

BOARD OF ADJUSTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878

AGENDA

January 26, 2026

6:00 PM

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of the Minutes of November 17, 2025

Approval of the Findings of Facts of November 17, 2025

Old Business

Case No. 13156 – Recordo and Veronica Nock

seek variances from the rear yard setback requirement for an existing structure (Section 115-25 and 115-183 of the Sussex County Zoning Code). The property is located on the east side of Chaplains Chapel Road. 911 Address: 19614 Chaplains Chapel Road, Bridgeville. Zoning District: AR-1. Tax Map: 430-23.00-44.03

Public Hearings

13154 - Michael Horsey, Sr.

seeks a variance from the maximum fence height within the corner front yard setback requirement for an existing structure (Section 115-25 and 115-185 of the Sussex County Zoning Code). The property is located on the west side of Seashore Highway and the north side of Dublin Hill Road. 911 Address: 6580 Seashore Highway, Bridgeville. Zoning District: AR-1. Tax Parcel: 131-6.00-12.00

Case No. 13158 – Suzanne Stark Bienert

seeks variances from the rear and side yard setback requirement for a proposed structure (Section 115-34, 115-183 of the Sussex County Zoning Code). The property is located on the east side of Sylvan Vue Drive. 911 Address: 34582 Sylvan Vue Dr., Dagsboro. Zoning District: MR. Tax Map: 134-11.00-707.00

Case No. 13159 – Clifton Parker

seeks variances from the agricultural setback requirement for existing structures

(Section 115-25 and 115-4 of the Sussex County Zoning Code). The property is located on the west side of Pyle Center Road. 911 Address: 34816 Pyle Center Rd., Frankford. Zoning District: AR-1. Tax Map: 533-5.00-55.00

Case No. 13160 – Daniel A. Eby

seeks a variance from the side yard setback requirement for a proposed structure (Section 115-25 and 115-183 of the Sussex County Zoning Code). The property is located on the south side of Beach Highway (SCR 16). 911 Address: 12780 Beach Highway, Greenwood. Zoning District: AR-1. Tax Map: 430-6.00-47.24

Case No. 13162 – The Evergreene Companies, LLC

seeks a variance from the front yard setback requirement for an existing structure (Section 115-34 and 115-182 of the Sussex County Zoning Code). The property is located on the west side of Maple Lane. 911 Address: 38310 Maple Lane, Selbyville. Zoning District: MR. Tax Map: 533-19.12-110.00

Additional Business

-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on Thursday, January 15, 2026 at 4:30 p.m. and at least seven (7) days in advance of the meeting.

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

Agenda items may be considered out of sequence.

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

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

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

If any member of the public would like to submit comments electronically, these may be sent to pandz@sussexcountyde.gov. All comments are encouraged to be submitted by 4:30 P.M. on Thursday, January 22, 2026.

####

Case # 13156
Hearing Date 01-05-2026

Board of Adjustment Application

Sussex County, Delaware

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

202515350

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:

19614 Chaplains Chapel Rd. Bridgeville DE 19933

Variance/Special Use Exception/Appeal Requested:

11.8' Var + 8.8' Var from 30' rear yard setback

Variance

Tax Map #: 432-23-10-44.03

Property Zoning: R21

Applicant Information

Applicant Name: Recordo Nock

Applicant Address: 19614 Chaplains Chapel Rd.

City Bridgeville State DE Zip: 19933

Applicant Phone # (302) 245-8270 Applicant e-mail: cardinock@aol.com

Owner Information

Owner Name: Recordo Nock / Veronica Nock

Owner Address: 19614 Chaplains Chapel Rd

City Bridgeville State DE Zip: 19933 Purchase Date: _____

Owner Phone #: (302) 245-8270 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

[Signature] Date: 11/14/25



Sussex County, DE - BOA Application

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

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

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

1. Uniqueness of property:

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

The building was placed at the rear of the property line so I could

2. Cannot otherwise be developed: utilize my back yard.

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.

Cant otherwise be developed.

I purchased the building and was notified that it didnt need a permit

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.

No

5. Minimum variance:

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

Yes this is the minimum variance to afford relief.

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

11/14/2025 12:46PM Megan D.
Receipt number: 3303693-0049 001258/14

PERMITS / INSPECTIONS
2025 20251535012020 \$500.00

Subtotal \$500.00
TP CC SF \$500.00
Total \$515.00

Tenders
TYLER PAYMENTS CC \$515.00
*****46238
Ref=074ea265-38e0-4ac5-bf7c-f281b1andc05
Auth=014620

Change due \$0.00

Paid by: CAROLINER/VISA

Signature:

Thank you for your payment.

Sussex County Government COPY
DUPLICATE RECEIPT

service fee

TYLER PAYMENTS

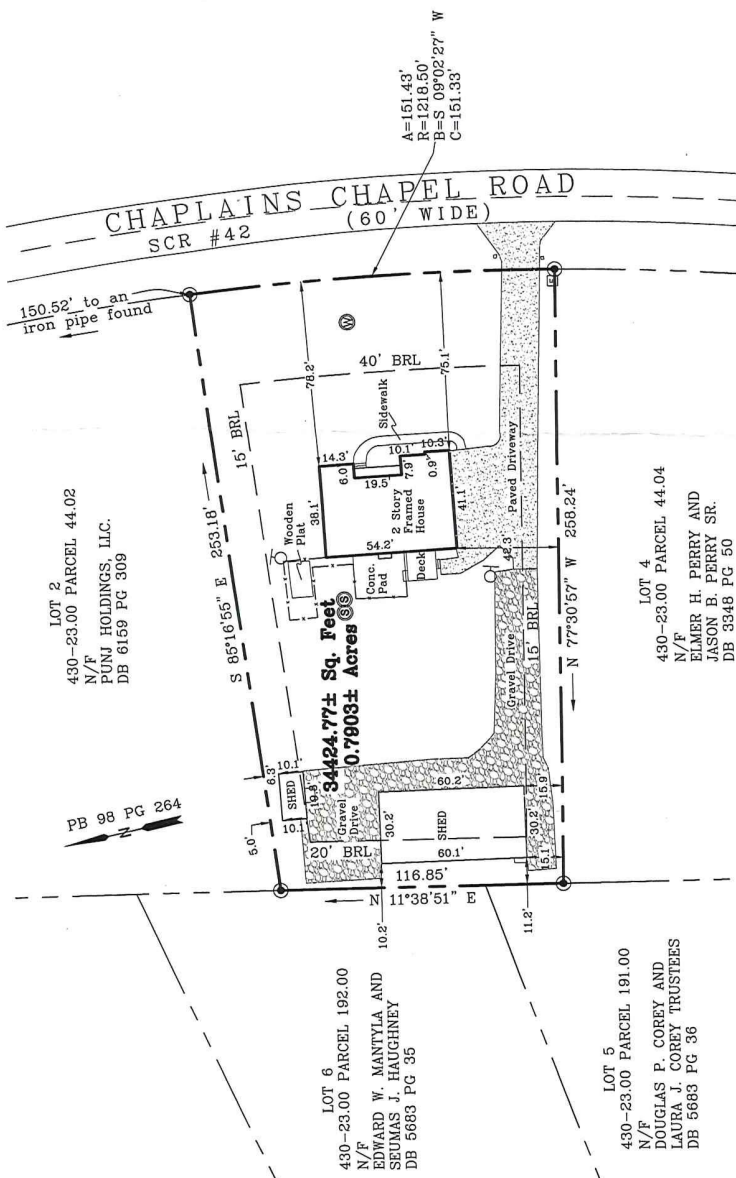
Q4
1234567890
1234567890
1234567890

BOUNDARY SURVEY PLAN
LANDS OF "VERONICA NHAN"
ALSO KNOWN AS: "LOT 3-19614 CHAPLAINS
CHAPEL ROAD BRIDGEVILLE DE"
SITUATE IN: "NANTICOKE HUNDRED"
SUSSEX COUNTY • STATE OF DELAWARE
TAX MAP #: 430-23.00-44.03
DEED REFERENCE: DB 3308, PG 119
PLAT REFERENCE: PB 98, PG 264

ZONING CLASSIFICATION: AR-1
YARD REQUIREMENTS:
FRONT YARD: 40'
SIDEYARD: 15'
REARYARD: 20'

LEGEND

- CAPPED PIPE FOUND
- ⊙ WELL
- ⊙ SEWER LID
- ⊙ ELECTRIC BOX
- ⊙ LIGHT POLE
- PROPERTY LINE
- BUILDING RESTRICTION LINE
- x - x - FENCE LINE



NOTES

1. THIS SURVEY IS CLASSIFIED AS A "SUBURBAN" SURVEY.
2. UNLESS THIS PLAT HAS A SEAL WITH AN ORIGINAL SIGNATURE OF AN ENGINEER, IN RED INK, THIS IS NOT AN AUTHORIZED COPY.
3. THE SURVEY DOES NOT VERIFY THE EXISTENCE OF OR NONEXISTENCE OF ANY EASEMENTS OR RIGHT OF WAYS.



DRAWN BY: JBR	DATE: 09-03-2025
SCALE: 1"=50'	SHEET 1/1

PROFESSIONAL ENGINEER

CONNECTEXPLORER™

Workspaces

+

100%

+

100%

Compass

+

100%

+

100%

Search

Search by SUSSEXPARCELS

430-23-00-44.03

Search results (1)

Options


430-23-00-44.03

map: Auto (Oblique)

Mar 2025 - Mar 2025

Image 1 of 10

03/18/2025



20 ft

5 m

10

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 # 13154
Hearing Date 1.5.26
202515093

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:

6580 Seashore Hwy Bridgeville, DE 19933

Variance/Special Use Exception/Appeal Requested:

Variance requested for a 6 foot fence on property higher than the 3 foot height required along a Corner Front Set back. 2.5' variance from 3.5' maximum fence height

Tax Map #: 131-6.00-12.00

Property Zoning: AR-1

Applicant Information

Applicant Name: Sadie Rusey -co-owner
Applicant Address: 6580 Seashore Hwy
City Bridgeville State DE Zip: 19933
Applicant Phone #: 302-752-5027 Applicant e-mail: Sadiebaby1717@yahoo.com

Owner Information

Owner Name: Michael Horsey SR
Owner Address: 6580 Seashore Hwy
City Bridgeville State DE Zip: 19933 Purchase Date: 10/2021
Owner Phone #: 302-217-2835 Owner e-mail: _____

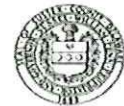
Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Sadie Rusey

Date: 11-10-2025



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*

Criteria for a Variance

1. Uniqueness of property:

Our property is oddly shaped and uniquely situated roughly less than 50 feet from the edge of a busy highway, along 404 Seashore Hwy and Dublin Hill Road. The location where the 6-foot fence is currently installed, gives us an adequate amount of space to utilize our backyard due to the shape and narrowness of the property. It also provides a safe height of 6 foot, as our children and dogs could possibly jump a fence of 3 foot.

2. Cannot otherwise be developed:

Due to the shape and placement of our property, the backyard is the safest place for our children and animals to play/reside safely. To ensure their safety, we are seeking a variance approval for a 6-foot fence along the Dublin Hill property line, which is a Corner Front set back, higher than the 3-foot required fence.

3. Not created by the applicant:

Within close proximity to Seashore Hwy and Dublin Hill Road, there is heavy traffic including tractor trailers, farm vehicles, as well as everyday motorist. Since moving in on October 19th, 2021, there have been multiple accidents at this intersection, with one accident crashing into our front yard, hitting our septic and knocking out our front steps. We have also lost 2 of our beloved dogs, due to being hit by cars. Due to these incidents, we are seeking approval for a 6-foot fence to secure the side/back yard to ensure the safety of our children and animals.

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

The proposed variance request for a 6-foot privacy fence will not alter the essential character of the neighborhood as we do not live in a neighborhood.

5. Minimum variance:

We are requesting the minimum variance approval to raise the height requirements along a Corner Front setback from 3 foot to a 6-foot privacy fence to provide an effective and secure barrier to ensure the safety of our children and animals.

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

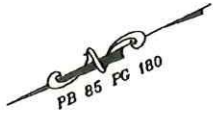
Date: 11-10-2025

For office use only:

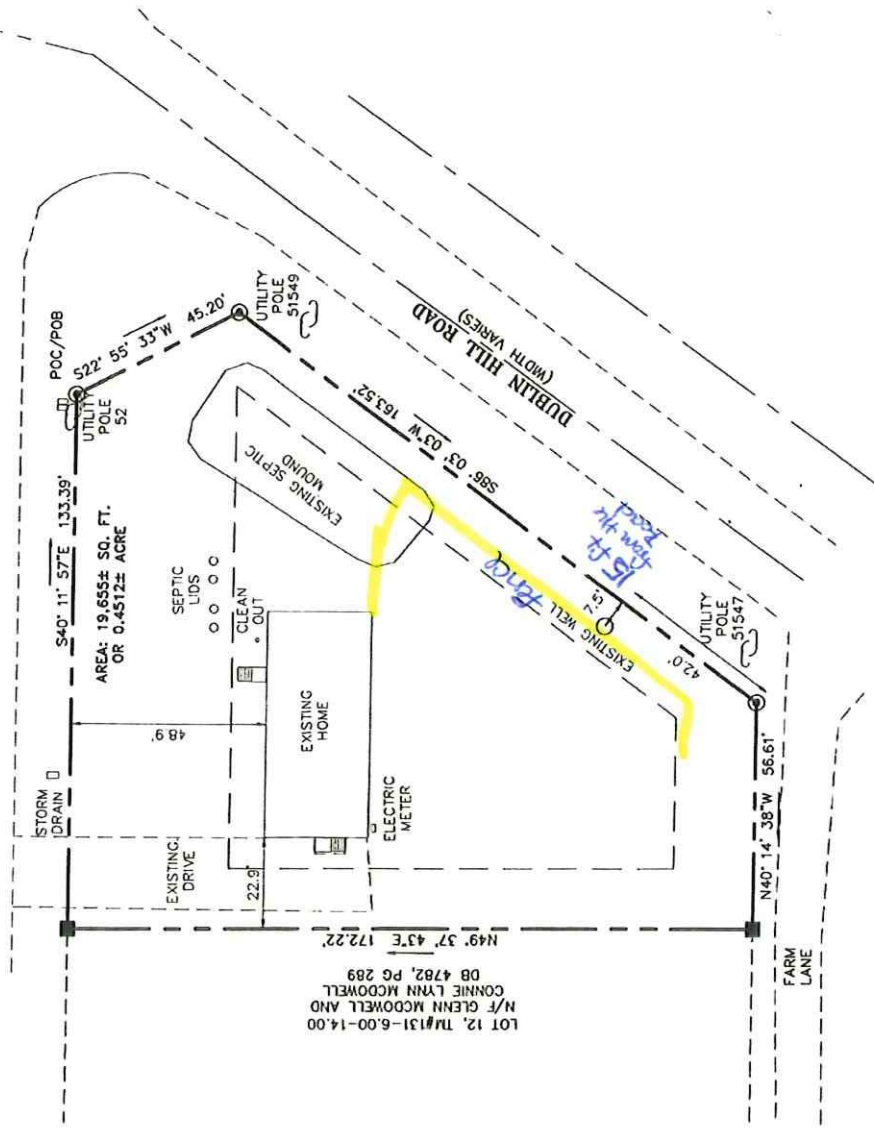
Date Submitted: _____ Fee: _____ Check #: _____
 Staff accepting application: _____ Application & Case #: _____
 Location of property: _____

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

- PLAN DATA:
1. TITLE REFERENCED TO:
TM# 131-6.00-12.00, DB 5383, PG 152, PB 2, PC 63
LOT 13, 6580 SEASHORE HIGHWAY, BRIDGEVILLE, DELAWARE 19973
NORTHWEST FORK HUNDRED, SUSSEX COUNTY, STATE OF DELAWARE
 2. NO TITLE REPORT PERFORMANCE FURNISHED IN PREPARATION OF THIS PLAN.
 3. THIS PLAN DOES NOT CERTIFY THE EXISTENCE OR NON-EXISTENCE OF EASEMENTS OR RIGHTS OF WAY AS A FULL AND COMPLETE SEARCH MAY REVEAL IN THE SUSSEX COUNTY RECORD OF DEEDS.
 4. ACCORDING TO SUSSEX COUNTY PLANNING AND ZONING, ZONING IS AR-1 AND SETBACKS ARE: F-40, S-15, AND R-20.

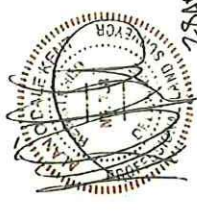


SEASHORE HIGHWAY
(WIDTH VARIES)



- LEGEND:
- UTILITY POLE
 - CAPPED IRON PIN SET
 - CONCRETE MONUMENT FOUND
 - EXISTING PROPERTY LINE
 - ADJOINING PROPERTY LINE
 - BUILDING RESTRICTION LINE
 - ROAD EDGE
 - ROAD CENTERLINE

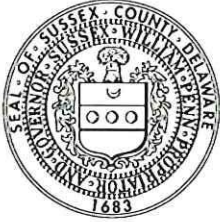
I, ALAN O'DALE KENT, REGISTERED AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE, HEREBY STATE THAT THE INFORMATION SHOWN ON THIS PLAN HAS BEEN PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS ESTABLISHED BY THE STATE OF DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES 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 THIS IS A SUBURBAN SURVEY	
BOUNDARY SURVEY PLAN AND FINAL	
FOR CMH HOMES, INC.	
PREPARED BY ALAN O KENT LAND SURVEYING, LLC SEAFORD, DE 19973 (302) 740-1720	
JOB # 20200403	DATE OF PLAN 28 APR 2021
DATE OF LAST FIELD WORK 26 APR 2021	



03/10/2025 < 1 of 75 > Select Date



Sussex County Building Permit

P.O. Box 589
Georgetown, DE 19947
302-855-7720

Application Number

202508955

Issue Date: 07/03/2025
Expire Date: 07/03/2026

Permit Type: FENCE OUT OF TOWN

Parcel ID	Address	Zone Code
131-6.00-12.00	6580 SEASHORE HIGHWAY	AR-1

Owner Information	Applicant Information
Name: HORSEY MICHAEL WILLIAM Phone:	Name: HORSEY MICHAEL WILLIAM Phone:

Contractor Information		
Name:	HORSEY MICHAEL WILLIAM	License Number:
CID:	311869	License Exp. Date:
Phone:		Insurance Exp. Date:

Building Information
Proposed Use: FENCES Construction Type: Estimated Cost of Construction: \$ 2,923 Cannot Occupy More than _____ of Total Lot Area Distance from any Dwelling of other Ownership: _____ Distance from any other Mobile Home or Accessory Structure: _____

Property Information				
Measurements taken from Property Lines				
Front Setback:	40.00	/3.5' MAX HT SEASHORE HWY	Rear Setback:	/LINE
Side Setback:		/LINE	Corner Setback:	15.00 /3.5' MAX HT DUBLIN H
Maximum Building Height:	7'	Location Description:		
FLOOD ZONE		WEST MANOR LOT 13		
Flood Zone: X095K				
If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.				

Project Description: RESIDENTIAL FENCE OUT OF TOWN

Scope of Work:

142 LF FENCE

Permit Details:

** Error in Corner Setback
Height Req.
Variance or correction
needed*

Signature of Approving Official

Signature of Owner/Contractor

I fully understand the Zoning Requirements of this permit.

Building Permit Acknowledgement:

I/we the undersigned, acknowledge I/we have read and accept the terms of this Building Permit and shall comply with the rules and restrictions related to this building activity. This permit shall expire one (1) year from the date of issue. This permit may be renewed prior to its expiration date if construction has begun and continued in a normal manner and not discontinued for reasons other than those beyond the permit-holder's control. Grading or surface-shaping of the site shall not be considered as actual construction.

I/we further acknowledge, ASSESSORS AND INSPECTORS HAVE A RIGHT TO ENTER AND ACCESS THE PREMISES TO ASSESS AND INSPECT PROPERTY. The owner or owners of these premises do hereby consent to Sussex County Officials' right to enter upon said premises during the construction of which this permit is granted, or within a reasonable time thereafter, for the purposes of assessing and inspecting said property.

THE APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IT IS NOT TO BE CONSTRUED AS AN APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCY, WHICH MAY PERTAIN TO THIS SITE. AND FURTHER, IT IS ACKNOWLEDGED AND UNDERSTOOD THAT THIS PERMIT MAY BE REVOKED BY SUSSEX COUNTY FOR ANY VIOLATION OF THE TERMS OF THIS PERMIT OR OF ANY COUNTY, STATE OR FEDERAL LAW APPLICABLE TO THIS PERMIT.

Permit Number	BP-259448	TOTAL FEES:	\$ 20.81
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Building Description

Total Bedrooms:

Heat Type:

Full Baths:

Half Baths:

Roofing:

Total Rooms:

Exterior Walls:

Basement:

Foundation Type:

Interior Walls:

Fireplace Type:

Flooring:

Air Conditioning: N

Additional Requirement/Restrictions

_____ Accessory Building 900 Square Feet or Greater

No more than four (4) vehicles permitted in structure without a Planning & Zoning Hearing.

_____ Agricultural Storage Structures

Storage only. NO LIVESTOCK PERMITTED.

_____ Campgrounds

Must conform to the location approved by the park.

_____ Farm-Use Permits

Prior to issuance of the Certificate of Occupancy, it must be confirmed that the building will be used for farm use only. Otherwise, the permit will be voided and plans must be submitted to the Building Code Department.

X _____ Fences

Fence may only be 3.5' tall along the front property line and from the road back to the mandated front yard setback. Thereafter, fence may be a maximum of 7' tall. On corner lots, the fence may only be 3' tall along the corner fronts and 25' from the intersection of property lines. Fence may be installed on property line.

X _____ Parcel Setbacks

All building structures and improvements shall comply with the parcel setback measurement requirements as mandated in the Sussex County Zoning Ordinance. Failure to comply with the parcel setback measurement requirements is a violation.

_____ Pools (Above-Ground)

Must have ladder up and locked at all times when not in use. Pool must be 4' high above grade. If not, a fence is required around perimeter of pool

_____ Pools (In-Ground)

A minimum 4' tall fence must be around the perimeter of the pool. A minimum 3' walkway must be between the pool and fence. Gate must be locked at all times when the pool is not in use.

_____ Pools or Guest Homes

No Cooking facilities of any kind are permitted in the structure. No separate electrical meters are permitted.

_____ Tax Ditch

Property records indicate a State regulated tax ditch appears on this property. All building activity shall comply with the rules and requirements related to State regulated tax ditches and the respective tax ditch easements.



Permits and Inspections

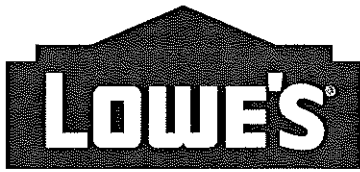
Inspection 517794 Checklist

[Return to Inspection Details](#)

Checklist Items

<u>Item Description</u>	<u>Pass/Fail</u>	<u>Comments</u>	<u>Requirements</u>
Not Ready For Inspection	FAILED	*need shed permit* *fence does not meet the 3' height req along the Dublin hill prop line, which is a corner front*	
Set Back Verification	FAILED	*need shed permit* *fence does not meet the 3' height req along the Dublin hill prop line, which is a corner front*	
Miscellaneous	FAILED	*need shed permit* *fence does not meet the 3' height req along the Dublin hill prop line, which is a corner front*	

©2025 Tyler Technologies, Inc.



Order #300901167250971322

Placed June 16, 2025 | \$2,923.49

Delivered

Delivered Tuesday, Jul 1, 2025

Deliver To

Sadie Pusey6580 Seashore

hwy,Bridgeville, DE, 19933(302) 752-5027

5.0-in W x 5.0-in L White Vinyl fence Post cap - Fits~~\$87.40~~ \$78.60**Common Post Measurement: 5-in x 5-in**

Saved \$8.80with Military Discount

Item #385320 Model #73003093

\$4.37 /ea. QTY 20

Bolton 6-ft H x 4-ft W White Privacy Vinyl Flat-top~~\$262.36~~ \$236.12**Fence gate (Unassembled)**

Saved \$26.24with Military Discount

Item #819044 Model #73025125

\$262.36 /ea. QTY 1

Delivered

Delivered Tuesday, Jul 1, 2025

Deliver To

Sadie Pusey6580 Seashore

hwy,Bridgeville, DE, 19933(302) 752-5027

Emblem 8-ft H x 5-in W White Privacy Vinyl End Fence post~~\$174.88~~ \$154.68

Saved \$17.20with Military Discount


Item #758814 Model #73024844

\$42.97 /ea. QTY 4

Emblem 6-ft H x 8-ft W White Privacy Vinyl Flat-top

~~\$1,665.66~~ \$1,499.06

Fence panel (Unassembled)

 Saved \$166.60with Military Discount


Item #12092 Model #73013949

\$97.98 /ea. QTY 17

80 -lb High strength Concrete mix

~~\$115.94~~ \$104.38

Item #132022 Model #65200390


 Saved \$11.56with Military Discount

\$6.82 /ea. QTY 17

Emblem 8-ft H x 5-in W White Privacy Vinyl Corner

~~\$42.97~~ \$38.67

Fence post


 Saved \$4.30with Military Discount

Item #758813 Model #73024843

\$42.97 /ea. QTY 1

**Emblem 8-ft H x 5-in W White Privacy Vinyl Line Fence
post**


~~\$558.61~~ \$502.71

 Saved \$55.90with Military Discount

Item #758812 Model #73024842

\$42.97 /ea. QTY 13

Shipped

 Via UPS

Tracking #1Z301E670340047385

Deliver To

Sadie Pusey6580 Seashore


hwy,Bridgeville, DE, 19933(302) 752-

5027

Heavy-Duty 8-in Black Gate latch

~~\$28.98~~ \$26.08

Item #747320 Model #73024789

 Saved \$2.90with Military Discount

\$28.98 /ea. QTY 1


Return Completed

You're all set! Expect to see your refund soon.

Emblem 6-ft H x 8-ft W White Privacy Vinyl Flat-top


~~\$97.98~~ \$88.18

Fence panel (Unassembled)

 Saved \$9.80with Military Discount

Item #12092 Model #73013949

\$97.98 /ea. QTY 1

Emblem 8-ft H x 5-in W White Privacy Vinyl Line Fence
post~~\$128.91~~ \$116.01 Saved \$12.90with Military Discount

Item #758812 Model #73024842

\$42.97 /ea. QTY 3

Payment Method

VISA

**** * 7354

Sadie Pusey

6580 SEASHORE


HWY

(302) 752-5027

Order Summary

Subtotal

\$2,844.49

Delivery 

Truck Delivery

\$79.00

Total Billed

\$2,923.49

Total Charged

\$2,719.30



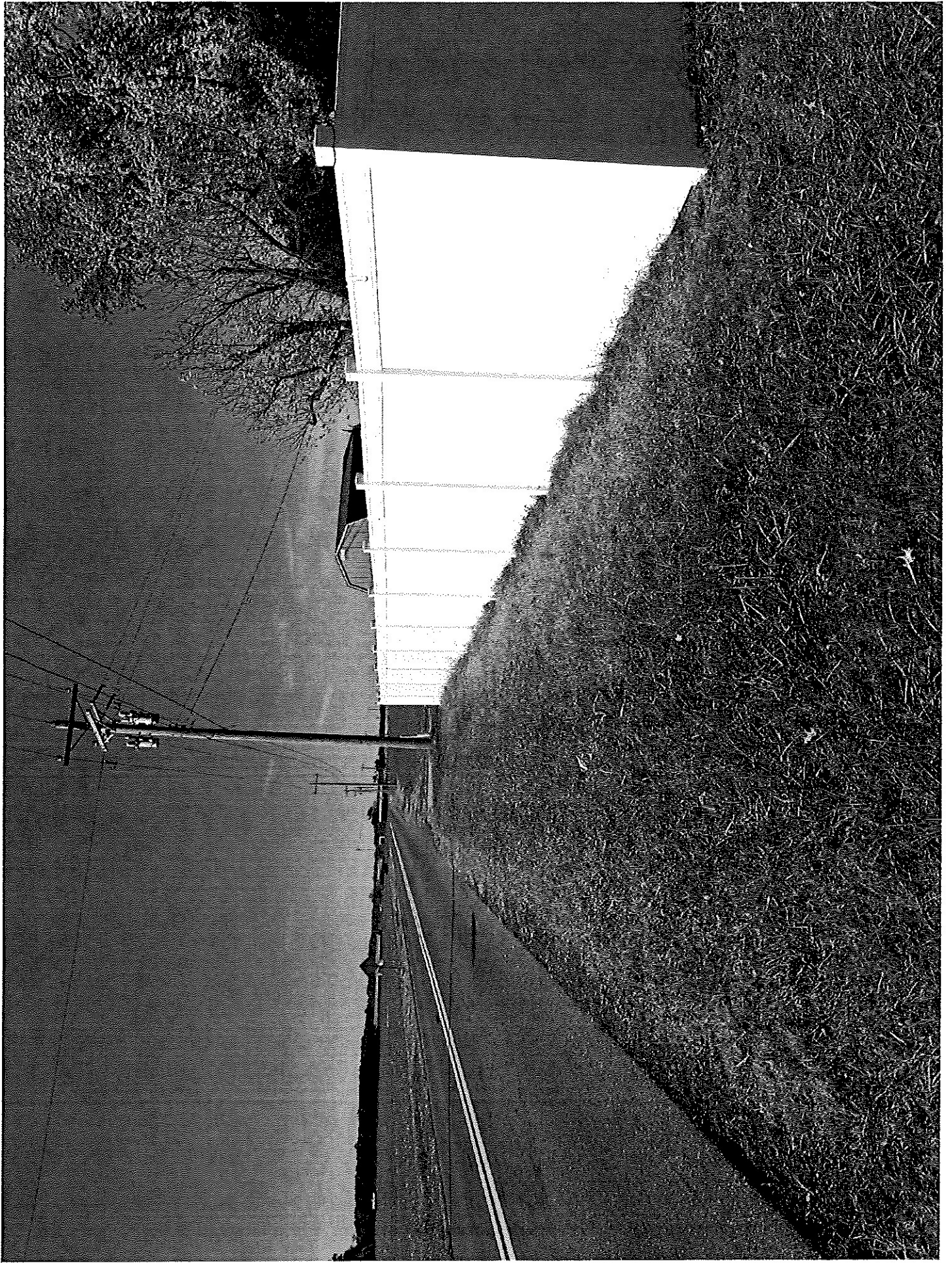
Refund Issued - VISA 7354 \$204.19

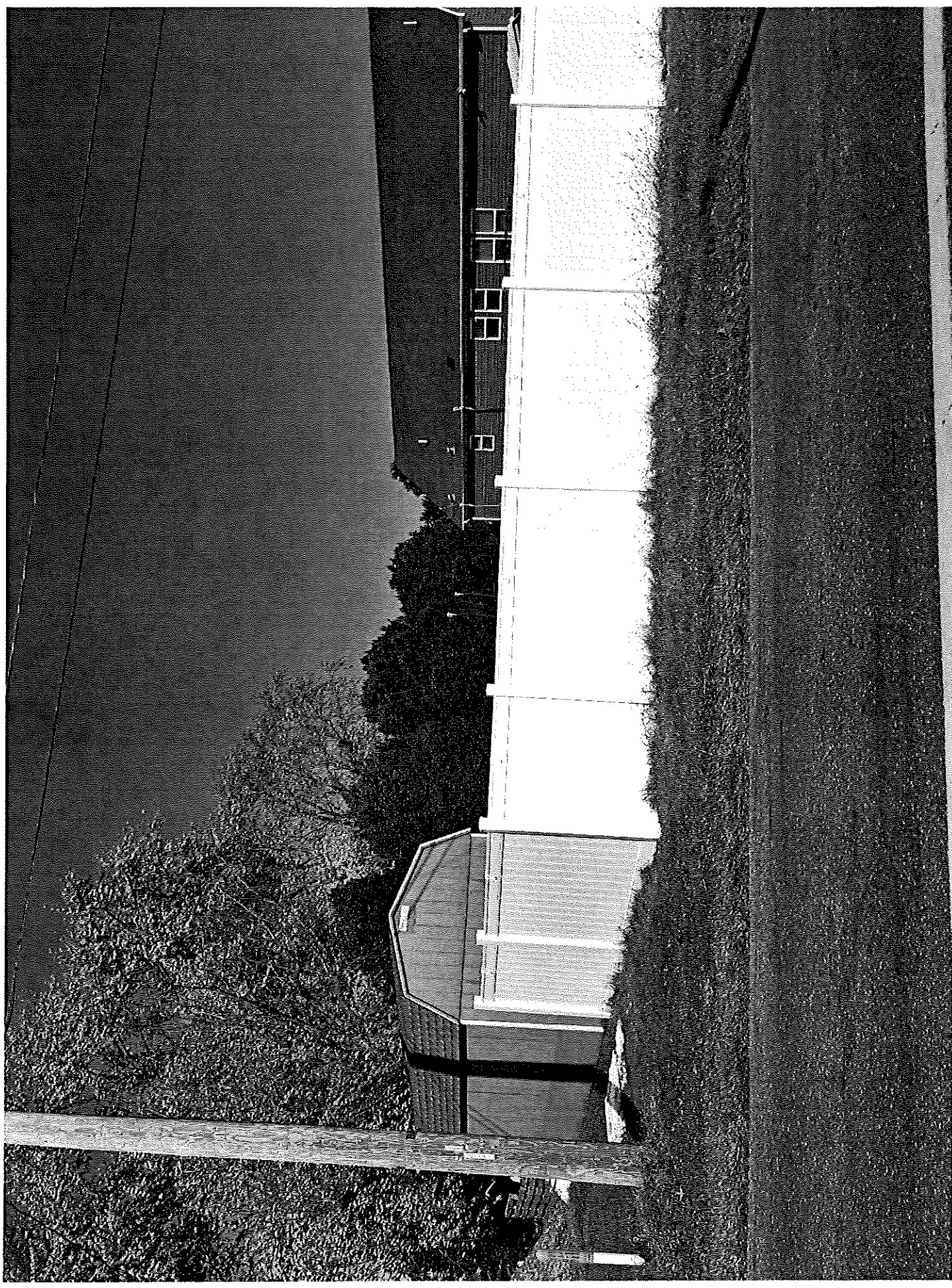
Present or show this barcode for In-Store

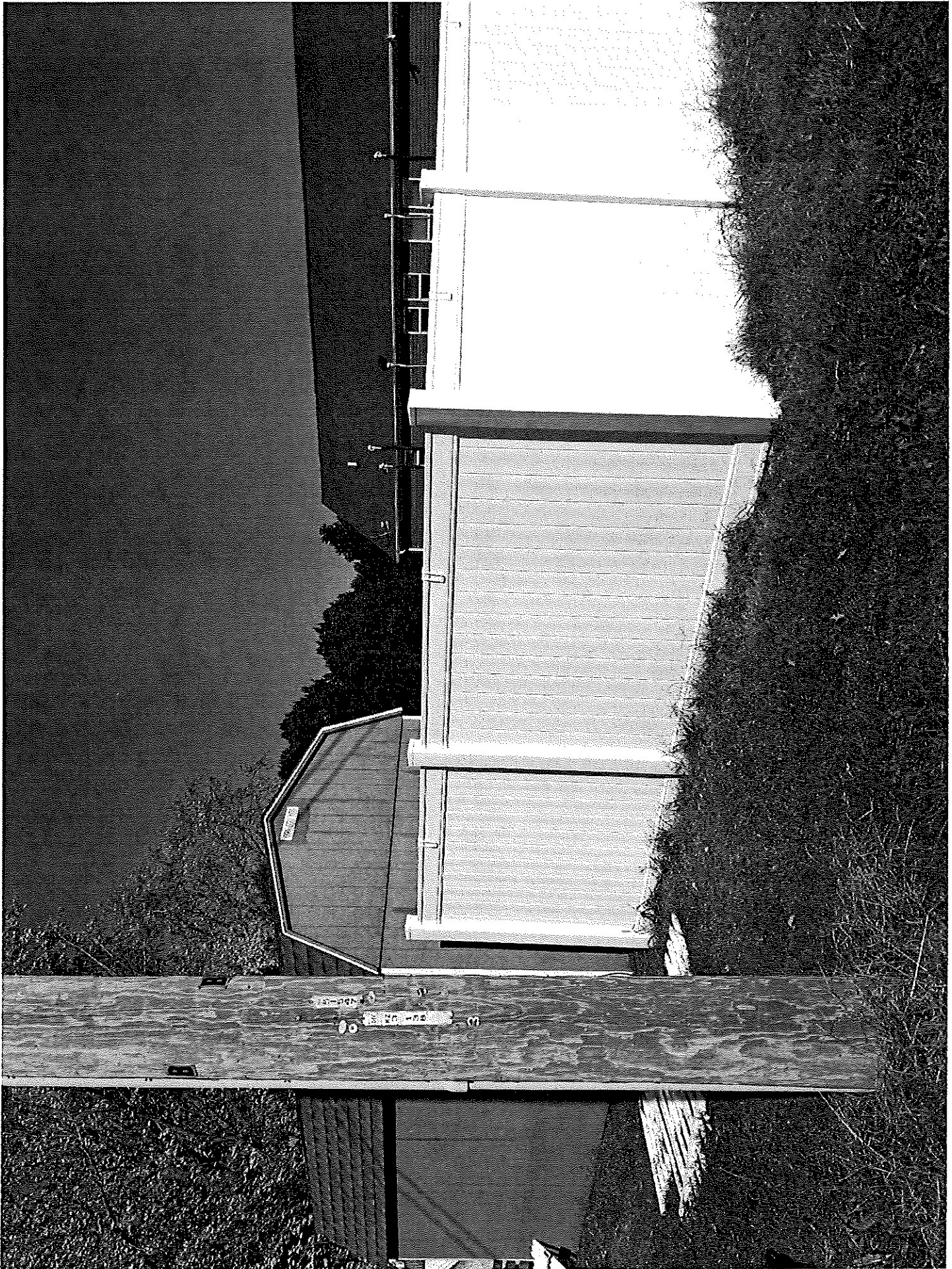
returns:

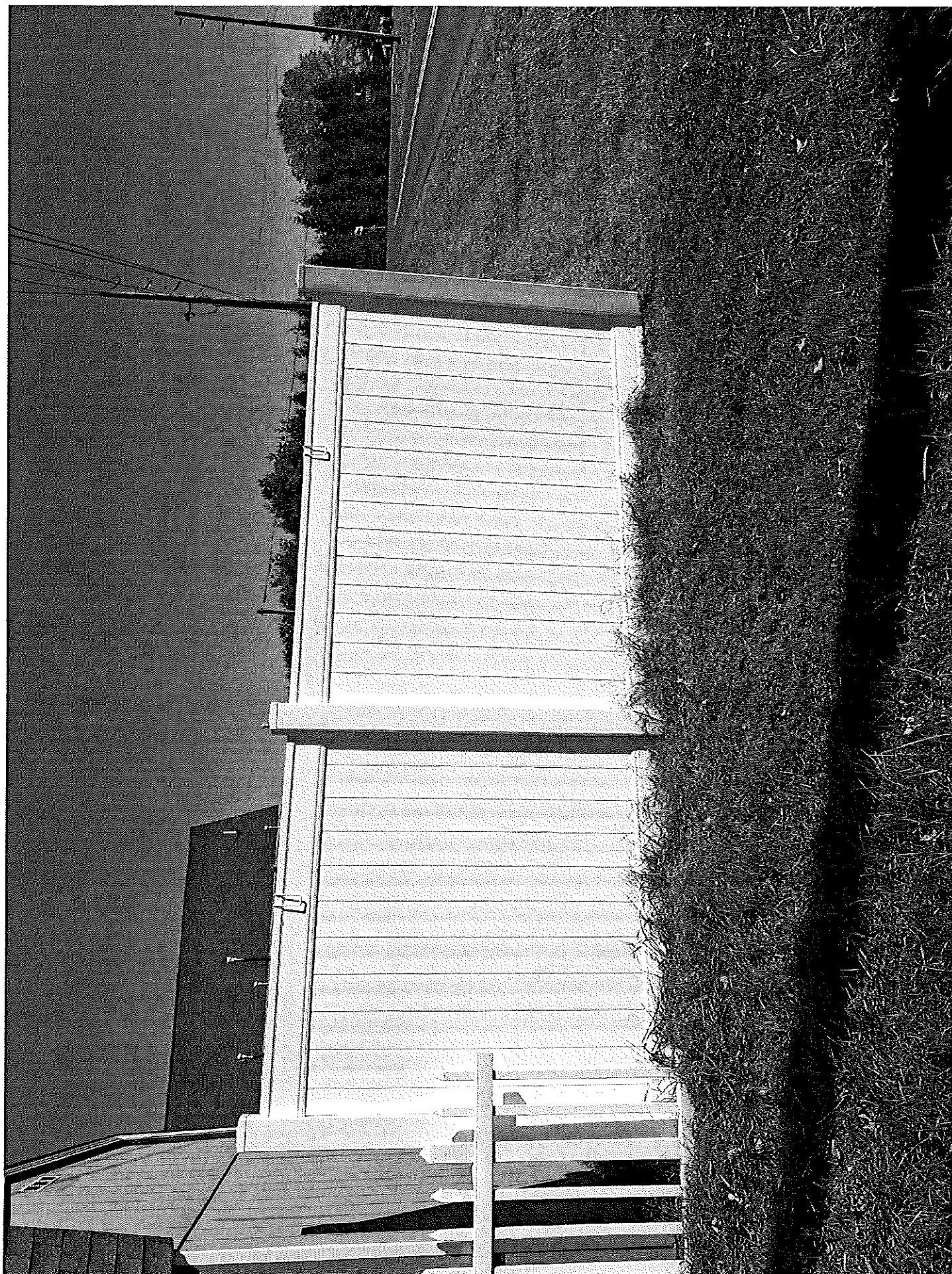


300901167250971322











Permits and Inspections

Application Information

[Return to permits and inspections](#)

General

Application reference	202513254
Status	COMPLETE / COMPLETED
Application Received Date	10/1/2025
Applicant Name	HORSEY MICHAEL WILLIAM
Owner Name	HORSEY MICHAEL WILLIAM
Owner ID	311869
Location	6580 SEASHORE HIGHWAY BRIDGEVILLE
Parcel ID	131-6.00-12.00

Project Details

Project/Activity	ACC STRUCT <400'
Project Description	10x16 SHED
Contractor Name	HORSEY MICHAEL WILLIAM
Contractor ID	311869
Zoning	AGRICULTURAL RESIDENTIAL
Existing Use	Single Family Dwelling
Proposed Use	Single Family Dwelling
Estimated Cost	\$1,920.00

Attachments

Document No attachments were found for this application

*shed permit 2 of 3



Permits and Inspections

Inspection 522800

[Return to Application Details](#)

Inspection Details		View inspection checklist
Inspection Type	PLANNING & ZONING FINAL	
Contractor Name	HORSEY MICHAEL WILLIAM / HORSEY MICHAEL WILLIAM	
Contractor ID	311869	
Application Contractor ID	311869	
Requested Date	11/4/2025	
Scheduled Date	11/4/2025 - Z	
Performed Date	11/4/2025 - 07:08:22	
Inspector Name	Clay Willey	
Comments	sadie 302-752-5027	
Results	PASS	

Fees	
Fee amount	\$0.00
Paid to date	\$0.00
Balance due	\$0.00

*Shed permit 3 of 3



Permits and Inspections

Inspection 522800 Checklist

[Return to Inspection Details](#)

Checklist Items

<u>Item Description</u>	<u>Pass/Fail</u>	<u>Comments</u>	<u>Requirements</u>
Not Ready For Inspection	PASSED		
Flood Damage Resistant Materials below BFE	PASSED		
Flood Openings/Vents Certificate/ ICC ES Report	PASSED		
Final Elevation Certificate (Verify C2Aa, C2d, C2f, A zones & C2c V zones)	PASSED		
Electrical/Mechanical/HVAC above BFE	PASSED		
Propane/Gas Tanks Anchorage	PASSED		
Appropriate Anchorage for Flood Requirements	PASSED		
V Zone Certificate (Break away walls - V Zone Only)	PASSED		
Door at Top of Stairs (V Zones)	PASSED		
Lot Grading Certificate	PASSED		
Set Back Verification	PASSED	good	
Sewer/Septic Completion Report	PASSED		
Miscellaneous	PASSED		

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Please help us by making a tax deductible donation to the Bridgeville Fire Company.

We thank you for your continued support!

Contact Us

EMERGENCIES
DIAL 9-1-1

Bridgeville
Fire Company

P.O. Box 727
311 Market St.
Bridgeville, DE 19933
302.357.7272

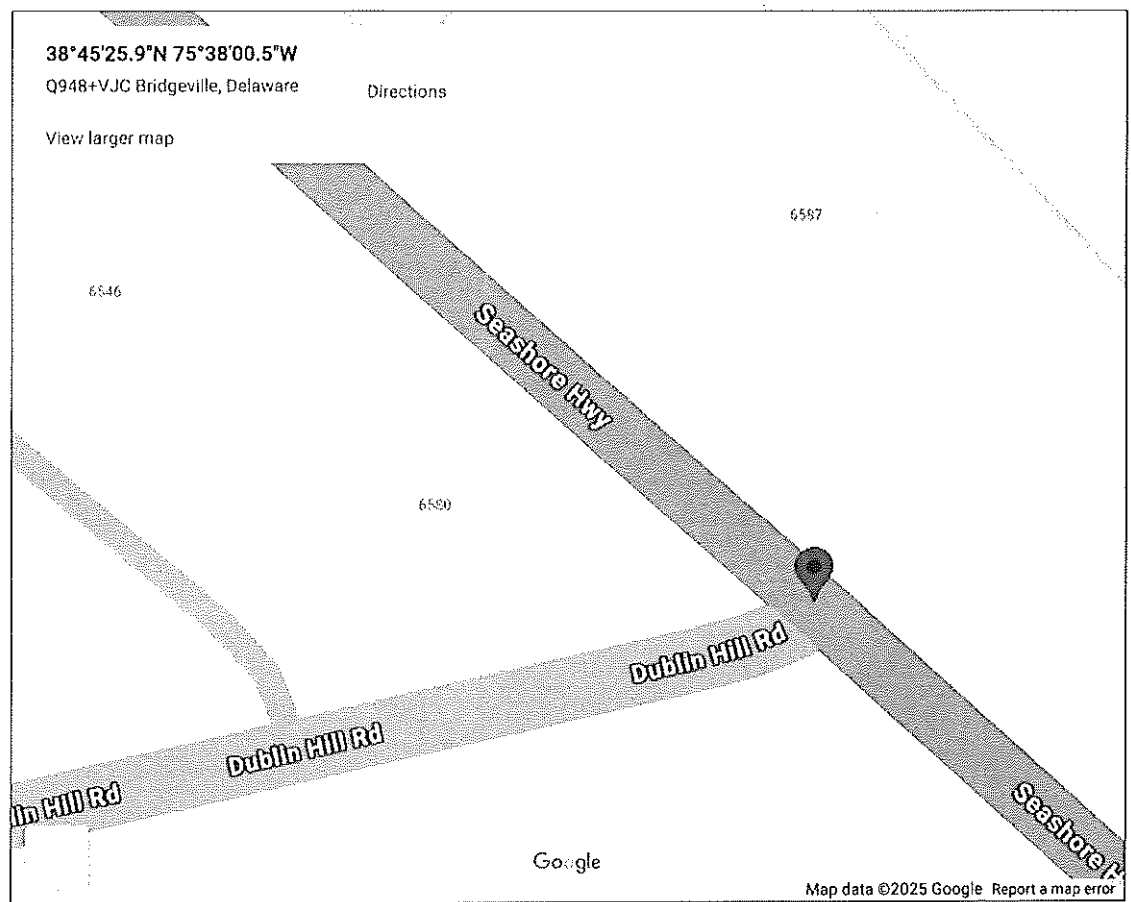
Live RunLog

Thursday May, 13 2021 @ 20:49

Nature: Vehicle Accident

Address: Seashore Hwy and Dublin Hill Bridgeville, DE 19933

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DIAL 9-1-1

Bridgeville
Fire Company

P.O. Box 727
311 Market St.
Bridgeville, DE 19933
302.337.7277

Live RunLog

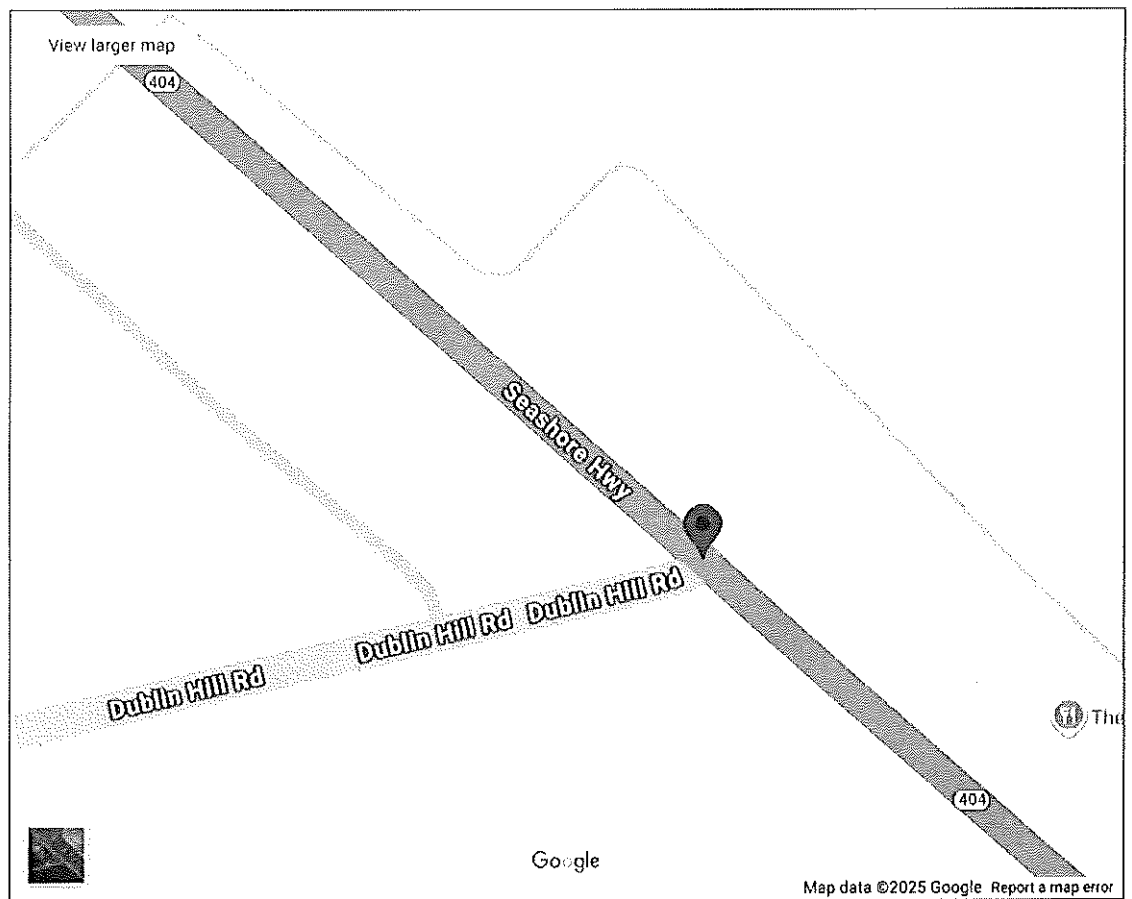
Tuesday January, 24 2023 @ 18:06

Nature: Vehicle Accident w/Entrapment

Address: Seashore Hwy and Dublin Hill Rd Bridgeville, DE 19933

Cross Streets:

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EMERGENCIES
DIAL 9-1-1

Bridgeville
Fire Company

P.O. Box 227
411 Market St.
Bridgeville, DE 19933
502.337.7272

Live RunLog

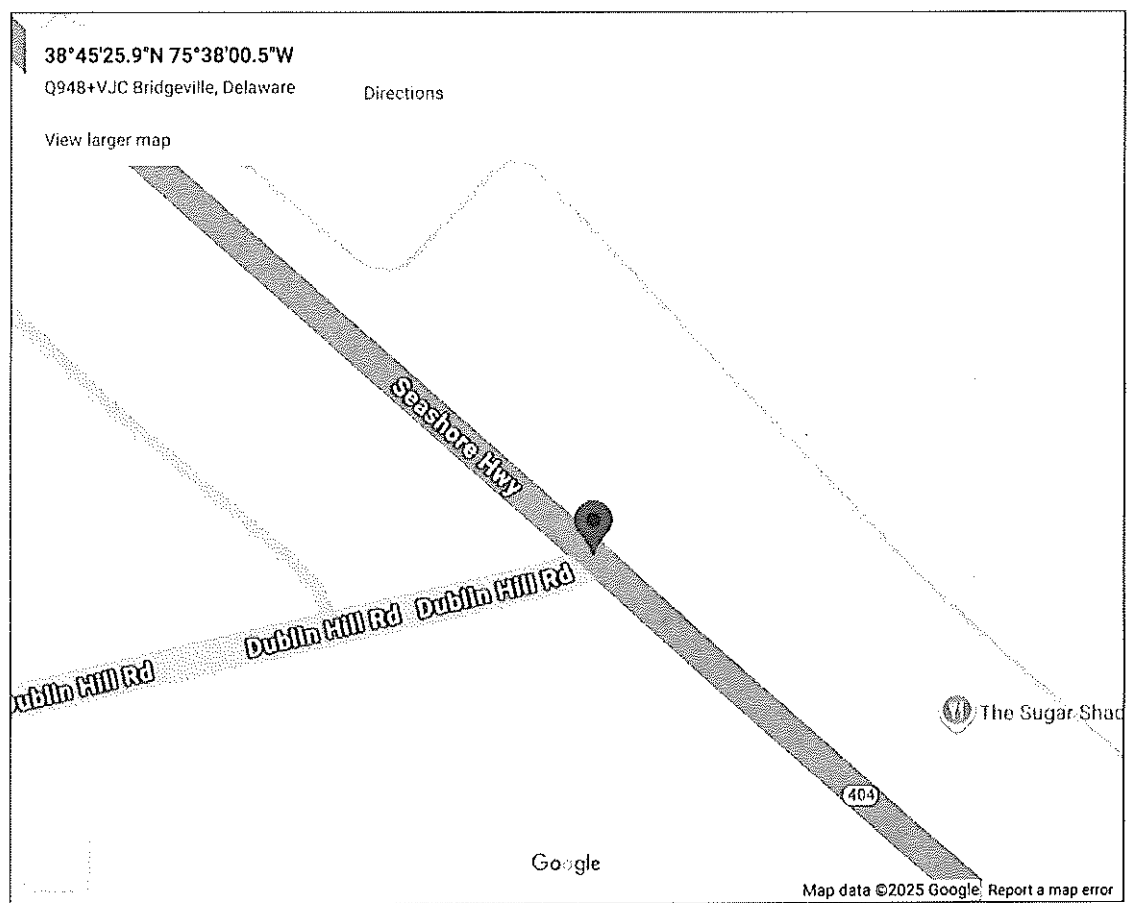
Friday February, 3 2023 @ 20:44

Nature: Vehicle Accident

Address: Seashore Hwy and Dublin Hill Rd Bridgeville, DE 19933

Cross Streets:

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EMERGENCIES
DIAL 9-1-1

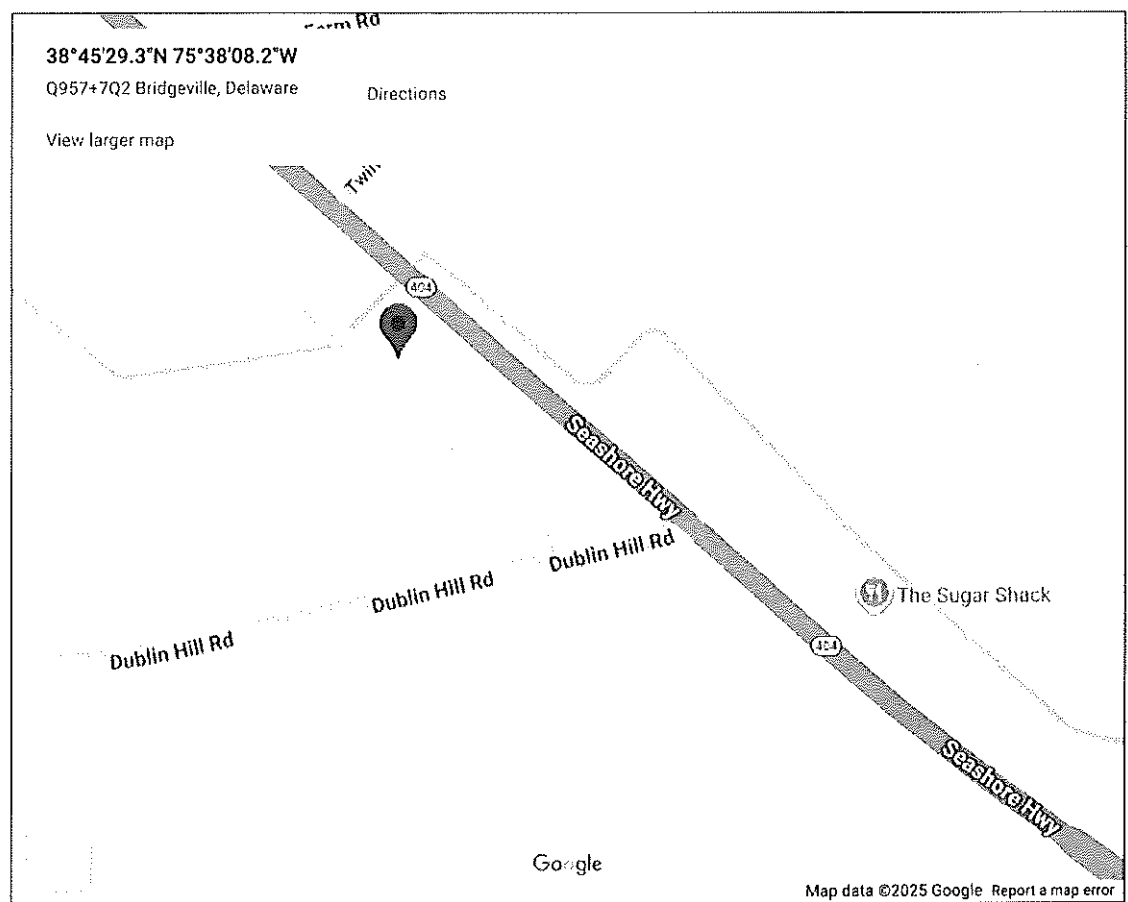
Bridgeville
Fire Company

P.O. Box 727
311 Market St.
Bridgeville, DE 19933
302.334.7272

Live RunLog

Wednesday August, 9 2023 @ 04:28
 Nature: Vehicle Accident w/ Medics
 Address: 6514 Seashore Hwy Bridgeville, DE 19933
 Cross Streets: Twin Lanes Farm Rd/Dublin Hill Rd

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DIAL 9-1-1

Bridgeville
Fire Company

P.O. Box 727
311 Market St.
Bridgeville, DE 19933
302.357.7279

Live RunLog

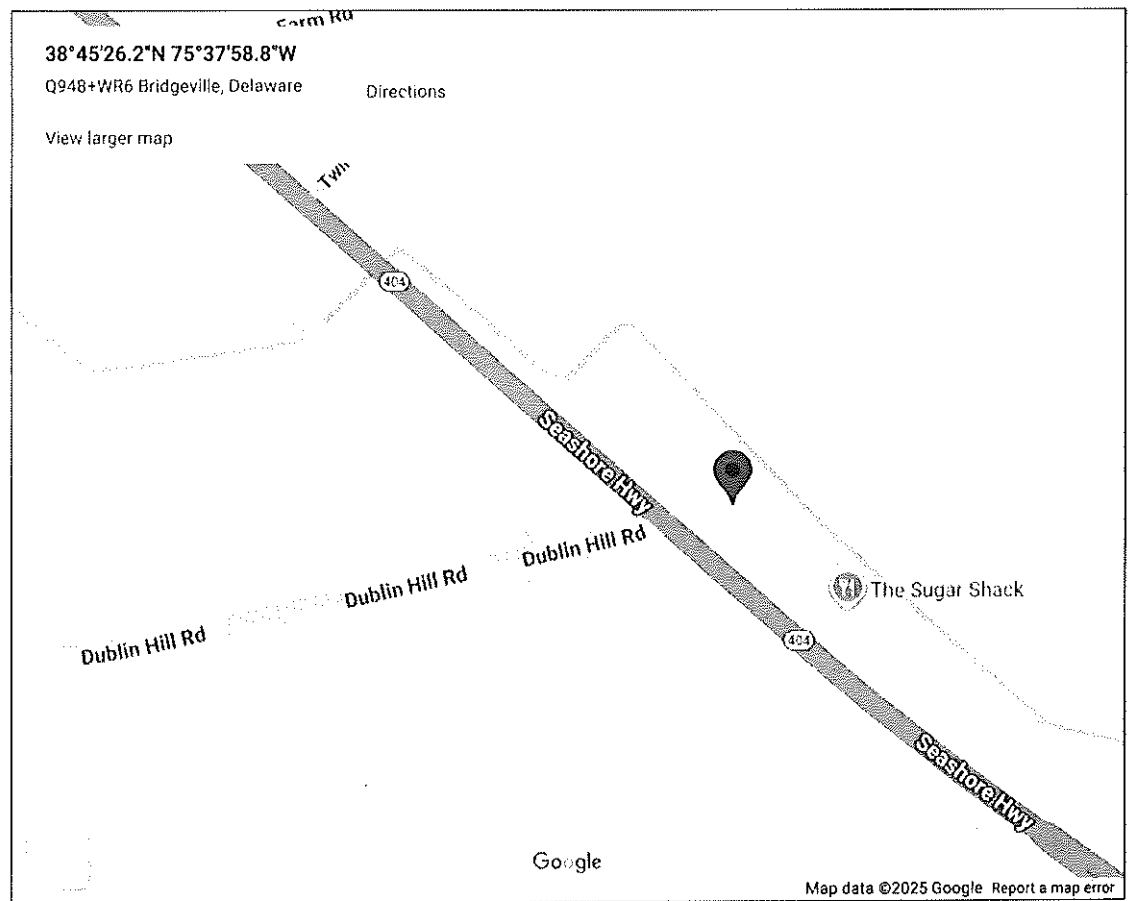
Friday September, 27 2024 @ 06:14

Nature: Vehicle Accident

Address: 6593 Seashore Hwy Bridgeville, DE 19933

Cross Streets: Dublin Hill Rd/W Newton Rd

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EMERGENCIES
DIAL 9-1-1

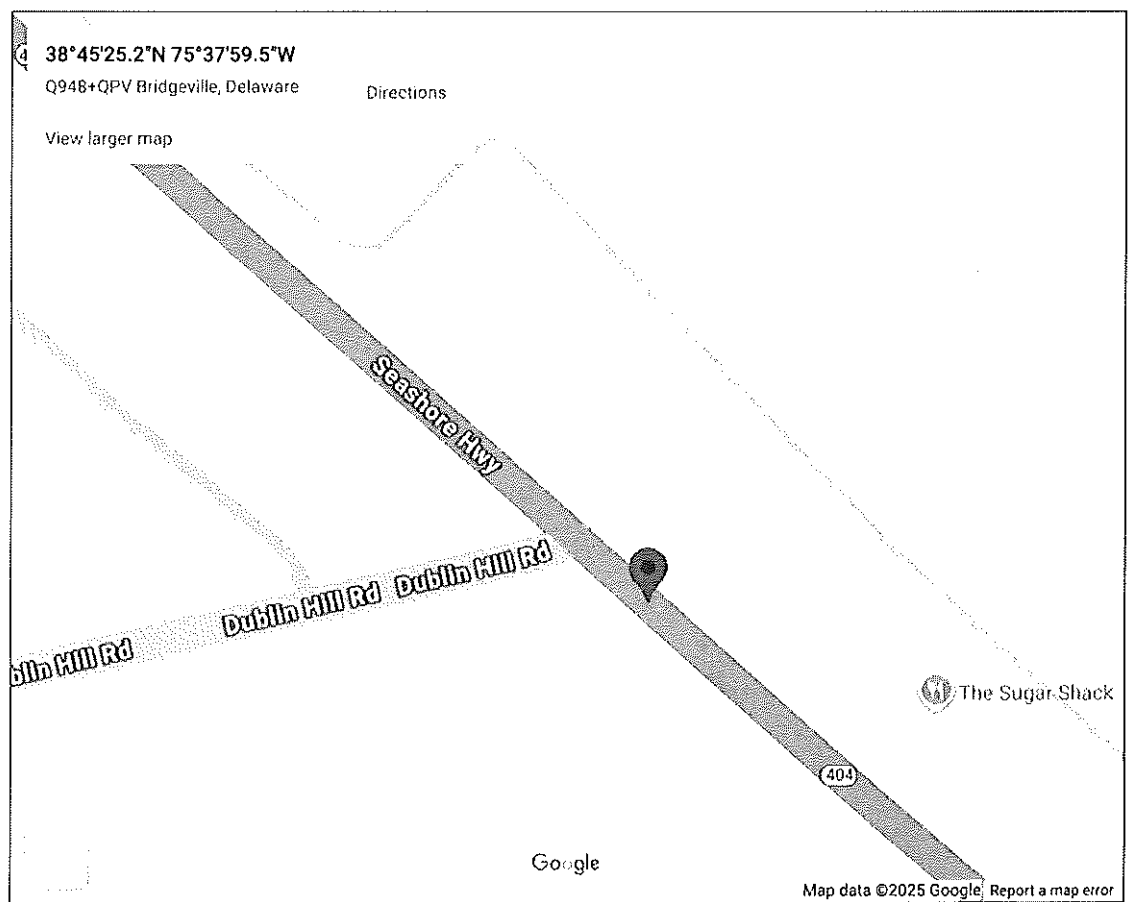
Bridgeville
Fire Company

P.O. Box 227
311 Market St.
Bridgeville, DE 19933
302.337.7272

Live RunLog

Tuesday February, 25 2025 @ 18:46
 Nature: Washdown (Fuel Spill)
 Address: 6598 Seashore Hwy Bridgeville, DE 19933
 Cross Streets: Dublin Hill Rd/W Newton Rd

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

11/10/2025 12:37PM Lindsey S
Receipt number: 33030644-0009 001257171

PERMITS / INSPECTIONS
2025 202515093|2020

\$500.00

\$500.00

Subtotal

TP CC SF

\$500.00

Total

\$15.00

\$515.00

Tenders

TYLER PAYMENTS CC

\$515.00

*****7354

Ref=ec40b8c9-0862-4f7a-9d2d-af4a9da4f8de

Auth=307628

Change due

\$0.00

Paid by: PUSEY/SADIE

Signature: _____

Thank you for your payment.

Sussex County Government COPY
DUPLICATE RECEIPT

service fee

TYLER PAYMENTS

Layers

Q Search

Basemaps

Select Area

Eagleview

Print

11

12

13

14

100

150

173

200

236

60

6546

6580

6587

2

32

DUBLIN HILL RD

DUBLIN HILL RD

SEASHORE HWY

Dublin Hill Rd

esri

400

20

0

40

X: -8419585.909080 Y: 4687018.433696

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

Eagleview

Search Results

Selected Features:

▼ 1) 131-6.00-12.00

Zoom

BOOK	5574
PAGE	170
FULLNAME	HORSEY MICHAEL WILLIAM
Second_Owner_Name	SADIE MARIE PUSEY
MAILINGADDRESS	6580 SEASHORE HWY
CITY	BRIDGEVILLE
STATE	DE
a_account	
DESCRIPTION	WEST MANOR
DESCRIPTION2	LOT 13
DESCRIPTION3	
LUC	101
SCHOOL	5
MUNI	00
CAP	2
APRBLDG	318400
APRLAND	45800
PINWASSEMENTUNIT	131-6.00-12.00
PIN	131-6.00-12.00

Selected Features (1)

Clear Selected

Layers

Q Search

Basemaps

Select Area

Eagleview

Print

150

100

150

243

21.07

150

173

10

6535

15

14

13

80

236

200

6580

15

320.26

373

21.09

6582

15

150

321

373

166

50.36

RD. 31

DUBLIN HILL RD

SEASHORE HWY

WEST MANOR

esri

POWERED BY

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

X: 8419442.159959 Y: 4686913.561796

Eagleview

Search Results

Selected Features: 1) 131-6.00-12.00

Parcels (1)

Zoom

BOOK	5574
PAGE	170
FULLNAME	HORSEY MICHAEL WILLIAM
Second_Owner_Name	SADIE MARIE PUSEY
MAILINGADDRESS	6580 SEASHORE HWY
CITY	BRIDGEVILLE
STATE	DE
DESCRIPTION	WEST MANOR
DESCRIPTION2	LOT 13
LUC	101
SCHOOL	5
MUNI	00
CAP	2
APRBLDG	318400
APRLAND	45800
PINWASSEMENTUNIT	131-6.00-12.00
PIN	131-6.00-12.00
ZIPCODE	19933
FRONTFOOT	200

Selected Features (1)

Clear Selected

CONNECTEXPLORER

Workspaces

Search

Search by SUSSEXPARCELS

131-6.00-12.00

Search results (1)

Options

131-6.00-12.00

map: Auto (Oblique)

Mar 2025 - Mar 2025

Image 1 of 6

03/10/2025

20 ft

10 m

The image is a screenshot of the CONNECTEXPLORER web application. The main view is an aerial photograph of a rural area. A property is highlighted with a blue outline. This property is situated between a paved road with yellow double lines and a large, open field. The property itself contains a large house with a dark roof, a swimming pool, and several smaller outbuildings or sheds. There are trees and landscaping around the property. The map interface includes a search bar at the top left with the text 'Search by SUSSEXPARCELS' and a search result showing '131-6.00-12.00'. Below the search bar is a panel titled 'Search results (1)' with an 'Options' button and the same parcel number. At the bottom left, there is a compass and a scale bar. At the bottom right, there is a map navigation toolbar with buttons for 'map: Auto (Oblique)', 'Mar 2025 - Mar 2025', 'Image 1 of 6', and '03/10/2025'. A scale bar at the bottom right indicates '20 ft' and '10 m'. The text 'CONNECTEXPLORER' is visible in the top left corner of the map area.

41

Criteria for a Variance

1. Uniqueness of property:

Our property is oddly shaped and uniquely situated roughly less than 50 feet from the edge of a busy highway, along 404 Seashore Hwy and Dublin Hill Road. The location where the 6-foot fence is currently installed, gives us an adequate amount of space to utilize our backyard due to the shape and narrowness of the property. It also provides a safe height of 6 foot, as our children, dogs (2) and chickens (6) could jump a fence of 3 foot. Also, the placement of the chicken coop provides an adequate amount of space from the neighbor's property.

2. Cannot otherwise be developed:

Due to the shape and placement of our property, the backyard is the safest place for our children and animals to play/reside safely. To ensure their safety, we are seeking a variance approval for a 6-foot fence along the Dublin Hill property line, which is a Corner Front set back, higher than the 3-foot required fence. Additionally, we have a small chicken coop located in the back side yard. We believe that due to our unique shaped property and the consideration of our neighbors that this would be the best place to put the coop. We didn't want the possible smell or the noise from the chickens to disrupt their daily routine or cause any issues.

3. Not created by the applicant:

Within close proximity to Seashore Hwy and Dublin Hill Road, there is heavy traffic including tractor trailers, farm vehicles, as well as everyday motorist. Since moving in on October 19th, 2021, there have been multiple accidents at this intersection, with one accident crashing into our front yard, hitting our septic and knocking out our front steps. We have also lost 2 of our beloved dogs, due to being hit by cars. Due to these incidents, we are seeking approval for a 6-foot fence to secure the side/back yard to ensure the safety of our children and animals. Additionally, we wanted to place the chicken coop away from our neighbor house and in a safe location.

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

The proposed variance request for a 6-foot privacy fence and chicken coop placement will not alter the essential character of the neighborhood as we do not live in a neighborhood.

5. Minimum variance:

We are requesting the minimum variance approval to raise the height requirements along a Corner Front setback from 3 foot to a 6-foot privacy fence to provide an effective and secure barrier to ensure the safety of our children and animals. Additionally, we are respectfully requesting that the coop chicken can stay in its current location.

T.M. #131-6.00-12.00

SEASHORE HWY. (70' R/W) DE RT #404

P.B. 2-63



EDGE OF PAVING

P.O.B.

S 40°11'57" E

133.39'

P.O.B.

S 22°55'33" W
45.20'

172.22'

LOT #12
LANDS N/F
JOSHUA ROBINSON &
TABITHA HANULIK
DB 5420-103

GRAVEL DRIVE
SEPTIC TANKS
DECK
1 STORY FRAME DWELLING
56.1'

LOT #13
19,655 Sq. Feet
0.45 Acre
DB 5574-170

TREE HOUSE

BRICK SIDEWALK
11.8'
12.3'
7.2'

SHED

16.0'

10.2'

56.61'

N 40°14'38" W

DRAIN FIELD
S 86°03'03" W
4.6'
DUBLIN HILL ROAD (60' R/W) SCR #31

LANDS N/F
MARK J. WHEATLEY, TRUSTEE
DB 5385-158

■ CONCRETE MONUMENT (FOUND)

▲ IRON ROD (FOUND)

SEE PLOT BOOK 2 PAGE 63 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
NECESSITATE A NEW REVIEW AND CERTIFICATION FOR
ANY OFFICIAL OR LEGAL USE.

Donald K. Miller
DONALD K. MILLER PLS 407

12/10/25
DATE

SURVEY CLASS: SUBURBAN

BOUNDARY SURVEY FOR

SADIE MARIE PUSEY

6580 SEASHORE HWY., BRIDGEVILLE, DE. 19933

LOT #13 OF "WEST MANOR" SUBDIVISION

NORTHWEST FORK HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

SCALE 1" = 50'

DECEMBER 10, 2025

PREPARED BY:

PH: 302-629-9895

FAX: 302-629-2391

MILLER
LEWIS, INC.

LAND SURVEYING

1560 MIDDLEFORD RD.

SEAFORD, DE. 19973

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 # 13158
Hearing Date 11-26-2026
202515795

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:

34582 Sylvan Vue Drive, Dagsboro, DE 19939

Variance/Special Use Exception/Appeal Requested:

Variance

Sussex County, DE Supplementary Regulations 16' Back and Side Yard Setback

I request a variance from the 16' back and side yard setback to 2' back and side yard setback to install a 40'x24' pole barn.

Tax Map #: 134-11.00-707.00

Property Zoning: MR

Applicant Information

Applicant Name: Suzanne Stark Bienert

Applicant Address: 358 Buckridge Road

City Howard

State PA

Zip: 16841

Applicant Phone #: (814) 360-3503

Applicant e-mail: slw86787@gmail.com

Owner Information

Owner Name: SAME AS APPLICANT

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

Suzanne Stark Bienert

Date: 11-25-2025



Sussex County, DE - BOA Application

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

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

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

1. Uniqueness of property:

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

The property is unique because of its triangular(ish) shape. Because of the previously installed septic system in the middle of the backyard, and the location of the 30x50 house, the pole barn can not move north/left (because of the existing septic system) or west/forward (due to the existing house). Thus, I request a variance to allow for a 2' setback in the back and side yard, instead of ~~8~~ 10'.

2. Cannot otherwise be developed:

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

See Above - Uniqueness of property.

3. Not created by the applicant:

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

The uniqueness of the property and the previously installed septic system and house causes the difficulty.

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 approval of this variance will 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.

Moving the pole barn north/left starts to encroach into the septic field. Moving the pole barn west/forward would not allow a 20' truck to drive into the north/left side of the barn because the house walk-out cellar stairs are in the way. The south/right side of the barn will house a boat, that leaves the north/left side for a truck.

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

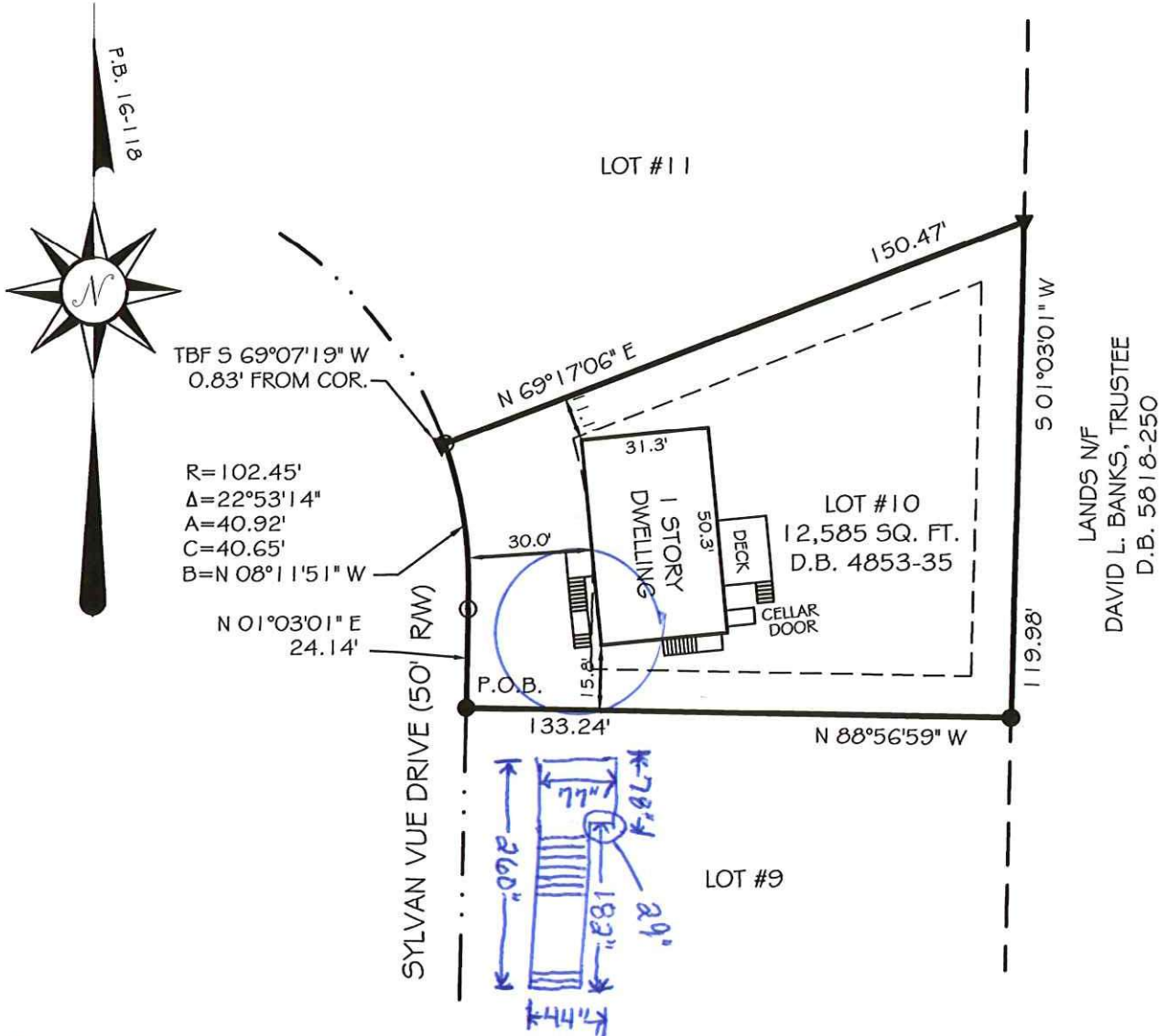
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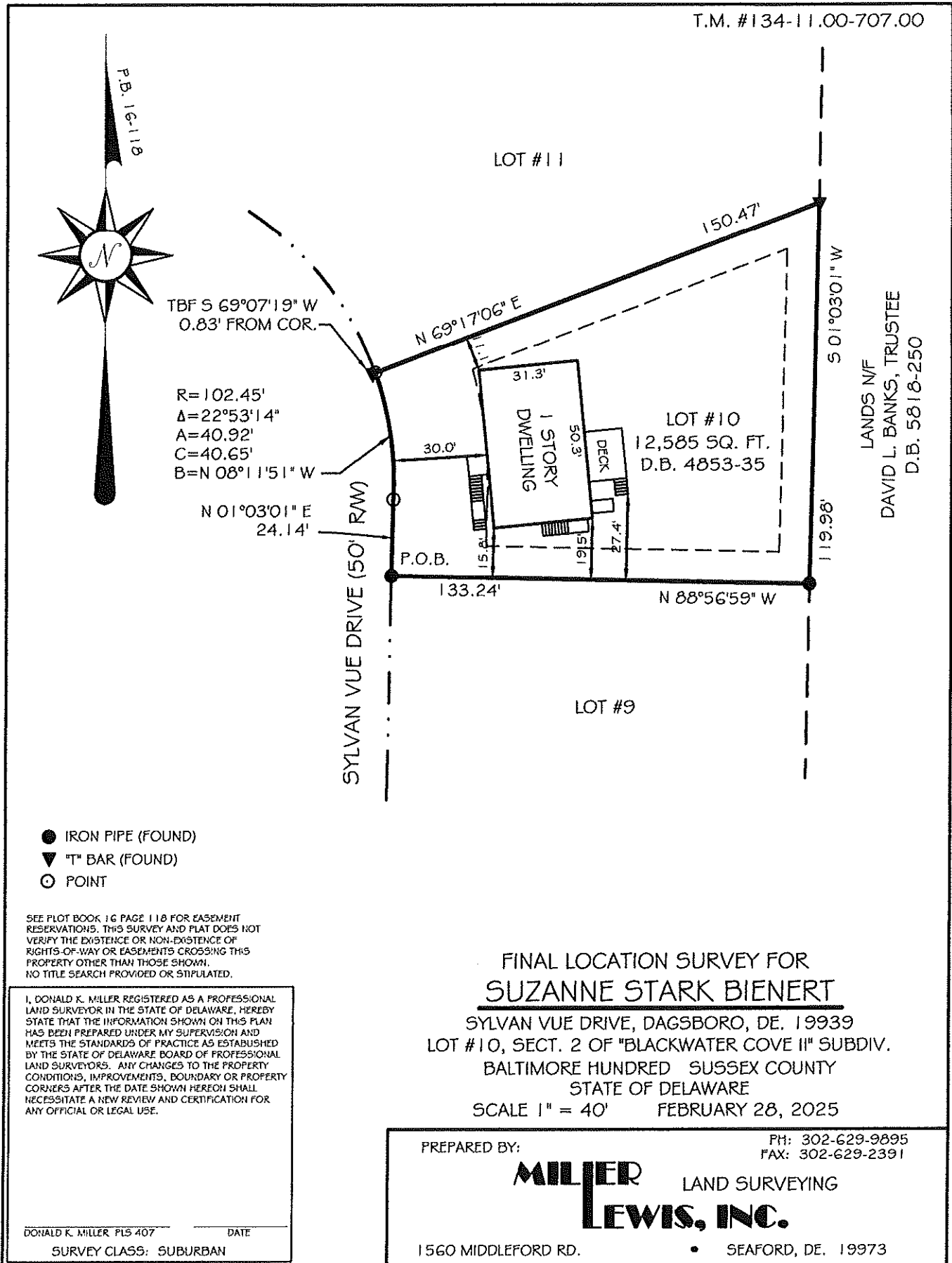
For office use only:

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

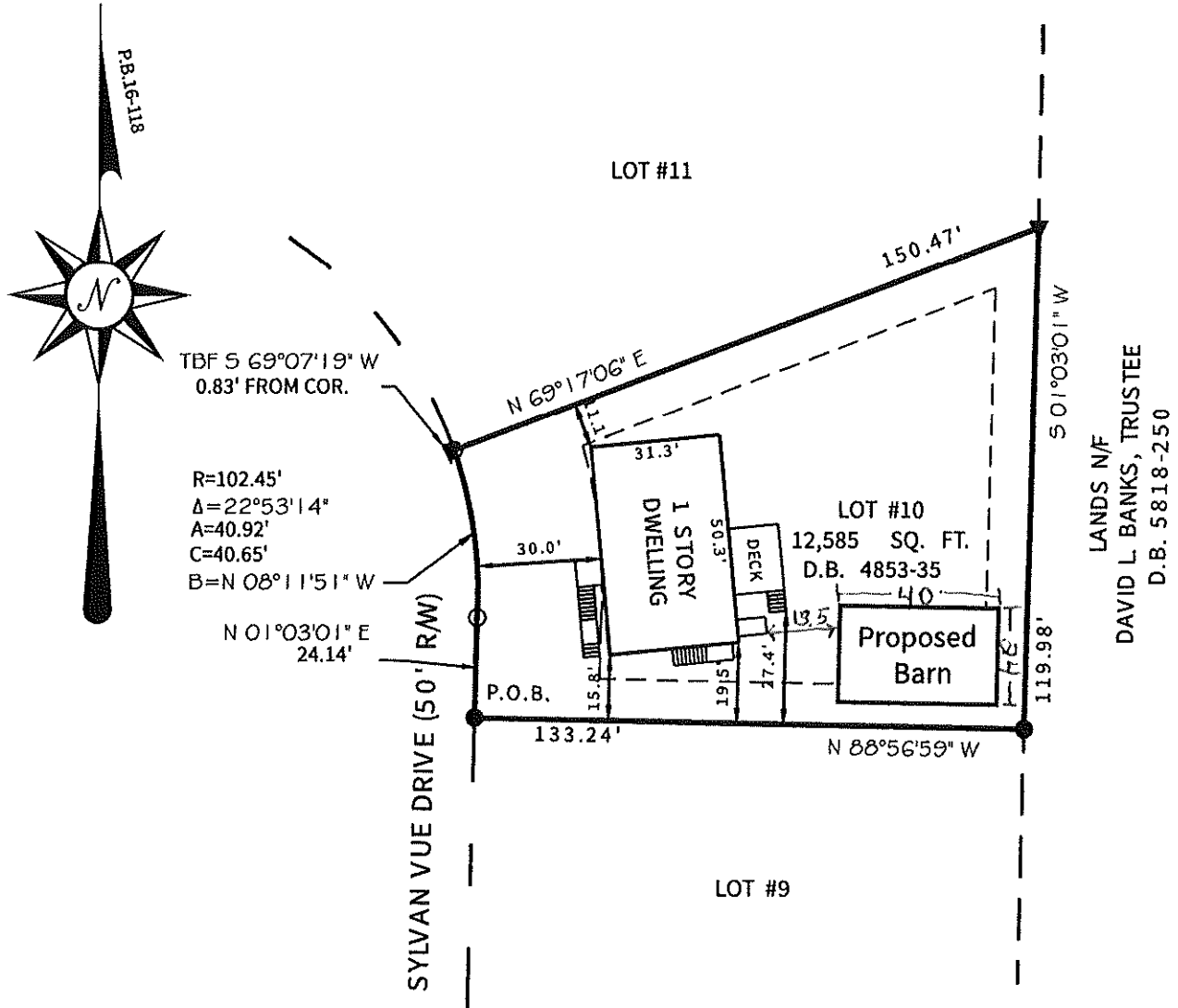
Subdivision: _____ Lot#: _____ Block#: _____
 Date of Hearing: _____ Decision of Board: _____

T.M. #134-11.00-707.00





T.M. #134-11.00-707.00



- IRON PIPE (FOUND)
- ▼ "T" BAR (FOUND)
- POINT

SEE PLOT BOOK 16 PAGE 118 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 NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

DONALD K. MILLER PLS 407 DATE SURVEY CLASS:
SUBURBAN

FINAL LOCATION SURVEY FOR SUZANNE STARK BIENERT

SYLVAN VUE DRIVE, DAGSBORO, DE. 19939
LOT #10, SECT. 2 OF "BLACKWATER COVE II" SUBDIV.
BALTIMORE HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
SCALE 1" = 40' FEBRUARY 28, 2025

PREPARED BY:

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

MILLER LAND SURVEYING
LEWIS, INC.

1560 MIDDLEFORD RD.

SEAFORD, DE. 19973



**PERMIT
251121**



Tax Parcel Number: 1-34-11.00-0707.00

Site Evaluation Number:

Pursuant to provisions of Title 7, Delaware Code, Chapter 60, permission is hereby granted to:

Beinert, Suzanne

359 Meadow Lane, Bellefonte, PA 16823 US

to repair an existing system.

Construction must be completed on or before 04/10/2026 , two years from permit issuance date. Construction must be performed by a person duly licensed by Delaware DNREC for such activity.

All current regulations governing wastewater system installation shall be followed.

All attached permit conditions shall be complied with.

The applicant is responsible for obtaining all additionally required permits and approvals.

B. R. Davis

AUTHORIZED SIGNATURE

4/10/2024

Date

DNREC APPROVED
See Permit Conditions



PERMIT 251121



Tax Parcel Number: 1-34-11.00-0707.00

Site Evaluation Number:

Conditions for both Owner and Contractor

§ 5 Connections and/or additions to the system other than what are proposed on the approved plot plan (s) are prohibited without prior approval from the Ground Water Discharges Section (GWDS).

§ 6 Roof downspouts, foundation drains, storm sewers, combined sewers or appurtenances thereto, or any sewer or device carrying or discharging either storm, surface, ground or cooling water, oil or water softener discharge shall not be connected to the system.

§ 20 The average daily discharge of this system is restricted to 360 gallons per day. Changes to permitted system flow must be pre-approved by the GWDS and may require a new permit(s) to be issued.

§ 1 This system MUST be installed/repared by a licensed Class E System Contractor. The Contractor must call the Ground Water Discharges Section (GWDS) at (302) 739-9947 in Kent and New Castle Counties and (302) 856-4561 in Sussex County for system construction start-up authorization. The Contractor must call the GWDS for this authorization 24 hours prior to system construction start for Standard and I/A Systems and 72 hrs. prior for Large Systems. The Contractor must have an DNREC-approved permit copy on site during construction of this system.

§ 23 A Certificate of Satisfactory Completion must be issued by the GWDS for this system prior to its use. The system is NOT approved for operation and maintenance until the required certificate has been issued.

§ 70 If the approved disposal area is wooded, at the discretion of the Class E System Contractor, it is recommended that after tree-clearing the disposal area be checked again by a Class D Soil Scientist prior to system installation. Refer to the Regulations for lot clearing guidance and Exhibit FF for Lot Clearing/Disturbed Site Inspection Report.

§ 90 It is the responsibility of the Class E System Contractor, with cooperation of the property owner, to establish and make visible all property corners that define the property boundaries prior to system installation/inspection. Failure to comply with this condition may necessitate additional inspection(s) and delay subsequent site approval.

§ 94 The proposed/existing septic tank(s) must be upgraded with risers(2) for each compartment finished to above grade and a GWDS-approved outlet filter. The above-grade access covers shall be watertight and secure from vandalism. The outlet filter should be removed, inspected, cleaned and replaced per manufacturer's recommendations.

Conditions for Owner

§ 17 The property owner shall connect to the county or municipal sewer system if and when such services become available and shall be in accordance with County and/or Municipal rules and regulations. At time of connection the existing septic disposal system shall be abandoned per DNREC Regulations and permit voided unless the GWDS approves continued operation.

§ 18 This system shall be maintained in such a manner as to prevent abnormal odors or surfacing, pooling and/or discharging of wastewater onto any surface waters.



PERMIT 251121



Tax Parcel Number: 1-34-11.00-0707.00

Site Evaluation Number:

§ 19 The sites of the initial and replacement absorption facilities shall not be covered by asphalt or concrete or subject to vehicular traffic or any activity or similar loadings that would adversely affect the soils. These sites shall be maintained so that they are free from encroachments by ancillary buildings and additions to main structures.

§ 21 The septic tank must be pumped by a licensed Class F Liquid Waste Hauler at a minimum of once every three (3) years. Septic tanks constructed of non-masonry materials should be pumped only when the seasonal water table is low to minimize possible flotation risk and must be immediately refilled by the owner.

§ 76 The effluent filter, proposed or existing in either the outlet baffle of the septic tank, distribution box, septic tank lift station (Exhibit "V") or separate lift station vault, shall be cleaned and maintained as necessary to prevent clogging of the disposal system and can be performed by the property owner.

§ 93 The site evaluation supporting this permit will expire five(5) years after site evaluation approval date. System replacement after this date will require a new site evaluation and subsequent GWDS approval.

Conditions for Contractor

§ 4 The Class E System Contractor shall contact a Class I Construction Inspector for an inspection prior to covering the installation and cap inspections for all New and Replacement gravity systems starting January 12, 2016. Approval for cover must be given by the Class I. For all Component Replacement and Repair permits the Class E System Contractor shall contact the GWDS for inspections until July 1, 2016 at which time the Class E shall contact a Class I for Inspection.

§ 7 The drainfield area, either above or below grade, must be installed according to the cross section in the permit design plan(s). Any changes to system depth/height will require pre-approval from the Class D Soil Scientist, the Class C Design Engineer (if applicable) and the GWDS.

§ 12 There shall be no soil disturbance within the primary and spare absorption areas except the minimum required for system/component installation and/or repair.

§ 16 The Class E System Contractor shall install a battery in the timer.

§ 24 It is the responsibility of the Class E System Contractor to verify that ALL isolation distances, as noted and approved in the permit, can be maintained. Furthermore, the contractor shall notify the Class B or C Designer/Engineer AND the GWDS if field conditions exist that prohibit the ability to maintain the approved isolation distances and/or requirements of the Regulations.

§ 48 Final Site Restoration must comply with Section 5.4.5.5 of the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems.

§ 66 A construction report must be prepared by the Class E System Contractor and submitted to the GWDS within ten (10) days of system completion. This is to include any changes that require a post-construction "As-Built" drawing. "As-Built drawings detailing changes to engineered(pressurized) systems must be submitted by the Class C Engineer.



PERMIT **251121**



Tax Parcel Number: 1-34-11.00-0707.00

Site Evaluation Number:

§ 77 The Class E System Contractor shall comply with all Occupational Safety and Health Act (OSHA) regulations. OSHA regulations can be found at the website www.osha.gov or by contacting the U.S. Department of Labor.

§ 91 All proposed changes to permit design MUST be submitted and approved in the form of a preconstruction "as-built" drawing prior to system installation. Contact the GWDS for guidance. Post-construction "as-built" drawings are subject to GWDS approval and MUST be submitted to the GWDS within ten(10) calendar days of system completion. All "as-built" drawings(pre or post) detailing changes to engineered systems MUST be generated by the Class C Design Engineer.

§ 92 This system type is classified as "mound" or "capping fill" and thus requires a second inspection to ensure sufficient soil "cap" or cover over the drainfield. The Class E System Contractor is to call the licensed Class C Engineer for a "cap" inspection within ten(10) calendar days after receiving a satisfactory pre-cover inspection, weather permitting.

03/28/2024 11:27

(FAX)

P.007/008

Permit Number:**251121**

APPLICATION - PERMIT ON-SITE WASTEWATER SYSTEM

OWNER'S NAME: SUZANNE BEINERT PHONE: DAN@CLEANDELAWARE.COMADDRESS: 359 MEADOW LANE, BELLEFONTE, PA 16823PROJECT LOCATION: 34590 SYLVAN VUE DRIVE, DAGSBORO, DE 19939TAX MAP: _____ TM: 134-11.00-707.00APPLICATION PREPARER: DAN CLEARY DNREC LICENSE #: 5483PREPARER'S ADDRESS: P.O. BOX 123 MILTON, DE 19968PHONE: 302-684-4221

I hereby affirm that the information provided on this document is accurate and complete.

Preparer's Signature: DAN CLEARY Date: 3-28-2024**RECEIVED****04/03/2024****GROUNDWATER****-SEPTIC DESIGN CRITERIA-**

(Please check all boxes that apply)

System Type: (CF = Cap & Fill / FD = Full Depth)

- ☐ Gravity (FD) ☐ Permanent Holding Tank
☐ Gravity (CF) ☐ Elevated Sand Mound
☐ Pressure Dose (FD) ☐ Wisconsin At-Grade
☐ Pressure Dose (CF) ☐ Subsurface Micro Irrigation
☐ Peat Bio-Filter
☐ Low Pressure Pipe (CF) ☐ Other _____

- ☐ Temporary Holding Tank
☐ Bed or ☐ Trench
☐ Gravelless Chamber ☐ Stone/Gravel ☐ Tire Chips
 Sand-lined ☐ Yes ☐ No
 Existing System Malfunctioning ☐ Yes ☐ No ☐ N/A

Pre-Treatment Units

- ☐ Septic Tank
☒ Other POLY SETPIC TANK w. RISERS & EFFLUENT FILTER

Type of Construction:

- ☐ Replacement
☐ New Construction
☐ Component
☐ Low Pressure Pipe (FD)
☒ Repair to Existing System
 Reason: D-BOX W. RISERS TO GRADE

☐ Authorization to Use Existing System

Permit #: _____

Present Condition: _____

Structure to be connected: _____

of Bedrooms: 3

Avg. Percolation Rate: _____

Gallons Per Day Flow: 360

Current Sq. Ft: _____ SQ FT

Sq. Ft. Proposed: _____ SQ FT

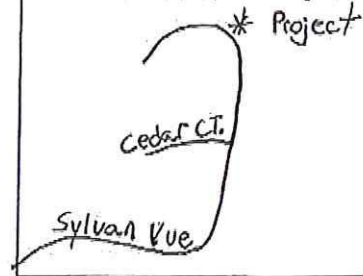
Existing Permit: 796-85SCentral Water Available ☐ Yes ☐ No

(If yes, please state Utility Name:)

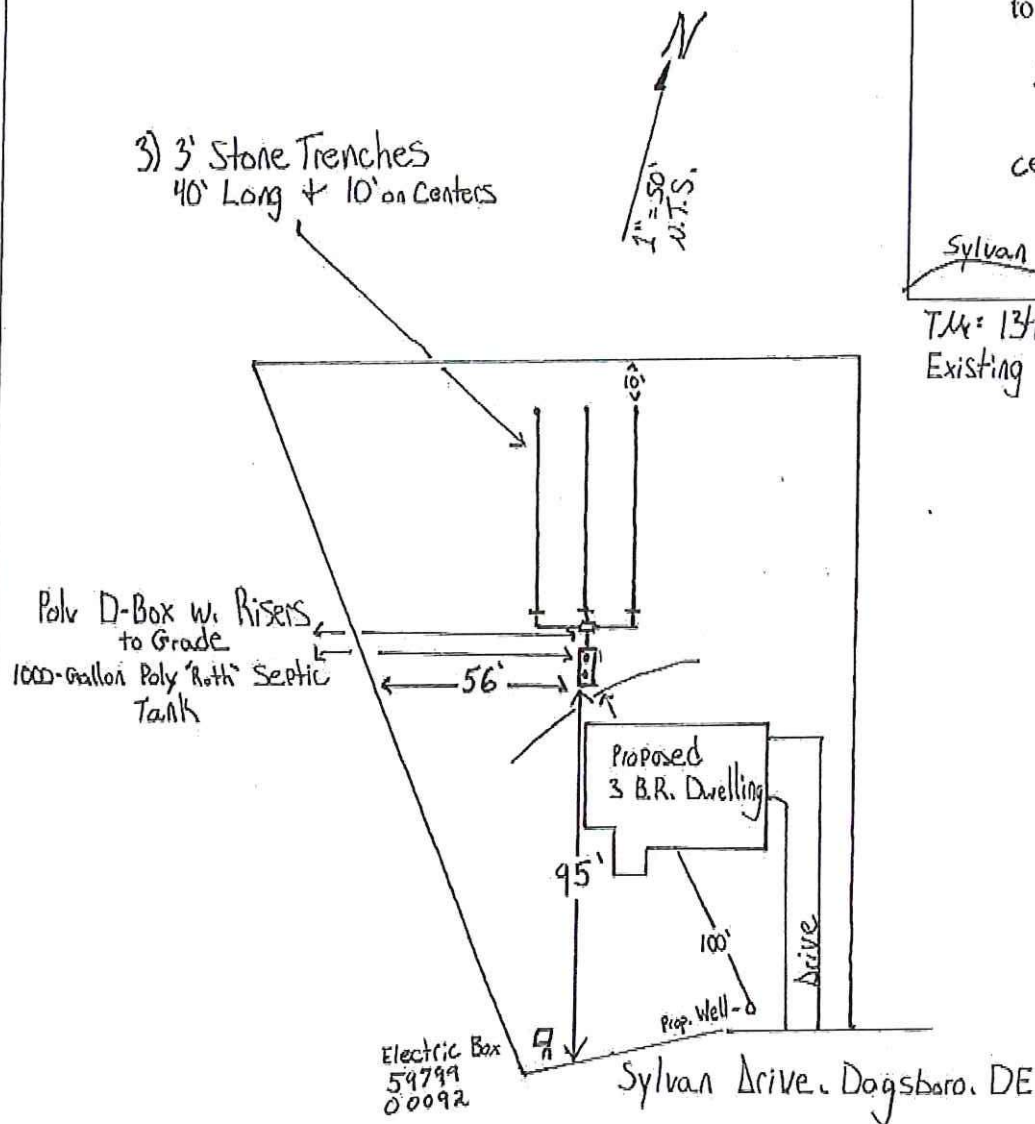
Revised 09/02/09

- SITE PLAN & CROSS SECTION -
(INDICATE DIRECTIONS OF NORTH & SCALE OF SITE PLAN)

Draw a general location map of project location and give distance to nearest road junction.



T.M. = 134-11.00-707.00
Existing Permit 796-855



OWNER'S/AUTHORIZED AGENT SIGNATURE: Suzanne Benert DATE: 3-28-2024

- A copy of this page must be submitted with both septic system and well construction report(s)

SITE EVALUATION

INNOVATIVE AND ALTERNATIVE OWTDS SITE EVALUATION BY ARM, INC. - APPROVAL PAGE

REFERENCE # 553398

The soils on this site are approved when the following is completed in full and signed by the approving authority. The information contained in this site evaluation reflects Delaware Department of Natural Resources and Environmental Control (DNREC) policies and procedures at the time of the review. Exhibits and Regulations cited in this report refer to DNREC "Regulations Governing the Design, Installation, and Operation of On-Site Wastewater Treatment and Disposal Systems" (OWTDS). Isolation distance requirements, limited area of suitable soils, filling, removal, and/or compaction of the soil may negate construction permit approval or modify the type of system that can be permitted. All information should be verified by interested parties prior to design and installation of the septic system. This is not a construction permit. Approval of this site evaluation is limited to five years. Upon expiration, a new site evaluation will be required in compliance with regulations in effect at the time. There are no guarantees supplemental approvals will be for the same system type (s) prescribed herein.

Property Owner's Name(s): Christine C. Oakbrae, Trustee

Tax Map #: 1-34-11.00-707.00 (Lot 10 Sec 2)

Initial/ Upgrade Disposal System: Innovative and Alternative (I/A) Full Depth Gravity Fed/ Pressure Dosed* OWTDS with an Advanced Treatment Unit (ATU, meeting PSN3 standard) or other PSN3 I/A* OWTDS; Trenches are strongly recommended due to slopes and required where average slopes exceed 2 percent. *Sand-Lining to 1 foot beneath the existing system will be required, if encountered. OWTDS options are provided Exhibit C isolation distances are maintained (Min. Isolation Distances). See the User Notes.

User Notes/ Cautions: 1) There is an installed OWTDS - septic system (Permit # 796-85S) on this property that has never been utilized. The existing system was sited, designed, and installed under the former DNREC Regulations. Future tie-in will be under the direction of DNREC, the responsibility of other interested parties, and at the risk of the ownership. The existing drainfield was not readily identified, mainly due to tree roots and potentially the depth of installation, which appears to have a drainfield invert below 36 inches of present grade. The drainfield is denoted on the plot drawing as per the Permit and oriented to the found Septic Tank. If encroached upon, a sand-lined OWTDS will be required in accordance with the Regulations. 2) The OWTDS area is shown irrespective of well isolation requirements. 3) All OWTDS options require an Advanced Treatment Unit (ATU) meeting the PSN3 standard (Inland Bays Watershed, non-sewer district). 4) Due to slopes, the system may be installed as a hybrid Capping Fill - Full Depth - Overdig.

Location of Initial/ Upgrade System: As shaded (cross-hatched) on the plot drawing in the vicinity of Soil Borings 1, 2, 3, and 4


Depth to Limiting Zone: 60 (variable to 72 inches or greater with increasing elevation) to indications of the seasonal high water table

Design Considerations and Comments: See Exhibit K (Full Depth Gravity; average gravel placement at 24 inches bgs., See User Note # 4). Gravel aggregate (quality, washed stone) is recommended. The top of the existing septic tank is less than 6 inches bgs.. Pressure Dosing (Exhibit R), a lift station, or a set building sewer elevation will be required due to lines and grades. Other PSN3 Innovative and Alternative (drainfield installation beneath 36 inches is not recommended) OWTDS may be suited. Operation and Maintenance required. A 100 ft. isolation distance is generally required from all non-public wells. A lesser well isolation distance may be approved for wells on a case-by-case basis. This evaluation is to site one new OWTDS for new residential construction (single-family) with a wastewater flow volume not to exceed 720 gallons per day. The front of the property is not recommended for OWTDS due to steep slopes and proximity to a cut bank. Complex and somewhat complex slopes range from 1 to 2 and 2 to 6 percent and are significant to installation. The system is to be designed on contour, perpendicular to slope. The designer should verify slopes. The evaluated area is wooded (mixed-aged with many large hardwoods). Follow the DNREC "Clearing Guidelines". The vegetation and root mat is to be removed in the OWTDS area, and a degree of engineered sandy fill will be required to fill large stump holes. Care should be taken during lot clearing to minimize soil loss, compaction, and disturbance. Soil disturbances in the disposal area will negate this Evaluation (see disclaimer above) and may necessitate the use of a sand-lined system. The property owner/developer is responsible for placing a substantial barrier around the potential OWTDS area prior to beginning any site development. System installation and all site work should occur during PROPER-DRY SOIL MOISTURE CONDITIONS and final grading must insure that no surface water be directed towards the OWTDS area (includes roof downspout and impervious area drainage or sump pump discharge). Irrigation use, system over-trafficking, water treatment discharge, and/ or tree plantings in the drainfield area are prohibited activities by the Site Evaluator and will void this Site Evaluation. All pertinent features were field located on a plot drawing adapted from the Record Plot (PB 16, PG 118). All pertinent features were field located with a differential GPS unit and are referenced to the found property corners and Utility Box DPL 59799 00092. This plot is not a formal survey and should not be construed as such. The system designer is to field-verify all isolation distances and measurements prior to permitting. ARM, Inc. is not responsible for any subsurface conditions not encountered at the time of this evaluation, which may become evident in the future that affect the placement or design criteria of the OWTDS.

Instructions to Property Owner/ Client: 1) Contact a Class C System Designer. 2) A percolation rate of 30 minutes per inch has been assigned to the soils on your site based upon rates as provided in Section 5.0 and Exhibit Y of the regulations and other factors. You may use the assigned percolation rate or, at your expense, have a percolation test conducted. If you do not choose to use the assigned percolation rate, contact a Licensed Class A Percolation Tester (3 tests) and the Site Evaluator for testing depth and location. 3) If you have questions, call the evaluator at (302) 539-2029, DNREC at (302) 856-4561 (Sussex Co.), or 739-9947 (Kent Co.).

This report has been prepared by or under the supervision of: , L. P. Erickson, License # A/D-2460

Disclaimer: Approval of this site evaluation indicates only that the site evaluation, based on information presented to us, was conducted in compliance with these regulations. It is not an indication of the correctness or quality of the evaluation nor does it guarantee the evaluation is free of omissions.

Field Checked 

For office use only

Expiration Date

Date

DNREC Reviewing Soil Scientist

ATLANTIC RESOURCE MANAGEMENT, INC.
(302) 539-2029

P.O. BOX 869
OCEAN VIEW, DE 19970

INNOVATIVE AND ALTERNATIVE DESIGN OWTDS SITE EVALUATION REPORT

Property Owner's Name(s): Christine C. Oakbrae, Trustee
Owners' Address: 34590 Sylvan Vue Drive
Dagsboro, DE 19939

Tax Map #: 1-34-11.00-707.00
Lot #: 10, Section 2
Phone: (302) 829-8222

Property Location: Lot 10, Sec. 2, Blackwater Cove Subd.; East of Sylvan Vue DR (ADJ 911: 34590), 230'± N of Cedar CT; Dagsboro, Sussex Co., Delaware
Property Size: 0.29± acres (per Plot: PB 16, PG 118; plat date 01/1979) /

Evaluator's Name: Låf P. Erickson, CPSS/SC
Central Sewer: N/A; *Vines Creek Planning Area*
Central Water: N/A

License Number: A/D-2460
Evaluation Dates: 08/24 & 09/05/2015 (recent) and
03/13/1985 (original)

Watershed: Inland Bays, Indian River Bay (HUC 020403030206); > 100' from Watercourse(s); No area tax ditches

Depth to and Type of Limiting Zones Encountered – all measurements are depths beneath ground surface (bgs):

- Soil Boring 1:** 60 inches to redoximorphic features as an indication of the seasonal high water table/seasonal saturation 126 (08/24), 128 (09/05) inches to free water; Grossarenic Paleudult—Cedartown Series (203291'±N, 733072'±E)
- Soil Boring 2:** > 72 inches to redoximorphic features as an indication of the seasonal high water table/seasonal saturation > 72 inches to free water; Grossarenic Paleudult—Henlopen Series (203339'±N, 7333145'±E)
- Soil Boring 3:** > 72 inches to redoximorphic features as an indication of the seasonal high water table/seasonal saturation > 72 inches to free water; Grossarenic Paleudult—Henlopen Series
- Soil Boring 4:** 65 inches to redoximorphic features as an indication of the seasonal high water table/seasonal saturation > 72 inches to free water; Grossarenic Paleudult—Cedartown Series

Summary of Evaluation: Soils in the evaluated area are excessively/ somewhat excessively drained (agricultural drainage class) with moderately rapidly over moderately (30 MPI) permeable subsoil/ stratum- substratum. Site conditions are suited for an *Innovative and Alternative (IIA) Full Depth Gravity Fed/ Pressure Dosed** OWTDS with an *Advanced Treatment Unit (ATU – PSN3)* in the vicinity of Soil Borings 1, 2, 3, and 4 (as *cross-hatched* on plot drawing); provided isolation distances are maintained per Exhibit C. See the important *User Notes/ Cautions* (especially existing, installed system Permit # 796-85S). **Sand-Lining* to 1 foot beneath the existing system will be required, if encountered. *Trenches* are recommended due to sloping conditions and required where slopes exceed 2 percent. The OWTDS area is located on the shoulder and backslope landscape positions of a prominent ridge with complex/ somewhat complex slopes ranging from 1 to 2 and 2 to 6 percent in the OWTDS area. Slopes are significant to system design and installation and should be confirmed by the system designer. Tax ditch rights-of-ways, watercourse setbacks (> 100 feet in Shellfish Waters) do not impact the parcel/ OWTDS design area. The parcel is *not* within any mapped Federal Emergency Management Agency (FEMA) floodplains, DNREC mapped wetlands areas, or DNREC wellhead protection areas. See the *User Notes/ Cautions* and *Design Considerations and Comments* on the *Approval Page* (esp. *Clearing Guidelines, well setbacks, slopes, existing system*) for property information and important details on system design and installation. The availability/ timing/ feasibility of future sanitary sewer was beyond this scope.

The limiting zone of 60 inches or greater (greater than 72 inches at higher design area elevations) was assigned for the system design based on the depth to redoximorphic features (depletions - concentrations) indicating 7 to 14 continuous days of saturation at Soil Boring #1. Limiting zones ranged from 60 to greater than 72 inches over the OWTDS design area. The deeper limiting zone at the higher site elevations allows for system installation as an overdig. Free water (groundwater) was encountered at 126 to 128 inches bgs. at Soil Boring 1 (lower design area elevations) during the recent investigations and was noted at greater than 8 feet during the original investigation. The work was performed near the end of the growing season for the 2014-2015 water year (with near normal precipitation to date). The groundwater fluctuations on this property are likely moderated by the St. Georges Tax Ditch, a drainage outlet near sea level.

The moderate percolation rate of 30 minutes per inch was assigned to the OWTDS design area based on the most hydraulically restrictive soil materials encountered from 0 to 60-72 inches beneath the surface. The most hydraulically limiting soil textures on the parcel were sandy loam materials. The finest of these textures were observed in the lamellae/ argillic horizons (zones of maximum clay accumulation – soil forming factors/ deposition) of all Soil Borings at varying depths ranging from 42 to 60+ inches beneath the surface. Clay and fine sand content, soil structure and consistence, contrasting textural deposits, depth to and thickness of the hydraulically limiting horizons, wet season permeability, potential disturbances from clearing, site development factors, and long term acceptance of wastewaters were determining factors in the assigned percolation rate. The percolation rate was augmented from the original investigation (7 minutes per inch based on 24 inch bgs. percolation testing), and additional hydraulic percolation testing of the deep substrata would be required to assign a more permeable/ faster rate.

The lot is mapped at the transition of delineations of the somewhat excessively drained, Henlopen loamy sand, 0 to 2 & 2 to 5 % slopes (HpA - HpB) soil mapping units in the Web Soil Survey. Soils correlate: somewhat excessively drained, Cedartown Soil Series.

09/20/2015
Date

Atlantic Resource Management, Inc. Job # 326-DS15-SE

[Signature]
Evaluator's Signature

Note: Site evaluation information was collected for OWTDS interpretations only. The information in this site evaluation and plot plan has been compiled from any of the following sources: tax map, deed, survey, recorded plot, or field located property corners, and may include anecdotal information supplied by property owners, adjacent residents, and/or other interested parties. Locations of wells and septic systems are by direct observation where possible, but are often based on information provided by permits, property owners, adjacent residents, and/or other interested parties. This plot plan represents the site conditions at the time of evaluation but it is not a survey. No title search has been conducted; any easements shown are from subdivision record plans or deed. Subsequent alteration of the site or adjacent properties may negate approval by the regulatory agency(ies) involved in permitting. All information should be reverified prior to purchase or use.

Property Owner / Property Location: Christine C. Oakbrae Trustee / Tax Map #: 1-34-11.00-707.00 Lot 10 Sec 2
 Profile: SBS1 Date(s): 8/24/15 & 09/05/15 Soil Boring ☒ or Test Pit
 Slope: 2-5% & 1-2% Relief: BACKSCOPE → LOWER BACKSLOPE
 Estimated Permeability: MODERATELY RAPID OVER MODERATE (30 in)
 Depth to Limiting Zone: 60 INCHES TO A LIMITING ZONE FOR THE INTENDED PURPOSE
 Soil Classification / Series: GROSS ARONIC PALAETOL - CEDARTOWN

MPI	Horizon	Depth	Colors		Redox. Desc.		Texture	Structure	Consistence
			Matrix	Redox.	Ab.	S. Con.			
	A1	0 to 5	10YR 4/5	NONE	NONE		LS	1 FGR	VFR
	A2	5 to 13	10YR 4/2	"	"		LS	1 FGR	VFR
	E1	13 to 21	10YR 6/4	"	"		LS	1 M SSK	VFR
	E2 (B1)	21 to 42	10YR 6/4	10YR 5/6 FORTH	10YR 5/6 F3F LAMINAR		LS dsl	1 M SSK	VFR
	B2 (B2)	42 to 60	10YR 6/3	10YR 8/2	C2D		LS	1 M SSK	VFR
	B3 (B3)	60 to 72	10YR 7/5	10YR 8/2	C2D		LS	1 F M SSK	VFR
		to							
		to	128" (09/05)						

Free Water: 12% Comments: WOODED LOT - HARDWOODS

72" - 132" LS, SL + W/ REDOX

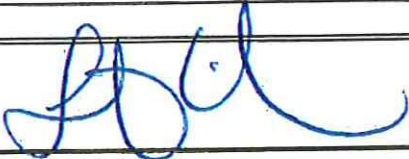
Coordinates: 203291 N+ 733072 E+

Profile: SBS2 Slope: 2-4% Relief: SHOULDER OF RIDGE
 Estimated Permeability: SAME
 Depth to Limiting Zone: > 72 INCHES TO A LIMITING ZONE FOR THE INTENDED PURPOSE
 Soil Classification / Series: SAME - HENLOPEN

MPI	Horizon	Depth	Colors		Redox. Desc.		Texture	Structure	Consistence
			Matrix	Redox.	Ab.	S. Con.			
	A	0 to 9	10YR 5/5	NONE	NONE		LS	1 FGR	VFR
	E1	9 to 20	10YR 5/4	"	"		LS-	1 FGR	VFR
	E2	20 to 38	10YR 6/4	"	"		LS-	1 FGR/SSK	VFR
	E3	38 to 48	10YR 7/4	"	"		LS-	1 M SSK	VFR
	E4 (B1)	48 to 57	10YR 6/4	10YR 8/3	C2D		LS dsl	1 M SSK	VFR
	B2 (B2)	57 to 72	10YR 5/4	10YR 8/3	C2D		LS dsl	1 M SSK	VFR
		to		10YR 5/6	C2D			1 M SSK	
		to							

Free Water: 7% Comments: WOODED LOT - HARDWOODS

Coordinates: 203339 N+ 733145 E+

Site Evaluator's Signature: 

SOIL PROFILE NOTES

Atlantic Resource Management, Inc.

Post Office Box 869

Ocean View, DE 19970

(302) 539-2029 Office / (302) 539-4601 Fax

Profile: SB 3 & SB 4Job Number: 326-DS15-SEDate(s) of Test(s): 8/24 & 9/05/2005 Soil Boring X

or Test Pit

Property Owner(s): Christine C. Oakbrae TrusteeProperty Location: Adjacent Address (right of): 34590 Sylvan Vue Drive Clarksville, DE 19939Site Evaluator: Laf EricksonLicense #: A/D-2460Slope: 3-6% TRANCHES Relief: BACKSLOPE OF DISTRICTEstimated Permeability: MODERATELY RAPID (25 mpy) RIDGEDepth to Limiting Zone: > 72 INCHES TO A LIMITING ZONE FOR THE INTENDED PURPOSESoil Classification / Series: GROSS ANOLIC PALUDOSITY - HARD OPEN

MPI	Horizon	Depth	Colors		Redox. Desc.		Texture	Structure	Consistence
			Matrix	Redox.	Ab.	S. Con.			
	A	0 to 5	2.5Y4/3	NOM	NOM		LS	1F2	UTR
	E1	5 to 25	10YR4/4	"	"		LS	1CSBK	UTR
	E2	25 to 50	10YR4/4	"	"		LS	1CSBK	UTR
	BC4B1	50 to 63	10YR4/4	10YR7/4	M3F. EUM. LS		LS	1CFBK	UTR & F2
	CB4B2	63 to 72	10YR4/4	10YR5/6	MAN. MOD. LS		LS	1CFBK	UTR & F2
		to	7.5YR5/4	NOM	LABORATORY		LS	1C.M.SBK	UTR & F2
		to							
		to							


Precipitation:

Free Water: > 72"Land Cover: WOODS - UPLAND HARDWOODSComments: TOP OF EXISTING SEPTIC TANK < 6" BGS

SOIL BORING #4

- 65" LZ; 30 mpy; SIMILAR TO SB 1 IN DESC.
& CLASS.; > 72" FW

- Permit # 796-855 INSTALLED w/OUT DNRR INSPECTION 04/08/1986

- 7 mpy FOR PERCOLATION TESTING @ 24"; WATER PASSES
> 8' ON 03/13/1985Coordinates: N+ E+Site Evaluator's Signature: 

7034-11-175/995 7/21

796-855

Owner's Last Name: DeMare First Name: John

Owner's Present Mailing Address: P.O. Box 191 Phone: 529-5431

Town: Bethany Beach State: Del. Zip Code: 19930

PROJECT ADDRESS: Lot 10, Blackwater Cove Dr., off of Rd. 346, Clarksville

Describe Location Using Road Numbers: off of Rd. 346, Clarksville


7 MPI - 17 AREA - 400 GPD - 348 Bq. Ft. Required 360 Bq. Ft. Proposed 7 Ft. Trench Width 120 Linear Ft.

SEWAGE DISPOSAL SYSTEM APPLICATION/PERMIT

DRAW CROSS SECTION HERE

12" Fill 6" 6" 31" 4" Perf. Pipe Stone

Untreated Building Paper

Indicate North:  Scale: 1" = 30' Ft.

PLOT PLAN Prepared By: Larry E. Willy Date: 5-14-85

D.N.R.E.C. APPROVED

PERMIT # 796-855

SEE PERMIT CONDITIONS

RECEIVED MAR 15 1985

STATE OF DELAWARE Division of Environmental Control WRS - Sussex County

Lot 10

VACANT

VACANT

Sylvan Drive (50' wide) VACANT

Prop. well-cased 50' + per permit #529-855

Proposed well-cased 50' + per permit #529-855

30' House No Basement

100 gal tank

Space

119'

133'

75'

15'

11'

12'

13'

14'

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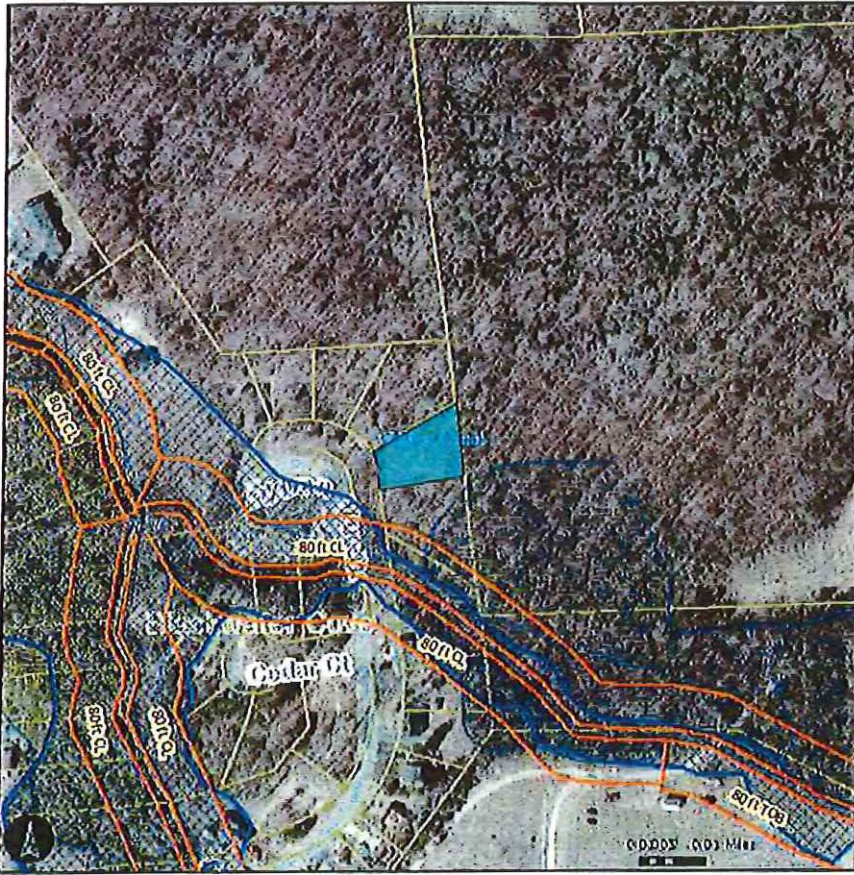
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Map



Parcels Sussex

Watersheds

Base Flood Elevation

FEMA Flood Maps

X 500

A

AE

AO

VE

13401100070700 (1)

Parcels Sussex (1)

OBJECTID	DIST	HUN	MAP1	MAP2	PAR1	PAR2	PARCELID	ID	SQFEET_AC	AC_S	PIN	LAST_NAME	FIRST_NAME	ADDRESS	COMMUNITY	SUBDIVISIO	DESCRIPTIO	LAND_USE	TOWN_CODE	L
121031	1	34	011	00	0707	00	13401100070700	44921	0	0	134-11.00-707.00	OAKBRAE	CHRISTINE C TRUSTEE	34590 SYLVAN VUE DR	DAGSBORO	BLACKWATER COVE	LOT 10 SEC 2	RV		

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STATE OF DELAWARE
 DEPARTMENT OF NATURAL RESOURCES
 AND ENVIRONMENTAL CONTROL
 DIVISION OF SOIL & WATER CONSERVATION
 21309 BERLIN RD, UNIT #6
 GEORGETOWN, DELAWARE 19947

DRAINAGE PROGRAM

PHONE: (302) 855-1930
 FAX: (302) 677-7059

August 28, 2015

Krystal Casey
 Atlantic Resource Management Inc.

RE: Parcel #134-11.00-707.00

Inquiry # 11148

Dear Ms. Casey:

Per your right-of-way request we have researched the Tax Ditch rights-of-ways for the above parcel. The information is as follows:

- This parcel is located in the **St. Georges** Tax Ditch watershed; however it is not affected by Tax Ditch rights-of-way.

Please feel free to contact our office with any questions or concerns.

Sincerely,

Matthew T. Grabowski
 Environmental Program Manager

Delaware's good nature depends on you!

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

11/25/2025 01:21PM Catherine
Receipt number: 33030737-0050 001261932

PERMITS / INSPECTIONS
2025 20251579512020 \$500.00

\$500.00

Subtotal
Total

\$500.00
\$500.00

Tenders
CHECK
Check Number 0264

\$500.00

Change due

\$0.00

Paid by: SUZANNE STASRK BIERNERT

PAID TO SUSSEX COUNTY TREASURY
FINE HUNDRED AND NO/100 \$500.00
Suzanne Stasrk Biermert
11-25-2025
284
04 01 2025

Thank you for your payment.

CUSTOMER COPY

89

Layers

Q Search

Basemaps

Select Area

Eagleview

Print

710

709

708

707

712

706

Eagleview

Search Results

Selected Features:

1

134-11.00-707.00

Parcels (1)

Zoom

BOOK	6047
PAGE	100
FULLNAME	BIENERT SUZANNE STARK
Second_Owner_Name	
MAILINGADDRESS	358 BUCKBRIDGE RD
CITY	HOWARD
STATE	PA
a_account	
DESCRIPTION	BLACKWATER COVE
DESCRIPTION2	LOT 10
DESCRIPTION3	SEC 2
LUC	101
SCHOOL	1
MUNI	00
CAP	0
APRBLDG	313000
APRLAND	70100
PINWASSEMNTUNIT	134-11.00-707.00
PIN	134-11.00-707.00

Selected Features (1)

Clear Selected

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Y: 4658537.288398

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

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 # 13071
Hearing Date 5-19-2025
202503417

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:

34582 Sylvan Vue Drive, Dagsboro, DE 19939

Variance/Special Use Exception/Appeal Requested:

Variance

Sussex County, DE Supplementary Regulations § 115-182 Front yards

Open unenclosed front deck to extend or project into the front yard by 77 inches (17 inches past the 5 foot requirement).

Tax Map #: 134-11.00-707.00

Property Zoning: MR

Applicant Information

Applicant Name: Suzanne Stark Bienert

Applicant Address: 358 Buckridge Road

City Howard State PA Zip: 16841

Applicant Phone #: (814) 360-3503 Applicant e-mail: slw86787@gmail.com

Owner Information

Owner Name: SAME AS APPLICANT

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

Suzanne Stark Bienert

Date: 3-18-2025



Sussex County, DE - BOA Application

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

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

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

1. Uniqueness of property:

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

The property is unique because of its triangular(ish) shape. Because of the previously installed septic system in the middle of the backyard, the 30x50 house could not be pushed toward the back any further due to septic setbacks, see the attached 2015 Site Evaluation report. Thus, I request a variance to allow for a 77 inch front deck (17 inches past the 5 foot minimum per § 115-182 Front yards).

2. Cannot otherwise be developed:

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

See Above - Uniqueness of property.

3. Not created by the applicant:

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

The uniqueness of the property and the previously installed septic system causes the difficulty. The applicant has not created the difficulty.

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 approval of this variance will not alter the essential character of the neighborhood. The property directly across the street allows for a side deck that comes within 15 feet of Sylvan Vue Drive, since it is the owners side yard. The 77 inch front deck that I request comes within 23.58 feet of Sylvan Vue Drive.

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.

17 inches is the minimum that will afford relief.

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



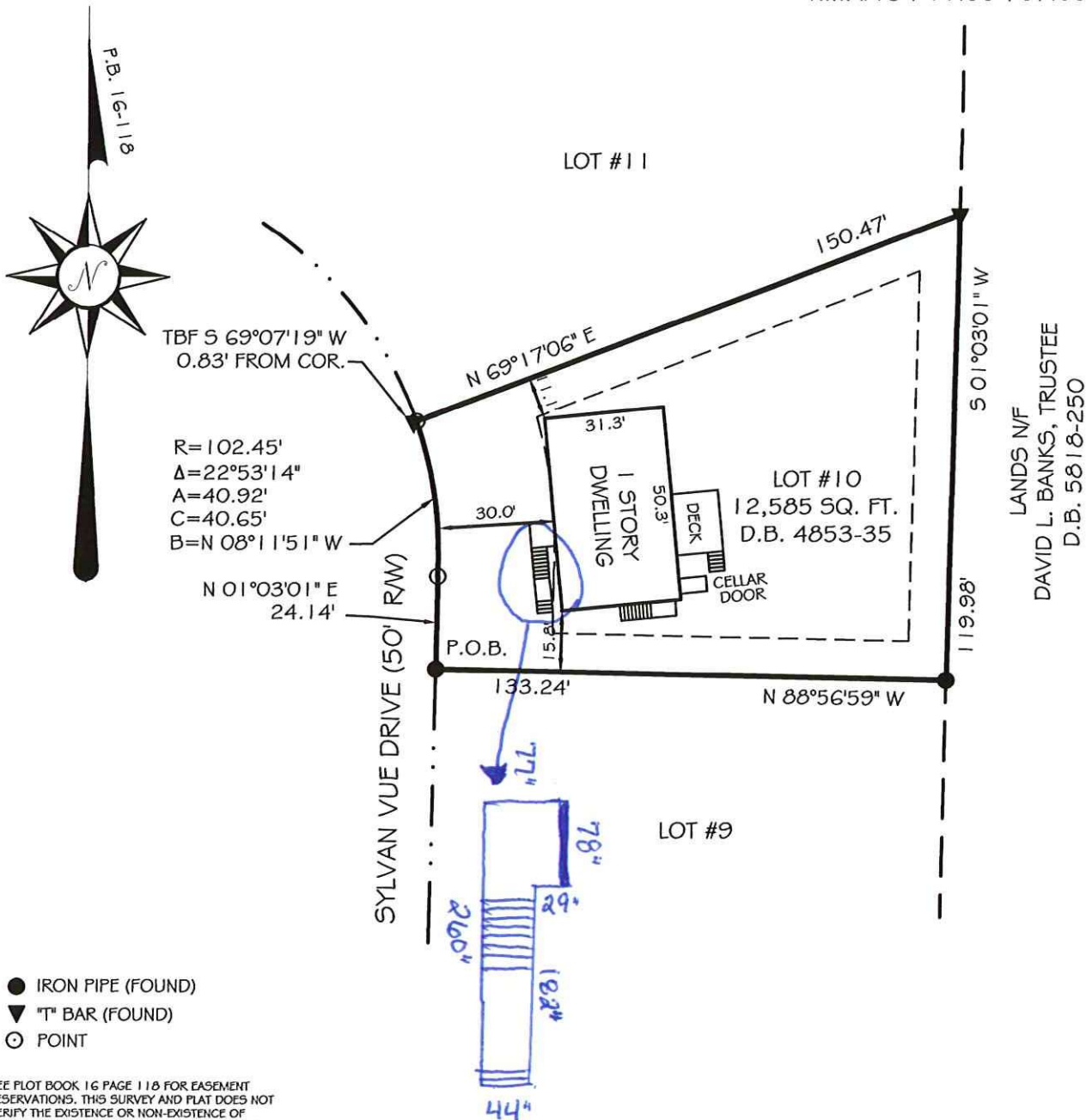
Date: 3-18-2025

For office use only:

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

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

T.M. #134-11.00-707.00



LANDS N/F
DAVID L. BANKS, TRUSTEE
D.B. 5818-250

SEE PLOT BOOK 16 PAGE 118 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 NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

DO NOT REGISTERED
DONALD K. MILLER
3/4/25
DATE
SURVEY CLASS: SUBURBAN

FINAL LOCATION SURVEY FOR SUZANNE STARK BIENERT

SYLVAN VUE DRIVE, DAGSBORO, DE. 19939
LOT #10, SECT. 2 OF "BLACKWATER COVE II" SUBDIV.
BALTIMORE HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
SCALE 1" = 40' FEBRUARY 28, 2025

PREPARED BY:

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

MILLER
LAND SURVEYING
LEWIS, INC.

1560 MIDDLEFORD RD.

• SEAFORD, DE. 19973



**PERMIT
251121**



Tax Parcel Number: 1-34-11.00-0707.00

Site Evaluation Number:

Pursuant to provisions of Title 7, Delaware Code, Chapter 60, permission is hereby granted to:

Beinert, Suzanne

359 Meadow Lane, Bellefonte, PA 16823 US

to repair an existing system.

Construction must be completed on or before 04/10/2026 , two years from permit issuance date. Construction must be performed by a person duly licensed by Delaware DNREC for such activity.

All current regulations governing wastewater system installation shall be followed.

All attached permit conditions shall be complied with.

The applicant is responsible for obtaining all additionally required permits and approvals.

B. R. Doherty

AUTHORIZED SIGNATURE

4/10/2024

Date

DNREC APPROVED
See Permit Conditions



PERMIT 251121



Tax Parcel Number: 1-34-11.00-0707.00

Site Evaluation Number:

Conditions for both Owner and Contractor

§ 5 Connections and/or additions to the system other than what are proposed on the approved plot plan (s) are prohibited without prior approval from the Ground Water Discharges Section (GWDS).

§ 6 Roof downspouts, foundation drains, storm sewers, combined sewers or appurtenances thereto, or any sewer or device carrying or discharging either storm, surface, ground or cooling water, oil or water softener discharge shall not be connected to the system.

§ 20 The average daily discharge of this system is restricted to 360 gallons per day. Changes to permitted system flow must be pre-approved by the GWDS and may require a new permit(s) to be issued.

§ 1 This system MUST be installed/repaired by a licensed Class E System Contractor. The Contractor must call the Ground Water Discharges Section (GWDS) at (302) 739-9947 in Kent and New Castle Counties and (302) 856-4561 in Sussex County for system construction start-up authorization. The Contractor must call the GWDS for this authorization 24 hours prior to system construction start for Standard and I/A Systems and 72 hrs. prior for Large Systems. The Contractor must have an DNREC-approved permit copy on site during construction of this system.

§ 23 A Certificate of Satisfactory Completion must be issued by the GWDS for this system prior to its use. The system is NOT approved for operation and maintenance until the required certificate has been issued.

§ 70 If the approved disposal area is wooded, at the discretion of the Class E System Contractor, it is recommended that after tree-clearing the disposal area be checked again by a Class D Soil Scientist prior to system installation. Refer to the Regulations for lot clearing guidance and Exhibit FF for Lot Clearing/Disturbed Site Inspection Report.

§ 90 It is the responsibility of the Class E System Contractor, with cooperation of the property owner, to establish and make visible all property corners that define the property boundaries prior to system installation/inspection. Failure to comply with this condition may necessitate additional Inspection(s) and delay subsequent site approval.

§ 94 The proposed/existing septic tank(s) must be upgraded with risers(2) for each compartment finished to above grade and a GWDS-approved outlet filter. The above-grade access covers shall be watertight and secure from vandalism. The outlet filter should be removed, inspected, cleaned and replaced per manufacturer's recommendations.

Conditions for Owner

§ 17 The property owner shall connect to the county or municipal sewer system if and when such services become available and shall be in accordance with County and/or Municipal rules and regulations. At time of connection the existing septic disposal system shall be abandoned per DNREC Regulations and permit voided unless the GWDS approves continued operation.

§ 18 This system shall be maintained in such a manner as to prevent abnormal odors or surfacing, pooling and/or discharging of wastewater onto any surface waters.



PERMIT 251121



Tax Parcel Number: 1-34-11.00-0707.00

Site Evaluation Number:

§ 19 The sites of the initial and replacement absorption facilities shall not be covered by asphalt or concrete or subject to vehicular traffic or any activity or similar loadings that would adversely affect the soils. These sites shall be maintained so that they are free from encroachments by ancillary buildings and additions to main structures.

§ 21 The septic tank must be pumped by a licensed Class F Liquid Waste Hauler at a minimum of once every three (3) years. Septic tanks constructed of non-masonry materials should be pumped only when the seasonal water table is low to minimize possible flotation risk and must be immediately refilled by the owner.

§ 76 The effluent filter, proposed or existing in either the outlet baffle of the septic tank, distribution box, septic tank lift station (Exhibit "V") or separate lift station vault, shall be cleaned and maintained as necessary to prevent clogging of the disposal system and can be performed by the property owner.

§ 93 The site evaluation supporting this permit will expire five(5) years after site evaluation approval date. System replacement after this date will require a new site evaluation and subsequent GWDS approval.

Conditions for Contractor

§ 4 The Class E System Contractor shall contact a Class I Construction Inspector for an inspection prior to covering the installation and cap inspections for all New and Replacement gravity systems starting January 12, 2016. Approval for cover must be given by the Class I. For all Component Replacement and Repair permits the Class E System Contractor shall contact the GWDS for inspections until July 1, 2016 at which time the Class E shall contact a Class I for Inspection.

§ 7 The drainfield area, either above or below grade, must be installed according to the cross section in the permit design plan(s). Any changes to system depth/height will require pre-approval from the Class D Soil Scientist, the Class C Design Engineer (if applicable) and the GWDS.

§ 12 There shall be no soil disturbance within the primary and spare absorption areas except the minimum required for system/component installation and/or repair.

§ 16 The Class E System Contractor shall install a battery in the timer.

§ 24 It is the responsibility of the Class E System Contractor to verify that ALL isolation distances, as noted and approved in the permit, can be maintained. Furthermore, the contractor shall notify the Class B or C Designer/Engineer AND the GWDS if field conditions exist that prohibit the ability to maintain the approved isolation distances and/or requirements of the Regulations.

§ 48 Final Site Restoration must comply with Section 5.4.5.5 of the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems.

§ 66 A construction report must be prepared by the Class E System Contractor and submitted to the GWDS within ten (10) days of system completion. This is to include any changes that require a post-construction "As-Built" drawing. "As-Built drawings detailing changes to engineered(pressurized) systems must be submitted by the Class C Engineer.



PERMIT 251121



Tax Parcel Number: **1-34-11.00-0707.00**

Site Evaluation Number:

§ 77 The Class E System Contractor shall comply with all Occupational Safety and Health Act (OSHA) regulations. OSHA regulations can be found at the website www.osha.gov or by contacting the U.S. Department of Labor.

§ 91 All proposed changes to permit design MUST be submitted and approved in the form of a preconstruction "as-built" drawing prior to system installation. Contact the GWDS for guidance. Post-construction "as-built" drawings are subject to GWDS approval and MUST be submitted to the GWDS within ten(10) calendar days of system completion. All "as-built" drawings(pre or post) detailing changes to engineered systems MUST be generated by the Class C Design Engineer.

§ 92 This system type is classified as "mound" or "capping fill" and thus requires a second inspection to ensure sufficient soil "cap" or cover over the drainfield. The Class E System Contractor is to call the licensed Class C Engineer for a "cap" inspection within ten(10) calendar days after receiving a satisfactory pre-cover inspection, weather permitting.

Permit Number:**251121**
**APPLICATION - PERMIT
ON-SITE WASTEWATER SYSTEM**
OWNER'S NAME: SUZANNE BEINERT PHONE: DAN@CLEANDELAWARE.COMADDRESS: 359 MEADOW LANE, BELLEFONTE, PA 16823PROJECT LOCATION: 34590 SYLVAN VUE DRIVE, DAGSBORO, DE 19939TAX MAP: TM: 134-11.00-707.00APPLICATION PREPARER: DAN CLEARY DNREC LICENSE #: 5483PREPARER'S ADDRESS: P.O. BOX 123 MILTON, DE 19968PHONE: 302-684-4221

I hereby affirm that the information provided on this document is accurate and complete.

Preparer's Signature: DAN CLEARY Date: 3-28-2024
RECEIVED
04/03/2024
GROUNDWATER
-SEPTIC DESIGN CRITERIA-

(Please check all boxes that apply)

System Type: (CF = Cap & Fill / FD = Full Depth)

- | | |
|---|--|
| <input type="checkbox"/> Gravity (FD) | <input type="checkbox"/> Permanent Holding Tank |
| <input type="checkbox"/> Gravity (CF) | <input type="checkbox"/> Elevated Sand Mound |
| <input type="checkbox"/> Pressure Dose (FD) | <input type="checkbox"/> Wisconsin At-Grade |
| <input type="checkbox"/> Pressure Dose (CF) | <input type="checkbox"/> Subsurface Micro Irrigation |
| <input type="checkbox"/> Peat Bio- Filter | |
| <input type="checkbox"/> Low Pressure Pipe (CF) | <input type="checkbox"/> Other _____ |

☐ Temporary Holding Tank☐ Bed or ☐ Trench☐ Gravelless Chamber ☐ Stone/Gravel ☐ Tire ChipsSand-lined ☐ Yes ☐ NoExisting System Malfunctioning ☐ Yes ☐ No ☐ N/A

Pre-Treatment Units

☐ Septic Tank☒ Other POLY SETPIC TANK w. RISERS & EFFLUENT FILTERCentral Water Available ☐ Yes ☐ No

(If yes, please state Utility Name:)

Type of Construction:

- ☐ Replacement
☐ New Construction
☐ Component
☐ Low Pressure Pipe (FD)
☒ Repair to Existing System

Reason: D-BOX W. RISERS TO GRADE☐ Authorization to Use Existing System

Permit #: _____

Present Condition: _____

Structure to be connected: _____

of Bedrooms: 3

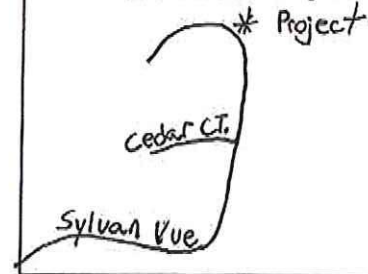
Avg. Percolation Rate: _____

Gallons Per Day Flow: 360Current Sq. Ft: SQ FTSq. Ft. Proposed: SQ FTExisting Permit: 796-858

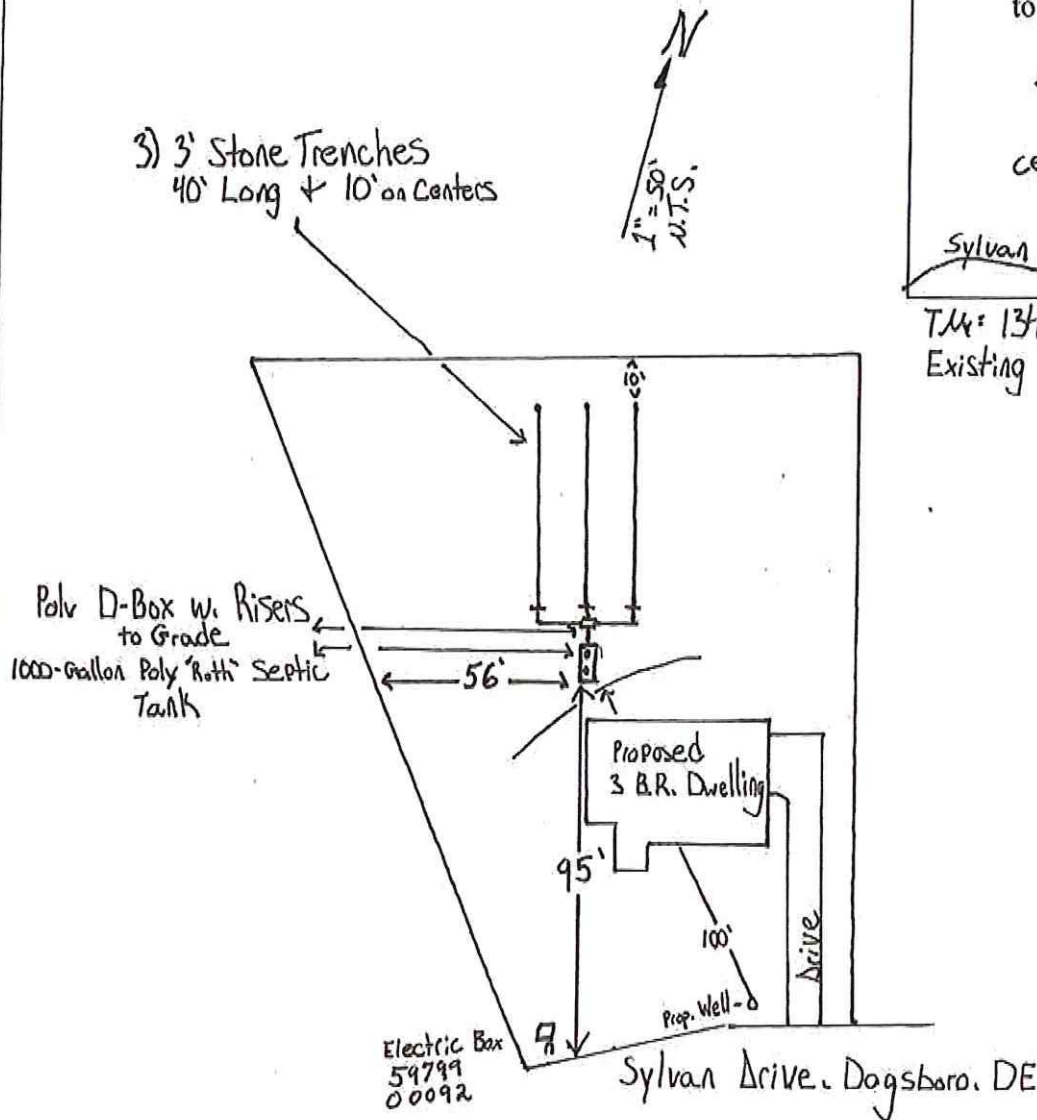
Revised 09/02/09

- SITE PLAN & CROSS SECTION -
(INDICATE DIRECTIONS OF NORTH & SCALE OF SITE PLAN)

Draw a general location map of project location and give distance to nearest road junction.



T.M. = 134-11.00-707.00
Existing Permit 796-855



OWNER'S/AUTHORIZED AGENT SIGNATURE: Suzanne Beinert DATE: 3-28-2024

- A copy of this page must be submitted with both septic system and well construction report(s)

SITE EVALUATION**INNOVATIVE AND ALTERNATIVE OWTDS SITE EVALUATION BY ARM, INC. - APPROVAL PAGE****REFERENCE # 553398**

The soils on this site are approved when the following is completed in full and signed by the approving authority. The information contained in this site evaluation reflects Delaware Department of Natural Resources and Environmental Control (DNREC) policies and procedures at the time of the review. Exhibits and Regulations cited in this report refer to DNREC "Regulations Governing the Design, Installation, and Operation of On-Site Wastewater Treatment and Disposal Systems" (OWTDS). Isolation distance requirements, limited area of suitable soils, filling, removal, and/or compaction of the soil may negate construction permit approval or modify the type of system that can be permitted. All information should be verified by interested parties prior to design and installation of the septic system. This is not a construction permit. Approval of this site evaluation is limited to five years. Upon expiration, a new site evaluation will be required in compliance with regulations in effect at the time. There are no guarantees supplemental approvals will be for the same system type (s) prescribed herein.

Property Owner's Name(s): Christine C. Oakbrae, Trustee**Tax Map #:** 1-34-11.00-707.00 (Lot 10 Sec 2)

Initial/ Upgrade Disposal System: *Innovative and Alternative (I/A) Full Depth Gravity Fed/ Pressure Dosed* OWTDS* with an Advanced Treatment Unit (ATU, meeting PSN3 standard) or other PSN3 I/A* OWTDS; *Trenches* are strongly recommended due to slopes and *required* where average slopes exceed 2 percent. **Sand-Lining* to 1 foot beneath the existing system will be required, if encountered. OWTDS options are *provided* Exhibit C isolation distances are maintained (Min. Isolation Distances). See the *User Notes*.

User Notes/ Cautions: 1) There is an installed OWTDS - septic system (Permit # 796-85S) on this property that has never been utilized. The existing system was sited, designed, and installed under the former DNREC Regulations. Future tie-in will be under the direction of DNREC, the responsibility of other interested parties, and at the risk of the ownership. The existing drainfield was not readily identified, mainly due to tree roots and potentially the depth of installation, which appears to have a drainfield invert below 36 inches of present grade. The drainfield is denoted on the plot drawing as per the Permit and oriented to the found Septic Tank. If encroached upon, a sand-lined OWTDS will be required in accordance with the Regulations. 2) The OWTDS area is shown irrespective of well isolation requirements. 3) All OWTDS options require an Advanced Treatment Unit (ATU) meeting the PSN3 standard (Inland Bays Watershed, non-sewer district). 4) Due to slopes, the system may be installed as a *hybrid* Capping Fill - Full Depth - Overdig.

Location of Initial/ Upgrade System: As shaded (cross-hatched) on the plot drawing in the vicinity of Soil Borings 1, 2, 3, and 4

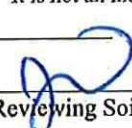
Depth to Limiting Zone: 60 (variable to 72 inches or greater with increasing elevation) to indications of the seasonal high water table

Design Considerations and Comments: See Exhibit K (Full Depth Gravity; average gravel placement at 24 inches bgs., See *User Note* # 4). Gravel aggregate (quality, washed stone) is recommended. The top of the existing septic tank is less than 6 inches bgs.. Pressure Dosing (Exhibit R), a lift station, or a set building sewer elevation will be required due to lines and grades. Other PSN3 *Innovative and Alternative* (drainfield installation beneath 36 inches is not recommended) OWTDS may be suited. *Operation and Maintenance required*. A 100 ft. isolation distance is generally required from all non-public wells. A lesser well isolation distance may be approved for wells on a case-by-case basis. This evaluation is to site one new OWTDS for new residential construction (single-family) with a wastewater flow volume not to exceed 720 gallons per day. The front of the property is not recommended for OWTDS due to steep slopes and proximity to a cut bank. Complex and somewhat complex slopes range from 1 to 2 and 2 to 6 percent and are significant to installation. The system is to be designed on contour, perpendicular to slope. The designer should verify slopes. The evaluated area is wooded (mixed-aged with many large hardwoods). Follow the DNREC "Clearing Guidelines". The vegetation and root mat is to be removed in the OWTDS area, and a degree of engineered sandy fill will be required to fill large stump holes. Care should be taken during lot clearing to minimize soil loss, compaction, and disturbance. Soil disturbances in the disposal area will negate this Evaluation (see disclaimer above) and may necessitate the use of a sand-lined system. The property owner/developer is responsible for placing a substantial barrier around the potential OWTDS area prior to beginning any site development. System installation and all site work should occur during **PROPER-DRY SOIL MOISTURE CONDITIONS** and final grading must insure that no surface water be directed towards the OWTDS area (includes roof downspout and impervious area drainage or sump pump discharge). Irrigation use, system over-traffic, water treatment discharge, and/ or tree plantings in the drainfield area are prohibited activities by the Site Evaluator and will void this Site Evaluation. All pertinent features were field located on a plot drawing adapted from the Record Plot (PB 16, PG 118). All pertinent features were field located with a differential GPS unit and are referenced to the found property corners and Utility Box DPL 59799 00092. This plot is not a formal survey and should not be construed as such. The system designer is to field-verify all isolation distances and measurements prior to permitting. ARM, Inc. is not responsible for any subsurface conditions not encountered at the time of this evaluation, which may become evident in the future that affect the placement or design criteria of the OWTDS.

Instructions to Property Owner/ Client: 1) Contact a Class C System Designer. 2) A percolation rate of 30 minutes per inch has been assigned to the soils on your site based upon rates as provided in Section 5.0 and Exhibit Y of the regulations and other factors. You may use the assigned percolation rate or, at your expense, have a percolation test conducted. If you do not choose to use the assigned percolation rate, contact a Licensed Class A Percolation Tester (3 tests) and the Site Evaluator for testing depth and location. 3) If you have questions, call the evaluator at (302) 539-2029, DNREC at (302) 856-4561 (Sussex Co.), or 739-9947 (Kent Co.).

This report has been prepared by or under the supervision of: , L. P. Erickson, License # A/D-2460

Disclaimer: Approval of this site evaluation indicates only that the site evaluation, based on information presented to us, was conducted in compliance with these regulations. It is not an indication of the correctness or quality of the evaluation nor does it guarantee the evaluation is free of omissions.

Field Checked 

For office use only

Expiration Date 10/2/20

Date 10/2/15

DNREC Reviewing Soil Scientist

ATLANTIC RESOURCE MANAGEMENT, INC.
(302) 539-2029

P.O. BOX 869
OCEAN VIEW, DE 19970

INNOVATIVE AND ALTERNATIVE DESIGN OWTDS SITE EVALUATION REPORT

Property Owner's Name(s): Christine C. Oakbrae, Trustee
Owners' Address: 34590 Sylvan Vue Drive
Dagsboro, DE 19939

Tax Map #: 1-34-11.00-707.00
Lot #: 10, Section 2
Phone: (302) 829-8222

Property Location: Lot 10, Sec. 2, Blackwater Cove Subd.; East of Sylvan Vue DR (ADJ 911: 34590), 230'± N of Cedar CT; Dagsboro, Sussex Co., Delaware
Property Size: 0.29± acres (per Plot: PB 16, PG 118; plat date 01/1979) /

Evaluator's Name: Lāf P. Erickson, CPSS/SC
Central Sewer: N/A; *Vines Creek Planning Area*
Central Water: N/A

License Number: A/D-2460
Evaluation Dates: 08/24 & 09/05/2015 (recent) and
03/13/1985 (original)

Watershed: Inland Bays, Indian River Bay (HUC 020403030206); > 100' from Watercourse(s); No area tax ditches

Depth to and Type of Limiting Zones Encountered – all measurements are depths beneath ground surface (bgs):

- Soil Boring 1:** 60 inches to redoximorphic features as an indication of the seasonal high water table/seasonal saturation 126 (08/24), 128 (09/05) inches to free water; Grossarenic Paleudult—Cedartown Series (203291'±N, 733072'±E)
- Soil Boring 2:** > 72 inches to redoximorphic features as an indication of the seasonal high water table/seasonal saturation > 72 inches to free water; Grossarenic Paleudult—Henlopen Series (203339'±N, 7333145'±E)
- Soil Boring 3:** > 72 inches to redoximorphic features as an indication of the seasonal high water table/seasonal saturation > 72 inches to free water; Grossarenic Paleudult—Henlopen Series
- Soil Boring 4:** 65 inches to redoximorphic features as an indication of the seasonal high water table/seasonal saturation > 72 inches to free water; Grossarenic Paleudult—Cedartown Series

Summary of Evaluation: Soils in the evaluated area are excessively/ somewhat excessively drained (agricultural drainage class) with moderately rapidly over moderately (30 MPI) permeable subsoil/ stratum- substratum. Site conditions are suited for an *Innovative and Alternative (I/A) Full Depth Gravity Fed/ Pressure Dosed* OWTDS* with an *Advanced Treatment Unit (ATU – PSN3)* in the vicinity of Soil Borings 1, 2, 3, and 4 (as *cross-hatched* on plot drawing); provided isolation distances are maintained per Exhibit C. See the important *User Notes/ Cautions* (especially existing, installed system Permit # 796-85S). **Sand-Lining* to 1 foot beneath the existing system will be required, if encountered. *Trenches* are *recommended* due to sloping conditions and required where slopes exceed 2 percent. The OWTDS area is located on the shoulder and backslope landscape positions of a prominent ridge with complex/ somewhat complex slopes ranging from 1 to 2 and 2 to 6 percent in the OWTDS area. Slopes are significant to system design and installation and should be confirmed by the system designer. Tax ditch rights-of-ways, watercourse setbacks (> 100 feet in Shellfish Waters) do not impact the parcel/ OWTDS design area. The parcel is *not* within any mapped Federal Emergency Management Agency (FEMA) floodplains, DNREC mapped wetlands areas, or DNREC wellhead protection areas. See the *User Notes/ Cautions* and *Design Considerations and Comments* on the *Approval Page* (esp. *Clearing Guidelines, well setbacks, slopes, existing system*) for property information and important details on system design and installation. The availability/ timing/ feasibility of future sanitary sewer was beyond this scope.

The limiting zone of 60 inches or greater (greater than 72 inches at higher design area elevations) was assigned for the system design based on the depth to redoximorphic features (depletions - concentrations) indicating 7 to 14 continuous days of saturation at Soil Boring #1. Limiting zones ranged from 60 to greater than 72 inches over the OWTDS design area. The deeper limiting zone at the higher site elevations allows for system installation as an overdig. Free water (groundwater) was encountered at 126 to 128 inches bgs. at Soil Boring 1 (lower design area elevations) during the recent investigations and was noted at greater than 8 feet during the original investigation. The work was performed near the end of the growing season for the 2014-2015 water year (with near normal precipitation to date). The groundwater fluctuations on this property are likely moderated by the St. Georges Tax Ditch, a drainage outlet near sea level.

The moderate percolation rate of 30 minutes per inch was assigned to the OWTDS design area based on the most hydraulically restrictive soil materials encountered from 0 to 60-72 inches beneath the surface. The most hydraulically limiting soil textures on the parcel were sandy loam materials. The finest of these textures were observed in the lamellae/ argillic horizons (zones of maximum clay accumulation – soil forming factors/ deposition) of all Soil Borings at varying depths ranging from 42 to 60+ inches beneath the surface. Clay and fine sand content, soil structure and consistence, contrasting textural deposits, depth to and thickness of the hydraulically limiting horizons, wet season permeability, potential disturbances from clearing, site development factors, and long term acceptance of wastewaters were determining factors in the assigned percolation rate. The percolation rate was augmented from the original investigation (7 minutes per inch based on 24 inch bgs. percolation testing), and additional hydraulic percolation testing of the deep substrata would be required to assign a more permeable/ faster rate.

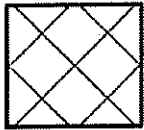
The lot is mapped at the transition of delineations of the somewhat excessively drained, Henlopen loamy sand, 0 to 2 & 2 to 5 % slopes (HpA - HpB) soil mapping units in the Web Soil Survey. Soils correlate: somewhat excessively drained, Cedartown Soil Series.

09/20/2015
Date

Atlantic Resource Management, Inc. Job # 326-DS15-SE

[Signature]
Evaluator's Signature

Note: Site evaluation information was collected for OWTDS interpretations only. The information in this site evaluation and plot plan has been compiled from any of the following sources: tax map, deed, survey, recorded plot, or field located property corners, and may include anecdotal information supplied by property owners, adjacent residents, and/or other interested parties. Locations of wells and septic systems are by direct observation where possible, but are often based on information provided by permits, property owners, adjacent residents, and/or other interested parties. This plot plan represents the site conditions at the time of evaluation but it is not a survey. No title search has been conducted; any easements shown are from subdivision record plans or deed. Subsequent alteration of the site or adjacent properties may negate approval by the regulatory agency(ies) involved in permitting. All information should be reverified prior to purchase or use.



POTENTIAL OWTDS AREA;
PROVIDED ISOLATION DISTANCES
ARE MAINTAINED PER EXHIBIT C



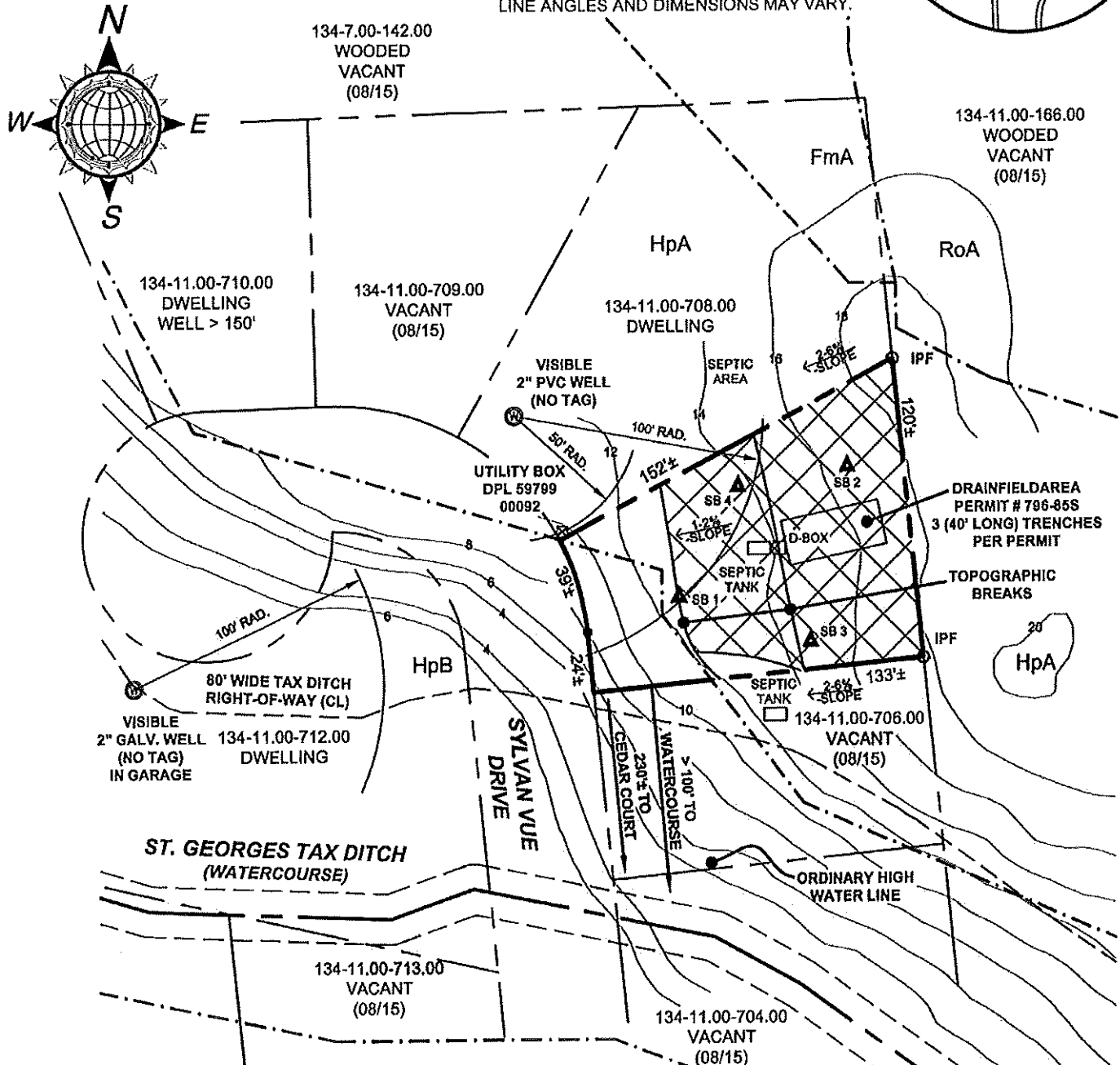
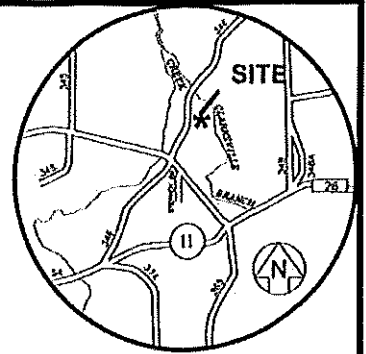
SOIL BORING



SLOPE ARROW

NOTES:

1. DRAINAGE AND/OR UTILITY EASEMENTS WILL BE PROVIDED 5' FROM EACH SIDE AND REAR LOT LINE.
2. THIS PLOT DRAWING IS NOT A SURVEY - NO TITLE SEARCH WAS REQUESTED OR PERFORMED. THE SUBJECT PARCEL IS SUBJECT TO EASEMENTS OF RECORD. THE MOST RECENT DEED AND/OR PLOT WERE RESEARCHED FOR PROPERTY LINE PLACEMENT AND EASEMENTS. PROPERTY LINE ANGLES AND DIMENSIONS MAY VARY.



TAX MAP # 1-34-11.00, PARCEL 707.00 (LOT 10, SEC 2) BLACKWATER COVE SUB., SUSSEX COUNTY, DELAWARE

ATLANTIC RESOURCE MANAGEMENT, INC.

Post Office Box 869
Ocean View, DE 19970



(302) 539-2029
Fax (302) 539-4601

DE@atlanticresource.net
ENVIRONMENTAL CONSULTANTS



PROJECT: CHRISTINE C. OAKBRAE
TRUSTEE
TITLE: SITE EVALUATION
PLOT DRAWING

LOT SIZE: 0.29 ACRES ±
REF: PB 16, PG 118 (1979)
DRAWN BY: L. ERICKSON/J. MOORE
CHECKED BY: L. ERICKSON
JOB #: 326-DS15-SE
TAX MAP: 1-34-11.00, PARCEL 707.00
DATE: SEPTEMBER 21, 2015
SHEET NO: 1 OF 1

Property Owner / Property Location: Christine C. Oakbrae Trustee / Tax Map #:1-34-11.00-707.00 Lot 10 Sec 2
 Profile: SB1 Date(s): 8/24/15 & 09/05/15 Soil Boring ☒ or Test Pit
 Slope: 2-5% & 1-7% Relief: BACKSCOPE → LOWER BACKSLOPE
 Estimated Permeability: MODERATELY RAPID OVER MODERATE (30 in)
 Depth to Limiting Zone: 60 INCHES TO A LIMITING ZONE FOR THE INTENDED PURPOSE
 Soil Classification / Series: GROSS ARWIC PALENTON - CEDARTOWN

MPI	Horizon	Depth	Colors		Redox. Desc.		Texture	Structure	Consistence
			Matrix	Redox.	Ab. S. Con.				
	A1	0 to 5	10YR 4/5	NONE	NONE		LS	1 FGR	VFR
	A2	5 to 13	10YR 4/2	"	"		LS	1 FGR	VFR
	E1	13 to 21	10YR 6/4	"	"		LS	1 M SBK	VFR
	E2 & B1	21 to 42	10YR 6/4	10YR 8/2 FEW THIN	10YR 13 FBF LAMELLAR		LS & SL	1 C d M SBK	VFR
	B2 & B3	42 to 60	10YR 6/3	10YR 8/2 10YR 6/6	C2 D C2 D	SL & L S	1 M SBK	VFR	
	C3 & B3	60 to 72	10YR 7/3	10YR 8/2 10YR 5/6	C2 D C2 D	SL & L S	1 F M SBK	VFR	
		to							
		to	128" (09/05)						

Free Water: 12.6 & Comments: WOODED LOT - HARDWOODS

72" - 132" LS, SL + W/ REDOX

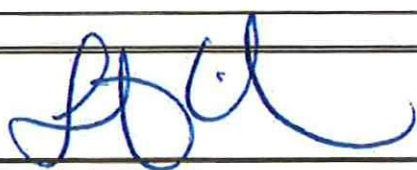
Coordinates: 203291 N+ 733072 E+

Profile: SB 2 Slope: 2-4% Relief: SHOULDER OF RIDGE
 Estimated Permeability: SAME
 Depth to Limiting Zone: > 72 INCHES TO A LIMITING ZONE FOR THE INTENDED PURPOSE
 Soil Classification / Series: SAME - HENLOPEN

MPI	Horizon	Depth	Colors		Redox. Desc.		Texture	Structure	Consistence
			Matrix	Redox.	Ab. S. Con.				
	A	0 to 9	10YR 5/5	NONE	NONE		LS	1 FGR	VFR
	E1	9 to 20	10YR 5/4	"	"		LS-	1 FGR	VFR
	E2	20 to 38	10YR 6/4	"	"		LS-	1 FGR/SBK	VFR
	E3	38 to 48	10YR 7/4	"	"		LS-	1 C SBK	VFR
	E4 & B1	48 to 57	10YR 6/4	10YR 8/3 10YR 5/6	C2 D C2 D	LS & SL	1 K SBK	VFR	
	B2 & B3	57 to 72	10YR 5/4	10YR 8/3 10YR 5/6	C2 P C2 D	LS & SL	1 M SBK & 1 C SBK	VFR	
		to							
		to							

Free Water: 772 Comments: WOODED LOT - HARDWOODS

Coordinates: 203339 N+ 733145 E+

Site Evaluator's Signature: 

SOIL PROFILE NOTES

Atlantic Resource Management, Inc.

Post Office Box 869

Ocean View, DE 19970

(302) 539-2029 Office / (302) 539-4601 Fax

Profile: SB 3 & SB 4 Job Number: 326-DS15-SE
 Date(s) of Test(s): 8/24 & 9/05/2015 Soil Boring X or Test Pit _____
 Property Owner(s): Christine C. Oakbrae Trustee
 Property Location: Adjacent Address (right of): 34590 Sylvan Vue Drive Clarksville, DE 19939
 Site Evaluator: Laf Erickson License #: A/D-2460

Slope: 3-6% , TRENCHES Relief: BACKSLOPE OF DISTINCT
 Estimated Permeability: MODERATELY RAPID (25 MP) RIDGE
 Depth to Limiting Zone: > 72 INCHES TO A LIMITING ZONE FOR THE INTENDED PURPOSE
 Soil Classification / Series: GROSS ANOLIC PALUDOSITY - HARDWOOD

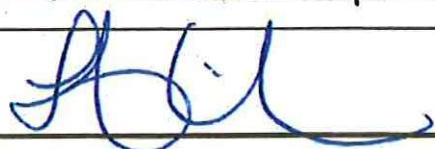
MPI	Horizon	Depth	Colors		Redox. Desc.		Texture	Structure	Consistence
			Matrix	Redox.	Ab.	S. Con.			
	A	0 to 5	2.5Y4/3	NOM	NOM		LS	1 Fcr	UFR
	E1	5 to 25	10YR4/4	"	"		LS	1 CSBK	UFR
	E2	25 to 50	10YR4/4	"	"		LS+	1 CSBK	UFR
	BC4B1	50 to 63	10YR4/4	10YR4/4	10YR4/4	MZF. EULYAN	LS	1 FSK	UFR & FR
	CB4B2	63 to 72	10YR4/4	NOM	10YR4/4	MANH. MODUL	LS	1 FSK	UFR & FR
		to	7.5YR4/4	NOM		LAMOLAR	LS	1 C, MSK	UFR & FR
		to							
		to							

Precipitation: _____ Free Water: > 72"
 Land Cover: WOODS - UPLAND HARDWOODS
 Comments: TOP OF EXISTING SEPTIC TANK < 6" BGS

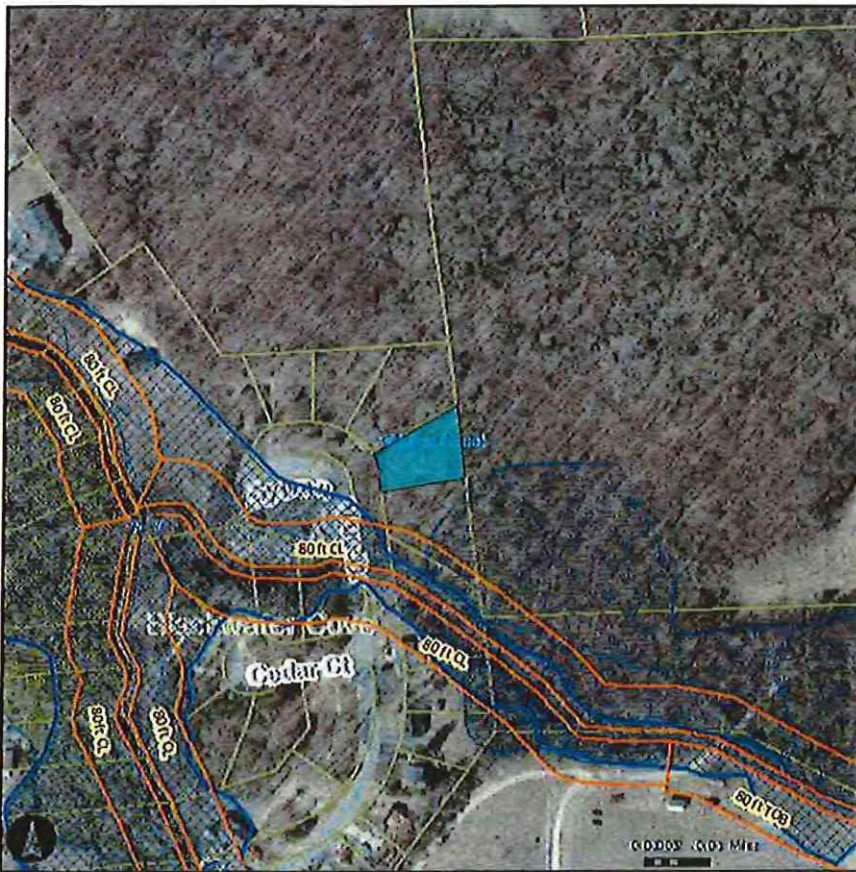
SOIL BORING #4

- 65" LZ; 30 MP; SIMILAR TO SB 1 IN DESC.
- CLASS: > 72" TW
- Permit # 796-855 INSURANCE w/OUT DNR INSPECTION 04/08/1986
- 7 MP PER PERCOLATION TESTING @ 24"; WATER PASS
- > 8' ON 03/13/1985

Coordinates: _____ N+ _____ E+

Site Evaluator's Signature: 

Map



Parcels Sussex

Watersheds

Base Flood Elevation

FEMA Flood Maps

X 500

A

AE

AO

VE

13401100070700 (1)

Parcels Sussex (1)

OBJECTID	DIS	HUN	MAP1	MAP2	PAR1	PAR2	PARCELID	ID	SQFEET_AC	AC_S	PIN	LAST_NAME	FIRST_NAME	ADDRESS	COMMUNITY	SUBDIVISIO	DESSCRIPTIO	LAND_USE	TOWN_CODE	L
121031	1	34	011	00	0707	00	13401100070700	449210		0	134-11.00-707.00	OAKBRAE	CHRISTINE C TRUSTEE	34590 SYLVAN VUE DR	DAGSBORO	BLACKWATER COVE	LOT 10 SEC 2	RV		

Copyright DNREC 2009

Copyright Delaware Department of Natural Resources and Environmental Control, 2009



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF SOIL & WATER CONSERVATION
21309 BERLIN RD, UNIT #6
GEORGETOWN, DELAWARE 19947

DRAINAGE PROGRAM

PHONE: (302) 855-1930
FAX: (302) 677-7059

August 28, 2015

Krystal Casey
Atlantic Resource Management Inc.

RE: **Parcel #134-11.00-707.00**

Inquiry # 11148

Dear Ms. Casey:

Per your right-of-way request we have researched the Tax Ditch rights-of-ways for the above parcel. The information is as follows:

- This parcel is located in the **St. Georges** Tax Ditch watershed; however it is not affected by Tax Ditch rights-of-way.

Please feel free to contact our office with any questions or concerns.

Sincerely,

Matthew T. Grabowski
Environmental Program Manager

Delaware's good nature depends on you!

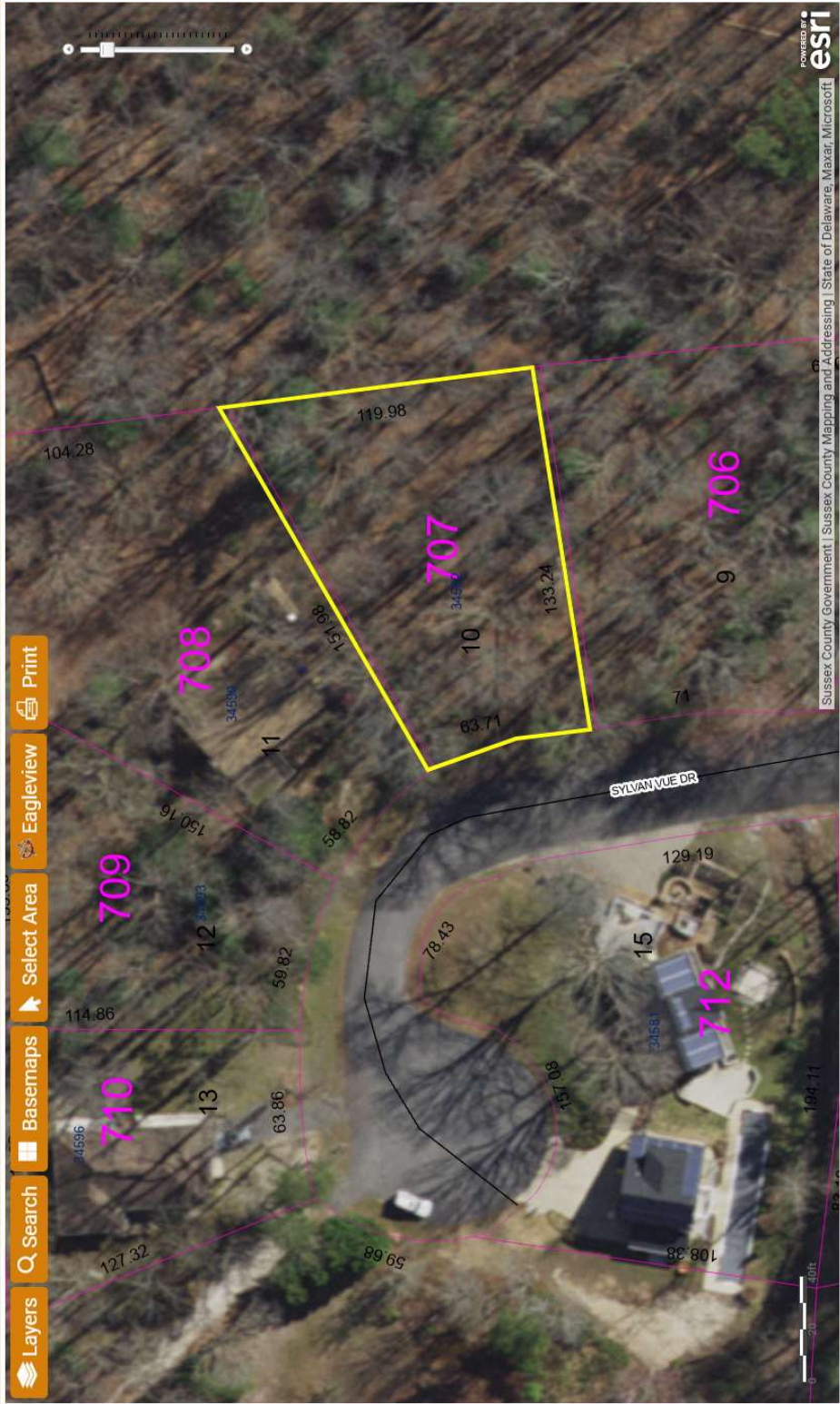


Eagleview	Search Results	Zoom
Selected Features:		
▼ 1) 134-11.00-707.00		
BOOK	6047	
PAGE	100	
FULLNAME	BIENERT SUZANNE STARK	
Second_Owner_Name		
MAILINGADDRESS	358 BUCKRIDGE RD	
CITY	HOWARD	
STATE	PA	
a_account		
DESCRIPTION	BLACKWATER COVE	
DESCRIPTION2	LOT 10	
DESCRIPTION3	SEC 2	
LUC	100	
SCHOOL	1	
MUNI	00	
CAP	0	
APRBLDG	0	
APRLAND	70100	
PINWASSEMENTUNIT	134-11.00-707.00	
PIN	134-11.00-707.00	

Selected Features (1)

Clear Selected

BOOK	6047
PAGE	100
FULLNAME	BIENERT SUZANNE STARK
Second_Owner_Name	
MAILINGADDRESS	358 BUCKRIDGE RD
CITY	HOWARD
STATE	PA
a_account	
DESCRIPTION	BLACKWATER COVE
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DESCRIPTION3	SEC 2
LUC	100
SCHOOL	1
MUNI	00
CAP	0
APRBLDG	0
APRLAND	70100
PINWASSEMENTUNIT	134-11.00-707.00
PIN	134-11.00-707.00



Search

X

Search by SUSSEXPARCELS

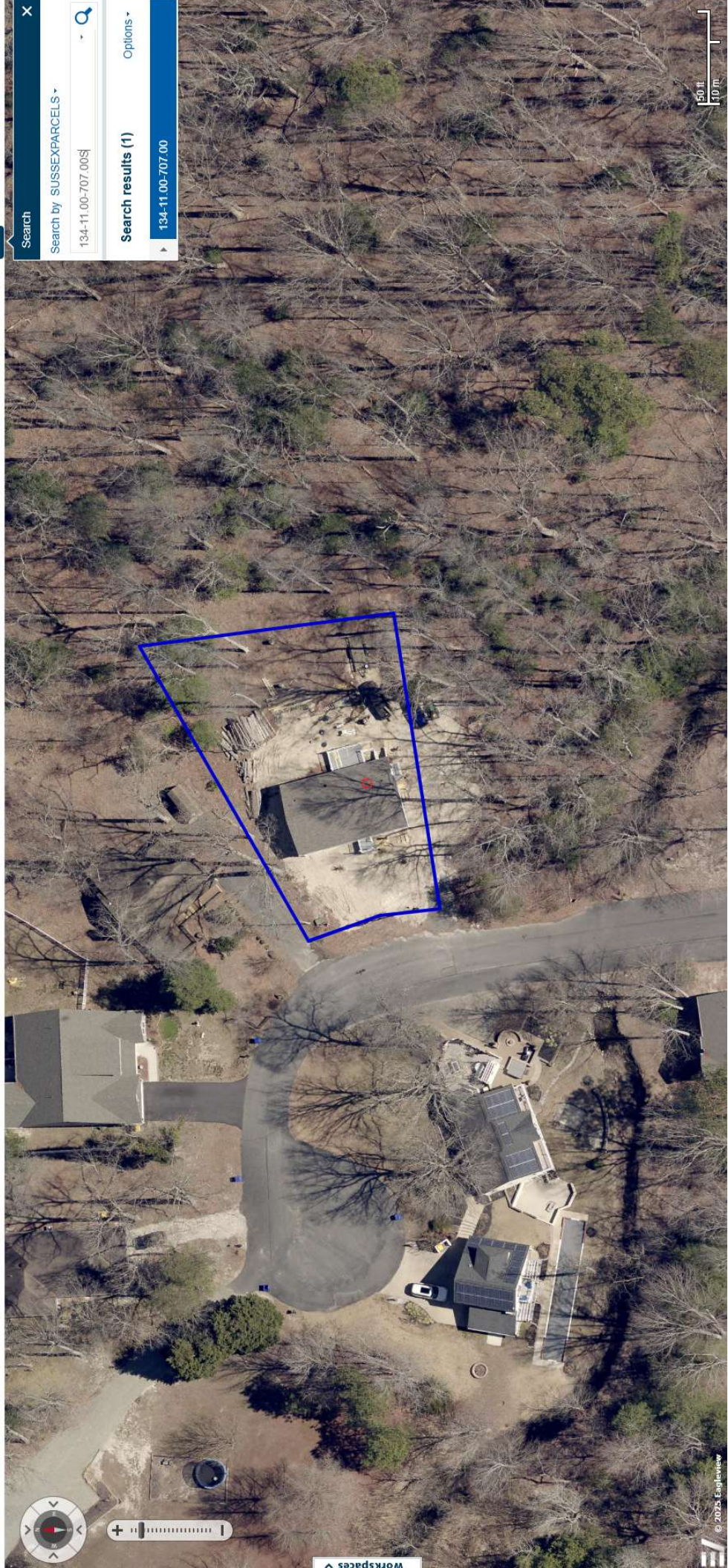
134-11.00-707.00

Q

Search results (1)

Options

134-11.00-707.00



BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY

IN RE: SUZANNE STARK BIENERT

(Case No. 13071)

A hearing was held after due notice on May 19, 2025. The Board members present were: Dr. Kevin Carson, Mr. Jeffrey Chorman, and Mr. John Williamson.

Nature of the Proceedings

This is an application for a variance from the front yard setback requirement for steps.

Findings of Fact

The Board found that the Applicant is seeking the following:

1. A variance of 7.0 feet from the thirty (30) feet front yard setback requirement for steps.

This property is located on the east side of Sylvan Vue Drive within the Blackwater Cove subdivision (911 Address: 34582 Sylvan Vue Drive, Dagsboro); said property being identified as Sussex County Tax Map Parcel Number: 134-11.00-707.00 ("the Property"). After a public hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, a survey of the Property dated February 28, 2025, a septic permit, a septic system site plan dated September 21, 2015, photographs, 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 no correspondence in support of or in opposition to the Application.
3. The Board found that Suzanne Bienert was sworn in to testify about the Application.
4. The Board found that Ms. Bienert testified that the septic system is in the middle of the backyard and the house had to be placed toward the front of the Property because of the location of the septic system. She believed that the location of the house was the only place it could be located.
5. The Board found that Ms. Bienert testified that she called the County and was informed that open and unenclosed steps may encroach into the front yard.
6. The Board found that Ms. Bienert testified that the steps are uncovered.
7. The Board found that Ms. Bienert testified that her house failed the final inspection. She noted that the inspector thought the house was 34 feet from the front yard setback when it was actually 30 feet.
8. The Board found that Ms. Bienert testified that the distance from the property line to the edge of paving of Sylvan Rue Drive is 14 feet.
9. The Board found that Ms. Bienert testified that the steps project 17 inches beyond what is allowed under the Code but she requested permission to allow the steps to go 24 inches beyond what is allowable due to the curvature of the road. The site plan does not show the location of the steps in relation to the curvature of the road. The Board notes that open and unenclosed decks can project up to 5 feet into a setback area. The Applicant's steps project 7 feet.
10. The Board found that Ms. Bienert testified that she is unsure why this was not discovered sooner in the process and that she only learned of the violation when she saw it in the portal.
11. The Board found that Ms. Bienert testified that the steps are necessary because, due to the basement, the front door is high from the ground.

12. The Board found that Ms. Bienert testified that there have been no complaints from the neighbors.
13. The Board found that no one appeared in support of or in opposition to the Application.
14. 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 for the variances met the standards for granting a variance. The findings below further support the Board's decision to approve the Application for the variance.
 - a. The Property is unique due to its shape and the location of the septic system. The Property is pie-shaped with a curved and narrow front yard that widens towards the rear of the Property. While a bulk of the buildable area is located towards the rear of the lot, the septic system is located in that area thereby greatly limiting the buildable area of the lot. The Board finds that these conditions have created a limited building envelope and the Board finds that the lot's unique conditions have created an unnecessary hardship and exceptional practical difficulty for the Applicant who seeks to construct and retain reasonably sized structures on the lot.
 - 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 and the situation, the Property cannot be developed in strict conformity with the Sussex County Zoning Code. The Property has a unique and limited buildable area. The Applicant seeks to construct and retain reasonable structures on the lot but is unable to do so without violating the Sussex County Zoning Code. The Board is convinced that the variance is necessary to enable the reasonable use of the Property as the variance will allow the Applicant to retain those reasonable structures. Without the variance, it is difficult to see how the Property could be reasonably developed due to the location of the septic system and the odd shape of 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. The Board also notes that, due to the unique conditions of the lot, there appears no other place where the structures can be located that would serve their intended purpose.
 - e. The variance 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 Board notes that there was no evidence submitted into the record that the structures will somehow alter the essential character of the neighborhood. The dwelling complies with the setback requirements but the steps and landing slightly encroach into the setback areas. Those structures are uncovered and would otherwise be permitted to encroach up to 5 feet but they encroach more than 5 feet. There is also a 14 foot gap between the rear property line and the edge of paving of Sylvan Rue Drive so the encroachment into the front yard setback area is not as noticeable as it otherwise would be.
 - f. The variance is the minimum variance necessary to afford relief and the variance represents the least modification possible of the regulation at

issue. The Applicant has demonstrated that the variance will allow the Applicant to construct and retain the reasonably sized structures on the Property. The Board notes that the Applicant was limited on where the structure could be built due to the Property's unique conditions and the location of the septic system. The Board also notes that the steps have been turned to run parallel to the front property line thereby limiting the encroachment into the front yard setback area.

- 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. Jeffrey Chorman, and Mr. John Williamson. No Board Member voted against the Motion to approve the variance application. Mr. Travis Hastings and Mr. Shawn Lovenguth did not participate in the discussion or vote on this application.

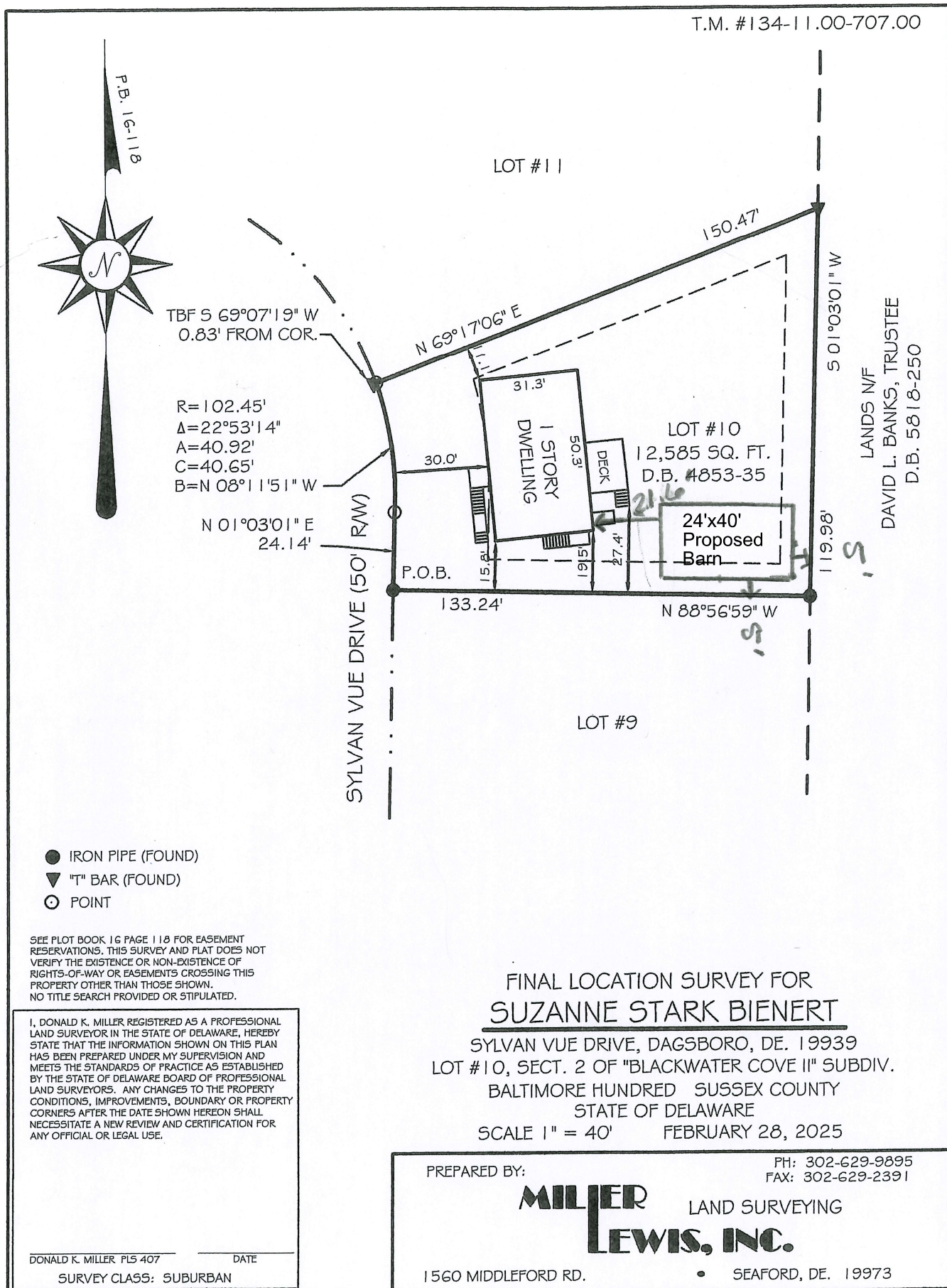
BOARD OF ADJUSTMENT
OF SUSSEX COUNTY



Jeffrey Chorman
Chairman

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

Date June 16, 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 # 13159
Hearing Date 1-26-26
2025 160410

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:

34816 Pylecenter Rd. Frankford

Variance/Special Use Exception/Appeal Requested:

Ground Manure Shed + End of Chicken House 15' set back

Tax Map #: 533-5.00-55.00

Property Zoning: AR-1

Applicant Information

Applicant Name: Parker Family LLC
Applicant Address: 36675 Parker Rd
City Frankford State De Zip: 19945
Applicant Phone #: 302-436-2128 Applicant e-mail: cbparker74@hotmail.com

Owner Information

Owner Name: Clifton Parker
Owner Address: 36675 Parker Rd
City Frankford State DE Zip: 19945 Purchase Date: Nov. 18, 2021
Owner Phone #: 202-236-0478 Owner e-mail: cbparker74@hotmail.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

Clifton R. Parker

Date: 12/3/23



*See attached***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.

Criteria for a Variance

1. We purchased this farmland (which we have rented for years) and wooded area from Evan's. We agreed on a 15 ft setback (see attached signed document from the Evans's). This is not a neighborhood, nor does the setback encroach on any other land owner.
2. At this time and in the foreseeable future, the use of this land will remain agriculture.
3. We have created no changes. The 15 ft setback is all that is practically needed on this property.
4. For this farmland to exist as it has for years, a 15ft setback is all that is needed.
5. We are requesting the minimum 15 ft variance.

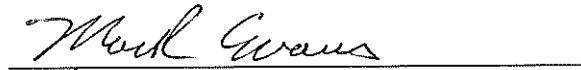
December 1, 2025

Lisa and Mike Evans agree with the survey drawn by Stephen Turner. We have no argument with the setbacks being 15 feet from our property line as requested by the Parkers. They already farm the fields next to our chicken house and manure shed. A wooded area is adjacent to the remaining area.

Thank you for your consideration.

A handwritten signature in cursive script, appearing to read "Lisa Evans", written over a horizontal line.

Lisa Evans

A handwritten signature in cursive script, appearing to read "Mark Evans", written over a horizontal line.

Mark Evans

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:

12/3/25

For office use only:

Date Submitted: _____

Fee: _____ Check #: _____

Staff accepting application: _____ Application & Case #: _____

Location of property: _____

Subdivision: _____

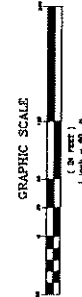
Lot#: _____ Block#: _____

Date of Hearing: _____

Decision of Board: _____

TAX MAP 533 - 5.00 - 55.00
BALTIMORE HUNDRED
RUSSELL COUNTY - DELAWARE

FOR AN INCH OR TWO:



MF
STEVEN B. &
DEBORAH D. LONG
TM 5355-004-010
DB, 140 PG. 47

NF
BLAIR G. CHILDS
TM 5355-004-002
DB, 5012 PG. 215
PB, 64 PG. 265

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

12/03/2025 02:05PM Megan D.

Receipt number: 33030766-0046 001264256

PERMITS / INSPECTIONS

2025 202516040|2020 \$500.00

\$500.00

Subtotal \$500.00

Total \$500.00

Tenders

CHECK \$500.00

Check Number 0343

Change due \$0.00

Paid by: parker family llc

PARKER FAMILY LLC		343
DEPT: Public Works		12/3/2025
PAID TO: <i>Parker Family LLC</i>		\$500.00
PAID BY: <i>Christine Parker</i>		DOLLARS 500
DATE: <i>12/3/2025</i>		

Thank you for your payment.

CUSTOMER COPY

104

Selected Features (1)
Clear Selected

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

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

Case # 13160
Hearing Date 01-26-2026
202516406

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:

12780 Beach Highway, Greenwood, DE 19950

Variance/Special Use Exception/Appeal Requested:side yard variance

8' Variance from 15' side yard setback requirement for proposed structure
Tax Map #: 430-6.00-47.24 Property Zoning: ARI

Applicant InformationApplicant Name: Daniel A EbyApplicant Address: 12780 Beach HwyCity Greenwood State DE Zip: 19950Applicant Phone #: 302-293-5376 Applicant e-mail: Daniel.Eby424@gmail.com**Owner Information**Owner Name: Daniel A EbyOwner Address: 12780 Beach HwyCity Greenwood State DE Zip: 19950 Purchase Date: 2/26/2015Owner Phone #: 302-293-5376 Owner e-mail: Daniel.eby424@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/AttorneyDate: 12/12/25

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

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

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

1. Uniqueness of property:

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

Please see attached document

2. Cannot otherwise be developed:

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

Please see attached document

3. Not created by the applicant:

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

Please see attached document

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

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

Please see attached document

5. Minimum variance:

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

Please see attached document

Sussex County, DE - BOA Application

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

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

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

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

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

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: 12/12/25

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: _____

Question #1:

The property listed above is approx 1.923 acres. The narrowness of the property spans approx 150' wide and has a shared neighbor pond along the rear of the property. The characteristics of the property cause a practical difficulty due to the useable width and depth of the property due to the characteristics. I would like to utilize the less utilized portion of the property to build the pole barn to maintain practical use of the level yard for family activities. The primary use of the structure is for the storage of vehicles and equipment. As the driveway is closer to the West side lot line, the requested location allows for safer entry of the vehicles in the structure.

Question #2:

Due to the natural characteristics of the property with the pond restricting depth and the narrowness of the lot size, the authorization of variance is necessary to continue to enable reasonable use of the property. The proposed building is 40' wide by 80' in length. I am requesting the variance in order to utilize a less utilized portion of the property to build the pole barn to maintain practical use of the yard for family activities and therefore would need a requested variance to maintain the usable portion of our property.

Question #3:

The practical difficulty has not been created by the appellant. I purchased the property in 2015 with the current home that was built in 2006 already on the property. In addition, the pond located along the rear of the yard was in place prior to purchase. I have made no modifications to the property or outbuildings since the date of purchase.

Question #4:

The property of 12780 Beach Hwy, Greenwood, DE is located in a non-neighborhood rural location along Route 16 with no HOA stipulations. The rear of the property is a heavily wooded portion of Redden State Forest. The variance would not impede or restrict any further development for the adjacent property owners and would not be detrimental to the welfare of the public.

Question #5:

I am requesting to move from the Sussex County requirement of

15' from the side yard property lines down to 7' feet from the side yard property line for the construction of the pole building. This location would allow for safer access to the building from the existing driveway and would afford maximum use of the remaining useable property.

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

12/12/2025 11:00AM Catherine
 Receipt number: 33030806-0106 001267608

PERMITS / INSPECTIONS
 2025 202516406|2020 \$500.00

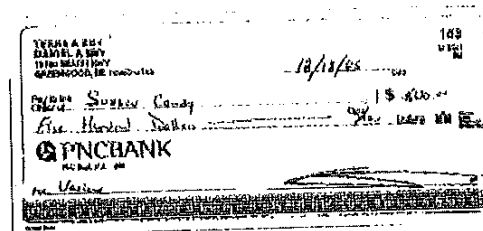
\$500.00

Subtotal \$500.00
 Total \$500.00

Tenders
 CHECK \$500.00
 Check Number 0153

Change due \$0.00

Paid by: DANTEL A EBY



Thank you for your payment.

CUSTOMER COPY

SITE DATA

TAX PARCEL:

430-6.00-47.24

LANDS OF WILLIAM R. WOLTER, JR. SUBDIVISION
LOT 2

ADDRESS:

12708 BEACH HIGHWAY
GREENWOOD, DE 19950

AREA:

1.923 ACRES

DEED REFERENCE:

DEED BOOK 4356 PAGE 132

PLOT BOOK 53 PAGE 138

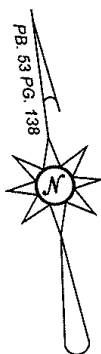
CURRENT OWNER:

BOWERS GROUP, LLC

SURVEY CLASS:

THIS SURVEY MEETS OR EXCEEDS THE
REQUIREMENTS FOR A RURAL SURVEY.

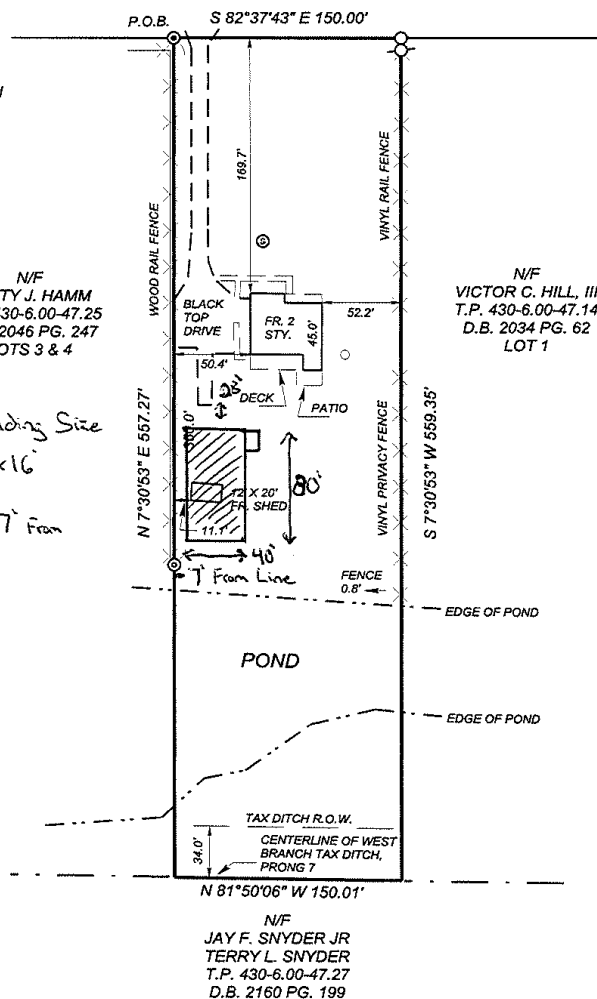
TITLE NOTE:

THIS MAP WAS PREPARED WITHOUT THE BENEFIT
OF A TITLE REPORT, WHICH MAY SHOW ADDITIONAL
CONVEYANCES, EASEMENTS, COVENANTS, RIGHTS-
OF-WAYS OR MORE STRINGENT BUILDING RESTRICTION
LINES THAN THOSE SHOWN HEREON. NO RECORDED
RIGHTS-OF-WAY OR EASEMENTS WERE PROVIDED BY
OTHERS FOR THE PREPARATION OF THIS SURVEY.N/F
BETTY J. HAMM
T.P. 430-6.00-47.25
D.B. 2046 PG. 247
LOTS 3 & 4Pole Building Size
40x80x16'Request 7' from
Prop LineTIES FROM THE P.O.C. TO THE P.O.B., P.O.C. BEING THE
INTERSECTION OF THE EASTERLY R.O.W. OF OWENS
ROAD, A.K.A. C.R. 611 WITH THE SOUTHERLY R.O.W.
OF BEACH HIGHWAY, A.K.A. DE RT. 16 (60' R.O.W.),
THENCE ALONG THE SOUTHERLY R.O.W. OF BEACH
HIGHWAY THE FOLLOWING COURSE AND DISTANCE:

1. EASTERLY, 2440', +/- TO THE POINT OF BEGINNING.

**BEACH HIGHWAY
DE ROUTE 16**

(60' WIDE R.O.W.)

N/F
VICTOR C. HILL, III
T.P. 430-6.00-47.14
D.B. 2034 PG. 62
LOT 1N/F
JAY F. SNYDER JR
TERRY L. SNYDER
T.P. 430-6.00-47.27
D.B. 2160 PG. 199

LEGEND

- REBAR & CAP SET
- ⊙ IRON PIPE & CAP FOUND
- ⊙ IRON PIPE FOUND
- UTILITY POLE
- ⊙ SEPTIC RISER/PUMP
- WELL

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT
THE SURVEY SHOWN HEREON IS CORRECT. THAT IT IS A SURVEY OF ALL THE
LANDS CONVEYED BY THE BANK OF NEW YORK MELLON F/K/A THE BANK OF
NEW YORK TO BOWERS GROUP, LLC BY DEED RECORDED JANUARY 22, 2015
AMONG THE LAND RECORDS OF SUSSEX COUNTY, DELAWARE IN DEED BOOK
4356 PAGE 132.BOUNDARY SURVEY PLAN
FOR**DANIEL A. EBY**NANTICOKE HUNDRED
SUSSEX COUNTY, DELAWARE

PREPARED FOR: HUDSON, JONES, JAYWORK & FISHER

DONALD G. GROWER, PLS, INC.
PROFESSIONAL LAND SURVEYING SERVICES57C SAULSBURY ROAD, DOVER, DE 19904
TEL. 302-526-2495 CEL. 302-632-1979
EMAIL: dgrower@comcast.net
Mailing Address: 533 Carol Street, Dover, DE 19904

DATE: 2/26/15

JOB NO: 1103-2015

SCALE: 1"=100'

DRAWN BY: DGG

SHEET NO.: 1 OF 1

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DONALD G. GROWER, PLS NO. 0734

SUSSEX COUNTY
DELAWARE

Layers

Q Search

Basemaps

Select Area

Eagleview

Print

Help



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

Eagleview	Search Results
Selected Features:	Parcels (1)
▼ 1) 430-6.00-47.24	Zoom
BOOK	5424
PAGE	89
FULLNAME	EBY DANIEL A
Second_Owner_Name	TERRA A EBY
MAILINGADDRESS	12780 BEACH HWY
CITY	GREENWOOD
STATE	DE
a_account	
DESCRIPTION	S/RT 16
DESCRIPTION2	2400' E OF RD 611
DESCRIPTION3	LOT 2
LUC	101
SCHOOL	5
MUNI	00
CAP	2
APRBLDG	308700
APRLAND	73500
PINWASSEMENTUNIT	430-6.00-47.24
PIN	430-6.00-47.24

Selected Features (1)

Clear Selected

SUSSEX COUNTY
DELAWARE

Layers

Q Search

Basemaps

Select Area

Eagleview

Print

Help

Eagleview

Search Results

Parcels (1)

Selected Features:
1) 430-6.00-47.24

Zoom

47.24

1.92 Ac

12780

47.14

1.93 Ac

12794

47.24

2.69

430-6.00-47.24

BOOK 5424

PAGE 89

FULLNAME EBY DANIEL A

Second_Owner_Name TERRA A EBY

MAILINGADDRESS 12780 BEACH HWY

CITY GREENWOOD

STATE DE

a_account

DESCRIPTION S/RT 16

DESCRIPTION2 2400' E OF RD 611

DESCRIPTION3 LOT 2

LUC 101

SCHOOL 5

MUNI 00

CAP 2

APRBLDG 308700

APRLAND 73500

PINWASSEMENTUNIT 430-6.00-47.24

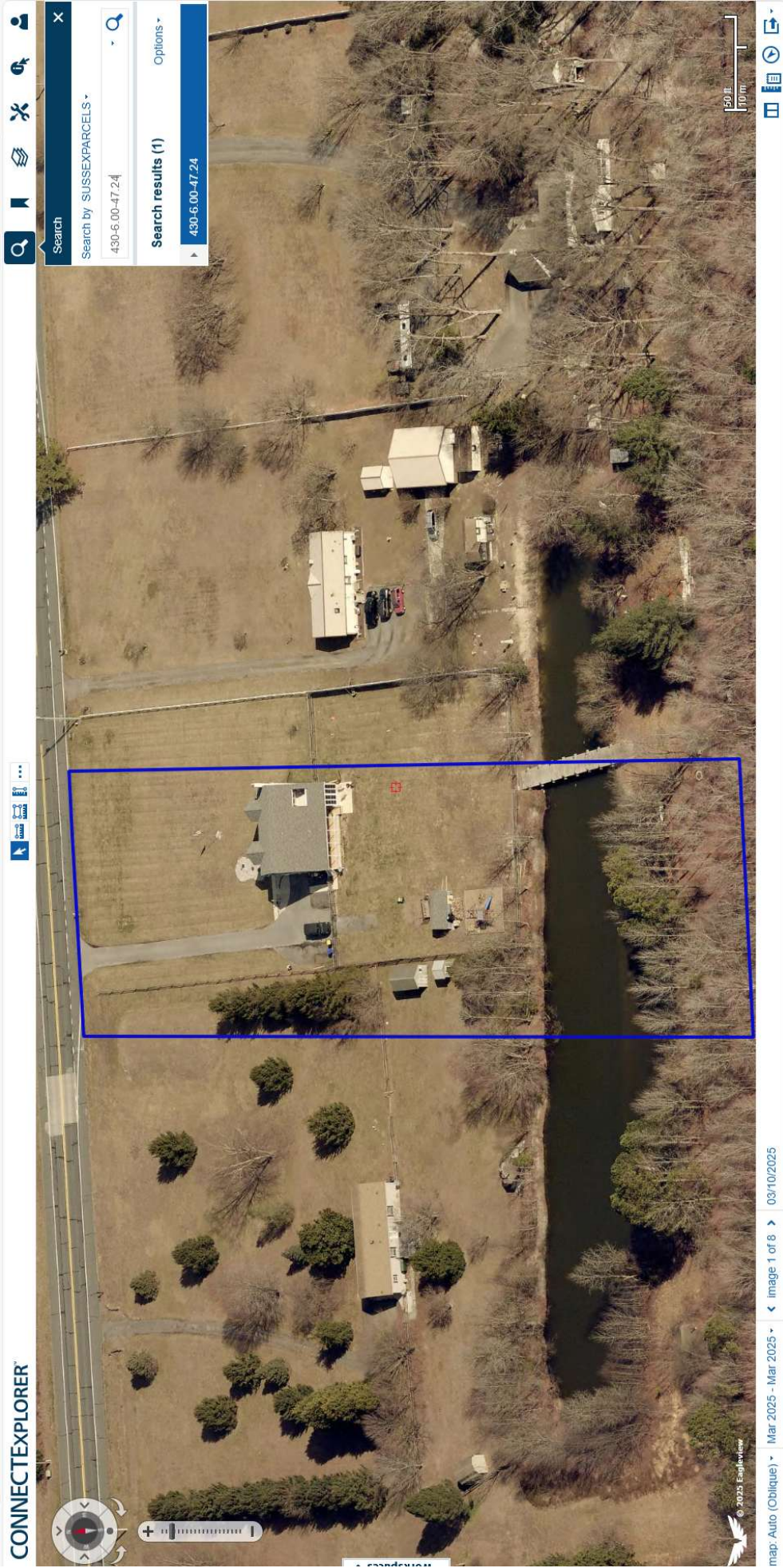
PIN 430-6.00-47.24

Selected Features (1)

Clear Selected

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

POWERED BY
esri



CONNECTEXPLORER

Workspaces

map, Auto (Oblique) ◀ Mar 2025 - Mar 2025 ▶ ◀ Image 1 of 12 ▶ 03/10/2025

© 2025 Esri

map, Auto (Oblique) ◀ Mar 2025 - Mar 2025 ▶ ◀ Image 1 of 12 ▶ 03/10/2025

Search

Search by SUSSEXPARCELS

430-6.00-47.24


Search results (1)

Options

430-6.00-47.24

20 ft

10 m



118

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 # 13162
Hearing Date 1.26.2026
202516821

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:

Lot 51, 38310 Maple Lane, Selbyville, DE 19975

Variance/Special Use Exception/Appeal Requested:

The variance/special use exception which is being requested to allow a reduced front setback of 25 feet.

5' variance from 30' front yard setback for existing structure

Tax Map #: 533-19.12-110.00

Property Zoning: MR

Applicant Information

Applicant Name: Evergreene Homes

Applicant Address: 33176 Coastal Hwy, Unit 3

City Bethany Beach State DE Zip: 19930

Applicant Phone #: 703-466-5413 Applicant e-mail: LEi@EvergreeneHomes.com

Owner Information

Owner Name: The Evergreene Companies, LLC

Owner Address: 33176 Coastal Hwy, Unit 3

City Bethany Beach State DE Zip: 19930 Purchase Date: 10/03/2025

Owner Phone #: 703-466-5413 Owner e-mail: LEi@EvergreeneHomes.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

Timothy Naughton The Evergreene Companies Date: 12/23/2025



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.

HOA requires a 20-foot rear setback, which exceeds the Sussex County standard.

A 5-foot reduction to the front setback, bringing it to 25 feet, will offset the irregularity while remaining compliant with HOA requirements. HOA documents specifically allow a front 25' set back, and a front 25' set back was already awarded in 2021 on this street (Maple Lane) at the following Tax Map IDs: 533-19.16-37.00 and 533-19.16-37.01

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 house has already been modified to the maximum extent possible and still requires and additional 5 feet of front setback to fit.

3. Not created by the applicant:

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

The lot was purchased with these existing dimensions and setbacks already in place.

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.

Other houses in the neighborhood already exist with a 25-foot front setback, which also aligns with the HOA's front setback requirement. Both the County and the HOA have approved a 25-foot setback multiple times in the past.

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.

A minimum 5-foot variance is required, even after making the maximum possible floor plan modifications, for the home to fit on the lot.

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.

A 5-foot reduction in the front setback will not adversely affect neighboring properties.

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

None

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

Due to the 20-foot rear setback required by the HOA and deed restrictions, we need to reduce the front setback to 25 feet for the home to fit on the lot. The house plan has already been modified to the maximum extent possible to accommodate this lot. HOA has already stated they allow and will approve 25' front set back, and have approved this set back in the past

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.

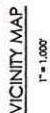
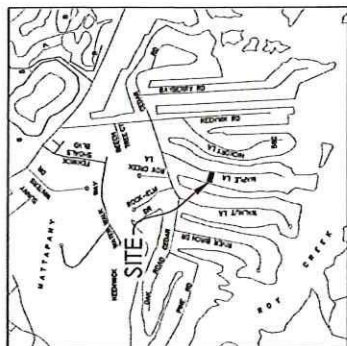
Signature of Owner/Agent/Attorney

Timothy Naughton - The Evergreens Companies Date: 12/23/2025

For office use only:

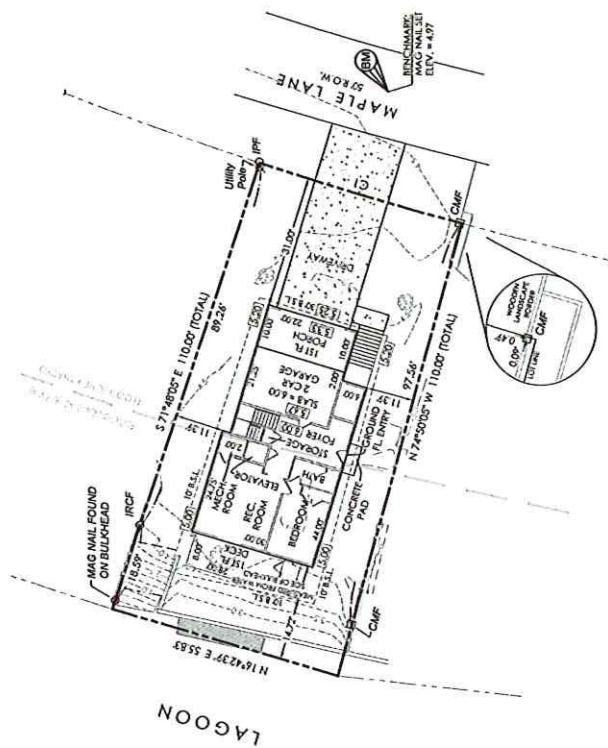
Date Submitted: _____ Fee: _____ Check #: _____
 Staff accepting application: _____ Application & Case #: _____
 Location of property: _____

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



SITE DATA & GENERAL NOTES

1. OWNER: THE EVERGREEN COMPANIES, LLC
3664 CENTERVIEW DR. STE 1
CHANTILLY, VA 20151
2. SURVEYOR: SOLUTIONS PSM, LLC
3003 WHEAT MILL ROAD
SUITE 200
FARMERS BRANCH, VA 21064
T. 410-575-0603
F. 410-341-3970
3. TAX REF. 533-19-12-110-00
DEED REF. 6304/17
ZONING: A/R, MEDIUM RESIDENTIAL
4. SITE AREA: 3.609 ± SQ. FT.
FRONT = 30 FT.
DEED = 10 FT.
DEED = 10 FT.
5. SETBACKS:
6. BOUNDARY LINES SHOWN HEREON ARE BASED ON CURRENT TITLE INSTRUMENTS WITH SURVEY. NO TITLE REPORT FURNISHED BY CLIENT.
7. OTHER THAN BORING, THE SURVEY BORES WERE NOT PERFORMED. THE EXISTENCE OR NON-EXISTENCE OF ROUTES-OF-WATER OR LAGOONS,
BASED UPON Aerial FLOOD INSURANCE RATE MAP NUMBER 1000000000, PANEL 45-04 AND 45-04-100, 2013, THIS TITLE LOCATION ZONE IS RELAY, A, BASE FLOOD ELEVATION DETERMINED AND FLOOD ZONE A SHADED. AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREA OF 1% ANNUAL CHANCE FLOOD WITH SURVEY, AND AREAS OF 1% ANNUAL CHANCE FLOOD WITH SURVEY, 1% ANNUAL CHANCE FLOOD, ARE REFERENCED BY LINES FROM 1% ANNUAL CHANCE FLOOD.
8. ELEVATIONS SHOWN HEREON ARE REFERENCED TO NAVD 1988 DATUM.
9. MAXIMUM BUILDING ELEVATION: 45' ± AFT. ± 5' ± PRELIMINARY ± 46.00
PROPOSED MAXIMUM BUILDING ELEVATION: 50' ±



- | | |
|-------------------------|---|
| CONCRETE MONUMENT FOUND | <input type="checkbox"/> CMF |
| IRON ROD & CAP FOUND | <input type="checkbox"/> IRCF |
| IRON PIPE FOUND | <input type="checkbox"/> IPF |
| MAJOR CONTOUR | ----- |
| MINOR CONTOUR | ----- |
| DECIDUOUS TREE |  |



11-06-2025	Job Number:	S25086	Scale:	1" = 20'	Drawn By:	RAM	Designed By:	Approved By:	SWF
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Sheet No.:

1 OF 1

File Name:
252586.dwg
252586.dwg

REVISIONS		DATE
DESCRIPTION		

SITE PLAN
for
LOT 51
"KEEN WIK - SUBDIVISION NO. 5"
38310 MAPLE LANE
BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE

Maple Lane

Lot 57: WALSCHAS, J. REUBEN JR. TAC: 533-20-09-224.01 DE: 2795/200

Lot 56: MICHAEL BOLDWICH TAC: 533-20-09-25.00 DE: 4767/207

Lot 55: JOHN L. HARRISON TAC: 533-20-09-26.00 DE: 4222/211

Lot 54: LYNNE N. ZAROU TAC: 533-20-09-27.00 DE: 3496/227

Lot 53: KEVIN S. LYONG TAC: 533-19-12-108.00 DE: 3340/202

Lot 52: EDWARD & POLYN TAC: 533-19-12-109.00 DE: 3340/202

Lot 51: 5,000 SQ. FT. 2-STORY DWELLING

Lot 50: NIEL C. ORWELL REURE TAC: 533-19-12-111.00 DE: 6297/201

Lot 49: MARY KATHLEEN PROCELL TAC: 533-19-12-112.00 DE: 5474/235

Lot 48: CYNTHIA MARIE BECHTEL ET AL TAC: 533-19-12-112.01 DE: 5703/235

Lot 47: JOHN C. FEUERSTEIN TAC: 533-19-12-113.00 DE: 1904/17

Lot 46: PHILIP T. RACE TAC: 533-19-12-114.00 DE: 3124/197

Lot 45: JOHN T. KURKOWICZ JR. TAC: 533-19-12-115.00 DE: 3124/197

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Lot 49: MARY KATHLEEN PROCELL TAC: 533-20-09-31.00 DE: 5474/235

Lot 48: CYNTHIA MARIE BECHTEL ET AL TAC: 533-20-09-32.00 DE: 5703/235

Lot 47: JOHN C. FEUERSTEIN TAC: 533-20-09-33.00 DE: 1904/17

Lot 46: PHILIP T. RACE TAC: 533-20-09-34.00 DE: 3124/197

Lot 45: JOHN T. KURKOWICZ JR. TAC: 533-20-09-35.00 DE: 3124/197

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Lot 54: LYNNE N. ZAROU TAC: 533-20-09-27

Jessica Iarussi

From: Lisa Ei <lei@evergreenehomes.com>
Sent: Tuesday, December 23, 2025 11:04 AM
To: Lisa Ei
Subject: FW: MAPE 0001 - Variance Application

From: Jeremiah Paine <JPaine@EvergreeneHomes.com>
Sent: Thursday, December 18, 2025 4:41 PM
To: Lisa Ei <lei@evergreenehomes.com>; Tim Naughton <tnaughton@evergreenehomes.com>
Subject: RE: MAPE 0001 - Variance Application

Please include this email/letter below with application from HOA...

Good morning Jeremiah - KOTB HOA does not issue variances for setbacks. The setbacks are documented in our Covenants and have been detailed there for many years. Current and former Evergreen employees who were residents here know the regulations very well.

My first thought is to relocate the outside shower to the side of the building. Side setbacks are 5 feet. Second, request a 5-foot variance from the County to move the entire building 5 feet closer to the front property line. The County and KOTB HOA have approved a 25-foot front setback several times. This would resolve the rear 20-foot setback issue. Lastly, does Evergreen have a house model that is 5 feet shorter that will fit on the lot and meet our setback requirements?

Thanks for your understanding,
 Ernie Tyler - Chairman
 302-564-7001

SUSSEX COUNTY
D E L A W A R E

Layers

Q Search

Basemaps

Select Area

Eagleview

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Eagleview

Search Results

Selected Features: 1

Parcels (1)

Zoom

1) 533-19-12-110.00

BOOK6386

PAGE17

FULLNAMETHE EVERGREENE COMPANIES LLC

Second_Owner_Name

MAILINGADDRESS3684 CENTERVIEW DR STE 1

CITYCHANTILLY

STATEVA

a_account04-11-110

DESCRIPTIONKEEN-WIK

DESCRIPTION2LOT 51 SUBDIVISION 5

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PINWASSEMENTUNIT533-19-12-110.00

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Selected Features (1)

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Maple Ln

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SUSSEX COUNTY
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Q Search

Basemaps

Select Area

Eagleview

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Help

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Search Results

Selected Features: 1) 533-19.12-110.00

Zoom

BOOK	6386
PAGE	17
FULLNAME	THE EVERGREEN COMPANIES LLC
Second_Owner_Name	
MAILINGADDRESS	3684 CENTERVIEW DR STE 1
CITY	CHANTILLY
STATE	VA
a_account	04-11-110
DESCRIPTION	KEEN-WIK
DESCRIPTION2	LOT 51 SUBDIVISION 5
DESCRIPTION3	
LUC	101
SCHOOL	1
MUNI	00
CAP	0
APRBLDG	387700
APRLAND	480300
PINWASSEMENTUNIT	533-19.12-110.00
PIN	533-19.12-110.00

Selected Features (1)

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

CONNECTEXPLORER™

Workspaces

Search

Search by SUSSEXPARCELS

533-19-12-110.00

Search results (1)

533-19-12-110.00

Options

map: Auto (Oblique)

Mar 2025 - Mar 2025

Image 1 of 9

03/12/2025

© 2025 Esri

map: Auto (Oblique)

Mar 2025 - Mar 2025

Image 1 of 9

03/12/2025

This is an aerial oblique photograph of a residential neighborhood. A blue rectangular highlight is placed on a house with a brown roof and a red roofline. The house is situated on a street corner. The surrounding area includes other houses, lawns, and a road. The image is part of a web application interface, with various controls and information visible around the edges.