



Form and payment must be received before the first day of the month prior to the month in which the Applicant wishes to be heard by the Board. After form and payment are received, Town Staff will contact you to arrange a meeting date.

Applicant Information

Name of Requestor: ODEON DEVELOPMENT LLC		Date of Request: 10/22/2025
Mailing Address (City, State, Zip) 115 CHRISTINA LANDING DRIVE 308, WILMINGTON DE 19801		
Phone: 973.568.6052 GARY 703.868.8306 ALLISON	Email: GBUSA@PALLINOSO.COM ALLISONFLATLEY85@GMAIL.COM	
Dewey Beach Address: 9 SEASTRAND COURT		
Property Map: 334-20.10	Parcel: 38.00	Unit: 9

Nature of Request

Zoning District of Property: NR	Your Interest in the Property: OWNER
Municipal Code Reference: VARIANCE TO CODE SECTION 185-60	

Special Exception

Variance

SEE ATTACHED LETTER

Appeal of Decision of Town Building Official

Special Yard Exception


Attach Supporting Documents (Request Description, Reason, etc)

Attach Plot Plan/Sketches:



Payment Information

Board of Adjustment Application Fee: \$1000.00


Applicant Signature
GARY G. BUSACCA

Date:
10-22-25

STAFF USE ONLY

Town Clerk Signature:
Kate Banaszak

Date Application Received:
10/28/2025

Decision of the Board:

Case Number:



27 October 2025

**Town of Dewey Beach
105 Rodney Avenue
Dewey Beach, DE 19971**

Attn: Board of Adjustment – Dewey Beach

RE: Variance Request for Code Section 185-60 for Seastrand Building B, Unit 9
Tax Parcel # 334-20.10-38.00

To Whom it May Concern:

On behalf our clients, Odeon Development, LLC, we are requesting a Variance to Code Section 185-60 to permit a renovation/addition to the Unit 9 of Seastrand Building B.

Unit 9 is an end unit of a twelve unit townhouse building and is Zoned NR. Required sideyard setbacks are 8' on each side. Each of these units is situated on a separate parcel (see attached survey) where the property lines span from unit wall to unit wall resulting in existing zero (0') side setbacks. This existing condition poses practical difficulty in any sort of building expansion.

Attached are the following documents:

Topographic and Boundary Survey, prepared by Foresight Services, dated 06.18.25.
Odeon Renovation proposed plans, prepared by Element Design Group, dated 10.01.25, 7 pages.

These construction drawings demonstrate new square footage/designs as follows:

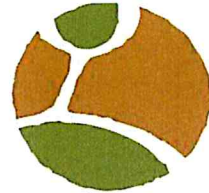
1. New 3rd floor rear dormer that allows for an exterior deck and room for new conditioned space for a primary bedroom suite. The roof line does not exceed current roof height requirements (35') and the width of the dormer is within the existing unit width.
2. Expanded first and second floor space to the front of the lot. First floor footprint remains similar to existing footprint (storage space being converted to storage and entry space). Second floor above expanded first floor space to create a bedroom suite. All additions are in compliance with the front yard setback.

If granted, the variance requested would create a similar unit to existing units within the community (ex. Building D in its entirety, Units 12, 15, 16, 19 and 20 in Building B). The granting of this variance would not be in violation of the BOA Review Criteria as defined in Section 185-68. B.

Via a previous application filed by a client (Seastrand Unit 15), we became aware of four factors to consider (Kwik-Check Factors) for an area variance request of this nature.

element

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(1) The nature of the zone in which the property lies

The property is located in the Neighborhood Residential (NR) Zoning District, where the residential use is a permitted use. While the residential structures are limited to single-family detached dwellings in the NR Zoning District, the townhome structure, and those around it, has existed since the 1960s.

(2) The character of the immediate vicinity and the uses contained therein

Sea Strand Building B, Unit 9 is one of many townhouse units in the Seastrand Community that is proposed for this type of renovation. Consequently, the proposed addition is in character with the surrounding buildings and residential uses.

(3) Whether, if the restriction upon the applicant's property were removed, such removal would seriously affect such neighboring property and uses

As evidenced by the several letters of support for the proposed expansion from neighboring property owners, the granting of the requested variance would not seriously affect neighboring property. The expansion will be in compliance with the 35 height limitation and the front and rear yard setback requirements. The proposed expansion will not hinder ocean views.

(4) Whether, if the restriction is not removed, the restriction would create [hardship] for the owner in relation to his efforts to make normal improvements in the character of that use of the property which is a permitted use under the use provisions of the ordinance.

If the variance is not granted the owners will not be able to make normal improvements. The proposed expansion is clearly a "normal improvement," as the several other units and buildings in the community have already expanded. If the variance were to be denied, the owners would have no ability to expand in the same way that their neighbors have expanded.

Based on the above information, we are requesting relief from Section 185-60 "Extension of nonconforming use or building".

Sincerely,
Element Design Group

Douglas M. Warner, P.E.

element

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ATLANTIC OCEAN

NOTES:

ALL SETBACKS MUST BE VERIFIED BY THE OWNER, GENERAL CONTRACTOR AND/OR THE DESIGNER. PLEASE CONTACT THE TOWN OF DEWEY BEACH.

VERTICAL DATUM: NAVD (1988)

THIS PARCEL IS IN FLOOD ZONES:

VE (ELEV. 9') & X (NO B.F.E.)

F.I.R.M. 10005C0354K JUNE 20, 2018

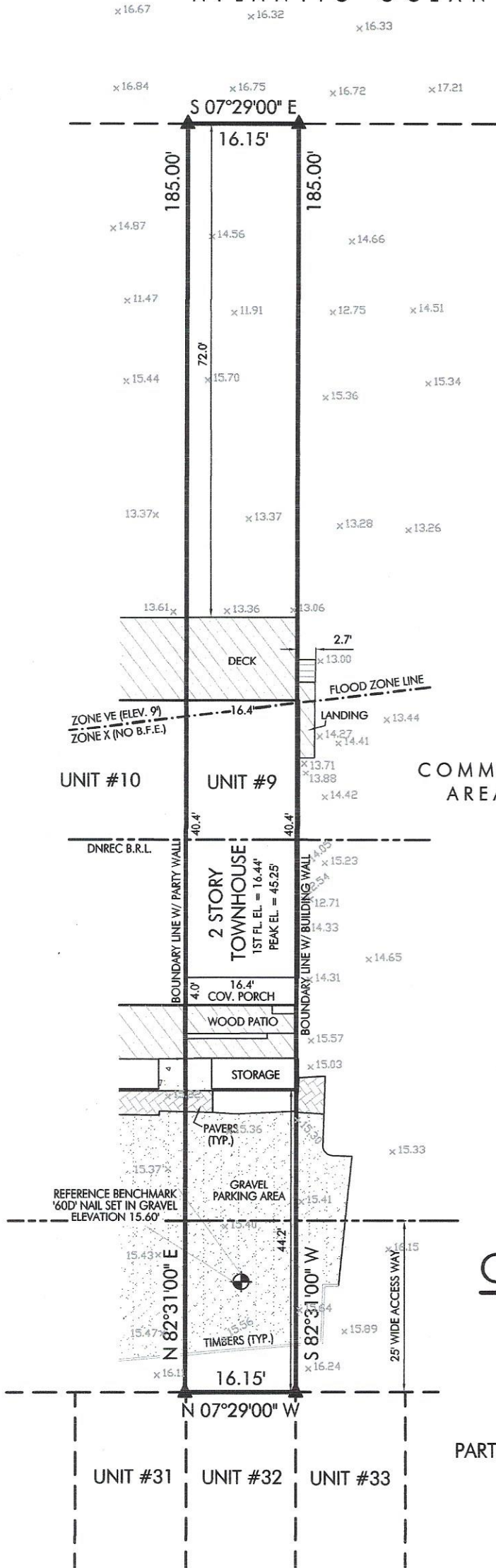
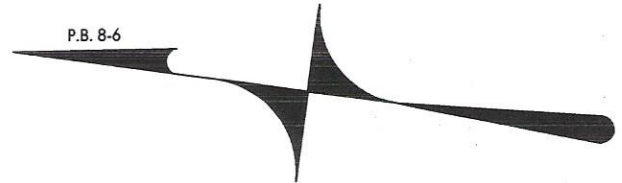
THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF WETLANDS, UTILITIES, RIGHT-OF-WAYS OR EASEMENTS IN REFERENCE TO OR LOCATED ON THIS PROPERTY.

NO TITLE SEARCH PROVIDED OR STIPULATED.

SURVEY CLASS: SUBURBAN

LEGEND:

- ▲ IRON ROD (SET)
- x 0.00 ELEVATION SPOT SHOT



TOPOGRAPHIC &
BOUNDARY SURVEY PLAN FOR
ODEON DEVELOPEMENT LLC

TOTAL AREA: 2,988 SQ. FT., 0.0686 ACRES

REFERENCE: PLAT BOOK 8 PAGE 6

DEED BOOK 6317 PAGE 147

9 SEASTRAND COURT

SEA-STRAND UNIT #9, BUILDING "B"

PART OF BLOCK #50 OF "REHOBOTH BY THE SEA" SUBDIVISION

TOWN OF DEWEY BEACH

LEWES & REHOBOTH HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

JUNE 18, 2025 SCALE: 1" = 20'

Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

302 226 2229 phone

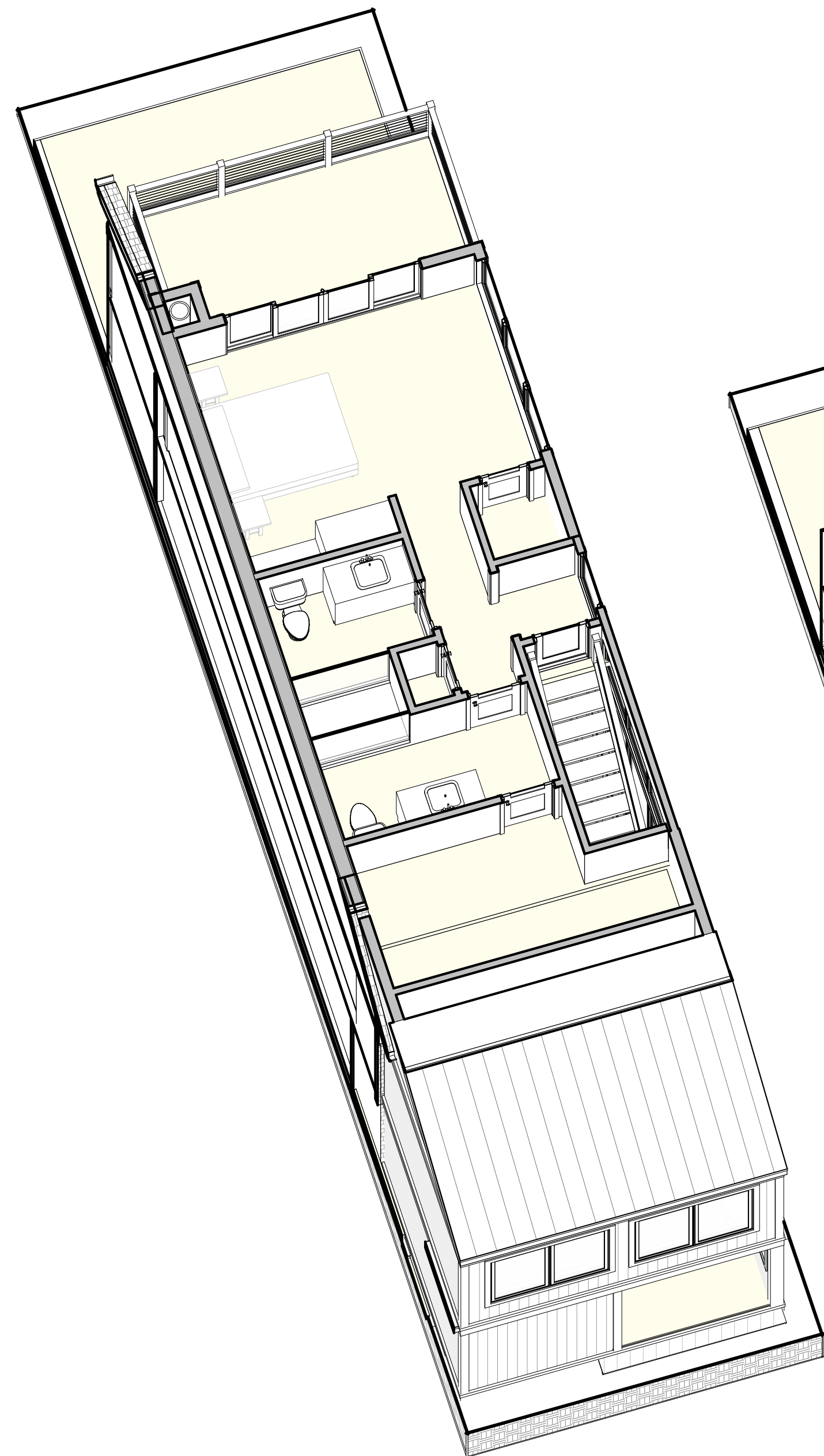
302 226 2239 fax

2103A Coastal Highway

Dewey Beach, DE 19971

ODEON RENOVATION

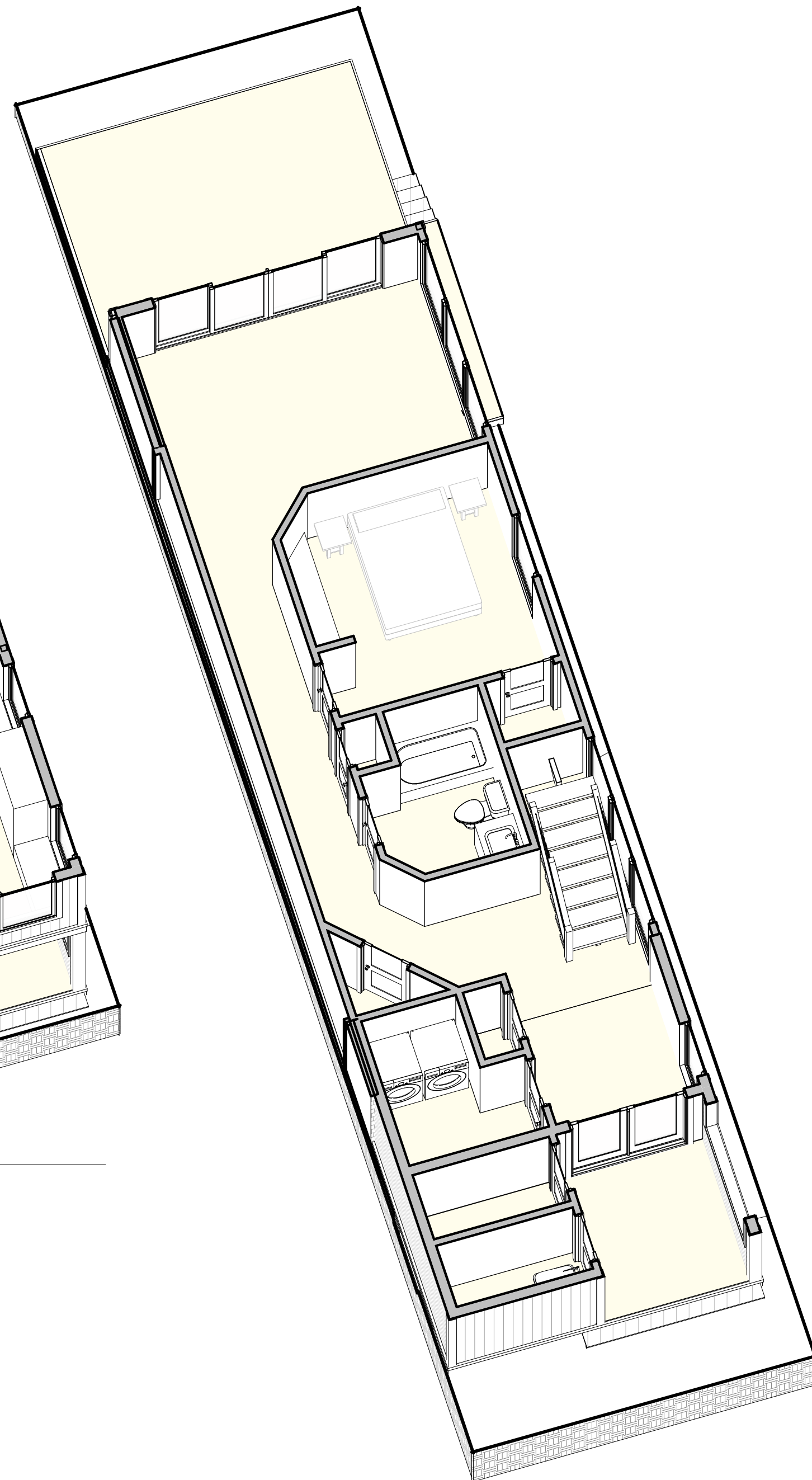
9 SEASTRAND COURT,
DEWEY BEACH, DE 19971



3 AXON - THIRD FLOOR



2 AXON - SECOND FLOOR



1 AXON - FIRST FLOOR



BUILDING CODE ANALYSIS

SITE ADDRESS:	9 SEASTRAND COURT, DEWEY BEACH, DE-19971 TAX PARCEL # 334-20.10-38.00
CODE OFFICIAL CONTACTS:	TOWN OF DEWEY BEACH & SUSSEX COUNTY, DE
APPLICABLE CODES:	IRC 2021/ IECC 2018
CONSTRUCTION TYPE:	V-B (SINGLE FAMILY HOME)
ZONING:	NR- NEIGHBORHOOD RESIDENTIAL
LOT SIZE:	2,988 SQ. FT.
BUILDING HEIGHT:	MAXIMUM ALLOWABLE: 35'-0" FROM GRADE PROPOSED CONSTRUCTION: 29'-4" FROM GRADE
FLOOR AREAS:	SEE AREA PLANS ON A001

SHEET LIST	
NO.	NAME
A001	COVERSHEET
A002	SITE & AREA PLANS
A101	EXISTING/DEMO FLOOR PLANS
A102	EXISTING/DEMO ELEVATIONS
A201	FLOOR PLANS
A301	ELEVATIONS
A401	SECTION & VIEWS

REV.	DATE	DESCRIPTION	BY

ODEON RENOVATION
9 SEASTRAND COURT,
DEWEY BEACH, DE 19971
TAX PARCEL # 334-20.10-38.00

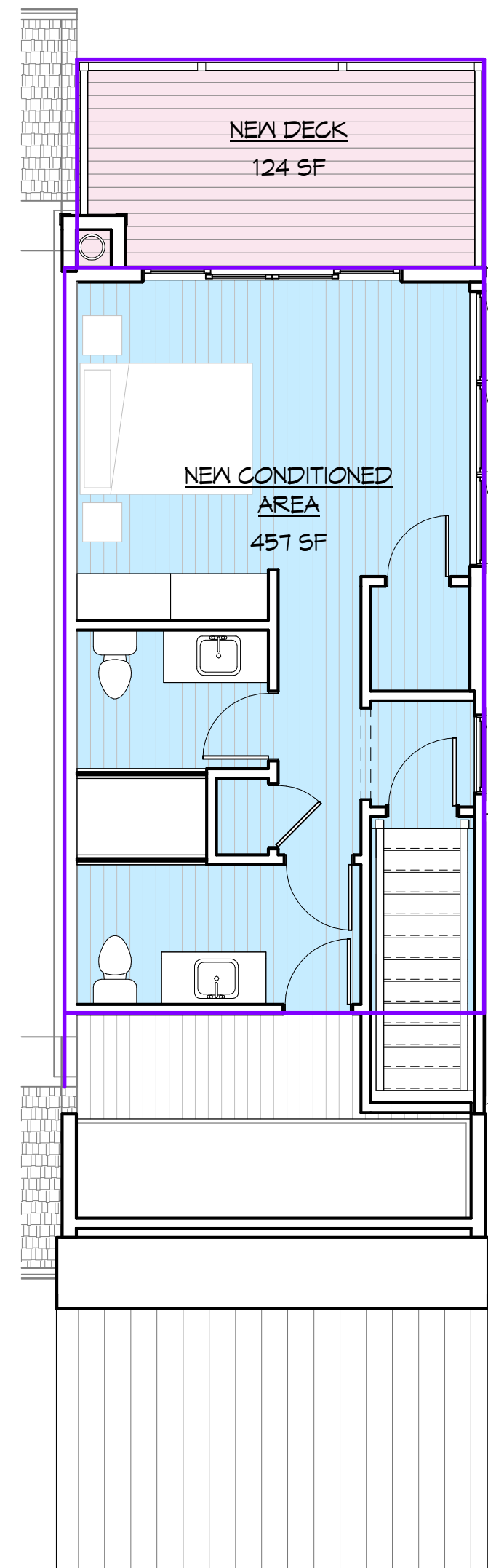
ELEMENT
115 W. MARKET STREET, 2ND FLOOR
LEWES, DE 19958
302.645.0777
WWW.ELEMENTIDG.COM

VARIANCE REVIEW
10.14.25

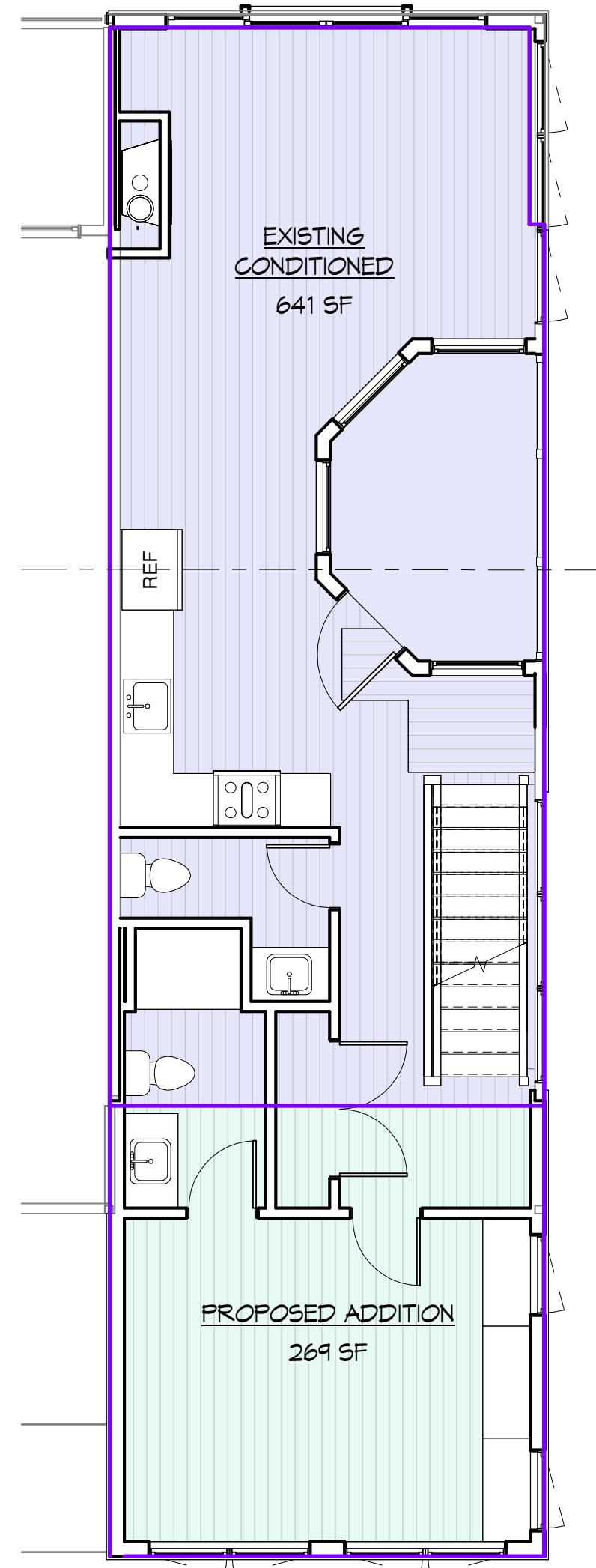
DSN	DRW	CHKD
DDW	DDW	BB
SCALE:	12" = 1'-0"	
JOB No.	e25062	
ISSUE DATE:		

COVERSHEET

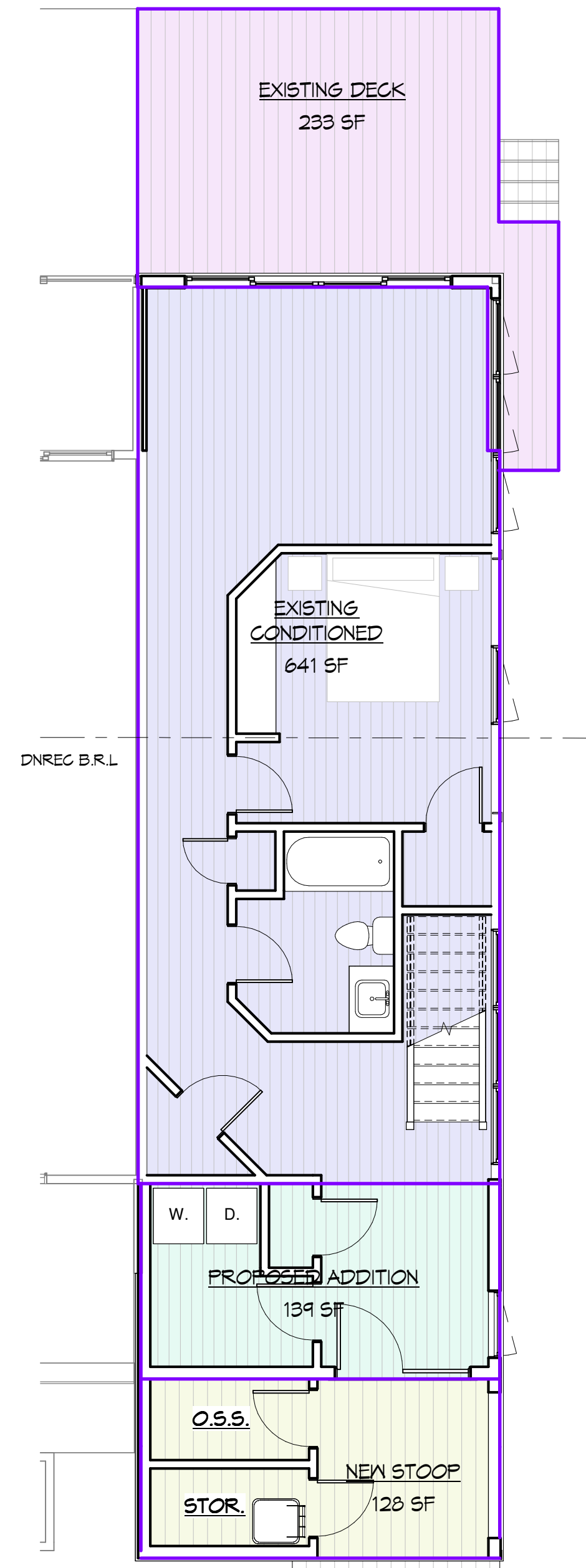
A001



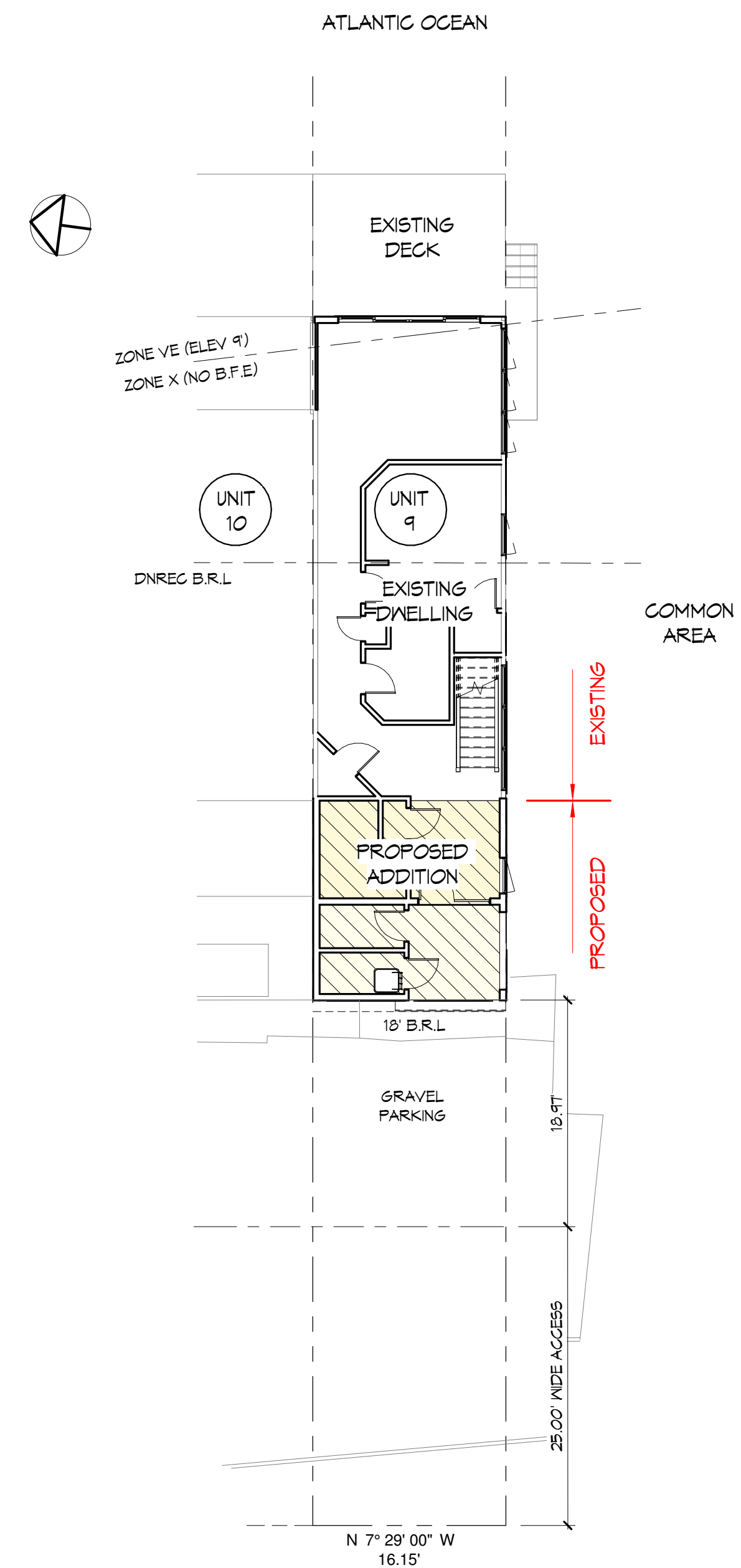
③ NEW THIRD FLOOR
3/16" = 1'-0"



④ SECOND FLOOR
3/16" = 1'-0"



② FIRST FLOOR
3/16" = 1'-0"



① SITE PLAN
1" = 10'-0"

ARCHITECTURAL SITE PLAN NOTES:

1. THIS SITE PLAN IS FOR ARCHITECTURAL REFERENCE ONLY. THIS PLAN WAS NOT PREPARED BY A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF DELAWARE.
2. THIS SITE PLAN IS BASED ON THE SURVEY PROVIDED BY THE CLIENT TO THE ARCHITECT. THIS SURVEY WAS CONDUCTED BY FORESIGHT SERVICES DATED JUNE 18, 2025.

REV.	DATE	DESCRIPTION	BY

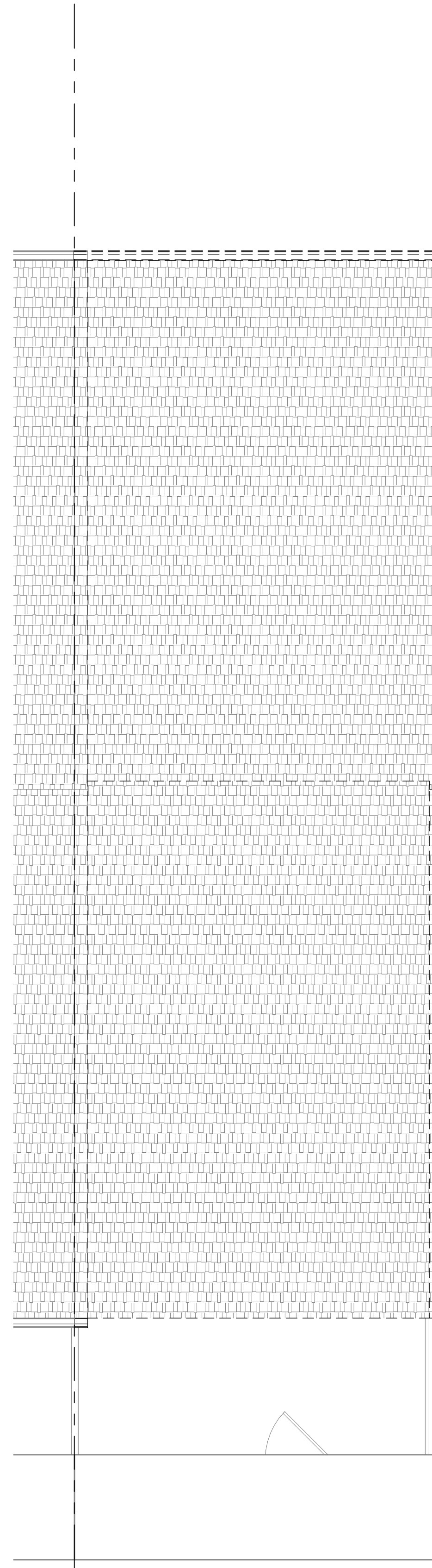
ODEON RENOVATION
9 SEASTRAND COURT,
DENEY BEACH, DE 19971
 TAX PARCEL # 334-20.10-38.00

ELEMENT
 115 w. market street, 2nd floor
 lewes, de 19958
 302.645.0777
 www.elementdgy.com

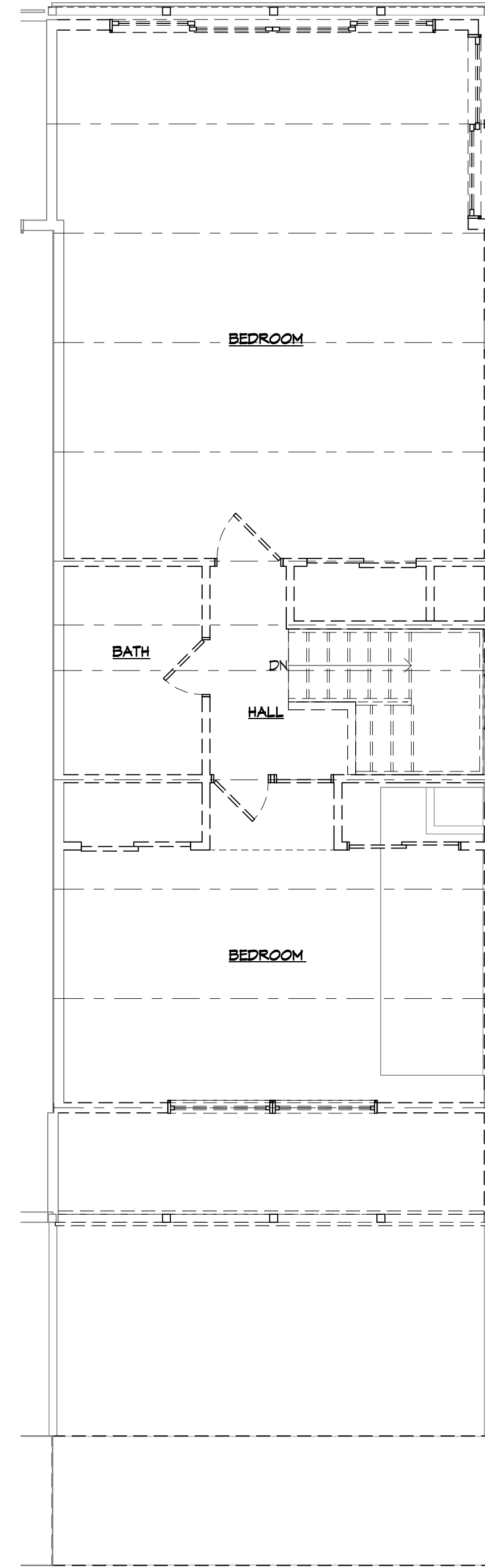
VARIANCE REVIEW
10.14.25

DSN	DRW	CHKD
Designer	Author	Checker
SCALE: As indicated		
JOB No. e25062		
ISSUE DATE:		

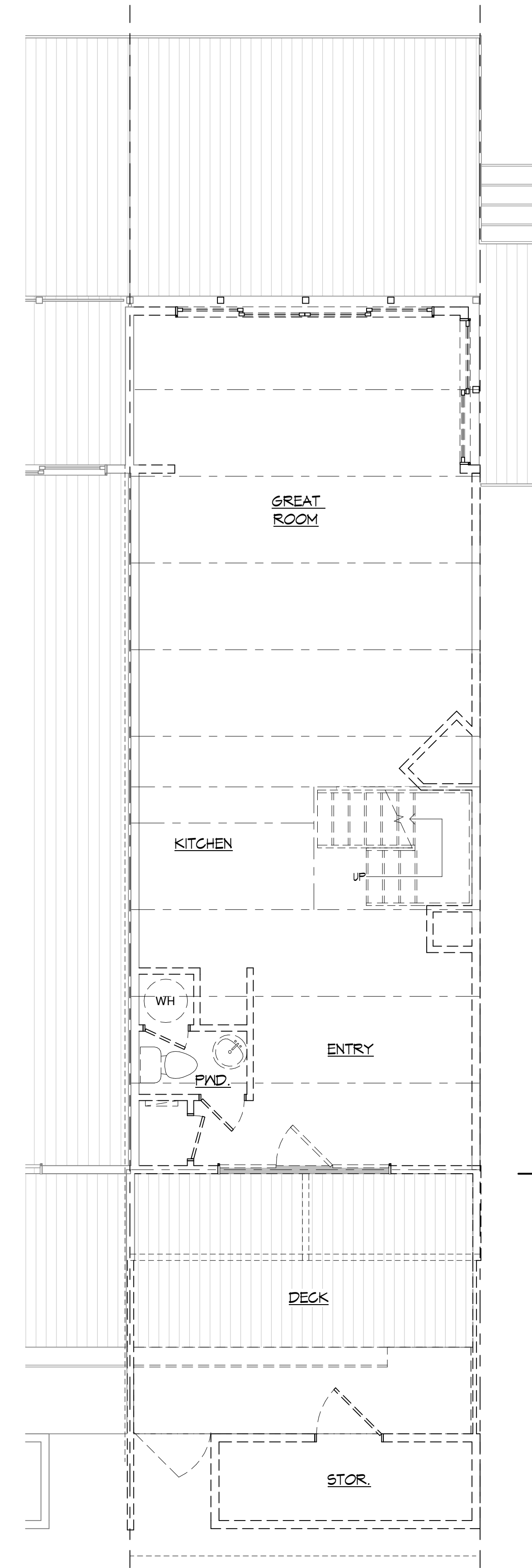
A002



③ ROOF PLAN (EXISTING)
1/4" = 1'-0"



② SECOND FLOOR (EXISTING/DEMO)
1/4" = 1'-0"



① FIRST FLOOR - (EXISTING/DEMO)
1/4" = 1'-0"

PARTITION LEGEND:

	EXISTING WALLS
	DEMO WALLS
	NEW WALLS

EXISTING/DEMO FLOOR PLANS

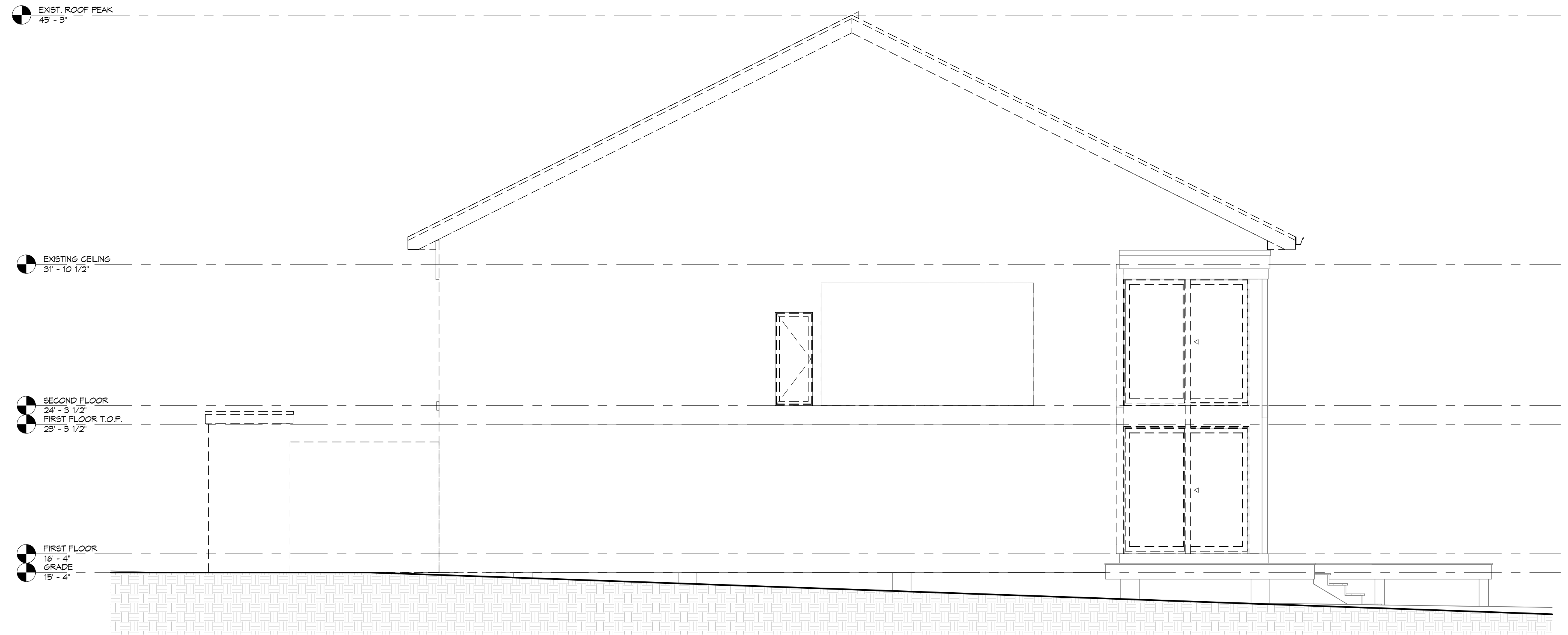
REV.	DATE	DESCRIPTION	BY

ODEON RENOVATION
 9 SEASTRAND COURT,
 DEWEY BEACH, DE 19971
 TAX PARCEL # 334-20.10-38.00

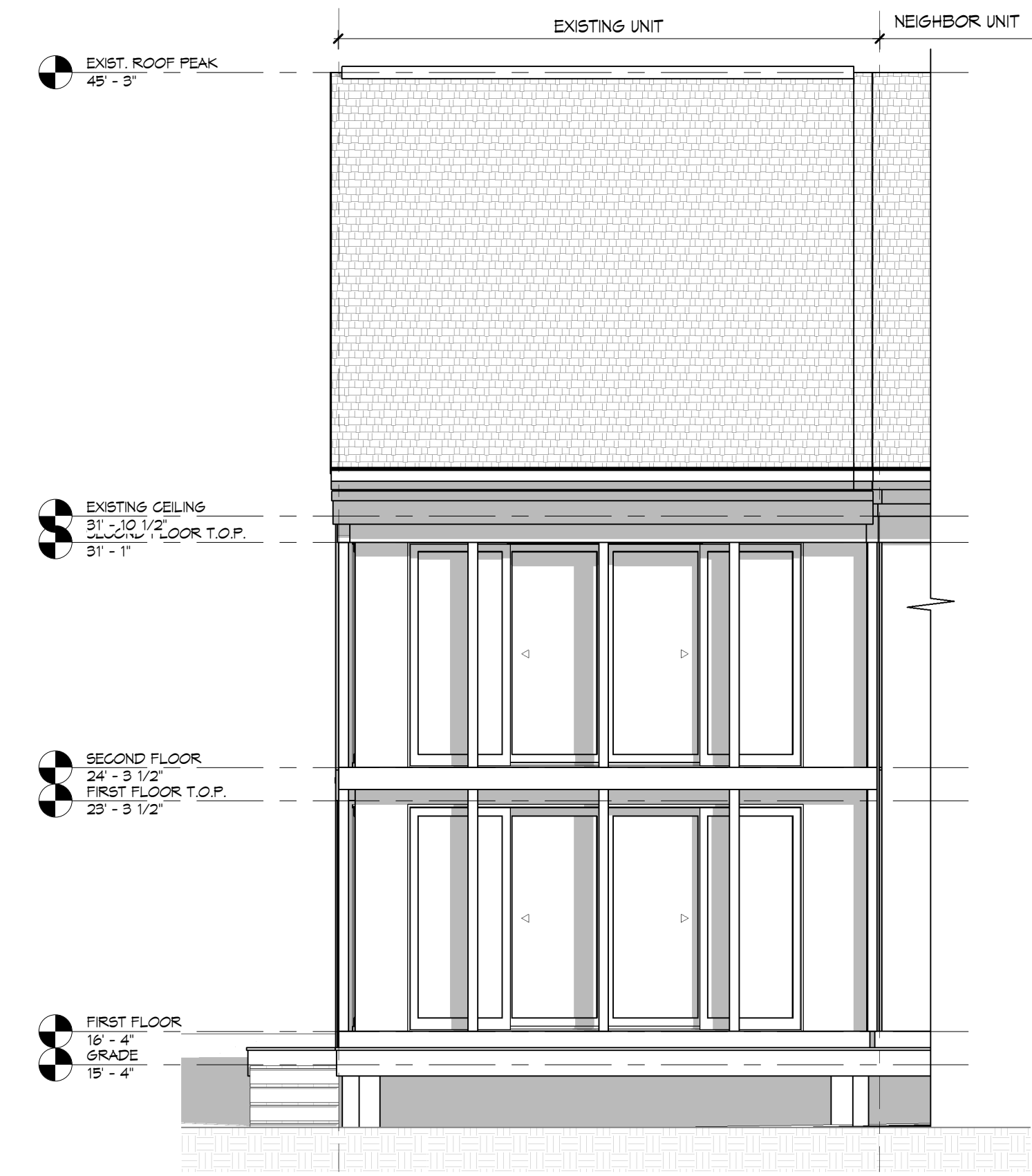
ELEMENT
 115 w. market street, 2nd floor
 lewes, de 19958
 302.645.0777
 www.elementdj.com

VARIANCE REVIEW
 10.14.25

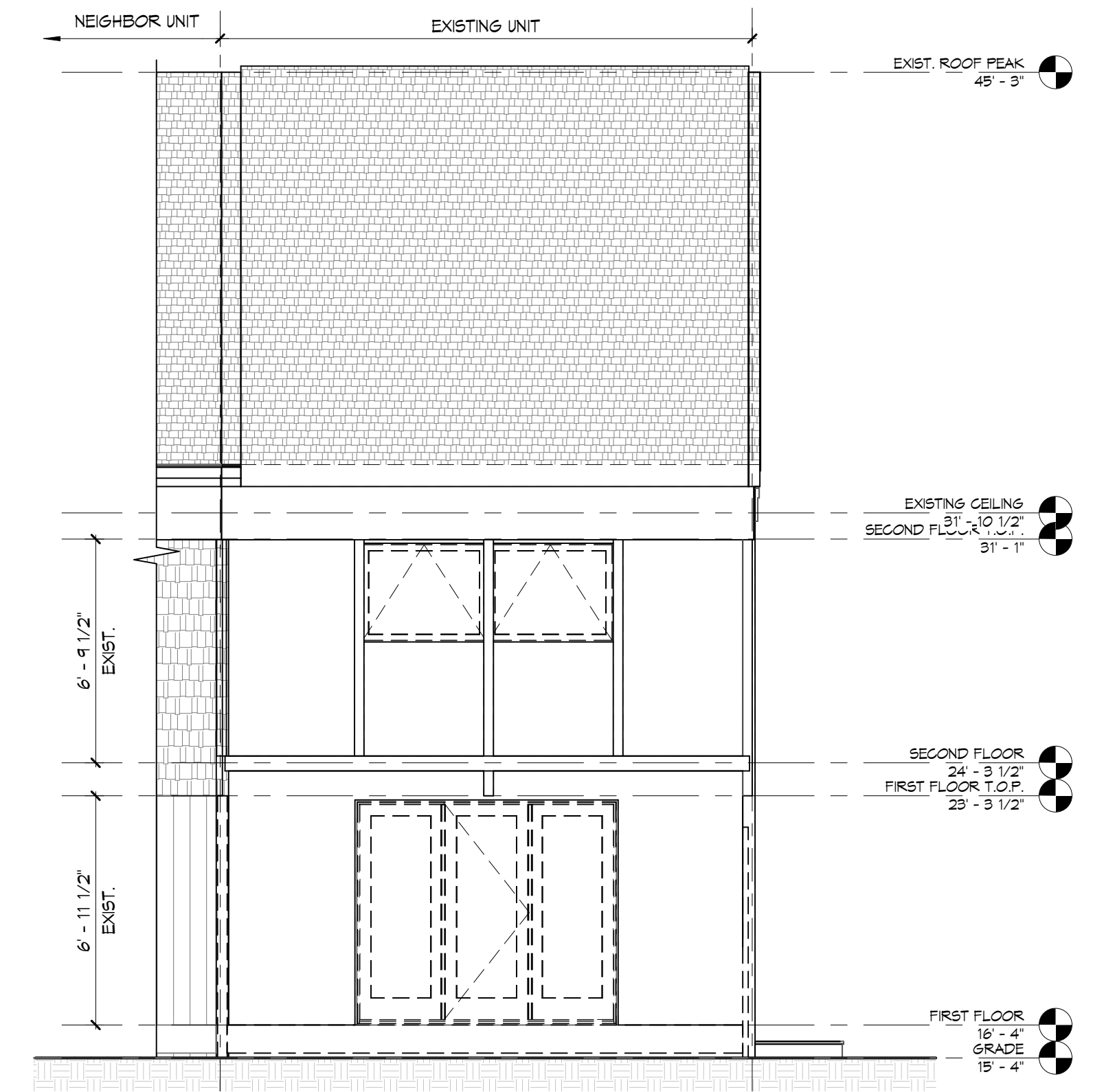
DSN	DRW	CHKD
DDW	DDW	BB
SCALE:		1/4" = 1'-0"
JOB No.		e25062
ISSUE DATE:		



3 RIGHT SIDE ELEVATION (EXISTING)
1/4" = 1'-0"



2 REAR ELEVATION (EXISTING)
1/4" = 1'-0"



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

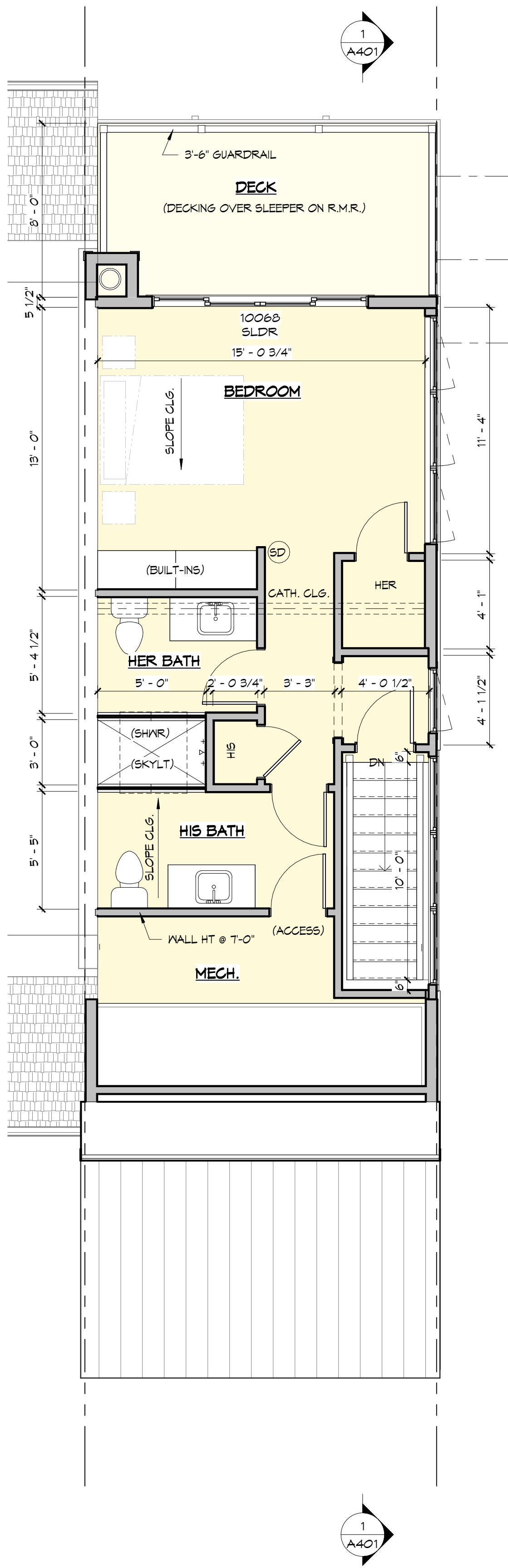
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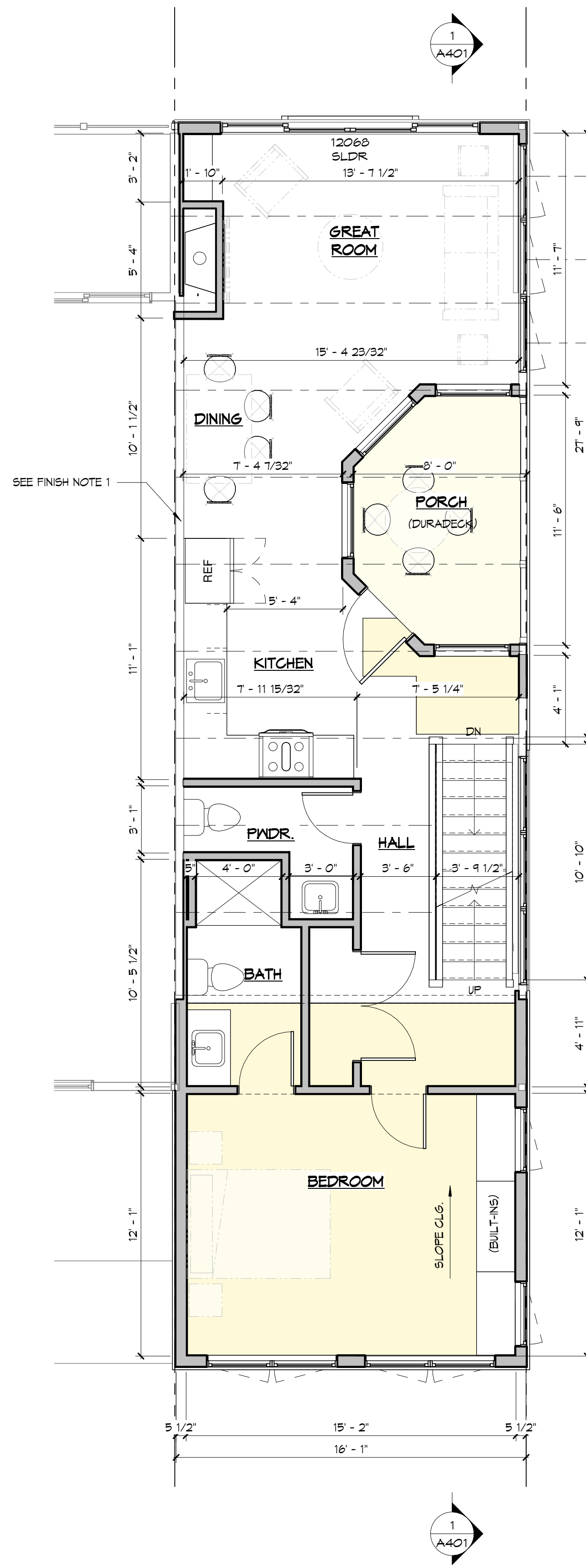
ELEMENT
 115 W. MARKET STREET, 2ND FLOOR
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VARIANCE REVIEW
 10.14.25

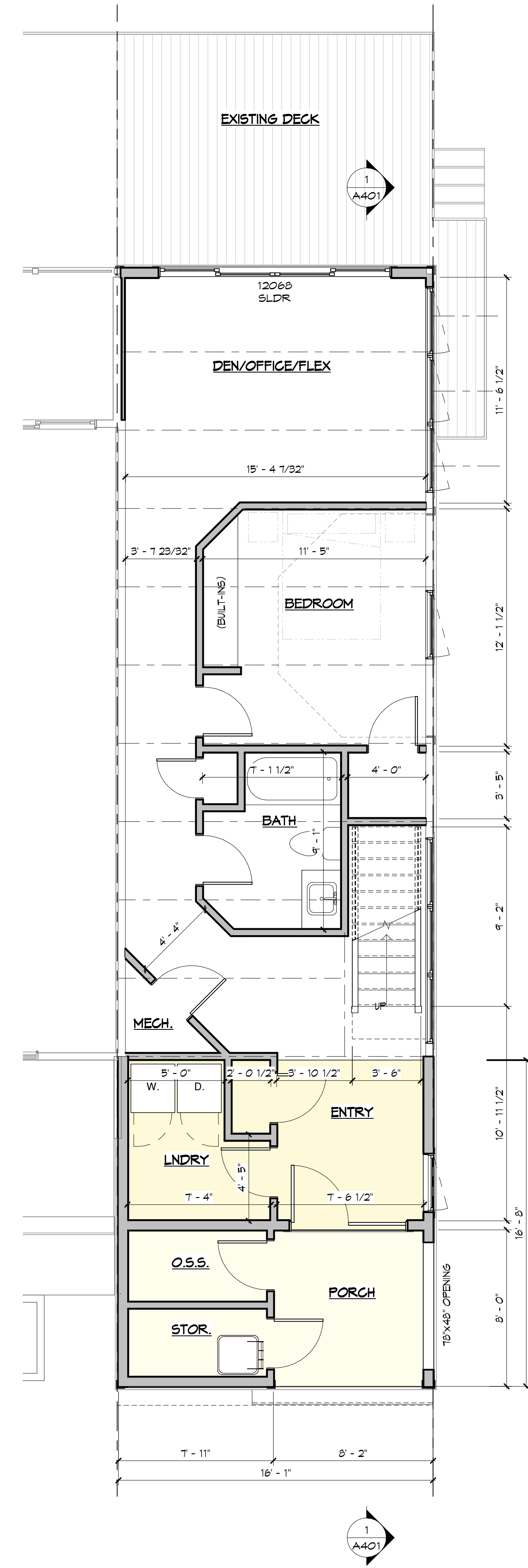
DSN	DRW	CHKD
DDW	DDW	BB
SCALE:		1/4" = 1'-0"
JOB No.		e25062
ISSUE DATE:		



3 THIRD FLOOR - (PROPOSED)
1/4" = 1'-0"



2 SECOND FLOOR - (PROPOSED)
1/4" = 1'-0"



1 FIRST FLOOR - (PROPOSED)
1/4" = 1'-0"

PARTITION LEGEND:

	EXISTING WALLS
	DEMO WALLS
	NEW WALLS

REV.	DATE	DESCRIPTION	BY

ODEON RENOVATION
9 SEASTRAND COURT,
DENEY BEACH, DE 19971
TAX PARCEL # 334-20.10-38.00

ELEMENT
115 W. MARKET STREET, 2ND FLOOR
LEWES, DE 19958
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VARIANCE REVIEW
10.14.25

DSN	DRW	CHKD
DDW	DDW	BB
SCALE:	1/4" = 1'-0"	
JOB No.	e25062	
ISSUE DATE:		

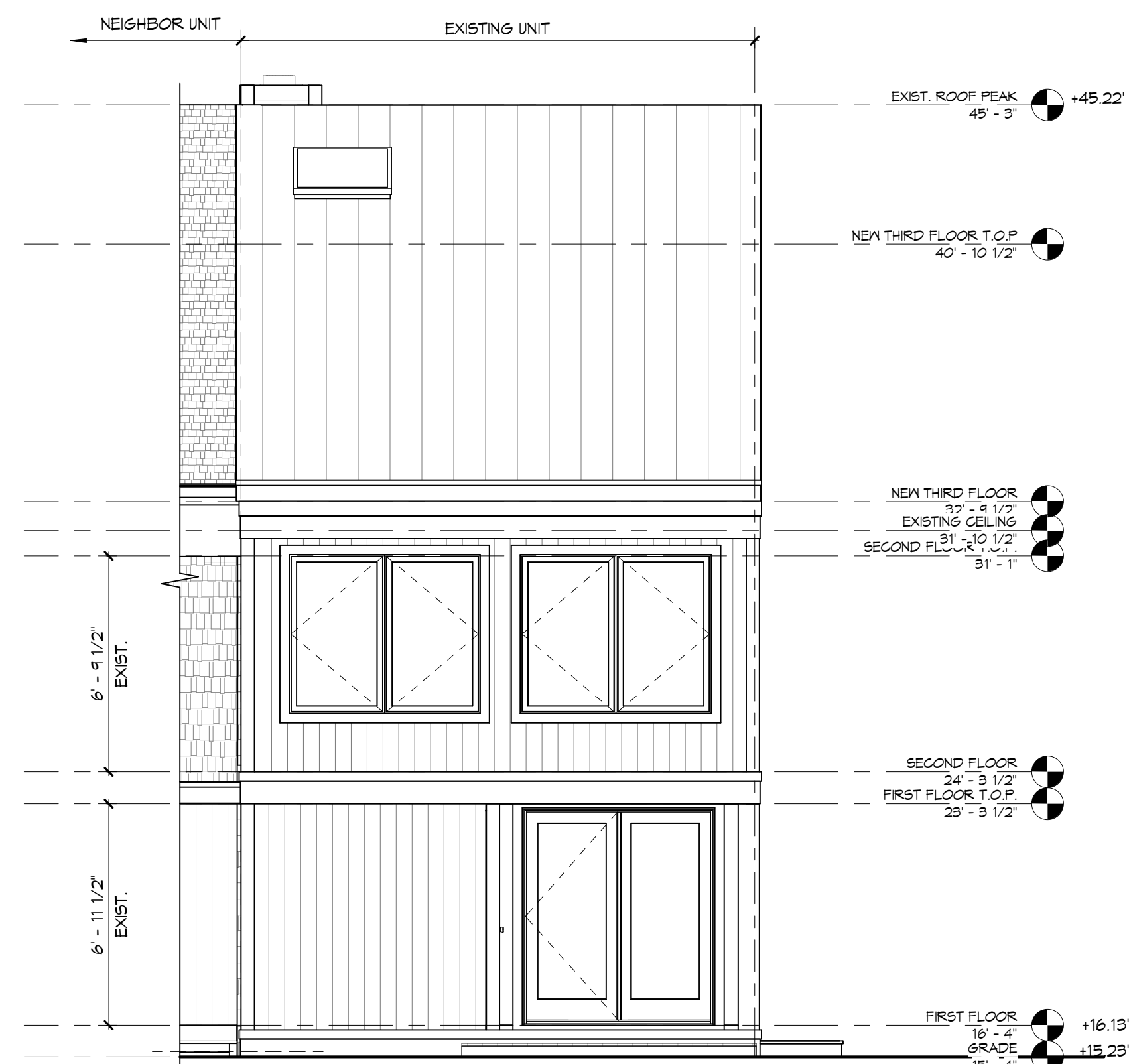
A201



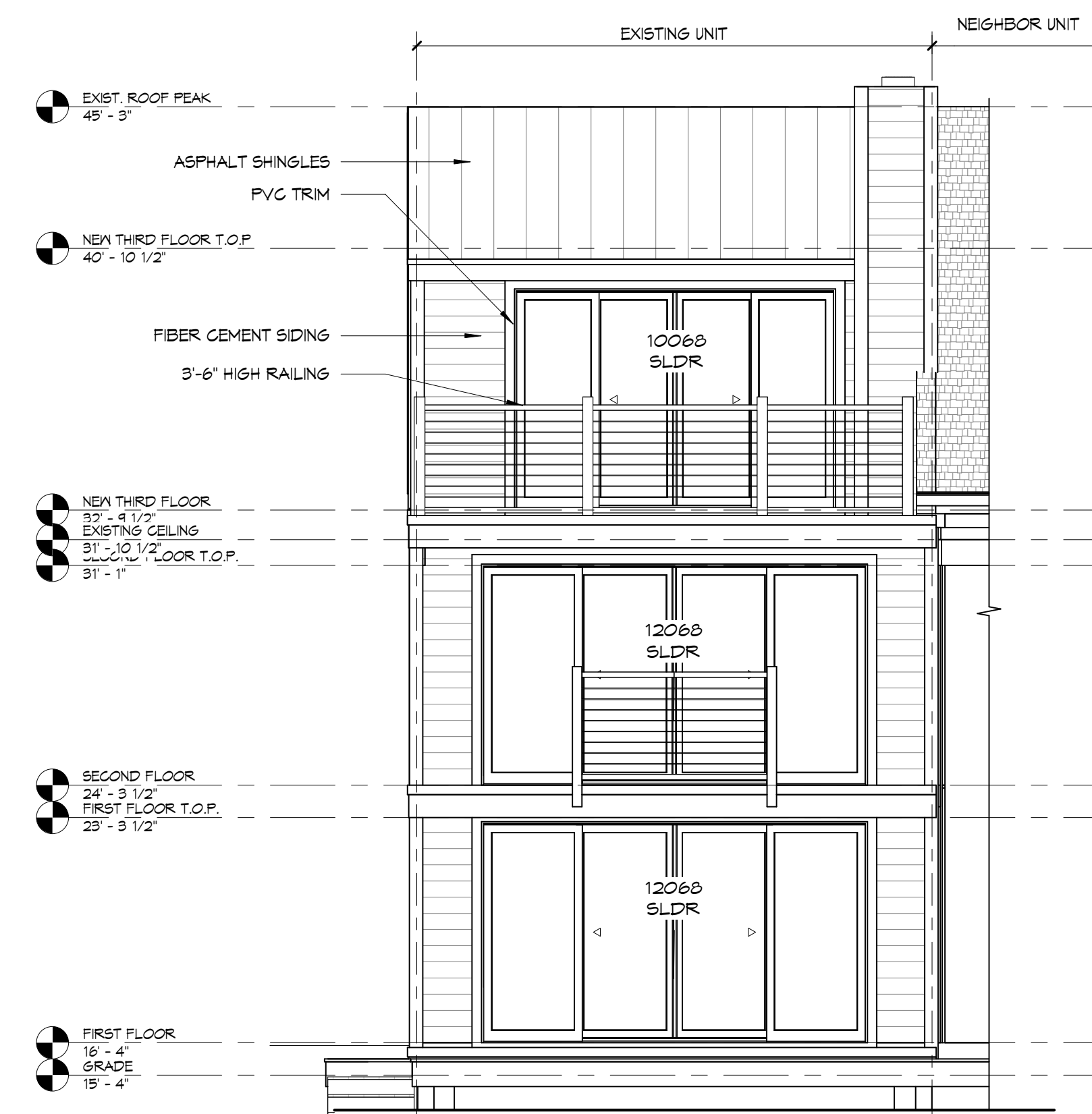
1 RIGHT SIDE ELEVATION (PROPOSED)
1/4" = 1'-0"



4 PARKING VIEW
1/4" = 1'-0"



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



3 REAR ELEVATION (PROPOSED)
1/4" = 1'-0"

REV.	DATE	DESCRIPTION	BY

ODEON RENOVATION
9 SEASTRAND COURT,
DENEY BEACH, DE 19971
TAX PARCEL # 334-20.10-38.00

ELEMENT
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VARIANCE REVIEW
10.14.25

DSN	DRW	CHKD
DDW	DDW	BB
SCALE:		1/4" = 1'-0"
JOB No.		e25062
ISSUE DATE:		

ELEVATIONS

A301



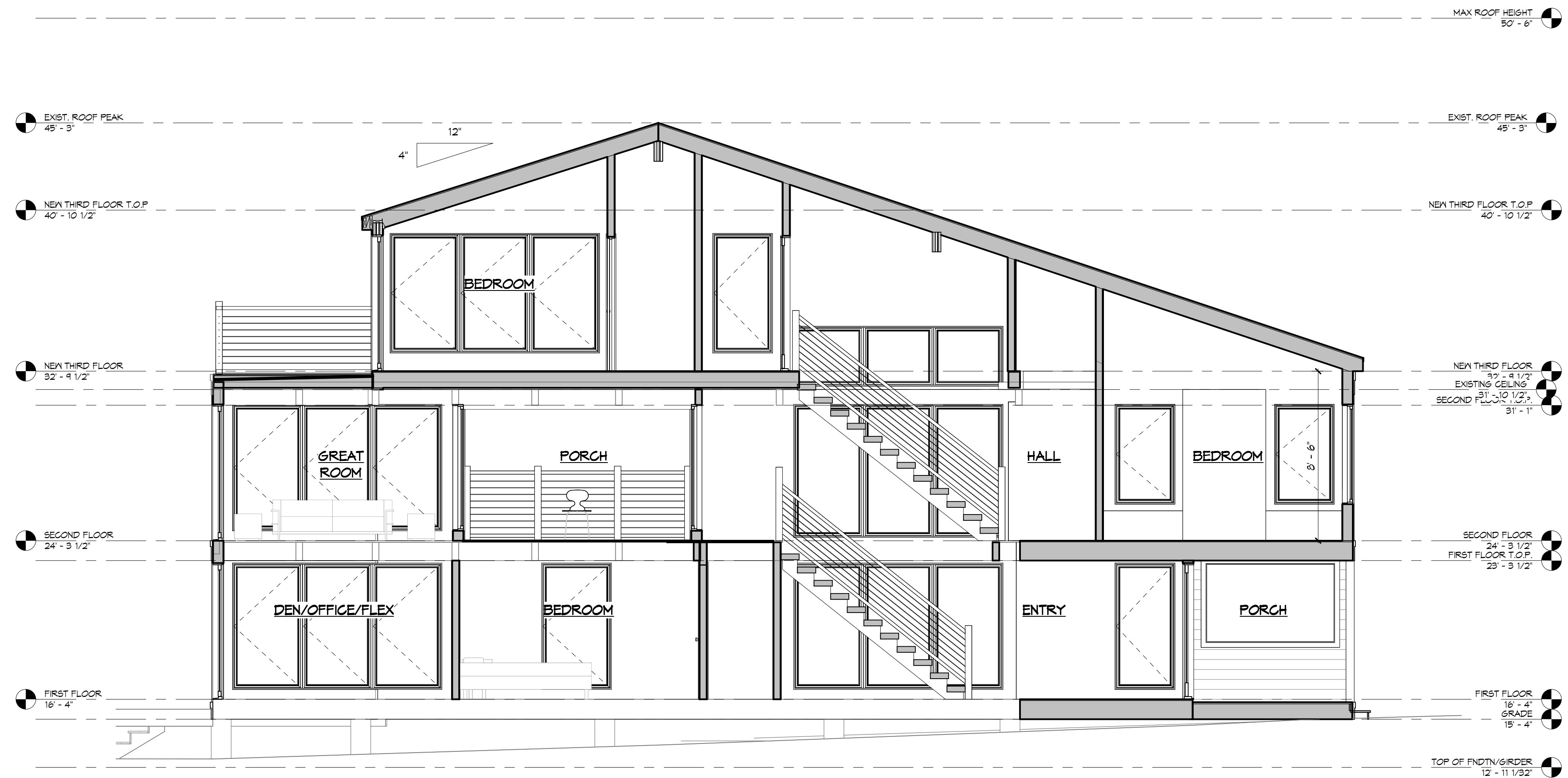
2 KITCHEN TO GREAT ROOM VIEW



3 KITCHEN TO STAIR VIEW



4 SECTION VIEW



1 Section 5
1/4" = 1'-0"

REV.	DATE	DESCRIPTION	BY

ODEON RENOVATION
 9 SEASTRAND COURT,
 DENEY BEACH, DE 19971
 TAX PARCEL # 334-20.10-38.00

ELEMENT
 115 w. market street, 2nd floor
 Lewes, de 19958
 302.645.0777
 www.elementdy.com

VARIANCE REVIEW
 10.14.25

DSN	DRW	CHKD
Designer	Author	Checker
SCALE: 1/4" = 1'-0"		
JOB No. e25062		
ISSUE DATE:		