

BOARD OF ADJUSTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878

AGENDA

September 14, 2026

6:00 PM

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of the Minutes for July 13, 2026

Approval of the Findings of Fact for July 13, 2026

Public Hearings

Case No. 13225 – Pamela & Scott Rotsky

seeks a variance from the rear yard setback requirement for a proposed structure (Section 115-42 and 115-183 of the Sussex County Zoning Code). The property is located to the south side of Deep Pond Lane within the Milos Haven community. 911 Address: 31528 Deep Pond Lane, Frankford. Zoning District: GR. Tax Map: 134-18.00-204.00.

Case No. 13226 – Secure Management

seeks a special use exception for a temporary tent sale (Sections 115-80 and 115-210 of the Sussex County Zoning Code). The property is located to the northeast side of Coastal Highway (Rt. 1) at the intersection of Munchy Branch Road. 911 Address: 19287 Coastal Highway, Rehoboth Beach. Zoning District: C-1. Tax Parcel: 334-13.00-325.04.

Case No. 13227 – Jennifer Noel

seeks a variance from the maximum fence height requirement within the corner front yard setback for a proposed structure (Section 115-42 and 115-185 of the Sussex County Zoning Code). The property is located to the northeast side of Burton Avenue and to the southeast side of Duffy Street. 911 Address: 37165 Burton Avenue, Rehoboth Beach. Zoning District: GR. Tax Parcel: 334-13.19-33.00.

Case No. 13228 – Craig Friedrich & Nadiene Ringler-Friedrich

seeks variances from the front, side and rear yard setback requirements for existing and proposed structures (Section 115-25, 115-182 and 115-183 of the Sussex County Zoning Code). The property is located to the south side of Basin Street within the Bay Vista community. 911 Address: 37456 Basin Street, Rehoboth Beach. Zoning District: AR-1.

Tax Map: 334-19.16-39.00.

Case No. 13229 – Tim & Penny Jester

seeks a variance from the side yard setback requirement for an existing structure (Section 115-34, 115-183 and 115-185 of the Sussex County Zoning Code). The property is located to the south side of Morgan Drive. 911 Address: 18050 Morgan Dr., Lincoln. Zoning District: MR. Tax Map: 230-5.00-44.00.

Additional Business

-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on September 4, 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 addition or deletion of items, including Executive Sessions, which arise at the time of the meeting.

Agenda items may be considered out of sequence.

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

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

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

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountyde.gov. All comments are encouraged to be submitted by 4:30 P.M. on Thursday, September 3, 2026.

RECEIVED

JUL 09 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 # 13225
Hearing Date 9-14-2026
202609170

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:

31528 Deep Pond Lane, Frankford, DE 19945

Variance/Special Use Exception/Appeal Requested:

A 4.2' variance from the 10' rear yard setback for a proposed structure
Extend roof to cover and screen in existing deck
and add stairs.Tax Map #: 134-18.00-204.00Property Zoning: GR

Applicant Information

Applicant Name: Scott RotskyApplicant Address: 31528 Deep Pond LaneCity Frankford State DE Zip: 19945Applicant Phone #: 845-527-9673 Applicant e-mail: smrotsky@gmail.com

Owner Information

Owner Name: Scott RotskyOwner Address: 31528 Deep Pond LaneCity Frankford State DE Zip: 19945 Purchase Date: 2/15/24Owner Phone #: 845-527-9673 Owner e-mail: smrotsky@gmail.com

Agent/Attorney Information

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____

State _____

Zip: _____

Agent/Attorney Phone #: _____

Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney

Scott Rotsky

Date: _____



Criteria for a Variance

The reason we are applying for the variance is to extend our roof to cover and screen-in our deck.

1- The backyard is wider on the sides of the deck, but shallower off the back. This is due to a wooded area (and pond) behind our property. Because our back yard faces south, the sun is on our deck the entire day. The planks are a dark manmade material which heats up to the point where we cannot comfortably use our deck during the day in the summer. There are also too many bugs due to the pond being so close.

2- Directly behind our property is a small wooded area which borders on a natural pond. Both the woods and the pond are part of a protected land area which cannot be developed. We cannot purchase or extend our property into that area. We do not plan on extending our deck beyond the footings that already support it.

3- The design of the property as well as the structures on it (house and deck) were purchased new by myself and my wife in February of 2024. These were already in place with no input from us as far as placement and size before purchase.

4- The character of the neighborhood will not change in any negative way. In fact, it will most likely improve since both neighbors bordering our property already have extended roofs. The neighbor to our right has a covered deck and to our left has a covered patio. The builder we are using has already added exactly the same style roof (lean to design which compliments the flow of the roof) and screening to a house in our neighborhood which is close by.

5- We plan on using the same footings that are already supporting the existing deck. It will not be expanded on either side or the back with the exception of stairs on the side and against the house. Stairs, which are on almost every other deck in our neighborhood, are unfortunately missing on our deck.

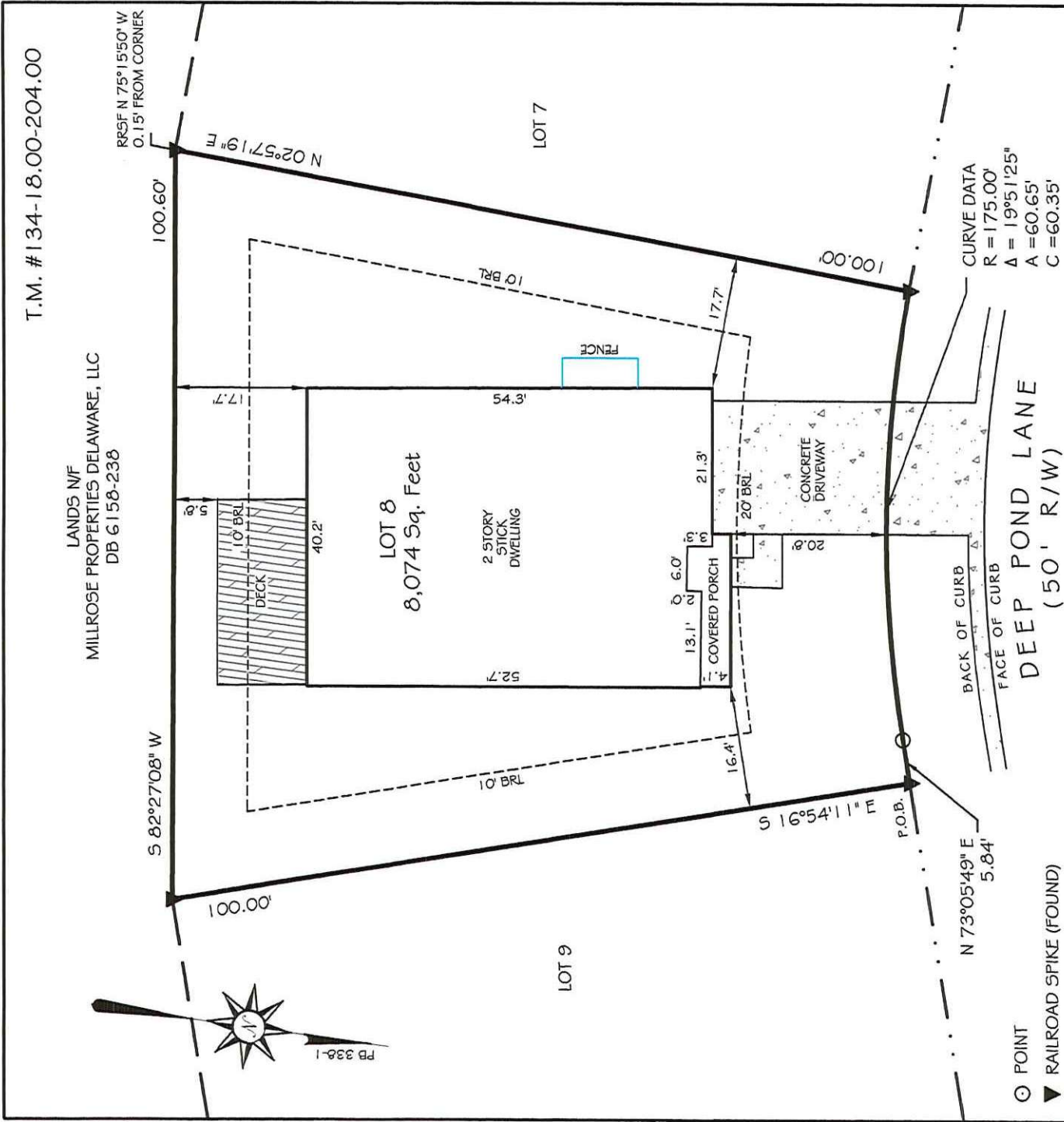
Attached is the same style covered screened in Porch
by the same builder we plan on using.
We do not have a Fence.



This is our deck
facing the backyard,
woods and pond.

Our plan is to cover
and screen it in using
the same Footings.
Hope Fully this keeps
the intense sun and
biting bugs away.





○ POINT

▼ RAILROAD SPIKE (FOUND)

SEE PLOT BOOK 338 PAGE 1 FOR EASEMENT RESERVATIONS. THIS SURVEY AND PLAT DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHTS-OF-WAY OR EASEMENTS CROSSING THIS PROPERTY OTHER THAN THOSE SHOWN.
NO TITLE SEARCH PROVIDED OR STIPULATED.

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

REGISTERED PROFESSIONAL SURVEYOR
No. 007
DONALD K. MILLER, PLS 407
DATE 6/26/26
SURVEY CLASS: SUBURBAN

BOUNDARY SURVEY FOR

SCOTT MATTHEW & PAMELA BETH ROTSKY

31528 DEEP POND LANE, FRANKFORD, DE 19945

LOT #8 OF "MILOS HAVEN" SUBDIV.

BALTIMORE HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

SCALE 1" = 20' JUNE 26, 2026

PREPARED BY:

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

MILLER LAND SURVEYING
LEWIS, INC.

1560 MIDDLEFORD RD.

SEAFOORD, DE. 19973

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

07/09/2026 10:04AM Megan D.
Receipt Number: 001321052
33031627-0006

PERMITS / INSPECTIONS
2026 20260917012020

\$500.00

\$500.00

Subtotal
Total

\$500.00

\$500.00

Tenders
CHECK

Check Number 5951

\$500.00

Change due

\$0.00

Paid by: SCOTT ROTSKY

SCOTT AL ROTSKY
TAMARA ROTSKY
HARRINGTON, DE 19951

DATE 7/9/26

TO SUSSEX COUNTY

FOR Five Hundred and no/100 \$500.00

TO BANK

AND RECEIVED

Signature: Scott Rotsky

6051

Thank you for your payment.

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SUSSEX COUNTY
DELAWARE

Help

LayersSearchBasemapsSelect AreaEagleviewPrint

EagleviewSearch Results

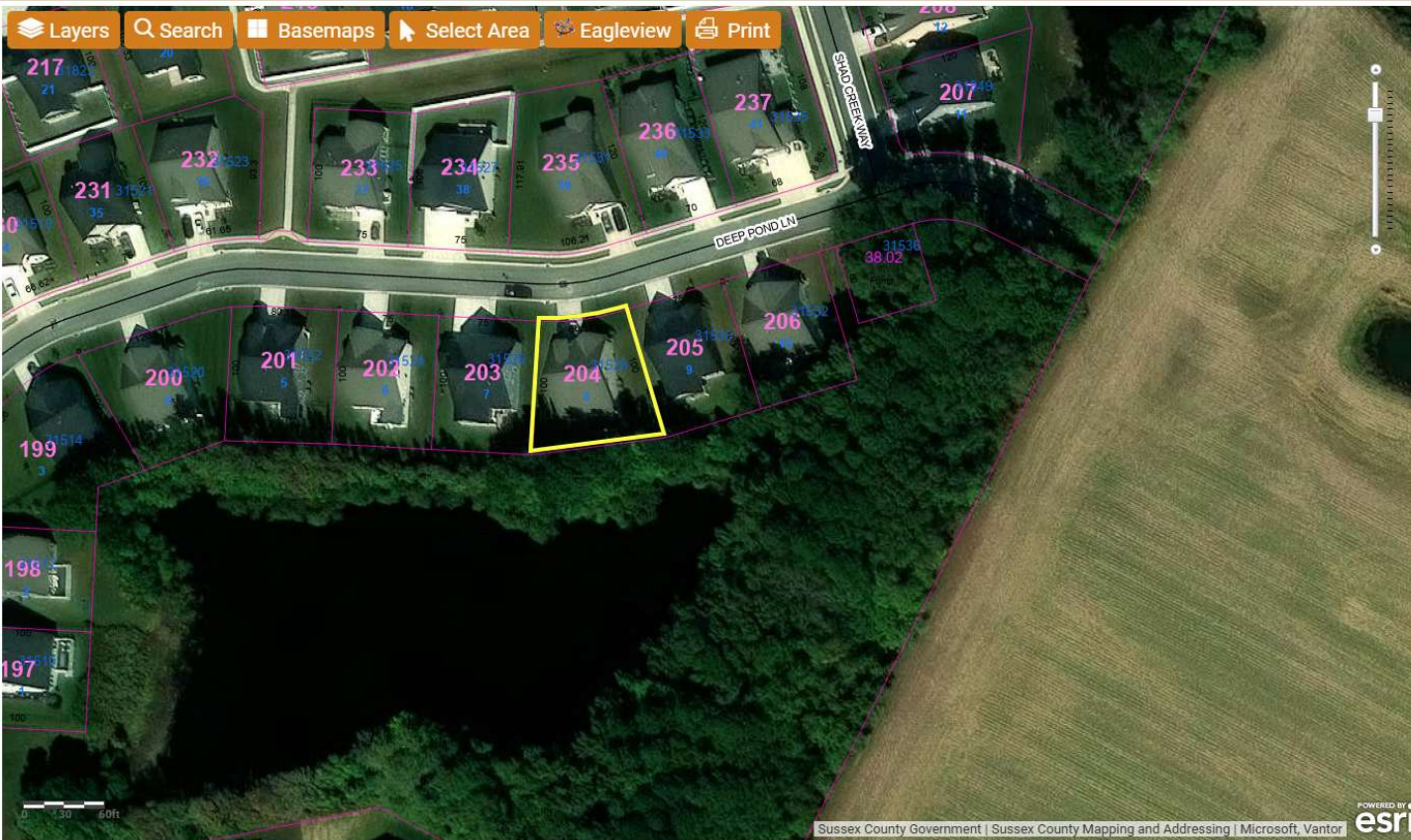
Selected Features:Parcels (1)

1) 134-18.00-204.00Zoom

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Second_Owner_Name	SCOTT MATTHEW ROTSKY
MAILINGADDRESS	31528 DEEP POND LN
CITY	FRANKFORD
STATE	DE
a_account	18-07-204
DESCRIPTION	MILOS HAVEN
DESCRIPTION2	LOT 8
DESCRIPTION3	
LUC	101
SCHOOL	1
MUNI	00
CAP	2
APRBLDG	470300
APRLAND	75700
PINWASSEMENTUNIT	134-18.00-204.00
PIN	134-18.00-204.00

Selected Features (1)

Clear Selected



Eagleview Search Results	
Selected Features: Parcels (1)	
▼ 1) 134-18.00-204.00 Zoom	
BOOK	6063
PAGE	250
FULLNAME	ROTSKY PAMELA BETH
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◀ ⏪ ⏩ ▶ Selected Features (1) Clear Selected	

CONNECTEXPLORER™

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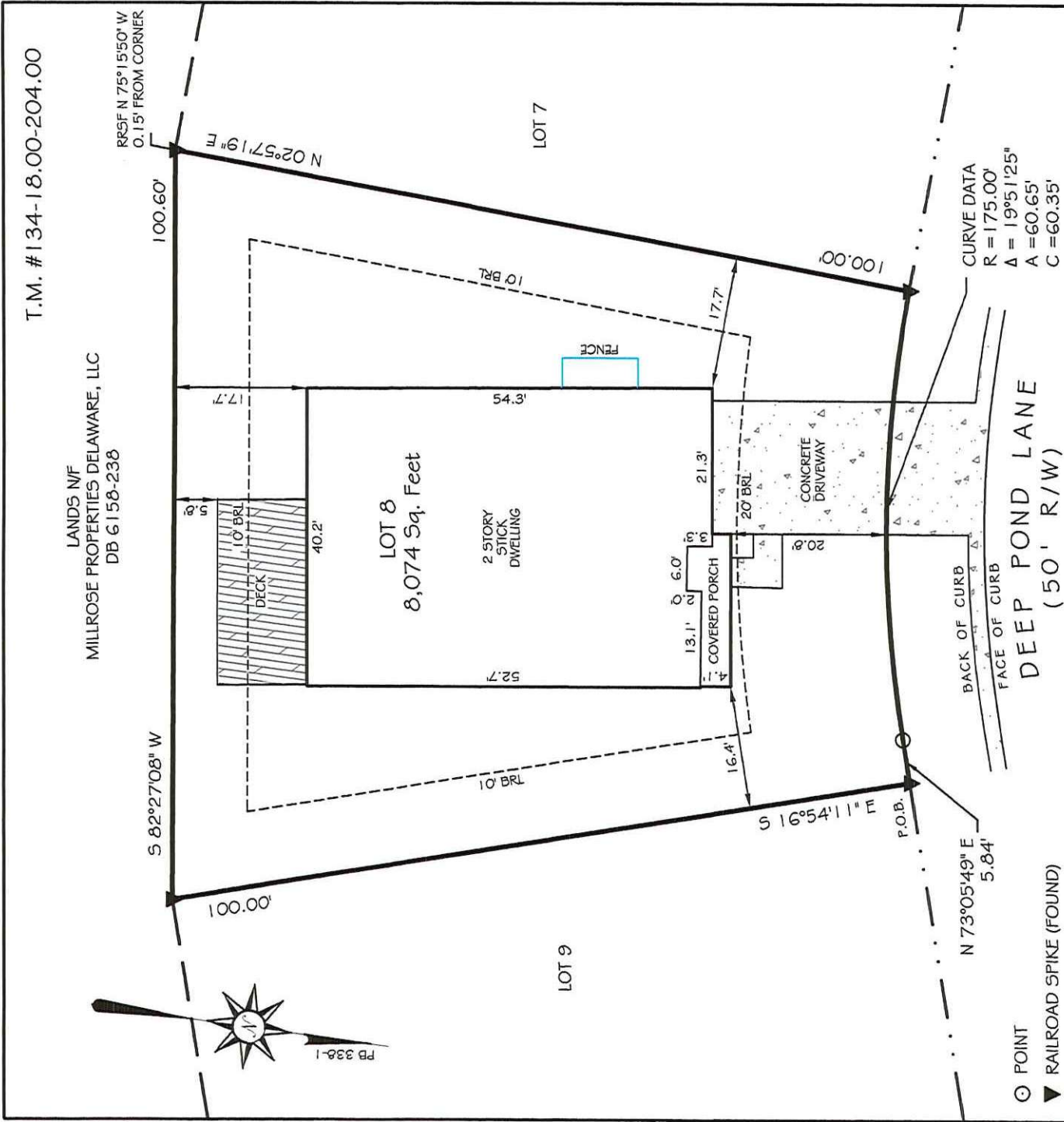
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BOUNDARY SURVEY FOR

SCOTT MATTHEW & PAMELA BETH ROTSKY

31528 DEEP POND LANE, FRANKFORD, DE 19945

LOT #8 OF "MILOS HAVEN" SUBDIV.

BALTIMORE HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

SCALE 1" = 20' JUNE 26, 2026

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

MILLER LAND SURVEYING
LEWIS, INC.

1560 MIDDLEFORD RD. SEAFORD, DE. 19973

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Donald K. Miller
DONALD K. MILLER, PLS 407
DATE 6/26/26
SURVEY CLASS: SUBURBAN

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

07/09/2026 10:04AM Megan D.
Receipt Number: 001321052
33031627-0006

PERMITS / INSPECTIONS
2026 20260917012020 \$500.00

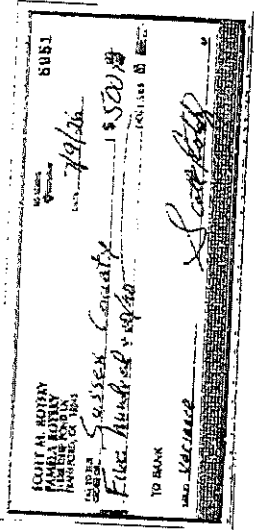
\$500.00

Subtotal
Total \$500.00
\$500.00

Tenders
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Check Number 5951 \$500.00

Change due \$0.00

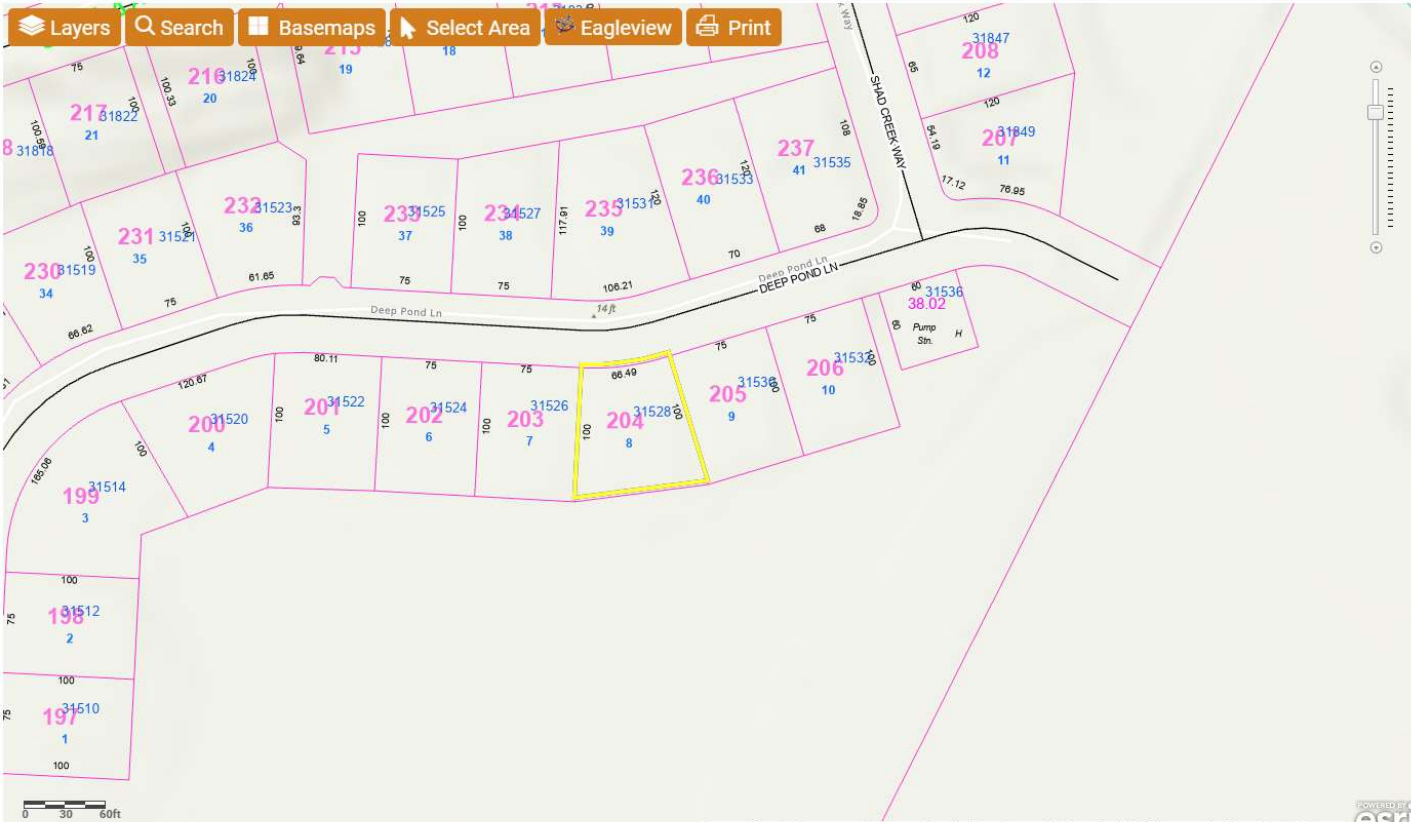
Paid by: SCOTT ROTSKY



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Layers Search Basemaps Select Area Eagleview Print



Sussex County Government | Sussex County Mapping and Addressing | Esri Community Maps Contributors...



Eagleview

Search Results

Selected Features:

Parcels (1)

1) 134-18.00-204.00

Zoom

BOOK	6063
PAGE	250
FULLNAME	ROTSKY PAMELA BETH
Second_Owner_Name	SCOTT MATTHEW ROTSKY
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STATE	DE
a_account	18-07-204
DESCRIPTION	MILOS HAVEN
DESCRIPTION2	LOT 8
DESCRIPTION3	
LUC	101
SCHOOL	1
MUNI	00
CAP	2
APRBLDG	470300
APRLAND	75700
PINWASSEMENTUNIT	134-18.00-204.00
PIN	134-18.00-204.00

Selected Features (1)

Clear Selected

SUSSEX COUNTY
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Search
Basemaps
Select Area
Eagleview
Print

Eagleview

Search Results

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Selected Features: Parcels (1)

▼ 1) 134-18.00-204.00 Zoom

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Selected Features (1)

Clear Selected

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RECEIVED

JUL 09 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 # 13226Hearing Date 09-14-202620260922

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:

19287 Coastal Highway Rehoboth DE 19958

Variance/Special Use Exception/Appeal Requested:

We are requesting to continue our twice a year tent sales, each being 10 days surrounding Memorial Day & Labor Day.Tax Map #: ~~3-34-13.20 Parcel 355.04~~ 334-13.00-325.04 Property Zoning: Commercial

Applicant Information

Applicant Name: Furniture & MoreApplicant Address: 19287 Coastal HighwayCity Rehoboth State DE Zip: 19971Applicant Phone #: 302 226-5900 Applicant e-mail: ~~At home 302 226-5900~~ dmiller152@gmail.com

Owner Information

Owner Name: Secure Management Att. Diana KowalskiOwner Address: 1050 Industrial Dr Suite 100City Middletown State DE Zip: 19709 Purchase Date: _____Owner Phone #: 302 999-8342 Owner e-mail: dianekowalski@securemanagementinc.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

Deborah ThompsonDate: 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.

2. Cannot otherwise be developed:

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

3. Not created by the applicant:

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

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

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

5. Minimum variance:

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

Sussex County, DE - BOA Application

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

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

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

This property is surrounded on 3 sides by commercial property. Our front side bears R+1. Our temporary use doesn't affect the use of any adjacent 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)

*Temporary tent twice a year
10 days surrounding Memorial Day & Labor Day
5 yr. permit*

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)
 - o Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - o Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - o Survey shall be signed and sealed by a Licensed Surveyor.
- ☒ Provide a Site Plan or survey of the property (Special Use Exception)
- ☒ Provide Fee \$400.00
- ☒ 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

Deborah Thompson

Date: 7/6/26

For office use only:

Date Submitted: _____

Staff accepting application: _____

Location of property: _____

Fee: \$400.00 Check #: _____

Application & Case #: _____

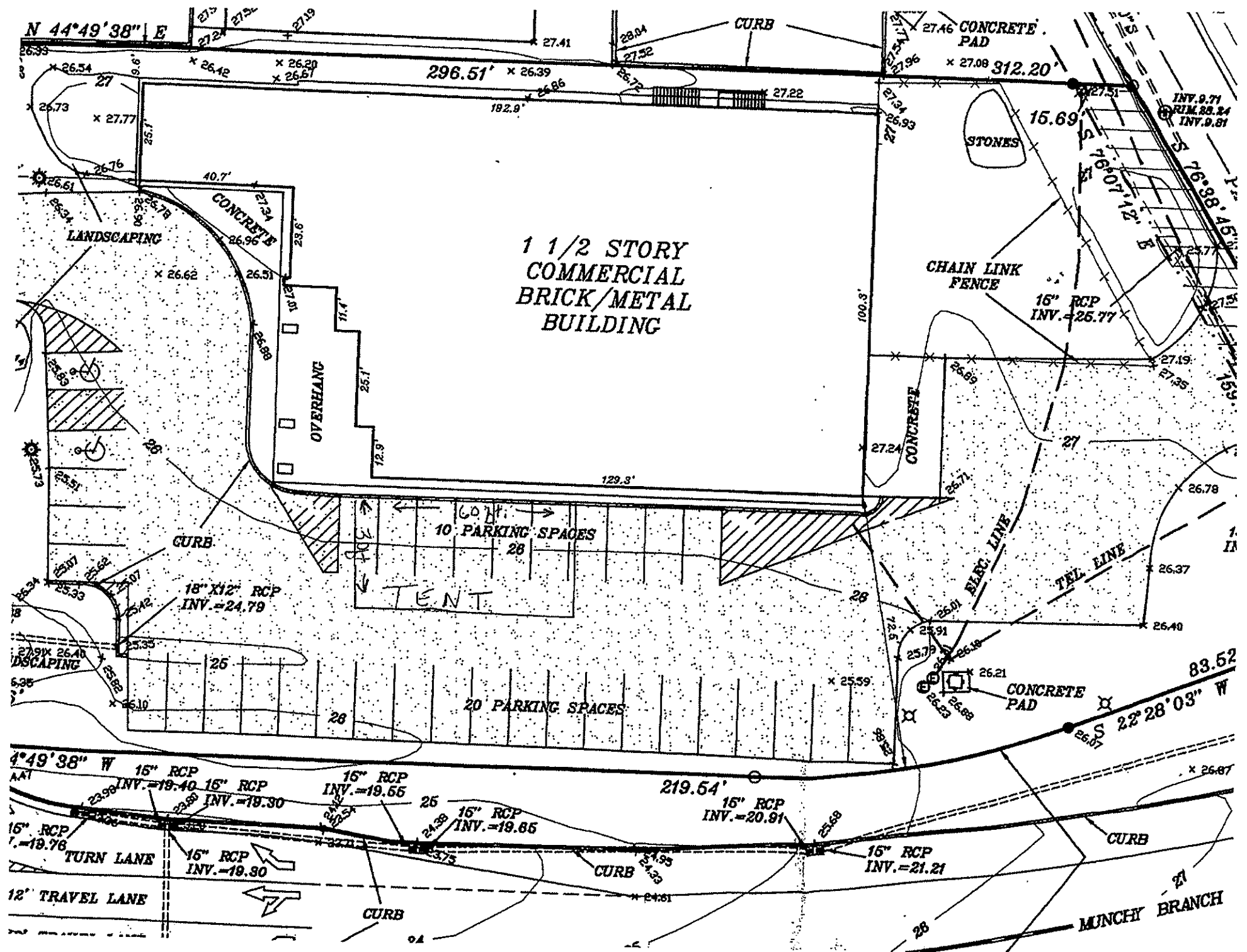
Subdivision: _____

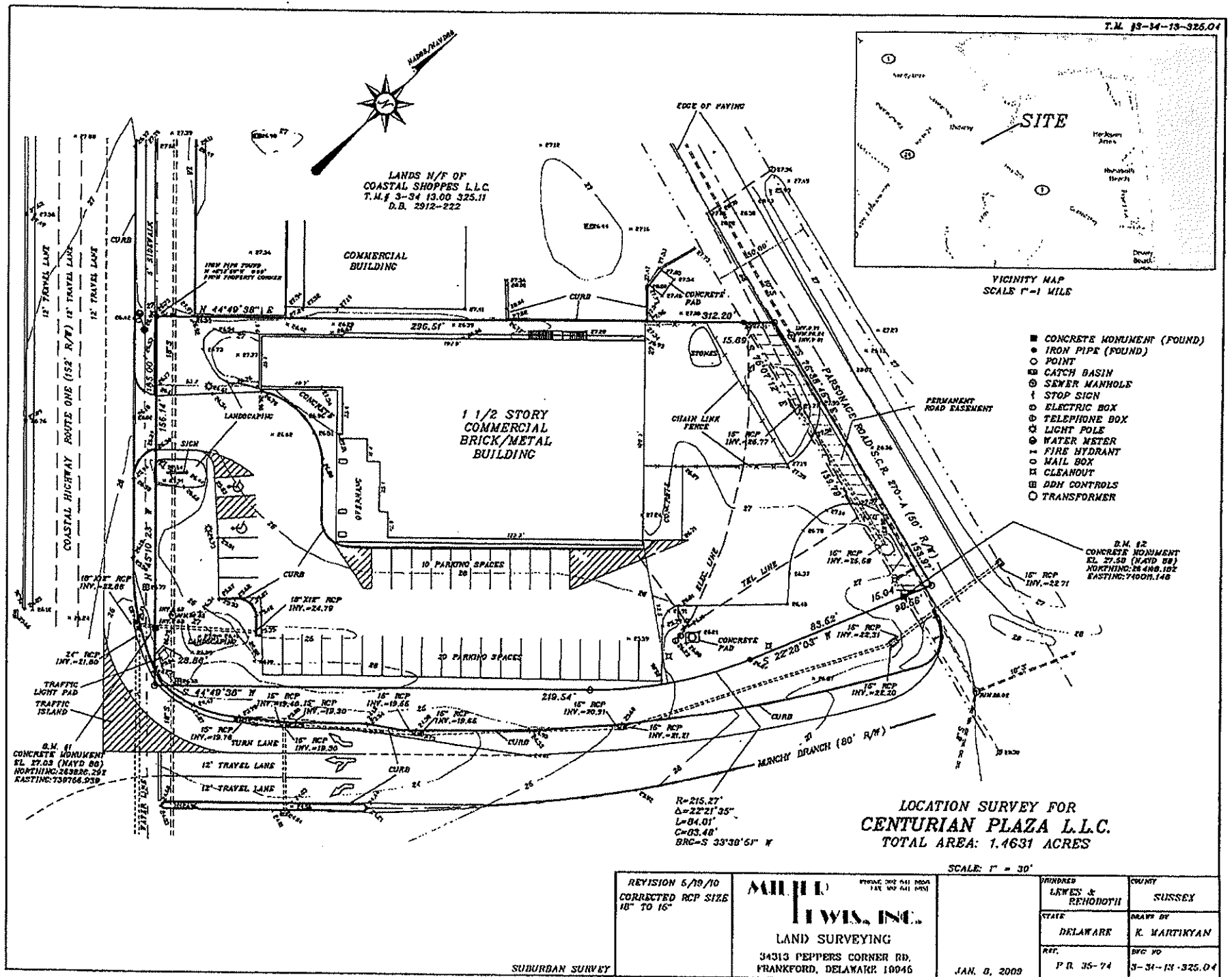
Date of Hearing: _____

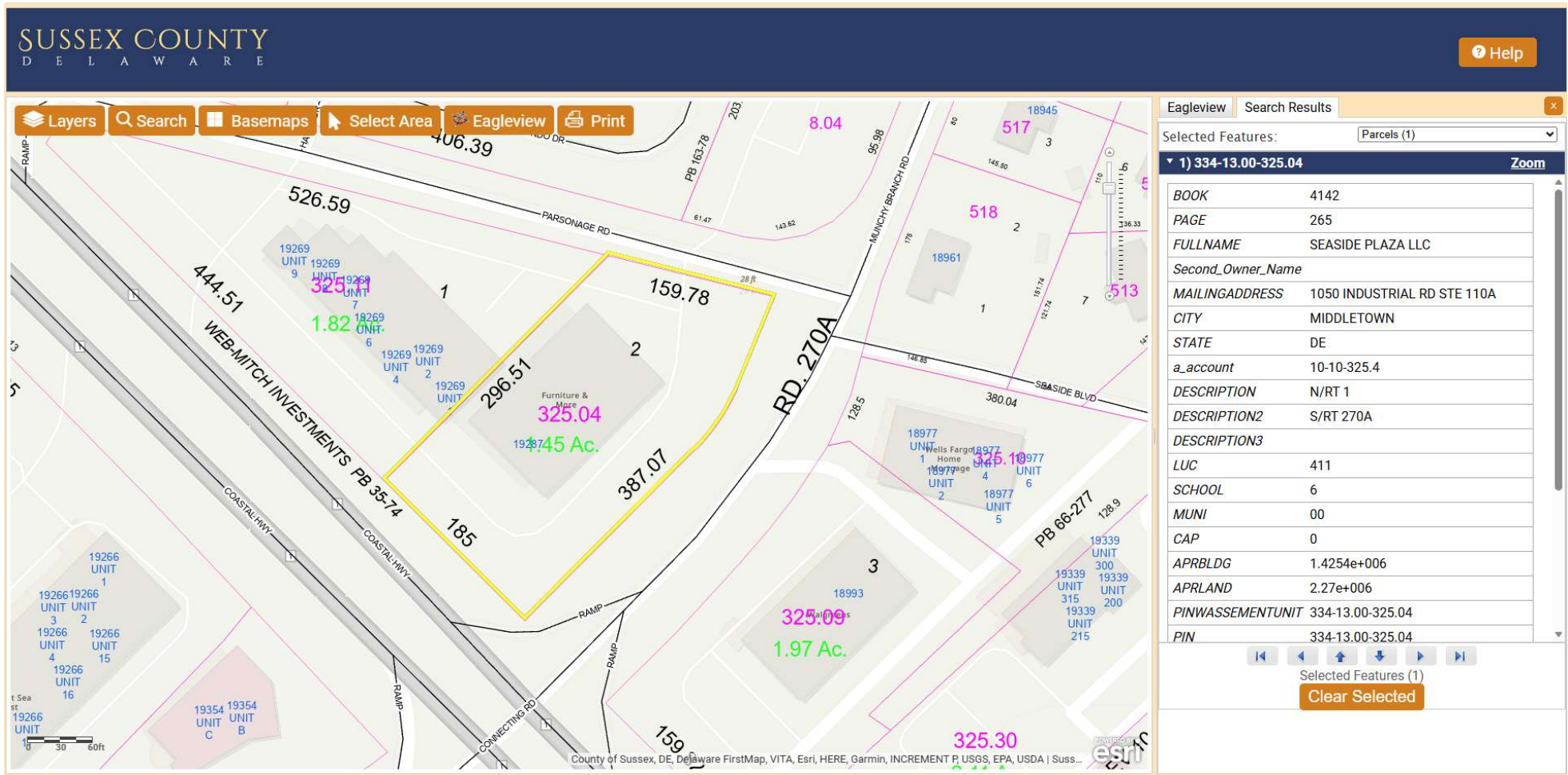
Lot#: _____

Decision of Board: _____

Block#: _____







EagleviewSearch Results

Selected Features:Parcels (1)

1) 334-13.00-325.04Zoom

BOOK	4142
PAGE	265
FULLNAME	SEASIDE PLAZA LLC
Second_Owner_Name	
MAILINGADDRESS	1050 INDUSTRIAL RD STE 110A
CITY	MIDDLETOWN
STATE	DE
a_account	10-10-325.4
DESCRIPTION	N/RT 1
DESCRIPTION2	S/RT 270A
DESCRIPTION3	
LUC	411
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	1.4254e+006
APRLAND	2.27e+006
PINWASSEMENTUNIT	334-13.00-325.04
PIN	334-13.00-325.04

Selected Features (1)
Clear Selected

SUSSEX COUNTY
DELAWARE

Help

LayersSearchBasemapsSelect AreaEagleviewPrint

EagleviewSearch Results

Selected Features: Parcels (1)

1) 334-13.00-325.04Zoom

BOOK	4142
PAGE	265
FULLNAME	SEASIDE PLAZA LLC
Second_Owner_Name	
MAILINGADDRESS	1050 INDUSTRIAL RD STE 110A
CITY	MIDDLETOWN
STATE	DE
a_account	10-10-325.4
DESCRIPTION	N/RT 1
DESCRIPTION2	S/RT 270A
DESCRIPTION3	
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SCHOOL	6
MUNI	00
CAP	0
APRBLDG	1.4254e+006
APRLAND	2.27e+006
PINWASSEMENTUNIT	334-13.00-325.04
PIN	334-13.00-325.04

Selected Features (1)

Clear Selected

Sussex County Government | Delaware Department of Natural Resources and Environmental Control | Suss...
POWERED BY
esri



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 #

12518

Hearing Date

11/25

262015554

Type of Application: (please check all applicable)

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

Code Reference (office use only)

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19287 Coastal Highway Rehoboth DE 19958

Variance/Special Use Exception/Appeal Requested:

Breways BOA Appeals - 10039 + 11748

30. Renewal of SLOs for feat over a 3 day period

Tax Map #:

3-24-13.20 Parcel 1325.04 Property Zoning: Commercial

Applicant Information

Applicant Name:

Furniture & More

Applicant Address:

19287 Coastal Highway

City:

Rehoboth

State:

DE

Zip:

19971

Applicant Phone #:

302.226.5900

Applicant e-mail:

dthompson@domerest.net

Owner Information

Owner Name:

Owner Address:

City:

State:

Zip:

Purchase Date:

Owner Phone #:

Owner e-mail:

Agent/Attorney Information

Agent/Attorney Name:

Agent/Attorney Address:

City:

State:

Zip:

Agent/Attorney Phone #:

Agent/Attorney e-mail:

Signature of Owner/Agent/Attorney

Deborah Thompson

Date: 12/4/20



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.

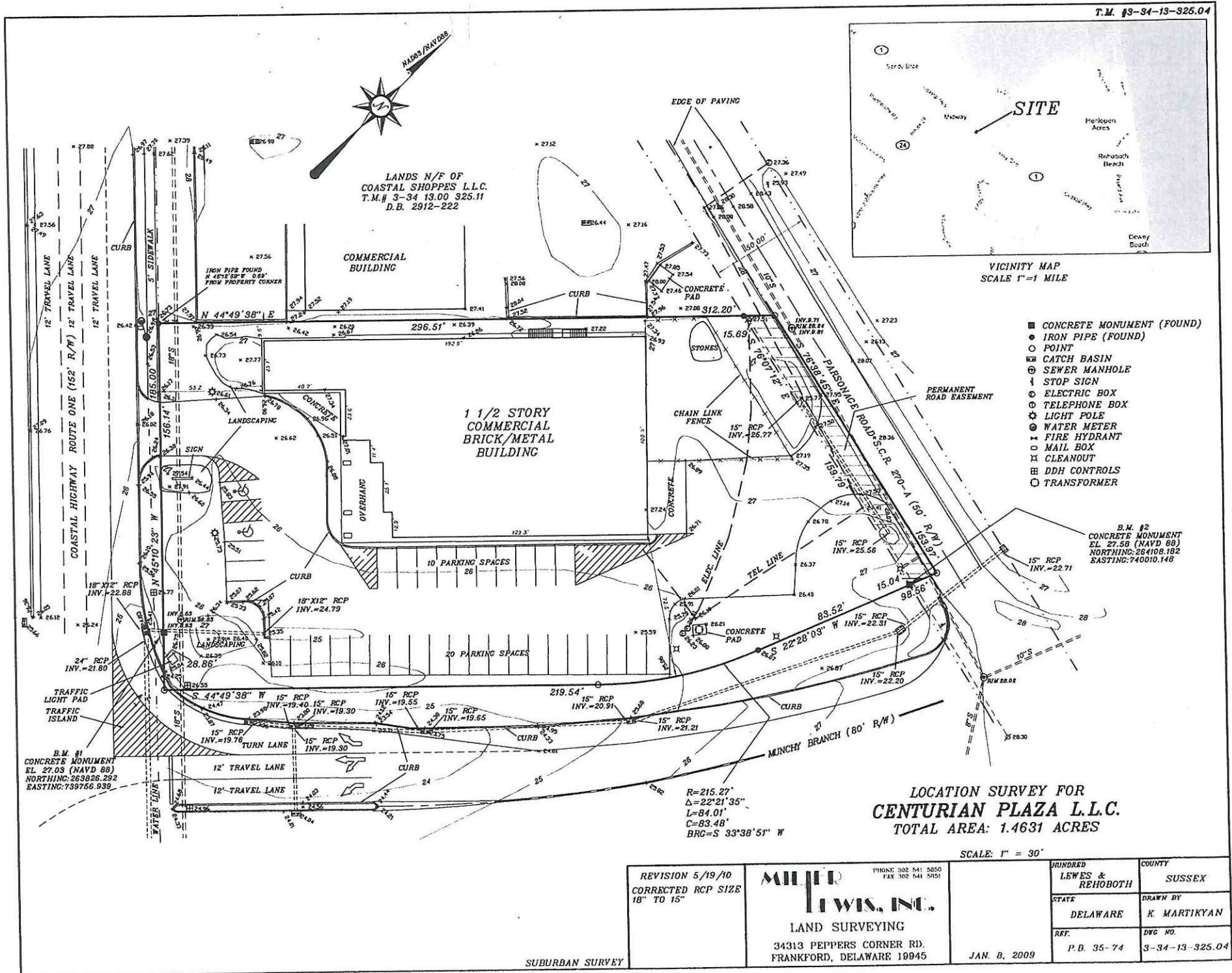
1. Such exception will not substantially affect adversely the uses of adjacent and neighboring property.

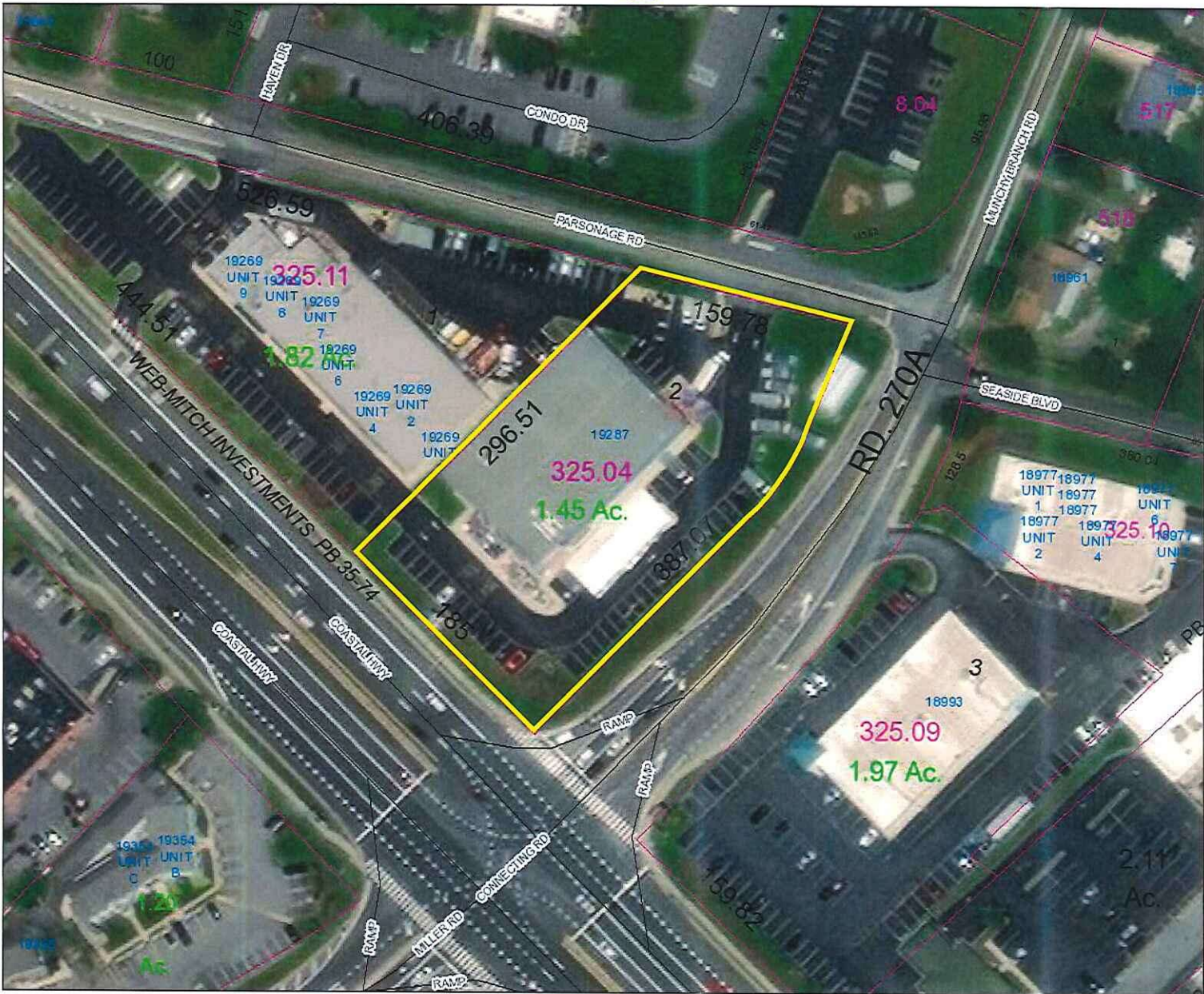
temporary tent twice a year

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)

*temporary tent twice a year
10 days surrounding Memorial Day & Labor Day
5 yr. permit*

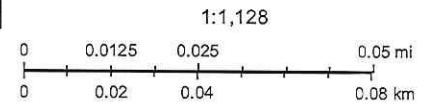
Basis for Appeal: (Please provide a written statement regarding reason for appeal)





PIN:	334-13.00-325.04
Owner Name	SEASIDE PLAZA LLC
Book	4142
Mailing Address	1050 INDUSTRIAL RD STE
City	MIDDLETOWN
State	DE
Description	N/RT 1
Description 2	S/RT 270A
Description 3	N/A
Land Code	

- polygonLayer
Override 1
- polygonLayer
Override 1
- Tax Parcels
 - 911 Address
 - Streets
 - County Boundaries



December 17, 2020

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: FURNITURE AND MORE

(Case No. 11748)

A hearing was held after due notice on April 4, 2016. The Board members present were: Mr. Dale Callaway, Mr. John Mills, Mr. Jeff Hudson, Mr. Norman Rickard, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for a special use exception for tents for a special purpose exceeding three (3) days.

Findings of Fact

The Board found that the Applicant is requesting a special use exception for tents for a special purpose exceeding three (3) days. This application pertains to certain real property located on northeast corner of Coastal Highway and Munchy Branch Road (911 Address: 19287 Coastal Highway, Lewes); said property being identified as Sussex County Tax Map Parcel Number 3-34-13.00-325.04. After a hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, a copy of the Findings of Fact for Case No. 10739-2010, a survey of the Property dated May 19, 2010, a letter from Lawrence Lank to the Applicant, and a portion of the tax map of the area.
2. The Board found that the Office of Planning and Zoning received one letter in opposition to the Application and no letters in support of the Application.
3. The Board found that Deborah Thompson was sworn in and testified regarding the Application.
4. The Board found that Ms. Thompson testified that the Applicant was previously approved for this use in 2010. The tent will be located in the same location and used during the same dates as previously approved.
5. The Board found that Ms. Thompson testified that the tents are used during Memorial Day and Labor Day Weekends. The tent will be erected seven (7) days prior to Memorial Day Weekend and Labor Day Weekend and will be removed seven (7) days after the stated weekends.
6. The Board found that Ms. Thompson testified that there will be no change in the use of the tents.
7. The Board found that Ms. Thompson testified that there have been no complaints in the last five (5) years.
8. The Board found that Ms. Thompson testified that the tent will be solely for retail purposes.
9. The Board found that Ms. Thompson testified that there is adequate parking available during the time the tent is used.
10. The Board found that Ms. Thompson testified that there is no additional signage on the tent or the Property.
11. The Board found that Ms. Thompson testified that the location of the tent does not block any other businesses or signage.
12. The Board found that Ms. Thompson testified that the use has not and will not substantially adversely affect the uses of the neighboring and adjacent properties.
13. The Board found that Michael Vasilikos was sworn in to testify about the Application. Craig Aleman, Esquire, represented Mr. Vasilikos and stated that, since the request is the same as the prior approval, his client has no opposition

to the Application. Mr. Aleman previously submitted a letter opposing the request but withdrew this opposition.

14. The Board found that no parties appeared in support of or in opposition to the Application.

15. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, which the Board found credible, persuasive and un rebutted, the Board determined that the application met the standards for granting a special use exception because the tent will not substantially affect adversely the uses of neighboring and adjacent properties. The findings below further support the Board's decision to approve the Application.

- a. The Applicant owns a furniture retail store and wishes to hold tent sales during Memorial Day and Labor Day weekends. The Applicant has held such sales on the Property for the past five years.
- b. The Applicant intends to erect the tent seven (7) days before and seven (7) days after each of those holiday weekends on an annual basis.
- c. The Applicant has used the tent for a special purpose in the same location for the same period of time as proposed for each of the past five years and the Applicant has not received any complaints related to the tent.
- d. A neighbor who previously had concerns about the tent withdrew its objection after hearing the Applicant's testimony and reviewing the record.
- e. The tent will not block the visibility of any neighboring businesses or signs.
- f. The Applicant will still have adequate parking even with the tent in place.
- g. The tent will be used only on a temporary basis during limited times of the year.
- h. The approval is conditioned on the following:
 - i. The tent shall be no larger than 30 feet by 60 feet in size.
 - ii. The tent shall be placed on the south side of the building on the Property as shown on the survey dated May 19, 2010, submitted by the Applicant.
 - iii. The approval is valid for a period of five (5) years.

The Board granted the special use exception application for a period of five (5) years with conditions finding that it met the standards for granting a special use exception.

Decision of the Board

Upon motion duly made and seconded, the special use exception application was approved with conditions for a period of five (5) years. The Board Members in favor were Mr. Dale Callaway, Mr. Jeff Hudson, Mr. John Mills, Mr. Norman Rickard, and Mr. Brent Workman. No Board Members voted against the Motion to approve the special use exception application with conditions.

BOARD OF ADJUSTMENT
OF SUSSEX COUNTY

Dale Callaway

Dale Callaway
Chairman

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

Date May 17, 2016.

BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: FURNITURE & MORE

(Case No. 12518)

A hearing was held after due notice on April 12, 2021. The Board members present were: Dr. Kevin Carson, Mr. Jeff Chorman, Mr. John T. Hastings, Mr. John Williamson, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for a special use exception to place a tent for special events.

Findings of Fact

The Board found that the Applicant is requesting a special use exception to place a tent during the Memorial Day and Labor Day holidays over the next five years. This application pertains to certain real property located on the northeast side of Coastal Highway (Route 1) at the intersection of Munchy Branch Road (911 Address: 19287 Coastal Highway, Rehoboth Beach said property being identified as Sussex County Tax Map Parcel Number 3-34-13.00-325.04. After a public hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, the findings of fact for Case No. 11748, a survey of the Property dated January 8, 2009, a deed to the Property, a drawing showing the location of the proposed tent, an aerial photograph of the Property, and a portion of the tax map of the area.
2. The Board found that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application.
3. The Board found that Deborah Anderson was sworn in to testify about the Application and John Tracey, Esquire, presented the case on behalf of the Applicant.
4. The Board found that Mr. Tracey stated that this is the Applicant's third request for a five year special use permit.
5. The Board found that Mr. Tracey stated that the tent will not be on the Property for five years. Rather, the tent will be used twice a year during the Memorial Day and Labor Day sales events.
6. The Board found that Mr. Tracey stated that the tent will be up for a period of 14 days for each sale from the beginning of set up until the final tear down.
7. The Board found that Mr. Tracey stated that the store fronts on Route 1 but the tent is placed on the Munchy Branch Road side of the Property.
8. The Board found that Mr. Tracey stated that the tent sales are effective and generate more sales.
9. The Board found that Mr. Tracey stated that these sales have been happening for ten years with no complaints or issues.
10. The Board found that Mr. Tracey stated that there is no substantially adverse effect to adjacent or neighboring properties.
11. The Board found that Mr. Tracey stated that the Applicant rents U-Hauls from the rear of the site and the U-Haul business takes up 5-6 parking spaces but it will not be impacted by this request.
12. The Board found that Ms. Anderson affirmed the statements made by Mr. Tracey as true and correct.
13. The Board found that Ms. Anderson testified that there is a U-Haul rental business and the vehicles are stored in a rear parking lot.
14. The Board found that Ms. Anderson testified that there have been no issues with parking.

15. The Board found that Ms. Anderson testified that there are other commercial businesses on the Property.
16. The Board found that Ms. Anderson testified that there have been no complaints during the past tent events.
17. The Board found that Ms. Anderson testified that there is 24 hour security both with cameras and in-person.
18. The Board found that Ms. Anderson testified that the tent will measure 30 feet by 60 feet.
19. The Board found that Ms. Anderson testified that the tent will be up 14 days around Memorial Day and 14 days around Labor Day.
20. The Board found that Ms. Anderson testified that the tent will take up 7 parking spaces and will be in the same location as in prior years.
21. The Board found that Ms. Anderson testified that there have been no issues with traffic or congestion related to the tent in prior years.
22. The Board found that no one appeared in support of or opposition to the Application.
23. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, which the Board found credible, persuasive, and un rebutted the Board determined that the application met the standards for granting a special use exception because the proposed outdoor display or promotional activity will not substantially affect adversely the uses of neighboring and adjacent properties. The findings below further support the Board's decision to approve the Application.
 - a. The Applicant owns a furniture retail store and wishes to hold tent sales during Memorial Day and Labor Day weekends. The Applicant has held such sales on the Property for the past five years.
 - b. The Applicant intends to erect the tent for a period of 14 days around each of those holiday weekends on an annual basis.
 - c. The Applicant has used the tent for a special purpose in the same location for the same period of time as proposed for each of the past ten years and the Applicant has not received any complaints related to the tent.
 - d. The tent will not block the visibility of any neighboring businesses or signs.
 - e. The Applicant will still have adequate parking even with the tent in place.
 - f. The tent will be used only on a temporary basis during limited times of the year.
 - g. The approval is conditioned on the following:
 - i. The tent shall be no larger than 30 feet by 60 feet in size.
 - ii. The tent shall be placed on the south side of the building on the Property as shown on the survey dated January 8, 2009, submitted by the Applicant.
 - iii. The tent shall only be erected for no more than 14 days during the Memorial Day holiday event.
 - iv. The tent shall only be erected for no more than 14 days during the Labor Day holiday event.
 - v. The approval is valid for a period of five (5) years.

The Board granted the special use exception application for a period of five (5) year with conditions finding that it met the standards for granting a special use exception.

Decision of the Board

Upon motion duly made and seconded, the special use exception application was approved with conditions for a period of five (5) years. The Board Members in favor were Dr. Kevin Carson, Mr. Jeffrey Chorman, Mr. Travis Hastings, Mr. John Williamson, and Mr. Brent Workman. No Board Member voted against the Motion to approve the special use exception application with conditions.

BOARD OF ADJUSTMENT
OF SUSSEX COUNTY



John Williamson
Chair

If the use is not established within two (2) years from the date below the application becomes void.

Date June 7, 2024

Sussex County, DE - BOA Application

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

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

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

1. Uniqueness of property:

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

2. Cannot otherwise be developed:

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

3. Not created by the applicant:

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

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

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

5. Minimum variance:

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

Sussex County, DE - BOA Application

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

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

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

This property is surrounded on 3 sides by commercial property. Our front side bears R+1. Our temporary use doesn't affect the use of any adjacent 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)

*Temporary tent twice a year
10 days surrounding Memorial Day & Labor Day
5 yr. permit*

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)
 - o Survey shall show the location of building(s), building setbacks, stairs, deck, etc.
 - o Survey shall show distances from property lines to buildings, stairs, deck, etc.
 - o Survey shall be signed and sealed by a Licensed Surveyor.
- ☒ Provide a Site Plan or survey of the property (Special Use Exception)
- ☒ Provide Fee \$400.00
- ☒ 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

Deborah Thompson

Date: 7/6/26

For office use only:

Date Submitted: _____

Staff accepting application: _____

Location of property: _____

Fee: \$400.00 Check #: _____

Application & Case #: _____

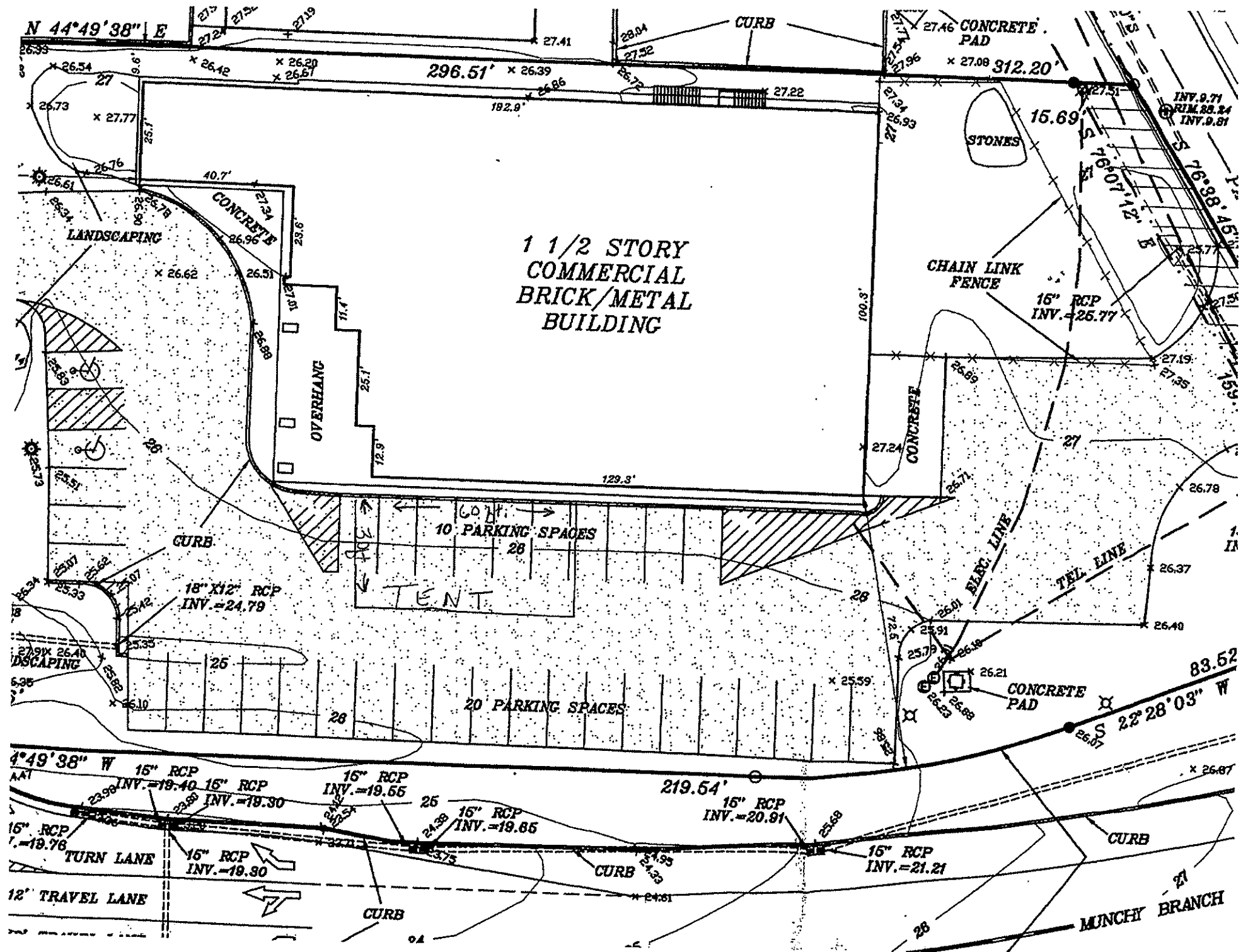
Subdivision: _____

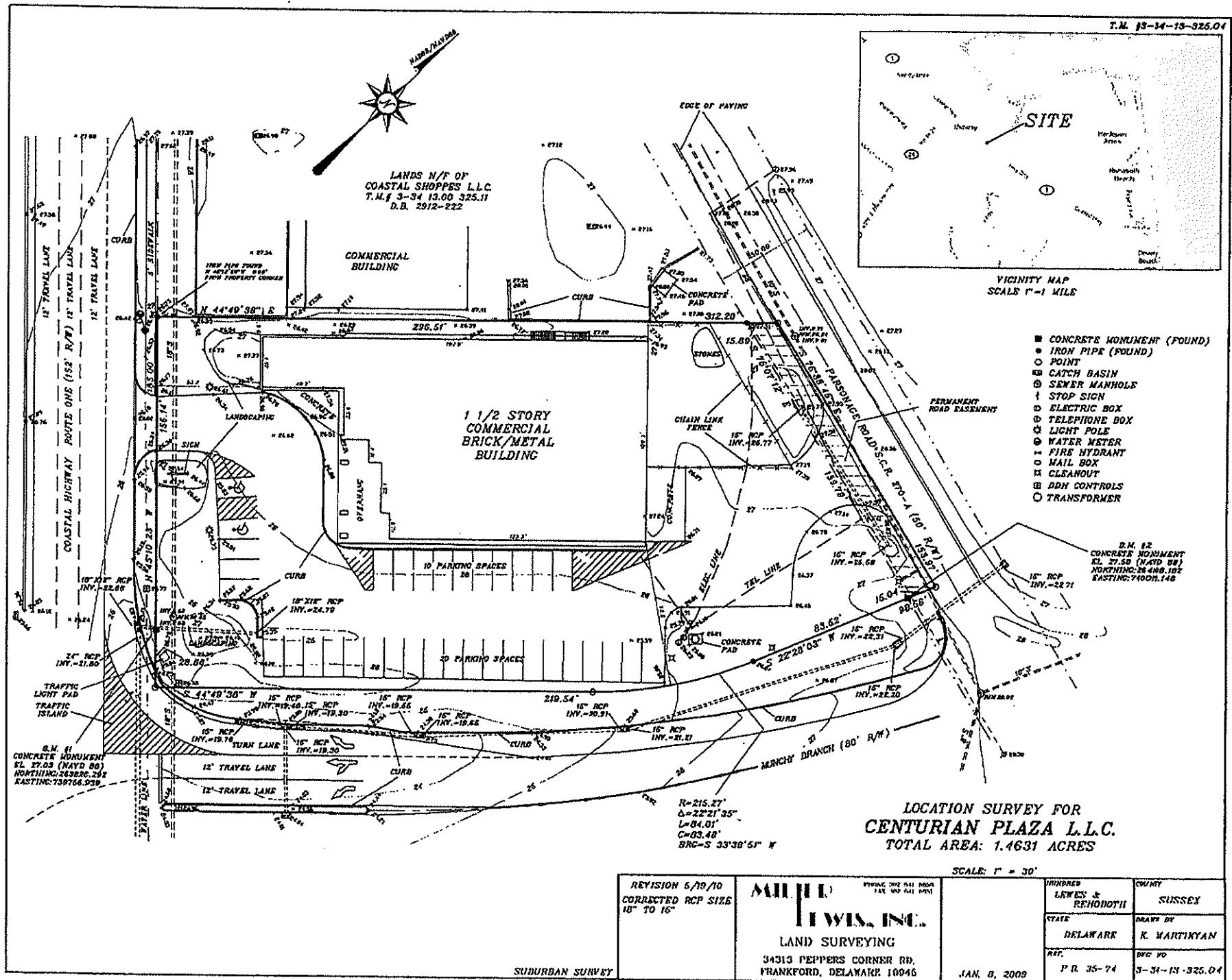
Date of Hearing: _____

Lot#: _____

Decision of Board: _____

Block#: _____





SUSSEX COUNTY

DELAWARE

Layers

Search

Basemaps

Select Area

Eagleview

Print

Help

1) 334-13.00-325.04

Zoom

BOOK

4142

PAGE

265

FULLNAME

SEASIDE PLAZA LLC

Second_Owner_Name

MAILINGADDRESS

1050 INDUSTRIAL RD STE 110A

CITY

MIDDLETOWN

STATE

DE

a_account

10-10-325.4

DESCRIPTION

N/RT 1

DESCRIPTION2

S/RT 270A

DESCRIPTION3

LUC

411

SCHOOL

6

MUNI

00

CAP

0

APRBLDG

1.4254e+006

APRLAND

2.27e+006

PINWASSEMENTUNIT

334-13.00-325.04

PIN

334-13.00-325.04

Selected Features (1)

Clear Selected

19269 UNIT 9

19269 UNIT 2

19269 UNIT 7

19269 UNIT 6

19269 UNIT 4

19269 UNIT 2

19269 UNIT 1

19266 UNIT 1

19266 UNIT 2

19266 UNIT 3

19266 UNIT 4

19266 UNIT 15

19266 UNIT 16

19354 UNIT C

19354 UNIT B

18977 UNIT 1

18977 UNIT 4

18977 UNIT 2

18977 UNIT 5

18977 UNIT 6

19339 UNIT 315

19339 UNIT 200

19339 UNIT 300

325.04

1.82

325.09

1.97 Ac.

325.30

406.39

526.59

444.51

159.78

296.51

185

387.07

159.78

159.78

PARSONAGE RD

RD 270A

COASTAL HWY

CONNECTING RD

RAMP

RAMP

RAMP

18961

18945

517

518

513

18993

19269 UNIT 9

19269 UNIT 2

19269 UNIT 7

19269 UNIT 6

19269 UNIT 4

19269 UNIT 2

19269 UNIT 1

19266 UNIT 1

19266 UNIT 2

19266 UNIT 3

19266 UNIT 4

19266 UNIT 15

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19354 UNIT C

19354 UNIT B

18977 UNIT 1

18977 UNIT 4

18977 UNIT 2

18977 UNIT 5

18977 UNIT 6

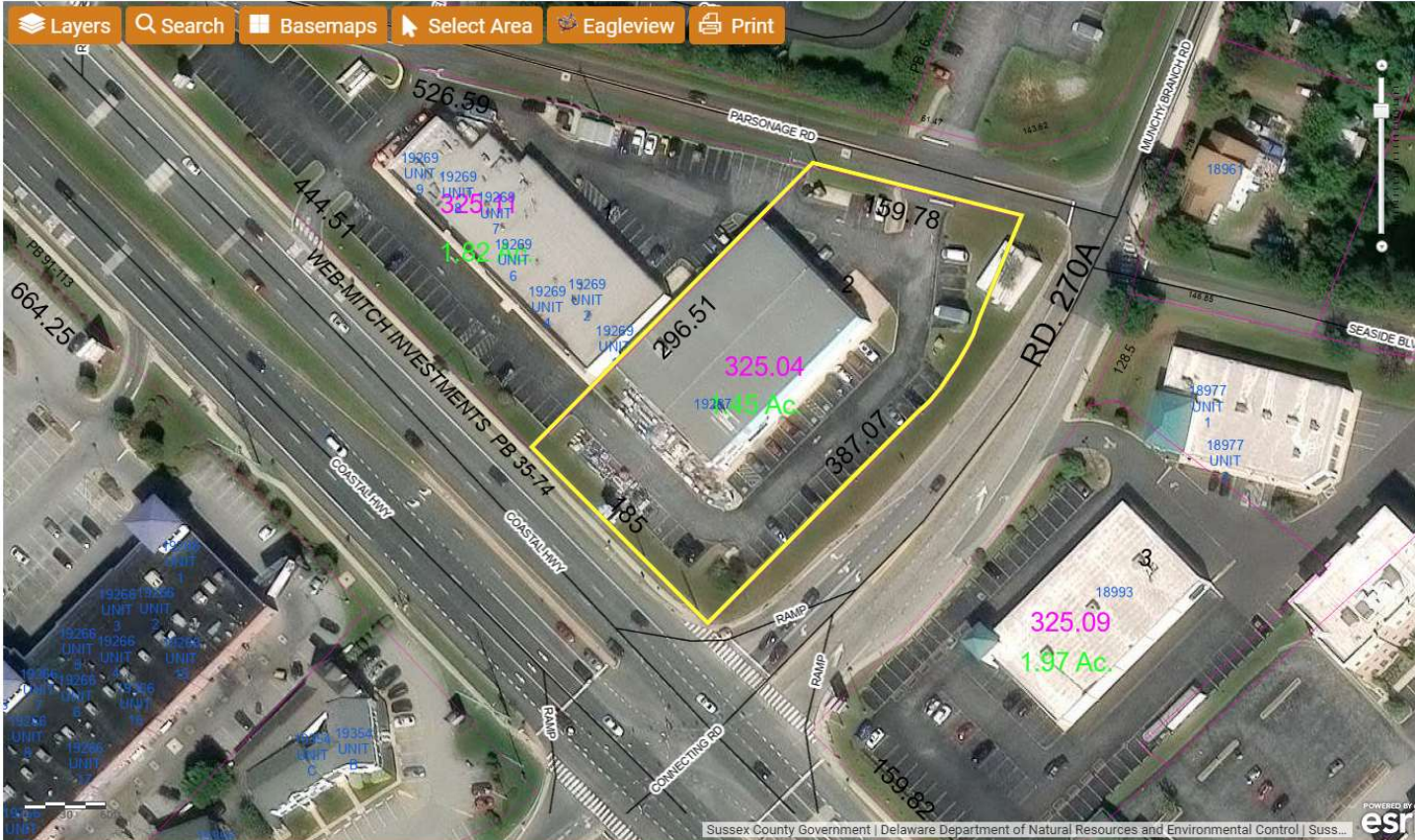
19339 UNIT 315

19339 UNIT 200

19339 UNIT 300

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

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (1)

1) 334-13.00-325.04 Zoom

BOOK	4142
PAGE	265
FULLNAME	SEASIDE PLAZA LLC
Second_Owner_Name	
MAILINGADDRESS	1050 INDUSTRIAL RD STE 110A
CITY	MIDDLETOWN
STATE	DE
a_account	10-10-325.4
DESCRIPTION	N/RT 1
DESCRIPTION2	S/RT 270A
DESCRIPTION3	
LUC	411
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	1.4254e+006
APRLAND	2.27e+006
PINWASSEMENTUNIT	334-13.00-325.04
PIN	334-13.00-325.04

Selected Features (1)

Clear Selected

CONNECTEXPLORER™



Search

Search by SUSSEXPARCELS

334-13.00-325.04

Search results (1) Options

334-13.00-325.04

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 # 13227Hearing Date 09-14-2026202609853

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:

37165 Burton Avenue, Rehoboth Beach, DE 19971

Variance/Special Use Exception/Appeal Requested:

Applicant respectfully requests a variance from the Sussex County Zoning Ordinance limiting the height of fences within a setback to forty two (42) inches in order to permit the installation of a forty eight (48) inch safety fence enclosing a residential swimming pool.

Tax Map #: 334 13.19 33.00Property Zoning: GR**Applicant Information**Applicant Name: Jennifer R. NoelApplicant Address: 37165 Burton AvenueCity Rehoboth Beach State DE Zip: 19971Applicant Phone #: (302) 824 5926 Applicant e-mail: jennifernoel.esq@gmail.com**Owner Information**Owner Name: Jennifer R. NoelOwner Address: 37165 Burton AvenueCity Rehoboth Beach State DE Zip: 19971 Purchase Date: 5/24/24Owner Phone #: (302) 824 5926 Owner e-mail: jennifernoel.esq@gmail.com**Agent/Attorney Information**

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney _____Date: 7/22/26

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

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

3. Not created by the applicant:

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

Please see attached

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

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

Please see attached

5. Minimum variance:

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

Please see attached

Sussex County, DE - BOA Application

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

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

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

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: 7/22/26

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: _____

BEFORE THE SUSSEX COUNTY BOARD OF ADJUSTMENT

Application for Variance

Applicant: Jennifer R. Noel
Property Address: 37165 Burton Avenue, Rehoboth Beach, DE 19971
Tax Parcel No.: 334-13.19-33.00

Request

Applicant respectfully requests a variance from the Sussex County Zoning Ordinance limiting the height of fences located within a yard adjoining a public road to forty-two (42) inches in order to permit the installation of a forty-eight (48) inch fence enclosing a residential swimming pool.

Statement of Facts

1. The Applicant is the owner of the above-referenced residential property located in Sussex County, Delaware.
2. The property is a corner lot, with its front property line along Duffy Street and its side property line along Burton Avenue. The proposed in-ground swimming pool will be located within the rear yard of the residence, as set forth on the attached survey.
3. Because the property is a corner lot, Sussex County Code § 115-182(B) requires a 15' setback along Burton Avenue. Pursuant to Sussex County Code § 115-185(C), residential fences located within that setback (so along the property line) may not exceed forty-two (42) inches in height.
4. Residential swimming pool safety regulations, however, require a protective barrier that is at least forty-eight (48) inches in height. Accordingly, the Applicant cannot simultaneously comply with both the Sussex County fence height limitation and the minimum height required for a code-compliant swimming pool barrier.
5. The Applicant proposes to install a forty-eight (48) inch residential fence enclosing the back yard that will proceed through the set back from the home and along the property line surrounding the swimming pool. The requested variance is limited to the additional six (6) inches necessary to satisfy the applicable pool safety requirements for that portion of the fence that is in the setback and along Burton Avenue.

Basis for the Variance

1. Uniqueness of property

The requested variance is necessitated by the unique configuration of the property as a corner lot.

Although the swimming pool will be located entirely within the rear yard, the fence required to enclose the backyard will extend along the side property line adjoining Burton Avenue. Because that side yard is deemed a front yard under the Sussex County Zoning Ordinance, the fence height is limited to forty-two (42) inches, notwithstanding the requirement that applicable pool safety regulations require a barrier at least forty-eight (48) inches in height.

This creates an unavoidable conflict between two regulatory requirements. Without a variance, the Applicant cannot construct a swimming pool enclosure that complies with applicable safety standards while simultaneously complying with the County's fence height restriction.

2. Cannot otherwise be developed:

The hardship does not arise from a personal preference for a taller fence or from the proposed swimming pool itself. Rather, it results solely from the property's unique corner-lot configuration. Owners of interior lots are generally able to install a code-compliant forty-eight (48) inch pool fence without seeking zoning relief. Only because this property fronts on two public streets is the Applicant prevented from complying with both the zoning ordinance and the pool safety requirements.

Strict application of the ordinance therefore imposes an exceptional practical difficulty and deprives the Applicant of the reasonable use of the property enjoyed by similarly situated residential property owners.

3. Not Created by the Applicant

The need for the requested variance is entirely the result of the property's corner-lot configuration and the application of the zoning ordinance to the rear yard that adjoins Burton Avenue. These circumstances existed prior to the Applicant's ownership and were not created by any action of the Applicant.

4. Will Not Alter the Essential Character of the Neighborhood

The proposed fence exceeds the permitted height by only six (6) inches. The requested increase is minimal, will be residential in appearance, and will be compatible with the surrounding neighborhood. The fence will serve only as a required safety enclosure for the swimming pool and will not interfere with neighboring properties, traffic visibility, or the general character of the area.

Moreover, the purpose of the requested variance is to allow installation of a swimming pool barrier that complies with applicable safety standards intended to prevent unauthorized access to the pool, particularly by young children.

Granting the variance advances, rather than undermines, the public health, safety, and welfare by allowing the Applicant to construct a pool enclosure that satisfies the minimum required safety standards.

Accordingly, granting the requested variance will not adversely affect adjacent property owners or impair the public welfare.

5. The Requested Relief Is the Minimum Necessary

The Applicant seeks only the minimum variance necessary to eliminate the conflict between the Sussex County fence height restriction and the swimming pool safety requirements.

The requested increase is six (6) inches—from forty-two (42) inches to forty-eight (48) inches—and no greater relief is requested.

Conclusion

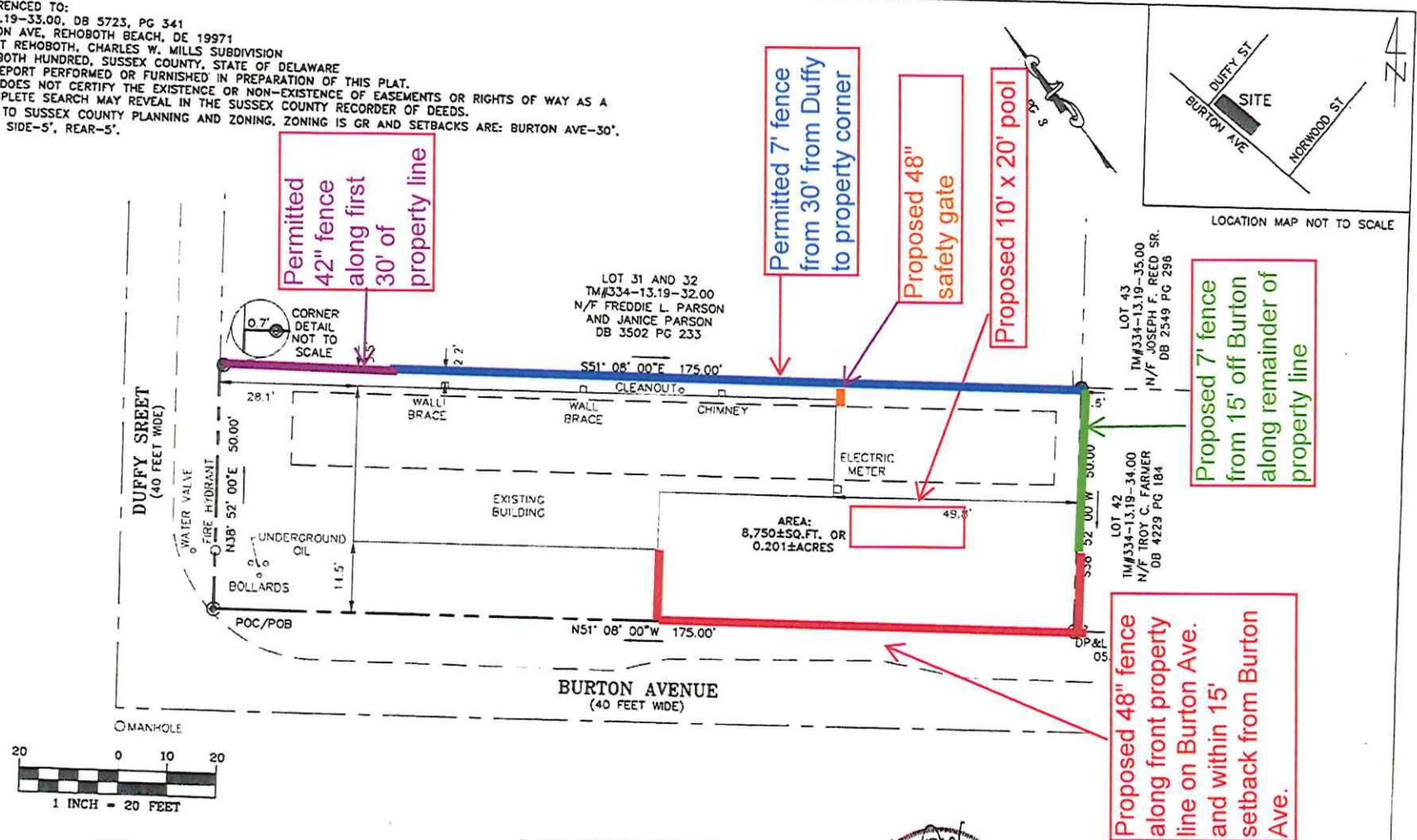
The Applicant's request arises solely because the property's unique corner-lot configuration causes the rear yard that adjoins Burton Avenue to be treated as a front yard under the Sussex County Zoning Ordinance. As a result, the Applicant is placed in the untenable position of being unable to comply simultaneously with the County's forty-two (42) inch fence height limitation and the minimum forty-eight (48) inch barrier requirement for a safe and code-compliant residential swimming pool.

The requested variance is the minimum relief necessary to resolve this conflict. It is prompted by the unique physical characteristics of the property rather than by any action of the Applicant, will not alter the essential character of the neighborhood, and will promote public safety by permitting installation of a compliant pool enclosure.

For these reasons, the Applicant respectfully requests that the Sussex County Board of Adjustment grant the requested variance permitting the installation of a forty-eight (48) inch fence enclosing the proposed residential swimming pool.

PLAN DATA:

1. TITLE REFERENCED TO:
TM# 334-13.19-33.00, DB 5723, PG 341
37165 BURTON AVE, REHOBOTH BEACH, DE 19971
LOT 30, WEST REHOBOTH, CHARLES W. MILLS SUBDIVISION
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, ZONING IS GR AND SETBACKS ARE: BURTON AVE-30', DUFFY ST-15', SIDE-5', REAR-5'.

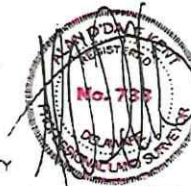


LEGEND:

- CAPPED IRON PIN SET
- IRON PIPE FOUND
- EXISTING PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- - - BUILDING RESTRICTION LINE
- - - ROAD EGDE
- - - ROAD SEAM

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, P.L.S.#738, DATE



JOB # 2023087

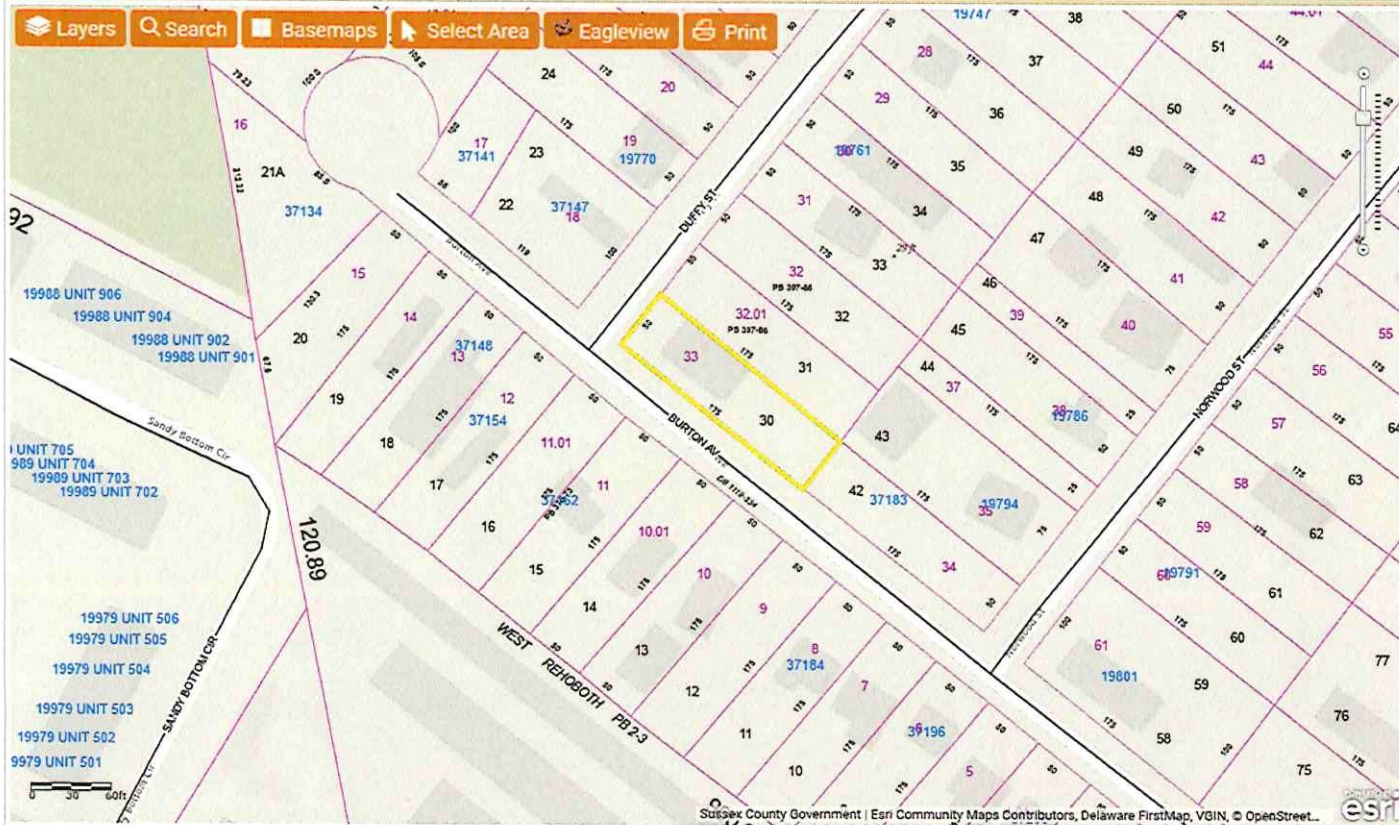
DATE OF PLAN
13 APR 2023

DATE OF LAST FIELD WORK
10 APR 2023

THIS IS A SUBURBAN SURVEY
BOUNDARY SURVEY PLAN
OF THE LANDS NOW OR FORMERLY OF
FREDDIE L. PARSON AND
JANICE PARSON

PREPARED BY
ALAN O'DALE KENT LAND SURVEYING, LLC
SEAFORD, DE 19975
(302) 742-1735

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features:

Parcels (1)

1) 334-13.19-33.00

Zoom

BOOK	6111
PAGE	27
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MAILINGADDRESS	37165 BURTON AVE
CITY	REHOBOTH BEACH
STATE	DE
a_account	10-14-033
DESCRIPTION	WEST REHOBOTH
DESCRIPTION2	LOT 30
DESCRIPTION3	CLUB HOUSE
LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	329200
APRLAND	501800
PINWASSEMENTUNIT	334-13.19-33.00
PIN	334-13.19-33.00
ZIPCODE	19971

Selected Features (1)

Clear Selected

SUSSEX COUNTY

DELAWARE

Help

Layers

Search

Basemaps

Select Area

Eagleview

Print

Eagleview Search Results

Selected Features: Parcels (1)

1) 334-13.19-33.00

Zoom

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PAGE	27
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PIN	334-13.19-33.00
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Selected Features (1)

Clear Selected

Sussex County Government | Microsoft | Vantor

esri

CONNECTEXPLORER

Search

Search by SUSSEXPARCELS -

334-13.19-33.00

Search results (1) Options -

334-13.19-33.00

map: Auto (Ortho) Dates: All < Image 1 of 49 > 03/10/2025

150 ft
10 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.

Please see attached

2. Cannot otherwise be developed:

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

Please see attached

3. Not created by the applicant:

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

Please see attached

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

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

Please see attached

5. Minimum variance:

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

Please see attached

Sussex County, DE - BOA Application

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

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

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

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: 7/22/26

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: _____

BEFORE THE SUSSEX COUNTY BOARD OF ADJUSTMENT

Application for Variance

Applicant: Jennifer R. Noel
Property Address: 37165 Burton Avenue, Rehoboth Beach, DE 19971
Tax Parcel No.: 334-13.19-33.00

Request

Applicant respectfully requests a variance from the Sussex County Zoning Ordinance limiting the height of fences located within a yard adjoining a public road to forty-two (42) inches in order to permit the installation of a forty-eight (48) inch fence enclosing a residential swimming pool.

Statement of Facts

1. The Applicant is the owner of the above-referenced residential property located in Sussex County, Delaware.
2. The property is a corner lot, with its front property line along Duffy Street and its side property line along Burton Avenue. The proposed in-ground swimming pool will be located within the rear yard of the residence, as set forth on the attached survey.
3. Because the property is a corner lot, Sussex County Code § 115-182(B) requires a 15' setback along Burton Avenue. Pursuant to Sussex County Code § 115-185(C), residential fences located within that setback (so along the property line) may not exceed forty-two (42) inches in height.
4. Residential swimming pool safety regulations, however, require a protective barrier that is at least forty-eight (48) inches in height. Accordingly, the Applicant cannot simultaneously comply with both the Sussex County fence height limitation and the minimum height required for a code-compliant swimming pool barrier.
5. The Applicant proposes to install a forty-eight (48) inch residential fence enclosing the back yard that will proceed through the set back from the home and along the property line surrounding the swimming pool. The requested variance is limited to the additional six (6) inches necessary to satisfy the applicable pool safety requirements for that portion of the fence that is in the setback and along Burton Avenue.

Basis for the Variance

1. Uniqueness of property

The requested variance is necessitated by the unique configuration of the property as a corner lot.

Although the swimming pool will be located entirely within the rear yard, the fence required to enclose the backyard will extend along the side property line adjoining Burton Avenue. Because that side yard is deemed a front yard under the Sussex County Zoning Ordinance, the fence height is limited to forty-two (42) inches, notwithstanding the requirement that applicable pool safety regulations require a barrier at least forty-eight (48) inches in height.

This creates an unavoidable conflict between two regulatory requirements. Without a variance, the Applicant cannot construct a swimming pool enclosure that complies with applicable safety standards while simultaneously complying with the County's fence height restriction.

2. Cannot otherwise be developed:

The hardship does not arise from a personal preference for a taller fence or from the proposed swimming pool itself. Rather, it results solely from the property's unique corner-lot configuration. Owners of interior lots are generally able to install a code-compliant forty-eight (48) inch pool fence without seeking zoning relief. Only because this property fronts on two public streets is the Applicant prevented from complying with both the zoning ordinance and the pool safety requirements.

Strict application of the ordinance therefore imposes an exceptional practical difficulty and deprives the Applicant of the reasonable use of the property enjoyed by similarly situated residential property owners.

3. Not Created by the Applicant

The need for the requested variance is entirely the result of the property's corner-lot configuration and the application of the zoning ordinance to the rear yard that adjoins Burton Avenue. These circumstances existed prior to the Applicant's ownership and were not created by any action of the Applicant.

4. Will Not Alter the Essential Character of the Neighborhood

The proposed fence exceeds the permitted height by only six (6) inches. The requested increase is minimal, will be residential in appearance, and will be compatible with the surrounding neighborhood. The fence will serve only as a required safety enclosure for the swimming pool and will not interfere with neighboring properties, traffic visibility, or the general character of the area.

Moreover, the purpose of the requested variance is to allow installation of a swimming pool barrier that complies with applicable safety standards intended to prevent unauthorized access to the pool, particularly by young children.

Granting the variance advances, rather than undermines, the public health, safety, and welfare by allowing the Applicant to construct a pool enclosure that satisfies the minimum required safety standards.

Accordingly, granting the requested variance will not adversely affect adjacent property owners or impair the public welfare.

5. The Requested Relief Is the Minimum Necessary

The Applicant seeks only the minimum variance necessary to eliminate the conflict between the Sussex County fence height restriction and the swimming pool safety requirements.

The requested increase is six (6) inches—from forty-two (42) inches to forty-eight (48) inches—and no greater relief is requested.

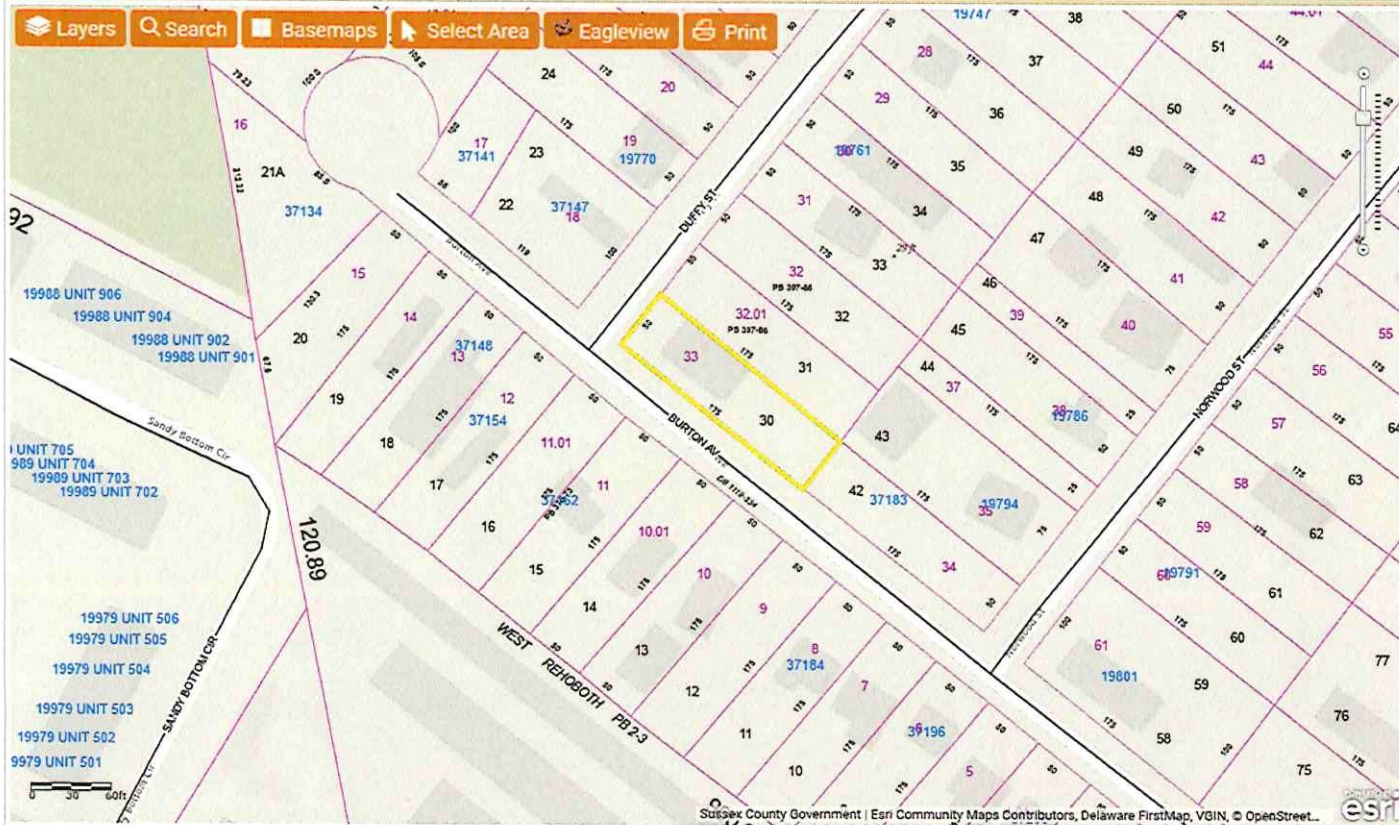
Conclusion

The Applicant's request arises solely because the property's unique corner-lot configuration causes the rear yard that adjoins Burton Avenue to be treated as a front yard under the Sussex County Zoning Ordinance. As a result, the Applicant is placed in the untenable position of being unable to comply simultaneously with the County's forty-two (42) inch fence height limitation and the minimum forty-eight (48) inch barrier requirement for a safe and code-compliant residential swimming pool.

The requested variance is the minimum relief necessary to resolve this conflict. It is prompted by the unique physical characteristics of the property rather than by any action of the Applicant, will not alter the essential character of the neighborhood, and will promote public safety by permitting installation of a compliant pool enclosure.

For these reasons, the Applicant respectfully requests that the Sussex County Board of Adjustment grant the requested variance permitting the installation of a forty-eight (48) inch fence enclosing the proposed residential swimming pool.

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features:

Parcels (1)

1) 334-13.19-33.00

Zoom

BOOK	6111
PAGE	27
FULLNAME	NOEL JENNIFER R
MAILINGADDRESS	37165 BURTON AVE
CITY	REHOBOTH BEACH
STATE	DE
a_account	10-14-033
DESCRIPTION	WEST REHOBOTH
DESCRIPTION2	LOT 30
DESCRIPTION3	CLUB HOUSE
LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	329200
APRLAND	501800
PINWASSEMENTUNIT	334-13.19-33.00
PIN	334-13.19-33.00
ZIPCODE	19971

Selected Features (1)

Clear Selected

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DELAWARE

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Search

Basemaps

Select Area

Eagleview

Print

Eagleview

Search Results

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PIN	334-13.19-33.00
ZIPCODE	19971

Selected Features (1)

Clear Selected

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Search

Search by SUSSEXPARCELS -

334-13.19-33.00

Search results (1) Options -

334-13.19-33.00

map: Auto (Ortho) Dates: All Image 1 of 49 03/10/2025

DocuSign Envelope ID: 2E531E6B-0B2B-8808-80E8-D3BC63EC7796

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 # 13228
Hearing Date 09-14-2026
202610176

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:

37456 Basin Street Rehoboth Beach DE 19971

Variance/Special Use Exception/Appeal Requested:

Requesting extension of original variance. case #12862, hearing date 9/18/2023

1. 25' variance from 5' side yard setback for existing & proposed structures
9.9' variance from 15' rear yard setback for existing building & stairs
5.4' variance from 30' front yard setback for existing dwelling
10.2' variance from 30' front yard setback for existing stoop & proposed covered entry

Tax Map #: 334-19.16-39.00

Property Zoning: resident AR-1

Applicant Information

Applicant Name: Craig Friedrich & Nadiene Ringler-FriedrichApplicant Address: 37456 Basin StreetCity Rehoboth Beach State DE Zip: 19971Applicant Phone #: (909) 630-3001 Applicant e-mail: cfriedrich4@verizon.net

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: none

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

DocuSigned by:

Nadiene Ringler-Friedrich

CDCTD74TB4DS47A...

Signed by:

ste

7DS96D95580D47A...

Date: 7/28/2026

Sussex County, DE - BOA Application

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

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

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

1. Uniqueness of property:

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

Building onto already existing structures which are non conforming, not requesting permission to build outside of footprint of already existing non conforming structure, in line with existing footprint.

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 variances wwe are seeking are to build in line with existing structures. We are asking to build a two stories on the non conforming main house. along with closing in and extending a garage that is attached to the non-conforming guest house

3. Not created by the applicant:

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

Home and guest home built non conforming by the original owners in the 1970's

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.

Building will enhance and update the home adding to its property value and the value of the homes in the neighborhood. Structures greater than our proposed structure are present adjacent and in the neighborhood.

5. Minimum Bay Village Neighborhood

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 asking to build on original planes and not outside what is already existing

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.

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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

Signed by:



DocuSigned by:

Nadiene Ringler-Friedrich

DocuID: 141840547...

For office use only:

Date Submitted: _____

Fee: _____

Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Date: _____

7/28/2026

Subdivision: _____

Date of Hearing: _____

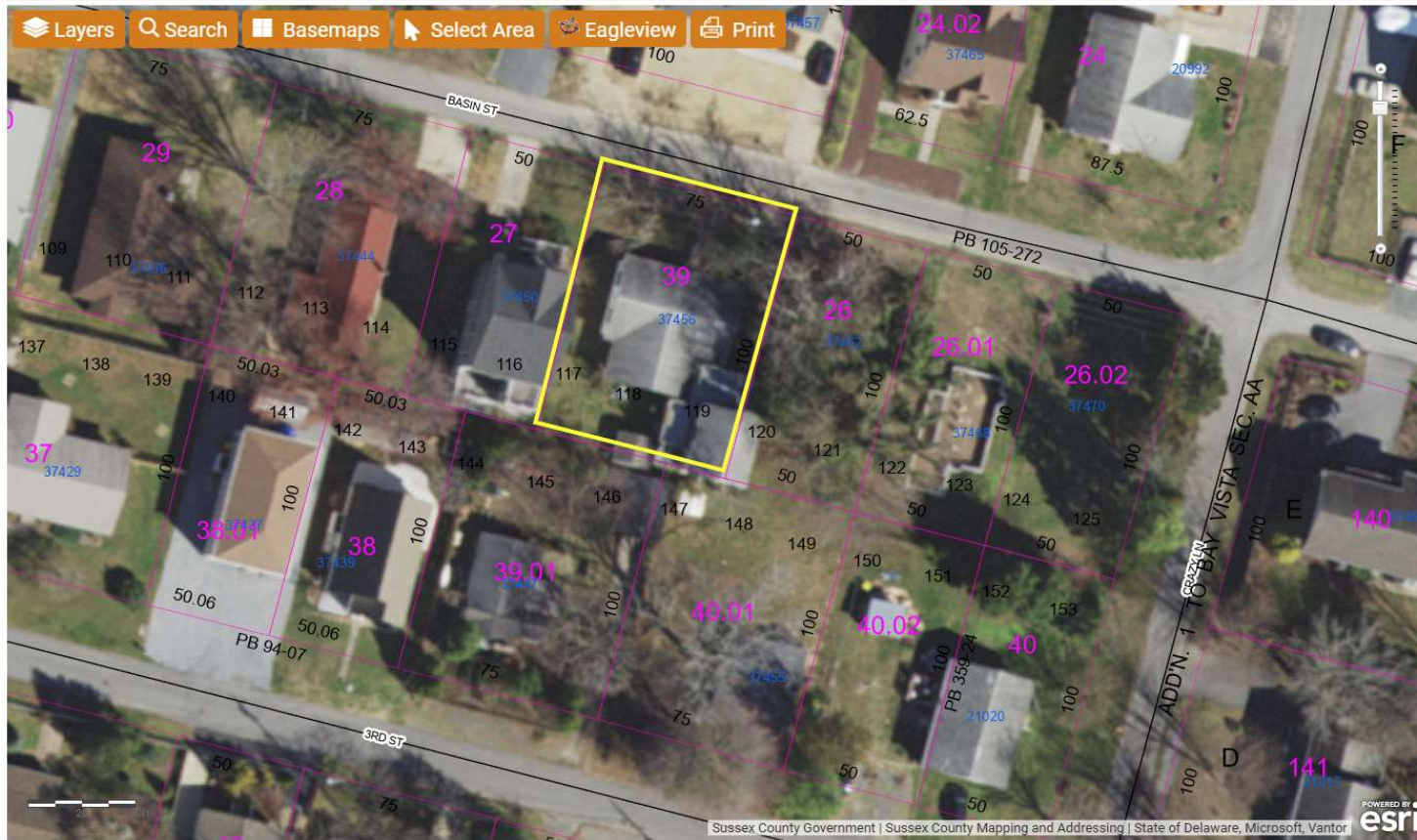
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Block#: _____

Decision of Board: _____

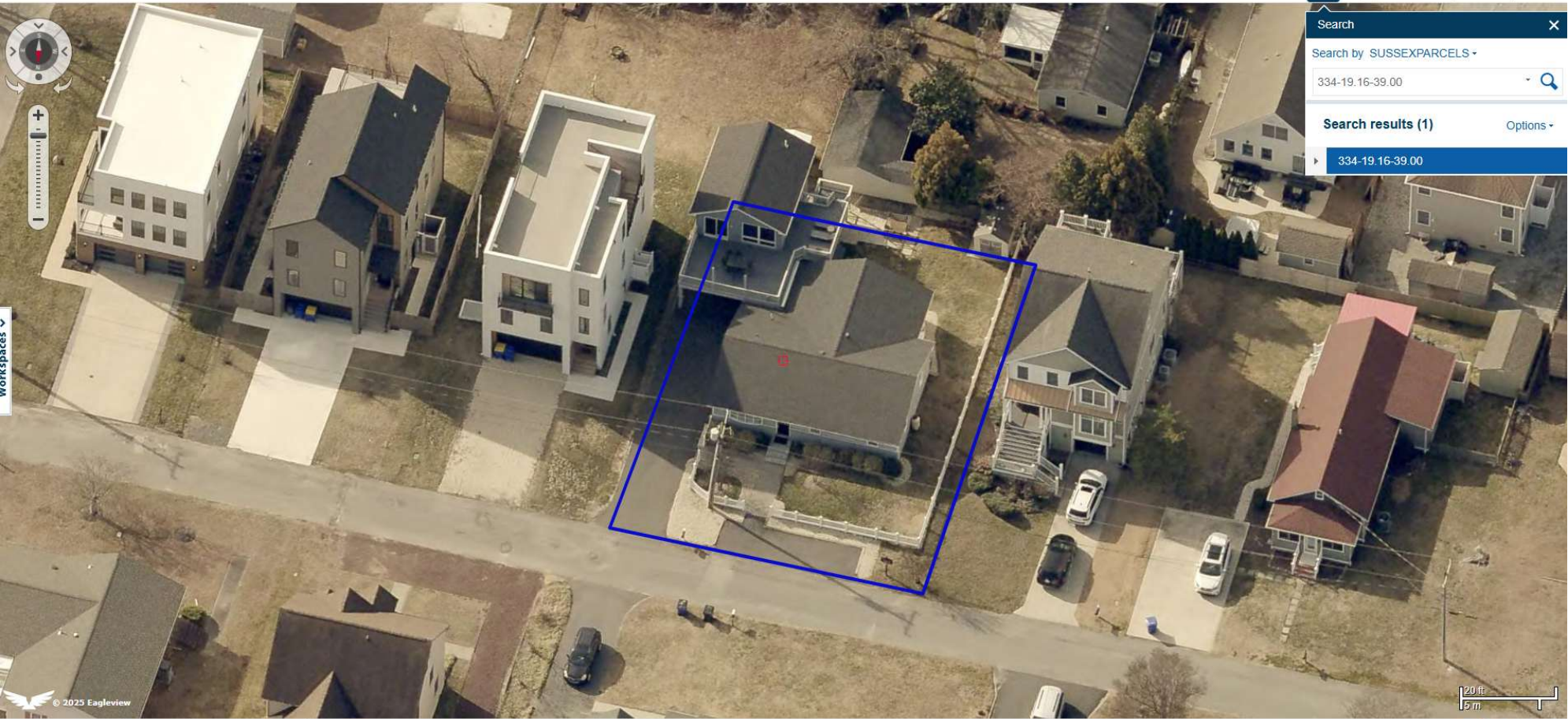


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STATE	PA
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SCHOOL	6
MUNI	00
CAP	0
APRBLDG	650700
APRLAND	232600
PINWASSEMENTUNIT	334-19.16-39.00
PIN	334-19.16-39.00
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Clear Selected	

CONNECTEXPLORER



Search

Search by SUSSEXPARCELS

334-19.16-39.00

Search results (1)

Options

334-19.16-39.00

map: Auto (Oblique) Dates: All image 1 of 79 03/10/2025



CONNECTEXPLORER



Search

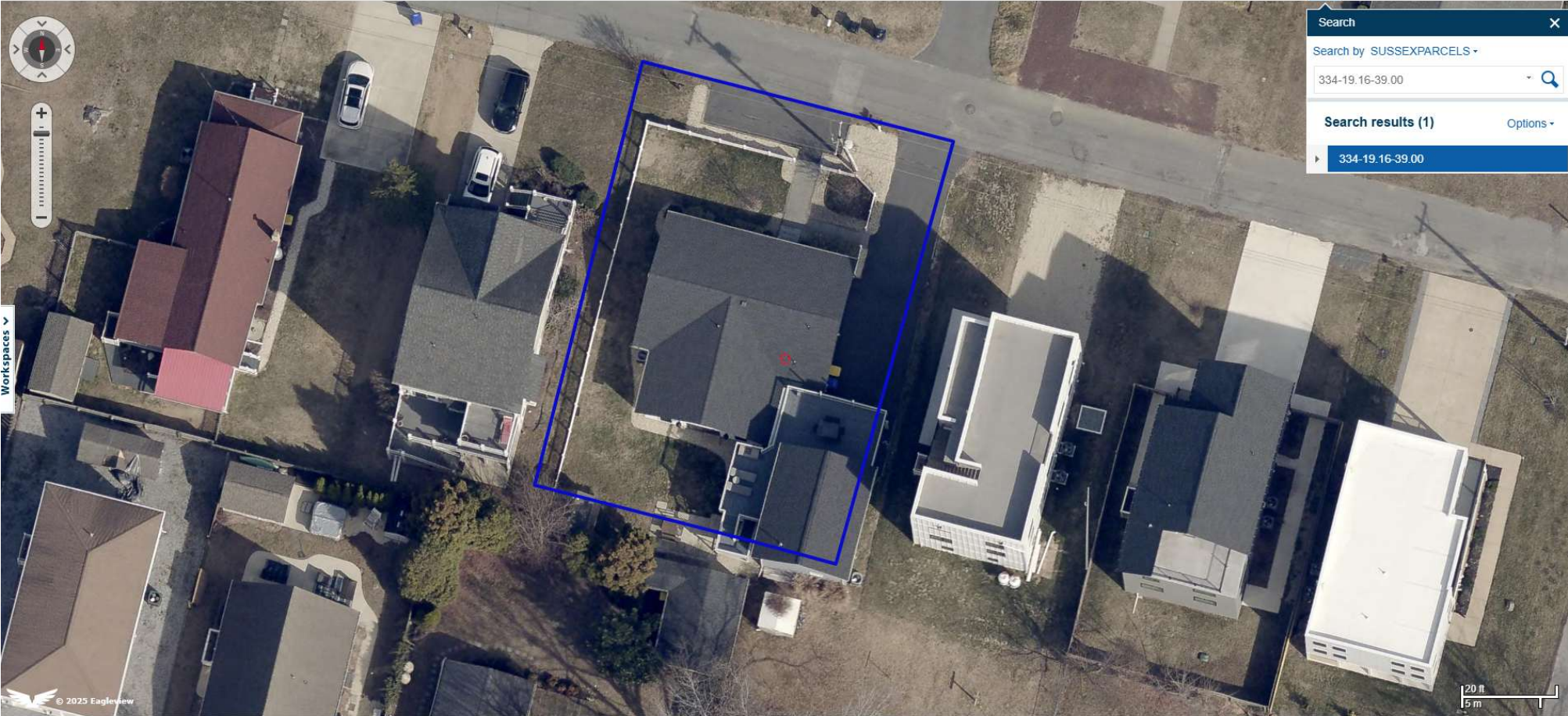
Search by SUSSEXPARELS

334-19.16-39.00

Search results (1)

Options

334-19.16-39.00



map: Auto (Ortho) | Dates: All | < image 1 of 48 > | 03/10/2025



BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY
IN RE: CRAIG FRIEDRICH
(Case No. 12862)

A hearing was held after due notice on September 18, 2023. The Board members present were: Dr. Kevin Carson, Mr. John T. Hastings, Mr. Jordan Warfel, and Mr. John Williamson.

Nature of the Proceedings

This is an application for variances from the front, rear, and side yard setback requirements for existing and proposed structures.

Findings of Fact

The Board found that the Applicant is seeking the following variances:

1. A variance of 1.25 feet from the five (5) feet side yard setback requirement on the southeast side for existing and proposed structures;
2. A variance of 9.9 feet from the fifteen (15) feet rear yard setback requirement for existing building and stairs;
3. A variance of 5.4 feet from the thirty (30) feet front yard setback requirement for the existing dwelling; and
4. A variance of 0.2 feet from the thirty (30) feet front yard setback requirement for the existing stoop and proposed covered entry.

This application pertains to property that is located on the southeast side of Basin Street within the Bay Vista Subdivision (911 Address: 37456 Basin Street, Rehoboth Beach); said property being identified as Sussex County Tax Map Parcel Number 334-19.16-39.00 (hereinafter "the Property"). After a public hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, property record card information, title insurance schedules, a site plan dated August 30, 2023, a proposed site layout dated August 11, 2023, a survey of the Property dated February 8, 2021, correspondence about the Application, an aerial photograph of the Property, and a portion of the tax map of the area.
2. The Board found that the Office of Planning & Zoning received five (5) letters in support of and one (1) letter in opposition to the Application.
3. The Board found that Craig Friedrich and Nadiene Friedrich were sworn in to give testimony about the Application.
4. The Board found that Ms. Friedrich testified that the Applicants are requesting variances to build straight up on their existing one-story home. The Applicants propose to add a story and a half on the existing building with a portico on the front which will cover the existing stairs. They are also asking to enclose part of the existing guesthouse which would then become a garage and add proposed covered parking in line with the existing guest house on the property.
5. The Board found that Ms. Friedrich testified that the Applicants were told when they purchased the Property in February 2020 that the guest house is not an apartment, that it cannot have cooking facilities and that it cannot be rented.
6. The Board found that Ms. Friedrich testified that all of the utilities are together and the electric is under one name.
7. The Board found that Ms. Friedrich testified that the new screen porch proposed off the rear of the house is in question but it is not something that would require approval as it is in the building envelope.

8. The Board found that Ms. Friedrich testified that the deck is at ground level.
9. The Board found that Ms. Friedrich testified that there is one parking space underneath of the two-story guest house.
10. The Board found that Ms. Friedrich testified that the houses on neighboring lots are 42 feet tall and make the Applicants' house look small. She believes that the proposal will help bring the Property into conformity with neighboring lots.
11. The Board found that Ms. Friedrich testified that the Applicants may make the Property their full-time residence and will need the additional space.
12. The Board found that Ms. Friedrich testified that they do not have a front porch as it is just stairs and they propose to cover the steps with a section of roof.
13. The Board found that Ms. Friedrich testified that they have more parking than 90% of their neighborhood. She noted that they have a driveway which accommodates two cars in the front, 6 cars on the side, and the Jeep that is parked under the existing deck. She also stated that the proposed carport will not affect their existing parking.
14. The Board found that Mr. Friedrich testified that the primary variances they are seeking are to build straight up with the existing front of the house to add the additional one and a half stories and then to close in the covered parking on the side of the house that will actually make a garage, being that the covered parking is already in line with the guest house.
15. The Board found that Mr. Friedrich testified that the guest house is a two-story building with a deck coming off the front that makes covered parking for one vehicle which is the part that they want to enclose to make a garage. He noted that the variance for that structure is for the wall that encloses it so it can stay in line with the existing structure rather than move in 21 inches.
16. The Board found that Mr. Friedrich testified that they currently do not have a garage but park under the deck off the guest house.
17. The Board found that Mr. Friedrich testified that their current house is only one story tall and that they are building up but not out.
18. The Board found that Mr. Friedrich testified that the proposed covered parking is going to be more of a carport to park his Jeep underneath.
19. The Board found that Mr. Friedrich testified that he is not sure why the site plan shows shading the way it does.
20. The Board found that Mr. Friedrich testified that they have no drainage issues on the Property.
21. The Board found that Mr. Friedrich testified that there is no street parking available because it is too narrow.
22. The Board found that Mr. Friedrich testified that it was not cost effective to tear down the existing house which is why they opted to place the addition.
23. The Board found that Mr. Friedrich testified that, looking through Bay Vista, their property offers more relief on the required setbacks than a lot of garages or extra buildings in the neighborhood. He noted that the garage directly behind the Property sits right on their property line.
24. The Board found that Mr. Friedrich testified that, traditionally, in the past years, because it is an old neighborhood, people just did whatever they wanted to do so they are not asking for anything out of the norm.
25. The Board found that Mr. Friedrich testified that the need for the carport is for ease of use.
26. The Board found that Mr. Friedrich testified that, while they are adding the one car garage, they are trying to make the Property look visually appealing with the additions.
27. The Board found that Mr. Friedrich testified that the existing home needs some work and these improvements would be just that. He noted that they are trying to do the best of both worlds by giving it the look of old Bay Vista but in a bigger and better

version and that they are trying to get the space they need but also not conforming to the new cookie cutter style of homes being built.

28. The Board found that no one appeared in support of or in opposition to the Application.

29. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, which the Board weighed and considered, the Board determined that the application met the standards for granting a variance. The findings below further support the Board's decision to approve the Application.

- a. The Property is unique due to its size, shape, and development. The Property is a small lot consisting of 7,500 square feet and was developed by a small, one-story dwelling and other structures. The Applicant seeks to add to the height of the dwelling but not to expand it beyond its existing footprint. In addition, the Applicant proposes to retain existing structures which were already on the Property and to add a covered parking area that will slightly encroach into the setback areas. The conditions of the Property are unique and have created a limited building envelope which is further limited by the location of the existing structures placed by a prior owner. These unique characteristics of this Property have created an unnecessary hardship and exceptional practical difficulty for the Applicant who seeks to retain and elevate the existing structures and to build a carport.
- b. The unnecessary hardship and exceptional practical difficulty are not being created by the provisions of the Sussex County Zoning Code.
- c. Due to the uniqueness of the lot, the Property cannot be developed in strict conformity with the Sussex County Zoning Code. The Property has unique physical characteristics and the buildable area thereof is limited due to those characteristics. The Applicant seeks to retain and elevate the existing structures and to construct a carport but is unable to do so without violating the Sussex County Zoning Code. The Board is convinced that the variances are necessary to enable the reasonable use of the Property as the variances will allow these reasonably sized structures to remain on the Property but be elevated and to allow a reasonable carport to be constructed on the lot. The Board is convinced that the shape and location of the structures are also reasonable, which is confirmed when reviewing the survey provided by the Applicant.
- d. The unnecessary hardship and exceptional practical difficulty were not created by the Applicant. As previously stated, the Property has unique conditions and these conditions have resulted in a limited building envelope on the Property. These conditions have created the unnecessary hardship and exceptional practical difficulty. Moreover, the structures were placed on the Property by a prior owner.
- e. The variances will not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare. The Board is convinced that the structures will have no effect on the character of the neighborhood. The structures, except for the carport, have been in their present location for some time and no complaints were noted in the record. The Board notes that letters in opposition were presented to the Board but the concerns appeared speculative in a nature. The Applicant also testified to structures on other nearby properties which are outside the building envelope.
- f. The variances sought are the minimum variances necessary to afford relief and the variances requested represent the least modifications possible of the regulations at issue. The Applicant has demonstrated that the variances

sought will allow the Applicant to retain and elevate the existing structures and to build a carport as proposed. Most of the additions will fall within the existing footprint of the existing structures already on the Property.

- g. The condition or situation of the Property and the intended use of the Property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Sussex County Zoning Code.

The Board granted the variance application finding that it met the standards for granting a variance.

Decision of the Board

Upon motion duly made and seconded, the variance application was approved. The Board Members in favor of the Motion to approve were Dr. Kevin Carson, Mr. Travis Hastings, and Mr. John Williamson. Mr. Jordan Warfel voted against the Motion to approve the variance application. Mr. Jeffrey Chorman did not participate in the discussion or vote on this application.

BOARD OF ADJUSTMENT
OF SUSSEX COUNTY



Jeffrey Chorman
Chair

If the use is not established within two (2) years from the date below the application becomes void.

Date November 20, 2023.

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 # 12862Hearing Date 9/18/23 Tentative2023 11411**Type of Application: (please check all applicable)**Variance ☒Special Use Exception ☐Administrative Variance ☐Appeal ☐Existing Condition ☐Proposed ☐

Code Reference (office use only)

115-25 115-182115-183 115-185**Site Address of Variance/Special Use Exception:**

37456 Basin Street Rehoboth DE 19971

Variance/Special Use Exception/Appeal Requested:

Building up 2 stories on main home, enclosing existing covered parking, adding new covered parking

Tax Map #: 334-19.16-39.00**Property Zoning:** AR 1**Applicant Information**Applicant Name: Nadiene Ringler-FriedrichApplicant Address: 37456 Basin StreetCity Rehoboth State DE Zip: 19971Applicant Phone #: (302) 354-1008 Applicant e-mail: nringle-friedrich@psre.com**Owner Information**Owner Name: Craig FriedrichOwner Address: 37456 Basin StreetCity Rehoboth State DE Zip: 19971 Purchase Date: 2/26/20Owner Phone #: (909) 630-3001 Owner e-mail: cfriedrich4@verizon.net**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/AttorneyNadiene Ringler-FriedrichDate: 9/14/2023

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.

Building onto already existing structures which are non-conforming. Not asking to build out of the already existing structure planes and foot prints; just in line with existing foot prints.

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 variances we are seeking are to build in line with already existing structures. We are asking to add a second story and walk-up attic to the non-conforming first story of the main house, along with closing in an existing covered area attached to the non-conforming guest house.

3. Not created by the applicant:

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

Home and additional guest home built by first owners in mid 1970's

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.

Building will enhance property and property values in neighborhood, structures greater than our proposed structure are present adjacent to our property and throughout our entire neighborhood.

5. Minimum variance:

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

We are seeking to build in and on the planes of already existing structures. We are not seeking to breach further outside of the non-conforming areas.

[illegible]

CARD 1 OF 1

DIST 3-34 MAP 19.16 PARCEL 39

CONTROL NO

TYPE	OCC	GRADE	DIMENSIONS	AREA	WALLS	STORY HT	1/2 STY	ATTIC	UNIT COST	BASE COST
1	1	D	X	686	1	1		0		12660
			X							
			X							
			X							
			X							

H. L. YOH CO.
PHILA. PA.

TOTAL GROUND AREA 686

TOTAL BASE COST \$ 12660

PRINCIPAL BUILDING DESCRIPTION

MASONRY-1	PIER-2	SLAB-3	FOUNDATION	M/C	± %	± PTS
NONE-0	1/4-1	1/2-2	1/4-3	FULL-4		
NONE-0	REC AREA-1	APT-2	% OF BASEMENT	SQ FT		
NONE-0	PIPELESS GHA-1	ELECTRIC-2	FHA-3	STM-HW-4		
INDICATE QTY						
3-FIXT BATH	2-FIXT BATH	SG FIX	TOTAL FIXT	3		
NONE-0	1/4-1	1-2	1 1/2-3	2-4	2 1/2-5	3-6
1ST FLOOR						
NONE	PL	WB	WP	NONE	PL	WB
2ND FLOOR						
NONE	PL	WB	WP	NONE	PL	WB
3RD FLOOR						
NONE	PL	WB	WP	NONE	PL	WB
INDICATE QTY						
DIRT	CONC	HW	SW	HW	SW	
NONE-0	HOME POWER UNIT-2	PUBLIC-3				
NONE-0	ONE CAR-1	TWO CAR-2				
WOOD-1	SHGL-2	ALUM-3	BLK-4	BRK OR STN-5	STUCCO-6	COMP-7
HIP-1	CABLE-2	FLAT-3	MANSARD-4	GAMBREL-5		
WD-COMP-SHGL-1	SLATE-2	METAL-3	TILE-4	ROLL-5	T & G-6	
AREA 144	SQ FT	INDICATE QTY 1				
AREA 163	SQ FT	INDICATE QTY 2				
NONE-0	CENTRAL-1					
NONE-0	1 CAR-1	2 CAR-2				
			SQ FT			
			SQ FT			

IDENT: 3-34 19.16 39

NOTES: 39.1 6/29/73 22,000

NOTES: 39.1 6-29-73 22,000

BASE COST \$	12660	INDEX % \$	2.53	INDEX PTS \$	13843	X GRADE FACTOR	85%	= REPLACEMENT COST	\$ 11766
ACTUAL AGE	25 YRS	EFF AGE	25 YRS	PHYS COND	GOOD	FAIR	POOR	PER CENT GOOD	65%
OBSOLESCENCE FUNC	%	OV RIMP	%	UND RIMP	%	OTHER ECON	%	NET COND	65%
DEPRECIATED BLDG VALUE									\$ 7650

ACCESSORY BUILDINGS

CODE	BUILDING NAME	EXT WALL	GRADE	FLOOR	STY HT	LGTH	WIDTH	AREA	DIA	HGT	UNIT COST	REPL COST	COND	% GOOD	DEPRECIATED VALUE
1	Garage	wood	D	CC	1	22	18	396			4.97	1968	Any.	40	790
2	Shed	wood	D	CC	1	24	20	480			4.83	2318	Any.	40	930

TRAILERS

OCCUPANCY TRAILER	NAME	YEAR	SIZE	COLOR	MODEL NO	SERIAL NO	REPL VAL	PHYS DEPR	SOUND VAL

TOTAL TRAILERS VALUE \$

INSPECTED BY	25E 6/7/73	CHECKED BY	APPROVED BY	TOTAL ACCESSORY BLDGS VALUE	\$ 1720	TOTAL BLDGS VALUE	\$ 9370
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SD

TAX MAP DIVISION
SUSSEX COUNTY
THE COURTHOUSE
GEORGETOWN, DE. 19347

DATE: 9/12/77

DISTRICT: 3-34 MAP: 19.16 PARCEL: 39

DESCRIPTION: Bay Vista
Units 117, 118, 119
75 x 100

REMARKS: Check Imp

SUSSEX COUNTY TAX MAP DIVISION

WORK REQUEST

DISTRICT: 3-34MAP: 19.16 PARCEL NO: 39

OWNER & PRESENT ADDRESS:

RALPH J. MONTORO, JR &
ARIETTA M.RT. 2 BOX 613Rehoboth, DE 19971

PHONE NUMBER: _____

DESCRIPTION OF PROPERTY CHANGES REQUESTED: DESC.

SURVEY INFORMATION:

IS PROPERTY SURVEYED? _____

IF NO, DO YOU PLAN ON A SURVEY? _____

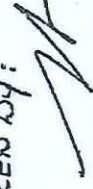
IF YES, WHO WAS THE SURVEYOR? _____

IF YES, WHAT IS THE DATE OF THE SURVEY? _____

IF YES, DO YOU HAVE COPY OF SURVEY AND IS IT RECORDED? _____

REMARKS: * Review to read Bay Vista Units117, 118, 119.

INFORMATION TAKEN BY: _____



REASSESSMENT DIVISION

5-13-85

ACTION CODE: 1WORKED BY: ml.DISTRICT: 3-34 MAP: 19.16 PARCEL: 39 TRL/UNIT:NAME:

Nichols

ADDRESS:PROPERTY DESCRIPTION:ACREAGE:TRANSFER:LAND CLASS:OLD VALUE:LAND VALUE:IMP. VALUE:TOTAL VALUE:ACTION REASON: Bring back w unit # in description.BILLING: '85

ASSESSMENT DIVISIONACTION CODE: 3

5-13-85

WORKED BY: MLDISTRICT: 3-34MAP:

19.16

PARCEL:

39

TRL/UNIT:

117

NAME:

Nichols

ADDRESS:PROPERTY DESCRIPTION:ACREAGE:TRANSFER:LAND CLASS:OLD VALUE:LAND VALUE:IMP. VALUE:TOTAL VALUE:ACTION REASON: Bump back w unit # in description.BILLING: 85

REASSESSMENT DIVISION

1/22/84

ACTION CODE: 2

WORKED BY:

DISTRICT: 3-34 MAP: 19.16

PARCEL: 39

TRP/UNIT: 117

NAME: Montoro

ADDRESS:

PROPERTY DESCRIPTION:

TRANSFER:

NEW VALUE: 16,900

OLD VALUE: 17,900

ACTION REASON: ~~107~~ Error on ed-t value

BILLING: 1980

Don't make it
1/22/84

Sec 2/24



Fidelity National Title Insurance Company
TITLE INSURANCE COMMITMENT

SCHEDULE C
PROPERTY DESCRIPTION

File Number: 2021-0646

ALL those certain lots, pieces or parcels of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex County, State of Delaware, near the City of Rehoboth Beach, and being known and designated as follows: Units Nos. 1177, 118, and 119 on Basin Street (a/k/a 37456 Basin Street), as shown on a plot of lots known as BAY VISTA ON REHOBOTH BAY, said plot as filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware in Plot Book 2, Page 41.

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AGREEMENT TO BAY VISTA CIVIC ASSOCIATION recorded 3/22/62 as set forth in Deed Book 545, Page 490.

NOTES, EASEMENTS AND RESTRICTIONS AS SHOWN ON SUBDIVISION PLAN as set forth in Plot Book 2, Page 41.

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AMERICAN
LAND TITLE
ASSOCIATION



ALTA Plain Language Commitment (06-17-06)
Schedule BII

2021-0646

**FIDELITY NATIONAL TITLE INSURANCE COMPANY
TITLE INSURANCE COMMITMENT**

SCHEDULE B - SECTION 2

File Number: 2021-0646

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest of mortgage thereon covered by this Commitment.
2. Standard Exceptions:
 1. Rights or claims of parties in possession not shown by the public records.
 2. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.
 3. Easements, or claims of easements, not shown by the public records.
 4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
 5. Taxes or special assessments which are not shown as existing liens by the public records.

3. Special Exceptions:

1. The mortgage, if any, noted under Item 1 of Schedule B - Section 1 (Owner's Policy only).
 2. Taxes.
 - 2a. County and School Taxes for the tax year ending June 30, 2021, are paid in the amount of \$396.72.
- Parcel No. 3-34 19.16 39.00

RIGHT OF WAY TO DELAWARE POWER AND LIGHT COMPANY recorded 1/24/46 as set forth in Deed Book 360, Page 58.

RIGHT OF WAY TO DELAWARE POWER AND LIGHT COMPANY recorded 7/1/52 as set forth in Deed Book 405, Page 333.

RESTRICTIONS CONTAINED IN DEED recorded 5/5/52 as set forth in Deed Book 410, Page 361.

GRANT OF A PERPETUAL RIGHT-OF-WAY recorded 12/23/60 as set forth in Deed Book 529, Page 173.

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AMERICAN
LAND TITLE
ASSOCIATION



SCHEDULE B - SECTION 1

The following are the requirements to be complied with:

1. Instrument(s) creating the estate or interest to be insured must be approved, executed and filed for record, to wit:

DEED FROM: TO:	By The Beach, LLC, a Limited Liability Company of the State of Delaware Craig Friedrich and Nadlene Ringler-Friedrich
MORTGAGE TO: FROM: AMOUNT:	United Wholesale Mortgage Craig Friedrich and Nadlene Ringler-Friedrich \$477,000.00
2. Payment of the full consideration to, or for the account of, the grantors or mortgagors.
3. Payment of all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, subcontractor, labor and materialmen are all paid.

PURCHASE MONEY MORTGAGE: \$300,800.00 from By The Beach LLC to Provident Trust Group, LLC FBO Gerard Duhaime Roth IRA c/o Trius Lending Partners, dated July 29, 2020 and recorded August 28, 2020 in Mortgage Record 18734, Page 166.

FINANCE STATEMENT: NONE

FEDERAL TAX LIEN NONE.

JUDGEMENTS: NONE ***Please note the effective date for judgments is 1/20/2021***

MECHANICS LIENS: NONE

US BANKRUPTCY: NONE

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**FIDELITY NATIONAL TITLE INSURANCE COMPANY
TITLE INSURANCE COMMITMENT**

SCHEDULE A

File Number: 2021-0646

Effective Date: January 27, 2021 at 12:00 AM

- | 1. Policy or Policies to be issued: | Amount |
|-------------------------------------|---------------|
| ALTA Owner's Policy (06/17/2006): | \$ 597,400.00 |

Proposed Insured:

Craig Friedrich and Nadlene Ringler-Friedrich

ALTA Loan Policy (06/17/2006): \$ 477,000.00

Proposed Insured:

United Wholesale Mortgage, its successors and or assigns

2. The estate or interest in the land described or referred to in this Commitment and covered herein is Fee Simple, and title thereto is at the effective date hereof vested in:

By The Beach, LLC, a Limited Liability Company of the State of Delaware, by Deed dated 07/29/2020, and recorded 08/28/2020, in the Office of the Recorder of Deeds, in and for Sussex County, DE, in Book 5301, Page 198, from Nicholas L. Nichols, Personal Representative and Heir to The Estate of Stella P. Nichols and William A. Nichols, Heir to The Estate of Stella P. Nichols and Katherine O. Johnson, Heir to The Estate of Stella P. Nichols and Cassandra R. Stern, Heir to The Estate of Stella P. Nichols, by Deed dated 10/13/2009, and recorded 10/13/2009, in the Office aforesaid, in and for Sussex County, DE, in Book 3723, Page 34, from Louis N. Nichols, Stella P. Nichols and Valerie L. Nichols.

3. The land referred to in this Commitment is described in Schedule C.
Parcel No.: 3-34 19.16 39.00
Property: 37456 Basin Street, Rehoboth Beach, DE 19971

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AMERICAN
LAND TITLE
ASSOCIATION



ALTA Plain Language Commitment (06-17-06)
Schedule BII

2021-0646

File No. 2021-0646
Parcel No. 3-34 19.16 39.00
Property: 37456 Basin Street, Rehoboth Beach, DE 19971

EXHIBIT "A"
LEGAL DESCRIPTION

ALL those certain lots, pieces or parcels of land situate, lying and being in Lewes and Rehoboth Hundred, Sussex County, State of Delaware, near the City of Rehoboth Beach, and being known and designated as follows: Units Nos. 1177, 118, and 119 on Basin Street (a/k/a 37456 Basin Street), as shown on a plot of lots known as BAY VISTA ON REHOBOTH BAY, said plot as filed for record in the Office of the Recorder of Deeds, in and for Sussex County, at Georgetown, Delaware in Plot Book 2, Page 41.

Legal Description

2021-0646

TAX INFORMATION SHEET

MORTGAGE COMPANY:

United Wholesale Mortgage

585 South Blvd., E, Pontiac, MI 48341

MORTGAGOR(S):

Name: Craig Friedrich and Nadiene Ringler-Friedrich

Property Address: 37456 Basin Street, Rehoboth Beach, DE 19971

Tax I.D. Number: 3-34 19.16 39.00

Our File Number: 2021-0646

TAX AUTHORITY

Telephone Number

COUNTY Sussex County 2 The Circle, Georgetown, Delaware 19947 302-855-7760

CITY

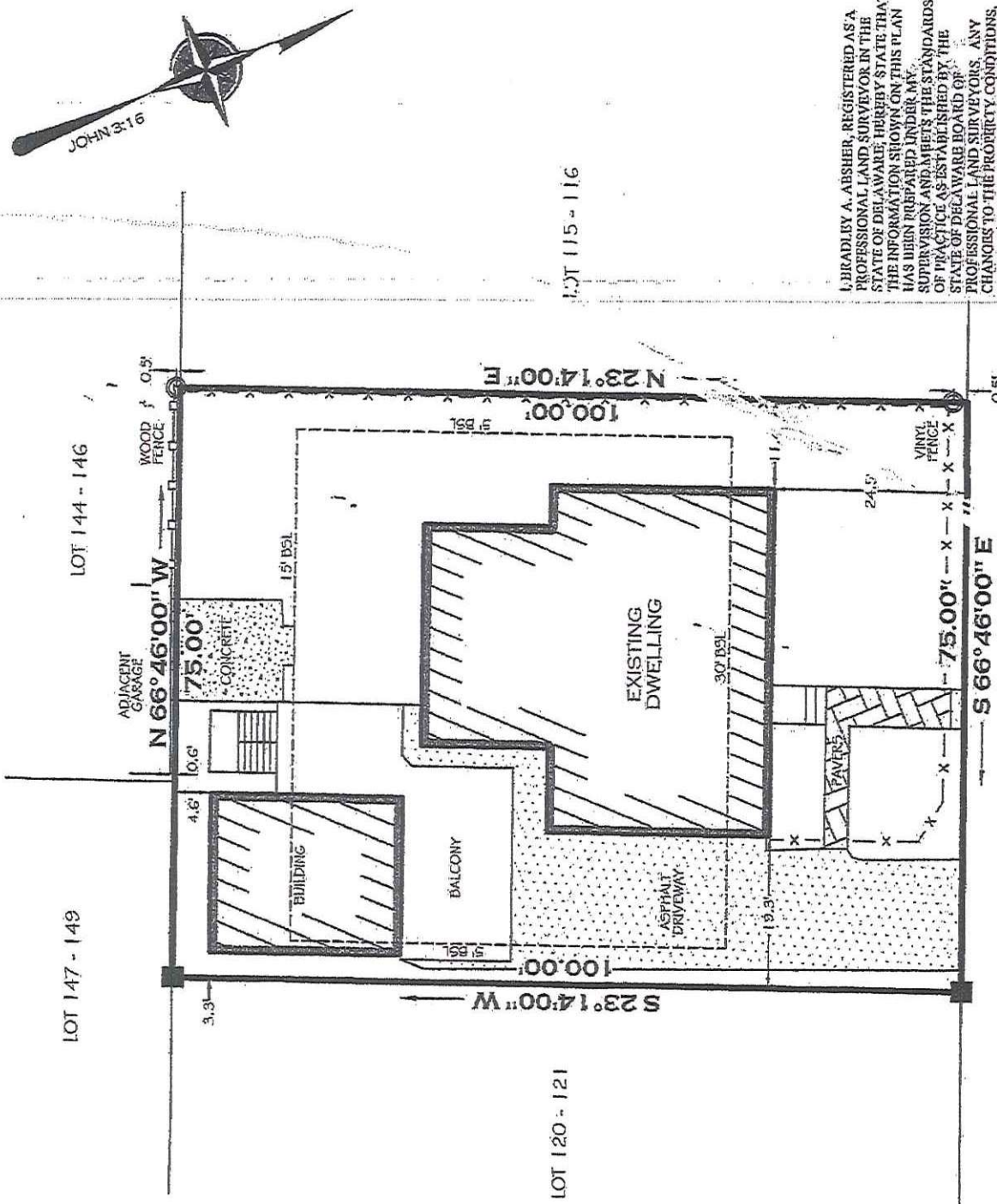
TYPE OF TAX BILL

Total Tax Paid	Year Paid	Number of Times Paid	Next Due Date	Estimated Improvement Tax
County \$396.72	2020-2021	1	9/30/2021	\$396.72

Ward & Taylor, LLC
2710 Centerville Road, Suite 200
Wilmington, DE 19808

Paralegal _____ Date _____

CALYPLANS INC. FORMING IN ORIGIN. ENR75560 / REF. SEAL & SIGNATURE ARE CONSIDERED TO BE OFFICIAL AND BELIEVED UPON BY THE USER.



NOTES

1. CLASSIFICATION OF SURVEY: SUBURBAN
 2. ZONE: AR-1
 3. BUILDING SETBACK LINES (BSL)
FRONT 30'
SIDE 5'
REAR 15'
- ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.
4. NO TITLE REPORT WAS PROVIDED FOR OUR USE. THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A TPC ROUGH TITLE SEARCH.

**BASIN STREET
40' RIGHT OF WAY**

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

Bradley A. Absher
BRADLEY A. ABSHER, DE PLS # 735
DATE 2.8.21

LEGEND

- IRON PIPE FOUND.
- CONCRETE MONUMENT FOUND

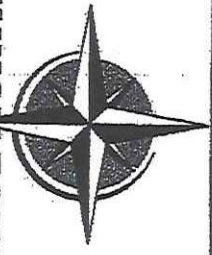
**BOUNDARY SURVEY
PLAN**

**LOTS 117, 118 & 119
BAY VISTA**

FOR
CRAIG FRIEDRICH & NADIENE RINGLER-FRIEDRICH
37456 BASIN STREET, REHOBOTH BEACH, DE 19971

TAX MAP	3-34 - 19, 16 - 39.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	LEWES & REHOBOTH
TOWN	---
AREA	7,500 ± SQ. FT.
DEED REF.	5301 / 198
PLAT REF.	2 / 41
DRAWN BY	JMH
DATE	02 / 08 / 2021
SCALE	1" = 20'
SURVEY #	DE - 07484

TRUE NORTH



LAND SURVEYING
118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19670
302-839-2488



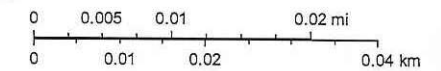
Sussex County



PIN:	334-19.16-39.00
Owner Name	FRIEDRICH CRAIG
Book	5416
Mailing Address	601 MAGNOLIA CT
City	KENNETT SQUARE
State	PA
Description	BAY VISTA
Description 2	UNITS 117, 118, 119
Description 3	N/A
Land Code	

- Tax Parcels 911 Address - Streets - County Boundaries - Tax Ditch Segments - Tax Ditch Channel - DeIDOT Maintained - HOA Maintained - Pipe - DeIDOT - Pipe - Tax Ditch - Pipe - Private - Pond Feature - Special Access ROW - Extent of Right-of-Way - Aglands Preservation Districts - Ag Easement	- District - Expansion - Forestland Area - Forestland Easement - Young Farmer - Natural Areas - Nature Preserves - Public Protected Lands - World Imagery - Low Resolution 15m Imagery - High Resolution 60cm Imagery - High Resolution 30cm Imagery - Citations 15cm Resolution Metadata
--	--

1:564



August 15, 2023



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.

Building onto already existing structures which are non conforming, not requesting permission to build outside of footprint of already existing non conforming structure, in line with existing footprint.

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 variances wwe are seeking are to build in line with existing structures. We are asking to build a two stories on the non conforming main house. along with closing in and extending a garage that is attached to the non-conforming guest house

3. Not created by the applicant:

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

Home and guest home built non conforming by the original owners in the 1970's

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.

Building will enhance and update the home adding to its property value and the value of the homes in the neighborhood. Structures greater than our proposed structure are present adjacent and in the neighborhood.

5. Minimum Bay Village Neighborhood

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 asking to build on original planes and not outside what is already existing

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

Signed by:



DocuSigned by:

Nadiene Ringler-Friedrich

DocuID: 141840547...

Date: 7/28/2022

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____

Application & Case #: _____

Location of property: _____

Subdivision: _____

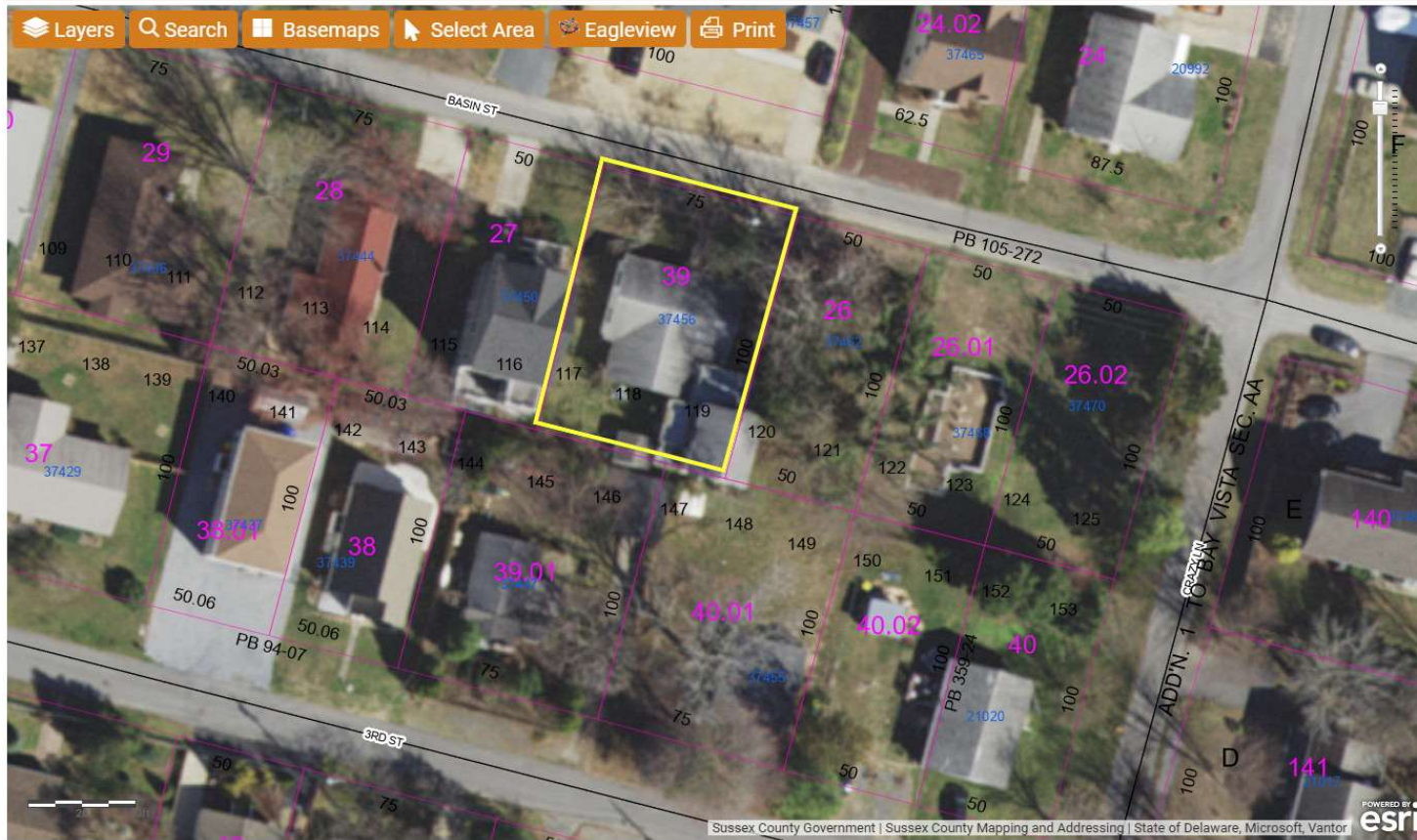
Date of Hearing: _____

Lot#: _____ Block#: _____

Decision of Board: _____







Eagleview Search Results	
Selected Features: Parcels (1)	
1) 334-19.16-39.00 Zoom	
BOOK	5416
PAGE	222
FULLNAME	FRIEDRICH CRAIG
Second_Owner_Name	NADIENE RINGLER-FRIEDRICH
MAILINGADDRESS	601 MAGNOLIA CT
CITY	KENNETT SQUARE
STATE	PA
a_account	10-23-039
DESCRIPTION	BAY VISTA
DESCRIPTION2	UNITS 117, 118, 119
DESCRIPTION3	
LUC	101
SCHOOL	6
MUNI	00
CAP	0
APRBLDG	650700
APRLAND	232600
PINWASSEMENTUNIT	334-19.16-39.00
PIN	334-19.16-39.00
Selected Features (1)	
Clear Selected	

CONNECTEXPLORER™



Search

Search by SUSSEXPARCELS

334-19.16-39.00

Search results (1)

Options

334-19.16-39.00

map: Auto (Oblique) ▾ Dates: All ▾ < image 1 of 79 > 03/10/2025



CONNECTEXPLORER





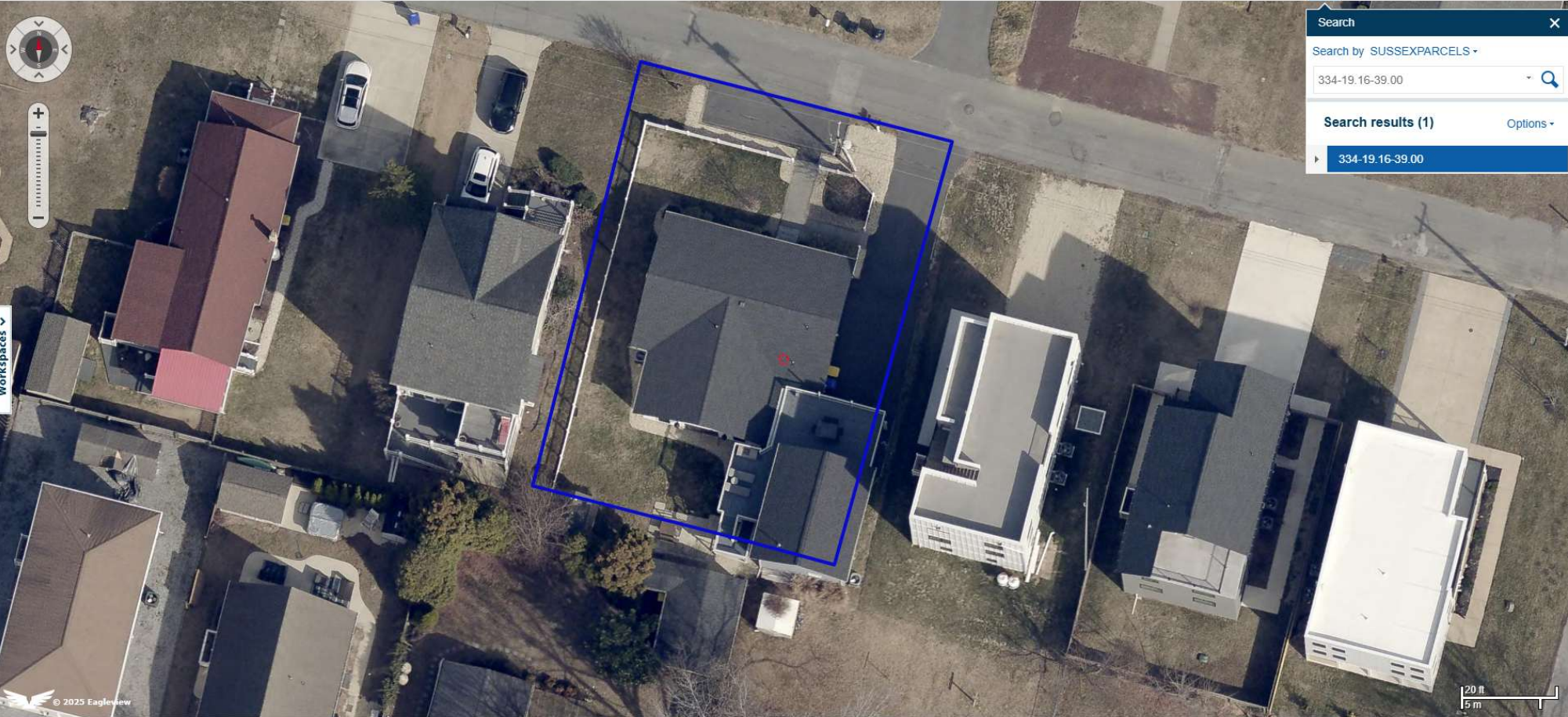
Search 

Search by SUSSEXPARELS 



Search results (1) [Options](#)

334-19.16-39.00



map: Auto (Ortho) ▾ Dates: All ▾ < image 1 of 48 > 03/10/2025



Jessica Iarussi

From: Amy Hollis
Sent: Friday, July 31, 2026 8:22 AM
To: Jessica Iarussi
Subject: FW: 37456 Basin Street



Thank you,

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



From: Nadiene Ringler-Friedrich <nringler-friedrich@psre.com>
Sent: Wednesday, July 29, 2026 1:56 PM
To: Amy Hollis <amy.hollis@sussexcountydela.gov>
Cc: Craig Friedrich <cfriedrich4@verizon.net>
Subject: Fw: 37456 Basin Street

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Hi Amy,

I know that Lockwood has been in communication with you regarding our property at 37456 Basin Street. I emailed my application yesterday. I am not sure that it matters, but I wanted to mention why the project got put on the back burner and we missed the opportunity to apply for an extension for our building variances. It is very emotional for me to talk about it and I hope to not have to announce it and discuss it at the meeting. My father suffered a massive hemorrhagic stroke at the time we had planned to list our home in PA and relocate to our DE home. He has had several more strokes since the first and now requires around the clock care. He is 90 and my Mom is 89. It was necessary for my husband and I to remain in Pennsylvania to support my Mom and arrange for care for my father. Unfortunately, while being overwhelmed with this whole process, we allowed our variance to expire. Again, I don't know that it matters, but I wanted to send you an email to put in our file.

Thanks,
 Nadiene

From: Nadiene Ringler-Friedrich <nringler-friedrich@psre.com>
Sent: Tuesday, July 28, 2026 12:26 PM
To: Amy.Hollis@sussexcountydela.gov <Amy.Hollis@sussexcountydela.gov>
Cc: Craig Friedrich <cfriedrich4@verizon.net>; Don Lockwood <dal@lockwooddesigns.com>; Elizabeth Lockwood

<elizabeth@lockwooddesigns.com>
Subject: 37456 Basin Street

Hi Amy,

Here is our application for reapproval of our past variance. Please confirm receipt. If you are not the correct person to submit to, please advise.

Thanks,
Nadiene

*Nadiene Ringler-Friedrich
Patterson Schwartz Realtors- Greenville
302-429-4500 Office
302-354-1008 Cell
nringler-friedrich@psre.com
Licensed in Pennsylvania & Delaware*

Warning: Email is neither secure nor confidential. If you receive an email from anyone concerning any transaction involving Patterson-Schwartz Real Estate requesting that you wire funds anywhere or that you provide nonpublic personal information (such as credit/debit card numbers, or bank account/bank routing numbers) by email, do not respond to the message and immediately call your real estate agent, mortgage consultant, settlement coordinator or other contact at Patterson-Schwartz to confirm legitimacy of request.

RECEIVED

AUG 10 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 # 13229Hearing Date 09-14-2026202610723

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:18050 Morgan Dr Lincoln De, 19960**Variance/Special Use Exception/Appeal Requested:**Tax Map #: 234-32.00-24.02Property Zoning: Resident-230-500-44.00MR**Applicant Information**Applicant Name: Tim & Penny JesterApplicant Address: 18050 Morgan DrCity LincolnState DeZip: 19960

Applicant Phone #: _____

Applicant e-mail: _____

Owner InformationOwner Name: Tim & penny JesterOwner Address: 18050 Morgan DrCity LincolnState DeZip: 19960

Purchase Date: _____

Owner Phone #: (302) 359-6153Owner e-mail: Jester50tim@mail.com**Agent/Attorney Information**

Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____

State _____

Zip: _____

Agent/Attorney Phone #: _____

Agent/Attorney e-mail: _____

Signature of Owner/Agent/AttorneyTim & Penny JesterDate: 8-10-2026

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.

There is nothing unique about the lot that would cause us to need a variance.

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.

There is no physical circumstances or conditions that would not conform with the Zoning or code.

3. Not created by the applicant:

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

We marked placement of the pool, which would placed the pool with in the proper setback. we left for work the crew that was sent by the place we purchased the pool from came while we were at work. when we returned home from work the pool was up ,filled with water and graded . we were un aware that any thing had changed until the inspector came back for final inspection.

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 variance would not alter the essential character of the neighborhood.

5. Minimum variance:

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

With the pool being above ground and temporary. The minim variance we need is 6'3".

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

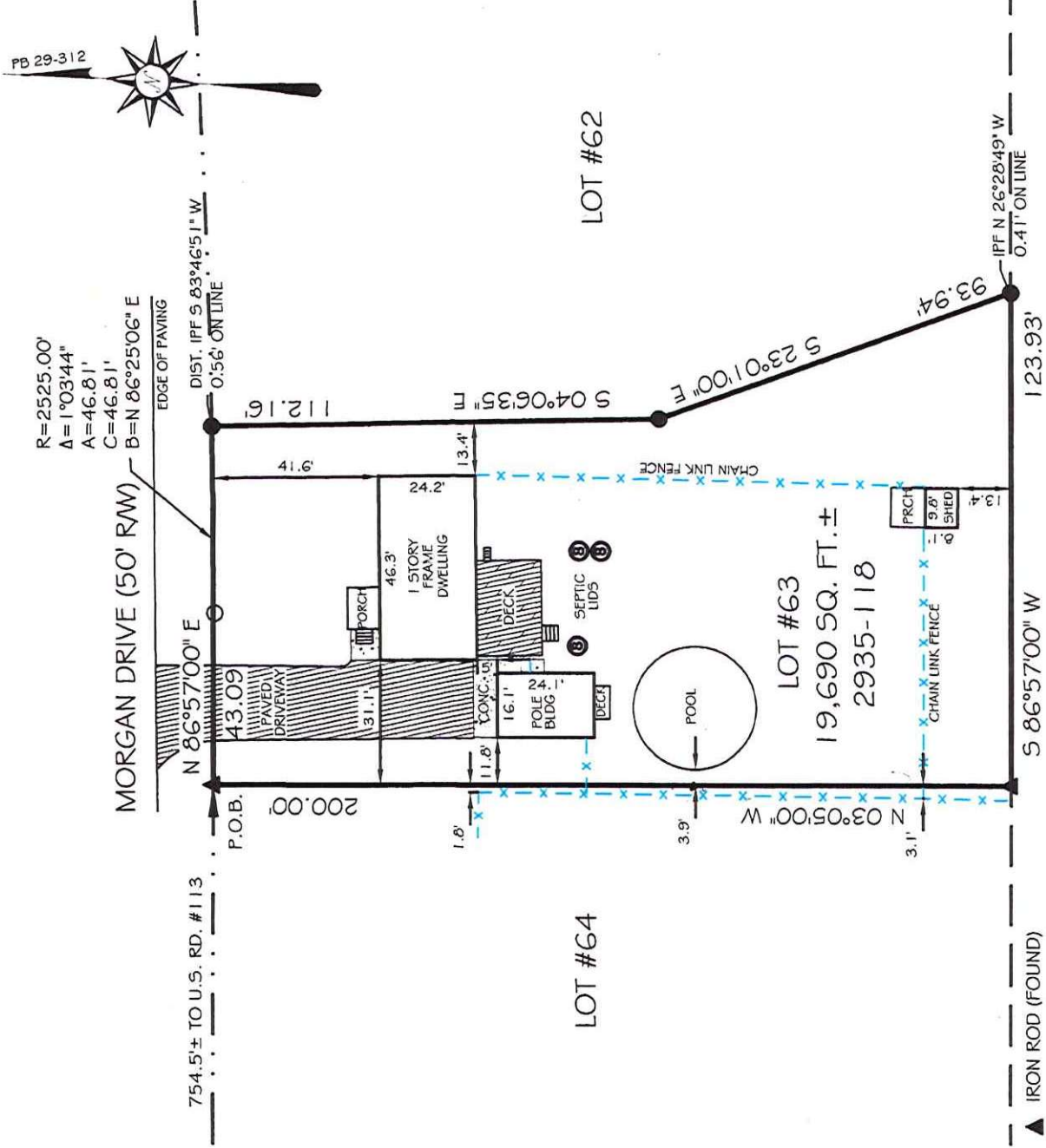
You shall demonstrate to the Board of Adjustment that the property meets all of the following criteria for a Special Use Exception to be granted.

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)

T.M. #234-32.00-24.02



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

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

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

Donald K. Miller 6/11/25
DONALD K. MILLER, P.L.S. 407
DATE
SURVEY CLASS: SUBURBAN

BOUNDARY SURVEY FOR

TIMOTHY O. & PENNY L. JESTER

18050 MORGAN DRIVE, LINCOLN, DE 19960
LOT G3 OF "LINCOLN VILLAGE" SUBDIVISION
CEDAR CREEK HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

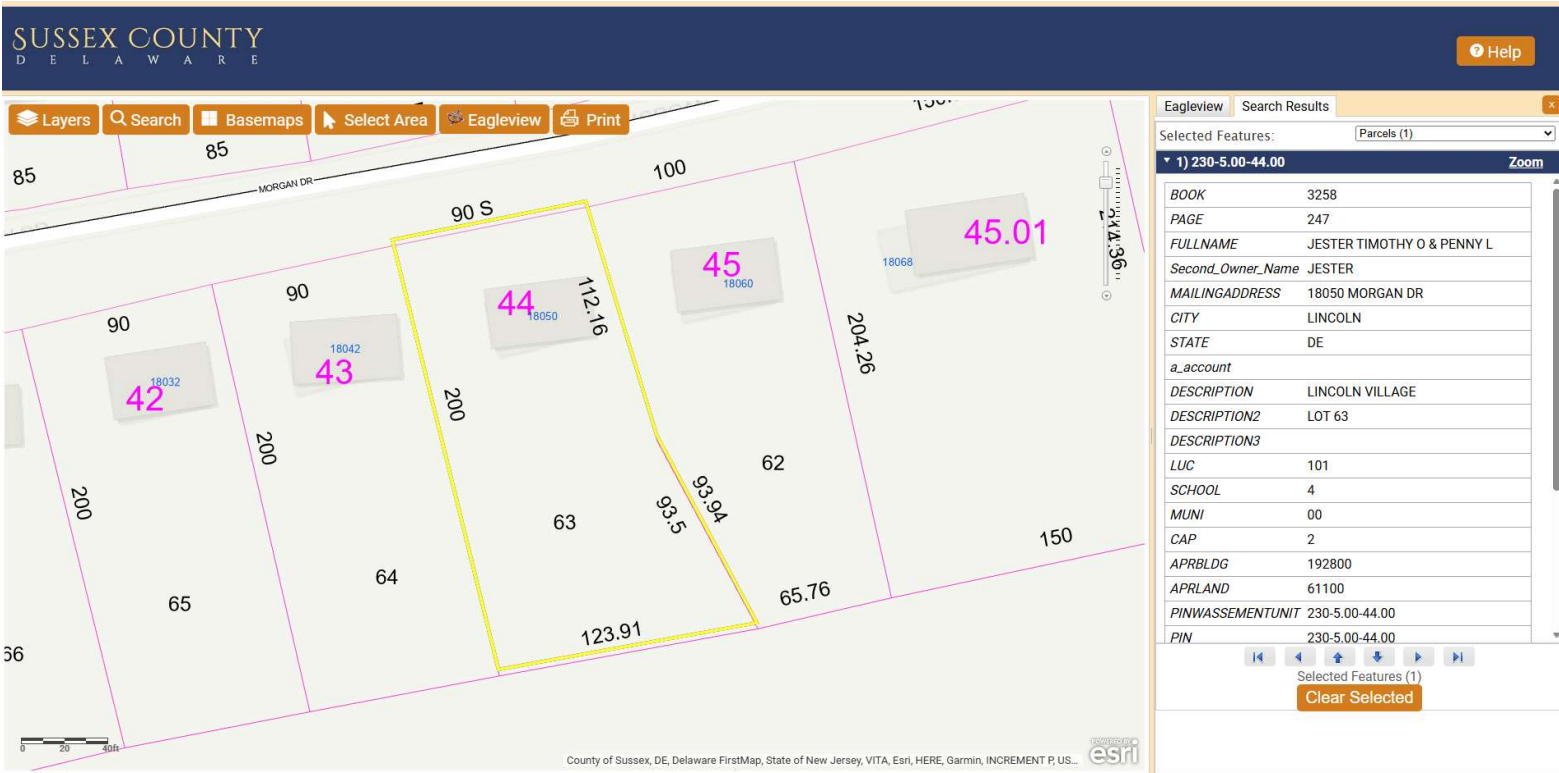
SCALE 1" = 40' JUNE 11, 2025

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

MILLER LAND SURVEYING
LEWIS, INC.

1560 MIDDLEFORD RD. SEAFORD, DE. 19973

CUSTOMER COPY





EagleView Search Results	
Selected Features:	Parcels (1)
▼ 1) 230-5.00-44.00 Zoom	
BOOK	3258
PAGE	247
FULLNAME	JESTER TIMOTHY O & PENNY L
Second_Owner_Name	JESTER
MAILINGADDRESS	18050 MORGAN DR
CITY	LINCOLN
STATE	DE
a_account	
DESCRIPTION	LINCOLN VILLAGE
DESCRIPTION2	LOT 63
DESCRIPTION3	
LUC	101
SCHOOL	4
MUNI	00
CAP	2
APRBLDG	192800
APRLAND	61100
PINWASSEMMENTUNIT	230-5.00-44.00
PIN	230-5.00-44.00

The screenshot displays the CONNECTEXPLORER web application interface. The main view is an aerial photograph of a residential property, which is outlined in blue. The property features a large house with a dark roof, a swimming pool, and a detached garage. A red car is parked in the driveway. The surrounding area includes trees and other properties. The interface includes a search bar at the top right with the text 'Search by SUSSEXPARCELS' and a search result for '230-5.00-44.00'. On the left, there is a sidebar with 'Workspaces' and a map control. The bottom of the screen shows a scale bar and a copyright notice for Eagleview.

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

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There is nothing unique about the lot that would cause us to need a variance.

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.

There is no physical circumstances or conditions that would not conform with the Zoning or code.

3. Not created by the applicant:

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We marked placement of the pool, which would placed the pool with in the proper setback. we left for work the crew that was sent by the place we purchased the pool from came while we were at work. when we returned home from work the pool was up ,filled with water and graded . we were un aware that any thing had changed until the inspector came back for final inspection.

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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)

T.M. #234-32.00-24.02

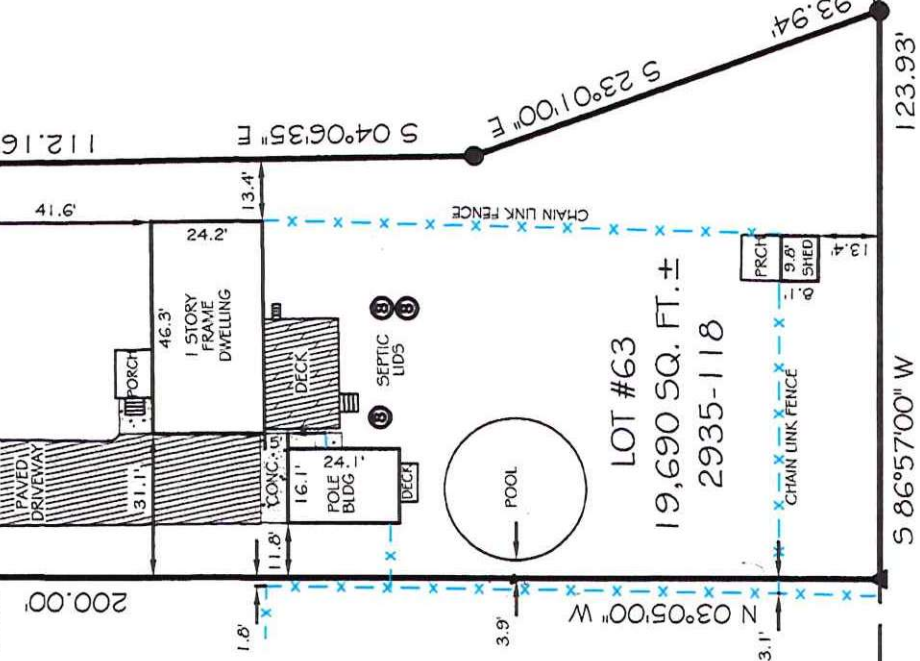


$R=2525.00'$
 $\Delta=1^{\circ}03'44''$
 $A=46.81'$
 $C=46.81'$
 $B=N 86^{\circ}25'06'' E$

MORGAN DRIVE (50' RM)
EDGE OF PAVING
DIST. I.P.F. $S 83^{\circ}46'51'' W$
 $0.56'$ ON LINE

754.5'± TO U.S. RD. #113

P.O.B.
 $N 86^{\circ}57'00'' E$
200.00'



LOT #64

LOT #62

LOT #63
19,690 SQ. FT. ±
2935-118

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

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

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

Donald K. Miller
DONALD K. MILLER, P.L.S. 407
DATE 6/11/25

SURVEY CLASS: SUBURBAN

BOUNDARY SURVEY FOR

TIMOTHY O. & PENNY L. JESTER

18050 MORGAN DRIVE, LINCOLN, DE 19960
LOT G3 OF "LINCOLN VILLAGE" SUBDIVISION
CEDAR CREEK HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

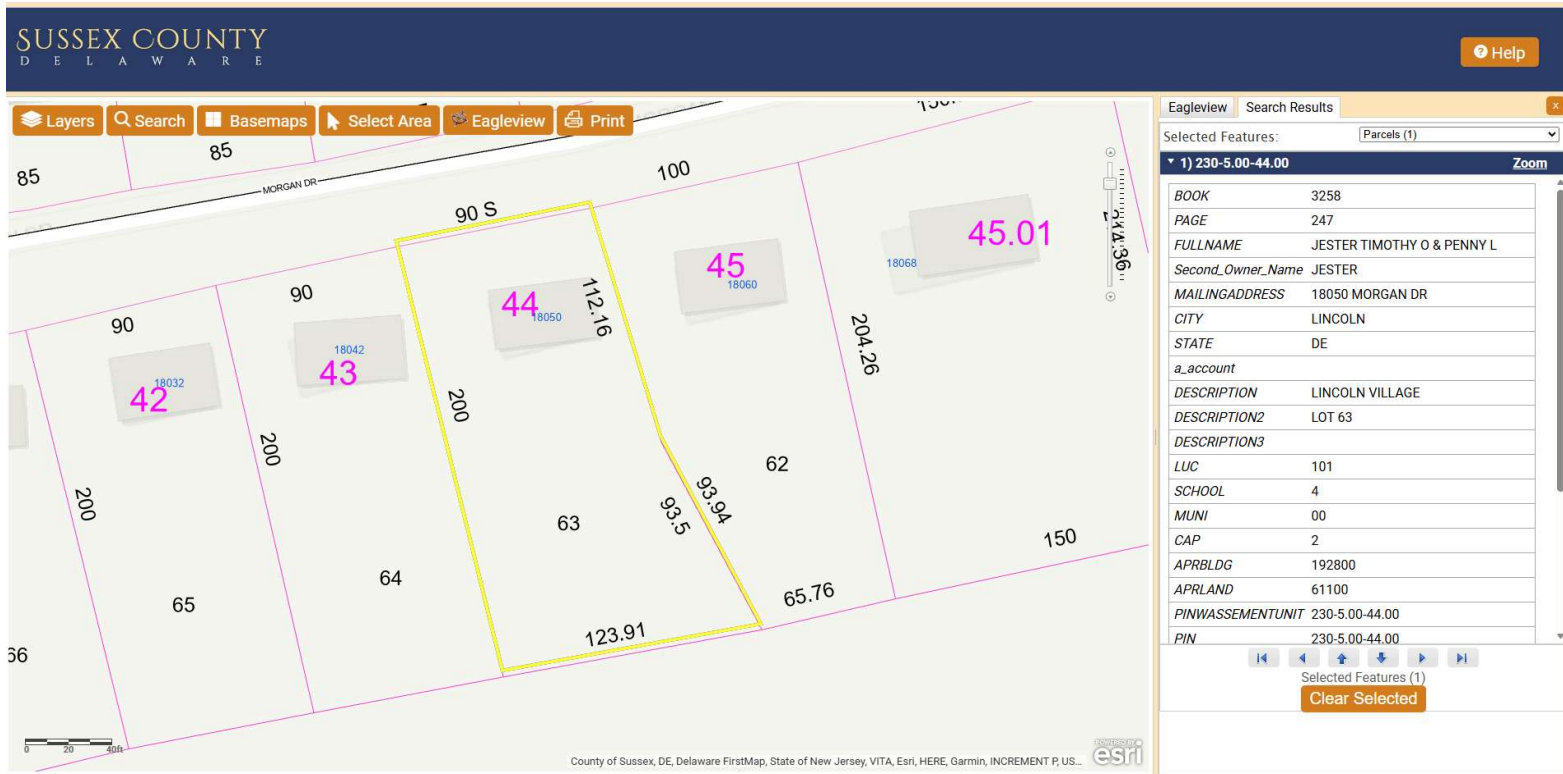
SCALE 1" = 40' JUNE 11, 2025

PREPARED BY:

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

MILLER LAND SURVEYING
LEWIS, INC.

1560 MIDDLEFORD RD. • SEAFORD, DE. 19973



0 20 40ft

County of Sussex, DE, Delaware FirstMap, State of New Jersey, VITA, Esri, HERE, Garmin, INCREMENT P, US...

esri

[Layers](#)
[Search](#)
[Basemaps](#)
[Select Area](#)
[Eagleview](#)
[Print](#)

[Eagleview](#)
[Search Results](#)

Selected Features:

Parcels (1)

1) 230-5.00-44.00
Zoom

BOOK	3258
PAGE	247
FULLNAME	JESTER TIMOTHY O & PENNY L
Second_Owner_Name	JESTER
MAILINGADDRESS	18050 MORGAN DR
CITY	LINCOLN
STATE	DE
a_account	
DESCRIPTION	LINCOLN VILLAGE
DESCRIPTION2	LOT 63
DESCRIPTION3	
LUC	101
SCHOOL	4
MUNI	00
CAP	2
APRBLDG	192800
APRLAND	61100
PINWASSEMENTUNIT	230-5.00-44.00
PIN	230-5.00-44.00

Selected Features (1)

Clear Selected

The screenshot displays the CONNECTEXPLORER web application interface. The main view is an aerial photograph of a residential property, which is outlined with a blue polygon. The property includes a large house with a dark roof, a swimming pool, and a detached garage. A red car is parked in the driveway. The surrounding area is filled with trees and other properties. The interface features a top navigation bar with the 'CONNECTEXPLORER' logo and several icons. On the left, there is a map control with a compass and a zoom slider. On the right, a search bar is visible with the text 'Search by SUSSEXPARCELS' and a search result for '230-5.00-44.00'. A sidebar on the left shows 'Workspaces' and a list of 'Search results (1)'. The bottom of the screen displays the map type 'map: Auto (Oblique)', the date '03/10/2025', and a scale bar indicating 20 feet or 5 meters.

SURVEY CLASS: SUBURBAN

1560 MIDDLEFORD RD.
SEAFOORD, DE. 19973

TIMOTHY O. & PENNY L. JESTER

18050 MORGAN DRIVE, LINCOLN, DE 19660
LOT 63 OF "LINCOLN VILLAGE" SUBDIVISION
CEDAR CREEK HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

SCALE 1" = 40'

SCALE 1" = 40'

SURVEY CLASS: SUBURBAN

1560 MIDDLEFORD RD.
SEAFOORD, DE. 19973

130