

**Town of Dewey Beach
Conditional Use Application**

Name of Requester: Franco La Ragione Date of Request: 5/16/2022
Mailing Address: 945A North Dupont Blvd
City: Milford State: DE Zip: 19963
Phone Number: 302-745-1864 Email Address: mamamarias@aol.com
Dewey Beach Address: 1608 Coastal Hwy
Business Name: Mama Maria Inc
Property Map: 334-20.18 Parcel: 189 Zoning of Property: RB-2

Describe Use Request:

Per Ord 180, to offer outdoor dining in back.

Attach Site Plan/Sketches: 

Payment *(your application will not be accepted without payment)*

Conditional Use Application Fee: \$750.00

Franco La Ragione
E-signed 2022-05-16 11:02AM PDT
mamamarias@aol.com



Total Due: 750 USD

Adobe Acrobat Sign Transaction Number: CBJCHBCAABAiqPE9SJkKbcZB0frEWNsv2pyETC26QMC

Applicant Signature: *Franco La Ragione*
Franco La Ragione (May 16, 2022 14:01 EDT)

Date: May 16, 2022

Business Owner Signature: *Franco La Ragione*
Franco La Ragione (May 16, 2022 14:01 EDT)

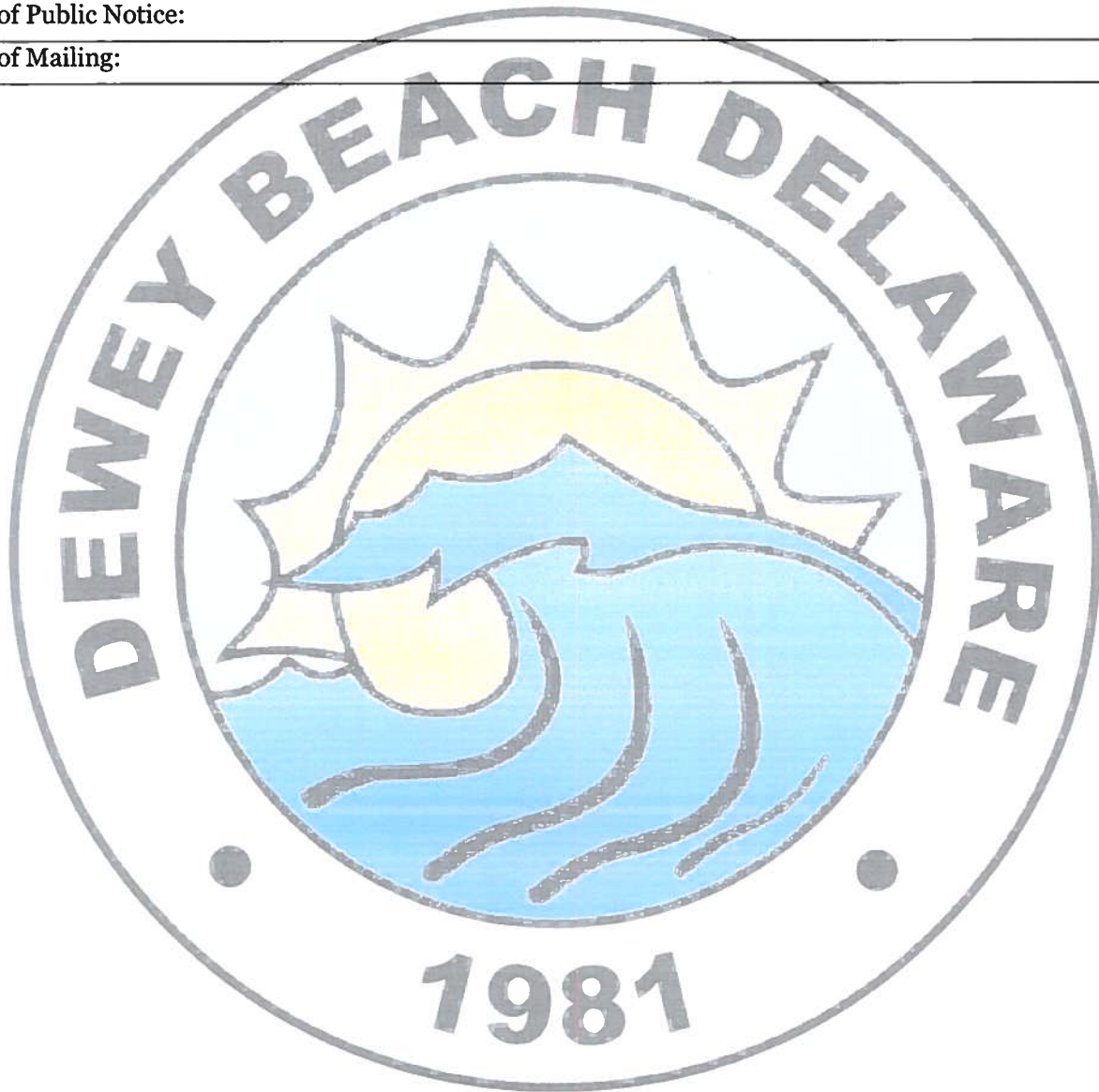
Date: May 16, 2022


Property Owner Signature: *Franco La Ragione*
Franco La Ragione (May 16, 2022 14:01 EDT)

Date: May 16, 2022

For Town Hall Use Only

Date Application & Fee Received:
Date of Hearing:
Date of Public Notice:
Date of Mailing:



Signature: 
Daune Hinks (Jul 11, 2022 15:32 EDT)
Email: dhinks@townofdeweybeach.com

Signature:
Email: ashleigh@townofdeweybeach.com





TOWN OF DEWEY
BEACH

www.townofdeweybeach.com

105 Rodney Avenue
Dewey Beach, DE 19971
302-227-6363 (Voice or TDD)
302-227-8319 (Fax)

Application for Permit of Compliance
Pursuant to Chapter 144 Restaurants: Certificate of Compliance

Application for:

- (New) Restaurant Permit of Compliance Hearing
- (Amended) Restaurant Permit of Compliance – (i.e. substantial modification/expansion of an approved floor plan)
- (Existing) Restaurant: New Outside Dining Permit of Compliance Hearing

1. Applicant Name: MAMA MARIA INC.
Mailing Address: 945 A NORTH DUPONT BLVD MILFORD, DE 19963
Telephone: (302) 227-3242
Email: MAMAMARIAS@AOL.COM
2. Contact Person for this Application: FRANCO LA RAGIONE
Telephone: (302) 745-1864
Email: MAMAMARIAS@AOL.COM
3. Name of Restaurant (DBA): MAMA MARIA RESTAURANT + PIZZERIA
Address: 1608 COASTAL HIGHWAY DEWEY BEACH, DE 19971
Telephone: (302) 227-3242
Website: MAMAMARIA.COM
4. Names of Owners of Restaurant:
- GIUSEPPE LA RAGIONE
 - SALVATORE LA RAGIONE
 - FRANCO LA RAGIONE

5. Name of Legal entity owning this business:

MAMA MARIA INC.

Type of Entity (check appropriate entity):

- Sole Proprietorship
 Partnership
 Corporation
 LLC
 Other

5. Property Owner (if different from applicant):

Mailing Address: _____

Telephone: (_____) _____

Email: _____

6. Parcel ID #: _____ Tax District: 334 Map 20.18 Parcel 189.00

7. Zoning Classification: Commercial

8. The distance (in feet) to the nearest property line of the nearest lot zoned residential from the proposed restaurant or existing restaurant property: Adjacent to Seabreeze Village Townhomes

9. The number and sizes of bar areas in the restaurant: _____

Bar area is not being expanded; only outdoor restaurant service is

10. Has the restaurant's floor plan been included? Including floor plan of proposed outside restaurant service

11. The restaurant's seating capacity: _____

225 + 40 proposed

12. Does the floor plan for the proposed restaurant / expansion include the square footage and location of each designated storage area and food service preparation area? _____

Storage & food service area staying as is

13. Provide: A statement that the establishment's primary purpose shall be that of a restaurant as defined in the Dewey Beach Municipal Code: _____

Mama Maria's primary purpose shall be that of a restaurant as defined in the Dewey Beach Municipal Code

14. Provide: A statement containing an approximate percentage of projected revenue to be derived from the sale of alcoholic beverage as compared to the percentage of projected revenue to be derived from the sale of food. _____

90% food / 10% alcohol

15. Provide: An authorization for the Town, its agent and employees to seek information and conduct an investigation as to the accuracy of the statements set forth in the application to the best of their ability. _____

The town, its agents and employees may conduct an investigation as to the accuracy of the statements set forth in the application, to the best of their ability

16. Provide: Written and dated declaration by the applicant, under verification, oath or affidavit, that the forgoing information contained in the application is true and correct with said declaration being duly dated and signed: _____

THE APPLICATION IS TRUE + CORRECT

Date: 7/24/22 Applicant: [Signature]

STATE OF DELAWARE

SS.

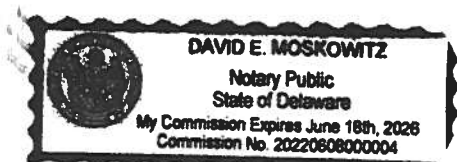
COUNTY OF SUSSEX

BE IT REMEMBERED that on this 24th day of July, A.D. 2022, personally appeared before me, the Subscriber, a Notary Public of the State and County aforesaid, Franco La Ragione in the foregoing application, known to me personally to be such, and he did depose and say the foregoing application is true and correct to the best of his knowledge and belief.

David Moskowitz My Commission expires 6/18/26
Notary Public Commission # 20220608000004
State of Delaware

SWORN TO AND SUBSCRIBED before me the day and year aforesaid.

[Signature]
Notary Public



Hi Daune,

Please see attached Mama Maria application. We previously went through the process for outdoor seating on our Rt 1 side (Ordinance 750) and the town waived the Site Plan requirements since no new construction was involved. We are asking for a similar waiver since like last time there is no construction involved, just putting tables and chairs outside on our McKinley street side in what was previously parking spots. We however in a show of good faith have attempted to answer the relevant questions when possible. Please forward to the Town Commissioners so they can make their decision on how to proceed during the August meeting. Mama Maria is a model Dewey Beach restaurant with a 90% food to 10% alcohol ratio, one of the best in the area.

Thanks,

Mama Maria

Preliminary site plan requirements.

A.

The preliminary site plan shall show the following:

(1) Name of the subdivision or development.

Mama Maria Restaurant

(2) Name and address of the owner and applicant.

Mama Maria Restaurant 945 A North Dupont Blvd Milford DE 19963

(3) Name and address of the engineer or surveyor who prepared the plan. Plans shall show the seal and signature of a registered Delaware land surveyor and/or professional engineer on all drawings.

-

(4) Written and graphic scale, not exceeding one inch equals 50 feet for sheets 24 inches by 36 inches or sheets 24 inches by 42 inches.

-

(5) Sheet size, refer to § 185-75B(3).

-

(6) North arrow.

-

(7) Plan legend.

-

(8) Date of the original plan and all subsequent revision dates. 2/23/1984

(9) Proposed changes in zoning, if any.

None requested

(10) Sheet number, if multiple sheets are used.

-

(11) A location map with a scale of no less than one inch equals 500 feet indicating adjacent streets. Existing and surrounding zoning district boundaries will also be shown.

-

(12) Certification of plan accuracy by engineer/surveyor.

Survey for property attached

(13) Certification of ownership.

Sussex County Property Record attached

(14) Certification of plan approval.

-

(15) Tax parcel numbers. 334-20.18-189

(16) Zoning district of the subject tract.

RB2

(17) Source of title.

Sussex County

(18) Survey datum and local benchmark.

Attached Survey

(19) Total site gross and net acreage.

Attached print out from Sussex County

(20) Name of water supplier and the note "Water supply is subject to the State Department of Natural Resources and Environmental Control and the Delaware Department of Health."

Sussex County

(21) Sanitary sewage disposal method.

Sussex County

(22) Number of existing and proposed lots or dwelling units. 1

(23) Lot numbers for all existing and proposed lots.

No changes

(24) Existing and proposed nonresidential gross floor area.

1266 sq ft current patron area (600 restaurant and bar, 416 pizzeria, 250 outside). Proposing additional 805 sq ft patron area outside off McKinley

(25) Location of existing and proposed building and structures.

No changes

(26) The name, right-of-way width and cartway width of all adjoining streets.

-

(27) Tie-in distances from subject property to the nearest street intersection.

-

(28) Location of front, side; and rear yard setbacks and all required buffer yards.

No changes; see survey

(29) Location and dimensions of all existing and proposed sidewalks.

-

(30) Calculation of required off-street parking spaces and number of existing and proposed spaces

0 required; have 9 spots available.

(31) Location of off-street loading areas.

No changes

(32) Location of all existing and proposed site accesses and entrance driveways.

No changes

(33) Location and design of all proposed off-street parking areas, indicating parking space and access aisle dimensions and directional arrows indicating proposed traffic circulation patterns.

No changes

(34) Approximate number of dwelling units to be included in each type of housing provided.

No changes

(35) Proposed buildings and structures with dimensions, setbacks and heights designated.

-

(36) Approximate location and size of recreational and open space areas.

No changes

(37) Approximate location of point of ingress and egress to existing public highways.

No changes

(38) The number of construction phases proposed, if any, with the plot showing the approximate boundaries of each phase, and the proposed completion date of each phase.

No construction

(39) Existing and proposed building coverage.

-

(40) Existing and proposed impervious coverage.

-

(41) Name and address, tax parcel numbers and zoning of all adjoining property owners.

Seabreeze Townhomes; Summerset Townhomes; the town usually provides this information

(42) Location of any water bodies and watercourses.

-

(43) Location of any floodplains, including FEMA map panel number.

-

(44) Location of any wetlands areas.

-

(45) Location and identification of any historic structures.

-

(46) Location of all significant natural or man-made structures.

-

(47) Existing and proposed deed restrictions, easements or protective covenants.

-

(48) Grading plan indicating existing contours (at two-foot intervals), proposed grading, spot elevations and finished floor elevations and top and bottom of wall elevations for any retaining walls over two feet.

-

(49) Limit of existing tree masses and location, size and species of all individual trees over six inches' caliper.

-

(50) A limit of disturbance line.

-

(51) A soil erosion and sediment control plan.

-

(52) Stormwater management plan.

-

(53) Solid waste management plan.

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(54) Landscape plan. Plans shall show the seal and signature of a registered Delaware landscape architect on all drawings.

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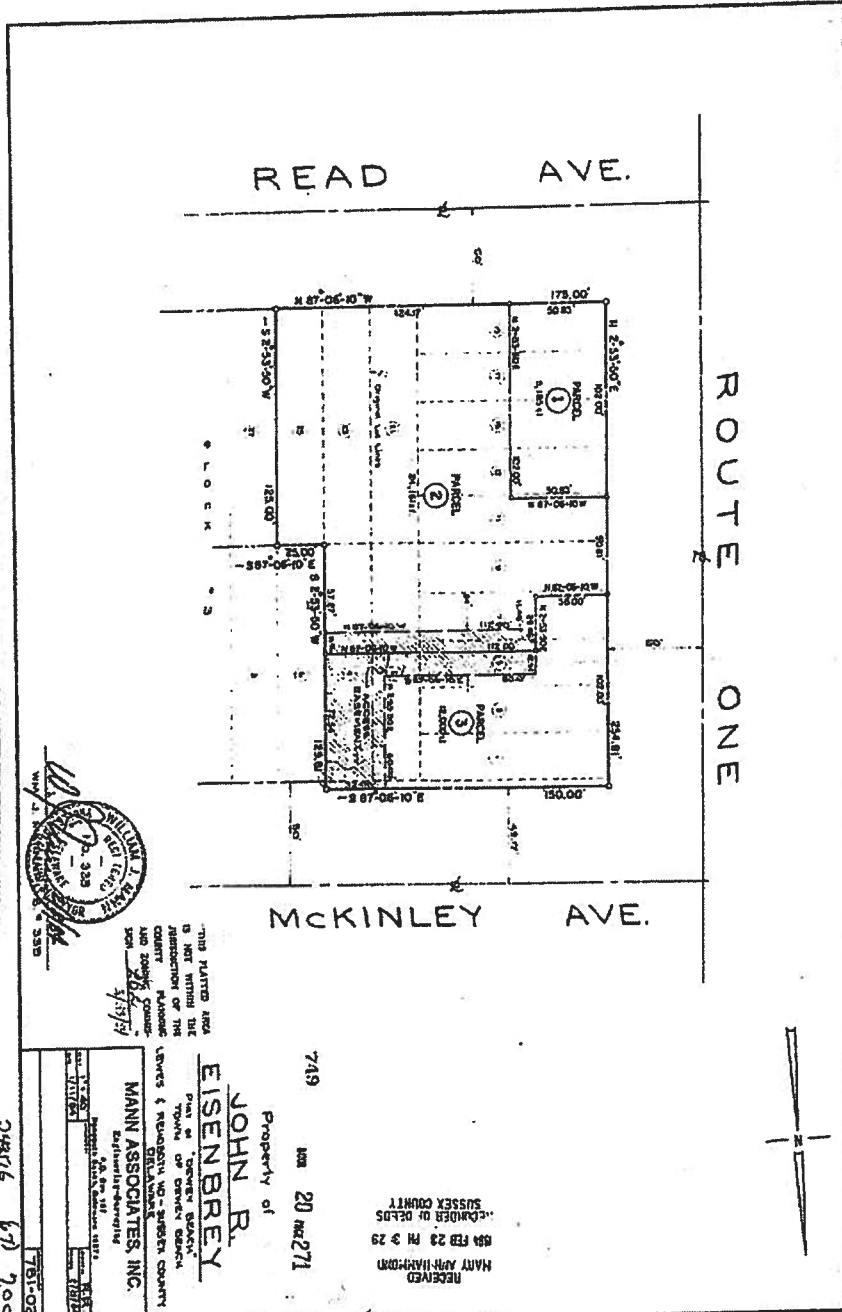
(55) Lighting plan.

Café lights facing downward. Shut off when closing outdoor seating for the night.

(56) A listing of all existing nonconforming buildings, uses or structures.

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Survey



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DEPARTMENT OF REVENUE
BUSINESS RECORDS COMPARISON



"THIS PLATTED AND
IS NOT WITHIN THE
JURISDICTION OF THE
STATE OF DELAWARE."
MANN ASSOCIATES, INC.
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189

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DEWEX

BEA

Ownership

PARID: 334-20.18-189.00
LARAGIONE PROPERTIES LLC

ROLL: RP
1608 COASTAL HWY

Property Information

Property Location: 1608 COASTAL HWY
 Unit:
 City: DEWEY BEACH
 State: DE
 Zip: 19971

Class: COM-Commercial
 Use Code (LUC): CO-COMMERCIAL
 Town: DB-Dewey Beach
 Tax District: 334 - LEWES REHOBOTH
 School District: 6 - CAPE HENLOPEN
 Fire District: 86-Rehoboth
 Deeded Acres: .0001
 Frontage: 153
 Depth: 110.000
 Irr Lot: I
 Plot Book Page: /PB

100% Land Value: \$44,000
 100% Improvement Value: \$123,100
 100% Total Value: \$167,100

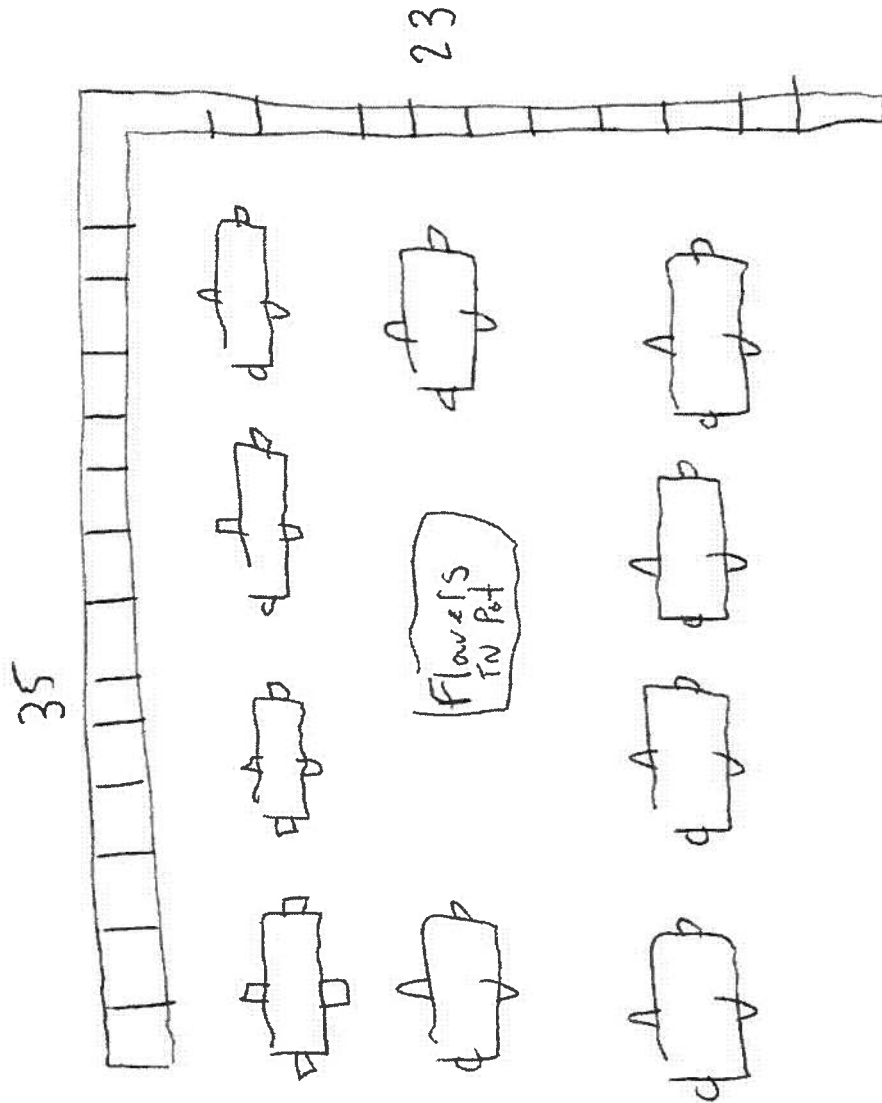
Legal

Legal Description: DEWEY BEACH
 LOTS 1 3 P/O LOTS 2 4 5 7
 BLK 3

Owners

Owner	Co-owner	Address	City	State	Zip
LARAGIONE PROPERTIES LLC	% MAMA MARIA'S ITALIAN REST	945 N DUPONT BLVD STE A	MILFORD	DE	19963

Outside Proposed Layout



Prev Approval By Town

Ordinance No. 150

AN ORDINANCE TO AMEND AN EXISTING CONDITIONAL USE RESTAURANT PERMIT BY ALLOWING USE OF AN EXISTING PATIO AS AN OUTSIDE SERVICE AREA FOR A MAXIMUM OF TWELVE PATRONS FOR THE ESTABLISHMENT KNOWN AS MAMA MARIA'S, IN THE RB-2 ZONING DISTRICT LOCATED AT 1608 COASTAL HIGHWAY, DEWEY BEACH, DE, FORMALLY KNOWN AS TAX MAP 334-20.18 PARCEL 189.00.

WHEREAS, an application to amend an existing Conditional Use restaurant establishment permit has been received to add an outside service area for twelve patrons consisting of twelve (12) seats and six (6) two top tables at an existing conforming restaurant known as, Mama Maria's, in a RB-2 Zoning District located at 1608 Coastal Highway and McKinley Street, Dewey Beach, DE, being tax map 334-20.18 parcel 237.00 pursuant to §185-73 of the Code of the Town of Dewey Beach; and

WHEREAS, on the 8TH day of December, 2018, a Public Hearing was held, after proper notice, before the Town Commissioners who determined, based upon the record established at the hearing that the proposed request should be referred to the Planning Commission for a review and recommendation; and

WHEREAS, §185-25D(1)(a)[3] specifies restrictions and limitations that apply to outside service areas of restaurant establishments; and

WHEREAS, the Planning Commission conducted a Public Hearing on January 19, 2019, after proper notice, and, based on the record established at the hearing, recommended to the Town Commissioners that the application to expand the existing restaurant by adding outside seating for twelve 12 patrons be approved; and

WHEREAS, in accordance with §185-25D(1) the above-referenced requirements of Mama Maria's, a restaurant establishment, have been proven by credible evidence presented by the applicant to have been met.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Commissioners of the Town of Dewey Beach, Delaware that:

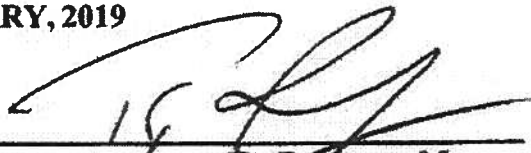
The Applicant's request for an expansion of their conditional use restaurant establishment to permit its existing patio to serve as an outdoor service area for a maximum of twelve persons at six two top tables is hereby approved as follows:

1. The requirements of the Applicant's underlying conditional use approval as well as the conditions applicable to the maintenance of an outside service area set forth in §185-25D(1)(a) [3] shall be complied with at all times.
2. The Applicant will ensure the improvement is entirely on the property of map 334-20.18 parcel 237.00

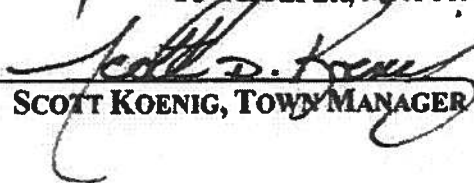
The Commissioners declare that the adoption of this Ordinance is an appropriate legislative action based upon the following findings of fact and upon the record established during the public hearing process. The application meets the requirements applicable to a Restaurant; adequate safeguards have been utilized by the applicant to provide safe access to the facility for customers. The conditions which have been carefully drafted as a result of input from the applicant, interested members of the community, legal counsel and the

Commissioners shall assure that the health, safety and welfare of the present and future inhabitants and visitors of Dewey Beach shall be protected and the purpose and goals of the RB2 zoning district are preserved and enhanced.

ORDAINED AND ENACTED IN LAW THIS 9TH DAY OF FEBRUARY, 2019



TJ REDEFER, MAYOR



SCOTT KOENIG, TOWN MANAGER