

**Town of Dewey Beach  
Conditional Use Application**

Name of Requester: <u>East Village Hospitality</u>		Date of Request: <u>7/29/22</u>
Mailing Address: <u>1705 Coastal Highway</u>		
City: <u>Dewey Beach</u>	State: <u>Delaware</u>	Zip: <u>19971</u>
Phone Number: <u>3022271614</u>	Email Address: <u>plummer@dbcountryclub.com</u>	
Dewey Beach Address: <u>1705 Coastal Highway</u>		
Business Name: <u>Dewey Beach Country Club</u>		
Property Map: <u>20.18</u>	Parcel: <u>69.00</u>	Zoning of Property: <u>BB-2</u>

Describe Use Request: <u>Continued use of previously approved outdoor space</u>
Attach Site Plan/Sketches:

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

Conditional Use Application Fee: \$750.00	<b>Greg Plummer</b> E-signed 2022-07-29 07:39AM PDT plummer@dbcountryclub.com
Total Due: 750 USD	<small>Adobe Acrobat Sign Transaction Number: CBJCHBCAABAACZPGGgK-gLcRqWFyJpFlIPbBz4exPN2</small>

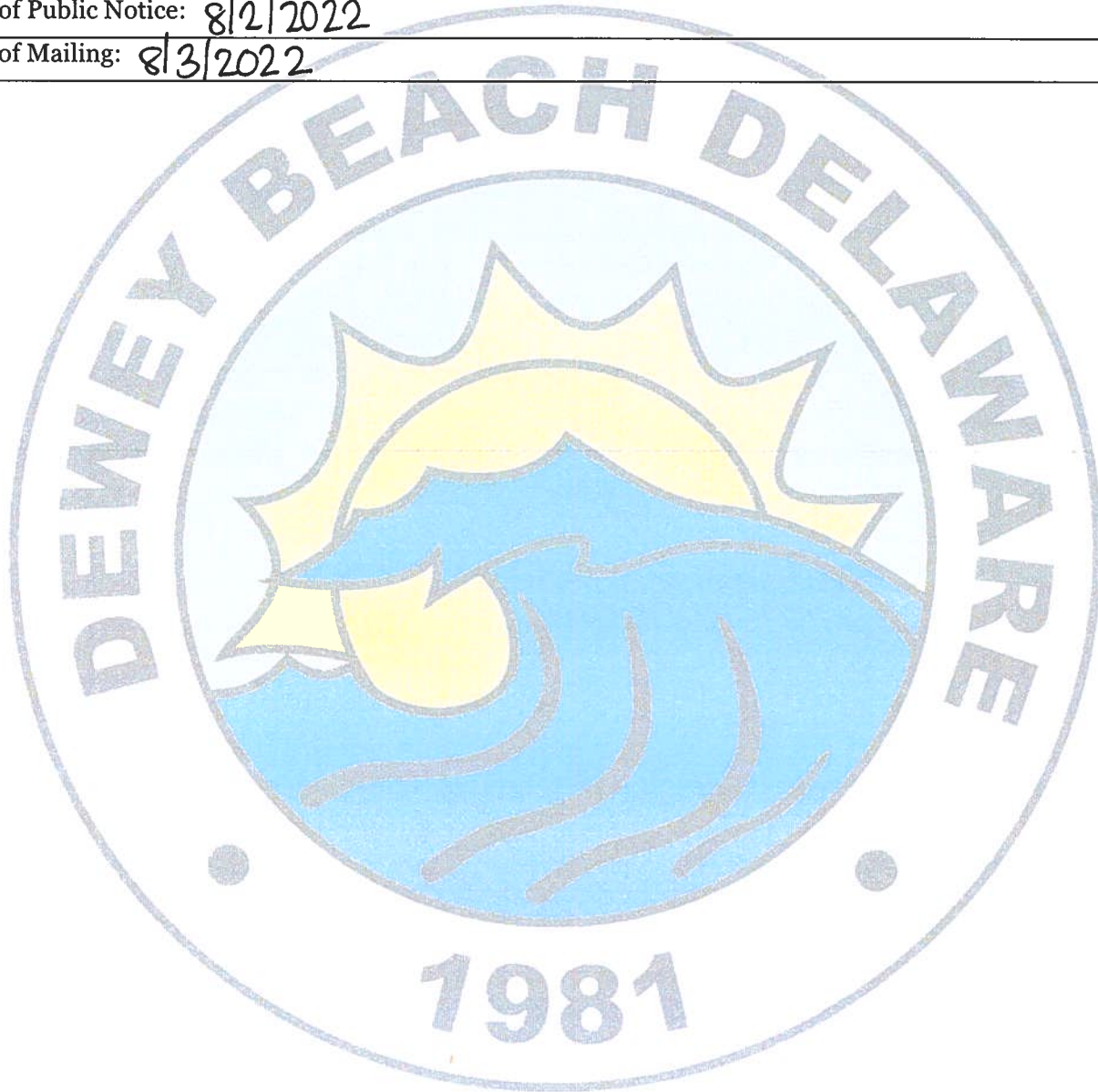
Applicant Signature: *Greg Plummer* Greg Plummer | Jul 29, 2022 10:38 EDT Date: Jul 29, 2022

Business Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Town Hall Use Only**

Date Application & Fee Received: 7/29/2022
Date of Hearing: 8/19/2022
Date of Public Notice: 8/2/2022
Date of Mailing: 8/3/2022



**Signature:** dhinks rec'd 07/29/22  
dhinks rec'd 07/29/22 (Jul 29, 2022 14:44 EDT)  
**Email:** dhinks@townofdeweybeach.com

**Signature:** Ashleigh Sander  
Ashleigh Sander (Jul 29, 2022 15:27 EDT)  
**Email:** ashleigh@townofdeweybeach.com

# THE SMITH FIRM, LLC

ATTORNEYS AT LAW

MICHAEL R. SMITH  
[smith@vslegal.net](mailto:smith@vslegal.net)

CHAD R. LINGENFELDER\*  
[lingenfelder@vslegal.net](mailto:lingenfelder@vslegal.net)  
\*ADMITTED IN DE & MD

323 Rehoboth Avenue  
Suite D  
REHOBOTH BEACH, DELAWARE 19971  
PHONE: (302) 875-5595  
FAX: (302) 231-2718

BLAKE W. CAREY  
[carey@vslegal.net](mailto:carey@vslegal.net)

May 27, 2020

(Via E-mail and Hand Delivery)

Town of Dewey Beach  
Attn: Scott Koenig  
105 Rodney Avenue  
Dewey Beach, DE 19971

**RE: Application for Expanded Outdoor Seating  
Dewey Beach Country Club**

Dear Mr. Koenig:

I represent East Village Hospitality, LLC, which is currently operating as Dewey Beach Country Club (“DBCC”/“Applicant”), a restaurant located at 1705 Coastal Highway, Units 1 and 2, in Dewey Beach. First, the Applicant and I wish to express our gratitude to the Town of Dewey Beach (the “Town”) for allowing businesses the opportunity to apply for expanded outdoor seating during this economically troubling time. As you can imagine, the closure related to COVID-19 has impacted my client, as with all other businesses, during what is typically the busiest part of its season. I am not aware of an application that is required by the Town; therefore, I am hopeful this letter addresses the salient points the Town needs to permit expanded outdoor dining at DBCC.

Applicant Name: East Village Hospitality, LLC d/b/a Dewey Beach Country Club

Address: 1705 Coastal Highway, Units 1 and 2, Dewey Beach, DE 19971

Phone Number: 302-227-7000

RECEIVED MAY 27 2020  
@ 3:30 p.m.  
J.M. Paul

The Town of Dewey Beach  
May 27, 2020  
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Owner/Manager: East Village Hospitality, LLC through its majority member, Muddy Duck, LLC, through its member, Gregory Plummer

Phone for Mgr: 302-542-1221

Address for Mgr: 312 Swedes Street, Rehoboth Beach, DE 19971

E-mail: [plummer@dbcountryclub.com](mailto:plummer@dbcountryclub.com) w/ a copy to [carey@vslegal.net](mailto:carey@vslegal.net)

Premises Owner: Zea, LLC, 100 E. Main Street, Suite 601 Salisbury, MD 21801. Landlord has approved Applicant's plan.

Request: To permit expended outdoor dining in the locations shown on Exhibits A and B enclosed herewith.

Front: Four (4) tables with four (4) dining seats per table. Minimum of six (6) feet between tables.

Rear: Eight (8) picnic tables with six (6) dining seats per table. Minimum of six (6) feet between tables.

**Exterior Perimeter**

Measurements: Front: 34' X 10'

Rear: 60' X 20'

Barriers Proposed: Front: A temporary/removable wooden platform/base will be built from the structure to the edge of its property line to provide a level dining surface. The platform will be fenced in along the property line to act as a barrier. An entrance with steps along with an accessible wheelchair ramp will be placed in the middle of the platform at the Eastern (sidewalk) end to allow access, and ADA compliance.

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Rear: The rear is currently enclosed with a fence. Access is gained through the rear door of the premises and has no steps, so no ADA ramp is required. Temporary wooden decking will be built in the exterior dining area.

ADA Compliance: See above. All other aspects of ADA compliance will be maintained as typical.

Access: The proposed plan in the front and rear will not intrude upon State right of ways. Current access will be maintained. Emergency access will be maintained as typical. No change will be made to local traffic patterns and parking capacity.

Liquor license: Yes, the premises currently holds a liquor license. Applicant desires to serve alcohol in the extended outdoor dining area. Applicant will submit a Town approved application to the Office of Alcoholic Beverage Control Commission for consideration and approval before serving alcohol in the extended areas. Boundaries will be marked with signage indicating that alcohol is not permitted beyond the enclosed expended areas.

Thank you for your attention to this matter. If the Town requires anything further from the Applicant with respect to this request, please do not hesitate to contact me by phone at 302-231-2718 or by email at [carey@vslegal.net](mailto:carey@vslegal.net) . Again, thank you for extending this opportunity to the businesses of Dewey Beach, Delaware.

Very truly yours,  
**THE SMITH FIRM, LLC**

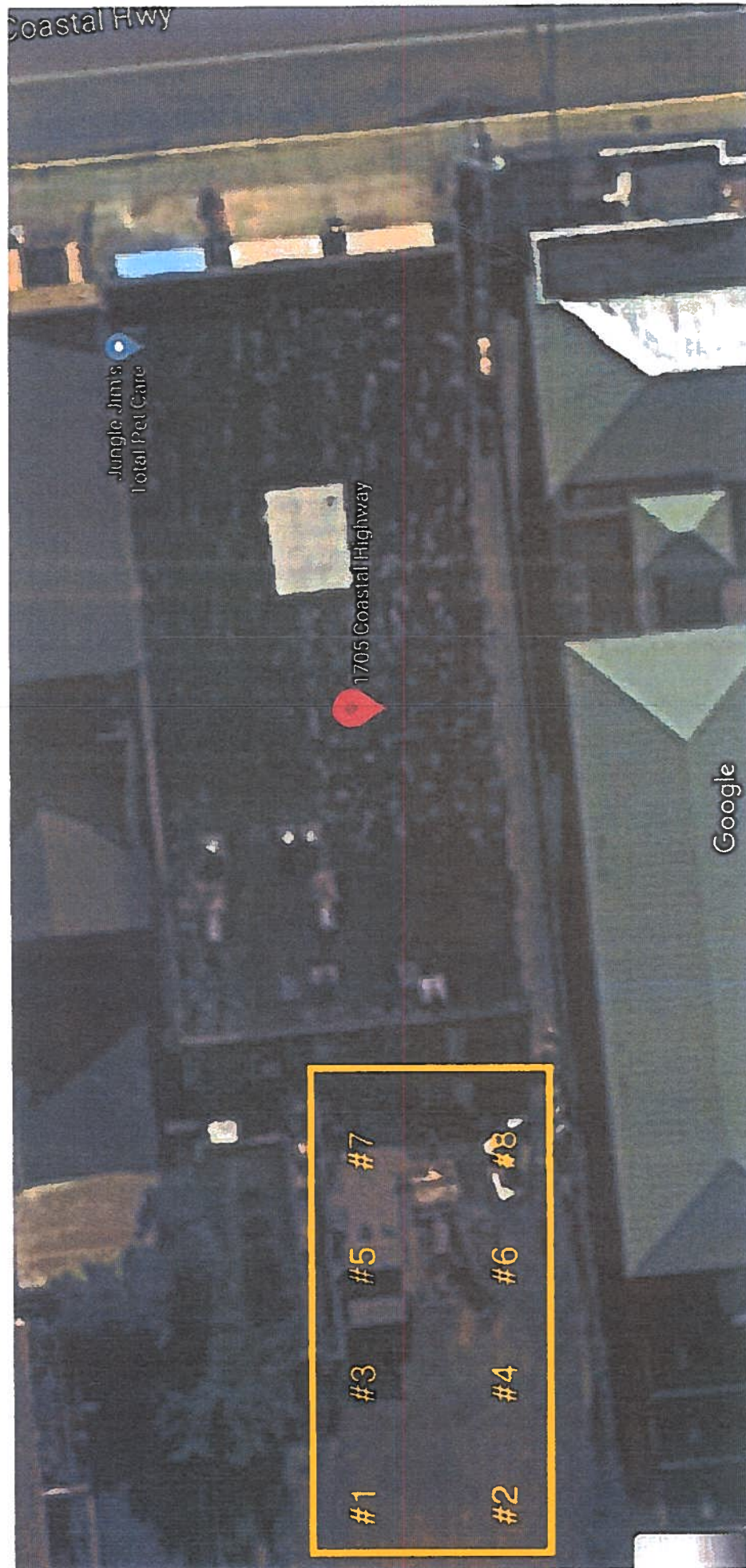
/s/ Blake W. Carey  
Blake W. Carey

Encs.

Ex. A.



Ex. B





## TOWN OF DEWEY

### BEACH

www.townofdeweybeach.com

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

May 29, 2020

Alcoholic Beverage Control Commission  
Carvel State Office Building  
820 North French Street  
Wilmington, DE 19801

Office of State Fire Marshal  
Sussex County Division  
22705 Park Avenue  
Georgetown, DE 19947


RE: Dewey Beach Country Club – 1705 Coastal Highway, Units # 1 & 2 - Dewey Beach, Delaware  
Request for Extension of Premises  
June 1 – July 30, 2020

This letter is to advise that the Town of Dewey Beach, Delaware has approved Dewey Beach Country Club's use of its private sidewalk area (along its frontage) and its rear yard area to place approximately twelve (12) additional tables and associated chairs to be used in accordance with the phased in opening due to the Coronavirus as approved by the Governor's order. (Correspondence & Sketch Attached)

This expanded outside seated area, to be used for table service with tables spread out at a distance of approximately six (6) feet or more between each for social distancing, will be used with all restrictions and ordinances approved in the order. Its use will end when the Governor's order or the ABCC Commissioner's order directs the Dewey Beach Country Club or restaurants across the state to do so.

In addition, all Town ordinances regarding safety, noise, etc. must be followed. The business owner has coordinated this use with their landlord and adjacent tenants, if applicable. If you have any questions regarding this correspondence, please contact our office at 302-227-6363.

Best Regards,

  
Scott D. Koenig, P.E., ICMA-CM  
Town Manager  
townmanager@townofdeweybeach.com  
(302) 227-6363

CC: Gregory Plummer, Dewey Beach Country Club – 1705 Coastal Highway, Units #1 & 2, Dewey Beach, DE 19971  
Blake Carey, The Smith Firm, LLC  
Chief Sam Mackert, Dewey Beach Police Department  
Dale H. Cooke, Mayor