

## BOARD OF ADJUSTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov

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

### DRAFT AGENDA

November 4, 2019

**6:00 P.M.**

#### Call to Order

#### Pledge of Allegiance

#### Approval of Agenda

#### Old Business

#### Public Hearings

**Case No. 12374 – J. Michael Yoder, James O'Bryan and Keith Martin** seek variances from the road frontage requirement for proposed lots (Section 115-25 of the Sussex County Zoning Code). The property is located on the southwest corner of Staytonville Rd. and Webb Farm Rd. 911 Address: N/A. Zoning District: AR-1. Tax Parcel: 130-11.00-6.00

**Case No. 12376 – Frank T. English** seeks variances from the front yard and side yard setback requirements for existing structures (Section 115-42 of the Sussex County Zoning Code). The property located on the east side of S. Bay Shore Dr. approximately 1 mile south of Bay Front Rd. 911 Address: 2806 South Bay Shore Dr., Milton. Zoning District: GR. Tax Parcel: 235-10.00-13.00

**Case No. 12377 – Steven H. & Michelle L. Hearn** seek a variance from the minimum lot size requirements for a proposed lot (Sections 115-42 of the Sussex County Zoning Code). The property located on the east side of Bethel Concord Rd. approximately 0.19 Miles north of Airport Rd. 911 Address: 26183 Bethel Concord Rd., Seaford. Zoning District: GR. Tax Parcel: 132-2.00-339.00 (Portion)

**Case No. 12378 – Cellco Partnership d/b/a Verizon Wireless (Donna & Richard Harris)** seeks a special use exception to place a telecommunications tower (Sections 115-23, 115-194.2 and 115-210 of the Sussex County Zoning Code). The property is located on the east side of Hitch Pond Rd. approximately 0.29 miles north of Arvey Rd. 911 Address: 34401 Hitch Pond Rd., Laurel Zoning District: AR-1. Tax Parcel: 332-9.00-4.03



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

**Case No. 12379 – Kenneth & Lorraine Burke** seek a variance from the rear yard setback requirements for a proposed structure (Section 115-25 of the Sussex County Zoning Code). The property is located on the west side of Herring Reach Ct. approximately 568 ft. north of Inlet Breeze Dr. in the Bay Pointe subdivision. 911 Address: 23670 Herring Reach Ct., Lewes. Zoning District: AR-1. Tax Parcel: 234-18.00-662.00

**Case No. 12380 – Charles & Patricia Humphreys** seek variances from the side yard setback requirements for existing structures (Sections 115-42 and 115-185 of the Sussex County Zoning Code). The property is located on the west side of W. Lagoon Dr. approximately 228 ft. south of N. Dogwood Rd. in the Dogwood Acres subdivision. 911 Address: 30881 W. Lagoon Rd., Dagsboro. Zoning District: GR. Tax Parcel: 134-6.00-81.00

**Additional Business**

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**Board of Adjustment meetings can be monitored on the internet at**  
[www.sussexcountyde.gov](http://www.sussexcountyde.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  
302-855-7878 ph. 302-854-5079 fax

Case # 12374  
Hearing Date 10/31/19  
201910221

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☐

Proposed ☒

Code Reference (office use only)

115-25

Site Address of Variance/Special Use Exception:

Acreage at intersection of Staytonville Road & Webb Farm Rd.; N S/RT. 224 & W/RT. 594 FMX

Variance/Special Use Exception/Appeal Requested:

Applicant requests: (1) a variance of 77.12 feet from the minimum road frontage of 150 feet along Staytonville Road; and (2) a variance of 50 feet from the minimum road frontage of 150 feet along Webb Farm Road to provide private access to two proposed residential properties.

Tax Map #: 1-30-11.00-6.00

Property Zoning: AR-1

**Applicant Information**

Applicant Name: J. Michael Yoder

Applicant Address: 10222 Woodyard Road

City Greenwood State DE Zip: 19950

Applicant Phone #: (302) 264-1518 Applicant e-mail: yoderjcpa@gmail.com

**Owner Information**

Owner Name: J. Michael Yoder, James O'Bryan & Keith Martin

Owner Address: 10222 Woodyard Road

City Greenwood State DE Zip: 19950 Purchase Date: 6/27/19

Owner Phone #: (302) 264-1518 Owner e-mail: yoderjcpa@gmail.com

**Agent/Attorney Information**

Agent/Attorney Name: David Hutt | Morris James LLP

Agent/Attorney Address: 107 W. Market Street

City Georgetown State DE Zip: 19947

Agent/Attorney Phone #: (302) 856-0015 Agent/Attorney e-mail: DHutt@MorrisJames.com

**Signature of Owner/Agent/Attorney**



Date: 9/5/19



**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.

This is a large, oddly shaped property that was previously intended to have an internal street for multiple lots. The Applicant proposes to create two large lots with each lot being accessed by the prior "street" access. Neither entrance is able to be moved or expanded due to neighboring lots on both sides of each entrance.

**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.

Both proposed lots are currently landlocked and the physical configuration of the property prevents it from being subdivided and reasonably used as two residential properties without the use of both entrances.

+

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

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

The two entrance points for the proposed lots were not created by the applicant. The two entrances have existing lots on either side preventing the Applicant from expanding the road frontage any further to conform with the 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.

The character of the neighborhood is primarily residential and agricultural. Both entrances will provide private access for two proposed residential properties that will be larger in size than the adjacent residential lots. Residential lots of this size are consistent with the nature of the surrounding area and with Sussex County's rural landscape.

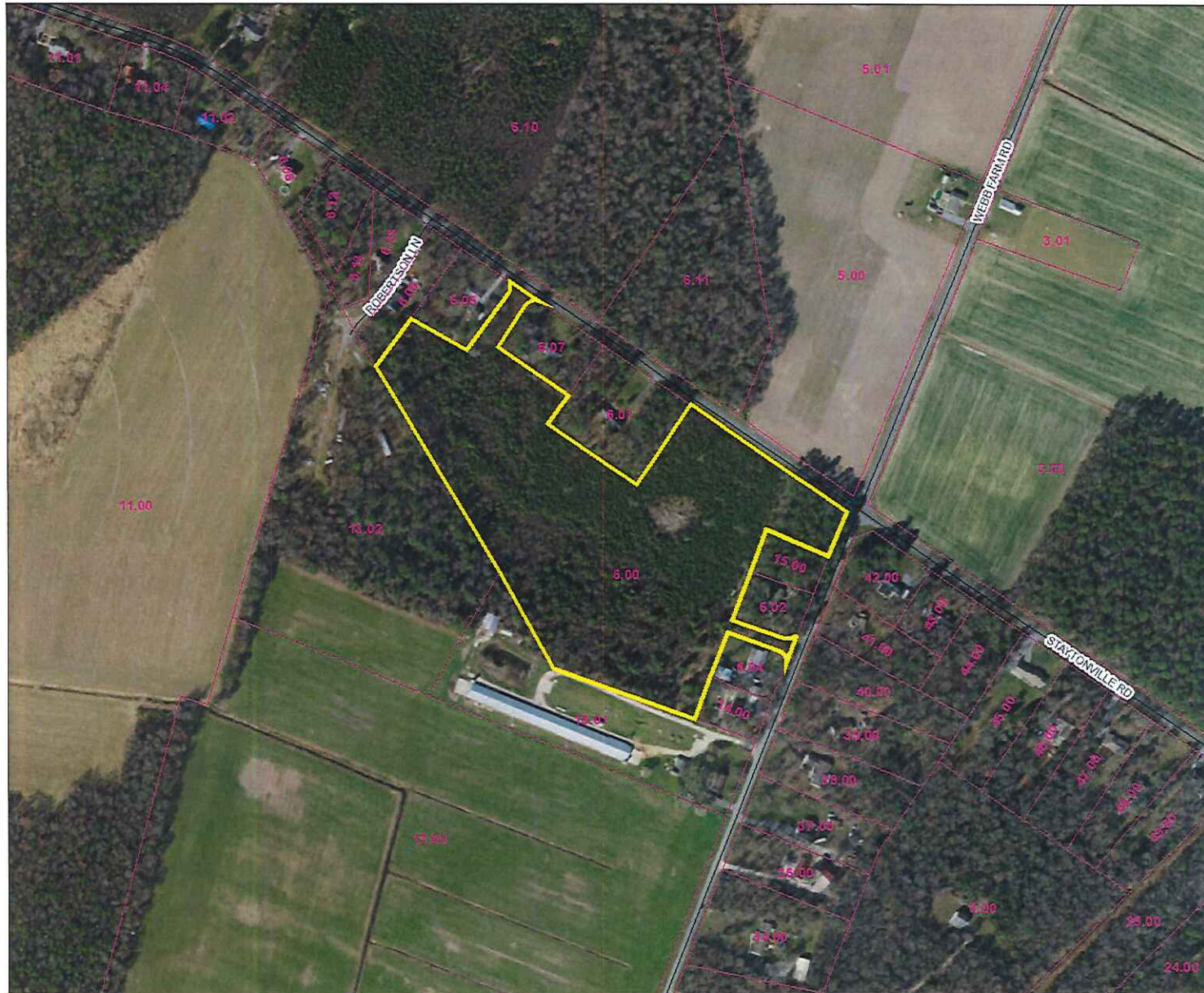
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**5. Minimum variance:**

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

This is the minimum variance possible since both proposed entrances are surrounded on either side by existing lots.





PIN:	130-11.00-6.00
Owner Name	YODER J MICHAEL AND JAMES OBRYAN AND
Book	5081
Mailing Address	10222 WOODYARD RD
City	GREENWOOD
State	DE
Description	N S/RT.224
Description 2	W/RT.594 FMX
Description 3	N/A
Land Code	

polygonLayer

Override 1

polygonLayer

Override 1

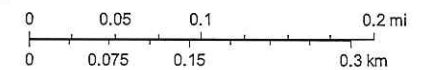
Tax Parcels

Streets

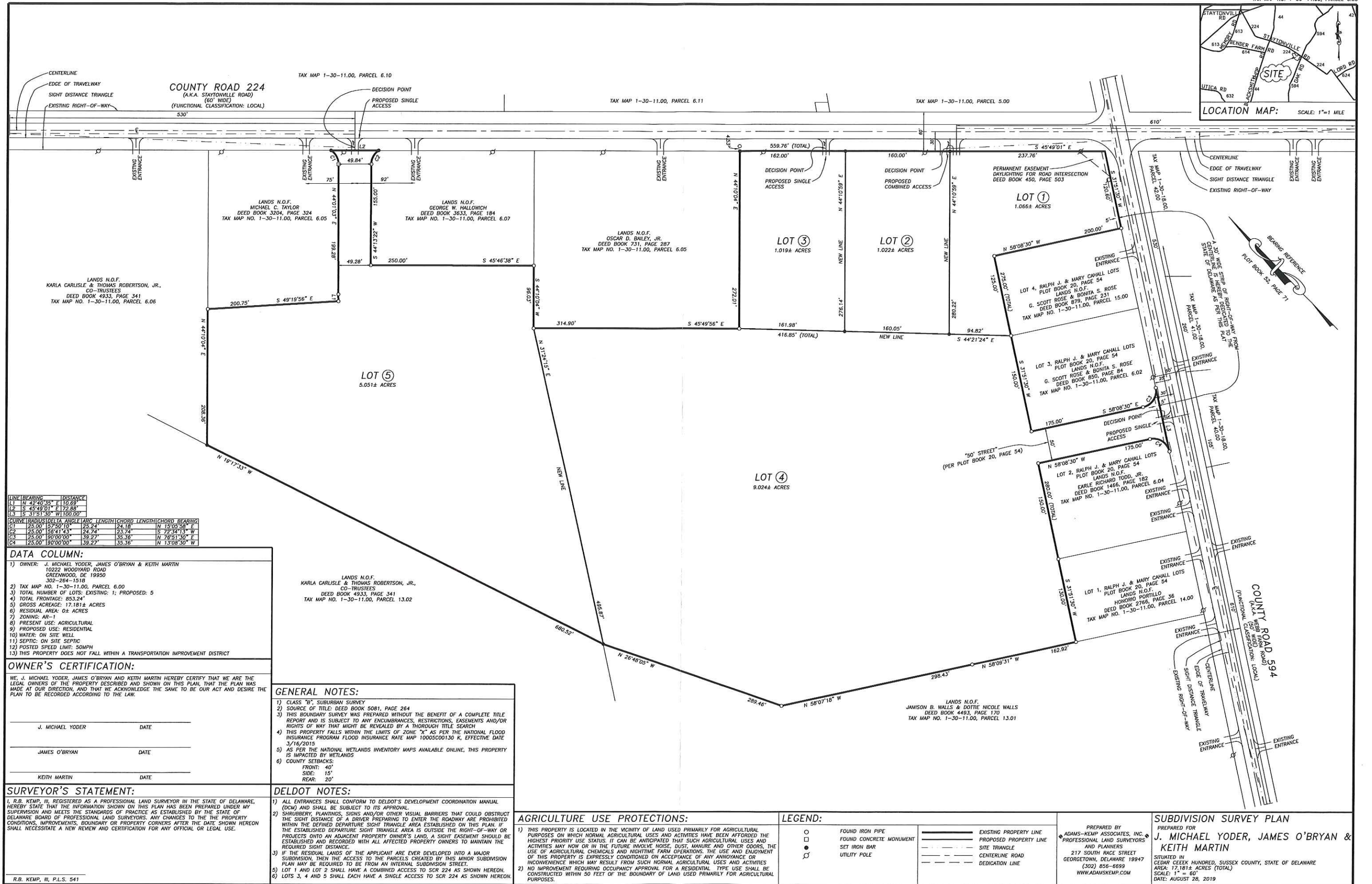
Zoning

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

1:4,514







**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 # 12376  
Hearing Date 11/4/19  
201910488

Type of Application: (please check all applicable)

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☒

Proposed ☐

Code Reference (office use only)

115-42

Site Address of Variance/Special Use Exception:

2806 South Bay Shore Drive, Milton, DE 19968

Variance/Special Use Exception/Appeal Requested:

Applicant requests: (1) a variance of 3.6' from the required side yard setback of 10' in order to allow a set of stairs and portions of a 2nd floor deck (all existing) to remain in place; (2) a variance of 8.2' from the required front yard setback of 30' in order to allow an existing set of stairs and landing to remain in place; and (3) a variance of 3.9' from the required front yard setback of 30' in order to allow an existing 3rd story balcony to remain in place. In the event the County finds that the required front yard setback is 40', then request #2 shall be increased to 18.2'; request #3 shall be increased to 13.9'; and an additional request for a variance of 10' from the required front yard setback of 40' to allow the dwelling and 2nd floor deck to remain in place shall be added.

Tax Map #: 2-35 10.00 13.00

Property Zoning: GR

**Applicant Information**

Applicant Name: Frank T. English and/or assigns

Applicant Address: 2049 County Road #29

City Lake Placid State FL Zip: 33852

Applicant Phone #: \_\_\_\_\_ Applicant e-mail: \_\_\_\_\_

**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: Chad C. Meredith of Hudson, Jones, Jaywork & Fisher, LLC

Agent/Attorney Address: 309 Rehoboth Avenue

City Rehoboth Beach State DE Zip: 19971

Agent/Attorney Phone #: (302) 227-9441 Agent/Attorney e-mail: cmeredith@delawarelaw.com

**Signature of Owner/Agent/Attorney**

Date: 9/11/2019





**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 unique in that it is undersized (lot with septic). Further, it is a coastal lot with dunes along the back of the lot. Attached survey notes the property as being located in Flood Zone VE.

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**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.

Applicant hired a contractor for the construction of the dwelling. Property has been developed and dwelling has been in its current location and state since around 1985. Applicant recalls all inspections and believed that contractor had built the dwelling in compliance. Because of dunes, dwelling could not be moved much further back. Exceptional hardship/difficulty to Applicant to move the home and rearrange existing stairs etc.

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

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

Applicant hired a contractor and believed the dwelling went through all inspections and was built in compliance with all applicable regulations. Applicant did not create difficulty.

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

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

The variance, if approved, would not alter the essential character of the neighborhood. An aerial photo shows several other properties as being similarly developed. The dwelling has been standing in its current location for over 30 years with no complaints or notices of violations. Beach access along southerly lot line. Therefore, the dwelling is not impairing adjacent properties and is not detrimental to public welfare.

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**5. Minimum variance:**

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

The variances requested are the minimum amount needed to afford relief and allow the dwelling and its features to remain in their current location, as they've been for more than 30 years.





Google



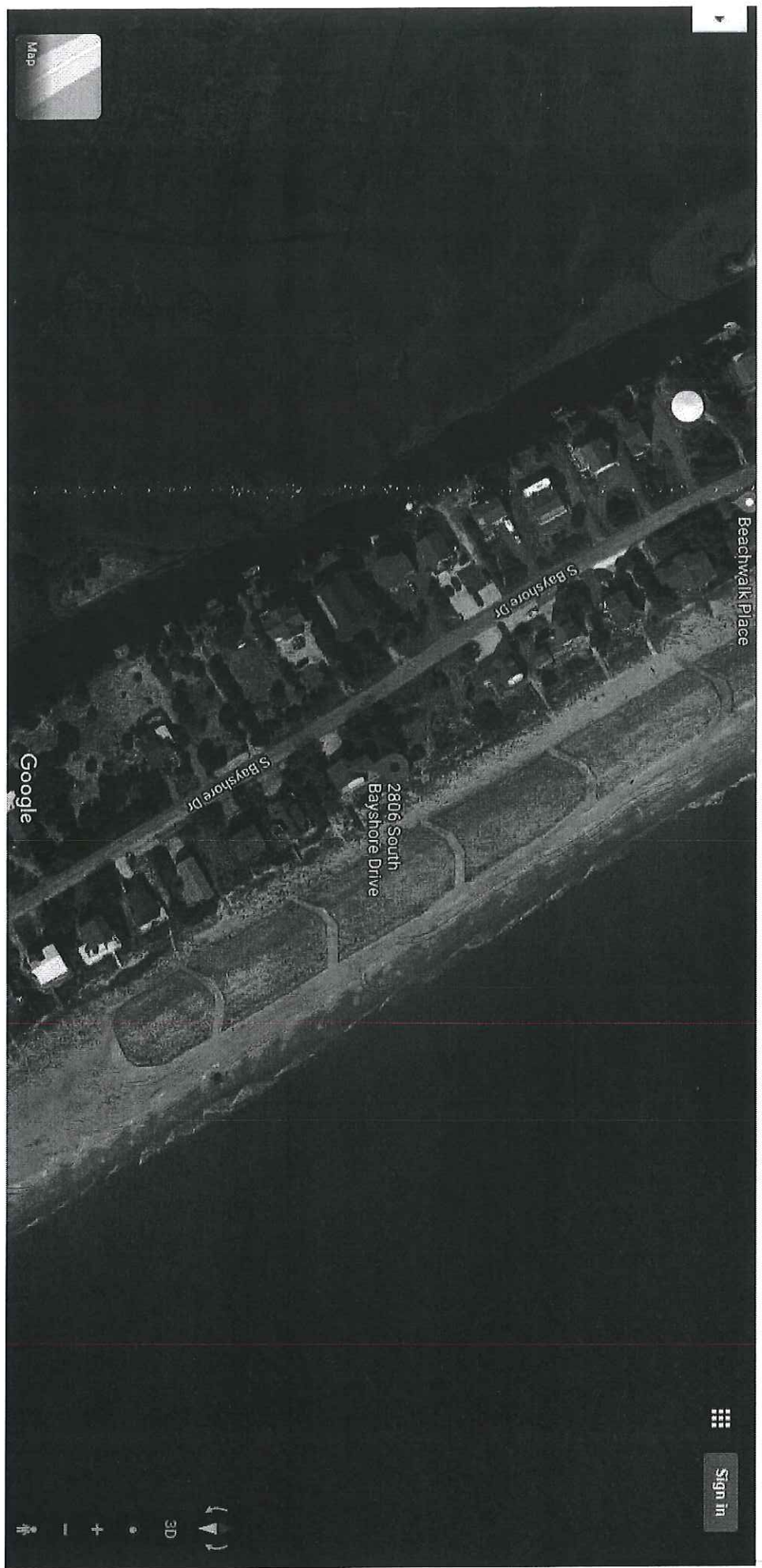
Sign in

Beachwalk Place

S Bayshore Dr

S Bayshore Dr

2806 South  
Bayshore Drive





<b>PIN:</b>	235-10.00-13.00
<b>Owner Name</b>	ENGLISH FRANK T
<b>Book</b>	0
<b>Mailing Address</b>	2049 COUNTY RD 29
<b>City</b>	LAKE PLACID
<b>State</b>	FL
<b>Description</b>	OLD INLET BEACH
<b>Description 2</b>	LOT 7 SEC 3
<b>Description 3</b>	W/IMP
<b>Land Code</b>	

polygonLayer

Override 1

polygonLayer

Override 1



Tax Parcels

911 Address



Streets

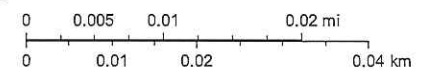


County Boundaries



Municipalities

1:564



9/13/19 11:50:50

PR010D

DIST: 235 MAP: 10 . 00

SUSSEX COUNTY COUNCIL  
Name/Map# Reference-Permits

PARCEL: 0013 . 00 UNIT:       

PZWKS14#A

RUSTY

ENGLISH  
FRANK T

ACTIVE

OLD INLET BEACH  
LOT 7 SEC 3  
W/IMP  
100 X 100

2049 COUNTY RD 29

LAKE PLACID

FL 17033 0000

GR Zoning Dist

Fire: 85 00 00

Permit Num Type(s)

BP 84753 DW

BP 260936 RM

RS Land Class

Town 064 Traffic

35T Enumeration Dist

NR CODE

BC/Occup

Issued

8/13/85

6/26/07

0/00/00

0/00/00

PZ/Compli

N/A

Acres

Land 0 Caps

Improvement

Total

Value

40,000

5,000



BA CU CZ VIOLATION

F3=EXIT F13=NEW MAP#

F24=MORE KEYS F12=RETURN

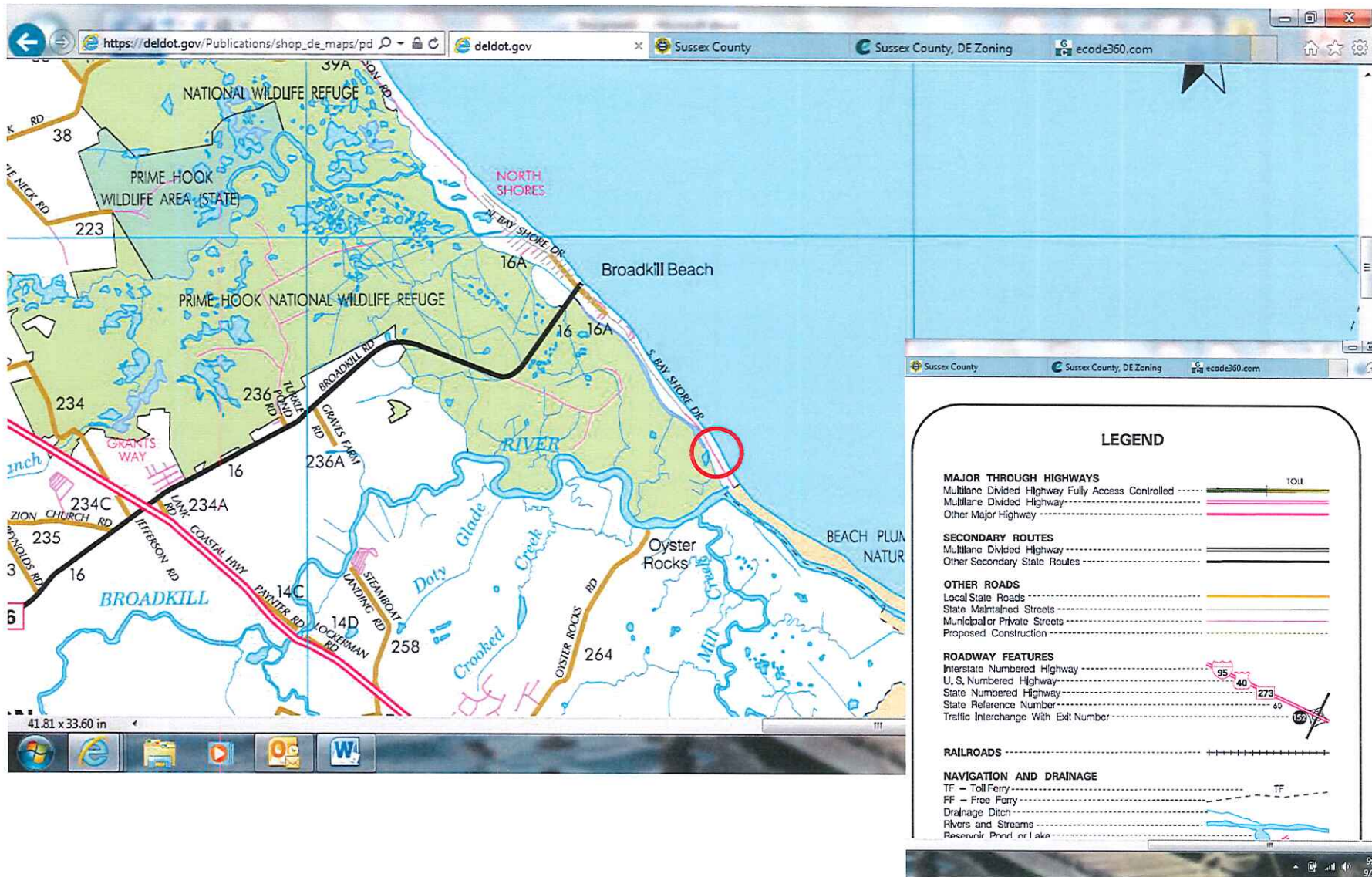
F1=HELP

POP UPS

F4=SALES

F9=911



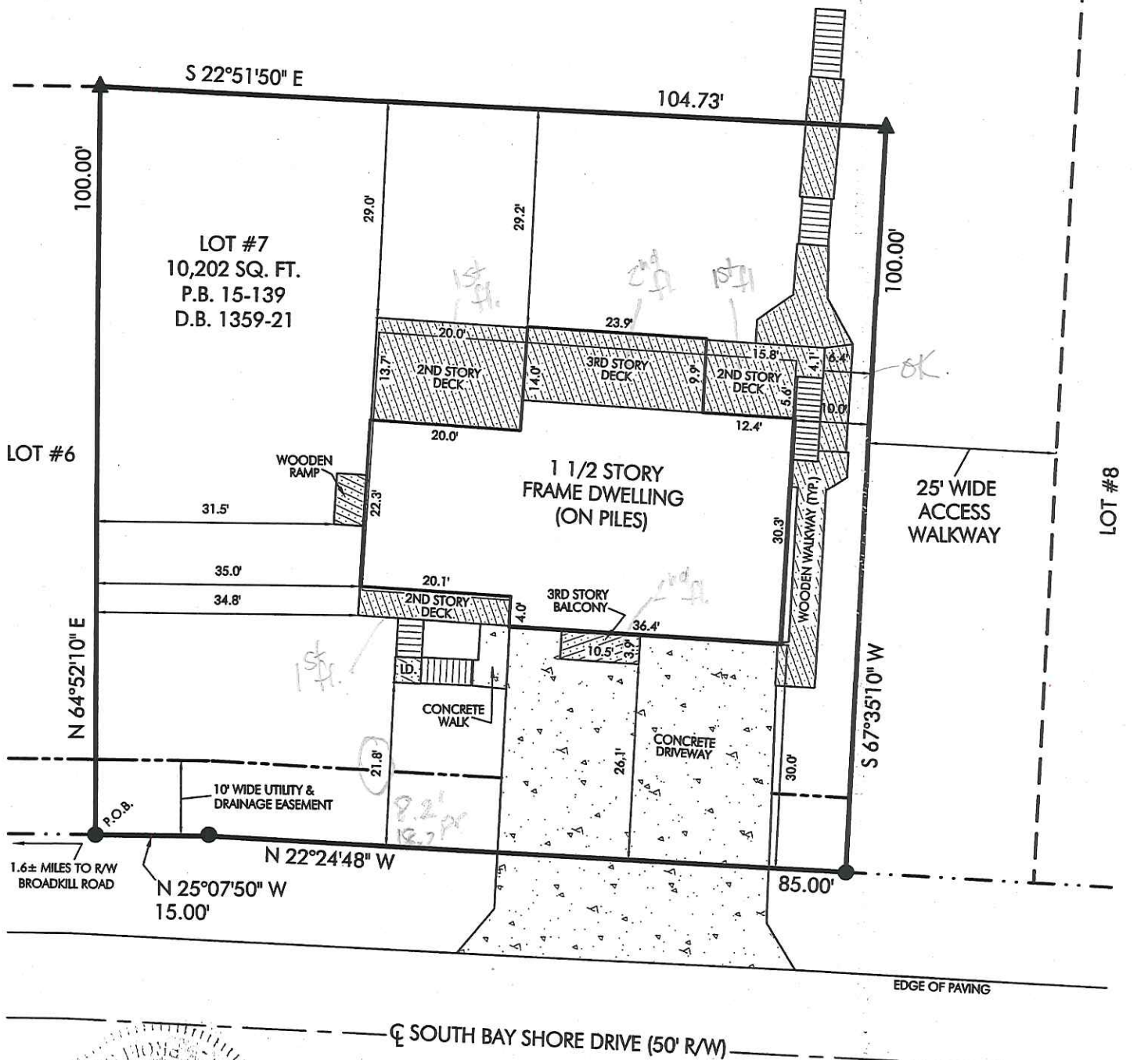






## DELAWARE BAY

P.B. 15-139

OPEN RECREATIONAL AREA  
(P.B. 15-139)



**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 # 12378  
Hearing Date Nov 4, 2019  
201910661

RECEIVED

SEP 17 2019

Type of Application: (please check all applicable)

Variance ☐  
Special Use Exception ☒  
Administrative Variance ☐  
Appeal ☐

SUSSEX COUNTY  
PLANNING & ZONING  
Existing Condition ☐  
Proposed ☐  
Code Reference (office use only)  
115-23 115-210

Site Address of Variance/Special Use Exception:

34401 Hitch Pond Road, Laurel, DE 19956

Variance/Special Use Exception/Appeal Requested:

A Special Use Exception to permit the construction of a 150' tall telecommunications monopole

Tax Map #: 332-09-00-4.03

Property Zoning: AR-1

**Applicant Information**

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


**Owner Information**

Owner Name: Donna K. & Richard H. Harris  
Owner Address: 34401 Hitch Pond Road  
City Laurel State DE Zip: 19956 Purchase Date: \_\_\_\_\_  
Owner Phone #: (443) 944-1154 Owner e-mail: dkrharris@hotmail.com

**Agent/Attorney Information**

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

**Signature of Owner/Agent/Attorney**



Date: 9/13/19



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

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

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

See attached correspondence and reports

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

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

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**John E. Tracey**

P 302.571.6740  
F 302.576.3382  
JTRACEY@YCST.COM

September 13, 2019

**VIA FEDERAL EXPRESS**

**RECEIVED**

Ms. Janelle M. Cornwell, AICP  
Sussex County Department of Planning  
2 The Circle  
P.O. Box 589  
Georgetown, DE 19947

**SEP 17 2019**  
**SUSSEX COUNTY**  
**PLANNING & ZONING**

Re: Cellco Partnership d/b/a Verizon Wireless; Tax parcel No. 332-09.00-4.03 (DOV Pond House)

Dear Ms. Cornwell:

Enclosed please find the completed "Board of Adjustment Application" and \$400.00 application fee on behalf of Cellco Partnership d/b/a Verizon Wireless ("Cellco"). Cellco is seeking to locate a new 150-foot tall telecommunications tower, including a 5-foot tall lightning rod, north of Arvey Road (County Road 451) and east of Hitch Pond Road, northeast of Delmar. In addition to establishing better coverage for Verizon Wireless in this area, the tower would be designed to accommodate at least two (2) additional carriers as required by the Sussex County Code. I will note that an application for a cell tower was previously approved for this site in May of 2017, however, as no substantial construction was commenced pursuant to this approval, it is my understanding a new special exception must be requested.

In order to construct this tower in the desired location I understand that Cellco requires a special use exception from the County's Board of Adjustment. As the proposed tower includes the Code-mandated lighting and is designed to meet the required setbacks and not to exceed the mandated height for this zoning district, it is believed no variances are needed for the structure or the enclosure.

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

YOUNG CONAWAY STARGATT & TAYLOR, LLP

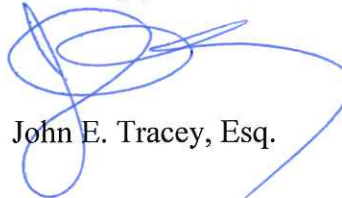
Ms. Janelle M. Cornwell, AICP

September 13, 2019

Page 2

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

Sincerely yours,

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

John E. Tracey, Esq.

Enclosures

cc: Ms. Sue Manchel(via e-mail and w/o enclosures)






PIN:	332-9.00-4.03
Owner Name	HARRIS DONNA K
Book	3261
Mailing Address	34401 HITCH POND RD
City	LAUREL
State	DE
Description	E/RD 463
Description 2	1400'N/RT 451
Description 3	T#42008
Land Code	


polygonLayer


Override 1

polygonLayer

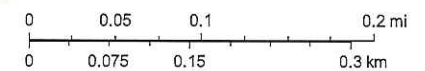
Override 1

 Tax Parcels

 Streets

 County Boundaries

1:4,514



**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 # 12377

Hearing Date 10/24/19  
201910577

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

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☒

Proposed ☒

Code Reference (office use only)

115-42

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

26183 BETHEL CONCORD RD.  
SEAFORD, DE. 19973

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

REQUEST VARIANCE IN AREA. 0.75 ACRES REQUIRED TO 0.532 ACRES +/-

0.218 +/- from 0.75 sq ft. size requirements

Tax Map #: 132-2.00-339.00 PART

Property Zoning: GR

**Applicant Information**

Applicant Name: STEVEN H. & MICHELLE L. HEARN

Applicant Address: 10521 AIRPORT RD.

City SEAFORD State DE Zip: 19973

Applicant Phone #: 302-381-2670 Applicant e-mail: \_\_\_\_\_

**Owner Information**

Owner Name: SAME AS ABOVE

Owner Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_ Purchase Date: 2-06-17

Owner Phone #: \_\_\_\_\_ Owner e-mail: \_\_\_\_\_

**Agent/Attorney Information**

Agent/Attorney Name: MILLER-LEWIS, INC.

Agent/Attorney Address: 1560 MIDDLEFORD ROAD

City SEAFORD State DE Zip: 19973

Agent/Attorney Phone #: 302-629-9895 Agent/Attorney e-mail: stevesellers@millerlewisinc.com

**Signature of Owner/Agent/Attorney**

[Signature]

Date: 09-11-2019





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

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

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

**1. Uniqueness of property:**

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

This parcel is what is left of the road frontage on SCR 488. SCR 488 has been divided into lots that are less than 0.75 acres in the past. The owner who farms the residual parcel would like to have the back property line continue straight.

**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 owner does not want to extend the back property line 60' +/- into his field which is being used for agricultural purposes.

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

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

The existing manufacture home has been in existence for many years and was placed by the previous owner.

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

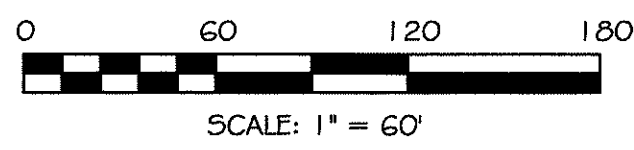
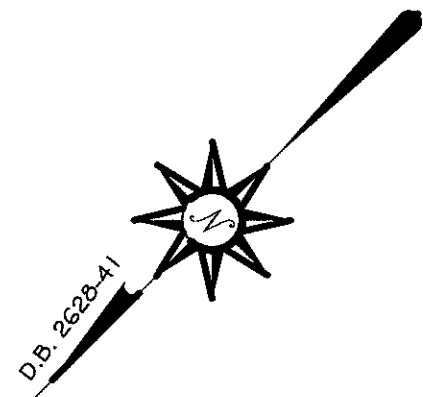
That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located and nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

This lot would be in character with the surrounding lots.

**5. Minimum variance:**

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

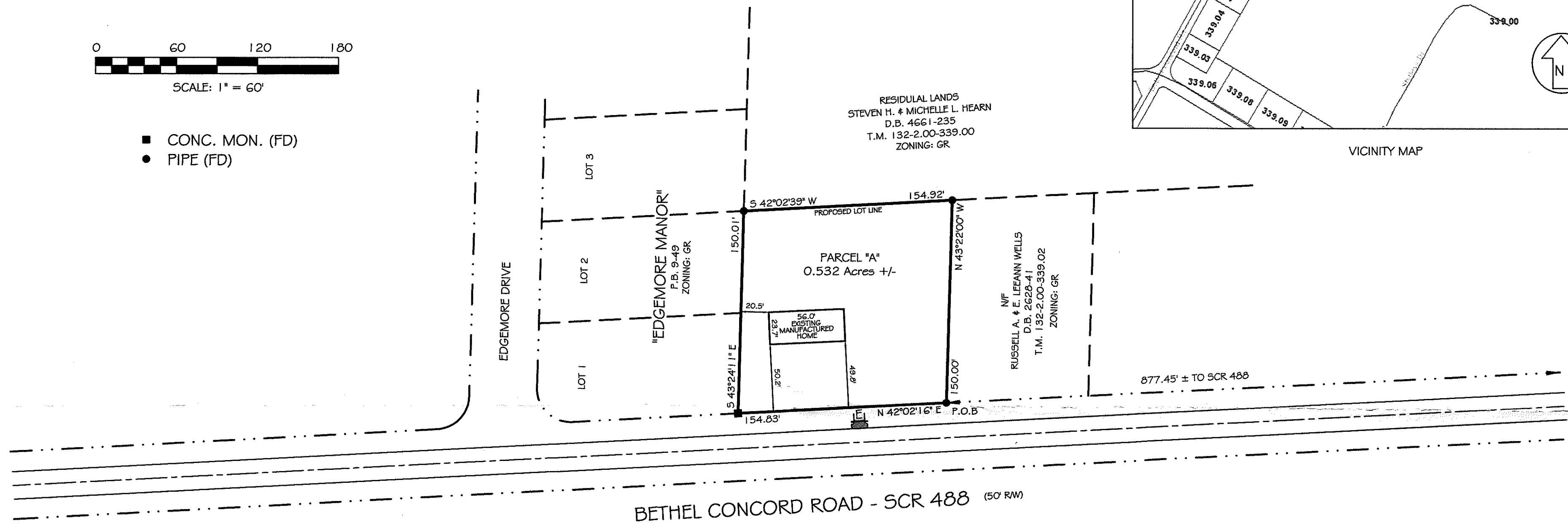
This request is the minimum required.



- CONC. MON. (FD)
- PIPE (FD)



VICINITY MAP



DATA COLUMN:  
T.M.#132-2.00-339.00 part  
ZONING: GR  
BUILDING SETBACKS: FRONT: 40'  
SIDE: 10'  
REAR: 10'  
MINIMUM LOT AREA: 32,670 SQ. FT. (0.75 ACRES)  
MINIMUM LOT WIDTH: 150.00'  
MINIMUM LOT DEPTH: 100'  
TRACT AREA: 95.89 ACRES± (INCLUDING RESIDUAL AREA)  
EXISTING LOTS: 1  
PROPOSED LOTS: 2 TOTAL INCLUDING RESIDUAL LANDS  
PRESENT USE: AGRICULTURAL/RESIDENTIAL  
PROPOSED USE: RESIDENTIAL  
ACCESS: S.C.R. 485 (BETHEL CONCORD ROAD)  
WATER AND SEWER: INDIVIDUAL ON-SITE (EXISTING)

REQUEST FOR VARIANCE OF LOT AREA LANDS OF  
**STEVEN H. HEARN & MICHELLE L. HEARN**

OWNER: STEVEN H. HEARN & MICHELLE L. HEARN ADDRESS: 26183 BETHEL CONCORD ROAD  
10521 AIRPORT ROAD SEAFORD, DE. 19973  
SEAFORD, DE. 19973

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

DATE	REVISION

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

SEPTEMBER 11, 2019

HUNDRED BROAD CREEK	COUNTY SUSSEX
STATE DELAWARE	DRAWN BY SMS
REF. 4661-235	FILE NO. NIBBLETT 132-2-339





PIN:	132-2.00-339.00
Owner Name	HEARN STEVEN H
Book	4661
Mailing Address	10521 AIRPORT RD
City	SEAFORD
State	DE
Description	SE/RD 485
Description 2	NE/RD 488 T#36559
Description 3	T#53127 RES LANDS
Land Code	


polygonLayer


Override 1

polygonLayer

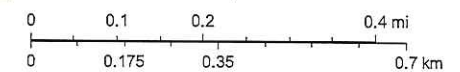
Override 1

 Tax Parcels

 Streets

 County Boundaries

1:9,028





**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 # 12379  
Hearing Date Nov 4

201910792

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

Variance ☒

Special Use Exception ☐

Administrative Variance ☐

Appeal ☐

Existing Condition ☒

Proposed ☒

Code Reference (office use only)

115-25

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

23670 HERRING REACH COURT, LEWES, DE 19958

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

Variance - FOR SCREENED-IN PORCH ON EXISTING OUTSIDE DECK

Tax Map #: 234-18.00-662.00

Property Zoning: AR-1-AGRICULTURAL/  
Residential

**Applicant Information**

Applicant Name: Kenneth J. & Lorraine B. Burke

Applicant Address: 23670 HERRING REACH COURT

City Lewes State DE Zip: 19958

Applicant Phone #: 410-692-9154(H) Applicant e-mail: KBURKEUS@yahoo.com

**Owner Information**

Owner Name: SAME AS ABOVE

Owner Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_ Purchase Date: \_\_\_\_\_

Owner Phone #: \_\_\_\_\_ Owner e-mail: \_\_\_\_\_

**Agent/Attorney Information**

Agent/Attorney Name: N/A

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

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

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

**Signature of Owner/Agent/Attorney**

Kenneth J. Burke  
Lorraine B. Burke

Date: 9.19.2019





**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 ON A SMALL LOT. THE EXISTING DECK EXTENDS 3 FEET INTO THE SETBACK BECAUSE THE END OF THE HOUSE IS 12 FEET FROM THE PROPERTY LINE.

**2. Cannot otherwise be developed:**

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

WE CANNOT BUILD BEHIND THE HOUSE - IT IS COMMON GROUND. WE CANNOT BUILD ON THE SIDES OF THE HOUSE DUE TO THE SIZE OF THE LOT. REFER TO THE ATTACHED PHOTOS.

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

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

THE HOUSE WAS BUILT BY RYAN BUILDERS. RYAN DID NOT OFFER TO BUILD A DECK OR SCREENED PORCH AT THE TIME OF CONTRACT.

**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 SCREENED PORCH WILL NOT ALTER THE CHARACTER OF THE NEIGHBORHOOD. OUR NEIGHBORS WERE APPROVED FOR VARIANCES ON SIMILAR PORCH ADDITIONS. SEE PHOTOS. OUR REQUEST FOR A SCREENED PORCH WILL ENHANCE AND BLEND IN WITH THE APPEARANCE OF THE NEIGHBORHOOD.

**5. Minimum variance:**

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

A VARIANCE OF 3 FEET WILL ALLOW FOR A 10 FOOT SET BACK TO COVER THE SCREENED PORCH ON THE EXISTING DECK WHICH HAS PERMITS WHEN BUILT.

BUILDING CODE REQUIRED: \_\_\_\_\_ PERMIT NO. **288980**

BLOG CODE NUMBER: **68101** SUSSEX COUNTY, DELAWARE

NEEDS TOWN PERMIT: \_\_\_\_\_ DNREC # \_\_\_\_\_ S&W \_\_\_\_\_ Div of Rev \_\_\_\_\_

Route: \_\_\_\_\_ (N)(S)(E)(W) Side: **LOT 48** (ft) (miles)(N)(S)(E)(W): \_\_\_\_\_

Subdiv or TP: **BAY POINTE** Lot No. **LOT 48** Section or Block: \_\_\_\_\_

Town: \_\_\_\_\_ Street: **23670 HERRING REACH CT**

District No. **234** Map No. **18.00** Parcel No. **662.00** MANU. HOME # \_\_\_\_\_

Frontage **75** Depth **105** Acreage \_\_\_\_\_

**ASSESSMENT**

**I. TYPE OF IMPROVEMENT**

Cost of Improvements **\$2,040.00** Stories \_\_\_\_\_

New Build: **DECK OVER 30** Size **10X24**

Addition: \_\_\_\_\_ Size \_\_\_\_\_

Relocation: \_\_\_\_\_ Size \_\_\_\_\_

A. Structure: \_\_\_\_\_ Size \_\_\_\_\_

Sign: \_\_\_\_\_ Size \_\_\_\_\_

Remodeling: \_\_\_\_\_ Size \_\_\_\_\_

Other: \_\_\_\_\_

**II. INTERIOR**

No. of Bedrooms \_\_\_\_\_

No. of Bathrooms \_\_\_\_\_

No. of Rooms \_\_\_\_\_

Baseament \_\_\_\_\_

**VI. FOUNDATION**

Pod: ☐ Brick: ☐

Piling: ☐ Cont. Blk: ☐

Poured: ☐ Slab: ☐

Other: \_\_\_\_\_ Post \_\_\_\_\_

**III. HEATING**

Electric: ☐ Gas: ☐

Heat Pump: ☐ FHA: ☐

Air Condition: ☐

**VII. FIRE PLACE**

Yes: ☐ No: ☐

Masonry: ☐ Metal: ☐

**VIII. ROOFING** # FP: \_\_\_\_\_

Build up: ☐ Metal: ☐

Asp Shingle: ☐ Wd Single: ☐

Other: \_\_\_\_\_

**IX. FLOORING**

Earth: ☐ Vinyl: ☐

Carpet: ☐ Tile: ☐

Concrete: ☐ Wood: ☒

Other: \_\_\_\_\_

**V. INTERIOR WALLS**

Dry Wall: ☐

Paneling: ☐

Other: \_\_\_\_\_

Contract Price: \_\_\_\_\_ <--- For Transfer Tax Only

**ZONING**

**TYPE OF USE**

Existing Use: **DW**

Proposed Use: **DECK OVER 30**

Single Family \_\_\_\_\_ Commercial \_\_\_\_\_ Other \_\_\_\_\_

Zoning District: **AR1** Number of Units \_\_\_\_\_

**SETBACKS**

Front Yd **25** Side Yd **10'** Rear Yd **10'**

FY \_\_\_\_\_ RYN \_\_\_\_\_

Side yd on side st. or corner lot \_\_\_\_\_

From any dwelling of other ownership \_\_\_\_\_

From any unit or Accessory Structure \_\_\_\_\_

Cannot occupy more than \_\_\_\_\_ % of total lot area

Height \_\_\_\_\_

Board of Adjustment Case No. \_\_\_\_\_

Conditional Use Case No. \_\_\_\_\_

Approved by Planning and Zoning: **Jennifer Jackson**

**FLOOD**

Flood Zone: **XP 345 J**

To be measured to:

1. Finished first floor
2. Lowest structural member

Elevation Certification: ☐

Breakaway Walls: ☐

Placement Survey: ☐

Height Certification: ☐

Venting- Flood: ☐

Slab: ☐

I fully understand the Zoning Requirements of this Permit

ADDITIONAL REQUIREMENTS: COMMENTS \_\_\_\_\_

**OWNERS IDENTIFICATION**

Name: **BURKE KENNETH J & LORRAINE B**

Address: **396 VINEYARD LN**

City: **EXTON** State: **PA** Zip: **19341**

Fire Station: **STA 86**

**Name & Address of recipient of Certificate of Compliance (Builder)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

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

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

Signature of Applicant: \_\_\_\_\_ Name Printed: \_\_\_\_\_ Phone No: **302 632 7483**

Permit Fee: **\$13.50 + \$5.10 + \$0.00 = \$18.60** Payment Type: **Check** 1545 Date Issued: **8/24/2011**

**ZONING AND BUILDING PERMIT** shall expire one (1) year from the date of issue. Permit may be renewed if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit-holder's control. Grading on surface-shaping of the site shall not be considered as "actual construction". Permit must be renewed prior to expiration date.

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

THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES IT



SINGLE FAMILY ☒  
COMMERCIAL ☐  
MULTI FAMILY ☐  
MISC ☐



REVIEW RECEIPT NO: 68181  
PERMIT NO: \_\_\_\_\_  
DMPU#: 234-18.00-662.00  
DESCRIPTION: BAY POINTE LOT 48

## PLAN REVIEW REPORT

NAME: BURKE KENNETH J & LORRAINE B  
ADDRESS: 396 VINEYARD LN  
CITY: EXTON STATE: PA ZIP CODE: 19341

DWELLING: 0 SQ. FT. DESCRIPTION: \_\_\_\_\_  
ADDITIONS: 0 SQ. FT. DESCRIPTION: \_\_\_\_\_  
240 DECK OVER 30" WITH STEPS

ACCESSORY STRUCTURES: 0 SQ. FT. DESCRIPTION: \_\_\_\_\_  
0 \_\_\_\_\_  
0 \_\_\_\_\_

THE PLANS SUBMITTED FOR ABOVE PROJECT HAVE BEEN "REVIEW FOR CODE COMPLIANCE" OF THE INTERNATIONAL BUILDING CODE OR INTERNATIONAL RESIDENTIAL CODE 6-2001 DATE

PLEASE CONTACT THE SUSSEX COUNTY BUILDING CODE DEPARTMENT AT (302) 858-5500 FOR ALL INSPECTIONS. (FOOTER, FRAMING, INSULATION AND FINAL).

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

PLAN REVIEW AND INSPECTION FEE \$120.00 AmtType: Check Ck Num: 1544 6/24/2011 CLERK: SAH  
(PAID WHEN PLANS WERE SUBMITTED)

APPROVED BY: \_\_\_\_\_

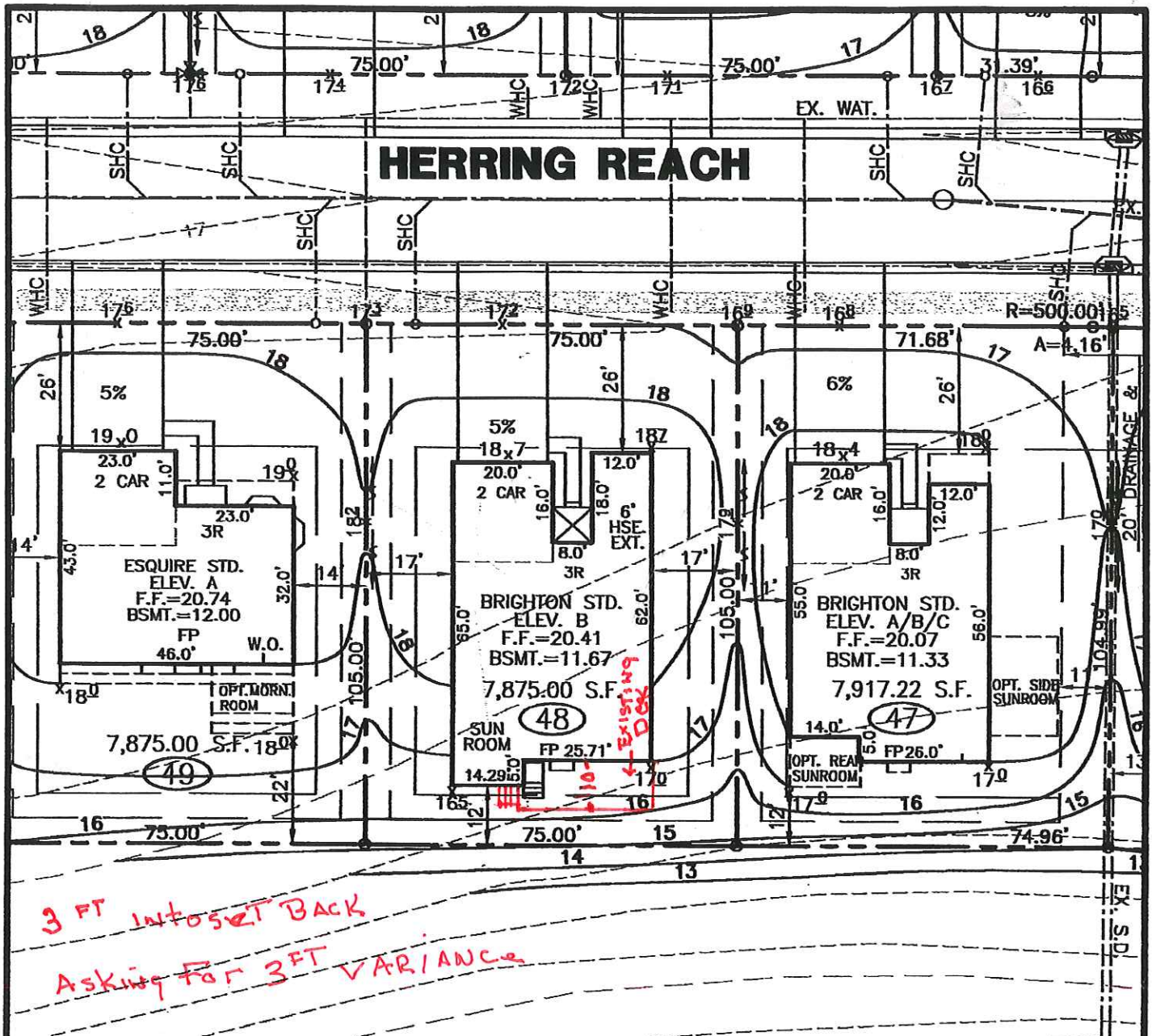
\* A 48 HOUR NOTICE IS REQUIRED FOR ALL INSPECTIONS

CONTACT PERSON: JERRY EMBLETON PHONE: (302) 632-7488  
PLEASE PRINT CONTACT DESCRIPTION

SIGNATURE: \_\_\_\_\_



PLANNING & ZONING COPY



AREA CALCULATIONS	
DRIVEWAY	549 SF
LEADWALK	49 SF
PUBLIC WALK	300 SF
SEED	— SF
SOD	5,223 SF
WHC	51 LF
SHC	54 LF

SETBACKS: AR-1  
FRONT = 25' MIN.  
SIDE = 10' MIN.  
REAR = 10' MIN.

EJECTOR REQUIRED  
TO SEWER BASEMENT.

SAN. INV. @ MAIN = 12.12±



**BUILDER**  
RYAN HOMES  
32448 ROYAL BLVD., SUITE B  
DAGSBORO, DE 19939  
PH: 302-732-9945

**MRA**

**MORRIS & RITCHE ASSOCIATES, INC.**

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, & LANDSCAPE ARCHITECTS

3445-A Box Hill Corporate Center Drive  
Abingdon, Maryland 21009  
(410) 515-9000  
Fax: (410) 515-9002

LINES AND GRADES PLAN  
FOR

**BAY POINTE**

LOT 48

HERRING REACH

INDIAN RIVER HUNDRED

SUSSEX COUNTY, DELAWARE

SCALE: 1"=30'

DATE: JUNE 7, 2010

DRAWN BY: D.A.L.

DESIGN BY: D.A.L.

REVIEW BY: D.A.

JOB NO.: 16112



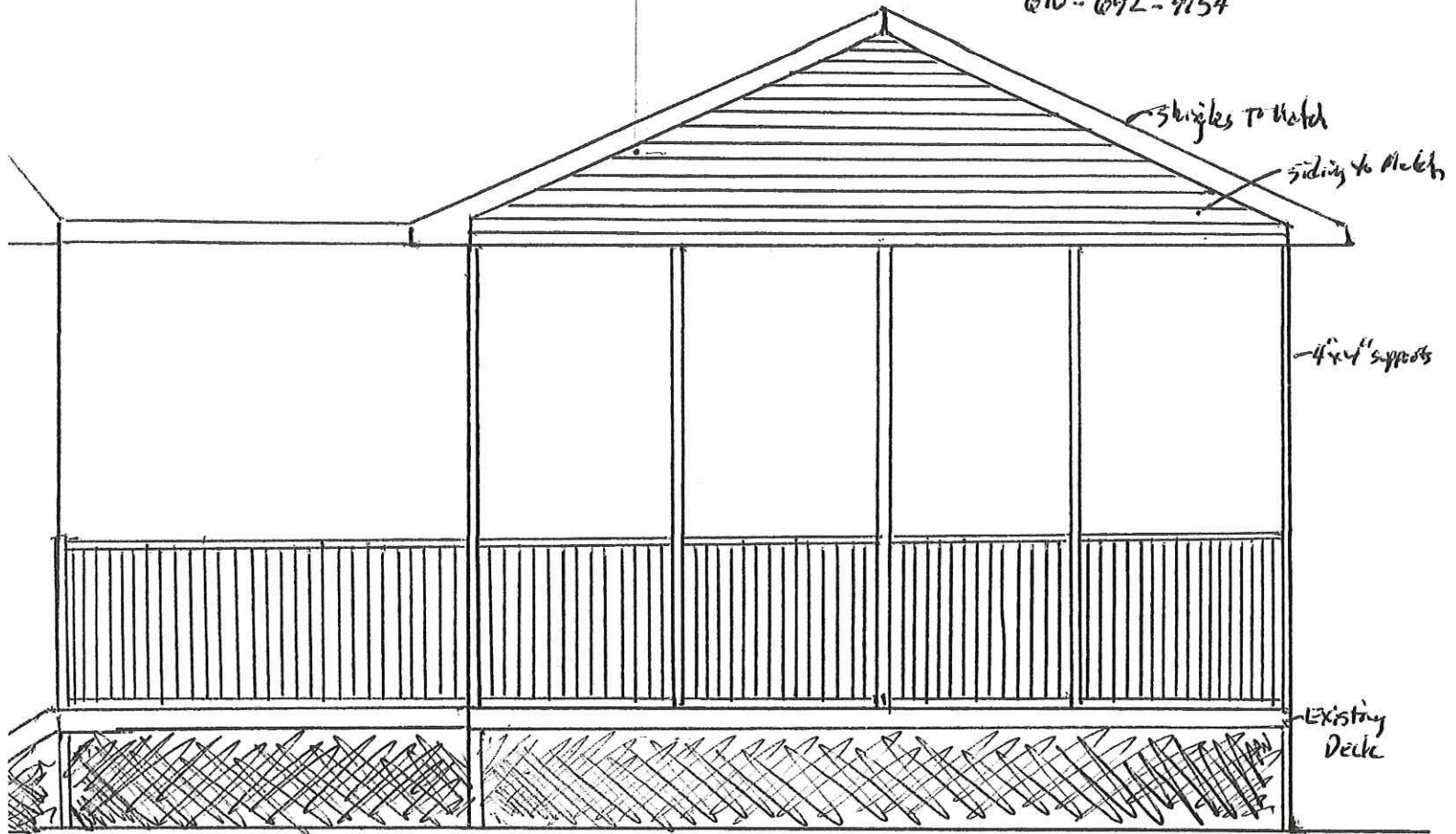
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Permit Date:	Permit #:	Amount:	Note 1
24-JUN-2011	43538-2	\$2,040	DECK-BAY POINTE LOT 48
22-JUN-2010	43538-1	\$121,172	DWELLING W/ADD-BAY POINTE LOT 48

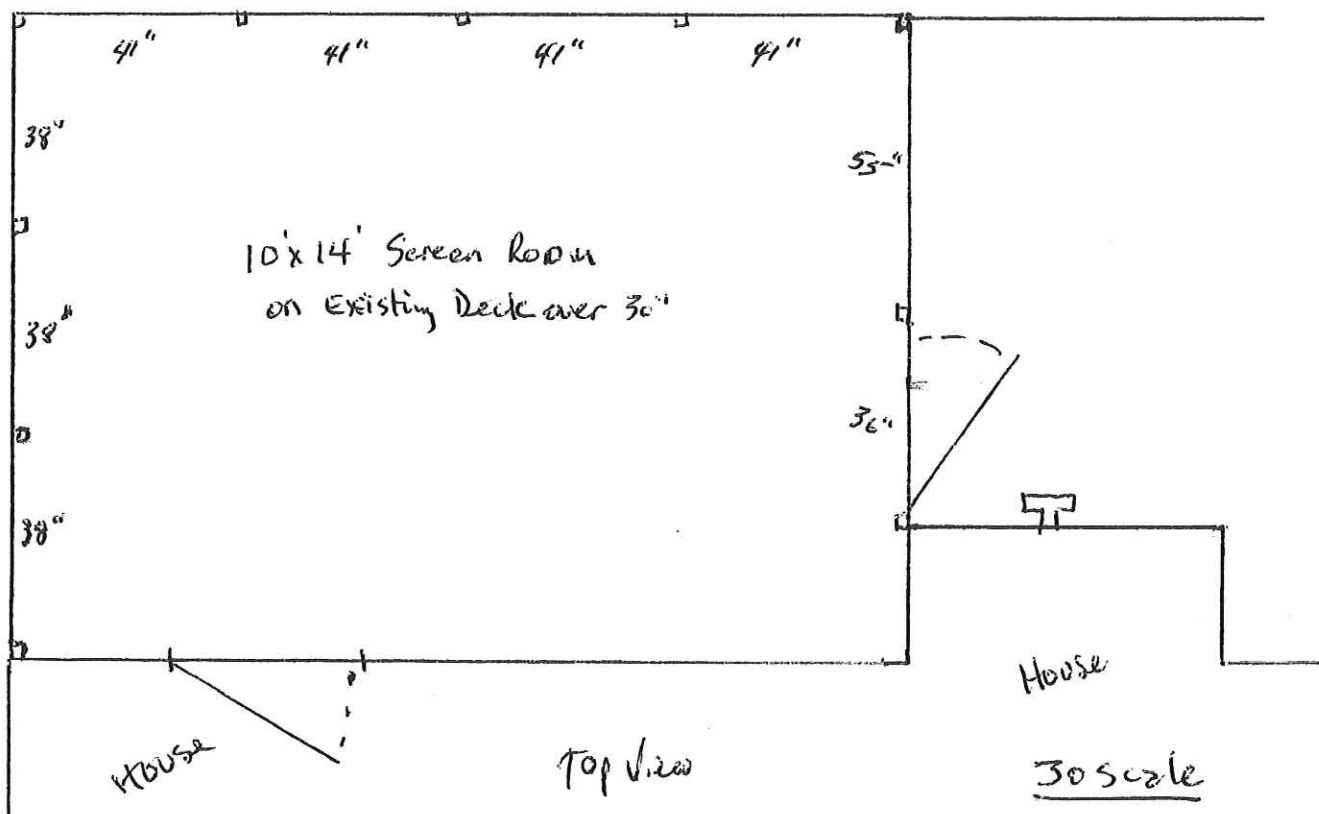
Drawings by Del-Coast Design & Build  
Do Not Duplicate 9/15/19

Baypointe Subdivision

Ken & Lorraine Burke  
23670 Herring Reach Ct.  
Lewes, DE 19958  
610-692-9154



Rear View





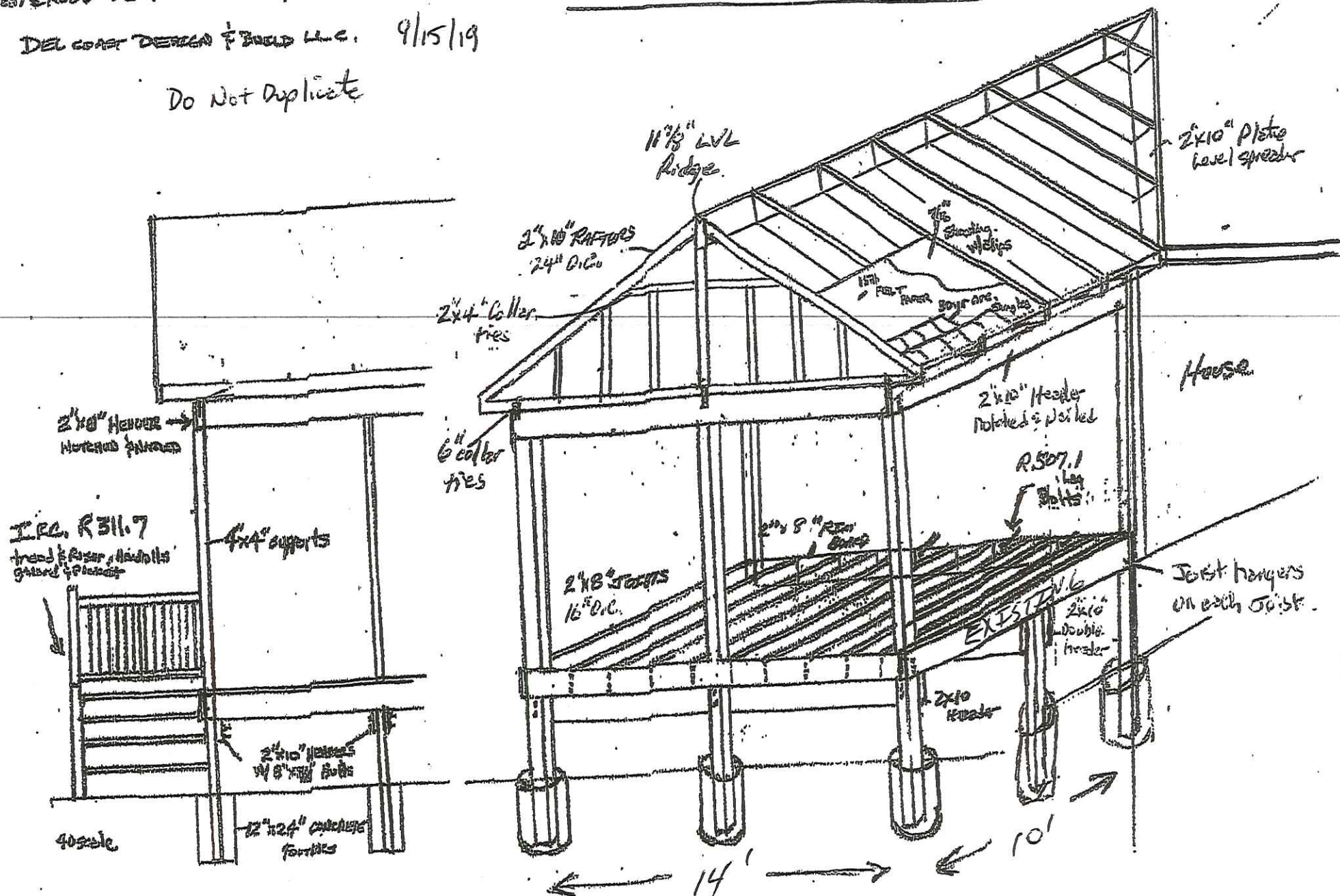
# Baypointe Subdivision

Ken & Lorraine Burke  
23670 Herring Road  
Lewes, DE 19958  
610-692-9154

Partial Cross Section - DECKS, SCREEN PORCHES - GABLE

DEL COAST DESIGN & BUILD LLC. 9/15/19

Do Not Duplicate



September 16, 2019

Sussex County Council:

I am writing this letter as the owner of the residential property: 23670 Herring Reach Court, Lewes, DE for medical reasons. I am requesting the board's approval on our decision to construct a screened-in porch on our existing outdoor deck which was constructed shortly after the purchase of our property in 2010.

For the past 20 years I have suffered from rheumatoid arthritis in addition to the myriad other ailments that accompany this disease. For the past 10 years, I have taken stronger medications which currently include a chemotherapy drug (Rituxan) by infusion. The side effects make it difficult for me to be out in direct sunlight for any length of time. Our outdoor deck faces the western sky and thus the hot afternoon and evening sun makes it impossible for me to comfortably enjoy the outdoors and take in some fresh air during the warmer weather.

I feel at this time, and considering my current medical condition, a screened-in porch on our outdoor deck would enable me to enjoy the outdoors; to sit and relax, read my books, enjoy the sounds of the fountain spray on the pond and the many different species of birds.

I am asking for your approval, in addition to the support of our neighbors, on our decision to add this structure to our home and the benefits to my health and well-being. I appreciate your consideration of this request.

Sincerely,

A handwritten signature in cursive script that reads "Lorraine B. Burke". The signature is fluid and elegant, with the first name being the most prominent.

Lorraine B. Burke



# Sun Sensitivity During Chemotherapy

## Tips for Avoiding Sunburn During Chemotherapy and Radiation

By [Lynne Eldridge, MD](#) 

Updated March 11, 2019

 Medically reviewed by [a board-certified physician](#)

Soaking up some sunshine may feel like a relaxing way to help you cope with the rigors of cancer treatment. In fact, the [vitamin D](#) produced by moderate (and safe) sun exposure has been linked not only with a reduced risk of developing cancer, but improved survival from some cancers. The first step is to know if your [chemotherapy](#) medications may increase the likelihood of a sunburn: something you definitely don't need at this point in your life. It's also important to recognize that wearing sunscreen may not be enough.

### What is Photosensitivity?

Sun sensitivity, known as **photosensitivity** or **phototoxicity**, is the tendency to sunburn more easily than usual. Most photosensitivity reactions associated with chemotherapy drugs are phototoxic. In a phototoxic reaction, medications such as chemotherapy drugs absorb ultraviolet radiation. This absorption of UV light causes a change in the chemical composition of the drug, which emits skin-damaging energy.

### Which Drugs Cause Photosensitivity?

Nearly any chemotherapy agent (or non-cancer-related medications as well) may cause you to be more sensitive to the sun. It's important to talk with your oncologist about your particular medications. In addition, the combination of different drugs may raise your risk further than a single drug would alone. Some of the commonly used chemotherapy drugs known to cause photosensitivity include:

- 5-FU (fluorouracil)
- Methotrexate
- DTIC (dacarbazine)

- Oncovir (vinblastine)
- Taxotere (docetaxel)
- Adriamycin (doxorubicin)
- VePesid (etoposide)
- Gemzar (gemcitabine)

Thankfully, this increased sensitivity to the sun goes away soon after completing chemotherapy.

Some nonchemotherapy medications that could have an additive effect with chemotherapy in causing sun sensitivity include:

- Antibiotics, such as Cipro (ciprofloxacin), Levaquin (levofloxacin), tetracycline, doxycycline, and Septra or Bactrim (sulfamethoxazole-trimethoprim)
- Diuretics, such as Lasix (furosemide) and Hydrodiuril (hydrochlorothiazide)
- Benadryl (diphenhydramine)
- Cardiac medications, such as diltiazem, quinidine, amiodarone and Procardia (nifedipine)
- Antidepressants, such as Tofranil (imipramine) and Norpramin (desipramine)
- Diabetic medicines, such as Micronase (glyburide)
- Non-steroidal anti-inflammatory drugs, such as Aleve (naproxen) and Feldene (piroxicam)

Talk to your pharmacist or doctor if you aren't certain if your chemotherapy or other medications will increase your risk of a sunburn.

## Sun Sensitivity and Radiation Therapy

It's important to keep in mind that chemotherapy isn't the only treatment that can raise your risk of a sunburn. With radiation therapy, a propensity to burn occurs primarily in the regions of your body that are treated with radiation, but unlike that with chemotherapy, a predisposition to burning may last for years after your last treatment is finished. If you've had radiation therapy, you may wish to consider sun protection a long term goal. Not only could a predisposition to burning last far beyond your last treatment, but the combination of radiation damage to your skin and sun damage could increase your risk of developing skin cancer.

## When Do the Symptoms Start?

Photosensitivity reactions can occur immediately after you are exposed to the sun, or may not be evident for several hours after returning indoors. If you notice any redness when you are in the sun, apply sunblock, sunscreen, or get out of the sun. It usually takes several hours before the full extent of a sunburn can be realized.



## Sun Safety Tips During Chemo

Knowing that your skin may be more sensitive during chemotherapy, what can you do to protect yourself? A combination of things is usually best, including:

- **Avoid mid-day sun exposure.** Limit your time outdoors between the hours of 10 a.m. and 3 p.m. when the sun's rays are most intense.
- **Ask your oncologist which sunscreen she would recommend.** Some sunscreens work better than others, and the chemicals in some sunscreens may be irritating to your already sensitive skin. Make sure to select a "broad-spectrum" sunscreen that protects against UVA as well as UVB rays. The sunscreens on the market vary considerably as to whether they provide adequate protection, even for those who aren't at an increased risk from chemotherapy. Current packaging can make it challenging to know what products provide adequate coverage, so check the label to make sure the product contains [ingredients that block UVA rays](#). Make sure you have a fresh bottle of sunscreen as well. Last year's bottle may no longer be effective.
- **If your skin is very sensitive, you may need to use a sunblock.** Instead of or in addition to sunscreen you may wish to use sunblock. Sunblocks that are effective include zinc oxide and titanium dioxide. Sunblocks are opaque (think: a white nose) and some people hesitate to use these products, but a white nose or face may well be worth avoiding a painful burn.
- **Cover up.** Don't rely on sunscreen alone. Wear wide-brimmed hats and long-sleeved, loose-fitting clothing to cover sensitive areas of your body. Tightly woven fabrics provide the best protection.
- **Make use of shade.** Find a place in the shade under a tree or sit under an umbrella. Walk along paths sheltered by trees.
- **Don't forget your lips.** Sunscreens designed especially for the lips are generally safe if you should swallow some following application.
- **Don't forget your eyes.** Wear sunglasses with UV protection.
- **Don't forget your head.** We've talked with many cancer survivors who learned about protecting their newly bald and vulnerable scalps the hard way. Wigs can be hot in the sun, but a cotton scarf can be comfortable while providing protection.
- **Avoid tanning beds.** Not only can tanning beds leave you with a burn, but can increase your risk of developing skin cancer.
- Keep in mind that you may react differently to the sun while going through chemotherapy than you did in the past. If you were once someone who tanned easily, you may now sunburn.

## Benefits of Sun Exposure

Intuitively it seems that some sun exposure would be beneficial during cancer treatment. Getting outside, breathing fresh air, and talking a walk can all help you feel better emotionally. Medical research seems to back that intuition. Higher vitamin D levels are correlated with improved survival for those with early stage lung cancer and may be the reason that people who have lung cancer surgery during the summer months seem to fair better. Other studies have looked at vitamin D and survival for many other cancers, and while there have been mixed results, having an adequate vitamin D level goes far beyond improving survival. many people simply feel better if their level is optimal.

Thankfully, checking your vitamin D level may be done through a simple blood test. As your oncologist to check this if you have not had it tested, and discuss ways to increase your level if it is low. Make sure to talk to your doctor, however, before using any supplements. Some [vitamin and mineral supplements may interfere with some chemotherapy drugs](#). Vitamin D supplements (if recommended by your oncologist) are usually safe, as long as you don't "megadose." Taking very large doses of vitamin D can lead to painful kidney stones.

## What If I Get a Sunburn?

If you develop a sunburn while on chemotherapy, try to stay out of the sun to avoid further injury to your skin. Use cool, wet compresses to ease discomfort. Call your doctor if you have severe redness if the sunburned area involves a significant percentage of your body, if you develop a fever or chills, or if you have any other concerns. Check out these additional [tips on how to treat a sunburn](#).

## Article Sources

- Drucker, A., and C. Rosen. Drug-induced photosensitivity: culprit drugs, management and prevention. *Drug Safety*. 2011. 34(10):821-37.
- Heidary, N., Naik, H., and S. Burgin. Chemotherapeutic agents and the skin: An update. *Journal of the American Academy of Dermatology*. 2008. 58(4):545-70.
- Onoue, S. et al. Drug-induced phototoxicity; an early in vitro identification of phototoxic potential of new drug entities in drug discovery and development. *Current Drug Safety*. 2009. 4(2):123-36.
- Payne, A., and D. Savarese. Cutaneous Side Effects of Conventional Chemotherapy Agents. *UpToDate*. Updated 04/10/18.
- Smith, E. et al. A review of UVA-mediated photosensitivity disorders. *Photochemical and Photobiological Sciences*. 2012. 11(1):199-206.
- Zhou, W. et al. Vitamin D is associated with improved survival in early-stage non-small cell lung cancer patients. *Cancer Epidemiology Biomarkers and Prevention*. 2005. 14(10):2303-9.



September 16, 2019

Sussex County Planning and Zoning Department:

This letter is written in support of our neighbors, Kenneth and Lorraine Burke residing at 23670 Herring Reach Court, Lewes, DE 19958 in their decision to construct a screened-in porch on their existing outdoor deck.

The screened-in porch will not alter the character of the neighborhood or impair any adjacent property development.



Gerry Griebel



Cindy Griebel

23668 Herring Reach Court, Lewes, DE

September 16, 2019

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A handwritten signature in cursive script, reading "Stephen Lopuszanski", written over a horizontal line.

Stephen Lopuszanski

A handwritten signature in cursive script, reading "Evelyn Lopuszanski", written over a horizontal line.

Evelyn Lopuszanski

23674 Herring Reach Court, Lewes, DE

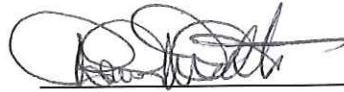


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A handwritten signature in dark ink, appearing to read 'Dan DiLoretto', written over a horizontal line.

Dan DiLoretto

A handwritten signature in dark ink, appearing to read 'Pat DiLoretto', written over a horizontal line.

Pat DiLoretto

23672 Herring Reach Court, Lewes, DE

Kenneth J. & Lorraine B. Burke  
23670 Herring Reach Court  
Lewes, DE 19958



View of our House\* FROM ACROSS THE POND

September 2019



Kenneth J. & Lorraine B. Burke  
23670 Herring Reach Court  
Lewes, DE 19958



View of the houses From our House\* Deck

+ VARIANCE Approved @ 23674 Herring Reach Ct.

September 2019



Kenneth J. & Lorraine B. Burke  
23670 Herring Reach Court  
Lewes, DE 19958



Side view of our house\* from  
our neighbor's yard ~ 23672 Herring Reach Ct.

September 2019



Kenneth J. & Lorraine B. Burke  
23670 Herring Reach Court  
Lewes, DE 19958

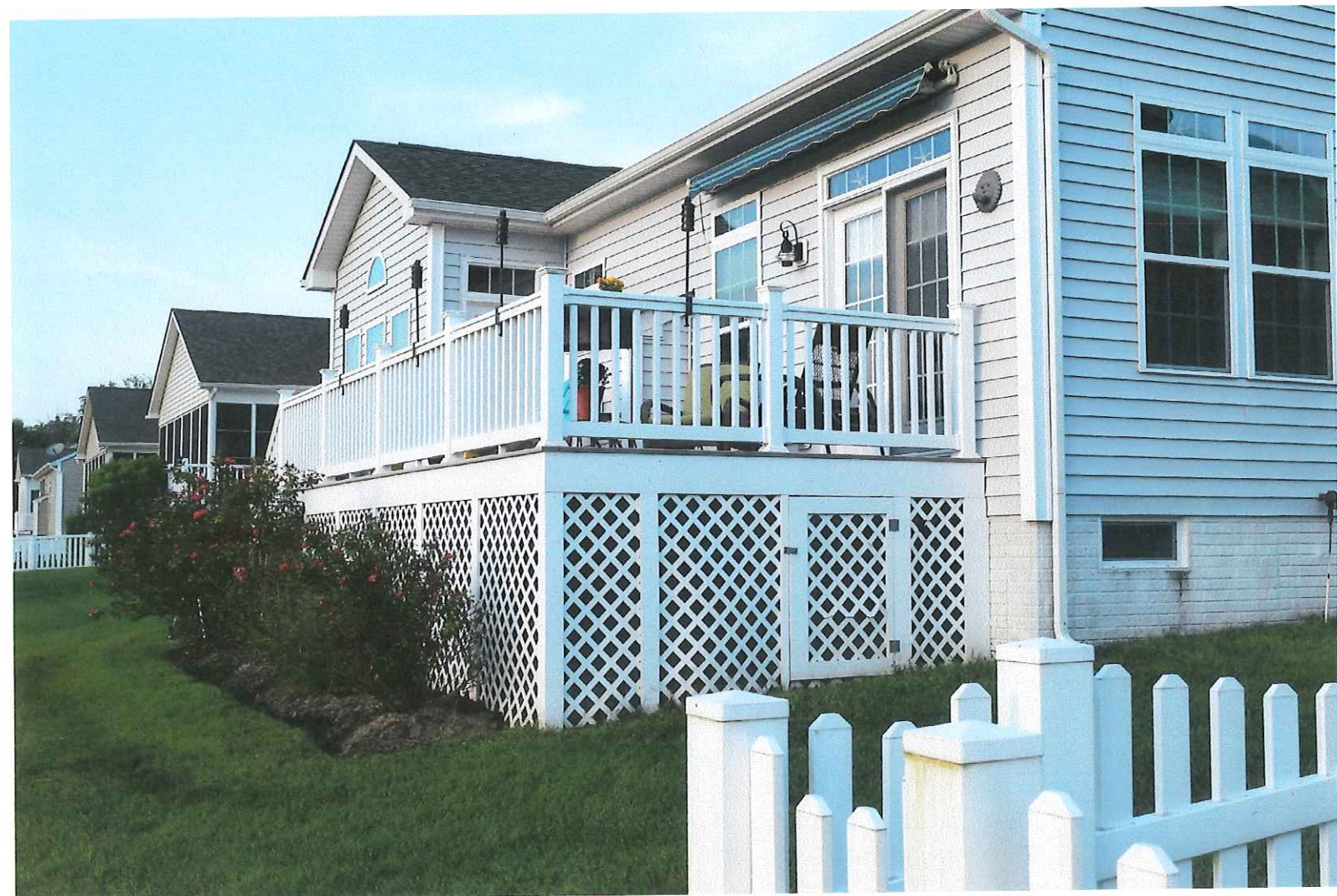


View OF OUR NEXT DOOR NEIGHBOR ~ 23668 ⊕  
AND SIDE VIEW OF OUR HOUSE\*

September 2019



Kenneth J. + Lorraine B. Burke  
23670 Herring Reach Court  
Lewes, DE 19958



VIEW OF OUR PROPERTY AND  
EXISTING DECK

September 2019





PIN:	234-18.00-662.00
Owner Name	BURKE KENNETH J
Book	3826
Mailing Address	23670 HERRING REACH CT
City	LEWES
State	DE
Description	BAY POINTE
Description 2	LOT 48
Description 3	N/A
Land Code	

polygonLayer

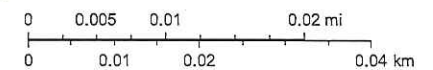
Override 1

polygonLayer

Override 1

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

1:564



**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 # 12380  
Hearing Date Nov. 4, 2019  
201910814

RECEIVED

SEP 20 2019

Type of Application: (please check all applicable)

Variance ☒  
Special Use Exception ☐  
Administrative Variance ☐  
Appeal ☐

Existing Condition ☒ SUSSEX COUNTY  
Proposed ☐ PLANNING & ZONING  
Code Reference (office use only)  
115-42 & 115-185  
115-183

Site Address of Variance/Special Use Exception:

30881 W. Lagoon Road, Dagsboro, DE 19939

Variance/Special Use Exception/Appeal Requested:

A 6 foot 8 inch variance from the set yard setback requirement for a removable non-permanent swimming pool to be able to be placed in the same location for future summers.

Tax Map #: 134-6.00-81.00

Property Zoning: GR

**Applicant Information**

Applicant Name: Charles Humphreys & Patricia Humphreys  
Applicant Address: 30881 W. Lagoon Road  
City Dagsboro State DE Zip: 19939  
Applicant Phone #: (302) 542-5822 Applicant e-mail: \_\_\_\_\_

**Owner Information**

Owner Name: Charles Humphreys & Patricia Humphreys  
Owner Address: 30881 W. Lagoon Road  
City Dagsboro State DE Zip: 19939 Purchase Date: 11/4/15  
Owner Phone #: (302) 542-5822 Owner e-mail: \_\_\_\_\_

**Agent/Attorney Information**

Agent/Attorney Name: Taylor Elizabeth Trapp, Esq. of Tunnell & Raysor, P.A.  
Agent/Attorney Address: 30 East Pine Street, P.O. Box 151  
City Georgetown State DE Zip: 19947  
Agent/Attorney Phone #: (302) 856-7313 Agent/Attorney e-mail: Taylor @tunnellraysor.com

**Signature of Owner/Agent/Attorney**

Taylor E. Trapp

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.

This property is unique due to the shallowness of the property's depth. The depth of this property is approximately a 1/3 of what the property's length is causing this property to be rectangle shape with a shallow depth. This shallow depth forces a house built on this property to be long and shallow rather than square in order to not violate front and rear yard setbacks.

**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.

There is no other location on this property to place a pool without violating a setback. To the left of the house is the driveway which makes its impossible to put a pool at this location. To the rear of the house is an already existing garage/shed and drainage field area which makes its impossible to put a pool at this location. The pool cannot be placed in the front yard.

+

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

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

The practical difficulty has not been created by the applicant as the drainage pool which takes most of the usable of the backyard existed prior to the current house being built on this property.

+

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

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

A 6 foot 8 inch variance from the set yard setback will to allow the applicant to continue to place his removable non-permanent swimming pool in the same location for future summers will not alter the essential character of the neighborhood. The pool is not a permanent a structure and therefore does not alter the essential character of neighborhood. Continued on attached page.....

**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 minimum variance required to afford the prayed for relief is a 6 foot 8 inch variance from the side yard setback.

### **Criteria for a Variance Continued**

4. Continued

Further, a few neighbors themselves already have removable non-permanent swimming pool on their property.





PIN:	134-6.00-81.00
Owner Name	HUMPHREYS CHARLES R
Book	4477
Mailing Address	30881 W LAGOON RD
City	DAGSBORO
State	DE
Description	DOGWOOD ACRES
Description 2	LOT 71 72 73
Description 3	N/A
Land Code	

polygonLayer


Override 1


polygonLayer

Override 1

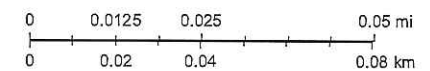
 Tax Parcels

911 Address

 Streets

 County Boundaries

1:1,128



10/03/19 11:45:19

SUSSEX COUNTY COUNCIL

PZWKS14#A

PR010D

Name/Map# Reference-Permits

RUSTY

DIST: 134 MAP: 06 . 00 PARCEL: 0081 . 00 UNIT:       

HUMPHREYS  
CHARLES R

ACTIVE

DOGWOOD ACRES  
LOT 71,72,73

161 X 100

8501 GOVERNOR PRINTZ BLVD

CLAYMONT

DE 19703

3303

GR Zoning Dist

Fire: 84 00 00

Permit Num Type(s)

BP 84151

RA

BP 138015

AS

BP 268555

AS

- SHED

Case#1

RT Land Class

Town 196 Traffic

86U Enumeration Dist

NR CODE

Issued

BC/Occup

PZ/Compli

Acres

Land 0 Caps

Improvement

Total

Value

9,200

10,800

20,000

1,300

288

3,840

■

■

■

■

||

■

BA CU CZ VIOLATION

F3=EXIT F13=NEW MAP#

F24=MORE KEYS F12=RETURN

F1=HELP

POP UPS

F4=SALES

F9=911



REQUIRED NO

## SUSSEX COUNTY, DELAWARE

NEEDS TOWN PERMIT: \_\_\_\_\_ DENREC # \_\_\_\_\_ S&W \_\_\_\_\_ Div of Rev \_\_\_\_\_  
LOCATION \_\_\_\_\_  
Route DOGWOOD ACS (N) (S) (E) (W) Side: W SD W LAGOON RD (N) (S) (E) (W) of LOT 71 SEC 2  
Subdiv. Or TP: \_\_\_\_\_ Lot No LOT 71 SEC 2 Section or Block \_\_\_\_\_  
Town \_\_\_\_\_ Street WEST LAGOON RD  
District No: 134 Map No 6.00 Parcel No 81.00 Manufactured Home #: \_\_\_\_\_  
Frontage: \_\_\_\_\_ Depth \_\_\_\_\_ Acreage: \_\_\_\_\_

ASSESSMENT		ZONING	
<b>I. TYPE OF IMPROVEMENT</b>		<b>TYPE OF USE</b>	
Cost of Improvements \$ <u>3,840.00</u> Stories _____		Existing Use <u>DW</u>	
New Building <u>SHED</u> Size <u>16X20</u>		Proposed Use <u>SHED</u>	
Addition _____ Size _____		Single Family <u>X</u> Commercial _____ Other _____	
Relocation _____ Size _____		Zoning District <u>GR</u> No of Units _____	
A. Structure _____ Size _____		<b>SETBACKS</b>	
Sign _____ Size _____		Front Yard <u>30</u> Side Yard <u>5</u> Rear Yard <u>5</u>	
Remodeling _____ Size _____		Rd Name - RY _____	
Other _____ Size _____		Side yard on side street or corner Lot _____	
<b>II. INTERIOR</b>		From any dwelling or other ownership _____	
<b>VI. FOUNDATION</b>		From any other unit in a mfg home park _____	
No of Bedrooms _____ Pad <input type="checkbox"/> Brick <input type="checkbox"/>		Cannot occupy more than _____ of total lot area _____	
No of Bathrooms _____ Piling <input type="checkbox"/> Conc Blk <input checked="" type="checkbox"/>		Height <u>42 MAX</u>	
No of Rooms _____ Poured Concrete <input type="checkbox"/> Slab <input type="checkbox"/>		Board of Adjustment Case No. _____	
Basement _____ Other <u>RUNNERS</u>		Conditional Use Case No. _____	
<b>III. HEATING</b>		Approved by Planning and Zoning <u>LORETTA RHODES</u>	
Electric <input type="checkbox"/> Gas <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>		<b>FLOOD</b>	
Heat Pump <input type="checkbox"/> FHA <input type="checkbox"/> Masonary <input type="checkbox"/> Metal <input type="checkbox"/>		Flood Zone <u>X 500 YR P 485J</u>	
Air Condition <input type="checkbox"/>		Elevation Required above mean sea level _____	
<b>IV. EXTERIOR WALLS</b>		To be measured to _____	
Vinyl <input checked="" type="checkbox"/> Wood <input checked="" type="checkbox"/> Asph Shingle <input checked="" type="checkbox"/> Metal <input type="checkbox"/>		1. Finished first floor _____	
Alum Siding <input type="checkbox"/> Brick <input type="checkbox"/> Wood Shingle <input type="checkbox"/>		2. Lowest structural member _____	
Other _____ Stone <input type="checkbox"/> Other _____		Elevation certification <input type="checkbox"/>	
<b>V. FLOORING</b>		Breakaway walls <input type="checkbox"/>	
Earth <input type="checkbox"/> Vinyl <input type="checkbox"/>		Placement Survey <input type="checkbox"/>	
Dry Wall <input type="checkbox"/> Carpet <input type="checkbox"/> Tile <input type="checkbox"/>		Height Certification <input type="checkbox"/>	
Paneling <input type="checkbox"/> Concrete <input type="checkbox"/> Wood <input checked="" type="checkbox"/>		Venting <input type="checkbox"/>	
Other _____ Other _____		I fully understand the Zoning Requirement of this Permit. <u>[Signature]</u>	
<b>OWNERS IDENTIFICATION</b>		Name & Address of recipient of Certificate of Compliance (Builders)	
Name <u>HUMPHREYS, CHARLES R</u>		Name _____	
Address <u>8501 GOVERNOR PRINTZ BLV</u>		Address _____	
City <u>CLAYMONT</u> ST. DE _____ Zip <u>19703</u>		City _____ State _____ Zip: _____	
On Lands of <u>STA 84</u>			

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

Signature of Applicant [Signature] Name Printed \_\_\_\_\_ Phone Number \_\_\_\_\_  
Permit Fee \$16.50 + \$9.60 + \$0.00 = \$26.10 Payment Type CASH Date Issued: 5/20/08

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

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

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

HOME-  
302-798-1004  
CELL  
545-3701



NEEDS TOWN PERMIT: \_\_\_\_\_

PERMIT NO. 94151BUILDING PERMIT APPLICATION  
Sussex County, Delaware

LOCATION: Route \_\_\_\_\_ (N) (S) (E) (W) Side: \_\_\_\_\_ (ft.) (miles) (N) (S) (E) (W) of \_\_\_\_\_  
 Subdivision or Trailer Park Douglas AC Lot No. 71 Section or Block 2  
 Town \_\_\_\_\_ Street W. Lagoon Rd Hundred 3914  
 District No. 1-34 Map No. 0.00 Parcel No. 81.00

Size of Lot: Frontage \_\_\_\_\_ Depth \_\_\_\_\_ Acres \_\_\_\_\_  
 Size of Building 9x23 Stories \_\_\_\_\_ Height \_\_\_\_\_ Cost of Improvements \$1300

## I. TYPE OF IMPROVEMENT

New Building \_\_\_\_\_  
 Addition \_\_\_\_\_  
 Relocation OPEN  
 Accessory Structure PORCH  
 Sign \_\_\_\_\_  
 Remodeling \_\_\_\_\_  
 Other \_\_\_\_\_

## II. INTERIOR

No. of Bedrooms \_\_\_\_\_  
 No. of Bathrooms \_\_\_\_\_  
 Basement \_\_\_\_\_

## III. HEATING

Electric \_\_\_\_\_ Gas \_\_\_\_\_  
 FHA \_\_\_\_\_  
 Air Conditioned: Yes \_\_\_\_\_ No \_\_\_\_\_

Comm. \_\_\_\_\_ Indus. \_\_\_\_\_  
 Resid. \_\_\_\_\_ Multi-Family \_\_\_\_\_

## VII. FIREPLACE

Yes \_\_\_\_\_ No \_\_\_\_\_

## IX. ACCESSORY BUILDINGS

Foundation \_\_\_\_\_  
 Exterior Walls \_\_\_\_\_  
 Siding \_\_\_\_\_

## IV. EXTERIOR WALLS

Alum. Siding \_\_\_\_\_  
 Vinyl \_\_\_\_\_  
 Wood \_\_\_\_\_  
 Stucco \_\_\_\_\_  
 Brick \_\_\_\_\_  
 Shingle \_\_\_\_\_  
 Other \_\_\_\_\_

## V. INTERIOR WALLS

Dry Wall \_\_\_\_\_  
 Panelling \_\_\_\_\_  
 Plaster \_\_\_\_\_  
 Other \_\_\_\_\_

## VI. FOUNDATION

Conc. Blk \_\_\_\_\_  
 Poured On \_\_\_\_\_  
 Brick \_\_\_\_\_  
 Pier \_\_\_\_\_  
 Other \_\_\_\_\_

## VIII. ROOFING

Asphalt Shingle \_\_\_\_\_  
 Wood Shingle \_\_\_\_\_

## TYPE OF USE

Existing Use MF  
 Proposed Use Open deck  
 \_\_\_\_\_ Single Family Residential  
 \_\_\_\_\_ Commercial  
 \_\_\_\_\_ Other  
 Number of Units \_\_\_\_\_

## ZONING

Zoning District GR  
 Front yard setback 30  
 Side Yard setback 10  
 Rear yard setback 10  
 Side yard setback on side street on corner lot 15  
 Distance from any dwelling of other ownership \_\_\_\_\_  
 Distance from any other trailer in a trailer park \_\_\_\_\_  
 Cannot occupy more than \_\_\_\_\_ % of total lot area  
 Board of Adjustment Case No. \_\_\_\_\_  
 Conditional Use Case No. 1571955  
 Approved by Planning & Zoning \_\_\_\_\_

Concrete Floor \_\_\_\_\_ Shingle Roof MF Roof  
 Earth Floor \_\_\_\_\_ Roll Roof \_\_\_\_\_  
 Wood Floor \_\_\_\_\_ Metal Roof \_\_\_\_\_

Does Application apply to Building Code? Yes \_\_\_\_\_ No \_\_\_\_\_ Plans Reviewed by: \_\_\_\_\_  
 Plan included with Application: Yes \_\_\_\_\_ No \_\_\_\_\_

## IDENTIFICATION:

Name: John & Donna Mitchell Phone: \_\_\_\_\_  
 Address: 38 Cottage Ave Lancoas Twp, PA 17602  
 On Lands Of: \_\_\_\_\_

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

Signature of Applicant [Signature] Date 2-2-85  
 Permit Fee 30.00 Date Issued 2/9/85 Approved by Assessment Division JL

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue, unless actual construction shall have theretofore begun and continued in a normal manner and not discontinued for more than 60 days beyond the permit holder's control. Grading or surface shaping of the site shall not be considered as "actual construction".  
 ASSESSORS AND INSPECTORS HAVE THE RIGHT TO GO ON PREMISES TO ASSESS AND INSPECT PROPERTY. The owner or owners of these premises do hereby consent to the Board of Assessment and Planning and Zoning Agents, to enter upon said premises during the construction for which this PERMIT is granted, or within a reasonable time thereafter, for the purpose of assessing and inspecting said property, and consent being given on the signing of this permit.  
 THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IS IT NOT TO BE CONSTRUED AS AN ALL INCLUSIVE APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCIES, WHICH MAY PERTAIN TO THIS SITE.



# **AWARE EVENUE LDING PERMIT**

erty owner may be subject to a State  
ons apply) on the value at cost of  
tax applies when the construction is  
acquisition of the property. The State  
ng \$10,000.

building (as opposed to fences, signs,  
quired and the contracted construction  
el purchases, is greater than \$10,000,  
elaware tax declaration (available from  
x or any other exemption from tax that  
s of the following statements applies to  
gn the statement. If these items do not  
in form described above. Your permit  
the tax is established or the tax due is

- a building is defined here to mean any  
or trade that has a roof supported by

more than one year prior to signing a

aterials related to all phases of this

on number:

12.00 21.00  
to the best of my knowledge and belief.

Robert Figgs M.D.P.  
Signature

Robert Figgs M.D.P.  
Printed Name

8-17-93

Date

Revised 11/20/91

NEEDS TOWN PERMIT: \_\_\_\_\_ Dnrec" \_\_\_\_\_ PERMIT NO. 138015

MANU. HOME " \_\_\_\_\_ S & W \_\_\_\_\_

**BUILDING PERMIT APPLICATION** Div. of Rev. \_\_\_\_\_  
Sussex County, Delaware

LOCATION: Route \_\_\_\_\_ (N) (S) (E) (W) Side: \_\_\_\_\_ (ft.) (miles) (N) (S) (E) (W) of \_\_\_\_\_

Subdivision or Trailer Park \_\_\_\_\_ Lot No. 71 Section or Block \_\_\_\_\_

Town \_\_\_\_\_ Street W. 30. W. Lagoon Rd.

District No. 1-34 Map No. 600 Parcel No. 8100 Hundred \_\_\_\_\_

Size of Lot Frontage 50 Depth 100 Acreage \_\_\_\_\_

Size of Building \_\_\_\_\_ Stories \_\_\_\_\_ Height \_\_\_\_\_ Cost of Improvements 258

**1. TYPE OF IMPROVEMENT** Brick ☐ **TYPE OF USE** mh  
New Building Other ☐ Existing Use addition to existing  
Addition to ☒ Proposed Use Single Family  
Relocation to ☐ Commercial ☐ Flood Zone \_\_\_\_\_  
Accessory Structure ☐ Other ☐ Elevation Required above \_\_\_\_\_  
Sign 6x8 ☐ Mean sea level \_\_\_\_\_  
Remodeling ☐ Piling 7x15 ☐ To be measured to:  
Other ☐ Other ☐ 1. Finished first floor \_\_\_\_\_  
2. Lowest structural member \_\_\_\_\_

**II. INTERIOR** ☐ **V. INTERIOR WALLS** ☐ **VI. FOUNDATION** ☐ **Zoning** GR  
No. of Bedrooms \_\_\_\_\_ Dry Wall ☐ Conc. Blk ☐ Zoning District \_\_\_\_\_  
No. of Bathrooms \_\_\_\_\_ Paneling ☐ Brick ☐ Front yard setback 30  
No. of Rooms \_\_\_\_\_ Other ☐ Piling ☐ Side yard setback 5  
Basement \_\_\_\_\_ Asphalt Shingle ☐ Other ☐ Rear yard setback 5  
III. HEATING ☐ Gas ☐ VII. FIRE PLACE ☐ Yes ☐ No ☐ Distance from any dwelling of other ownership \_\_\_\_\_  
FHA ☐ IX. FLOORING ☐ Built-Up ☐ Distance from any other improvement in a manufactured home park \_\_\_\_\_  
Air Conditioned: ☐ Concrete Floor ☐ Cannot occupy more than \_\_\_\_\_ % of total lot area  
Heat Pump ☐ Earth Floor ☐ Board of Adjustment Case No. \_\_\_\_\_  
IV. EXTERIOR WALLS ☐ Wood Floor ☐ Conditional Use Case No. BSP 8-17-93  
Alum. Siding ☐ Carpet ☐ Approved by Planning & Zoning \_\_\_\_\_  
Vinyl ☐ Vinyl ☐ Site Plan Review Fee \_\_\_\_\_  
Wood ☐ Other ☐ ADDITIONAL REQUIREMENTS & COMMENTS \_\_\_\_\_

Does Application apply to Building Code? Yes ☐ No ☐ Plans Reviewed by: \_\_\_\_\_  
Plan Included with Application: Yes ☐ No ☐ Inspection Fee \_\_\_\_\_

IDENTIFICATION: Robert Figgs Brance F. Thompson  
Name: \_\_\_\_\_  
Address: 1000 W. 30. W. Lagoon Rd.  
On Lands Of: Page 1, Del 1993

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

Signature of Applicant: Robert Figgs Phone: 732-3348  
Permit Fee 15.50 Date Issued 8/17/93 Approved by Assessment Division \_\_\_\_\_

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue. Permit may be renewed if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit holder's control. Grading or surface-shaping of the site shall not be considered as "actual construction". Permit must be renewed prior to expiration date.

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

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

NEEDS TOWN PERMIT: \_\_\_\_\_  
MANU. HOME " \_\_\_\_\_

LOCATION: Route One (N) (S) \_\_\_\_\_

Subdivision or Trailer Park \_\_\_\_\_

Town \_\_\_\_\_

District No. 3-34 Map No. \_\_\_\_\_

Size of Lot Frontage \_\_\_\_\_

Size of Building Sign 14' x 6' Stories \_\_\_\_\_

**I. TYPE OF IMPROVEMENT** Brick ☐

New Building Other ☐

Addition \_\_\_\_\_

Relocation \_\_\_\_\_

Accessory Structure \_\_\_\_\_

Sign to ☐

Remodeling \_\_\_\_\_

Other \_\_\_\_\_

**II. INTERIOR** ☐

No. of Bedrooms \_\_\_\_\_

No. of Bathrooms \_\_\_\_\_

No. of Rooms \_\_\_\_\_

Basement \_\_\_\_\_

**III. HEATING** ☐

Electric ☐ Gas ☐

FHA ☐ Other ☐

Air Conditioned: ☐

Heat Pump ☐

**IV. EXTERIOR WALLS** ☐

Alum. Siding ☐

Vinyl ☐

Wood ☐

Does Application apply to Building Code? Yes ☐ No ☐

Plan Included with Application: Yes ☐ No ☐

IDENTIFICATION: Lighting Realty Inc.

Name: 1000 Yorklyn Rd.

Address: \_\_\_\_\_

On Lands Of: \_\_\_\_\_

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

Signature of Applicant: Robert Figgs Phone: 732-3348

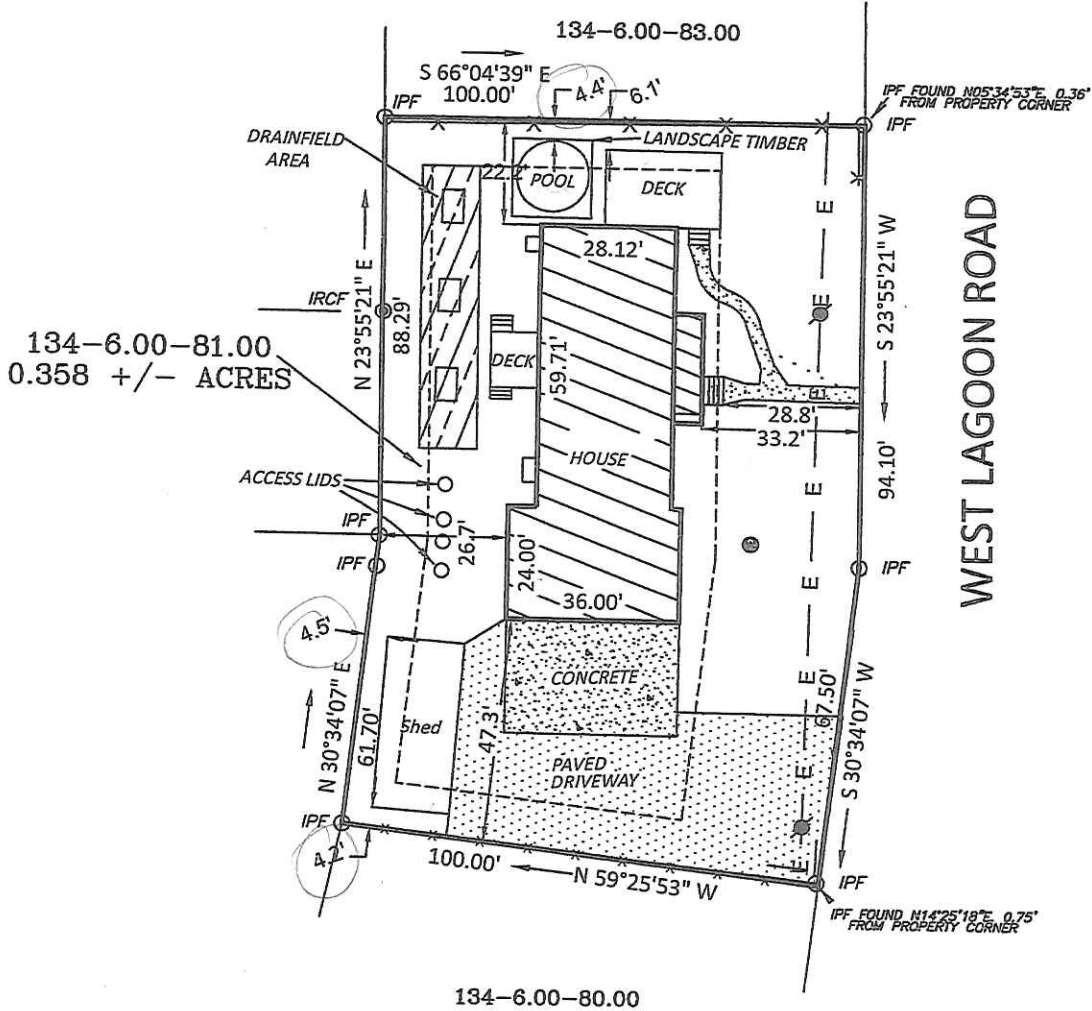
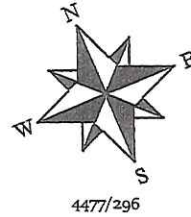
Permit Fee 112.00 Date Issued \_\_\_\_\_

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue. Permit may be renewed if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit holder's control. Grading or surface-shaping of the site shall not be considered as "actual construction". Permit must be renewed prior to expiration date.

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

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



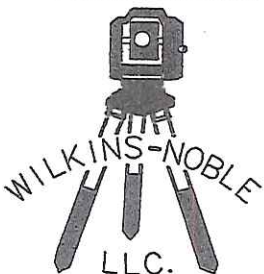


ASBUILT SURVEY  
REQUESTED BY  
CHARLES HUMPHREYS

Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements; right of ways; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land use regulations, and any other facts that an accurate and current title search may disclose. No title search was provided for this survey. No title guarantee is intended or implied by this survey. It is the builders responsibility to ensure that all applicable regulations, restrictions and setbacks are satisfied.

This plat is based on a current field survey. Suburban Class Survey. No Title search provided.

CIVIL ENGINEERING & LAND SURVEYING



11729 CHURCH ST.  
PRINCESS ANNE, MD 21853  
PHONE: 410-621-0321  
FAX: 410-621-0320

PROJECT INFORMATION

COUNTY	SUSSEX	STATE	DE
MUNICIPALITY	N/A	SUBD.	DOGWOOD ACRES
HUNDRED	BALTIMORE	SECT NO.	2
TAX MAP NO.	134-6.00-81.00	BLOCK NO.	N/A
DEED REF.	4477/294	LOT NO.	71-73
PLAT REF.	4477/296 AND 8/35	DATE	7/31/19
FIELD BOOK	PAGE	SCALE	1" = 40'
CAD FILE	RHB/HUMPHREYS	DRAWN BY	NAN

LEGEND

- Well
- Property Corner
- CPF Concrete Post Found
- IPF Iron Pipe Found
- IRF Iron Rod Found
- IRCS Iron Rod with Cap Set
- IRCF Iron Rod with Cap Found
- Fence

----- Building Setback Line