

BOARD OF ADJUSTMENT

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



Sussex County

DELAWARE
sussexcountype.gov
(302) 855-7878

AGENDA

August 3, 2026

6:00 PM

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of the Minutes for June 1, 2026

Approval of the Findings of Fact for June 1, 2026

Old Business

Case No. 13206 – Gary Lee

seeks variances from the side yard and rear yard setback requirements for a proposed structure (Section 115-25 and 115-183 of the Sussex County Zoning Code). The property is located to the east side of Duane Drive. 911 Address: 31811 Duane Drive, Frankford. Zoning District: AR-1. Tax Map: 134-10.00-272.00.

Public Hearings

Case No. 13218 – Patrick Devenny

seeks a variance 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 southwest side of Vintage Circle and to the north side of Port Avenue. 911 Address: 26074 Vintage Circle, Milton. Zoning District: AR-1. Tax Map: 135-10.00-547.00.

Case No. 13219 – Richard Heck

seeks variances from the side yard setback requirement for an existing structure (Section 115-42 and 115-183 of the Sussex County Zoning Code). The property is located to the northwest side of W. Baltimore Court. 911 Address: 32457 W. Baltimore Court, Millsboro. Zoning District: GR. Tax Map: 234-29.00-596.00.

Additional Business

-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on July 27, 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.

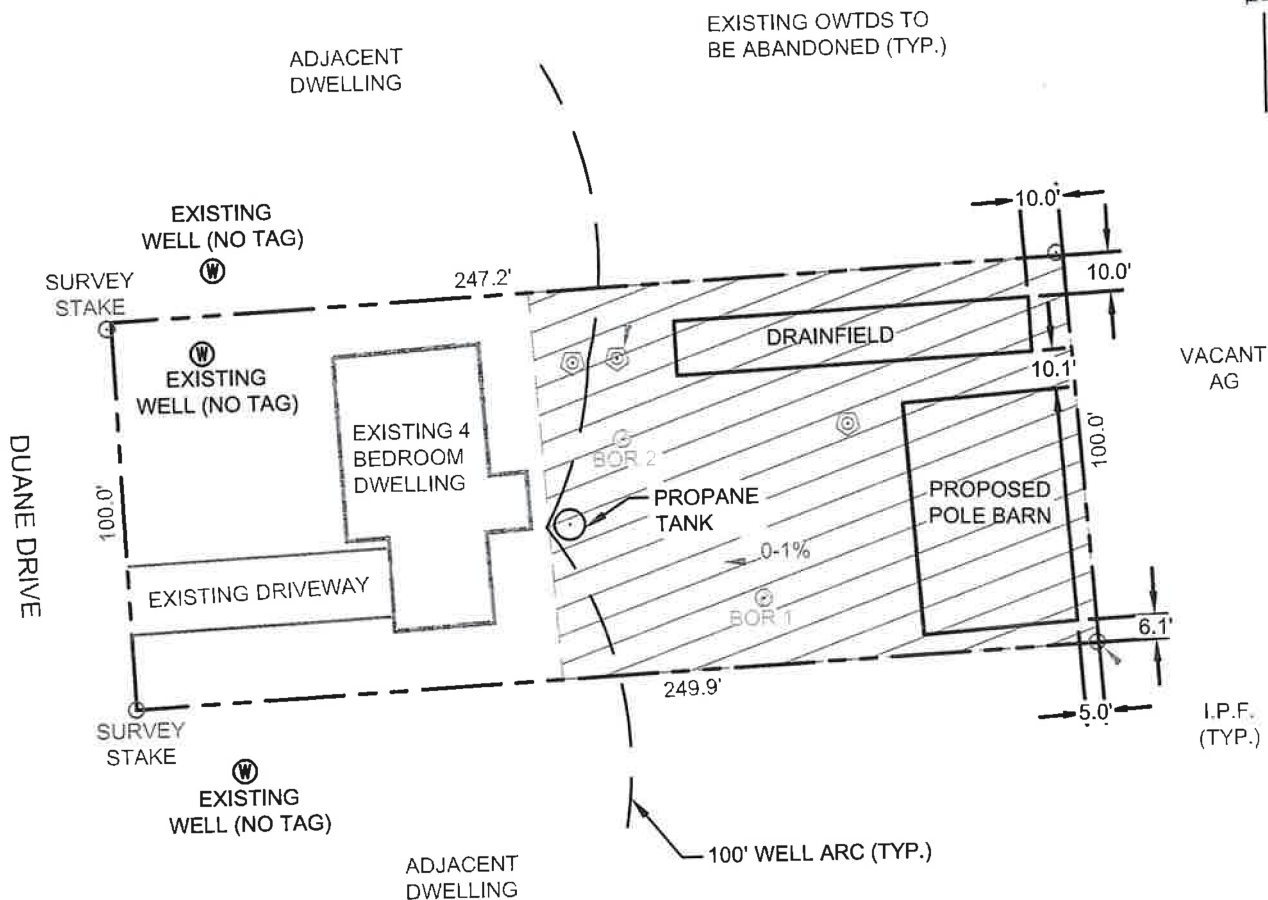
The meeting will be streamed live at <https://sussexcountyde.gov/council-chamber-broadcast>

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, July 30, 2026.

####



OWNER/AUTHORIZED AGENT SIGNATURE: _____

CONSTRUCTION PLAN

THE DRAINFIELD
WILL NOT FIT IF
SIDE SETBACK IS
STANDARD. THE REAR
SETBACK VARIANCE
IS NEEDED FOR
DRIVEWAY CLEARANCE
AWAY FROM PROpane TANK.

Preliminary

06/16/2026 3:39:55 PM

0' 25' 50'

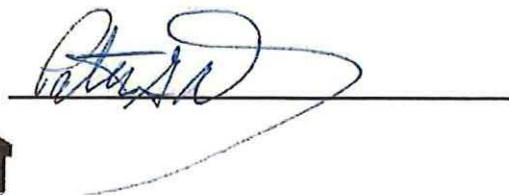
**Board of Adjustment Application
Sussex County, Delaware**

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

Case # 13218
Hearing Date 08-03-2026
202608537

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:26074 Vintage Circle Milton, DE 19968**Variance/Special Use Exception/Appeal Requested:**Build sunroom on rear of home which will encroach into the rear yard setback requirementA 2.7' variance from the 10' rear yard setback requirement for a proposed structure**Tax Map #:** 1-35-10.00-547.00**Property Zoning:** AR-1**Applicant Information****Applicant Name:** Patrick Devenny**Applicant Address:** 26074 Vintage Circle**City** Milton **State** DE **Zip:** 19968**Applicant Phone #:** 703-944-0530 **Applicant e-mail:** GFPEREZ@LIVE.COM**Owner Information****Owner Name:** Patrick Devenny**Owner Address:** 26074 Vintage Circle**City** Milton **State** DE **Zip:** 19968 **Purchase Date:** 9/18/20**Owner Phone #:** (908) 910-8661 **Owner e-mail:** elcannon68@gmail.com**Agent/Attorney Information****Agent/Attorney Name:** N/A**Agent/Attorney Address:** _____**City** _____ **State** _____ **Zip:** _____**Agent/Attorney Phone #:** _____ **Agent/Attorney e-mail:** _____**Signature of Owner/Agent/Attorney****Date:** 13 May 2024

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 corner lot located at the intersection of Vintage Circle and Port Avenue. Due to its corner location and the way the street curves, the rear yard is more shallow and restricted area than many surrounding lots within the neighborhood. These unique physical characteristics limit full rear lot usage, creating difficulties in accommodating a sunroom that would be more easily permitted by neighboring properties.

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.

Because of the property's limited rear yard depth from it being a corner-lot, the proposed sunroom cannot be constructed in compliance with the setback requirements. Granting the requested variance would allow for a reasonable residential improvement for full enjoyment of property.

3. Not created by the applicant:

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

This difficulty is not self-created. The lot's size, shape, orientation, and corner-lot configuration were part of the subdivision design prior to the purchase of the property. The need for the variance results from these existing site conditions.

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 sunroom is a residential addition that is consistent with the character and use of surrounding homes within the community. The addition will be located at the rear of the dwelling, will not change the residential nature of the property, and will not adversely affect neighboring properties, public safety, or the welfare of the neighborhood.

5. Minimum variance:

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

This request is the minimum relief necessary to allow construction of the proposed 10' x 15.7' sunroom. The addition has been designed to be modest in size and located at the rear of the home to minimize any impact on neighboring properties while providing reasonable use and enjoyment of the residence. No greater variance than necessary is being requested.

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



Date: 13 May 2022

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: _____

SURVEYOR'S CERTIFICATION

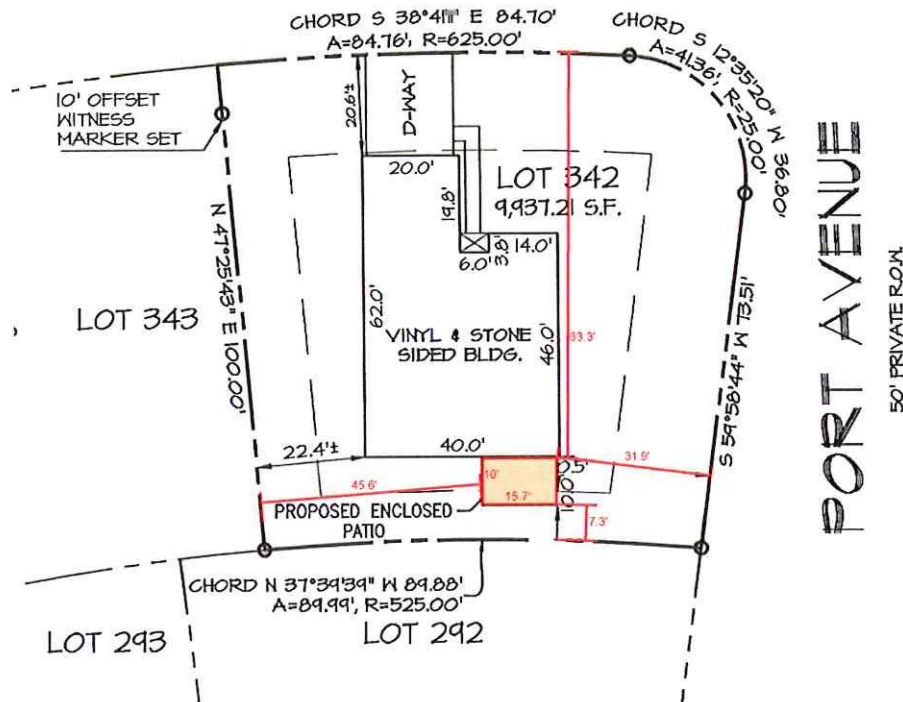
I, ANTHONY M. SELIMO, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE ESTABLISHED BY THE DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE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

Anthony M. Selimo
ANTHONY M. SELIMO, DE PLS 880

5/29/26
DATE

VINTAGE CIRCLE

50' PRIVATE R.O.W.

**BUILDING SETBACKS:**

FRONT: 20'
SIDE: 12.5'
REAR: 10'

DENOTES BUILDING SETBACK LINE

ALL INTERIOR LOT LINES ARE RESERVED FOR THE CENTERLINE OF A (20) FOOT WIDE DRAINAGE AND/OR UTILITY EASEMENT. ALL PERIMETER LOT LINES SHALL HAVE TEN (10) FOOT EASEMENTS ALONG THE INTERIOR SIDE OF THE PERIMETER BOUNDARY.

BAR AND CAP SET AT ALL PROPERTY CORNERS (EXCEPT AS SHOWN)
LEVEL OF ACCURACY IS BASED ON "SUBURBAN SURVEY" STANDARDS

TAX MAP PARCEL: 1-35-10.00-547.00



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS, & LANDSCAPE ARCHITECTS

8 West Market Street
Georgetown, Delaware 19947
(302) 855-5734

BOUNDARY SURVEY PLAN

LOT 342

RECORD PLAT

THE VINES OF SANDHILL

PLOT BOOK 261 PAGE II
GEORGETOWN HUNDRED SUSSEX CO., DELAWARE
FOR: RYAN HOMES

SCALE: 1"=30'

DATE: AUG. 25, 2025

BOOK: 8

PAGE: 60

DRAWN BY: ECE

REVIEW BY: AMS

JOB NO. 20168

MINIMUM DESIGN LOADS: PER 2021 IRC

SUNROOM CATEGORY II (PER 2021 IRC R301.2.1.1.1
AAMA / NPEA / NSA 2100)

NOTE: COMPONENTS HAVE BEEN CHECKED
AGAINST DESIGN LOADS SHOWN & FOUND
TO BE ACCEPTABLE STRUCTURALLY

DEAD LOADS:

- 1. ROOF: 6 PSF
- 2. WALLS: 6 PSF
- 3. FLOOR: 12 PSF

SNOW LOADS: GROUND SNOW LOAD 20 PSF

ULTIMATE DESIGN WIND SPEED: 118 MPH, 3 SEC. GUSTS

SEISMIC DESIGN CATEGORY: A

LIVE LOADS:

- 1. ROOF: 20 PSF
- 2. FLOOR: 40 PSF

DEFLECTION LIMITS:

- 1. ROOF: L/120 (PER 2021 IRC TABLE R301.7 NOTE C)
- 2. WALLS: L/175
- 3. FLOOR: L/240 (TOTAL LOAD), L/360 (LIVE LOAD)

ALLOWABLE SOIL PRESSURE CONSIDERED
(PRESUMPTIVE) = 1500 PSF

THIS THERMALLY ISOLATED SUNROOM IS
UNCONDITIONED AND NOT HABITABLE

THIS SUNROOM AND FOUNDATION HAVE BEEN EVALUATED
FOR DESIGN LOADS REQUIRED BY THE IRC CODE. THIS
INCLUDES ALL MATERIALS, COMPONENTS, CONNECTIONS,
AND ATTACHMENTS WHEN CALCULATING THE LOAD
REQUIREMENTS.

SQUARE FOOTAGE OF SUNROOM = 150

PROJECT SPECIFIC NOTES:

- 1. ALLVIEW (AAS) SUNROOM; SANDSTONE IN COLOR
- 2. CONSTRUCT SUNROOM ON NEW CONCRETE TRENCH FOOTER (BY CUSTOMER)
- 3. ELECTRICAL BY GDI
- 4. THIS SUNROOM IS CONSIDERED AS NON-CONDITIONED SPACE, EXEMPT FROM
ENERGY REQUIREMENTS (PER 2021 IRC SECTION N1102.1, NOTE 1.2)

GENERAL NOTES (AS APPLICABLE):

1. CONCRETE

- A) CONCRETE WORK SHALL CONFORM TO ALL REQUIREMENTS OF ACI 318
SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS.
- B) ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT
28 DAYS. EXTERIOR FLOORS AND EXPOSED CONCRETE SHALL HAVE A MINIMUM
COMPRESSIVE STRENGTH OF 4500 PSI AND 5% TO 7% AIR ENTRAINMENT.

2. WOOD

A) MATERIALS - FRAMING LUMBER

- i) WOOD POSTS: NO. 2 GRADE (OR BETTER) SOUTHERN PINE OR DOUGLAS FIR
- ii) 2x4, 2x6: NO. 2 GRADE (OR BETTER) SOUTHERN PINE OR DOUGLAS FIR
- iii) 2x8, 2x10, 2x12: NO. 1 GRADE (OR BETTER) SOUTHERN PINE OR DOUGLAS FIR
- iv) CCA OR C2C PRESSURE-TREATED FOR DECK FRAMING AND FRAMING
EXPOSED TO WEATHER AND/OR MOISTURE
- v) UC4A GROUND CONTACT RATING FOR POSTS AND FRAMING IN CONTACT
WITH CONCRETE OR WITHIN 6" OF GROUND

B) MATERIALS - LVL BEAMS

INSTALL PER MANUFACTURER'S RECOMMENDATIONS, DISTRIBUTED AS
MICROLLAM LVL, GANG-LAM LVL, AND TIMBER MAX LVL, AND MEETING THE
FOLLOWING DESIGN STRESS VALUES:

- i) Fb = 2,925 PSI BENDING
- ii) Fv = 285 PSI HORIZONTAL SHEAR
- iii) Fc* = 880 PSI COMPRESSION PERPENDICULAR TO GRAIN
- iv) E = 2,000,000 PSI MODULUS OF ELASTICITY

C) FASTENERS

ALL FASTENERS AND HARDWARE USED TO CONNECT TO PRESSURE TREATED
WOOD MEMBERS SHALL EITHER BE 304 OR 316 STAINLESS STEEL, OR HOT DIPPED
GALVANIZED PER ASTM-A653 COATING DESIGNATION G-185 AND ASTM-A153

3. STRUCTURAL ALUMINUM

- A) ALL EXTRUSIONS SHALL BE COMMERCIAL GRADE ALUMINUM SUPPLIED
BY GREAT DAY IMPROVEMENTS, LLC.
- B) ROOF PANELS SHALL BE 3" OR 6" THICK SUPER FOAM ROOF PANELS FACED WITH
A 0.024" ALUMINUM SKIN TOP AND BOTTOM.

GREAT DAY IMPROVEMENTS
PATIO ENCLOSURES, BALTIMORE
DEVENNY RESIDENCE

SHEET #	DESCRIPTION
1	COVER
2	ELEVATION "B" WALL
3	ELEVATION "A" & "C" WALL
4	CONCRETE PLAN
5	FLOOR PLAN
6	ROOF PLAN
7	SYSTEM DETAILS
8	SYSTEM DETAILS

Digitally signed by
Eric Oetjen
DN: cn=Eric Oetjen
o=Eric Oetjen c=US
United States of America
email=eric@aoengineers.com
Eric Oetjen
Reason: I am the
author in responsible
charge of the signed
document
for this document
Location: KYC05-04-20
Date: 2023.04.20
22:49:54-00



Eric Oetjen
Professional Engineer
No. 22541
04-20-2026

DATE	3/26/26	REV. A	4/20/26
DRAWN	TLW/EO	-	-
SCALE	NTS	-	-
SHEET	1 OF 8	-	-

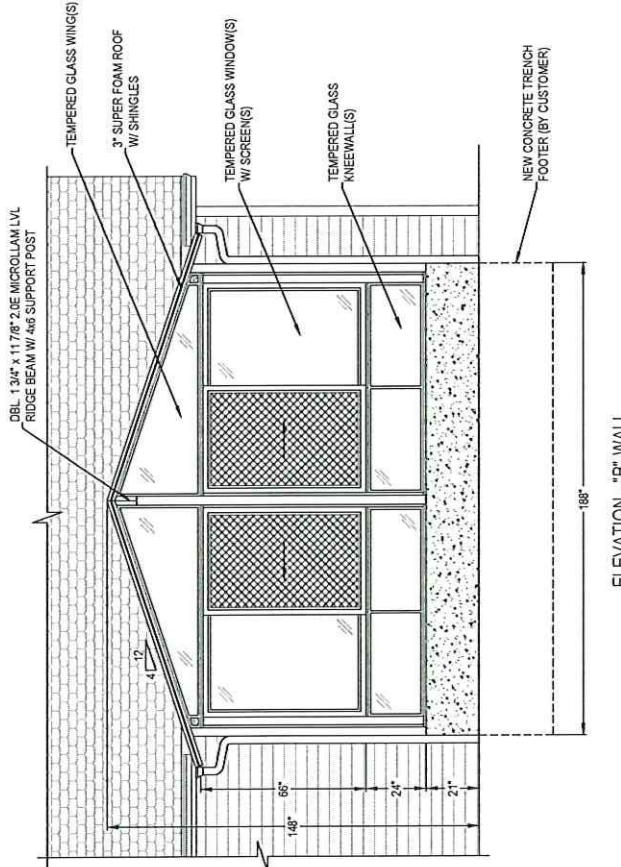
PATRICK DEVENNY
26074 VINTAGE CIRCLE
MILTON, DE 19968
JOB #42725



GREAT DAY IMPROVEMENTS
BALTIMORE
501 MCCORMICK DRIVE, SUITES D-F
GLEN BURNIE, MD 21061
410-760-1919



ERIC OETJEN, P.E., M. ENG.
DE PROFESSIONAL ENGINEER
(DE LIC. #2541)
1220 S. FORT THOMAS AVE. FLR 2
FORT THOMAS, KY 41075
PH. # 859-393-9049



DATE	3/26/26
DRAWN	TW/EO
SCALE	1/4" = 1'-0"
SHEET	2 OF 8

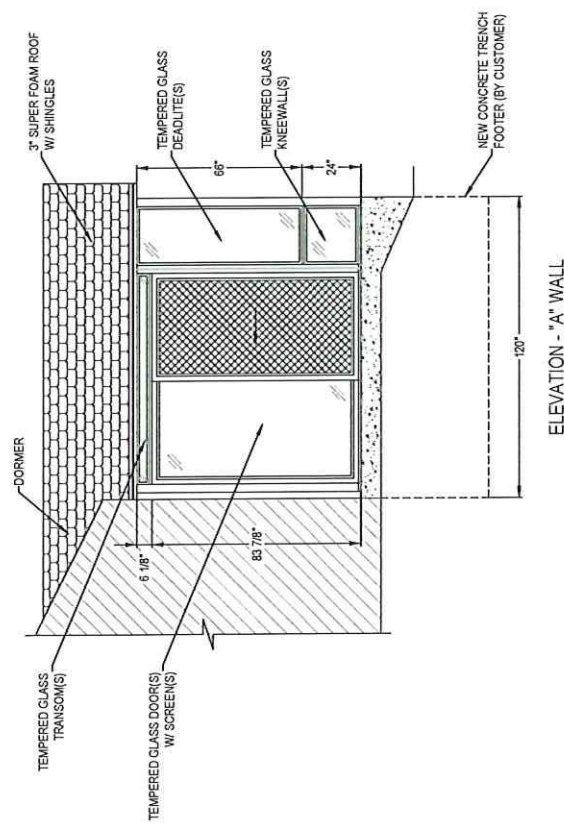
PATRICK DEVENNY
26074 VINTAGE CIRCLE
MILTON, DE 19968
JOB #42725



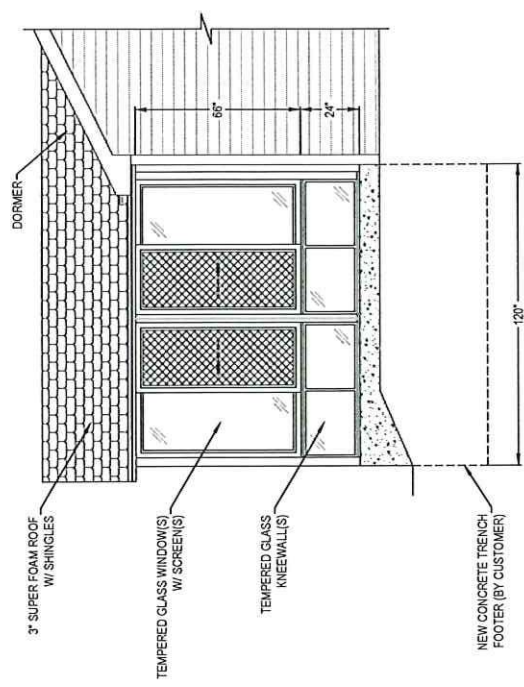
GREAT DAY IMPROVEMENTS
BALTIMORE
501 MCCORMICK DRIVE, SUITES D-F
GLEN BURNIE, MD 21061
410-760-1919



ERIC OTJEN, P.E., M. ENG.
DE PROFESSIONAL ENGINEER
(DE LIC #02341)
1220 S. FORT THOMAS AVE. FLR 2
FORT THOMAS, KY, 41075
PH: # 859-393-9648



ELEVATION - "A" WALL



ELEVATION - "C" WALL



DATE	3/26/26	REV. A	4/20/26
DRAWN	TLW / FEO	-	-
SCALE	1/4" = 1'-0"	-	-
SHEET	3 OF 8	-	-

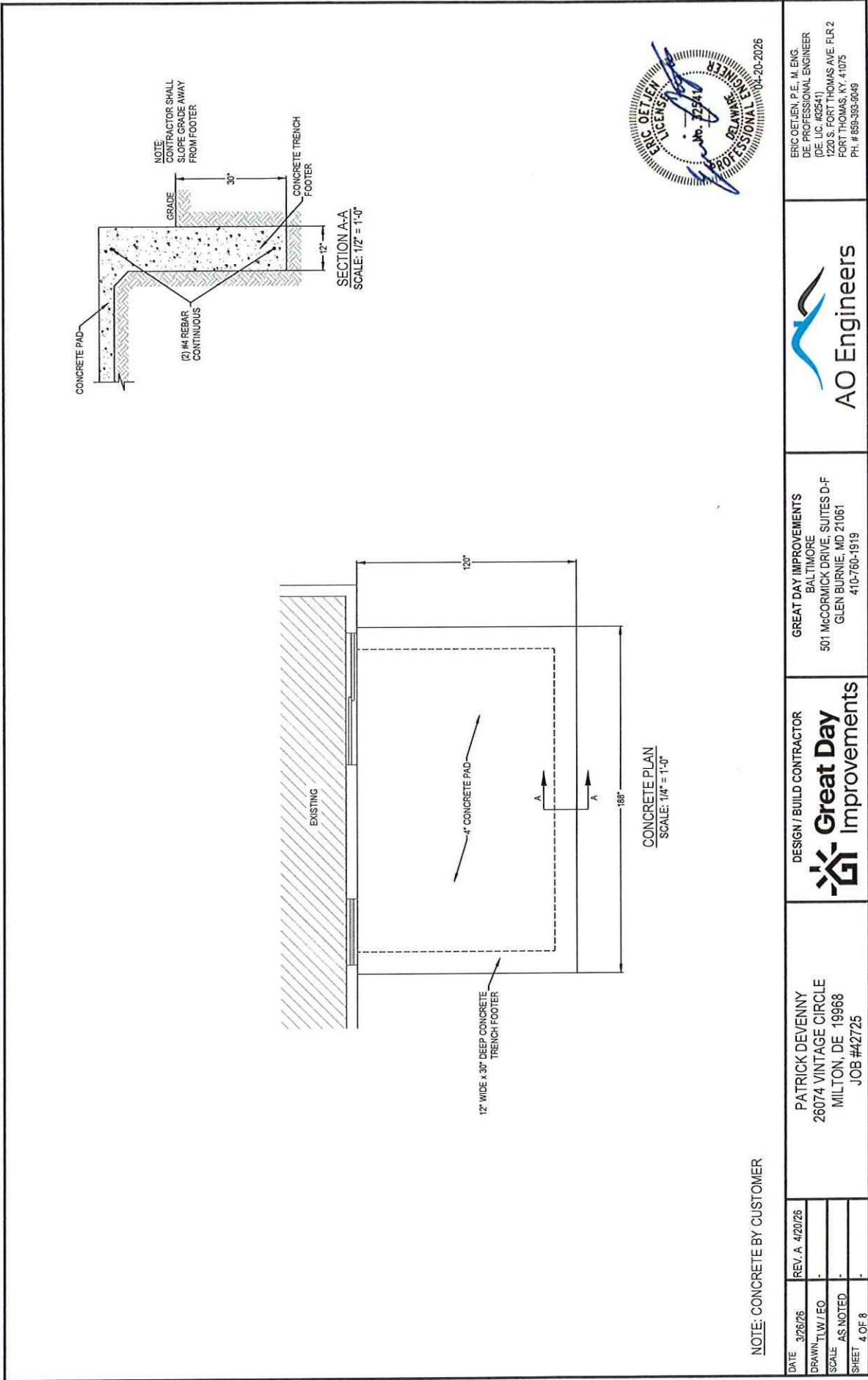
PATRICK DEVENNY
26074 VINTAGE CIRCLE
MILTON, DE 19968
JOB #42725

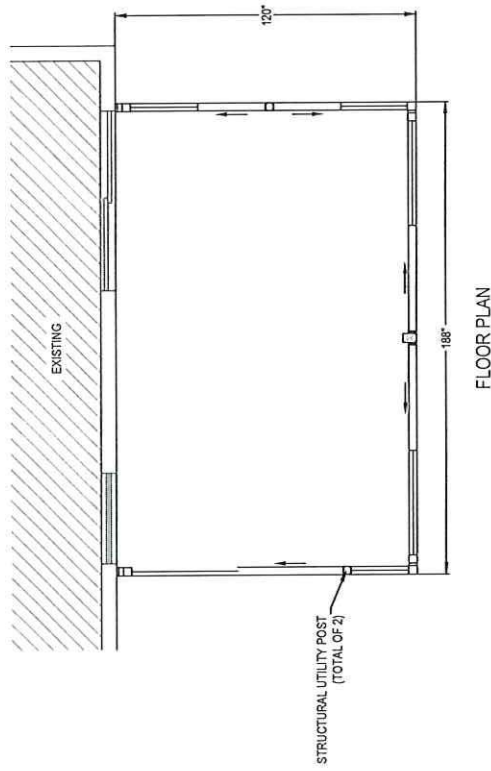


GREAT DAY IMPROVEMENTS
BALTIMORE
501 MCCORMICK DRIVE, SUITES D-F
GLEN BURNIE, MD 21061
410-760-1919



ERIC OETJEN, P.E., M. ENG.
DE PROFESSIONAL ENGINEER
(DE LIC. #12541)
1220 S. FORT THOMAS AVE. F1R.2
FORT THOMAS, KY 41075
PH. 1-859-393-8049





DATE	3/26/26	REV. A	4/20/26
DRAWN	TLW / EO		
SCALE	1/4" = 1'-0"		
SHEET	5 OF 8		

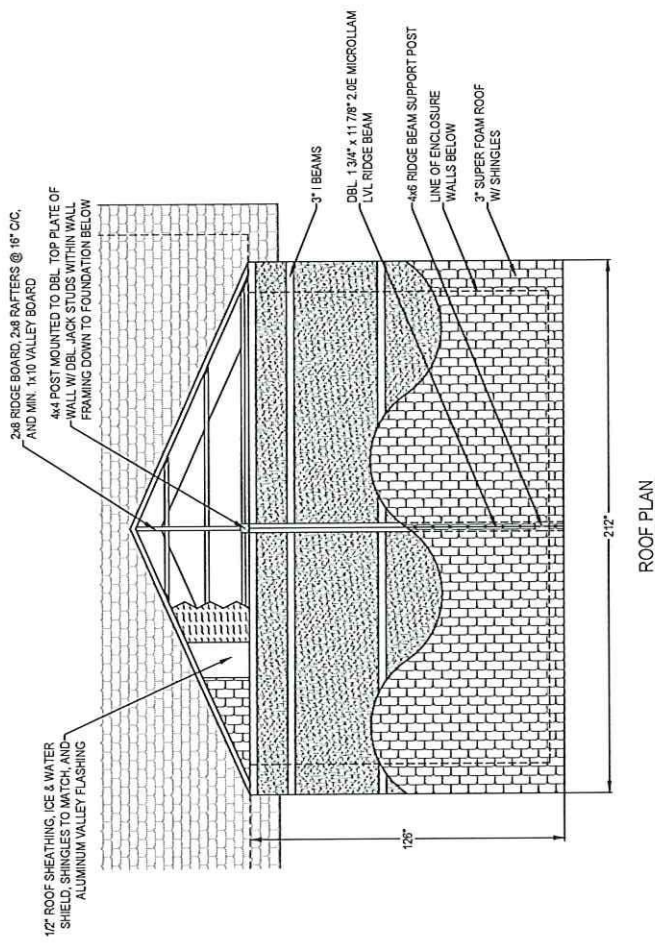
PATRICK DEVENNY
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JOB #42725



GREAT DAY IMPROVEMENTS
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ERIC OETJEN, P.E., M. ENG.
DE PROFESSIONAL ENGINEER
(DE LIC. #82541)
1220 S. FORT THOMAS AVE. FLR 2
FORT THOMAS, KY 41075
PH: # 859-393-9049



ROOF PLAN



ERIC OETJEN, P.E., M. ENG.
DE PROFESSIONAL ENGINEER
(DE LIC #32341)
1220 S. FORT THOMAS AVE, FLR 2
FORT THOMAS, KY 41075
PH # 859-353-9049

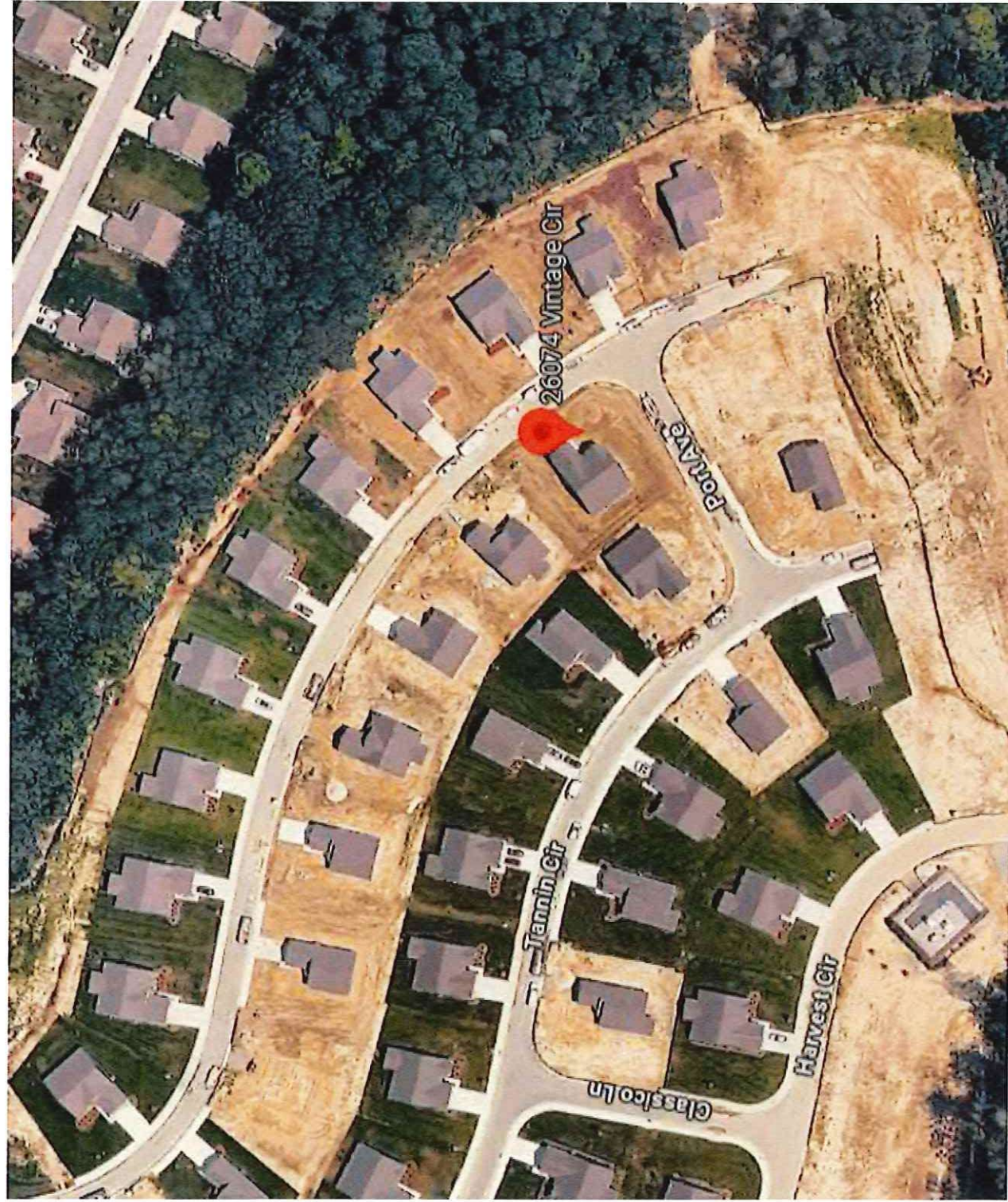


GREAT DAY IMPROVEMENTS
BALTIMORE
501 MCCORMICK DRIVE, SUITES D-F
GLEN BURNIE, MD 21061
410-760-1919



PATRICK DEVENNY
26074 VINTAGE CIRCLE
MILTON, DE 19968
JOB #42725

DATE	3/26/26	REV. A	4/20/26
DRAWN	TW/EO	-	-
SCALE	1/4" = 1'-0"	-	-
SHEET	6 OF 8	-	-



SUSSEX COUNTY
DELAWARE

Layers

Q Search

Basemaps

Select Area

Eagleview

Print

Help

Eagleview

Search Results

Selected Features: 1) 135-10.00-547.00

Parcels (1)

Zoom

Map showing land parcels with various numbers and street names like VINTAGE CIR, TAMM CIR, and PORT AL. A yellow rectangle highlights a specific parcel area.

BOOK	6374
PAGE	8
FULLNAME	DEVENNY PATRICK GERARD
Second_Owner_Name	MIRNA DEVENNY
MAILINGADDRESS	26074 VINTAGE CIR
CITY	MILTON
STATE	DE
a_account	
DESCRIPTION	THE VINES OF SANDHILL
DESCRIPTION2	LOT 342
DESCRIPTION3	
LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	267500
APRLAND	86700
PINWASSEMMENTUNIT	135-10.00-547.00
PIN	135-10.00-547.00

Selected Features (1)

Clear Selected

SUSSEX COUNTY
D E L A W A R E

Layers

Search

Basemaps

Select Area

Eagleview

Print

Help

Eagleview

Search Results

Selected Features: 1

Parcels (1)

Zoom

135-10.00-547.00

BOOK	6374
PAGE	8
FULLNAME	DEVENNY PATRICK GERARD
Second_Owner_Name	MIRNA DEVENNY
MAILINGADDRESS	26074 VINTAGE CIR
CITY	MILTON
STATE	DE
a_account	
DESCRIPTION	THE VINES OF SANDHILL
DESCRIPTION2	LOT 342
DESCRIPTION3	
LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	267500
APRLAND	86700
PINWASSEMENTUNIT	135-10.00-547.00
PIN	135-10.00-547.00

Selected Features (1)

Clear Selected

CONNECTEXPLORER™

Q

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🗺️

👤

Search

Search by SUSSEXPARCELS

135-10.00-547.00

Search results (1)

135-10.00-547.00

📏

📐

📊

📅

📍

📄

📧

Workspaces

map: Auto (Oblique)

Mar 2025 - Mar 2025

image 1 of 10

03/10/2025

© 2025 Eagleview

50 ft

10 m

An aerial photograph of a road intersection. A blue polygon highlights a parcel of land on the left side of the road. The road is paved and has a white curb. There are some trees and vegetation on the right side of the road. A scale bar in the bottom right corner indicates 50 feet and 10 meters. The top left corner shows a search bar and a list of search results. The bottom left corner shows a compass and a scale bar.

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.

The property is a corner lot located at the intersection of Vintage Circle and Port Avenue. Due to its corner location and the way the street curves, the rear yard is more shallow and restricted area than many surrounding lots within the neighborhood. These unique physical characteristics limit full rear lot usage, creating difficulties in accommodating a sunroom that would be more easily permitted by neighboring properties.

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.

Because of the property's limited rear yard depth from it being a corner-lot, the proposed sunroom cannot be constructed in compliance with the setback requirements. Granting the requested variance would allow for a reasonable residential improvement for full enjoyment of property.

3. Not created by the applicant:

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

This difficulty is not self-created. The lot's size, shape, orientation, and corner-lot configuration were part of the subdivision design prior to the purchase of the property. The need for the variance results from these existing site conditions.

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 sunroom is a residential addition that is consistent with the character and use of surrounding homes within the community. The addition will be located at the rear of the dwelling, will not change the residential nature of the property, and will not adversely affect neighboring properties, public safety, or the welfare of the neighborhood.

5. Minimum variance:

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

This request is the minimum relief necessary to allow construction of the proposed 10' x 15.7' sunroom. The addition has been designed to be modest in size and located at the rear of the home to minimize any impact on neighboring properties while providing reasonable use and enjoyment of the residence. No greater variance than necessary is being requested.

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



Date: 13 May 2022

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: _____

SURVEYOR'S CERTIFICATION

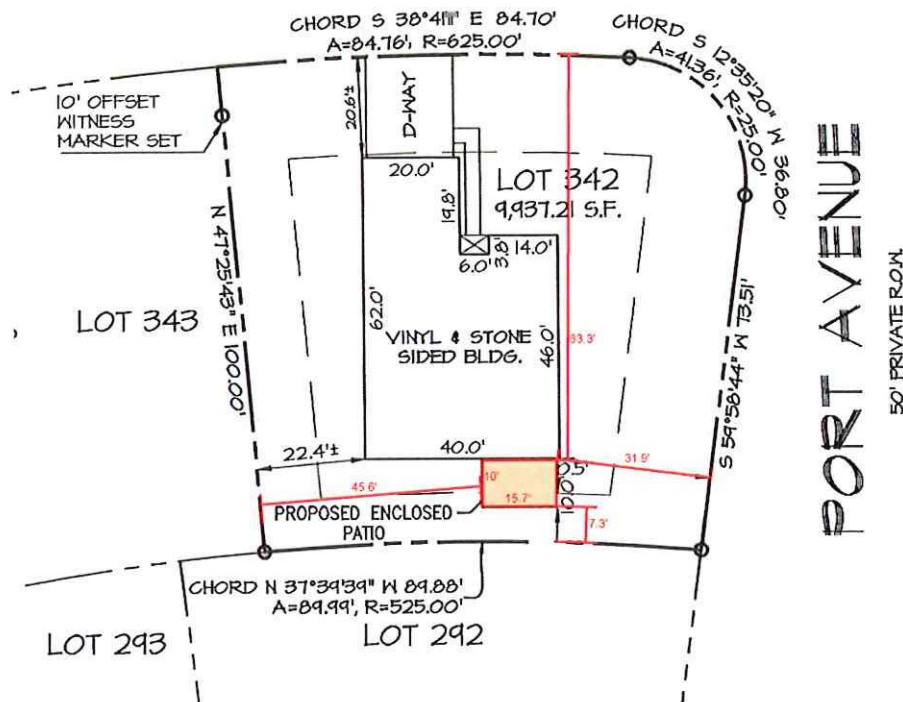
I, ANTHONY M. SELIMO, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE ESTABLISHED BY THE DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE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

Anthony M. Selimo
ANTHONY M. SELIMO, DE PLS 880

5/29/26
DATE

VINTAGE CIRCLE

50' PRIVATE R.O.W.

**BUILDING SETBACKS:**

FRONT: 20'
SIDE: 12.5'
REAR: 10'

DENOTES BUILDING SETBACK LINE

ALL INTERIOR LOT LINES ARE RESERVED FOR THE CENTERLINE OF A (20) FOOT WIDE DRAINAGE AND/OR UTILITY EASEMENT. ALL PERIMETER LOT LINES SHALL HAVE TEN (10) FOOT EASEMENTS ALONG THE INTERIOR SIDE OF THE PERIMETER BOUNDARY.

BAR AND CAP SET AT ALL PROPERTY CORNERS (EXCEPT AS SHOWN)
LEVEL OF ACCURACY IS BASED ON "SUBURBAN SURVEY" STANDARDS

TAX MAP PARCEL: 1-35-10.00-547.00



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS, & LANDSCAPE ARCHITECTS

8 West Market Street
Georgetown, Delaware 19947
(302) 855-5734

BOUNDARY SURVEY PLAN

LOT 342

RECORD PLAT

THE VINES OF SANDHILL

PLOT BOOK 261 PAGE II
GEORGETOWN HUNDRED SUSSEX CO., DELAWARE
FOR: RYAN HOMES

SCALE: 1"=30'

DATE: AUG. 25, 2025

BOOK: 8

PAGE: 60

DRAWN BY: ECE

REVIEW BY: AMS

JOB NO. 20168

DATE3/26/26REV. A 4/20/26

DRAWN T.W./E.O.

SCALE NTS

SHEET 1 OF 8

PATRICK DEVENNY

26074 VINTAGE CIRCLE

MILTON, DE 19968

JOB #42725

DESIGN / BUILD CONTRACTOR

Great Day Improvements

GREAT DAY IMPROVEMENTS

BALTIMORE

501 MCCORMICK DRIVE, SUITES D-F

GLEN BURNIE, MD 21061

410-760-1919

AO Engineers

ERIC OETJEN, P.E., M. ENG.
DE PROFESSIONAL ENGINEER
(DE LIC. #82541)
1220 S. FORT THOMAS AVE. FLR 2
FORT THOMAS, KY 41075
PH. # 853-393-9049

MINIMUM DESIGN LOADS: PER 2021 IRC

SUNROOM CATEGORY II (PER 2021 IRC R301.2.1.1.1
AAMA / NPEA / NSA 2100)

NOTE: COMPONENTS HAVE BEEN CHECKED
AGAINST DESIGN LOADS SHOWN & FOUND
TO BE ACCEPTABLE STRUCTURALLY

DEAD LOADS:
1. ROOF: 6 PSF
2. WALLS: 6 PSF
3. FLOOR: 12 PSF

SNOW LOADS: GROUND SNOW LOAD 20 PSF

ULTIMATE DESIGN WIND SPEED: 118 MPH, 3 SEC. GUSTS

SEISMIC DESIGN CATEGORY: A

LIVE LOADS:
1. ROOF: 20 PSF
2. FLOOR: 40 PSF

DEFLECTION LIMITS:
1. ROOF: L/120 (PER 2021 IRC TABLE R301.7 NOTE C)
2. WALLS: L/175
3. FLOOR: L/240 (TOTAL LOAD), L/360 (LIVE LOAD)

ALLOWABLE SOIL PRESSURE CONSIDERED
(PRESUMPTIVE) = 1500 PSF

THIS THERMALLY ISOLATED SUNROOM IS
UNCONDITIONED AND NOT HABITABLE

THIS SUNROOM AND FOUNDATION HAVE BEEN EVALUATED
FOR DESIGN LOADS REQUIRED BY THE IRC CODE. THIS
INCLUDES ALL MATERIALS, COMPONENTS, CONNECTIONS,
AND ATTACHMENTS WHEN CALCULATING THE LOAD
REQUIREMENTS.

SQUARE FOOTAGE OF SUNROOM = 150

PROJECT SPECIFIC NOTES:
1. ALLVIEW (AAS) SUNROOM; SANDSTONE IN COLOR
2. CONSTRUCT SUNROOM ON NEW CONCRETE TRENCH FOOTER (BY CUSTOMER)
3. ELECTRICAL BY GDI
4. THIS SUNROOM IS CONSIDERED AS NON-CONDITIONED SPACE, EXEMPT FROM
ENERGY REQUIREMENTS (PER 2021 IRC SECTION N1102.1, NOTE 1.2)

GENERAL NOTES (AS APPLICABLE):
1. CONCRETE
A) CONCRETE WORK SHALL CONFORM TO ALL REQUIREMENTS OF ACI 318
SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS.
B) ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT
28 DAYS. EXTERIOR FLOORS AND EXPOSED CONCRETE SHALL HAVE A MINIMUM
COMPRESSIVE STRENGTH OF 4500 PSI AND 5% TO 7% AIR ENTRAINMENT.
2. WOOD
A) MATERIALS - FRAMING LUMBER
i) WOOD POSTS: NO. 2 GRADE (OR BETTER) SOUTHERN PINE OR DOUGLAS FIR
ii) 2x4, 2x6: NO. 2 GRADE (OR BETTER) SOUTHERN PINE OR DOUGLAS FIR
iii) 2x8, 2x10, 2x12: NO. 1 GRADE (OR BETTER) SOUTHERN PINE OR DOUGLAS FIR
iv) CCA OR C2C PRESSURE-TREATED FOR DECK FRAMING AND FRAMING
EXPOSED TO WEATHER AND/OR MOISTURE
v) UC4A GROUND CONTACT RATING FOR POSTS AND FRAMING IN CONTACT
WITH CONCRETE OR WITHIN 6" OF GROUND
B) MATERIALS - LVL BEAMS
INSTALL PER MANUFACTURER'S RECOMMENDATIONS, DISTRIBUTED AS
MICROLLAM LVL, GANG-LAM LVL, AND TIMBER MAX LVL, AND MEETING THE
FOLLOWING DESIGN STRESS VALUES:
i) Fb = 2,925 PSI BENDING
ii) Fv = 285 PSI HORIZONTAL SHEAR
iii) Fc* = 880 PSI COMPRESSION PERPENDICULAR TO GRAIN
iv) E = 2,000,000 PSI MODULUS OF ELASTICITY
C) FASTENERS
ALL FASTENERS AND HARDWARE USED TO CONNECT TO PRESSURE TREATED
WOOD MEMBERS SHALL EITHER BE 304 OR 316 STAINLESS STEEL, OR HOT DIPPED
GALVANIZED PER ASTM-A653 COATING DESIGNATION G-185 AND ASTM-A153
3. STRUCTURAL ALUMINUM
A) ALL EXTRUSIONS SHALL BE COMMERCIAL GRADE ALUMINUM SUPPLIED
BY GREAT DAY IMPROVEMENTS, LLC.
B) ROOF PANELS SHALL BE 3" OR 6" THICK SUPER FOAM ROOF PANELS FACED WITH
A 0.024" ALUMINUM SKIN TOP AND BOTTOM.

GREAT DAY IMPROVEMENTS

PATIO ENCLOSURES, BALTIMORE

DEVENNY RESIDENCE

SHEET #

DESCRIPTION

1COVER

2ELEVATION "B" WALL

3ELEVATION "A" & "C" WALL

4CONCRETE PLAN

5FLOOR PLAN

6ROOF PLAN

7SYSTEM DETAILS

8SYSTEM DETAILS

ERIC OETJEN

DELEGATED PROFESSIONAL ENGINEER

DE LIC. #82541

1220 S. FORT THOMAS AVE. FLR 2

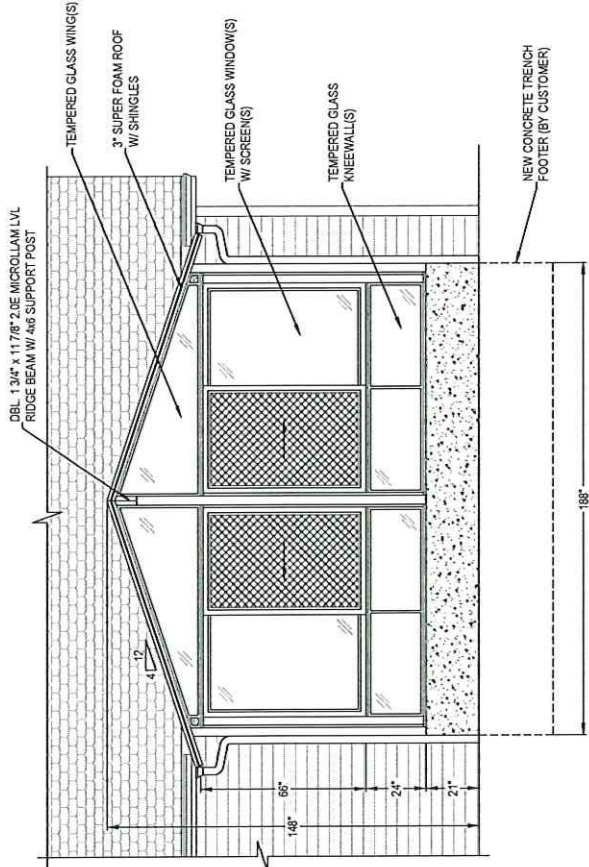
FORT THOMAS, KY 41075

PH. # 853-393-9049

Digitally signed by
Eric Oetjen
DN: cn=Eric Oetjen
o=Eric Oetjen c=US
United States of America
email=eric@aoengineers.com
Reason: I am the
author in responsible
charge of the signed
document
Location: KYC05-04-20
22-49-54-00



25



ELEVATION - "B" WALL



DATE	3/26/26
DRAWN	TW/EO
SCALE	1/4" = 1'-0"
SHEET	2 OF 8

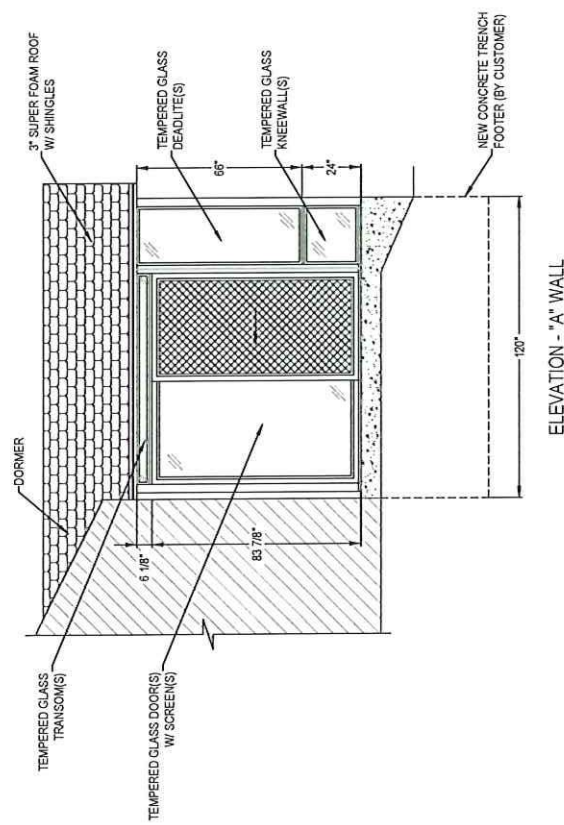
PATRICK DEVENNY
26074 VINTAGE CIRCLE
MILTON, DE 19968
JOB #42725



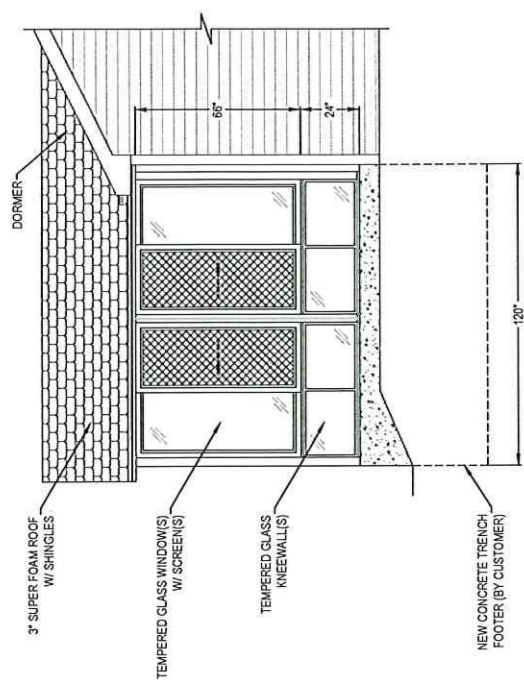
DESIGN / BUILD CONTRACTOR
Great Day
Improvements



ERIC OETJEN, P.E. M. ENG.
DE PROFESSIONAL ENGINEER
(DE LIC. #02341)
1220 S. FORT THOMAS AVE. FLR 2
FORT THOMAS, KY. 41075
PH. # 859-393-9648



ELEVATION - "A" WALL



ELEVATION - "C" WALL



DATE	3/26/26	REV. A	4/20/26
DRAWN	TLW / FEO	-	-
SCALE	1/4" = 1'-0"	-	-
SHEET	3 OF 8	-	-

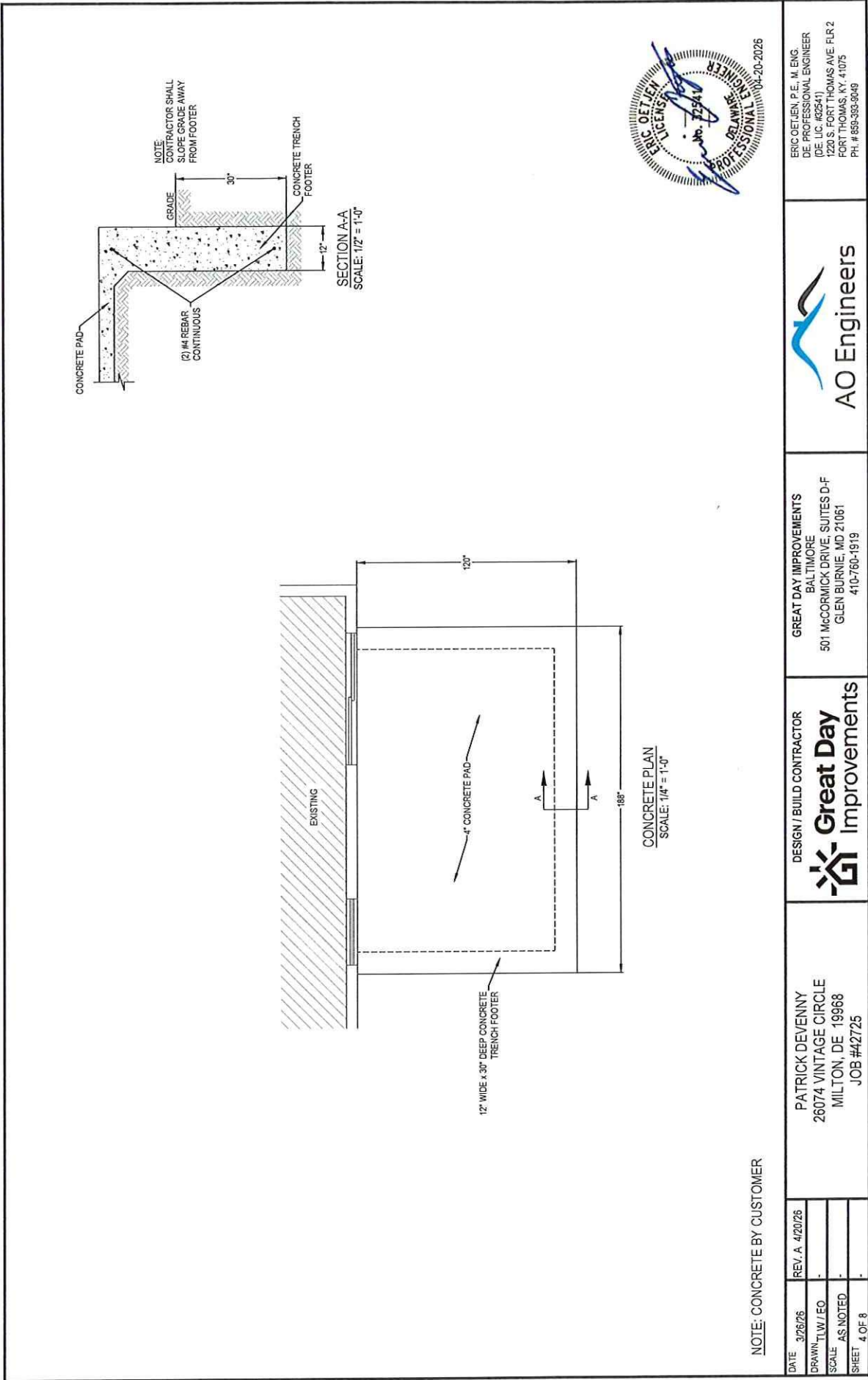
PATRICK DEVENNY
26074 VINTAGE CIRCLE
MILTON, DE 19968
JOB #42725

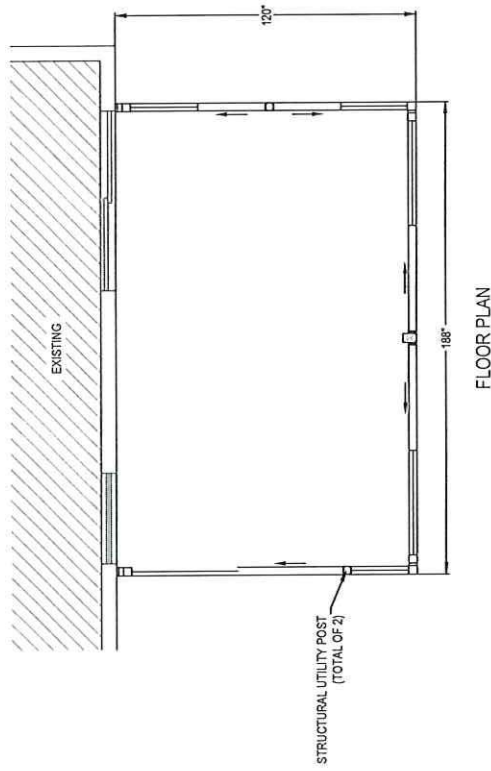


GREAT DAY IMPROVEMENTS
BALTIMORE
501 MCCORMICK DRIVE, SUITES D-F
GLEN BURNIE, MD 21061
410-760-1919



ERIC OETJEN, P.E., M. ENG.
DE PROFESSIONAL ENGINEER
(DE LIC. #2541)
1220 S. FORT THOMAS AVE. F1R.2
FORT THOMAS, KY 41075
PH. 1-859-393-8049





DATE	3/26/26	REV. A	4/20/26
DRAWN	TLW / EO		
SCALE	1/4" = 1'-0"		
SHEET	5 OF 8		

PATRICK DEVENNY
26074 VINTAGE CIRCLE
MILTON, DE 19968
JOB #42725

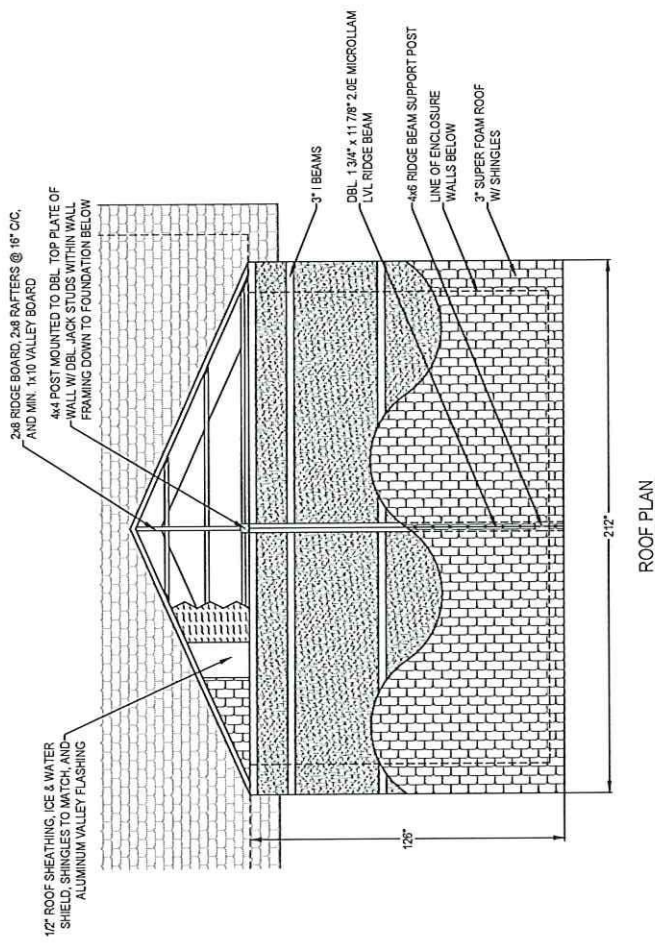


DESIGN / BUILD CONTRACTOR
Great Day
Improvements

GREAT DAY IMPROVEMENTS
BALTIMORE
501 MCCORMICK DRIVE, SUITES D-F
GLEN BURNIE, MD 21061
410-760-1919



ERIC OETJEN, P.E., M. ENG.
DE PROFESSIONAL ENGINEER
(DE LIC. #82541)
1220 S. FORT THOMAS AVE., FLR 2
FORT THOMAS, KY 41075
PH: # 859-393-9049



DATE	3/26/26	REV. A	4/20/26
DRAWN BY	TW/EO	-	-
SCALE	1/4" = 1'-0"	-	-
SHEET	6 OF 8	-	-

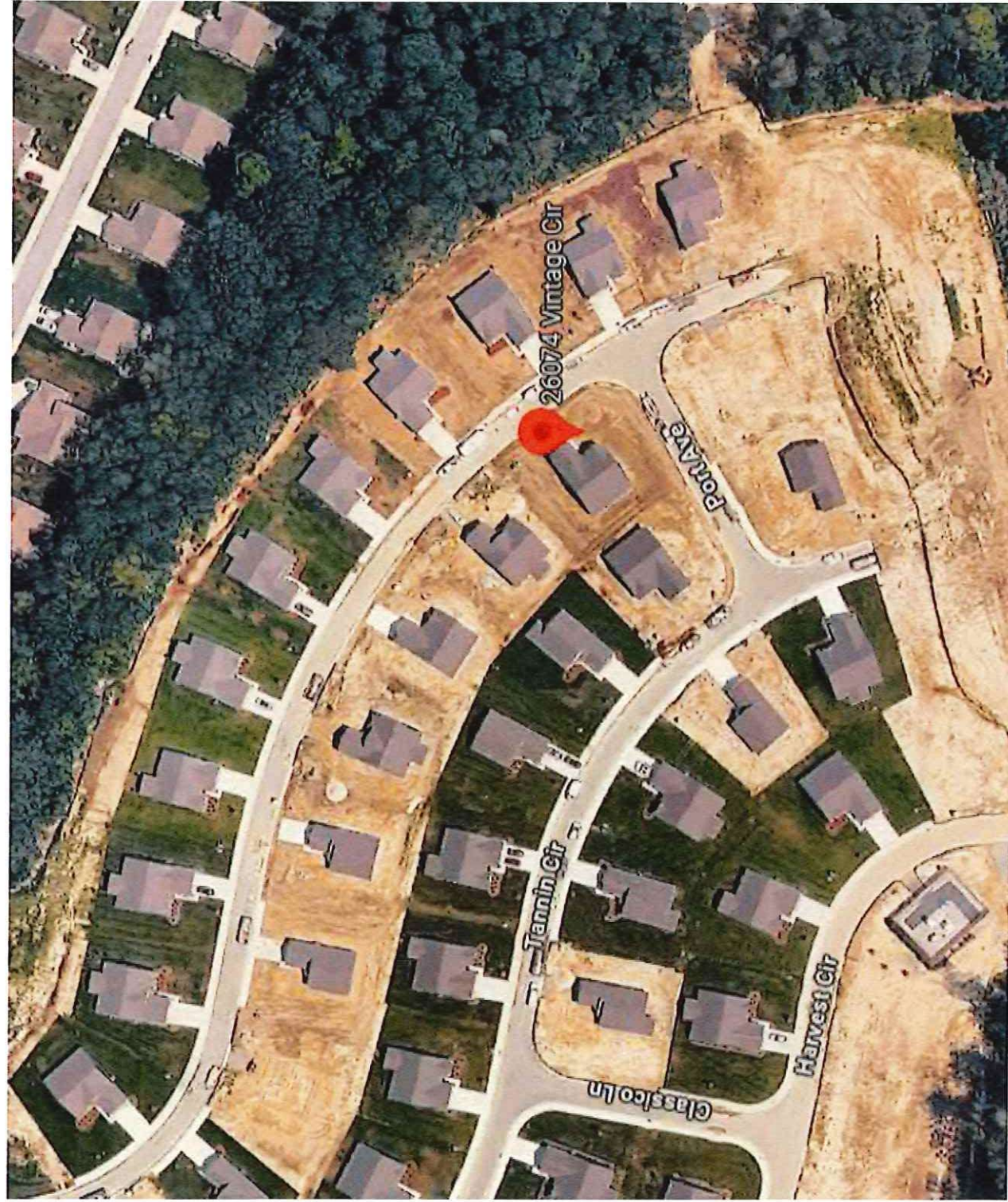
PATRICK DEVENNY
26074 VINTAGE CIRCLE
MILTON, DE 19968
JOB #42725



DESIGN / BUILD CONTRACTOR
Great Day
Improvements



ERIC OETJEN, P.E., M. ENG.
DE PROFESSIONAL ENGINEER
(DE LIC. #32341)
1220 S. FORT THOMAS AVE., FLR 2
FORT THOMAS, KY 41075
PH. # 859-353-9049



SUSSEX COUNTY
DELAWARE

Layers

Q Search

Basemaps

Select Area

Eagleview

Print

Help

Eagleview

Search Results

Selected Features: 1) 135-10.00-547.00

Parcels (1)

Zoom

Map showing land parcels with various numbers (e.g., 590, 385, 589, 384, 588, 383, 546, 341, 547, 342, 548, 343, 497, 292, 498, 293, 499, 294, 439, 234, 440, 235, 386, 344) and street names (VINTAGE CIR, TAMM CIR, PORT AU PRINCE). A yellow rectangle highlights a specific parcel area.

BOOK	6374
PAGE	8
FULLNAME	DEVENNY PATRICK GERARD
Second_Owner_Name	MIRNA DEVENNY
MAILINGADDRESS	26074 VINTAGE CIR
CITY	MILTON
STATE	DE
a_account	
DESCRIPTION	THE VINES OF SANDHILL
DESCRIPTION2	LOT 342
DESCRIPTION3	
LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	267500
APRLAND	86700
PINWASSEMMENTUNIT	135-10.00-547.00
PIN	135-10.00-547.00

Selected Features (1)

Clear Selected

SUSSEX COUNTY
D E L A W A R E

Layers

Search

Basemaps

Select Area

Eagleview

Print

Help

Eagleview

Search Results

Selected Features: 1

Parcels (1)

Zoom

135-10.00-547.00

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CAP	0
APRBLDG	267500
APRLAND	86700
PINWASSEMENTUNIT	135-10.00-547.00
PIN	135-10.00-547.00

Selected Features (1)

Clear Selected

RECEIVED

JUN 29 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 # 13219
Hearing Date 8-3-2026
202608696

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:

32457 W. Baltimore Ct. Millsboro

Variance/Special Use Exception/Appeal Requested:

Side yard variance for existing carport
6.9' : 7.0' variance from 10' side yard setback

Tax Map #: 2-34-29.00-596.00

Property Zoning: GR

Applicant Information

Applicant Name: RICHARD E HECK
Applicant Address: 32457 W. BALTIMORE CT
City MILLSBORO State DE Zip: 19966
Applicant Phone #: 484-866-0679 Applicant e-mail: richardheck1964@gmail.com

Owner Information

Owner Name: RICHARD E. HECK
Owner Address: 32457 W. BALTIMORE CT
City MILLSBORO State DE Zip: 19966 Purchase Date: 10/25/2020
Owner Phone #: 484-866-0679 Owner e-mail: richardheck1964@gmail.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Richard E Heck

Date: 6-29-2026



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.

GARAGE DOORS DO NOT ALIGN W/EXISTING CARPORT.

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.

DO NOT HAVE PROPER SETBACKS FOR CARPORT.

3. Not created by the applicant:

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

THERE IS A PRIVACY FENCE BETWEEN ADJACENT PROPERTY AND CARPORT

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.

PROPERTY WELL MAINTAINED AND LANDSCAPED.

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 CAN NOT ALTER SIZE OF CARPORT

Sussex County, DE - BOA Application

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

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

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

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

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

Sussex County, DE - BOA Application

Check List for Applications

The following shall be submitted with the application

- ☐ • **Completed Application**
- ☐ • **Provide a survey of the property (Variance)**
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed Surveyor.
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- ☐ • **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.)**
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The undersigned acknowledges that that he or she has read the application completely and that if the appellant / applicant is unable to convince the Board that the standards for granting relief have been met, the appeal / application will be denied.

Signature of Owner/Agent/Attorney

Date: _____

For office use only:

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

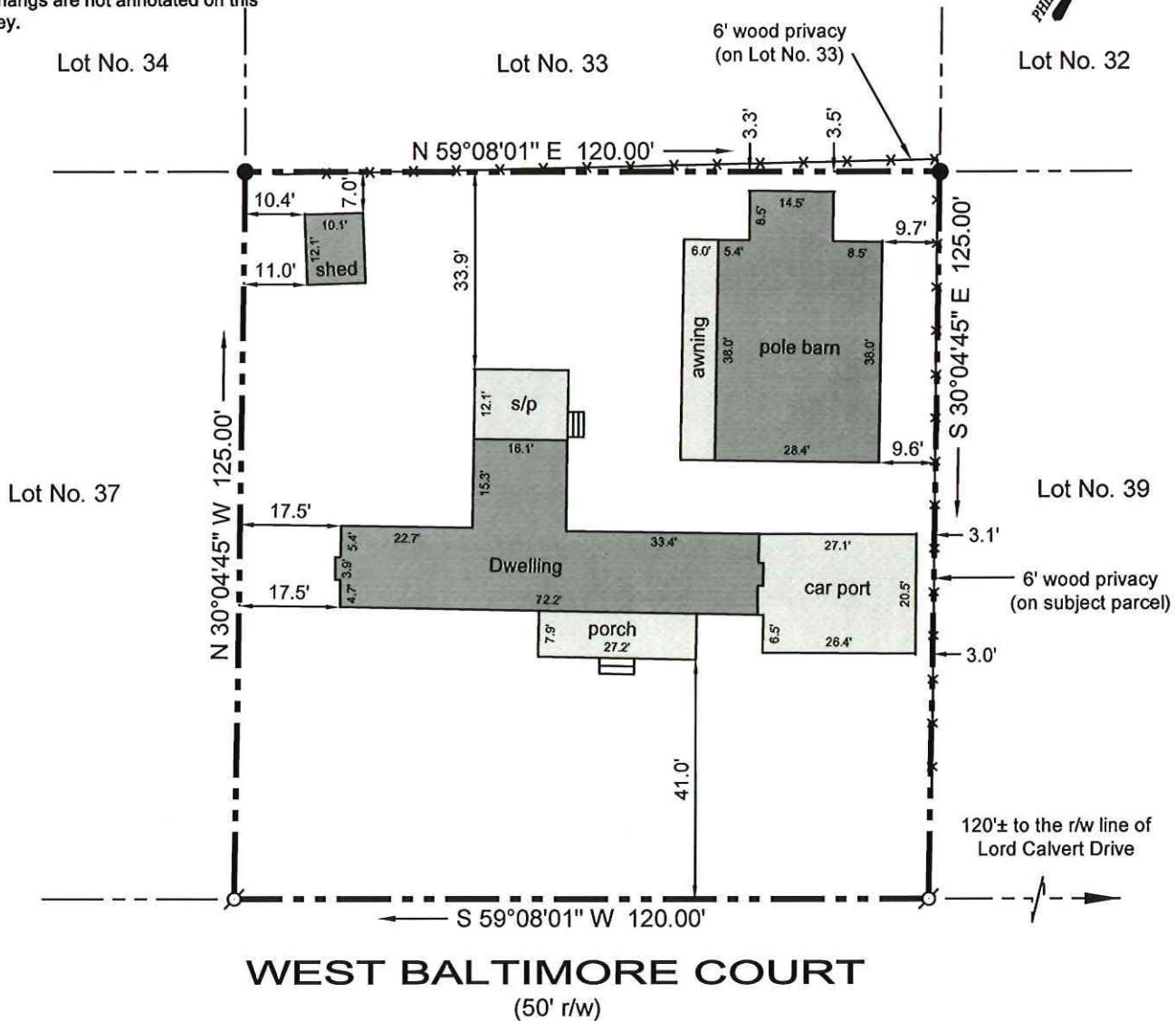
Subdivision: _____ Lot#: _____ Block#: _____
 Date of Hearing: _____ Decision of Board: _____

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 eve overhangs are not annotated on this survey.

REFERENCE DATUM NOTES:

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



Ø 5/8" RE-BAR w/CAP (SET)

- 3/4" PIPE (FD)

SCALE: 1"= 30'

AREA: 14,999 SQ. FT.

PARCEL ID NO: 234-29.00-596.00

HUNDRED: INDIAN RIVER

COUNTY: SUSSEX

STATE OF DELAWARE

DATE OF ORIGINAL: 06/19/2026

DRAWN BY: MATT LEVESQUE

REVIEWED BY: MICHAEL LOVELAND

Lands of RICHARD E. HECK and SUSAN L. HECK. Being known as LOT NO. 38, SECTION NO. 1, CAPTAIN'S GRANT.
Ref: Plat Book 29, Page 320.

FIRM INFORMATION:

100029 - 0481 - K

MARCH 16, 2015

ZONE: "X", NON-SHADED

CLASS "B" SURVEY

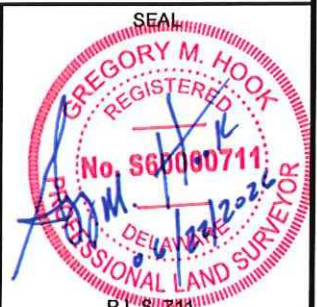


SIMPLER SURVEYING & ASSOCIATE, INC.

32486 POWELL FARM ROAD, FRANKFORD, DE 19945

www.delawaresurveyor.com

PHONE: (302) 539-7873



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.

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

06/29/2026 08:53AM Megan D.
Receipt Number: 001318673
33031580-0057

PERMITS / INSPECTIONS
2026 202608696/2020

\$500.00

\$500.00

Subtotal
Total

\$500.00
\$500.00

Tenders
CHECK

Check Number 1258

\$500.00

Change due

\$0.00

Paid by: RICHARD HECK

3445742 Baltimore, MD	RICHARD H. HECK TREASURER SUSSEX COUNTY GOVT 1000 N. MARKET ST. GEORGETOWN, DE 19947	7/2/2026 FA 1258
SUSSEX COUNTY GOVT		DATE 6-27-2026
Fulton Bank		\$ 500.00
Signature: <i>[Signature]</i>		DATE 6-27-2026

Thank you for your payment.

Sussex County Government COPY
DUPLICATE RECEIPT

SUSSEX COUNTY
DELAWARE

Layers

Q Search

Basemaps

Select Area

Eagleview

Print

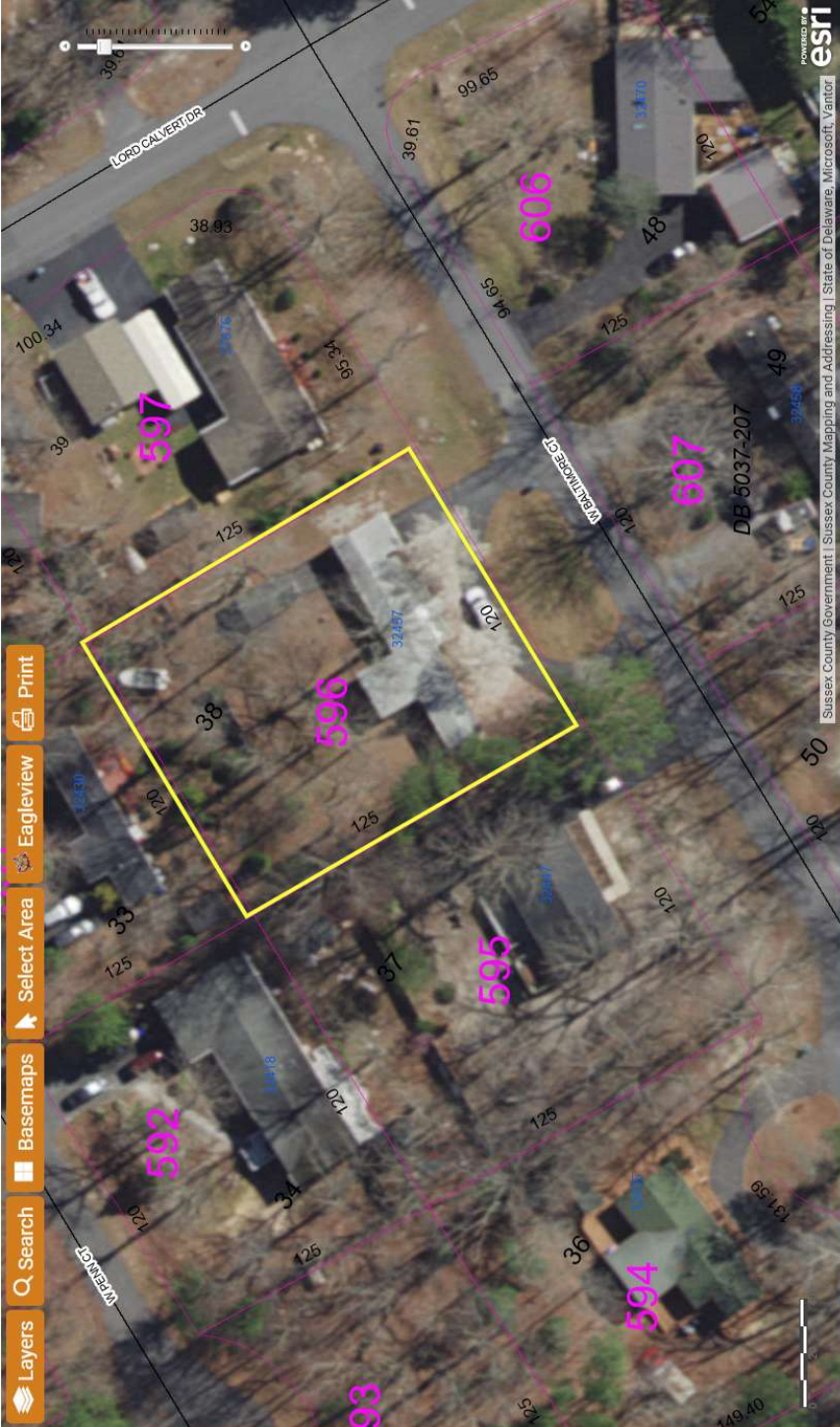
Help

Eagleview

Search Results

Selected Features:
1) 234-29.00-596.00

Zoom



Map showing property boundaries and parcel numbers. A yellow rectangle highlights a specific parcel area. Various parcel numbers are visible, including 592, 596, 595, 594, 597, 606, and 607. The map includes a scale bar and a north arrow.

BOOK	5268
PAGE	388
FULLNAME	HECK RICHARD E
Second_Owner_Name	SUSAN L HECK
MAILINGADDRESS	32457 W BALTIMORE CT
CITY	MILLSBORO
STATE	DE
a_account	15-01-596
DESCRIPTION	CAPTAINS GRANT
DESCRIPTION2	LOT 38
DESCRIPTION3	CT#37651
LUC	103
SCHOOL	1
MUNI	00
CAP	2
APBLDG	197300
APRLAND	59900
PINWASSEMMENTUNIT	234-29.00-596.00
PIN	234-29.00-596.00

Selected Features (1)

Clear Selected

RECEIVED

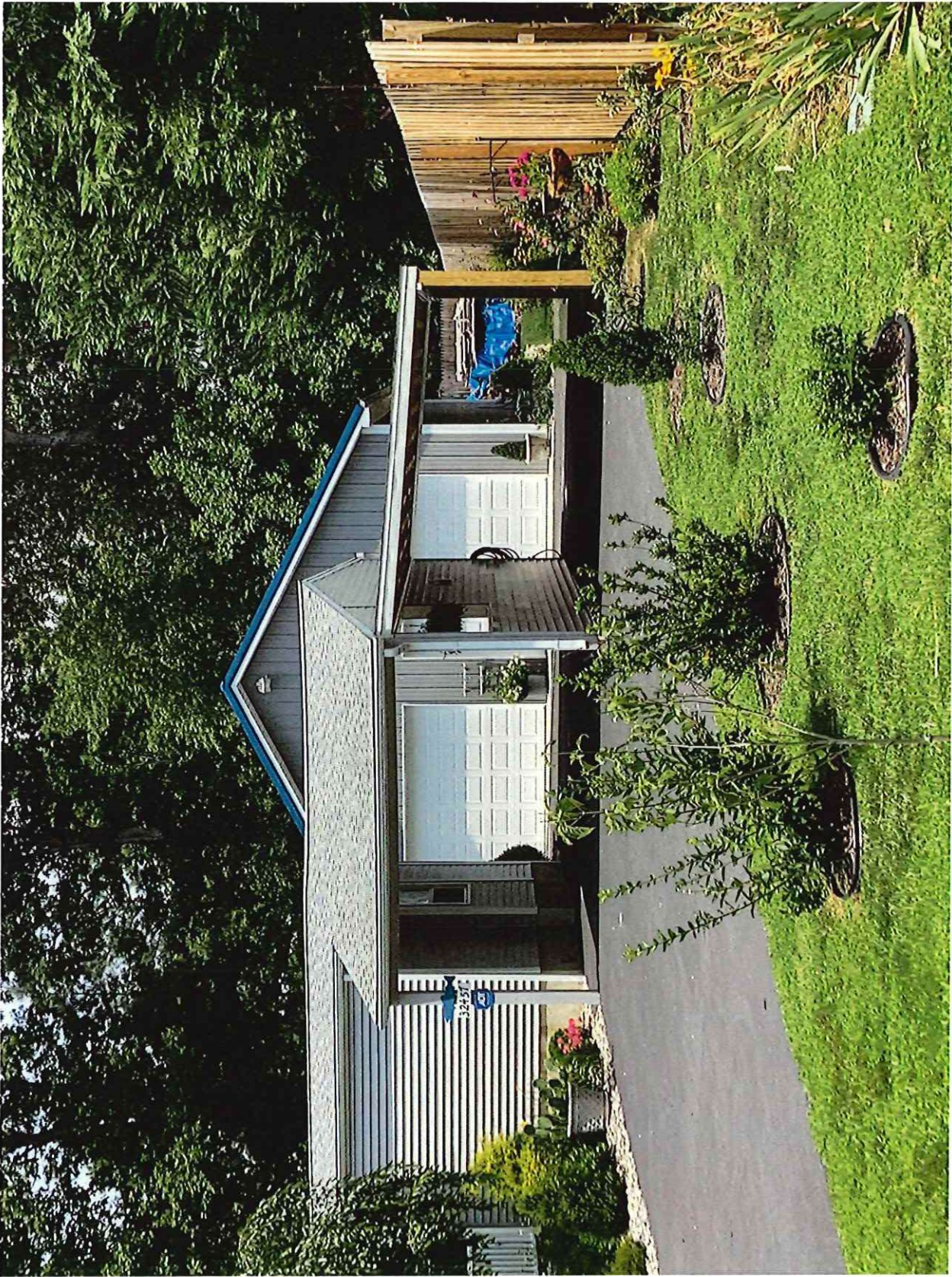
JUL 13 2026

OnBase

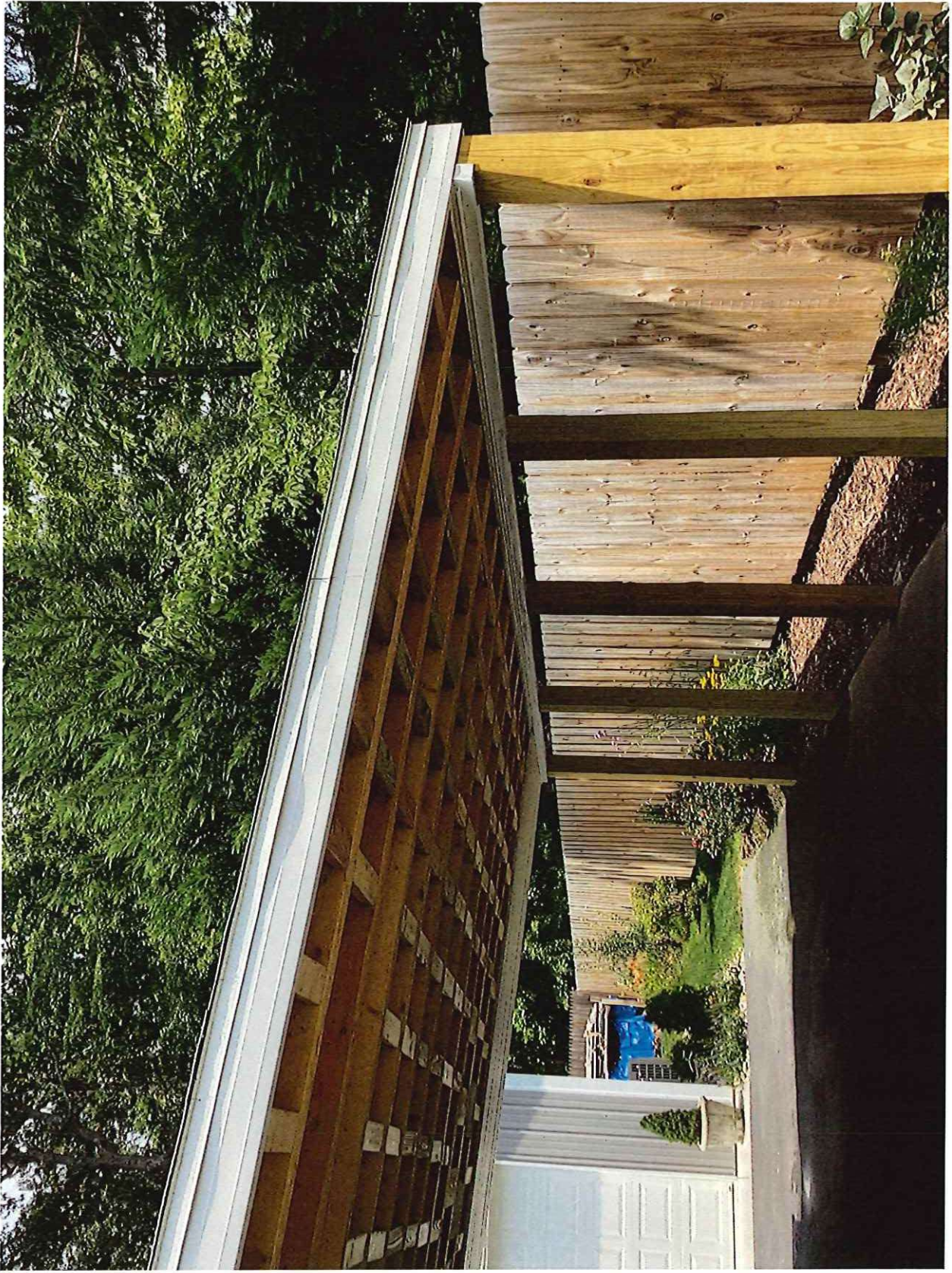
Applicant
Exhibit

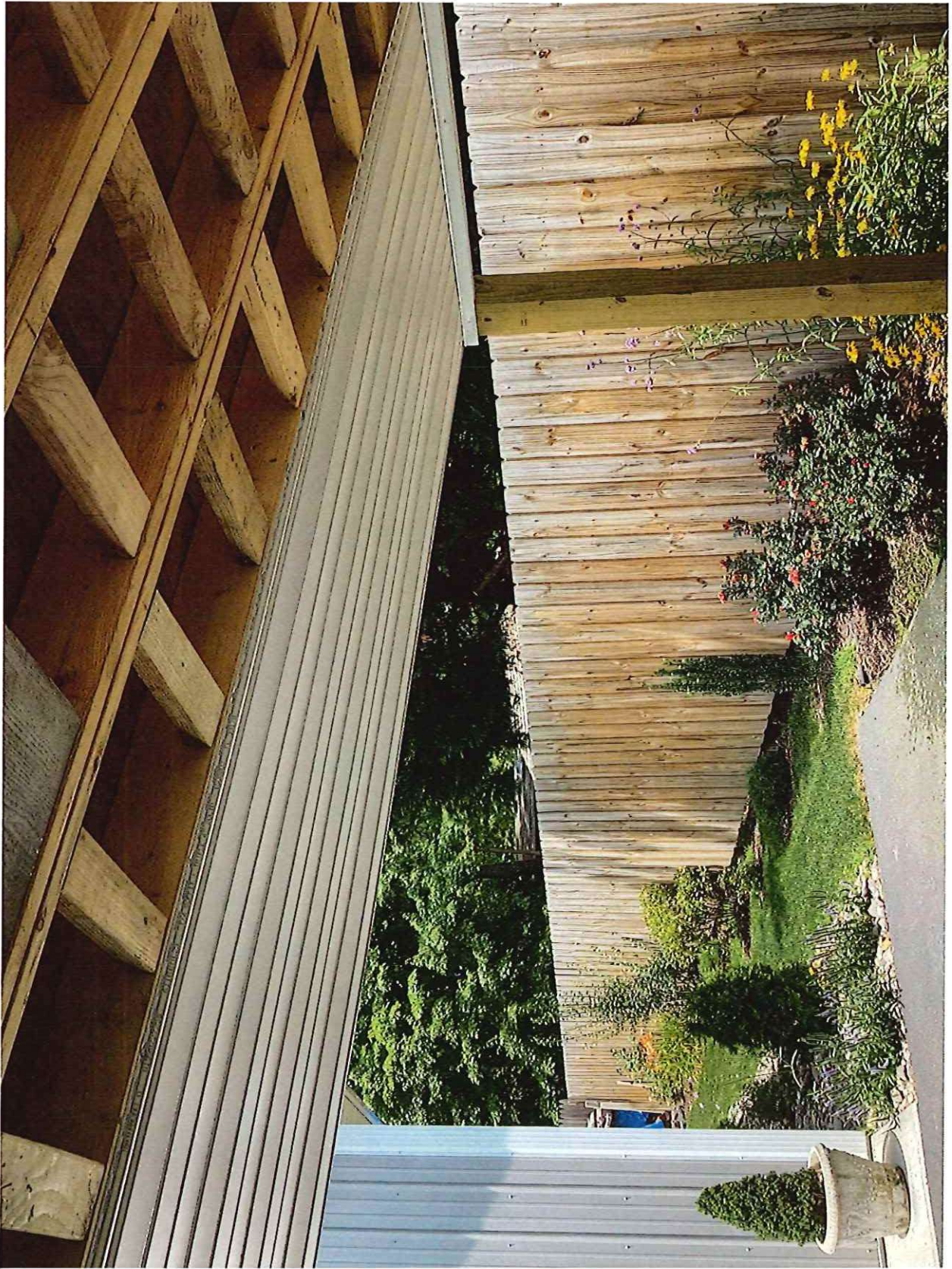
SUS
PLAN

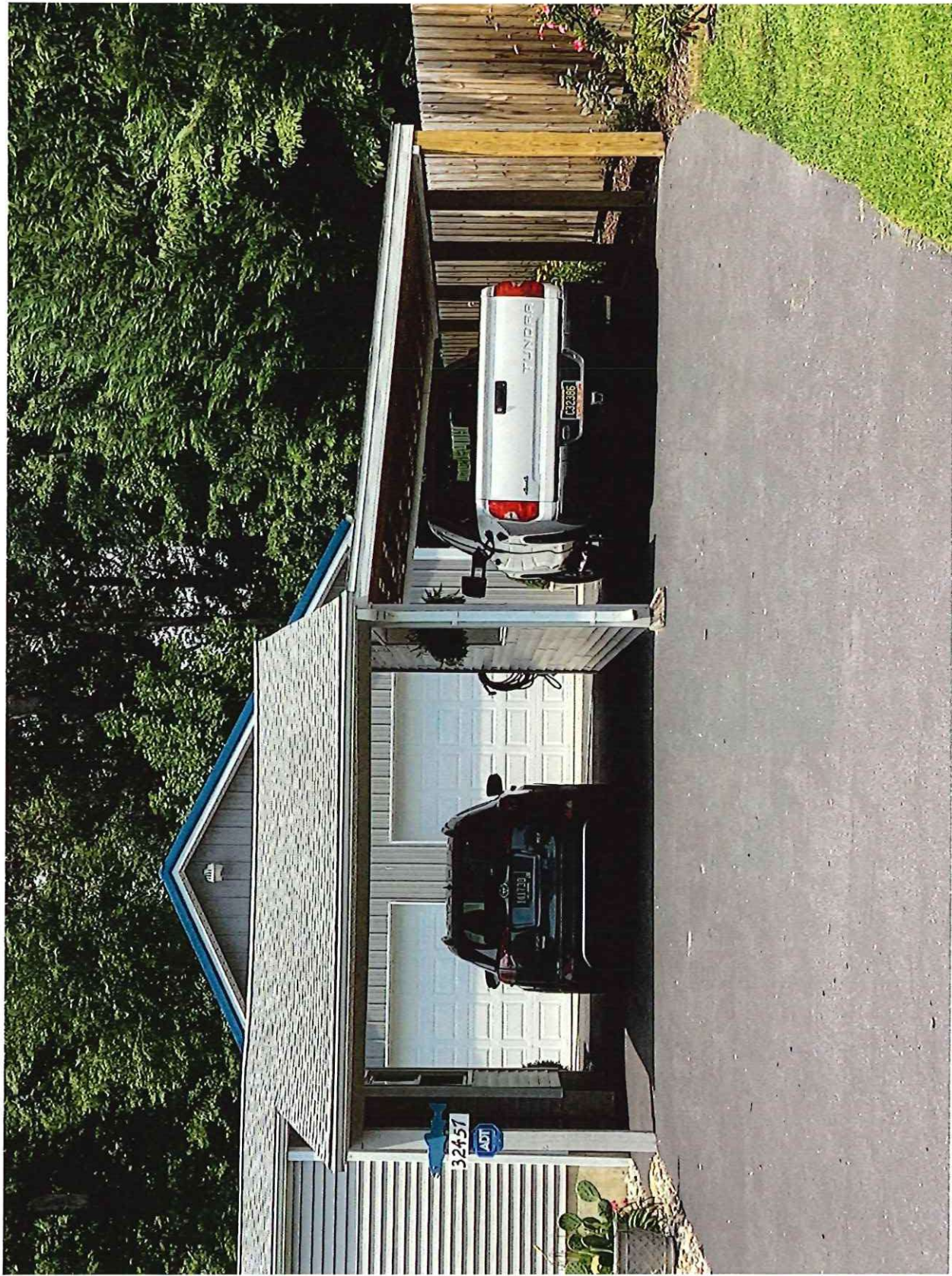


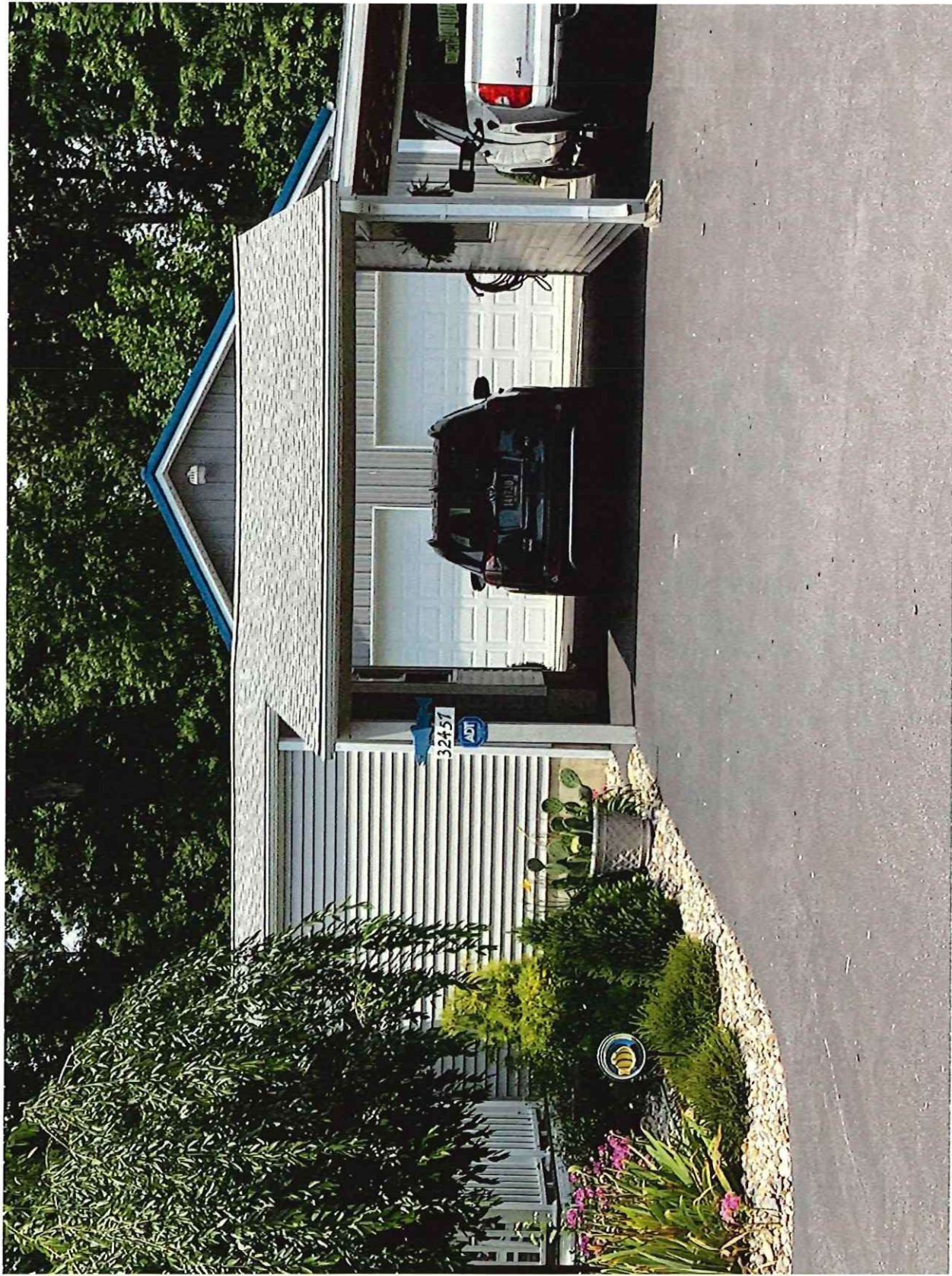






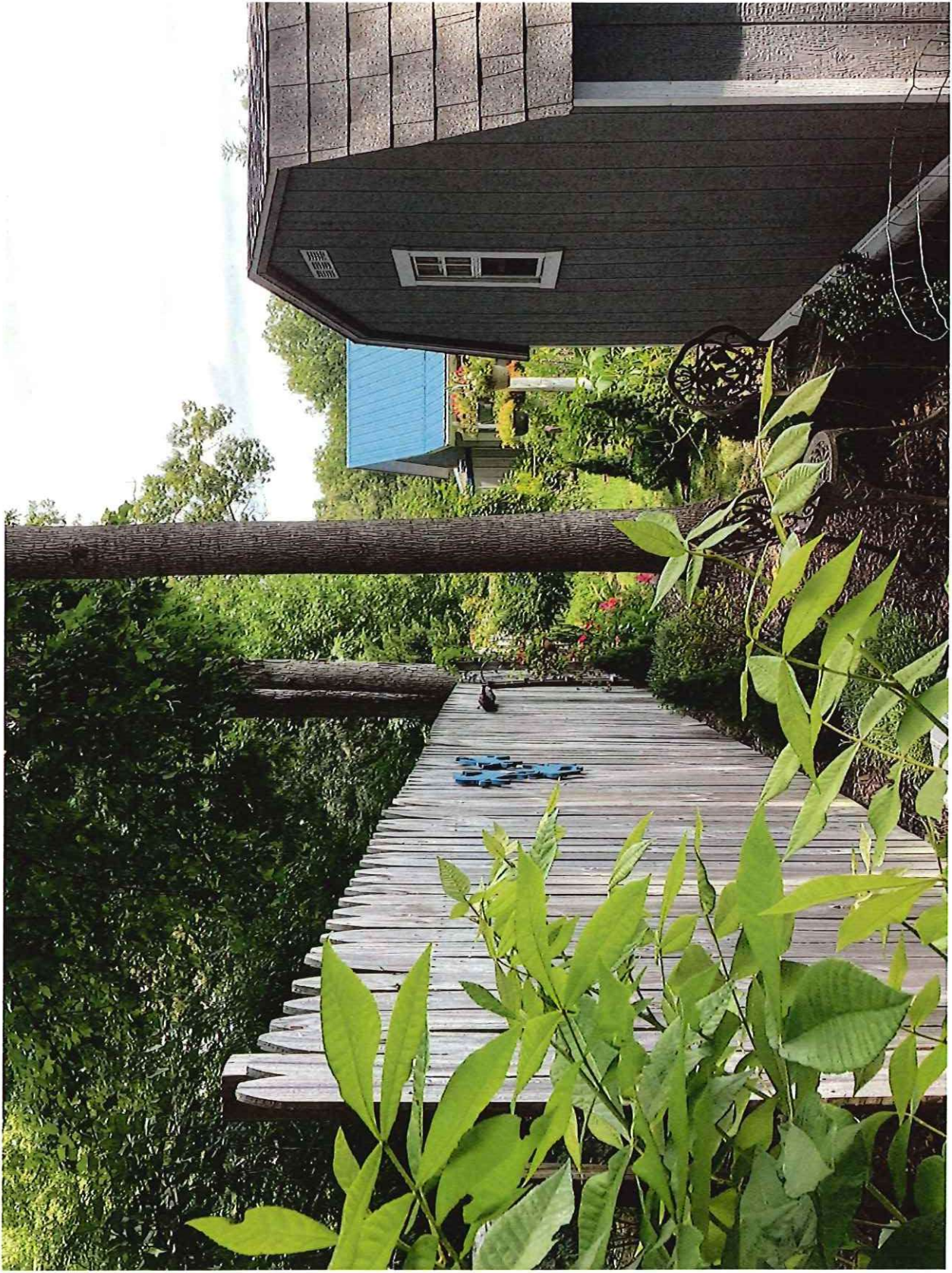


















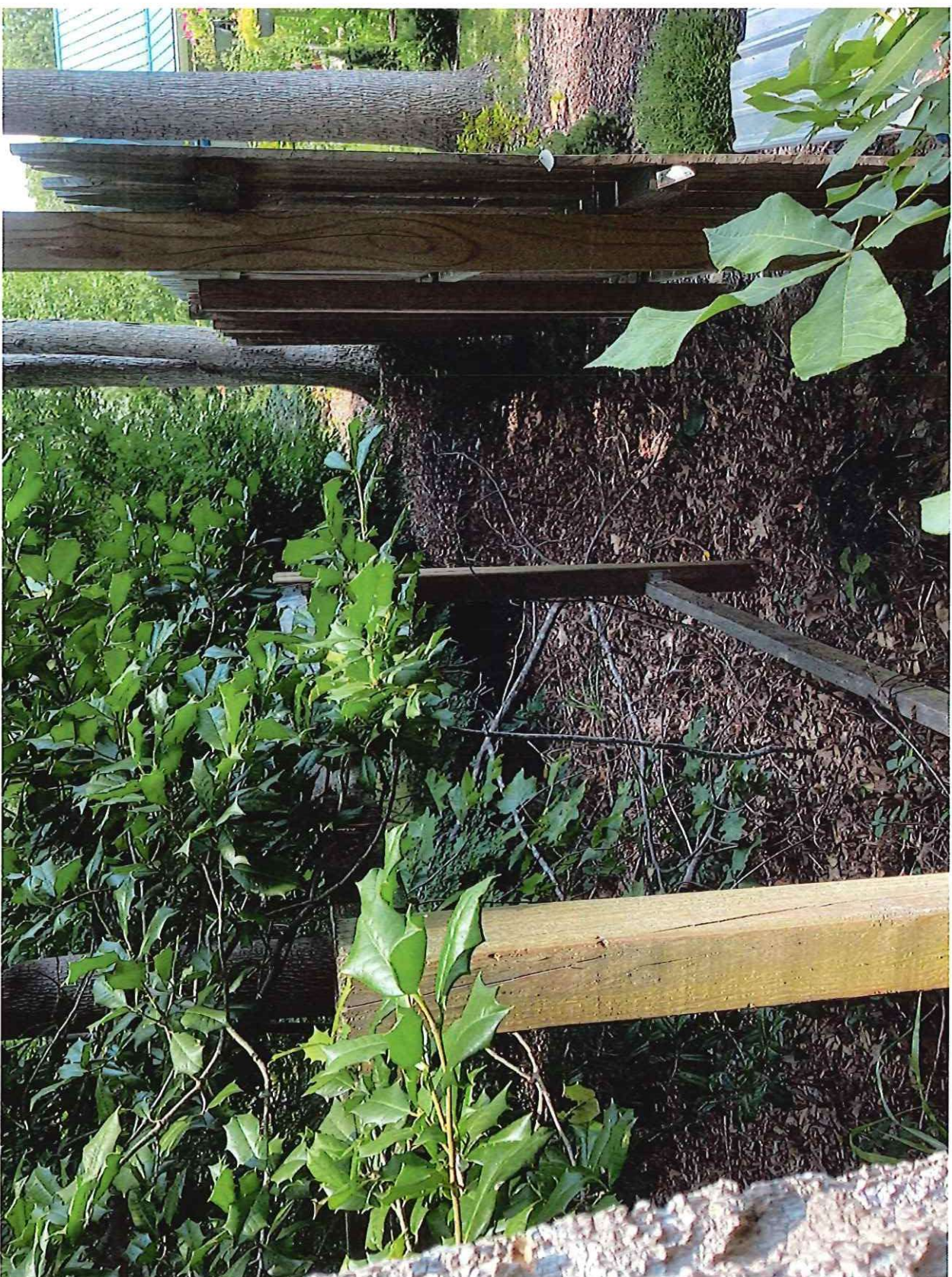












Sussex County, DE - BOA Application

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.

GARAGE DOORS DO NOT ALIGN W/EXISTING CARPORT.

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.

DO NOT HAVE PROPER SETBACKS FOR CARPORT.

3. Not created by the applicant:

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

THERE IS A PRIVACY FENCE BETWEEN ADJACENT PROPERTY AND CARPORT

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.

PROPERTY WELL MAINTAINED AND LANDSCAPED.

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 CAN NOT ALTER SIZE OF CARPORT

Sussex County, DE - BOA Application

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

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

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

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

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

Sussex County, DE - BOA Application

Check List for Applications

The following shall be submitted with the application

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

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

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

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

Signature of Owner/Agent/Attorney

Date: _____

For office use only:

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

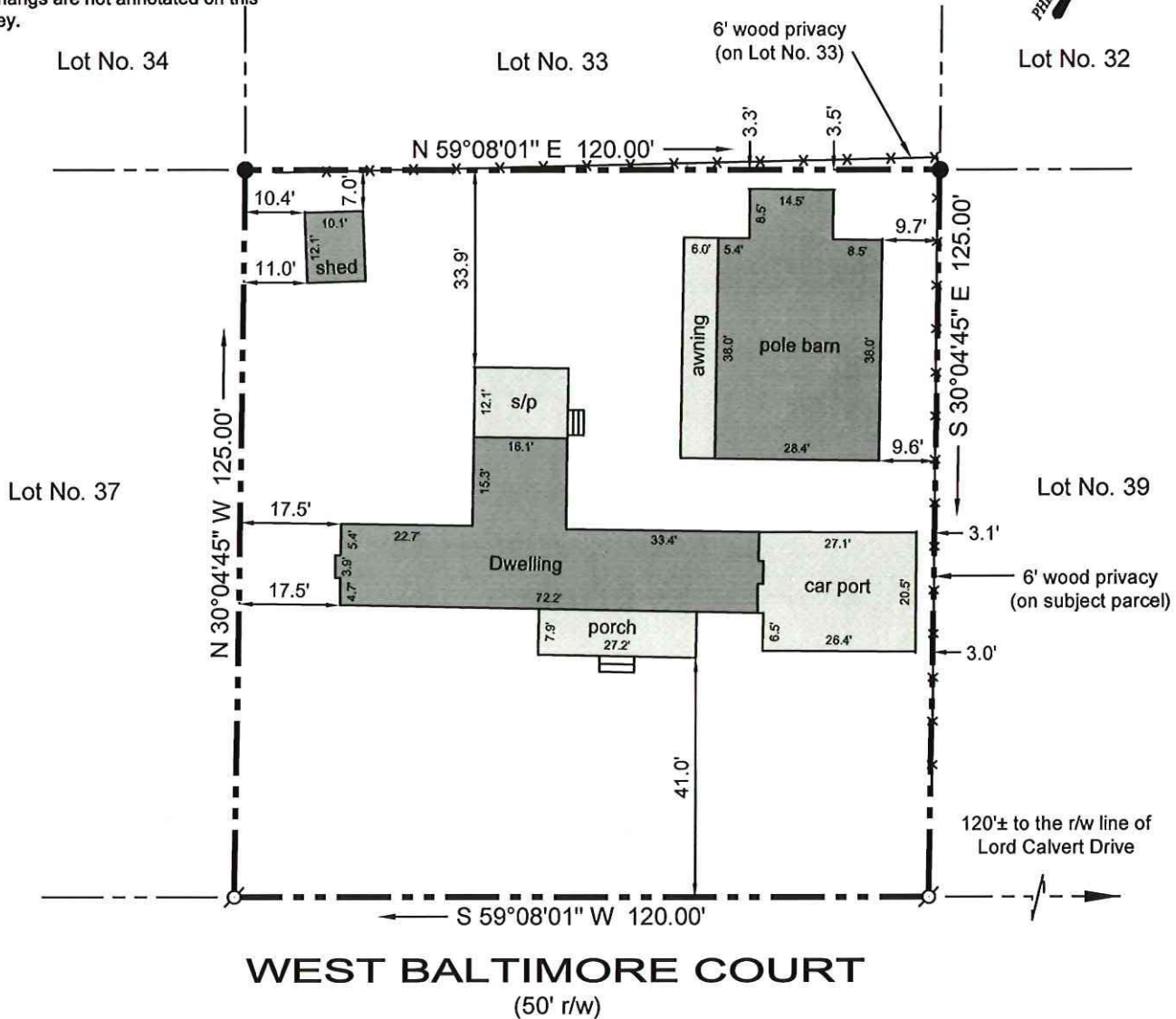
Subdivision: _____ Lot#: _____ Block#: _____
 Date of Hearing: _____ Decision of Board: _____

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 eve overhangs are not annotated on this survey.

REFERENCE DATUM NOTES:

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



Ø 5/8" RE-BAR w/CAP (SET)

● 3/4" PIPE (FD)

SCALE: 1" = 30'

AREA: 14,999 SQ. FT.

PARCEL ID NO: 234-29.00-596.00

Lands of RICHARD E. HECK and SUSAN L. HECK. Being known as LOT NO. 38, SECTION NO. 1, CAPTAIN'S GRANT.
Ref: Plat Book 29, Page 320.

FIRM INFORMATION:

100029 - 0481 - K
MARCH 16, 2015
ZONE: "X", NON-SHADED
CLASS "B" SURVEY

HUNDRED: INDIAN RIVER

COUNTY: SUSSEX

STATE OF DELAWARE

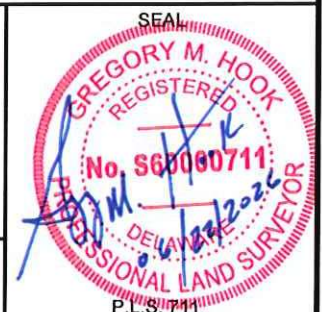
DATE OF ORIGINAL: 06/19/2026

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



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.

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

06/29/2026 08:53AM Megan D.
Receipt Number: 001318673
33031580-0057

PERMITS / INSPECTIONS
2026 202608696/2020

\$500.00

\$500.00

Subtotal
Total

\$500.00
\$500.00

Tenders
CHECK

Check Number 1258

\$500.00

Change due

\$0.00

Paid by: RICHARD HECK

3445742 Baltimore, MD	RICHARD H. HECK TREASURER SUSSEX COUNTY GOVT 10110000.00 1000	7/2/2026 FA 1258
SUSSEX COUNTY GOVT		DATE 6-27-2026
Fulton Bank		\$500.00
Signature: <i>[Signature]</i>		DATE 6-27-2026

Thank you for your payment.

Sussex County Government COPY
DUPLICATE RECEIPT

SUSSEX COUNTY
DELAWARE

Layers

Q Search

Basemaps

Select Area

Eagleview

Print

Help

Eagleview

Search Results

Selected Features:
1) 234-29.00-596.00

Zoom

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71

