

BOARD OF ADJUSTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878

AGENDA

August 17, 2026

6:00 PM

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of the Minutes for June 15, 2026

Approval of the Findings of Fact for June 15, 2026

Public Hearings

Case No. 13220 – Donald & Janene Shipe

seek variances from the front yard setback and separation distance requirements for proposed structures (Section 115-25, 115-183, 115-185 and 115-172G(7) of the Sussex County Zoning Code). The property is located to the south side of Birch Road in the Pine Valley MHP. 911 Address: 35668 Birch Road, Rehoboth Beach. Zoning District: AR-1. Tax Map: 334-13.00-164.00-2880.

Case No. 13221 – Shelly Galloway (SG Properties, LLC)

seeks variances from the side yard setback requirement for a proposed structure (Section 115-82 and 115-183 of the Sussex County Zoning Code). The property is located to the south side of Long Neck Road. 911 Address: 26246 Kathy's Way, Millsboro. Zoning District: C-1. Tax Map: 234-24.00-46.00.

Case No. 13222 – Oyster Haus, LLC

seeks variances from the front yard and corner front yard setback requirements for a proposed structure (Section 115-82 and 115-183 of the Sussex County Zoning Code). The property is located at the corner of Oyster House Road, Bald Eagle Road and Coastal Highway. 911 Address: 37458 Oyster House Road, Rehoboth Beach. Zoning District: C-1. Tax Map: 334-19.08-31.00.

Case No. 13223 – David Artrip

seeks a variance from the separation distance requirements between a structure and proposed structures (Section 115-82 and 115-188 of the Sussex County Zoning Code). The property is located to the northeast side of Chatham Lane within the Fairfield at Long Neck

community. 911 Address: 26765 Chatham Lane, Millsboro. Zoning District: C-1. Tax Map: 234-30.00-8.00-B19-4.

Case No. 13224 – Janice Caracappa & Robin Huckemeyer
seek variances 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 to the southwest side of John Adams Lane within the Patriot’s Glen community. 911 Address: 16272 John Adams Lane, Millsboro. Zoning District: AR-1. Tax Map: 234-29.00-2203.00.

Additional Business

-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on August 10, 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://sussexcountydela.gov/council-chamber-broadcast>

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

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@sussexcountydela.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@sussexcountydela.gov. All comments are encouraged to be submitted by 4:30 P.M. on Thursday, September 10, 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

Case # 13220
Hearing Date 08-17-2026
20260825

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:

35668 Birch Road, Rehoboth Beach, DE 19971

Variance/Special Use Exception/Appeal Requested:

Variance

*2.2' variance from 5' rear yard setback for a proposed structure
1.8' variance from 5' side yard setback for a proposed structure
11.5' variance from 20' separation distance between proposed structure & access structure on Lot 39*

Tax Map #: 334-13.00-164.00-2880

Property Zoning: AR-1

Applicant Information

Applicant Name: Donald H Shipe

Applicant Address: 196 Shamrock Road

City Paxinos State Pa Zip: 17860

Applicant Phone #: (570) 847-1862 Applicant e-mail: Shipper196@gmail.com

Owner Information

Owner Name: Donald H Shipe and Janene Shipe

Owner Address: 196 Shamrock Road

City Paxinos State Pa Zip: 17860 Purchase Date: 8/9/25

Owner Phone #: (570) 847-1862 Owner e-mail: Shipper196@gmail.com

Agent/Attorney Information

Agent/Attorney Name: Donald H Shipe

Agent/Attorney Address: 196 Shamrock Road

City Paxinos State Pa Zip: 17860

Agent/Attorney Phone #: (570) 847-1862 Agent/Attorney e-mail: Shipper196@gmail.com

Signature of Owner/Agent/Attorney

Donald H Shipe

Date: 6/24/26



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.

Please see attached document

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.

Please see attached document

3. Not created by the applicant:

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

Please see attached document

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.

Please see attached document

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.

Please see attached document

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: 6/24/26

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Lot#: _____

Decision of Board: _____

Block#: _____

#1 The variance is necessary because the property has unique physical characteristics that create a practical hardship not experienced by neighboring properties. The lot is unusually narrow, measuring approximately 32.3 feet by 86 feet, and is irregularly shaped, with angled front and rear property lines rather than a conventional rectangular configuration. These unique dimensions and lot angles significantly limit the placement and design of improvements on the property. The hardship results from the property's existing physical conditions and geometry, not from any action of the property owner, and strict application of the zoning requirements would impose an unnecessary practical difficulty. Therefore, the requested variance is necessary to permit a reasonable use of the property while respecting the character of the neighborhood.

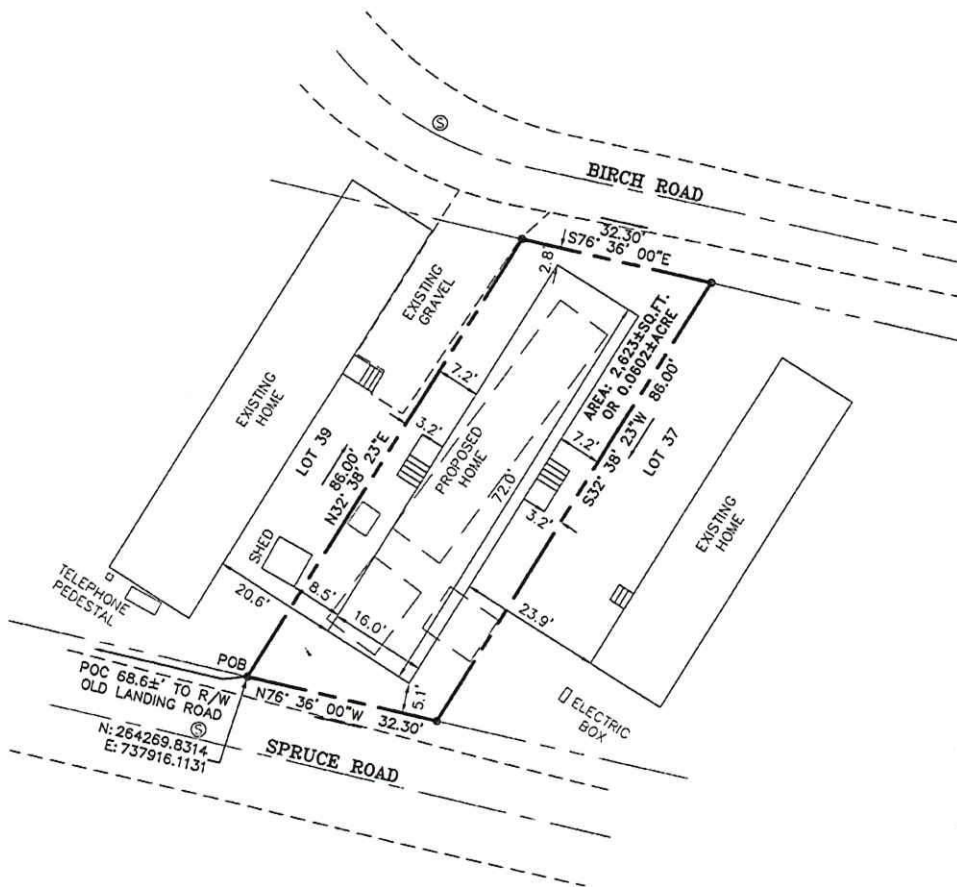
#2 Because of the property's narrow width of approximately 32.3 feet, limited depth of 86 feet, and irregular configuration with angled front and rear lot lines, strict compliance with the zoning requirements would severely restrict the ability to reasonably develop and improve the property. The unique physical characteristics of the lot substantially reduce the usable building area and create design constraints that cannot be overcome through conventional development. As a result, the property cannot be reasonably developed in strict conformity with the zoning ordinance, and the requested variance is necessary to allow a practical and reasonable use of the property.

#3 The exceptional practical difficulty was not created by the applicant. The hardship results from the property's long-existing physical characteristics, including its narrow width, limited depth, irregular lot configuration, and the applicable setback and structure-separation requirements. These conditions existed prior to the applicant's ownership and are inherent to the property itself. The requested variance is necessary because of these pre-existing site constraints and not because of any action taken by the applicant. The proposal simply seeks to replace an aging 50-year-old 10-foot by 50-foot dwelling with a reasonably sized 16-foot by 72-foot home while maintaining the property's residential use.

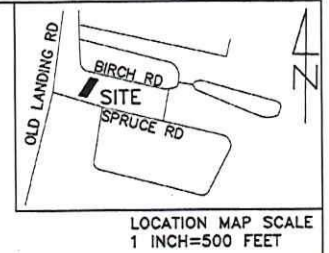
#4 Granting the requested variance is necessary to permit the reasonable replacement of an aging 50-year-old residence while preserving the property's long-established residential use. The proposed 16-foot by 72-foot home is consistent with the residential character of the neighborhood and will not alter the essential nature of the surrounding community. The variance will not impair the use, enjoyment, or development potential of adjacent properties, nor will it create any adverse impact on public health, safety, or welfare. Because the property has historically been used for residential purposes, the proposed improvement represents a continuation of that use rather than a change in character. The requested relief is necessary to allow a reasonable and functional dwelling on this uniquely constrained lot while maintaining compatibility with the surrounding neighborhood.

#5 The variance requested is the minimum variance necessary to permit a reasonable use of the property. Due to the unique dimensions and irregular shape of the lot, along with the required setbacks and spacing between structures, a smaller variance would not allow

placement of a replacement dwelling of practical size. The proposed 16' x 72' home is only large enough to provide a modern, safe, and functional residence for our family of 6, replacing the existing 10' x 50' home that has occupied the property for decades. The request seeks the least modification of the zoning requirements necessary to accommodate the replacement home while maintaining the required setbacks to neighboring properties and structures. No greater variance is requested than is necessary to afford relief and permit reasonable use of this uniquely constrained lot.



DSFC NSRS 2011

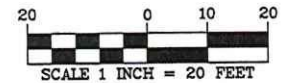


PLAN DATA:

1. TITLE REFERENCED TO:
TM# 334-13.00-164.00-2880, DB 1268, PG 40.
LOT 38, PINE VALLEY MHP
35668 BIRCH ROAD, REHOBOTH BEACH, DE 19971
LEWES REHOBOTH HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
2. NO TITLE REPORT PERFORMED OR FURNISHED IN PREPARATION OF THIS PLAN.
3. THIS PLAN DOES NOT CERTIFY THE EXISTENCE OR NON-EXISTENCE OF EASEMENTS OR RIGHTS OF WAY AS A FULL AND COMPLETE SEARCH MAY REVEAL IN THE SUSSEX COUNTY RECORDER OF DEEDS.
4. ACCORDING TO SUSSEX COUNTY PLANNING AND ZONING ONLINE MAP, THE ZONING IS AR-1.
5. ACCORDING TO FEMA FIRM MAP PANEL NUMBER 10005C0332K, DATED 03/16/2015, THE PROPERTY HEREIN LIES ENTIRELY IN ZONE X.
6. THIS SITE PLAN IS VALID PENDING APPROVAL BY COMMUNITY AND/OR COUNTY PERMITTING OFFICE.

LEGEND:

- CORNER NOT MARKED
- ⊙ SEWER MANHOLE
- PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- ROAD SEAM
- - - ROAD EDGE



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

ALAN O'DALE KENT, PLS#738, DATE 30 JUN 2026

JOB # 2026155

DATE OF PLAN
30 JUN 2026

DATE OF LAST
FIELD WORK
30 JUN 2026

THIS IS A SUBURBAN SURVEY
BOUNDARY SURVEY PLAN
AND SITE PLAN
FOR DONALD SHIPE
OF THE LANDS NOW OR FORMERLY OF
PINE VALLEY MOBILE HOME
PARK COOPERATIVE, INC.
PREPARED BY
ALAN O'DALE KENT LAND SURVEYING, LLC
9000 SUSSEX STREET, DEAFORD, DE 19912
(302) 743-1133
AKRL@OUTLOOK.COM

SUSSEX COUNTY
DELAWARE
Help

Layers Search Basemaps Select Area Eagleview Print

Eagleview
Search Results
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Selected Features:
Parcels (65)

- ▶ 21) 334-13.00-164.00-2875 [Zoom](#)
- ▶ 22) 334-13.00-164.00-2876 [Zoom](#)
- ▶ 23) 334-13.00-164.00-2877 [Zoom](#)
- ▶ 24) 334-13.00-164.00-2879 [Zoom](#)
- ▶ 25) 334-13.00-164.00-2880 [Zoom](#)

BOOK	0
PAGE	0
FULLNAME	SHIPE DONALD
Second_Owner_Name	JAENE SHIPE
MAILINGADDRESS	196 SHAMROCK RD
CITY	PAXINOS
STATE	PA
a_account	10-10-164-38
DESCRIPTION	PINE VALLEY
DESCRIPTION2	IMP ON LOT 38
DESCRIPTION3	
LUC	104
SCHOOL	6
MUNI	00
CAP	

◀ ⏮ ⏭ ⏪ ⏩ ▶

Selected Features (21 - 25 of 65)

Clear Selected

County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Esri ...

SUSSEX COUNTY
DELAWARE

LayersSearchBasemapsSelect AreaEagleviewPrint

EagleviewSearch Results

Selected Features:Parcels (65)

21) 334-13.00-164.00-2875Zoom

22) 334-13.00-164.00-2876Zoom

23) 334-13.00-164.00-2877Zoom

24) 334-13.00-164.00-2879Zoom

25) 334-13.00-164.00-2880Zoom

BOOK	0
PAGE	0
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STATE	PA
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DESCRIPTION2	IMP ON LOT 38
DESCRIPTION3	
LUC	104
SCHOOL	6
MUNI	00
CAP	

Selected Features (21 - 25 of 65)

Clear Selected

Sussex County Government | Sussex County Mapping and Addressing | State of Delaware, Microsoft, Vantor

esri

CONNECTEXPLORER™

Search

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Search by

SUSSEXPARCELS

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334-13.00-164.00

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Search results (1)

Options

334-13.00-164.00

Workspaces

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© 2025 Eagleview

map: Auto (Ortho)

Mar 2025 - Mar 2025

◀ image 1 of 5 ▶

03/10/2025

10 ft

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Sussex County, DE - BOA Application

Criteria for a Variance: (Please provide a written statement regarding each criteria).

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

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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.

Please see attached document

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.

Please see attached document

3. Not created by the applicant:

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

Please see attached document

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

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Sussex County, DE - BOA Application

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

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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.
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 - 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: 6/24/26

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Lot#: _____

Decision of Board: _____

Block#: _____

#1 The variance is necessary because the property has unique physical characteristics that create a practical hardship not experienced by neighboring properties. The lot is unusually narrow, measuring approximately 32.3 feet by 86 feet, and is irregularly shaped, with angled front and rear property lines rather than a conventional rectangular configuration. These unique dimensions and lot angles significantly limit the placement and design of improvements on the property. The hardship results from the property's existing physical conditions and geometry, not from any action of the property owner, and strict application of the zoning requirements would impose an unnecessary practical difficulty. Therefore, the requested variance is necessary to permit a reasonable use of the property while respecting the character of the neighborhood.

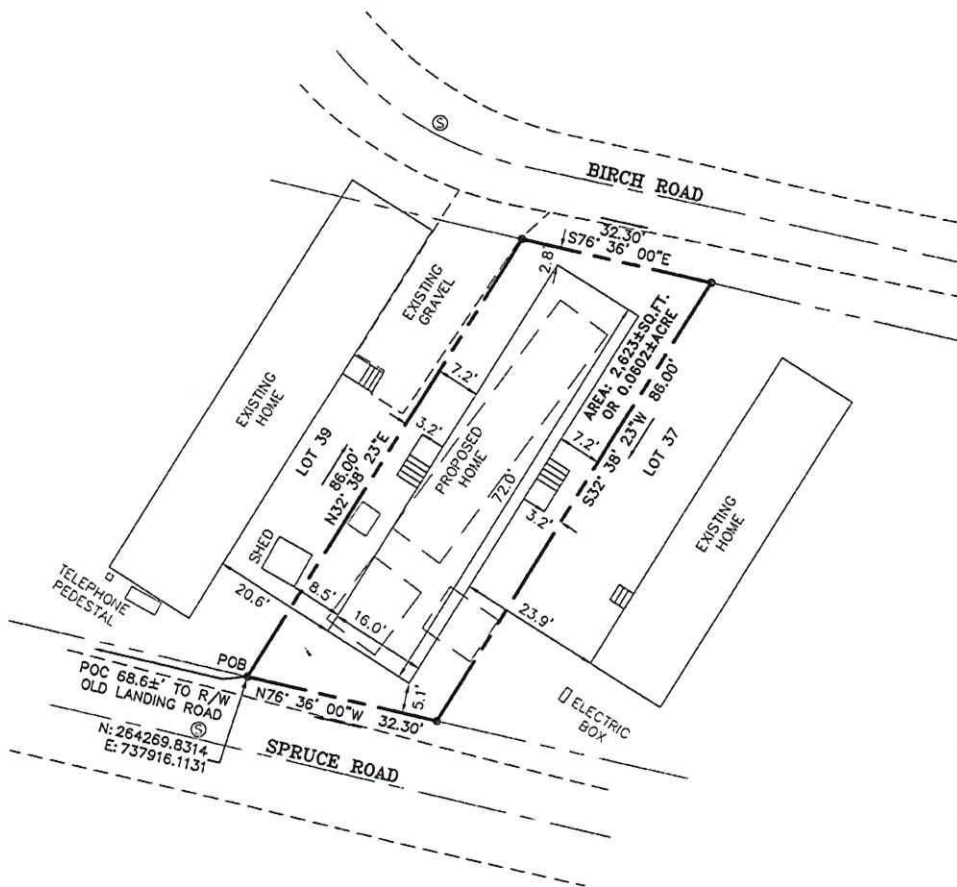
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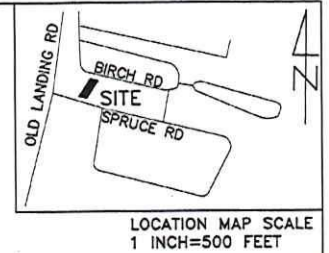
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DSFC NSRS 2011

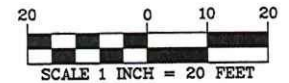


PLAN DATA:

1. TITLE REFERENCED TO:
TM# 334-13.00-164.00-2880, DB 1268, PG 40.
LOT 38, PINE VALLEY MHP
35668 BIRCH ROAD, REHOBOTH BEACH, DE 19971
LEWES REHOBOTH HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
2. NO TITLE REPORT PERFORMED OR FURNISHED IN PREPARATION OF THIS PLAN.
3. THIS PLAN DOES NOT CERTIFY THE EXISTENCE OR NON-EXISTENCE OF EASEMENTS OR RIGHTS OF WAY AS A FULL AND COMPLETE SEARCH MAY REVEAL IN THE SUSSEX COUNTY RECORDER OF DEEDS.
4. ACCORDING TO SUSSEX COUNTY PLANNING AND ZONING ONLINE MAP, THE ZONING IS AR-1.
5. ACCORDING TO FEMA FIRM MAP PANEL NUMBER 10005C0332K, DATED 03/16/2015, THE PROPERTY HEREIN LIES ENTIRELY IN ZONE X.
6. THIS SITE PLAN IS VALID PENDING APPROVAL BY COMMUNITY AND/OR COUNTY PERMITTING OFFICE.

LEGEND:

- CORNER NOT MARKED
- ⊙ SEWER MANHOLE
- PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- ROAD SEAM
- - - ROAD EDGE



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

ALAN O'DALE KENT, PLS#738, DATE 30 JUN 2026

JOB # 2026155

DATE OF PLAN
30 JUN 2026

DATE OF LAST
FIELD WORK
30 JUN 2026

THIS IS A SUBURBAN SURVEY
BOUNDARY SURVEY PLAN
AND SITE PLAN
FOR DONALD SHIPE
OF THE LANDS NOW OR FORMERLY OF
PINE VALLEY MOBILE HOME
PARK COOPERATIVE, INC.
PREPARED BY
ALAN O KENT LAND SURVEYING, LLC
9005 SUSSEX STREET, DEAFORD, DE 19912
(302) 743-1133
AKRL@OUTLOOK.COM

SUSSEX COUNTY
DELAWARE
Help

Layers Search Basemaps Select Area Eagleview Print

Eagleview

Search Results

X

Selected Features: Parcels (65)

▶ 25) 334-13.00-164.00-2880

Zoom

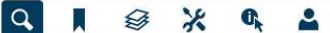
BOOK	0
PAGE	0
FULLNAME	SHIPE DONALD
Second_Owner_Name	JAENE SHIPE
MAILINGADDRESS	196 SHAMROCK RD
CITY	PAXINOS
STATE	PA
a_account	10-10-164-38
DESCRIPTION	PINE VALLEY
DESCRIPTION2	IMP ON LOT 38
DESCRIPTION3	
LUC	104
SCHOOL	6
MUNI	00
CAP	

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Selected Features (21 - 25 of 65)

Clear Selected

County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Esri ...



Search

Search by SUSSEXPARCELS

334-13.00-164.00

Search results (1) Options

334-13.00-164.00



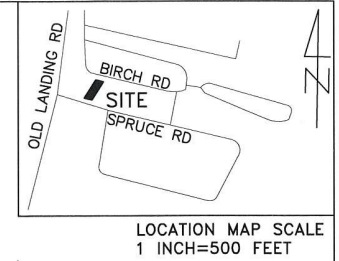
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RECEIVED

JUL 09 2026

SUSSEX COUNTY
ANNING & ZONING





PLAN DATA:

1. TITLE REFERENCED TO:

TM# 334-13.00-164.00-2880, DB 1268, PG 40.

LOT 38, PINE VALLEY MHP

35668 BIRCH ROAD, REHOBOTH BEACH, DE 19971

LEWES REHOBOTH HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE

2. NO TITLE REPORT PERFORMED OR FURNISHED IN PREPARATION OF THIS PLAT.

3. THIS PLAN DOES NOT CERTIFY THE EXISTENCE OR NON-EXISTENCE OF EASEMENTS OR RIGHTS OF WAY AS A FULL AND COMPLETE SEARCH MAY REVEAL IN THE SUSSEX COUNTY RECORDER OF DEEDS.

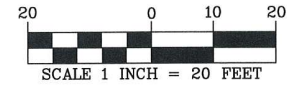
4. ACCORDING TO SUSSEX COUNTY PLANNING AND ZONING ONLINE MAP, THE ZONING IS AR-1.

5. ACCORDING TO FEMA FIRM MAP PANEL NUMBER 10005C0332K, DATED 03/16/2015, THE PROPERTY HEREIN LIES ENTIRELY IN ZONE X.

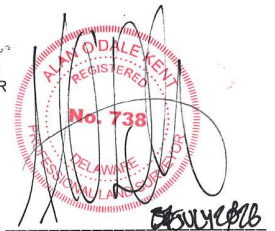
6. THIS SITE PLAN IS VALID PENDING APPROVAL BY COMMUNITY AND/OR COUNTY PERMITTING OFFICE.

LEGEND:

- CORNER NOT MARKED
- Ⓢ SEWER MANHOLE
- PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- ROAD SEAM
- - - ROAD EDGE



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



ALAN O'DALE KENT, PLS#738, DATE

JOB # 2026155

REV 08 JUL 2026,
MOVE PROPOSED HOME
AND ADD PROPOSED DRIVE

DATE OF PLAN
30 JUN 2026

DATE OF LAST
FIELD WORK
30 JUN 2026

THIS IS A SUBURBAN SURVEY
BOUNDARY SURVEY PLAN
AND SITE PLAN
FOR DONALD SHIPE
OF THE LANDS NOW OR FORMERLY OF
PINE VALLEY MOBILE HOME
PARK COOPERATIVE, INC.

PREPARED BY
ALAN O KENT LAND SURVEYING, LLC
9505 SUSSEX STREET, SEAFORD, DE 19973
(302) 745-1725
AOKLSLLC@OUTLOOK.COM



RECEIVED

JUL 02 2026

SUSSEX COUNTY
PLANNING & ZONING

Board of Adjustment Application

Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 faxCase # 13221
Hearing Date 8-17
202608933

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:

26246 Kathy's Way Millsboro, DE 19966

Variance/Special Use Exception/Appeal Requested:

Our existing storage building was destroyed by fire. The replacement building will be 36 feet longer in size. The variance is needed because we have an unusually narrow lot.

*A 5'±5.1' variance from 10' side yard setback for a proposed building.*Tax Map #: 234 24.00 46.00Property Zoning: Commercial C-1

Applicant Information

Applicant Name: Shelly Galloway (SG Properties, LLC)Applicant Address: 31346 Riverwood RdCity Millsboro State DE Zip: 19966Applicant Phone #: (302) 947 2044 Applicant e-mail: shelly@indianrivergolfcars.com

Owner Information

Owner Name: Same as Above

Owner Address: _____

City _____ State _____ Zip: _____ Purchase Date: _____

Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

Agent/Attorney Name: N/A

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

*Shelly Galloway*Date: 7/2/26

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 has a unique physical characteristic in that it is unusually narrow, which limits the area available for construction, while meeting the required setbacks. This condition is specific to the property and creates difficulty in constructing a replacement storage building. The need for the variance results from the lot's physical dimensions, rather than from the proposed use of the property.

2. Cannot otherwise be developed:

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

The property is unusually narrow, making it impossible to construct a replacement storage building that complies with the required setbacks. Without the requested variance, the property cannot reasonably accommodate a storage building of the size needed for the property's intended use.

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 applicant. The property's narrow width is an existing physical characteristic of the lot and was not created or altered by the applicant. The need for the variance results from the lot's dimensions, not from any action taken by the applicant.

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 storage building is intended to replace a building that was destroyed by fire and will remain consistent with the residential character of the surrounding properties.

5. Minimum variance:

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

The requested variance is the minimum variance necessary to allow construction of a replacement storage building on this unusually narrow lot. The proposed location and setback relief has been limited to the minimum required to accommodate the building, while maintaining compliance with all other applicable zoning requirements to the greatest extent possible.

Check List for Applications

The following shall be submitted with the application

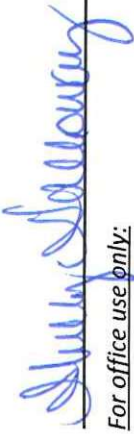
- ☒ • Completed Application
- ☒ • Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed 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: 7/2/24

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

Lot#: _____

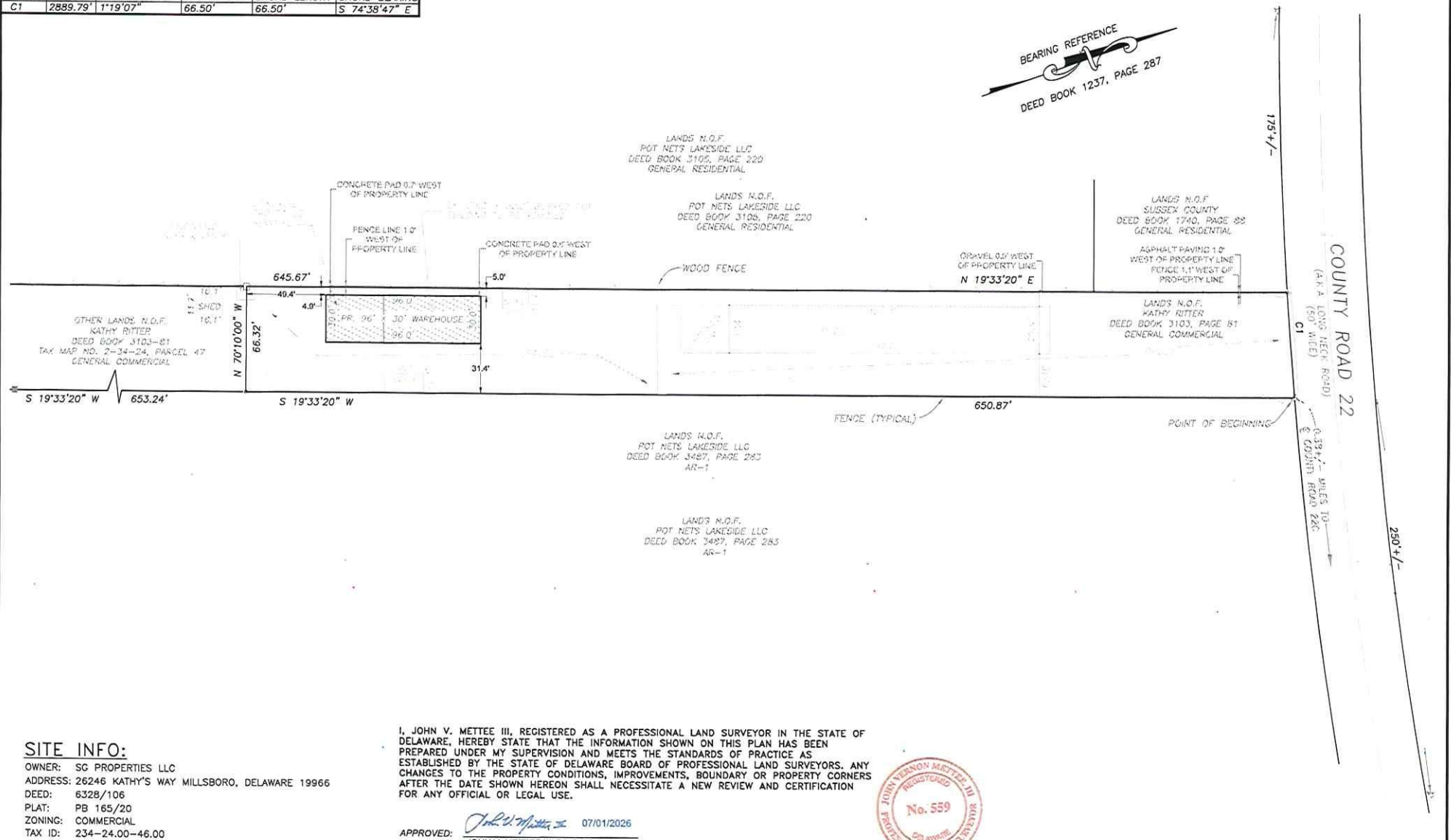
Date of Hearing: _____

Decision of Board: _____

Block#: _____

CURVE DATA:

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
G1	2889.79'	1°19'07"	66.50'	66.50'	S 74°38'47" E



SITE INFO:

OWNER: SG PROPERTIES LLC
 ADDRESS: 26246 KATHY'S WAY MILLSBORO, DELAWARE 19966
 DEED: 6328/106
 PLAT: PB 165/20
 ZONING: COMMERCIAL
 TAX ID: 234-24.00-46.00

I, JOHN V. METTEE III, 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.

APPROVED: *John V. Mettee III* 07/01/2026
 JOHN V. METTEE III, P.L.S. 559



FIRE MARSHALL NOTES:

- 1) OWNER: KATHY RITTER
28848 POINT VIEW ROAD
MILLSBORO, DE 19966
- 2) BUILDING ADDRESS: 26246 KATHY'S WAY, MILLSBORO, DE 19966
- 3) PROPOSED BUILDING USE - RETAIL
- 4) WATER SUPPLY - ONSITE WELL
- 5) MAXIMUM BUILDING HEIGHT - 30', 1 STORY
- 6) BUILDING CONSTRUCTION - POLE BUILDING WITH METAL SIDES AND ROOF
- 7) BUILDING WILL NOT BE PROTECTED BY AUTOMATIC SPRINKLERS
- 8) ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.

GENERAL NOTE:

1) CLASS "B", SUBURBAN SURVEY

REVISED:

DECEMBER 2, 2010
 JANUARY 19, 2011
 JUNE 30, 2026 - STH

LEGEND:

- FOUND IRON PIPE
- △ FOUND CAP
- FOUND CONCRETE MONUMENT
- FOUND STONE
- ▽ FIRE HYDRANT



"INDIAN RIVER GOLF CARTS"

LOT SURVEY & SITE PLAN

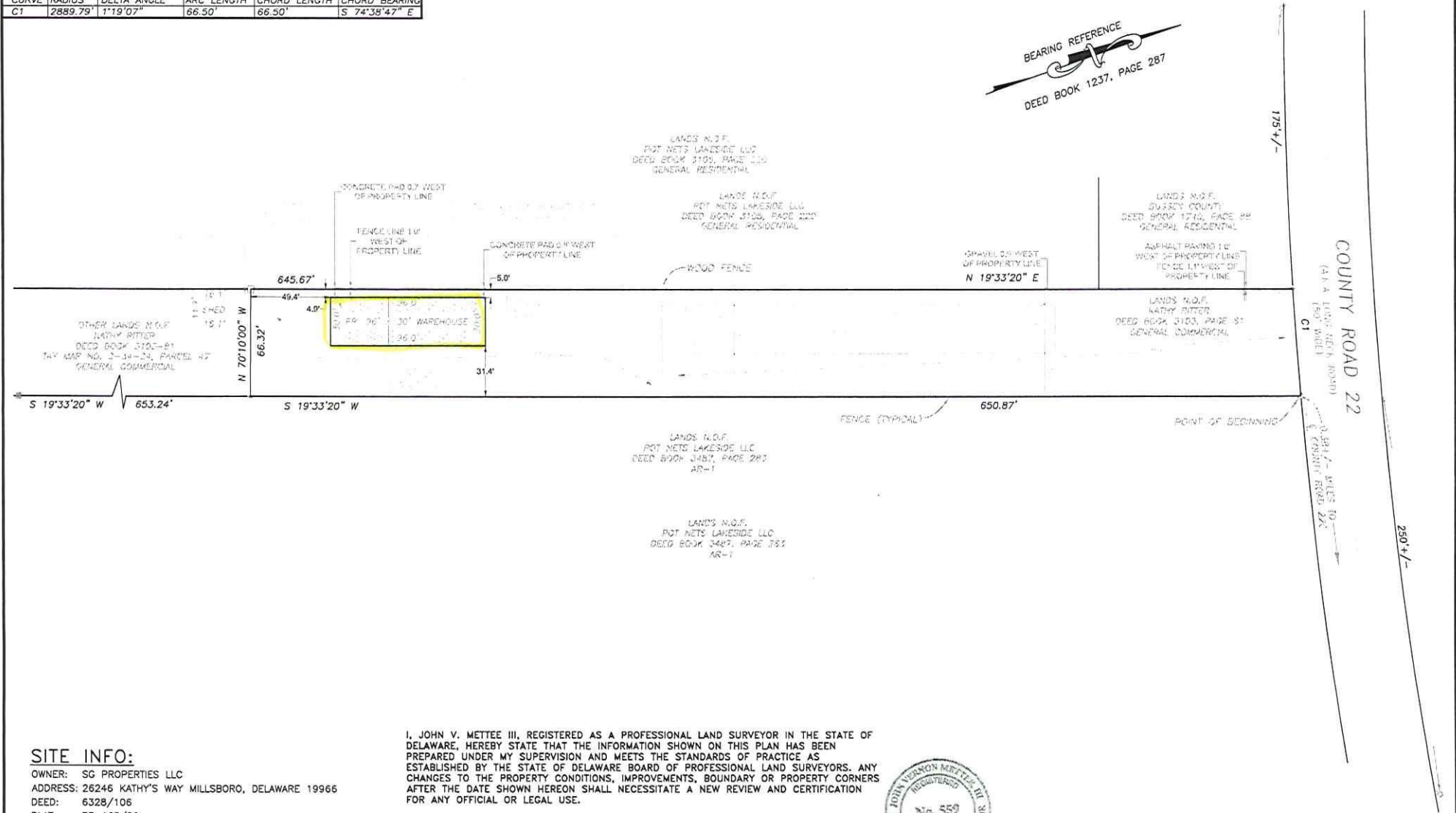
PREPARED FOR

KATHY RITTER

SITUATED IN
 INDIAN RIVER HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
 AREA: 0.987 ACRES ±
 SCALE: 1" = 40'
 DATE: SEPTEMBER 23, 2010
 DRAWN BY: MBK/STH
 CHECKED BY: JVM

CURVE DATA:

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
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LOT SURVEY & SITE PLAN

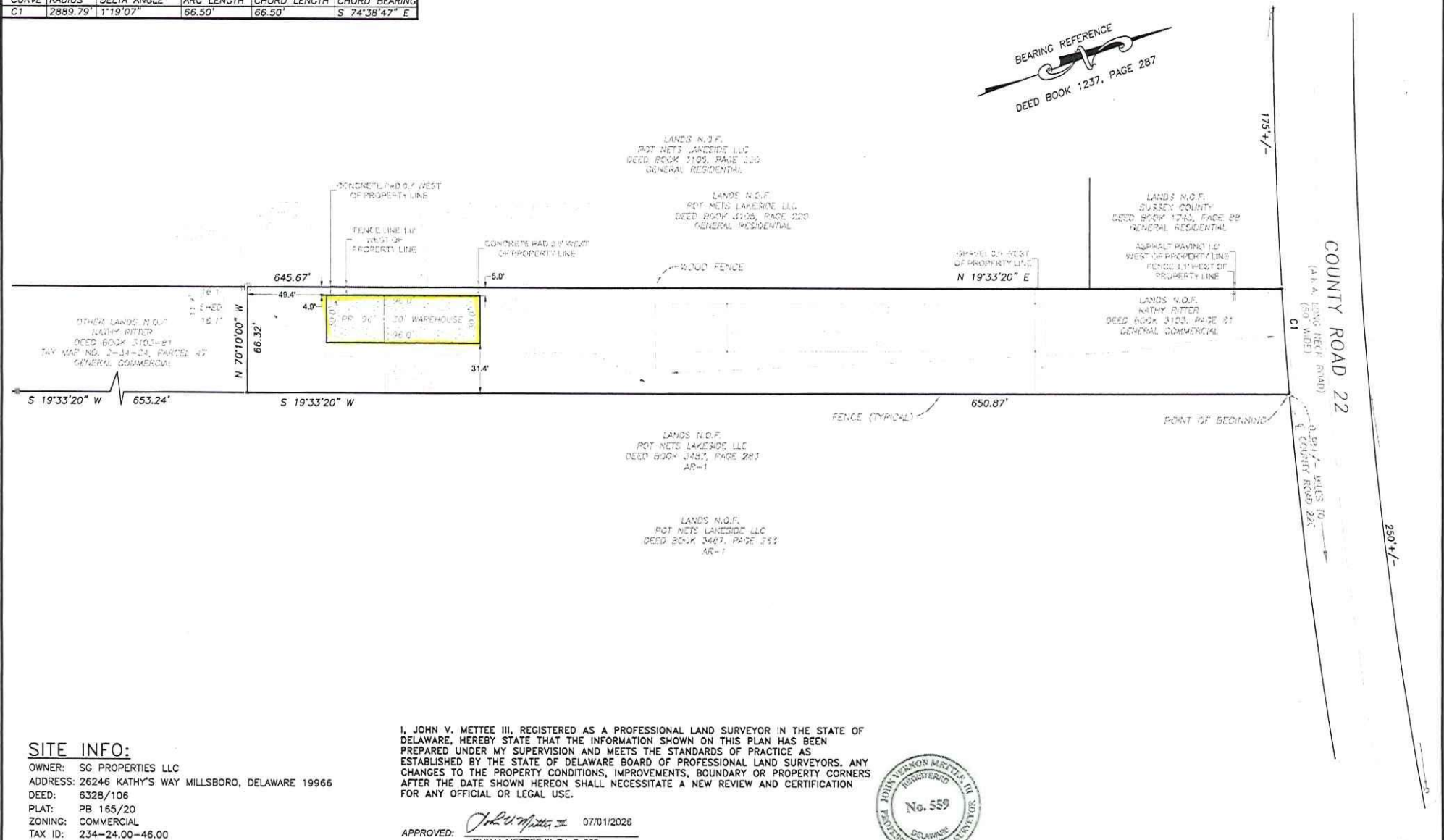
PREPARED FOR

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 AREA: 0.987 ACRES ±
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"INDIAN RIVER GOLF CARTS"

LOT SURVEY & SITE PLAN

PREPARED FOR
KATHY RITTER

SITUATED IN
INDIAN RIVER HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
AREA: 0.987 ACRES ±
SCALE: 1" = 40'
DATE: SEPTEMBER 23, 2010
DRAWN BY: MBK/STH
CHECKED BY: JVM



**EASTERN
SHORE**
POLE BUILDINGS

1 Dorman St.
Harrington, Delaware 19952
Phone: 302-632-0918

Date: 6/10/26
Customer: Indian River Golf Carts
Address:

Contract Number: 26244-2A
Home Number:
Cell Number: 302-947-2044
M.H.I.C # 158630
DE Lic. # 2023704787

ESPB, shall supply all materials and labor for the completion of the following building:

Size: Width 30' Length 96' Height 16'

1. Post: 3 ply 2X6 glu-lam post installed 8' on center.
 - All Gable Post extend to roof on gable ends.
 - Posts shall be installed on each side of the doors with a concrete footer.
 - All posts are **Ground Treated Post**.
 - All posts come with a **Limited Lifetime Warranty**.
2. Trusses: Pre-Engineered Certified Trusses, #1 SPF or SYP installed at 4' on center with a 4/12 pitch
 - All trusses are engineered for the specific geological area where the building is being built.
 - **Pre-Engineered Stamped Truss Certifications** supplied for State or County Ordinances as needed.
 - Trusses are supplied by Sam Yoder & Son Truss Company.
3. Hurricane Ties: connection. Pre-Engineered Hot Dipped 18 Gauge Galvanized Simpson Hurricane Ties installed at each truss
4. Truss Carriers: 2 - 2" X 12" #1 Southern Yellow Pine, one installed on each side of post.
 - LVL's shall be installed over all openings exceeding 10' as truss carriers. One installed on each side of posts.
 - All truss carriers shall be fastened to post with Head Lok Lag Screws and 16P Nails.
5. Side & Roof Purlins: SPF 2" X 4" Purlins Installed 2' on center.
6. Skirt Board: 2"X8" Ground Treated Skirt Board installed. Limited Lifetime Warranty.
 - Corrosion barrier installed between treated skirt board and metal.
 - The skirt board is attached with **Hot Dipped Galvanized Nails** to prevent nail corrosion.
 - Galvalume Rodent Guard attached to Skirt Board to prevent rodents from entering building.
7. Over Hangs: 1' Over Hangs Installed on the Eave Sides and Gable ends.
 - Center Vent Vinyl White Soffit Installed.
 - Painted Galvalume Steel Fascia- 40 Year Warranty, Labor Included.
 - Painted Galvalume Steel Drip Edge- 40 Year Warranty, Labor Included.
8. Eave Top: ~~***NONE***~~
9. Roofing: 29 Gauge #1 Galvalume Metal - 40 Year Limited Warranty - Color _____
10. Side Metal: 29 Gauge #1 Galvalume Metal - 40 Year Limited Warranty - Color _____
11. Trim: 29 Gauge #1 Galvalume Metal - 40 Year Limited Warranty - Color _____
12. Wainscoting: Wainscoting will be Installed on the Entire Building.
29 Gauge #1 Galvalume Metal - 40 Year Limited Warranty - Color _____

13. Insulation:	1/4" Double Bubble Insulation Installed Between Roof Metal and Purlins. • Prevents Condensation build up. • Prevents heat from penetrating through the roof metal. • Class a Fire Rating Material.
14. Ridge Enclosures:	Continues Ridge Enclosures Installed. • Class A Fire Retardant closures. • Prevents Rain, Snow, and Insects from penetrating into building.
15. Footers:	24" X 40" with 12" Sakrete/Concrete Dry Pour Footers @ 3500 psi, Backfilled with Existing Soil.
16. Entry Doors:	1 – 3X6'8" Solid Fiberglass Insulated Entry Door Installed. • Fully Vinyl Door with Composite Jam. Never have to worry about rust or rot. • Double pane argon filled glass with grids installed inside windows. • Grade 1 Stainless Steel Lock Set. • <u>Totally Maintenance Free Door with a Manufactures Limited Lifetime Warranty.</u>
17. Windows:	<u>**NONE.**</u>
18. Garage Doors:	4 – 12' X 14' Insulated Garage Door Installed with Hardware and Weather Stripping. <u>**NO OPENERS INCLUDED**</u> • Haas 2500 series garage doors with Heavy Duty 25 Gauge Steel. • Polystyrene thermal foam insulation installed with a Vinyl back. • Tongue and Grooved panel construction. • <u>2"X12" Garage Door Headers installed on all Garage Door.</u>
19. Concrete: Barrier.	30'X96'X4" Smooth Concrete Floor Poured with Fiber @ 3500 psi, Installed with a 6 Mil Poly Vapor
20. Excavation:	2- 4'X30'X4" Concrete Apron Installed with Fiber @ 3500 psi. All Excavation Included with up to 10 Loads of Select Fill Dirt Included. • Excavation includes the removal of up to 6" of topsoil from interior of building. • Topsoil shall be used to back fill around the new structure. • If you are required to have more fill dirt, you will be charged for the cost of the extra dirt only. • The customer is responsible for disposing of any remaining soil.
21. Gutters:	6" Seamless Aluminum Rain Gutters Installed with Down Spouts. • <u>Total of 27 Colors to choose from.</u>
22. CAD Drawings:	ESPB shall supply all CAD Drawings and Truss Certifications as needed for the customer to obtain a permit. The client is responsible for Engineer/Architect Stamped Prints as may be required to obtain permits.
23. Trash Removal:	ESPB shall dispose of any leftover trash & materials from the job site.
24. Driveway:	ESPB is not responsible for any damage to the customers' driveway upon delivery of materials or dirt.
Total Contract Price for above: \$ 78,488.00	
<i>**Proposal is good for 30 Days from the Contract date.</i>	
Deposit at Signing: 30% of Contract Price \$ _____	
Deposit on Material Delivery: 30% of Contract Price \$ _____	
Deposit when Trusses are set: 30% of Contract Price \$ _____	
Due upon Completion of Building 10% of Contract Price \$ _____	

****Note:** Customer has 3 days from the signing of this contract to cancel this contract and receive a full refund of deposit.
I HAVE READ AND AGREE TO THE ABOVE TERMS

This agreement and any addenda hereto contain the final and entire agreement between the parties and may not be modified or changed except by a written agreement signed by all parties. The parties agree neither party shall be bound by any terms, conditions, statements, warranties or representations, oral or written, not contained herein.

Customer: _____ Date: _____

Eastern Shore Pole Buildings: _____ Date: _____

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

07/02/2026 10:05AM Megan D.
Receipt Number: 001320046
33031598-0098

PERMITS / INSPECTIONS
2026 20260893317020

\$500.00

\$500.00

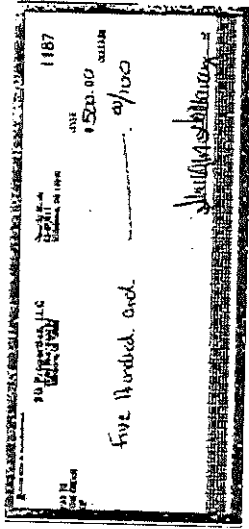
Subtotal
Total
\$500.00
\$500.00

Tenders
CHECK
Check Number 1187
\$500.00

Change due

\$0.00

Paid by: sg properties llc



Thank you for your payment.

Sussex County Government Copy
DUPLICATE RECEIPT

Layers
Search
Basemaps
Select Area
Eagleview
Print

County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Esri ...

Eagleview
Search Results

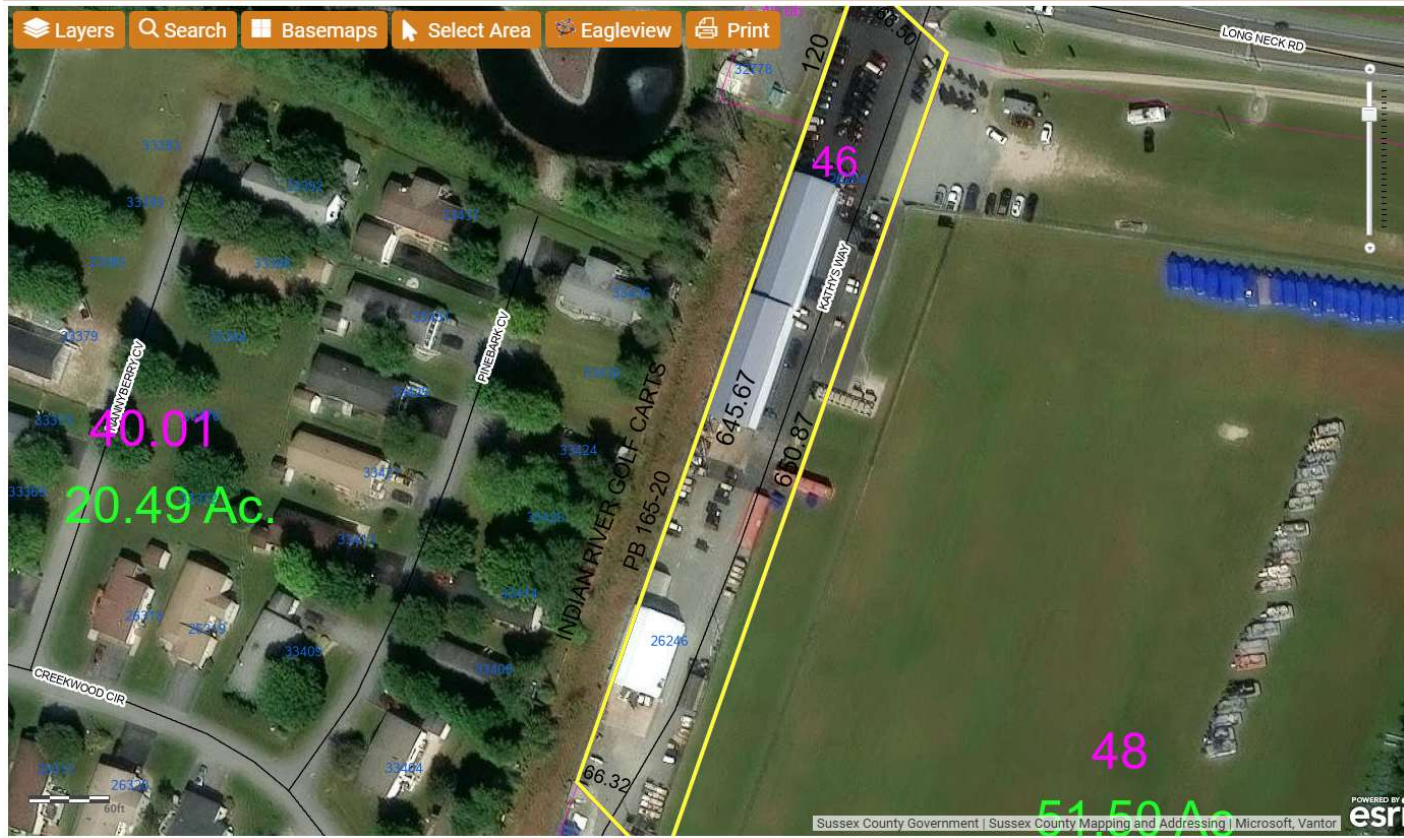
Selected Features:
Parcels (2)

1) 234-24.00-46.00
Zoom

BOOK	6328
PAGE	106
FULLNAME	SG PROPERTIES LLC
Second_Owner_Name	
MAILINGADDRESS	26246 KATHYS WAY
CITY	MILLSBORO
STATE	DE
a_account	08-02-046
DESCRIPTION	SW/RT 22
DESCRIPTION2	W/RT 22C
DESCRIPTION3	
LUC	411
SCHOOL	1
MUNI	00
CAP	0
APRBLDG	705900
APRLAND	261300
PINWASSEMENTUNIT	234-24.00-46.00

2) 234-24.00-46.00
Zoom

Selected Features (2)
Clear Selected



Eagleview	Search Results	x
Selected Features: Parcels (2)		
▼ 1) 234-24.00-46.00		Zoom
BOOK	6328	
PAGE	106	
FULLNAME	SG PROPERTIES LLC	
Second_Owner_Name		
MAILINGADDRESS	26246 KATHYS WAY	
CITY	MILLSBORO	
STATE	DE	
a_account	08-02-046	
DESCRIPTION	SW/RT 22	
DESCRIPTION2	W/RT 22C	
DESCRIPTION3		
LUC	411	
SCHOOL	1	
MUNI	00	
CAP	0	
APRBLDG	705900	
APRLAND	261300	
PINWASSEMENTUNIT	234-24.00-46.00	
▶ 2) 234-24.00-46.00		Zoom
◀ ⬅ ⬆ ⬇ ➡ ➤		
Selected Features (2)		
Clear Selected		

CONNECTEXPLORER™



map: Auto (Oblique) Mar 2025 - Mar 2025 Image 1 of 8 03/10/2025

Search

Search by SUSSEXPARELS

234-24.00-46.00

Search results (1) Options

234-24.00-46.00

150 ft
20 m

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 has a unique physical characteristic in that it is unusually narrow, which limits the area available for construction, while meeting the required setbacks. This condition is specific to the property and creates difficulty in constructing a replacement storage building. The need for the variance results from the lot's physical dimensions, rather than from the proposed use of the property.

2. Cannot otherwise be developed:

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

The property is unusually narrow, making it impossible to construct a replacement storage building that complies with the required setbacks. Without the requested variance, the property cannot reasonably accommodate a storage building of the size needed for the property's intended use.

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 applicant. The property's narrow width is an existing physical characteristic of the lot and was not created or altered by the applicant. The need for the variance results from the lot's dimensions, not from any action taken by the applicant.

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 storage building is intended to replace a building that was destroyed by fire and will remain consistent with the residential character of the surrounding properties.

5. Minimum variance:

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

The requested variance is the minimum variance necessary to allow construction of a replacement storage building on this unusually narrow lot. The proposed location and setback relief has been limited to the minimum required to accommodate the building, while maintaining compliance with all other applicable zoning requirements to the greatest extent possible.

Check List for Applications

The following shall be submitted with the application

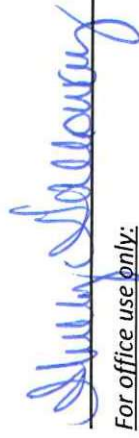
- ☒ • Completed Application
- ☒ • Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed 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: 7/2/24

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

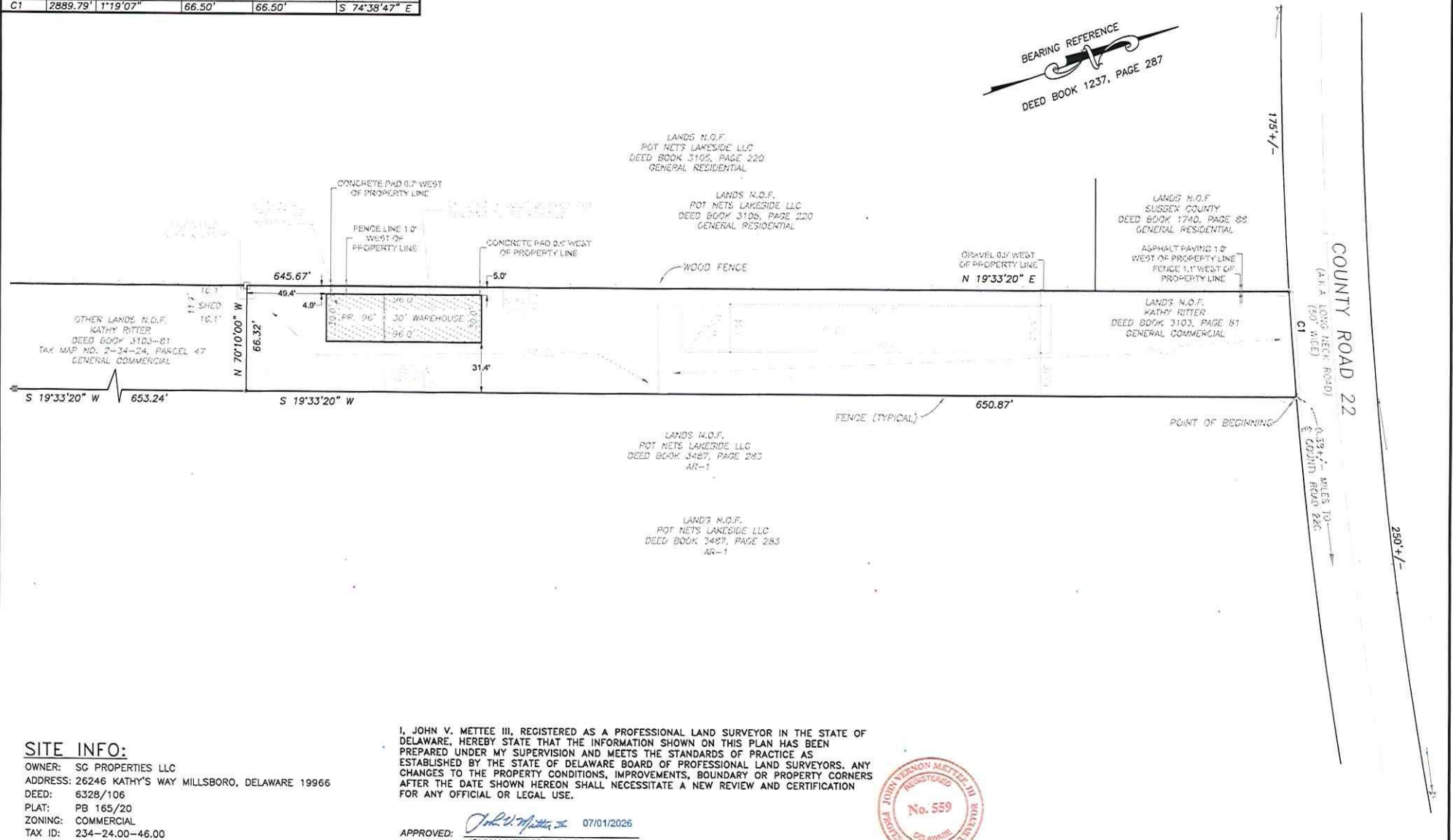
Lot#: _____

Block#: _____

Date of Hearing: _____

Decision of Board: _____

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2889.79'	1°19'07"	66.50'	66.50'	S 74°38'47" E



- 1) OWNER: KATHY RITTER
28848 POINT VIEW ROAD
MILLSBORO, DE 19966
- 2) BUILDING ADDRESS: 26246 KATHY'S WAY, MILLSBORO, DE 19966
- 3) PROPOSED BUILDING USE - RETAIL
- 4) WATER SUPPLY - ONSITE WELL
- 5) MAXIMUM BUILDING HEIGHT - 30', 1 STORY
- 6) BUILDING CONSTRUCTION - POLE BUILDING WITH METAL SIDES A
- 7) BUILDING WILL NOT BE PROTECTED BY AUTOMATIC SPRINKLERS
- 8) ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNE

BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION R

1) CLASS "B", SUBURBAN SURVEY

- FOUND IRON PIPE
- △ FOUND CAP
- FOUND CONCRETE MONUMENT
- FOUND STONE
- ⊕ FIRE HYDRANT

DECEMBER 2, 2010
JANUARY 19, 2011
JUNE 30, 2026 - STH

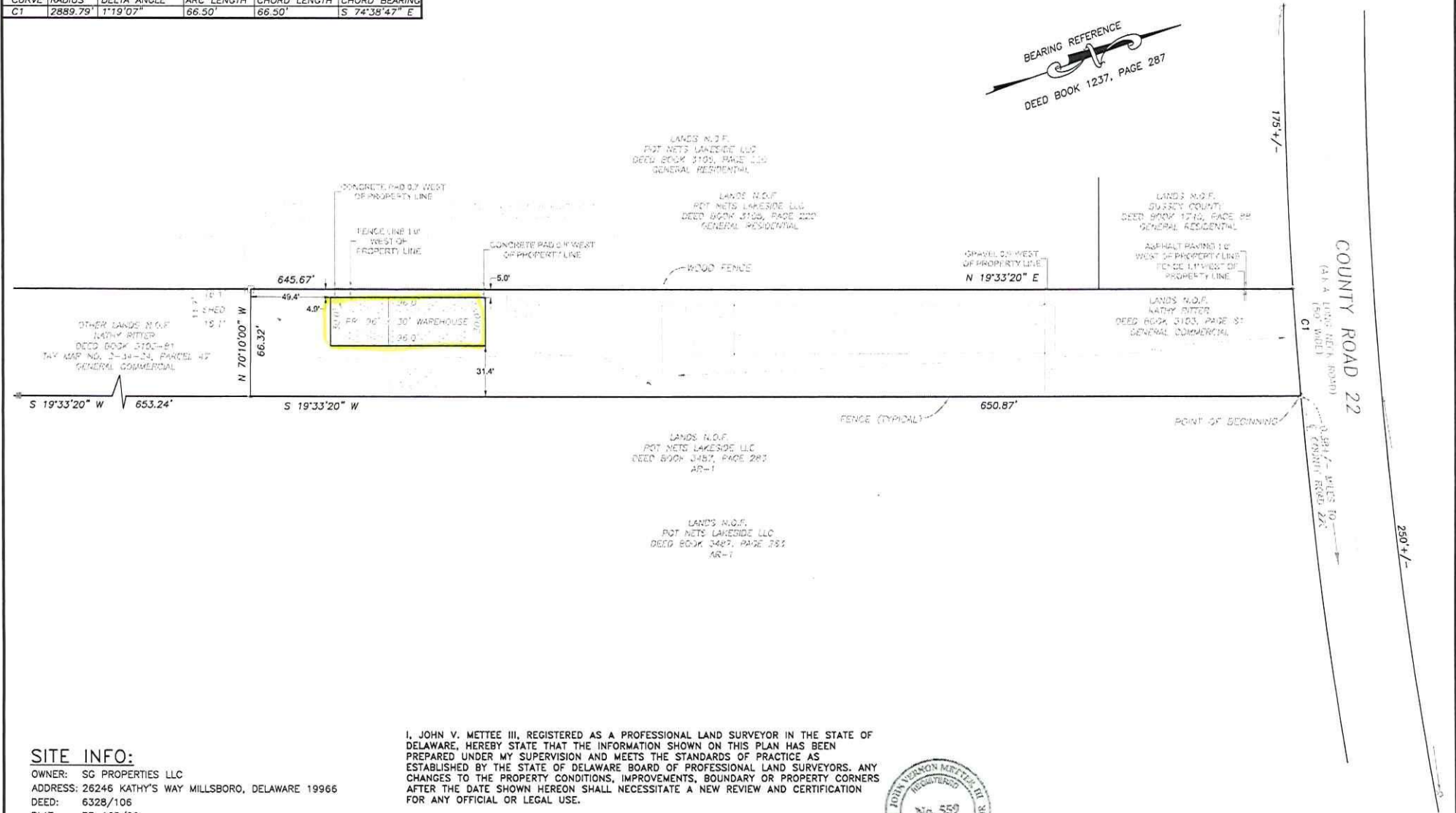


LOT SURVEY & SITE PLAN

PREPARED FOR
KATHY RITTER
SITUATED IN
INDIAN RIVER HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
AREA: 0.937 ACRES ±
SCALE: 1" = 40'
DATE: SEPTEMBER 23, 2010
DRAWN BY: MBK/STH
CHECKED BY: JYM

CURVE DATA:

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	2889.79'	1°19'07"	66.50'	66.50'	S 74°38'47" E



SITE INFO:

OWNER: SG PROPERTIES LLC
ADDRESS: 26246 KATHY'S WAY MILLSBORO, DELAWARE 19966
DEED: 6328/106
PLAT: PB 165/20
ZONING: COMMERCIAL
TAX ID: 234-24.00-46.00

I, JOHN V. METTEE III, 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.

APPROVED: *John V. Mettee III* 07/01/2026
JOHN V. METTEE III, P.L.S. 559



FIRE MARSHALL NOTES:

- OWNER: KATHY RITTER
28948 POINT VIEW ROAD
MILLSBORO, DE 19966
- BUILDING ADDRESS: 26246 KATHY'S WAY, MILLSBORO, DE 19966
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- ALL FIRE LANES, FIRE HYDRANTS, AND FIRE DEPARTMENT CONNECTIONS SHALL BE MARKED IN ACCORDANCE WITH THE STATE FIRE PREVENTION REGULATIONS.

GENERAL NOTE:

- CLASS "B", SUBURBAN SURVEY

REVISED:

DECEMBER 2, 2010
JANUARY 19, 2011
JUNE 30, 2026 - STH

LEGEND:

- FOUND IRON PIPE
- △ FOUND CAP
- FOUND CONCRETE MONUMENT
- FOUND STONE
- ▽ FIRE HYDRANT



"INDIAN RIVER GOLF CARTS"

LOT SURVEY & SITE PLAN

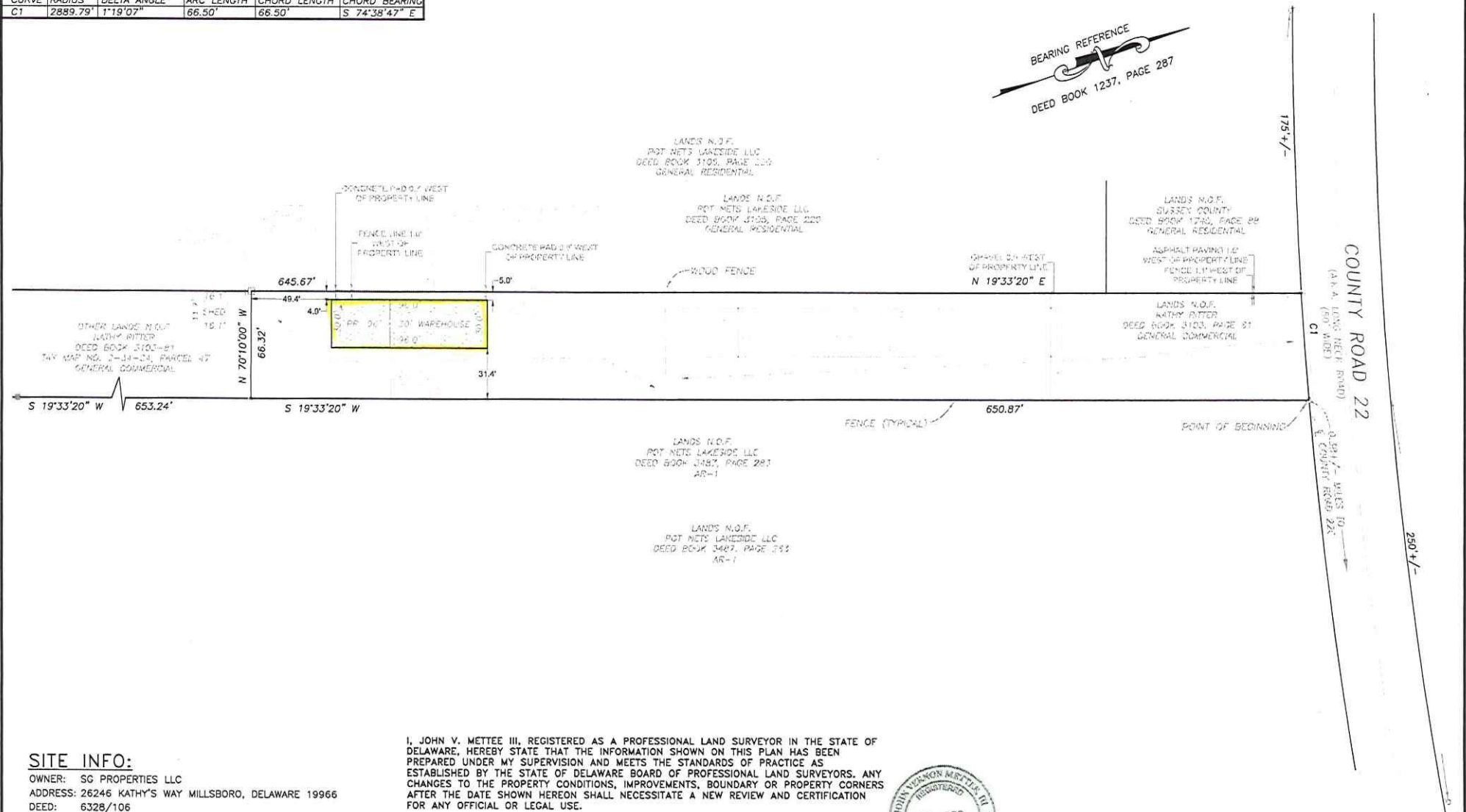
PREPARED FOR

KATHY RITTER

SITUATED IN
INDIAN RIVER HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
AREA: 0.987 ACRES ±
SCALE: 1" = 40'
DATE: SEPTEMBER 23, 2010
DRAWN BY: MBK/STH
CHECKED BY: JVM

CURVE DATA:

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
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GENERAL NOTE:

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REVISED:

DECEMBER 2, 2010
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"INDIAN RIVER GOLF CARTS"

LOT SURVEY & SITE PLAN

PREPARED FOR
KATHY RITTER

SITUATED IN
INDIAN RIVER HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
AREA: 0.987 ACRES ±
SCALE: 1" = 40'
DATE: SEPTEMBER 23, 2010
DRAWN BY: MBK/STH
CHECKED BY: JVM



**EASTERN
SHORE**
POLE BUILDINGS

1 Dorman St.
Harrington, Delaware 19952
Phone: 302-632-0918

Date: 6/10/26
Customer: Indian River Golf Carts
Address:

Contract Number: 26244-2A
Home Number:
Cell Number: 302-947-2044
M.H.I.C # 158630
DE Lic. # 2023704787

ESPB, shall supply all materials and labor for the completion of the following building:

Size: Width 30' Length 96' Height 16'

1. Post: 3 ply 2X6 glu-lam post installed 8' on center.
 - All Gable Post extend to roof on gable ends.
 - Posts shall be installed on each side of the doors with a concrete footer.
 - All posts are **Ground Treated Post**.
 - All posts come with a **Limited Lifetime Warranty**.
2. Trusses: Pre-Engineered Certified Trusses, #1 SPF or SYP installed at 4' on center with a 4/12 pitch
 - All trusses are engineered for the specific geological area where the building is being built.
 - **Pre-Engineered Stamped Truss Certifications** supplied for State or County Ordinances as needed.
 - Trusses are supplied by Sam Yoder & Son Truss Company.
3. Hurricane Ties: **connection.** Pre-Engineered Hot Dipped 18 Gauge Galvanized Simpson Hurricane Ties installed at each truss
4. Truss Carriers: 2 - 2" X 12" #1 Southern Yellow Pine, one installed on each side of post.
 - LVL's shall be installed over all openings exceeding 10' as truss carriers. One installed on each side of posts.
 - All truss carriers shall be fastened to post with Head Lok Lag Screws and 16P Nails.
5. Side & Roof Purlins: SPF 2" X 4" Purlins Installed 2' on center.
6. Skirt Board: 2"X8" Ground Treated Skirt Board installed. Limited Lifetime Warranty.
 - Corrosion barrier installed between treated skirt board and metal.
 - The skirt board is attached with **Hot Dipped Galvanized Nails** to prevent nail corrosion.
 - Galvalume Rodent Guard attached to Skirt Board to prevent rodents from entering building.
7. Over Hangs: 1' Over Hangs Installed on the Eave Sides and Gable ends.
 - Center Vent Vinyl White Soffit Installed.
 - Painted Galvalume Steel Fascia- 40 Year Warranty, Labor Included.
 - Painted Galvalume Steel Drip Edge- 40 Year Warranty, Labor Included.
8. Eave Toe: **NONE**
9. Roofing: 29 Gauge #1 Galvalume Metal - 40 Year Limited Warranty - Color _____
10. Side Metal: 29 Gauge #1 Galvalume Metal - 40 Year Limited Warranty - Color _____
11. Trim: 29 Gauge #1 Galvalume Metal - 40 Year Limited Warranty - Color _____
12. Wainscoting: Wainscoting will be Installed on the Entire Building.
29 Gauge #1 Galvalume Metal - 40 Year Limited Warranty - Color _____

13. Insulation:	1/4" Double Bubble Insulation Installed Between Roof Metal and Purlins. • Prevents Condensation build up. • Prevents heat from penetrating through the roof metal. • Class a Fire Rating Material.
14. Ridge Enclosures:	Continues Ridge Enclosures Installed. • Class A Fire Retardant closures. • Prevents Rain, Snow, and Insects from penetrating into building.
15. Footers:	24" X 40" with 12" Sakrete/Concrete Dry Pour Footers @ 3500 psi, Backfilled with Existing Soil.
16. Entry Doors:	1 – 3X6'8" Solid Fiberglass Insulated Entry Door Installed. • Fully Vinyl Door with Composite Jam. Never have to worry about rust or rot. • Double pane argon filled glass with grids installed inside windows. • Grade 1 Stainless Steel Lock Set. • <u>Totally Maintenance Free Door with a Manufactures Limited Lifetime Warranty.</u>
17. Windows:	**NONE**
18. Garage Doors:	4 – 12' X 14' Insulated Garage Door Installed with Hardware and Weather Stripping. **NO OPENERS INCLUDED** • Haas 2500 series garage doors with Heavy Duty 25 Gauge Steel. • Polystyrene thermal foam insulation installed with a Vinyl back. • Tongue and Grooved panel construction. • 2"X12" Garage Door Headers installed on all Garage Door.
19. Concrete: Barrier.	30'X96'X4" Smooth Concrete Floor Poured with Fiber @ 3500 psi, Installed with a 6 Mil Poly Vapor Barrier. 2- 4'X30'X4" Concrete Apron Installed with Fiber @ 3500 psi.
20. Excavation:	All Excavation Included with up to 10 Loads of Select Fill Dirt Included. • Excavation includes the removal of up to 6" of topsoil from interior of building. • Topsoil shall be used to back fill around the new structure. • If you are required to have more fill dirt, you will be charged for the cost of the extra dirt only. • The customer is responsible for disposing of any remaining soil.
21. Gutters:	6" Seamless Aluminum Rain Gutters Installed with Down Spouts. • <u>Total of 27 Colors to choose from.</u>
22. CAD Drawings:	ESPB shall supply all CAD Drawings and Truss Certifications as needed for the customer to obtain a permit. The client is responsible for Engineer/Architect Stamped Prints as may be required to obtain permits.
23. Trash Removal:	ESPB shall dispose of any leftover trash & materials from the job site.
24. Driveway:	ESPB is not responsible for any damage to the customers' driveway upon delivery of materials or dirt.
Total Contract Price for above: <u>\$ 78,488.00</u> <i>**Proposal is good for 30 Days from the Contract date.</i>	
Deposit at Signing: 30% of Contract Price \$ _____	
Deposit on Material Delivery: 30% of Contract Price \$ _____	
Deposit when Trusses are set: 30% of Contract Price \$ _____	
Due upon Completion of Building 10% of Contract Price \$ _____	

****Note:** Customer has 3 days from the signing of this contract to cancel this contract and receive a full refund of deposit.
I HAVE READ AND AGREE TO THE ABOVE TERMS

This agreement and any addenda hereto contain the final and entire agreement between the parties and may not be modified or changed except by a written agreement signed by all parties. The parties agree neither party shall be bound by any terms, conditions, statements, warranties or representations, oral or written, not contained herein.

Customer: _____ Date: _____

Eastern Shore Pole Buildings: _____ Date: _____

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

07/02/2026 10:05AM Megan D.
Receipt Number: 001320046
33031598-0098

PERMITS / INSPECTIONS
2026 20260893317020

\$500.00

\$500.00

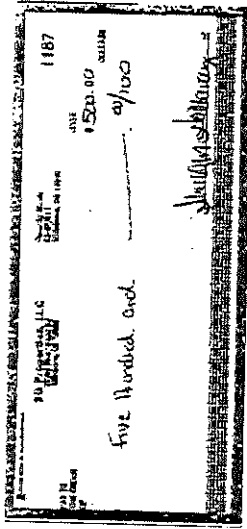
Subtotal
Total
\$500.00
\$500.00

Tenders
CHECK
Check Number 1187
\$500.00

Change due

\$0.00

Paid by: sg properties llc



Thank you for your payment.

Sussex County Government Copy
DUPLICATE RECEIPT

Layers

Search

Basemaps

Select Area

Eagleview

Print

Map showing property parcels with various labels and acreages. A yellow rectangle highlights a specific parcel area. The map includes street names like Route 23, Lakeshore Blvd, and Arrowwood Cv. A scale bar at the bottom left indicates 0 to 200 feet. The Esri logo is at the bottom right.

County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Esri ...

Eagleview

Search Results

×

Selected Features:

Parcels (2)

1) 234-24.00-46.00

Zoom

BOOK	6328
PAGE	106
FULLNAME	SG PROPERTIES LLC
Second_Owner_Name	
MAILINGADDRESS	26246 KATHYS WAY
CITY	MILLSBORO
STATE	DE
a_account	08-02-046
DESCRIPTION	SW/RT 22
DESCRIPTION2	W/RT 22C
DESCRIPTION3	
LUC	411
SCHOOL	1
MUNI	00
CAP	0
APRBLDG	705900
APRLAND	261300
PINWASSEMENTUNIT	234-24.00-46.00

2) 234-24.00-46.00

Zoom

Selected Features (2)

Clear Selected

SUSSEX COUNTY

DELAWARE

Help

Layers

Search

Basemaps

Select Area

Eagleview

Print

Eagleview

Search Results

Selected Features:

Parcels (2)

1) 234-24.00-46.00

Zoom

BOOK	6328
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APRLAND	261300
PINWASSEMENTUNIT	234-24.00-46.00

2) 234-24.00-46.00

Zoom

Selected Features (2)

Clear Selected

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

esri

CONNECTEXPLORER™



map: Auto (Oblique) Mar 2025 - Mar 2025 Image 1 of 8 03/10/2025

Board of Adjustment Application Sussex County, Delaware

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

Case # 13222Hearing Date 08-17-2026202609009**RECEIVED**

JUL 01 2026

Type of Application: (please check all applicable)

Variance ☒Special Use Exception ☐Administrative Variance ☐Appeal ☐Existing Condition ☐Proposed ☐

Code Reference (office use only) _____

SUSSEX COUNTY
PLANNING & ZONING

Site Address of Variance/Special Use Exception:

37458 Oyster House RD Rehoboth Beach, DE

Variance/Special Use Exception/Appeal Requested:

1. 6' x 1' var. from 15' corner front yard setback for a proposed structure
Variance from Ch. 152-82(B) front and rear setback requirements.60-foot (from the front yard from property line on Oyster House Road)15-foot (from the rear yard (thru lot) from the property line on Coastal Highway)45' var. from 60' front yard setback for proposed structureTax Map #: 334-19.08-31.00Property Zoning: C1Applicant InformationApplicant Name: Blue Rock Financial GroupApplicant Address: 37458 Oyster House RDCity Rehoboth Beach State De Zip: 19971Applicant Phone #: (302) 752-6637 Applicant e-mail: todd@bluerockfg.comOwner InformationOwner Name: Oyster Haus, LLCOwner Address: 37458 Oyster House RDCity Rehoboth Beach State DE Zip: 19971 Purchase Date: 9/15/22Owner Phone #: (302) 752-6637 Owner e-mail: todd@bluerockfg.comAgent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/AttorneyDate: 07/01/2026

Sussex County, DE - BOA Application

Criteria for a Variance: (Please provide a written statement regarding each criteria).

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

In granting any variance the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Zoning Ordinance or Code. The Board is empowered in no case, however, to grant a variance in the use of land or structures thereon.

1. Uniqueness of property:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the exceptional practical difficulty is due to such conditions and not to circumstances or conditions generally created by the provisions of the Zoning Ordinance or Code in the neighborhood or district in which the property is located.

The existing property has a few variables that make it unique. The existing structure is already nonconforming due to setbacks which were created after the original property was first erected. The property is a unique shape because it fronts three separate roads.

2. Cannot otherwise be developed:

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

The existing property cannot be otherwise developed due to the C-1 required setbacks of 60 feet from Oyster House Road, and from Coastal Highway. The creates a condition that no expansion of any capacity is possible without requesting a variance for the work.

+

3. Not created by the applicant:

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

Blue Rock Financial Group purchased this property on (insert date) and did not create the conditions that made the building nonconforming. Blue Rock Financial Group is looking to expand their building to be able to properly serve their clients, and ensure their practice can properly expand and hire new employees.

+

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 surrounding community is comprised of existing commercial buildings including All Wheels bike Shop Pella Windows, Turnstone Custom Homes, and Penco Corporation on Oyster House Road. Across Coastal Highway the buildings are mainly commercial buildings, or restaurants.

+

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.

Blue Rock Financial Group is requesting a variance from the 60 foot setback require from Oyster house road, and for the parking spaces required for the building expansion. The existing site conditions make it impossible to expand the building without encroaching on the setbacks. Blue Rock Financial schedules out all client meetings, and therefore does not have much foot traffic. Clients parking needs are met by onsite parking, and employees can use the adjacent overflow lot for parking.

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.
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- ☐ • Optional - Additional information for the Board to consider (ex. photos, letters from neighbors, etc.)
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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: 07/01/2026

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: _____



ARCHITECTS • ENGINEERS • SURVEYORS

July 1, 2026

Sussex County Administrative Building
Planning and Zoning Department
2 The Circle
P.O. Box 589
Georgetown, Delaware 19947

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

RECEIVED

JUL 01 2026

SUSSEX COUNTY
PLANNING & ZONING

Attn: Mr. Jamie Whitehouse, AICP, MRTPI
Director of Planning

RE: Blue Rock Financial Group - Variance Application
37458 Oyster House Road, Rehoboth Beach
Tax Parcel No.: 3-35-8.00-39.00
DBF # 5244A001.A01

Dear Mr. Whitehouse:

On behalf of our client, Blue Rock Financial Group, we are hereby submitting a variance application to allow for office building expansion. The variance is for building within the front and rear setbacks. The configuration of the lot creates a buildable area that is essentially non-buildable. A 2,996 SF building expansion is proposed. The building will be 6' or greater from the right-of-way along Coastal Highway while the required setback is 15 feet. The building will be 15 feet from the right-of-way of Oyster House Road, while the required front setback is 60 feet. Please find enclosed the following:

- Completed Board of Adjustment Application
- Existing Conditions Survey & Conceptual Site Plan
- Check for \$500 to Sussex County Council

We respectfully request to be placed on the next available Board of Adjustment meeting Agenda. If you have any questions regarding this submission, please contact me at (302) 424-1441 or via e-mail at cdm@dbfinc.com.

Sincerely,
DAVIS, BOWEN AND FRIEDEL, INC.

Cliff Mumford

Clifton D. Mumford, P.E.
Associate / Sr. Civil Engineer

CDM/CMB
\\dbfpm101\CIVIL\Utility\5244A001 Blue Rock\Docs\BOA\Blue-Rock_SCBOA-JWhitehouse_Variance-Cover.docx

☐ 601 E. MAIN STREET, SUITE 100, SALISBURY, MD 21804 • 410-543-9091

☒ 1 PARK AVENUE, MILFORD, DE 19963 • 302-424-1441

☐ 106 N. WASHINGTON STREET, SUITE 103, EASTON, MD 21601 • 410-770-4744
www.dbfinc.com

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

07/06/2026 09:45AM Lindsey S
Receipt Number: 001320349
33031606-0005

PERMITS / INSPECTIONS
2026 20260900917020

\$500.00

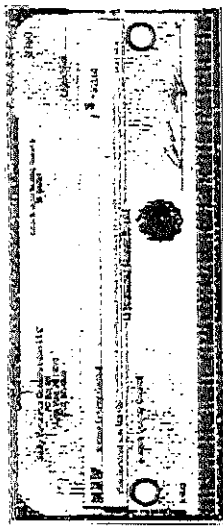
\$500.00

Subtotal
Total \$500.00
\$500.00

Tenders
CHECK \$500.00
Check Number:002790

Change due \$0.00

Paid by: Nally Ventures Construction LLC



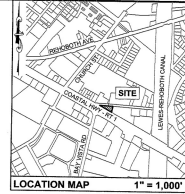
Thank you for your payment,
CUSTOMER COPY

500.00

500.00

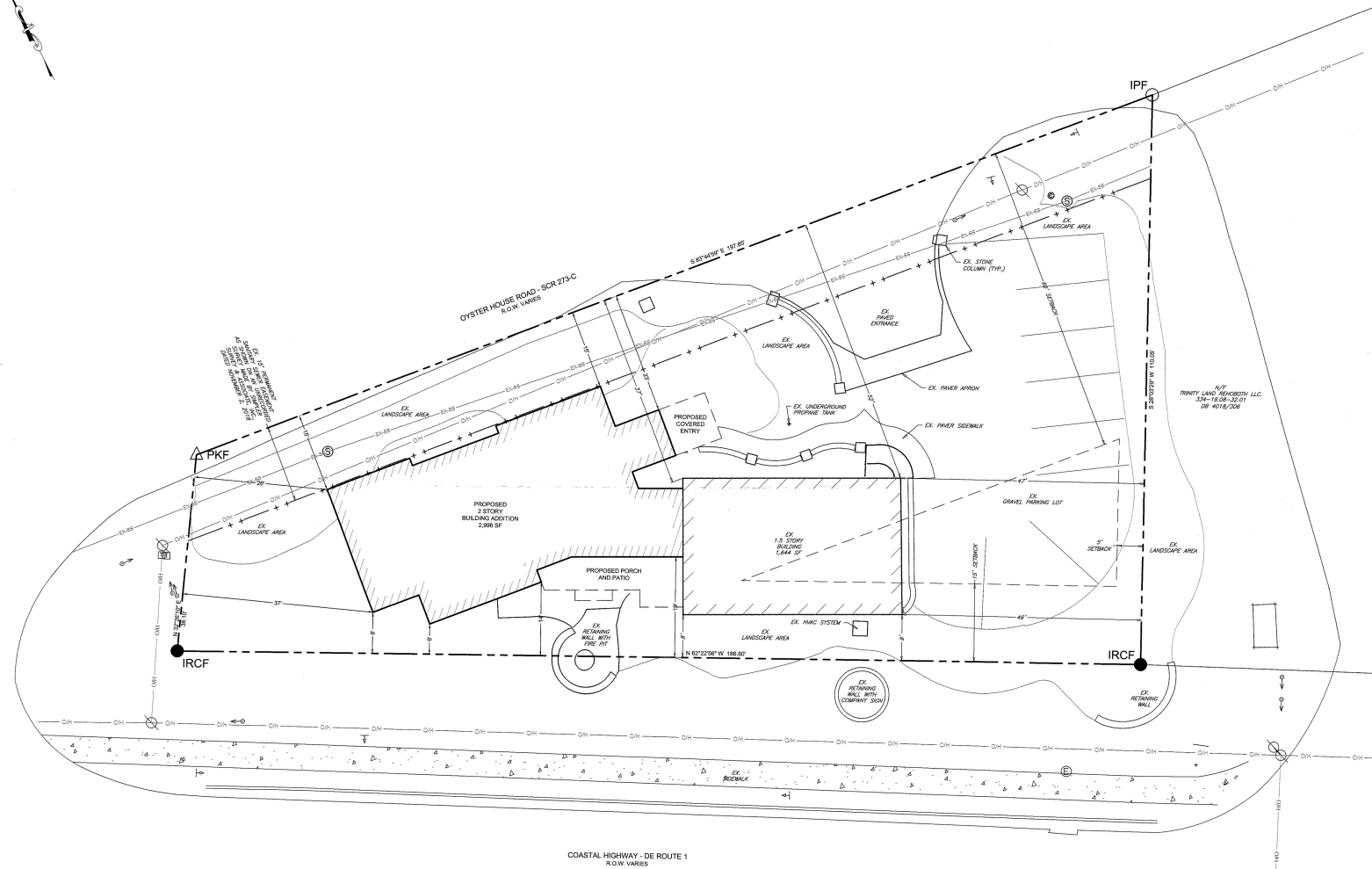
2790

Operating Account - Taylor Bank



DAVIS & BOWEN & FRIEDEL, INC.
ARCHITECTS - ENGINEERS - SURVEYORS
1101 W. MARKET STREET, SUITE 200
REHOBOTH BEACH, DE 19971
302.242.1441
410.545.9291

OYSTER HAUS LLC.
CITY OF REHOBOTH BEACH
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE



SITE DATA

OWNER: OYSTER HAUS LLC
37458 OYSTER HOUSE ROAD
REHOBOTH BEACH, DE 19971
TAX PARCEL NO.: 334-18-08-31-00
DEED REF.: DB 5780 PG 211
SITE AREA: 13,648± SQ. FT.
ZONING: C-1 GENERAL COMMERCIAL
SETBACKS:
FRONT: 60' (FROM OYSTER HOUSE RD)
SIDE: 5' (INTERIOR LOT LINE)
CORNER: 15' (FROM BALD EAGLE LN)
REAR: 15' (FROM COASTAL HWY)
PARKING: REQUIRED: 1 PER 200 SF OF FLOOR AREA
4840 SF / 200 = 24 SPACES
PROPOSED: 8 SPACES
FLOOD ZONE: ZONE X - MINIMAL FLOODING
F.I.R.M. No.: 100050333 K
MAP REVISED: MARCH 16, 2015

SYMBOL LEGEND

- IRPF IRON PIPE FOUND
- IRCF IRON ROD W/ CAP FOUND
- △ PKF PK NAIL FOUND
- ⊙ SEWER MANHOLE
- ⊙ SEWER CLEANOUT
- ⊙ ELECTRIC MANHOLE
- ⊙ UTILITY POLE
- ⊙ GUY ANCHOR
- ⊙ TELEPHONE PEDISTAL SIGN

LINE LEGEND

- PROPERTY LINE
- - - EX. PERMANENT EASEMENT
- ADJACENT PROPERTY LINE
- - - OVERHEAD UTILITY LINE
- - - UNDERGROUND SEWER LINE



DATE	COMMENTS
04/01/2026	PREL

Date: APRIL, 2026
Scale: 1" = 10'
Drawn By: SHF

Proj. No.: 5244A001

SITE PLAN

Dwg. No.:

C-102

SUSSEX COUNTY
DELAWARE

Help

LayersSearchBasemapsSelect AreaEagleviewPrint

EagleviewSearch Results

Selected Features:Parcels (1)

1) 334-19.08-31.00Zoom

BOOK	5780
PAGE	211
FULLNAME	OYSTER HAUS LLC
Second_Owner_Name	
MAILINGADDRESS	37458 OYSTER HOUSE RD
CITY	REHOBOTH BEACH
STATE	DE
a_account	10-21-031
DESCRIPTION	MIDWAY TO BRIDGE
DESCRIPTION2	OVER GOV CANAL
DESCRIPTION3	LOT W/IMP
LUC	302
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	0
APRLAND	398200
PINWASSEMENTUNIT	334-19.08-31.00
PIN	334-19.08-31.00

Selected Features (1)

Clear Selected

SUSSEX COUNTY
DELAWARE

Help

Layers

Search

Basemaps

Select Area

Eagleview

Print

Eagleview

Search Results

Selected Features: [Parcels (1)]

1) 334-19.08-31.00 Zoom

BOOK	5780
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CAP	0
APRBLDG	0
APRLAND	398200
PINWASSEMENTUNIT	334-19.08-31.00
PIN	334-19.08-31.00

Selected Features (1)

Clear Selected

Sussex County Government | Sussex County Mapping and Addressing | State of Delaware, Microsoft, Vantor

esri

Sussex County, DE - BOA Application

Criteria for a Variance: (Please provide a written statement regarding each criteria).

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

In granting any variance the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Zoning Ordinance or Code. The Board is empowered in no case, however, to grant a variance in the use of land or structures thereon.

1. Uniqueness of property:

That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the exceptional practical difficulty is due to such conditions and not to circumstances or conditions generally created by the provisions of the Zoning Ordinance or Code in the neighborhood or district in which the property is located.

The existing property has a few variables that make it unique. The existing structure is already nonconforming due to setbacks which were created after the original property was first erected. The property is a unique shape because it fronts three separate roads.

2. Cannot otherwise be developed:

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

The existing property cannot be otherwise developed due to the C-1 required setbacks of 60 feet from Oyster House Road, and from Coastal Highway. The creates a condition that no expansion of any capacity is possible without requesting a variance for the work.

+

3. Not created by the applicant:

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

Blue Rock Financial Group purchased this property on (insert date) and did not create the conditions that made the building nonconforming. Blue Rock Financial Group is looking to expand their building to be able to properly serve their clients, and ensure their practice can properly expand and hire new employees.

+

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 surrounding community is comprised of existing commercial buildings including All Wheels bike Shop Pella Windows, Turnstone Custom Homes, and Penco Corporation on Oyster House Road. Across Coastal Highway the buildings are mainly commercial buildings, or restaurants.

+

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.

Blue Rock Financial Group is requesting a variance from the 60 foot setback require from Oyster house road, and for the parking spaces required for the building expansion. The existing site conditions make it impossible to expand the building without encroaching on the setbacks. Blue Rock Financial schedules out all client meetings, and therefore does not have much foot traffic. Clients parking needs are met by onsite parking, and employees can use the adjacent overflow lot for parking.

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: 07/01/2026

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: _____



ARCHITECTS • ENGINEERS • SURVEYORS

July 1, 2026

Sussex County Administrative Building
Planning and Zoning Department
2 The Circle
P.O. Box 589
Georgetown, Delaware 19947

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

RECEIVED

JUL 01 2026

SUSSEX COUNTY
PLANNING & ZONING

Attn: Mr. Jamie Whitehouse, AICP, MRTPI
Director of Planning

RE: Blue Rock Financial Group - Variance Application
37458 Oyster House Road, Rehoboth Beach
Tax Parcel No.: 3-35-8.00-39.00
DBF # 5244A001.A01

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- Completed Board of Adjustment Application
- Existing Conditions Survey & Conceptual Site Plan
- Check for \$500 to Sussex County Council

We respectfully request to be placed on the next available Board of Adjustment meeting Agenda. If you have any questions regarding this submission, please contact me at (302) 424-1441 or via e-mail at cdm@dbfinc.com.

Sincerely,
DAVIS, BOWEN AND FRIEDEL, INC.

Cliff Mumford

Clifton D. Mumford, P.E.
Associate / Sr. Civil Engineer

CDM/CMB
\\dbfpm101\CIVIL\Utility\5244A001 Blue Rock\Docs\BOA\Blue-Rock_SCBOA-JWhitehouse_Variance-Cover.docx

☐ 601 E. MAIN STREET, SUITE 100, SALISBURY, MD 21804 • 410-543-9091

☒ 1 PARK AVENUE, MILFORD, DE 19963 • 302-424-1441

☐ 106 N. WASHINGTON STREET, SUITE 103, EASTON, MD 21601 • 410-770-4744
www.dbfinc.com

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

07/06/2026 09:45AM Lindsey S
Receipt Number: 001320349
33031606-0005

PERMITS / INSPECTIONS
2026 20260900917020

\$500.00

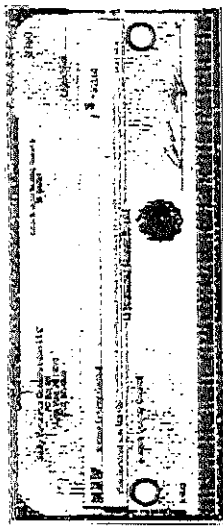
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Subtotal
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\$500.00

Tenders
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Check Number:002790

Change due \$0.00

Paid by: Nally Ventures Construction LLC



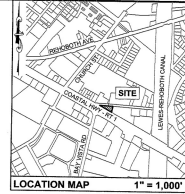
Thank you for your payment,
CUSTOMER COPY

500.00

500.00

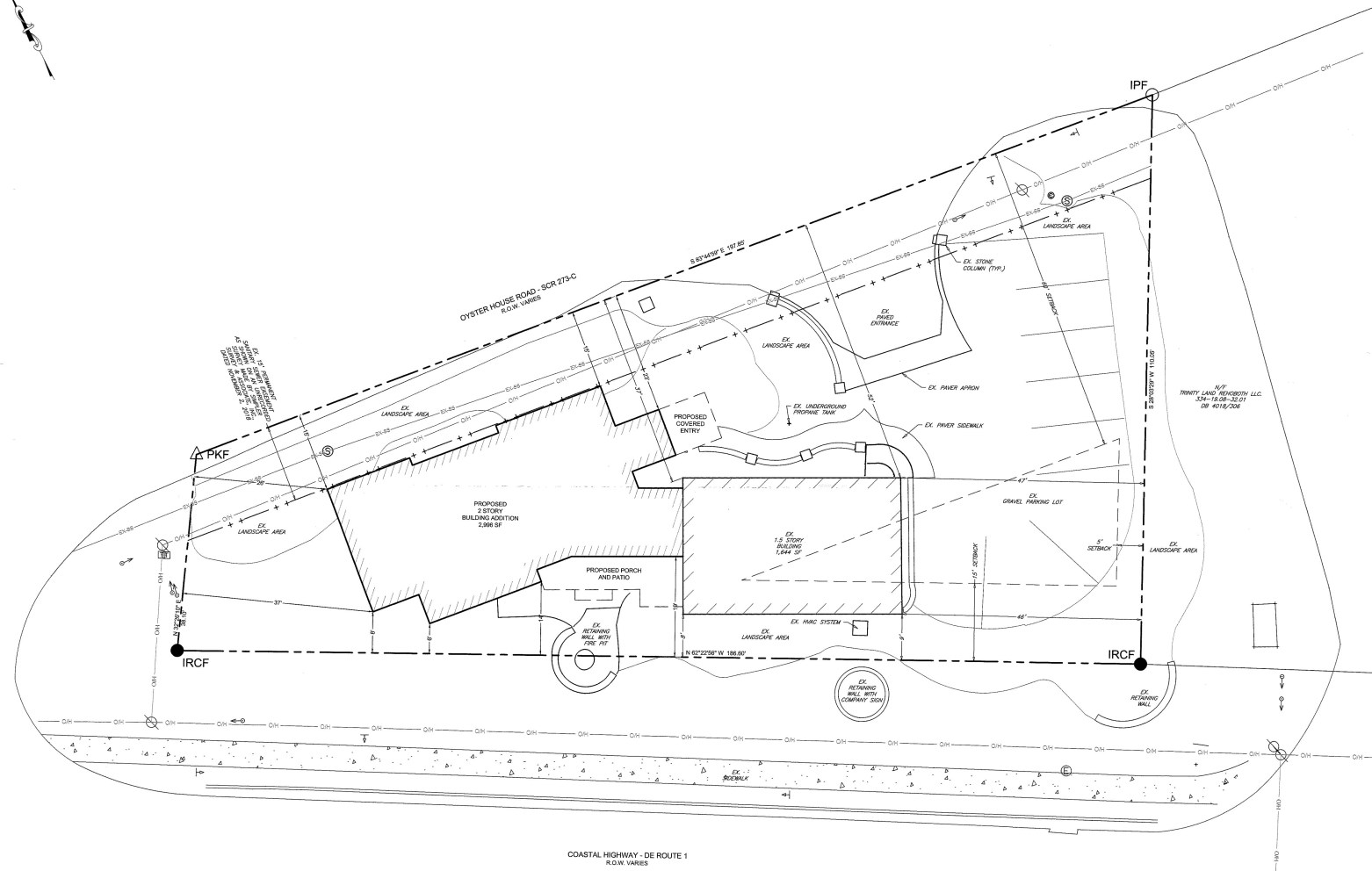
2790

Operating Account - Taylor Bank



DAVIS & BOWEN & FRIEDEL, INC.
ARCHITECTS - ENGINEERS - SURVEYORS
1107 W. MARKET STREET, SUITE 200
REHOBOTH BEACH, DE 19971
PHONE: 302.242.1441
FAX: 302.242.1441

OYSTER HAUS LLC.
CITY OF REHOBOTH BEACH
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE



SITE DATA

OWNER: OYSTER HAUS LLC
37458 OYSTER HOUSE ROAD
REHOBOTH BEACH, DE 19971
TAX PARCEL NO.: 334-18-08-31-00
DEED REF.: DB 5780 PG 211
SITE AREA: 13.648± SQ. FT.
ZONING: C-1 GENERAL COMMERCIAL
SETBACKS:
FRONT: 60' (FROM OYSTER HOUSE RD)
SIDE: 5' (INTERIOR LOT LINE)
CORNER: 15' (FROM BALD EAGLE LN)
REAR: 15' (FROM COASTAL HWY)
PARKING: REQUIRED: 1 PER 200 SF OF FLOOR AREA
4840 SF / 200 = 24 SPACES
PROPOSED: 8 SPACES
FLOOD ZONE: ZONE X - MINIMAL FLOODING
F.I.R.M. No.: 100055 0353 K
MAP REVISED: MARCH 16, 2015

SYMBOL LEGEND

- IPF IRON PIPE FOUND
- IRCF IRON ROD W/ CAP FOUND
- △ PKF PK NAIL FOUND
- SEWER MANHOLE
- SEWER CLEANOUT
- ELECTRIC MANHOLE
- UTILITY POLE
- GUY ANCHOR
- TELEPHONE PEDISTAL SIGN

LINE LEGEND

- PROPERTY LINE
- - - EX. PERMANENT EASEMENT
- ADJACENT PROPERTY LINE
- - - OVERHEAD UTILITY LINE
- - - UNDERGROUND SEWER LINE



THIS DRAWING, THE DESIGN AND CONSTRUCTION FEATURES DISCLOSED ARE PROPRIETARY TO DAVIS, BOWEN & FRIEDEL, INC., AND SHALL NOT BE ALTERED OR REUSED WITHOUT WRITTEN PERMISSION. COPYRIGHT © 2026

SITE PLAN

Dwg. No.: **C-102**

SUSSEX COUNTY
DELAWARE
Help

Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

Selected Features: Parcels (1)

1) 334-19.08-31.00 Zoom

BOOK	5780
PAGE	211
FULLNAME	OYSTER HAUS LLC
Second_Owner_Name	
MAILINGADDRESS	37458 OYSTER HOUSE RD
CITY	REHOBOTH BEACH
STATE	DE
a_account	10-21-031
DESCRIPTION	MIDWAY TO BRIDGE
DESCRIPTION2	OVER GOV CANAL
DESCRIPTION3	LOT W/IMP
LUC	302
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	0
APRLAND	398200
PINWASSEMENTUNIT	334-19.08-31.00
PIN	334-19.08-31.00

Selected Features (1)

Clear Selected

SUSSEX COUNTY
DELAWARE
Help

Layers
Search
Basemaps
Select Area
Eagleview
Print

Eagleview
Search Results

Eagleview

Search Results

Selected Features: Parcels (1)

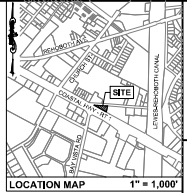
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LUC	302
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	0
APRLAND	398200
PINWASSEMENTUNIT	334-19.08-31.00
PIN	334-19.08-31.00

⏪
⏴
⏵
⏩

Selected Features (1)
 Clear Selected

CONNECTEXPLORER[®]



OYSTER HAUS LLC.
CITY OF REHOBOTH BEACH
LEWES AND REHOBOTH HUNDRED
SUSSEX COUNTY, DELAWARE

SITE DATA

OWNER: OYSTER HAUS LLC
32458 OYSTER HOUSE ROAD
REHOBOTH BEACH, DE 19871

TAX PARCEL NO.: 334-1928-3130

DEED REF.: DB 5780 PG 211

SITE AREA: 13,649± SQ. FT.

ZONING: C-1 GENERAL COMMERCIAL

SETBACKS:
FRONT: 60' (FROM OYSTER HOUSE RD)
SIDE: 0' (INTERIOR LOT LINE)
CORNER: 15' (FROM BALD EAGLE LN)
REAR: 15' (FROM COASTAL HWY)

PARKING: REQUIRED: 1 PER 200 SF OF FLOOR AREA
4640 SF / 200 = 23 SPACES
8 SPACES

FLOOD ZONE: PROPOSED: ZONE X - MINIMAL FLOODING

F.I.R.M. No.: 10050C 0353 K

MAP REVISED: MARCH 16, 2015

SYMBOL LEGEND

- PPF IRON PIPE FOUND
- PPF IRON ROD W/ CAP FOUND
- △ PKF PRIVATE FOUND
- SEWER MANHOLE
- SEWER CLEANOUT
- ELECTRIC MANHOLE
- UTILITY POLE
- GUY ANCHOR
- TELEPHONE PEDESTAL
- BRN BRN

LINE LEGEND

- PROPERTY LINE
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- - - ADJACENT PROPERTY LINE
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- - - UNDERGROUND SEWER LINE



STRUCTURES OUTSIDE OF THE
PROPERTY LINE TO BE REMOVED PRIOR
TO ISSUANCE OF A BUILDING PERMIT
FOR THE BUILDING ADDITION

COASTAL HIGHWAY - DE ROUTE 1
R.O.W. VARIES

OYSTER HOUSE ROAD - SCR 273-C
R.O.W. VARIES

TRINITY LAND REHOBOTH LLC
324-18-08-10.01
DB 4618/206

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 # 13223
Hearing Date 8-17-2026
202609012

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:

26765 Chatham Ln Millsboro

Variance/Special Use Exception/Appeal Requested:

build 10' x 20' deck on first floor

11.4' variance from 40' separation distance requirement between structures for a proposed deck

Tax Map #: 234-30.00-800-B19.4

Property Zoning: C-1

Applicant Information

Applicant Name:

David Artrip

Applicant Address:

26765 Chatham Ln

City Millsboro

State Del

Zip: _____

Applicant Phone #: 610-742-4975

Applicant e-mail: ddavatrip@comcast.net

Owner Information

Owner Name:

David Artrip

Owner Address:

117 Stella Ln

City Aston

State Pai

Zip: 19014

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

David Artrip

Date: 7/6/2026



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.

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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 just as wide as other properties in 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.

I need to have this installed

3. Not created by the applicant:

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

Not my fault it was built like that

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

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

most other properties have same decks

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.

yes it will

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.
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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)
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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: 7/6/2026

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

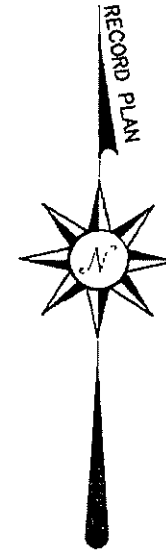
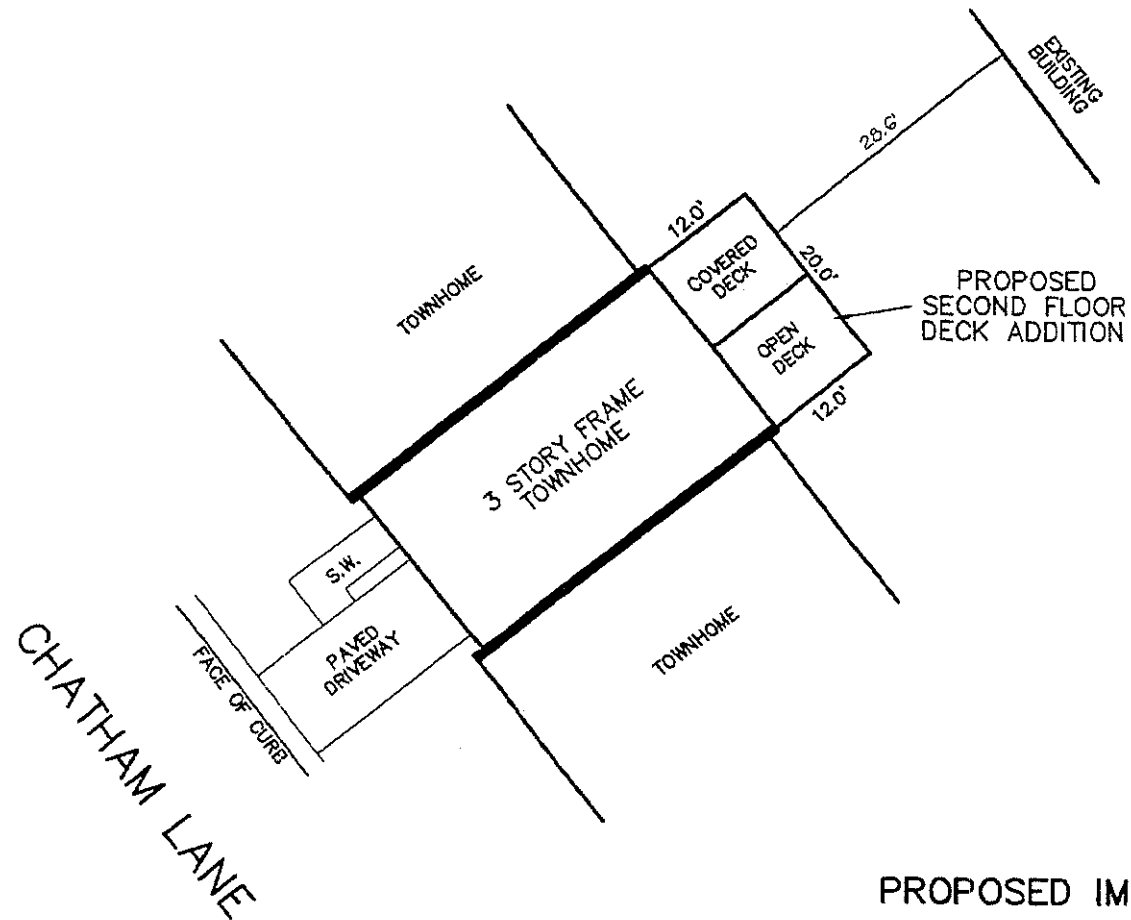
Subdivision: _____

Lot#: _____ Block#: _____

Date of Hearing: _____

Decision of Board: _____

T.M. #234-30.00-8.00 P/O



PROPOSED IMPROVEMENT PLAN FOR

DAVE ARTRIP

26765 CHATHAM LANE, MILLSBORO, DE. 19966

"FAIRFIELD AT LONG NECK" DEV.

INDIAN RIVER HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

SCALE 1" = 20'

JANUARY 28, 2026

PREPARED BY:

PH: 302-629-9895

FAX: 302-629-2391

MILNER LAND SURVEYING
LEWIS, INC.

1560 MIDDLEFORD RD.

• SEAFORD, DE. 19973

D.K. Miller
 1/28/26

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

SURVEY CLASS: SUBURBAN

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

07/06/2026 10:11AM Lindsey S
Receipt Number: 001320351
33031606-0007

PERMITS / INSPECTIONS
2026 202609012/2020

\$500.00

\$500.00

Subtotal

\$500.00

TP CC SF

\$15.00

Total

\$515.00

Tenders

TYLER PAYMENTS CC

\$515.00

Visa *****9258

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Auth=042255

Change due

\$0.00

Paid by: CARDHOLDER/VISA

Signature:

Thank you for your payment.

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service fee

TYLER PAYMENTS

SUSSEX COUNTY
DELAWARE

Help

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PB 260-50

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EagleviewSearch Results

Selected Features:Parcels (166)

81) 234-30.00-8.00-B19-4Zoom

BOOK	4807
PAGE	223
FULLNAME	ARTRIP DAVID
Second_Owner_Name	DENISE ARTRIP
MAILINGADDRESS	117 STELLA LN
CITY	ASTON
STATE	PA
a_account	08-05-008-B19-4
DESCRIPTION	FAIRFIELD AT LONG NECK
DESCRIPTION2	UNIT 4
DESCRIPTION3	BLDG 19
LUC	105
SCHOOL	1
MUNI	00
CAP	0

82) 234-30.00-8.00-B19-5Zoom

83) 234-30.00-8.00-B19-6Zoom

84) 234-30.00-8.00-B19-7Zoom

85) 234-30.00-8.00-B19-8Zoom

Selected Features (81 - 85 of 166)

Clear Selected

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Search

10:27 AM
7/6/2026

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DELAWARE

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Sussex County Government | Sussex County Mapping and Addressing | State of Delaware, Microsoft, Vantor

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EagleviewSearch Results

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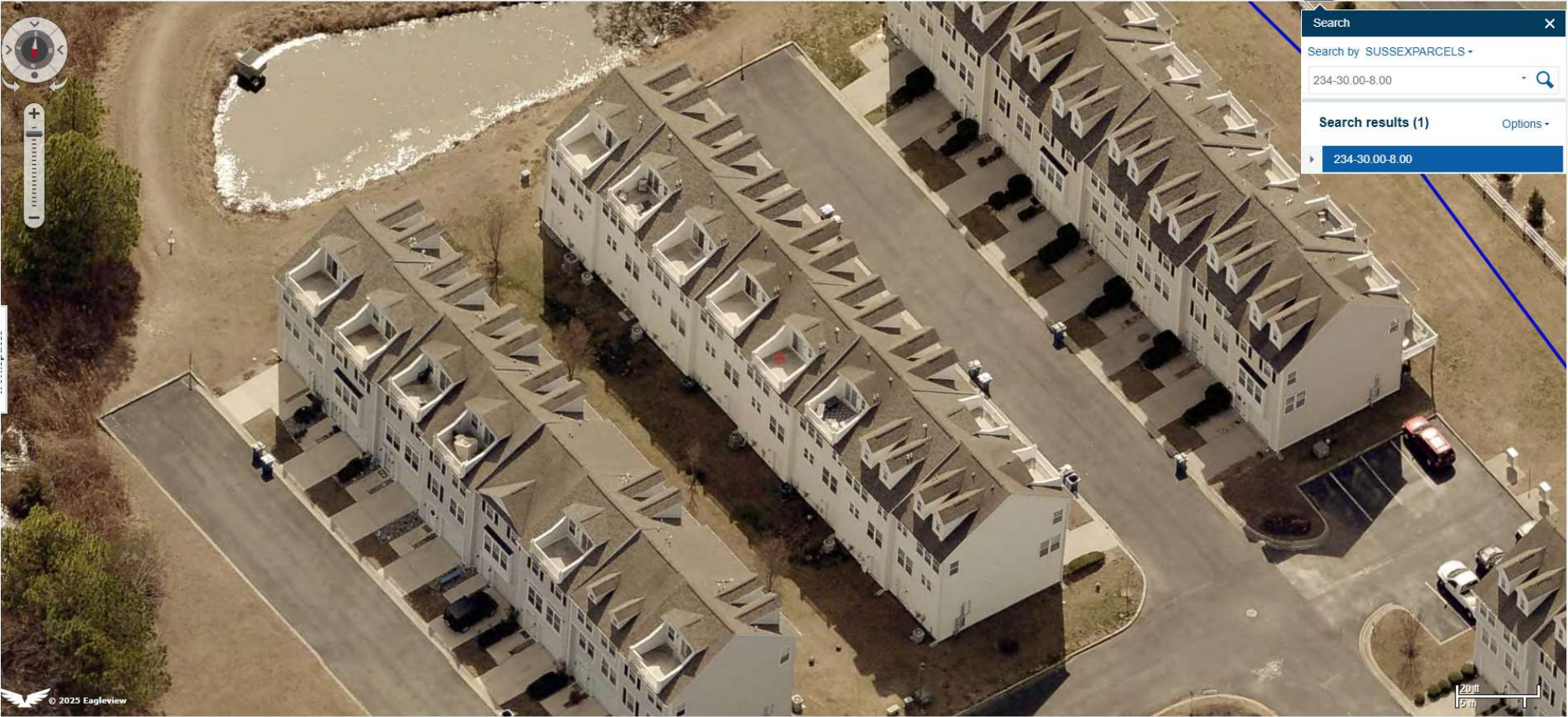
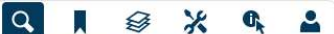
83) 234-30.00-8.00-B19-6Zoom

84) 234-30.00-8.00-B19-7Zoom

85) 234-30.00-8.00-B19-8Zoom

Selected Features (81 - 85 of 166)

Clear Selected



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map: Auto (Oblique) ▾ Mar 2025 - Mar 2025 ▾ < image 1 of 7 > 03/10/2025



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 just as wide as other properties in 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.

I need to have this installed

3. Not created by the applicant:

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

Not my fault it was built like that

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

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

most other properties have same decks

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.

yes it will

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: 7/6/2026

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

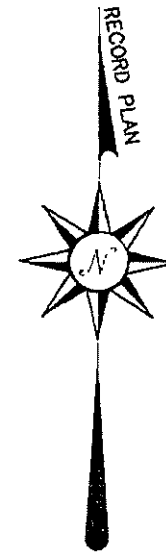
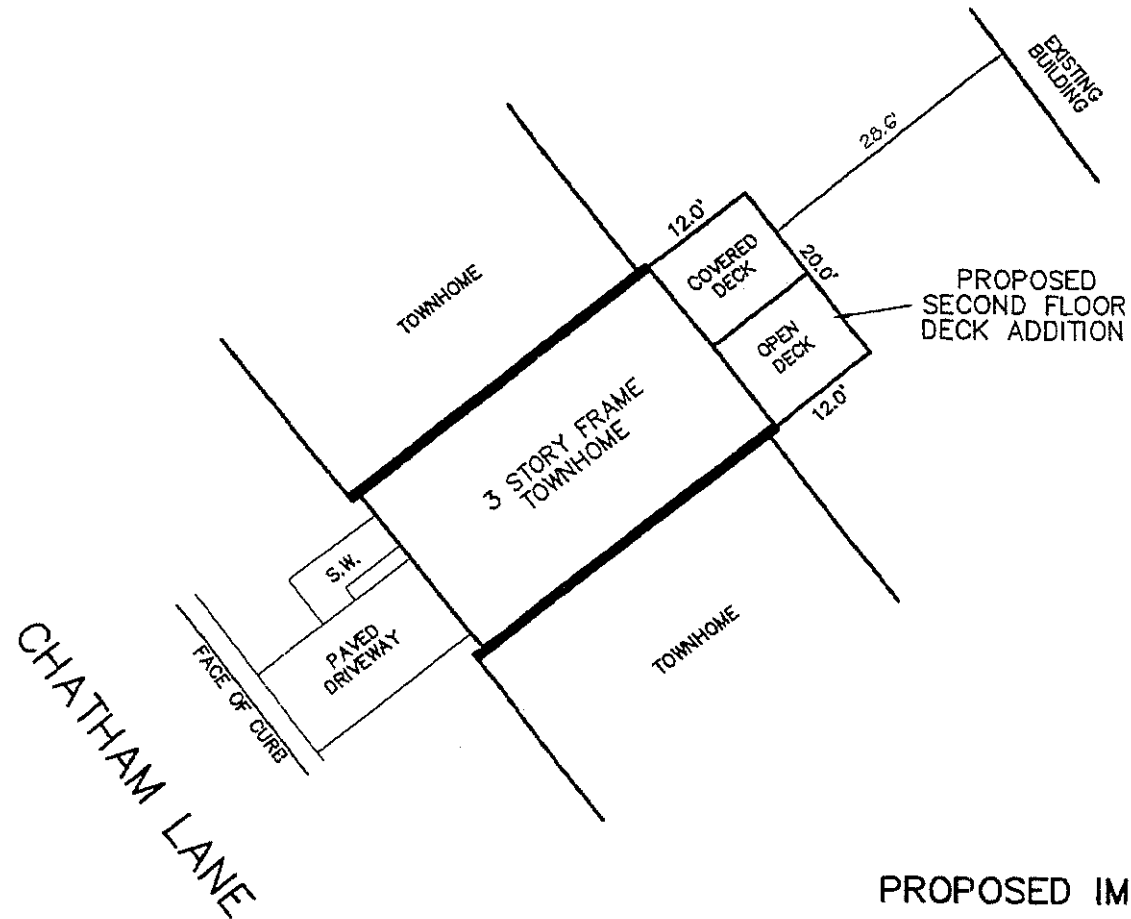
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SUSSEX COUNTY
DELAWARE

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PB 260-50

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WHITE HOUSE RD

BLUE MIST DR

CHATHAM LN

REGENTS CT

Blue Mist Dr

WHITE WYTHROP CT

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19.18 Ac.

WHITE HOUSE RD

BLUE HILLS DR

RECENTS CT

CHATHAM LN

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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 #

13224

Hearing Date

08-17-2026

20260911

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:

16272 John Adams Lane, Millsboro DE 19966

Variance/Special Use Exception/Appeal Requested:

Requesting a variance to expand existing patio which is 12ft x 18 ft. with an extra 4ft. x 18 ft. patio pavers with a 2ft. high sitting wall along the backyard where currently limits it to 12ft.

3.4' ± 3.7' variance from 10' rear setback requirement for a proposed patio.

Tax Map #: 234-29.00-2203.00

Property Zoning: --GR--- MR

Applicant Information

Applicant Name:

Janice Caracappa / Robin Huckemeyer

Applicant Address:

16272 John Adams Lane

City Millsboro

State DE

Zip: 19966

Applicant Phone #:

(302) 270-6615

Applicant e-mail: janicare@aol.com

Owner Information

Owner Name:

Janice Caracappa / Robin Huckemeyer

Owner Address:

16272 John Adams Lane

City Millsboro

State DE

Zip: 19966

Purchase Date: 7/31/25

Owner Phone #:

(302) 270-6615

Owner e-mail: janicare@aol.com

Agent/Attorney Information

Agent/Attorney Name:

Agent/Attorney Address:

City

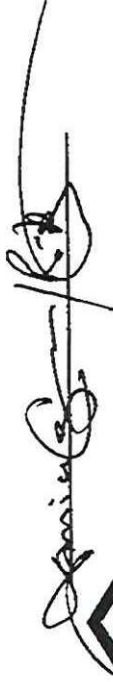
State

Zip:

Agent/Attorney Phone #:

Agent/Attorney e-mail:

Signature of Owner/Agent/Attorney



Date: 7/6/26



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 residential lot in the GR zoning district. It is (or will be) used privately. Containment of the sitting wall will keep people inside the area safely.

2. Cannot otherwise be developed:

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

The property has a 2ft drop off for drainage that makes it difficult to walk around. Expanding the patio will give ample room to walk around safely. The existing patio gives less than 2 ft to walk around patio furniture therefore giving possibility of someone falling off the edge and hurting themselves.

3. Not created by the applicant:

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

The need for the expansion is to provide more space to move around and keeping it safe-not by any action by the applicant.

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 patio extension style is consistent with residential aesthetics, similar to other properties in the area and will enhance both the appearance and safety of the property. It will not obstruct views or affect the neighboring properties.

5. Minimum variance:

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

We are requesting only 4ft increase beyond the allowable width of the patio. This modification makes it possible to ensure the least effectiveness of safety.

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

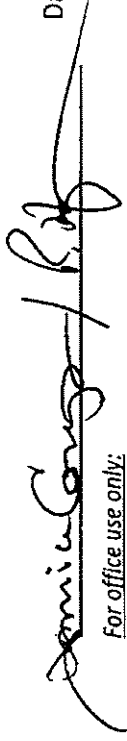
- ☐ • Completed Application
- ☐ • Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed 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: 7/6/26

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: _____

SUSSEX COUNTY
Help

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Selected Features: Parcels (1)

1) 234-29.00-2203.00 Zoom

BOOK	6347
PAGE	174
FULLNAME	HUCKEMEYER ROBIN M
Second_Owner_Name	JANICE LYNN CARACAPPA
MAILINGADDRESS	16272 JOHN ADAMS LN
CITY	MILLSBORO
STATE	DE
a_account	15-01-2203
DESCRIPTION	PATRIOTS GLEN
DESCRIPTION2	LOT 134
DESCRIPTION3	
LUC	101
SCHOOL	1
MUNI	00
CAP	2
APRBLDG	254000
APRLAND	49000
PINWASSEMENTUNIT	234-29.00-2203.00
PIN	234-29.00-2203.00

Selected Features (1)
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County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Sussex County, DE

SUSSEX COUNTY
DELAWARE

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Eagleview

Search Results

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Selected Features:

Parcels (1)

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▼ 1) 234-29.00-2203.00

Zoom

BOOK	6347
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PIN	234-29.00-2203.00

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

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Search

Search by Address ▾

16272 john adams lane millsboro

Search results (2) Options ▾

▶ 16272 John Adams Ln, Millsboro, DE 19966-4176, US

▶ 16272 John Adams Ln, Millsboro, DE 19966

Sussex County, DE - BOA Application

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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

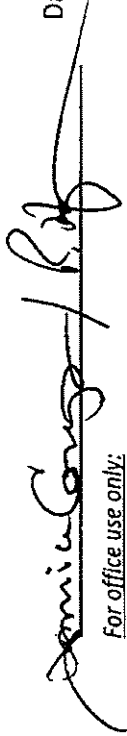
- ☐ • Completed Application
- ☐ • Provide a survey of the property (Variance)
 - Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - Survey shall be signed and sealed by a Licensed 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: 7/6/26

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: _____

SUSSEX COUNTY
DELAWARE

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County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Sussex...

EagleviewSearch Results

Selected Features: Parcels (1)

1) 234-29.00-2203.00Zoom

BOOK	6347
PAGE	174
FULLNAME	HUCKEMEYER ROBIN M
Second_Owner_Name	JANICE LYNN CARACAPPA
MAILINGADDRESS	16272 JOHN ADAMS LN
CITY	MILLSBORO
STATE	DE
a_account	15-01-2203
DESCRIPTION	PATRIOTS GLEN
DESCRIPTION2	LOT 134
DESCRIPTION3	
LUC	101
SCHOOL	1
MUNI	00
CAP	2
APRBLDG	254000
APRLAND	49000
PINWASSEMENTUNIT	234-29.00-2203.00
PIN	234-29.00-2203.00

Selected Features (1)

Clear Selected

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

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Zoom

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Selected Features (1)

Clear Selected



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16272 john adams lane millsboro

Search results (2) Options ▾

▶ 16272 John Adams Ln, Millsboro, DE 19966-4176, US

▶ 16272 John Adams Ln, Millsboro, DE 19966