

BOARD OF ADJUSTMENT

ELLEN MAGEE, CHAIR
KEVIN E. CARSON
JEFF CHORMAN
JOHN WILLIAMSON
E. BRENT WORKMAN



Sussex County

DELAWARE
sussexcountype.gov

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

TELECONFERENCE MEETING** REVISED AGENDA

June 1, 2020

6:00 P.M.

PLEASE NOTE – AS PERMITTED BY GUBERNATORIAL AUTHORITY, IN ORDER TO LIMIT THE RISK OF POTENTIAL COVID-19 EXPOSURE, THE PUBLIC SHALL BE DENIED ENTRY TO THE BOARD OF ADJUSTMENT MEETING.¹ THE PUBLIC IS ENCOURAGED TO PARTICIPATE IN THE MEETING ELECTRONICALLY. FURTHER INSTRUCTIONS ARE LISTED AT THE BOTTOM OF THIS AGENDA.

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutes for May 4, 2020

Old Business

Public Hearings

Case No. 12381 – American Legion, Post 28 seeks special use exceptions to place an off-premise signs and an electronic message center off-premise sign (Sections 115-83.6, 115-83.7, 115-159.5, 115-161.1 & 115-210 of the Sussex County Zoning Code). The property is located on the southeast corner of Legion Road and John J. Williams Highway (Rt. 24). 911 Address: N/A. Zoning District: CR-1. Tax Parcel: 234-29.00-263.00

Case No. 12428 – Sun Leisure Point Resort, LLC seeks variances from the separation distance requirement for proposed structures (Section 155-172 of the Sussex County Zoning Code) The property is location on the southwest side of Diplomat Street, approximately 440 ft. southeast of Radie Kay Lane. 911 Address: N/A. Zoning District: AR-1. Tax Parcel: 234-24.00-39.02 and 39.06

Case No. 12429 – Joann Teiken seeks variances from the separation distance requirement between units for proposed structures (Sections 115-42, 115-172 and 115-185 of the Sussex County Zoning Code). The property is located on the north side of Dove Road within the



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

Bayshore manufactured home park. 911 Address: 38015 Dove Road, Ocean View. Zoning District: GR. Tax Parcel: 134-9.00-94.01-13051

Case No. 12430 – Garth & Madeline Troescher request a Special Use Exception to operate a Bed and Breakfast (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the southeast side of Dirickson Creek Road, approximately 0.59 mile east of Millers Neck Road. 911 Address: 37428 Dirickson Creek Road, Frankford. Zoning District: AR-1. Tax Parcel: 134-21.00-20.02

Case No. 12431 – Sarah Peterson seeks a special use exception for a garage studio apartment (Sections 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on the northwest side of Morning Glory Road, approximately 0.33 mile northwest of Portsville Road. 911 Address 8982 Morning Glory Farms Road., Laurel. Zoning District: AR-1. Tax Parcel: 432-3.00-41.06

Case No. 12432 – Barbara Walker seeks a variance from the front yard setback requirement for an existing dwelling (Sections 115-25 and 115-182 of the Sussex County Zoning Code). The property is located on the southwest corner of White Oak Road within the Rehoboth Beach Yacht and Country Club subdivision. 911 Address: 30 White Oak Road, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-19.00-73.00

Case No. 12433 – Donna M. Sulecki & Brenda L. Blackburn seek variances from the front yard setback and side yard setback requirements for existing structures (Sections 115-41, 115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the northeast side of Rose Lane within the Orchard Manor subdivision. 911 Address: 28337 Rose Lane, Millsboro. Zoning District: GR. Tax Parcel: 234-34.08-28.00

~~**Case No. 12454 – Beachfire Brewing Company, LLC** seeks a variance from the number of required parking spaces and a special use exception to permit off street parking. (Sections 115-80, 115-82, 115-162, 115-165 & 115-210 of the Sussex County Zoning Code). The property is located on the northwest corner of Central Avenue and Canal Crossing Road. 911 Address: 19826 Central Avenue, Rehoboth Beach (Off Street Parking 19817 Hebron Road & N/A). Zoning District: C-1. Tax Parcel: 334-13.20-21.00 (Off Street Parking 334-13.20-13.00 & 14.00)~~

Additional Business

Board of Adjustment meetings can be monitored on the internet at
www.sussexcountype.gov



In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on May 22, 2020 at 12:30 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 meeting will be conducted using teleconference technology.**

To join the meeting via phone, please dial:

Conference Number: 800-988-0494

Passcode: 1695792

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

The County will stream this meeting using the same technology it uses for its Chamber Broadcast that can be viewed at <https://sussexcountyde.gov/council-chamber-broadcast>. This stream will broadcast the meeting materials and audio only, the public will not be able to comment or speak using this broadcast. This stream will experience a 30-second delay.

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

Please note - Other than verbal testimony, the Board of Adjustment will not be able to accept the submission of any written comments, documents, materials or photographs during the teleconference meeting. These must be submitted to the office of Planning & Zoning no later than 4:30 p.m on Thursday, May 28, 2020

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ⁱ **These restrictions are being implemented to limit the exposure and risk related to “COVID-19” for County personnel and members of the public who seek to attend the Board of Adjustment Meeting. These decisions are being made under the authority issued by Governor John C. Carney through Proclamation No. 17-3292. See: <https://governor.delaware.gov/proclamation-173292-03132020/>.**

Revised on 5-26-20 to note that Case No. 12454 has been withdrawn by the Applicant.



Case # 12381
Hearing Date 11/18
2019 10888

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)
115-83.6 115-837
115-159.5 115-161.1 115-210

Site Address of Variance/Special Use Exception: _____
JOHN J WILLIAMS HWY

Variance/Special Use Exception/Appeal Requested: _____
Place 2 Billboard signs

Tax Map #: 234-29.00-263.00 Property Zoning: CR-1

Applicant Information

Applicant Name: Legends outdoor - Steve Snyder
Applicant Address: PO BOX 125
City, State, Zip: Olinwood, MD 21738
Applicant Phone #: 410-812-0696 Applicant e-mail: ssnyder@legendsoutdoor.com

Owner Information

Owner Name: American Legion, Post 28
Owner Address: 31768 Legion Road
City, State, Zip: Millersboro, DE 19966 Purchase Date: _____
Owner Phone #: 302-945-1673 Owner e-mail: _____

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

[Signature] Date: 9-22-19



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.

Install 2 billboards, 1 electronic-static & 1 - 2 sided static. Both signs will meet all criteria for spacing & setbacks for Sussex County & Del DOT.

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)



PIN:	234-29.00-263.00	
Owner Name	OAK	ORCHARD-RIVERDALE POST #28 THE
Book	3957	
Mailing Address	31768 LEGION RD	
City	MILLSBORO	
State	DE	
Description	SE/RT 24 RD 298	
Description 2	N/A	
Description 3	N/A	
Land Code		

polygonLayer

Override 1

polygonLayer

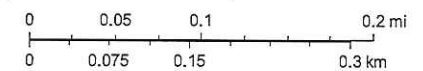
Override 1

Tax Parcels

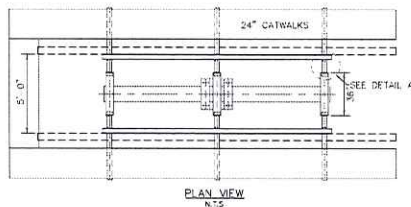
Streets

County Boundaries

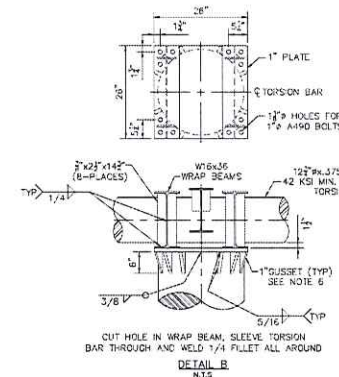
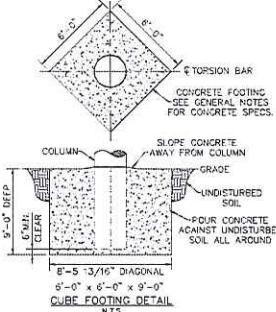
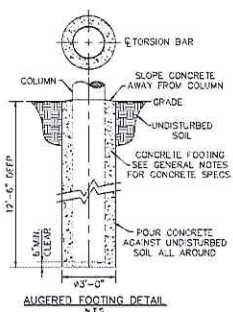
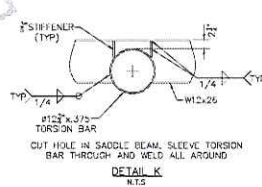
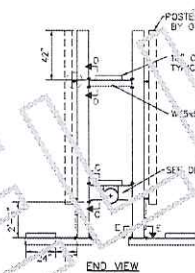
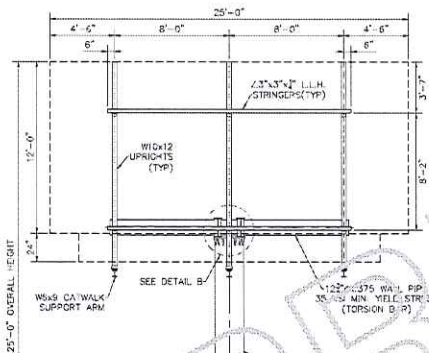
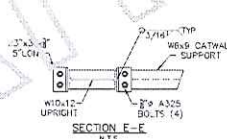
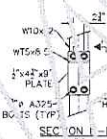
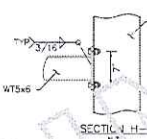
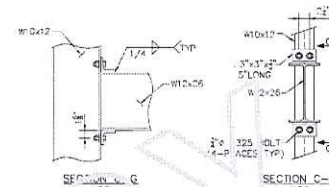
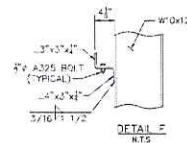
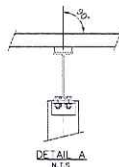
1:4,514



NOTE: 16" UPPER & LOWER INSIDE CATWALKS NOT SHOWN FOR CLARITY



NOTE: STRINGERS ARE FOR LATERAL BRACING
POSTER SPRINT CLIPS MUST BE MOUNTED
WITHIN 12" OF SPRING CENTERS



Selective Structures, LLC
811 East Avenue
Athens, TN 37303

NOTES

1. IMPORTANT: FULL FLAG COLUMN PIPE TO BE BACKSET 6" PER FOOT, IN THE DIRECTION AWAY FROM THE FLAG, TO CORRECT DRAG-LOAD DEFLECTION.
2. PROVIDE 1/4" CAP PLATES FOR ENDS OF TORSION PIPE. PLATE TO BE WELDED ALL AROUND TO PIPE.
3. FOUNDATION BASED ON SOIL CONDITIONS OF MEDIUM STIFF CLAY OR BETTER. (Allowable soil pressure = 250 psf (ft. of depth). CONTRACTOR TO NOTIFY ENGINEER IF OTHER THAN THESE SOIL CONDITIONS EXIST.
4. ATTACH CATWALK ANGLES USING 1/4" O.A.S.S. BOLT (1" ANGLE).
5. CATWALK GRATING TO BE 14 PSF EXPANDED METAL GRATING, WELDED WITH 1/4" RILET, 1" LONG @ 12" O.C. TO ANGLE.
6. PLACE GUSSETS AS CLOSE TO HOLES AS POSSIBLE ALLOWING FOR BOLT TIGHTENING.

TYPICAL GUSSET DETAIL

(Use this criteria for all gussets)

- Length & height of gussets to be determined by fabricator if not specified.
- Use maximum length & height possible & still allow for welding all around.
- depth of 45° chamfer to be minimum required to clear weld or fillet.



GENERAL NOTES

- All nuts and bolts are to be zinc plated. (Except A-90 bolts which are not to be plated, but primed and painted after installation)
- The contractor shall verify all dimensions and conditions in the field before fabrication or construction, and notify engineer of any discrepancies.
- Any deviations from this print must be approved by Engineer.
- All structural steel shall conform to the requirements of ASTM A-36. (Except structural tubing, which shall conform to A-501 grade B).
- All W-shape beams shall conform to A-572 (50 ksi minimum yield).
- All steel pipe shall conform to the requirements of ASTM A-53 grade B or A-252 grade C, unless otherwise noted.
- Concrete shall attain a minimum compressive strength of $f_c = 3000$ psi in 28 days, unless otherwise noted.
- All structural steel shall be produced, fabricated, and erected according to latest AISC Specifications and Standard Practice.
- All welding shall be in accordance with AWS Standards. Welding to be performed by certified welders using E-70 electrodes.
- Contractor to ensure that all work is performed in accordance with federal, state, and local codes & ordinances, and OSHA safety regulations.
- Splicing of pipes having an equal diameter, wall & yield is permitted. A full penetration weld all around (Per AWS D1.1) shall be used and must be performed by a certified welder. Splices shall not be within one half of the foundation depth below grade, within 10' above grade or within 10' above telescoping columns. Unless specified otherwise.

THE UNDERSIGNED ENGINEER WILL NOT SUPERVISE THE FABRICATION AND/OR ERECTION OF THIS STRUCTURE.

APPLICABLE BUILDING CODE AND WIND SPEED:

International Building Code (2006/2009 Edition)

(90 mph Exposure-C) 3-Second Gusts

PROJECT

12'-0" x 25'-0" CM, BB, @ 29'-0" O.A.H.

Located in Sussex County, D.E.



Effective Engineering Solutions, Ltd.
51 White Water Court
New Lenox, IL 60451
(815) 485-1470

APPROVAL

THIS PROJECT INFORMATION SHALL NOT BE REPRODUCED OR ITS CONTENTS DISCLOSED OR COPIED OR IN ANY MANNER WITHOUT WRITTEN CONSENT FROM Effective Engineering Solutions, Ltd.

REVISIONS

DATE	BY	TO
05-27-19	N/A	N/A
05-27-19	N/A	N/A
05-27-19	N/A	N/A
05-27-19	N/A	N/A

SHEET NO. 1 OF 1



RE: Formetco Digital Operation Guidelines

The Formetco Digital Billboard System offers features which enable Legends Outdoor to comply with Sussex County ordinance. Below are the methodologies in which the Formetco software is able to provide billboard operators the ability to adapt to the specific requirements of the zoning market and operate within the specific guidelines that are established within each municipality.

Global Display Settings per face - Upon initial set up into the Formetco Content Management System, each display has a dwell time feature that is set according to the Billboard Operators requirements and local hold time regulations. This dwell time dictates the duration that each scheduled message is consistently displayed. This is a global administrative setting and is only editable by the Billboard Operators Administrative level users, who are categorized as the highest level users.

The screenshot shows a web-based interface for managing billboard displays. At the top, there are five tabs: 'Profile', 'ID', 'Communications', 'Display', and 'Service'. The 'Display' tab is currently selected. Below the tabs, there are several settings:

- 'Dwell Time (in Seconds):' with a text input field containing the value '10'.
- 'Total Spots For This Display:' with a dropdown menu showing '49'.
- 'Zoning Information:' with a large empty text area.
- 'Advertising Restrictions:' with a large empty text area.

At the bottom of the form, there is a note: 'Items in light blue affect display operation'.

Valid art work file extension types for upload to the scheduling platform include:

JPEG, PNG, BMP, TIFF and RTD

These file types prevent the sign from displaying any content that may flash, twinkle, blink or show any animation.

Transitions between messages are instant and seamless and occur over the entire face of the sign.



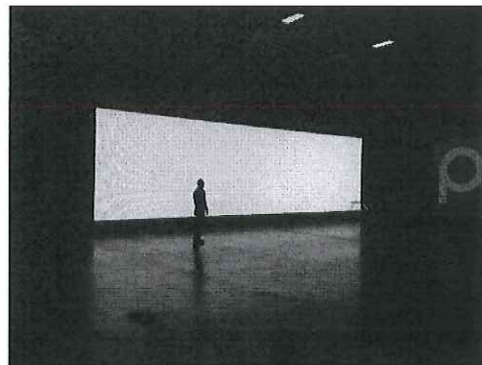
Brightness – Illumination of the sign is closely monitored. Each sign is preset at the factory for daytime and night time operating levels. A Konica-Minolta CS-100A is used to set the levels.



CS-100A in use at factory



NIT Reading of 6,590



Sign under testing, using FULL White

Signs are tested at FULL White. A factory set configuration table limits the upper and lower end brightness.

(Source – Player PC Server.cfg file excerpt)



Each sign face has an onboard photocell that provides 255 brightness steps based on ambient light conditions at the face. Two additional safe guards are in place to monitor the proper brightness level of the sign. Each face has its Latitude and Longitude recorded. Upon loss of signal from the photocell, the sign will dim based on a sunrise sunset schedule. If the control system for the face loses framing data from the player PC, the sign goes dark based on a configuration timer. This is typically set at 10 minutes.

Post installation, a technician will verify the ambient light conditions applicable to the local ordinances. An Extech light meter is used to verify the night time ambient conditions. Typical factory settings provide for less than a 0.3 foot candle measurement at distances appropriate for the signs square footage. Brightness levels can be remotely adjusted as needed.

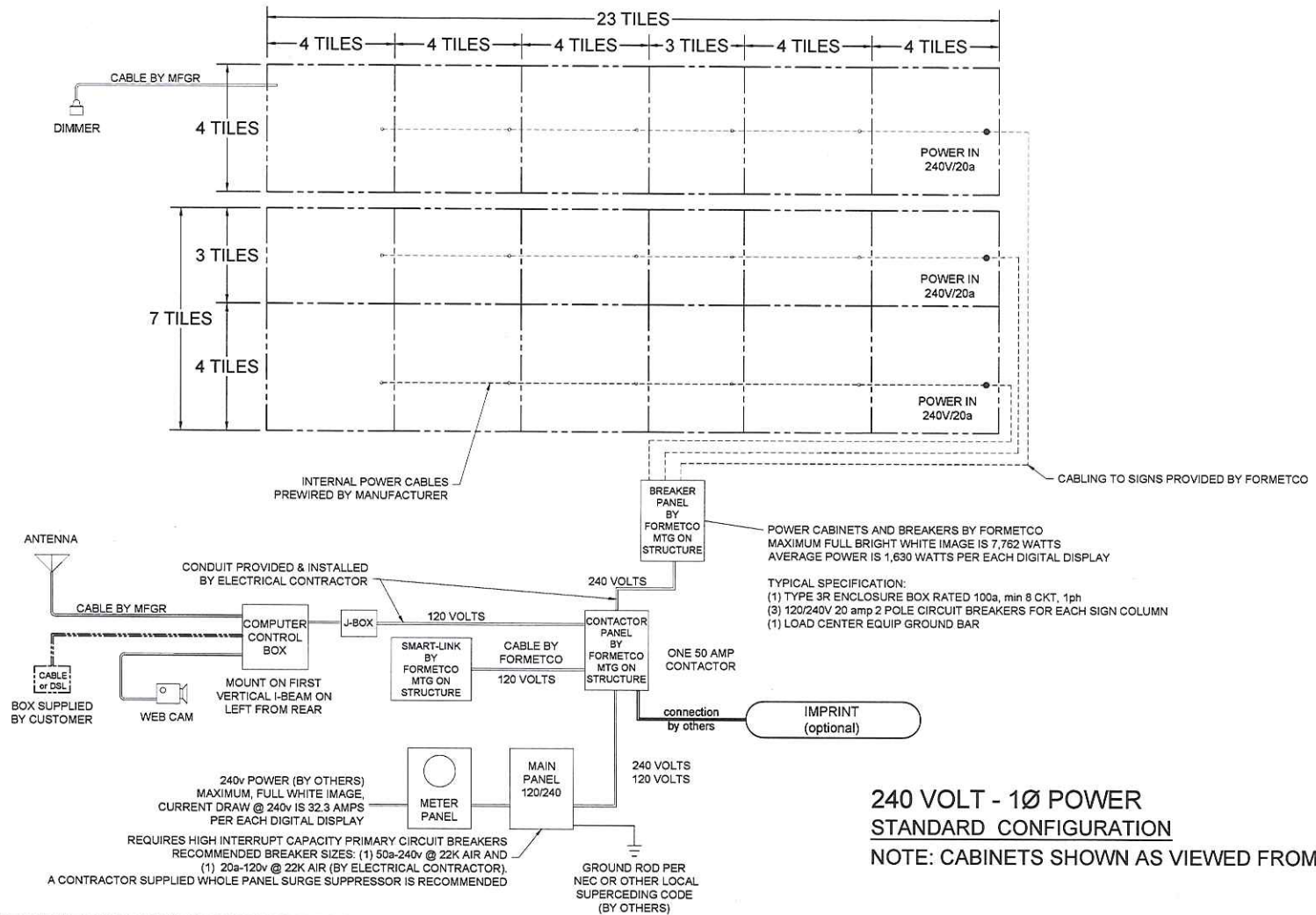
In addition to the above-mentioned software/firmware precautions that monitor the brightness settings, onboard diagnostics alert operators to system problems via email notification. A redundant player PC provides for continued proper operation of the sign in the event that a failure is detected with the primary player PC. The system will also be equipped with a remote controllable power control relay that enables operators to remotely shut all power down to the face. Also the sign will be equipped to freeze in (1) position if a malfunction occurs.

Britt McConnell

Digital Sales Manager

678-315-9054

POWER CABINET AND BREAKER REQUIREMENTS AND
AMPERAGE AND WATTAGE RATINGS SHOWN
ARE PER DIGITAL DISPLAY UNLESS OTHERWISE INDICATED.



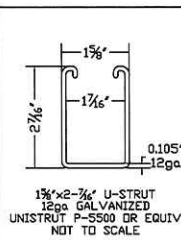
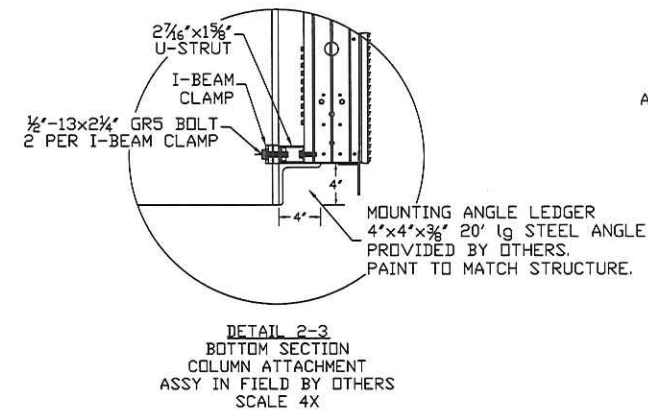
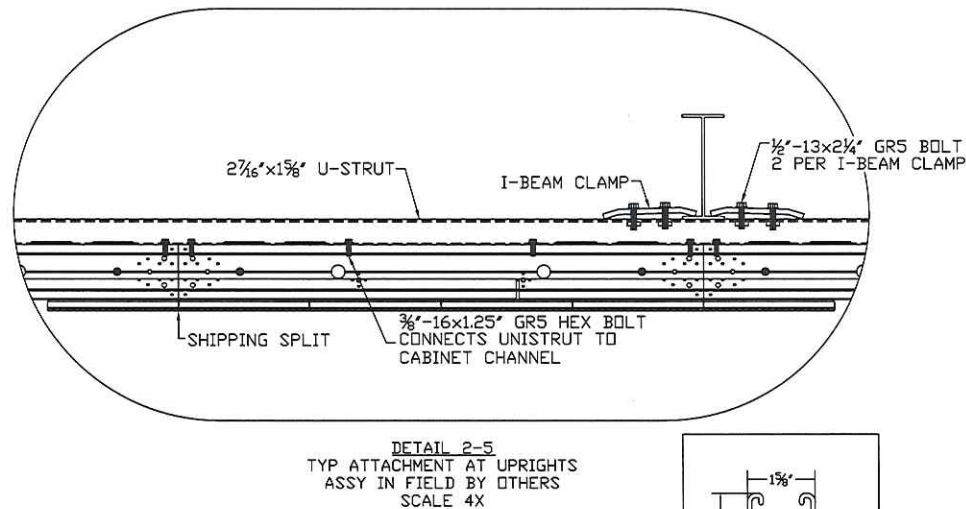
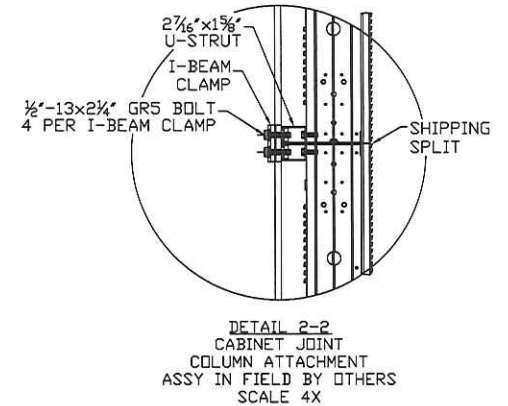
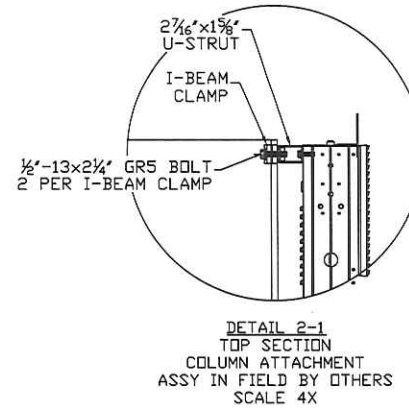
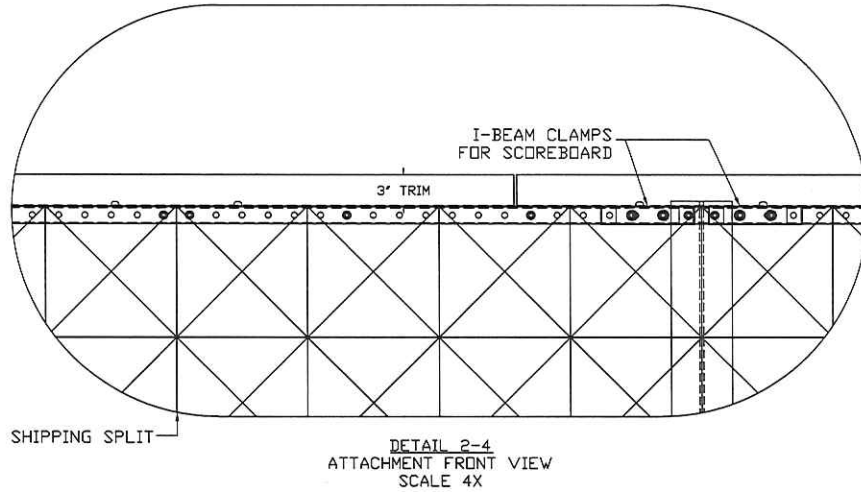
- FORMETCO IS NOT RESPONSIBLE FOR THE QUALITY OF THE POWER DELIVERY SYSTEM TO THE DISPLAY
- ALL DISPLAYS MUST BE GROUNDED PER ARTICLE 250 AND 600 OF THE NEC
- ALL ELECTRICAL WORK DONE MUST MEET OR EXCEED ANY LOCAL AND NATIONAL ELECTRICAL CODES
- THE OVER CURRENT PROTECTION DEVICE MUST BE MATCHED TO THE FAULT CURRENT THAT IS AVAILABLE IN THE POWER DELIVERY CIRCUIT.
- DUE TO THE INRUSH CURRENT CREATED BY THE DISPLAY ON STARTUP THE OVER CURRENT PROTECTION DEVICE(S) MAY HAVE TO BE OVERSIZED
- ALL PRIMARY FEEDER CIRCUITS TO THE DISPLAY MUST BE UL 489 LISTED
- ALL SPECIFICATIONS ARE SUBJECT TO CHANGE DUE TO FORMETCO'S CONTINUING PRODUCT IMPROVEMENT

REV	DESCRIPTION	DATE	APPD
REVISIONS			
THIS MATERIAL IS THE EXCLUSIVE CONFIDENTIAL PROPERTY OF FORMETCO, INC. ALL RIGHTS, INCLUDING COPYRIGHT AND PATENT RIGHTS, ARE RESERVED BY FORMETCO, INC. DO NOT COPY THIS DRAWING WITHOUT PERMISSION OF FORMETCO, INC.			

PART NUMBER FTX-A DBB		FORMETCO	
APPROVALS		2963 Pleasant Hill Rd. Duluth, GA 30096-3808	
BY ARH	DATE 02-18	FTX-A 220 x 460 - 16mm - POWER 240V - 1Ø ELECTRICAL RISER	
ENGRG UPD	DATE 02-23-18		
CUSTOMER		DO NOT SCALE THIS DRAWING.	SIZE B
		SCALE nts	DWG NO. B-2848
		SH 2	OF
		REV.	-

PART NUMBER		FORMETCO			
APPROVALS		2963 Pleasant Hill Rd. Duluth, GA 30096-3808			
BY ARCH	DATE 02-18	16mm 220 x 460 DBB UNISTRUT MTG			
BY UPDATED	DATE 02-23-18	11'-7" x 24'-2" 16mm FTX-A DDB			
CUSTOMER					
DO NOT SCALE THIS DRAWING		SIZE B	SCALE 1:45	DWG NO B-2847	SH 1 OF 1

ALL CONFIGURATIONS



REV	DESCRIPTION	DATE	APPD
REVISIONS			
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PART NUMBER FTX-A DBB	
APPROVALS	
OWN	02-18
DESIGNED	
UPDATED	02-23-18
CUSTOMER	
DO NOT SCALE THIS DRAWING.	

FORMETCO
2963 Pleasant Hill Rd. Duluth, GA 30096-3808

UNISTRUT UPRIGHT CONNECTION DETAILS
11'-7" x 24'-2" 16mm FTX-A DBB

SIZE: 3 SCALE: 1/50 DWG NO: B-2847 SH 2 OF REV: —



State of Delaware

Department of Transportation

23697 DuPont Boulevard

Georgetown, DE 19947

Jennifer Cohan

Secretary

February 6, 2020

Legends Outdoor
P.O. Box 125
Glenwood, MD 21738
Attn: Steve Snyder

Ref: Letter of no objection
American Legion Post # 28 / Location # 1

Dear: Mr. Snyder,

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

The Department has received your outdoor advertising application for location one to erect a back to back VMS (variable message sign) structure to be situated on the property belonging to Oak Orchard Riverdale Post # 28 also known as the American Legion Post 28 on Route 24 / SCR 024 (John J. Williams Highway) in Sussex County (tax parcel #: 234-29.00-263.00) for the purpose of general outdoor advertising. I have reviewed the proposed site plan that was submitted as well as application dated October 29, 2019. True North survey conducted a field review in your behalf and according to the site plan sheet that was submitted with your application the posted layout indicates a 40 (*forty*) foot off-set from back of the newly acquired right of way along Route 24 / SCR 024 that front's the Oak Orchard Riverdale Post # 28 property.

The Department of Transportation wanted to be sure you were aware of this proposed intersection improvement with a project # T200711201. Construction is anticipated to begin spring of 2020. Advanced utility relocation work is planned to begin in winter 2019/2020. These dates are still tentative and could shift slightly in either direction.

However, all designs at this point will impact the property where this billboard will be situated. We do not have more exact data currently but If you have any questions about the forthcoming project, you can reach out to Mark Whiteside directly at (302) 760-2127 or by email at Mark.Whiteside@delaware.gov.



Legends Outdoor
Page 2
February 6, 2020

As long as the sign structure is constructed per the specifications submitted and the required building permits are obtained by the local land use authority, the Department has no objection to the proposed sign application. It is the responsibility of the sign owner to seek approval from the local authority before installation of the sign.

This letter serves as a letter of no objection to assist with your application to the Board of Adjustment. This letter **does not** grant permission to construct the sign. Should the Board of Adjustment approval be granted for this sign structure, you must notify the Department in writing and provide all necessary documentation, including the Board of Adjustment findings and any revisions to the sign structure that may have occurred.

Once the Department has received all necessary documentation and verified that conditions for approval have been met, a Notice to Proceed letter will be issued to allow for the construction of the sign.

Should you have any questions concerning this matter, please feel free to contact me at (302) 853-1327 or by email at Jay.Sammons@delaware.gov.

Sincerely,



Jay Sammons
Investigator 1 / DOT

JWS/js

By certified mail:

cc: LaTonya Gilliam, P.E., North District Engineer
Mark Whiteside, P.E., Project Manager Project Teams
Christopher King, Roadside Control Manager
Janelle Cornwell, 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 # 12428
Hearing Date 4/10/2020
202001349
202001352
RECEIVED

FEB 05 2020

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☒

Code Reference (office use only)

115-172

SUSSEX COUNTY
PLANNING & ZONING

Site Address of Variance/Special Use Exception:

Acreage located along Diplomat Street off of Long Neck Road/SR 23

Variance/Special Use Exception/Appeal Requested:

Applicant requests: (1) a variance of 266'; and (2) a variance of 55' from the requirement that the proposed expansion of the existing Leisure Point community be at least 400 feet from any existing dwelling on property of other ownership.

Tax Map #: 234-24.00-39.02, .06

Property Zoning: AR-1

Applicant Information

Applicant Name: Sun Leisure Point Resort LLC

Applicant Address: 27777 Franklin Road, Suite 200

City Southfield State MI Zip: 48034

Applicant Phone #: _____ Applicant e-mail: _____

Owner Information

Owner Name: Sun Leisure Point Resort LLC

Owner Address: 27777 Franklin Road, Suite 200

City Southfield State MI Zip: 48034 Purchase Date: _____

Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

Date: 2/5/20



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.

This property is unique in that it is located adjacent to the pre-existing, non-conforming manufactured home/RV park known as Leisure Point. It is the Applicant's intention that the subject property of this variance create an extension of the existing manufactured home/RV park (Leisure Point), which was created in 1969

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.

In order to enable the reasonable use of this property, it is necessary that this property share its entrance via Radie Kay Lane/Diplomat Street with the existing manufactured home/RV park (Leisure Point). Due to its close proximity to the neighboring manufactured home/RV park and common ownership, it is appropriate that the property is similarly developed.

3. Not created by the applicant:

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

The location and placement of the dwellings on adjacent properties is not within the applicant's control.

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

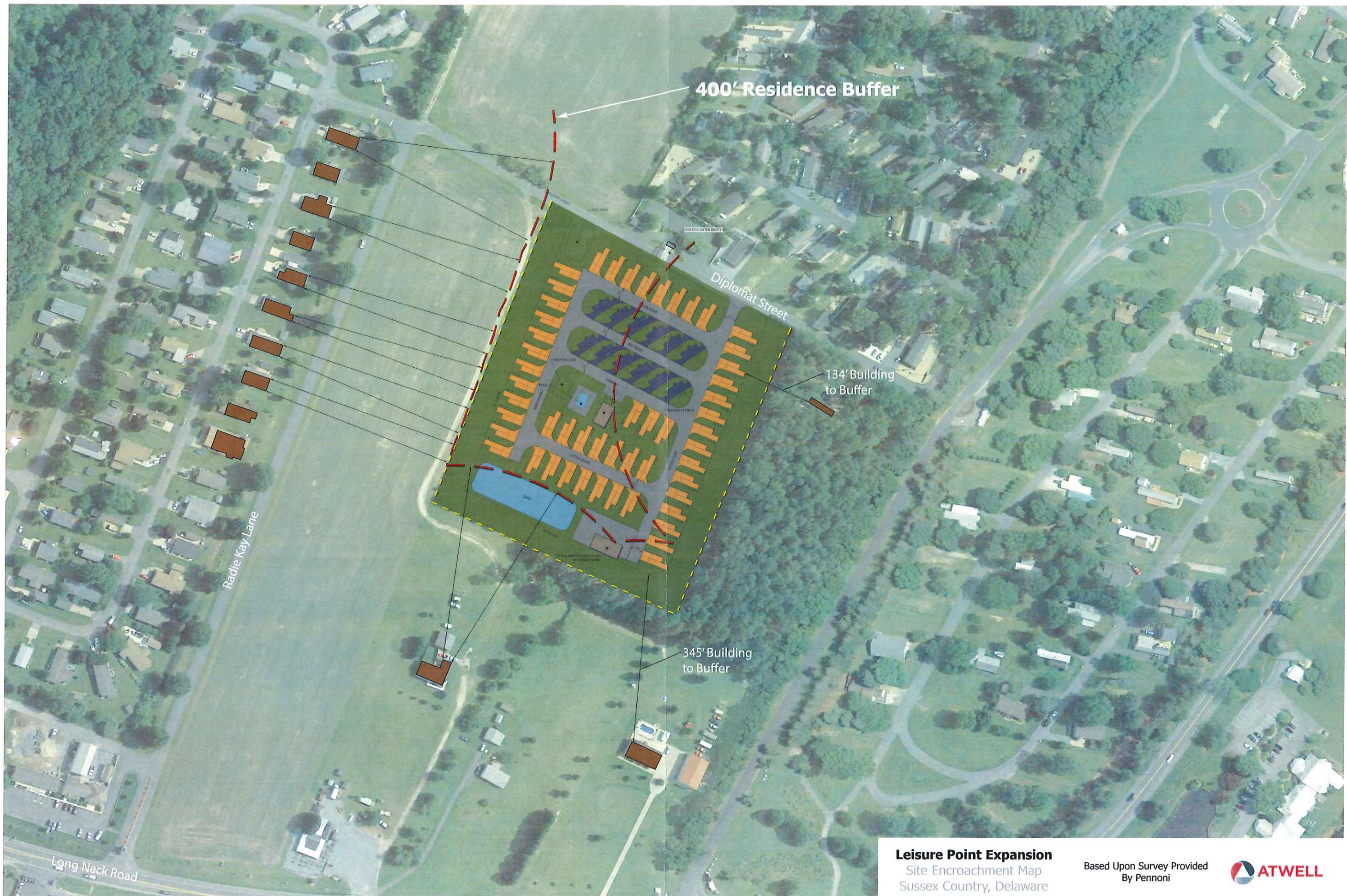
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

The surrounding area is primarily residential and consists of manufactured home/RV parks, single-family residential homes and farmlands. Two of the three dwellings affected by the variance are already within 400' of the existing manufactured home/RV park and would be separated from the Applicant's proposed use by a wooded area. The third dwelling is also separated from the nearest site by a wooded area.

5. Minimum variance:

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

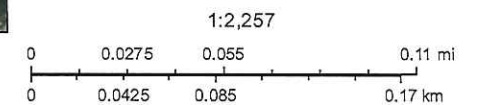
This is the minimum variance possible for Applicant's proposed use. The area immediately surrounding the property is primarily farmland and would only affect three dwellings, two of which are separated by woodlands. The overall area is identical to the proposed expansion of Leisure Point as it is a mixture of manufactured home and RV parks.





PIN:	234-24.00-39.02
Owner Name	SUN LEISURE POINT RESORT LLC
Book	5116
Mailing Address	27777 FRANKLIN RD STE 2
City	SOUTHFIELD
State	MI
Description	RT 22
Description 2	4 ACRES
Description 3	
Land Code	

polygonLayer
Override 1
polygonLayer
Override 1
☐ Tax Parcels
911 Address
— Streets



March 23, 2020

RECEIVED

Sussex County Planning and Zoning Department
County Administrative Office Building
2 The Circle
Georgetown, DE 19947

MAR 27 2020

SUSSEX COUNTY
PLANNING & ZONING

RE: Case No. 12428

TO WHOM IT MAY CONCERN:

With regard to the above referenced case number, we strongly urge the council to disapprove this request for a variance. Since the law states there must be a 400 foot buffer, we believe this should be upheld. The property which the LLC business is requesting the variance for is located directly behind our property and permanent residence of over 20 years and is only separated by a sparse tree line and hedgerow which should not be considered woods. We believe there is still enough acreage, approximately 7 acres, for them to build without the requested variance.

We sincerely hope you will strongly consider this request by long-time, permanent residents in this matter. Thank you for your time and consideration.

Sincerely,

Charles H. & Susan L. Moore, Jr.

Charles H. & Susan L. Moore, Jr.

32887 Long Neck Road

Millsboro, DE 19966

Property Tax ID #234-24.00-39.04

Ann Lepore

From: Jamie Whitehouse
Sent: Thursday, May 28, 2020 12:44 PM
To: Ann Lepore
Subject: FW: Contact Form: board of adjustment meeting 6/1/20 sun resorts petition

From: Chip Guy <cguy@sussexcountyde.gov>
Sent: Thursday, May 28, 2020 12:07 PM
To: Jamie Whitehouse <jamie.whitehouse@sussexcountyde.gov>; Jamie Sharp <jsharp@mooreandrutt.com>
Cc: Robin Griffith <rgriffith@sussexcountyde.gov>; Bobbi Albright <barbara.albright@sussexcountyde.gov>; Gina Jennings <gjennings@sussexcountyde.gov>; Todd F. Lawson <tlawson@sussexcountyde.gov>
Subject: FW: Contact Form: board of adjustment meeting 6/1/20 sun resorts petition

FYI

Chip Guy, Communications Director
Sussex County Government
2 The Circle | PO Box 589
Georgetown, DE 19947
(302) 854-5000
pio@sussexcountyde.gov

Follow along on Facebook @ www.facebook.com/SussexCountyDE and on Twitter @ www.twitter.com/sussexde_govt

----- Original message -----

Date: 5/27/20 7:15 PM (GMT-05:00)
Subject: Contact Form: board of adjustment meeting 6/1/20 sun resorts petition

Submitted on Wednesday, May 27, 2020 - 7:15pm

Name: James Russum

Email address: jmr0612@aol.com

Phone number: 3023674135

Subject: board of adjustment meeting 6/1/20 sun resorts petition

Message:

We're one of the three properties that will be affected if you grant the approval which we are strongly against for the following reasons:

Asking the proposed property to be only 134 feet from my property line, which legally must be 400 feet, is not acceptable. It would subject my property to noise pollution, garbage, and more traffic back and forth including golf carts going to the pool, club house, and wash house. It's an accident waiting to happen.

Possible increase in crime as we have already had issues with this without this new proposal. It takes our view and peace away as well. What type of studies have been done regarding the local infrastructure? Is it going to affect the water well systems of the three properties? What type of systems are they installing for sewer? How many trailers are there the full year and/or seasonal? And if they are seasonal do they stay or are they made to move... not removing these will cause break ins. What type of security upgrades are they going to do? Also what happens to my two 50 foot access ways that is currently being blocked at the end? That's where they want to go with the 134 feet. The second access way is 25 feet which is also suppose to be 50 feet. These are blocked by their fence and tress which I have asked for a removal. There are also a few trees at the end of my driveway I also asked removed so we could see as we are leaving the property. That still has not been done. If approved we want guaranteed access to our two access ways which is being blocked currently. We're strongly hoping for a non approval until the three property owners objections are answered in FULL. Please do not approve until a regular meeting can be heard and questions can answered.

Thank you for your time
hrs of Francis Niblett Sr..
Barbara Niblett Russum
Francis Niblett Jr.

File #: CU 2201

Planning & Zoning Commission 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

201909798
201969801

Type of Application: (please check applicable)

Conditional Use ☒

Zoning Map Amendment ☐

Site Address of Conditional Use/Zoning Map Amendment

25491 Dogwood Ln Millsboro, DE 19966

Type of Conditional Use Requested:

Conditional Use For Expansion of Campground

Tax Map #: 234-24.00-3902 234-24.00-3906 Size of Parcel(s): 4 Acres Each

Current Zoning: AR-1 Proposed Zoning: AR-1 Size of Building: _____

Land Use Classification: Recreation / Campground

Water Provider: Long Neck Water Co Sewer Provider: Sussex County

Applicant Information

Applicant Name: Pine Acres Inc

Applicant Address: 25491 Dogwood Ln

City: Millsboro State: DE Zip Code: 19966

Phone #: 302-945-2000 E-mail: dick@leisurepoint.com

Owner Information

Owner Name: SAME AS APPLICANT

Owner Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Atwell LLC Attn: Kurt Beleck

Agent/Attorney/Engineer Address: Two Towne Sq. Suite 700

City: Southfield State: MI Zip Code: 48076

Phone #: 248-447-2099 E-mail: KBeleck@atwell-group.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

___ Completed Application

✓ ___ Provide eight (8) copies of the Site Plan or Survey of the property

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

✓ ___ Provide Fee \$500.00

___ Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

___ Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.

___ DeIDOT Service Level Evaluation Request Response

___ PLUS Response Letter (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

Date: 8/26/19

Signature of Owner

Date: _____

For office use only:

Date Submitted: 8/26/19

Fee: \$500.00 Check #: _____

Staff accepting application: SPB

Application & Case #: _____

Location of property: _____

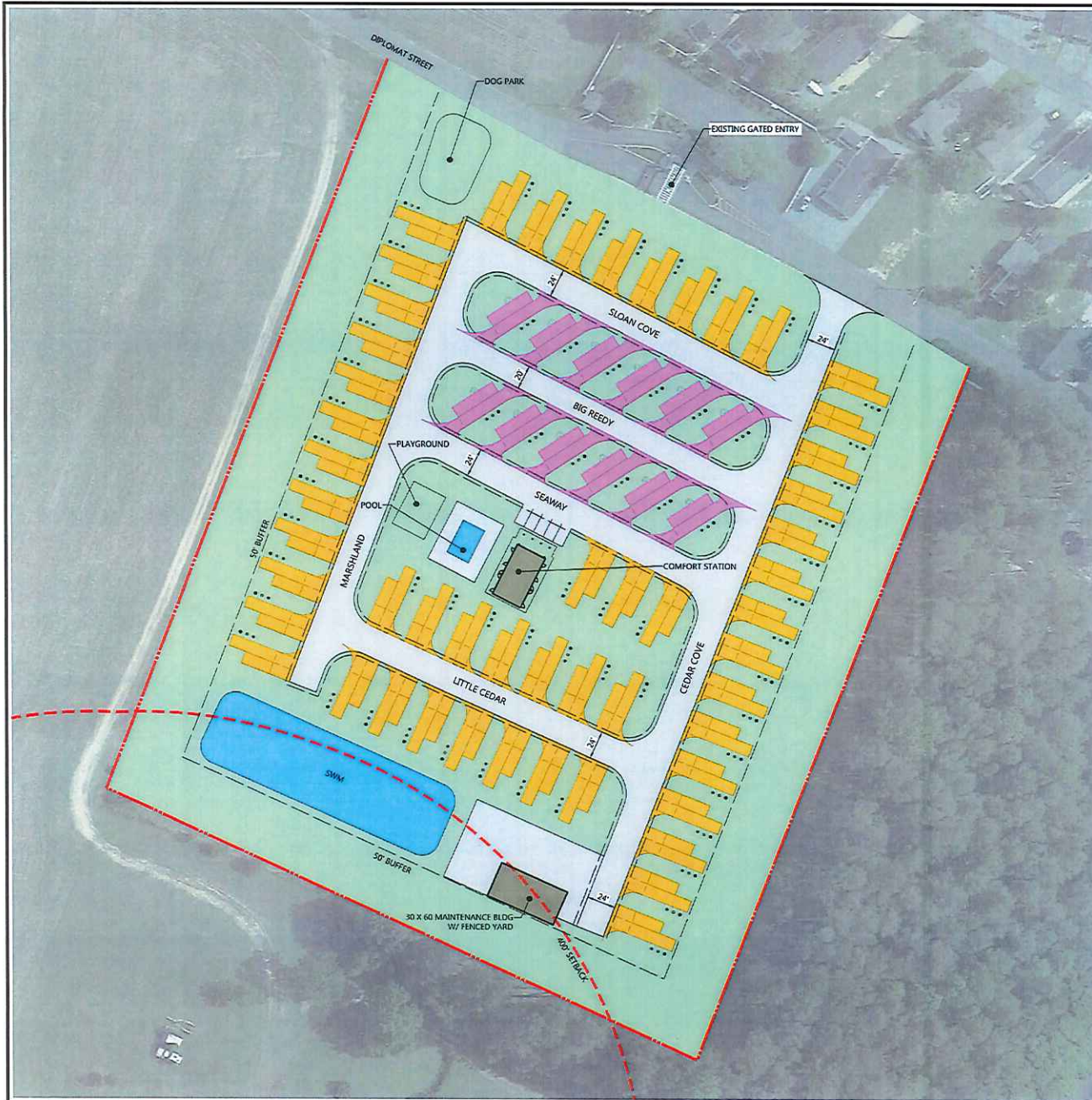
Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____



SITE INFORMATION:

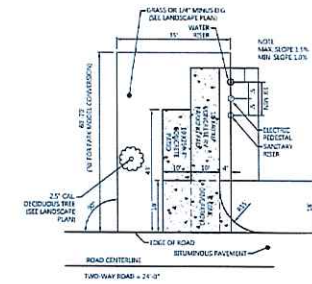
TOTAL EXPANSION SITE AREA: +/- 8.0 AC

TOTAL UNITS PROVIDED: 64
 BACK IN RV (40X60): 52 (81.2%)
 PULL THROUGH RV: 12 (18.8%)

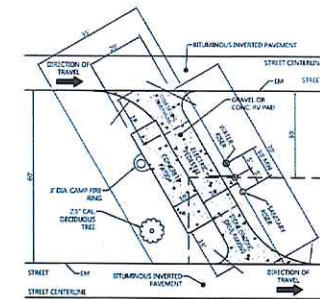
DENSITY PROVIDED: 8 UN/AC

NOTES:

1. 50' BUFFER REQUIRED ALONG PERIMETER PER ZONING CODE.
2. 400' SETBACK FROM HOME TO THE SOUTH.
3. 30' EASEMENT REQUIRED ALONG ALL ROADWAYS PER ZONING CODE.



TYPICAL BACK-IN SITE PLAN



TYPICAL DRIVE-THRU SITE PLAN



Know where below.
 Call before you dig.
 811
 1-800-4-A-DIG
 1-800-426-4474
 www.811-nj.com

24 HOUR
 EMERGENCY CONTACT
 1-800-426-4474



SUN COMMUNITIES
 LEISURE POINT RESORT EXPANSION
 CONCEPT PLAN

DATE: 08-19-2019
 REVISIONS:

DATE: 08-19-2019
 REVISIONS:

DATE: 08-19-2019
 REVISIONS:

DATE: 08-19-2019
 REVISIONS:

FILE CODE: 8884

SHEET NO. CSP2

LEISURE POINT RECREATION CAMPGROUND SUN LEISURE POINT RESORT LLC

CASE NO. 12428

OWNER/DEVELOPER:

SUN LEISURE POINT RESORT LLC
27777 FRANKLIN ROAD, SUITE 200
SOUTHFIELD, MI 48034

LEGAL:

DAVID C. HUTT
MORRIS JAMES LLP
107 W. MARKET STREET | PO BOX 690
GEORGETOWN, DE 19947

PLANNER/ENGINEER/SURVEYOR:

PENNONI
18072 DAVIDSON DRIVE
MILTON, DE 19968
MARK H. DAVIDSON, PRINCIPAL LAND PLANNER
ALAN DECKTOR, PE., ENV SP
JOHN W. HAUPT, PLS

ENVIRONMENTAL:

PENNONI & ACCENT ENVIRONMENTAL
WILLIAM J. GANGLOFF, PhD. PROFESSIONAL SOIL
SCIENTIST

TABLE OF CONTENTS:

TAB 1 APPLICATION

- APPLICATION
- LEGAL DESCRIPTION
- DEED
- BOUNDARY SURVEY

TAB 2 EXHIBITS

- SITE PLAN
- EXISTING DEVELOPMENTS
- 2019 SITE AERIAL

TAB 3 ADJACENT PROPERTY

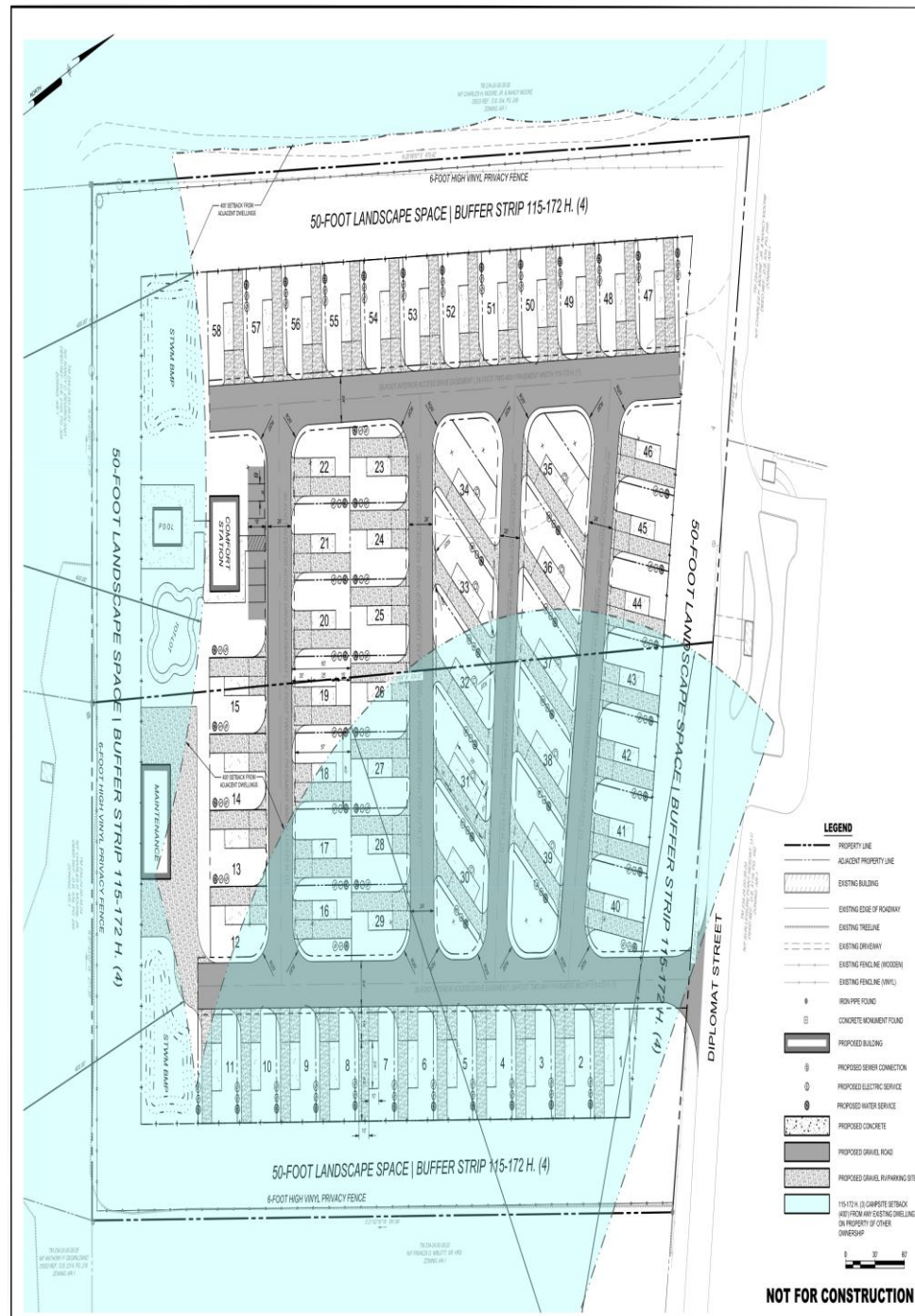
TAB 4 MAPS/PLANS

- 2019 AERIAL, 2019 SITE AERIAL, 2017, 2012, 2007, 2002, 1997, 1992, 1968, 1961, 1954, 1937, 1926 ORTHO, 2015 STATE STRATEGIES, COUNTY ZONING, 2012 LAND USE, NRCS SOILS, STATE WETLANDS, FEMA FLOODPLAIN, GROUNDWATER RECHARGE, USGS TOPO, EXISTING DEVELOPMENTS

TAB 5 SUPPORT LETTER

- SUN LEISURE POINT RESORT LLC

TAB 6 FINDING AND CONDITIONS



Mark H. Davidson / Vice President

Principal Land Planner/Office Director

EDUCATION

University of Delaware; Civil Engineering,
(1986-1990)

Land Surveying, Delaware Technical &
Community College (1984-1986) and
Wastewater Microbiology Diploma
(1997)

Land Planning, Institute for Public
Administration (2006)

CERTIFICATIONS

DNREC Class A Percolation Tester & Class
B Septic Designer, (DE #2418)

Sediment & Stormwater Management,
Responsible Personnel, DE (#8760) and
MD (#4914)

DNREC Certified Construction Reviewer:
DE (#1270)

Delaware Notary

TRAININGS

Hydrology, Delaware TR-20 (1993)

Reducing Flood Hazard in Coastal
Development (1996)

Law for Managers/Supervisors (1999)

State and Federal Laws (2000)

Advanced Real Estate Law in Delaware
(2002)

Land Conservation and Historic
Preservation (2003)

Land Surveying Business Diploma (1998)

Project Manager Training I, Pennoni
(2015)

PROFESSIONAL AFFILIATIONS

National Onsite Wastewater Recycling
Association

Delaware Onsite Wastewater Recycling
Association

American Planning Association

American Institute of Certified Planners

HONORS/AWARDS

Association of Professionals
Philanthropy, Brandywine Chapter
Fundraising Nominee (2014)

Notable Networker Award, BNI (2013)

EXPERIENCE SUMMARY

Mark H. Davidson serves as Vice President of Pennoni and Office Director for our Southern Delaware, Milton Office. Mark also serves as the Principal Land Planner for Pennoni. He has over 35-years of past experience in Surveying, Engineering, Consulting, Construction and Land Planning. For 12-years he owned a professional engineering, surveying, land planning, environmental and consulting firm that provided professional consulting and design in land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware and Maryland. Mr. Davidson's project experience includes land development planning, surveying, engineering, environmental design and permitting; construction and project consulting, management and inspection; water resource consulting, management and inspection and municipal consulting, planning and inspection for residential, industrial, institutional, municipal and commercial applications.

Mark is a past director of the Delaware Onsite Wastewater Recycling Association as well as a member of the American Planning Association, American Institute of Certified Planners and has served in the past as a committee member of Delaware Low Impact Development Roundtable Committee, Delaware Pollution Control Strategy Committee, Delaware Sediment & Stormwater Regulatory Advisory Committee, and the Delaware Technical & Community College A/E Curriculum Committee. He was also nominated for the Brandywine Chapter Association of Fundraising Professionals Philanthropy Award and has won the BNI Notable Networker Award.

Along with all the experience and education stated and with many years of combined experience in Surveying, Engineering, Consulting and Land Planning, he has been responsible for providing consulting, layout and design in surveying, engineering and land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware, Maryland, Virginia and West Virginia. He has project managed, studied, planned, surveyed, designed and engineered sustainable, master-planned communities, commercial and urban redevelopment projects, and the public infrastructure that supports them.

Mark has provided nationwide land planning consulting services to a variety of clientele to help coordinate project startups as well as final construction consulting services when it came to commercial, residential, industrial, municipal, educational and community land planning. Provided additional consulting in civil/site engineering, stormwater management, erosion and sediment control, wastewater collection and disposal, transportation, and environmental. Market areas practiced; Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, North Dakota, Puerto Rico, Canada and Panama.

Additional Project experience includes cutting edge design and technology as well as value engineering to help clients through the ever-changing market including but not limited to solar voltaic and wind generation projects.

He is currently appointed by the Secretary of DNREC to serve 3-years on the On Site Septic Advisory Board for the State of Delaware.



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

Case # _____
Hearing Date _____

RECEIVED

FEB 05 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:

Acreage located along Diplomat Street off of Long Neck Road/SR 23

Variance/Special Use Exception/Appeal Requested:

Applicant requests: (1) a variance of 266'; and (2) a variance of 55' from the requirement that the proposed expansion of the existing Leisure Point community be at least 400 feet from any existing dwelling on property of other ownership.

Tax Map #: 234-24.00-39.02, .06

Property Zoning: AR-1

Applicant Information

Applicant Name: Sun Leisure Point Resort LLC
Applicant Address: 27777 Franklin Road, Suite 200
City Southfield State MI Zip: 48034
Applicant Phone #: _____ Applicant e-mail: _____

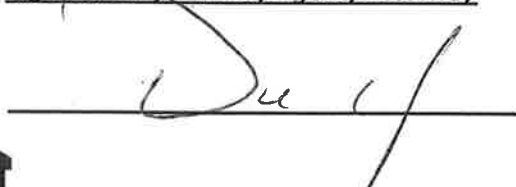
Owner Information

Owner Name: Sun Leisure Point Resort LLC
Owner Address: 27777 Franklin Road, Suite 200
City Southfield State MI Zip: 48034 Purchase Date: _____
Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney



Date: 2/5/20



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.

This property is unique in that it is located adjacent to the pre-existing, non-conforming manufactured home/RV park known as Leisure Point. It is the Applicant's intention that the subject property of this variance create an extension of the existing manufactured home/RV park (Leisure Point), which was created in 1969

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.

In order to enable the reasonable use of this property, it is necessary that this property share its entrance via Radie Kay Lane/Diplomat Street with the existing manufactured home/RV park (Leisure Point). Due to its close proximity to the neighboring manufactured home/RV park and common ownership, it is appropriate that the property is similarly developed.

3. Not created by the applicant:

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

The location and placement of the dwellings on adjacent properties is not within the applicant's control.

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 surrounding area is primarily residential and consists of manufactured home/RV parks, single-family residential homes and farmlands. Two of the three dwellings affected by the variance are already within 400' of the existing manufactured home/RV park and would be separated from the Applicant's proposed use by a wooded area. The third dwelling is also separated from the nearest site by a wooded area.

5. Minimum variance:

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

This is the minimum variance possible for Applicant's proposed use. The area immediately surrounding the property is primarily farmland and would only affect three dwellings, two of which are separated by woodlands. The overall area is identical to the proposed expansion of Leisure Point as it is a mixture of manufactured home and RV parks.

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.

Not applicable.

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)

Not applicable.

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

Not applicable.

Check List for Applications

The following shall be submitted with the application

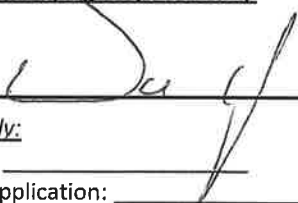
- ☒ • **Completed Application**
- ☒ • **Provide a survey of the property** (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.
- ☐ • **Provide a Site Plan or survey of the property** (Special Use Exception)
- ☒ • **Provide Fee \$400.00**
- ☒ • **Provide written response to criteria for Variance or Special Use Exception** (may be on a separate document if not enough room on the form)
- ☐ • **Copy of Receipt (staff)**
- ☐ • **Optional - Additional information for the Board to consider** (ex. photos, letters from neighbors, etc.)
- ☐ • **Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearing for the application.**

****Please be advised that the decision of the Board of Adjustment is only final when the written decision is filed with the Board's secretary. To determine whether the written decision has been filed, you may call the Planning & Zoning Department at 302-855-7878. The written decision is generally completed within thirty (30) to sixty (60) days following the Board's vote on the application or appeal. Please include the case number when calling about the decision.***

****Please be advised that any action taken in reliance of the Board's decision prior to the filing of the written decision and the expiration of any applicable appeal period is taken at the Property Owner's Risk.***

The undersigned acknowledges that that he or she has read the application completely and that if the appellant / applicant is unable to convince the Board that the standards for granting relief have been met, the appeal / application will be denied.

Signature of Owner/Agent/Attorney



For office use only:
Date Submitted: _____
Staff accepting application: _____
Location of property: _____

Date: 2/5/20

Fee: \$400.00 Check #: _____
Application & Case #: _____

Subdivision: _____
Date of Hearing: _____

Lot#: _____ Block#: _____
Decision of Board: _____

PARTICULAR DESCRIPTION

LANDS NOW OR FORMERLY OF SUN LEISURE POINT, LLC.

TAX MAP 234-24.00-39.02 & 39.06

All that certain piece, parcel and tract lying in the Indian River Hundred of Sussex County, Delaware and being more particularly described as follows:

BEGINNING at an iron pipe found, said iron pipe being a corner for this Parcel and Lands now or formerly of Francis O. Niblett, Sr., Heirs; thence by and with this Parcel and Lands now or formerly of Francis O. Niblett, Sr., Heirs, **South 21 degrees, 52 minutes, 18 seconds West, 591.84 feet** to a point, said point sharing a common corner with this Parcel, Lands now or formerly of Anthony P. Degirloano and Lands now or formerly of Charles H. Moore, Jr.; thence by and with this Parcel and Lands now or formerly of Charles H. Moore, Jr., **North 67 degrees, 43 minutes, 02 seconds West, 542.70 feet** to an iron pipe found **crossing over a concrete monument at 271.35 feet**, said iron pipe being a corner for this Parcel and a common boundary line with Lands now or formerly of Charles H. Moore, Jr. and Nancy Moore; thence by and with this Parcel and Lands now or formerly of Charles H. Moore, Jr. and Nancy Moore, **North 20 degrees, 06 minutes, 57 seconds East, 670.42 feet** to a point, said point being a corner for this Parcel and Lands now or formerly of Charles H. Moore, Jr. and Nancy Moore; thence by and with this Parcel and Lands now or formerly of Charles H. Moore, Jr. and Nancy Moore, **South 59 degrees, 49 minutes, 44 seconds East, 569.20 feet** to an iron pipe found, said iron pipe being the **Point of Beginning** for this description.

This Parcel contains 8 acres, more or less.

Document# 2019000032492 BK: 5116 PG: 192

Recorder of Deeds, Scott Dailey On 9/5/2019 at 11:10:25 AM Sussex County, DE

Consideration: \$32,256,250.00 County/Town: \$483,843.75 State: \$806,406.25 Total: \$1,290,250.00

Doc Surcharge Paid Town: SUSSEX COUNTY

②

Tax Parcel Numbers: 2-34-24.00-38.00,
2-34-24.00-39.02 and 2-34-24.00-39.06

Prepared By and Return To:

Katherine H. Betterly, Esq.
Morris, Nichols, Arsht & Tunnell LLP
1201 N. Market Street
P. O. Box 1347
Wilmington, DE 19899-1347

DEED

THIS DEED is made this 4th day of September, 2019,

BETWEEN:

PINE ACRES, INC., Delaware corporation, whose address is 25491 Dogwood Lane, Millsboro, Delaware 19966, party of the first part, ("Grantor"),

AND

SUN LEISURE POINT RESORT LLC, a Michigan limited liability company authorized to and doing business in the State of Delaware, whose address is 27777 Franklin Road, Suite 200, Southfield, MI 48034, party of the second part, ("Grantee"),

WITNESSETH, That the said party of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants, sells and conveys the premises described below, unto the said party of the second part, its successors and/or assigns all of those certain tracts, pieces or parcels of land, with the improvements erected thereon, if any, described and identified on Exhibit "A" attached hereto and made a part hereof (the "Property").

That the said party of the first part further remises, releases and quitclaims the more-recently as-surveyed legal description of the Property described and identified on Exhibit "B" attached hereto and made a part hereof below, unto the said party of the second part, its successors and/or assigns.

IN WITNESS WHEREOF, Grantor has caused its duly authorized officer to execute this Deed on Grantor's behalf on the day and year first above written.

ATTEST/WITNESS:

PINE ACRES, INC.
a Delaware corporation

By: Christopher J. Harrison
Print Name Christopher J. Harrison

By: George H. Harrison, Jr. (SEAL)
Name: George H. Harrison, Jr.
Title: President

STATE OF DELAWARE :
: SS.
COUNTY OF SUSSEX :

BE IT REMEMBERED that on this 3rd day of September, 2019, before me, a Notary Public, duly qualified in and for the aforesaid County and State, personally came and appeared George H. Harrison, Jr., in his capacity as the duly authorized President of PINE ACRES, INC., known or satisfactorily proven to me to be such and acknowledged that he executed this Deed on behalf of PINE ACRES, INC., for the purposes herein contained.

GIVEN under my Hand and Seal of Office, the day, month and year aforesaid.

DAVID C. HUTT, ESQ. #4037
Notarial Officer pursuant to
29 Del. Code §4323
ATTORNEY AT LAW
Delaware

David C. Hutt
Notary Public

My commission expires: _____

EXHIBIT "A"

LEGAL DESCRIPTIONS

TAX PARCEL NUMBER 234-24.00-38.00:

ALL that certain piece, or parcel of land, situate in Indian River Hundred, Sussex County, State of Delaware, according to a survey which is of record in the office of the Clerk of the Orphans' Court of Sussex County in Orphans' Court Docket 39 at page 197, and more particularly described as follows: Beginning at a post at the edge of Guinea Creek marked on the above plot by letter E, corner of lands formerly of John E.M. Burton; thence south 39 ½ degrees west 112 perches through a large stone to a point; thence south 25 ½ degrees east 13 perches; thence south 34 ¼ degrees west 149 ½ perches to a post and the division line of lot No. 3; thence with the same north 54 ½ degrees west 45 ½ perches to a cedar post in the center of a private road and corner of lots No. 3 and No. 1; thence with one line of said lot No. 1 north 34 ¼ degrees east 192 perches to a cedar post at the edge of Guinea Creek; thence down and with the edge of said creek to the beginning, **containing 58 acres of land**, more or less.

TOGETHER WITH: Access Agreement by and among Pine Acres, Inc., Radie K. Moore and Chester L. Moore, her brother, George K. Niblett, Sr. and Francis O. Niblett, Sr., dated May 1, 1982, and recorded on May 13, 2011 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in **Deed Book 1115 page 286**.

SUBJECT TO ALL covenants, conditions, restrictions, reservations, agreements, plans and easements of record with respect to the property described above, this reference to which shall not be construed to reimpose any such covenants, conditions, restrictions, reservations, agreements, plans and easements of record which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise, as applicable.

SUBJECT TO the following unrecorded leases: (a) 97-year Land Lease by and between Pine Acres, Inc. and Raymond Smith, for Mobile Home Space No. A-12, Leisure Point Resort, dated September 1, 1970; (b) Lifetime Land Lease by and between Pine Acres, Inc., and Joseph and Elizabeth Lobozzo, for Mobile Home Space No. B-14, Leisure Point Resort, dated September 27, 1970; (c) Lifetime Land Lease by and between Pine Acres, Inc. and Richard and Barbara Gray, for Mobile Home Space No. D-20, Leisure Point, dated August 27, 1970; and (d) Land Lease by and between Pine Acres, Inc. and Bruce W. and Geraldine Fox, for Lot C-8, Leisure Point, dated September 13, 1971.

BEING the same lands and premises which James Richard Draper, by Deed dated June 19, 1967, and recorded on June 22, 1967, in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware, in **Deed Book 621, Page 730**, did grant and convey unto Pine Acres, Inc., in fee.

TAX PARCEL NUMBER 234-24.00-39.02:

ALL THAT CERTAIN lot, piece and parcel of land, situate, lying and being in Indian River Hundred, Sussex County, Delaware, more particularly described as follows:

BEGINNING at a point in the line of lands of Francis W. Moore Estate which point is a corner for this lot and lands to be conveyed to Nancy C. DeGirolano; thence by and with lands to be conveyed to Nancy C. DeGirolano South 59°-01'-00" East a distance of 271.35 feet to a point; thence by and with lands to be conveyed to Radia K. Moore North 28°-07'-06" East a distance of 634.02 feet to a point in line of lands now or formerly of Leisure Point; thence North 51°-07'-42" West a distance of 267.55 feet to a point in the aforesaid line for lands of Francis W. Moore Estate; thence by and with other lands of Francis W. Moore Estate South 28°-48'-59" West a distance of 670.42 feet to the place of beginning, containing 4 acres, more or less, as will more fully and clearly appear upon reference to a plot prepared by J.J. McCann, Inc., on September 5, 1974.

TOGETHER WITH: Easement Estate as set forth in (i) Deed of Easement by and between Radie K. Moore, Chester L. Moore, George Kenneth Niblett, Sr. and Alda O. Niblett, Francis O. Niblett and George Kenneth Niblett, Sr., dated February 21, 1975, and recorded on February 21, 1975, in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 743 page 605; (ii) Access Agreement by and among Pine Acres, Inc., Radie K. Moore and Chester L. Moore, her brother, George K. Niblett, Sr. and Francis O. Niblett, Sr., dated May 1, 1982, and recorded on May 13, 2011 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in **Deed book 1115 page 286**.

SUBJECT to Deed of Easement from Radie K. Moore, Chester L. Moore, George Kenneth Niblett, Sr. and Alda O. Niblett, his wife, to Francis O. Niblett and George Kenneth Niblett, Sr., dated February 21, 1975, of record in **Deed Book 743, Page 605**.

SUBJECT to Agreement between Pines Acres, Inc., Radie K. Moore, Chester L. Moore, George K. Niblett, Sr. and Francis O. Niblett, Sr., dated May 1, 1982, of record in **Deed Book 1115, Page 286**.

SUBJECT TO ALL covenants, conditions, restrictions, reservations, agreements, plans and easements of record with respect to the property described above, this reference to which shall not be construed to reimpose any such covenants, conditions, restrictions, reservations, agreements, plans and easements of record which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise, as applicable.

BEING the same lands and premises which Kathy A. Banks and George K. Niblett, Jr., by Deed dated October 18, 2004, and recorded on October 21, 2004, in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware, in **Deed Book 3049, Page 286**, did grant and convey unto Pine Acres, Inc., in fee.

TAX PARCEL NUMBER 234-24.00-39.06:

ALL that certain lot, piece or parcel of land, situate in the Indian River Hundred, Sussex County and State of Delaware, and being more particularly bounded and described as follow, to wit:

BEGINNING at a point, a common corner for this parcel and another parcel, said point of Beginning being located the following courses and distances: (1) from a point located in the northerly right of way line of Route 5 which point is located 792 feet northwest of Route 22A; (2) by and with lands now or formerly of Pot-Nets, Inc., North 37 Degrees 39 Minutes 42 Seconds East a distance of 548.47 feet to a point; (3) by and with lands conveyed to Francis O. Niblett, Sr., North 59 Degrees 01 Minutes 00 Seconds West a distance of 271.35 feet to the point and place of Beginning; thence North 59 Degrees 01 Minutes 00 Seconds West 271.35 feet to a point; Thence North 28 Degrees 07 Minutes 06 Seconds East 634.02 feet to a point (crossing an easement road at 548.02 feet from the last point); thence along the northerly side of a 50 foot easement road; South 51 Degrees 07 Minutes 42 Seconds East 301.65 feet to a point; thence (recrossing the aforesaid 50 foot easement) South 30 Degrees 34 Minutes 20 Seconds West 591.84 feet to the point and place of **Beginning, containing 4 acres of** land, more or less, as will more fully and clearly appear upon reference to a plot prepared by J.J. McCann, Inc., on September 5, 1974.

TOGETHER WITH: Easement Estate as set forth in (i) Deed of Easement by and between Radie K. Moore, Chester L. Moore, George Kenneth Niblett, Sr. and Alda O. Niblett, Francis O. Niblett and George Kenneth Niblett, Sr., dated February 21, 1975, and recorded on February 21, 1975, in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 743 page 605; (ii) Access Agreement by and among Pine Acres, Inc., Radie K. Moore and Chester L. Moore, her brother, George K. Niblett, Sr. and Francis O. Niblett, Sr., dated May 1, 1982, and recorded on May 13, 2011 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, **in Deed Book 1115 page 286.**

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

SUBJECT TO ALL covenants, conditions, restrictions, reservations, agreements, plans and easements of record with respect to the property described above, this reference to which shall not be construed to reimpose any such covenants, conditions, restrictions, reservations, agreements, plans and easements of record which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise, as applicable.

BEING the same lands and premises which Charles Henry Moore, Jr., by Deed dated October 8, 2013, and recorded on October 10, 2013, in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware, **in Deed Book 4183, Page 109**, did grant and convey unto Pine Acres, Inc., in fee.

EXHIBIT "B"

AS-SURVEYED LEGAL DESCRIPTIONS

TAX PARCEL NUMBER 234-24.00-38.00:

ALL as more recently described in accordance with an ALTA/ NSPS Land Title Survey by Millman National Land Services, as prepared by First Order, LLC, and dated July 30, 2019, last revised on September 4, 2019, as follows, to-wit:

ALL THAT CERTAIN lot, piece or parcel of land, with the improvements erected thereon, situate, lying and being in Indian River Hundred, Sussex County, State of Delaware, more particularly described as follows:

BEGINNING at a point at the southerly edge of Guinea Creek and the corner of the lands now or formerly of Pot-Nets Communities-CCDS, LLC; thence,

Along the westerly line of said Pot-Nets Communities-CCDS, LLC, the following three courses:

1) S46°37'10"W a distance of 1770.58 feet to a point; thence,

2) S18°24'40"E a distance of 214.50 feet to a monument found; thence,

3) S41°39'50"W a distance of 2508.72 feet to an iron pin found at the northeast corner of the lands now or formerly of Francis O. Niblett, Sr.; thence,

Along the northerly line of said Niblett, and others, N47°41'55"W a distance of 753.00 feet to a point at the southeasterly corner of the lands now or formerly of Charles H., Jr. and Nancy Moore; thence,

Along the easterly line of said Moore, N41°30'15"E a distance of 3120.00 feet to a point at the edge of said Guinea Creek; thence,

Generally along the mean low water line of said Guinea Creek, subtended by the following five courses:

1) N69°47'12"E a distance of 514.41 feet;

2) N36°33'41"E a distance of 217.43 feet;

3) S81°53'54"E a distance of 271.37 feet;

4) N70°27'53"E a distance of 492.57 feet;

5) S47°32'56"E a distance of 42.14 feet to the point and place of the beginning.

Containing an area of 2,715,000 +/- square feet, or 62.3 +/- acres of land.

TOGETHER WITH: Access Agreement by and among Pine Acres, Inc., Radie K. Moore and Chester L. Moore, her brother, George K. Niblett, Sr. and Francis O. Niblett, Sr., dated May 1, 1982, and recorded on May 13, 2011 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in **Deed Book 1115 page 286.**

SUBJECT TO ALL covenants, conditions, restrictions, reservations, agreements, plans and easements of record with respect to the property described above, this reference to which shall not be construed to reimpose any such covenants, conditions, restrictions, reservations, agreements, plans and easements of record which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise, as applicable.

SUBJECT TO the following unrecorded leases: (a) 97-year Land Lease by and between Pine Acres, Inc. and Raymond Smith, for Mobile Home Space No. A-12, Leisure Point Resort, dated September 1, 1970; (b) Lifetime Land Lease by and between Pine Acres, Inc., and Joseph and Elizabeth Lobozzo, for Mobile Home Space No. B-14, Leisure Point Resort, dated September 27, 1970; (c) Lifetime Land Lease by and between Pine Acres, Inc. and Richard and Barbara Gray, for Mobile Home Space No. D-20, Leisure Point, dated August 27, 1970; and (d) Land Lease by and between Pine Acres, Inc. and Bruce W. and Geraldine Fox, for Lot C-8, Leisure Point, dated September 13, 1971.

BEING the same lands and premises which James Richard Draper, by Deed dated June 19, 1967, and recorded on June 22, 1967, in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware, in **Deed Book 621, Page 730**, did grant and convey unto Pine Acres, Inc., in fee.

TAX PARCEL NUMBER 234-24.00-39.02:

ALL as more recently described in accordance with an ALTA/ NSPS Land Title Survey by Millman National Land Services, as prepared by First Order, LLC, and dated July 30, 2019, last revised on September 4, 2019, as follows, to-wit:

ALL THAT CERTAIN lot, piece or parcel of land, with the improvements erected thereon, if any, situate, lying and being in Indian River Hundred, Sussex County, State of Delaware, more particularly described as follows:

BEGINNING at an iron pipe found in the line of lands of Francis W. Moore Estate which point is a corner for this lot and lands to be conveyed to Nancy C. DeGirolano; thence by and with lands to be conveyed to Nancy C. DeGirolano South 55°35'13" East a distance of 271.35 feet to a concrete monument.

Thence North 31°32'53" East a distance of 634.02 feet to a point in line of lands now or formerly of Leisure Point;

Thence North 47°41'55" West a distance of 267.55 feet to a point in the aforesaid line for lands of Francis W. Moore Estate;

Thence by and with other lands of Francis W. Moore Estate South 32°14'46" West a distance of 670.42 feet to the place of Beginning.

Containing an area of 174,225 square feet, or 3.9996 acres of land.

TOGETHER WITH: Easement Estate as set forth in (i) Deed of Easement by and between Radie K. Moore, Chester L. Moore, George Kenneth Niblett, Sr. and Alda O. Niblett, Francis O. Niblett and George Kenneth Niblett, Sr., dated February 21, 1975, and recorded on February 21, 1975, in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in **Deed Book 743 page 605**; (ii) Access Agreement by and among Pine Acres, Inc., Radie K. Moore and Chester L. Moore, her brother, George K. Niblett, Sr. and Francis O. Niblett, Sr., dated May 1, 1982, and recorded on May 13, 2011 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in **Deed book 1115 page 286**.

SUBJECT TO ALL covenants, conditions, restrictions, reservations, agreements, plans and easements of record with respect to the property described above, this reference to which shall not be construed to reimpose any such covenants, conditions, restrictions, reservations, agreements, plans and easements of record which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise, as applicable.

BEING the same lands and premises which Kathy A. Banks and George K. Niblett, Jr., by Deed dated October 18, 2004, and recorded on October 21, 2004, in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware, in **Deed Book 3049, Page 286**, did grant and convey unto Pine Acres, Inc., in fee.

TAX PARCEL NUMBER 234-24.00-39.06:

ALL as more recently described in accordance with an ALTA/ NSPS Land Title Survey by Millman National Land Services, as prepared by First Order, LLC, and dated July 30, 2019, last revised on September 4, 2019, as follows, to-wit:

ALL THAT CERTAIN lot, piece or parcel of land, with the improvements erected thereon, if any, situate, lying and being in Indian River Hundred, Sussex County, State of Delaware, more particularly described as follows:

BEGINNING at an iron pin, a common corner for this parcel and three other parcels, said point of Beginning being located the following courses and distances:

1) By and with lands now or formerly of Pot-Nets, Inc., N28°52'39"E a distance of 548.47 feet to a point;

2) By and with lands conveyed to Francis O. Niblett, Sr., N67°48'03"W a distance of 271.35 feet to the point and place of Beginning;

Thence N55°35'13"W 271.35 feet to a concrete monument;

Thence N31°32'53"E a distance of 634.02 feet to a point in line of lands now or formerly of Leisure Point;

Thence along the lands of said Leisure Point, S47°41'55"E a distance of 301.65 feet to an iron pipe;

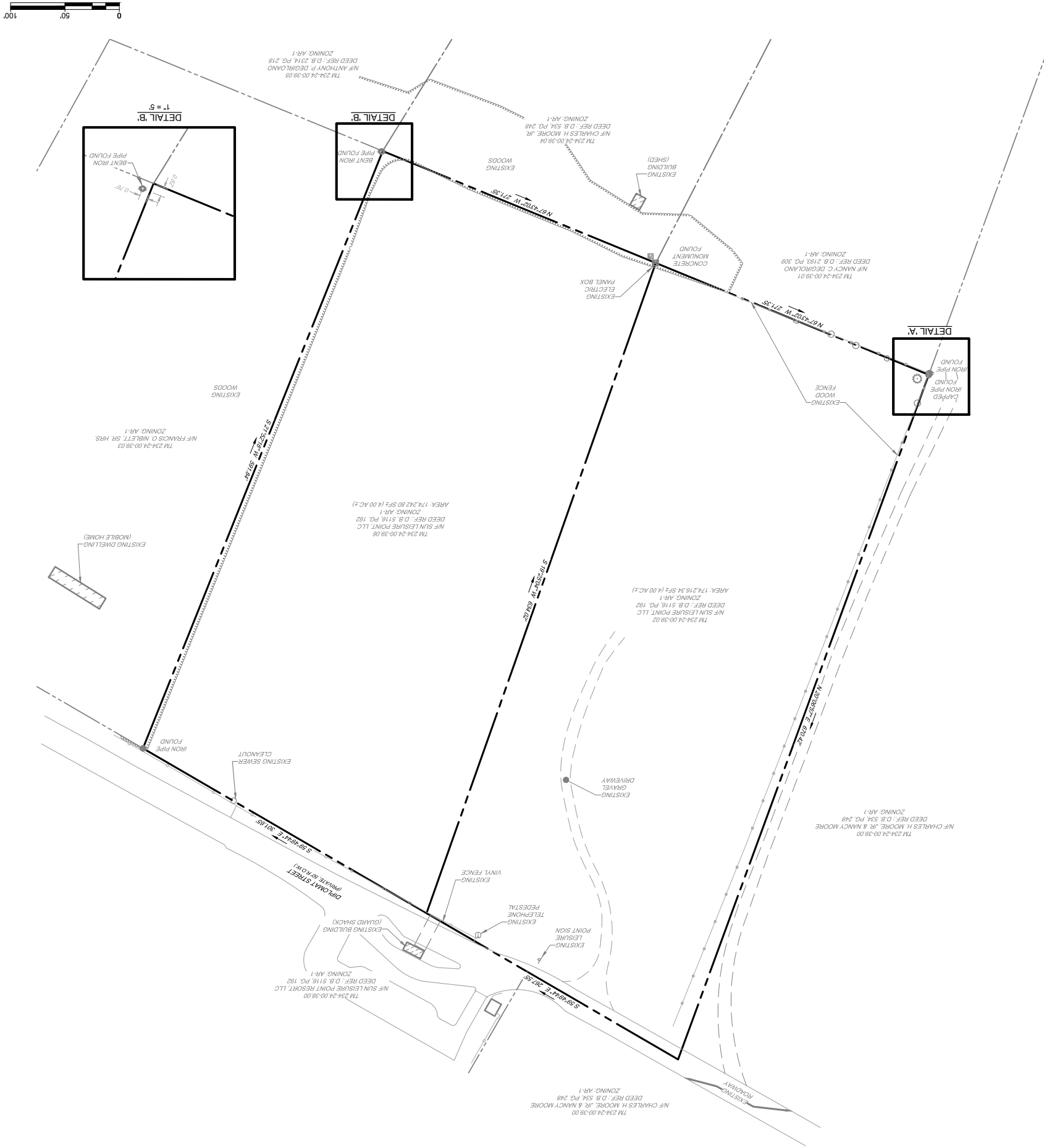
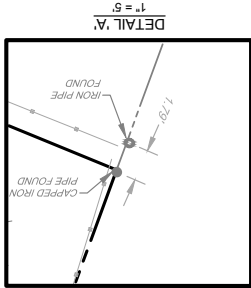
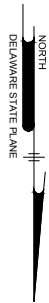
Thence S34°00'08"W a distance of 591.84 feet to the point and place of Beginning.

Containing an area of 174,244 square feet, or 4.0001 acres of land.

TOGETHER WITH: Easement Estate as set forth in (i) Deed of Easement by and between Radie K. Moore, Chester L. Moore, George Kenneth Niblett, Sr. and Alda O. Niblett, Francis O. Niblett and George Kenneth Niblett, Sr., dated February 21, 1975, and recorded on February 21, 1975, in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 743 page 605; (ii) Access Agreement by and among Pine Acres, Inc., Radie K. Moore and Chester L. Moore, her brother, George K. Niblett, Sr. and Francis O. Niblett, Sr., dated May 1, 1982, and recorded on May 13, 2011 in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 1115 page 286.

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BEING the same lands and premises which Charles Henry Moore, Jr., by Deed dated October 8, 2013, and recorded on October 10, 2013, in the Office of the Recorder of Deeds in and for Sussex County, State of Delaware, in Deed Book 4183, Page 109, did grant and convey unto Pine Acres, Inc., in fee.

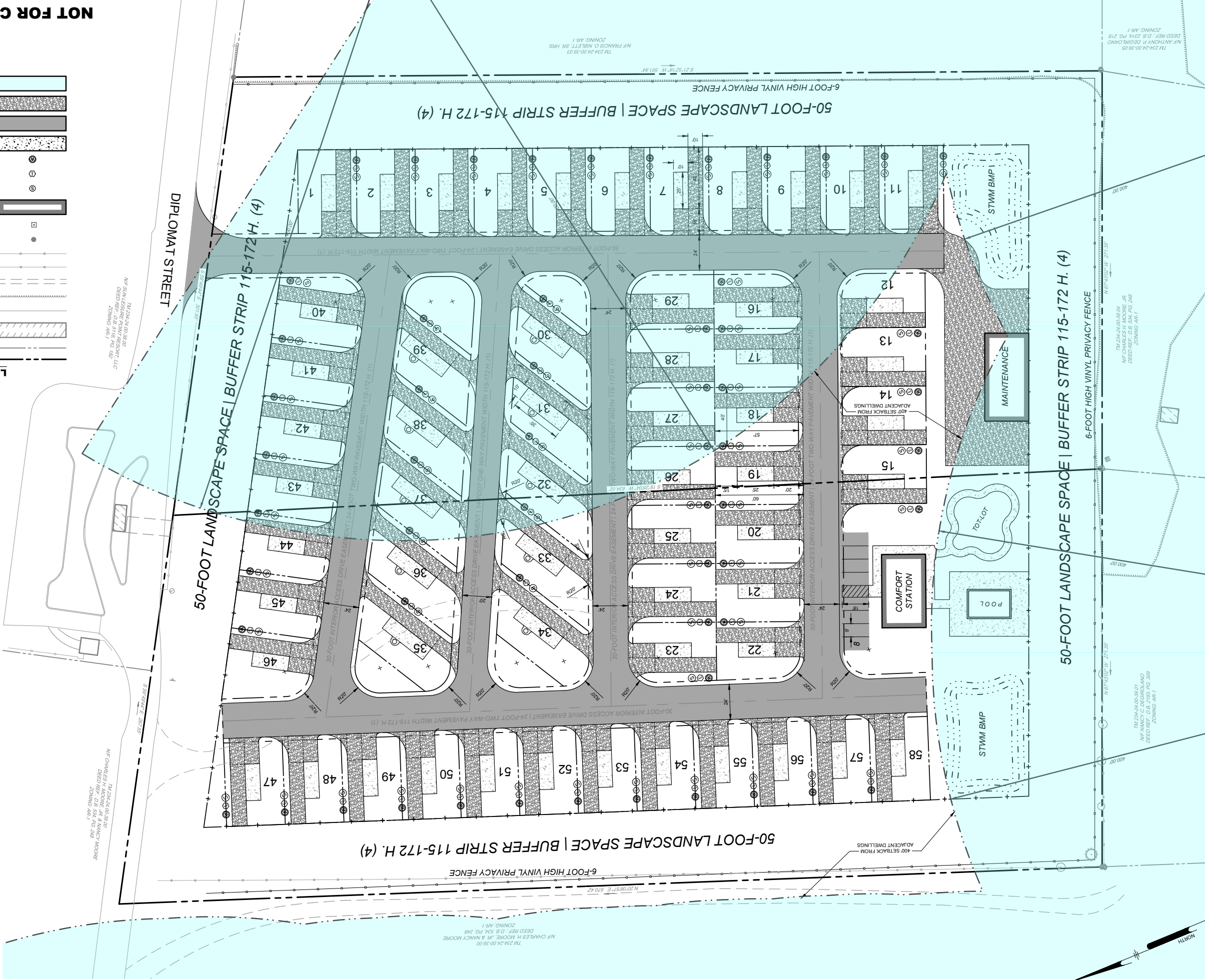


GENERAL NOTES:

1. THE BOUNDARY INFORMATION SHOWN ON THIS PLAT WAS TAKEN FROM DEED BOOK 5116, PAGE 192 AND IS THE RESULT OF AN ACTUAL FIELD SURVEY BY PENNONI ASSOCIATES, INC. DATE OF SURVEY: DECEMBER 30, 2019. BEARING DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
2. THIS SURVEY DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS OF WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED.
3. THIS PROPERTY APPEARS ON SUSSEX COUNTY TAX MAP 234-24.00 AS PARCELS 39.02 & 39.06.
4. CLASS OF SURVEY: SUBURBAN
5. THE SUBJECT PROPERTIES ARE LOCATED IN ZONE 'X' ACCORDING TO FEMA FLOODPLAIN MAP #100050034K, EFFECTIVE DATE 3/19/2015. ZONE 'X' IS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.
6. THERE ARE NO WETLANDS ON THE SITE ACCORDING TO THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE (ENAVMAP).
7. BUILDING SETBACKS PER SUSSEX COUNTY CH. 115-25 SEC. C)
 - FRONT: 40' (TYPICAL)
 - 30' (FRONTING ON SUBDIVISION STREET)
 - 25' (CLUSTER WITH CENTRAL SEWER)
 - 10' (CLUSTER WITH CENTRAL SEWER)
 - 10' (CLUSTER WITH CENTRAL SEWER)
 - REAR: 20' (TYPICAL)
 - 10' (CLUSTER WITH CENTRAL SEWER)
9. EXISTING ZONING IS AR-1 (AGRICULTURAL RESIDENTIAL).
10. PROPERTY OWNER: SUN LEISURE POINT RESORT, LLC, 2777 FRANKLIN ROAD, SUITE 200, SOUTHFIELD, MISSISSIPPI 48076

- LEGEND**
- PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - EXISTING BUILDING
 - EXISTING EDGE OF ROADWAY
 - EXISTING TREE LINE
 - EXISTING DRIVEWAY
 - EXISTING FENCE LINE (WOODEN)
 - EXISTING FENCE LINE (VINYL)
 - IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND

SIGNATURE _____ DATE _____
BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE, AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED. PENNONI ASSOCIATES, INC.
18072 DAVIDSON DRIVE MILTON, DE 19968
ALAN M. DECKTOR (DE PE #17771) (302) 684-8030



LEGEND

- PROPOSED GRAVEL R/V/PARKING SITE
- PROPOSED GRAVEL ROAD
- PROPOSED CONCRETE
- PROPOSED WATER SERVICE
- PROPOSED ELECTRIC SERVICE
- PROPOSED SEWER CONNECTION
- PROPOSED BUILDING
- CONCRETE MONUMENT FOUND
- IRON PIPE FOUND
- EXISTING FENCELINE (VINYL)
- EXISTING FENCELINE (WOODEN)
- EXISTING DRIVEWAY
- EXISTING TREELINE
- EXISTING EDGE OF ROADWAY
- EXISTING BUILDING
- ADJACENT PROPERTY LINE
- PROPERTY LINE

NOT FOR CONSTRUCTION

115-172 H. (3) CAMP SITE SETBACK (400') FROM ANY EXISTING DWELLING ON PROPERTY OF OTHER OWNERSHIP

DATE: 2020-03-30

PROJECT: ATWEL-19001

DRAWN BY: KBE

APPROVED BY: AMD

SHEET 1 OF 1

CW-0001

LEISURE POINT RECREATION CAMPGROUND

SITE PLAN

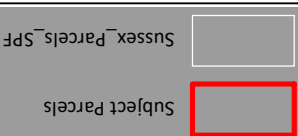
SUN LEISURE POINT RESORT, LLC
2777 FRANKLIN ROAD, SUITE 200
SOUTHFIELD, MI 48076

TAX MAP# 234-24-00 PARCELS 39.02 & 39.06
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

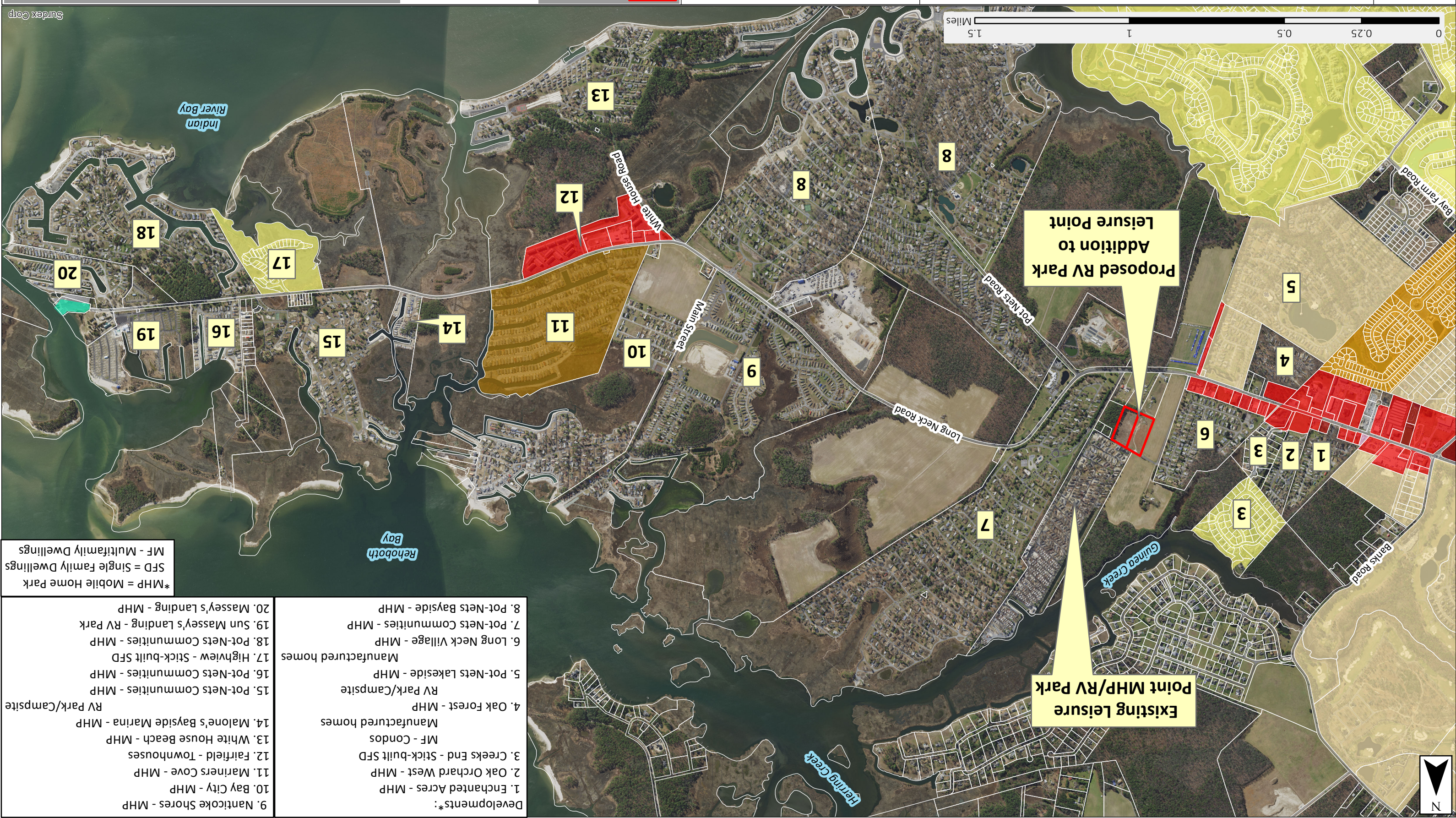
Pennoni

PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054




11

		B-1		M		GR	
VRP		MR		HR-1		C-1	





<p>Figure 1 of 21.</p> <p>1</p>	<p>2019 Aerial Image</p> <hr/> <p>Leisure Point Expansion</p> <hr/> <p>ATWEL19001</p>		<div data-bbox="1128 1837 1477 1953"> <div style="display: flex; align-items: center;"> <div style="width: 20px; height: 10px; border: 2px solid red; background-color: #cccccc; margin-right: 5px;"></div> <div>Subject Parcels</div> </div> <div style="display: flex; align-items: center; margin-top: 5px;"> <div style="width: 20px; height: 10px; border: 1px solid #cccccc; background-color: #cccccc; margin-right: 5px;"></div> <div>Other Tax Parcels</div> </div> </div>
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TM 234-24.00-39.07

October 11, 2019



Property Information	
Property Location:	26013 DOGWOOD LN
Unit:	
City:	MILLSBORO
State:	DE
Zip:	19966
Class:	RES-Residential
Use Code (LUC):	RT-RESIDENTIAL MH ON OWN LAND
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	.0001
Frontage:	122
Depth:	155.000
Irr Lot:	I
Zoning 1:	AR-1-AGRICULTURAL/RESIDEINTIAL
Zoning 2:	-
Plot Book Page:	/PB
100% Land Value:	\$3,500
100% Improvement Value	\$8,700
100% Total Value	\$12,200

Legal	
Legal Description	LEISURE POINT S/PRIVATE ROAD 1000'N/RT 22 T#36239

Owners					
Owner	Co-owner	Address	City	State	Zip
NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801

Owner History							
Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2019	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
2018	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
2017	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
2016	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
2012	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
2003	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
1900	BROWN JOHN ROBERT					0	1514/193

Land						
Line	Class	Land Use Code	Act Front	Depth	Deeded Acres	Ag
1	RES	RT	122	155	.0001	

Land Summary	
Line	1
100% Land Value	3,500

100% Values		
100% Land Value	100% Improv Value	100% Total Value

5/28/2020

Property Search

\$3,500

\$8,700

\$12,200

50% Values

50% Land Value	50% Improv Value	50% Total Value
\$1,750	\$4,350	\$6,100

Permit Details

Permit Date:	Permit #:	Amount:	Note 1
17-SEP-1987	47375-1	\$3,000	BA -S/PVT.RD..4 MILES N/22

TM 234-24.00-39.08

October 11, 2019



Property Information	
Property Location:	26005 DOGWOOD LN
Unit:	
City:	MILLSBORO
State:	DE
Zip:	19966
Class:	RES-Residential
Use Code (LUC):	RS-RESIDENTIAL SINGLE FAMILY
Town	00-None
Tax District:	234 – INDIAN RIVER
School District:	1 - INDIAN RIVER
Council District:	4-Hudson
Fire District:	80-Indian River
Deeded Acres:	.0001
Frontage:	139
Depth:	155.000
Irr Lot:	I
Zoning 1:	AR-1-AGRICULTURAL/RESIDEINTIAL
Zoning 2:	-
Plot Book Page:	/PB
100% Land Value:	\$3,500
100% Improvement Value	\$27,600
100% Total Value	\$31,100

Legal	
Legal Description	LEISURE POINT S/PRIVATE ROAD 1000'N/ROUTE 22

Owners					
Owner	Co-owner	Address	City	State	Zip
NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801

Owner History							
Tax Year:	Owner:	Co-owner	Address:	City:	State:	Zip:	Deed Book/Page:
2019	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
2018	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
2017	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
2016	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
2012	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
2003	NIBLETT FRANCIS O SR HRS		711 W 10TH ST	WILMINGTON	DE	19801	742/995
1900	BROWN JOHN ROBERT					0	1514/193

Land						
Line	Class	Land Use Code	Act Front	Depth	Deeded Acres	Ag
1	RES	RS	139	155	.0001	

Land Summary	
Line	1
100% Land Value	3,500

Residential	
Card	1
Class	Residential

Style	Single Family
Year Built	1987
Occupancy	0
Stories	1.00
Basement	0-None
Total Fixtures	6
Heating	53 - Heat - Forced Hot Air
Air Condition	DT - A/C Central
Electricity	3-Public
Foundation	31 - Foundation - Masonry
Exterior Wall	1-Frame or Block
Siding	3-Aluminum/Vinyl
Roof Type	2-Gable
Roofing	21 - Roofing - Wood
Elevator	-
Width	
Depth/Length	
Color	
Description	
MH Skirting	
MH Permit #	
MH Serial #	

Additions

Card #	Addition #	Area
1	0	1,792

Addition Details

Card #	1
Addition #	0
Lower	-
First	-
Second	-
Third	-
Area	1,792
Year Built	1987

100% Values

100% Land Value	100% Improv Value	100% Total Value
\$3,500	\$27,600	\$31,100

50% Values

50% Land Value	50% Improv Value	50% Total Value
\$1,750	\$13,800	\$15,550

Permit Details

Permit Date:	Permit #:	Amount:	Note 1
17-SEP-1987	47376-1	\$7,000	DWELLING-S/PVT.RD..04 MILES N/22



Figure 1 of 21.

1

2019 Aerial Image

Leisure Point Expansion

ATWEL19001

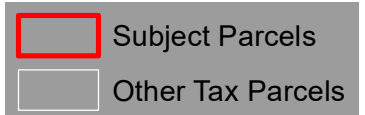




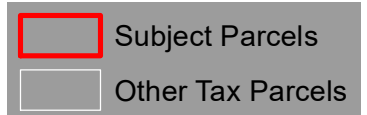
Figure 1 of 21.

1


2019 Aerial Image

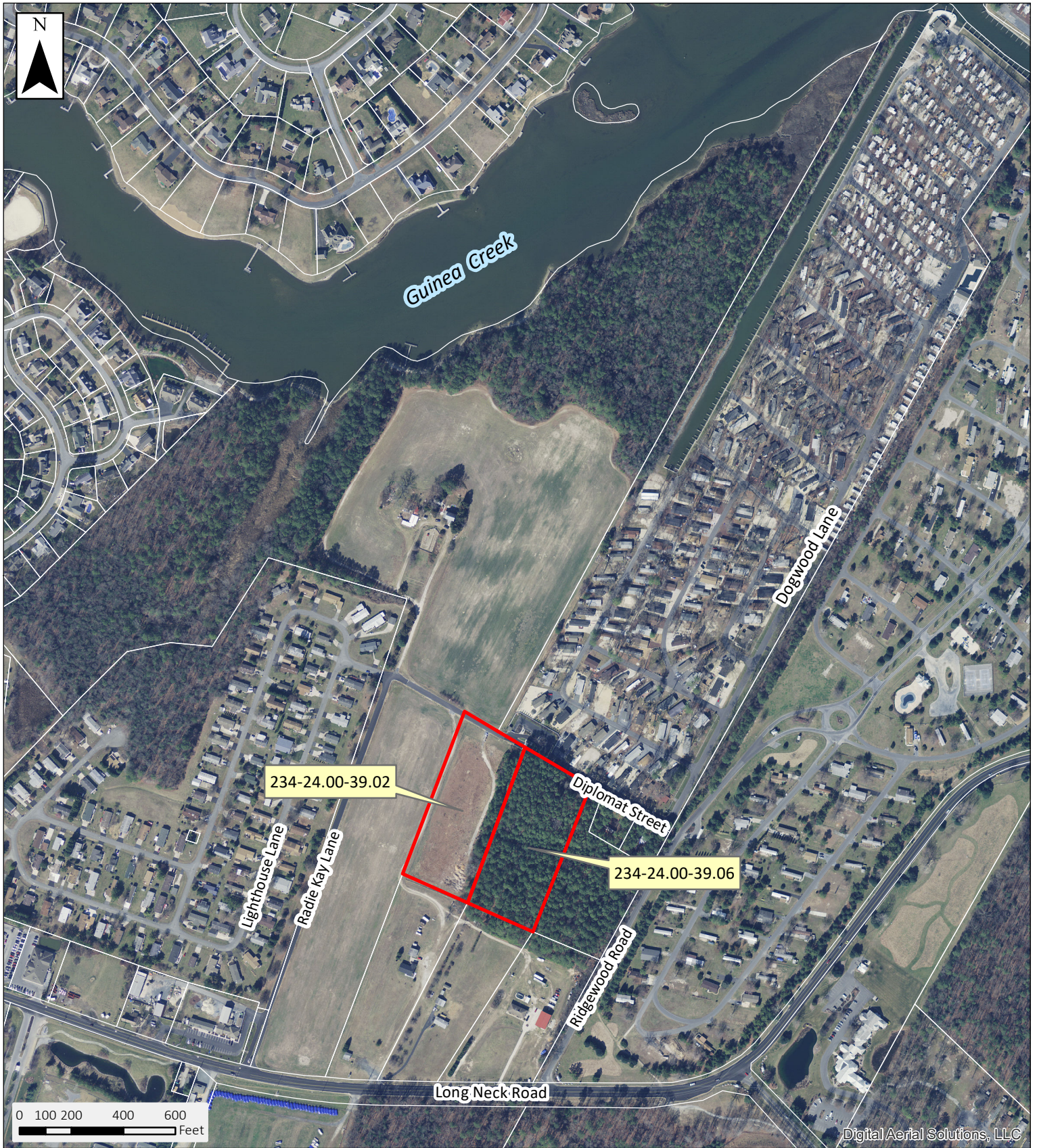
Leisure Point Expansion

ATWEL19001





<p>Figure 2 of 21.</p> <p>2</p>	<p>2017 Orthophoto</p> <hr/> <p>Leisure Point Expansion</p> <hr/> <p>ATWEL19001</p>		<div data-bbox="1125 1837 1477 1955"> <div style="display: flex; align-items: center;"> <div style="border: 2px solid red; width: 30px; height: 15px; margin-right: 5px;"></div> Subject Parcels </div> <div style="display: flex; align-items: center;"> <div style="border: 1px solid gray; width: 30px; height: 15px; margin-right: 5px;"></div> Other Tax Parcels </div> </div>
---------------------------------	---	--	---






<p>Figure 3 of 21.</p> <p>3</p>	<p>2012 Orthophoto</p> <hr/> <p>Leisure Point Expansion</p> <hr/> <p>ATWEL19001</p>		<div data-bbox="1128 1837 1477 1953"> <div> Subject Parcels</div> <div> Other Tax Parcels</div> </div>
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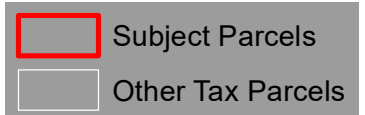
Figure 4 of 21.

4

2007 Orthophoto

Leisure Point Expansion

ATWEL19001








<p>Figure 5 of 21.</p> <p>5</p>	<p>2002 Orthophoto</p> <hr/> <p>Leisure Point Expansion</p> <hr/> <p>ATWEL19001</p>		<div data-bbox="1128 1837 1477 1953"> <div> Subject Parcels</div> <div> Other Tax Parcels</div> </div>
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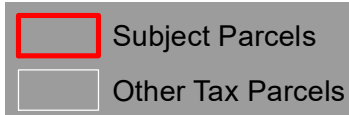
Figure 6 of 21.

6

1997 Orthophoto

Leisure Point Expansion

ATWEL19001



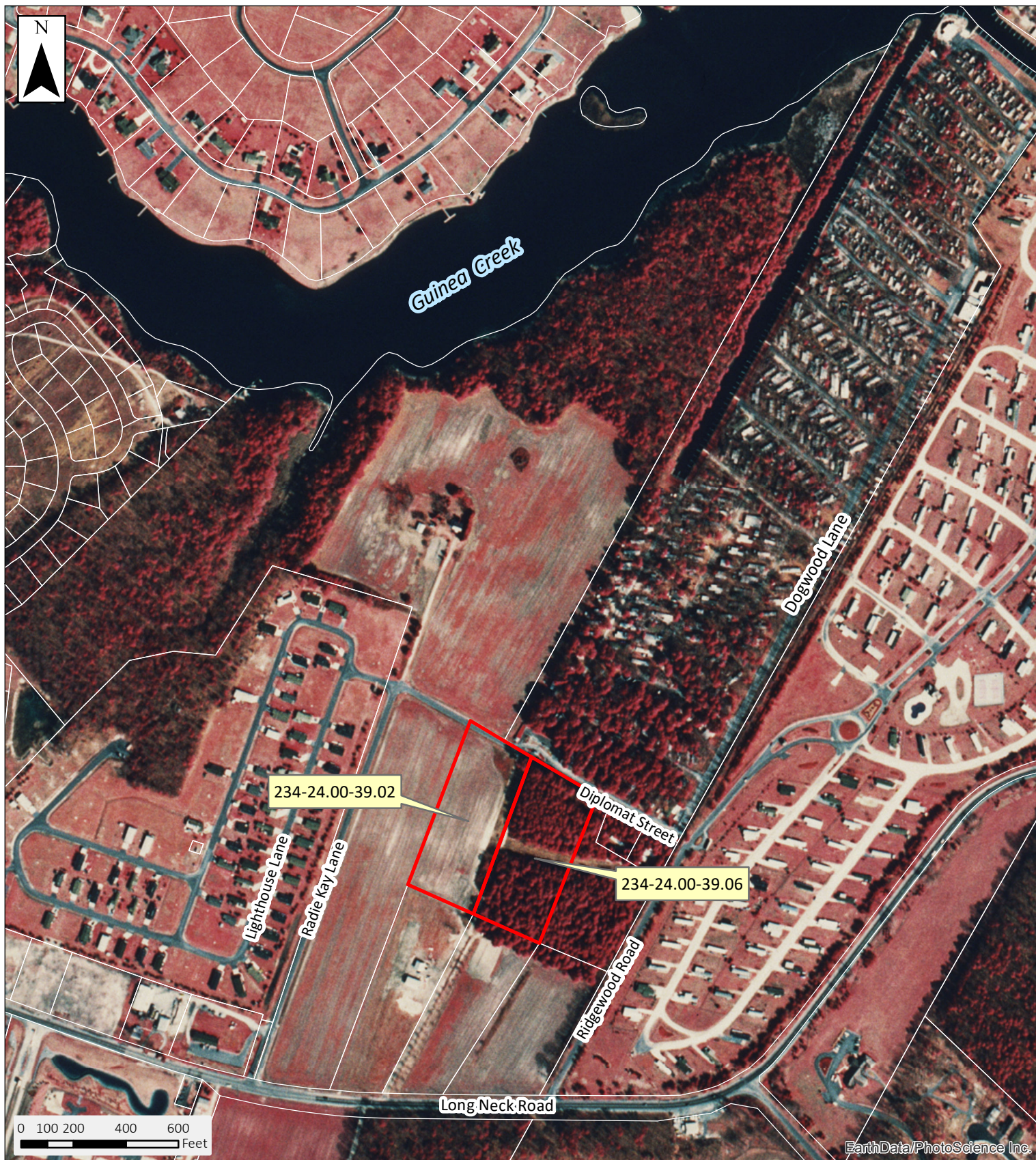


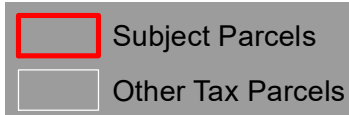
Figure 7 of 21.

7

1992 Orthophoto

Leisure Point Expansion

ATWEL19001



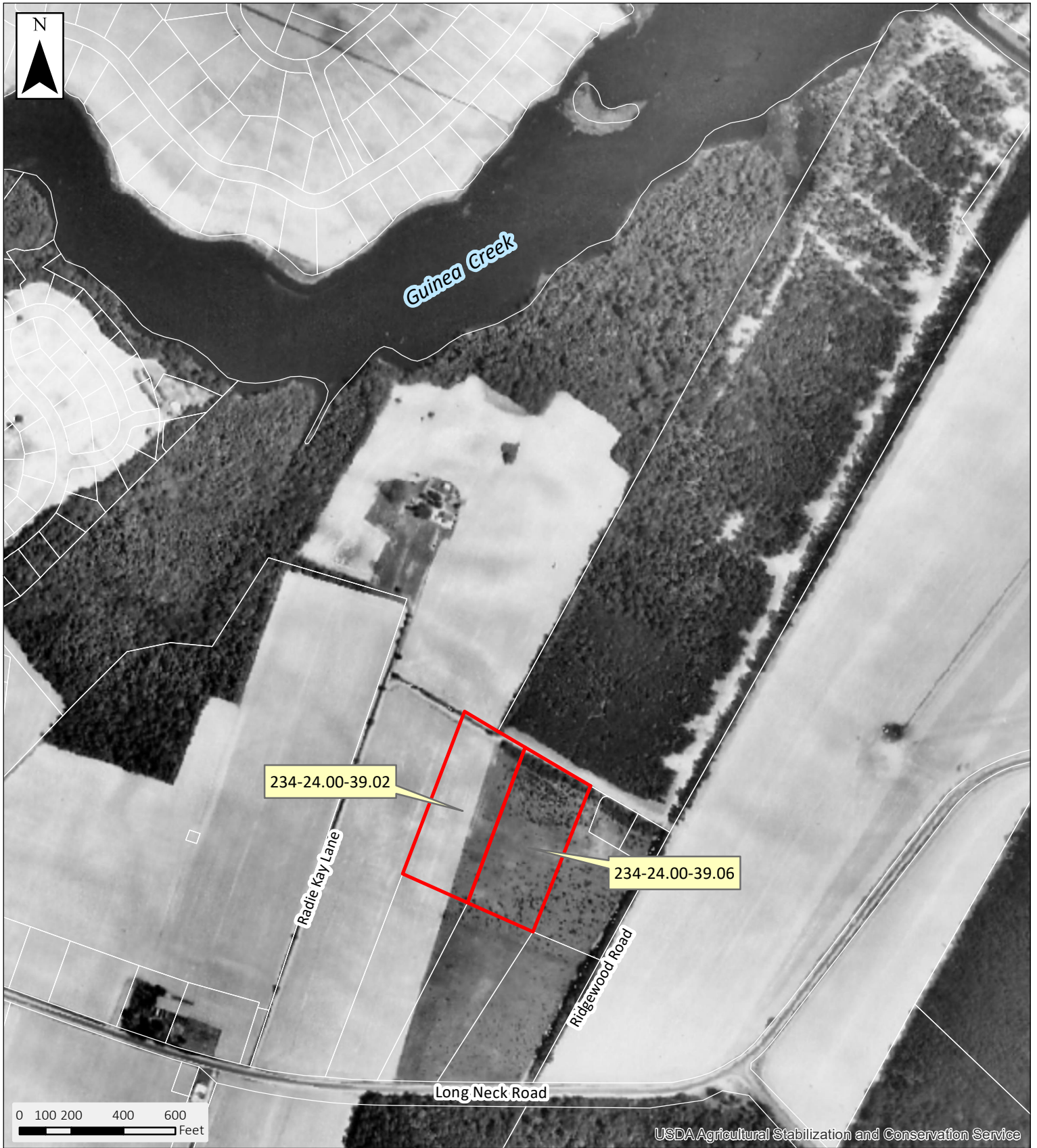


Figure 8 of 21.

8

1968 Orthophoto

Leisure Point Expansion

ATWEL19001

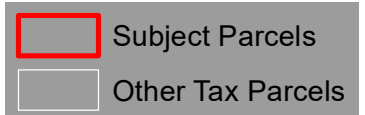




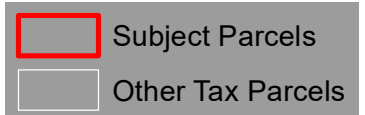
Figure 9 of 21.

9

1961 Orthophoto

Leisure Point Expansion

ATWEL19001



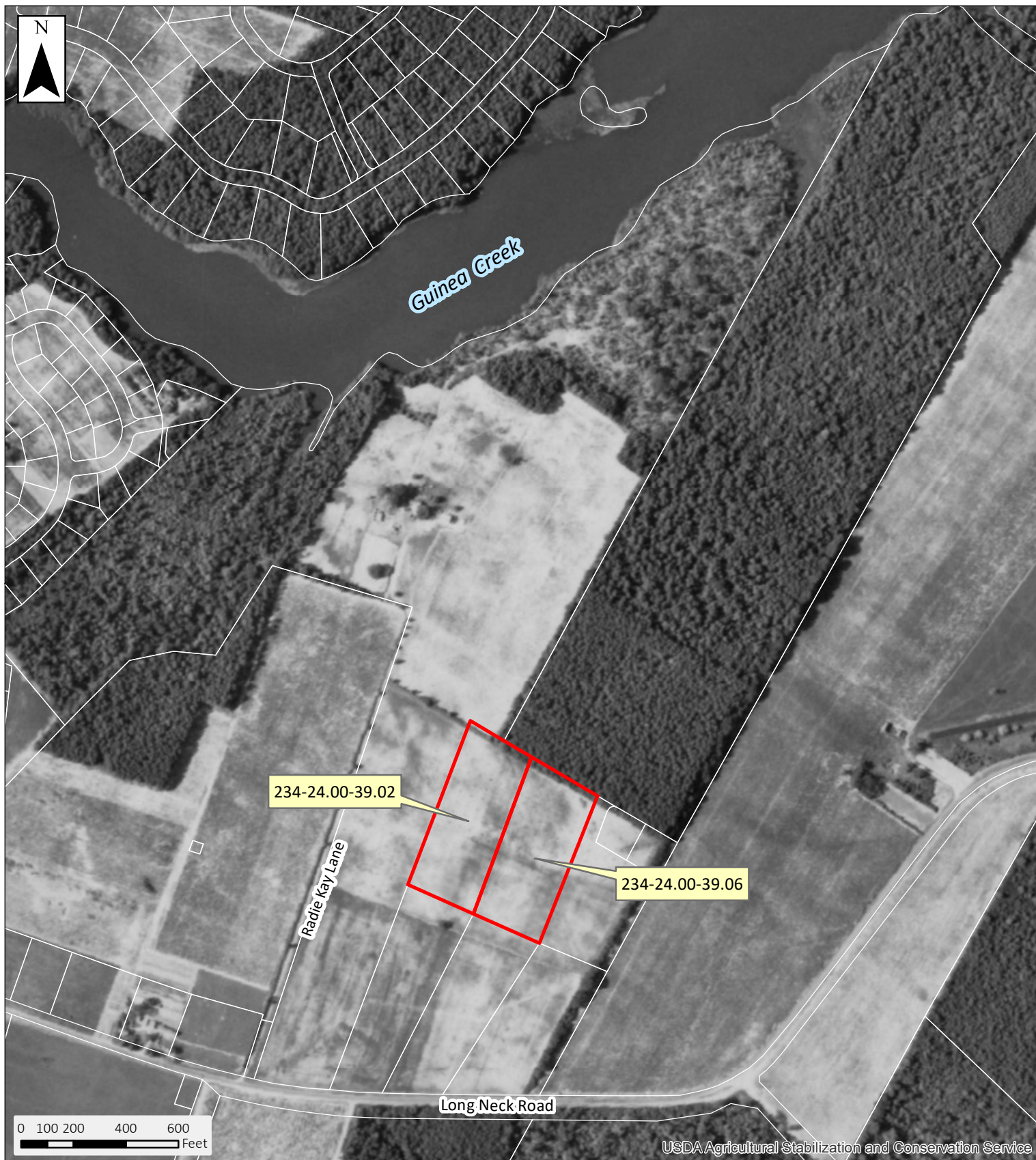


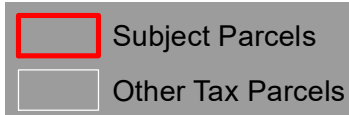
Figure 10 of 21.

10

1954 Orthophoto

Leisure Point Expansion

ATWEL19001



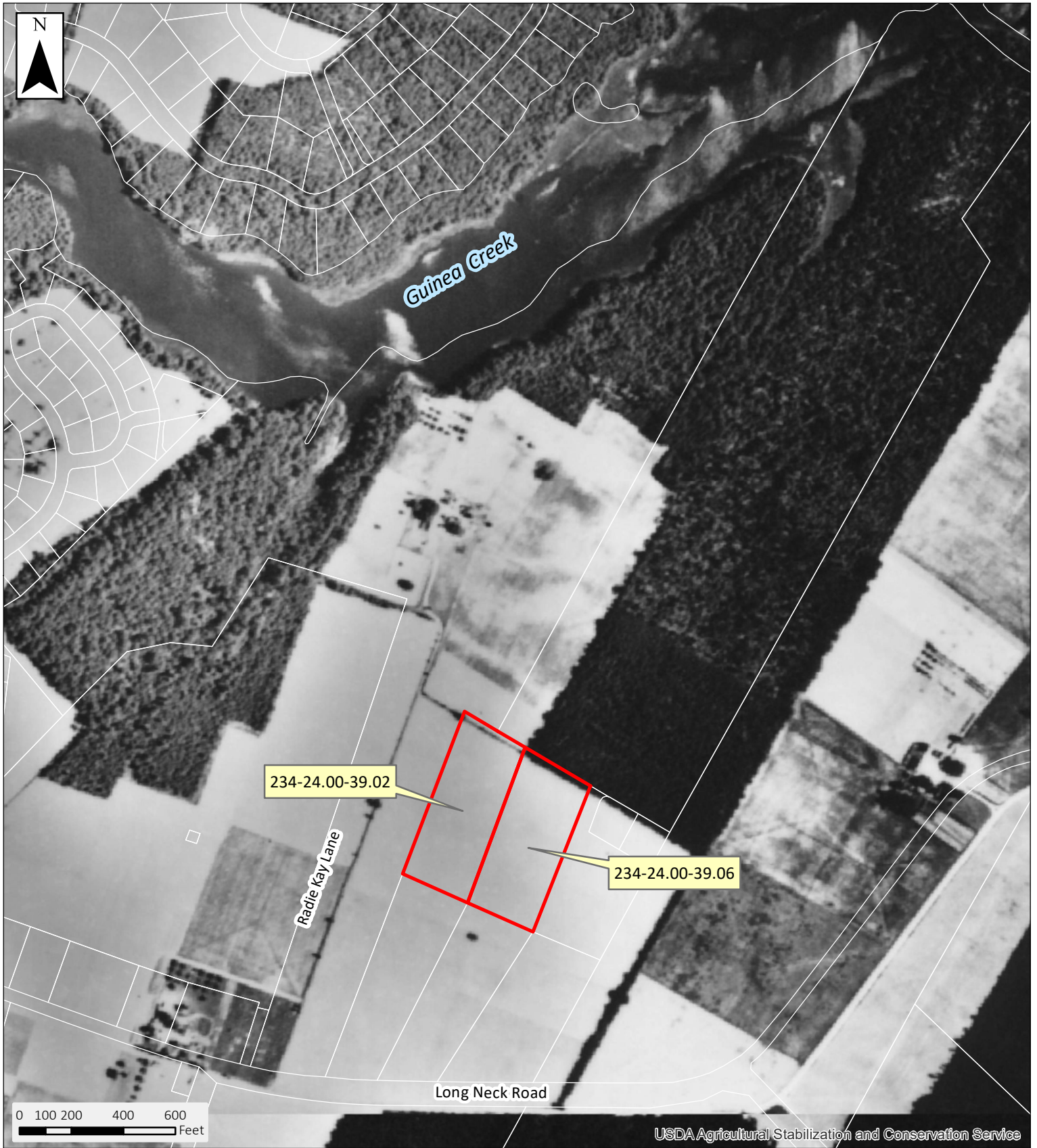


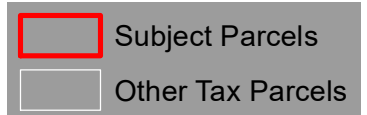
Figure 11 of 21.

11

1937 Orthophoto

Leisure Point Expansion

ATWEL19001



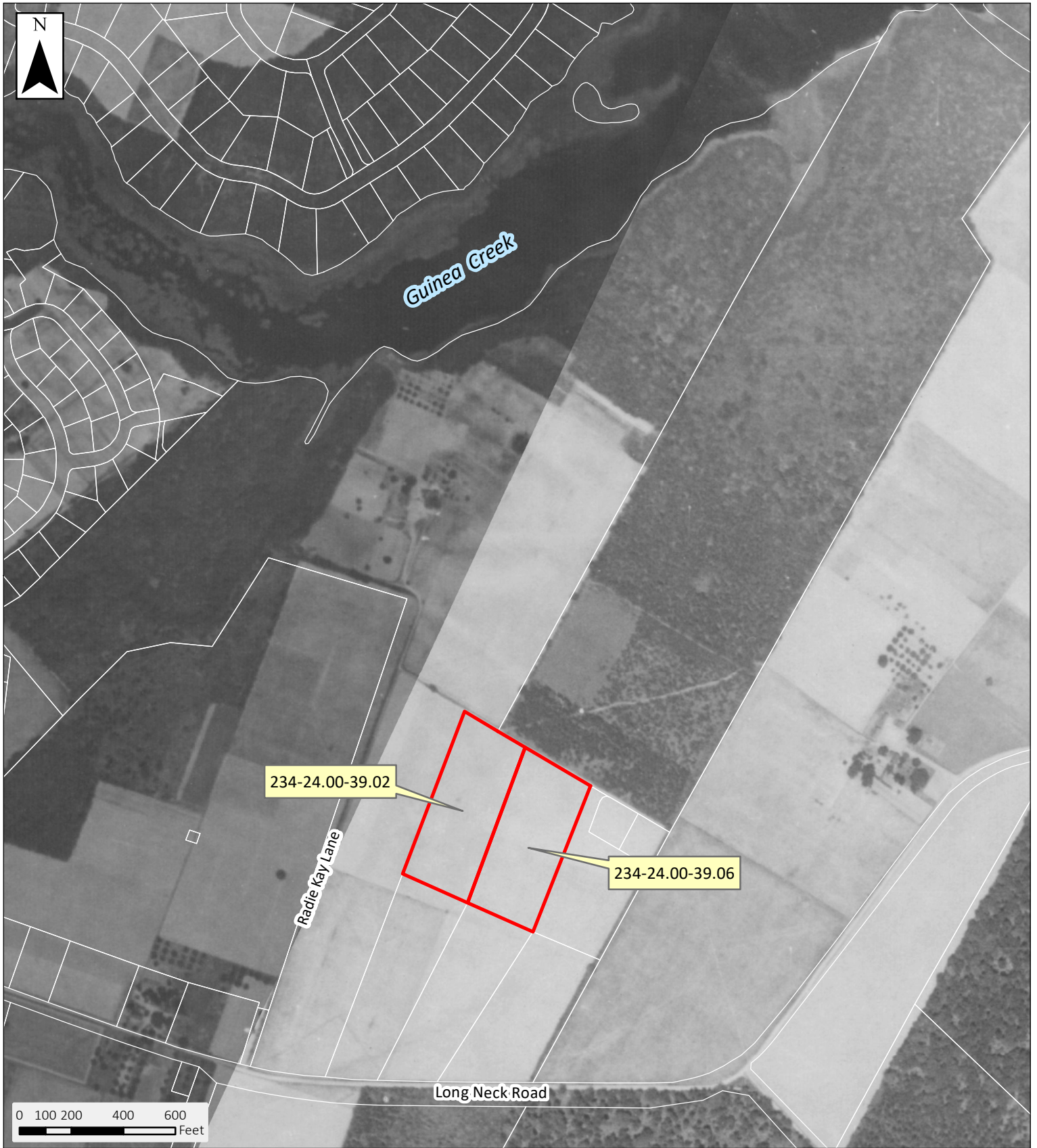


Figure 12 of 21.

12

1926 Orthophoto

Leisure Point Expansion

ATWEL19001

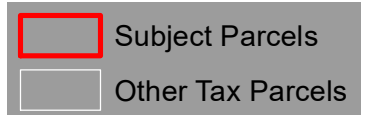




Figure 13 of #.

13

2015 State Strategies & Investment Levels

Leisure Point Expansion

ATWEL19001



11

Level 2

Level 3

Level 4 (Unshaded)

Out Of Play

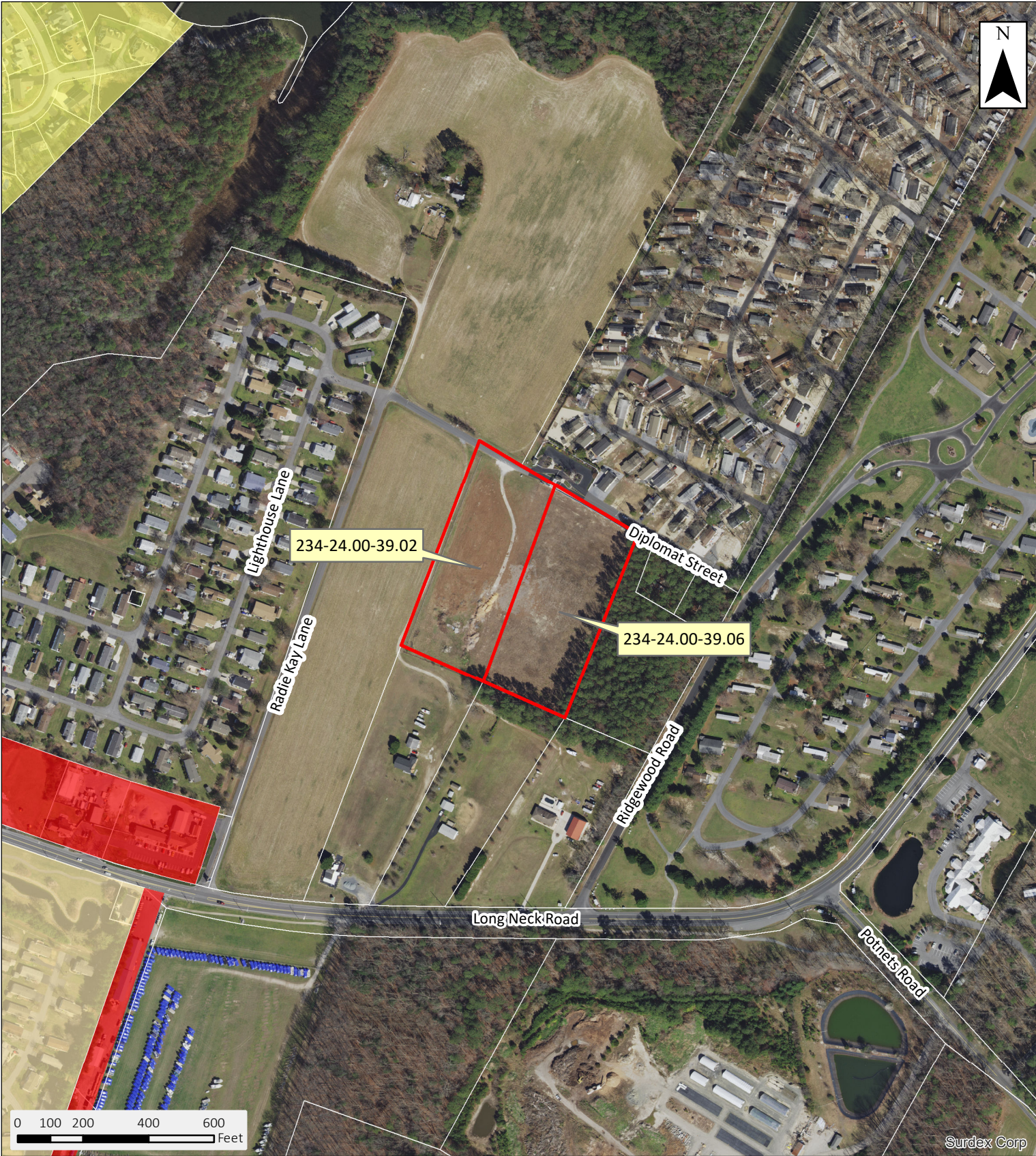


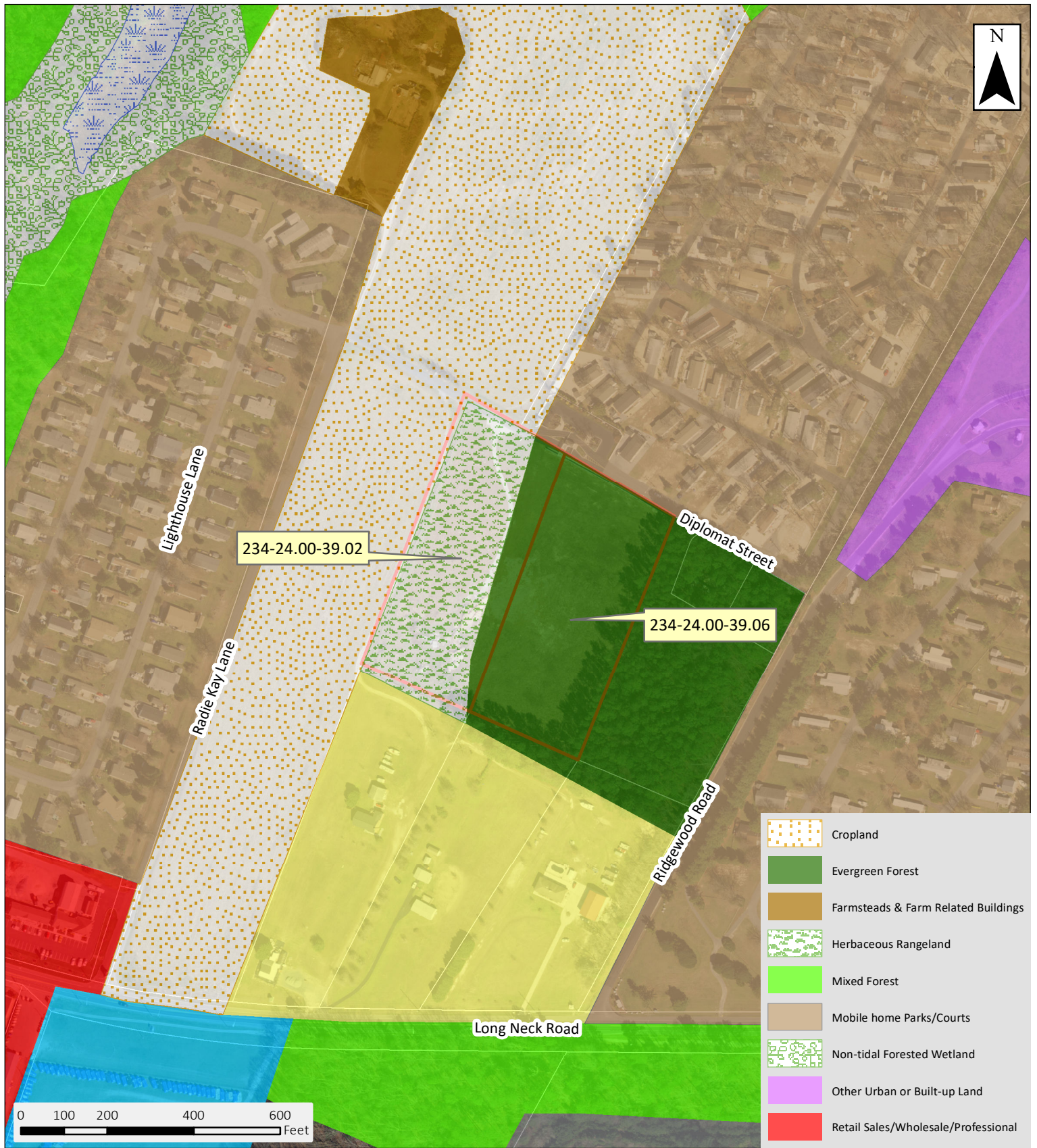
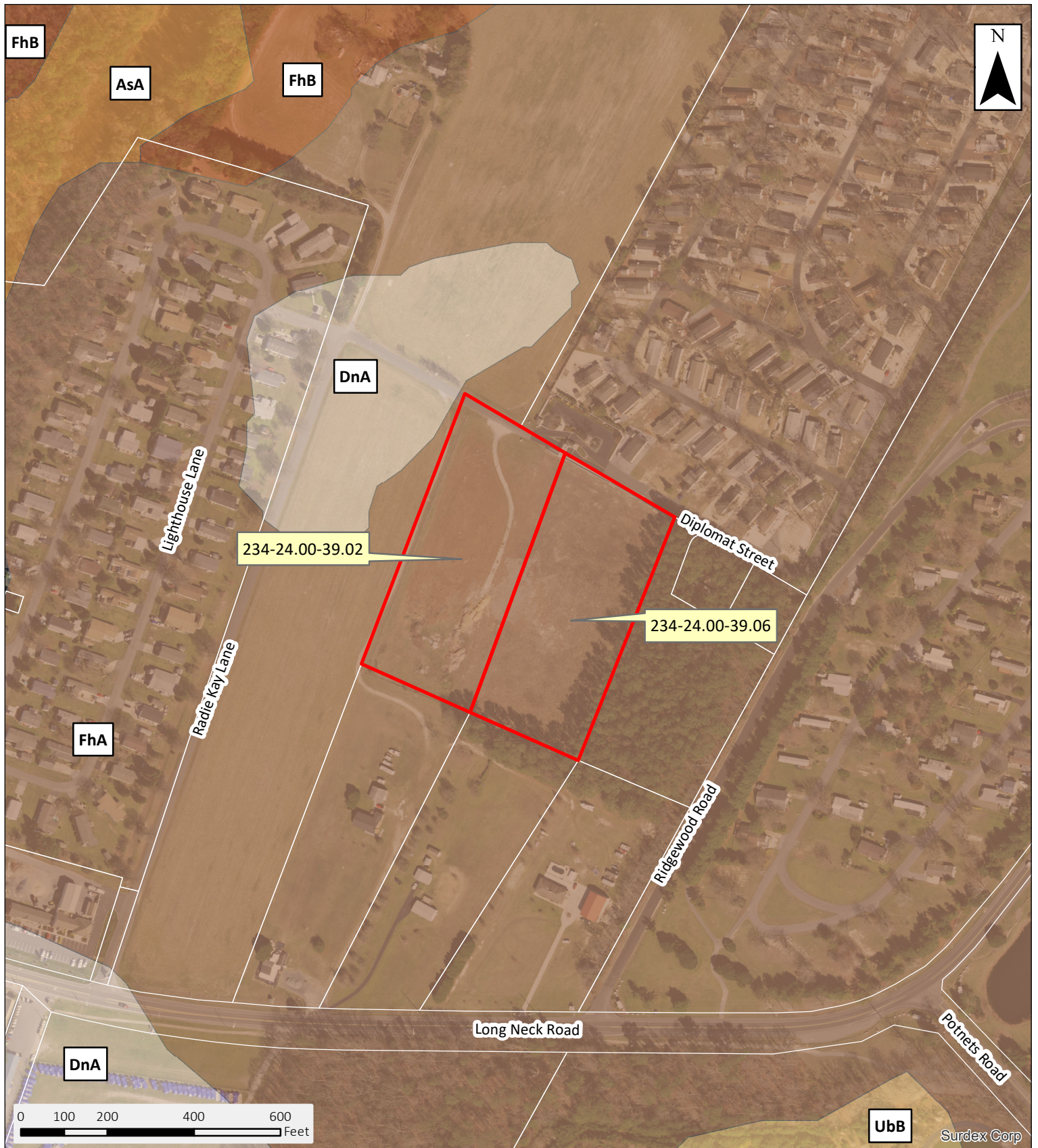

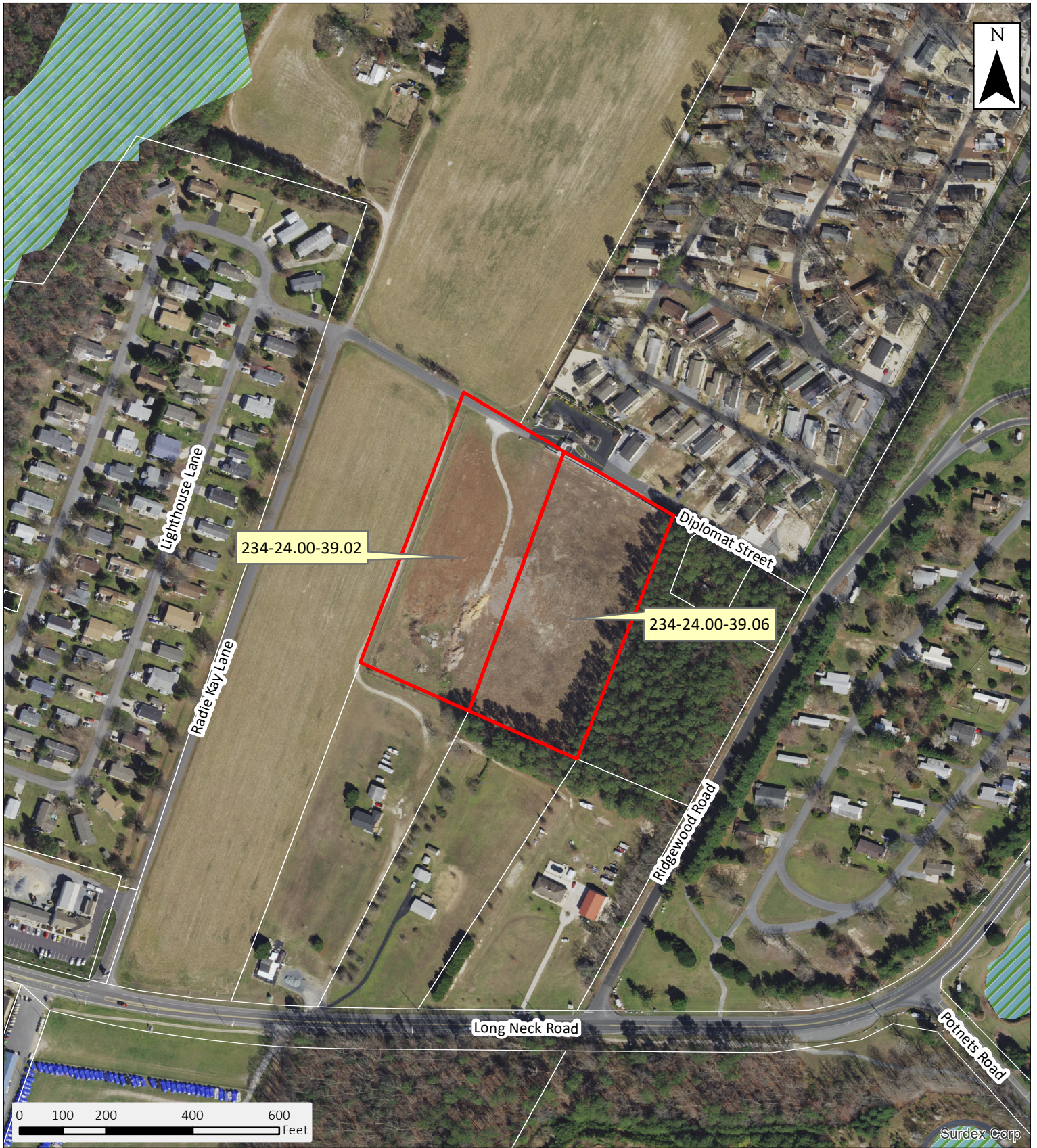


Figure 14 of #.	County Zoning Map				
	Leisure Point Expansion				
	ATWEL19001				





<p>Figure 16 of #.</p> <p>16</p>	<p>NRCS Soils Mapping</p>		<p>Soil Types: FhA - Fort Mott-Henlopen complex, 0-2% slopes, Group A</p>
	<p>Leisure Point Expansion</p>		
	<p>ATWEL19001</p>		








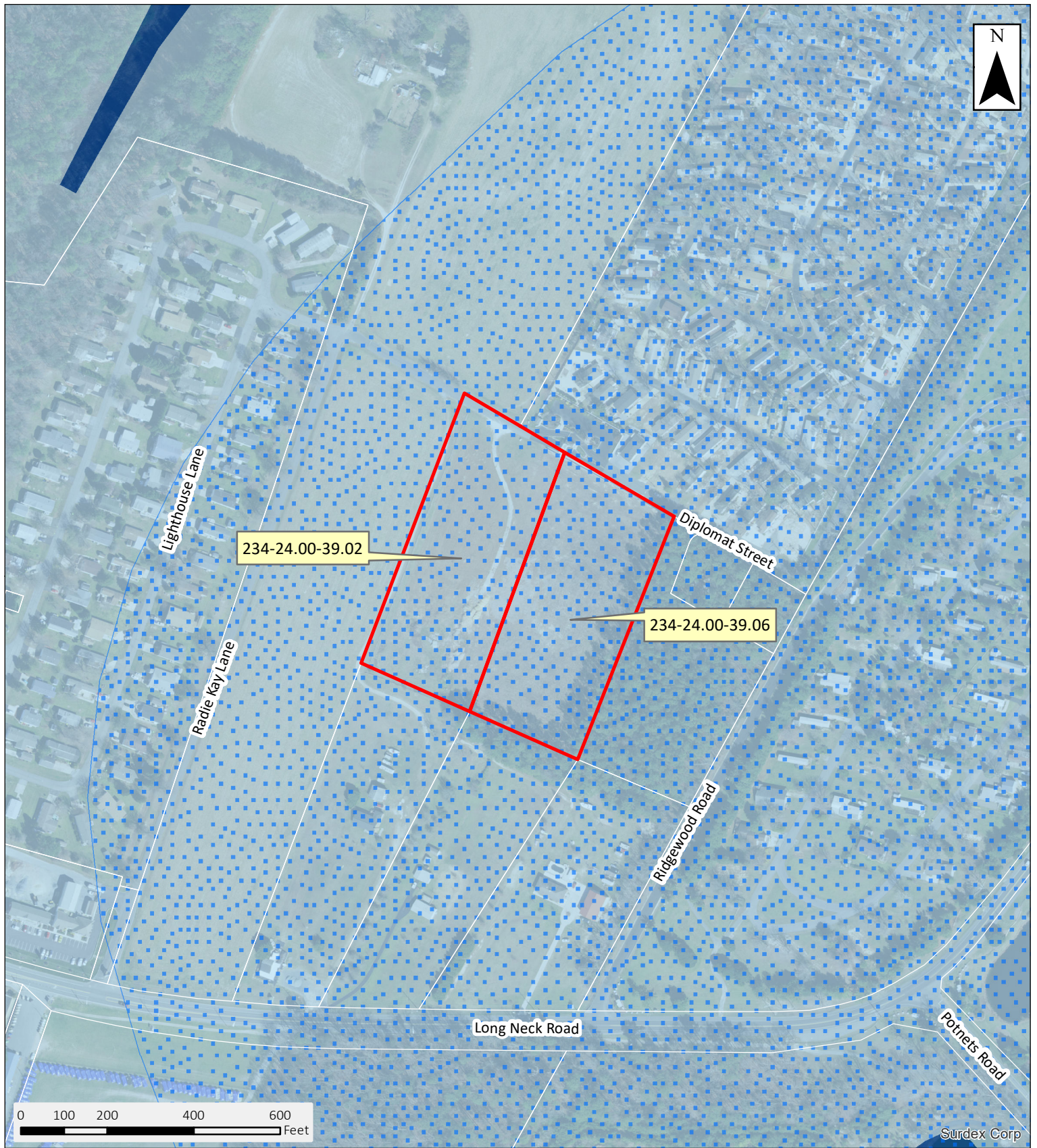




<p>Figure 17 of #.</p> <p>17</p>	<p>State Wetlands Mapping</p> <hr/> <p>Leisure Point Expansion</p> <hr/> <p>ATWEL19001</p>		 DNREC Wetlands
---	--	--	--



Figure 18 of #. 18	FEMA Floodplain Mapping		 Zone AE
	Leisure Point Expansion		 Zone X
	ATWEL19001		Flood Map #10005C0343K (3/16/2015)



<p>Figure 19 of #.</p> <p>19</p>	<p>Groundwater Recharge Potential</p> <hr/> <p>Leisure Point Expansion</p> <hr/> <p>ATWEL19001</p>		<p> Wellhead Protection Area</p> <p>Recharge Potential</p> <p> Fair</p> <p> Water Area</p>
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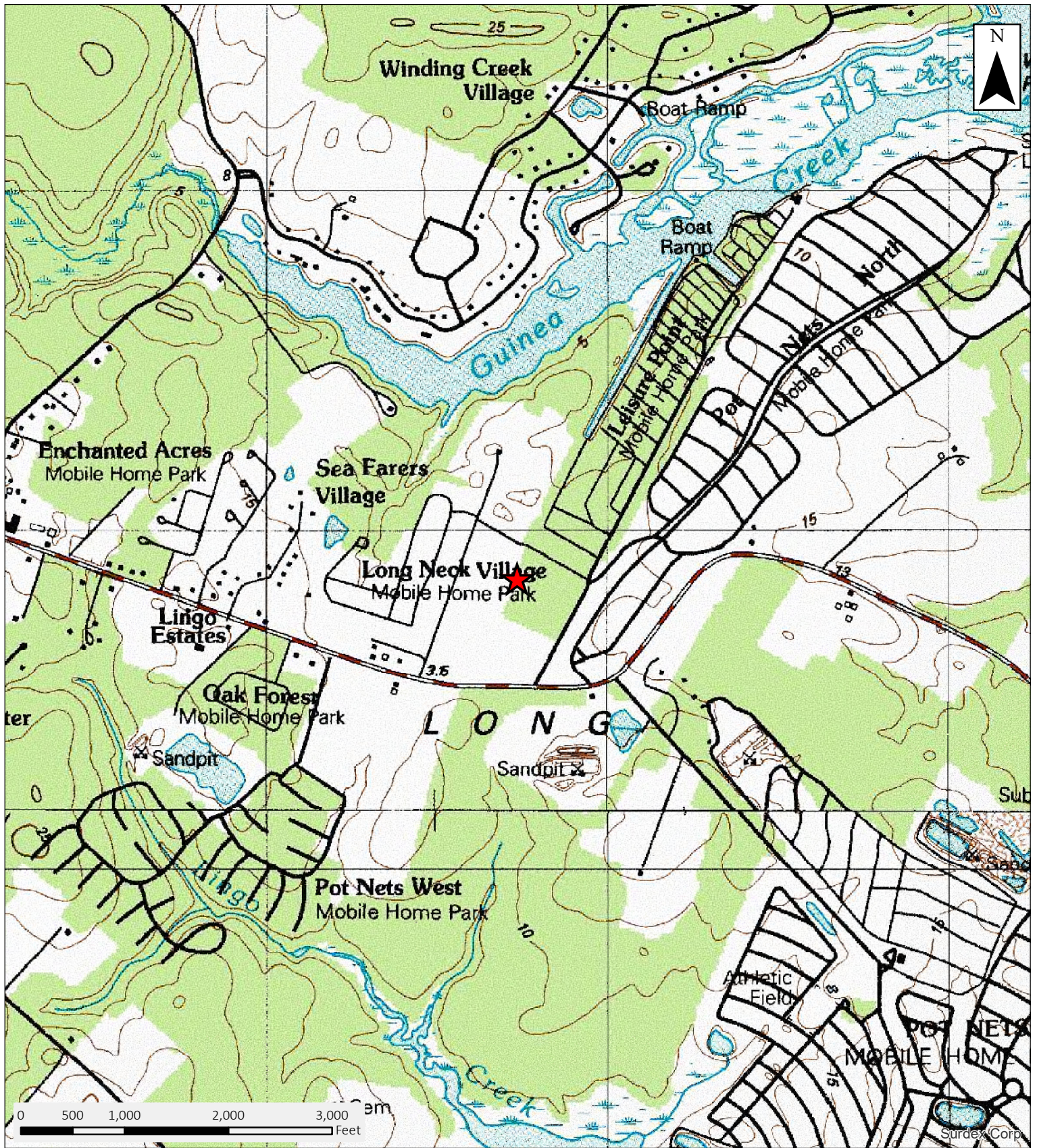



Figure 20 of #.	USGS Topographic Map		
20	Leisure Point Expansion		
	ATWEL19001		



Sussex_Parcel_SPF

Subject Parcels

County

AR-1

CR-1

GR

M

B-1

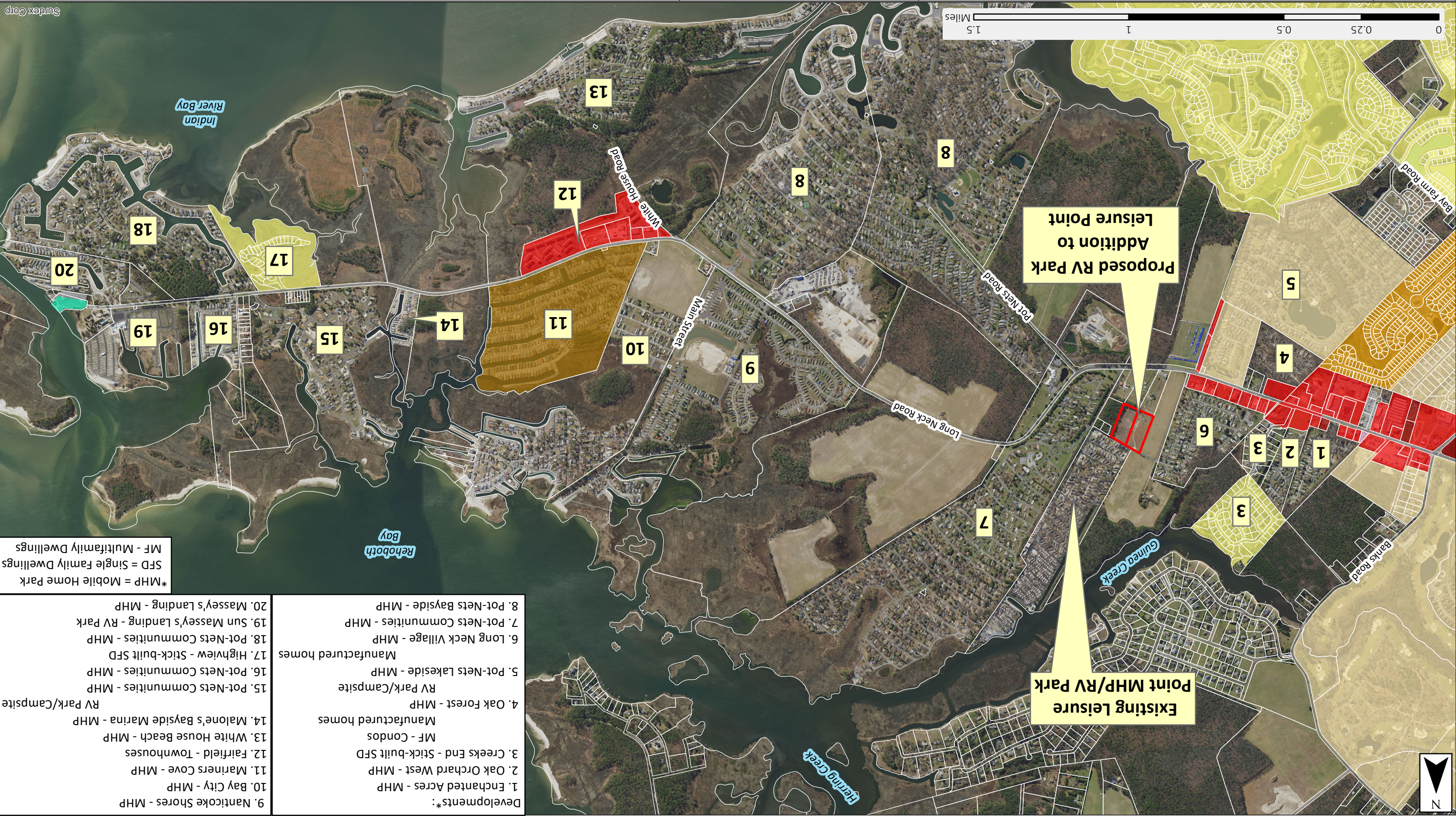
VRP

County

HR-1

C-1

VRP



- Developments*:
9. Nanticoke Shores - MHP

10. Bay City - MHP

11. Mariners Cove - MHP

12. Fairfield - Townhouses

13. White House Beach - MHP

14. Malone's Bayside Marina - MHP

15. Pot-Nets Communities - MHP

16. Pot-Nets Communities - MHP

17. Highview - Stick-built SFD

18. Pot-Nets Communities - MHP

19. Sun Masse's Landing - RV Park

20. Masse's Landing - MHP
1. Enchanted Acres - MHP

2. Oak Orchard West - MHP

3. Creeks End - Stick-built SFD

4. Oak Forest - MHP

5. Pot-Nets Lakeside - MHP

6. Long Neck Village - MHP

7. Pot-Nets Communities - MHP

8. Pot-Nets Bayside - MHP
- RV Park/Campsite

RV Park/Campsite

*MHP = Mobile Home Park
SFD = Single Family Dwellings
MF = Multifamily Dwellings



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20245 Bay Vista Road

Suite 205

Rehoboth Beach,

DE 19971

tel 302 827 4940

fax 302 827 4941

www.emoryhill.com

March 4, 2020

Sun Leisure Point Resort LLC

Parcel # 234-29.00-39.02 and 39.06

Gentlemen:

Congratulations on your recent purchase of Leisure Point. We are familiar with the former owner and their management protocol. The development has been a prized recreational community in the Long Neck area for many years.

Thank you for the opportunity to review your plans for the future expansion. We, like other real estate professionals in the area, are glad to know that you intend to uphold and improve upon the distinguished reputation established by the Harrison family.

The expansion of Leisure Point should be a seamless, harmless & welcome addition, due to the shortage of camp sites and RV parks that are usually filled to capacity. Currently, there are many existing commercial, retail and medical facilities in the area that serve the needs of the existing residents. These amenities have aided in the residential growth of the area, which is high density. This high density in Long Neck is comprised of camp sites, RV sites/parks, mobile and Class "C" homes. Your proposed expansion is identical to that of the general character of the area. Therefore, your investment should have a positive financial impact on the surrounding properties.

Emory Hill values its long time reputation as a commercial broker in the State of Delaware.

Let us know how we can be of help in the future regarding any commercial opportunities.

Sincerely yours,

ANN BAILEY, CCIM
215.292.6100

**Leisure Point Recreation Campground
Sun Leisure Point Resort, LLC
Proposed Findings of Fact and Conditions of Approval
Case No. 12428**

Findings of Fact

1. The Applicant is the owner and operator of the Leisure Point manufactured home community, Recreational Vehicle (“RV”) resort and marina located off Long Neck Road.
2. The Applicant proposes to expand Leisure Point by adding RV sites to two parcels adjacent to the Leisure Point Community and Resort, specifically being Sussex County Tax Parcels 234-24.00-39.02 and 39.06.
3. Leisure Point was founded by George Harrison, Sr. in 1969 on a 58+/- acre parcel situated along Guinea Creek (a tributary of Herring Creek which feeds directly into the Rehoboth Bay) one of the boundary waters of the “Long Neck Peninsula.”
4. Originally Leisure Point was primarily transient campers but that has transformed over the last half century into a mixture of manufactured home sites and seasonal RV sites.
5. Today, according to Sussex County records, there are a total of 211 manufactured home sites and 317 RV sites.
6. The RV Resort is open from April 15th through October 15th.
7. Leisure Point offers RV travelers numerous amenities including, but not limited to a clubhouse, swimming pool, laundry and fitness rooms, chapel, a modern bathhouse with HVAC, Wi-Fi, outdoor pavilion and access to the marina boat ramp.
8. Access to Leisure Point is through a gated entrance.
9. The proposed expansion area will be accessed through the existing gated entrance to Leisure Point.
10. The property is located within the Coastal Area on the Future Land Use Map in the 2018 Sussex County Comprehensive Plan, which is one of the County’s seven Growth Areas.
11. The expansion area is located in an Investment Level 3 area under the 2015 Delaware Strategies for State Policies and Spending, which areas “include lands adjacent to or intermingled with fast-growing areas within counties or municipalities that are otherwise categorized as Investment Levels 1 or 2.”
12. This expansion area was designed to co-exist with existing manufactured home and RV uses in the area. Along Long Neck Road there are 21 existing similar developments, *i.e.*, manufactured home and/or RV communities.

13. The site is zoned AR-1 (Agricultural Residential District) under the Sussex County Zoning ordinance. RV Resorts (referred to as “parks or campground for mobile campers, tents, camp trailers, touring vans and the like”) are permitted as a conditional use in the AR-1 Zoning District pursuant to Section 115-22 and are further subject to eight (8) special requirements for campgrounds found in Section 115-172.H.

14. One of the special requirements found in Section 115-172.H is that the RV sites be “400 feet from any existing dwelling on property of other ownership.”

15. Two adjacent parcels, Sussex County Tax Parcel Nos. 234-24.00-39.07 and 39.08, that are accessed from within Leisure Point have manufactured homes on them, are owned by other individuals and are within 400 feet of the proposed RV sites.

16. Specifically, the RV sites in the expansion area begin 134 feet from the manufactured home on Sussex County Tax Parcel No. 234-24.00-39.07.

17. A conditional use application to create the expansion area cannot proceed unless and until a variance is granted for the separation distance from the nearest manufactured home of other ownership.

18. The aerial imagery and building permit information on file with Sussex County indicates that these manufactured homes were placed there after Leisure Point began its RV operations in the late 1960s and early 1970s.

19. The site is unique because it is located adjacent to the pre-existing and non-conforming manufactured home and RV Resort that was created in 1969 and there are two manufactured homes of other ownership that are accessed from within Leisure Point.

20. A variance is necessary to enable the reasonable expansion of the existing RV Resort because of the two homes of other ownership located in close proximity to Leisure Point (and accessed through Leisure Point).

21. The need for a variance is not created by the applicant as the applicant is not responsible for the location and placement of the manufactured homes that are separately owned.

22. The proposed variance will not alter the essential character of the neighborhood as the Long Neck Area is home to more than 21 manufactured home and RV resorts in addition to the existing Leisure Point manufactured home, RV Resort and marina.

23. The requested variance is the minimum possible variance for the proposed expansion. Since the filing of the application, the layout was reconfigured so that the only variance being requested is from the manufactured homes on Sussex County Tax Parcel Nos. 234-24.00-39.07 and 39.08. These two manufactured homes are accessed from within Leisure Point and are, of course, already within 400 feet of Leisure Point.

(Proposed) Conditions of Approval

The approval of this variance shall be subject to the following conditions:

1. The granting of a conditional use for a campground/RV resort by County Council pursuant to Section 115-22 of the Zoning Code, along with the special requirements for recreational vehicle uses (campgrounds) found in Section 115-172.
2. Except for the variance to the separation requirements from the residential units on Sussex County Tax Parcel Nos. 234-24.00-39.07 and 39.08, the expansion of the RV portion of Leisure Point shall comply with all buffer requirements, height, area and bulk requirements of the Zoning Code, including the special requirements for recreational vehicle uses (campgrounds) found in Section 115-172.
3. The applicant shall install a privacy fence around the perimeter of the expansion area to match the existing privacy fence.
4. Preliminary and Final Site Plans of the expansion area shall be subject to the review and approval of the Planning & Zoning Commission.



Figure 1 of 21.	2019 Aerial Image		<div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block;"></div> Subject Parcels <div style="border: 2px solid gray; width: 20px; height: 10px; display: inline-block;"></div> Other Tax Parcels
1	Leisure Point Expansion		
	ATWEL19001		

Date: 5/19/2020 Document Path: C:\Users\MWalls\Documents\GIS Projects\ATWEL19001\01 2019 Aerial Image.mxd

A

Pennoni

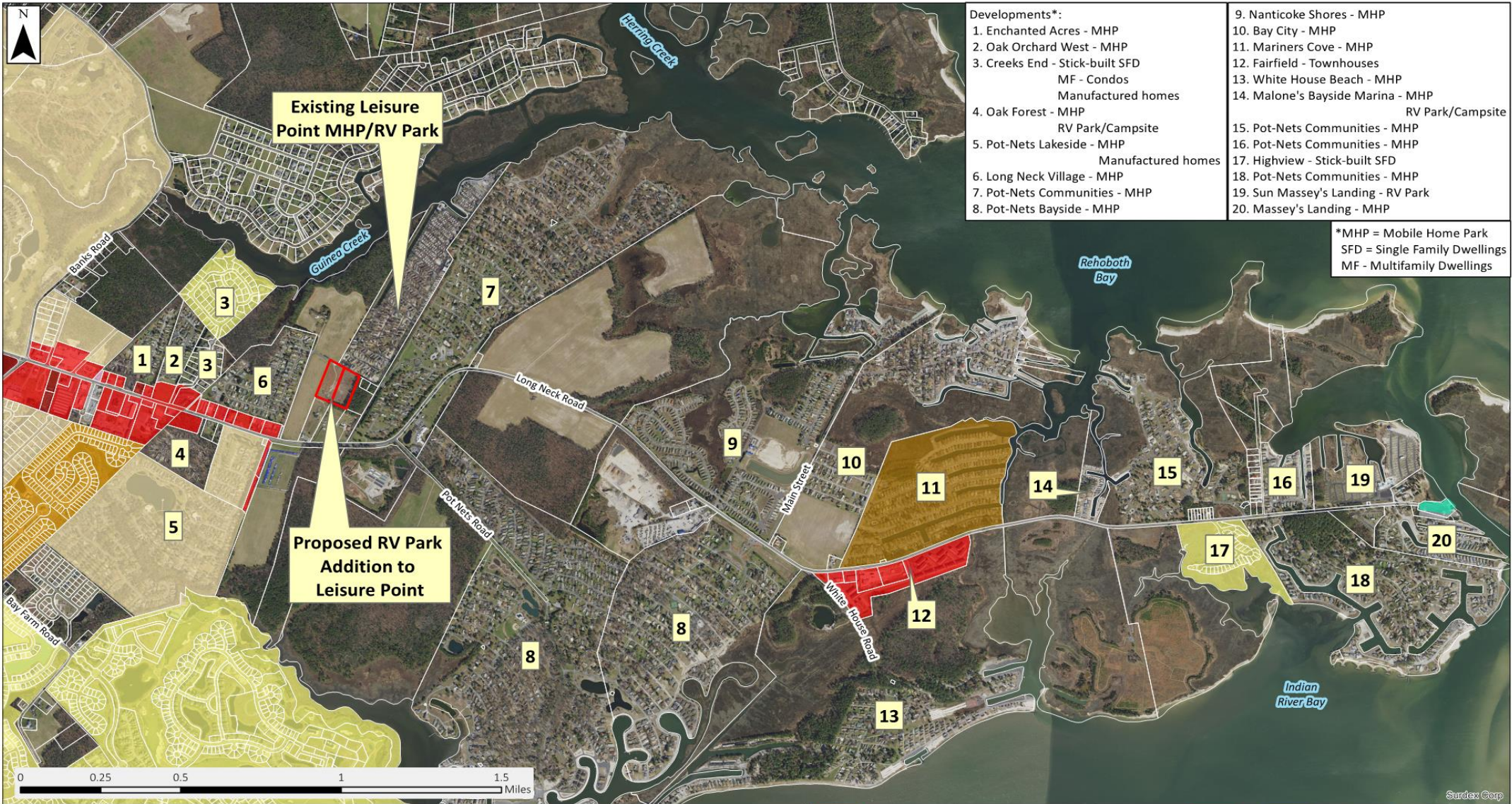


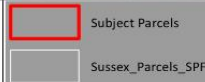
Figure 21 of 21.

21

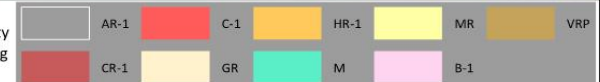
Existing Similar Developments

Leisure Point Expansion

ATWEL19001



County Zoning



B

TM 234-24.00-39.07

October 11, 2019



TM 234-24.00-39.08

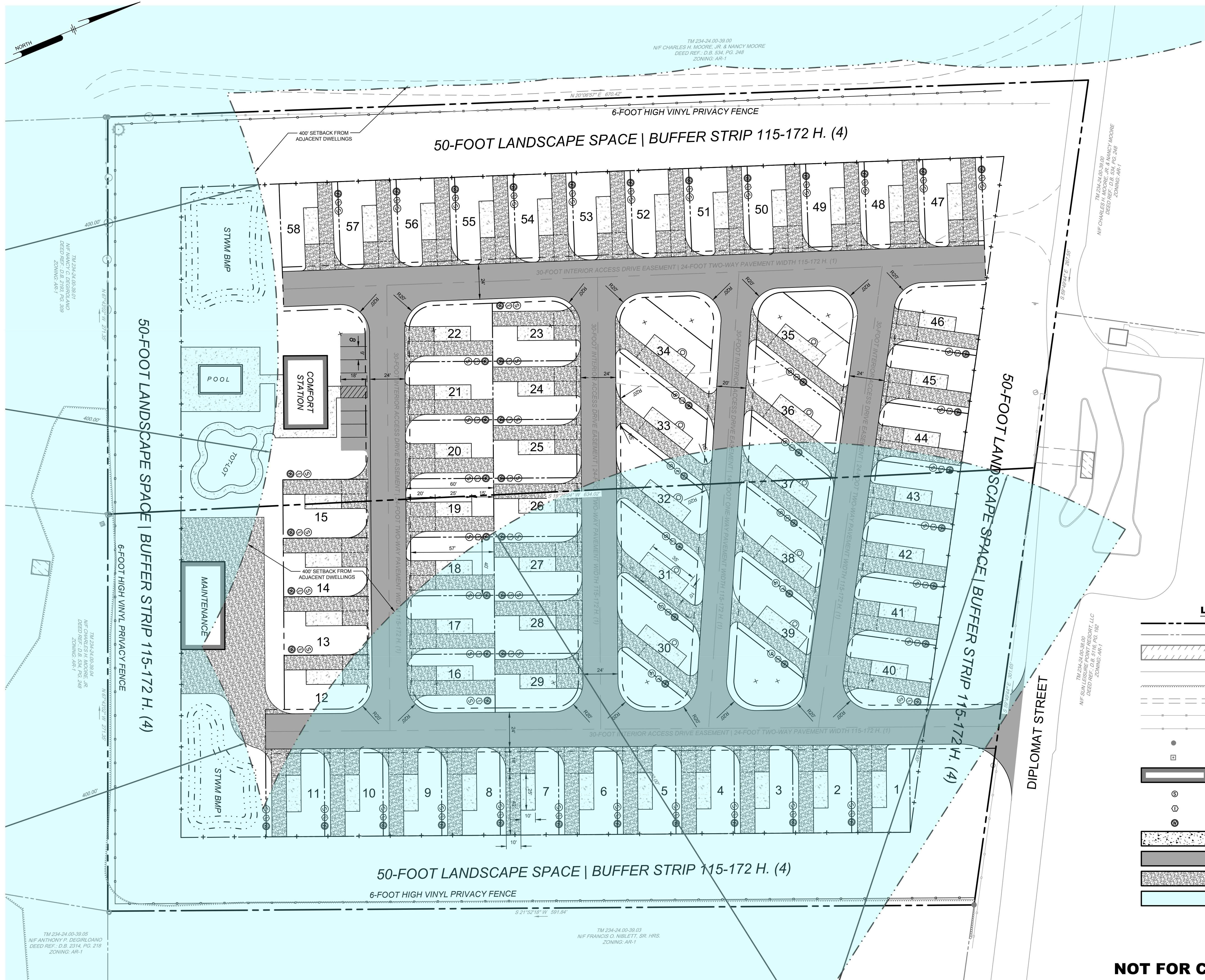
October 11, 2019



D

Pennon

U:\Account\ATWEL\19001 - Leisure Point Recreation Campground\Drawings\DWG\DWG-0001_SHEET01.dwg PLOTTED: 5/18/2020 4:58 PM BY: KBE PLT STYLE: Pennoni V02.dsh PROJECT STATUS: —



- LEGEND**
- PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - EXISTING BUILDING
 - EXISTING EDGE OF ROADWAY
 - EXISTING TREELINE
 - EXISTING DRIVEWAY
 - EXISTING FENCELINE (WOODEN)
 - EXISTING FENCELINE (VINYL)
 - IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND
 - PROPOSED BUILDING
 - PROPOSED SEWER CONNECTION
 - PROPOSED ELECTRIC SERVICE
 - PROPOSED WATER SERVICE
 - PROPOSED CONCRETE
 - PROPOSED GRAVEL ROAD
 - PROPOSED GRAVEL RV/PARKING SITE
 - 115-172 H. (3) CAMPSITE SETBACK (400') FROM ANY EXISTING DWELLING ON PROPERTY OF OTHER OWNERSHIP

0 30' 60'

NOT FOR CONSTRUCTION

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

LEISURE POINT RECREATION CAMPGROUND

TAX MAP# 234-24-00 PARCELS 39.02 & 39.06
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

SITE PLAN

SUN LEISURE POINT RESORT, LLC

27777 FRANKLIN ROAD, SUITE 200
SOUTHFIELD, MI 48076

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSIONS OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES, AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT ATWEL-19001
DATE 2020-03-30
DRAWING SCALE 1"=30'
DRAWN BY KBE
APPROVED BY AMD

CW-0001
SHEET 1 OF 1



PENNONI ASSOCIATES INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

Case # 12429
Hearing Date 4/6/2020
2020 01380

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)
115-42 115-172
115-185

Site Address of Variance/Special Use Exception:

38015 Dove Rd / Lot # 29 Dove Rd Ocean View, DE 19970

Variance/Special Use Exception/Appeal Requested: This is an Application
from the Separation Requirement Between Units
in a Mobile Home Park

Tax Map #: 1-34 9.00 94.01-13051 **Property Zoning:** GR

Applicant Information

Applicant Name: JOANN TEIKEN
Applicant Address: P.O. Box 598
City, State, Zip: Ocean View, DE 19970
Applicant Phone #: 240 481 4623 Applicant e-mail: JOTEIKEN@MSN.com

Owner Information

Owner Name: JOAnn TEIKEN
Owner Address: P.O. Box 598
City, State, Zip: Ocean View DE 19970 Purchase Date: _____
Owner Phone #: 240 481 4623 Owner e-mail: JOTEIKEN@MSN.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

JoAnn Teiken

Date: 10/15/19



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.

My Mobile Home is 14' wide and 5' off line. My neighbors Mobile Home was put in prior to zoning is less than 2' off 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.

Without A Variance A Deck could not be constructed. I am looking for comfort in my Retirement. would like to set outside.

3. Not created by the applicant:

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

Applicant bought Existing Mobile Home in present Place. Applicant had nothing to do with setbacks.

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

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

This will not alter the character of the neighborhood on Dove Road. Currently there are 45 mobile homes on Dove Road and currently 31 have porches/decks

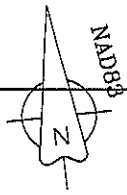
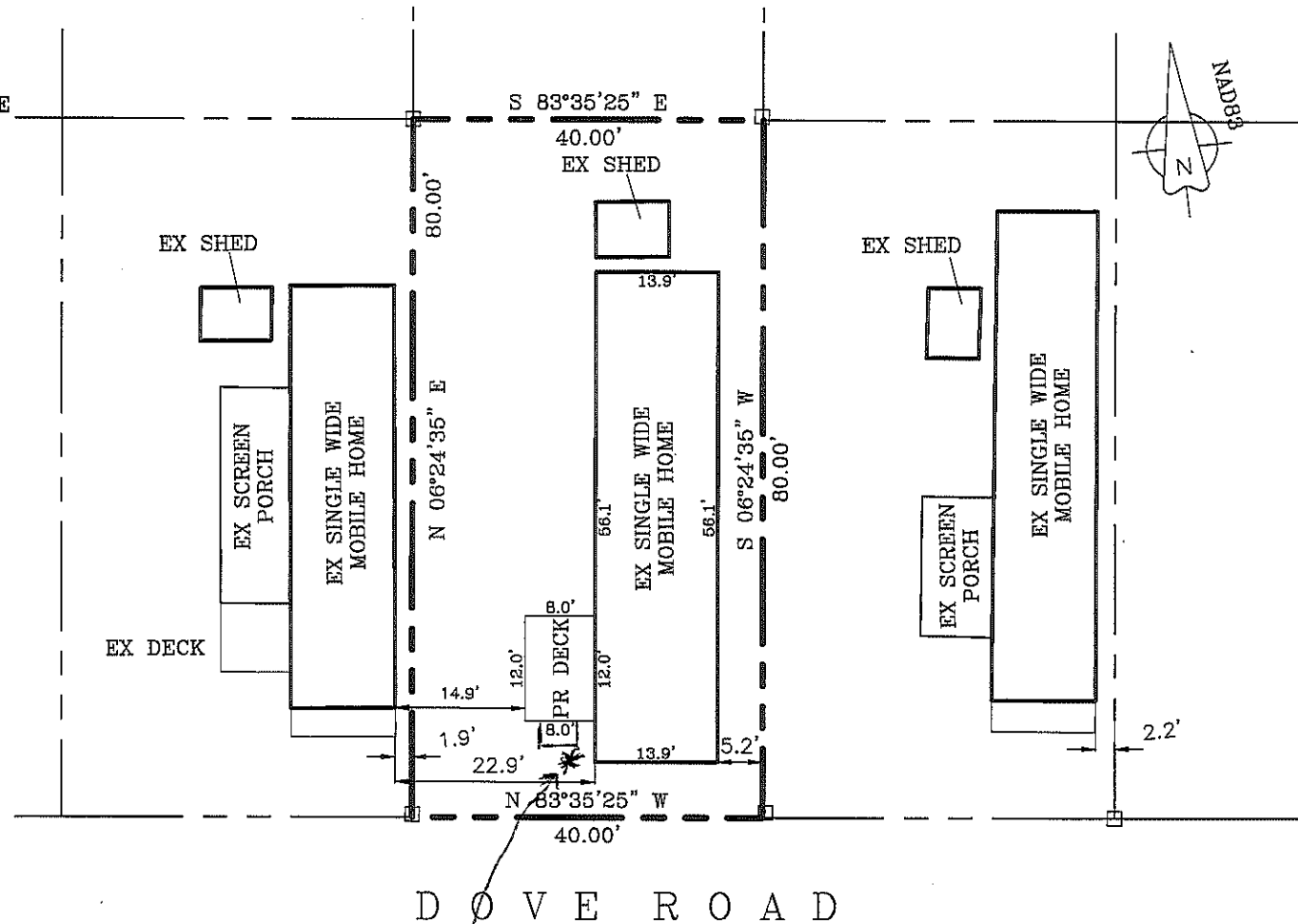
5. Minimum variance:

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

Yes, Minimum Variance is being requested to make a ~~small~~ small 8x12 foot deck

PROPOSED DECK LOCATION PLAN
LANDS OF BAYSHORE, INC
LOT 29

ALSO KNOWN AS: 38015 DOVE RD
SITUATE IN: BALTIMORE HUNDRED
SUSSEX COUNTY * STATE OF DELAWARE
TAX MAP #: 134-9.00-94.01
PLAT REFERENCE: PB 8, PG 62

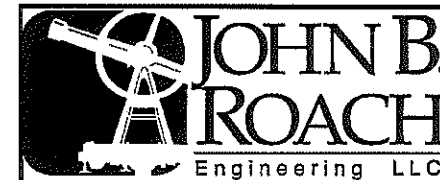


LEGEND

- PROPERTY LINE
- WOOD POST



* Steps -
4 ft wide
56 Inch Long



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

DRAWN BY: JBR

DATE: 10-16-2019

SCALE: 1" = 20'

SHEET 1/1

[Signature]
PROFESSIONAL ENGINEER

Bayshore, Inc.

CAMPSITES ♦ MOBILE HOME PARK & SALES ♦
30145 BAYSHORE ROAD, OCEAN VIEW, DE 19970 ♦ (302) 539-7200

OFFICE HOURS 9:00AM-5:00PM TUESDAY - SATURDAY
9:00AM-3:00PM SUNDAY - MONDAY

October 15, 2019

Recently Joann Teiken of Mobile Home 29/38015 Dove Road requested our permission to add a deck (approximately 8'x12') on their existing mobile home as per the attached diagram. Please accept this letter as our permission to build the addition as requested.

Bayshore is in favor of the variance.

If you need any additional information, please contact us at 302-539-7200.

Sincerely,



Brett M. Cox, Manager
Bayshore, Inc.

Outlook

Search

⚙️ 📧 ? ↶ ↷

New message

Reply Delete Archive Junk Sweep Move to Categorize ...

Favorites

Inbox 21

Add favorite

Folders

Inbox 21

Junk Email 10

Drafts

Sent Items

Deleted Items 1415

Archive

Notes

#2cenlar

0854 fraud

1033 dispute 1

2013 taxes

2014 tax

2015 tax 4

2016 open season

2016 taxes 7

2017 taxes 3

2018 tax 2

7th ave 1

aarp 2

above and beyond serv...

ace

alex 1

amazon 13

american legion aux

annunit distrib.form

(No subject)

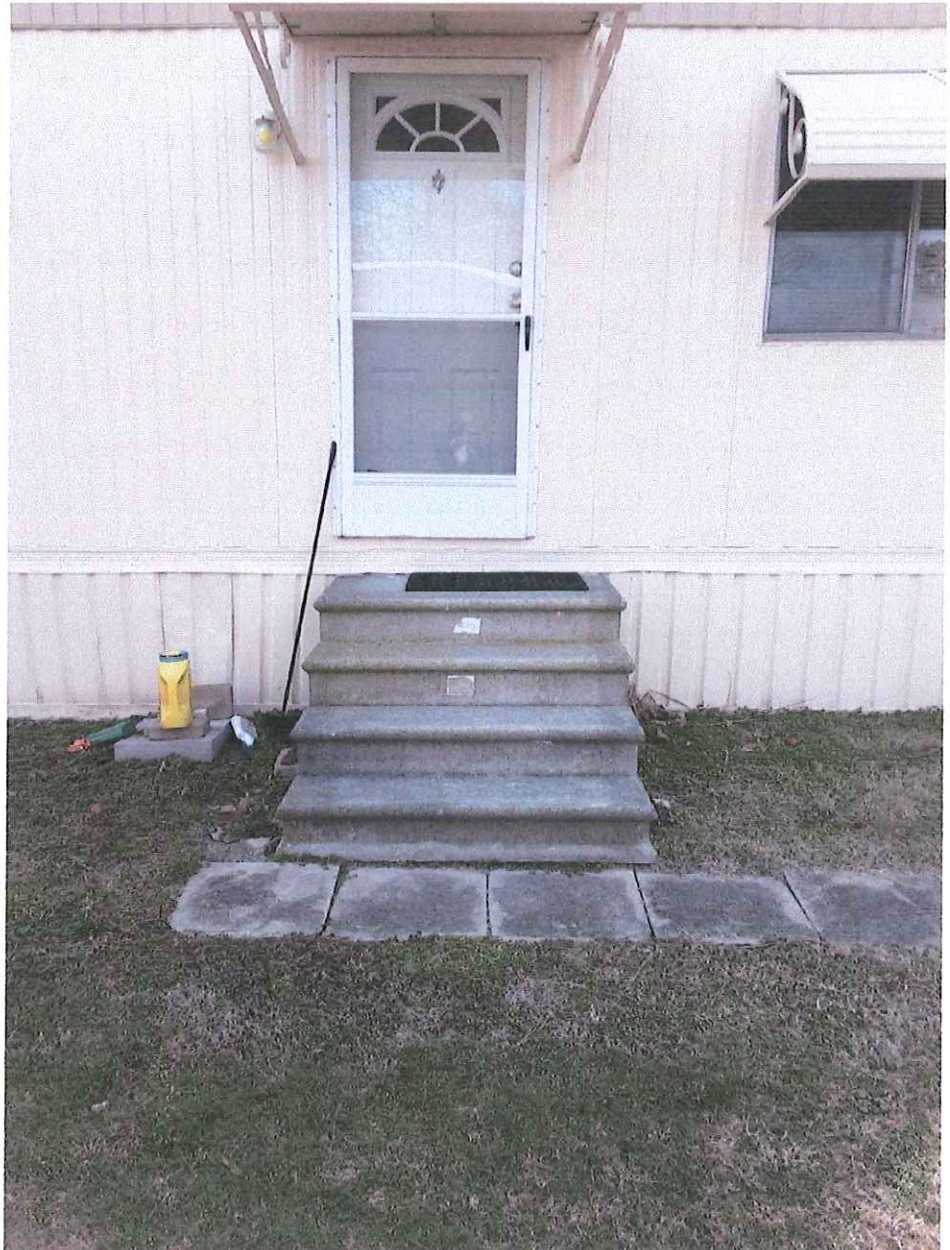
ST

Stephan Touzeau

Thu 1/30/2020 5:46 PM

You

↶ ↷ → ...



Existing Porch

Stephan
2402778880

📧 📅 👤 📎

February 4, 2020

To Whom It May Concern:

I am Robin Little. I reside in Bay Shore Mobile home park, lot #30. My mobile home is next to JoAnn Teiken's, lot #29.

JoAnn informed me that she is applying for a permit to build a small porch on her trailer. I wish to inform the Board of Adjustment that I have no complaint with the porch being added to her mobile home.

Sincerely,

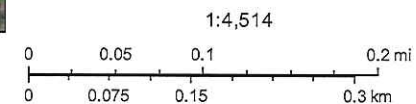
A handwritten signature in blue ink that reads "Robin D Little". The signature is written in a cursive style with a large, stylized 'R' and 'L'.

Robin Little
Lot #30
Bayshore Mobile Home Park



PIN:	134-9.00-94.01
Owner Name	BAYSHORE INC
Book	0
Mailing Address	30145 BAYSHORE RD
City	OCEAN VIEW
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



Case # 12430
Hearing Date 4/6/2020
202001399

**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)
115-23 & 115-210

Site Address of Variance/Special Use Exception:

37428 DIRICKSON CREEK RD. FRANKFORD, DE 19945

Variance/Special Use Exception/Appeal Requested:

Bed & Breakfast

Tax Map #: 134-21.00-20.02

Property Zoning: AR-1

Applicant Information

Applicant Name: MADLINE TROESCHER
Applicant Address: 37428 DIRICKSON CREEK RD
City, State, Zip: FRANKFORD, DE 19945
Applicant Phone #: 443-497-1403 Applicant e-mail: maggie@garthenterprises.com

Owner Information

Owner Name: GARTH + MADLINE TROESCHER
Owner Address: 37428 DIRICKSON CREEK RD
City, State, Zip: FRANKFORD, DE 19945 Purchase Date: BUILT 2007
Owner Phone #: 443-497-1403 Owner e-mail: maggie@garthenterprises.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

Madeline Troesch

Date: FEB. 6, 2020



Criteria for a Special Use Exception

1. This property is uniquely situated on 3.4 acres on Derrickson Creek Road and Derrickson Creek. This property borders only one neighboring house and is not part of a "Community" and has no Home Owner's Association or covenants. We have ample land for parking and guests to use. This Special Use Exception will have no substantial effect on neighboring properties and we will take every step to insure we peacefully and respectfully co-exist with our neighbors. There is no other property that affords these views and captures what Sussex County has to offer.
2. This business will adhere to all relevant State and Sussex County code which apply to the business. We understand that the Special Use Exception must be renewed every 5 years.



Sussex County



PIN:	134-21.00-20.02
Owner Name	TROESCHER GARTH C SR & MADELINE D
Book	3360
Mailing Address	37428 DIRICKSON CREEK RD
City	FRANKFORD
State	DE
Description	ADKINS SUBD
Description 2	SW/RD 364B
Description 3	REVISED LOT 3
Land Code	

polygonLayer

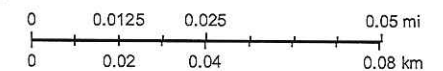
Override 1

polygonLayer

Override 1

- ☐ Tax Parcels
- ☐ 911 Address
- ☐ Streets
- ☐ County Boundaries

1:1,128



February 21, 2020





Troescher FW: Drone photos 2















BUILDING CODE

REQUIRED

YES 54004

BUILDING PERMIT APPLICATION
SUSSEX COUNTY, DELAWARE

PERMIT NO. 54004-1 22-07-924

NEEDS TOWN PERMIT:

DENREC #

211125-S

S&W

Div of Rev

51397

LOCATION

Route ADKINS SUBD

(N) (S) (E) (W) Side: SW SD RD 3648

(ft) (miles) (N) (S) (E) (W) of

LOT 3

Subdiv. Or TP:

Lot No LOT 3

Section or Block

Town

Street

District No: 134

Map No 21.00

Parcel No 20.02

Manufactured Home #:

Frontage:

Depth

Acreage: 3.38

ASSESSMENT

I. TYPE OF IMPROVEMENT

Cost of Improvements \$ 446,190.00

Stories 2

New Building DWELLING

Size 91X 58

Addition ATT GARAGE

Size 28X45

Relocation COR BREZZEWAY

Size 34X6

A. Structure CAR PORT

Size 24X20

Sign DECK ABOVE CARPORT

Size 17X20

Remodeling

Size

Other

Size

II. INTERIOR

No of Bedrooms

4

No of Bathrooms

5/1 HALF

No of Rooms

14

Basement

NO

III. HEATING

Electric

☐

Gas

☒

Heat Pump

☐

FHA

☐

Air Condition

☐

90F

IV. EXTERIOR WALLS

Vinyl

☐

Wood

☐

Alum Siding

☐

Brick

☐

Other

Stone

☐

IV. INTERIOR WALLS

Dry Wall

☒

Paneling

☐

Other

VI. FOUNDATION

Pad

☐

Brick

☐

Piling

☐

Conc Blk

☐

Poured Concrete

☒

Slab

☐

Other

STONE

VII. FIRE PLACE

Yes

☒

No

☐

Massonary

☐

Metal

☒

VIII. ROOFING

Built-Up

☐

Metal

☐

Asph Shingle

☒

Wood Shingle

☐

Other

☐

GLASS/CEMENT T

IX. FLOORING

Earth

☐

Vinyl

☐

Carpet

☒

Tile

☒

Concrete

☒

Wood

☒

Other

☐

ZONING

TYPE OF USE

Existing Use VACANT

Proposed Use DWELLING, ATT GARAGE, COR BREZZEWAY, CAR PORT, DECK ABOVE CARPORT

Single Family

☒

Commercial

Other

Zoning District AR1

No of Units

SETBACKS

Front Yard 30

Side Yard 15

Rear Yard 20

Rd Name - RY

Side yard on side street or corner Lot

From any dwelling or other ownership

From any other unit in a mfg home park

Cannot occupy more than

of total lot area

Height

42 MAX

Above The Base Flood

Board of Adjustment Case No.

Conditional Use Case No.

Approved by Planning and Zoning

CRYSTAL ADAMS-COLE

FLOOD

Flood Zone AE 655J

Elevation Required above mean sea level

To be measured to

1. Finished first floor

2. Lowest structural member

Elevation certification

NAVD 1988

Breakaway walls

Placement Survey

As-Built

Height Certification

Venting - Flood

ADDITIONAL REQUIREMENTS AND COMMENTS

OWNERS IDENTIFICATION

Name

TROESCHER, GARTH C SR & MADELINE

Address

221 W BAY FRONT RD

City:

LOTHIAN

ST MD

Zip 20711

On Lands of STA 90

Name & Address of recipient of Certificate of Compliance (Builders)

Name

Address

City

State

Zip:

The owner of this building or land and the undersigned agree to all applicable Federal State and County Regulations and to apply for certificate of Compliance at Completion. This does not imply approval of other Governmental Agencies or Compliance with private deed restrictions

Signature of Applicant

Name Printed

Phone Number

Permit Fee \$1,345.50 + \$1,115.48 + \$0.00 = \$2,460.98

Payment Type CHECK

Date Issued: 1/22/07

BP FEE + FIRE ST FEE + DISC FEE + VIOL FEE + MAIL FEE + OTHER FEES = TOTAL PERMIT FEE

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue. Permit may be renewed if construction has begun and continued in a normal manner and not discontinued for reasons other than those BEYOND THE PERMIT-HOLDER'S CONTROL. GRADING OR SURFACE-SHAPING OF THE SITE SHALL NOT BE CONSIDERED AS "ACTUAL CONSTRUCTION." PERMIT MUST BE RENEWED PRIOR TO DATE. ASSESSORS AND INSPECTORS RIGHT TO GO ON PREMISES TO ASSESS AND INSPECT PROPERTY: The owner or owners of these premises do hereby consent to the Board of Assessment and Planning and Zoning Agent and Building Code Officials to enter said premises during the construction for which this PERMIT is granted, or within a reasonable time thereafter, for the purpose of assessing and inspecting said property, said consent being given on the signing of this permit.

THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN ALL INCLUSIVE APPROVAL FOR THE REQUIREMENTS OF OTHER GOVERNMENTAL AGENCIES, WHICH MAY PERTAIN TO THIS SITE

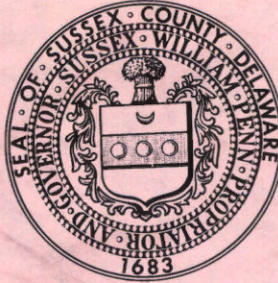
54004

SINGLE FAMILY ☒

COMMERCIAL ☐

MULTI FAMILY ☐

MISC ☐



REVIEW RECEIPT NO:

PERMIT NO:

134 21. 20.02
Address Sub.
50 50 D 3648
Lot 3

PLAN REVIEW REPORT

NAME: Troeschler, Darth C. & Madeline D.

ADDRESS: 311 W Bay Front Rd.

CITY: Bethan STATE: MD ZIP: 20711

DWELLING: 7655 SQUARE FEET DESCRIPTION: 2 story dwelling

ADDITIONS: 1260 SQUARE FEET DESCRIPTION: HTT garage

ACCESSORY STRUCTURES: 175 SQUARE FEET DESCRIPTION: Back porch

THE PLANS SUBMITTED FOR ABOVE PROJECT HAVE BEEN "REVIEWED FOR CODE COMPLIANCE" OF THE INTERNATIONAL BUILDING CODE OR INTERNATIONAL RESIDENTIAL CODE 1/25/07

DATE

PLEASE CONTACT THE FIRST STATE INSPECTION AGENCY AT (302) 856-3517 FOR ALL INSPECTIONS. (FOOTER, FRAMING, INSULATION, AND FINAL).

FEE INCLUDES: PLAN REVIEW & 5 INSPECTIONS (STICK BUILT) 4 INSPECTIONS (MODULAR). ANY ADDITIONAL INSPECTIONS WILL BE CHARGED \$40.00 PER VISIT.

PLAN REVIEW AND INSPECTION FEE: \$ 550.00 DATE: 1/19/07 CLERK: TB
(PAID WHEN PLANS WERE SUBMITTED)

APPROVED BY: [Signature]

* A 48 HOUR NOTICE IS REQUIRED FOR ALL INSPECTIONS *

CONTACT PERSON: Darth C. Troeschler PHONE: (301) 440-2298

PLEASE PRINT

SIGNATURE: [Signature]



ARI

REPL55T

30-15-20

Transaction Date: 01/30/2007

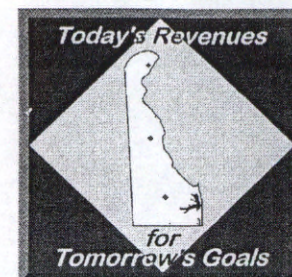
Time Printed: 14:29:14

Page: 1

State Of Delaware
Division Of Revenue

Itemized Transaction Receipt

Transaction # 300000000051397



Customer: GARTH TROESCHER
7 ASHLEY PARK DRIVE
OCEAN VIEW, DE 19970

<u>Entry</u>	<u>Tax</u>	<u>Revenue</u>	<u>Subtype</u>	<u>Tax Period</u>	<u>Customer</u>	
<u>Number</u>	<u>Year</u>	<u>Code</u>	<u>Code</u>	<u>End Date</u>	<u>Id Number</u>	<u>Customer Name</u>
1	2007	0050	05	12/31/2007	2-578-88-2936	GARTH TROESCHER

<u>DLN</u>	<u>Business</u>	<u>Document</u>
	<u>Code</u>	<u>Amount</u>
- -		\$4,550.00
Purchase Amount:		\$4,550.00
Payment Amount:		\$4,550.00

Payment made with Check.

**STATE OF DELAWARE
REALTY TRANSFER TAX
DECLARATION FOR BUILDING PERMIT**

For Agency Use Only:

Building Permit #: _____
Building Permit Value: _____

1. Name and Address of Owner of land or building for which Building Permit is required. <u>Garth & Madeline Tresscher</u> <u>7 Ashley Park Dr.</u> <u>Ocean View DE.</u> <u>19970</u>	3. Tax Parcel/Property I.D. number and address, of realty for which Building Permit is requested. <u>134 21.20.02</u>	4. Name and Address of person applying for Building Permit if different from person identified in Item #1.
2. SSN or Federal EIN of person identified in Item #1. <u>578-88-2936</u>		5. SSN or Federal EIN of person identified in Item #4 if different from Item #2.

IF YOU CLAIM AN EXEMPTION FROM THIS TAX, PLEASE COMPLETE PAGE 1.

IF YOU DO NOT CLAIM EXEMPTION, PLEASE COMPLETE PAGE 2.

6. If you answer "YES" to 6A, 6B, or 6C, you may stop and sign at Item #9. If you answer "NO", please continue filling out the form.
- A. Is the cost of all contracts for all phases of this construction, alteration or addition less than \$10,000? (The total cost must include all contracts entered into after September 1, 1990, and all materials supplied after that date, to the extent such materials are not required to be supplied in a contract entered into before September 1, 1990.)
☐ YES ☐ NO
- B. Is this an application by a builder or developer for a building permit in order to construct, alter, or add to, a building for resale on land owned by the builder or developer? ☐ YES ☐ NO.
 IF YES, Enter here your State of Delaware Contractor's License Number: _____
- C. Is this construction totally governed by contracts or agreements entered into before September 1, 1990?
☐ YES ☐ NO
 For purposes of this form "contract" includes the purchase of goods by the owner of the property. Thus, you must answer NO if you intend to purchase supplies or materials after September 1, 1990, apart from supplies or materials required to be supplied under any agreement or undertaking entered on or before September 1, 1990.
- D. Is the Building Permit requested for construction or alteration of, or addition to, a "building" — a structure having a roof supported by columns or walls? ☐ YES ☐ NO. YOU MAY STOP HERE AND SIGN AT ITEM #9 ON PAGE 1. IF YES, GO TO ITEM 7 BELOW.
7. A. ☐ Please check box if the property has been owned for more than one year prior to entering into a construction contract. YOU MAY STOP HERE AND SIGN AT ITEM #9 ON PAGE 1.
 Date on which ownership in realty on which construction, alteration or addition is intended was transferred (settlement date) to owner identified in Item #1. _____
- B. Date on which contract for this construction was entered into or labor or materials were first supplied, whichever date occurred earlier: _____
 IF DATE IN ITEM 7 "B" IS LATER THAN ONE YEAR AFTER DATE INDICATED IN ITEM 7 "A", YOU MAY STOP HERE AND SIGN AT ITEM #9 ON PAGE 1.
8. Do you claim exemption from this tax on grounds other than those described above? If so, please indicate basis for exemption below. (Subsequent construction is exempt if transfer of realty on which construction is to occur was exempt, but specific basis for exemption must be stated.)

PLEASE SIGN AT ITEM #9 BELOW. IF YOU CANNOT CLAIM EXEMPTION ABOVE, YOU MUST COMPLETE PAGE TWO AND SECURE VALIDATION OF TAX PAYMENT FROM THE DELAWARE DIVISION OF REVENUE

9. Subject to the penalties of perjury, I swear or affirm the foregoing is true and correct to the best of my knowledge and belief.

Owner's Signature

Print: _____

Date

**Sussex County
Planning & Zoning Commission**

P.O. Box 417
Georgetown, DE 19947
302-855-7878
302-854-5079 (Fax)



Robert C. Wheatley
Michael B. Johnson
Rodney Smith
Benjamin Gordy
Irwin G. Burton, III
Lawrence B. Lank, Director

FLOOD PLAN CONSTRUCTION REVIEW
100-YEAR FLOOD PLAIN

APPLICANT NAME: Garth Sr. and Madeline Troescher
CONTACT NUMBER: 301-440-2298 (Garth)
PROPERTY LOCATION: Adkins Subdivision, lot 3
TAX MAP #: 1.34-21.00-20.02

100-YEAR FLOOD ZONE: "AE-6" (FIRM Panel 100029-0655-J)
**As-built Elevation Certificate must be
completed using the NAVD 1988.**

Revised FIRM effective 1-6-05
North American Vertical Datum of 1988

MAXIMUM HEIGHT REQUIREMENT: Height of proposed construction cannot exceed 42' (ft) measured from the base flood elevation requirement to the highest point of the structure. All building materials used below the base flood elevation must be water resistant.

LIVING AREA FLOORS: Living area floors must be located at or above the required base flood elevation. Crawl space grade elevation must be equal to or above the lowest outside grade adjacent to the foundation.

ENCLOSED AREA BELOW BASE FLOOD ELEVATION: Shall be used solely for parking, access, or storage. Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on opposite exterior walls by allowing for the "automatic" entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a Registered Professional Engineer or Architect or meet or exceed the following minimum criteria: A minimum of two permanent openings having a total net area of no less than one square inch for every square foot of each enclosed area below the base flood elevation must be provided. The bottom of all openings can be no higher than one foot above the outside finished grade. Openings may be equipped with screens provided the vents permit the "AUTOMATIC" entry and exit of floodwaters.

All other proposed flood venting types must be Engineer Certified for flood zone use and meet or exceed the requirements in the Sussex County Ordinance Code, Chapter 115, Section 189, Item H-4.

continued:

1.34 21.00 20.02

COMMENTS: Elevation Certificate (using the North American Vertical Datum of 1988), as-built location survey, and field inspection required before Certificate of Occupancy issuance.

1)

- a) All electric water heaters, furnaces, air ducts, electrical outlets, light switches, HVAC units, plumbing, and other electrical installations shall be permitted only at or above the 100-year base flood elevation requirement.
- b) All electrical distribution panels and breaker boxes shall be elevated to at or above the level of the 100-year base flood elevation requirement.
- c) Separate electrical circuits shall serve lower levels and shall be dropped from above.

2) All air ducts (excluding the mechanical components), storage tanks containing flammable products, and main service pipes must be firmly strapped and anchored to prevent movement, floatation, or collapse.

3) See Sussex County building permit for required building setbacks.

4) Open unenclosed platforms, porches, or steps not covered by a roof or canopy and which do not extend above the level of the first floor of the building may extend or project into the front, side, or rear yard setback not more than five feet.

JEFFREY SHOCKLEY, CFM
CERTIFIED FLOODPLAIN MANAGER
SUSSEX COUNTY PLANNING AND ZONING DEPARTMENT

Flood Plan Review Date: January 23, 2007 *JS*
Flood Plan Review #3575



Sussex Conservation District

23818 Shortly Road - Georgetown, Delaware 19947 - Phone (302) 856-2105 or 7219 - Fax (302) 856-0951

November 16, 2006

Mr. Garth Troescher
7 Ashley Park Drive
Ocean View, DE 19970

RE: Troescher Residence

Dear Mr. Troescher:

A sediment control and stormwater management plan approval has been issued for the above-referenced project. Enclosed herein please find a copy of the approved application form and two approved plans. One is for your use, and the other is for the contractor and must remain on site at all times. Failure to keep an approved plan on site is a violation of this approved plan.

Please note that the timeframe for this plan is three years from the approval date. If for any reason construction does not begin within three years, the approved plan will be considered to have expired, and must be resubmitted to the District for a new review. In addition, if work is not completed within the three-year timeframe, the District must be contacted and a request for an extension submitted. Depending on regulation changes, a new plan may need to be submitted to ensure that all stormwater management facilities are constructed to the most recent standards.

If you have any questions concerning the aforementioned, please do not hesitate to call.

Sincerely,

Jessica Watson
Program Manager

JW/jmg

cc: William Vanderwende
Debbie Absher
Shane Abbott

Sussex County
Planning & Zoning Commission
P.O. Box 417
Georgetown, DE 19947
302-855-7878
302-854-5079 (Fax)



Robert C. Wheatley
Michael B. Johnson
Rodney Smith
Benjamin Gordy
Irwin G. Burton, III
Lawrence B. Lank, Director

FLOOD PLAN CONSTRUCTION REVIEW
100-YEAR FLOOD PLAIN

APPLICANT NAME: Garth Sr. and Madeline Troescher
CONTACT NUMBER: 301-440-2298 (Garth)
PROPERTY LOCATION: Adkins Subdivision, lot 3
TAX MAP #: 1.34-21.00-20.02

100-YEAR FLOOD ZONE: "AE-6" (FIRM Panel 100029-0655-J)
**As-built Elevation Certificate must be
completed using the NAVD 1988.**

Revised FIRM effective 1-6-05
North American Vertical Datum of 1988

MAXIMUM HEIGHT REQUIREMENT: Height of proposed construction cannot exceed 42' (ft) measured from the base flood elevation requirement to the highest point of the structure. All building materials used below the base flood elevation must be water resistant.

LIVING AREA FLOORS: Living area floors must be located at or above the required base flood elevation. **Crawl space grade elevation must be equal to or above the lowest outside grade adjacent to the foundation.**

ENCLOSED AREA BELOW BASE FLOOD ELEVATION: Shall be used solely for parking, access, or storage. Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on opposite exterior walls by allowing for the "automatic" entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a Registered Professional Engineer or Architect or meet or exceed the following minimum criteria: A minimum of two permanent openings having a total net area of no less than one square inch for every square foot of each enclosed area below the base flood elevation must be provided. The bottom of all openings can be no higher than one foot above the outside finished grade. Openings may be equipped with screens provided the vents permit the "AUTOMATIC" entry and exit of floodwaters.

All other proposed flood venting types must be Engineer Certified for flood zone use and meet or exceed the requirements in the Sussex County Ordinance Code, Chapter 115, Section 189, Item H-4.

continued:

1.34 21.00 20.02

COMMENTS: Elevation Certificate (using the North American Vertical Datum of 1988), as-built location survey, and field inspection required before Certificate of Occupancy issuance.

1)

- a) All electric water heaters, furnaces, air ducts, electrical outlets, light switches, HVAC units, plumbing, and other electrical installations shall be permitted only at or above the 100-year base flood elevation requirement.
- b) All electrical distribution panels and breaker boxes shall be elevated to at or above the level of the 100-year base flood elevation requirement.
- c) Separate electrical circuits shall serve lower levels and shall be dropped from above.

2) All air ducts (excluding the mechanical components), storage tanks containing flammable products, and main service pipes must be firmly strapped and anchored to prevent movement, floatation, or collapse.

3) See Sussex County building permit for required building setbacks.

4) Open unenclosed platforms, porches, or steps not covered by a roof or canopy and which do not extend above the level of the first floor of the building may extend or project into the front, side, or rear yard setback not more than five feet.

JEFFREY SHOCKLEY, CFM
CERTIFIED FLOODPLAIN MANAGER
SUSSEX COUNTY PLANNING AND ZONING DEPARTMENT

Flood Plan Review Date: January 23, 2007 *JS*
Flood Plan Review #3575

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expires February 28, 2009

Important: Read the instructions on pages 1-8.

#256651

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name Garth Troescher

A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.
37406 Dirickson Creek Road

City Frankford State DE ZIP Code 19945

A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)
Tax Map District 1-34 Map 21 Parcel 20.02

A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) Residential

A5. Latitude/Longitude: Lat. 38.48766 Long. -075.09703

Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983

A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.

A7. Building Diagram Number 1

A8. For a building with a crawl space or enclosure(s), provide

- a) Square footage of crawl space or enclosure(s) 6422 sq ft
b) No. of permanent flood openings in the crawl space or enclosure(s) walls within 1.0 foot above adjacent grade 23
c) Total net area of flood openings in A8.b 2944 sq in

A9. For a building with an attached garage, provide:

- a) Square footage of attached garage _____ sq ft
b) No. of permanent flood openings in the attached garage walls within 1.0 foot above adjacent grade _____
c) Total net area of flood openings in A9.b _____ sq in

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number
Sussex County - #100029

B2. County Name
Sussex

B3. State
Delaware

B4. Map/Panel Number
0655

B5. Suffix
J

B6. FIRM Index
Date
01/06/05

B7. FIRM Panel
Effective/Revised Date
01/06/05

B8. Flood
Zone(s)
AE

B9. Base Flood Elevation(s) (Zone
AO, use base flood depth)
6.0

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

☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other (Describe) _____

B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other (Describe) _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
Designation Date _____ ☐ CBRS ☐ OPA

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☐ Construction Drawings* ☐ Building Under Construction* ☒ Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-g below according to the building diagram specified in Item A7.

Benchmark Utilized Hudson Vertical Datum 1988 NAVD

Conversion/Comments _____

Check the measurement used.

- a) Top of bottom floor (including basement, crawl space, or enclosure floor) 1.5 ☒ feet ☐ meters (Puerto Rico only)
b) Top of the next higher floor 7.0 ☒ feet ☐ meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only) N/A ☐ feet ☐ meters (Puerto Rico only)
d) Attached garage (top of slab) N/A ☐ feet ☐ meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment in Comments) _____ ☐ feet ☐ meters (Puerto Rico only)
f) Lowest adjacent (finished) grade (LAG) 2.6 ☒ feet ☐ meters (Puerto Rico only)
g) Highest adjacent (finished) grade (HAG) 4.7 ☒ feet ☐ meters (Puerto Rico only)

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

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

☐ Check here if comments are provided on back of form.

Certifier's Name Bernard J. Nolan, Jr.

License Number 709

Title Surveyor

Company Name George, Miles & Buhr, LLC

Address 206 West Main Street

City Salisbury

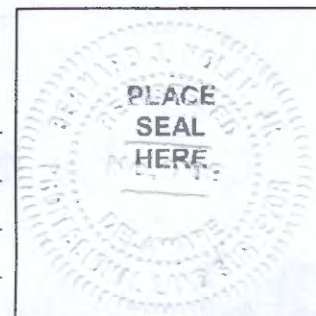
State MD ZIP Code 21801

Signature Bernard J. Nolan

Date

8/22/07

Telephone 410-742-3115



IMPORTANT: In these spaces, copy the corresponding information from Section A.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.

37406 Dirickson Creek Road

City Frankford, State DE, ZIP Code 19945

For Insurance Company Use:

Policy Number

Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments

Signature

Date

☐ Check here if attachments**SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).

a) Top of bottom floor (including basement, crawl space, or enclosure) is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.b) Top of bottom floor (including basement, crawl space, or enclosure) is _____ ☐ feet ☐ meters ☐ above or ☐ below the LAG.E2. For Building Diagrams 6-8 with permanent flood openings provided in Section A Items 8 and/or 9 (see page 8 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.E3. Attached garage (top of slab) is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.E4. Top of platform of machinery and/or equipment servicing the building is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.**SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION**The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge.*

Property Owner's or Owner's Authorized Representative's Name

Address

City

State

ZIP Code

Signature

Date

Telephone

Comments

☐ Check here if attachments**SECTION G - COMMUNITY INFORMATION (OPTIONAL)**

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8. and G9.

G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)G2. ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.G3. ☐ The following information (Items G4.-G9.) is provided for community floodplain management purposes.

G4. Permit Number

256651

G5. Date Permit Issued

1-22-07

G6. Date Certificate Of Compliance/Occupancy Issued

8-31-07

G7. This permit has been issued for: ☒ New Construction ☐ Substantial ImprovementG8. Elevation of as-built lowest floor (including basement) of the building: _____ ☐ feet ☐ meters (PR) Datum _____G9. BFE or (in Zone AO) depth of flooding at the building site: _____ ☐ feet ☐ meters (PR) Datum _____

Local Official's Name

Title

Community Name

Telephone

Signature

Date

Comments

☐ Check here if attachments

Building Photographs

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 37406 Dirickson Creek Road	For Insurance Company Use:
City Frankford State DE ZIP Code 19945	Policy Number
Company NAIC Number	

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least two building photographs below according to the instructions for Item A6. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." If submitting more photographs than will fit on this page, use the Continuation Page, following.

Date Taken: 8/21/07
FRONT VIEW



Building Photographs

Continuation Page

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 37406 Dirickson Creek Road	For Insurance Company Use: Policy Number
City Frankford State DE ZIP Code 19945	Company NAIC Number
If submitting more photographs than will fit on the preceding page, affix the additional photographs below. Identify all photographs with: date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View."	

Date Taken: 8/21/07
REAR VIEW



U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expires February 28, 2009

Important: Read the instructions on pages 1-8.

BP-256651

SECTION A - PROPERTY INFORMATION		For Insurance Company Use:
A1. Building Owner's Name Garth Troescher		Policy Number
A2. Building Street Address (Including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 37406 Drickson Creek Road		Company NAIC Number
City Frankford State DE ZIP Code 19945		
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) Tax Map District 1-34 Map 21 Parcel 20.02		
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Residential</u>		
A5. Latitude/Longitude: Lat. <u>38.48766</u> Long. <u>-075.09703</u>		Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.		
A7. Building Diagram Number <u>1</u>		
A8. For a building with a crawl space or enclosure(s), provide: a) Square footage of crawl space or enclosure(s) <u>6422</u> sq ft b) No. of permanent flood openings in the crawl space or enclosure(s) walls within 1.0 foot above adjacent grade <u>23</u> c) Total net area of flood openings in A8.b <u>2944</u> sq in		A9. For a building with an attached garage, provide: a) Square footage of attached garage <u>1281</u> sq ft b) No. of permanent flood openings in the attached garage walls within 1.0 foot above adjacent grade <u>0</u> c) Total net area of flood openings in A9.b <u>0</u> sq in

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number Sussex County - #100029		B2. County Name Sussex		B3. State Delaware	
B4. Map/Panel Number 0655	B5. Suffix J	B6. FIRM Index Date 01/06/05	B7. FIRM Panel Effective/Revised Date 01/06/05	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) 6.0

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in item B9.
☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other (Describe) _____

B11. Indicate elevation datum used for BFE in item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other (Describe) _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
 Designation Date _____ ☐ CBRS ☐ OPA

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

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

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete items C2.a-g below according to the building diagram specified in item A7.
 Benchmark Utilized Hudson Vertical Datum 1988 NAVD
 Conversion/Comments _____

Check the measurement used.

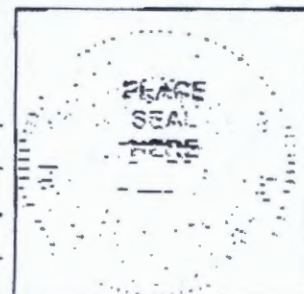
a) Top of bottom floor (including basement, crawl space, or enclosure floor)	<u>1.5</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
b) Top of the next higher floor	<u>2.0</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only)	<u>N/A</u>	<input type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
d) Attached garage (top of slab)	<u>4.1</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment in Comments)	<u>8.0</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
f) Lowest adjacent (finished) grade (LAG)	<u>2.6</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)
g) Highest adjacent (finished) grade (HAG)	<u>4.7</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters (Puerto Rico only)

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

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

☐ Check here if comments are provided on back of form.

Certifier's Name Bernard J. Nolan, Jr. License Number 709
 Title Surveyor Company Name George Miles & Buhr, LLC
 Address 206 West Main Street City Salisbury State MD ZIP Code 21801
 Signature Bernard J. Nolan Date 8/30/07 Telephone 410-742-3115



IMPORTANT: In these spaces, copy the corresponding information from Section A.	For Insurance Company Use:
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 37406 Dirickson Creek Road	Policy Number
City Frankford State DE ZIP Code 19945	Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments

Signature

Date

☐ Check here if attachments**SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).

a) Top of bottom floor (including basement, crawl space, or enclosure) is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.b) Top of bottom floor (including basement, crawl space, or enclosure) is _____ ☐ feet ☐ meters ☐ above or ☐ below the LAG.E2. For Building Diagrams 6-8 with permanent flood openings provided in Section A Items 8 and/or 9 (see page 8 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.E3. Attached garage (top of slab) is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.E4. Top of platform of machinery and/or equipment servicing the building is _____ ☐ feet ☐ meters ☐ above or ☐ below the HAG.E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.**SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION**

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner's or Owner's Authorized Representative's Name

Address

City

State

ZIP Code

Signature

Date

Telephone

Comments

☐ Check here if attachments**SECTION G - COMMUNITY INFORMATION (OPTIONAL)**

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8 and G9.

G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)G2. ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.G3. ☐ The following information (Items G4.-G9.) is provided for community floodplain management purposes.

G4. Permit Number 256651	G5. Date Permit Issued 1-22-07	G6. Date Certificate of Compliance/Occupancy Issued 8-31-07
---------------------------------	---------------------------------------	--

G7. This permit has been issued for: ☒ New Construction ☐ Substantial ImprovementG8. Elevation of as-built lowest floor (including basement) of the building: _____ ☐ feet ☐ meters (PR) Datum _____G9. BFE or (in Zone AO) depth of flooding at the building site: _____ ☐ feet ☐ meters (PR) Datum _____

Local Official's Name

Title

Community Name

Telephone

Signature

Date

Comments

"SEE Letters"

☐ Check here if attachments

John B. Hendrickson, A.I.A.
ARCHITECT

P.O. BOX 877
Bethany Beach, DE 19930
302 537-4766
Fax 302 537-4767
e mail jbh@mdcsi.com

Via Fax 854-5079

August 31, 2007

Dean Malloy
Zoning Inspector II
Sussex County Planning and Zoning
PO Box 417
Georgetown, DE 19947

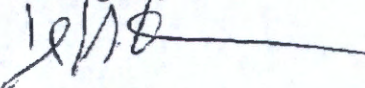
Re: Troeschler Residence , Dirrickson Creek Road

Dear Mr. Malloy:

Please allow this letter to serve as verification that the garage has been designed and constructed to allow for the equalization of hydrostatic flood forces on the exterior walls through the non-sealed overhead door openings.

Please do not hesitate to call if you have any questions.

Best Regards,



John B. Hendrickson, A.I.A.
Del Architect # 5275

CC: Garth Troeschler 302 524-5079



John B. Hendrickson, A.I.A.
ARCHITECT

P.O. BOX 877
Bethany Beach, DE 19950
302 557-4766
Fax 302 557-4767
e-mail john@jbh.com

August 21, 2007

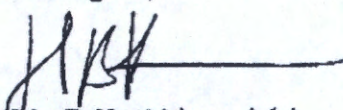
Garth Troescher
7 Ashley Park Drive
Ocean View, DE 19971

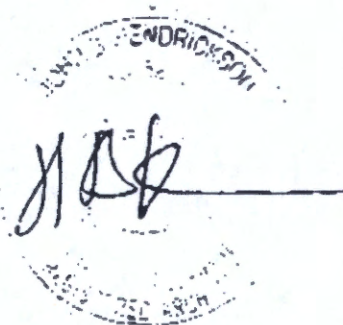
Re: New Residence

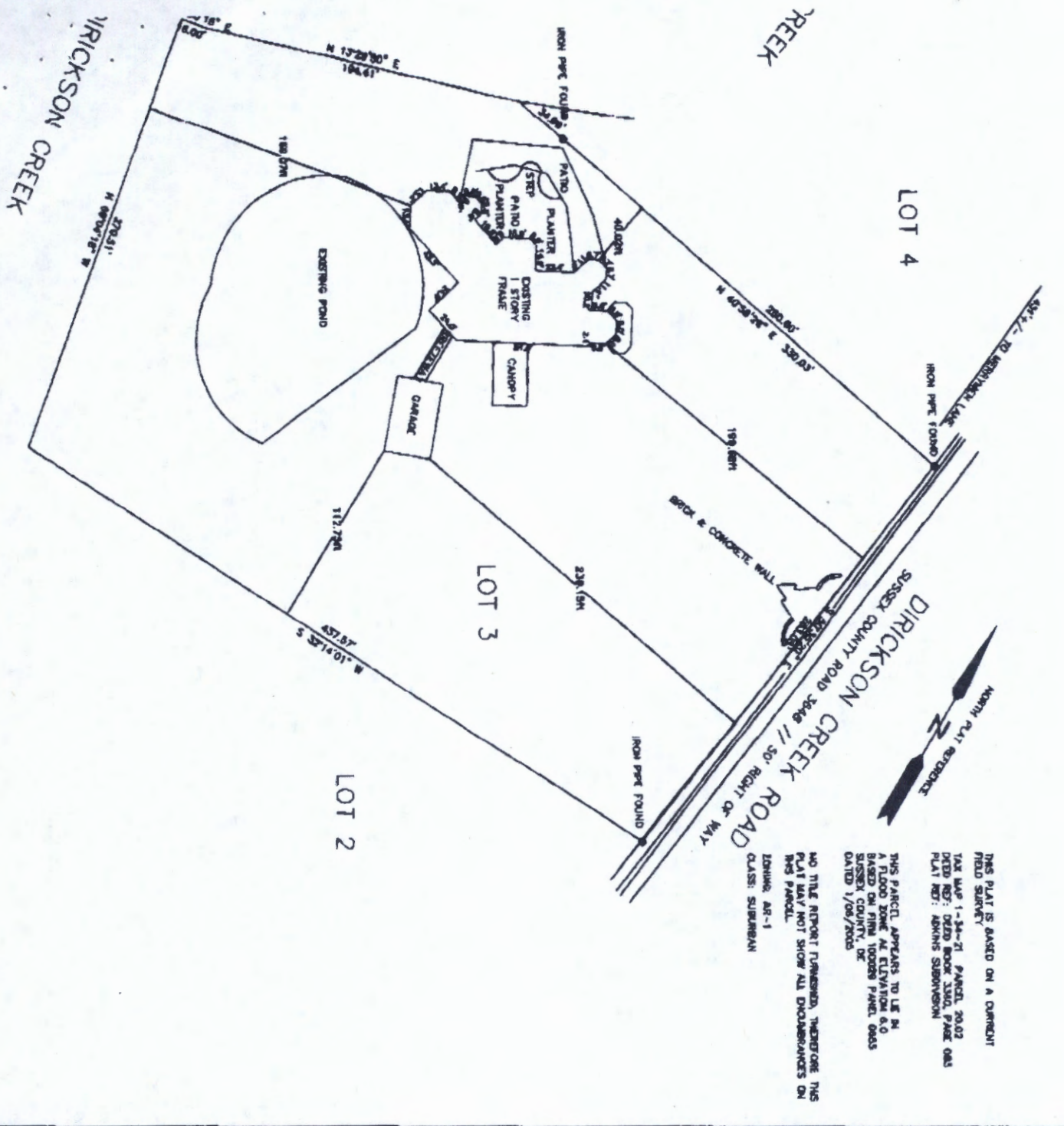
Dear Garth:

The reinforced concrete foundation walls and footing system, of your home on Dirickson Creek have been designed and constructed to withstand the hydrostatic pressure associated with flooding up to the FEMA designated flood elevation. If you have any questions, please do not hesitate to call.

Best Regards,


John B. Hendrickson, A.I.A.





THIS PLAT IS BASED ON A CURRENT
FIELD SURVEY
TAX MAP 1-24-21 PARCEL 20.02
DEED REF: DEED BOOK 1310, PAGE 045
PLAT REF: ADKINS SUBDIVISION

THIS PARCEL APPEARS TO BE IN
A FLOOD ZONE AT ELEVATION 6.0
BASED ON FIRM 10008 PARCEL 0005
SUSSEX COUNTY, DE
DATED 1/05/2008

NO TITLE REPORT FURNISHED, THEREFORE THIS
PLAT MAY NOT SHOW ALL ENCUMBRANCES ON
THIS PARCEL.

EDWARD, AR-1
CLASS: SUBDIVISION

GMB
GEORGE, MILES & BUHR, LLC
ARCHITECTS & ENGINEERS
SALISBURY, BALTIMORE, LEXINGTON, WASHINGTON, YORK
www.gmbnet.com

LOCATION SURVEY
LOT 3
ADKINS SUBDIVISION
SUSSEX COUNTY
DELAWARE

LOCATION
SURVEY

1"=40'
SHEET NO.
DATE
1
3/28/07



ON-SITE WASTEWATER SYSTEM CONSTRUCTION REPORT

DEC 15 2006



GROUNDWATER

Permit Name: Nancy & Prentiss W. Adkins

Permit #: 211125-S

Tax Map #: 1-34-21-20.02

Installer's Name: MULTI KOASTAL SERVICES

KENNETH R. WALSH

License #: 2379

Phone #: (302)436-8822

Construction Start Date: 12/9/2006

Authorization #: 143

Completion Date: 12/12/2006

THIS FORM MUST BE SUBMITTED WITHIN 10 DAYS OF COMPLETION

CF = Cap & Fill / FD = Full Depth

(Please check all boxes that apply)

Type of Construction:

- ☐ Replacement
☒ New Construction
☐ Component Replacement
☐ Repair to Existing System

System Type:

- ☐ Low Pressure Pipe (FD) ☐ Low Pressure Pipe (CF)
☒ Elevated Sand Mound ☐ Wisconsin At-Grade
☐ Pressure Dose (FD) ☐ Pressure Dose (CF)
☐ Holding Tank ☐ Subsurface Micro Irrigation
☐ Gravity (FD) ☐ Gravity (CF)
☐ Std. Pressure Dose (FD) ☐ Other: _____
☐ Std. Pressure Dose (CF)

☒ Bed or ☐ Trench

☐ Gravelless Chamber or ☒ Stone/Gravel

Sand-lined ☒ Yes ☐ No

Existing System Malfunctioning ☐ Yes ☐ No ☒ N/A

Pre-Treatment Units

- ☐ Bio-Clear ☐ Klargester
☒ Septic Tank ☐ Recirculating Sand Filter
☐ Other: _____

Certificate of Satisfactory Completion

David M. Morgan 2-1-07
Approved By Date

-AS BUILT CONSTRUCTION CHANGES-

(Please describe any changes different from approved permit)

ANY LOCATION CHANGE MUST BE MARKED (USE RED INK) ON COPY OF ORIGINAL PERMIT (PLEASE ATTACH)

☒ No Changes

Owner will seed

I hereby affirm that the sewage disposal system for permit number 211125-S was constructed in accordance with all requirements and conditions of the permit. I further certify that if I made any changes that the copy of the original permit (with red markings) is an accurate representation of the installation.

FAXED
12-15-06

12/15/06
Date

Kenneth R. Walsh
Contractor's Signature

Ann Lepore

From: jeff laros <kimflynn@icloud.com>
Sent: Monday, May 18, 2020 11:07 AM
To: Ann Lepore
Subject: Kimberly Flynn and Jeff Laros . Of Dirickson creek rd frankford de 19945

Hello Ann ,

My name is Kimberly Flynn . My husband and I own 2 properties on Dirickson creek road .
My concern is some of my neighbors . (Garth and Maggie Treoschner) continues to submit venue , bed and breakfast various ways to commercialize my neighborhood .
Clearly I purchased property on this dead end road for the peace and serenity .
I understand the Troeschner family is trying to sell their property make it worth more as commercial.

The amount of people living , renting , whatever else they are doing there . Is already a traffic problem . 3 to 6 cars coming and going on a regular basis .
The inn at Dirickson creek . That Bed and breakfast continues to reinvent itself as well . Late night , Latin , dance parties .
Come on . Stop the madness .

Ty
For your consideration,
To this matter .

Kimberly Flynn
And Jeff Laros
Sent from my

Russell Warrington

From: Maja <wwajam@verizon.net>
Sent: Tuesday, May 19, 2020 2:24 PM
To: Russell Warrington
Subject: Special Use Exception Case #12430

To: Planning and Zoning Council
RE: Case #12430

I am **opposed** to the Special Use Exception request by Garth and Madeline Troescher to operate a Bed & Breakfast out of their two bedroom garage apartment.

This request does not make sense when they could have posted the apartment on AirBNB to rent. So, this leads me to believe there are ulterior motives for this Special Use Exception, ie: event/wedding venue.

Thank you,
Maja Welch
37404 Merryman Lane/Dirickson Cove HOA
Sent from my iPad

Ann Lepore

From: Jeff Laros <jefflaros@icloud.com>
Sent: Thursday, May 21, 2020 3:07 PM
To: Ann Lepore
Subject: Garth and Maggie's B/B

I Jeff Laros of 37377 Dirickson Creek Road Frankford De 19945 oppose any commercial venue in my residential neighborhood. Thank you

Tom Bonsack
37406 Dirickson Creek Rd
Frankford, Delaware 19945

Re: Case number 12430 Troescher application for Bed and Breakfast

Dear Board of Adjustment:

My name is Tom Bonsack and my home is directly next to the Troeschers' home. I am **opposed** to them having a Bed and Breakfast on their property as this would adversely affect my family and my neighbors. Being on the water, sound travels and amplifies. The Troeschers have a large beautiful deck area with a large outdoor bar. When guests are at their home, the deck/bar area is where they want to spend their time and where the noise is generated. I accept the Troeschers having family and friends over to have a good time on their deck, however adding 6 possible rooms of guests to spend their time on the deck/bar would be intolerable for myself and my family (all for the purpose of the Troeschers making money on a business). Their business would add noise and traffic, which is already heavy at their home and this noise and traffic could be every day of the week continuously!

The first time I met the Troeschers, which was the day before I closed on my home last May, they told me they were going to have up to 20 wedding events at their home. There was a hearing last year and after all the neighbors (other than one) opposed their request, they pulled their application to have a wedding venue. I believe this current request to have a Bed and Breakfast is also a stepping-stone to add wedding events to their location.

I want my neighbors the Troeschers to be happy, but I spent a lot of time and money finding a quiet property to spend my retirement years and for that reason I need to oppose their request for a Bed and Breakfast.

Thank you for your consideration,

Tom Bonsack

A handwritten signature in black ink that reads "Tom Bonsack". The signature is written in a cursive, flowing style with a large initial "T".

Ann Lepore

From: Pat Welch <patwelch@conwater.com>
Sent: Tuesday, May 26, 2020 6:46 PM
To: Ann Lepore
Subject: RE: Case Number: 12430 Letter Of Opposition

Ms. Lepore,

I noticed that I neglected to include my mailing address on my letter. I fell this is important as I am a neighbor that will be directly affected by this.

Should I resend my letter with my address?

If not my address is:

Patrick Welch, Sr.
37404 Merryman Lane
Frankford, DE 19945

From: Ann Lepore <ann.lepore@sussexcountyde.gov>
Sent: Friday, May 22, 2020 2:48 PM
To: Pat Welch <patwelch@conwater.com>
Subject: RE: Case Number: 12430 Letter Of Opposition

Received and added as part of the file

From: Pat Welch <patwelch@conwater.com>
Sent: Friday, May 22, 2020 2:35 PM
To: Ann Lepore <ann.lepore@sussexcountyde.gov>
Subject: Case Number: 12430 Letter Of Opposition

May 22, 2020

Mr. Jamie Whitehouse, Director
Planning and Zoning
2 The Circle
Georgetown DE, 19947

Case Number: 12430

Letter Of Opposition

Dear Mr. Whitehouse,

I'm writing in **opposition** to the Bed & Breakfast being proposed by Garth and Madeline Troescher located at their residence at 37428 Dirickson Creek Road, Frankford DE 19945. Tax Parcel 134-21.00-20.02.

On 5-23-19 Madeline Troescher was seeking a Conditional Use (C/U 2174) for an Event Venue at this same property/address. This request was met with overwhelming opposition from the neighbors and surrounding neighborhood for a multitude of reasons and concerns which I have included on an attached page (Attachment A). The opposition was so great the Troescher's withdrew their application the night of the hearing before the Board had a chance to deliberate and vote on their request.

So, I was surprised to get a call from Garth Troescher this past February 6th to let me know Madeline (Maggie) was giving up on the Event Venue and petitioning for a Bed & Breakfast instead. Why a Bed & Breakfast and not a much simpler Airbnb? Things just didn't add up so I contacted a couple of property developers and attorneys and we surmised this B&B is just a ruse to ultimately convert the B&B to an Event Venue.

This is a similar tact used by the B&B at 37269 Dirickson Creek Rd Frankford, DE 19945. Originally known as Woodsong Inn Retreat the venue was sold and the name was changed to The Inn at Dirickson Creek. There had been internet posting reading: "A private retreat, unique location for, nature lovers, bird watchers, and those that just like to get away from it all, this is the spot for you. Operating as a B&B with a separate banquet hall of 1,730 square feet, giving the space for conferences, weddings and group events, with parking. Seven bedrooms, all with private baths in the main house. Permit for B&B operation in place."

We purchased a parcel of land on Merryman Lane just off Dirickson Creek Road and we face the back of the Troescher property. We built our retirement home here in 2017 and have enjoyed the scenic views and the serenity and that may be in jeopardy. The definition of "Serenity" is; without worry, without stress, without disturbance.

I have nothing personal against the Troescher's and have known them for over fifteen years. I have worked along side Garth packing Holiday Dinners for delivery to the community at the Mountaire Poultry Facility over the years.

I respectfully request that you deny this Bed and Breakfast application and allow us to enjoy the peace and serenity that the Troescher's and others have enjoyed over the years in this tranquil and majestic setting.

Sincerely,

Patrick Welch, Sr.

Patrick Welch, Sr.

ATTACHMENT "A"

Reasons For Opposing The Event Venue

Obvious Reasons:

- Reduced property values
- NOISE – music (DJ/band), people outside
- Pre-event customer traffic
- Event day attendee traffic
- Food delivery/catering traffic
- Event linen delivery & pick-up traffic
- Event supplies (tables, chairs, tents, etc...) delivery & pick-up traffic
- Additional trash pick-ups traffic
- Vermin (rats, raccoons, etc...) attracted to additional trash
- Inadequate parking of guest vehicles. A lawn should not be considered adequate.
- If parking off site – transportation by alternate means (buses) to the site – more traffic.
- Kids that live up and down the street play and ride their bikes in the street often.
- People are out for a walk or walking their pets.
- Inadequate infrastructure up and down the road.
- No local police – so surrounding neighbors would be charged with the policing.

Not So Obvious Reasons:

- Dirickson Creek Road is a dead end road. There is only one way in and one way out in case of an emergency.
- A lot of the area surrounding our homes in this region are designated protected wetlands. All an "event venue" would do is introduce more traffic and noise to the protected area and we don't think that's what a "protected area" is all about.
- We are all on well and septic in this area. Per a recent email from the property Owner it was stated that supplemental Port-A-Jon' may be necessary and we find that unacceptable. How is that necessity determined? After the septic tank is full and overflowing near the wetlands and neighbors?
- I don't believe the "back roads" were designed to carry the additional traffic. This is evident by the damaged to the older roads by the Estuary Development and I believe we had a total of three sinkholes on Dirickson Creek Road within the past year.

Rob and Lydia Luca
37424 Merryman Lane
Frankford, DE 19945

Sussex County Planning and Zoning
Board of Adjustments
Georgetown, DE 19947

Re: Case No. 12430

Dear Sussex County Planning and Zoning,

My husband and I became aware of the Troescher's application for conversion of their property on 37428 Dirickson Creek Road into a Bed and Breakfast via a notice of public hearing received in the mail.

Our property at 37424 Merryman Lane is two houses away from the Troescher's property and across a small cove on Dirickson's Creek. From our back yard, the Troescher's back yard, patio, and dock are clearly visible and audible.

As with the situation in 2019, when the Troescher's applied for a zoning exception to establish an event venue, we remain opposed to the use of the property for commercial purposes. We believe if you refer to the record from the May 2019 zoning hearing, the broad opposition to commercial use of the property will be reflected. Given the opposition of nearly all the local homeowners, the 2019 application for an event venue was withdrawn. Although the type of commercial establishment has changed, the opposition to commercial use of the property has not.

As homeowners who would be directly affected, we are opposed to the establishment of an enterprise that contributes to increasing commercialization of our residential neighborhood. The qualities of the area that led us to purchase our property, including peacefulness, beauty and the overall rural setting, would be at risk if commercial use of land in this area was permitted to perpetuate. We respectfully submit that the explosive growth in the local area makes it even more imperative that rural settings, particularly those adjacent to natural waterways, be protected and preserved.

Our opposition does not in any way make a statement on the persons making the application. We simply do not agree with commercialization of property in this area and seek to preserve the current, predominately residential use of land.

Respectfully,

 
Robert & Lydia Luca

5/22/2020

Dear BOA:

I am referencing case 12430, the Troescher's proposed bed and breakfast. I live adjacent to their home. My family purchased our home last year as our retirement home. After searching for a home, we chose our house because of the location, serenity, privacy, and view. I believe a bed and breakfast would adversely change the tranquility by creating noise that travels and echoes over the water. As you can see, the Troescher's beautiful patio and deck are set up for entertaining. If I was a guest of their bed and breakfast, I would want to spend my time outside taking in the views, sunsets, and enjoying water activities while on vacation every day. A gathering of people, potentially every day, will change the serenity of this quiet neighborhood. It does not only affect our home, but all those who live on Dirickson Creek. It is expected that families entertain occasionally, but a bed and breakfast could be every day. I am aware that in Delaware that a bed and breakfast could be up to 6 rooms which is 12 people. That is a party!

I also believe that a bed and breakfast would adversely affect the traffic on Dirickson Road. Presently, the Troescher's have many cars, Fed-Ex, and UPS trucks going in and out of their driveway on any given day since their home is also a business address for Garth Enterprises. Having tenants would increase the cars traveling up and down Dirickson Creek Road every day. It will also cause an increase number of cars doing drive bys.

There is a risk with the septic system next to the water. I am not sure if their system can support the number of bedrooms? Has this been taken into consideration?

This is not personal. I just do not want to hear social gatherings potentially every day and night. Having a bed and breakfast will change the serenity and tranquility for all those who live on Dirickson Creek.

Kelly Gallagher

A handwritten signature in cursive script that reads "Kelly Gallagher". The signature is written in dark ink and is positioned below the typed name.

Sussex County Planning and Zoning
Board of Adjustments
40 The Circle
Georgetown DE 19947

RECEIVED

MAR 10 2020

SUSSEX COUNTY
PLANNING & ZONING

2/23/20

RE: 37428 Dirickson Creek Rd, Franford DE, conversion to Bed & Breakfast, on
behalf of Madeline and Garth Troesch

Dear Sussex County Planning and Zoning:

Tom and Tammy Mitchell are property owners next door, due East of the property in question, on Dirickson Creek Road. We were made aware of the Troesch's intentions to provide services for wedding receptions on their property, back in the Summer of 2019. We felt that the idea to hold wedding receptions at this beautiful venue, was a sanctifying grace, on an extraordinary parcel of land. Based on the fact that our property is unimproved, at this time, we politely visited the Troeschers and offered our vacant land as a place for additional parking, if need be.

We are not overly familiar with the Troeschers, in fact we are home owners in South Bethany, 49 years, (lifeguard South Bethany "72-73") and only frequent our Dirickson Creek property, to maintain the landscape. We keep the property looking residential, in lieu of the beautiful, valuable properties that surround our parcel. Although we are only at Dirickson Creek 7 times a year for ground maintenance, within this tight knit community, at the dead end of a long rural road, we have always heard "rave reviews" of the quality of people that the Troeschers are. In particular, Garth Troesch, who I have conversed with (5) times in twenty years, the neighbors speak of Garth with extreme reverence, because of his giving back to humanity through community service. I understand that Garth is involved with Wounded Warriors and a builders group that provides free building services for the less fortunate, elderly, disabled and low income. My neighbors have also told us to what great extent Garth has lent tools and heavy equipment to surrounding neighbors, to help improve their properties. Good Samaritans like the Troeschers are people that give back to society. The Mitchells are involved with Seas the Days in Bethany and we are people that believe that giving back to others, as the Troeschers do, is worthy of recognition and merit. The Troeschers are the type neighbors that we wish we all had.

The Troeschers likely have one of the most beautiful properties on Delmarva. I am friends with Doug Appling of Sand Castle reality in South Bethany. Doug came out to view my Dirickson Creek property to get an idea of the value, such that we might get a loan for my daughter's college tuition. Doug saw the Troeschers' property and simply said, "oh yea, I have heard about how beautiful the Troeschers' property was". I can also tell you that people often drive down this dead-end road and take special interest in looking at the Troeschers' extraordinary property. One might view the Troeschers' property as a "marketing tool" for real estate in the "slower lower". Residing in Montgomery County, Maryland, where land values are remarkably high, the most valuable properties are in Potomac, Maryland. I consider the end of Dirickson Creek Road to be like the Potomac neighborhood of Montgomery County, MD. The Troeschers' property is the benchmark of excellence.

I am not concerned about additional traffic on Dirickson Creek Road nor am I concerned about any undue noise. A wedding ceremony is clearly a reverent and momentous occasion that one would expect to have appropriate music and additional vehicular traffic. As congested as I envision these backroads will become as a result of the most recent developments, due West on Dirickson Creek, I do not see where approving a bed and breakfast or hosting wedding receptions, will make any difference in the traffic density.

Finally, I stand by my earlier conviction that the Troeschers are the kind of family that give so much back to the community, that I feel it would only be fitting and in the best interest of the Planning and Advisory Board, to grant the Troeschers' request for exceptional zoning approval.

Tom and Tammy Mitchell
Dirickson Creek Road

A handwritten signature in black ink that reads "Tom Mitchell". The signature is written in a cursive, flowing style.

Note: With humility, Tom Mitchell serves on the following boards:

Potomac Valley Architecture Foundation, Vice President

Togo Mission Africa, Vice President

Association of Contract Background Investigators, Director 1 (US Security Clearances)

Brian K. Hinds
2501 Harbor Drive
Ocean View, DE 19970

RECEIVED

MAR 09 2020

SUSSEX COUNTY
PLANNING & ZONING

Sussex County Planning and Zoning Board of Adjustments
2 The Circle
Georgetown, DE 19947

RE: Troescher Application for a Bed and Breakfast at 37428 Dirickson Creek Rd Frankford, DE

3/4/20

To Whom It May Concern,

My name is Brian K. Hinds, and I am writing you in support of the Troescher family's plan to use their property as an occasional Bed and Breakfast.

I have had the opportunity to attend several functions at the Troescher property including Fund Raisers for the local hospital and planning and coordination meetings for the 501c3 Charity Organization called Contractors for a Cause.

I have always found the property to be well maintained and conducive to accommodate the large number of people present for the charitable functions that they have hosted at their home. There is ample room for parking and entertaining as well as substantial buffers to isolate any potential noise or disruption to the neighboring homes.

I feel confident that the nominal number of people that may visit the home as a Bed and Breakfast would certainly be an appropriate and reasonable use of the property, and I know that the Troeschers will be extremely attentive to maintaining the beauty of the grounds as well as the peacefulness of the waterfront site, and would never allow activity to upset the pristine setting of their property and the surrounding area.

Thank you for your consideration.

Sincerely,



Ann Lepore

From: gloria222222@aol.com
Sent: Thursday, May 28, 2020 10:07 AM
To: Ann Lepore
Subject: Fwd: Case Number 12430

-----Original Message-----

To: ann@aol.com <ann@aol.com>; lepore@sussexcountyde.gov <lepore@sussexcountyde.gov>
Sent: Thu, May 28, 2020 10:05 am
Subject: Fwd: Case Number 12430

-----Original Message-----

To: ann.lepore@sussexcounty.de.gov <ann.lepore@sussexcounty.de.gov>
Sent: Thu, May 28, 2020 9:57 am
Subject: Re: Case Number 12430

-----Original Message-----

To: ann.lepore@sussexcounty.de.gov <ann.lepore@sussexcounty.de.gov>
Sent: Thu, May 28, 2020 9:53 am
Subject: Case Number 12430

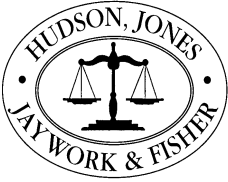
My name is Gloria F. Merryman. Back in 1988 my husband, John Merryman and I, developed what it is called now Dirickson Cove. At the time, as you can imagine, there was nothing around that area. Very rural, but a beautiful piece of property on Dirickson Creek. I still own 2 lots there. Right now there are a lot of developments going up prior to getting to the small and narrow road before Dirickson Cove. It dead ends into Dirickson Creek. Last year the same people, Garth and Maggie, who have a large house adjacent to Dirickson Cove wanted to take to Zoning and Planning with the idea that it would get to the Sussex County Council for approval, a change of zoning so that they could offer their home as a wedding venue. They saw the opposition of the community and decided to pull out the application.

Now they are going back for a Bed & Breakfast. Make no mistake there is an agenda here. As you know once the zoning is changed that is it. If you have not been in this area you should take a drive there to better understand how important it is that this is not approved. There are no lights, or sidewalks. As you also know Sussex County is a Complaint driven County, so if they are giving the go ahead the county will not be policing this area. It will then be to the neighbors to be making the complaints. This part of

Dirickson Creek should not be commercialized in any way, whether is a B & B, or wedding venue. There is an agenda here and I hope all those that will make those decisions regarding what Maggie and Garth want to do take a very good look at what is at stake, and they listen to the community.

I thank you very much for including my opposition. It would be greatly appreciated if you could confirm receipt of this email.

Gloria F. Merryman
302-245-5901



HUDSON, JONES, JAYWORK & FISHER, LLC

Dartmouth Business Center
34382 Carpenter's Way, Suite 3, Lewes, DE 19958
(302) 645-7999 · Fax (302) 360-7198

PARTNERS:

R. BRANDON JONES
DANIEL P. MYERS II
JAMES P. BECKER
CHRISTOPHER M. HOLMON
MICHAEL G. RUSHE
D. BARRETT EDWARDS, IV

OF COUNSEL:

RONALD D. SMITH
DAVID A. BOSWELL
RICHARD E. BERL, JR.
FRED A. TOWNSEND, III

ASSOCIATES:

CHAD C. MEREDITH
ANN POULIOS BOSWELL
ZACHARY A. GEORGE
KRISTIN C. COLLISON
DANIEL L. HUESTIS

REHOBOTH BEACH

309 Rehoboth Avenue
Rehoboth Beach, DE 19971
(302) 227-9441

DOVER

225 South State Street
Dover, DE 19901
(302) 734-7401

WILLIAM S. HUDSON, 1934-2013
JOHN T. JAYWORK - RETIRED
HARRY M. FISHER, III - RETIRED

May 27, 2020

VIA Email

Sussex County Board of Adjustment

**RE: Opposition to Application for a Bed and Breakfast
Troescher, Case # 12430**

Dear Members of the Board of Adjustment and staff:

Thank you for your attention to this matter. I am writing as counsel to applicants' adjoining neighbors, Tom and Kelly Bonsack and to various other residents in the area of the Troescher parcel. My clients and I would like to express opposition to the application for a bed and breakfast at 37428 Dirickson Creek Road, Frankford, Delaware.

The Troeschers have the burden of showing their proposed bed and breakfast will not substantially adversely affect adjacent and neighboring uses. Those uses in this instance are highly residential with very few neighborhood business or commercial operations in the area. For that reason it is not convenient to tourists who typically visit the area for its beaches, restaurants and shopping opportunities. A common site for a bed and breakfast is a parcel in close proximity to attractions where the added presence of visitors will mix with day trippers and guests of neighboring establishments so as to be unnoticeable.

As emphasized by the applicants, the area is extremely quiet and rich in natural beauty. Attracting as many visitors as can occupy six bedrooms and the grounds will be disruptive and generate noise levels that are inconsistent with the low level of ambient noise that presently exists. Should visitors elect to spend significant time outside admiring nature, their disruptive presence will be more apparent as their voices travel

across the water. Additional visitor trips on the very quiet and minimally improved access roads will be detrimental.

It is noteworthy that in response to significant opposition the applicant withdrew a recent application to operate an event site on this parcel. It is also noteworthy that a supporter is under the impression that the proposed bed and breakfast will serve as a wedding site. Apparently the applicant has a desire to convert the extraordinarily large home to a business operation. This application is feared to be a stepping stone to a request for more intense use.

Even now, the parcel attracts an inordinate number of vehicle trips.

In addition to the adjoining Bonsacks, those who reside in this residential community are adamantly opposed to this proposed use.

Sincerely,

Fred A. Townsend III
Bar# 2920

Administrative Approval
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

12431
Case # GSA-20-03
Hearing Date 4/16/2020
(where applicable)
202000560

Type of Application: (please check all applicable)

- ☐ Manufactured Home-Type Structure for
Business, Commercial or Industrial Use.
☒ Garage/Studio Apartment.
☐ Manufactured Home-Type Structure for
Emergency or Hardship Situation.

Existing Structure: ☒
Proposed Structure: ☐
Code Reference (office use only)
115-23 & 115-210

Site Address:

8982 Morning Glory Farms Rd, Laurel, DE 19956
Description of Request:

Garage-Studio Apartment

Tax Map #: 432-3.00-41.06

Property Zoning: AP-1

Applicant Information

Applicant Name: Sarah Petersow
Applicant Address: 8982 Morning Glory Farms Rd
City: Laurel State: DE Zip: 19956
Applicant Phone #: 302-448-0009 Applicant e-mail: sarahp2472@aol.com
email letter

Owner Information

Owner Name: SAME
Owner Address: _____
City: _____ State: _____ Zip: _____ Purchase Date: _____
Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Details

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

Signature of Owner/Agent/Attorney

[Signature]

Date: 1/16/2020



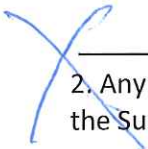
Criteria for a Special Use Exception: (Please provide a written statement regarding each criteria)

Applicant's must demonstrate that the property meets ALL of the criteria for a Special Use Exception to be granted.

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

Been using it 18yrs. -

No surrounding neighbors No complaints

-  2. Any other requirements which apply to a specific type of Special Use Exception as required by the Sussex County Code (such as the maximum amount of time permitted):

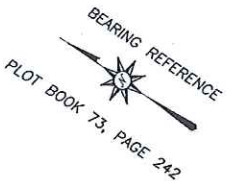
10' OFFSETS

COURSES & DISTANCES WITH SHORELINE OF BROAD CREEK

LINE	BEARING	DISTANCE
L1	N 73°36'08" E	81.54'
L2	N 88°51'30" E	108.67'
L3	N 79°35'28" E	82.44'
L4	N 69°37'03" E	47.94'
L5	N 50°28'05" E	42.57'
L6	N 43°23'52" E	124.84'

CURVE DATA

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1200.00'	79.19'	79.18'	S 58°15'16" W	03°46'53"



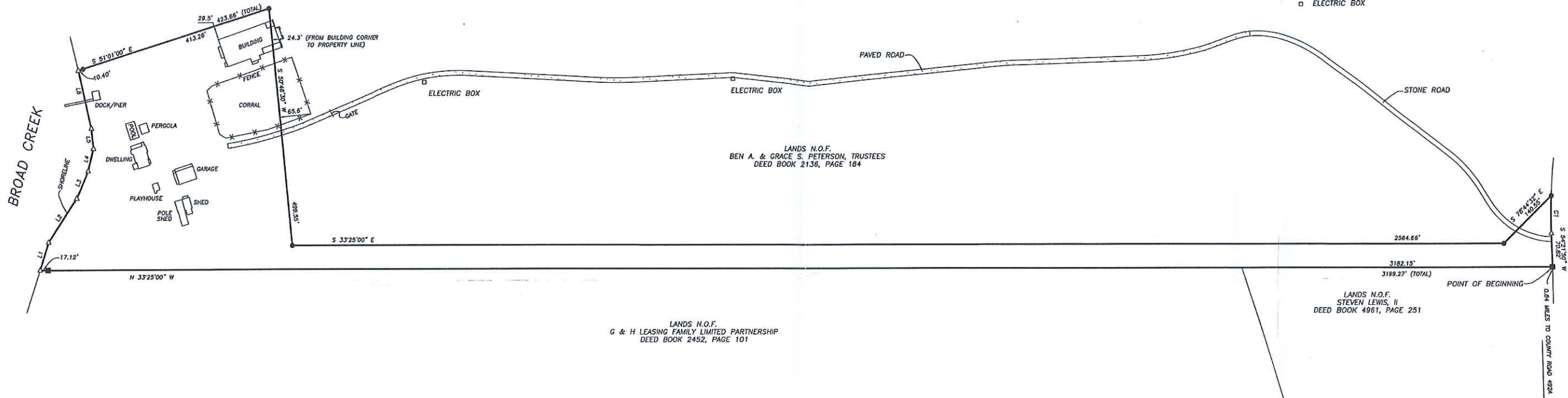
LANDS N.O.F.
BEN A. & GRACE S. PETERSON, TRUSTEES
DEED BOOK 2136, PAGE 184

LANDS N.O.F.
BEN A. & GRACE S. PETERSON, TRUSTEES
DEED BOOK 2136, PAGE 184

LANDS N.O.F.
G & H LEASING FAMILY LIMITED PARTNERSHIP
DEED BOOK 2452, PAGE 101

LANDS N.O.F.
STEVEN LEWIS, II
DEED BOOK 4961, PAGE 251

COUNTY ROAD 492 - PORTSVILLE ROAD
(50' WIDE)



NOTES:

- 1) CLASS "B", SUBURBAN SURVEY
- 2) SOURCE OF TITLE: DEED BOOK 3826, PAGE 226
- 3) A TITLE SEARCH WAS NEITHER REQUESTED, PROVIDED OR UTILIZED FOR THIS SURVEY

LEGEND:

- FOUND IRON PIPE
- FOUND CONCRETE MONUMENT
- △ POINT
- ELECTRIC BOX

Douglas J. Annand
DOUGLAS J. ANNAND, PLS 622

Prepared By
DOUGLAS J. ANNAND
PROFESSIONAL LAND SURVEYOR
10027 NORTH OLD STATE ROAD
LINCOLN, DELAWARE 19960
PHONE: (302) 448-0320
douglassannand7@gmail.com

BOUNDARY SURVEY PLAN

PREPARED FOR
SARAH E. PETERSON
SITUATED IN
LITTLE CREEK HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
AREA: 8.044 ACRES+/-
SCALE: 1" = 100'
DATE: DECEMBER 13, 2019

PLANNING & ZONING

JANELLE M. CORNWELL, AICP
DIRECTOR

(302) 855-7878 T
(302) 854-5079 F



Sussex County

DELAWARE
sussexcountype.gov

January 24, 2020

RE: Administrative Approval Request for Sarah Peterson, 8982 Morning Glory Farms,
Laurel. (GSA-20-03)
Tax Map: 432-3.00-41.06

Dear adjacent property owner:

Please be advised that Sarah Peterson has requested an administrative approval to allow for a garage studio apartment to be built at the location above in addition to the existing dwelling.

On October 22, 2019, the Sussex County Council adopted Ordinance No. 2684 which states that the Director of Planning and Zoning may administratively grant the use of a garage studio apartment under 800 square feet.

The Ordinance provides that the Director shall give written notice to adjacent property owners of the requested administrative approval and accept written statements for ten (10) working days from the date of mailing. If any objection is received, the Director shall refer the application to the Sussex County Board of Adjustment.

Therefore, please provide a written response to the Director within ten (10) working days from the date of this mailing if you desire to object to this administrative approval request.

Thanking you in advance for your consideration in this matter. Should you have any questions, please do not hesitate to contact this department at (302) 855-7878.

Respectfully Submitted,

Janelle M. Cornwell, AICP
Director of Planning and Zoning



Ann Lepore

From: Grace Peterson <gespeterson@gmail.com>
Sent: Tuesday, February 4, 2020 12:28 PM
To: Ann Lepore
Subject: Administrative Approval Request for Sarah Peterson, 8982 Morning Glory Farms Rd. Laurel (GSA-20-03)Tax Map: 432-3.00-41.06

Jamie Whitehouse, Acting Director

A letter from Planning and Zoning informing us that Sarah Peterson wants to build a garage studio apartment on the property next to our property.

We object to this request because she already has two businesses using this road that goes through our property and she does not have a legal right-of-way to use this road.

We would appreciate you considering our concern.

Thank You,

Ben and Grace Peterson
200 N. Arch Street
Seaford, DE 19973
302-629-9844
302-236-5926

JAMIE WHITEHOUSE, AICP
ACTING DIRECTOR OF PLANNING &
ZONING
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

February 5, 2020

Sarah Peterson
8982 Morning Glory Farm Road
Laurel, DE 19956

RE: Denial Letter for Administrative Special Use Exception Approval for a Garage/Studio Apartment under 800 square feet for Lands of Allen & Sarah Peterson, TTEE located at 8982 Morning Glory Farms Rd. (GSA-20-03)
Tax Parcel: 432-3.00-41.06

Dear Mrs. Peterson:

The submitted request for the Administrative Special Use Exception Approval (Section 115-20A) for a Garage/Studio Apartment to be located at the above address has been **denied**.

Based on the criteria for the denial of an Administrative Approval it has been determined that:

- The Planning Office received an objection to the requested Administrative Approval.

The Applicant may proceed with an application to the Sussex County Board of Adjustment following receipt of an additional \$350.00 fee. Payment by check shall be made out to Sussex County Council.

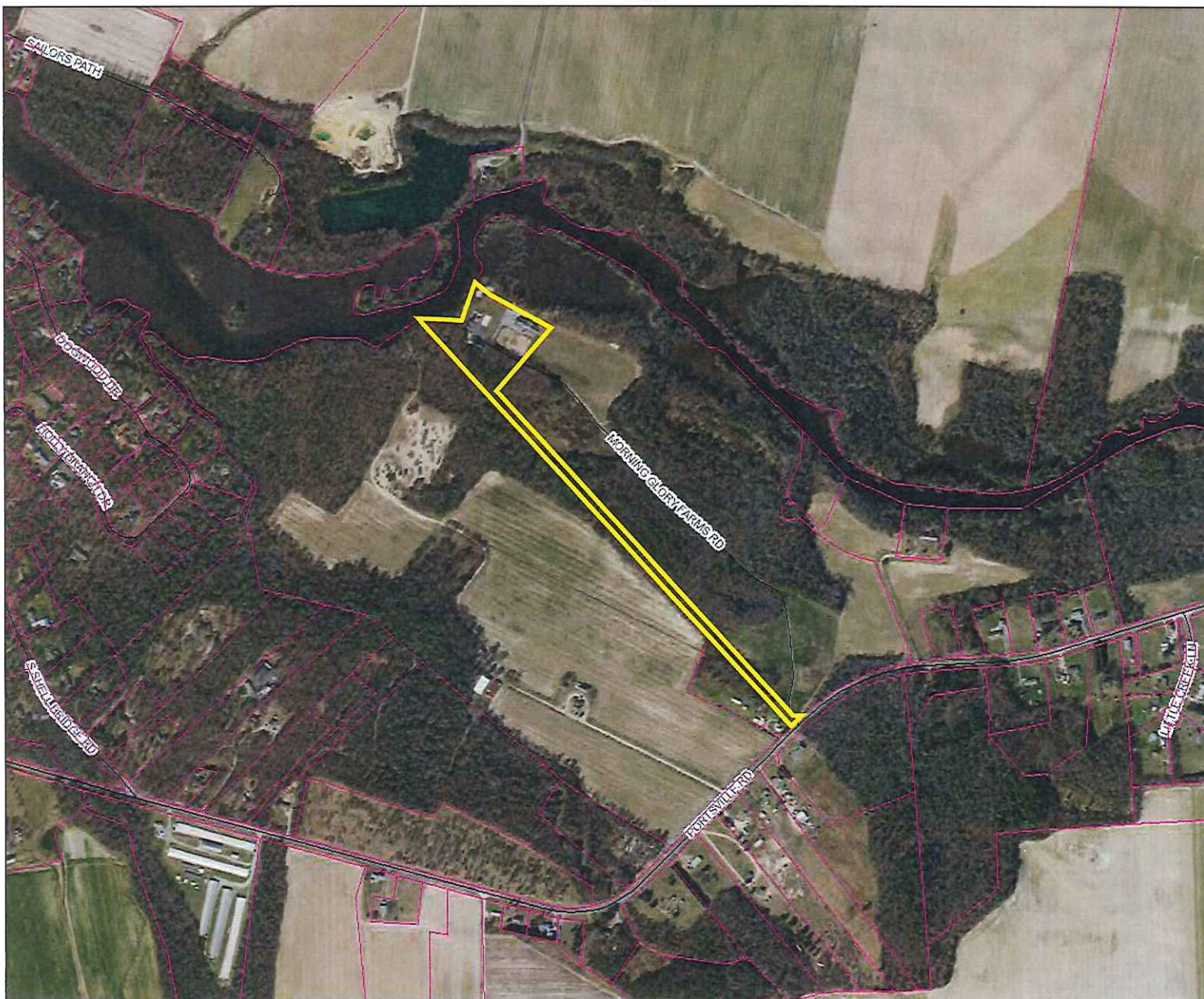
Please feel free to contact me with any questions during business hours 8:30 am – 4:30 pm Monday through Friday at 302-855-7878.

Sincerely,

Christin Headley, Planner I



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



PIN:	432-3.00-41.06
Owner Name	PETERSON ALLEN P TTEE
Book	3826
Mailing Address	P O BOX 603
City	LAUREL
State	DE
Description	N/RT 492
Description 2	N/A
Description 3	N/A
Land Code	

polygonLayer

Override 1

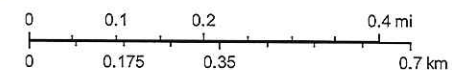
polygonLayer

Override 1

□ Tax Parcels

— Streets

1:9,028



RECEIVED

MAY 28 2020

SUSSEX COUNTY
PLANNING & ZONING

May 26, 2020

Sussex County Board of Adjustment

2 The Circle

Georgetown, DE 19947

To Whom It May Concern:

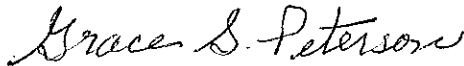
We are making our comment against Case No. 12431, Sarah Peterson, for a garage studio apartment on this property because she already has two businesses that use our private road on our farm. We object to more traffic and wear on this road since she doesn't have a legal right-of-way.

We thank you for considering our concern.

Sincerely,



Ben A Peterson, Jr.



Grace S. Peterson

200 N. Arch Street

Seaford, DE 19973

302-629-9844 or 302-236-5926

Case # 12432
Hearing Date April 10, 2020
202001648

Board of Adjustment Application
Sussex County, Delaware

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

Type of Application: (please check all applicable)

Variance ☒
Special Use Exception _____
Administrative Variance _____
Appeal _____

Existing Condition ☒
Proposed _____
Code Reference (office use only)

Site Address of Variance/Special Use Exception:

30 White Oak Rd, Rehoboth Beach

Variance/Special Use Exception/Appeal Requested: _____

4.5' from reg. 30' front setback requirement
for existing dwelling.

NO CO ISSUED

Tax Map #: 334-19.00-73.00

Property Zoning: AR-1

Applicant Information

Applicant Name: Barbara J Walker
Applicant Address: 8 White Oak Rd
City, State, Zip: Rehoboth, DE 19971
Applicant Phone #: 302-542-8333 Applicant e-mail: Bobbi2450@comcast.net

Owner Information

Owner Name: _____
Owner Address: _____
City, State, Zip: _____ Purchase Date: _____
Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Barbara J Walker

Date: 2/13/20



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.

This is a corner lot with a circular front. All other lots are square.

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 home was built in 1982-1983 and is being sold.

3. Not created by the applicant:

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

The owner of the home died & I inherited the property last year. The difficulty has existed since the home was built.

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 will have no impact on our community since it has existed since 1982-83.

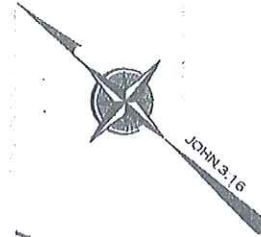
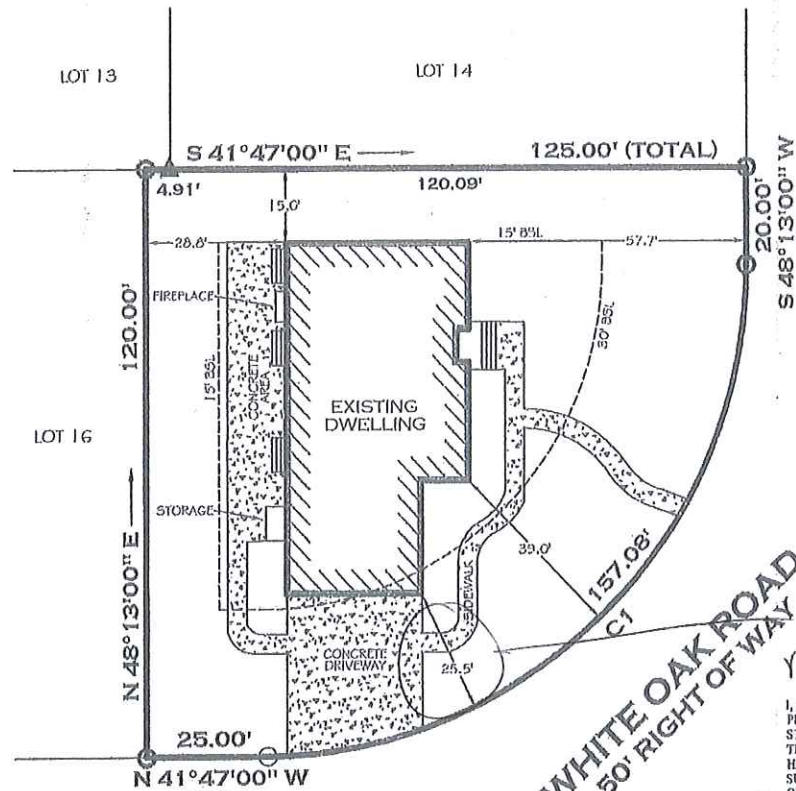
5. Minimum variance:

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

We will need a variance of 4'5".

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

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	100.00'	157.08'	141.42'	N 86°47'00" W



NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. ZONE: AK-1
3. BUILDING SETBACK LINES (BSL)

FRONT 30'
SIDE 15'
REAR N/A

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

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

I, BRADLEY A. ABSHER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PROVIDED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE 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 REQUIRE A NEW REVIEW AND CERTIFICATION BY ANY OFFICIAL OR LEGAL USER OF THIS PLAN.

BRADLEY A. ABSHER, DE PLS # 735
DATE 1-31-2020

TAX MAP	3-34 - 19.00 - 73.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	LEWES & REHOBOTH
TOWN	---
AREA	12,854 ± SQ. FT.
DEED REF.	1047 / 105, 698 / 72
PLAT REF.	5 / 32
DRAWN BY	MC3
DATE	01 / 31 / 2020
SCALE	1" = 30'
SURVEY #	DE - 06055

BOUNDARY SURVEY PLAN

LOT 15, BLOCK 20
REHOBOTH BEACH
YACHT & COUNTRY CLUB

FOR
MICHAEL D. & KATHERINE C. DICKINSON

30 WHITE OAK ROAD, REHOBOTH BEACH, DE 19971

LEGEND

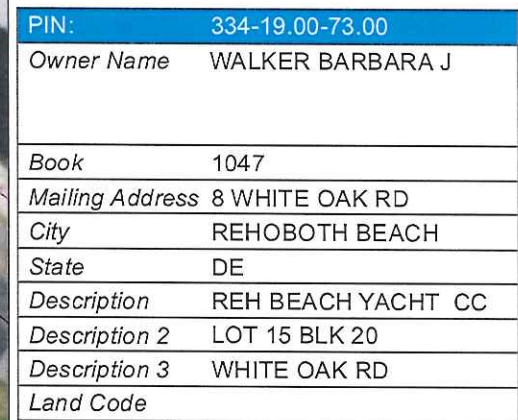
- ▲ IRON T-BAR FOUND
- IRON PIPE W/ CAP FOUND


TRUE NORTH



LAND SURVEYING

118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19970
DE: 302-839-2480
MD: 410-430-2092



 County Boundaries

March 9, 2020

APPLICATION FOR BUILDING PERMIT
SUSSEX COUNTY, DELAWARE

LOCATION: Route _____ (N) (S) (E) (W) side, _____ (ft.) (miles) (N) (S) (E) (W) of _____
Subdivision or Trailer Park Reh. Beh. Yacht Lot No. 15 Section or Block BK 20 SEC D
Town _____ Map No. 19 Parcel No. 73.0 Hundred Seventy & Reh.
District No. 3-34 Frontage _____ Depth 120 Height _____
Size of Lot: _____ Acreage _____
Size of Building 38' x 72' Stories _____ Transfer No. _____
Cost of Improvements \$204,000

TYPE OF IMPROVEMENT
☒ New Building
☐ Addition
☐ Relocation
☐ Accessory Structure
☐ Mobile Home
☐ Mobile Home Replacement
☐ Sign
☐ Remodeling
☐ Other _____
☐ On Farm Mobile Home for _____

TYPE OF CONSTRUCTION
 Basement _____ yes ☒ no ☐
 Foundation _____
 Floor _____
 Frame _____
 Roof _____
 Floor Covering _____
 Interior Walls _____
 Heating _____
 Air Conditioning _____
 Fireplace _____ yes ☒ no ☐
 Number of Bedrooms _____
 Number of Bathrooms _____
 Estimated Date of Completion 12/15/83

TYPE OF USE
 Existing Use _____
 Proposed Use Dwelling
☒ Single Family Residential
☐ Commercial
☐ Other _____
 Number of Units 1

IDENTIFICATION:
 Name P. H. McCauley Jr. a Minam
 Address 100 Belmont Rd., Clatham NJ.
 On Lands of Same as above
 Phone 07928

ZONING
 Zoning District MR
 Front yard setback 30
 Side yard setback 15
 Rear yard setback 10
 Side yard setback on side street of corner lot N/A
 Distance from any dwelling of other ownership _____
 Distance from any other trailer in a trailer park _____
 cannot occupy more than _____ % of total lot area
 Board of Adjustment Case No. 2192
 Conditional Use Case No. N/A
 Approved by _____
 Planning & Zoning CPM

The owner of this building or land and the undersigned agree to comply with all applicable Federal, State, and County regulations and to apply for a certificate of occupancy at completion. This does not imply approval of other Governmental Agencies.

Signature of Applicant _____
 Permit Fee \$225
 Date Issued 12-15-82
 Address _____
 Date _____
 Approved by Board of Assessment CD

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue, unless actual construction shall have theretofore begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit-holder's control. Grading or surface-shaping of the site shall not be considered as "actual construction."

ASSESSORS AND INSPECTORS RIGHT TO GO ON PREMISES TO ASSESS AND INSPECT PROPERTY: The owner or owners of these premises do hereby consent to the Board of Assessment and Planning and Zoning Agents, to enter upon said premises during the construction for which this PERMIT is granted, or within a reasonable time thereafter, for the purpose of assessing and inspecting said property; said consent being given on the signing of this Permit.

THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN ALL INCLUSIVE APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCIES, WHICH MAY PERTAIN TO THIS SITE.

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 # 12433
Hearing Date 4/20
202001795

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:

28337 ROSE LANE Millsboro, DE 19966 Orchard Manor

Variance/Special Use Exception/Appeal Requested:

23.6' VARIANCE FROM 30' FRONT YARD SETBACK

Tax Map #: 234-34-08-28-00

Property Zoning: GR

Applicant Information

Applicant Name: DONNA M. Sulecki

Applicant Address: 731 Valley Rd

City Hockessin State DE Zip: 19707

Applicant Phone #: 302-650-0296 Applicant e-mail: donna.sulecki@dupont.com

Owner Information

Owner Name: Donna M. Sulecki and Brenda L. Blackburn

Owner Address: 28337 ROSE LANE

City Millsboro State DE Zip: 19966 Purchase Date: _____

Owner Phone #: 302-650-0296 Owner e-mail: donna.sulecki@dupont.com

Agent/Attorney Information

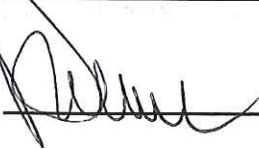
Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney



Date: 2-17-2020



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.

This location was chosen due to the fact of no other location was available. There are sheds in back with an enclosed fence. Sidewalk wouldn't allow us to move it back any farther. We chose this location for our boat ^{length 23 ft.} and vehicle storage.

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 carport is already developed at its present location, which is over the driveway and was the only place to install it. There is no access to the back of the house or the front.

3. Not created by the applicant:

That such exceptional practical difficulty has not been created by the appellant. We were having other home improvements done at the time. Our contractor got the permit at the time the carport was being installed. At the time we were not aware of the required 30ft setback from the property line.

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.

Our carport sets back and does not obstruct anyone's driveway view. It's not a solid structure and can be seen thru. There are other carports in the neighborhood as well.

5. Minimum variance:

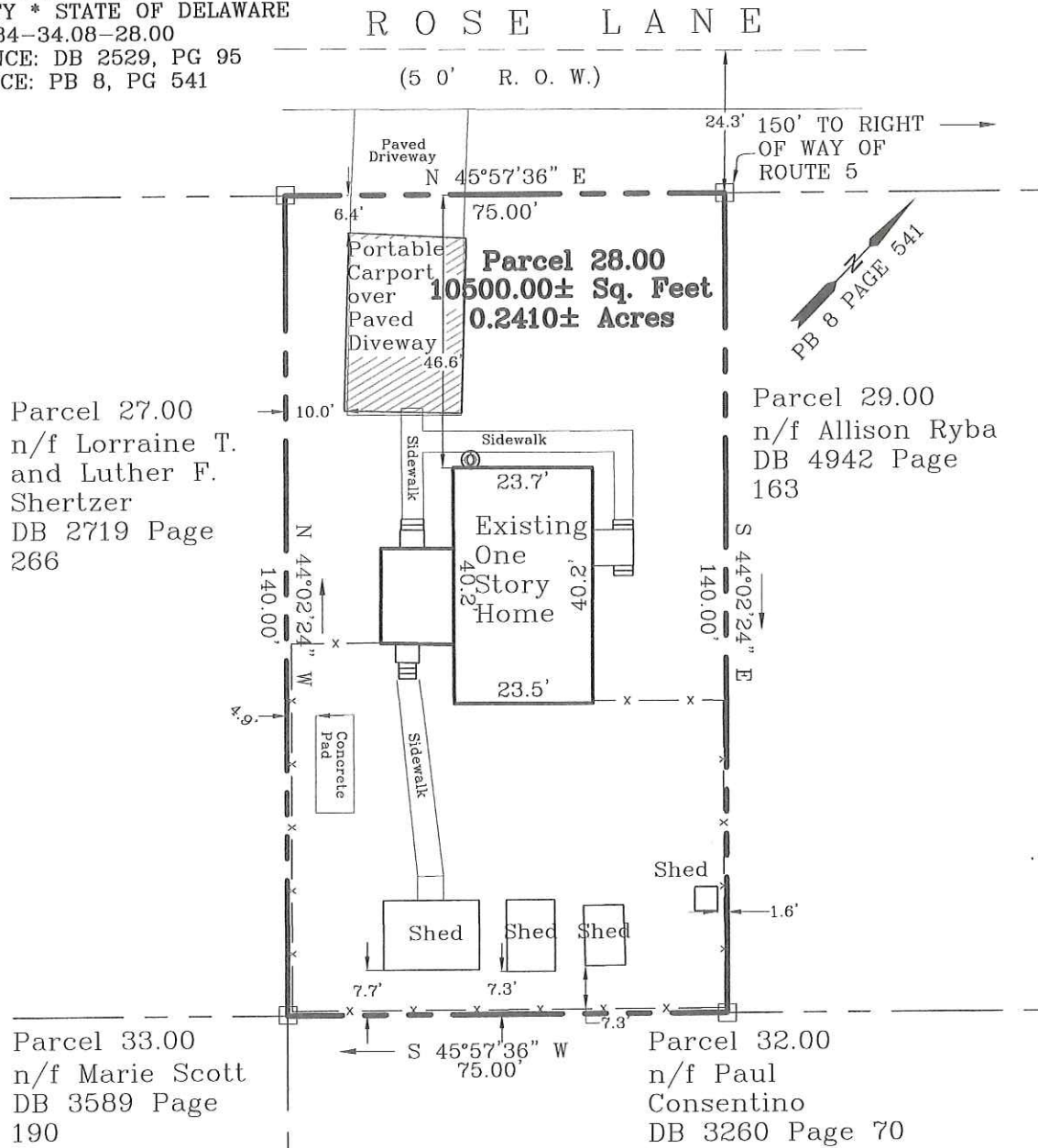
That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

The carport is already in place and we are asking to stay in place due to financial hardship and a burden to be taken down.

BOUNDARY SURVEY PLAN LANDS OF "BRENDA L. BLACKBURN AND DONNA M. SULECKI"

ALSO KNOWN AS: "28337 ROSE LANE, MILLSBORO, DE"
Lot 25 ORCHARD MANOR
SITUATE IN: "INDIAN RIVER HUNDRED"
SUSSEX COUNTY * STATE OF DELAWARE
TAX MAP #: 234-34.08-28.00
DEED REFERENCE: DB 2529, PG 95
PLAT REFERENCE: PB 8, PG 541

ZONING CLASSIFICATION: GR-1
YARD REQUIREMENTS:
FRONTYARD: 30'
SIDEYARD 10'
REARYARD: 10'



LEGEND

- x---x--- Fence
- Property Line
- ⊙ Sewer Cleanout
- Concrete Monument

NOTES

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



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

DRAWN BY: JBR

DATE: 01-16-2020

SCALE: 1"=30'

SHEET 1/1

PROFESSIONAL ENGINEER



Sussex County
Building Permit
P.O. Box 589
Georgetown, DE 19947
302-855-7720

Application Number

201913705

Issue Date: 11/26/2019

Expire Date: 11/25/2020

Permit Type: **ACCESSORY STRUCTURE OUT OF TOWN**

Parcel ID	Address	Zone Code
234-34.08-28.00	28337 ROSE LANE	GR

Owner Information	Applicant Information
Name: BLACKBURN BRENDA L Phone: 302-650-0296	Name: Phone:

Contractor Information
Name: BLACKBURN BRENDA L CID: 1046884 Phone: License Number: License Exp. Date: Insurance Exp. Date:

Building Information
Proposed Use: CARPORT Construction Type: Estimated Cost of Construction: \$ 8,000 Cannot Occupy More than _____ of Total Lot Area Distance from any Dwelling of other Ownership: _____ Distance from any other Mobile Home or Accessory Structure: _____

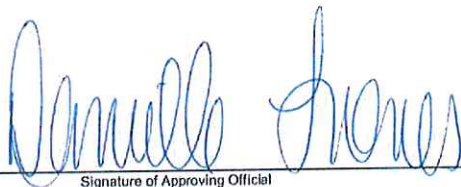
Property Information
Measurements taken from Property Lines Front Setback: 30.00 / Side Setback: 10.00 / Maximum Building Height: _____ Rear Setback: 10.00 / Corner Setback: _____ Location Description: FLOOD ZONE Flood Zone: _____ ORCHARD MANOR S/E SD ROSE LANE LOT 25 W/IMP SPEC COM LIEN If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.

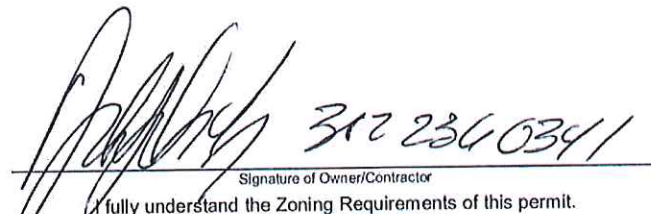
Project Description: ACC STRUCT 400'+ W/O BC

Scope of Work:

CARPORT 20X40 (OPEN ON ALL SIDES)

Permit Details:


Signature of Approving Official


Signature of Owner/Contractor
312 234 0341
I fully understand the Zoning Requirements of this permit.

Building Permit Acknowledgement:

I/we the undersigned, acknowledge I/we have read and accept the terms of this Building Permit and shall comply with the rules and restrictions related to this building activity. This permit shall expire one (1) year from the date of issue. This permit may be renewed prior to its expiration date if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit-holder's control. Grading or surface-shaping of the site shall not be considered as actual construction.

I/we further acknowledge, ASSESSORS AND INSPECTORS HAVE A RIGHT TO ENTER AND ACCESS THE PREMISES TO ASSESS AND INSPECT PROPERTY. The owner or owners of these premises do hereby consent to Sussex County Officials' right to enter upon said premises during the construction of which this permit is granted, or within a reasonable time thereafter, for the purposes of assessing and inspecting said property.

THE APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCY, WHICH MAY PERTAIN TO THIS SITE. AND FURTHER, IT IS ACKNOWLEDGED AND UNDERSTOOD THAT THIS PERMIT MAY BE REVOKED BY SUSSEX COUNTY FOR ANY VIOLATION OF THE TERMS OF THIS PERMIT OR OF ANY COUNTY, STATE OR FEDERAL LAW APPLICABLE TO THIS PERMIT.

Permit Number

BP-122020

TOTAL FEES:

\$ 48.50



Building Description

Total Bedrooms:

Full Baths:

Half Baths:

Total Rooms:

Basement:

Interior Walls:

Flooring:

Heat Type:

Roofing:

Exterior Walls:

Foundation Type:

Fireplace Type:

Air Conditioning: N

Additional Requirement/Restrictions

_____ Accessory Building 900 Square Feet or Greater
No more than four (4) vehicles permitted in structure without a Planning & Zoning Hearing.

_____ Agricultural Storage Structures
Storage only. NO LIVESTOCK PERMITTED.

_____ Campgrounds
Must conform to the location approved by the park.

_____ Farm-Use Permits
Prior to issuance of the Certificate of Occupancy, it must be confirmed that the building will be used for farm use only. Otherwise, the permit will be voided and plans must be submitted to the Building Code Department.

_____ Fences
Fence may only be 3.5' tall along the front property line and from the road back to the mandated front yard setback. Thereafter, fence may be a maximum of 7' tall. On corner lots, the fence may only be 3' tall along the corner fronts and 25' from the intersection of property lines. Fence may be installed on property line.

_____ Parcel Setbacks
All building structures and improvements shall comply with the parcel setback measurement requirements as mandated in the Sussex County Zoning Ordinance. Failure to comply with the parcel setback measurement requirements is a violation.

_____ Pools (Above-Ground)
Must have ladder up and locked at all times when not in use. Pool must be 4' high above grade. If not, a fence is required around perimeter of pool

_____ Pools (In-Ground)
A minimum 4' tall fence must be around the perimeter of the pool. A minimum 3' walkway must be between the pool and fence. Gate must be locked at all times when the pool is not in use.

_____ Pools or Guest Homes
No Cooking facilities of any kind are permitted in the structure. No separate electrical meters are permitted.

_____ Tax Ditch
Property records indicate a State regulated tax ditch appears on this property. All building activity shall comply with the rules and requirements related to State regulated tax ditches and the respective tax ditch easements.

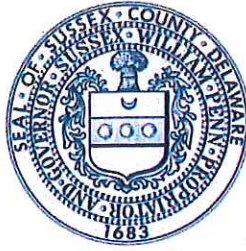
Feb 13, 2020 at 12:16:59 PM



PLANNING & ZONING

JANELLE M. CORNWELL, AICP
DIRECTOR

(302) 855-7878 T
(302) 854-5079 F



Sussex County

DELAWARE
sussexcountype.gov

SUSSEX COUNTY NOTICE OF VIOLATION

December 3, 2019

BLACKBURN BRENDA L
731 VALLEY RD
HOCKESSIN, DE 19707

REFERENCE NUMBER 201913705
PARCEL: 234-34.08-28.00
LOCATION: 28337 ROSE LANE

Code Violation:	Article: XXV	Chapter 115	Section: 115-185 (F)
-----------------	--------------	-------------	----------------------

It has come to the attention of the Sussex County Planning and Zoning Department that the property described above is in violation of Sussex County Code.

The County Code requires an accessory structure to comply with the required setback from the property line. Based on a site visit conducted on December 2, 2019, the placement of the accessory structure is in violation of the setback requirements.

You are hereby directed to cease the activity described above and conform to Chapter 115 of the County Code immediately upon receipt of this Notice unless otherwise directed. Failure to comply by the date specified will result in referral to the Sussex County Constable for enforcement action. Subsequently, the violation will be forwarded to the Justice of the Peace Court where you will be notified to appear. At which time, you may request a hearing on the matter.

Within **fifteen calendar (15) days** of the date of this letter the violation shall be corrected. If you have questions regarding the violation please contact me to discuss the violation. If you have evidence, e.g., surveys, plats, or other documents that address this preliminary finding, please provide copies for our review.

The office is located in the County Administration Building, at #2 The Circle in Georgetown, Delaware. The office hours are 8:30 AM – 4:30 PM, Monday through Friday.

Sincerely,
Kelly Passwaters
302-855-7878



Feb. 13, 2020 at 12:16:56 PM



Feb 13, 2020 at 12:17:07 PM



Feb 13, 2020 at 12:17:32 PM



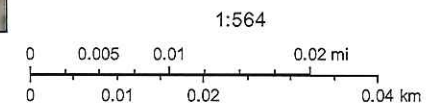


Sussex County



PIN:	234-34.08-28.00
Owner Name	BLACKBURN BRENDA L
Book	2529
Mailing Address	731 VALLEY RD
City	HOCKESSIN
State	DE
Description	ORCHARD MANOR S/E SD
Description 2	ROSE LANE LOT 25
Description 3	W/IMPSPEC COM LIEN
Land Code	

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



March 9, 2020



0

Faxed to 302-854-5079 May 27, 2020

Attn: Jamie Whitehouse

From: Luther & Lorraine Shertzer

Regarding Case No. 12433 – Donna M. Sulecki & Brenda L. Blackburn seek variances from the front yard setback and side yard setback requirements for existing structures (Sections 115-41, 115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the northeast side of Rose Lane within the Orchard Manor subdivision. 911 Address: 28337 Rose Lane, Millsboro. Zoning District: GR. Tax Parcel: 234-34.08-28.00

We live at 28343 Rose Lane adjacent to 28337 Rose Lane. WE OBJECT TO THE VARIANCES SOUGHT IN CASE NO. 12433 – Donna M. Sulecki and Brenda L. Blackburn.

The petitioners are seeking variances to allow a non-compliant structure that they erected in their front yard without building permit. The 20'X40' structure significantly encroaches upon the front yard setback. Structures are not permitted within the front setback area.

THE PROPERTY IN QUESTION IS A SINGLE FAMILY HOME LOCATED IN A GENERAL RESIDENTIAL DISTRICT subject to front and side yard setback restrictions, restrictions on buildings located in front of the main dwelling and signage restrictions. Neighboring homes on Rose Lane and surrounding streets are also single family residential dwellings subject to and compliant with the same restrictions. Generally, the lots are about one quarter acre in size.

MY IPHONE PICTURES DATED NOVEMBER 8, 2019 SHOW A COMPLETELY ERECTED LARGE SEMI-SIDED, 20'X40' ROOFED POLE BUILDING in the front and side yard setback area of 28337 Rose Lane, Millsboro. The right and left sides of this structure extend down halfway to the ground. This structure was erected in violation of Sussex County setback building code and without a building permit. It appears a building permit was issued dated 11/26/2019 weeks after the building was completed.

Ms. Sulecki and Ms. Blackburn have previously obtained permits for improvements to their property but chose not to do so for this structure. My neighbors at 28337 Rose Lane have imposed this hardship upon themselves by not following common Sussex County building practices. They have imposed a monstrous noncompliant eyesore on their neighbors which will negatively affect property values. Please do not allow these variances.

Luther and Lorraine Shertzer

Electronic Form completed May 27, 2020

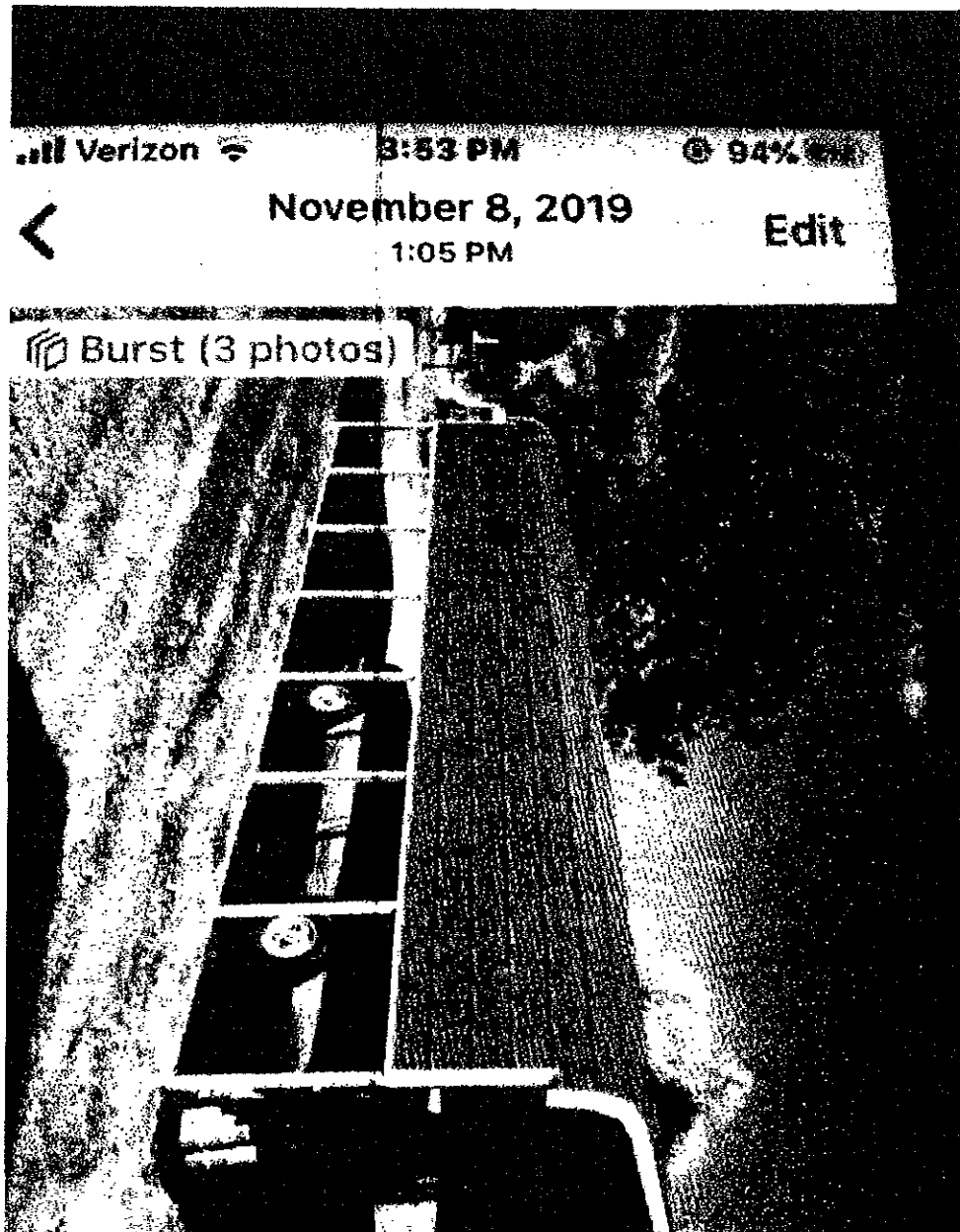
Faxed to 302-854-5079 May 27, 2020 Attn: Jamie Whitehouse

NOTE: Added 5/27/2020 –5:10 pm

See attached photo dated 11/08/2019 showing completed structure and the view of it from my home. It significantly blocks my view of the street.

Boats are not permitted to be parked in the front of a single family dwelling.

Carports already in the area are not located in the front yard setback.



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 # 12454
Hearing Date 6-1-2020

2020048020
202004803

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☒

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☒

Code Reference (office use only)

115-80, 115-82, 115-162
115-165 & 115-210

Site Address of Variance/Special Use Exception:

19826 Central Ave., Rehoboth Beach, DE 19971

Variance/Special Use Exception/Appeal Requested:

Variance from parking requirements of code section 115-162 and 115-165, General Commercial; Special Exception Use to permit off-street parking per Section 115-80.

Tax Map #: 334-13.20-21.00

Property Zoning: C-1

(334-13.20-13.00 & 334-13.20-14.00 for offsite parking)

Applicant Information

Applicant Name: Beachfire Brewing Company, LLC / Harry Metcalfe

Applicant Address: PO Box 877

City Hockessin State DE Zip: 19707

Applicant Phone #: (302) 561-5412 Applicant e-mail: harry@revbeer.com

Owner Information

Owner Name: Beachfire Brewing Company, LLC

Owner Address: PO Box 877

City Hockessin State DE Zip: 19707 Purchase Date: _____

Owner Phone #: (302) 561-5412 Owner e-mail: harry@revbeer.com

Agent/Attorney Information

Agent/Attorney Name: Tunnell & Raysor, P.A. / Mackenzie Peet, Esq.

Agent/Attorney Address: 323 Rehoboth Ave., Suite E

City Rehoboth Beach State DE Zip: 19971

Agent/Attorney Phone #: (302) 227-1314 Agent/Attorney e-mail: mackenzie@tunnellraysor.com

Signature of Owner/Agent/Attorney

Mackenzie M. Peet

Date: 5/6/20



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.

Code section 115-162 requires one (1) parking space for each 50 SF assigned for patron use, plus one per two employees on largest shift. The shallowness and narrowness of the lot with the proposed structure does not allow for the codes required number of spaces or onsite parking requirements per code section 115-165.

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 shallowness and narrowness of the lot with the proposed structure does not allow for the codes required onsite parking and does not allow for the number of required spaces to be located on the property. The applicant will provide ample parking on adjacent lots 334-13.20-13.00 and 334-13.20-14.00.

3. Not created by the applicant:

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

The property's shape and conditions existed prior to the Applicant's use of the property.

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

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

The property is zoned C-1 General Commercial and the surrounding lots are also zoned C-1 General Commercial in a region where there are like-kind C-1 businesses. Offsite parking will not harm the essential character of the neighborhood, as there are other commercial businesses in the vicinity with similar parking arrangements.

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 request represents the minimum variance required, and is similar to other parking arrangements in the area.

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

Subject of Request is a Special Exception Use to permit off-street parking per Section 115-80 (B-1) in that "Off-street parking areas, adjacent to or at a reasonable distance from the premises on which parking areas are required by the parking regulations of Article XXII, where practical difficulties, including the acquisition of property, or undue hardships are encountered in locating such parking areas on the premises and where the purpose of these regulations to relieve congestion in the streets would best be served by permitting such parking off the premises."

Off-street parking for the subject project will not substantially affect adversely the uses of adjacent and neighboring property, which include, but are not limited to the following adjacent uses: commercial furniture store and Dewey Beach lifeguard storage to the north; commercial storage buildings to the west along Central Ave; seasonal commercial outdoor garden shop to the south across Central Ave; Further, a majority of the traffic is anticipated to be via bicycle, not vehicles, in which bicycle parking is allocated for on the subject site.

The offsite parking area is within a reasonable distance of the proposed use, with a proposed means to have customers travel to the subject site via Central Ave, and not travel along Hebron Road. Acquisition of additional property immediately adjacent to the subject parcel is not feasible and in light of this, the proposed lots for use of off-street parking are the closest lots available for such use.



View from Canal Crossing Road with seasonal garden center across Central Avenue and multiple existing commercial storage buildings west of the subject site.



View from the corner of Hebron Road and Canal Crossing Road showing the existing commercial uses, Ocean Boulevard Furniture and Dewey Beach storage, both north of the subject site.

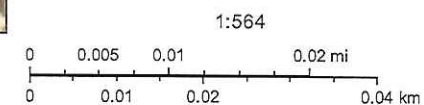


Sussex County

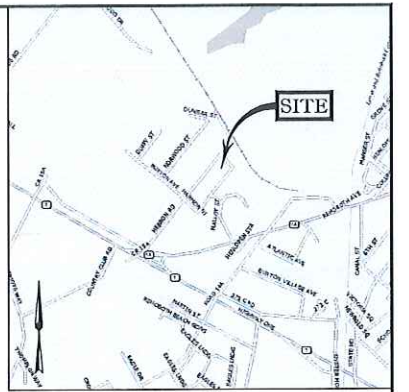


PIN:	334-13.20-21.00
Owner Name	CHACONAS JAMES N
Book	4119
Mailing Address	387 COUNTY ROAD #304
City	FLORESVILLE
State	TX
Description	SHOCKLEY SUBD
Description 2	LOTS 17 18
Description 3	N/A
Land Code	

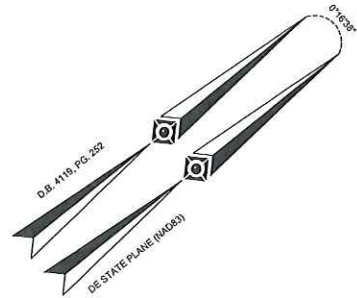
polygonLayer
Override 1
polygonLayer
Override 1
911 Address
— Streets
County Boundaries



May 11, 2020

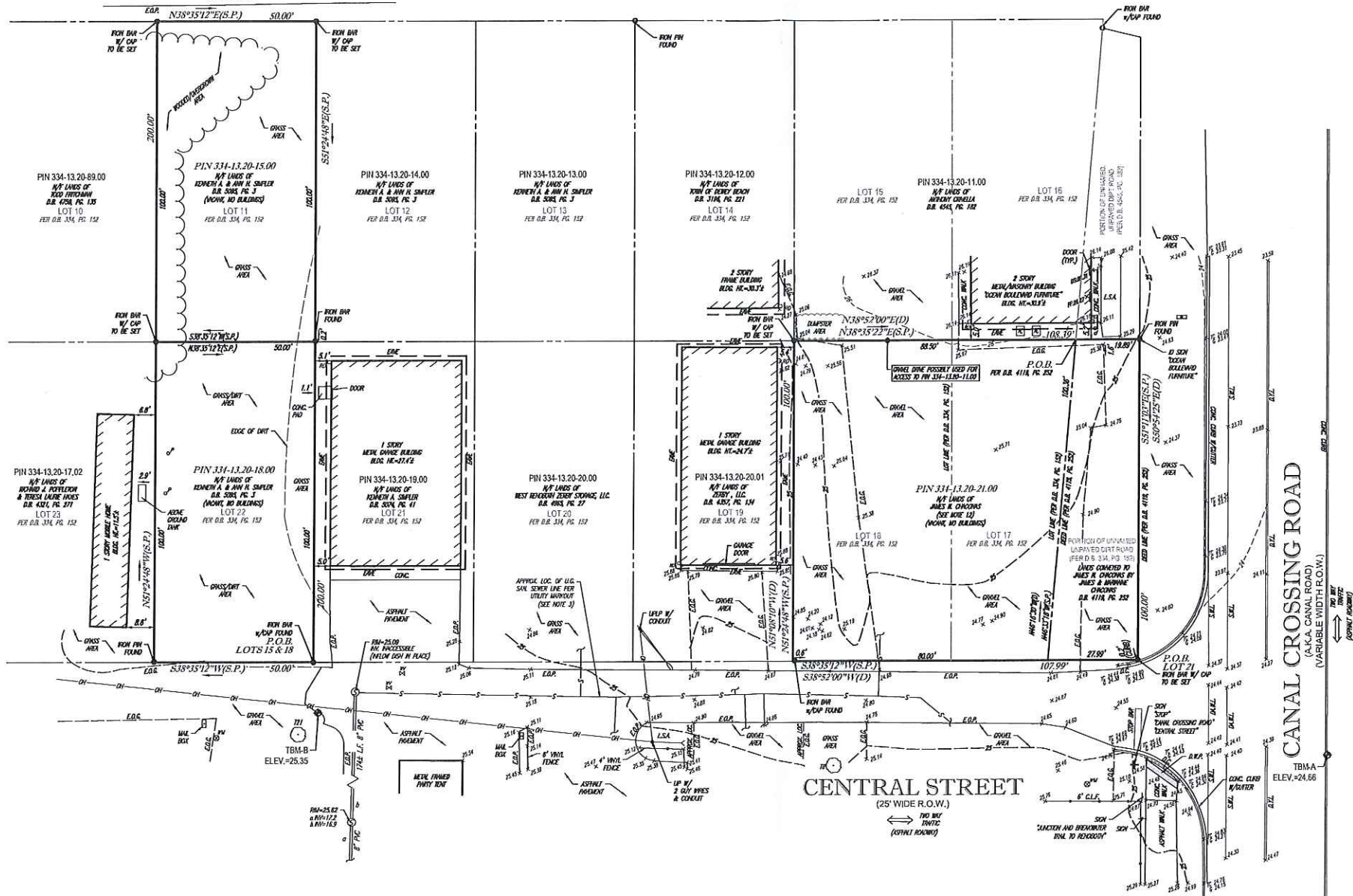


VICINITY MAP
© 2008 DeLorme, Street Atlas USA



HEBRON ROAD (VARIABLE WIDTH R.O.W.)

NO BAY
THENCE (JOINT ROW)



LEGEND

—	PROPERTY LINE
- - -	RIGHT OF WAY LINE
- - -	PROPERTY ADJOINER LINE
---	EXISTING CONTOUR
x 125.45	EXISTING SPOT ELEVATION
x 10 123.45	EXIST. TOP OF CURB ELEVATION
x 6 122.95	EXIST. GUTTER ELEVATION
—	OVERHEAD WIRES
- - -	APPROX. LOC. UNDERGROUND SAN. LINE
- - -	DEPRESSED CURB
W	WATER VALVE
M	WATER METER
SM	SANITARY/SEWER MAINHOLE
UP	UTILITY POLE
UP	UTILITY POLE/LIGHT POLE
—	GUY WIRE
—	SIGN
—	MAIL BOX
—	ROOF DRAIN
—	POST
—	DEODOROUS TREE & TRUNK SIZE
—	DETECTABLE WARNING PAD
—	DEPRESSED CURB
—	EDGE OF CONC.
—	EDGE OF PAVEMENT
—	LANDSCAPED AREA
—	SOLID WHITE LINE
—	DOUBLE YELLOW LINE
—	OFFSET OF STRUCTURE AT GROUND LEVEL RELATIVE TO PROPERTY LINE
(D)	DEED DIMENSION
(S.P.)	STATE PLANE

UTILITIES:

THE FOLLOWING COMPANIES WERE NOTIFIED BY MISS UTILITY OF DELMARVA (1-800-282-8355) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVICING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER(S): 192560460

UTILITY COMPANY

COMCAST/CABLE PROTECTION
DELMARVA PRIVATE UTILITY
REHOBOTH WATER DEPARTMENT
SUSSEX COUNTY ENGINEERING
VERIZON

PHONE NUMBER

(604) 562-3409
(678) 831-2444
(302) 227-3194
(302) 855-7771
(678) 831-2444

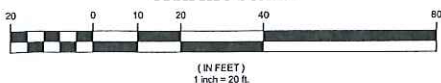


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(1-800-282-8355)

CENTRAL STREET (25' WIDE R.O.W.)

NO BAY
THENCE (JOINT ROW)

GRAPHIC SCALE



NOTES:

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REFERENCES:

- THE OFFICIAL TAX ASSESSOR'S MAP OF SUSSEX COUNTY, DELAWARE, MAP ID 03-34-13-20.
- MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, SUSSEX COUNTY, DELAWARE, PANEL 353 OF 660", COMMUNITY-PANEL NUMBER 105086 0353 K, MAP REVISED: MAR. 16, 2015.
- MAP ENTITLED "SUBDIVISION OF A PART OF GEORGE E. SHOCKLEY'S LAND, LEWES & REHOBOTH H.D." PREPARED BY JOHN C. LAUK, DATED JAN. 30, 1942, RECORDED AS D.B. 334, PG. 152.

I, JAMES D. SENS, 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.


NOT A VALID ORIGINAL DOCUMENT UNLESS EMBOSSED WITH RED INK SEAL

JAMES D. SENS
DELAWARE PROFESSIONAL LAND SURVEYOR #000785

11-11-2019
DATE

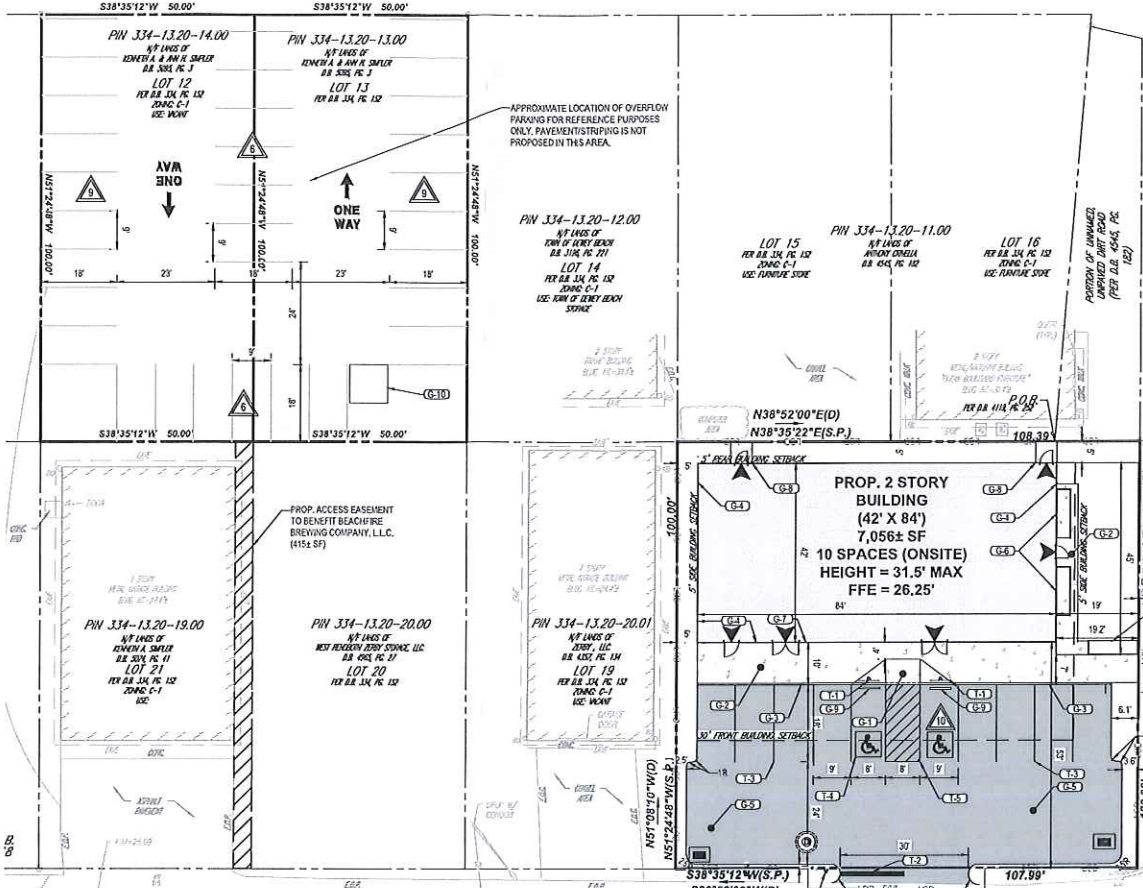
FIELD DATE	10-25-2019
FIELD BOOK NO.	CL-19-12
FIELD BOOK PG.	65-68
FIELD CREW	M.D.
DRAWN	PRIMA
REVIEWED	M.T.T.

BOUNDARY SURVEY PLAN & PARTIAL TOPOGRAPHIC SURVEY
19826 CENTRAL STREET
PIN # 334-13-20-21.00, 334-13-20-18.00, & 334-13-20-15.00
LEWES & REHOBOTH HUNDRED
COUNTY OF SUSSEX
STATE OF DELAWARE

	CONTROL POINT			
	ASSOCIATES, INC.		MANHATTAN, NY 646.700.0111	
305 FELLOWSHIP ROAD - SUITE 210			WARREN, NJ 908.668.0099	
MT. LAUREL, NJ 08054			CHATEAUFONT, PA 215.712.9100	
609.587.2099 - 908.668.9595 FAX			SOUTHBOROUGH, MA 508.458.3400	
APPROVED:	DATE	SCALE	FILE NO.	DWG. NO.
J.D.S.	11-11-2019	1"=20'	05-190245	1 OF 1

HEBRON ROAD

(VARIABLE WIDTH R.O.W.)
TWO WAY TRAFFIC
ASPHALT ROADWAY
MAINTENANCE # 704272



CENTRAL AVENUE

(25' WIDE R.O.W.)
TWO WAY TRAFFIC
ASPHALT ROADWAY
PRIVATE STREET
MAINTENANCE # 704820

CANAL CROSSING ROAD

(VARIABLE WIDTH R.O.W.)
TWO WAY TRAFFIC
ASPHALT ROADWAY
MAINTENANCE # 304821

HATCH LEGEND

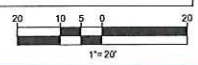
- PROP. CONCRETE (1,217± SF)
- PROP. ASPHALT (4,335± SF)

GENERAL CONSTRUCTION NOTES

- (G-1) INSTALL DELDOT TYPE 1-A ACCESSIBLE RAMP IN ACCORDANCE WITH LATEST ADA STANDARDS (TYP) 12:1 MAX SLOPE. REFERENCE DETAIL ON SHEET C-901.
- (G-2) INSTALL 4" THICK CONCRETE SIDEWALK. SEE CONCRETE SIDEWALK DETAIL, SHEET C-901 (TYP).
- (G-3) PROPOSED 6" UPRIGHT CURB. SEE CURB DETAIL, SHEET C-901.
- (G-4) PROPOSED LIGHT FIXTURE SHOWN FOR REFERENCE ONLY. SEE LIGHTING PLAN FOR DETAILS.
- (G-5) INSTALL REGULAR DUTY FULL DEPTH PAVEMENT SECTION. SEE DETAIL C-901.
- (G-6) INSTALL BELSON 20 GRID DOUBLE BIKE RACK, MODEL CBR-20DG-SV. SEE DETAIL ON SHEET C-901, TO BE FIELD LOCATED.
- (G-7) PROPOSED HOSE BIB. REFERENCE MEP PLANS TO VERIFY LOCATION.
- (G-8) PROPOSED 5'X5' CONCRETE SLAB.
- (G-9) PROPOSED WHEEL STOP. REFERENCE DETAIL ON SHEET C-901 OR APPROVED OTHER.
- (G-10) APPROX. LOCATION OF SIGHT TIGHT TRASH ENCLOSURE.

STRIPING AND SIGNAGE CONSTRUCTION NOTES

- (T-1) PROP. VAN ACCESSIBLE HANDICAPPED SIGN (TYP). SEE DETAIL ON SHEET C-901.
- (T-2) PROPOSED 16" WIDE WHITE THERMO STOP BAR (TYP).
- (T-3) PROPOSED EPOXY STRIPING - 4" SOLID WHITE LINE (TYP).
- (T-4) PROPOSED EPOXY STRIPING - 4" HANDICAPPED BLUE PARKING SYMBOL.
- (T-5) PROPOSED EPOXY STRIPING - 4" SOLID HANDICAPPED BLUE CROSS HATCH (@45°, SPACED 2' O.C. (TYP).
- (T-6) PROPOSED "STOP" SIGN 30"X30"



LAND SURVEYING
PROGRAM MANAGEMENT
LAND DEVELOPMENT
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS

REV	DATE	COMMENT	DESIGNED BY
1	5/4/20	PER COUNTY COMMENTS.	JSW
			STF



Know what's below.
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THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT NO.: DE190029
DRAWN BY: ANM
CHECKED BY: DMK
DATE: 03/31/2020
CAD L.D.: PJP-1

PROJECT:

PRELIMINARY SITE PLAN

FOR

BEACHFIRE BREWING COMPANY, L.L.C

SITE LOCATION

TAX MAP #: 334-13.20-15.00,
334-13.20-16.00, AND 334-13.20-21.00
19926 CENTRAL AVENUE
LEWES AND REHOBOTH HUNDRED,
REHOBOTH BEACH
SUSSEX COUNTY, DELAWARE



18958 COASTAL HWY, SUITE D
REHOBOTH BEACH, DE 19971
Phone: (302) 644-1155
Fax: (302) 703-3173
BohlerEngineering.com



SHEET TITLE:

SITE PLAN

SHEET NUMBER:

C-301

REVISION 1 - 5/4/20

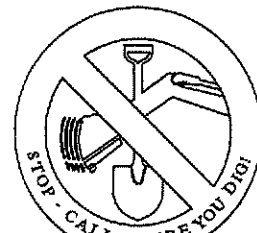
LEGEND	
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	RIGHT OF WAY LINE
	PROPERTY ADJOINER LINE
	EXISTING CONTOUR
	EXISTING SPOT ELEVATION
	EXIST. TOP OF CURB ELEVATION
	EXIST. GUTTER ELEVATION
	OVERHEAD WIRES
	APPROX. LOC. UNDERGROUND SAN. LINE
	DEPRESSED CURB
	WATER VALVE
	WATER METER
	SANITARY/SEWER MANHOLE
	UTILITY POLE
	UTILITY POLE/LIGHT POLE
	GUY WIRE
	SIGN
	MAIL BOX
	ROOF DRAIN
	POST
	DECIDUOUS TREE & TRUNK SIZE
	DETECTABLE WARNING PAD
	DEPRESSED CURB
	EDGE OF CONC.
	EDGE OF PAVEMENT
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	DEED DIMENSION
	STATE PLANE

UTILITIES:

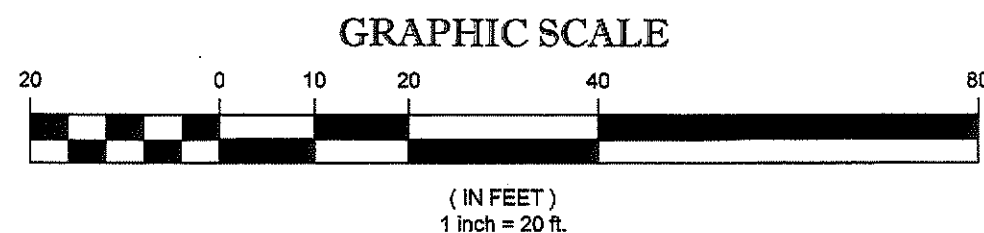
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UTILITY COMPANY
COMCAST/CABLE PROTECTION
DELMARVA PWR/UTILQUEST
REHOBOTH WATER DEPARTMENT
SUSSEX COUNTY ENGINEERING
VERIZON

PHONE NUMBER
(804) 562-3405
(878) 831-2444
(302) 227-3194
(302) 865-3177
(878) 831-2444



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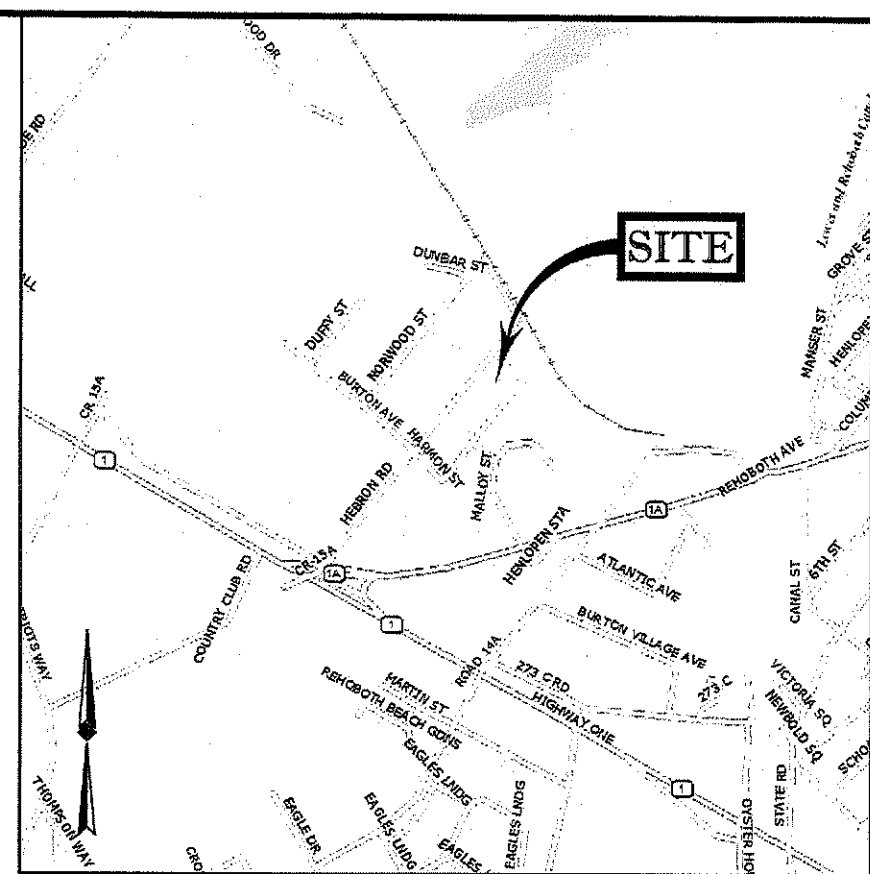


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JAMES D. SENS
DELAWARE PROFESSIONAL LAND SURVEYOR #0000785

DATE
11-11-2019

BOUNDARY SURVEY PLAN & PARTIAL TOPOGRAPHIC SURVEY	
19826 CENTRAL STREET	
PIN # 334-13.20-21.00, 334-13.20-18.00, & 334-13.20-15.00	
LEWES & REHOBOTH HUNDRED	
COUNTY OF SUSSEX	
STATE OF DELAWARE	
FIELD DATE 10-25-2019	FIELD BOOK NO. CL 19-12
FIELD BOOK PG. 65-68	FIELD CREW M.D.
DRAWN PRIMA	APPROVED J.D.S.
REVIEWED M.T.T.	DATE 11-11-2019
SCALE 1"=20'	FILE NO. 05-190245
DWG. NO. 1 OF 1	



NOTES:

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- A DEED FOR THAT PORTION OF LOT 21 KNOWN AS LOTS 17 AND 18, BLOCK 1 ON A CERTAIN MAP RECORDED IN DEED BOOK 334 PAGE 152 WAS NOT RECOVERED. LOT BOUNDARIES ARE SHOWN PER ADJOINING DEEDS AND THE REFERENCED MAP. THIS SURVEY IS SUBJECT TO THE FINDINGS OF A COMPLETE TITLE SEARCH. SEE NOTE 5.

REFERENCES:

- THE OFFICIAL TAX ASSESSOR'S MAP OF SUSSEX COUNTY, DELAWARE, MAP ID 03-34-13-20.
- MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, SUSSEX COUNTY, DELAWARE, PANEL 333 OF 660", COMMUNITY-PANEL NUMBER 105086 0353 K, MAP REVISED: MAR. 16, 2015.
- MAP ENTITLED "SUBDIVISION OF A PART OF GEORGE E. SHOCKLEY'S LAND, LEWES & REHOBOTH H.D.", PREPARED BY JOHN C. LANK, DATED JAN. 30, 1942, RECORDED AS D.B. 334, PG. 152.