



# TOWN OF DEWEY

## BEACH

www.townofdeweybeach.com

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

### CONDITIONAL USE APPLICATION

Property Address: 1907 Coastal Highway, Dewey Beach, DE 19971

Map Number: 334 Parcel Number: 20.18-30.00 and 30.01 Zoning of Property: RB-2

Use Requested: Amend existing Conditional Use ordinance 608 for an outside service.

Applicant Name: Jimmy's Grille of Dewey Beach, LLC

Applicant Address: C/o Stephen W. Spence

Baird Mandalas Brackstedt, LLC, 1413 Savannah Rd, Suite 1, Lewes, DE 19958

Property Owner Signature: [Signature], President, Bottle, Inc. for Highway I, L.P.

Business Owner Signature: [Signature], Manager

Applicant Signature: [Signature], Manager

Please return this application along with a Site Plan, and check, made payable to the *Town of Dewey Beach* in the amount of \$750.00, and return to:

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

Please make arrangements to attend the scheduled meeting.

For Town Hall Use Only:

Date Received: 6/1/22

Date Payment Received: 6/1/22 + 7/19/22

Date of Hearing: 8/19/2022

Date of Public Notice: 8/2/2022

Date of Mailing: 8/3/2022



BAIRD  
MANDALAS  
BROCKSTEDT LLC

Stephen W. Spence  
Lewes Office  
(302) 645-2262  
sws@bmbde.com

June 1, 2022

**VIA FIRST CLASS MAIL AND EMAIL**

Bill Zolper, Town Manager  
Town of Dewey Beach  
105 Rodney Ave.  
Dewey Beach, DE 19971  
[townmanager@townofdeweybeach.com](mailto:townmanager@townofdeweybeach.com)

**RE: Application of Jimmy's Grille of Dewey Beach , LLC's for an amendment to its existing restaurant serving alcohol conditional use**

Dear Bill,

Please find enclosed the application of Jimmy's Grille of Dewey Beach, LLC for an amendment to its existing restaurant serving alcohol conditional use to expand and add an outdoor seating area for its business. As expanded, the total patron area will be less than 4,000 square feet. No construction other than perimeter fencing is proposed for this expanded area.

Highway I Limited Partnership is both the landowner and the sole member of the applicant. It consents to this application in its capacity as the landlord and sole member. While we do not believe that the two tax parcels that are involved need to be merged as there will not be any construction on the parcel where the expansion is to be located, if the Town attorney can point to any Town code section that requires it, Highway I will submit the necessary parcel merger survey for approval if the expanded conditional use is approved. If legally required, it can be imposed as a condition of the approval.

The application form, filing fee, draft proposed conditional use ordinance and plan showing the proposed expansion area are enclosed. Please place this application on the agenda for the Town Commissioners at the earliest possible date.

Very truly yours,

STEPHEN W. SPENCE, ESQ.

Enclosures

CC: Alexander J. Pires, Jr.  
John Snow

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1413 Savannah Road, Ste. 1, Lewes, DE 19958 | T: (302) 645-2262 | F: (302) 644-0306

[www.bmbde.com](http://www.bmbde.com)

DOVER | LEWES | WILMINGTON | GEORGETOWN



**TOWN OF DEWEY**  
**BEACH**  
www.townofdeweybeach.com

C1007  
John  
ERIC

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

April 11, 2022

RE: Jimmy's Grille – 1911 Coastal Highway – Dewey Beach, Delaware  
Conditional Use Application

This letter confirms that the expiration date for the approved expansion of premises under the COVID Conditional Use for Jimmy's Grille will expire as of October 31, 2022. The Dewey Beach Commissioners voted on March 18, 2022, to extend the COVID Conditional Use for restaurants until October 31, 2022. If you plan to keep the current expansion of premises that was approved under COVID you will need to apply for a Conditional Use Application and seek approval by the Commissioners before October 31, 2022. Please plan accordingly, the conditional use process can be lengthy sometimes taking months for review by the Commissioners and the Planning and the Zoning Committee. Conditional Use Applications can be found on the town website Business.

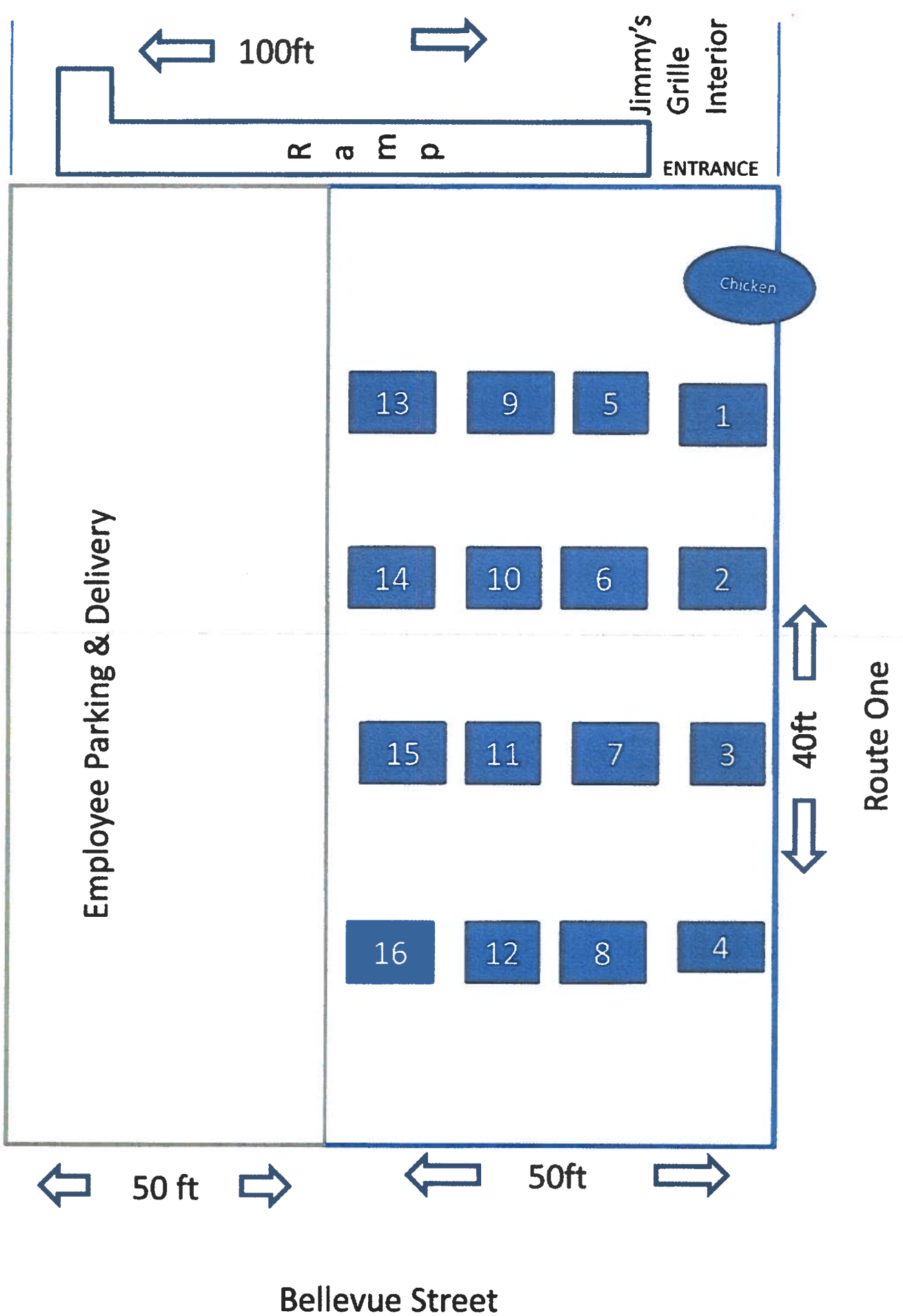
If you have any questions regarding this correspondence, please contact our office at (302) 227-6363.

Best Regards,

Bill Zolper  
Town Manager  
[townmanager@townofdeweybeach.com](mailto:townmanager@townofdeweybeach.com)  
(302) 227-6363

CC: Alex Pires, Jimmy's Grille, 1911 Coastal Highway, Dewey Beach, DE 19971  
Chief Sam Mackert, Dewey Beach Police Department  
William Stevens, Mayor

# Jimmys Grille Outdoor Dining



Jimmy's  
Grille  
Interior

100ft

R a m p

ENTRANCE

Employee Parking & Delivery

Chicken

40ft

Route One

50 ft

50ft

Bellevue Street



BAIRD  
MANDALAS  
BROCKSTEDT LLC

Stephen W. Spence  
Lewes Office  
(302) 645-2262  
sws@bmbde.com

July 6, 2022

**VIA HAND DELIVERY**

Bill Zolper, Town Manager  
Town of Dewey Beach  
105 Rodney Ave.  
Dewey Beach, DE 19971

**RE: Jimmy's Grille of Dewey Beach, LLC  
Conditional Use Amendment Application  
Our File No.: 12067-061**

Dear Bill,

As requested by Ms. Hinks, I am providing the following additional information in connection with our application to amend our existing conditional use to allow for the approval of the outside service area for Jimmy's Grille of Dewey Beach, LLC .

I am enclosing the following documents:

1. The permit set of plans used to build Jimmy's Grille in 2009 from Element Design, our client's architect ("Element").
2. A drawing provided by Element showing the areas included in the calculation of the existing patron area of the restaurant which totals 1,945 square feet. We have excluded the handicapped ramp as no patron can be served or stand in this area.
3. The existing seating plan for the restaurant which has been essentially the same since the restaurant opened.
4. A revised version of the proposed ordinance to correct the internal references to the applicable Dewey Code section.

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1413 Savannah Road, Ste. 1, Lewes, DE 19958 | T: (302) 645-2262 | F: (302) 644-0306  
www.bmbde.com

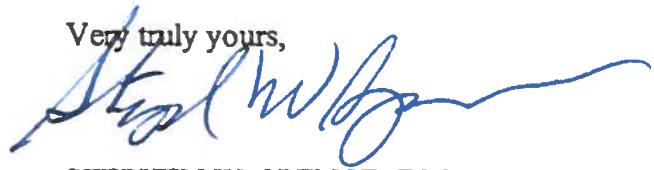
DOVER | GEORGETOWN | LEWES | WILMINGTON

July 6, 2022

Page | 2

Please confirm receipt. Our application can now be placed on the Town Council's agenda for consideration and/or referral to Planning and Zoning.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Stephen W. Spence", with a long horizontal flourish extending to the right.

STEPHEN W. SPENCE, ESQ.

SWS/dbw

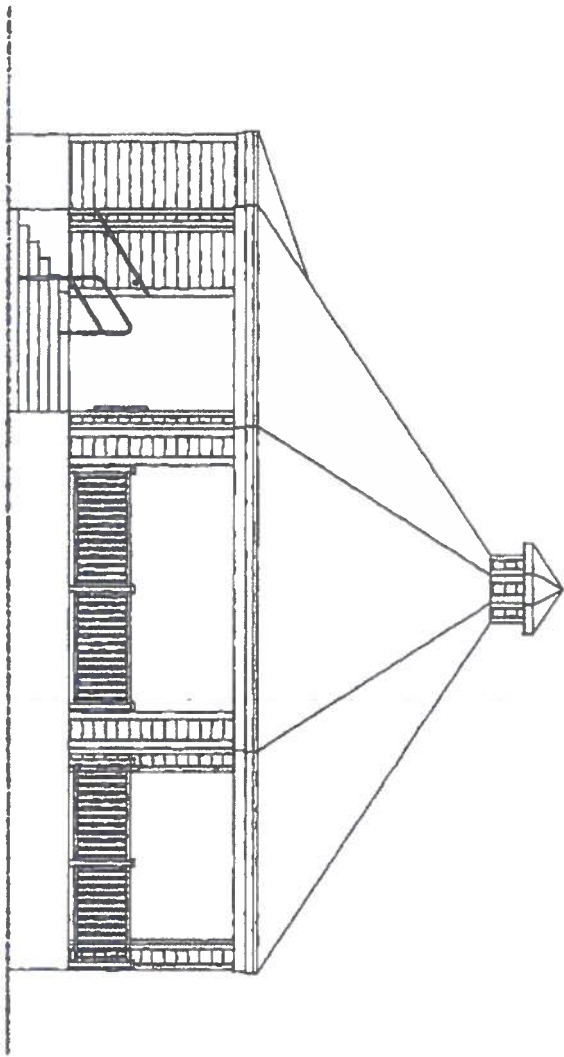
cc: Alexander J. Pires, Jr.

John Snow

Enclosures

# Jimmy's Grille of Dewey Beach, LLC

Coastal Highway, Dewey Beach, Delaware



## SHEET INDEX

SHT. NO.	SHEET NAME
G-001	ARCHITECTURAL COVER SHEET & INDEX
G-002	GENERAL NOTES
A-001	WALL, FLOOR TYPES & FINISH SCHEDULES
A-002	WINDOW & DOOR SCHEDULES & DETAILS
A-003	ACCESSIBILITY NOTES
A-101	FOUNDATION PLAN
A-102	FIRST FLOOR PLAN
A-103	ROOF PLAN
A-104	KITCHEN PLAN
A-105	ROOF RAISING PLAN
A-201	BUILDING ELEVATIONS
A-202	BUILDING ELEVATIONS
A-301	BUILDING SECTIONS
A-302	WALL SECTIONS

**ELEMENT**  
 18335 coastal highway, suite c  
 lewes, DE 19958  
 P. 302.645.0777  
 F. 302.645.0777  
 CONTACT: Matthew Peterson  
 matthew@elementdg.com

REV	DATE	CHANGE	BY
0	02.07.09	REV. BUILDING TO NEW DESIGN	AE
5	08.07.08	REV. FOUND TO NEW DESIGN	AE

REV	DATE	CHANGE	BY
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2	01.30.08	REV. PER OWNER COMMENTS	AE
3	02.07.08	REV. RELEASE FOR PERMIT	AE
4	02.21.08	REV ADD STRUCT WALL DET.	AE

**ELEMENT**  
 18335 Coastal Highway, Suite C  
 Lewes, DE 19958  
 P. 302.645.0777  
 F. 302.645.0777  
 www.elementdg.com

Jimmy's Grille of Dewey Beach, LLC  
 Highway 1 at Bellevue Avenue  
 Dewey Beach, Sussex County, Delaware

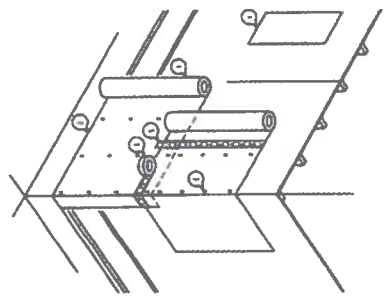
**G-001**  
 COVER SHEET & INDEX



# ROOM FINISH SCHEDULE

NO.	ROOM NAME	CEILING		FLOOR		BASE		WALLS		KEY
		FINISH	THICKNESS	FINISH	THICKNESS	FINISH	THICKNESS	FINISH	THICKNESS	
00	ENTRANCE	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	SEE KEY
01	BAR	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	SEE KEY
02	DINING ROOM	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	SEE KEY
03	KITCHEN	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	SEE KEY
04	RESTROOM	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	SEE KEY
05	STAIR	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	SEE KEY
06	STAIR	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	SEE KEY
07	STAIR	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	SEE KEY
08	STAIR	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	1/2" GYP	5/8"	SEE KEY

NOTE: FINISHES SHALL BE APPLIED TO ALL SURFACES UNLESS OTHERWISE NOTED. FINISHES SHALL BE APPLIED TO ALL SURFACES UNLESS OTHERWISE NOTED.



3 BUILDING WRAP INSTALLATION DETAIL  
BOASTING - NO SCALE

**BUILDING WRAP NOTES**

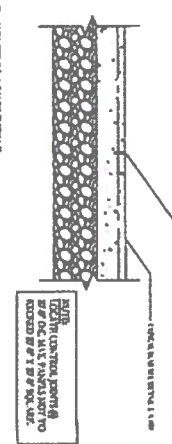
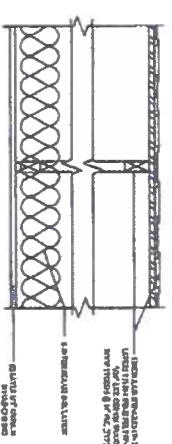
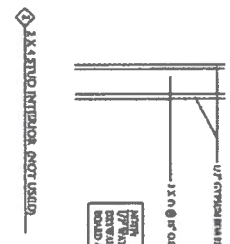
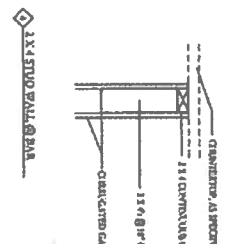
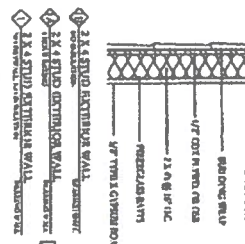
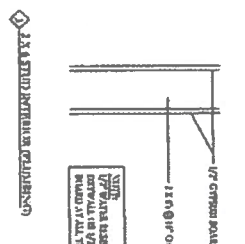
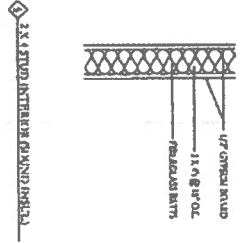
1. BUILDING WRAP SHALL BE APPLIED TO ALL EXTERIOR SURFACES OF THE BUILDING, INCLUDING ROOFS, WALLS, AND FOUNDATIONS. THE WRAP SHALL BE APPLIED TO ALL SURFACES UNLESS OTHERWISE NOTED.

2. THE WRAP SHALL BE APPLIED TO ALL SURFACES UNLESS OTHERWISE NOTED. THE WRAP SHALL BE APPLIED TO ALL SURFACES UNLESS OTHERWISE NOTED.

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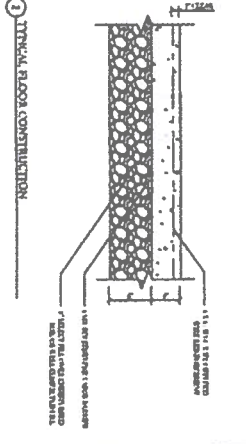
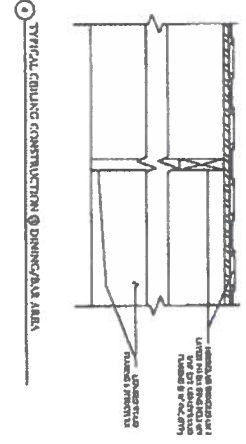
4. THE WRAP SHALL BE APPLIED TO ALL SURFACES UNLESS OTHERWISE NOTED. THE WRAP SHALL BE APPLIED TO ALL SURFACES UNLESS OTHERWISE NOTED.

5. THE WRAP SHALL BE APPLIED TO ALL SURFACES UNLESS OTHERWISE NOTED. THE WRAP SHALL BE APPLIED TO ALL SURFACES UNLESS OTHERWISE NOTED.



3 TYPICAL CEILING CONSTRUCTION @ RESTROOM, ENTRANCE, AREA  
SCALE: 1/2" = 1'-0"

1 TYPICAL FLOOR/CEILING TYPES  
SCALE: 1/2" = 1'-0"



3 TYPICAL CEILING CONSTRUCTION @ DINING/BAR AREA

2 TYPICAL FLOOR CONSTRUCTION

2 TYPICAL WALL TYPES  
SCALE: 1/2" = 1'-0"

PLAN STATUS			
REV.	DATE	CHANGE	BY
1	01.17.08	RELEASED FOR PERMIT	MP
2	01.17.08	ADDED KITCHEN EQUIPT. SHT.	CT
3	01.17.08	REV. PER OWNER COMMENTS	AE
4	02.07.08	REV. RELEASE FOR PERMIT	AE
5	02.21.08	REV. ADD. STRUCT. WALL DET.	AE

**ELEMENT**

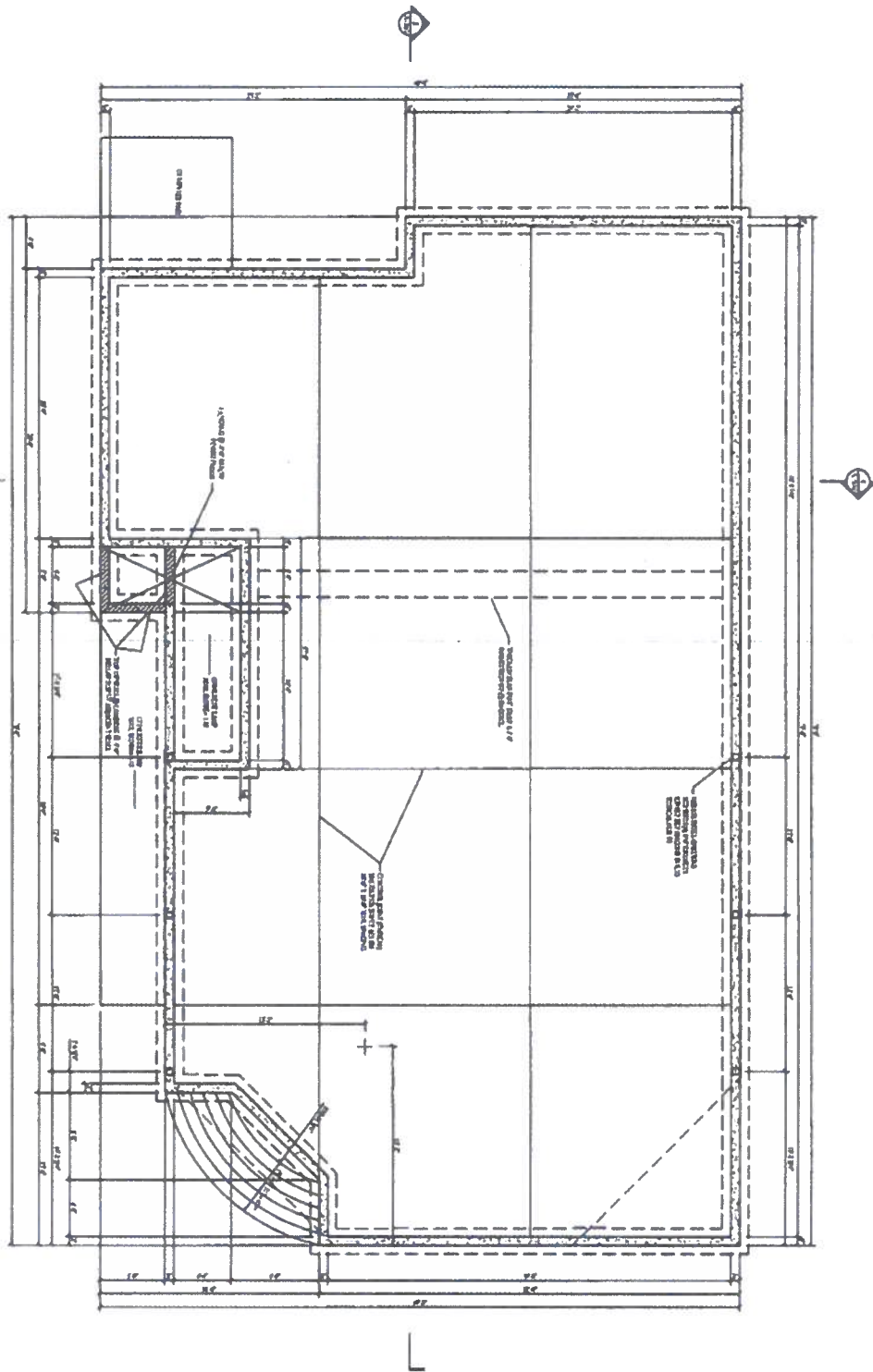
10555 Coastal Highway North  
 Suite 200  
 P.O. Box 643 07717  
 Freehold, NJ 07728

Jimmy's Grille of Dewey Beach, LLC  
 Highway 1 at Bellevue Avenue  
 Dewey Beach, Sussex County, Delaware

DATE	REV.	BY	DESCRIPTION
01.17.08	1	MP	RELEASED FOR PERMIT
01.17.08	2	CT	ADDED KITCHEN EQUIPT. SHT.
01.17.08	3	AE	REV. PER OWNER COMMENTS
02.07.08	4	AE	REV. RELEASE FOR PERMIT
02.21.08	5	AE	REV. ADD. STRUCT. WALL DET.







**1 FOUNDATION PLAN**  
SCALE: 1/8" = 1'-0"

NOTES:  
1. FOUNDATION SHALL BE CONCRETE ON 4" COMPACTED GRAVEL.  
2. ALL DIMENSIONS UNLESS OTHERWISE NOTED.  
3. FOUNDATION SHALL BE PERMITTED TO BE 1/2" BELOW FINISHED GRADE.  
4. FOUNDATION SHALL BE PERMITTED TO BE 1/2" ABOVE FINISHED GRADE.  
5. FOUNDATION SHALL BE PERMITTED TO BE 1/2" BELOW FINISHED GRADE.  
6. FOUNDATION SHALL BE PERMITTED TO BE 1/2" ABOVE FINISHED GRADE.  
7. FOUNDATION SHALL BE PERMITTED TO BE 1/2" BELOW FINISHED GRADE.  
8. FOUNDATION SHALL BE PERMITTED TO BE 1/2" ABOVE FINISHED GRADE.  
9. FOUNDATION SHALL BE PERMITTED TO BE 1/2" BELOW FINISHED GRADE.  
10. FOUNDATION SHALL BE PERMITTED TO BE 1/2" ABOVE FINISHED GRADE.

6	02.17.09	REV. BUILDING TO NEW DESIGN	AE
5	08.07.08	REV. FOUND. TO NEW DESIGN	AE

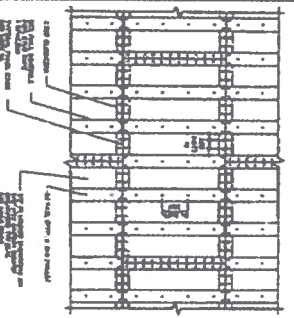
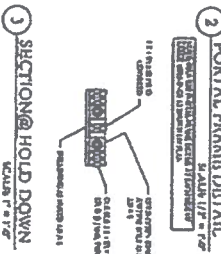
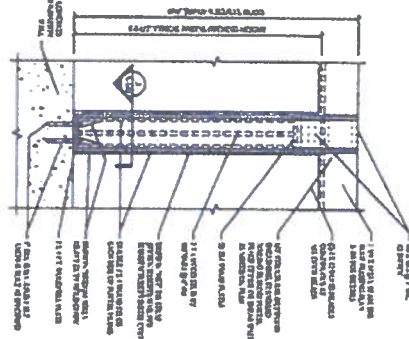
PLAN STATUS			
REV.	DATE	CHANGE	BY
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4	02.21.08	REV. ADD STRUCT. WALL DET.	AE

DATE	REV.	CHG.
01/13/07	1	MP
01/13/07	2	CT
01/13/07	3	AE
01/13/07	4	AE
01/13/07	5	AE
01/13/07	6	AE
01/13/07	7	AE
01/13/07	8	AE
01/13/07	9	AE
01/13/07	10	AE

PROJECT NO. A-101  
FOUNDATION PLAN

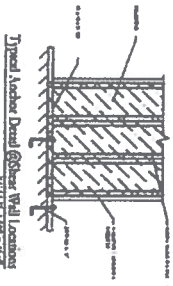
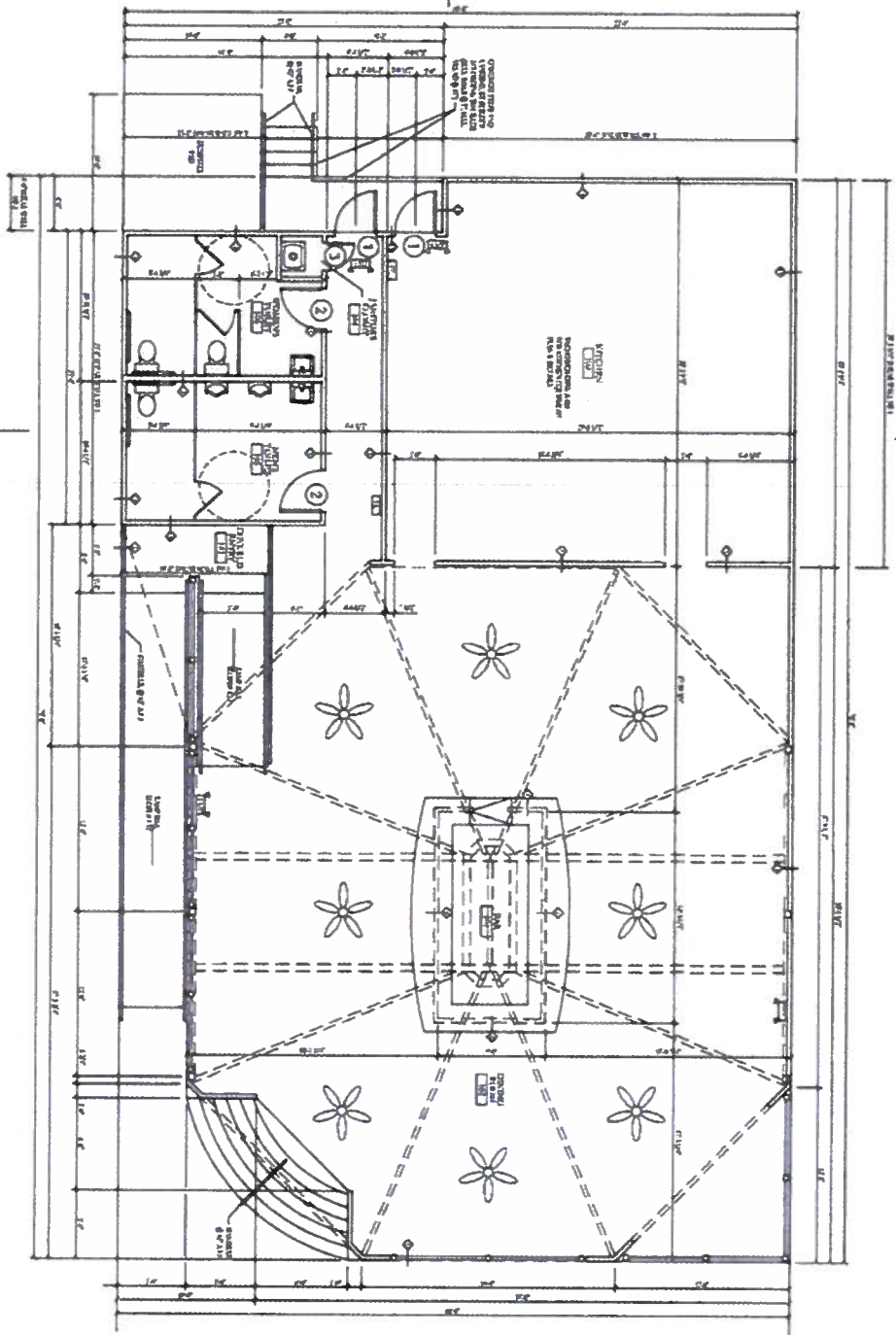
**ELEMENT**  
18889 Coastal Highway Suite C  
Lewes, DE 19958  
P 302 669 0777  
F 302 669 0877  
www.element.com

Jimmy's Grille of Dewey Beach, LLC  
Highway 1 at Bellevue Avenue  
Dewey Beach, Sussex County, Delaware



**STEEL WALL SCHEDULE**

NO.	DESCRIPTION	SECTION
1	1.5\"/>	
2	1.5\"/>	



**LEGEND**

SYMBOL	DESCRIPTION
(Symbol)	1.5\"/>
(Symbol)	1.5\"/>
(Symbol)	1.5\"/>

**NOTES:**  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL APPLICABLE CODES AND REGULATIONS.  
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL APPLICABLE CODES AND REGULATIONS.  
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF ALL APPLICABLE CODES AND REGULATIONS.

1. DOOR PLAN  
 SCALE: 1/8" = 1'-0"

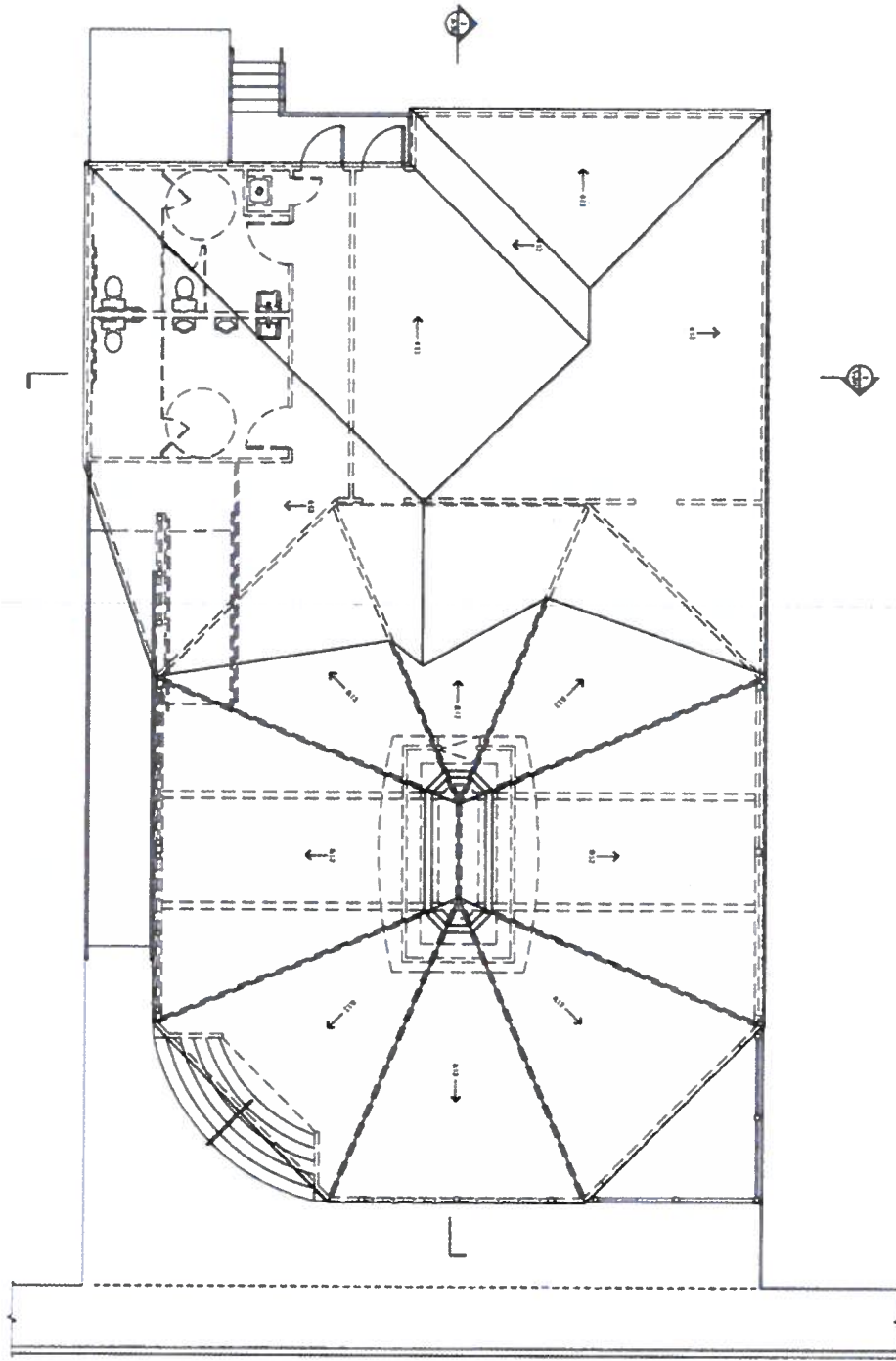
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2	08.08.08	REV. PER. OWNER COMMENTS	AE
1	01.15.08	ADDED KITCHEN EQUIPT. SHT.	CT
-	01.09.08	RELEASED FOR PERMIT	MP

**ELEMENT**  
 10555 Coates Highway So. Inc.  
 Lewes, DE 19958  
 P 302.443.0100  
 F 302.443.0101

Jimmy's Grille of Dewey Beach, LLC  
 Highway 1 at Bellevue Avenue  
 Dewey Beach, Sussex County Delaware

**A-102**  
 REST ROOM PLAN

DATE	BY	CHKD
01/15/08	MP	MP
08/08/08	CT	CT
02/07/08	AE	AE
02/21/08	AE	AE



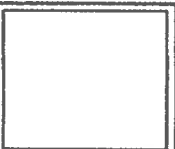
1 ROOF PLAN  
SCALE: 1/8" = 1'-0"

4	02.07.09	REV. BUILDING TO NEW DESIGN	AE
5	08.07.08	REV. FOUND. TO NEW DESIGN	AE

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-	01.09.08	RELEASED FOR PERMIT	MRP
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REV	DATE	BY	APP
MRP	01.17.08	CT	
AE	02.07.08		
AE	02.21.08		

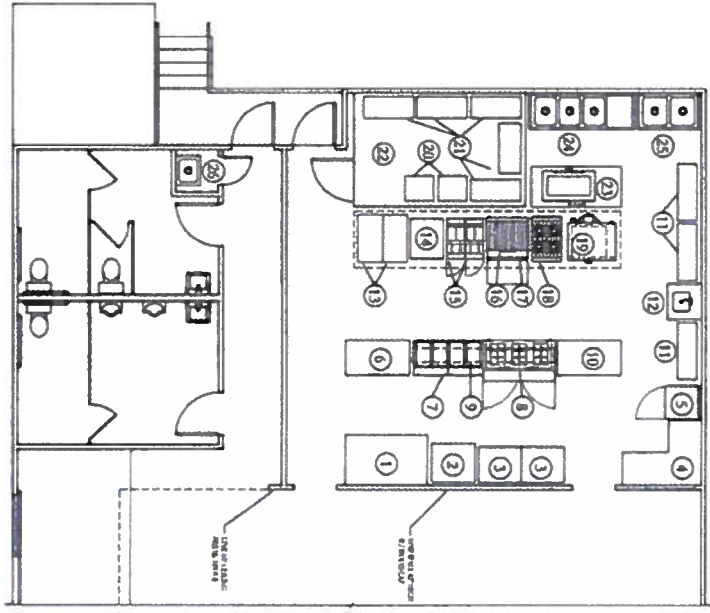
SCALE: 1/8" = 1'-0"  
JOB NO.: 087810  
DATE: 02.07.08  
FILE NO.: A-103  
A-103  
02/21/08



**ELEMENT**  
18333 Coastal Highway Suite C  
Lewes, PA 19758  
P 302 643 0277  
F 302 643 0278  
www.element.com

Jimmy's Grille of Dewey Beach, LLC  
Highway 1 at Bellevue Avenue  
Dewey Beach, Sussex County, Delaware

NO.	DESCRIPTION
1	GENERAL NOTES
2	GENERAL NOTES
3	GENERAL NOTES
4	GENERAL NOTES
5	GENERAL NOTES
6	GENERAL NOTES
7	GENERAL NOTES
8	GENERAL NOTES
9	GENERAL NOTES
10	GENERAL NOTES
11	GENERAL NOTES
12	GENERAL NOTES
13	GENERAL NOTES
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15	GENERAL NOTES
16	GENERAL NOTES
17	GENERAL NOTES
18	GENERAL NOTES
19	GENERAL NOTES
20	GENERAL NOTES
21	GENERAL NOTES
22	GENERAL NOTES



1 KITCHEN EQUIPMENT PLAN  
SCALE: 1/2" = 1'-0"

REV	DATE	CHANGE	BY
6	02.17.09	REV. BUILDING TO NEW DESIGN	AE
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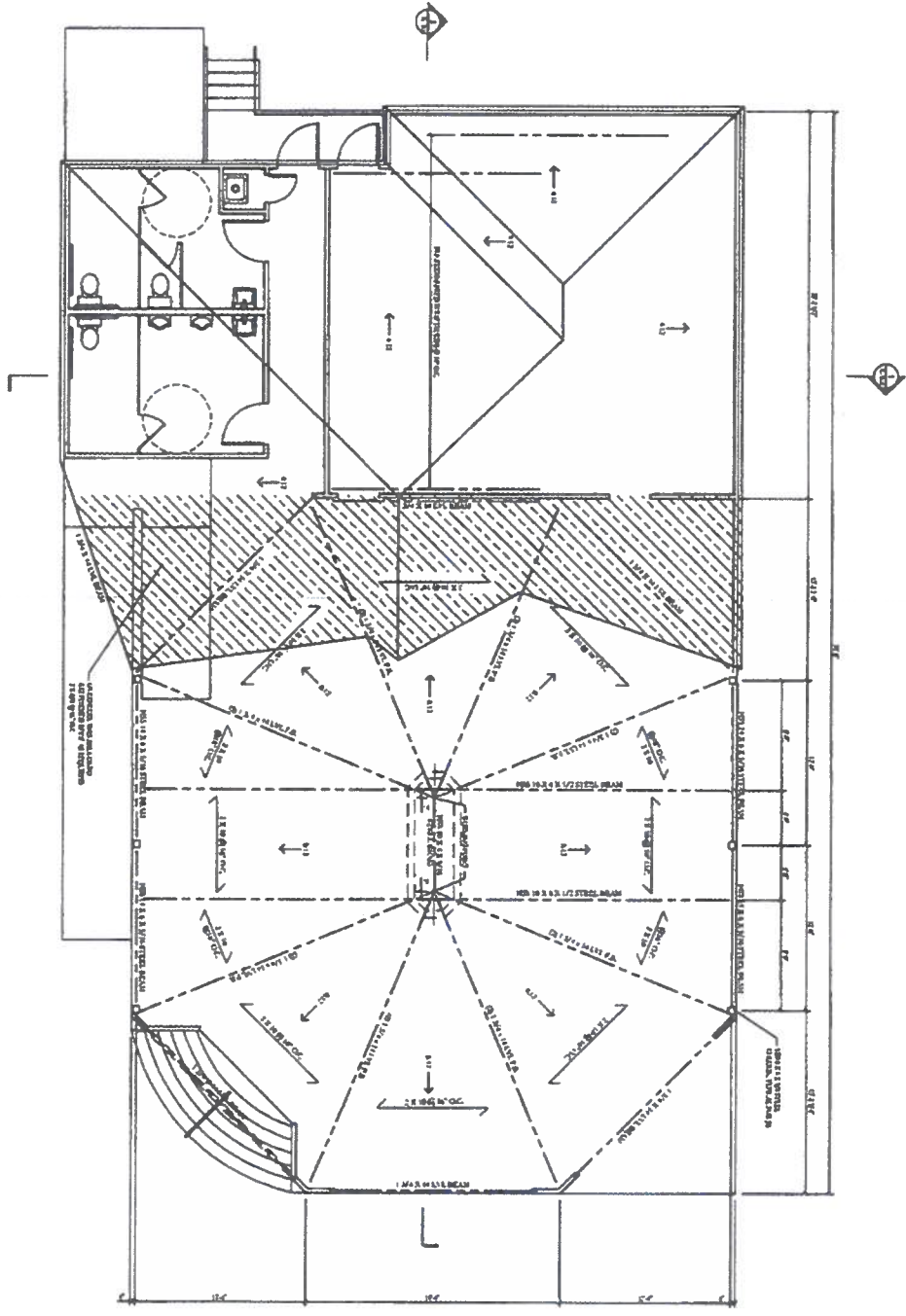
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REV	DATE	CHG
0	01.17.08	1
1	01.30.08	2
2	02.07.08	3
3	02.21.08	4
4	02.21.08	5
5	02.21.08	6
6	02.21.08	7
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98	02.21.08	99
99	02.21.08	100

**ELEMENT**  
18993 Coastal Highway, Suite C  
Dewey Beach, DE 19822  
P 302.443.0777  
F 302.443.0777  
www.elementgroup.com

Jimmy's Grille of Dewey Beach, LLC  
Highway 1 at Bellevue Avenue  
Dewey Beach, Sussex County, Delaware

**A-104**  
KITCHEN EQUIPMENT PLAN



- NOTES**
1. ALL STRUCTURAL FABRICATION TO BE PER AISC'S STANDARD CONNECTIONS TO MATCH COMMENTS SHEET, AND OR SPECIFICATIONS TO ALL CONNECTIONS SHOWN.
  2. ALL FABRICATED JOINTS TO BE PER AISC'S CONNECTIONS TO MATCH WITH THE STRUCTURAL FABRICATION CONNECTIONS.
  3. ALL FABRICATED JOINTS TO BE PER AISC'S CONNECTIONS TO MATCH WITH THE STRUCTURAL FABRICATION CONNECTIONS.

1 ROOF FRAMING PLAN  
SCALE: 1/8" = 1'-0"

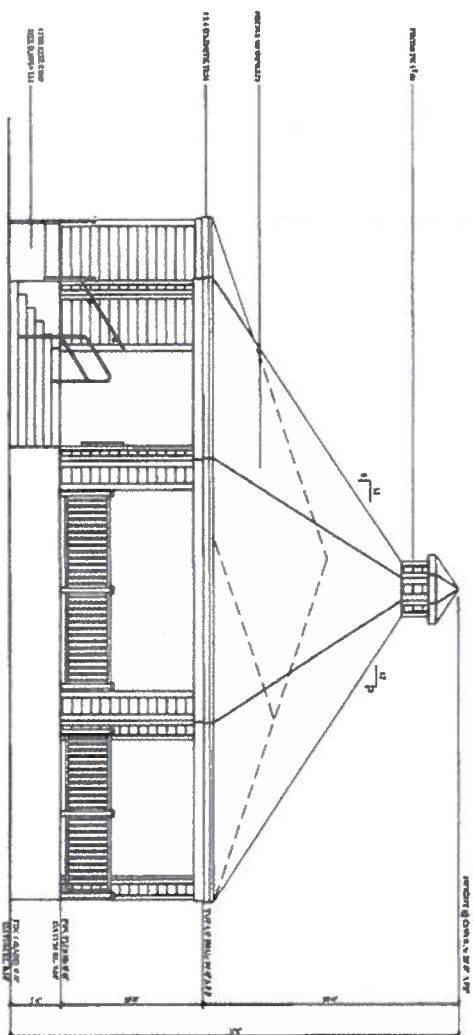
6	02.17.09	REV. BUILDING TO NEW DESIGN	AE
5	08.07.08	REV. FOUND. TO NEW DESIGN	AE

PLAN STATUS			
REV.	DATE	CHANGE	BY
-	01.09.08	RELEASED FOR PERMIT	MP
1	01.17.08	ADDED KITCHEN EQUIPT SMT	CT
2	01.30.08	REV. PER OWNER COMMENTS	AE
3	02.07.08	REV. RELEASE FOR PERMIT	AE
4	02.20.08	REV. ADD STRUCT WALL DET	AE

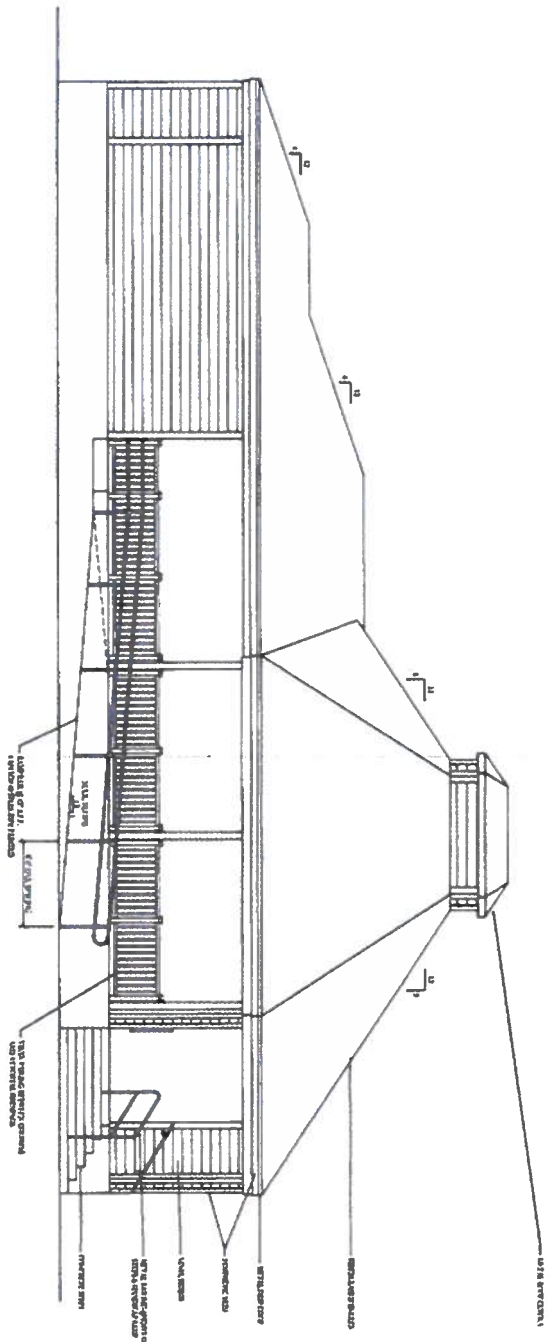
REV	DATE	BY
MP	01-17-08	MP
AE	01-30-08	AE
AE	02-07-08	AE
AE	02-20-08	AE
FILE NAME: A-105.dwg		
A-105 ROOF PLAN		

**ELEMENT**  
1888 Coastal Highway, Suite 100  
Lewes, DE 19688  
P 302.642.0377  
F 302.642.0377  
www.element.com

Jimmy's Grille of Dewey Beach, LLC  
Highway 1 at Bellevue Avenue  
Dewey Beach, Sussex County, Delaware



1 FRONT ELEVATION (ROUTE 1)  
SCALE 1/8" = 1'-0"



2 LEFT ELEVATION (BELLEVUE ST.)  
SCALE 1/8" = 1'-0"

PLAN STATUS			
REV	DATE	CHANGE	BY
6	02.17.09	REV. BUILDING TO NEW DESIGN	AE
5	08.07.08	REV. FOUND. TO NEW DESIGN	AE
4	02.21.08	REV. ADD. STRUCT. WALL DET.	AE
3	02.07.08	REV. RELEASE FOR PERMIT	AE
2	02.07.08	REV. PER. OWNER COMMENTS	AE
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-	01.09.08	RELEASED FOR PERMIT	MP

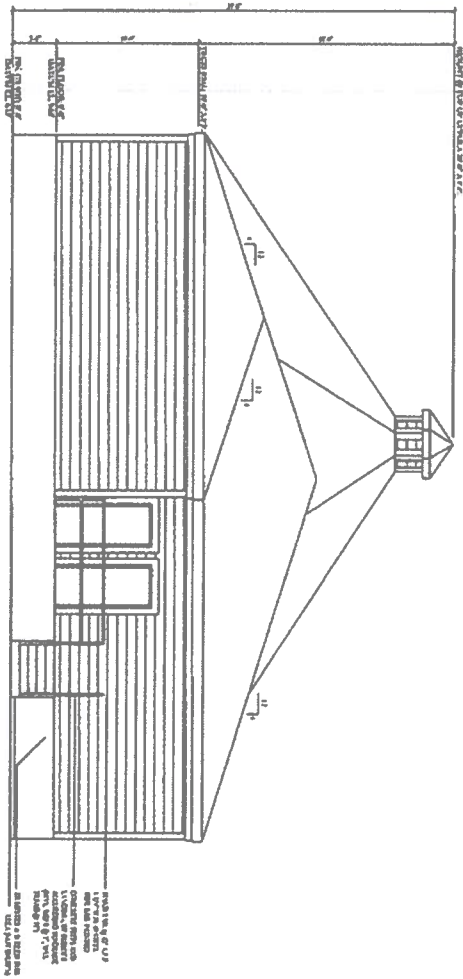
DATE	02.17.09
SCALE	1/8" = 1'-0"
PROJECT	JIMMY'S GRILLE
ARCHITECT	ELEMENT
1000 Coastal Highway, Suite 100 Dewey, DE 19828 302.443.0777 www.elementinc.com	

**ELEMENT**

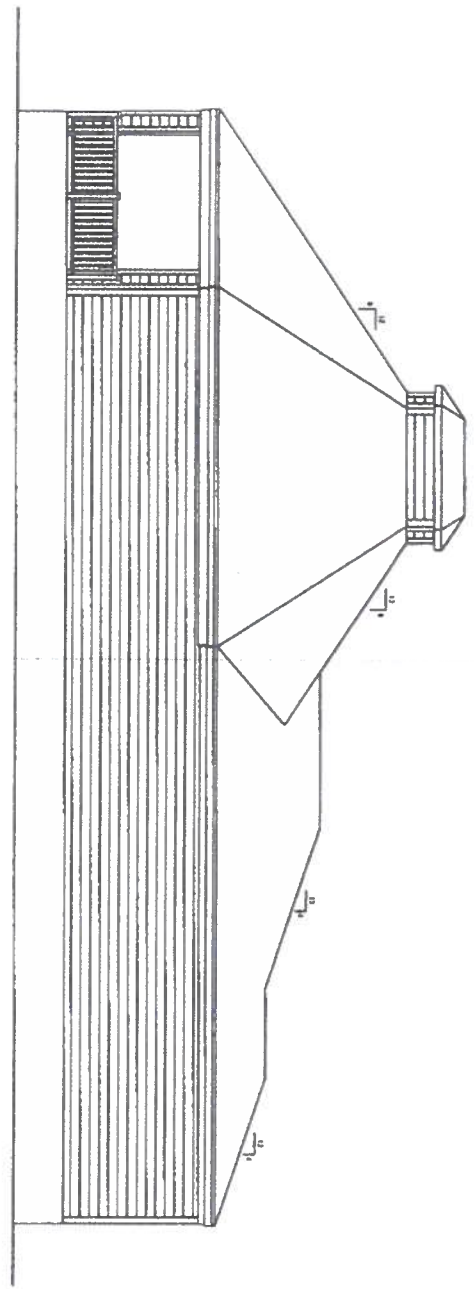
1000 Coastal Highway, Suite 100  
Dewey, DE 19828  
302.443.0777  
www.elementinc.com

Jimmy's Grille of Dewey Beach, LLC  
Highway 1 at Bellevue Avenue  
Dewey Beach, Sussex County, Delaware

A-201  
ARCHITECTURAL ELEVATIONS



1 REAR ELEVATION  
SCALE 1/8" = 1'-0"



2 RIGHT ELEVATION  
SCALE 1/8" = 1'-0"

6	02.17.09	REV. BUILDING TO NEW DESIGN	AE
5	08.07.08	REV. FOUND. TO NEW DESIGN	AE

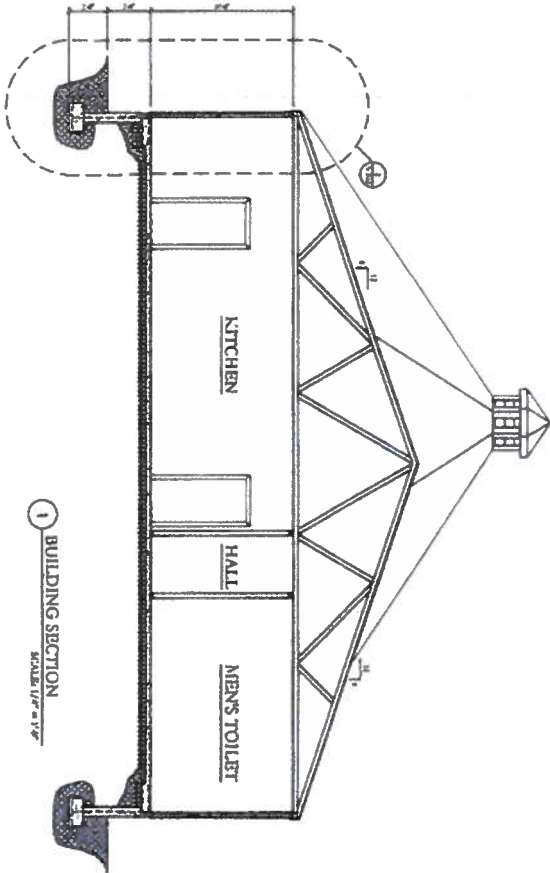
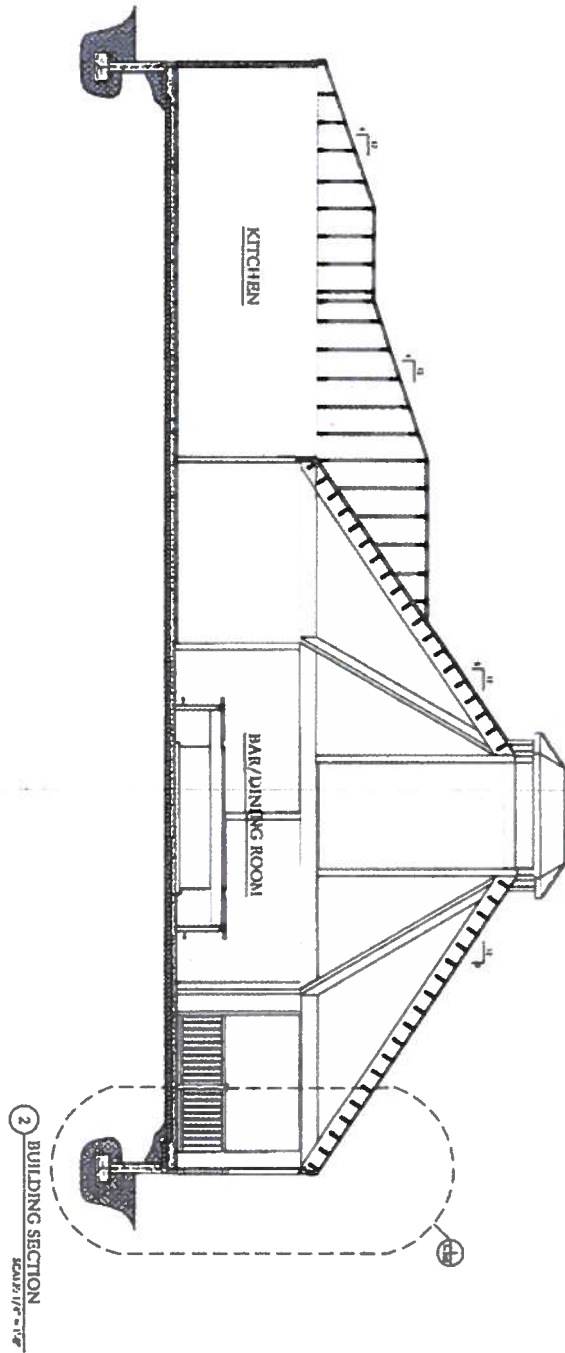
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2	01.30.08	REV. PER OWNER COMMENTS	AE
3	02.07.08	REV. RELEASE FOR PERMIT	AE
4	02.21.08	REV. ADD. STRUCT. WALL DET.	AE

DRN	DRN	CHKD
app	ci	AE
SCALE	VA - 1/4"	
JOB NO.	037810	
DATE	10.02.08	
PLT No.	A-202	
BUILDING ELEVATIONS		



**ELEMENT**  
 10333 Coastal Highway Suite C  
 Lewes, DE 19958  
 P 302 445 0977  
 F 302 445 0272  
 www.elementapp.com

Jimmy's Grille of Dewey Beach, LLC  
 Highway 1 at Bellevue Avenue  
 Dewey Beach, Sussex County, Delaware



6	02.07.09	REV. BUILDING TO NEW DESIGN	AE
5	08.07.08	REV. FOUND. TO NEW DESIGN	AE

PLAN STATUS			
REV.	DATE	CHANGE	BY
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1	01.17.08	ADDED KITCHEN EQUIPT. SMT.	CT
2	01.30.08	REV. PER OWNER COMMENTS	AE
3	02.07.08	REV. RELEASE FOR PERMIT	AE
4	02.20.08	REV. ADD. STRUCT. WALL DET.	AE

**ELEMENT**

18255 Coastal Highway, Suite 404  
Lewes, DE 19758  
P 302 641 8772  
F 302 649 8177  
www.element.com

**Jimmy's Grille of Dewey Beach, LLC**  
Highway 1 at Bellevue Avenue  
Dewey Beach, Sussex County, Delaware

REV.	DATE	BY	CHKD.
01	01	MP	MP
02	01	CT	CT
03	01	AE	AE

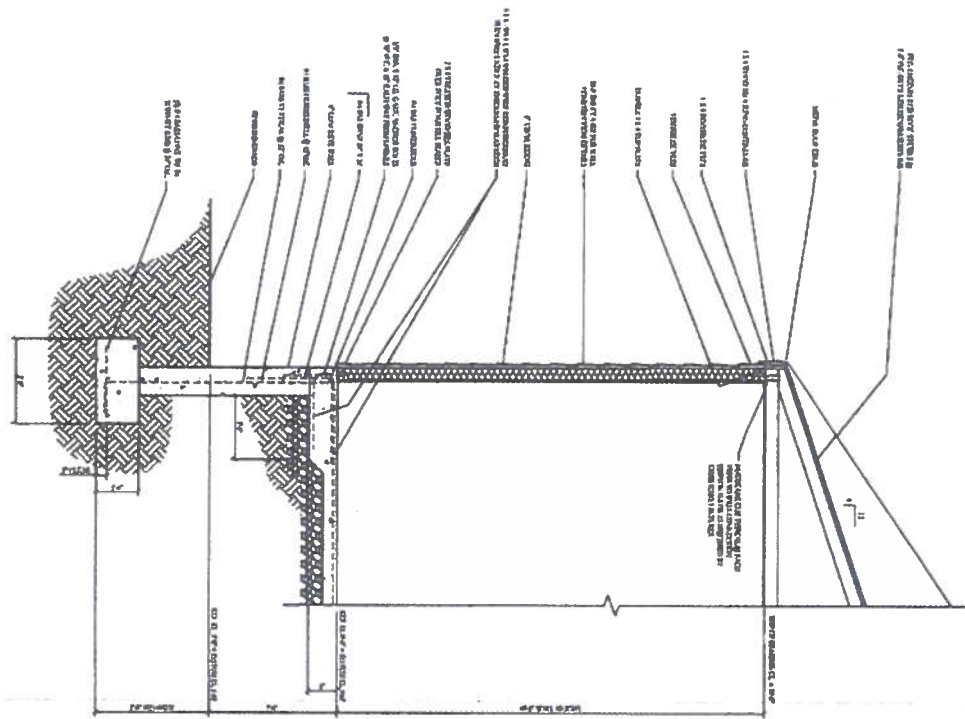
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DATE: 02/07/09

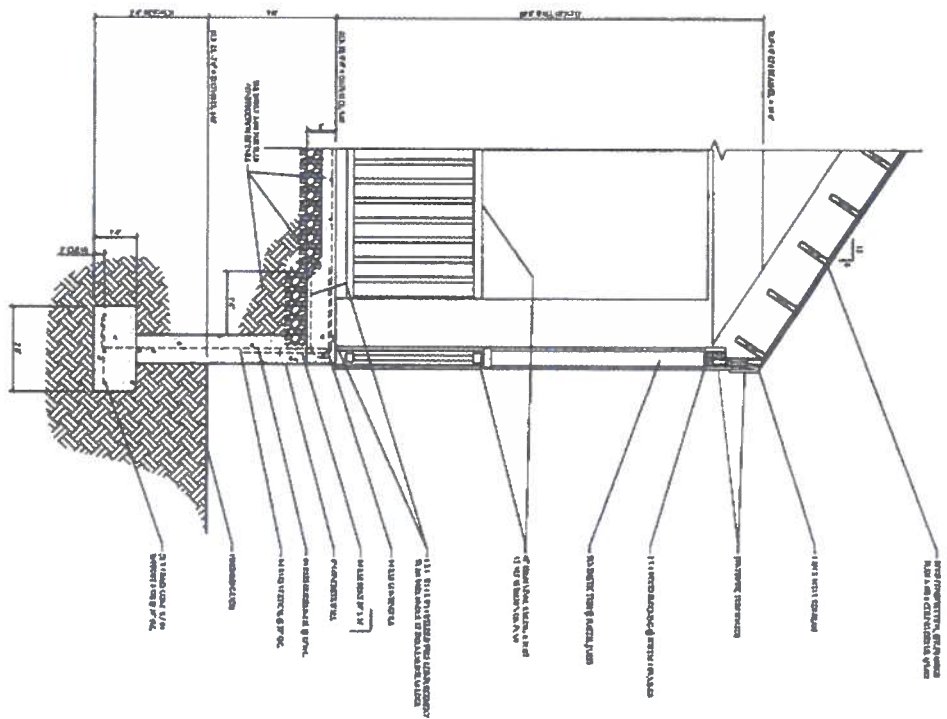
FILE NO.: A-301

PROJECT: Jimmy's Grille

2 TYPICAL WALL SECTION @ LOW ROOF  
SCALE 1/4" = 1'-0"



1 WALL SECTION @ HIGH ROOF  
SCALE 1/4" = 1'-0"



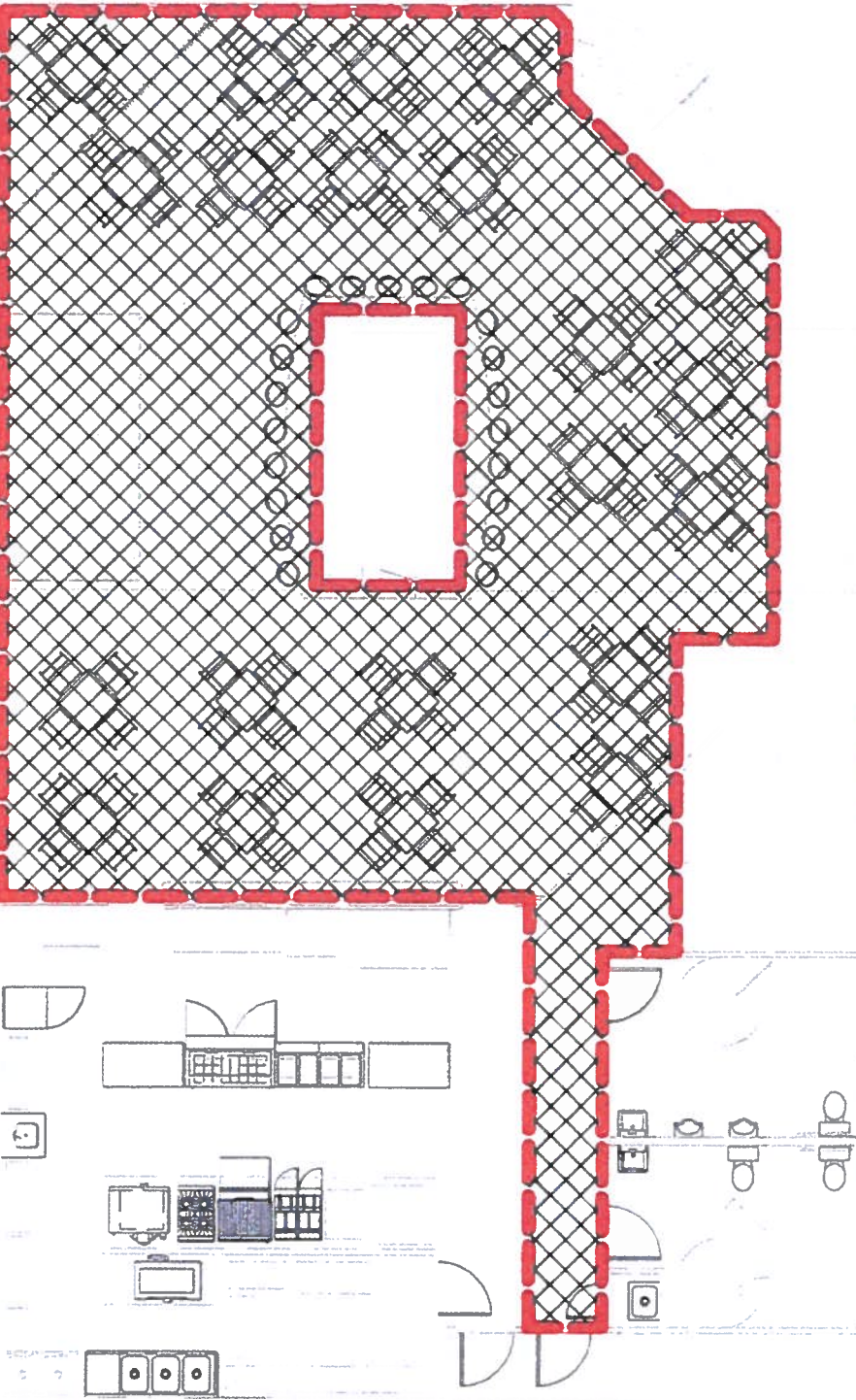
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PLAN STATUS			
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3	01.10.08	REV. PER OWNER COMMENTS	AE
4	02.07.08	REV. RELEASE FOR PERMIT	AE
4	02.20.08	REV. ADD STRUCT. WALL DET.	AE

OWN	PRIV	OTHER
ARCH	CL	EA
CONTRACTOR	MECHANICAL	ELECTRICAL
PLUMBING	PAINT	GLAZING
DATE	04.12.07	
FILE NO.	14-00000000	
A-302		
WALL SECTIONS		

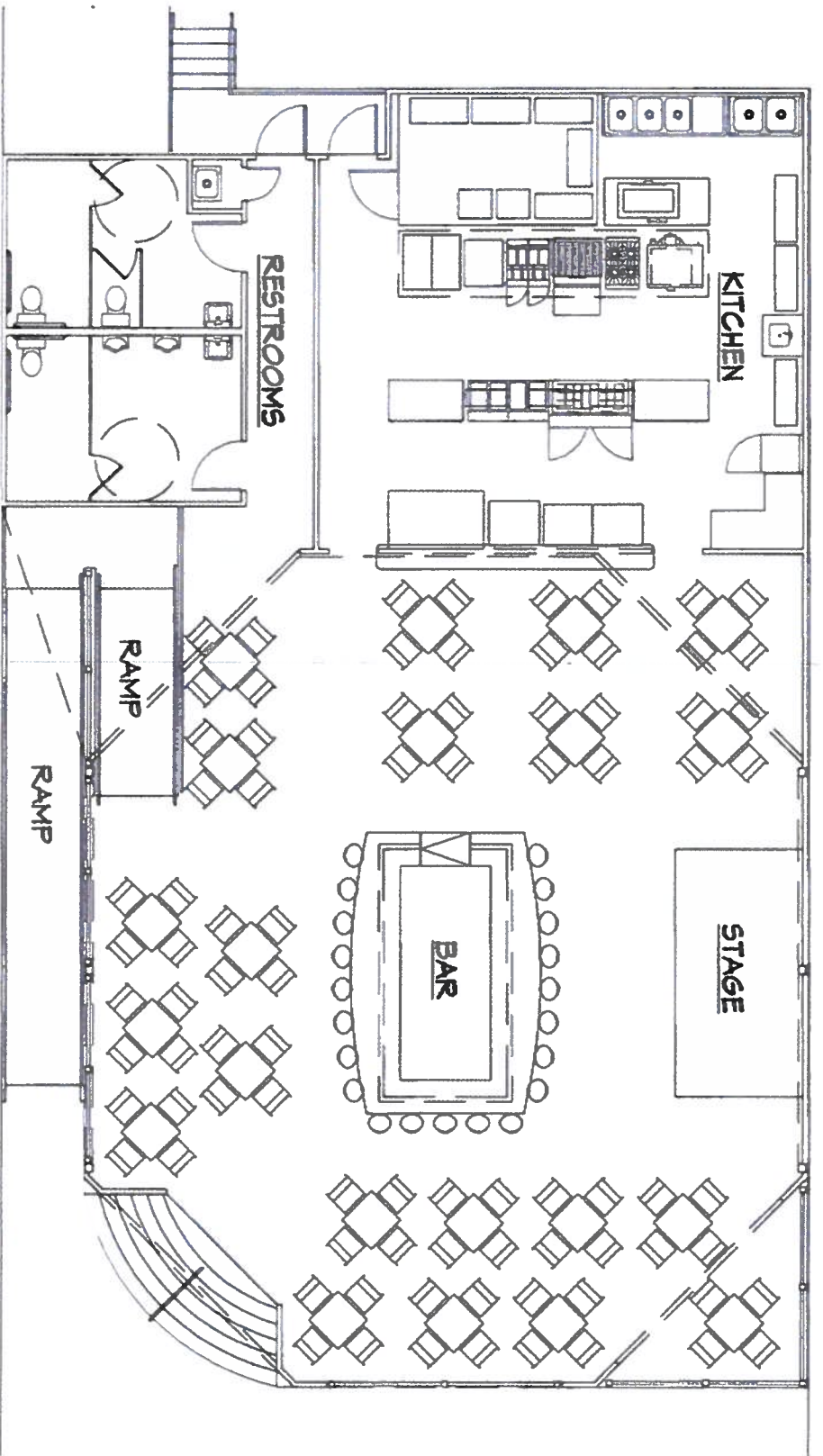


**ELEMENT**  
18995 Coastal Dr. #100, Suite 100  
Lafayette, CA 94503  
Tel: 925.448.0777  
Fax: 925.448.0111  
www.element.com

Jimmy's Grille of Dewey Beach, LLC  
Highway 1 at Bellevue Avenue  
Dewey Beach, Sussex County, Delaware



 1,945 SF



1,945 SF TOTAL PATRON AREA



**ELEMENT**

115 W. Market Street, 2nd floor  
 Jersey City, NJ 07310  
 302.645.0777  
 www.elementdg.com

JIMMY'S GRILLE

DEWEY

SEATING PLAN

07.01.2022

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE TOWN OF DEWEY BEACH, DELAWARE TO PERMIT AN AMENDMENT TO AN EXISTING CONDITIONAL USE NUMBER 608 FOR A RESTAURANT IN THE RB – 2 DISTRICT LOCATED ON COASTAL HIGHWAY DEWEY BEACH, DE 10,000 SQUARE FOOT ON TAX PARCELS 334-20.18-30.00 AND 30.01, PURSUANT SECTION 25D(1)(a)(1) OF CHAPTER 185 AND IN ACCORDANCE WITH THE DEFINITION AND REQUIREMENTS OF A RESTAURANT IN CHAPTER 144, SUBSECTION 6 AND WITHOUT LIMITATION AS TO THE TYPE OF ALCOHOLIC BEVERAGES TO BE SERVED**

**WHEREAS**, on the \_\_\_\_ day of \_\_\_\_\_, 2022, a public hearing was duly held, after proper notification, to amend a Conditional Use in the RB-2 Resort Business District for a Restaurant, filed by Alexander J. Pires, authorized agent of Jimmy's Grille of Dewey Beach, LLC, tenant of Highway I Limited Partnership, located on Coastal Highway, Dewey Beach, DE, being Sussex County Tax Parcels 334-20.18-30.00 and 30.01, pursuant to Subsection 25D(1)(a)(1) of Chapter 185 and in accordance with the definition and requirements of a Restaurant in Chapter 144; and

**WHEREAS**, Chapter 185, Section 25D(1)(a)(1), Conditional Uses in a RB-2 District, provides for the Conditional Use of a Restaurant with an ABCC license in the RB-2 District when, in the determination of the Commissioners, the application meets the provisions of Chapter 185, Subsection 25D(1)(a)(1) and Chapter 144;

**WHEREAS**, pursuant to Ordinance 780 of the Town of Dewey Beach, the square foot threshold for providing off-street parking for a restaurant in the RB-2 Zoning District was increased to 4,000 square feet of patron area, and;

**WHEREAS**, in 2021, and through October 31, 2022, Jimmy's Grille had obtained permission to expand its premises into the parking lot adjacent to the restaurant and per the requirements of the Town, has applied to amend its existing conditional use number 608 to retain the right to have an outside service area, and;

**WHEREAS**, the State of Delaware General Assembly recently passed, and the Governor signed, House Bill 290, which permits the expansion of outdoor seating for serving food and drinks without the need for advertising and public hearing before the ABCC, provided the Town has considered and approved the request after considering the factors in Title 4 Section 524(i)(2)(a) 1-7, and;

**WHEREAS**, Jimmy's Grille of Dewey Beach, LLC has submitted sufficient evidence to establish that:

- a. No extension of the premises for the outside service area beyond the property boundaries is requested.
- b. The total patron area for the premises, outside and inside, will not exceed a total of 4,000 square feet.
- c. The extension does not intrude on any state or local streets or rights of way.
- d. The extension does not restrict access to the restaurant for deliveries, trash removal, or any emergency services.
- e. The restaurant will comply with the Americans with Disabilities Act.
- f. The restaurant will continue to adhere to all local noise ordinances.
- g. Access to the outside service area will be restricted by entrance and exit controls, fencing, and sufficient staff to control the distribution of alcoholic beverages.
- h. The right of continue the approved amended conditional use shall be without any expiration date.

**BE IT ENACTED AND ORDAINED**, by the Commissioners of the Town of Dewey Beach, Sussex County, Delaware, that:

The above captioned Conditional Use under Ordinance 608 is hereby amended to allow Jimmy's Grille of Dewey Beach, LLC to expand its restaurant with an outside service area as shown on the site plan attached hereto, and the Zoning Map of the Town of Dewey Beach is amended to reflect the adoption of this Ordinance subject to the following terms and conditions:

- (1) Hours of operation for the outside service area shall not be earlier than 7:00 a.m. and no later than 11 p.m.
- (2) There shall be no loudspeakers or amplifiers in the outside service area.
- (3) The requirements of Chapter 144, Restaurants, shall be complied with by the Restaurant at all times.
- (4) Applicant shall acquire all necessary licenses from the Town of Dewey Beach and the State of Delaware. All State health and regulatory agency requirements and regulations, including the State Fire Marshal, shall be complied with by the licensee, and licensee shall operate at its own risk of violating any State regulation that is not incorporated into this approval.
- (5) There shall be trash receptacles placed at the extended premises in compliance with the Dewey Beach Town Code.

The Commissioners, by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed, and \_\_\_\_ absent, declare that the adoption of this Ordinance is an appropriate legislative action based upon the record established during the public hearing process. The Applicant has provided plans, conditions of operation and assurances that protect the nearby residences from undue noise and disturbances that are associated with the conduct of the Applicant's business. The conditions, which have been drafted as a result of input from the Applicant, legal counsel and Commission-members, shall assure the health, safety and welfare of the present and future inhabitants and visitors of Dewey Beach whose interests are protected, and the purpose and goals of the Resort Business Zoning District and the Comprehensive Development Plan are preserved and enhanced.

**ORDAINED AND ENACTED** into law this \_\_\_\_ day \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Town Manager



**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: Jimmy's Grille of Dewey Beach , LCC  
Mailing Address: 113 Dickinson Street, Dewey Beach DE 19971  
Telephone: (202) 905-6706  
Email: Alexander J. Pires, Jr. farmerslawyer@aol.com

2. Contact Person for this Application: Stephen W. Spence, Esq.  
Telephone: (302) 542-2182  
Email: sws@bmbde.com

3. Name of Restaurant (DBA): Jimmy's Grille of Dewey Beach  
Address: 1907 Coastal Highway Dewey Beach, DE 19971  
Telephone: (302) 227-3888  
Website: \_\_\_\_\_

4. Names of Owners of Restaurant:

1. Highway I Limited Partnership
2. \_\_\_\_\_
3. \_\_\_\_\_

5. Name of Legal entity owning this business:  
Jimmy's Grille of Dewey Beach , LLC

Type of Entity (check appropriate entity):

- Sole Proprietorship     Partnership     Corporation     LLC  
 Other

5. Property Owner (if different from applicant):

Mailing Address: Highway I LP 113 Dickinson Street Dewey Beach , DE 19971

Telephone: (202 ) 905-6706

Email: Alexander J. Pires, Jr. farmerslawyer@aol.com

6. Parcel ID #:      Tax District: 334      Map 20.18      Parcel 30.00 and 30.01

7. Zoning Classification: RB-2

8. The distance (in feet) to the nearest property line of the nearest lot zoned residential from the proposed restaurant or existing restaurant property: 0 feet

9. The number and sizes of bar areas in the restaurant: one bar, existing for over 10 years.  
see floor plan

10. Has the restaurant's floor plan been included? yes

11. The restaurant's seating capacity: see attached plan and patio plan

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? \_\_\_\_\_  
yes

13. Provide: A statement that the establishment's primary purpose shall be that of a restaurant as defined in the Dewey Beach Municipal Code: \_\_\_\_\_  
Yes. The existing restaurant has operated at this location for over 10 years..

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. \_\_\_\_\_

We project that the revenue from the sale of alcohol beverages will be about 50%  
and the revenue from the sale of food will be 50%

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. \_\_\_\_\_

Authorization granted provided applicant is not required to share confidential records, accountant will provide a summary only

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: \_\_\_\_\_

**SO SWORN**

Date: 7/22/22 Applicant: Jimmy's Grille of Dewey Beach, LLC

STATE OF DELAWARE

SS.

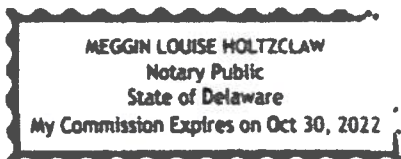
COUNTY OF SUSSEX

BE IT REMEMBERED that on this 22 day of July, A.D. 2022 personally appeared before me, the Subscriber, a Notary Public of the State and County aforesaid, Alexander J. Pires, Jr. manager 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.

[Signature]

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

Meggin Louise Holtzclaw  
Notary Public



**SITE DATA:**

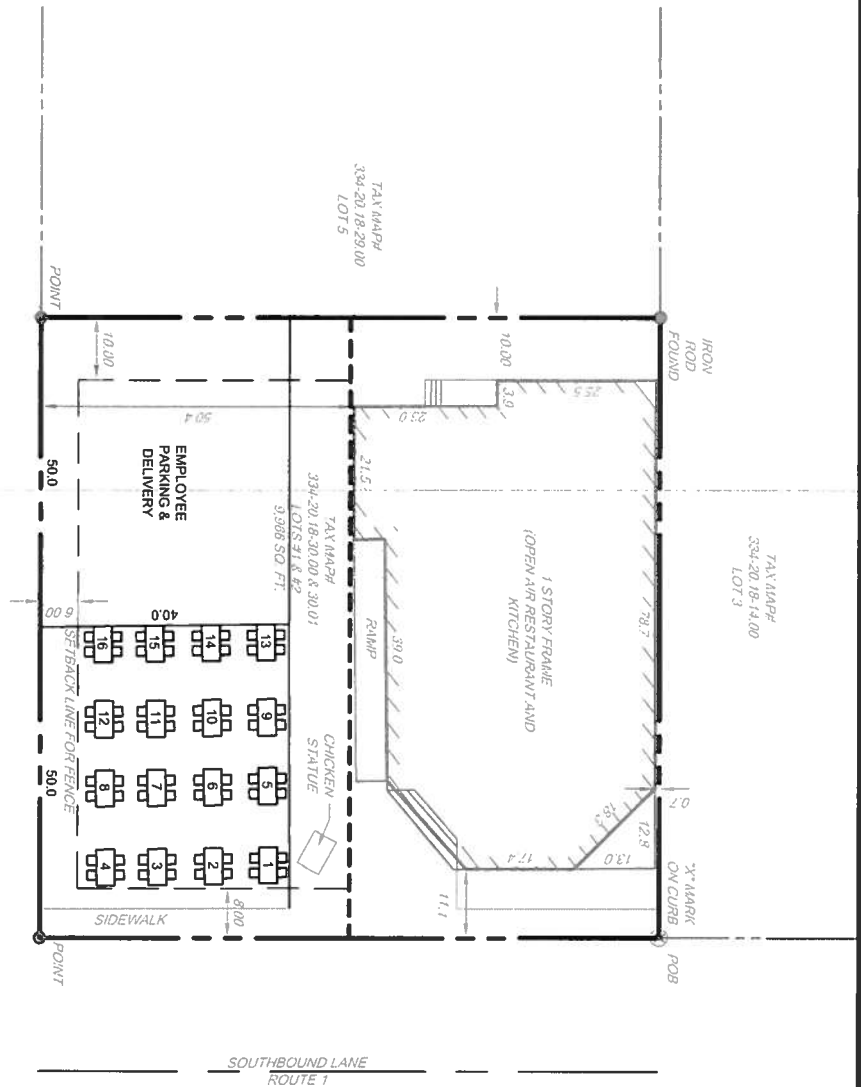
1. TAX MAP NUMBERS : 334-20-18-30.00 AND 31.00
2. OWNER INFO: HIGHWAY 1 LIMITED PARTNERSHIP  
P.O. BOX 507  
DEWEY BEACH, DE 19971
3. SITE ADDRESS : 1911 COASTAL HIGHWAY  
DEWEY BEACH, DE 19971  
BROAD KILL HUNDRED
4. EXISTING TOTAL ACREAGE: 9.966± SQ. FT. (0.22± ACRES)
5. EXISTING LOTS: 2 EXISTING
6. EXISTING ZONING: RB2, RESORT BUSINESS
7. PRESENT USE: RESTAURANT AND PARKING
8. LOCAL GOVERNMENT RESPONSIBLE FOR LAND USE APP: TOWN OF DEWEY BEACH
9. WATER PROVIDER: SUSSEX COUNTY
10. SEWER PROVIDER: SUSSEX COUNTY

**LEGEND**

- PROPERTY LOT LINE
- PROPERTY LINE
- - - PROPERTY LINE, ADJOINER
- ▭ EXISTING BUILDING
- ▭ PROPOSED TABLE AND CHAIRS
- PROPERTY CORNER, IRON REBAR FOUND
- PROPERTY CORNER, POINT CURB
- ⊗ EXISTING CENTERLINE OF ROAD

**GENERAL NOTES:**

1. THE BOUNDARY INFORMATION SHOWN ON THIS PLAN WAS TAKEN FROM DOCUMENTS OF PUBLIC RECORD AND DOCUMENTS PROVIDED BY THE CLIENT AND IS NOT THE RESULT OF A SURVEY PERFORMED BY PENNONI.
2. THIS SURVEY DOES NOT VERIFY TO THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS OF WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED. OTHER THAN THOSE SHOWN.
3. THIS PROPERTY APPEARS ON SUSSEX COUNTY TAX MAP AS 334-20-18-30.00.



**Pennoni**  
 PENNONI ASSOCIATES INC.  
 18972 Davidson Drive  
 Millersville, DE 19968  
 T 302.854.8030 F 302.854.8034

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT TO BE REPRODUCED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OTHERS WITHOUT THE WRITTEN PERMISSION OF PENNONI ASSOCIATES. PENNONI ASSOCIATES SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE REUSE OF ANY DOCUMENTS PREPARED BY PENNONI ASSOCIATES WITHOUT THE WRITTEN PERMISSION OF PENNONI ASSOCIATES. PENNONI ASSOCIATES SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE REUSE OF ANY DOCUMENTS PREPARED BY PENNONI ASSOCIATES WITHOUT THE WRITTEN PERMISSION OF PENNONI ASSOCIATES.

1911 COASTAL HWY., DEWEY BEACH, DE 19971  
 LEWES RENOVATION HUNDRED, SUSSEX COUNTY, DE

EXITING CONDITIONS PLAN  
 DOUG WARNER  
 115 W. MARKET ST. SECOND FLOOR  
 LEWES, DE 19958

PROJECT: ETDGX22001  
 DATE: 2022-7-29  
 DRAWING SCALE: 1" = 20'

DRAWN BY: LAC  
 APPROVED BY: AMD

V-0001  
 SHEET 1 OF 1

