

BOARD OF ADJUSTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878

AGENDA

May 18, 2026

6:00 PM

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of the Minutes for March 23, 2026

Approval of the Findings of Fact for March 23, 2026

Old Business

Case No. 13184 – Paul & Mary Lou Douglas

seeks variances from the side yard setback requirement for proposed structures (Section 115-42 and 115-183 of the Sussex County Zoning Code). The property is located on the northeast side of Laws Point Road. 911 Address: 37030 Laws Point Road, Selbyville. Zoning District: GR. Tax Map: 533-12.16-279.00.

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.

Public Hearings

Case No. 13193 – David & Deborah Botscheller

seeks variances from the rear yard setback requirement for a proposed structure (Section 115-25 and 115-183 of the Sussex County Zoning Code). The property is located to the west side of Caldwell Circle. 911 Address: 24354 Caldwell Circle, Lewes. Zoning District: AR-1. Tax Map: 234-11.00-1076.00.

Case No. 13195 – Angelo Perri

seeks a 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 115-25 of the Sussex County Zoning Code). The

property is located to the north side of Whitesville Road. 911 Address: 12675 Whitesville Road, Laurel. Zoning District: AR-1. Tax Map: 532-7.00-27.15

Case No. 13196 – Canal Corkran, LLC

seeks a special use exception to operate a daycare facility (Section 115-82 and 115-180(C) of the Sussex County Zoning Code). The property is located to the southeast side of Country Club Road. 911 Address: 36944 Country Club Road, Rehoboth Beach. Zoning District: C-1. Tax Map: 334-19.00-163.00.

Additional Business

-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on May 11, 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, May 14, 2026.

Case # 13184
Hearing Date 4.27.26
202602941

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:

37030 Laws Point Rd. Selbyville, DE 19975

Variance/Special Use Exception/Appeal Requested: 2' var. from 5' side yard setback for prop structures

Applicants request a variance from the required 5-foot side-yard setback to permit placement of exterior HVAC condenser units within the side setbacks of the proposed dwelling. One unit is proposed on the Lot 53 side at approximately 4.25 feet from the property line, and two units are proposed on the Lot 51 side at approximately 3.0 feet from the property line.

Tax Map #: 5-33-12.16-279.00

Property Zoning: GR

Applicant Information

Applicant Name: Paul Richard Douglas and Mary Lou Douglas

Applicant Address: 827 Fairwind Dr

City Bel Air State MD Zip: 21014

Applicant Phone #: (443) 564-2655 Applicant e-mail: prdouglas@comcast.net

Owner Information

Owner Name: Paul Richard Douglas and Mary Lou Douglas

Owner Address: 827 Fairwind Dr

City Bel Air State MD Zip: 21014 Purchase Date: _____

Owner Phone #: (443) 564-2655 Owner e-mail: prdouglas@comcast.net

Agent/Attorney Information

Agent/Attorney Name: N/A

Agent/Attorney Address: N/A

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

Paul Richard Douglas
Digitally signed by Paul Richard Douglas
Date: 2026.03.13 12:28:01 -04'00'

Date: 3/13/26



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 property is a narrow 40-foot-wide canal-front lot with an elevated dwelling. Its size, lot width, flood-zone design, enclosed first-floor garage, and overall building layout create practical limits on where exterior HVAC equipment can be placed. These are physical conditions unique to this property and create the hardship for which the variance is requested.

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.

Strict compliance with the 5-foot side setback leaves no practical location for all HVAC condensers while preserving normal residential use of the property. The front is needed for entry and four parking spaces. The rear is constrained by the covered concrete area, outdoor shower, rear access path, and rear door system. Side placement is the most practical location for the equipment.

3. Not created by the applicant:

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

The hardship was not created by the applicants. It results from the narrow canal-front lot, elevated house design, enclosed garage level, and limited practical mechanical locations after accounting for parking, access, and rear-yard use. The applicants are not seeking more living area or greater intensity of use, only placement of necessary HVAC equipment for the home.

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 requested variance will not alter the essential character of the neighborhood. The application concerns only exterior HVAC condensers for a single-family home. No living area, density, or change in use is proposed. Similar side-mounted condenser installations exist on nearby homes, so the request is consistent with the existing character of surrounding elevated coastal residences.

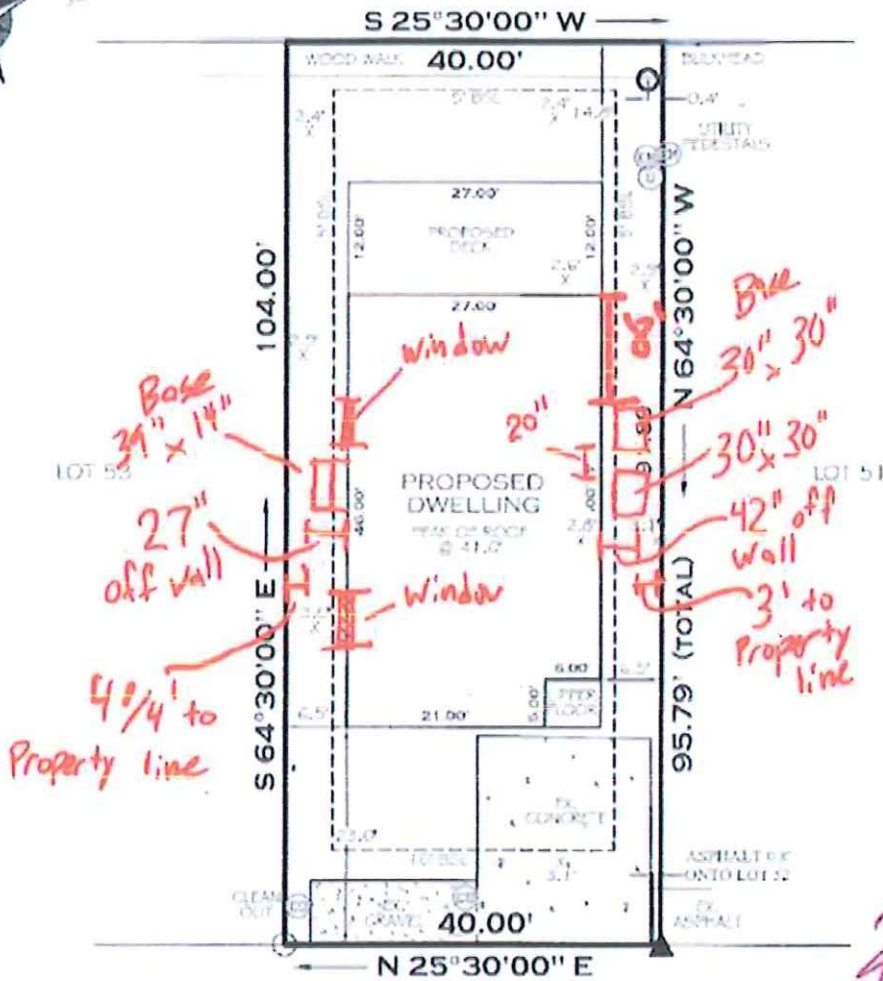
5. Minimum variance:

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 request is the minimum variance needed. One smaller unit is proposed on the Lot 53 side at about 4.25 feet from the property line, requiring about 0.75 feet of relief. Two units are proposed on the Lot 51 side at about 3.0 feet from the property line, requiring about 2.0 feet of relief. The request applies only to HVAC equipment, not to living area or other structures.

11/14/2025 10:00 AM

LAGOON

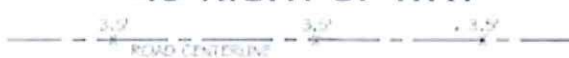


I, BRADLEY A. ABSHER, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CORNER MARKS, DIMENSIONS, BOUNDARY OR LOCATION OF THE PROPERTY AFTER THE DATE SHOWN HEREON SHALL CONSTITUTE A NEW SURVEY AND SHALL REQUIRE A NEW SURVEY TO BE CONDUCTED BY A REGISTERED PROFESSIONAL LAND SURVEYOR.

BRADLEY A. ABSHER, DE PLS #735
 DATE: **10.17.25**

- NOTES**
1. CLASSIFICATION OF SURVEY: SUBURBAN
 2. ZONE: GR
 3. BUILDING SETBACK LINES (BSL)
 - FRONT 12'
 - SIDE 5'
 - REAR 5'

**LAWS POINT ROAD
40' RIGHT OF WAY**



LEGEND	
○	IRON PIPE W/ CAP FOUND
○	IRON ROD FOUND
▲	PC NAIL FOUND

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & 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.

5. FLOOD ZONE: AE - 1 PER FEMA FIRM MAP 10005 C 0652 K, DATED 03-16-15

THIS CERTIFIES THAT THE PROPOSED Dwellings PLACEMENT IS PROPER, DIMENSIONS ARE CORRECT & HEREBY ADVISES THAT ALL FIELD WORK TO BE PERFORMED.

SIGNATURE _____ DATE _____

TAX MAP	5-33 - 12 16 - 279.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	---
AREA	5,852 ± SQ. FT.
DEED REF.	6359 / 16
PLAT REF.	14 / 99
DRAWN BY	JMH
DATE	10 / 17 / 2025
SCALE	1" = 20'
SURVEY #	CE - 11341

**BOUNDARY SURVEY
& SITE PLAN**

**LOT 52, BLOCK E
SWANN KEYS**

FOR
PAUL R. MARY LOU DOUGLAS

37030 LAWS POINT ROAD, SELBYVILLE, DE 19975

TRUE NORTH

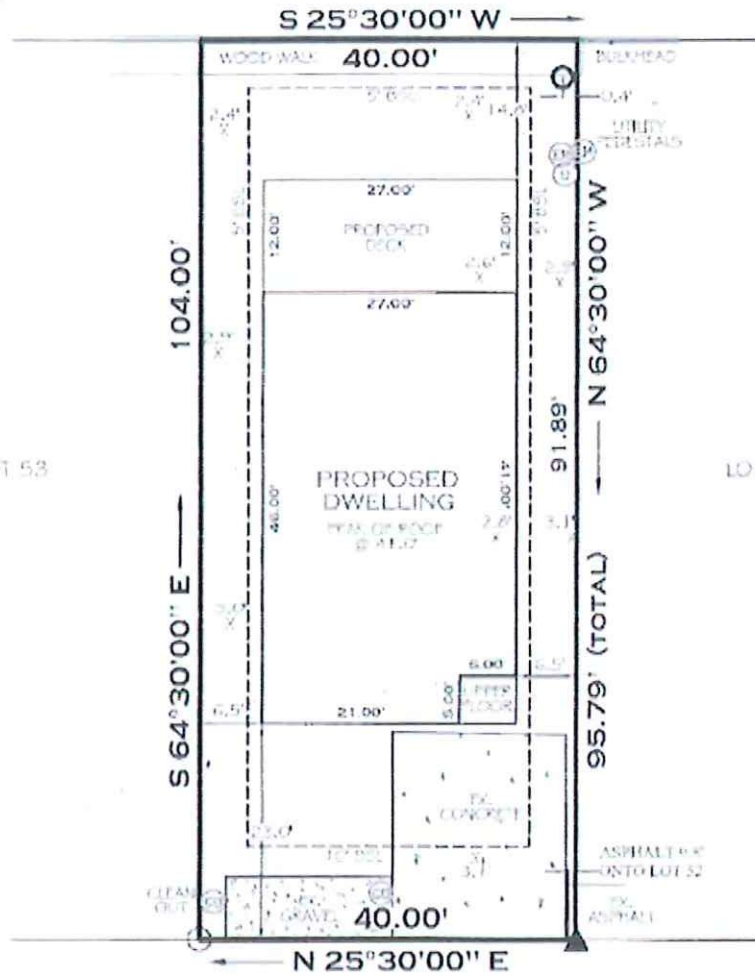
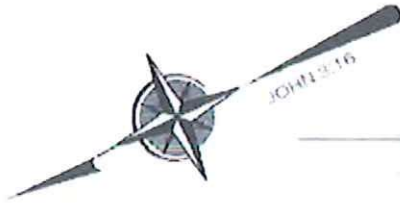


LAND SURVEYING

35222 BAYARD ROAD
FRANCONIA, DE 19045
302-539-2488

10/17/2025 10:17:25 AM

LAGOON



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 IN ACCORDANCE WITH THE SUPERVISION AND REGULATORY STANDARDS OF PROFESSIONAL LAND SURVEYING BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, ENCUMBRANCES, EASEMENTS, OR PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW SURVEY AND CORRECTION THEREFOR. ANY OTHER LEGAL ACTION SHALL BE AT THE RISK OF THE CLIENT.

Bradley A. Absher
 BRADLEY A. ABSHER, DE PLS # 735
 DATE 10.17.25

- NOTES**
1. CLASSIFICATION OF SURVEY: SUBURBAN
 2. ZONE: GR
 3. BUILDING SETBACK LINES (BSL)
 - FRONT 10'
 - SIDE 5'
 - REAR 5'

ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOMEOWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & 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.

5. FLOOD ZONE: AE-1 PER FEMA FIRM MAP 10005 C 0552 X, DATED 03/16/15

**LAWS POINT ROAD
40' RIGHT OF WAY**



LEGEND	
○	IRON PIPE W/ CAP FOUND
○	IRON ROD FOUND
▲	PX NAIL FOUND

THIS CERTIFIES THAT THE PROPOSED DWELLING PLACEMENT IS PROPER. ENCUMBRANCES ARE CORRECTED. EVIDENCE AND FIELD WORK TO BE PERFORMED.

 SIGNATURE DATE

 DATE

TAX MAP	5-33-12-1G-279.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	BALTIMORE
TOWN	---
AREA	3,832 ± SQ. FT.
DEED REF.	6359 / 1G
PLAT REF.	14 / 99
DRAWN BY	MH
DATE	10 / 17 / 2025
SCALE	1" = 20'
SURVEY #	DE - 11341

**BOUNDARY SURVEY
& SITE PLAN**

**LOT 52, BLOCK E
SWANN KEYS**

FOR
PAUL R. MARY LOU DOUGLAS

37030 LAWS POINT ROAD, SELBYVILLE, DE 19975

TRUE NORTH

LAND SURVEYING

35322 BAYARD ROAD
 FRANKFORD, DE 19345
 302-539-2488

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

Paul Richard Douglas Digitally signed by Paul Richard Douglas
Date: 2026.03.13 12:35:47 -04'00'

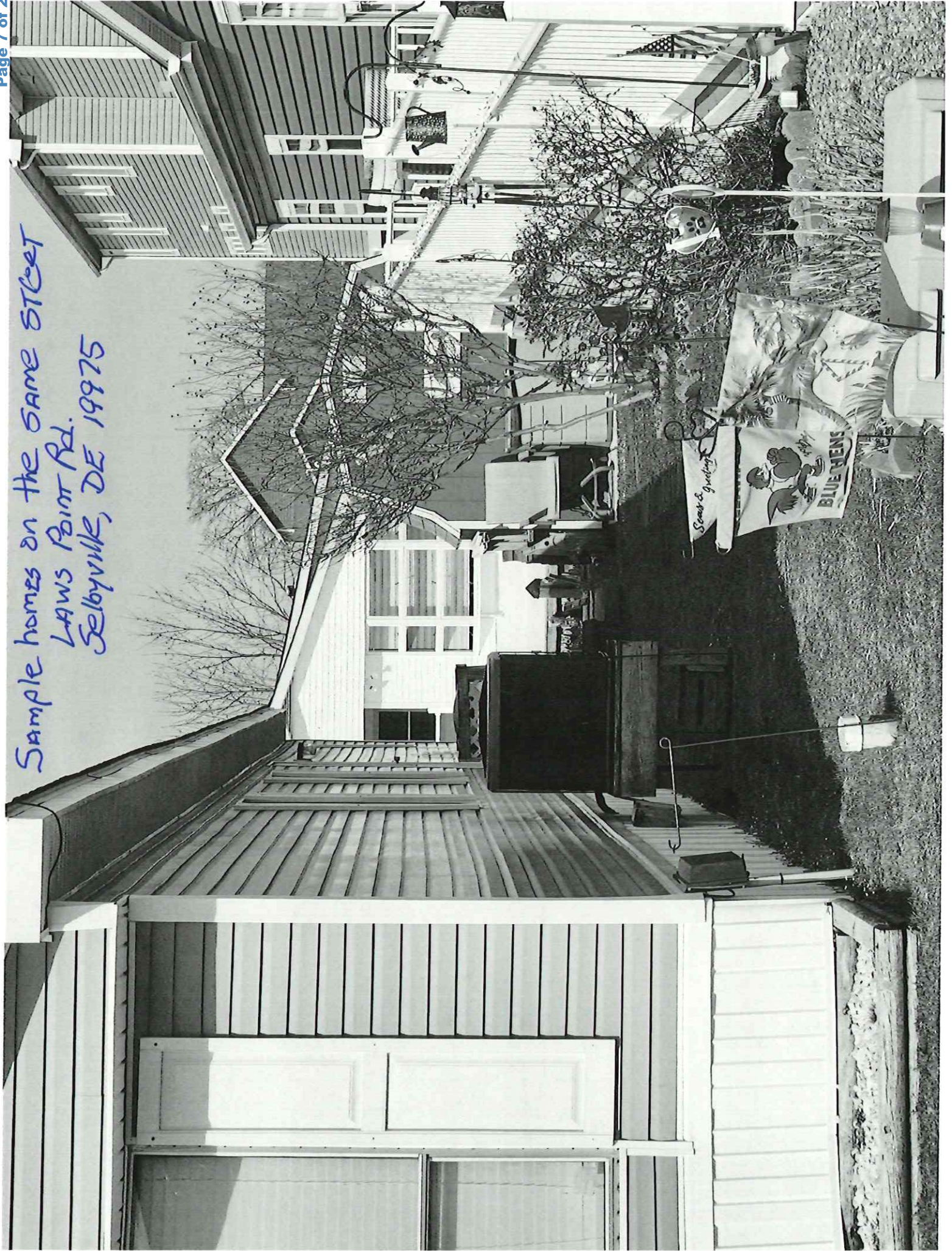
Date: 3/13/26

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: _____

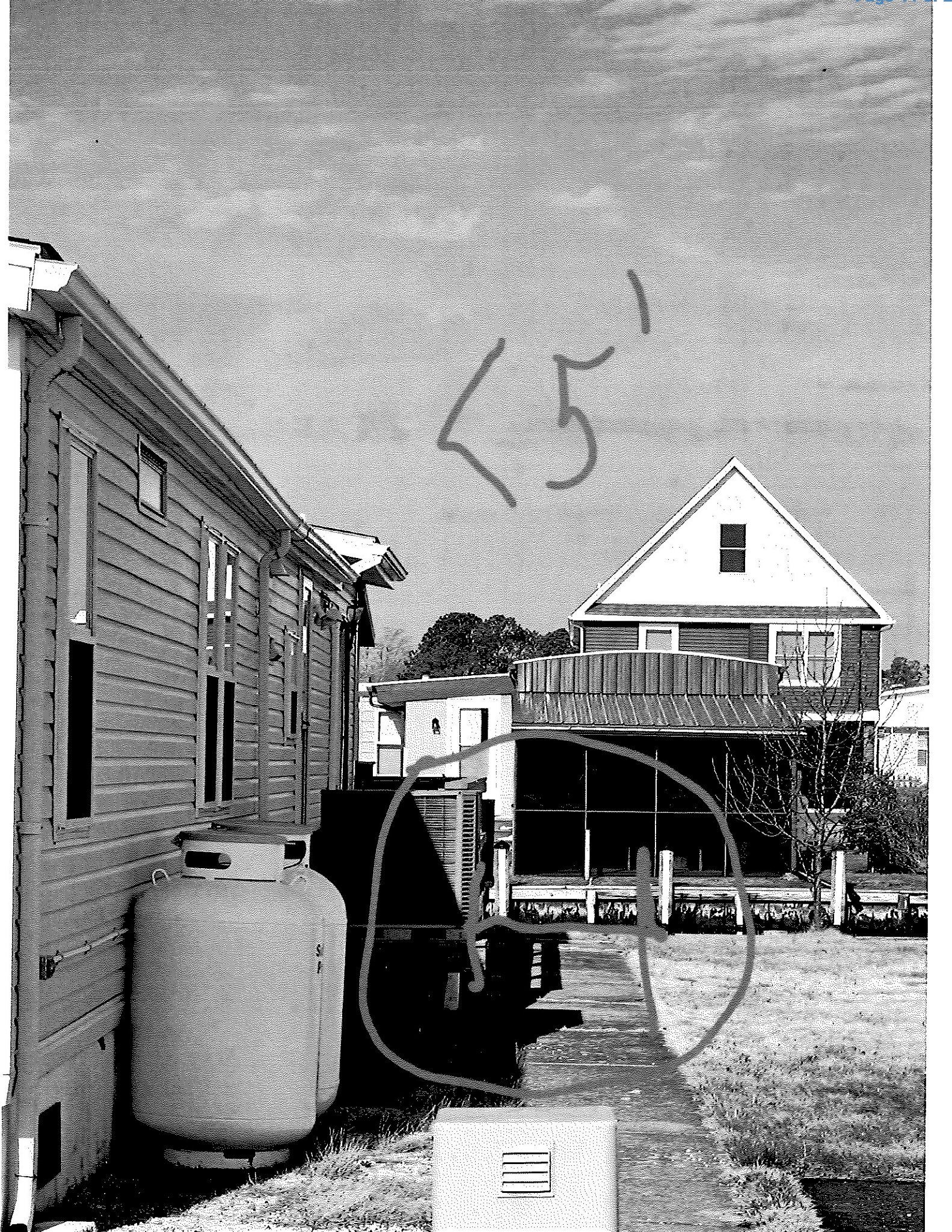
Sample homes on the same street
LAWS POINT RD.
SELBYVILLE, DE 19975





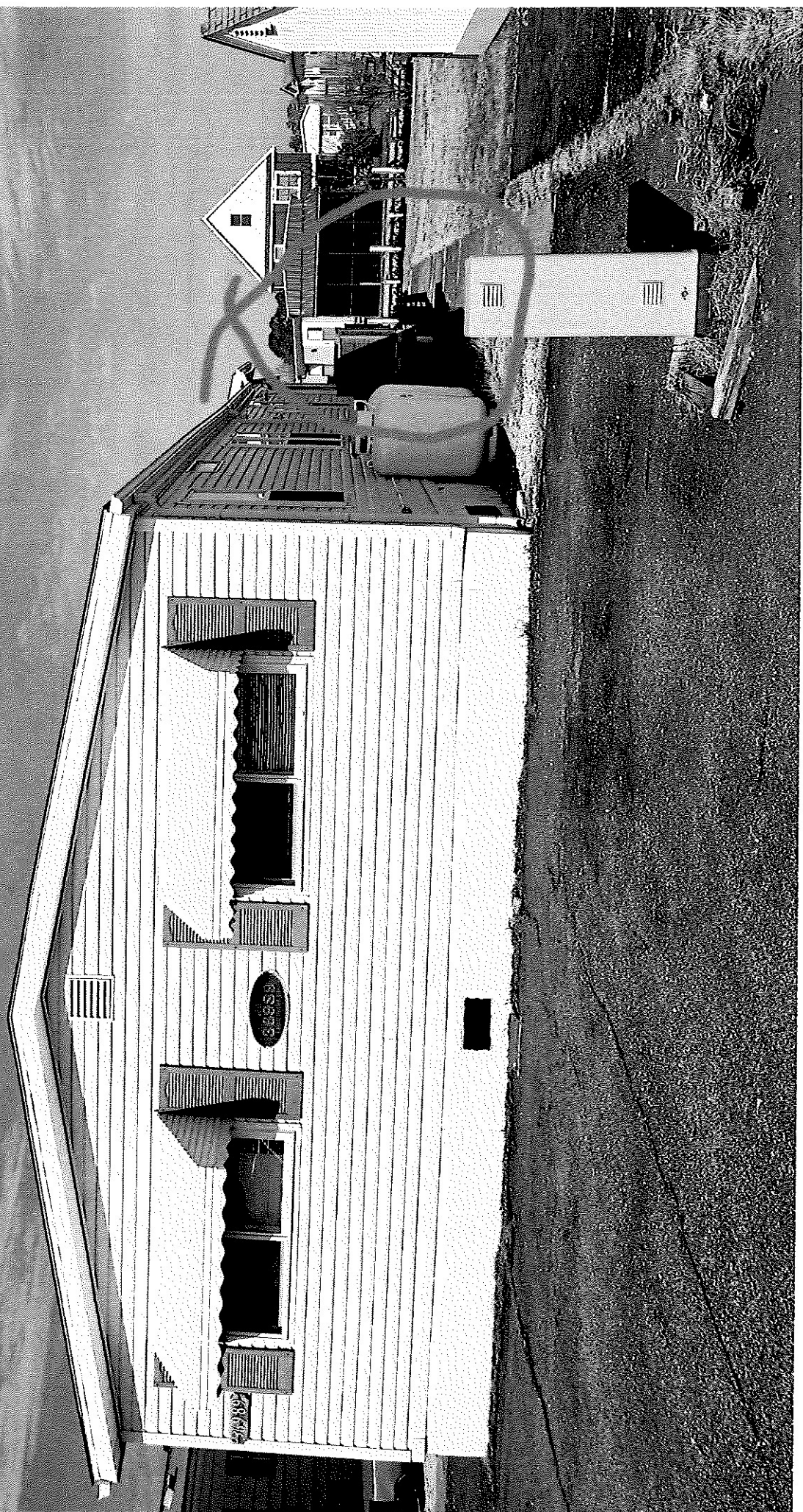






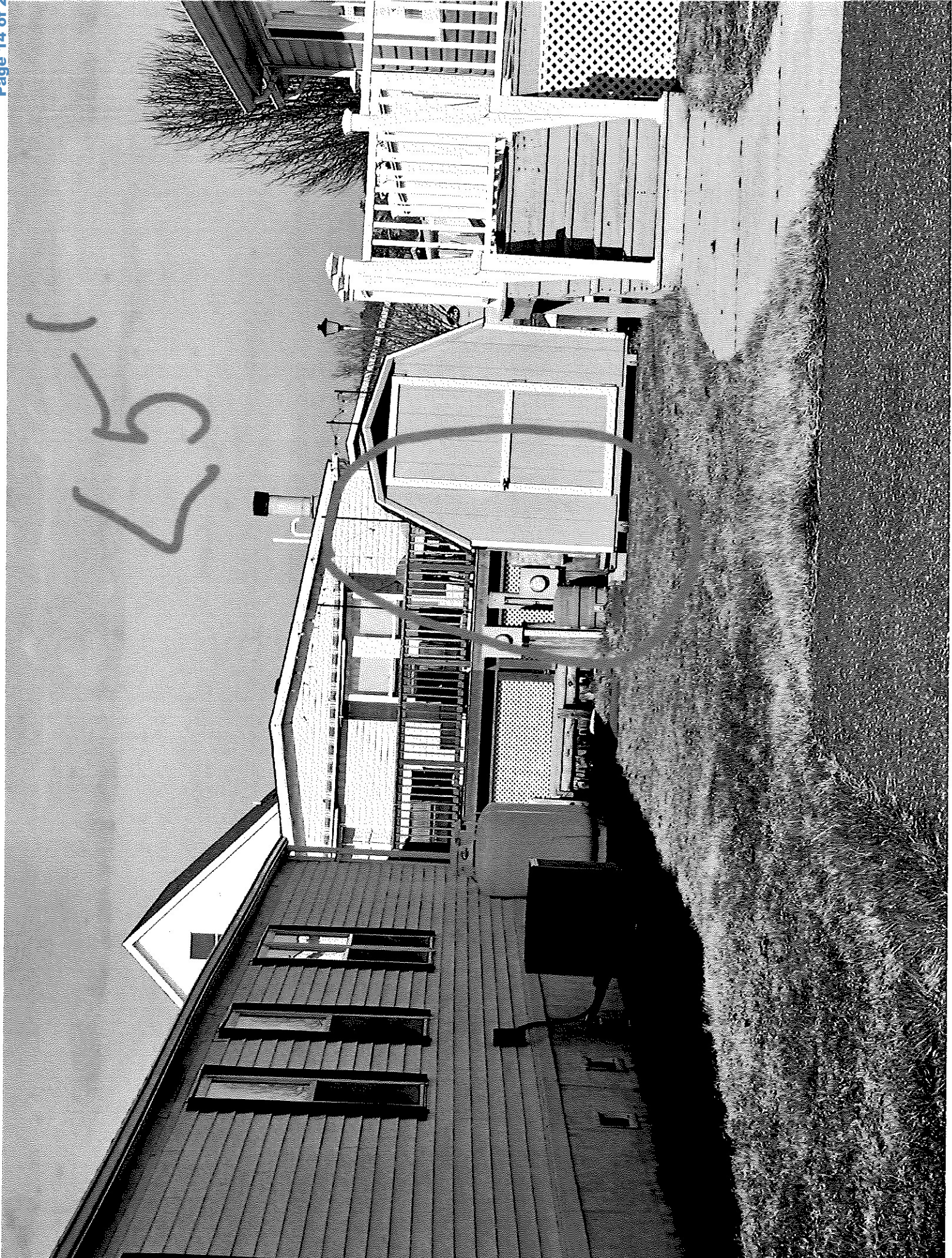
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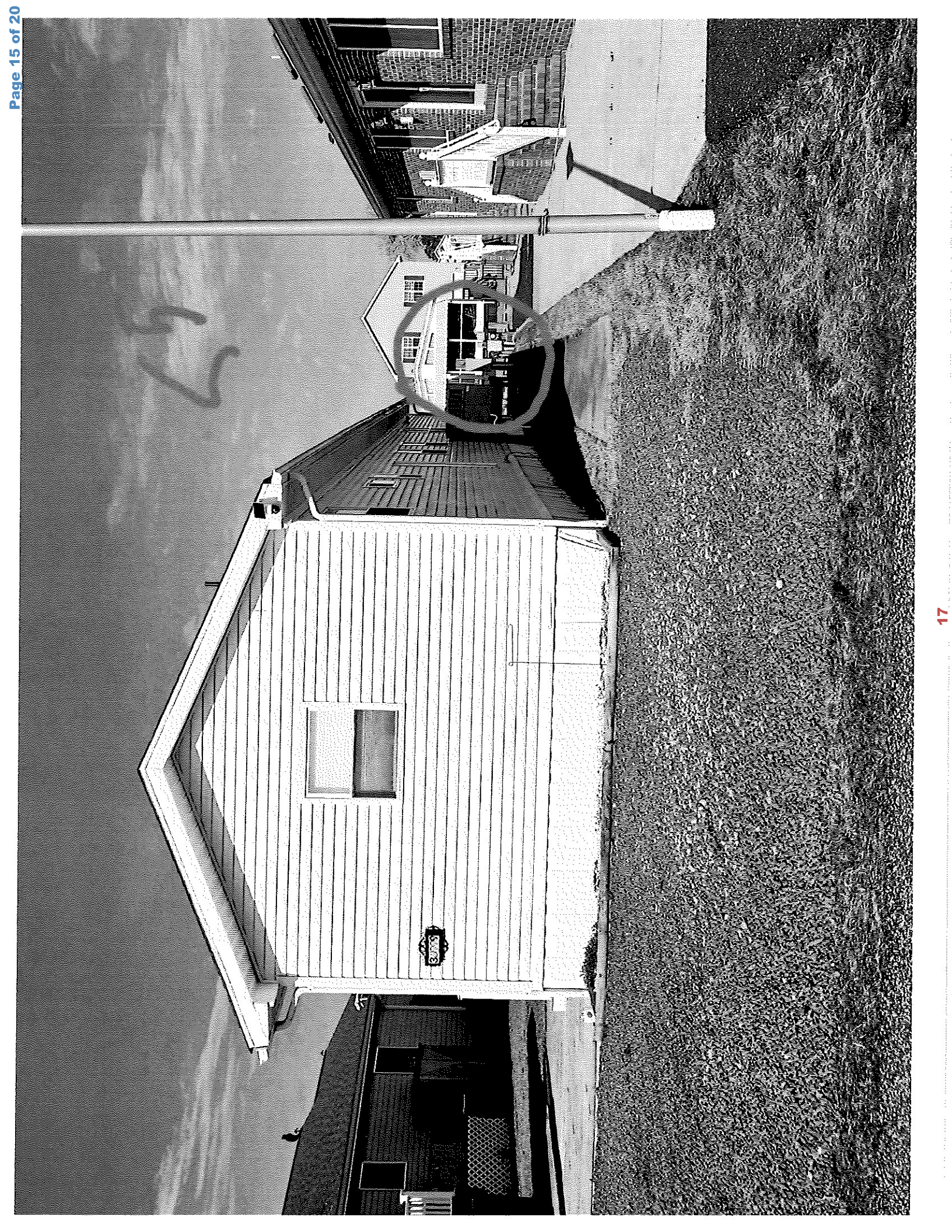
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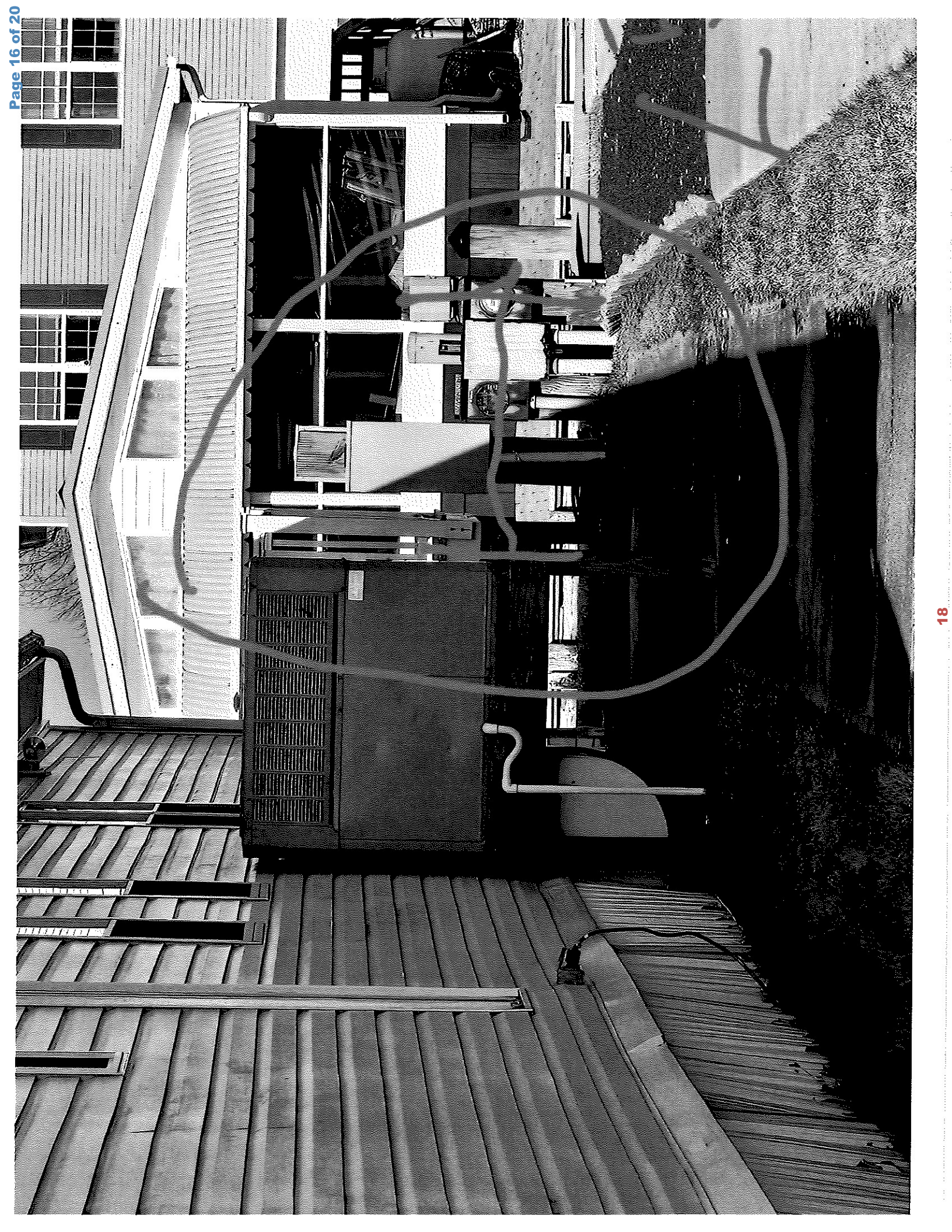




LS1







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

03/13/2026 03:23PM Megan D.
Receipt number: 33031165-0056 001291223

PERMITS / INSPECTIONS
2026 202602941|Z020 \$500.00

\$500.00

Subtotal \$500.00
Total \$500.00

Tenders
CHECK \$500.00
Check Number 1387

Change due \$0.00

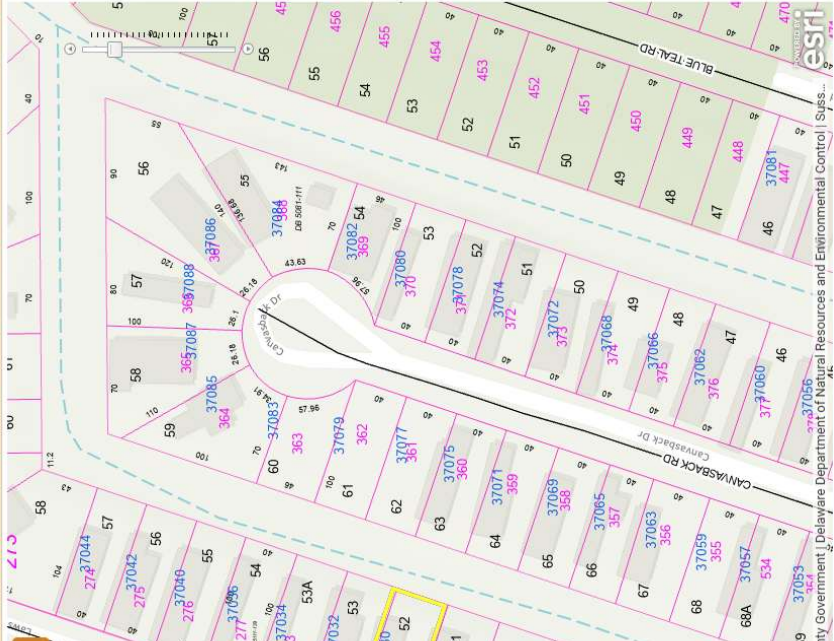
Paid by: PAUL DOUGLAS

PAUL DOUGLAS C/O MARY LOU DOUGLAS 1111 11th St Georgetown, DE 19821	1387 3/13/26
Sussex County	
PAID TO ORDER \$500.00	
Paul Douglas	

Thank you for your payment.

CUSTOMER COPY

Layers Search Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (1)

1) 533-12.16-279.00

BOOK	6359
PAGE	16
FULLNAME	DOUGLAS MARY LOU
Second_Owner_Name	PAUL RICHARD DOUGLAS
MAILINGADDRESS	827 FAIRWIND DR
CITY	BEL AIR
STATE	MD
a_account	04-03-279
DESCRIPTION	SWANNI KEYS
DESCRIPTION2	LOT 52
DESCRIPTION3	BLK E
LUC	100
SCHOOL	1
MUNI	00
CAP	0
APRBLDG	0
APRLAND	201800
PINWASSEMNTUNIT	533-12.16-279.00
PIN	533-12.16-279.00

Selected Features (1)

Clear Selected

Sussex County Government | Delaware Department of Natural Resources and Environmental Control | Sussex County, Delaware

Eagleview Search Results

Selected Features: [Parcels (1)]

▼ 1) 533-12.16-279.00 Zoom

BOOK	6359
PAGE	16
FULLNAME	DOUGLAS MARY LOU
Second_Owner_Name	PAUL RICHARD DOUGLAS
MAILINGADDRESS	827 FAIRWIND DR
CITY	BEL AIR
STATE	MD
a_account	04-03-279
DESCRIPTION	SWANN KEYS
DESCRIPTION2	LOT 52
DESCRIPTION3	BLKE
LUC	100
SCHOOL	1
MUNI	00
CAP	0
APRBLDG	0
APRLAND	201800
PINWASSEMUNIT	533-12.16-279.00
PIN	533-12.16-279.00

Selected Features (1)
Clear Selected



esri
Sussex County Government | Delaware Department of Natural Resources and Environmental Control | Sussex



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

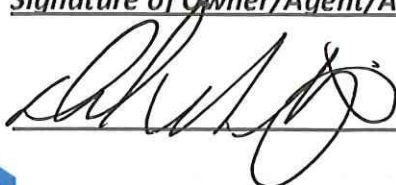
Agent/Attorney Name: COASTLINE SUNROOMS & AWNINGS

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



Date: 2-2-2026



Check List for Applications

The following shall be submitted with the application

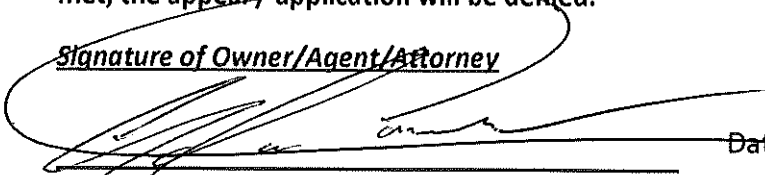
- Completed Application
- Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.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

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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: 1-2-24

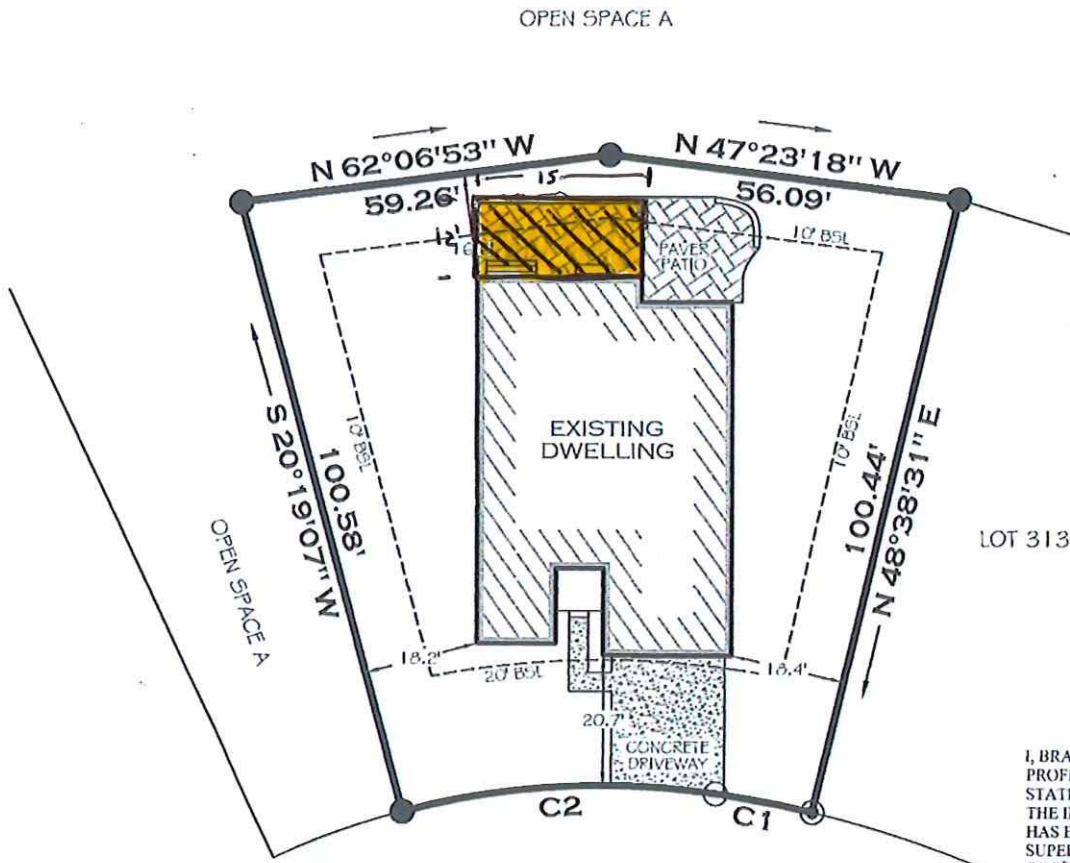
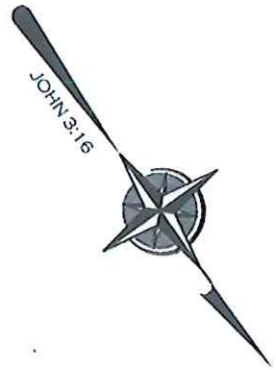
For office use only:

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

**TEE BOX BOULEVARD
 50' RIGHT OF WAY**

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

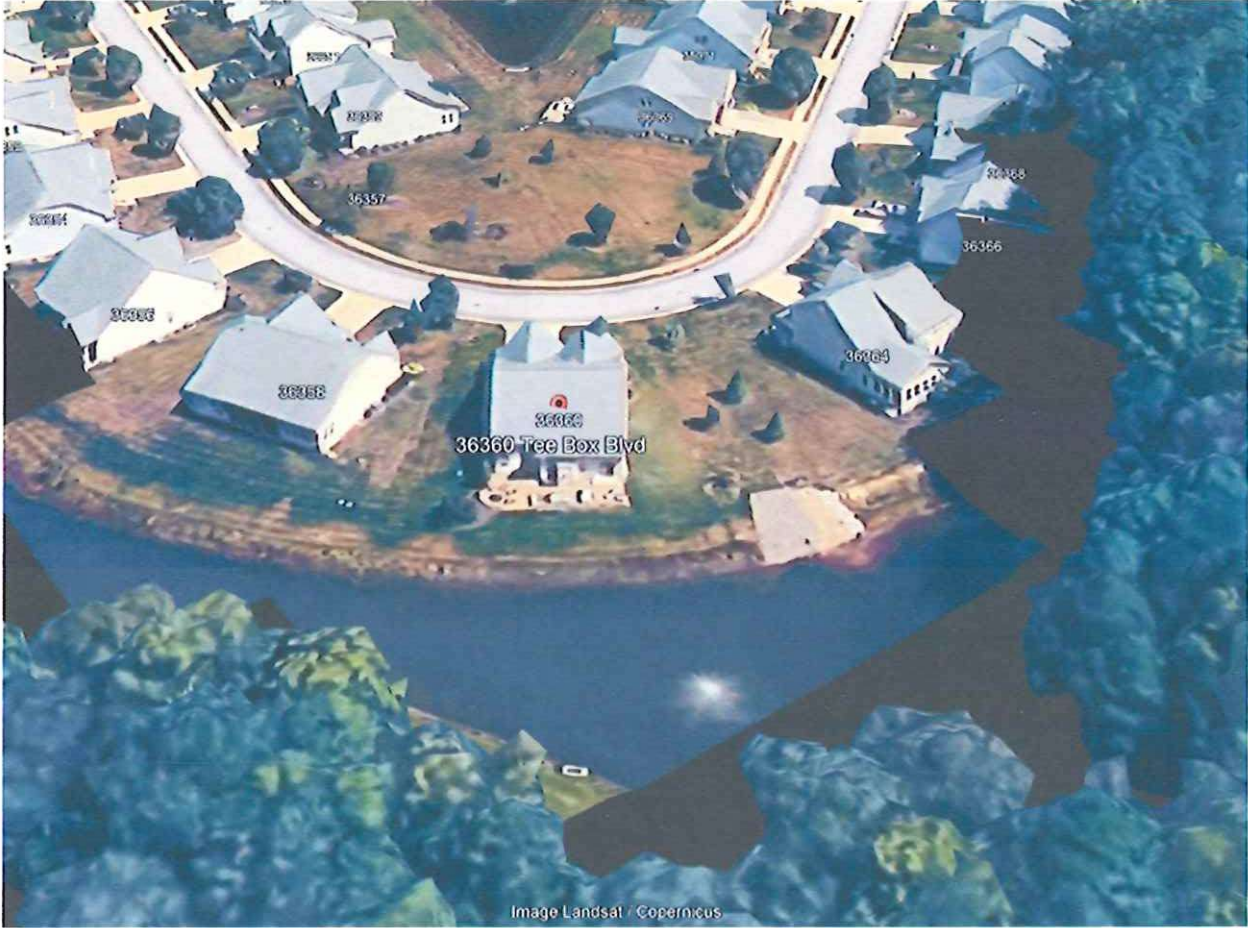
That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation and issue.

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

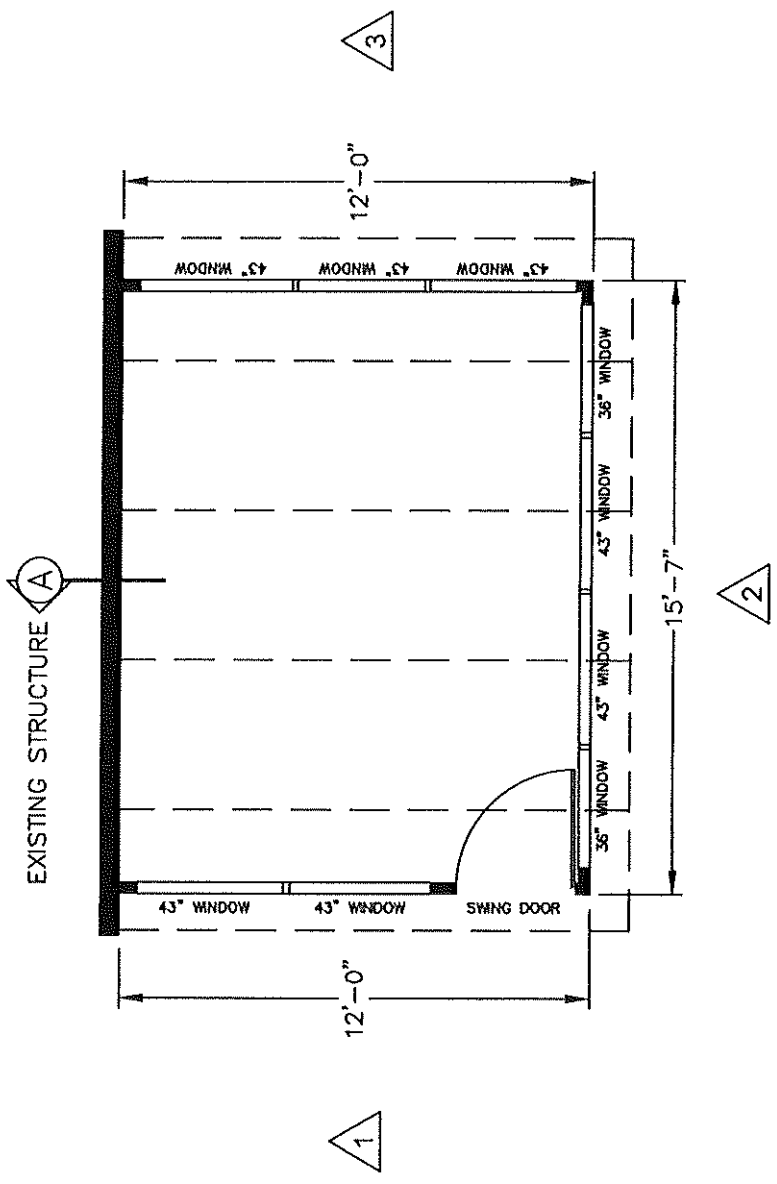
36360 Tee Box Blvd





JOB NAME: HIGGINS, BARBARA 36360 TEE BOX BLVD FRANKFORD, DE 19945		REV:	SCALE:	DEALER: COASTSUN	FILE NAME: 25W8629	SHEET: 2
PART NUMBER:		DATE: 10/30/25	APPROVED BY:	DATE:	20400 HALL RD. CLINTON TWP., MI 48038	
DRAWN BY: JONES		DATE:	SCALE:	DEALER:	20400 HALL RD. CLINTON TWP., MI 48038	

TEMPO, INC.



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

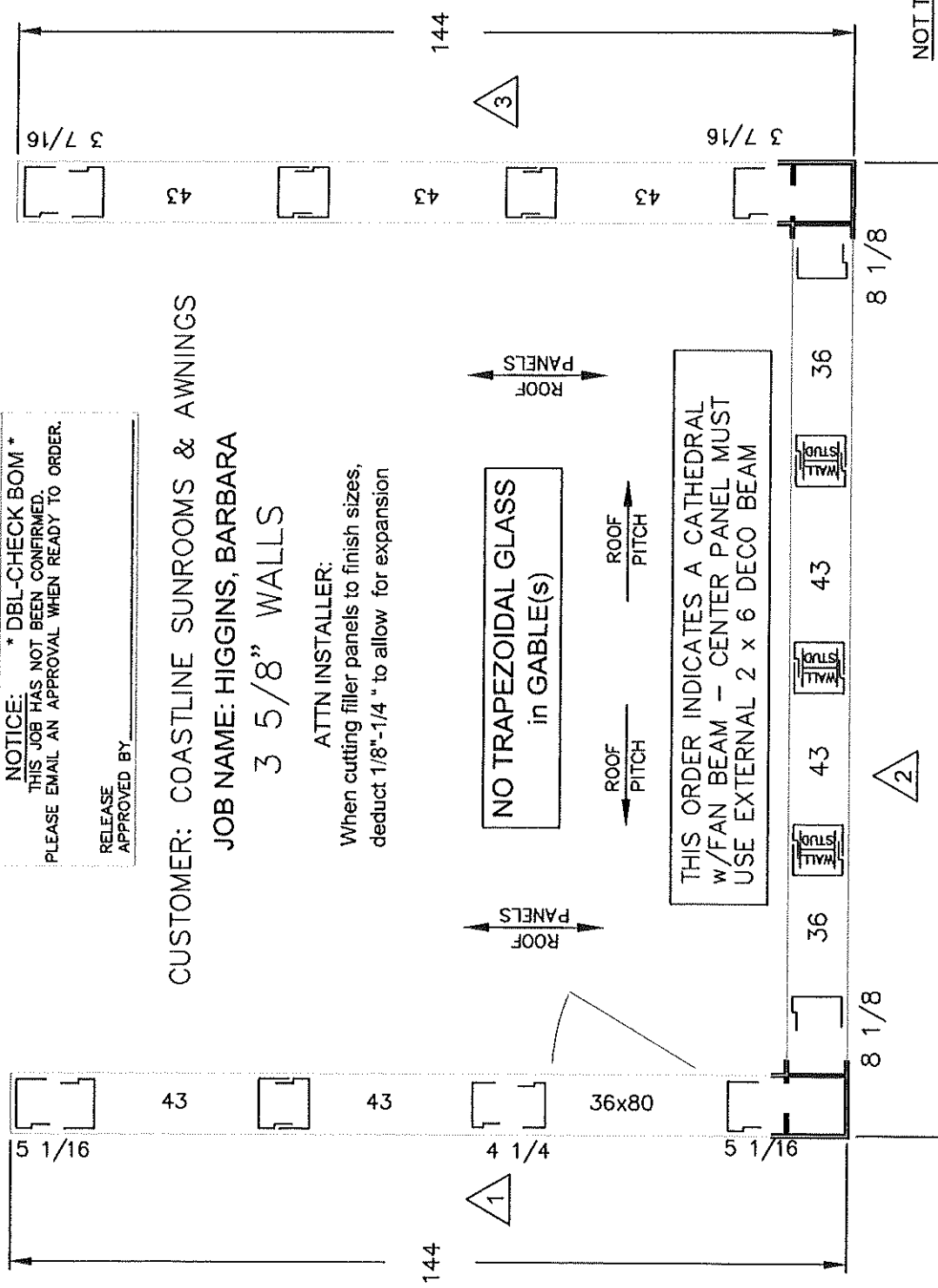
NOTICE: * DBL-CHECK BOM *
 THIS JOB HAS NOT BEEN CONFIRMED.
 PLEASE EMAIL AN APPROVAL WHEN READY TO ORDER.
 RELEASE APPROVED BY _____

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



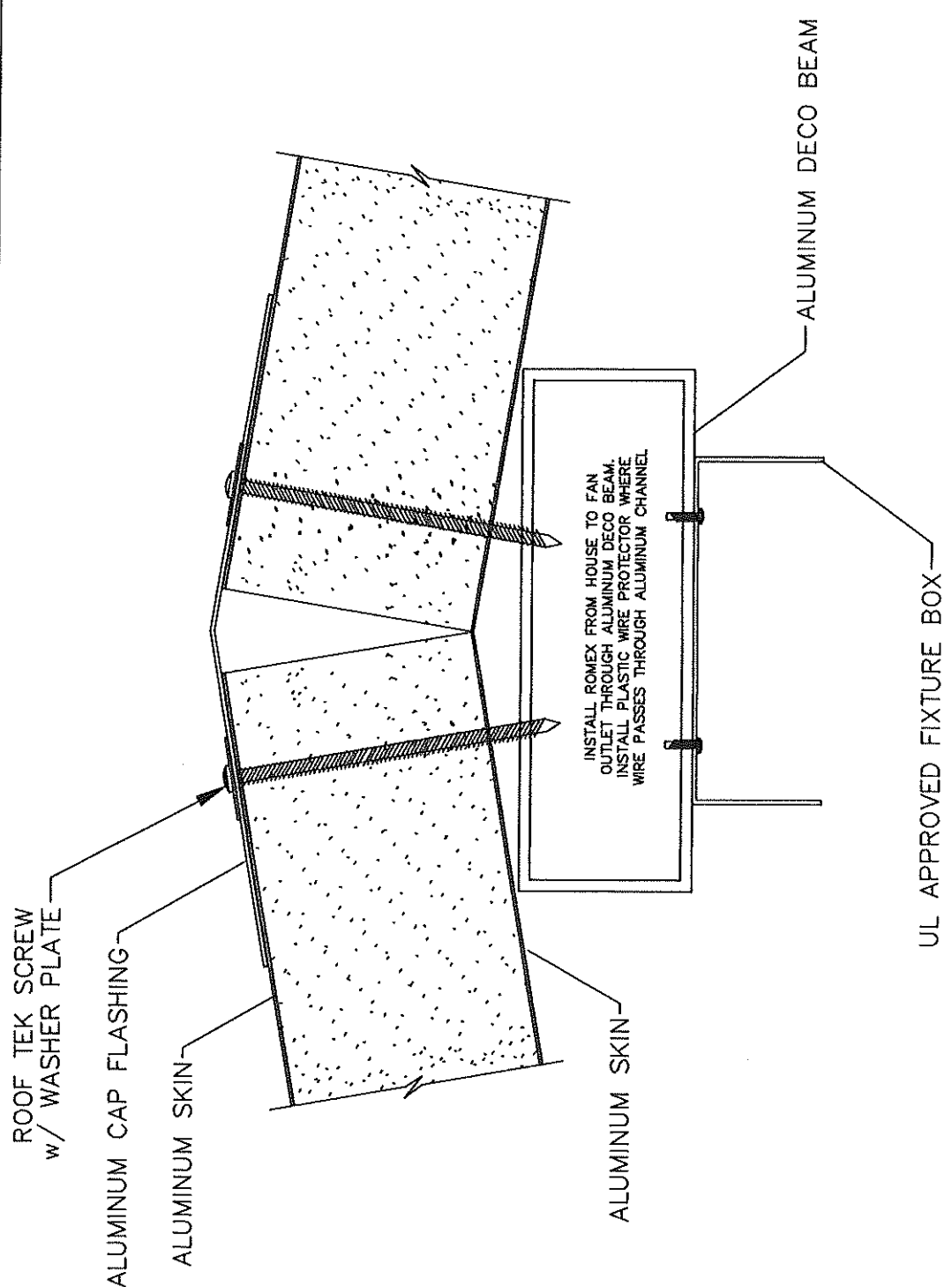
NOT TO SCALE

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

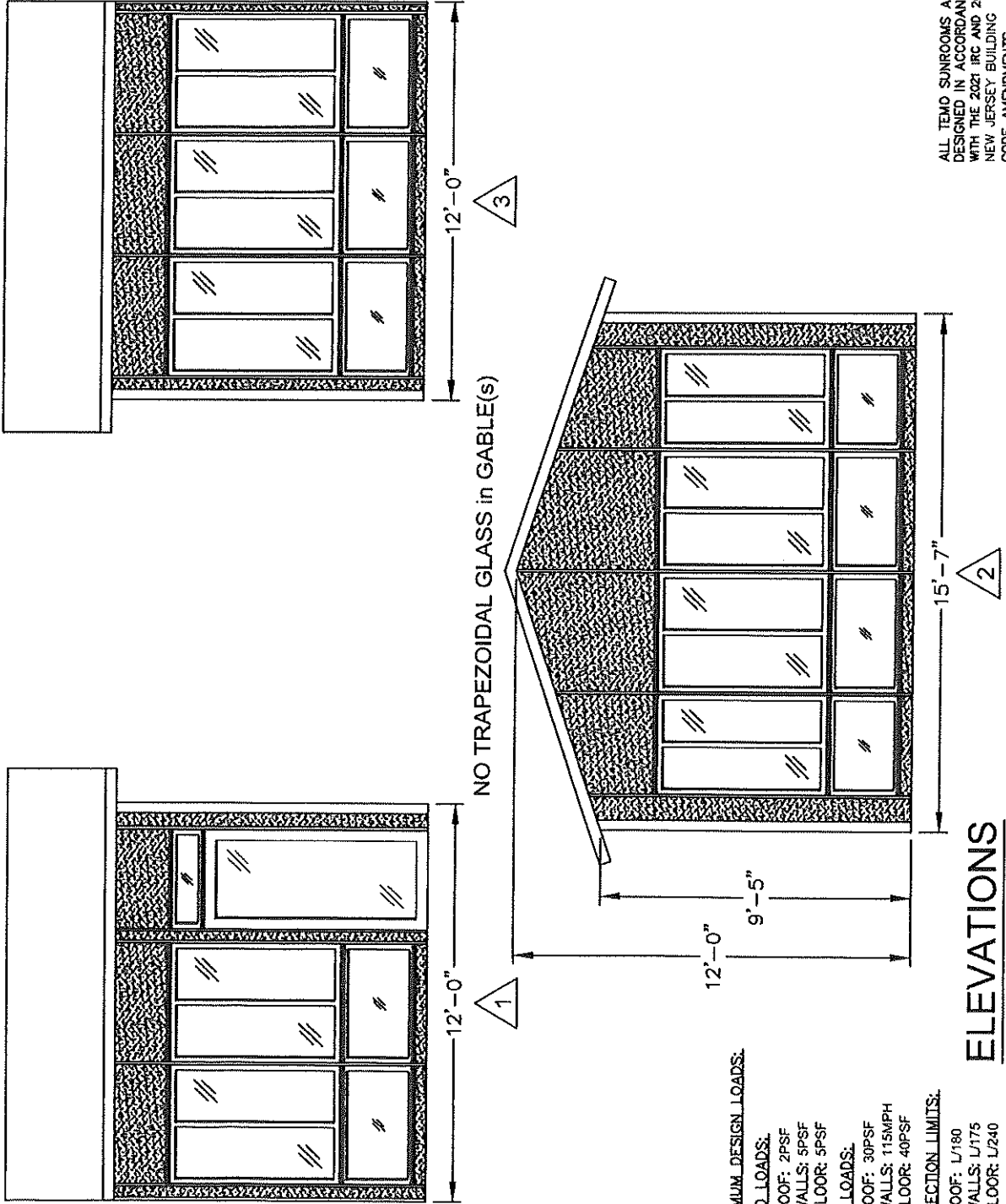
Today's Date: OCT 30, 2025

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

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

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:
---	--	---	---	------------------	---	--------------------------------	--------------

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

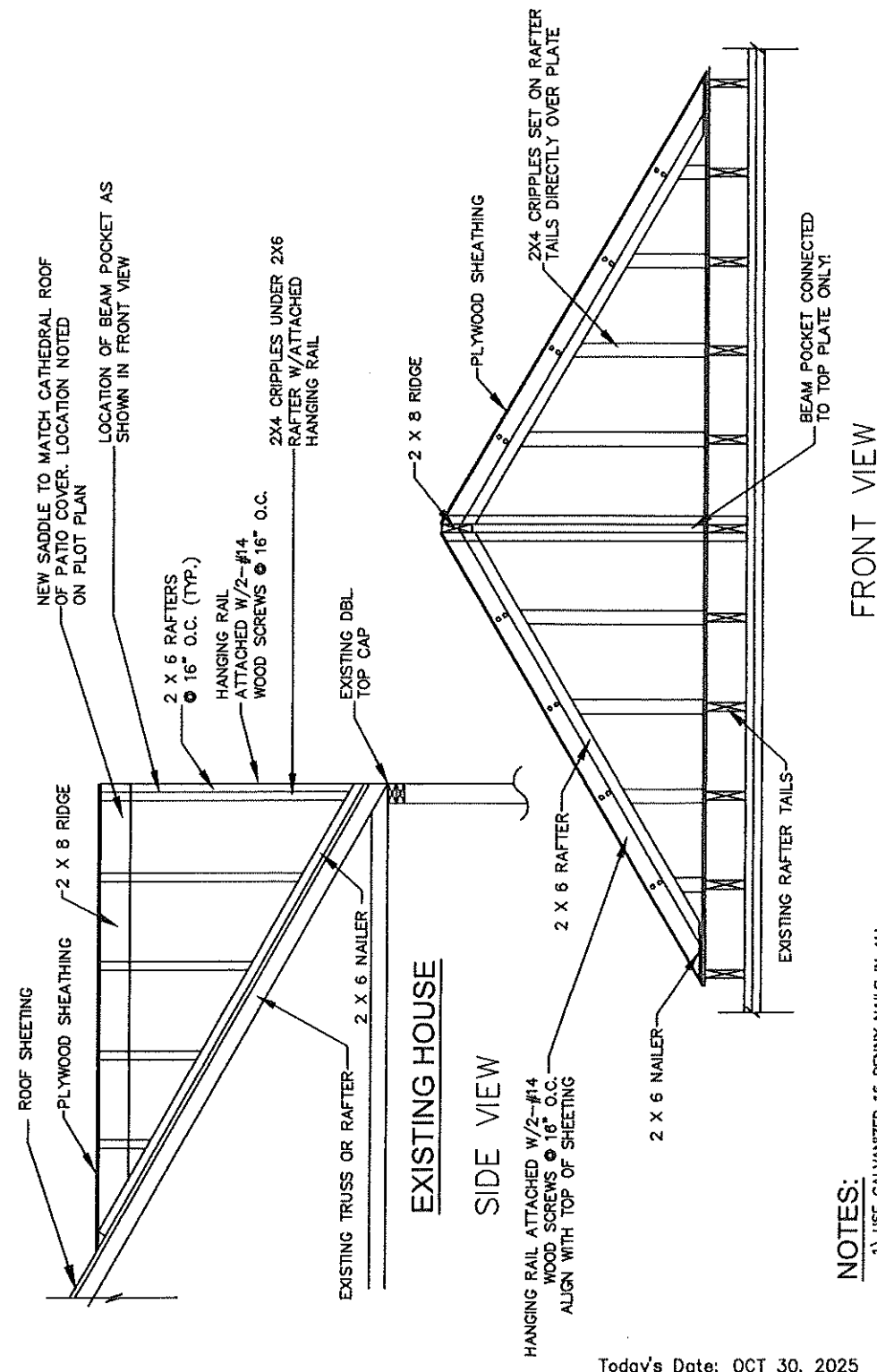
LIVE LOADS:

- 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	DATE: 10/30/25	APPROVED BY:	FILE NAME: 25W8629	SHEET: 5
20400 HALL RD. CLUNTON TWP., MI 48038 TEMPO, INC.					



FRONT VIEW

SIDE VIEW

DETAIL 'B'

NOT TO SCALE

NOTES:

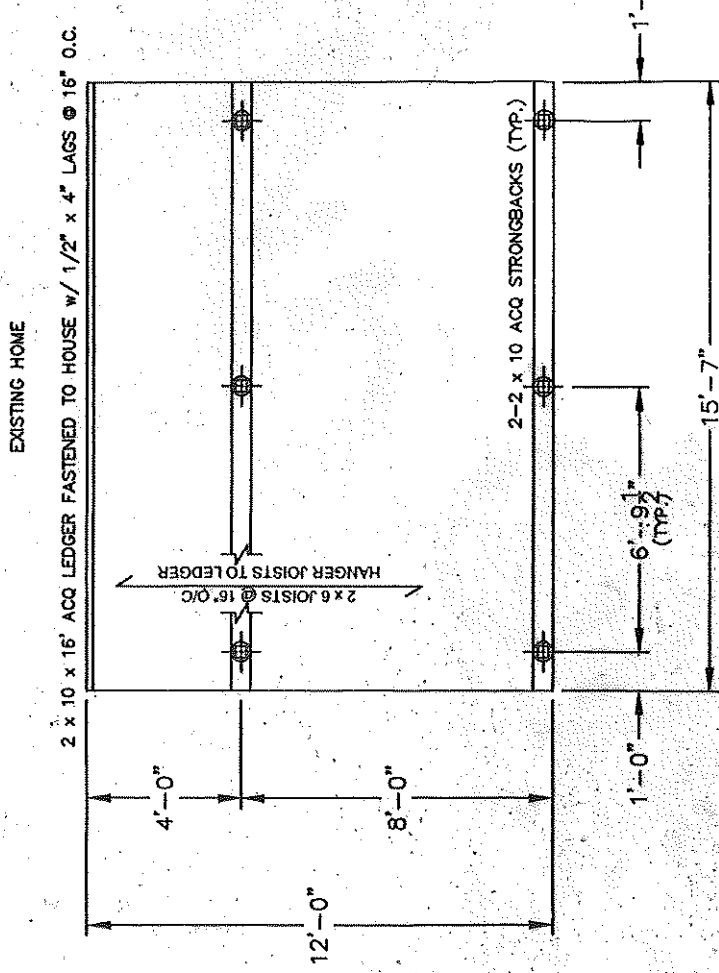
- 1) USE GALVANIZED 16 PENNY NAILS IN ALL LOCATIONS
- 2) NAIL 2 x 6 NAILER INTO RAFTERS AT BASE OF SADDLE
- 3) NAIL 2 x 6 RAFTER INTO 2 x 6 NAILER
- 4) INSTALL 2 x 4 CRIPPLE FROM SADDLE RAFTER TO EXISTING ROOF SURFACE DIRECTLY OVER EACH TRUSS
- 5) COVER W/WATER & ICE PROTECTION CUT BACK VALLEY & COVER 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: REV:	SCALE: SCALE:	APPROVED BY: DREW JONES	DATE: 10/30/25
PART NUMBER: COASTSUN		FILE NAME: 25W8629		SHEET: 4A	
DESCRIPTION:					

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

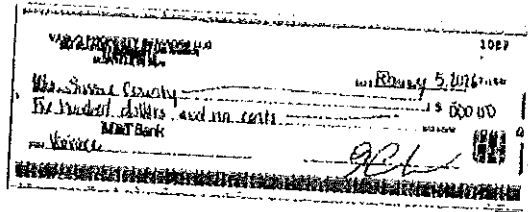
\$500.00

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
APBBLDG	439200
APRLAND	70200
PINWASSEMMENTUNIT	134-16.00-1920.00
PIN	134-16.00-1920.00

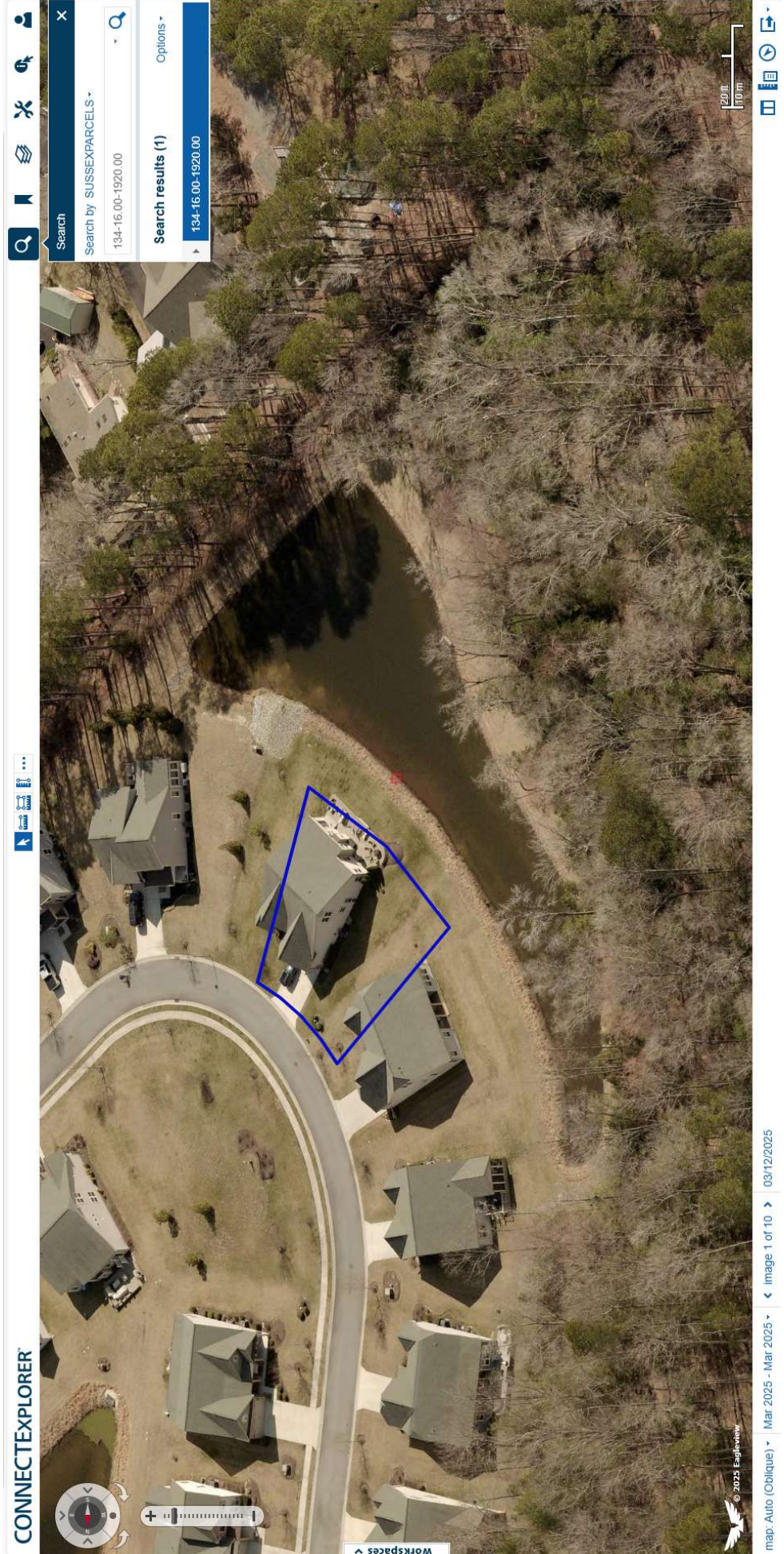
Zoom

Selected Features (1)

Clear Selected

esri

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



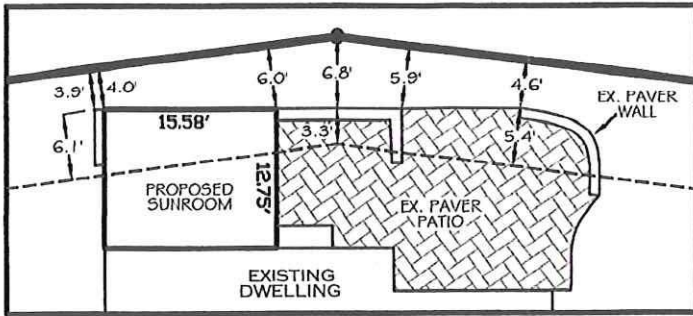
ONLY PLANS INCORPORATING AN ORIGINAL EMBOSSED / PED SEAL & SIGNATURE ARE CONSIDERED TO BE OFFICIAL AND RELIED UPON BY THE USER.

RECEIVED

APR 28 2026

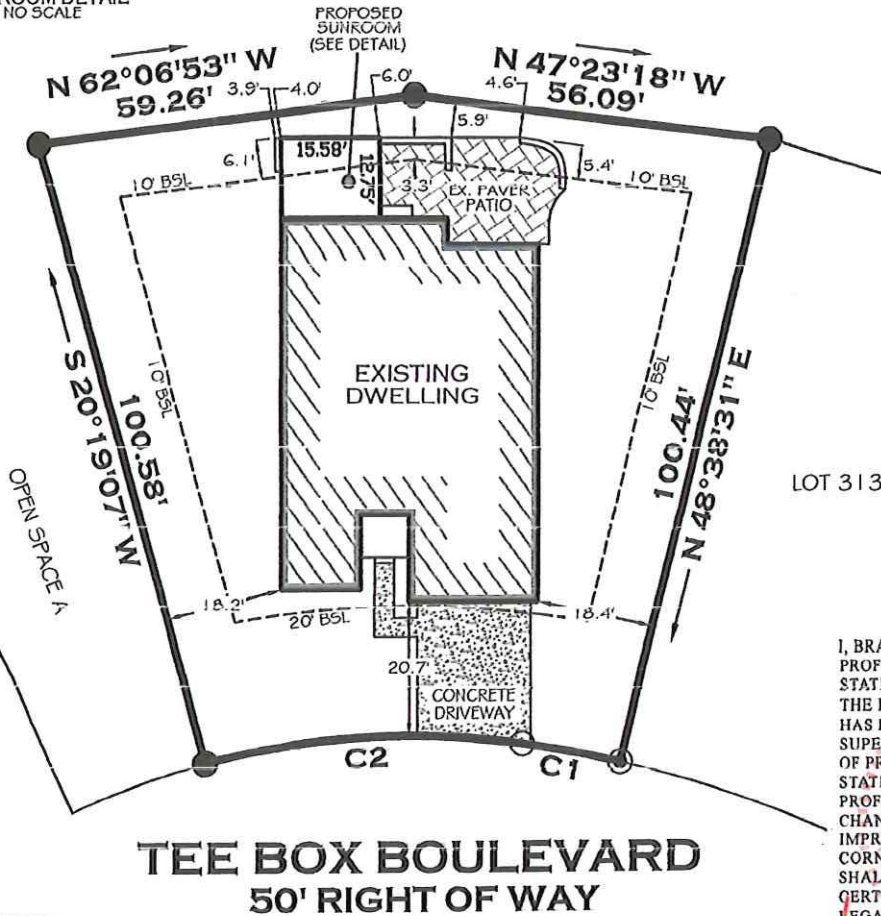
SUSSEX COUNTY
PLANNING & ZONING

Applicant
Exhibit



SUNROOM DETAIL
NO SCALE

OPEN SPACE A



LOT 313

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.

Handwritten signature of Bradley A. Absher
BRADLEY A. ABSHER, DE PLS # 735
DATE 4.1.26

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.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	175.00'	15.72'	15.71'	S 43°56'57" E
C2	125.00'	50.19'	49.85'	S 58°00'31" E

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 / MCS
DATE	04 / 01 / 2026
SCALE	1" = 30'
SURVEY #	DE - 04695


SITE 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

Case 13170 -

Applicant
Exhibit**February 09, 2026**

**Barbara Anne Higgins
36360 Tee Box Blvd
Frankford, DE 19945**

**RE: Forest Landing Community Association Architectural Application for 314314
36360 Tee Box Blvd, Frankford, DE 19945**

Dear Barbara Anne Higgins:

Your Request for an Architectural Modification on your property at 36360 Tee Box Blvd has been conditionally approved by the Architectural Review Committee of Forest Landing Community Association. Specifically, you have approval to proceed with the following request: Sunroom - 4 Season Room on Existing Patio. **Approval is based upon the following condition(s):**The DRA is conditionally approved pending approval of the setback variation by Sussex County and approval of final roofing and siding colors.

:

Please note that the ARC reserves the right to make a final inspection to ensure that your project is compliant with all the Architectural Design Standards applicable to your neighborhood. When work is completed, please submit the enclosed inspection to PCAM to schedule a final inspection. Approvals are valid for one year.

Sincerely,
Kati Spor

Association Manager, On Behalf of Forest Landing Community Association
This community is professionally managed by Premier Community Association Management

34634 Bay Crossing Blvd., Suite 4 Lewes DE 19958
Office 302-644-2752 Fax 302-644-3976



105 Sleepy Hollow Drive, Suite B Middletown DE 19709
Office 302-449-2230 Fax 302-644-3976

Applicant
Exhibit



INSPECTION FORM

DATE: _____

COMMUNITY : FL

Barbara Anne Higgins
36360 Tee Box Blvd
Frankford, DE 19945
(267) 235-5309

Modification Type(s): XN6407919 Sunroom 4 Season Room on Existing Patio

Upon receipt of this notice we will schedule an inspection to confirm work was completed according to project specifications. Following our inspection you will receive a Certificate of Compliance *or* a notice to inform of the reason(s) we were unable to issue the Certificate. Thank you.

(FOR OFFICE USE ONLY)

Project Inspected By: _____ Date: _____

Project Fully Meets Approval Specifications: YES NO *(Circle)*

If NO, specify area(s) of deficiency and/or non-compliance:

34634 Bay Crossing Blvd., Suite 4 Lewes DE 19958
Office 302-644-2752 Fax 302-644-3976



105 Sleepy Hollow Drive, Suite B Middletown DE 19709
Office 302-449-2230 Fax 302-644-3976

Applicant Exhibit

Today's Date: OCT 30, 2025

MINIMUM DESIGN LOADS:

DEAD LOADS:

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

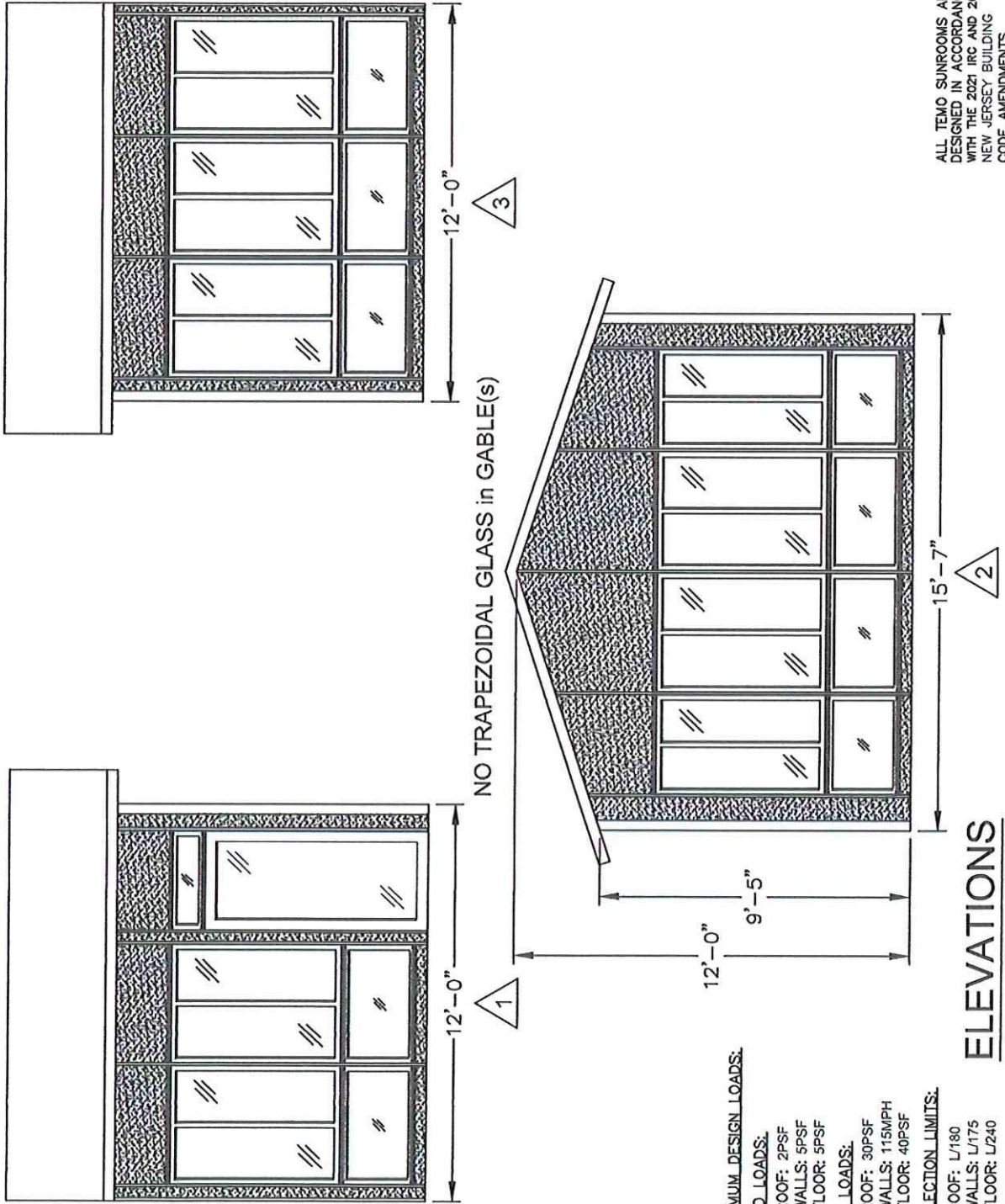
LIVE LOADS:

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

DEFLECTION LIMITS:

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

ELEVATIONS



ALL TEMO SUNROOMS ARE
DESIGNED IN ACCORDANCE
WITH THE 2021 IRC AND 2018
NEW JERSEY BUILDING
CODE AMENDMENTS.

TEMO, INC.

20400 HALL RD.
CLUNTON TWP., MI 48038

JOB NAME: HIGGINS, BARBARA
36360 TEE BOX BLVD
FRANKFORD, DE 19945

PART NUMBER:		DEALER:	SCALE:	APPROVED BY:	DATE:
JOB NAME: HIGGINS, BARBARA 36360 TEE BOX BLVD FRANKFORD, DE 19945		COASTSUN		DREW JONES	10/30/25
DESCRIPTION:		REV:	SIZE:	FILE NAME: 25W8629	SHEET: 3

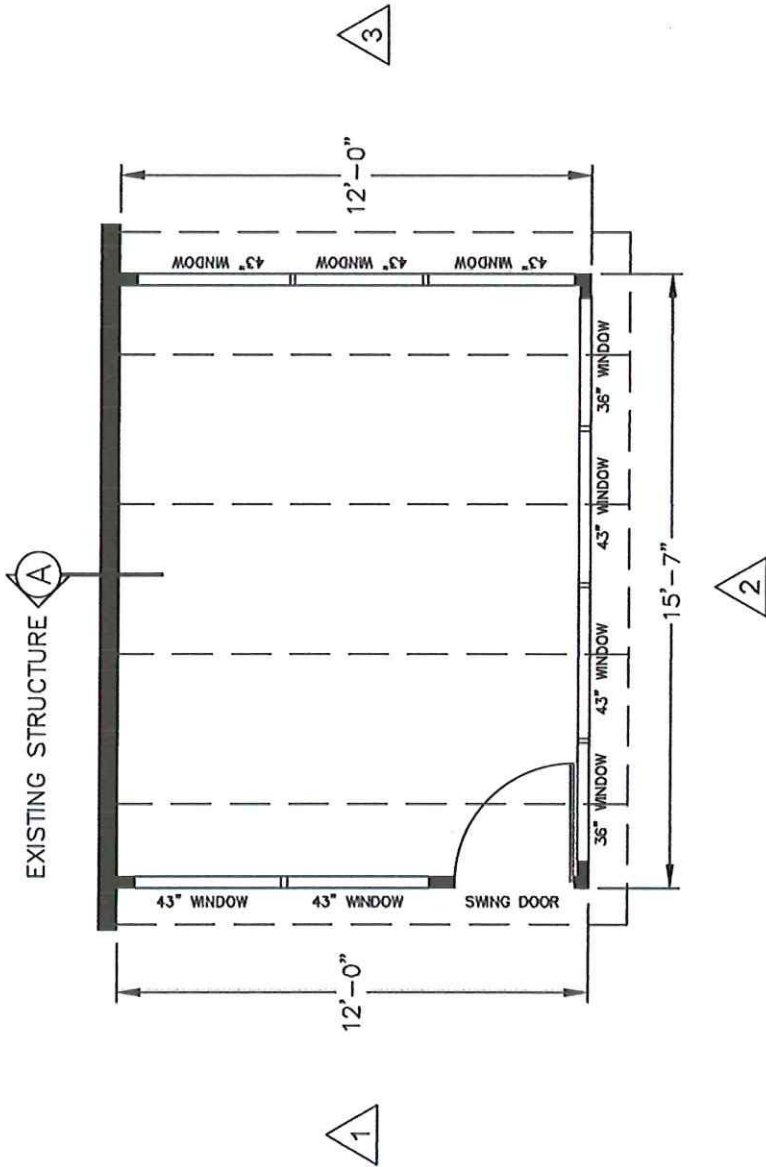
Today's Date: OCT 30, 2025

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

FLOOR PLAN

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

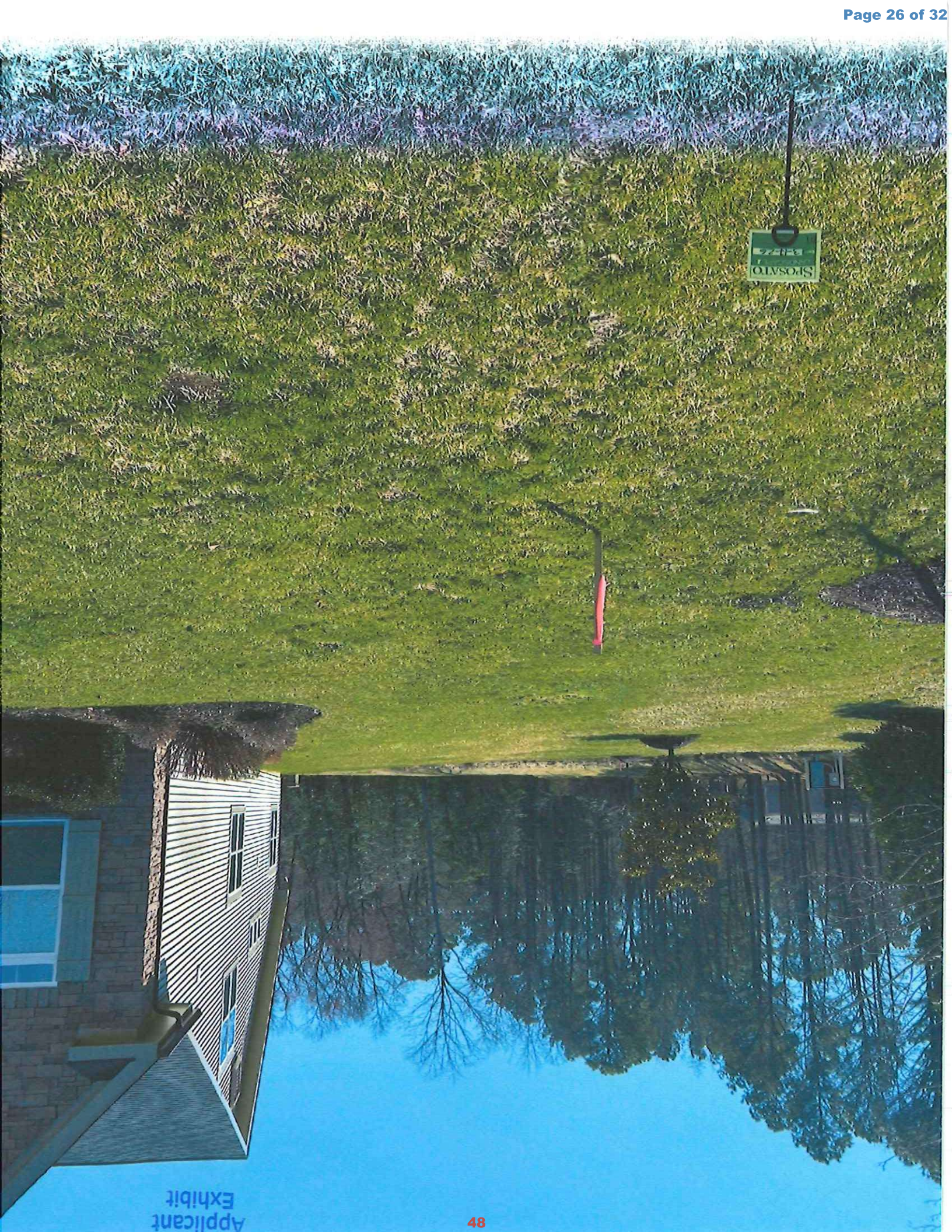
NOTE:
 THE SIDE WALL ATTACHMENT TO HOUSE IS A NON-LOAD BEARING CONNECTION. PROPERLY CAULK BOTH SIDES OF ALUMINUM EXTRUSION AT THIS CONNECTION.



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

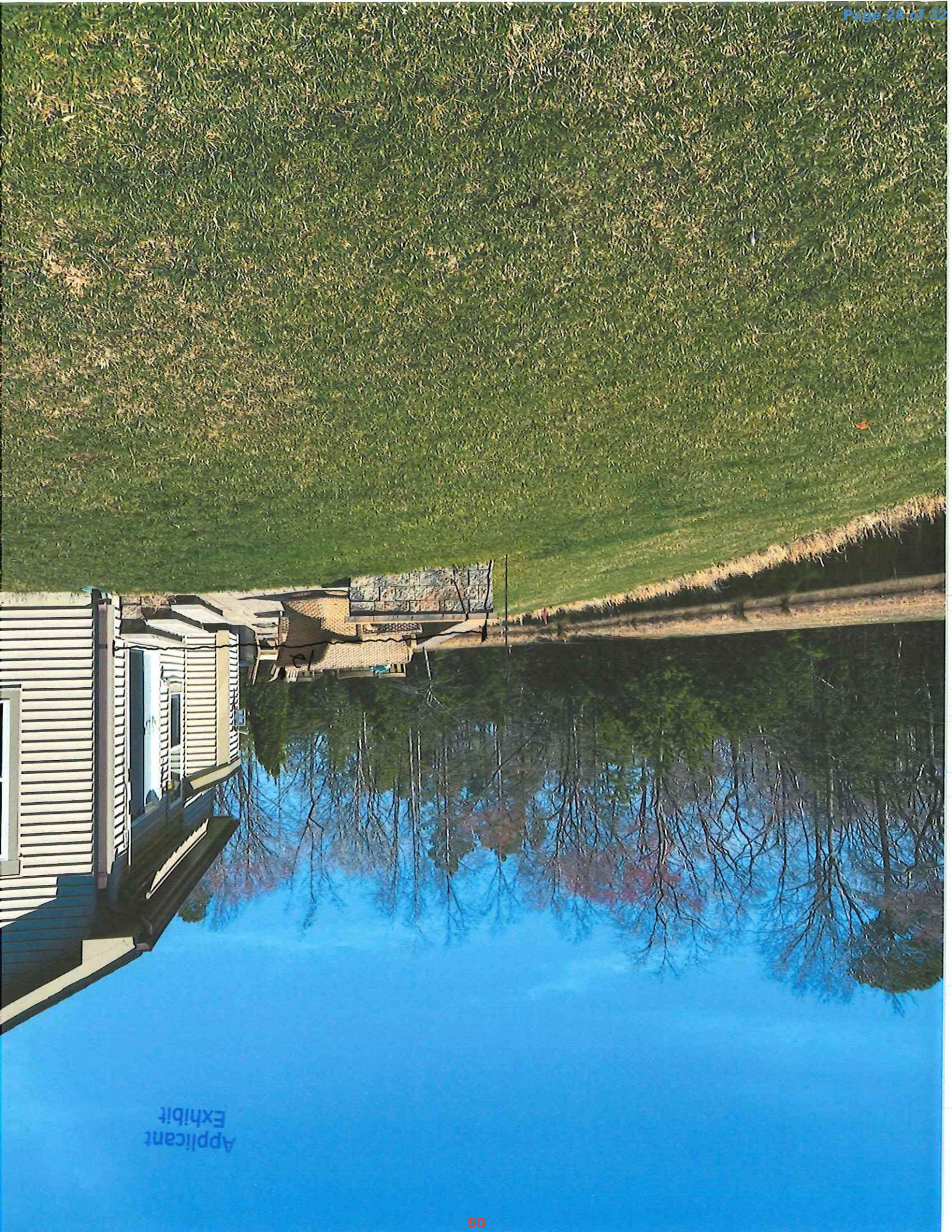
JOB NAME: HIGGINS, BARBARA
 36360 TEE BOX BLVD
 FRANKFORD, DE 19945

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

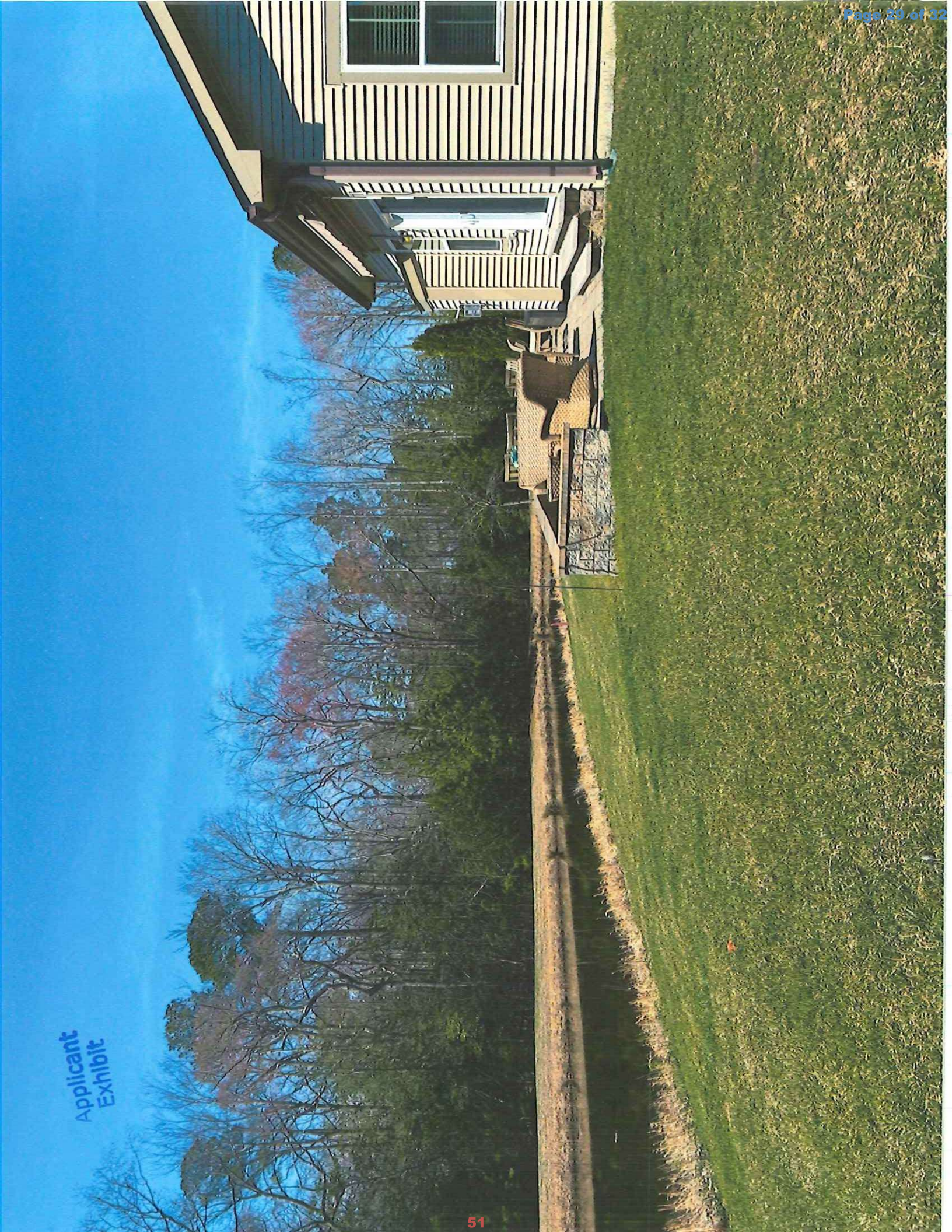




Applicant
Exhibit



Applicant Exhibit



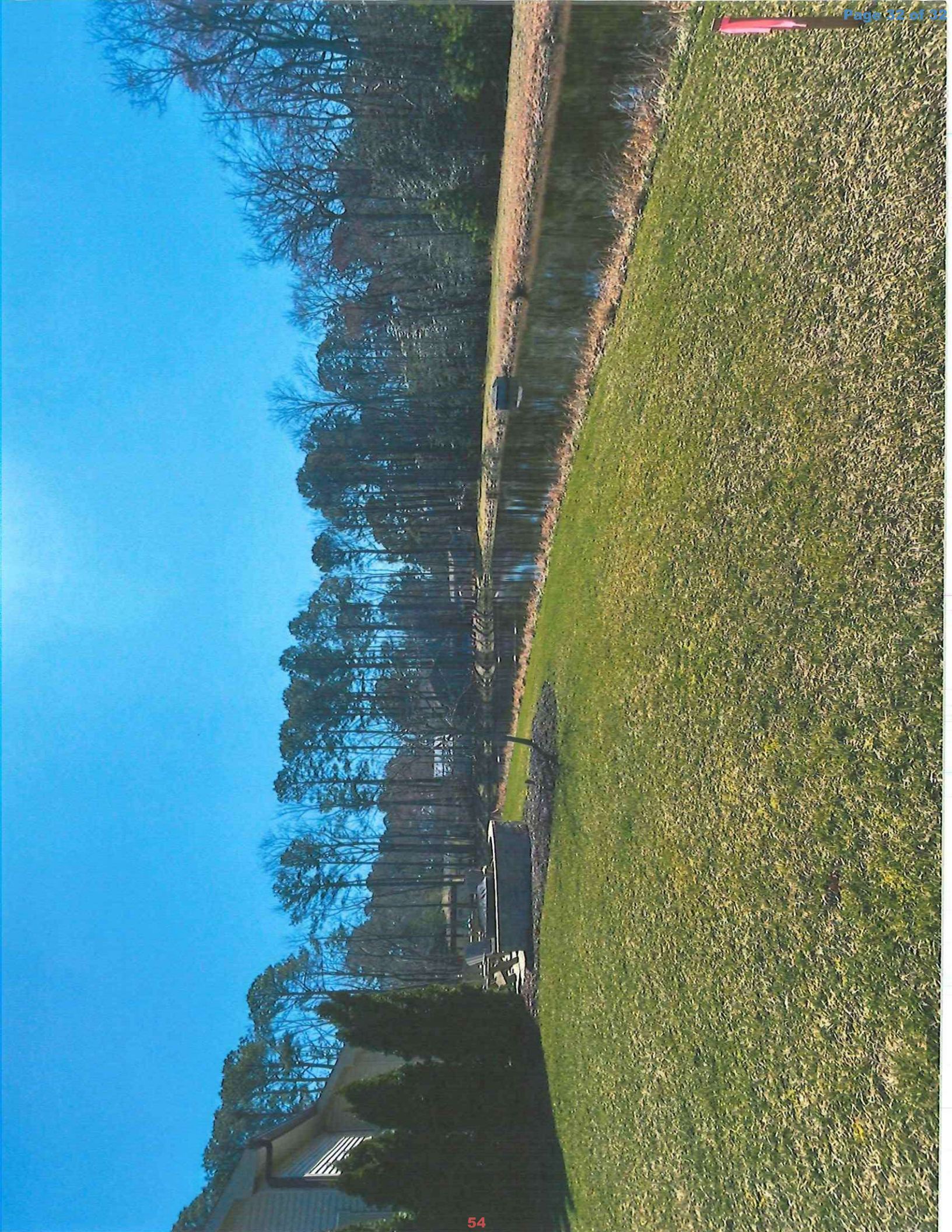
Applicant
Exhibit



Applicant
Exhibit



Applicant
Exhibit



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 # 13193
Hearing Date 05-18-2026
202603779

RECEIVED

MAR 30 2026

Type of Application: (please check all applicable)

- Variance [checked]
Special Use Exception []
Administrative Variance []
Appeal []

Existing Condition [checked] PLANNING & ZONING
Proposed []
Code Reference (office use only)

Site Address of Variance/Special Use Exception:

24354 Caldwell Circle, Lewes De. 19958

Variance/Special Use Exception/Appeal Requested:

we are requesting a variance to allow construction of an open deck attached to the rear of our house that would extend into the rear setback 2.3 ft. on the left rear of the deck and 4.4 ft on the right rear of the deck.

Tax Map #: 234-11.00-1076.00

Property Zoning: AR-1

Applicant Information

Applicant Name: David and Deborah Botscheller
Applicant Address: 350 West Main Street
City Dalton State Pa Zip: 18414
Applicant Phone #: (570) 840-6364 Applicant e-mail: djbotch@comcast.net

Owner Information

Owner Name: David and Deborah Botscheller
Owner Address: 350 West Main Street
City Dalton State Pa Zip: 18414 Purchase Date: 9/12/25
Owner Phone #: (570) 840-6364 Owner e-mail: djbotch@comcast.net

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: 3/27/26



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.

Our house was constructed approx 10 ft. 7 in. from the rear property line due to the placement of the house by the developer. Most of the other houses in the development are built having a much larger distance to their rear property line. This short distance (less the 5 ft. setback) makes it impossible to build a useful deck to create an adequate outdoor living space similar to other houses in the development.

2. Cannot otherwise be developed:

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

Due to the odd configuration of the lot and location of the home as originally constructed, complying with the 5 foot setback would significantly limit the reasonable use of the small rear yard for a standard deck and outdoor living space. The variance request allows for a functional deck area while maintaining the overall intent of the zoning ordinance and keeping with the community appearance.

3. Not created by the applicant:

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

We purchased the home after it was constructed and all conditions concerning the small rear setback were created by the builder / developer.

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.

Concerning the proposed deck, the Middle Creek Home Owners Architectural Review Board has reviewed and approved the deck plans being constructed (as shown in this variance application). Their review has determined that the construction of the proposed deck does conform to the appearance of the community and will not adversely affect any neighboring property homeowners.

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 4.4 ft relief will enable the minimum required to construct a deck that is reasonable in size and functional.

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) *#500.00* *check #745 Enclosed*
- 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

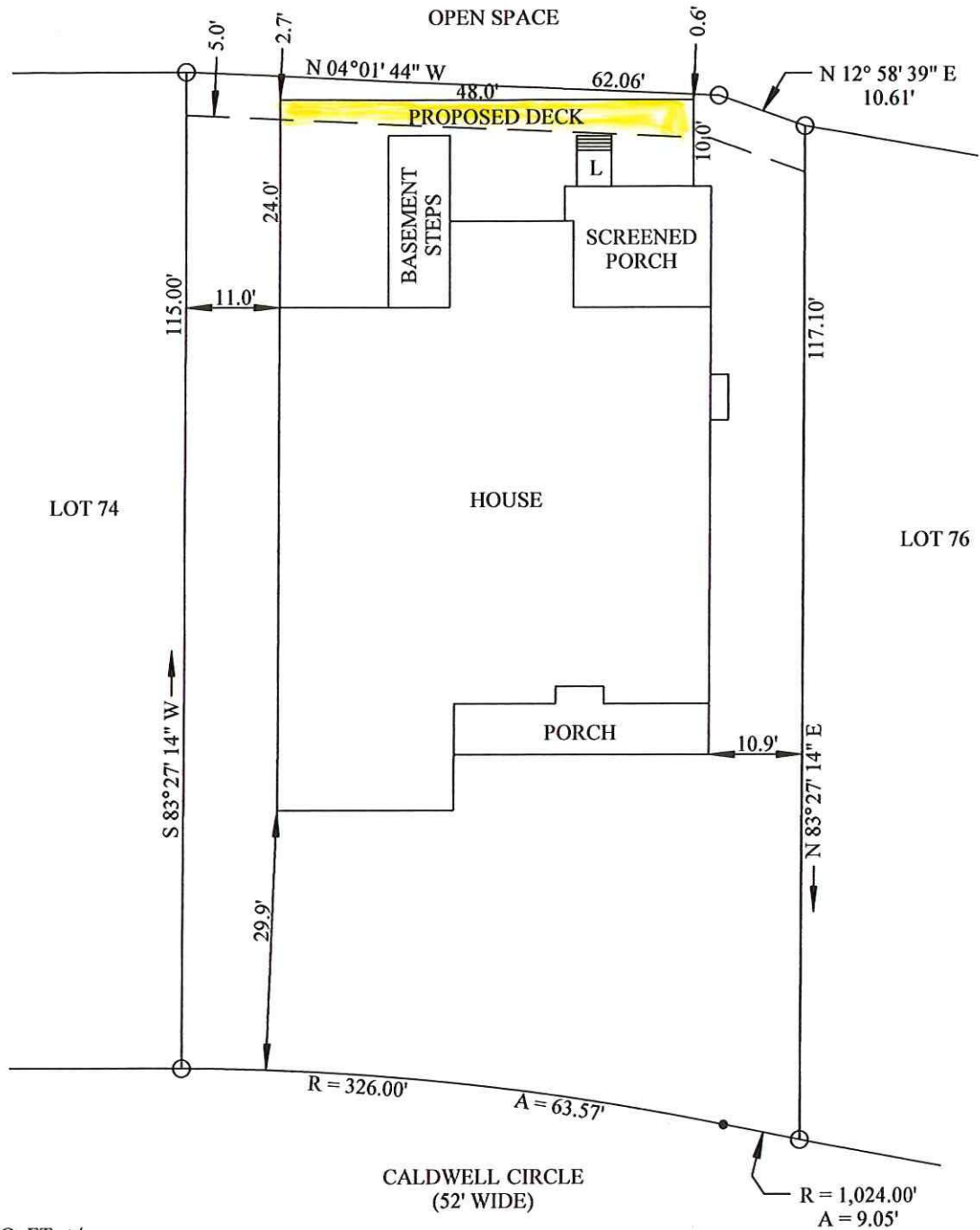


Date: 3-27-26

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: _____



AREA = 8,360 SQ. FT. +/-

ADDRESS: 24354 CALDWELL CIRCLE

TAX PARCEL #: 234-11.00-1076.00

OWNERS: DAVID J. AND DEBORAH A. BOTSCHELLER

I CERTIFY THAT THIS SURVEY WAS PREPARED FOR IDENTIFICATION PURPOSES ONLY FOR THE INDIVIDUALS NOTED ABOVE. NO RESPONSIBILITY IS ASSUMED BY THE ENGINEER TO ANY FUTURE LAND OWNERS. I CERTIFY THAT THE IMPROVEMENTS INDICATED HEREON ARE LOCATED AS SHOWN.

Richard K. Vetter
 RICHARD K. VETTER, P.E. #10329

SURVEY BASED ON PHYSICAL EVIDENCE LOCATED IN THE FIELD AND A PLOT OF "MIDDLE CREEK PRESERVE", AS RECORDED IN PLOT BOOK 381, PAGE 79.

LEGEND

- FOUND IRON PIN
- L LANDING
- DECK SETBACK

SURVEY PLAN
LOT 75 MIDDLE CREEK PRESERVE
INDIAN RIVER HUNDRED SUSSEX COUNTY, DELAWARE
RICHARD K. VETTER, P.E. 307 BAYBERRY DRIVE LEWES, DE 19958
SCALE: 1" = 20'
MARCH 15, 2026



Creekside Plaza
32566 Doc's Place
Suite 5
Millville, DE 19967
302.539.3600

Nassau Commons
17563 Nassau Commons Blvd
Suite 3
Lewes, DE 19958
302.645.2222

January 23, 2026

David Botscheller
24354 Caldwell Circle.
Lewes, DE 19958

RE: #79081813

Dear Middle Creek Preserve Homeowner,

Thank you for your submission to the Middle Creek Preserve Homeowners Association Architectural Review Board. On behalf of the Board and your fellow owners, we thank you for your cooperation and adherence to the Association By-Laws and Declaration of Covenants.

The Middle Creek Preserve ARB has **APPROVED** * your plans as submitted for:

- **Deck.**

*Homeowner accepts financial responsibility for repair and replacement costs associated with the fence if the fence should have to be taken down should such become necessary for the maintenance of common areas and/or any utilities that may be in or affected by the easement area in question.

The plans demonstrate that the project's specifications meet the requirements set forth in the community Covenants. Any change to your plans requires a resubmission to the committee for review.

This approval completes the review of the Middle Creek Preserve ARB. Other requirements you may be subject to include county, state and federal, local regulations and permits. The HOA approval does not guarantee your construction meeting any other regulation or permit requirement. ***Owner must obtain any required County permits before beginning work.**

Attached is an ARB Approval Certificate. Please display this certificate prominently in your front window as you would a building permit. This will let everyone know that your project has been reviewed and approved by the ARB.

SeaScape
Property Management

Please keep this letter for your records as proof of approval. We wish you the best of luck with your project, if you have any questions, please do not hesitate to contact our office.

Steve Medoff, Property Manager
Middle Creek Preserve HOA
smedoff@seascapepm.com

Middle Creek Preserve

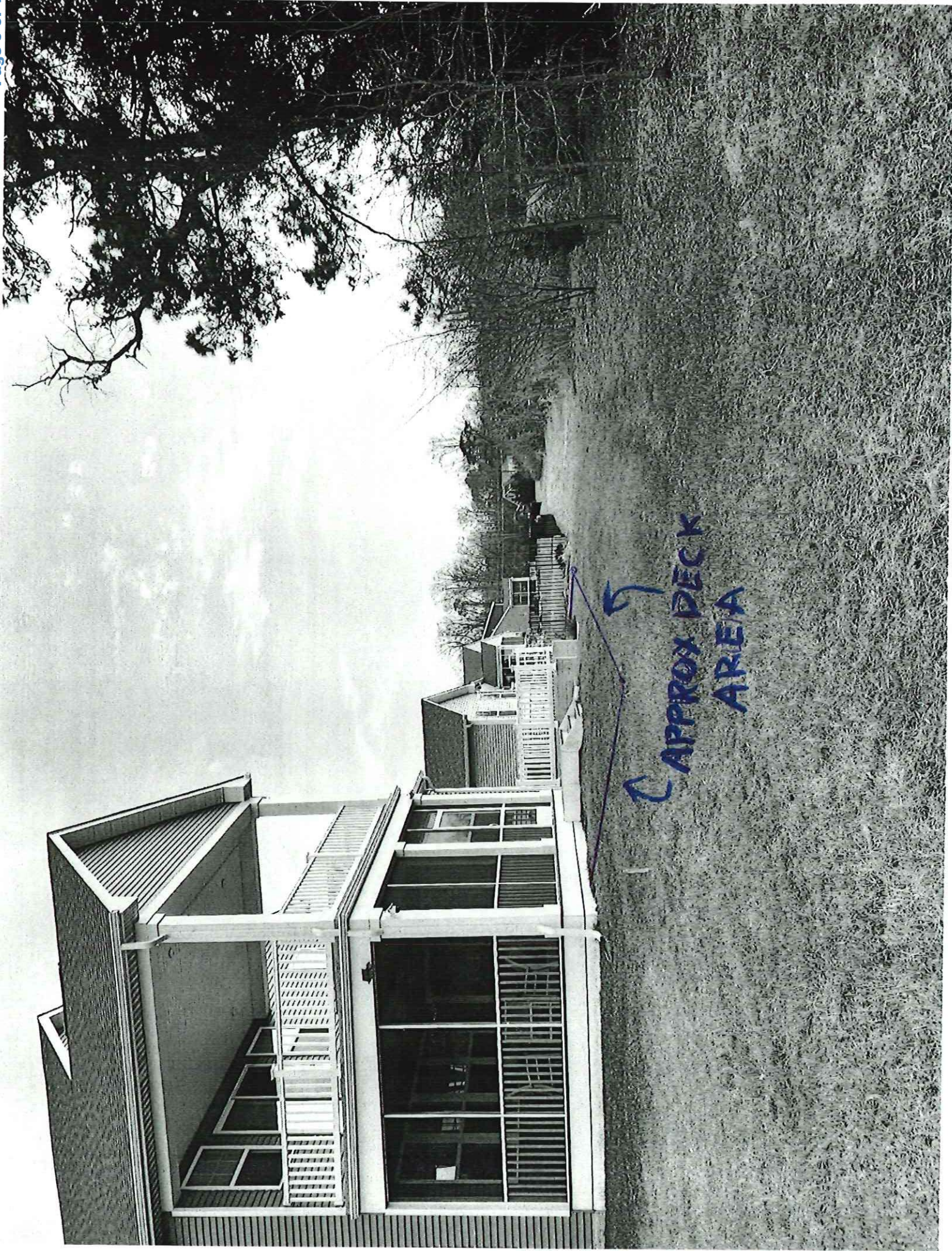
ARB Approval Certificate

Date Issued: January 23, 2026

Approved By: Middle Creek Preserve

Address: 24354 Caldwell Circle

Modifications: **Deck.**



APPROX DECK
AREA

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

03/30/2026 11:49AM Megan D.
Receipt number: 33031221-0037 001294633

PERMITS / INSPECTIONS
2026 202603779|2020 \$500.00

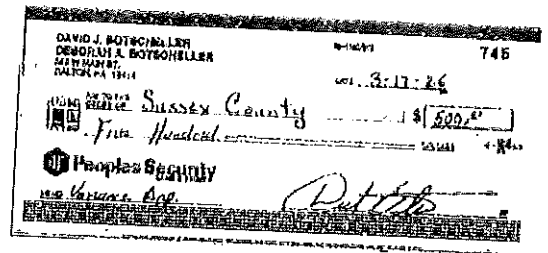
\$500.00

Subtotal \$500.00
Total \$500.00

Tenders
CHECK \$500.00
Check Number 00745

Change due \$0.00

Paid by: david botscheller



Thank you for your payment.

CUSTOMER COPY

Layers Search Basemaps Select Area Eagleview Print

Search Results Search Results

Selected Features: [Parcels (1)]

Zoom

1) 234-11.00-1076.00

BOOK	6371
PAGE	108
FULLNAME	BOTSCHELLER DAVID J SR
Second_Owner_Name	DEBORAH A BOTSCHELLER
MAILINGADDRESS	350 WEST MAIN ST
CITY	DALTON
STATE	PA
a_account	22-02-1076
DESCRIPTION	MIDDLE CREEK PRESERVE
DESCRIPTION2	LOT 75
DESCRIPTION3	
LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	670400
APRLAND	121200
PINWASSEMNTUNIT	234-11.00-1076.00
PIN	234-11.00-1076.00

Selected Features (1)
Clear Selected

Map showing parcel boundaries with various parcel numbers. Parcel 24351 is highlighted in yellow. Streets shown include Caldwell Cir, Seville Ave, and Kirkwood Dr. A scale bar at the bottom indicates 0, 30, and 60 feet.

Layers Search Basemaps Select Area Eagleview Print

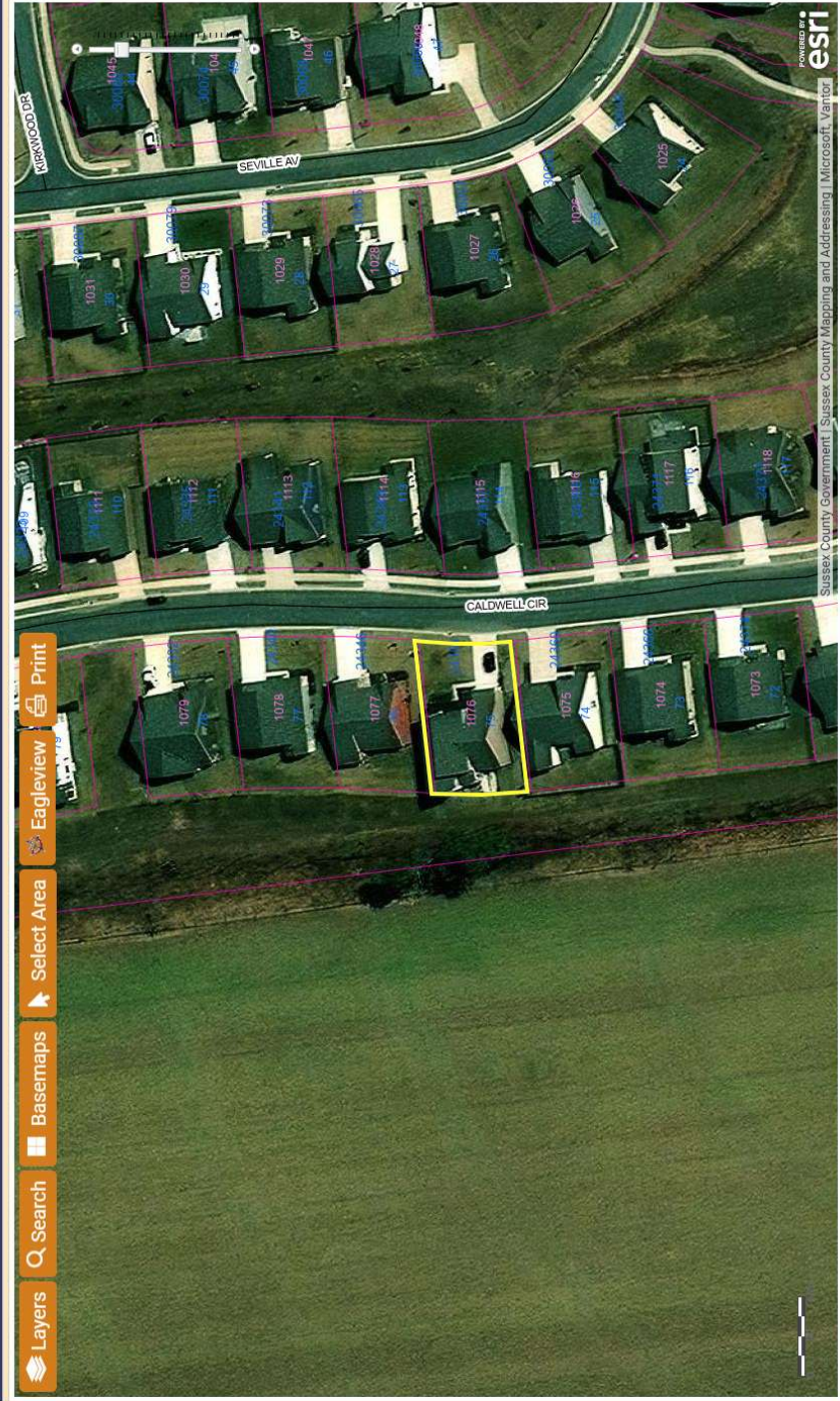
Eagleview Search Results

Selected Features: Parcels (1)

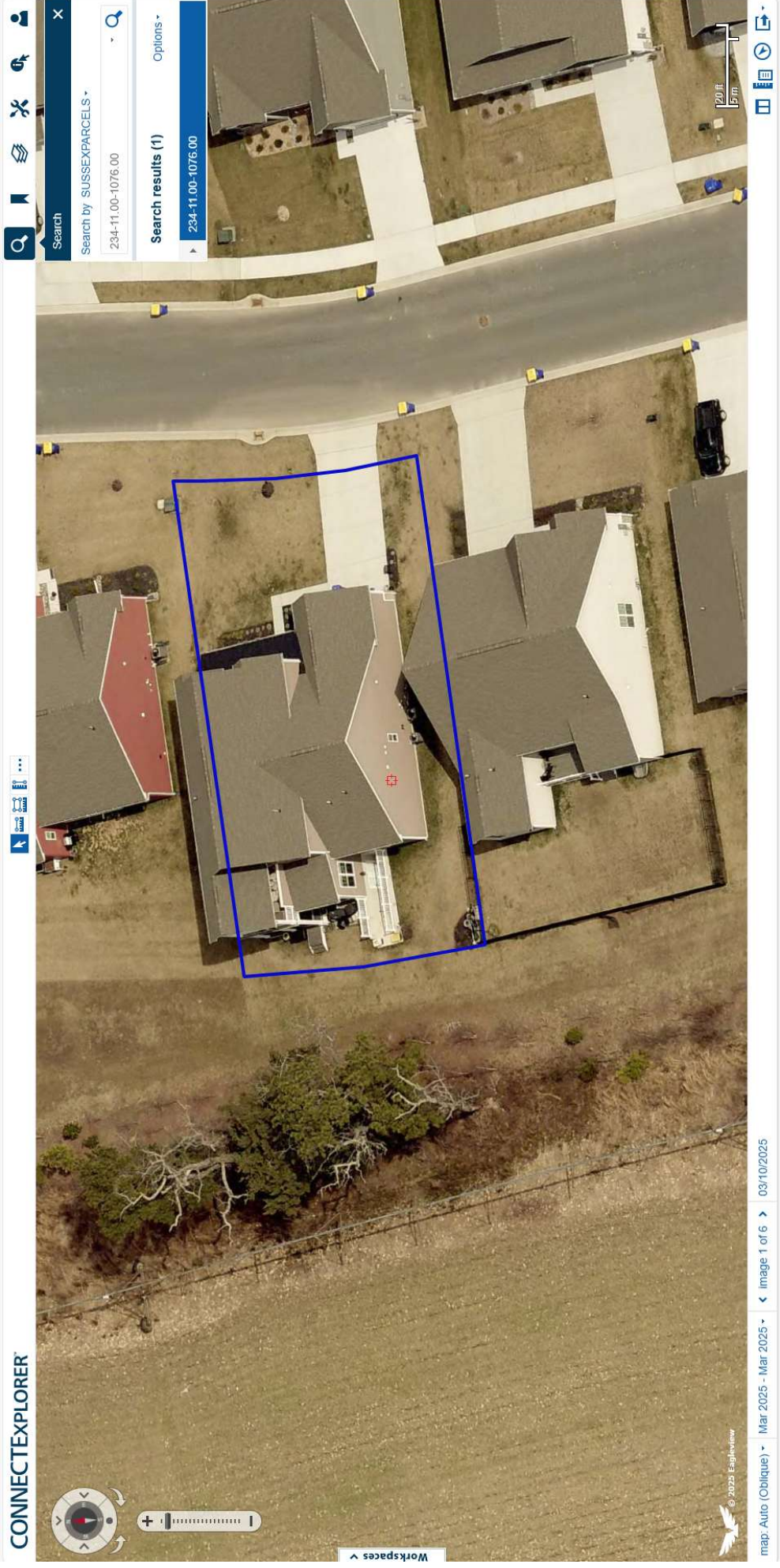
▼ 1) 234-11.00-1076.00 Zoom

BOOK	6371
PAGE	108
FULLNAME	BOTSCHELLER DAVID J SR
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DESCRIPTION2	LOT 75
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MUNI	00
CAP	0
APRBLDG	670400
APRLAND	121200
PINWASSEMUNTUNIT	234-11.00-1076.00
PIN	234-11.00-1076.00

Selected Features (1)
Clear Selected



Sussex County Government | Sussex County Mapping and Addressing | Microsoft, Vantor



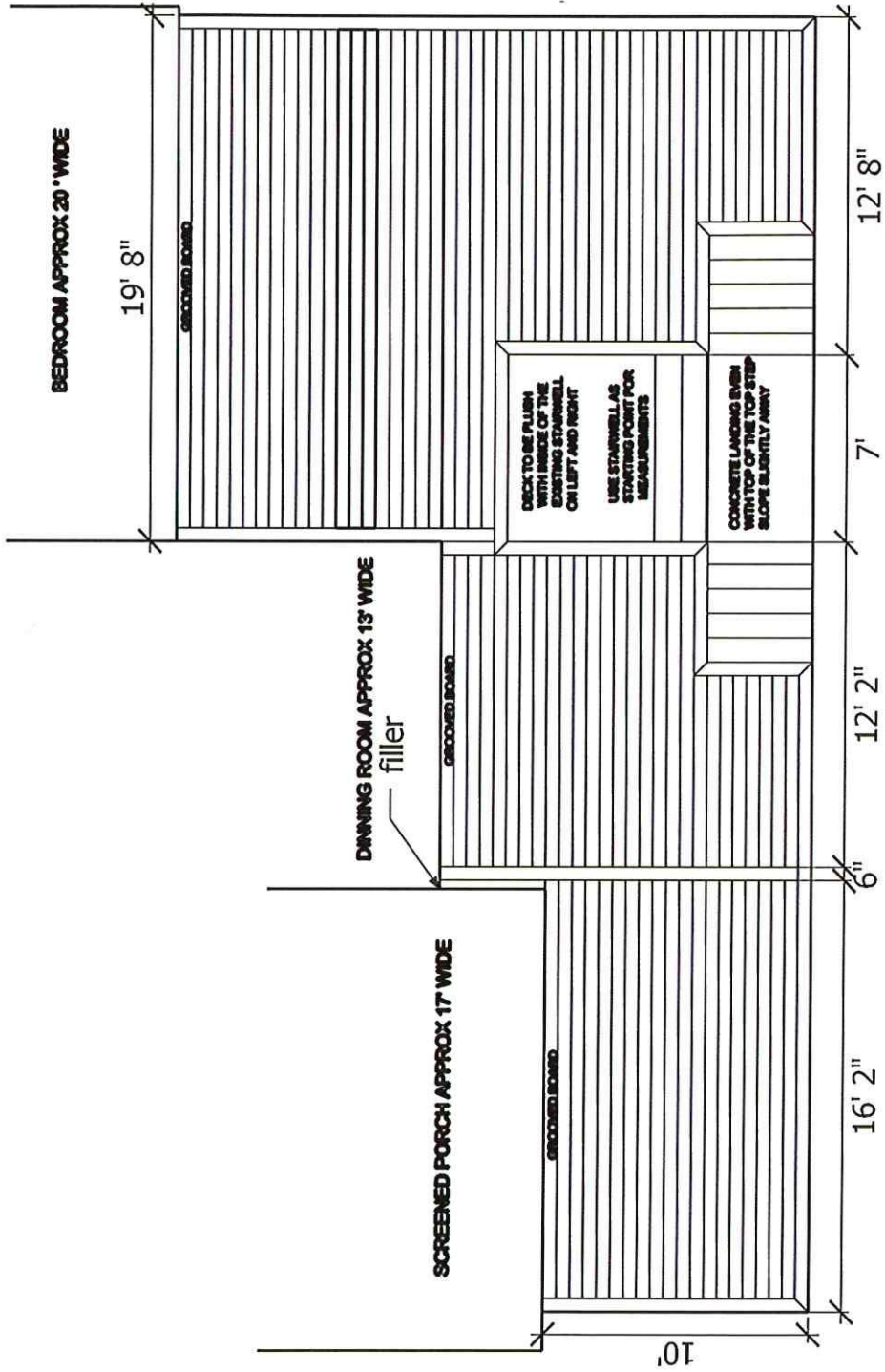
RECEIVED

APR 24 2026

SUSSEX COUNTY
PLANNING & ZONING

OnBase

Applicant
Exhibit



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 # 13195
Hearing Date 05-18-2026
202604259

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:

~~12675 Whitesville Rd~~ 12675 Whitesville Rd Laurel Delaware

Variance/Special Use Exception/Appeal Requested:

^{85.4'}
A Variance for an ADU with a floor area greater than 1,000sq ft or 50% of the floor area of the single family dwelling

Primary Dwelling Sq. Ft = 1707 ADU Sq. Ft = 896.2

Tax Map #: 532-7.00-27.15 Property Zoning: ARI

Applicant Information

Applicant Name: Angelo Perri
Applicant Address: 12675 Whitesville Rd
City Laurel State De Zip: 19956
Applicant Phone #: 3022712175 Applicant e-mail: AngeloPerri@mail.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: _____
Agent/Attorney Address: _____
City _____ State _____ Zip: _____
Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

Angelo Perri

Date: 11-10-25



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.

WAS A medical hardship since around 1996. Mother died
Now want to keep single wide on property. Everything
else is the same

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.

Necessary to convert medical hardship to
Permit for accessory dwelling permit to keep home.

3. Not created by the applicant:

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

Med Hardship ceased when mom passed.
Necessary to keep home where it is

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

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

it will not alter. it has been this way since 1996

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.

I Agree to that

Accessory Dwelling Unit Approval Application

Case # ADU-25-50

Sussex County, Delaware

Hearing Date _____
(where applicable)

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

202515097

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: 12675 Whitesville Road, Laurel De. 19956

Description of Request: Retain current mobile home on Property.

CLASSIFY AS ACCESSORY DWELLING

Tax Map #: 532-700-27.15

Property Zoning: AR1

Applicant Information

Applicant Name: Angelo Perri

Applicant Address: 12675 Whitesville Rd

City: Laurel State De Zip: 19956

Applicant Phone #: 3022712125 Applicant e-mail: AngeloPerri@mail.com

Owner Information

Owner Name: Angelo Perri

Owner Address: 12675 Whitesville Rd

City: Laurel State De Zip: 19956 Purchase Date: 1994

Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Details

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City: _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

Angelo Perri

Date: 11-10-25



Criteria for Accessory Dwelling Units

The following shall be answered for Code Compliance

1. Total lot area of property:

5.01 Acres

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

64.2 x 26.6 1,707.

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

65.9 x 13.6 896.2

5. Is the property located within a subdivision? Yes No

If so, have you obtained approval from the Homeowners Associaton? 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:

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

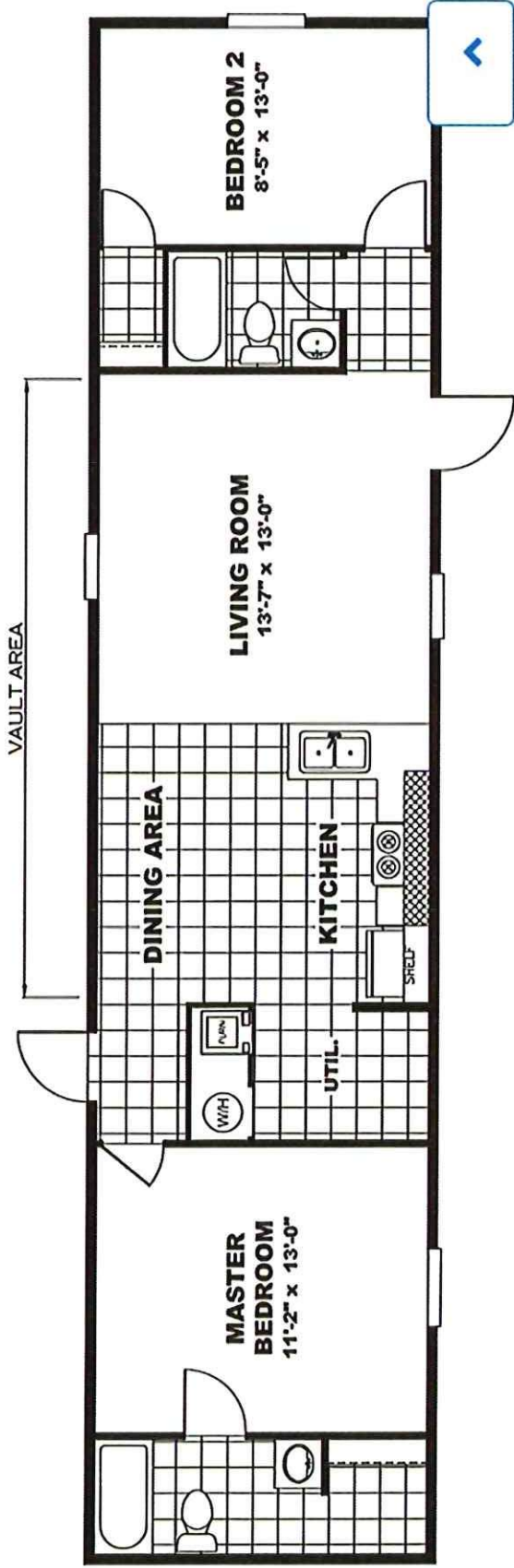
Angel Queiro Date: 11-10-25

For office use only:
 Date Submitted: _____ Fee: \$500.00 Check #: _____
 Staff accepting application: _____ Application & Case #: _____
 Location of property: _____
 Subdivision: _____ Lot#: _____ Block#: _____
 Date of Hearing: _____ Decision of Board: _____

8:01 [📄]

77

5G+



74

T.M. #532-7.00-27.15

5.01 ACRES
DB 1774-306



LANDS N/F
MICHAEL JOHN & SUSAN MARIE BARRY
DB 4460-253

LANDS N/F
DEBORAH M. NAUMAN
DB 4740-217

936.98'

N 21°01'11" E

213.81'

233.00'

S 21°01'11" W

213.08'

940.08'

388± TO GORDY RD.

N 70°32'45" W

P.O.B.

WHITESVILLE ROAD (60' RW) DE RT. #30

- IRON PIPE (FOUND)
- ▲ IRON ROD (FOUND)

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.

LOCATION SURVEY FOR

ANGELO PERRI

12675 & 12677 WHITESVILLE ROAD, LAUREL, DE 19956
LITTLE CREEK HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

SCALE 1" = 50' OCTOBER 16, 2025

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.

DONALD K. MILLER, PLS 407 DATE

SURVEY CLASS: SUBURBAN

PREPARED BY:

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

MILLER LEWIS, INC.

LAND SURVEYING

1560 MIDDLEFORD RD.

SEAFORD, DE. 19973

PARID 532-7.00-27.15-42961

DOSTELLIO GLORIA J & ANGELO PERRI

Residential

Card	1
Class	-
Style	27-MOBILE HOME - SNG WIDE
Year Built	1991
Effective Year Built	
Occupancy	1
Stories	1.00
Living Area	910
Total Rooms	4
Total Bedrooms	2
Basement	1-POST & PIERS
Heat system	4-ELECTRIC BASEBOARD
Heat A/C	5-CENTRAL AIR CONDITIONING
Exterior Wall	10-10
Width	
Depth/Length	
Color	
Description	
MH Permit #	
MH Serial #	

Additions

Card	Addition Number	Area
1	0	910
1	1	144

Addition Details

1 of 2

Card	1
Addition Number	0
Lower	-
First	-
Second	-
Third	-
Area	910

PARID 532-7.00-27.15
PERRI ESTHER A

12677 WHITESVILLE RD

Residential

Card	1
Class	-
Style	30-MANUFACTURED - DBL WIDE
Year Built	1991
Effective Year Built	
Occupancy	1
Stories	1.00
Living Area	1,728
Total Rooms	6
Total Bedrooms	3
Basement	3-CRAWL
Heat system	6-HEAT PUMP
Heat A/C	5-CENTRAL AIR CONDITIONING
Exterior Wall	06-ALUM/VINYL
Width	14
Depth/Length	70
Color	HICKORY
Description	OAKWOOD
MH Permit #	26780
MH Serial #	257348

Additions

Card	Addition Number	Area
1	0	1,728
1	1	360

Addition Details

1 of 2

Card	1
Addition Number	0
Lower	-
First	-
Second	-
Third	-
Area	1,728

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

04/07/2026 01:32PM Megan D.
Receipt number: 33031259-0099 001297382

PERMITS / INSPECTIONS
2025 202515097|Z065 \$500.00

\$500.00

Subtotal \$500.00

Total \$500.00

Tenders
CASH \$500.00

Change due \$0.00

Paid by: angelo perri

Thank you for your payment.

CUSTOMER COPY

Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

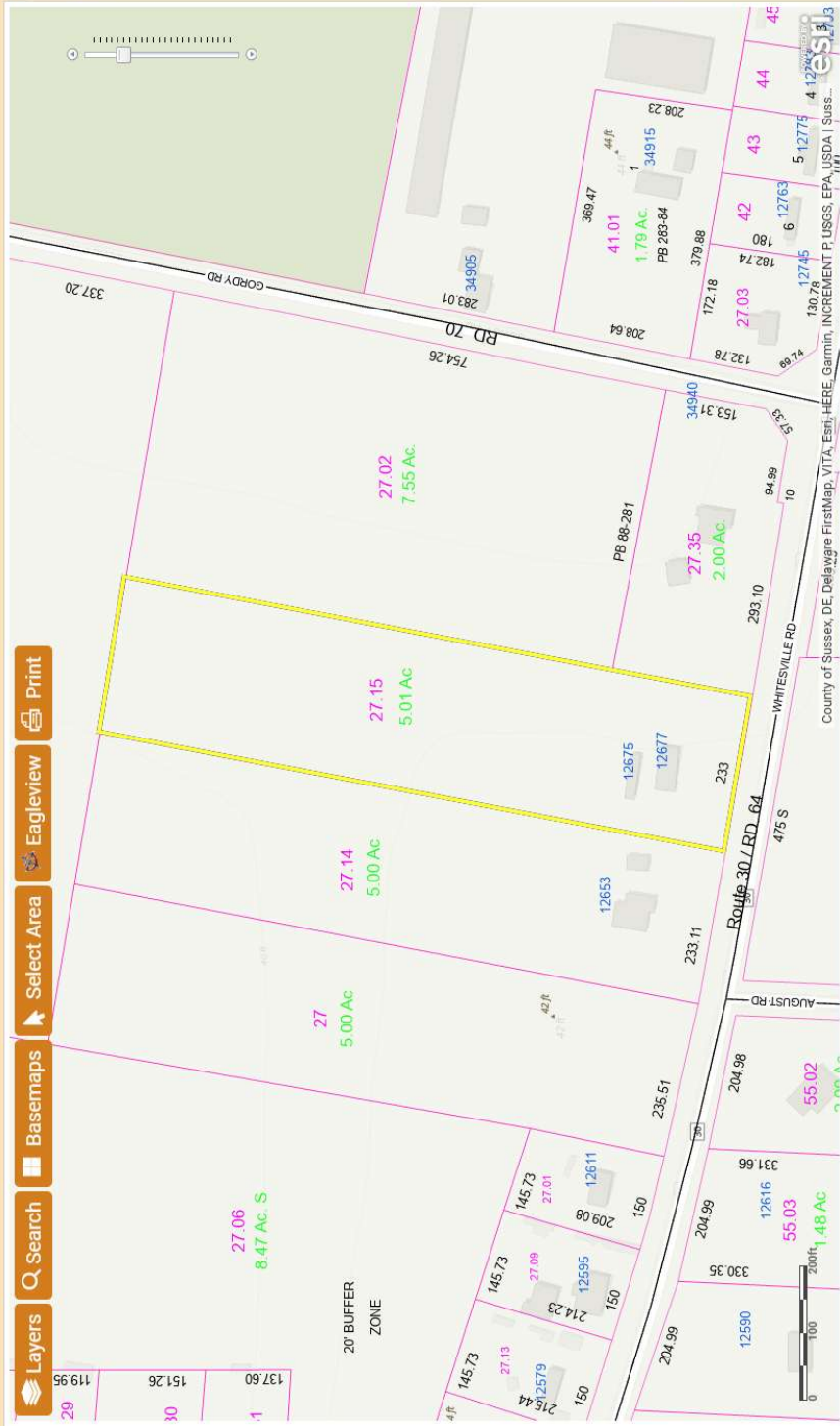
Selected Features: Parcels (2)

1) 532-7.00-27.15 Zoom

BOOK	0
PAGE	0
FULLNAME	PERRI ESTHER A
Second_Owner_Name	
MAILINGADDRESS	12677 WHITESVILLE RD
CITY	LAUREL
STATE	DE
a_account	
DESCRIPTION	N/SIDE RT 64
DESCRIPTION2	400' WEST RT 70
DESCRIPTION3	T#42003
LUC	103
SCHOOL	7
MUNI	00
CAP	3
APRBLDG	158400
APRLAND	108300
PIN/VASSEMENT/UNIT	532-7.00-27.15
	2) 532-7.00-27.15-42961 Zoom

Selected Features (2)

Clear Selected



Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

Selected Features: Parcels (2)

1) 532-7.00-27.15 Zoom

BOOK	0
PAGE	0
FULLNAME	PERRI ESTHER A
Second_Owner_Name	
MAILINGADDRESS	12677 WHITESVILLE RD
CITY	LAUREL
STATE	DE
a_account	
DESCRIPTION	N/SIDE RT 64
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DESCRIPTION3	T#42003
LUC	103
SCHOOL	7
MUNI	00
CAP	3
APRBLDG	158400
APRLAND	108300
PINWASSEMNTUNIT	532-7.00-27.15
2) 532-7.00-27.15-42961	

Selected Features (2)

Clear Selected

Zoom



Sussex County Government | Sussex County Mapping and Addressing | VGIN, Microsoft, Vantor

CONNECTEXPLORER™



Search

Search by SUSSEXPARCELS

532-7-00-27-15

Search results (1)

Options

532-7-00-27-15



map: Auto (Oblique) | Mar 2025 - Mar 2025 | Mar 2025 - Mar 2025

Image 1 of 10

03/11/2025



202604410

Case # 13196
Hearing Date 05-18-2026

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

RECEIVED

APR 10 2026

SUSSEX COUNTY
PLANNING & ZONING

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:

36944 Country Club Road, Rehoboth Beach, DE 19971

Variance/Special Use Exception/Appeal Requested:

Requesting to install an approximately 1,475 square foot relocatable building to be used as a day nursery / child-care center.

Tax Map #: 334-19.00-163.00

Property Zoning: C-1

Applicant Information

Applicant Name: Same as Owner

Applicant Address: _____

City _____ State _____ Zip: _____

Applicant Phone #: _____ Applicant e-mail: _____

Owner Information

Owner Name: CANAL CORKRAN LLC

Owner Address: P.O. Box 605

City Rehoboth Beach State DE Zip: 19971 Purchase Date: _____

Owner Phone #: (302) 227-3883 Owner e-mail: billingo@jacklingoc.om

Agent/Attorney Information

Agent/Attorney Name: AGENT: Davis, Bowen & Friedel, Inc.

Agent/Attorney Address: 1 Park Avenue

City Milford State DE Zip: 19963

Agent/Attorney Phone #: (302) 424-1441 Agent/Attorney e-mail: rwl@dbfinc.com

Signature of Owner/Agent/Attorney

Bill W. Lingo

Date: 4/8/26



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.

The parcel of land is zoned commercial and currently used as the Jungle Jim's water park. The nearest uses are a tennis court and swimming pool or a multi-family structure. The day nursery / child care center does not adversely affect the uses of the adjacent and neighboring properties.

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)

The code does not have any specific requirements for this type of use.

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

Qs W. Lher

Date: 4/8/26

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: _____



**DAVIS
BOWEN &
FRIEDEL, INC.**

ARCHITECTS • ENGINEERS • PLANNERS • SURVEYORS

1 Park Avenue; Milford, DE 19963 | 302.424.1441

Letter of Transmittal

TO: Sussex County Planning and Zoning
2 The Circle
Georgetown, DE 19947

DATE: April 8, 2026
JOB NO. 2261F003.B01
ATTENTION: Lauren Cecchine
RE: Jungle Jim's Special Use Exception

WE ARE SENDING YOU: Attached Under separate cover via _____ the following items:

- Shop drawings
 Prints
 Plans
 Samples
 Specifications
 Copy of letter
 Change order

COPIES	DATE	NO.	DESCRIPTION
1		1	Set of Site Plans
1		1	Cover Letter
1		1	Copy of BOA Application
1		1	Transmittal

RECEIVED
 APR 10 2026
 SUSSEX COUNTY
 PLANNING & ZONING

THESE ARE TRANSMITTED as checked below:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input type="checkbox"/> Resubmit _____ copies for approval |
| <input type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit _____ copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Make corrections noted | <input type="checkbox"/> Return _____ corrected prints |
| <input type="checkbox"/> For review and comment | <input type="checkbox"/> _____ | |
| <input type="checkbox"/> FOR BIDS DUE _____ | | <input type="checkbox"/> PRINTS RETURNED AFTER LOAN TO US |

REMARKS _____

If you should have any questions, please call me at 302-424-1441 Ext. 272 or email me at cmb@dbfinc.com.

Thank you,

COPY TO: _____

SIGNED: _____
 PRINT: Constance Brisbon
 TITLE: Administrative Assistant



ARCHITECTS • ENGINEERS • PLANNERS • SURVEYORS

April 6, 2026

Ring W. Lardner, P.E.
 W. Zachary Crouch, P.E.
 Michael E. Wheedleton, AIA, LEED GA
 Jason P. Loar, P.E.
 Jamie L. Sechter, P.E.

Sussex County Planning and Zoning
 2 The Circle
 Georgetown, DE 19947

Attn: Mrs. Lauren Cecchine, AICP
 Planning and Zoning Manager

Re: Jungle Jim's Special Use Exception
 Relocatable Classroom – Day Nursery / Child Care Center
 Tax Parcel: 3-34-19.00-163.00
 DBF Project Number: 2261F003.B01

Dear Mrs. Cecchine:

On behalf of our client, Canal Corkran, LLC, we are pleased to submit a special use exception request to allow an approximately 1,475 square foot relocatable building to be used as a day nursery / child care center. Enclosed with this submission are the following:

- Board of Adjustment Application: Special Use Exception
- Site Plan for the Special Use Request
- Written Response for Special Use
- Review Fee, \$500.00 (Check No. 4677)

Please contact me at (302) 424-1441 or via e-mail if you have any questions regarding this submission.

Sincerely,
 DAVIS, BOWEN AND FRIEDEL, INC.

Ring W. Lardner, P.E.
 Principal

Enclosures

RWL/rwl

P:\JG Townsend\Jungle Jims\Relocatable Classroom\DOCS\SCBOA\Initial Submission\Jungle Jims Special Use Exception Cover Letter.docx

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

04/13/2026 08:56AM Megan D.
Receipt number: 33031279-0010 001298956

PERMITS / INSPECTIONS
2026 202604410|2020 \$500.00

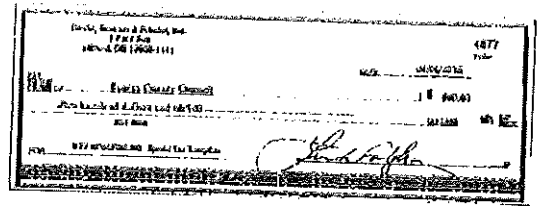
\$500.00

Subtotal \$500.00
Total \$500.00

Tenders
CHECK \$500.00
Check Number 004677

Change due \$0.00

Paid by: DAVIS BOWEN FRIEDEL

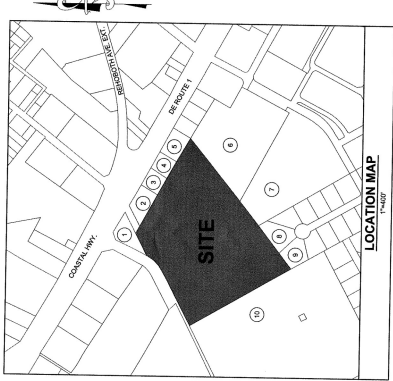


Thank you for your payment.

CUSTOMER COPY

JUNGLE JIM'S RELOCATABLE CLASSROOM REHOBOTH BEACH LEWES & REHOBOTH HUNDRED, REHOBOTH BEACH, DE DBF # 2261F003 APRIL 2026 COUNTY AGREEMENT # CONSTRUCTION PLANS

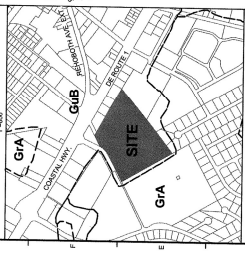
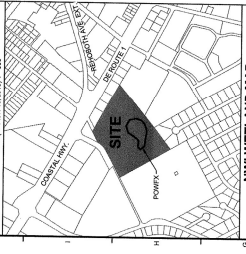
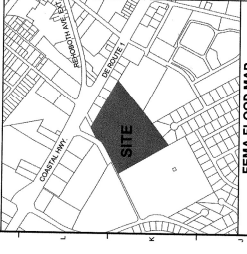
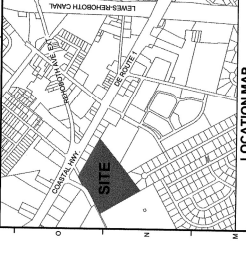
INDEX OF SHEETS	
C-01	TITLE SHEET
C-02	EXISTING CONDITIONS
C-03	SITE PLAN



PARCEL	OWNER	DEED	ZONING
1	334-11-00-183.00	334-11-00-183.00	C-1
2	334-11-00-183.00	334-11-00-183.00	C-1
3	334-11-00-183.00	334-11-00-183.00	C-1
4	334-11-00-183.00	334-11-00-183.00	C-1
5	334-11-00-183.00	334-11-00-183.00	C-1
6	334-11-00-183.00	334-11-00-183.00	C-1
7	334-11-00-183.00	334-11-00-183.00	C-1
8	334-11-00-183.00	334-11-00-183.00	C-1
9	334-11-00-183.00	334-11-00-183.00	C-1
10	334-11-00-183.00	334-11-00-183.00	C-1

DATA COLUMN

- TAX MAP ID: 334-11-00-183.00
- APPROXIMATE PROJECT CENTER: 334-11-00-183.00
- OWNER: JUNGLE JIM'S RELOCATABLE CLASSROOM LLC, 1000 W. BROADWAY, SUITE 100, REHOBOTH BEACH, DE 19970
- DESIGNER: DAVIS BOWEN & FRIEDEL, INC., 1000 W. BROADWAY, SUITE 100, REHOBOTH BEACH, DE 19970
- DATE: APRIL 2026
- PROJECT: RELOCATABLE CLASSROOM
- LAND USE: RELOCATABLE CLASSROOM
- BUILDING CONSTRUCTION: RELOCATABLE CLASSROOM
- UTILITY PROVIDERS: WATER, SEWER, GAS, ELECTRIC
- FLOODPLAIN: THE PROPERTY IS NOT IMPACTED BY THE 100 YEAR FLOODPLAIN AS DETERMINED BY FEMA PANEL 100000000K, DATED MARCH 18, 2015
- WETLANDS: THE PROPERTY IS NOT LOCATED IN AN AREA OF EXCELLENT GROUNDWATER RECHARGE
- WETLANDS PROTECTION AREA: ALL OF THE PROPERTY IS NOT LOCATED IN A WETLAND PROTECTION AREA
- WETLANDS: THE PROPERTY IS NOT IMPACTED BY STATE OR FEDERALLY REGULATED WETLANDS
- DEVELOPMENT: RELOCATABLE CLASSROOM
- DEVELOPMENT: RELOCATABLE CLASSROOM
- DEVELOPMENT: RELOCATABLE CLASSROOM
- DEVELOPMENT: RELOCATABLE CLASSROOM



LABEL	SOIL NAME	TYPE
G1A	GREENWICH LOAM 2-8% CLAYES	A
G1B	GREENWICH LOAM 2-8% CLAYES	B

ENGINEER'S STATEMENT
I, THE UNDERSIGNED, HEREBY STATE THAT I AM A REGISTERED ENGINEER IN THE STATE OF DELAWARE. I HAVE REVIEWED THE CONSTRUCTION PLANS AND I AM PROVIDING MY PROFESSIONAL OPINION AND SUPERVISION AND I AM BEING REPRESENTED AS SUCH BY THE STATE OF DELAWARE.

OWNER'S STATEMENT
I, THE UNDERSIGNED, CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREIN AND I HAVE REVIEWED THE CONSTRUCTION PLANS AND I AM PROVIDING MY PROFESSIONAL OPINION AND SUPERVISION AND I AM BEING REPRESENTED AS SUCH BY THE STATE OF DELAWARE.

DAVIS BOWEN & FRIEDEL, INC.
ARCHITECTS - ENGINEERS - SURVEYORS
1000 W. BROADWAY, SUITE 100
REHOBOTH BEACH, DE 19970
TEL: 302.221.1111 FAX: 302.221.1112

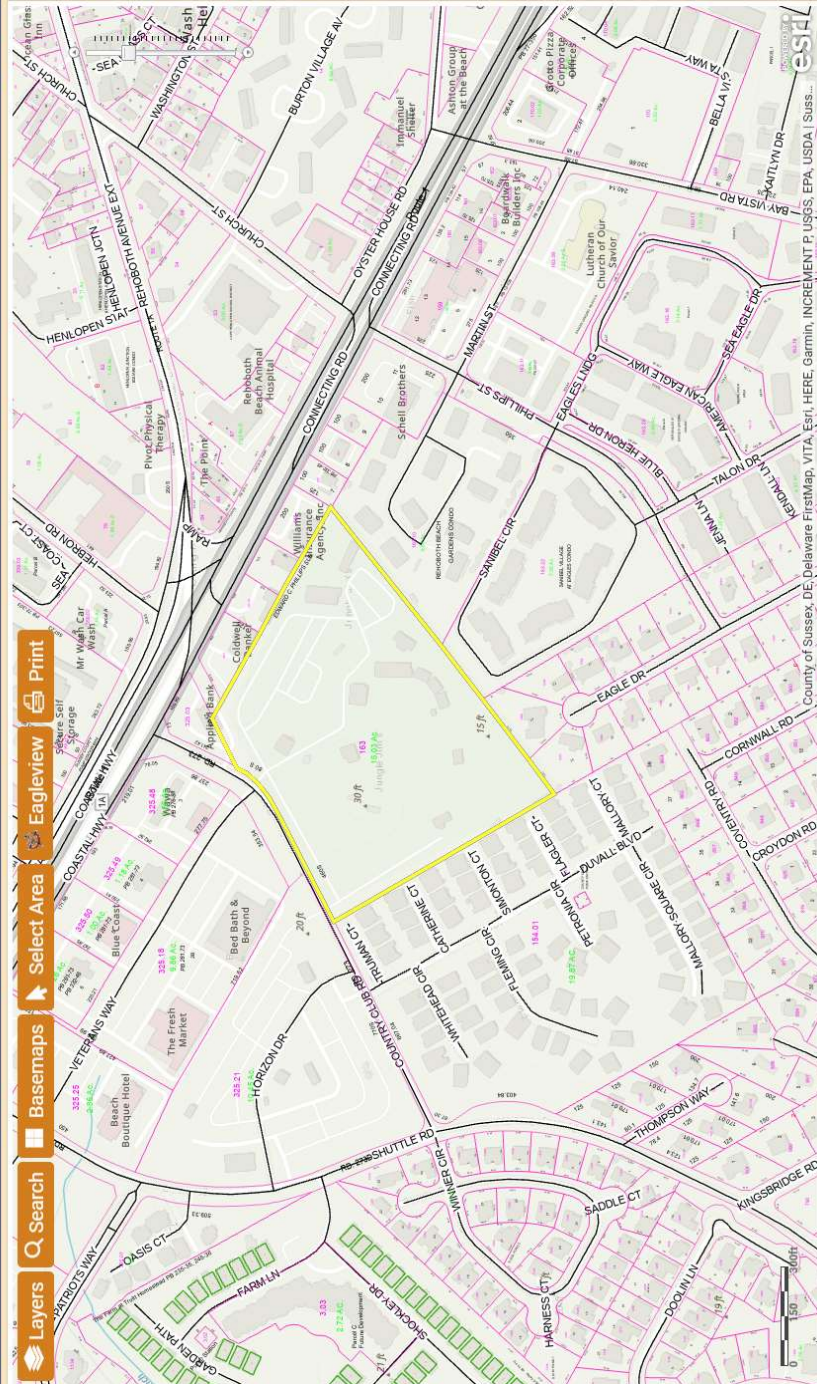
JUNGLE JIM'S RELOCATABLE CLASSROOM
LEWES & REHOBOTH HUNDRED, REHOBOTH BEACH, DE

DATE:	APRIL 2026
SCALE:	AS NOTED
DRAWN BY:	YOW
PROJECT NO.:	2261F003

APPROVED
SUSSEX COUNTY ENGINEER

C-001
TITLE SHEET

Layers Q Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (2)

Zoom

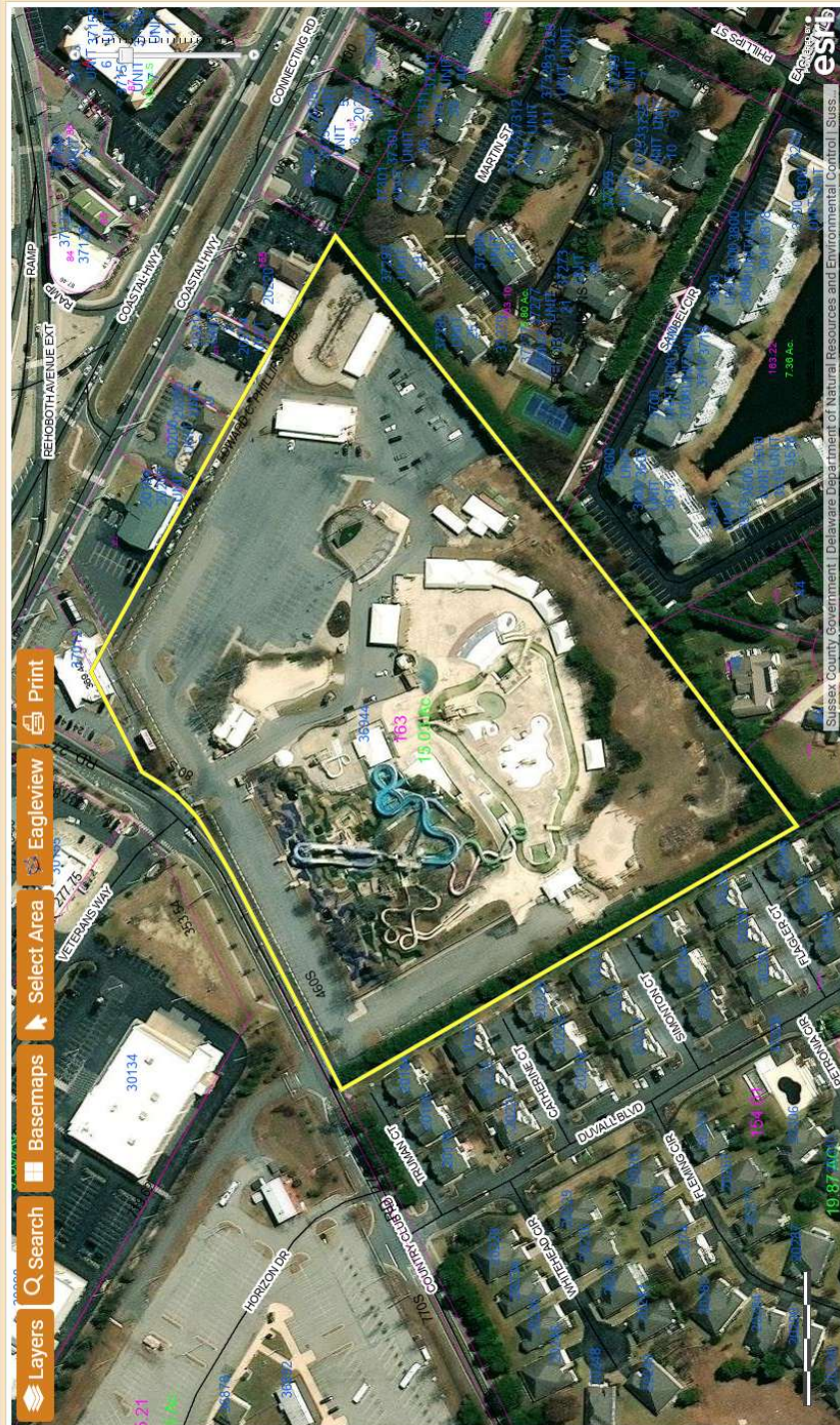
BOOK	2887
PAGE	306
FULLNAME	CANAL CORKRAN LLC
Second_Owner_Name	
MAILINGADDRESS	PO BOX 605
CITY	REHOBOTH BEACH
STATE	DE
a_account	10-20-163
DESCRIPTION	E/S RT 273 240' S/RT
DESCRIPTION2	1 LAND BILLED TO
DESCRIPTION3	SPORTS COMPLEX 8500
LUC	400
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	0
APRLAND	3.7505e+006
PINWASSEMNTUNIT	334-19.00-163.00
	2) 334-19.00-163.00-L

Zoom

Selected Features (2)

Clear Selected

Layers Q Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: [Parcels (2)] Zoom

1) 334-19.00-163.00 Zoom

BOOK	2887
PAGE	306
FULLNAME	CANAL CORKRAN LLC
Second_Owner_Name	
MAILINGADDRESS	PO BOX 605
CITY	REHOBOTH BEACH
STATE	DE
a_account	10-20-163
DESCRIPTION	E/S RT 273 240' S/RT
DESCRIPTION2	1 LAND BILLED TO
DESCRIPTION3	SPORTS COMPLEX 8500
LUC	400
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	0
APRLAND	3.7505e+006
PINWASSEMUNIT	334-19.00-163.00
	2) 334-19.00-163.00-L Zoom

Selected Features (2) Clear Selected

CONNECTEXPLORER

Search X

334-19-00-163.00

Search results (1) Options

334-19-00-163.00

map: Auto (Oblique) Mar 2025 - Mar 2025 Image 1 of 6 03/10/2025

© 2025 Esri

The image shows an aerial oblique view of a residential development. A large area in the center, containing a swimming pool, slides, and a playground, is outlined with a blue boundary. Surrounding this area are several multi-story apartment buildings, parking lots, and landscaped grounds. The interface includes a search bar at the top with the text 'Search by SUSSEXPARCELS' and a search result for '334-19-00-163.00'. Navigation and map controls are visible at the bottom.