

# Kent County

## Department of Planning Services Division of Planning

SARAH E. KEIFER, AICP  
Director of Planning Services

Phone: 302/744-2471  
FAX: 302/736-2123

KRISTOPHER S. CONNELLY, AICP  
Assistant Director of Planning Services

**DATE OF PUBLICATION: October 2, 2022**

### LEGAL NOTICE

The Kent County Board of Adjustment will hold a Public Hearing on **Thursday, October 20, 2022 at 6:30 p.m.** in Room 203, Kent County Complex, Levy Court Chamber, 2<sup>nd</sup> Floor, 555 Bay Rd, Dover, Delaware, to hear and decide the following applications:

**Board Members will meet in the Levy Court Chamber. Applicants and the public are welcome.**

**The meeting will also be held virtually by video conferencing to enable the applicant, owner, and/or members of the public to provide testimony. The call in number is 1-408-418-9388. Use Access Code 23313988780 to enter the meeting.**

**A-22-27 Mountain Consulting, Inc. (Owner: Rouse Insurance and Financial, LLC)** seeks a variance from the 25 ft. side setback and the 75 ft. setback from the right-of-way on a major roadway to build a house (**§205-68.A.(3) and §205-68.B. of the Kent County Code**). The property is located on the south side of Halltown Rd. (Co. Rd. 50), 0.23 miles east of Crystal Rd. (Co. Rd. 189), southeast of Hartly. Levy Court District: 6th. Zoning District: AR. **Tax Map No. WD-00-073.00-02-45.00-000**

**A-22-29 State of Delaware** seeks a variance from the requirement that all entrances and exits from the site be set back at least 10 ft. from adjoining property lines to allow the submission of a site plan (**§205-223.F. of the Kent County Code**). The property is located on the south side of the intersection of Kersey Rd. (Co. Rd. 109) and Friedel Rd. (Co. Rd. 77), west of Viola. Levy Court District: 5th. Zoning District: AR. **Tax Map No. NM-00-119.00-01-07.00-000**

**A-22-30 Jonathan & Christina Fitzwater** seek a variance from the requirement an accessory structure used for a home-based contractor establishment be set back from the public street right-of-way a minimum distance equivalent to 30 ft. beyond the rear elevation of the main dwelling on the premises and 15 ft. from all side and rear lot lines to enable a home-based contractor establishment (**§205-397.7.A.(7)(b) of the Kent County Code**). The property is located on the southeast side of Nault Rd. (Co. Rd. 199), 50 ft. north of Massey Dr., west of Dover. Levy Court District: 6th. Zoning District: AC. **Tax Map No. WD-00-074.00-02-15.02-000**

**A-22-31 Garrison Lake Farms, L.P.** seeks a variance from the requirement that any development proposal containing at least 50 lots or at least five acres, whichever is the lesser, in FEMA-delineated special flood hazard areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses to determine base flood elevations and floodway delineations to submit an application for a

residential subdivision (**§188-4.B.(4) of the Kent County Code**). The property is located on the south side of Brenford Rd. (Co. Rd. 42), 163 ft. west of Ryan Rd. (Co. Rd. 146), southwest of Smyrna. Levy Court District: 1st. Zoning District: AC. **Tax Map No. KH-00-037.00-01-01.00-000**

**A-22-32 Gregory & Jacqueline Barnes (Owner: Pinhook, LLC)** seeks a variance from the requirement that an accessory structure shall not be located in the front yard or front setback of any parcel unless the structure is located at least 100 ft. from the front property line to submit a minor subdivision plan (**§205-24F.(1) of the Kent County Code**). The property is located on the south side of Beechwood Ave. (Co. Rd. 353), 1,220 ft. east of Nile Rd. (Co. Rd. 351), south of Dover. Levy Court District: 2nd. Zoning District: AC & RMH. **Tax Map No. ED-00-086.00-01-21.01-000**

**A-22-33 Kevin D. and April M. Lafferty** seek a variance from the requirement that a fence may not exceed four feet in height in the front setback to install a fence (**§205-24E. of the Kent County Code**). The property is located on the northeast corner of the intersection of Willowwood Dr. and Magnolia Ave., being lot 252 in the Willowwood Subdivision, south of Smyrna. Levy Court District: 1st. Zoning District: AC. **Tax Map No. DC-00-028.01-01-01.00-000**

Additional information pertaining to the above referenced applications may be obtained at the Department of Planning Services, Division of Planning, 555 Bay Rd., Dover, Delaware. Office hours are 8:00 a.m. to 5:00 p.m.

**Jamie Fenske**, Hearing Officer