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.
AGENDA

July 11, 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 May 2, 2022
Approval of Finding of Facts for May 2, 2022
Additional Business
Board of Adjustment Annual Reorganization

Public Hearings

Case No. 12709– Sea Air Village seek variances from the separation distance requirements for proposed structures (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on the northwest side of Sea Air Avenue, Lot A08, within the Sea Air Village Manufactured Home Park. 911 Address: 19782 Sea Air Avenue, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-3018

Case No. 12710– Sea Air Village seek variances from the separation distance requirements for proposed structures (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on the northwest side of Sea Air Avenue, Lot A28, within the Sea Air Village Manufactured Home Park. 911 Address: 19820 Sea Air Avenue, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-3354
Case No. 12711– Sea Air Village seek variances from the separation distance requirements for proposed structures (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on the southeast side of Sea Air Avenue, Lot B83, within the Sea Air Village Manufactured Home Park. 911 Address: 19933 Sea Air Avenue, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-3030

Case No. 12712– Sea Air Village seek variances from the separation distance requirements for proposed structures (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on the southeast side of Delaware Avenue, Lot J73, within the Sea Air Village Manufactured Home Park. 911 Address: 20073 Delaware Avenue, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-3435

Case No. 12713– Sea Air Village seek variances from the separation distance requirements for proposed structures (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on the southwest side of Center Avenue, Lot C62, within the Sea Air Village Manufactured Home Park. 911 Address: 19932 Center Avenue, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-3269

Case No. 12714– Sea Air Village seek variances from the separation distance requirements for proposed structures (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on the southeast side of Center Avenue, Lot D75, within the Sea Air Village Manufactured Home Park. 911 Address: 19949 Center Avenue, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-3379

Case No. 12715– Sea Air Village seek variances from the separation distance requirements for proposed structures (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on the northwest side of Sea Air Avenue, Lot A14, within the Sea Air Village Manufactured Home Park. 911 Address: 19792 Sea Air Avenue, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-3101

Case No. 12716– Sea Air Village seeks variances from the separation distance requirements for proposed structures (Sections 115-25 and 115-172 of the Sussex County Zoning Code). The property is located on the southeast side of Sea Air Avenue, Lot E56, within the Sea Air Village Manufactured Home Park. 911 Address: 20004 Atlantic Avenue, Rehoboth Beach. Zoning District: AR-1. Tax Parcel: 334-13.00-310.00-3058

Additional Business
-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on July 1, 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, July 7, 2022.
Memorandum
To: Sussex County Board of Adjustment Members
From: Jennifer Norwood, Planning Manager
CC: James Sharp, Assistant County Attorney
Date: June 30, 2022
RE: Sea Air Manufactured Home Park

This memo provides information pertaining to the property based on a review by the Planning and Zoning Department.

The Planning and Zoning Department has reviewed the history of Sea Air Manufactured Home Park regarding previous variances that have gone before the Board of Adjustment since 2007. The park was established in the late 1960’s with lot sizes to accommodate 12’ wide manufactured homes. The park was expanded by six (6) lots in 1978. The park consists of 341 manufactured home lots and 145 camp sites per the Assessment records.

Sussex County Administration placed a moratorium for placement and building permits in 2007 and required Sun Communities to provide an aerial “overlay” of a 1982 survey to accurately depict the current location of all existing structures. The County treats the park as the equivalent of a non-conforming use and all structures that existed on the lots in 2007 were “grandfathered” and no County violations would be issued for the existing structures. Any modifications to existing structures or location of structures on a lot are required to submit an approval letter from the park and if required apply for a variance from the Board of Adjustment. Also provided with this memo are copies of correspondence from 2007. *Memos from 2007 included*

Since 2007, there have been approximately fifty-four (54) variance applications brought before the Board of Adjustment for relief from the separation requirement between units and/or separation requirement between accessory buildings. Staff will note that forty (40) of the variance applications were approved by the Board of Adjustment. Based on the 2007 memo requiring the aerial “overlay” all lots in the park had an existing manufactured home and other structures, so any variances granted since 2007 have been to add to existing non-conforming units or to place a new unit on the lots.
Several months ago, the Administration of Sussex County determined that no applications for building or placement permits for structures within Sea Air Mobile City would be accepted or processed by the County. This decision was based on the fact that there was no survey of interior lots in Sea Air that would permit the County to verify that structures were not encroaching into setbacks, or that the total of the structures would not exceed 35 percent of the size of the lot.

Since that time, and after significant negotiations with Sun Communities, the owner of Sea Air, an arrangement has been crafted which will allow for permits to again be considered. That arrangement is as follows:

1. A 1982 survey of the Park in the possession of both Planning and Zoning and Sun Communities will be accepted and considered as the "official" survey of Sea Air Mobile Home Park.

2. Sun will obtain, at its expense, aerial photographs of the community that can be "overlaid" on the survey in order to accurately depict the current structures on each lot and their relative location. The combination of the survey and the aerial photos will serve as evidence of the location of existing structures within the Park.
Memorandum to Lawrence B. Lank  
May 30, 2007  
Page 2.

3. The County will treat the Park as the equivalent of a non-conforming use. In other words, all structures currently located on any lot will be essentially "grandfathered," and no County zoning violations will issue. If, however, a lot is cleared of structures, any new placement will be subject to then-current zoning laws.

4. Anyone wishing to modify existing structures or the location of structures on a lot will be required to obtain Sun’s written approval. If such modifications require a variance or other relief from the Board of Adjustment, an application, bearing in some way the approval of Sun Communities, must be filed with the standard fee. This will allow the County to verify that Sun is aware of the requested relief.

5. In addition, from this point forward, any request for relief filed with the Board of Adjustment must include a survey completed by a licensed surveyor, using as a basis the 1982 survey, and showing the actual location of all structures. As promised, no violation notice will be issued simply because structures are in violation of setbacks, assuming they can be documented on the aerial photos. On the other hand, compliance with this new procedure will not guarantee approval by the Board, nor will it prevent the Board from conditioning approval upon certain conditions, which it has the inherent right to impose anyway.

DBB/sww

pc: The Honorable Dale R. Dukes  
Richard E. Berl, Jr., Esquire
November 2, 2007

Deborah I. Gottschalk, Deputy Director
Community Legal Aid Society, Inc.
100 W. 10th Street – Suite 801
Wilmington, DE 19801

RE: Sea Air Mobile Home Park
   Lands of Sun Communities, Inc.
   Route One – Sussex County

Dear Ms. Gottschalk:

Please accept my apologies for the delay in this response to your letter of October 17, 2007.

Be advised that I am now permitted to offer you the opportunity to review the aerial photographs and surveys submitted by Sun Communities, Inc.

Attached please find a copy of a memorandum from David B. Baker, County Administrator, addressed to this Department, dated May 30, 2007, which references that Sussex County will treat Sea Air Mobile Home Park as the equivalent of a non-conforming use.

After many months of dealing with the developers, their legal staff, and their surveyors, we now have a set of surveys with aerial overlays, an aerial photograph of the park in its entirety, and a set of surveys with bearings and dimensions. You are welcome to come in to review this information.

For your information, attached also find a copy of my letter to Sun Communities, Inc., dated November 2, 2007, referencing the information needed for an applicant to obtain a permit within the Park.

In response to your letter of October 17, 2007 please be advised that tenants will be required to comply with the zoning requirements and setbacks to place or replace mobile homes in the Park or to add additions thereto. The required lot line setbacks are 5-feet from any lot line, 20-feet between the tenant’s mobile home or addition and any other structure on adjacent lots, and 10-feet between the tenant’s accessory building and any other accessory building on adjacent lots.
Any mobile home that was placed during the moratorium that does not meet the required setbacks will be required to be relocated to comply with the required setbacks or the tenant will be required to apply to the County Board of Adjustment for relief.

The applications to the Board of Adjustment that were applied for in the last year or so that the Board deferred action on pending additional information are being reviewed now based on the new surveys and will be presented to Legal Counsel for the Board to verify if the information now available is satisfactory for submittal to the Board for final consideration.

Should you have any further questions, please do not hesitate to contact me at this Department.

Sincerely,

[Signature]

Lawrence B. Lank
Director of Planning and Zoning

Cc: David B. Baker, County Administrator
    Richard Bell, Assistant County Attorney
    David C. Hutt, Esquire
    Norman Rickard, Operations Coordinator
    Susan Isaacs, Zoning Inspector III
    Michael Bailey, Zoning Inspector
Memorandum

To: Sussex County Board of Adjustment Members
From: Jennifer Norwood, Planning Manager
CC: James Sharp, Assistant County Attorney
Date: June 9, 2022
RE: BOA Case No. 12709 – Sea Breeze LP DBA Sea Air Village – Lot A-8

This memo provides information pertaining to the property based on a review by the Planning and Zoning Department.

The Planning and Zoning Department reviewed the application and as part of the review can provide a history of the lot per the Sussex County Assessment and Planning and Zoning records.

The previous manufactured home on Lot A-8, 19782 Sea Air Avenue, Rehoboth Beach, was a 1966, 12’x60’ manufactured home and was removed from the Assessment records on May 13, 2022. There was also screen porches on the unit measuring 9’x15’ and 10’x20’.

The manufactured home on Lot A-10, 19786 Sea Air Avenue, Rehoboth Beach, is a 1978, 14’x66’ manufactured home placed in 1990 per Assessment records. This unit also has a 10’x12’ deck and a 10’x20’ porch per the Assessment records.

The manufactured home on Lot A-6, 19774 Sea Air Avenue, Rehoboth Beach, is a 1996, 14’x66’ manufactured home placed in 1999 per the Assessment records and there are no other additions. The shed shown on the survey is not permitted or shown on the Assessment records.

The Variances sought by the Applicant are:

- 1.8-ft variance from the required 20-ft separation requirement for the proposed landing to the existing manufactured home on Lot A-10
- 3.7-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing steps on Lot A-10
- 7.8-ft variance from the required 20-ft separation requirement for the proposed landing to the existing steps on Lot A-10
- 2.4-ft variance from the required 20-ft separation requirement for the proposed landing to the existing manufactured home on Lot A-10
- 7.3-ft variance from the required 20-ft separation requirement for the proposed shed to the existing manufactured home on Lot A-10
- The proposed HVAC will comply with setback and separation requirements
Board of Adjustment Application
Sussex County, Delaware
Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check all applicable)

☐ Variance
☐ Special Use Exception
☐ Administrative Variance
☐ Appeal

Existing Condition

Proposed

Code Reference (office use only)

115-25 115-172

Site Address of Variance/Special Use Exception:

19782 Sea Air Avenue, Rehoboth Beach, DE 19971

Lot A08

Variance/Special Use Exception/Appeal Requested:

1) NE side of home where separation distance from proposed home is 9.1' from neighboring shed. 2) On NW side of home where separation distance between proposed shed & neighboring home is 12.7'. 3) On NW side of home where proposed stairs/landing #1 is 17.6' from neighboring dwelling and 4) 12.2' from landing on neighboring dwelling. 5) Where separation distance between landing on neighboring dwelling is 16.3' from proposed home. 6) Where proposed stairs/landing #2 is 18.2' from neighboring dwelling.

Tax Map #: 334-13.09-310.00-3018

Property Zoning: PR-1

Applicant Information

Applicant Name: Sea Air Village- Agent: Aimee Bennett
Applicant Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Applicant Phone #: (302) 227-8118 Applicant e-mail: abennett2@suncommunities.com

Owner Information

Owner Name: Sea Breeze LP DBA Sea Air Village
Owner Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971 Purchase Date: 
Owner Phone #: (302) 227-8118 Owner e-mail: abennett2@suncommunities.com

Agent/Attorney Information

Agent/Attorney Name: Aimee Bennett
Agent/Attorney Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Agent/Attorney Phone #: (302) 227-8118 Agent/Attorney e-mail: abennett2@suncommunities.com

Signature of Owner/Agent/Attorney

Date: 4/19/22
1. Uniqueness of the 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 the 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.
- 1-6: The uniquely narrow dimensions of this lot create a challenge placing the manufactured home and maintaining minimum separation between homes and accessory structures. This lot was laid out with others in the community in the 1930’s and 1940’s. The lots sizes are small in comparison with the size of the modern manufactured home. I have selected a standard size floorplan for this home that is comparable to other new homes in the community but I am still unable to place on the lot with the required setbacks. The narrow shape of the lot makes it difficult to place a new manufactured home on the property consistent with others in the neighborhood, while being in compliance with Sussex County Zoning Code.

2. Cannot otherwise be developed:
That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- 1-6: Due to the uniqueness of the property, the property cannot be developed in strict conformity with the Sussex County Zoning Code. I propose to place a normal width sized manufactured home that is consistent with other new homes in the community and a standard size shed that is consistent with other new homes in the community, but am unable to do so without violating the separation distance requirements between neighboring manufactured homes and accessory structures (i.e., sheds). The variances are 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 applicant.
- 1-6: The exceptional practical difficulty was not created by the applicant. The property is quite narrow which greatly limits the buildable area thereof. The neighboring lots are also narrow causing development of nearby lots to be nearer to lot lines/neighboring homes. It appears impossible for a home to be placed on the property without violating the separation distance requirements. The exceptional practical difficulty was created by the unique conditions of the property and the development of adjacent lots.

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.
- 1-6: The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare thereof. I am seeking this variance to add to the conformity to
the community & to modernize the homes within the community which will subsequently add value and improve the characteristics of the community/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.

- 1-6: The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible of the regulations at issue. The home is the narrowest available and minimizes the need for variance on the property.
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.

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

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

Information Sheet

Installation of this manufactured home must be performed by a Delaware certified installer.

District/Map/Parcel# 334-13.00-310.00-3018

Park Name Sea Arc Village

Manufactured Home Installer Conver & Dierson

Delaware License Number 1998209883

1. Footer Inspection:
   To be made prior to placing concrete in footers.
   All reinforcement to be tied in place.

2. Tie down Inspection:
   To be made prior to installation of skirting.

A fee of $120.00 is required for up to four (4) inspections.

Any additional inspections will be charged $40.00 per trip.

Certificate of completion/occupancy will not be issued until all fees are paid.

Contact Person: Aimee Bennett
Phone# 302-227-8118
Signature: Aimee Bennett
Date 4-19-2022

A 24-hour notice is required for all inspection requests.
Call (302) 858-5500 to schedule all inspections or you may also use the Inspection Request form, found at the bottom of www.sussexcountyde.gov

Installation plans must be on job site and accessible to inspectors.
Manufactured Home Information Sheet

Subdivision or Manufactured Home Park:
Sea Air Village

District: 384 Map: 13.00 Parcel: 310.00 Lot#: 3018

Physical Address:
19782 Sea Air Avenue
Laburnum Beach, DE 19971

Width: 14 Length: 66
Color: Green Trim Color: White

Central Air: Y/N Fireplace: Y/N
Heating Type: Propane Bedrooms: 2
Baths—Full: 2 Baths—Half: 0
Block Foundation: Y/N Skirting: Y/N

Base Cost of Manufactured Home: $62,833

Make: Clayton Year: 2022
Serial Number: TBD

Previous Owner of Manufactured Home:
New

Previous Location of Manufactured Home:
N/A

Manufactured Home on This Lot Previously?: Y/N
If Yes, Where Did It Go?
Demolished
Memorandum

To: Sussex County Board of Adjustment Members  
From: Jennifer Norwood, Planning Manager  
CC: James Sharp, Assistant County Attorney  
Date: June 9, 2022  
RE: BOA Case No. 12710 – Sea Breeze LP DBA Sea Air Village – Lot A-28

This memo provides information pertaining to the property based on a review by the Planning and Zoning Department.

The Planning and Zoning Department reviewed the application and as part of the review can provide a history of the lot per the Sussex County Assessment and Planning and Zoning records.

The previous manufactured home on Lot A-28, 19820 Sea Air Avenue, Rehoboth Beach, was a 1971, 12’x58’ manufactured home and was removed from the Assessment records on May 13, 2022. There was also screen porch 11’x20’, and 2 sheds measuring 4’x6’ & 10’x9’ on record.

The manufactured home on Lot A-30, 19824 Sea Air Avenue, Rehoboth Beach, is a 1969, 12’x50’ manufactured home per Assessment records. This unit also has a 12’x12’ deck and a 12’x36’ porch per the Assessment records. There is a record of a 4’x5’ shed on the lot.

The manufactured home on Lot A-26, 19816 Sea Air Avenue, Rehoboth Beach, is a 2014, 16’x70’ manufactured home placed in 2015, Certificate of Compliance issued January 6, 2015, a shed was placed in 2021, Certificate of Compliance issued August 16, 2021. The deck shown on the survey for application and submitted when the shed permit was issued was never permitted or added to the Assessment records. Board of Adjustment Case No. 7873 was granted for a separation variance on July 15, 2002.

The Variances sought by the Applicant are:

- 2.7-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing HVAC on Lot A-30
- 6.7-ft variance from the required 20-ft separation requirement for the proposed landing to the existing HVAC on Lot A-30
- 2.6-ft variance from the required 20-ft separation requirement for the proposed landing to the existing manufactured home on Lot A-30
- 7.8-ft variance from the required 20-ft separation requirement for the proposed landing to the existing shed on Lot A-30
- 3-ft variance from the required 10-ft separation requirement for the proposed shed to the existing shed on Lot A-30
• 3.6-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing shed on Lot A-26
• 6.8-ft variance from the required 20-ft separation requirement for the proposed HVAC to the existing deck on Lot A-26
• 7.5-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing landing on Lot
Board of Adjustment Application  
Sussex County, Delaware  
Sussex County Planning & Zoning Department  
2 The Circle (P.O. Box 417) Georgetown, DE 19947  
302-855-7878 ph. 302-854-5079 fax  

Type of Application: (please check all applicable)  
Variance ☑  
Special Use Exception □  
Administrative Variance □  
Appeal □  
Existing Condition □  
Proposed □  

Code Reference (office use only)  

Site Address of Variance/Special Use Exception:  
19820 Sea Air Avenue, Rehoboth Beach, DE 19971  

Variance/Special Use Exception/Appeal Requested:  
1) On the E/NE side of proposed dwelling where separation distance from neighboring home is 12.5', 2) proposed AC unit is 13.2' from neighboring deck, and 3) proposed dwelling is 16.4' from neighboring shed. 4) On the W side of proposed dwelling where proposed shed is 7.0' from neighboring shed. Where proposed landing/stairs #1 is 12.2' from neighboring shed and 6) 17.4' from neighboring home. 7) Where proposed landing/stairs #2 is 13.3' from neighboring AC unit and 8) proposed home has a separation distance of 17.3' from neighboring dwelling.  

Tax Map #: 334-13.00-310.00-3354  
Property Zoning: AR-1  

Applicant Information  
Applicant Name: Sea Air Village - Agent: Aimee Bennett  
Applicant Address: 19837 Sea Air Ave  
City: Rehoboth Beach  
State: DE  
Zip: 19971  
Applicant Phone #: (302) 227-8118  
Applicant e-mail: abennett2@suncommunities.com  

Owner Information  
Owner Name: Sea Breeze LP DBA Sea Air Village  
Owner Address: 19827 Sea Air Ave  
City: Rehoboth Beach  
State: DE  
Zip: 19971  
Purchase Date:  
Owner Phone #: (302) 227-8118  
Owner e-mail: abennett2@suncommunities.com  

Agent/Attorney Information  
Agent/Attorney Name: Aimee Bennett  
Agent/Attorney Address: 19837 Sea Air Ave  
City: Rehoboth Beach  
State: DE  
Zip: 19971  
Agent/Attorney Phone #: (302) 227-8118  
Agent/Attorney e-mail: abennett2@suncommunities.com  

Signature of Owner/Agent/Attorney  

Date: 4/19/22
1. Uniqueness of the 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 the 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.
- 1-8: The uniquely narrow dimensions of this lot create a challenge placing the manufactured home and maintaining minimum separation between homes and accessory structures. This lot was laid out with others in the community in the 1930's and 1940's. The lots sizes are small in comparison with the size of the modern manufactured home. I have selected a standard size floorplan for this home that is comparable to other new homes in the community but I am still unable to place on the lot with the required setbacks. The narrow shape of the lot makes it difficult to place a new manufactured home on the property consistent with others in the neighborhood, while being in compliance with Sussex County Zoning Code.

2. Cannot otherwise be developed:
That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- 1-8: Due to the uniqueness of the property, the property cannot be developed in strict conformity with the Sussex County Zoning Code. I propose to place a normal width sized manufactured home that is consistent with other new homes in the community and a standard size shed that is consistent with other new homes in the community, but am unable to do so without violating the separation distance requirements between neighboring manufactured homes and accessory structures (ie, sheds). The variances are 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.
- 1-8: The exceptional practical difficulty was not created by the applicant. The property is quite narrow which greatly limits the buildable area thereof. The neighboring lots are also narrow causing development of nearby lots to be nearer to lot lines/neighboring homes. It appears impossible for a home to be placed on the property without violating the separation distance requirements. The exceptional practical difficulty was created by the unique conditions of the property and the development of adjacent lots.

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.
- 1-8: The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare thereof. I am seeking this variance to add to the conformity to
the community & to modernize the homes within the community which will subsequently add value and improve the characteristics of the community/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.
- 1-8: The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible of the regulations at issue. The home is the narrowest available and minimizes the need for variance on the property.
PROPOSED CONDITIONS
LOCATION PLAN FOR
19820 SEA AIR AVENUE
LOT A-28 OF "SEA AIR VILLAGE" PARK
LEWES & REHOBOTH HUNDRED     SUSSEX COUNTY
STATE OF DELAWARE
APRIL 7, 2022      SCALE: 1" = 20'

LEGEND:
▲ IRON ROD (FOUND)
○ UTILITY POLE
O POINT

NOTES:
ALL SETBACKS MUST BE VERIFIED BY THE OWNER,
GENERAL CONTRACTOR AND/OR THE DESIGNER.
PLEASE CONTACT SUSSEX COUNTY (302-855-7674)
AND THE PARK MANAGER.
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.

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

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

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

Information Sheet

Installation of this manufactured home must be performed by a Delaware certified installer.

District/Map/Parcel# 334-13.00-310.00-3354

Park Name Sea Air Village

Manufacturer Home Installer

Delaware License Number 1998-009883

1. Footer Inspection:
   To be made prior to placing concrete in footers.
   All reinforcement to be tied in place.

2. Tie down Inspection:
   To be made prior to installation of skirting.

A fee of $120.00 is required for up to four (4) inspections.
Any additional inspections will be charged $40.00 per trip.

Certificate of completion/occupancy will not be issued until all fees are paid.

Contact Person: Amanda Bennett Phone# 302-227-8188
Signature: Amanda Bennett Date 4-19-2022

A 24-hour notice is required for all inspection requests.
Call (302) 858-5500 to schedule all inspections or you may also use the
Inspection Request form, found at the bottom of
www.sussexcountyde.gov

Installation plans must be on job site and accessible to inspectors.
Manufactured Home Information Sheet

Subdivision or Manufactured Home Park:
Sea Air Village

District: 334 Map: 1300 Parcel: 31000 Lot#: 3854

Physical Address:
19820 Sea Air Avenue
Rehoboth Beach DE 19971

Width: 14 Length: 66

Color: Mist (Beige) Trim Color: White

Central Air: Y N Fireplace: Y N

Heating Type: Propane Bedrooms: 3

Baths—Full: 2 Baths—Half: 8

Block Foundation: Y N Skirting: Y N

Base Cost of Manufactured Home: $62,934.00

Make: Clayton Year: 2022

Serial Number: TBD

Previous Owner of Manufactured Home:
New

Previous Location of Manufactured Home:
N/A

Manufactured Home on This Lot Previously?: Y N

If Yes, Where Did It Go?
Demolished
DEALER: SUN COMMUNITY - HIGH POINT PARK
QUOTE: #46238
CUSTOMER: A28
20 LB. PIER PRINT

This diagram is not DAP/A-approved and is being provided as a convenience for estimating purposes only. Refer to the DAP/A approved installation manual for the official pier load, spacing, and footing requirements.

PIER SET
99 1/2 BEAM SPACING
Memorandum

To: Sussex County Board of Adjustment Members
From: Jennifer Norwood, Planning Manager
CC: James Sharp, Assistant County Attorney
Date: June 22, 2022
RE: BOA Case No. 12711 – Sea Breeze LP DBA Sea Air Village – Lot B-83

This memo provides information pertaining to the property based on a review by the Planning and Zoning Department.

The Planning and Zoning Department reviewed the application and as part of the review can provide a history of the lot per the Sussex County Assessment and Planning and Zoning records.

The previous manufactured home on Lot B-83 19933 Sea Air Avenue, Rehoboth Beach, was a 1972, 14’x66’ manufactured home and was removed from the Assessment records on May 14, 2022. There were no other structures on record.

The manufactured home on Lot B-85, 19335 Sea Air Avenue, Rehoboth Beach, is a 1961, 10’x50’ manufactured home per Assessment records. This unit also has a 12’x42’ porch addition built in 2006 per the Assessment records.

The manufactured home on Lot B-81, 19929 Sea Air Avenue, Rehoboth Beach, is a 1974, 12’x60’ manufactured home placed in 1976, and a 6’x8’ shed is on the Assessment records.

The manufactured home on Lot C-84, 19976 Center Avenue, Rehoboth Beach, is a 2020, 28’x48’ manufactured home, placed in 2019, Certificate of Compliance issued January 14, 2020. The County records do not show a permit for the shed on this lot.

The Variances sought by the Applicant are:

- 8.8-ft variance from the required 20-ft separation requirement for the proposed shed to the existing manufactured home on Lot B-81
- 9.1-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing shed on Lot C-84
- 2.7-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing HVAC on Lot B-85
- 4.5-ft variance from the required 20-ft separation requirement for the proposed HVAC to the existing manufactured home on Lot B-85
- 1.2-ft variance from the required 10-ft separation requirement for the proposed manufactured home to the existing manufactured home on Lot B-85
- Proposed HVAC will comply – can encroach 3-ft into a setback requirement
• Proposed landings shown at 16-ft plus separation requirement per Code can encroach 4-ft into the 20-ft separation requirement
Board of Adjustment Application
Sussex County, Delaware
Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check all applicable)

Variance ☑
Special Use Exception □
Administrative Variance □
Appeal □

Existing Condition □
Proposed □
Code Reference (office use only)
116-25 116-172

Site Address of Variance/Special Use Exception:
19933 Sea Air Avenue, Rehoboth Beach, DE 19971

Variance/Special Use Exception/Appeal Requested:
On the SW side of proposed dwelling where separation distance from neighboring dwelling is 1) 18.8' and 3) 17.3' and 2) proposed AC has a separation distance of 15.5' from neighboring dwelling. On S side where separation distance between neighbor's shed and 4) proposed home is 10.9' and 5) proposed shed is 10.7'. 6) And, where proposed shed is also 11.2' from neighboring home. 7) Where stairs on neighboring home are 16.5' from proposed home. 8) Where proposed stairs/landing #1 and 9) proposed stairs/landing #2 is 16.2' from neighboring dwelling.

Tax Map #: 334-13.00-310.00-3030
Property Zoning: AR-1

Applicant Information

Applicant Name: Sea Air Village- Agent: Aimee Bennett
Applicant Address: 9837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Applicant Phone #: (302) 227-8118
Applicant e-mail: abennett2@suncommunities.com

Owner Information

Owner Name: Sea Breeze LP DBA Sea Air Village
Owner Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971 Purchase Date:
Owner Phone #: (302) 227-8118
Owner e-mail: abennett2@suncommunities.com

Agent/Attorney Information

Agent/Attorney Name: Aimee Bennett
Agent/Attorney Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Agent/Attorney Phone #: (302) 227-8118
Agent/Attorney e-mail: abennett2@suncommunities.com

Signature of Owner/Agent/Attorney

Date: 4/19/22
1. **Uniqueness of the 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 the 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.
   - 1-9: The uniquely narrow dimensions of this lot create a challenge placing the manufactured home and maintaining minimum separation between homes and accessory structures. This lot was laid out with others in the community in the 1930’s and 1940’s. The lots sizes are small in comparison with the size of the modern manufactured home. I have selected a standard size floorplan for this home that is comparable to other new homes in the community but I am still unable to place on the lot with the required setbacks. The narrow shape of the lot makes it difficult to place a new manufactured home on the property consistent with others in the neighborhood, while being in compliance with Sussex County Zoning Code.

2. **Cannot otherwise be developed:**
   That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
   - 1-9: Due to the uniqueness of the property, the property cannot be developed in strict conformity with the Sussex County Zoning Code. I propose to place a normal width sized manufactured home that is consistent with other new homes in the community and a standard size shed that is consistent with other new homes in the community, but am unable to do so without violating the separation distance requirements between neighboring manufactured homes and accessory structures (ie, sheds). The variances are 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.
   - 1-9: The exceptional practical difficulty was not created by the applicant. The property is quite narrow which greatly limits the buildable area thereof. The neighboring lots are also narrow causing development of nearby lots to be nearer to lot lines/neighborhood homes. It appears impossible for a home to be placed on the property without violating the separation distance requirements. The exceptional practical difficulty was created by the unique conditions of the property and the development of adjacent lots.

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.
   - 1-9: The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare thereof. I am seeking this variance to add to the conformity to
the community & to modernize the homes within the community which will subsequently add
value and improve the characteristics of the community/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.
   • 1-9: The variances sought are the minimum variances necessary to afford relief and the
     variances requested represent the least modifications possible of the regulations at issue. The
     home is the narrowest available and minimizes the need for variance on the property.
PROPOSED CONDITIONS
LOCATION PLAN FOR
19933 SEA AIR AVENUE
LOT B-83 OF "SEA AIR" SUBDIVISION
LEWES & REHOBOTH HUNDRED      SUSSEX COUNTY
STATE OF DELAWARE
APRIL 5, 2022    SCALE: 1" = 20'

LEGEND:

△ IRON ROD (FOUND)
○ POINT
◎ OIL TANK

NOTES:
ALL SETBACKS MUST BE VERIFIED BY THE OWNER,
GENERAL CONTRACTOR AND/OR THE DESIGNER.
PLEASE CONTACT SUSSEX COUNTY (302-855-7818)
AND THE PARK MANAGER.
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.

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

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

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

Information Sheet

Installation of this manufactured home must be performed by a Delaware certified installer.

District/Map/Parcel# 234-13.00-310.00-3030
Park Name Sea Air Village
Manufacturer/Installer Culver & Pierson
Delaware License Number 19982099883

1. Footer Inspection:
   To be made prior to placing concrete in footers.
   All reinforcement to be tied in place.

2. Tie down Inspection:
   To be made prior to installation of skirting.

A fee of $120.00 is required for up to four (4) inspections.
Any additional inspections will be charged $40.00 per trip.
Certificate of completion/occupancy will not be issued until all fees are paid.

Contact Person: Aimee Bennett Phone# 302-327-8118
Signature: Aimee Bennett Date 4-19-2022

A 24-hour notice is required for all inspection requests.
Call (302) 858-5500 to schedule all inspections or you may also use the Inspection Request form, found at the bottom of www.sussexcountyde.gov
Installation plans must be on job site and accessible to inspectors.
Manufactured Home Information Sheet

Subdivision or Manufactured Home Park: Sea Air Village

District: 234 Map: 300 Parcel: 31000 Lot#: 3030

Physical Address: 19933 Sea Ar Ave Wendover Beach, DE 19971

Base Cost of Manufactured Home: $68,763.00
Make: Clayton Year: 2022
Serial Number: TBD

Previous Owner of Manufactured Home: New

Previous Location of Manufactured Home: N/A

Manufactured Home on This Lot Previously?: Y/N
If Yes, Where Did It Go? Demolished

Width: 16' Length: 60'
Color: Green Trim Color: White
Central Air: Y/N Fireplace: Y/N
Heating Type: Propane Bedrooms: 3
Baths—Full: 2 Baths—Half: 0
Block Foundation: Y/N Skirting: Y/N
THIS DIAGRAM IS NOT DAPIA-APPROVED AND IS BEING PROVIDED AS A CONVENIENCE FOR ESTIMATING PURPOSES ONLY. REFER TO THE DAPIA APPROVED INSTALLATION MANUAL FOR THE OFFICIAL PIER LOADING, SPACING, AND FOOTING REQUIREMENTS.
Memorandum

To: Sussex County Board of Adjustment Members
From: Jennifer Norwood, Planning Manager
CC: James Sharp, Assistant County Attorney
Date: June 22, 2022
RE: BOA Case No. 12712 – Sea Breeze LP DBA Sea Village – Lot J-73

This memo provides information pertaining to the property based on a review by the Planning and Zoning Department.

The Planning and Zoning Department reviewed the application and as part of the review can provide a history of the lot per the Sussex County Assessment and Planning and Zoning records.

The previous manufactured home on Lot J-78, 20073 Delaware Avenue, Rehoboth Beach, was a 1971, 12’x70’ manufactured home and was removed from the Assessment records on May 13, 2022. A screen porch was added to the unit in 1975 and the Assessment records show an 8’x10’ shed.

The manufactured home on Lot J-75, 20077 Delaware Avenue, Rehoboth Beach, is 2009, 20’x70’ manufactured home per Assessment records, a Certificate of Compliance was issued in 2010. There is a 8’x14’ shed on the lot per the Assessment records.

The manufactured home on Lot J-71, 20069 Delaware Avenue, Rehoboth Beach, is a 2020, 14’x66’ manufactured home placed in 2019, a Certificate of Compliance was issued in 2019, and a 10’x14’ paver patio was built in 2021.

The manufactured home on Lot A-88, 19942 Sea Air Avenue, Rehoboth Beach, is a 1983, 14’x70’ manufactured home, placed in 1984, Certificate of Compliance issued in 1984. The existing 8’x10’ shed was placed in 2004 after approval from the Board of Adjustment Case No. 8747 from the separation requirement and a Certificate of Compliance was issued in 2004. The Assessment records also show an 8’x16’ deck on the lot that was added in 1989.

The Variances sought by the Applicant are:

- 3.1-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing manufactured home on Lot J-75
- 5.7-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing landing on Lot J-75
- 5.6-ft variance from the required 20-ft separation requirement for the proposed HVAC to the existing manufactured home on Lot J-75
- 7.3-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing landing on Lot J-75
- The proposed HVAC will comply – can encroach 3-ft into a setback requirement
- Proposed landings shown at 16-ft plus separation requirement per Code can encroach 4-ft into the 20-ft separation requirement
Board of Adjustment Application
Sussex County, Delaware
Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check all applicable)

Variance ☑
Special Use Exception □
Administrative Variance □
Appeal □

Existing Condition □
Proposed □

Code Reference (office use only)
115-25116-172

Site Address of Variance/Special Use Exception:
20073 Delaware Avenue, Rehoboth Beach, DE 19971
Lot 573

Variance/Special Use Exception/Appeal Requested:
On the West side of home where separation distance between 1) the proposed dwelling and neighboring landing is 12.7', 2) proposed AC and neighboring dwelling is 14.4', 3) proposed home and neighboring landing is 14.3', and 4) proposed home and neighboring home is 16.9'. On the NE side of proposed home where 5) proposed landing/stairs #1 is 16.1' from neighboring landing and 6) proposed landing/stairs #2 and neighbor's dwelling is is 19.7'.

Tax Map #: 334-13.00-310.00-3435
Property Zoning: ARL -1

Applicant Information

Applicant Name: Sea Air Village - Agent: Aimee Bennett
Applicant Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Applicant Phone #: (302) 227-8118 Applicant e-mail: abennett2@suncommunities.com

Owner Information

Owner Name: Sea Breeze LP DBA Sea Air Village
Owner Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971 Purchase Date: __________
Owner Phone #: (302) 227-8118 Owner e-mail: abennett2@suncommunities.com

Agent/Attorney Information

Agent/Attorney Name: Aimee Bennett
Agent/Attorney Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Agent/Attorney Phone #: (302) 227-8118 Agent/Attorney e-mail: abennett2@suncommunities.com

Signature of Owner/Agent/Attorney

Aimee Bennett

Date: 4/19/22
1. Uniqueness of the 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 the 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.
   - 1-6: The uniquely narrow dimensions of this lot create a challenge placing the manufactured home and maintaining minimum separation between homes and accessory structures. This lot was laid out with others in the community in the 1930's and 1940's. The lots sizes are small in comparison with the size of the modern manufactured home. I have selected a standard size floorplan for this home that is comparable to other new homes in the community but I am still unable to place on the lot with the required setbacks. The narrow shape of the lot makes it difficult to place a new manufactured home on the property consistent with others in the neighborhood, while being in compliance with Sussex County Zoning Code.

2. Cannot otherwise be developed:
   That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
   - 1-6: Due to the uniqueness of the property, the property cannot be developed in strict conformity with the Sussex County Zoning Code. I propose to place a normal width sized manufactured home that is consistent with other new homes in the community and a standard size shed that is consistent with other new homes in the community, but am unable to do so without violating the separation distance requirements between neighboring manufactured homes and accessory structures (ie, sheds). The variances are 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.
   - 1-6: The exceptional practical difficulty was not created by the applicant. The property is quite narrow which greatly limits the buildable area thereof. The neighboring lots are also narrow causing development of nearby lots to be nearer to lot lines/neighborhood homes. It appears impossible for a home to be placed on the property without violating the separation distance requirements. The exceptional practical difficulty was created by the unique conditions of the property and the development of adjacent lots.

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.
   - 1-6: The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare thereof. I am seeking this variance to add to the conformity to
the community & to modernize the homes within the community which will subsequently add value and improve the characteristics of the community/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.
- 1-6: The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible of the regulations at issue. The home is the narrowest available and minimizes the need for variance on the property.
LEGEND:

△ IRON ROD (FOUND)
△ DISTURBED IRON ROD (FOUND)
♂ POINT IN UTILITY POLE

PROPOSED CONDITIONS
LOCATION PLAN FOR
20073 DELAWARE AVENUE
LOT #73, BLOCK J OF "SEA AIR VILLAGE" PARK
LEWES & REHOBOTH HUNDRED        SUSSEX COUNTY
STATE OF DELAWARE
APRIL 4, 2022     SCALE: 1" = 20'

NOTES:
ALL RESTRICTIONS MUST BE VERIFIED BY THE OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT SUSES COUNTY AND THE PARK MANAGER TO VERIFY. 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.

Prepared by:
FORESIGHT Services
Surveying & Precision Measurement
302 226 2229 phone      302 226 2229 fax  2103 Coastal Highway Dewey Beach, DE 19971
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.

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

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

Information Sheet

Installation of this manufactured home must be performed by a Delaware certified installer.

District/Map/Parcel# 334-13.00-310.00-3435

Park Name Sea Air Village

Manufactured Home Installer Culver + Person

Delaware License Number 1998.809.868

1. Footer Inspection:
To be made prior to placing concrete in footers.
All reinforcement to be tied in place.

2. Tie down Inspection:
To be made prior to installation of skirting.

A fee of $120.00 is required for up to four (4) inspections.
Any additional inspections will be charged $40.00 per trip.
Certificate of completion/occupancy will not be issued until all fees are paid.

Contact Person: Anne Bennett Phone# 302-327-8118

Signature: April Bennett Date 4-19-2022

A 24-hour notice is required for all inspection requests.
Call (302) 858-5500 to schedule all inspections or you may also use the Inspection Request form, found at the bottom of www.sussexcountyde.gov
Installation plans must be on job site and accessible to inspectors.
# Manufactured Home Information Sheet

**Subdivision or Manufactured Home Park:**
- Sea Air Village

**District:** 334  
**Map:** 13.00  
**Parcel:** 310.00  
**Lot #:** 3133

**Physical Address:**
- 20073 Delaware Ave
- Rehoboth Beach, DE 19971

**Width:** 16'  
**Length:** 60'  
**Color:** Flint (gray)  
**Trim Color:** White

**Central Air:** Y/N  
**Fireplace:** Y/N  
**Heating Type:** propane  
**Bedrooms:** 3  
**Baths—Full:** 2  
**Baths—Half:** 0  
**Block Foundation:** Y/N  
**Skirting:** Y/N

**Base Cost of Manufactured Home:** $69,874

**Make:** Clayton  
**Year:** 2022

**Serial Number:** TBD

**Previous Owner of Manufactured Home:** New

**Previous Location of Manufactured Home:** N/A

**Manufactured Home on This Lot Previously?:** Y/N

If Yes, Where Did It Go? Demolished
DEALER: SUN COMMUNITY - HIGH POINT PARK
QUOTE: #46396
CUSTOMER: LOT J73
20 LB. PIER PRINT

THIS DIAGRAM IS NOT DAPIA-APPROVED AND IS BEING PROVIDED AS A CONVENIENCE FOR ESTIMATING PURPOSES ONLY. REFER TO THE DAPIA APPROVED INSTALLATION MANUAL FOR THE OFFICIAL PIER LOAD, SPACING, AND FOOTING REQUIREMENTS.

PIER SET
99 1/2 BEAM SPACING
Memorandum

To: Sussex County Board of Adjustment Members
From: Jennifer Norwood, Planning Manager
CC: James Sharp, Assistant County Attorney
Date: June 22, 2022
RE: BOA Case No. 12713 – Sea Breeze LP DBA Sea Air Village – Lot C-62

This memo provides information pertaining to the property based on a review by the Planning and Zoning Department.

The Planning and Zoning Department reviewed the application and as part of the review can provide a history of the lot per the Sussex County Assessment and Planning and Zoning records.

The previous manufactured home on Lot C-62, 19932 Center Avenue, Rehoboth Beach, was a 1968, 12’x62’ manufactured home and was removed from the Assessment records on November 15, 2021.

The manufactured home on Lot C-60, 19930 Center Avenue, Rehoboth Beach, is 1972, 12’x50’ manufactured home, a 10’x28’ enclosed porch, and a 12’x16’ deck per the Assessment records.

The manufactured home on Lot C-64, 19938 Center Avenue, Rehoboth Beach, is a 1972, 12’x60’ manufactured home placed in 1984, a Certificate of Compliance was issued in 1984, and a 10’x14’ paver patio was built in 2021.

The manufactured home on Lot B-61, 19942 Sea Air Avenue, Rehoboth Beach, is a 1983, 14’x70’ manufactured home, placed in 1984, Certificate of Compliance issued in 1984. The existing 8’x10’ shed was placed in 2004 after approval from the Board of Adjustment Case No. 8747 from the separation requirement and a Certificate of Compliance was issued in 2004. The Assessment records also show an 8’x16’ deck on the lot that was added in 1989.

The Variances sought by the Applicant are:

- 8.7-ft variance from the required 20-ft separation requirement for the proposed shed to the existing manufactured home on Lot C-64
- 2.8-ft variance from the required 20-ft separation requirement for the proposed HVAC to the existing manufactured home on Lot C-60
- 7.3-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing ramp on Lot C-60
- 9.5-ft variance from the required 20-ft separation requirement for the proposed HVAC to the existing ramp on Lot C-60
- The proposed HVAC will comply – can encroach 3-ft into a setback requirement
- Proposed landings shown at 16-ft plus separation requirement per Code can encroach 4-ft into the 20-ft separation requirement
Board of Adjustment Application
Sussex County, Delaware
Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check all applicable)

- Variance [✓]
- Special Use Exception
- Administrative Variance

Existing Condition
- Proposed

Code Reference (office use only)
115-25 115-172

Site Address of Variance/Special Use Exception:
19932 Center Ave, Rehoboth Beach, DE 19971

Lot C02

Variance/Special Use Exception/Appeal Requested:
1) On the East side of proposed home where separation distance between neighboring access ramp is 12.7'.
2) Where proposed AC unit is 10.5' from neighboring access ramp and 3) 17.2' from neighboring dwelling.
4) Where proposed shed on NW side of home is 14.9' from neighboring shed and 5) 11.3' from neighboring dwelling to the west.
6) Where proposed landing/stairs #1 on SW side of home is 16.2' from neighboring dwelling and 7) where proposed landing/stairs #2 on SW side of home is 16.1' from neighboring dwelling.

Tax Map #: 334-13.00-310.00-3269

Property Zoning: AE-1

Applicant Information

Applicant Name: Sea Air Village Agent: Aimee Bennett
Applicant Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Applicant Phone #: (302) 227-8118
Applicant e-mail: abennett2@suncommunities.com

Owner Information

Owner Name: Sea Breeze LP DBA Sea Air Village
Owner Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Purchase Date:
Owner Phone #: (302) 227-8118
Owner e-mail: abennett2@suncommunities.com

Agent/Attorney Information

Agent/Attorney Name: Aimee Bennett
Agent/Attorney Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Agent/Attorney Phone #: (302) 227-8118
Agent/Attorney e-mail: abennett2@suncommunities.com

Signature of Owner/Agent/Attorney

Date: 4/19/22
**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.

   See Attached

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.

   See Attached

3. **Not created by the applicant:**
   That such exceptional practical difficulty has not been created by the appellant.

   See Attached

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.

   See Attached

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

   See Attached
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.

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

Basis for Appeal: (Please provide a written statement regarding reason for appeal)
1. **Uniqueness of the 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 the 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.

- **1-7:** The uniquely narrow dimensions of this lot create a challenge placing the manufactured home and maintaining minimum separation between homes and accessory structures. This lot was laid out with others in the community in the 1930's and 1940's. The lots sizes are small in comparison with the size of the modern manufactured home. I have selected a standard size floorplan for this home that is comparable to other new homes in the community but I am still unable to place on the lot with the required setbacks. The narrow shape of the lot makes it difficult to place a new manufactured home on the property consistent with others in the neighborhood, while being in compliance with Sussex County Zoning Code.

2. **Cannot otherwise be developed:**
   That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

- **1-7:** Due to the uniqueness of the property, the property cannot be developed in strict conformity with the Sussex County Zoning Code. I propose to place a normal width sized manufactured home that is consistent with other new homes in the community and a standard size shed that is consistent with other new homes in the community, but am unable to do so without violating the separation distance requirements between neighboring manufactured homes and accessory structures (ie, sheds). The variances are 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.

- **1-7:** The exceptional practical difficulty was not created by the applicant. The property is quite narrow which greatly limits the buildable area thereof. The neighboring lots are also narrow causing development of nearby lots to be nearer to lot lines/neighboring homes. It appears impossible for a home to be placed on the property without violating the separation distance requirements. The exceptional practical difficulty was created by the unique conditions of the property and the development of adjacent lots.

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.

- **1-7:** The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare thereof. I am seeking this variance to add to the conformity to
the community & to modernize the homes within the community which will subsequently add value and improve the characteristics of the community/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.
- 1-7: The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible of the regulations at issue. The home is the narrowest available and minimizes the need for variance on the property.
PROPOSED CONDITIONS
LOCATION PLAN FOR
SEA BREEZE LP
LOT #62 BLOCK "C" OF "SEA AIR VILLAGE" PARK
LEWES & REHOBOTH HUNDRED  SUSSEX COUNTY
STATE OF DELAWARE
AUGUST 18, 2021  SCALE: 1" = 20'

LEGEND:
● IRON PIPE (FOUND)
▲ IRON ROD (FOUND)
▲ IRON ROD (TO BE SET)
○ POINT
○ UTILITY POLE

NOTES:
ALL SETBACKS MUST BE VERIFIED BY THE
HOME OWNER AND/OR GENERAL
CONTRACTOR.
THIS DRAWING DOES NOT VERIFY THE
EXISTENCE OR NON-EXISTENCE OF
WETLANDS, UTILITIES, RIGHT-OF-WAY
OR EASEMENTS IN REFERENCE TO OR
LOCATED ON THIS PROPERTY.
NO TITLE SEARCH PROVIDED OR STIPULATED.

Prepared by:
FORESIGHT Services
Surveying & Precision Measurement
Manufactured Home Information Sheet

Subdivision or Manufactured Home Park:
Sea Aire Village

District: 334 Map: 13.00 Parcel: 310.00 Lot#: ___

Physical Address:
19932 Center Ave
Ramona, CA 92065

Width: 16 Length: 65
Color: Cypress (green) Trim Color: white

Central Air: Y/N Fireplace: Y/N

Heating Type: Propane Bedrooms: 3
Baths—Full: 2 Baths—Half: 0

Block Foundation: Y/N Skirting: Y/N

Base Cost of Manufactured Home: $71,558.00
Make: Clayton Year: 2022
Serial Number: 330

Previous Owner of Manufactured Home:
New

Previous Location of Manufactured Home:
N/A

Manufactured Home on This Lot Previously?: Y/N
If Yes, Where Did It Go?
Demolished
Manufactured Home Installer

Information Sheet

Installation of this manufactured home must be performed by a Delaware certified installer.

District/Map/Parcel# ____________________________

Park Name Sea Air Village ____________________________

Manufactured Home Installer Cullen & Person ____________________________

Delaware License Number 998 209 883 ____________________________

1. Footer Inspection:
   To be made prior to placing concrete in footers.
   All reinforcement to be tied in place.

2. Tie down Inspection:
   To be made prior to installation of skirting.

A fee of $120.00 is required for up to four (4) inspections.

Any additional inspections will be charged $40.00 per trip.

Certificate of completion/occupancy will not be issued until all fees are paid.

Contact Person: Aimee Bennett Phone# 302-367-8118

Signature: Aimee Bennett Date 3/18/2022

A 24-hour notice is required for all inspection requests.
Call (302) 858-5500 to schedule all inspections or you may also use the Inspection Request form, found at the bottom of
www.sussexcountyde.gov
Installation plans must be on job site and accessible to inspectors.
DEALER: SUN COMMUNITY - HIGH POINT PARK
QUOTE: #46124
CUSTOMER: C62
20 LB. PIER PRINT

THIS DIAGRAM IS NOT DAPRA-APPROVED AND IS BEING PROVIDED
AS A CONVENIENCE FOR ESTIMATING PURPOSES ONLY. REFER TO
THE DAPRA APPROVED INSTALLATION MANUAL FOR THE OFFICIAL PIER LOAD,
SPACING, AND FOOTING REQUIREMENTS

PIER SET
99 1/2 BEAM SPACING

CLAYTON HOME BUILDING GROUP

REVISED DATE: 01/01/2022
DRAWN BY: MELS
14/31/2022
SHEET NO: 21-95-99
Memorandum

To: Sussex County Board of Adjustment Members
From: Jennifer Norwood, Planning Manager
CC: James Sharp, Assistant County Attorney
Date: June 22, 2022
RE: BOA Case No. 12714 – Sea Breeze LP DBA Sea Air Village – Lot D-75

This memo provides information pertaining to the property based on a review by the Planning and Zoning Department.

The Planning and Zoning Department reviewed the application and as part of the review can provide a history of the lot per the Sussex County Assessment and Planning and Zoning records.

The previous manufactured home on Lot D-75, 19949 Center Avenue, Rehoboth Beach, was a 1968, 12’x60’ manufactured home and was removed from the Assessment records on March 1, 2022. The unit also had 2 open porches measuring 10’x22’ and 9’x24’.

The manufactured home on Lot D-77, 19955 Center Avenue, Rehoboth Beach, is 1968, 12’x60’ manufactured home, a 10’x22’ porch per the Assessment records.

The manufactured home on Lot D-73, 19947 Center Avenue, Rehoboth Beach, is a 1976, 12’x60’ manufactured home placed in 1996, no record of a Certificate of Compliance.

The Variances sought by the Applicant are:

- 4.2-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing landing on Lot D-73
- 6.7-ft variance from the required 20-ft separation requirement for the proposed landing to the existing manufactured home on Lot D-73
- 2.9-ft variance from the required 20-ft separation requirement for the proposed HVAC to the existing manufactured home on Lot D-77
Board of Adjustment Application
Sussex County, Delaware
Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check all applicable)

Variance ☑  
Special Use Exception ☐  
Administrative Variance ☐  

Existing Condition ☐  
Proposed ☐  
Code Reference (office use only)  115-25  115-172

Site Address of Variance/Special Use Exception:
19949 Center Avenue, Rehoboth Beach, DE 19971

Lot D75

Variance/Special Use Exception/Appeal Requested:

1) On the West side of home where separation distance between the proposed AC and neighboring dwelling is 17.1'. On the East side of proposed home where 2) proposed landing/stairs #1 is 13.3' from neighboring dwelling, 3) proposed home is 15.8' from neighboring stairs/landing, and 4) proposed landing/stairs #2 is 16.3' from neighboring dwelling.

Tax Map #:  334-13.00-310.00- 3379  
Property Zoning:  AR-1

Applicant Information

Applicant Name:  Sea Air Village- Agent: Aimee Bennett
Applicant Address:  19837 Sea Air Ave
City  Rehoboth Beach  State  DE  Zip:  19971
Applicant Phone #:  (302) 227-8118  
Applicant e-mail:  abennett2@suncommunities.com

Owner Information

Owner Name:  Sea Breeze LP DBA Sea Air Village
Owner Address:  19857 Sea Air Ave
City  Rehoboth Beach  State  DE  Zip:  19971  Purchase Date:  
Owner Phone #:  (362) 227-8118  
Owner e-mail:  abennett2@suncommunities.com

Agent/Attorney Information

Agent/Attorney Name:  Aimee Bennett
Agent/Attorney Address:  19837 Sea Air Ave
City  Rehoboth Beach  State  DE  Zip:  19971
Agent/Attorney Phone #:  (302) 227-8118  
Agent/Attorney e-mail:  abennett2@suncommunities.com

Signature of Owner/Agent/Attorney

Date:  4/19/22
1. Uniqueness of the 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 the 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.
- 1-4: The uniquely narrow dimensions of this lot create a challenge placing the manufactured home and maintaining minimum separation between homes and accessory structures. This lot was laid out with others in the community in the 1930’s and 1940’s. The lots sizes are small in comparison with the size of the modern manufactured home. I have selected a standard size floorplan for this home that is comparable to other new homes in the community but I am still unable to place on the lot with the required setbacks. The narrow shape of the lot makes it difficult to place a new manufactured home on the property consistent with others in the neighborhood, while being in compliance with Sussex County Zoning Code.

2. Cannot otherwise be developed:
That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- 1-4: Due to the uniqueness of the property, the property cannot be developed in strict conformity with the Sussex County Zoning Code. I propose to place a normal width sized manufactured home that is consistent with other new homes in the community and a standard size shed that is consistent with other new homes in the community, but am unable to do so without violating the separation distance requirements between neighboring manufactured homes and accessory structures (ie, sheds). The variances are 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 applicant.
- 1-4: The exceptional practical difficulty was not created by the applicant. The property is quite narrow which greatly limits the buildable area thereof. The neighboring lots are also narrow causing development of nearby lots to be nearer to lot lines/neighboring homes. It appears impossible for a home to be placed on the property without violating the separation distance requirements. The exceptional practical difficulty was created by the unique conditions of the property and the development of adjacent lots.

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.
- 1-4: The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare thereof. I am seeking this variance to add to the conformity to
PROPOSED CONDITIONS
LOCATION PLAN FOR
19949 CENTER AVENUE
LOT D-75 OF "SEA AIR VILLAGE" PARK
LEWES & REHOBOTH HUNDRED   SUSSEX COUNTY
STATE OF DELAWARE
APRIL 4, 2022   SCALE: 1" = 20'

LEGEND:
△ IRON ROD (FOUND)
○ POINT
← UTILITIES PEG

NOTES:
ALL SETBACKS MUST BE VERIFIED BY THE OWNER,
GENERAL CONTRACTOR AND/OR THE DESIGNER.
PLEASE CONTACT SUSSEX COUNTY (302-855-7878)
AND THE PARK MANAGER.
THIS DRAWING DOES NOT VERIFY THE EXISTENCE
OF NON-EXISTENCE OF WETLANDS, UTILITIES,
RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO
OR LOCATED ON THIS PROPERTY.
NO TITLE SEARCH PROVIDED OR STIPULATED.
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.

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

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

Information Sheet

Installation of this manufactured home must be performed by a Delaware certified installer.

District/Map/Parcel# 334-13.00-310.00-3379
Park Name Sea Air Village
Manufactured Home Installer Colver-Pousson
Delaware License Number 1998209883

1. Footer Inspection:
   To be made prior to placing concrete in footers.
   All reinforcement to be tied in place.

2. Tie Cown Inspection:
   To be made prior to installation of skirting.

A fee of $120.00 is required for up to four (4) inspections.
Any additional inspections will be charged $40.00 per trip.
Certificate of completion/occupancy will not be issued until all fees are paid.

Contact Person: Amie Bennett Phone# 302-827-8118
Signature: Amie Bennett Date 4-19-2022

A 24-hour notice is required for all inspection requests.
Call (302) 858-5500 to schedule all inspections or you may also use the Inspection Request form, found at the bottom of www.sussexcountyde.gov
Installation plans must be on job site and accessible to inspectors.
 Manufactured Home Information Sheet

Subdivision or Manufactured Home Park:
Sea Air Village

District: 334  Map: 13.00  Parcel: 310.00  Lot#: 3379

Physical Address:
19949 Center Ave
Rehoboth Beach, DE 19971

Width: 116  Length: 60
Color: Mist (Beige)  Trim Color: White
Central Air: Y/N  Fireplace: Y/N
Heating Type: Propane  Bedrooms: 3
Baths—Full: 2  Baths—Half: 0
Block Foundation: Y/N  Skirting: Y/N

Base Cost of Manufactured Home: $70,399
Make: Clayton  Year: 2022
Serial Number: TBD

Previous Owner of Manufactured Home:
New

Previous Location of Manufactured Home:
N/A

Manufactured Home on This Lot Previously?: Y/N

If Yes, Where Did It Go?
Demolished
Memorandum

To: Sussex County Board of Adjustment Members
From: Jennifer Norwood, Planning Manager
CC: James Sharp, Assistant County Attorney
Date: June 22, 2022
RE: BOA Case No. 12715 – Sea Breeze LP DBA Sea Air Village – Lot A-14

This memo provides information pertaining to the property based on a review by the Planning and Zoning Department.

The Planning and Zoning Department reviewed the application and as part of the review can provide a history of the lot per the Sussex County Assessment and Planning and Zoning records.

The previous manufactured home on Lot A-14, 19792 Sea Air Avenue, Rehoboth Beach, is a 1966, 12'x50', with an enclosed porch measuring 13'x45', and a 10'x16' shed per the Assessment records.

The manufactured home on Lot A-16, 19796 Sea Air Avenue, Rehoboth Beach, is a 1968, 12'x60' manufactured home, a 10'x48' enclosed porch, an 8'x10' open porch and a 6'x6' shed per the Assessment records.

The manufactured home on Lot A-12, 19788 Sea Air Avenue, Rehoboth Beach, is a 1995, 14'x70' manufactured home placed in 1995, a Certificate of Compliance was issued in 1995. Prior to this unit the Assessment records indicate that there was a 12'x60' manufactured home with a 9'x40' enclosed porch.

The Variances sought by the Applicant are:

- 4.3-ft variance from the required 20-ft separation requirement for the proposed landing to the existing manufactured home on Lot A-16
- 0.3-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing manufactured home on Lot A-16
- 4.2-ft variance from the required 20-ft separation requirement for the proposed landing to the existing manufactured home on Lot A-16
- 0.2-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing manufactured home on Lot A-16
- 4.6-ft variance from the required 20-ft separation requirement for the proposed HVAC to the exiting landing on Lot A-12
- Accessory structures to accessory structure separation requirement is 10-ft, proposed shed will comply
Board of Adjustment Application
Sussex County, Delaware
Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check all applicable)
Variance ✓
Special Use Exception □
Administrative Variance □
Appeal □
Existing Condition □
Proposed □

Code Reference (office use only)
115.25 116-172

Site Address of Variance/Special Use Exception:
19792 Sea Air Avenue, Rehoboth Beach, DE 19971
Lot A14

Variance/Special Use Exception/Appeal Requested:
1) On the East side of proposed home where separation distance between proposed AC & neighboring land is 15.4'. 2) Where proposed shed on NW side of home is 10.2 from neighboring shed. 3) Where proposed landing/stairs #1 on SW side of home is 15.7' from neighboring dwelling and 4) Where proposed landing/stairs #2 on SW side of home is 15.8' from neighboring dwelling. 5) Where proposed dwelling has a separation distance of 19.8' from neighboring dwelling.

Tax Map #: 334-13.00-310.00-3101
Property Zoning: AR-1

Applicant Information
Applicant Name: Sea Air Village- Agent: Aimee Bennett
Applicant Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Applicant Phone #: (302) 227-8118 Applicant e-mail: abennett2@suncommunities.com

Owner Information
Owner Name: Sea Breeze LP DBA Sea Air Village
Owner Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971 Purchase Date:
Owner Phone #: (302) 227-8118 Owner e-mail: abennett2@suncommunities.com

Agent/Attorney Information
Agent/Attorney Name: Aimee Bennett
Agent/Attorney Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Agent/Attorney Phone #: (302) 227-8118 Agent/Attorney e-mail: abennett2@suncommunities.com

Signature of Owner/Agent/Attorney

Date: 4/19/22
Sussex County, DE - BOA Application

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

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

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

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

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.
   See Attached

3. Not created by the applicant:
   That such exceptional practical difficulty has not been created by the appellant.
   See Attached

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.
   See Attached

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

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

Basis for Appeal: (Please provide a written statement regarding reason for appeal)
1. Uniqueness of the 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 the 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.
- 1-5: The uniquely narrow dimensions of this lot create a challenge placing the manufactured home and maintaining minimum separation between homes and accessory structures. This lot was laid out with others in the community in the 1930's and 1940's. The lots sizes are small in comparison with the size of the modern manufactured home. I have selected a standard size floorplan for this home that is comparable to other new homes in the community but I am still unable to place on the lot with the required setbacks. The narrow shape of the lot makes it difficult to place a new manufactured home on the property consistent with others in the neighborhood, while being in compliance with Sussex County Zoning Code.

2. Cannot otherwise be developed:
That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance or Code and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- 1-5: Due to the uniqueness of the property, the property cannot be developed in strict conformity with the Sussex County Zoning Code. I propose to place a normal width sized manufactured home that is consistent with other new homes in the community and a standard size shed that is consistent with other new homes in the community, but am unable to do so without violating the separation distance requirements between neighboring manufactured homes and accessory structures (ie, sheds). The variances are 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.
- 1-5: The exceptional practical difficulty was not created by the applicant. The property is quite narrow which greatly limits the buildable area thereof. The neighboring lots are also narrow causing development of nearby lots to be nearer to lot lines/neighboring homes. It appears impossible for a home to be placed on the property without violating the separation distance requirements. The exceptional practical difficulty was created by the unique conditions of the property and the development of adjacent lots.

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.
- 1-5: The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare thereof. I am seeking this variance to add to the conformity to
the community & to modernize the homes within the community which will subsequently add value and improve the characteristics of the community/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.

- 1-5: The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible of the regulations at issue. The home is the narrowest available and minimizes the need for variance on the property.
PROPOSED CONDITIONS
LOCATION PLAN FOR
19792 SEA AIR AVENUE
LOT A-14 OF "SEA AIR VILLAGE" PARK
LEWES & REHOBOTH HUNDRED    SUSSEX COUNTY
STATE OF DELAWARE
JUNE 1, 2022    SCALE: 1" = 20'

Legend:

▲ IRON ROD (FOUND)
- UTILITY POLE
□ POINT

Notes:
All setbacks must be verified by the owner, general contractor and/or the designer. Please contact Sussex County (800-655-4178) and the Park Manager. This drawing does not verify the existence of non-existence of wetlands, utilities, right-of-ways or easements in reference to or located on this property. No title search provided or stipulated.

Prepared by: FORESIGHT Services
Surveying & Precision Measurement
302 226 2229 phone    302 226 2239 fax
2103 Coastal Highway    Dewey Beach, DE 19971
Manufactured Home Information Sheet

Subdivision or Manufactured Home Park:
Sea Aire Village

District: 334  Map: 13.00  Parcel: 310.00  Lot#: 3101

Physical Address:
19792 Sea Air Ave
Rehoboth Beach, DE 19971

Width: 16  Length: 66
Color: White  Trim Color: White
Central Air: Y/N  Fireplace: Y/N
Heating Type: Propane  Bedrooms: 3
Baths—Full: 2  Baths—Half: 0
Block Foundation: Y/N  Skirting: Y/N

Base Cost of Manufactured Home: $70,184.00
Make: Clayton  Year: 2022
Serial Number: TBD

Previous Owner of Manufactured Home:
New

Previous Location of Manufactured Home:
N/A

Manufactured Home on This Lot Previously?: Y/N
If Yes, Where Did It Go:
Demolished
Manufactured Home Installer

Information Sheet

Installation of this manufactured home must be performed by a Delaware certified installer.

District/Map/Parcel# 234-13.00-310.00-3101
Park Name Sea Air Village
Manufactured Home Installer Callier Person
Delaware License Number 1998009883

1. Footer Inspection:
   To be made prior to placing concrete in footers.
   All reinforcement to be tied in place.

2. Tie down Inspection:
   To be made prior to installation of skirting.

A fee of $120.00 is required for up to four (4) inspections.
Any additional inspections will be charged $40.00 per trip.
Certificate of completion/occupancy will not be issued until all fees are paid.

Contact Person: Aimee Bennett Phone# 302-327-8118
Signature: Aimee Bennett Date 4-19-2022

A 24-hour notice is required for all inspection requests.
Call (302) 858-5500 to schedule all inspections or you may also use the Inspection Request form, found at the bottom of www.sussexcountyde.gov
Installation plans must be on job site and accessible to inspectors.
Memorandum

To: Sussex County Board of Adjustment Members
From: Jennifer Norwood, Planning Manager
CC: James Sharp, Assistant County Attorney
Date: June 22, 2022
RE: BOA Case No. 12716 – Sea Breeze LP DBA Sea Air Village – Lot E-56

This memo provides information pertaining to the property based on a review by the Planning and Zoning Department.

The Planning and Zoning Department reviewed the application and as part of the review can provide a history of the lot per the Sussex County Assessment and Planning and Zoning records.

The previous manufactured home on Lot E-56, 20004 Atlantic Avenue, Rehoboth Beach, is a 1974, 12’x60’ per the Assessment records.

The manufactured home on Lot E-54, 20002 Atlantic Avenue, Rehoboth Beach, is 2012, 14’x60’ manufactured home, which includes a 6’x14’ open porch, a Certificate of Compliance was issued in 2013 per the Assessment records.

The manufactured home on Lot E-58, 20008 Atlantic Avenue, Rehoboth Beach, is a 1984, 14’x68’ manufactured home placed in 1987, a Certificate of Compliance was issued in 1987. Per Assessment records there is also a 10’x22’ enclosed porch, 10’x31’ open porch, and an 8’x10’ shed, Certificates of Compliance have been issued for all structures.

The Variances sought by the Applicant are:

- 9.3-ft variance from the required 20-ft separation requirement for the proposed landing to the existing addition on Lot E-58
- 7.4-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing addition and deck on Lot E-58
- 8.3-ft variance from the required 20-ft separation requirement for the proposed manufactured home to the existing shed on Lot E-54
- Accessory structures to accessory structure separation requirement is 10-ft, proposed shed will comply
- Landings can encroach 4-ft into the 20-ft separation requirement
- HVAC can encroach 3-ft into a setback requirement
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 # 12716
Hearing Date 7-19-22
202206806

Type of Application: (please check all applicable)
- Variance ☑
- Special Use Exception ☐
- Administrative Variance ☐
- Appeal ☐
- Existing Condition ☐
- Proposed ☐
- Code Reference (office use only)

Site Address of Variance/Special Use Exception:
20004 Atlantic Avenue, Rehoboth Beach, DE 19971

Variance/Special Use Exception/Appeal Requested:
1) On the East side of proposed dwelling has a separation distance of 11.7', 2) Where proposed shed is 17.2' from neighboring shed. On West side of proposed home where 3) proposed home is 12.6' from neighboring addition, 4) proposed landing/stairs #1 is 10.7' from neighboring addition, and 5) proposed landing/stairs #2 is 18.7' from neighboring AC.

Tax Map #: 334-13.00-310.00-3058

Property Zoning:

Applicant Information

Applicant Name: Sea Air Village- Agent: Aimee Bennett
Applicant Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Applicant Phone #: (302) 227-8118 Applicant e-mail: abennett2@suncommunities.com

Owner Information

Owner Name: Sea Breeze LP DBA Sea Air Village
Owner Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971 Purchase Date:
Owner Phone #: (302) 227-8118 Owner e-mail: abennett2@suncommunities.com

Agent/Attorney Information

Agent/Attorney Name: Aimee Bennett
Agent/Attorney Address: 19837 Sea Air Ave
City Rehoboth Beach State DE Zip: 19971
Agent/Attorney Phone #: (302) 227-8118 Agent/Attorney e-mail: abennett2@suncommunities.com

Signature of Owner/Agent/Attorney

Date: 5/10/22
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.

   See Attached

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.

   See Attached

3. Not created by the applicant:
   That such exceptional practical difficulty has not been created by the appellant.

   See Attached

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.

   See Attached

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

   See Attached
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.
   n/a

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)
   n/a

Basis for Appeal: (Please provide a written statement regarding reason for appeal)
1. Uniqueness of the 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 the 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.
• 1-5: The uniquely narrow dimensions of this lot create a challenge placing the manufactured
home and maintaining minimum separation between homes and accessory structures. This lot
was laid out with others in the community in the 1930's and 1940's. The lots sizes are small in
comparison with the size of the modern manufactured home. I have selected a standard size
floorplan for this home that is comparable to other new homes in the community but I am still
unable to place on the lot with the required setbacks. The narrow shape of the lot makes it
difficult to place a new manufactured home on the property consistent with others in the
neighborhood, while being in compliance with Sussex County Zoning Code.

2. Cannot otherwise be developed:
That because of such physical circumstances or conditions, there is no possibility that the
property can be developed in strict conformity with the provisions of the Zoning Ordinance or
Code and that the authorization of a variance is therefore necessary to enable the reasonable
use of the property.
• 1-5: Due to the uniqueness of the property, the property cannot be developed in strict
conformity with the Sussex County Zoning Code. I propose to place a normal width sized
manufactured home that is consistent with other new homes in the community and a standard
size shed that is consistent with other new homes in the community, but am unable to do so
without violating the separation distance requirements between neighboring manufactured
homes and accessory structures (ie, sheds). The variances are 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 applicant.
• 1-5: The exceptional practical difficulty was not created by the applicant. The property is quite
narrow which greatly limits the buildable area thereof. The neighboring lots are also narrow
causing development of nearby lots to be nearer to lot lines/neighbor homes. It appears
impossible for a home to be placed on the property without violating the separation distance
requirements. The exceptional practical difficulty was created by the unique conditions of the
property and the development of adjacent lots.

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.
• 1-5: The variances will not alter the essential character of the neighborhood nor substantially or
permanently impair the appropriate use or development of adjacent property, nor be
detrimental to the public welfare thereof. I am seeking this variance to add to the conformity to
the community & to modernize the homes within the community which will subsequently add value and improve the characteristics of the community/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.
   • 1-5: The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible to bring a home into the community that is consistent with other newer homes in the neighborhood.
PROPOSED CONDITIONS
LOCATION PLAN FOR
20004 ATLANTIC AVENUE
LOT E-56 OF "SEA AIR" SUBDIVISION
LEWES & REHOBOTH HUNDRED    SUSSEX COUNTY
STATE OF DELAWARE
APRIL 28, 2022    SCALE: 1" = 20'

NOTES:
ALL SETBACKS MUST BE VERIFIED BY THE OWNER,
GENERAL CONTRACTOR AND/OR THE DESIGNER.
PLEASE CONTACT SUSSEX COUNTY (302-655-7978)
AND THE PARK MANAGER.
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.

Prepared by:
Foresight Services
Surveying & Precision Measurement

302 226 2229 phone    302 226 2239 fax   2103A Coastal Highway   Dewey Beach, DE 19971
PROPOSED CONDITIONS
LOCATION PLAN FOR
20004 ATLANTIC AVENUE
LOT E-56 OF "SEA AIR" SUBDIVISION
LEWES & REHOBOTH HUNDRED  SUSSEX COUNTY
STATE OF DELAWARE
APRIL 28, 2022  SCALE: 1" = 20'

LEGEND:
▲ IRON ROD (FOUND)
■¬UTILITY POLE
⊙ POINT

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