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Sussex County

DELAWARE
sussexcountyde.gov

PLEASE NOTE

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



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

BOARD OF ADJUSTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov

(302) 855-7878

AGENDA

August 1, 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 June 6, 2022

Approval of Finding of Facts for June 6, 2022

Public Hearings

Case No. 12723– Reuben and Brenda Wilkinson seek variances from the front yard and side yard setback requirements for proposed structures (Sections 115-34, 115-182, and 115-183 of the Sussex County Zoning Code). The property is located on the east side of Bay Run within the Keen-Wik Sound subdivision. 911 Address: 37038 Bay Run, Selbyville. Zoning District: MR-RPC. Tax Parcel: 533-19.00-346.00

Case No. 12724– Glenn, Brandon and Jamie Fleming seek a special use exception to operate a commercial dog kennel on a property of less than 5 acres and variances from the 200 ft. required distance from any lot line (Sections 115-20, 115-23 and 115-210 of the Sussex County Zoning Code). The property is located on Woodpecker Road approximately 479 feet from Old Carriage Road. 911 Address: N/A. Zoning District: AR-1. Tax Parcel: 531-14.00-31.00

Case No. 12725– Terry Gray seeks a variance from the side yard setback requirement for a proposed garage (Sections 115-25 and 115-183 of the Sussex County Zoning Code). The property is located on the east side of Fisherman Drive within the Coolspring Manor subdivision. 911 Address: 28331 Boater Place, Milton. Zoning District: AR-1. Tax Parcel: 334-10.00-228.00



Case No. 12726– Judith Belk seeks variances from the lot width and depth requirements, minimum lot size requirement, side yard setback requirements, rear yard setback requirements, and front yard setback requirements for proposed lots and structures (Sections 115-25, 115-182, and 115-183 of the Sussex County Zoning Code). The property is located on the northwest side of Seagrass Court within the Seagrass Plantation subdivision. 911 Address: 29742 Seagrass Court, Dagsboro. Zoning District AR-1. Tax Parcel: 134-7.00-106.00

Case No. 12727– John Sulecki seeks a variance from the front yard setback and maximum height requirements for a proposed pool, deck, and fence (Sections 115-34 and 115-183 of the Sussex County Zoning Code). The property is located on the northeast side of Old Mill Court within the Mill Run Acres Subdivision. 911 Address: 36838 Old Mill Court, Ocean View. Zoning District: MR. Tax Parcel: 134-12.00-1853.00

Additional Business



-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on July 25, 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 28, 2022.

####



Case # **12723**
Hearing Date 8/1

2022 07335

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

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

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)
115-25 115-182
115-183

Site Address of Variance/Special Use Exception:

37038 Bay Run, Selbyville, DE 19975

Variance/Special Use Exception/Appeal Requested:

Request the approval for a variance for the following reasons: (1) the addition of an enclosed entryway. This structure will encroach 2-3 feet into the set-back area on the side of our house; (2) the addition of a two-car garage in the front of the property. This structure will encroach between 2-18 feet.

Tax Map #: 533-19.00-346.00

Property Zoning: AR-1

Applicant Information

Applicant Name: Reuben and Brenda Wilkinson
Applicant Address: 8005 Cameryn Place, Apt 207
City Pasadena State MD Zip: 21122
Applicant Phone #: (410) 491-0067 Applicant e-mail: rbwilkinson0@gmail.com

Owner Information

Owner Name: Reuben and Brenda Wilkinson
Owner Address: 8005 Cameryn Place, Apt 207
City Pasadena State MD Zip: 21122 Purchase Date: 7/15/21
Owner Phone #: (410) 491-0067 Owner e-mail: rbwilkinson0@gmail.com

Agent/Attorney Information

Agent/Attorney Name: Not Applicable
Agent/Attorney Address: _____
City _____ State _____ Zip: _____
Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

[Signature] Brenda S Wilkinson
Date: 5/17/22



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.

Answered on separate page.

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.

Answered on separate page.

3. Not created by the applicant:

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

Answered on separate page.

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.

Answered on separate page.

5. Minimum variance:

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

Answered on separate page.

1) Uniqueness of property:

The property's footprint is in the shape of a parallelogram, due to backing up to the canal and because of the placement of the road in front of our house. Due to the geometric layout of the property, the placement of the garage encroaches into the front of the house's set-back area. Additionally, southside set-back line is not perpendicular to the house, which necessitates a small encroachment into the set-back area next to our neighbor for the entryway.

2) Cannot otherwise be developed:

With placement of the original structure, coupled with the dimensions of the property and the aforementioned geometric shape, any attempt to build a garage on the property will encroach into the set-back area. Since the south set-back area is not parallel with our house, and with the living area located from the middle to the rear of our house, the entryway will have a small encroachment into our side set-back area.

3) Not created by the applicant:

The variances proposed do not create any unusual shape or size within the footprint of the property. If the original layout of the property's lot conformed to a typical square or rectangle shape, the need for the variances would not exist.

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

The variances requested will not alter the essential characteristic of the neighborhood. On Bay Run, our house is the only house without a garage. Within Keenwick Sound, most homes have garages similar to our design. The addition of a small entryway on the side of a house is found on multiple properties within the community. Keenwick Sound is a mixture of homes, from ranchers to cottages, from cape cod to craftsman, and to the typical pillared multi-story beach homes, the houses in the neighborhood vary greatly from one house to another.

5) Minimum variance:

The design for the entryway is kept to a minimal width (four and a half feet) and depth (nine feet) to support a closet for coats, the ability to open the front door, and a small landing to allow for entrance into the living area. The width of the garage is comparable to the width of the two-car garage of the neighbors within the cul-de-sac and the depth is actually shallower than the surrounded homes. The dimensions of the garage is slightly smaller than the recommended minimal size to accommodate two vehicles – recommended size is 24' x 24', whereas our proposed garage size is 24' x 22'.

Reuben and Brenda Wilkinson
 37038 Bay Run, Selbyville
 Lot #42, Parcel is 533-19.00-346.00

Search results Clear Selected

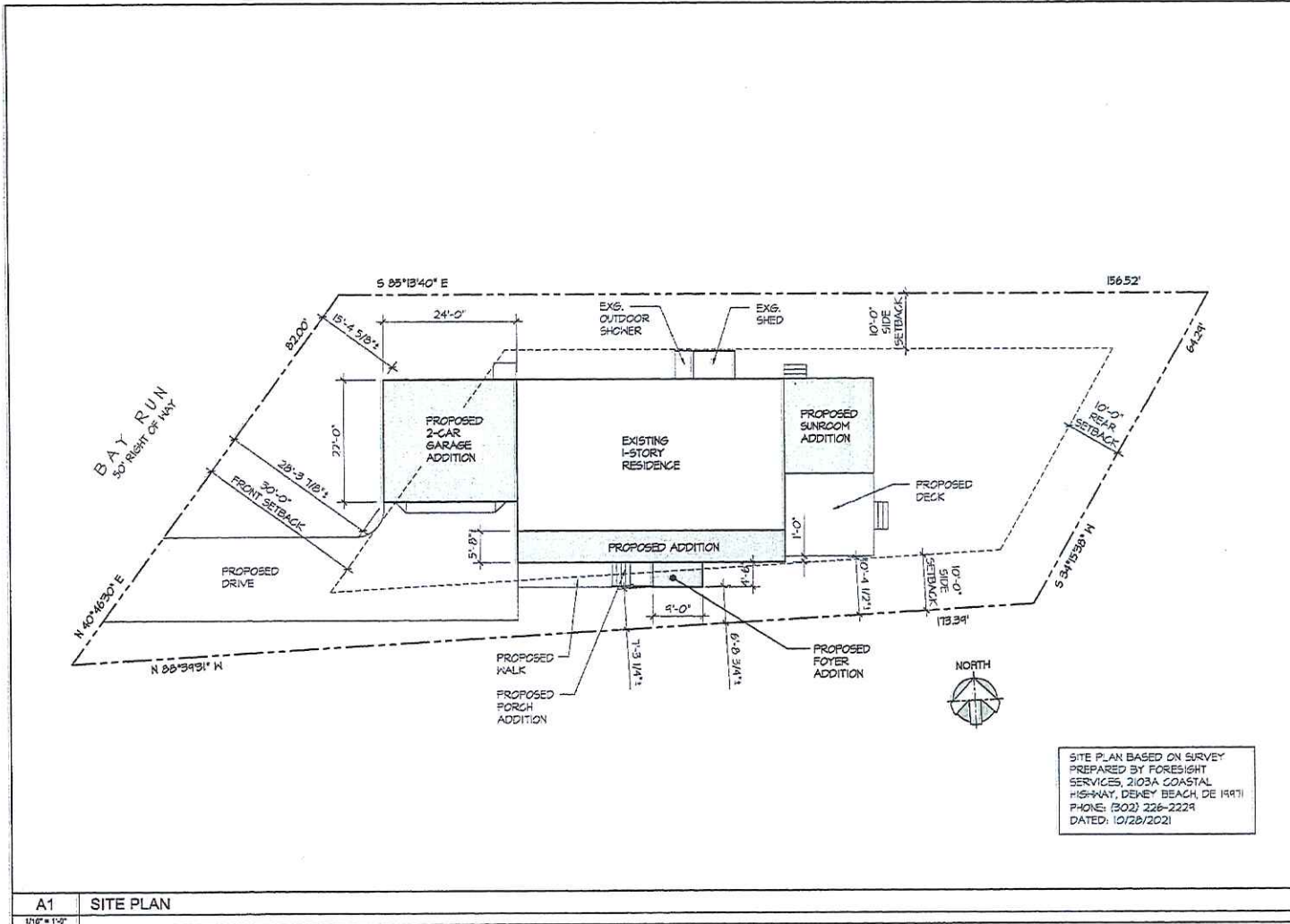
Selected Features: Parcels (1)

▼ 1) 533-19.00-346.00 Zoom

Book	5295
Page	295
Owner Name	WILKINSON REUBEN E
Second Owner Name	BRENDA G WILKINSON
Mailing Address	8005 CAMERYN PLAPT 207
City	PASADENA
State	MD
Sewer Account	04-08-346
Description	KEENWICK SOUND
Description 2	LOT 42
Description 3	PHASE I
Land Code	999
Town Code	00
CAP	0
BLDG Improvement	27400
LND Improvement	15000
PIN with Unit	533-19.00-346.00
PIN	533-19.00-346.00
Zipcode	21122
Frontage	82

Selected Features (1)





SITE PLAN BASED ON SURVEY
 PREPARED BY FORESIGHT
 SERVICES, 2103A COASTAL
 HIGHWAY, DEWEY BEACH, DE 19971
 PHONE: (302) 226-2224
 DATED: 10/28/2021

A1 SITE PLAN
 1/8" = 1'-0"

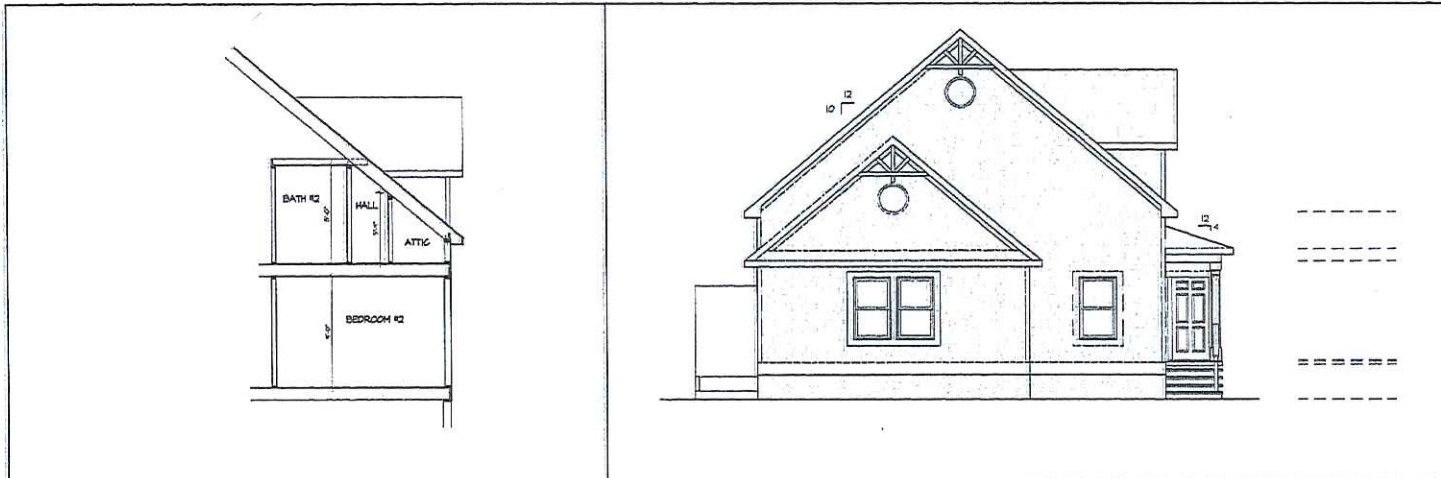
Moonlight Architecture, Inc.
 Architecture • Interior Design
 302 Parking
 75 2ND 648-3831
 1024 10 277-4747
 www.moonlightinc.com

All designs, concepts, ideas and arrangements depicted on these drawings are the property of Moonlight Architecture, Inc. and are intended to be used in connection with this specific project only and shall not be used in whole or in part for any other purpose whatsoever without the written consent of Moonlight Architecture, Inc. No changes or deviations shall be allowed without the written consent of Moonlight Architecture, Inc.

CONSTRUCTION DOCUMENTS FOR THE
 WILKINSON RESIDENCE
 RENOVATION & ADDITION
 3702B BAY RUN
 SELBYVILLE,
 SUSSEX COUNTY,
 DELAWARE

SCALE:
 1/8" = 1'-0"
 DRAWING DATE:
 04/21/2022
 PROJECT NAME:
 SCHEMATIC SITE
 PLAN

PROJECT NUMBER:
 21193
 SHEET #:
 SD-00



A2 PARTIAL BUILDING SECTION THRU LOFT
1/8" = 1'-0"

B2 FRONT ELEVATION
1/8" = 1'-0"



A1 RIGHT SIDE ELEVATION
1/8" = 1'-0"

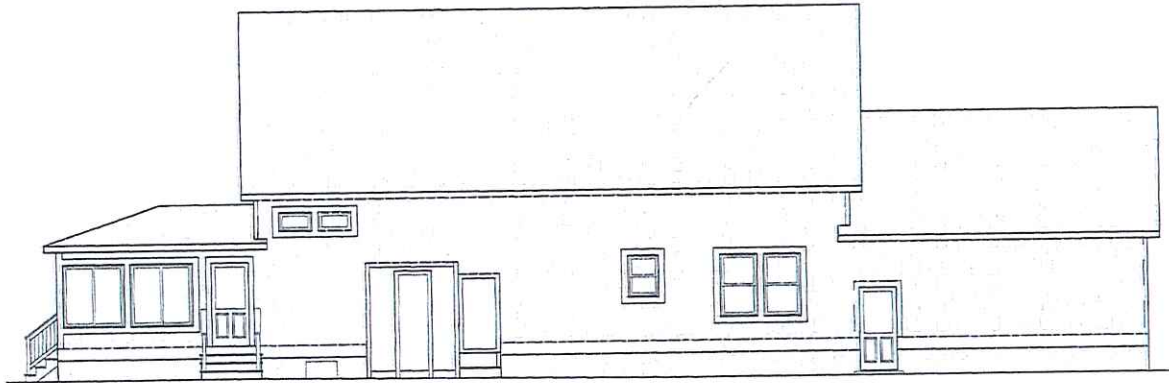

Moonlight
Architecture, Inc.
 Architecture & Interior Design
 Site Planning
 2E 100N 645-2261
 1221412 677-1247
 www.moonlight.com
 All designs, concepts, ideas and arrangements depicted on these drawings are the property of Moonlight Architecture, Inc. and are intended to be used in connection with this specific project only and shall not be used in whole or in part for any other purpose whatsoever without the written consent of Moonlight Architecture, Inc. No changes or deviations shall be allowed without the written consent of Moonlight Architecture, Inc. CONSTRUCTION DOCUMENTS FOR THE: WILKINSON RESIDENCE RENOVATION & ADDITION 37038 BAY RUN SELBYVILLE, SUSSEX COUNTY, DELAWARE

SCALE:
 1/8" = 1'-0"
 DATE:
 04/21/2022
 SHEET TITLE:
 SCHEMATIC
 EXTERIOR
 ELEVATIONS
 DRAWING NUMBER:
 PROJECT NUMBER:
 21193
 SHEET:
 SD-02



A1 REAR ELEVATION

1/8" = 1'-0"



A1 LEFT SIDE ELEVATION

1/8" = 1'-0"



Moonlight
Architecture, Inc.

Architectural & Interior Design
3-D Modeling
202 (302) 645-9301
100 (410) 677-4747
www.moonlight-arch.com

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CONTRACT DOCUMENTS FOR THE
WILKINSON RESIDENCE
RENOVATION & ADDITION
3708 BAY RUN
SELBYVILLE,
SUSSEX COUNTY,
DELAWARE

SCALE
1/8" = 1'-0"
DRAWING DATE:
04/21/2022
DESIGNER:
SCHEMATIC
EXTERIOR
ELEVATION

PROJECT NUMBER:
21193

SHEET #:
SD-03

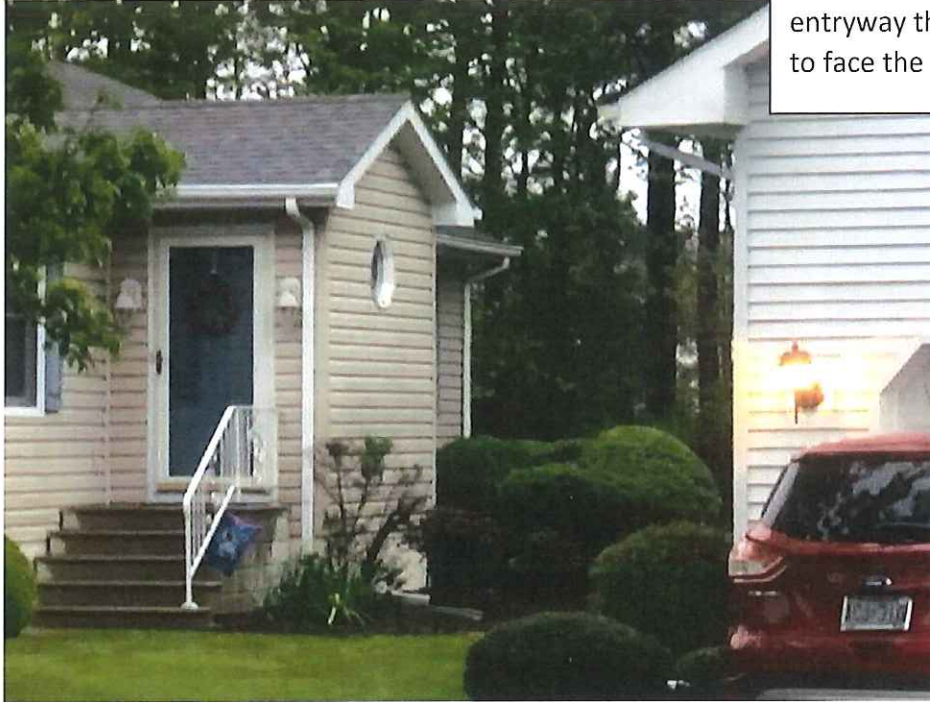


Our home at 37038 Bay Run
Picture above is where the proposed entryway is planned.
Below picture capture's location for the proposed garage.



Our neighbors on the cul-de-sac (Bay Run).
All have two car garages





A community neighbor, who has a small entryway that allows for the front door to face the street.



Another example of a community neighbor who has a small foyer/entrance way and front door that faces the street.





A third example





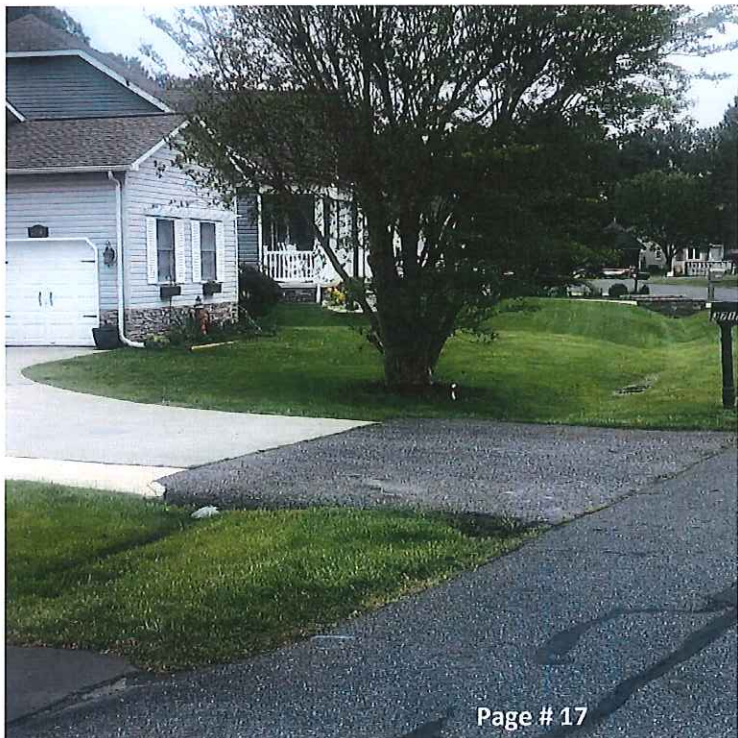
Keenwick Sound - Homes in all shapes and sizes - some examples.



Examples of homes/garages within the community that have parts of their property close to the street



And a few more examples



Sussex County Planning and Zoning Department
2 The Circle (P.O. Box 417)
Georgetown, Delaware 19947

To Whom it may concern

My home is adjacent to the home of Mr. and Mrs. Reuben Wilkinson. The Wilkinsons have share with me their desire to renovate their home prior to moving to Delaware fulltime. The Wilkinsons showed me their architectural drawings and pointed out the two instances where their proposed home renovations will encroach on the set-back area and which will necessitate a variance from the county.

My home is to the south of the Wilkinsons, Lot #41. Reuben and Brenda explained to me their hope of having a garage and an enclosed foyer for use when entering their home. Both variance requests seem very reasonable and most importantly, does not adversely affect my home and property.

I fully support the Wilkinsons plans and hope the County approves their variance applications.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carol Rykiel". The signature is written in dark ink and is positioned above the typed name and address.

Mrs. Carol Rykiel
37034 Bay Run
Keenwick Sound
Selbyville, Delaware 19975

Sussex County Planning and Zoning Department
2 The Circle (P.O. Box 417)
Georgetown, Delaware 19947

9 May 2022

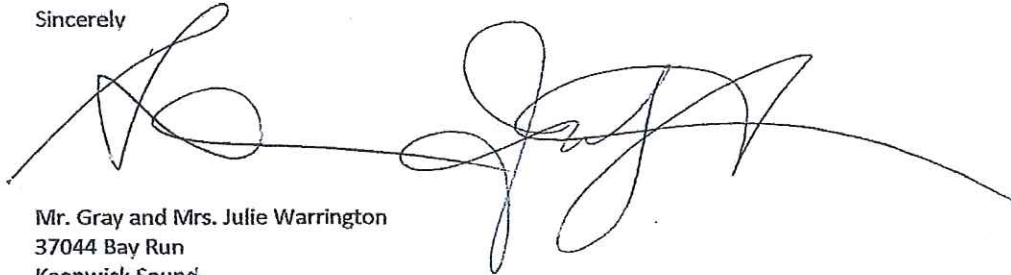
To Whom it may concern

Our home is adjacent to the home of Mr. and Mrs. Reuben Wilkinson. The Wilkinsons have share with us their desire to renovate their home prior to moving to Delaware fulltime. The Wilkinsons showed us their architectural drawings and pointed out the two instances where their proposed home renovations will encroach on the set-back area and which will necessitate a variance from the county.

Our home is to the north of the Wilkinsons, Lot #43. Reuben and Brenda explained to us their hope of having a garage and an enclosed foyer for use when entering their home. Both variance requests seem very reasonable and most importantly, does not adversely affect our home and property.

We fully support the Wilkinsons plans and hope the County approves their variance applications.

Sincerely

A handwritten signature in black ink, consisting of two distinct parts. The first part is a stylized, cursive signature that appears to be 'Gray'. The second part is a more complex, cursive signature that appears to be 'Julie Warrington'. The two signatures are connected by a horizontal line.

Mr. Gray and Mrs. Julie Warrington
37044 Bay Run
Keenwick Sound
Selbyville, Delaware 19975

Sussex County Planning and Zoning Department
2 The Circle (P.O. Box 417)
Georgetown, Delaware 19947

9 May 2022

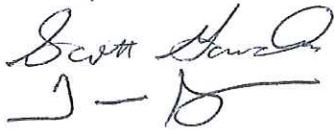
To Whom it may concern

Our home is across from the home of Mr. and Mrs. Reuben Wilkinson. The Wilkinsons have share with us their desire to renovate their home prior to moving to Delaware fulltime. The Wilkinsons showed us their architectural drawings and pointed out the two instances where their proposed home renovations will encroach on the set-back area and which will necessitate a variance from the county.

Our home is to the west of the Wilkinsons, Lot #44. Reuben and Brenda explained to us their hope of having a garage and an enclosed foyer for use when entering their home. Both variance requests seem very reasonable and most importantly, does not adversely affect our home and property.

We fully support the Wilkinsons plans and hope the County approves their variance applications.

Sincerely

A handwritten signature in cursive script, appearing to read "Scott Gardner", with a horizontal line underneath.

Mr. Scott and Mrs. Tammy Gardner
37027 Bay Run
Keenwick Sound
Selbyville, Delaware 19975

17 May 2022

Reuben and Brenda Wilkinson
37038 Bay Run, Selbyville, DE, 19975
Lot #42, Parcel is 533-19.00-346.00

A variance application package for our property at 37038 Bay Run.

Page 1 – Board of Adjustment Application

Page 2 – Criteria for a Variance

Page 3 – Check List for Applications

Page 4 – Responses to Criteria Questions

Page 5 – Parcel diagram of the property

– Overview picture of property

Page 6 – Property Survey, performed by Foresight Services

Page 7 – Proposed Site Plan for 37038 Bay Run, drafted by Moonlight Architecture, Inc.

Page 8 – Draft of Proposed Front (street) and Right (south view) Side Elevation for 37038 Bay Run

Page 9 – Draft of Proposed Rear (canal) and Left (north view) Side Elevation for 37038 Bay Run

Pages 10-17 Picture Collage

- Pictures (front and side) of our home, 37038 Bay Run
- Pictures of neighbor homes that sit on the cul-de-sac
- Examples of neighbor homes with side entryways (pages 12-14)
- Pictures of various home styles within Keenwick Sound
- Pictures of homes and garages that are situated near streets within Keenwick Sound (pages 16-17)

Pages 18-20 Letters of Support from Neighbors

- Mrs. Carol Rykiel, 37034 Bay Run
- Mr. Gray and Mrs. Julie Warrington, 37044 Bay Run
- Mr. Scott and Mrs. Tammy Gardner, 37027 Bay Run



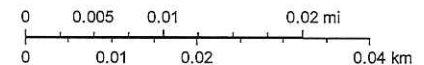
Sussex County



PIN:	533-19.00-346.00
Owner Name	WILKINSON REUBEN E
Book	5295
Mailing Address	8005 CAMERYN PL APT 207
City	PASADENA
State	MD
Description	KEENWICK SOUND
Description 2	LOT 42
Description 3	PHASE I
Land Code	

- polygonLayer
 - Override 1
- polygonLayer
 - Override 1
- Tax Parcels
 - 911 Address
 - Streets
 - County Boundaries
- Tax Ditch Segments
 - Tax Ditch Channel
 - DelDOT Maintained
 - HOA Maintained
 - Pipe - DelDOT
 - Pipe - Tax Ditch
 - Pipe - Private
 - Pond Feature
 - Special Access ROW
 - Well Head Protection Areas
 - 2007 Head of Tide Wetlands (not regulatory)
 - Municipal Boundaries
 - Conditional Use

1:564



Case # 12724
Hearing Date 8-1-22 relative

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

202205548

Type of Application: (please check all applicable)

Variance

Special Use Exception

Administrative Variance

Appeal

Existing Condition

Proposed

Code Reference (office use only)

115-23 115-210
115-20

Site Address of Variance/Special Use Exception:

4217 Woodpecker Road

Variance/Special Use Exception/Appeal Requested:

Dog Kennel

Tax Map #: 531-14.00-31.00

Property Zoning: AR-1

Applicant Information

Applicant Name: Jamie L. Fleming

Applicant Address: 4217 Woodpecker Road

City Seaford State DE Zip: 19973

Applicant Phone #: 410.295.3632 Applicant e-mail: Jayme0831@gmail.com

Owner Information

Owner Name: Jamie L. Fleming

Owner Address: 4217 Woodpecker Road

City Seaford State DE Zip: 19973 Purchase Date: 2007

Owner Phone #: 410.295.3632 Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

Jamie L. Fleming

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.

2. Cannot otherwise be developed:

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

3. Not created by the applicant:

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

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

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

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.

Criteria for Variance

Answers to questions 1: Uniqueness of property.

Enclosed is a map of the property which is in an odd shape. Part of the property is on Old Carriage Road The other part is with Woodpecker Road in Seaford Delaware. There is a 2 acre lot that connects to Old Carriage and a little more then 2.5 acre lots that are on Woodpecker. The corner lot is not owned by my family. The kennel would be place on partial lot of the 2 acres in the back and the other half is on the property to the west. Along with part on the right away.

Answer to question 2: Cannot other wise be devoped:

With out a vaious of the 200 feet requirement the kennel would not be able to be built. The footage from the back lot is 200 feet and the footage of the west lot is 200 feet. Due to already having building on the lot, unable to do 200 feet from the not owned property to the west of our lots. The total acres is not the full 5 acres either.

We did at one time owner the corner lot to the east.

Answer to question 3: Not created by the applicant:

The property has been in the family for many years paced down and no intension of leaving the family. The placement of the kennel would be placed in the best way we have found for the most distance from naihborers for noice. Our neighbors on the east are fine with the any noise and supportive. The neighbors to the east and also ok with any noise and supportive too. The neighbors to the north we are trying to place the furthest from the dwelling as possible. Enclosed is the map of the distance of this.

Answer to question 4: Will not alter the essential Character of the neighborhood.

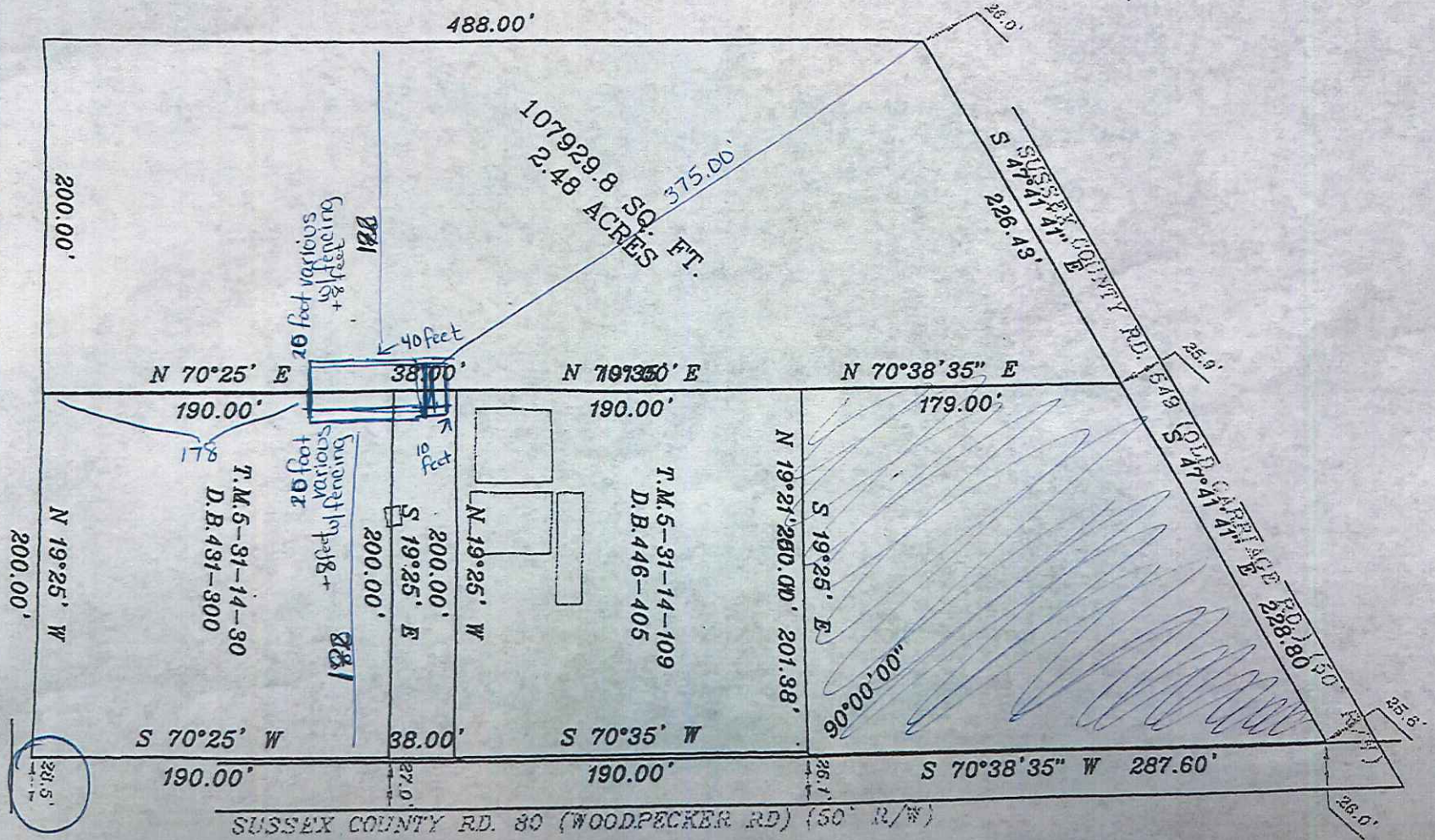
The kennel on the outside would like a usual shed or pole building that would match most of the out building in the neighborhood.

Living in a roral area with farm land. The outside of the kennel would have fencing blocking the view of the outside kennels to not only look more like a normal fence in a yard but to cut down on sound.

Answer to question 5: Minimum Variance:

This breed is not a large breed which does not need a lot of room for the kennels. The inside of the building needs to be at least 20 feet wide to allow plenty of room for inside kenneling from weather. The out side runs which would be off the building we would like at least 8 - 10 feet runs to allow plenty of room to excercise. Along the kennels there will be a fence for noice placed about 3 feet from kennels for protection from unwanted creatures, containment from harm and noice. Behind kennel there is woods lining the property from the north, west and south. There is a pole building to the east of the kennel location. The various allow the placement of the kennel the furthist from dwellings of neighbors and allows most amount of distance from them.

neighbor



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

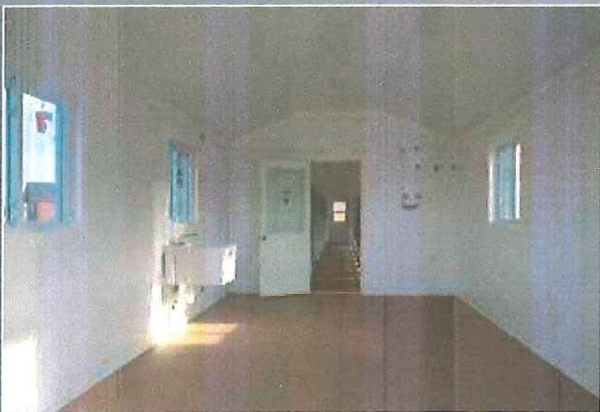
You shall demonstrate to the Board of Adjustment that the property meets all of the following criteria for a Special Use Exception to be granted.

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

Waste will be disposed of in proper container & disposed of
No parking near neighbors home. Dogs kenneled at night to
reduce sound
Dog Kennel / Breeding Kennel License large fence will be placed
in direction of neighbors to
also reduce sound

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)





DEWORMING GUIDELINE				
Mom Day 50	2 Weeks	4 weeks	6 weeks	8 weeks
Safeguard 5 days	Pyrantel	Pyrantel	Safeguard 5 days	Safeguard 3 days

GIARDIA IS GOOD AT RE-INFECTING YOUR PUPPY

- Decreasing exposure is key to keeping puppy clean.
 - Exercise yard - puppy needs their own gravel area.

BATHE IF YOU SEE AN ISSUE

- Moms on the way into the whelping box
 - If puppies don't get it, you don't have to get rid of it.
- Disinfecting whelp box for giardia
 - Chlorhexidine gets it.

MOM BEFORE BIRTH

- Clean her up before puppies are exposed
 - Clip feathers and fur around mammary glands
 - Spray to remove oocyst (eggs)
- Weaned manage the gut.
 - Probiotics here does help - nowhere for bad things to live is the goal.
 - Safeguard 5 to 6 days.
 - 7.5 weeks Safeguard 3 days
- Next home doesn't want to see giardia on fecal at all.

VACCINE GUIDELINE				
5weeks	7 Weeks	9 weeks	12 weeks	16 weeks
Parvo	5 way or DPV	DAP	DAP	Parvo

START EARLY - KEEP IT SIMPLE!

- Insurance against the disease.
- Before they see wild virus.
- Puppies need two parvo and one distemper plus kennel cough.
 - Finish one week before leaving.
 - Start straight parvo (your choice)
- Booster with another vaccine strain parvo with distemper.
- Tiny dog breeders use Nobivac DPV booster.

PARVO - AGAIN, AGAIN, AND AGAIN!

#1 Viral killer of puppies

- Must control exposure.
- Casual Transfer
- Must get immunity up quick
 - Understand how and why
- Start early - keep it simple!

KENNEL BREAKS WITH PARVO AT 6 TO 7 WEEKS.

(we get calls at 2 weeks - "it is still an issue!")

- Vaccine must be in one week earlier to prevent.
- Common to break just after shipping
 - Exposure from shipping and stress.
- Get puppy ready to see the wild virus.

#2 VIRUS IS DISTEMPER

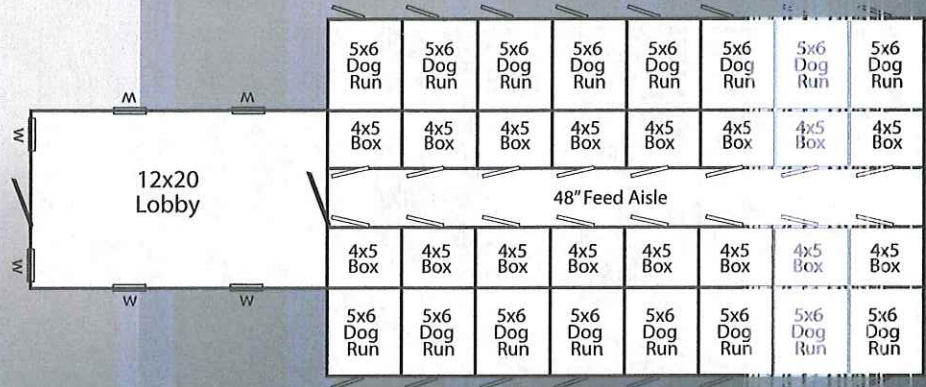
24'x60' Kennel

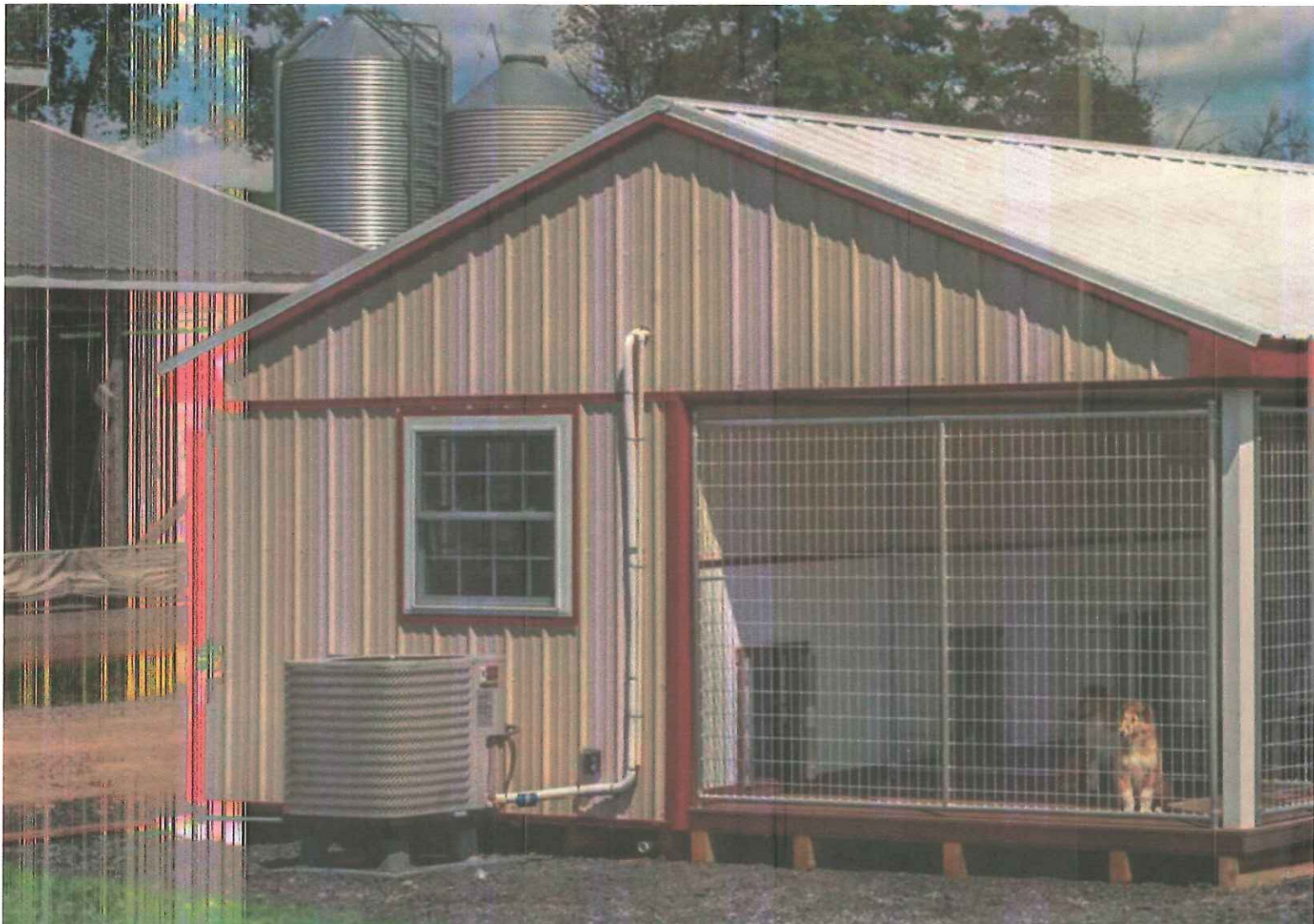
16 Run
w/12'x20' Lobby

- Avocado Paint
- Buckskin Trim
- Bronze Metal Roof
- Standard Trim Package



- Shown with optional:
- Metal Roof
 - Welded Wire Panels
 - Drains
 - 4' Solid Kennel Dividers
 - 36"x36" Slider Windows
 - Guillotine Dog Doors
 - Stainless Steel Channel Drains
 - Stainless Steel Water Bowls
 - Sink
 - Hose Port
 - Vent Lite Pre-Hung Man Doors
 - Electrical Package





20x60 kennel comes pre-fabricated in two 10' wide sections. Finished on site.

Amy Hollis

From: Ann Lepore
Sent: Wednesday, May 18, 2022 9:39 AM
To: Amy Hollis
Subject: FW: #202205548

From: Jamie Fleming <jayme0831@gmail.com>
Sent: Wednesday, May 18, 2022 9:37 AM
To: Ann Lepore <ann.lepore@sussexcountye.gov>
Subject: #202205548

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Page 2 of the Variance

Criteria for Variance

Answers to questions 1: Uniqueness of property.

Enclosed is a map of the property which is in an odd shape. Part of the property is on Old Carriage Road The other part is with Woodpecker Road in Seaford Delaware. There is a 2 acre lot that connects to Old Carriage and a little more then 2.5 acre lots that are on Woodpecker. The corner lot is not owned by my family. The kennel would be place on partial lot of the 2 acres in the back and the other half is on the property to the west. Along with part on the right away.

Answer to question 2: Cannot other wise be devoped:

With out a vaious of the 200 feet requirement the kennel would not be able to be built. The footage from the back lot is 200 feet and the footage of the west lot is 200 feet. Due to already having building on the lot, unable to do 200 feet from the not owned property to the west of our lots. The total acres is not the full 5 acres either. We did at one time owner the corner lot to the east.

Answer to question 3: Not created by the applicant:

The property has been in the family for many years paced down and no intension of leaving the family. The placement of the kennel would be placed in the best way we have found for the most distance from naighbors for noice. Our neighbors

on the east are fine with the any noise and supportive. The neighbors to the east and also ok with any noise and supportive too. The neighbors to the north we are trying to place the furthest from the dwelling as possible. Enclosed is the map of the distance of this.

Answer to question 4: Will not alter the essential Character of the neighborhood.

The kennel on the outside would like a usual shed or pole building that would match most of the out building in the neighborhood.

Living in a rural area with farm land. The outside of the kennel would have fencing blocking the view of the outside kennels

to not only look more like a normal fence in a yard but to cut down on sound.

Answer to question 5: Minimum Variance:

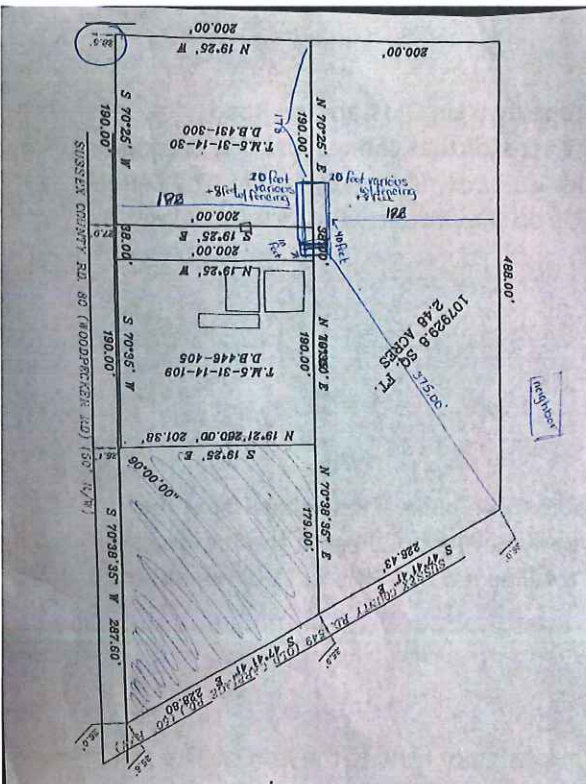
This breed is not a large breed which does not need a lot of room for the kennels. The inside of the building needs to be at least 20 feet wide to allow plenty of room for inside kenneling from weather. The out side runs which would be off the building we

would like at least 8 - 10 feet runs to allow plenty of room to exercise. Along the kennels there will be a fence for noise placed about 3 feet

from kennels for protection from unwanted creatures, containment from harm and noise. Behind kennel there is woods lining the

property from the north, west and south. There is a pole building to the east of the kennel location. The various allow the placement of the

kennel the furthist from dwellings of neighbors and allows most amount of distance from them.



Thank you for all your time and help with all of this.

If you have any questions please contact me 6102953632

Jamie Fleming



488.00'

107929.8 SQ. FT.
2.48 ACRES

50 foot x 4 foot on each side
80 foot about
double x 50 foot



Kennel
38.00'

T.M.5-31-14-109
D.B.446-405

N 19°25' W

200.00'
S 19°25' E

200.00'

T.M.5-31-14-30
D.B.431-300

N 19°25' W

200.00'

S 47°41'41" E
226.43'

25.2'

SUSSEX COUNTY RD. 1549

OLD CARRIAGE RD. 1549

S 47°41'41" E
228.80'

25.5'

25.0'

S 70°38'35" W
287.60'

S 19°25' E

N 19°21' 260.00' 201.38'

00.00.06

25.1'

N 70°38'35" E
179.00'

190.00'

N 70°35' E
190.00'

N 70°25' E
190.00'

S 70°35' W
190.00'

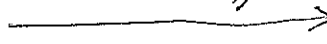
S 70°35' W
38.00'

S 70°25' W
190.00'

SUSSEX COUNTY RD. 80 (WOODPECKER RD) (50' R/W)

22.5'

200.00'



Amy Hollis

From: henryloretta10@gmail.com
Sent: Monday, July 25, 2022 11:39 AM
To: Planning and Zoning
Subject: Case 12724

Opposition
Exhibit

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

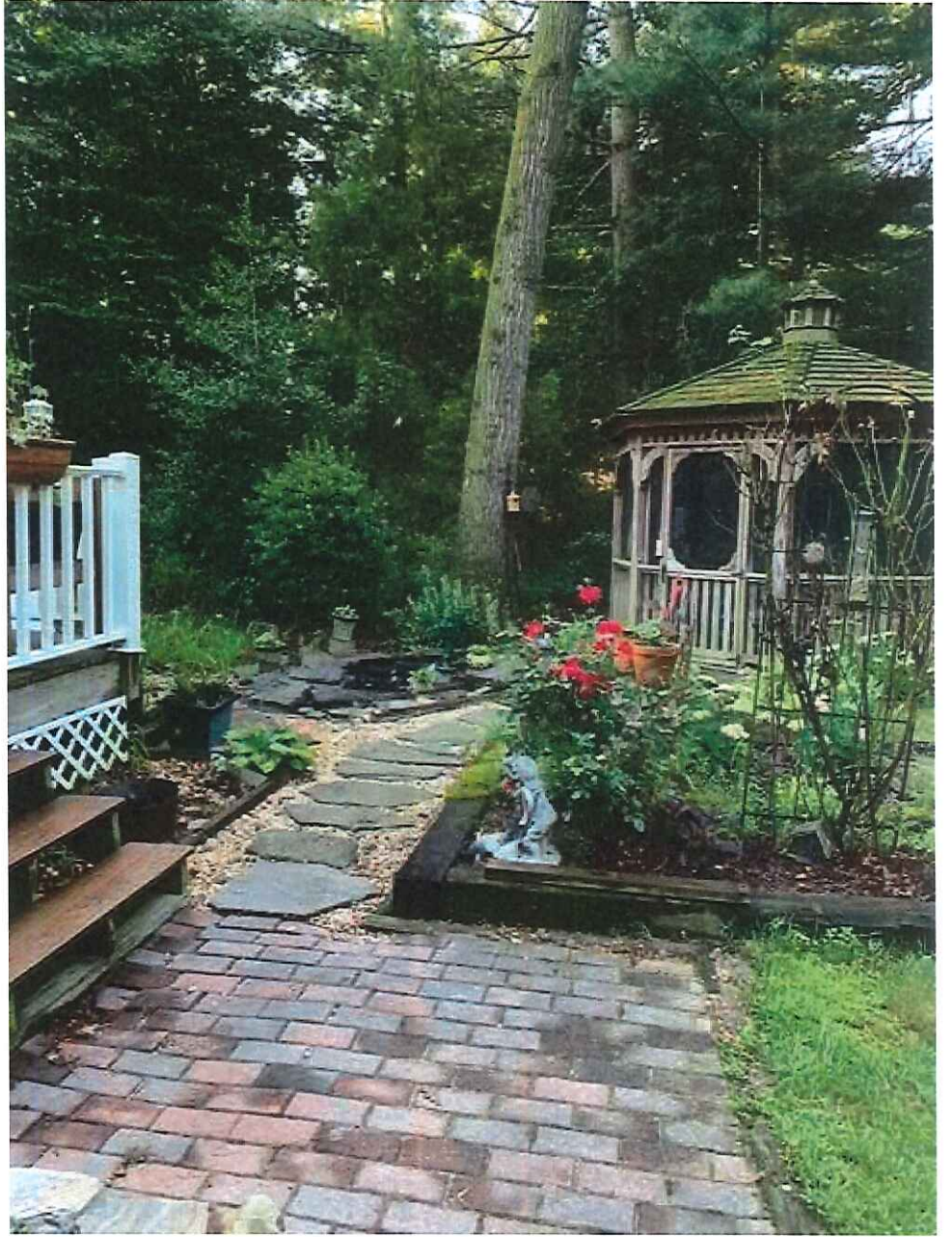
My name is Loretta Henry and I reside at 26496 Old Carriage Rd. Seaford De. I am writing to voice my objection to the variance that would allow a commercial dog kennel closer than 200 feet to our property line on Old Carriage Rd and the direct impact it will have on our lives. We moved here 17 years ago to retire and enjoy a quiet lifestyle. I was diagnosed in 2003 with systemic lupus and my health has declined over the years. Stress is a big factor that triggers a lupus flare up which makes me very ill. The potential sound of barking dogs close to my house will surely cause unnecessary stress. We are retired and home all day and a dog kennel will be near our backyard gazebo and patio, which we use often to sit outside and relax with

friends and enjoy the quiet countryside. We feel having this kennel so close to our property will also diminish our property value. As you can see from the pictures we have worked very hard over the years to landscape our front and back yard to improve the value of our home. The pictures also show our side yard , where the dog kennel will be within our view and hearing. Barking dogs will prevent us from enjoying our own yard and will change our quality of life.

Could you please acknowledge the receipt of this email? Thank you.

Loretta Henry

410-507-8553







Sent from my iPhone

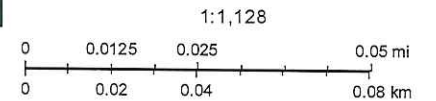


Sussex County



PIN:	531-14.00-31.00
Owner Name	FLEMING GLENN L
Book	5645
Mailing Address	15213 TRAP POND RD
City	LAUREL
State	DE
Description	SW/RD 549
Description 2	N/A
Description 3	N/A
Land Code	

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



RECEIVED

MAY 18 2022

SUSSEX COUNTY
PLANNING & ZONING

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

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

Case # 12725
Hearing Date 8/1 tentative

202207380

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

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

Site Address of Variance/Special Use Exception:

28331 BOATER PL. Milton Del 19968

Variance/Special Use Exception/Appeal Requested:

8.5 FT FROM 15 FT SIDE YARD SETBACK FOR
PROPOSED GARAGE

Tax Map #: 334-10.00-228.00

Property Zoning: ARI

Applicant Information

Applicant Name: TERRY GRAY
Applicant Address: 28331 BOATER PLACE
City Milton State Del. Zip: 19968
Applicant Phone #: 302-218-5283 Applicant e-mail: tgraytag13@gmail.com

Owner Information

Owner Name: Terry Gray
Owner Address: 28331 BOATER PLACE
City Milton State Del Zip: 19968 Purchase Date: _____
Owner Phone #: 302-218-5283 Owner e-mail: _____

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Terry Gray

Date: 5/18/22



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.

House NOT CENTERED ON PROPERTY
As you face House SEPTIC + PROPANE ARE ON
LEFT SIDE OF HOME WANT to be ABLE to ENTER House
FROM GARAGE

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.

Would HAVE GARAGE ATTACHED to
HOUSE. Would be SIMILAR to MOST OF HOMES in
DEVELOPMENT that HAVE GARAGES PROPANE + SEPTIC
ON LEFT SIDE OF HOUSE GARAGE would be on RIGHT SIDE OF
HOUSE

3. Not created by the applicant:

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

NOT CREATE A PROBLEM with other HOMES in
DEVELOPMENT AS FAR AS LOOK + LOCATION OF GARAGE
SIDING + ROOF will MATCH EXISTING HOME
SHED ON DRIVE will move to BACK YARD

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.

MOST HOMES in DEVELOPMENT will look like other
HOMES. DRIVEWAY is ON SIDE OF HOUSE to RIGHT AND
this is SIDE where GARAGE will be + is LOCATED ATTACHED
to HOME like MOST OTHER HOMES in DEVELOPMENT

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.

HOA ASSOCIATION HAS LOOKED AT MY PROPOSAL + ARE
OK with PLAN OF GARAGE Would like to go 8.3 FT
into SETBACK

Sussex County

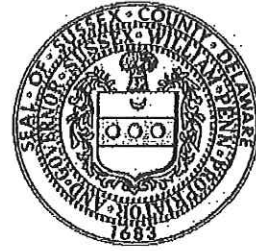
DELAWARE
PLANNING & ZONING DEPARTMENT

sussexcountysde.gov

302-855-7878 T

302-854-5079 F

JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR



SETBACK INFORMATION REQUEST

Date of Request 2/23/2022 Zoning District AR-1

Customer Name Terry Gray

Customer Contact loiscosenzo@gmail.com

Tax Parcel ID 334-10.00-228.00 Lot/Unit Number 3

Parcel Address 28331 Boaters Place

Front Yard Setback 40' property line on Boaters Place

Side Yard Setback 15'

Rear Yard Setback 20'

Corner Front Yard Setback 15' property line on Fisherman Drive

Maximum Height 42'

The Customer was provided general zoning setbacks, as a specific parcel was not identified. Therefore, the setbacks provided may not be for a specific parcel. The setbacks could be different based on the specific nature of the property.

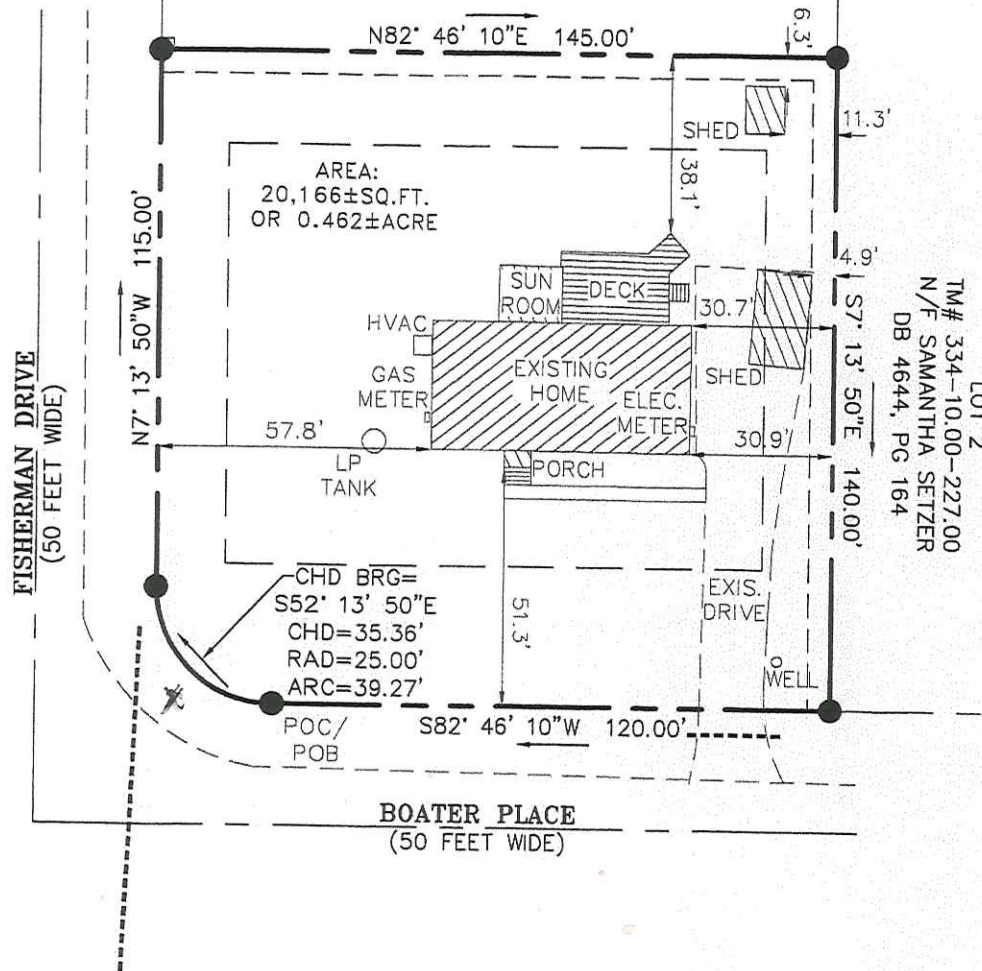
Additional Notes:

Per record plan PB 77, Pg 321

Name of Staff Member Ann Lepore

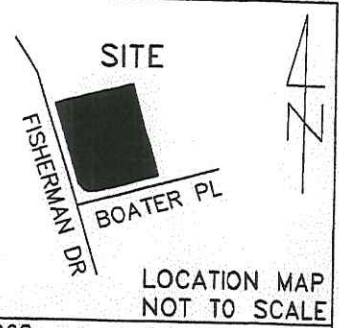
Checked By Lauren DeLore, Planner III

LOT 4
 TM# 334-10.00-229.00
 N/F KRISTIN THOMPSON
 DB 4597, PG 275



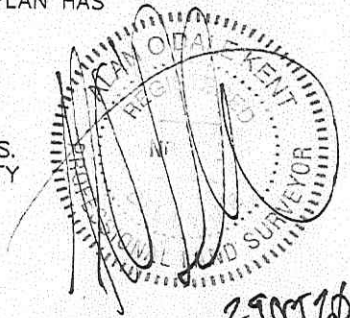
AREA:
 20,166±SQ.FT.
 OR 0.462±ACRE

LOT 2
 TM# 334-10.00-227.00
 N/F SAMANTHA SETZER
 DB 4644, PG 164

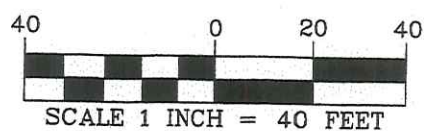


- PLAN DATA:
- TITLE REFERENCED TO:
 TM# 334-10.00-228.00
 DB 5508, PG 242, PB 48, PG 48
 28331 BOATER PLACE, MILTON, DE 19968
 LOT 3, BLK C, COOL SPRING MANOR
 LEWES AND REHOBOTH HUNDRED,
 SUSSEX COUNTY, STATE OF DELAWARE
 - NO TITLE REPORT PERFORMED OR FURNISHED IN PREPARATION OF THIS PLAN.
 - THIS PLAN DOES NOT CERTIFY THE EXISTENCE OR NON-EXISTENCE OF EASEMENTS OR RIGHTS OF WAY AS A FULL AND COMPLETE SEARCH MAY REVEAL IN THE SUSSEX COUNTY RECORDER OF DEEDS.
 - ACCORDING TO SUSSEX COUNTY PLANNING AND ZONING THE ZONING IS AR1 AND THE SETBACKS ARE: FRONT-40', SIDE-15', AND REAR-20'.
 - ALL SIDE AND REAR LOT LINES RESERVED FOR THE CENTERLINE OF A 10 FOOT WIDE DRAINAGE AND/OR UTILITY EASEMENT.

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



ALAN O'DALE KENT, PLS#738, DATE 29 OCT 2021
 THIS IS A SUBURBAN SURVEY

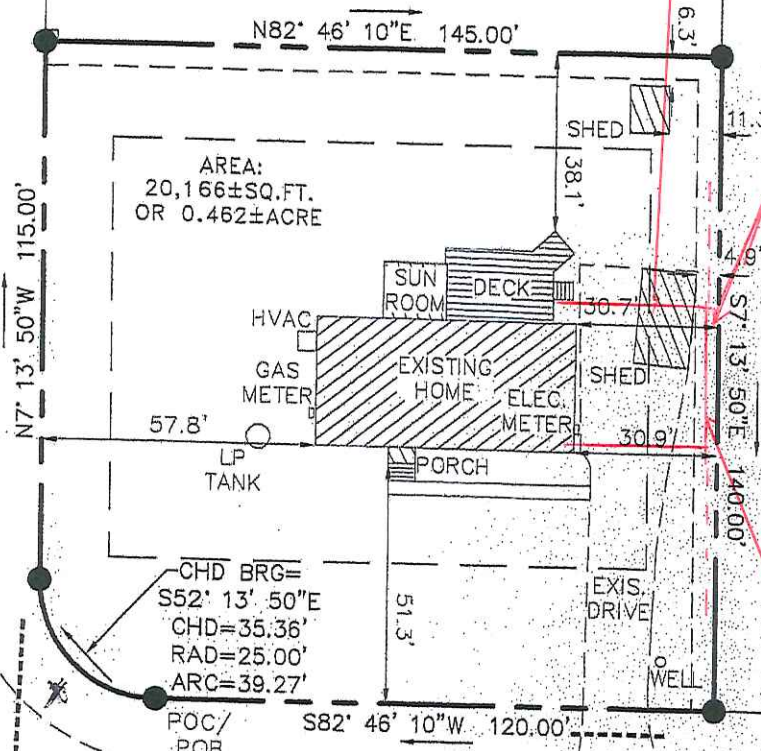


- LEGEND:
- IRON REBAR FOUND
 - PROPERTY LINE
 - - - ADJOINING PROPERTY LINE
 - BUILDING RESTRICTION LINE
 - CENTERLINE OF ROAD
 - - - EASEMENT LINE

DATE OF PLAN 29 OCT 2021	BOUNDARY SURVEY PLAN OF THE LANDS NOW OR FORMERLY OF TERRY A. GRAY
DATE OF LAST FIELD WORK 28 OCT 2021	
PREPARED BY ALAN O'KENT LAND SURVEYING, LLC SEAFORD, DE 19975 (302) 745-1755	

FISHERMAN DRIVE
(50 FEET WIDE)

LOT 4
TM# 334-10.00-229.00
N/F KRISTIN THOMPSON
DB 4597, PG 275



AREA:
20,166±SQ.FT.
OR 0.462±ACRE

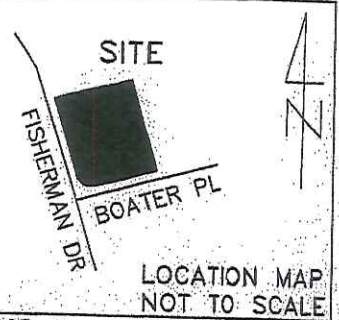
CHD BRG=
S52° 13' 50"E
CHD=35.36'
RAD=25.00'
ARC=39.27'

BOATER PLACE
(50 FEET WIDE)

Proposed Garage

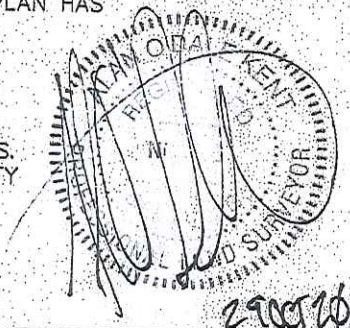
LOT 2
TM# 334-10.00-227.00
N/F SAMANTHA SEITZER
DB 4644, PG 164

PB 48, PG 48



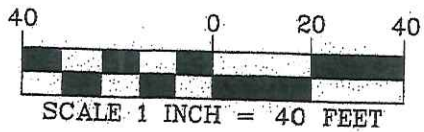
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- TITLE REFERENCED TO:
TM# 334-10.00-228.00
DB 5508, PG 242, PB 48, PG 48
28331 BOATER PLACE, MILTON, DE 19968
LOT 3, BLK C, COOL SPRING MANOR
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I, ALAN O'DALE KENT, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS IMPROVEMENTS, BOUNDARY OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.



ALAN O'DALE KENT, PLS#738, DATE
THIS IS A SUBURBAN SURVEY

JOB # 2021372



- LEGEND:
- IRON REBAR FOUND
 - PROPERTY LINE
 - - - ADJOINING PROPERTY LINE
 - ▨ BUILDING RESTRICTION LINE
 - CENTERLINE OF ROAD
 - - - EASEMENT LINE

DATE OF PLAN
29 OCT 2021

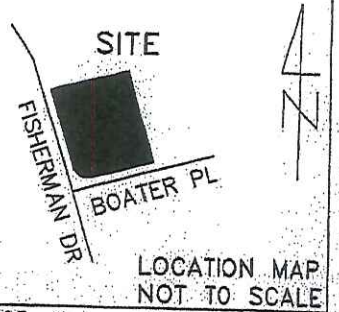
DATE OF LAST FIELD WORK
28 OCT 2021

BOUNDARY SURVEY PLAN
OF THE LANDS NOW OR FORMERLY OF
TERRY A. GRAY

PREPARED BY
ALAN O KENT LAND SURVEYING, LLC
SEAFORD, DE 19973
(302) 745-1735

LOT 4
 TM# 334-10.00-229.00
 N/F KRISTIN THOMPSON
 DB 4597, PG 275

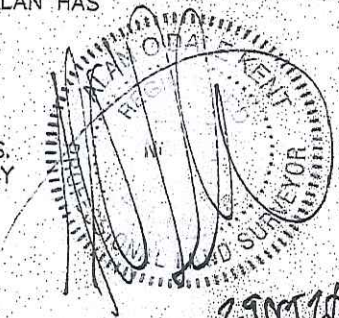
This shed will be located in BACKYARD NEARWARE SHED will be removed



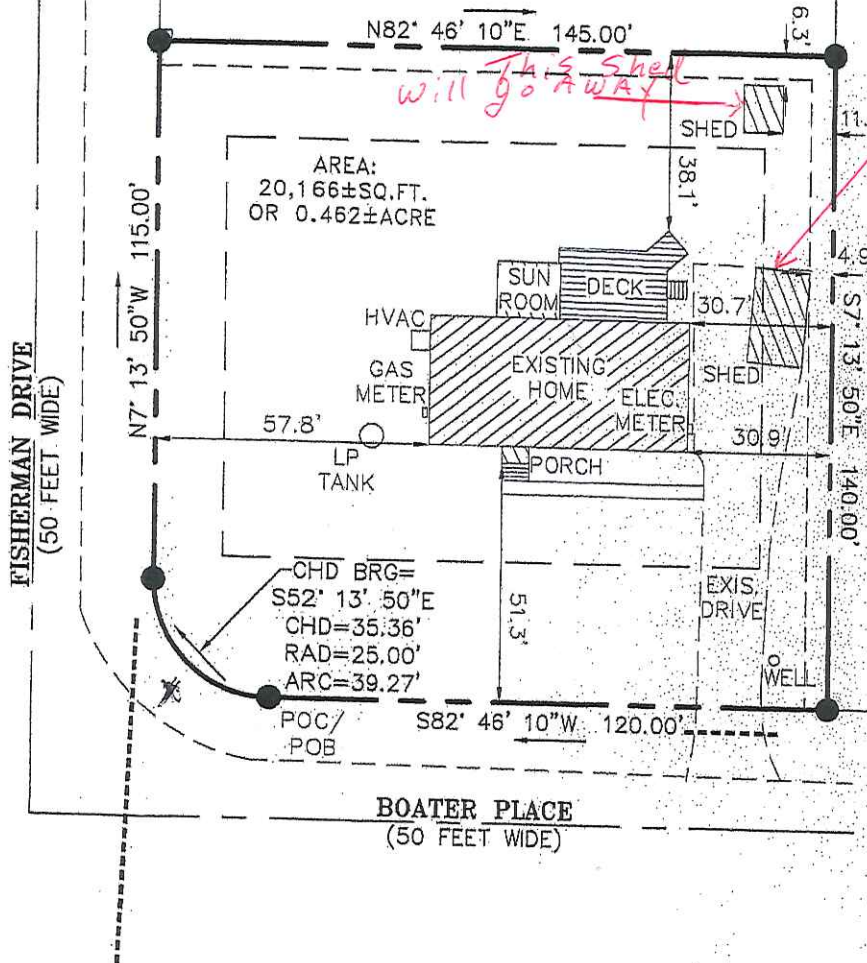
PLAN DATA:

- TITLE REFERENCED TO:
 TM# 334-10.00-228.00
 DB 5508, PG 242, PB 48, PG 48
 28331 BOATER PLACE, MILTON, DE 19968
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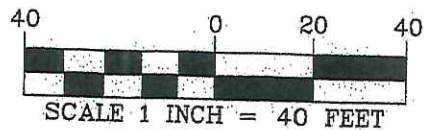
ALAN O'DALE KENT, PLS#738, DATE
 THIS IS A SUBURBAN SURVEY



AREA:
 20,166±SQ.FT.
 OR 0.462±ACRE

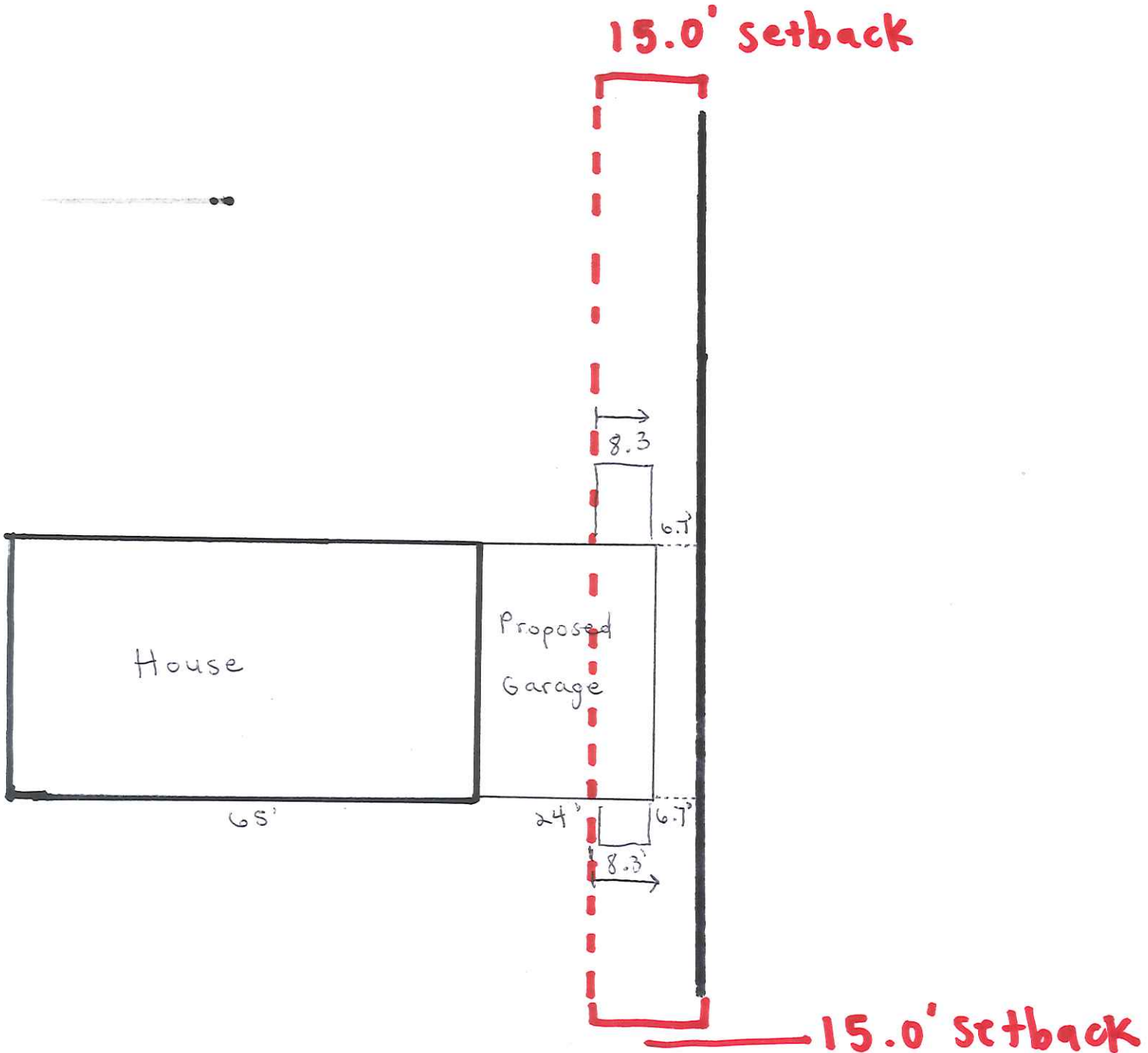
FISHERMAN DRIVE
 (50 FEET WIDE)

BOATER PLACE
 (50 FEET WIDE)



- LEGEND:
- IRON REBAR FOUND
 - PROPERTY LINE
 - - - ADJOINING PROPERTY LINE
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DATE OF LAST FIELD WORK 28 OCT 2021	
PREPARED BY ALAN O KENT LAND SURVEYING, LLC SEAFORD, DE 19973 (302) 745-1755	



J. K. Reynolds

May 26, 2022

(Name)

(Address)

*28288 Fisherman Dr.
Milton Del, 19968*

I/We Have no objection to Terry Gray of 28331 Boaters Place, Cool Spring Manner, Milton, Delaware 19968 building an attached 2 car garage on the right side of the house facing the house from the street.

RECEIVED

MAY 31 2022

SUSSEX COUNTY
PLANNING & ZONING

William J. ... 28282 Fishermen Dr Milton De 19968

5/31/22

(Name)

(Address)

I/We Have no objection to Terry Gray of 28331 Boaters Place, Cool Spring Manner, Milton, Delaware 19968 building an attached 2 car garage on the right side of the house facing the house from the street.

RECEIVED

MAY 31 2022

SUSSEX COUNTY
PLANNING & ZONING

Sara Wilde-Wilson 28342 BOATERS PL 5/27/22

(Name)

(Address)

I/We Have no objection to Terry Gray of 28331 Boaters Place, Cool Spring Manner, Milton, Delaware 19968 building an attached 2 car garage on the right side of the house facing the house from the street.

RECEIVED

MAY 31 2022

SUSSEX COUNTY
PLANNING & ZONING

Samantha Setzer

28351 Boater Place

5/28/22

(Name)

(Address)

I/We Have no objection to Terry Gray of 28331 Boaters Place, Cool Spring Manner, Milton, Delaware 19968 building an attached 2 car garage on the right side of the house facing the house from the street.

RECEIVED

MAY 31 2022

SUSSEX COUNTY
PLANNING & ZONING

6/4/22

Kristin Thompson 28279 Fisherman Dr., Milton, DE 19968

(Name)

(Address)

I/We Have no objection to Terry Gray of 28331 Boaters Place, Cool Spring Manner, Milton, Delaware 19968 building an attached 2 car garage on the right side of the house facing the house from the street.

RECEIVED

JUL 05 2022

SUSSEX COUNTY
PLANNING & ZONING

6/6/22

28315 Fisherman Pl
Milton, DE
19968

Evelyn R. McBinniss

(Name)

(Address)

I/We Have no objection to Terry Gray of 28331 Boaters Place, Cool Spring Manner, Milton, Delaware 19968 building an attached 2 car garage on the right side of the house facing the house from the street.

RECEIVED

JUL 05 2022

SUSSEX COUNTY
PLANNING & ZONING



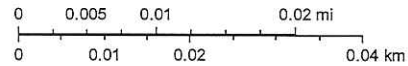
Sussex County



PIN:	334-10.00-228.00
Owner Name	GRAY TERRY A
Book	5508
Mailing Address	2422 GRAYDON RD
City	WILMINGTON
State	DE
Description	COOLSPRING MANOR
Description 2	LOT 3
Description 3	BLK C
Land Code	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Tax Ditch Segments**
- Tax Ditch Channel
- DelDOT Maintained
- HOA Maintained
- Pipe - DelDOT
- Pipe - Tax Ditch
- Pipe - Private
- Pond Feature
- Special Access ROW
- Well Head Protection Areas
- 2007 Head of Tide Wetlands (not regulatory)
- Municipal Boundaries
- Conditional Use

1:564



RECEIVED

MAY 27 2022

SUSSEX COUNTY
PLANNING & ZONING

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

Case # 12726

Hearing Date 8/1

202207572

Type of Application: (please check all applicable)

Variance

Special Use Exception

Administrative Variance

Appeal

Existing Condition

Proposed

Code Reference (office use only)

115-25 115-182

115-183

Site Address of Variance/Special Use Exception:

29742 Seagrass Court, Dagsboro DE

Variance/Special Use Exception/Appeal Requested:

Lot size - 2 20,000 sq. ft to 4,758 lots

Side yard - 4 sides. 5' to 4'- Requesting 1 foot variancee for all sides.

Rear Yard - 2 rears. 15' to 10'- Requesting 5 foot variance for both rears.

Front yard - 2 fronts - 30' to 20' - Requesting 10 foot variance for both frots.

Tax Map #: 134-07-106

Property Zoning: AR-1

Applicant Information

Applicant Name: Judith Belk

Applicant Address: 31783 Wingate Road

City Frankford State DE Zip: 19945

Applicant Phone #: (610) 585-0264 Applicant e-mail: _____

Owner Information

Owner Name: same

Owner Address: same

City _____ State _____ Zip: _____ Purchase Date: _____

Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: Tim Willard

Agent/Attorney Address: 26 The Circle

City Georgetown State DE Zip: 19947

Agent/Attorney Phone #: (302) 856-7777 Agent/Attorney e-mail: tim@fwsdelaw.com

Signature of Owner/Agent/Attorney

Tim Willard

Date: 5-27-22



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.

These properties were nonconforming and several have similar sizes.

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.

Their reasonable development into smaller cottages makes sense for this historic area.

3. Not created by the applicant:

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

The size of the lot was expended in 2019. See attached. The applicant did not subdivide this community but inherited her parcel..

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 responses above. Similar divided and sized lots. Will be an improvement.

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.

Minimum setback to all for reasonable home footprint, 1 foot, 5 foot and 10 foot. Maxim 20-30%.

NOTES:

• Other than shown, this plat and survey does not verify the existence or nonexistence of right-of-ways and/or easements pertaining to this property. Including but not limited to Tax Ditch Easements.

• No title search provided or stipulated.

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

Existing	Proposed
• FRONT- 30'	FRONT- 20'
• SIDES - 5'	SIDE- 4'
• REAR - 15'	REAR-10'
• ZONING - AR-1	

NOTE:

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

I JUDITH A. BELK do certify that I am the owner of the property which is the subject of this plan and that the land use action proposed by this plan is at my direction.

Lands of
Thomas W. & Jeanne L. Belk, III
Db. 3990, Pg. 38

Lands of
Cindy & David Sroka
Db. 5129, Pg. 99

JUDITH A. BELK _____ Date _____

— B.R.L. — BUILDING RESTRICTION LINE (PROPOSED)

— B.R.L. — BUILDING RESTRICTION LINE (EXISTING)

⊙ POINT IN SEWER CLEANOUT

⊘ 5/8" RE-BAR w/CAP (SET)

⊗ PK NAIL (SET)

⊙ 5/8" RE-BAR (FD)

SCALE: 1"=30'

TOTAL AREA: 9,516 SQ. FT.

TAX MAP NO. 1-34-07-106

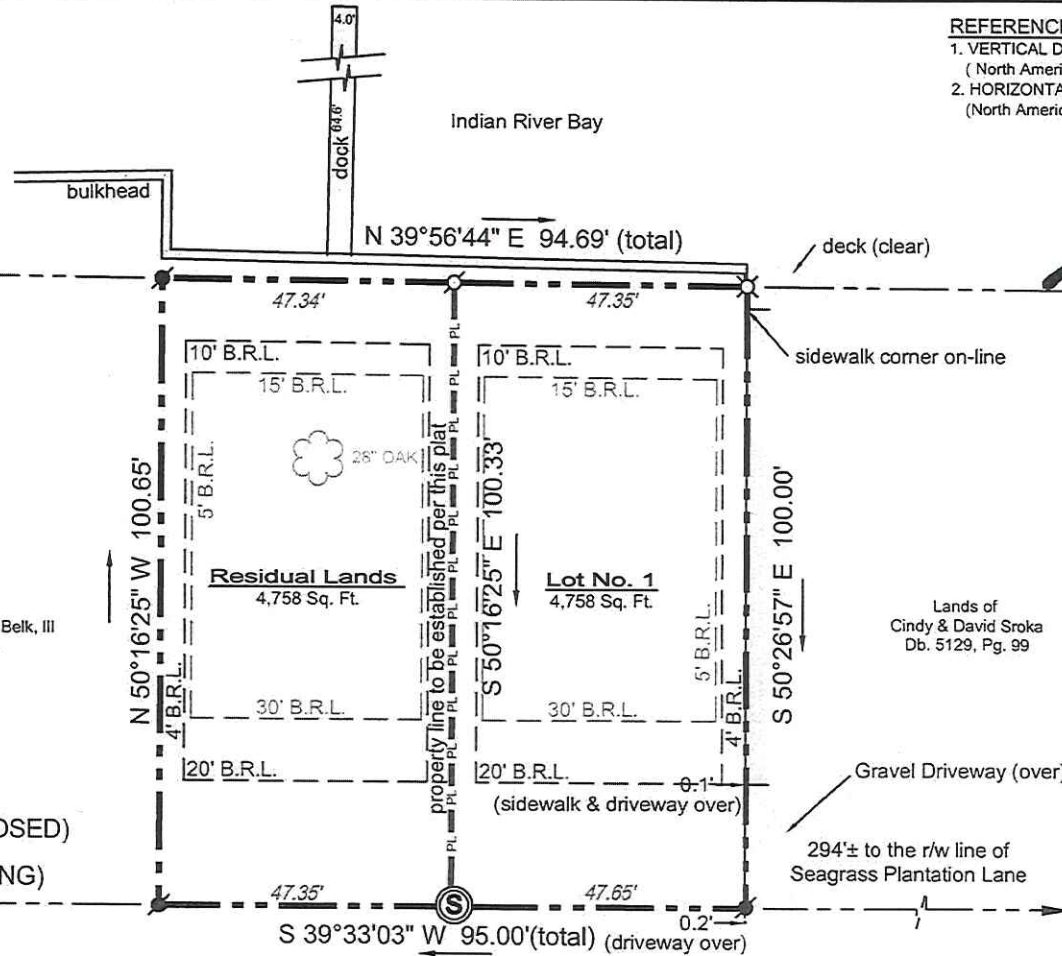
HUNDRED: BALTIMORE

COUNTY: SUSSEX

STATE OF DELAWARE

DATE OF ORIGINAL: 09-17-2021

DRAWN BY: MICHAEL LOVELAND



REFERENCE DATUM NOTES:

1. VERTICAL DATUM: NAVD '88
(North American Vertical Datum of 1988)
2. HORIZONTAL DATUM: NAD '83
(North American Datum of 1983)

**SEAGRASS COURT
Partitioning Survey**

(per Client's Specification)

Lands of JUDITH A BELK. Ref: Plat Book 137, Page 03.

FIRM INFORMATION:

100029 - 0483 - K
MARCH 16, 2015
ZONE: "VE", B.F.E. = 10.0'
& "AE", B.F.E. = 8.0'

CLASS "B" SURVEY

**SIMPLER
SURVEYING
& ASSOCIATE, INC.**

32486 POWELL FARM ROAD, FRANKFORD, DE 19945
www.delawaresurveyor.com

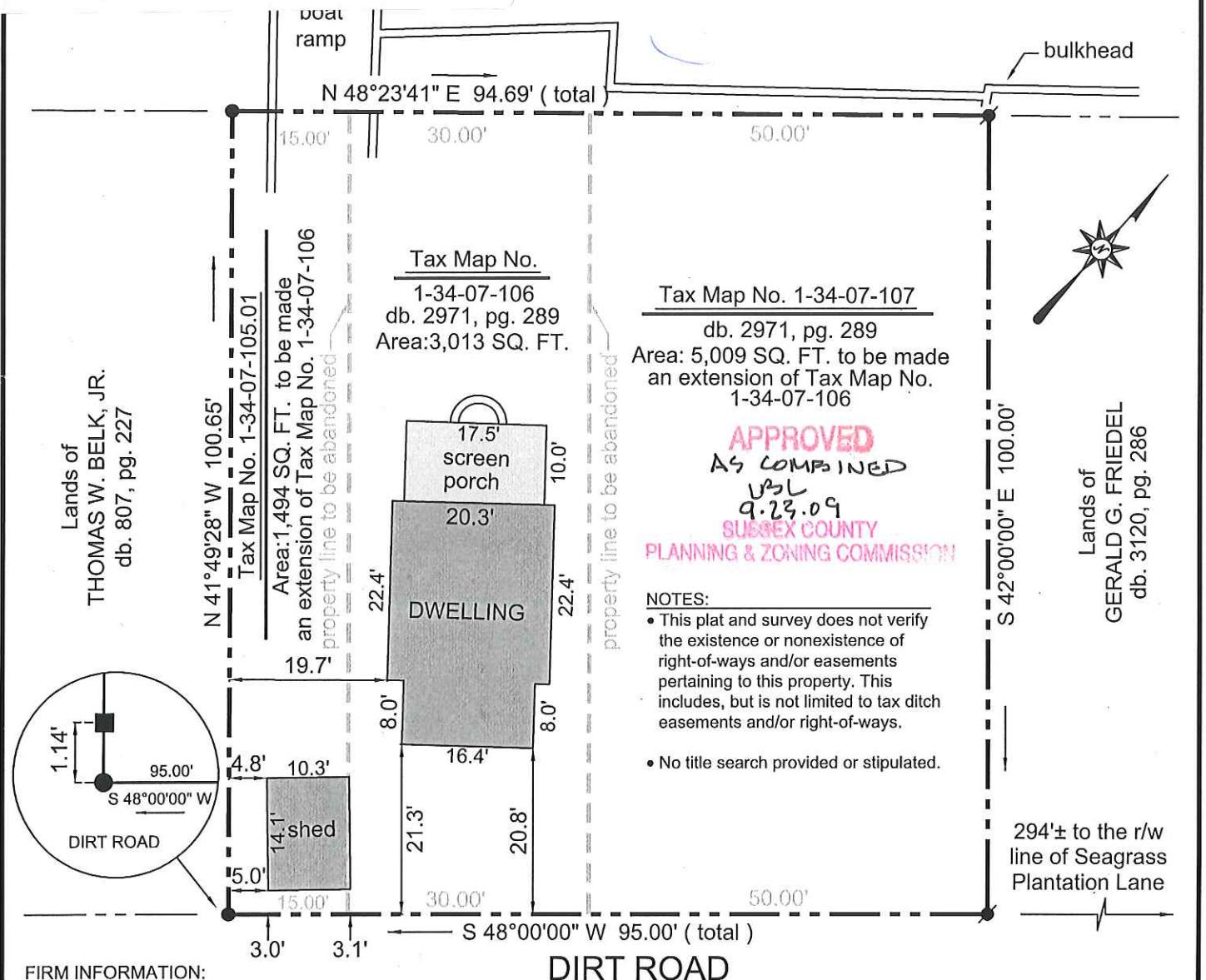
PHONE: (302) 539-7873 FAX: (302) 539-4336



I, Gregory M. Hook, registered as a Professional Land Surveyor in the State of Delaware, hereby state that the information shown on this plan has been prepared under my supervision and meets the standards of practice as established by the State of Delaware Board of Professional Land Surveyors. Any changes to the property conditions, improvements, boundary or property corners after the date shown hereon shall necessitate a new review and certification for any official or legal use.

Recorded in
Plat Book 137, Page 03
September 23, 2009

Indian River Bay



Tax Map No.
1-34-07-106
db. 2971, pg. 289
Area: 3,013 SQ. FT.

Tax Map No. 1-34-07-107
db. 2971, pg. 289
Area: 5,009 SQ. FT. to be made
an extension of Tax Map No.
1-34-07-106

APPROVED
AS COMBINED
USL
9.23.09
SUSSEX COUNTY
PLANNING & ZONING COMMISSION

- NOTES:**
- This plat and survey does not verify the existence or nonexistence of right-of-ways and/or easements pertaining to this property. This includes, but is not limited to tax ditch easements and/or right-of-ways.
 - No title search provided or stipulated.

Lands of
THOMAS W. BELK, JR.
db. 807, pg. 227

Lands of
GERALD G. FRIEDEL
db. 3120, pg. 286



FIRM INFORMATION:
100029 - 0485 - J
JANUARY 06, 2005
ZONE: "AE", B.F.E.= 7'

Tax Map No. 1-34-07-106: Lands of SANDRA M. HUDSON to be conveyed to JUDY BELK. Being known as PARCEL 106, Ref: Deed Book 654, Page 89 & Deed Book 2971, Page 289
Tax Map No. 1-34-07-105.01: Lands of SANDRA M. HUDSON to be conveyed to JUDY BELK. Being known as PARCEL 105.01, NORTHEASTERLY 15' TO BECOME AN EXTENSION OF TAX MAP NO. 1-34-07-106. Ref: Deed Book 807, Page 231.
Tax Map No. 1-34-07-107: Lands of SANDRA M. HUDSON to be conveyed to JUDY BELK. Being known as PARCEL 107, TO BECOME AN EXTENSION OF TAX MAP NO. 1-34-07-106. Ref: Deed Book 1494, Page 95 & Deed Book 2971, Page 289.

- 5/8" RE-BAR (FD)
- CON. MONU. (FD)
- 3/4" PIPE (FD)

SCALE: 1" = 20'
TOTAL AREA: 9,516 SQ. FT. (total)
TAX MAP NO. 1-34-07-106 & 107

CLASS "B" SURVEY

HUNDRED: BALTIMORE
COUNTY: SUSSEX
STATE OF DELAWARE
DATE OF ORIGINAL: 09/18/09
DRAWN BY: D.K. WINDSOR

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

SEAL
Judith M. Hall
9.23.09
P.L.S. 711

37120

BK: 3717 PG: 245

Current Tax Map #'s 1-34-7.00-106.00 & 107.00

New Tax Map #1-34-7.00-106.00

Prepared by:
Raymond E. Tomasetti, Jr. Esq.
1209 Coastal Highway, 2nd Floo
Fenwick Island, DE 19944

Return to:
JUDITH ANNE BELK
31783 Wingate Road
Frankford, DE 19945

File No. 509-239KR

THIS DEED, made this 28TH day of September, in the year of our LORD two thousand and nine,

BETWEEN SANDRA M. HUDSON, of 32071 Sussex Street, Dagsboro, DE 19939, party of the first part,

-AND-

JUDITH ANNE BELK, of 31783 Wingate Road, Frankford, DE 19945, party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Hundred Seventy Five Thousand Dollars 00/100 (\$175,000.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, **AS SOLE OWNER**

ALL THAT certain lot, piece or parcel of land, lying and being situated in Baltimore Hundred, Sussex County, State of Delaware, and being more particularly described as follows; to wit:

BEGINNING at a 5/8" re-bar found on the most Northwesterly right-of-way line of a dirt road, said re-bar being 294'± in an Southwesterly direction from the right-of-way line of Seagrass Plantation lane, said re-bar also being a common property corner for these lands and

5

CR

BK: 3717 PG: 246

Lands of Gerald G. Friedel; thence running with said right-of-way line of dirt road, S 48°-00'-00" W 95.00 feet to a ¾" pipe found, said pipe being a common property corner for these lands and Lands of Thomas W. Belk, Jr.; thence turning and running with a common property line for these lands and Lands of Thomas W. Belk, Jr., N 41°-49'-28" W-100.65 feet to a ¾" pipe found, said pipe being a common property corner for these lands, Lands of Thomas W. Belk, Jr.; thence turning and running with common property line for these lands and Indian River Bay, N 48°-23'-41" E-94.69 feet to a 5/8" re-bar found, said re-bar being a common property corner for these lands and Lands of Gerald G. Friedel; thence turning and running with common property line for these lands and Lands of Gerald G. Friedel, S 42°-00'-00" E-100.00 home to the point and place of beginning, containing 9,516 square feet of land, be the same, more or less as surveyed and shown of a plat prepared by Gregory M. Hook, P.L.S. 711, dated September 18, 2009 and recorded in Plat Book 137 Page 3, Sussex County records.

SUBJECT HOWEVER TO, rights of ingress and egress to others as set forth in previous recorded Deeds.

BEING the same lands as conveyed unto Sandra M. Hudson by Deed of Delano R. Hudson, Sr. dated March 15, 2004 and of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware, in Deed Book 2971, Page 289.

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

THIS DEED COMBINES PARCEL NO. 1, PARCEL NO. 2 AND PARCEL NO. 3, TAX MAP NUMBERS 1-34-7.00-106.00 & 107.00 AS SHOWN IN DEED BOOK 2971, PAGE 289, INTO ONE PARCEL, PURSUANT TO THE APPROVED PLAT RECORDED ON SEPTEMBER 23, 2009, IN PLAT BOOK 137, PAGE 3, SUSSEX COUNTY RECORDS. THIS PARCEL WILL NOW BE KNOWN AS TAX MAP NUMBER 1-34-7.00-106.00.



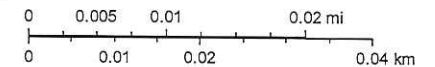
Sussex County



PIN:	134-7.00-106.00
Owner Name	BELK JUDITH A
Book	3717
Mailing Address	31783 WINGATE RD
City	FRANKFORD
State	DE
Description	SEAGRASS PLANTATION
Description 2	LOT
Description 3	
Land Code	

- | | |
|--------------------|---|
| Special Access ROW | + |
|--------------------|---|
- | | |
|--------------|------------|
| polygonLayer | Override 1 |
|--------------|------------|
- | | |
|--------------|------------|
| polygonLayer | Override 1 |
|--------------|------------|
- | | |
|-------------|---|
| Tax Parcels | ⋯ |
|-------------|---|
- | | |
|-------------|---|
| 911 Address | ⋯ |
|-------------|---|
- | | |
|---------|---|
| Streets | — |
|---------|---|
- | | |
|-------------------|---|
| County Boundaries | ⋯ |
|-------------------|---|
- | | |
|---------------------------|---|
| Tax Ditch Segments | |
| Tax Ditch Channel | — |
| DelDOT Maintained | — |
| HOA Maintained | — |
| Pipe - DelDOT | — |
| Pipe - Tax Ditch | — |
| Pipe - Private | — |
| Pond Feature | ⋯ |

1:564



Case # 12727
Hearing Date 8/1

2022 08 01 6

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:

36838 Old Mill Ct Ocean View, De 19970

Variance/Special Use Exception/Appeal Requested:

variance for semi inground, pool, deck and fence

Tax Map #: 134-12.00-1853.00

Property Zoning: Residential

Applicant Information

Applicant Name: JOHN SULLECKI
Applicant Address: 36838 Old Mill Ct
City Ocean View State DE Zip: 19970
Applicant Phone #: 610 764 9318 Applicant e-mail: JSULLECKI15@gmail.com

Owner Information

Owner Name: SAMS
Owner Address: _____
City _____ State _____ Zip: _____ Purchase Date: LOT-1985
Owner Phone #: _____ Owner e-mail: Home Built-2001

Agent/Attorney Information

N/A

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

Signature of Owner/Agent/Attorney

[Handwritten Signature]

Date: 5/23/22



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.

lot size/shape

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.

variance needed to enable reasonable use of property

3. Not created by the applicant:

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

NO OBSTRUCTION TO ANY NEIGHBORING PROPERTY

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

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

WILL NOT ALTER CHARACTER OF NEIGHBORHOOD AS IT SITS IN REAR OF PROPERTY AND NOT VISIBLE TO NEIGHBORS

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.

need adjustment to setback

Criteria for a Special Use Exception: (Please provide a written statement regarding each criteria) *not sure if this applies*

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)

Deck - 30" wide 3 sides

WALKWAY

Sitting Deck 8'2"W x 19.3"L

Pool 17' x 33'

Fence Around Entire Deck
3' high

CLEARANCE Ground To DECK
28" high

TOTAL 5'3" FENCE BARRIER

ASKING FOR FRANCHISE TO 18 FEET
FROM 40' TO ACCOMMODATE POOL + DECK

ROUTE 349

LOT 41

LOT 39

OLD MILL COURT

LOT #41
MILL I
BALTIMORE HUNDRE

-I HEREBY STATE THAT THIS LOT SURVEY WAS PERFORMED IN ACCORDANCE WITH ACCEPTABLE LOCAL SURVEYING STANDARDS FOR THE EXCLUSIVE USE OF THE PRESENT OWNER AND THOSE WHO PURCHASE OR ISSUE TITLE INSURANCE TO THIS LOT WITHIN SIX MONTHS FROM THE MOST RECENT DATE HEREON. THIS SURVEY IS NOT TRANSFERABLE.

-UNLESS THIS PLAT HAS AN EMBOSSED SEAL AND AN ORIGINAL SIGNATURE OF THE SURVEYOR, IN RED INK, THIS IS NOT AN AUTHORIZED COPY.

-THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NONEXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING OR AFFECTING THIS LOT.

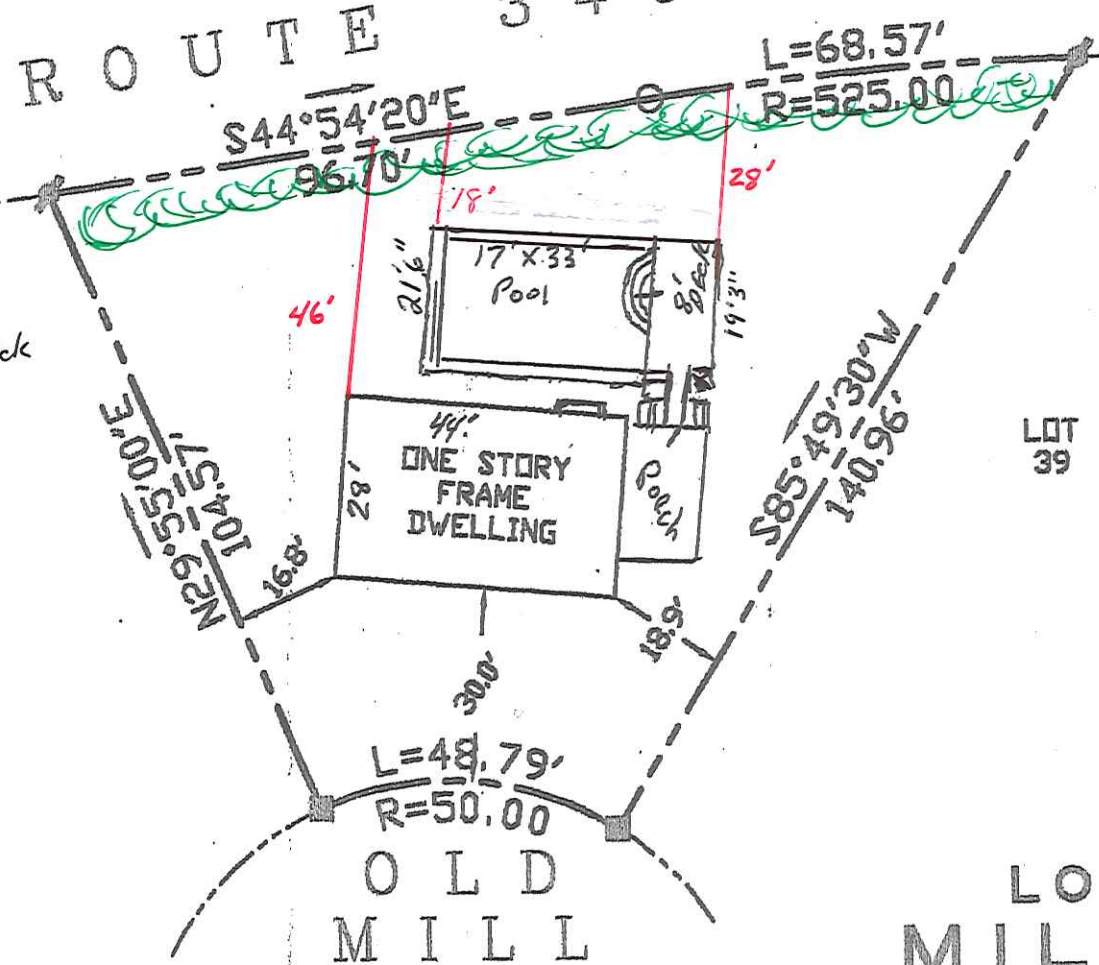
-NO TITLE SEARCH WAS PROVIDED OR STIPULATED.



DANIEL J. McCANN, PLS 634

McCANN

Established
Our History is
SURVEYING *
GEORGETOWN, DE. BETH
(302) 856-7956 (302)



not to scale



Parcel Inspector
333-17.00-747.00

Search Clear Results

134-12.00-1853.00

Ownership Information

FEMA FIRM Panels

FIRM PAN 10005C0511K



PLEASE POST

A BUILDING PERMIT

Has

To Erect Improvements

ON THESE PREMISES

IN ACCORDANCE WITH CONDITIONS OF PERMIT

In all cases where operation or work is being performed under a new building permit, this poster or sign shall be conspicuously displayed upon that part of the site of such operation or work which is closest to a street or public highway, so that such poster or sign shall be visible to the general public at all times.

Chase Phillips
302-855-7878
chase@phillips@sussex
county
de.gov
fence @
3' is OK

A FINAL INSPECTION BY THE
A CERTIFICATE OF COMPLETION
PLANNING & ZONING DEPARTMENT
OCCUPANCY OR INTENDING TO

2021/4/21

BOARD OF ADJUSTMENT

SUSSEX COUNTY GEORGIA

**MILL RUN ACRES
PROPERTY OWNERS' ASSOCIATION
P. O. BOX 379
OCEAN VIEW, DE 19970
millrunacres@gmail.com**

May 31, 2022

Planning and Zoning Department
2 The Circle
P. O. Box 417
Georgetown, DE 19947

Re: Variance Hearing – 36838 Old Mill Ct., Ocean View, DE

Dear Hearing Board Chair:

Please accept this letter in support of the variance requested by Mr. John Sulecki for 36838 Old Mill Court.

A letter of support from the Mill Run Acres Property Owners' Association (MRAPOA) was sent on or about August, 2021 for a pool installation at 36838 Old Mill Court. At that time, the Association approval was made after reviewing drawings of the proposed pool and having detailed conversation with Mr. Sulecki on the process. That conversation included the permit process, setbacks, contracting the pool company, type of pool, installation date, inspections, and so forth. The Association had confidence in Mr. Sulecki's integrity and planning process because he finished numerous projects for the community including roads, street lights and entrance sign. All projects were completed within code and legal requirements.

Mr. Sulecki was entrusted with these projects because of his career expertise and knowledge in purchasing and project management. It is this history of integrity and competence that this Board is confident that Mr. Sulecki would not have proceeded with the pool project had he not been sure of the information he received from the county concerning the setbacks. In fact, he confided in me on or about September, 2021 that he received an OK from a County employee as to the set back. It is for these reasons that I offer my support and pray for an approval of the variance request.

If you have any questions, you may contact me at yiannieagle@aol.com or (443) 474-4001.

Regards,



Col. John E. Gavrilis (retired Chief of Police)
President
Mill Run Acres
Property Owners' Association

POOL PROJECT TIMELINE

7/21/2021

Decided on pool size and went with Pools and Spas in Milford, Delaware. Selected Grecian Semi-above ground pool measuring 17' x 33'. This type of pool would aid in our water therapy and enjoyment for our grandchildren.

Met with pool consultant as to the best location for the pool and drew up preliminary plans including deck and walkway.

Submitted drawings and pool plan to Mill Run Acres Property Owners Association for approval.

7/22/2021

Put initial deposit on pool and received tentative install date of February 15, 2022.

Agreed on pricing with a deck contractor and electrician.

7/26/2021

Mill Run Acres Property Owners Association president approved and signed off on plans for pool/deck/fencing project.

9/28/2021

Went to Georgetown for permit on pool and deck project and size and costs of both at that time. Paid permit fee and received permit.

After review of permit before giving copy to pool company, noticed 40' setback note on permit. Thought it pertained to home structure not our pool project but decided to call Georgetown for clarification.

After a few attempts, I was able to speak with Elliott Young (302-855-5055) about the setback notation. He pulled up my permit in the system and he assured me that setback was for the home only, not the semi-above ground pool project we were planning. He also stated we would only need 6' setback. I told him it would probably be 12' so we were fine there. I then stated I was relieved to hear that, and we even joked about having a 6' wide pool if it was the other way. In closing, I got his name and private line. I did not get this information in writing as I am accustomed to, but I figured that having his name and phone number as an employee in charge of these situations would suffice. (Phone record attached)

After my phone conversation with Mr. Young, I felt confident we could move forward with the project having approval from a Georgetown official. Had he indicated that 40' was in fact for a pool also, I would have halted the process and look for alternate solutions, worst case scenario being the cancellation with loss deposit. I would certainly not proceed with a \$60K project, knowing it was not in code as I knew that once the project was completed it needed to be inspected.

After reassurance that the project could move forward, a copy of the permit was hand delivered to the pool store in Milford.

Because of the holidays and severe weather, our installation date was moved back from the middle of February to the end of March.

March, 2022

Received notification from the pool company they had as install cancellation and moved our install date up to March 2, 2022.

Pool was installed however, a split in the liner prevented the completion of the installation.

March 11, 2022

Electrician, VM Electric, installed pump system power and outlet.

March 17, 2022

First State Inspection Agency came and inspected electrical work completed for pool. Electrical work approved.

March 31, 2022

Went to Georgetown to verify height of fence required by code for pool. As pool is 28" above ground, a 3' fence would meet the 4' requirement code. (Total 5'4"). Received a signed document (Chase Phillips) to verify same. Paid for and received a permit for the fencing.

April 7, 2022

The new pool liner arrived and was installed with two truckloads of water unloaded into the pool. Pool pumps ready for electrician.

April 14, 2022

Pool company technician came out to do inservice on system, start pump and prep pool.

April 21, 2022 – May 7, 2022

Construction on the deck began. Fencing installed around entire deck and walkway. Job completed.

Called Georgetown to schedule a date for inspection. I was advised to complete an online form for both inspection of pool/deck and fence.

May 23, 2022

Inspector Whaley came but did not approve project because of 40' setback requirement, stating I only had 18' of setback, overturning what Elliott Young told me (See 3rd paragraph on Pg. 1 under 9/28/21 information).

Spoke with Jen Norwood, Planning Manager, after she agreed with Inspector Whaley and the denial stood. Ms. Norwood spoke to Elliott Young who gave me the initial approval however, he did not remember the conversation back in September, 2021.

Ms. Norwood suggested applying for a variance and sent, via email, an Application for Variance noting that she would waive the \$400 fee. Returned the completed Application for Variance along with several related documents to Ms. Norwood's attention.

A hearing for the variance request has been scheduled for August 1, 2022. A hard copy of the application along with other various documents have been sent to Ms. Norwood's attention.

 **Back to usage**

Data, text & talk logs

Device: DENISE SULECKI | 610.764.9318

Billing period: Sep 02, 2021 - Oct 01, 2021
Showing details for Talk usage

Totals for this billing period: 59 calls 188 minutes \$0.00

Date / Time	Contact	Location	Call Type	Minutes	Charge (\$)
09/02/2021 09:09AM	302.463.6800	Incoming, CL	SDDV	1	0.00
09/02/2021 01:16PM	302.242.3138	Camden, DE	SDDV	2	0.00
09/02/2021 02:21PM	302.242.3138	Incoming, CL	SDDV	7	0.00
09/03/2021 10:51AM	302.242.3138	Incoming, CL	SDDV	2	0.00
09/04/2021 10:50AM	443.474.4001	Incoming, CL	SDDV	1	0.00
09/07/2021 02:39PM	302.218.1577	Wilmington, DE	SDDV	1	0.00
09/07/2021 02:42PM	302.463.6800	Wilmington, DE	SDDV	1	0.00
09/13/2021 08:23AM	302.218.1577	Incoming, CL	SDDV	2	0.00
09/13/2021 11:26AM	610.937.3086	Norristown, PA	SDDV	12	0.00
09/13/2021 06:09PM	610.764.9319	Incoming, CL	SDDV	1	0.00
09/13/2021 06:09PM	610.764.9319	Incoming, CL	SDDV	1	0.00
09/14/2021 09:45AM	610.937.3086	Incoming, CL	SDDV	1	0.00
09/14/2021 11:01AM	888.436.3722	Toll Free, CL	SDDV	48	0.00
09/14/2021 12:12PM	262.544.4811	Incoming, CL	SDDV	4	0.00
09/14/2021 06:08PM	302.539.2200	Ocean View, DE	SDDV	1	0.00
09/14/2021 06:17PM	302.645.0708	Lewes, DE	SDDV	2	0.00
09/15/2021 08:43AM	302.539.2200	Ocean View, DE	SDDV	1	0.00
09/15/2021 09:30AM	302.644.1306	Lewes, DE	SDDV	3	0.00
09/15/2021 02:13PM	610.764.9319	Incoming, CL	SDDV	2	0.00
09/15/2021 04:06PM	610.764.9319	Incoming, CL	SDDV	3	0.00
09/16/2021 08:17AM	302.424.1999	Milford, DE	SDDV	1	0.00
09/16/2021 09:29AM	302.424.1999	Milford, DE	SDDV	1	0.00
09/16/2021 09:30AM	302.424.1999	Milford, DE	SDDV	3	0.00
09/16/2021 09:46AM	443.474.4001	Catonsvl, MD	SDDV	5	0.00
09/16/2021 10:08AM	302.424.1999	Milford, DE	SDDV	3	0.00
09/16/2021 01:07PM	443.474.4001	Incoming, CL	SDDV	3	0.00
09/17/2021 11:16AM	302.645.5105	Incoming, CL	SDDV	5	0.00
09/17/2021 12:38PM	302.424.1999	Milford, DE	SDDV	4	0.00
09/17/2021 01:06PM	610.590.1254	Incoming, CL	SDDV	1	0.00

Date / Time	Contact	Location	Call Type	Minutes	Charge (\$)	
09/17/2021	01:27PM	302.463.6800	Wilmington, DE	SDDV	2	0.00
09/17/2021	01:43PM	302.218.1577	Incoming, CL	SDDV	2	0.00
09/17/2021	01:45PM	302.645.5105	Lewes, DE	SDDV	7	0.00
09/17/2021	02:07PM	602.349.3556	Incoming, CL	SDDV	1	0.00
09/17/2021	02:16PM	443.474.4001	Incoming, CL	SDDV	1	0.00
09/18/2021	05:25PM	302.537.7230	Ocean View, DE	SDDV	1	0.00
09/22/2021	11:42AM	610.764.9319	Incoming, CL	SDDV	1	0.00
09/23/2021	09:20AM	610.579.3579	Chesterhts, PA	SDDV	2	0.00
09/23/2021	09:29AM	610.764.9319	Norristown, PA	SDDV	1	0.00
09/23/2021	10:39AM	610.764.9319	Incoming, CL	SDDV	1	0.00
09/23/2021	01:00PM	732.919.0707	Farmingdl, NJ	SDDV	5	0.00
09/23/2021	01:17PM	267.458.3616	Incoming, CL	SDDV	1	0.00
09/24/2021	11:49AM	443.271.2826	Incoming, CL	SDDV	5	0.00
09/24/2021	11:58AM	443.271.2826	Baltimore, MD	SDDV	1	0.00
09/25/2021	04:48PM	443.271.2826	Incoming, CL	SDDV	3	0.00
09/27/2021	08:13AM	302.645.0708	Lewes, DE	SDDV	2	0.00
09/27/2021	08:39AM	302.644.1306	Incoming, CL	SDDV	1	0.00
09/27/2021	10:19AM	732.919.0707	Farmingdl, NJ	SDDV	2	0.00
09/27/2021	10:21AM	732.919.0707	Farmingdl, NJ	SDDV	2	0.00
09/27/2021	10:25AM	302.855.7720	Georgetown, DE	SDDV	1	0.00
09/27/2021	10:30AM	302.855.7720	Georgetown, DE	SDDV	3	0.00

SDDV = Plan minutes

Incoming Call Outgoing Call

↑
*Building
 Permit
 Office*

 [Back to usage](#)

 **Back to usage**

Data, text & talk logs

Device: DENISE SULECKI | 610.764.9318

Billing period: Sep 02, 2021 - Oct 01, 2021
Showing details for Talk usage

Totals for this billing period: 59 calls 188 minutes \$0.00

Date / Time	Contact	Location	Call Type	Minutes	Charge (\$)
09/27/2021 10:58AM	732.919.0707	Incoming, CL	SDDV	2	0.00
09/27/2021 12:45PM	302.537.7230	Ocean View, DE	SDDV	1	0.00
09/28/2021 01:35PM	302.855.7720	<i>js</i> Georgetown, DE	SDDV	6	0.00
09/30/2021 10:15AM	610.876.2400	Chester, PA	SDDV	2	0.00
09/30/2021 10:16AM	610.876.2400	Chester, PA	SDDV	4	0.00
09/30/2021 10:49AM	610.764.9319	Norristown, PA	SDDV	1	0.00
09/30/2021 12:57PM	610.876.2400	Incoming, CL	SDDV	3	0.00
09/30/2021 01:22PM	302.539.1700	Incoming, CL	SDDV	1	0.00
10/01/2021 10:33AM	443.271.2826	Incoming, CL	SDDV	1	0.00

SDDV = Plan minutes

Incoming Call Outgoing Call

 **Back to usage**

May 31, 2022

Ms. Jennifer Norwood
Planning Manager
Planning and Zoning Department
2 The Circle
P. O. Box 417
Georgetown, DE 19947

Re: Variance Application – 36838 Old Mill Court, Ocean View, DE

Dear Ms. Norwood:

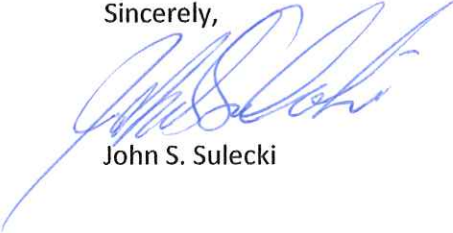
Enclosed please find the “hard” copy of the Board of Adjustment Application that you requested in your email to me of May 24, 2022.

In addition to the application, I have also enclosed additional documents, including the ones that were emailed to you previously, with the application. If after reviewing this documentation you feel there is something additional that we should provide, please let us know.

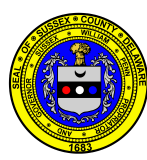
We have noted that the hearing is scheduled for August 1, 2022 and have marked our calendar accordingly.

We would like to thank you for your assistance in this process.

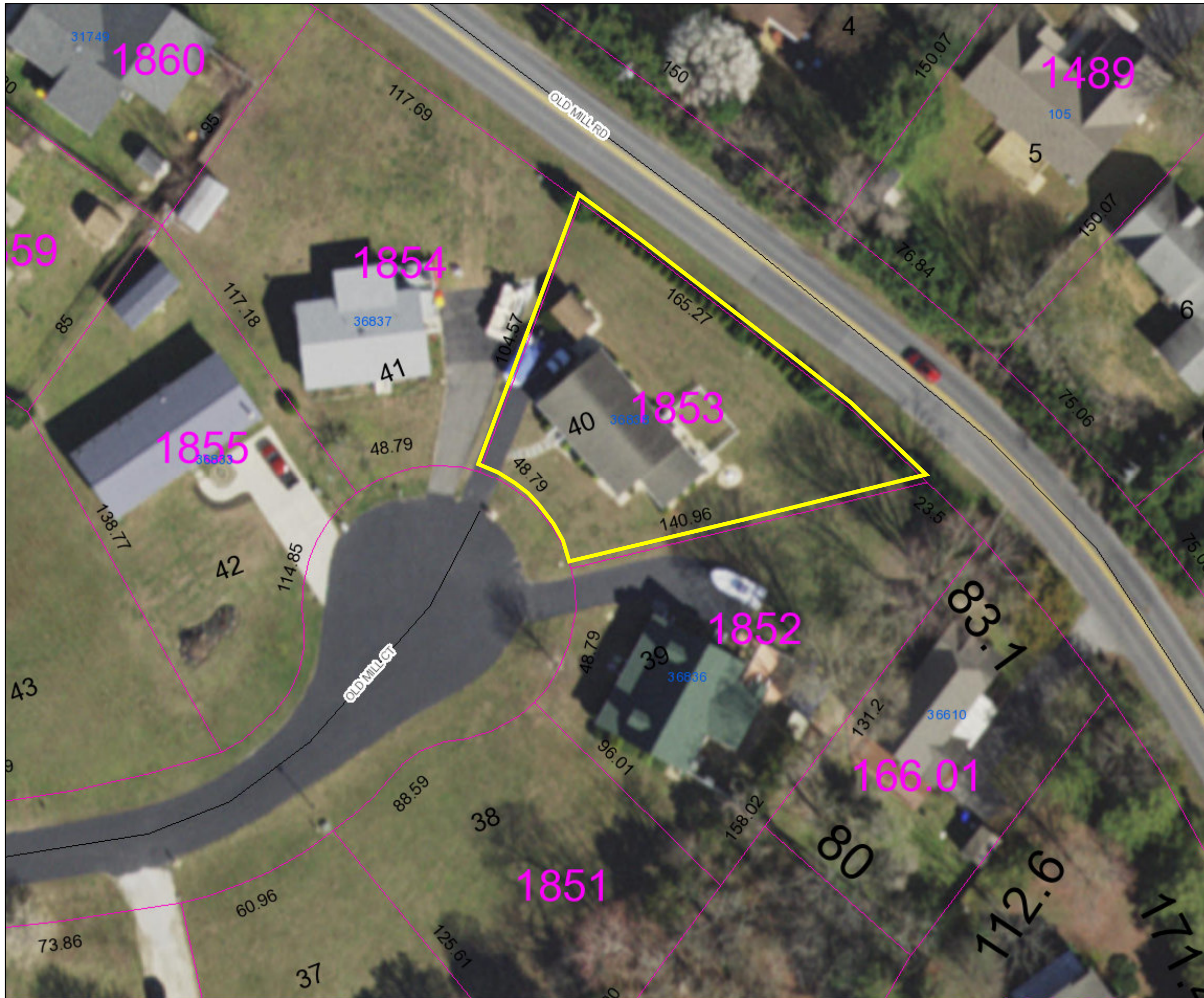
Sincerely,



John S. Sulecki



Sussex County



PIN:	134-12.00-1853.00
Owner Name	SULECKI JOHN S & DENISE M
Book	0
Mailing Address	36838 OLD MILL CT
City	OCEAN VIEW
State	DE
Description	MILL RUN ACRES
Description 2	LOT 40
Description 3	N/A
Land Code	

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- ⋮ Tax Parcels
- 911 Address
- Streets
- County Boundaries
- 2007 Head of Tide Wetlands (not regulatory)
- Municipal Boundaries

