



BOARD OF ADJUSTMENT
Tuesday, May 5, 2026, 10:00 AM
Council Chambers, City Hall
Regular Meeting
AGENDA

	Page
A. CALL TO ORDER & ROLL CALL & ANNOUNCEMENTS:	
1. Introduction of new Board of Adjustments member, Greg Walden.	
B. <u>APPROVAL OF MINUTES:</u>	
B.1. 2026 03 17 BOA Minutes	3 - 6
C. <u>MEETING ITEMS:</u>	
C.1. Public hearing, discussion, and possible action to consider V-5-26, a request from William Huntley seeking a variance for relief from side yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 323 Park Avenue, tax Parcel: 3-35-8.07-258.00. Zoning R-4 (H). V-5-26 323 Park Avenue - Complete Application Packet	7 - 15
C.2. Public hearing, discussion, and possible action to consider V-6-26, a request from Douglas M. Warner, P.E, on behalf of Michele Rollins, seeking a variance for relief from front yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 1612 Bay Avenue, tax Parcel: 334-4.15-003.00. Zoning R-3. V-6-26 1612 Bay Avenue Complete Application Packet	17 - 31
C.3. Public hearing, discussion, and possible action to consider V-7-26, a request from Krista McLean and Joseph McLean seeking a variance for relief from side yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 5 Cape Henlopen Drive, tax Parcel: 335-4.20-180.02. Zoning R-3. V-7-26 - 5 Cape Henlopen Drive - Complete Application Packet	33 - 46
C.4. Public hearing, discussion, and possible action to consider V-8-26, a request from Matthew Trucks of Coastal Cottage Renovations, on behalf of Eric Eicher seeking a variance for relief from the maximum building height requirements for properties located within the FEMA flood zones. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 2004 Bay Avenue, tax Parcel: 335-4.14-014.00. Zoning R-3. V-8-26 2004 Bay Avenue Complete Application Packet	47 - 66
C.5. Public hearing, discussion, and possible action to consider V-9-26, a request from Neil Shister and Catherine Clarke to appeal a decision of the Building Official in accordance with §197-91 of the City of Lewes Code - Administrative review; appeal of administrative decisions and determinations . The property is located at 311 Park Avenue, tax parcel 335-8.07-252.00. Zoning R-4 (H).	67 - 113

[Letter to BOA from City Solicitor Alex Burns - 043026 with exhibits](#)
[V-9-26 311 Park Avenue - Complete Application Packet - Updated 04/30/2026](#)

D. PUBLIC COMMENT:

E. ADJOURNMENT:

<https://us02web.zoom.us/j/84354405956?pwd=4jTNCHgKAzCrE7f2tumx1SmhIPVFHn.1>

Join via audio:

+1 301 715 8592 US (Washington DC)

Webinar ID: 843 5440 5956

Passcode: 081299

Pursuant to 29 Del. C. § 10004(e)(3) this Agenda is subject to change; including addition or deletion of items or Executive Sessions. Agenda items may not be considered in sequence and therefore, should not be relied upon by any member of the public. To request special accommodations for persons with disabilities please contact the City Hall office at (302) 645-7777, at least 72 hours in advance of a meeting.

The City of Lewes strives to make our public meetings widely available through Zoom and YouTube broadcasts. While the City is committed to continuing this access, pursuant to 29 Del. Code, §10006A, technological failure does not affect the validity of these meetings, nor the validity of any action taken in these meetings.

City Hall is located at 114 E. Third Street Lewes DE

Agenda Posted: 04/28/2026 Posted By:ASA

City of Lewes
BOARD OF ADJUSTMENT
Tuesday, March 17, 2026
MINUTES

The Board of Adjustment met on **Tuesday, March 17, 2026 in Council Chambers at Lewes City Hall**, in accordance with proper notification, with the following members present: Chairperson Richard Grier-Reynolds, Vice-Chairperson Ron Krajewski, and members Denise Emery, William Sharkey, and Calvin Jaber. Also in attendance were: Board Attorney Barrett Edwards, Building Official Jon Ward, and City Clerk Ashley Akgoren.

A. CALL TO ORDER & ROLL CALL & ANNOUNCEMENTS: *Chairman Rick Grier-Reynolds called the March 17, 2026 meeting of the City of Lewes Board of Adjustment to order at 10:03 AM.*

B. APPROVAL OF MINUTES:
Chair Grier-Reynolds presented the minutes from the January 6, 2026 Board of Adjustment meeting for approval. After asking if there were any corrections or additions, no changes were noted.

***Motion:** Board Member William Sharkey made a motion to approve the January 6, 2026 minutes. **Second:** Board Member Denise Emery seconded. **Outcome:** Motion passed unanimously with all members voting in favor.*

*The May 6, 2025 minutes were also presented for approval. City Clerk Ashley Akgoren explained that these older minutes had been discovered during an audit of approved minutes and required formal approval, likely having been missed previously or needing revisions that hadn't been brought back to the board. **Motion:** Board Member Calvin Jaber made a motion to approve the May 6, 2025 minutes. **Second:** Board Member William Sharkey seconded. **Outcome:** Motion passed unanimously with all members voting in favor.*

C. MEETING ITEMS:

1. Public hearing, discussion, and possible action regarding V-4-26 on behalf of David Sieradzki and Emily Novick, and Colleen Powers and Shary Adams, for variances from minimum lot area, minimum street frontage/lot width, side and rear yard separation, rear yard setback, and lot coverage. Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations. The property is located at 100/102 Cedar Lane, tax Parcel: 335-4.20-163.00 Zoning R-3.

Chairman Grier-Reynolds explained the Board of Adjustment process to attendees, outlining how the city building official would provide background information, followed by sworn testimony from applicants, public comments both in support and opposition, and concluding with board deliberation and voting.

Notice Requirements City Clerk Ashley Akgoren was sworn in and testified that all proper notices had been provided. Public hearing notices were posted at City Hall, signs were placed at the property, notices were published in the Cape Gazette, and certified mail notices were sent to surrounding property owners, all on February 20, 2026. The Cape Gazette publication occurred on February 27, 2026, and all return receipts from certified mailings had been received.

Staff Presentation Building Official Jon Ward, after being sworn in, explained that the application concerned properties at 100 and 102 Cedar Avenue. The applicants sought

to divide the existing condominium into two separate parcels, which would require variances from front yard setbacks, side yard setbacks, rear yard setbacks, and lot area requirements. Ward confirmed that lot coverage variances would also be needed, totaling seven variances for each property.

City Attorney Barrett Edwards provided clarification that not all items listed in the application table would require variances. After careful review, the board determined that certain requirements would be met, including house lot coverage for both lots and street frontage for 102 Cedar Avenue. Attorney Edwards recommended approving the application as a package since all variances were necessary for the minor subdivision to succeed.

Mr. Edwards also explained the procedural relationship between the Board of Adjustment and Planning and Zoning Commission, noting that both approvals would ultimately be required, with the Board of Adjustment variances being a prerequisite for the Planning and Zoning subdivision approval.

Mr. Edwards read one written opposition received from Edward Tessein of 35 Sussex Drive. The correspondence was entered into the record as Exhibit B. Mr. Tessein's letter raised concerns about:

- Setting precedent for disregarding zoning standards
- The property being on leased land under the Warner grant
- Potential financial motivation for property division
- Opening "Pandora's box" for other leased property divisions
- Questions about lot coverage, parking, and precedent

City Clerk Akgoren responded to Mr. Tessein's submission, noting that the matter came to the Board of Adjustment based on Planning and Zoning Commission recommendation to review the request first.

Applicant Testimony David Sieradzki was sworn in and testified on behalf of himself and his wife, explaining they purchased 102 Cedar Avenue in 2021 as part-time residents from Washington, DC. He described numerous problems with the existing condominium structure, including:

- Mortgage company confusion requiring contact with a non-existent condominium board and manager
- Insurance complications requiring expensive "walls out" condominium insurance costing nearly \$4,000 annually for non-existent common elements
- Recording errors with Sussex County where unit designations were incorrectly documented
- Real estate valuation confusion on websites like Zillow that couldn't properly distinguish between the properties
- Potential impacts on future financing or home equity loans due to unclear property values

Mr. Sieradzki emphasized that no physical construction was planned - the request was solely to resolve the problematic condominium structure and establish clear individual property ownership. He noted that neighboring property owners had been consulted and no opposition had been expressed.

Colleen Powers was sworn in and provided additional testimony about the financial hardships created by the condominium structure. She described the shock at closing

when learning about the master insurance policy requirement and the ongoing difficulties with refinancing.

Ms. Powers confirmed no rental use of the property and expressed that resolving the condominium issue was important for their ability to maintain ownership.

Board Discussion Board members extensively discussed precedent-setting concerns raised in the opposition letter. Building Official Ward clarified that this would not be the first Lewes Beach lot subdivision, with at least one occurring within the past two years. He saw no precedent-setting issues given the unique circumstances.

Mr. Edwards addressed precedent concerns, explaining that any future similar requests would need to demonstrate comparable circumstances - specifically a two-unit condominium with effectively no shared common elements. He noted this would be highly fact-specific and unlikely to apply broadly to typical multi-unit condominiums with shared elements.

The board discussed the relationship between this application and accessory dwelling units (ADUs), with Mr. Edwards explaining key distinctions including marketability and ownership structures that would make ADU-to-subdivision scenarios different from this situation.

Board members examined the exceptional practical difficulty standard, with testimony focusing on additional insurance costs, mortgage complications, address confusion, and refinancing difficulties. Mr. Edwards cited the Quick Check case standard for area variances, emphasizing the balancing test between harm to applicants versus effects on neighboring properties.

Individual board members expressed support based on the unique circumstances, existing separate addresses and utility accounts, substantial financial hardships, and lack of impact on neighboring properties since no physical changes were proposed.

Motion: Board Member William Sharkey made a motion to approve all required variances, citing the exceptional circumstances applying specifically to these applicants and the costly expenses and insurance requirements they faced. **Second:** Chair Grier-Reynolds seconded, stating the request met Section 190-7-92B criteria for the specific parcel with hardship not shared by other properties, could be granted without detriment to public good, and benefits substantially outweighed any detriment.

Vice-Chair Krajewski voted to approve based on the substantial hardship presented to the owners and the fact that the footprint of the property would not change.

Board Member Emery voted to approve for the reasons stated by her colleagues, noting that the property presented as "a condominium that does not function as a condominium".

Board Member Jaber voted to approve and commended the owners for the completeness of the application. He noted the additional considerations in the Quick Check as a determining factor in his decision.

Outcome: Motion passed 5-0 with all members voting to approve.

Chairman Grier-Reynolds noted this was a pending decision requiring legal documentation preparation and signatures within 30 days. He thanked the applicants for their thorough application materials and welcomed them to the Lewes community.

D. PUBLIC COMMENT: *There was no public comments.*

E. ADJOURNMENT: *With no other business, Chairman Grier-Reynolds adjourned the meeting at 11:06 AM.*

Minutes submitted by: Jeffery Coover, Administration Support Specialist

Minutes generated by HeyGov.ai

Transcripts available upon request

Board of Adjustment Application

Submission Date 3/22/2026

Fee - \$1,250

Applicant's Name William Huntley

Property Address 323 Park Ave, Lewes

Owner Name William and Maria Huntley

Tax Parcel # 3-35-8.07-258.00

Zoning R-4 (H)

Owner Address 130 Breakwater Reach

City Lewes

State Delaware

Zip Code 19958

Phone Number 4043684065

Email Address bill@huntleys.us

Application Request Left side of house (when facing from the front) setback
variance to accommodate Bilco door access to crawl space

(Section Break)

If applicant has other representation, the following information is required.

Attorney/Representative Name None

Attorney/Representative Address *Field not completed.*

City *Field not completed.*

State *Field not completed.*

Zip Code *Field not completed.*

Phone Number *Field not completed.*

Email Address *Field not completed.*

(Section Break)

Instructions

Please describe how the application satisfies each of the following criterion identified in Section 197-92(B) of the Zoning Code. There is an opportunity to upload additional information including: photos, surveys, drawings, etc. at the bottom of this form.

Below the box is the description of the criteria. A complete variance submission shall have all criteria and additional considerations sections completed.

Criteria #1

This request pertains exclusively to our property, presenting a unique challenge not commonly shared by other parcels within the same zoning district. The approved home design includes a deep, six-foot high crawl space with a concrete floor. Only after construction commenced did it become clear that safe access would be exceedingly difficult for us, a couple of age 76 years each. The crawl space will contain vital mechanical systems and necessary storage, making secure and convenient access not merely desirable, but essential for our safety and continued residence. We plan to live here as long as we're able to.

Criteria # 2

Granting this variance poses no detriment to the public good. The proposed Bilco doors (door brochure attached - variation C (size) is proposed) will be discreetly positioned behind a six-foot privacy fence, as illustrated in the attached diagram, and further screened by newly planted shrubs on both sides. The Town's code already permits similar side yard projections for HVAC units and bay windows, features often more visible and potentially disruptive than the proposed doors, which produce no noise and will be virtually invisible to neighbors.

Criteria #3

The advantages of granting this variance are significant, providing us with a safe and manageable means of accessing critical home infrastructure. Given the effective concealment provided by fencing and landscaping, any potential impact on neighboring properties is minimal to nonexistent. The enhancement to our safety and quality of life far outweighs any negligible visual effect, ensuring the overall benefit is both substantial and justified.

Criteria # 4

Approval of this variance is fully consistent with the goals of the Town of Lewes' Comprehensive Plan, which emphasizes

the needs of its aging population. By facilitating safer access for senior residents, the variance supports the Plan's intent without undermining its objectives or the broader purposes of the zoning code.

Additional Considerations

- Nature of the Zone: The property is residential, and the request is entirely consistent with the character and use of surrounding single-family homes.
- Character of the Vicinity: The proposed modification is in harmony with the immediate neighborhood and does not introduce any discordant elements.
- Impact on Neighboring Properties: The variance will have no adverse effect on neighboring properties or their use.
- Hardship on the Owner: Denial of this request would impose an undue hardship, as it would render access to the crawl space unsafe or impractical for us as elderly homeowners, a difficulty not typically encountered with normal improvements.

For these reasons, we respectfully ask the Board to grant the requested variance, recognizing the unique circumstances of our property and the clear alignment with the spirit and intent of the Town of Lewes' planning and zoning principles.

Other

If you are submitting for a Special Exception, Appeal or Beneficial Use Appeal the following criteria shall be completed.

If not applicable please type N/A in the field.

Special Exceptions *See Section 197-92(B) of the Zoning Code)	We believe this variance request, if granted will be fully compliance with all of the bullet items in this section.
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Beneficial Use Appeal or Appeal of Building Official/City Planner Determination	N/A
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Additional Approvals	None
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(Section Break)

Electronic Signature Agreement	I agree
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First M. Last	William J. Huntley
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Upload Additional
Information Here

Door placement and Door brochure.pdf

Upload Additional
Information 2

Field not completed.

Upload Additional
Information 3

Field not completed.

Payment Information - \$1,250

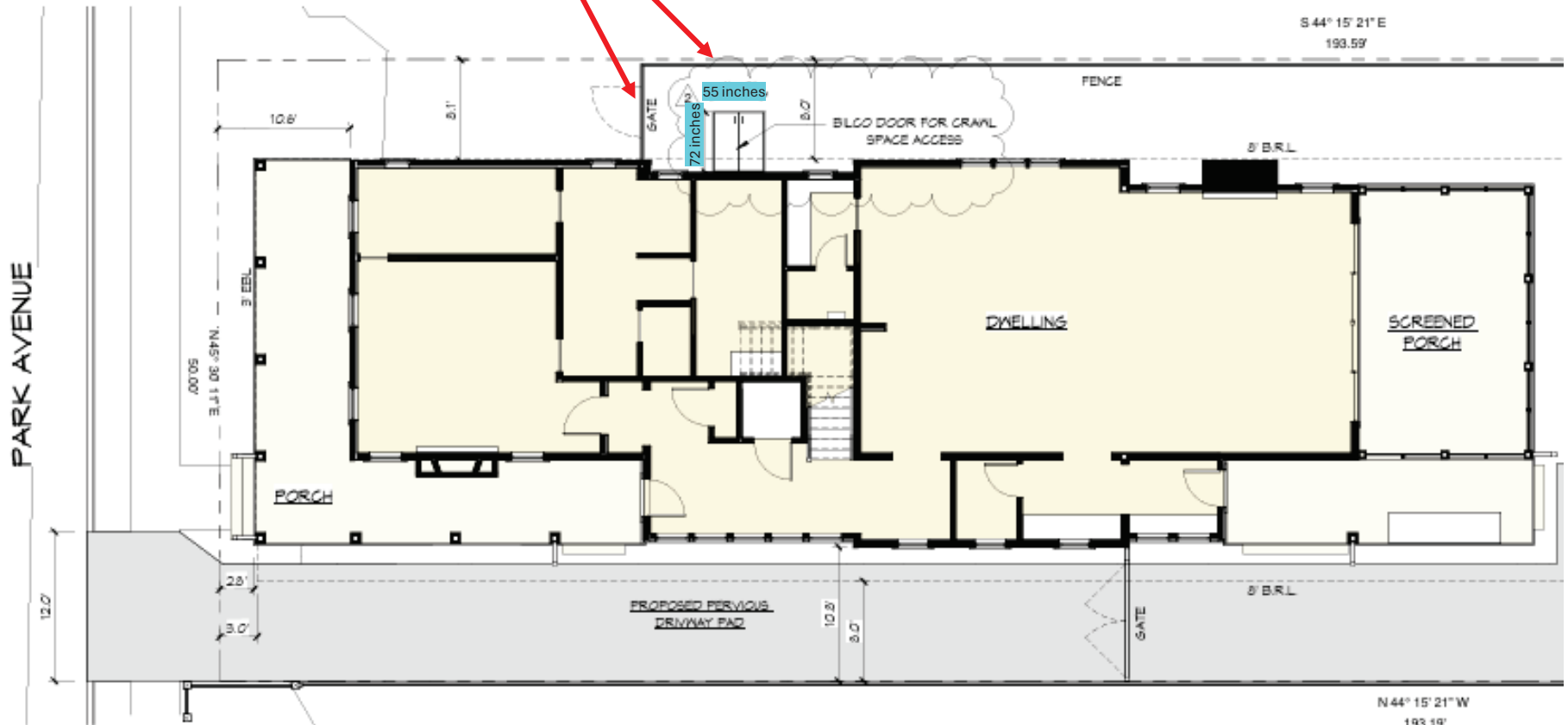
Please call the City to submit your payment via credit card or drop off a check to City Hall at 114 E. Third St.

Questions/Assistance

If you have questions or need assistance please contact the Planning & Building Department. 302-645-7777 ext. 120 or ext 110.

Requested Bilco Door Placement Illustration

Six feet high fence





BASEMENT DOORS

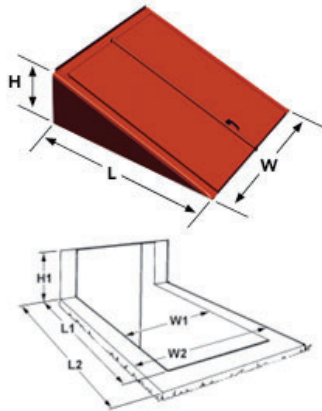
Basement Door Measuring Guide

Follow the instructions below to calculate the proper size door for your areaway. An electronic version of this sizing guide is also available at BILCO.com. Please contact BILCO if you are unable to find a standard door to fit your areaway.

Areaway — Flat Foundation

Ultra Series and Classic Series Doors

1. Discard your old door and measure (in inches) the dimensions of the areaway foundation.
2. Measure dimension W1, the inside width, and dimension W2, the outside width of the areaway foundation walls. Record your dimensions below and make the calculation shown.
3. Measure dimension L1, the inside length, and dimension L2, the outside length of the areaway foundation walls. Record your dimensions and make the calculation shown.
4. Measure dimension H1, the height from the top of the areaway foundation to the top of the opening in the house foundation.
5. Select the door from the table to the right with a width between W1 and W2 and length between L1 and L2.



Basement Door Dimensions

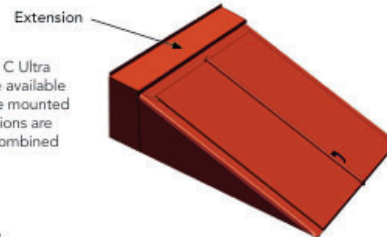
Door Size	Width (W) (inches)	Length (L) (inches)	Height (H) (inches)	Door Opening	
				Length (inches)	Width (inches)
B	51	64	22	60	44
C*	55	72	19½	67	48
O	47	58	30	58	40
SL	51	43½	52	60	44

*Ultra Series Doors are available in Size C only

Record your foundation dimensions here

Width W1 + 4" = _____ W2 = _____	Length L1 + 2" = _____ L2 = _____	Height H1 = _____
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Extensions are available to increase the door length for Size C Ultra and Size C Classic Series doors. Classic Series extensions are available in 6", 12", 18", 24" and 30" lengths and two or more can be mounted back to back to increase the door length. Ultra Series extensions are available in 6" and 12" lengths and two extensions can be combined to increase the door length.



6 Visit BILCO.com to find a sales representative near you

The City of Lewes



The First Town In The First State

**PUBLIC HEARING NOTICE
TUESDAY MAY 5th, 2026, AT 10:00 AM
CITY HALL COUNCIL CHAMBERS
114 E. THIRD STREET LEWES, DE**

The Lewes Board of Adjustment will hold a PUBLIC HEARING on Tuesday, May 5th, 2026, starting at 10:00 A.M. in the Council Chambers at 114 E. Third St., Lewes, DE to consider the following:

V-5-26 - Request from William Huntley seeking a variance for relief from side yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 323 Park Avenue, tax Parcel: 3-35-8.07-258.00. Zoning R-4 (H).

V-6-26 - Request from Douglas M. Warner, P.E, on behalf of Michele Rollins, seeking a variance for relief from front yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 1612 Bay Avenue, tax Parcel: 334-4.15-3.00. Zoning R-3.

V-7-26 - Request from Krista McLean and Joseph McLean seeking a variance for relief from side yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 5 Cape Henlopen Drive, tax Parcel: 335-4.20-180.02. Zoning R-3.

V-8-26 – Request from Matthew Trucks of Coastal Cottage Renovations, on behalf of Eric Eicher seeking a variance for relief from the maximum building height requirements for properties located within the FEMA flood zones. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 2004 Bay Avenue, tax Parcel: 335-4.14-14.00. Zoning R-3.

V-9-26 – Request from Neil Shister and Catherine Clarke to appeal a decision of the Historic Preservation and Architectural Review Commission in accordance with §197-91 of the City of Lewes Code - *Administrative review; appeal of administrative decisions and determinations.* The property is located at 311 Park Avenue, tax parcel 335-8.07-252.00. Zoning R-4 (H).

For questions regarding this application contact Jon Ward, the City of Lewes Building Official at (302) 645-7777 ext. 136 or via email at jward@ci.lewes.de.us.

ASA-04/13/2026

The City of Lewes



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For questions regarding this application contact Jon Ward, the City of Lewes Building Official at (302) 645-7777 ext. 136 or via email at jward@ci.lewes.de.us.



April 17, 2026 1:41 PM

323 Park
Huntley

From: [Jon Ward](#)
To: [Ashley Akgoren](#)
Subject: FW: Online Form Submission #9323 for Board of Adjustment Application
Date: Monday, March 23, 2026 3:17:49 PM

FYI

Sincerely,
 Jon Ward, CFM
 Building Official
 City of Lewes
 302-645-7777 Ext. 136

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, March 23, 2026 3:17 PM
To: Jon Ward <jward@ci.lewes.de.us>; Daune Hinks <dhinks@ci.lewes.de.us>
Subject: Online Form Submission #9323 for Board of Adjustment Application

Board of Adjustment Application

Type of Application	Variance
Submission Date	3/23/2026
Fee - \$1,250	
Applicant's Name	DOUGLAS M. WARNER, P.E. - ELEMENT DESIGN GROUP
Property Address	1612 BAY AVENUE
Owner Name	1612, LLC - MICHELE ROLLINS
Tax Parcel #	334-4.15-3.00
Zoning	R-3
Owner Address	1730 S FEDERAL HWY 291
City	DELRAY BEACH
State	FL
Zip Code	33483
Phone Number	302-275-5510

Email Address	MICHELEROLLINS@ROLLINSJAMAICA.COM
Application Request	<p>Requesting variance to Section 197 Attachment 2 for Front yard setbacks (lot has two(2) front yards) for an open porch structure and outdoor kitchen area as follows:</p> <p>Front Yard (bay side of lot) Required = 25'. Requested = 6.7'. Variance of 18.3'. Front Yard (Illinois Avenue- Unimproved side of lot) Required = 25'. Requested = 5.3'. Variance of 19.7'</p> <p>The existing home/structure currently encroaches to these limits on the lot.</p>
(Section Break)	

If applicant has other representation, the following information is required.

Attorney/Representative Name	<i>Field not completed.</i>
Attorney/Representative Address	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip Code	<i>Field not completed.</i>
Phone Number	<i>Field not completed.</i>
Email Address	<i>Field not completed.</i>
(Section Break)	

Instructions

Please describe how the application satisfies each of the following criterion identified in Section 197-92(B) of the Zoning Code. There is an opportunity to upload additional information including: photos, surveys, drawings, etc. at the bottom of this form.

Below the box is the description of the criteria. A complete variance submission

shall have all criteria and additional considerations sections completed.

Criteria #1	The variance request relates specifically to this parcel. The existing home is located to these limits and the request is to build an extension of the home (open porch) to these same limits.
Criteria # 2	Granting of the variance would not be a detriment to the public good since the expansion is not closer to the property lines than the existing home footprint. The home is one of only two homes on the block. The proposed addition is not visible to the property to the east and will not be closer to the public ROW than the current home footprint. It is a proposed open structure therefore not inhibiting air flow.
Criteria #3	The benefit of granting the variance is to provide a covered area for the homeowner for protection from the elements (sun/rain). Due to the seclusion of the lot and yard the detriment to others is negligible compared to the benefit it could provide the homeowner.
Criteria # 4	Due to the limited nature of the request and the isolation of the property, specifics of the Comprehensive Plan are not applicable to this request.
Additional Considerations	<p>The property is a corner lot with frontage on the bay and on Illinois Avenue. By regulation one Front Yard is facing the bay and the other faces Illinois Avenue. The variance request is primarily for improvements on the bay side which actually functions more as a rear yard and the Illinois Ave. side which functions as a side yard.. The location for the variance/structure is isolated from the neighbors and public and does not extend beyond the current extents of the home.</p> <p>Front Yard on the bay - The Required Front Yard is either 25' or an Established Building Line (EBL). Due to the uniqueness of the property (1. One of only two lots on the block and 2. Neighboring house not applicable for EBL calculations due to being a corner property) an EBL could not be calculated. If EBL could be considered the Front Yard Setback would be ~6.7' as being requested.</p> <p>Front Yard on Illinois Avenue – The Required Front Yard is 25'. Illinois Avenue is an unimproved street that functions as beach access. It also functions as more of a side yard for the 1612 Bay property versus a true front yard.</p> <p>The proposed structure is an open structure. Open structures are permitted to extend 10' into Front Yard setbacks. This request is similar to the intent of the projection regulation.</p> <p>This is not an expansion of conditioned/living space. The patio</p>

(at grade) is a permitted structure. The variance would permit a cover for protection from the elements.

Other

If you are submitting for a Special Exception, Appeal or Beneficial Use Appeal the following criteria shall be completed.

If not applicable please type N/A in the field.

Special Exceptions *See Section 197-92(B) of the Zoning Code)	N/A
---	-----

Beneficial Use Appeal or Appeal of Building Official/City Planner Determination	N/A
---	-----

Additional Approvals	N/A
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(Section Break)

Electronic Signature Agreement	I agree
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First M. Last	DOUGLAS M. WARNER, P.E.
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Upload Additional Information Here	E25175 BOA CONCEPT AND SURVEY 03.23.26.pdf
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Upload Additional Information 2	<i>Field not completed.</i>
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Upload Additional Information 3	<i>Field not completed.</i>
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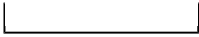
Payment Information - \$1,250

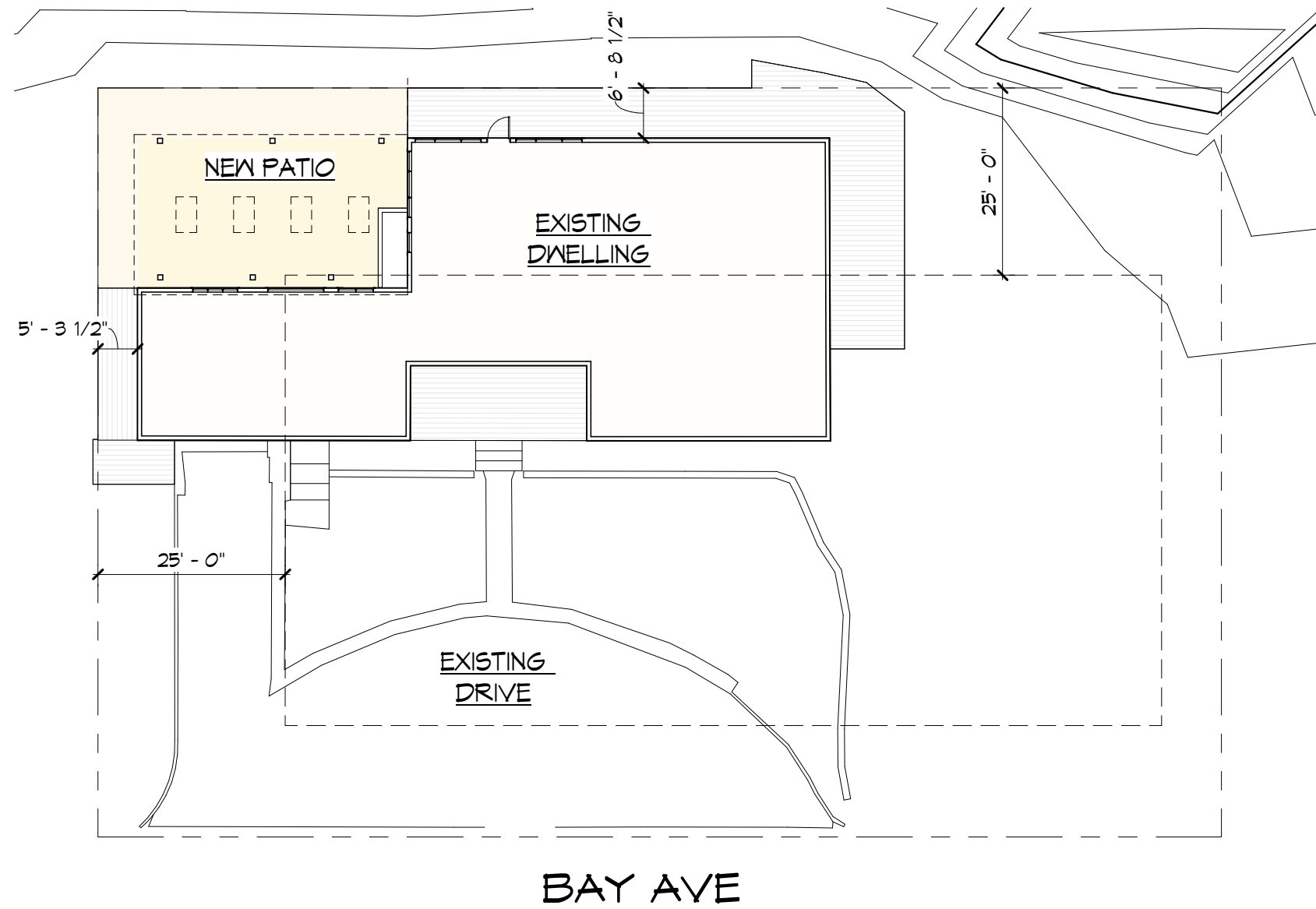
Please call the City to submit your payment via credit card or drop off a check to City Hall at 114 E. Third St.

Questions/Assistance

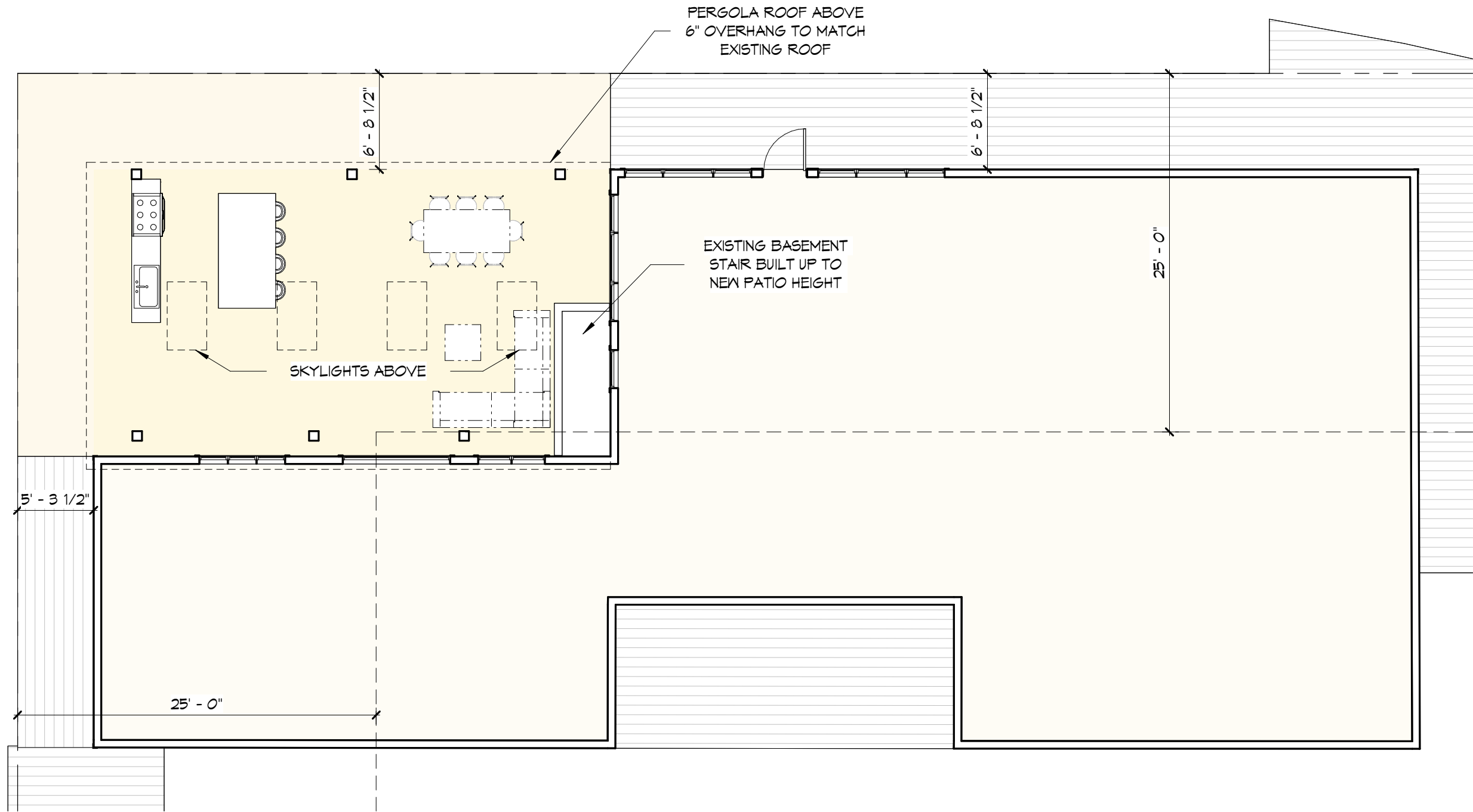
If you have questions or need assistance please contact the Planning & Building Department. 302-645-7777 ext. 120 or ext 110.

Email not displaying correctly? [View it in your browser.](#)

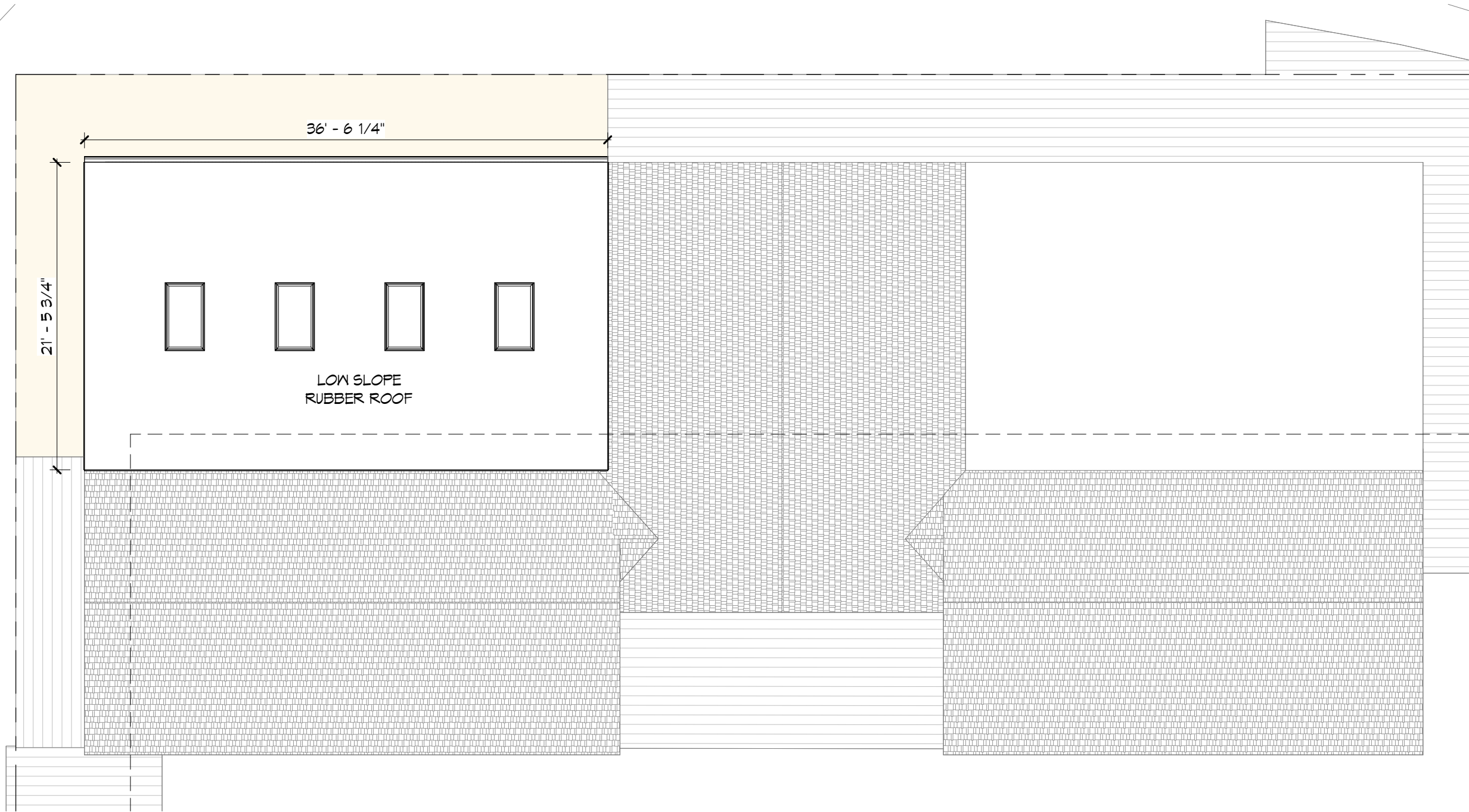




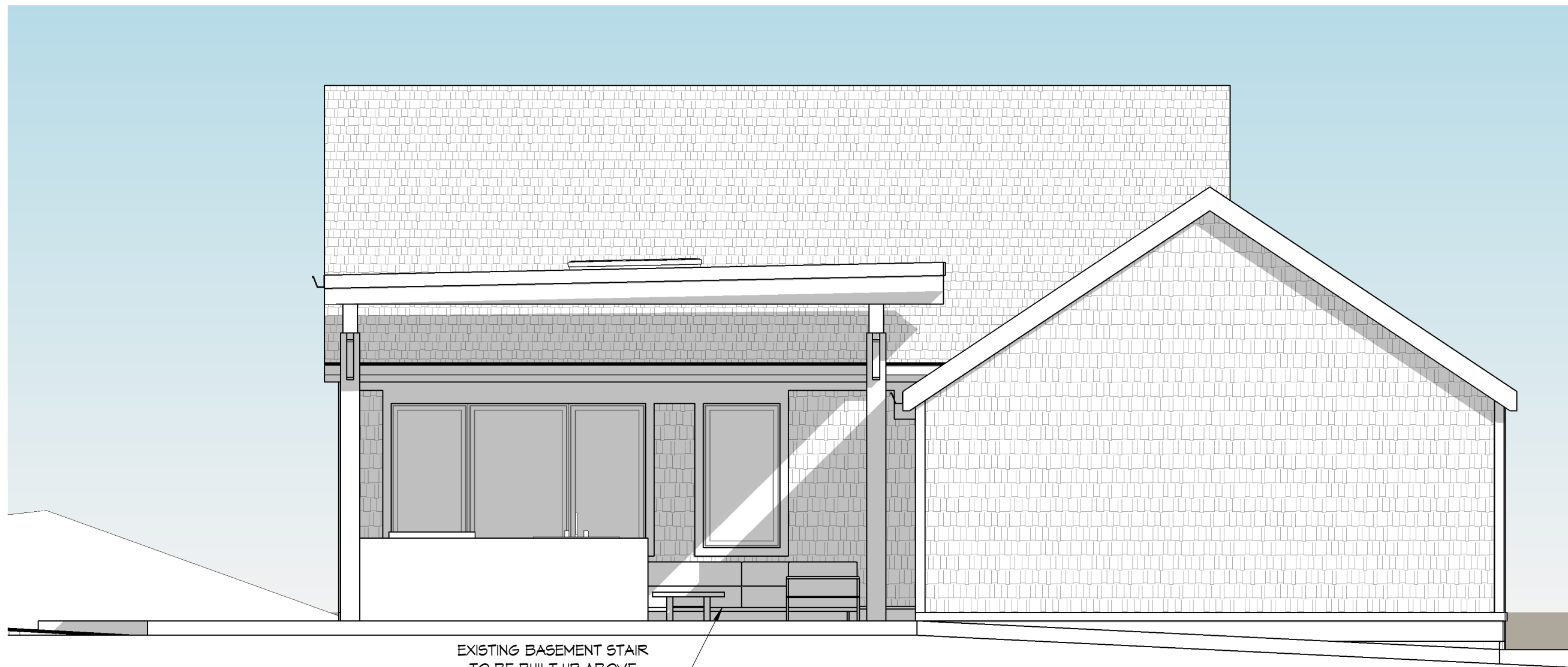
① SITE PLAN
1" = 20'-0"



① FIRST FLOOR PLAN (PROPOSED)
 1/8" = 1'-0"

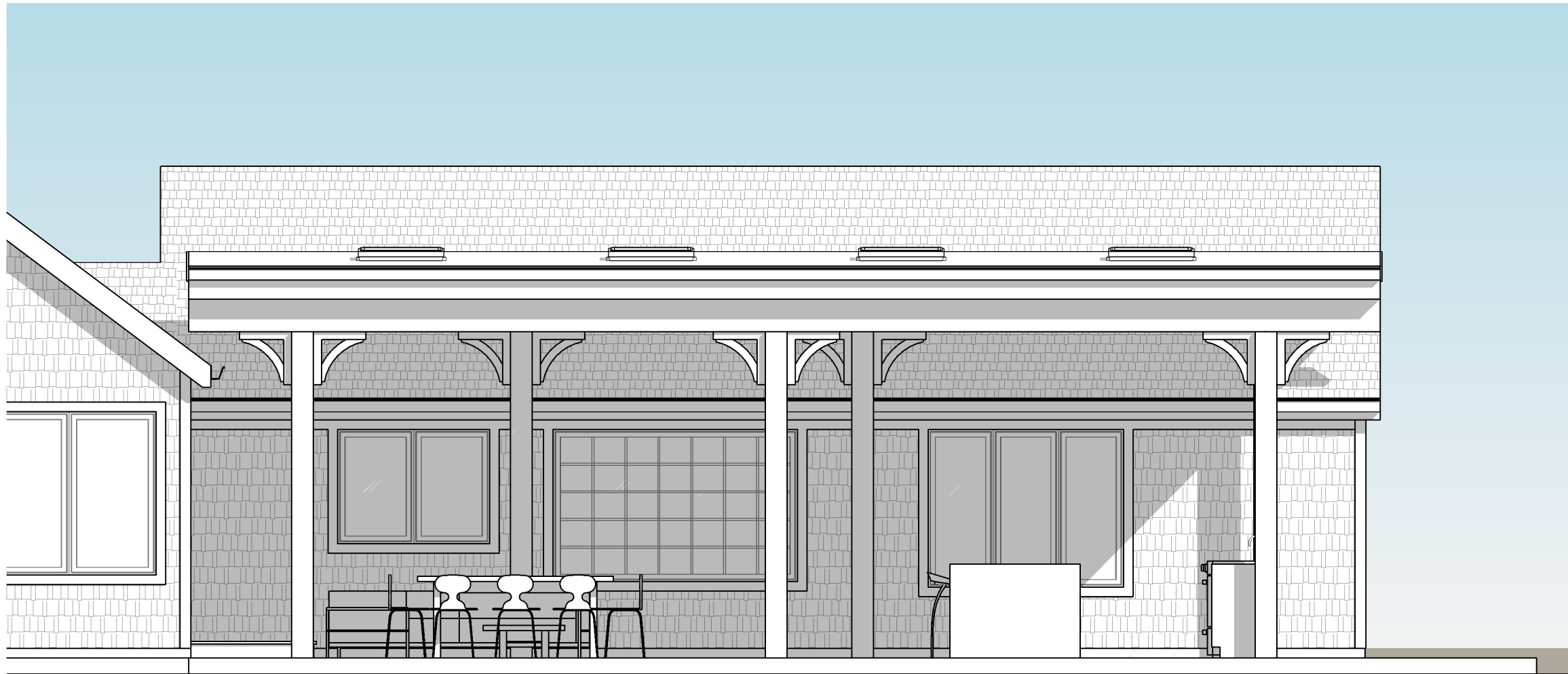


① SECOND FLOOR PLAN (PROPOSED)
 1/8" = 1'-0"

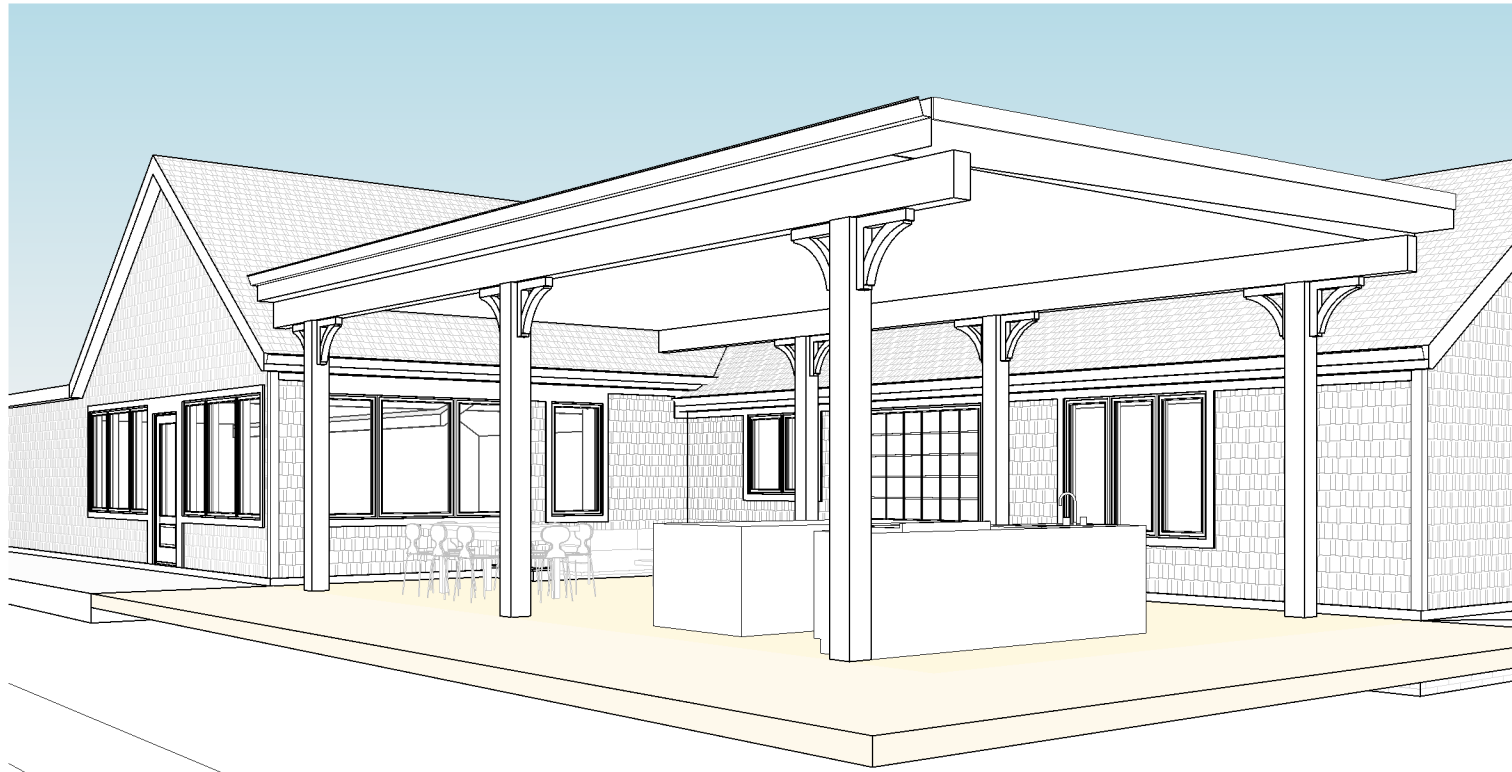


EXISTING BASEMENT STAIR
TO BE BUILT UP ABOVE
NEW CONCRETE PATIO

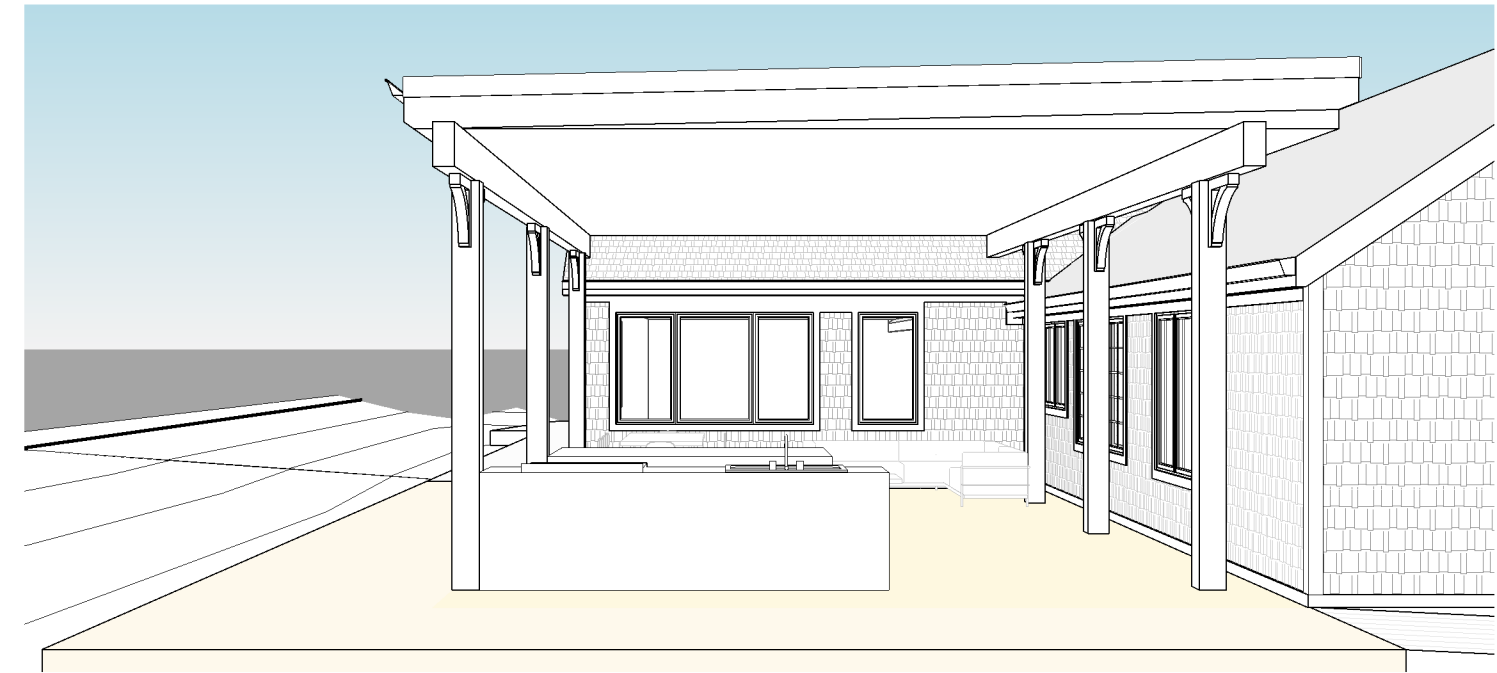
① LEFT SIDE ELEVATION
1/4" = 1'-0"



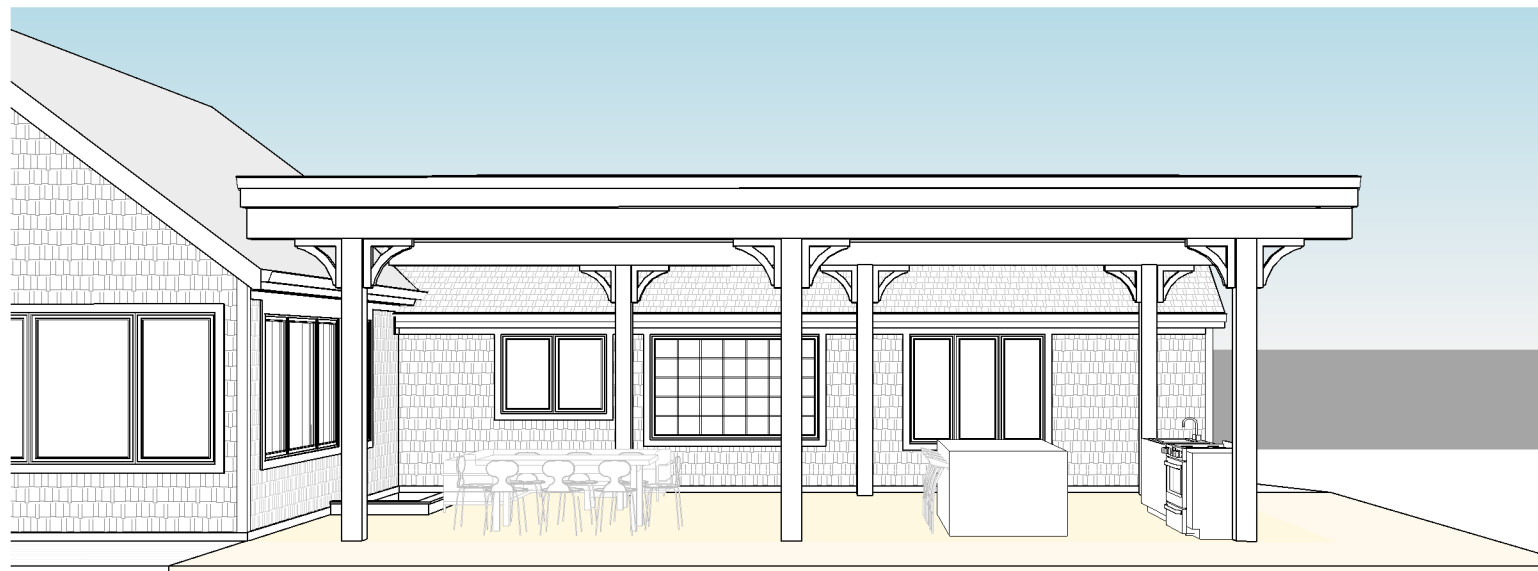
① REAR ELEVATION
1/4" = 1'-0"



1 VIEW 1



3 VIEW 3



2 VIEW 2



ELEMENT

115 w. market street, 2nd floor
lewes, de 19958

302.645.0777
www.elementdg.com

COVERED PATIO ADDITION

e25175

SD6 VIEWS

DELAWARE BAY

LANDS N/F
CITY OF LEWES

S 56°45'00" E

150.00'

100.00'

100.00'

DECK
(UNDER CONSTRUCTION / DEMO)

1 STORY FRAME
DWELLING

1ST FLOOR ELEVATION: 13.16'
ROOF PEAK ELEVATION: 32.43'

CHIMNEY

DECK

FLAGSTONE KNEE WALL

CONCRETE (TYP)

STONE
(TYPICAL)

ROOFTOP DECK

2ND DECK

PAVED DRIVE

N 33°15'00" E

F.I.R.M. FLOOD ZONE LINE

ZONE VE (0' B.F.E.)
ZONE AE (8' B.F.E.)

S 33°15'00" W

150.00'

37.55'

8.0'

112.45'

EDGE OF PAVING

150.00'

8.0'

8.0'

8.0'

8.0'

8.0'

8.0'

8.0'

8.0'

8.0'

8.0'

N 33°15'00" E

150.00'

37.55'

8.0'

112.45'

EDGE OF PAVING

150.00'

8.0'

8.0'

8.0'

8.0'

8.0'

8.0'

8.0'

8.0'

8.0'

8.0'

REFERENCE BENCHMARK:
"PK" NAIL IN CROWN OF ROAD
ELEVATION: 8.26'

Q BAY AVENUE (32' R/W)

LOT COVERAGE:
TOTAL COVERAGE: 8,115 SQ. FT. (54.1%)
NATURAL AREA: 6,865 SQ. FT. (45.9%)

LEGEND:

- IRON PIPE (FOUND)
- ▲ IRON ROD (TO BE SET)
- x 0.00 ELEVATION SPOT SHOT

NOTES:

*ALL SETBACKS MUST BE VERIFIED BY THE OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT THE CITY OF LEWES.
PARCEL IS IN FLOOD ZONES: AE (ELEV. 8') & VE (ELEV. 9')
F.I.R.M. 10005C0192K, JUNE 20, 2018
VERTICAL DATUM: NAVD 1988
THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.
NO TITLE SEARCH PROVIDED OR STIPULATED.
SURVEY CLASS: SUBURBAN

LOT #3

LOTS #1 & #2
15,000 SQ. FT.
0.3444 ACRES
D.B. 6105-141

BOUNDARY SURVEY PLAN FOR

1612 LLC

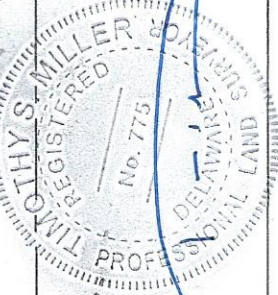
1612 BAY AVENUE

PARCEL "A" PER P.B. 425-88

LOTS #1 & #2, BLOCK BB OF "LEWES BEACH" SUBDIVISION
CITY OF LEWES

LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
STATE OF DELAWARE

DECEMBER 2, 2025 SCALE: 1" = 20'



Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

302.226.2229 phone 302.226.2239 fax

2103A Coastal Highway

DeWey Beach, DE 19971

The City of Lewes



The First Town In The First State

**PUBLIC HEARING NOTICE
TUESDAY MAY 5th, 2026, AT 10:00 AM
CITY HALL COUNCIL CHAMBERS
114 E. THIRD STREET LEWES, DE**

The Lewes Board of Adjustment will hold a PUBLIC HEARING on Tuesday, May 5th, 2026, starting at 10:00 A.M. in the Council Chambers at 114 E. Third St., Lewes, DE to consider the following:

V-5-26 - Request from William Huntley seeking a variance for relief from side yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 323 Park Avenue, tax Parcel: 3-35-8.07-258.00. Zoning R-4 (H).

V-6-26 - Request from Douglas M. Warner, P.E, on behalf of Michele Rollins, seeking a variance for relief from front yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 1612 Bay Avenue, tax Parcel: 334-4.15-3.00. Zoning R-3.

V-7-26 - Request from Krista McLean and Joseph McLean seeking a variance for relief from side yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 5 Cape Henlopen Drive, tax Parcel: 335-4.20-180.02. Zoning R-3.

V-8-26 – Request from Matthew Trucks of Coastal Cottage Renovations, on behalf of Eric Eicher seeking a variance for relief from the maximum building height requirements for properties located within the FEMA flood zones. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 2004 Bay Avenue, tax Parcel: 335-4.14-14.00. Zoning R-3.

V-9-26 – Request from Neil Shister and Catherine Clarke to appeal a decision of the Historic Preservation and Architectural Review Commission in accordance with §197-91 of the City of Lewes Code - *Administrative review; appeal of administrative decisions and determinations.* The property is located at 311 Park Avenue, tax parcel 335-8.07-252.00. Zoning R-4 (H).

For questions regarding this application contact Jon Ward, the City of Lewes Building Official at (302) 645-7777 ext. 136 or via email at jward@ci.lewes.de.us.

ASA-04/13/2026

The City of Lewes



Exhibit A

PUBLIC HEARING NOTICE

**TUESDAY MAY 5th, 2026, AT 10:00 AM
CITY HALL COUNCIL CHAMBERS
114 E. THIRD STREET LEWES, DE**

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Exhibit A



2026 2:31 PM

*Rawlin's
Rollins
11612 Bay Ave*

From: [Jon Ward](#)
To: [Ashley Akgoren](#)
Subject: FW: Online Form Submission #9325 for Board of Adjustment Application
Date: Thursday, March 26, 2026 1:29:58 PM

Not sure if you got this as well.

Sincerely,
 Jon Ward, CFM
 Building Official
 City of Lewes
 302-645-7777 Ext. 136

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Tuesday, March 24, 2026 11:16 AM
To: Jon Ward <jward@ci.lewes.de.us>; Daune Hinks <dhinks@ci.lewes.de.us>
Subject: Online Form Submission #9325 for Board of Adjustment Application

Board of Adjustment Application

Type of Application	Variance
Submission Date	3/24/2026
Fee - \$1,250	
Applicant's Name	Krista McLean
Property Address	5 Cape Henlopen Dr. Lewes, DE 19958
Owner Name	Joseph McLean SR
Tax Parcel #	335-4.20-180.02
Zoning	R-3
Owner Address	5 Cape Henlopen Dr.
City	Lewes
State	DE
Zip Code	19958
Phone Number	7173833022

Email Address	krista.schoener@gmail.com
Application Request	Relocation of outdoor HVAC units to the midline on the right side of the home.

(Section Break)

If applicant has other representation, the following information is required.

Attorney/Representative Name	<i>Field not completed.</i>
------------------------------	-----------------------------

Attorney/Representative Address	<i>Field not completed.</i>
---------------------------------	-----------------------------

City	<i>Field not completed.</i>
------	-----------------------------

State	<i>Field not completed.</i>
-------	-----------------------------

Zip Code	<i>Field not completed.</i>
----------	-----------------------------

Phone Number	<i>Field not completed.</i>
--------------	-----------------------------

Email Address	<i>Field not completed.</i>
---------------	-----------------------------

(Section Break)

Instructions

Please describe how the application satisfies each of the following criterion identified in Section 197-92(B) of the Zoning Code. There is an opportunity to upload additional information including: photos, surveys, drawings, etc. at the bottom of this form.

Below the box is the description of the criteria. A complete variance submission shall have all criteria and additional considerations sections completed.

Criteria #1	The variance request relates specifically to the McLean residence due to the unique configuration of the existing HVAC system, including excessive refrigerant line set lengths and nonconforming line set sizes relative to current R454B requirements. These conditions are specific to this property's layout, equipment placement, and structural design, and are not
-------------	---

commonly shared by other properties in the same zoning district or immediate vicinity. The hardship arises from the physical constraints of the home and the technical requirements of modern HVAC systems, rather than from general neighborhood conditions.

Criteria # 2	Granting this variance will not result in any substantial detriment to the public good. The proposed relocation and elevation of the HVAC equipment is driven by code compliance, system performance, and flood zone requirements. The installation will be performed in a safe, code-compliant manner and will not introduce any adverse impacts such as noise, safety concerns, or environmental issues beyond what is typical for residential HVAC systems.
Criteria # 3	The benefits of granting the variance substantially outweigh any potential detriment. Approval will allow for proper installation of a modern, code-compliant HVAC system that operates efficiently and safely. Denial of the variance would result in either reduced system performance (approximately 8,000 BTU loss), excessive interior demolition, or impractical installation conditions. The proposed solution minimizes disruption to the home while ensuring long-term reliability and energy efficiency.
Criteria # 4	Approval of the variance will not impair the intent or purpose of the Comprehensive Plan or zoning regulations. The request is not for a change in use, but rather a reasonable dimensional adjustment to accommodate necessary mechanical equipment. The intent of the zoning code—to maintain orderly development and protect public welfare—remains fully upheld.
Additional Considerations	<p>Nature of the Zone: The property is located in a residential zone where HVAC equipment is a standard and necessary component of normal residential use.</p> <p>Character of the Immediate Vicinity: The surrounding area consists of similar residential properties with standard mechanical systems. The proposed installation is consistent with typical residential improvements.</p> <p>Impact on Neighboring Properties: The requested variance will not negatively impact neighboring properties. The equipment will be installed in a manner consistent with residential standards, and any visual or noise impact will be minimal and typical of similar systems.</p> <p>Hardship on the Owner: Strict enforcement of the current setback restrictions would create a significant hardship. The existing line set configuration and the transition to R454B refrigerant make it impractical to reuse or replace the line sets without major interior demolition, increased cost, and reduced system performance. The variance allows for a reasonable solution to complete a standard home improvement.</p>

D. Additional Standards:

1. This request does not seek to authorize a use that is not otherwise permitted. HVAC equipment is a customary and permitted residential improvement.
2. The request is not based on any nonconforming use, structure, or lot condition, but rather on practical limitations related to system design and regulatory compliance.

Other

If you are submitting for a Special Exception, Appeal or Beneficial Use Appeal the following criteria shall be completed.

If not applicable please type N/A in the field.

Special Exceptions *See Section 197-92(B) of the Zoning Code)	N/A
---	-----

Beneficial Use Appeal or Appeal of Building Official/City Planner Determination	N/A
---	-----

Additional Approvals	At this time, no additional approvals are anticipated beyond the requested variance. If required, the applicant will comply with any additional permitting or review processes by the City of Lewes.
----------------------	--

(Section Break)

Electronic Signature Agreement	I agree
--------------------------------	---------

First M. Last	Krista E. McLean
---------------	------------------

Upload Additional Information Here	Variance application paperwork.pdf
------------------------------------	--

Upload Additional Information 2	<i>Field not completed.</i>
---------------------------------	-----------------------------

Upload Additional Information 3	<i>Field not completed.</i>
---------------------------------	-----------------------------

Payment Information - \$1,250

Please call the City to submit your payment via credit card or drop off a check to City Hall at 114 E. Third St.

Questions/Assistance

If you have questions or need assistance please contact the Planning & Building Department. 302-645-7777 ext. 120 or ext 110.

Email not displaying correctly? [View it in your browser.](#)





3/19/2026

Dear Members of the City of Lewes Board of Adjustment,

I am writing on behalf of Mr. and Mrs. McLean to respectfully request consideration for a variance related to the installation of new HVAC equipment at their residence.

Due to recent regulatory changes requiring the use of R454B refrigerant, the existing HVAC system must be updated to accommodate this new refrigerant, particularly as the current system is nearing the end of its service life. This transition presents a unique set of challenges specific to the McLean residence. The current refrigerant line sets, both in size and overall length, are not compatible with the new system requirements. While replacing and resizing these line sets is technically possible, the excessive length of the runs would result in an estimated loss of approximately 8,000 BTUs in heating capacity, significantly reducing system performance and efficiency.

Additionally, replacing the existing line sets would require extensive demolition and reconstruction within the home, including substantial drywall removal and repair. This would create considerable disruption for the homeowners and add significant cost to the project, making it an impractical solution.

To address these constraints, we are proposing to relocate the outdoor HVAC units to the midline on the right side of the home. This location allows for properly sized and shortened line sets, ensuring the system operates efficiently and in full compliance with current standards.

However, we understand that this proposed installation would extend beyond the allowable 3-foot encroachment limit, projecting approximately 48 inches from the home. Furthermore, as the property is located within a flood zone, the equipment may be required to be elevated approximately 6 feet on a platform to meet local and FEMA-related guidelines. These combined factors necessitate the requested variance.

We believe this request represents a practical and necessary solution that balances regulatory compliance, system performance, and minimizing disruption to the homeowners. The proposed placement is driven by technical requirements rather than preference, and we have made every effort to identify alternatives prior to submitting this request.

We respectfully ask for your consideration and approval of this variance. Please feel free to contact me directly should you require any additional information or supporting documentation.

Thank you for your time and consideration.

Sincerely,

Charese Messina-Pritchett

302-674-5696

www.callmessina.com

Messina Plumbing, Electric & HVAC Co., Inc



3/19/2026

For additional context, the existing refrigerant line sets are not only oversized for the new R454B systems but also exceed recommended maximum lengths. The first-floor system currently utilizes a line set approximately 103 feet in length at 1-1/8" x 3/8", whereas the recommended sizing is 7/8" x 5/16" (with 3/4" x 3/8" as an acceptable alternative). The second-floor system, with the air handler located in the attic, has an approximate line length of 116 feet at 7/8" x 3/8", while Trane recommends 3/4" x 5/16" (with 5/8" x 3/8" as an acceptable alternative).

These existing conditions further limit the feasibility of reusing or modifying the current line sets without compromising system performance and efficiency.

Refrigeration

Refrigerant Line Considerations

Table 3. Refrigerant line and service valve connection sizes

Model	Rated Line Sizes (in.)		Service Valve Connection Sizes (in.)	
	Vapor Line	Liquid Line	Vapor Line Connection	Vapor Line Connection
STWR4018A	3/4	5/16	3/4	5/16
STWR4024A	3/4	5/16	3/4	5/16
STWR4030A	3/4	5/16	3/4	5/16
STWR4036A	3/4	5/16	3/4	5/16
STWR4042A	7/8	5/16	3/4	5/16
STWR4048A	7/8	5/16	3/4	5/16
STWR4060A	7/8	5/16	3/4	5/16

Highlighted in Yellow = First Floor Outdoor Unit

Highlighted in Blue = Second Floor Outdoor Unit

Table 4. Alternate refrigerant line and service valve connection sizes

Model	Alternate Line Sizes (in.)		Service Valve Connection Size (in.)	
	Vapor Line	Liquid Line	Vapor Line Connection	Vapor Line Connection
STWR4018A	5/8	3/8	3/4	5/16
STWR4024A	5/8	3/8	3/4	5/16
STWR4030A	5/8	3/8	3/4	5/16
STWR4036A	5/8	3/8	3/4	5/16
STWR4042A	3/4	3/8	3/4	5/16
STWR4048A	3/4	3/8	3/4	5/16
STWR4060A	3/4	3/8	3/4	5/16

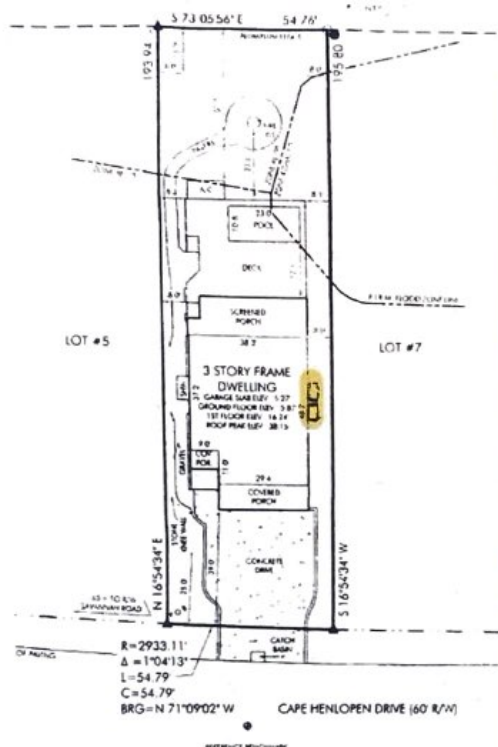
Factory Charge

The outdoor condensing units are factory charged with the system charge required for the outdoor condensing unit.

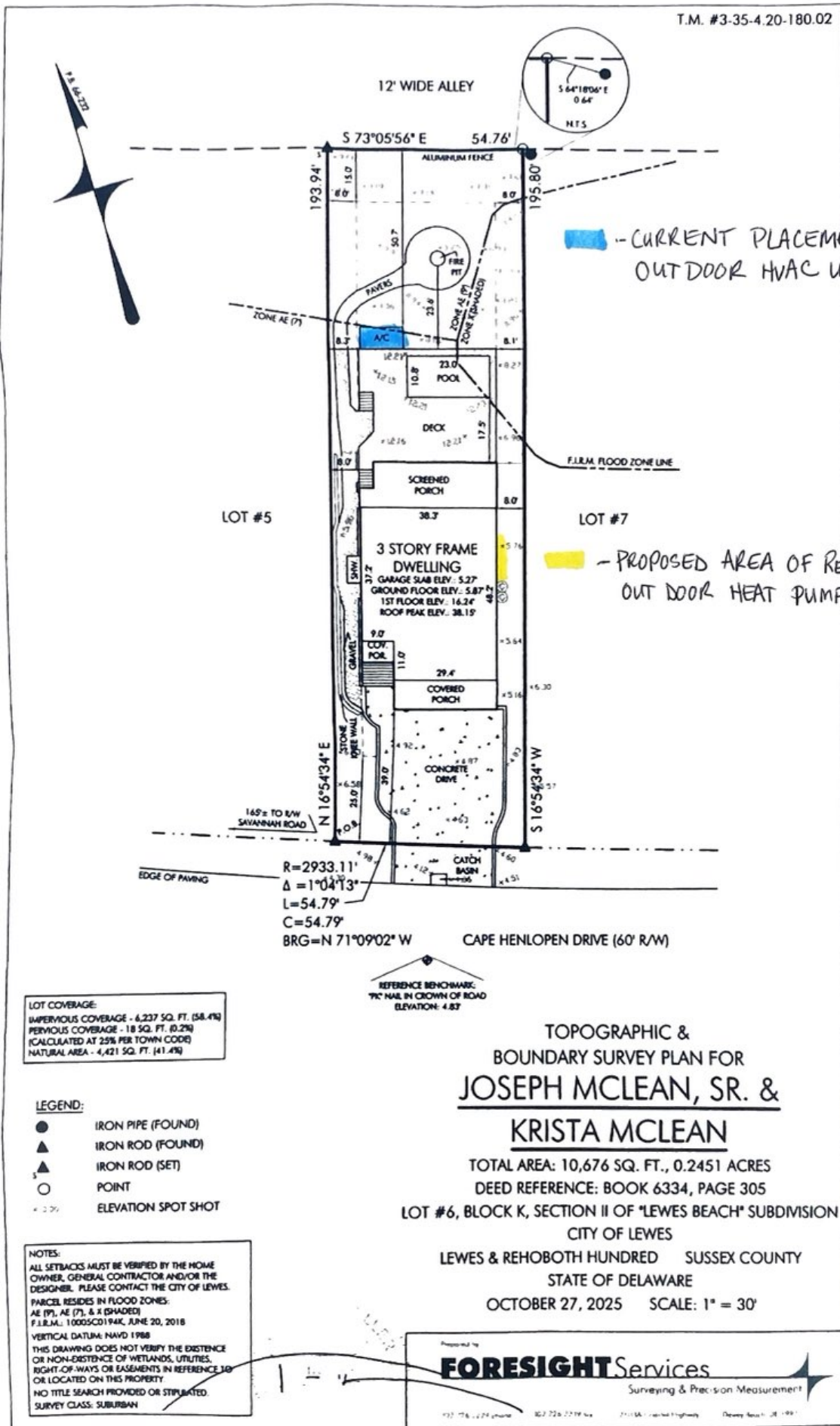


3/19/2026

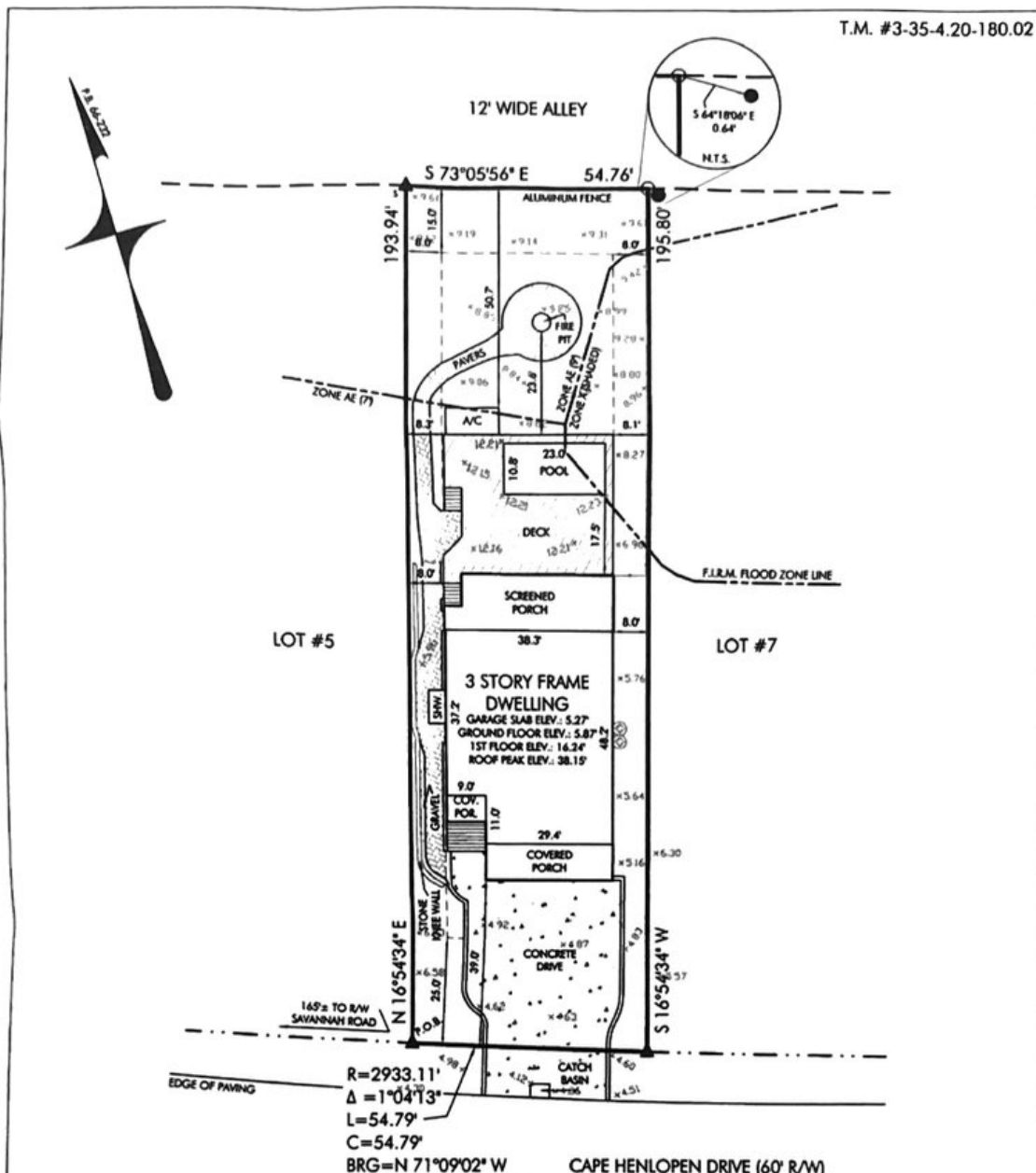
Highlighting the area of the home we would like to install the outdoor heat pumps:



T.M. #3-35-4.20-180.02



T.M. #3-35-4.20-180.02



LOT COVERAGE:
 IMPERVIOUS COVERAGE - 4,237 SQ. FT. (58.4%)
 PERVIOUS COVERAGE - 18 SQ. FT. (0.2%)
 (CALCULATED AT 25% PER TOWN CODE)
 NATURAL AREA - 4,421 SQ. FT. (41.4%)

- LEGEND:**
- IRON PIPE (FOUND)
 - ▲ IRON ROD (FOUND)
 - ▲ IRON ROD (SET)
 - POINT
 - 0.00 ELEVATION SPOT SHOT

NOTES:
 ALL SETBACKS MUST BE VERIFIED BY THE HOME OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT THE CITY OF LEWES.
 PARCEL RESIDES IN FLOOD ZONES:
 AE (7), AE (7), & X (SHADED)
 F.I.R.M.: 10005C0194K, JUNE 20, 2018
 VERTICAL DATUM: NAVD 1988
 THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.
 NO TITLE SEARCH PROVIDED OR STIPULATED.
 SURVEY CLASS: SUBURBAN

REFERENCE BENCHMARK:
 "PC" NAIL IN CROWN OF ROAD
 ELEVATION: 4.87

TOPOGRAPHIC &
 BOUNDARY SURVEY PLAN FOR
**JOSEPH MCLEAN, SR. &
 KRISTA MCLEAN**

TOTAL AREA: 10,676 SQ. FT., 0.2451 ACRES
 DEED REFERENCE: BOOK 6334, PAGE 305
 LOT #6, BLOCK K, SECTION II OF "LEWES BEACH" SUBDIVISION
 CITY OF LEWES
 LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
 STATE OF DELAWARE
 OCTOBER 27, 2025 SCALE: 1" = 30'



Prepared by
FORESIGHT Services
 Surveying & Precision Measurement

302.726.2279 phone 302.726.2239 fax 2103A Coastal Highway Dewey Beach, DE 19971

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>JOSEPH MCLEAN, SR. & KRISTA MCLEAN</u>	Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>5 CAPE HENLOPEN DRIVE</u>	Company NAIC Number: _____
City: <u>LEWES</u> State: <u>DELAWARE</u> ZIP Code: <u>19958</u>	
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>LOT #6, BLOCK K, SECTION II OF "LEWES BEACH" SUBDIVISION, T.M. #3-35-4-20-180.02, D.B. 6334-305</u>	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>RESIDENTIAL</u>	
A5. Latitude/Longitude: Lat. <u>N 38°46'50.87</u> Long. <u>W 75°07'53.58"</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983 <input type="checkbox"/> WGS 84	
A6. Attach at least two and when possible four clear photographs (one for each side) of the building (see Form pages 7 and 8).	
A7. Building Diagram Number: <u>1B</u>	
A8. For a building with a crawlspace or enclosure(s):	
a) Square footage of crawlspace or enclosure(s): <u>1,385</u> sq. ft.	
b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>0</u> Engineered flood openings: <u>7</u>	
d) Total net open area of non-engineered flood openings in A8.c: <u>0</u> sq. in.	
e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): <u>1,400</u> sq. ft.	
f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): <u>1,400</u> sq. ft.	
A9. For a building with an attached garage:	
a) Square footage of attached garage: <u>776</u> sq. ft.	
b) Is there at least one permanent flood opening on two different sides of the attached garage? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>0</u> Engineered flood openings: <u>4</u>	
d) Total net open area of non-engineered flood openings in A9.c: <u>0</u> sq. in.	
e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): <u>800</u> sq. ft.	
f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): <u>800</u> sq. ft.	
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION	
B1.a. NFIP Community Name: <u>CITY OF LEWES</u>	B1.b. NFIP Community Identification Number: <u>100041</u>
B2. County Name: <u>SUSSEX COUNTY</u>	B3. State: <u>DELAWARE</u> B4. Map/Panel No.: <u>10005C0194</u> B5. Suffix: <u>K</u>
B6. FIRM Index Date: <u>6/20/2018</u>	B7. FIRM Panel Effective/Revised Date: <u>3/16/2015</u>
B8. Flood Zone(s): <u>AE</u>	B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): <u>7'</u>
B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9: <input type="checkbox"/> FIS <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other: _____	
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____	
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA	
B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: 5 CAPE HENLOPEN DRIVE	FOR INSURANCE COMPANY USE
City: LEWES State: DELAWARE ZIP Code: 19958	Policy Number: _____ Company NAIC Number: _____

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: HU2679 Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929 NAVD 1988 Other: _____

Datum used for building elevations must be the same as that used for the BFE. Conversion factor used? Yes No

If Yes, describe the source of the conversion factor in the Section D Comments area.

		Check the measurement used:
a) Top of bottom floor (including basement, crawlspace, or enclosure floor):	5.9	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
b) Top of the next higher floor (see Instructions):	16.2	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (see Instructions):	N/A	<input type="checkbox"/> feet <input type="checkbox"/> meters
d) Attached garage (top of slab):	5.3	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area):	8.1	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
f) Lowest Adjacent Grade (LAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished	5.2	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
g) Highest Adjacent Grade (HAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished	6.0	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:	5.2	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No

Check here if attachments and describe in the Comments area.

Certifier's Name: TIMOTHY S. MILLER License Number: 775
 Title: PROFESSIONAL LAND SURVEYOR
 Company Name: FORESIGHT SERVICES
 Address: 2103A COASTAL HIGHWAY
 City: DEWEY BEACH State: DE ZIP Code: 19971

Date: 12/15/2025

Telephone: (302) 226-2229 Ext.: _____ Email: TIMMILLER@FORESIGHTSERVICES.COM

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):

FLOOD OPENINGS ARE "SMART VENT" BRAND (MODEL 1540-520) CERTIFIED FOR 200 SQ. FT. OF FLOOD COVERAGE PER OPENING.
 MECHANICAL DESCRIBED IS EQUIPMENT SERVICING THE POOL LOCATED ON AN ELEVATED PLATFORM UNDER THE DECK IN THE REAR.



ELEVATION CERTIFICATE IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19 BUILDING PHOTOGRAPHS

See Instructions for Item A6.

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:
5 CAPE HENLOPEN DRIVE

City: LEWES State: DELAWARE ZIP Code: 19958

FOR INSURANCE COMPANY USE

Policy Number: _____

Company NAIC Number: _____

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.

Photo One



Photo One Caption:

FRONT VIEW
10/27/2025

Clear Photo One

Photo Two



Photo Two Caption:

LEFT SIDE VIEW
10/27/2025

Clear Photo Two

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON PAGES 9-19
BUILDING PHOTOGRAPHS

Continuation Page

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.:

5 CAPE HENLOPEN DRIVE

FOR INSURANCE COMPANY USE

Policy Number: _____

City: LEWES State: DELAWARE ZIP Code: 19958

Company NAIC Number: _____

Insert the third and fourth photographs below. Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.

Photo Three



Photo Three Caption:

REAR VIEW
10/27/2025

Clear Photo Three

Photo Four



Photo Four Caption:

RIGHT SIDE VIEW
10/27/2025

Clear Photo Four

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Monday, March 16, 2026 3:55 PM

To: matthew.trucks@gmail.com <matthew.trucks@gmail.com>

Subject: Online Form Submission #9318 for Board of Adjustment Application

Board of Adjustment Application

Type of Application	Variance
Submission Date	3/16/2026
Fee - \$1,250	
Applicant's Name	Matthew Trucks / Coastal Cottage Renovations LLC
Property Address	2004 Bay Avenue
Owner Name	Eric Eicher
Tax Parcel #	335-4.14-14.00
Zoning	R-3
Owner Address	2004 Bay Avenue
City	Lewes
State	DE
Zip Code	19958
Phone Number	240-305-0989
Email Address	ericeicher76@gmail.com

The applicant respectfully requests relief from the maximum

Application Request building height requirement of the City of Lewes Zoning Code. The property is located within Flood Hazard Zone VE10 as designated on the Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency (FEMA). Due to the requirement that the structure be elevated above the Base Flood Elevation including the required freeboard, the overall building height slightly exceeds the permitted zoning height. Relief of approximately 1.55 feet is requested to allow compliance with the City's floodplain elevation requirements.

(Section Break)

If applicant has other representation, the following information is required.

Attorney/Representative Name *Field not completed.*

Attorney/Representative Address *Field not completed.*

City *Field not completed.*

State *Field not completed.*

Zip Code *Field not completed.*

Phone Number *Field not completed.*

Email Address *Field not completed.*

(Section Break)

Instructions

Please describe how the application satisfies each of the following criterion identified in Section 197-92(B) of the Zoning Code. There is an opportunity to upload additional information including: photos, surveys, drawings, etc. at the bottom of this form.

Below the box is the description of the criteria. A complete variance submission shall have all criteria and additional considerations sections completed.

Criteria #1 The subject property is a residential parcel located within a Coastal High Hazard Area designated as VE10. Properties within this zone are subject to coastal flooding and wave action during storm events. As a result, the City of Lewes requires structures within this zone to be elevated so that the lowest

horizontal structural member is above the Base Flood Elevation including required freeboard.

Criteria # 2

The applicant proposes elevating an existing single-family dwelling designed in accordance with the floodplain management requirements applicable to VE flood zones. The structure will be elevated on an open foundation system so that the lowest structural member is above the required flood elevation in order to protect the structure from coastal flooding and storm surge.

Criteria #3

Per the City of Lewes Zoning Code, the maximum permitted building height is 35.5 feet measured from the centerline of the adjacent roadway to the highest point of the roof. Due to the required elevation of the structure above the Base Flood Elevation and required freeboard, the total building height measured from the centerline of the road to the highest point of the roof is 37.05 feet. The proposed structure therefore exceeds the permitted height by approximately 1.55 feet. The requested relief represents the minimum height necessary to allow the structure to comply with FEMA floodplain requirements.

Criteria # 4

The proposed construction will not create any nuisance or objectionable conditions. The property will continue to be used as a single-family residence consistent with surrounding properties. The requested height relief results solely from elevating the structure to comply with floodplain elevation requirements associated with Flood Zone VE10. The project will not produce additional noise, vibration, glare, odors, dust, or other impacts that would affect neighboring properties or the surrounding residential neighborhood.

Additional Considerations

The requested height relief of approximately 1.55 feet is the minimum necessary to allow the structure to comply with floodplain elevation requirements for Flood Zone VE10. Approval of this request will allow the structure to meet FEMA flood protection standards while maintaining the residential character of the surrounding neighborhood. The applicant respectfully requests approval of this application by the Lewes Board of Adjustment.

Other

If you are submitting for a Special Exception, Appeal or Beneficial Use Appeal the following criteria shall be completed.

If not applicable please type N/A in the field.

a. Harmony with the Comprehensive Plan

Elevating structures within flood-prone coastal areas supports the resiliency goals of the City of Lewes Comprehensive Plan and promotes responsible development within flood hazard areas.

b. Compatibility with the neighborhood

Elevated residential structures are common within coastal areas of Lewes due to FEMA floodplain requirements. The proposed dwelling will remain consistent with the residential character and scale of surrounding homes.

c. Impact on neighboring properties

The requested relief will not adversely affect neighboring properties. The building footprint, setbacks, and residential use remain consistent with surrounding development.

d. Nuisance conditions

The proposed structure will not create noise, glare, vibration, odors, or other objectionable conditions. The property will continue to function as a single-family residence.

e. Traffic and pedestrian safety

The proposed improvement will not alter traffic patterns or pedestrian circulation and will not create any safety concerns.

f. Public health, safety, and welfare

Elevating the structure to comply with FEMA floodplain requirements improves flood protection and reduces risk to life and property. Granting the requested relief supports the City's floodplain management objectives.

Special Exceptions *See Section 197-92(B) of the Zoning Code)

Beneficial Use Appeal or Appeal of Building Official/City Planner Determination

The practical difficulty associated with this request is directly related to the property's location within a FEMA Coastal High Hazard Area (VE10). The floodplain regulations require the structure to be elevated above the Base Flood Elevation including freeboard, which increases the overall building height when measured from the centerline of the roadway as required by the zoning ordinance. Without the requested relief, the applicant would be unable to construct a dwelling that fully complies with the floodplain protection requirements of the City of Lewes and FEMA. The requested height relief is minimal and represents the least modification necessary to meet these life safety and flood protection standards.

Additional Approvals

The proposed project will comply with all applicable regulations and will obtain all necessary permits prior to construction. These include the City of Lewes Building Permit, Floodplain Development Permit for work within VE10, and any required state or federal approvals related to coastal construction. All structural and elevation requirements will be reviewed and

approved by the appropriate agencies to ensure compliance with floodplain and building regulations.

(Section Break)

Electronic Signature Agreement	I agree
--------------------------------	---------

First M. Last	Matthew Trucks
---------------	----------------

Upload Additional Information Here	<i>Field not completed.</i>
------------------------------------	-----------------------------

Upload Additional Information 2	<i>Field not completed.</i>
---------------------------------	-----------------------------

Upload Additional Information 3	<i>Field not completed.</i>
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Payment Information - \$1,250

Please call the City to submit your payment via credit card or drop off a check to City Hall at 114 E. Third St.

Questions/Assistance

If you have questions or need assistance please contact the Planning & Building Department. 302-645-7777 ext. 120 or ext 110.

Email not displaying correctly? [View it in your browser.](#)

|

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION					FOR INSURANCE COMPANY USE	
A1. Building Owner's Name JAMES AND KATHRYN NUNNELEY					Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 2004 BAY AVENUE					Company NAIC Number:	
City LEWES		State Delaware		ZIP Code 19958		
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) TAX PARCEL #335-4.14-14.00						
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>						
A5. Latitude/Longitude: Lat. <u>38.787309</u> Long. <u>75.153436</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983						
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.						
A7. Building Diagram Number <u>1A</u> <input type="checkbox"/>						
A8. For a building with a crawlspace or enclosure(s):						
a) Square footage of crawlspace or enclosure(s) _____ 0 sq ft						
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>0</u>						
c) Total net area of flood openings in A8.b _____ 0 sq in						
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
A9. For a building with an attached garage:						
a) Square footage of attached garage _____ 605 sq ft						
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade <u>0</u>						
c) Total net area of flood openings in A9.b _____ 0 sq in						
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION						
B1. NFIP Community Name & Community Number CITY OF LEWES 100041				B2. County Name SUSSEX		B3. State Delaware <input type="checkbox"/>
B4. Map/Panel Number 10005C0192	B5. Suffix K	B6. FIRM Index Date 06/16/1995	B7. FIRM Panel Effective/ Revised Date 03/16/2015	B8. Flood Zone(s) AE AND VE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 9.0 (AE) AND 10.0 (VE)	
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____						
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____						
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA						

ELEVATION CERTIFICATE

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 2004 BAY AVENUE			Policy Number:
City LEWES	State DE	ZIP Code <input checked="" type="checkbox"/> 19958	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction

*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: PID DI0960 Vertical Datum: 3.35 FEET

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929 NAVD 1988 Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- | | | | |
|---|-------------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor) | <u>8.8</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor | <u>17.8</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only) | _____ | <input type="checkbox"/> feet | <input type="checkbox"/> meters |
| d) Attached garage (top of slab) | <u>6.8</u> | <input type="checkbox"/> feet | <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building
(Describe type of equipment and location in Comments) | <u>8.6</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG) | <u>6.6</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG) | <u>6.8</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support | <u>6.0</u> | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No Check here if attachments.

Certifier's Name RICHARD K. VETTER	License Number 10329
---------------------------------------	-------------------------

Title OWNER

Company Name RICHARD VETTER, P.E.

Address 17398 TARAMINO PLACE

City LEWES	State Delaware	ZIP Code <input checked="" type="checkbox"/> 19958
---------------	-------------------	---

Signature <i>Richard K. Vetter</i>	Date 05/20/2024	Telephone 3023590153	Ext.
---------------------------------------	--------------------	-------------------------	------

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)
AIR CONDITIONER IS LOCATED ON THE NORTH SIDE OF THE DWELLING



ELEVATION CERTIFICATE

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 2004 BAY AVENUE			Policy Number:
City LEWES	State DE	ZIP Code <input checked="" type="checkbox"/> 19958	Company NAIC Number

**SECTION E – BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED)
FOR ZONE AO AND ZONE A (WITHOUT BFE)**

For Zones AO and A (without BFE), complete Items E1–E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1–E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is _____ feet meters above or below the LAG.
- E2. For Building Diagrams 6–9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 1–2 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is _____ feet meters above or below the HAG.
- E3. Attached garage (top of slab) is _____ feet meters above or below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is _____ feet meters above or below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? Yes No Unknown. The local official must certify this information in Section G.

SECTION F – PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, and E are correct to the best of my knowledge.

Property Owner or Owner's Authorized Representative's Name

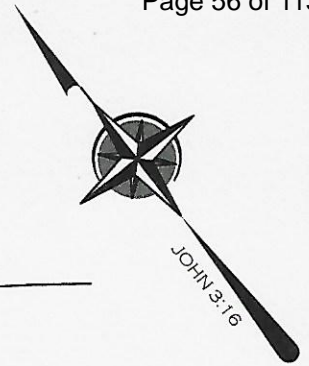
Address _____ City _____ State _____ ZIP Code _____

Signature _____ Date _____ Telephone _____

Comments

Check here if attachments.

N / F
CITY OF LEWES



S 51°55'00" E 75.00'

DNREC BRL
DRAWING NO. 15479-19555-B
SHEET 11 OF 79

DUNE FENCE 0.8'
ONTO LOT 3

DECK

DUNE FENCE

CHIMNEY

VINYL FENCE

EXISTING DWELLING
GARAGE SLAB = 6.8'
FIRST FLOOR = 8.9'
SECOND FLOOR = 17.8'
PEAK OF ROOF = 36.0'

OUTSIDE SHOWER

S 38°05'00" W 100.00' (TOTAL)

CALIFORNIA AVENUE
UNIMPROVED

LOT 3

N 38°05'00" E 100.00'

WOOD FENCE

BALCONY

25' BSL

CONCRETE DRIVEWAY

29.7'

BRICK WALK

WATER METER

22.8'

CLEAN OUT

TRASH BIN AREA

2.90'

N 51°55'00" W 75.00'

MAG NAIL CENTERLINE OF ROAD
ELEVATION = 5.3'

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.

BS
BRADLEY A. ABSHER, DE PLS # 735
DATE 1.30.26

NOTES

1. CLASSIFICATION OF SURVEY: URBAN
2. ZONE: R-3
3. BUILDING SETBACK LINES (BSL)
FRONT 25' OR ESTABLISHED BUILDING LINE
SIDE 8'
REAR DNREC BUILDING RESTRICTION LINE
ALL SETBACKS ARE THE RESPONSIBILITY OF THE HOME OWNER AND/OR GENERAL CONTRACTOR. SETBACKS SHOWN AS PER CITY OF LEWES & 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.

**BAY AVENUE
32' RIGHT OF WAY**

LEGEND

- IRON PIPE FOUND
- IRON ROD W/ CAP FOUND
- ▲ PK NAIL FOUND

TAX MAP	3-35 - 4.14 - 14.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	LEWES & REHOBOTH
CITY	LEWES
AREA	7,500 ± SQ. FT.
DEED REF.	6110 / 269
PLAT REF.	D.B. 6110 / 269
DRAWN BY	JMH / JJZ
DATE	1 / 30 / 2026
SCALE	1" = 20'
SURVEY #	DE - 11460

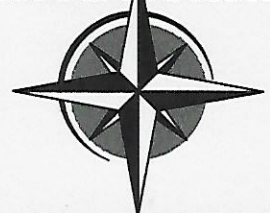
**BOUNDARY SURVEY
PLAN**

**LOT 4, BLOCK GG
LEWES BEACH**

FOR
ERIC FRANK EICHER & CYNTHIA L. EICHER

2004 BAY AVENUE, LEWES, DE 19958

TRUE NORTH



LAND SURVEYING

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

EICHER RESIDENCE

RENOVATIONS AND ALTERATIONS
2004 BAY AVE, LEWES BEACH, DELAWARE 19958



REAR RIGHT PERSPECTIVE

SCALE: NTS

FRONT LEFT PERSPECTIVE

SCALE: NTS

REAR LEFT PERSPECTIVE

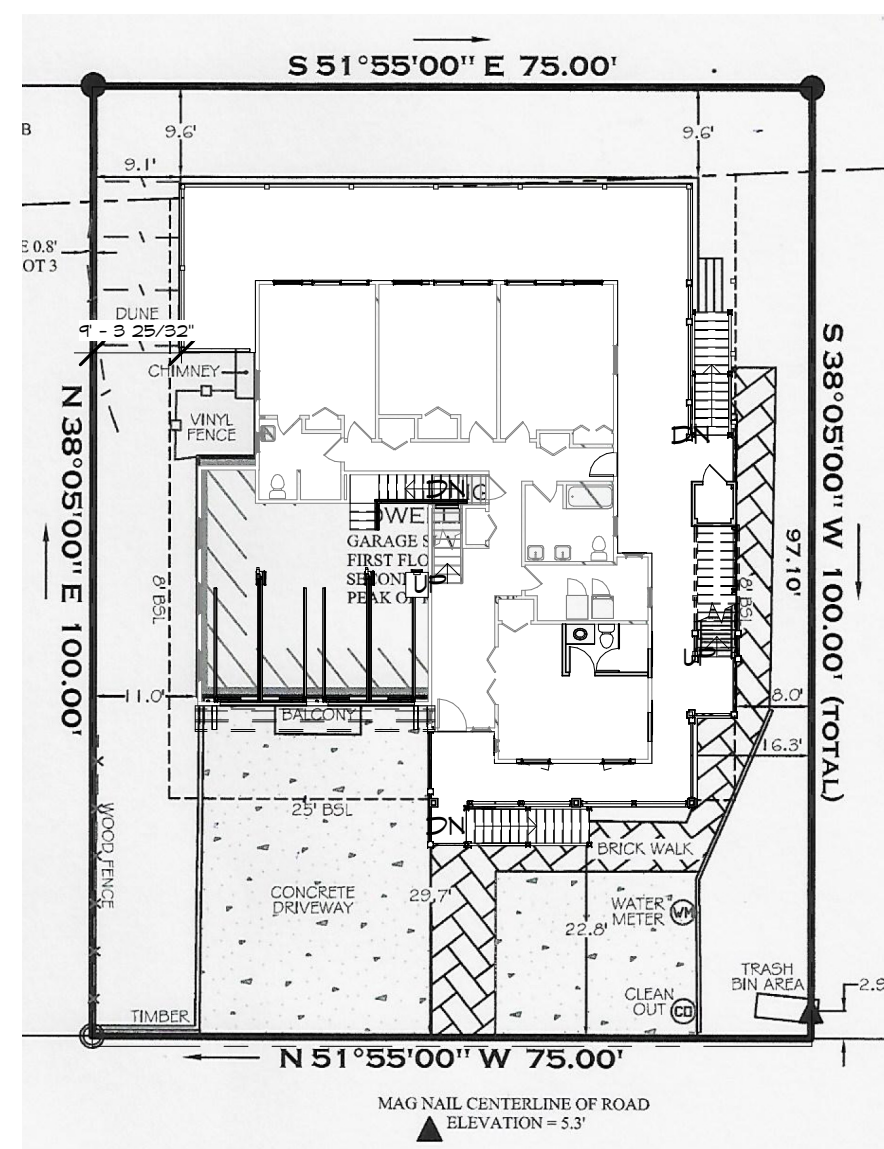
SCALE: NTS

LEGEND & SYMBOLS

	EXISTING WALLS		SECTION CALLOUT
	NEW WALLS		SMOKE DETECTOR
	ABOVE OR BEYOND EXISTG. ABOVE OR BEYOND		CARBON MONOXIDE DETECTOR
	CENTERLINE OR RIDGELINE		EXHAUST FAN
	NEW BEAM		ROOM NUMBER
	DOOR WIDTH & HEIGHT		
	WINDOW & TYPE		

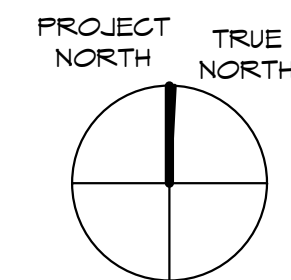
DRAWING LIST

SHEET NO.	TITLE
A0.0	COVER SHEET
A0.1	GENERAL NOTES
A1.1	PROPOSED FOUNDATION, FIRST FLOOR PLAN, & SCHEDULES
A1.2	PROPOSED SECOND FLOOR ROOF PLANS & SCHEDULES
A2.0	PROPOSED FRONT & REAR ELEVATIONS
A2.1	PROPOSED RIGHT & LEFT ELEVATIONS
A3.0	GROSS SECTIONS



SITE PLAN:

SCALE: 1" = 20'-0"



ABBREVIATIONS:

AB - ANCHOR BOLT	FF - FINISH FLOOR	PERF - PERFORATED
ABV - ABOVE	FLR - FLOOR	PL - PROPERTY LINE OR PLATE
ADJ - ADJUSTABLE	FO - FACE OF	PLAM - PLASTIC LAMINATE
AFF - ABOVE FINISHED FLOOR	FOC - FACE OF CONCRETE	PLY - PLYWOOD
ALUM - ALUMINUM	FOP - FACE OF FRAMING	PT - PRESSURE TREATED
ALT - ALTERNATE	FOIG - FURNISHED BY OWNER INSTALLED BY CONTRACTOR	PTD - PAPER TONEL DISP.
ANOD - ANODIZED	FTG - FOOTING	PVMT - PAVEMENT
APPROX - APPROXIMATE	GA - GAGE	PVC - POLYVINYL CHLORIDE
BM - BENCH MARK	GALV - GALVANIZED	RB - RUBBER BASE
BLDG - BUILDING	GB - GRAB BAR	REFR - REFRIGERATOR
BLK - BLOCK	GEN - GENERATOR	REINF - REINFORCED
BLKG - BLOCKING	GL - GLASS	REQD - REQUIRED
BO - BOTTOM OF	GLB - GLU-LAM BEAM	RM - ROOM
CB - CATCH BASIN	GR - GUARD RAIL	RO - ROUGH OPENING
CJ - CONTROL JOINT	GWB - GYPSUM WALL BOARD	ROW - RIGHT OF WAY
CL - CENTER LINE	GYP - GYPSUM	RS - ROUGH SAWN
CLG - CEILING	HB - HOSE BIB	SHT - SHEET
CMU - CONCRETE MASONRY UNIT	HC - HANDICAPPED	SAT - SUSPENDED ACOUSTICAL TILE
COL - COLUMN	HD - HOLD DOWN	SF - SQUARE FEET
COMP - COMPOSITE	HDR - HEADER	SM - SIMILAR
CONC - CONCRETE	HDW - HARDWARE	SPCG - SPECIFICATION
CONST - CONSTRUCTION	HORIZ - HORIZONTAL	STL - STEEL
CONT - CONTINUOUS OR CONTINUE	HT - HEIGHT	STOR - STORAGE
CPT - CARPET	HVAC - HEATING/VENTILATING/AIR CONDITIONING	SUSP - SUSPENDED
DBL - DOUBLE	HW - HOT WATER HEATER	SY - SYSTEM
DEMO - DEMOLISH/DEMOLITION	INSUL - INSULATION	TB - TONEL BAR
DF - DRINKING FOUNTAIN	INT - INTERIOR	T&G - TONGUE & GROOVE
DIA - DIAMETER	JT - JOINT	THK - THICK
DIM - DIMENSION	LAV - LAVATORY	TPD - TOILET PAPER DISP.
DISP. - DISPENSER	LT HT - LITE HEIGHT	TPL - TO TOP PLATE TOP OF
DR - DOOR	MAX - MAXIMUM	TOB - TOP OF BEAM
DW - DISHWASHER	MAT - MATERIAL	TOS - TOP OF SILL
DWG.S - DRAWINGS	MECH - MECHANICAL	TOW - TOP OF WALL
DWR - DRAINER	MFR - MANUFACTURER	TEL - TELEPHONE
EB - EXPANSION BOLT	MIN - MINIMUM	UR - URINAL
EJ - EXPANSION JOINT	MLD - MOLDING	UNO - UNLESS NOTED OTHERWISE
EA - EACH	MTL - METAL	VB - VAPOR BARRIER
EB - EXPANSION BOLT	NOV - NOMINAL	VENT - VENTILATION
EL - ELEVATION	NIC - NOT IN CONTRACT	VERT - VERTICAL
ELEC - ELECTRIC	NTS - NOT TO SCALE	VG - VERTICAL GRAIN W/ WITH
EN - END NAIL	O/ - ON	WD - WOOD
EQ - EQUAL	O.C. - ON CENTER	WND - WINDOW
EQUIP - EQUIPMENT	OH - OVERHEAD	WR - WATER RESISTANT
EX - EXISTING	OPG - OPENING	WWF - WELDED WIRE FABRIC
EIFS - EXTERIOR INSULATION FINISH SYSTEM	OPF - OPPOSITE	W/O - WITHOUT
EXT - EXTERIOR	OR - FLOORING	
EXP - EXPOSED		
FD - FLOOR DRAIN		
FE - FIRE EXTINGUISHER		
FEG - FIRE EXTINGUISHER AND CABINET		
FIN - FINISH		

CODE INFORMATION

CODES USED INTERNATIONAL RESIDENTIAL CODE: 2021
NATIONAL ELECTRIC CODE: 2023
INTERNATIONAL PLUMBING CODE: 2019
INTERNATIONAL ENERGY CONSERVATION CODE (IECC): 2018
NFPA 1 FIRE CODE: 2021
NFPA 101 LIFE SAFETY CODE: 2021

GENERAL INFORMATION:
BUILDING TYPE: VB
CITY ZONE: R-3
COUNTY ZONE: MR

BUILDING AREAS:

PROJECT INFO

PROJECT ADDRESS:
2004 BAY AVE, LEWES BEACH, DELAWARE 19958
PIN: 335-4.14-14.00

SCOPE OF WORK: ELEVATE HOUSE TO COMPLY WITH CURRENT CITY OF LEWES CODE. DECKS, SIDING, & WINDOW REPLACEMENT, INTERIOR RENOVATIONS.

SITE PLAN: REFERENCED FROM

BUILDER: COASTAL COTTAGE RENOVATIONS LLC,

ADDRESS:

PHONE:

Description
Date
No.

PROGRESS PRINT

EICHER RESIDENCE
2004 BAY AVE, LEWES BEACH, DELAWARE 19958
PIN: 335-4.14-14.00

COVER SHEET

SCALE: As indicated

DATE: 2026 03 16

DRAWN BY: MT

SHEET NO:

A0.0

GENERAL NOTES

INSULATION & ENERGY COMPLIANCE NOTES

1. GENERAL
 - a. ALL INSULATION INSTALLATION SHALL COMPLY WITH 2021 IRC, ENERGY CODE (IECC), AND SUSSEX COUNTY AMENDMENTS.
 - b. CONTRACTOR SHALL VERIFY ALL AREAS PRIOR TO INSTALLATION AND COORDINATE WITH MECHANICAL, ELECTRICAL, AND PLUMBING PENETRATIONS.
 - c. DO NOT COMPRESS INSULATION; MAINTAIN FULL DESIGN THICKNESS FOR R-VALUE PERFORMANCE.
2. CEILINGS / ATTICS
 - a. ATTIC INSULATION SHALL MEET MINIMUM R-VALUE REQUIREMENTS PER IRC TABLE N1102.1.2 (R49).
 - b. INSTALL INSULATION TO PROVIDE UNIFORM COVERAGE WITHOUT GAPS, VOIDS, OR COMPROMISING VENTILATION.
 - c. PROVIDE CONTINUOUS VAPOR RETARDER WHERE REQUIRED PER IRC N1102.2.13.
3. WALLS
 - a. EXTERIOR WALLS SHALL HAVE MINIMUM R-VALUE PER IRC TABLE N1102.1.2 (R21).
 - b. INSULATION SHALL BE FITTED AROUND FRAMING, OPENINGS, AND PENETRATIONS.
 - c. PROVIDE VAPOR BARRIER OR HOUSEWRAP IN ACCORDANCE WITH MANUFACTURER SPECIFICATIONS AND IRC REQUIREMENTS.
4. FLOORS / CRAWLSPACES
 - a. FLOOR INSULATION SHALL MEET MINIMUM R-VALUE PER CODE (R30 FOR FLOORS OVER UNHEATED SPACES).
 - b. CRAWLSPACE WALLS SHALL BE INSULATED AND VAPOR-SEALED PER IRC SECTION R408 AND N1102 REQUIREMENTS.
 - c. ENSURE INSULATION DOES NOT BLOCK REQUIRED VENTILATION OR DRAINAGE PATHS.
5. MASONRY CRAWL SPACE WALLS
 - a. MASONRY CRAWL SPACE WALLS SHALL BE INSULATED TO MEET IRC R408.2.2 AND ENERGY CODE REQUIREMENTS (TYPICALLY R-10 TO R-15 RIGID FOAM OR APPROVED CONTINUOUS INSULATION).
 - b. INSULATION SHALL BE SECURED TO THE INTERIOR WALL FACE USING APPROVED FASTENERS OR ADHESIVES.
 - c. PROVIDE CONTINUOUS VAPOR RETARDER OR FOIL-FACED INSULATION WHERE REQUIRED BY ENERGY CODE OR LOCAL AMENDMENTS.
 - d. INSULATION SHALL EXTEND FROM TOP OF FOUNDATION WALL TO WITHIN 4" OF GRADE AND NOT BLOCK REQUIRED VENTILATION OR ACCESS OPENINGS.
6. AIR SEALING & PENETRATION CONTROL
 - a. SEAL ALL JOINTS, CRACKS, AND PENETRATIONS AROUND WINDOWS, DOORS, PLUMBING, AND MECHANICAL PENETRATIONS WITH APPROVED AIR-SEALANT OR GASKETS.
 - b. ENSURE ATTIC ACCESS, DUCTS, AND RECESSED LIGHTING ARE AIR-SEALED PER ENERGY CODE.
7. SPECIAL / COASTAL CONSIDERATIONS
 - a. USE CORROSION-RESISTANT FASTENERS OR METAL SUPPORTS IN EXPOSED OR HIGH-HUMIDITY AREAS.
 - b. ALL EXTERIOR INSULATION AND VAPOR BARRIERS SHALL BE SUITABLE FOR COASTAL ENVIRONMENT TO PREVENT MOISTURE DAMAGE.
8. INSPECTION
 - a. ALL INSULATION AND AIR SEALING SHALL BE INSPECTED AND APPROVED PRIOR TO DRYWALL OR ENCLOSURE OF FRAMING.
 - b. CONTRACTOR SHALL PROVIDE DOCUMENTATION OF INSULATION R-VALUE AND INSTALLATION METHOD TO PERMITTING AUTHORITY IF REQUESTED.

FIRE BLOCKING & DRAFT STOPPING NOTES

1. GENERAL
 - a. ALL FIRE BLOCKING AND DRAFT STOPPING SHALL COMPLY WITH IRC 2021, R302.11 - R302.12 AND LOCAL BUILDING CODE REQUIREMENTS.
 - b. CONTRACTOR SHALL INSTALL FIRE BLOCKING IN ALL LOCATIONS REQUIRED BY CODE PRIOR TO COVERING FRAMING WITH WALL OR CEILING FINISH.
 - c. USE MATERIALS APPROVED FOR FIRE BLOCKING, INCLUDING SOLID WOOD, PLYWOOD, OSB, DRYWALL, OR LISTED FIRE-RESISTIVE MATERIALS.
2. LOCATIONS
 - a. FIRE BLOCKING SHALL BE PROVIDED AT THE FOLLOWING LOCATIONS (IRC R302.11):
 - b. TOP AND BOTTOM OF WALLS AND PARTITIONS
 - c. BENEATH FLOOR JOISTS AND CEILING JOISTS, WHERE THEY PENETRATE WALLS AT ALL VERTICAL SPACES WITHIN WALLS THAT EXCEED 10 FEET IN HEIGHT
 - d. AT THE INTERFACE OF GARAGES AND HABITABLE SPACES
 - e. AROUND CHASES, DUCTS, AND PENETRATIONS THAT PASS THROUGH WALLS, FLOORS, OR CEILINGS
3. MATERIALS & INSTALLATION
 - a. FIRE BLOCKING SHALL BE TIGHTLY FITTED TO PREVENT PASSAGE OF FIRE OR SMOKE.
 - b. SOLID WOOD BLOCKING SHALL BE 1" THICK MINIMUM; PLYWOOD OR OSB SHALL BE 1/2" MINIMUM; GYPSUM BOARD SHALL BE 1/2" MINIMUM.
 - c. FIRE BLOCKING SHALL EXTEND FULL WIDTH OR DEPTH OF CAVITY AND BE SECURELY ATTACHED.
 - d. ANY PENETRATIONS THROUGH FIRE BLOCKING (PIPES, DUCTS, CABLES) SHALL BE SEALED WITH APPROVED FIRE-RESISTIVE MATERIAL.
4. SPECIAL / COASTAL CONSIDERATIONS
 - a. USE CORROSION-RESISTANT FASTENERS OR METAL STRAPS WHERE BLOCKING ATTACHES TO METAL OR EXPOSED COASTAL FRAMING.
 - b. ENSURE FIRE BLOCKING DOES NOT INTERFERE WITH REQUIRED VENTILATION OR MOISTURE CONTROL (ATTICS OR CRAWL SPACES).
5. INSPECTION
 - a. FIRE BLOCKING SHALL BE INSPECTED AND APPROVED PRIOR TO COVERING FRAMING WITH WALLS OR CEILINGS.
 - b. PROVIDE DOCUMENTATION OR PHOTOS IF REQUESTED BY THE AUTHORITY HAVING JURISDICTION.

GENERAL NOTES

FOOTINGS & FOUNDATIONS - GENERAL NOTES

1. GENERAL
 - a. ALL FOOTINGS AND FOUNDATIONS SHALL COMPLY WITH THE 2021 IRC, SUSSEX COUNTY BUILDING CODES, AND APPLICABLE LOCAL AMENDMENTS.
 - b. CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS, SOIL BEARING CAPACITY, AND GRADE BEFORE CONSTRUCTION.
 - c. FOOTINGS AND FOUNDATIONS SHALL BE INSTALLED PER STRUCTURAL PLANS OR IRC TABLES UNLESS NOTED OTHERWISE.
 - d. DO NOT SCALE DRAWINGS; USE WRITTEN DIMENSIONS.
2. FOOTING DEPTH & SIZE
 - a. MINIMUM FOOTING DEPTH SHALL BE 24" BELOW GRADE FOR FROST PROTECTION OR AS SPECIFIED BY LOCAL CODE.
 - b. FOOTINGS SHALL BE WIDER THAN THE SUPPORTED WALL PER STRUCTURAL REQUIREMENTS.
 - c. FOOTING SIZE, LENGTH, AND THICKNESS SHALL BE PER STRUCTURAL PLANS OR IRC TABLE R403.1.3.
3. MATERIALS
 - a. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT 28 DAYS UNLESS NOTED OTHERWISE.
 - b. REINFORCEMENT SHALL BE PER STRUCTURAL PLANS; ALL REBAR SHALL BE ASTM A615 GRADE 60 OR APPROVED EQUIVALENT.
 - c. USE CORROSION-RESISTANT REINFORCEMENT IF IN COASTAL OR SALT-WATER EXPOSURE AREAS.
4. SOIL & PREPARATION
 - a. FOOTINGS SHALL BE PLACED ON UNDISTURBED OR PROPERLY COMPACTED SOIL.
 - b. REMOVE ALL VEGETATION, TOPSOIL, AND LOOSE MATERIALS FROM FOOTING AREAS.
 - c. CONTRACTOR SHALL VERIFY SUITABILITY OF SUBGRADE AND NOTIFY ARCHITECT/ENGINEER IF CONDITIONS DO NOT MEET STRUCTURAL REQUIREMENTS.
5. INSPECTION
 - a. ALL FOOTINGS, FOUNDATION WALLS, AND ANCHOR BOLTS SHALL BE INSPECTED AND APPROVED BY THE AUTHORITY HAVING JURISDICTION PRIOR TO CONCRETE PLACEMENT AND BACKFILL.
 - b. VERIFY ANCHOR BOLT LOCATIONS, SPACING, AND EMBEDMENT BEFORE POURING CONCRETE.
6. DRAINAGE & PROTECTION
 - a. PROVIDE POSITIVE DRAINAGE AWAY FROM FOUNDATIONS TO PREVENT WATER ACCUMULATION.
 - b. TEMPORARILY SUPPORT SURROUNDING STRUCTURE DURING EXCAVATION OR FOUNDATION MODIFICATIONS.
 - c. PROVIDE EROSION CONTROL AS REQUIRED DURING EXCAVATION AND CONSTRUCTION.
7. ANCHORING & COASTAL CONSIDERATIONS
 - a. FOUNDATION ANCHORS, HOLD-DOWNS, AND POST BASES SHALL BE SECURED TO RESIST WIND UPLIFT AND LATERAL LOADS IN COASTAL AREAS.
 - b. USE CORROSION-RESISTANT HARDWARE FOR EXPOSED FOUNDATION CONNECTIONS NEAR COASTAL ENVIRONMENTS.
8. WIND DESIGN AND FASTENERS:
 1. ALL STRUCTURAL ELEMENTS, ROOF FRAMING, RAFTERS, TRUSSES, WALLS, AND CONNECTORS SHALL BE DESIGNED TO RESIST WIND LOADS PER THE 2021 IRC, SUSSEX COUNTY AMENDMENTS, AND ASCE 7-16 FOR RISK CATEGORY II RESIDENTIAL STRUCTURES.
 2. DESIGN WIND SPEED: 115 MPH EXPOSURE C (or per FEMA/FIRM for site location).
 3. PROVIDE HURRICANE TIE-DOWNS, ROOF SHEATHING FASTENERS, AND METAL CONNECTORS PER MANUFACTURER SPECIFICATIONS AND TESTED WIND UPLIFT RATINGS.
 4. ALL EXTERIOR DOORS, WINDOWS, AND GARAGE DOORS SHALL BE RATED FOR DESIGN WIND PRESSURES OR PROVIDED WITH APPROVED HURRICANE PROTECTION.
 5. FASTENERS AND METAL CONNECTORS SHALL BE CORROSION-RESISTANT FOR COASTAL EXPOSURE.
 6. DECKS, PORCHES, AND EXTERIOR STRUCTURES: SHALL INCLUDE TIE-DOWNS OR HOLD-DOWNS PER IRC R501 AND R502.10.
 7. SITE-SPECIFIC CONDITIONS: CONTRACTOR TO VERIFY EXPOSURE CATEGORY AND FLOOD ELEVATION; REPORT DISCREPANCIES BEFORE CONSTRUCTION.

RESIDENTIAL DECK - GENERAL NOTES

1. GENERAL
 - a. ALL DECK CONSTRUCTION SHALL COMPLY WITH THE 2021 IRC, SUSSEX COUNTY BUILDING CODES, AND APPLICABLE LOCAL ORDINANCES.
 - b. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AND DIMENSIONS IN FIELD PRIOR TO CONSTRUCTION.
 - c. DO NOT SCALE DRAWINGS; USE WRITTEN DIMENSIONS.
 - d. ANY FIELD DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.
2. FOOTINGS & FOUNDATIONS
 - a. PROVIDE FOOTINGS PER STRUCTURAL PLANS AND LOCAL CODE MINIMUM DEPTHS (TYPICALLY 24" BELOW GRADE IN SUSSEX COUNTY FOR FROST PROTECTION).
 - b. USE CONCRETE STRENGTH ≥ 3000 PSI AND REINFORCING PER STRUCTURAL PLANS.
 - c. FOOTINGS SHALL BE PLACED ON UNDISTURBED OR COMPACTED SOIL; VERIFY BEARING CONDITIONS.
 - d. ENSURE PROPER DRAINAGE AWAY FROM FOOTINGS AND FOUNDATION.
3. FRAMING & FASTENERS
 - a. ALL POSTS, BEAMS, AND JOISTS SHALL BE PRESSURE-TREATED OR DECAY-RESISTANT LUMBER.
 - b. PROVIDE HURRICANE TIE-DOWNS AND HOLD-DOWNS AT ALL POSTS AND BEAMS PER IRC R501 AND WIND LOAD REQUIREMENTS.
 - c. USE CORROSION-RESISTANT NAILS, SCREWS, AND CONNECTORS APPROVED FOR COASTAL ENVIRONMENTS (DECK FASTENERS, JOIST HANGERS, POST BASES, SIMPSON STRONG-TIE LUS20Z OR EQUIVALENT).
 - d. FRAMING MEMBERS SHALL BE SIZED PER IRC SPAN TABLES OR STRUCTURAL PLANS.
 - e. JOIST HANGERS AND POST-TO-BEAM CONNECTIONS SHALL BE INSTALLED PER MANUFACTURER INSTRUCTIONS.
4. DECKING
 - a. DECKING SHALL BE PRESSURE-TREATED WOOD OR APPROVED COMPOSITE MATERIAL (WOOD SPECIFIED IN PLANS).
 - b. PROVIDE MINIMUM DECK BOARD SPACING FOR DRAINAGE AND VENTILATION (TYPICALLY 1/8" - 1/4").
 - c. FASTEN DECK BOARDS WITH CORROSION-RESISTANT FASTENERS; DO NOT USE STANDARD GALVANIZED NAILS IN COASTAL AREAS.
5. RAILINGS & GUARDS
 - a. PROVIDE GUARDS ON ALL DECKS ≥ 30" ABOVE GRADE PER IRC R312.
 - b. GUARDS SHALL BE MINIMUM 36" HIGH; HANDRAILS WHERE REQUIRED SHALL BE MINIMUM 34"-38" ABOVE TREAD NOSING.
 - c. SPINDLES/INFILL SHALL NOT ALLOW A 4" SPHERE TO PASS THROUGH.
 - d. RAILS AND POSTS SHALL BE SECURELY ANCHORED AND CAPABLE OF WITHSTANDING 200 LB LATERAL LOAD.
6. STAIRS
 - a. STAIRS SHALL COMPLY WITH IRC R311/R312 (RISER HEIGHT, TREAD DEPTH, HEADROOM, AND HANDRAIL).
 - b. PROVIDE CORROSION-RESISTANT FASTENERS AND SUPPORTS FOR ALL STAIR STRINGERS AND LANDINGS.
7. VENTILATION & DRAINAGE
 - a. DECKS SHALL HAVE MINIMUM 1/4" PER FOOT SLOPE AWAY FROM STRUCTURE FOR DRAINAGE.
 - b. PROVIDE VENTILATION UNDER DECK FRAMING TO PREVENT MOISTURE BUILDUP.
8. WIND & COASTAL NOTES
 - a. ALL DECKS IN SUSSEX COUNTY SHALL BE ANCHORED TO RESIST DESIGN WIND SPEEDS (115 MPH EXPOSURE C) AND UPLIFT PER IRC AND ASCE 7.
 - b. USE CORROSION-RESISTANT HARDWARE FOR ALL EXPOSED AND CONNECTED ELEMENTS IN COASTAL ENVIRONMENTS.
 - c. POST BASES, JOIST HANGERS, AND METAL CONNECTORS SHALL BE RATED FOR WIND AND COASTAL EXPOSURE.
9. PERMIT & INSPECTIONS
 - a. OBTAIN ALL REQUIRED BUILDING PERMITS BEFORE CONSTRUCTION.
 - b. INSPECTIONS MAY BE REQUIRED FOR FOOTINGS, FRAMING, FASTENERS, AND FINAL COMPLETION.

GENERAL NOTES

1. ALL CONSTRUCTION SHALL COMPLY WITH THE 2021 INTERNATIONAL RESIDENTIAL CODE (IRC) AND ALL APPLICABLE LOCAL CODES.
 2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN FIELD PRIOR TO CONSTRUCTION.
 3. DO NOT SCALE DRAWINGS; USE WRITTEN DIMENSIONS.
 4. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT PRIOR TO PROCEEDING.
- EXISTING WORK
1. "EXISTING" ELEMENTS SHOWN ON PLANS REPRESENT THE CONDITIONS AS SURVEYED. BUILDER TO VERIFY ALL EXISTING CONDITIONS.
 2. EXISTING STRUCTURAL ELEMENTS TO REMAIN SHALL BE PROTECTED DURING DEMOLITION AND NEW CONSTRUCTION.
 3. EXISTING MATERIALS TO REMAIN SHALL BE PATCHED AND REPAIRED AS REQUIRED TO MATCH NEW WORK WHERE NOTED.
- DIMENSIONS & LAYOUT
1. DIMENSIONS ARE TO FACE OF FRAMING UNLESS NOTED OTHERWISE.
 2. WALL THICKNESSES AND FINISHES ARE TYPICAL UNLESS NOTED.
 3. ALL DOORS AND WINDOWS TO BE INSTALLED PER MANUFACTURER'S REQUIREMENTS.
- EGRESS & LIFE SAFETY
1. PROVIDE MINIMUM ONE EGRESS DOOR AND EGRESS WINDOWS PER IRC R310 WHERE REQUIRED.
 2. SMOKE ALARMS AND CARBON MONOXIDE ALARMS SHALL BE INSTALLED PER IRC R314 AND R315.
 3. GUARDS AND HANDRAILS SHALL COMPLY WITH IRC R312 AND R311.
- STRUCTURAL / FRAMING
1. ALL LOAD-BEARING WALLS SHALL BE AS INDICATED OR VERIFIED IN FIELD.
 2. PROVIDE HEADERS OVER ALL OPENINGS PER STRUCTURAL PLANS OR IRC TABLES.
 3. FLOOR FRAMING SHALL BE DESIGNED FOR REQUIRED LIVE AND DEAD LOADS.
- CEILINGS & HEIGHTS
1. HABITABLE ROOMS SHALL HAVE MINIMUM 7'-0" CEILING HEIGHT UNLESS NOTED OTHERWISE.
 2. BATHROOMS, HALLWAYS, AND BASEMENTS SHALL COMPLY WITH MINIMUM HEIGHT REQUIREMENTS PER IRC.
- STAIRS
1. STAIRWAYS SHALL COMPLY WITH IRC R311 INCLUDING RISER HEIGHT, TREAD DEPTH, HEADROOM, AND HANDRAILS.
 2. STAIR WIDTHS AND LANDINGS SHALL BE AS REQUIRED BY CODE.
- ACCESSIBILITY (RESIDENTIAL)
1. DOORWAYS SHALL PROVIDE MINIMUM CLEAR WIDTH PER IRC WHERE REQUIRED.
 2. BATHROOM FIXTURE CLEARANCES SHALL COMPLY WITH IRC AND MANUFACTURER REQUIREMENTS.
- PLUMBING / MECHANICAL / ELECTRICAL
1. PLUMBING FIXTURES AND LAYOUT SHOWN FOR COORDINATION ONLY. SEE MEP PLANS IF INCLUDED.
 2. MECHANICAL SYSTEMS SHALL PROVIDE REQUIRED VENTILATION AND COMPLY WITH IRC M CHAPTERS.
 3. ELECTRICAL INSTALLATION SHALL COMPLY WITH NEC AND LOCAL AMENDMENTS.
- INSULATION & ENERGY
1. INSULATION AND AIR SEALING SHALL COMPLY WITH IRC CHAPTER 11 AND ENERGY CODE REQUIREMENTS.
 2. PROVIDE VAPOR RETARDERS AND AIR BARRIERS AS REQUIRED.
- FIRE SEPARATION
1. GARAGE WALLS AND CEILINGS ADJACENT TO HABITABLE SPACES SHALL BE FIRE-RESISTIVE PER IRC R502.
 2. DOORS BETWEEN GARAGE AND HOUSE SHALL BE SELF-CLOSING AND RATED AS REQUIRED.
- COORDINATION
1. VERIFY ALL STRUCTURAL, MECHANICAL, ELECTRICAL, AND PLUMBING PENETRATIONS PRIOR TO INSTALLATION.
 2. ALL CHANGES TO PLANS REQUIRE APPROVAL FROM ARCHITECT AND AUTHORITY HAVING JURISDICTION.
1. SITE AND CIVIL COORDINATION
- A. VERIFY ALL EXISTING SITE CONDITIONS, GRADES, EASEMENTS, SETBACKS, AND FLOOD ZONES PRIOR TO CONSTRUCTION.
 - B. PROTECT EXISTING LANDSCAPING, PAVEMENTS, AND HARDSCAPE DURING CONSTRUCTION.
 - C. MAINTAIN EROSION AND SEDIMENT CONTROL PER LOCAL REGULATIONS.
 - D. COORDINATE WITH CIVIL DRAWINGS FOR DRIVEWAYS, PATIOS, DECKS, AND SITE DRAINAGE.
2. CODE & PERMIT REFERENCES
- A. ALL WORK SHALL COMPLY WITH THE 2021 INTERNATIONAL RESIDENTIAL CODE (IRC) AND SUSSEX COUNTY AMENDMENTS.
 - B. OBTAIN ALL REQUIRED PERMITS (BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, DEMOLITION, GRADING, FLOOD ZONE) BEFORE STARTING WORK.
 - C. WORK INSPECTED BY AUTHORIZED COUNTY INSPECTORS AT REQUIRED STAGES.
3. MATERIALS & WORKMANSHIP
- A. ALL MATERIALS SHALL BE NEW, CODE-COMPLIANT, AND APPROVED FOR INTENDED USE.
 - B. WORKMANSHIP SHALL BE OF PROFESSIONAL, TRADE-STANDARD QUALITY.
 - C. MATCH EXISTING FINISHES WHERE NEW WORK ABUTS OR REPAIRS EXISTING CONSTRUCTION.
4. COORDINATION NOTES
- A. COORDINATE ALL DISCIPLINES (ARCHITECTURAL, STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, SITE) TO AVOID CONFLICTS.
 - B. CONTRACTOR SHALL VERIFY DIMENSIONS AND CONDITIONS IN THE FIELD.
 - C. REPORT DISCREPANCIES IMMEDIATELY TO THE DESIGN PROFESSIONAL BEFORE PROCEEDING.
5. SAFETY
- A. MAINTAIN OSHA JOBSITE SAFETY REQUIREMENTS.
 - B. PROVIDE TEMPORARY PROTECTION FOR OCCUPANTS, UTILITIES, AND ADJACENT PROPERTIES.
 - C. ENSURE FIRE SAFETY, BARRICADES, AND EGRESS ARE MAINTAINED AT ALL TIMES.
6. TEMPORARY FACILITIES
- A. CONTRACTOR TO PROVIDE TEMPORARY UTILITIES, ACCESS, AND STORAGE AS NEEDED.
 - B. MAINTAIN CONSTRUCTION TRAFFIC ROUTES AND LIMIT IMPACT ON NEIGHBORS.
7. ENVIRONMENTAL & ENERGY
- A. MINIMIZE DUST, NOISE, AND ENVIRONMENTAL IMPACT DURING CONSTRUCTION.
 - B. COMPLY WITH ENERGY CODE REQUIREMENTS (INSULATION, AIR BARRIERS, VENTILATION).
 - C. RECYCLE OR LEGALLY DISPOSE OF CONSTRUCTION DEBRIS.
8. DOCUMENTATION
- A. MAINTAIN AS-BUILT DOCUMENTATION AND VERIFY ALL CHANGES MADE DURING CONSTRUCTION.
 - B. SUBMIT FINAL INSPECTION APPROVALS AND WARRANTIES TO THE OWNER AND PERMITTING AUTHORITY.
9. FLOOD ZONE / COASTAL NOTES (IF APPLICABLE)
- A. ALL CONSTRUCTION SHALL COMPLY WITH FEMA FLOOD ELEVATION REQUIREMENTS IF IN AE/VZ ZONE.
 - B. MECHANICAL, ELECTRICAL, AND PLUMBING EQUIPMENT SHALL BE ELEVATED PER FLOOD CODE.
 - C. USE CORROSION-RESISTANT MATERIALS AND FASTENERS FOR ALL EXTERIOR AND ROOF ASSEMBLIES IN COASTAL AREAS.

Description

Date

No.

PROGRESS PRINT

EICHER RESIDENCE
2004 BAY AVE, LEWES BEACH, DELAWARE 19958
PIN: 335-4.14-14.00

GENERAL NOTES

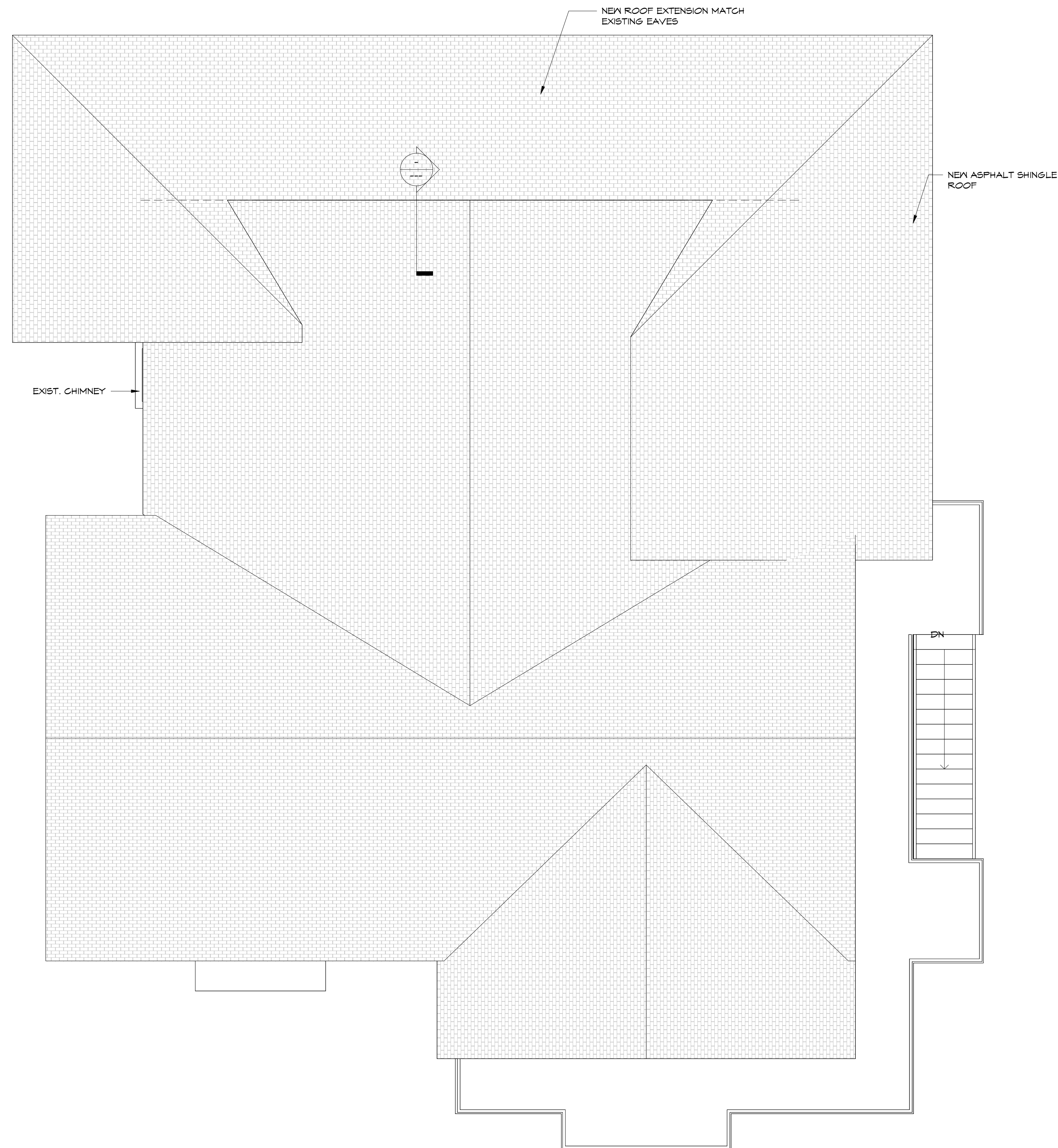
SCALE:

DATE: 2026 03 16

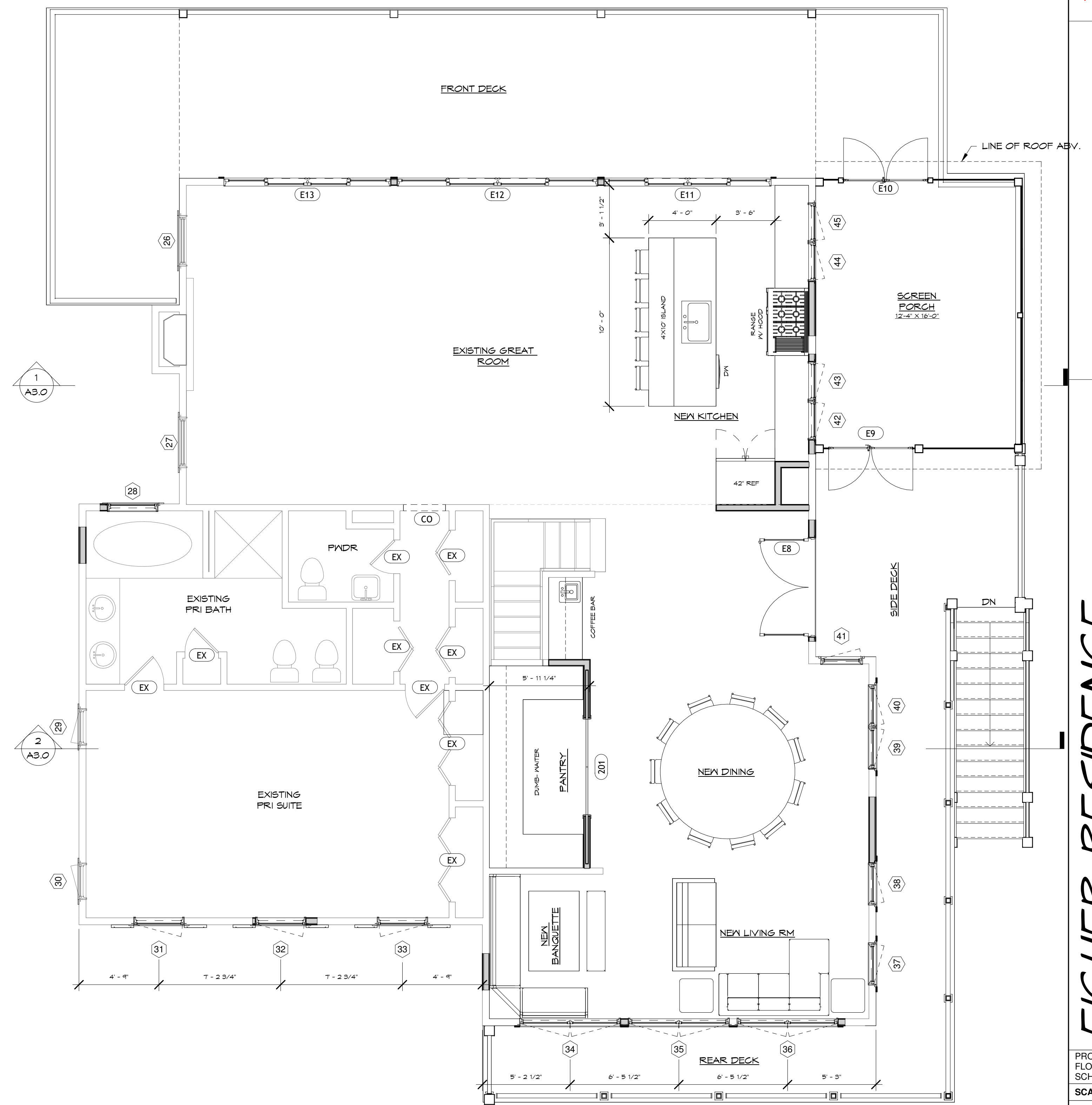
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2 PROPOSED ROOF PLAN
1/4" = 1'-0"



1 PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"

No. Date Description

PROGRESS PRINT

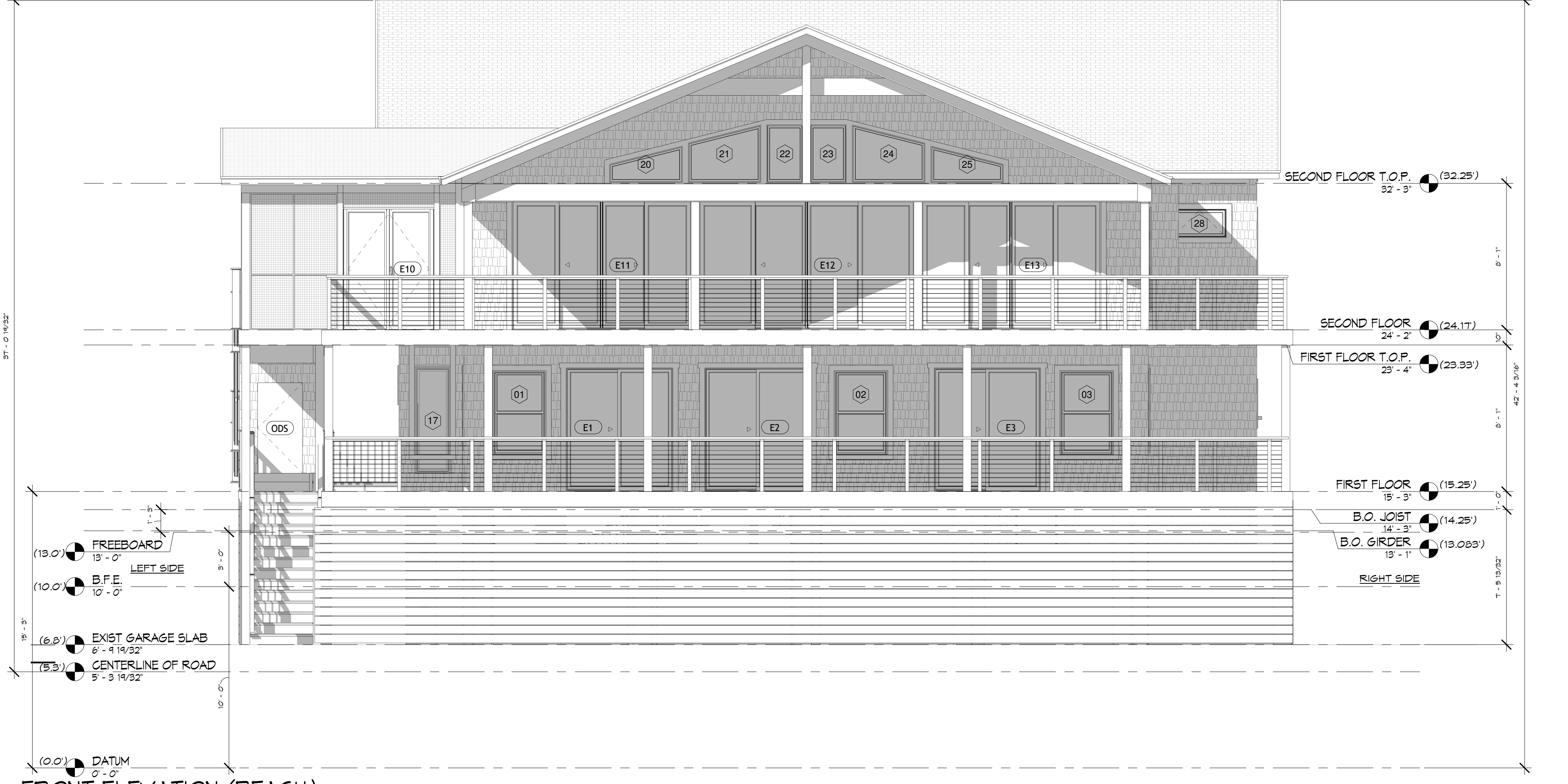
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2004 BAY AVE, LEWES BEACH, DELAWARE 19958
PIN: 335-4.14-14.00

PROPOSED SECOND FLOOR ROOF PLANS & SCHEDULES
SCALE: 1/4" = 1'-0"
DATE: 2026 03 16
DRAWN BY: MT
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2 REAR ELEVATION (BAY AVE)
1/4" = 1'-0"
37.05' FROM CENTERLINE OF ROAD



1 FRONT ELEVATION (BEACH)
1/4" = 1'-0"

No.	Date	Description

PROGRESS PRINT

EICHER RESIDENCE
2004 BAY AVE, LEWES BEACH, DELAWARE 19958
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PROPOSED FRONT & REAR ELEVATIONS
SCALE: 1/4" = 1'-0"
DATE: 2026 03 16
DRAWN BY: MT
SHEET NO:
A2.0



2 RIGHT ELEVATION
1/4" = 1'-0"



1 LEFT ELEVATION
1/4" = 1'-0"

Description
Date
No.

PROGRESS PRINT

EICHER RESIDENCE
2004 BAY AVE, LEWES BEACH, DELAWARE 19958
PIN: 335-4.14-14.00

PROPOSED RIGHT & LEFT ELEVATIONS

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

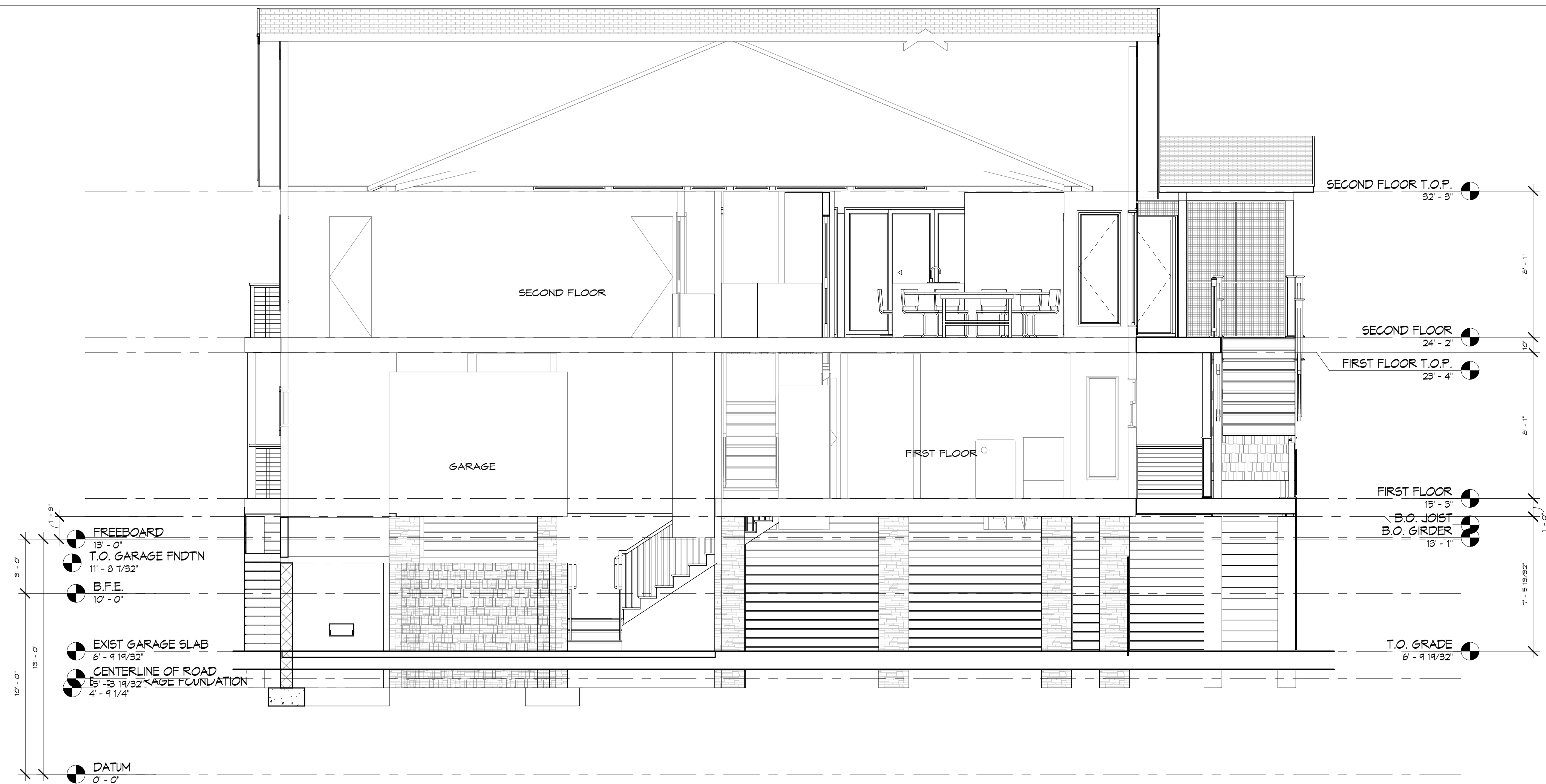
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② CROSS SECTION RIGHT TO LEFT 2
1/4" = 1'-0"



① CROSS SECTION RIGHT TO LEFT 1
1/4" = 1'-0"

Description

No. Date

PROGRESS PRINT

EICHER RESIDENCE
2004 BAY AVE, LEWES BEACH, DELAWARE 19958
PIN: 335-4.14-14.00

CROSS SECTIONS

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

DATE: 2026 03 16

DRAWN BY: MT

SHEET NO:

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The City of Lewes



The First Town In The First State

**PUBLIC HEARING NOTICE
TUESDAY MAY 5th, 2026, AT 10:00 AM
CITY HALL COUNCIL CHAMBERS
114 E. THIRD STREET LEWES, DE**

The Lewes Board of Adjustment will hold a PUBLIC HEARING on Tuesday, May 5th, 2026, starting at 10:00 A.M. in the Council Chambers at 114 E. Third St., Lewes, DE to consider the following:

V-5-26 - Request from William Huntley seeking a variance for relief from side yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 323 Park Avenue, tax Parcel: 3-35-8.07-258.00. Zoning R-4 (H).

V-6-26 - Request from Douglas M. Warner, P.E, on behalf of Michele Rollins, seeking a variance for relief from front yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 1612 Bay Avenue, tax Parcel: 334-4.15-3.00. Zoning R-3.

V-7-26 - Request from Krista McLean and Joseph McLean seeking a variance for relief from side yard setbacks. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 5 Cape Henlopen Drive, tax Parcel: 335-4.20-180.02. Zoning R-3.

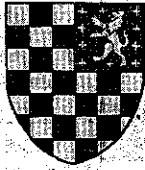
V-8-26 – Request from Matthew Trucks of Coastal Cottage Renovations, on behalf of Eric Eicher seeking a variance for relief from the maximum building height requirements for properties located within the FEMA flood zones. (Chapter 197 – Attachment 2 – Table 2 of Dimensional Regulations) The property is located at 2004 Bay Avenue, tax Parcel: 335-4.14-14.00. Zoning R-3.

V-9-26 – Request from Neil Shister and Catherine Clarke to appeal a decision of the Historic Preservation and Architectural Review Commission in accordance with §197-91 of the City of Lewes Code - *Administrative review; appeal of administrative decisions and determinations.* The property is located at 311 Park Avenue, tax parcel 335-8.07-252.00. Zoning R-4 (H).

For questions regarding this application contact Jon Ward, the City of Lewes Building Official at (302) 645-7777 ext. 136 or via email at jward@ci.lewes.de.us.

ASA-04/13/2026

The City of Lewes



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For questions regarding this application contact Jon Ward, the City of Lewes Building Official at (302) 645-7777, ext. 136 or via email at jward@ci.lewes.de.us.

*Acc 4 Bay A
Eiche*



CITY OF LEWES
NOTICE
MEETING / PUBLIC HEARING
 OWNER NAME: *Eric Eiche*
 DATE & TIME: *Tuesday, July 26, 2022, 6:00 PM*
 LOCATION: *City of Lewes, 300 S. 1st St., Lewes, DE 19758*
 DESCRIPTION: *Accessory Dwelling Unit*

For more information, please contact the City of Lewes Planning Department at 300 S. 1st St., Lewes, DE 19758. Phone: 302.326.1234. Fax: 302.326.1235. Email: planning@cityoflewes.com

APR 17 2026 2:49 PM



Alex C. Burns, Esq.
 (302) 645-2262
 Aburns@lawbmf.com

April 30, 2026

VIA EMAIL

City of Lewes Board of Adjustment
 114 E. Third Street
 P.O. Box 227
 Lewes, DE 19958
aakgoren@ci.lewes.de.us

RE: City of Lewes Board of Adjustment Application V-9-26 -311 Park Avenue

Dear Chair Grier-Reynolds and Members of the Board:

I am writing regarding Item C.5 on the Tuesday, May 5, 2026, agenda of the Lewes Board of Adjustment. This matter concerns an appeal filed by the property owners of a determination issued by the Building Official on or about March 11, 2026.

The determination at issue involves the issuance of a Stop Work Order on the original portion of the structure located at 311 Park Avenue and requires the property owners to obtain additional approvals, including an amended building permit, a revised Historic Preservation and Architectural Review Commission (“HPARC”) review, a demolition permit, and compliance with fire sprinkler requirements, prior to resuming work on the original structure.

Enclosed for the Board’s consideration are City staff’s submissions, consisting of the following: the January 8, 2026 application to HPARC regarding the property; photographs submitted in connection with that application; the Chair and Staff Review approval letters relating to the project; the building permit issued for the property; the Stop Work Order; photographs associated with the Stop Work Order; a related letter from the City Manager; and the Board of Adjustment appeal application.

For clarification purposes only, a prior version of the agenda described this item as an “appeal of a decision of the Historic Preservation and Architectural Review Commission.” As of this morning, the current agenda reflects this item as an “appeal of a decision of the Building Official,” which is the correct characterization.

Please do not hesitate to contact me if you require any additional information.

Baird Mandalas Brockstedt & Federico, LLC
Page 2

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Alex Burns", with a long, sweeping horizontal stroke at the end.

Alex C. Burns, Esq.

Cc: Barrett Edwards, Board Attorney
Ellen Lorraine, City Manager
Jon Ward, Building Official

EXHIBITS

The City of Lewes



Historic Preservation Architectural Review Commission Application

Date: 1/8/2026

Name of Property Owner: Catherine Clarke & Neil Shister

Address of Property Owner: 314 Mulberry St. Lewes, DE

Phone Number of Property Owner: 202-468-3434

Email Address of Property Owner (optional):

Name of Applicant (if not owner): Kenny Morris

Address of Applicant (if not owner): 12555 Pine St. Milton, DE

Phone Number of Applicant (if not owner): 302-745-3989

Email Address of Applicant (optional): mbllc08@comcast.net

Applicant's Interest in Property: Builder

Address/Location of Property: 311 Park Ave Lewes, DE

Sussex County Tax Map & Parcel Number: 335-8.07 Parcel 252

Description of proposed work being reviewed:

Framing Repairs as outlined in the attached letter and photos.

Number of packets required: 2

Items Required: See attached application & material checklists

Prior to the completion of an application, it is recommended that the property owner/applicant set up a pre-application meeting with the Building Department to discuss the review process, submission requirements and review criteria as noted in Chapter 197, Article VI, Section 197-56 through 59 of the City Ordinance. The completed application and supporting documentation must be received at least two weeks (10 working days) prior to a regular scheduled meeting in order to be placed on the meeting agenda. Applicants or their designee must attend the meeting in order for their application to be heard. Regularly scheduled meetings are held on the first Thursday of each month at 6:00 pm in the Council Chambers of City Hall or Rollins Center.

Signature of Property Owner/Applicant:

 1/8/26

Hello,

Upon commencing the renovation of 311 Park Avenue we discovered several issues seen in the attached photos that need to be fixed:

Photo #1

The wood siding and Homasote sheathing without any type of moisture barrier has caused extensive water damage and rotting to the bottom of the walls.

Photo #2

The house was originally built with a nearly flat roof consisting of Homasote sheathing and rolled roofing, that must be removed.

Photo #3

None of the hip roof rafters are structurally supported or connected to the existing walls, they are simply toenailed into the Homasote roof sheeting.

We have proposed to the Building Official to remove the existing roofs, reframe the walls to eliminate the water damage and rotting as well as allowing the new rafters to be structurally supported and connected to the walls.

The Building Official has agreed that this method would be accepted and approved by the building department and other applicable city departments, but it will need to be approved by the HPARC.

I would like to clarify that this application is not asking for any changes to the finished façade as it was previously approved by the HPARC.

Sincerely,

Ken Morris

The City of Lewes



Chair & Staff Decision Notice

HISTORIC PRESERVATION ARCHITECTURAL REVIEW COMMISSION

Applicant Number: C&S 2 - 26

Applicant: Kenny Morris 12555 Pine St, Milton, DE 19968

Property Address: 311 Park Ave, Lewes, DE 19958; (SCTM 335-8.07-252.00) R-4(H), (contributing)

Contributing Structure **Non-Contributing Structure**

Date of Review: January 14, 2026

Item(s) for Decision: The applicants are requesting framing repairs, roof replacement, and wall reconstruction to account for water-damaged structures that were found once work had been underway.

HPARC Decision:

- Approved as submitted*
- Approved with conditions described below*
- Denied for reason(s) described below
- Withdrawn with comments

*HPARC approval is valid for one year from the date of this Notice.

NOTE: The repairs are approved as requested to maintain structural integrity of the building. The applicants will submit their material choices and color for roofing materials for Chair & Staff review as soon as is possible.

Lewes Historic District Zoning Code

Chapter 197 – 58 Historic District or properties review process H

“Changes to an HPARC approved project prior or during construction shall require review and approval by HPARC. For such changes, the applicant shall submit one copy of the original application and description of the proposed changes as well as any supporting documentation to illustrate the effect or no effect of such proposed changes. Consideration of such changes shall be placed at the top of HPARC’s agenda at the next regularly scheduled meeting or may be considered for approval by a Chair/staff review.”

R. Kevin Mallinson

R. Kevin Mallinson, PhD
Signature of HPARC Chair

The First Town in the First State

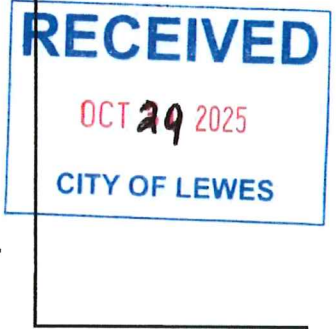
Revised: June 26, 2024

The City of Lewes

PERMIT FEE: \$ 27,330.00
Acc #422

PERMIT # _____

APPLICATION # 8358



R-4 HIS
NO KILN

BUILDING PERMIT APPLICATION RENOVATION/ADDITION/DEMOLITION

-PLEASE NOTE-

- A copy of the signed contract between the Property Owner and the Contractor **NEEDS** to be included when the application is submitted to the City.
- A City of Lewes Permit is Required prior to applying for a Sussex County Permit. A Sussex County Permit is also Required to work commencing.
- A copy of the property survey may be needed with completed application.
- All subcontractors are required to have a **VALID** City of Lewes Business License.
- AS-Built Survey may be required prior to the final inspection.

APPLICANT INFORMATION

NAME(s): Morris Builders LLC
 EMAIL: mbllc08@comcast.net PHONE #: 302-745-3989

PROPERTY OWNER(S) INFORMATION

Check box if information is same as above (Owner Occupied:

NAME(s): Cait Clarke/Neil Shister EMAIL: caittclarke@gmail.com
 ADDRESS: 314 Mulberry St. Lewes, DE 19958 PHONE #: 202-468-3434

CONTRACTOR INFORMATION

Check box if information is same as Applicant Information

CONTRACTOR(S) NAME: Kenny Morris/Morris Builders LLC
 CONTRACTOR(S) EMAIL: _____ PHONE #: _____
 ESTIMATED COMPLETION DATE: 2026 Business License #: 25-00563

TOTAL CONSTRUCTION/ PROJECT COST PER CONTRACT: \$ 911,000

PROPERTY INFORMATION

TRANSFER DATE: 2021
 STREET NAME: Park Ave.

HOUSE NO. 311 LOT NO. _____ TAX MAP NO 3.35-8.07 PARCEL NO. 252.00
 TYPE OF CONSTRUCTION (Rooms, Deck, Shed, Fence, Roof, Street Break, Etc.) Siding Repair- Asbestos: Y

Renovation and Addition as per plans

APPLICANT SIGNATURE:

DATE: 10/29/2025

MORRIS BUILDERS LLC
12555 PINE ST
MILTON, DE 19968
302-745-3989

September 25, 2025

Cait Clarke & Neil Shister
314 Mulberry St.
Lewes, De 19958

We hereby propose to supply all materials and labor necessary for the completion of a new home located at 311 Park Ave. Lewes, De. Specifications of this home are as listed below or as noted on blueprints and shall meet all applicable codes to the City of Lewes.

Specifications of proposed project

Permits

Blueprints to be supplied by Morris Builders, LLC.

All necessary city and county permits to be obtained by Morris Builders, LLC.

Cost of all permits to be added to this contract price.

Lewes Building permit and plan review
Lewes Plumbing permit
Sussex County Electric permit
Sussex County Building permit

Foundation

12" x 24" concrete footer.

5 course blocks as per drawings.

Crawl space wrapped in reinforced poly with perimeter drain and sump pump.

Foundation backfilled and lot rough graded.

Framing

2 x 8 pressure treated plates with flashing and sill seal.

Wood I joists 1st & 2nd floor.

2 x 6 x 9' exterior walls @ 16 o.c. 1st floor (8' 2nd floor).

2 x 4 x 9' interior walls @ 16 o.c. (8' 2nd floor).

Advantech T&G subfloor

7/16 OSB wall and roof sheathing.

Tyvek house wrap.

Exterior Finishes

Nichiha Sierra Premium Shake with custom color to match studio on site.

White composite lineal trim on windows and doors.

White composite fascia and soffit.

White seamless aluminum gutters.

30 year Elk architectural shingles.+

Andersen 400 series windows and doors, no grilles. (white interior, white exterior).

Thermatru Smoothstar fiberglass entry doors

Interior Finishes

1/2" drywall taped and finished on all walls and ceilings.

Solid core molded interior doors.

Paint: Ceilings and closets flat white, walls cut in for homeowners choice of 5 flat colors, and all trim 2 coats white semi-gloss.

Painted recessed panel kitchen cabinets and vanities.

Granite counter tops with stainless kitchen sink and white china vanity bowls (Allowance C Level, and Vanities priced as remnants).

#1 common oak solid hardwood flooring on entire 1st & 2nd floor except bathrooms and laundry room to be tile.

Tile allowance for bathroom floors, laundry room and 2 showers \$4.00 sq ft.

Lever style door knobs throughout.

Wire closet shelving throughout.

Appliance allowance \$10,000.00.

Stairs to be oak tread and white risers between walls, oak rails with white square spindles.

Plumbing

PVC and CPVC water and sewer per code.

Connections to central water and sewer existing on the lot.

Navian tankless water heater with recirculating lines.

Kitchen garbage disposal.

Custom Tile showers on 1st floor and white acrylic units on 2nd floor.

Moen kitchen and bath faucets.

2 outside hose bids.

Electrical

Overhead service line to meter.

200 amp panel / wiring per code.

Lighted exhaust fans in bathroom.

Fan / Light wiring in bedrooms, living rooms.

Lighting fixture allowance \$8,500.00.

Heating and Air Conditioning

American Standard Heat Pumps 1st and 2nd floor.
Metal trunk lines wrapped with insulation in attic area.
Minimal length flex take offs to registers.
Equipment located in crawl space and attic area.

Insulation

2" foam inside foundation walls.
R-21 2 x 6 walls.
R-13 2 x 4 walls.
R-48 ceilings.

Misc.

Any changes to specifications deemed necessary due to land conditions will become an extra cost.
This contract does not imply any warranty against dampness from hydrostatic pressure, or any other climate induced conditions.
This contract does not include the cost of permits, surveys, HOA fees, transfer taxes, Impact fees, fill dirt, or gas supply.
Final grading and all landscaping by others.
If any material costs increase by 5% or more homeowner will be charged the increased amount on a per draw basis.

All material is guaranteed to be new, as specified, and the above work to be performed in accordance with the drawings and specifications submitted for the above work in a substantial workmanlike manner, and in compliance with all applicable building codes, for the sum of Nine Hundred Eleven Thousand Dollars (\$911,000.00).

\$10,000.00 upon acceptance of contract.

Subsequent draws as per Community Bank draw schedule.

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders and will become an extra charge that is due in full prior to any change order being started. Homeowners to carry fire, tornado, and any other necessary insurance on the above work. Public Liability and workers compensation insurance to be carried by Morris Builders, LLC and all Sub-Contractors. All parties involved shall keep in effect and supply copies upon request of insurance policies from commencement of work through total completion of work specified on contract.


Landowner must have a Builders Risk Policy in effect prior to construction.

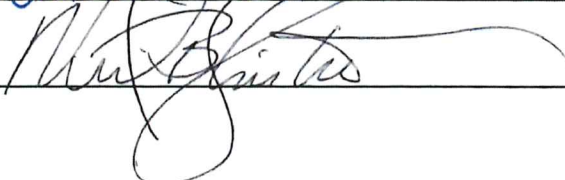
Respectfully Submitted,



Kenny Morris
Morris Builders, LLC

Acceptance of Proposal:

Signature  Date Aug 29, 2025

Signature  Date 09/29/2025

LOT AND LOCATION SURVEY PLAN
LANDS OF "THE ESTATE OF
MILDRED R. PURNELL"

ALSO KNOWN AS: "311 PARK AVENUE,
LEWES, DE"

SITUATE IN: "LEWES AND REHOBOTH
HUNDRED" CITY OF LEWES
SUSSEX COUNTY * STATE OF DELAWARE
TAX MAP #: 335-8.07 PARCEL 252.00
DEED REFERENCE: DB 698, PG 417

ZONING CLASSIFICATION: R-4 HISTORIC

YARD REQUIREMENTS:

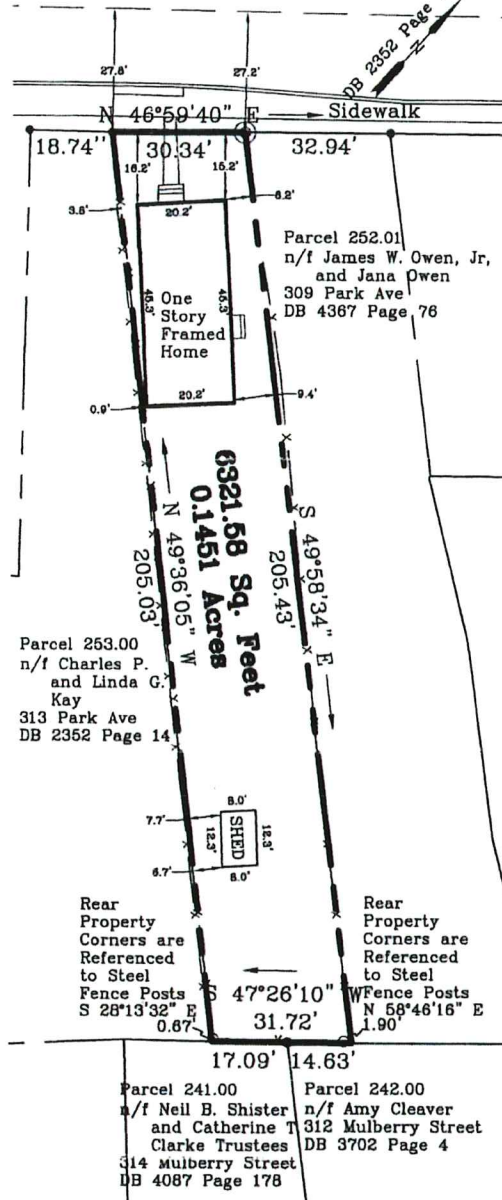
FRONTYARD: EBL MINIMUM, MAXIMUM EBL + 10'

SIDEYARD: 8 FEET

REARYARD: 15 FEET

#311

P A R K A V E N U E



EXISTING NONCONFORMING CONDITIONS

APPROVED - RECORDATION ONLY
NOT FOR ZONING APPROVALS
CITY OF LEWES
DATE: 10/15/21
SIGN: [Signature]

"THIS PLATTED AREA
IS NOT WITHIN THE
JURISDICTION OF THE
COUNTY PLANNING
AND ZONING COMMIS
ION"

Cor 10/15/21
Wry

LEGEND

- Property Line
- x - Fence
- ⊙ Rebar and Cap Set
- Iron Pipe Found
- Fence Post

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.



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"=40'	SHEET 1/1

**LOT AND LOCATION SURVEY PLAN
LANDS OF "NEIL B. SHISTER
AND CATHERINE T. CLARKE"**

ZONING CLASSIFICATION: R-4 HISTORIC
YARD REQUIREMENTS:
FRONTYARD: EBL MINIMUM, MAXIMUM EBL + 10'
SIDEYARD: 8 FEET
REARYARD: 15 FEET

ALSO KNOWN AS: "311 PARK AVENUE, LEWES,
DE"

SITUATE IN: "LEWES AND REHOBOTH HUNDRED"
CITY OF LEWES
SUSSEX COUNTY * STATE OF DELAWARE
TAX MAP #: 335-8.07 PARCEL 252.00
DEED REFERENCE: DB 5563, PG 299

ACCESSORY BUILDING
YARD REQUIREMENTS:
FRONTYARD: BEHIND FRONTMOST PORTION OF
THE MAIN BUILDING OR 50 FEET FROM THE
FRONT LOT LINE WHATEVER IS GREATER
SIDEYARD: 3 FEET
REARYARD: FEET
TOTAL MAXIMUM HEIGHT: 24 FEET

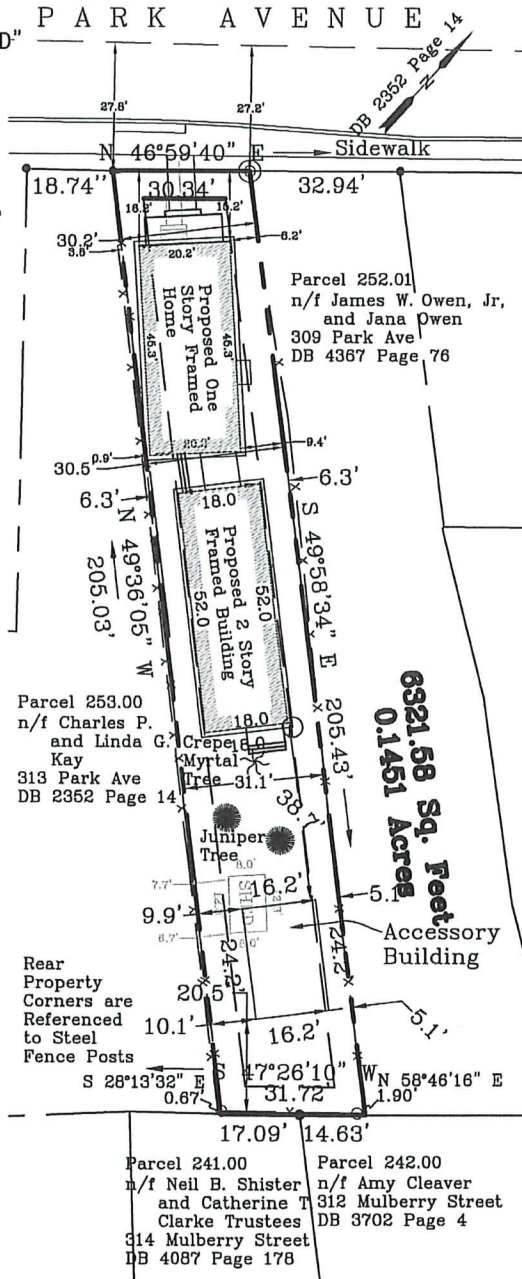
MEASURED YARD REQUIREMENTS:
FRONTYARD: 159.1 FEET FROM THE FRONT
LOT LINE
SIDEYARD: 5.1 FEET AND 9.9 FEET
REARYARD: 20.5 FEET
TOTAL HEIGHT: 21.6 FEET FROM PEAK

TREE PLANTING REQUIREMENTS:
1 TREE PER 2500 S.F. REQUIRED
NUMBER OF TREES PROVIDED: 3 TREES

OFF STREET PARKING REQUIRED:
NONE - PROJECT IS A RENOVATION/
ADDITION

LOT COVERAGE R-4H

Impervious Area 2865 s.f.
Total Lot Area 6321.58 s.f.
Lot Coverage % = 45.3 %

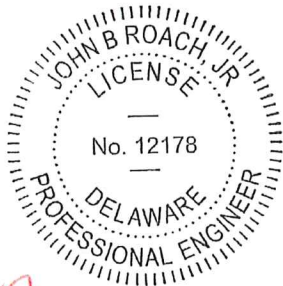


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John B. Roach, Jr.
PROFESSIONAL ENGINEER

JOHN B. ROACH
Engineering LLC

22184 MELSON ROAD
GEORGETOWN, DELAWARE 19947
PHONE NO. 302-858-1565

DRAWN BY: JBR

DATE: 09-06-2023

SCALE: 1"=40'

SHEET 1/1

The City of Lewes



Chair & Staff Decision Notice
[corrected 2/26/26]

HISTORIC PRESERVATION ARCHITECTURAL REVIEW COMMISSION

Applicant Number: C&S 2 - 26

Applicant: Kenny Morris 12555 Pine St, Milton, DE 19968

Property Address: 311 Park Ave, Lewes, DE 19958; (SCTM 335-8.07-252.00) R-4(H), (contributing)

_____ **Contributing Structure** **Non-Contributing Structure**

Date of Review: January 14, 2026

Item(s) for Decision: The applicants are requesting framing repairs, roof replacement, and wall reconstruction to account for water-damaged structures that were found once work had been underway.

HPARC Decision:

- _____ Approved as submitted*
- Approved with conditions described below*
- _____ Denied for reason(s) described below
- _____ Withdrawn with comments

*HPARC approval is valid for one year from the date of this Notice.

NOTE: The repairs are approved as requested to maintain structural integrity of the building. The applicants will submit their material choices and color for roofing materials for Chair & Staff review as soon as is possible.

Lewes Historic District Zoning Code

Chapter 197 – 58 Historic District or properties review process H

“Changes to an HPARC approved project prior or during construction shall require review and approval by HPARC. For such changes, the applicant shall submit one copy of the original application and description of the proposed changes as well as any supporting documentation to illustrate the effect or no effect of such proposed changes. Consideration of such changes shall be placed at the top of HPARC’s agenda at the next regularly scheduled meeting or may be considered for approval by a Chair/staff review.”

R. Kevin Mallinson
R. Kevin Mallinson, PhD
Signature of HPARC Chair

The First Town in the First State

The City of Lewes



City of Lewes

March 11, 2026

Building Department

RE: 311 Park Avenue — Requirements to Allow Construction to Continue

Dear Property Owner,

The City's goal is to help you move this project forward while ensuring the work complies with the **City of Lewes Zoning Code, Historic District requirements, and the adopted 2021 International Residential Code.**

During construction, the **roof system and portions of the exterior walls of the original structure were removed.** Once these structural components were taken down, the remaining wall was no longer supported as part of a complete structural system.

For safety reasons and in accordance with **IRC Section R114.1**, a Stop Work Order was issued on the original portion of the structure.

This does not mean the project cannot proceed. However, several steps must be completed first.

Maintaining the Existing Setback Condition

The original structure is located **closer to the property line than current zoning regulations allow.** Because the structure existed before current regulations were adopted, it is considered a **lawful non-conforming structure** under **City Code §197-86.**

If the structure is completely demolished, this protection is lost and any new structure would be required to meet today's setback requirements.

To allow reconstruction while preserving this zoning status:

The First Town in the First State

P.O. Box 227
Lewes, Delaware 19958

(302) 645-7777
Fax (302) 645-6406

Website: www.ci.lewes.de.us

The City of Lewes



At least one structural wall and portions of the existing foundation must remain in place during construction, consistent with **City Code §197-86**, which allows repair or replacement of portions of non-conforming structures provided the non-conformity is not expanded.

Structural Stabilization Requirement

Since the roof and adjoining walls were removed, the remaining wall must be **temporarily braced and stabilized** to meet building code safety requirements.

Relevant provisions include:

- **IRC §R301.1 — Structural Requirements**
- **IRC §R301.2 — Design Criteria**
- **IRC §R602.10 — Wall Bracing**

Stabilization may be provided through:

- an engineer-sealed bracing plan, or
- a non-engineered plan demonstrating compliance with required structural design criteria.

This is necessary to prevent structural failure or safety hazards.

Updated Approvals and Permits

Because the project scope has changed, the following approvals are required before work on the original structure can continue:

- Revised plans submitted for **HPARC review** under **City Code Chapter 197 Article VI**
- An **amended building permit application** reflecting the revised construction scope
- A **demolition permit** under **IRC §R105.1** for removal of portions of the structure
(The City may consider waiving the demolition permit fee as this work is being undertaken to address compliance requirements.)

The First Town in the First State

The City of Lewes



Fire Sprinkler Requirement

Due to the level of reconstruction now involved, the project must comply with **IRC §R313.2**, which requires installation of a **residential fire sprinkler system** designed in accordance with **NFPA 13D**.

Path Forward

Once the remaining wall is stabilized, revised plans are approved, updated permits are issued, and the required structural and fire protection measures are addressed:

The Stop Work Order affecting the original structure may be lifted and construction may proceed.

The City remains committed to working cooperatively with you to achieve a successful project outcome while ensuring compliance with applicable safety, zoning, and historic district regulations.

Please contact the Building Department to discuss the sequencing of required submissions.

Sincerely,

Jon Ward
Jon Ward, CFM
Building Official
City of Lewes

The First Town in the First State

P.O. Box 227
Lewes, Delaware 19958

(302) 645-7777
Fax (302) 645-6406

Website: www.ci.lewes.de.us

The City of Lewes



April 2, 2026

Catherine Clarke
Neil Shister
311 Park Avenue
Lewes DE 19958

RE: Extension of Appeal Period - Request to Rescind Stop Work Order (311 Park Avenue)

Dear Ms. Clarke & Mr. Shister:

I am writing to follow-up on our meeting held on April 1, 2026 where we discussed the Building Official's letter dated March 6, 2026 regarding the Stop Work Order issued for your Property.

Appeal Opportunity and Deadline Extension

Under City Code, the timeframe to appeal a Building Official's decision is 20 days. Although that window has passed, the City is extending the deadline as a courtesy. If you would like to appeal the determination outlined in the March 6 letter, you may do so by **4:00 p.m. on April 7, 2026**.

Board of Adjustment Proceedings

If your appeal is submitted to the City by the April 7 deadline, we will make every effort to have your appeal heard at the May 5, 2026, Board of Adjustment meeting. In addition, the City will waive the standard \$1,250 Board of Adjustment appeal fee. Please keep in mind that if an appeal is not filed by the April 7, 2026, 4:00 p.m. deadline, the Building Official's determination will become final, and further appeal to the Delaware Superior Court will not be available.

Next Steps

To move forward, you'll need to file a notice of appeal with the City that outlines the basis for your challenge. Application materials and hearing rules are available on the City's website or at City Hall. We recommend reaching out to City Hall before the end of the day on April 7 so staff can assist you with completing the process.

April 2, 2026

Page 2

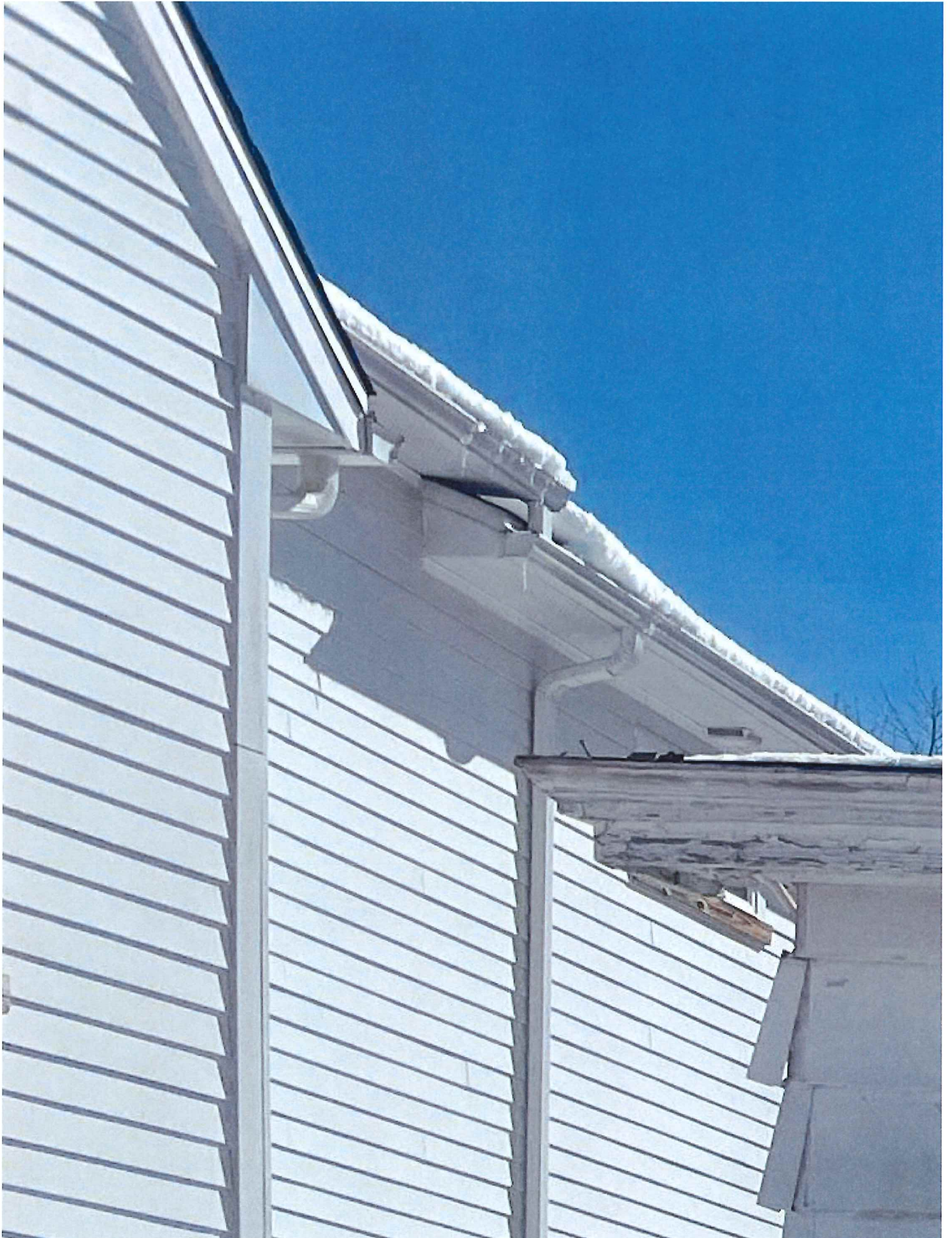
If you have any questions or need help along the way, please do not hesitate to reach out, we're happy to assist.

Sincerely,

A handwritten signature in blue ink that reads "Ellen Lorraine McCabe". The signature is written in a cursive, flowing style.

Ellen Lorraine McCabe, MBA, ICMA-CM
City Manager

CC: Jon Ward, CFM, Building Official









311

The City of Lewes Delaware Building Permit

Permit Number: P2301673 Issue Date: 03-25-25

Owner Property Information

Owner Name: SHISTER NEIL E

Tax Map: 335-8-07-252-00

Zoned: R-4 HIS RESIDENTIAL MEDIUM DENS (HIST)

Location: PARK AVENUE 270

Occupancy:

Contractor: MORRIS BUILDERS LLC

THIS PERMIT HAS BEEN ISSUED AS PER THE REGULATION SET FORTH IN THE ZONING & BUILDING CODES OR ORDINANCES AS ADOPTED BY THE CITY OF LEWES DELAWARE FOR A COUNCIL.
A SURVEY & PLANNING PERMIT MAY BE REQUIRED

Description of Work

Consistent with the City of Lewes Zoning & Building Code, the following work is being performed:
Application for a building permit for the construction of a new structure.
The structure is a single-story detached garage with a finished interior.
The structure is located on the rear lot of the property.
The structure is to be constructed of masonry and wood framing.
The structure is to be finished with drywall and paint.
The structure is to be equipped with a concrete foundation and a concrete floor.
The structure is to be equipped with a roof and exterior siding.
The structure is to be equipped with a door and a window.
The structure is to be equipped with a door and a window.
The structure is to be equipped with a door and a window.



[Handwritten signature]
City of Lewes

The City of Lewes Delaware

Building Permit



Permit Number: P2600709 Issue Date:

Owner / Property Information

Owner Name: SHISTER NEIL B

Tax Map: 335-8.07-252.00

Zoned: R-4 HIS RESIDENTIAL MEDIUM DENS (HIST)

Location: PARK AVENUE 311

Occupancy:

Contractor: MORRIS BUILDERS LLC

THIS PERMIT HAS BEEN ISSUED AS PER THE REGULATIONS...
AND BUILDING CODES...
A SUBSEX COUNTY PERMIT MAY BE REQUIRED

Description of Work

Renovation to existing historic contributing structure, and 1,000sqft 2 story addition. This is an HPARC approved project. All final HPARC requirements must be completed. (see Attached decision letter. Electrical and plumbing inspections by other agencies. As-built and blower door test will be required to be completed prior to scheduling the final inspection.

Fee
Permit
Inspection
Final

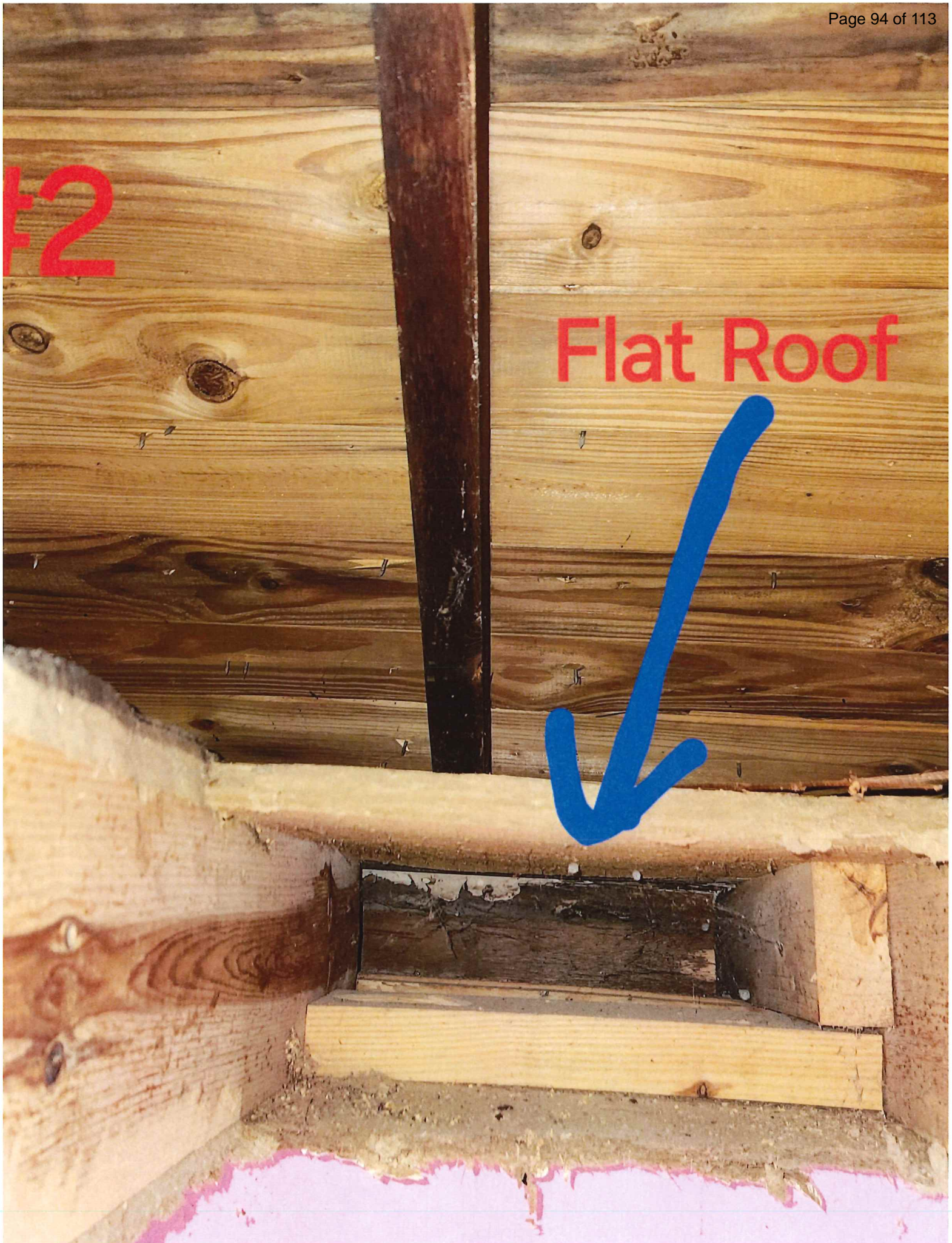
X *Jon Ward*
Building Official

#1



#2

Flat Roof



#3



Board of Adjustment Application

Type of Application Appeal of Building Official/City Planner

Submission Date 4/6/2026

Fee - \$1,250

Applicant's Name Neil Shister

Property Address 311 Park Avenue

Owner Name Neil Shister and Catherine Clarke

Tax Parcel # 3358.07252.00

Zoning R-4HISTORIC

Owner Address 314 Mulberry Street

City Lewes

State DE

Zip Code 19958

Phone Number 202-415-0210

Email Address nshister@gmail.com

Application Request We are requesting that the subsequent Permit applied for on 1/8/2026 and approved on 1/15 and 1/16 be upheld (see attached) and that the Stop Work order on the noncontributing, decayed front structure be rescinded.

(Section Break)

If applicant has other representation, the following information is required.

Attorney/Representative *Field not completed.*
Name

Attorney/Representative *Field not completed.*
Address

City *Field not completed.*

State *Field not completed.*

Zip Code *Field not completed.*

Phone Number *Field not completed.*

Email Address *Field not completed.*

(Section Break)

Instructions

Please describe how the application satisfies each of the following criterion identified in Section 197-92(B) of the Zoning Code. There is an opportunity to upload additional information including: photos, surveys, drawings, etc. at the bottom of this form.

Below the box is the description of the criteria. A complete variance submission shall have all criteria and additional considerations sections completed.

Criteria #1 Stop Work order applies only to front house and the original foundation at 311 Park Avenue. It does not apply to other properties in the zoning district.

Criteria # 2	This request can be granted without substantial detriment to the public good. Indeed, it will contribute to the public good by restoring a dilapidated structure through careful renovation placed on the original foundation that will be fortified and thus contribute to the beautification of the streetscape.
Criteria #3	The benefits will be a full renovation of a non-contributing structure, which has been abandoned and in serious decay for multiple decades, with feral animals living underneath the rotting floors and an untended, overgrown yard that has been an eyesore for many years. There are no detriments to this renovation project.
Criteria # 4	Approval of the subsequent Permit applied for on 1/8/2026 and approved on 1/15 and 1/16, and lifting the partial Stop Work order would not substantially impair the intent and purpose of the Comprehensive Plan or this chapter.
Additional Considerations	The property lies within the Historic District facing Shipcarperter Square. The immediate vicinity is renovated houses. If restrictions were lifted, the streetscape would be beautified, there would be an addition to the town's housing stock, and the value of adjacent properties would be enhanced. If the current restriction (a Stop Work order on half the property) is not lifted then this would cause serious hardship for the owners in relation to their planned, normal improvements. The owners could not renovate the whole property, and it would most likely revert back to an unimproved space.

Other

If you are submitting for a Special Exception, Appeal or Beneficial Use Appeal the following criteria shall be completed.

If not applicable please type N/A in the field.

Special Exceptions *See Section 197-92(B) of the Zoning Code)	N/A
---	-----

Beneficial Use Appeal or Appeal of Building Official/City Planner Determination	We are appealing the Stop Work order on the original structure that is alleged to be a demolition under Chapter 197, Article VI, Lewes City Code. The prior or first permit authorized "framing repairs and roof replacement," but once renovation commenced a flat roof was discovered, rotting wood, and failure of load-resisting systems throughout the unoccupied structure. (photos attached). The urgency of the rotting floor, walls and failing roofs was brought to the attention of the Building Official. A SECOND permit was submitted (see attached dated 1/8/2026) and
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communication continued between the contractor with the Building official and HPARC. The contractor was told to retain one wall. The plan has always been to repair the original foundation per this second permit. This is a renovation on an original foundation, NOT a new construction site. The second permit states clearly that the Building Official agreed that the owners could "remove the existing roofs, reframe the walls to eliminate water damage and rotting as well as allowing the new rafters to be structurally supported and connected to the walls. The Building Official has agreed that this method would be accepted and approved by the building department and other applicable departments, but it will need to be approved by HPARC." (See attached dated 1/8/2026 p.2) HPARC chair and staff approved it after the Building Official.

This appeal is to reinstate the second permit and allow the abandoned house renovation to proceed as planned. The renovation is not a new build as it will be the one-story, cottage-like structure it once was -- and will be built on the original house foundation. A front porch will be added as part of the fully-approved renovation plans, which will add to community interactions and streetscape beautification.

Additional Approvals	N/A
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(Section Break)

Electronic Signature Agreement	I agree
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First M. Last	Neil B. Shister
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Upload Additional Information Here	<i>Field not completed.</i>
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Upload Additional Information 2	<i>Field not completed.</i>
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Upload Additional Information 3	<i>Field not completed.</i>
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Payment Information - \$1,250

Please call the City to submit your payment via credit card or drop off a check to City Hall at 114 E. Third St.

Questions/Assistance



The City of Lewes



Historic Preservation Architectural Review Commission Application

Date: 1/8/2026

Name of Property Owner: Catherine Clarke & Neil Shister

Address of Property Owner: 314 Mulberry St. Lewes, DE

Phone Number of Property Owner: 202-468-3434

Email Address of Property Owner (optional):

Name of Applicant (if not owner): Kenny Morris

Address of Applicant (if not owner): 12555 Pine St. Milton, DE

Phone Number of Applicant (if not owner): 302-745-3989

Email Address of Applicant (optional): mbllc08@comcast.net

Applicant's Interest in Property: Builder

Address/Location of Property: 311 Park Ave Lewes, DE

Sussex County Tax Map & Parcel Number: 335-8.07 Parcel 252

Description of proposed work being reviewed:

Framing Repairs as outlined in the attached letter and photos.

Number of packets required: 2

Items Required: See attached application & material checklists

Prior to the completion of an application, it is recommended that the property owner/applicant set up a pre-application meeting with the Building Department to discuss the review process, submission requirements and review criteria as noted in Chapter 197, Article VI, Section 197-56 through 59 of the City Ordinance. The completed application and supporting documentation must be received at least two weeks (10 working days) prior to a regular scheduled meeting in order to be placed on the meeting agenda. Applicants or their designee must attend the meeting in order for their application to be heard. Regularly scheduled meetings are held on the first Thursday of each month at 6:00 pm in the Council Chambers of City Hall or Rollins Center.

Signature of Property Owner/Applicant:

Hello,

Upon commencing the renovation of 311 Park Avenue we discovered several issues seen in the attached photos that need to be fixed:

Photo #1

The wood siding and Homasote sheathing without any type of moisture barrier has caused extensive water damage and rotting to the bottom of the walls.

Photo #2

The house was originally built with a nearly flat roof consisting of Homasote sheathing and rolled roofing, that must be removed.

Photo #3

None of the hip roof rafters are structurally supported or connected to the existing walls, they are simply toenailed into the Homasote roof sheathing.

We have proposed to the Building Official to remove the existing roofs, reframe the walls to eliminate the water damage and rotting as well as allowing the new rafters to be structurally supported and connected to the walls.

The Building Official has agreed that this method would be accepted and approved by the building department and other applicable city departments, but it will need to be approved by the HPARC.

I would like to clarify that this application is not asking for any changes to the finished façade as it was previously approved by the HPARC.

Sincerely,

Ken Morris

Jon Ward <jward@ci.lewes.de.us>

1/16/2026 12:55 PM

FW: 311 Park Ave

To Kenny and Tammy Morris <mbllic08@comcast.net>

Please see below. You are good to go.

Sincerely,

Jon Ward, CFM

Building Official

City of Lewes

302-645-7777 Ext. 136

From: Kevin Mallinson <KMallinson@ci.lewes.de.us>

Sent: Friday, January 16, 2026 12:22 PM

To: Jon Ward <jward@ci.lewes.de.us>

Subject: Re: 311 Park Ave

Yes, Jon that appears to be just fine. Thanks for letting me know.
Kevin

R. Kevin Mallinson, PhD (he, him, his)

Chair, Historical Preservation Architectural Review Commission (HPARC)

City of Lewes

KMallinson@ci.lewes.de.us

From: Jon Ward <jward@ci.lewes.de.us>

Sent: Thursday, January 15, 2026 2:17 PM

To: Kevin Mallinson <KMallinson@ci.lewes.de.us>

Subject: FW: 311 Park Ave

Kevin,

Please see below. Let me know if this is acceptable for the roof material.

Sincerely,

Jon Ward, CFM

Building Official

City of Lewes

302-645-7777 Ext. 136

From: Kenny and Tammy Morris <mbllic08@comcast.net>

Sent: Thursday, January 15, 2026 1:55 PM

To: Jon Ward <jward@ci.lewes.de.us>

Subject: Re: 311 Park Ave

Hi Jon,

As requested in the HPARC approval letter the shingles will be GAF Timberline Mission Brown to match the roof on the accessory building in the rear yard, and as agreed to in our phone conversation we will maintain the front wall framing while repairs are made to the other three walls.

Sincerely,

Ken Morris

On 01/15/2026 11:42 AM EST Jon Ward <jward@ci.lewes.de.us> wrote:

Please see attached HPARC decision notice.

Sincerely,

Jon Ward, CFM

Building Official

City of Lewes

302-645-7777 Ext. 136

**Historic Preservation Architectural Review Commission (HPARC)
Action Notice**

Applicant: Catherine Clarke and Neil Shister, 314 Mulberry Street, Lewes, DE 19958

Property Address: 311 Park Ave.; Lewes, DE 19958; (SCTM 335-8.07 252.00) R-4(H), (non-contributing)

Contributing Structure **Non-Contributing Structure**

Date of Hearing: June 6, 2024 (first hearing)

Item(s) for Decision: This application was a discussion and possible action to allow the applicant to renovate the “existing house with addition of front porch & rear 2-story addition.”

HPARC Decision:

- Approved as submitted
- Approved with conditions described below
- Denied for reason(s) described below
- Withdrawn with comments

NOTE: Applicant will submit to the Chair of the Commission via email a drawing describing the window trim details and dimensions for approval and the submission of the proposed exterior colors and finishes for review and approval, per the HPARC Code (197-59 A-10). The Commission suggests that the applicant reconsider the design of the more contemporary windows to more closely align with historic windows in similar houses.

Lewes Historic District Zoning Code

Chapter 197 – 58 Historic District or properties review process H

“Changes to an HPARC approved project prior or during construction shall require review and approval by HPARC. For such changes, the applicant shall submit one copy of the original application and description of the proposed changes as well as any supporting documentation to illustrate the effect or no effect of such proposed changes. Consideration of such changes shall be placed at the top of HPARC’s agenda at the next regularly scheduled meeting or may be considered for approval by a Chair/staff review.”

R. Kevin Mallinson, PhD

R. Kevin Mallinson

Signature of Acting HPARC Secretary

Brenda Jones
Brenda B Jones Architectural Drafting & Design
123 E. 3rd Street
Lewes, DE 19958

June 7, 2024

Dear Ms. Jones:

Attached you will find an Action Notice Summary from the Lewes Historic Preservation and Architectural Review Commission (HPARC) which detail the decision regarding your application for the Clarke & Shister property located at 311 Park Avenue, as presented on June 6, 2024.

Feel free to contact John Robitaille, Lewes Building Official at 302-645-7777 ext. 120 if there are any questions.

Respectfully submitted,

R. Kevin Mallinson, PhD

R. Kevin Mallinson, Acting Secretary

Lewes Historic Preservation and Architectural Review Commission

Attachment: 1

Lewes Historic District Zoning Code

Chapter 197 – 58 Historic District or properties review process H

“Changes to an HPARC approved project prior or during construction shall require review and approval by HPARC. For such changes, the applicant shall submit one copy of the original application and description of the proposed changes as well as any supporting documentation to illustrate the effect or no effect of such proposed changes. Consideration of such changes shall be placed at the top of HPARC’s agenda at the next regularly scheduled meeting or may be considered for approval by a Chair/staff review.”

If you have questions or need assistance please contact the Planning & Building Department. 302-645-7777 ext. 120 or ext 110.

Email not displaying correctly? [View it in your browser.](#)



From: Cait <caittclarke@gmail.com>

Sent: Tuesday, March 3, 2026 3:46 PM

To: Ellen Lorraine McCabe <emccabe@ci.lewes.de.us>; Janet Reeves <jreeves@ci.lewes.de.us>;
Alex@bmbfclaw.com <Alex@bmbfclaw.com>; Jon Ward <jward@ci.lewes.de.us>; David Sherman
 <DSherman@ci.lewes.de.us>

Cc: Kevin Mallinson <Mallinson.Kevin@gmail.com>; Neil B. Shister <nshister@gmail.com>; Kenny Morris
 <MBLLC08@comcast.net>; Khalil Saliba <KSaliba@ci.lewes.de.us>

Subject: Re: 311 Park Ave Stop Work Order Request to Rescind and for Meeting

I am about to go into a meeting with a group of Sussex County lawyers and have been checking email all day to see if there is a response to our message — or, at the very least, an acknowledgment that the message came in.

It was customary where I worked in the Federal Judiciary to at least send a quick response letting the senders know that their email was received and would be responded to at a later date and time.

Did anyone get this message? Should I resend it with the important attachments, or have Neil send it from his computer?

Please let me know.

Thank you,

Cait

On Mar 2, 2026, at 11:02 PM, Cait <caittclarke@gmail.com> wrote:

Ellen Lorraine McCabe, City Manager
 City of Lewes
 114 East Third Street
 Lewes, DE 19958

March 2, 2026

Dear Ms. McCabe:

We write to request your immediate intervention regarding an unjustified Stop Work Order (“SWO”) issued by Jon Ward, Building Official, in connection with our property at 311 Park Avenue, Lewes, Delaware. The structure under renovation is a non-contributing building that has remained unoccupied for several decades. We have complied fully with all HPARC approvals and permitting requirements, and have not engaged in any work outside the scope of those authorizations. We therefore respectfully request that the current SWO be lifted without delay so that additional harm, delay, and financial loss may be avoided, and duly approved renovation activities may resume.

A Stop Work Order was issued on Wednesday, 2/25, then on Friday evening, 2/27, we received an email stating that it would be lifted so that work could recommence on Monday, March 2. Notwithstanding that authorization, an SWO was reinstated on March 2, which remains in

effect. Our repeated attempts to communicate with the Building Official have been unavailing and have yielded no clear or legally sufficient justification for the issuance or reissuance of these orders.

As documented in the attached correspondence and materials, we have scrupulously followed all procedural requirements for the first permit, and again, for the second permit. Let us explain the timing of these two authorizations. After the first permit was issued on December 23, 2025, Mr. Ken Morris (who has beautifully renovated our other homes in Lewes) began renovating the house at 311 Park Avenue. He found significant decay, water damage, mold, wood rot and structural instability, which was worse than he had anticipated. Mr. Morris then went directly to Mr. Ward to discuss his findings and to determine next steps. After discussing the situation, Mr. Ward asked Mr. Morris to put everything in writing and said he would bring this second request to HPARC's Chair for approval. This subsequent permit was applied for on January 8, 2026 and was approved. *Please review the attached document (highlighted language) entitled "HPARC Second Application Jan. 8, 2026."* This second HPARC application—approved by both Mr. Jon Ward and Mr. Kevin Mallinson—expressly authorizes the removal of the existing roof and the reframing of deteriorated walls in their original locations. Consistent with Mr. Ward's direction, one wall was retained. *Please review the attached document (highlighted language) entitled "Good to Go Email Chain and Maintain Front Wall."*

Our position is the following:

1. The HPARC process for the renovation of a non-contributing structure has been completed in full.
2. No modifications or deviations have been made to the approved plans and two permits issued by the Building Official and the Chair of HPARC.
3. Completion of the HPARC approval process for a non-contributing building confers a vested right to proceed with construction and to utilize the premises for lawful, approved purposes.
4. These vested rights, duly recognized under City and HPARC approvals, entitle us to complete the project as permitted.
5. The issuance, subsequent lifting, and reissuance of SWOs have resulted in significant project delays, unwarranted interference, emotional distress, and financial damages.

And thus, we request the following:

- We hereby request that the current Stop Work Order be rescinded, effective immediately.
- We further request a meeting with you, Ms. McCabe, to review these matters, the procedural deficiencies involved, and the resulting damages to the property owners.

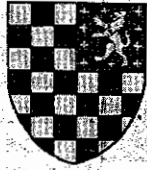
Please advise of your earliest availability this week for such a meeting so that this matter can be resolved expeditiously and in accordance with applicable legal and administrative procedures.

Respectfully,

Cait Clarke, Esq. and Neil Shister
314 Mulberry Street
Lewes, DE 19958

CC: Janet Reeves, Deputy City Manager
Alex Burns, City Solicitor
Kevin Mallinson, Chair, HPARC
Ken Morris, Morris Builders LLC
Jon Ward, Building Official
David Sherman, Building Inspector

The City of Lewes



PUBLIC HEARING NOTICE

**TUESDAY MAY 5th, 2026, AT 10:00 AM
CITY HALL COUNCIL CHAMBERS
114 E. THIRD STREET LEWES, DE**

The Lewes Board of Adjustment will hold a PUBLIC HEARING on Tuesday, May 5th, 2026, starting at 10:00 A.M. in the Council Chambers at 114 E. Third St., Lewes, DE to consider the following:

V-5-26 - Request from William Huntley seeking a variance for relief from side yard setbacks. (Chapter 197 - Attachment 2 - Table 2 of Dimensional Regulations) The property is located at 323 Park Avenue, tax Parcel: 3-35-8.07-258.00. Zoning R-4 (H).

V-6-26 - Request from Douglas M. Warner, P.E. on behalf of Michele Rollins, seeking a variance for relief from front yard setbacks. (Chapter 197 - Attachment 2 - Table 2 of Dimensional Regulations) The property is located at 1612 Bay Avenue, tax Parcel: 334-4.15-3.00. Zoning R-3.

V-7-26 - Request from Krista McLean and Joseph McLean seeking a variance for relief from side yard setbacks. (Chapter 197 - Attachment 2 - Table 2 of Dimensional Regulations) The property is located at 5 Cape Henlopen Drive, tax Parcel: 335-4.20-180.02. Zoning R-3.

V-8-26 - Request from Matthew Trucks of Coastal Cottage Renovations, on behalf of Eric Eicher seeking a variance for relief from the maximum building height requirements for properties located within the FEMA flood zones. (Chapter 197 - Attachment 2 - Table 2 of Dimensional Regulations) The property is located at 2004 Bay Avenue, tax Parcel: 335-4.14-14.00. Zoning R-3.

V-9-26 - Request from Neil Shister and Catherine Clarke to appeal a decision of the Historic Preservation and Architectural Review Commission in accordance with §197-91 of the City of Lewes Code - *Administrative review; appeal of administrative decisions and determinations*. The property is located at 311 Park Avenue, tax parcel 335-8.07-252.00. Zoning R-4 (H).

For questions regarding this application contact Jon Ward, the City of Lewes Building Official at (302) 645-7777 ext. 136 or via email at jward@ci.lewes.de.us.

The City of Lewes



The First Town In The First State

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ASA-04/13/2026