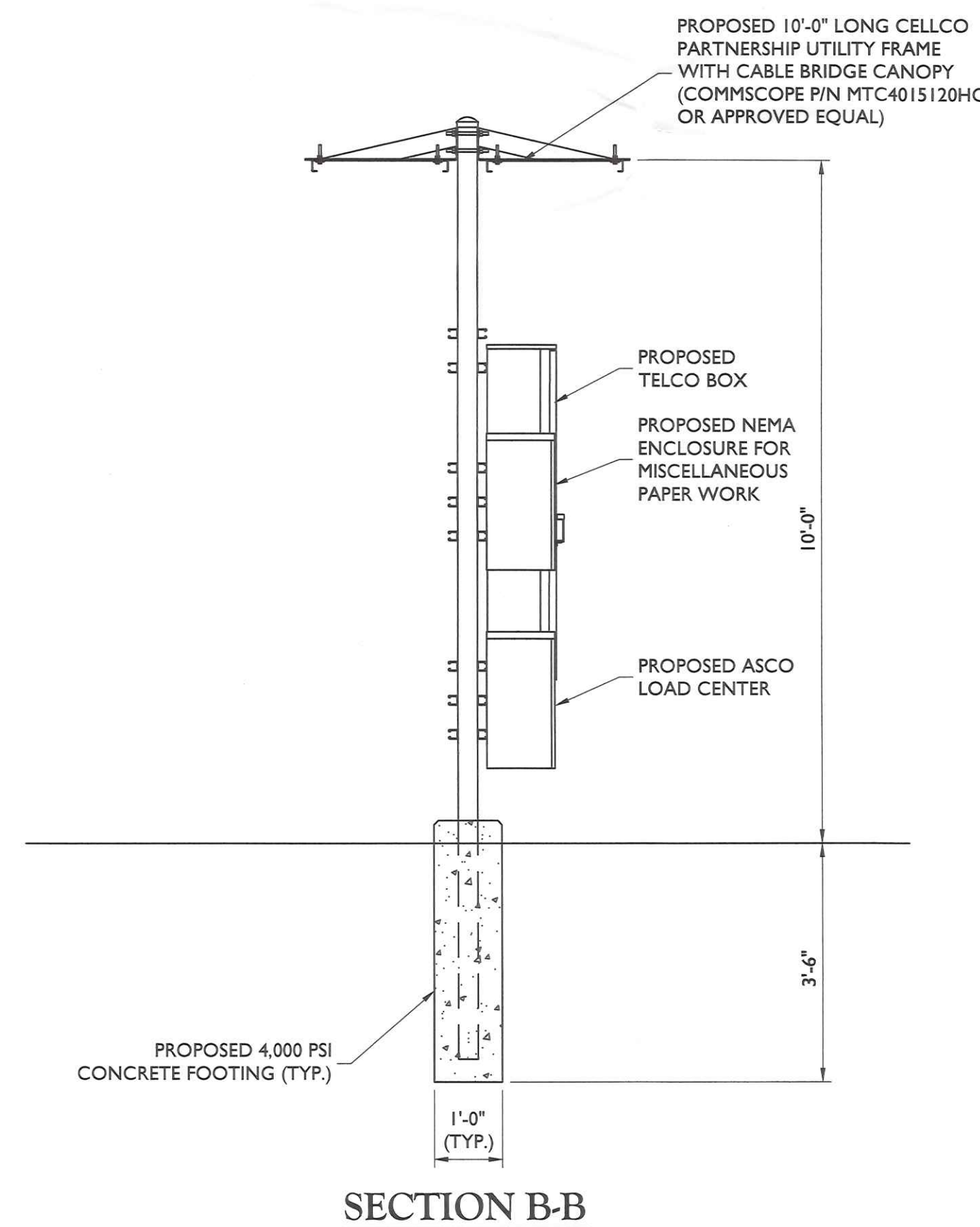
NOTE:
CONTRACTOR TO PROVIDE ALL NECESSARY HARDWARE.

NOTE:
CONTRACTOR TO PROVIDE ALL NECESSARY HARDWARE.

EQUIPMENT SECTION VIEWS



SCALE: 1" = 2' FOR 22"X34"
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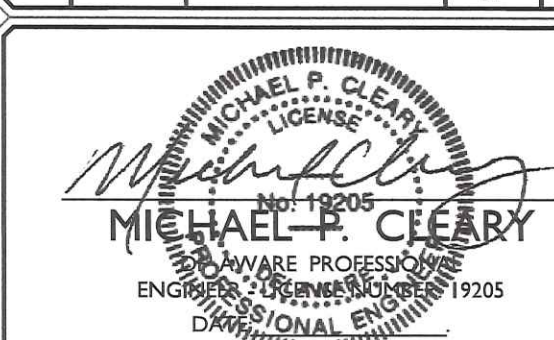


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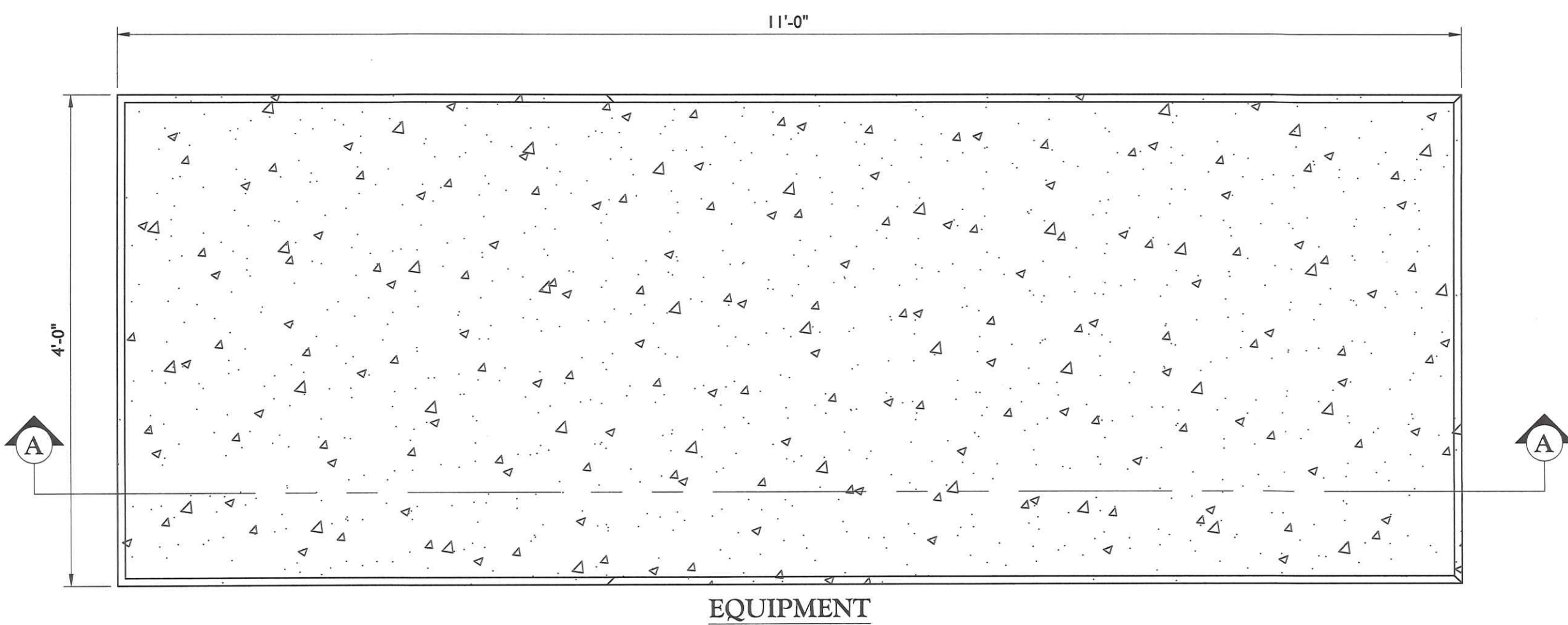
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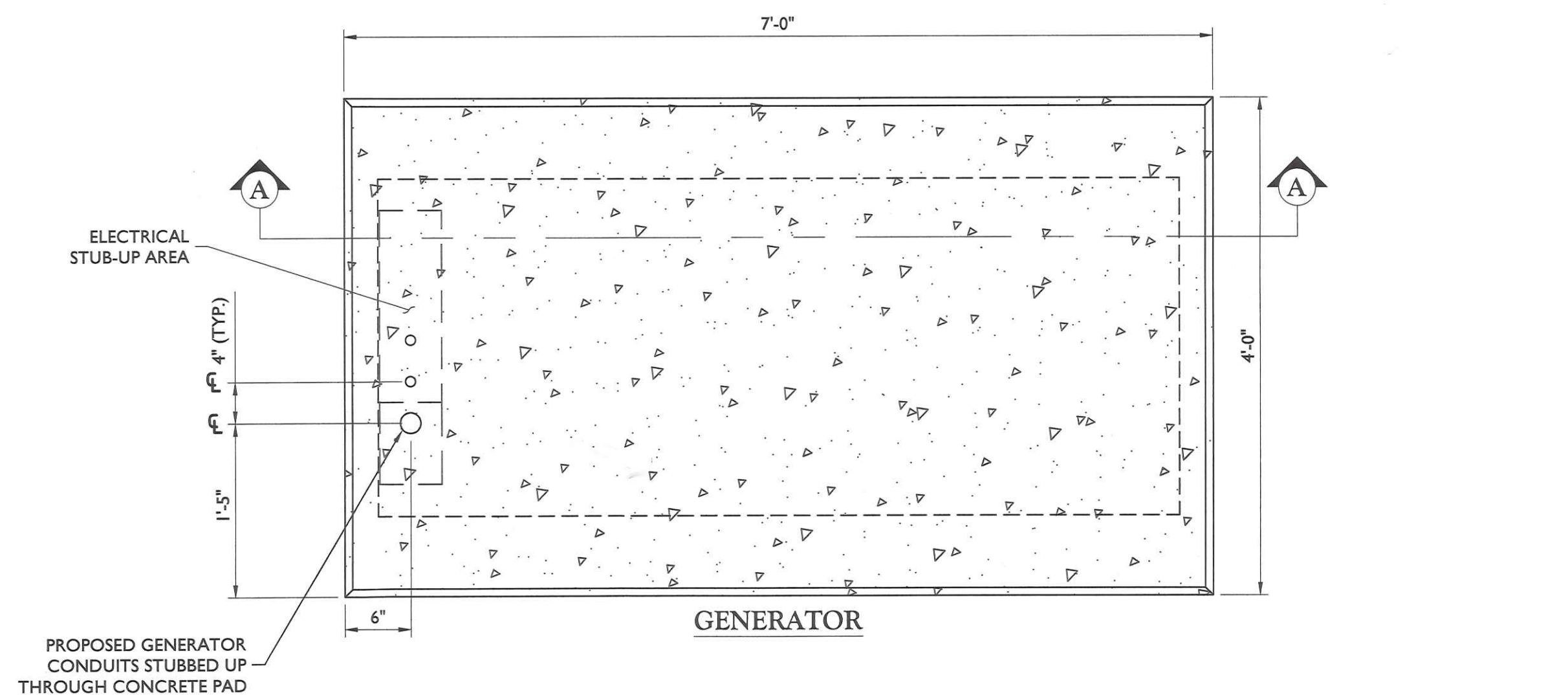
CONSTRUCTION DETAILS

SHEET NUMBER:
A-1

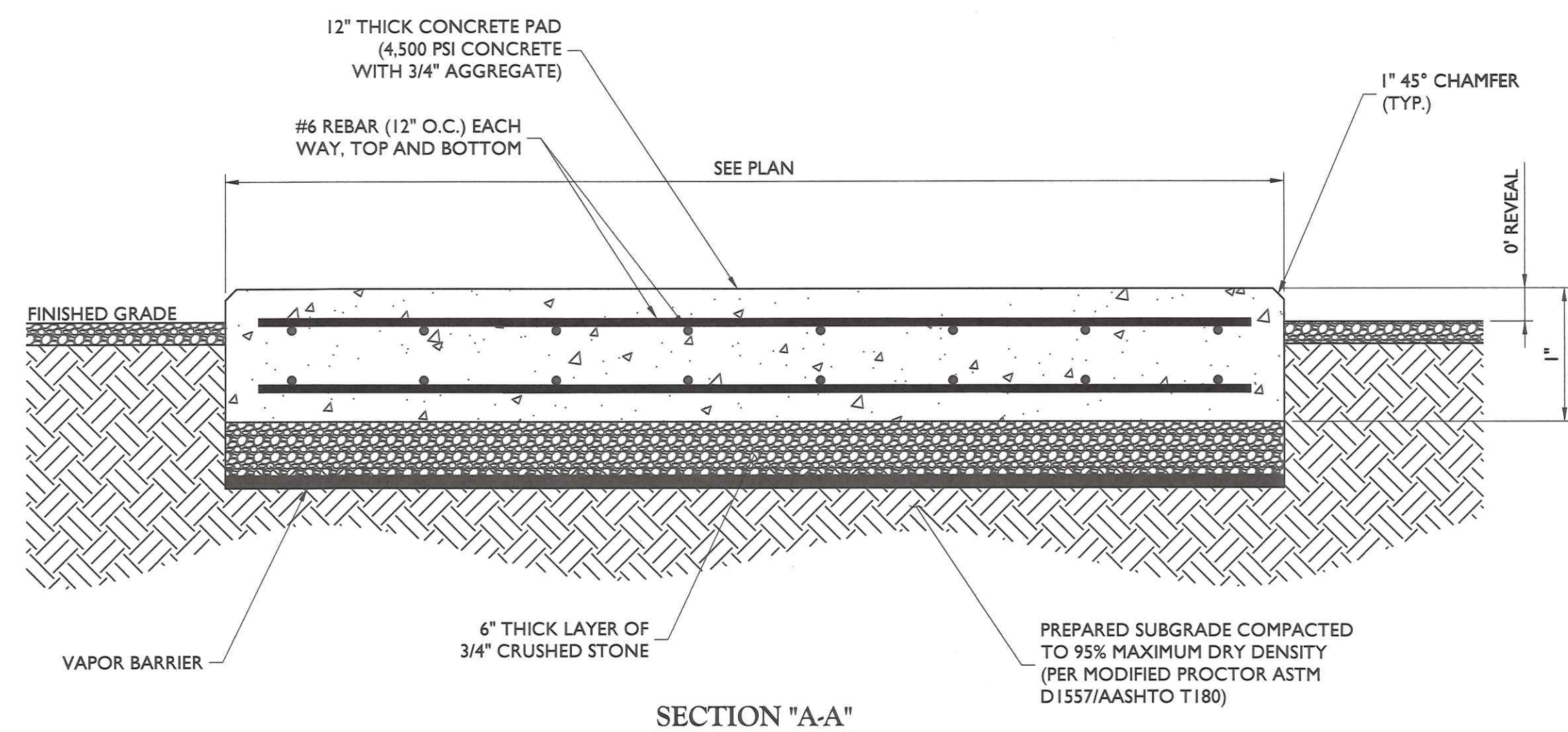
NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.



EQUIPMENT



GENERATOR



SECTION "A-A"

CONCRETE EQUIPMENT PAD DETAILS
NOT TO SCALE

CONCRETE NOTES:

DESIGN INFORMATION:

1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE ACI 301, ACI 318, ACI 336A, ASTM A184, ASTM A185 AND THE DESIGN & CONSTRUCTION SPECIFICATION FOR CAST-IN-PLACE CONCRETE.
2. THE DESIGN SHALL CONFORM TO THE INTERNATIONAL BUILDING CODE AS SHOWN ON SHEET T-1.

EARTHWORK:

1. FOUNDATIONS HAVE BEEN DESIGNED TO BEAR ON (UNDISTURBED RESIDUAL SOILS/COMPACTED STRUCTURAL FILL), CAPABLE OF SAFELY SUPPORTING AN ALLOWABLE BEARING PRESSURE OF 1,500 PSF. IF FOUNDATION CONDITIONS PROVE UNACCEPTABLE AT ELEVATIONS SHOWN, EXCAVATION SHALL BE CARRIED DEEPER AND SHALL BE BACKFILLED WITH LEAN CONCRETE TO PLAN FOOTING BOTTOM, OR REDISIGN OF FOUNDATIONS WILL BE REQUIRED AT THE DIRECTION OF THE ENGINEER.
2. DESIGN FURNISH AND INSTALL TEMPORARY SHEETING, SHORING, AND DRAINAGE TO MAINTAIN THE EXCAVATION AND PROTECT SURROUNDING STRUCTURES AND UTILITIES.
3. THOROUGHLY COMPACT ALL BOTTOM OF FOOTINGS PRIOR TO PLACING ANY CONCRETE.

CONCRETE:

1. FORMWORK

- 1.a. CONCRETE CONSTRUCTION SHALL CONFORM TO "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS." (ACI 301-89).
- 1.b. FORMWORK SHALL CONFORM TO ACI 301 "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS"

2. REINFORCEMENT

- 2.a. REINFORCING STEEL ASTM A615, GRADE 60, WELDED WIRE ASTM A185 (FLAT SHEET). LAPS 40 BAR DIAMETERS UNLESS NOTED. BARS SHALL BE SECURELY HELD IN ACCURATE POSITION BY SUITABLE ACCESSORIES, TIE BARS, SUPPORT BARS, ETC. HOOK LENGTHS SHALL BE 12 BAR DIAMETERS.
- 2.b. CONCRETE COVER FOR REINFORCING BARS SHALL BE AS FOLLOWS, UNLESS OTHERWISE NOTED.

2.b.1. FOOTINGS AND SLABS CAST AGAINST GROUND	3"
2.b.2. CONCRETE TO BE IN CONTACT WITH GROUND OR WEATHER AT BARS GREATER THAN 5"	2"
2.b.3. AT BARS #5 OR LESS	1 1/2"
2.b.4. CONCRETE NOT TO BE EXPOSED TO GROUND OR WEATHER BEAMS, GIRDERS, AND COLUMNS	1 1/2"
2.b.5. SLABS AND WALLS	3/4"
- 2.c. CAST IN PLACE CONCRETE
 - 2.c.1. MINIMUM 28 DAY CYLINDER STRENGTH AND MAXIMUM SLUMP, PRIOR TO ADDITION F SUPER PLASTICIZERS, AS FOLLOWS:

2.c.1.1. CLASS I FOOTINGS	3000 PSI	3"
2.c.1.2. CLASS III INTERIOR ELEVATED SLABS AND WALLS	4000 PSI	4"
2.c.1.3. CLASS V OTHER WORK	4000 PSI	4"
2.c.1.4. CLASS VI LEAN CONCRETE FOR OVEREXCAVATION OF FOUNDATIONS	2000 PSI	N/A
 - 2.c.2. MIX DESIGN TO BE IN ACCORDANCE WITH ACI 318, CHAPTER 5. NO CALCIUM CHLORIDE ADMIXTURE CONTAINING CHLORIDES SHALL BE USED IN ANY CONCRETE
 - 2.c.3. COARSE AGGREGATE FOR NORMAL WIEGHT CONCRETE SHALL CONFORM TO ASTM C33 SIZE #57. COARSE AGGREGATE FOR LIGHTWEIGHT CONCRETE SHALL CONFORM TO ASTM C330 GRADED 3/4" TO 1/4".
 - 2.c.4. COLD WEATHER PLACEMENT SHALL COMPLY WITH ACI 306.1
 - 2.c.5. HOT WEATHER PLACEMENT SHALL COMPLY WITH ACI 305 R.
 - 2.c.6. CHAMFER ALL EXPOSED EDGES 3/4"
 - 2.c.7. THE MAXIMUM TEMPERATURE OF ALL CONCRETE AT DELIVERY TO THE SITE SHALL BE 85°F
 - 2.c.8. TOTAL DELIVERY TIME SHALL BE LESS THAN 75 MINUTES.



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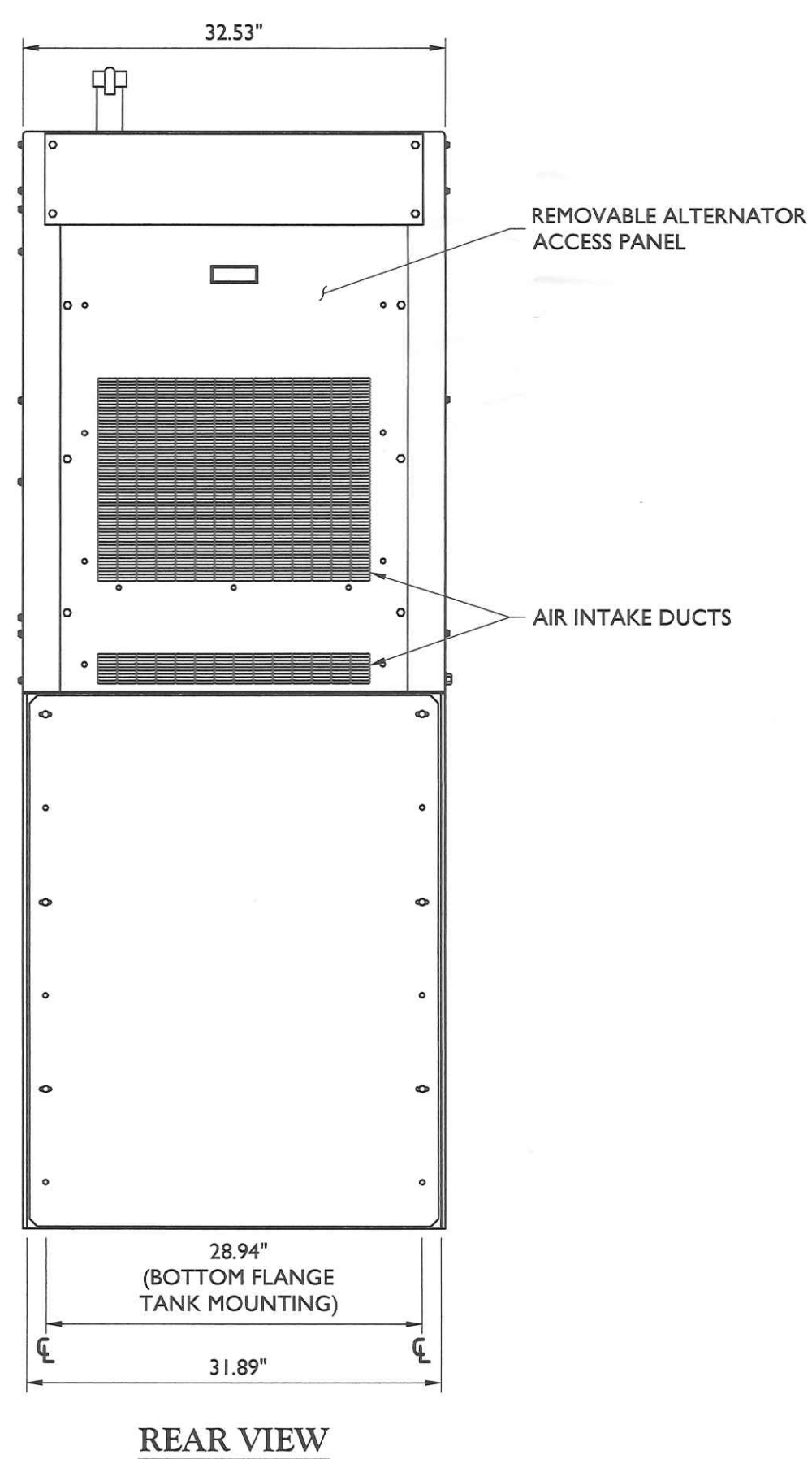
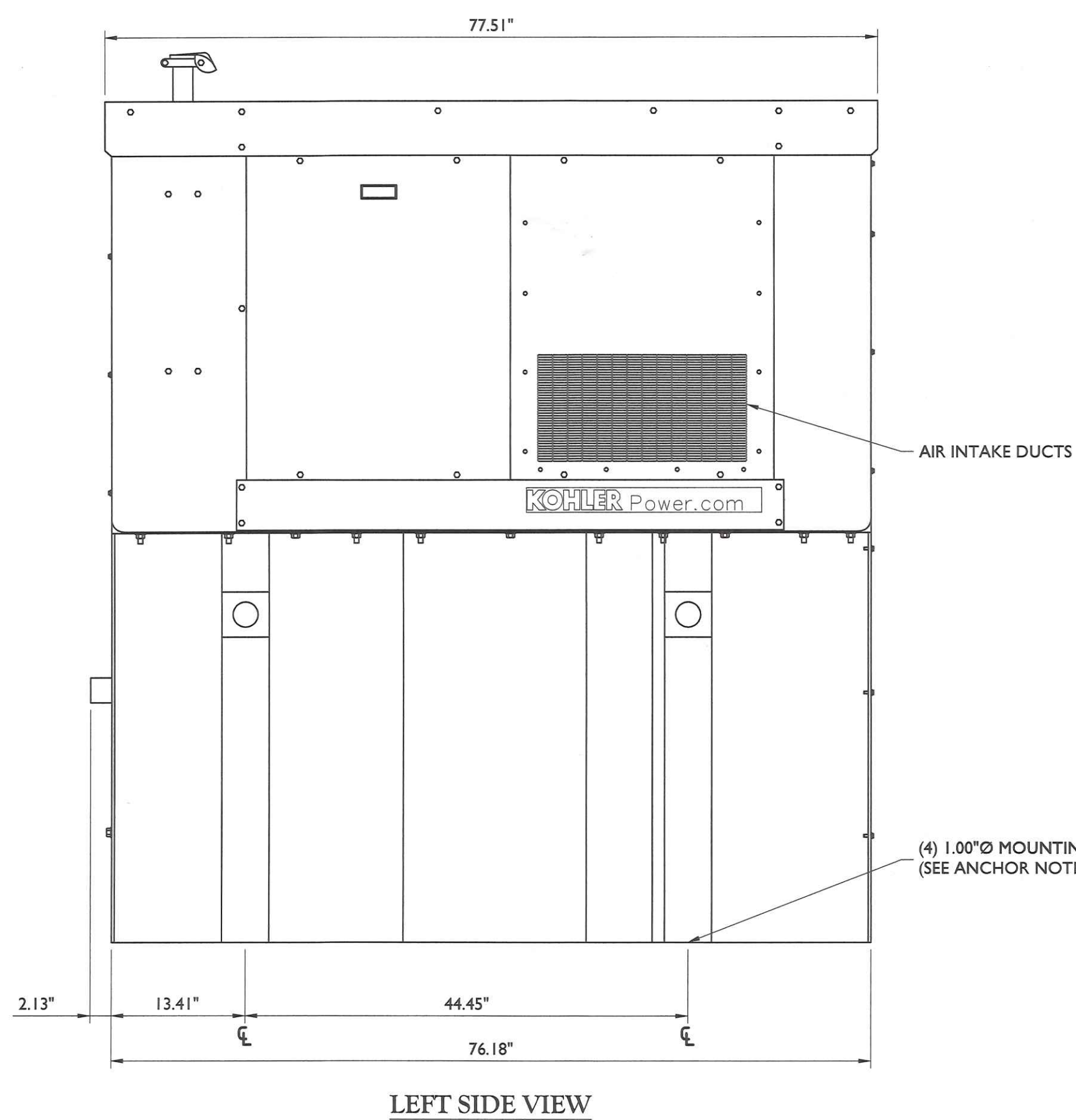
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CONSTRUCTION DETAILS

SHEET NUMBER:
A-2

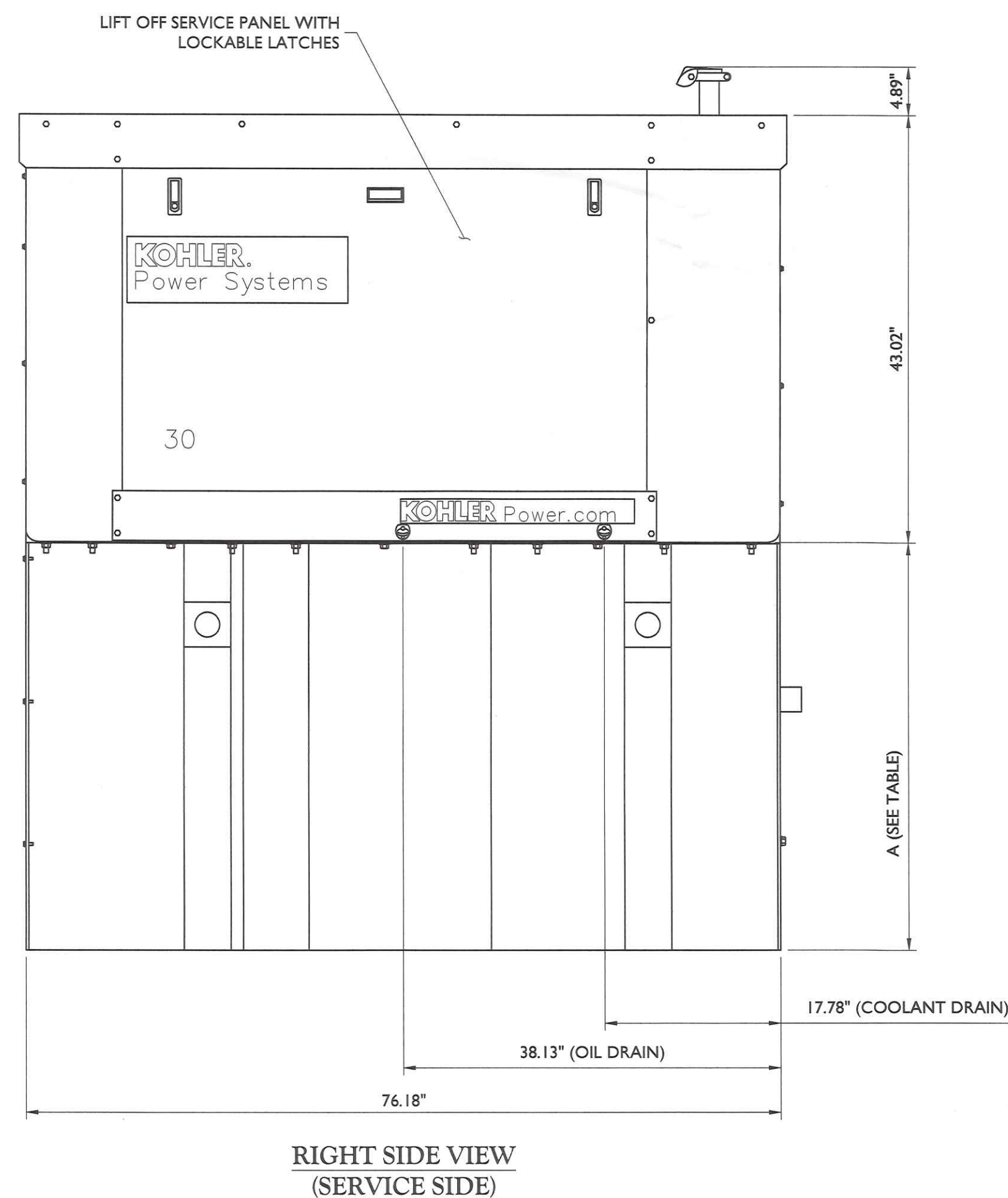
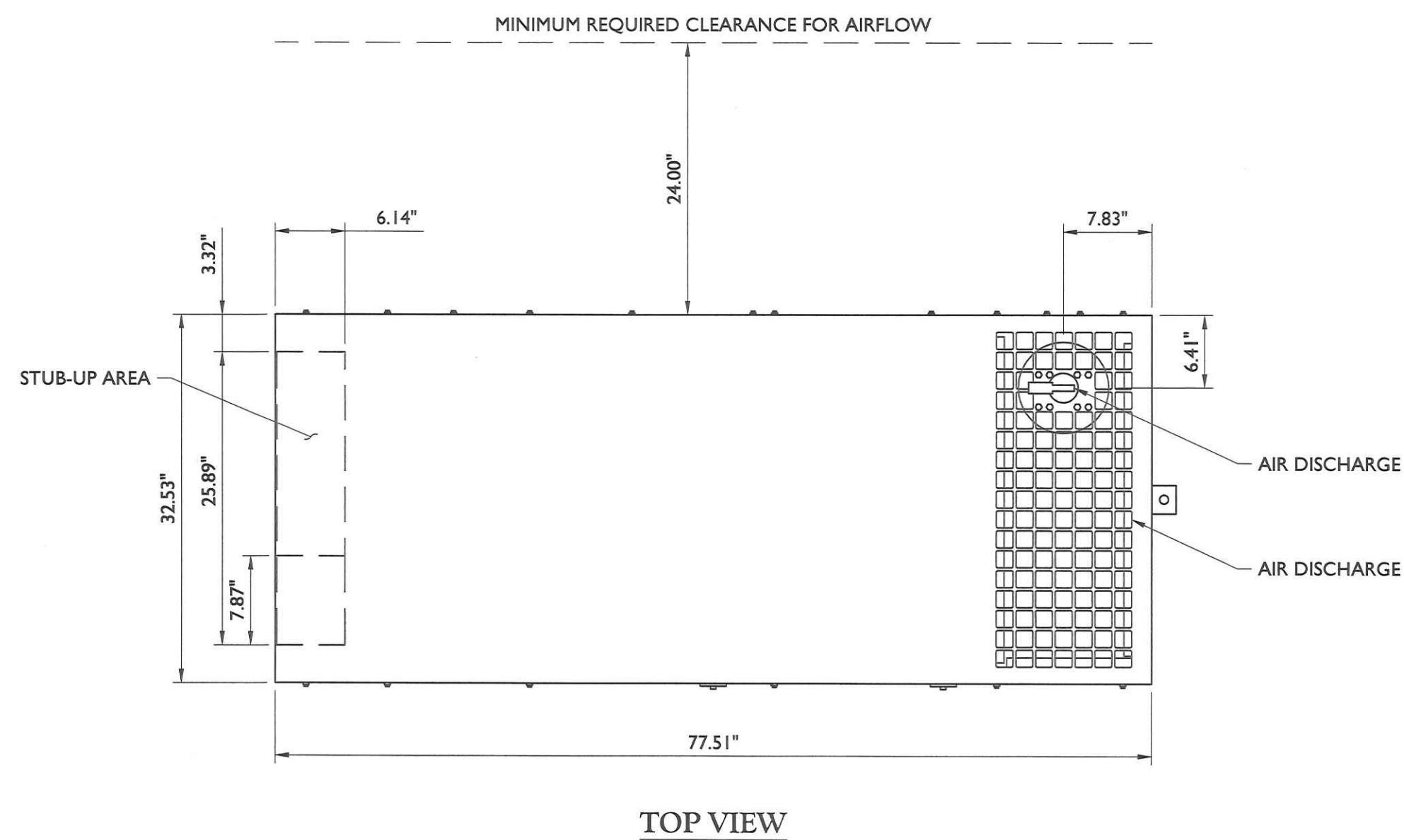
NOTES:

1. THE RIGHT SIDE OF THE GENERATOR IS SERVICE ACCESSIBLE.
2. 6 AMP BATTERY CHARGER.
3. 120VAC ENGINE BLOCK HEATER.
4. GENERATOR MUST BE GROUNDED.
5. SOUND ATTENUATED ENCLOSURE STANDARD WITH GENERATOR.
6. MUST ALLOW FREE FLOW OF DISCHARGE AIR AND EXHAUST.
7. MUST ALLOW FREE FLOW OF AIR INTAKE.
8. EASY ACCESS SERVICE PANEL IS LOCATED ON THE RIGHT SIDE OF THE GENERATOR ONLY.
9. BASE TANK REQUIRES ALL STUB-UPS TO BE IN THE REAR TANK STUB-UP AREA.
10. SEE TABLE FOR SUB-BASE FUEL TANK CAPACITY.
11. TANK EQUIPPED WITH FIRE SAFETY VALVE ON FUEL SUPPLY LINE.
12. IT IS THE RESPONSIBILITY OF THE INSTALLATION TECHNICIAN TO ENSURE THAT THE GENERATOR INSTALLATION COMPLIES WITH ALL APPLICABLE CODES, STANDARDS AND REGULATIONS.
13. GENERATOR IS INSTALLED ON UL-142, RATE DOUBLE WALL SUB-BASE FUEL TANK.
14. 65.4 dBA @ 23 FT (7 M) @ 100% LOAD WITH SOUND ENCLOSURE.

GENSET	TANK P/N	TANK HEIGHT (A)	DESCRIPTION	ASSEMBLY WEIGHT
30REOZK	GM97093-MA2	41.0"	SKID/TANK, 203 GAL	2,114 LBS



**DIESEL SOUND ENCLOSURE
WITH LIFT OFF PANEL
30kW KOHLER DIESEL GENERATOR DETAIL
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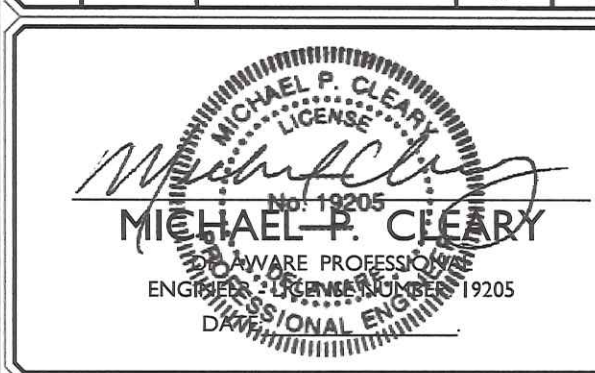
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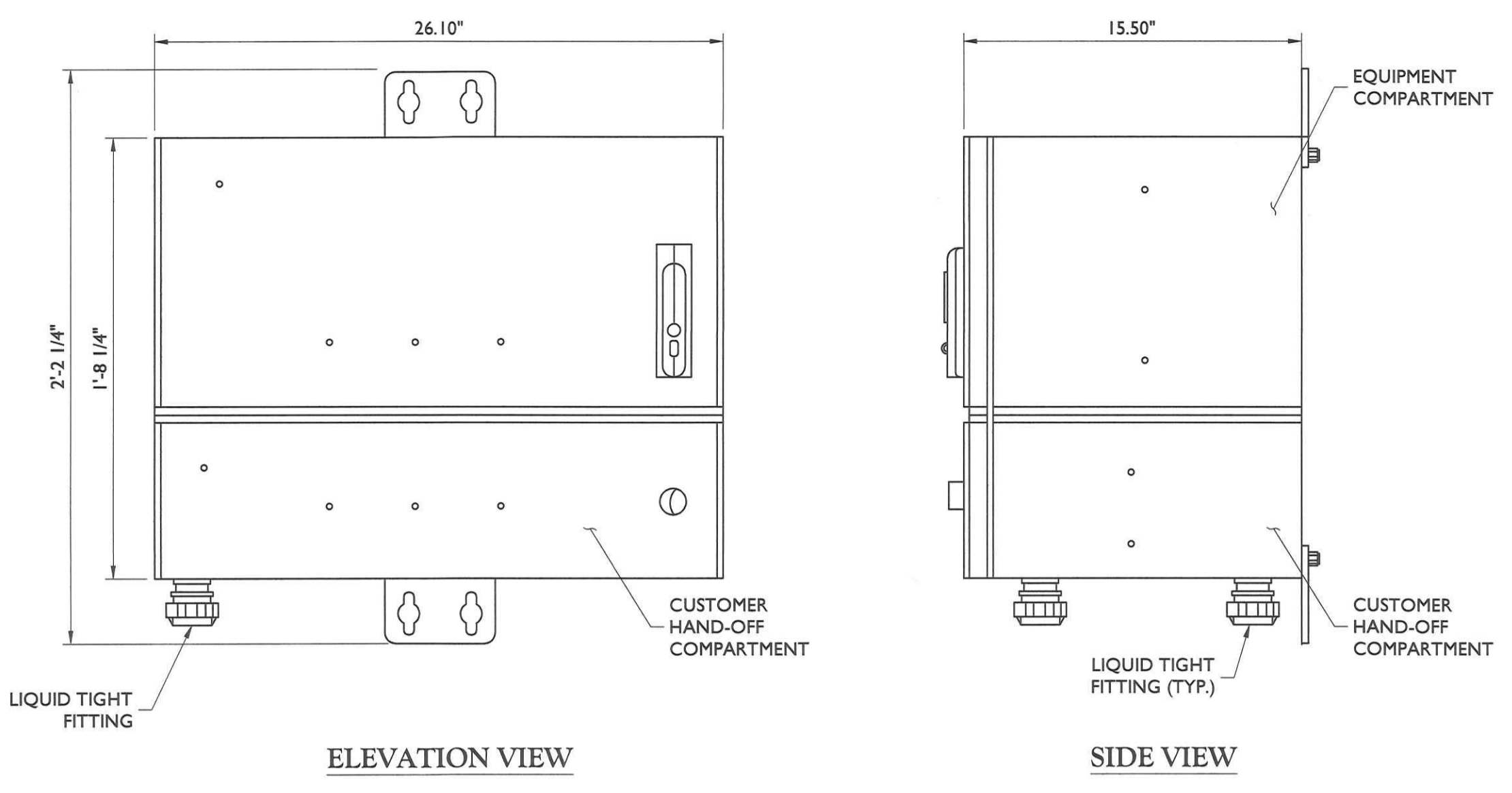
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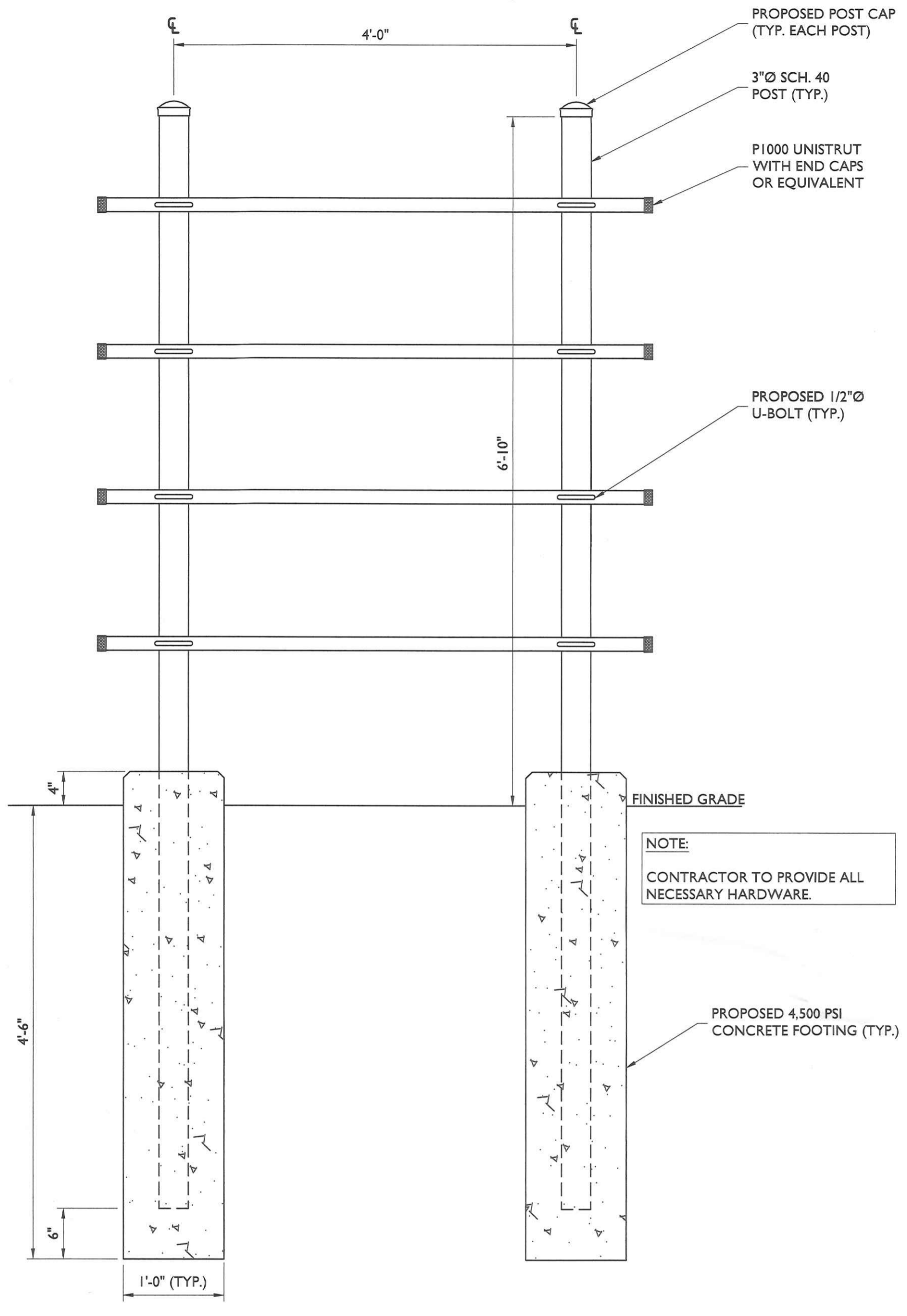
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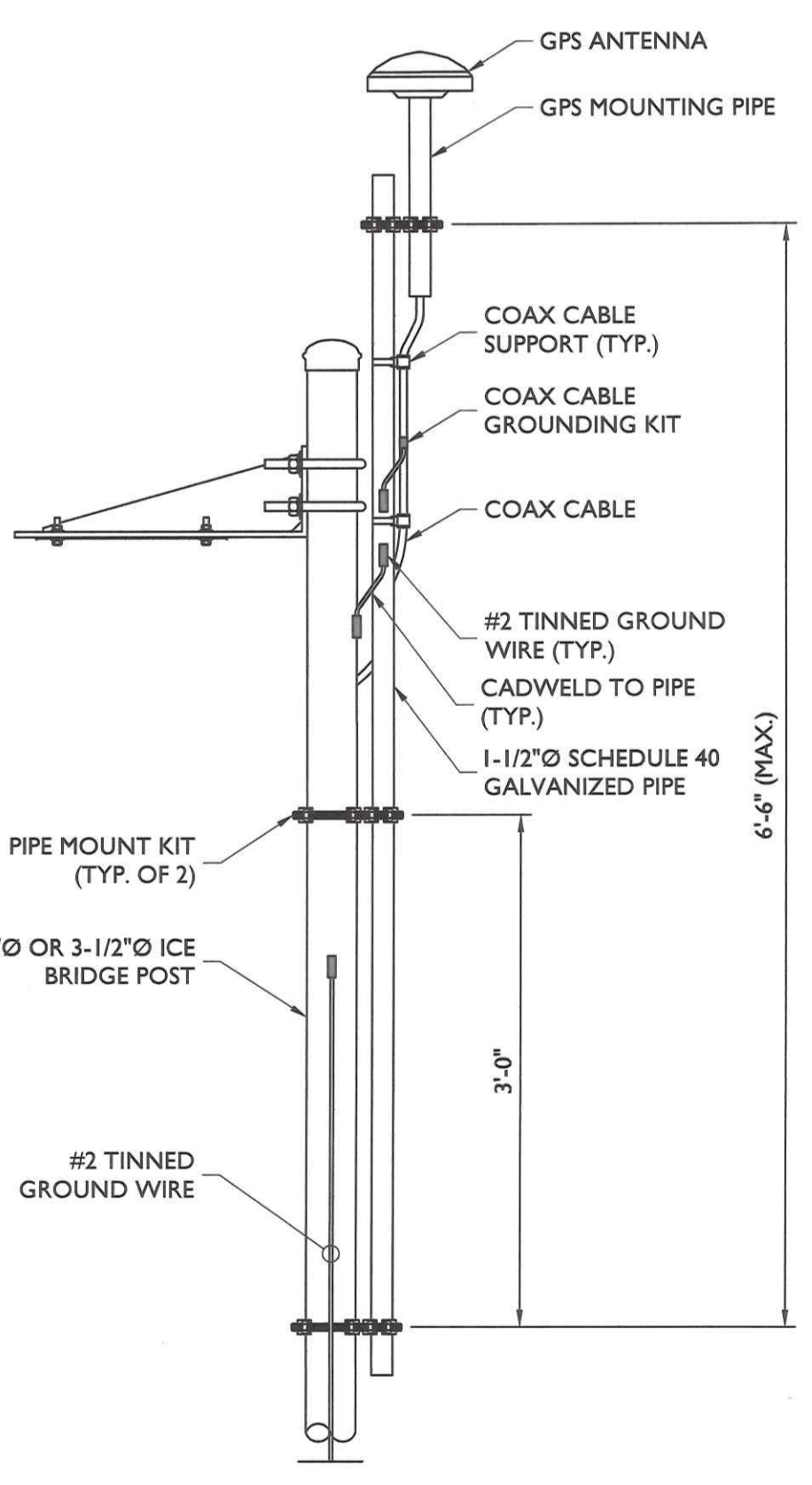
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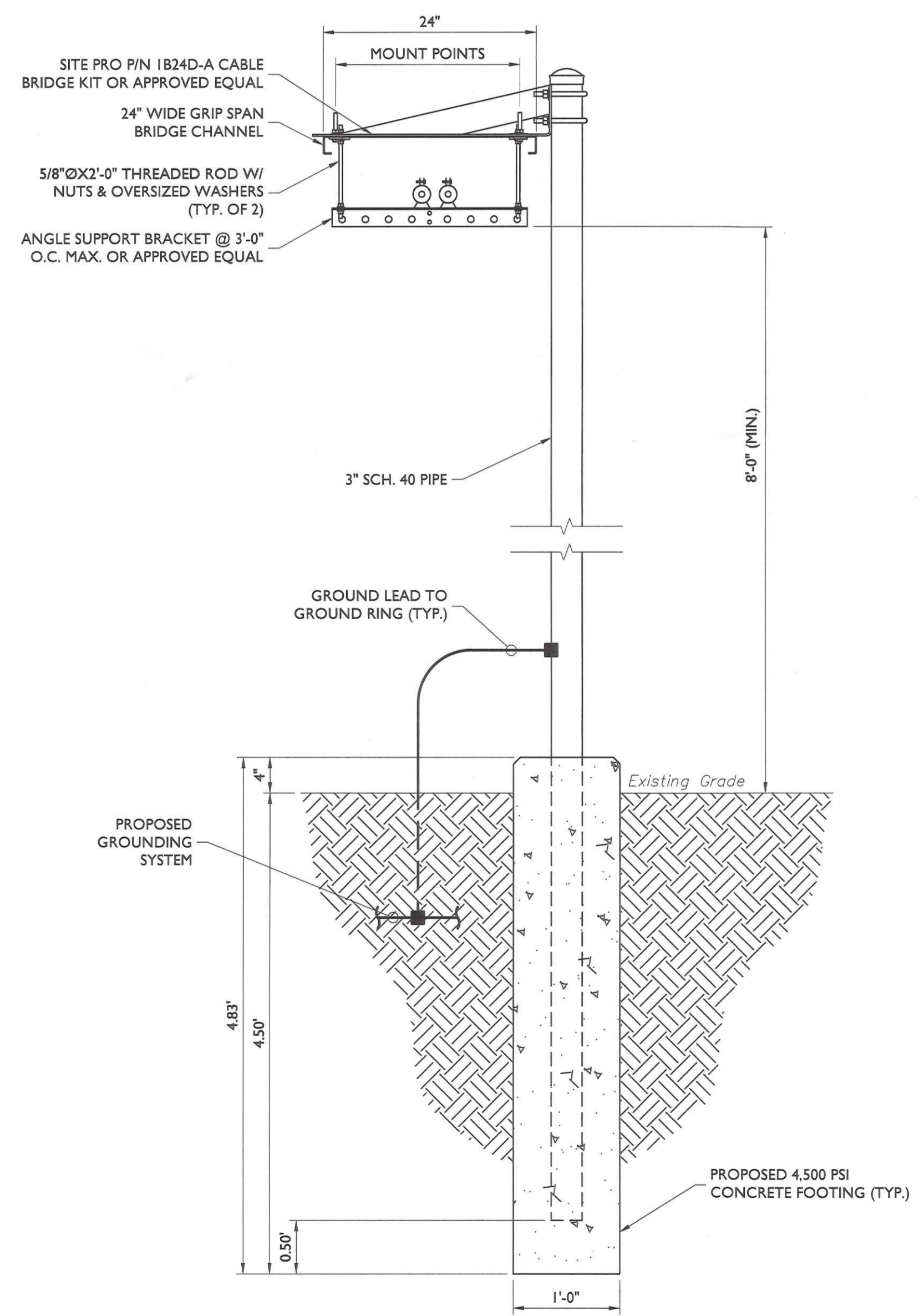
CHARLES INDUSTRIES RL2000A CUBE
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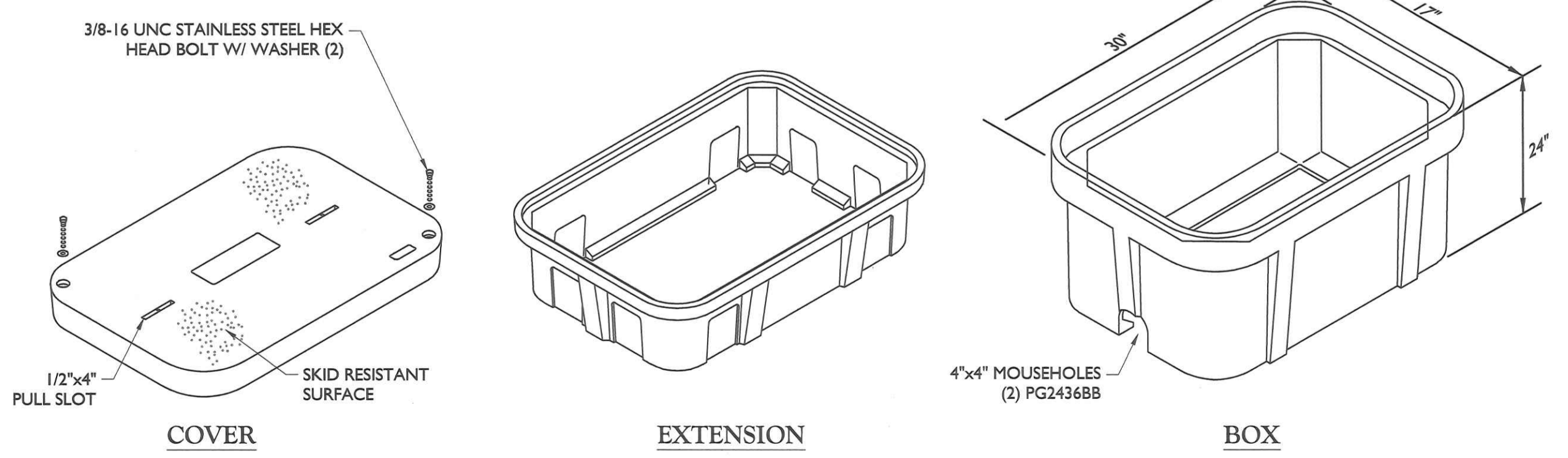
BACKBOARD DETAIL
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GPS MOUNTING DETAIL
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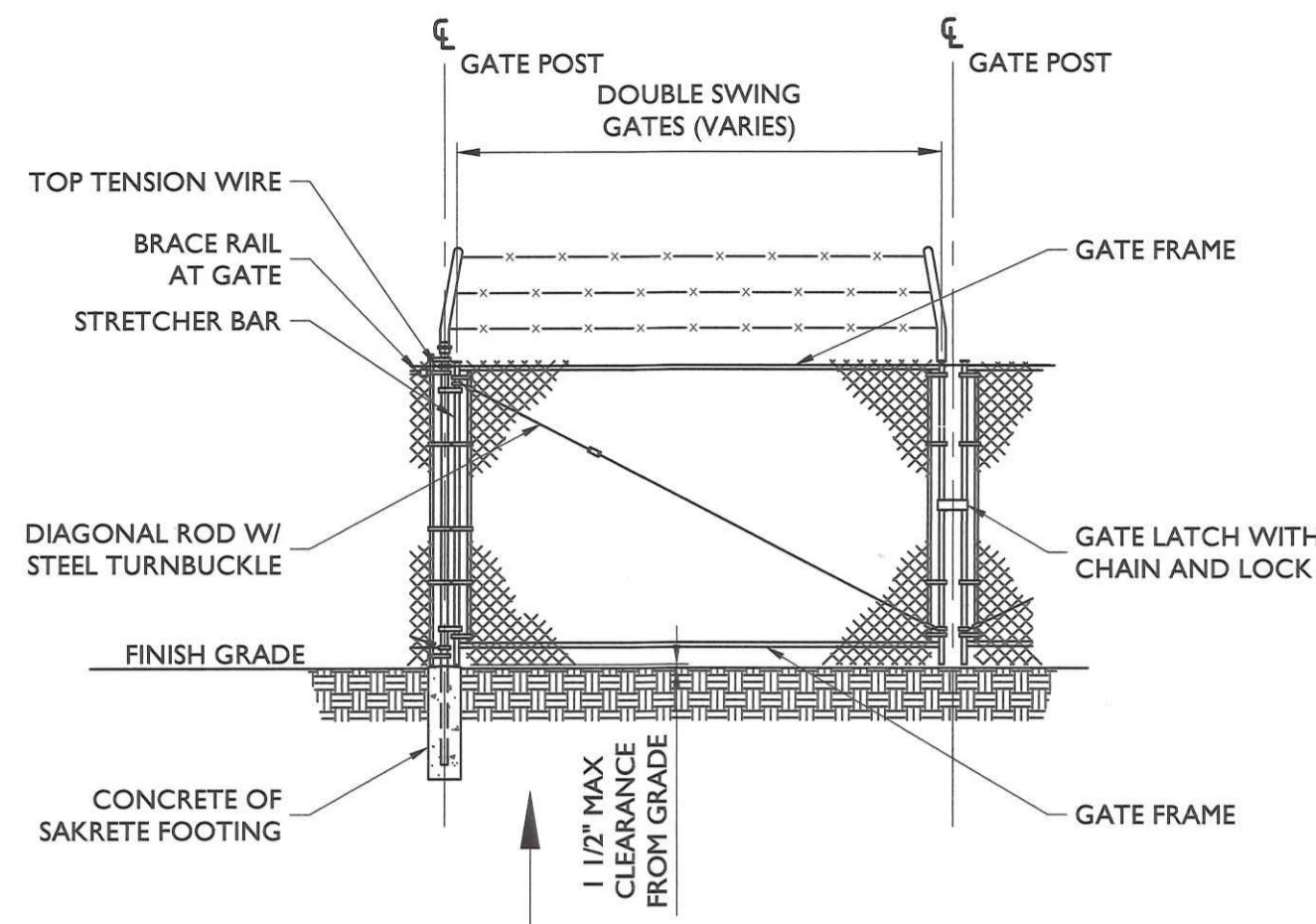


CABLE BRIDGE DETAIL
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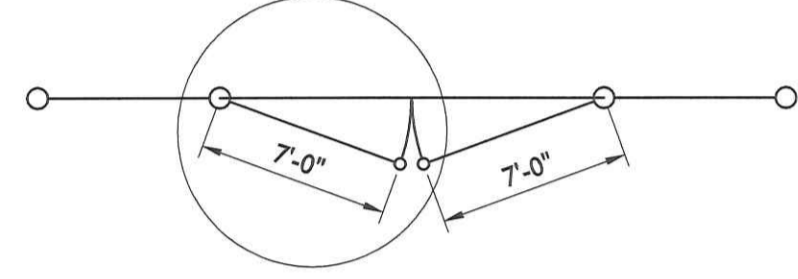


PULL BOX DETAIL
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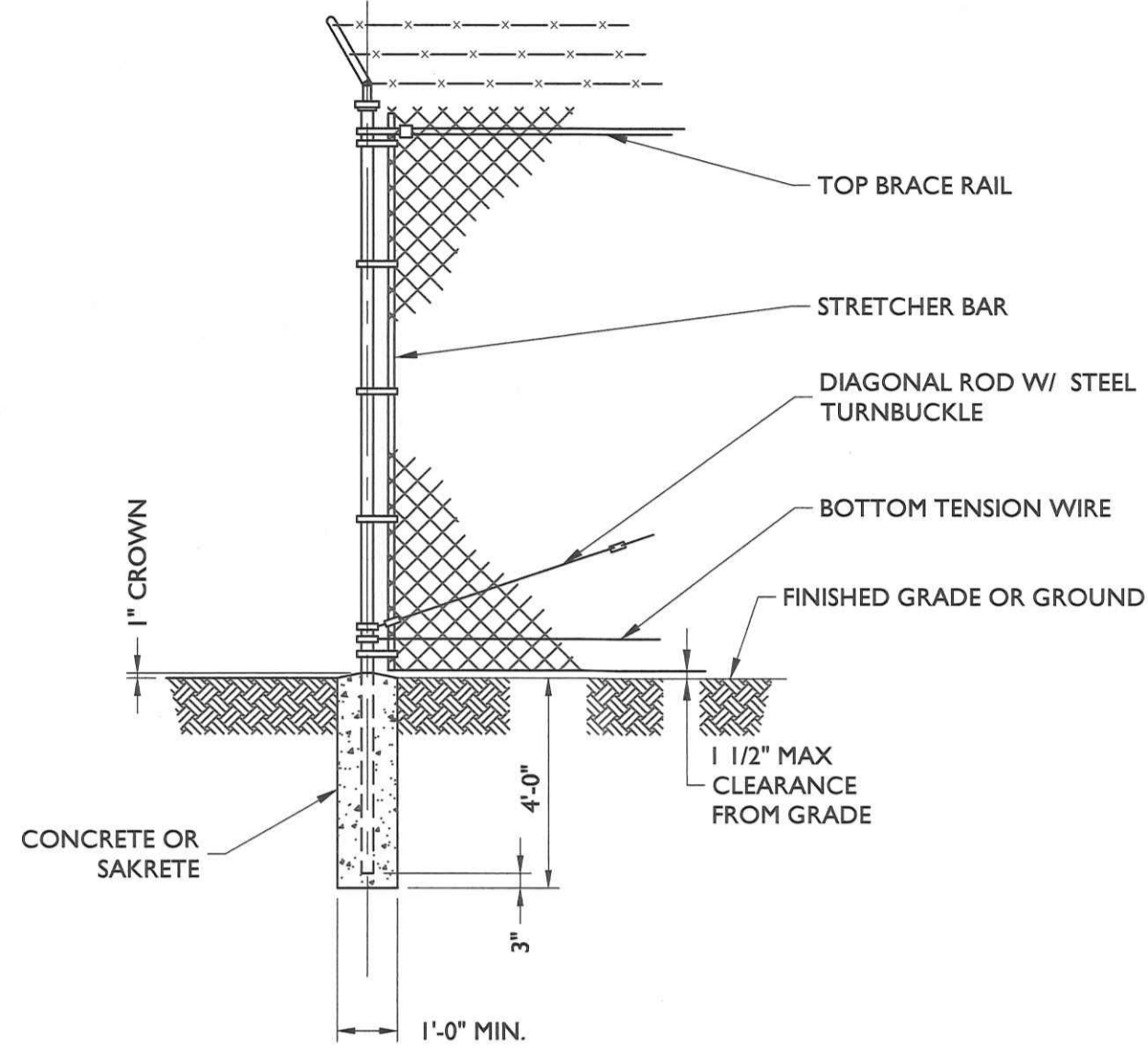


ELEVATION VIEW

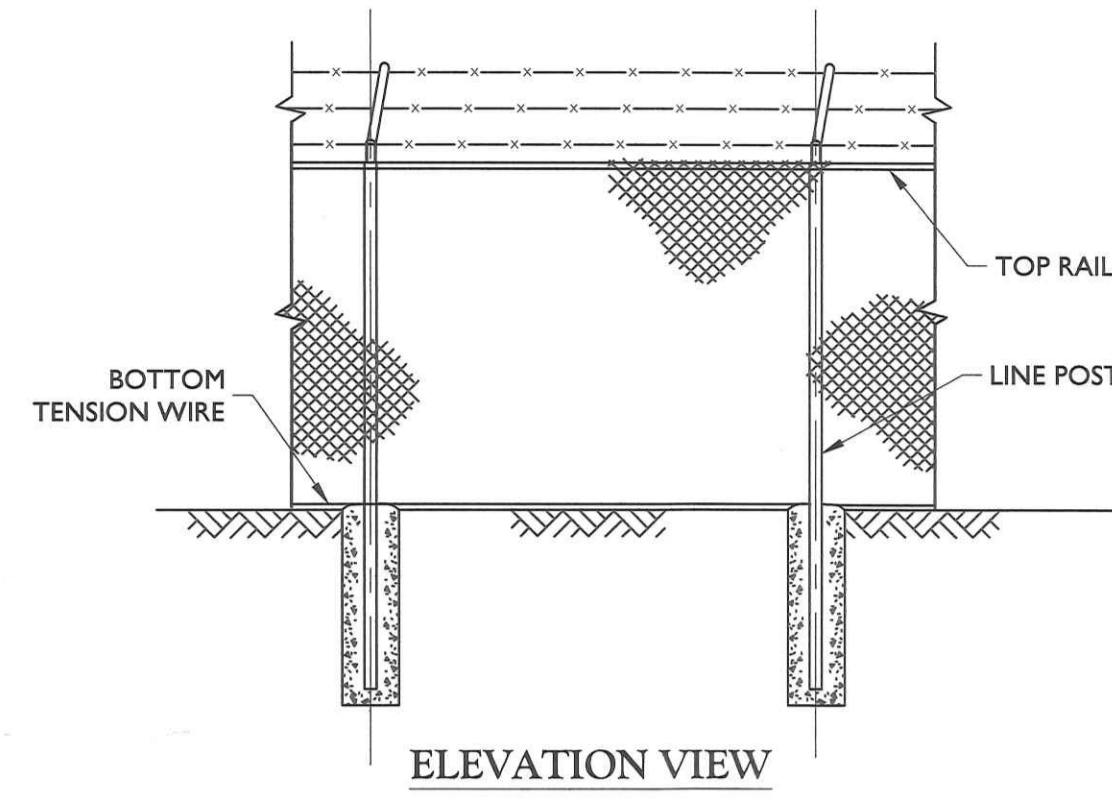


PLAN VIEW

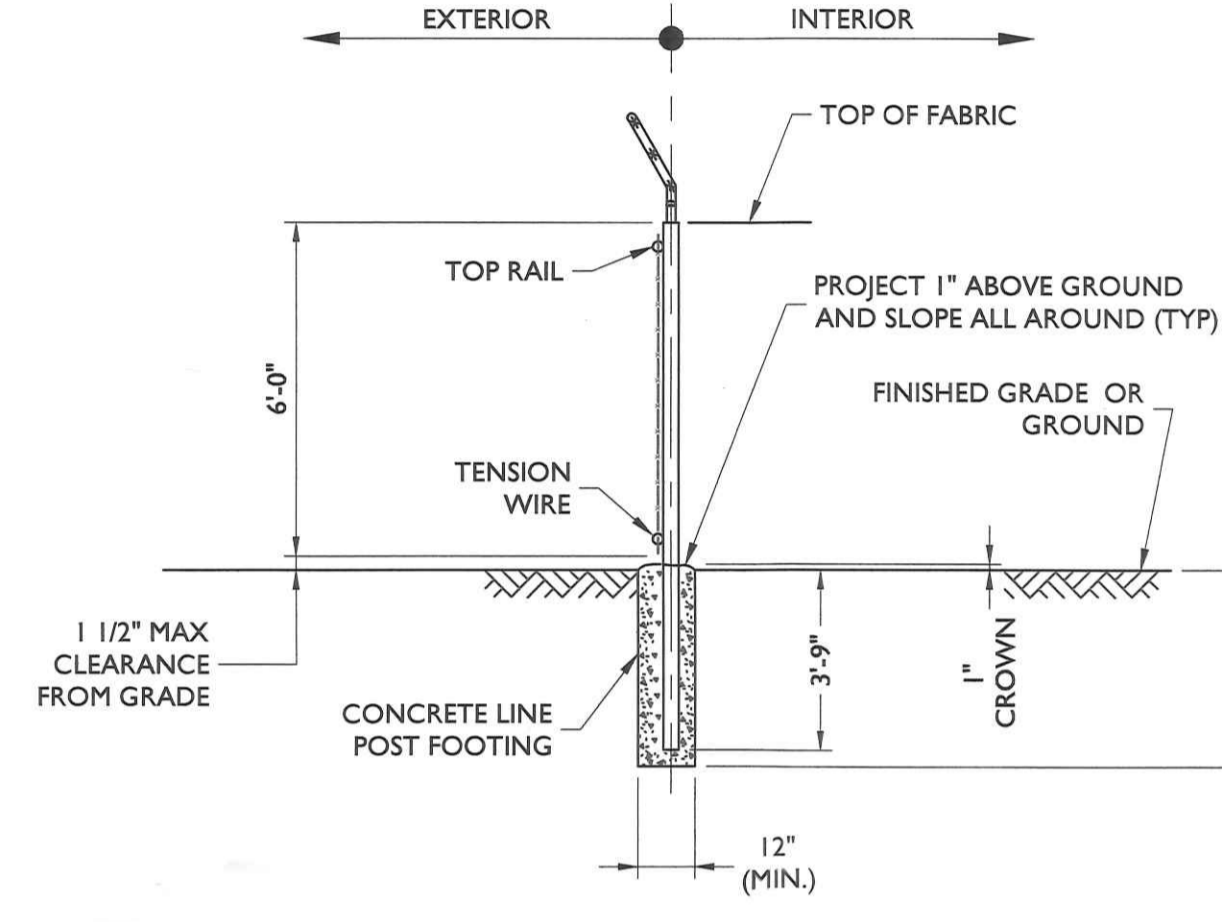
WOVEN WIRE SWING GATE, DOUBLE
NOT TO SCALE



WOVEN WIRE CORNER,
GATE, END, OR PULL POST
NOT TO SCALE



ELEVATION VIEW

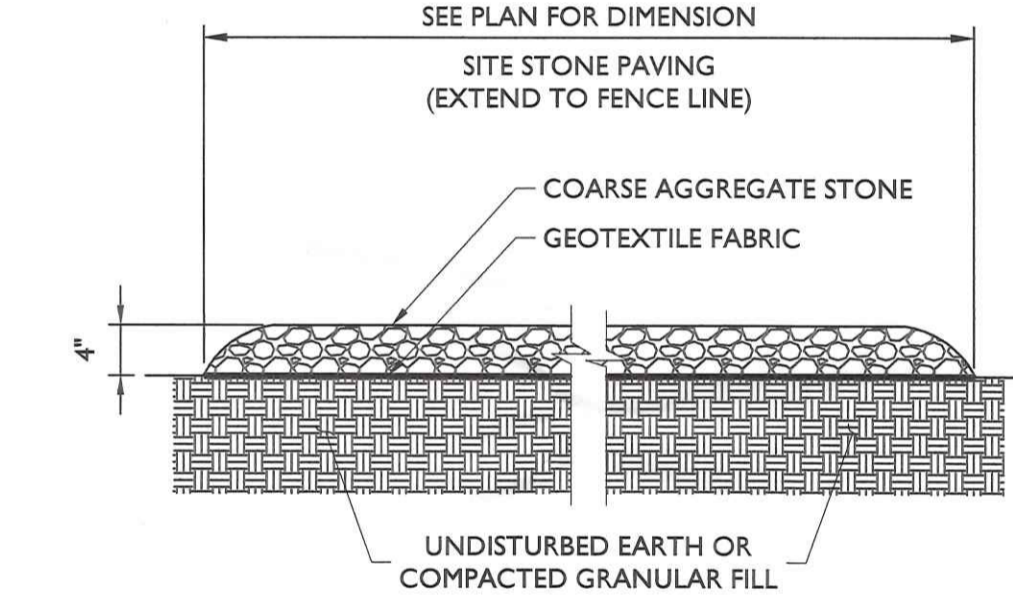


SECTION VIEW

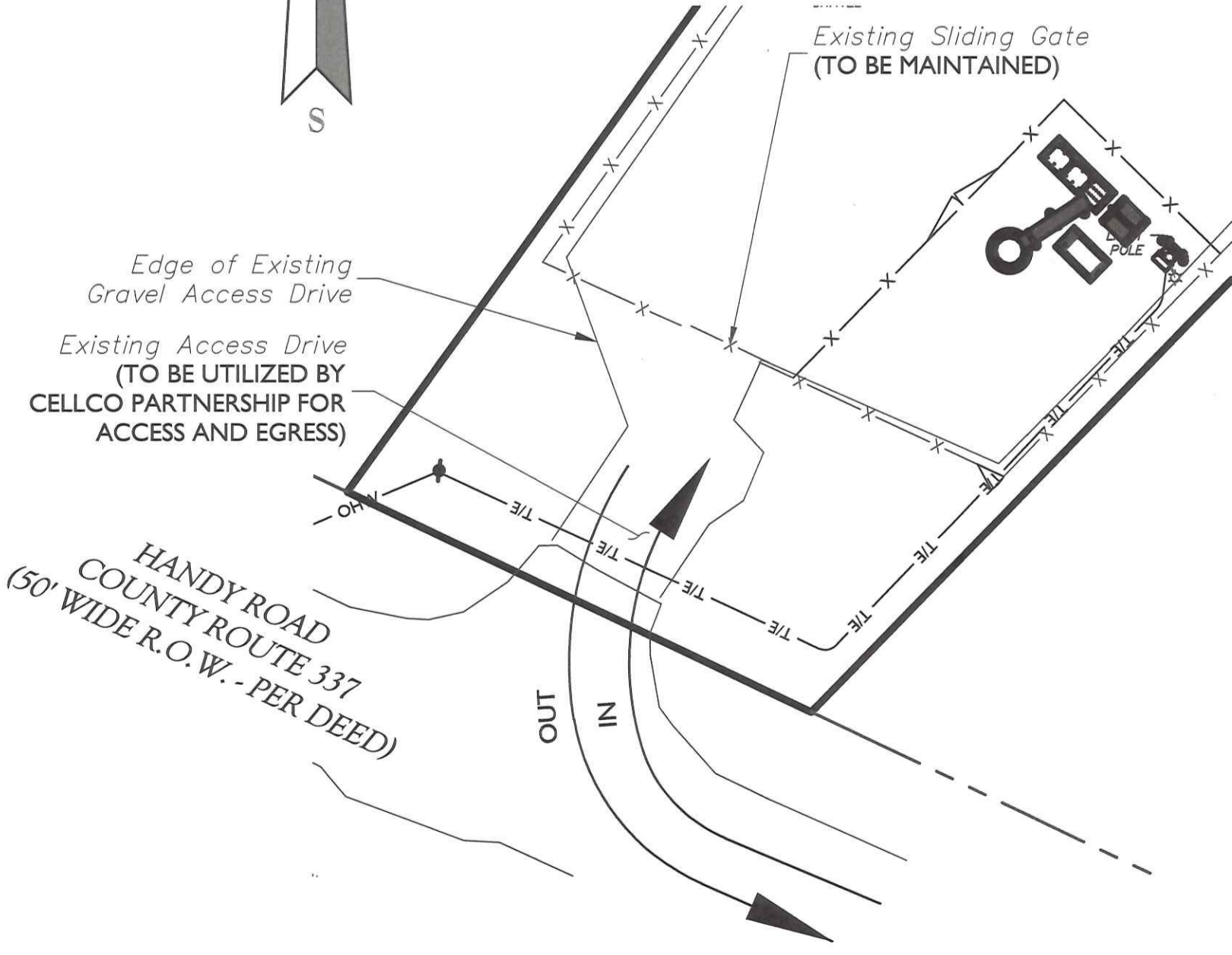
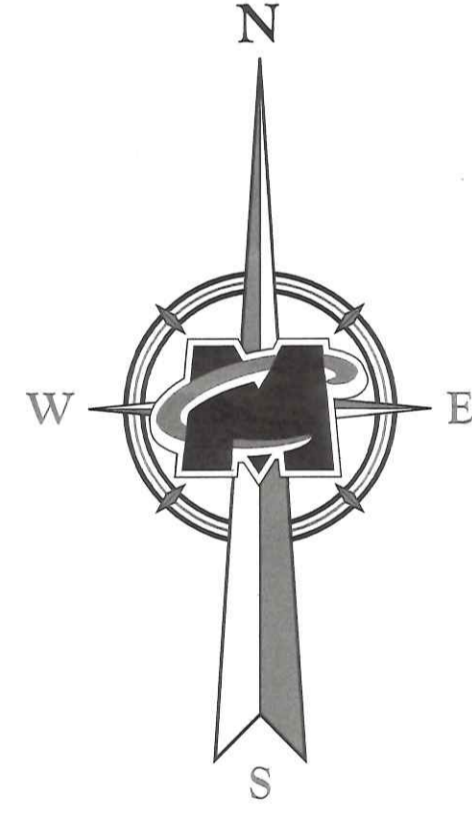
WOVEN WIRE FENCE DETAIL
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FENCE NOTES:

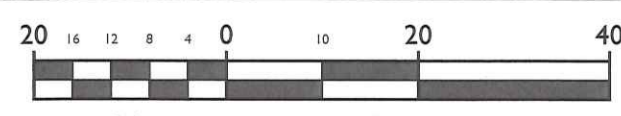
1. GATE POST, CORNER, TERMINAL OR PULL POST SHALL BE 3"Ø SCHEDULE 40 FOR GATE WIDTHS UP THROUGH 7 FEET OR 14 FEET FOR DOUBLE SWING GATE PER ASTM-F1083.
2. LINE POST: 2-3/8"Ø SCHEDULE 40 PIPE PER ASTM-F1083.
3. GATE FRAME: 1 1/2"Ø SCHEDULE 40 PIPE PER ASTM-F1083.
4. TOP RAIL & BRACE RAIL: 1 1/4"Ø SCHEDULE 40 PIPE PER ASTM-F1083.
5. FABRIC: 9 GA. CORE WIRE SIZE 2" MESH, CONFORMING TO ASTM-A392 CLASS 1.
6. TIE WIRE: MINIMUM 11 GA GALVANIZED STEEL INSTALL A SINGLE WRAP TIE WIRE AT POSTS AND RAILS AT MAX. 24" INTERVALS. INSTALL HOG RINGS ON TENSION WIRE AT 24" INTERVALS.
7. TENSION WIRE: 7 GA. GALVANIZED STEEL.
8. BARBED WIRE: 3 STRANDS OF DOUBLE STRANDED 12-1/2 GAUGE TWISTED WIRE, 4 FT. BARBS SPACED ON APPROXIMATELY 5" CENTERS.
9. GATE LATCH: 1-3/8" O.D. PLUNGER ROD W/ MUSHROOM TYPE CATCH AND LOCK.
10. LOCAL ORDINANCE FOR BARBED WIRE PERMIT SHALL GOVERN INSTALLATION.
11. HEIGHT = 6'-0" VERTICAL DIMENSION WITH 1'-0" BARBED WIRE.
12. ALL WORK SHALL CONFORM WITH THE PROJECT SPECIFICATIONS.



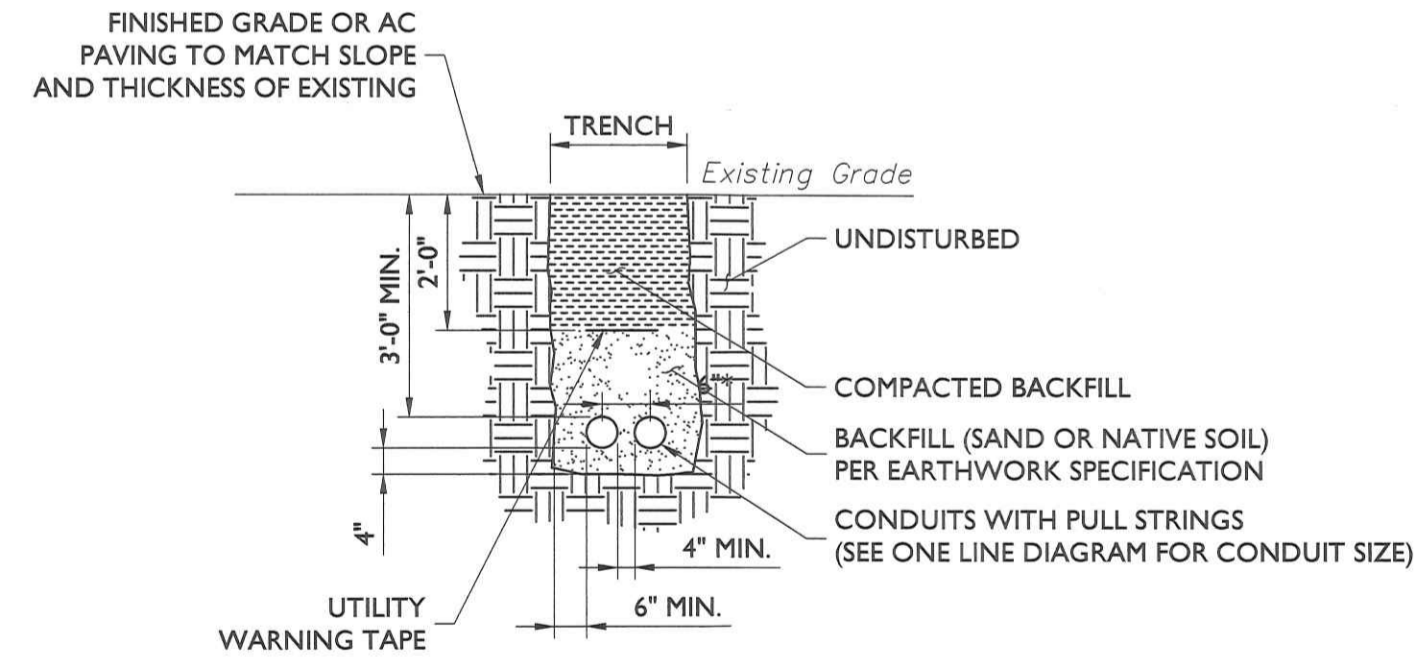
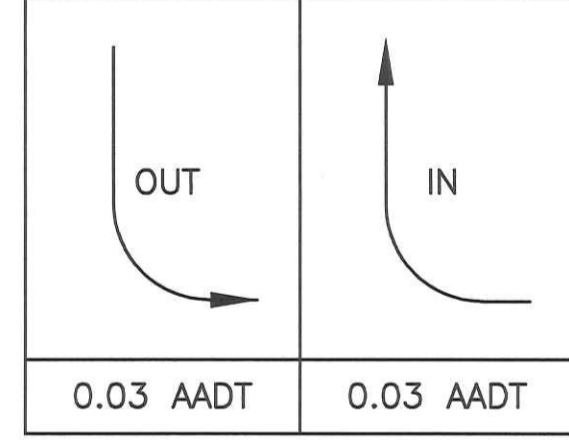
GRAVEL SURFACING
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TRIP GENERATION /
DISTRIBUTION DIAGRAM



SCALE: 1" = 20' FOR 22"X34"
(SCALE: 1" = 40' FOR 11"X17")



UTILITY CONDUIT RUN
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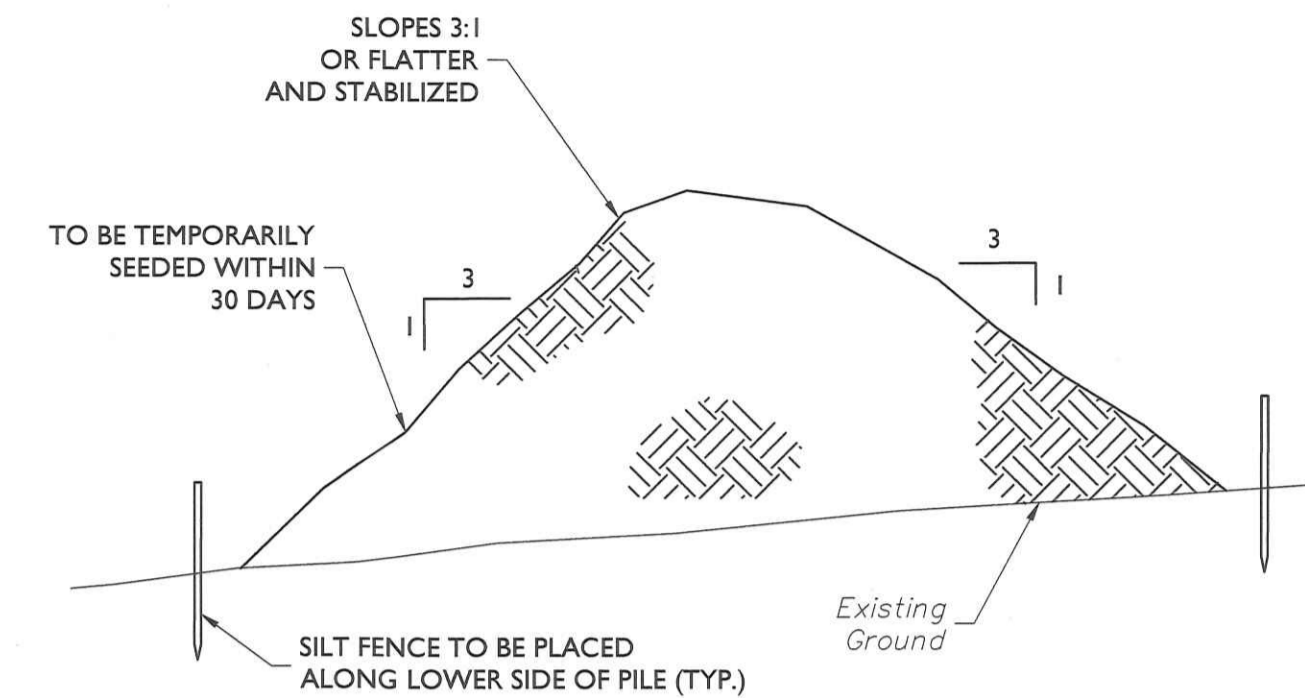
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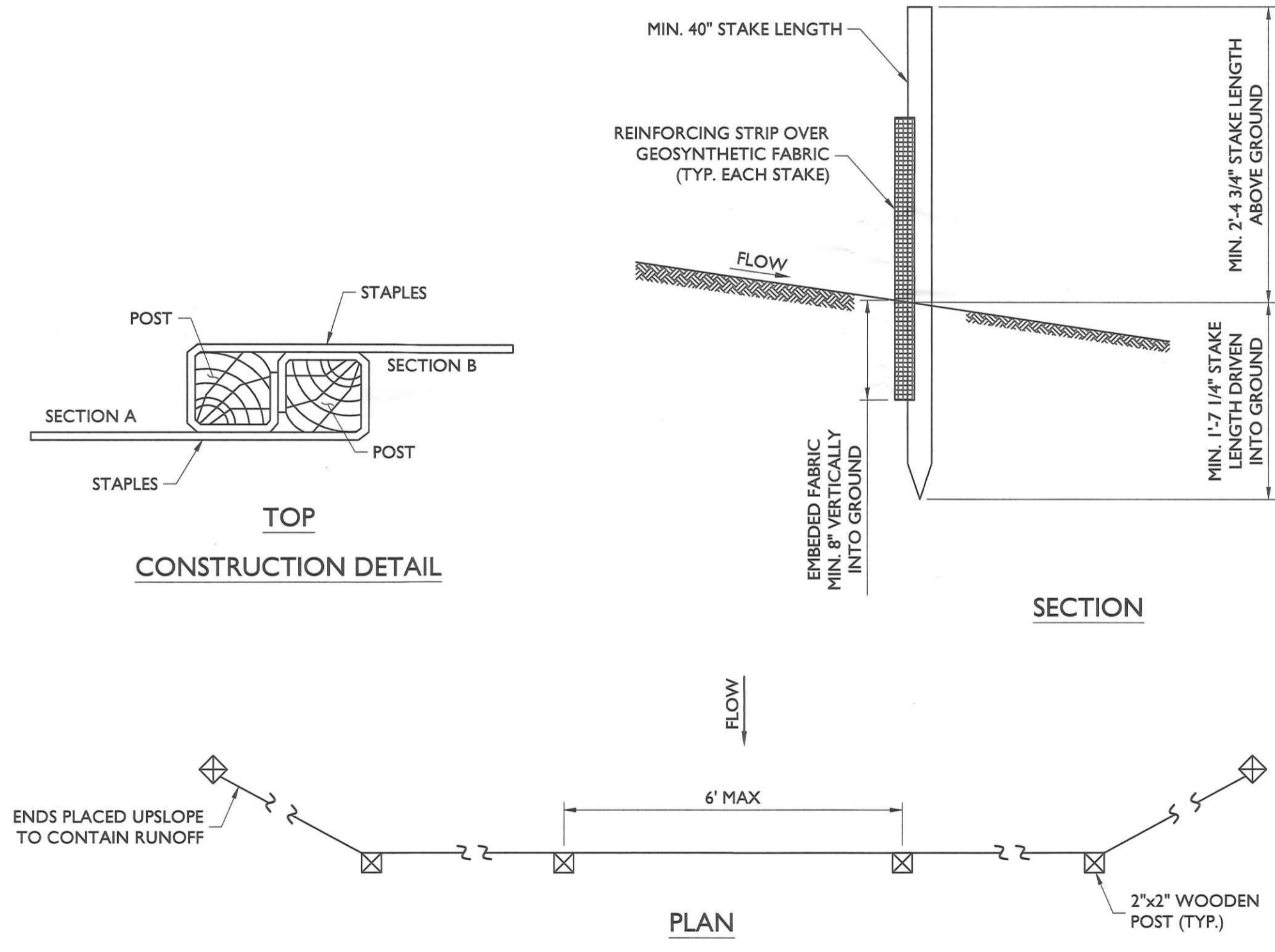
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SHEET TITLE:
CONSTRUCTION DETAILS

SHEET NUMBER:
A-6



TOPSOIL STOCKPILE DETAIL
NOT TO SCALE



- SILT FENCE MATERIALS:**
1. STAKES: STEEL (EITHER T OR U) OR 2" X 2" HARDWARE
 2. GEOSYNTHETIC FABRIC: TYPE GD-1
 3. REINFORCING STRIP: WOODEN LATH, PLASTIC STRIP OR OTHER APPROVED EQUIVALENT
 4. PREFABRICATED UNIT: GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.

- CONSTRUCTION NOTES:**
1. GEOSYNTHETIC FABRIC TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
 2. WHEN TWO (2) SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY SIX (6) INCHES AND FOLDED.
 3. SILT FENCE MUST BE INSPECTED ON A REGULAR BASIS. REPAIRS SHOULD BE MADE IMMEDIATELY. ACCUMULATED SEDIMENT SHOULD BE REMOVED WHEN IT HAS REACHED 1/2 THE EXPOSED HEIGHT OF THE FABRIC OR WHEN "BULGES" DEVELOP IN THE SILT FENCE.

SILT FENCE DETAIL
NOT TO SCALE

SOIL EROSION AND SEDIMENT CONTROL PLAN

PERMANENT SEEDING (3.4.3-9):

- 1. SITE PREPARATION
A. PRIOR TO SEEDING, INSTALL NEEDED EROSION AND SEDIMENT CONTROL PRACTICES...
B. FINAL GRADING AND SHAPING IS NOT NECESSARY FOR TEMPORARY SEEDINGS.
2. SEEDBED PREPARATION
IT IS IMPORTANT TO PREPARE A GOOD SEEDBED TO INSURE THE SUCCESS OF ESTABLISHING VEGETATION...
3. SOIL AMENDMENTS-SOIL AMENDMENTS ARE NOT TYPICALLY REQUIRED FOR TEMPORARY STABILIZATION...
4. SEEDING
A. SELECT A MIXTURE FROM FIGURE 3.4.3.2a
B. APPLY SEED UNIFORMLY WITH A BROADCAST SEEDER, DRILL, CULTIPACKER SEEDER OR HYDROSEEDER...
5. MULCHING
ALL MULCHING SHALL BE DONE IN ACCORDANCE WITH SECTION 3.4.5

- D. SEED THAT HAS BEEN BROADCAST MUST BE COVERED BY RAKING OR DRAGGING AND THEN LIGHTLY TAMPED INTO PLACE...
5. MULCHING
ALL MULCHING SHALL BE DONE IN ACCORDANCE WITH SECTION 3.4.5
6. IRRIGATION
A. ADEQUATE MOISTURE IS ESSENTIAL FOR SEED GERMINATION AND PLANT GROWTH...
B. IRRIGATION MUST BE CAREFULLY CONTROLLED TO PREVENT RUNOFF AND SUBSEQUENT EROSION...
7. MAINTENANCE
A. IT TAKES ON FULL YEAR TO ESTABLISH PERMANENT VEGETATION FROM THE TIME OF PLANTING...
B. MAINTENANCE FERTILIZATION RATES SHOULD BE ESTABLISHED BY SOIL TEST RECOMMENDATIONS...
8. SPECIAL CONDITIONS
UNDER CERTAIN SITE CONDITIONS, ALTERNATIVE VEGETATIVE STABILIZATION TECHNIQUES ARE NECESSARY...

*"PRODUCT" IS THE SPECIES OR TYPE OF SEED THAT WAS TESTED.
*"LOT" REFERS TO THE SPECIFIC LOT OF SEED TESTED, PROVIDING A TRACKING OF THE VARIETIES, PRODUCTION FIELD AND COMPONENTS IN THE BAG.
*"% PURITY" IS THE NUMBER OF SEEDS OF A SPECIES/VARIETY, EXPRESS AS PERCENTAGES OF THE WHOLE FOUND IN THE MIX...

SUSSEX CONSERVATION DISTRICT GENERAL NOTES:

- 1. THE DNREC, SEDIMENT AND STORMWATER PROGRAM (OR DELEGATED AGENCY) MUST BE NOTIFIED IN WRITING FIVE (5) DAYS PRIOR TO COMMENCING WITH CONSTRUCTION...
2. REVIEW AND OR APPROVAL OF THE SEDIMENT AND STORMWATER MANAGEMENT PLAN SHALL NOT RELIEVE THE CONTRACTOR FROM HIS OR HER RESPONSIBILITIES...
3. IF THE APPROVED PLAN NEEDS TO BE MODIFIED, ADDITIONAL SEDIMENT AND STORMWATER CONTROL MEASURES MAY BE REQUIRED AS DEEMED NECESSARY...
4. FOLLOWING SOIL DISTURBANCE OR REDISTURBANCE, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED FOR ALL PERIMETER SEDIMENT CONTROLS...
5. ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL COMPLY WITH THE DELAWARE EROSION AND SEDIMENT CONTROL HANDBOOK, LATEST EDITION.

Table with 5 columns: Seeding Mixtures, Seeding Rate, Optimum Seeding Dates, and Remarks. Rows include various seed types like Tall Fescue, Kentucky Bluegrass, and Ryegrass with their respective rates and planting dates.

TEMPORARY SEEDING BY RATES, DEPTHS AND DATES. Table with 5 columns: Mix #, Species, Seeding Rate, Optimum Seeding Dates, and Planting Depth. Rows include Barley, Oats, Rye, Perennial Ryegrass, Annual Ryegrass, Winter Wheat, Foxtail Millet, and Pearl Millet.

Table with 5 columns: Seeding Mixtures, Seeding Rate, Optimum Seeding Dates, and Remarks. Rows include Poorly Drained Soils, Residential Lawns, and various fescue and bluegrass blends.

SEQUENCE OF CONSTRUCTION:

- EACH STAGE OF THE SEQUENCE OF CONSTRUCTION MUST BE COMPLETED PRIOR TO THE INITIATION OF THE NEXT STAGE OF CONSTRUCTION.
DESCRIPTION
INSTALL STABILIZED CONSTRUCTION ENTRANCE, INSTALL PERIMETER SILT FENCE. TIME FRAME 4 DAYS
CLEAR AND GRUB SITE, REMOVE EXCESS TOPSOIL FROM SITE AND STOCKPILE. REMAINDER OF TOPSOIL REQUIRED FOR RE-USE ON SITE. TIME FRAME 2 DAYS
PERFORM ROUGH GRADING OF COMPOUND AREA AND ACCESS ROAD, REESTABLISH STABILIZED CONSTRUCTION ENTRANCE AS REQUIRED TO MATCH PRE-EXISTING CONDITION IMMEDIATELY FOLLOWING GRADING OF ACCESS DRIVE. TIME FRAME 5 DAYS
INSTALL UNDERGROUND UTILITIES, CONCRETE PADS AND APPROPRIATE SEDIMENT CONTROLS AS INSTALLATION PROGRESSES. TIME FRAME 10 DAYS

SEDIMENT CONTROL NOTES:

- 1. A COPY OF THE APPROVED SOIL EROSION AND SEDIMENTATION CONTROL PLAN SHALL BE AVAILABLE AT ALL AL TIMES.
2. TEMPORARY STABILIZATION (SEEDING AND MULCHING) OF THE SITE SHALL BE PERFORMED IMMEDIATELY AFTER COMPLETION OF ROUGH GRADING.
3. THE CONTRACTOR SHALL INSPECT THE SITE AT THE END OF EACH DAY TO ENSURE THAT NO DISTURBED SOIL EXISTS ON THE SITE AND THAT NO SOIL/MUD IS BEING TRACKED OFF THE SITE AND ONTO ANY ADJACENT ROADWAY.
4. REFER TO DELAWARE EROSION & SEDIMENT CONTROL HANDBOOK REGARDING APPLICABLE DESIGN GUIDELINES SOIL EROSION AND SEDIMENTATION CONTROL.

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BUILDING 2, FLOOR 3
BLUE BELL, PA 19422

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Table with 4 columns: SCALE, JOB NUMBER, AS SHOWN, 19660044A

MICHAEL P. CLEARY
LICENSE
NOV 19205
ENGINEER
CIVIL ENGINEER

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF THE RESPONSIBLE LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SITE NAME:
DOV DECK
28862 DUPONT BOULEVARD
MILLSBORO, DE 19666
SUSSEX COUNTY

MT. LAUREL OFFICE
2000 Midland Drive
Suite 100
Mount Laurel, NJ 08054
Phone: 856.797.0412
Fax: 856.722.1120

SHEET TITLE:
CONSTRUCTION DETAILS
SHEET NUMBER:
A-7

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 # 12460
Hearing Date Aug 3
202005105

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:

Broadkill Beach, 502 Bay Front Road, Milton, Delaware 19968

Variance/Special Use Exception/Appeal Requested:

Administrative Variance requested to allow a one story bay to project into the east building setback by 1'-0".

Tax Map #: 235-4.17-28.00 & 29

Property Zoning: GR

Applicant Information

Applicant Name: Scott Hutton

Applicant Address: 835 Penn Street

City Bryn Mawr State PA Zip: 19010

Applicant Phone #: (610) 955-2045 Applicant e-mail: scott@smithhutton.com

Owner Information

Owner Name: Scott A Hutton & John A Randolph

Owner Address: 835 Penn Street

City Bryn Mawr State PA Zip: 19010 Purchase Date: 11/17/08

Owner Phone #: (610) 955-2045 Owner e-mail: scott@smithhutton.com

Agent/Attorney Information

Agent/Attorney Name: N/A

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

RECEIVED

Date: 4/15/20

MAY 11 2020

SUSSEX COUNTY
PLANNING & ZONING



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 is less than 10,000 square feet and is bisected by the DNREC Dune line, which reduces the usable area of the property by over 60% to the area immediately fronting Bay Front 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.

The structure has been design to comply with the building setbacks on the north and west side, allowing for space for the septic system on the south side. The east side of the structure is set by the DNREC Dune Building line.

3. Not created by the applicant:

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

DNREC building restrictions have reduced the buildable area of the property by over 60%, greatly limiting the buildable area.

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

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

The building has been designed using historical coastal design references to enhance the character of the neighborhood.

5. Minimum variance:

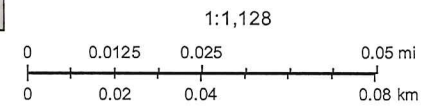
That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

The requested variance is limited to an 18'-6" long one story tall bay projecting 1'-0" into the east (front) setback at the first elevated level. The requested variance has been minimized to allow for administrative review.



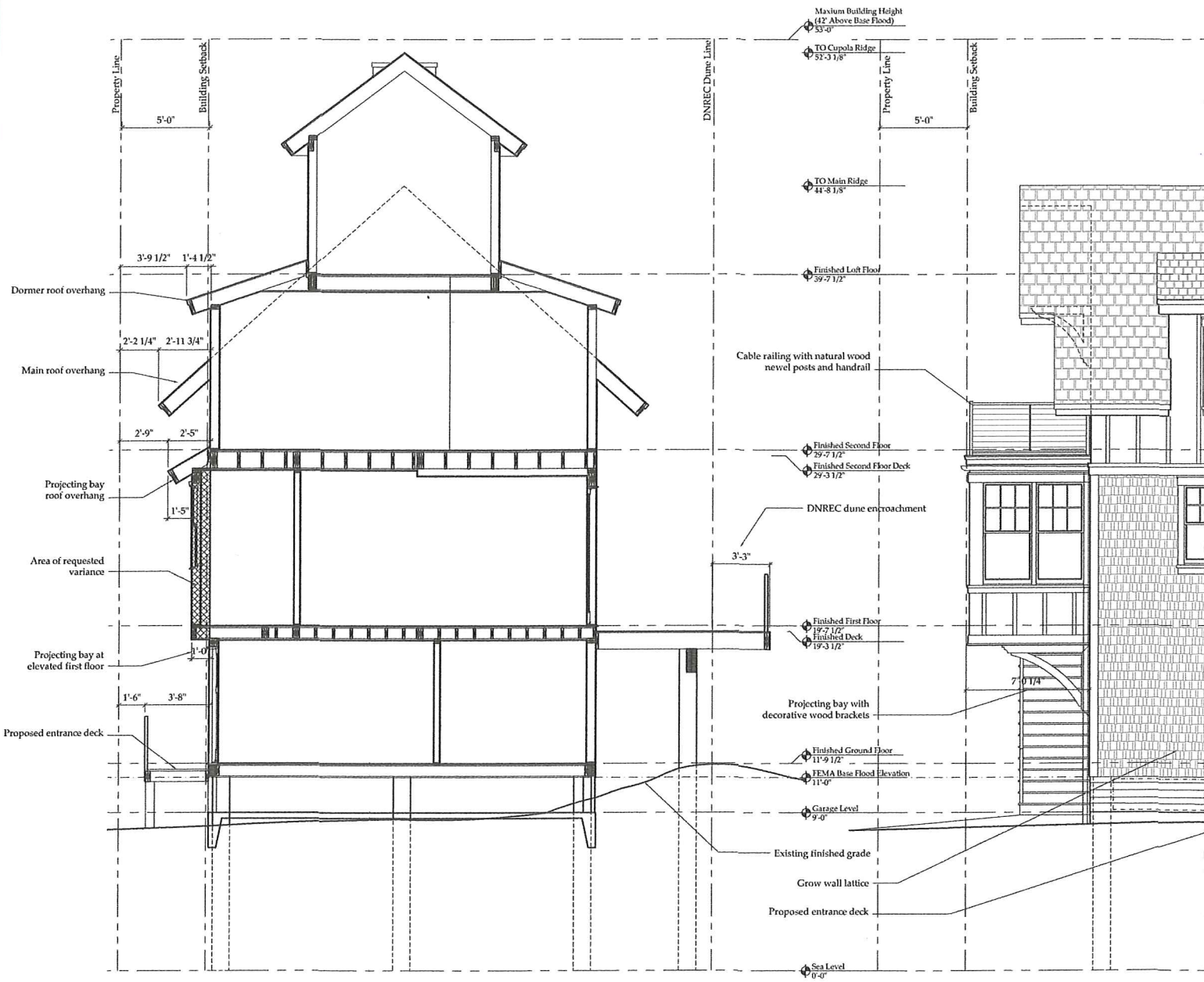
PIN:	235-4.17-28.00
Owner Name	HUTTON SCOTT A JOHN A RANDOLPH
Book	3638
Mailing Address	835 PENN ST
City	BRYN MAWR
State	PA
Description	BROADKILL BEACH
Description 2	BROADKILN BEACH
Description 3	LOT 23 LOT 24 T1145
Land Code	

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



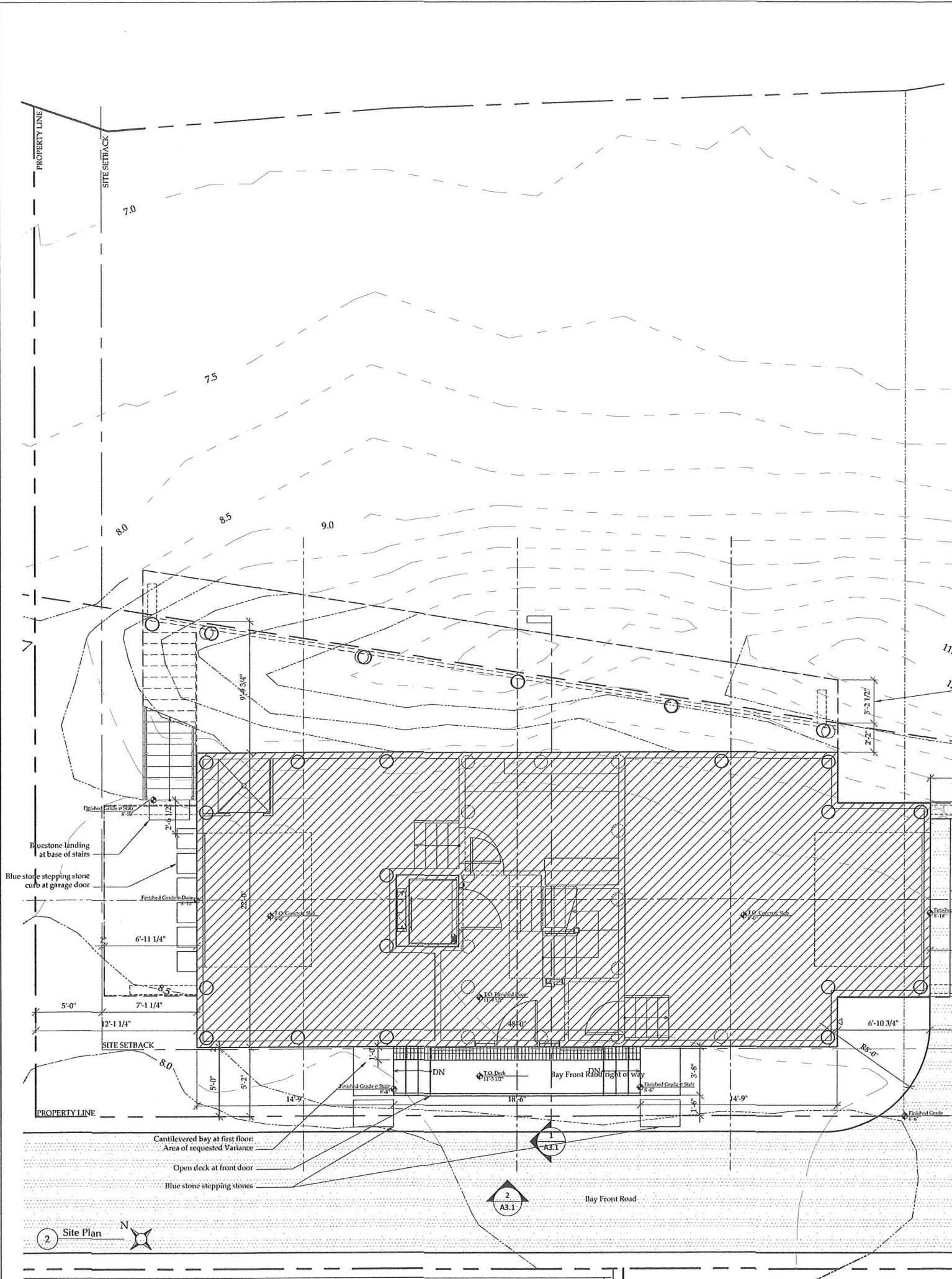




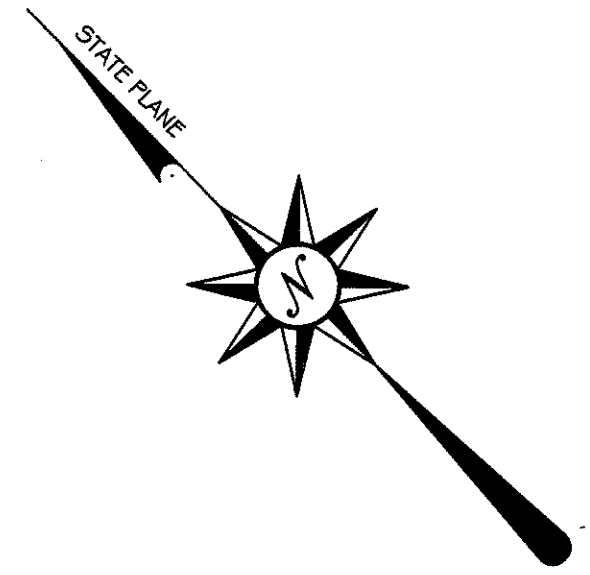


2 South-West Elevation

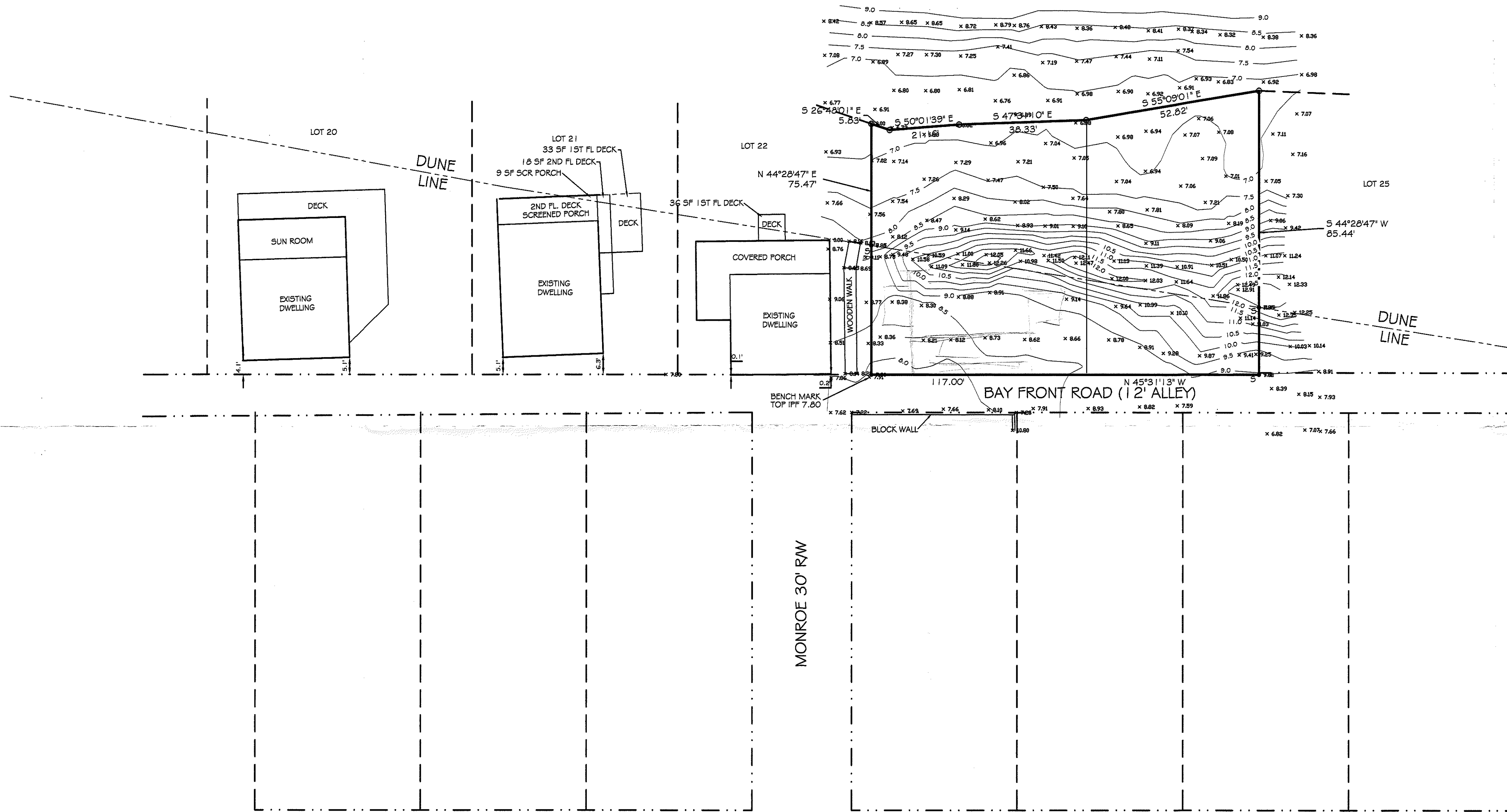
2 South-West Elevation



2 Site Plan



VE 20NS = 11'-0"



BUILDING SETBACK RESTRICTIONS:
 FRONT: 3.45' (AVERAGE SETBACK OF 3 HOMES ON NORTHSIDE)
 SIDES: 5' (REDUCED FOR LOT UNDER 10,000 SQ. FT.)
 REAR: DUNE LINE WITH AVERAGE ALLOWANCE
 LIVING AREA: 0 SQ. FT.
 SCREENED PORCH: 3 SQ. FT.
 DECK: 29 SQ. FT.

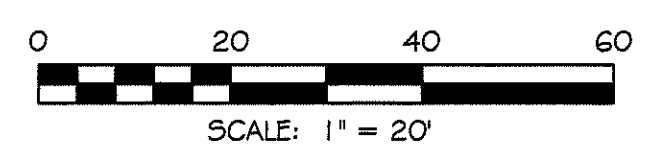
ELEVATIONS SHOWN ARE IN NAVD 88 DATUM

AREA: 9,110 SQ. FT.

REAR PROPERTY LINE IS APPROXIMATE MEAN HIGH WATER LINE LOCATION

BAY SHORE DRIVE

- MONUMENTATION**
- IRON PIPE (FOUND)
 - IRON PIPE (SET)
 - POINT



OTHER THAN SHOWN, THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY. NO TITLE SEARCH PROVIDED OR STIPULATED.

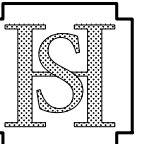
I, DONALD K. MILLER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES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

Donald K. Miller
 DONALD K. MILLER, FLS 407
 10/28/19
 DATE

DATE	REVISION

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

	HUNDRED	COUNTY
	BROADKILL	SUSSEX
	STATE	DRAWN BY
	DELAWARE	D.K. MILLER
REF.	FILE NO.	
DB 3638-251	SMITH HUTTON	
	2-35-4.17-28	
OCTOBER 20, 2019		



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Broadkill Residence
502 Bay Front Road,
Milton DE 19968

Board of Adjustment
Presentation
Variance for front yard setback for
front and decorative bay window

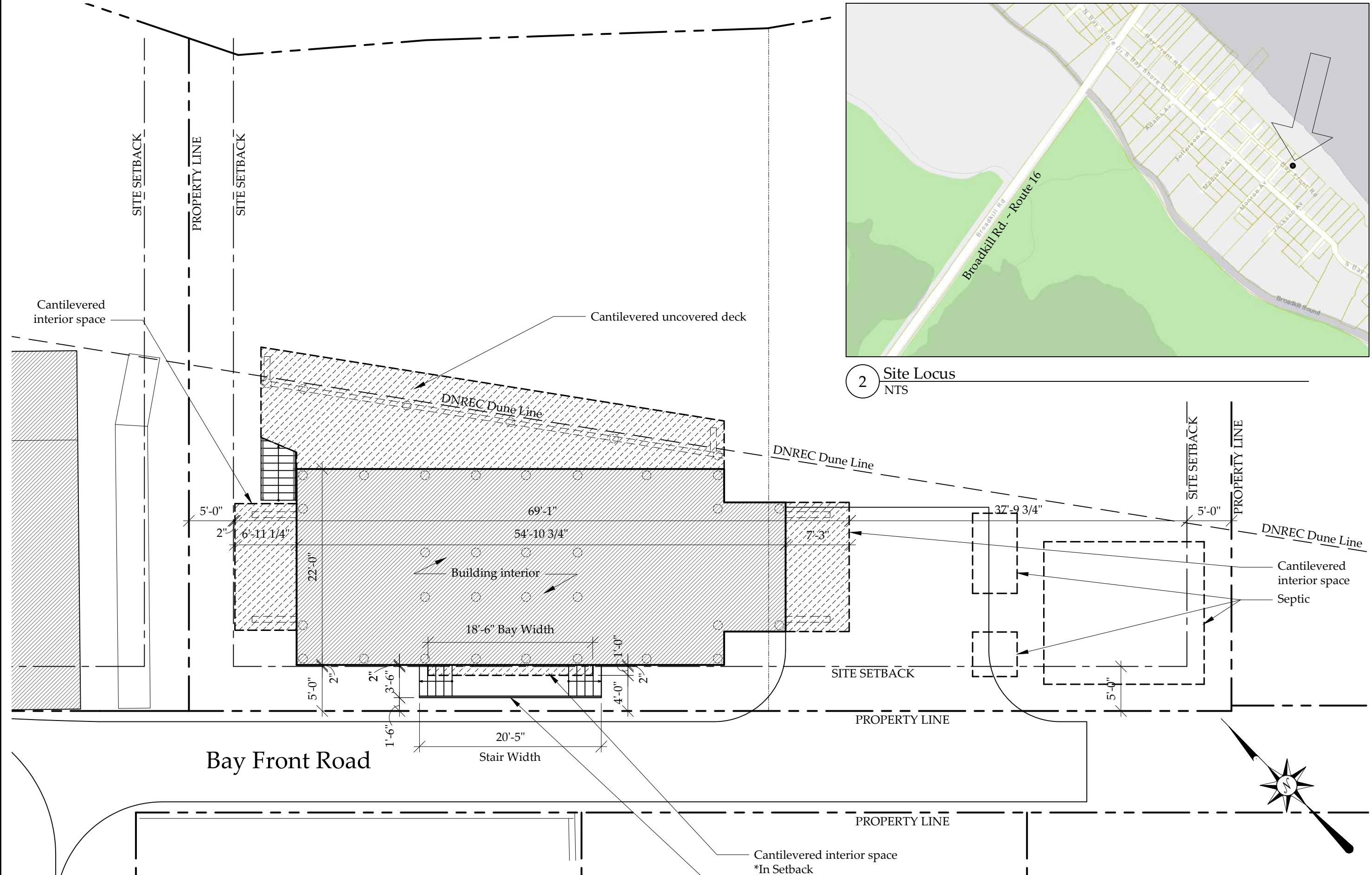
Sheet 1

Issue Date:
7/14/20

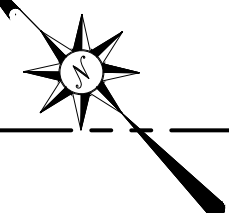
Zoning-1



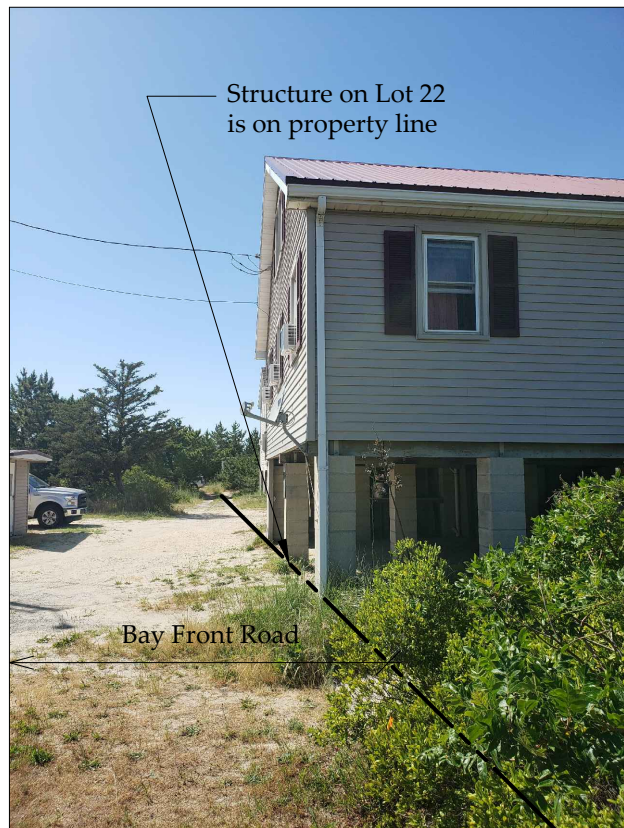
2 Site Locus
NTS



1 Site Plan
1" = 10'-0"



Cantilevered interior space
*In Setback
Entry stairs



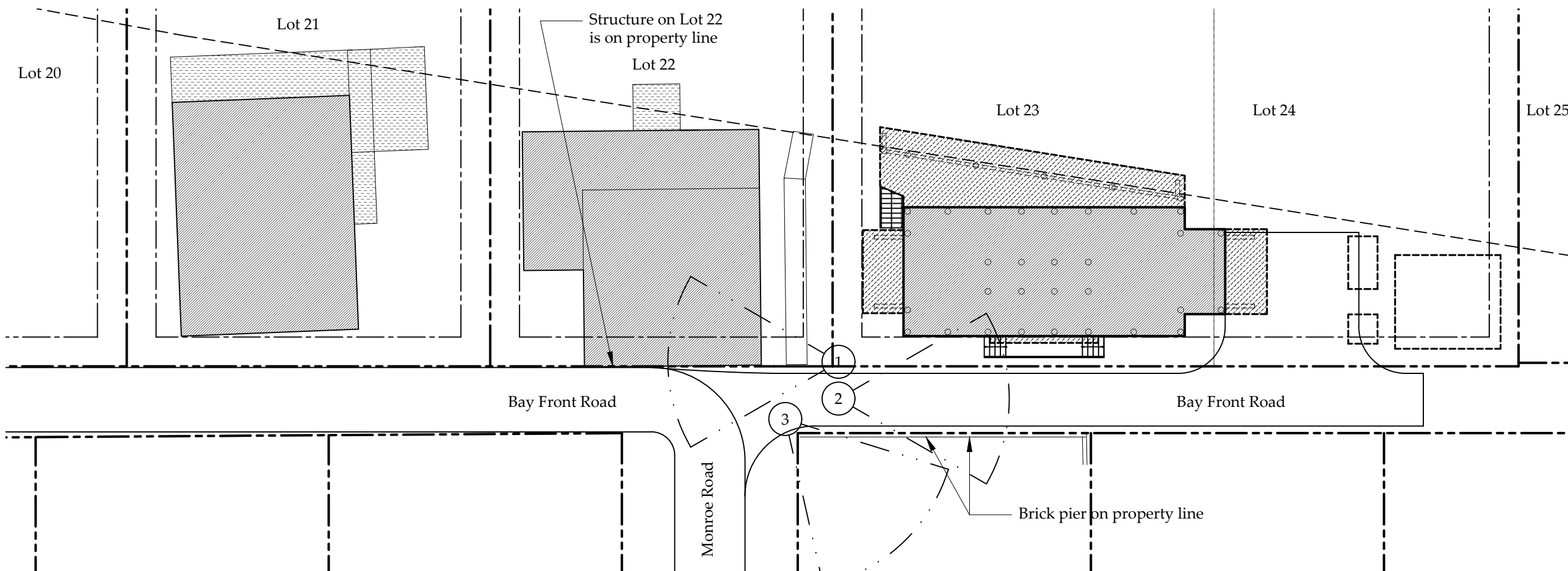
1 Lot 22, Looking Northwest
NTS



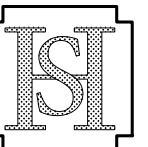
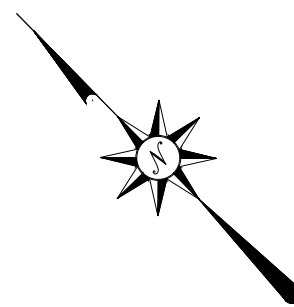
2 Bay Front Road, Looking Southeast
NTS



3 Bay Front Road, Looking South
NTS



4 Site Context
1"=20'-0"



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Broadkill Residence
502 Bay Front Road,
Milton DE 19968

Board of Adjustment
Presentation
Variance for front yard setback for
front and decorative bay window

Sheet 2

Issue Date:
7/14/20

Zoning-2



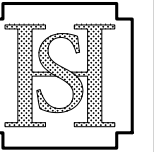
1 Rendering of Proposed Structure, looking East
NTS



2 Historical Inspiration: Indian River Life Saving Station
NTS



3 Historical Inspiration: Dewey Beach Life Saving Station
NTS



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Board of Adjustment
Presentation
Variance for front yard setback for
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Sheet 3

Issue Date:
7/14/20

Zoning-3