

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

AGENDA

March 16, 2020

6:00 P.M.

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutes for January 27, 2020

Approval of Findings of Fact for January 27, 2020

Old Business

Case No. 12407 – Coleman Revocable Trust seeks variances from the side yard setback requirements for a proposed structure (Sections 115-34 and 115-183 of the Sussex County Zoning Code). The property is located on the southeast corner of Jefferson Bridge Rd. and Coleman Gale Ln. 911 Address: 39548 Jefferson Bridge Rd. Bethany Beach. Zoning District: MR. Tax Parcel: 134-17.11-29.00

Public Hearings

Case No. 12398 – James & Mary Beth Parker seek a special use exception to place an off-premise sign and an electronic message center off-premise sign. (Sections 115-80, 115-81, 115-159.5, 115-161.1 & 115-210 of the Sussex County Zoning Code). The property is located on the north side of John J. Williams Hwy. (Rt. 24) approximately 0.26 miles northeast of Gravel Hill Rd. (Rt. 30). 911 Address: 29856 John J. Williams Hwy., Millsboro. Zoning District: C-1. Tax Parcel: 234-32.00-40.01

Case No. 12423 – Joshua Willin seeks a variance from the side yard setback requirements for a proposed structure (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the corner of Beagle Club Rd. and Vine St. directly across from Baileys Landing Dr. 911 Address: 30127 Beagle Club Rd., Bethel. Zoning District: AR-1. Tax Parcel: 232-11.00-1.12

Case No. 12424 – Alvin Bailey seeks variances from the front yard and side yard setback requirements for existing structures and for a lot width variance for a proposed lot (Sections



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

115-25, 115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the northeast corner of Bailey Ln. and Doddtown Rd. approximately 0.24 mile north of Anderson Corner Rd. 911 Address: 26155 Bailey Ln. Harbeson. Zoning District: AR-1. Tax Parcel: 234-4.00-2.00

Case No. 12425 – Rollin & Lisa Bell seek variances from the front yard, corner front and side yard setback requirements for proposed and existing structures (Sections 115-34, 115-182 and 115-183 of the Sussex County Zoning Code). The property is located on the corner of Beach Ave. and Pierce Ave. approximately 818 ft. east of Coastal Hwy. (Rt. 1). 911 Address: 2 Beach Ave., Rehoboth Beach. Zoning District: MR. Tax Parcel: 334-23.06-93.00

Case No. 12426 – Ann & Dean Geis seek variances from the required walk space between pool walls and protective fences for a proposed swimming pool (Section 115-185 of the Sussex County Zoning Code). The property is located on the east side of Kelly Ln. in the Breakwater Beach subdivision. 911 Address: 29323 Kelly Ln., Bethany Beach. Zoning District: MR. Tax Parcel: 134-5.00-436.00

Case No. 12427 – Robert Barkey & Janet Hynes seek 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 southeast side of Jersey Road approximately 0.19 mile northeast of John J. Williams Hwy. (Rt. 24). 911 Address 26508 Jersey Road, Millsboro. Zoning District: AR-1. Tax Parcel: 234-32.00-91.00

Additional Business

Discussion regarding the time Board of Adjustment meetings will begin.

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

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on **July 26, 2019 at 9:00 a.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.**

####



Board of Adjustment Application
Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-255-7070, ph. 302-254-5079 fax

Case # 12423
Hearing Date 3/2/2020
202000895

Type of Application: (please check all applicable)

Variance ☒
Special Use Exception ☐
Administrative Variance ☐
Appeal ☐

Existing Condition ☐
Proposed ☒
Code Reference (office use only)
115-25 115-183
115-185

Site Address of Variance/Special Use Exception:

30127 Beagle Club RD, Bethel, DE, 19931

Variance/Special Use Exception/Appeal Requested:

15' from reg 15' side for proposed pole building
(2 car garage)

Tax Map #: 2-32-11.00-1.12

Property Zoning: Residential
AR-1

Applicant Information

Applicant Name: Joshua Willin
Applicant Address: 30127 Beagle Club RD
City Bethel State DE Zip: 19931
Applicant Phone #: 302-249-4827 Applicant e-mail: Joshua.Willin@gmail.com

Owner Information

Owner Name: Joshua Willin
Owner Address: 30127 Beagle Club RD
City Bethel State DE Zip: 19931 Purchase Date: 5-1-2019
Owner Phone #: 302-249-4827 Owner e-mail: Joshua.Willin@gmail.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Josh Willin

Date: 1-14-2020



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.

Because of my sight easement my Building Has no other place to be built besides the back left corner I have a very small area. Both neighbors are in agreement.

2. Cannot otherwise be developed:

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

I have such a tight area to build in my left corner I pretty much have to be right on my property line. Since I want it to be 30x40.

3. Not created by the applicant:

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

I did not cause the difficulty. The sight easement did.

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 neighborhood in any way because this is all country side and farmland area. All neighbors agree.

5. Minimum variance:

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

If I'm able to put this right on my property line this will give me enough room to build my shop.

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

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

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

NO Neighbors Behind me have horses & fence all the way around.

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)

Tight Area Restrictions Due to Sight easement.

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

I have filed an appeal for Variance to Build my 30x40 Shop as you can see my driveway to house is 30' so I really need to build as close to property line as possible so I don't go way into my backyard. MY Neighbors Don't mind me being right on property line. MY Sight easement of MY property makes it so I can't build on any other part of MY property And if I can't build right off my line MY Shop will be way behind my house. MY main concern is my left side property line but if allowed it line to come directly off my back left corner it will be same width of my driveway 30'x40' I Really need this variance thank you for your time.

Lot 8

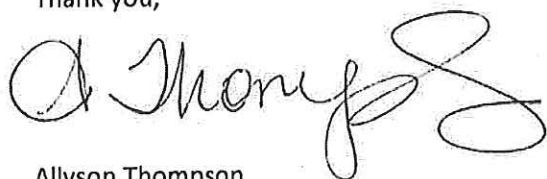
1/18/2020

To whom it may concern:

I am the property owner, adjacent to Joshua Willin's property. I am writing today to say that I am okay with Mr. Willin building a shop within the county setback near our property lines.

If you have any questions, please feel free to contact me.

Thank you,

A handwritten signature in black ink, appearing to read "Allyson Thompson". The signature is fluid and cursive, with the first letter "A" being particularly large and stylized.

Allyson Thompson

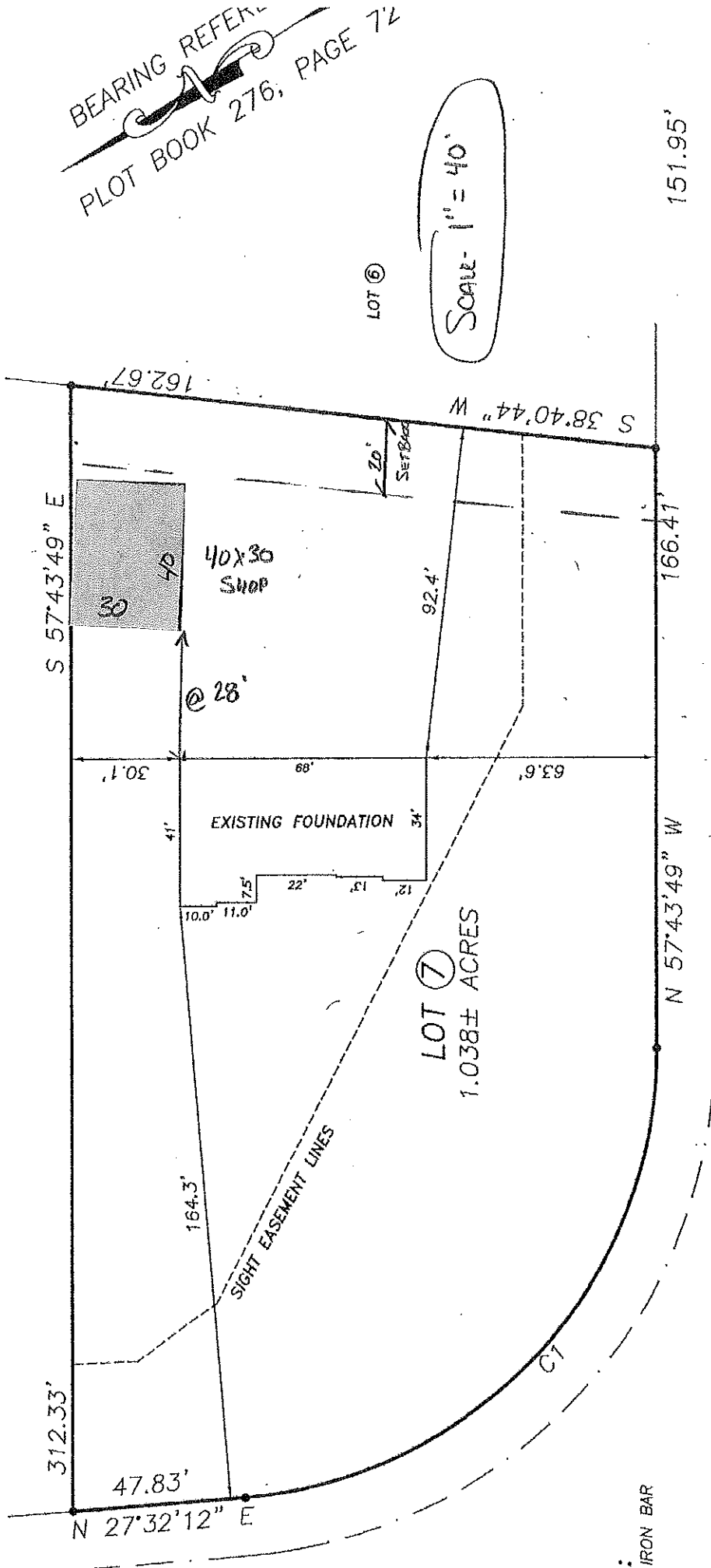
410-251-1472

Allyson.thompson@Delaware.gov

I, Annette Masly live at 748 Vine st. Bethel DE, and neighbor to Josh and Cierra Willin at 30027 Beagle Club rd. Bethel DE. I am writing to whom it may concern to let them know that I am aware of the Willins' intention to build a pole barn/garage. I do not foresee any problems now or in the future with the placement of that building being built on or near the property line. If any questions or concerns, feel free to contact me at any time at 6095093345. Thank you for your time. Annette Masly

Lot 6

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	124.24'	85°16'01"	184.89'	168.30'	N 15°05'48" W



BOUNDARY SURVEY

WITH FOUNDATION LOCATION

JOSHUA M. WILLIN & CIARA WILLIN

LOTS 7 COMMUNITY LANE TRACT LLC - Plat Book

TAX MAP NO. 2-32-11.00, PARCEL 1.12

SITUATED IN

BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE

DATE: Mar. 19, 2019

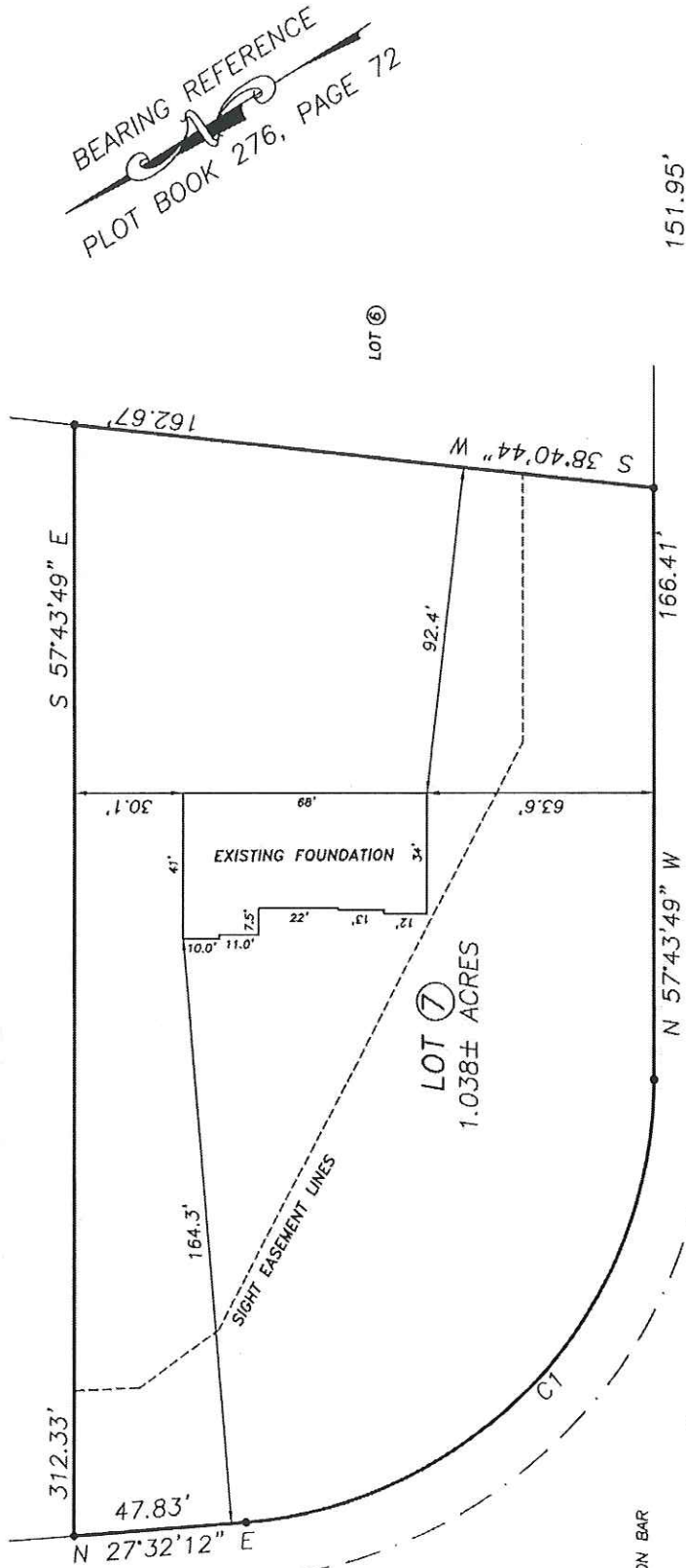


Charles E. Adams, Jr.

P.L.S. 506

BY
JAMES, INC.
SURVEYORS
RS
STREET
APR 19947
P.COM
599

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	124.24'	85°16'01"	184.89'	168.30'	N 15°05'48" W



LEGEND:
● SET IRON BAR

COUNTY ROAD 487-A
(50' WIDE)
(A.K.A. VINE STREET-LOCAL)

BOUNDARY SURVEY

WITH FOUNDATION LOCATION
JOSHUA M. WILLIN & CIARA WILLIN
LOTS 7 COMMUNITY LANE TRACT LLC - Plat Book 276 Page 72
TAX MAP NO. 2-32-11.00, PARCEL 1.12
SITUATED IN
BROAD CREEK HUNDRED, SUSSEX COUNTY, DELAWARE
SCALE: 1" = 100'
DATE: Mar. 19, 2019

CHARLES E. ADAMS, JR.
REGISTERED PROFESSIONAL SURVEYOR
No. 126
PLS. 506

PREPARED BY
ADAMS-KEMP ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
217 SOUTH RACE STREET
GEORGETOWN, DELAWARE 19347
WWW.ADAMSKEMP.COM
302-856-6699

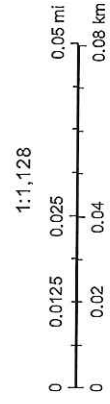
PLAN NO. 190613



PIN:	232-11.00-1.12
Owner Name	WILLIN JOSHUA M
Book	5073
Mailing Address	28265 O NEALS RD
City	SEAFORD
State	DE
Description	COMMUNITY LAND TRACT
Description 2	LOT 7
Description 3	N/A
Land Code	



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



**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 # 12425
Hearing Date March 16, 2020
20200963

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☒

Proposed ☒

Code Reference (office use only)

115-34 115-182
115-183

Site Address of Variance/Special Use Exception:

2 Beach Avenue, Dewey Beach, Delaware 19971
(Lot #17 and Lot #19, Block D, North Indian Beach)

Variance/Special Use Exception/Appeal Requested:

5.34 foot variance from the 10 feet setback to allow for a proposed elevator and cantilevered balcony on the west side of an existing house.
0.3 foot variance from the 15 feet set back on the north side of an existing house to allow an existing house to remain in its current location.
0.31 foot variance from the 10 feet setback on the west side of an existing house to allow its current location.

Tax Map #: 334-23.06-93.00

Property Zoning: _____

Applicant Information

Applicant Name: ROLLIN BELL and LISA BELL, husband and wife

Applicant Address: 3828 Village Park Drive

City Chevy Chase State MD Zip: 20815

Applicant Phone #: 240-375-3701 Applicant e-mail: rbell@pcmcompanies.com

Owner Information

Owner Name: ROLLIN BELL and LISA BELL, husband and wife

Owner Address: 3828 Village Park Drive

City Chevy Chase State MD Zip: 20815 Purchase Date: 6/2005

Owner Phone #: 240-375-3701 Owner e-mail: rbell@pcmcompanies.com

Agent/Attorney Information

Agent/Attorney Name: Raymond E. Tomasetti, Jr.

Agent/Attorney Address: 1100 Coastal Highway, Unit #3

City Fenwick Island State DE Zip: 19944

Agent/Attorney Phone #: _____ Agent/Attorney e-mail: ray.tomasetti@rtomasetti.com

Signature of Owner/Agent/Attorney

Raymond E. Tomasetti, Jr.

Date: 1/23/2020



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.

The lot shape and buildable area of the lot is unique in that the DNREC building limit line effects the placement of the building and proposed elevator and proposed cantilevered balcony on this property. Due to the unique nature of this lot, the house had to be built in its current location; therefore the proposed elevator would need to be built in the proposed location.

2. Cannot otherwise be developed:

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

Given the DNREC building line limits and the Regulations governing Beach Protection and Use of Beaches in effect since August 11, 2016 all structures, including an elevator must be constructed seaward of the DNREC building line and must be above Base Flood Elevation. Given these regulations, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code.

3. Not created by the applicant:

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

No, the practical difficulty is that given the location of the existing home, the construction of the elevator must be constructed seaward of the DNREC building line which results in the need for the variance and has not been created by the Applicant.

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

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

No, the placement of the elevator shaft will not alter the essential character of the neighborhood or the district in which the property is located.

5. Minimum variance:

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

The variance is the minimum variance needed to construct an elevator shaft that is 6.5 feet by 6.5 feet on the west side of the existing building.

DEED

TAX MAP AND PARCEL #: 3-34
23.06 93.00
PREPARED BY:
Tunnell & Raysor, P.A.
323E Rehoboth Avenue
Rehoboth Beach, DE 19971
File No. HD15095/MLG

THIS DEED, made this 17th day of June, 2005,

- BETWEEN -

ETHAN RHODES and ETHAN RHODES, Attorney In-Fact for MICHAEL RHODES under a Power of Attorney dated June 14, 2005 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Misc Book 858, Page 153, of 107 Depot Street, Georgetown, DE 19947, parties of the first part,

- AND -

ROLLIN BELL and LISA BELL, his wife, of 3828 Village Park Drive, Chevy Chase, MD 20815, as tenants by the entirety, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **ONE DOLLAR (\$1.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL those certain lots, pieces or parcels of land situate, lying an being in Lewes and Rehoboth Hundred, Sussex County, Delaware, generally known as Lot No. 17 and 19, as designated on a Plot of "Indian Beach Surf Club Lots" surveyed by T.B. Pepper, Surveyor, December, 1946, and now of record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 310, page 556, and being more particularly described as follows, to wit:

BEGINNING at a set ½" pipe lying on the southeasterly intersection of Pierce Avenue & Beach Avenue; thence running along and with a 25 foot walkway South 87 degrees 16 minutes 27 seconds East passing through a set ½" pipe at 39.02 feet, for a total distance of 232.00 feet to a point; thence turning and running South 00 degrees 49 minutes 57 seconds East for a distance of 80.00 feet to a point, said point being a common corner for Lot 19 and Lot 20; thence turning and running along and with a common line for Lots 19 & 17 and Lots 20 & 18, North 87 degrees 16 minutes 27 seconds West passing through a set ½" pipe at 204.20 feet, for a total distance of 232.00

TUNNELL
RAYSOR, P.A.
Rehoboth Beach, DE

Consideration: \$3600000.00 Exempt Code: A

County	State	Total
54000.00	54000.00	108000.00
counter	Date: 06/27/2005	

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

Harold E. Dukes

Ethan Rhodes (SEAL)
Ethan Rhodes

Harold E. Dukes

Michael Rhodes by Ethan Rhodes (SEAL)
Michael Rhodes, By His Attorney In-Fact
Ethan Rhodes

STATE OF DELAWARE

: ss

COUNTY OF SUSSEX

BE IT REMEMBERED, that on June 17, 2005, personally came before me, the subscriber, Ethan Rhodes and Ethan Rhodes, Attorney In-Fact for Michael Rhodes, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

Given under my Hand and Seal of office the day and year aforesaid.

HAROLD E. DUKES
ATTORNEY AT LAW WITH
POWER TO ACT AS NOTARY PUBLIC
PER 29 DEL. C SEC 4323 (A)3

Harold E. Dukes
Notary Public

Printed Name: _____

My Commission Expires: _____

RETURN TO: Rollin Bell, 3828 Village Park Drive, Chevy Chase, MD 20815

RECORDER OF DEEDS
JOHN F. BRADY

05 JUN 27 PM 3:26

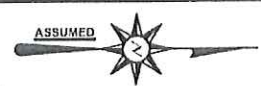
SUSSEX COUNTY
DOC. SURCHARGE PAID

Received

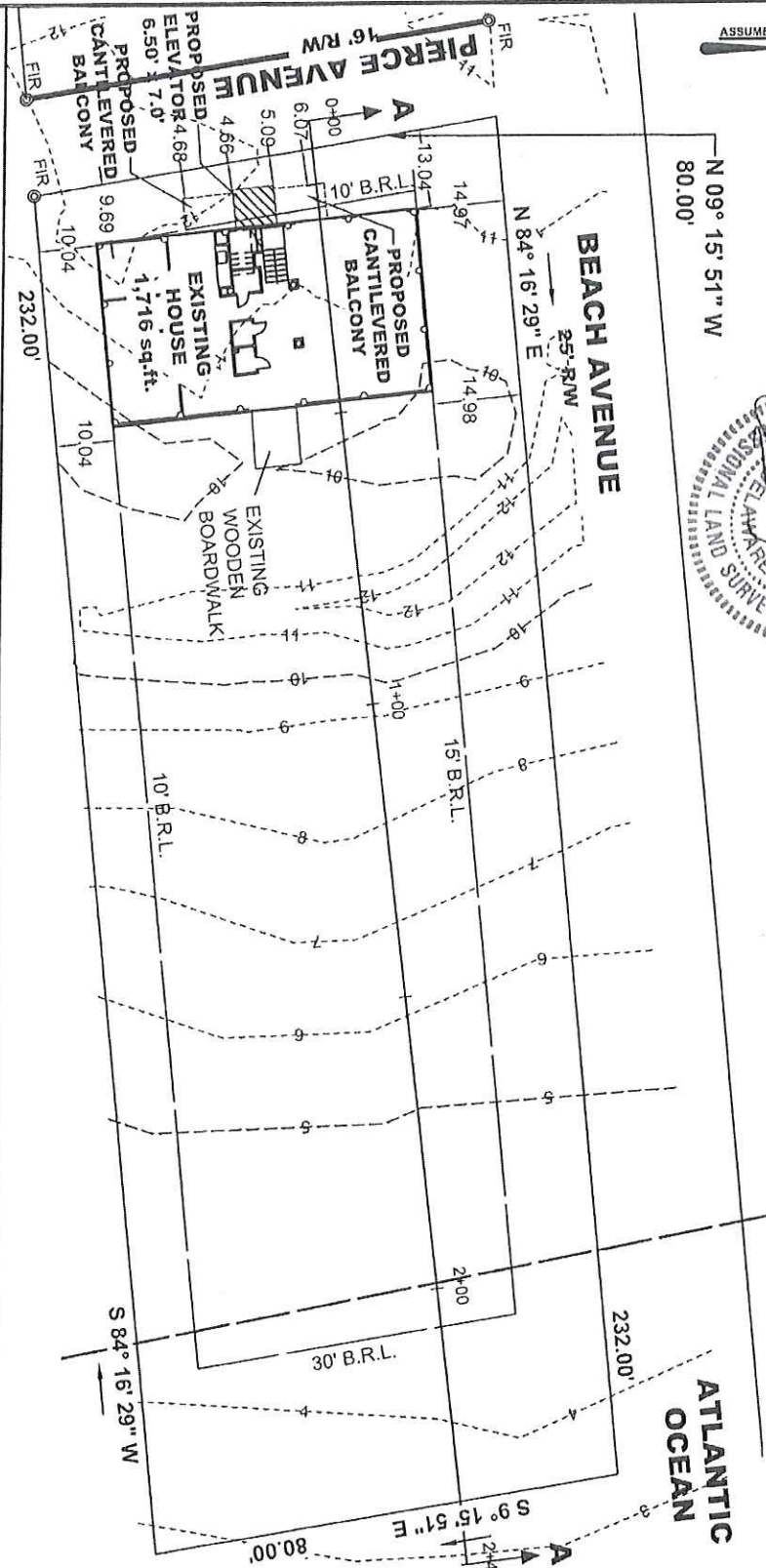
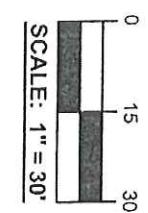
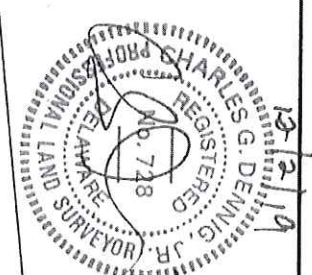
JUN 28 2005

ASSESSMENT DIVISION
OF SUSSEX CTY

TOPOGRAPHIC SURVEY



ASSUMED
N 09° 15' 51" W
80.00'



SITE DATA

- | | |
|---|--|
| 1. OWNER: | ROLLIN & LISA BELL
3828 VILLAGE PARK DRIVE
CHEVY CHASE, MARYLAND 20737-1314 |
| 2. ENGINEER/SURVEYOR: | BECKER MORGAN GROUP, INC.
312 W MAIN STREET, SUITE 300
SALISBURY, MD 21801
410-546-9100 |
| 3. MAP REFERENCE(S): | 334-23-06-93.00 |
| 4. DEED REFERENCE(S): | 31621234 |
| 5. PLAT REFERENCE(S): | 211 |
| 6. CURRENT ZONING: | RS |
| 7. SETBACKS:
(PER LETTER FROM
SUSSEX P&Z DATED
01/27/2004) | FRONT (OCEAN): 30'
SIDE (CORNER): 15'
SIDE (INTERIOR): 10'
REAR (STREET): 10' |
| 8. TOTAL PARCEL AREA: | 19,140 sq. ft. |
| 9. FLOOD ZONE: | BASED UPON THE FEMA FIRM PANEL
10005C0354K WITH A EFFECTIVE DATE OF
03/16/2015, THIS SITE APPEARS TO BE WITHIN
FLOOD ZONE VE, ELEV. 10' |
| 10. DNREC BUILDING LIMIT LINE: | THIS SITE IS ENTIRELY WITHIN THE DNREC
BUILDING LIMIT (SEAWARD) |

**TOPOGRAPHIC SURVEY
LANDS OF
ROLLIN & LISA BELL**
LOTS 17 & 19 - "INDIAN BEACH SURF CLUB"
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DE

LAYER STATE: 24x36



ARCHITECTURE
ENGINEERING
Salisbury, MD
312 W. Main Street
Salisbury, MD 21801
Ph. 410.546.9100
Fax 410.546.5824

BMG: 2019226.01
SCALE: 1" = 30'
DATE: 11/22/19
DRAWN BY: CGD

ATLANTIC
OCEAN

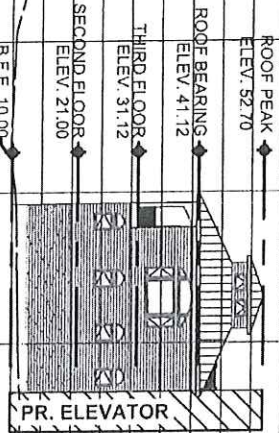
PROPERTY LINE

FLOOD ZONE VE - ELEV. 12

FLOOD ZONE VE - ELEV. 10

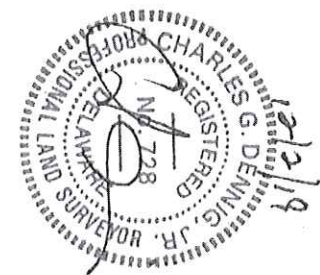
EXISTING GRADE

SAND DUNE

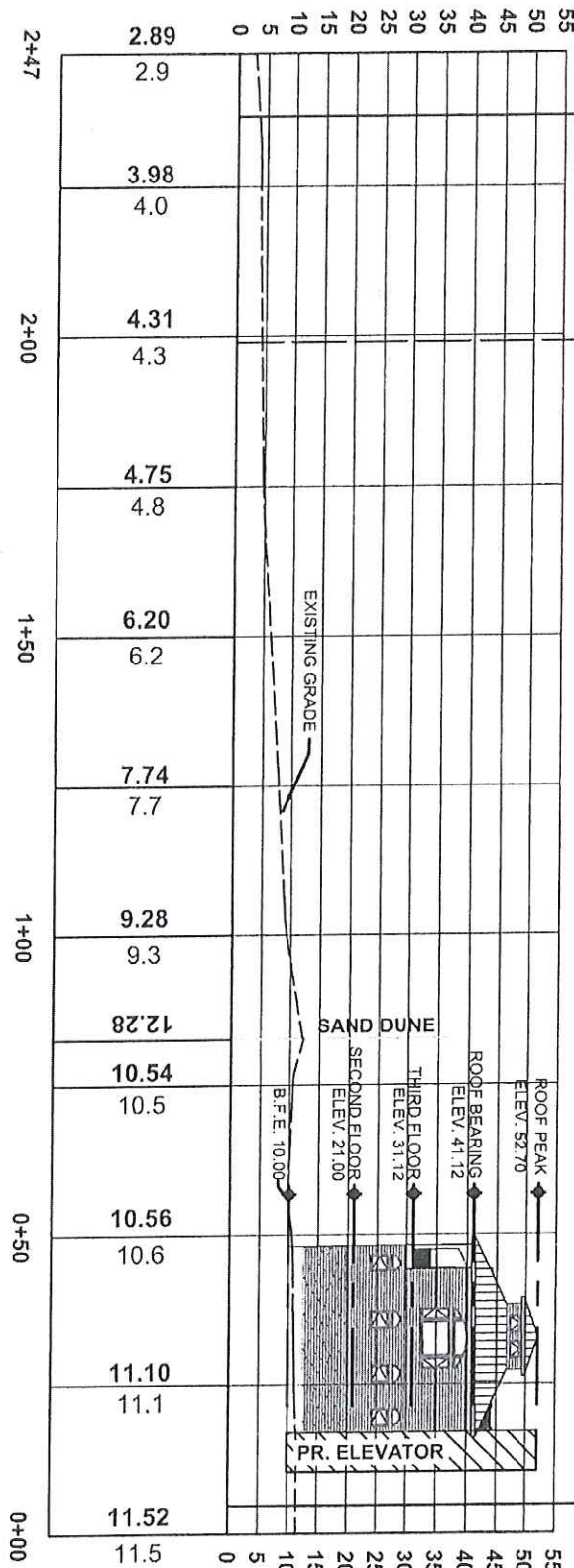
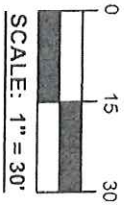


PROPERTY LINE

PIERCE AVE.



Profile AA (1) - CENTERLINE PROFILE (0+00.00 TO 2+47.37)



TOPOGRAPHIC SURVEY
LANDS OF
ROLLIN & LISA BELL
LOTS 17 & 19 - "INDIAN BEACH SURF CLUB"
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DE

LAYER STATE: 24x36

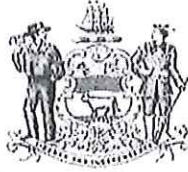
**BECKER
MORGAN**
GROUP

ARCHITECTURE
ENGINEERING
Salisbury, MD
312 W. Main Street
Salisbury, MD 21801
Ph. 410.546.9100
Fax 410.546.5824

BMG: 2019226.01
SCALE: 1" = 30'
DATE: 11/22/19
DRAWN BY: CGD

2 OF 2

APPROVAL BY DNREC TO
CONSTRUCT A 3RD FLOOR ADDITION
AND A 6.5 BY 6.5 ELEVATOR SHAFT ON THE
WEST SIDE OF THE EXISTING BUILDING



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL
DIVISION OF WATERSHED STEWARDSHIP
ENTERPRISE BUSINESS PARK
285 BEISER BOULEVARD, SUITE 102
DOVER, DELAWARE 19904

SHORELINE AND WATERWAY
MANAGEMENT SECTION

PHONE: (302) 739-9921
FAX: (302) 739-6724

MEMORANDUM

TO: Terry L. Deputy, Director

THRU: Michael S. Powell, Administrator *MS*
Jesse T. Hayden, Engineer Program Manager *JTH*

FROM: Jennifer Luoma Pongratz, Environmental Scientist *JLP*

RE: Permit BP5679 for construction of an addition and elevator for Mr. and Mrs. Rollin Bell

DATE: January 16, 2020

LOCATION: Lots 17 & 19, North Indian Beach

ACTIVITY: To construct a 3rd floor addition and 6.5' x 6.5' elevator shaft on the west side of the existing dwelling

Attached for your signatures, is a Permit for the above activity. The application has been advertised as required. We received no comments. I have reviewed the application and found the proposed activity to be in compliance with the Regulations Governing Beach Protection and the Use of Beaches.

Based on my review of the application, I recommend that this Permit be approved.



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL
DIVISION OF WATERSHED STEWARDSHIP
ENTERPRISE BUSINESS PARK
285 BEISER BOULEVARD, SUITE 102
DOVER, DELAWARE 19904

DIRECTOR'S
OFFICE

PHONE: (302) 739-9921
FAX: (302) 739-6724

January 16, 2020

Mr. and Mrs. Rollin Bell
3828 Village Park Drive
Chevy Chase, MD 20815

RE: Tax Map # 334-23.06-93.00

Dear Mr. and Mrs. Bell:

Application No. BP5679 - To construct a 3rd floor addition and 6.5' x 6.5' elevator shaft on the west side of the existing dwelling on Lots 17 & 19, Block D, North Indian Beach, Sussex County, Delaware.

The Division of Watershed Stewardship has reviewed your plans for coastal construction with regard to the Beach Preservation Act and the "Regulations Governing Beach Protection and the Use of Beaches" (effective August 11, 2016). In doing so, the Division considered what material physical effects the proposed construction may have on coastal conditions and natural shore processes with particular reference to beach erosion, storm damage, flooding, or any detrimental effect it may have on the shore or adjacent property.

The above referenced work is in compliance with the requirements of the Beach Preservation Act and the "Regulations Governing Beach Protection and the Use of Beaches" (effective August 11, 2016). The application submitted by you, or on your behalf, received on December 5, 2019 with plans and specifications dated September 30, 2019 and October 31, 2019 has been approved with the following conditions:

1. **All structures constructed seaward of the DNREC Building Line must be above Base Flood Elevation with the exception of lattice.**
2. **Future enclosure or conversion to living space of the cantilevered deck and porch is prohibited.**
3. **The area underneath the cantilevered deck and porch shall remain open and free of obstructions including lattice.**
4. **Impacts to the area seaward of the existing dwelling must be minimal. No damage shall occur to any existing dune vegetation.**

Mr. and Mrs. Rollin Bell
BP5679
Page Two
January 16, 2020

Any unauthorized additions or modifications of the final permitted construction plans will be considered a violation of this permit and the Regulations and are therefore subject to penalties provided in the Beach Preservation Act and the Regulations. Major modifications or subsequent additions involving horizontal expansion of the initial construction must be entered as a new application subject to conditions for construction outlined in the Regulations Governing Beach Protection and the Use of Beaches. Copies of the Regulations are available upon request from the Shoreline and Waterway Management Section.

For the purpose of dune and beach protection, construction activities seaward of the Building Line must be minimized. Any residential construction proposed seaward of the Building Line shall be free of all non-essential portions of the dwelling. This includes, but is not limited to, showers, garages, patios, retaining walls, vehicle ramps, storage areas, steps, solid driveways, fences and all other non-living space portions of the dwelling seaward of the Building Line and below the first living floor. Decks must be supported by cantilevering.

Prohibited activities seaward of the Building Line include landscaping (hard structures such as railroad ties, flower boxes, brick, cement, patio blocks, etc.), erection of fencing other than sand/snow fence, and other modifications which impede the natural function and flexibility of the dune.

This approval pertains only to compliance with the above Regulations and is not to be construed as an all-inclusive approval for any other activities or requirements of the Department of Natural Resources and Environmental Control or any other governmental agency, which may pertain to this site.

This approval is void if on-site construction has not been initiated on or before one year and completed on or before two years from the above date.

An "as-built" survey showing completed construction must be submitted within (30) thirty days of completion of construction.

This approval in no way affects, or rules upon, ownership of the subject lands.

Mr. and Mrs. Rollin Bell
BP5679
Page Three
January 16, 2020

You are required to notify the Division of Watershed Stewardship at (302) 739-9921 at least one week prior to the initiation of on-site construction, to schedule a meeting between a Shoreline and Waterway Management Section representative, the contractor, the property owner and or their authorized agent and any other parties involved in the proposed construction activities. Construction may not commence until this meeting has occurred and all parties have signed the attached Pre-Construction Agreement form. **If it is found that construction has begun without this meeting, construction will be stopped until the meeting is held.** You are also required to notify the Division when construction is completed.

Absolutely no quantity of sand or sedimentary material may be removed from the site which is the subject of this approval without prior inspection by a Shoreline and Waterway Management Section representative. Any quantity of material which is to be removed from the site and is suitable beach material as determined by the Section representative shall be place on the beach at the nearest suitable location.

In accordance with Part 6 of the Regulations Governing Beach Protection and the Use of Beaches and with Section 6803, Chapter 68, Title 7 of the Delaware code, any person or persons, aggrieved by any decision of the Division and the Secretary, may appeal to either the Secretary of DNREC by giving written notice of appeal to the Secretary and to the applicant if other than the appellant, or to the Superior Court in and for the County in which the activity is principally located. Notice to the Secretary shall be by certified or registered mail within twenty (20) calendar days of the Division's decision. Any appeal to Superior Court shall be in the record and shall be perfected within thirty (30) days of the receipt of the decision of the Secretary. The applicant shall not commence any activity approved by this permit until the appeal process has been exhausted.

If you have any questions concerning this approval, or the requirements, please contact the Shoreline and Waterway Management Section of this Division at (302) 739-9921.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry L. Deputy", written over a faint horizontal line.

Terry L. Deputy
Director

cc: Adjacent Landowners
Sussex County Planning and Zoning

Pre-Construction Agreement

BP5679

Lots 17 & 19, Block D

North Indian Beach

Specific conditions that must be followed during construction:

1. All construction equipment, supplies, and personnel must remain within the footprint of the proposed structure or landward of the existing dwelling
2. Sand may not be removed from the site without prior approval from the Shoreline and Waterway Management Section
3. other _____

Property Owner

Printed Name

Signature

Date

Authorized Agent

Printed Name

Signature

Date

Contractor

Printed Name

Signature

Date

Shoreline and Waterway Management

Printed Name

Signature

Date

INDEPENDENT NEWSMED

110 Galaxy Drive • Dover, DE • 19901 • 1-8

State of Delaware:

County of Kent:

Before me, a Notary Public, for the County and State aforesaid, Darel LaPrade, known to me to be such, who being sworn according to law deposed and says that he is the publisher of the Delaware State News, a daily newspaper published at Dover, County of Kent, and State of Delaware, and that the notice, a copy of which is hereto attached, as published in the Delaware State News in its issue of

December 15, 2019.

Darel LaPrade

Publisher
Delaware State News

Sworn to and subscribed before me this

15th

Day of

December

A.D.

2019



Janet Levy
Notary Public



DNREC -
Shoreline &
Waterway
Management
Branch

LEGAL NOTICE PERMIT APPLICATION

Notice is hereby given that an application for a permit for construction seaward of the DNREC Building Line has been filed by Mr. and Mrs. Rollin Bell to construct a 3rd floor addition and 6.5' x 6.5' elevator shaft on the west side of the existing dwelling on Lots 17 & 19, Block D, North Indian Beach, Sussex County, Delaware pursuant to the revised "Regulations Governing Beach Protection and the Use of Beaches" of the State of Delaware (effective August 11, 2016).

The application(s) may be inspected at the offices of the Division of Watershed Stewardship, 89 Kings Highway, Dover, Delaware. Comments concerning this application should be made in writing to the Division within fifteen (15) days from the date of this notice.

Division of Watershed Stewardship
Department of Natural Resources
and Environmental Control
89 Kings Highway
Dover, Delaware 19901
Phone: (302) 739-9921
Jennifer Luoma Pongratz
Jennifer.Pongratz@state.de.us
379650 DSN 12/15/2019



Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: SD SOIL WATER DNREC
Address: 89 KINGS HWY
DOVER DE 19901
USA

Ad No.: 0003939429
Pymt Method Invoice
Net Amt: \$157.36

Run Times: 1

No. of Affidavits: 1

Run Dates: 12/15/19

Text of Ad:



**DNREC – Shoreline & Waterway Management
Branch**

**LEGAL NOTICE
PERMIT APPLICATION**

Notice is hereby given that an application for a permit for construction seaward of the DNREC Building Line has been filed by Mr. and Mrs. Roll-in Bell to construct a 3rd floor addition and 6.5' x 6.5' elevator shaft on the west side of the existing dwelling on Lots 17 & 19, Block D, North Indian Beach, Sussex County, Delaware pursuant to the revised "Regulations Governing Beach Protection and the Use of Beaches" of the State of Delaware (effective August 11, 2016). The application(s) may be inspected at the offices of the Division of Watershed Stewardship, 89 Kings Highway, Dover, Delaware. Comments concerning this application should be made in writing to the Division within fifteen (15) days from the date of this notice.

Division of Watershed Stewardship
Department of Natural Resources and Environmental Control
89 Kings Highway
Dover, Delaware 19901
Phone: (302) 739-9921
Jennifer Luoma Pongratz
Jennifer.Pongratz@state.de.us

11/15-NJ

Independent

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Delaware ● Florida ● Maryland

Call 302.741.8297

800.282.8588

877.223.1503

Proof

Client	DNREC Watershed Stewardship JENNIFER PONGRATZ	Phone	(302) 739-9922
Address	89 KINGS HWY DOVER, DE 19903	EMail	Jennifer.Pongratz@delaware.gov
		Fax	
AD #	379650	Requested By	DNREC Watershed Stewardship JENNIFER PONGRATZ
Account#	119145	PO #	Rollin Bell
Class	5500	Created By	ROBROOKS
Start Date	12/15/19	Creation Date	12/05/2019
End Date	12/15/19	Dimensions	2 X 4.597
Run Dates	2	Price	\$60.23
Pubs	Delaware State News, Newszap		
Order #	379650		
Sales Rep	Roxanne Brooks	Phone	(302) 741-8297
		EMail	rbrooks@newszap.com
		Fax	(302) 741-8215



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WATERSHED STEWARDSHIP

89 Kings Highway
DOVER, DELAWARE 19901

OFFICE OF THE
DIRECTOR

PHONE: (302) 739-9921
FAX: (302) 739-6724

December 15, 2019

Dear Landowner(s):

Notice is hereby given that an application for a permit for construction seaward of the DNREC Building Line has been filed by **Mr. and Mrs. Rollin Bell to construct a 3rd floor addition and 6.5' x 6.5' elevator shaft on the west side of the existing dwelling on 17 & 19, Block D, North Indian Beach**, Sussex County, Delaware pursuant to the revised "Regulations Governing Beach Protection and the Use of Beaches" of the State of Delaware (effective August 11, 2016).

The application(s) may be inspected at the office of the Division of Watershed Stewardship, 285 Beiser Boulevard, Suite 102, Dover, Delaware.

Comments concerning this application should be made in writing to the Division within fifteen (15) days from the date of this notice.

Sincerely,

A handwritten signature in black ink, appearing to be "JH".

Jesse T. Hayden, P. E.
Engineer Program Manager
Shoreline and Waterway
Management Section

Delaware's good nature depends on you!



**DNREC –
Shoreline &
Waterway
Management
Branch**

**LEGAL NOTICE
PERMIT APPLICATION**

Notice is hereby given that an application for a permit for construction seaward of the DNREC Building Line has been filed by **Mr. and Mrs. Rollin Bell** to construct a 3rd floor addition and 6.5' x 6.5' elevator shaft on the west side of the existing dwelling on **Lots 17 & 19, Block D, North Indian Beach**, Sussex County, Delaware pursuant to the revised "Regulations Governing Beach Protection and the Use of Beaches" of the State of Delaware (effective August 11, 2016).

The application(s) may be inspected at the offices of the Division of Watershed Stewardship, 89 Kings Highway, Dover, Delaware. Comments concerning this application should be made in writing to the Division within fifteen (15) days from the date of this notice.

Division of Watershed Stewardship
Department of Natural Resources and
Environmental Control
89 Kings Highway
Dover, Delaware 19901
Phone: (302) 739-9921
Jennifer Luoma Pongratz
Jennifer.Pongratz@state.de.us



State of Delaware
Department of Natural Resources & Environmental Control
Division of Watershed Stewardship
89 KINGS HIGHWAY, DOVER, DE 19901 (302)739-9921 FAX (302)739-6724

RECEIVED
DEC 5 2019

**PERMIT APPLICATION FOR CONSTRUCTION SEAWARD
OF THE DNREC BUILDING LINE**

This application form is provided for construction activities within the defined beach area and seaward of the DNREC Building Line as shown on maps prepared by the Shoreline & Waterway Management Section, and for construction activities requiring a Permit, as outlined in Part 4.0 of the Regulations Governing Beach Protection and the Use of Beaches. Copies of individual Building Line Maps are available for planning by request to the Shoreline & Waterway Management Section.

Please answer all questions thoroughly and provide the applicable drawings and plans. An application fee of \$150.00 in check form payable to the State of Delaware must accompany the application. Incomplete applications will be returned.

All Permit applications will be advertised in two papers of State wide circulation. Twenty (20) calendar days from the date of advertisement must pass, in order to receive comments, before a decision will be rendered. A thirty (30) day appeal period follows issuance of the permit.

Name of Property Owner: ROLLIN & LISA BELL

Mailing Address: 3828 VILLAGE PARK DR.

City/State/Zip Code: CHEVY CHASE, MD 20815

E-mail Address: rbell@pamcompanies.com

Telephone Numbers: A/C 240.375.3701 cell 301.595.3700 Office

Name of Authorized Agent: BECKER MORGAN GROUP

Mailing Address: 312 W. MAIN ST. SUITE 300

City/State/ Zip Code: SALISBURY, MD 21801

E-mail Address: cpattay@beckermorgan.com

Telephone Numbers: A/C () Residence A/C 410.546.9100 Office

Location of proposed work:

Lot(s) Number: 17 & 19 Block Number: _____
Street: E. PIERCE ST. & BEACH AVE.
Subdivision/Community: N. INDIAN BEACH
Tax Map #: 334.23.06-93.00

Type of work proposed:

(Construction of a dwelling, commercial building, subdivision, addition, shore protection structure, pedestrian dune crossover, septic system, storage facility, placement of utilities, placement of fill etc.).

ADDITION: RESIDENTIAL ACCESS ELEVATOR (4-STOP)
& ASSOCIATED ARCHITECTURAL ELEMENTS (ROOF ETC.)

Site Work:

Removal of sand from the site is prohibited without prior approval

Will there be any lot clearing or excavation at the site? MINIMAL (ELEVATOR PIT FOUNDATION ONLY)
If so, will any sand be removed from the site? NO
Where will the sand be taken? N/A
Will sand or fill be added to the site? NO How much? N/A
What will be the source of the material? N/A

Indicate on the plans where the fill will be placed.

Will there be any landscaping? NO If so, will you be bringing in top soil? NO
Are there any structures included in your landscape design? NO
Please indicate their location on the plans.

Activities Seaward of the Building Line and on the dune:

Construction Seaward of the Building Line must be located above Base Flood Elevation.

What NFIP Flood Zone is the property located in (e.g. V, A, B, etc.)? VE

What NFIP Flood Zone is the proposed construction taking place? VE

What is the Base Flood Elevation? 10'

What is the effective/revised date of the FIRM panel used for flood zone determination? 3/16/2015

(This information can be obtained from the applicable Town or County)

Will any enclosures, such as entrances, storage areas, elevators, showers, skirting, utilities etc., be constructed below the first living floor? YES If so, indicate their location on the plans. FOYER/VEST. TO ACCESS ELEVATOR & STAIR
These structures must be located landward of the Building Line or elevated above Base Flood Elevation.

Will any concrete, brick or asphalt be used for flooring, driveways, side walks, etc.? YES - CONC. FLOOR
If so, indicate their location on the plans. These structures must be located landward of the Building Line.

Placement of construction equipment or materials seaward of the DNREC Building Line is prohibited.
Erection of sand fencing will be required to mark the Building Line.

Proposed construction should be designed and undertaken to minimize impacts to dunes and beaches.

What mitigating measures will be taken in order to prevent disturbance and damage to the dune during construction?

PROJECT WILL NOT NEGATIVELY IMPACT THE DUNE

Following construction, what steps will be taken to replant vegetation disturbed during construction or to vegetation bare areas in the dune and on the lot?

N/A

Please supply the following information:

All surveys must be originals, signed and sealed by a professional surveyor licensed in the State of Delaware. All plans must be approved by a registered professional engineer or architect licensed in the State of Delaware. Cantilevered decks must be designed and certified by an Architect or Engineer licensed in the State of Delaware.

1. Copy of deed, lease, sales contract or other instrument showing legal interest of the property upon which work is to take place.
2. Four copies of a **8 1/2" X 11"** plan (drawn to scale)(see attached examples), indicating:
 - a. A Topographic survey of the lot (at one foot intervals), both plan and profile views, which indicates the location of the DNREC Building Line with regard to the proposed structure on the lot. If a cantilevered deck is proposed as part of the construction, please complete and submit the **Cantilevered Deck Worksheet**. The survey must also indicate the average distance seaward of the Building Line that the proposed Cantilevered Deck may or may not extend out to.
 - b. Foundation pile layout plan and detail of pile to beam attachment approved by a registered professional engineer or architect licensed in the State of Delaware, certifying compliance with local flood hazard zoning and construction ordinances.
 - c. The location and dimensions of the proposed structure, modification, or additions, on the lot or parcel clearly showing setback distances from front, back and side boundary lines
 - d. A profile view of the proposed construction (include area below first living floor) showing existing grade, proposed fill, proposed foundation, base flood elevation, first floor elevation, stairs, heat pumps, etc.
3. For all construction activities utilizing the 4 Step Process please complete and submit the **Dune Encroachment Reduction Worksheet**, demonstrating that the proposed construction is in accordance with the Regulations Governing Beach Protection and the Use of Beaches subsections 3.1.1.2 through 3.1.1.2.4.
4. For work other than construction of buildings, alternative or additional information may be required. Please contact the Division of Watershed Stewardship at (302) 739-9921 for additional information.
5. List names, Lot numbers and mailing addresses of all owners of property immediately adjacent to the project site.

334-23.06-94.00
Brian Taff
P. O. Box 734
Rehoboth Beach, DE 19971

334-23.06-92.00 (4)
Theresa B. Gergar
1443 Sharps Point Rd.
Annapolis, MD 21409

334-23.06-91.00
Michael F. Mann
P. O. Box 734
Rehoboth Beach, DE 19971



Cantilevered Deck Worksheet

7 DE Admin Code 5102 Section 3.1.1.3

Cantilevered Decks – Cantilevered Decks make use of the foundation of said building and said deck shall not extend beyond the most seaward point that is the average distance seaward of the Building Line of any ***lawfully constructed building, deck or porch of a similar nature*** that is already existing on parcels of real property located within the *smallest subset of lots**.

Complete the chart to determine the average distance over the Building Line

<u>Tax Map</u>	<u>Lot</u>	<u>Block</u>	<u>Distance over the Building Line</u>
1. 334-23.06-94.00	17 & 19	D	68'
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
Total :			68'
Average:			68'

***Smallest Subset of Lots** – means smallest identifiable group of lawfully subdivided, contiguous lots that exist within a subdivision, development or community separated by either roads or subdivision boundaries. If there are no roads or subdivision boundaries separating groups of lots, the smallest set of lots shall be seven lots.

SIGNATURE PAGE

All signatures must be in original ink

As legal property owner, I (we) accept the legally binding nature of the Construction Permit application and enclosed plans for construction and acknowledge the ultimate responsibility of the owner in executing the conditions of the approval. I (we) also understand that any unauthorized additions or modifications of the final approved construction plans will be considered a violation of the Construction Permit and the Regulations and are therefore subject to penalties found in the Beach Preservation Act and the Regulations.

X [Signature] 11/21/19
Signature of Property Owner(s) Date

X [Signature] 11/21/19
Signature of Property Owner(s) Date

Statement of Agent Authorization

I hereby designate and authorize BECKER MORGAN GROUP

to act in my behalf as my agent in the processing of this Construction Permit application and to furnish, as requested, supplemental information in support of this application.

As legal property owner, I (we) accept the legally binding nature of this Construction Permit application and enclosed plans for construction and acknowledge the ultimate responsibility of the owner in executing the conditions of the approval. I also understand that this authorization does not transfer ultimate responsibility for this approval to the agent.

Major modifications or subsequent additions involving horizontal or vertical expansion of the initial construction must be entered as a new application subject to conditions for construction outlined in the Regulations. Copies of the Regulations are available upon request from the Shoreline & Waterway Management Section.

X [Signature] 11/21/19
Signature of Property Owner(s) Date

X [Signature] 11/21/19
Signature of Property Owner(s) Date

Application is hereby made for a beach Construction Permit in the State of Delaware. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge; such information is correct and complete. I further certify that I am authorized to undertake the proposed activities or I am acting as the duly authorized agent for the applicant.

[Signature] BECKER MORGAN GROUP Signature of Authorized Agent
Date 11.21.19
(5)

TAX MAP AND PARCEL #: 3-34
23.06 93.00
PREPARED BY:
Tunnell & Raysor, P.A.
323E Rehoboth Avenue
Rehoboth Beach, DE 19971
File No. HD15095/MLG

THIS DEED, made this 17th day of June, 2005,

- BETWEEN -

ETHAN RHODES and ETHAN RHODES, Attorney In-Fact for MICHAEL RHODES under a Power of Attorney dated June 14, 2005 and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Misc Book 858, Page 153, of 107 Depot Street, Georgetown, DE 19947, parties of the first part,

- AND -

ROLLIN BELL and LISA BELL, his wife, of 3828 Village Park Drive, Chevy Chase, MD 20815, as tenants by the entirety, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **ONE DOLLAR (\$1.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL those certain lots, pieces or parcels of land situate, lying an being in Lewes and Rehoboth Hundred, Sussex County, Delaware, generally known as Lot No. 17 and 19, as designated on a Plot of "Indian Beach Surf Club Lots" surveyed by T.B. Pepper, Surveyor, December, 1946, and now of record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware, in Deed Book 310, page 556, and being more particularly described as follows, to wit:

BEGINNING at a set ½" pipe lying on the southeasterly intersection of Pierce Avenue & Beach Avenue; thence running along and with a 25 foot walkway South 87 degrees 16 minutes 27 seconds East passing through a set ½" pipe at 39.02 feet, for a total distance of 232.00 feet to a point; thence turning and running South 00 degrees 49 minutes 57 seconds East for a distance of 80.00 feet to a point, said point being a common corner for Lot 19 and Lot 20; thence turning and running along and with a common line for Lots 19 & 17 and Lots 20 & 18, North 87 degrees 16 minutes 27 seconds West passing through a set ½" pipe at 204.20 feet, for a total distance of 232.00

TUNNELL
RAYSOR, P.A.
ehoboth Beach, DE

Consideration: \$360000.00 Exempt Code: A

County	State	Total
54000.00	54000.00	108000.00
counter	Date: 06/27/2005	

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

Harold E. Dukes

Ethan Rhodes (SEAL)
Ethan Rhodes

Harold E. Dukes

Michael Rhodes by Ethan Rhodes
Michael Rhodes, By His Attorney In-Fact
Ethan Rhodes

STATE OF DELAWARE

: ss

COUNTY OF SUSSEX

BE IT REMEMBERED, that on June 17, 2005, personally came before me, the subscriber, Ethan Rhodes and Ethan Rhodes, Attorney In-Fact for Michael Rhodes, parties of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

Given under my Hand and Seal of office the day and year aforesaid.

HAROLD E. DUKES
ATTORNEY AT LAW WITH
POWER TO ACT AS NOTARY PUBLIC
PER 29 DEL. C SEC 4323 (A)3

Harold E. Dukes
Notary Public
Printed Name: _____

My Commission Expires: _____

RETURN TO: Rollin Bell, 3828 Village Park Drive, Chevy Chase, MD 20815

RECORDER OF DEEDS
JOHN F. BRADY

05 JUN 27 PM 3:26

SUSSEX COUNTY
DOC. SURCHARGE PAID

Received

JUN 28 2005

ASSESSMENT DIVISION
OF SUSSEX CTY

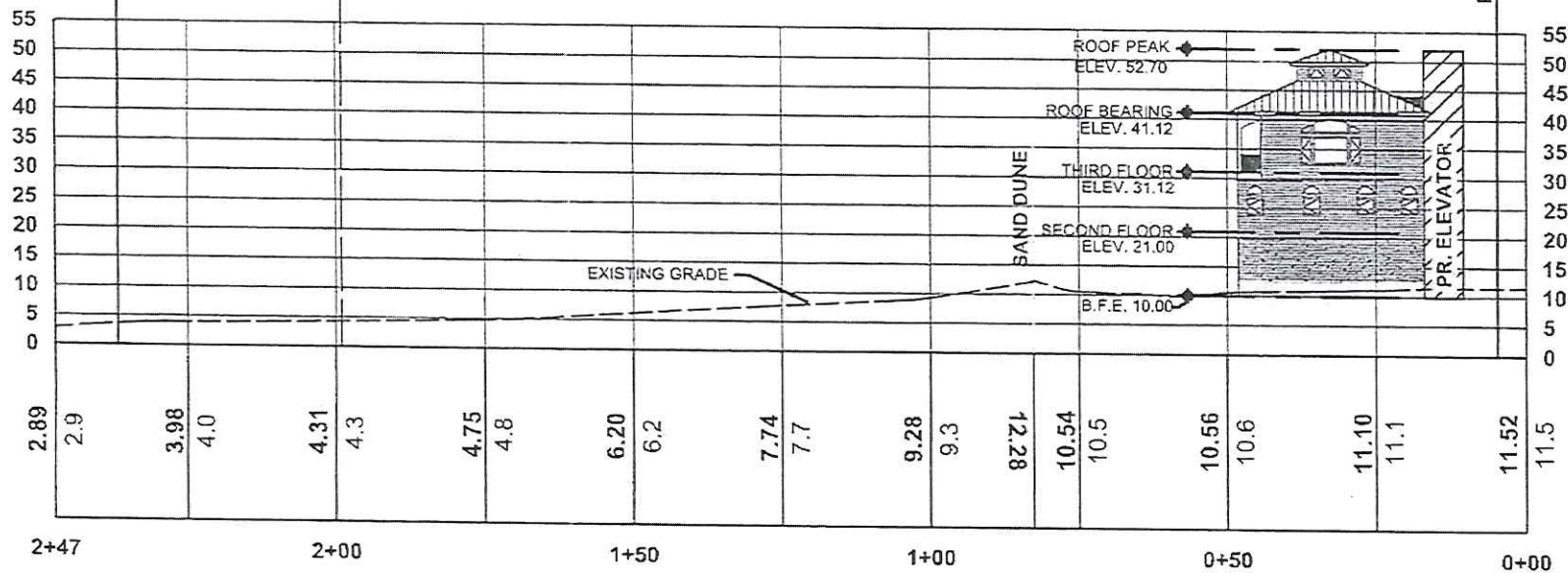
ATLANTIC
OCEAN

PROPERTY LINE

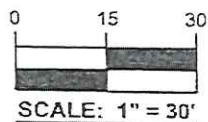
FLOOD ZONE VE - ELEV. 12

FLOOD ZONE VE - ELEV. 10

APPROVED
Division of Watershed Stewardship
DNREC
Reviewed by: *[Signature]* Date: 1/16/20
Approved by: *[Signature]* Date:

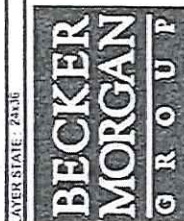


Profile AA (1) - CENTERLINE PROFILE (0+00.00 TO 2+47.37)



RECEIVED

DEC 05 2019



TOPOGRAPHIC SURVEY
LANDS OF
ROLLIN & LISA BELL
LOTS 17 & 19 - "INDIAN BEACH SURF CLUB"
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DE

ARCHITECTURE
ENGINEERING
Salisbury, MD
312 W. Main Street
Salisbury, MD 21801
Ph. 410.546.9100
Fax 410.546.5824

BMG: 20192226.01
SCALE: 1" = 30'
DATE: 11/22/19
DRAWN BY: CGD
2 OF 2



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF WATERSHED STEWARDSHIP

89 Kings Highway
DOVER, DELAWARE 19901

OFFICE OF THE
DIRECTOR

PHONE: (302) 739-9921
FAX: (302) 739-6724

December 5, 2019

Lisa E. Bell
3828 Village Park Drive
Chevy Chase, MD 20815-5747

Dear Ms. Bell:

Enclosed is your receipt for check #7137 in the amount of \$150.00 pertaining to your Beach Permit application.

If you have any questions please do not hesitate to contact us at (302) 739-9921.

Thank you.

Sincerely,


A handwritten signature in black ink, appearing to read "J. Luoma Pongratz".

Jennifer Luoma Pongratz
Environmental Scientist

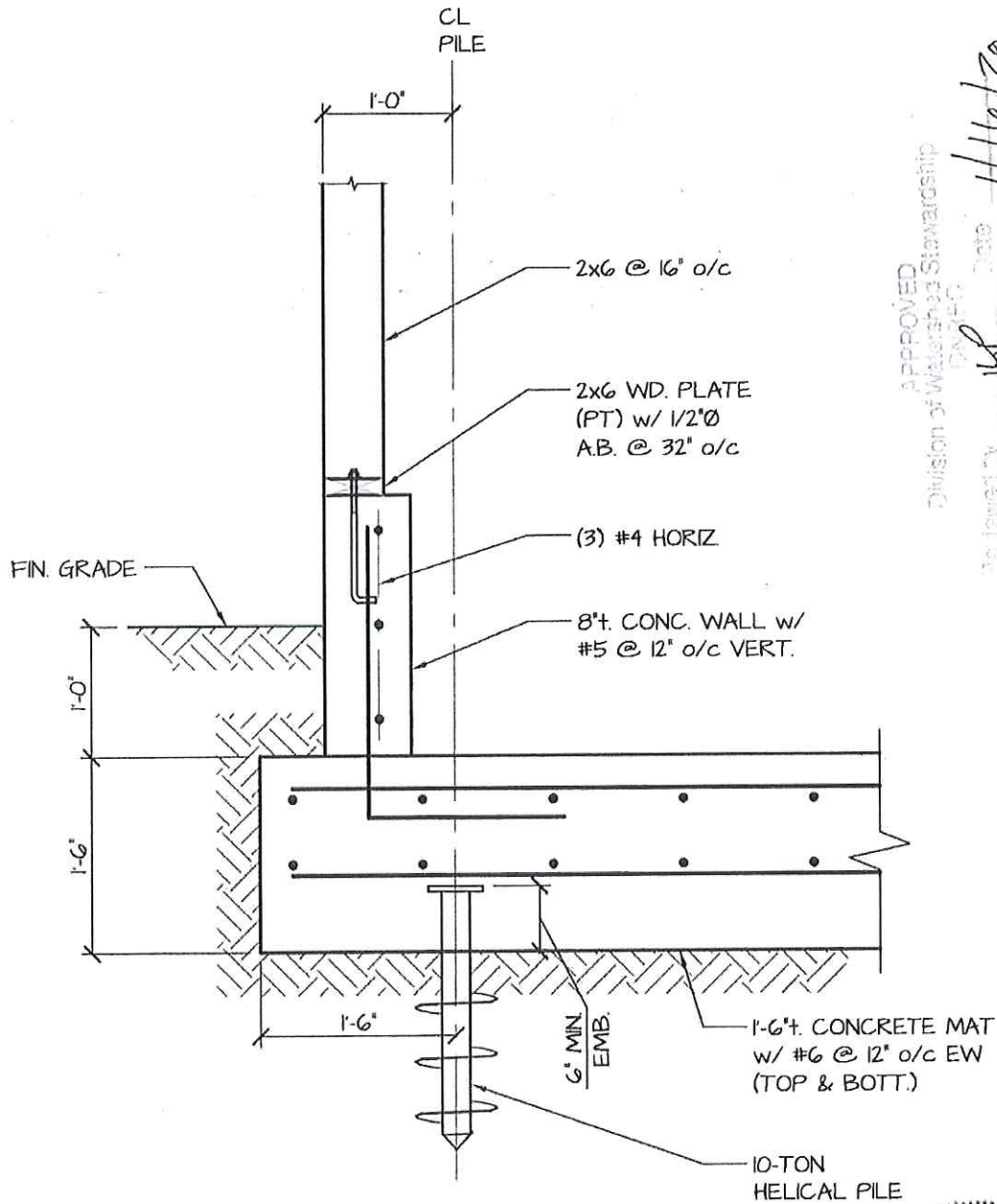
Enclosure – Beach Permit Receipt

Delaware's good nature depends on you!

RECEIPT		DATE	December 5, 2019		No.	566306	
RECEIVED FROM		Mrs. Lisa E. Bell				\$ 150.00	
		One hundred and fifty —				00/100 DOLLARS	
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR		Permit Application Fee					
ACCOUNT		<input type="radio"/> CASH <input type="radio"/> CHECK <input type="radio"/> MONEY ORDER <input type="radio"/> CREDIT CARD		FROM _____ TO _____			
PAYMENT	150.00			BY Jennifer Pangratz			
BAL. DUE				3-11			

LISA E BELL 3028 VILLAGE PARK DR CHEVY CHASE MD 20815-5747		Cash Management Account® 7137 87-176/843 956	
		11/19/19 Date	
Pay to the Order of <u>State of Delaware</u>		\$ 150.00	
<u>One hundred fifty & 00/100</u>		Dollars	
MERRILL EDGE  Bank of America Corporation		Lisa E Bell	
For _____		NP	
⑆084301767⑆ 041184219005⑈7137			

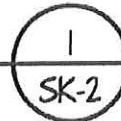
GUARDIAN SAFETY YELLOW



APPROVED
Division of Watershed Stewardship
DATE: 1/16/20

1/16/20
1/16/20
1/16/20

Section



PROJECT TITLE:

BELL RESIDENCE SCHEMATIC DESIGN



**PILOTTOWN
ENGINEERING**
17585 NASSAU COMMONS BLVD.
UNIT 3 | LEWES, DE 19958
PHONE: 302-703-1770

JOB NUMBER: 124.005
CONTACT: J. BAKER

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THE PURPOSE OF SHOP
DRAWING PREPARATION
WITHOUT THE PRIOR WRITTEN
PERMISSION OF PILOTTOWN
ENGINEERING

SCALE:

3/4" = 1'-0"

DRAWN BY:

JNR

REFERENCE DRAWING:

DATE:

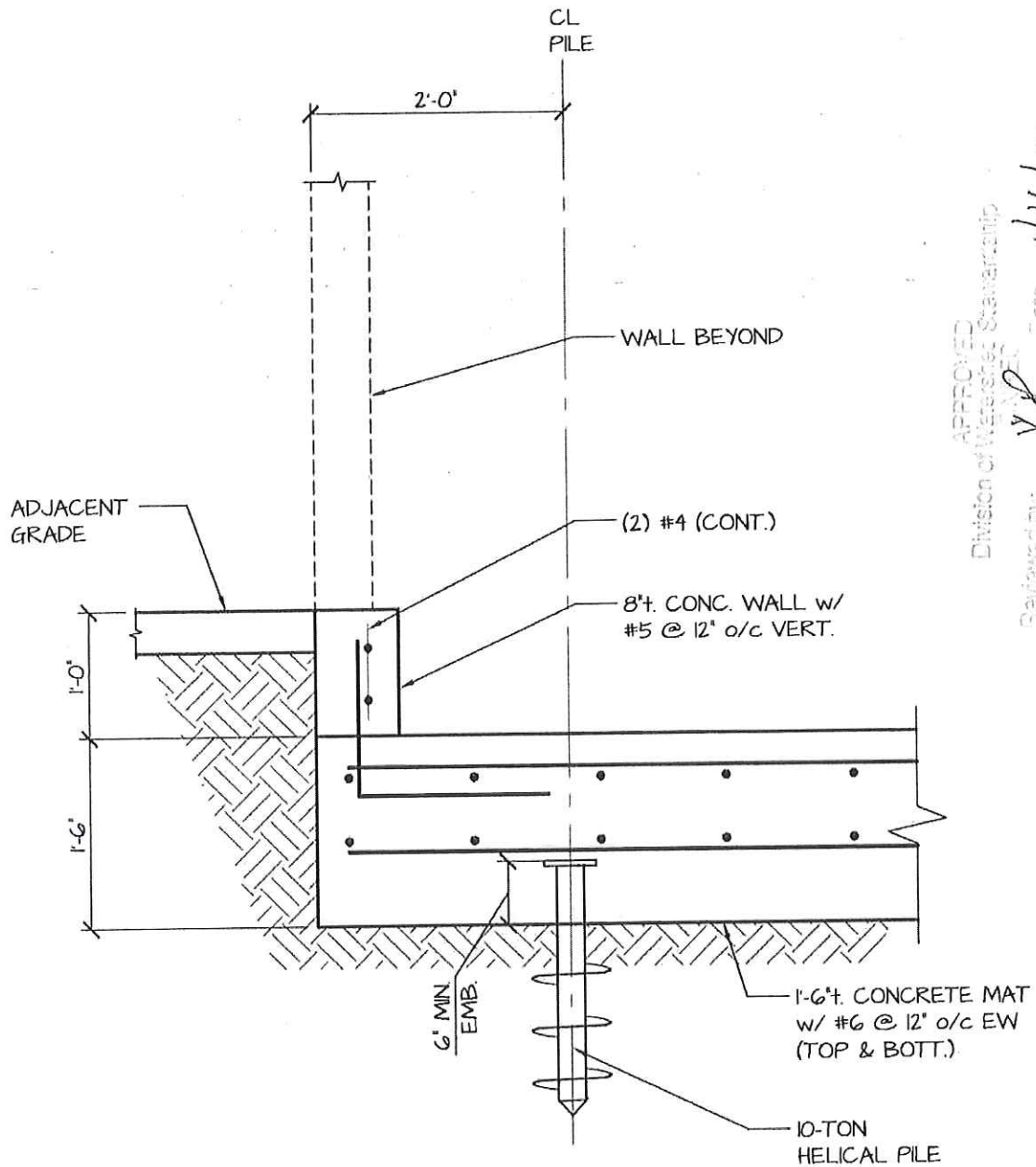
10/31/19

CHECKED BY:

JRB

DRAWING NO.:

SK-2



APPROVED
Division of Watershed Stewardship

1/16/20
Reviewed by: [Signature]
Approved by: [Signature]

Section

2
SK-3

PROJECT TITLE:

BELL RESIDENCE SCHEMATIC DESIGN



**PILOTTOWN
ENGINEERING**

17585 NASSAU COMMONS BLVD.
UNIT 3 | LEWES, DE 19958
PHONE: 302-703-1770

JOB NUMBER: 124.005
CONTACT: J. BAKER

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ENGINEERING

SCALE:
3/4" = 1'-0"

DRAWN BY:
JNR

REFERENCE DRAWING:

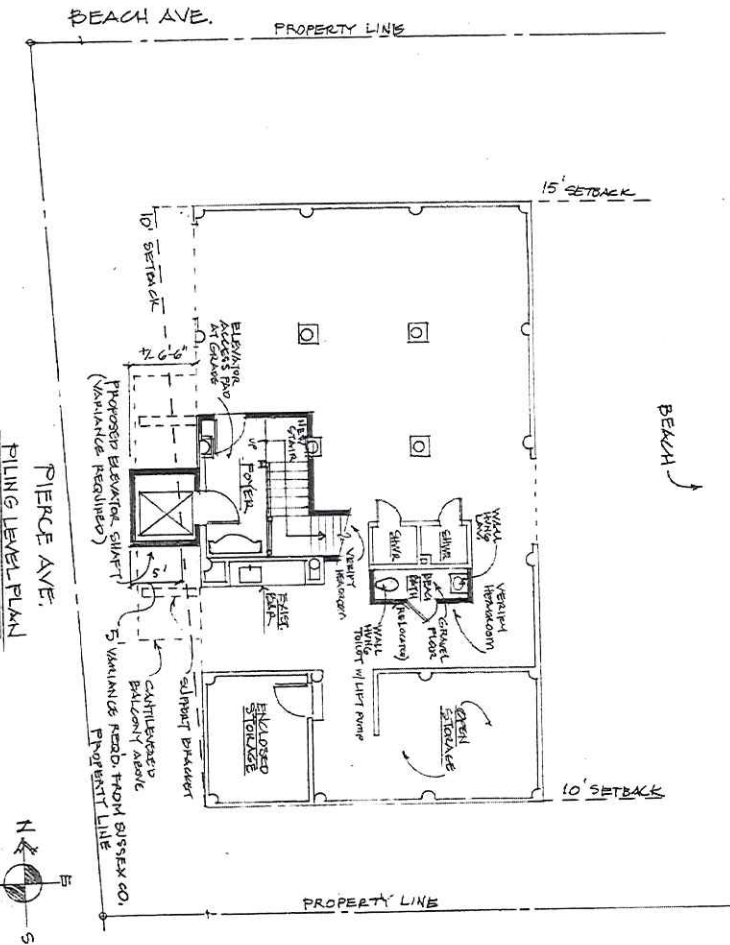
DATE:
10/31/19

CHECKED BY:
JRB

DRAWING NO.:
SK-3

RECEIVED
MORGAN
2019226.00
09.30.19

BELL BEACH HOUSE - PROPOSED PILING LEVEL PLAN

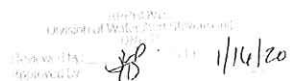




11/14/20



KEY
 EXISTING WALLS
 PROPOSED WALLS





KEY
 EXISTING WALLS
 PROPOSED WALLS

WHITE FRAME OPTION

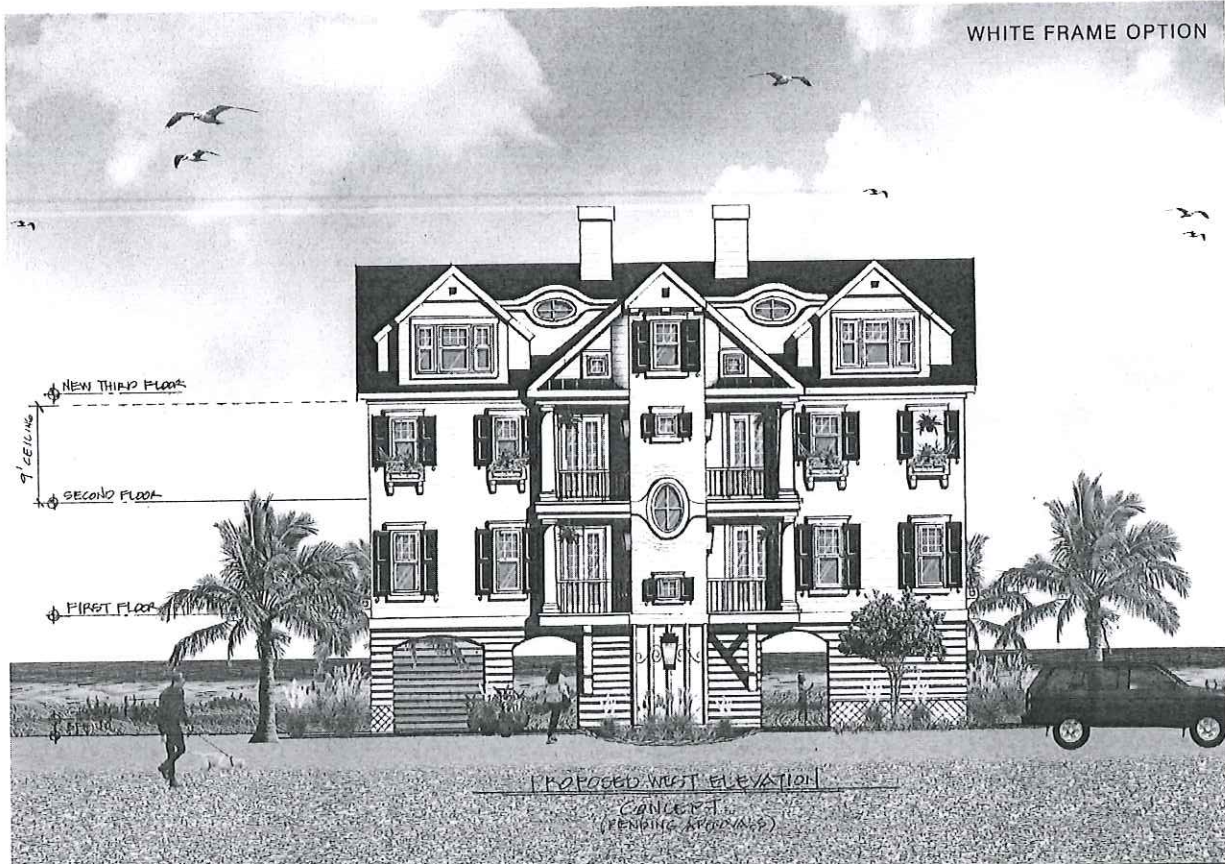


BECKER
MORGAN
ARCHITECTS
P.C.

BELL BEACH HOUSE - PROPOSED NORTH ELEVATION
2019226.00
09.30.19

SCALE: 1/4" = 1'-0"

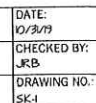
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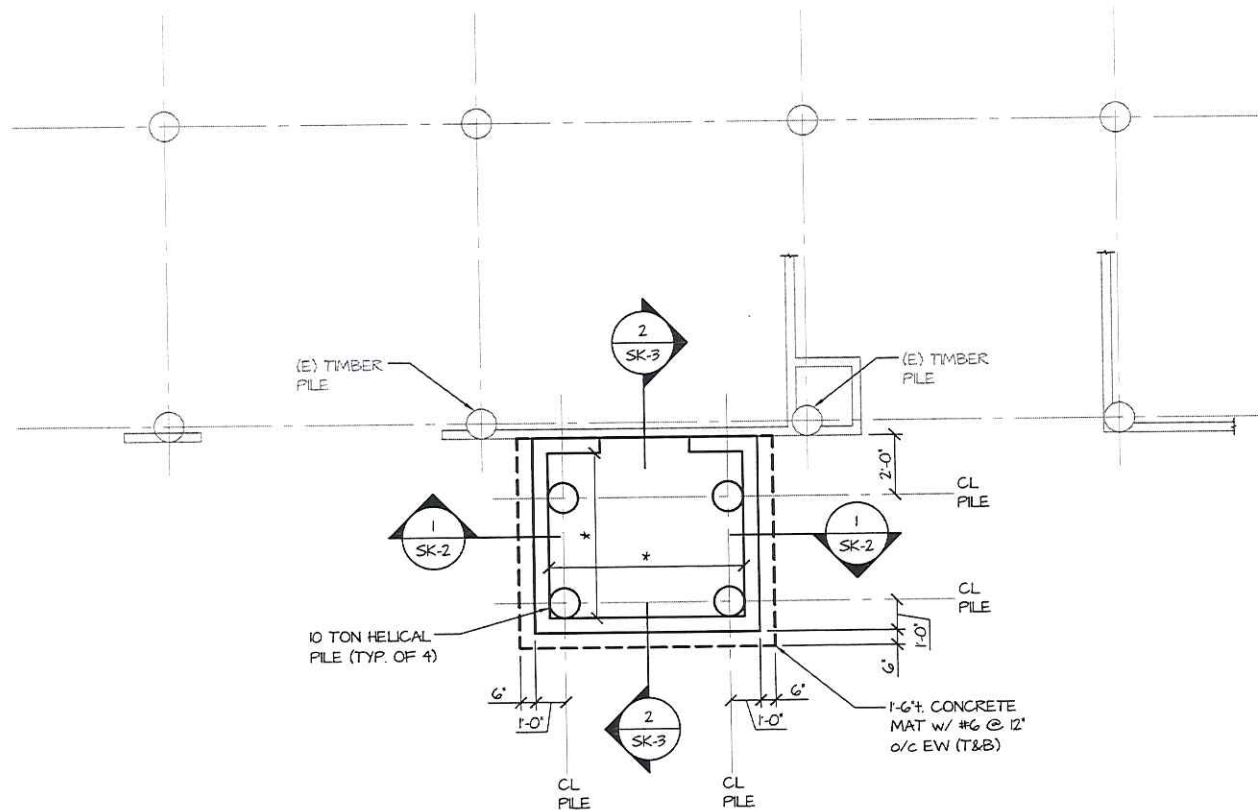
BECKER
MORGAN
ARCHITECTS
BY APPOINTMENT
AND PERMIT

BELL BEACH HOUSE - PROPOSED ELEVATION
2019226.00
09.30.19

1" = 1'-0"



PARTIAL FOUNDATION PLAN FOR
NEW ELEVATOR



PARTIAL FOUNDATION PLAN @ NEW ELEVATOR

SCALE: 1/4" = 1'-0"

NOTES:

1. * INDICATES DIMENSION TO BE COORDINATED w/ ELEV. MANUF.



PROJECT TITLE:

BELL RESIDENCE SCHEMATIC DESIGN



PILOTOWN
ENGINEERING
17585 NASSAU COMMONS BLVD.
UNIT 3 | LEWES, DE 19956
PHONE: 302-703-1770

JOB NUMBER: 124.005
CONTACT: J. BAKER

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ENGINEERING

SCALE:
1/4" = 1'-0"

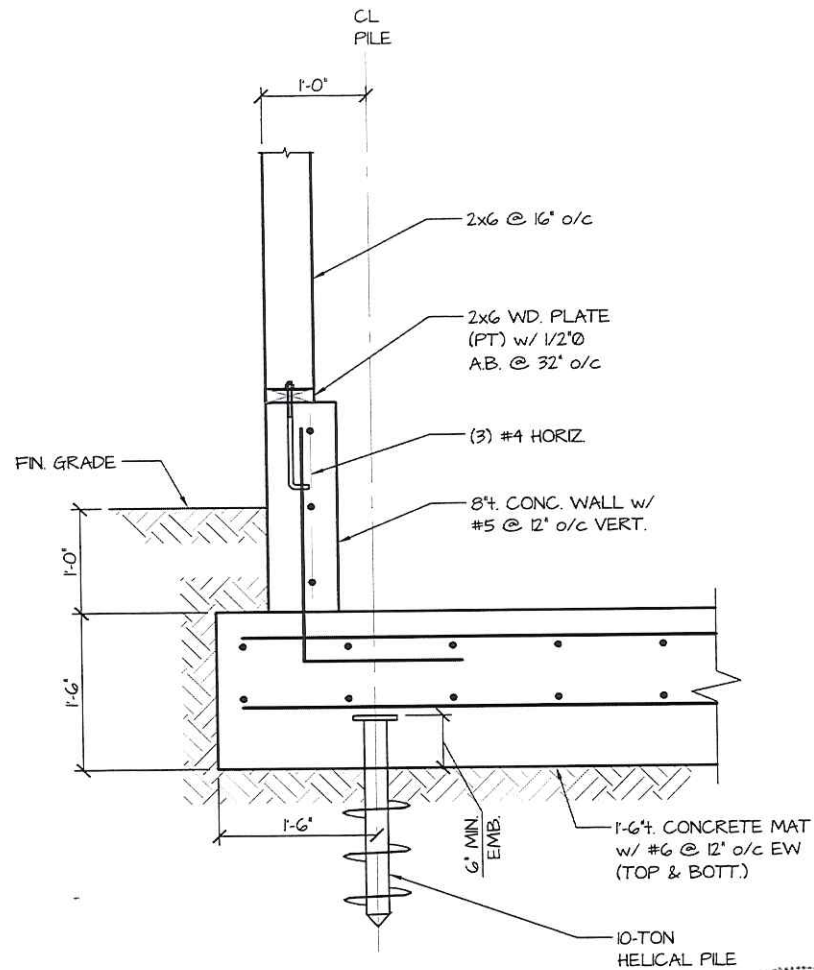
DRAWN BY:
JNR

REFERENCE DRAWING:

DATE:
10/31/19

CHECKED BY:
JRB

DRAWING NO.:
SK-1



Section 1
SK-2



PROJECT TITLE:

BELL RESIDENCE SCHEMATIC DESIGN



PILOTTOWN
ENGINEERING
17565 NASSAU COMMONS BLVD.
UNIT 3 | LEWES, DE 19958
PHONE: 302-703-1770

JOB NUMBER: 124.005
CONTACT: J. BAKER

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DRAWING PREPARATION
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ENGINEERING

SCALE:
3/4" = 1'-0"

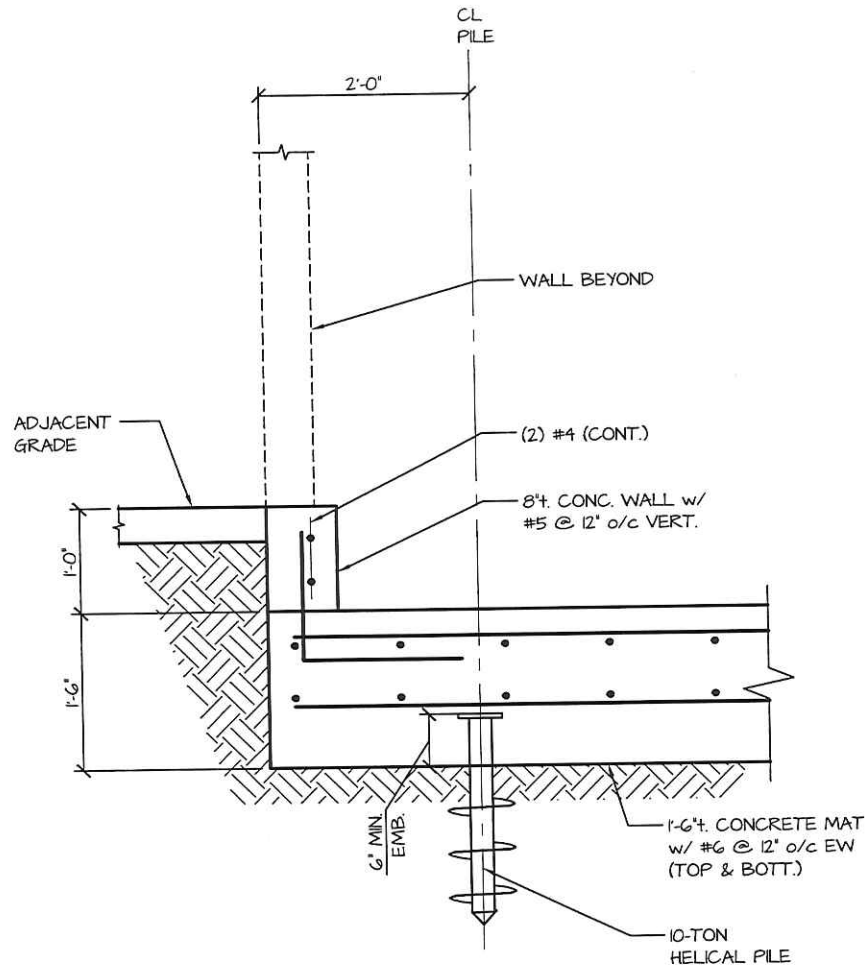
DRAWN BY:
JNR

REFERENCE DRAWING:

DATE:
10/31/19

CHECKED BY:
JRB

DRAWING NO.:
SK-2



Section 2
SK-3

PROJECT TITLE:

BELL RESIDENCE SCHEMATIC DESIGN



PILOTTOWN
ENGINEERING
17585 NASSAU COMMONS BLVD.
UNIT 3 | LEWES, DE 19958
PHONE: 302-703-1770

JOB NUMBER: 124.005
CONTACT: J. BAKER

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PERMISSION OF PILOTTOWN
ENGINEERING

SCALE:
3/4" = 1'-0"

DRAWN BY:
JNR

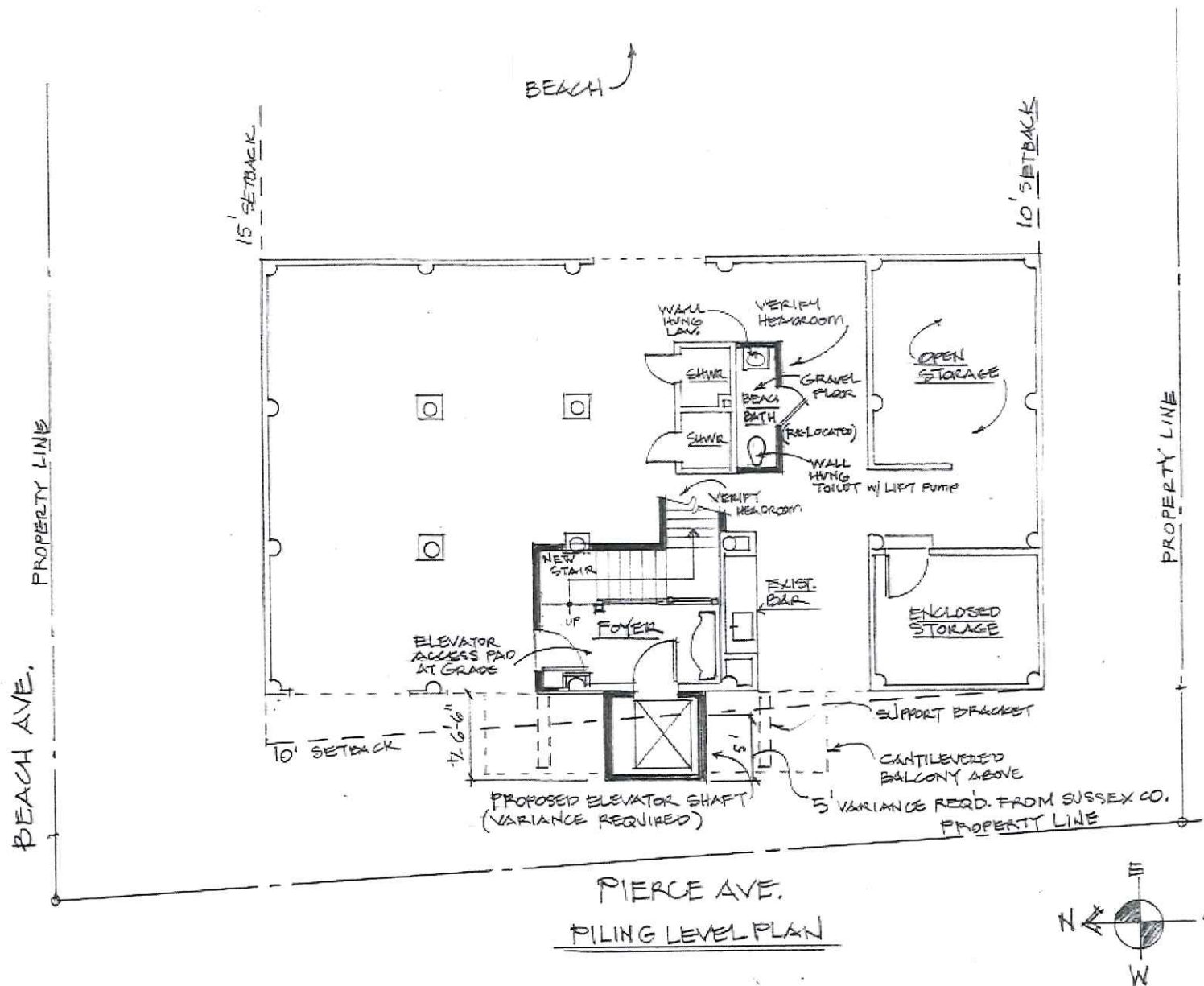
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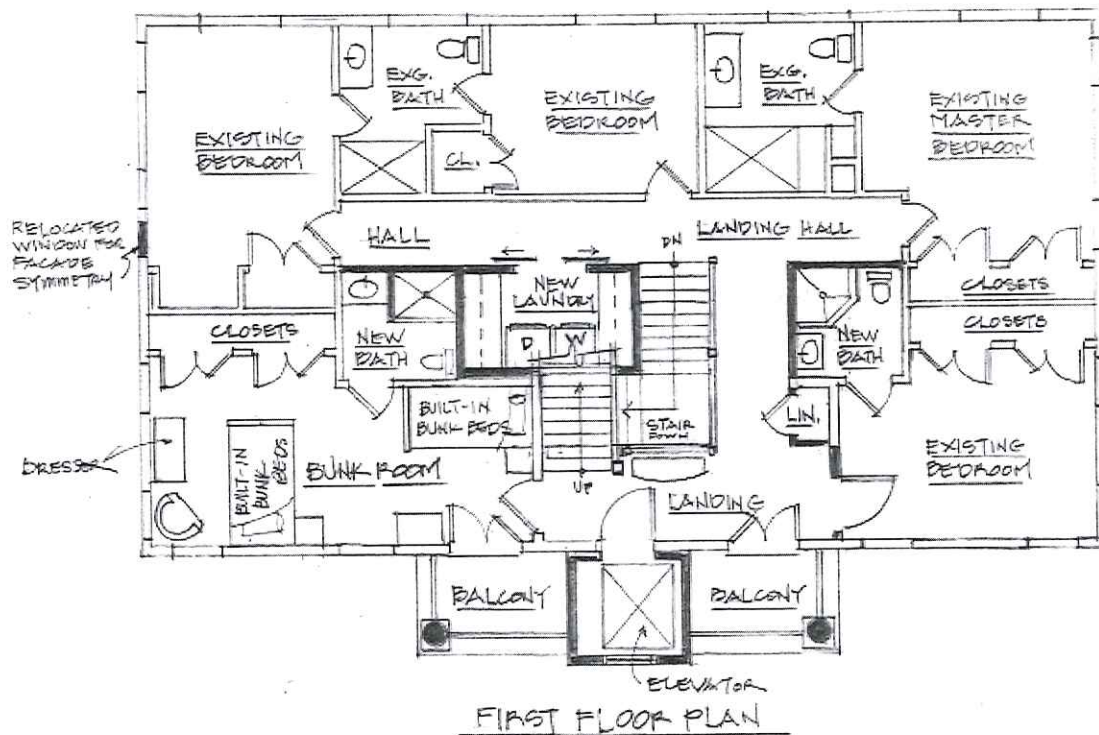
DATE:
10/31/19

CHECKED BY:
JRB

DRAWING NO.:
SK-3

ARCHITECT PLANS FOR HOUSE

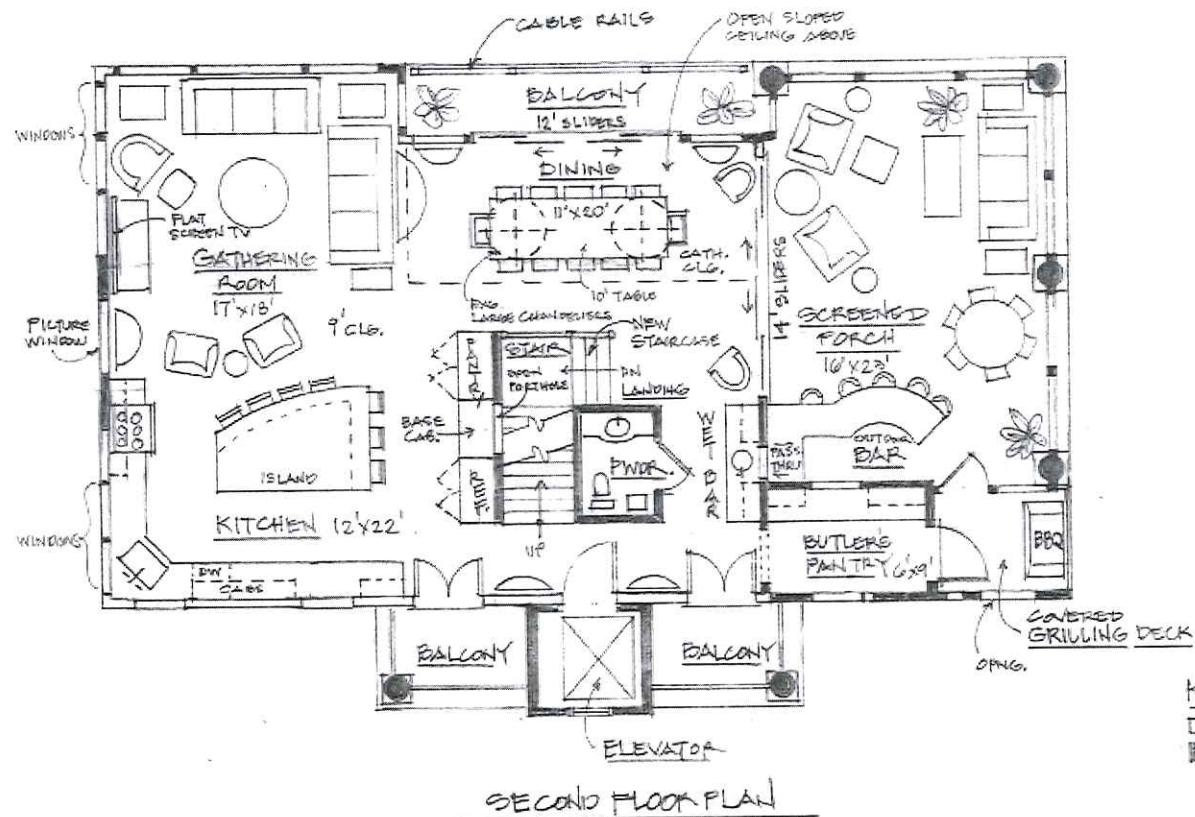




KEY

EXISTING WALLS

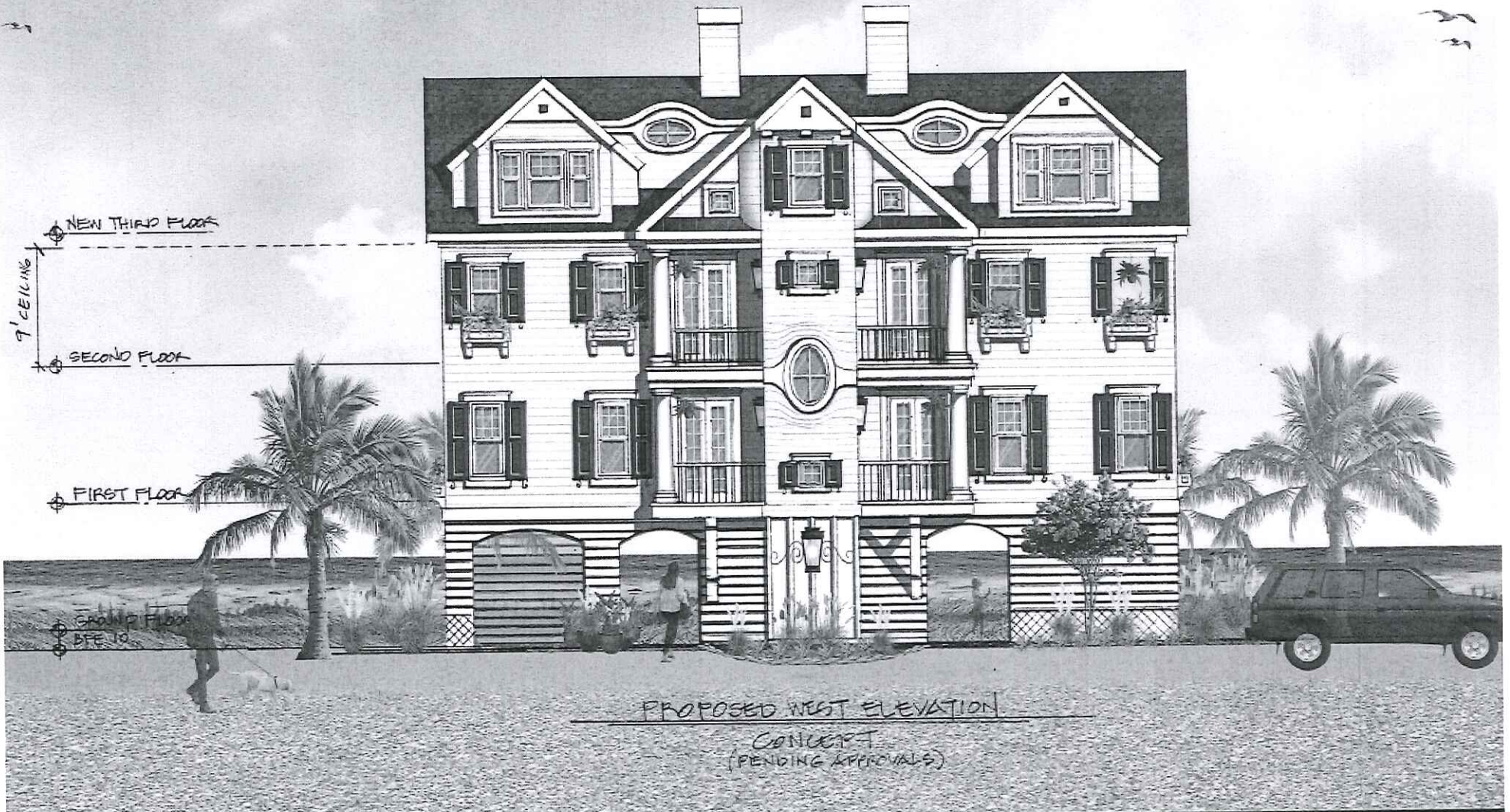
PROPOSED WALLS





2019226.00
09.30.19

WHITE FRAME OPTION

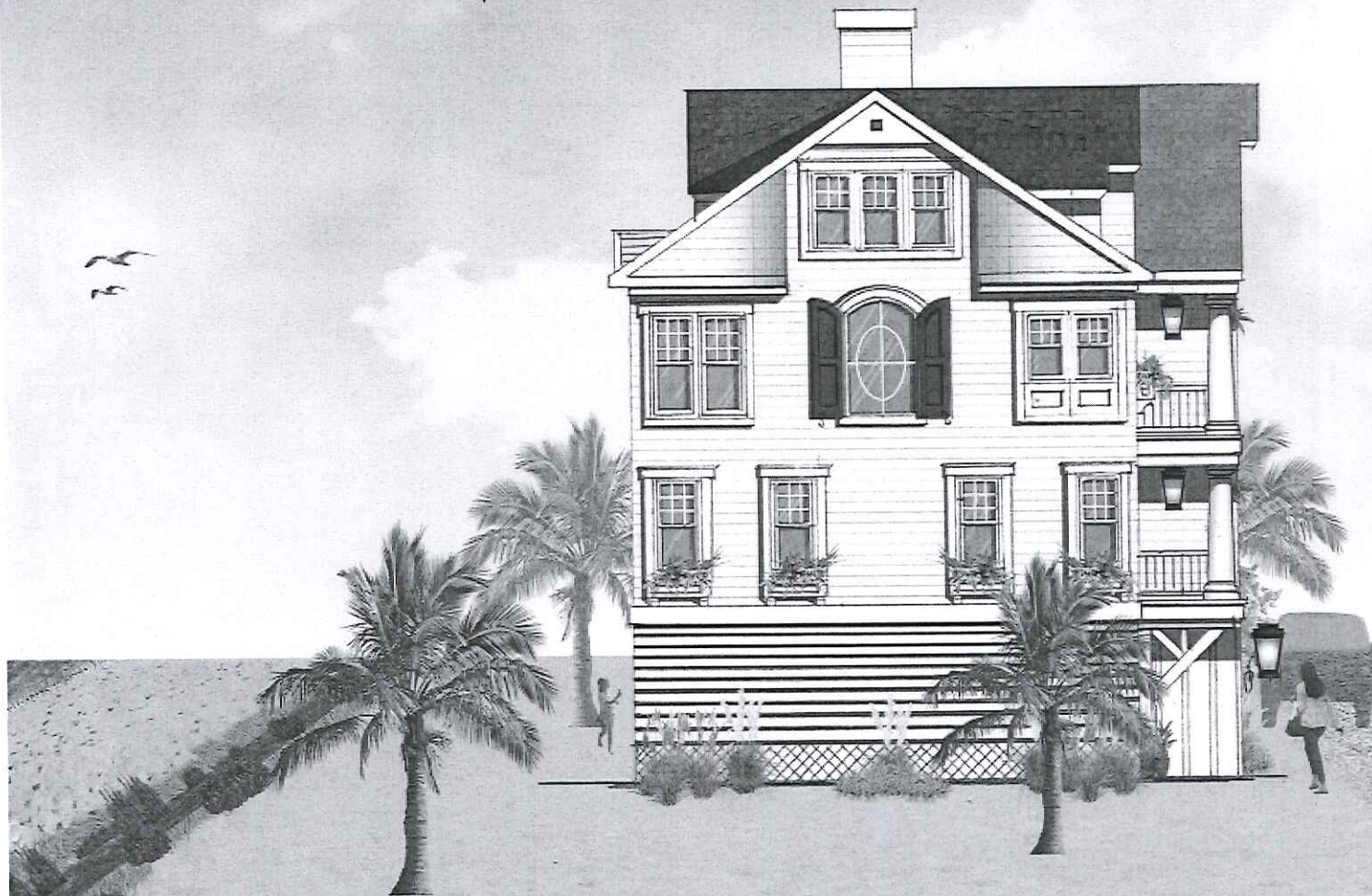


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MORGAN
GROUP
ARCHITECTURE
ENGINEERING

BELL BEACH HOUSE - PROPOSED ELEVATION
2019226.00
09.30.19

SCALE: 1/4"=1'-0"

WHITE FRAME OPTION



PROPOSED NORTH ELEVATION

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GROUP

ARCHITECTURE
ENGINEERING

BELL BEACH HOUSE - PROPOSED NORTH ELEVATION

2019226.00

09.30.19

0 10 20 30
SCALE: 1/4"=1'-0"

AS BUILT SURVEY PLANS



ARCHITECTURE ENGINEERING

Delaware
309 S. Commerce Ave.
Dover, DE 19904
302.734.7900

Refuge House Station
256 South Main Street, Suite 109
Newark, DE 19711
302.349.3700

Maryland
312 West Main St., Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3332 Janssle Drive, Suite 120
Wilmington, NC 28403
910.343.7600
www.beckermorgan.com

BELL RESIDENCE

2 BEACH AVE.
NORTH INDIAN BEACH
REHOBOTH BEACH, DE 19971

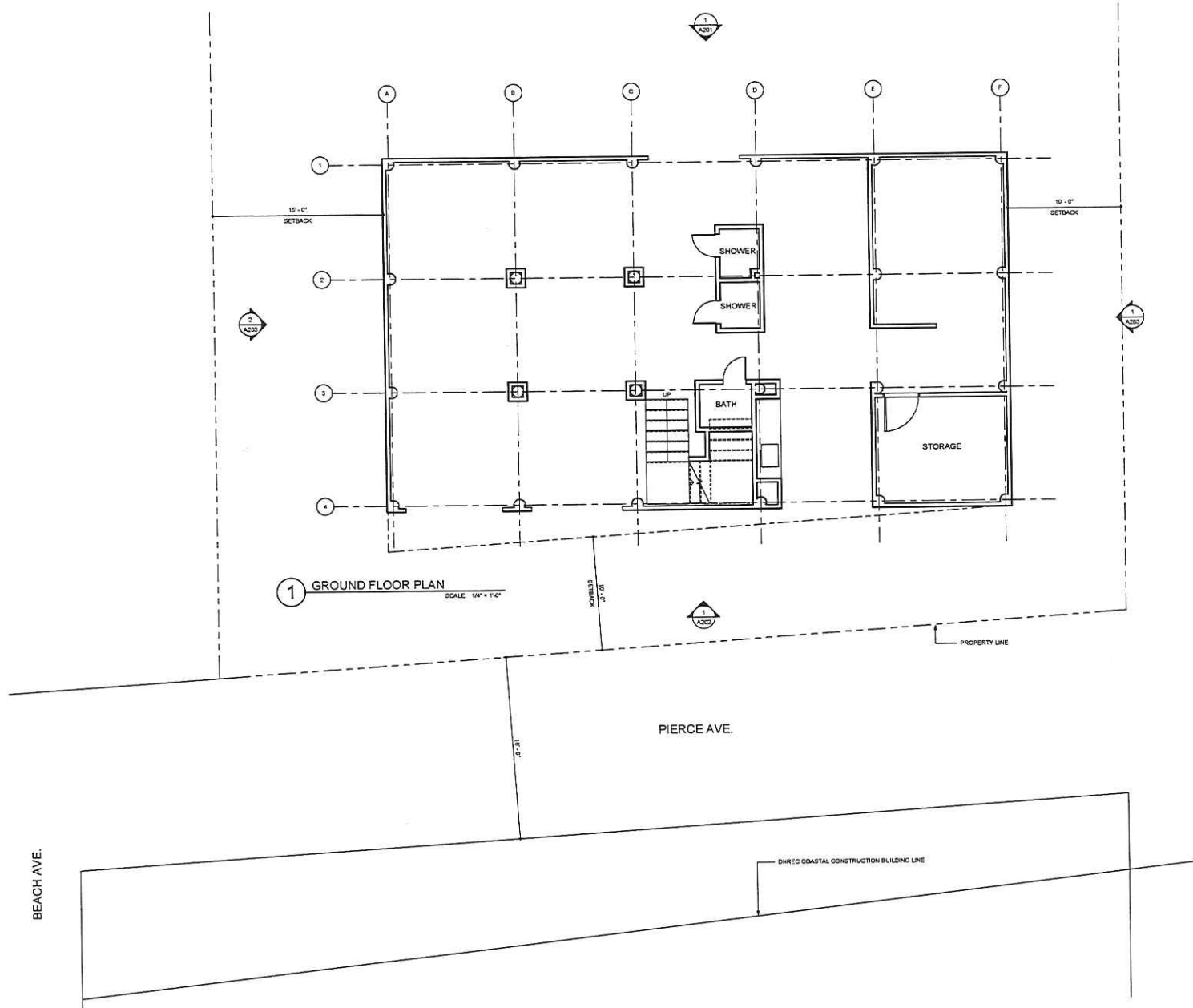
GROUND FLOOR PLAN

Rev.	Date	Description
1	09.30.19	20190226.00
2	10.01.19	20190226.00
3	10.01.19	20190226.00
4	10.01.19	20190226.00
5	10.01.19	20190226.00
6	10.01.19	20190226.00
7	10.01.19	20190226.00
8	10.01.19	20190226.00
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12	10.01.19	20190226.00
13	10.01.19	20190226.00
14	10.01.19	20190226.00
15	10.01.19	20190226.00
16	10.01.19	20190226.00
17	10.01.19	20190226.00
18	10.01.19	20190226.00
19	10.01.19	20190226.00
20	10.01.19	20190226.00

A101

CONCEPT & 2D

1 GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



**BECKER
MORGAN
GROUP**

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Delaware
309 S. Governors Ave.
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302.734.7900

Refugees Station
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Newark, DE 19711
302.349.3700

Maryland
312 West Main St, Suite 300
Salisbury, MD 21803
410.546.9100

North Carolina
3333 Jumble Drive, Suite 120
Wilmington, NC 28403
910.341.7000

www.beckermorgan.com

**BELL
RESIDENCE**

2 BEACH AVE.
NORTH INDIAN BEACH
REHOBOTH BEACH, DE 19971

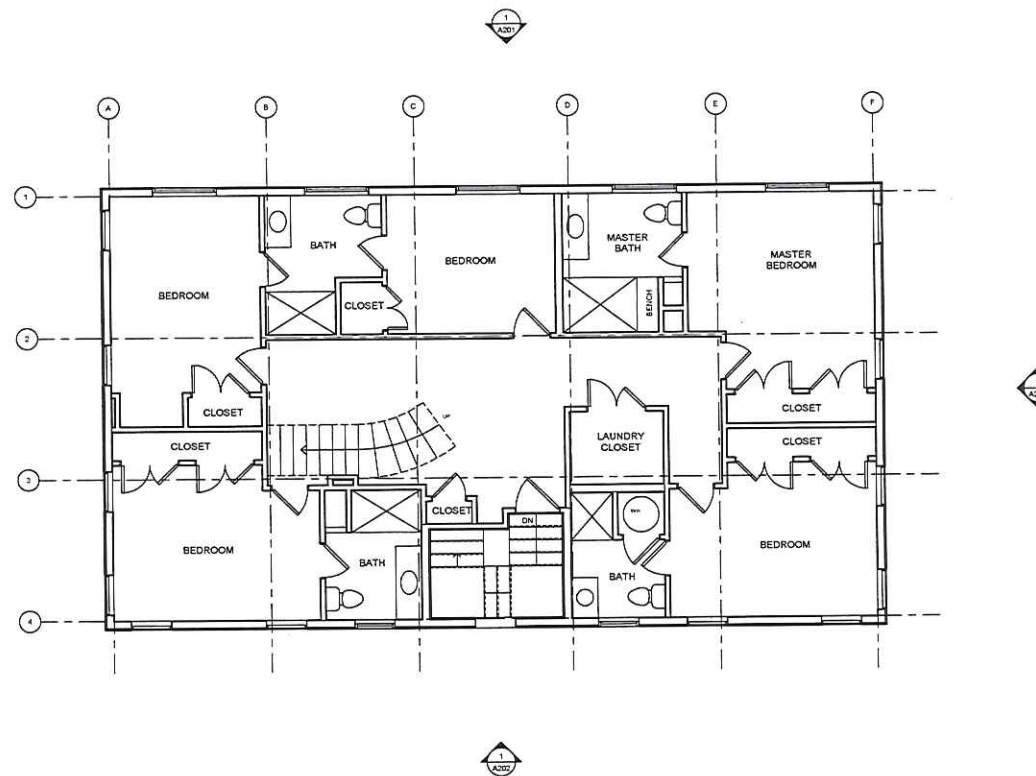
**SECOND FLOOR
PLAN**

NO.	DATE	DESCRIPTION

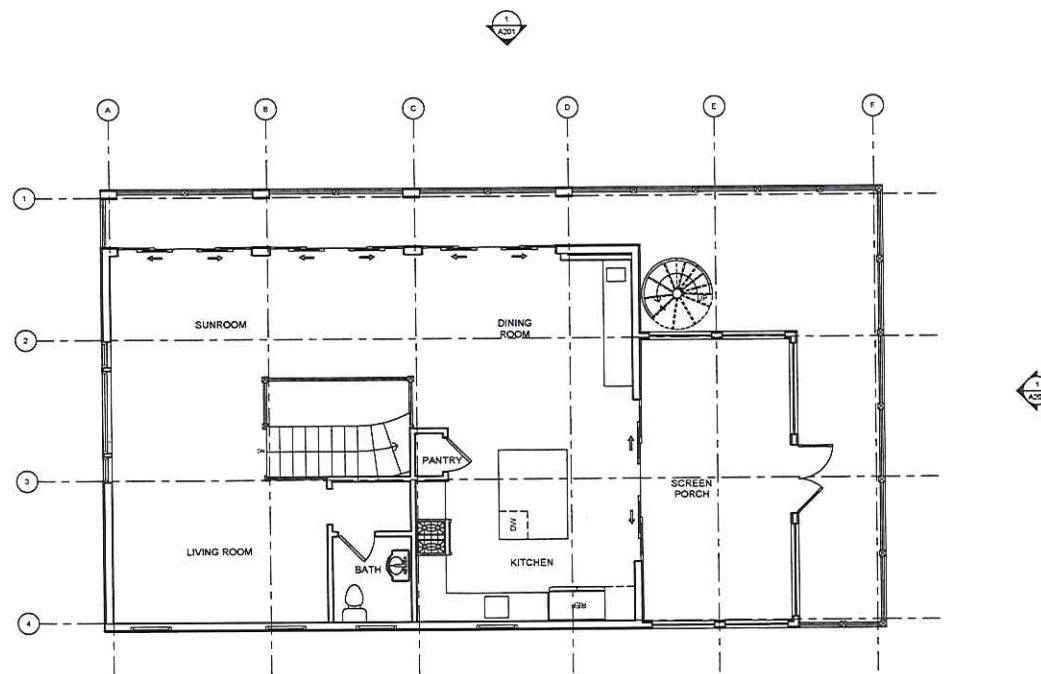
PROJECT NO.	20190226.00
DATE	09.30.19
SCALE	1/4" = 1'-0"
DRAWN BY	DJB PROJ MGR CLP

A102

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1 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



1 THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"

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ENGINEERING

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304 S. Governors Ave.
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Riflesherie Station
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Newark, DE 19711
302.349.3700
Maryland
312 West Main St., Suite 300
Salisbury, MD 21801
410.246.9100
North Carolina
3313 Janssle Drive, Suite 120
Wilmington, NC 28403
910.347.7600
www.beckermorgan.com

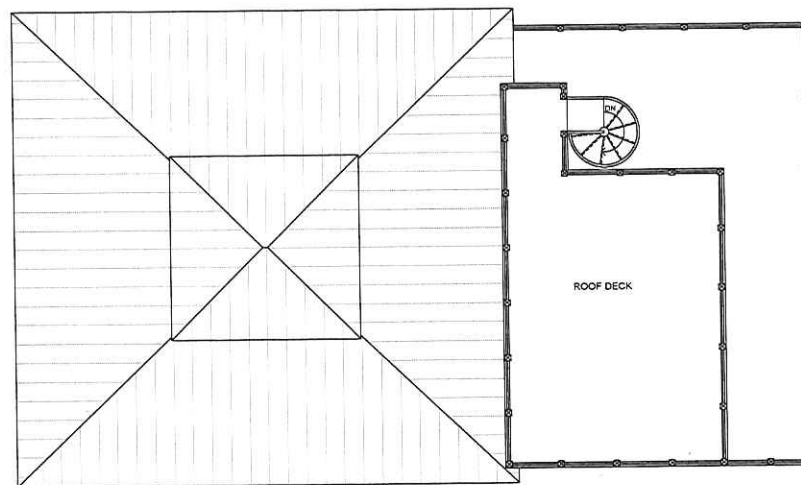
**BELL
RESIDENCE**

2 BEACH AVE.
NORTH INDIAN BEACH
REHOBOTH BEACH, DE 19971

THIRD FLOOR PLAN

NO.	DATE	DESCRIPTION
1	09.30.19	PROJECT NO. 20190226.00
2		DATE
3		SCALE: 1/8" = 1'-0"
4		DRAWN BY: DJB PROJ. MGR. CLP

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1 ROOF PLAN SCALE: 1/4" = 1'-0"

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ENGINEERING

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302.734.7958

Rehoboth Station
258 South Main Street, Suite 109
Newark, DE 19711
302.349.3700

Maryland
312 West Main St, Suite 300
Salisbury, MD 21801
410.546.9100

North Carolina
3333 Jockle Drive, Suite 120
Wilmington, NC 28403
910.341.7660

www.beckermorgan.com

**BELL
RESIDENCE**

2 BEACH AVE.
NORTH INDIAN BEACH
REHOBOTH BEACH, DE 19971

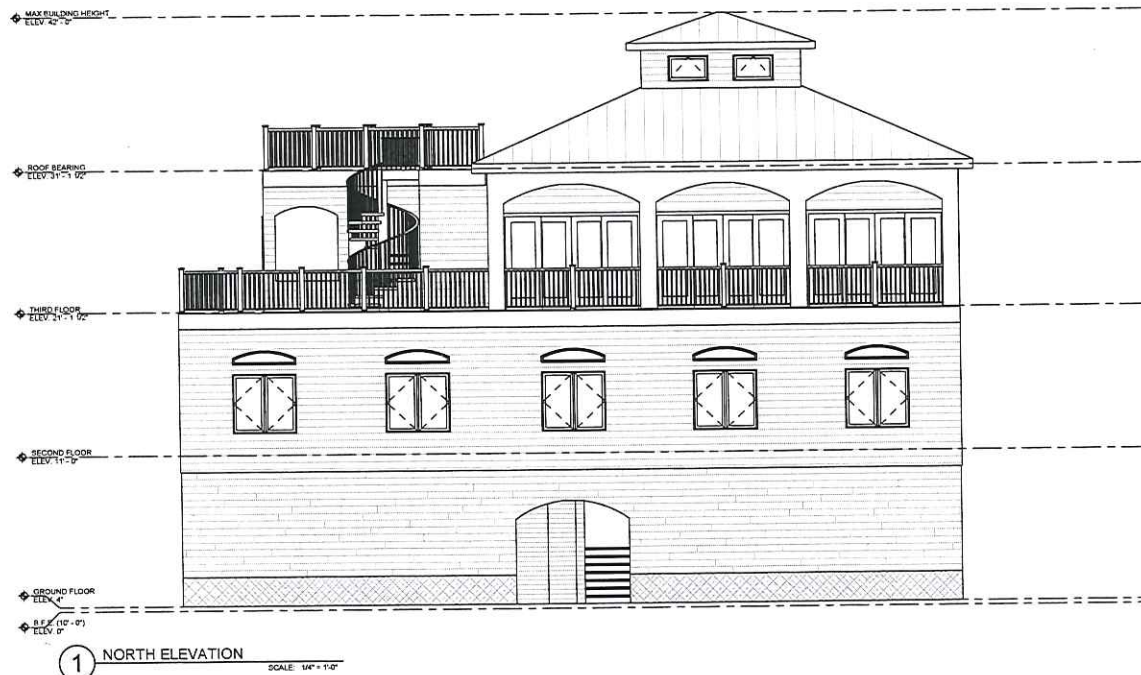
ROOF PLAN

PROJECT NO. 20190226.00
DATE 09.30.19
SCALE 1/4" = 1'-0"
DRAWN BY: DJB PROJ MGR: CLP

A104

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C:\Users\becker\OneDrive\Documents\2019\20190226.00\A104.dwg



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Rethelshire Station
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Newark, DE 19711
302.344.3700
Maryland
312 West Main St., Suite 300
Salisbury, MD 21801
410.546.9100
North Carolina
3333 Janssle Drive, Suite 120
Wilmington, NC 28403
910.341.7500
www.beckermorgan.com

**BELL
RESIDENCE**

2 BEACH AVE.
NORTH INDIAN BEACH
REHOBOTH BEACH, DE 19971

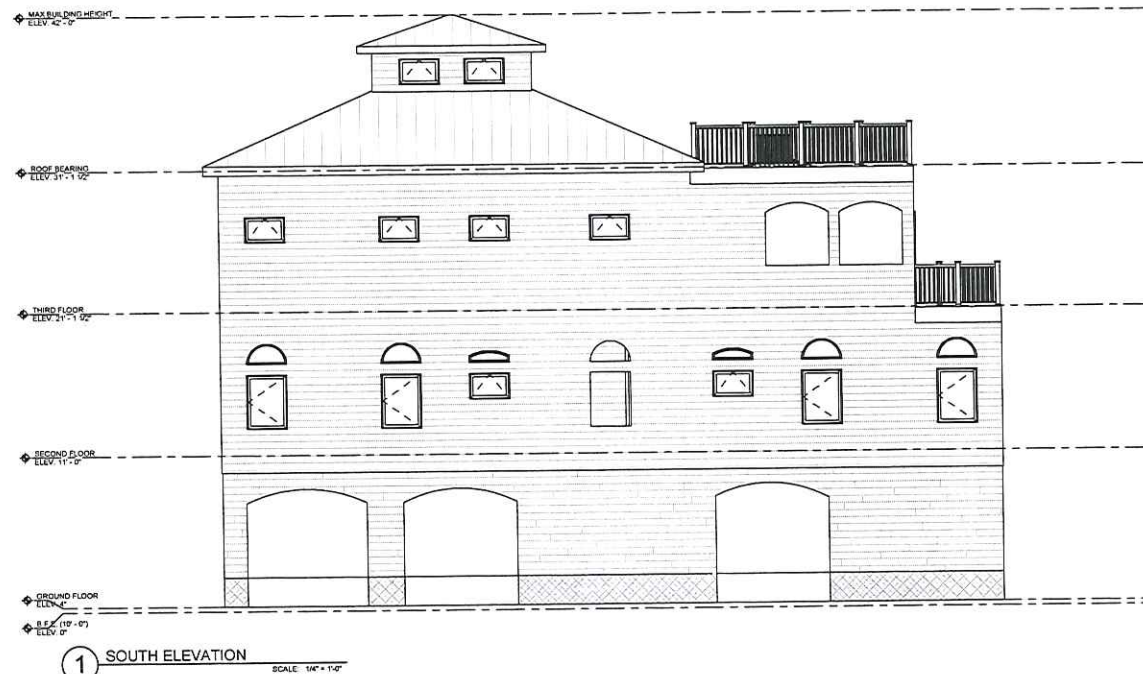
**BUILDING ELEVATION
- NORTH**

PROJECT NO. 20190226.00
DATE 09-30-19
SCALE 1/8" = 1'-0"
DRAWN BY: DJB | PROJ MGR: CLP

A201

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15/03/2019 2:21:11 PM C:\Users\becker\OneDrive\Projects\2019\20190226.00_Bell_R_L_Elevation.dwg



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Newark, DE 19711
302.369.5700
Maryland
312 West Main St, Suite 300
Salisbury, MD 21861
410.546.9100
North Carolina
3333 Brenda Drive, Suite 120
Wilmington, NC 28403
910.341.7040
www.beckermorgan.com

**BELL
RESIDENCE**

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NORTH INDIAN BEACH
REHOBOTH BEACH, DE 19971

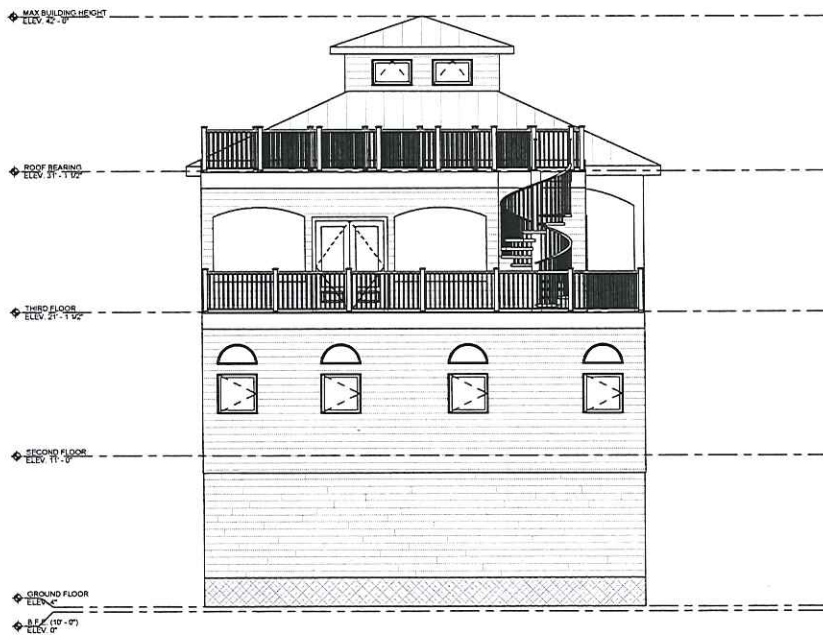
**BUILDING ELEVATION
- SOUTH**

PROJECT NO. 20190218.00
DATE: 09.30.19
SCALE: 1/4" = 1'-0"
DRAWN BY: DJB PROJ MGR: CLP

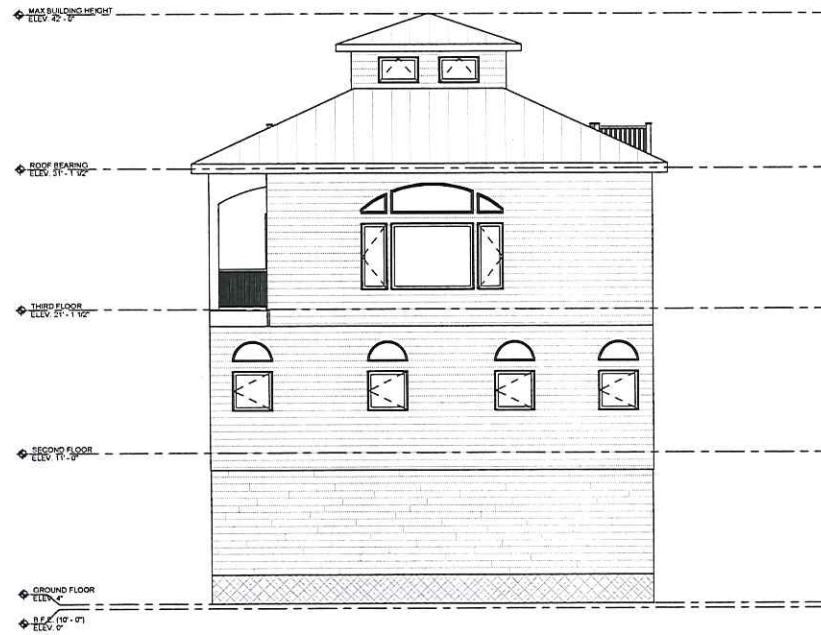
A202

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12/20/2019 3:11 PM C:\Users\delmar\OneDrive\Documents\2019\20190218.00\A202.dwg 1/4" = 1'-0" 1/4" = 1'-0"



1 EAST ELEVATION
SCALE: 1/4" = 1'-0"



2 WEST ELEVATION
SCALE: 1/4" = 1'-0"

**BECKER
MORGAN
GROUP**

ARCHITECTURE
ENGINEERING

Delaware
308 S Governors Ave
Dover, DE 19904
302.734.7990
Rutherford Station
250 South Main Street, Suite 100
Newark, DE 19711
302.367.3700
Maryland
312 West Main St, Suite 300
Salisbury, MD 21801
410.346.9100
North Carolina
3333 Janssle Drive, Suite 120
Wilmington, NC 28403
910.341.7600
www.beckermorgan.com

BELL RESIDENCE

2 BEACH AVE.
NORTH INDIAN BEACH
REHOBOTH BEACH, DE 19571

BUILDING
ELEVATIONS - EAST &
WEST

PROJECT NO. 2019226.00
DATE: 05.30.19
SCALE: 1/4" = 1'-0"
DRAWN BY: DJB/PROJ MGR: CLP

A203
CONTRACT & 2019

10505113.13.12.22 PM C:\Users\Bjorn\OneDrive\Documents\2019226.00_Bell_Elevs.dwg @beckermorgan.com\A1



Sussex County



PIN:	334-23.06-93.00
Owner Name	BELL ROLLIN
Book	3162
Mailing Address	3828 VILLAGE PARK DR
City	CHEVY CHASE
State	MD
Description	E/PIERCE AVE
Description 2	LOTS 17 19
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

Map Index

County Boundaries

Tax Ditch Segments

Tax Ditch Channel

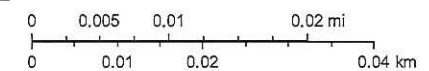
Pond Feature

Special Access ROW

Extent of Right-of-Way

Approx. Watershed Boundary

1:564



Michael Mann
Front Yard Determination – Pepper Avenue

Mr. Abbott advised the Commission that this is a request to have the Atlantic Ocean considered the front yard for setback purposes for a new dwelling; that the Commission has the authority to consider a water body the front yard for setback purposes; and that if this request is approved, the setbacks would be 30-feet from the easterly property line, 10-feet from the northerly property line, 10-feet from the westerly property line, and 15-feet from the southerly property line.

Motion by Mr. Johnson, seconded by Mr. Smith and carried unanimously to approve the request. Motion carried 5 – 0.

Subdivision #2004 – 58 – Norris L. Niblett
Amended Conditions – Cross Key Village Subdivision

Mr. Abbott advised the Commission that this subdivision received preliminary approval for 12 lots on October 13, 2005; that one of the conditions of approval was that no wetlands be located on any individual lots; that the applicant's engineers are requesting that this condition of approval be removed since it was not discussed during the public hearing.

It was stated that this has been a conditional of approval on subdivisions for some time now and that the engineers should have been aware of this.

Mr. Abbott advised the Commission that the staff has not received verification from the Army Corps of Engineers for the wetlands delineation.

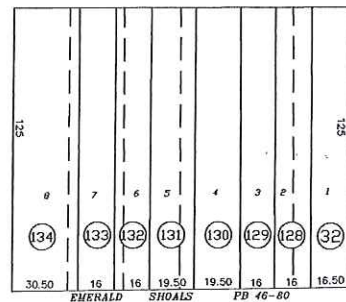
Motion by Mr. Gordy, seconded by Mr. Smith and carried unanimously to defer action pending receipt of the wetlands being verified by the Army Corps of Engineers. Motion carried 5 – 0.

Quality Upholstery & Canvas, Inc.
CU #1579 – Time Extension

Mr. Abbott advised the Commission that this is a request for a time extension; that the Conditional Use was approved by the County Council on January 18, 2005; that the Commission granted preliminary site plan approval on November 9, 2005; and that this is the first request for an extension.

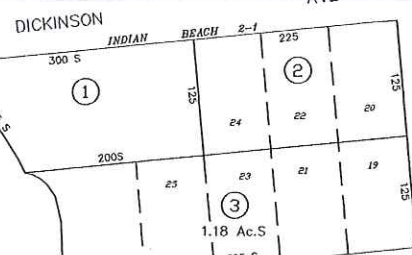
Motion by Mr. Smith, seconded by Mr. Gordy and carried unanimously to grant a one-year time extension. Motion carried 5 – 0.

N 251,400

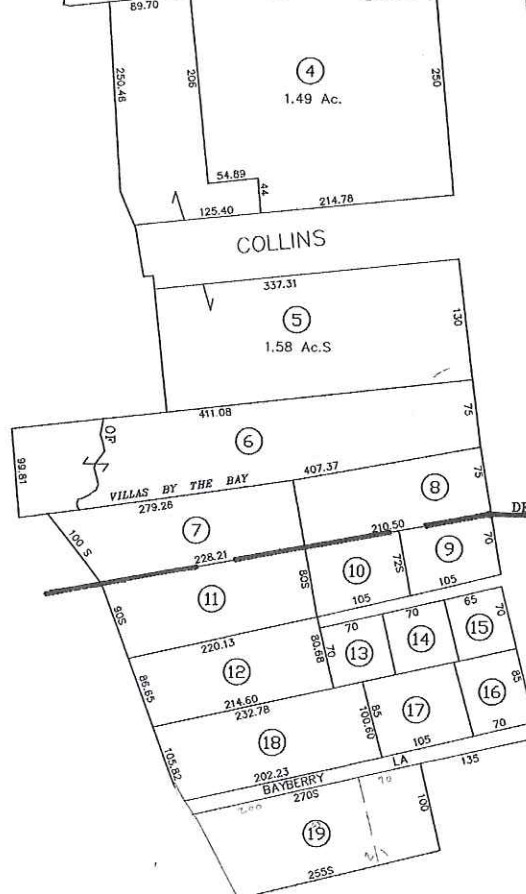


INSERT A
SCALE: 1"=40'

REHOBOTH BAY

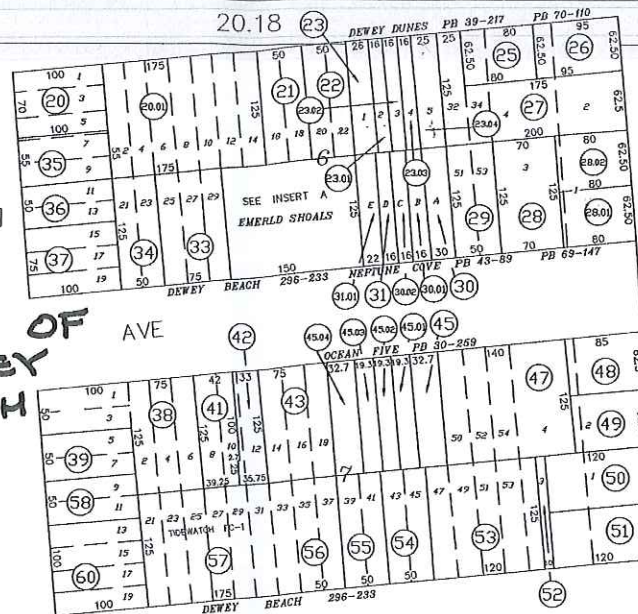


TOWN OF
DEWEY
BEACH



MR

See
Map
23.10



SEE 3-34-20.18



BEACH PRESERVATION
PERMIT REQUIRED
PRIOR TO ISSUANCE OF
BUILDING PERMIT

9.50 AC.S.

ATLANTIC

OCEAN

N 249,400

E 195,600

E 599,600

DATE OF REVISION: 5-16-01

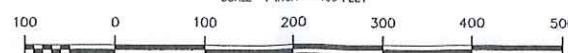
DATE OF COMPILATION: 4-24-73
SHEET LAYOUT BASED ON THE DELAWARE
STATE PLANE COORDINATE SYSTEM.

THE INFORMATION SHOWN HEREON
HAS BEEN COMPILED FROM DEED
DESCRIPTIONS, IF AVAILABLE.
TAX MAPS AND AERIAL PHOTOGRAPHS.
THE ACTUAL BOUNDARIES CAN ONLY
BE DETERMINED BY AN APPROPRIATE
SURVEY.



SUSSEX COUNTY
DELAWARE

SCALE 1 INCH = 100 FEET



LEGEND

- | | | |
|----------------------|-------|------------------------------|
| County Line | (23) | Map Parcel Number |
| Hundred Line | 12 | Original Lot Number |
| District Line | 100 S | Map Scaled Dimension |
| City or Borough Line | 7 | Denotes Same Owner |
| All Purpose Line | | All Dimensions Shown In Feet |
| Original Lot Line | | |
| Property Line | | |

MAP: 3-34-23.06

Michael Mann
Front Yard Determination – Pepper Avenue

Mr. Abbott advised the Commission that this is a request to have the Atlantic Ocean considered the front yard for setback purposes for a new dwelling; that the Commission has the authority to consider a water body the front yard for setback purposes; and that if this request is approved, the setbacks would be 30-feet from the easterly property line, 10-feet from the northerly property line, 10-feet from the westerly property line, and 15-feet from the southerly property line.

Motion by Mr. Johnson, seconded by Mr. Smith and carried unanimously to approve the request. Motion carried 5 – 0.

Subdivision #2004 – 58 – Norris L. Niblett
Amended Conditions – Cross Key Village Subdivision

Mr. Abbott advised the Commission that this subdivision received preliminary approval for 12 lots on October 13, 2005; that one of the conditions of approval was that no wetlands be located on any individual lots; that the applicant's engineers are requesting that this condition of approval be removed since it was not discussed during the public hearing.

It was stated that this has been a conditional of approval on subdivisions for some time now and that the engineers should have been aware of this.

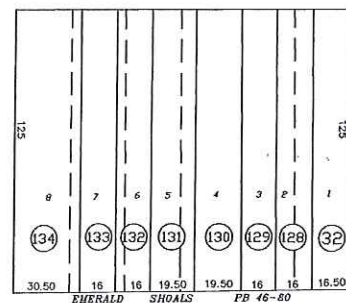
Mr. Abbott advised the Commission that the staff has not received verification from the Army Corps of Engineers for the wetlands delineation.

Motion by Mr. Gordy, seconded by Mr. Smith and carried unanimously to defer action pending receipt of the wetlands being verified by the Army Corps of Engineers. Motion carried 5 – 0.

Quality Upholstery & Canvas, Inc.
CU #1579 – Time Extension

Mr. Abbott advised the Commission that this is a request for a time extension; that the Conditional Use was approved by the County Council on January 18, 2005; that the Commission granted preliminary site plan approval on November 9, 2005; and that this is the first request for an extension.

Motion by Mr. Smith, seconded by Mr. Gordy and carried unanimously to grant a one-year time extension. Motion carried 5 – 0.



INSERT A
SCALE: 1"=40'

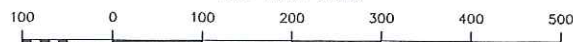
REHOBOTH BAY



ATLANTIC

OCEAN

BEACH PRESERVATION
PERMIT REQUIRED
PRIOR TO ISSUANCE OF
BUILDING PERMIT



LEGEND

- County Line
- Hundred Line
- District Line
- City or Borough Line
- All Purpose Line
- Original Lot Line
- Property Line
- (123) Map Parcel Number
- 12 Original Lot Number
- 100 S Map Scaled Dimension
- Denotes Same Owner
- All Dimensions Shown In Feet

Case # 12424
Hearing Date March 16, 2020

202000899

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)
115-25 115-182
115-183 115-185

Site Address of Variance/Special Use Exception: 26155 BAILEY LANE

Variance/Special Use Exception/Appeal Requested:

- ① 6.9' VARIANCE FROM 15' SIDE SETBACK FOR MH HOME
- ② 8.1' VARIANCE FROM 15' SIDE YARD SETBACK FOR MH HOME
- ③ 10' VARIANCE FROM THE 30' FRONT YARD SET BACK
- ④ 40' VARIANCE FROM THE 100' LOT WIDTH REQUIREMENT.

Tax Map #: 234-4.00-2.00 Property Zoning: AR-1

Applicant Information

Applicant Name: Alvin Bailey
Applicant Address: 26155 Bailey Lane
City, State, Zip: Harbeson DE 19951
Applicant Phone #: 302-362-8193 Applicant e-mail: _____

Owner Information

Owner Name: Mary Bailey
Owner Address: 26155 Bailey Lane
City, State, Zip: Harbeson DE 19951 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

Alvin Bailey

Date: 1-24-20



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.

There are unique circumstances due to the shape of property because the property runs on a angle. So a variance is needed to adjust the situation

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 trailer is 40 years old it has been on that part of the property for 20 years if I were to move it probably would cause structure damage. A variance is therefore needed to resolve the problem

3. Not created by the applicant:

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

The situation was not created by me the property was left to me after my father passed.

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 trailer shouldn't cause any problem for the neighborhood. It has been there for 20 years its off the road away from everyone.

5. Minimum variance:

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

I'm only asking for variance that I need to relieve the problem.

ATLANTIC
SURVEYING &
MAPPING, L.L.C.

MINOR SUBDIVISION CONCEPT PLAN:
LANDS N/F MARY E. BAILEY
INDIAN RIVER HUNDRED, SUSSEX COUNTY, DELAWARE

No recorded or non-recorded rights-of-way, easements or other encumbrances affecting these lands have been provided to the Surveyor by the Client. No Warranty as to title to any lands depicted hereon is explicitly or implicitly provided.

SURVEYED BY: V. Walch, PLS
DRAWN BY: P.E.L.
CHECKED BY: H.F.J. PLS
PROJECT #: 190805
TAX MAP: 234-4.00-2.00
DATE: 12/17/2019
SHEET NO: 1 of 1



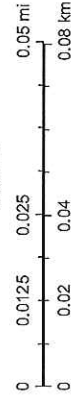
Sussex County

PIN:	234-4.00-2.00		
Owner Name	BAILEY	MARY	E
	SHANETTE E		
Book	2530		
Mailing Address	26175 BAILEY LN		
City	HARBESON		
State	DE		
Description	WRT 293		
Description 2	1270'N/RT 292		
Description 3	CT3257		
Land Code			



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

1:1,128



**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 # 12426
Hearing Date 3/16/2020
202001075

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☒

Code Reference (office use only)

115-185

Site Address of Variance/Special Use Exception:

29323 Kelly Lane, Bethany Beach, DE 19930

Variance/Special Use Exception/Appeal Requested:

We are installing a swimming pool in an existing raised deck. Because of limited space and avoidance of the DENREC line, a 3' walkway on the north and east side is not possible. We ask for permission to install the pool as shown on the plan

Tax Map #: 134-5.00-436.00

Property Zoning: MR

Applicant Information

Applicant Name: Jaime Toner - Pool Tech, Inc.

Applicant Address: 32175 Beaver Run Drive

City Salisbury

State MD

Zip: 21804

Applicant Phone #: (410) 742-0600

Applicant e-mail: jaime@pooltechsplash.com

Owner Information

Owner Name: Ann and Dean Gels

Owner Address: 29323 Kelly Lane

City Bethany Beach

State DE

Zip: 19930

Purchase Date: _____

Owner Phone #: (610) 952-1085

Owner e-mail: ageis124@gmail.com

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____

State _____

Zip: _____

Agent/Attorney Phone #: _____

Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

Ann Gels

Date: 1/28/20



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.

Due to the Flood Zone requirements and location of the DENREC line, a 3' walkway on the north and east side of the pool would create a hardship in terms of making the remaining deck area too small to remain ideally functional.

2. Cannot otherwise be developed:

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

We have already chosen a very small pool to meet the zoning ordinance and code with regard to flood plain (VE zone) and DENREC line along with property setbacks and HOA rules. We will not be able to build a pool in the designated area if we are required to have a 3' walkway on all sides.

3. Not created by the applicant:

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

The homeowner purchased the house as it is and are making every effort to maximize the space within the allowable limits of current code.

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

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

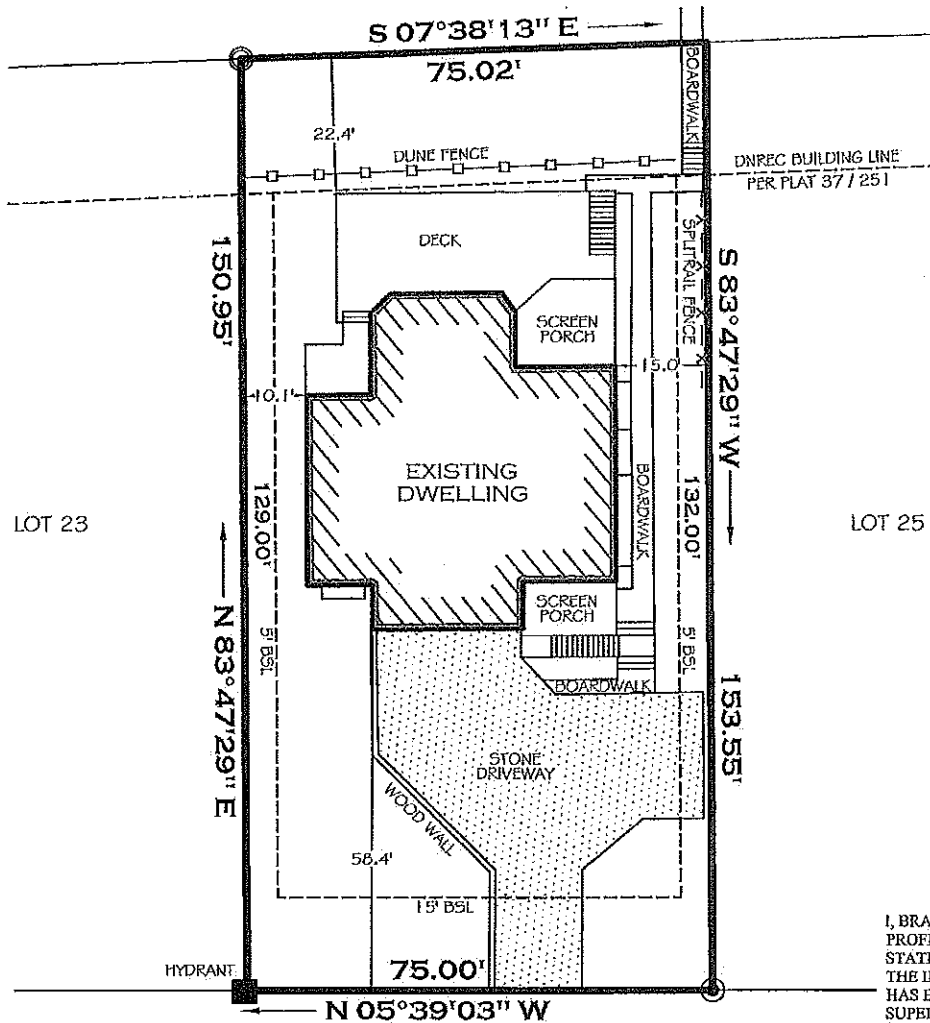
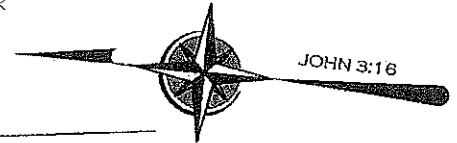
If the variance is granted, it will not in any way impact the overall aesthetic of the neighborhood or the neighboring properties. In fact, the neighbor to the north already has an inground pool with less than 3' walkway as well, setting a precedent for the neighborhood.

5. Minimum variance:

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

We are only asking for variance on 2 sides of the pool, allowing that the maximum walkway be possible on the remaining 2 sides of the pool installation.

ATLANTIC OCEAN



NOTES

1. CLASSIFICATION OF SURVEY: URBAN
2. ZONE: MR RP
3. BUILDING SETBACK LINES (BSL)
 - FRONT 15'
 - SIDE 5'
 - REAR 10'

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER TOWN OF BETHANY BEACH & 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. ALL SIDE AND REAR LOT LINES ARE RESERVED FOR THE CENTERLINE OF A TEN FOOT (10') DRAINAGE AND/OR UTILITY EASEMENT. AN ADDITIONAL TEN FOOT (10') EASEMENT FOR DRAINAGE AND/OR UTILITY SHALL BE RESERVED TO TEN FOOT (10') FROM THE RIGHT OF WAY IN THE FRONT YARD OF ALL LOTS.

5. ALL PERIMETER LOT LINES SHALL HAVE A TEN FOOT (10') PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT FOR UTILITIES AND/OR DRAINAGE ALONG INTERIOR SIDE OF BOUNDARY LINE, UNLESS OTHERWISE NOTED.

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

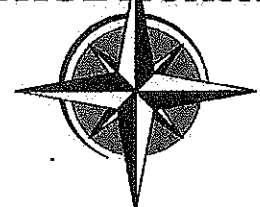
I, BRADLEY A. ABSHER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY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

BRADLEY A. ABSHER, DE PLS # 735
DATE 7-11-19

LEGEND

- IRON PIPE FOUND
- IRON ROD W/ CAP SET

TRUE NORTH



LAND SURVEYING

118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19970
DE: 302-539-2488
MD: 410-430-2092

TAX MAP	1-34 - 5.00 - 436.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	BETHANY BEACH
AREA	11,418 ± SQ. FT.
DEED REF.	2554 / 332
PLAT REF.	37 / 251
DRAWN BY	JMH
DATE	07 / 11 / 19
SCALE	1" = 30'
SURVEY #	DE - 05757

BOUNDARY SURVEY PLAN

LOT 24 BREAKWATER BEACH

FOR
DEAN H. & ANN E. GEIS

29323 KELLY LANE, BETHANY BEACH, DE 19930

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

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

SECTION A - PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name DEAN H. & ANN E. GEIS				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 29323 KELLY LANE				Company NAIC Number:	
City BETHANY BEACH		State Delaware		ZIP Code 19930	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) TAX MAP 1-34 - 5.00 - 436.00					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>38° 35' 05.53" N</u> Long. <u>75° 03' 33.53" W</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>6</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>2150.52</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>0</u>					
c) Total net area of flood openings in A8.b <u>0.00</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>540.96</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>0</u>					
c) Total net area of flood openings in A9.b <u>0.00</u> sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number 100029 - SUSSEX COUNTY UNINCORPORATED			B2. County Name SUSSEX		B3. State Delaware
B4. Map/Panel Number 10005 C 0508	B5. Suffix K	B6. FIRM Index Date 03-16-2015	B7. FIRM Panel Effective/ Revised Date 03-16-2015	B8. Flood Zone(s) AO & VE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 2' / 10'
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

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. 29323 KELLY LANE			Policy Number:
City BETHANY BEACH	State Delaware	ZIP Code 19930	Company NAIC Number

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–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: DICARLO RTN

Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	8.44	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
b) Top of the next higher floor	18.92	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (V Zones only)	17.08	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
d) Attached garage (top of slab)	8.10	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	10.91	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
f) Lowest adjacent (finished) grade next to building (LAG)	7.92	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
g) Highest adjacent (finished) grade next to building (HAG)	8.90	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	7.82	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters

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.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

Certifier's Name
Bradley A. Absher

License Number
735

Title
President

Company Name
True North Land Surveying, Inc.

Address
118 Atlantic Ave., Suite 202

City
Ocean View

State
Delaware

ZIP Code
19970

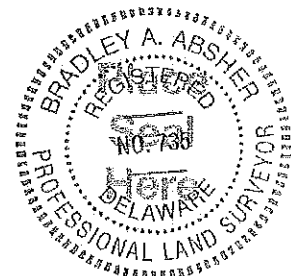
Signature

Bradley A. Absher

Date
07-12-2019

Telephone
(302) 539-2488

Ext.



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

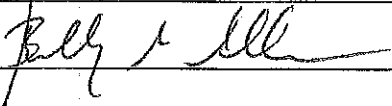
Comments (including type of equipment and location, per C2(e), if applicable)
C2(e) HVAC

DE - 05757

THIS ELEVATION CERTIFICATE IS NOT VALID UNLESS FIRST PAGE IS DATED AND INITIALED BY CERTIFIER

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

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. 29323 KELLY LANE			Policy Number:	
City BETHANY BEACH	State Delaware	ZIP Code 19930	Company NAIC Number	
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, crawlspace, or enclosure) is _____ 0.46 <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input checked="" type="checkbox"/> below the HAG.				
b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ 0.52 <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters <input checked="" type="checkbox"/> above or <input type="checkbox"/> below the LAG.				
E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ 10.02 <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters <input checked="" type="checkbox"/> above or <input type="checkbox"/> below the HAG.				
E3. Attached garage (top of slab) is _____ 0.80 <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters <input type="checkbox"/> above or <input checked="" type="checkbox"/> below the HAG.				
E4. Top of platform of machinery and/or equipment servicing the building is _____ 2.01 <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters <input checked="" type="checkbox"/> above or <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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 or Owner's Authorized Representative's Name BRADLEY A. ABSHER				
Address 118 ATLANTIC AVENUE, SUITE 202	City OCEAN VIEW	State Delaware	ZIP Code 19970	
Signature 	Date 07-12-2019	Telephone (302) 539-2488		
Comments				
<input type="checkbox"/> Check here if attachments.				

ELEVATION CERTIFICATEOMB No. 1660-0008
Expiration Date: November 30, 2018

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. 29323 KELLY LANE			Policy Number:
City BETHANY BEACH	State Delaware	ZIP Code 19930	Company NAIC Number
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–G10. In Puerto Rico only, enter meters.			
G1. <input type="checkbox"/> 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. <input type="checkbox"/> 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. <input type="checkbox"/> The following information (Items G4–G10) is provided for community floodplain management purposes.			
G4. Permit Number		G5. Date Permit Issued	G6. Date Certificate of Compliance/Occupancy Issued
G7. This permit has been issued for: <input type="checkbox"/> New Construction <input type="checkbox"/> Substantial Improvement			
G8. Elevation of as-built lowest floor (including basement) of the building: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____			
G9. BFE or (in Zone AO) depth of flooding at the building site: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____			
G10. Community's design flood elevation: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____			
Local Official's Name		Title	
Community Name		Telephone	
Signature		Date	
Comments (including type of equipment and location, per C2(e), if applicable)			
<input type="checkbox"/> Check here if attachments.			

BUILDING PHOTOGRAPHS

See Instructions for Item A6.

OMB No. 1660-0008
Expiration Date: November 30, 2018

ELEVATION CERTIFICATE

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. 29323 KELLY LANE			Policy Number:
City BETHANY BEACH	State Delaware	ZIP Code 19930	Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 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." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.

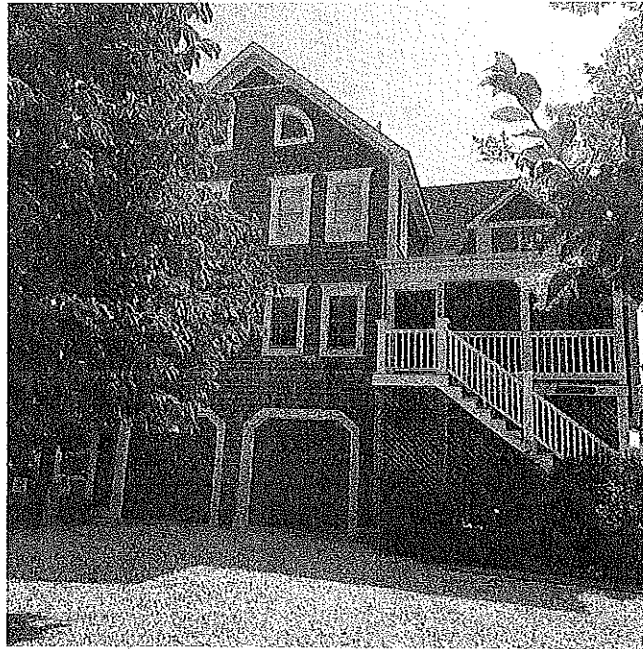


Photo One

Photo One Caption FRONT SIDE VIEW - DATE TAKEN: 07.10.19

Clear Photo One

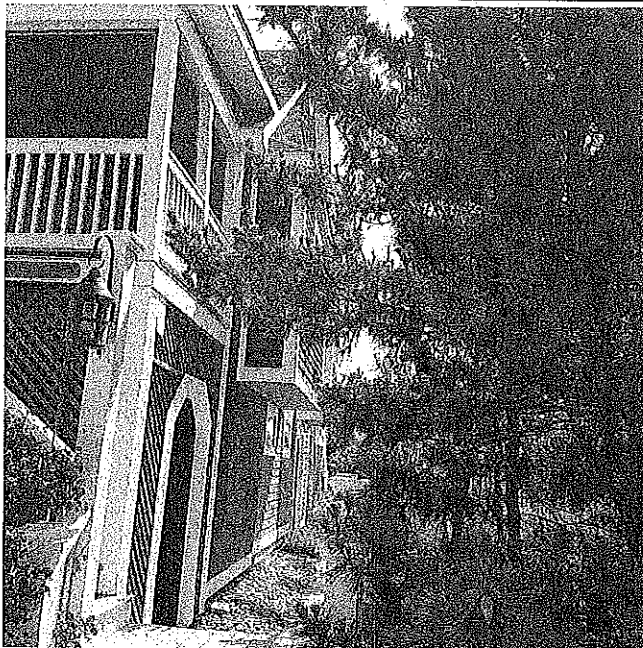


Photo Two

Photo Two Caption RIGHT SIDE VIEW - DATE TAKEN: 07.10.19

Clear Photo Two

ELEVATION CERTIFICATE

BUILDING PHOTOGRAPHS

Continuation Page

OMB No. 1660-0008
Expiration Date: November 30, 2018

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. 29323 KELLY LANE			Policy Number:
City BETHANY BEACH	State Delaware	ZIP Code 19930	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." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.

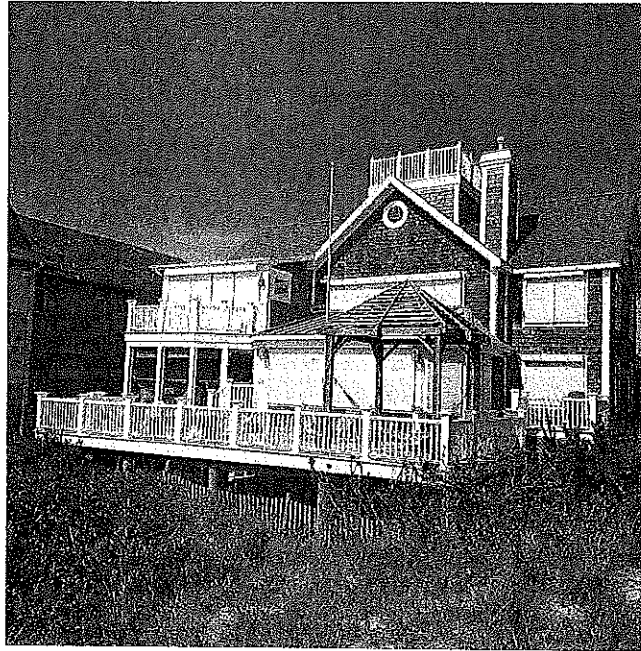


Photo Three

Photo Three Caption REAR SIDE VIEW - DATE TAKEN: 07.10.19

Clear Photo Three

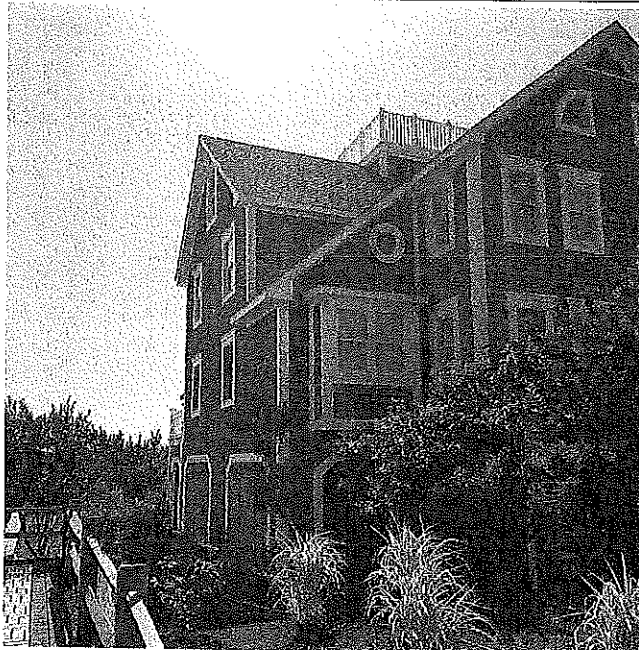


Photo Four

Photo Four Caption LEFT SIDE VIEW - DATE TAKEN: 07.10.19

Clear Photo Four

THIS PROJECT SHALL COMPLY WITH THE "INTERNATIONAL RESIDENTIAL CODE", INTERNATIONAL CODE COUNCIL, INC., 2015 EDITION, INCLUDING SPECIFICATIONS REFERENCED WITHIN. USE THE REFERENCED OR LATEST EDITIONS UNLESS NOTED OTHERWISE. MANUFACTURER SPECIFICATION AND LOCAL CODE REQUIREMENTS, WHEN IN EXCESS OF MINIMUM SPECIFICATION, SHALL CONTROL.

EQUIPMENT, INCLUDING MECHANICAL UNITS, SUPPORTED BY THE STRUCTURE WITH WEIGHTS IN EXCESS OF 200 LBS, AND NOT SHOWN ON THE STRUCTURAL PLANS, SHALL BE BROUGHT TO THE ATTENTION OF THE STRUCTURAL ENGINEER PRIOR TO INSTALLATION.

WOOD

WOOD AND TIMBER CONSTRUCTION SHALL COMPLY WITH REFERENCED OR LATEST EDITIONS OF THE FOLLOWING STANDARDS:

1) NATIONAL FOREST PRODUCTS ASSOCIATION: "NATIONAL DESIGN SPECIFICATION FOR

- 1) NATIONAL FOREST PRODUCTS ASSOCIATION: "NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION."
- 2) AMERICAN INSTITUTE OF TIMBER CONSTRUCTION: "TIMBER CONSTRUCTION MANUAL."
- 3) AMERICAN PLYWOOD ASSOCIATION: "PLYWOOD DESIGN SPECIFICATION."
- 4) AMERICAN WOOD PRESERVERS ASSOCIATION STANDARDS

SAWN LUMBER SHALL BE IDENTIFIED WITH A GRADE MARK IN ACCORDANCE WITH DOC PS 20
WITH MOISTURE CONTENT NOT TO EXCEED 19%.

SAWN LUMBER SHALL BE S.P.F. NO. 2 OR BETTER, U.N.O.

WOOD EXPOSED TO THE ELEMENTS, WOOD IN CONTACT WITH CONCRETE OR MASONRY, AND WOOD DESIGNATED "PRESERVATIVE TREATED" SHALL BE SOUTHERN PINE NO. 2 OR BETTER, U.N.O & PRESERVATIVE TREATED IN ACCORDANCE WITH AWPA U1 FOR THE SPECIES, PRODUCT, PRESERVATIVE AND END USE. FIELD CUT ENDS, NOTCHES AND DRILLED HOLES OF P.T. WOOD SHALL BE TREATED IN THE FIELD IN ACCORDANCE WITH AWPA M4. SEE IRC 317 FOR ADDITIONAL REQUIREMENTS.

GLU-LAMS (LAMINATED TIMBER) SHALL BE MANUFACTURED AND IDENTIFIED PER ANSI/AITC A 190.1 AND ASTM D 3737 AND SHALL BE OF THE WIDTH AND DEPTH SPECIFIED ON THE PLANS.

PREFABRICATED WOOD I-JOISTS SHALL BE APPROVED BY A RECOGNIZED TESTING AGENCY AND COMPLY WITH ASTM D 5055. THEY SHALL BE DESIGNED TO CARRY ALL LIVE AND DEAD LOADS WITH THE LIVE LOAD DEFLECTION NOT TO EXCEED L/400 (FLOOR) AND L/240 (ROOF). THE MANUFACTURER SHALL SUPPLY ALL REQUIRED HANGERS, SHEAR PANELS, BLOCKING PANELS, AND OTHER SPECIAL HARDWARE. THE MANUFACTURER SHALL SUBMIT ERECTION DRAWINGS TO THE ENGINEER PRIOR TO FABRICATION. ALL PREFABRICATED WOOD I-JOISTS SHALL BE INSTALLED AND BRACED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

STRUCTURAL COMPOSITE LUMBER SHALL HAVE CAPACITIES ESTABLISHED BY ASTM D 5456.

LVL'S (LAMINATED VENEER LUMBER) SHALL BE 1 3/4" WIDE, OF THE DEPTH SPECIFIED ON THE PLANS, AND SHALL BE SECURED TOGETHER AS DIRECTED BY THE MANUFACTURER.

LSL'S (LAMINATED STRAND LUMBER) SHALL BE 1 1/2" WIDE (RIM BOARDS FOR PREFABRICATED FLOOR JOISTS SHALL BE 1 1/8"), OF THE DEPTH SPECIFIED ON THE PLANS, AND SHALL BE SECURED TOGETHER AS DIRECTED BY THE MANUFACTURER. RIM BOARD SHALL CONFORM TO ANSI/APA PRG 410 OR SHALL COMPLY WITH ASTM D 7672.

PSL'S (PARALLEL STRAND LUMBER) SHALL BE OF THE WIDTH AND DEPTH SPECIFIED ON THE PLANS, AND SHALL BE SECURED TOGETHER AS DIRECTED BY THE MANUFACTURER.

PLYWOOD: APA EXPOSURE 1, GROUP 1 RATED SHEATHING, MIN. 4 PLY, MIN. SPAN RATING OF 32/16.
U.N.O. USE 3/4" NOM. THICKNESS FOR FLOORS, 5/8" FOR ROOFS, AND 1/2" FOR WALLS. FOR FLOORS,
USE TONGUE-AND-GROOVE PLYWOOD GLUED. FOR ROOFS, USE PLYWOOD CLIPS AT ALL
UNSUPPORTED BUTT JOINTS. PLYWOOD SHALL BE MARKED PER DOC PS 1.

PILES ARE TO BE ROUND SOUTHERN PINE TIMBER CONFORMING TO ASTM D-25 CLASS "B". PILES SHALL BE DRIVEN TO A ALLOWABLE BEARING CAPACITY OF 8 TONS U.N.O. ON PLAN WITH A MINIMUM EMBEDMENT LENGTH OF 15 FEET.

A TEST PILE SHALL BE DRIVEN PRIOR TO ORDERING THE PRODUCTION PILES TO DETERMINE THE PRODUCTION PILE LENGTHS AND TO VERIFY THAT THE MINIMUM EMBEDMENT LENGTH AND BEARING CAPACITY REQUIREMENTS CAN BE MET.

PILE AXIS SHALL NOT DEVIATE MORE THAN 1 INCH IN ANY 10 FOOT SECTION AND NOT MORE THAN 6 INCHES OVER THE FULL LENGTH.

PILES SHALL BE PRESSURE TREATED TO A RETENTION OF NOT LESS THAN 1 LB. PER CUBIC FOOT OF WOOD WITH CHROMATED COPPER ARSENATE (CCA) IN ACCORDANCE WITH AWPA SPEC. C-12. FIELD CUTS SHALL TREATED IN ACCORDANCE WITH AWPA M-4.

DRIVING RECORDS SHALL BE RECORDED AND SUBMITTED TO ENGINEER FOR RECORD. PILES WHICH HEAVE SHALL BE REDRIVEN. SERIOUSLY DAMAGED PILES ARE TO BE REMOVED AND REPLACED.

DECK FRAMING SHALL COMPLY WITH IRC R507.

SUPPLY LATERAL LOAD CONNECTORS PER IRC SECTION R507.2.4.

CONTRACTOR SHALL COORDINATE FRAMING SPACING WITH FRAMING SPACING
RECOMMENDATIONS BY DECKING MANUFACTURER. ADJUST FRAMING SPACING IF SPACING NOTED
EXCEEDS RECOMMENDATIONS.

DECK CONSTRUCTION DETAILS SHALL COMPLY WITH AMERICAN WOOD COUNCIL DCA 6
PRESCRIPTIVE RESIDENTIAL DECK CONSTRUCTION GUIDE - LATEST EDITION.

CONTRACTOR IS RESPONSIBLE FOR SAFETY REGULATIONS, PROGRAMS AND PRECAUTIONS AND FOR THE PROTECTION OF PERSONS AND PROPERTY EITHER ON OR ADJACENT TO THE PROJECT AND SHALL PROTECT AGAINST INJURY, DAMAGE OR LOSS.

CONTRACTOR IS RESPONSIBLE FOR LIMITING THE AMOUNT OF CONSTRUCTION LOAD IMPOSED ON THE STRUCTURE. THE STRUCTURAL INTEGRITY OF THE BUILDING IS DEPENDANT UPON COMPLETION ACCORDING TO PLANS AND SPECIFICATIONS. THE METHOD AND SEQUENCE OF CONSTRUCTION IS THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL SUPPLY SHORING, BRACING, GUYS, ETC., TO PROPERLY BRACE THE STRUCTURE AGAINST LOADS UNTIL THE BUILDING IS COMPLETELY ACCORDING TO THE PLANS AND SPECIFICATIONS. CONTRACTOR SHALL NOT BACK FILL AGAINST BASEMENT WALLS UNTIL THE FLOOR SYSTEM IS COMPLETELY INSTALLED OR CONTRACTOR HAS PROVIDED ADEQUATE SHORING AND BRACING.

STRUCTURAL DRAWINGS SHALL BE USED IN CONJUNCTION WITH THE ARCHITECTURAL DRAWINGS, AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR SEEING THAT THE WORK OF ALL TRADES IS COORDINATED. THE CONTRACTOR SHALL COMPARE AND COORDINATE ALL DRAWINGS. IF A DISCREPANCY EXISTS, HE SHALL PROMPTLY REPORT IT FOR PROPER ADJUSTMENT BEFORE PROCEEDING WITH THE WORK. FIELD VERIFICATION OF DIMENSIONS AND CONDITIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SUBCONTRACTORS. NOTED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE.

ALL SPECIALTY HARDWARE, INCLUDING MECHANICAL & EPOXY ANCHORS SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND/OR RECOMMENDATIONS.

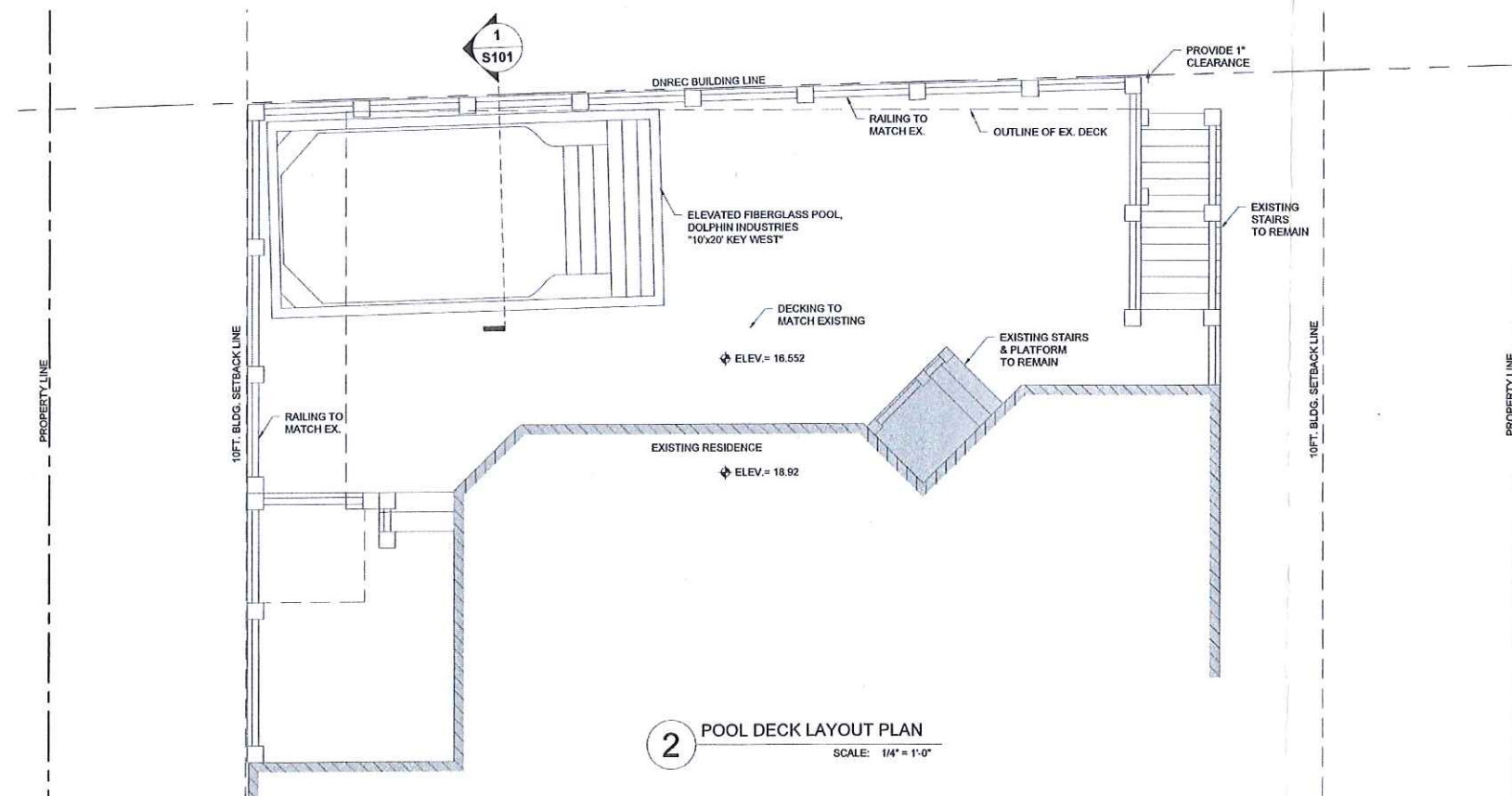
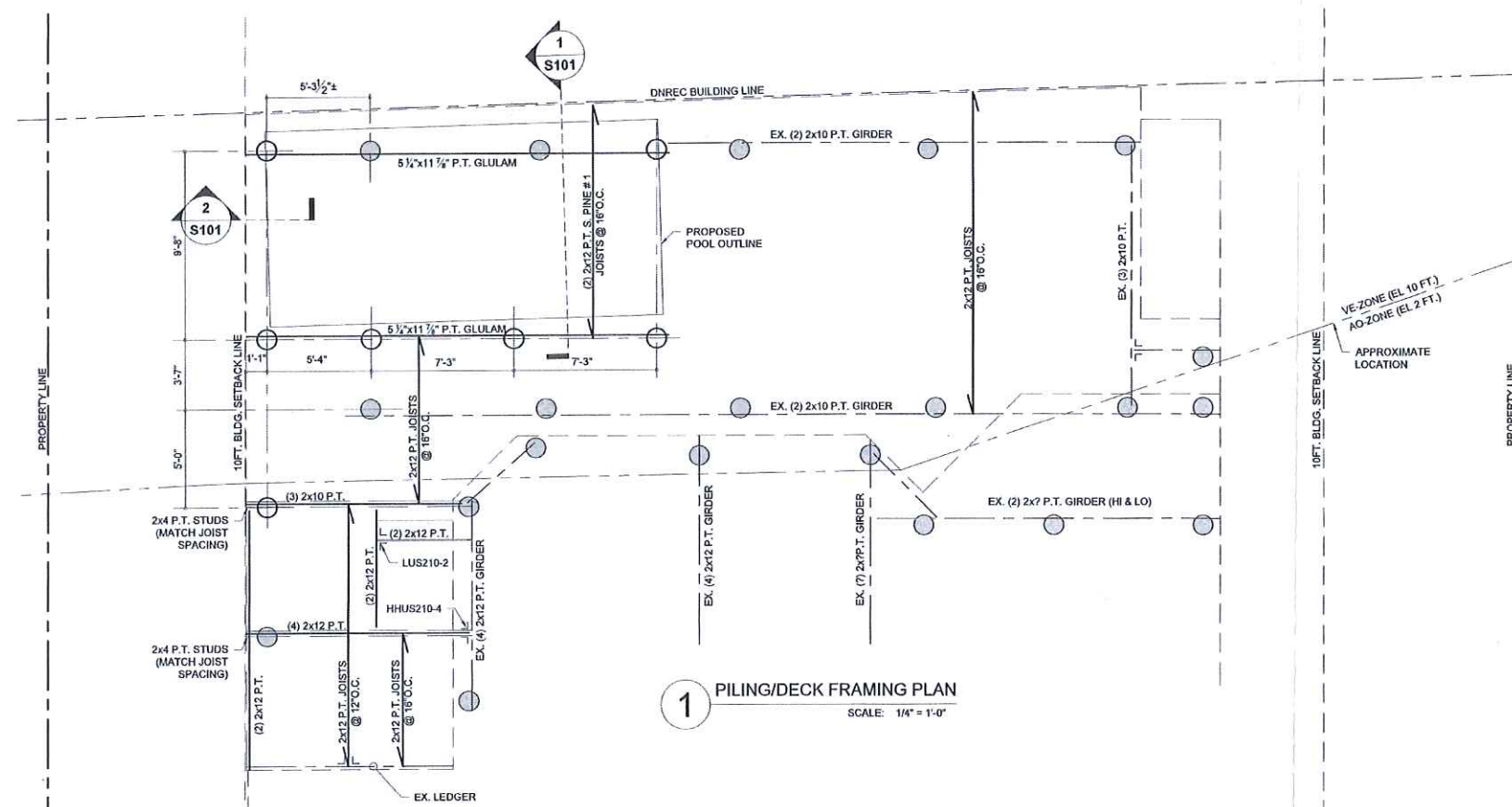
GENERAL NOTES AND TYPICAL DETAILS APPLY THROUGHOUT THE PROJECT UNLESS OTHERWISE NOTED OR SHOWN.

STRUCTURAL MEMBERS SHALL NOT BE OMITTED, CUT, BLOCKED OUT OR RELOCATED WITHOUT PRIOR APPROVAL. DO NOT ALTER SIZES OF MEMBERS WITHOUT APPROVAL.

LIGHT GAUGE METAL CONNECTORS: JOIST HANGERS, STRAPS, POST BASES AND OTHER FRAMING ANCHORS ARE TO BE USED IN STRICT ACCORDANCE WITH MANUFACTURER'S WRITTEN SPECIFICATIONS. PROVIDE JOIST HANGERS FOR FLUSH FRAMED JOISTS AND BEAMS. PROVIDE MINIMUM G60 GALV. FINISH, U.N.O. EXPOSED OR FASTENERS IN CONTACT WITH PRESSURE TREATED WOOD SHALL BE Z-MAX COATED, U.N.O.

PROVIDE 2" MINIMUM CLEARANCE FROM CHIMNEYS OR FIREPLACES OR AS SPECIFIED IN IRC CHAPTER 10.

LET IT BE KNOWN THAT IF BECKER MORGAN GROUP'S PROFESSIONAL SERVICES DO NOT INCLUDE THE REVIEW OR OBSERVATION OF THE CONTRACTOR'S WORK OR PERFORMANCE, THEN THE OWNER WILL DEFEND, INDEMNIFY AND HOLD HARMLESS BECKER MORGAN GROUP FROM ANY CLAIM OR SUIT WHATSOEVER, INCLUDING BUT NOT LIMITED TO ALL PAYMENTS, EXPENSES OR COSTS INVOLVED, ARISING FROM OR ALLEGED TO HAVE ARISEN FROM THE CONTRACTORS PERFORMANCE OR THE FAILURE OF THE CONTRACTORS WORK TO CONFORM TO THE DESIGN INTENT AND THE CONTRACT DOCUMENTS.

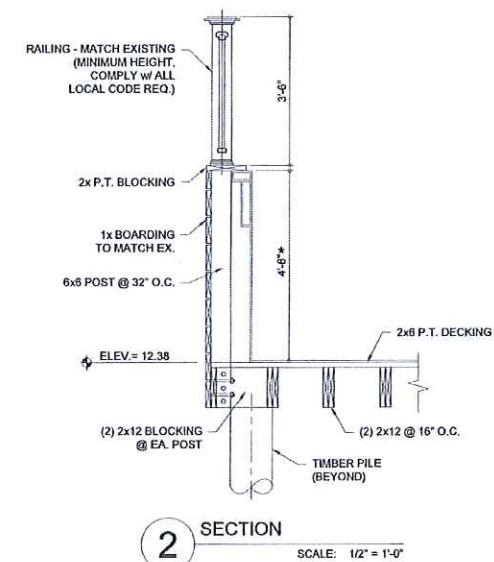
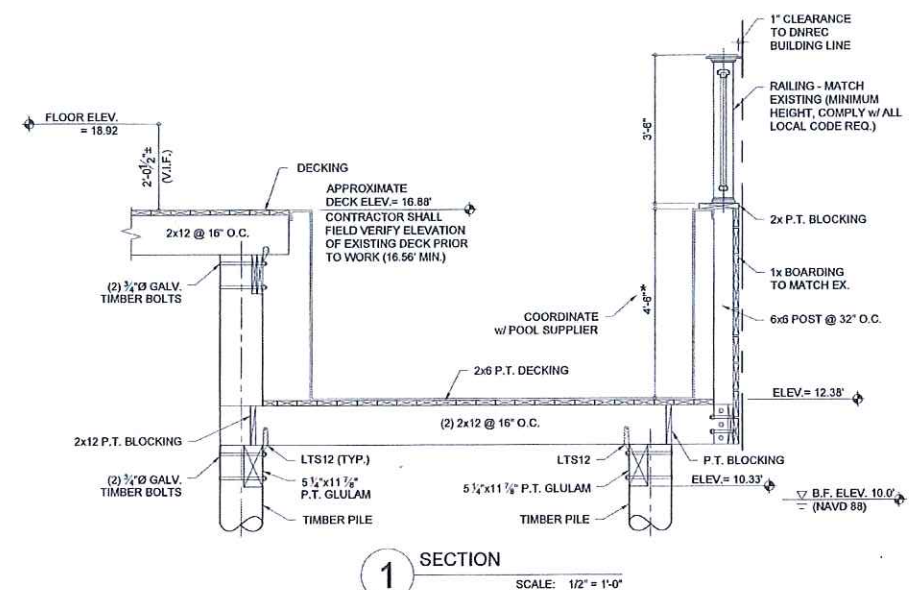


GENERAL NOTES :

1. LIGHT GAUGE METAL CONNECTORS SPECIFIED AS SIMPSON STRONG-TIE® UNLESS NOTED OTHERWISE.

SHEET LEGEND :

- ☐ EX. TIMBER PILING
☐ NEW 12"Ø CLASS B TIMBER PILING (8 TON CAPACITY)
☒ EXISTING RESIDENCE



**BECKER
MORGAN**
GROUP

ARCHITECTURE
ENGINEERING

Delaware
309 S Governors Ave
Dover, DE 19904
302.734.7950

Rittenhouse Station
250 South Main Street, Suite 109
Newark, DE 19711
302.369.3700

Maryland
312 West Main St, Suite 300
Salisbury, MD 21801
410.546.9100
North Carolina

North Carolina
3333 Jackle Drive, Suite 120
Wilmington, NC 28403
910.341.7600

www.beckermorgan.com

THIS DRAWING HAS BEEN PREPARED BY THE BECKER MORGAN GROUP INC SOLELY FOR THIS PROJECT PURSUANT TO A LIMITED SERVICES AGREEMENT FOR ARCHITECTURAL AND STRUCTURAL ENGINEERING DESIGN ONLY. SERVICES EXCLUDE RESPONSIBILITY FOR LANDSCAPE ARCHITECTURE AND ALL OTHER ENGINEERING, CONSULTING, CIVIL, MECHANICAL, ELECTRICAL, ACOUSTICAL, ETC. PROJECT SPECIFICATIONS, FIELD CORRELATION, DETAILING AND COMPLIANCE WITH ALL REGULATORY REQUIREMENTS - BUILDING, ZONING, AND OTHER RELEVANT CODES. REMAINS THE RESPONSIBILITY OF THE CONTRACTOR FOR THE EXECUTION OF THIS WORK.



I HEREBY CERTIFY THAT THESE
 DOCUMENTS WERE PREPARED OR
 APPROVED BY ME, AND THAT I AM A
 DULY LICENSED PROFESSIONAL
 ENGINEER UNDER THE LAWS OF THE
 STATE OF DELAWARE.

LICENSE NUMBER: 18535
 EXPIRATION DATE: 6.30.20

PROJECT TITLE

GEIS RESIDENCE
POOL

29323 KELLY LANE
BETHANY BEACH, DE

SHEET TITLE

PILING/DECK
FRAMING & POOL
DECK LAYOUT PLANS

[illegible]

PROJECT NO:	2019315.00
DATE:	01.22.20
SCALE:	AS NOTED
DRAWN BY: HBE	PROJ MGR: JIW

S101

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ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

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

SECTION A - PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name DEAN H. & ANN E. GEIS				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 29323 KELLY LANE				Company NAIC Number:	
City BETHANY BEACH		State Delaware		ZIP Code 19930	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) TAX MAP 1-34 - 5.00 - 436.00					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>38° 35' 05.53" N</u> Long. <u>75° 03' 33.53" W</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>6</u>					
A8. For a building with a crawlspace or enclosure(s): a) Square footage of crawlspace or enclosure(s) <u>2150.52</u> sq ft b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>0</u> c) Total net area of flood openings in A8.b <u>0.00</u> sq in d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage: a) Square footage of attached garage <u>540.96</u> sq ft b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>0</u> c) Total net area of flood openings in A9.b <u>0.00</u> sq in d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number 100029 - SUSSEX COUNTY UNINCORPORATED			B2. County Name SUSSEX		B3. State Delaware
B4. Map/Panel Number 10005 C 0508	B5. Suffix K	B6. FIRM Index Date 03-16-2015	B7. FIRM Panel Effective/ Revised Date 03-16-2015	B8. Flood Zone(s) AO & VE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 2' / 10'
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATEOMB No. 1660-0008
Expiration Date: November 30, 2018

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Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 29323 KELLY LANE			Policy Number:
City BETHANY BEACH	State Delaware	ZIP Code 19930	Company NAIC Number

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–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: DICARLO RTN Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

☐ NGVD 1929 ☒ NAVD 1988 ☐ Other/Source: _____

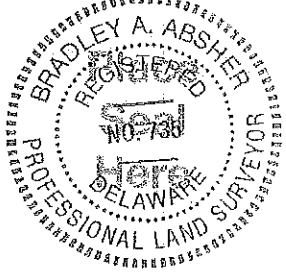
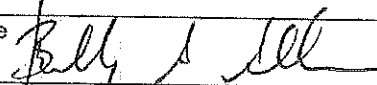
Datum used for building elevations must be the same as that used for the BFE.

		Check the measurement used.	
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	8.44	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
b) Top of the next higher floor	18.92	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (V Zones only)	17.08	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
d) Attached garage (top of slab)	8.10	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	10.91	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
f) Lowest adjacent (finished) grade next to building (LAG)	7.92	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
g) Highest adjacent (finished) grade next to building (HAG)	8.90	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	7.82	<input checked="" type="checkbox"/> feet	<input type="checkbox"/> meters

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.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

Certifier's Name Bradley A. Absher		License Number 735	
Title President			
Company Name True North Land Surveying, Inc.			
Address 118 Atlantic Ave., Suite 202			
City Ocean View	State Delaware	ZIP Code 19970	
Signature 	Date 07-12-2019	Telephone (302) 539-2488	Ext.

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

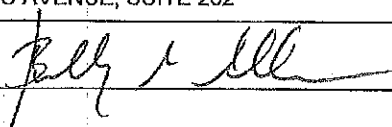
Comments (including type of equipment and location, per C2(e), if applicable)
C2(e) HVAC

DE - 05757

THIS ELEVATION CERTIFICATE IS NOT VALID UNLESS FIRST PAGE IS DATED AND INITIALED BY CERTIFIER

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

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City BETHANY BEACH	State Delaware	ZIP Code 19930	Company NAIC Number	
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, crawlspace, or enclosure) is	0.46	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters	<input type="checkbox"/> above or <input checked="" type="checkbox"/> below the HAG.	
b) Top of bottom floor (including basement, crawlspace, or enclosure) is	0.52	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters	<input checked="" type="checkbox"/> above or <input type="checkbox"/> below the LAG.	
E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is				
	10.02	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters	<input checked="" type="checkbox"/> above or <input type="checkbox"/> below the HAG.	
E3. Attached garage (top of slab) is				
	0.80	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters	<input type="checkbox"/> above or <input checked="" type="checkbox"/> below the HAG.	
E4. Top of platform of machinery and/or equipment servicing the building is				
	2.01	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters	<input checked="" type="checkbox"/> above or <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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 or Owner's Authorized Representative's Name BRADLEY A. ABSHER				
Address 118 ATLANTIC AVENUE, SUITE 202	City OCEAN VIEW	State Delaware	ZIP Code 19970	
Signature 	Date 07-12-2019	Telephone (302) 539-2488		
Comments				
<input type="checkbox"/> Check here if attachments.				

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City BETHANY BEACH	State Delaware	ZIP Code 19930	Company NAIC Number	
SECTION G – COMMUNITY INFORMATION (OPTIONAL)				
<p>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–G10. In Puerto Rico only, enter meters.</p> <p>G1. <input type="checkbox"/> 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.)</p> <p>G2. <input type="checkbox"/> A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.</p> <p>G3. <input type="checkbox"/> The following information (Items G4–G10) is provided for community floodplain management purposes.</p>				
G4. Permit Number		G5. Date Permit Issued		G6. Date Certificate of Compliance/Occupancy Issued
<p>G7. This permit has been issued for: <input type="checkbox"/> New Construction <input type="checkbox"/> Substantial Improvement</p> <p>G8. Elevation of as-built lowest floor (including basement) of the building: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____</p> <p>G9. BFE or (in Zone AO) depth of flooding at the building site: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____</p> <p>G10. Community's design flood elevation: _____ <input type="checkbox"/> feet <input type="checkbox"/> meters Datum _____</p>				
Local Official's Name		Title		
Community Name		Telephone		
Signature		Date		
Comments (including type of equipment and location, per C2(e), if applicable)				
<input type="checkbox"/> Check here if attachments.				

BUILDING PHOTOGRAPHS

See Instructions for Item A6.

OMB No. 1660-0008

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29323 KELLY LANE

Policy Number:

City
BETHANY BEACHState
DelawareZIP Code
19930

Company NAIC Number

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A8. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



Photo One

Photo One Caption FRONT SIDE VIEW - DATE TAKEN: 07.10.19

Clear Photo One

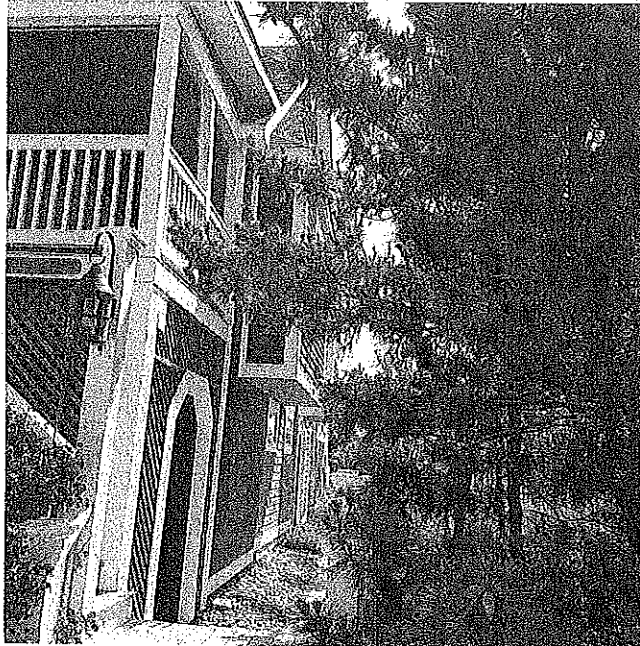


Photo Two

Photo Two Caption RIGHT SIDE VIEW - DATE TAKEN: 07.10.19

Clear Photo Two

ELEVATION CERTIFICATE

BUILDING PHOTOGRAPHS

Continuation Page

OMB No. 1660-0008

Expiration Date: November 30, 2018

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.
29323 KELLY LANE

FOR INSURANCE COMPANY USE

Policy Number:

City
BETHANY BEACH

State
Delaware

ZIP Code
19930

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." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8.

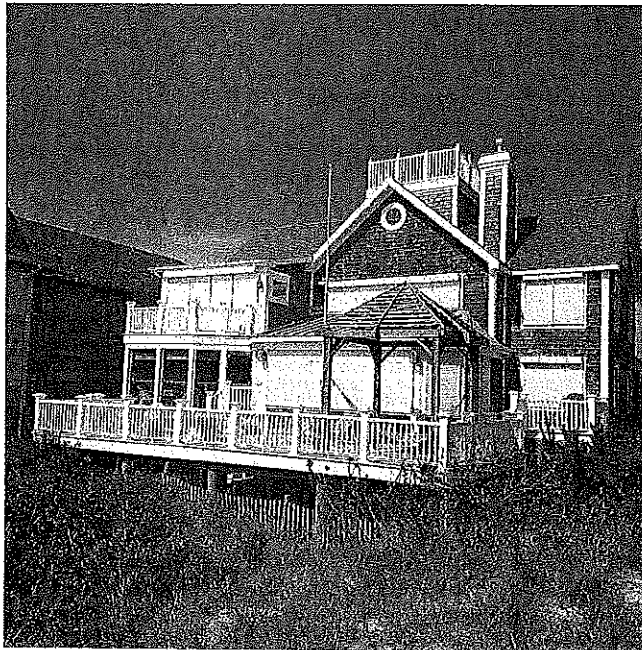


Photo Three

Photo Three Caption REAR SIDE VIEW - DATE TAKEN: 07.10.19

Clear Photo Three

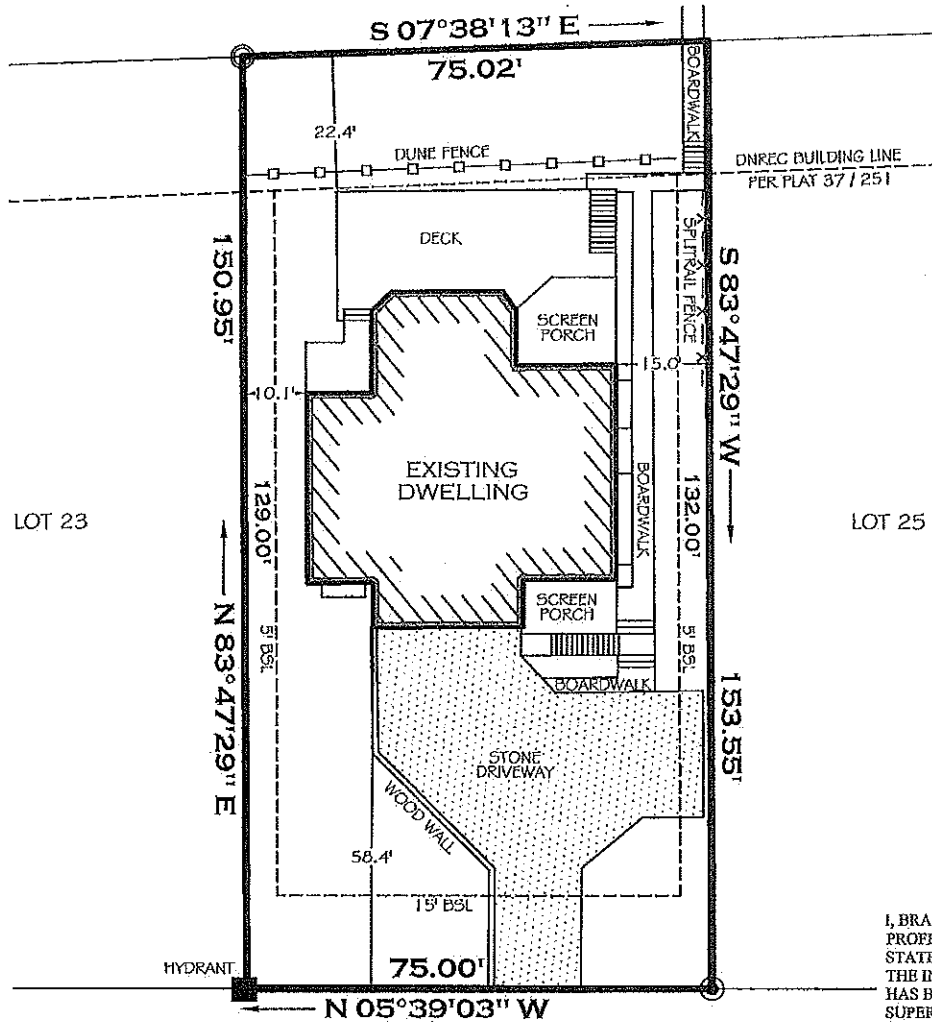


Photo Four

Photo Four Caption LEFT SIDE VIEW - DATE TAKEN: 07.10.19

Clear Photo Four

ATLANTIC OCEAN



NOTES

1. CLASSIFICATION OF SURVEY: URBAN
2. ZONE: MR 1P
3. BUILDING SETBACK LINES (BSL)
 - FRONT 15'
 - SIDE 5'
 - REAR 10'

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER TOWN OF BETHANY BEACH & 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. ALL SIDE AND REAR LOT LINES ARE RESERVED FOR THE CENTERLINE OF A TEN FOOT (10') DRAINAGE AND/OR UTILITY EASEMENT. AN ADDITIONAL TEN FOOT (10') EASEMENT FOR DRAINAGE AND/OR UTILITY SHALL BE RESERVED TO TEN FOOT (10') FROM THE RIGHT OF WAY IN THE FRONT YARD OF ALL LOTS.

5. ALL PERIMETER LOT LINES SHALL HAVE A TEN FOOT (10') PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT FOR UTILITIES AND/OR DRAINAGE ALONG INTERIOR SIDE OF BOUNDARY LINE, UNLESS OTHERWISE NOTED.

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

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

BRADLEY A. ABSHER, DE PLS #735
DATE 7-11-19

LEGEND

- IRON PIPE FOUND
- IRON ROD W/ CAP SET

TAX MAP	1-34 - 5.00 - 436.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	BETHANY BEACH
AREA	11,418 ± SQ. FT.
DEED REF.	2554 / 332
PLAT REF.	37 / 251
DRAWN BY	JMH
DATE	07 / 11 / 19
SCALE	1" = 30'
SURVEY #	DE - 05757

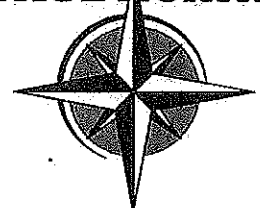
BOUNDARY SURVEY PLAN

LOT 24 BREAKWATER BEACH

FOR
DEAN H. & ANN E. GEIS

29323 KELLY LANE, BETHANY BEACH, DE 19930

TRUE NORTH



LAND SURVEYING

118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19970
DE: 302-539-2488
MD: 410-430-2092

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

Case # ¹²⁴²⁷ GSA-20-02

Hearing Date 3-16-2020
(where applicable)

202000442

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:

26508 Jersey Rd.

Description of Request:

Garage-Studio Apartment

Tax Map #: 234-32.00-91.00

Property Zoning: AR-1

Applicant Information

Applicant Name: Robert Barker & Janet Hynes

Applicant Address: 26508 Jersey Rd

City: Millsboro State: DE Zip: 19966

Applicant Phone #: 302 448 1336 Applicant e-mail: FTW Bob 66996@Yahoo.com

Owner Information

Owner Name: _____

Owner Address: _____

City: _____ State: AME 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: 4/11/20



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:

*No Has been there several years
And never a complaint.*

~~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):~~

PLANNING & ZONING

JANELLE M. CORNWELL, AICP
DIRECTOR

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



Sussex County

DELAWARE
sussexcountype.gov

January 15, 2020

RE: Administrative Approval Request for Robert Barkey & Janet Hynes, 26508 Jersey Rd.,
Millsboro (GSA-20-02)
Tax Map: 234-32.00-91.00

Dear adjacent property owner:

Please be advised that Robert Barkey & Janet Hynes have 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



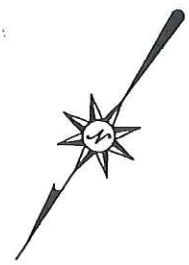
02891 2244

BK 2891 PG 244

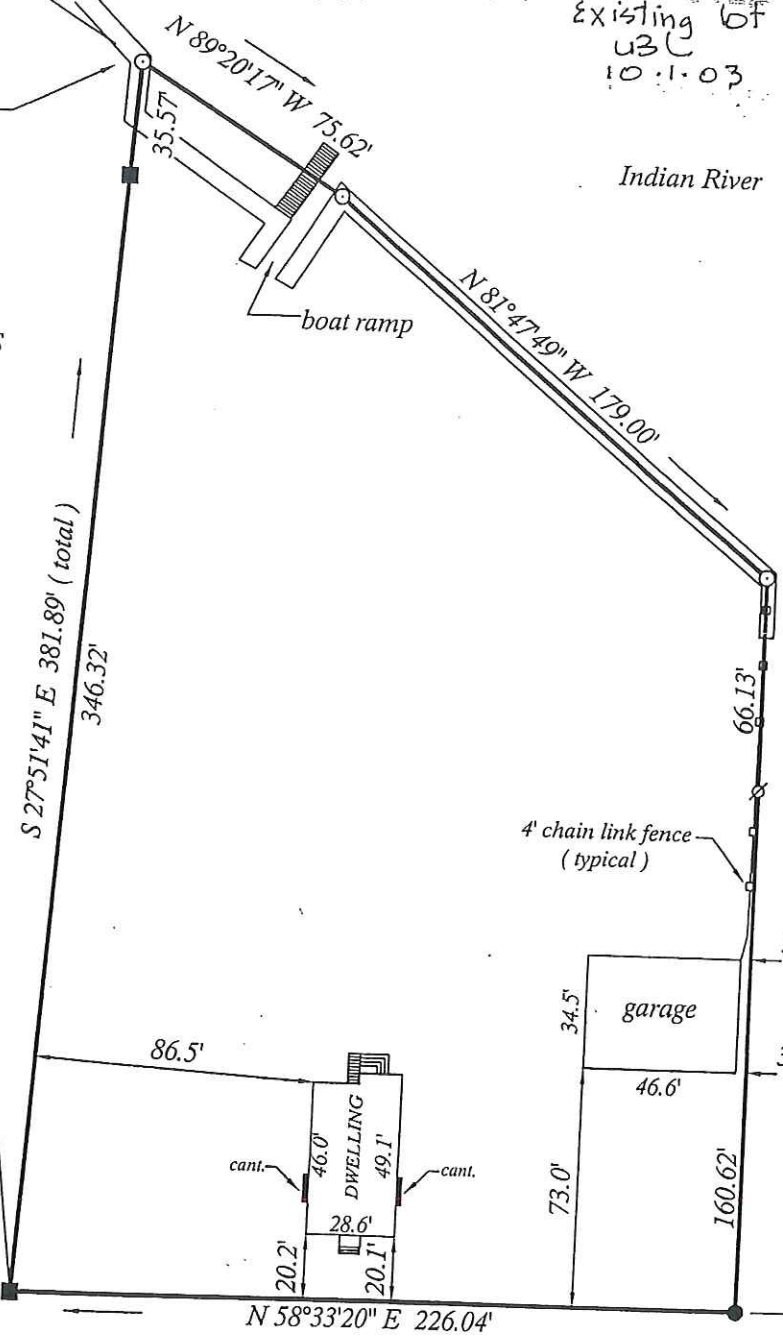
APPROVED
Existing of
u3
10.1.03

Lands of
BARBARA LEWIS
db. 2130, pg. 160

Indian River



CARLISLE DRIVE (50' R/W)



Lands of
WILLIAM SMITH
db. 2300, pg. 34

COUNTY ROUTE NO. 305 (40' R/W)

Lands of LAURENCE S. CORDREY to be conveyed to
PRENTISS W. ADKINS, SR. and NANCY ADKINS.

NOTE:
This plat and survey does not verify
the existence or nonexistence of
right-of-ways and/or easements
pertaining to this property.

- Ø 1" PIPE (FD)
- CON. MONU. (FD)
- POINT
- 3/4" PIPE (FD)

AREA: 1.5342 ACRES
TAX MAP NO. 2-34-32-91

SCALE: 1"=60'

No title search provided or stipulated.

CLASS "C" SURVEY

HUNDRED: INDIAN RIVER
COUNTY: SUSSEX
STATE OF DELAWARE
DATE: 09/17/03
DRAWN BY: P. ARNOLD

SIMPLER
SURVEYING
& ASSOCIATE
RD. 1 BOX 98E, FRANKFORD, DE 19945
www.delawaresurveyor.com
PHONE: (302) 539-7873 FAX: (302) 539-4336

9/14/03
P.L.S. 289

Aerial Map

Borrower	Janet M Hynes & Robert Barkley Jr					
Property Address	26508 Jersey Rd					
City	Millsboro	County	Sussex	State	DE	Zip Code 19966
Lender/Client	Community Bank Delaware					



59776

02891 2243

TAX MAP #2-34 32.00 91.00

Prepared by: *Return to*
 Tunnell & Raysor, P.A.
 30 E. Pine Street
 Georgetown, DE
 File No. AS5240JDB

THIS DEED, made this 17th day of September, 2003, between **Laurence S. Cordrey**,
Trustee Under A Revocable Trust Agreement dated September 25, 2000, of 258
 Springhouse Lane, Media, PA 19063-5347, party of the first part,

-AND-

Prentiss W. Adkins, Sr. and Nancy Adkins, as tenants by the entirety, of **RD2 Box**
136L, Frankford, DE 19945, parties of the second part.

WITNESSETH, that the said party of the first part, for and in consideration of the sum
 of **ONE DOLLAR (\$1.00)**, lawful money of the United States of America, the receipt
 whereof is hereby acknowledged, hereby grants and conveys unto the said parties of the
 second part, as tenants by the entirety, and their heirs and assigns the following-described
 lands, situate, lying and being in **Sussex County**, State of Delaware:

ALL that certain lot, piece, and parcel of land, situate, lying, and being, in
 Indian River Hundred, Sussex County and State of Delaware, adjoining lands
 of Harvey Lawson on the west, lands of Davis Carlisle on the east; the
 meanderings of Indian River on the southeast and Route No. 24 on the
 northwest. The said land faces 226 feet on said Route No. 24 and extends in
 a Southeasterly direction to the said Indian River, with all improvements
 thereon.

BEING the same lands and premises which **EDWARD S. CORDREY**, by
 Deed May 28, 1971, and recorded in the Office for the Recording of Deeds
 in and for Sussex County, Delaware, in Deed Book 668, Page 581, granted
 unto **VIRGINIA H. CORDREY**, Virginia H. Cordrey did depart this life on,
 and, by her duly probated will, which is of record in the Office of the Register
 of Wills, in and for Sussex County, Delaware in Will Record 354, Page 100,
 did devise said premises to her son and sole heir, **LAURENCE S.**
CORDREY.

Law Offices
 TUNNELL & RAYSOR, P.A.
 GEORGETOWN, DEL.

Consideration: \$500000.00 Exempt Code: A

Page 1

County	State	Total
7500.00	7500.00	15000.00
counter	Date: 10/01/2003	

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.

IN WITNESS WHEREOF, the party of the first part has set his hand and seal the day and year first above written.

**Signed, Sealed and Delivered
in the presence of:**

Tempe Brownell Steen _____
Laurence S. Cordrey (SEAL)
Laurence S. Cordrey, Trustee

STATE OF DELAWARE :
COUNTY OF *Sussex* : ss.

BE IT REMEMBERED, that on September 17, 2003, personally came before me, the subscriber, Laurence S. Cordrey, Trustee, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

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

TEMPE BROWNELL STEEN
Delaware Attorney at Law with
Power to act as Notary Public
per 29 Del. c. § 4323 (a)(3)

Tempe Brownell Steen
Notary Public
Printed Name: _____
My commission expires _____

RECORDER OF DEEDS
JOHN F. BRADY

03 OCT -1 PM 2:37

SUSSEX COUNTY
DOC. SURCHARGE PAID

Received

OCT 02 2003

ASSESSMENT DIVISION
OF SUSSEX CTY

Jamie Whitehouse

From: bob <bobtaser@live.com>
Sent: Thursday, January 23, 2020 2:40 PM
Cc: Jamie Whitehouse
Subject: Case Number GSA-20-02

Reference case # GSA-20-02

Dear Jamie, my wife and I live next to Bob Barker & Janet Hayes 26508 Jersey Road and we recently received a letter regarding there garden studio apartment. We live adjacent to them at 26488 Jersey Road. We have known Bob and Janet for the last 3 years and have become good friends. My wife and I do not have any problem with the studio apartment. Bob and I are both Veterans and I understand that the gentleman moving in is also a Veteran so we are looking forward to meeting them as neighbors.

Thank you for your time, Bob Seringer (bobtaser@live.com) and Karyn Lessey (klessey@icloud.com), 26488 Jersey Road

RECEIVED

JAN 23 2020

SUSSEX COUNTY
PLANNING & ZONING

Jamie Whitehouse

From: bob <bobtaser@live.com>
Sent: Thursday, January 23, 2020 2:40 PM
Cc: Jamie Whitehouse
Subject: Case Number GSA-20-02

Reference case # GSA-20-02

Dear Jamie, my wife and I live next to Bob Barker & Janet Hayes 26508 Jersey Road and we recently received a letter regarding there garden studio apartment. We live adjacent to them at 26488 Jersey Road. We have known Bob and Janet for the last 3 years and have become good friends. My wife and I do not have any problem with the studio apartment. Bob and I are both Veterans and I understand that the gentleman moving in is also a Veteran so we are looking forward to meeting them as neighbors.

Thank you for your time, Bob Seringer (bobtaser@live.com) and Karyn Lessey (klessey@icloud.com), 26488 Jersey Road

RECEIVED

JAN 23 2020

SUSSEX COUNTY
PLANNING & ZONING

Date: 01/23/2020

To: Jamie Whitehouse, Sussex County, DE

Fr: Linda Luoma, Carlisle Lane, Millsboro, DE

Regarding: Case # GSA-20-02, Involving Robert and Janet Barkey

Hello Jamie,

I wanted to write to you as a neighbor of Robert and Janet Barkey. They are wonderful neighbors. We respect and value them so much, as they keep their place impeccable and have very high standards.

We have no objection that Bob and Janet have a guest house for rent on their property. It has been there since I can remember and it definitely doesn't cause any problems for us as their neighbors.

It is not always easy to have neighbors at all, but so glad God blessed us with them! 😊

Kindest Regards,

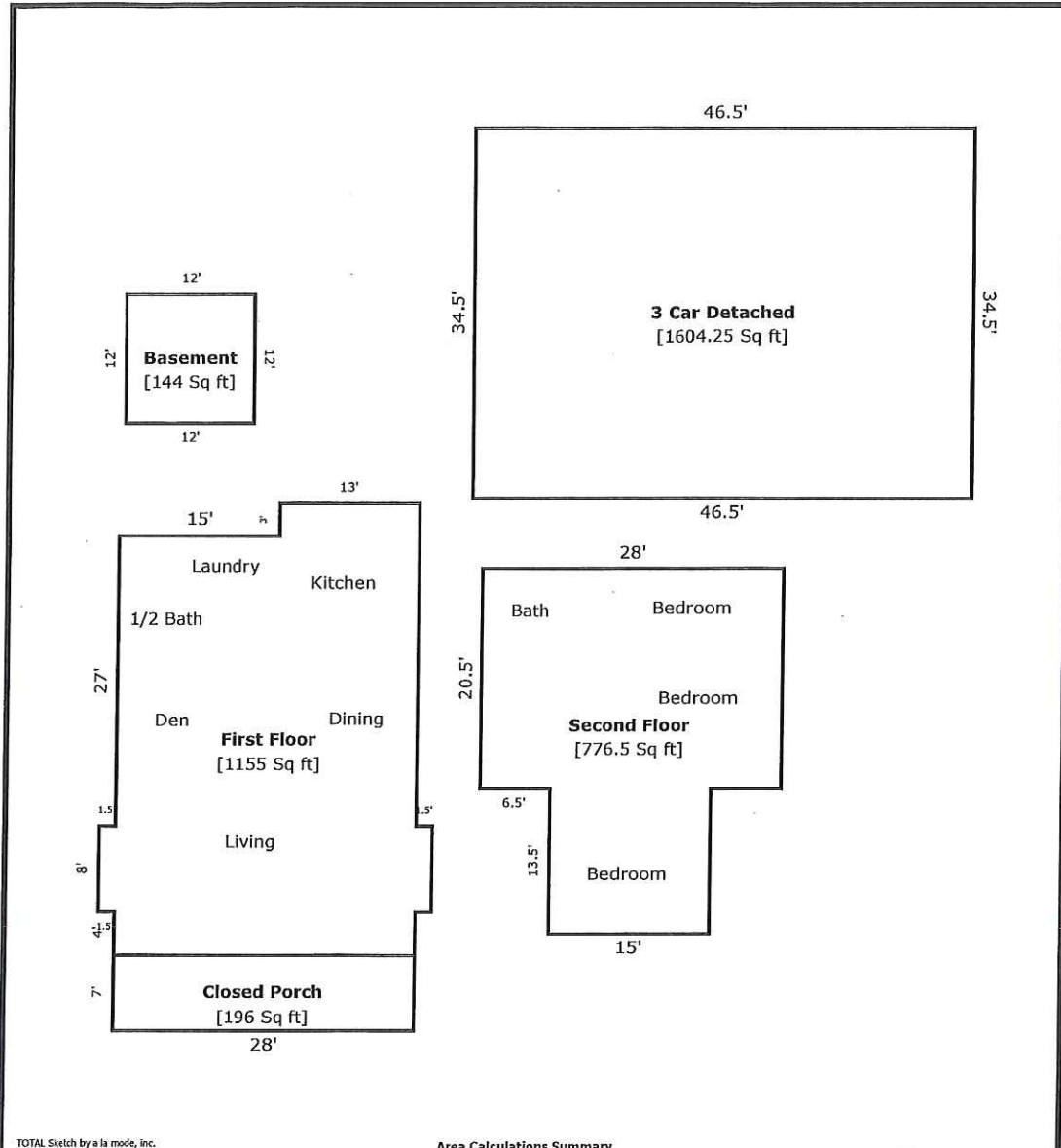
A handwritten signature in cursive script, appearing to read 'L. Luoma', with a long horizontal flourish extending to the right.

Linda Luoma

760-522-5927

Building Sketch

Borrower	Janet M Hynes & Robert Barkley Jr					
Property Address	26508 Jersey Rd					
City	Millsboro	County	Sussex	State	DE	Zip Code 19966
Lender/Client	Community Bank Delaware					



TOTAL Sketch by a la mode, inc.

Area Calculations Summary

Living Area		Calculation Details	
First Floor	1155 Sq ft	8 x 1.5 =	12
		8 x 1.5 =	12
		28 x 39 =	1092
		3 x 13 =	39
Second Floor	776.5 Sq ft	15 x 13.5 =	202.5
		20.5 x 28 =	574
Total Living Area (Rounded):			
Non-living Area			
Closed Porch	196 Sq ft	28 x 7 =	196
3 Car Detached	1604.25 Sq ft	34.5 x 46.5 =	1604.25
Basement	144 Sq ft	12 x 12 =	144



PIN:	234-32.00-91.00
Owner Name	HYNES JANET M
Book	4736
Mailing Address	26508 JERSEY RD
City	MILLSBORO
State	DE
Description	RD MILLSBORO TO LONG
Description 2	NECK
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

Tax Parcels

911 Address

Streets

County Boundaries

Ag Preservation Districts

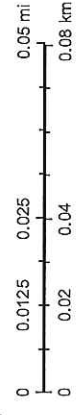
Agricultural Easement

Agricultural District

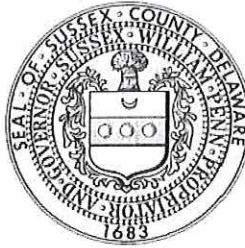
Agricultural Expansion

Municipal Boundaries

1:1,128



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



Sussex County

DELAWARE
sussexcountype.gov

February 4, 2020

Robert Barkey & Janet Hynes
26508 Jersey Road
Millsboro, DE 19966

RE: Denial Letter for Administrative Special Use Exception Approval for a Garage/Studio Apartment under 800 square feet for Lands of Robert Barkey & Janet Hynes located at 26508 Jersey Rd. (GSA-20-02)
Tax Parcel: 234-32.00-91.00

Dear Mr. Barkey and Ms. Hynes:

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, Planning Technician



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

Dennis murphy 26509 jersey rd
Millsboro de 19966 970 947 0123

JAN 31 2020 DM

Planning and zoning director Jamie whitehouse

Regarding illegal apt on barkey hynes property under investigation at 26508

I object to the approval of said attached dwelling for following reasons

It has come to my attention that this 2 br full kitchen full bath apt was

Constructed attached to existing garage with no consideration to zoning

Laws or application for required permits or subsequent inspections

It has also come to my attention it does not comply to fire and safety

Standards specifically back bed room which has a closet has no egress for

Emergency and or fire code states min 5.7 sq feet egress window

Code also specifies fire rated door between dwelling and garage

This is not the case

The amount of vehichular traffic and noise generated by all this at

All times of early daylite and late night hours is a constant source

Of concern, frustration and inconsideration

Its hard to determine if the traffic and activity is due to the use

Of the illegal apt or the illegal automotive repair upholstery convertible

Buissness I have observed mr barkey flagrantly operating for the 2 years I

Have been there.....these violations as well as numerous major construction

Projects observed over the last 2 yrs without obvious posting of required permits

Have compelled me as a directly affected neighbor to bring to light these and I suspect

Other zoning permitting violations to be investigated by the constable and

Zoning and assessment departments....thank you for your attention and cooperation

Regarding these violations sincerely dennis murphy

Dennis Murphy
1/31/2020



JOE JAKE TENANT

Bob's Custom Auto

Upholstery

MURDOCK

and Convertible Tops

BARKEY

RUDY

JANET

26508 JERSEY RD

By Appointment Only

(302) 448-1336


302-663-9082



Untitled Map

Write a description for your map.

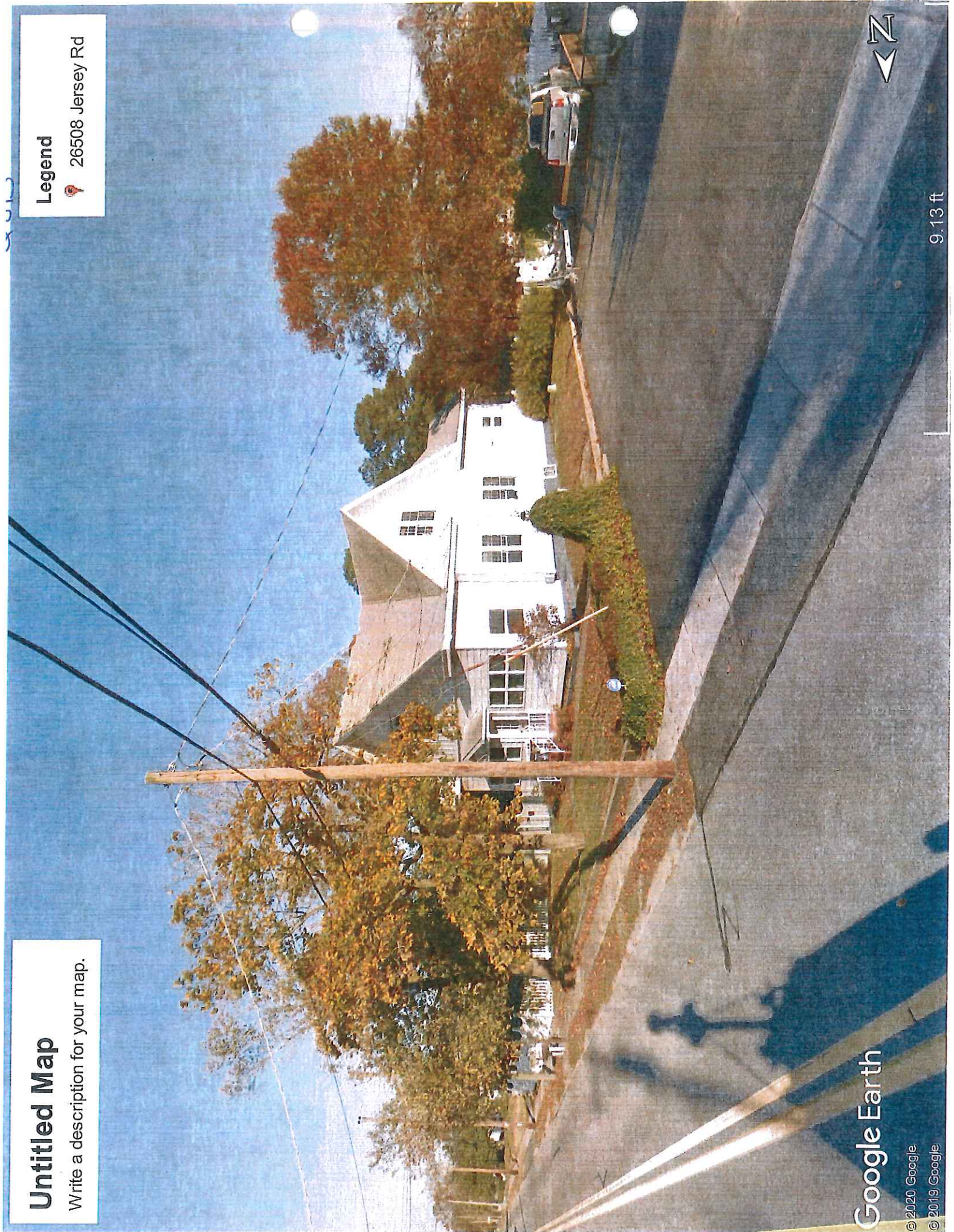
Legend

 26508 Jersey Rd

Google Earth

© 2020 Google
© 2019 Google

9.13 ft



Untitled Map

Write a description for your map.

Legend

 26508 Jersey Rd



Google Earth

© 2020 Google
© 2015 Google

10 ft







20200131_111937.jpg

1/31/2020

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

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

Case # 12398
Hearing Date 11/6/2020
201913322

Type of Application: (please check all applicable)

Variance ☐

Special Use Exception ☒

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☐

Code Reference (office use only)

115-80 115-81
115-159.5 115-210
115-161.1

Site Address of Variance/Special Use Exception:

29856 John J. Williams Highway Millsboro De

Variance/Special Use Exception/Appeal Requested:

To place a billboard & Electronic Message Center

Tax Map #: 234 - 32.00 - 40.01

Property Zoning: Commercial

Applicant Information

Applicant Name: JAMES D. & Mary Beth Parker

Applicant Address: 28933 Lakeview Rd.

City Millsboro State De Zip: 19966

Applicant Phone #: 302-934-6400 Applicant e-mail: info@jim Parker builders, com

Owner Information

Owner Name: Same AS Above

Owner Address: _____

City _____ State _____ Zip: _____ Purchase Date: _____

Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: Same AS Above

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

James D. Parker

Date: 9/18/19



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.

The property is already zoned commercial and the approval of this would fit well into existing area, that already has existing Bill Boards.

2. Cannot otherwise be developed:

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

3. Not created by the applicant:

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

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

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

Rt #24 is heavily traffic and there are existing Bill boards on both sides of this commercial property.

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.

do to the size of property there is no problem to meet the current setback Regulations: Front 40' sides 50'

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.

- #1 property is ZONED commercial
- #2 There are Already Billboards installed to the EAST & WEST OF this property.
- #3 The use OF the Bill board will Allow our mini-storage to gain more Access for Advertizing.

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)



State of Delaware

Department of Transportation

23697 DuPont Boulevard

Georgetown, DE 19947

Jennifer Cohan

Secretary

November 5, 2019

James D. Parker & Mary Beth Parker
28933 Lakeview Road
Millsboro, DE 19966

Dear Mr. Parker:

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

The Department has received your outdoor advertising application for a new off premise sign to be situated on the property belonging to a Mr. James D. Parker with a (tax parcel #: 234-32.00-40.01) located on SCR 024 / Rt.24 (John J. Williams Highway) in Sussex County.

I have reviewed the proposed site plan that was submitted as well as the application. As long as the sign is constructed per the specifications submitted 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.



James D. Parker & Mary Beth Parker

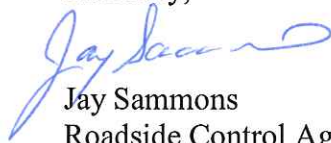
Page 2

November 5, 2019

This letter of no objection is provided to you as a courtesy to assist you in securing approval from the appropriate entities prior to construction of the sign structure. **This letter is not a permit.**

Should you have any questions or concerns, or to schedule your pre-construction or final inspection, please contact me at (302) 853-1327.

Sincerely,



Jay Sammons
Roadside Control Agent

JS/JWS:

cc: Chris King, DelDOT State wide Roadside Control Manager

BILLBOARD NOTES:

HEIGHT OF SIGN: 25.00' (FROM GRADE)

HEIGHT TO BOTTOM OF SIGN: 15.00' (FROM GRADE)

AREA OF COVERAGE: 250 SQ. FT. (10.00' H x 25.00' W)

EXISTING BILLBOARD EAST IS 642' FROM PROPOSED SIGN
(PER OWNER, NOT FIELD VERIFIED)

EXISTING BILLBOARD WEST IS 814' FROM PROPOSED SIGN
(PER OWNER, NOT FIELD VERIFIED)

ILLUSTRATION BRIGHTNESS: LED TECHNOLOGY

ENVIRONMENTAL CONTROL: HAS ABILITY TO USE
PHOTOCELL AND/OR TIMER

NOTES:

ZONING: C-1 (GENERAL COMMERCIAL)

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GENERAL CONTRACTOR AND/OR THE DESIGNER.
PLEASE CONTACT SUSSEX COUNTY (302-855-7720).

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OR NON-EXISTENCE OF WETLANDS, UTILITIES,
RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO
OR LOCATED ON THIS PROPERTY.

NO TITLE SEARCH PROVIDED OR STIPULATED.

SURVEY CLASS: SUBURBAN



PIN:	234-32.00-40.01
Owner Name	PARKER JAMES D
Book	4882
Mailing Address	28933 LAKEVIEW RD
City	MILLSBORO
State	DE
Description	RT 24
Description 2	N/A
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

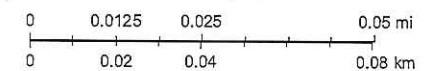
☐ Tax Parcels

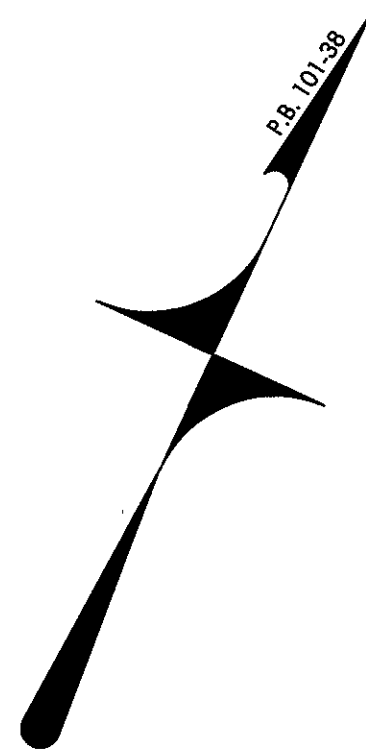
911 Address

☐ Streets

☐ County Boundaries

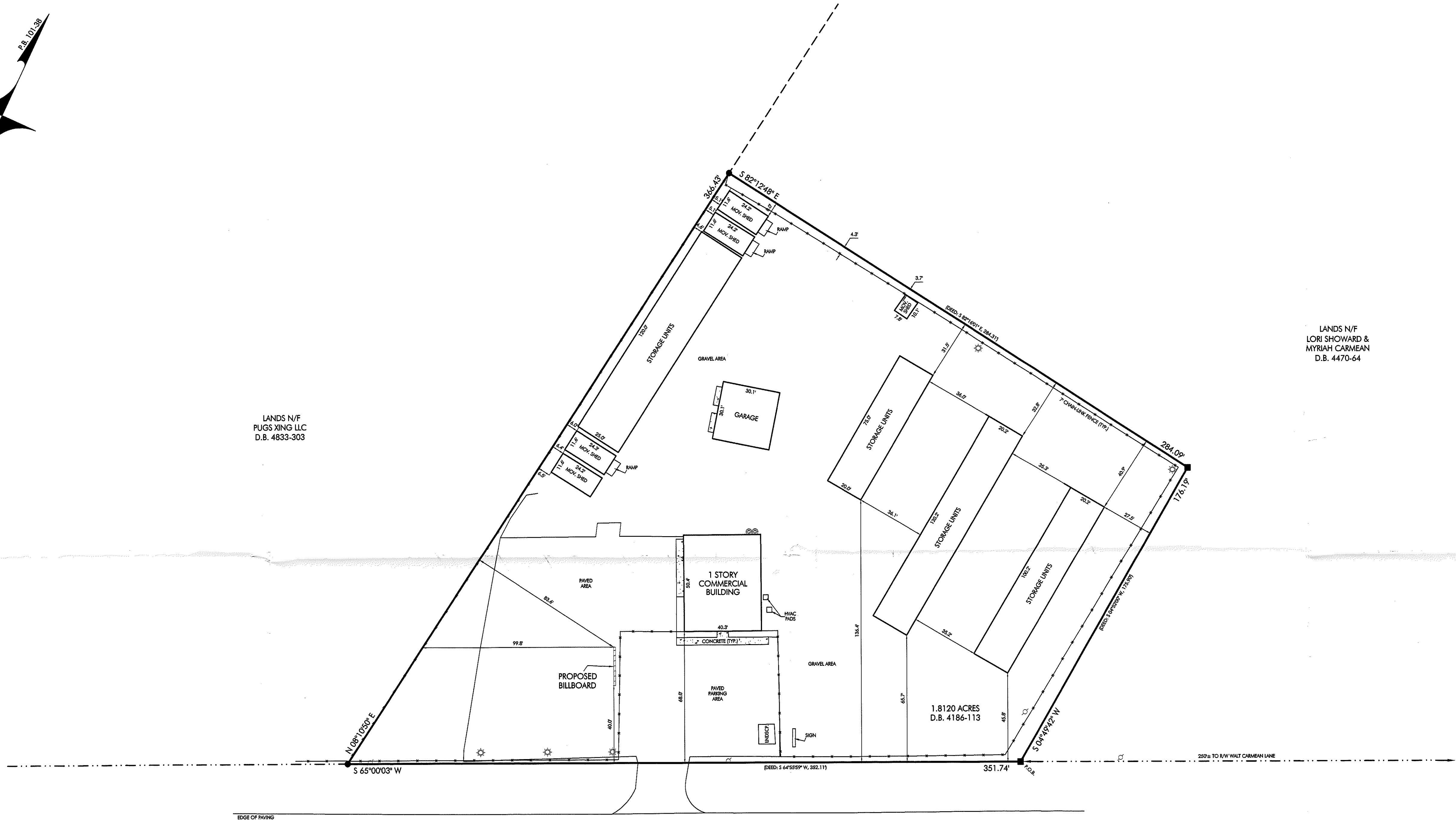
1:1,128





LANDS N/F
PUGS XING LLC
D.B. 4833-303

LANDS N/F
LORI SHOWARD &
MYRIAH CARMEAN
D.B. 4470-64



JOHN J. WILLIAMS HIGHWAY - DE RT. #24 (100' R/W)

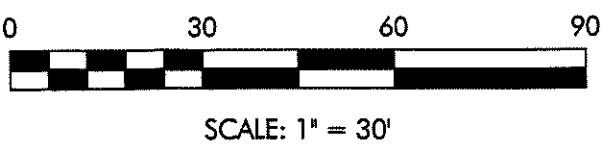
BILLBOARD NOTES:
PROPOSED BILLBOARD WILL MEET ALL REQUIREMENTS FOR SUSSEX COUNTY CODE 115-159.5 AND WILL NOT BE WITHIN 150' FROM ANY DWELLING.
HEIGHT OF SIGN: 25.00' (FROM GRADE)
HEIGHT TO BOTTOM OF SIGN: 15.00' (FROM GRADE)
AREA OF COVERAGE: 250 SQ. FT. (10.00' H x 25.00' W)
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- LEGEND:**
- CONCRETE MONUMENT (FOUND)
 - IRON PIPE W/ CAP (FOUND)
 - UTILITY POLE
 - ⊙ LAMP POST
 - ⊙ PROPANE TANK

NOTES:
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NO TITLE SEARCH PROVIDED OR STIPULATED.
SURVEY CLASS: SUBURBAN

PROPOSED CONDITIONS
BOUNDARY SURVEY PLAN FOR
JAMES D. PARKER & MARY BETH PARKER

29856 JOHN J. WILLIAMS HIGHWAY, MILLSBORO

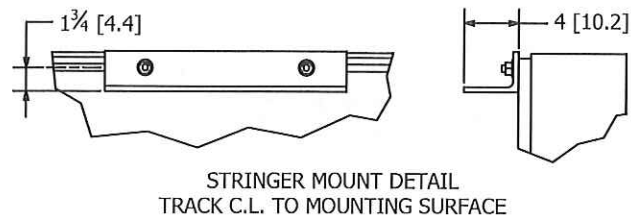


DATE	REVISION
10/2/2019	ADD PROPOSED BILLBOARD & NOTES
12/27/2019	REVISED PROPOSED BILLBOARD NOTES PER SUSSEX COUNTY COMMENTS

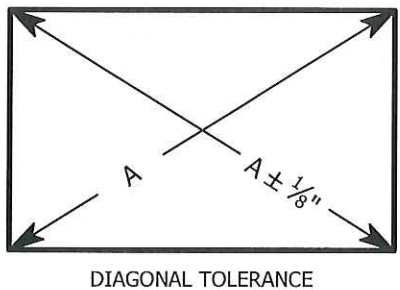
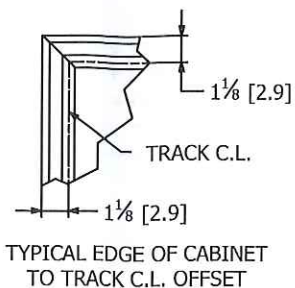
HUNDRED: INDIAN RIVER	COUNTY: SUSSEX	MARCH 26, 2018
STATE: DELAWARE	DRAWN BY: J.A.P.	
REF.: D.B. 4186-113	DWG. NO.: 234-32.00-40.01	

Prepared by:
FORESIGHTServices
Surveying & Precision Measurement
302 226 2229 phone 302 226 2239 fax 2103A Coastal Highway Dewey Beach, DE 19971

SURVEY CLASS: SUBURBAN



- NOTES:
1. ELEVATION DIMENSIONS ARE TO CENTER LINE OF TRACK.
 2. DISCONNECT BOX SIZE MAY VARY DEPENDING ON AMPERAGE REQUIREMENTS.
 3. IN LOCATIONS WHERE A TRACK IS DIRECTLY ABOVE ANOTHER TRACK (CABINET SEAMS), STRINGERS ARE TO BE PLACED ON THE BOTTOM TRACK.



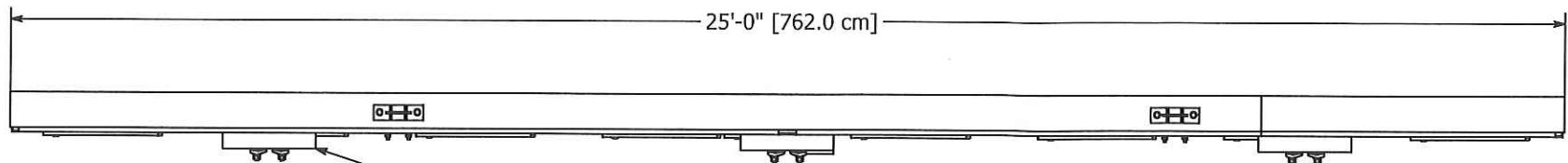
IBC2009 AND ASCE7-05
150 MPH 3 SECOND WIND GUST
IBC2012 AND ASCE7-10
170 MPH 3 SECOND WIND GUST
EXPOSURE C
OCCUPANCY CATEGORY I
SIGN HEIGHT ABOVE GRADE = 100 FT MAX

REQUIREMENTS TO MEET THE ABOVE WIND LOAD
UPRIGHT QTY: 3.0 MINIMUM
SPACING: 115 3/16 [292.6] MAXIMUM
CANTILEVER: 57 5/8 [146.3] MAXIMUM

THESE CALCULATIONS ASSUME THE SUPPORTING STRUCTURE (DESIGNED BY OTHERS) ALSO MEETS APPROPRIATE CODES, AND THE USE OF A WATCHFIRE PROVIDED MOUNTING SYSTEM.

SIGN WEIGHT FOR 10mm, 16mm, 19mm, & 25mm MODELS
2250.0 lbs. (2500.0 lbs. WITH MOUNTING HARDWARE)

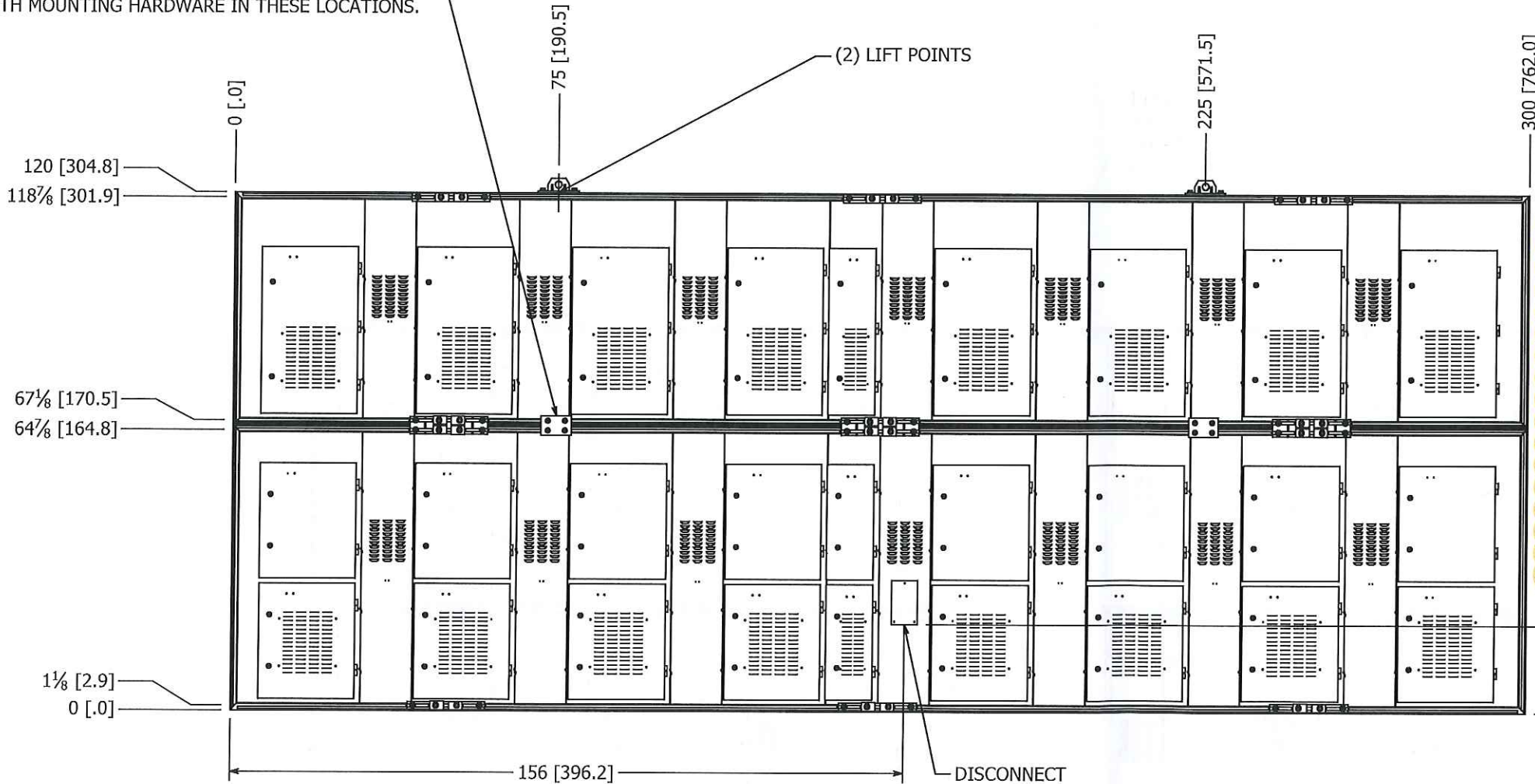
SIGN WEIGHT FOR 12mm MODEL
2500.0 lbs. (2750.0 lbs. WITH MOUNTING HARDWARE)



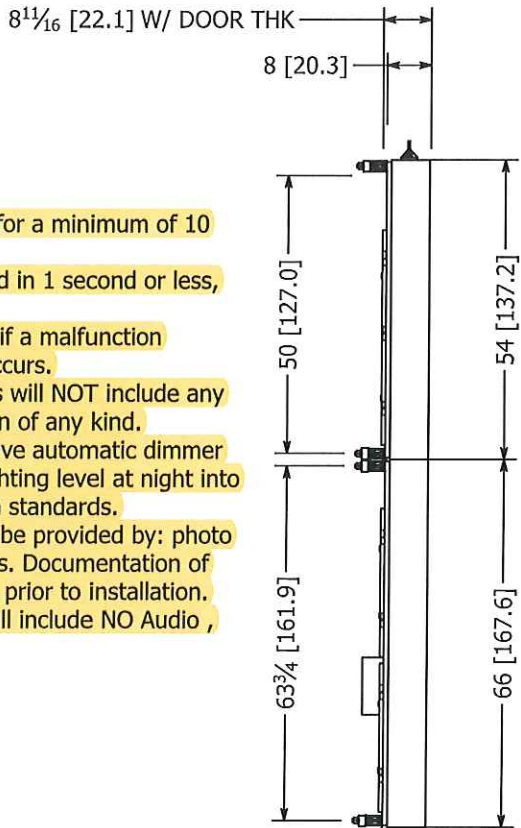
HORIZONTAL LOCATION OF STRINGERS IS ADJUSTABLE

NOTE: THE MATING EXTRUSIONS BETWEEN CABINETS ARE INTERLOCKING EXTRUSION TYPE.

LIFTING PLATES INSTALLED IN LINE WITH LIFTING POINTS. PLATES CAN BE MOVED IF THEY INTERFERE WITH MOUNTING HARDWARE IN THESE LOCATIONS.




Digital Operations:
8 ads: each ad will remain fixed for a minimum of 10 Seconds
Ad transition will be accomplished in 1 second or less, simultaneously and in unison
Sign will default to SHUT DOWN if a malfunction affecting 50% of the sign face occurs.
All Ads will be STILL Ads, the ads will NOT include any light effects, flashing or animation of any kind.
Electronic message center will have automatic dimmer controls in order to adjust the lighting level at night into compliance with light illumination standards.
Automatic Dimming Controls will be provided by: photo cell, hardwire or software settings. Documentation of dimmer provider will be provided prior to installation.
Our electronic message center will include NO Audio , verbal announcements or noises



DIMENSIONS TO BOTTOM OF ANGLES

DIMENSION STYLE:
INCHES [CENTIMETERS]

VIEWABLE AREA = 9 ft. X 24 ft.

<div><div>watchfire</div><div>THE INFORMATION, DATA, AND DRAWINGS CONTAINED WITHIN THIS DOCUMENT ARE STRICTLY CONFIDENTIAL AND ARE PROVIDED WITH THE UNDERSTANDING THAT THEY WILL NOT BE DISCLOSED TO THIRD PARTIES WITHOUT THE PRIOR WRITTEN CONSENT OF WATCHFIRE SIGNS, LLC.</div><div>ALL INFORMATION, ILLUSTRATIONS, SCREEN SHOTS, DATA, AND DRAWINGS CONTAINED WITHIN COPYRIGHT © 2020 WATCHFIRE SIGNS, LLC., ALL RIGHTS RESERVED.</div></div>	DIMENSION STYLE		TOLERANCES		THIS DRAWING IS FOR THE PURPOSE OF PROVIDING DIMENSIONS ONLY ON WATCHFIRE PRODUCTS. ALL ELEMENTS OF THE SIGN STRUCTURE WILL BE PROVIDED BY OTHERS AND WATCHFIRE MAKES NO GUARANTEES ABOUT THE SUITABILITY OF THE STRUCTURE FOR THE SITE. ANY INFORMATION PROVIDED RELATING TO THE SIGN STRUCTURE IS FOR ILLUSTRATIVE PURPOSES ONLY.		MODEL REV	DRAWG REV	THIRD ANGLE PROJECTION		DESCRIPTION		
	INCHES [CENTIMETERS]		OVERALL SIGN DIMENSION..... ± 1/4"				1	0		REAR SERVICE - 9 X 24 VEWABLE - DIMENSIONS 120" X 300"			
	ALL DIMENSIONS ARE U.S. IMPERIAL UNITS, UNLESS OTHERWISE SPECIFIED. STANDARD TOLERANCES APPLY TO ALL DIMS UNLESS OTHERWISE SPECIFIED. TOLERANCES DO NOT APPLY TO REFERENCE DIMS (XXX.XX)		LINEAR DIMENSION..... ± 1/16"							MATERIAL			
			ANGULAR DIMENSION..... ± 1°							DATE CREATED			
			STRAIGHTNESS..... ± .020"/ft.							DRAWN BY			
								SHEET 1 OF 2		PART NUMBER			
										10'0x25'0_C_N_09024_RY			
										VAULT LOCATION: Designs\1 Customer Drawing\Track Signs\Rear Service\10'0x25'0_C_N_09024_RY.idw			

VAULT LOCATION: Designs\1 Customer Drawing\Track Signs\Rear Service\10'0x25'0_C_N_09024_RY.idw

watchfire		THE INFORMATION, DATA, AND DRAWINGS CONTAINED WITHIN THIS DOCUMENT ARE STRICTLY CONFIDENTIAL AND ARE PROVIDED WITH THE UNDERSTANDING THAT THEY WILL NOT BE DISCLOSED TO THIRD PARTIES WITHOUT THE PRIOR WRITTEN CONSENT OF WATCHFIRE SIGNS, LLC.		WATCHFIRE SIGNS, LLC., ALL RIGHTS RESERVED.	
DIMENSION STYLE		INCHES [CENTIMETERS]		ALL DIMENSIONS ARE U.S. IMPERIAL UNITS, UNLESS OTHERWISE SPECIFIED. STANDARD TOLERANCES APPLY TO ALL DIMS UNLESS OTHERWISE SPECIFIED. TOLERANCES DO NOT APPLY TO REFERENCE DIMS (XXX.XX)	
TOLERANCES		OVERALL SIGN DIMENSION..... ± 1/4" LINEAR DIMENSION..... ± 1/16" ANGULAR DIMENSION..... ± 1° STRAIGHTNESS..... ± .020"/ft.		THIS DRAWING IS FOR THE PURPOSE OF PROVIDING DIMENSIONS ONLY ON WATCHFIRE PRODUCTS. ALL ELEMENTS OF THE SIGN STRUCTURE WILL BE PROVIDED BY OTHERS AND WATCHFIRE MAKES NO GUARANTEES ABOUT THE SUITABILITY OF THE STRUCTURES FOR THE SITE. ANY INFORMATION PROVIDED RELATING TO THE SIGN STRUCTURE IS FOR ILLUSTRATIVE PURPOSES ONLY.	
MODEL REV	1	DRAWG REV	0	SHEET	2 OF 2
DESCRIPTION		THIRD ANGLE PROJECTION		MATERIAL	
REAR SERVICE - 9 X 24 VEWAIBLE - OA16.M - DIMENSIONS 120" X 300"		DATE CREATED		DRAWN BY	
		1/27/2020		D. Hoult	
		PART NUMBER		10'0"x25'0".C.N.09024_RY	
		VULT LOCATION: Designs\1 Customer Drawing\Track Signs\Rear Service\10'0x25'0".C.N.09024_RY.idw			

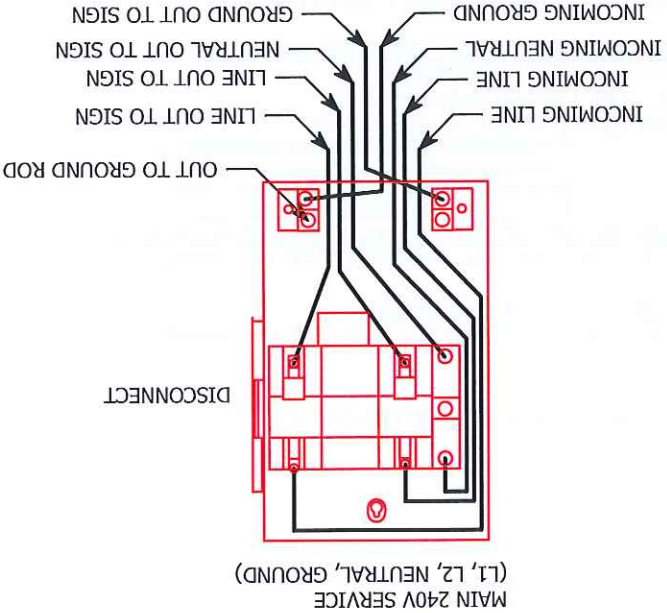
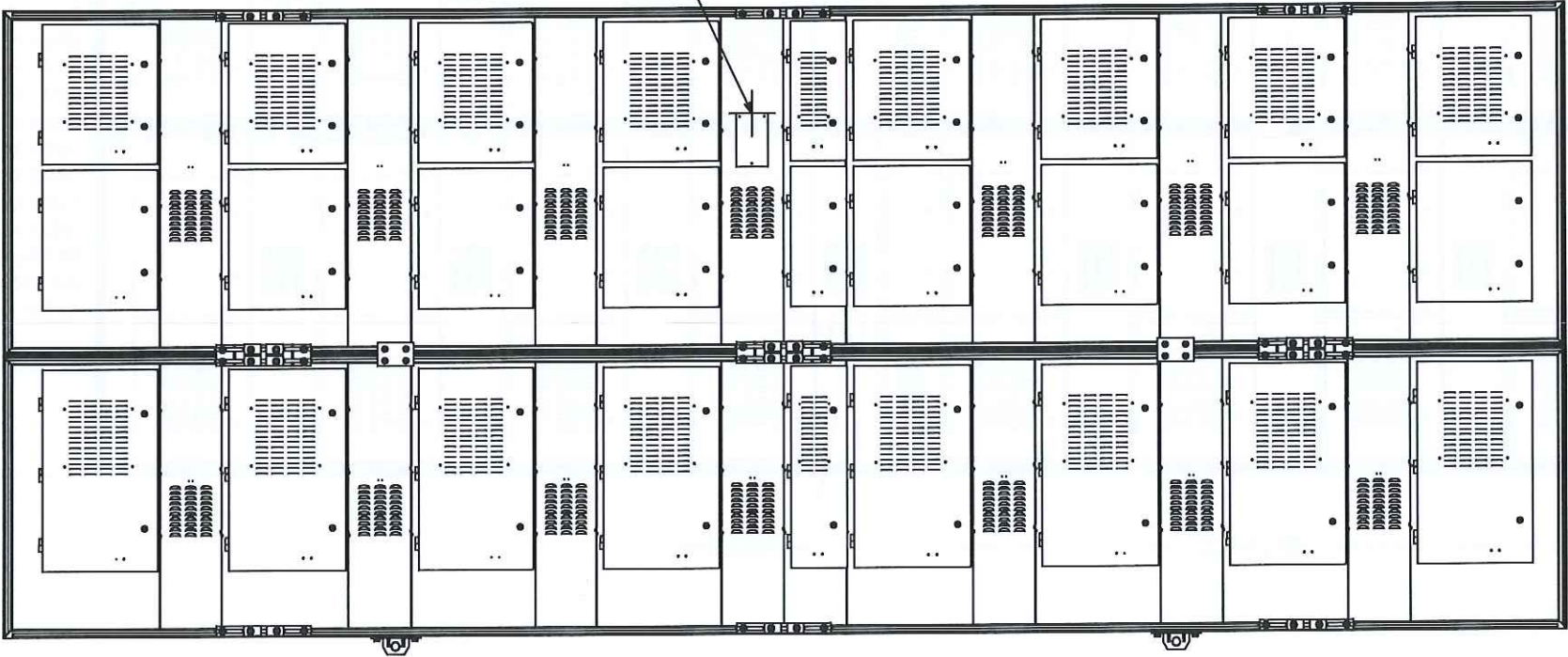
4. UL CERTIFICATE NUMBER: E221802 (UL-48)

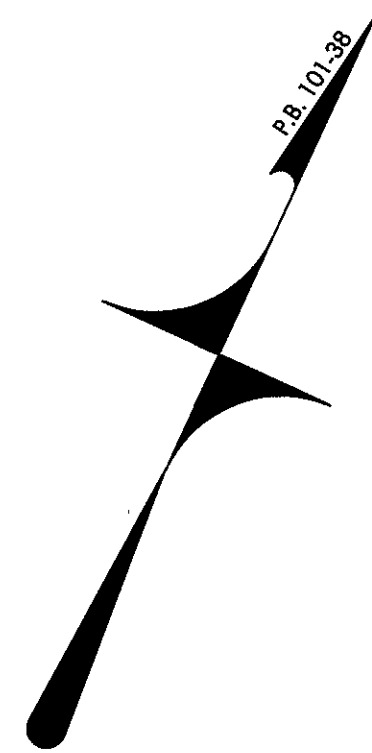
3. GROUND: DRIVE A COPPER-CLAD GROUND ROD INTO THE GROUND NEAR THE SIGN. ATTACH A #6 GROUND WIRE TO THE GROUND ROD AND ROUTE AND CONNECT IT TO THE GROUND TERMINAL INSIDE THE DISCONNECT.
ENSURE ALL WIRING CONNECTING THE GROUND ROD TO THE SIGN IS SECURELY ATTACHED.
BE SURE TO FOLLOW ALL NATIONAL ELECTRICAL CODE REQUIREMENTS.

2. DISCONNECT: 30 AMP UNFUSED DISCONNECT 240 VAC

1. ELECTRICAL REQUIREMENTS: 240 VOLTS, SINGLE PHASE, 14 TOTAL AMPS FOR SIGN, 4-WIRE, CURRENT CARRYING NEUTRAL 3.36 KW TOTAL FOR SIGN.

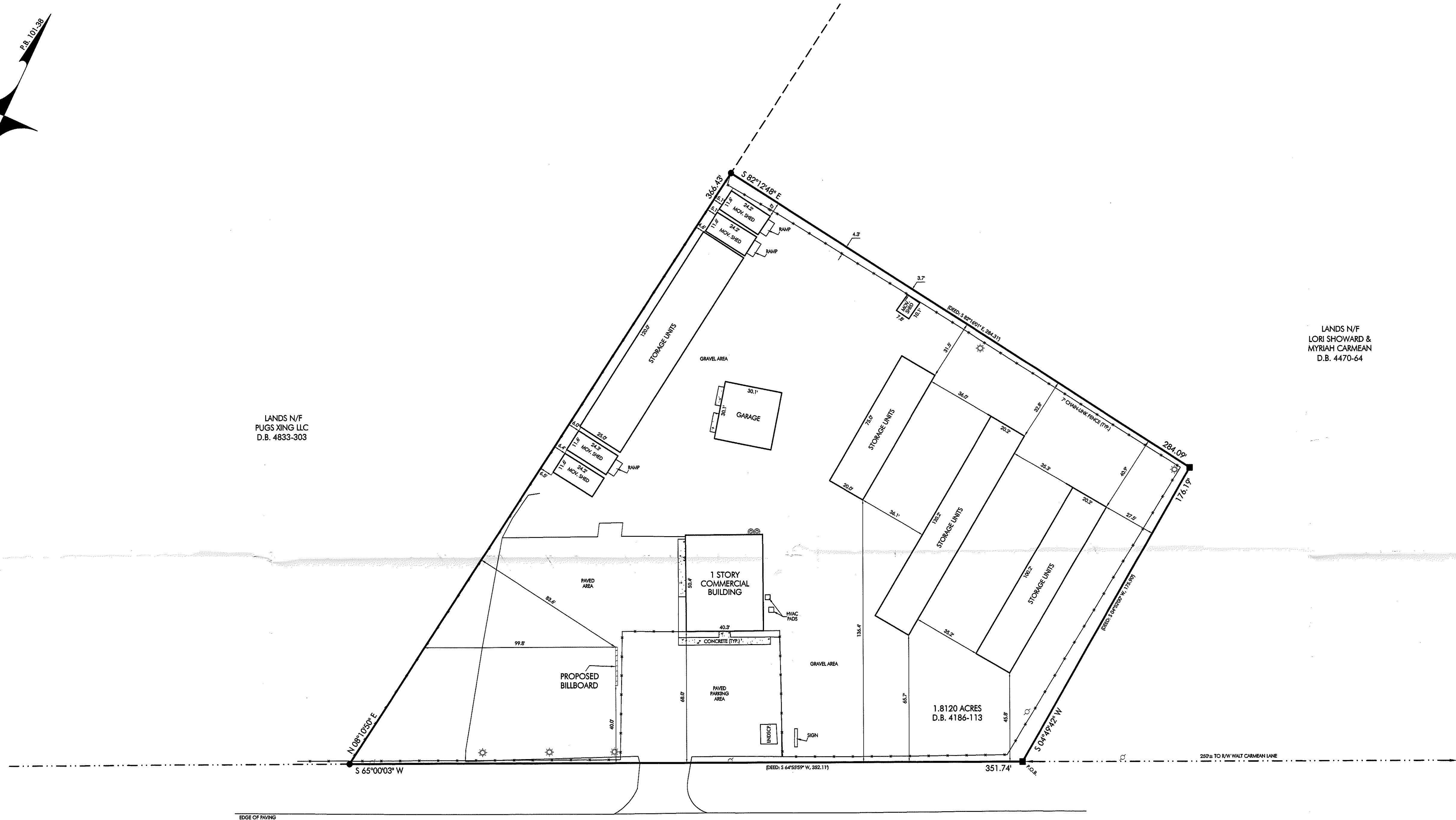
INSTALLATION NOTES:





LANDS N/F
PUGS XING LLC
D.B. 4833-303

LANDS N/F
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D.B. 4470-64



JOHN J. WILLIAMS HIGHWAY - DE RT. #24 (100' R/W)

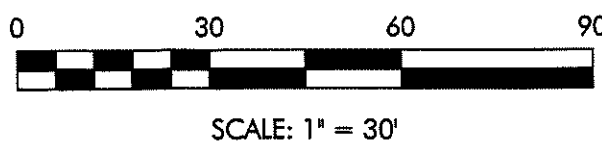
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PROPOSED CONDITIONS
BOUNDARY SURVEY PLAN FOR
JAMES D. PARKER & MARY BETH PARKER

29856 JOHN J. WILLIAMS HIGHWAY, MILLSBORO



DATE	REVISION
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HUNDRED: INDIAN RIVER	COUNTY: SUSSEX	MARCH 26, 2018
STATE: DELAWARE	DRAWN BY: J.A.P.	
REF.: D.B. 4186-113	DWG. NO.: 234-32.00-40.01	

Prepared by:
FORESIGHTServices
Surveying & Precision Measurement
302 226 2229 phone 302 226 2239 fax 2103A Coastal Highway Dewey Beach, DE 19971

SURVEY CLASS: SUBURBAN