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DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
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jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

This paperless packet is published on the County's website for convenience purposes, and only includes information received up to the close of business on the day before a public hearing. Documents received after this, or documents submitted during the public hearing are not uploaded to the Paperless Packet. The legal record is the paper record maintained in the Offices of the Planning & Zoning Department.



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

BOARD OF ADJUSTMENT

JOHN WILLIAMSON, CHAIRMAN
KEVIN E. CARSON
JEFF CHORMAN
JOHN T. HASTINGS
JORDAN WARFEL



Sussex County

DELAWARE
sussexcountyde.gov

(302) 855-7878

AGENDA

April 18, 2022

6:00 P.M.

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA**

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutes for February 21, 2022

Approval of Finding of Facts for February 21, 2022

Public Hearings

Case No. 12677 –Stephanie McEntaffer seek variances from the front yard setback and side yard setback requirements for existing and proposed structures (Sections 115-34, 115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the south east side of Shore Drive approximately 150 ft. north of Carey Street. 911 Address: 9043 Shore Drive, Milford Zoning District: MR. Tax Parcel: 230-17.00-11.00

Case No. 12679 –Water’s Edge Church seeks variances from the front yard setback requirement for proposed structures (Section 115-83.8 and 115-182 of the Sussex County Zoning Code). The property is located on the east side of Reynolds Road and the southwest side of Broadkill Road at the intersection of Reynolds Road and Broadkill Road (Rt. 16). 911 Address: 13275 Reynolds Road, Milton Zoning District: CR-1. Tax Parcel: 235-15.00-7.01

Case No. 12683 – Gary Alexander seeks a variance from the rear yard setback requirement for a replacement structure (Sections 115-25, and 115-183 of the Sussex County Zoning Code). The property is located on the west side of Sussex Road within the Indian River Acres Subdivision. 911 Address: 30143 Sussex Road, Dagsboro. Zoning District: AR-1. Tax Parcel: 134-7.00-34.00



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

Case No. 12678 –Mehwish Aziz seeks a variance from the maximum fence height requirement for an existing fence (Sections 115-25 ,115-182, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the southwest side of Walnut Point Lane within the Collins Creek Estates. 911 Address: 31155 Walnut Point Lane, Ocean View Zoning District: AR-1. Tax Parcel: 134-8.00-318.00

Case No. 12680 – Renata Grabiak seeks a variance from the side yard setback requirement for a proposed pool with walkway (Sections 115-42, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the south side of Arrowhead Drive within the Pine Crest Terrace Subdivision. 911 Address: 30033 Arrowhead Drive, Ocean View Zoning District: GR. Tax Parcel: 134-9.00-156.00

Case No. 12681 – Sean Merlonghi seeks a variance from the side yard setback requirement for a proposed pole building/garage (Sections 115-25, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located on the northwest side of New Lane within the New Road Estates Subdivision. 911 Address: 5 New Lane, Lewes. Zoning District: AR-1. Tax Parcel: 335-8.00-591.00

Additional Business



-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on March 28, 2022 at 4:30 p.m. and at least seven (7) days in advance of the meeting.

The Agenda was prepared by the Director of Planning and Zoning and is subject to change to include the additional or deletion of items, including Executive Sessions, which arise at the time of the meeting.

Agenda items may be considered out of sequence.

The meeting will be streamed live at <https://sussexcountyde.gov/council-chamber-broadcast>

The County is required to provide a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.**

Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

Conference Number: 1 302 394 5036

Conference Code: 570176

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

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

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountyde.gov. All comments are encouraged to be submitted by 4:30 P.M. on Thursday, March 31, 2022.

####



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 # 12677
Hearing Date 4/18
202202177

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
115-185

Site Address of Variance/Special Use Exception:

9043 Shore Dr. Milford, DE 19963

Variance/Special Use Exception/Appeal Requested:

Location of Shed is 27.8' from front of lot instead of 30.0'

Tax Map #: 230-17.00-11.00

Property Zoning: MR

Applicant Information

Applicant Name: Stephanie McEntaffer
Applicant Address: 9043 Shore Dr
City Milford State DE Zip: 19963
Applicant Phone #: 712-490-5323 Applicant e-mail: stephmcentaffer@yahoo.com

Owner Information

Owner Name: Donald and Stephanie McEntaffer
Owner Address: 9043 Shore Dr
City Milford State DE Zip: 19963 Purchase Date: 01/2020
Owner Phone #: 712-490-5323 Owner e-mail: stephmcentaffer@yahoo.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

[Handwritten Signature]

Date: 2/16/2022



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 DNREC Bldg Line on the back part of the lot, the location of the septic system, and location of dwelling with deck, this was the only location on the lot that the shed could be placed.

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 shed is a pre-constructed shed that is already in place. There is no other location on the lot that it can be moved to.

3. Not created by the applicant:

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

The shed is a pre-constructed shed that is already in place. There is no other location on the lot that it can be moved to.

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

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

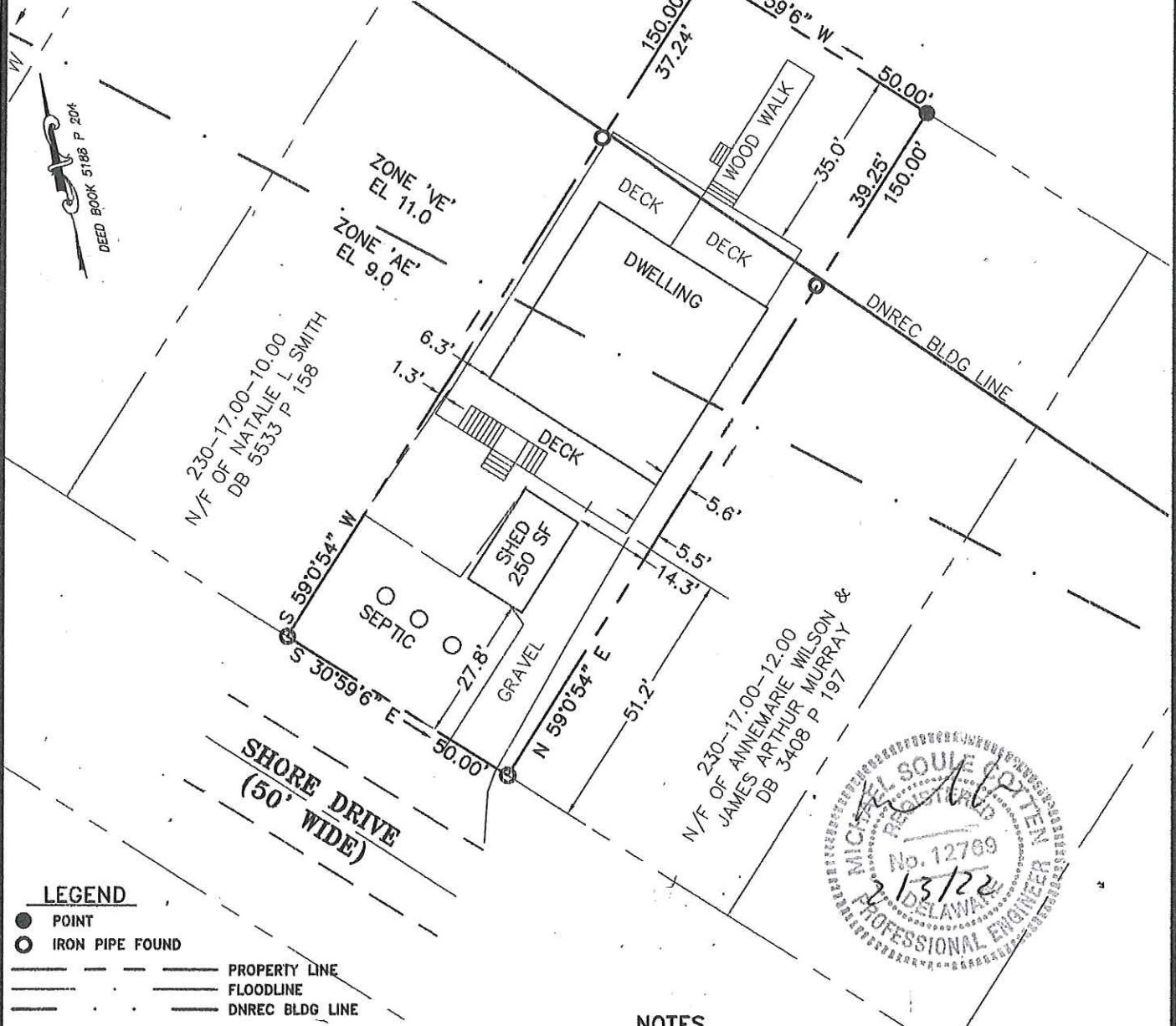
It will not alter the character of the neighborhood. There are several sheds and garages within the neighborhood that are located much less than 30' from the road. We are requesting a variance of less than 3.0'

5. Minimum variance:

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

Yes, location of Shed is 27.8' from front of lot instead of 30.0' This is the only variance required.

I, MICHAEL S. COTTEN, REGISTERED AS A PROFESSIONAL ENGINEER 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.



LEGEND

- POINT
- IRON PIPE FOUND
- PROPERTY LINE
- FLOODLINE
- DNREC BLDG LINE

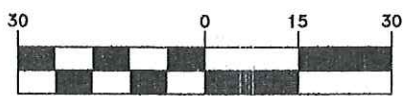
NOTES

1. TITLE REFERENCED TO DEED BOOK 5188, PAGE 204.
2. "SUBURBAN" SURVEY.
3. SUBJECT TO ANY AND ALL RESTRICTIONS, RESERVATIONS, CONDITIONS, EASEMENTS & AGREEMENTS OF RECORD IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DE. NO TITLE SEARCH PROVIDED.
4. THIS SURVEY DOES NOT CERTIFY AS TO THE EXISTENCE OR NON EXISTENCE OF ANY EASEMENTS OF RIGHT OF WAYS AFFECTING THIS PROPERTY.
5. FLOOD ZONE LINES PER PANEL 10005C0180K, EFF. 03/16/2015

BOUNDARY SURVEY PLAN
FOR DONALD EUGENE & STEPHANIE MCENTAFFER
LOT 13, THOMAS T JONES SUBDIVISION
9043 SHORE DRIVE
MILFORD, DE 19963
CEDAR CREEK HUNDRED
SUSSEX COUNTY, DELAWARE
TAX MAP #230-17.00-11.00
TOTAL AREA: 7,500±SF OR 0.172±ACRES

COTTEN ENGINEERING LLC

CIVIL ENGINEERS
 10087 CONCORD RD.
 SEAFORD DE 19973
 PHONE/FAX (302) 628-9164

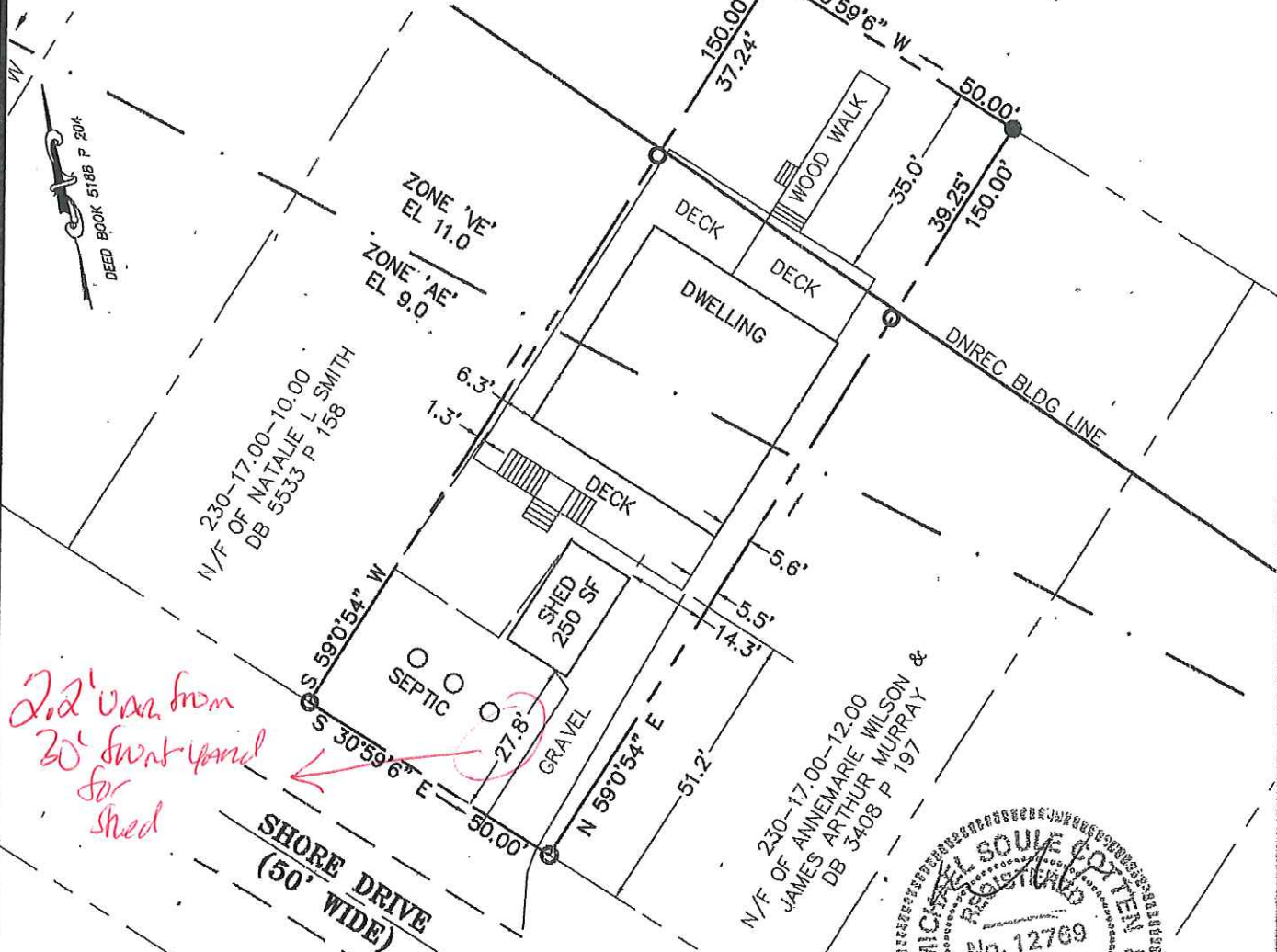


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DESIGNED BY: CE	REV:	JOB # 21-686
DRAWN BY: JCD	DATE: 02/03/2022	SHEET 1 OF 1
CHECKED BY: MSC	SCALE: AS-SHOWN	

Pt 2 Review

I, MICHAEL S. COTTEN, REGISTERED AS A PROFESSIONAL ENGINEER 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.



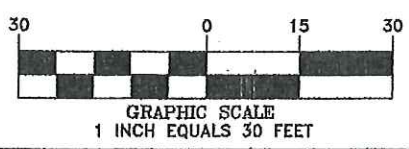
- LEGEND**
- POINT
 - IRON PIPE FOUND
 - PROPERTY LINE
 - FLOODLINE
 - DNREC BLDG LINE

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CEDAR CREEK HUNDRED
SUSSEX COUNTY, DELAWARE
TAX MAP #230-17.00-11.00
TOTAL AREA: 7,500±SF OR 0.172±ACRES

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 10087 CONCORD RD.
 SEAFORD DE 19973
 PHONE/FAX (302) 628-9164



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DESIGNED BY: CE	REV:	JOB # 21-686
DRAWN BY: JCD	DATE: 02/03/2022	SHEET 1 OF 1
CHECKED BY: MSC	SCALE: AS-SHOWN	

Case 12677 Stephanie McEntaffer

Amendment to Board of Adjustment Application

Requesting additional variance for covered porch being added to Bayside Deck. The deck was existing when we purchased the property. The deck is on the property line. Requesting variance to add a covered roof that will have retractable screens to half of the deck.

RECEIVED

MAR 16 2022

SUSSEX COUNTY
PLANNING & ZONING

WA 12077

Amendment to Board of Adjustment Application

Requesting additional variance for covered porch being added to Bayside Deck. The deck was existing when we purchased the property. The deck is on the property line. Requesting variance to add a covered roof that will have retractable screens to half of the deck.

Uniqueness of Property

Because the existing deck is on the property line the roof for the covered porch also needs to be on the property line so that it can be structurally supported.

Cannot Otherwise be Developed

Because the existing deck is on the property line the roof for the covered porch also needs to be on the property line so that it can be structurally supported.

Not Created by Applicant

Because the existing deck is on the property line the roof for the covered porch also needs to be on the property line so that it can be structurally supported.

4/22/03



CERTIFICATE OF COMPLIANCE AND/OR OCCUPANCY
PER
BUILDING CODE DEPARTMENT AND/OR
PLANNING & ZONING DEPARTMENT
SUSSEX COUNTY, DELAWARE

Date of Issue 4/15/03 Expiration Date _____ (Temporary Permit) Tax Map & Parcel 23017.11
204852

This certifies that the (structure) (premises) described in Permit Number _____ conforms to and complies with the requirements of Chapter 52 (Building Code) and Chapter 115 (Zoning Code) for Sussex County, Delaware, and may be occupied as of the above date.

Approved Use Dwelling

Applicant's Name M L Wilson Family Ltd Partnership
Address 6143 S Rehoboth Blvd
Milford, DE 19963

Approved By [Signature]
Building Code Department for
Certificate of Occupancy

Approved By [Signature]
Planning & Zoning Department
for Certificate of Compliance

N/A: Non-Applicable

M L Wilson 101 B

STATE OF DELAWARE
DIVISION OF REVENUE
STATEMENT FOR BUILDING PERMIT

If property is recently acquired, the property owner may be subject to a State Realty Transfer Tax (unless other exemptions apply) on the value at cost of construction or alteration of buildings. The tax applies when the construction is contracted or undertaken within one year after acquisition of the property. The State tax is 1% against construction amounts exceeding \$10,000.

If the building permit is for any type of building (as opposed to fences, signs, decks, etc.) wherein the property was recently acquired and the contracted construction value of the building, including separate material purchases, is greater than \$10,000, the property owner must complete a State of Delaware tax declaration (available from this permit office) to establish the amount of tax or any other exemption from tax that may apply under the law. However, if any one of the following statements applies to your permit, simply check the item below and sign the statement. If these items do not apply, please request the State tax declaration form described above. Your permit cannot be processed until an exemption from the tax is established or the tax due is paid.

I hereby attest that:

- This building permit is not for a building -- a building is defined here to mean any structure whether residential, commercial or trade that has a roof supported by columns or walls; or,
- The owner has owned the property for more than one year prior to signing a construction contract.
- The total contract cost(s), including materials related to all phases of this building, are less than \$10,000.

Name of building owner: Mc Family Limited PARTNER

Tax parcel number or property identification number: 230-1700-11.80

I affirm the foregoing is true and correct to the best of my knowledge and belief.

Joe Debra
Signature
JOE DEBRA ETU
Printed Name
3-14-02
Date

For local permit office use only:
Permit Number: _____
Permit Value: \$ _____

Revised 11/20/91

FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

O.M.B. No. 3067-0077
Expires July 31, 2002

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1 - 7.

SECTION A - PROPERTY OWNER INFORMATION		For Insurance Company Use:
BUILDING OWNER'S NAME WILSON FAMILY PARTNERS LTD		Policy Number
BUILDING STREET ADDRESS (Including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. FRONT ST PRIMEHOOK BEACH		Company NAIC Number
CITY MILFORD	STATE DELAWARE	ZIP CODE 19963
PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOTS 13 THOMAS T. JONES TAX MAP # 2-30-17-11		
BUILDING USE (e.g., Residential, Non-residential, Addition, Accessory, etc. Use a Comments area, if necessary.) RESIDENTIAL		
LATITUDE/LONGITUDE (OPTIONAL) (##° - ##' - ##.###" or ###.####")		
HORIZONTAL DATUM: SOURCE: <input type="checkbox"/> GPS (Type): <input type="checkbox"/> USGS Quad Map <input type="checkbox"/> Other:		
<input type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983		

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP COMMUNITY NAME & COMMUNITY NUMBER UNINCORPORATED AREAS 100029	B2. COUNTY NAME SUSSEX	B3. STATE DELAWARE
B4. MAP AND PANEL NUMBER 10005C018D	B5. SUFFIX F	B6. FIRM INDEX DATE 2/8/99
B7. FIRM PANEL EFFECTIVE/REVISED DATE 6/16/95	B8. FLOOD ZONE(S) AE	B9. BASE FLOOD ELEVATION(S) (Zone AO, use depth of flooding) 10

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

B11. Indicate the elevation datum used for the BFE in B9: NGVD 1929 NAVD 1988 Other (Describe):

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

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. Building Diagram Number 6 (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

C3. 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 C3.a-i below according to the building diagram specified in item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section G, as appropriate, to document the datum conversion.
Datum _____ Conversion/Comments _____

Elevation reference mark used PRIME S Does the elevation reference mark used appear on the FIRM? Yes No

a) Top of bottom floor (including basement or enclosure) _____ ft.(m)

b) Top of next higher floor _____ 16.0 ft.(m)

c) Bottom of lowest horizontal structural member (V zones only) _____ ft.(m)

d) Attached garage (top of slab) _____ 7.0 ft.(m)

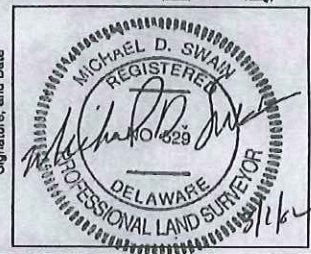
e) Lowest elevation of machinery and/or equipment servicing the building (Describe in a Comments area.) _____ 11.0 ft.(m)

f) Lowest adjacent (finished) grade (LAG) _____ 6.8 ft.(m)

g) Highest adjacent (finished) grade (HAG) _____ 17.0 ft.(m)

h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade _____ 2

i) Total area of all permanent openings (flood vents) in C3.h _____ 289 sq. in. (sq. cm)



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 in Sections A, B, and C 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.

CERTIFIER'S NAME MICHAEL D. SWAIN	LICENSE NUMBER 529
TITLE LAND SURVEYOR	COMPANY NAME AKS ASSOCIATES, INC.
ADDRESS P.O. Box 123	CITY LINCOLN
SIGNATURE Michael D. Swain	STATE DE
DATE 3/1/02	ZIP CODE 19960
	TELEPHONE 302-422-2755

*** The standard foundation slide vent that can be manually opened and closed is not permitted in a Flood-Prone District, unless the slide mechanism is removed or locked open to create a permanent screen opening.***

COMMENTS: Elevation Certificate (submitted 3-5-02) and flood vent certification (if needed), required before Certificate of Occupancy issuance.

1) Electrical Systems

- a) All electric water heaters, furnaces, electrical outlets, plumbing, and other permanent electrical installations shall be permitted only at or above the 100-year base flood elevation requirement. (AE-10)
 - b) All electrical distribution panels and breaker boxes shall be elevated to at or above the level of the 100-year base flood elevation requirement.
 - c) Separate electrical circuits shall serve lower levels and shall be dropped from above.
- 2) All air ducts (excluding the mechanical components), large main service pipes, and storage tanks can be located below the base flood elevation requirement and shall be firmly anchored to prevent movement, floatation, or collapse.
- 3) See Sussex County building permit for required building setbacks.
- 4) Open unenclosed platforms, porches, or steps not covered by a roof or canopy and which do not extend above the level of the first floor of the building may extend or project into the front, side, or rear yard setback not more than five feet. Such extension or projection shall not be more than (11)-eleven feet above mean sea level in flood-prone districts.

REVIEWED BY: JEFF SHOCKLEY
SUSSEX COUNTY ENVIRONMENTAL PLANNER

March 6, 2002 *js*

Construction Review #1656

ORIGINAL

SUSSEX COUNTY
CONSTRUCTION REVIEW - COASTAL AND FLOOD-PRONE AREA PROTECTION

ORIGINAL HOME DAMAGED BY FIRE. ORIGINAL PILE SYSTEM, FLOOR JOIST AND BLOCK STORAGE ENCLOSURE UNDER FIRST FLOOR STILL REMAIN. EXISTING BLOCK ENCLOSURE (38x40 PER MR. WEBB), MUST HAVE THE REQUIRED AMOUNT OF FLOOD VENTING STATED IN THE FLOOD PLAN REVIEW INSTALLED DUE TO THE SUBSTANTIAL IMPROVEMENT OF THE STRUCTURE. REFER TO 115-199 OF THE SUSSEX COUNTY ORDINANCE CODE FOR BUILDING SETBACK DETAILS FOR A STRUCTURE DAMAGED BY FIRE. ELEVATION CERTIFICATE COMPLETED BY MICHAEL SWAIN ON 3-1-02, VERIFYING FLOOD ZONE DESIGNATION OF (AE-10'), WITH THE FIRST FLOOR OF HABITABLE AREA BEING AT 16.0' ABOVE MEAN SEA LEVEL, FLOOR OF STORAGE AREA BEING AT 7.0', AND LOWEST MACHINERY AND ELECTRICAL EQUIPMENT BEING AT 11.0'. MR. JOE WEBB (CONTACT PERSON), UNDERSTANDS AND AGREES TO FULFILL ALL FLOOD ZONE REQUIREMENTS AS NOTED (PER CONVERSATION ON 3-5-02.) BEACH PRESERVATION APPROVAL FROM THE DEPT. OF NATURAL RESOURCES IS REQUIRED FOR THE ISSUANCE OF A SUSSEX COUNTY BUILDING PERMIT. THE CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED UNTIL ALL REQUIREMENTS ARE MET.

NAME: M.L. Wilson Family Limited Partnership
CONTACT PERSON: Joe Webb, 422-7763, 424-4010
LOCATION: Thomas Jones Subdivision, lot 13
TAX MAP #: 2.30-17.00-11.00
100 YEAR FLOOD ZONE: AE-10 (FIRM Panel 100029-0180-F), Designation verified by elevation certificate.

HEIGHT: Must not exceed forty-two (42) foot height from the Base Flood Elevation to the peak-ridge of the roof, (excluding items listed in chapter 115-179, item A, of the Sussex County Ordinance Code). Top of finished first floor of (habitable area), must be at or above the required base flood elevation. (AE-10 M.S.L.)

ENCLOSED AREAS BELOW BASE FLOOD ELEVATION: Shall be used solely for parking, access, or storage. Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on separate exterior walls by allowing for the entry and exit of floodwaters. A minimum of two permanent openings having a total net area of no less than one square inch for every square foot of each enclosed area below the base flood elevation must be provided. The bottom of all openings can be no higher than one foot above the outside finished grade. Openings may be equipped with screens, louvers, or other coverings or devices, provided that they permit the "AUTOMATIC" entry and exit of floodwaters.

*** Any other type of mechanical device to be used for flood venting can be installed with the certification of a Professional Engineer or Registered Architect prior to the Certificate of Occupancy issuance. The certification form will be issued with the building permit.***

M. L. Wilson Family Limited Partnership
BP3094
Page Two
March 12, 2002

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 that is to be removed from the site and is suitable beach material as determined by the Section representative shall be placed on the beach at the nearest suitable location.

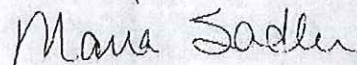
This approval is void if on-site construction has not been initiated on or before one year and completed on or before two years from the date of this approval.

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

You are required to notify the Division of Soil and Water Conservation at (302) 739-4411 at least one week prior to the initiation of on-site construction and when it is completed.

If you should have any questions concerning this approval, please do not hesitate to contact the Shoreline and Waterway Management Section of this Division at (302) 739-4411.

Sincerely,



for
Anthony P. Pratt
Program Manager II
Shoreline and Waterway
Management Section

Cf.: Sussex County Planning and Zoning



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF SOIL AND WATER CONSERVATION

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

TELEPHONE: (302) 739-4411
FAX: (302) 739-6724

OFFICE OF THE
DIRECTOR

March 12, 2002

M. L. Wilson Family Limited Partnership
6143 South Rehoboth Boulevard
Milford, Delaware 19963

Dear Sir or Madam:

Re: Application No. BP3094 - To construct a single family residential dwelling in the same footprint as the previous dwelling destroyed by fire on Lot 13, Thomas T. Jones Subdivision, Prime Hook Beach, in Sussex County, Delaware.

This is to advise you that this Division has reviewed your plans for coastal construction work with regard to its material physical effects on coastal conditions and natural shore processes with particular reference to the extent that it may induce or aggravate beach erosion, storm damage, flooding, etc., or may otherwise have a detrimental effect on the shore or adjacent property.

By this letter, please be informed that the aforementioned work, as shown upon the plans submitted by you through applications received March 8, 2002, has been approved. This letter of approval pertains only to compliance with the "Regulations Governing Beach Protection and the Use of Beaches" (effective December 27, 1983) 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, including local flood hazard zoning ordinances.

Any unauthorized additions or modifications of the final permitted construction plans will be considered a violation of this letter of approval 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.

Structures prohibited seaward of the Building Line include: hard landscaping such as railroad ties, flower boxes, brick and cement patio blocks, fences other than sand/snow fencing, retaining walls, and other modifications that impede the natural function and flexibility of the dune and have been found to cause considerable damage to properties during storm events.

Delaware's good nature depends on you!



GENERAL SEDIMENT AND STORMWATER MANAGEMENT PERMIT
(NOT VALID UNTIL APPROVED BY THE APPROPRIATE PLAN APPROVAL AGENCY)

LOCATION

Subdivision (if applicable) 2.30-17.00-11.00 Lot # 13
or Tax Map-Block-Parcel _____ or Road# 11

Property _____
(number) (street) (city) (state) (zip)

Property Owner M Family Limited Partner Phone 422-9582
Address 6142 S Robinson Blvd. Milford

Developer/Builder Joe Wern Phone 424-4010
Address 1122 E. Hwy Rd.

Total Lot Area 50180 Total Disturbed Area 19760 sq. ft.

Single Family Dwelling _____ Other (describe) _____

Building Permit Applied For Yes _____ No Permit # 204852

CONDITIONS OF APPROVAL

- This General Sediment and Stormwater Management Permit Application may be submitted instead of a designed plan when the General Permit Criteria of Section 11 of the Delaware Sediment and Stormwater Regulations are met.
- Owner/Developer is not the same owner/developer of two or more contiguous lots being developed concurrently.
- The approval of this permit does not relieve the applicant from complying with any and all Federal, State, County or Municipal laws and regulations.
- In the event the applicant fails to provide adequate sediment control under the provisions of this permit, the Sussex Conservation District reserves the right to require additional control measures as necessary OR require the preparation and implementation of a site specific plan.
- The applicant shall notify the delegated inspection agency at least five days prior to beginning construction.
- Access to this site shall be made available at all times for inspection by the Sussex Conservation District.
- I/We certify that I/We have the authority to make this application; that I/We have read and understand the above conditions; and that I/We have the ability to meet all the limitations and conditions set forth by this agreement.

APPLICANTS SIGNATURE [Signature]

APPLICANTS TITLE Builder DATE 2-14-02

APPROVED _____ DATE _____



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF SOIL AND WATER CONSERVATION
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

TELEPHONE: (302) 739 - 4411
FAX: (302) 739 - 6724

OFFICE OF THE
DIRECTOR

March 12, 2002

M. L. Wilson Family Limited Partnership
6143 South Rehoboth Boulevard
Milford, Delaware 19963

Dear Sir or Madam:

Enclosed, please find the Letter of Approval BP3094 for construction of a single-family residential dwelling in the same footprint as the previous dwelling destroyed by fire. During construction please be sure that all construction activities, personnel and equipment are kept on the landward side of the DNREC Building Line. By staying landward of this line, you will be protecting the dune. If it is found that any construction activities, personnel and/or equipment has gone over the DNREC Building Line, you will be required to erect a sand fence along the line to ensure that encroachment will not occur again.

We are making a point to tell you this, because we have found that recently a lot of construction activities along the oceanfront have been occurring on the dunes and damaging them. Dunes are the best source of protection against storm damage. It is in your best interest to preserve, protect and enhance them. Please be aware that if you wish to erect a sand fence along the DNREC Building Line on this lot, you may do so at any time without our approval.

Also, please be aware that if you find the need to replace portions of the existing deck, you will need to submit a separate application for a Letter of Approval. The enclosed approval is for construction of the dwelling only. If you have any questions, please give me a call at (302) 739-4411 or send me e-mail at jlwheatley@state.de.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer L. Wheatley'.

Jennifer L. Wheatley
Environmental Scientist
Shoreline and Waterway
Management Section

Delaware's good nature depends on you!

10.10 1-2352

No 027435

- SINGLE FAMILY
- COMMERCIAL
- MULTI FAMILY
- MISC



REVIEW RECEIPT NO:

PERMIT NO:

Thomas T Jones Sub
 2.30 17.00 11.00
 101 113
 E/Sharola

PLAN REVIEW REPORT

NAME: M L Wilson Family Limited Part.
 ADDRESS: 6143 S Rehoboth Blvd
 CITY: Milford STATE: Del. ZIP: 19963

DWELLING: 1976 SQUARE FEET DESCRIPTION: 2 Story Dwell
 ADDITIONS: Rebuild due to SQUARE FEET DESCRIPTION: fire damage
 ACCESSORY STRUCTURES: 5070 SQUARE FEET DESCRIPTION: 7th Darning

THE PLANS SUBMITTED FOR ABOVE PROJECT HAVE BEEN "REVIEWED FOR CODE COMPLIANCE" OF THE STANDARD BUILDING CODE OR CABO ONE & TWO FAMILY DWELLING CODE ON 3/6/02 DATE

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

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

PLAN REVIEW AND INSPECTION FEE: \$ 17500 DATE: 1/22/02 CLERK: JR
 (PAID WHEN PLANS WERE SUBMITTED)

APPROVED BY: [Signature] Joe Jr.
270-8490

* A 48 HOUR NOTICE IS REQUIRED FOR ALL INSPECTIONS *

CONTACT PERSON: JOE WEBB PHONE: 302-432-7763
434-4010

SIGNATURE: [Signature] Beach Preservation
199 17E-10



MK 30' 10' 25 Front state Wetland 150

BUILDING CODE REQUIRER: Yes

BUILDING PERMIT APPLICATION
SUSSEX COUNTY, DELAWARE

PERMIT NO. 204852

NEEDS TOWN PERMIT: N
LOCATION: Beach pus - B P 3094

DNREC # 184477

S, W

Div. of Rev. 1 year

Route _____ (N) (S) (E) (W) Side: _____ (ft.) (miles (N) (S) (E) (W) of _____
 Subdiv. or TP: Thomas Jones Lot No. 13 Section or Block _____
 Town _____ Street: Elmore Drive
 District No. 2-30 Map No. 1700 Parcel No. 1100 MANU. HOME # _____
 Frontage: _____ Depth: _____ Acreage: _____

ASSESSMENT

I. TYPE OF IMPROVEMENT

Cost of Improvements 110080 Stories 2
 New Building dwellers Size 38x40
 Addition _____
 Relocation (rebuild due to fire)
 Accessory Structure damage
 Sign _____
 Remodeling _____
 Other _____

II. INTERIOR

No. of Bedrooms 3
 No. of Bathrooms 2.5
 No. of Rooms _____
 Basement NO

VI. FOUNDATION

Pad Brick
 Piling
 Other Pilings

III. HEATING

Electric Gas
 Heat Pump FHA
 Air Conditioned

VII. FIRE PLACE

Yes No
 MASONARY Metal

IV. EXTERIOR WALLS

Vinyl Wood
 Alum. Siding Brick
 Other _____

VIII. ROOFING

Built-Up Metal
 Asphalt Shingle
 Wood Shingle
 Other _____

V. INTERIOR WALLS

Dry Wall
 Paneling
 Other _____

IX. FLOORING

Earth Wood
 Carpet Vinyl
 Concrete
 Other _____

ZONING

TYPE OF USE

Existing Use vacant
 Proposed Use 2 story dwellers
 Single Family _____ Commercial _____ Other _____
 Zoning District MR Number of Units _____

SETBACKS

Front Yard 30 Side Yard 10 Rear Yard 20 from state wetlands
 Side yard on side street on corner lot _____
 From any dwelling of other ownership _____
 From any other unit in a manufactured home park _____
 Cannot occupy more than 12' max % of total lot area
 Height _____
 Board of Adjustment Case No. _____
 Conditional Use Case No. _____
 Approved by Planning & Zoning _____

FLOOD

Flood Zone AE-150
 Elevation Required above Mean sea level AE 10
 To be measured to:
 1. Finished first floor _____
 2. Lowest structural member _____
 Elevation Certification Height Certification
 Breakaway Walls Venting If applicable
 Placement Survey
 ADDITIONAL REQUIREMENTS & COMMENTS _____

OWNERS IDENTIFICATION:

Name Mc Wilson Family Land Partnership
 Address 6143 S Rehoboth BWD
 City Milford State De Zip 1963
 On Lands Of STARS

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

Name: Beach Preservation
 Address: Beach required pickup
 City: _____ State: _____ Zip: _____

The owner of this building or land and the undersigned agree to comply to all applicable Federal, State and County Regulations and so 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: _____ Phone No. _____
 Permit Fee: 337.50 + 275.20 = 612.70 Date Issued: 3/14/02

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 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 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.

DIST	MAP	PARCEL	CONTROL NO
2-30	7		
TYPE	OCC	GRADE	DIMENSIONS
1	BT	38 x 40	1500
			BATS
			X
			X
			X
H. L. YOH CO. PHILA., PA.			
TOTAL GROUND AREA. 1140			

STORY HT	1/2 STY	ATTIC	UNIT COST	BASE COST
21	F		27.57	4602

PRINCIPAL BUILDING DESCRIPTION

MASONRY-1 PIER-2 SLAB-3

NONE-0 1/4-1 1/2-2 3/4-3 FULL-4 1140

NONE-0 REC AREA -1 APT -2 % OF BASEMENT SQ FT

NONE-0 PIPELESS CHA-1 ELECTRIC-2 FHA-3 STM-HW-4

3-FIXT BATH 2 2-FIXT BATH 2-4 2 1/2-3 3-5 4-7 5-8

NONE-0 1-2 1 1/2-3 2-4 2 1/2-5 3-6 4-7 5-8

1ST FLOOR 2ND FLOOR 3RD FLOOR

NONE PL WB WP NONE PL WB WP

DIRT CONC HW (WP) HW SW NONE PL WB WP

NONE-0 HOME POWER UNIT-2 PUBLIC-3

NONE-0 ONE CAR-1 TWO CAR-2

WOOD-1 SHGL-2 ALUM-3 BLK-4 BRK OR STN-5 STUCCO-6 COMP-7

HIP-1 GABLE-2 FLAT-3 MANSARD-4 GAMBREN-5

WD-COMP-SHGL-1 SLATE-2 METAL-3 TILE-4 ROLL-5 T & G-6

AREA SQ FT INDICATE QTY

AREA 380 SQ FT INDICATE QTY

NONE-0 CENTRAL-1

NONE-0 1 CAR-1 2 CAR-2

STORY HT SQ FT

21 1830

ACCESSORY BUILDINGS

BASE COST \$ 41602 ± INDEX % \$ 41602 X GRADE FACTOR 21.5 = REPLACEMENT COST

ACTUAL AGE 2005 YRS EFF AGE 12 YRS PHS. COND GOOD X FAIR POOR PER CENT GOOD 98 %

OBsolescence: FUNC. % OV/RIMP % UNDRIMP % OTHER ECON. % NET COND % DEPRECIATED BLDG VALUE \$ 58180

INDEX TOTALS	DEPRECIATED BLDG VALUE
98 %	\$ 58180

TRAILERS

CODE	BUILDING NAME	EXT WALL	GRADE	FLOOR	STY HT	LGTH	WIDTH	AREA	DIA	HGT	UNIT COST	REPL COST	COND	% GOOD	DEPRECIATED VALUE

INSPECTED BY *DKM* 11-5-74 CHECKED BY

APPROVED BY

TOTAL TRAILERS VALUE \$

TOTAL ACCESSORY BLDGS VALUE \$

TOTAL BLDGS VALUE \$

PROPERTY RECORD CARD

CARD 1 OF 1

DIST. 2-30	MAP 17	PARCEL 11	CONTROL NO.	OWNERSHIP RECORD
ADDRESS				GRANTEE
LAND IDENTIFICATION				DATE OF TRANSFER
<div style="border: 1px solid black; padding: 5px;"> <p>2-30 17.00 11.00 WILSON MADELINE L. SCH-6 REAR 10TH HWY-1000 EDI I-P MILFORD IDEC 19963 TR1- 115394 PRIME HOOK BEACH SHORE DR LOT 13 W/IMP</p> </div>				REVENUE STAMPS
				SALE PRICE
LAND RECORD AND VALUATION SUMMARY				
PROPERTY FACTORS		LAND COMPUTATION		
IMPROVEMENTS	STREET OR ROAD	DIMENSIONS	UNIT VALUE	ADJ UNIT VALUE
CITY WATER	PAVED <input checked="" type="checkbox"/>	FRONT DEPTH	175 179	18550
SEWER	SEMI-IMPROVED			9270
GAS	UNIMPROVED			
ELECTRICITY	OTHER			
ALL UTILITIES	SIDEWALK			
BUILDING PERMIT RECORD				
ASSESSMENT RECORD		DATE	NUMBER	AMOUNT
LAND \$	LAND \$			
BLDG. \$	BLDG. \$			
TOTAL \$	TOTAL \$			
LAND \$	LAND \$			
BLDG. \$	BLDG. \$			
TOTAL \$	TOTAL \$			
LAND \$	LAND \$			
BLDG. \$	BLDG. \$			
TOTAL \$	TOTAL \$			
SUMMARY OF VALUES		TOTAL LAND	\$ 9300	
		TOTAL IMPROVEMENTS	\$ 58,200	
		TOTAL APPRAISED VALUE	\$ 67,500	
NOTES: B.P# 156473 WOOD DECK Oldvalue 30500 7-5-96 69103 BPA04852 (Rebuild fire damage) on 34900 NV 67,500				
H. L. YOH COMPANY A DIVISION OF DAY AND ZIMMERMANN, INC. PHILADELPHIA, PA.				

**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 # 12679
Hearing Date 4/18
202202275

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)
115-83-8 & 115-182

Site Address of Variance/Special Use Exception:

13275 Reynolds Road Milton DE 19968

Variance/Special Use Exception/Appeal Requested:

A 36.52' variance is requested fro the front yard setback (23.48 instead of 60'), improving by 9.48' compared to existing conditions.

The existing building currently has a 46' encroachment with a 14' front yard setback.

Tax Map #: 235-15.00-7.01

Property Zoning: CR-1

Applicant Information

Applicant Name: Water's Edge Church c/o Laurence Bivens
Applicant Address: 18262 Shingle Point Road
City Georgetown State DE Zip: 19947
Applicant Phone #: _____ Applicant e-mail: _____

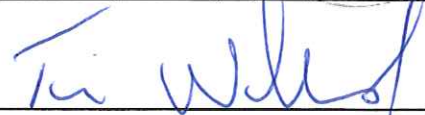
Owner Information

Owner Name: Water's Edge Church
Owner Address: same
City _____ State _____ Zip: _____ Purchase Date: _____
Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: Tim Willard
Agent/Attorney Address: 26 The Circle
City Georgetown State DE Zip: 19947
Agent/Attorney Phone #: 302856777 Agent/Attorney e-mail: tim@fwsdelaw.com

Signature of Owner/Agent/Attorney



Date: 2-16-22



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 subject property has existing buildings tucked into the corner adjacent the two roadways while the rest of the property has been developed with parking and utilities. The existing buildings have been there for a long time.

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.

Raising the existing building and building a new church on a smaller footprint allows for reasonable use.

3. Not created by the applicant:

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

The exceptional practical difficulty created by the location of the existing building and current encroachment has been a long standing non-compliant situation. They want to building a new building but does not want to maintain the existing facade due to location, while increasing separation for safety, it is triggering this variance and DelDOT is taking 7.29' of property thus shifting setback farther into the site.

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 proposed use is in keeping with the current zoning district and the existing character of the site itself along with the surrounding area. The proposed building will not change the feel or look of the property and/or community and will provide a safer environment for their congregation.

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 36.52 variance request for the front yard setback (23.48 setback instead of 60') represents a 9.48' improvements from existing conditions. This represents the minimum required to reconstruct a new building in the place of the existing while maintaining the current functionality of the Church.

TAX MAP AND PARCEL #:
2-35-15.00-7.01

PREPARED BY:
Moore & Rutt, PA
122 West Market Street
P.O. Box 554
Georgetown, DE 19947
File No. 14451/JEM

RETURN TO:
The Water's Edge: A Wesleyan
Congregation
411 Union St
Milton, DE 19968

THIS DEED, made this 14th day of September, 2018,

- BETWEEN -

EAGLE'S NEST FELLOWSHIP CHURCH, INC., a Delaware Corporation, of P.O.
Box 129, Milton, DE 19968, party of the first part,

- AND -

THE WATER'S EDGE: A WESLEYAN CONGREGATION, of 411 Union St,
Milton, DE 19968, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of ONE AND 00/100 DOLLARS (\$1.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, and its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

All that certain lot, piece or parcel of land situate, lying and being in Broadkill Hundred, Sussex County, State of Delaware, as more fully depicted on a survey prepared by Adams-Kemp

Associates, Inc., Professional Land Surveyors and Planners, dated November 7, 1990, revised November 13, 1992, and more particularly described as follows, to wit:

Beginning at an iron pipe now set at the southeasterly corner of land described herein on a fence line there situate and being in the northerly right-of-way line of State Route 16. Point of beginning also being located North 50 degrees 50 minutes 02 seconds East 248.20 feet from a fifty foot corner cut at the intersection of State Route 16 and County Road 233; thence leaving said point of beginning and running and binding with said Northerly right-of-way line of State Route 16 (1) by a curve to the right with a radius of 2,834.95 feet for a distance of 248.28 feet, the arc of which is subtended by chord bearing South 50 degrees 50 minutes 02 seconds West 248.20 feet to a point and to a fifty foot permanent easement to the State Highway Department of the State of Delaware; thence with a tie line and said permanent easement (2) North 72 degrees 57 minutes 02 seconds West 59.90 feet to a point and to the easterly right-of-way line of County Road 233; thence running and binding with the said Easterly right-of-way line of County Road 233; (3) North 19 degrees 45 minutes 00 seconds West 340.51 feet to an iron pipe and to other lands of Clyde Betts & Son, Inc.; thence running for new line of division through the property which this parcel is a part of, the following two courses and distances: (4) with a fence there situate, North 75 degrees 22 minutes 05 seconds East 284.44 feet to a corner fence post; thence continuing with said fence (5) South 19 degrees 28 minutes 56 seconds East 268.52 feet to the point of beginning, containing 2.13 acres more or less.


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.

BEING the same property conveyed to Eagle's Nest Fellowship Church, Inc. from Clyde Betts & Son, Inc., by Deed dated August 2, 1995, and recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 2066, Page 346.


REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, the said Eagle's Nest Fellowship Church, Inc. has caused its name to be hereunto set, and its common and corporate seal to be hereunto affixed, duly attested, the day and year first above written.

EAGLE'S NEST FELLOWSHIP CHURCH,
INC.



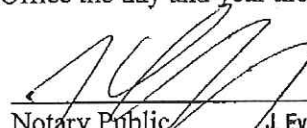
Witness

By:  (SEAL)
John T. Hoenen
Authorized Board Member & Executive Pastor

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 14th day of September, 2018, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, John T. Hoenen of Eagle's Nest Fellowship Church, Inc., party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed and the act and deed of said corporation; that the signature of John T. Hoenen is in his own proper handwriting and the seal affixed is the common and corporate seal of said corporation; and that his/her act of signing, sealing, acknowledging and delivering said Indenture was first duly authorized by a resolution of the Board of Directors of said corporation.

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



Notary Public J. Everett Moore, Jr., Esq.
Attorney-Notary Public
Unif. Notarial Act 29 Del. C. §4323(a) (3)
My Commission Expires: ~~Non-Expiring Commission~~

"EXHIBIT A"

STATE OF INDIANA)
)SS
COUNTY OF HAMILTON)

CERTIFICATION

I, the undersigned, do hereby certify:

(1) That I am the duly elected Assistant General Secretary of The Wesleyan Church Corporation, incorporated as a not-for-profit corporation under the laws of the state of Indiana;

(2) That following is a true copy of paragraph 50 of the 2012 copy of *The Discipline of The Wesleyan Church*:

F. The Formation of The Wesleyan Church

50. Merger between The Pilgrim Holiness Church and The Wesleyan Methodist Church of America was proposed at various times, and was voted upon by the General Conferences of the two bodies in 1958 and 1959, failing to pass in the Wesleyan Methodist General Conference by a margin of a single vote. In 1962, the General Conference of The Pilgrim Holiness Church took action expressing renewed interest in union with The Wesleyan Methodist Church. In 1963, the General Conference of The Wesleyan Methodist Church took like action, instructing its Committee on Church Union to pursue its work with all due diligence. On June 15, 1966, the Thirty-Second General Conference of The Wesleyan Methodist Church adopted The Basis for Merger and Constitution, and subsequently the annual conferences and local churches ratified the action. On June 16, 1966, the Twenty-Fifth International Conference of The Pilgrim Holiness Church also adopted The Basis for Merger and Constitution. Thus the formation of *The Wesleyan Church* was authorized. The General Board of The Pilgrim Holiness Church and the General Board of Administration of The Wesleyan Methodist Church cooperated in planning the uniting General Conference, and in preparing the new book of *Discipline* for its consideration. On June 26, 1968, The Pilgrim Holiness Church and The Wesleyan Methodist Church of America were united to form The Wesleyan Church.

(3) That the Pilgrim Holiness Church and the Wesleyan Methodist Church merged in 1968;

(4) That following is a true copy of the 1968 *Discipline* indication of the former Middle Atlantic States District of the Wesleyan Methodist Church, and the former Pennsylvania-New Jersey District and the former Eastern District of the Pilgrim Holiness Church:

(Mid-Eastern Districts)

(9) The Pennsylvania-New Jersey District shall include the former Pilgrim Holiness churches in the state of New Jersey; and in that part of the state of Pennsylvania that lies east of a line running south from the western edge of Olean, New York, to the west edge of Caledonia, Pennsylvania, thence in a straight line to the western edge of Cresson, Pennsylvania, thence in a straight line to the west edge of Cumberland, Maryland, with the exception that the following churches in the northern part of Pennsylvania shall be in the New York District: Brookdale, Green Grove, Sayre, and Tunkhannock.

(12) The Middle Atlantic States District shall include the former Wesleyan Methodist churches in the states of New Jersey and Delaware; in all of the state of Maryland, except that part which is within the Virginia District (formerly Wesleyan Methodist); in that part of the state of Pennsylvania lying east of a straight line drawn from the northwest corner of Maryland to the northeast corner of Pennsylvania, and in that part of the states of New York and Connecticut lying south of a line drawn from the northwest corner of New Jersey, east through the city of Newburg, New York, to New Haven, Connecticut.

(13) The Eastern District shall include the former Pilgrim Holiness churches in the state of Delaware; in all the state of Maryland except Montgomery, Howard, Prince Georges and Charles Counties; and in that portion of Virginia that lies east of the Chesapeake Bay and south of the state of Maryland.

(5) That the foregoing shows that the Eastern District of the Pilgrim Holiness Church was truly part of the merger of the Pilgrim Holiness Church and the Wesleyan Methodist Church;

(6) That the Pilgrim Holiness Church in Milton, Delaware, was a local church in the Eastern District of the Pilgrim Holiness denomination, and upon merger, became a Wesleyan church;

(7) That the following is a true copy of paragraph 691:50 of the 1968 edition of *The Discipline of The Wesleyan Church*, relating to the duties of the General Board of Administration:

(50) To make recommendations to the General Conference for the establishment or alteration of district boundaries; and, in the interim of General Conference sessions, to appoint representatives of the general church for inter-district comity committees, and to approve the merger, division, or other realignment of districts, when each district conference involved has approved the plan.

(8) That the following is a true copy from the General Board of Administration minutes from November 15, 1968, GBA-258, of the resolution to change the name of the Eastern District:

GBA-258. DISTRICT NAME CHANGES APPROVED. The following name changes were approved by motion and vote:

(1) Delmarva District, formerly known as the Eastern District of the Pilgrim Holiness Church.

(2) Western New York District, formerly known as the Lockport Conference of The Wesleyan Methodist Church.

(9) That the following is a true copy from the General Board of Administration minutes from May 7, 1969, GBA-337, of the resolution to merge the Penn-Jersey, Middle Atlantic States, and Delmarva Districts of The Wesleyan Church:

GBA-337. Resolution: Merger of Penn-Jersey, Middle Atlantic States, and Delmarva Districts

WHEREAS the comity committees of the several districts of the northeastern area approved merging some of the districts in that area, and
WHEREAS the General Board of Administration in July 1968 approved the merger of the four New York districts into three districts and the two Canada districts in Ontario and Quebec into one district as outlined in the proposal of the comity committees of the northeastern area, and

WHEREAS the General Board of Administration in November 1968 approved the merger of the Allegheny and Pittsburgh districts along with sixteen churches of the Penn-Jersey District, forming the Western Pennsylvania District, and

WHEREAS the respective comity committees have approved merger of the Penn-Jersey District and certain churches of the Middle Atlantic States District and the Delmarva District and certain churches of the MAS District into two districts, Penn-Jersey and Delmarva, and

WHEREAS the Penn-Jersey district conference in 1968 approved the plan of merger, and

WHEREAS the comity committees of the Penn-Jersey, Middle Atlantic States and Delmarva Districts request that approval be granted for merging the three districts into two, subject to ratification of the same by the Middle Atlantic States and Delmarva districts, therefore be it

RESOLVED that approval be granted and that the boundaries be as follows:

Penn-Jersey District

The western boundary shall begin at the Pennsylvania-Maryland State line at Interstate Route 15, thence northward on Route 15 to the southern border of Tioga County, thence eastward along the southern borders of the counties of Bradford and Susquehanna to Forest City in Wayne County, thence eastward on Route 106 and 6 to Narrowsburg, thence southward along the New York State line to the Hudson River, thence eastward to the southwestern corner of Connecticut, thence eastward including Long Island, thence southward to include all of New Jersey, thence westward along the Pennsylvania-Maryland line to Interstate Route 15.

Delmarva District

The Delmarva District shall include the eastern shore of Virginia and the states of Delaware and Maryland, with the exception of the following counties in Maryland: Montgomery, Howard, Prince George, Charles, and:

A. That the Virginia District be petitioned to release this territory to the Delmarva District inasmuch as the Virginia District has no churches on the eastern shore of Virginia.

B. That the Cresaptown, Maryland, church located in Allegany County and now under the auspices of the Capital District be assigned to the Capital District subject to review by the General Conference in 1912.

C. That the Baltimore (Brooklyn) church be granted the privilege of affiliating with the Capital District subject to review by the General Conference in 1912.

It was moved and seconded to approve the resolution.

A motion carried to amend the resolution by deleting "the eastern shore of Virginia" and inserting the counties by name, "Northampton and Accomack Counties."

The resolution as amended, was approved by vote.

(10) That the following is a true copy of the General Board of Administration minutes from May 3, 1994, of the resolution to merge the Delmarva and Capital districts of The Wesleyan Church:

GBA-399. CAPITAL-DELMARVA: District Merger

Whereas, The General Board of Administration, responding to requests by the Capital and Delmarva District Boards of Administration and anticipating the subsequent strong majority votes by the respective 1993 District Conferences, did appoint a Merger Study Committee and authorize a procedure for developing a plan of merger of the two districts into one (GBA-166);

Whereas, The Merger Study Committee did develop a plan of merger and recommended the same by a unanimous vote, and the plan was subsequently approved by the Board of General Superintendents (*Discipline* 1060);

Whereas, The Capital District Board of Administration recommended to its district conference approval of the plan of merger on October 15, 1993 by a unanimous vote, and the Delmarva District Board of Administration recommended to its district conference approval of a plan of merger on October 15, 1993 by a unanimous vote; and

Whereas, The reconvened Delmarva District Conference approved the plan of merger on March 11, 1994 by an 86 percent vote, and the reconvened Capital District Conference approved the plan of merger on March 12, 1994 by a 92 percent vote;

Resolved, That the General Board of Administration, in keeping with the powers assigned to it in *Discipline* 1065 and 1655:51, grant final approval for the merger of the Capital and Delmarva Districts into the Chesapeake District on the basis of the approved plan of merger with the Merging District Conference scheduled for June 11, 1994 at Denton, Maryland.

BOARD OF GENERAL SUPERINTENDENTS
H. C. Wilson, Secretary

Adopted upon motion.

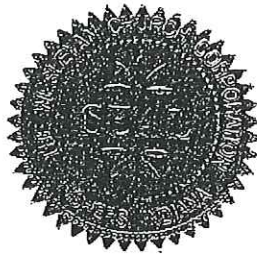
(11) That the following is a true copy of paragraph 1233:33 of the 2012 edition of *The Discipline of The Wesleyan Church* regarding the duties and powers of the district board of administration, related to churches and ministers:

(33) To approve in writing the proposal of a local church conference for the acquisition, purchase, sale, mortgage, transfer or other disposal of real property in accord with the provisions in 4700-4780 (cf. 4000-4070), after first receiving a written report and recommendation from the district building committee when such is required as set forth in 1345; to advise, or appoint an investment committee to advise, a local board of administration when a local church has received an out-of-pattern contribution with value equal to or exceeding the total contributions of the preceding year (cf. 782:35); to authorize the incorporation of a local church in keeping with 4000 (cf. 655:14; 4010:6); to approve the name of a new church or name change or adaptation requested by a developing or established church.

(12) That the District Board of Administration of the Chesapeake District did on October 8, 2013, approve a request by the Milton Wesleyan Church to change its name to The Water's Edge: A Wesleyan Congregation;

(13) That the foregoing shows that The Water's Edge: A Wesleyan Congregation in Milton, Delaware, is the true successor of the Pilgrim Holiness Church in Milton, Delaware.


IN WITNESS WHEREOF, I have affixed my name as Assistant General Secretary of The Wesleyan Church and have caused the corporate seal of said corporation to be hereunto affixed this 30th day of August 2018.




Ronald C. McClung, Assistant General Secretary
The Wesleyan Church Corporation

STATE OF INDIANA)
)SS
COUNTY OF HAMILTON)

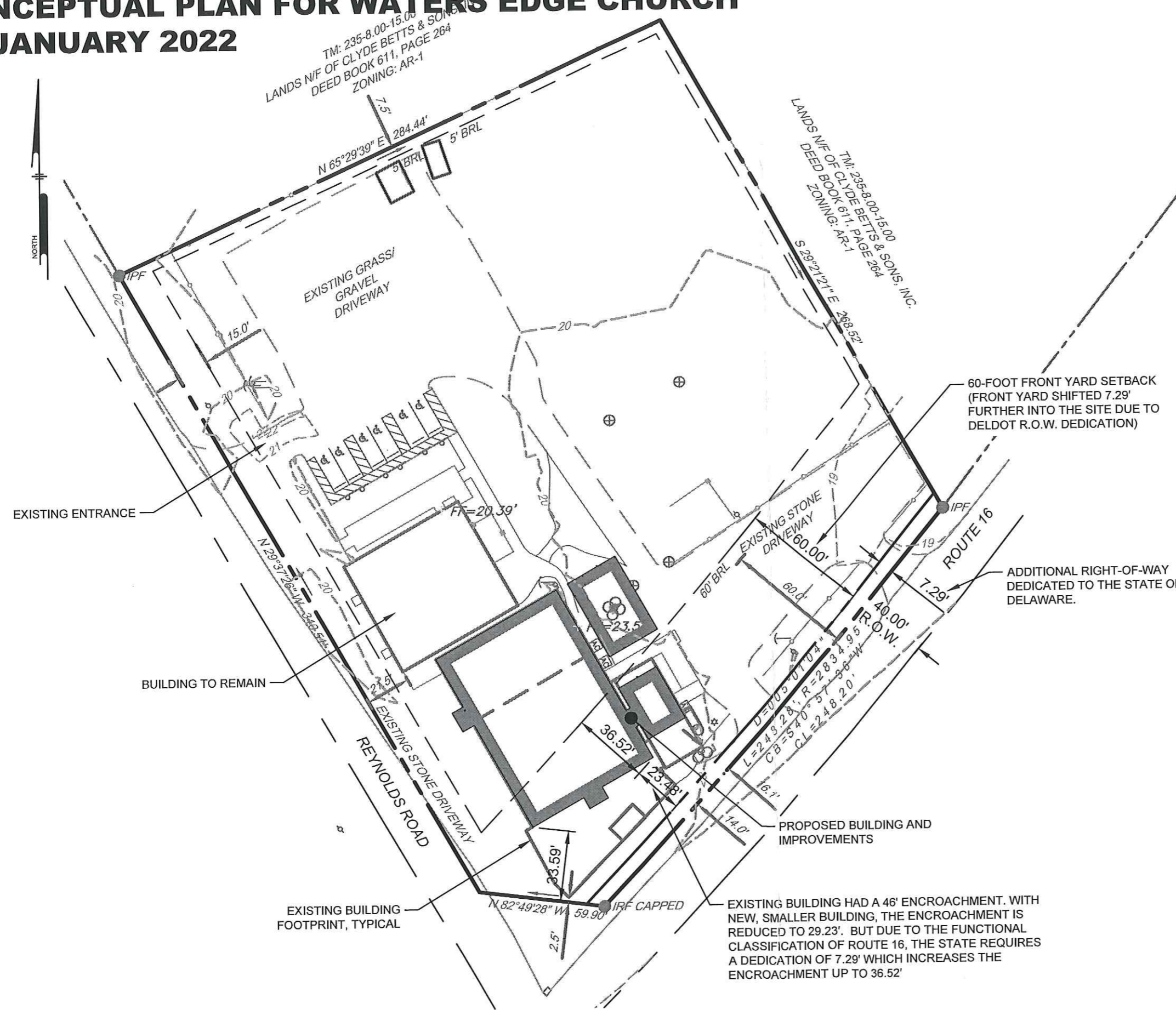
Be it known that Ronald C. McClung, known to me personally to be the one executing the foregoing Certificate, appeared before me, deposed, and said that the foregoing certification is true and accurate to the best of his knowledge. Whereunto I set my hand and my seal this 30th day of August 2018.


Beth Sanders, NOTARY PUBLIC
Commission Number: 689031
My commission expires August 28, 2024
I reside in Madison County, Indiana

VARIANCE REQUEST EXHIBIT

CONCEPTUAL PLAN FOR WATERS EDGE CHURCH

24 JANUARY 2022



SITE STATISTICS

TAX ID 235-15.00-7.01

ZONING CR-1 (COMMERCIAL RESIDENTIAL)

SETBACKS
 FY 60'
 SY 5'
 RY 5'
 CORNER LOT SY 15'

EXISTING USE: CHURCH (INSTITUTIONAL)

PROPOSED USE: CHURCH (NO CHANGE IN USE)

PARKING REQUIRED: 1 PER 4 SEATS
 APPROX. 200/4 = 50 SPACES

PARKING PROVIDED: 50+ SPACES (PAVED AND GRAVEL)

VARIANCE REQUEST:

FRONT SETBACK LINE 23.48' FEET REDUCED BY 36.52 FEET

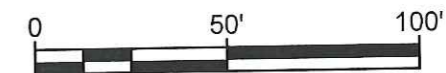
NOTES:

APPLICANT IS PROPOSING TO DEMOLISH AN EXISTING BUILDING AND REPLACE IT WITH A NEW BUILDING STRUCTURE IN SAME LOCATION. A VARIANCE FROM THE FRONT YARD SETBACK IS REQUIRED.

THE EXISTING STRUCTURE IS IN NON-COMPLIANCE, LOCATED ONLY 1 FEET FROM THE PROPERTY LINE WITH A 46.0 FEET ENCROACHMENT ON THE FRONT YARD SETBACK. (REFERENCE EXISTING CONDITIONS PLAN)

THE PROPOSED STRUCTURE IS 23.48 FEET FROM THE PROPERTY LINE WHICH IS AN IMPROVEMENT COMPARED TO THE EXISTING ENCROACHMENT OF 46 FEET THE FRONT YARD SETBACK IS 60 FEET. VARIANCE OF 36.52 FEET IS BEING REQUESTED.

THIS CONCEPT PLAN BASED ON FIELD SURVEY CONDUCTED BY PENNONI IN DECEMBER 2021.



PENNONI ASSOCIATES INC

18072 Davidson Drive

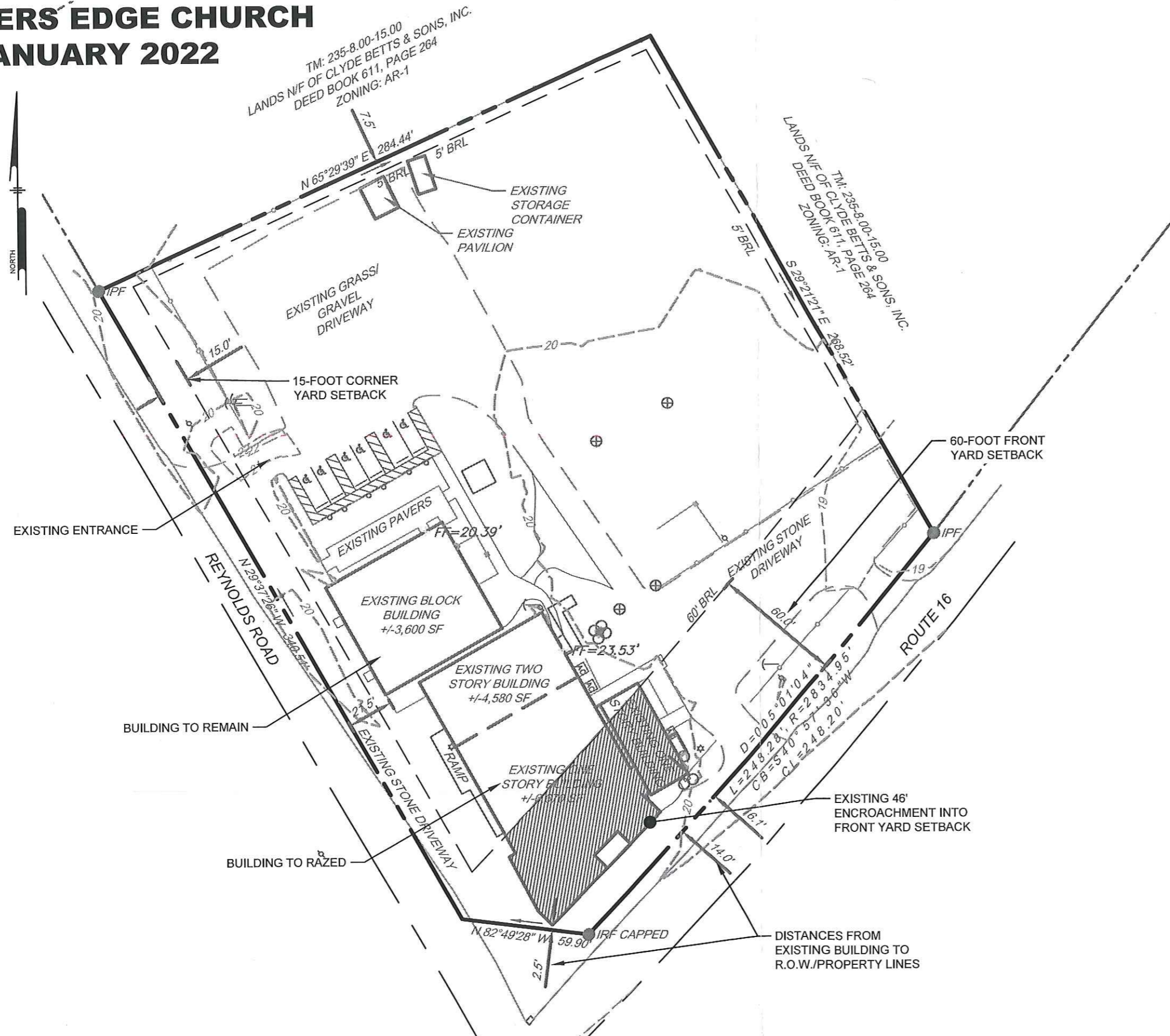
Milton, DE 19968

T 302.684.8030 F 302.684.805

EXISTING CONDITIONS EXHIBIT

WATERS' EDGE CHURCH

24 JANUARY 2022



SITE STATISTICS

TAX ID 235-15.00-7.01

ZONING CR-1 (COMMERCIAL RESIDENTIAL)

SETBACKS
 FY 60'
 SY 5'
 RY 5'
 CORNER LOT SY 15'

EXISTING USE: CHURCH (INSTITUTIONAL)

PROPOSED USE: CHURCH (NO CHANGE IN USE)

PARKING REQUIRED: 1 PER 4 SEATS
 APPROX. 200/4 = 50 SPACES

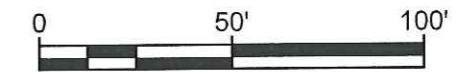
PARKING PROVIDED: 50+ SPACES (PAVED AND GRAVEL)

VARIANCE REQUEST: SEE VARIANCE EXHIBIT

FRONT SETBACK LINE EXISTING 46' ENCROACHMENT

NOTES:

THIS EXISTING CONDITIONS PLAN BASED ON FIELD SURVEY CONDUCTED BY PENNONI IN DECEMBER 2021.



PENNONI ASSOCIATES INC

18072 Davidson Drive
 Milton, DE 19968

T 302.684.8030 F 302.684.8054

RECEIVED

FEB 17 2022

SUSSEX COUNTY
PLANNING & ZONING

Board of Adjustment Application Sussex County, Delaware

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

Case # 12678
Hearing Date 4/18

202202236

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:

31155 Walnut Point Lane, Ocean View, DE 19970

Variance/Special Use Exception/Appeal Requested:

Fencing on the Property line

Tax Map #: 134-8.00-318.00

Property Zoning: AR-1

Applicant Information

Applicant Name: Mehwish Aziz
Applicant Address: 31155 Walnut Point Lane
City Ocean View State DE Zip: 19970
Applicant Phone #: (646) 766-0318 Applicant e-mail: Mehwisha@msn.com

Owner Information

Owner Name: Mehwish Aziz
Owner Address: 31155 Walnut Point Lane
City Ocean View State DE Zip: 19970 Purchase Date: 3/31/21
Owner Phone #: (646) 766-0318 Owner e-mail: mehwisha@msn.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

Mehwish Aziz

Digitally signed by Mehwish Aziz
Date: 2022.02.10 17:07:43 -05'00'

Date: 2/10/22



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 cul de sac. The fence installed on the front(3.5 feet tall for the 30 feet- as stated on the permit then 6 feet for the rest) and side of the property(6 feet tall on the property line) is just for privacy purposes. Without the fence on the front of the property or keeping the condition of 25-30 feet will not separate the property line with the neighbor.

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 fences were installed by third party company who installed them on the property line without 25-30 feet from the property line as mentioned on the permit. The fence was resized based on the inspector who inspected the property.

3. Not created by the applicant:

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

The fences are just for privacy purposes.

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

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

The fence is not altering the neighborhood in any way or the adjacent property/ies.

5. Minimum variance:

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

Yes, the variance will definitely represent the least modification possible as per the regulations.

NOTES:

- Other than shown, this plat and survey does not verify the existence or nonexistence of right-of-ways and/or easements pertaining to this property. Including but not limited to Tax Ditch Easements.
- No title search provided or stipulated.

PROPERTY LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 16°02'44" E	79.69'
L2	N 00°33'38" W	24.33'
L3	S 58°39'07" E	11.38'
L4	S 58°43'32" E	63.63'
L5	S 28°51'11" W	50.17'

PROPERTY LINE CURVE TABLE			
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH
C1	50.00'	74.32'	67.66'
	CHORD BEARING		DELTA ANGLE
	S 74°14'15" W		85°09'45"

(B.R.L.) BUILDING RESTRICTION LINES PER SUSSEX COUNTY

- FRONT - 30'
- SIDES - 15'
- REAR - 20'
- ZONING - AR-1

NOTE:

Restrictions shown hereon were obtained by a search of the eCODE360 Library (www.general.codes.com/library/#DE). No representation is made for the accuracy or completeness of said third party information. This firm is not an expert in the interpretation of complex zoning ordinances, compliance is beyond the scope of this survey. Any user of said information is urged to contact the local agency directly.

- 1/2" PIPE (FD)
- POINT
- 3/4" PIPE (FD)
- CONC. MON. (FD)
- ⦿ 5/8" RE-BAR (FD)

B.R.L. BUILDING RESTRICTION LINE

SCALE: 1"=40'

AREA: 24,462 SQ. FT.

TAX MAP NO. 1-34-08-318

Lands of MEHWISH AZIZ. Being known as LOT NO. 7,
COLLINS CREEK ESTATES. Ref: Plat Book 24, Page 150.

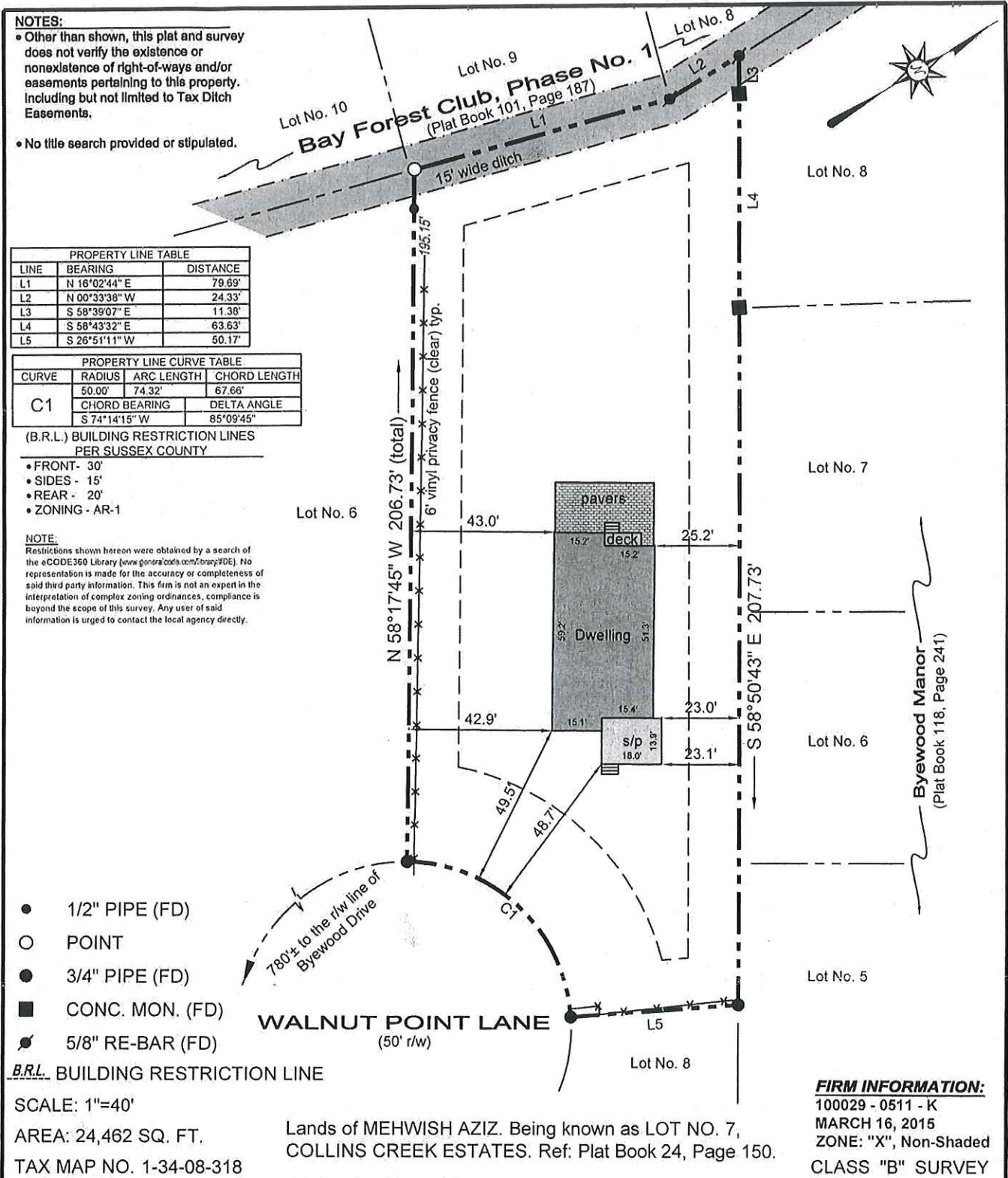
HUNDRED: BALTIMORE
 COUNTY: SUSSEX
 STATE OF DELAWARE
 DATE OF ORIGINAL: 11-05-2021
 DRAWN BY: MICHAEL LOVELAND

SIMPLER SURVEYING & ASSOCIATE, INC.
 32486 POWELL FARM ROAD, FRANKFORD, DE 19945
www.delawaresurveyor.com
 PHONE: (302) 539-7873 FAX: (302) 539-4336

FIRM INFORMATION:
 100029 - 0511 - K
 MARCH 16, 2015
 ZONE: "X", Non-Shaded
 CLASS "B" SURVEY

SEAL
 GREGORY M. HOOK
 REGISTERED PROFESSIONAL LAND SURVEYOR
 No. 56000111
 11/17/2021
 P.L.S. 711

I, Gregory M. Hook, 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.



Sussex County Board of Adjustment
2 The Circle
P.O. Box 417
Georgetown, DE 19947
Case No: 12678

RECEIVED

APR 11 2022

SUSSEX COUNTY
PLANNING & ZONING

April 6th, 2022

Mehwish Aziz
31155 Walnut Point Lane
Ocean View, DE 19970

Dear Director (Jamie Whitehouse, AICP):

I declare under penalty of perjury under the laws of the State of DE, that the fence adjustment on the property listed above in no way alters the neighborhood. The fence was added for privacy and safety reasons as my family member had an altercation with the neighbor's dog in the past while living in NYC, which has instilled deep fear of the dogs for me and my son.

The fences on both side of the property adheres to the permit's instructions (3.5" Infront of the property and can be 6" on the side of the property- can be extended to property line).

Thanks-



Mehwish Aziz

26 March 2022

Sussex County Board of Adjustment
2 The Circle PO Box 417
Georgetown, Delaware

Anthony and Judy Petralia
31149 Walnut Point Lane
Ocean View, DE 19970

RECEIVED

APR 11 2022

SUSSEX COUNTY
PLANNING & ZONING

Re: Public Hearing, Case 12678-Aziz

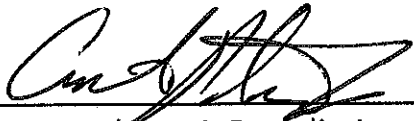
Dear Board Members:

I recently received notification by mail from Sussex County that a hearing is being conveyed regarding the above-referenced. As Ms. Aziz's next-door neighbor, I have unconditionally no opposition to her fence, no matter what height. In fact, I presently have 2 dogs that would wonder onto her lawn. Despite me and my wife making every attempt to clean up after our dogs, I am quite certain there were times we may have overlooked on occasion.

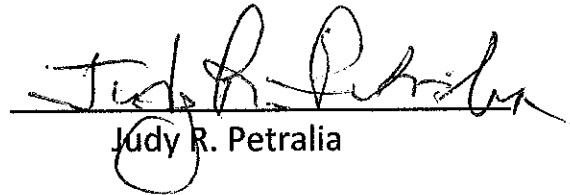
In addition, Ms. Aziz has the most appealing home in our neighborhood. My home is a work in progress and if I was Ms. Aziz I would not appreciate seeing my house from her vantage point.

I apologize for not attending in-person, due to Covid 19 restrictions, I am now able to take my children and grandchildren on a weeks long vacation beginning on 16 April – 24 April 2022.

Respectfully submitted, I remain.



Anthony J. Petralia Jr.



Judy R. Petralia

**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 # 12683
Hearing Date 4-18-22
202203209

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

Site Address of Variance/Special Use Exception:

30143 Sussex Road, Dagsboro, DE 19939

Variance/Special Use Exception/Appeal Requested:

Requesting a 2' variance from the 5' rear yard setback for a replacement deck.

Tax Map #: 134-.7.00-34.00

Property Zoning: AR-1

Applicant Information

Applicant Name: Gary Alexander
Applicant Address: 30143 Sussex Road
City Dagsboro State DE Zip: 19939
Applicant Phone #: (302) 539-7888 Applicant e-mail: gdags74@gmail.com

Owner Information

Owner Name: Gary Alexander
Owner Address: 30143 Sussex Road
City Dagsboro State DE Zip: 19939 Purchase Date: 12/20/20
Owner Phone #: (302) 539-7888 Owner e-mail: gdags74@gmail.com

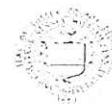
Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Gary Alexander

Date: 3-8-22



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.

Had to remove approximately 4 foot section of the existing deck in order to replace our bulkhead due to deterioration of bulkhead and to remediate soil erosion into our lagoon. At the time, we did not know we would have an issue to replace this section of the deck. Our existing pool is now exposed with no way to be in compliance with maintaining a fence around the pool.

2. Cannot otherwise be developed:

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

Due to the soil conservation project to replace the bulkhead, which is located at the west end, (rear) of the property, we are requesting a variance to replace this section of the deck in its original location. We are requesting the variance for 3 feet off the property line in which the deck will encroach 2 feet into the rear setback.

3. Not created by the applicant:

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

When we purchased the property, in 2003, the deck was existing and was encroaching rear setback. The only reason the deck was removed was to remediate soil conservation project, (bulkhead).

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, there is no adjacent property on the west end of the property, as there is a lagoon. The variance will not alter the character of the neighborhood as there was an existing deck, in which a section of the deck had to be removed due to the soil conservation project (bulkhead). Our request is for to encroach 2 Feet into the rear setback, which would be 3 feet from rear property line.

5. Minimum variance:

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

Yes.

This was an "in kind" replacement and the minimum variance requested.

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.

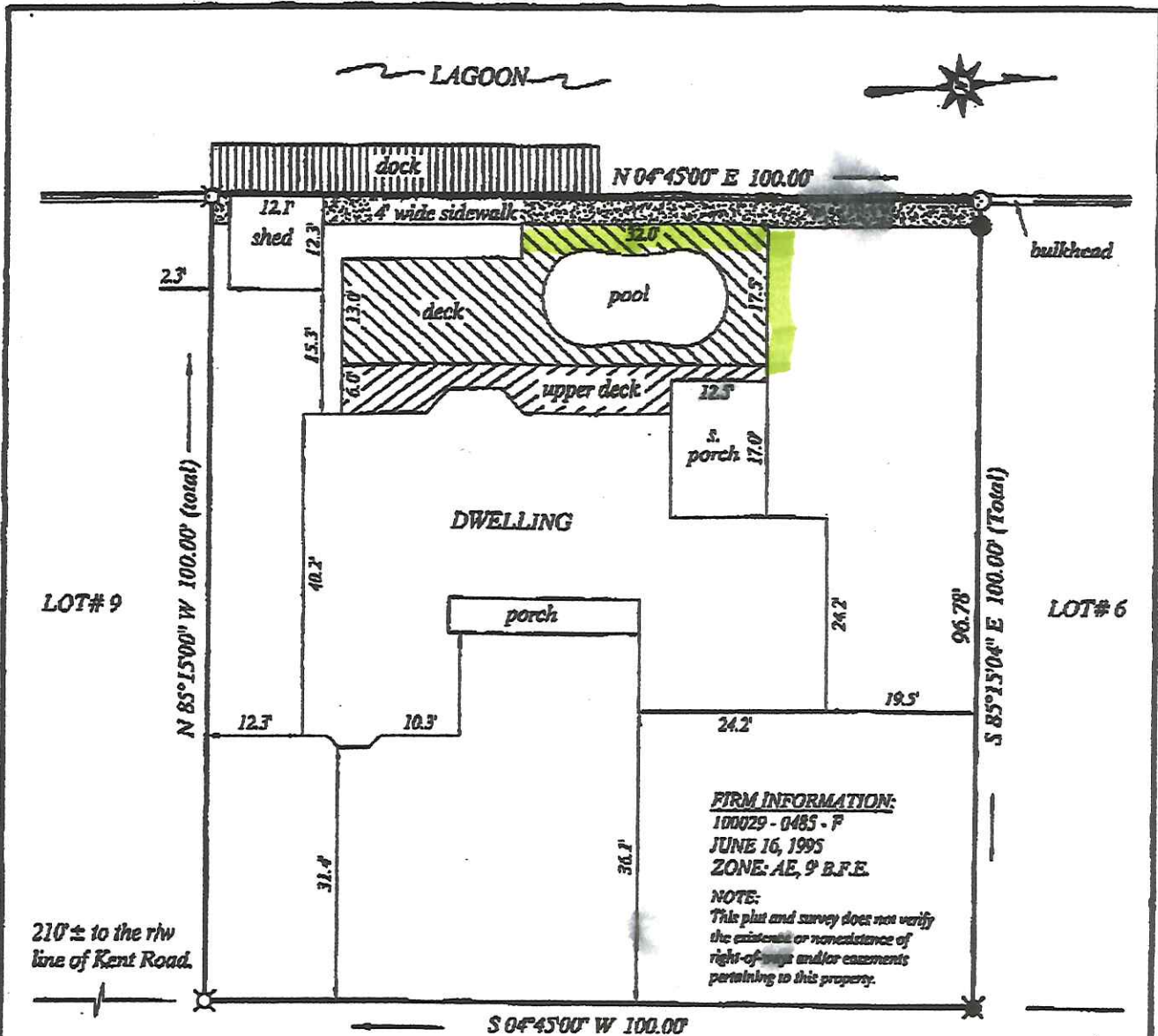
There is no adjacent property, only a lagoon on the rear of the property.

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

No.

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

To replace the prior deck to it original rear setback.



FIRM INFORMATION:
 100029 - 0485 - P
 JUNE 16, 1995
 ZONE: AE, 9' B.F.E.

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

SUSSEX ROAD (30' R/W)

LEGEND

- ✕ PK NAIL (SET)
- ✕ P/K NAIL (FD)
- 3/4" PIPE (FD)
- POINT

Lands of DONALD BELL and VIRGINIA BELL. Being known as LOT NOS. 7 & 8, SECTION "B", INDIAN RIVER ACRES. REF: plot book 3, page 27.

AREA: 10,000 SQ. FT.
 TAX MAP NO. 1-34-07-34

SCALE: 1" = 20'

No title search provided or stipulated.
 CLASS "B" SURVEY

HUNDRED: BALTIMORE
 COUNTY: SUSSEX
 STATE OF DELAWARE
 DATE: 07/30/2002
 DRAWN BY: D. WINDSOR

SIMPLER SURVEYING & ASSOCIATE

RD. 1 BOX 98E, FRANKFORD, DE 19945
 www.delaware-surveyor.com
 PHONE: (302) 539-7873 FAX: (302) 539-4336

SEAL

[Signature]

1/31/02

P.L.S. 289

Approx. 2' per block

Timbertech Cedar Decking "Picture Framed"

All new railing and stockade fence

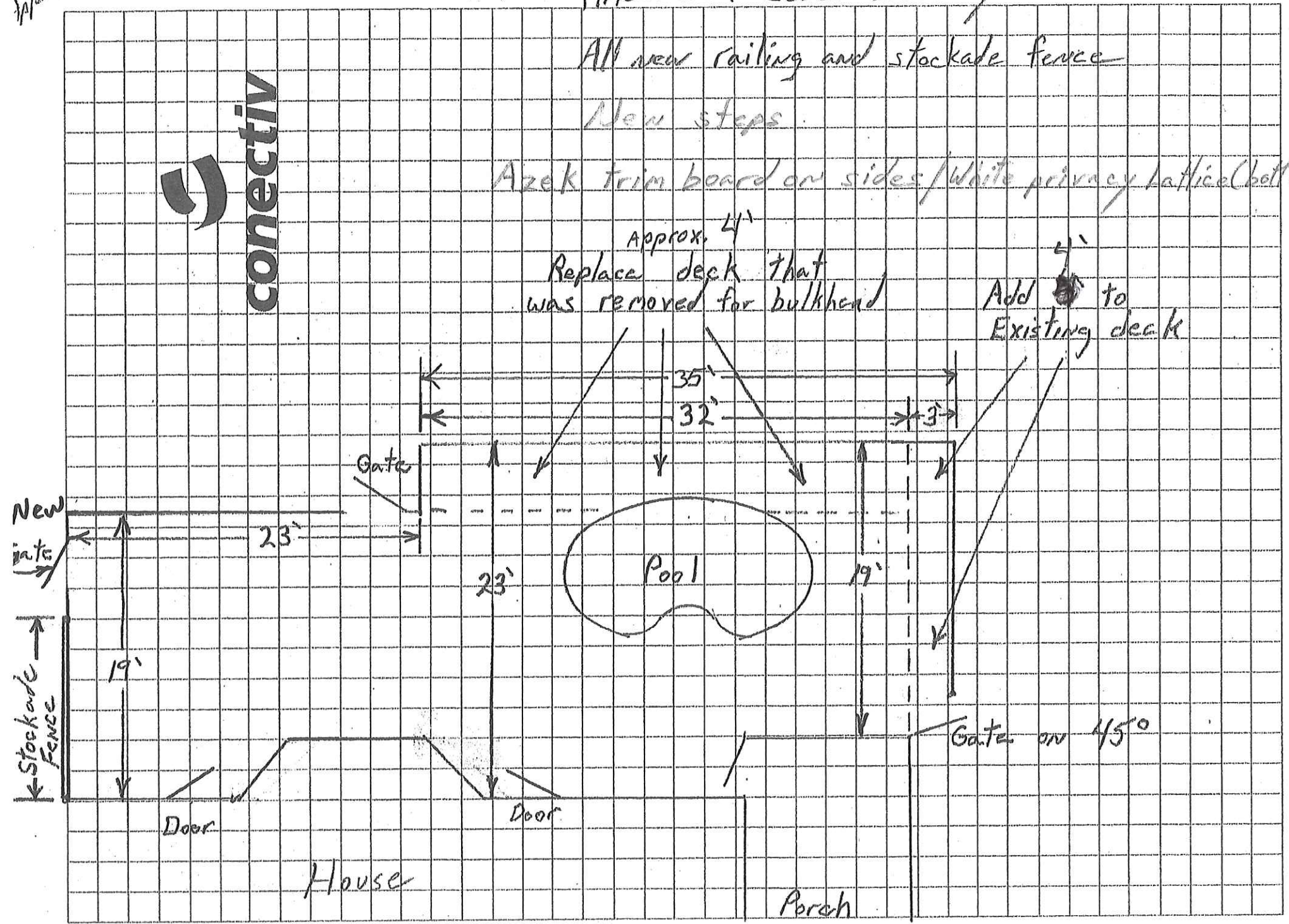
New steps

Azek trim board on sides/White privacy lattice (bottom)

conectiv

Approx. 4'
Replace deck that
was removed for bulkhead

4'
Add to
Existing deck









2022

3/8/22, 7:56 AM



<https://mail.google.com/mail/u/0/#inbox?projector=1>

**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 # 12680
Hearing Date 4-18-22
202202361
tentative:

RECEIVED

FEB 18 2022

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)
115-42 115-183
115-185

Site Address of Variance/Special Use Exception:

30033 Arrowhead Drive Ocean View De

Variance/Special Use Exception/Appeal Requested:

We are install an inground pool that is 2' out of the ground with a retaining wall. The pool will need a 4' walkway around the pool past the coping egde. We are requesting a variance for the left side of our property that is 10' to be change to 5' to allow this to happen. This will allow a walkway of 3' between the house and wall to get to the back yard area.

Tax Map #: Book 4191 Page 245

Property Zoning: GR

134-9.00-156.00

Applicant Information

Applicant Name: Renata Grabiak
Applicant Address: 30033 Arrowhead Drive
City Ocean View State De Zip: 19970
Applicant Phone #: 1-140-279-1193 Applicant e-mail: renata.grabiak@gmail.com

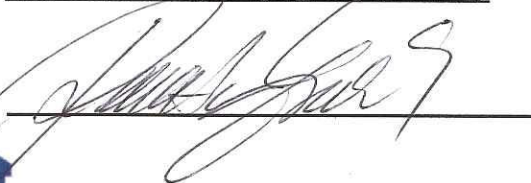
Owner Information

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

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney



Date: 2.18.2022



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.

We need this variance in order to create a safe 3' walkway on the house side of the pool wall. With the extra 5' it will allow this to fit perfectly. WE have a limited space to work with for our pool

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.

With out the variance the pool will not have a safe walkway for the family. The walkway is needed on the house side of the pool between the retaining wall and house to enter the back yard.

3. Not created by the applicant:

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

I the homeowner really want a pool were we located it. The neighbor next door has the same issue and he has a pool as well.

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 pool and patio will add value not take it away from 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 only need 5' on the Left side yard 10' setback. The pool waters edge will be 6' from the property line

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.

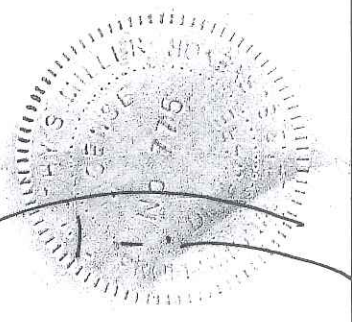
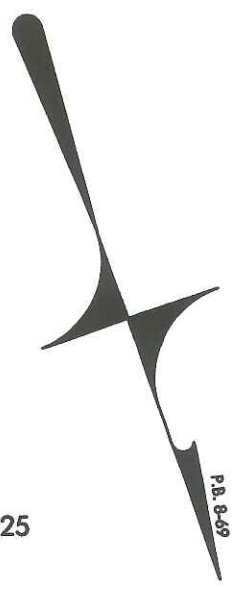
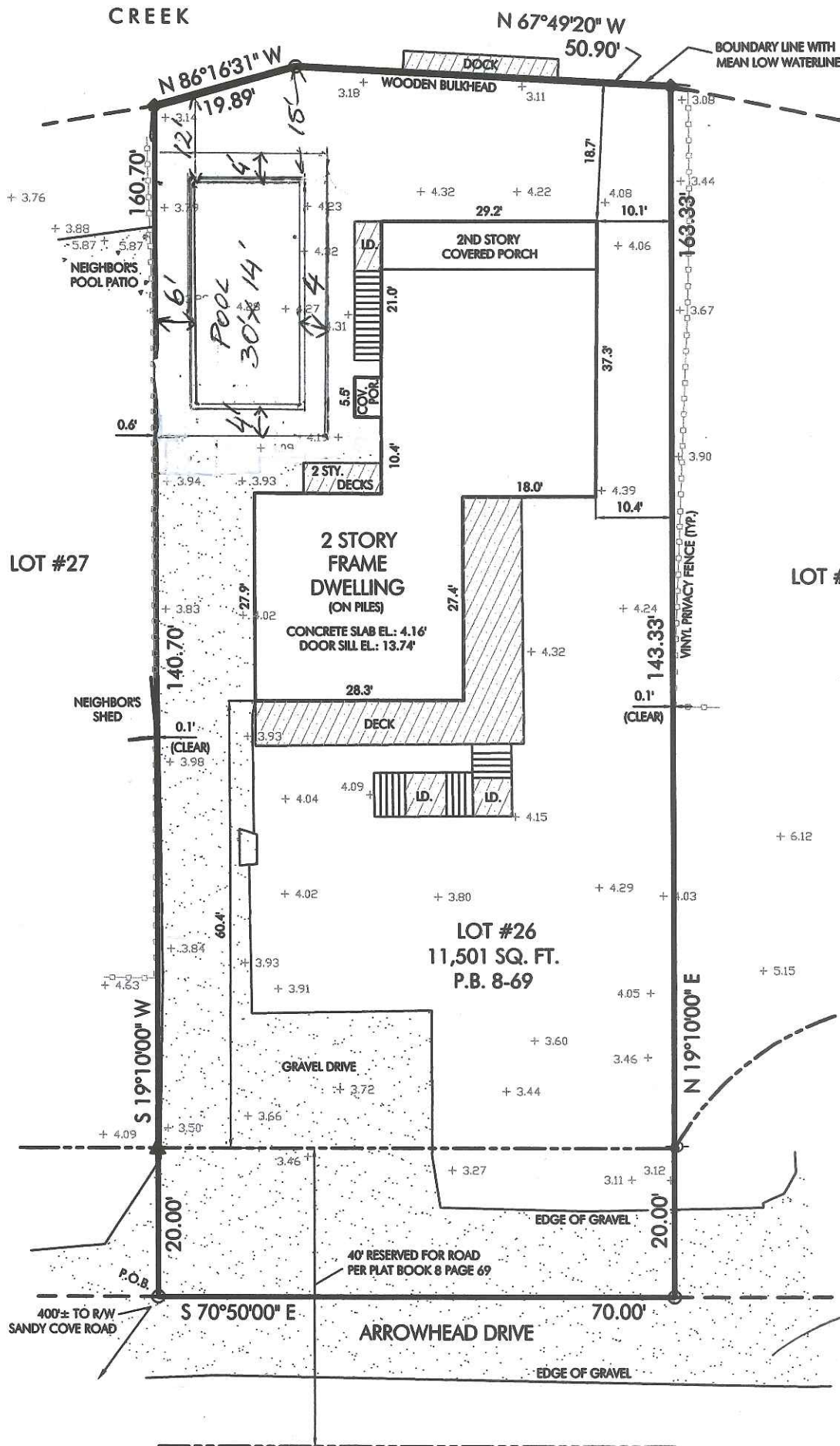
Will have know inpack on the neiighbor, he has a pool as well

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)

None

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

To install a ingorund pool and paver deck 5' into the 10' setback area on the left side of the house



LEGEND:

- ⊙ POINT IN UTILITY POLE
- ◆ "PK" NAIL (TO BE SET)
- ▲ IRON ROD (TO BE SET)
- POINT
- + 3.60 ELEVATION SPOT SHOT

NOTES:

*ALL SETBACKS MUST BE VERIFIED BY THE HOME OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT SUSSEX COUNTY AND THE A.R.C. (MORE RESTRICTIVE SUPERSEDES).
 THIS PARCEL IS IN: ZONE AE (6)
 F.I.R.M.: 10005C0504K, JUNE 20, 2018
 VERTICAL DATUM: NAVD (1988)
 THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.
 NO TITLE SEARCH PROVIDED OR STIPULATED.
 SURVEY CLASS: SUBURBAN

BOUNDARY SURVEY PLAN FOR RENATA GRABIAK

REFERENCE: DEED BOOK 4191, PAGE 245
 30033 ARROWHEAD DRIVE, OCEAN VIEW
 LOT #26, SECTION #3 OF
 "PINE CREST TERRACE" SUBDIVISION
 BALTIMORE HUNDRED SUSSEX COUNTY
 STATE OF DELAWARE
 SEPTEMBER 22, 2020 SCALE: 1" = 20'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement



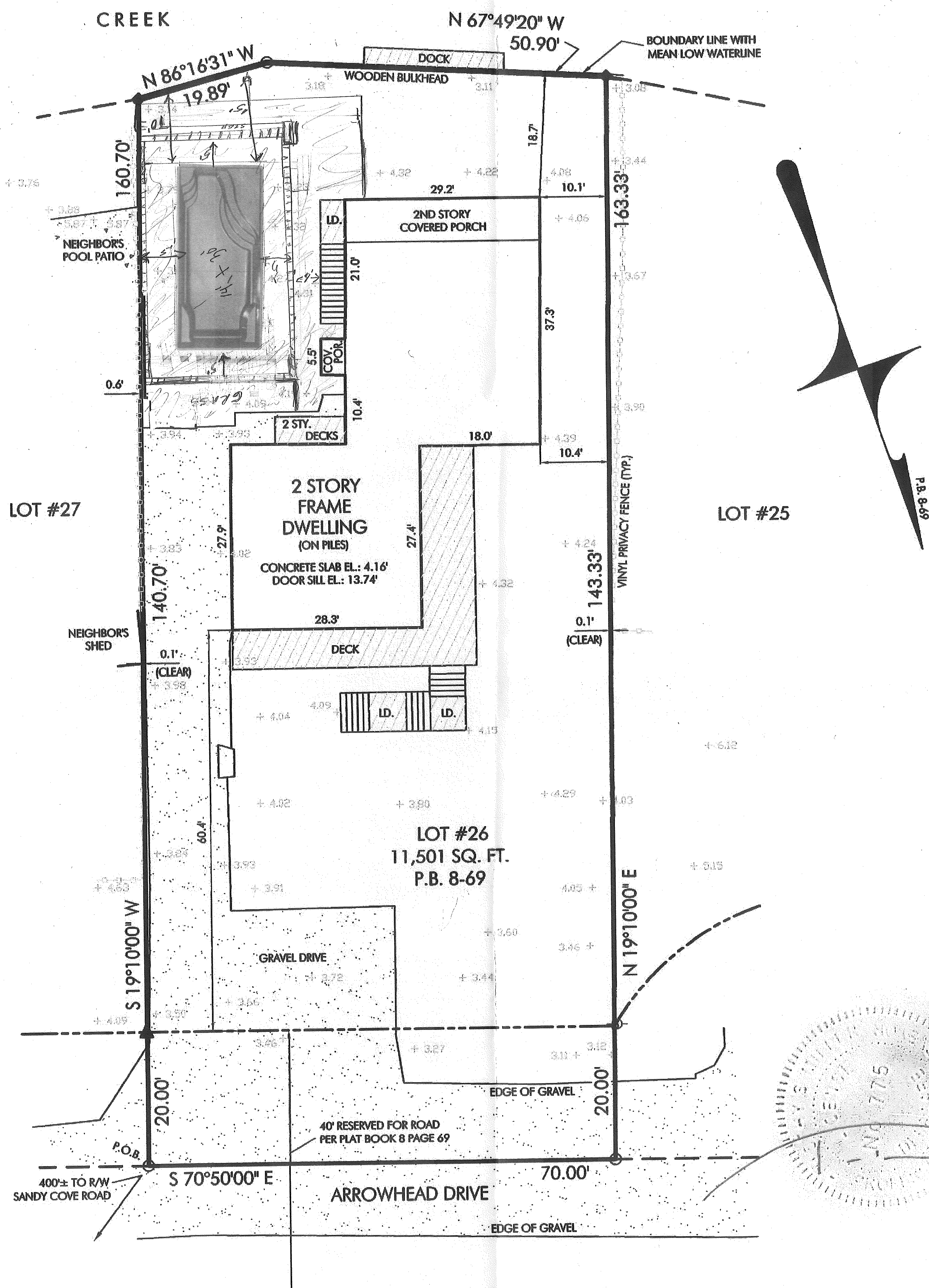
Width: 14'

Length: 30'



Depth: 3'-6" to 6'





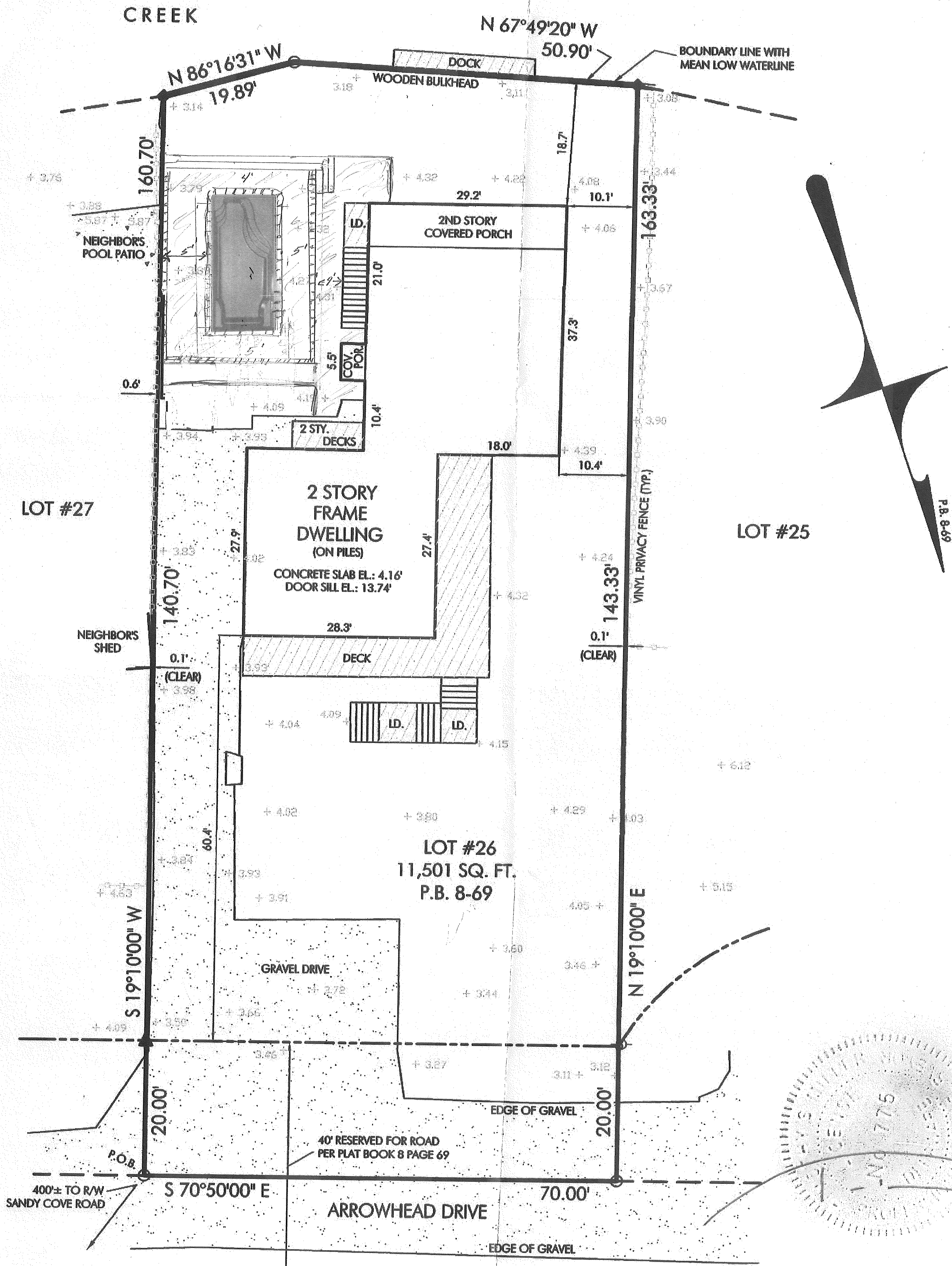
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 SURVEY CLASS: SUBURBAN

**BOUNDARY SURVEY PLAN FOR
 RENATA GRABIAK**
 REFERENCE: DEED BOOK 4191, PAGE 245
 30033 ARROWHEAD DRIVE, OCEAN VIEW
 LOT #26, SECTION #3 OF
 "PINE CREST TERRACE" SUBDIVISION
 BALTIMORE HUNDRED SUSSEX COUNTY
 STATE OF DELAWARE
 SEPTEMBER 22, 2020 SCALE: 1" = 20'

Prepared by:
FORESIGHT Services
 Surveying & Precision Measurement

302 226 2229 phone 302 226 2239 fax 2103A Coastal Highway Dewey Beach, DE 19971



LEGEND:

- ⊕ POINT IN UTILITY POLE
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- ▲ IRON ROD (TO BE SET)
- POINT
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 BALTIMORE HUNDRED SUSSEX COUNTY
 STATE OF DELAWARE
 SEPTEMBER 22, 2020 SCALE: 1" = 20'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

RECEIVED

FEB 28 2022

SUSSEX COUNTY
PLANNING & ZONING

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

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

Case # 12681
Hearing Date 4/18
202202739

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:

5 New Ln, Lewes DE 19958

Variance/Special Use Exception/Appeal Requested:

Requesting a 10.00 ft variance from the 15.00 foot set-back requirement for Pole Garage building that is greater 600 sq. ft. (exact amount here)

Tax Map #: 335-8.00-591.00

Property Zoning: ARI

Applicant Information

Applicant Name: Sean Merlonghi
Applicant Address: 5 New Ln
City Lewes State DE Zip: 19958
Applicant Phone #: (302) 584-3288 Applicant e-mail: smerlonghi@yahoo.com

Owner Information

Owner Name: Sean Merlonghi
Owner Address: 5 New Ln
City Lewes State DE Zip: 19958 Purchase Date: 9/15/20
Owner Phone #: (302) 584-3288 Owner e-mail: smerlonghi@yahoo.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney



Date: 2/24/22



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 where the main home is located in relationship to the property line, requiring a 15.00 foot set-back will not allow proper size nor location of the anticipated pole garage. a 5.00 set-back from the property line will allow not only ample room from the property line but also allow full functionality and sizing of the required proposal.

2. Cannot otherwise be developed:

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

due to the physical circumstances of the main home and safest and most functional location for the pole garage, the variance is necessary to enable reasonable use of the property.

3. Not created by the applicant:

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

Appellant has not created any practical difficulty requiring this variance request. There will still be ample room between the structure and the property line side (5') on the right side, while allowing the required space between the main dwelling and this structure to service the backyard (Septic system service, yard work service, etc...) Without this variance, it would actually create practical difficult requiring the 15' set back as opposed to a 5' set back.

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 Variance will not alter, impair, or be detrimental in anyway to the community, public welfare, or adjacent neighboring property. It is a practical structure that bodes well within the community while allowing appropriate and proper use of the development of adjacent property. Adjacent property line is still 5' from the structure. Adjacent property owner has no concerns with the proposed variance and structure and i've enclosed an e-mail conversation for confirmation.

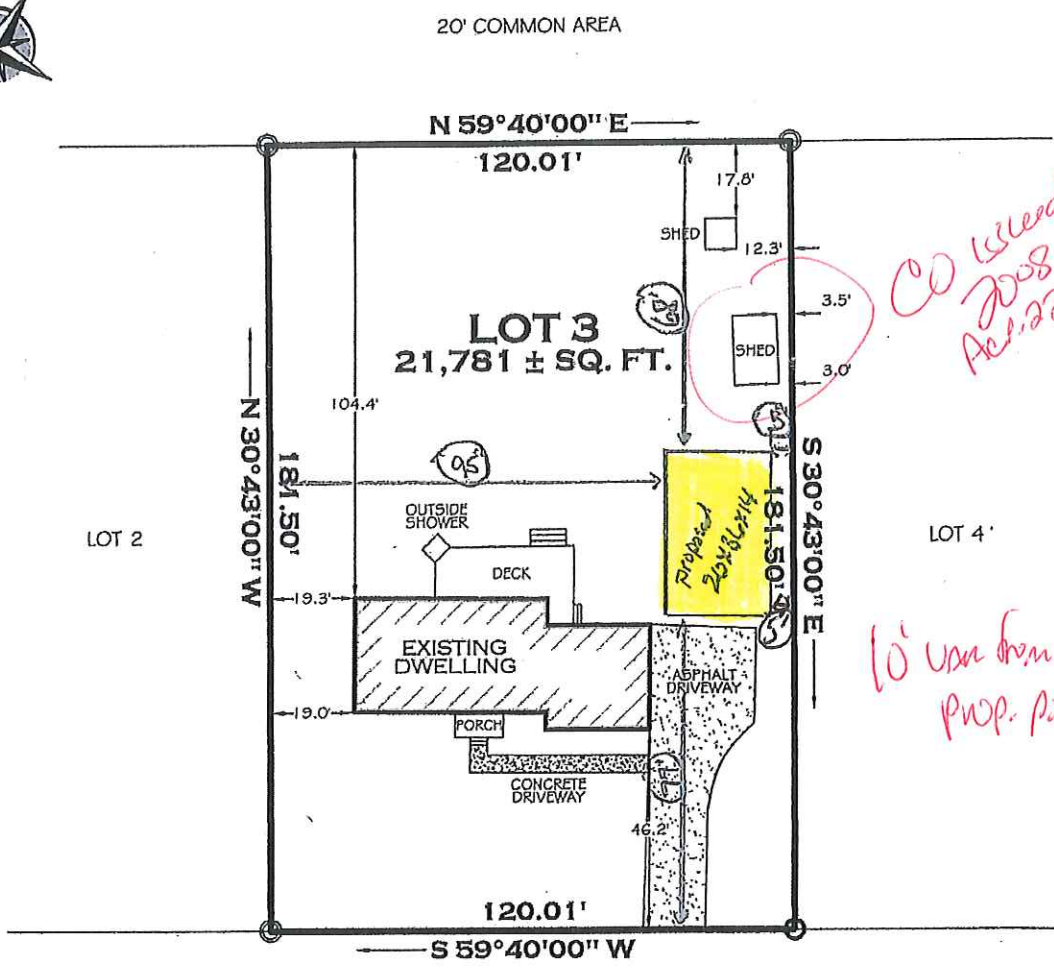
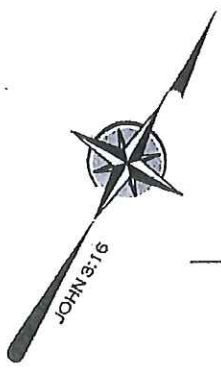
5. Minimum variance:

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 is a 5.00 foot set back from the property line as opposed to the current 15.00 set back requirement.

Pz Review

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



*CO issued 2008
Apr. 22-12*

*10' use from 15' side
prop. pole bldg*

**NEW LANE
50' RIGHT OF WAY**

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
2. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
3. A TEN (10) FOOT WIDE UTILITY & DRAINAGE EASEMENT TO BE PROVIDED ALONG ALL LOT LINES. (PER PLAT 43 / 174)

Billy A. All

LEGEND	
○	IRON PIPE FOUND
◉	IRON PIPE W/ CAP FOUND

TRUE NORTH

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

TAX MAP	3-35 - 8.00 - 591.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	LEWES & REHOBOTH
TOWN	---
AREA	21,781 ± SQ. FT.
DEED REF.	3303 / 230
PLAT REF.	43 / 174
DRAWN BY	KTH
DATE	08 / 25 / 15
SCALE	1" = 40'
SURVEY #	DE - 02421

**BOUNDARY SURVEY
PLAN**

**LOT 3
NEW ROAD ESTATES**

FOR
**SEAN MERLONGHI &
MICHELLE PLOURDE**

5 NEW LANE, LEWES, DE 19958

**Administrative Correction Process
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:

Permit/CO issued in Error

Site Address of Variance: 5 New Lane, Lewes

Variance/Special Use Exception/Appeal Requested: 1.5-ft var from 5-ft side and 2-ft var from 5-ft side for shed
CO issued for shed in 2008, permit issued in 2008

Tax Map #: 335-8.00-591.00 **Property Zoning:** AR-1

Owner Information

Owner Name: Sean Merlonghi & Michelle Plourde
Owner Address: 5 New Lane
City, State, Zip: Lewes, DE 19958 Purchase Date: _____
Owner Phone #: 302-584-3288 Owner e-mail: smerlonghi@yahoo.com

Alternate Reference Information

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

Signature of Director/Director Designee

Jennifer Norwood

Date: 3/15/2022



Check List for Applications

The following shall be submitted with the application

- Completed Application
- Provide Building Permit for Structure
- Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.
- Optional - Additional information for the Board to consider (ex. photos, letters from neighbors, etc.)

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

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

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

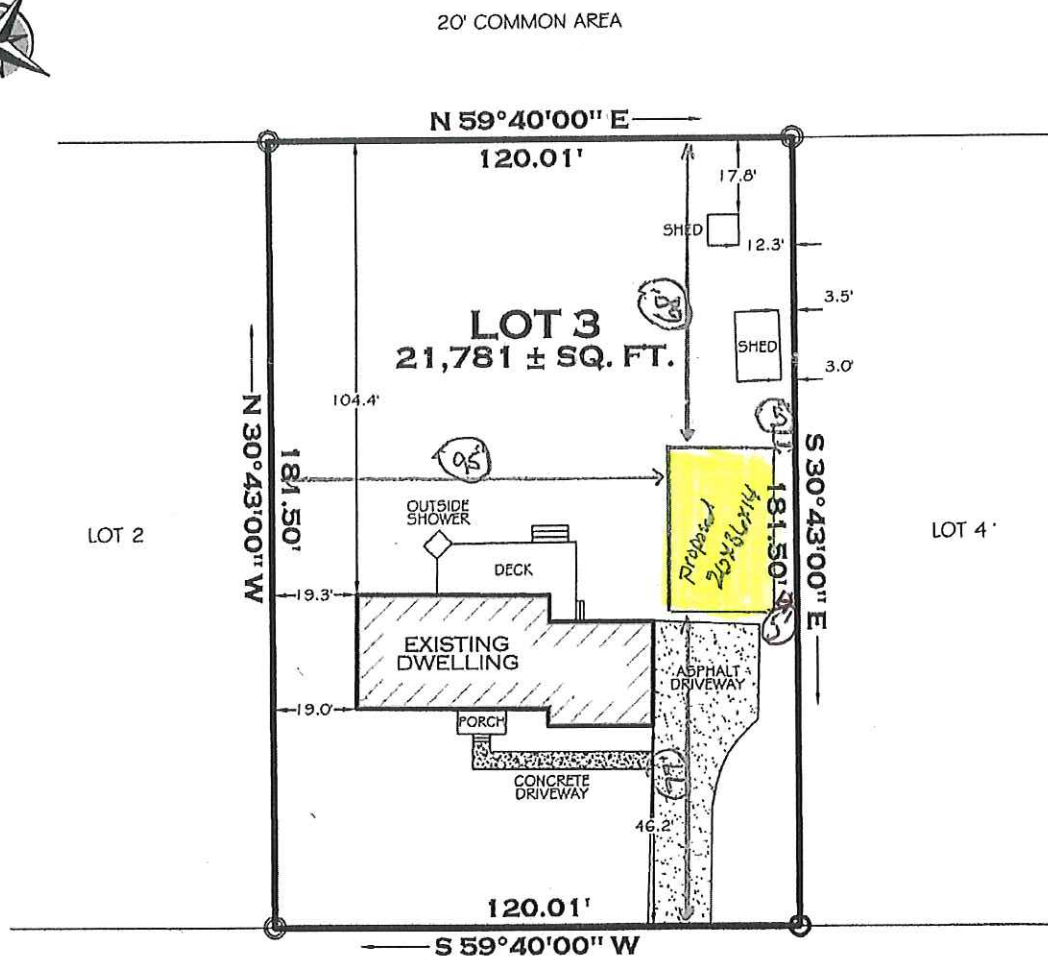
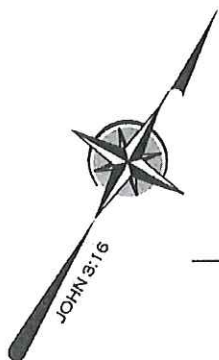
Signature of Applicant/Staff Member

Jennifer Norwood _____ Date: _____

For office use only:

Date Submitted: _____ Fee: \$400.00 Check #: _____
 Staff accepting application: _____ Application & Case #: _____
 Location of property: _____

Subdivision: _____ Lot#: _____ Block#: _____
 Date of Hearing: _____ Decision of Board: _____



**NEW LANE
50' RIGHT OF WAY**

NOTES

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2. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
3. A TEN (10) FOOT WIDE UTILITY & DRAINAGE EASEMENT TO BE PROVIDED ALONG ALL LOT LINES. (PER PLAT 43 / 174)

John A. All

TAX MAP	3-35 - 8.00 - 591.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	LEWES & REHOBOTH
TOWN	---
AREA	21,781 ± SQ. FT.
DEED REF.	3303 / 230
PLAT REF.	43 / 174
DRAWN BY	KTH
DATE	08 / 25 / 15
SCALE	1" = 40'
SURVEY #	DE - 02421

**BOUNDARY SURVEY
PLAN**

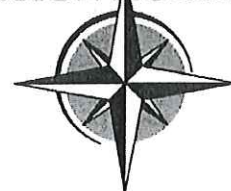
**LOT 3
NEW ROAD ESTATES**

FOR
**SEAN MERLONGHI &
MICHELLE PLOURDE**
5 NEW LANE, LEWES, DE 19958

LEGEND

- IRON PIPE FOUND
- IRON PIPE W/ CAP FOUND

TRUE NORTH



LAND SURVEYING

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

Sean Merlonghi

From: Sean Merlonghi
Sent: Friday, February 25, 2022 8:50 AM
To: Sean Merlonghi
Subject: Fwd: Question for you

Sean Merlonghi, CFP®, APMA®
Vice President, Financial Advisor
Lokken Investment Group, LLC



[1413 Savannah Rd., Suite 4](#)
[Lewes, DE 19958](#)
[302-645-6650](#)
[www.LokkenInvest.com](#)

The information and material contained in this communication is confidential and intended for the recipient addressee named. If you are not the intended recipient, please delete the message and notify the sender immediately. Lokken Investment Group, LLC is an Investment Advisor registered with the states of Delaware and Maryland. Please contact us at [\(302\) 645-6650](tel:302-645-6650) if there is any change in your financial situation, needs, goals or objectives, or if you wish to initiate any restrictions on the management of the account or modify existing restrictions. Additionally, we recommend you compare any account reports from Lokken Investment Group, LLC with the account statement from your Custodian. Please notify us if you do not receive statements from your Custodian on at least a quarterly basis. Our current disclosure brochure, Form ADV Part2, is available for your review upon request. This disclosure brochure, or a summary of material changes made, is also provided to our clients on an annual basis.

Begin forwarded message:

From: Jack <captainjack6868@verizon.net>
Date: February 24, 2022 at 5:13:14 PM EST
To: Sean Merlonghi <Smerlonghi@lokkeninvest.com>
Subject: Re: Question for you

I have no problem with your pole barn being five (5') feet from our property line.
John A. Malloy, Sr.

Sent from my iPhone

On Feb 24, 2022, at 1:19 PM, Sean Merlonghi <smerlonghi@lokkeninvest.com> wrote:

Hey Jack! I hope you are well!

As you know I've also been looking into installing a pole garage to the right of my house and it appears I'm going to have to get a variance for a 5' set back from the property line as opposed to the current requirement of 15' from the property line. Without this variance I'll have trouble getting to the back yard to service the septic, etc... and we won't be able to have the size that we require.

My question to you before I submit any such variance is that would you be ok if I put this pole garage up with a 5' buffer to our property line (to the left of your house and the right of mine right where the fence is) as opposed to the current 15' requirement from the county?

Talk soon.

Best,

Sean D. Merlonghi, CFP[®], APMA[®]
Vice President, Financial Advisor

<image001.jpg>

1413 Savannah Rd., Suite 4
Lewes, DE 19958
302-645-6650
www.LokkenInvest.com

<image002.png>

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