

Town of Dewey Beach, DE
Monday, November 17, 2025

Chapter 185. Zoning

Article VIII. Supplementary Height, Area and Bulk Regulations

§ 185-51. Accessory buildings and structures.

[Amended 3-14-2009 by Ord. No. 654; 8-24-2018 by Ord. No. 744; 3-15-2024 by Ord. No. 835]

- A. A hedge, fence or wall not more than 3.5 feet in height may project into or enclose any required front or side yard to a depth from the street line equal to the required depth of the front yard. Any fence, hedge, or wall for residential use may project into or enclose other required yards, provided such fences, hedges, and walls do not exceed a height of seven feet. This height limit does not apply to fences or walls used for commercial screening or tennis courts.
- B. Accessory swimming pools, open and unenclosed, may occupy a required yard or side yard, provided they are not located closer than 10 feet to an interior side lot line or six feet to a rear lot line. A walk space at least three feet wide shall be provided between pool walls and protective fences or barrier walls. Every swimming pool shall be protected by a safety fence or barrier at least 4.5 feet in height and constructed of concrete, stockade wood or material of equal quality.
- C. Accessory storage of a boat trailer or camp trailer shall not be allowed in a front yard. Accessory storage of mobile homes is prohibited.
- D. An accessory building which is not a part of the main building may be constructed in a rear yard three feet from the side lot line and three feet from the rear lot line, provided such accessory building contains not more than 200 square feet of area, is not more than 12 feet in height and is used exclusively for storage and not for residential purposes.
- E. A satellite antenna not exceeding four feet in diameter shall be permitted as a freestanding structure only in the rear yard and shall be subject to the same setbacks and height restrictions as an accessory building. A satellite antenna not more than four feet in diameter shall be permitted on the roof of a residential, commercial or mixed-use structure; however, any satellite antenna greater than four feet in diameter to be installed on any building in all districts requires a conditional-use approval.
- F. No portion of any building lot area developed with a residential use or a mixed commercial and residential use in any district of Dewey Beach shall be covered or paved with impervious materials, installed in a manner as to create an impervious surface for any ground level surface, including driveways, parking spaces, and sidewalks, or any other structure not directly under roof. A swimming pool walk space required in § 185-51B may have an impervious surface, but the walk space may be no wider than three feet. Impervious surfaces existing before March 14, 2009, may continue as a nonconforming structure, and may be repaired, but shall not be expanded horizontally or vertically, nor rebuilt or replaced with impervious materials.
- G. No portion of any driveway entrance constructed on the public right-of-way developed with a residential use or a mixed commercial and residential use in any district of Dewey Beach may be covered or paved with impervious materials, including but not limited to poured concrete, asphalt, brick, impervious pavers, or flag stones, installed in a manner as to create an impervious surface.