

BOARD OF ADJUSTMENT

JEFF CHORMAN, CHAIRMAN
KEVIN E CARSON
JOHN T. HASTINGS
SHAWN LOVENGUTH
JOHN WILLIAMSON



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878

AGENDA

June 16, 2025

6:00 PM

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of Minutes for April 28, 2025

Approval of Finding of Facts April 28, 2025

Approval of Minutes for May 5, 2025

Approval of Finding of Facts May 5, 2025

Approval of Minutes for May 19, 2025

Approval of Finding of Facts May 19, 2025

Case No. 13066 - James Nichols

seeks a variance from the front yard setback for an existing structure. (Section 115-185 and 115-139 (c) of the Sussex County Zoning Code). The property is located on the south side of Lagoon Lane within the Mariner's Cove Manufactured Home Park. 911 Address: 35414 Lagoon Lane, Millsboro. Zoning District: VRP. Tax Map: 234-25.00-4.00-56380

Public Hearings

Case No. 13081 – Robert Bayles

seeks a variance from the side yard setback for a proposed structure (Sections 115-25 and 115-185 of the Sussex County Zoning Code). The property is located on the south side of Pleasant Drive within the North Towns End II subdivision. 911 Address: 6435 Pleasant Drive, Laurel. Zoning District: AR-1. Tax Parcel: 432-6.00-223.00

Case No. 13082 – Orshelia E. Thorpe

seeks variances from the front yard setback for proposed structures (Section 115-25 and 115-182 of the Sussex County Zoning Code). The property is located on the south

side of Lakeview Road within the Lake Wood Estates subdivision. 911 Address: 29114 Lakeview Road, Millsboro. Zoning District: AR-1. Tax Parcel 133-19.00-27.00

Case No. 13083 – Richard and Jolene Evans
seek variances from the side and rear yard setbacks for existing structures (Section 115-20, 115-25, and 115-183 of the Sussex County Zoning Code). The property is located on the south side of Chipmans Pond Road. 911 Address: 12070 Chipmans Pond Road, Laurel. Zoning District: AR-1. Tax Parcel 232-13.00-3.28

Case No. 13084 – Valerie Horsey
seeks a special use exception for a childcare center (Sections 115-40 of the Sussex County Zoning Code). The property is located on the south side of Dove Road. 911 Address: 23856 Doe Road, Seaford. Zoning District: GR. Tax Parcel: 231-12.00-422.00

Case No. 13085 – Ryan Lehmann
seeks a variance from the front and side yard setback for existing and proposed structures and a special use exception for outdoor display or promotional activities at shopping centers or elsewhere (Section 115-80, 115-182, and 115-183 of the Sussex County Zoning Code). The property is located on the south side of Lewes Georgetown Highway. 911 Address: 26822 Lewes Georgetown Highway, Harbeson. Zoning District: C-1. Tax Parcel 235-30.00-58.02

Case No. 13086 – Ida Wheatley
seeks a variance from the maximum fence height within the front yard setback requirement for a proposed structure (Section 115-34, 115-182, and 115-185 of the Sussex County Zoning Code). The property is located on the north side of River Road. 911 Address: 32069 River Road, Millsboro. Zoning District: MR. Tax Parcel: 234-34.11-10.00 and 234-34.11-10.02

Case No. 13090 – Karl Thomas
seeks a special use exception and variance for an accessory dwelling unit with a floor area greater than 1,000 sq ft or 50% of the floor area of the single-family dwelling located on the same lot. (Sections 115-20 A(15)(c) and 115-23 of the Sussex County Zoning Code). The property is located on the southeast side of Hurdle Ditch Road approximately 713 ft. south of Johnson Road. 911 Address: 22673 Hurdle Ditch Road, Harbeson. Zoning District: AR-1. Tax Map: 234-10.00-70.12

Additional Business

-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on June 9, 2025. 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://sussexcountydela.gov/council-chamber-broadcast>

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

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountydela.gov. All comments are encouraged to be submitted by 4:30 P.M. on June 12, 2025.

####

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 #

13066

Hearing Date

5-5-25

202502983

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:

35414 Lagoon Lane, Millsboro, DE 19966

Variance/Special Use Exception/Appeal Requested:

Variance for a permitted porcc

Tax Map #: 234-25.00-4.00-56380

Property Zoning: VRP

Applicant Information

Applicant Name: James Nichols

Applicant Address: 35414 Lagoon Lane

City Millsboro

State DE

Zip: 19966

Applicant Phone #: (415) 756-9299

Applicant e-mail: nicholsroofing@gmail.com

Owner Information

Owner Name: Same as above

Owner Address:

City

State

Zip:

Purchase Date:

Owner Phone #:

Owner e-mail:

Agent/Attorney Information

Agent/Attorney Name: N/A

Agent/Attorney Address:

City

State

Zip:

Agent/Attorney Phone #:

Agent/Attorney e-mail:

Signature of Owner/Agent/Attorney

Date: 2/26/20



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.

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.

Sussex County, DE - BOA Application

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)

Sussex County, DE - BOA Application

Check List for Applications

The following shall be submitted with the application

- ☐ • Completed Application
- ☐ • Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.
- ☐ • Provide a Site Plan or survey of the property (Special Use Exception)
- ☐ • Provide relevant Application Fee (please refer to fees effective July 1, 2022)
- ☐ • Provide written response to criteria for Variance or Special Use Exception (may be on a separate document if not enough room on the form)
- ☐ • Copy of Receipt (staff)
- ☐ • Optional - Additional information for the Board to consider (ex. photos, letters from neighbors, etc.)
- ☐ • Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearing for the application.

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

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

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

Signature of Owner/Agent/Attorney

Date: _____ Date: _____

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Lot#: _____ Block#: _____

Date of Hearing: _____

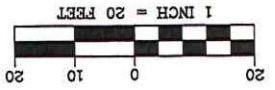
Decision of Board: _____

THIS IS A SUBURBAN SURVEY
BOUNDARY SURVEY PLAN
OF THE LANDS NOW OR FORMERLY OF
MHC MARINERS COVE, LLC
DATE OF PLAN 11 SEP 2024
DATE OF LAST FIELD WORK 29 AUG 2024
PREPARED BY ALAN O KENT LAND SURVEYING, LLC
STATFORD, DE 19779
(302) 745-1779

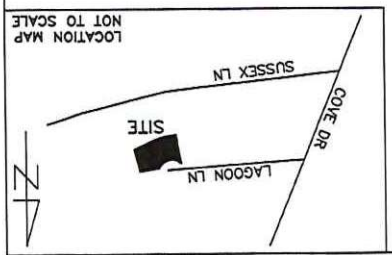
ALAN O'DALE KENT, P.L.S.#738, DATE 11 SEP 2024



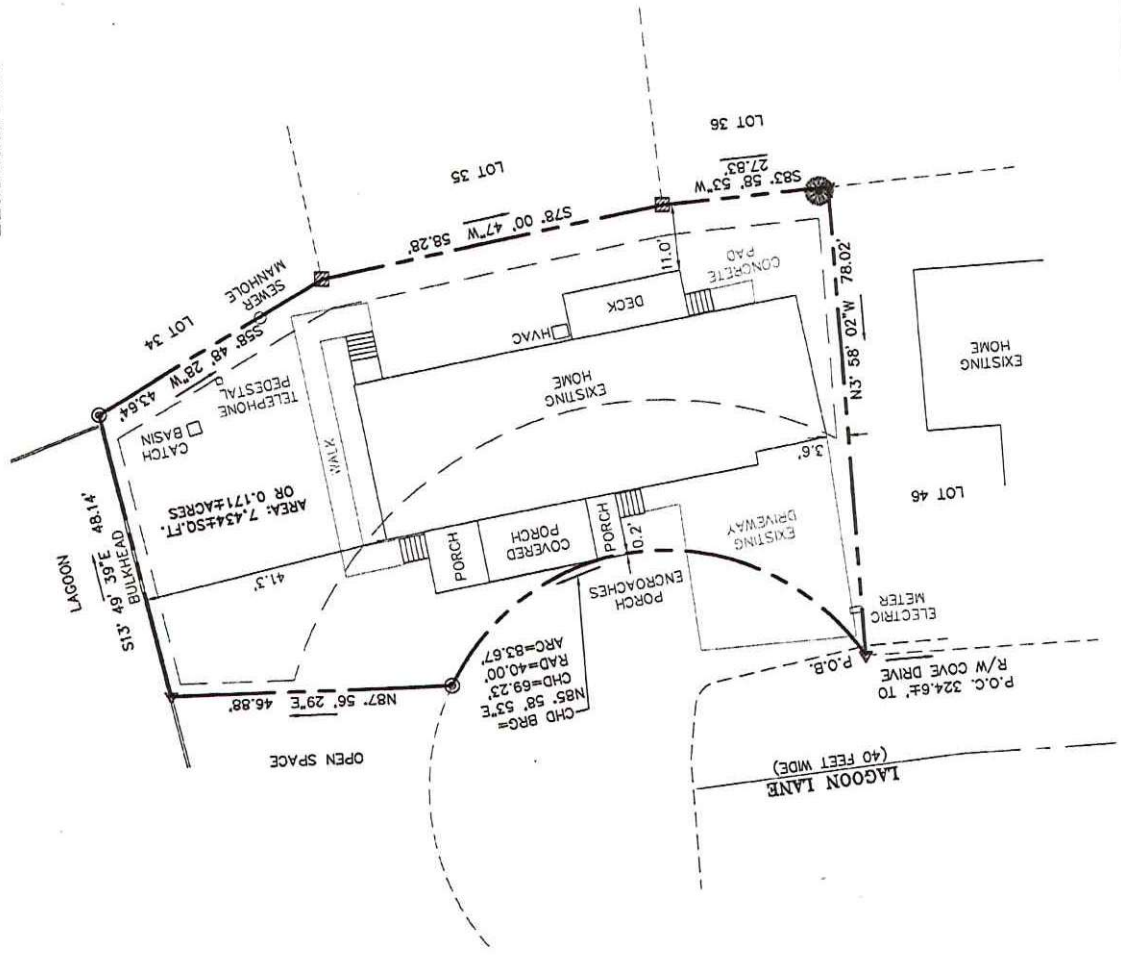
- LEGEND:
- ▲ NAIL SET
 - ⊙ CAPPED IRON PIN SET
 - ▨ CONCRETE MONUMENT FOUND
 - EXISTING PROPERTY LINE
 - - - ADJOINING PROPERTY LINE
 - - - BUILDING RESTRICTION LINE
 - - - ROAD EDGE
 - - - ROAD SEAM



PLAN DATA:
1. TITLE REFERENCED TO:
T#4 234-25.00-4.00-56380, P8 47, PG 349
35414 LAGOON LANE, MILLSBORO, DE 19966
LOT 46A, MARINERS COVE
INDIAN RIVER HUNDREDS, SUSSEX COUNTY, STATE OF DELAWARE
2. NO TITLE REPORT PERFORMED OR FURNISHED IN PREPARATION OF THIS PLAN.
3. 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.
4. ACCORDING TO SUSSEX COUNTY PLANNING AND ZONING, ZONING IS VRP AND SETBACKS ARE: F-25, S-2, AND R-5.



DS/PC, NSRS 2011



James Nichiols

35414 Lagoon Lane

Millsboro, DE 199

(415) 756-9299

nicholsroofing@gmail.com

February 26, 2025

Sussex County Board of Adjustment

Sussex County Planning & Zoning Department

2 The Circle Georgetown, DE 19947

Criteria for a Variance,

1. Uniqueness of property:

There is a non-existent cul de sac on paper at the end Lagoon Lane. The property would be too narrow for the existing building let alone a porch addition.

2. Cannot otherwise be developed:

The property has an existing home purchased in August of 2023, The middle of this home is beyond the set back. This Variance request is for just the existing, permitted, front porch.

3. Not created by the applicant:

These property lines were unknown by the applicant until the survey was completed after the porch was permitted and built.

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

The porch addition is only 0.02 feet (about 2.5 inches into the cul de sac, and on property that is currently maintained by the applicant at the applicants expense. This addition does not block any view it is not hindering access to any property, public or private.

5. Minimum Variance:

The porch and driveways are built and will not be altered beyond the existing structure.

James Nichiols

35414 Lagoon Lane
Millsboro, DE 199

(415) 756-9299

nicholsroofing@gmail.com

February 26, 2025

Sussex County Board of Adjustment

Sussex County Planning & Zoning Department
2 The Circle Georgetown, DE 19947

To Whom it May Concern,

A variance is requested for 35414 Lagoon Lane Millsboro DE, for a permitted and existing porch at that address. The county granted a permit for an addition of a porch structure, the Mariners Cove Management agreed that the porch could be built. After the porch was completed and the final inspection of the structure was done, a zoning officer notified us that the porch structure was over the allowed set back of 25 feet from the front property line. We were told by the zoning agent to complete a survey of the property and request a variance from the Board of Adjustment

After the survey was completed (at a cost of \$750.00) it was discovered that there is a cul de sac on paper that was never constructed at the end of Lagoon Lane, and that cul de sac would have been into our driveway and front yard and the required setbacks would have been in the middle of the house, meaning that the existing house we purchased in August of 2023 should never have been built

It appears that the front property line was assumed (by both Mariners Cove and by Sussex County Zoning and Planning) to be continuous from the shoulder of Lagoon Lane to the canal bulkhead and therefore the main house would not have been encroaching on the setbacks.

In our case, we relied on our contractor, Mariners Cove Management, and Sussex County to ensure that we were compliant with all laws, regulations and codes prior to the construction of the front porch addition. Unfortunately our contractor, who pulled the permit, left in the middle of the job and we had to hire someone else to finish the project. Mariners Cove was unaware that we did not meet the initial setback and Sussex County was not aware of a cul de sac at all.

Our porch is consistent with nearby houses, It does not block any views or access to any private or public property. We maintain the front yard and

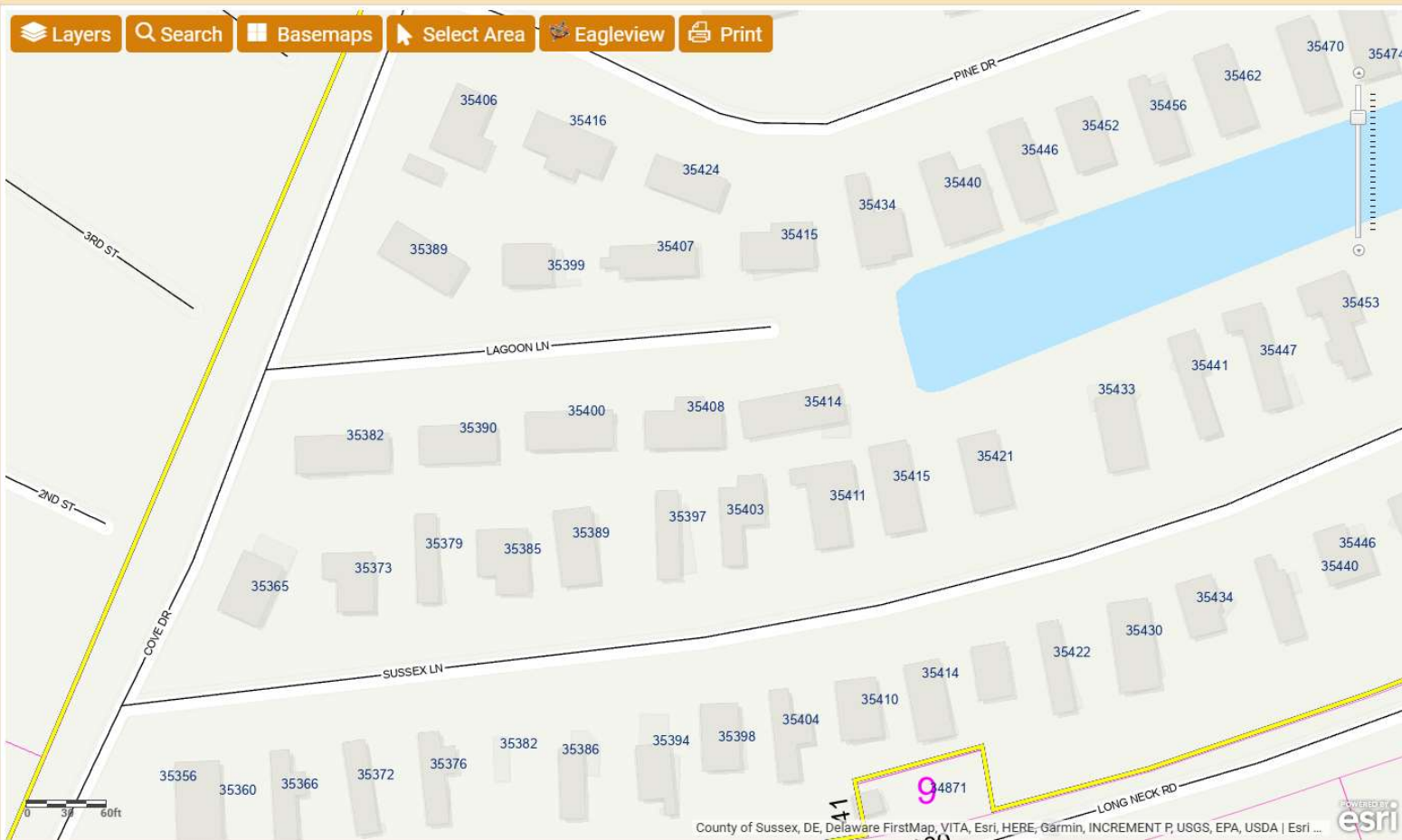
driveway that are "in the cul de sac" at our expense. There have been no complaints from neighbors or management since we started the porch addition last spring nor since completion in June of 2024.

Footnote: (Respectfully) I have been a licensed and bonded specialty contractor in another state since 1996, I have been involved with hundreds of construction projects from a few hundred bucks to multimillion dollar commercial, industrial, state and federal projects, I have never experienced another situation where the project is permitted, inspected for footings, Inspected for framing and final inspected per code by the building department, and then, after the fact had a setback issue with the county.

Please see the attached pages for answers to the questions on the application.

Sincerely,

James Nichiols



Eagleview

Search Results

Selected Features:

Parcels (387)

1) 234-25.00-4.00

Zoom

BOOK	0
PAGE	0
FULLNAME	MHC MARINERS COVE LLC
Second_Owner_Name	
MAILINGADDRESS	35502 PINE DRIVE LOT 67
CITY	MILLSBORO
STATE	DE
a_account	
DESCRIPTION	GIS TIEBACK
DESCRIPTION2	DUMMY ACCOUNT
DESCRIPTION3	
LUC	612
SCHOOL	1
MUNI	00
CAP	0

2) 234-25.00-4.00-11508

Zoom

3) 234-25.00-4.00-11509

Zoom

4) 234-25.00-4.00-11510

Zoom

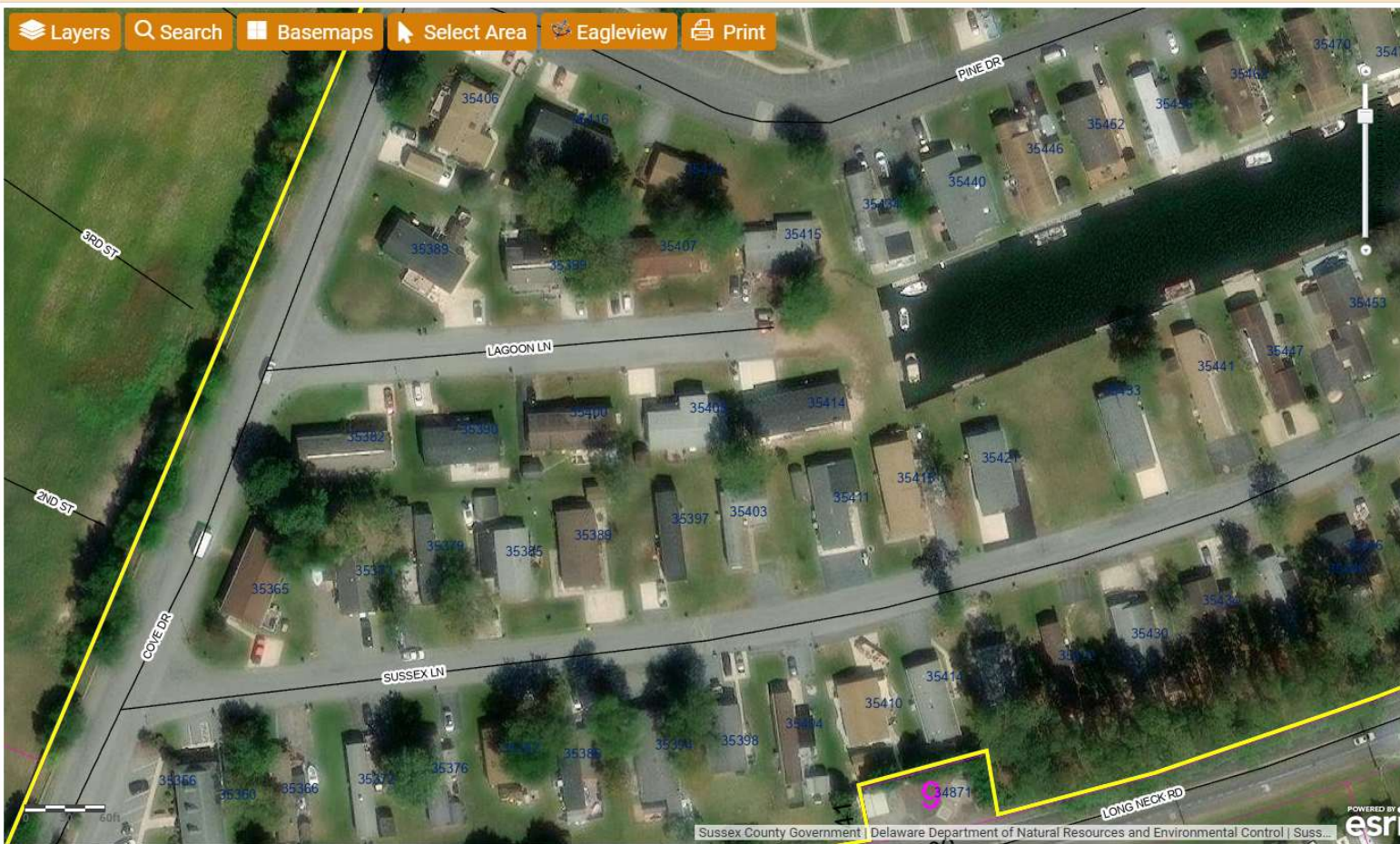
5) 234-25.00-4.00-11511

Zoom



Selected Features (1 - 5 of 387)

Clear Selected



Eagleview	Search Results
Selected Features: Parcels (387)	
▼ 1) 234-25.00-4.00 Zoom	
BOOK	0
PAGE	0
FULLNAME	MHC MARINERS COVE LLC
Second_Owner_Name	
MAILINGADDRESS	35502 PINE DRIVE LOT 67
CITY	MILLSBORO
STATE	DE
a_account	
DESCRIPTION	GIS TIEBACK
DESCRIPTION2	DUMMY ACCOUNT
DESCRIPTION3	
LUC	612
SCHOOL	1
MUNI	00
CAP	0
► 2) 234-25.00-4.00-11508 Zoom	
► 3) 234-25.00-4.00-11509 Zoom	
► 4) 234-25.00-4.00-11510 Zoom	
► 5) 234-25.00-4.00-11511 Zoom	
◀ ◀ ⬆ ⬇ ▶ ▶ Selected Features (1 - 5 of 387)	
Clear Selected	



Search

Search by SUSSEXPARCELS

234-25.00-4.00

Search results (1) Options

234-25.00-4.00

Workspaces

13066

Applicant
Exhibit



13066

Applicant
Exhibit



13066

Applicant
Exhibit



Applicant
Exhibit

To whom it may Concern,

This letter refers to case #13066. The property is located at 35414 Lagoon Ln. We are neighbors and received notification of a hearing regarding the addition of a screened in deck at this residence.

The deck is a nice improvement to the home as well as our neighborhood and in no way infringes on our space or view.

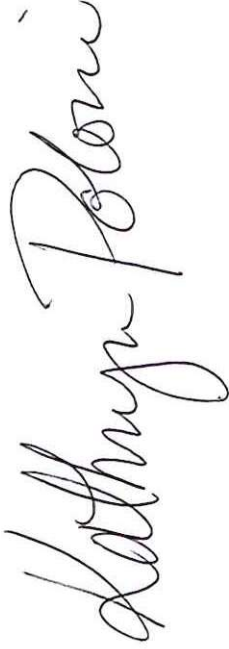
Dale Barmore
35415 Lagoon Ln / Lot 47
Millsboro De 19966



35434 Pine Dr
Millsboro De 19966



Kathryn Poloni
35403 Sussex Lane
Millsboro De 19966





Case #13066 - James Nichols

1 message

Jennifer Wolf, owner of Jen Wolf Photography <thewolfpack4.jw@gmail.com> Wed, Apr 23, 2025 at 11:00 AM
To: Teri Nichols <teri@nichols@gmail.com>

To whom it may concern,

Our property borders the Nichols who live at 35414 Lagoon Lane, Millsboro, DE.
Per the public hearing notice my husband and I received, I am writing to inform the county, that we have no issues with the Nichols front porch. It's a beautiful addition to their house and property and adds character and value. I don't see an issue with its location as well.

If you have any further questions, feel free to contact Jennifer at 717-686-3799.

Brad and Jennifer Wolf
35411 Sussex Lane
Lot #35
Millsboro, DE 19966

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 # 13081
Hearing Date 6-16-2025
202505216

RECEIVED

Type of Application: (please check all applicable)

Variance ☒ Existing Condition ☐ SUSSEX COUNTY
Special Use Exception ☐ PLANNING & ZONING
Administrative Variance ☐
Appeal ☐ Code Reference (office use only)

APR 21 2025

Site Address of Variance/Special Use Exception:

6435 Pleasant Drive Laurel DE 19956

Variance/Special Use Exception/Appeal Requested:

Relief from the 15' Side setback so that we can place a detached garage on the property. We are requesting relief of 10' So that we can build to 6' from property line

Tax Map #: 432-6.00-223.00 Property Zoning: AR-1

Applicant Information

Applicant Name: JBS Construction
Applicant Address: 8961 Greenwood Road
City Greenwood State DE Zip: 19950
Applicant Phone #: (302) 228-5122 Applicant e-mail: jbsconstruction@me.com

Owner Information

Owner Name: Bob Bayles
Owner Address: 6435 Pleasant Drive
City Laurel State DE Zip: 19956 Purchase Date: 10/16/24
Owner Phone #: (734) 998-4506 Owner e-mail: bobbayles4506@gmail.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Robert Bayles

dotloop verified
04/18/25 5:56 PM EDT
KPAT-NBDN-SOFD-BZAR

Date: _____



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.

The lot is a very non rectangular shape which makes it difficult to maintain the 15' setback and add a detached garage. The well is also placed in a way that negates being able to push the garage back and left.

2. Cannot otherwise be developed:

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

With the position of the well and the uniqueness of the property lines there is no other logical place to position the detached garage.

3. Not created by the applicant:

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

Purchased the property last year with the intention to place the detached garage at the end of the existing blacktop. Had no idea that there would be a problem with the setback based on the driveway being in the same area.

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.

Based on the fact that the house to the right actually faces the opposite street and has a very large backyard. This will not look out place at all.

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.

9' Variance (Allowing 6' setback from lot line)

Sussex County, DE - BOA Application

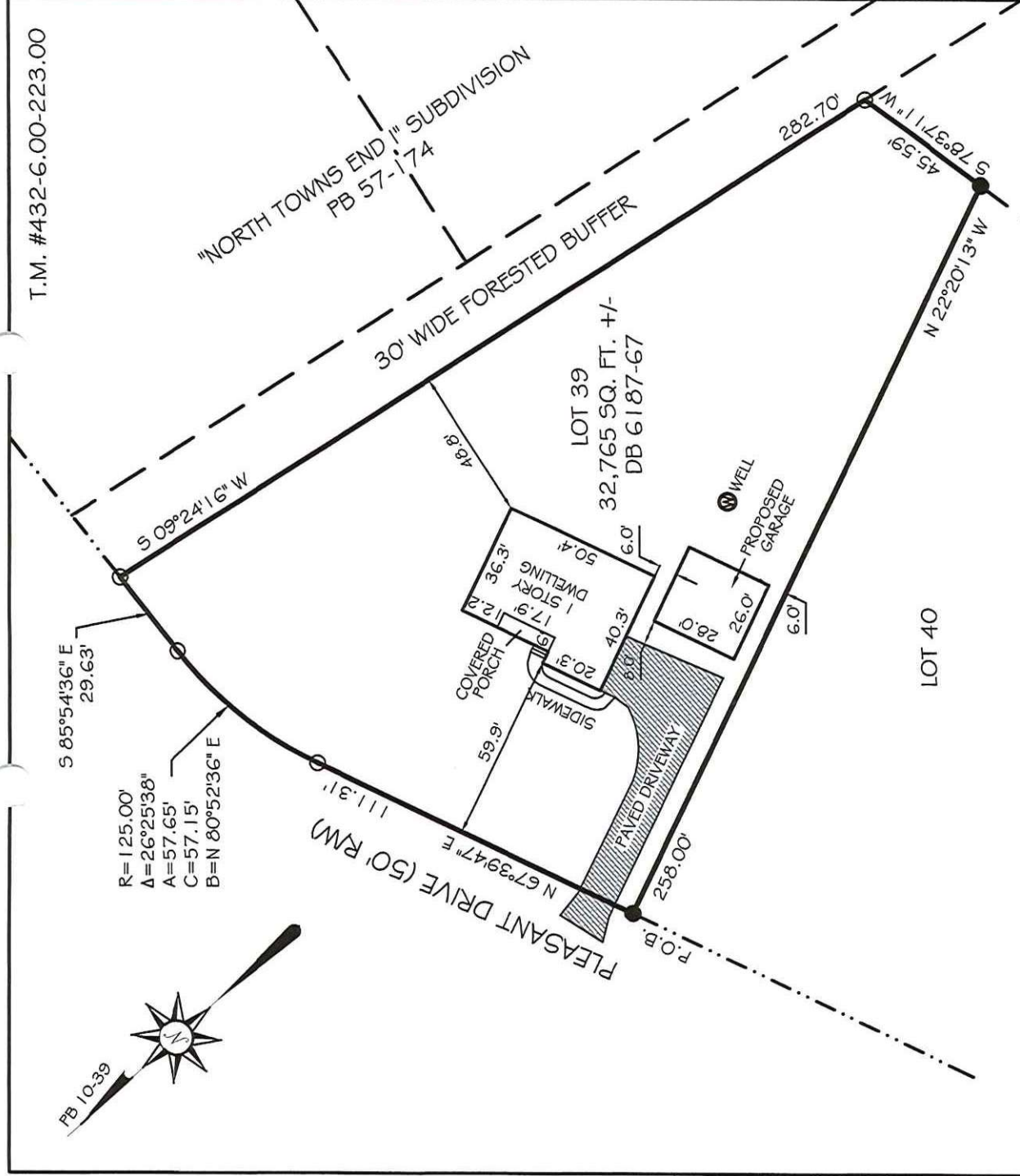
Criteria for a Special Use Exception: (Please provide a written statement regarding each criteria)

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)



- POINT
- IRON PIPE (FOUND)

SEE PLOT BOOK 10 PAGE 39 FOR EASEMENT RESERVATIONS. THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY OTHER THAN THOSE SHOWN. NO TITLE SEARCH PROVIDED OR STIPULATED.

I, DONALD K. MILLER 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.

REGISTERED PROFESSIONAL LAND SURVEYOR
DONALD K. MILLER
No. 407
DATE 4/11/25
SUBURBAN

BOUNDARY SURVEY FOR

JBS CONSTRUCTION

6435 PLEASANT DRIVE, LAUREL, DE 19956
LOT #39 OF "NORTH TOWNS END II" SUBDIV.
LITTLE CREEK HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

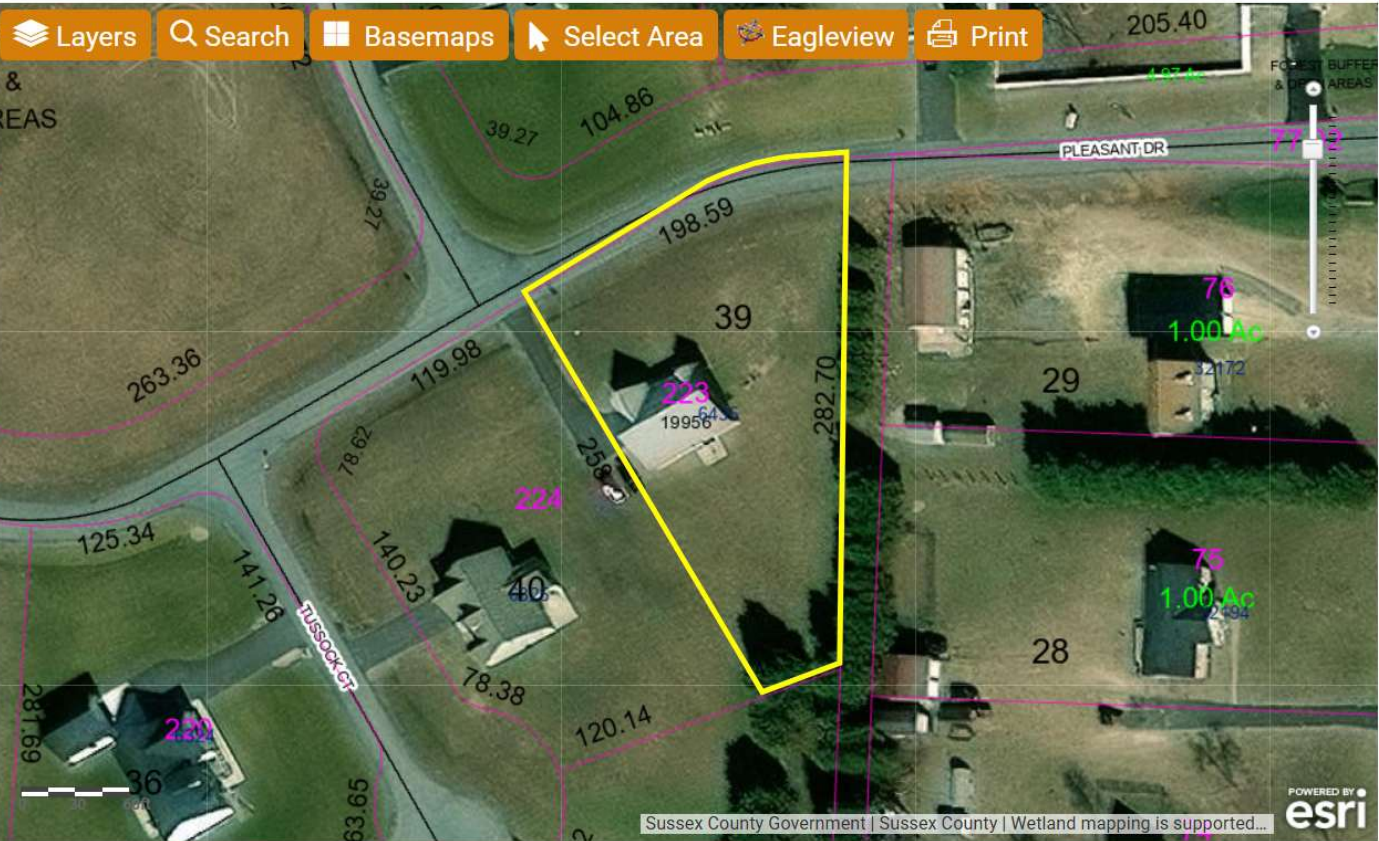
SCALE 1" = 50' APRIL 10, 2025

PREPARED BY:

PH: 302-629-9895
FAX: 302-629-2391

MILLER LAND SURVEYING
LEWIS, INC.

1560 MIDDLEFORD RD. • SEAFORD, DE. 19973



Eagleview Search Results

Selected Features: Parcels (1)

1) 432-6.00-223.00

Zoom

BOOK	6187
PAGE	67
FULLNAME	BAYLES ROBERT D
Second_Owner_Name	PAMELA BAYLES
MAILINGADDRESS	6435 PLEASANT DR
CITY	LAUREL
STATE	DE
a_account	
DESCRIPTION	NORTH TOWNS END II
DESCRIPTION2	LOT 39
DESCRIPTION3	
LUC	101
SCHOOL	2
B. AT. IN. II.	00

Selected Features (1)

Clear Selected



Eagleview Search Results

Selected Features:

▼ 1) 432-6.00-223.00 [Zoom](#)

BOOK	6187
PAGE	67
FULLNAME	BAYLES ROBERT D
Second_Owner_Name	PAMELA BAYLES
MAILINGADDRESS	6435 PLEASANT DR
CITY	LAUREL
STATE	DE
a_account	
DESCRIPTION	NORTH TOWNS END II
DESCRIPTION2	LOT 39
DESCRIPTION3	
LUC	101
SCHOOL	2
ANNUAL	00

Selected Features (1)

[Clear Selected](#)



Search

Search by SUSSEXPARCELS

432-6.00-223.00

Search results (1) Options

432-6.00-223.00



workspaces



© 2025 Google

map: Auto (Ortho) | Dates: Latest | image 1 of 4 | 03/11/2025



RECEIVED

APR 22 2025

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 faxCase # 13082
Hearing Date _____202505314**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:29114 Lakeview Rd Millsboro DE 19966**Variance/Special Use Exception/Appeal Requested:**Requesting an 8 foot variance from the 40 foot
Front Yard SetbackTax Map #: 133-19.00-27.00

Property Zoning: _____

Applicant InformationApplicant Name: Orshelia E ThorpeApplicant Address: 29114 Lakeview RdCity Millsboro State DE Zip: 19966Applicant Phone #: 302-833-2427 Applicant e-mail: gingerbreadkj19347@gmail.com**Owner Information**Owner Name: Orshelia E ThorpeOwner Address: 29114 Lakeview RdCity Millsboro State DE Zip: 19966 Purchase Date: 12/95Owner Phone #: 302-833-2427 Owner e-mail: gingerbreadkj19347@gmail.com**Agent/Attorney Information**Agent/Attorney Name: Haller & Hudson

Agent/Attorney Address: _____

City Georgetown State DE Zip: 19956Agent/Attorney Phone #: 856-4535 Agent/Attorney e-mail: _____**Signature of Owner/Agent/Attorney**[Signature] Date: 4/22/25

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.

My property is a triangular lot.

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.

Our wish was to do a front porch & due to setback

3. Not created by the applicant:

We had to apply for a variance.

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

We did not build it ourselves.

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.

Don't trying to add value to my property.

5. Minimum variance:

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

We just had an idea of the size

due to structure and wanted a welcoming way to enter our home.

Sussex County, DE - BOA Application

Check List for Applications

The following shall be submitted with the application

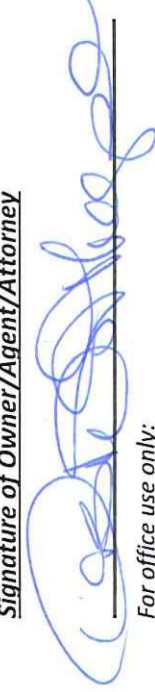
- ☒ • Completed Application
- ☒ • Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.
- ☒ • Provide a Site Plan or survey of the property (Special Use Exception)
- ☒ • Provide relevant Application Fee (please refer to fees effective July 1, 2022)
- ☒ • Provide written response to criteria for Variance or Special Use Exception (may be on a separate document if not enough room on the form)
- ☐ • Copy of Receipt (staff)
- ☐ • Optional - Additional information for the Board to consider (ex. photos, letters from neighbors, etc.)
- ☐ • Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearing for the application.

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

Signature of Owner/Agent/Attorney

 Date: 4/22/25

For office use only:

Date Submitted: _____ Fee: _____ Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____ Lot#: _____ Block#: _____

Date of Hearing: _____ Decision of Board: _____

Amy Hollis

From: Shelia Owens <gingerbreadgirl9397@gmail.com>
Sent: Tuesday, April 22, 2025 10:25 AM
To: Amy Hollis
Subject: To whom it may concern ladies and gentlemen of the board- I'm asking...

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.

To whom it may concern ladies and gentlemen of the board- I'm asking for a variance due to a couple of reasons- for one I'm seeking increased value to add to my property also in being an only child I'm also preparing a place for my aging parents to find support and help in their later years with a front porch it makes for easier access to the front door of our property should they need to come to live with us in the future as also in my plans I have an additional bathroom being added in renovation with a walk-in shower just another helpful aid in being supportive to my elderly parents. Thank you, for your time, Shelia and Lewis Thorpe

Sent from my iPhone

Sussex County Government
Treasury
2 The Circle, P0 Box 601
Georgetown, DE 19947

04/22/2025 10:29AM Catherine
33029381-0041 001183190

PERMITS / INSPECTIONS
2025 202505314|2020 \$500.00

\$500.00

Subtotal \$500.00
TP CC SF \$15.00
Total \$515.00

TYLER PAYMENTS CC \$515.00
*****3806
Ref:09002525-9af9-4453-8ba0-158deafa9baa
Auth=090119

Change due \$0.00

Paid by: THORPE/ORSHELIA E

Signature: _____

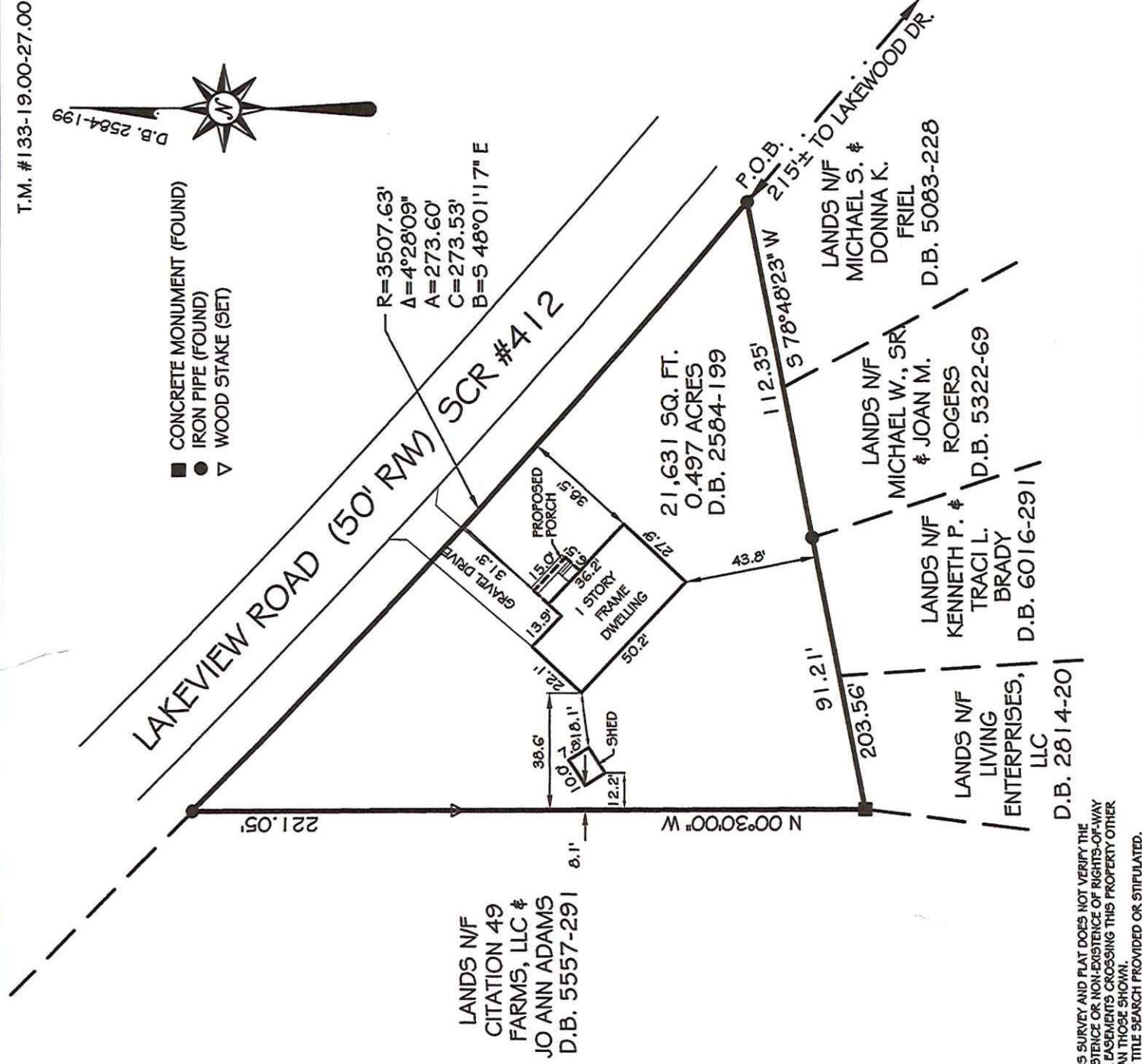
Thank you for your payment.

CUSTOMER COPY

service fee

TYLER PAYMENTS

T.M. #133-19.00-27.00



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

I, DONALD K. MILLER, 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.

Signature: Donald K. Miller
Date: 4/17/25
Survey Class: SUBURBAN
Survey Class: SUBURBAN

BOUNDARY SURVEY FOR
ORSHELIA E. THORPE
 29114 LAKEVIEW ROAD, MILLSBORO, DE 19966
 DAGSBORO HUNDRED SUSSEX COUNTY
 STATE OF DELAWARE
 SCALE 1" = 50'
 JULY 16, 2024
 4/17/25 ADDED PROPOSED PORCH

SURVEYED/PREPARED BY:
MILLER LAND SURVEYING
LEWIS, INC.
 1560 MIDDLEFORD RD.
 SEAFORD, DE. 19973
 PH: 302-629-9895
 FAX: 302-629-2391

RECEIVED

APR 22 2025

Board of Adjustment Application

Sussex County, Delaware

SUSSEX COUNTY
PLANNING & ZONINGSussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 faxCase # 13083
Hearing Date _____202505332

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: _____

12070 Chipmans Pond Rd. Laurel, DE 19956

Variance/Special Use Exception/Appeal Requested:

variance of 50' from 50' set back.Tax Map #: 232-13.00-3.28Property Zoning: AR-1

Applicant Information

Applicant Name: Richard Evans & Jolene Cross EvansApplicant Address: 12048 Chipmans Pond Rd.City Laurel State DE Zip: 19956Applicant Phone #: 302-841-4082 Applicant e-mail: jolene.cross@laurel.k12.de.us

Owner Information

Owner Name: same

Owner Address: _____

City _____ State _____ Zip: _____

Purchase Date: _____

Owner Phone #: _____

Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: not applicable

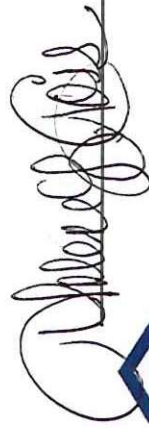
Agent/Attorney Address: _____

City _____ State _____ Zip: _____

Agent/Attorney Phone #: _____

Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney



Date: _____



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.

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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 Variance:

12070 Chipmans Pond Rd. Laurel, DE 19956

RECEIVED

APR 22 2025

SUSSEX COUNTY
PLANNING & ZONING

#1 Uniqueness of Property:

The uniqueness of my property lies in its history as the former Lowe's Lakeview Campground, which has resulted in multiple wells and septic systems scattered throughout the land. These hidden features pose a potential hazard, as a horse could suffer serious injury or even death if it were to fall into an unmarked or unstable area. The location chosen for the horse run-in, however, is free of any wells or septic systems, making it the safest and most practical spot for the structure. This careful placement prioritizes the horses' safety while making responsible use of the property's layout.

#2 Cannot otherwise be developed:

Due to the physical circumstances of my property, including the narrow width of the property and the presence of multiple wells and septic systems from its former use as a campground, it is not possible to develop the land in strict conformity with the setback provisions stated in the Sussex County Code. The run-in is however more than 100 feet from any dwelling in the area. The proposed variance is necessary to enable the reasonable use of the property, as the selected location for the horse run-in is the safest and most practical spot, free from the risks posed by hidden wells or septic systems. This placement ensures the protection of the horse while making responsible and appropriate use of the land.

#3 Not created by the applicant:

The exceptional difficulty presented by the multiple wells and septic systems on my property was not created by me, but rather is a result of its previous use as a campground. These pre-existing conditions limit the areas where structures can be safely and practically placed. The need for a variance arises solely from these inherited physical circumstances, making it necessary to ensure the safe and reasonable use of the property.

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

The well-built horse run-in does not alter the essential character of the neighborhood; in fact, it enhances the area's agricultural nature. The structure borders the property of Changing Fates Equine Rescue and is adjacent to other farmlands, making it a natural and fitting addition to the landscape. It does not impair the appropriate use of neighboring properties, nor does it pose any risk, threat, or detriment to public welfare. Instead, it supports the area's rural charm and promotes the responsible care of animals.

#5 Minimum Variance:

If authorized, the variance will represent the minimum necessary relief and the least modification possible of the regulation in question. The placement of the horse run-in does not impede the use or enjoyment of neighboring properties and ensures the paddock meets the minimum recommended size for a horse, which is 1,000 square feet of turn-out space. Should the run-in need to be moved or modified, it would take away from that necessary space. This careful placement balances the need for adequate equine care with respect for property boundaries and neighboring land use.

Sussex County, DE - BOA Application

Check List for Applications

The following shall be submitted with the application

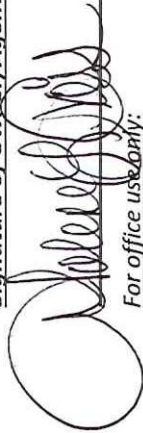
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- ☐ • Provide a survey of the property (Variance)
 - ☐ Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - ☐ Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - ☐ Survey shall be signed and sealed by a Licensed Surveyor.
- ☐ • Provide a Site Plan or survey of the property (Special Use Exception)
- ☐ • Provide relevant Application Fee (please refer to fees effective July 1, 2022) ~~\$500~~—
- ☒ • Provide written response to criteria for Variance or Special Use Exception (may be on a separate document if not enough room on the form)
- ☐ • Copy of Receipt (staff)
- ☒ • Optional - Additional information for the Board to consider (ex. photos, letters from neighbors, etc.)
- ☒ • Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearing for the application.

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

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

Signature of Owner/Agent/Attorney



Date: _____

For office use only:
Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____ Lot#: _____ Block#: _____

Date of Hearing: _____ Decision of Board: _____

Sussex County Government
Treasury
2 The Circle, PO Box 601
Georgetown, DE 19947

04/22/2025 12:51PM Catherine
33029381-0085 001183413

PERMITS / INSPECTIONS
2025 2025053321Z020 \$500.00

\$500.00

Subtotal
Total

\$500.00
\$500.00

CHECK
Check Number 7666

\$500.00

Change due

\$0.00

Paid by: BARBARA CROSS

7666
7666
4-22-25
\$500.00
PNC BANK
Barbara Cross

Thank you for your payment.

CUSTOMER COPY

T.M. #232-13.00-3.18 & 3.28

D.B. 2740-121



CHIPMANS POND ROAD

FIRETOWER RD.

P.O.B.

TERESA RYAN
N/F
D.B. 1621-93

PARCEL 3.18
0.9130 Acres +/-

PARCEL 3.28
1.2950 Acres +/-

RALPH C. LOWE
N/F
D.B. 2368-204

RONALD J. CROSS, JR.
N/F
D.B. 4916-206

CHANGING FATES EQUINE RESCUE OF DELAWARE
N/F
D.B. 4075-101

- POINT
- PIPE (FD)
- ▲ IRON ROD (FD)
- CONC. MON. (FD)

DEED REF: PARCEL 3.18 4602-250
DEED REF: PARCEL 3.28 4823-29

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

I, DONALD K. MILLER, 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.

REGISTERED PROFESSIONAL LAND SURVEYOR
No. 407
DONALD K. MILLER, PLS 407
DATE 4/7/28
SURVEY CLASS: SUBURBAN

REQUEST FOR VARIANCE PLAN FOR

JOLENE L. CROSS &
RICHARD R. EVANS

12048 CHIPMANS POND RD. LAUREL, DE. 19956
BROAD CREEK HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

SCALE 1" = 100' MARCH 4, 2025

PREPARED BY:

PH: 302-629-9895
FAX: 302-629-2391

MILLER LAND SURVEYING
LEWIS, INC.

1560 MIDDLEFORD RD. • SEAFORD, DE. 19973

Meet Charli Rose Evans

Charli Evans is an inspiring 12-year-old diagnosed with Obsessive Compulsive Disorder and Extreme Anxiety whose dedication to animals and the environment shines through her self-sustaining farm and eco-conscious practices. Her horses not only provide her with therapeutic support but also fuel her passion for responsible care and conservation. It's impressive that her efforts have earned her recognition as Delaware's Young Environmentalist of the Year three times—a true testament to her commitment and impact!

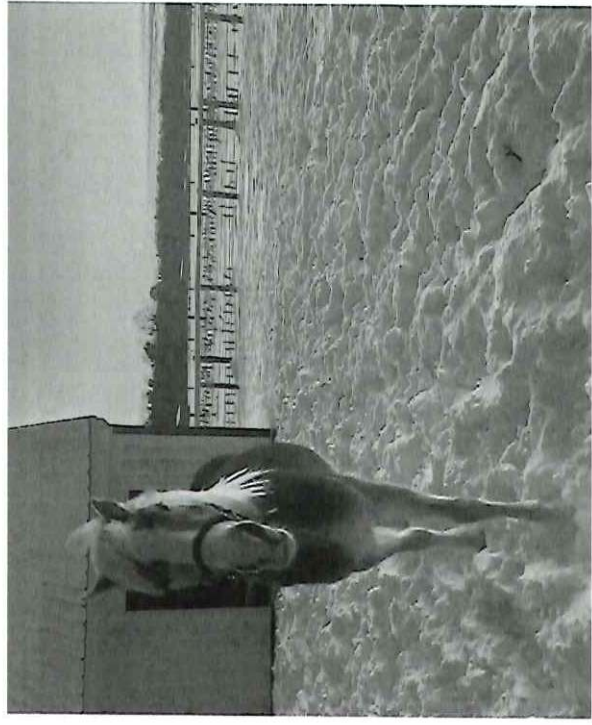
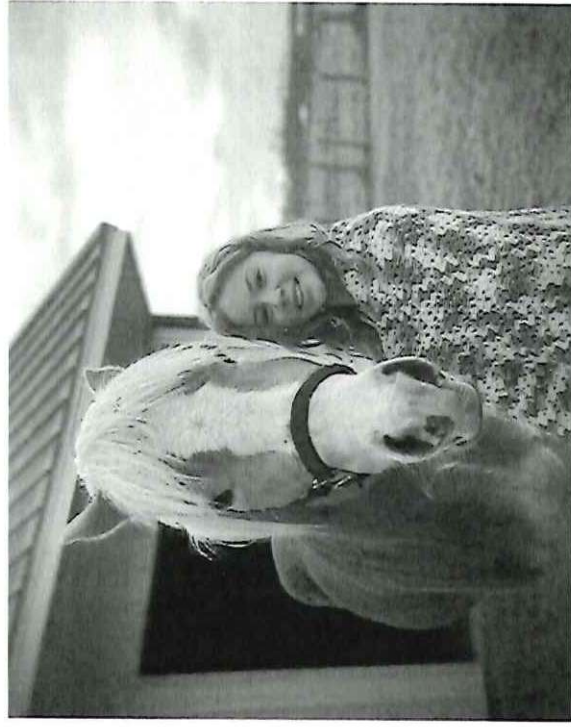
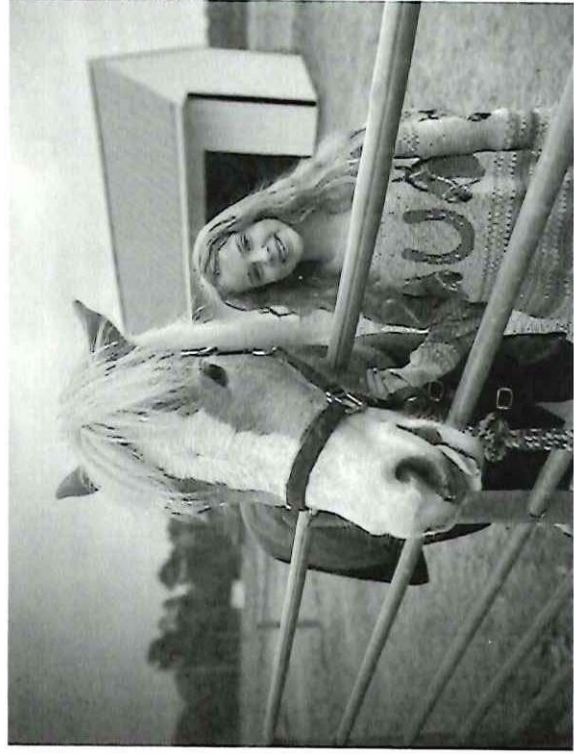
Charli Rose Evans, awarded the 2019, 2021, and 2024 DNREC Young Environmentalist of the Year in the middle school category, is a dedicated advocate for sustainable farming. She operates an organic farm with her family in southern Delaware and runs her own small business, Charli's Chicks Farm Fresh Eggs, which focuses on providing high-quality, organically raised eggs. Nothing goes to waste – Charli recycles food scraps to feed her chickens, composts food waste and manure to make fertilizer, and grinds eggshells to add calcium to her garden soil. Her commitment to eco-friendly practices and her entrepreneurial spirit not only promote sustainable agriculture but also inspire her community to embrace eco-conscious choices. DNREC's Young Environmentalist of the Year Awards program recognizes Delaware students whose actions have helped protect, restore or enhance our natural resources by initiating an innovative project, practicing environmental stewardship, increasing public awareness or demonstrating environmental ethics.

Though her farm is small, SHE and her family have made it into a very functional little farm.



DNREC Secretary Shawn M. Garvin; Lt. Gov. Bethany Hall-Long, Young Environmentalist honorees Charli Rose Evans and Melisa Velasquez, and Gov. John Carney.

Charli and her Horses



Sussex County Variance Board
 2 The Circle
 Georgetown, DE 19956

RECEIVED

APR 22 2025

SUSSEX COUNTY
 PLANNING & ZONING

Subject: Support for Variance Application – Horse Run-In

Dear Members of the County Variance Board,

I am writing to express my support for the variance application regarding the horse run-in structure at **12070 Chipmans Pond Road, Laurel, DE 19956**. I kindly ask that the board does not contest this application, as the proposed run-in does not negatively impact the aesthetic character of the neighborhood, nor does it threaten public welfare or interfere with the appropriate use of neighboring properties.

The structure is designed to be modest and unobtrusive, blending with the rural landscape and maintaining the area's visual appeal. Additionally, it serves to promote the humane care of the horses by providing necessary shelter, which enhances their well-being without posing any risk or inconvenience to the public.

Furthermore, the location and scale of the run-in ensure that it does not impede or diminish the enjoyment of neighboring properties. Its placement is respectful of property lines and sightlines, preserving the privacy and use of adjacent lots.

I respectfully encourage the board to approve the variance application, as the run-in is both reasonable and beneficial, with no detrimental effects on the surrounding community.

Thank you for your time and consideration.

Sincerely,

Name: Karen Speake @ Changing Fates Equine Rescue
 Address: 31283 Old Cabin Rd.
Laurel, DE

Phone Number: 302-339-5065 or 302-344-2002

Karen Speake 4/8/25
 Signature Date

Sussex County Variance Board
 2 The Circle
 Georgetown, DE 19956

RECEIVED

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APR 22 2025

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 PLANNING & ZONING

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Thank you for your time and consideration.

Sincerely,

Name: Ronald J. Cross Jr.

Address: 12070 Chipmans Pond Rd.

Laurel, DE 19956

Phone Number: 302-745-0529

Ronald J. Cross Jr.
 Signature

4.21.25
 Date

Sussex County Variance Board
 2 The Circle
 Georgetown, DE 19956

RECEIVED

APR 22 2025

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 PLANNING & ZONING

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Thank you for your time and consideration.

Sincerely,

Name: Connie and Ray O'Neal

Address: 12059 Chipmans Pond Rd.

Laurel, DE 19956

Phone Number: 302-381-7834 302-228-9098

Connie O'Neal / Raymond O'Neal 4/21/25
 Signature Date

Sussex County Variance Board
2 The Circle
Georgetown, DE 19956

RECEIVED

Subject: Support for Variance Application – Horse Run-In

APR 22 2025

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PLANNING & ZONING

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Thank you for your time and consideration.

Sincerely,

Name: Ralph Lowe

Address: 12008 Chipmans Pond Rd.
Laurel, DE 19956

Phone Number: 302-875-1991

Carlton R. Lowe 4-21-25
Signature Date

Sussex County Variance Board
 2 The Circle
 Georgetown, DE 19956

RECEIVED

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APR 22 2025

SUSSEX COUNTY
 PLANNING & ZONING

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Thank you for your time and consideration.

Sincerely,

Name: Donte' Egan
 Address: 12070 Chipmans Pond Rd

Phone Number: 302-344-7123

Donte' Egan 4/22/25
 Signature Date

Meet Charli Rose Evans

Charli Evans is an inspiring 12-year-old diagnosed with Obsessive Compulsive Disorder and Extreme Anxiety whose dedication to animals and the environment shines through her self-sustaining farm and eco-conscious practices. Her horses not only provide her with therapeutic support but also fuel her passion for responsible care and conservation. It's impressive that her efforts have earned her recognition as Delaware's Young Environmentalist of the Year three times—a true testament to her commitment and impact!

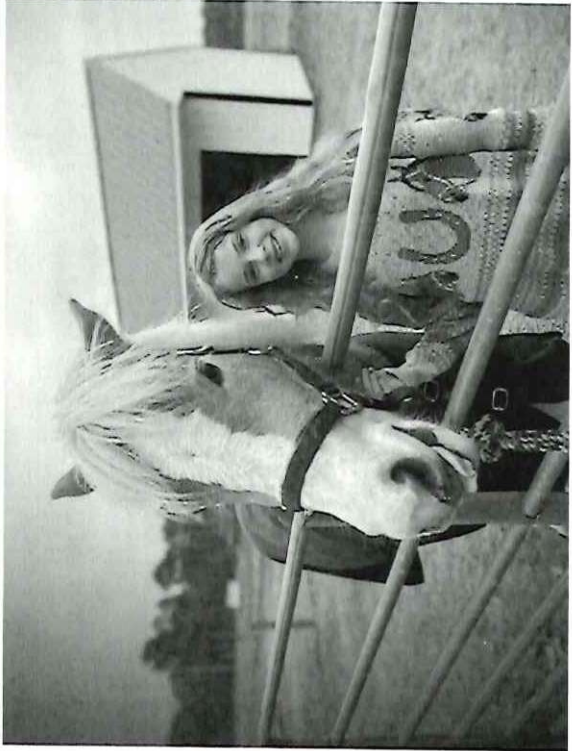
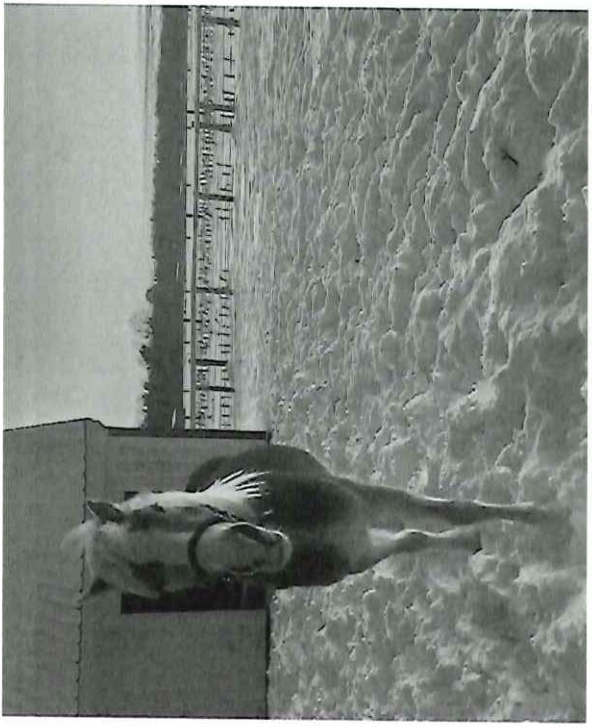
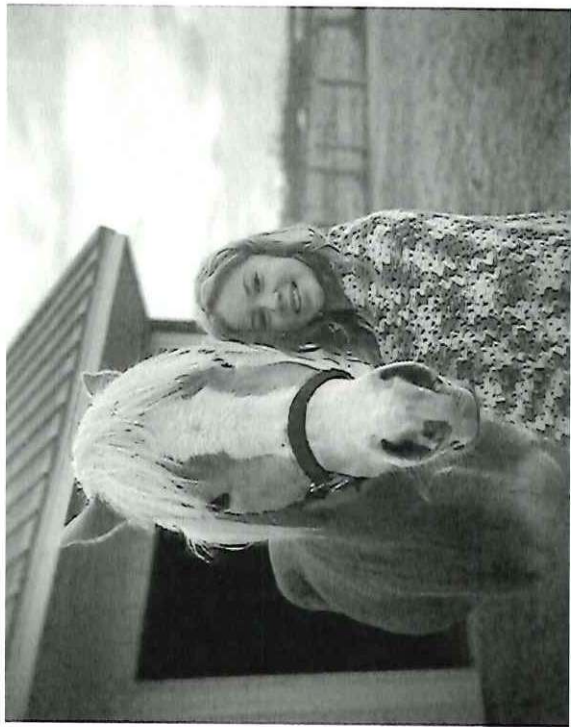
Charli Rose Evans, awarded the 2019, 2021, and 2024 DNREC Young Environmentalist of the Year in the middle school category, is a dedicated advocate for sustainable farming. She operates an organic farm with her family in southern Delaware and runs her own small business, Charli's Chicks Farm Fresh Eggs, which focuses on providing high-quality, organically raised eggs. Nothing goes to waste – Charli recycles food scraps to feed her chickens, composts food waste and manure to make fertilizer, and grinds eggshells to add calcium to her garden soil. Her commitment to eco-friendly practices and her entrepreneurial spirit not only promote sustainable agriculture but also inspire her community to embrace eco-conscious choices. DNREC's Young Environmentalist of the Year Awards program recognizes Delaware students whose actions have helped protect, restore or enhance our natural resources by initiating an innovative project, practicing environmental stewardship, increasing public awareness or demonstrating environmental ethics.

Though her farm is small, SHE and her family have made it into a very functional little farm.



DNREC Secretary Shawn M. Garvin; Lt. Gov. Bethany Hall-Long, Young Environmentalist honorees Charli Rose Evans and Melissa Velasquez, and Gov. John Carney.

Charli and her Horses



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 # 13084
Hearing Date June 16, 2025
202505563

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:

23856 Dove Rd. Seaford, De. 19973

Variance/Special Use Exception/Appeal Requested:

To use the facility as a family daycare.

Tax Map #: 231-12.00-422.00

Property Zoning: **GR**

Applicant Information

Applicant Name: Valerie E. Horsey
Applicant Address: 23856 Dove Rd.
City Seaford State De. Zip: 19973
Applicant Phone #: 302 519-7717 (cell) Applicant e-mail: veh319@gmail.com

Owner Information

Owner Name: Valerie Horsey
Owner Address: 23856 Dove Rd.
City Seaford State De Zip: 19973 Purchase Date:
Owner Phone #: 302 629-4347 (home) Owner e-mail: veh319@gmail.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Valerie E. Horsey

Date: 4/24/25



Sussex County, DE - BOA Application

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. *Having a home daycare will not adversely affect my neighbors because I have 2.5 acres of land. I have a privacy fence up and I have space for parents to drive + park in. My neighbors won't be affected at all.*

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)

5yrs.

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

In order for the Board of Adjustment to grant a special use exception or variance, the Board must find that the applicant has proven the following:

STANDARDS FOR GRANTING OF VARIANCES

1. Uniqueness.

- a. Unique physical circumstances or conditions (such as irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions, peculiar to the property).
- b. That unnecessary hardship or exceptional practical difficulty is due to such unique conditions, and not to general circumstances or conditions and cannot be developed in strict conformity.

2. Cannot otherwise be developed.

- a. There is no possibility the property can be developed in strict conformity with the zoning ordinance.
- b. That the variance is necessary to enable reasonable use of the property.
3. Not created by the applicant.

- a. The unnecessary hardship or exceptional practical difficulty cannot have been created by the applicant.

4. Will not alter essential character of neighborhood.

- a. The variance will not alter the essential character of the neighborhood.
- b. The variance will not substantially or permanently impair the appropriate use or development of adjacent property.
- c. The variance will not be detrimental to the public welfare.

5. Minimum variance.

- a. The variance is the minimum that will afford relief.
- b. The variance will represent the least modification possible of the regulation in issue.

STANDARDS FOR GRANTING SPECIAL USE EXCEPTION

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 (for instance, time limitations).

Board of Adjustment Application
Page 2

Inspector's Remarks:

Size of mobile home _____

Model of mobile home _____

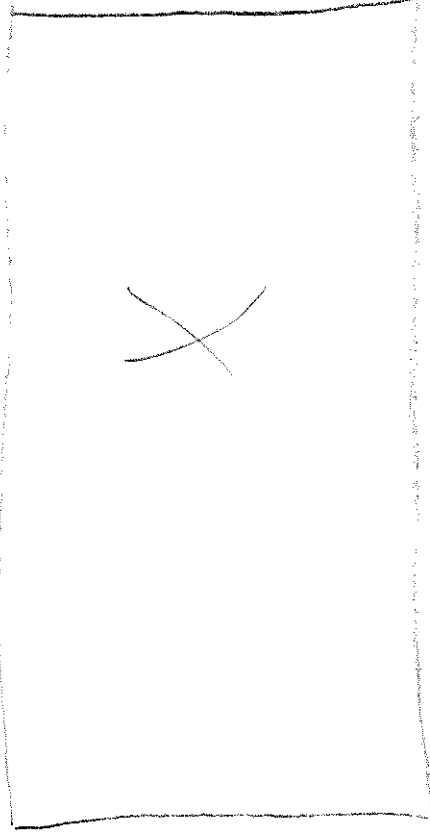
Who will live in this unit: _____

I will clearly mark and identify my lot for a Planning and Zoning Official to locate and have read the standards for approval of my request.

Marie E. Taylor Emma Kane
Signature

Board of Adjustment Application
Page 3

Draw or attach a drawing indicating what will be located on this lot and give, as accurate as possible, measurements of lot, setbacks and sizes of all structures.



Approved for Advertising.

____ PLANNING AND ZONING COMMISSION

X BOARD OF ADJUSTMENT

CASE NO. _____

The below listed persons are a current listing of landowners lying within two hundred (200) feet of all boundaries of the property which is the subject of the above referenced application. The listing has been based on review of the Sussex County Tax Maps and address information obtained through the Sussex County Data Processing Department. This listing is being prepared so that the listed landowners can be mailed a courtesy notification of any public hearing schedule.

- 2-31-12
- | | | | |
|-------------|--|--------------------------|--|
| ✓ 1.
421 | NORRIS Niblett
RD2 Box 225F
Laurel, DE 19954 | 2-31-12
✓ 7.
144.1 | Wilson & Constance Catts Trustee
40 Bay Vista RD.
Theodore Beh, DE 19971 |
| 2.
420 | Same | ✓ 8.
144 | Burton & Germa Divens
RD4 Box 693
Laurel, DE 19954 |
| 3.
442 | Same | 9. | |
| 4.
443 | Same | 10. | |
| 5.
444 | Same | 11. | |
| ✓ 6.
423 | Theodore Simpker Trustee
RD4 Box 124
Seaford, DE 19973 | 12. | |

Staff Person preparing list

Date _____

TM. No. 2-31-12-95 (PAFF)



SKYLINE

THE NEW KNOLLWOOD

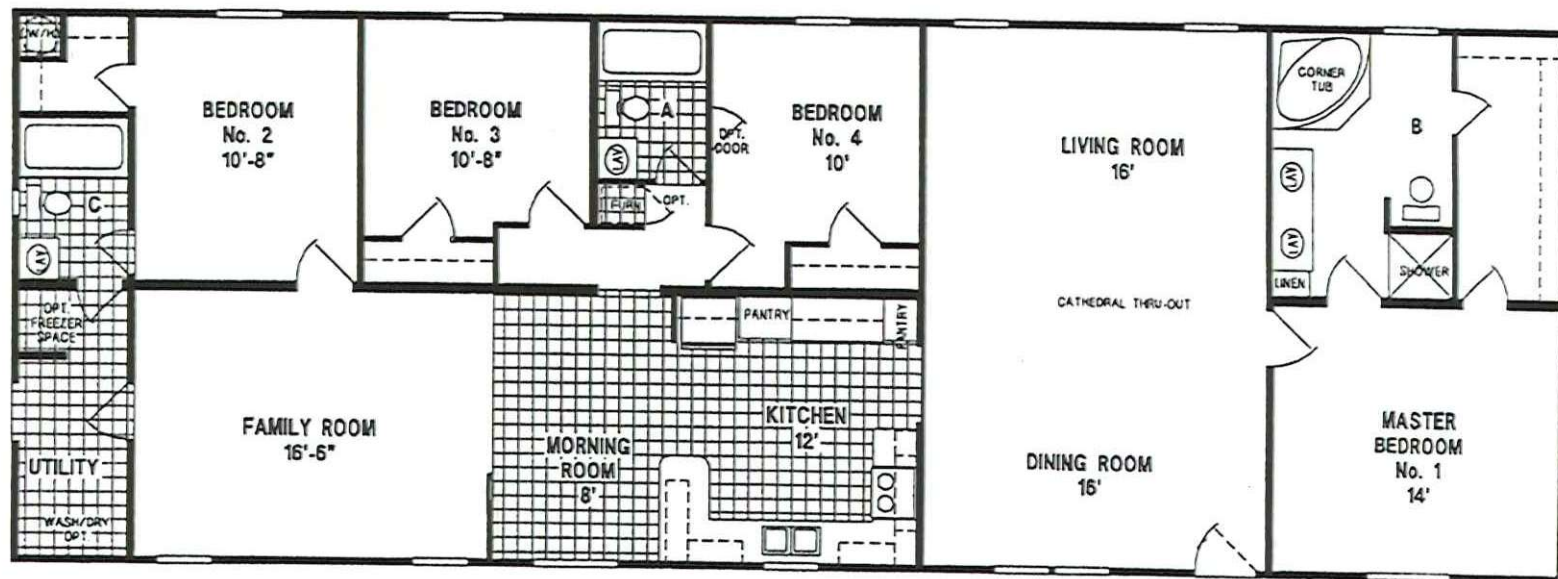
MODEL 1040B/7228

4 Bedrooms, 3 Baths, 1,896 sq. ft.

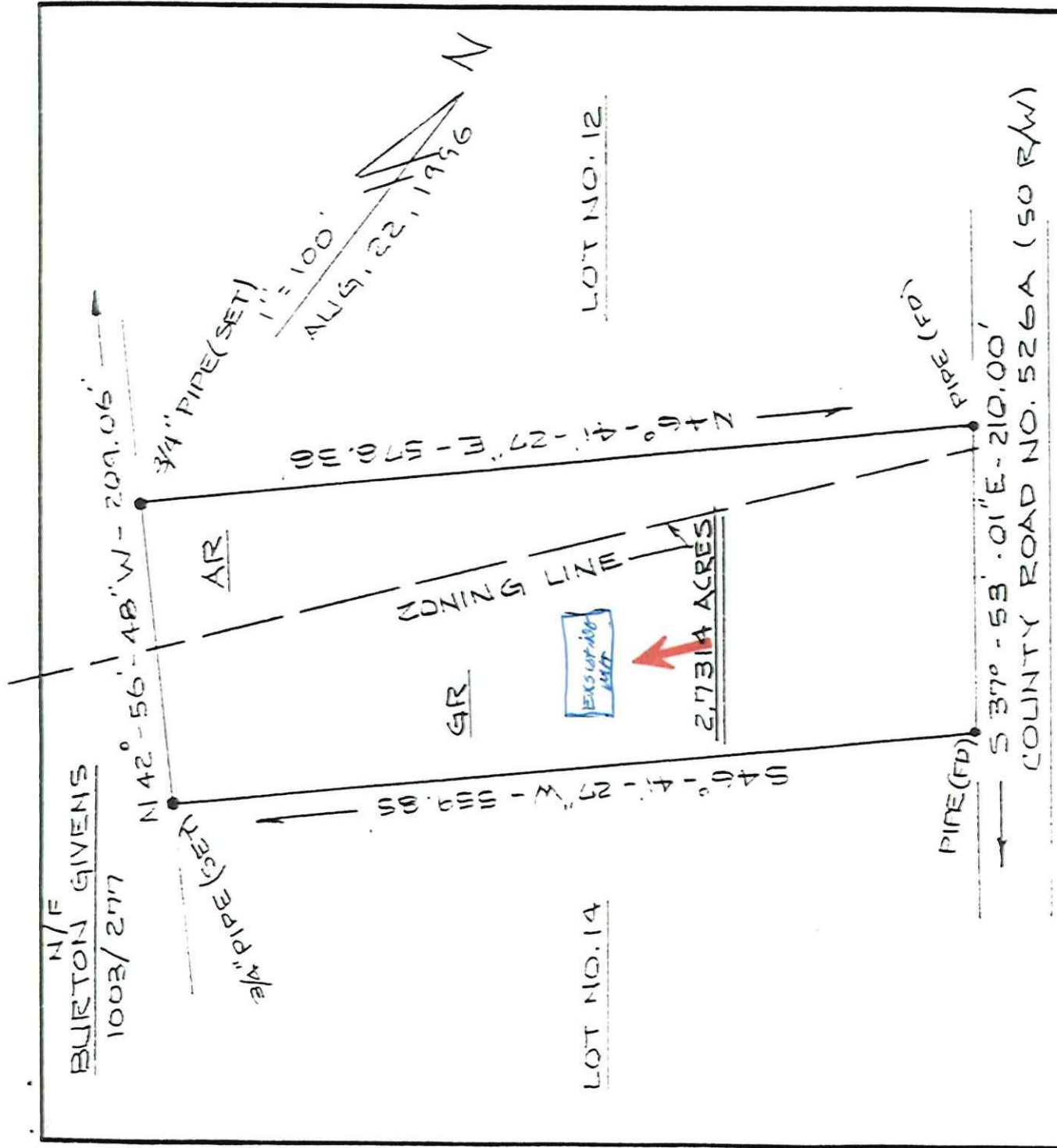
**Cathedral Ceiling: Kit., LR, DR, M.Bedrm.
& Family Room**

RON'S MOBILE HOME SALES
17959 S DUPONT HWY
HARRINGTON, DE 19952
(302) 398-9166

playground behind home

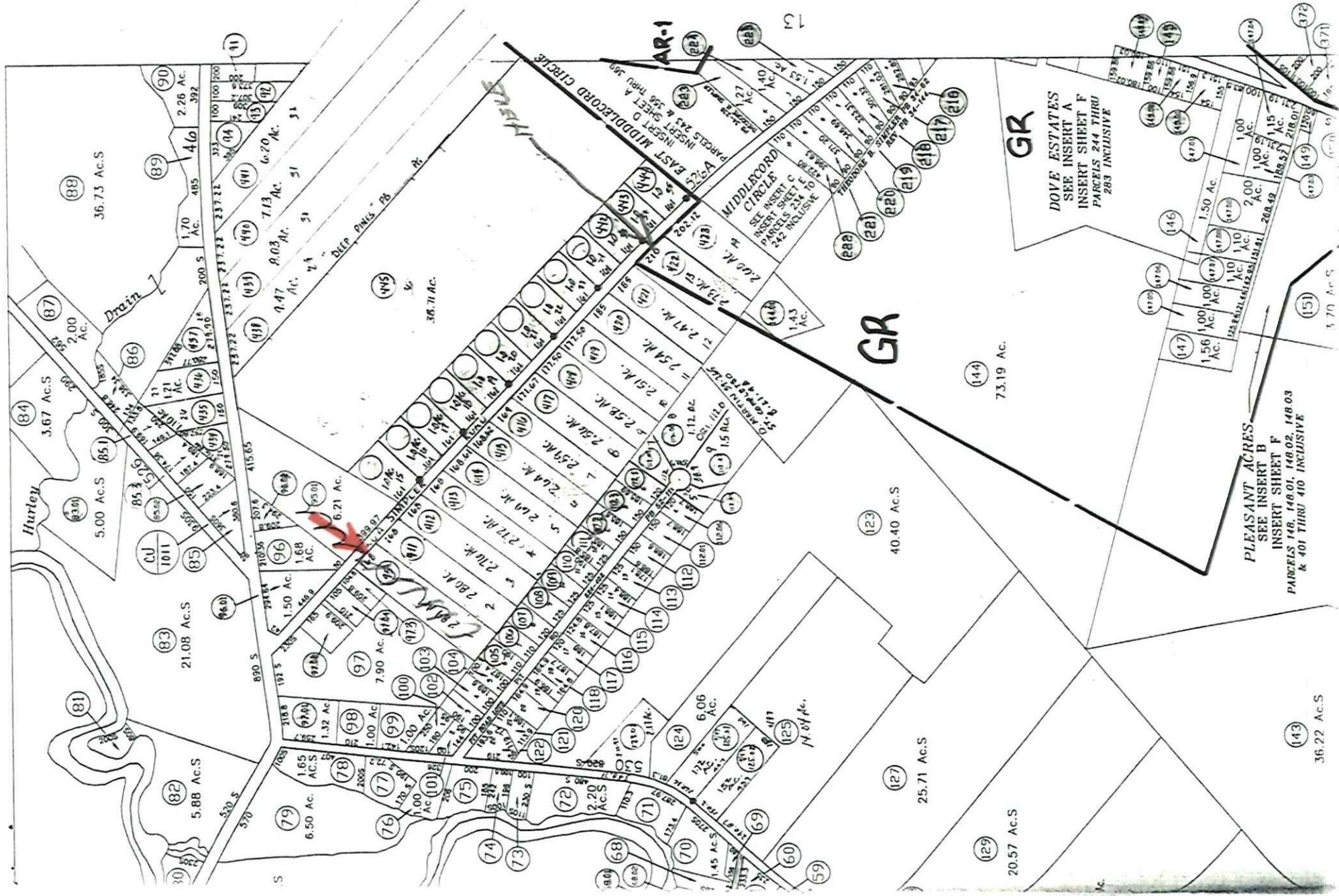


Bringing America Home



PLOT OF LANDS OF NORRIS L. HIBLETT
BEING CONVEYED TO VALERIE E. TAYLOR
AND EMMA J. KANE, BEING LOT NO. 13,
DEEP PINES, PB 56, PG 56

NANTICOKE HUNDRED
SUSSEX COUNTY
STATE OF DELAWARE
THEODORE B. SIMPLER
LAND SURVEYOR LS 289
T.M. No. 2 - 31-12-95 (P)



2-31-12-422

I, Donna Mowbray, hereby certify that notices
of application no. 6789 were posted at the
following locations:

LOCATION

DATE

P & Z Office Bulletin Board

December 15, 1998

Notice was posted on the site

Dec 18, 1998 pm

Donna Mowbray
Signature of Zoning Inspector

wrong location
on map

Sussex Countian
Seaford Star

NANTICOKE HUNDRED
Case No. 6789

December 23, 1998

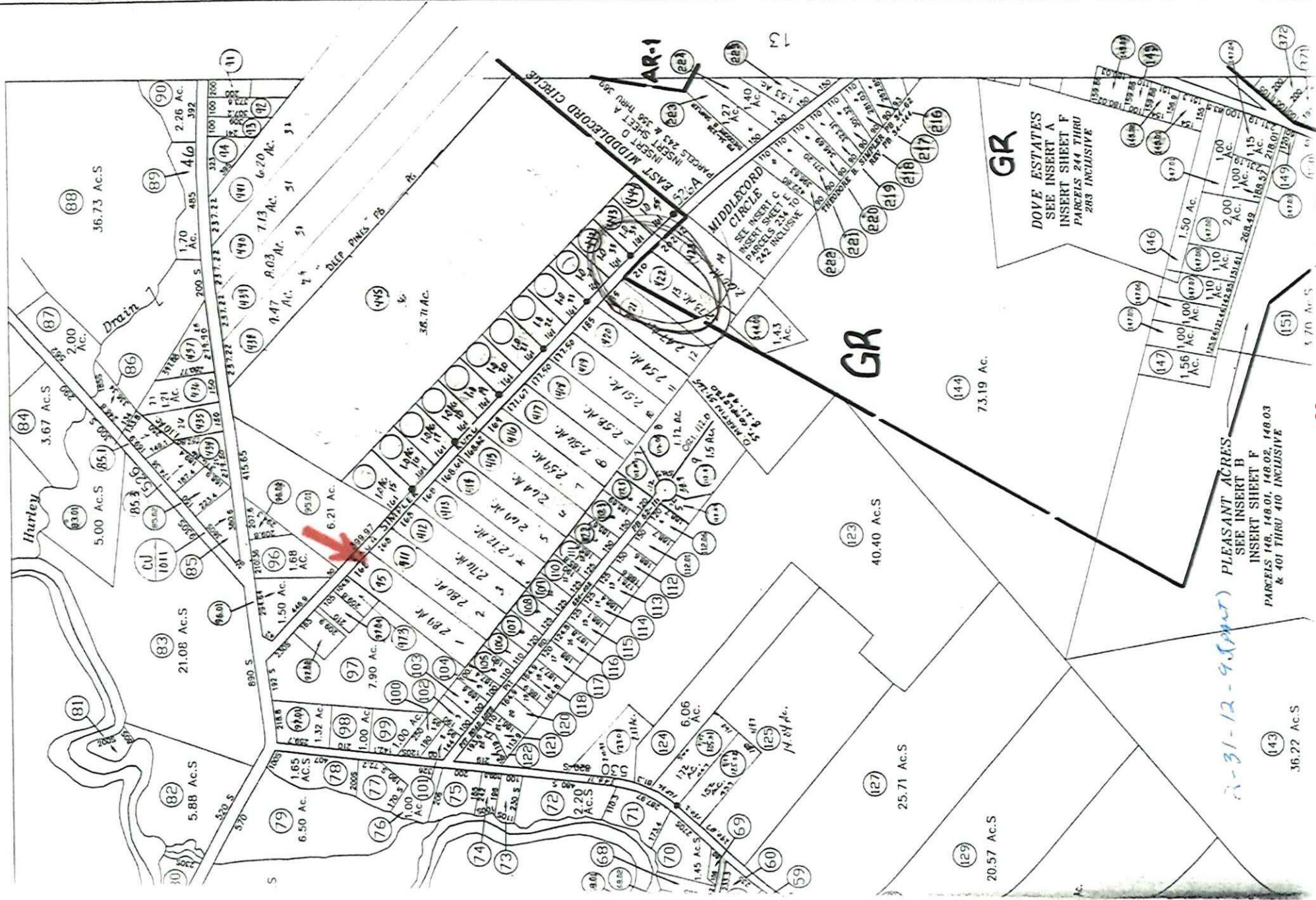
LEGAL NOTICE
COUNTY BOARD OF ADJUSTMENT HEARING

In accordance with Chapter 115, of the Code of Sussex County, a hearing will be held on a request for a special use exception as provided by: Chapter 115, Article VI, Subsection 115-40, Item C of said ordinance of VALERIE E. TAYLOR AND EMMA J. KANE who are seeking a special use exception to enlarge a family day care to be located southwest of Road 526A, 2,676 feet southeast of Road 46.

The hearing will be held in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware, on Monday evening, JANUARY 25, 1999, at 7:00 P.M. or as soon thereafter as may be heard.

All interested parties should attend and present their views.

Please post one (1) time and send bill, clipping, and affidavit to:
Planning & Zoning
P. O. Box 417
Georgetown, DE 19947



APPLICATION OF VALERIE E. TAYLOR & EMMA J. KANE CASE NO. 6789

WHO IS REQUESTING A SPECIAL USE EXCEPTION TO ENLARGE FAMILY DAY CARE

COUNTY BOARD OF ADJUSTMENT HEARING DATE JANUARY 25, 1999 TIME 7:00 P.M.

Sussex Countian
Seaford Star

NANTICOKE HUNDRED
Case No. 6789

December 23, 1998

LEGAL NOTICE
COUNTY BOARD OF ADJUSTMENT HEARING

In accordance with Chapter 115, of the Code of Sussex County, a hearing will be held on a request for a special use exception as provided by: Chapter 115, Article VI, Subsection 115-40, Item C of said ordinance of VALERIE E. TAYLOR AND EMMA J. KANE who are seeking a special use exception to enlarge a family day care to be located southwest of Road 526A, 2,676 feet southeast of Road 46.

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All interested parties should attend and present their views.

Please post one (1) time and send bill, clipping, and affidavit to:
Planning & Zoning
P. O. Box 417
Georgetown, DE 19947



Sussex Countian

PHONE
856-0026
FAX
856-0925

P.O. BOX 40, 115 N. RACE STREET

GEORGETOWN, DE 19947



Sussex Countian

PHONE
856-0026
FAX
856-0925

O. BOX 40, 115 N. RACE STREET

GEORGETOWN, DE 19947

Planning & Zoning
Page 2Planning & Zoning
Attn: Joyce
Georgetown*"Sussex County's Favorite Advertising Medium Since 1886"* 12/23/98

Bd. Adj.-Case 6786	17.00 ✓
Case 6787	18.00 ✓
Case 6788	12.00 ✓
Case 6789	18.00 ✓
Case 6790	20.00 ✓
	\$497.00

"Sussex County's Favorite Advertising Medium Since 1886" 12/23/98

December 23, 1998 issue:	
SCC-C/U #1262, etc.	45.00 ✓
C/Z #1359, etc.	40.00 ✓
Ord. 1275	15.00 ✓
C/U #1267	25.00 ✓
C/Z #1363	26.00 ✓
C/Z #1364	25.00 ✓
C/Z #1365	26.00 ✓
P&Z-C/U #1263, etc.	100.00 ✓
C/U #1267	22.00 ✓
C/Z #1363	22.00 ✓
C/Z #1364	21.00 ✓
C/Z #1365	21.00 ✓
Subd. 99-1	18.00 ✓

ACCT. # 152310.5380AMT. \$ 497.00PO. # 0VENDOR LV.0DATE 12.29.98 DEPT. LBINTS. APPRV.

STATE OF DELAWARE } SS
SUSSEX COUNTY }

BE IT REMEMBERED, That on this 23rd day of December, A.D. 19 98, personally came before me, the subscriber, a Notary Public for the State and County aforesaid, Carolyn M. O'Neal, who being by me first duly sworn according to law did depose and say: That she is Managing Editor of "The Sussex Countian", a weekly newspaper of general circulation published in the Town of Georgetown, Sussex County, Delaware; and that the hereto attached copy of Bd. of Adj. Case 6789 Valerie E. Tayler & Emma J. Kane was published in said newspaper in the regular weekly issues of December 23, 1998 thereof.

SWORN TO AND SUBSCRIBED before me the day and year aforesaid.

Carolyn M. O'Neal
Sammy A. Calhoun
Notary Public

Morning Star Publications, Inc.

Seaford STAR ★ Laurel STAR

Other Publications: Morning Star Business Report ★ Salisbury Business Journal
628 W. Stein Hwy., P.O. Box 1000, Seaford, DE 19973

TO:

PLANNING & ZONING
P.O. BOX 417
GEORGETOWN, DE 19947

STATEMENT DATE:

ACCT. #	DATE	DESCRIPTION	CHARGES	CREDITS	BALANCE
20843	10/28/98	L/N WILLIAM & P THOMPSON	27.00	27.00	0.00
21008	11/ 5/98	P/N BILLY C. JONES, JR	30.00	0.00	30.00
21007	11/ 5/98	N/PH BILLY C. JONES, JR	39.00	0.00	39.00
21591	11/19/98	P/N NORRIS L. NIBLETT	27.00	0.00	27.00
21587	11/19/98	L/N DAVID H. ELLIOTT	27.00	0.00	27.00
21585	11/19/98	L/N JAMES JENNETTE, JR	28.50	0.00	28.50
21586	11/19/98	L/N ROBERT L. CORDREY	27.50	0.00	27.50
21588	11/19/98	L/N ROBERTA C. BRENNAN	28.50	0.00	28.50
21589	11/19/98	L/N RICHARD L. COX	24.00	0.00	24.00
21592	11/19/98	P/N LEE LITTLETON	27.00	0.00	27.00
21590	11/19/98	L/N VIOLET BROWN	25.50	0.00	25.50
21720	11/25/98	P/N PATRICIA M. CORRELL	24.00	0.00	24.00
21719	11/25/98	P/N HOPKINS CONSTRUCTION	24.00	0.00	24.00
22164	12/10/98	L/N R.T. & C. HOUSTON	27.00	0.00	27.00
22163	12/10/98	L/N HELLER MEDIA COMPANY	27.00	0.00	27.00
22162	12/10/98	L/N PATRICIA M. MARTIN	28.50	0.00	28.50
22161	12/10/98	P/N ORDIANCE # 1274 DOT	24.00	0.00	24.00
22345	12/17/98	N/PH SETBACK PROVISIONS	43.50	0.00	43.50
22344	12/17/98	P/N SETBACK PROVISIONS	43.50	0.00	43.50
22342	12/17/98	P/N OFF STREET PARKING	30.00	0.00	30.00
22341	12/17/98	N/PH OFF-STREET PARKING	31.50	0.00	31.50
22340	12/17/98	P/N AQUACULTURE	27.00	0.00	27.00
22341	12/17/98	N/PH AQUACULTURE	28.50	0.00	28.50
CURRENT	30 DAYS	60 DAYS	90 & OVER	TOTAL	

Please make payments by the 10th to:

Morning Star Publications, Inc., P.O. Box 1000, Seaford, DE 19973
There will be a \$5 late fee per month on all accounts over 30 days.

Phone: 302-629-9788

Thank You

Fax: 302-629-9243

Morning Star Publications, Inc.

Seaford STAR ★ Laurel STAR

Other Publications: Morning Star Business Report ★ Salisbury Business Journal

628 W. Stein Hwy., P.O. Box 1000, Seaford, DE 19973

TO:

PLANNING & ZONING
P.O. BOX 417
GEORGETOWN, DE 19947

STATEMENT DATE:

ACCT. #	DATE	DESCRIPTION	CHARGES	CREDITS	BALANCE
22489	12/24/98	TED LISZEWSKI	30.00	0.00	30.00 ✓
22488	12/24/98	V E TAYLOR & E J KANE	28.50	0.00	28.50 ✓
22603	12/31/98	HARRY A.BURGIO	28.50	0.00	28.50 ✓
LEGAL NOTICE COUNTY BOARD OF ADJUSTMENT HEARING Nanticoke Hundred Case No. 6789 In accordance with Chapter 115, of the Code of Sussex County, a hearing will be held on a request for a special use exception as provided by: Chapter 115, Article VI, Subsection 115- 40, Item C of said ordinance of VALERIE E. TAYLOR AND EMMA J. KANE who are seeking a special use exception to enlarge a family day care to be located southwest of Road 526A, 2.676 feet southeast of Road 46. The hearing will be held in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware, on Monday evening, JANUARY 25, 1999, at 7:00 P.M. or as soon thereafter as may be heard. All interested parties should attend and present their views.					
VR. # _____ ACCT. # <u>152310, 53800</u> AMT. <u>\$ 397.50</u> PO. # <u>0</u> VENDER _____ LV. <u>0</u> DATE <u>1.7.99</u> DEPT. <u>blank</u> INITS. _____ APPRV. _____ JAN - 5 1999					
30 DAYS			60 DAYS	90 & OVER	TOTAL
0.00			0.00	0.00	729.50

Please make payments by the 10th to:

Morning Star Publications, Inc., P.O. Box 1000, Seaford, DE 19973
There will be a \$5 late fee per month on all accounts over 30 days.

Phone: 302-629-9788

Thank You

Fax: 302-629-9243

Morning Star Publications Inc.
Publishers of the Seaford and Laurel Stars
P.O. Box 1000
Seaford, DE 19973
(302) 629-9788 ★ (302) 629-9243 (fax)

AFFIDAVIT

This is to verify that an ad ran for a LEGAL NOTICE COUNTY BOARD OF ADJUSTMENT HEARING for VALERIE E. TAYLOR AND EMMA J. KANE in the Seaford and Laurel Star on December 24, 1998.

Carol Richardson,
Treasurer

**LEGAL NOTICE
COUNTY BOARD OF
ADJUSTMENT
HEARING**

Case No. 6789

In accordance with Chapter 115, of the Code of Sussex County, a hearing will be held on a request for a special use exception as provided by: Chapter 115, Article VI, Subsection 115-40, Item C of said ordinance of VALERIE E. TAYLOR AND EMMA J. KANE who are seeking a special use exception to enlarge a family day care to be located southwest of Road 526A, 2,676 feet southeast of Road 46.

The hearing will be held in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware, on Monday evening, JANUARY 25, 1999, at 7:00 PM or as soon thereafter as may be heard.

All interested parties should attend and present their views.

12/24/1tc

Sussex Countian

February 3, 1999

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that on January 25, 1999, the Sussex County Board of Adjustment took the following action:

Case No. 6786 Ronald & Tina Cooper - north of Road 341, west of West Lagoon Road, Lots 98, 99, and 100, Dogwood Acres.

A variance from the front yard setback requirement.
APPROVED

Case No. 6787 James M. Larrimore, Sr. - east of Road 228, 2,600 feet west of Route 30.

A special use exception to retain a manufactured home on a medical hardship basis.
APPROVED

Case No. 6788 Darryl & Edith Lecates - south of Road 431, 475 feet west of U.S. Route 113.

A variance from the side yard setback requirement.
APPROVED

Case No. 6789 Valerie E. Taylor & Emma J. Kane - southwest of Road 526A, 2,676 feet southeast of Road 46.

A special use exception to enlarge a family day care.
APPROVED

Case No. 6790 Jacquelyn E. Porter & Marilyn P. Woolfolk - south of Road 312, 2,124 feet east of Road 312A, Lot 11.

A variance from the side yard setback requirement.
APPROVED

OLD BUSINESS

Case No. 6776 Roberta C. Brennan - west of Road 449, 2,642 feet north of Road 450.

A special use exception for a commercial dog kennel and a variance from the setback requirements.
DENIED

Case No. 6779 Sylvia V. Candelora - south of Route 54, west of Hidden Acre Drive, Lot 27, Hidden Acres Subdivision.

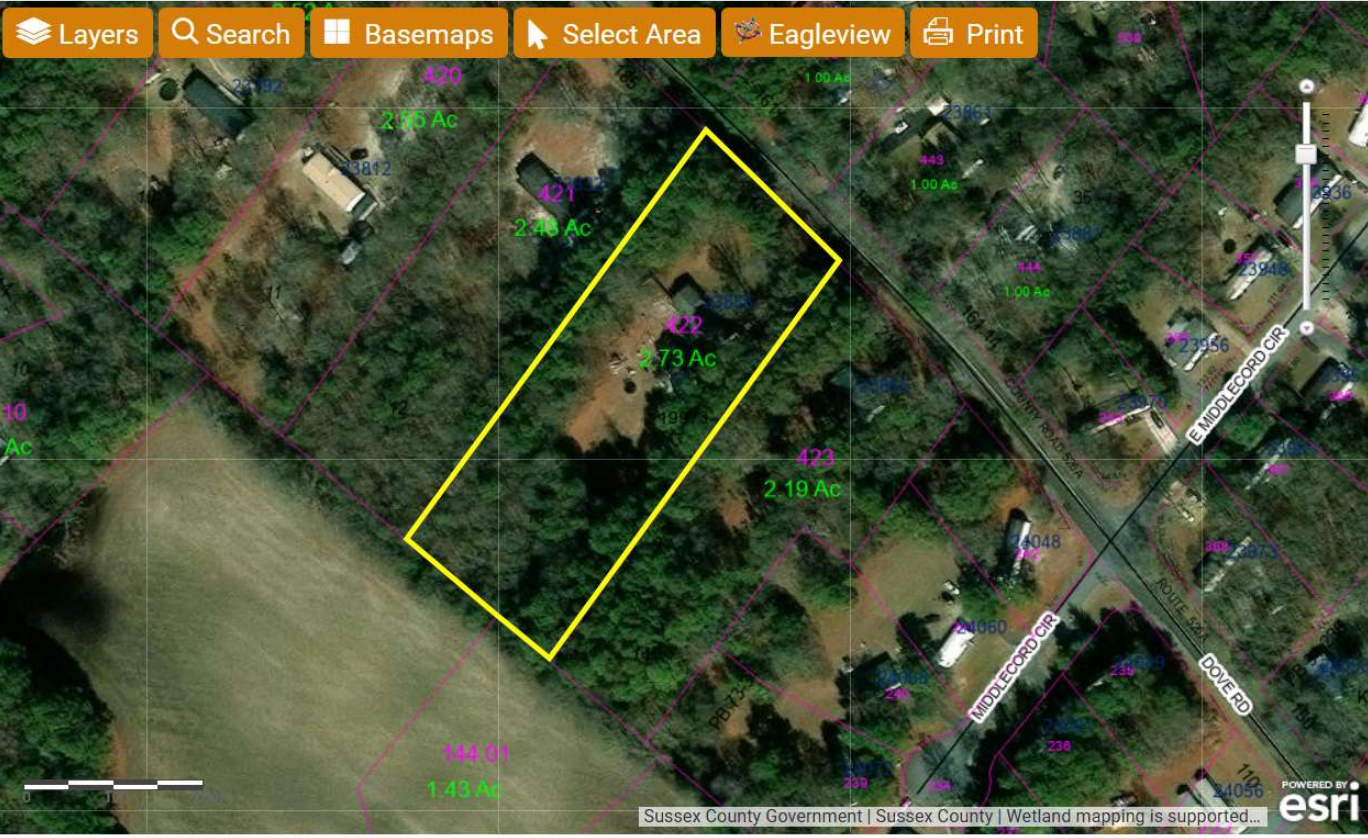
A variance from the side yard setback requirement.
DENIED

Case No. 6784 Patricia M. Martin - west of U.S. Route 13-A, 2,271 feet south of Road 460, Lot 2.

A special use exception for a commercial dog kennel and a variance from the setback requirements.
DENIED

Please post one (1) time and send bill, clipping, and affidavit to:

Planning & Zoning
P. O. Box 417
Georgetown, DE 19947



Eagleview Search Results

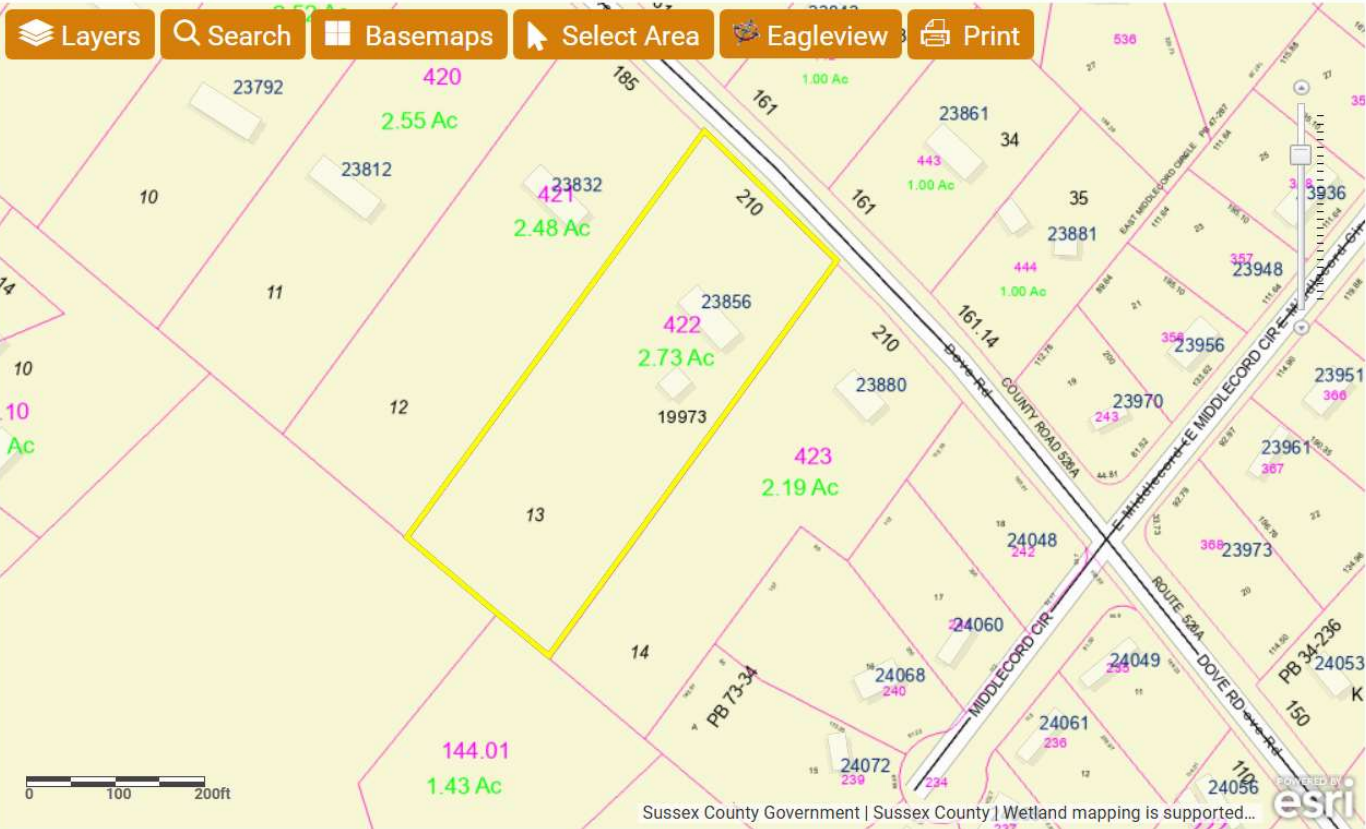
Selected Features: Parcels (1)

1) 231-12.00-422.00 Zoom

BOOK	2166
PAGE	194
FULLNAME	TAYLOR VALERIE E & EMMA J KANE
Second_Owner_Name	
MAILINGADDRESS	23856 DOVE RD
CITY	SEAFORD
STATE	DE
a_account	
DESCRIPTION	DEEP PINES
DESCRIPTION2	LOT 13
DESCRIPTION3	T#45935
LUC	103
SCHOOL	3
MAINT	00

Selected Features (1)

Clear Selected



Eagleview Search Results

Selected Features: Parcels (1)

1) 231-12.00-422.00

Zoom

BOOK	2166
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DESCRIPTION3	T#45935
LUC	103
SCHOOL	3

Selected Features (1)

Clear Selected



Search

Search by SUSSEXPARELS

231-12.00-422.00

Search results (1) Options

231-12.00-422.00

Workspaces

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: VALERIE E. TAYLOR &
EMMA J. KANE

Case No. 6789 – 1999

A hearing was held after due notice on January 25, 1999. The Board members present were: Mr. McCabe, Mr. Callaway, Mills, Mr. Hudson and Mr. Wheatley.

Nature of the Proceedings

This is an application for a special use exception to enlarge a family day care.

Finding of Facts

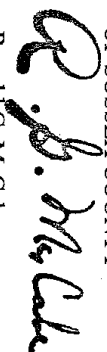
The Board found that the Applicants were seeking a special use exception to enlarge a family daycare, southwest of Road 526A, 2,676 feet southeast of Road 46. After a hearing, the Board made the following findings of fact:

1. The Applicants wish to expand their existing daycare from six full-time and three part-time children, to twelve full-time and two part-time children, as a result of the need for daycare in the area.
2. The Applicants will arrange for the placement of a new building on the property, while continuing to reside in the manufactured home.
3. The playground area will remain the same.
4. No persons appeared in opposition.

The Board granted the requested special use exception, finding that it would not substantially affect adversely the uses of adjacent and neighboring properties.

Decision of the Board

Upon motion duly made and seconded, the application was granted from 6+3 children to 12+2 children. The Board members voting in favor were: Mr. McCabe, Mr. Callaway, Mr. Mills, Mr. Hudson and Mr. Wheatley; voting against—none.

BOARD OF ADJUSTMENT
OF SUSSEX COUNTY

Ronald G. McCabe
Chairman

If the use is not established within one (1) year from the date below the application will become void.

Date March 25, 1999

RECEIVED

APR 28 2025

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 # 13085
Hearing Date Mon June 16 @ 6:00 PM

202505046

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:

26822 Lenex GEORGETOWN HWY, HARRISON DE 19951

Variance/Special Use Exception/Appeal Requested:

TO CONSTRUCT A CARBON w/ PAPER & OUTDOOR KITCHEN
AND FUNCTIONAL AS A DISPLAY FOR CUSTOMERS TO SEE / TOUCH/FEEL.

Tax Map #: 235 • 30.00 - 58.62

Property Zoning: C-1

Applicant Information

Applicant Name: RYAN LEHMANN

Applicant Address: 26822 Lenex GEORGETOWN HWY

City HARRISON State DE Zip: 19951

Applicant Phone #: 302-703-9888 Applicant e-mail: Ryan@backyardworks.net

Owner Information

Owner Name: MARTINA REACTY Holdings LLC

Owner Address: 26822 Lenex GEORGETOWN HWY

City HARRISON State DE Zip: 19951 Purchase Date: 6/2018

Owner Phone #: 302-703-9888 Owner e-mail: Ryan@backyardworks.net

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney



Date: 4/25/2025



Fill out

Sussex County, DE - BOA Application

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)

*WISH TO ADD AN OUT DOOR CASANOVA W/ PAGES & A
NON FUNCTIONING OUT DOOR KITCHEN AS A DISPLAY FOR
POTENTIAL CUSTOMERS. ALSO WISH TO RECONSTRUCT
OUT DOOR PERGOLA.*

Sussex County, DE - BOA Application

Check List for Applications

The following shall be submitted with the application

- ☐ • Completed Application
- ☐ • Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.
- ☐ • Provide a Site Plan or survey of the property (Special Use Exception)
- ☐ • Provide relevant Application Fee (please refer to fees effective July 1, 2022)
- ☐ • Provide written response to criteria for Variance or Special Use Exception (may be on a separate document if not enough room on the form)
- ☐ • Copy of Receipt (staff)
- ☐ • Optional - Additional information for the Board to consider (ex. photos, letters from neighbors, etc.)
- ☐ • Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearing for the application.

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

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

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

Signature of Owner/Agent/Attorney

Date: 4/25/2025

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Lot#: _____

Block#: _____

Date of Hearing: _____

Decision of Board: _____

Sussex County Government
Treasury
2 The Circle, PO Box 601
Georgetown, DE 19947

04/28/2025 09:45AM Brent B.
33029421-0048 001185329

PERMITS / INSPECTIONS
2025 202505646/2020 \$500.00

\$500.00

Subtotal
Total \$500.00
\$500.00

CHECK
Check Number 0020052 \$500.00

Change due \$0.00

Paid by: backyard works

A receipt stamp from the Sussex County Treasury. It includes a date stamp of 04/28/2025, a time stamp of 09:45AM, and a user name of Brent B. The stamp also shows a check number of 0020052 and a total amount of \$500.00. There is a signature line with a signature and a date stamp of 20250528. The stamp is from the Sussex County Treasury and includes a barcode at the bottom.

Thank you for your payment.

CUSTOMER COPY



RECEIVED

APR 28 2025

SUSSEX COUNTY
PLANNING & ZONING

Backyard Works
26822 L.G Hwy
Harbeson, DE

Cabana

30 year
Arch shingles

7/16" OSB
Sheathing

2x10 Ridge

2x6 Collar tie

2x8 Rafter

soffit ceiling

Hurricane
ties

2x6 plate
13 1/4" x 9 1/2" DBL LVL Box Header

2x6 Fascia Board

vented soffit

8' Height

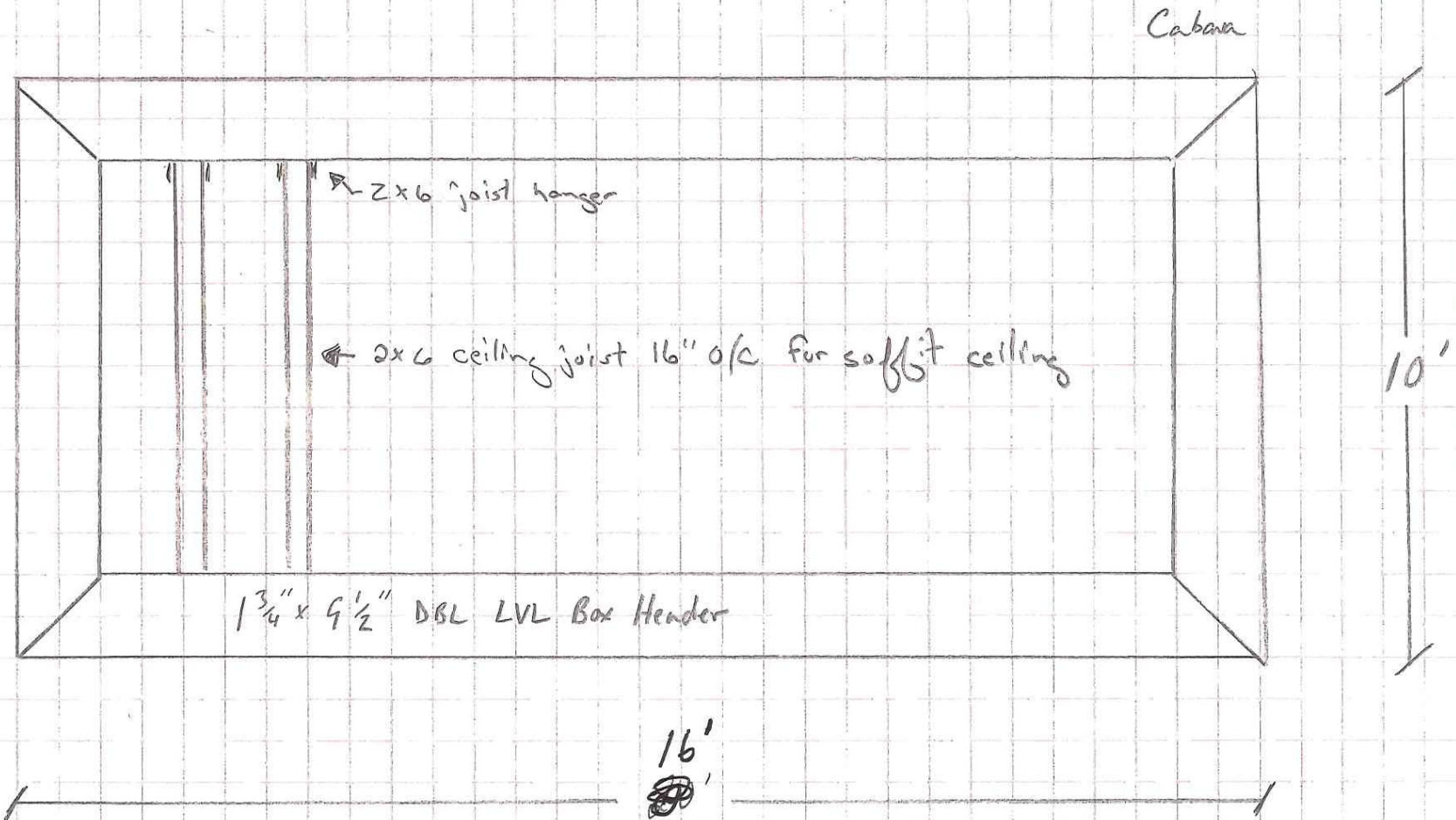
6x6 Treated Posts

10" 3500 # concrete

Hurricane uplift

Footings 24" Deep

Backyard Work
26822 L.G. Hwy
Havens, DE



RECEIVED

APR 28 2025

SUSSEX COUNTY
PLANNING & ZONING

PROPOSED
OUTDOOR DISPLAY

EXISTING DISPLAYS

SIGN

LANDS N/F
TERRI L. & IRENE MARTIN
TM# 2-35-30.00-58.06

LANDS N/F
TERRI L. & IRENE MARTIN
TM# 2-35-30.00-58.07
ZONING AR-1

SURVEYOR'S CERTIFICATION

I, ROBERT W. NASH, P.L.S. #551, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

ROBERT W. NASH, PLS 551

2/10/2022
DATE

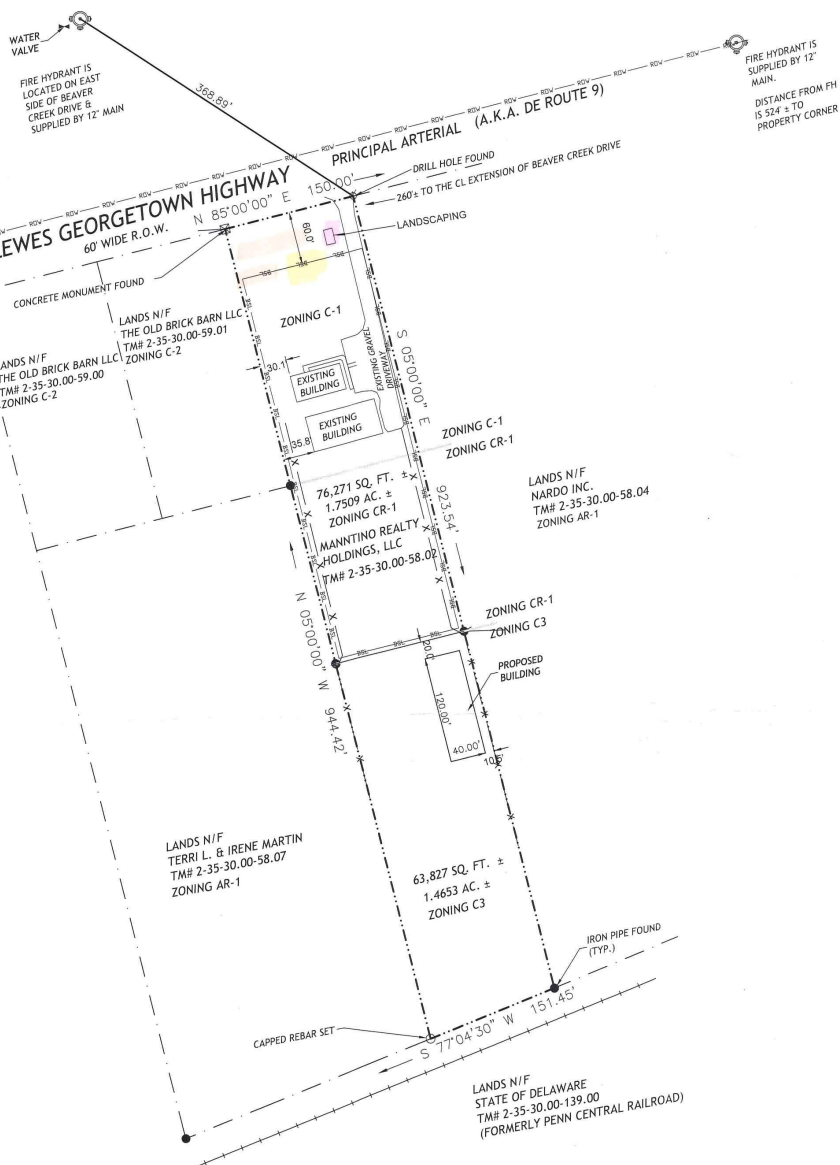
OWNERS CERTIFICATION

I, MANNTINO REALTY HOLDINGS, LLC, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT MY DIRECTION, AND THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

AUTHORIZED SIGNATURE

DATE

4/8/2022



DELAWARE COORDINATE SYSTEM OF 1983
MAD 85 (M 2011, EPOCH 2010)

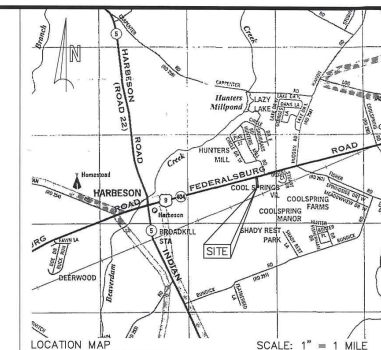
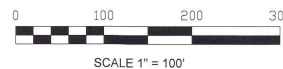


LEGEND

- EXISTING PROPERTY LINE
- EXISTING ADJOINER PROPERTY LINE
- RIGHT OF WAY LINE
- ZONING LINE
- X --- EXISTING FENCE
- EXISTING RAILROAD
- ⊕ CONCRETE MONUMENT FOUND
- IRON PIPE FOUND
- CAPPED REBAR SET
- ⊙ FIRE HYDRANT

NOTES:

LOCK BOX WILL BE LOCATED ON EXISTING BUILDING



MANNTINO REALTY HOLDINGS, LLC

PROPOSED BUILDING PLAN

MERESTONE
CONSULTANTS, INC.
ENGINEERS - PLANNERS - SURVEYORS

BROADKILL HUNDRED
SUSSEX COUNTY, DELAWARE

DATE: 18 NOVEMBER 2021

W.O.: 24494L

SCALE: 1" = 100'

F.B.: 24494

DRAWN BY
T.M.L.

REV : 2/10/2022

REV : 1/11/2022

5215 WEST WOODMILL DRIVE
WILMINGTON, DE 19808
PH: 302-992-7900
FAX: 302-992-7911

33516 CROSSING AVE.
FIVE POINTS SQUARE UNIT 1
LEWES, DE 19958
PH: 302-226-6880

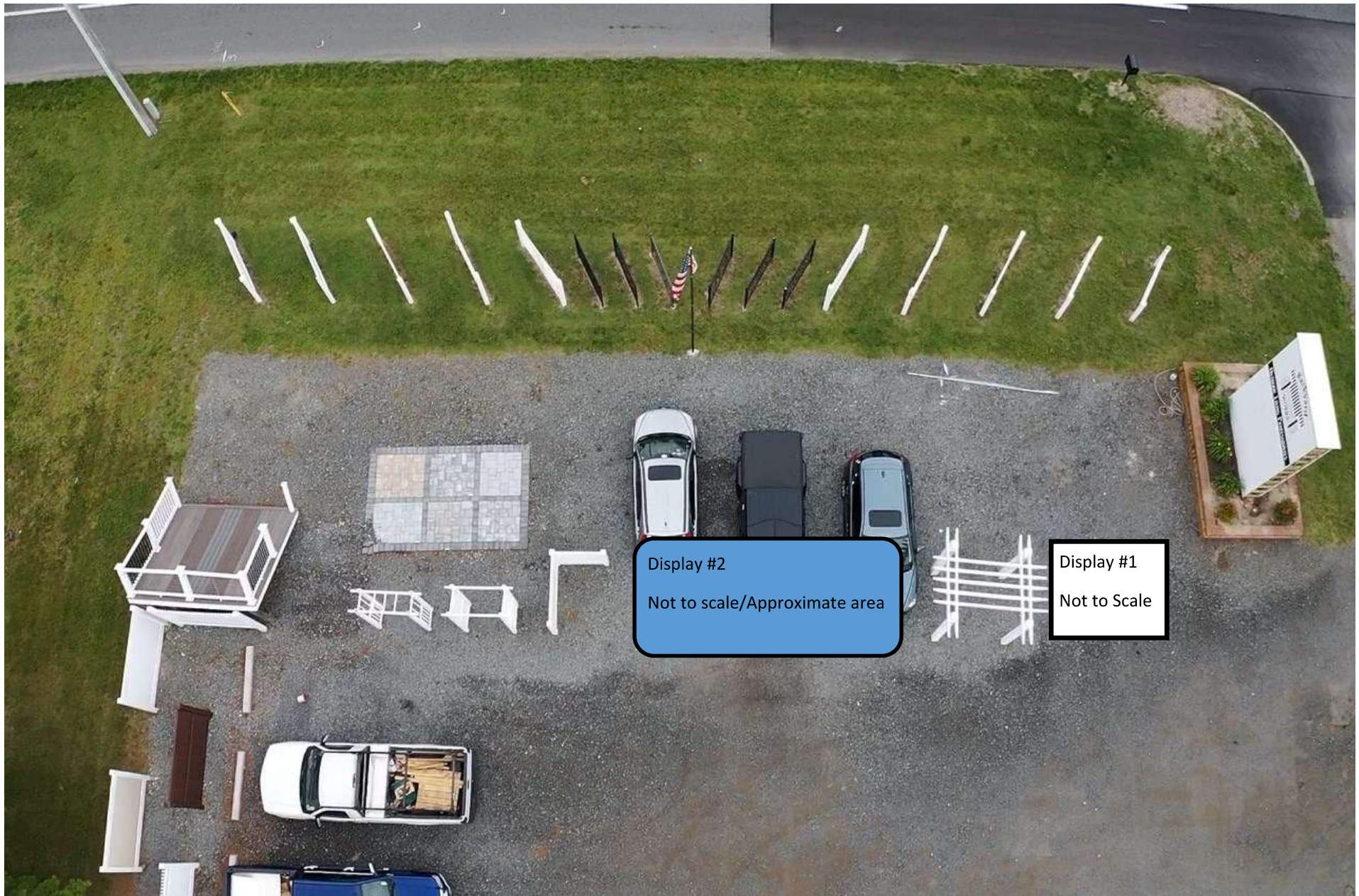
T.M.: 2-35-30.00-58.02

DISK:

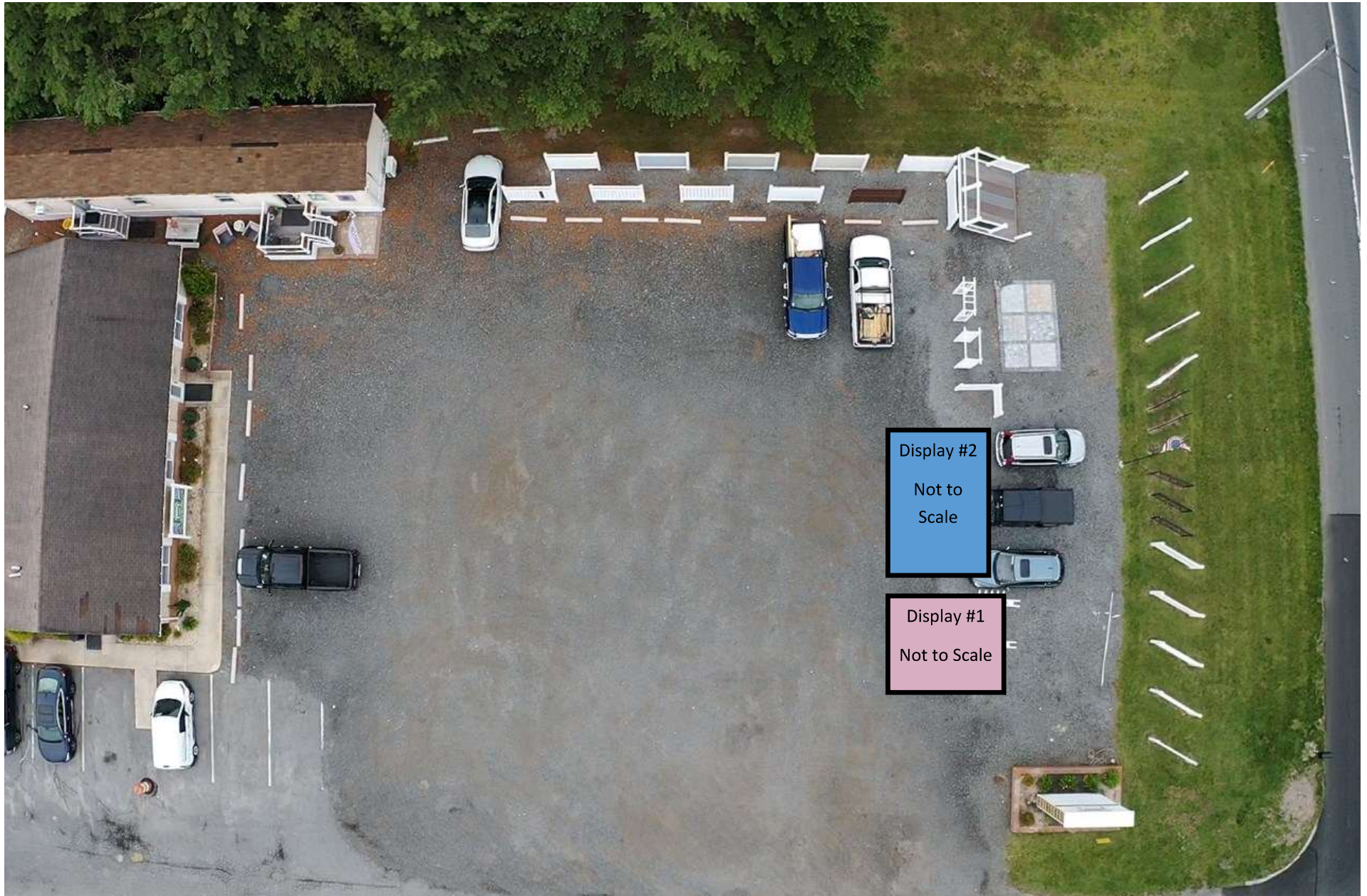
Overview of Backyard Works/Manntino Realty Property



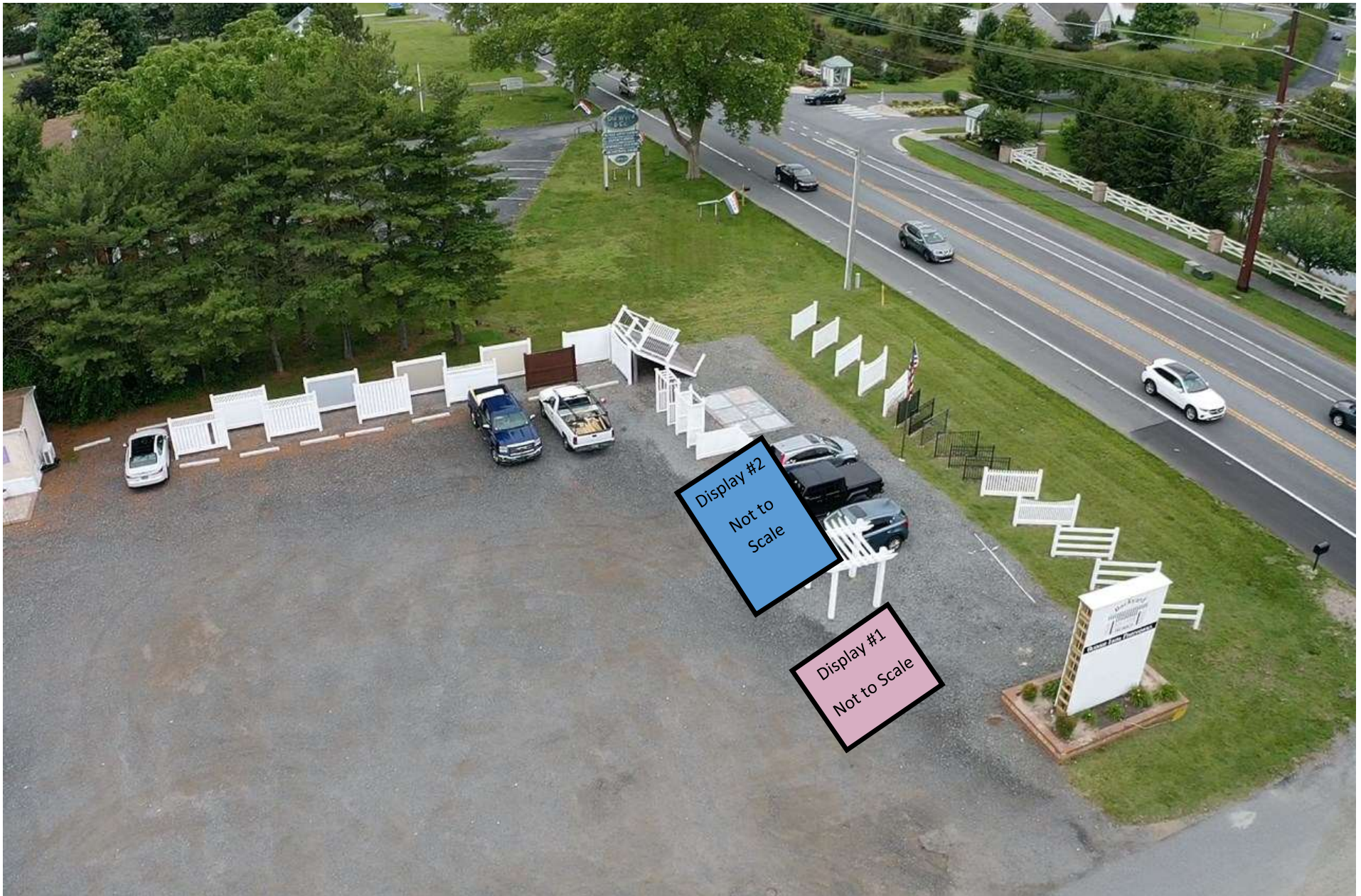
Proposed Location of Displays for Backyard Works



Proposed Location of Displays for Backyard Works



Proposed Location of Displays for Backyard Works





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 # 13086Hearing Date 6.16.252025057600**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:

32069 River Road Millsboro DE 19966

Variance/Special Use Exception/Appeal Requested:

Variance – to allow installation of a 50-inch open-style fence located 6 feet from the road

Tax Map #:

234-34.11-10.00

Property Zoning:

MR**Applicant Information**

Applicant Name: Colby Norwood

Applicant Address: 32069 River Road

City Millsboro

State DE

Zip: 19966

Applicant Phone #: 3026049328

Applicant e-mail: ddevore310@gmail.com, Colby.norwood8@gmail.com**Owner Information**

Owner Name: Ida Wheatley

Owner Address: 30030 Wheatley Lane

City Millsboro

State DE

Zip: 19966

Purchase Date:

Owner Phone #: 3023811749

Owner e-mail:

emsbeach91@gmail.com**Agent/Attorney Information**

Agent/Attorney Name:

Agent/Attorney Address:

City

State

Zip:

Agent/Attorney Phone #:

Agent/Attorney e-mail:

Signature of Owner/Agent/Attorney

Date:

29 APR 2025

Attachment B: Criteria for a Variance

1. Uniqueness of Property

Our property is uniquely situated only approximately 20 feet from the edge of a busy public road, due to the placement of the home on the lot. This shallow front setback is an exceptional physical condition that significantly limits our ability to place a fence in accordance with the 40-foot setback, 3.5-foot height restrictions. To comply with the code, a conforming fence would need to be placed nearly behind our home — eliminating our ability to safely use the front and side yard areas. These practical limitations are due solely to the lot configuration and home placement, which are not typical of other properties.

2. Cannot Otherwise Be Developed

Due to the home's placement only 20 feet from the road, there is no way to install a code-compliant fence that provides adequate safety for our children. A fence complying with the county required 40-foot setback, 3.5-foot height limit would have to be placed in our backyard and would serve no functional safety purpose. To enable safe and reasonable use of our yard space, particularly near a busy road, we must install the fence at approximately 6 feet from the road and at a height of 50 inches. Without this variance, we are unable to make practical or safe use of our own property.

3. Not Created by the Applicant

The exceptional practical difficulty we face was not created by us. The existing home was built with a setback of only about 20 feet from the road, and the safety concerns we now face are due to increased traffic volume, especially during summer months and due to new construction along Rt. 25 and Oak Orchard Rd. The shallow setback and need for child safety require a fence placement that does not conform to the code — but these circumstances are a result of the lot layout and road conditions, not our actions.

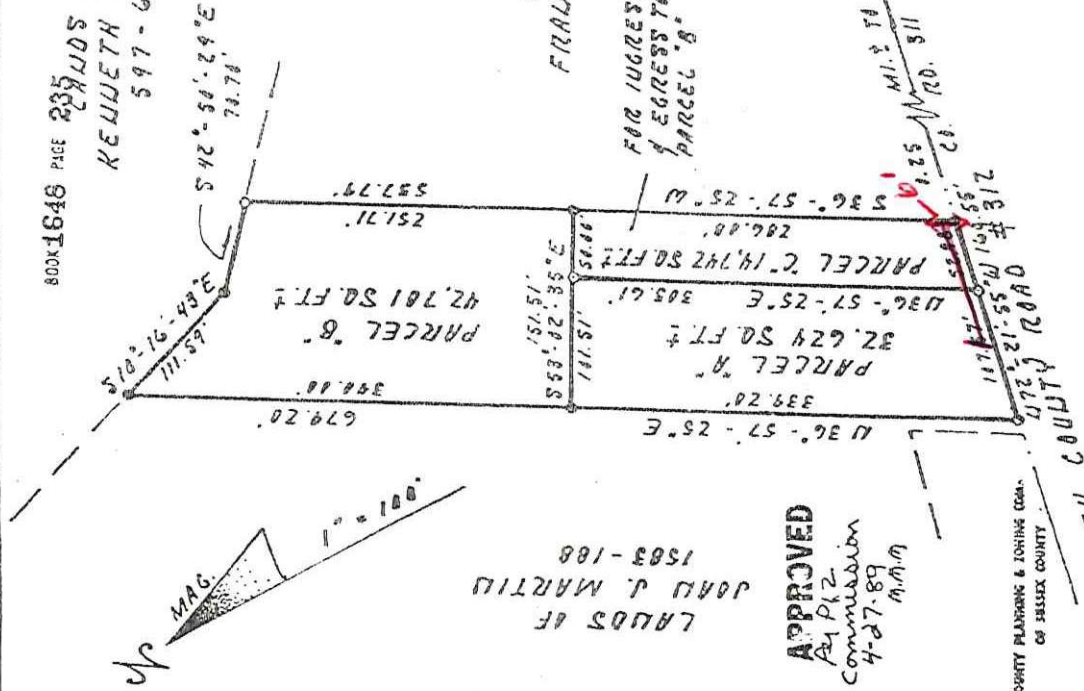
4. Will Not Alter the Essential Character of the Neighborhood

The proposed fence will not alter the essential character of the neighborhood. The design is a non-privacy, open-style picture frame fence using steel cattle panels set in wood framing. The only visual obstruction will be a top and bottom wood rail. While the fence will be 50 inches tall and 6 feet from the road, it will have very low visual impact and blend in with the area. Other properties nearby already have taller and/or more solid fences located closer to the road. This fence will be in keeping with the appearance of the neighborhood (including our nextdoor neighbors) and will not impair the use or enjoyment of surrounding properties.

5. Minimum Variance

We are requesting only the minimum necessary variance to ensure the safety of our children. The proposed fence will be placed 6 feet from the road and will be 50 inches tall due to the structural requirements of the steel cattle panel fencing material. This style is open and visually minimal, and the additional height is required to provide an effective and secure barrier. The variance represents the least modification necessary to address the practical safety concerns of our family while respecting the spirit of the zoning code.

BOOK 1648 PAGE 235
 LANDS OF
 KENNETH S. CLARK
 597-673



LANDS OF
 JOHN J. MARTIN
 1503-108

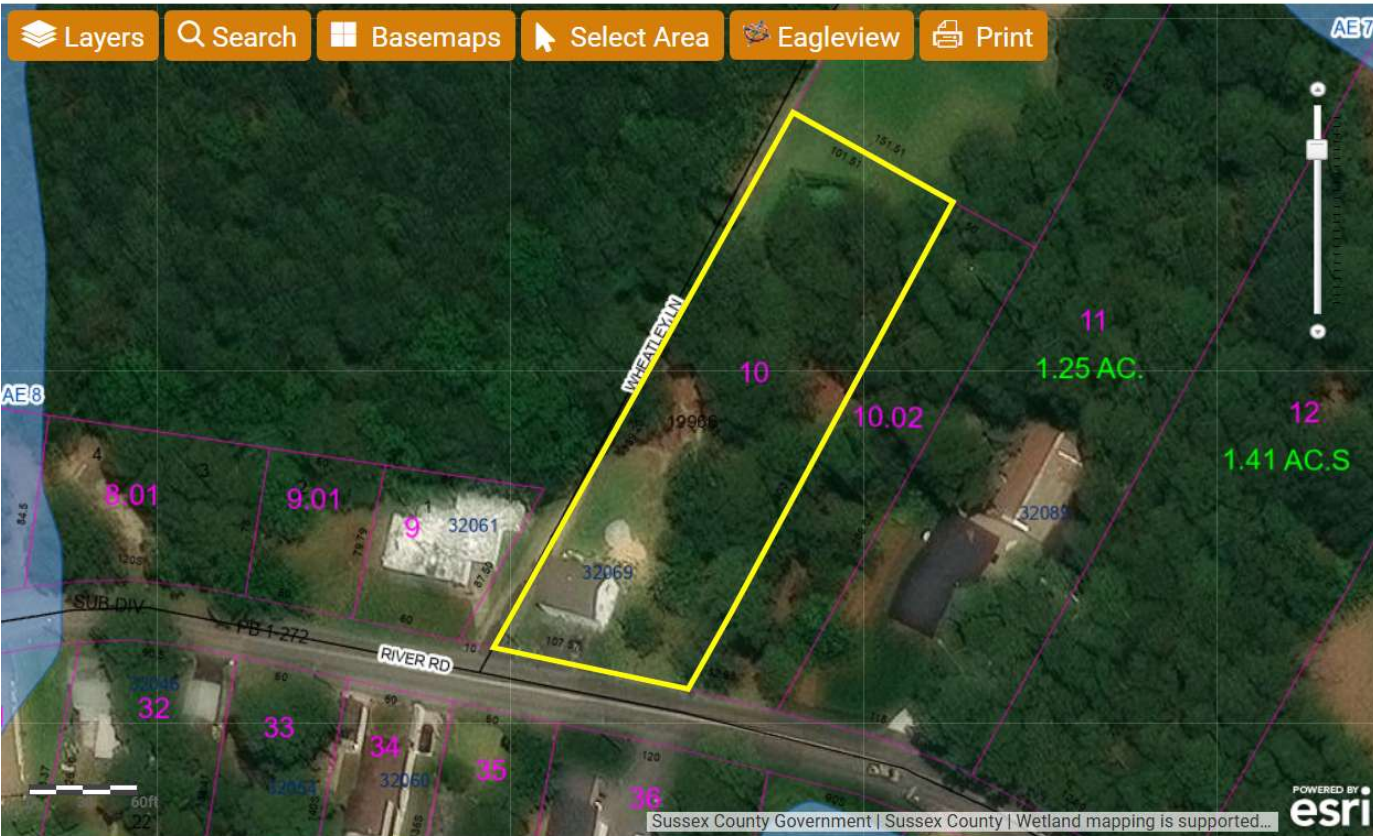
APPROVED
 By P.L.Z.
 Commission
 4-27-89
 M.M.M.

COUNTY PLANNING & ZONING COM.
 OF SUSSEX COUNTY

SUSSEX COUNTY
 LANDS OF
 IDA M. JACKSON
 INDIAN RIVER RD. SUSSEX COUNTY
 STATE OF DELAWARE

SURVEYED BY: MILLER, INC.
 MAY 12, 1989 SEAFORD, DE.
 DRAWN BY: D. A. MORRIS 2-34-34.11-10





Eagleview Search Results

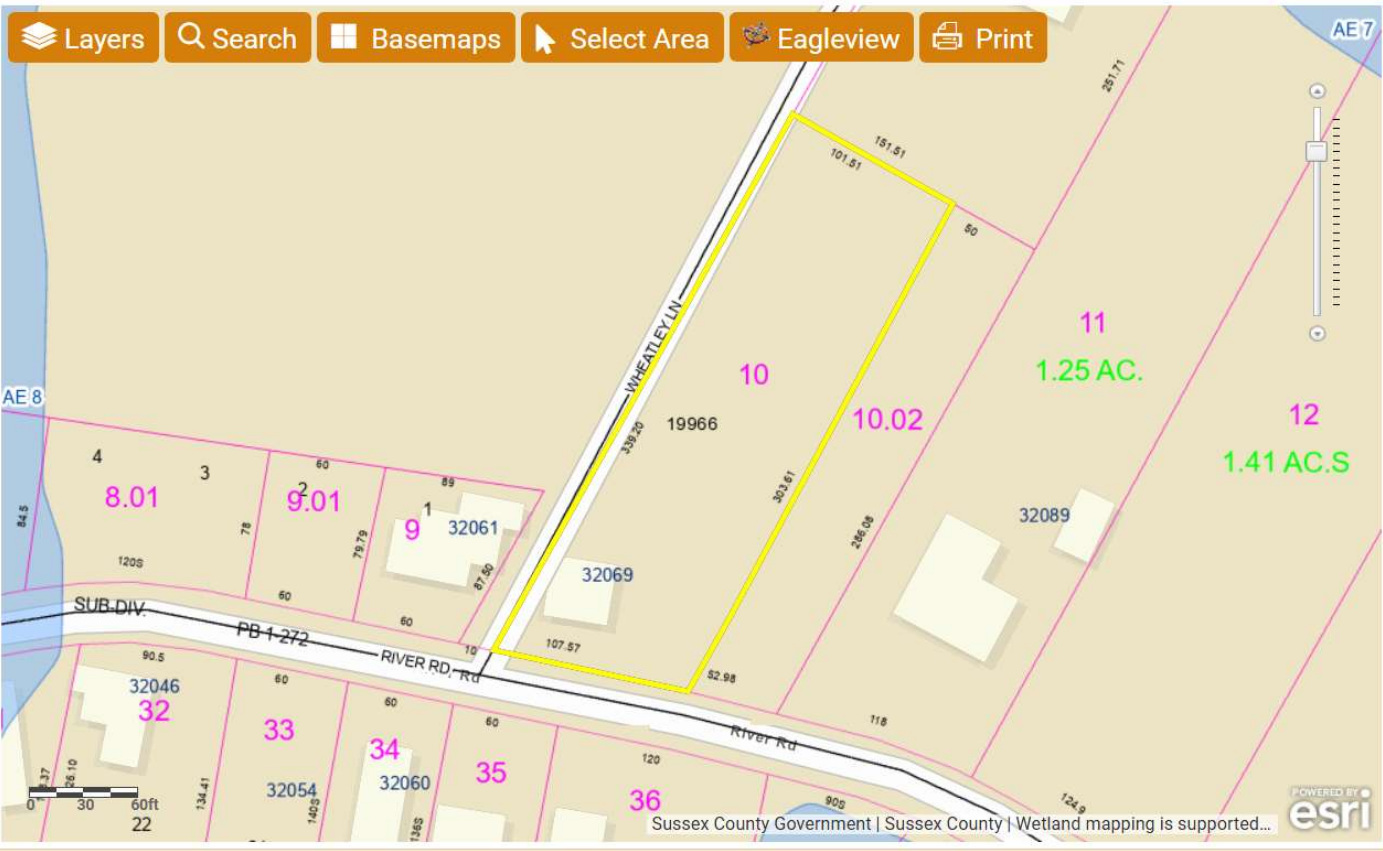
Selected Features: Parcels (1)

1) 234-34.11-10.00 Zoom

BOOK	3702
PAGE	317
FULLNAME	WHEATLEY IDA M
MAILINGADDRESS	30030 WHEATLEY LN
CITY	MILLSBORO
STATE	DE
a_account	15-05-010
DESCRIPTION	N/RD 312 1900'E
DESCRIPTION2	OF RD 312A
DESCRIPTION3	W/IMP.
LUC	101
SCHOOL	1
MUNI	00
CAD	0

Selected Features (1)

Clear Selected



Eagleview Search Results

Selected Features: Parcels (1)

1) 234-34.11-10.00 [Zoom](#)

BOOK	3702
PAGE	317
FULLNAME	WHEATLEY IDA M
MAILINGADDRESS	30030 WHEATLEY LN
CITY	MILLSBORO
STATE	DE
a_account	15-05-010
DESCRIPTION	N/RD 312 1900'E
DESCRIPTION2	OF RD 312A
DESCRIPTION3	W/IMP.
LUC	101
SCHOOL	1
MUNI	00

Selected Features (1)

Clear Selected

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 # 13090
Hearing Date 2025 06 21

Type of Application: (please check all applicable)

Variance ☒ Existing Condition ☒
 Special Use Exception ☐ Proposed ☐
 Administrative Variance ☐ Code Reference (office use only) _____
 Appeal ☐ _____

Site Address of Variance/Special Use Exception:

22673 Hurdle Ditch Road Harbeson, DE 19951

Variance/Special Use Exception/Appeal Requested:

Current two bedroom home for my mother and sister who both have dementia to be considered ADU. Allowing my wife and I to build a primary residence on the property to be there in close proximity to assist with activities of daily living and provide close supervision. Current two bedroom home is listed as 1080 sq ft by county using exterior footprint for sq footage calculation. however interior living space dimension is 980 sq ft

Tax Map #: 2-34-10.00-0070.12

Property Zoning: AR-1

Applicant Information

Applicant Name: Karl and Stacy Thomas
 Applicant Address: 22673 Hurdle Ditch Road
 City Harbeson State DE Zip: 19951
 Applicant Phone #: (302) 382-6133 Applicant e-mail: karlthomas1@comcast.net

Owner Information

Owner Name: Karl and Stacy Thomas
 Owner Address: 22673 Hurdle Ditch Road
 City Harbeson State DE Zip: 19951 Purchase Date: _____
 Owner Phone #: (302) 382-6133 Owner e-mail: karlthomas1@comcast.net

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney



Date: 5/15/25



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.

The property in question is substantial in size and can support the requested variance and proposed buildings. It affords adequate drainage as well as adequate room for septic and well for both domiciles. Additionally, the size of the lot will easily accommodate county required setbacks.

2. Cannot otherwise be developed:

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

The current home is 1080 sq ft using the exterior dimensions to calculate sq footage. There is no practical way to reduce the size of the exterior dimensions to comply with the 1000 sq ft requirement for an ADU.

3. Not created by the applicant:

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

The County Ordinance uses the terms "Living Space" and "Maximum Floor Area" to describe the allowable square footage. Through several searches online as well as the engineering company that performed the site inspection and survey to determine "Living Area" it is common industry standard to use interior wall dimensions. The interior dimensions of the home are 980 sq feet.

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.

I have spoken with my neighbors, and they are in favor of our intentions. The proposed structure as well as the existing structure fit in well with the surrounding homes and will enhance the value and appeal of surrounding properties.

5. Minimum variance:

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

The variance requested is the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue. Requesting 80 sq ft variance from current ADU sq footage requirements.

Sussex County, DE - BOA Application

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)

Check List for Applications

The following shall be submitted with the application

- ☒ • Completed Application
- ☒ • Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.
- ☐ • Provide a Site Plan or survey of the property (Special Use Exception)
- ☒ • Provide relevant Application Fee (please refer to fees effective July 1, 2022)
- ☒ • Provide written response to criteria for Variance or Special Use Exception (may be on a separate document if not enough room on the form)
- ☐ • Copy of Receipt (staff)
- ☐ • Optional - Additional information for the Board to consider (ex. photos, letters from neighbors, etc.)
- ☐ • Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearing for the application.

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

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

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

Signature of Owner/Agent/Attorney

ndy2 Date: 5/15/25

For office use only:

Date Submitted: _____ Fee: _____ Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____ Lot#: _____ Block#: _____

Date of Hearing: _____ Decision of Board: _____

Accessory Dwelling Unit Approval Application Sussex County, Delaware

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

RECEIVED

MAY 07 2025

SUSSEX COUNTY
PLANNING & ZONING

Case # ADU-25-19
202506409
Hearing Date _____
(where applicable)

Type of Application: (please check all applicable)

☒ Accessory Dwelling Unit - Detached

☐ Accessory Dwelling Unit - Attached

Existing Structure: ☐

Proposed Structure: ☒

Code Reference (office use only) _____

Site Address:

22673 Hurdle Ditch Rd, Harbeson, DE 19951

Description of Request:

Delegate existing dwelling as ADU and construct additional dwelling for my wife and I to ensure proximity to provide care and supervision for mother and sister who have dementia and require assistance with activities of daily living.

Tax Map #: 2-34-10.00-0070.12

Property Zoning: AR-1

Applicant Information

Applicant Name: Karl Thomas

Applicant Address: 22673 Hurdle Ditch Rd

City: Harbeson State DE Zip: 19951

Applicant Phone #: (302) 382-6133 Applicant e-mail: karlthomas1@comcast.net

Owner Information

Owner Name: Karl and Stacy Thomas

Owner Address: 22673 Hurdle Ditch Rd

City: Harbeson State DE Zip: 19951 Purchase Date: 6/28/20

Owner Phone #: (302) 382-6133 Owner e-mail: karlthomas1@comcast.net

Agent/Attorney Details

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City: _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

Karl Thomas

Date: _____



Criteria for Accessory Dwelling Units

The following shall be answered for Code Compliance

1. Total lot area of property:

119,783 sq feet

2. Total area of existing dwelling (in square feet):

980 sq feet

3. Total area of proposed Accessory Dwelling Unit (in square feet):

6000 sq feet

5. Is the property located within a subdivision? ☐ Yes ☒ No
If so, have you obtained approval from the Homeowners Association? ☐ Yes ☒ No

4. Please confirm the ADU is **NOT** a RV, Camper, Motor Home, etc. ☒

Please note: No property is permitted to be occupied with a RV, Camper, Motor Home, etc., unless located within a RV Park.

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

*Applicant's must demonstrate that the property meets **ALL** of the criteria for a Special Use Exception to be granted.*

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

The mother-in-law dwelling, which is to become the ADU on this property was built first due to time and financial constraints. My mother has dementia and was declining, so her house was built first in order to make her more comfortable before her dementia progressed too much. We are now ready to build what is the primary residence on the lot for us so that we can continue to care for her and my sister, who has early onset dementia as well.

Check List for Applications

The following shall be submitted with the application

- ☒ • Completed Application
- ☒ • Provide a Site Plan or survey of the property along with a layout/building plans of the ADU
- ☒ • Provide Fee \$500.00
- ☒ • Provide written response to criteria for Special Use Exception (where applicable, may be on a separate document if not enough room on the form)
- ☐ • Copy of Receipt (staff)
- ☐ • Optional - Additional information to be considered (ex. photos of site, photos of similar structures, letters from neighbors, etc.)
- ☒ • Please be aware that an Accessory Dwelling Unit is defined as, "a self-contained dwelling unit that is secondary to the principal dwelling unit on a property and includes independent living facilities, such as a separate entrance and kitchen. The dwelling unit may be attached to, or detached from the primary dwelling on the property and it may also include existing interior space such as a finished basement that is converted into a separate dwelling unit. Accessory dwelling units do not include duplexes, tourist homes, servant quarters, recreational vehicles or guest homes."
- ☒ • Please be aware that the application may be scheduled for a public hearing before the Board of Adjustment if the dimensional requirements of Section 115A(15)(c), (d) and (e)) are not met. Staff will place a sign on the site stating the date and time of the Public Hearing for the application. The Applicant, or a representative of the Applicant must be present if a public hearing is scheduled.

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

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

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

Signature of Owner/Agent/Attorney

 Date: 5/7/25

For office use only:

Date Submitted: 5.7.25

Fee: \$500.00 Check #: CU# 215

Staff accepting application: A. Pugh

Application & Case #: ADU-25-19

Location of property: _____

Subdivision: _____

Lot#: _____

Block#: _____

Date of Hearing: _____

Decision of Board: _____





**PERMIT
IA 280418**

Tax Parcel Number: 2-34-10.00-0070.12

Site Evaluation Number:

Pursuant to provisions of Title 7, Delaware Code, Chapter 60, permission is hereby granted to:

Thomas, Karl & Stacy

22673 Hurdle Ditch Road, Harbeson, DE 19951 US

to use an existing system.

Connection must be completed on or before 05/01/2027 , one year from permit issuance date.

All current regulations governing wastewater system installation shall be followed.

All attached permit conditions shall be complied with.

The applicant is responsible for obtaining all additionally required permits and approvals.

RECEIVED

MAY 07 2025

SUSSEX COUNTY
PLANNING & ZONING

DNREC Approved

5/1/2025

AUTHORIZED SIGNATURE

Date

MANDATORY
OPERATION & MAINTENANCE
REQUIREMENT



PERMIT 280418



Tax Parcel Number: 2-34-10.00-0070.12

Site Evaluation Number:

Conditions both Owner

§ 5 Connections and/or additions to the system other than what are proposed on the approved plot plan (s) are prohibited without prior approval from the Ground Water Discharges Section (GWDS).

§ 6 Roof downspouts, foundation drains, storm sewers, combined sewers or appurtenances thereto, or any sewer or device carrying or discharging either storm, surface, ground or cooling water, oil or water softener discharge shall not be connected to the system.

§ 20 The average daily discharge of this system is restricted to 600 gallons per day. Changes to permitted system flow must be pre-approved by the GWDS and may require a new permit(s) to be issued.

§ 75 The advanced treatment unit shall be pumped at a minimum of once every three(3) years or more frequently as prescribed by the manufacturer's guidelines.

§ 81 The permittee must submit all updated contracts and inspection reports from the previous year by February 1st of each year to the GWDS. The GWDS will mail out reminders of this requirement.

§ 29 The existing or proposed dwelling/structure must be connected to the septic tank with Schedule 40 PVC pipe set with a uniform continuous grade no less than 1/8 in./ft.. Minimum distance from the septic tank and other system components to a dwelling or structure is ten(10) feet.

§ 79 The permittee must maintain a service contract with a certified service provider for the life of the system. A copy of the service contract must be submitted to the GWDS upon installation completion. A certificate of completion will not be granted until the service contract is submitted and approved by the GWDS.

§ 83 The GWDS reserves the right to collect and analyze wastewater samples from this system to ensure proper treatment levels and monitor system performance.

§ 94 The proposed/existing septic tank(s) must be upgraded with risers(2) for each compartment finished to above grade and a GWDS-approved outlet filter. The above-grade access covers shall be watertight and secure from vandalism. The outlet filter should be removed, inspected, cleaned and replaced per manufacturer's recommendations.



PERMIT 280418

Tax Parcel Number: **2-34-10.00-0070.12**

Site Evaluation Number:

§ 17 The property owner shall connect to the county or municipal sewer system if and when such services become available and shall be in accordance with County and/or Municipal rules and regulations. At time of connection the existing septic disposal system shall be abandoned per DNREC Regulations and permit voided unless the GWDS approves continued operation.

§ 18 This system shall be maintained in such a manner as to prevent abnormal odors or surfacing, pooling and/or discharging of wastewater onto any surface waters.

§ 19 The sites of the initial and replacement absorption facilities shall not be covered by asphalt or concrete or subject to vehicular traffic or any activity or similar loadings that would adversely affect the soils. These sites shall be maintained so that they are free from encroachments by ancillary buildings and additions to main structures.

§ 21 The septic tank must be pumped by a licensed Class F Liquid Waste Hauler at a minimum of once every three (3) years. Septic tanks constructed of non-masonry materials should be pumped only when the seasonal water table is low to minimize possible flotation risk and must be immediately refilled by the owner.

§ 85 Within 90 days after the transfer of the real property which utilizes an innovative/alternative system, the owner shall notify the Department. Transfer of the maintenance agreement must also be completed within this 90 day period.

§ 93 The site evaluation supporting this permit will expire five(5) years after site evaluation approval date. System replacement after this date will require a new site evaluation and subsequent GWDS approval.

§ 73 The advanced treatment unit shall be operated and maintained per the manufacturer's guidelines.

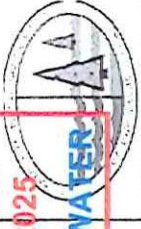


Permit Number:

IA 280418

RECEIVED

03/17/2025



**APPLICATION - PERMIT
ON-SITE WASTEWATER SYSTEM**

(Please Type or Print Legibly)

OWNER'S NAME: Karl & Stacy Thomas

PHONE: _____

ADDRESS: 22673 Hurdle Ditch Road Harbeson DE 19951

PROJECT LOCATION: 22673 Hurdle Ditch Road Harbeson DE 19951

TAX/MAP #: _____

APPLICATION

PREPARER: Gregory Welch

DNREC

LICENSE #: 234-10.00-70.12

PREPARER'S ADDRESS: 603 S Spinnaker Lane Milton DE 19968

PHONE: _____

I hereby affirm that the information provided on this document is accurate and complete.

Preparer's Signature: Gregory Welch

Date: 3/17/25

By signing this permit application, the preparer further certifies they were physically present at the site.

-SEPTIC DESIGN CRITERIA-

(Please check all boxes that apply)

System Type: (CF = Cap & Fill / FD = Full Depth)

☐ Gravity (FD)

☐ Permanent Holding Tank

☐ Gravity (CF)

☐ Elevated Sand Mound

☐ Pressure Dose (FD)

☐ Wisconsin At-Grade

☐ Pressure Dose (CF)

☐ Subsurface Micro Irrigation

☐ Low Pressure Pipe (FD)

☐ Peat Bio- Filter

☒ Low Pressure Pipe (CF)

☐ Other _____

☐ Temporary Holding Tank

☐ Bed or ☒ Trench

☐ Gravelless Chamber ☒ Stone/Gravel ☐ Tire Chips

Sand-lined ☐ Yes ☒ No

Existing System Malfunctioning ☐ Yes ☐ No ☐ N/A

Pre-Treatment Units

☐ Septic Tank

☒ Other EcoPod E60-N

Central Water Available ☐ Yes ☐ No

(If yes, please state Utility Name: _____)

Type of Construction:

☐ Replacement

☐ New Construction

☐ Component Replacement

Component: _____

☐ Repair to Existing System

Reason: _____

☒ Authorization to Use Existing System

Permit #: 245103

Present Condition: Good

Structure to be connected:
adding 3 bedrooms

of Bedrooms: 5

Avg. Percolation Rate: 75

Gallons Per Day Flow: 600

Minimum Sq. Ft. Req'd: 5250

Sq. Ft. Proposed: 6000

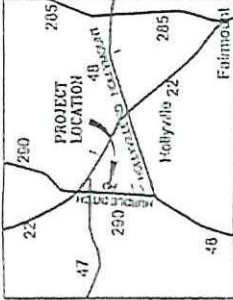
- SITE PLAN & CROSS SECTION -
(INDICATE DIRECTIONS OF NORTH & SCALE OF SITE PLAN)

Draw a general location map of
project location and give distance
to nearest road junction.

OWNER'S/AUTHORIZED AGENT SIGNATURE: Lacey Shonel

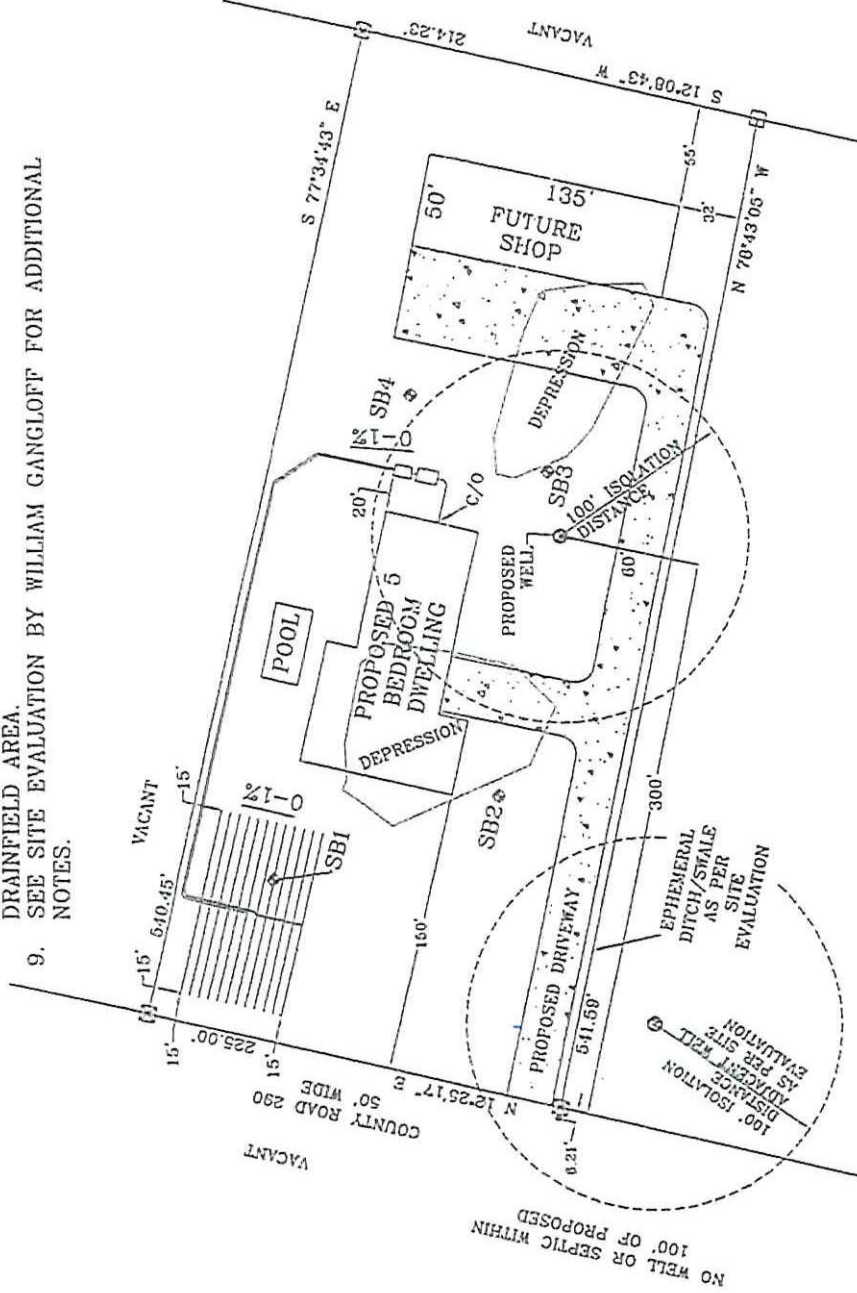
DATE: 3/17/25

- A copy of this page must be submitted with both septic system and well construction report(s)



NOTES:

1. LOT METES AND BOUNDS AS PER RECORDED PLOT BOOK 75 PAGE 118 BY ADAMS-KEMP ASSOCIATES, INC.
2. SEPTIC PLOT PLAN IS NOT THE RESULT OF A FORMAL SURVEY AND SHOULD NOT BE CONSTRUED AS SUCH.
5. BUILDING SETBACKS ARE THE RESPONSIBILITY OF THE OWNER.
6. SPARE TO BE UPGRADE IN SAME LOCATION AS INITIAL SYSTEM.
7. SOIL BORINGS, LIMITS OF APPROVED AREA AS PER SITE EVALUATION.
8. NO CONSTRUCTION TRAFFIC IS TO OCCUR IN THE PROPOSED DRAINFIELD AREA.
9. SEE SITE EVALUATION BY WILLIAM GANGLOFF FOR ADDITIONAL NOTES.



ADJACENT
DRAINFIELD
AS PER SEPTIC
PERMIT
207574-S



SB 1 & SB 4	
LPP 27" LZ	
75 MPI	
SB 2 & SB 3	
ESM 24" LZ	
40 MPI	

- ☐ IRON AXEL
- ☒ CONCRETE MONUMENT
- ☐ IRON PIPE

OWNER'S/AUTHORIZED AGENT SIGNATURE: _____

DocuSigned by:

KARL THOMAS

9502760C12D446

6/25/2021

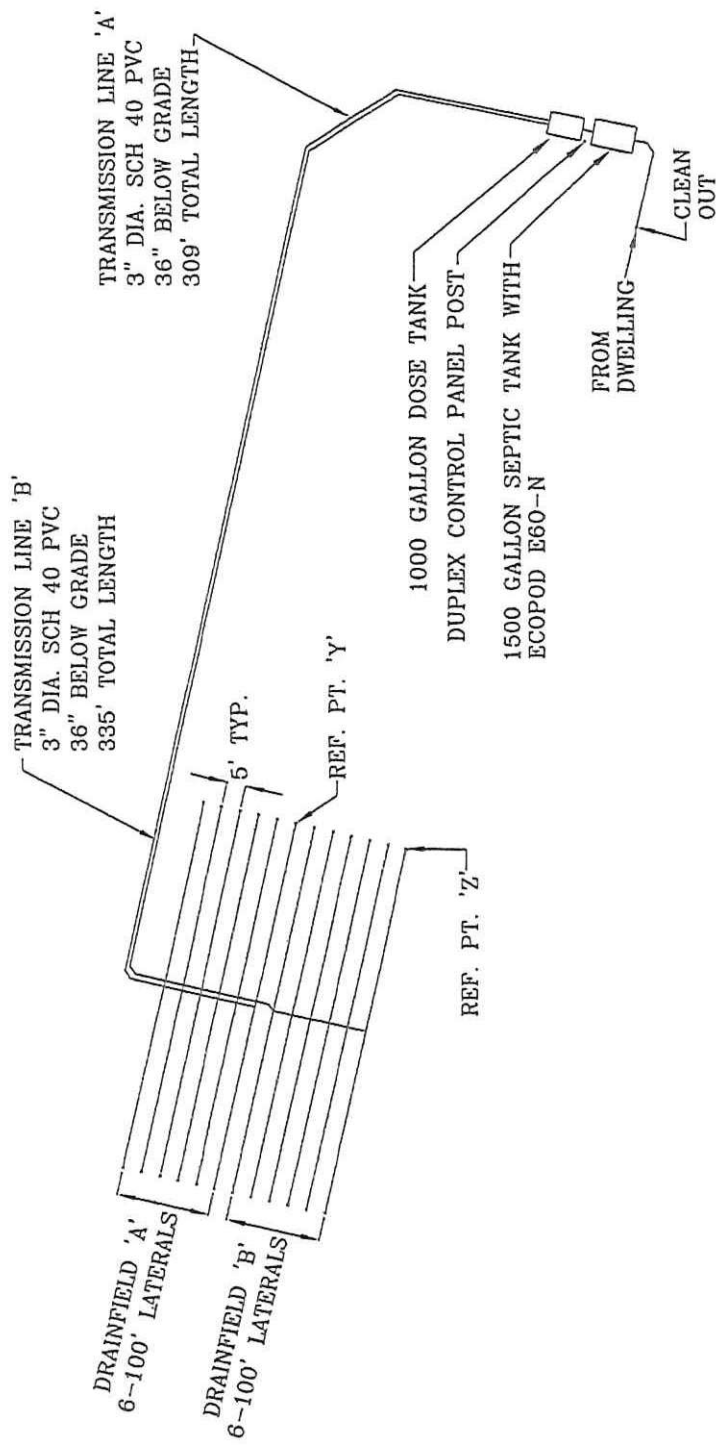
DATE: _____

*A copy of this page must be submitted with both the septic system and well construction report(s).

Scale: 1"=100'
Sheet: N/A
Date :6-15-21
Drawn by: JVR
Client: K.THOMAS
Client #:21101

SEPTIC PLOT PLAN

**CITADEL
ENGINEERING, INC.**
Jeffrey S. Reed, P.E.
17120 Webbs Road
Ellendale, DE 19941
Page 14 of 27



Scale: 1"=50'
Sheet: N/A
Date :6-15-21
Drawn by: JVR
Client: K.THOMAS
Client #:21101

LOW PRESSURE PIPE
PLAN VIEW

CITADEL
ENGINEERING, INC.
Jeffrey S. Reed, P.E.
17120 Webbs Road
Ellendale, DE 19941
Page 15 of 27

PARID: 234-10.00-70.12
THOMAS KARL J JR

22673 HURDLE DITCH RD

Property Information

Property Location: 22673 HURDLE DITCH RD

Unit:
City: HARBESON
State: DE
Zip: 19951

Class: R-Residential
Use Code (LUC): 101-Single Family Dwelling
Town 00-None
Tax District: 234 – INDIAN RIVER
School District: 6 - CAPE HENLOPEN
Fire District: 83-Millsboro
Deeded Acres: 2.7300
Frontage: 0
Depth: .000
Irr Lot:
Plot Book Page: 75 83/PB

100% Land Value: \$171,900
100% Improvement Value: \$332,000
100% Total Value: \$503,900

Legal

Legal Description E/RT 290

Owners

Owner	Co-owner	Address	City	State	Zip
THOMAS KARL J JR	STACY J THOMAS	22673 HURDLE DITCH RD	HARBESON	DE	19951

PARID: 234-10.00-70.12
THOMAS KARL J JR

22673 HURDLE DITCH RD

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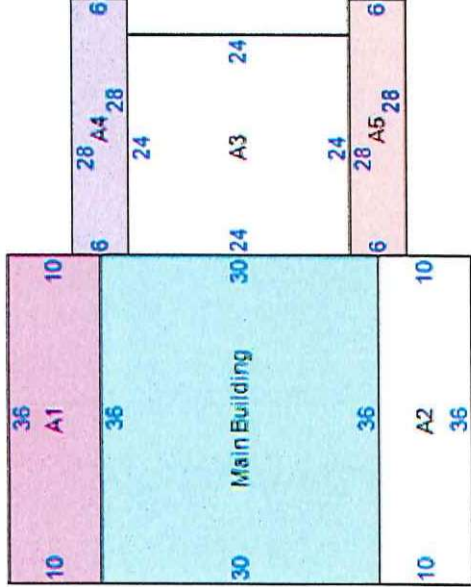
Legal Description E/RT 290

Owners

Owner	Co-owner	Address	City	State	Zip
THOMAS KARL J JR	STACY J THOMAS	22673 HURDLE DITCH RD	HARBESON	DE	19951

PARID 234-10.00-70.12
THOMAS KARL J JR
STACY J THOMAS

22673 HURDLE DITCH RD



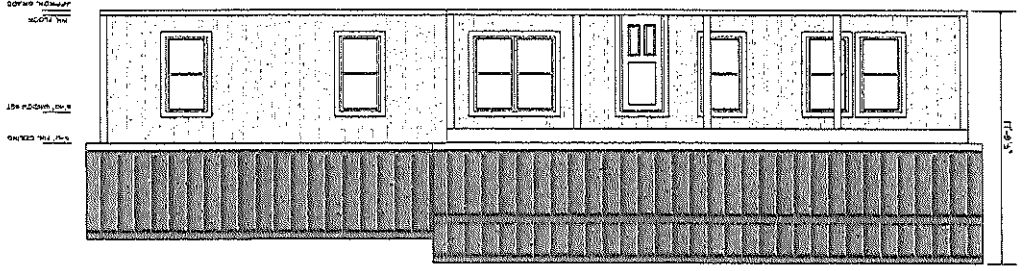
Options ^

Type	Line #	Item	Area
ADDN	0	Main Building	1,080
ADDN	1	A1 - 11' OPEN FRAME PORCH	360
ADDN	2	A2 - 11' OPEN FRAME PORCH	360
ADDN	3	A3 - 13' FRAME GARAGE	576
ADDN	4	A4 - 33' MASONRY PATIO	168
ADDN	5	A5 - 33' MASONRY PATIO	168

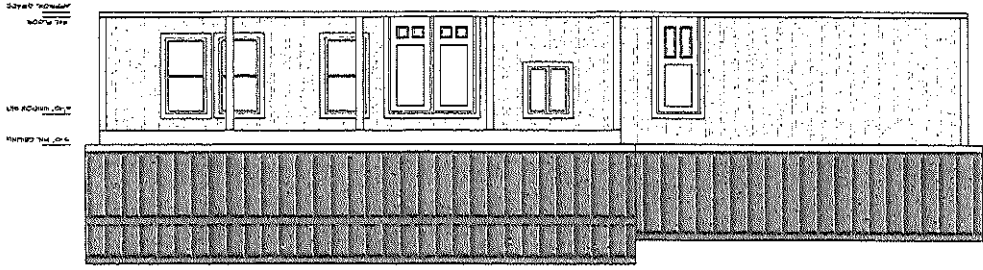
DRAWINGS PAGE: 1	M.R. Designs, Inc. 2000 PRODUCTIONS BLVD. SUITE 100 MILFORD, DE 19966 www.mrdesignsinc.com	KARL & STACEY THOMAS COUNTY ROAD 290 MILFORD, DE
	DATE: 10/10/2017 SCALE: 1/4" = 1'-0"	DESIGNER: M. R. THOMAS
	THIS DRAWING IS THE PROPERTY OF M.R. DESIGNS, INC. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY NOTED THEREON. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF M.R. DESIGNS, INC. ANY VIOLATION OF THIS NOTICE SHALL BE SUBJECT TO LEGAL ACTION.	

NOTE: THE FOLLOWING DRAWINGS ARE BASED ON 100' R.O.D.

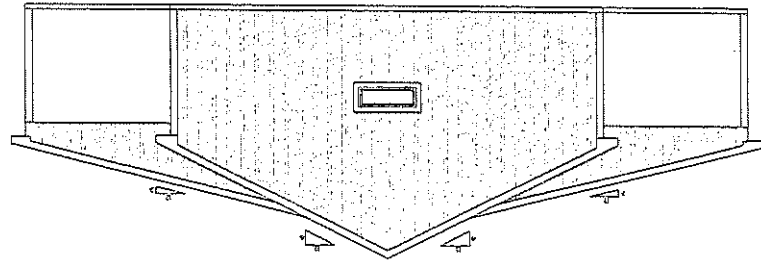
LEFT ELEVATION



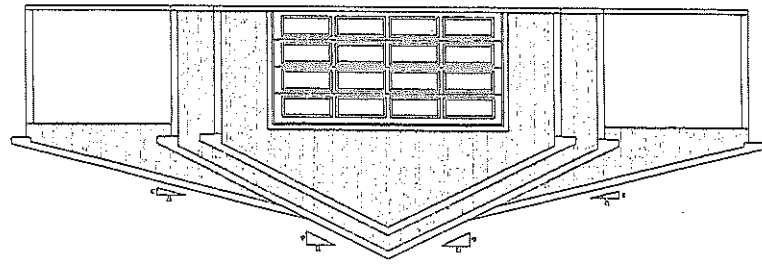
RIGHT ELEVATION



BACK ELEVATION



FRONT ELEVATION



Amy Hollis

From: Amy Hollis
Sent: Monday, May 12, 2025 2:57 PM
To: karlthomas1@comcast.net
Subject: ADU Application

Good Afternoon,

We are reviewing your ADU Application and have a few questions/concerns:

The dwelling being converted to ADU based on footprint is 1080 sq. ft., this is also confirmed by Assessment records and the permit applied for in 2022.

Can you submit something showing the layout of the structure?

We do not use internal floor area but rather the footprint of the structure.

The dwelling being converted to ADU has 2 bedrooms. The proposed dwelling in the septic documents shows 5 bedrooms.

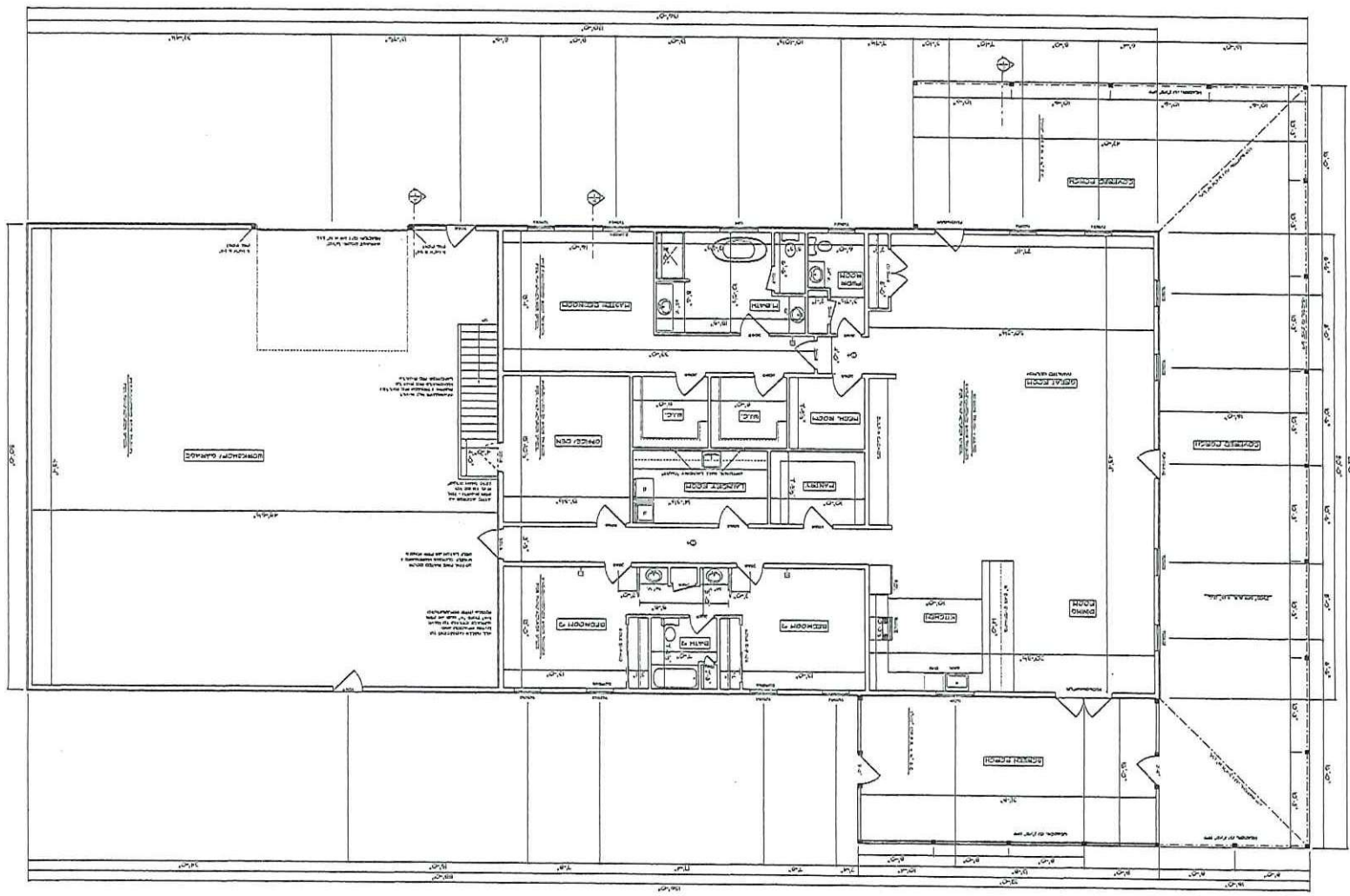
Are there 2 septic systems on sight? One for each dwelling? (this will be needed for permitting)

Please let me know if you have any questions.

Thank you,

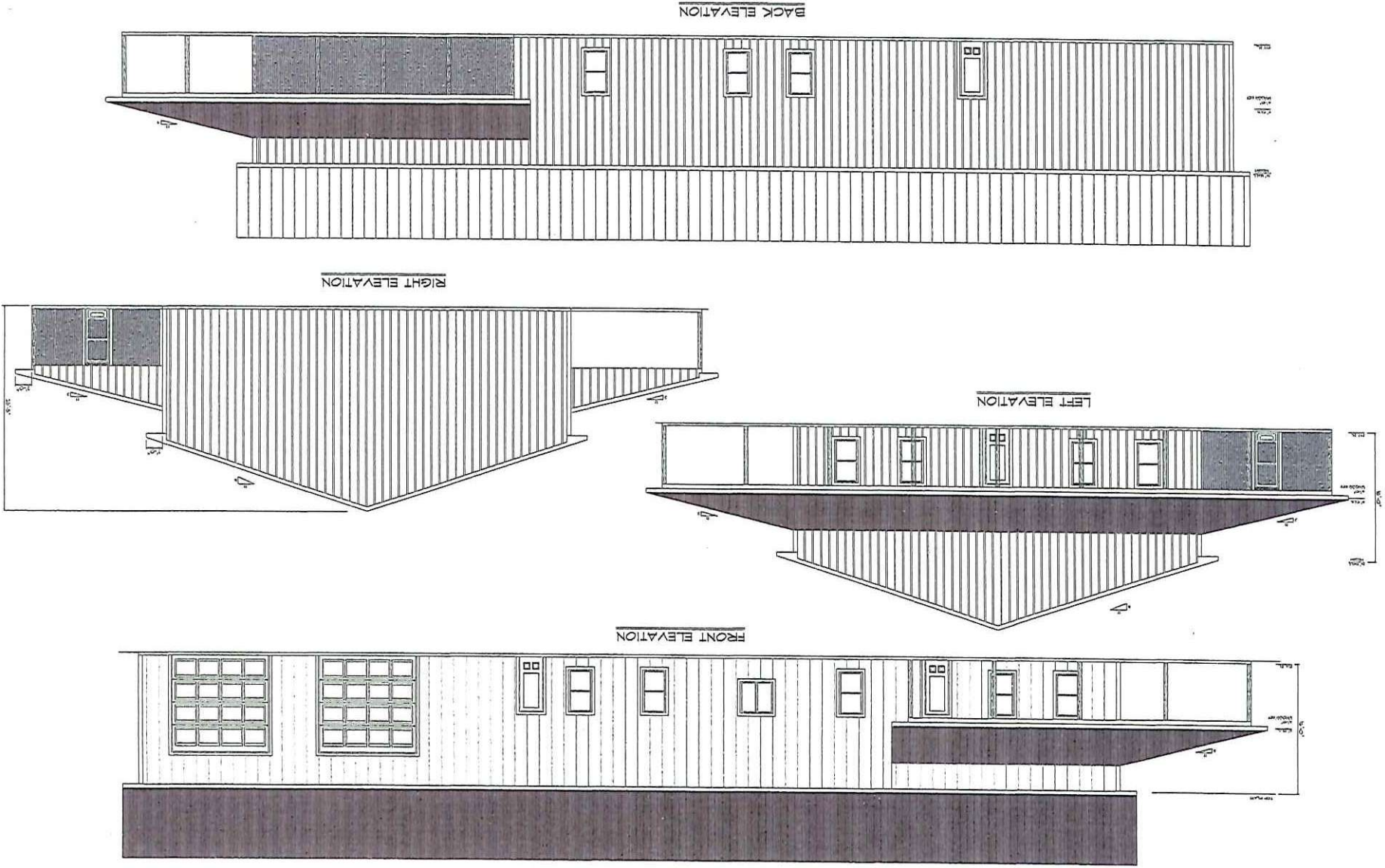
Amy Hollis
Planning Technician
Sussex County Planning and Zoning
2 The Circle,
Georgetown, DE 19947
302-855-7878
Amy.Hollis@sussexcountyde.gov

FLOOR PLAN

[illegible]

NAME	DATE
ADDRESS	STATE
CITY	ZIP
FILL IN HERE	

NOTE: THE FOLLOWING PERSONS ARE CALLED ON TO JUDGE

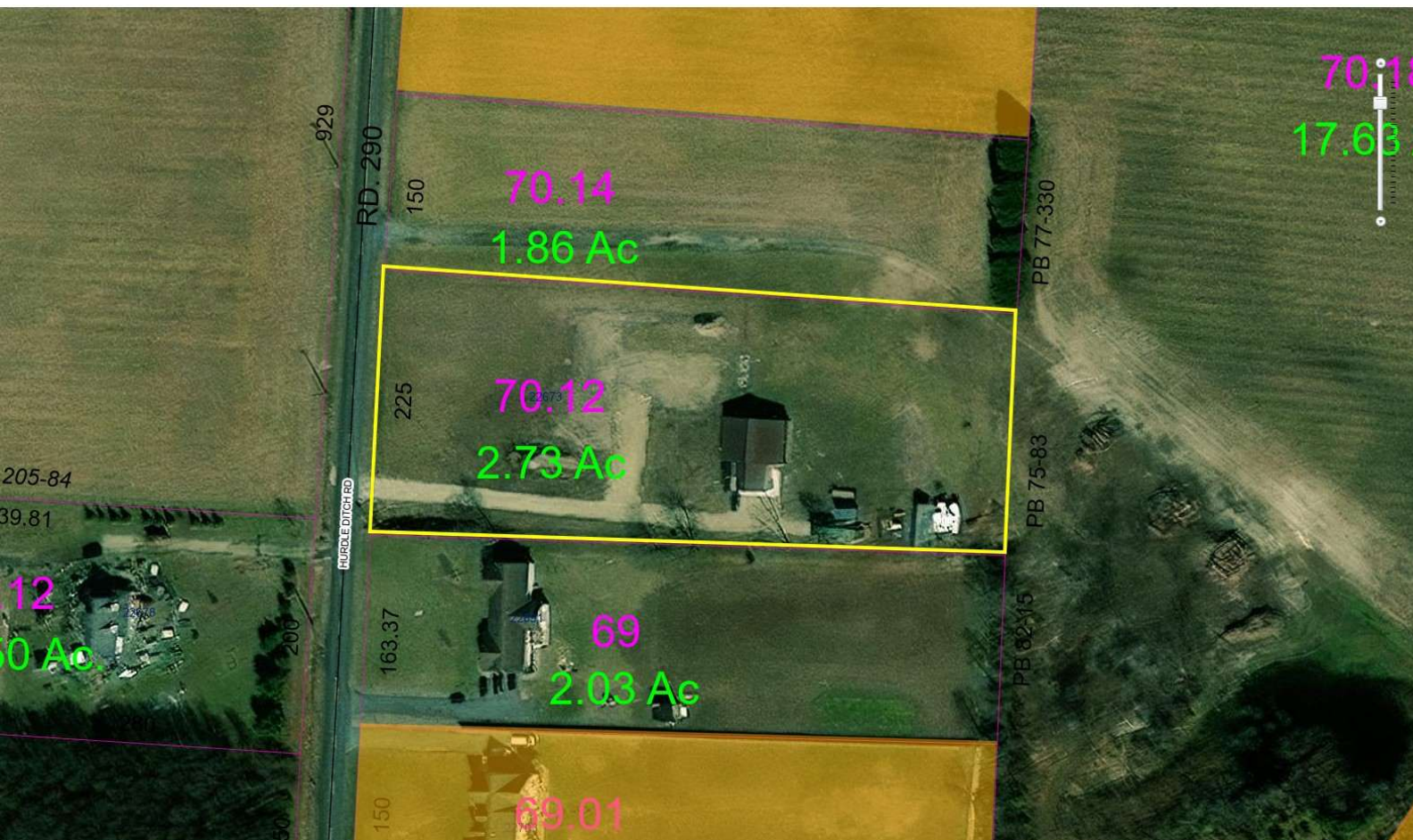


NOTE: THE POLYMER COATING AND PAINT CHART IS ON PAGE 113

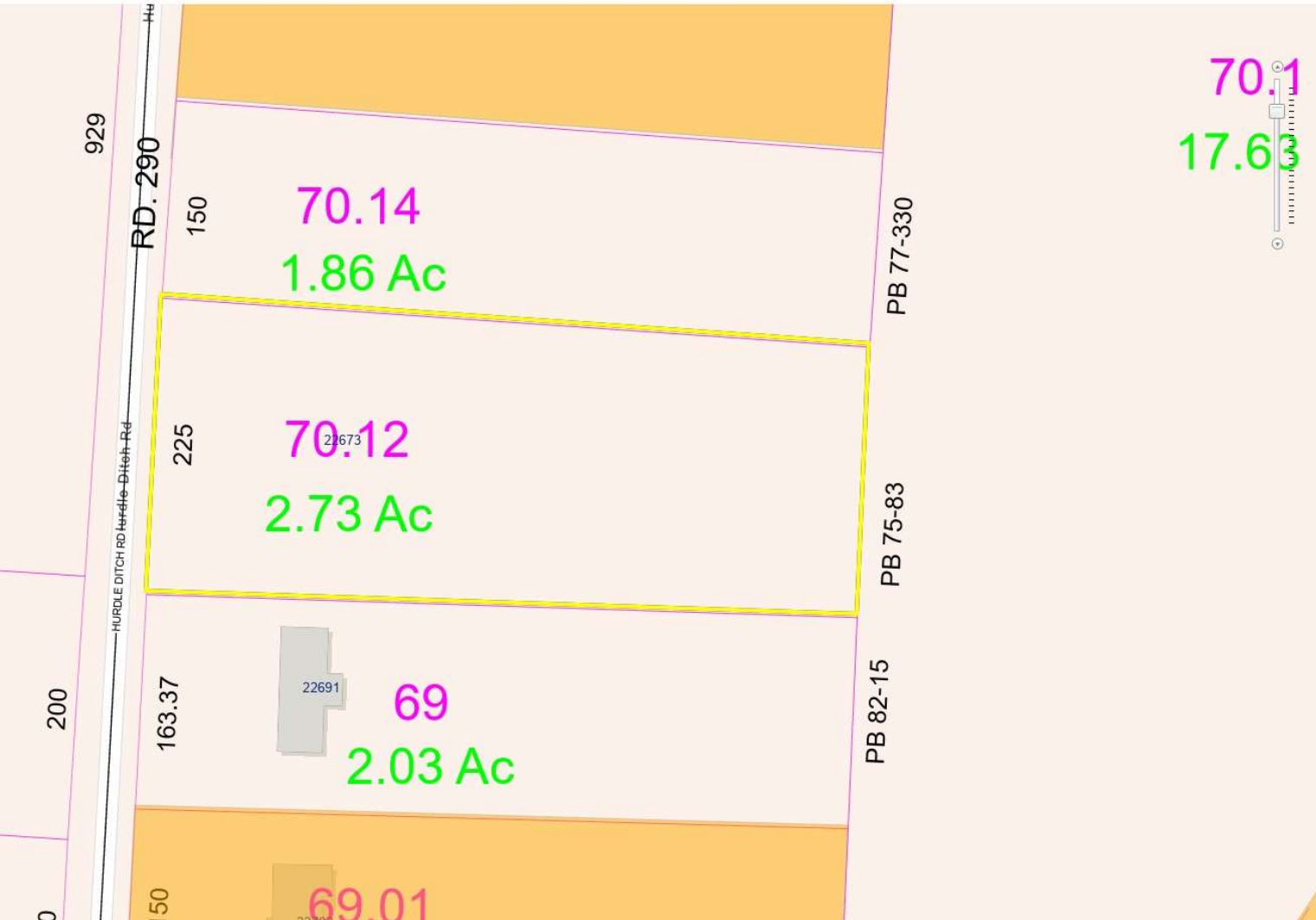
DATE: Tuesday, April 11, 2023
SHEET # 1

PROJECT: KASL & STACY THOMAS
3300 HAZLE DITCH ROAD
HUNTERDON DE
SCALE: 1/4" = 1'-0"
ELEVATIONS
PMSI
APPROVED: [Signature]
DATE: 4/11/23

ARCHITECTURE
CREATING PROPOSED BY
M.R. Designs, Inc.
10000 N. 100th Ave., Suite 100
Eden Prairie, MN 55324
Phone: 952.261.1234
www.mrdesignsinc.com



Eagleview Search Results	
Selected Features: Parcels (1)	
▼ 1) 234-10.00-70.12 Zoom	
BOOK	5495
PAGE	85
FULLNAME	THOMAS KARL J JR
Second_Owner_Name	STACY J THOMAS
MAILINGADDRESS	22673 HURDLE DITCH RD
CITY	HARBESON
STATE	DE
a_account	
DESCRIPTION	E/RT 290
DESCRIPTION2	
DESCRIPTION3	
LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	332000
APRLAND	171900
PINWASSEMENTUNIT	234-10.00-70.12
PIN	234-10.00-70.12
ZIPCODE	19951
FRONTFOOT	0
DEPTH	0
IRREGULAR	
SCALED	
FLOOD	
FIRE	83
COUNCILMAN	



Eagleview	Search Results
Selected Features:	Parcels (1)
1) 234-10.00-70.12	Zoom
BOOK	5495
PAGE	85
FULLNAME	THOMAS KARL J JR
Second_Owner_Name	STACY J THOMAS
MAILINGADDRESS	22673 HURDLE DITCH RD
CITY	HARBESON
STATE	DE
a_account	
DESCRIPTION	E/RT 290
DESCRIPTION2	
DESCRIPTION3	
LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	332000
APRLAND	171900
PINWASSEMENTUNIT	234-10.00-70.12
PIN	234-10.00-70.12
ZIPCODE	19951
FRONTFOOT	0
DEPTH	0
IRREGULAR	
SCALED	
FLOOD	
FIRE	83
COUNCILMAN	



Search

Search by SUSSEXPARCELS

234-10.00-70.12

Search results (1)

234-10.00-70.12

