

TOWN OF SOUTH BETHANY
BOARD OF ADJUSTMENT PUBLIC HEARING MINUTES

Friday, November 7, 2025 1:00 p.m.

This meeting/hearing was conducted both in-person and electronically.

PRESENT: Steve Bunoski, Charlene Sturbitts, Jim Oliver, Patty Jaicks, and Barrett Edwards
TOWN STAFF: Joe Hinks, Code Enforcement Officer; and Brittany Hollis, Administrative Assistant
APPLICANT: **Paetrus & Laura Banmiller**, 6 South Ocean Drive
ATTENDANCE: Douglas Warner, Catherine Hughes, and Lola Blackwell

Chairman Steve Bunoski called the Meeting to order at 1:45p.m. All parties were sworn in who requested testimony during the hearing.

PURSUANT TO 22 DEL.C. SECTION 327 (a) AND ARTICLE XI, Section 145-38(A)(1)(a), of the Zoning Code establishes a required minimum 20-foot front yard setback for the Property. The Applicant is requesting a variance of 5 feet to accommodate the construction of a residential elevator for accessibility.

Administrative Assistant Brittany Hollis stated the public hearing notice for this meeting was posted on the property (6 South Ocean Drive) on October 2, 2025; the notice was published in the *Coastal Point* newspaper on October 3, 2025; it was posted at Town Hall and on four (4) other locations within Town on October 2, 2025; and was sent via mail to the property owner and owners of property within a radius of two-hundred (200) feet of the property on October 2, 2025.

Building Official Joseph Hinks was sworn in and gave an overview of the application. Testifying that the Applicants would like to install an elevator at the front of the Property.

Douglas Warner with Element Design Group testified that the house was built to the setback lines established for the Property. This leaves very little room for improvement. As the house stands, it lies east of the DNREC dune line. This also restricts construction on the Property. Due to DNREC restrictions, the Applicants are looking to install the elevator as close to the front of the Property as possible. The home was designed with cantilevered steel beams, which are a unique and uncommon construction method. These steel beams make it almost impossible to install the desired elevator within the dwelling walls and setbacks as originally planned.

Mr. Warner stated that the planned elevator would not be higher than the existing structure and thus would not block anyone's view. If the variance were to not be granted, it would also prevent normal improvements to the Property and thus creating a practical difficulty to installing an elevator.

Lastly, Mr. Warner testified that DNREC can dictate where improvements are made when a structure is on the other side of the dune line. Thus, the proposed elevator placement is as far west on the Property as possible. This statement was backed by Mr. Hinks.

Applicant, Paetrus Banmiller was sworn in and testified that with both his and his wife's parents being older, they struggle to climb stairs. Their intention was to install the elevator on the interior of the

home. But those plans quickly came to a halt when they discovered, during a 3rd floor bathroom renovation, steel beams that crisscross all throughout the home. The homeowner stated that the elevator would need to reach all 3 floors due to the main living space and kitchen being on the third floor.

Catherine Hughes and Lola Blackwell were sworn in and both expressed concerns about the precedent that could be set with this application.

No one provided testimony in opposition to the application.

Steve Bunoski, chairman, motioned to approve the request for a variance to encroach 5 feet into the front yard setback to allow for the installation of an elevator in the location identified in the application.

By vote of 4 yeas and 0 nays, the Board concludes that the Applicant met the standards necessary to demonstrate an exceptional practical difficulty. Therefore, **GRANTING** the Applicant's request for a 5 foot encroachment into the front yard setback.

The hearing was adjourned at 3:00 p.m.