

BOARD OF ADJUSTMENT

DR. LAUREN A. HITCHENS
NATHAN KINGREE
SHAWN LOVENGUTH
CHUCK McCLURE
JOHN WILLIAMSON



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878

AGENDA

March 23, 2026

6:00 PM

Call to Order

Pledge of Allegiance

Approval of Agenda

Public Hearings

Case No. 13171 – William John & Diane Brooks Trustees

seeks variances from the agricultural separation requirement for existing structures (Section 115-20 and 115-4 of the Sussex County Zoning Code). The property is located on the south side of Milton Ellendale Highway (S.C.R. 16). 911 Address: 22644 Milton Ellendale Highway, Milton. Zoning District: AR-1. Tax Map: 235-13.00-28.00.

Case No. 13168 – The Jeffrey & Margaret Dennis Trust

seeks variances from the separation requirements for proposed structures (Section 115-34 and 115-172 of the Sussex County Zoning Code). The property is located on the southwest side of Monterray Ave. 911 Address: 33988 Monterray Ave., Frankford. Zoning District: MR. Tax Map: 134-17.00-39.03-184.

Case No. 13169 – Donald Wall, Jr.

seeks variances from the corner front yard setback requirement and the maximum fence height requirement within the corner front yard setback for proposed structures (Section 115-25 and 115-185 of the Sussex County Zoning Code). The property is located on the west side of Narrows Lane and the north side of Megan Court. 911 Address: 34636 Megan Court, Lewes. Zoning District: AR-1. Tax Parcel: 234-18.00-555.00.

Case No. 13170 – Barbara Higgins

seeks a variance from the rear yard setback requirement for a proposed structure (Section 115-34 and 115-183 of the Sussex County Zoning Code). The property is located on the southwest side of Tee Box Blvd. 911 Address: 36360 Tee Box Blvd., Frankford. Zoning District: MR. Tax Map: 134-16.00-1920.00.

Case No. 13172 – Christopher & Coleen Popp

seeks variances from the rear and side yard setback requirements for existing

structures (Section 115-34 and 115-183 of the Sussex County Zoning Code). The property is located on the southeast side of Pine Street. 911 Address: 29102 Pine St. Milford. Zoning District: MR. Tax Map: 230-17.00-116.00.

Additional Business

-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on March 16, 2026, at 4:30 p.m. and at least seven (7) days in advance of the meeting.

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

Agenda items may be considered out of sequence.

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

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

Any person who intends to present a digital presentation or document, including PowerPoint files, for electronic display during County meetings shall submit said file(s) in advance, no later than one (1) business day before the respective public meeting. Files may be sent electronically to pandz@sussexcountyde.gov or delivered by hand to County Administration, located in the Sussex County Administrative Offices, 2 The Circle, in Georgetown. No external storage devices shall be permitted to connect to County equipment.

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountyde.gov. All comments are encouraged to be submitted by 4:30 P.M. on Thursday, March 19, 2026.

#####

Case # 13171
Hearing Date 02-23-2026
202601356

Board of Adjustment Application
Sussex County, Delaware

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

Type of Application: (please check all applicable)

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

Site Address of Variance/Special Use Exception: _____
22644 Milton Ellendale Hwy, Milton

Variance/Special Use Exception/Appeal Requested:
14.7-ft var from the 200-ft separation requirement btwn dw & poultry house
36.1-ft var from the 200-ft separation requirement btwn dw & poultry house

Tax Map #: 235-13.00-26.00 Property Zoning: AR1

Applicant Information

Applicant Name: Diane Brooks
Applicant Address: 22644 Milton Ellendale Hwy
City Milton State DE Zip: 19968
Applicant Phone #: (302) 542-0504 Applicant e-mail: di4mae@msn.com

Owner Information

Owner Name: William John Brooks & Diane Brooks Trustees
Owner Address: 22644 Milton Ellendale Hwy
City Milton State DE Zip: 19968 Purchase Date: 4/2/75
Owner Phone #: (302) 542-0504 Owner e-mail: di4mae@msn.com

Agent/Attorney Information

Agent/Attorney Name: John Roach
Agent/Attorney Address: 22184 Melson Rd
City Georgetown State DE Zip: 19947
Agent/Attorney Phone #: (302) 856-1565 Agent/Attorney e-mail: jbroachengr@gmail.com

Signature of Owner/Agent/Attorney

Diane Brooks Date: 2/4/26



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 physical circumstances create the need for the variances, the dwelling on proposed Lot A was built in 1980, the dwelling on proposed Lot B was built in 2003, the poultry house was built in 1992, for estate planning there is a need to separate the dwellings from the existing poultry farm

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 property as it exists cannot otherwise be developed, the existing structures and proposed parcels meet all Code requirements except for the 200-ft separation requirement from a dwelling no on the premise, the location of the poultry houses was not an issue when developed and the location was to maintain the cultivated portion of the farm and keep the poultry farm contained to the western most corner of the property.

3. Not created by the applicant:

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

the poultry house and dwellings were lawfully constructed and located on the property prior to the subdivision, their actual distance from one another has not changed, and no new poultry or dwelling expansion is proposed. The appellant did not create the separation issue, it already exists on the ground and the variance request arises solely from the administrative act of creating separate parcels for estate planning

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

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

The proposed variances do not alter the essential character of the neighborhood, the property is surrounded by farmland and the existing dwellings and poultry houses have existed in place for 23 plus years.

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.

there is no physical change to the structures or uses, the poultry house and dwellings remain as they exist today, nothing is being altered on the ground. the variance only recognizes the existing separation distances and the variances merely formalize an existing condition

Check List for Applications

The following shall be submitted with the application

- Completed Application
- Provide a survey of the property (Variance)
 - o Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - o Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - o 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: 7-4-2022

Demetrius

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

02/06/2026 09:46AM Megan D.
Receipt number: 33031031-0011 001282035

PERMITS / INSPECTIONS
2026 202601956|2020 \$500.00

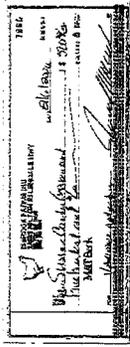
\$500.00

Subtotal
Total \$500.00
\$500.00

Tenders
CHECK \$500.00
Check Number 007298

Change due \$0.00

Paid by: Isbrook Farms Inc



Thank you for your payment.

CUSTOMER COPY

Selected Features:

1) 235-13.00-28.00

Zoom

BOOK	2222
PAGE	21
FULLNAME	BROOKS WILLIAM JOHN DIANE MAE
Second_Owner_Name	TRUSTEES
MAILINGADDRESS	22644 MILTON ELLENDALE HWY
CITY	MILTON
STATE	DE
a_account	
DESCRIPTION	RD MILTONELLEDALE
DESCRIPTION2	FX
DESCRIPTION3	
LUC	202
SCHOOL	6
MUNI	00
CAP	2
APRBLDG	2.1761e+006
APRLAND	104500
PINWASSEMUNIT	235-13.00-28.00
PIN	235-13.00-28.00



Eagleview Search Results

Selected Features: 1) 235-13.00-28.00

Parcels (1)

Zoom

BOOK	2222
PAGE	21
FULLNAME	BROOKS WILLIAM JOHN DIANE MAE
Second_Owner_Name	TRUSTEES
MAILINGADDRESS	22644 MILTON ELLENDALE HWY
CITY	MILTON
STATE	DE
a_account	
DESCRIPTION	RD MILTON ELLENDALE
DESCRIPTION2	FX
DESCRIPTION3	
LUC	202
SCHOOL	6
MUNI	00
CAP	2
APRBLDG	2.1761e+006
APRLAND	104500
PIN/WASSEMBLUNIT	235-13.00-28.00
PIN	235-13.00-28.00

Selected Features (1)

Clear Selected



CONNECTEXPLORER

Search by SUSSEXPARCELS
235-113.00-28.00

Search results (1)
235-13.00-28.00

2026 Microsoft Corporation © 2025 Maxar © CNES (2026) Distribution Airbus DS
map: Mosaic | Mar 2025 - Mar 2025

The image displays a web-based aerial map application. At the top, there is a search bar with the text "Search by SUSSEXPARCELS" and a search icon. Below the search bar, a search result is listed: "235-113.00-28.00". To the right of the search bar, there is a dropdown menu labeled "Search results (1)" with a sub-entry "235-13.00-28.00". The main map area shows an aerial view of a large green field. A blue polygon outline is drawn on the field, enclosing a specific area. In the center of this outlined area, there is a small red square icon. The map is surrounded by various features, including a road on the left, a residential area with houses on the right, and a large brown field at the bottom. The interface includes several navigation and control elements: a compass and scale bar at the top left, a search bar and results list at the top right, and a toolbar with various icons at the bottom right. The text "CONNECTEXPLORER" is visible in the top left corner. At the bottom left, there is a small "Workspaces" dropdown menu. At the bottom right, there is a copyright notice: "© 2026 Microsoft Corporation © 2025 Maxar © CNES (2026) Distribution Airbus DS" and a map provider attribution: "map: Mosaic | Mar 2025 - Mar 2025".

RECEIVED

FEB 02 2026

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 # 13168
Hearing Date 03-23-2026
2026 01395

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:
33988 Monterray Avenue Frankford DE 19945

Variance/Special Use Exception/Appeal Requested:

A 5.3' Variance from the 40' separation distance requirement between Lot 185 and a proposed structures

Tax Map #: 1-34-17-39.03-184 Property Zoning: MR

Applicant Information

Applicant Name: Jeffrey Dennis and Margaret Dennis
Applicant Address: 1509 Canterbury Drive
City Lansdale State PA Zip: 19446
Applicant Phone #: (215) 896-8147 Applicant e-mail: mldennis333@aol.com

Owner Information

Owner Name: Jeffrey Dennis and Margaret Dennis (The Jeffrey J. & Margaret L. Dennis Trust)
Owner Address: 1509 Canterbury Drive
City Lansdale State PA Zip: 19446 Purchase Date: 5/13/05
Owner Phone #: (215) 896-8147 Owner e-mail: mldennis333@aol.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

Margaret Dennis

Date: 1-28-2026



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 existing residential dwelling is located on a parcel of land that is wider on the street side of Monterray Avenue and then narrows from the northwest corner to the southwest corner at the rear of the property. The setback of 20 feet on the subject lot the 20 feet on the lot where unit #185 is located is a total of 40 feet.

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 existing dwelling offers an opportunity for single level mobility living. There is currently a screened area on the first level. We are hoping to enclose the screened area for all season use and add an additional screened area to enjoy multi-seasonal use due to mobility issues. The plan presented has the proposed addition. The southwest corner of the addition extends into the total 40 ft side setback area between unit 184 & 185. The addition corner extends less than 6 ft into the setback.

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.

The proposed addition was designed by a professional architect to maintain the character of the homes in the Villages of Clearwater. It will not hinder any adjacent properties from making any alterations.

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 planned the changes to promote more livability within our home. Throughout this planning process we kept in mind the impacts on adjacent and neighboring properties within the community.

For #3

Not Created by the Applicant: That such exceptional practical difficulty has not been created by the appellant:

We purchased our home in 2005. Our request for the variance is not an appeal. There have been no changes to the land parcel, it is in the form as it was in 2005.

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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**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

Margaret A. Jones

Date: 1-28-2026

For office use only:

Date Submitted: _____ Fee: _____ Check #: 1126
 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

02/06/2026 03:50PM Catherine
Receipt number: 33031030-0068 001282371

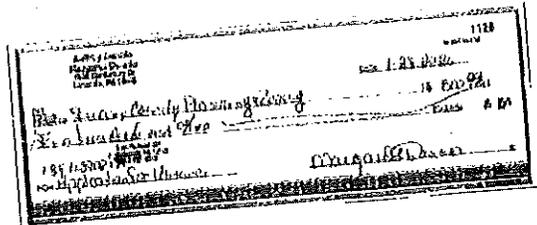
PERMITS / INSPECTIONS
2026 20260139517620 \$500.00

Subtotal \$500.00
Total \$500.00

Tenders
CHECK \$500.00
Check Number 001126

Charge due \$0.00

Paid by: MARGARET DENNIS



Thank you for your payment.

CUSTOMER COPY
DUPLICATE RECEIPT

Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

Selected Features: Parcels (186)

Zoom

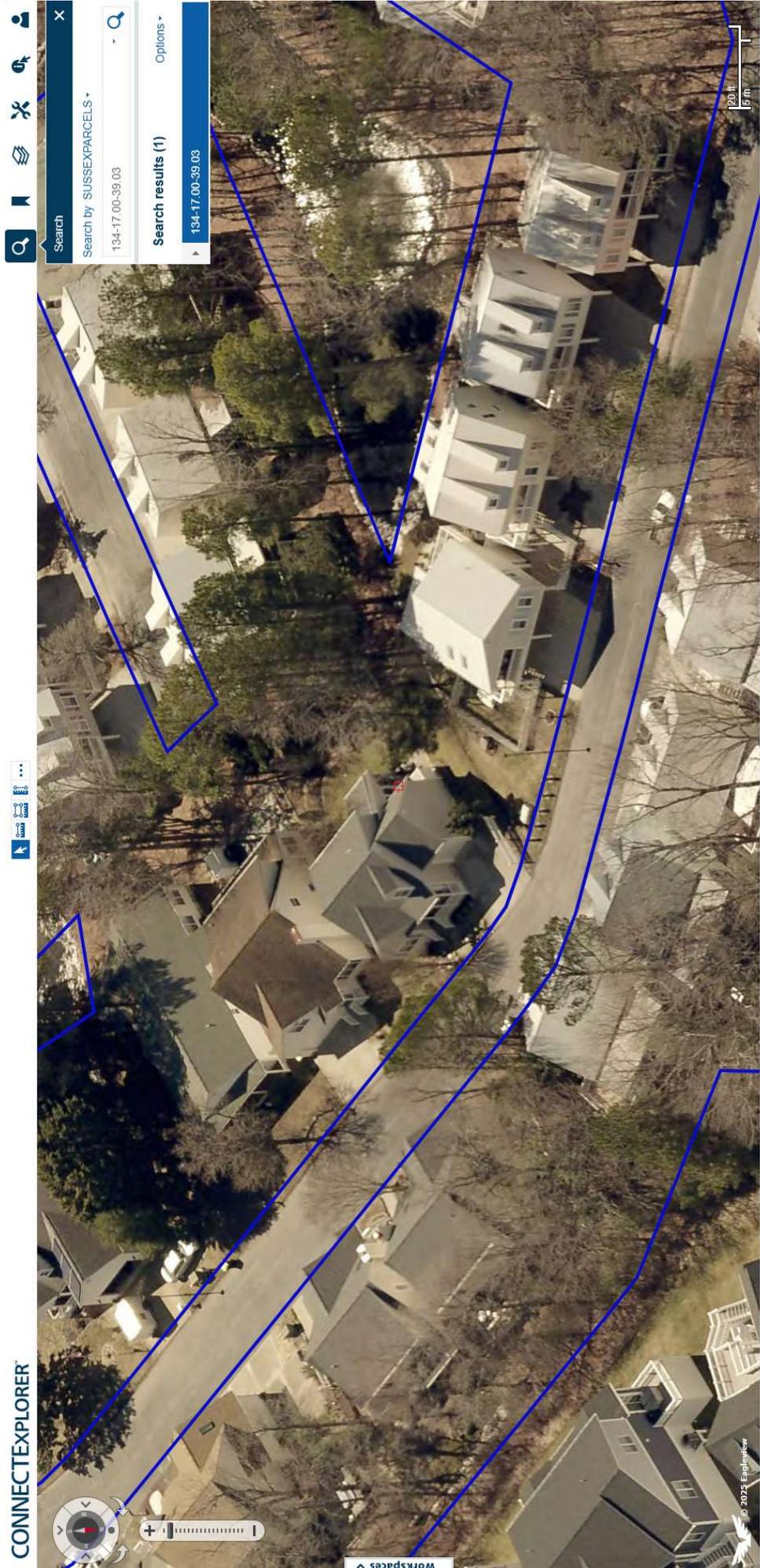


Selected Features: 86) 134-17.00-39.03-184

BOOK	6257
PAGE	14
FULLNAME	DENNIS JEFFREY J TTEE
Second_Owner_Name	MARGARET L DENNIS TTEE PROTECTOR TR
MAILINGADDRESS	1509 CANTERBURY DR
CITY	LANSDALE
STATE	PA
a_account	03-01-039.3-184
DESCRIPTION	CLEARWATER UNIT 184
DESCRIPTION2	HALF MOON BAY
DESCRIPTION3	VILLAGE C
LUC	105
SCHOOL	1
MUNI	00
CAP	0
87) 134-17.00-39.03-185	Zoom
88) 134-17.00-39.03-186	Zoom
89) 134-17.00-39.03-187	Zoom
90) 134-17.00-39.03-188	Zoom

Selected Features (86 - 90 of 186)

Clear Selected



DISCLAIMER / NOTES:

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

PROPERTY LINE CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	100.00'	47.31'	46.87'	S 50°13'59" E	27°06'21"

PROPERTY LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 63°47'21" E	6.89'
L2	S 36°40'50" E	36.37'

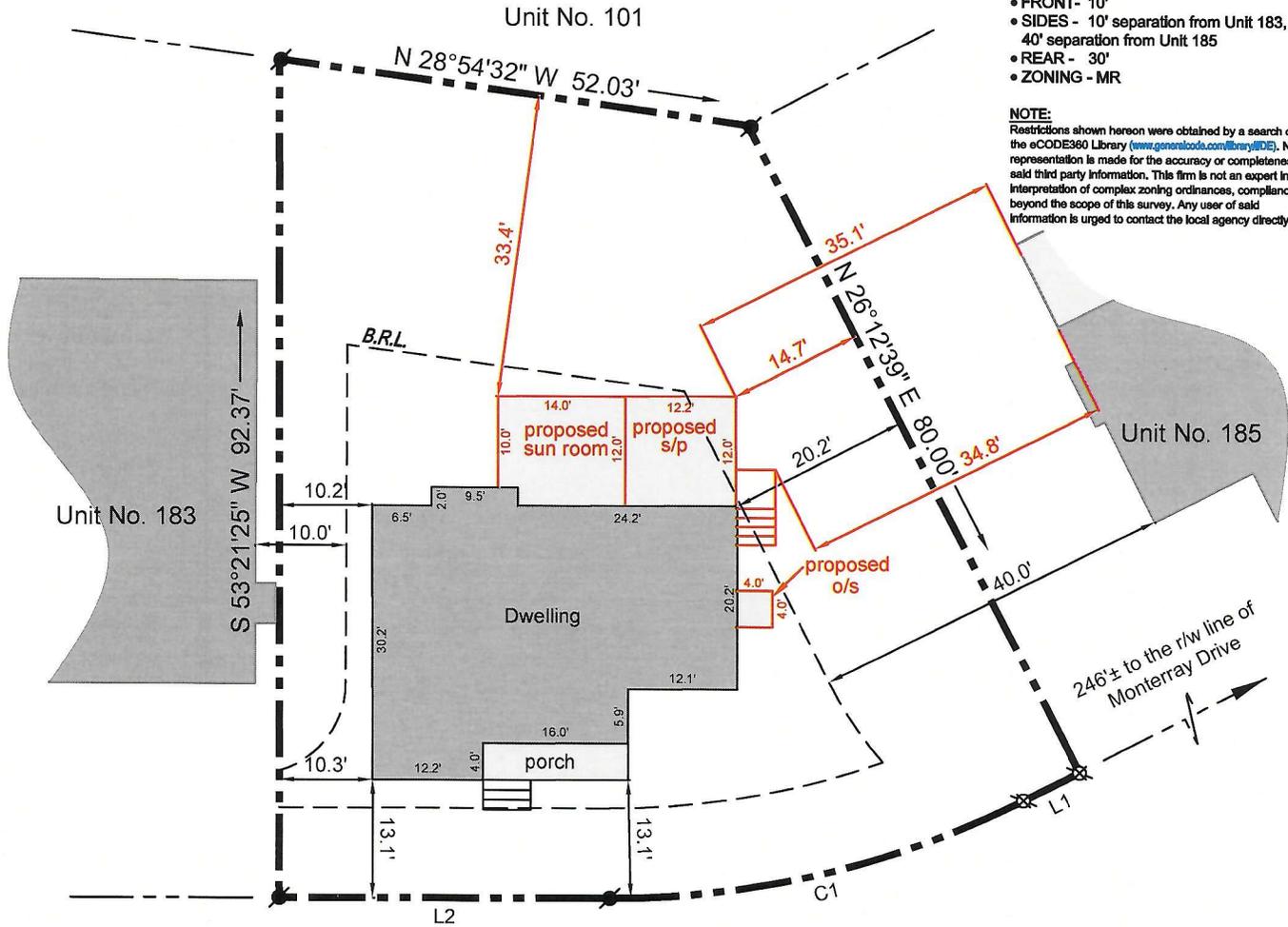
REFERENCE DATUM NOTES:
 1. HORIZONTAL DATUM: NAD '83
 (North American Datum of 1983)



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

- FRONT - 10'
- SIDES - 10' separation from Unit 183, 40' separation from Unit 185
- REAR - 30'
- ZONING - MR

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



MONTERRAY AVENUE

(50' r/w)

○ 5/8" RE-BAR w/CAP (SET)

● 5/8" RE-BAR (FD)

B.R.L. BUILDING RESTRICTION LINE

SCALE: 1" = 20'

AREA: 6,156 SQ. FT.

PARCEL ID NO: 1-34-17-39.03 UNIT 184

Lands of JEFFREY DENNIS and MARGARET DENNIS. Being known as UNIT NO. 184, VILLAGE "C", HALF MOON BAY, CLEARWATER. Ref: Plat Book 52, Page 152.

FIRM INFORMATION:

100029 - 0514 - K
 MARCH 16, 2015
 ZONE: "AE", B.F.E. = 5.0'
 CLASS "B" SURVEY

Revised: 01-05-2026, Proposed Site Plan for Addition
 Revised: 02-02-2026, Additional Adjoiner Offset dimensions

HUNDRED: BALTIMORE

COUNTY: SUSSEX

STATE OF DELAWARE

DATE OF ORIGINAL: 12-12-2025

DRAWN BY: MATT LEVESQUE

REVIEWED BY: MICHAEL LOVELAND

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

SEAL
 GREGORY M. HOOK
 REGISTERED PROFESSIONAL LAND SURVEYOR
 No. S00000711
 02/06/2026
 P.L.S. 711

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

Case # 13169
Hearing Date 03-23-2026
202601355

Board of Adjustment Application Sussex County, Delaware

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

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)

Site Address of Variance/Special Use Exception:

34636 Megan Court Lewes, Delaware 19958

Variance/Special Use Exception/Appeal Requested:

7.5' variance from the 30' corner front setback requirement for a proposed pool and 0.5' variance from the 3.5' maximum fence height requirement in front yard setback for proposed fence

Tax Map #: 234-18.00-555.00

Property Zoning: AR-1

Applicant Information

Applicant Name: Donald J Wall Jr.
Applicant Address: 34636 Megan Court
City Lewes State DE Zip: 19958
Applicant Phone #: (443) 463-5527 Applicant e-mail: dwall@oscinc.com

Owner Information

Owner Name: Donald J. Wall Jr.
Owner Address: 34636 Megan Court
City Lewes State DE Zip: 19958 Purchase Date: 12/20/13
Owner Phone #: (443) 463-5527 Owner e-mail: dwall@oscinc.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

Donald J. Wall Jr.

Date: 1/28/26



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 pool design layout crosses the surveyed Building Restriction Line (BRL) by approximately 10-feet. I had the site surveyed by a Delaware state licensed surveyor and have attached a copy of the Stakeout Cutsheet/Draft Site Plan. The front of my house faces east to Narrows Lane and the side of my house faces south to Megan Court. They consider the side of my house the front yard because of the mailbox was

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.

My property is set between 2 neighbors on each side (north and south west, Narrows Lane to the front (east), Megan Court (south) and a storm water management pond (west). I have already received approval from the Home Owners Association and notified both neighbors without any objections. The pool will sit approximately 35-feet off of Megan Court.

3. Not created by the applicant:

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

When we built our house, we had it shifted as close as possible to the property line on the north so we could take advantage of a large enough side yard to install an inground pool. Due to the fact that my garage is on the side of my house, the driveway terminates at Megan Court, on the south side of my house, and that's where the builder set my mailbox. The proposed location of the pool design layout does cross the surveyed Building Restriction Line (BRL) by approximately 10 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.

We are requesting the variance based on the fact that the proposed pool location is on the side of our house and not in our front yard. Additionally, there are two properties in the neighborhood that have their pools installed in the side yards similar to our request. The second variance allow us to install a 4-foot high, 3 rail, smooth top, aluminum fence around the pool. I understand that the code allows 3.5-foot tall fences in the front yard, but by law we need a 4-foot fence around the pool

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.

As previously stated, The pool is theoretically on the side of the house, 35-feet from Megan Court cul de sac, and the 4-foot fence design we are requesting for the side yard, in lieu of the 3.5-foot fence code for front yards, matches the majority of fences that are installed in our neighborhood and around the previously installed residence inground pools. I feel that the variances we are requesting will afford relief and represent the least modification possible of the regulation in question.

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

Donald J. Wall Jr. Date: 1/28/26

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: _____

Jessica Iarussi

From: Donald Wall <dwall@oscinc.com>
Sent: Thursday, February 5, 2026 5:01 PM
To: Jessica Iarussi
Cc: robin.wall@creativeconcepts1.com
Subject: Fw: Board of Adjustment Variance Application
Attachments: Wall Pool Survey.pdf; Wall Arial View - Location Explanation.PDF

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.

Hi Jessica,

Thanks for getting back to me with your comments regarding our request for variance on the proposed location of the pool. I read through your comments and have provided a response to the inquires below to help explain the proposed location to the board. See my primitive markup and explanations on the Wall Arial View - Location Explanation attachment.

The Board is going to ask what the reason is that the pool is placed in the location that you have selected.

1. Why can't the pool be placed closer to the home and this way be out of the setbacks? [We want to install a 12-foot paver area around the pool to the north and west to take advantage of a sunbathing area since these two locations receive full sun all day. Plus our master bedroom windows face the pool and we didn't want the pool area any closer to our bedroom allowing guests to look into our windows.](#)
2. Why don't you move the pool to the rear of the property where there is open space? [The area that is circled in blue in the back yard is typically covered with falling pine needles and pinecones from the twelve \(12\) 60-foot pine trees in the area circled in red. It would be a never-ending battle to keep the pool clean. This is our 4th home in 34 years, and we had a pool at all 3 previous locations. We learned over the years that the farther the pool is located from the trees the better.](#)

Please see the attached survey with the locations that the Board will ask about. [We reviewed the marked up survey you sent me and I hope that the responses above justify the proposed location of the pool.](#)

I appreciate you taking the time to review and comment on our request for variance, and I hope that the board will approve the proposed location of the pool.

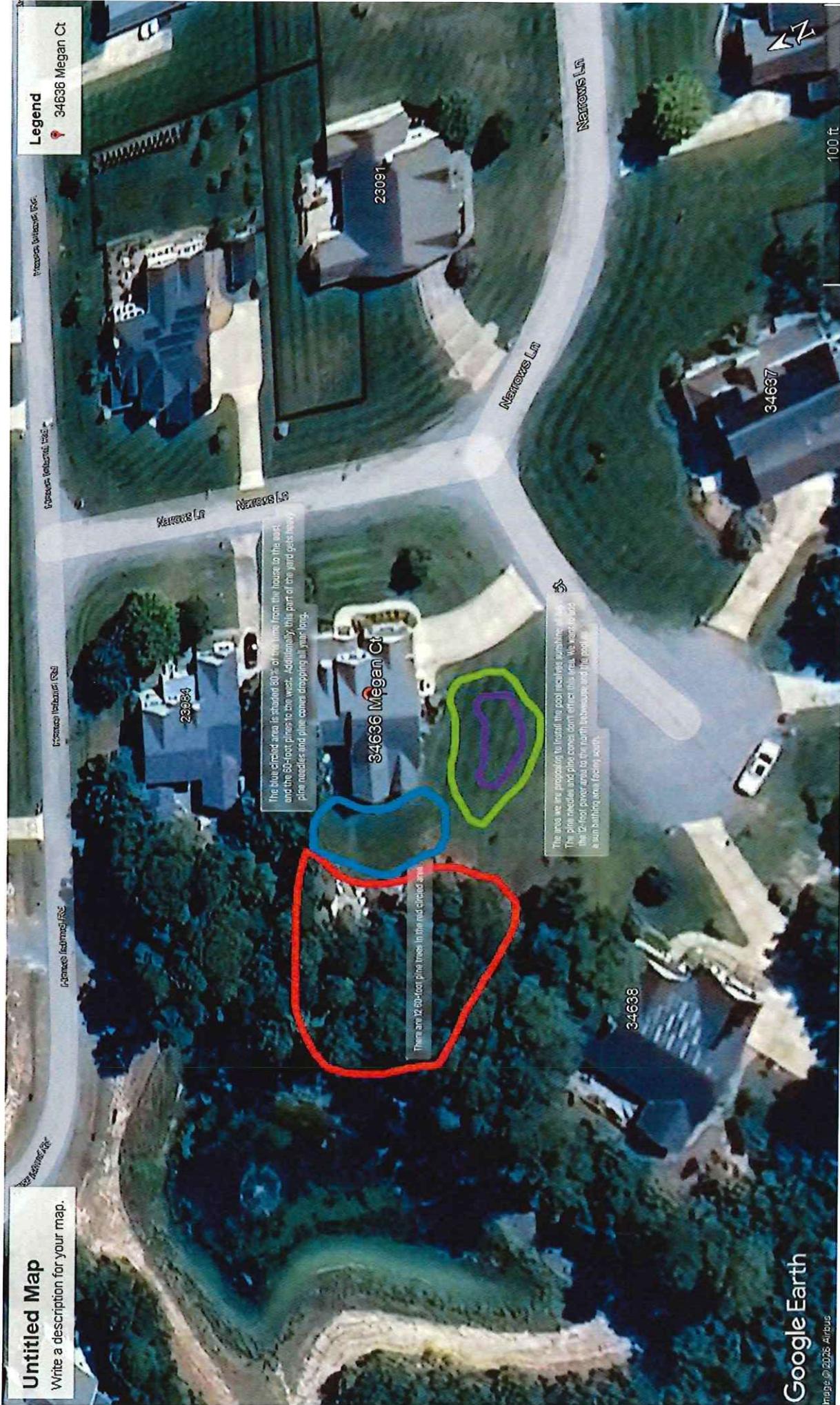
I look forward to your response.

Donald J. Wall Jr.
 Vice President of Environmental Operations
 C [443.463.5527](tel:443.463.5527)
 O [716.856.3333](tel:716.856.3333) x309
dwall@oscinc.com
www.oscinc.com

Untitled Map

Write a description for your map.

Legend
34636 Megan Ct



Google Earth

© 2025 Airbus

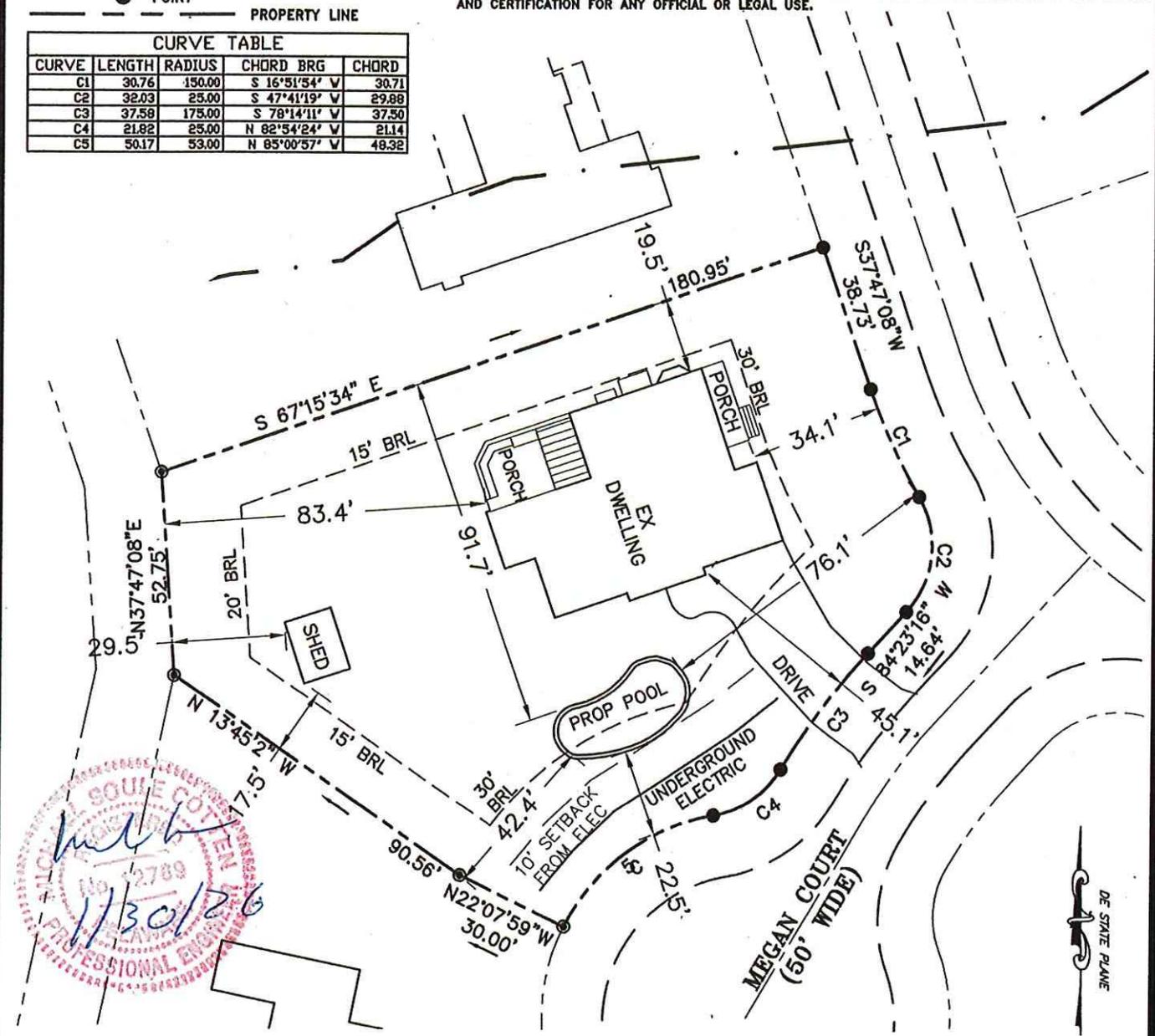
LEGEND

- IRON PIPE FOUND
- ⊙ IRON REBAR SET
- POINT

— PROPERTY LINE

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

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BRG	CHORD
C1	30.76	150.00	S 16°51'54" V	30.71
C2	32.03	25.00	S 47°41'19" V	29.88
C3	37.58	175.00	S 78°14'11" V	37.50
C4	21.82	25.00	N 82°54'24" V	21.14
C5	50.17	53.00	N 85°00'37" V	48.32



Michael S. Cotten
 No. 1789
 1/30/26
 PROFESSIONAL ENGINEER
 STATE OF DELAWARE

NOTES

1. TITLE REFERENCED TO DEED BOOK 4207, PAGE 178.
2. "SUBURBAN" SURVEY.
3. SUBJECT TO ANY AND ALL RESTRICTIONS, RESERVATIONS, CONDITIONS, EASEMENTS & AGREEMENTS OF RECORD IN THE OFFICE OF RECORDER OF DEEDS, SUSSEX COUNTY, DE. NO TITLE SEARCH PROVIDED.
4. THIS SURVEY DOES NOT CERTIFY AS TO THE EXISTENCE OR NON EXISTENCE OF ANY EASEMENTS OR RIGHT OF WAYS AFFECTING THIS PROPERTY.
5. FEMA FLOOD ZONE 'X'

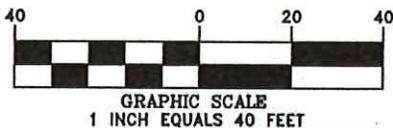
SITE PLAN
 FOR DONALD WALL JR. & ROBIN WALL
 LOT 121,
 BAYFRONT AT REHOBOTH SUBDIVISION
 23088 NARROWS LANE/MEGAN CT
 LEWES, DE 19958
 INDIAN RIVER HUNDRED
 SUSSEX COUNTY, DELAWARE
 TAX MAP #234-18.00-555.00
 AREA: 21,712±SF / 0.498±ACRES

COTTEN ENGINEERING LLC

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

THIS DRAWING, SPECIFICATIONS, AND WORK PRODUCED BY COTTEN ENGINEERING LLC FOR THIS PROJECT ARE INSTRUMENTS OF SERVICE FOR THIS PROJECT ONLY, AND REMAINS THE COPYRIGHTED PROPERTY OF COTTEN ENGINEERING LLC. REUSE OR REPRODUCTION OF ANY OF THE INSTRUMENTS OF SERVICE OF COTTEN ENGINEERING LLC BY THE CLIENT OR ASSIGNEES WITHOUT THE WRITTEN PERMISSION OF COTTEN ENGINEERING LLC WILL BE AT THE CLIENT'S RISK AND BE A VIOLATION OF THE COPYRIGHT LAWS OF THE UNITED STATES OF AMERICA AND THE RESPECTIVE STATE WITHIN WHICH THE WORK WAS COMPLETED.

DESIGNED BY: CE	REV:	JOB # 26-008
DRAWN BY: JCD	DATE: 01/30/2026	SHEET 1 OF 1
CHECKED BY: JCD	SCALE: AS-SHOWN	



Layers Search Basemaps Select Area Eagleview Print

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PHASE 1 & 2
OPEN SPACE &
S.W.M. AREAS

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BOOK 4207
PAGE 178
FULLNAME WALL DONALD J JR
Second_Owner_Name ROBIN M WALL
MAILINGADDRESS 34636 MEGAN WAY
CITY LEWES
STATE DE
a_account
DESCRIPTION BAY FRONT
DESCRIPTION2 LOT 121
DESCRIPTION3
LUC 101
SCHOOL 6
MUNI 00
CAP 2
APRBLDG 539200
APRLAND 192500
PINWASSEMMENTUNIT 234-18.00-555.00
PIN 234-18.00-555.00

Selected Features: 1) 234-18.00-555.00

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 # 13170
Hearing Date March 23, 2026
202061345

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:

36360 TEE BOX BOULEVARD FRANKFORD DE. 19945

Variance/Special Use Exception/Appeal Requested:

5' variance from 10' rear yard setback requirement for a proposed structure.

Tax Map #: 134-16.00-1920.00

Property Zoning: RESIDENTIAL
MR

Applicant Information

Applicant Name: COASTLINE SUNROOMS & AWNINGS

Applicant Address: 2 DISCOVERY LANE

City SELBYVILLE State DE Zip: 19975

Applicant Phone #: 443-844-8194 Applicant e-mail: INFO@COASTLINKSUN.COM

Owner Information

Owner Name: BARBARA HIGGINS

Owner Address: 36360 TEE BOX ~~BLVD~~ BLVD.

City FRANKFORD State DE Zip: 19945 Purchase Date: JUNE 2018

Owner Phone #: ~~267-235-5309~~ Owner e-mail: barbhiggins504@gmail.com
267-235-5309

Agent/Attorney Information

Agent/Attorney Name: COASTLINE SUNROOMS & AWNINGS

Agent/Attorney Address: 2 DISCOVERY LANE

City SELBYVILLE State DE Zip: 19975

Agent/Attorney Phone #: 443-844-8194 Agent/Attorney e-mail: INFO@COASTLINKSUN.COM

Signature of Owner/Agent/Attorney

[Handwritten Signature]

Date: 2-2-2026



Check List for Applications

The following shall be submitted with the application

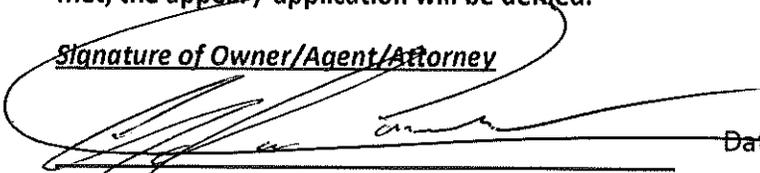
- Completed Application
- Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.
- 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: 1-2-24

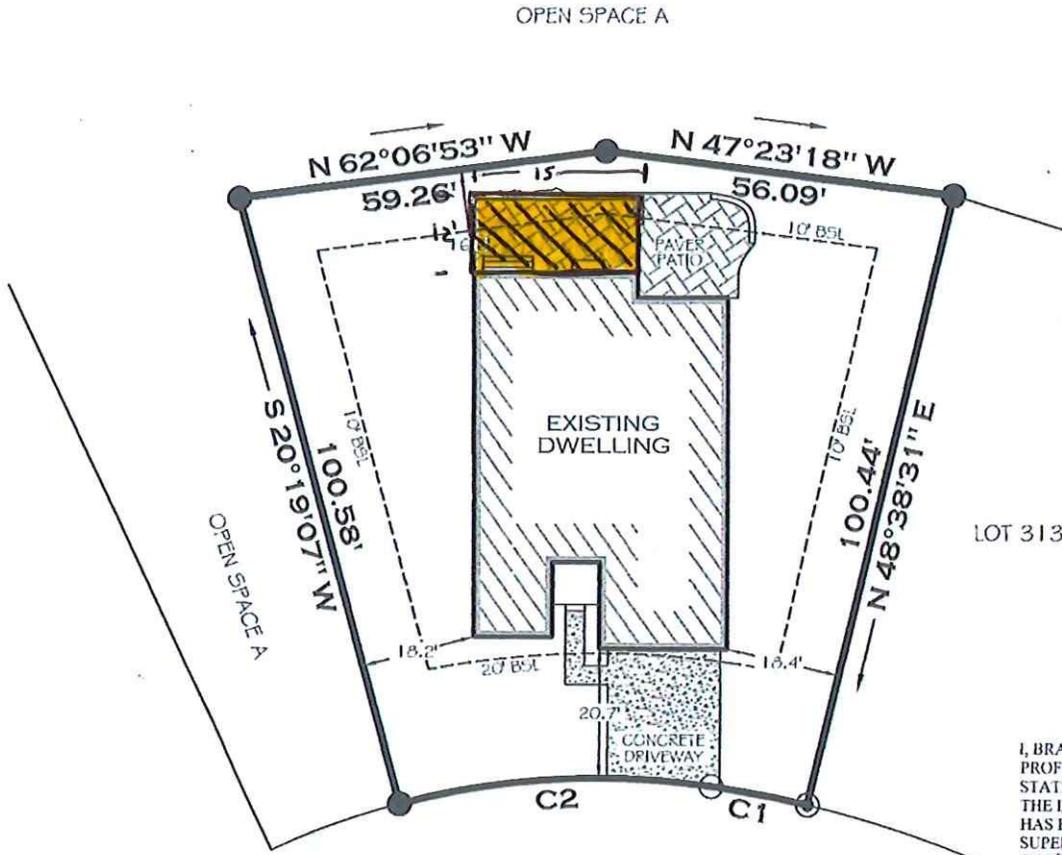
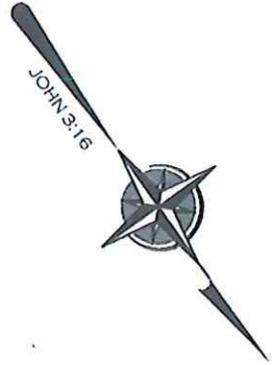
For office use only:

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

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

ONLY PLANS INCORPORATING ALL CURVES, IMPROVED TIE PINS & SQUARES ALL CONDITIONS ARE OPEN AND FILED FOR BY THE DEPT.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	175.00'	15.72'	15.71'	S 43°55'57" E
C2	125.00'	50.19'	49.85'	S 58°00'31" E



I, BRADLEY A. ABSHER, 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]
 BRADLEY A. ABSHER, DE PLS # 735
 DATE 1.2.26

NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
 2. ZONE: MR-RPC
 3. BUILDING SETBACK LINES (BSL)
 FRONT 20'
 SIDE 10'
 REAR 10'
- ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUBDIVISION PLAT & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.
4. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.

LEGEND

- IRON ROD W/ CAP FOUND
- ⊙ IRON ROD W/ CAP SET
- UNMARKED POINT

TAX MAP	1-34 - 16.00 - 1920.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	---
AREA	8,992 ± SQ. FT.
DEED REF.	6059 / 68
PLAT REF.	229 / 23
DRAWN BY	JMH
DATE	01 / 02 / 2026
SCALE	1" = 30'
SURVEY #	DE - 04695

BOUNDARY SURVEY PLAN

LOT 314, PHASE 4 FOREST LANDING

FOR **BARBARA ANNE HIGGINS**

36360 TEE BOX BOULEVARD, FRANKFORD, DE 19945

TRUE NORTH



LAND SURVEYING

35322 BAYARD ROAD
 FRANKFORD, DE 19945
 302-539-2488

Basis of appeal

Written Statement – Basis of Appeal for Zoning Variance

The applicant respectfully requests a **five (5) foot variance** from the required rear setback to allow for the construction of a **sunroom/office addition** at the rear of the existing single-family dwelling. The room will be constructed within the foot print of the existing paver system and retaining wall.

The subject property presents **unique physical circumstances** due to the established lot configuration and the placement of the dwelling, which was constructed in full compliance with the front, side, and rear setback requirements in effect at the time of construction.

Because of these physical circumstances, there is **no reasonable alternative location** on the property where the proposed sunroom/office addition can be constructed in compliance with the Zoning Ordinance. The proposed **12-foot by 15-foot** addition can only be accommodated in the location shown on the submitted survey. Authorization of the requested variance is therefore **necessary to enable the reasonable use of the property**.

The requested variance is **modest in nature** and represents the minimum relief necessary to permit the improvement. If granted, the variance will **not alter the essential character of the neighborhood or district**, as the proposed addition is consistent in scale, design, and residential use with surrounding homes. There are **multiple similar additions within the community**, including on adjacent properties.

The variance will **not adversely affect access, views, or community aesthetics**, nor will it substantially or permanently impair the appropriate use or development of adjacent or neighboring properties. The proposed sunroom/office will remain an accessory residential use and will not be detrimental to the **public health, safety, or welfare**.

There are **no additional special use exception requirements** applicable to this project under the Sussex County Code beyond compliance with the standard building permit process.

For these reasons, the applicant respectfully requests approval of the five (5) foot rear setback variance.

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

Such exceptions will not substantially adversely affect the use of adjacent and neighboring properties because the proposed sunroom is modest in scale (12 feet by 15 feet), is consistent with the character of the surrounding homes, and will not create impacts related to light, air, privacy, drainage, view, or access. The sunroom will be used as an accessory residential space and will not alter the existing residential use of the property. The proposed project is located on the back of dwell and behind the property is a wood area.

2. Any other requirements which apply to a specific type of special use exception as required by the Sussex County Code?

There are no additional requirements or special use exceptions applicable to this project under the Sussex County Code beyond the standard building permit process. The proposed sunroom complies with all applicable zoning requirements once variance is granted, and approval will be obtained through the normal building permit review and inspection procedures required by Sussex County.

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 has unique physical circumstances due to the existing lot configuration and the placement of the dwelling, which was constructed in compliance with the front, side, and rear setback requirements in effect at the time of construction. When the owners purchased the property they were unaware of building restrictions.

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 that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

Because of the existing physical circumstances and conditions of the property, including the established placement of the dwelling and current building restriction lines, there is no possibility for the proposed sunroom to be constructed in strict conformity with the Zoning Ordinance. The 12-foot by 15-foot sunroom cannot be accommodated elsewhere on the property and will only fit in the proposed location shown on the provided survey. Authorization of the requested 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.

The current owner is the second owner of the home and was not able to make changes or alterations during the construction process.

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 district in which the property impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.

The requested variance, if authorized, will not alter the essential character of the neighborhood or district. The proposed sunroom is consistent with the scale, design, and residential use of surrounding dwellings, and there are multiple similar additions within the community, including on the adjacent neighbor's property. The variance will not substantially or permanently impair the appropriate use or development of adjacent properties, will not affect access or views, and will not negatively impact community aesthetics or 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 and issue.

The proposed 15 ft wide by 12 ft projection design will not be protruding beyond existing patio paver and retaining wall. The proposed use of the sunroom will be a home office which the owner will utilize for work. There is no additional room in the dwelling for her office and if the variance is granted will be smaller than originally requested by owner to minimize setback encroachment.

36358

36360 Tee Box Blvd

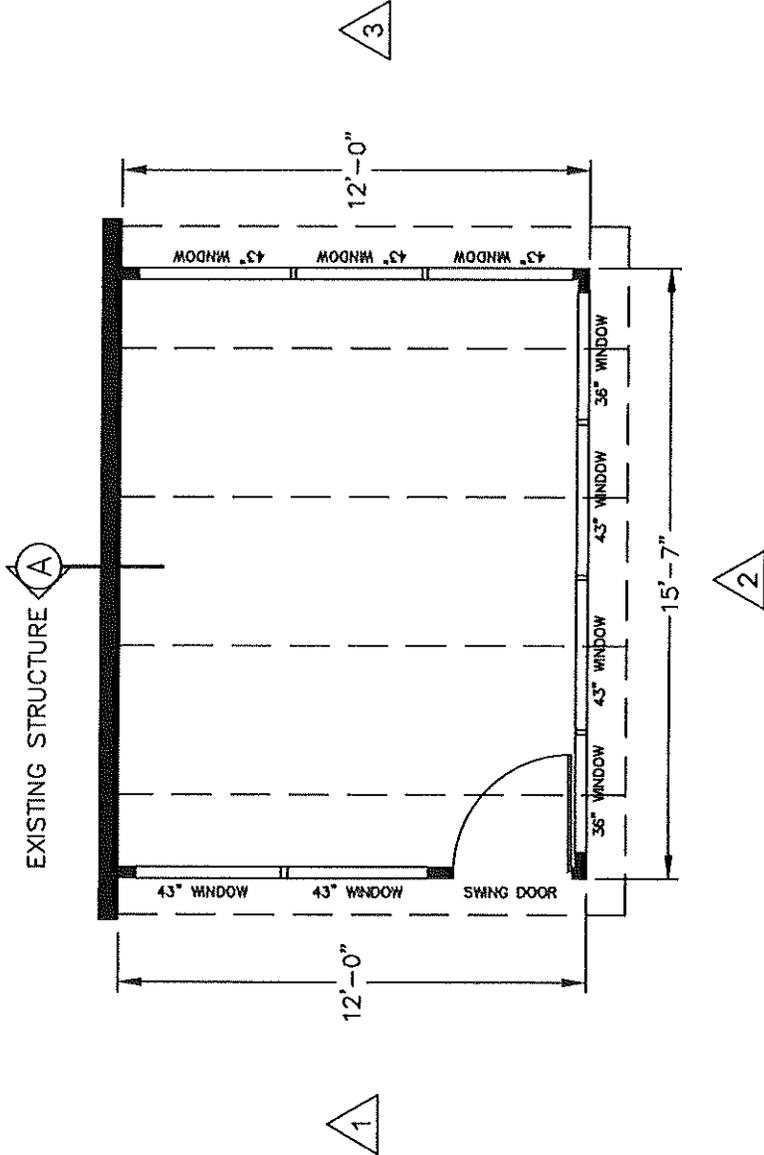




Image Landsat / Copernicus

JOB NAME: HIGGINS, BARBARA 36360 TEE BOX BLVD FRANKFORD, DE 19945		REV:	SIZE:	DRAWN BY: DREW JONES	DATE: 10/30/25
PART NUMBER:		DEALER: COASTSUN	SCALE:	APPROVED BY:	DATE:
DESCRIPTION:		FILE NAME: 25W8629			
		SHEET: 2			

TEMO, INC.
20400 HALL RD.
CLUNTON TWP., MI 48038



NOTE:
THE SIDE WALL ATTACHMENT
TO HOUSE IS A NON-LOAD
BEARING CONNECTION.
PROPERLY CAULK BOTH SIDES
OF ALUMINUM EXTRUSION
AT THIS CONNECTION.

FLOOR PLAN

NOTE: ENCLOSURE NOT TO BE USED
AS A PERMANENT LIVING AREA

FRAME COLOR: SANDSTONE
FASCIA/TRIM: SANDSTONE
INTERIOR KP: SANDSTONE
EXTERIOR KP: SANDSTONE
SKIN TYPE: TEMKOR

Today's Date: OCT 30, 2025

INSTALLER'S LAYOUT

NOTICE: * DBL-CHECK BOM *
 THIS JOB HAS NOT BEEN CONFIRMED.
 PLEASE EMAIL AN APPROVAL WHEN READY TO ORDER.

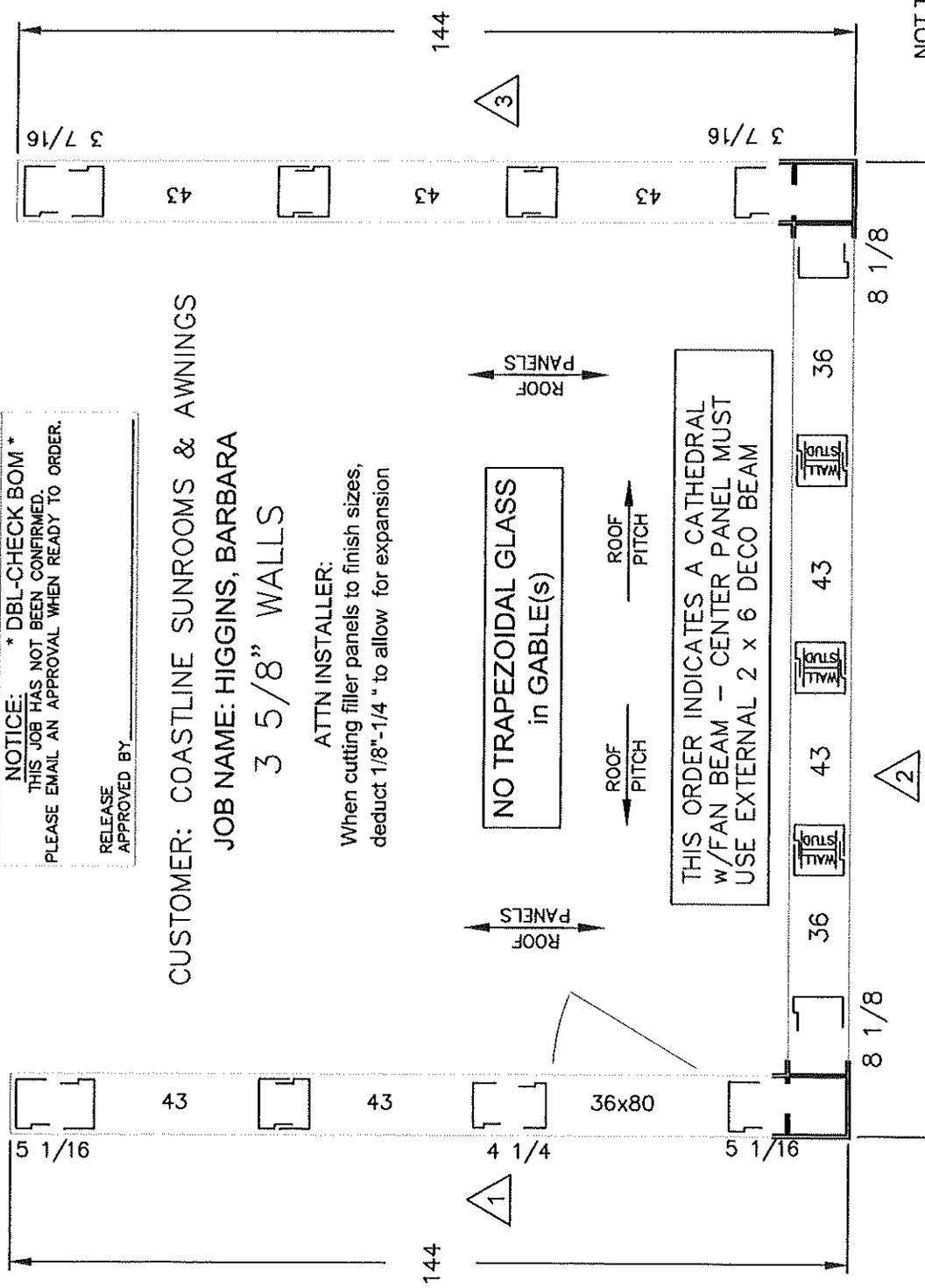
RELEASE
 APPROVED BY _____

CUSTOMER: COASTLINE SUNROOMS & AWNINGS
JOB NAME: HIGGINS, BARBARA
 3 5/8" WALLS

ATTN INSTALLER:
 When cutting filler panels to finish sizes,
 deduct 1/8"-1/4" to allow for expansion

**NO TRAPEZOIDAL GLASS
 in GABLE(s)**

**THIS ORDER INDICATES A CATHEDRAL
 w/FAN BEAM - CENTER PANEL MUST
 USE EXTERNAL 2 x 6 DECO BEAM**



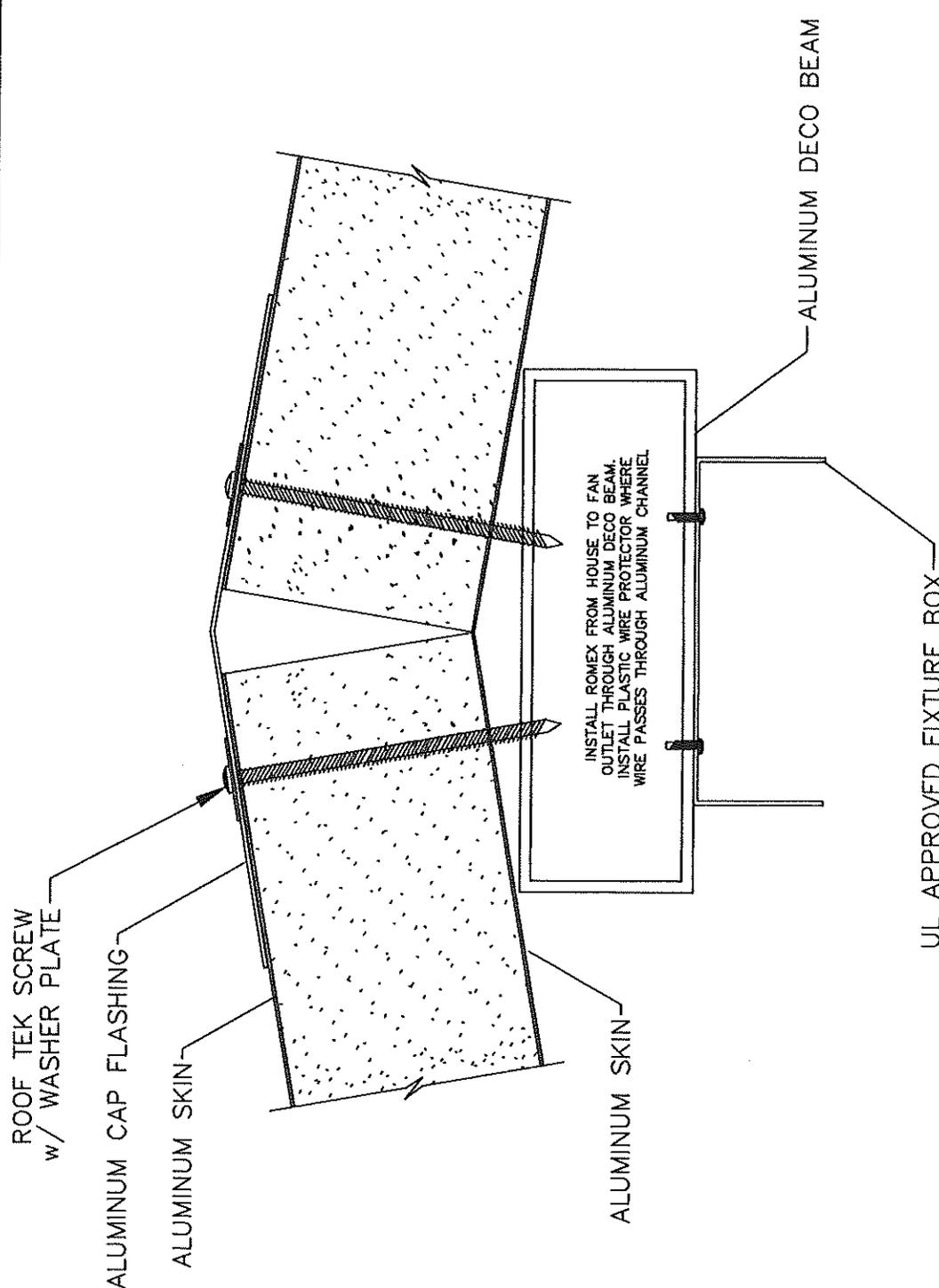
NOT TO SCALE

IRPNO EVALUATION REPORT 0118
 ICC LEGACY REPORT ESR-1801
 IRPNO EVALUATION REPORT 073
 ICC EVALUATION REPORT ESR-1403
 FLORIDA PRODUCT APPROVAL 19839-R6
 FLORIDA PRODUCT APPROVAL 7086-R6
 FLORIDA PRODUCT APPROVAL 1287-R6
 FLORIDA PRODUCT APPROVAL 1287-R6

DETAILED BY: DREW JONES

25W8629

Today's Date: OCT 30, 2025



CEILING FAN MOUNT DETAIL
CATHEDRAL ROOF SYSTEM

Today's Date: OCT 30, 2025

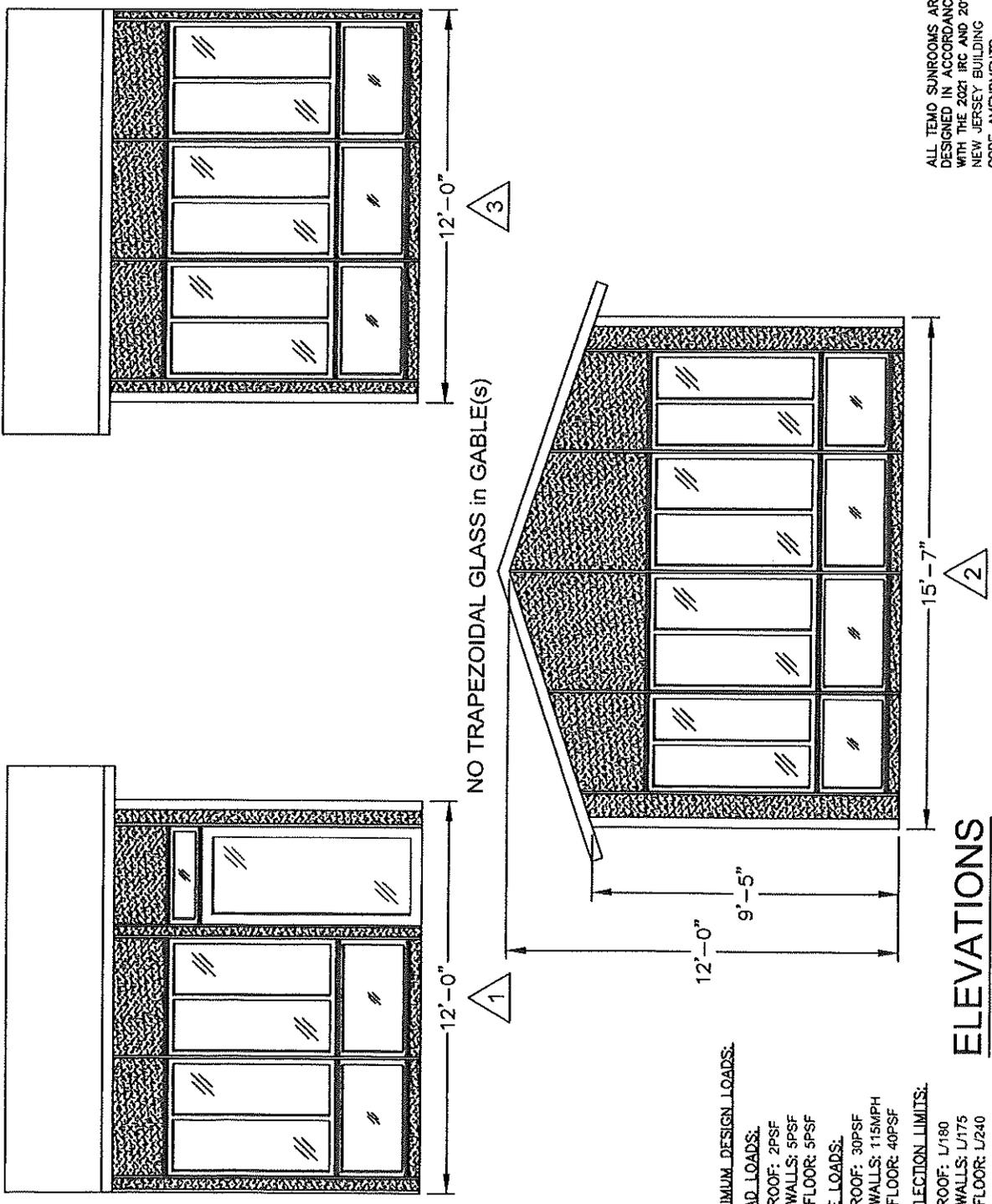
JOB NAME: HIGGINS, BARBARA 36360 TEE BOX BLVD FRANKFORD, DE 19945		REV:	SIZE:	DRAWN BY: DREW JONES	DATE: 10/30/25
PART NUMBER:		DEALER: COASTSUN	SCALE:	APPROVED BY:	DATE:
DESCRIPTION:		FILE NAME: 25W8629		SHEET: 7	

20400 HALL RD.
CLINTON TWP., MI 48038

TEMO, INC.

TEMO, INC. 20400 HALL RD. CLINTON TWP., MI 48038		JOB NAME: HIGGINS, BARBARA 36360 TEE BOX BLVD FRANKFORD, DE 19945	REV: _____ SIZE: _____ DRAWN BY: DREW JONES DATE: 10/30/25	DEALER: COASTSUN	SCALE: _____ APPROVED BY: _____ DATE: _____	FILE NAME: 25W8629 SHEET: 3	DESCRIPTION: _____
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ALL TEMO SUNROOMS ARE
 DESIGNED IN ACCORDANCE
 WITH THE 2021 IRC AND 2018
 NEW JERSEY BUILDING
 CODE AMENDMENTS.



ELEVATIONS

Today's Date: OCT 30, 2025

MINIMUM DESIGN LOADS:

DEAD LOADS:

- 1) ROOF: 2PSF
- 2) WALLS: 5PSF
- 3) FLOOR: 5PSF

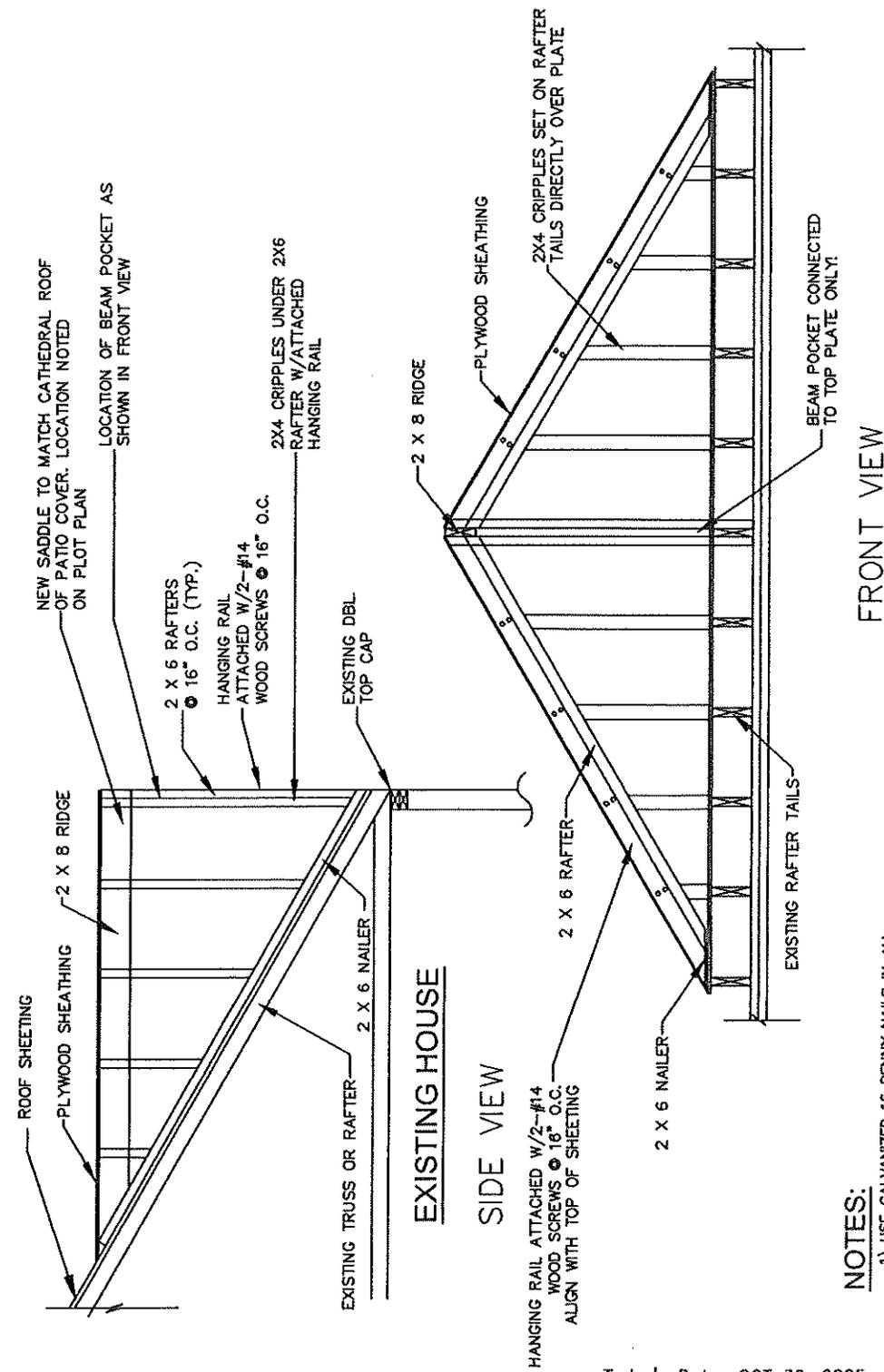
LIVE LOADS:

- 1) ROOF: 30PSF
- 2) WALLS: 115MPH
- 3) FLOOR: 40PSF

DEFLECTION LIMITS:

- 1) ROOF: L/180
- 2) WALLS: L/175
- 3) FLOOR: L/240

JOB NAME: HIGGINS, BARBARA 36360 TEE BOX BLVD FRANKFORD, DE 19945		REV:	SCALE:	DEALER: COASTSUN	DESCRIPTION:
DATE: 10/30/25	DRAWN BY: DREW JONES	SIZE:	APPROVED BY:	DATE:	PART NUMBER:
20400 HALL RD. CLINTON TWP., MI 48038		FILE NAME: 25W8629		SHEET: 5	



FRONT VIEW

SIDE VIEW

DETAIL 'B'

NOT TO SCALE

NOTES:

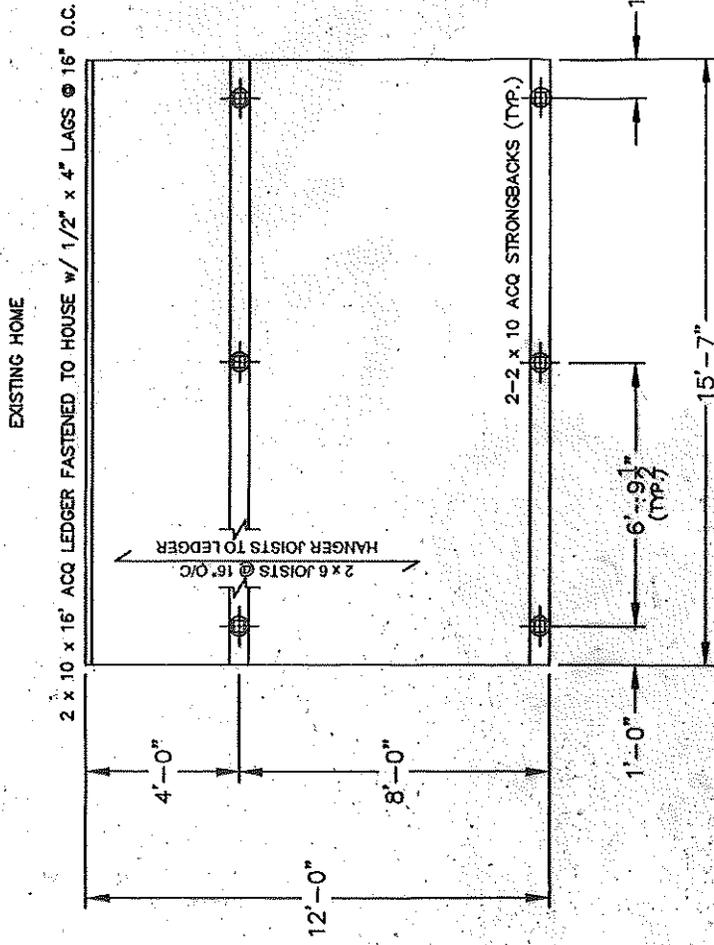
- 1) USE GALVANIZED 16 PENNY NAILS IN ALL LOCATIONS
- 2) NAIL 2 x 6 NAILER INTO RAFTERS AT BASE OF SADDLE
- 3) NAIL 2 x 6 RAFTER INTO 2 x 6 NAILER
- 4) INSTALL 2 x 4 CRIPPLE FROM SADDLE RAFTER TO EXISTING ROOF SURFACE DIRECTLY OVER EACH TRUSS
- 5) COVER W/WATER & ICE PROTECTION CUT BACK VALLEY & COVER WITH WATER AND ICE PROTECTION

SADDLE DETAIL WITH SOFFIT REMOVED

Today's Date: OCT 30, 2025

JOB NAME: HIGGINS, BARBARA 36360 TEE BOX BLVD FRANKFORD, DE 19945		REVISIONS:	SCALE:	APPROVED BY:	DATE:
PART NUMBER:		DEALER:	COASTSUN	DRAWN BY:	DATE:
DESCRIPTION:		FILE NAME:	25W8629	SHEET:	4A

TEMO, INC.
20400 HALL RD.
CLINTON TWP., MI 48038



CONVENTIONAL WOOD DECK PLAN

LOADS:
DEAD LOAD: 5 lb/Sq Ft
LIVE LOAD: 40 lb/Sq Ft

Today's Date: OCT 30, 2025

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

02/05/2026 04:07PM Megan D.
Receipt number: 33031019-0125 001281952

PERMITS / INSPECTIONS
2026 2026013451Z020 \$500.00

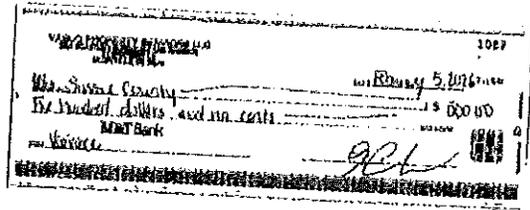
\$500.00

Subtotal \$500.00
Total \$500.00

Tenders
CHECK \$500.00
Check Number 001082

Change due \$0.00

Paid by: VASCO PROPERTY SERVICES LLC



Thank you for your payment.

CUSTOMER COPY

Layers Search Basemaps Select Area Eagleview Print

Search Results Search Results

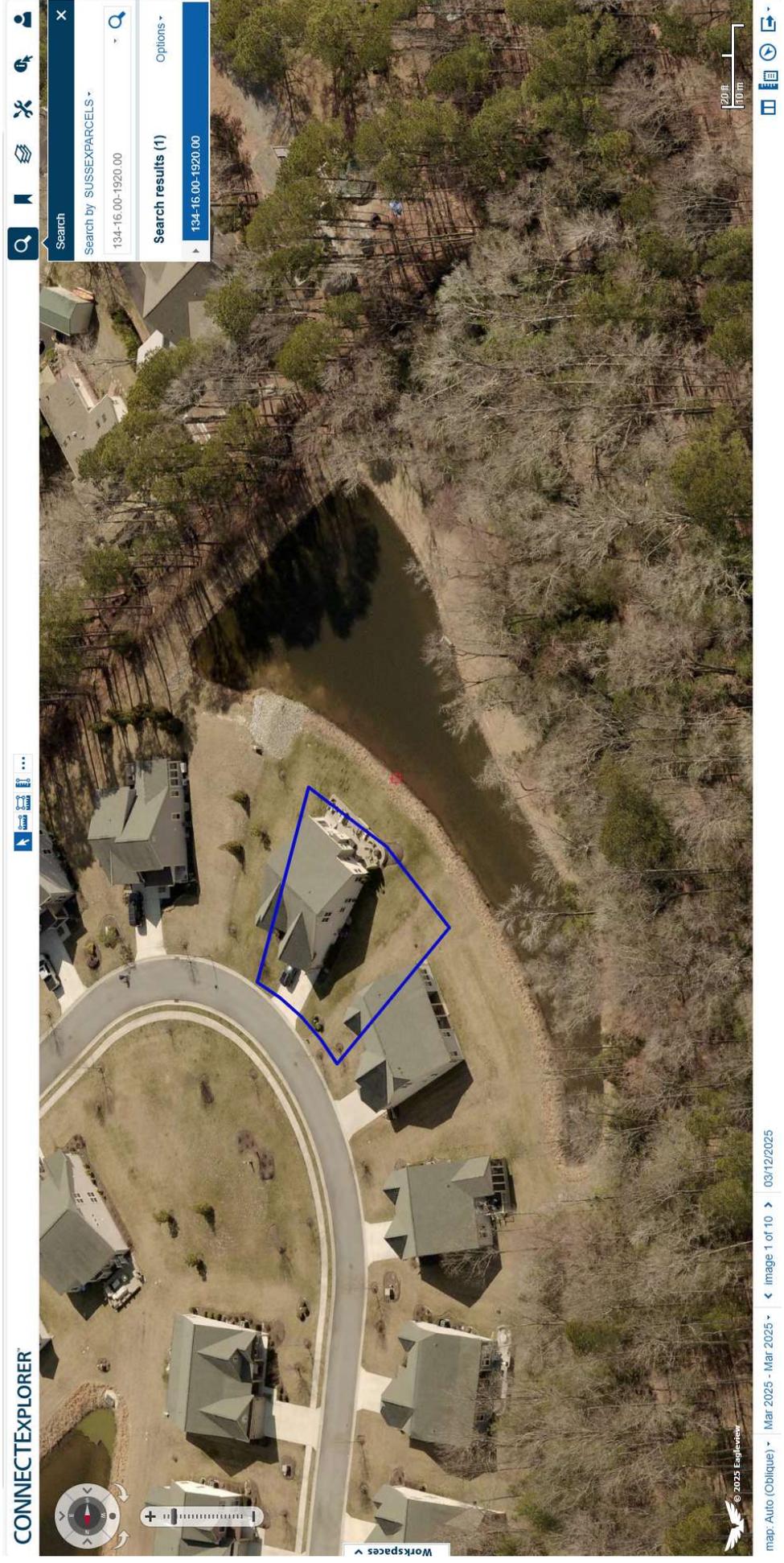
Selected Features: [Parcels (1)]

1) 134-16.00-1920.00

BOOK	6059
PAGE	68
FULLNAME	HIGGINS BARBARA A TTEE REV TR
Second_Owner_Name	
MAILINGADDRESS	36360 TEE BOX BLVD
CITY	FRANKFORD
STATE	DE
a_account	17-01-1920
DESCRIPTION	FOREST LANDING
DESCRIPTION2	LOT 314
DESCRIPTION3	
LUC	101
SCHOOL	1
MUNI	00
CAP	1
APBLDG	439200
APRLAND	70200
PINWASSEMMENTUNIT	134-16.00-1920.00
PIN	134-16.00-1920.00

Selected Features (1)
Clear Selected

Sussex County Government Delaware Department of Agriculture Delaware Department of Natural Resources... esri



Case # 13172
Hearing Date 03-23-2020
202001365

Board of Adjustment Application Sussex County, Delaware

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

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)

Site Address of Variance/Special Use Exception:

29102 Pine Street Wilmington, DE 19963

Variance/Special Use Exception/Appeal Requested:

Variances for rear deck on existing, nonconforming dwelling and lean-to shed on existing, nonconforming garage.
8.1' & 8.0' from 10' side yard setback for existing deck
1.0' from 10' side yard setback for existing garage, 6.0' & 5.2' side yard setback for existing lean-to

Tax Map #: 230-17.00-116.00

Property Zoning: Lot 41
MR

Applicant Information

Applicant Name: Christopher W. Popp
Applicant Address: 29102 Pine Street
City Milford State DE Zip: 19963
Applicant Phone #: (302) 222-4705 Applicant e-mail: cwpopp274@gmail.com

Owner Information

Owner Name: Christopher & Coleen Popp
Owner Address: 606 Foulkstone Road
City Wilmington State DE Zip: 19803 Purchase Date: 1/2015
Owner Phone #: (302) 222-4705 Owner e-mail: cwpopp274@gmail.com

Agent/Attorney Information

Agent/Attorney Name: none
Agent/Attorney Address: _____
City _____ State _____ Zip: _____
Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney



Date: 2/2/20



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.

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

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.

N/A

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

N/A

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

Variance Application Supplemental
Christopher Popp
Parcel No 230-17.00-116.00

1. Uniqueness of property:

The property is subject to unique physical circumstances and exceptional practical difficulties due to a combination of its irregular geometry and essential infrastructure. Specifically, the existing garage and dwelling are situated at a unique angle relative to the property line. A significant portion of the remaining backyard is occupied by a septic drain field, which is a fixed physical condition that cannot be built upon or relocated.

Because the existing dwelling and garage are already legally non-conforming (situated outside the rear setback line due to the lot's angled boundary), any reasonable addition, such as a deck and shed, is physically impossible to construct within the strict limitations of the current zoning ordinance. The practical difficulty is not a result of the applicant's actions, but rather the result of trying to adapt a standard residential use to an irregularly shaped lot that is further restricted by the placement of the existing home and the required septic area.

2. Cannot otherwise be developed:

To ensure the structural and environmental integrity of the septic drain field and to avoid obstructing the light, ventilation, and emergency egress of the existing garage windows, the lean-to shed was placed in its current position. This location represents the only feasible site on the property that balances essential utility with the preservation of existing health and safety infrastructure.

The rear deck was designed and constructed more than 50 years ago to provide safe and functional access to the rear entrance of the dwelling. Due to the fixed location of the septic drain field, the plumbing for the outside shower, and the entrance to the dwelling crawlspace, the deck's footprint was restricted to its current position.

3. Not created by the applicant:

The exceptional practical difficulties associated with this property are inherent to the site's historical development, fixed infrastructure (septic), Pre-existing Non-Conformity (lot geometry).

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

The residential deck and a lean-to storage shed are entirely consistent with the existing character of the neighborhood. These structures are common accessory uses in this neighborhood and do not introduce any elements that are foreign to the surrounding properties.

Because the lean-to shed is attached to the existing garage and the deck is scaled appropriately to the dwelling, there is no negative visual impact on adjacent properties. The structures do not block sightlines, impede light, or infringe upon the privacy of neighboring residents.

By placing the structures in their current locations, the applicant prioritized the protection of the septic drain field and maintained clear access to the dwelling's windows and entrances, thereby upholding health and safety standards for the property and the community.

5. Minimum variance:

The variance requested is the minimum necessary to afford relief. The applicant has not sought to maximize the size of the improvements, but rather to find a functional balance between the unique constraints of the angled lot, the location of the septic infrastructure, and the need for safe residential access. This placement represents the least modification possible of the zoning regulations that still allow for the reasonable and safe use of the property.

Sussex County, DE - BOA Application

Check List for Applications

The following shall be submitted with the application

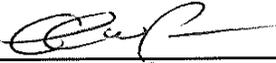
- Completed Application
- Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.
- ^{N/A} • 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.

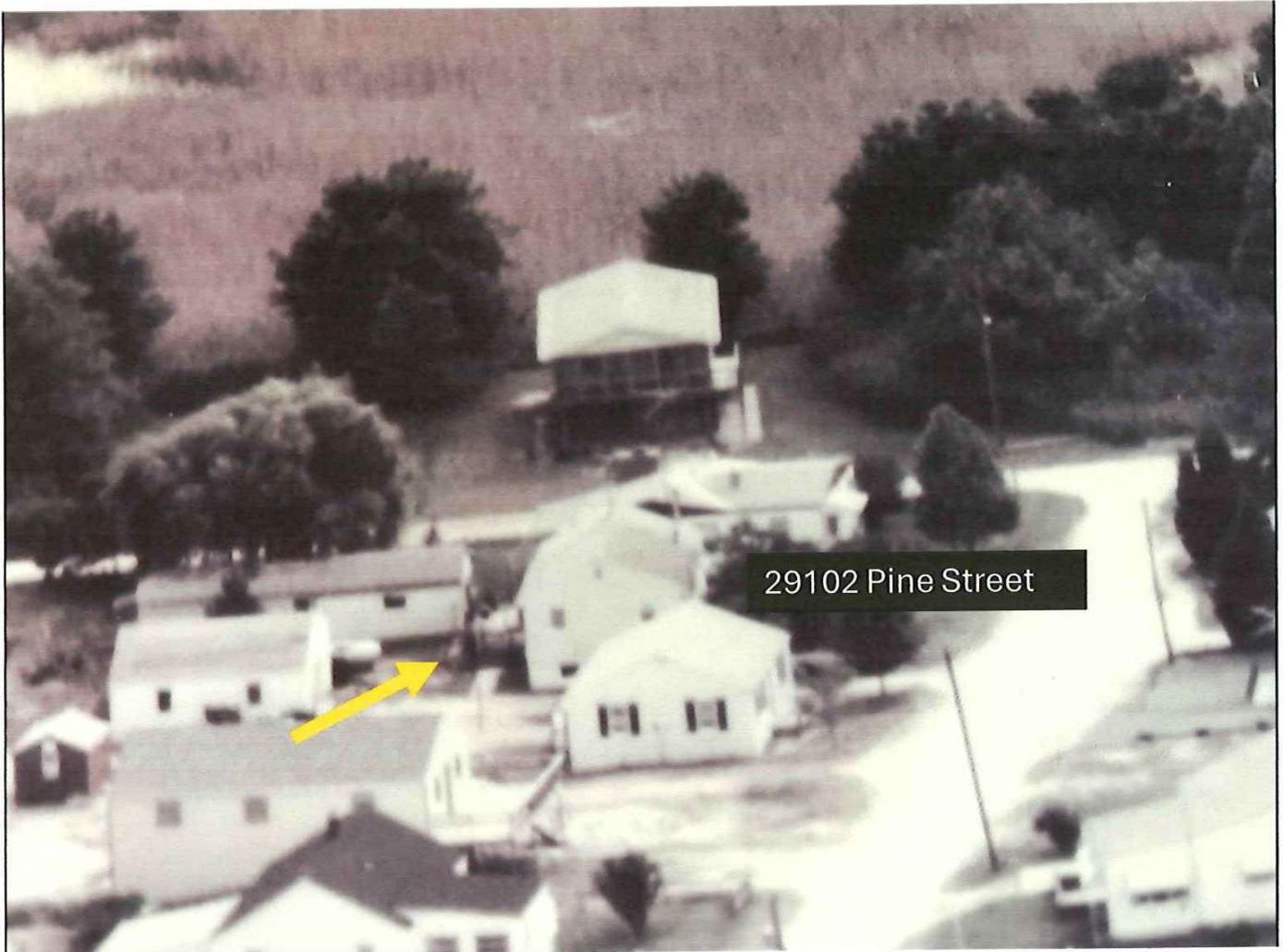
Signature of Owner/Agent/Attorney

 _____ Date: 2/2/20

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: _____



Aerial photo sometime between 1965 and 1970 in county archives showing the existing rear deck on the dwelling.



Photo from MLS listing in 2014 when home was purchased by applicant.

Lean-to Shed Photos



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

02/06/2026 10:13AM Megan D.
Receipt number: 33031031-0015 001282044

PERMITS / INSPECTIONS
2026 202601365|Z020 \$500.00

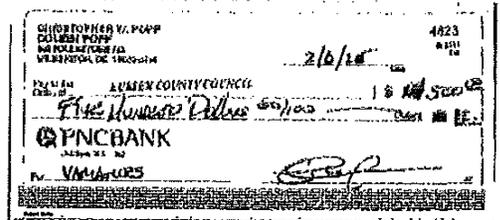
\$500.00

Subtotal \$500.00
Total \$500.00

Tenders
CHECK \$500.00
Check Number 4823

Change due \$0.00

Paid by: CHRISTOPHER PUPP



Thank you for your payment.

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Layers
Q Search
Basemaps
Select Area
Eagleview
Print

Eagleview
Search Results
Parcels (1)

Selected Features:

1) 230-17.00-116.00

BOOK	4357
PAGE	245
FULLNAME	POPP CHRISTOPHER W
Second_Owner_Name	POPP COLEEN E
MAILINGADDRESS	62 CHANCELLORSVILLE CIRCLE
CITY	MIDDLETOWN
STATE	DE
a_account	
DESCRIPTION	JOSEPH D SHORT
DESCRIPTION2	LOT 41
DESCRIPTION3	BLK G 1ST ADD
LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	140600
APRLAND	229700
PINWASSEMUNIT	230-17.00-116.00
PIN	230-17.00-116.00

Selected Features (1)
Clear Selected



- Layers
- Search
- Basemaps
- Select Area
- Eagleview
- Print

Eagleview Search Results

Selected Features:

1) 230-17.00-116.00

Parcels (1)

Zoom

BOOK	4357
PAGE	245
FULLNAME	POPP CHRISTOPHER W
Second_Owner_Name	POPP COLEEN E
MAILINGADDRESS	62 CHANCELLORSVILLE CIRCLE
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DESCRIPTION	JOSEPH D SHORT
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LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	140600
APRLAND	229700
PINWASSEMENTUNIT	230-17.00-116.00
PIN	230-17.00-116.00

- Selected Features (1)
- Clear Selected

