

GIR Properties, LLC
c/o Vincent C. Thomas
1000 North King Street
Wilmington, DE 19801

May 24, 2024

Fred Townsend, Esq. (via email)
Jim Dedes (via email)

Dear Fred and Jim:

Thanks for speaking with me this week in regard to updating the effective date of the already granted rezoning of Tax Parcel 334-20.14-205, Lots 15-16-17 Blk 42 in Rehoboth by the Sea, Dewey Beach, Delaware (the "Sea Esta Property"). As you know, the Sea Esta Property was successfully re-zoned from a classification of RB2 to RR at the April 12, 2024 public hearing. The commissioners offered to make the re-zoning effective as of the date of GIR Properties, LLC's ("GIR") choosing and we suggested October 1, 2024 since we anticipated operating the hotel for the summer season. We were very appreciative of the commissioners' accommodation of the requested date. Unfortunately, for reasons beyond GIR's control, the hotel cannot be opened and we would prefer that the rezoning be effective immediately.

Please accept this letter as GIR's request for a public hearing to make the rezoning of the Sea Esta Property effective immediately. We would appreciate if we could be added to the June public hearing. Because the hotel cannot be opened, we believe an immediately effective re-zoning will be in the best interests of the Town so we can more quickly begin the process of demolishing the existing structure and redeveloping the Sea Esta Property so it is consistent with the surrounding neighborhood.

We are very grateful for your time and professionalism.

Respectfully,

/s/ Vincent C. Thomas

Vincent C. Thomas

CC : Mr. Paul Perna (via email)
Mr. Michael Williams (via email)



ORDINANCE NO. 836

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN BY CHANGING THE ZONING DESIGNATION OF THE PROPERTY LOCATED AT 24 HOUSTON STREET, DEWEY BEACH, DELAWARE, TMP 334-20.14-205.00 FROM RB-2, RESORT BUSINESS TO RR, RESORT RESIDENTIAL AND TO ACCORDINGLY AMEND THE DEWEY BEACH ZONING MAP CLASSIFICATION REFERRED TO AT CHAPTER 185, SECTION 185-6 OF THE MUNICIPAL CODE OF THE TOWN OF DEWEY BEACH

WHEREAS, the Town Council of the Town of Dewey Beach have deemed it desirable to consider the question of whether it is in the public interest to change the zoning district designation for the property located at "24 Houston Street" TMP 334-20.14-205.00 from Resort Business (RB-2) to Resort Residential (RR) as follows; and

WHEREAS, Title 22, Chapter 3, Section 301 of the Delaware Code provides that "[f]or the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of cities and incorporated towns may regulate and restrict the height, number of stories and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes"; and

WHEREAS, Article XV, Chapter 185, Section 73, Changes and Amendments, of the Municipal Code of the Town of Dewey Beach provides that any amendment to the Zoning Ordinance shall be made after public hearings conducted by both the Planning Commission and the Town Council; and

WHEREAS, the Planning Commission following a duly noticed public hearing recommended approval of the application to rezone said parcel at their meeting on March 1, 2024; and

WHEREAS, a public hearing was conducted by Town Council on April 12, 2024; and

WHEREAS, at least fifteen (15) days' notice of such hearing was provided by publishing notice of the time and place of such hearing in an official paper or paper of general circulation in the Town; and

WHEREAS, the proposed amendment will promote the health, safety, and general welfare of the Dewey Beach community.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Commissioners of the Town of Dewey Beach, Sussex County, Delaware, in session met, as follows:

Section 1. The Comprehensive Plan zoning designation of parcel TMP 334-20.14-205.00 located at 24 Houston Street is hereby changed and amended from Resort Business (RB-2) to Resort Residential (RR); and the Dewey Beach Zoning Map referred to in Chapter 185, Section 185-6 of the Municipal Code of

the Town of Dewey Beach, Delaware, for the property at 24 Houston Street be hereby amended to RR, Resort Residential.

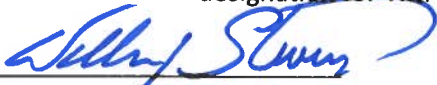
Section 2. If any provisions of this Ordinance shall be deemed or held to be invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any other provision of this Ordinance which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. This Ordinance shall take effect October 1, 2024.

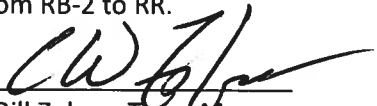
Adopted by at least a majority of the Commissioners of the Town of Dewey Beach on this 12th day of April, 2024.

SYNOPSIS

This Ordinance amends the Dewey Beach Comprehensive Plan and the Dewey Beach Zoning Map designation for TMP 334-20.14-205.00 by changing it from RB-2 to RR.



William Stevens, Mayor



Bill Zolper, Town Manager