

BOARD OF ADJUSTMENT

JEFF CHORMAN, CHAIRMAN
KEVIN E. CARSON
JOHN WILLIAMSON
JOHN T. HASTINGS
JORDAN WARFEL



Sussex County

DELAWARE
sussexcountyde.gov

(302) 855-7878

AGENDA

June 17, 2024

6:00 PM

Call to Order

Pledge of Allegiance

Approval of Agenda

Approval of the Minutes for April 22, 2024

Approval of the Findings of Fact for April 22, 2024

Public Hearings

Case No. 12941 – Keystone Novelties Distributors

seeks a special use exception for a temporary tent sale (Section 115-32 of the Sussex County Zoning Code). The property is located East of Cedar Neck Road and North of Bethany Loop within the Salt Pond Plaza Complex. 911 Address: 703 Bethany Loop, Bethany Beach. Zoning District: MR. Tax Parcel: 134-13.00-88.12

Case No. 12942 – Keystone Novelties Distributors

seeks a special use exception for a temporary tent sale (Section 115-80 of the Sussex County Zoning Code). The property is located East of Roxana Road and South of Atlantic Avenue. 911 Address: 34960 Atlantic Avenue, Ocean View. Zoning District: C-1. Tax Parcel: 134-12.00-330.01

Case No. 12943 – Orlando and Evelyn Nieves

seek variances from the side yard setback requirement for an existing addition (Section 115-25 of the Sussex County Zoning Code). The property is located Southwest of Comet Court within the Starlight Meadows Subdivision. 911 Address: 6 Comet Court, Milton. Zoning District: AR-1. Tax Parcels: 235-7.00-223.00

Case No. 12951 – Charles and Ruth Basel

seek a variance from the side yard setback requirement for a proposed structure (Section 115-25 of the Sussex County Zoning Code). The property is located West of Lenape Lane and South of Johnson Road within the Indian Acres Subdivision. 911 Address: 27135 Lenape Lane, Georgetown. Zoning District: AR-1. Tax Parcel: 234-9.00-37.00

Case No. 12952 – Michael Lewis

seeks a variance from the front yard setback requirement for a proposed structure (Section 115-42 of the Sussex County Zoning Code). The property is located South of Martins Way within the Martin E. Cox Subdivision. 911 Address: 38179 Martins Way, Ocean View. Zoning District: GR. Tax Parcel: 134-9.00-263.00

Case No. 12953 – Jeff and Debbie Micsky

seek variances from the front and corner front yard setback requirement for a proposed structure (Section 115-34 of the Sussex County Zoning Code). The property is located South of Cedar Road and West of Walnut Lane within the Keen-Wik Subdivision. 911 Address: 38302 Walnut Lane, Selbyville. Zoning District: MR. Tax Parcel: 533-19.12-92.00

Case No. 12955 – Kenneth and Cynthia Sampson

seek a variance from the side yard setback requirement for a proposed structure (Section 115-34 of the Sussex County Zoning Code). The property is located Northeast of North Haven Drive within the Americana Bayside Subdivision. 911 Address: 12409 N Haven Drive, Selbyville. Zoning District: MR. Tax Parcel: 533-19.00-2003.00

Case No. 12957 – Dennis Badders

seeks a variance from the side yard setback requirement for a proposed structure (Section 115-25 of the Sussex County Zoning Code). The property is located West of Bowman Road. 911 Address: 3188 Bowman Road, Seaford. Zoning District: AR-1. Tax Parcel: 531-17.00-7.11

Case No. 12959 – Dan and Robin Wanamaker

seek a variance from the front yard setback requirement for a proposed structure (Section 115-25 of the Sussex County Zoning Code). The property is located Southeast of Revel Road. 911 Address: 29257 Revel Road, Millsboro. Zoning District: AR-1. Tax Parcel: 133-16.00-84.00

Additional Business

-MEETING DETAILS-

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on June 10, 2024. 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/>.

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 June 13, 2024.

####



Keystone Fireworks Tents

Keystone Novelties Distributors, LLC

531 N. 4th Street Denver PA 17517 Email: permits@keystonenovelties.com

Main Ph. 717-390-0844, Leasing ex.102, Permits ex.103,

Fax: 717-290-7774

March 29, 2024

Sussex County (DE)

2 The Circle P.O. Box 589

Georgetown, DE, 19947

Keystone Novelties is in the process of planning for our annual Fourth of July tent sales. I have included in this package everything that I believe is necessary for the purposes of applying for our permit. Below is an outline of our intended event & supporting documents provided with this submittal.

Location/Hours & Documents:

- **Location of Sale: 695 Bethany Loop, Bethany Beach, DE, 19930**
- **Sale Dates: 6/21/2024 through 7/4/2024**
 - Tent is set a few days prior to opening date and removed by July 10th
 - Hours of Operation: 9am to 10pm Daily through July 4th.
- **Application(s) Included: Zoning Board of Adjustment Hearing - Special Use Exception**
- **Plot Map Diagram: Showing proposed location of tent on the property**
- **Insurance Certificates: Liability &/or Workers Comp insurance certificates**
- **Fees: Check for \$500.00 to pay for the permit. If no check is included, please provide amount due and instructions for prompt payment.**

The tent will be put up a few days in advance and removed as soon as possible after July 5th but no later than July 10th. We post "No Smoking" & "Exit" signs at all egress points and always have a fire extinguisher on hand.

Should you have any questions or if anything has changed for this year, please call me at my permit extension or email me at the listed email address (both located in header).

Respectfully,

Rick Seery,

V.P. of Retail Operations

Keystone Novelties Distributors LLC /

Keystone Fireworks Tents

Case # 12941
Hearing Date 5.6.2024
202404552

Board of Adjustment Application Sussex County, Delaware

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

Type of Application: (please check all applicable)

Variance

Special Use Exception

Administrative Variance

Appeal

Existing Condition

Proposed

Code Reference (office use only)

Site Address of Variance/Special Use Exception:

703 Bethany Loop, Bethany Beach, DE, 19930

Variance/Special Use Exception/Appeal Requested:

Request to erect a temporary tent structure for retail sales of state legal sparkler products.

Tax Map #: 134-13.00-88.12

Property Zoning: COM MR

Applicant Information

Applicant Name: Keystone Novelties Distributors LLC

Applicant Address: 531 N Fourth Street

City Denver State PA Zip: 17517

Applicant Phone #: (717) 390-0844 Applicant e-mail: mbushong@keystonenovelties.com

Owner Information

Owner Name: Beach Plaza at Salt Pond LLC

Owner Address: PO BOX 930

City Ocean View State DE Zip: 19970 Purchase Date: 1/18/07

Owner Phone #: (302) 539-5255 Owner e-mail: geinc@mchsi.com

Agent/Attorney Information

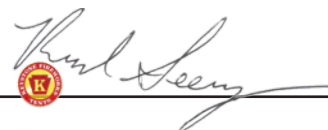
Agent/Attorney Name: See signed lease agreement

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney



Date: 04/01/2024



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.

Keystone Novelties Distributors will have a temporary tent structure set a few days prior to the tent's opening day. The duration of the sale will take place from 6/21/2024-7/4/2024 in accordance with Delaware law. Only ground based sparkling devices will be sold in accordance with Delaware permissible fireworks. Tent operating hours planned for are 9:00am to 10:00pm daily from 6/21/2024-7/4/2024 and are designed to closely align with other fixed stores on site.

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)

Keystone Novelties Distributors is requesting a 3-year special use exception for this property because we have negotiations with the current property owner for options to extend the agreement via first right of refusal.

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

The requested activity is already permitted under the current zoning ordinance we are only seeking permission to extend the number of days allowed with out this special use exception



Keystone Fireworks Tents

Keystone Novelties Distributors, LLC

531 N. 4th Street Denver PA 17517 : Email: Info@keystonenovelties.com

Main Ph. 717-390-0844, Leasing ex.102, Fax: 717-290-7774

THIS AGREEMENT IS MADE BETWEEN, G&E and Hocker's (Lessor), and Keystone Novelties Distributors, LLC (Lessee), for the purpose of allowing the retail sale of approved fireworks at the premises (Location):

Location Address/Property Description: Location: BETHANY BEACH DE HOCKER'S MARKETS
BEACH PLAZA AT SALT POND LLC Municipality: Sussex County (DE)
695 Bethany Loop, Berthany Beach, DE, 19930

Lessor Agrees to the following terms and conditions:

1. Lessor represents that the parking lot or commonly occupied Location listed above is owned and/or controlled by the Lessor and that the Lessor grants Lessee the exclusive right to operate a retail fireworks tent or outlet at the property. The space shall be used exclusively for the tent and associated equipment required to execute the sale, including but not limited to a 20-foot storage container, portable toilet & at least one parking space dedicated to the tent clerk on the premises during the term of this Agreement. The Lessor agrees to the placement of the tent and related equipment as detailed in the Tent Placement Addendum.
2. The term of this Agreement shall include the 2024 - 2024 July 4th holiday period(s). The tent and related equipment shall be placed no sooner than June 17th and removed no later than July 11th each year the lease is in effect. The dates for the sale will not exceed: June 21st through July 6th of each year this agreement is in effect.
3. Following the initial term, the Lessor hereby grants the Lessee First Rights of Refusal to match any offer to lease the location for fireworks sales during the forthcoming renewal year.
4. Lessor will have the right to void this lease if the above Location is sold or developed for any purpose other than the sale of fireworks or other seasonal merchandise by providing 45 days advanced written notice prior to cancelation.
5. Lessee requests the following additional operational elements to support the tent sale. If agreed, please initial as indicated:
 - a. Lessor agrees to allow a 28 ft PUP trailer (Backhaul trailer) placed on property: No MW (initials)
 - b. Lessor agrees to allow access to electric if exterior access already exists: No MW (initials)

In return, Lessee agrees to the following terms and conditions:

1. Lessee shall pay to Lessor the amount of **\$2,000.00** by check, yearly starting on June 20th 2024 until lease is concluded per item (#2) of Lessor section above or voided per the terms in items (#4 & 5).
 - a. In addition, **10.00 %** of net sales (gross sales-sales tax) over **\$20,000.00** will be paid by August 1 for each season. A W9 must be on file unless check is written out to a business name.
2. Lessee shall provide a current certificate of insurance, proving liability coverage in force at time of occupancy. All entities/individuals listed below will be included as additional insured on Lessee's policy. Insurance coverage will be in an amount not less than \$1,000,000.00.
3. Lessee guarantees that the premises will be returned to their original condition including the patching of any stake holes and removal of all trash and supplies.
4. This lease agreement shall be assignable by Lessee and is contingent upon Lessee securing any local and state permits or licenses that may be required. If the sale of fireworks is prohibited by public authority or if required permits or licenses cannot be obtained prior to the commencement of the selling season, then this agreement is terminated with all monies returned promptly. If the local municipality having jurisdiction over this outlet limits the sale of fireworks, then this lease agreement is subject to revision or termination by the Lessee.
5. Lessee shall have the right to void this agreement up to 45 days prior to the commencement of the selling period each year.

LESSOR INFORMATION (Payee & Mail To):

Pay to: BEACH PLAZA AT SALT POND LLC
G&E Hockers
695 Bethany Loop,
Bethany Beach DE, 19930
Contact: Mike Workman Ph: (302) 539-9662
Email: geinc@mchsi.com

ADDITIONAL INSURED INFORMATION

Signature: Mike Workman
Mike Workman (Mar 26, 2024 15:38 EDT) 03/26/24
Email: geinc@mchsi.com

Signature: Maxwell Bushong
Email: mbushong@keystonenovelties.com 03/26/24

Lessor

Date

Keystone Novelties Distributors, LLC

Date

- \$125 LL Cert \$75 LL Cert \$50 LL Cert \$150 + \$125 each year Cert None

TENT LOCATION PLOT PLAN LAST SAVED MARCH 20, 2024

- LOCATION NAME: **BETHANY BEACH DE HOCKERS**
- LOCATION ADDRESS: **695 BETHANY LOOP BETHANY BEACH DE 19930**
- NOTES:



SUSSEX COUNTY

DELAWARE

Layers
Search
Basemaps
Select Area
Eagleview
Print

Eagleview
Search Results

Selected Features: Parcels (1)

▼ 1) 134-13.00-88.11

BOOK	4596
PAGE	299
FULLNAME	BEACH PLAZA AT SALT POND LLC
MAILINGADDRESS	PO BOX 930
CITY	OCEAN VIEW
STATE	DE
a_account	02-01-088.11
DESCRIPTION	THE SALT POND
DESCRIPTION2	LOT 2
DESCRIPTION3	SALT POND PLAZA
LUC	999
MUNI	00
CAP	0
APRBLDG	132200
APRLAND	15200
PINWASSEMENTUNIT	134-13.00-88.11
PIN	134-13.00-88.11
ZIPCODE	19970
FRONTFOOT	0

Selected Features (1)
Clear Selected

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

TENT LOCATION PLOT PLAN LAST SAVED MARCH 20, 2024

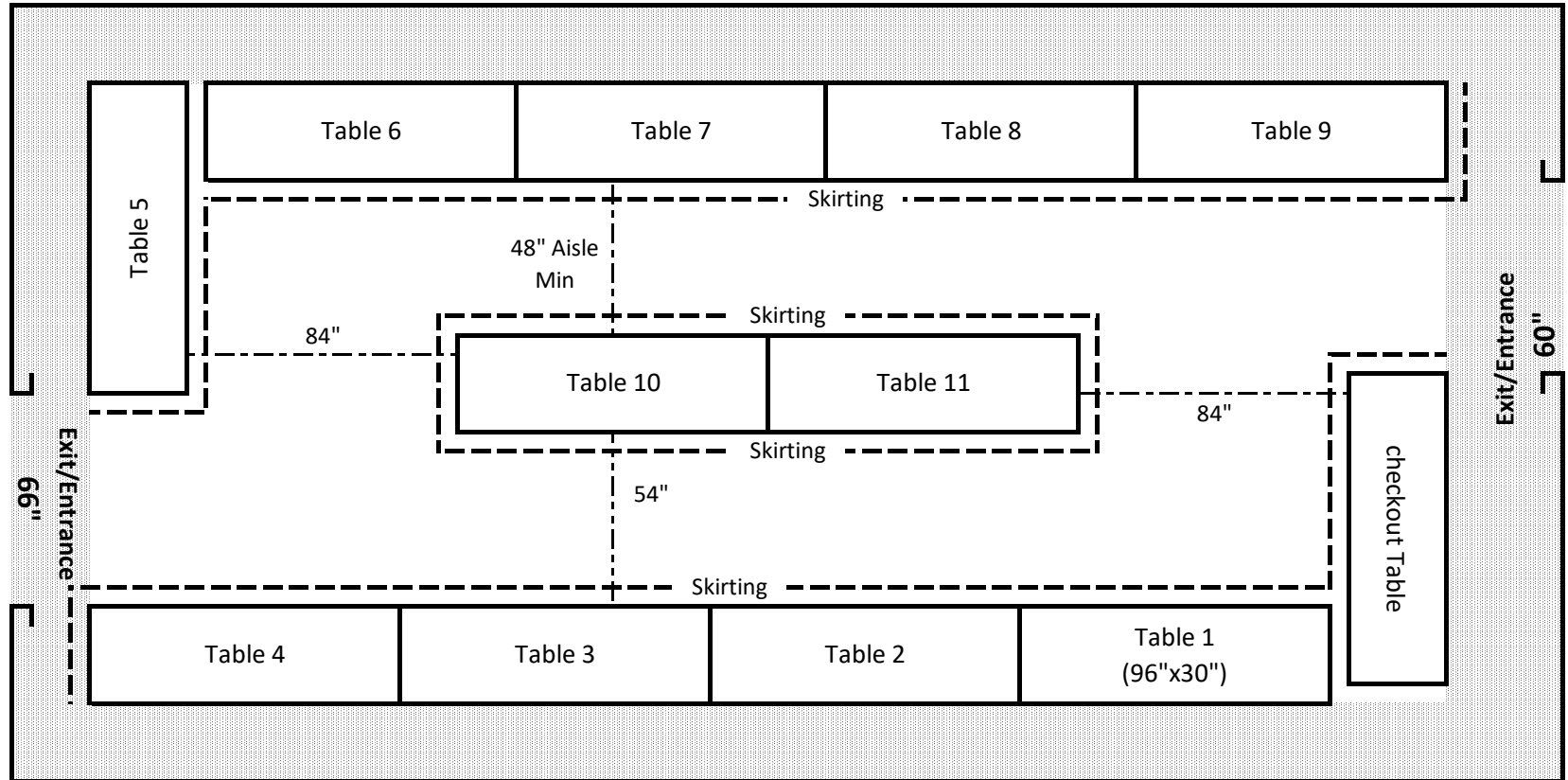
- LOCATION NAME: **BETHANY BEACH DE HOCKERS**
- LOCATION ADDRESS: **695 BETHANY LOOP BETHANY BEACH DE 19930**
- NOTES:



LEGEND:  PORT-A-JON  GENERATOR  TENT



20x40 (2) Exit



All Tent Sides Rolled Up During Business



North Dover Commons in De, Milbrook Properties, 2023



10 x 20 Pop-up Tent with storage Container, 2024



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 1/2/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Acrisure, LLC dba Britton Gallagher & Associates One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">CONTACT NAME:</td> </tr> <tr> <td>PHONE (A/C, No, Ext): 216-658-7100</td> <td>FAX (A/C, No): 216-658-7101</td> </tr> <tr> <td colspan="2">E-MAIL ADDRESS:</td> </tr> <tr> <td colspan="2" style="text-align: center;">INSURER(S) AFFORDING COVERAGE</td> </tr> <tr> <td>INSURER A : Everest Indemnity Insurance Co.</td> <td style="text-align: right;">NAIC # 10851</td> </tr> <tr> <td>INSURER B : Everest Denali Insurance Company</td> <td style="text-align: right;">16044</td> </tr> <tr> <td>INSURER C : Axis Surplus Ins Company</td> <td style="text-align: right;">26620</td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	CONTACT NAME:		PHONE (A/C, No, Ext): 216-658-7100	FAX (A/C, No): 216-658-7101	E-MAIL ADDRESS:		INSURER(S) AFFORDING COVERAGE		INSURER A : Everest Indemnity Insurance Co.	NAIC # 10851	INSURER B : Everest Denali Insurance Company	16044	INSURER C : Axis Surplus Ins Company	26620	INSURER D :		INSURER E :		INSURER F :	
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INSURER E :																					
INSURER F :																					
INSURED Keystone Novelties Distributors LLC 531 N. 4th Street Denver PA 17517	8086																				

COVERAGES **CERTIFICATE NUMBER: 688897581** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS														
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	Y	SI8GL02280-231	12/31/2023	12/31/2024	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>EACH OCCURRENCE</td><td>\$ 1,000,000</td></tr> <tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td>\$ 500,000</td></tr> <tr><td>MED EXP (Any one person)</td><td>\$</td></tr> <tr><td>PERSONAL & ADV INJURY</td><td>\$ 1,000,000</td></tr> <tr><td>GENERAL AGGREGATE</td><td>\$ 2,000,000</td></tr> <tr><td>PRODUCTS - COMP/OP AGG</td><td>\$ 2,000,000</td></tr> <tr><td></td><td>\$</td></tr> </table>	EACH OCCURRENCE	\$ 1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000	MED EXP (Any one person)	\$	PERSONAL & ADV INJURY	\$ 1,000,000	GENERAL AGGREGATE	\$ 2,000,000	PRODUCTS - COMP/OP AGG	\$ 2,000,000		\$
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B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	SI8CA00024-231	12/31/2023	12/31/2024	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>COMBINED SINGLE LIMIT (Ea accident)</td><td>\$ 1,000,000</td></tr> <tr><td>BODILY INJURY (Per person)</td><td>\$</td></tr> <tr><td>BODILY INJURY (Per accident)</td><td>\$</td></tr> <tr><td>PROPERTY DAMAGE (Per accident)</td><td>\$</td></tr> <tr><td></td><td>\$</td></tr> </table>	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000	BODILY INJURY (Per person)	\$	BODILY INJURY (Per accident)	\$	PROPERTY DAMAGE (Per accident)	\$		\$				
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BODILY INJURY (Per accident)	\$																				
PROPERTY DAMAGE (Per accident)	\$																				
	\$																				
C	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$	Y	Y	P-001-000241749-05	12/31/2023	12/31/2024	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>EACH OCCURRENCE</td><td>\$ 4,000,000</td></tr> <tr><td>AGGREGATE</td><td>\$ 4,000,000</td></tr> <tr><td></td><td>\$</td></tr> </table>	EACH OCCURRENCE	\$ 4,000,000	AGGREGATE	\$ 4,000,000		\$								
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	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td><input type="checkbox"/> WC STATUTORY LIMITS</td> <td><input type="checkbox"/> OTHER</td> </tr> <tr><td>E.L. EACH ACCIDENT</td><td>\$</td></tr> <tr><td>E.L. DISEASE - EA EMPLOYEE</td><td>\$</td></tr> <tr><td>E.L. DISEASE - POLICY LIMIT</td><td>\$</td></tr> </table>	<input type="checkbox"/> WC STATUTORY LIMITS	<input type="checkbox"/> OTHER	E.L. EACH ACCIDENT	\$	E.L. DISEASE - EA EMPLOYEE	\$	E.L. DISEASE - POLICY LIMIT	\$						
<input type="checkbox"/> WC STATUTORY LIMITS	<input type="checkbox"/> OTHER																				
E.L. EACH ACCIDENT	\$																				
E.L. DISEASE - EA EMPLOYEE	\$																				
E.L. DISEASE - POLICY LIMIT	\$																				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
 Group Code: 17603

CERTIFICATE HOLDER	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

CSC-Lawyers Incorporating Service Company
7 St. Paul Street, Suite 820
Baltimore, MD 21202

Corporation Service Company
Princeton South Corporate Ctr., Suite 160
100 Charles Ewing Blvd.
Ewing, NJ 08628

Corporation Service Company
2626 Glenwood Avenue, Suite 550
Raleigh, NC 27608

Corporation Service Company
222 Jefferson Boulevard, Suite 200
Warwick, RI 02888

Corporation Service Company
100 Shockoe Slip, 2nd Floor
Richmond, VA 23219

Corporation Service Company
209 West Washington Street
Charleston, WV 25302

Layers Search Basemaps Select Area Eagleview Print

1.52 Ac.



Eagleview Search Results

Selected Features: Parcels (1)

1) 134-13.00-88.12 Zoom

BOOK	4596
PAGE	299
FULLNAME	BEACH PLAZA AT SALT POND LLC
Second_Owner_Name	
MAILINGADDRESS	PO BOX 930
CITY	OCEAN VIEW
STATE	DE
a_account	02-01-088.12
DESCRIPTION	THE SALT POND
DESCRIPTION2	LOT 3
DESCRIPTION3	SALT POND PLAZA
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	0
APRLAND	10000
PINWASSEMENTUNIT	134-13.00-88.12
PIN	134-13.00-88.12

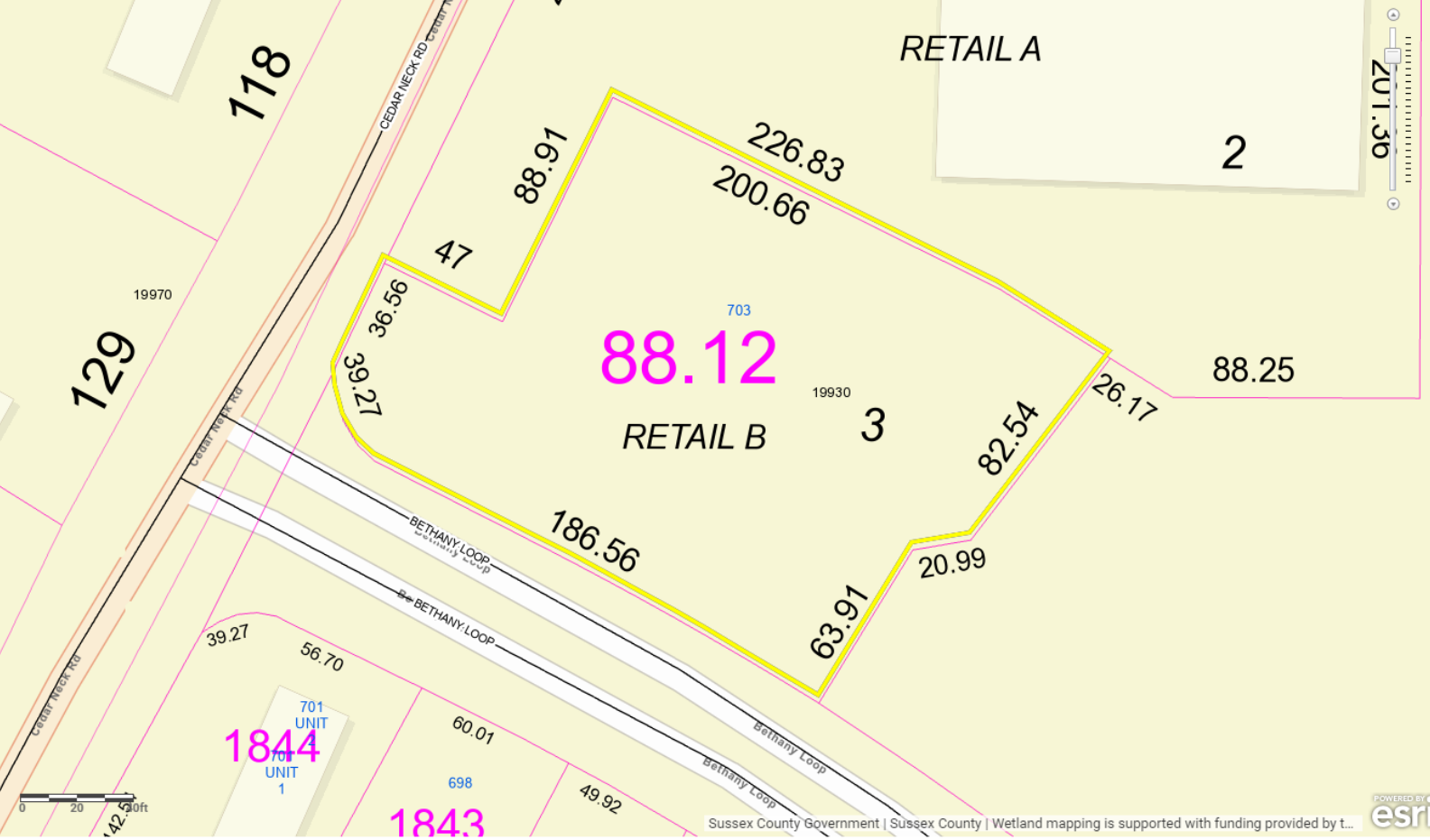
Navigation icons: Home, Previous, Next, Full Screen, Refresh

Selected Features (1)

Clear Selected

Layers Search Basemaps Select Area Eagleview Print

1.52 Ac.



Eagleview Search Results

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1) 134-13.00-88.12 Zoom

BOOK	4596
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DESCRIPTION2	LOT 3
DESCRIPTION3	SALT POND PLAZA
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	0
APRLAND	10000
PINWASSEMENTUNIT	134-13.00-88.12
PIN	134-13.00-88.12

Navigation icons: Home, Previous, Next, First, Last

Selected Features (1)

Clear Selected



Workspaces

Search

Search by SUSSEXPARELS

134-13.00-88.12

Search results (1) Options

134-13.00-88.12





Keystone Fireworks Tents

Keystone Novelties Distributors, LLC

531 N. 4th Street Denver PA 17517 Email: permits@keystonenovelties.com

Main Ph. 717-390-0844, Leasing ex.102, Permits ex.103,

Fax: 717-290-7774

March 29, 2024

Sussex County (DE)

2 The Circle P.O. Box 589

Georgetown, DE, 19947

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Location/Hours & Documents:

- **Location of Sale: 695 Bethany Loop, Bethany Beach, DE, 19930**
- **Sale Dates: 6/21/2024 through 7/4/2024**
 - Tent is set a few days prior to opening date and removed by July 10th
 - Hours of Operation: 9am to 10pm Daily through July 4th.
- **Application(s) Included: Zoning Board of Adjustment Hearing - Special Use Exception**
- **Plot Map Diagram: Showing proposed location of tent on the property**
- **Insurance Certificates: Liability &/or Workers Comp insurance certificates**
- **Fees: Check for \$500.00 to pay for the permit. If no check is included, please provide amount due and instructions for prompt payment.**

The tent will be put up a few days in advance and removed as soon as possible after July 5th but no later than July 10th. We post "No Smoking" & "Exit" signs at all egress points and always have a fire extinguisher on hand.

Should you have any questions or if anything has changed for this year, please call me at my permit extension or email me at the listed email address (both located in header).

Respectfully,

Rick Seery,

V.P. of Retail Operations

Keystone Novelties Distributors LLC /

Keystone Fireworks Tents

Case # 12941
Hearing Date 5.6.2024
202404552

Board of Adjustment Application Sussex County, Delaware

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

Type of Application: (please check all applicable)

Variance Existing Condition
Special Use Exception Proposed
Administrative Variance Code Reference (office use only)
Appeal

Site Address of Variance/Special Use Exception:

703 Bethany Loop, Bethany Beach, DE, 19930

Variance/Special Use Exception/Appeal Requested:

Request to erect a temporary tent structure for retail sales of state legal sparkler products.

Tax Map #: 134-13.00-88.12 **Property Zoning:** COM MR

Applicant Information

Applicant Name: Keystone Novelties Distributors LLC
Applicant Address: 531 N Fourth Street
City Denver State PA Zip: 17517
Applicant Phone #: (717) 390-0844 Applicant e-mail: mbushong@keystonenovelties.com

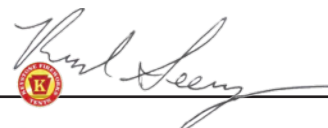
Owner Information

Owner Name: Beach Plaza at Salt Pond LLC
Owner Address: PO BOX 930
City Ocean View State DE Zip: 19970 Purchase Date: 1/18/07
Owner Phone #: (302) 539-5255 Owner e-mail: geinc@mchsi.com

Agent/Attorney Information

Agent/Attorney Name: See signed lease agreement
Agent/Attorney Address: _____
City _____ State _____ Zip: _____
Agent/Attorney Phone #: _____ Agent/Attorney e-mail: _____

Signature of Owner/Agent/Attorney



Date: 04/01/2024



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.

Keystone Novelties Distributors will have a temporary tent structure set a few days prior to the tent's opening day. The duration of the sale will take place from 6/21/2024-7/4/2024 in accordance with Delaware law. Only ground based sparkling devices will be sold in accordance with Delaware permissible fireworks. Tent operating hours planned for are 9:00am to 10:00pm daily from 6/21/2024-7/4/2024 and are designed to closely align with other fixed stores on site.

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)

Keystone Novelties Distributors is requesting a 3-year special use exception for this property because we have negotiations with the current property owner for options to extend the agreement via first right of refusal.

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

The requested activity is already permitted under the current zoning ordinance we are only seeking permission to extend the number of days allowed with out this special use exception



Keystone Fireworks Tents

Keystone Novelties Distributors, LLC

531 N. 4th Street Denver PA 17517 : Email: Info@keystonenovelties.com
Main Ph. 717-390-0844, Leasing ex.102, Fax: 717-290-7774

THIS AGREEMENT IS MADE BETWEEN, G&E and Hocker's (Lessor), and Keystone Novelties Distributors, LLC (Lessee), for the purpose of allowing the retail sale of approved fireworks at the premises (Location):

Location Address/Property Description: Location: BETHANY BEACH DE HOCKER'S MARKETS
BEACH PLAZA AT SALT POND LLC Municipality: Sussex County (DE)
695 Bethany Loop, Berthany Beach, DE, 19930

Lessor Agrees to the following terms and conditions:

1. Lessor represents that the parking lot or commonly occupied Location listed above is owned and/or controlled by the Lessor and that the Lessor grants Lessee the exclusive right to operate a retail fireworks tent or outlet at the property. The space shall be used exclusively for the tent and associated equipment required to execute the sale, including but not limited to a 20-foot storage container, portable toilet & at least one parking space dedicated to the tent clerk on the premises during the term of this Agreement. The Lessor agrees to the placement of the tent and related equipment as detailed in the Tent Placement Addendum.
2. The term of this Agreement shall include the 2024 - 2024 July 4th holiday period(s). The tent and related equipment shall be placed no sooner than June 17th and removed no later than July 11th each year the lease is in effect. The dates for the sale will not exceed: June 21st through July 6th of each year this agreement is in effect.
3. Following the initial term, the Lessor hereby grants the Lessee First Rights of Refusal to match any offer to lease the location for fireworks sales during the forthcoming renewal year.
4. Lessor will have the right to void this lease if the above Location is sold or developed for any purpose other than the sale of fireworks or other seasonal merchandise by providing 45 days advanced written notice prior to cancelation.
5. Lessee requests the following additional operational elements to support the tent sale. If agreed, please initial as indicated:
 - a. Lessor agrees to allow a 28 ft PUP trailer (Backhaul trailer) placed on property: No MW (initials)
 - b. Lessor agrees to allow access to electric if exterior access already exists: No MW (initials)

In return, Lessee agrees to the following terms and conditions:

1. Lessee shall pay to Lessor the amount of **\$2,000.00** by check, yearly starting on June 20th 2024 until lease is concluded per item (#2) of Lessor section above or voided per the terms in items (#4 & 5).
 - a. In addition, **10.00 %** of net sales (gross sales-sales tax) over **\$20,000.00** will be paid by August 1 for each season. A W9 must be on file unless check is written out to a business name.
2. Lessee shall provide a current certificate of insurance, proving liability coverage in force at time of occupancy. All entities/individuals listed below will be included as additional insured on Lessee's policy. Insurance coverage will be in an amount not less than \$1,000,000.00.
3. Lessee guarantees that the premises will be returned to their original condition including the patching of any stake holes and removal of all trash and supplies.
4. This lease agreement shall be assignable by Lessee and is contingent upon Lessee securing any local and state permits or licenses that may be required. If the sale of fireworks is prohibited by public authority or if required permits or licenses cannot be obtained prior to the commencement of the selling season, then this agreement is terminated with all monies returned promptly. If the local municipality having jurisdiction over this outlet limits the sale of fireworks, then this lease agreement is subject to revision or termination by the Lessee.
5. Lessee shall have the right to void this agreement up to 45 days prior to the commencement of the selling period each year.

LESSOR INFORMATION (Payee & Mail To):

Pay to: BEACH PLAZA AT SALT POND LLC
G&E Hockers
695 Bethany Loop,
Bethany Beach DE, 19930
Contact: Mike Workman Ph: (302) 539-9662
Email: geinc@mchsi.com

ADDITIONAL INSURED INFORMATION

Signature: Mike Workman
Mike Workman (Mar 26, 2024 15:38 EDT) 03/26/24
Email: geinc@mchsi.com

Signature: Maxwell Bushong
Email: mbushong@keystonenovelties.com 03/26/24

Lessor

Date

Keystone Novelties Distributors, LLC

Date

- \$125 LL Cert
- \$75 LL Cert
- \$50 LL Cert
- \$150 + \$125 each year Cert
- None

TENT LOCATION PLOT PLAN LAST SAVED MARCH 20, 2024

- LOCATION NAME: **BETHANY BEACH DE HOCKERS**
- LOCATION ADDRESS: **695 BETHANY LOOP BETHANY BEACH DE 19930**
- NOTES:



SUSSEX COUNTY

DELAWARE

Layers
Search
Basemaps
Select Area
Eagleview
Print

Eagleview
Search Results

Selected Features: Parcels (1)

▼ 1) 134-13.00-88.11

BOOK	4596
PAGE	299
FULLNAME	BEACH PLAZA AT SALT POND LLC
MAILINGADDRESS	PO BOX 930
CITY	OCEAN VIEW
STATE	DE
a_account	02-01-088.11
DESCRIPTION	THE SALT POND
DESCRIPTION2	LOT 2
DESCRIPTION3	SALT POND PLAZA
LUC	999
MUNI	00
CAP	0
APRBLDG	132200
APRLAND	15200
PINWASSEMENTUNIT	134-13.00-88.11
PIN	134-13.00-88.11
ZIPCODE	19970
FRONTFOOT	0

Selected Features (1)
Clear Selected

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

TENT LOCATION PLOT PLAN LAST SAVED MARCH 20, 2024

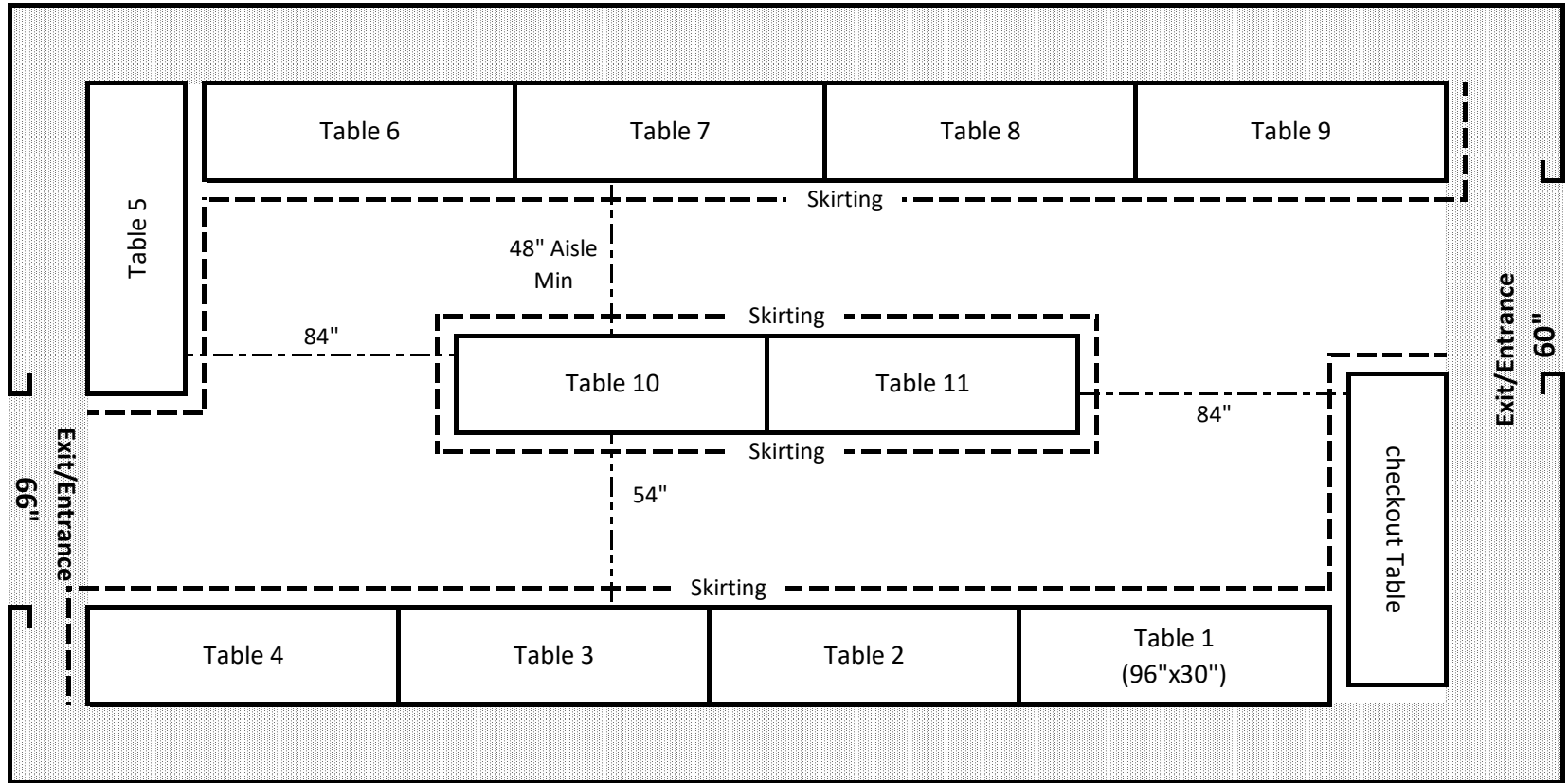
- LOCATION NAME: **BETHANY BEACH DE HOCKERS**
- LOCATION ADDRESS: **695 BETHANY LOOP BETHANY BEACH DE 19930**
- NOTES:



LEGEND:  PORT-A-JON  GENERATOR  TENT



20x40 (2) Exit



All Tent Sides Rolled Up During Business



North Dover Commons in De, Milbrook Properties, 2023



10 x 20 Pop-up Tent with storage Container, 2024



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 1/2/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Acrisure, LLC dba Britton Gallagher & Associates One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 FAX (A/C, No): 216-658-7101 E-MAIL ADDRESS:														
INSURED 8086 Keystone Novelties Distributors LLC 531 N. 4th Street Denver PA 17517	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A : Everest Indemnity Insurance Co.</td> <td style="text-align: center;">10851</td> </tr> <tr> <td>INSURER B : Everest Denali Insurance Company</td> <td style="text-align: center;">16044</td> </tr> <tr> <td>INSURER C : Axis Surplus Ins Company</td> <td style="text-align: center;">26620</td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Everest Indemnity Insurance Co.	10851	INSURER B : Everest Denali Insurance Company	16044	INSURER C : Axis Surplus Ins Company	26620	INSURER D :		INSURER E :		INSURER F :	
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INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES **CERTIFICATE NUMBER:** 688897581 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC	Y	Y	S18GL02280-231	12/31/2023	12/31/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	S18CA00024-231	12/31/2023	12/31/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	Y	Y	P-001-000241749-05	12/31/2023	12/31/2024	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
 Group Code: 17603

CERTIFICATE HOLDER

CANCELLATION

. . . .	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
------------------	---

Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

CSC-Lawyers Incorporating Service Company
7 St. Paul Street, Suite 820
Baltimore, MD 21202

Corporation Service Company
Princeton South Corporate Ctr., Suite 160
100 Charles Ewing Blvd.
Ewing, NJ 08628

Corporation Service Company
2626 Glenwood Avenue, Suite 550
Raleigh, NC 27608

Corporation Service Company
222 Jefferson Boulevard, Suite 200
Warwick, RI 02888

Corporation Service Company
100 Shockoe Slip, 2nd Floor
Richmond, VA 23219

Corporation Service Company
209 West Washington Street
Charleston, WV 25302

Layers Search Basemaps Select Area Eagleview Print

1.52 Ac.



Eagleview Search Results

Selected Features: Parcels (1)

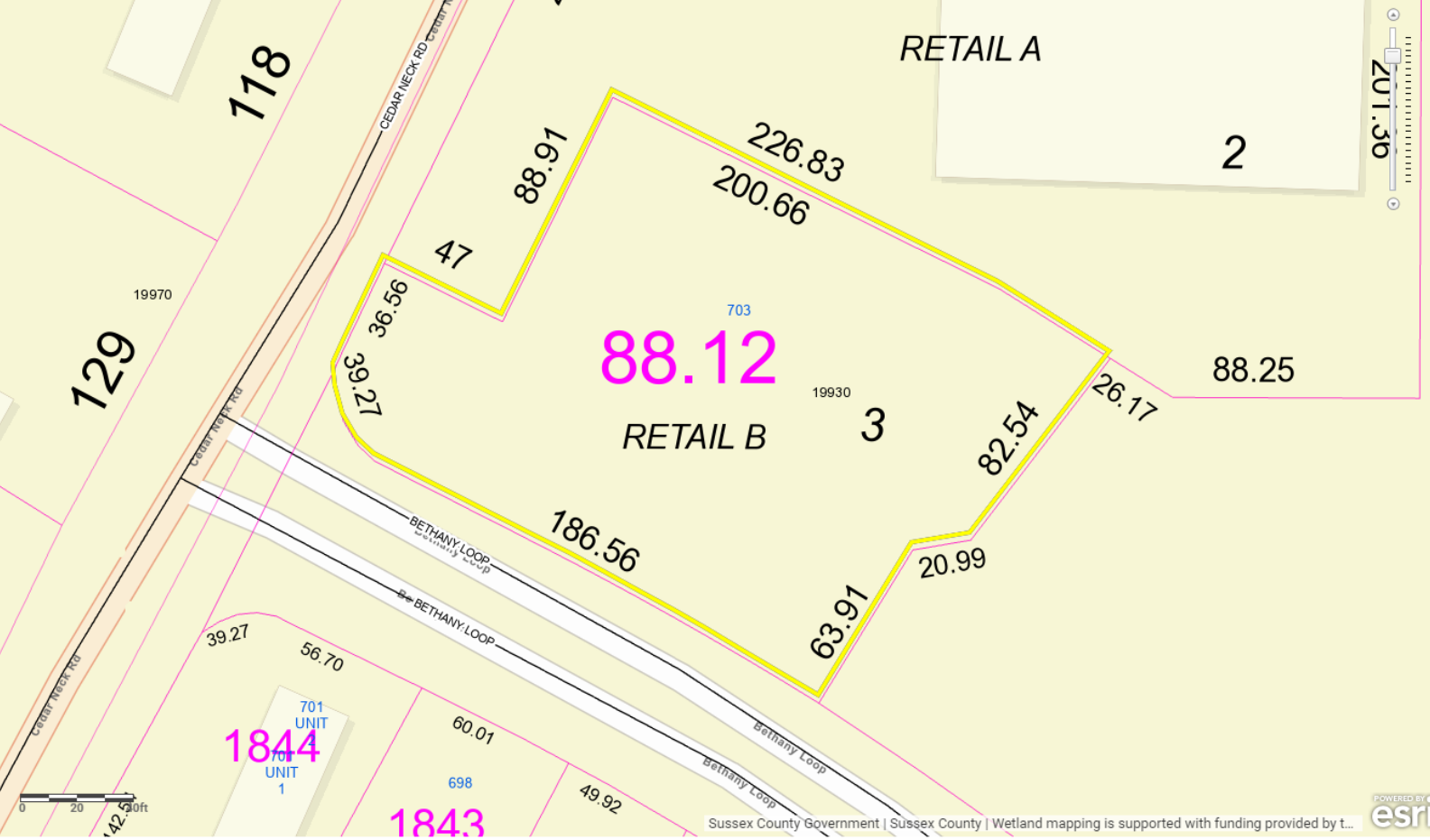
1) 134-13.00-88.12 Zoom

BOOK	4596
PAGE	299
FULLNAME	BEACH PLAZA AT SALT POND LLC
Second_Owner_Name	
MAILINGADDRESS	PO BOX 930
CITY	OCEAN VIEW
STATE	DE
a_account	02-01-088.12
DESCRIPTION	THE SALT POND
DESCRIPTION2	LOT 3
DESCRIPTION3	SALT POND PLAZA
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	0
APRLAND	10000
PINWASSEMENTUNIT	134-13.00-88.12
PIN	134-13.00-88.12

Selected Features (1)
Clear Selected

Layers Search Basemaps Select Area Eagleview Print

1.52 Ac.



Eagleview Search Results

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MUNI	00
CAP	0
APRBLDG	0
APRLAND	10000
PINWASSEMENTUNIT	134-13.00-88.12
PIN	134-13.00-88.12

Navigation icons: Home, Previous, Next, Refresh, Stop

Selected Features (1)

Clear Selected





Search

Search by SUSSEXPARELS

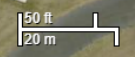
134-13.00-88.12

Search results (1) Options

134-13.00-88.12

Workspaces

© 2023 Eagleview



map: Auto (Oblique) | Dates: Latest | image 1 of 8 | 03/02/2023





Keystone Fireworks Tents

Keystone Novelties Distributors, LLC

531 N. 4th Street Denver PA 17517 Email: permits@keystonenovelties.com

Main Ph. 717-390-0844, Leasing ex.102, Permits ex.103,

Fax: 717-290-7774

March 29, 2024

Sussex County (DE)

2 The Circle P.O. Box 589

Georgetown, DE, 19947

Keystone Novelties is in the process of planning for our annual Fourth of July tent sales. I have included in this package everything that I believe is necessary for the purposes of applying for our permit. Below is an outline of our intended event & supporting documents provided with this submittal.

Location/Hours & Documents:

- **Location of Sale: 34960 Atlantic Ave, Ocean View, DE 19970**
- **Sale Dates: 6/21/2024 through 7/4/2024**
 - Tent is set a few days prior to opening date and removed by July 10th
 - Hours of Operation: 9am to 10pm Daily through July 4th.
- **Application(s) Included: Zoning Board of Adjustment Hearing - Special Use Exception**
- **Plot Map Diagram: Showing proposed location of tent on the property**
- **Insurance Certificates: Liability &/or Workers Comp insurance certificates**
- **Fees: Check for \$500.00 to pay for the permit. If no check is included, please provide amount due and instructions for prompt payment.**

The tent will be put up a few days in advance and removed as soon as possible after July 5th but no later than July 10th. We post "No Smoking" & "Exit" signs at all egress points and always have a fire extinguisher on hand.

Should you have any questions or if anything has changed for this year, please call me at my permit extension or email me at the listed email address (both located in header).

Respectfully,

Rick Seery,

V.P. of Retail Operations

Keystone Novelties Distributors LLC /

Keystone Fireworks Tents

Case # 12942
Hearing Date 5.6.2024
202404553

Board of Adjustment Application Sussex County, Delaware

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

Type of Application: (please check all applicable)

Variance Existing Condition
Special Use Exception Proposed
Administrative Variance Code Reference (office use only)
Appeal

Site Address of Variance/Special Use Exception:

34960 Atlantic Avenue Ocean View, DE 19970

Variance/Special Use Exception/Appeal Requested:

**Request to erect a temporary tent structure for retail sales of state legal
sparkler products.**

Tax Map #: 134-12.00-330.01 Property Zoning: C-1

Applicant Information

Applicant Name: Keystone Novelties Distributors LLC
Applicant Address: 531 N Fourth Street
City Denver State PA Zip: 17517
Applicant Phone #: (717) 397-1078 Applicant e-mail: rseery@keystonenovelties.com

Owner Information

Owner Name: HOCKER'S SUPER CENTER PROPERTIES LLC
Owner Address: PO BOX 930
City Ocean View State DE Zip: 19970 Purchase Date: 1/18/07
Owner Phone #: (302) 539-5255 Owner e-mail: geinc@mchsi.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney



Date: 04/01/2024



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.

Keystone Novelties Distributors will have a temporary tent structure set a few days prior to the tent's opening day. The duration of the sale will take place from 6/21/2024-7/4/2024 in accordance with Delaware law. Only ground based sparkling devices will be sold in accordance with Delaware permissible fireworks. Tent operating hours planned for are 9:00am to 10:00pm daily from 6/21/2024-7/4/2024 and are designed to closely align with other fixed stores on site.

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)

Keystone Novelties Distributors is requesting a 3-year special use exception for this property because we have negotiations with the current property owner for options to extend the agreement via first right of refusal.

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

The requested activity is already permitted under the current zoning ordinance we are only seeking permission to extend the number of days allowed with out this special use exception



Keystone Fireworks Tents

Keystone Novelties Distributors, LLC

531 N. 4th Street Denver PA 17517 : Email: Info@keystonenovelties.com

Main Ph. 717-390-0844, Leasing ex.102, Fax: 717-290-7774

THIS AGREEMENT IS MADE BETWEEN, G&E and Hocker's (Lessor), and Keystone Novelties Distributors, LLC (Lessee), for the purpose of allowing the retail sale of approved fireworks at the premises (Location):

Location Address/Property Description: HOCKER'S SUPER CENTER PROPERTIES LLC
34960 Atlantic Ave, Ocean View (Clarksville), DE, 19970

Location: OCEAN VIEW DE HOCKERS SUPER CENTER
Municipality: Sussex County (DE)

Lessor Agrees to the following terms and conditions:

1. Lessor represents that the parking lot or commonly occupied Location listed above is owned and/or controlled by the Lessor and that the Lessor grants Lessee the exclusive right to operate a retail fireworks tent or outlet at the property. The space shall be used exclusively for the tent and associated equipment required to execute the sale, including but not limited to a 20-foot storage container, portable toilet & at least one parking space dedicated to the tent clerk on the premises during the term of this Agreement. The Lessor agrees to the placement of the tent and related equipment as detailed in the Tent Placement Addendum.
2. The term of this Agreement shall include the 2024 - 2024 July 4th holiday period(s). The tent and related equipment shall be placed no sooner than June 17th and removed no later than July 11th each year the lease is in effect. The dates for the sale will not exceed: June 21st through July 6th of each year this agreement is in effect.
3. Following the initial term, the Lessor hereby grants the Lessee First Rights of Refusal to match any offer to lease the location for fireworks sales during the forthcoming renewal year.
4. Lessor will have the right to void this lease if the above Location is sold or developed for any purpose other than the sale of fireworks or other seasonal merchandise by providing 45 days advanced written notice prior to cancelation.'
5. This agreement is pending a mutual agreement between the lessee and lessor pertaining to the exact location where the temporary tent structure is to be placed on the property. The pending plot map drawing is attached but is not final. Lessee is granted the right to void this proposal if a mutual agreement on where the temporary tent should be placed on the property is not met.

In return, Lessee agrees to the following terms and conditions:

1. Lessee shall pay to Lessor the amount of **\$2,000.00** by check, yearly starting on June 20th 2024 until lease is concluded per item (#2) of Lessor section above or voided per the terms in items (#4 & 5).
 - a. In addition, 10.00 % of net sales (gross sales-sales tax) over \$20,000.00 will be paid by August 1 for each season. A W9 must be on file unless check is written out to a business name.
2. Lessee shall provide a current certificate of insurance, proving liability coverage in force at time of occupancy. All entities/individuals listed below will be included as additional insured on Lessee's policy. Insurance coverage will be in an amount not less than \$1,000,000.00.
3. Lessee guarantees that the premises will be returned to their original condition including the patching of any stake holes and removal of all trash and supplies.
4. This lease agreement shall be assignable by Lessee and is contingent upon Lessee securing any local and state permits or licenses that may be required. If the sale of fireworks is prohibited by public authority or if required permits or licenses cannot be obtained prior to the commencement of the selling season, then this agreement is terminated with all monies returned promptly. If the local municipality having jurisdiction over this outlet limits the sale of fireworks, then this lease agreement is subject to revision or termination by the Lessee.
5. Lessee shall have the right to void this agreement up to 45 days prior to the commencement of the selling period each year.

LESSOR INFORMATION (Payee & Mail To):

Pay to: HOCKER'S SUPER CENTER
PROPERTIES LLC

G&E and Hocker's
695 Bethany Loop
Bethany Beach DE 19933

Contact: Mike Workman Ph: (302) 539-9662

Email: geinc@mchsi.com

ADDITIONAL INSURED INFORMATION

Mike Workman

Mike Workman (Apr 2, 2024 09:59 EDT)

Lessor

04/02/2024

Date

Maxwell Bushong

Keystone Novelties Distributors, LLC

03/28/2024

Date

\$125 LL Cert \$75 LL Cert \$50 LL Cert \$150 + \$125 each year Cert None

TENT LOCATION PLOT PLAN LAST SAVED MARCH 28, 2024

- LOCATION NAME: **OCEAN VIEW DE HOCKERS**
- LOCATION ADDRESS: **34960 ATLANTIC AVENUE CLARKSVILLE DE**
- NOTES: 20X40, NO STAKES IN ASPHALT

LEGEND:  PORT-A-JON  GENERATOR 



TENT LOCATION PLOT PLAN LAST SAVED FEBRUARY 27, 2024

- LOCATION NAME: **CLARKSVILLE DE HOCKERS**
- LOCATION ADDRESS: **34960 ATLANTIC AVENUE OCEAN VIEW DE 19970**
- NOTES:



SUSSEX COUNTY
DELAWARE
Help

Layers
Search
Basemaps
Select Area
Eagleview
Print

Eagleview Search Results

Selected Features: Parcels (1)

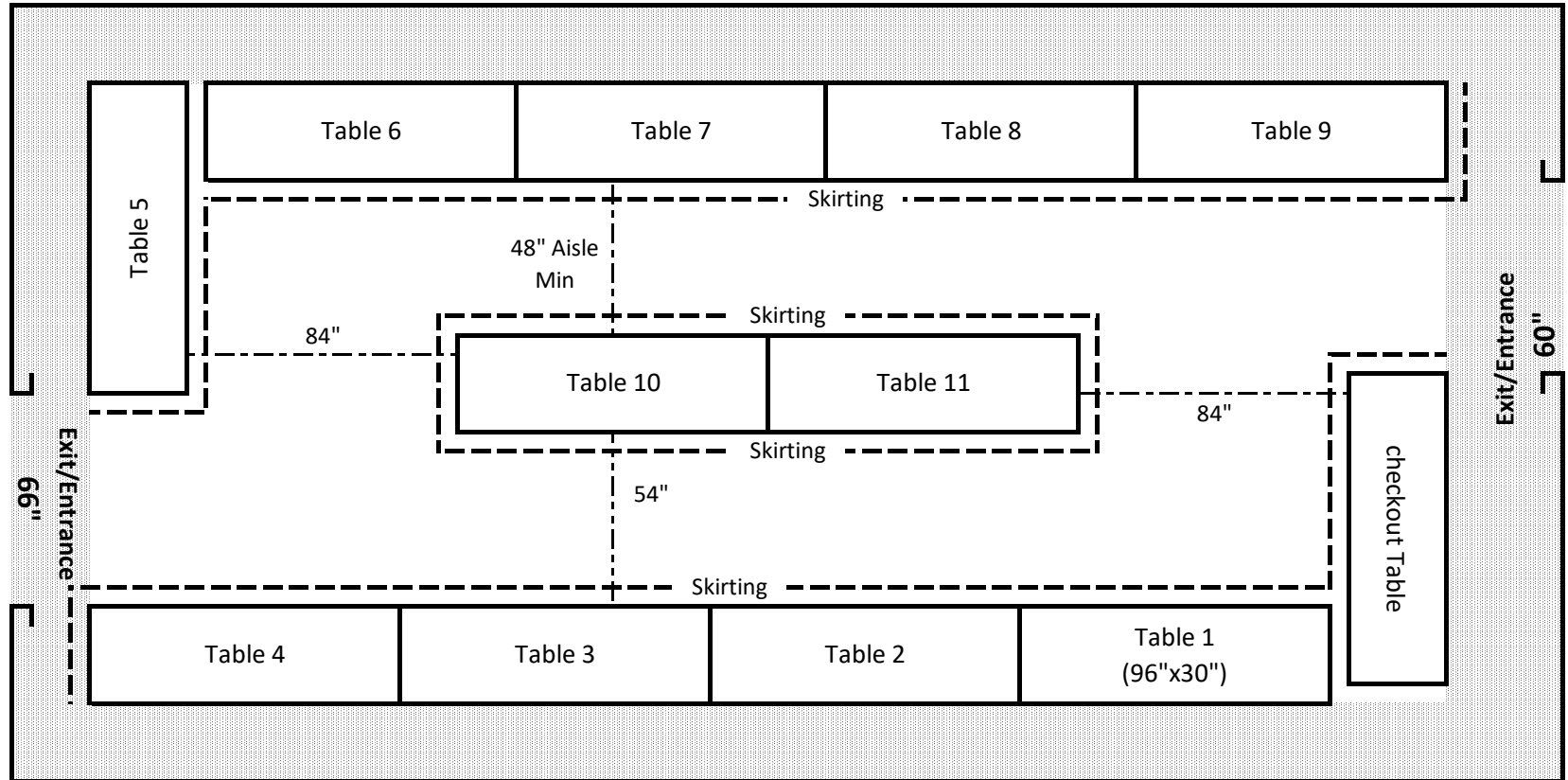
▼ 1) 134-12.00-330.01 Zoom

BOOK	4436
PAGE	289
FULLNAME	HOCKER'S SUPER CENTER PROPERTIES LLC
MAILINGADDRESS	PO BOX 930
CITY	OCEAN VIEW
STATE	DE
a_account	18-02-330.1
DESCRIPTION	E/RT 17
DESCRIPTION2	609' S/RT 26
LUC	999
MUNI	00
CAP	0
APRBLDG	622200
APRLAND	91900
PINWASSEMUNIT	134-12.00-330.01
PIN	134-12.00-330.01
ZIPCODE	19970
FRONTFOOT	0
DEPTH	0

Clear Selected

County of Sussex, DE, Delaware FirstMap, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USD... POWERED BY esri

20x40 (2) Exit



All Tent Sides Rolled Up During Business



North Dover Commons in De, Milbrook Properties, 2023



10 x 20 Pop-up Tent with storage Container, 2024

Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

CSC-Lawyers Incorporating Service Company
7 St. Paul Street, Suite 820
Baltimore, MD 21202

Corporation Service Company
Princeton South Corporate Ctr., Suite 160
100 Charles Ewing Blvd.
Ewing, NJ 08628

Corporation Service Company
2626 Glenwood Avenue, Suite 550
Raleigh, NC 27608

Corporation Service Company
222 Jefferson Boulevard, Suite 200
Warwick, RI 02888

Corporation Service Company
100 Shockoe Slip, 2nd Floor
Richmond, VA 23219

Corporation Service Company
209 West Washington Street
Charleston, WV 25302



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/2/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Acrisure, LLC dba Britton Gallagher & Associates One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No. Ext): 216-658-7100 FAX (A/C, No): 216-658-7101 E-MAIL ADDRESS:
INSURED Keystone Novelties Distributors LLC 531 N. 4th Street Denver PA 17517	INSURER(S) AFFORDING COVERAGE NAIC #
	INSURER A : Everest Indemnity Insurance Co. 10851
	INSURER B : Everest Denali Insurance Company 16044
	INSURER C : Axis Surplus Ins Company 26620
	INSURER D :
	INSURER E :

COVERAGES **CERTIFICATE NUMBER:** 688897581 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS			
A	GENERAL LIABILITY	Y	Y	SI8GL02280-231	12/31/2023	12/31/2024	EACH OCCURRENCE \$ 1,000,000			
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY									
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR									
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC									
B	AUTOMOBILE LIABILITY	Y	Y	SI8CA00024-231	12/31/2023	12/31/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000			
	<input checked="" type="checkbox"/> ANY AUTO									
	<input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS									
	<input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS									
C	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR	Y	Y	P-001-000241749-05	12/31/2023	12/31/2024	EACH OCCURRENCE \$ 4,000,000			
	<input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE									
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$									
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input type="checkbox"/> N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below							WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$			

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
 Group Code: 17603

CERTIFICATE HOLDER . . .	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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Eagleview Search Results

Selected Features: Parcels (1)

▼ 1) 134-12.00-330.01 Zoom

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Selected Features (1)

Clear Selected

Layers Search Basemaps Select Area Eagleview Print

Eagleview Search Results

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PINWASSEMENTUNIT	134-12.00-330.01



Selected Features (1)

Clear Selected



Sussex County Government | Sussex County | Wetland mapping is supported with funding provided by t... esri



Workspaces ▾

Search [X]

Search by SUSSEXPARELS ▾

134-12.00-330.01 [Search Icon]

Search results (1) Options ▾

▶ 134-12.00-330.01



© 2023 EagleView



map: Auto (Oblique) ▾ Dates: Latest ▾ < image 1 of 8 > 03/02/2023





Keystone Fireworks Tents

Keystone Novelties Distributors, LLC

531 N. 4th Street Denver PA 17517 Email: permits@keystonenovelties.com
 Main Ph. 717-390-0844, Leasing ex.102, Permits ex.103,
 Fax: 717-290-7774

March 29, 2024

Sussex County (DE)
 2 The Circle P.O. Box 589
 Georgetown, DE, 19947

Keystone Novelties is in the process of planning for our annual Fourth of July tent sales. I have included in this package everything that I believe is necessary for the purposes of applying for our permit. Below is an outline of our intended event & supporting documents provided with this submittal.

Location/Hours & Documents:

- **Location of Sale: 34960 Atlantic Ave, Ocean View, DE 19970**
- **Sale Dates: 6/21/2024 through 7/4/2024**
 - Tent is set a few days prior to opening date and removed by July 10th
 - Hours of Operation: 9am to 10pm Daily through July 4th.
- **Application(s) Included: Zoning Board of Adjustment Hearing - Special Use Exception**
- **Plot Map Diagram: Showing proposed location of tent on the property**
- **Insurance Certificates: Liability &/or Workers Comp insurance certificates**
- **Fees: Check for \$500.00 to pay for the permit. If no check is included, please provide amount due and instructions for prompt payment.**

The tent will be put up a few days in advance and removed as soon as possible after July 5th but no later than July 10th. We post "No Smoking" & "Exit" signs at all egress points and always have a fire extinguisher on hand.

Should you have any questions or if anything has changed for this year, please call me at my permit extension or email me at the listed email address (both located in header).

Respectfully,

Rick Seery,
 V.P. of Retail Operations
 Keystone Novelties Distributors LLC /
 Keystone Fireworks Tents

Case # 12942
Hearing Date 5.6.2024
202404553

Board of Adjustment Application Sussex County, Delaware

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

Type of Application: (please check all applicable)

Variance Existing Condition
Special Use Exception Proposed
Administrative Variance Code Reference (office use only)
Appeal

Site Address of Variance/Special Use Exception:

34960 Atlantic Avenue Ocean View, DE 19970

Variance/Special Use Exception/Appeal Requested:

**Request to erect a temporary tent structure for retail sales of state legal
sparkler products.**

Tax Map #: 134-12.00-330.01 Property Zoning: C-1

Applicant Information

Applicant Name: Keystone Novelties Distributors LLC
Applicant Address: 531 N Fourth Street
City Denver State PA Zip: 17517
Applicant Phone #: (717) 397-1078 Applicant e-mail: rseery@keystonenovelties.com

Owner Information

Owner Name: HOCKER'S SUPER CENTER PROPERTIES LLC
Owner Address: PO BOX 930
City Ocean View State DE Zip: 19970 Purchase Date: 1/18/07
Owner Phone #: (302) 539-5255 Owner e-mail: geinc@mchsi.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney



Date: 04/01/2024



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.

Keystone Novelties Distributors will have a temporary tent structure set a few days prior to the tent's opening day. The duration of the sale will take place from 6/21/2024-7/4/2024 in accordance with Delaware law. Only ground based sparkling devices will be sold in accordance with Delaware permissible fireworks. Tent operating hours planned for are 9:00am to 10:00pm daily from 6/21/2024-7/4/2024 and are designed to closely align with other fixed stores on site.

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)

Keystone Novelties Distributors is requesting a 3-year special use exception for this property because we have negotiations with the current property owner for options to extend the agreement via first right of refusal.

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

The requested activity is already permitted under the current zoning ordinance we are only seeking permission to extend the number of days allowed with out this special use exception



Keystone Fireworks Tents

Keystone Novelties Distributors, LLC

531 N. 4th Street Denver PA 17517 : Email: Info@keystonenovelties.com

Main Ph. 717-390-0844, Leasing ex.102, Fax: 717-290-7774

THIS AGREEMENT IS MADE BETWEEN, G&E and Hocker's (Lessor), and Keystone Novelties Distributors, LLC (Lessee), for the purpose of allowing the retail sale of approved fireworks at the premises (Location):

Location Address/Property Description: HOCKER'S SUPER CENTER PROPERTIES LLC
34960 Atlantic Ave, Ocean View (Clarksville), DE, 19970

Location: OCEAN VIEW DE HOCKERS SUPER CENTER
Municipality: Sussex County (DE)

Lessor Agrees to the following terms and conditions:

1. Lessor represents that the parking lot or commonly occupied Location listed above is owned and/or controlled by the Lessor and that the Lessor grants Lessee the exclusive right to operate a retail fireworks tent or outlet at the property. The space shall be used exclusively for the tent and associated equipment required to execute the sale, including but not limited to a 20-foot storage container, portable toilet & at least one parking space dedicated to the tent clerk on the premises during the term of this Agreement. The Lessor agrees to the placement of the tent and related equipment as detailed in the Tent Placement Addendum.
2. The term of this Agreement shall include the 2024 - 2024 July 4th holiday period(s). The tent and related equipment shall be placed no sooner than June 17th and removed no later than July 11th each year the lease is in effect. The dates for the sale will not exceed: June 21st through July 6th of each year this agreement is in effect.
3. Following the initial term, the Lessor hereby grants the Lessee First Rights of Refusal to match any offer to lease the location for fireworks sales during the forthcoming renewal year.
4. Lessor will have the right to void this lease if the above Location is sold or developed for any purpose other than the sale of fireworks or other seasonal merchandise by providing 45 days advanced written notice prior to cancelation.'
5. This agreement is pending a mutual agreement between the lessee and lessor pertaining to the exact location where the temporary tent structure is to be placed on the property. The pending plot map drawing is attached but is not final. Lessee is granted the right to void this proposal if a mutual agreement on where the temporary tent should be placed on the property is not met.

In return, Lessee agrees to the following terms and conditions:

1. Lessee shall pay to Lessor the amount of **\$2,000.00** by check, yearly starting on June 20th 2024 until lease is concluded per item (#2) of Lessor section above or voided per the terms in items (#4 & 5).
 - a. In addition, 10.00 % of net sales (gross sales-sales tax) over \$20,000.00 will be paid by August 1 for each season. A W9 must be on file unless check is written out to a business name.
2. Lessee shall provide a current certificate of insurance, proving liability coverage in force at time of occupancy. All entities/individuals listed below will be included as additional insured on Lessee's policy. Insurance coverage will be in an amount not less than \$1,000,000.00.
3. Lessee guarantees that the premises will be returned to their original condition including the patching of any stake holes and removal of all trash and supplies.
4. This lease agreement shall be assignable by Lessee and is contingent upon Lessee securing any local and state permits or licenses that may be required. If the sale of fireworks is prohibited by public authority or if required permits or licenses cannot be obtained prior to the commencement of the selling season, then this agreement is terminated with all monies returned promptly. If the local municipality having jurisdiction over this outlet limits the sale of fireworks, then this lease agreement is subject to revision or termination by the Lessee.
5. Lessee shall have the right to void this agreement up to 45 days prior to the commencement of the selling period each year.

LESSOR INFORMATION (Payee & Mail To):

Pay to: HOCKER'S SUPER CENTER
PROPERTIES LLC

G&E and Hocker's
695 Bethany Loop
Bethany Beach DE 19933

Contact: Mike Workman Ph: (302) 539-9662

Email: geinc@mchsi.com

ADDITIONAL INSURED INFORMATION

Mike Workman

Mike Workman (Apr 2, 2024 09:59 EDT)

Lessor

04/02/2024

Date

Maxwell Bushong

Keystone Novelties Distributors, LLC

03/28/2024

Date

\$125 LL Cert \$75 LL Cert \$50 LL Cert \$150 + \$125 each year Cert None

TENT LOCATION PLOT PLAN LAST SAVED MARCH 28, 2024

- LOCATION NAME: **OCEAN VIEW DE HOCKERS**
- LOCATION ADDRESS: **34960 ATLANTIC AVENUE CLARKSVILLE DE**
- NOTES: 20X40, NO STAKES IN ASPHALT

LEGEND:  PORT-A-JON  GENERATOR  TENT



TENT LOCATION PLOT PLAN LAST SAVED FEBRUARY 27, 2024

- **LOCATION NAME: CLARKSVILLE DE HOCKERS**
- **LOCATION ADDRESS: 34960 ATLANTIC AVENUE OCEAN VIEW DE 19970**
- **NOTES:**



SUSSEX COUNTY
D E L A W A R E
Help

Layers
Search
Basemaps
Select Area
Eagleview
Print

Eagleview Search Results

Selected Features: Parcels (1)

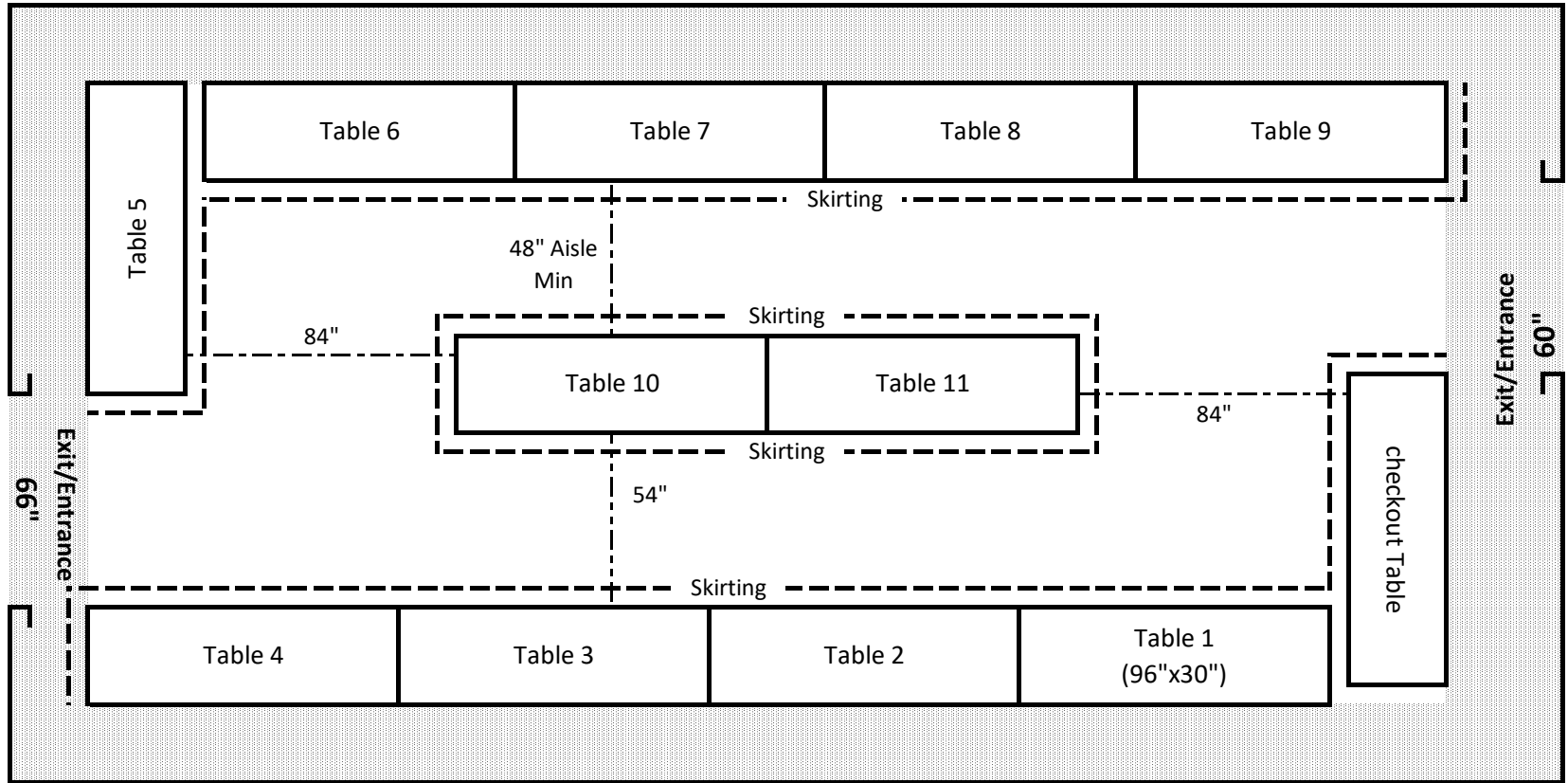
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COVERAGES

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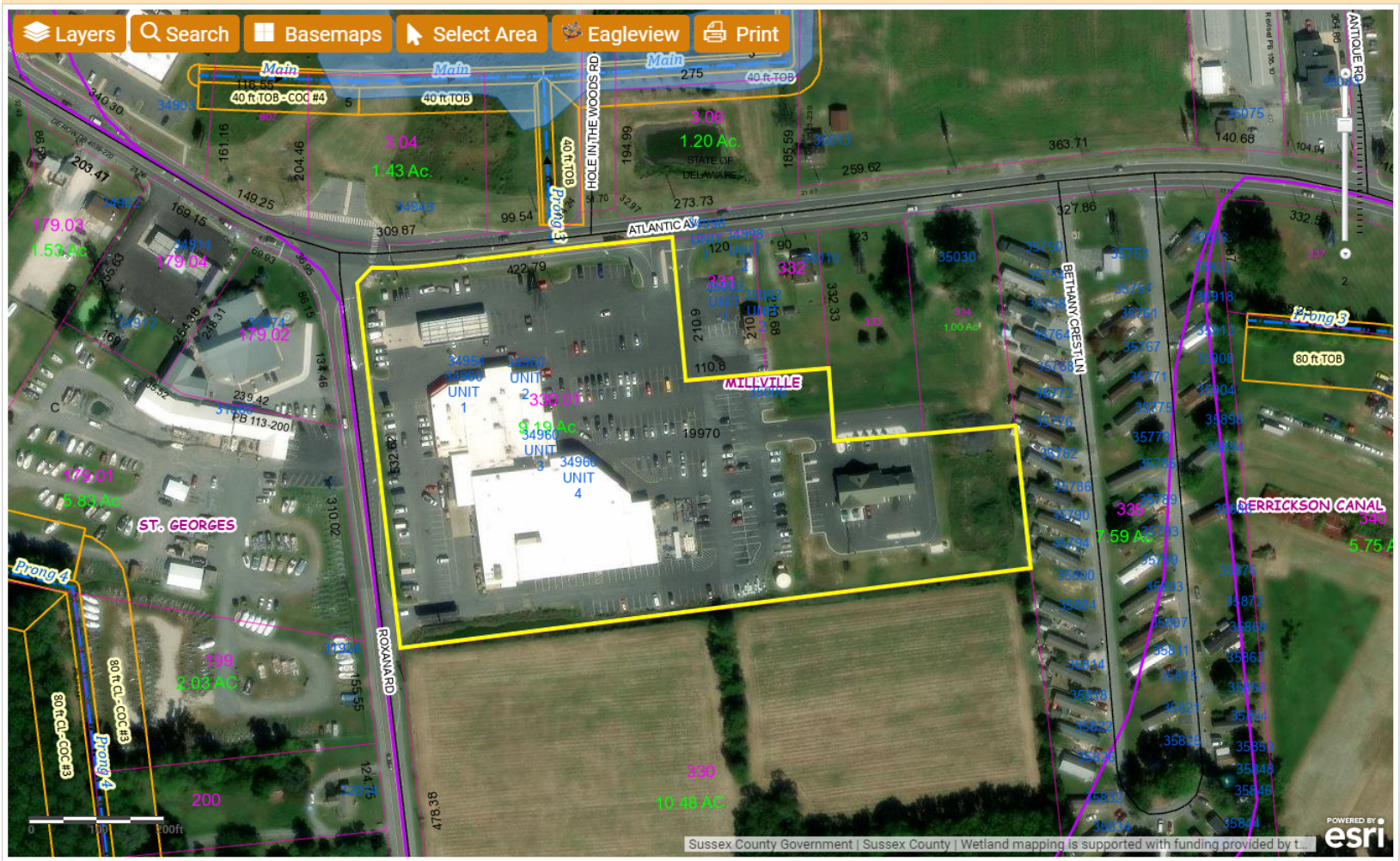
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AGGREGATE	\$ 4,000,000																				
	\$																				
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<table style="width: 100%;"> <tr> <td style="text-align: center;">WC STATUTORY LIMITS</td> <td style="text-align: center;">OTHER</td> </tr> <tr><td>E.L. EACH ACCIDENT</td><td style="text-align: right;">\$</td></tr> <tr><td>E.L. DISEASE - EA EMPLOYEE</td><td style="text-align: right;">\$</td></tr> <tr><td>E.L. DISEASE - POLICY LIMIT</td><td style="text-align: right;">\$</td></tr> </table>	WC STATUTORY LIMITS	OTHER	E.L. EACH ACCIDENT	\$	E.L. DISEASE - EA EMPLOYEE	\$	E.L. DISEASE - POLICY LIMIT	\$						
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E.L. DISEASE - POLICY LIMIT	\$																				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
 Group Code: 17603

CERTIFICATE HOLDER

CANCELLATION

.	<p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</p> <p>AUTHORIZED REPRESENTATIVE</p> <div style="text-align: center;"> </div>
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Eagleview Search Results

Selected Features: Parcels (1)

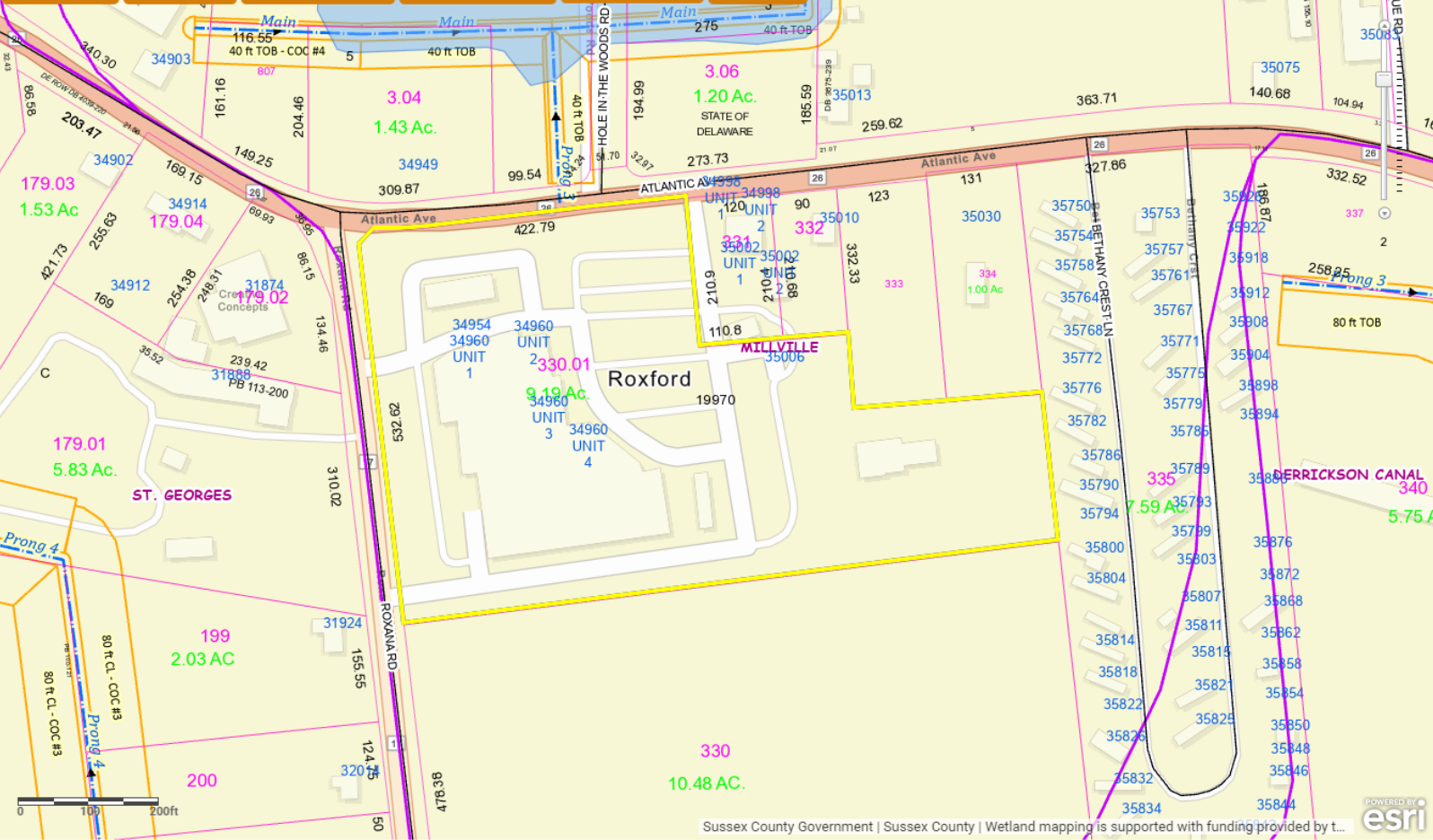
▼ 1) 134-12.00-330.01 Zoom

BOOK	4436
PAGE	289
FULLNAME	HOCKER'S SUPER CENTER PROPERTIES LLC
Second_Owner_Name	
MAILINGADDRESS	PO BOX 930
CITY	OCEAN VIEW
STATE	DE
a_account	18-02-330.1
DESCRIPTION	E/RT 17
DESCRIPTION2	609' S/RT 26
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	622200
APRLAND	91900
PINWASSEMUNTUNIT	134-12.00-330.01

Selected Features (1)

Clear Selected

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

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Navigation icons: back, forward, up, down, home, refresh

Selected Features (1)

Clear Selected

Sussex County Government | Sussex County | Wetland mapping is supported with funding provided by t... esri



Search [X]

Search by SUSSEXPARELS ▾

134-12.00-330.01 🔍

Search results (1) Options ▾

▶ 134-12.00-330.01

Workspaces ▾

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200 ft
50 m

map: Auto (Oblique) ▾ Dates: Latest ▾ < image 1 of 8 > 03/02/2023

Map control icons: Full Screen, Print, Refresh, etc.

Case # 12943
Hearing Date 5.6.2024
202404595

Board of Adjustment Application Sussex County, Delaware

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

Type of Application: (please check all applicable)

Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)

Site Address of Variance/Special Use Exception:

6 COMET COURT MILTON, DEL. 19968

Variance/Special Use Exception/Appeal Requested:

Variances of 5.5' & 5.7' from side yard setback

Tax Map #: 235-700-283.00

Property Zoning: AK-1

Applicant Information

Applicant Name: ORLANDO NIEVES & EVELYN NIEVES
Applicant Address: 6 COMET CT.
City MILTON State DEL. Zip: 19968
Applicant Phone #: 302.664.1687 Applicant e-mail: ORLIEVES21@GMAIL.COM

Owner Information

Owner Name: _____
Owner Address: _____
City _____ State _____ Zip: _____ Purchase Date: _____
Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Orlando Nieves

Date: 3.29.24



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.

CONTRACTER BUILT STRUCTURE AS IS IN PLACE AGAINST GARAGE AND SAID IT DID NOT NEED PERMITS BECAUSE IT IS AGAINST GARAGE!

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.

JAME AS #1

3. Not created by the applicant:

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

JAME AS #1

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.

YES WILL NOT ALTER CHARACTER AS IS.

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.

SEE LETTER ATTACHED.

Mike Mock
24 Dove Knoll Drive
Rehoboth Beach DE 19971

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I own the house next door.

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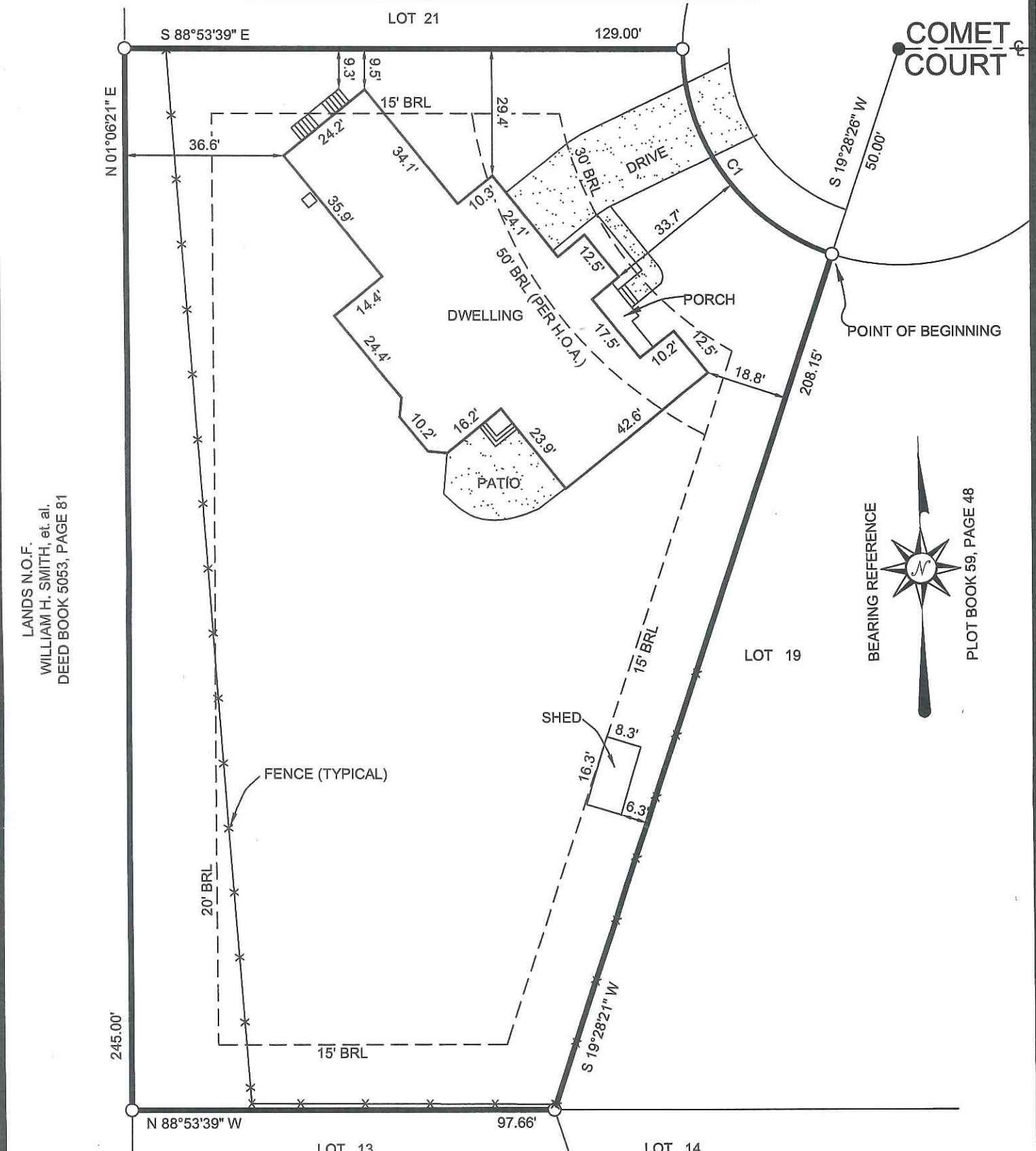
A handwritten signature in cursive script, appearing to read "Mike Mock".

Mike Mock



CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING	CHORD CURVING
C1	50.00'	71°37'53"	22.51'	58.52'	S 34°42'	E

TAX MAP NO. 235-7.00-223.00



LANDS N.O.F.
WILLIAM H. SMITH, et. al.
DEED BOOK 5053, PAGE 81

PLOT BOOK 59, PAGE 48

NOTES:

- 1) SOURCE OF TITLE: DEED BOOK 3764, PAGE 318
- 2) CLASS "B", SUBURBAN SURVEY
- 3) THIS BOUNDARY SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH
- 4) ALL SETBACKS MUST BE VERIFIED BY THE HOMEOWNER AND/OR CONTRACTOR WITH THE APPROPRIATE REGULATORY AUTHORITY
- 5) ZONING: AR-1

LEGEND:

- FOUND IRON PIPE
- FOUND GEAR

BOUNDARY SURVEY PLAN
PREPARED FOR
ORLANDO NIEVES
EVELYN NIEVES
LOT 20, STARLIGHT MEADOWS
PLOT BOOK 59, PAGE 48
6 COMET COURT
AREA: 32,328± SQ. FT.
 SITUATE IN: BROADKILL HUNDRED
 SUSSEX COUNTY, STATE OF DELAWARE

I, THOMAS M. ORISICH, 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.



Karins and Associates
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17 POLLY DRUMMOND CENTER * SUITE 201
NEWARK, DELAWARE 19711
PHONE: (302) 369-2900

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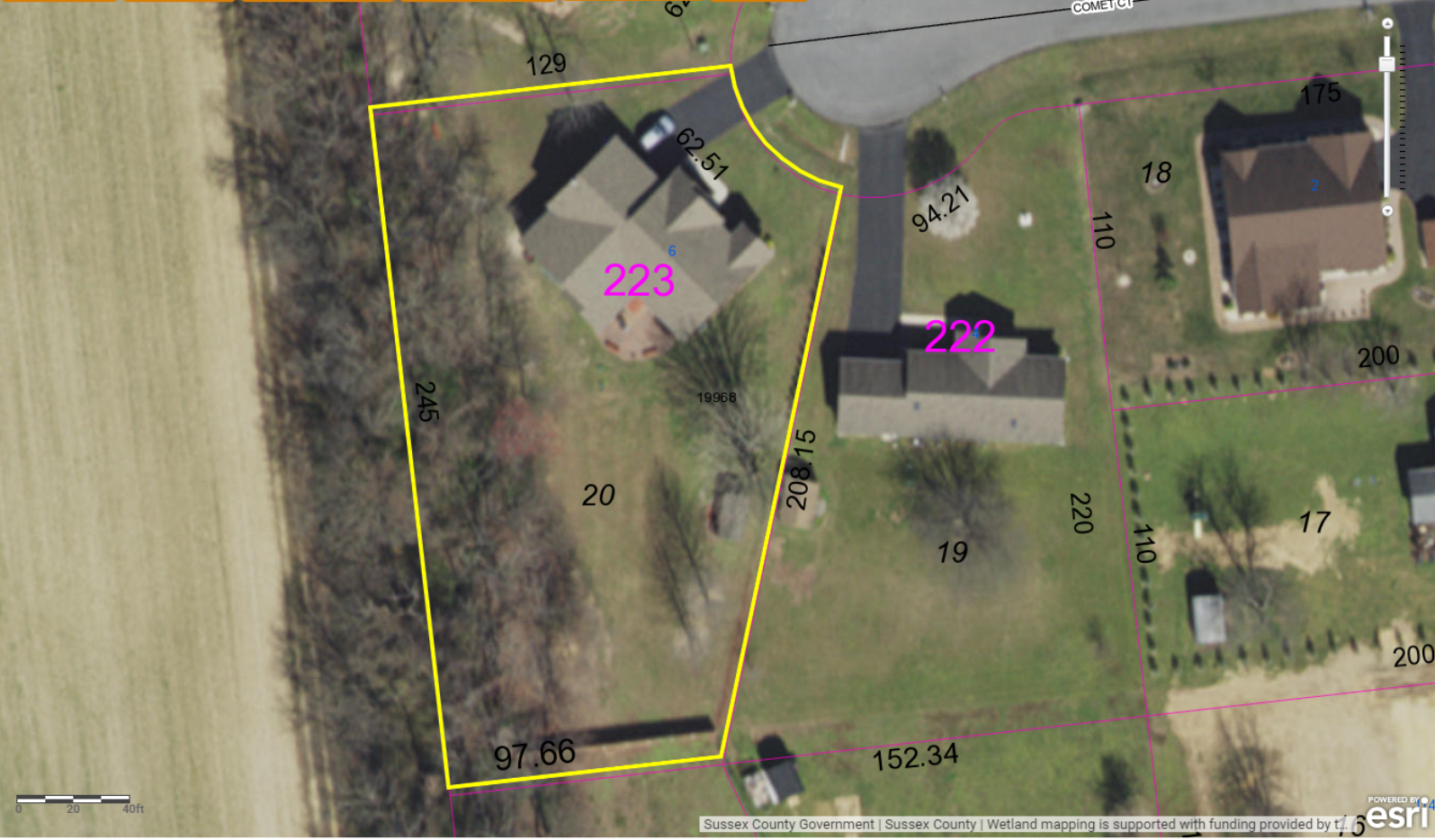
128 WEST MARKET STREET
GEORGETOWN, DELAWARE 19947
PHONE: (302) 856-6699

APPROVED: 

THOMAS M. ORISICH, P.L.S. 630

DATE: 04-02-2024	SCALE: 1" = 40'	DRAWN: MBK	DRAWING: JOB# G 2185-A
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- Layers
- Search
- Basemaps
- Select Area
- Eagleview
- Print



Eagleview Search Results

Selected Features:

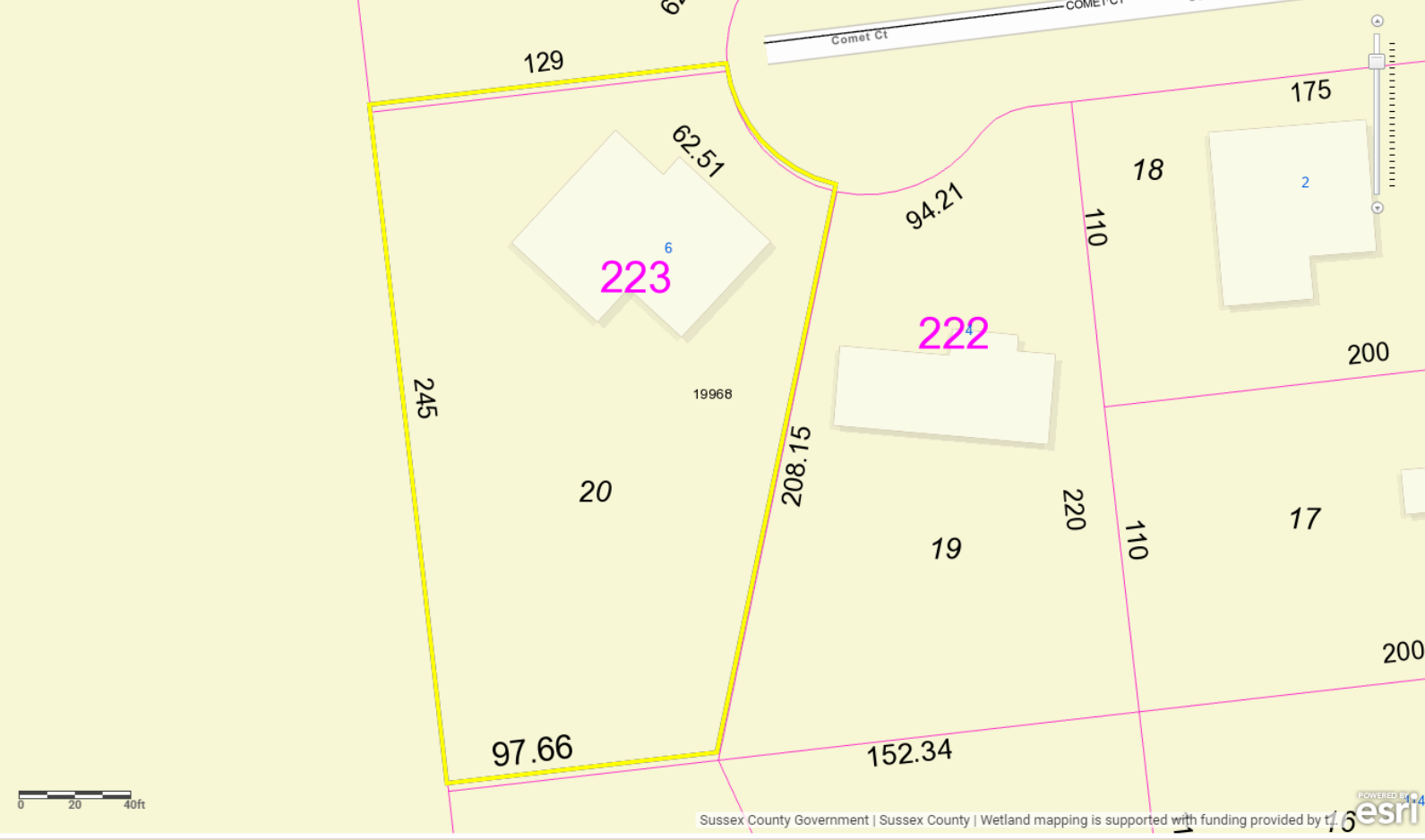
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MUNI	00
CAP	2
APRBLDG	56000
APRLAND	5000
PINWASSEMENTUNIT	235-7.00-223.00
PIN	235-7.00-223.00

Selected Features (1)

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Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

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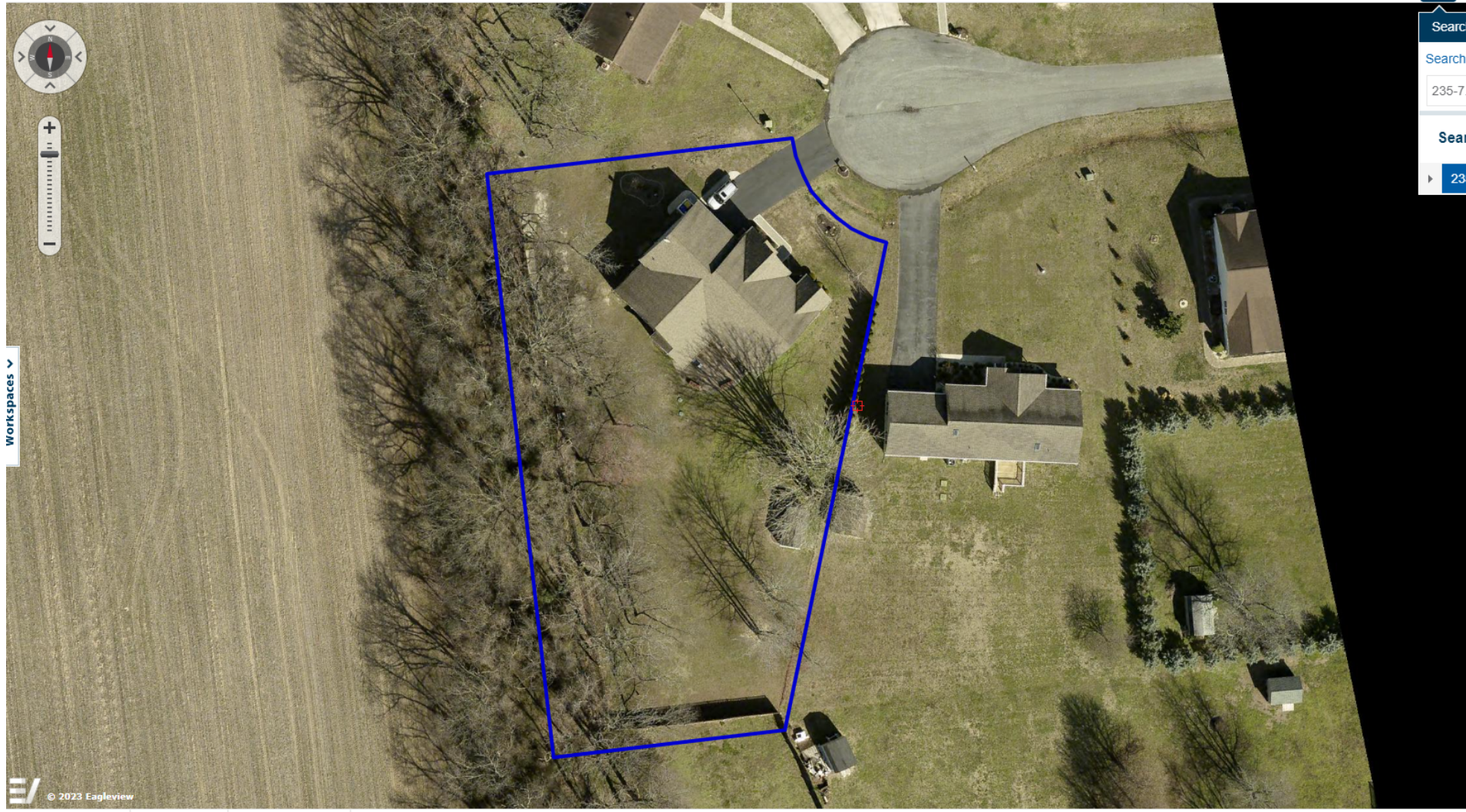
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Navigation icons: Home, Previous, Next, Refresh, Stop

Selected Features (1)

Clear Selected



Search [X]

Search by SUSSEXPARELS ▾

235-7.00-223.00 🔍

Search results (1) Options ▾

▶ 235-7.00-223.00

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map: Auto (Ortho) ▾ Dates: Latest ▾ < image 2 of 5 > 03/05/2023

Scale bar: 50 ft / 10 m

Map controls: Full Screen, Print, Refresh, etc.

Case # 12943
Hearing Date 5.6.2024
202404595

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

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Variance
Special Use Exception
Administrative Variance
Appeal

Existing Condition
Proposed
Code Reference (office use only)

Site Address of Variance/Special Use Exception:

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City MILTON State DEL. Zip: 19968
Applicant Phone #: 302.664.1687 Applicant e-mail: DNIEVES91@GMAIL.COM

Owner Information

Owner Name: _____
Owner Address: _____
City _____ State _____ Zip: _____ Purchase Date: _____
Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Orlando Nieves

Date: 3.29.24



Sussex County, DE - BOA Application

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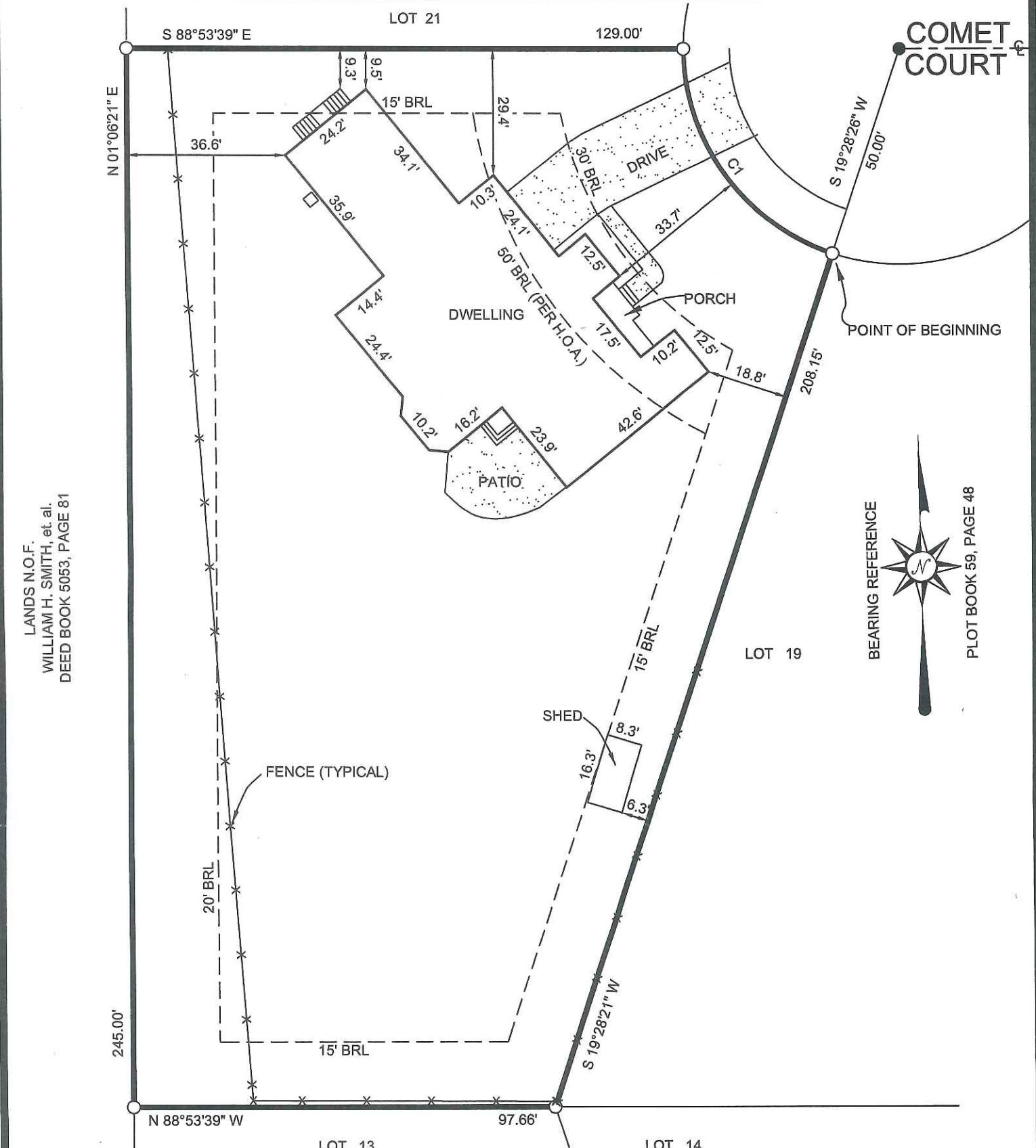
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TAX MAP NO. 235-7.00-223.00



LANDS N.O.F.
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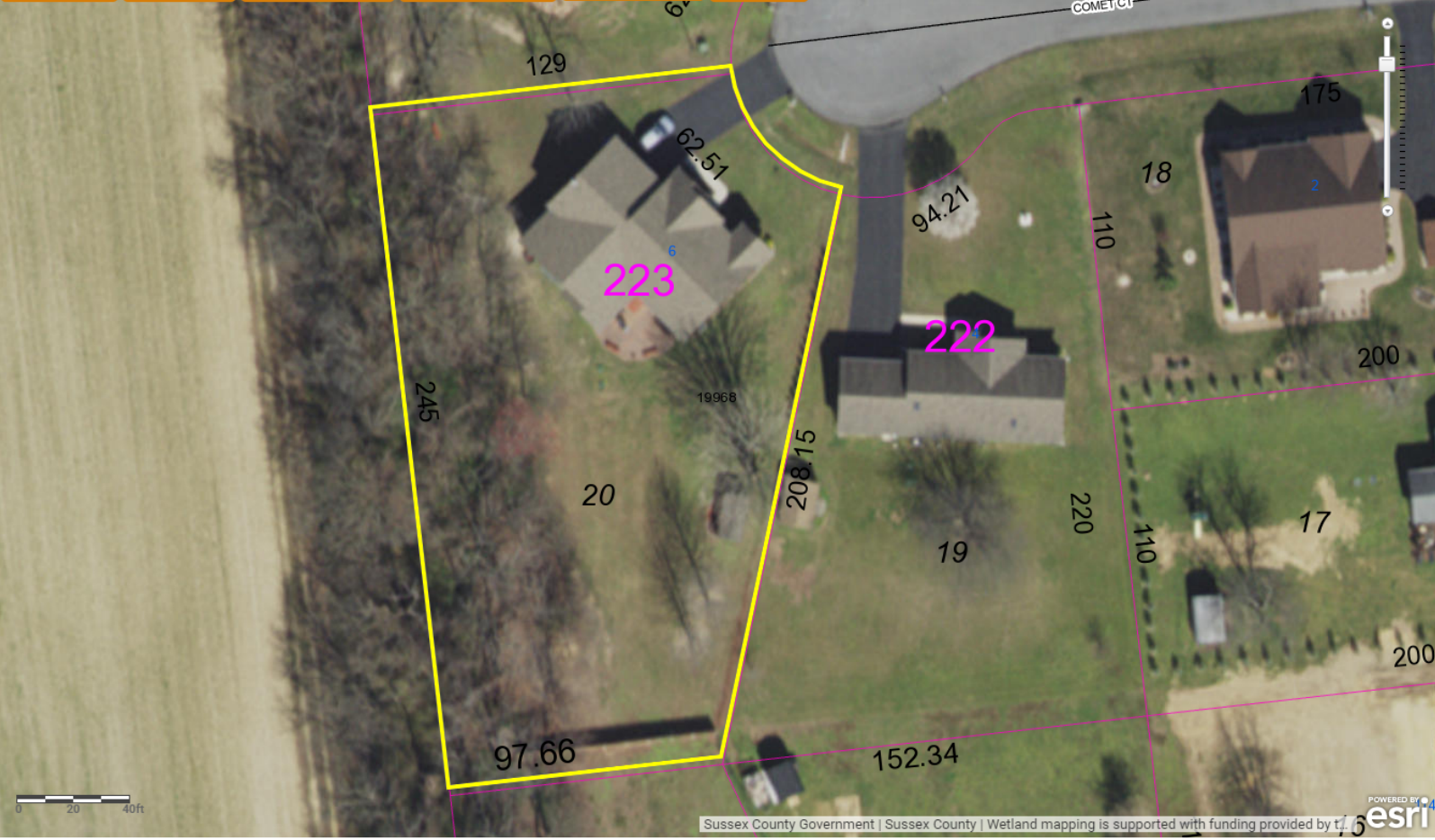
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 Karins and Associates ENGINEERS • PLANNERS • SURVEYORS NEWARK, DE & GEORGETOWN, DE www.karinsengineering.com	17 POLLY DRUMMOND CENTER * SUITE 201 NEWARK, DELAWARE 19711 PHONE: (302) 369-2900	128 WEST MARKET STREET GEORGETOWN, DELAWARE 19947 PHONE: (302) 856-6699	APPROVED:  THOMAS M. ORISICH, P.L.S. 630
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- Layers
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Eagleview Search Results

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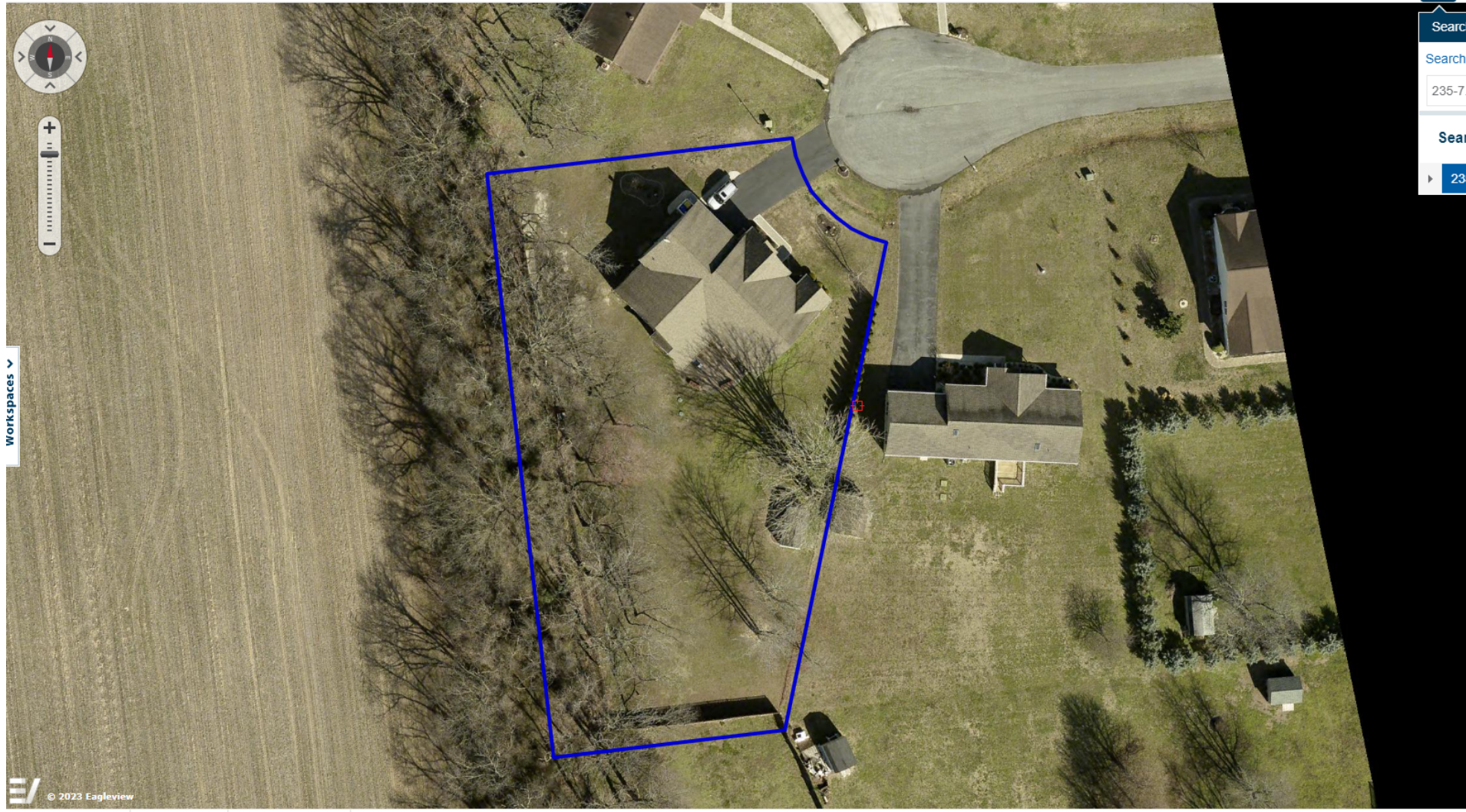
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- Navigation icons: Home, Previous, Up, Down, Next, Full Screen

Selected Features (1)

Clear Selected



Search [X]

Search by SUSSEXPARELS ▾

235-7.00-223.00 🔍

Search results (1) Options ▾

▶ 235-7.00-223.00

Workspaces ▾

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map: Auto (Ortho) ▾ Dates: Latest ▾ < image 2 of 5 > 03/05/2023

50 ft
10 m



**Sussex County
Building Permit**
P.O. Box 589
Georgetown, DE 19947
302-855-7720

Application Number
202316764
Issue Date: 03/22/2024
Expire Date: 03/22/2025

Permit Type: **ACCESSORY STRUCTURE OUT OF TOWN**

Parcel ID	Address	Zone Code
235-7.00-223.00	6 COMET COURT	AR-1

Owner Information	Applicant Information
Name: NIEVES ORLANDO & EVELYN NIEVES	Name: NIEVES ORLANDO & EVELYN NIEVES
Phone: 302-664-1682	Phone: 302-664-1682

Contractor Information	
Name: NIEVES ORLANDO & EVELYN NIEVES	License Number:
CID: 599634	License Exp. Date:
Phone:	Insurance Exp. Date:

Building Information
Proposed Use: DETACHED GARAGE
Construction Type:
Estimated Cost of Construction: \$ 39,868
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: 30.00 /	Rear Setback: 20.00 /
Side Setback: 15.00 /	Corner Setback: /
Maximum Building Height: 42 FT	Location Description: STARLIGHT MEADOWS LOT 20
FLOOD ZONE	
Flood Zone: XP166K	
_____ If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.	

Project Description: RES ADD W/ BC

Scope of Work:
1 ST INLAW SUITE 34X24 ADDITION

Permit Details:

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-227117
---------------	-----------

TOTAL FEES:	\$ 224.17
-------------	-----------



Building Description

Total Bedrooms: 3

Heat Type: HEAT PUMP

Full Baths: 1

Half Baths:

Roofing:

Total Rooms: 5

Exterior Walls:

Basement:

Foundation Type:

Interior Walls:

Fireplace Type:

Flooring:

Air Conditioning: Y

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.

_____ 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.

 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.



**PERMIT
250984**



Tax Parcel Number: **2-35-07.00-0223.00** Lot Number: **20**

Site Evaluation Number: **570895**

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

Nieves, Orlando & Evelyn

6 Comet Court, Milton, DE 19968 US

to construct, operate and maintain an onsite wastewater system.

Construction must be completed on or before 03/20/2026 , 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.

3/20/2024

AUTHORIZED SIGNATURE

Date

**DNREC APPROVED
See Permit Conditions**

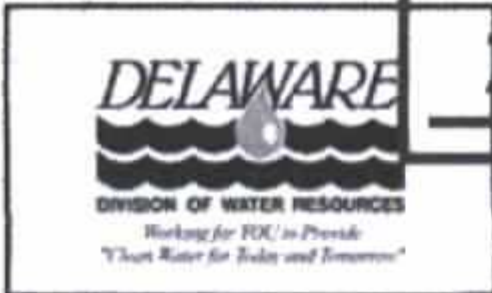
Permit Number:

250984

RECEIVED

03/12/2024

GROUNDWATER



APPLICATION - PERMIT ON-SITE WASTEWATER SYSTEM



(Please Type or Print Legibly)

OWNER'S NAME: Orlando & Evelyn Nieves PHONE: 302-664-1682

ADDRESS: 6 Comet Court, Milton, DE 19968

PROJECT LOCATION: Same as Owner's Address

TAX/MAP #: 235-7.00-223.00

APPLICATION PREPARER: Carlton R. Savage Jr., PE DNREC LICENSE #: 5904

PREPARER'S ADDRESS: 20246 Coastal Highway, Rehoboth Beach, DE 19971

PHONE: 302-227-7808

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



Preparer's Signature: _____ Date: _____

By signing this permit application, the preparer further certifies they were physically present at the site.

(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
Low Pressure Pipe (FD) Peat Bio- Filter
Low Pressure Pipe (CF) Other
Temporary Holding Tank

Type of Construction:

- Replacement
New Construction
Component Replacement
Repair to Existing System

- 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

of Bedrooms: 6
Avg. Percolation Rate: 35 mpi
Gallons Per Day Flow: 720 gpd
Minimum Sq. Ft. Rcq'd: 1789 sf
Sq. Ft. Proposed: 1872 sf

Central Water Available Yes No
(If yes, please state Utility Name: N/A)

PAID \$ 115.00 03/12/2024

Application Entry [Sussex County, DE]

X | Search | Browse | Add | Update | Output | Print | Display | PDF | Save | Excel | Word | Email | Schedule | Attach | Map | Detail | Overview | Quick Find | Collect | Update Status | React

Application Entry [Sussex County, DE]

Application

Department	112 - Assessment	Owner	599634
Project/Activity *	A027	Contractor	NIEVES ORLANDO & EVELYN NIEVES
Application *	202316764	Business	
Status	A ACTIVE	Status code	0 - OPEN
Description 1	1 ST GUESTHOUSE 24X24, *** PORCH	Status memo	ORLANDO: 302-664-1682/ONIEVES21@GMAIL.COM
Description 2	Inlaw Suite 34 x 24	Assigned to	
Applicant	0 - OWNER	Permit	MULTIPLE
Estimated cost	11,420	Fees effective	12/06/2023

Property/Use	Legal Desc	Dates/Misc	Project Tracking	Permits	General User Defined
Parcel	235-7.00-223.00			Seq 0	
Location	6 COMET COURT MILTON DE 19968				Existing use zoning
Municipality	MT	MILTON			memo

Lot/Section/Phase	Between and	Location desc	Proposed use	zoning	Project Name
20		STARLIGHT MEADOWS LOT 20	RS	AR-1 - AGRICULTURAL RESIDENTIAL	RESIDENTIAL SINGLE FAMILY

**Dean will Review **

enquired 1/4/24

**Dean is aware that the plans attached need additional information given all needed paperwork that he will bring back. Customer has given all needed paperwork that he will bring back. Customer has given all needed paperwork that he will bring back. Customer has given all needed paperwork that he will bring back.*

XD Road

12/7

SH



**Sussex County
Building Permit**
P.O. Box 589
Georgetown, DE 19947
302-855-7720

Application Number
202316764
Issue Date: 03/22/2024
Expire Date: 03/22/2025

Permit Type: ACCESSORY STRUCTURE OUT OF TOWN

Parcel ID	Address	Zone Code
235-7.00-223.00	6 COMET COURT	AR-1

Owner Information	Applicant Information
Name: NIEVES ORLANDO & EVELYN NIEVES	Name: NIEVES ORLANDO & EVELYN NIEVES
Phone: 302-664-1682	Phone: 302-664-1682

Contractor Information	
Name: NIEVES ORLANDO & EVELYN NIEVES	License Number:
CID: 599634	License Exp. Date:
Phone:	Insurance Exp. Date:

Building Information
Proposed Use: DETACHED GARAGE
Construction Type:
Estimated Cost of Construction: \$ 39,868
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: 30.00 /	Rear Setback: 20.00 /
Side Setback: 15.00 /	Corner Setback: /
Maximum Building Height: 42 FT	Location Description: STARLIGHT MEADOWS LOT 20
FLOOD ZONE	
Flood Zone: XP166K	
_____ If Initialed, See Attached Flood Plan Construction Review Coastal and Flood-Prone Area Building Requirements.	

Project Description: RES ADD W/ BC

Scope of Work:
1 ST INLAW SUITE 34X24 ADDITION

Permit Details:

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-227117
----------------------	-----------

TOTAL FEES:	\$ 224.17
--------------------	-----------



Building Description

Total Bedrooms: 3

Heat Type: HEAT PUMP

Full Baths: 1

Half Baths:

Roofing:

Total Rooms: 5

Exterior Walls:

Basement:

Foundation Type:

Interior Walls:

Fireplace Type:

Flooring:

Air Conditioning: Y

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.

_____ 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.

 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.



**PERMIT
250984**



Tax Parcel Number: 2-35-07.00-0223.00 Lot Number: 20

Site Evaluation Number: 570895

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

Nieves, Orlando & Evelyn

6 Comet Court, Milton, DE 19968 US

to construct, operate and maintain an onsite wastewater system.

Construction must be completed on or before 03/20/2026 , 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.

3/20/2024

AUTHORIZED SIGNATURE

Date

**DNREC APPROVED
See Permit Conditions**

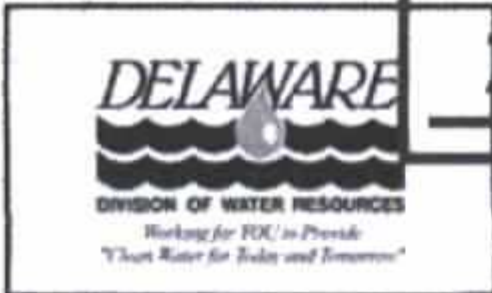
Permit Number:

250984

RECEIVED

03/12/2024

GROUNDWATER



APPLICATION - PERMIT ON-SITE WASTEWATER SYSTEM



(Please Type or Print Legibly)

OWNER'S NAME: Orlando & Evelyn Nieves PHONE: 302-664-1682

ADDRESS: 6 Comet Court, Milton, DE 19968

PROJECT LOCATION: Same as Owner's Address

TAX/MAP #: 235-7.00-223.00

APPLICATION PREPARER: Carlton R. Savage Jr., PE DNREC LICENSE #: 5904

PREPARER'S ADDRESS: 20246 Coastal Highway, Rehoboth Beach, DE 19971

PHONE: 302-227-7808

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



Preparer's Signature: [Signature] Date: 03/12/24

By signing this permit application, the preparer further certifies they were physically present at the site.

(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
Low Pressure Pipe (FD) Peat Bio- Filter
Low Pressure Pipe (CF) Other
Temporary Holding Tank

Type of Construction:

- Replacement
New Construction
Component Replacement
Repair to Existing System

- 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

of Bedrooms: 6
Avg. Percolation Rate: 35 mpi
Gallons Per Day Flow: 720 gpd
Minimum Sq. Ft. Rcq'd: 1789 sf
Sq. Ft. Proposed: 1872 sf

Central Water Available Yes No
(If yes, please state Utility Name: N/A)

PAID \$ 115.00 03/12/2024

XD Road

12/7

SH

| | | | | | | | | | | | | | | | | | | | |

Application Entry [Sussex County, DE]

Schedule an appointment

Application

Department: 112 - Assessment Owner: 599634

Project/Activity: A027 ACC STRUCT 400+* Contractor: NIEVES ORLANDO & EVELYN NIEVES

Application #: 202316764 Business: 0 - OPEN

Status: A ACTIVE Status code: 0 - OPEN

Description 1: 1 ST GUEST HOUSE 24X24, PORCH Status memo: ORLANDO: 302-664-1682/ONIEVES21@GMAIL.COM

Description 2: Inlaw Suite 34 x 24

Applicant: 0 - OWNER Assigned to: Permit

Estimated cost: 11,420 Fees effective: 12/06/2023

Property/Use	Legal Desc	Dates/Misc	Project Tracking	Permits	General User Defined
Parcel	235-7.00-223.00			Seq: 0	
Location	6 COMET COURT MILTON DE 19968				Existing use zoning: RESIDENTIAL SINGLE FAMILY
Municipality	MT	MILTON			AR-1 - AGRICULTURAL RESIDENTIAL

Subdivision: flood zone memo

Lot/Section/Phase: 20
 Between: *Dean will Review *
 and: STARLIGHT MEADOWS LOT 20
 Location desc: flood zone
 Proposed use: RS RESIDENTIAL SINGLE FAMILY
 zoning: AR-1 - AGRICULTURAL RESIDENTIAL
 Project Name: enquired 1/4/24

*Dean is aware that the plans that are attached need additional information. Customer has given all needed paperwork that he will bring back. The permit is given all needed paperwork that he will bring back. The permit is given all needed paperwork that he will bring back.

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 # 12951
 Hearing Date 6/17/24

Application No. 202405721

RECEIVED

Type of Application: (please check all applicable)

APR 19 2024

Variance
 Special Use Exception
 Administrative Variance
 Appeal

Existing Condition
 Proposed
 Code Reference (office use only)

Site Address of Variance/Special Use Exception:

27135 LENAPE LANE, GEORGETOWN, De. 19947

Variance/Special Use Exception/Appeal Requested:

WE ARE ASKING FOR A 9' VARIANCE FROM THE 15' VARIANCE.

Tax Map #: 234-9.00-37.00

Property Zoning: AR-1 LOT#3

Applicant Information

Applicant Name: CHARLES H. BASEL 3RD AND RUTH MUNOZ-BASEL
 Applicant Address: 27135 LENAPE LANE
 City GEORGETOWN State De. Zip: 19947
 Applicant Phone #: 302-752-5265 Applicant e-mail: chbasel3@yahoo.com

Owner Information

Owner Name: CHARLES AND RUTH BASEL
 Owner Address: 27135 LENAPE LANE
 City GEORGETOWN State De. Zip: 19947 Purchase Date: 9/15/2021
 Owner Phone #: 302-752-5265 Owner e-mail: chbasel3@yahoo.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

Charles Basel

Date: 4/19/24



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 SINCE THERE IS A TAX DITCH ON THE WESTERN LINE, AND JOHNSON RD PLUS A SEPTIC MOUND ON THE NORTH, AND THE HOUSE AND LAWN ON THE EAST NOT LEAVING ANY OPTIONS ASIDE FROM THE PROPOSED SITE.

2. Cannot otherwise be developed:

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

THERE IS NO ~~BETTER~~ BETTER PLACE DUE TO THE TAX DITCH, SEPTIC MOUND, AND OTHER BUILDINGS FOR THE GARAGE TO BE PLACED.

3. Not created by the applicant:

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

~~THE~~ WE DID NOT CREATE THE TAX DITCH OR PLACEMENT OF THE SEPTIC MOUND OR PLACEMENT OF THE HOUSE, DRIVEWAY IN FRONT OF THE GARAGE.

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

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

THE PROPOSED PLACEMENT OF THE GARAGE WAS CHOSEN SO THAT IT WILL BE THE MOST HIDDEN FROM SIGHT OF OUR NEIGHBORS AND OUR PROPERTY, AND NOT OBSTRUCT OR INTERFERE WITH ANYONE'S VIEWS OR HINDER OR IMPAIR DEVELOPMENT OF THE ADJACENT PROPERTY.

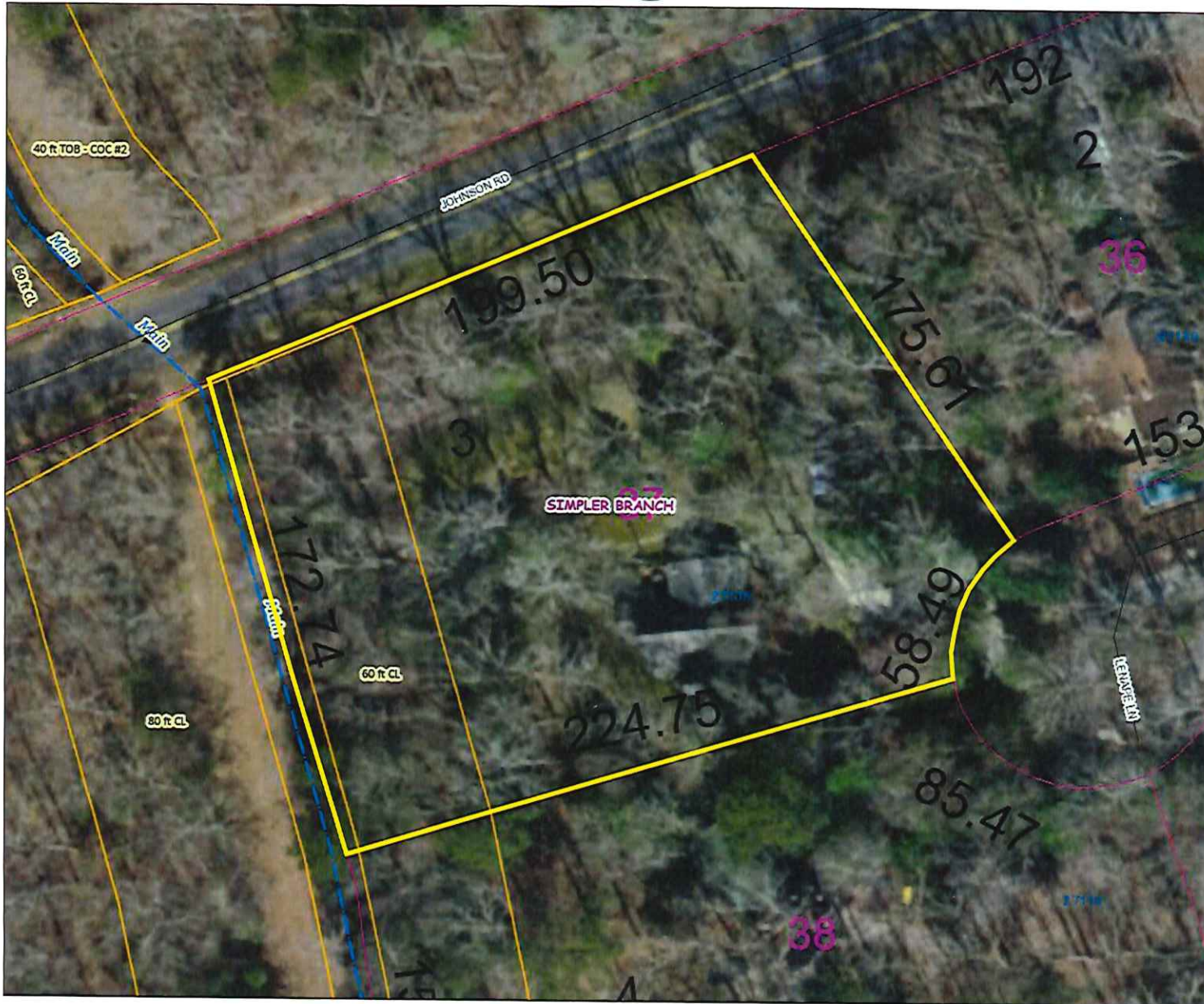
5. Minimum variance:

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

THE PLACEMENT OF THE GARAGE/STORAGE BUILDING IS A MINIMUM VARIANCE SINCE IT IS ONLY 4' FROM THE HOUSE, AND LARGE TREES TO THE WEST. ALSO, THE BUILDING WOULD NOT MEET ITS PURPOSES IF IT WAS 26450 FT SMALLER ~~MA~~ AT 600M'.

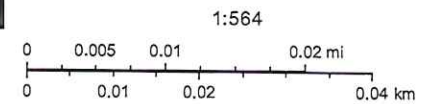


Sussex County



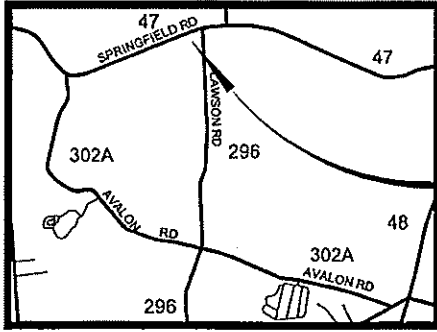
PIN:	234-9.00-37.00
Owner Name	MUNOZ RUTH
Book	5553
Mailing Address	27135 LENAPE LN
City	GEORGETOWN
State	DE
Description	INDIAN ACRES
Description 2	LOT 3
Description 3	
Land Code	

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



September 21, 2022

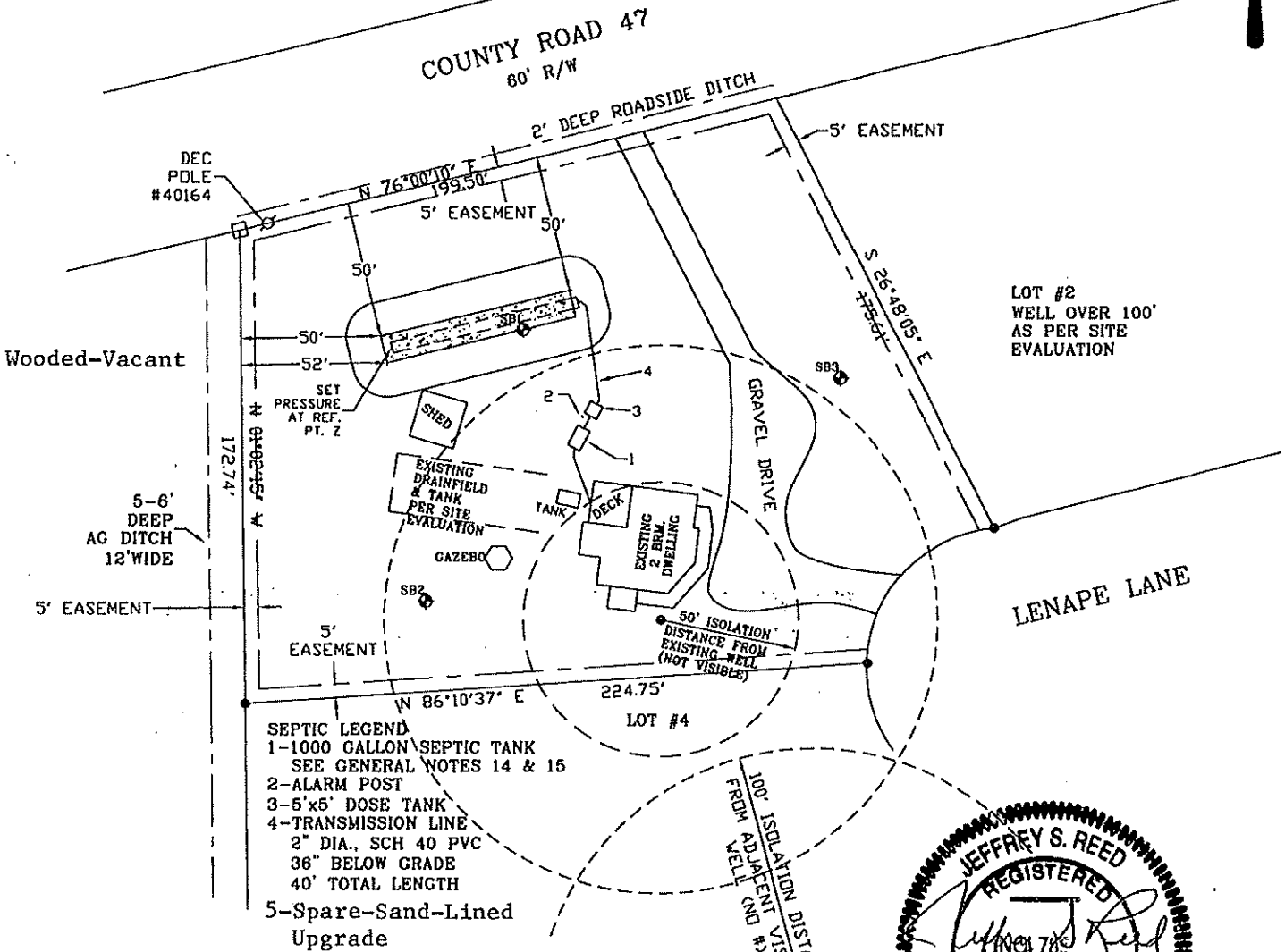
197248-S



NOTES:

- 1.) ALL SIDE & REAR LOT LINES RESERVED FOR THE CENTERLINE OF A TEN FOOT DRAINAGE & UTILITY EASEMENT. (PLOT BOOK 8 PAGE 828)
- 2.) EXISTING SYSTEM TO BE ABANDONED.
- 3.) SURVEY BY OTHERS.
- 4.) EXISTING SHED MAY HAVE TO BE RELOCATED.
- 5.) PLOT ADAPTED FROM SITE EVALUATION BY ATLANTIC RESOURCES MANAGEMENT, INC.
- 6.) ON WOODED SITES, IT IS RECOMMENDED THAT THE AREA OF THE MOUND BE CHECKED BY THE EVALUATOR FOR COMPACTION & SOIL DISTURBANCE DUE TO CLEARING OPERATIONS.

PROJECT LOCATION



- SEPTIC LEGEND**
- 1-1000 GALLON SEPTIC TANK
SEE GENERAL NOTES 14 & 15
 - 2-ALARM POST
 - 3-5'x5' DOSE TANK
 - 4-TRANSMISSION LINE
2" DIA., SCH 40 PVC
36" BELOW GRADE
40' TOTAL LENGTH
 - 5-Spare-Sand-Lined Upgrade



- LEGEND**
- IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND



OWNER'S/AUTHORIZED AGENT SIGNATURE: *V. Gay R. Shoop*

PAGE 6 OF 14 PAGES
DATE: 10/22/03

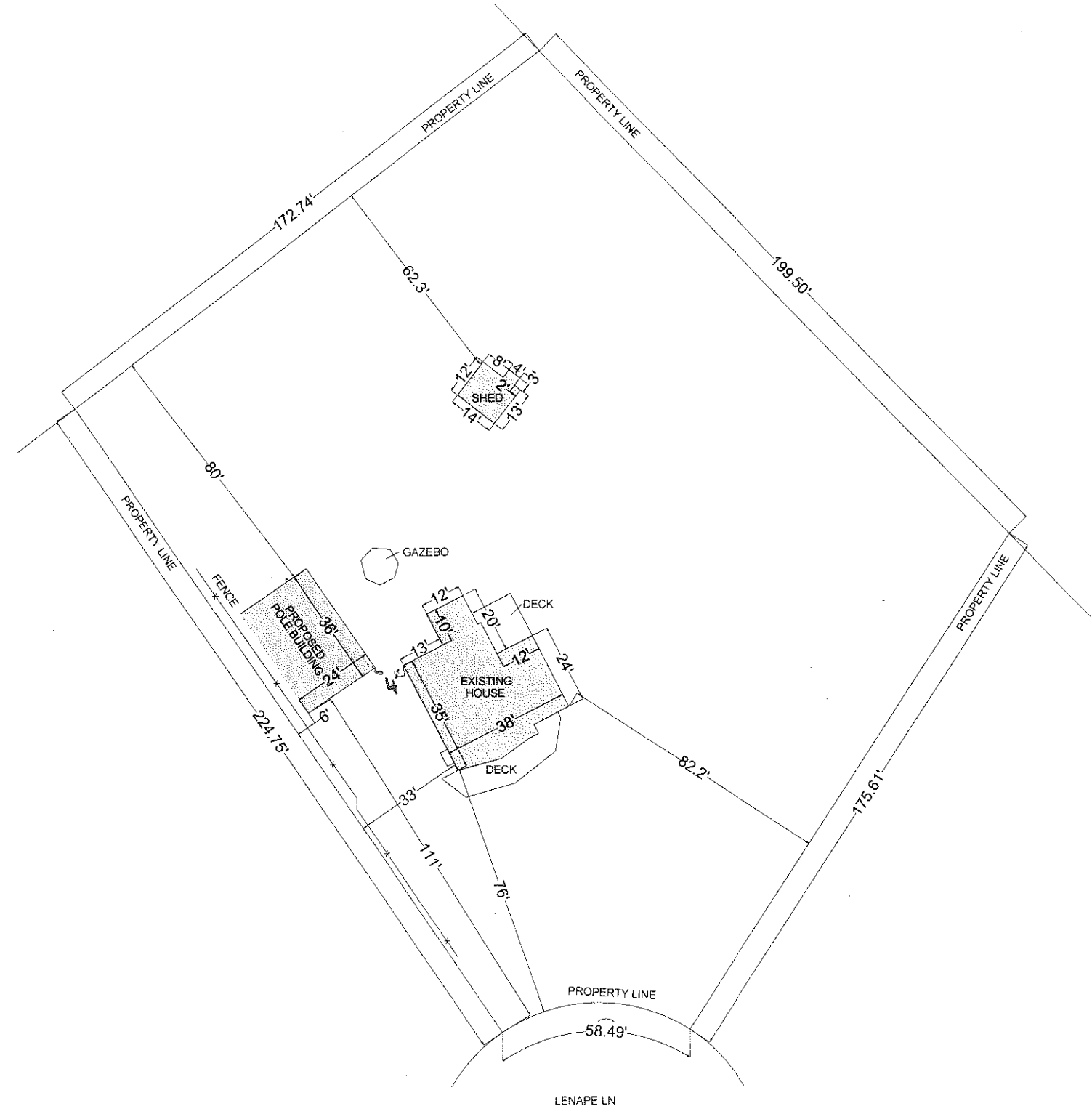
*A copy of this page must be submitted with both the septic system and well construction report(s).

Scale: 1"=60'
Sheet: N/A
Date : 10-19-03
Drawn by: JVR
Client: SHOOP
Client #: 03261

SEPTIC PLOT PLAN
LOT #3
INDIAN ACRES

CITADEL ENGINEERING, INC.
Jeffrey S. Reed, P.E.
17129 Webbs Road
Ellendale, DE 19941
(302) 422-2574

NOTE: FOR THE SCALE TO BE CORRECT SHEET MUST BE PRINTED ON 11" x 17"



NOTES:

SITE PLAN

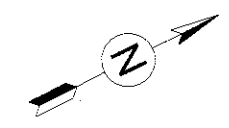
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27135 LENAPE LN
GEORGETOWN, DE 19947

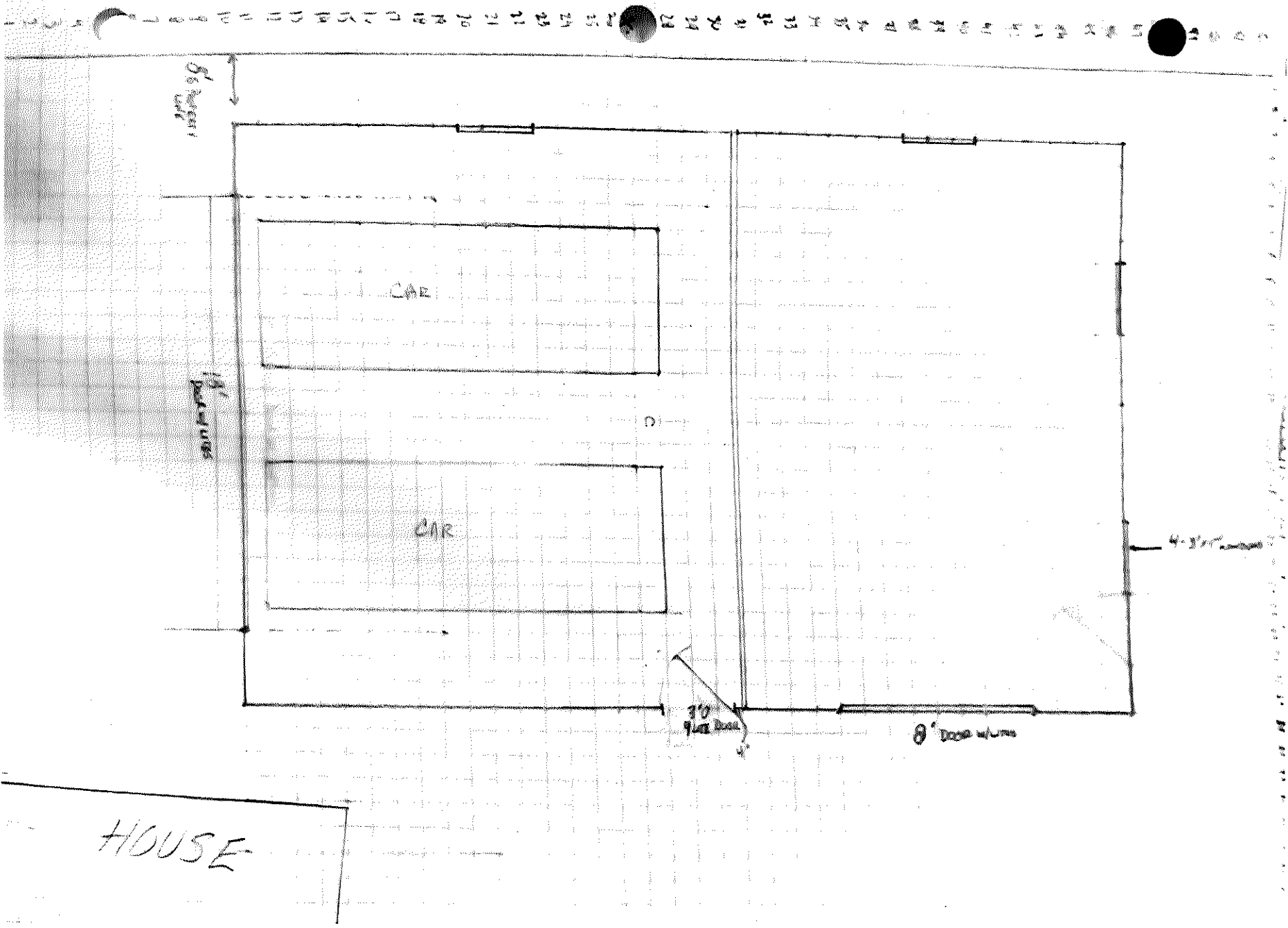
PARCEL ID: 234-9.00-37.00

LOT AREA: 1.014 ACRES +/-

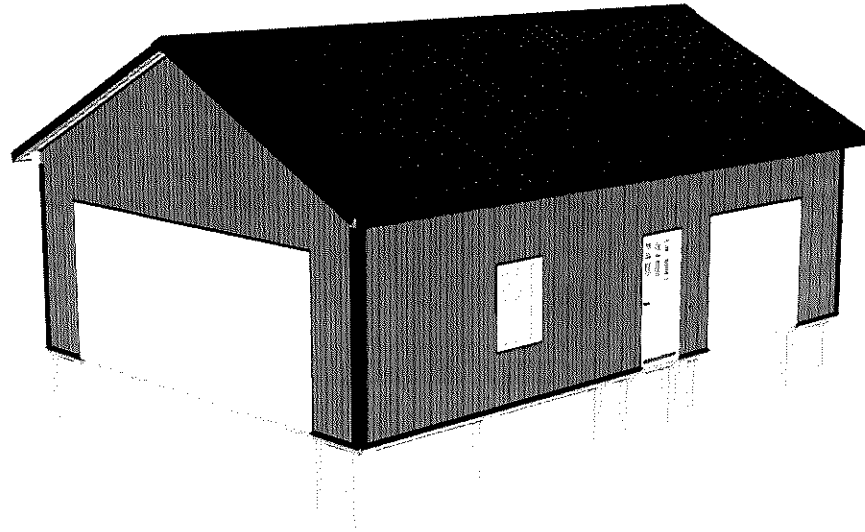
PLOT SIZE: 11" X 17"

DRAWING SCALE: 1"=40'

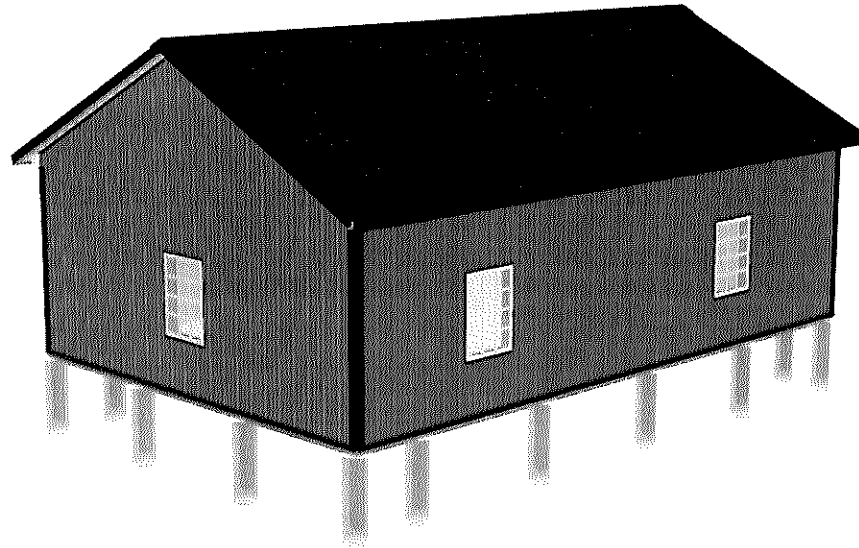




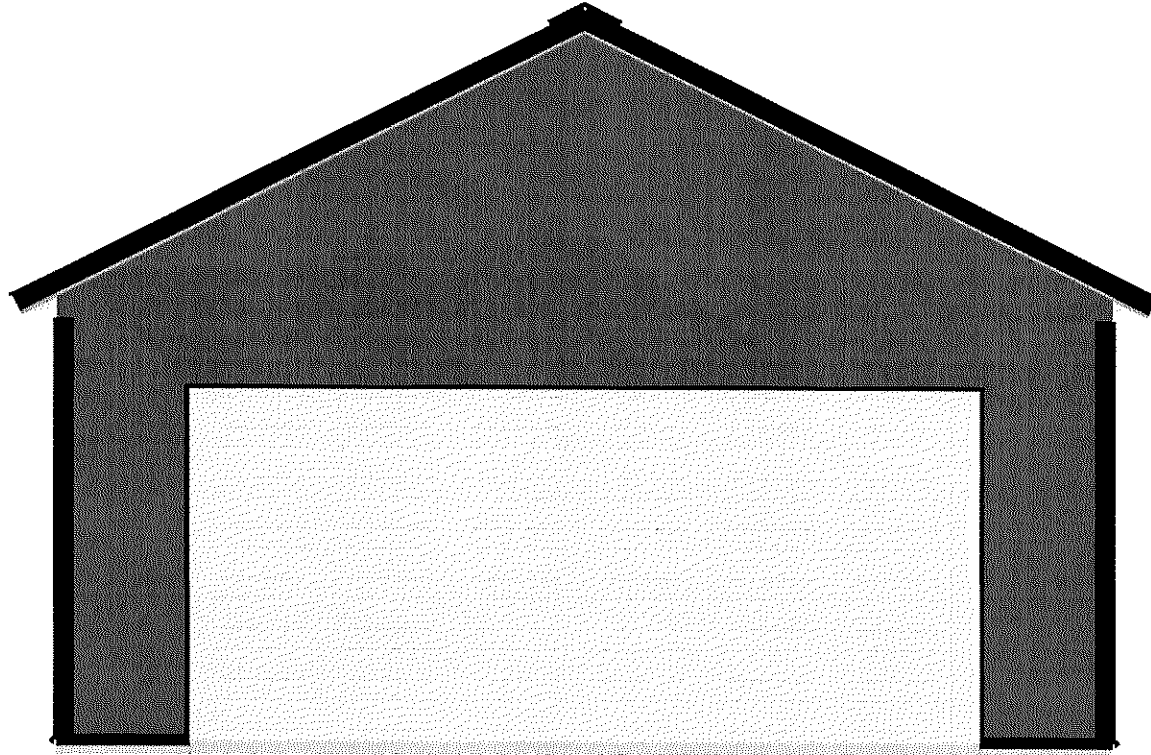
Iso 1



Iso 2



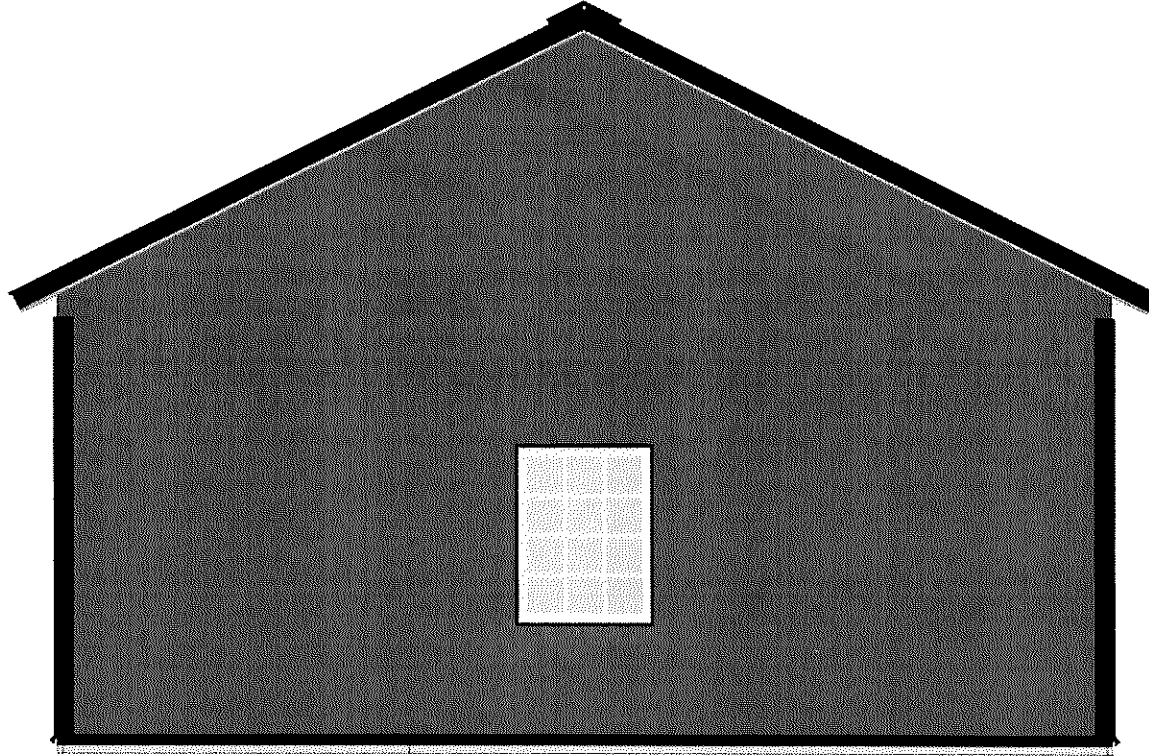
Front Elevation



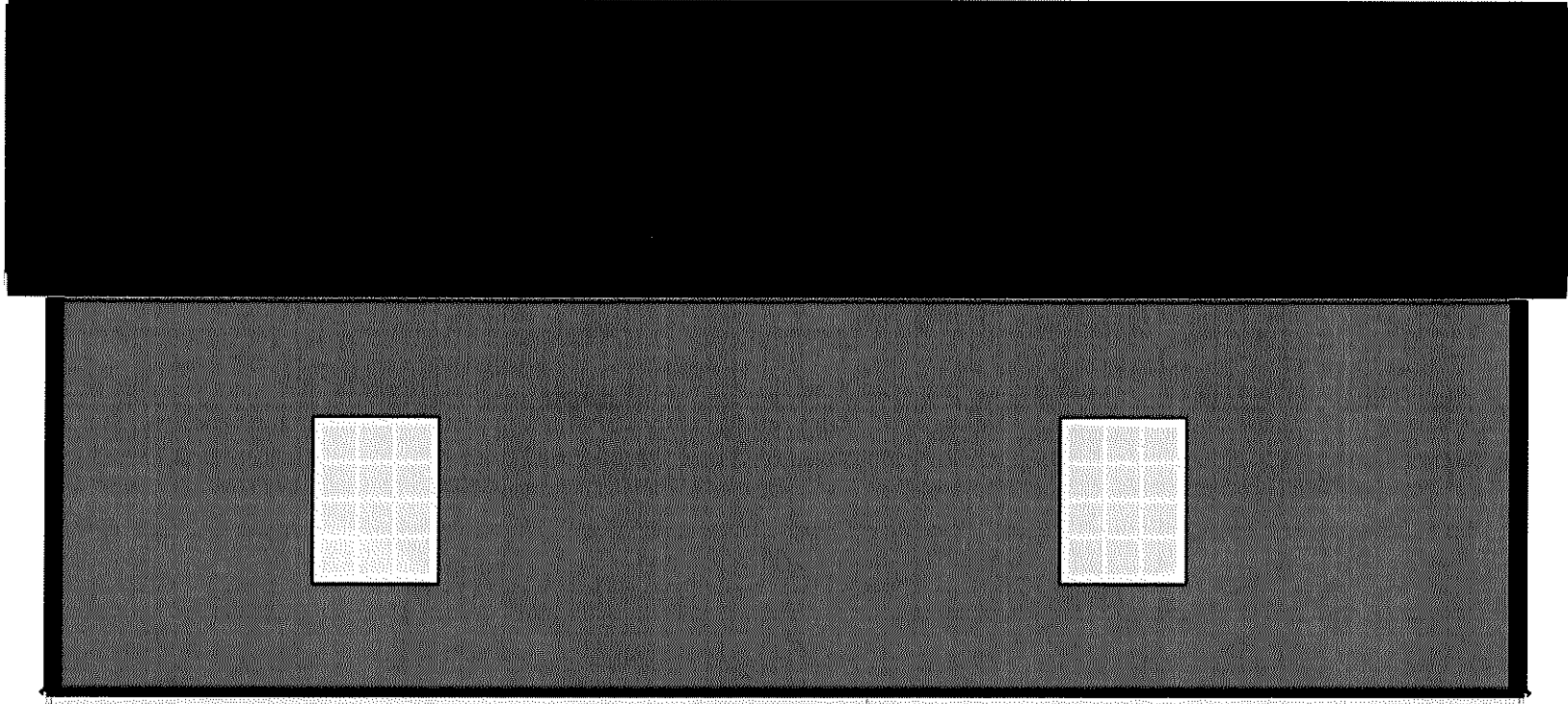
Left Elevation



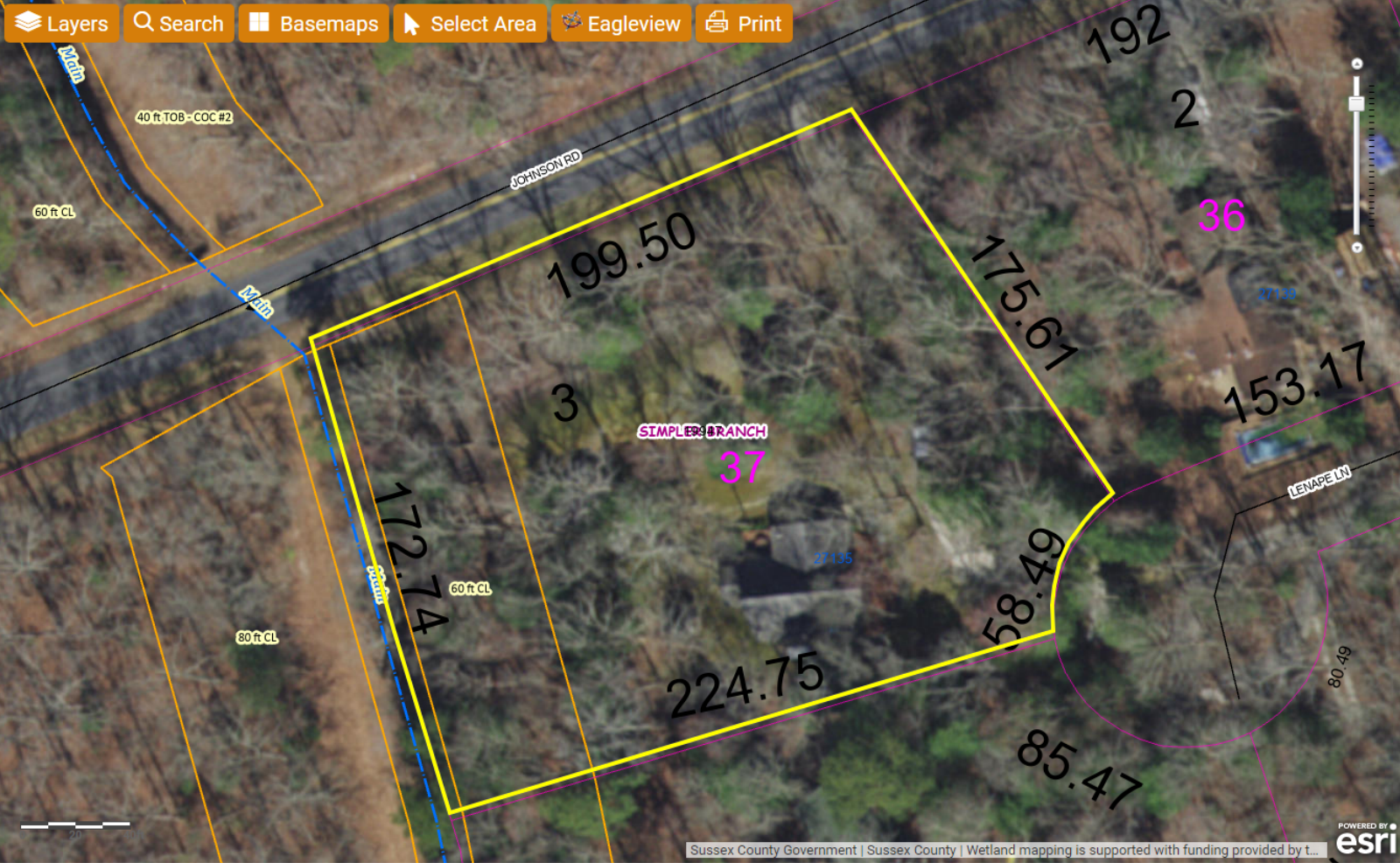
Back Elevation



Right Elevation



Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (1)

1) 234-9.00-37.00 Zoom

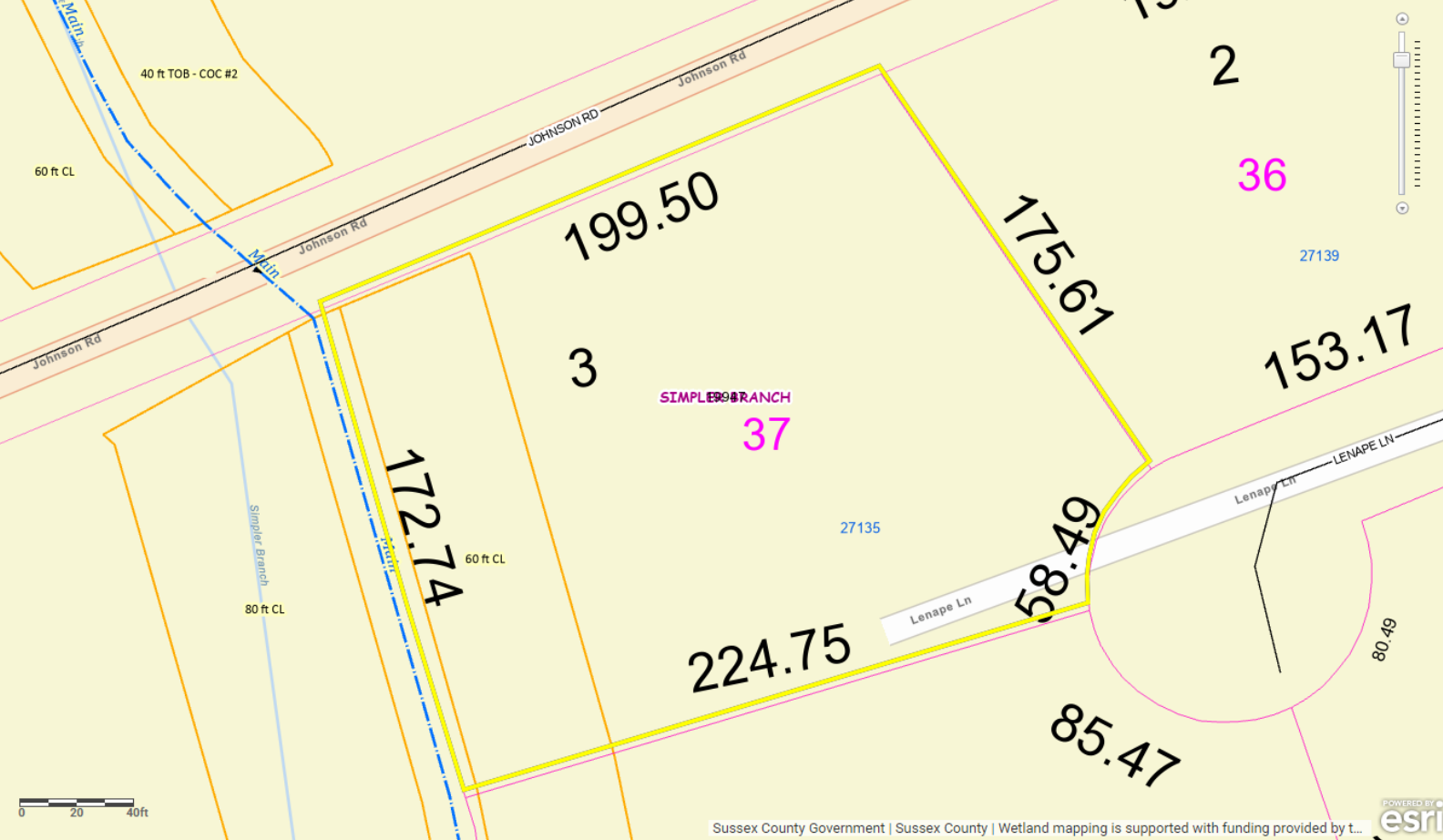
BOOK	5553
PAGE	39
FULLNAME	MUNOZ RUTH
Second_Owner_Name	
MAILINGADDRESS	27135 LENAPE LN
CITY	GEORGETOWN
STATE	DE
a_account	
DESCRIPTION	INDIAN ACRES
DESCRIPTION2	LOT 3
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	1
APRBLDG	28000
APRLAND	4000
PINWASSEMMENTUNIT	234-9.00-37.00
PIN	234-9.00-37.00

Navigation icons: Home, Previous, Next, Full Screen, Refresh

Selected Features (1)

Clear Selected

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (1)

1) 234-9.00-37.00 Zoom

BOOK	5553
PAGE	39
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DESCRIPTION2	LOT 3
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	1
APRBLDG	28000
APRLAND	4000
PINWASSEMENTUNIT	234-9.00-37.00
PIN	234-9.00-37.00

Navigation icons: Home, Previous, Next, Refresh, Full Screen

Selected Features (1)

Clear Selected



Search [X]

Search by SUSSEXPARCELS ▾

234-9.00-37.00 [Search Icon]

Search results (1) Options ▾

- ▶ 234-9.00-37.00

Workspaces ▾

© 2023 Eagleview

50 ft
10 m

map: Auto (Ortho) ▾ Dates: All ▾ < image 3 of 64 > 03/05/2023

Map navigation icons: Full Screen, Print, Refresh, etc.

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 # 12952
Hearing Date 6-17-24
202405737

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:

38179 Martins Way Ocean View De 19970 (Baltimore Hundred).

Variance/Special Use Exception/Appeal Requested:

This Request is for a 6' Front setback variance on my home. Home was built in 1994 and within setbacks for that period which have changed. The Proposed Addition to the home necessary for full time residency to add necessary living are in our home. Widening the home is not feasible from a cost or design perspective, we need to lengthen the home with an addition where space allows.

Tax Map #: 134-9.00-263.00

Property Zoning: GR

Applicant Information

Applicant Name: Michael Lewis

Applicant Address: 38179 Martins Way,

City Ocean View State De Zip: 19970

Applicant Phone #: (484) 905-2462 Applicant e-mail: mal3lewis@msn.com

Owner Information

Owner Name: Michael Lewis

Owner Address: 38179 Martins Way

City Ocean View State de Zip: 19970 Purchase Date: 4/1/93

Owner Phone #: (484) 905-2462 Owner e-mail: mal3lewis@msn.com

Agent/Attorney Information

Agent/Attorney Name: Not Applicable

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney

Date: _____



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.

Location is an older development (1960's), and is also a private dead end road. Narrow 50' wide small lot. Home was built to set backs of the time and now an addition is necessary for living area. Many houses on the street are within the 30' setback area most notably the two neighboring homes are going further into the setback area than our proposed addition. Widening the house is not Feasible, adding an additional floor as

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.

Property is developed with existing home. Widening the home to the current 5' setbacks is not feasible for financial or engineering terms. This proposed addition, will more closely conform to current set backs than the direct neighboring homes. Additionally, between the actual property corner and the existing private dead end roadway, there is a 5' buffer between the property line and the roadway, if we could considered counting this zone, the variance would be less than 6 inches

3. Not created by the applicant:

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

We built the home in 1994 to the existing set backs of the time, and everything is/was in conformance. The request for variance is to add an addition for necessary living area in the home. The existing home is narrow due to the setbacks in 1994, the most sensible method to add square footage now is to lengthen the home, slightly encroaching into the setback area. Widening and or adding another floor is prohibitive as an aging couple

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.

Many homes on this dead end private road are closer to the street than this request variance is requesting. The two neighboring homes are much close to the street than our proposed plan. The engineering design of the home (Addition) will be more attractive than the current design and will improve the overall character and appearance in the neighborhood. See Attached document and Surveys.

5. Minimum variance:

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

The requested variance (Addition) is 6', this design will add necessary living are for full time residency to accommodate the family. This request fits the neighborhood and neighboring properties along this dead end street and will not be detrimental to the character of the neighborhood. Between the property line and the street there is a 5' grass buffer area, we are asking to include this buffer area in the front yard, roadway setback. This would allow the variance area to be less than 6".

Request

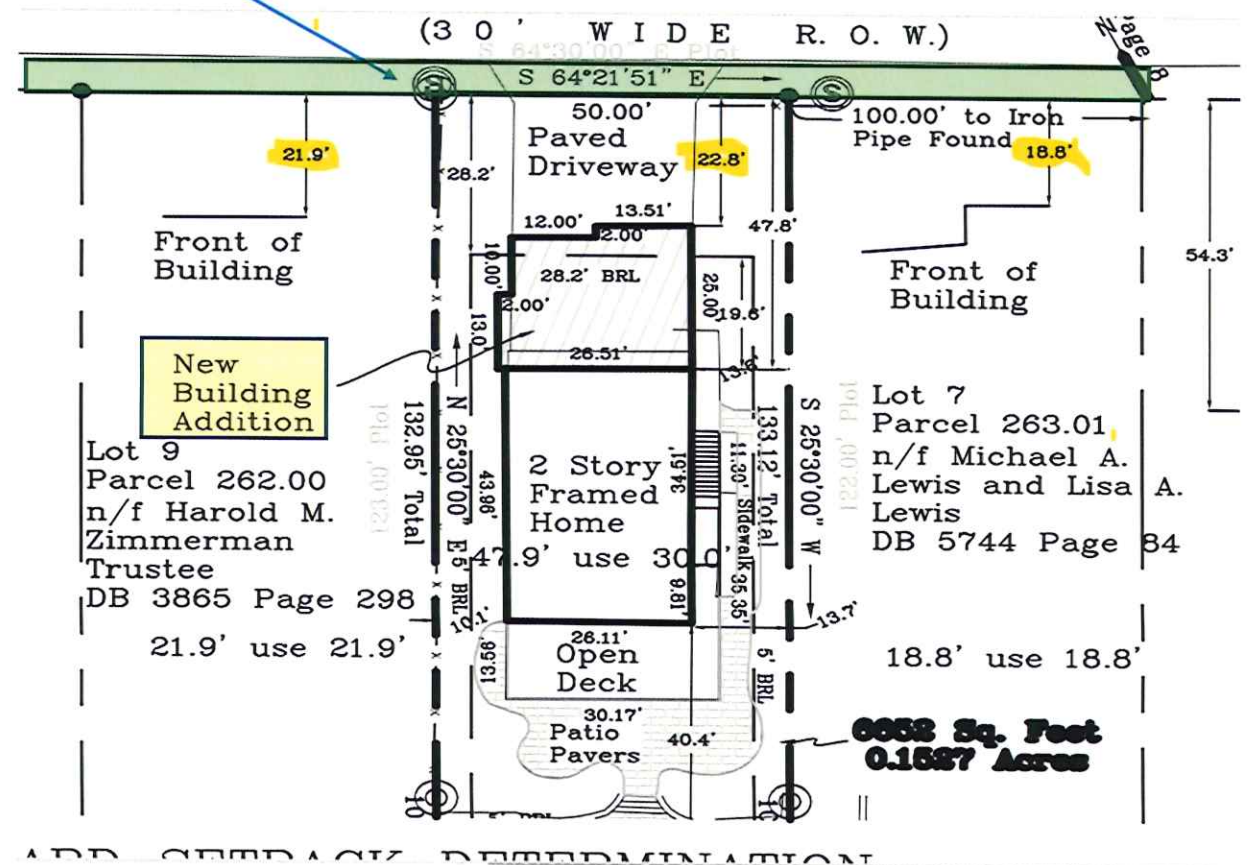
- Requesting six foot (6') Front Setback Variance for additional living space for family, full time residency
- Location; This is a "Private" Dead End Road, located in Baltimore Hundred
- No HOA
- Older development created in the 1960's
- Many Homes on the street penetrate further into the set back than our requested and proposed plan.
- Will not be negative to the integrity or aesthetics of the neighborhood

Survey Determination

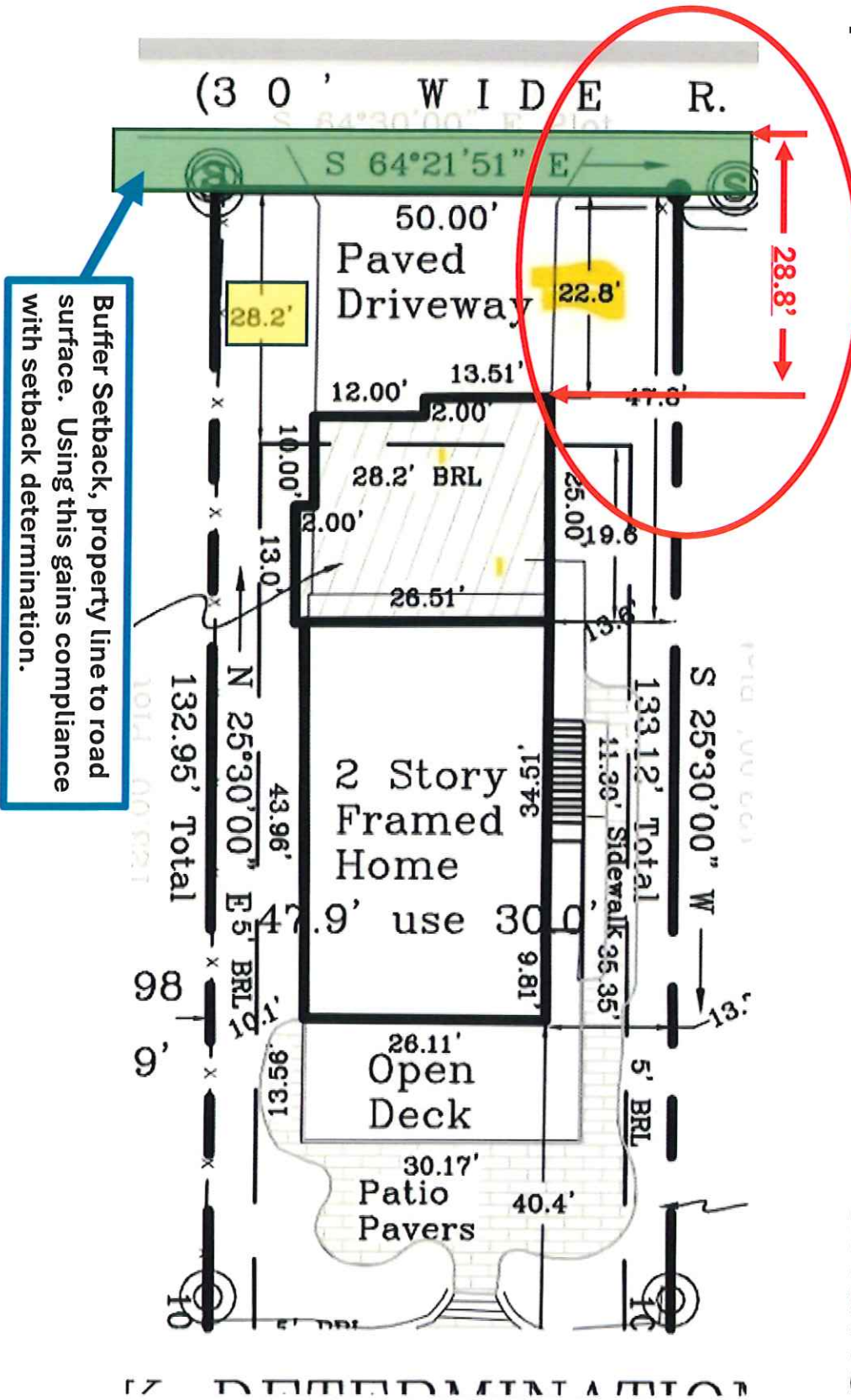
- Setback Determination Survey Performed by John Roach Engineering
- Setback **28.2'** Based on Setback Determination
- Immediately Neighboring Properties are closer to property line, this request will keep the home further from property line than the directly neighboring homes.
 - Home to the direct East is set back **18.8'**
 - Home to the direct West is set back **21.9'**
 - Our Requested variance will place our home at **22.8' from the property line**
- *There is an established buffer area between the edge of the roadway and the front property line (See attached drawings).*
 - I am requesting consideration of using this Buffer Set back in our set back calculations.
 - When Including this in the set back from the roadway, the front of the house to the asphalt roadway set back would be 28.8' – with the allowable set back being 28.2'.
 - Utilizing the already established buffer area allows us to stay within the stated 28.8' setback determination limit as established.
- Presented on Next Page

Detail Of Neighboring Property Setbacks

Additional buffer Setback,
property line to roadway



Proposed Utilization of Buffer Area for Variance



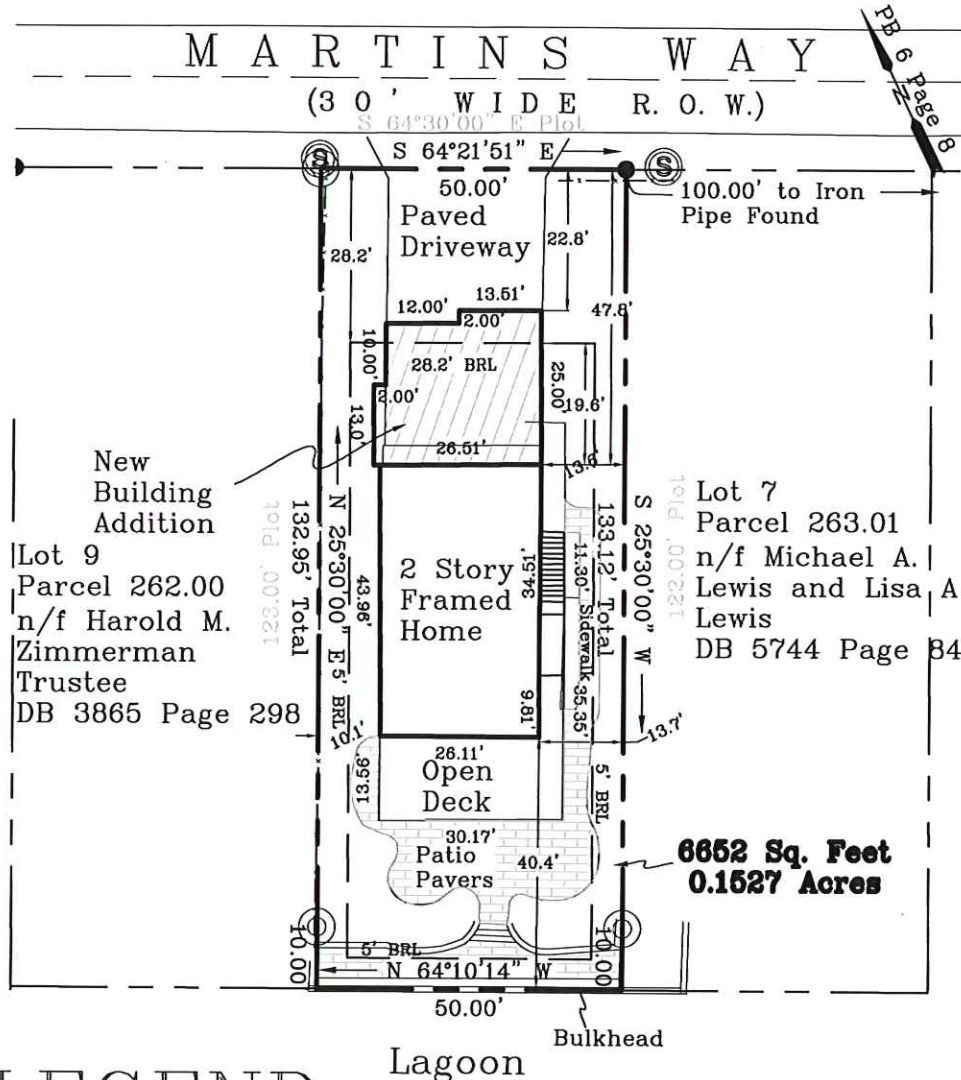
Property Satellite View



PROPOSED ADDITION SITE PLAN
LANDS OF "MICHAEL A. AND LISA A. LEWIS"

ALSO KNOWN AS: "38179 MARTINS WAY, OCEAN VIEW, DE"
 LOT 8 MARTINS WAY
 SITUATE IN: "BALTIMORE HUNDRED"
 SUSSEX COUNTY * STATE OF DELAWARE
 TAX MAP #: 134-9.00 PARCEL 263.00
 DEED REFERENCE: DB 1878, PG 334
 PLAT REFERENCE: PB 6, PG 8

ZONING CLASSIFICATION: GR
 YARD REQUIREMENTS:
 FRONTYARD: 30'
 SIDEYARD: 5'
 REARYARD: 5'

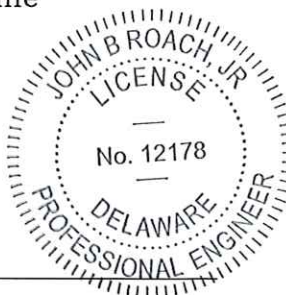


LEGEND

- Ⓢ Sewer Cleanout
- Iron Pipe Found
- ⊙ Rebar and Cap Set
- Property Line
- x - x - Fence

NOTES

1. THIS SURVEY IS CLASSIFIED AS A "SUBURBAN" SURVEY.
2. UNLESS THIS PLAT HAS A SEAL WITH AN ORIGINAL SIGNATURE OF 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.
4. THIS PROPERTY LIES WITHIN A AE-6 FLOOD ZONE PER FEMA FLOOD MAP 10005C0512K.



John B. Roach, Jr.
 PROFESSIONAL ENGINEER



22184 MELSON ROAD
 GEORGETOWN, DELAWARE 19947
 PHONE NO. 302-856-1565

DRAWN BY: JBR

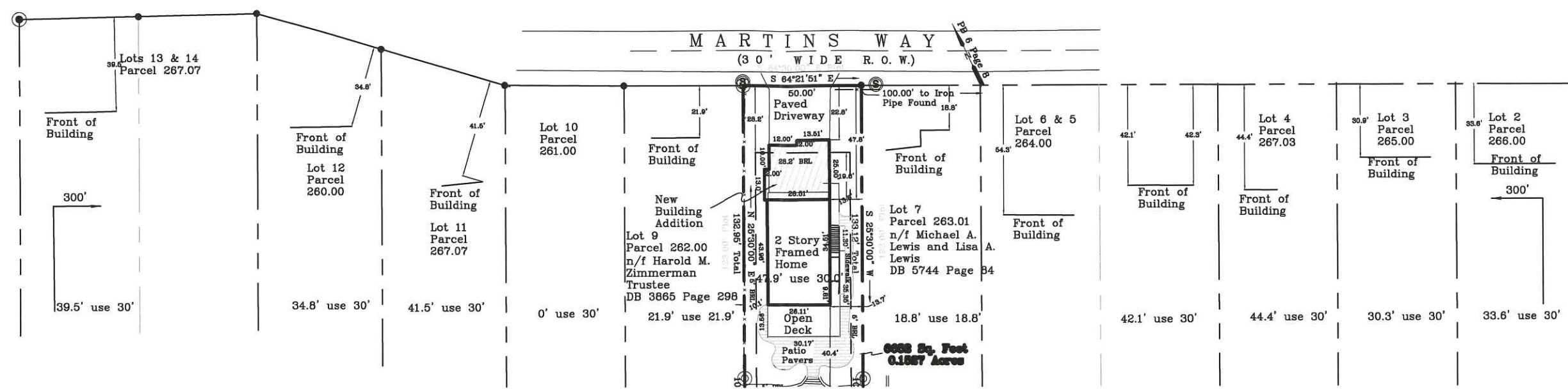
DATE: 04-14-2024

SCALE: 1"=20'

SHEET 1/1

AVERAGE FRONT YARD SETBACK
 LANDS OF "MICHAEL A. AND LISA A. LEWIS"
 ALSO KNOWN AS: "38179 MARTINS WAY, OCEAN VIEW, DE" LOT 8
 MARTINS WAY
 SITUATE IN: "BALTIMORE HUNDRED"
 SUSSEX COUNTY * STATE OF DELAWARE
 TAX MAP #: 134-9.00 PARCEL 263.00
 DEED REFERENCE: DB 1878, PG 334
 PLAT REFERENCE: PB 6, PG 8

ZONING CLASSIFICATION: GR
 YARD REQUIREMENTS:
 FRONTYARD: 30'
 SIDEYARD: 5'
 REARYARD: 5'



AVERAGE FRONTYARD SETBACK DETERMINATION

PARCEL NUMBER	SETBACK DETERMINED
267.07	39.5' use 30'
260.00	34.5' use 30'
267.07	41.5' use 30'
261.00 (vacant)	30'
262.00	21.9'
263.00	47.8' use 30'
263.01	18.8'
264.00	54.3' and 42.1' use 30'
267.03'	44.4' use 30'
265.00	30.9' use 30'
266.00	33.6' use 30'

Total: 310.7'

Average Setback (310.7/11 lots): 28.2'

LEGEND

- Ⓢ Sewer Cleanout
- Iron Pipe Found
- ⊙ Rebar and Cap Set
- — — — — Property Line
- x — x — Fence

NOTES

1. THIS SURVEY IS CLASSIFIED AS A "SUBURBAN" SURVEY.
2. UNLESS THIS PLAT HAS A SEAL WITH AN ORIGINAL SIGNATURE OF 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.
4. THIS PROPERTY LIES WITHIN A AE-6 FLOOD ZONE PER FEMA FLOOD MAP 10005C0512K.
5. THE AVERAGE FRONTYARD SETBACK HAS BEEN DETERMINED TO BE 28.2 FEET BASED ON THE ADJACENT PROPERTIES 300 FEET FROM THE BUILDING LINE.



John B. Roach, Jr.
 PROFESSIONAL ENGINEER

<p>JOHN B. ROACH Engineering LLC</p>	22184 MELSON ROAD GEORGETOWN, DELAWARE 19947 PHONE NO. 302-856-1565
	DRAWN BY: JBR
SCALE: 1"=50'	SHEET 1/1

Layers Search Basemaps Select Area Eagleview Print

0 20

POWERED BY esri

Sussex County Government | Sussex County | Wetland mapping is supported with funding provided by t...

Eagleview Search Results

Selected Features: Parcels (1)

1) 134-9.00-263.00 Zoom

BOOK	1878
PAGE	334
FULLNAME	LEWIS MICHAEL A LISA
Second_Owner_Name	
MAILINGADDRESS	38179 MARTINS WY
CITY	OCEAN VIEW
STATE	DE
a_account	11-03-263
DESCRIPTION	MARTIN E COX SUBD
DESCRIPTION2	LOT 8
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	30600
APRLAND	4900
PINWASSEMENTUNIT	134-9.00-263.00
PIN	134-9.00-263.00

Selected Features (1)

Clear Selected

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (1)

1) 134-9.00-263.00 Zoom

BOOK	1878
PAGE	334
FULLNAME	LEWIS MICHAEL A LISA
Second_Owner_Name	
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APRLAND	4900
PINWASSEMENTUNIT	134-9.00-263.00
PIN	134-9.00-263.00

Selected Features (1)
Clear Selected



Search ✕

Search by SUSSEXPARCELS ▾

134-9.00-263.00 🔍

Search results (1) Options ▾

▶ 134-9.00-263.00

Workspaces ▾

Request for Variance

Michael Lewis

38179 Martins Way Ocean View De 19970

Request

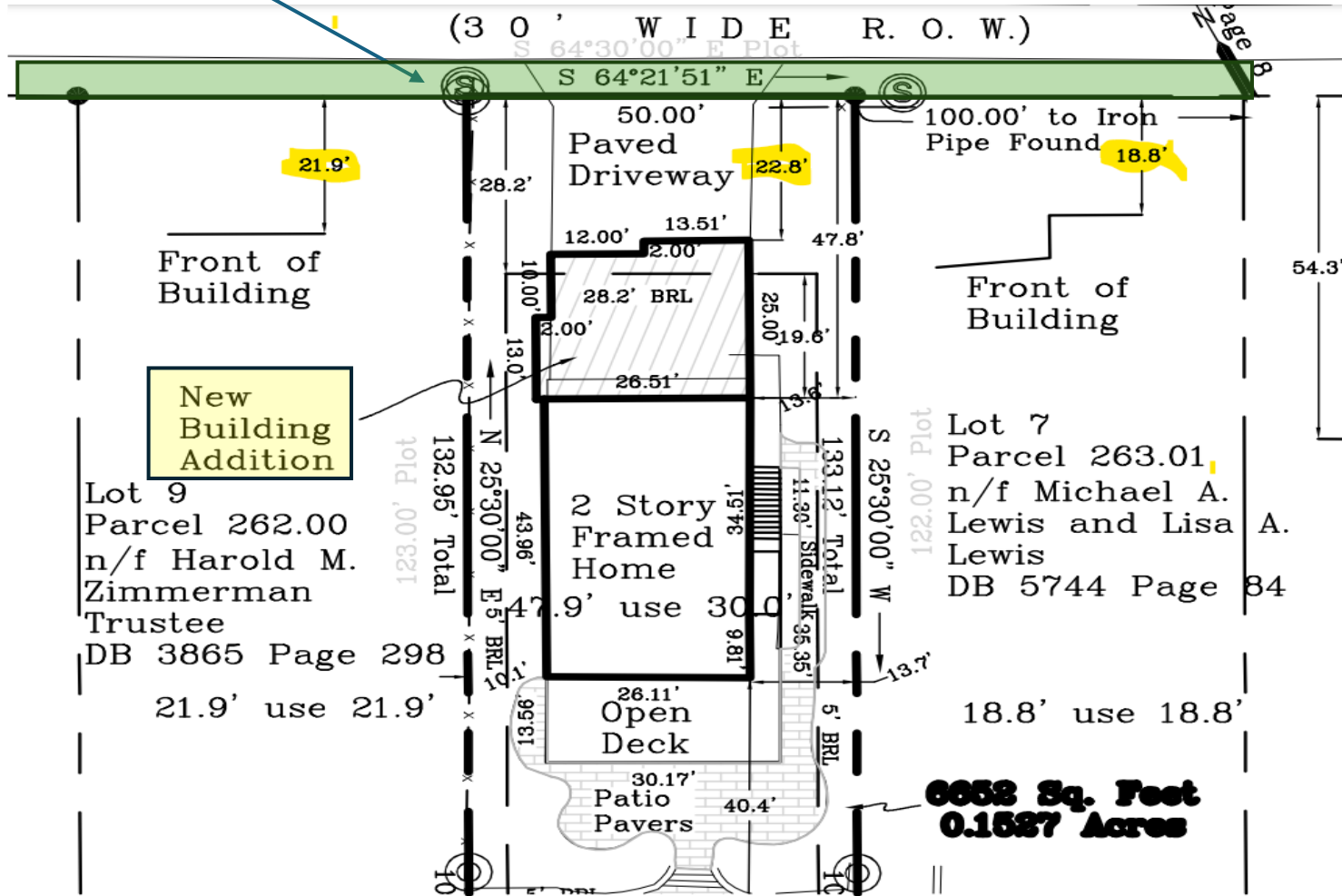
- Requesting six foot (6') Front Setback Variance for additional living space for single family, full time residency
- Location; 38179 Martins Way, This is a "Private" Dead End Road, located in Baltimore Hundred (Cedar Neck Area).
- There is No HOA in our neighborhood
- This is an older development created in the early 1960's
- Many Homes on the street currently penetrate further into the set back than our requested and proposed plan.
- This will not be negative to the integrity or aesthetics of the neighborhood
- Project is supported by neighbors

Survey Determination

- Setback Determination and Survey Performed by John Roach Engineering
- Setback **28.2'** Based on Setback Determination
- Immediately Neighboring Properties are closer to property line, this request will keep our home further from property line than the directly neighboring homes.
 - Home to the direct East is set back **18.8'**
 - Home to the direct West is set back **21.9'**
 - Our Requested variance will place our home at **22.8' from the property line**
- *Additionally, there is an established buffer area between the edge of the roadway and the front property line (See attached drawings).*
 - I am requesting consideration of using this Buffer zone in our set back calculations.
 - When Including this in the set back from the roadway, the front of the house to the asphalt roadway set back would be 28.8' – with the allowable set back being 28.2'.
 - Utilizing the already established buffer area allows us to stay within the stated 28.8' setback determination limit as established.
- Presented on Next Page

Detail Of Neighboring Property Setbacks

Additional buffer Setback, property line to roadway



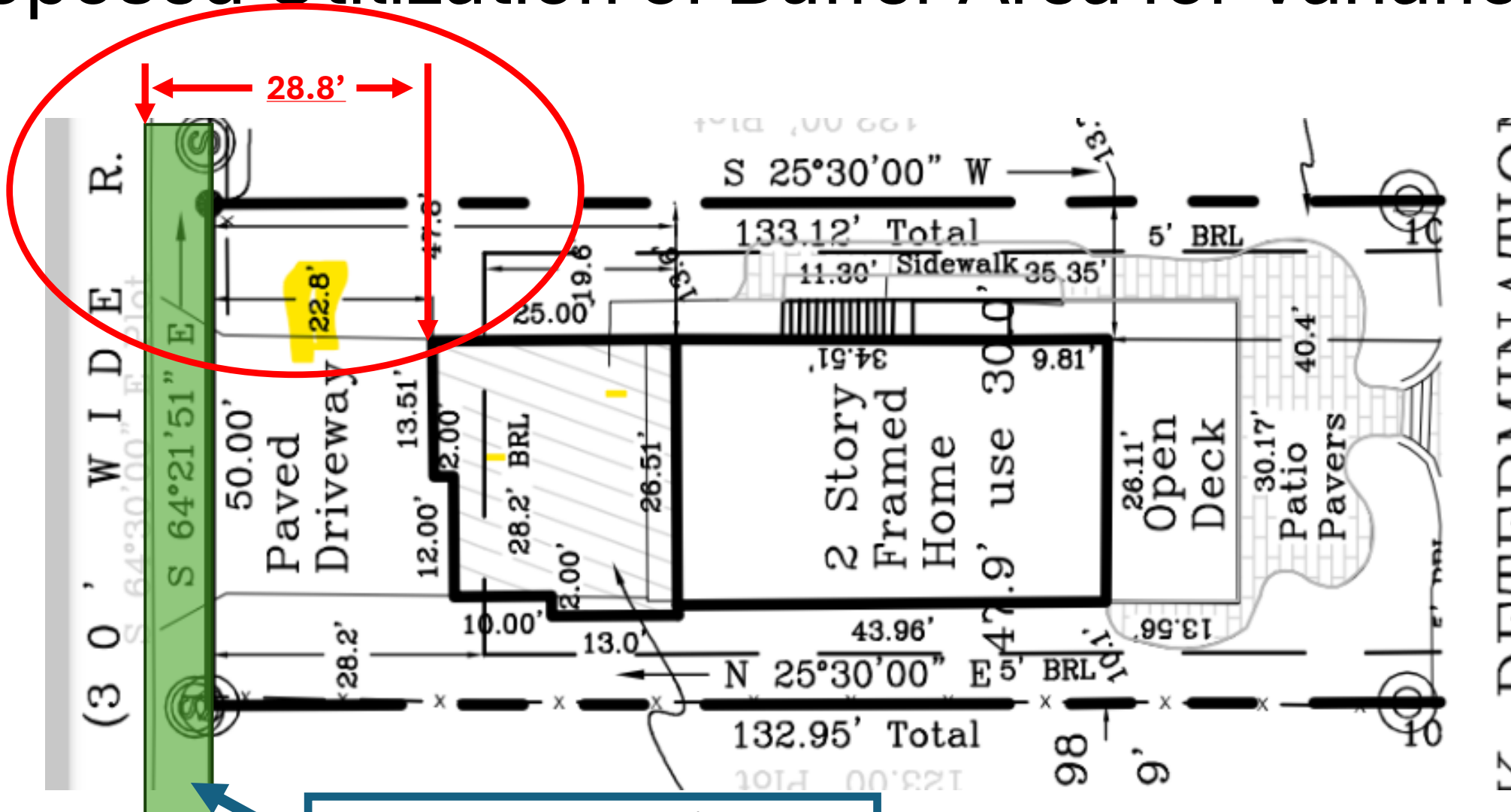
New Building Addition

Lot 9
 Parcel 262.00
 n/f Harold M. Zimmerman
 Trustee
 DB 3865 Page 298
 21.9' use 21.9'

Lot 7
 Parcel 263.01,
 n/f Michael A. Lewis and Lisa A. Lewis
 DB 5744 Page 84
 18.8' use 18.8'

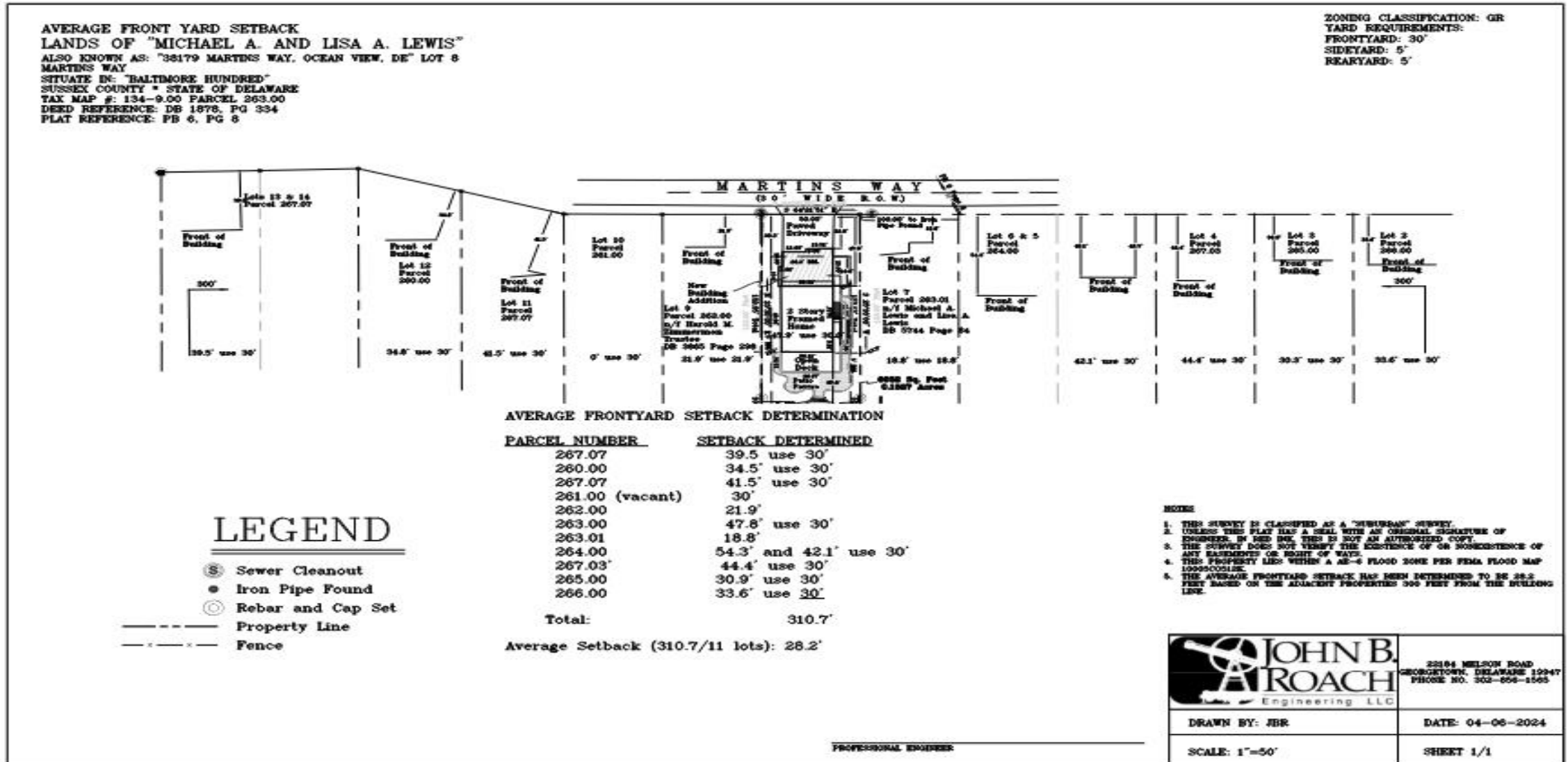
**6652 Sq. Feet
0.1527 Acres**

Proposed Utilization of Buffer Area for Variance



Buffer Setback, property line to road surface. Considering using this gains compliance with setback determination.

Setback Determination



Sussex County
 DELAWARE
PLANNING & ZONING DEPARTMENT
sussexcountyde.gov
 302-855-7878 T
 302-854-5079 F
 JAMIE WHITEHOUSE, AICP, MRTPI
 DIRECTOR



SETBACK INFORMATION REQUEST

Date of Request	3/20/24	Zoning District	GR
Customer Name	John Roach		
Customer Contact	jbroachengr@aim.com		
Tax Parcel ID	134-9.00-263.00	Lot/Unit Number	Lot 8
Parcel Address	38179 Martins Way, Ocean View (Martin E. Cox Subdivision)		
Front Yard Setback	30' (or the average front yard setback within 300 ft. on the same side of road)		
Side Yard Setback	5' *Per §115-183(d)		
Rear Yard Setback	5' *Per §115-183(d)		
Corner Front Yard Setback	N/A		
Maximum Height	42'		

The Customer was provided general zoning setbacks, as a specific parcel was not identified. Therefore, the setbacks provided may not be for a specific parcel. The setbacks could be different based on the specific nature of the property.

Additional Notes:

Deeds: Book: 1878, Page: 334
 Recorded Plot Plan: Book: 6, Page: 8

Sussex County does not regulate the rules/restrictions of an HOA. If applicable, it is recommended to contact the HOA to ensure their rules/regulations are not more restrictive than Sussex County Code requirements.

The property is subject to reduced setbacks due to being < 10,000 sq. ft. per Section 115-183(d)
 *Qualifies for reduced setbacks. A licensed surveyor may calculate the front yard setback to be the average of each front yard for each dwelling within 300 feet of the site and on the same side of the road. No front yard setback may be less than 5 feet. Any vacant lots shall have the front setback (standard) of the district.

The property is located within the AE Flood Zone

*The property is not subject to the Wetland Buffer Requirements as the subdivision was established in 1966

Name of Staff Member Ashley Paugh - Planning Technician

Checked By

Property Satellite View



Thank you!

Case # 12953
Hearing Date 6-17-24
202405797

Board of Adjustment Application Sussex County, Delaware

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

Type of Application: (please check all applicable)

- Variance
- Special Use Exception
- Administrative Variance
- Appeal
- Existing Condition
- Proposed
- Code Reference (office use only)

Site Address of Variance/Special Use Exception:
38302 Walnut Lane, Selbyville, DE 19975 Lot #35, Subdivision #6

Variance/Special Use Exception/Appeal Requested:
Five foot Front Yard Variance.

Tax Map #: 533-19.12-92.00 **Property Zoning:** Lot#35, MR

Applicant Information

Applicant Name: Robert Jeffrey (Jeff) and Deborah Ann (Debbie Micsky)
Applicant Address: 38302 Walnut Lane
City Selbyville State DE Zip: 19975
Applicant Phone #: (302) 988-1228 Applicant e-mail: jdemicsky@comcast.net

Owner Information

Owner Name: Same as Above
Owner Address: _____
City _____ State _____ Zip: _____ Purchase Date: _____
Owner Phone #: _____ Owner e-mail: _____

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

[Handwritten Signature]

Date: 9/23/24



Board of Adjustment Application for a Variance

Sussex County, DE

Sussex County Planning & Zoning Department

2 The Circle (P.O. Box 417), Georgetown, DE 19947

TYPE OF APPLICATION:

VARIANCE – FRONT YARD VARIANCE...

For owners Robert Jeffery (Jeff) and Deborah (Debbie) Ann Micsky

Site Address of Variance: 38302 Walnut Lane, Selbyville, DE 19975;

VARIANCE APPEAL REQUESTED: Tax Parcel # 533-19.12-92.00; Lot # 35, Subdivision # 6

APPLICANT INFORMATION:

Robert Jeffery and Deborah Ann Micsky

38302 Walnut Lane, Selbyville, DE 19975

Jeff Cell: 202-409-3896; Debbie Cell: 301-440-6364

E-Mail: jdmicsky@comcast.net

OWNER INFORMATION: Same as above

CRITERIA FOR A VARIANCE:

1. UNIQUENESS OF PROPERTY

Our property has unique conditions, including an irregularity of the lot's size, shape and road location on a corner. These conditions create a practical difficulty resulting in this request for a variance to push the construction of this home forward 5' to a 25' setback in the front versus the County's current building front setback of 30'. A 25' front setback is already allowed by the HOA in the KeenWik on the Bay's Building Plans and Permits, as specified in Attachment 1.

Being located on a corner, we have another disadvantage of a 15' side yard setback from the County's normal side yard setback of 10'. Also given the location Cedar Road and how it's positioned, our home's left side does not run directly parallel Cedar Road. Thus, we lose space on that side since the road cuts into that left side area, and we cannot go any further out due to the County's 15' setback for the side yard of a corner lot. (See Attachment 2)

Moving the house forward by 5' also maintains the integrity of our back yard and mitigates any risk of coastal flooding, like what happened with Sandy and Ida, as this area is located in a flood zone. (Attachment 3) We recently installed a new bulk head which has tiebacks that are 10' from the bulkhead into the back yard. This bulkhead and its tiebacks add protection to our major investment and asset—our home— and helps to mitigate the risk of coastal flooding damage due to encroaching flood waters.

Moving the home forward does not impede on the clear line of site of drivers entering Walnut Lane from Cedar Lane. And not being able to move the house any closer to the left side set back

of 15' for a corner lot, keeps the line of sight clear for drivers leaving Walnut Lane onto Cedar Road.

2. CANNOT OTHERWISE BE DEVELOPED

After talking to the architect and looking at the survey site on which our house currently sits (reference back to Attachment 2), the existing house structure and its footers are undersized and will not support a second floor.

The architect next took our existing house survey and overlaid the "desired" new home construction. The architect had to do a few step-ins on the left side of the house's initial plan to basically "shrink" the house's structure to its "current" planned design to account for the 15' side yard setback. (See Attachment 4) These adjustments resulted in expanding the width of the house.

Taking the 15' side yard setback into consideration, the architect moved the house's structure forward by adding 5' into the current 30' set back. This 5' variance request enables us the reasonable use of this unique property and does not obstruct the vision of others while maintaining the character of the neighborhood. The construction of our "current" home plans takes into consideration the expansion to allow for any future mobility concerns and allows us to age in place here in KeenWick on the Bay.

3. NOT CREATED BY THE APPLICANT

The road's construction and layout and the fact that the county has a 15' setback for corner properties was not created by the Micsky's. And the fact that this community is in a flood zone was not created by the Micsky's. We are asking for this variance to protect our major asset and minimize damage to our home from any coastal flooding since we do live on a canal.

4. WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD

Pushing the house forward by 5' into the current front setback, will not alter the essential character of the neighborhood. The current design is a two-story house, with a covered front porch that is very conforming to this coastal community. (Attachment 5) This will not substantially impair the appropriate use of development of adjacent property nor be detrimental to the public welfare.

5. MINIMUM VARIANCE

The variance being requested is the minimal variance needed to accommodate proposed construction plans for a new home. Moving the house forward 5' to a 25' set back line versus the existing 30' set back will accommodate our current and future needs and pose no inconvenience to the community at large.

We hope you take in all that we've presented here and afford us the relief requested as it represents the least modification possible of the regulation in issue.

We made good faith efforts to contact all affected neighbors (See attached county Tax Parcel Map (Attachment 6) and talk with each of them showing them our plans and explaining the reason for this variance request and any effect it may have on them. All but one signed the No objection letters; the one declining did so for personal reasons concerning the HOA. All letters are attached. (Attachment 7 – 13 pages)



KEEN-WIK ON THE BAY

HOMEOWNER ASSOCIATION, SELBYVILLE, DE

Hello Robert and Deborah [Logout](#) | [Your Profile](#)

Building Plans and Permits

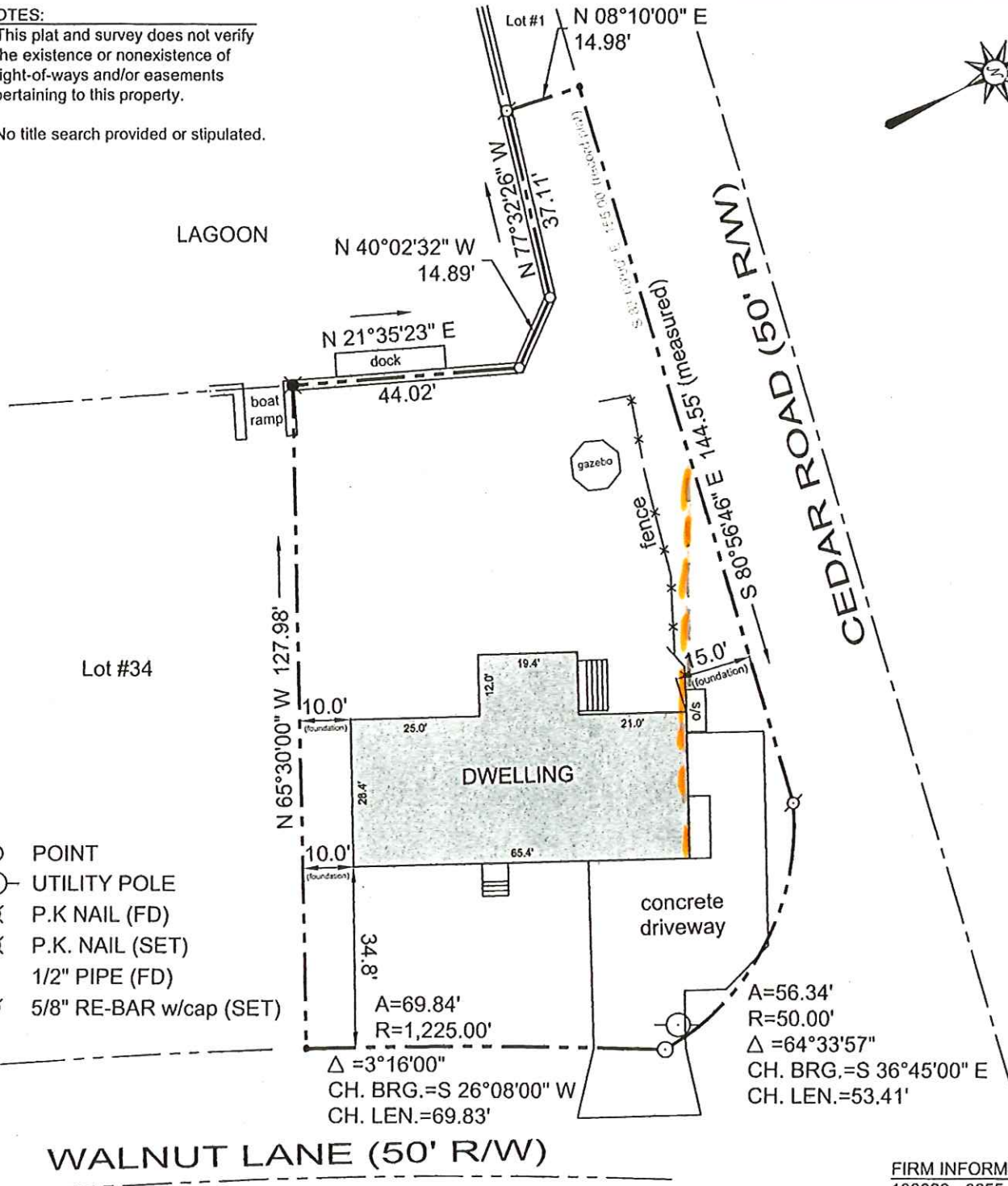
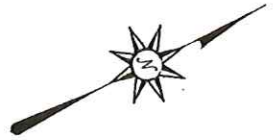
The Keenwik on the Bay deed covenants specifies that "No building, house or other structure shall be erected or commenced or maintained, nor any addition to, or change or alteration thereon shall be made until plans and specifications showing the nature, kind, shape, height, materials, floor plans, locations, and approximate cost of such structure and the grading plan of the lot to be built upon, shall have been submitted and approved in writing..." The exact information required to be submitted can change by the type of structure being submitted and in no instance will I require that the approximate cost be submitted.

BUILDING SETBACKS

- Sussex County: Front – 30 feet; Side – 10 feet (except corner lots require 15 feet); Rear – 10 feet.
- Keenwik: Front – 25 feet; Side – 5 feet; Rear – 20 feet.
- Sussex County Front and Side setbacks take precedence over Keenwik's. Anything less than the Sussex County Front or Side setbacks requires a variance from the Sussex County Board of Adjustment.
- Keenwik's Rear setback of 20 feet takes precedence over Sussex County's 10 feet.

NOTES:

- This plat and survey does not verify the existence or nonexistence of right-of-ways and/or easements pertaining to this property.
- No title search provided or stipulated.



- POINT
- UTILITY POLE
- ✕ P.K. NAIL (FD)
- ⊗ P.K. NAIL (SET)
- 1/2" PIPE (FD)
- ⊕ 5/8" RE-BAR w/cap (SET)

WALNUT LANE (50' R/W)

Lands of JOHN F. CARL and BARBARA C. CARL to be conveyed to ROBERT JEFFREY and DEBORAH ANN MICKSY. Being known as LOT NO. 35, SUBDIVISION NO. 6, KEEN-WIK. Ref: plat book 8, page 170.

FIRM INFORMATION:
 100029 - 0655 - J
 JANUARY 06, 2005
 ZONE: "AE", B.F.E.= 5'

CLASS "B" SURVEY

SCALE: 1"= 30'

AREA: 12,100 SQ. FT.

TAX MAP NO. 5-33-19.12-92

HUNDRED: BALTIMORE

COUNTY: SUSSEX

STATE OF DELAWARE

DATE OF ORIGINAL: 05.22.12

DRAWN BY: Gregory M. Hook

SIMPLER SURVEYING & ASSOCIATE, INC.

32486 POWELL FARM ROAD, FRANKFORD, DE 19945
 www.delawaresurveyor.com

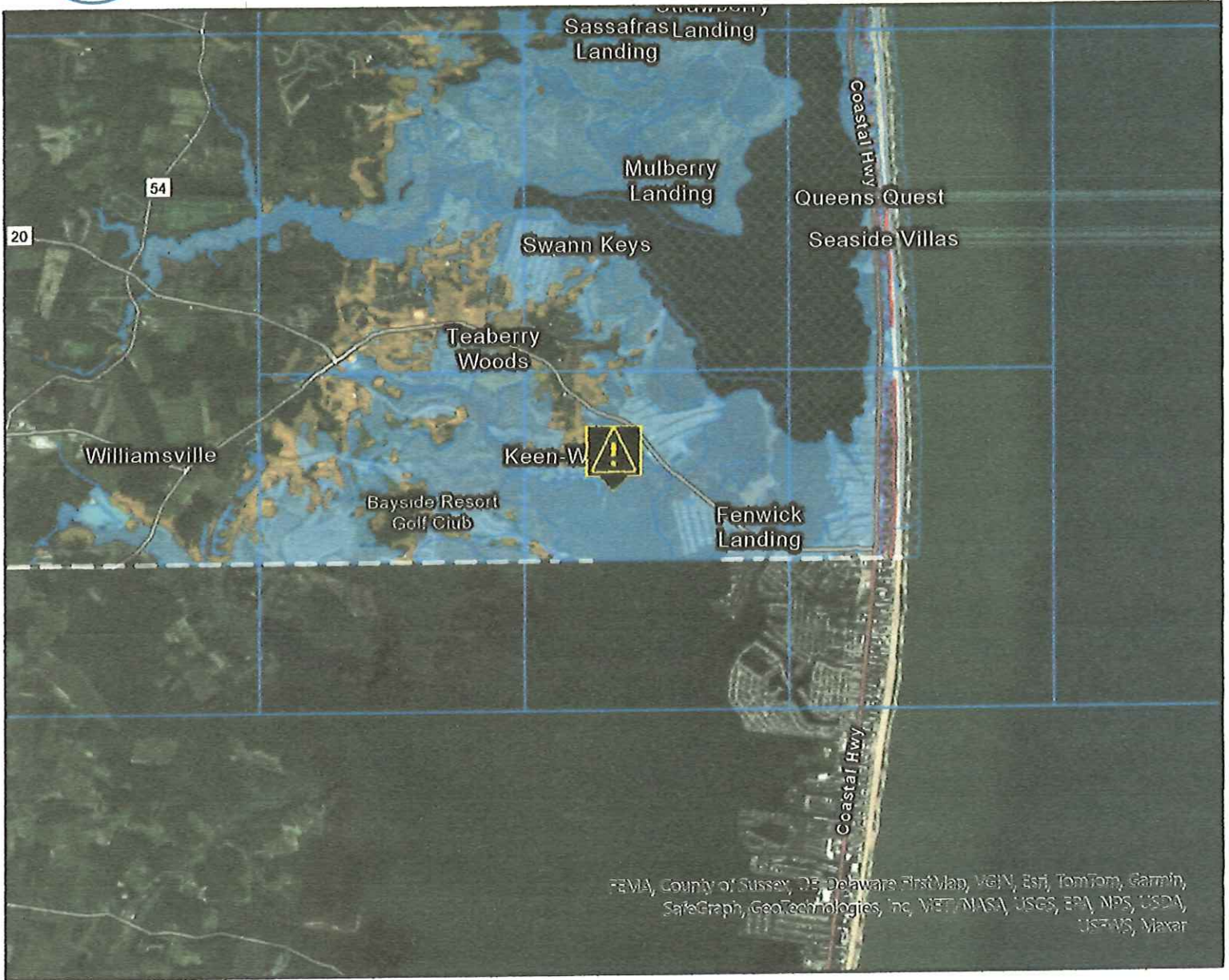
PHONE: (302) 539-7873 FAX: (302) 539-4336

SEAL

 05-22-12
 P.L.S. 711



Delaware Flood Planning Tool



FEWA, County of Sussex, 25 Delaware FirstMap, MGIN, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, NED, NASA, USGS, EPA, NPS, USDA, USFWS, Maxar

Point Text

Effective Flood Hazard Areas

- A
- AE
- AE, Floodway
- AO
- VE
- X, 0.2 Pct. Annual Chance Flood Hazard
- Base Flood Elevation
- LiMWA
- Cross Sections
- Transect
- LOMA
- LOMR

Preliminary Flood Hazard

- A
- AE
- AE, Floodway
- X, 0.2 Pct. Annual Chance Flood Hazard

Contours

- Index
- + Depression
- Hidden
- Interval

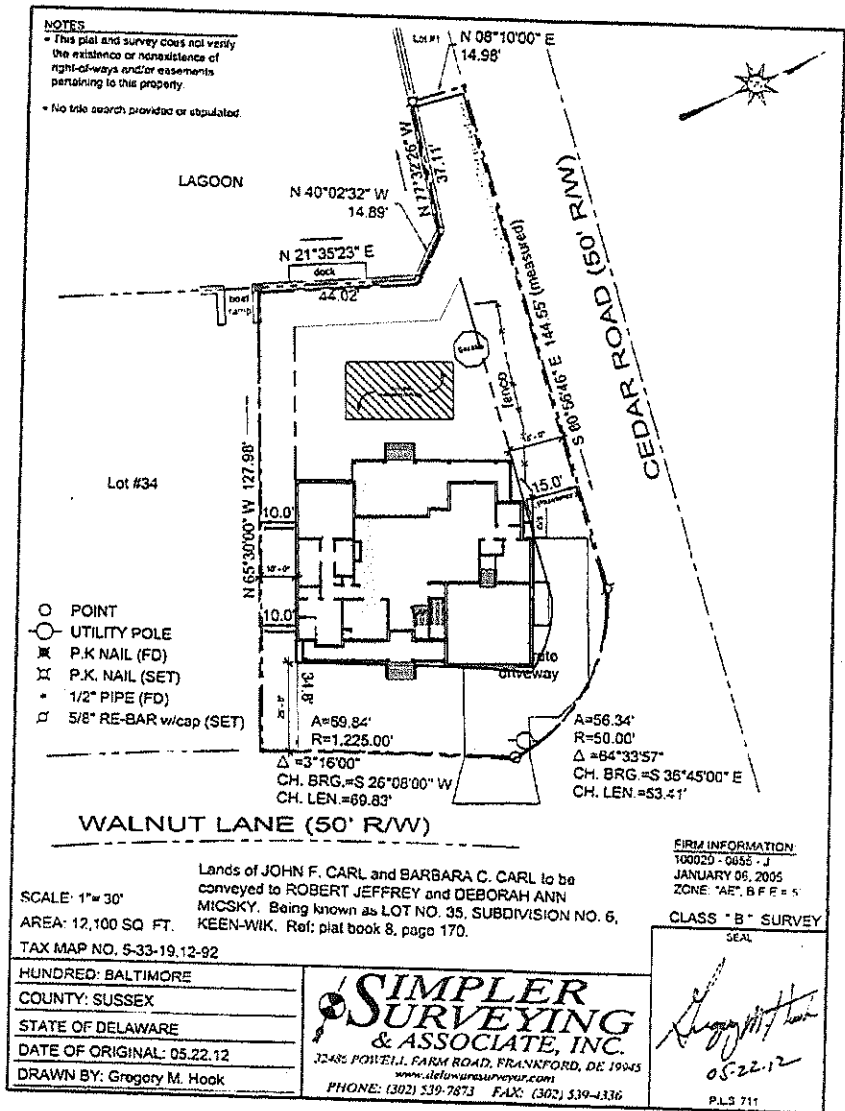
DNREC Building Line

- No Build Line



01,500,000 6,000 ft

Attachment #4

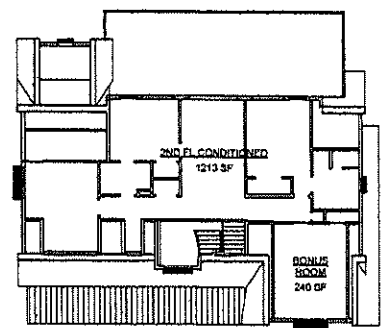


SCALE: 1"=30'
 AREA: 12,100 SQ. FT.
 TAX MAP NO. 5-33-19.12-92
 HUNDRED: BALTIMORE
 COUNTY: SUSSEX
 STATE OF DELAWARE
 DATE OF ORIGINAL: 05.22.12
 DRAWN BY: Gregory M. Hook

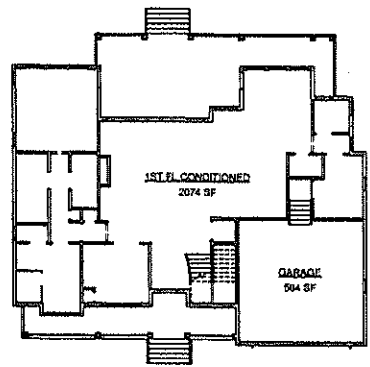
Lands of JOHN F. CARL and BARBARA C. CARL to be conveyed to ROBERT JEFFREY and DEBORAH ANN MICKSY. Being known as LOT NO. 35, SUBDIVISION NO. 6, KEEN-WIK. Ref: plat book 8, page 170.

SIMPLER SURVEYING & ASSOCIATE, INC.
 32485 POWELL FARM ROAD, FRANKFORD, DE 19945
 www.deltasurveysurveyor.com
 PHONE: (302) 539-7873 FAX: (302) 539-4336

1 ARCHITECTURAL SITE PLAN
 1/18" = 1'-0"



2 SECOND FLOOR FINISH FLOOR
 3/32" = 1'-0"



3 FIRST FLOOR FINISH FLOOR
 3/32" = 1'-0"



HALEY ARCHITECTURE, LLC
 10058 SILVER POINT LANE
 OCEAN CITY, MARYLAND 21842
 P. 410.720.7964

MICKSY RESIDENCE

38302 WALNUT LANE
 SELBYVILLE, DE 19975

ARCHITECTURAL SITE PLAN & AREA PLANS

ISSUED FOR:
 DESIGN REVIEW ONLY
 NOT FOR PERMITS
 NOT FOR CONSTRUCTION

REVISIONS

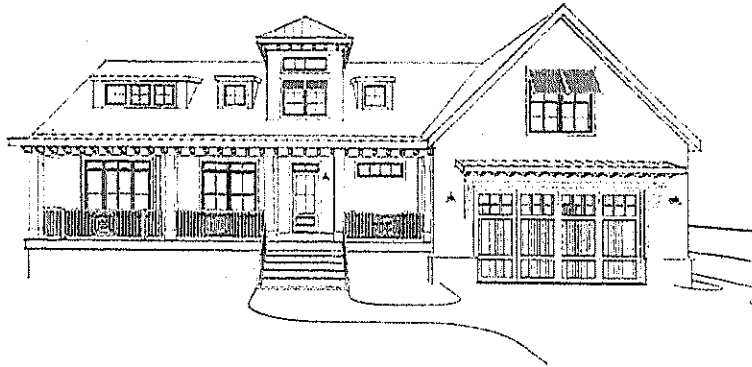
No.	Description	Date

Project Number 2024-10
 Date 03.29.2024
 Drawn By DNH
 Checked By DNH

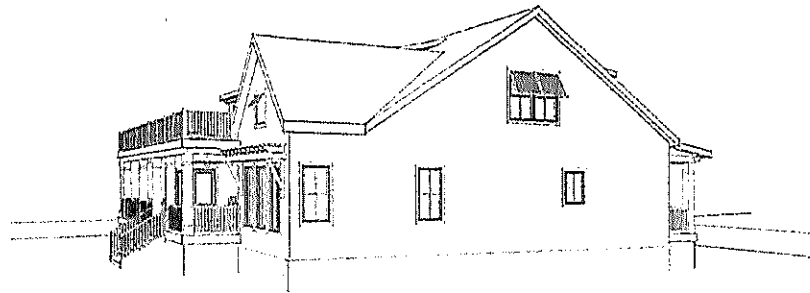
A100
 Scale As indicated

Attachment #5

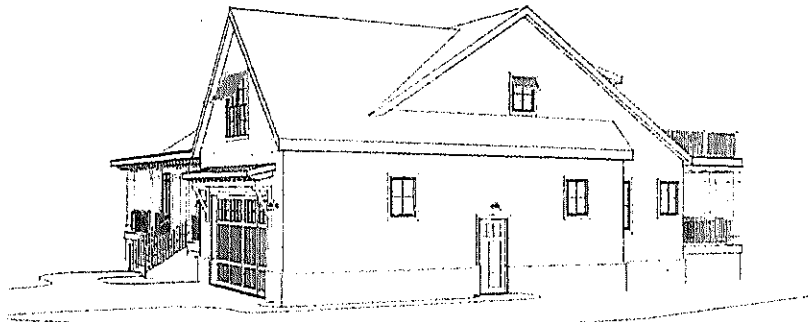
https://acrobat.adobe.com/hd/urn:nad:sc:US:ca:57722d-15a1-455e-8b18-9275f38b5132



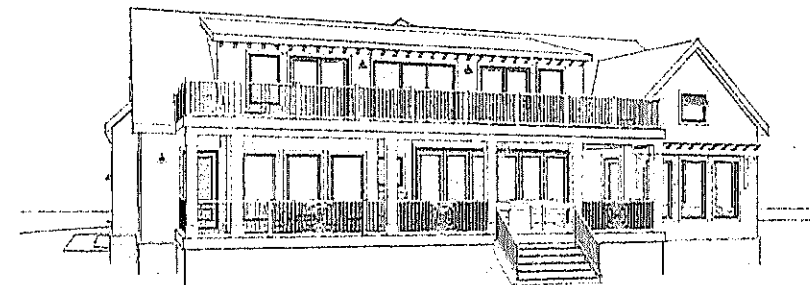
1 3D FRONT VIEW



2 3D VIEW SOUTH SIDE



3 3D VIEW NORTH SIDE



4 3D REAR VIEW



MALEY AF
10025 SE
OCEAN CITY
OR

MICS
RESID

38302 W
SELBYVII

3D VIE

ISSU
DESIGN
NOT FOR

REVISION

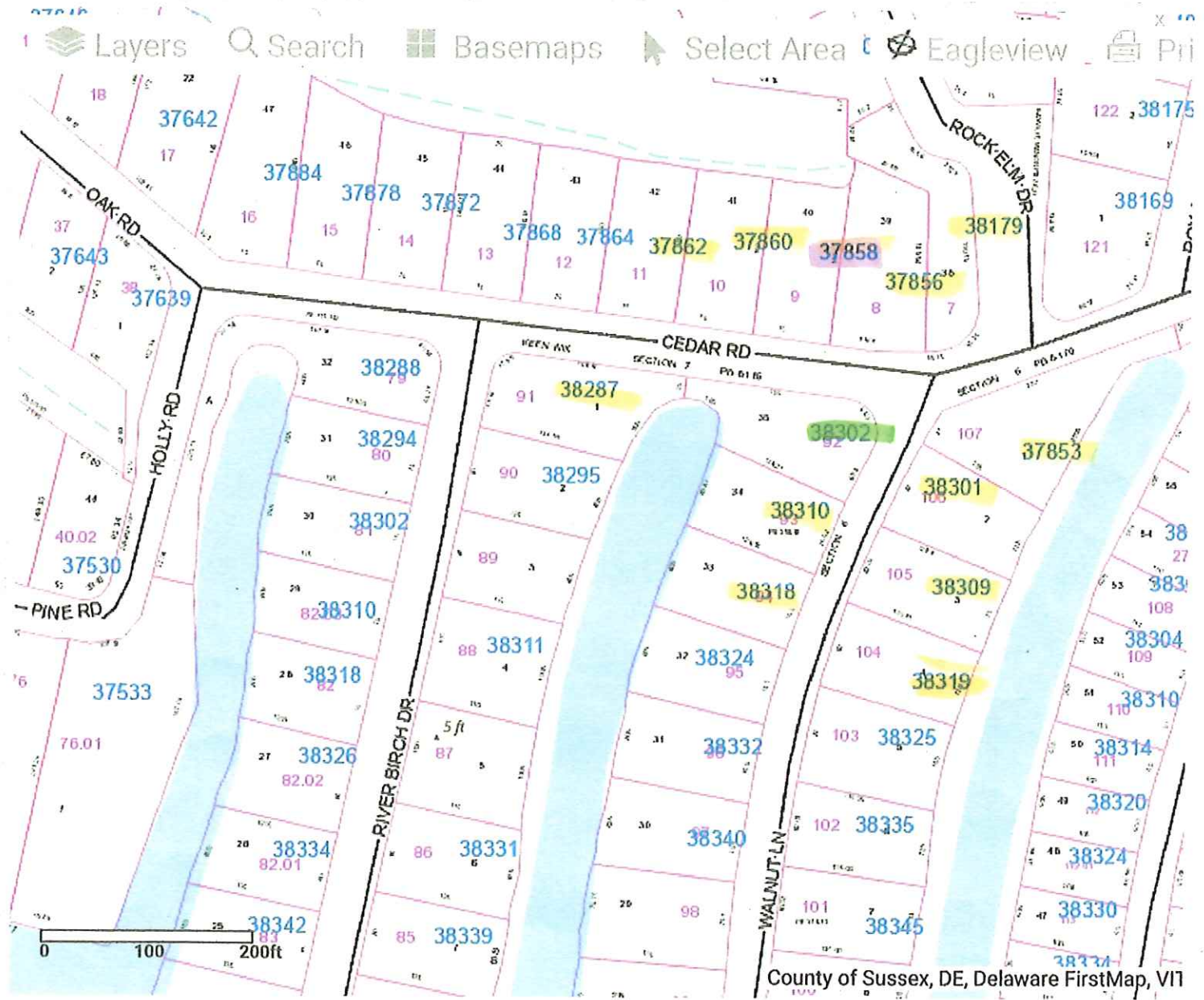
No.	Dr.

Project Number
Date
Drawn By
Checked By

A

Scale

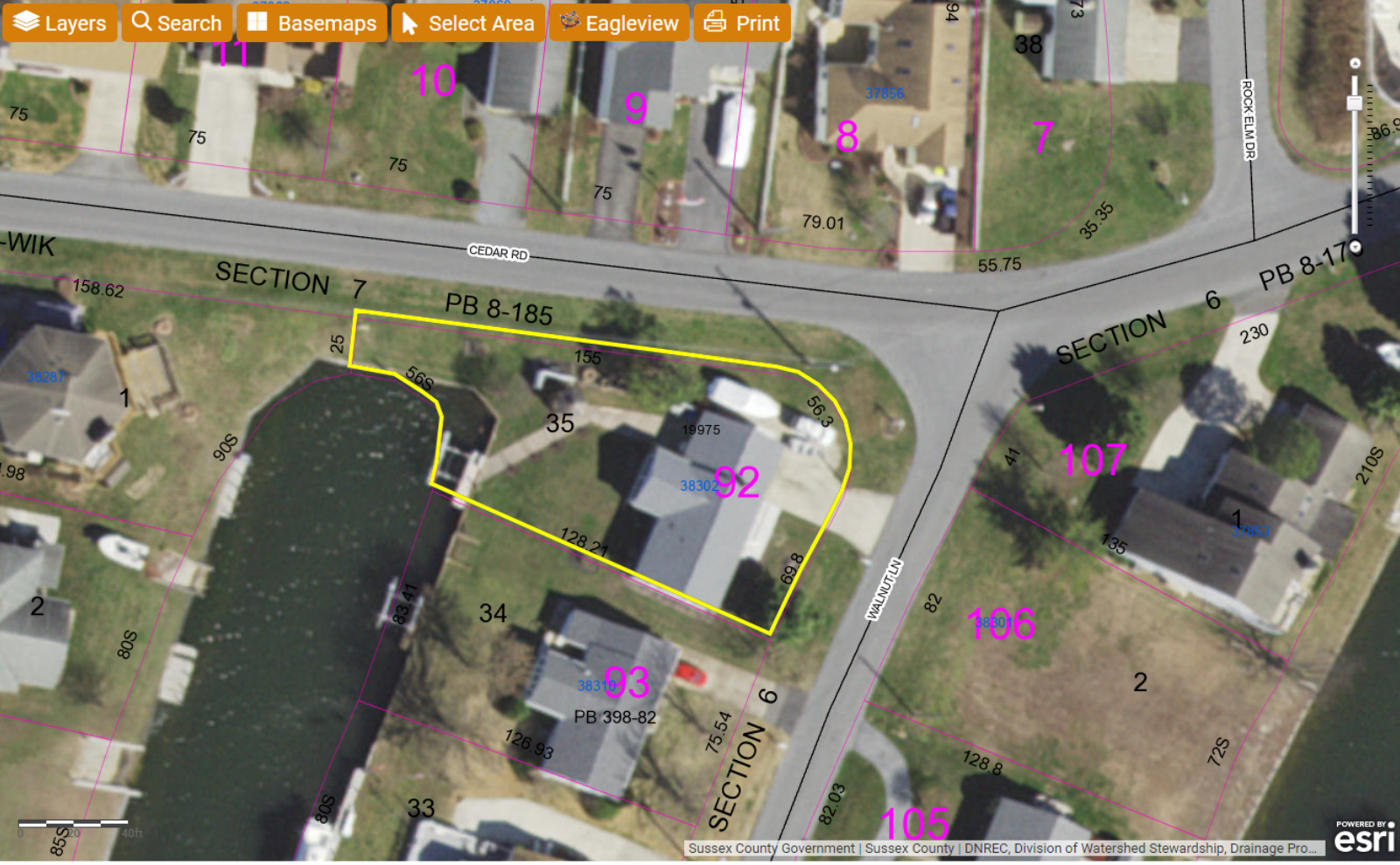
4/5/24, 4:01 PM
Page 1 of 1



Neighbors contacted
 Neighbor Dedication
 Mics by Name

Attachment # 6

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (1)

1) 533-19.12-92.00 Zoom

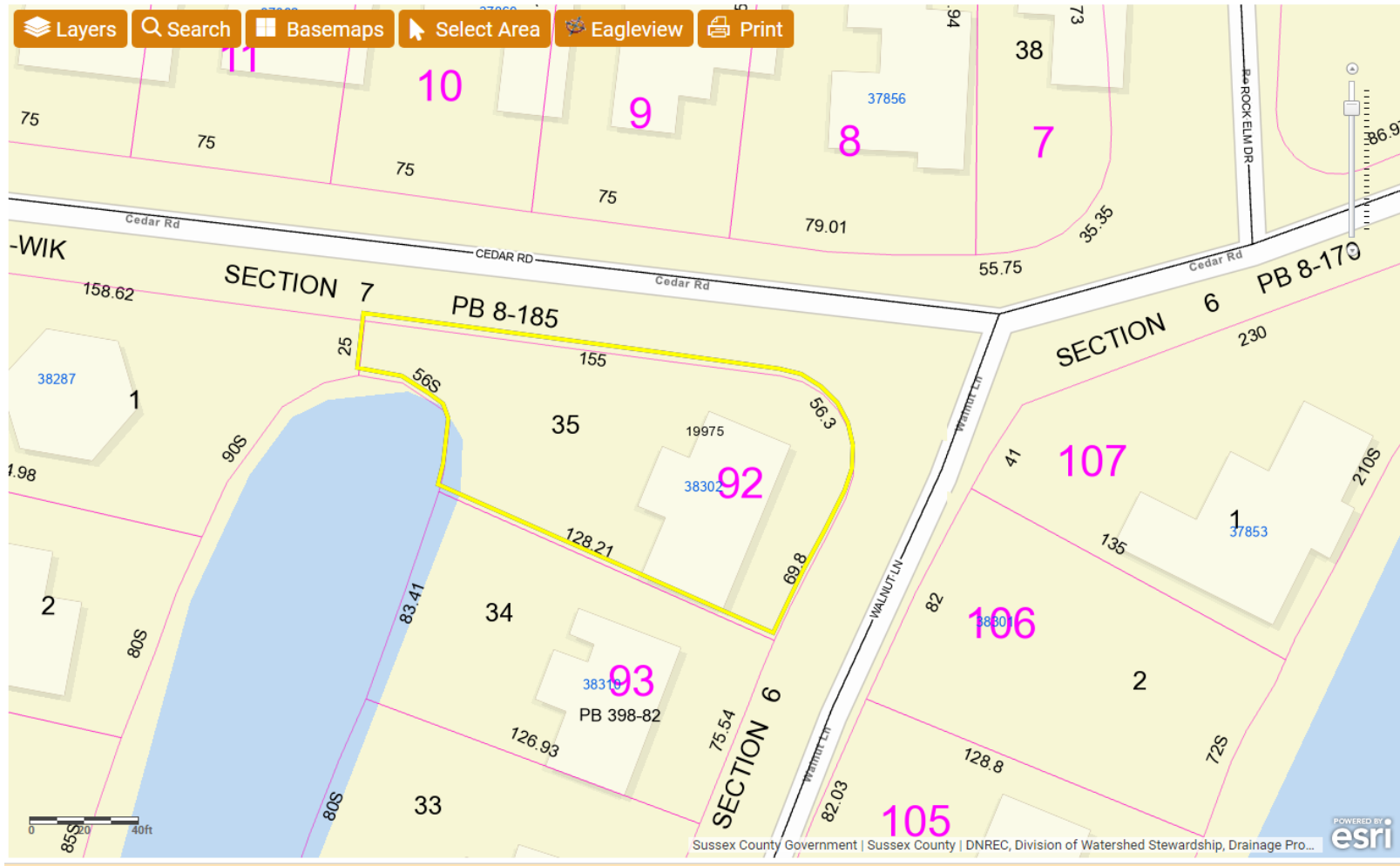
BOOK	4013
PAGE	329
FULLNAME	MICKY ROBERT J
Second_Owner_Name	DEBORAH A MICKY
MAILINGADDRESS	38302 WALNUT LN
CITY	SELBYVILLE
STATE	DE
a_account	04-11-092
DESCRIPTION	KEEN-WIK
DESCRIPTION2	LOT 35 SUBDIVISION 6
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	2
APRBLDG	33100
APRLAND	10000
PINWASSEMENTUNIT	533-19.12-92.00
PIN	533-19.12-92.00

Navigation icons: back, forward, home, search, refresh, etc.

Selected Features (1)

Clear Selected

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (1)

1) 533-19.12-92.00 Zoom

BOOK	4013
PAGE	329
FULLNAME	MICKSY ROBERT J
Second_Owner_Name	DEBORAH A MICKSY
MAILINGADDRESS	38302 WALNUT LN
CITY	SELBYVILLE
STATE	DE
a_account	04-11-092
DESCRIPTION	KEEN-WIK
DESCRIPTION2	LOT 35 SUBDIVISION 6
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	2
APRBLDG	33100
APRLAND	10000
PINWASSEMENTUNIT	533-19.12-92.00
PIN	533-19.12-92.00

Navigation icons: back, forward, home, search, zoom in, zoom out

Selected Features (1)

Clear Selected



Workspaces ▾

Search [X]

Search by SUSSEXPARCELS ▾

533-19.12-92.00 [Search Icon]

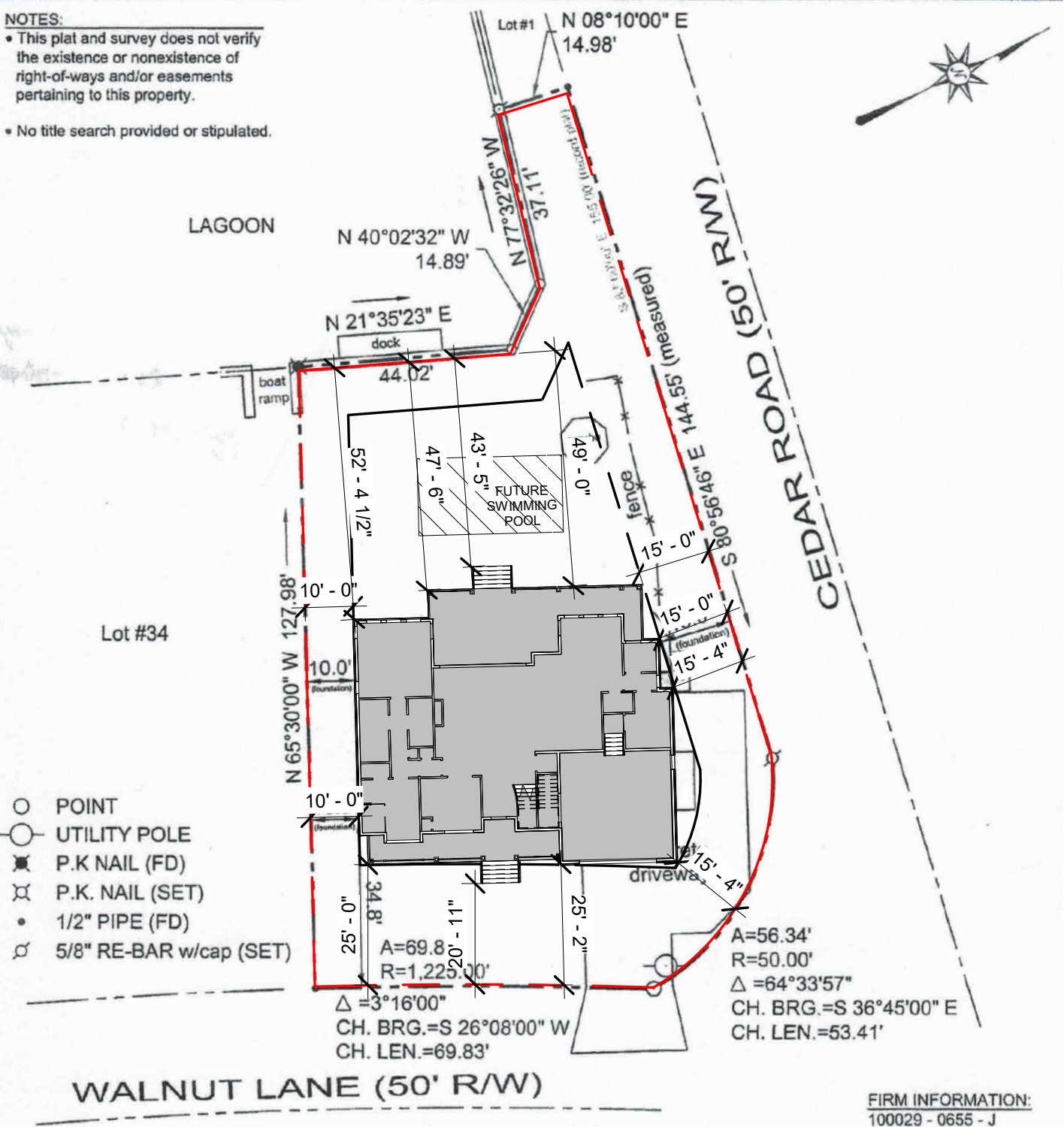
Search results (1) Options ▾

▶ 533-19.12-92.00



NOTES:

- This plat and survey does not verify the existence or nonexistence of right-of-ways and/or easements pertaining to this property.
- No title search provided or stipulated.



MICKSY RESIDENCE

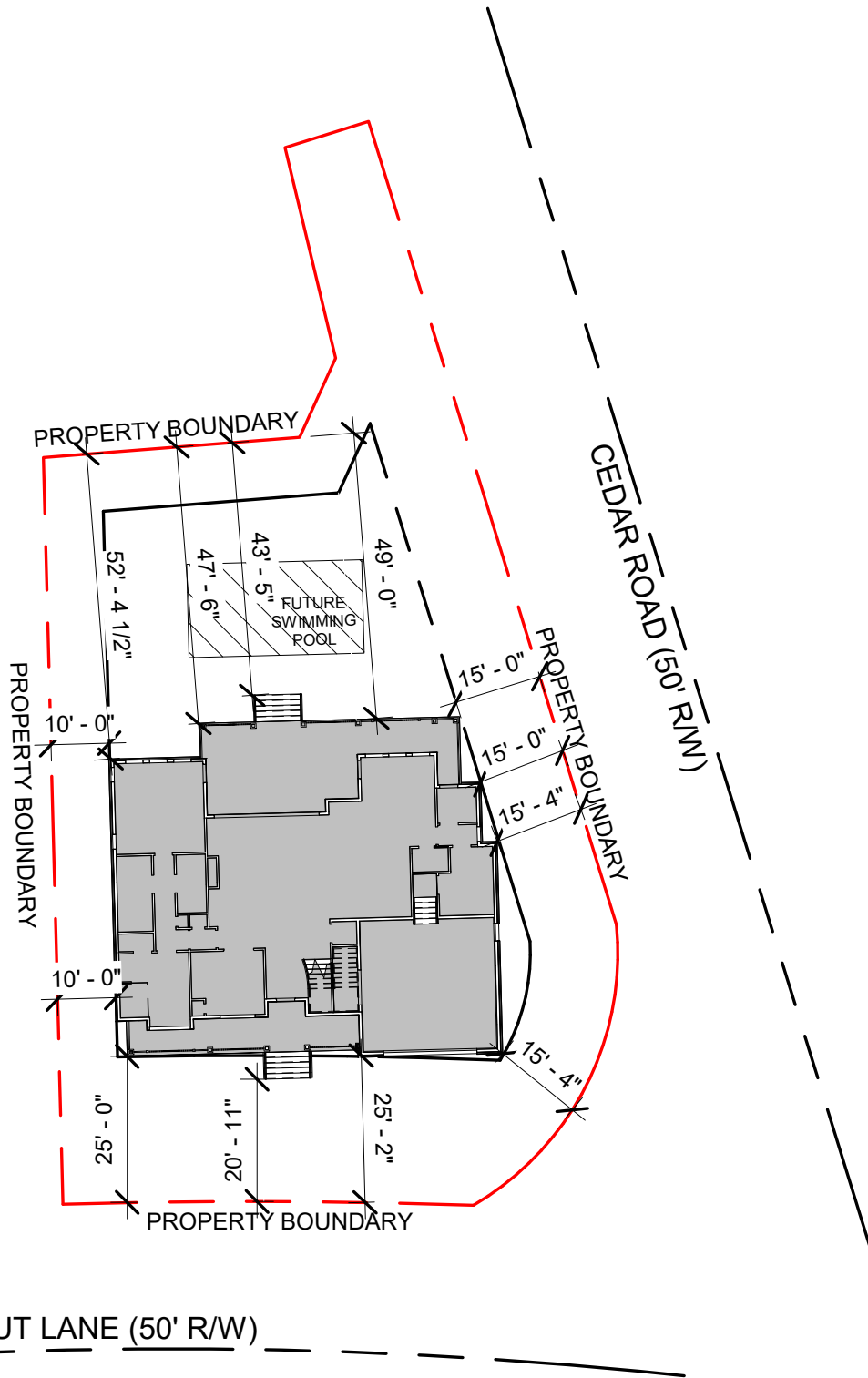
38302 WALNUT LANE
SELBYVILLE, DE 19975

ARCHITECTURAL SITE PLAN

Project number	2024-10
Date	05.21.2024
Drawn by	DNH
Checked by	DNH

A001

Scale 1" = 30'-0"



MICKSY RESIDENCE

38302 WALNUT LANE
SELBYVILLE, DE 19975

ARCHITECTURAL SITE PLAN

Project number	2024-10
Date	05.21.2024
Drawn by	DNH
Checked by	DNH

A001

Scale 1" = 30'-0"

Case # 12955
Hearing Date 6-17-24
202405876

Board of Adjustment Application Sussex County, Delaware

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

Type of Application: (please check all applicable)

Variance

Special Use Exception

Administrative Variance

Appeal

Existing Condition

Proposed

Code Reference (office use only)

Site Address of Variance/Special Use Exception:

12409 N Haven Drive, Selbyville, DE 19975

Variance/Special Use Exception/Appeal Requested:

Requesting to construct a 2nd floor deck that extends beyond our BRL by 3'10"
please see our statement, attachment #1

Tax Map #: 533-19-00-2003.00

Property Zoning: Mp

Applicant Information

Applicant Name: Kenneth and Cynthia Sampson

Applicant Address: 12409 N Haven Drive

City Selbyville State DE Zip: _____

Applicant Phone #: _____ Applicant e-mail: 19975

Owner Information

Owner Name: Kenneth and Cynthia Sampson

Owner Address: 12409 N Haven Drive

City Selbyville State DE Zip: 19975 Purchase Date: 3/20/02

Owner Phone #: (443) 223-3225 Owner e-mail: ksampson2021@outlook.com

Agent/Attorney Information

Agent/Attorney Name: Ken Sampson

Agent/Attorney Address: 12409 N Haven Drive

City Selbyville State DE Zip: 19975

Agent/Attorney Phone #: (443) 223-3225 Agent/Attorney e-mail: ksampson2021@outlook.com

Signature of Owner/Agent/Attorney



Date: 4/24/24



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.

We have a petruing 2 1/2' chimney flue wall AND no homes on the side of our home where we would like to build a deck and give the deck enough depth for wheel chair accessible we are requesting permission to construct the new 2nd floor deck 3'10" beyond the BRL cantelievered. Columns/piers will be constucted within the BRL.

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.

We are at the end of a street, golf course and woods are adjcent to our home which will never be developed.

3. Not created by the applicant:

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

none

Home was PLACED ON LOT BY BUILDER

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.

This deck will improve the appearance of the side of the our home and conform with many other homes in our community. Please see photos and addresses of homes within my community with added side garage, stairs and decks.

5. Minimum variance:

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

Due to the fireplace pertursion of 2 1/2' we would like go 3'10" beyond the BRL so that our one contiguous deck depth is usable space and wheel chair accessible.

Attachment # 1

Cyndy Sampson

From: Cyndy Sampson <csampson2021@outlook.com>
Sent: Tuesday, April 23, 2024 3:31 PM
To: Cyndy Sampson
Subject: FW:

Our home was built in 2022. It is located at the end of North Haven Drive in a community called Bayside in Selbyville DE. We are proposing to construct a new second floor deck on the side of our home where there is no neighboring property. We would like to construct a second level deck on the side of our home that is consistent with the other neighboring decks that are facing the woods and golf course. The proposed second level deck would be the length of the home; 59' L x 8' D, this was the most esthetically pleasing configuration. Underneath the proposed deck we would install a paver/stone walkway to the rear of our home. The deck support columns would be installed at our allowable 4'2" BRL however our request that requires a variance is to cantaliever the deck boards by 3'10" which would be beyond the BRL, this will provide us with a usable deck of 8' deep and it would also become wheel chair accessible.

Our home is a single family unit that faces south/west. The proposed deck will face east. It will directly face the woods with a view of golf hole #3 on the left and a view of golf hole #4 on the right. This deck will not obstruct any views of neighboring properties nor cause any impairment to our community golf course. This proposed deck will not alter the characteristics of our neighborhood nor impair the use of the adjacent property. We have included photos other homes in community with garages/decks and/or stairs on the side of homes.

We had a preliminary meeting with the Bayside HOA Property Manager and their position was they felt the proposed deck would be approved by the HOA building committee since other properties within the community have side garages/decks/stairs however our first step is to obtain our county approvals.

Attached is our home plans and site plan and photos.

Thank you for your time.
Ken Sampson

SIDE ELEVATION
PROPOSED DECK AREA (NEW)
12409 N HAVEN DRIVE



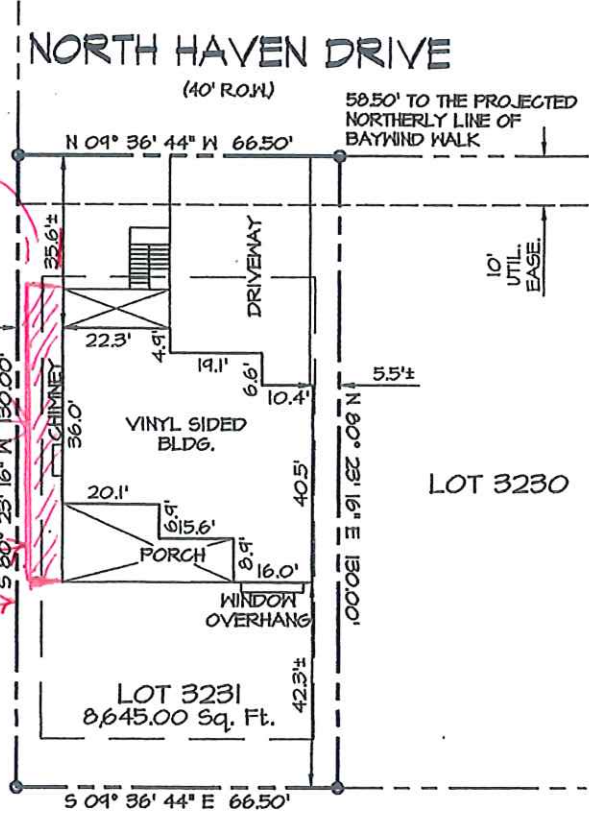
PREPARED UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE ESTABLISHED BY THE DELAWARE BOARD OF PROFESSIONAL LAND SURVEYORS. ANY CHANGES TO THE PROPERTY CONDITIONS, IMPROVEMENTS, BOUNDARY OF PROPERTY CORNERS AFTER THE DATE SHOWN HEREON SHALL NECESSITATE A NEW REVIEW AND CERTIFICATION FOR ANY OFFICIAL OR LEGAL USE.

Gary S. Powers
GARY S. POWERS, DE PLS 689

4/10/22
DATE



*8" Deck
x 59'*
**PROPOSED
DECK
AREA**
1'3"
*from property
LINE*



N/F
SUSSEX SPORTS
AMENITIES, LLC
T.M. 533-19.00-36.01

BUILDING SETBACKS:

- FRONT: 20'
- SIDE: 5' / 15' CORNER LOTS
- REAR: 10'
- DENOTES MINIMUM BUILDING SETBACK LINE
- D.U.E. = DRAINAGE AND UTILITY EASEMENT

ALL INTERIOR SIDE LOT LINES ARE RESERVED FOR THE CENTERLINE OF A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT. A 10' WIDE DRAINAGE AND/OR UTILITY EASEMENT IS RESERVED ON EACH LOT ALONG THE FRONT AND REAR PROPERTY LINES.

BAR & CAP FND AT ALL PROPERTY CORNERS

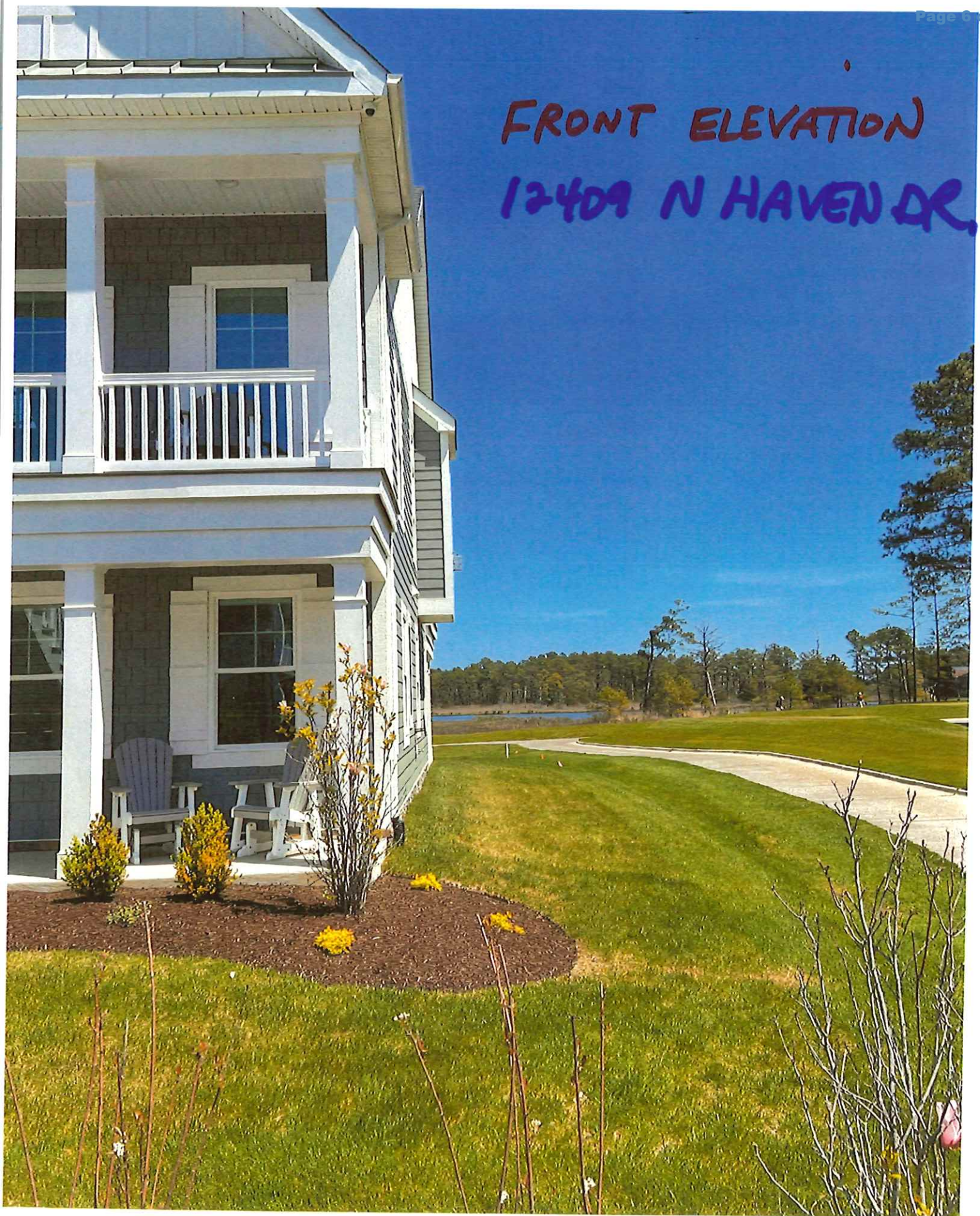
LEVEL OF ACCURACY IS BASED ON 'SUBURBAN SURVEY' STANDARDS

TAX MAP PARCEL: 5-33-19.00-2003.00

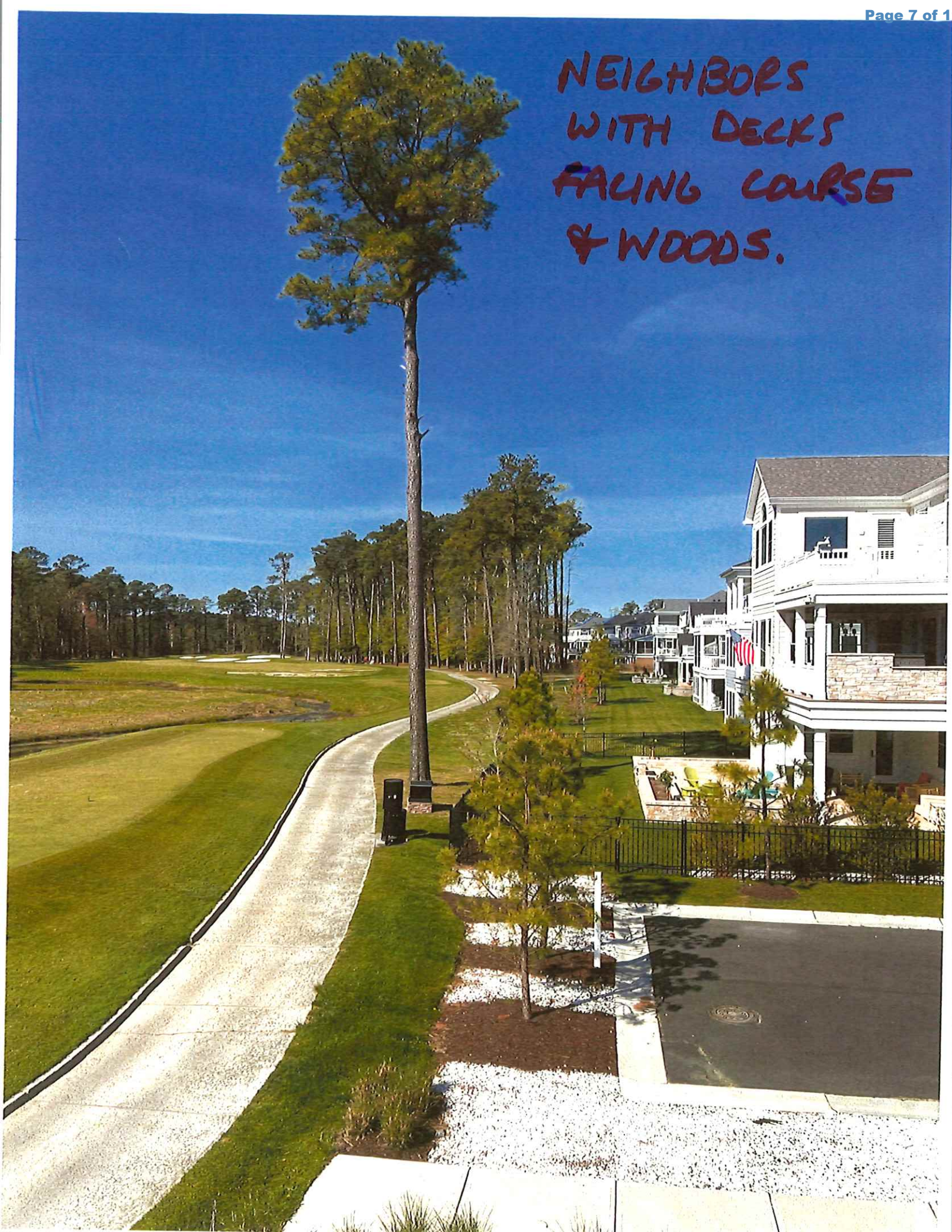


	MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS, & LANDSCAPE ARCHITECTS 8 West Market Street Georgetown, Delaware 19947 (302) 855-5134	BOUNDARY SURVEY PLAN LOT 3231 FINAL SITE PLAN & RECORD PLAT PARCEL 36 - VILLAGE A AMERICAN BAYSIDE RESIDENTIAL PLANNED COMMUNITY PLOT BOOK 304 PAGE 92 BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE	
	SCALE: 1"=30'	DATE: APRIL 05, 2022	BOOK: 5
DRAWN BY: AMS		REVIEW BY: GSP	
JOB NO. 18242			

FRONT ELEVATION
12409 N HAVEN DR.



NEIGHBORS
WITH DECKS
FACING COURSE
& WOODS.

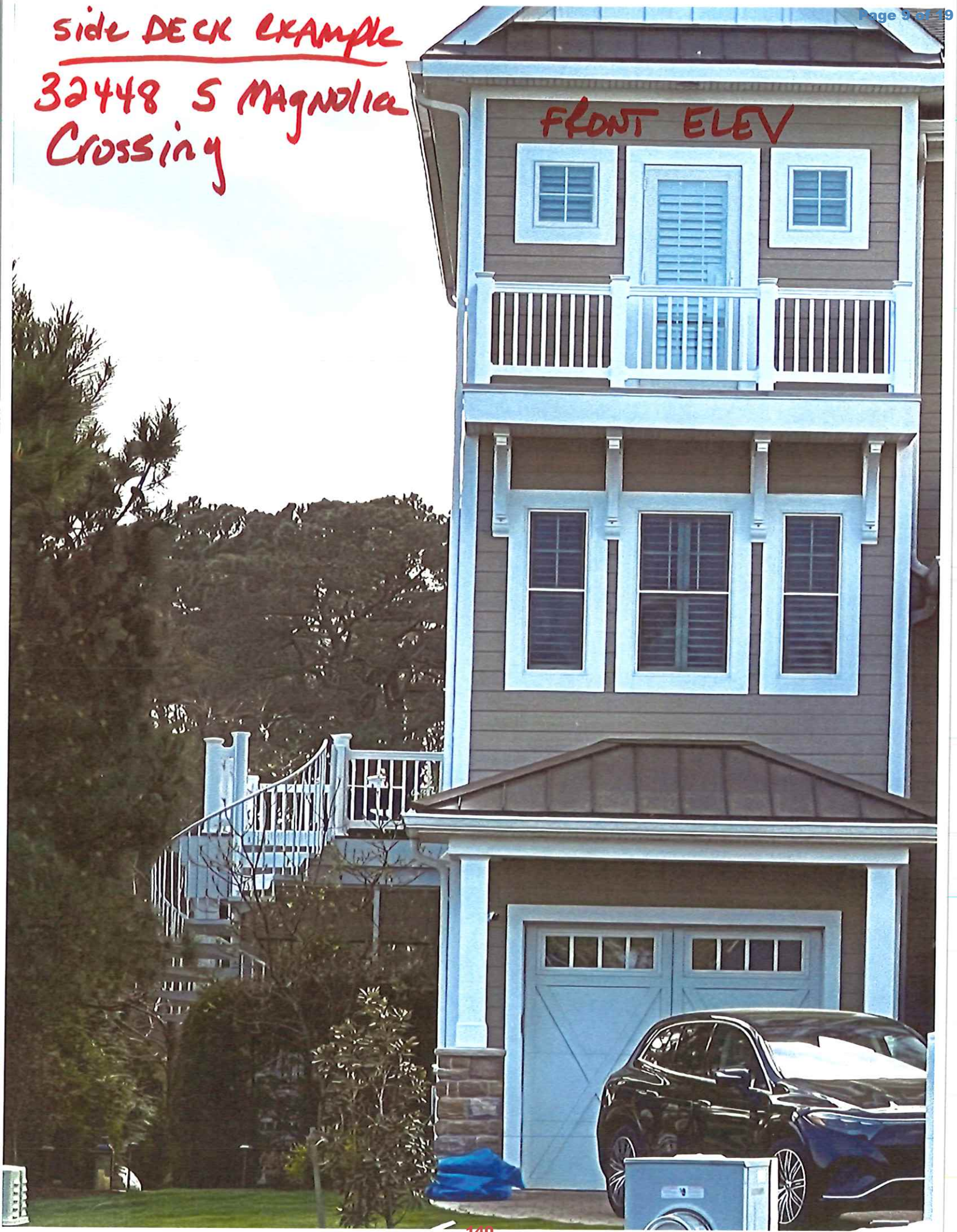


SIDE DECK EXAMPLE, IN COMMUNITY
3244 S Magnolia Crossing
SIDE ELEVATION



Side DECK Example
32448 S Magnolia
Crossing

FRONT ELEV

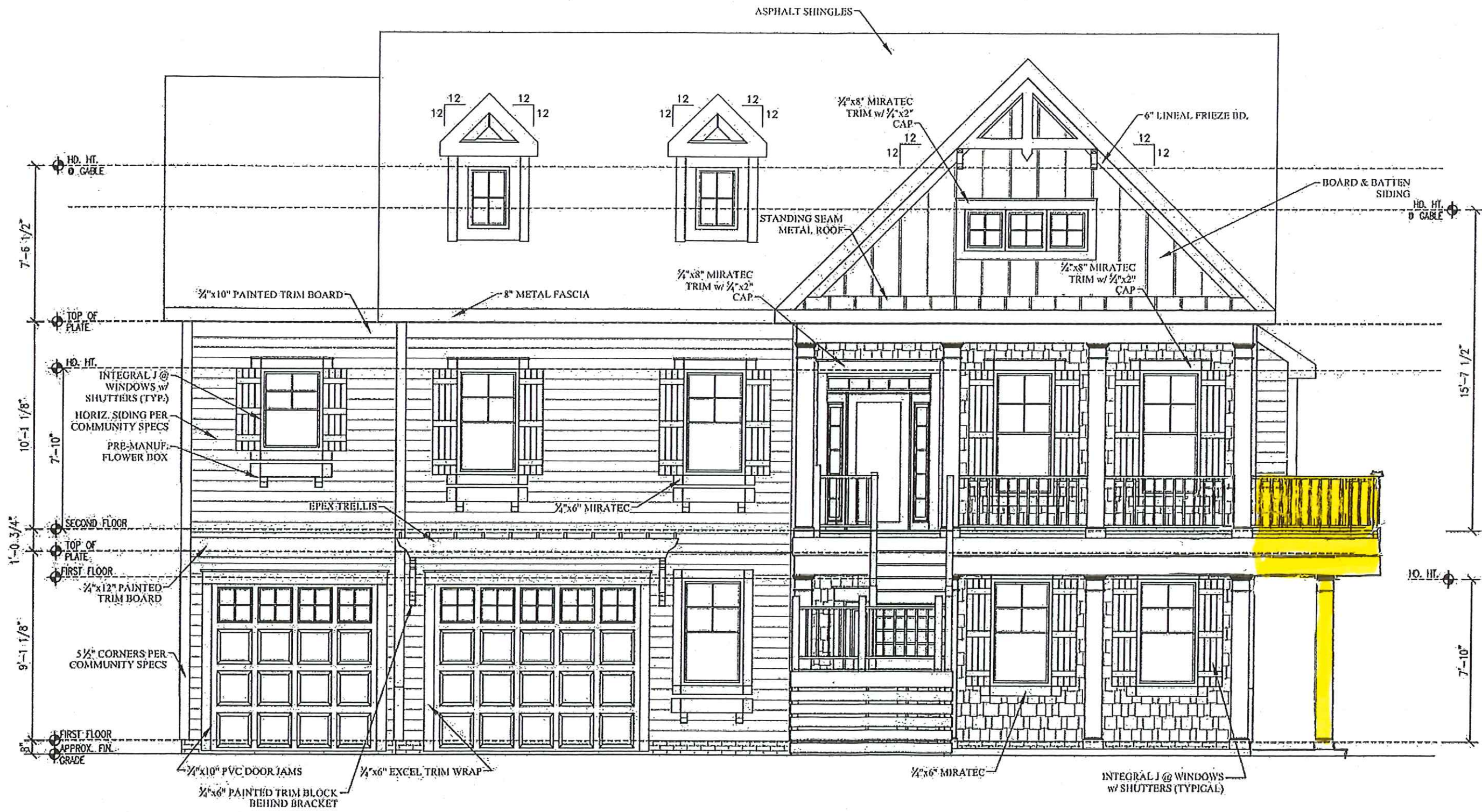




32064
BAY WIND
WALK
GARAGE
ADD
WITH
DECK

EXAMPLE

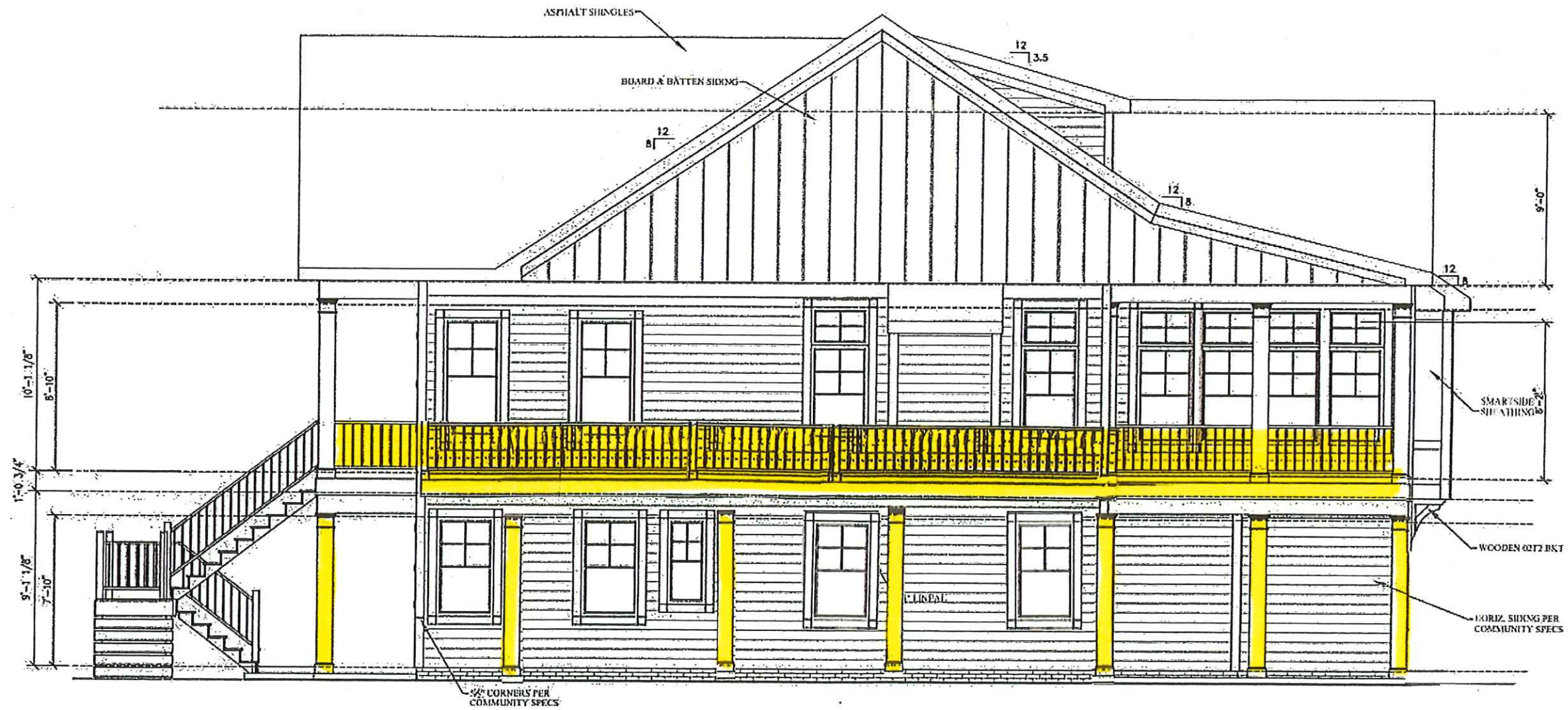




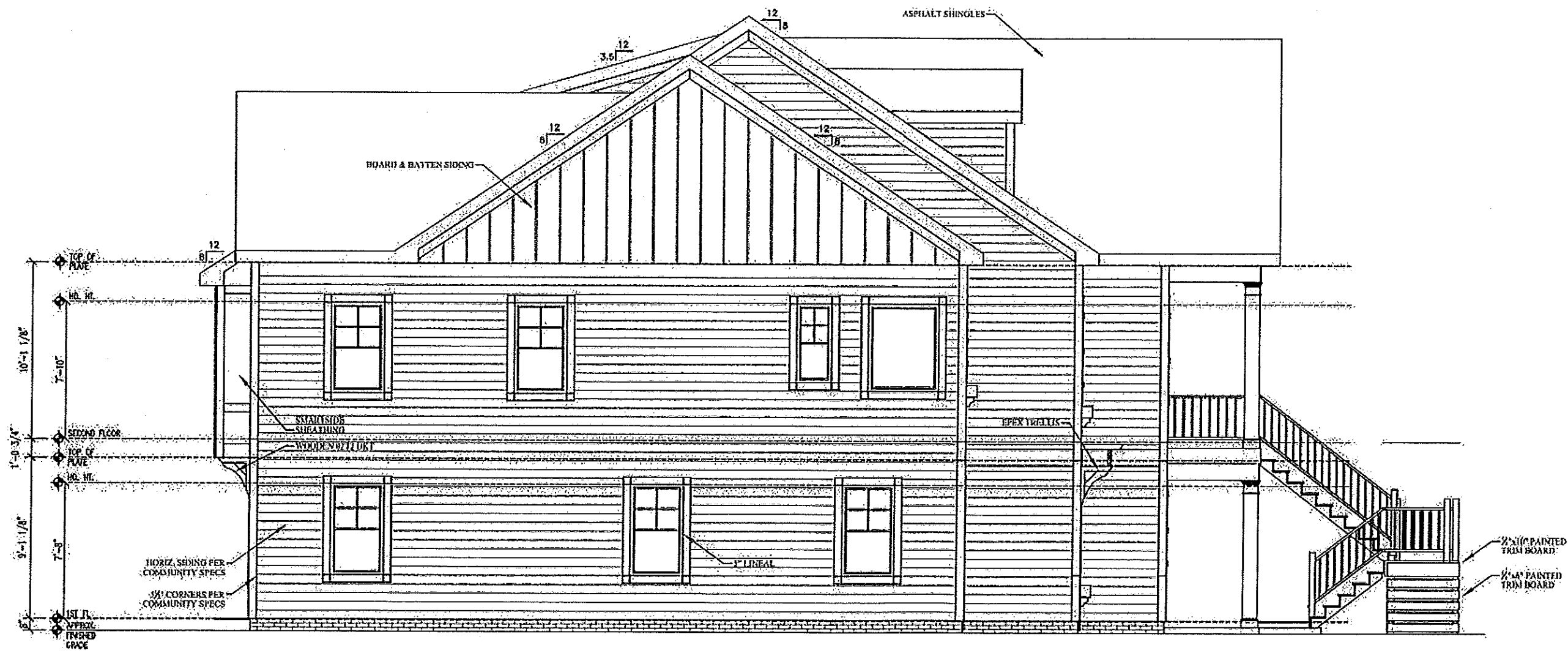
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



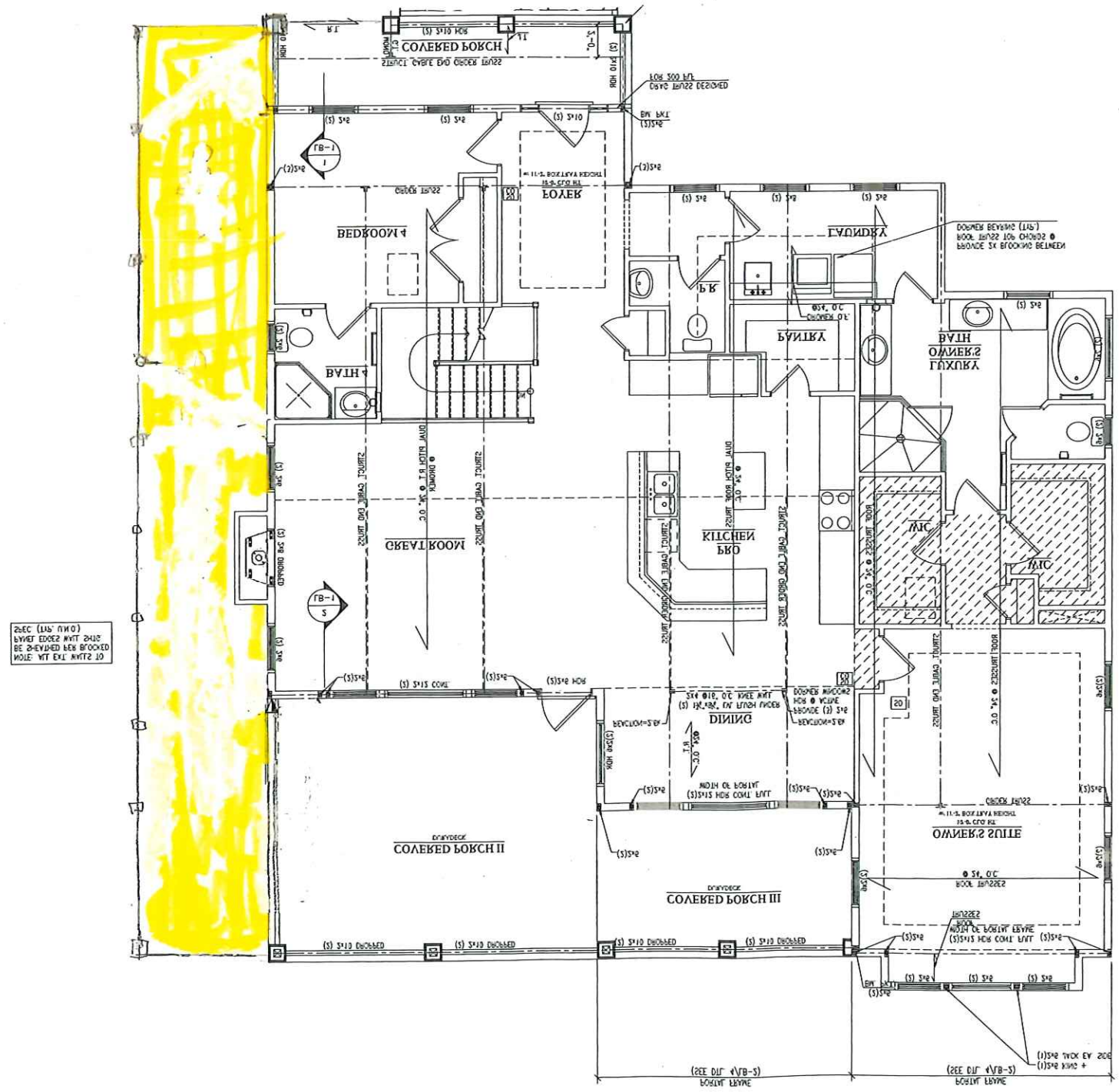


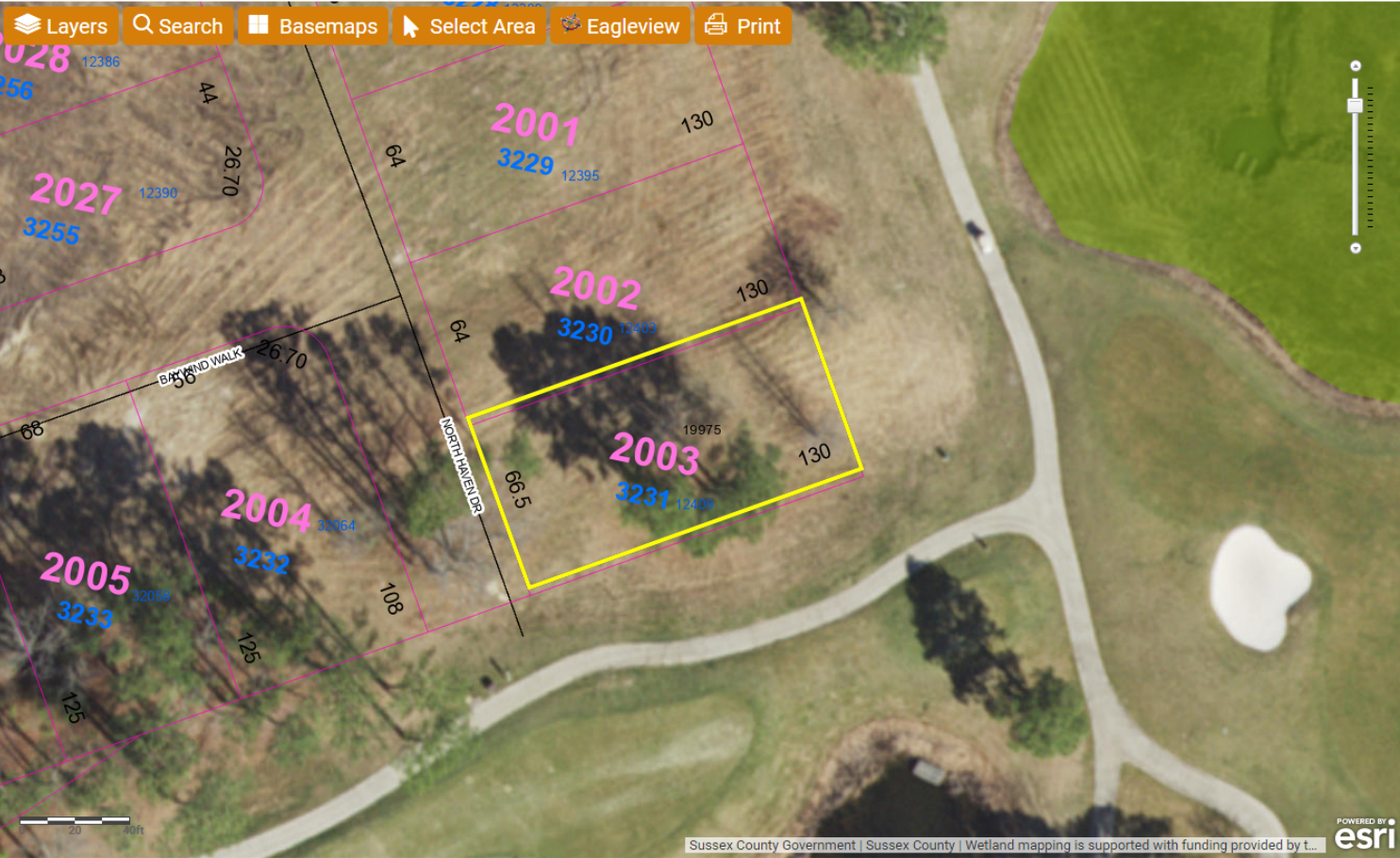
RIGHT SIDE ELEVATION
SCALE: 1" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 1" = 1'-0"

2nd floor





Eagleview Search Results

Selected Features: Parcels (1)

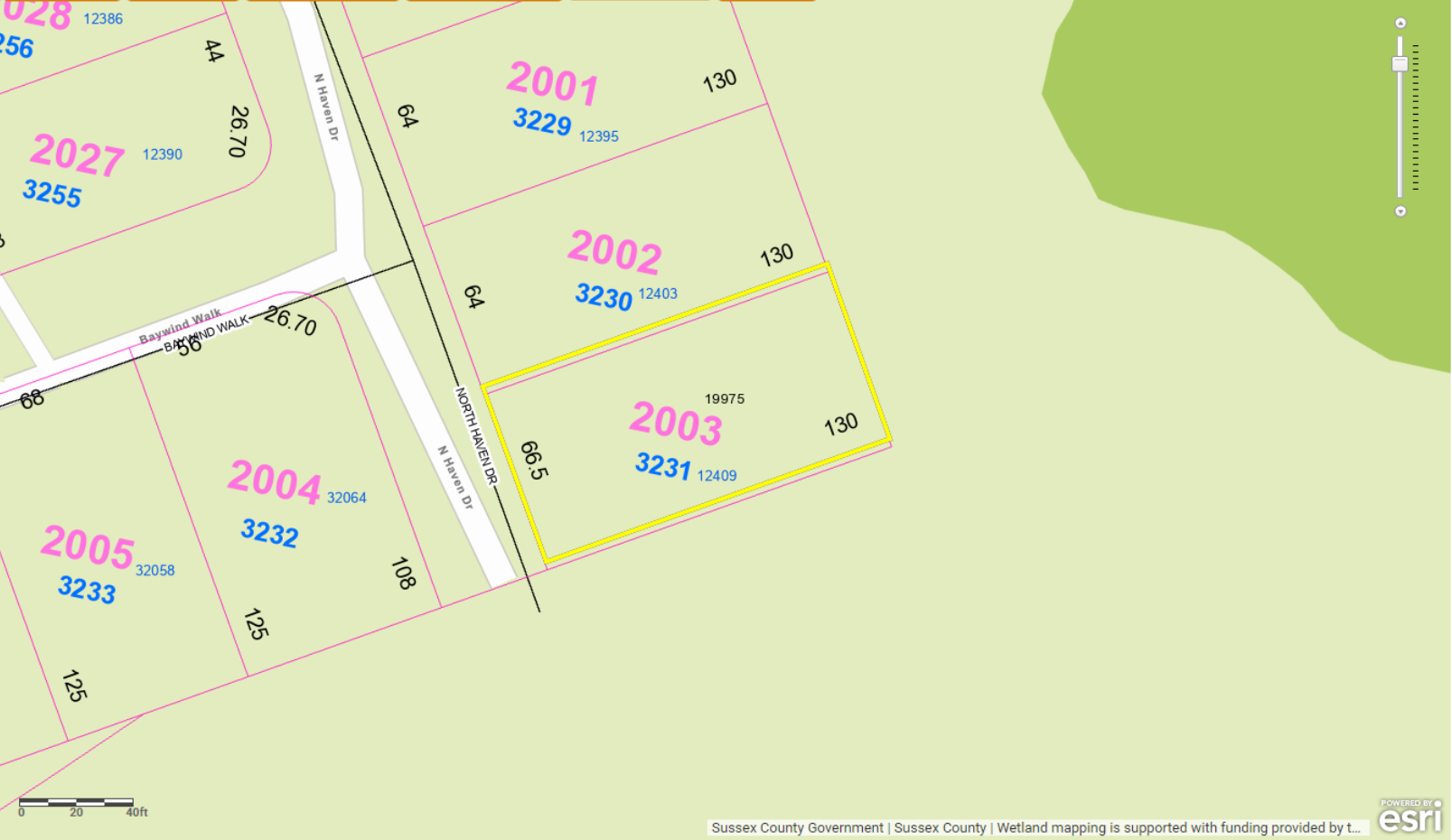
1) 533-19.00-2003.00 Zoom

BOOK	5716
PAGE	315
FULLNAME	SAMPSON KENNETH EDWARD
Second_Owner_Name	CYNTHIA SAMPSON
MAILINGADDRESS	316 KYLE RD
CITY	CROWNSVILLE
STATE	MD
a_account	04-08-2003
DESCRIPTION	AMERICANA BAYSIDE
DESCRIPTION2	LOT 3231
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	99500
APRLAND	12000
PINWASSEMENTUNIT	533-19.00-2003.00
PIN	533-19.00-2003.00

Selected Features (1)

Clear Selected

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (1)

1) 533-19.00-2003.00 Zoom

BOOK	5716
PAGE	315
FULLNAME	SAMPSON KENNETH EDWARD
Second_Owner_Name	CYNTHIA SAMPSON
MAILINGADDRESS	316 KYLE RD
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a_account	04-08-2003
DESCRIPTION	AMERICANA BAYSIDE
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DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	0
APRBLDG	99500
APRLAND	12000
PINWASSEMENTUNIT	533-19.00-2003.00
PIN	533-19.00-2003.00

Navigation icons: Home, Previous, Next, Previous, Next

Selected Features (1)

Clear Selected



Workspaces ▾

Search [X]

Search by SUSSEXPARCELS ▾

533-19.00-2003.00 [Search]

Search results (1) Options ▾

- 533-19.00-2003.00



Case # 12957
Hearing Date 7.1.2024

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

Application: 202406112

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:

3188 BOWMAN RD SEAFORD, DE 19973

Variance/Special Use Exception/Appeal Requested:

Variance of 5A from the 15A Side Yard Setback
Tax Map #: 5-31-17-7,11 Property Zoning: AR-1

Applicant Information

Applicant Name: DENNIS C. BADDERS
Applicant Address: 3188 BOWMAN RD
City SEAFORD State DE Zip: 19973
Applicant Phone #: 410-812-2454 Applicant e-mail: baddersbdb@yahoo.com

Owner Information

Owner Name: DENNIS C. BADDERS
Owner Address: 3188 BOWMAN RD
City SEAFORD State DE Zip: 19973 Purchase Date: 9-1-23
Owner Phone #: 410-812-2454 Owner e-mail: baddersbdb@yahoo.com

Agent/Attorney Information

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

Signature of Owner/Agent/Attorney

Date: _____



VARIANCE CRITERIA

- ① I BOUGHT THIS PROPERTY AT 3188 BOWMAN RD SEAFORD, DE 19973 ON 09/01/2023. WE WOULD LIKE TO BUILD A POLE BUILDING CONNECTING THE EXISTING DRIVEWAY. THERE IS SEWER AND RESERVE FOR THE SEWER ON THE RIGHT BACK OF THE HOUSE. SO THE ONLY POSSIBLE POSITION OF A POLE BUILDING IS TO THE LEFT SIDE OF THE HOUSE WHERE THE DRIVEWAY IS.
- ② THE ONLY WAY TO POSITION THE POLE BUILDING IS TO ADD ANOTHER DRIVEWAY.
- ③ WE DID NOT CREATE THIS PROPERTY OF WHERE THE SEWER & THE RESERVE ARE.. THIS ONLY MAKES THE PHYSICAL PROPERTY FOR A POLE BUILDING SHALLOW TO THE PROPERTY LINE.
- ④ THIS POLE BUILDING WILL ONLY MAKE THIS PROPERTY MORE ATTRACTIVE TO THE WHOLE NEIGHBORHOOD. THIS BUILDING WILL HOUSE OUR LAWN EQUIPMENT, GARDEN ACCESSORIES, 35' RV CAMPER & EXTRAS FROM BEING CLUTTERED OUTSIDE ON LAWN.
- ⑤ WE WOULD LIKE A 5' VARIANCE FROM THE PROPERTY LINE TO COEXIST WITH THE EXISTING DRIVEWAY.

Sussex County, DE - BOA Application

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

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

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

1. Uniqueness of property:

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

2. Cannot otherwise be developed:

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

3. Not created by the applicant:

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

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

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

5. Minimum variance:

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

Please See Attached

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

* Dennis E. Robbins

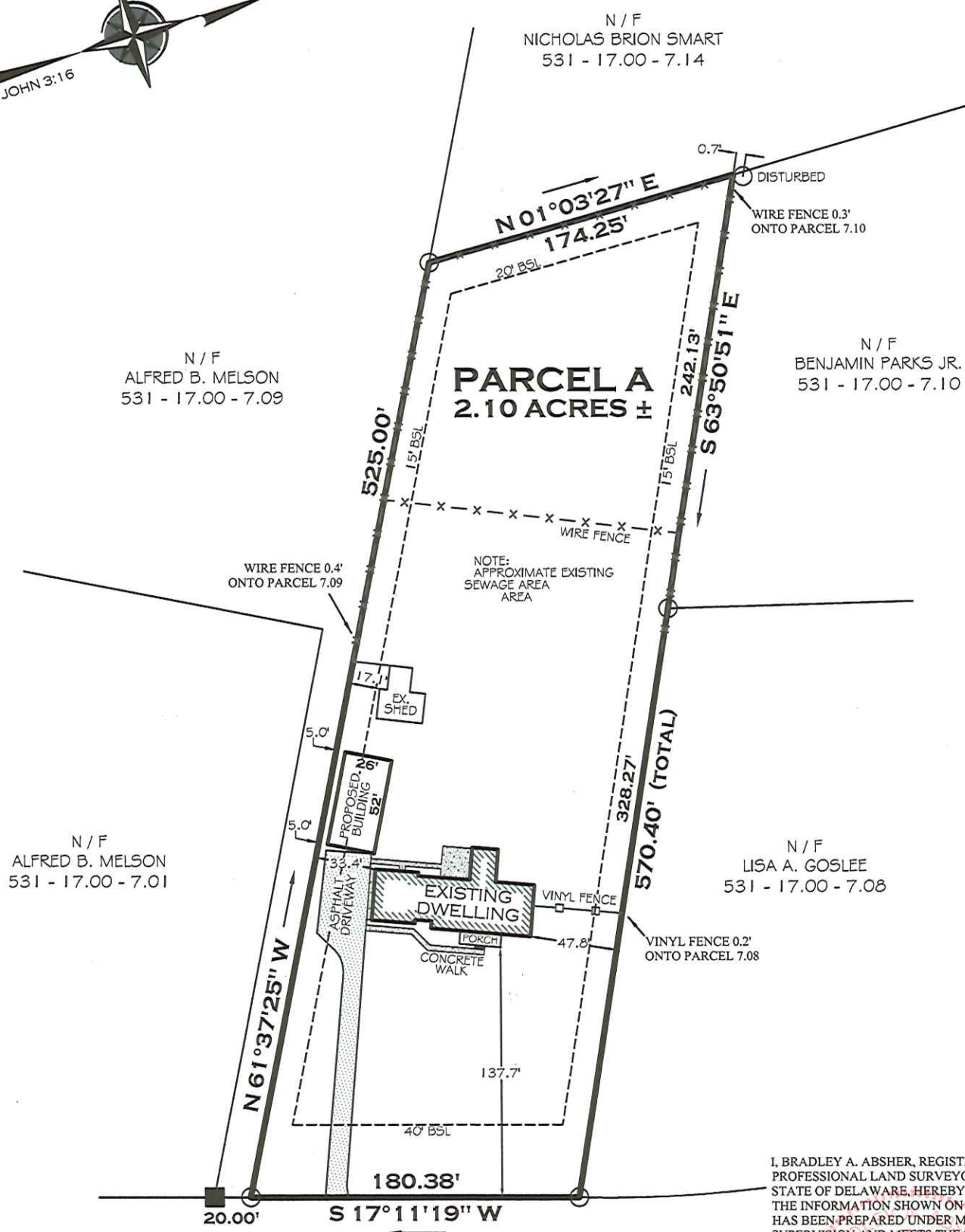
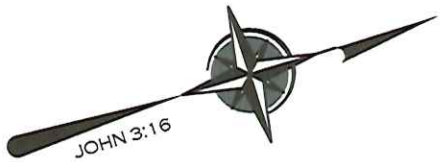
Date: 4-29-24

For office use only:

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

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

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



**BOWMAN ROAD
50' RIGHT OF WAY**

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

Bradley A. Absher
BRADLEY A. ABSHER, DE PLS # 735
DATE **4.17.24**

- NOTES**
1. CLASSIFICATION OF SURVEY: SUBURBAN
 2. ZONE: AR - 1
 3. BUILDING SETBACK LINES (BSL)
FRONT 40'
SIDE 15'
REAR 20'
- ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER SUSSEX COUNTY & MAY DIFFER FROM THE HOME OWNERS ASSOCIATION (HOA) SETBACKS. ANY USER OF SAID INFORMATION IS URGED TO DIRECTLY CONTACT THE LOCAL AGENCY AND HOA, IF APPLICABLE, TO VERIFY IN WRITING ALL SETBACKS & REQUIREMENTS.
4. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.

LEGEND	
○	IRON ROD FOUND
■	CONCRETE MONUMENT FOUND

04.17.2024...REVISED...FOR SITE PLAN ONLY SHOWING PROPOSED 26' X 52' POLE BARN

TAX MAP	5-31 - 17.00 - 7.11
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	SEAFORD
TOWN	---
AREA	2.10 ACRES ±
DEED REF.	3412 / 185
PLAT REF.	D.B. 2478 / 21
DRAWN BY	MCS
DATE	08 / 23 / 2023
SCALE	1" = 80'
SURVEY #	DE - 09916

SITE PLAN

LOT A

"SURVEY PREPARE BY BRAD A. TEMPLE
REGISTERED LAND SURVEYOR, DATED JANUARY 27,2000"

FOR
DENNIS C. BADDERS & SHERRI D. BADDERS

3188 BOWMAN ROAD, SEAFORD, DE 19973

TRUE NORTH



LAND SURVEYING

35322 BAYARD ROAD
FRANKFORD, DE 19945
302 · 539 · 2488

Layers Search Basemaps Select Area Eagleview Print

3.20 Ac.
1.22 Ac.
2.09 Ac.
7.11
7.08
7.05
5.23 Ac.
540
201.45
180.18
BOWMAN RD
A
B
19973
3188
3188

Sussex County Government | Sussex County | Wetland mapping is supported with funding provided by t... **esri**

Eagleview Search Results

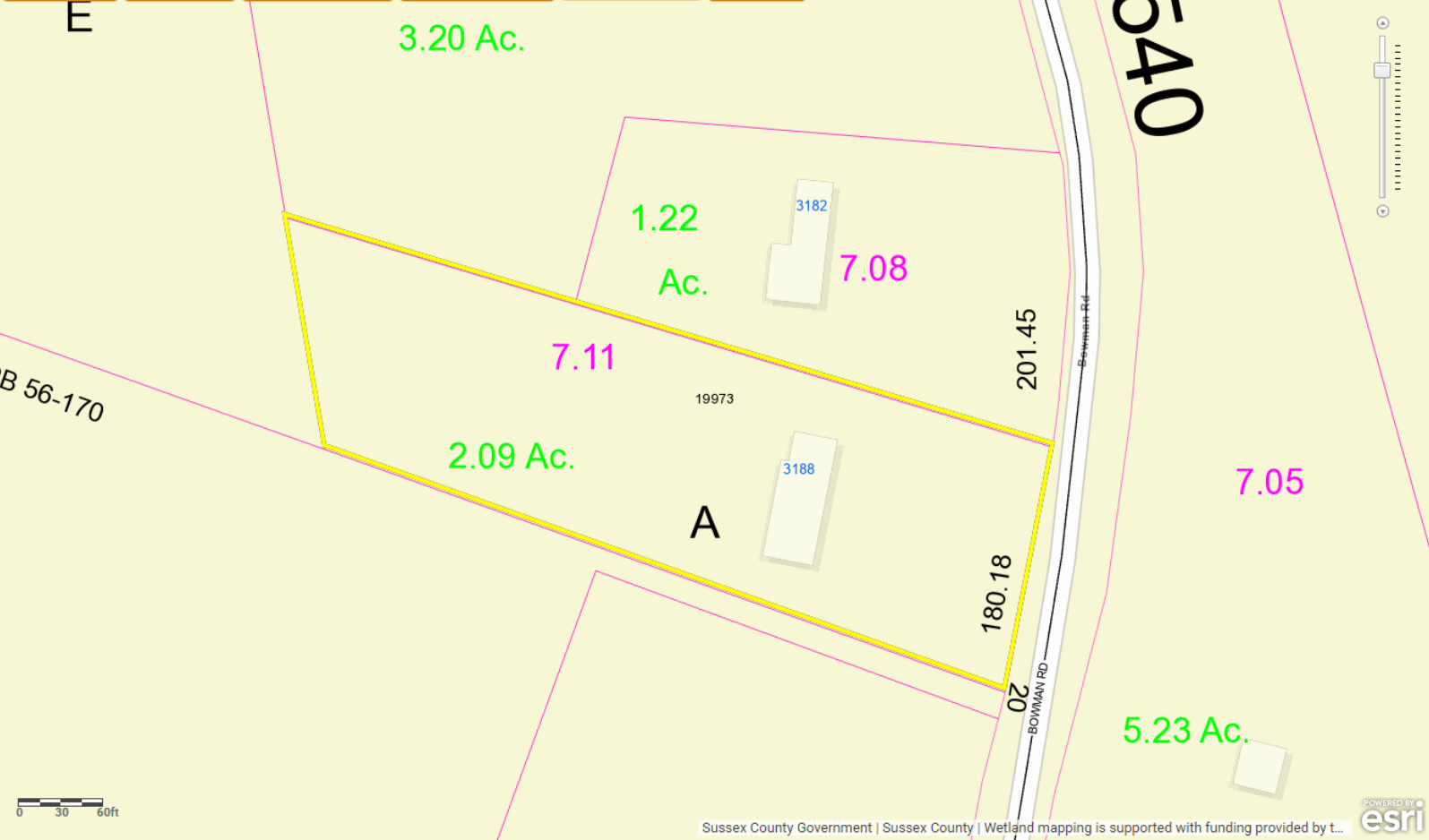
Selected Features: Parcels (1)

▼ 1) 531-17.00-7.11 Zoom

BOOK	5969
PAGE	78
FULLNAME	BADDERS DENNIS C
Second_Owner_Name	SHERRI D BADDERS
MAILINGADDRESS	3188 BOWMAN RD
CITY	SEAFORD
STATE	DE
a_account	
DESCRIPTION	W/RD 540
DESCRIPTION2	862'SE/RD 77
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	2
APRBLDG	35700
APRLAND	4200
PINWASSEMENTUNIT	531-17.00-7.11
PIN	531-17.00-7.11

Selected Features (1)
Clear Selected

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

Selected Features: Parcels (1)

1) 531-17.00-7.11 Zoom

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Navigation icons: Home, Previous, Up, Down, Next, Full Screen

Selected Features (1)

Clear Selected



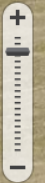
Search

Search by SUSSEXPARCELS ▾

531-17.00-7.11

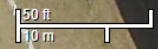
Search results (1) Options ▾

▶ 531-17.00-7.11



Workspaces ▾

© 2023 Eagleview



map: Auto (Oblique) ▾ Dates: All ▾ < image 47 of 56 > 03/05/2023



Case # 12959
Hearing Date July 1, 2024

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

202406931

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:

29257 Revel Road, Millsboro, DE 19966

Variance/Special Use Exception/Appeal Requested:

Asking 16.4' variance from 40' front yard set back

Tax Map #: 1-33-16.00-84.00

Property Zoning: GRAR-1

Applicant Information

Applicant Name: Dan & Robin Wanamaker

Applicant Address: 29257 Revel Road

City Millsboro State DE Zip: 19966

Applicant Phone #: (315) 569-8397 Applicant e-mail: rjeaglefan@yahoo.com

Owner Information

Owner Name: Dan & Robin Wanamaker

Owner Address: 29257 Revel Road

City Millsboro State DE Zip: 19966 Purchase Date: _____

Owner Phone #: (315) 569-8397 Owner e-mail: rjeaglefan@yahoo.com

Agent/Attorney Information

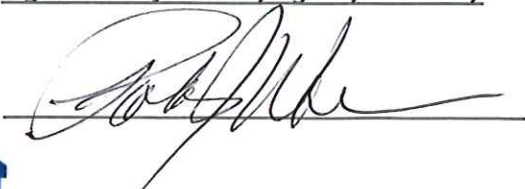
Agent/Attorney Name: _____

Agent/Attorney Address: _____

City _____ State _____ Zip: _____

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

Signature of Owner/Agent/Attorney



Date: 5/10/24



Sussex County, DE - BOA Application

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

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

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

1. Uniqueness of property:

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

The property is a trapezoidal shape and therefore difficult to build an addition on with out a variance.

2. Cannot otherwise be developed:

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

Because of the shape of the lot is a trapezoid any addition to the side of the house to align with the front of the house would project into the front setback and if you move the garage addition back it would eliminate a lot of the back yard of the house.

3. Not created by the applicant:

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

We purchased the lot and home as it is but didn't place in this location. Just trying to build a needed garage for our home.

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

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

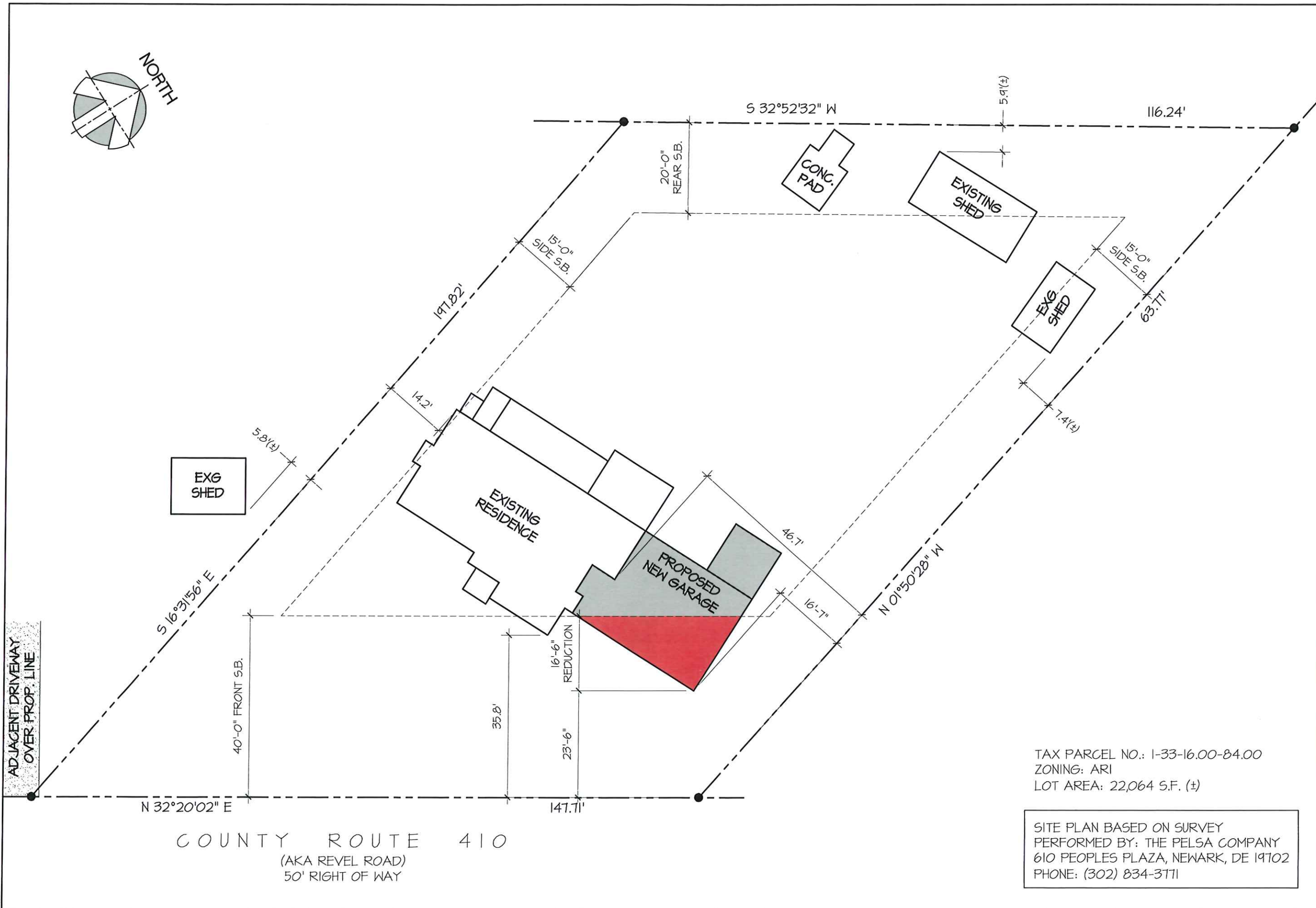
The proposed garage addition design would be keeping in character with the rest of the home along Revel Road and will not alter the character of the neighborhood.

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.

The garage will only be a two car garage at the front of the property and no wider than necessary for a two car garage, so this would be the minimum request of a 16'-6" reduction from the required front setback.

PROPOSED SITE PLAN FOR THE:
WANAMAKER RESIDENCE
GARAGE ADDITION
29257 REVEL ROAD
MILLSBORO, SUSSEX
COUNTY, DELAWARE



TAX PARCEL NO.: 1-33-16.00-84.00
ZONING: ARI
LOT AREA: 22,064 S.F. (\pm)

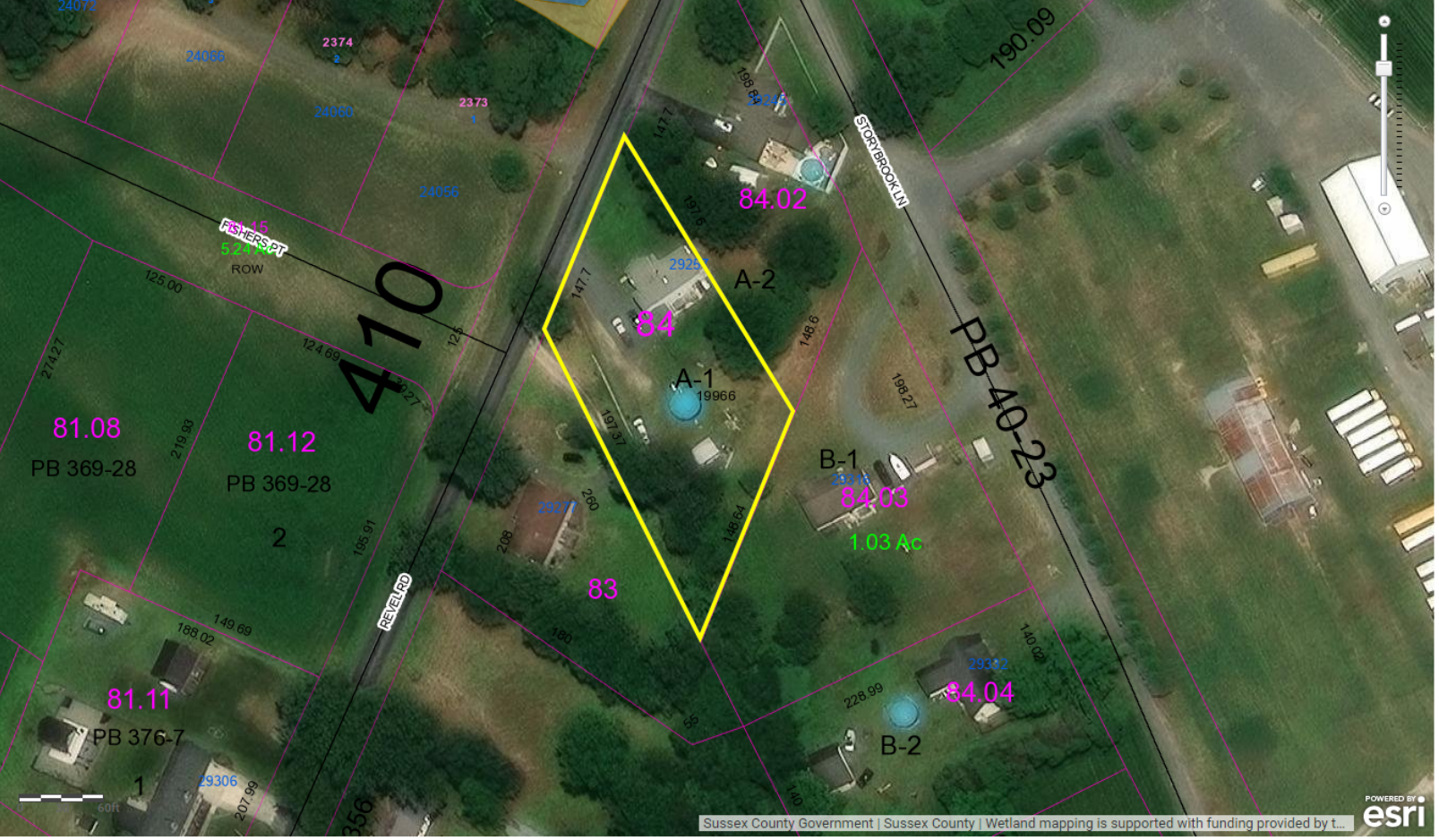
SITE PLAN BASED ON SURVEY
PERFORMED BY: THE PELSA COMPANY
610 PEOPLES PLAZA, NEWARK, DE 19702
PHONE: (302) 834-3771

SCALE:
1" = 20'-0"
DRAWING DATE:
05/10/2024
SHEET TITLE:
PROPOSED SITE LAYOUT

PROJECT NUMBER:
24059

SHEET #:
EX-100

Layers Search Basemaps Select Area Eagleview Print



Eagleview Search Results

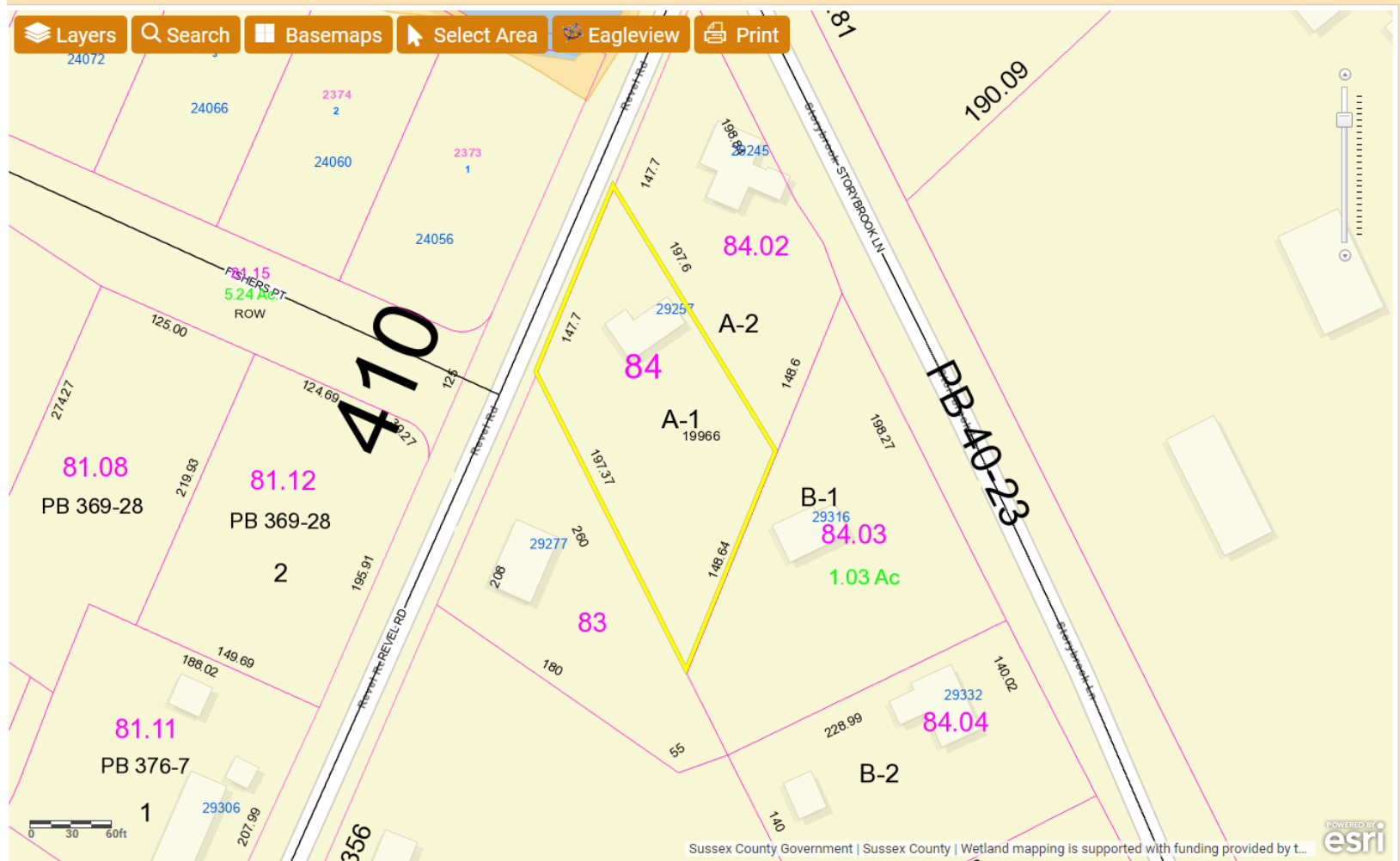
Selected Features: Parcels (1)

1) 133-16.00-84.00 Zoom

BOOK	5874
PAGE	315
FULLNAME	WANAMAKER DANIEL E
Second_Owner_Name	ROBIN J WANAMAKER
MAILINGADDRESS	29257 REVEL RD
CITY	MILLSBORO
STATE	DE
a_account	
DESCRIPTION	LOT A1
DESCRIPTION2	
DESCRIPTION3	
LUC	999
SCHOOL	
MUNI	00
CAP	2
APRBLDG	35100
APRLAND	6200
PINWASSEMENTUNIT	133-16.00-84.00
PIN	133-16.00-84.00

Selected Features (1)

Clear Selected



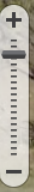
Eagleview Search Results

Selected Features: Parcels (1)

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PINWASSEMUNIT	133-16.00-84.00
PIN	133-16.00-84.00

Selected Features (1)
Clear Selected



Workspaces v

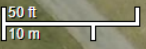
Search [X]

Search by SUSSEXPARCELS -

133-16.00-84.00 [Q]

Search results (1) Options -

▶ 133-16.00-84.00

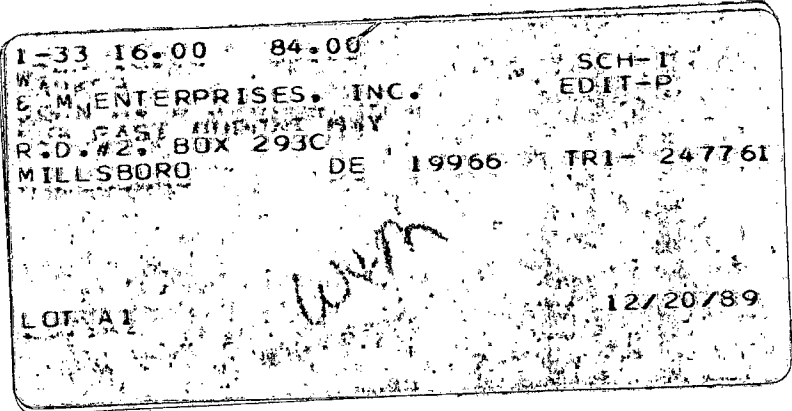


PROPERTY RECORD CARD

RESIDENTIAL/TRLR.

CARD _____ OF _____

DIST: 1-33 MAP 16 PARCEL 84 CONTROL NO: _____

ADDRESS	OWNERSHIP RECORD			
	DATE OF TRANSFER	GRANTEE	REVENUE STAMPS	SALE PRICE
LAND IDENTIFICATION 				

LAND RECORD AND VALUATION SUMMARY

PROPERTY FACTORS		LAND COMPUTATION						DATE	NUMBER	AMOUNT	
IMPROVEMENTS	STREET OR ROAD	DIMENSIONS		UNIT VALUE	FACTORS		ADJ UNIT VALUE	VALUE			
CITY WATER	PAVED	FRONT	DEPTH		DEPTH	OTHER					
SEWER	SEMI-IMPROVED	<u>2.08 Ac</u>		<u>3000</u>				<u>6240</u>	<u>7-13-89</u>	<u>109046</u>	<u>33,000</u>
GAS	UNIMPROVED										
ELECTRICITY	OTHER										
ALL UTILITIES	SIDEWALK										

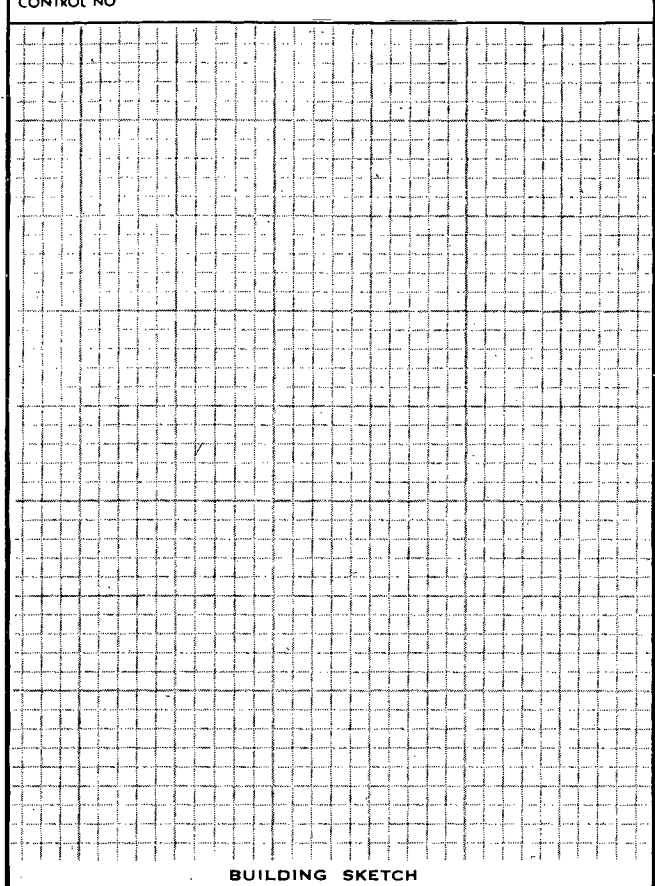
ASSESSMENT RECORD				SUMMARY OF VALUES	TOTAL LAND		 H. L. YOH COMPANY A DIVISION OF DAY AND ZIMMERMANN, INC. PHILADELPHIA, PA.
LAND	BLDG.	TOTAL	TOTAL				
\$	\$	\$	\$		\$ <u>6200</u>	\$ <u>34500</u>	
\$	\$	\$	\$	\$ <u>40700</u>			

19 LAND \$ BLDG \$ TOTAL \$	19 LAND \$ BLDG \$ TOTAL \$	NOTES 1-11-90 B.P.# 109046 add dwelling old 6200 new 40000 8/27/01 B.P.# 198460 wood deck old 40000 new 40700
19 LAND \$ BLDG \$ TOTAL \$	19 LAND \$ BLDG \$ TOTAL \$	
19 LAND \$ BLDG \$ TOTAL \$	19 LAND \$ BLDG \$ TOTAL \$	

DIST	MAP	PARCEL																							
CONTROL NO			TYPE	OCC	GRADE	DIMENSIONS	AREA	WALLS	STORY HT	1/2 STY	ATTIC	UNIT COST	BASE COST												
			1	1	B-	X	1222	1	1 1/2	F	-	20.28	24782												
						X																			
						X																			
						X																			
						X																			
TOTAL GROUND AREA						TOTAL BASE COST \$ 24782																			
PRINCIPAL BUILDING DESCRIPTION													M/C	± %	± PTS										
MASONRY-1			PIER-2			SLAB-3			FOUNDATION				1	-											
NONE-0			1/4-1			1/2-2			FULL-4				0	-											
NONE-0			REC AREA-1			APT-2			% OF BASEMENT SQ FT				0	-											
NONE-0			PIPELESS GHA-1			ELECTRIC-2			FHA-3		STM-HW-4		HEAT SYS		3	-									
INDICATE QTY										FIRE PLACE		1	-	30.0											
3-FIXT BATH			2-FIXT BATH			SG FIX		TOTAL FIXT			PLUMBING		8	-	6.5										
NONE-0			1/2-1			1-2		1 1/2-3		2-4		2 1/2-5		3-6		4-7		5-8		CER TILE		0	-		
1ST FLOOR				2ND FLOOR				3RD FLOOR				INT FINISH													
NONE		PL		WB		WP		NONE		PL		WB		WP		NONE		PL		WB		WP		WLS-CLG	
DIRT		CONC		HW		SW		HW		SW		HW		SW		DIRT		CONC		HW		SW		FLOORS	
NONE-0			HOME POWER UNIT-2			PUBLIC-3			ELECTRICITY				3	-											
NONE-0			ONE CAR-1			TWO CAR-2			BLT-IN GAR				0	-											
WOOD-1		SHGL-2		ALUM-3		BLK-4		BRK OR STN-5		STUCCO-6		COMP-7		EXT WALLS		3	-								
HIP-1		GABLE-2		FLAT-3		MANSARD-4		GAMBREL-5		ROOF TYPE				0	-										
WD-COMP-SHGL-1			SLATE-2			METAL-3			TILE-4		ROLL-5		T & G-6		ROOFING		1	-							
AREA			SQ FT			INDICATE QTY			364		PORCH-OPEN		1	-	1.8										
AREA			SQ FT			INDICATE QTY			0		PORCH-GLZD		0	-											
NONE-0			CENTRAL-1			AIR-COND			1	+6															
NONE-0			1 CAR-1			2 CAR-2			SQ FT		ATT GAR/CP		0	-											
									SQ FT		UTILITY		0	-											
									994		OTHER		1	-	1.6										
											OTHER		0	-											
											INDEX TOTALS		106%	39.9											
BASE COST \$ 24782			± INDEX % \$ 26269			± INDEX PTS \$ 30259			X GRADE FACTOR 114%		= REPLACEMENT COST				\$ 34495										
ACTUAL AGE 1990 YRS			EFF AGE			YRS			PHYS. COND		GOOD		FAIR		POOR		PER CENT GOOD 98%		\$ 33805						
OBSOLESCENCE FUNC			% OV'RIMP			% UND RIMP			% OTHER ECON.		% NET COND		DEPRECIATED BLDG VALUE												
ACCESSORY BUILDINGS																									
CODE	BUILDING NAME	EXT WALL	GRADE	FLOOR	STY HT	LGTH	WIDTH	AREA	DIA	HGT	UNIT COST	REPL COST	COND	% GOOD	DEPRECIATED VALUE										
	Shed	✓	B	W	1	16	12	192			3.70	7.10		98	696										
TRAILERS																									
OCCUPANCY TRAILER	NAME	YEAR	SIZE	COLOR	MODEL NO	SERIAL NO	REPL VAL	PHYS DEPR	SOUND VAL																
										TOTAL TRAILERS VALUE		\$ 696													
INSPECTED BY										CHECKED BY		APPROVED BY													
												TOTAL ACCESSORY BLDGS VALUE		\$ 696											
												TOTAL BLDGS VALUE \$ 34501													

DIST.		MAP		PARCEL		CONTROL NO.			ACREAGE RECORD & VALUE							
1-33		16		84					CLASS	ACRES	UNIT VAL.	GRADE	ADJ.	ADJ'D UNIT VAL	VALUE	
OWNERSHIP & MAILING ADDRESS 1-33 16.00 84.00 PARKER SCH-1 JOHN H. & YVONNE R. EDIT-P 555 EAST DUPONT HWY TRI-207081 MILLSBORO DE 19966 RD GODFREY MILL TO PHILLIPS HILL 12.12 AC						DATE	DEED BOOK	PAGE	SALE PRICE	III	12	44	D			10.7
						10/20/74	1301	173	9950							
Rd 410 (820)									TOTAL ACRES	12.12	SITE VALUE		grade			
									H. L. YOH COMPANY DIVISION OF DAY AND ZIMMERMANN, INC. PHILA. PA.			TIMBER-ADD		CLASS	ACRES	UNIT VAL.
PROPERTY ADDRESS						NOTES			LOT RECORD & VALUE							
LEGAL DESCRIPTION									DIMENSIONS	UNIT VALUE	FACTORS		ADJ'D UNIT VAL.			
LAND DESCRIPTION:									X		DEPTH	OTHER				
STREET OR ROAD: HWY _____ PAVED _____ GRAVEL _____									X							
WATER: CITY _____ WELL _____ OTHER _____									X							
UTILITIES: ELECT. _____ GAS _____ PHONE _____									X							
TOPOGRAPHY: LEVEL _____ HIGH _____ LOW _____									X							
ROLLING _____ STEEP _____									OTHER COMPUTATIONS							
BUILDING PERMIT RECORD																
DATE	PERMIT NO.	COST	DESCRIPTION													
									TOTAL LAND VALUE 1975 500							
									TOTAL IMPROVEMENTS VALUE -							
									TOTAL APPRAISED VALUE 500							

DIST 1-32 MAP 16 PARCEL 84



BUILDING SKETCH

TYPE	OCC	GRADE	DIMENSIONS	AREA	WALLS	STORY HT	1/2 STY	ATTIC	UNIT COST	BASE COST			
			X										
			X										
			X										
			X										
			X										
H. L. YOH CO. PHILA., PA.													
TOTAL GROUND AREA					TOTAL BASE COST \$								
PRINCIPAL BUILDING DESCRIPTION										M/C ± % ± PTS			
MASONRY-1			PIER-2		SLAB-3			FOUNDATION					
NONE-0			1/4-1	1/2-2	3/4-3	FULL-4			BASEMENT				
NONE-0		REC AREA -1		APT -2		% OF BASEMENT			SQ FT		BSMT FINISH		
NONE-0		PIPELESS GHA-1		ELECTRIC-2		FHA-3		STM-HW-4			HEAT SYS		
INDICATE QTY										FIRE PLACE			
3-FIXT BATH			2-FIXT BATH		SG FIX		TOTAL FIXT			PLUMBING			
NONE-0		1/2-1	1-2	1 1/2-3	2-4	2 1/2-5	3-6	4-7	5-8	CER TILE			
1ST FLOOR				2ND FLOOR				3RD FLOOR				INT FINISH	
NONE	PL	WB	WP	NONE	PL	WB	WP	NONE	PL	WB	WP	WLS-CLG	
DIRT	CONC	HW	SW	HW	SW	HW		SW			FLOORS		
NONE-0			HOME POWER UNIT-2			PUBLIC-3			ELECTRICITY				
NONE-0			ONE CAR-1		TWO CAR-2			BLT-IN GAR					
WOOD-1		SHGL-2		ALUM-3		BLK-4		BRK OR STN-5		STUCCO-6		COMP-7	EXT WALLS
HIP-1		GABLE-2		FLAT-3		MANSARD-4		GAMBREL-5				ROOF TYPE	
WD-COMP-SHGL-1		SLATE-2		METAL-3		TILE-4		ROLL-5		T & G-6		ROOFING	
AREA		SQ FT			INDICATE QTY						PORCH-OPEN		
AREA		SQ FT			INDICATE QTY						PORCH-GLZD		
NONE-0			CENTRAL-1		AIR-COND								
NONE-0			1 CAR-1		2 CAR-2		SQ FT			ATT GAR/CP			
						SQ FT			UTILITY				
						OTHER							
						OTHER							

NOTES: INDEX TOTALS %

BASE COST \$ ± INDEX % \$ X GRADE FACTOR = REPLACEMENT COST

ACTUAL AGE YRS EFF AGE YRS PHYS. COND GOOD FAIR POOR PER CENT GOOD %

OBSCOLESCENCE: FUNC. % OV'RIMP % UND'RIMP % OTHER ECON. % NET COND % DEPRECIATED BLDG VALUE \$

ACCESSORY BUILDINGS

CODE	BUILDING NAME	EXT WALL	GRADE	FLOOR	STY HT	LGTH	WIDTH	AREA	DIA	HGT	UNIT COST	REPL COST	COND	% GOOD	DEPRECIATED VALUE

INSPECTED BY 960-1023173 CHECKED BY APPROVED BY

TOTAL ACCESSORY BLDGS VALUE \$ TOTAL BLDGS VALUE \$

9-19-88

MD

ACTION CODE:

2

DISTRICT

1-33

MAP

16

PARCEL

84

TRLR/UNIT

NAME:

Parker

ADDRESS:

PROPERTY DESCRIPTION:

Lot A1
147.71' x 197.82' inv.

ACREAGE:

TRANSFER:

LAND CLASS:

OLD VALUE:

6000

LAND VALUE:

6000

IMP VALUE:

TOTAL VALUE:

6000

ACTION REASON:

Revise to lot, Create 84.2-84.4 per work request.

BILLING:

89

DAB
10/6/88
JA

SUSSEX COUNTY TAX MAP DIVISION
WORK REQUEST

DISTRICT: 1-33 MAP: 16 PARCEL NUMBER: 84 & 84.1

OWNER & PRESENT ADDRESS: par. 84 - John H. Parker & Yvonne R.

par. 84.1 - H. Edward Dutton & Janet C.

DESCRIPTION OF REQUESTED PROPERTY CHANGES: Split par. 84 & revise
par. 84.1 as per PB 40-23

SURVEY INFORMATION

IS PROPERTY SURVEYED? _____

SURVEYORS NAME: _____ DATE OF SURVEY: _____

SURVEY RECORDED PB _____ PG _____

REMARKS: Create 1-33-16-(84.2 thru 84.4) as per alpha cards

Revise 1-33-16-84 to lot A-1, 147.71' x 197.82' in., for same owner, same ref.

Revise 1-33-16-84.1 to lot B-3, 6.21 Ac., for same owner, same ref.

12-39-87

MS

ACTION CODE

2

DISTRICT

1-33

MAP

16

PARCEL

84

TRLR/UNIT

NAME

Parkw

ADDRESS

PROPERTY DESCRIPTION

2.08 Ac SE side Rt. 410, 460' west of Rt 328 A

ACREAGE

2.08

TRANSFER

LAND CLASS

OLD VALUE

500

LAND VALUE

6200

IMP VALUE

—

TOTAL VALUE

6200

WS
1/21/88
DOE

ACTION REASON

New split to 84.1 per new deed

BILLING

DD

NEEDS TOWN PERMIT: _____

Dnrec # 922-840 PERMIT NO. 109046

MANU. HOME # _____

S & W _____

BUILDING PERMIT APPLICATION

Sussex County, Delaware

LOCATION: Route 410 (N) (S) (E) (W) Side: 550 (ft) (miles (N) (S) (E) (W) of RT 308A

Subdivision or Trailer Park _____ Lot No. A-1 Section or Block _____

Town _____ Street _____

District No. 1-33 Map No. 16 Parcel No. 84 Hundred Dagsboro

Size of Lot: Frontage _____ Depth _____ Acreage _____

Size of Building 24x48 Stories 1 Height _____ Cost of Improvements 33,000
24x24 Garage

I. TYPE OF IMPROVEMENT		TYPE OF USE	
New Building <input type="checkbox"/>	Brick <input type="checkbox"/>	Existing Use <input checked="" type="checkbox"/>	<u>Vacant</u>
<u>Dwelling w/ AH</u>	Other _____	Proposed Use <input checked="" type="checkbox"/>	<u>Dwelling w/ AH - Garage</u>
Addition <input type="checkbox"/>	V. INTERIOR WALLS	Single Family <input type="checkbox"/>	Flood Zone _____
Relocation _____	Dry Wall <input checked="" type="checkbox"/>	Commercial <input type="checkbox"/>	Elevation Required above _____
Accessory Structure _____	Paneling <input type="checkbox"/>	Other <input type="checkbox"/>	Mean sea level _____
Sign _____	Other _____	Number of Units _____	To be measured to:
Remodeling _____	VI. FOUNDATION	Zoning <input checked="" type="checkbox"/>	1. Finished first floor _____
Other _____	Conc. Blk _____	Zoning District <u>AR-1</u>	2. Lowest structural member _____
II. INTERIOR	Pad _____	Front yard setback <u>40</u>	
No. of Bedrooms <u>3</u>	Brick _____	Side yard setback <u>15</u>	
No. of Bathrooms <u>1 1/2</u>	Piling _____	Rear yard setback <u>20</u>	
No. of Rooms _____	Other _____	Side yard setback on side street on corner lot _____	
Basement _____	VII. FIRE PLACE	Distance from any dwelling of other ownership _____	
III. HEATING	Yes <input type="checkbox"/> No <input type="checkbox"/>	Distance from any other improvement in a manufactured home park _____	
Electric <input checked="" type="checkbox"/>	VIII. ROOFING	Cannot occupy more than _____ % of total lot area	
Gas <input type="checkbox"/>	Built-Up <input type="checkbox"/>	Board of Adjustment Case No. _____	
FHA <input type="checkbox"/>	Asphalt Shingle <input checked="" type="checkbox"/>	Conditional Use Case No. _____	
Air Conditioned: <input type="checkbox"/>	Wood Shingle <input type="checkbox"/>	Approved by Planning & Zoning <u>BJP 7-13-89</u>	
Heat Pump <input type="checkbox"/>	Metal <input type="checkbox"/>	Site Plan Review Fee _____	
IV. EXTERIOR WALLS	Other <input type="checkbox"/>	ADDITIONAL REQUIREMENTS & COMMENTS	
Alum. Siding <input type="checkbox"/>	IX. Flooring		
Vinyl <input type="checkbox"/>	Concrete Floor <input type="checkbox"/>		
Wood <input checked="" type="checkbox"/>	Earth Floor <input type="checkbox"/>		
	Wood Floor <input type="checkbox"/>		
	Carpet <input checked="" type="checkbox"/>		
	Vinyl <input checked="" type="checkbox"/>		
	Other <input type="checkbox"/>		

Does Application apply to Building Code? Yes _____ No _____ Plans Reviewed by: _____

Plan Included with Application: Yes _____ No _____

IDENTIFICATION:
Name: John H. Partier Sr & Yvonne R.
Address: P.O. Box 452 Millsboro, DE 19966
On Lands Of: _____

The owner of this building or land and the undersigned agree to comply to all applicable Federal, State and County regulations and to apply for certificate of Compliance at Completion. This does not imply approval of other Governmental Agencies.

Signature of Applicant: Cindy Fiddle Phone: _____ Date: _____
Permit Fee 103.50 Date Issued 7/13/89 Approved by Assessment Division PH

ZONING AND BUILDING PERMIT will expire one (1) year from date of issue, unless actual construction shall have theretofore 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".
ASSESSORS AND INSPECTORS RIGHT TO GO ON PREMISES TO ASSESS AND INSPECT PROPERTY: The owner or owners of these premises do hereby consent to the Board of Assessment and Planning and Zoning Agents, to enter upon said premises during the construction for which this PERMIT is granted, or within a reasonable time thereafter, for the purpose of assessing and inspecting said property, said consent being given on the signing of this permit.
THE SUSSEX COUNTY PLANNING AND ZONING COMMISSION APPROVAL OF THIS PERMIT APPLICATION PERTAINS ONLY TO COMPLIANCE WITH SUSSEX COUNTY ZONING ORDINANCES. IS IT NOT TO BE CONSTRUED AS AN ALL INCLUSIVE APPROVAL FOR THE REQUIREMENTS OF ANY OTHER GOVERNMENTAL AGENCIES, WHICH MAY PERTAIN TO THIS SITE.



CERTIFICATE OF COMPLIANCE
 issued by
 THE PLANNING AND ZONING DEPARTMENT
 SUSSEX COUNTY, DELAWARE

Date of Issue Jan. 2, 1990 Expiration Date _____ No. 109046
 (Temporary Permit)

This certifies that the (structure) (premises) described in Permit Number 109046 conforms to and complies with the requirements of the Comprehensive Zoning Ordinance for Sussex County, Delaware, and may be occupied as of the above date.

Approved Use single family dwelling, w/carage

Applicant's Name John H. Parker, Dr. & Yvonne R.

Address P. O. Box 452
Hillsboro, DE 19966

Approved by _____