

COUNTY COUNCIL

MICHAEL H. VINCENT, PRESIDENT
IRWIN G. BURTON III, VICE PRESIDENT
DOUGLAS B. HUDSON
JOHN L. RIELEY
SAMUEL R. WILSON JR.



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7743 T
(302) 855-7749 F

SUSSEX COUNTY COUNCIL

AGENDA

AUGUST 25, 2020

10:00 A.M.

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA

Call to Order

Approval of Agenda

Approval of Minutes – August 11, 2020

Reading of Correspondence

Public Comments

Consent Agenda

1. **Use of Existing Wastewater Infrastructure Agreement, IUA1129
El Rancho – P&R Lands, LLC**

Todd Lawson, County Administrator

1. **Presentation and discussion related to Land Use Master Planning**
2. **Administrator's Report**

Gina Jennings, Finance Director

1. **Fire/Ambulance Company Grant Agreement**

10:15 a.m. Public Hearing

Camp Arrowhead III Annexation of the Sussex County Unified Sanitary Sewer District



10:30 a.m. Public Hearing

Proposed Owls Nest Paving Improvements Assessment Roll

10:45 Public Hearing

“AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$100,000,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH (A) THE REFUNDING OF PRIOR DEBT OF THE COUNTY WHICH WILL RESULT IN DEBT SERVICE SAVINGS AND (B) THE FINANCING OF SEWER SYSTEM IMPROVEMENT PROJECTS; AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”

Patrick Brown, Project Engineer

1. The Owl’s Nest Pavement Improvements, Project T20-01

A. Final Property Assessment Rates

Hans Medlarz, County Engineer

1. Little Meadows, Inc.

A. Surrender of lift state parcel 132-1.12-67.00

2. Granting of Access Easement to Miranda Enterprises, LLC

John Ashman, Director of Utility Planning

1. Request to prepare and post notices for the Sewer District Expansion for Island Watersports into the Bay View Estates Area

Introduction of Proposed Zoning Ordinances

Council Members’ Comments

Executive Session – Land acquisition pursuant to 29 Del.C.§10004(b)

Possible action on Executive Session items

1:30 p.m. Public Hearings

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA.

Change of Zone No. 1918 filed on behalf Mark A. Casey

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 7.10 ACRES, MORE OR LESS” (land lying on the southeast corner of Warwick Road and Downs Landing Road) (Tax I.D. No. 234-33.00-55.00) (911 Address: 28517 Warwick Road, Millsboro)

Conditional Use No. 2214 filed on behalf of Anthony Crivella & Harold E. Dukes, Jr.
“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A FOOD TRUCK TO BE OPERATED FOR A PERIOD EXCEEDING THREE DAYS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.115 ACRE, MORE OR LESS” (land lying on the northeast side of Johnson Street southeast of Central Avenue) (Tax I.D. No. 334-13.20-25.00) (911 Address: Not Available)

Conditional Use No. 2216 filed on behalf of Kenneth Dominic Alton Drummond
“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR HOME REMODELING AND REPAIR SERVICES, STORAGE REPAIR AND MAINTENANCE, LIGHT BUILDING MATERIAL AND STORAGE AND GENERAL OFFICE FOR QUALITY CARE HOMES AND MANAGERS RESIDENCE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 3.57 ACRES, MORE OR LESS” (land lying on the southwest side of Hopkins Road approximately 0.58 mile northwest of Beaver Dam Road (Route 23)) (Tax I.D. No. 234-5.00-46.04) (part of) (911 Address: 20366 Hopkins Road, Lewes)

Conditional Use No. 2233 filed on behalf of Brothers Landscaping, LLC
“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 5.00 ACRES MORE OR LESS” (land lying on the north side of German Road approximately 1.58 miles east of Concord Pond Road) (Tax I.D. No. 231-13.00-190.00) (911 Address: 24516 German Road, Seaford)

Adjourn

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on August 18, 2020 at 4:15 p.m., and at least seven (7) days in advance of the meeting.

This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the meeting.

Agenda items may be considered out of sequence.

Further meeting access instructions are listed below.

-MEETING INSTRUCTIONS-

The Sussex County Council is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.

The public is encouraged to view the meeting on-line. Any person attending in-person will be required to go through a wellness and security screening, including a no-touch temperature check. The public will be required to wear a facial mask.

Chambers seating capacity is limited and seating assignments will be enforced.

The meeting will be streamed live at <https://sussexcountype.gov/council-chamber-broadcast>.

The County is required to provide a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.** Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

Conference Number: 1-302-394-5036

Conference Code: 570176

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments under the Public Comment section of the meeting and during the respective Public Hearing.

The Council meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountype.gov/agendas-minutes/county-council>.

If any member of the public would like to submit comments electronically, please feel free to send them to rgriffith@sussexcountype.gov. All comments shall be submitted by 4:30 P.M. on Monday, August 24, 2020.

#

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

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302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date July 23, 2020.

Application: (CZ 1918) Mark A. Casey

Applicant: Mark A. Casey
28517 Warwick Road
Millsboro, DE 19966

Owner: Mark A. Casey
28517 Warwick Road
Millsboro, DE 19966

Site Location: Located on the southeast corner of Warwick Road (S.C.R. 310A) and
Downs Landing Road.

Current Zoning: Medium Density Residential (MR)

Proposed Zoning: Agricultural Residential (AR-1)

Comprehensive Land
Use Plan Reference: Coastal Area

Councilmatic
District: Mr. Hudson

School District: Indian River School District

Fire District: Indian River Fire District

Sewer: Private, On-Site

Water: Private, On-Site

Site Area: 7.10 acres +/-

Tax Map ID: 234-33.00-55.00





Sussex County



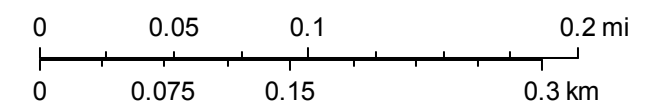
PIN:	234-33.00-55.00
Owner Name	CASEY MARK A
Book	4523
Mailing Address	4615 OLD LINDEN HILL RD
City	WILMINGTON
State	DE
Description	ON INDIAN RIVER
Description 2	N/A
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

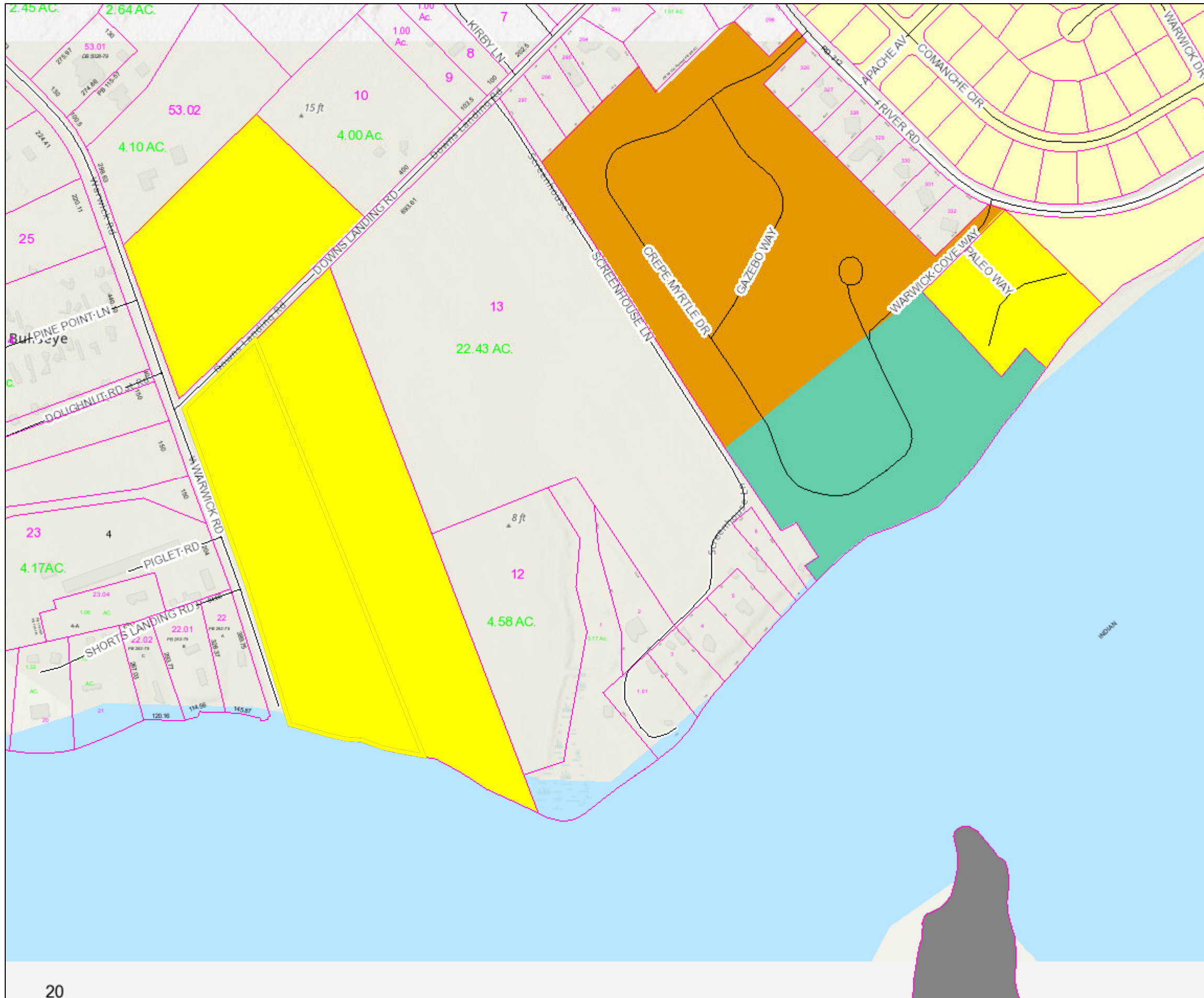
 - Override 1
- Tax Parcels
- Streets
- County Boundaries

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Sussex County

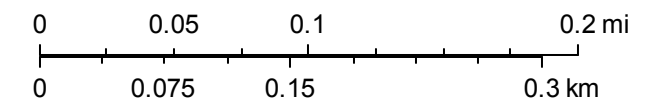


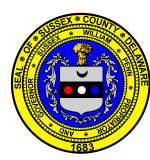
PIN:	234-33.00-55.00
Owner Name	CASEY MARK A
Book	4523
Mailing Address	4615 OLD LINDEN HILL RD
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State	DE
Description	ON INDIAN RIVER
Description 2	N/A
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

 - Override 1
- Tax Parcels
- Streets





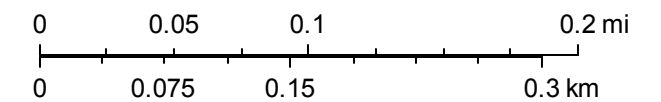
Sussex County



PIN:	234-33.00-55.00
Owner Name	CASEY MARK A
Book	4523
Mailing Address	4615 OLD LINDEN HILL RD
City	WILMINGTON
State	DE
Description	ON INDIAN RIVER
Description 2	N/A
Description 3	N/A
Land Code	

- polygonLayer**
Override 1
- polygonLayer**
Override 1
- Tax Parcels
- Streets
- County Boundaries

1:4,514



JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

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sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Lauren DeVore, Planner III
CC: Vince Robertson, Assistant County Attorney and applicant
Date: June 25, 2020
RE: Staff Analysis for CZ 1918 Mark A. Casey

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1918 Mark A. Casey to be reviewed during the July 23, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcel 234-33.00-55.00 to allow for a change of zone from Medium Density Residential (MR) Zoning District to an Agricultural Residential (AR-1) Zoning District. The parcel is located on the southeast corner of Warwick Road (S.C.R. 310A) and Downs Landing Road in Millsboro. Additionally, the Indian River Bay abuts the south side of the parcel. The size of the property is approximately 7.10 acres +/-

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has the land use designation of "Coastal Area" with all adjoining properties to the west, east and north of the parcel also being designated "Coastal Areas."

"Coastal Areas" are areas that can accommodate development provided that special environmental concerns are addressed and include a range of housing types such as single-family homes and multi-family units. Retail and offices use are also appropriate within this Zoning District.

The areas to the south (on the opposite side of the Indian River Bay) of the subject parcel are designated as "Industrial Area." "Industrial Areas" support larger industrial uses, including but not limited to heavier industry, light industry, warehousing, and flex space.

The Agricultural Residential (AR-1) Zoning District is listed as an applicable zoning district for the Coastal Area under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories" of the 2018 Sussex County Comprehensive Plan.

The property is zoned Medium Density Residential (MR) as are the adjoining property to the east and parcel to the north on the opposite side of Downs Landing Road. All properties to the west on the opposite side of Warwick Road (S.C.R. 310A) are zoned Agricultural Residential (AR-1).

Since 2011, there has been one Change of Zone application proposed within a one-mile radius of the application site. This application was for Change of Zone (C/Z 1823) to facilitate a change of



zone from an Agricultural Residential (AR-1) Zoning District to a Commercial Residential (CR-1) Zoning District. The application was approved by the County Council at its meeting of Tuesday, July 25, 2017 and adopted through Ordinance No. 2513.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone to Agricultural Residential (AR-1) in this location, would be considered as being consistent with the land use, area zoning and surrounding uses.

R

File #: C/z#1918

Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use

Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

28517 Warwick Rd

Type of Conditional Use Requested:

from MR to AR-1

Tax Map #: 234-33.00-55.00 Size of Parcel(s): 7.10 ACRES

Current Zoning: MR Proposed Zoning: AR-1 Size of Building: _____

Land Use Classification: _____

Water Provider: well Sewer Provider: SEPTIC

Applicant Information

Applicant Name: SAME AS OWNER

Applicant Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____

Owner Information

Owner Name: MARK CASES

Owner Address: 28517 WARWICK ROAD

City: MILLSBORO State: DE Zip Code: 19966

Phone #: 302-612-1011 E-mail: MACDIVER56@AOL.COM

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____

Agent/Attorney/Engineer Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ E-mail: _____



Mailing List Application Form

For Applications requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

Application Information:

Site Address: _____

Parcel #: _____

Site Address: _____

Parcel #: _____

Applicant Name: _____

Owner Name: _____

Type of Application:

Conditional Use: _____

Change of Zone: _____

Subdivision: _____

Board of Adjustment: _____

Date Submitted: _____

For office use only:

Date of Public Hearing: _____

File #: _____

Date list created: _____

List created by: _____

Date letters mailed: _____

Letters sent by: _____

Planning & Zoning Project Contact List

Applicant Information

Applicant Name: _____
Applicant Address: _____
City: _____ State: _____ Zip: _____
Phone #: _____ E-mail: _____

Owner Information

Owner Name: _____
Owner Address: _____
City: _____ State: _____ Zip: _____
Phone #: _____ E-mail: _____

Engineer/Surveyor Information

Engineer/Surveyor Name: _____
Engineer/Surveyor Address: _____
City: _____ State: _____ Zip: _____
Phone #: _____ E-mail: _____

Agent/Attorney Information

Agent/Attorney Name: _____
Agent/Attorney Address: _____
City: _____ State: _____ Zip: _____
Phone #: _____ E-mail: _____

Other

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone #: _____ E-mail: _____





PERMIT NO. **17-NUR-01**

Effective dates: **07/21/2017**

through: **12/31/2017**

State of Delaware

DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
DIVISION OF FISH & WILDLIFE

SHELLFISH AQUACULTURE INLAND BAYS/TRIBUTARIES NURSERY PERMIT

Pursuant to 7 Delaware Admin. Code. §3801 (9.0), permission is hereby granted to **Mark and Lori Casey**

with the mailing address of
**4615 Old Linden Hill Rd
Wilmington, DE 19808**

to operate a shellfish aquaculture nursery at the physical address:
**28517 Warwick Rd
Millsboro, DE 19966**

This permit requires an approved lease issued by the Department's Wetlands & Subaqueous Lands Section for the shellfish nursery structures. It is unlawful for shellfish nursery structures to contain any oysters greater than 25 mm shell length or any hard clams greater than 15 mm shell length without written authorization from the Department. Hard clam culture is limited to the Little Assawoman Bay and its tributaries, and oysters may only be cultured in Rehoboth Bay and Indian River Bay, and their respective tributaries. The nursery permittee shall notify the Department immediately upon discovery of any disease or mass mortality event affecting the facility that has the potential to contaminate native or naturalized animals. This permit does not authorize the use of unlawful methods of taking specimens.

This permit is not transferable and can be revoked for cause by the Director of the Division of Fish and Wildlife.

This permit must be exhibited upon request.

The holder of this permit must submit an annual report, including species and numbers of shellfish grown and planted or sold.

Director Administrator

10319

BK: 4523 PG: 286

Tax Map and Parcel #: 234-33.00-55.00

PREPARED BY:
Tomasetti Law, LLC
1100 Coastal Highway, Unit 3

File No. 516-28/DS

RETURN TO:
MARK A. CASEY
LORI S. CASEY
4615 Old Linden Hill Road
Wilmington, DE 19808

THIS DEED, made this 30th day of March, 2016,

- BETWEEN -

LEON OSCAR BRITTINGHAM, JR. as to an undivided one-third interest, of 509 South Mill Road, Dover, DE 19901 and DOLORES A. SCARBROUGH, as to an undivided two-third interest, of 30855 Cypress Lane, Laurel, De 19956, parties of the first part,

- AND -

MARK A. CASEY and LORI S. CASEY, husband and wife, of 4615 Old Linden Hill Road, Wilmington, DE 19808, parties of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **Five Hundred Thousand and 00/100 Dollars (\$500,000.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware, as TENANTS BY THE ENTIRETY :

ALL that certain tract, piece or parcel of land, with improvements located thereon situate in Indian River Hundred, Sussex County, Delaware and being known as **28517 WARWICK ROAD**, and being known as **TRACT NO. 1**, on a Plot of lands of Leon O. Brittingham and Ruth

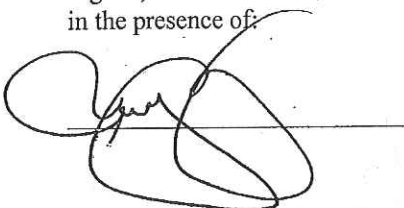
MS

MS

BK# 4523 PG# 288

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

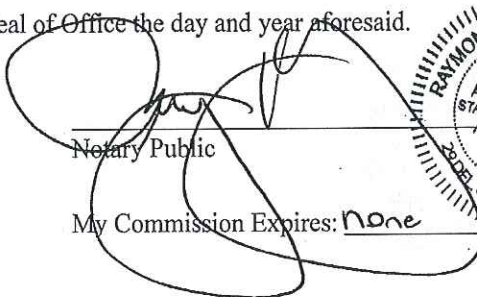


 (SEAL)
LEON OSCAR BRITTINGHAM, JR.

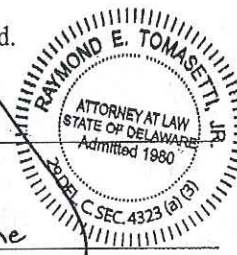
STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on March 30, 2016, personally came before me, the subscriber, LEON OSCAR BRITTINGHAM, JR. party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.



Notary Public
My Commission Expires: None





STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

JENNIFER COHAN
SECRETARY

June 19, 2018

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Mark Casey** rezoning application, which we received on May 25, 2018. This application is for a 6.75-acre parcel (Tax Parcel: 234-33.00-55.00). The subject land is located on the southeast corner of the intersection of Warwick Road (Sussex Road 310A) and Downs Landing Road (Sussex Road 313A). The subject land is currently zoned as MR (Medium-Density Residential), and the applicant is seeking to rezone the land to AR-1 (Agricultural Residential).

Per the 2017 Delaware Vehicle Volume Summary, the annual average daily traffic volume along Warwick Road is 509 vehicles per day. As the subject land also has frontage along Downs Landing Road, the annual average daily traffic volume along that road is 1,252 vehicles per day.

Based on our review, we estimate that the above land uses will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DeIDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DeIDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.



Ms. Janelle M. Cornwell
Page 2 of 2
June 19, 2018

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

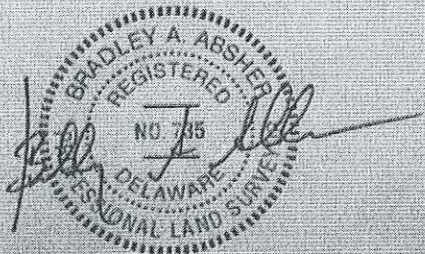
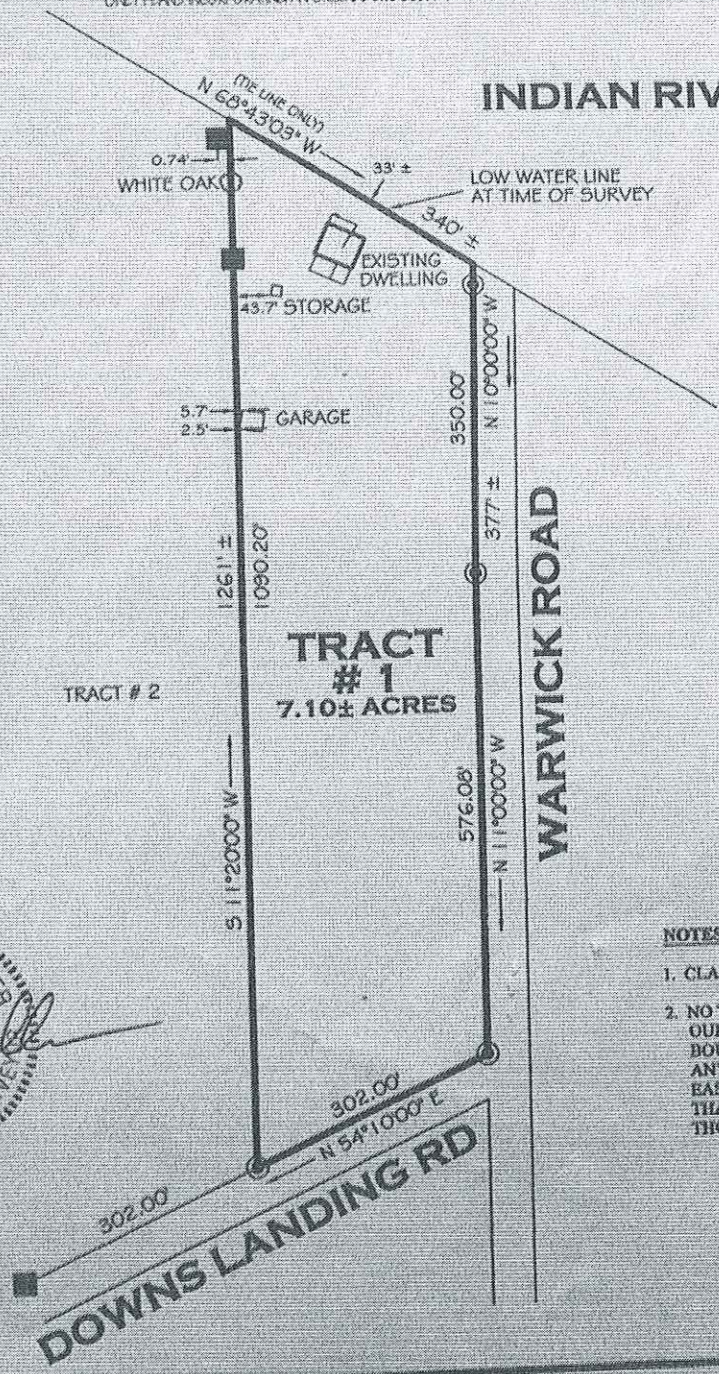
TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Mark Casey, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance and Operations
Steven Sisson, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Susanne Laws, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

ONLY PLANS INCORPORATING AN ORIGINAL ENDOSSSED / RED SEAL & SIGNATURE ARE CONSIDERED TO BE OFFICIAL AND RELIED UPON BY THE USER



INDIAN RIVER



NOTES

1. CLASSIFICATION OF SURVEY: RURAL.
2. NO TITLE REPORT WAS PROVIDED FOR OUR USE, THEREFORE THIS BOUNDARY SURVEY IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS, AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.

LEGEND

- CONCRETE MONUMENT FOUND
- IRON ROD W/ CAP SET

TRUE NORTH



LAND SURVEYING

118 ATLANTIC AVENUE, SUITE 202
OCEAN VIEW, DE 19970
DE 302-659-2489
MD: 410-430-2092

TAX MAP	2-34 - 33.00 - 55.00
STATE	DELAWARE
COUNTY	SUSSEX
HUNDRED	INDIAN RIVER
TOWN	---
AREA	7.10 ± ACRES
DEED REF.	WB 8011 / 160
PLAT REF.	UNRECORDED
DRAWN BY	BAA
DATE	03 / 07 / 16
SCALE	1" = 200'
SURVEY #	DE - 02703

BOUNDARY SURVEY PLAN

TRACT # 1
PLAT FOR

BRITTINGHAM & ATKINS

FOR

MARK A. & LORI S. CASEY

28517 WARWICK ROAD, MILLSBORO, DE

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
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JAMIE WHITEHOUSE, AICP MRTPI
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date July 23, 2020.

Application: (CU 2214) Anthony Crivella & Harold E. Dukes, Jr.

Applicant: Da Nizza Wood Fired Pizza, LLC
30 East Pine Street
Georgetown, DE 19947

Owner: Anthony Crivella & Harold E. Dukes, Jr.
325 E Rehoboth Avenue
Rehoboth Beach, DE 19971

Site Location: Located on the northeast side of Johnston St. southeast of Central Ave.

Current Zoning: General Commercial (C-1)

Proposed Use: Operate a Food Truck for a period exceeding three (3) days

Comprehensive Land Use Plan Reference: Commercial Area

Councilmatic District: Mr. Hudson

School District: Cape Henlopen School District

Fire District: Rehoboth Beach Fire District

Sewer: Sussex County

Water: Private

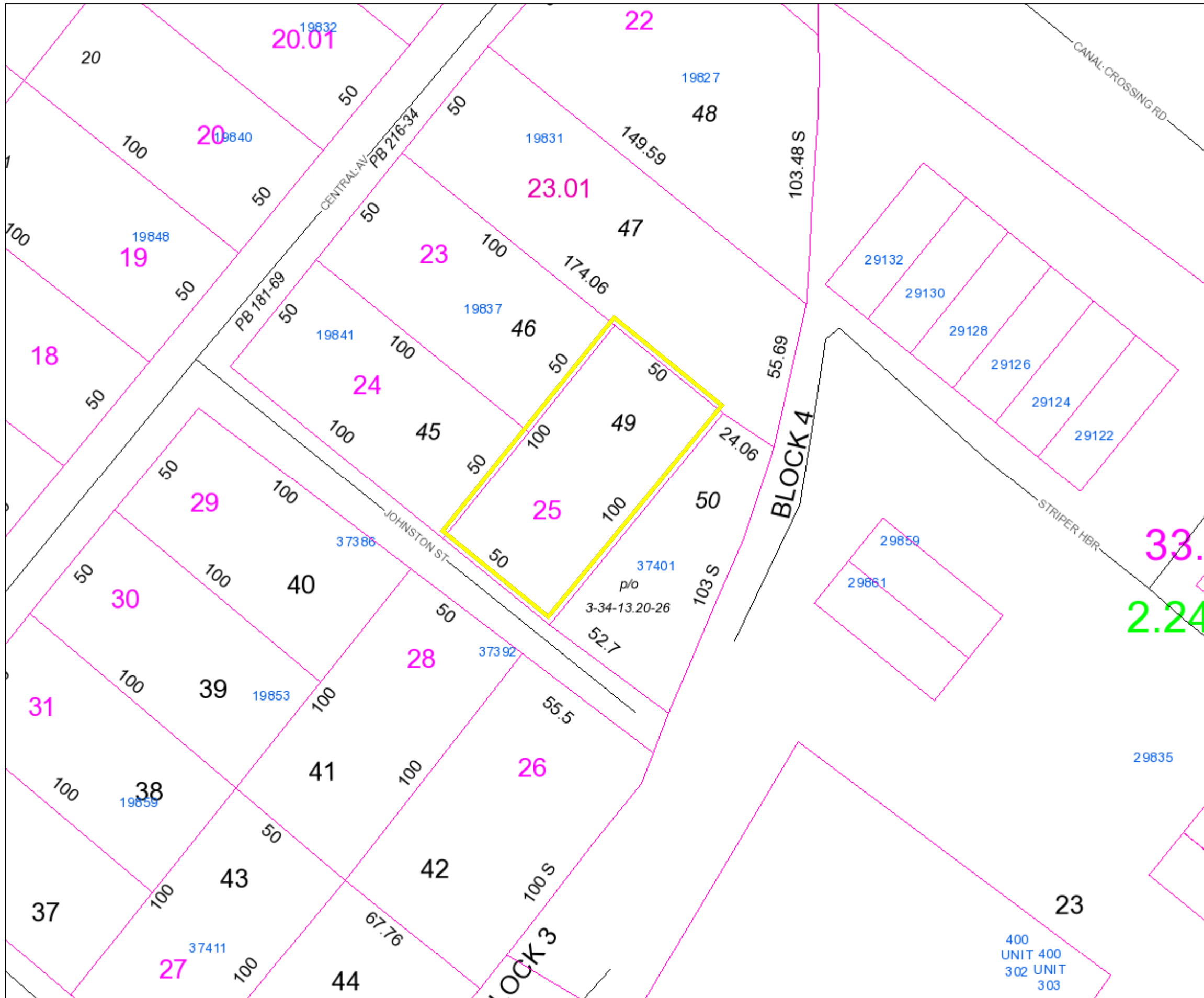
Site Area: 0.115 acres +/-

Tax Map ID.: 334-13.20-25.00





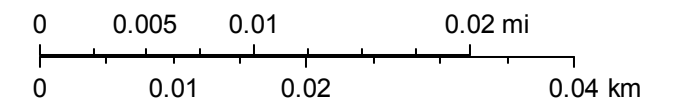
Sussex County



PIN:	334-13.20-25.00
Owner Name	CRIVELLA TONY
Book	4954
Mailing Address	323 REHOBOTH AVE STE B
City	REHOBOTH BEACH
State	DE
Description	SHOCKLEY SUBD.
Description 2	LOT 49 BLK 4
Description 3	N/A
Land Code	

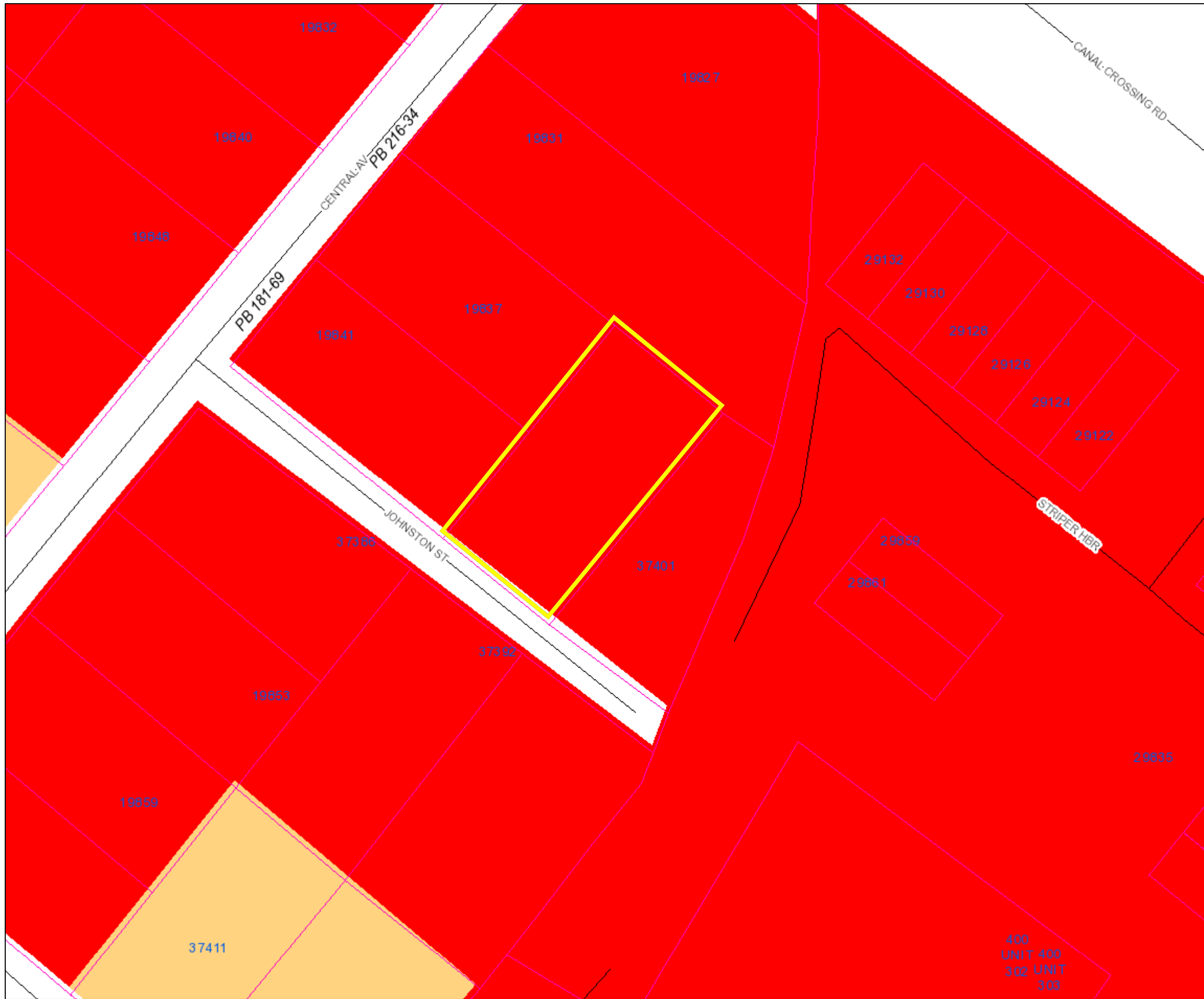
- | | |
|------------------|-------------------|
| polygonLayer | Override 1 |
| polygonLayer | Override 1 |
| [Pink Outline] | Tax Parcels |
| [Black Line] | 911 Address |
| [Black Line] | Streets |
| [Yellow Outline] | County Boundaries |
- Tax Ditch Segments**
- | | |
|------------------|------------------------|
| [Blue Arrow] | Tax Ditch Channel |
| [Dotted Line] | Pond Feature |
| [Hatched Area] | Special Access ROW |
| [Orange Outline] | Extent of Right-of-Way |
| [Red Outline] | Municipal Boundaries |

1:564





Sussex County



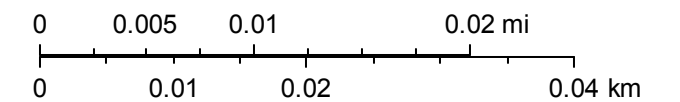
PIN:	334-13.20-25.00
Owner Name	CRIVELLA TONY
Book	4954
Mailing Address	323 REHOBOTH AVE STE B
City	REHOBOTH BEACH
State	DE
Description	SHOCKLEY SUBD.
Description 2	LOT 49 BLK 4
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

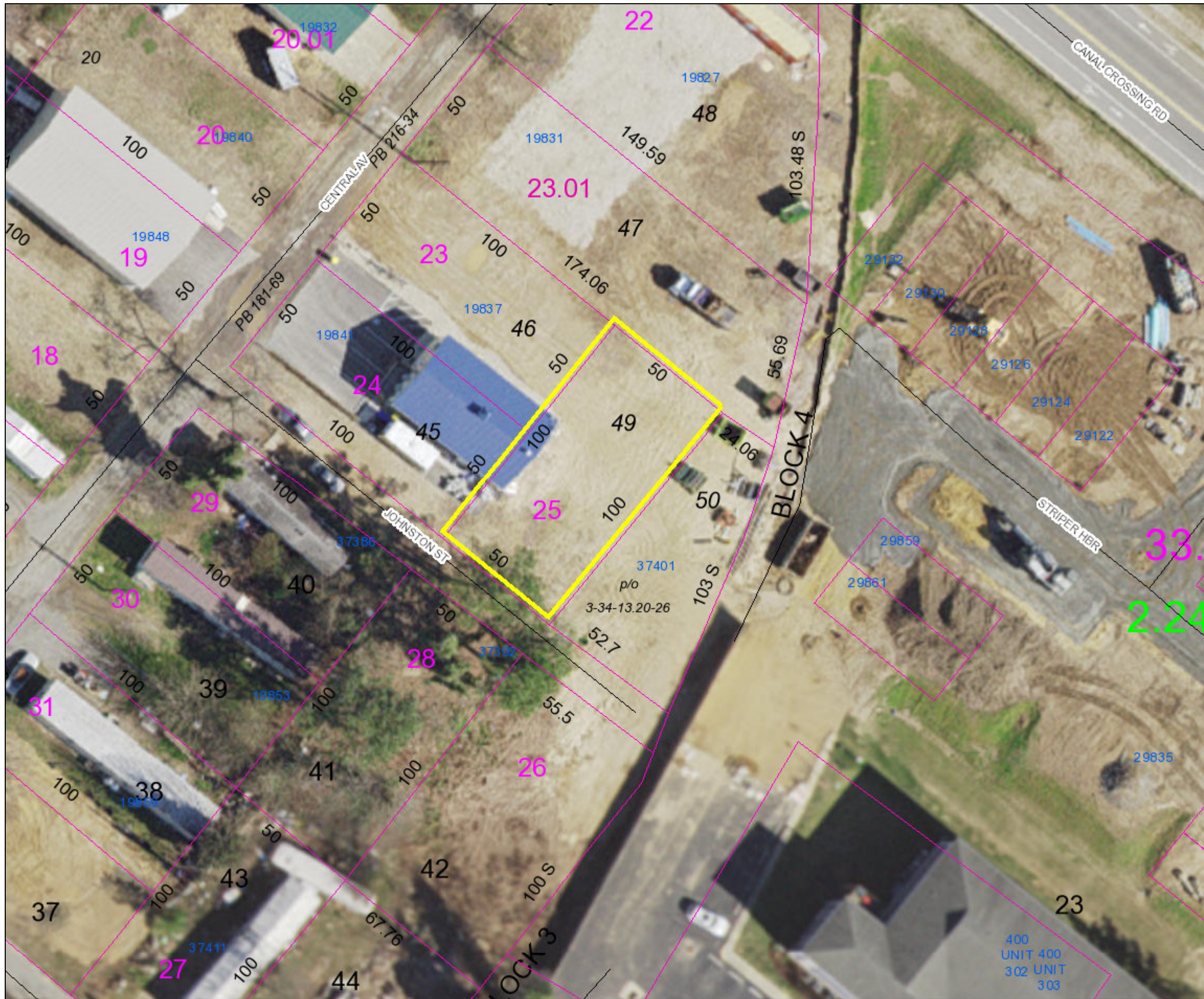
 - Override 1
- Tax Parcels
- 911 Address
- Streets

1:564





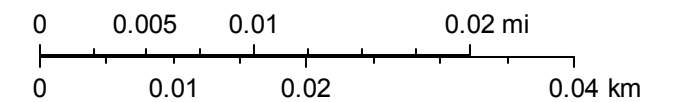
Sussex County



PIN:	334-13.20-25.00
Owner Name	CRIVELLA TONY
Book	4954
Mailing Address	323 REHOBOTH AVE STE B
City	REHOBOTH BEACH
State	DE
Description	SHOCKLEY SUBD.
Description 2	LOT 49 BLK 4
Description 3	N/A
Land Code	

- polygonLayer**
 - Override 1
- polygonLayer**
 - Override 1
- Tax Parcels
- 911 911 Address
- Streets
- County Boundaries
- Tax Ditch Segments**
 - ▶ Tax Ditch Channel
 - - - Pond Feature
 - Special Access ROW
 - Extent of Right-of-Way
 - Municipal Boundaries

1:564



JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountype.gov



Sussex County
DELAWARE
sussexcountype.gov

Memorandum

To: Sussex County Planning Commission Members
From: Christin Headley, Planner I
CC: Vince Robertson, Assistant County Attorney and Applicant
Date: July 1, 2020
RE: Staff Analysis for CU 2214 Anthony Crivella & Harold E. Dukes, Jr.

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2214 to be reviewed during the July 23, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 334-13.20-25.00 to allow the operation of a food truck for a period exceeding three (3) days. The parcel is located on the northeast side of Johnston St. southeast of Central Ave. Rehoboth Beach, Delaware. The size of the property is 0.115 acre +/-.

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the property has the land use designation of "Commercial Area."

The areas to the north, south, east and west are also designated "Commercial Areas." "Commercial Areas" include concentrations of retail and service uses, commercial corridors, shopping centers, hotels, motels, car washes and auto dealers. This includes other medium and larger scale commercial uses as well as mixed-use buildings. The site is adjacent to the Revelation Brewery and Park Shores, a multi-family community.

The property is zoned General Commercial (C-1) Zoning District. The adjacent properties to the north, south, east and west of the application site are also zoned General Commercial (C-1).

Since 2011, there have been no Conditional Use applications within the vicinity of the application site:

Based on the analysis of the land use, surrounding zoning and uses, a conditional use to allow for a food truck to be operate for a period exceeding three (3) days could be considered as being consistent with the land use, area zoning and surrounding uses.



RECEIVED

DEC 16 2019

File #: C/W# 2214
2019 14445

SUSSEX COUNTY
PLANNING & ZONING
Planning & Zoning Commission Application
Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use

Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

Lot 49 Johnston Street/Central Avenue, Rehoboth Beach, DE 19971 (the "Property")

Type of Conditional Use Requested:

Permission to locate and operate a food truck on the Property for a period exceeding three days to provide food for Revelation Brewing Company patrons (Code Section 115-79).

Tax Map #: 334-13.20-25.00 **Size of Parcel(s):** +/- 5,000 S.F. 0.115 acres

Current Zoning: C-1 **Proposed Zoning:** N/A **Size of Building:** N/A

Land Use Classification: General Commercial

Water Provider: N/A **Sewer Provider:** N/A

Applicant Information

Applicant Name: Da Nizza Wood Fired Pizza LLC

Applicant Address: 30 East Pine Street, Georgetown, DE 19947

City: Rehoboth Beach **State:** DE **Zip Code:** 19947

Phone #: (302) 540-9254 **E-mail:** bnelson@revbeer.com; harry@revbeer.com

Owner Information

Owner Name: Anthony Crivella and Harold E. Dukes, Jr.

Owner Address: 323E Rehoboth Avenue

City: Rehoboth Beach **State:** DE **Zip Code:** 19971

Phone #: _____ **E-mail:** cleanbeaches@icloud.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Taylor E. Trapp, Esq.

Agent/Attorney/Engineer Address: 30 East Pine Street

City: Georgetown **State:** DE **Zip Code:** 19947

Phone #: (302) 227-1314 **E-mail:** taylor@tunnellraysor.com; mackenzie@tunnellraysor.com



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

- Completed Application
- Provide eight (8) copies of the Site Plan or Survey of the property
 - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
 - Provide a PDF of Plans (may be e-mailed to a staff member)
 - Deed or Legal description
- Provide Fee \$500.00
- Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.
- DeIDOT Service Level Evaluation Request Response
- PLUS Response Letter (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

Taylor E. Trepp

Date: 11/14/19

Signature of Owner

Walter D. [Signature]

Date: 11/14/19

For office use only:

Date Submitted: 12/17/19

Fee: \$500.00 Check #: 74317

Staff accepting application: CEH

Application & Case #: 201914445

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____ Recommendation of PC Commission: _____

Date of CC Hearing: _____ Decision of CC: _____



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

RECEIVED

DEC 16 2019

SUSSEX COUNTY
PLANNING & ZONING

JENNIFER COHAN
SECRETARY

December 13, 2019

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request for the **Da Nizza Wood Fired Pizza, LLC** conditional use application, which we received on November 15, 2019. This application is for an approximately 0.11-acre parcel (Tax Parcel: 334-13.20-25.00). The subject land is located on the southeast side of Central Avenue and southwest of Canal Street, just southeast of Hebron Road (Sussex Road 273), in Rehoboth Beach. The subject land is currently zoned as C-1 (General Commercial) and the applicant is seeking a conditional use approval for the temporary operation of a 176 square-foot portable food truck and a 160 square-foot portable trailer.

Per the 2018 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Hebron Road where the subject land would have access, which is from Canal Street to Holland Glade Road (Sussex Road 271), are 3,255 and 4,189 vehicles per day, respectively.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

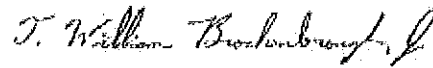
If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Ms. Janelle M. Cornwell
Page 2 of 2
December 13, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



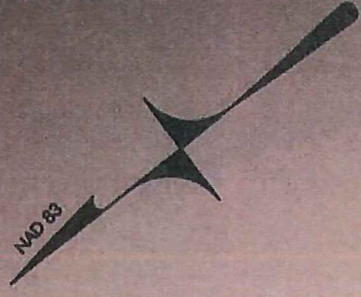
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Da Nizza Wood Fired Pizza, LLC, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

LOT #49

NOT TO SCALE



LOT #46

APPROVED

TEMPORARY OUTDOOR SEATING AREA

JUNE 1, 2020

SUSSEX COUNTY PLANNING & ZONING COMMISSION SHEET

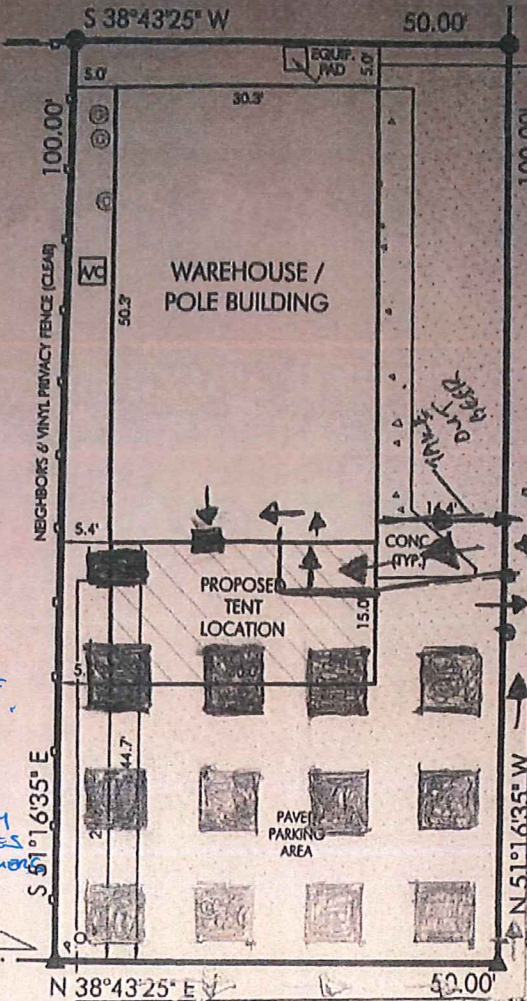
VALID UNTIL JULY 31, 2020 UNLESS EXTENDED BY THE GOVERNOR OF DELAWARE

NOTE: THE CONDITIONS ATTACHED TO BOARD OF ADJUSTMENT CASE NO # 18391 SHALL CONTINUE TO APPLY.

THIS SITE PLAN APPROVAL IS CONTINGENT UPON A TOTAL OF FORTY THREE OFF-SITE CAR PARKING SPACES BEING MADE AVAILABLE FOR CUSTOMERS

231.29 TO CANAL CROSSING ROAD

EDGE OF PAVING



EDGE OF GRAVEL

JOHNSTON STREET (18' R/W) (PRIVATE STREET)

LOT #40

50 SEATS ALL OUTSIDE

CENTRAL AVENUE (25' R/W - PRIVATE STREET)

LEGEND:

- IRON PIPE (FOUND)
- ▲ IRON ROD (SET)
- ⊙ ABOVE GROUND PROPANE
- ⊙ CO2 TANK

PROPOSED CONDITIONS BOUNDARY SURVEY PLAN FOR REVELATION CRAFT BREWING CO.

TOTAL AREA: 5,000 SQ. FT.

DEED REFERENCE: BOOK 3776 PAGE 295

19841 CENTRAL AVENUE, REHOBOTH BEACH

LOT #45 BLOCK 4 OF "GEORGE E. SHOCKLEY" SUBDIVISION

LEWES & REHOBOTH HUNDRED SUSSEX COUNTY

STATE OF DELAWARE

SEPTEMBER 9, 2019* SCALE: 1" = 20'

NOTES:

*REVISED 10/22/2019 TO SHOW PROPOSED CONDITIONS.

ALL RESTRICTIONS MUST BE VERIFIED BY THE OWNER, GENERAL CONTRACTOR, AND/OR THE DESIGNER. PLEASE CONTACT SUSSEX COUNTY TO VERIFY (302-855-7720).

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

Prepared by

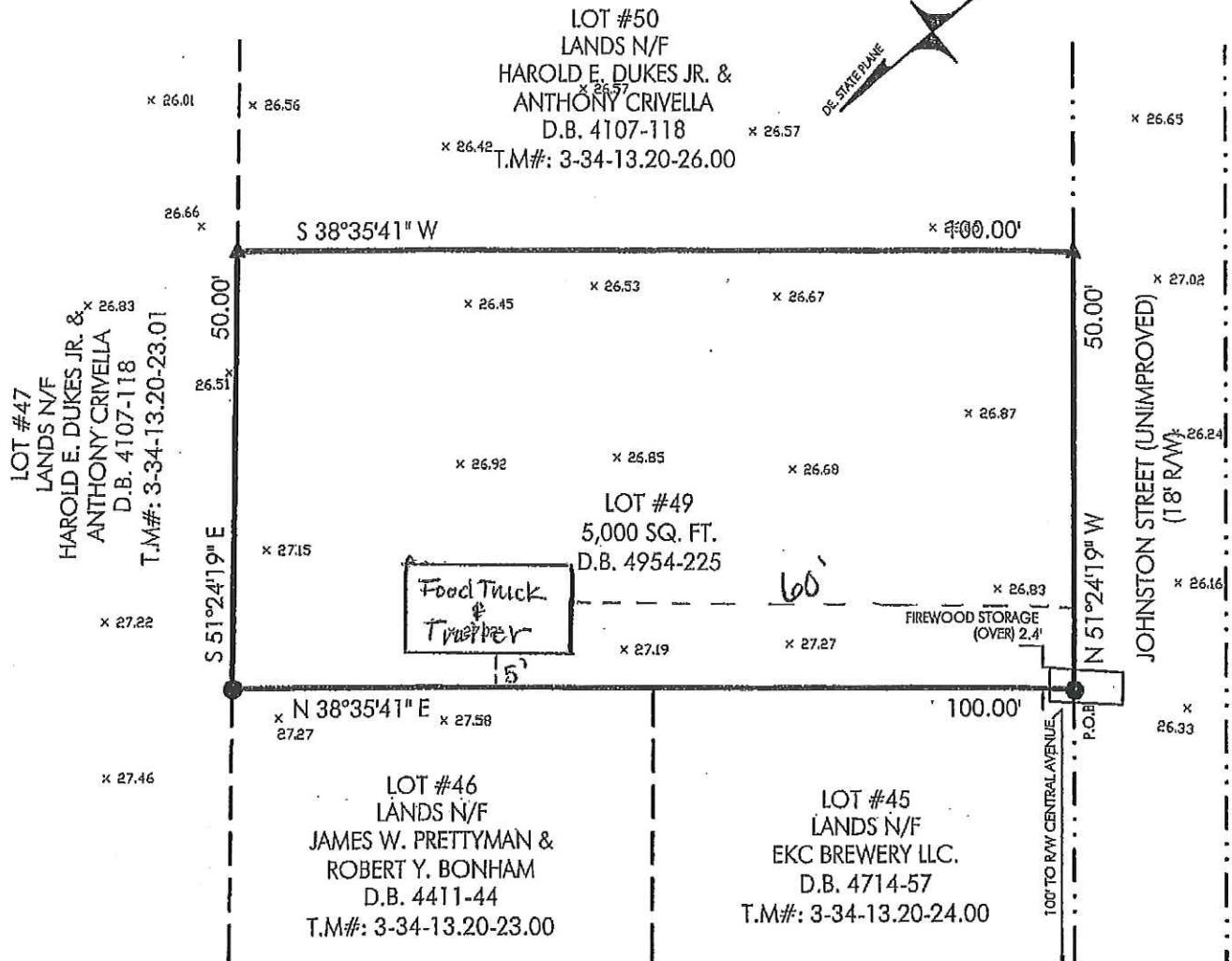
FORESIGHT Services

Surveying & Precision Measurement

EXHIBIT A
Survey (8 Copies)

LAW OFFICES

TUNNELL
& **R**AYSOR, P.A.



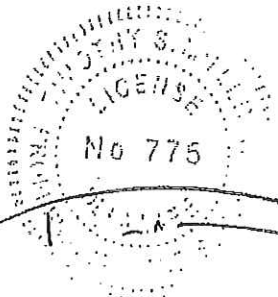
LEGEND:

- IRON PIPE (FOUND)
- ▲ IRON ROD (TO BE SET)
- x 25.89 ELEVATION SPOT SHOT (NAVD 88)

BOUNDARY SURVEY PLAN FOR
ANTHONY CRIVELLA &
HAROLD E. DUKES JR.

DEED REFERENCE: BOOK 4954 PAGE 225
LOT #49 OF "GEORGE E. SHOCKLEY" SUBDIVISION
LEWES & REHOBOTH HUNDRED SUSSEX COUNTY
STATE OF DELAWARE
FEBRUARY 6, 2019 SCALE: 1" = 20'

NOTES:
-ALL SETBACKS MUST BE VERIFIED BY THE OWNER AND/OR GENERAL CONTRACTOR.
CURRENT ZONING: C1 COMMERCIAL
VERTICAL DATUM: NAVD 88
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



Prepared by:

FORESIGHT Services

Surveying & Precision Measurement

302 226 2229 phone 302 226 2239 fax 2103A Coastal Highway Dawey Beach, DE 19971

5

EXHIBIT B

Code Section 115-79 Conditional Uses

LAW OFFICES

TUNNELL
& **R**AYSOR, P.A.

Sussex County, DE
Sunday, November 10, 2019

Chapter 115. Zoning

Article XI. C-1 General Commercial District

§ 115-79. Conditional uses.

The following uses may be permitted as conditional uses when approved in accordance with the provisions of Article **XXIV** of this chapter:

Airports and landing fields or seaplane bases, provided that they shall comply with the recommendations of the Federal Aviation Administration

Aquariums, commercial

Beaches, commercial

Bus terminals

Cemeteries, including a crematorium if located at least 200 feet from the boundaries of the cemetery

Drive-in theaters

Exposition centers or fairgrounds

Heliports or helistops

Hospitals and sanitariums

Institutions, educational or philanthropic, including museums, art galleries and libraries

Outdoor amusement places and open-air drive-in theaters. Outdoor amusement places include, but are not limited to, batting cages, skating rinks, waterslides, miniature golf model racing tracks and similar recreational activities. Mobile or fixed-type cranes or lifting devices, not designed, not approved for, not manufactured for or not intended to carry, transport or in any fashion move individual(s) or person(s), shall be prohibited and shall not be used for amusement purposes.

[Added 8-11-1992 by Ord. No. 849; amended 3-30-1993 by Ord. No. 887; 8-22-2006 by Ord. No. 1870]

Public or governmental buildings and uses, including schools, parks, parkways, playgrounds and public boat landings

Public utilities or public service uses, buildings, generating or treatment plants, pumping or regulator stations, substations and transmission lines utilizing multilegged structures

Racetracks, any type, including horses, stock cars or drag strip

Recreation facilities, privately or commercially operated, such as a fishing or boating lake, picnic grounds or dude ranch, and accessory facilities, including sale of food, beverages, bait, incidentals, supplies and equipment

Residential, business, commercial or industrial uses when the purposes of this chapter are more fully met by issuing a conditional use permit

Special events such as circuses or carnival grounds, amusement parks or midways, festivals, concerts, race/walks or any other special event or gathering being held outdoors or within a temporary structure or at a site and for a purpose different from the designated use and usual occupancy of the premises and located on unincorporated lands within Sussex County, permanently or for a temporary time period exceeding three days. Special events not approved by the Director as

a permitted use under § 115-79 shall require a conditional use permit. All special events, regardless of duration, shall be subject to the requirements of the Sussex County Special Event Policy.

[Amended 5-1-1990 by Ord. No. 680; 11-10-1992 by Ord. No. 863; 8-20-2013 by Ord. No. 2316; 9-18-2018 by Ord. No. 2599]

Sports arenas or stadiums, commercial athletic fields or baseball parks

Swimming or tennis clubs, private, nonprofit or commercially operated

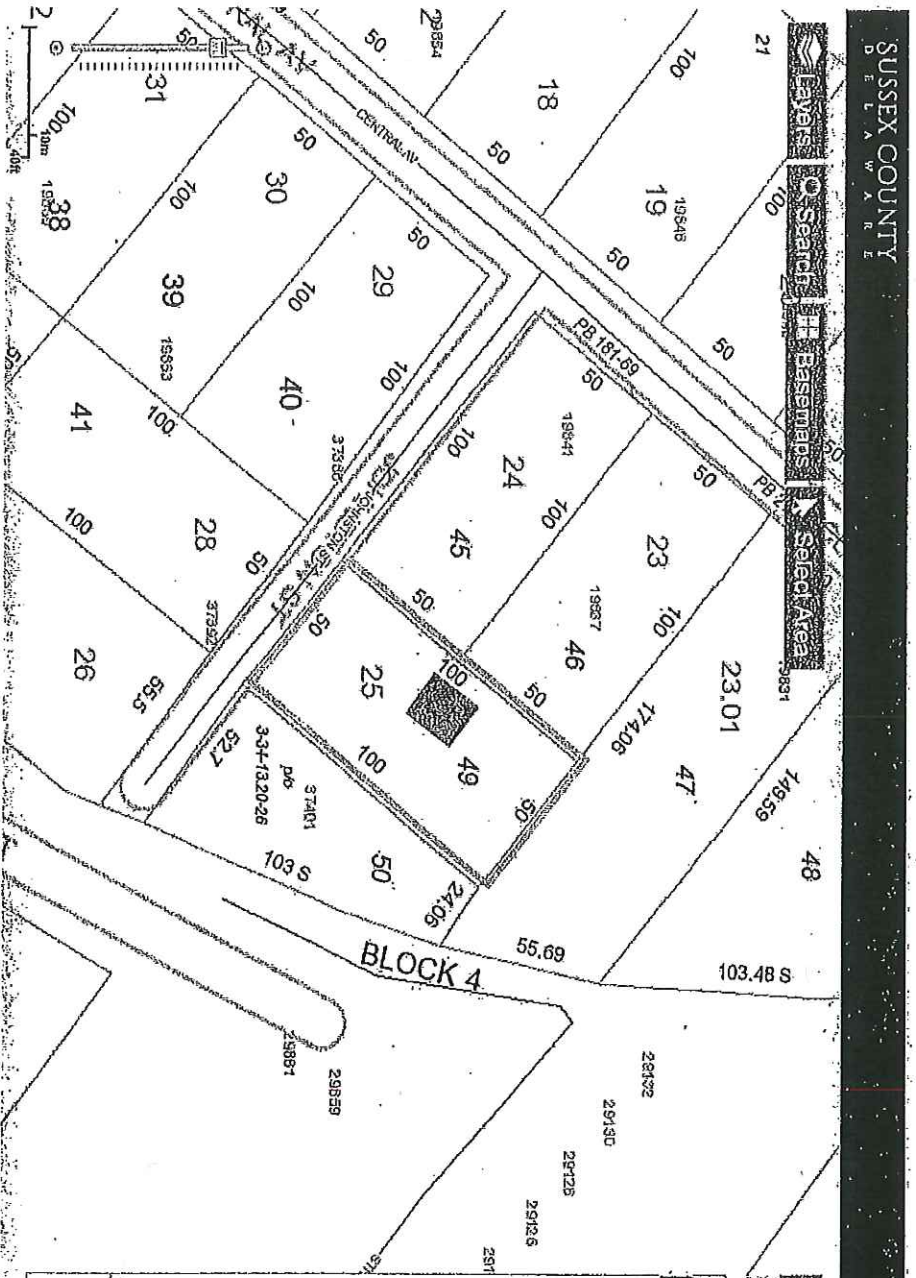
EXHIBIT C

Proposed Food Truck and Trailer Location

LAW OFFICES

TUNNELL
& **R**AYSOR, P.A.

Beachfire Brewing Company LLC
 Food Truck and Trailer Location
 Temporary Removable Vendor Permit
 Re: TMP 334-13.24.00, 25.00



SUSSEX COUNTY
 DELAWARE
 Search Results
 Select Area
 Print
 Help

= Food Truck and Trailer Location
 * Complies with 5' side yard setback
 * Complies with 60' front yard setback
 * Not drawn to scale

Search results
 Hide search results
 Clear Selected

Selected Features:
 Parcel (1)
 Zoom

Book	4954
Page	225
Owner Name	CRIVELLA TONY
Second Owner Name	HAROLD E DUKES JR
Mailing Address	323 REHOBOTH AVE STE E
City	REHOBOTH BEACH
State	DE
Sewer Account	10-15-025
Description	SHOCKLEY SUBD.
Description 2	LOT 49 BLK 4
Description 3	
Land Code	CO
School	
Town Code	00
CAP	0

Selected Features (1)

EXHIBIT D

Property Deed

LAW OFFICES

TUNNELL
& **R**AYSOR, P.A.

Document# 201800035015 BK: 4954 PG: 225
Recorder of Deeds, Scott Dailey On 9/26/2018 at 11:05:13 AM Sussex County, DE
Consideration: \$0.00 County/Town: \$0.00 State: \$0.00 Total: \$0.00
Doc Surcharge Paid Town: SUSSEX COUNTY

TAX MAP #: 3-34 13.20 25.00 & 26.00
PREPARED BY & RETURN TO:
Tunnell & Raysor, P.A.
323 Rehoboth Avenue
Suite E
Rehoboth Beach, DE 19971
File No. AS10683/MLG

THIS DEED, made this September 25, 2018,

- BETWEEN -

TONY CRIVELLA and HAROLD E. DUKES, JR., of 323 Rehoboth Avenue, Suite E, Rehoboth Beach, DE 19971, parties of the first part,

- AND -

TONY CRIVELLA, as to 50% interest and HAROLD E. DUKES, JR., as to a 50% interest of 323 Rehoboth Avenue, Suite E, Rehoboth Beach, DE 19971, as tenants in common, parties of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **ONE DOLLAR (\$1.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the parties of the second part, and their heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

Parcel: 3-34 13.20 25.00

ALL that certain lot, piece or parcel of land lying and situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, being all of Lot No. 49, Block 4, in the subdivision known as "Subdivision of a Part of George E. Shockley's Land" prepared by John C. Lank, Surveyor received for record on January 30, 1942, and appearing of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 334, Page 152.

TUNNELL
& RAYSOR, P.A.
Rehoboth Beach, DE

Document# 201800035015 BK: 4954 PG: 226

Recorder of Deeds, Scott Dailey On 9/26/2018 at 11:05:13 AM Sussex County, DE

Doc Surcharge Paid

Parcel: 3-34 13.20 26.00

ALL that certain lot, piece or parcel of land lying and situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, being all of Lot No. 42, Block 3, in the subdivision known as "Subdivision of a Part of George E. Shockley's Land" prepared by John C. Lank, Surveyor received for record on January 30, 1942, and appearing of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 334, Page 152.

ALL that certain lot, piece or parcel of land lying and situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, being all of Lot No. 50, Block 4, in the subdivision known as "Subdivision of a Part of George E. Shockley's Land" prepared by John C. Lank, Surveyor received for record on January 30, 1942, and appearing of record in the Office of the Recorder of Deeds, in and for Sussex County, Delaware, in Deed Book 334, Page 152.

BEING the same lands conveyed to Tony Crivella and Harold E. Dukes, Jr. from W & C Catts Family Limited Partnership, a Delaware Limited Partnership, Constance R. Catts, Individually, Constance R. Catts, Trustee under Revocable Trust Agreement of Constance R. Catts dated 7/16/98 and Constance R. Catts, Survivor Trustee of The Wilson B. Catts Revocable Trust Agreement dated 7/16/98, by Deed dated September 18, 2018, recorded in the Office of the Recorder of Deeds in and for Sussex County, Delaware, on September 19, 2018, in Deed Book 4951, Page 140.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

Document# 201800035015 BK: 4954 PG: 227

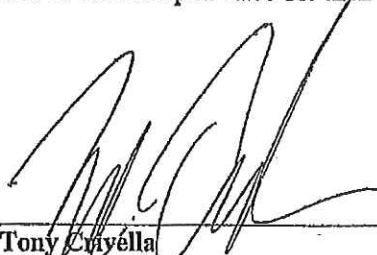
Recorder of Deeds, Scott Dailey On 9/26/2018 at 11:05:13 AM Sussex County, DE

Doc Surcharge Paid

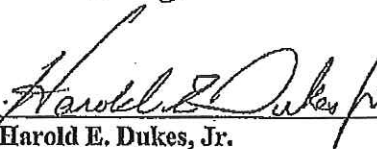
IN WITNESS WHEREOF, the parties of the first part have set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

Witness

 (SEAL)
Tony Crivella

Witness

 (SEAL)
Harold E. Dukes, Jr.

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on this 25th day of September, A.D. 2018, personally appeared before me, the Subscriber, a Notary Public in and for the State and County aforesaid, Tony Crivella and Harold E. Dukes, Jr. parties to this Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.

MICHELLE L. GUNN
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires June 6, 2021



Notary Public

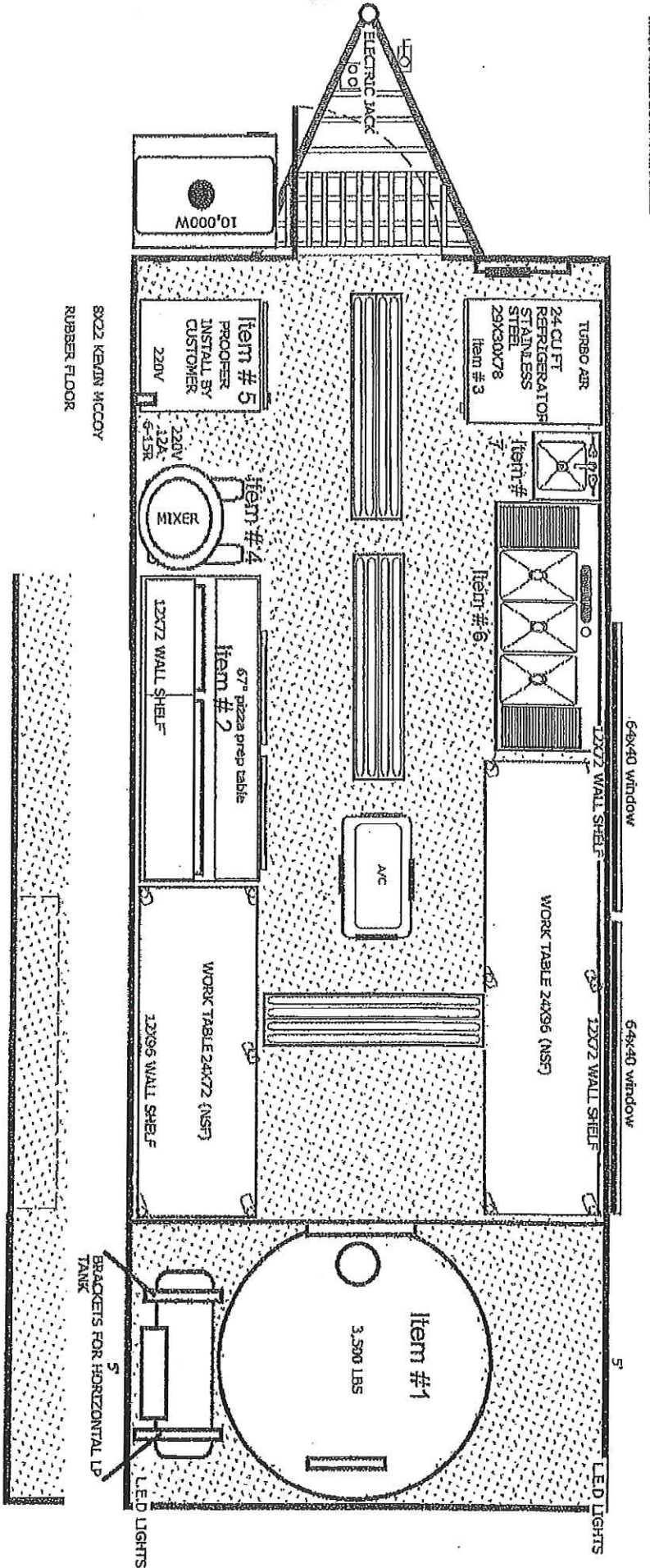
EXHIBIT E

Food Truck Layout

Food Truck Business License

LAW OFFICES

TUNNELL
& **R**AYSOR, P.A.



LICENSE NO. 2017607299 DEL.

POST CONSPICUOUSLY

STATE OF DELAWARE

DIVISION OF REVENUE

VALID

01/01/19 - 12/31/19
NOT TRANSFERABLE

DLN: 18 95623 60

BUSINESS CODE
GROUP CODE

393

LICENSED
ACTIVITY

RETAILER-RESTAURANT

DATE ISSUED: 12/24/18

****VALIDATED****

LICENSE FEE: \$ 75.00

MAILING ADDRESS

BUSINESS LICENSE

BUSINESS LOCATION

DA NIZZA WOOD FIRED PIZZA LLC
DA NIZZA WOOD FIRED PIZZA
PO BOX 993
HOCKESSIN DE 19707-0993



DA NIZZA WOOD FIRED PIZZA
30 E PINE ST
GEORGETOWN DE 19947-1904

IS HEREBY LICENSED TO PRACTICE, CONDUCT OR ENGAGE IN THE OCCUPATION
OR BUSINESS ACTIVITY INDICATED ABOVE IN ACCORDANCE WITH THE LICENSE
APPLICATION DULY FILED PURSUANT TO TITLE 30, DEL. CODE.

JENNIFER R. HUDSON
DIRECTOR OF REVENUE

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
J. BRUCE MEARS
R. KELLER HOPKINS
HOLLY J. WINGATE



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date July 23, 2020.

Application: (CU 2216) Kenneth Dominic Alton Drummond – Quality Care Homes

Applicant: Kenneth Dominic Alton Drummond – Quality Care Homes
20366 Hopkins Road
Lewes, DE 19958

Owner: Kenneth Dominic Alton Drummond
20366 Hopkins Road
Lewes, DE 19958

Site Location: 20366 Hopkins Road
Lewes, DE 19958

Current Zoning: Agricultural Residential (AR-1)

Type of Conditional Use Requested: Home remodeling & Repair Services; Storage Repair Maintenance; Light Building Material and Storage and General Office & Manager’s Residence

Comprehensive Land Use Plan Reference: Low Density

Councilmanic District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Tier 3- Coordinated CPCN Areas

Water: Private

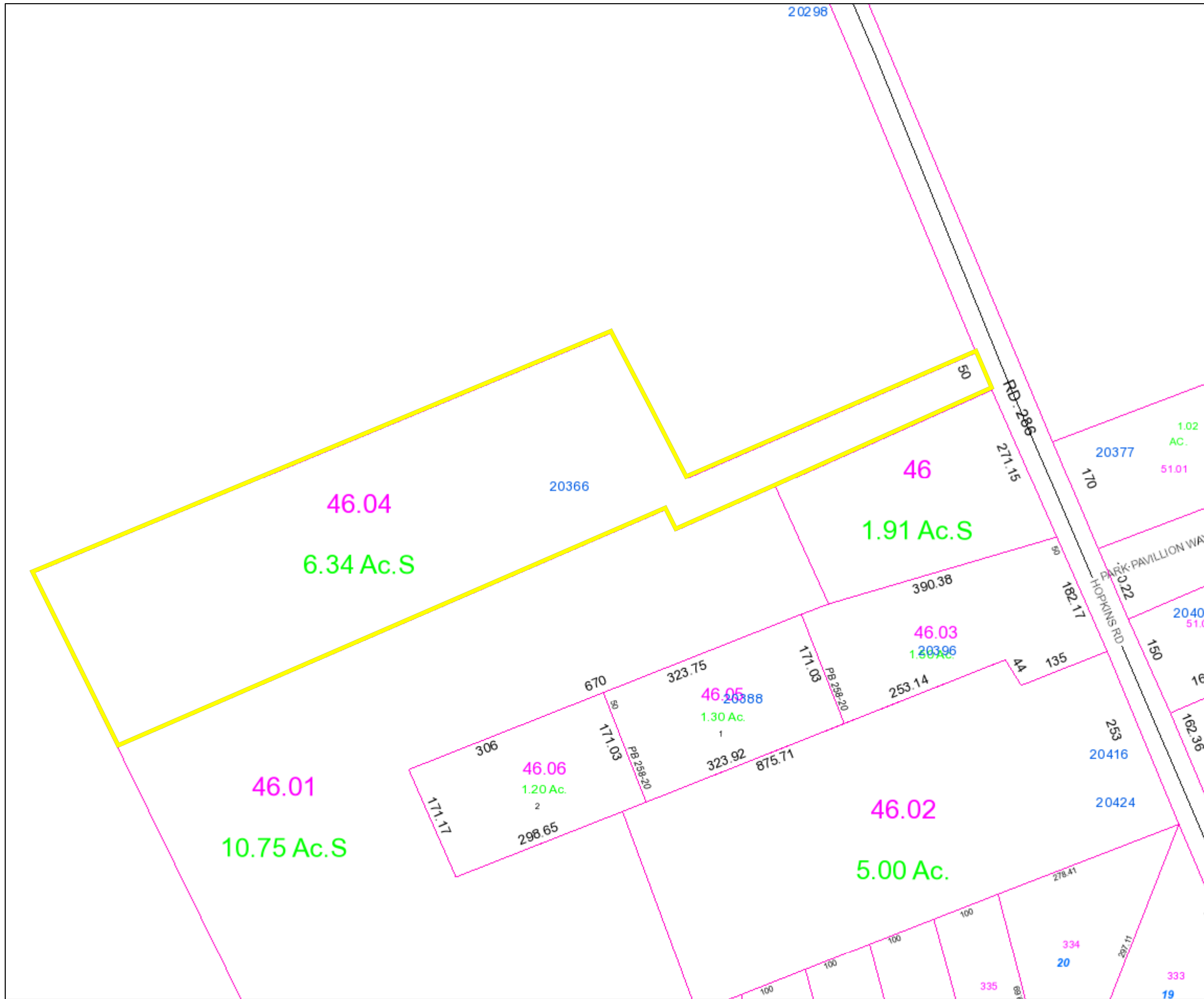
Site Area: 6.34 acres +/-

Tax Map ID.: 234-5.00-46.04





Sussex County



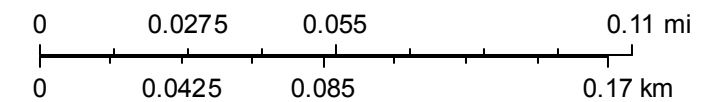
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Owner Name	DRUMMOND KENNETH DOMINIC TTEE
Book	5204
Mailing Address	20366 HOPKINS RD
City	LEWES
State	DE
Description	SW/RT 286
Description 2	3115' NW/RT 285
Description 3	N/A
Land Code	

- polygonLayer**

 - Override 1
- polygonLayer**

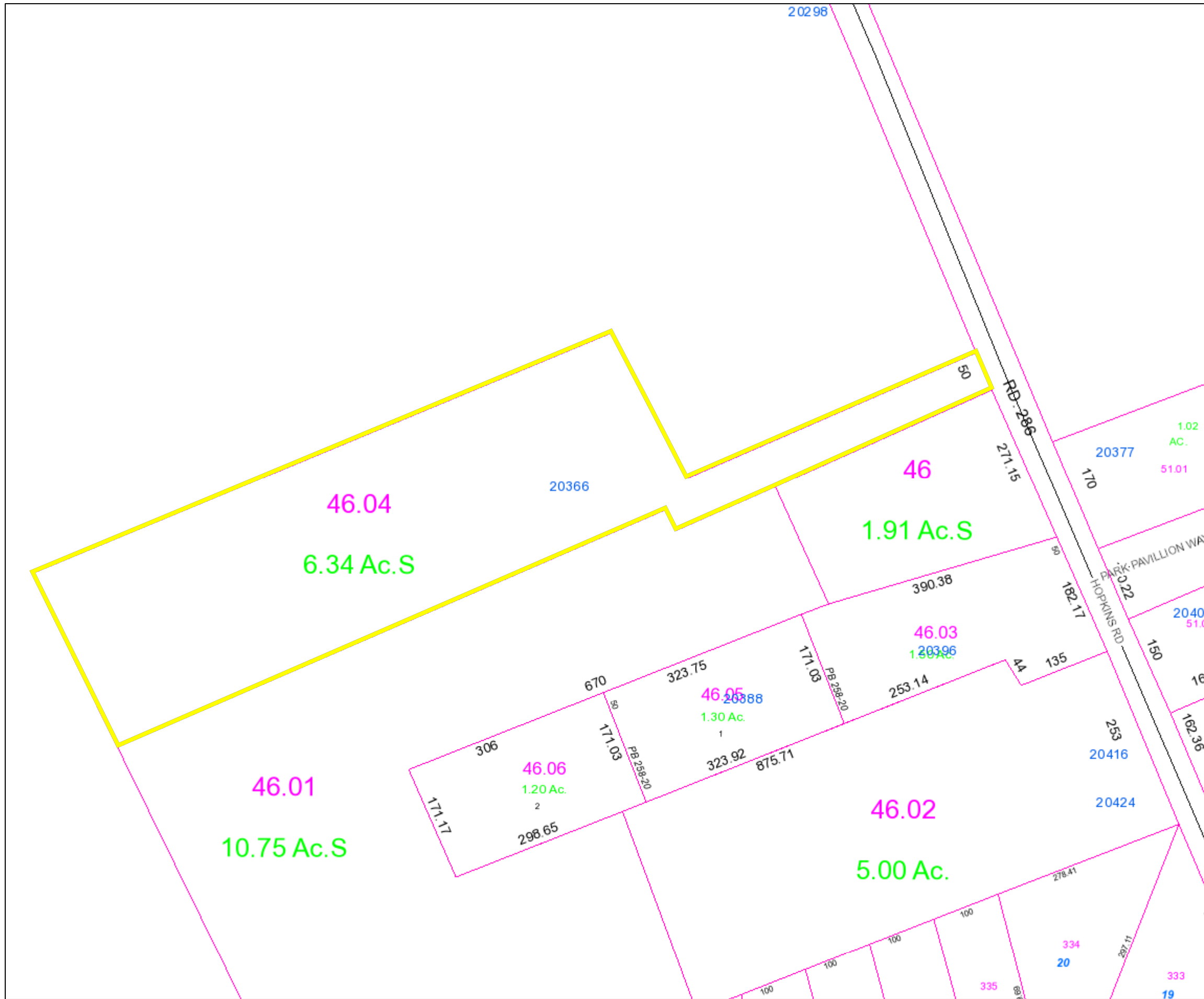
 - Override 1
- Tax Parcels
- 911 Address
- Streets

1:2,257





Sussex County



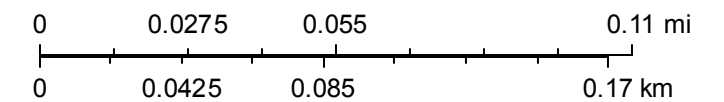
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Owner Name	DRUMMOND KENNETH DOMINIC TTEE
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Override 1
- polygonLayer**

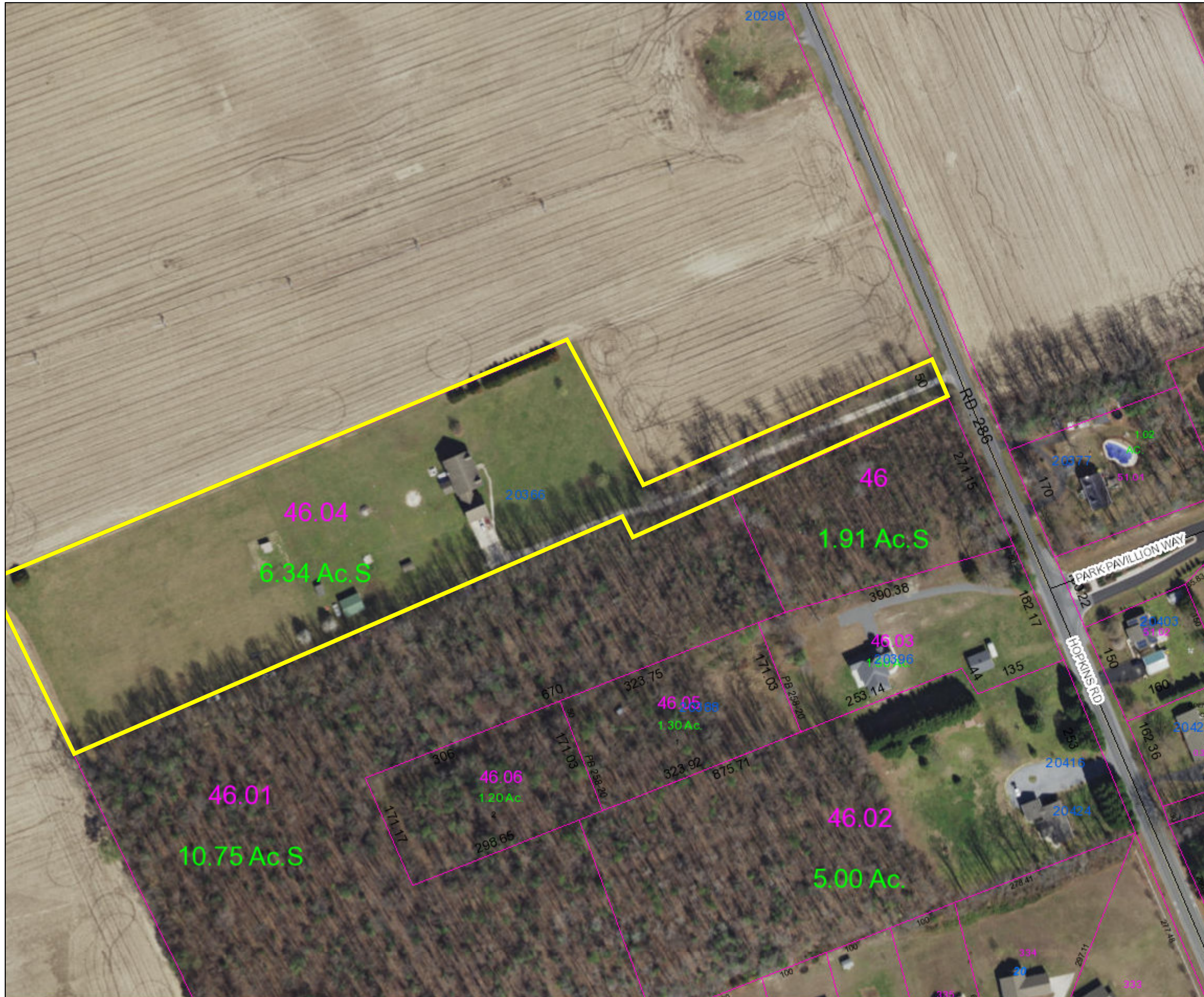
Override 1
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- 911 Address
- Streets

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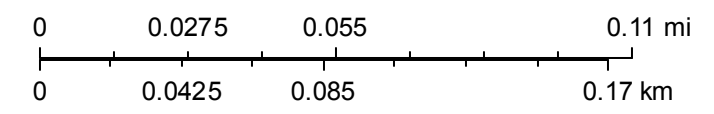
Sussex County



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- Tax Parcels
- 911 Address
- Streets

1:2,257



JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Jennifer Norwood, Planner I
CC: Vince Robertson, Assistant County Attorney and applicant
Date: July 1, 2020
RE: Staff Analysis for CU 2216 Kenneth Dominic Alton Drummond – Quality Care Homes

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2216 Kenneth Dominic Alton Drummond – Quality Care Homes to be reviewed during the July 23, 2020 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 234-5.00-46.04 to allow for a home remodeling & repair services, storage repair maintenance, light building material and storage, and general office & manager's residence. The size of the property is 6.34 ac. +/-, a 3.57 ac. +/- portion of the property will be used for the proposed Conditional Use. The property is zoned AR-1 (Agricultural Residential Zoning District) and located southwest side of Hopkins Rd. approximately 0.58 miles northwest of Beaver Dam Rd. (Rt. 23).

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework for how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the property has the land use designation of Low-Density Area.

The surrounding parcels to the north, east, west, and south are all designated on the Future Land Use Map as "Low Density Area". The uses that the Low-Density Area land use designation recognizes are primarily agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density should be providing convenience goods and services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. More intense commercial uses should be avoided in these areas.

The property is zoned AR-1 (Agricultural Residential Zoning District). The adjoining and surrounding properties to the north, south, east and west are all zoned AR-1 (Agricultural Residential Zoning District).

Since 2011, there have been no Conditional Use approvals within a 1-mile radius of the application.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use to allow for



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE

a home remodeling & repair services, storage repair maintenance, light building material and storage, general office and a manager's residence could be considered consistent with the land use, area zoning and surrounding uses.

Staff notes the conceptual site plan shows a proposed 4,800 square foot two (2) story building for storage, office space and manager residence, and a 4,800 square foot one (1) story building for future storage area.

File #: CU# 2216

201914497

Planning & Zoning Commission Application

Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

Conditional Use

Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

20366 Hopkins Road Lewes, DE 19958

Type of Conditional Use Requested:

Home remodeling & Repair Services; Storage Repair and Maintenance; Light Building Material and Storage and General Office for Quality Care Homes and Managers Residence.

Tax Map #: 234-5.00-46.04

Size of Parcel(s): 3.57 +/- AC

Current Zoning: AR-1

Proposed Zoning: AR-1 CU

Size of Building: (2) - 4,800 SF each.

Land Use Classification: LOW DENSITY AREA | LEVEL 4

Water Provider: PRIVATE

Sewer Provider: PRIVATE

Applicant Information

Applicant Name: Kenneth Dominic Alton Drummond - Quality Care Homes

Applicant Address: 20366 Hopkins Road

City: Lewes

State: DE

Zip Code: 19958

Phone #: (302) 313-4773

E-mail: qualitycarehomesde@gmail.com

Owner Information

Owner Name: Kenneth Dominic Alton Drummond - Quality Care Homes

Owner Address: 20366 Hopkins Road

City: Lewes

State: DE

Zip Code: 19958

Phone #: (302) 313-4773

E-mail: qualitycarehomesde@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Alan M Decktor | PENNONI

Project: DDRUM19001

Agent/Attorney/Engineer Address: 18072 Davidson Drive

City: Milton

State: DE

Zip Code: 19968

Phone #: (302) 684-8030

E-mail: adecktor@pennoni.com



Check List for Sussex County Planning & Zoning Applications

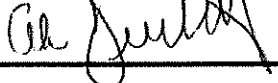
The following shall be submitted with the application

- Completed Application**
- Provide eight (8) copies of the Site Plan or Survey of the property**
 - Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
 - Provide a PDF of Plans (may be e-mailed to a staff member)
 - Deed or Legal description
- Provide Fee \$500.00**
- Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.)** If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.
- Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.**
- DelDOT Service Level Evaluation Request Response**
- PLUS Response Letter (if required)**

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney



Date: 8/29/19

Signature of Owner



Date: 8/29/19

For office use only:

Date Submitted: 12/18/19

Fee: \$500.00 Check #: 2723

Staff accepting application: ceh

Application & Case #: 201914497

Location of property: _____

Subdivision: _____

Date of PC Hearing: _____

Recommendation of PC Commission: _____

Date of CC Hearing: _____

Decision of CC: _____



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. Box 778
DOVER, DELAWARE 19903

JENNIFER COHAN
SECRETARY

August 21, 2019

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request (SLER) for the **Kenneth Dominic / Alton Drummond – Quality Care Homes** conditional application, which we received on July 30, 2019. This application is for an approximately 6.34-acre parcel (Tax Parcel: 234-5.00-46.04). The subject land is located on the west side of Hopkins Road (Sussex Road 286), approximately 3,000 feet northwest of the intersection of Beaver Dam Road (Sussex Road 285). The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking a conditional use approval to operate a variety of uses including home remodeling and repair services, storage repair and maintenance, light building material and storage, and general office.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Hopkins Road where the subject land is located, which is from Fisher Road (Sussex Road 262) to Beaver Dam Road, is 885 vehicles per day.

Our volume-based criteria for requiring a traffic impact study (TIS), addressed in Section 2.2.2.1 of the Development Coordination Manual, are that a development generates more than 500 trips per day or 50 trips during a weekly peak hour. While it seems that the above criteria could be met, we presently cannot predict the site's trip generation with enough accuracy to make a TIS useful. Thus, we recommend that this rezoning application be considered without a TIS and that the need for a TIS be evaluated when a subdivision or land development plan is proposed.

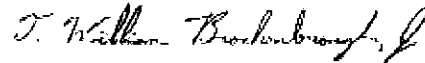
If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Ms. Janelle M. Cornwell
Page 2 of 2
August 21, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

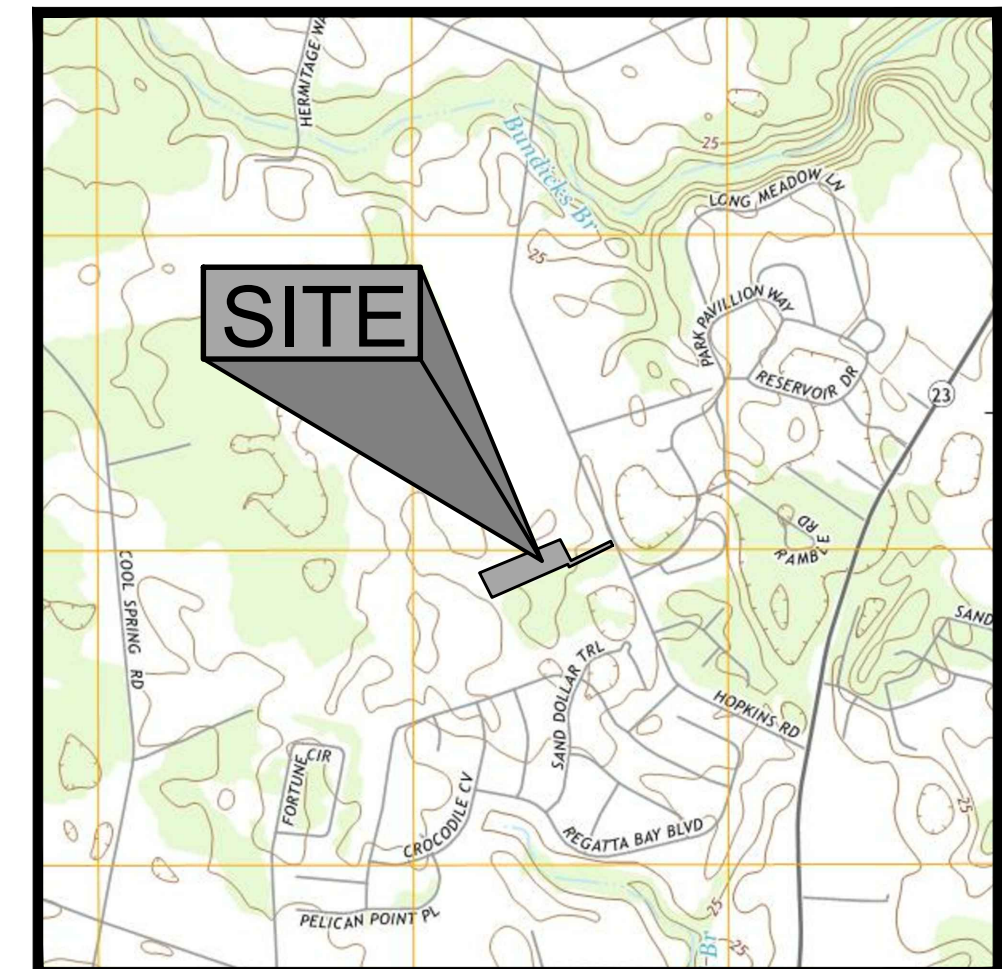
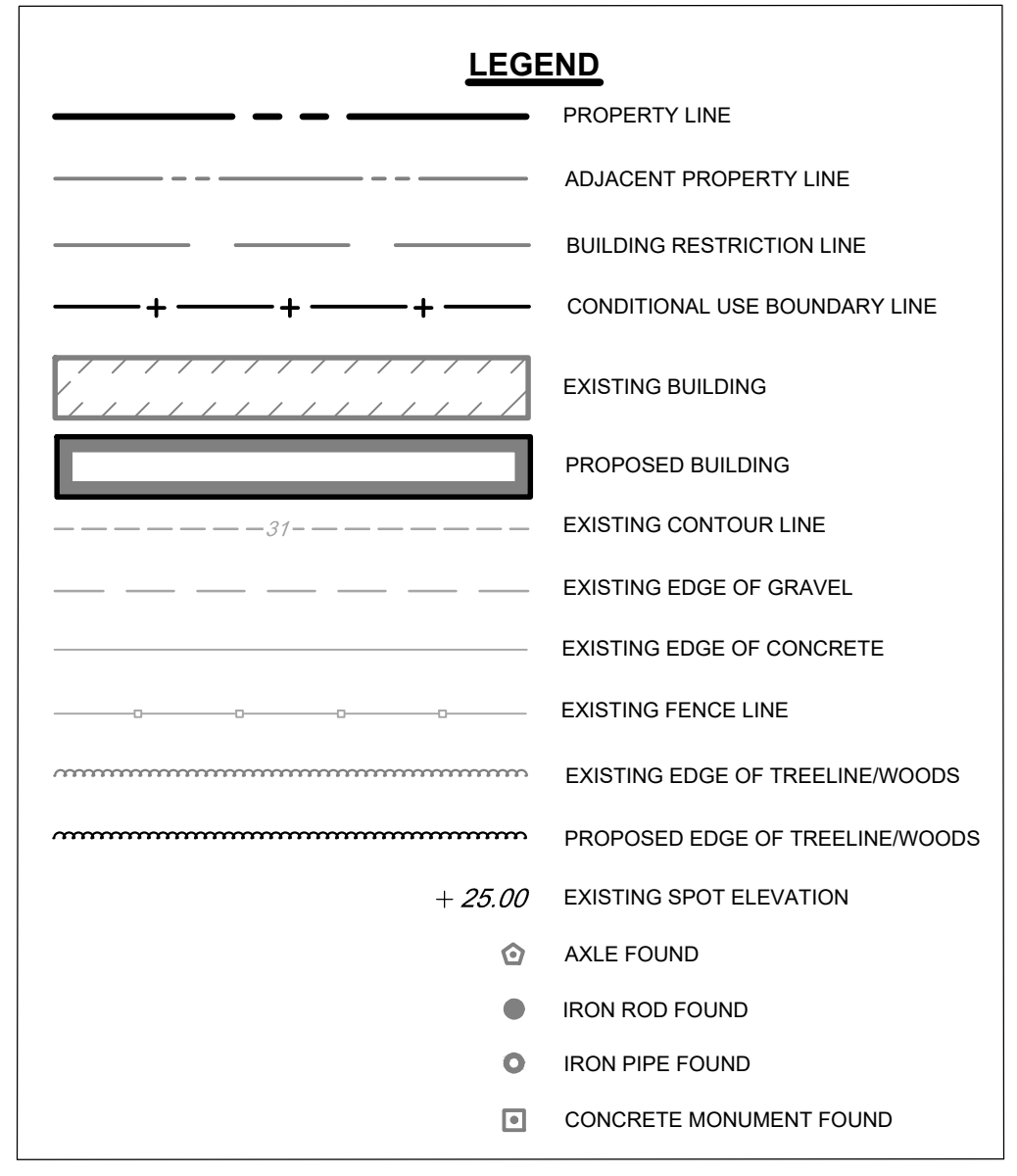
cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Kenneth Dominic / Alton Drummond – Quality Care Homes, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

SITE DATA:

- TAX MAP NUMBER: 234-5.00-46.04
DEED BOOK 4848, PG 210
- DEVELOPER NAME: KENNETH DOMINIC ALTON DRUMMOND
- DEVELOPER ADDRESS: 20366 HOPKINS ROAD
LEWES, DE 19958
- SITE ADDRESS: 20366 HOPKINS ROAD
LEWES, DE 19958
- CURRENT ZONING: AR-1 (AGRICULTURAL-RESIDENTIAL)
- PROPOSED ZONING: AR-1(CONDITIONAL USE)
- PRESENT USE: RESIDENTIAL
HOME REPAIR & IMPROVEMENTS
- PROPOSED USE: RESIDENTIAL
HOME REPAIR & IMPROVEMENTS
- REQUIRED SETBACKS:
FRONT - 40 FEET
SIDE - 15 FEET
REAR - 20 FEET
- BUILDING HEIGHT: 42' ALLOWED
- PARKING (ARTICLE XXII: OFF-STREET PARKING, CODE SECTION 115-162):
WHOLESALE OR MANUFACTURING: (1 FOR EVERY 2 EMPLOYEES ON THE MAJOR SHIFT ESTABLISHMENTS)
MANAGER RESIDENCE: 2 SPACES REQUIRED
TOTAL REQUIRED SPACES: 2 + 4 SPACES (1 PER EVERY 2 EMPLOYEES MAX 8 EMPLOYEES)
PROPOSED EMPLOYEE PARKING: 12 - ALLOWING FOR FUTURE GROWTH
- WATER SUPPLY: EXISTING PRIVATE ON-SITE WELL
WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENTS OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH
- SEWER SUPPLY: EXISTING PRIVATE ON-SITE SEPTIC
- LATITUDE AND LONGITUDE STATE PLAN COORDINATES:
LONGITUDE: W075° 13' 21.65" LATITUDE: N038° 42' 16.39"
- TOTAL AREA (GROSS): 6.34± ACRES
CONDITIONAL USE AREA: 3.57± ACRES
REMAINING PARCEL 46.04 AREA: 2.77± ACRES
MINIMUM LOT AREA: 32,670 SF
MINIMUM LOT WIDTH: 100 FT
MINIMUM LOT DEPTH: 100 FT
- NET DEVELOPMENT AREA: 6.34± AC.
- WETLAND AREA: 0.00± AC. (DNREC NAVMAP)
- PROPOSED DISCHARGE LOCATION: REHOBOTH BAY VIA
HERRING CREEK & LOVE CREEK
- LIMIT OF DISTURBANCE: TO BE DETERMINED
- 2015 STATE STRATEGIES & INVESTMENT LEVELS: LEVEL 4
- SITE CALCULATIONS**
BUILDING AREA EX = 5,907 SF (0.14 AC.) PR = 15,507 SF (0.36 AC.)
GRASS AREA EX = 218,393 SF (5.01 AC.) PR = 166,388 SF (3.82 AC.)
PAVEMENT/STONE AREA EX = 28,463 SF (0.65 AC.) PR = 56,806 SF (1.29 AC.)
WOODED AREA EX = 23,223 SF (0.53 AC.) PR = 37,285 SF (0.86 AC.)
TOTAL EX = 275,986 SF (6.33 AC.) PR = 275,986 SF (6.33 AC.)
- DELDOT
21.1. ROAD NAME - SCR 48 | HOPKINS ROAD
21.1.1. FUNCTIONAL CLASSIFICATION - LOCAL
21.1.2. AADT = 885 (2018)
21.2. SPEED LIMIT = 40 MPH
21.3. EXISTING RESIDENTIAL COMMERCIAL ENTRANCE
21.4. PROXIMITY TO TRANSPORTATION DISTRICTS: NONE KNOWN

NOTES:

- THE BOUNDARY INFORMATION SHOWN ON THIS PLAT WAS TAKEN FROM DOCUMENTS OF PUBLIC RECORD AND IS THE RESULT OF AN ACTUAL FIELD SURVEY BY PENNONI ASSOCIATES INC PERFORMED ON MAY 6, 2019.
- THE TOTAL AREA FOR THE SUBJECT PROPERTY IS 6.34 ACRES±.
- THIS SURVEY DOES NOT VERIFY THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS-OF-WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED.
- THIS PROPERTY APPEARS ON SUSSEX COUNTY TAX MAP 234-5.00 AS PARCEL 46.04, AND IS CURRENTLY ZONED AR-1 (AGRICULTURAL RESIDENTIAL).
- CLASS OF SURVEY: SUBURBAN.
- DEED REFERENCE: DEED BOOK 4848, PAGE 210.
PLAT REFERENCE: PLAT BOOK 66, PAGE 215.
- PROPERTY BOUNDARY BEARING SYSTEM IS BASED ON DELAWARE STATE PLANE COORDINATE SYSTEM. HORIZONTAL DATUM NAD83.
- THE PROPERTY IS LOCATED IN ZONE "X" (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 10005C0330K, LAST REVISED 1/05/05. ZONE "X" (UNSHADED) IS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN.
- THERE ARE NO WETLANDS ON THE PROPERTY ACCORDING TO THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE.
- THE PROPERTY IS ZONED AR-1 (AGRICULTURAL-RESIDENTIAL DISTRICT).
- BUILDING SETBACKS (CH. 115-25C):
FRONT - 40'
SIDE - 15'
REAR - 20'
- THE SUBJECT SITE IS LOCATED IN THE LOVE CREEK AND THE HERRING CREEK AREAS OF THE REHOBOTH BAY WATERSHED, PER DELAWARE DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL (DNREC) ENVIRONMENTAL NAVIGATOR WEBSITE. STORMWATER DISCHARGE WILL BE HANDLED VIA EXISTING DISCHARGE TO THESE WATERSHEDS.
- UNLESS SPECIFICALLY STATED OR SHOWN HEREON TO THE CONTRARY, THIS SURVEY IS MADE SUBJECT TO AND DOES NOT LOCATE OR DELINEATE RIGHTS OR INTEREST OF THE UNITED STATES OF AMERICA OR STATE OF DELAWARE OVER LANDS NOW OR FORMERLY FLOWED BY TIDEWATER, BUT NO LONGER VISIBLE OR PHYSICALLY EVIDENT, OR LANDS CONTAINING ANY ANIMAL, MARINE OR BOTANICAL SPECIES REGULATED BY OR UNDER THE JURISDICTION OR ANY FEDERAL, STATE, OR LOCAL AGENCY.
- BUILDING SETBACK LINES, ZONING REGULATIONS OR LINES ESTABLISHED BY ANY FEDERAL, STATE OR LOCAL AGENCY WHICH MAY AFFECT THE BUILDING OR DEVELOPMENT POTENTIAL OF THE SUBJECT PROPERTY.
- ANY SUBSURFACE OR SUBTERRANEAN CONDITION, EASEMENTS OR RIGHTS, INCLUDING, BUT NOT LIMITED TO MINERAL OR MINING RIGHTS, OR THE LOCATION OF OR RIGHTS TO ANY SUBSURFACE STRUCTURES, CONTAINERS OR FACILITIES OR ANY OTHER NATURAL OR MAN-MADE SUBSURFACE CONDITION WHICH MAY OR MAY NOT AFFECT THE USE OR DEVELOPMENT POTENTIAL OF THE SUBJECT PROPERTY.
- NO UNDERGROUND UTILITY MARKING WAS PERFORMED FOR THIS SURVEY.
- ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY OWNER.
- THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
- DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
- DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK TO BE PERFORMED. IT MUST BE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERETO APPURTENANT.
- PRIOR TO CONSTRUCTION, CONTRACTOR TO FIELD LOCATE AND RECORD ANY DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REMOVED OR REPLACED. ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.
- DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REMOVED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPORTED TO ENGINEER. CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED WORK WITHOUT CHARGE TO THE OWNER.
- ALL SECURITY LIGHTING (IF NECESSARY) SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- ALL FIRE LANES, EXITS, STANDPIPE AND SPRINKLER CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
- MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
- MAINTENANCE OF THE STREETS WITHIN THE SITE WILL BE THE RESPONSIBILITY OF THE DEVELOPER AND/OR PROPERTY OWNERS WITHIN THE SITE. THE STATE AND COUNTY ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- THE HEIGHT, LOCATION, AND MATERIAL OF ALL FENCES, WALLS, SCREEN PLANTING AND LANDSCAPING WILL BE SHOWN ON THE FINAL SITE PLAN.
- ANY PROPOSED SIGN DETAILS WILL BE SUBMITTED SEPARATELY.



VICINITY MAP
SCALE: 1" = 2000'

SITE INFORMATION:

SITE ADDRESS:
20366 HOPKINS ROAD
LEWES, DE 19958

OWNER/DEVELOPER:
KENNETH DOMINIC ALTON DRUMMOND
20366 HOPKINS ROAD
LEWES, DE 19958

ENGINEER:
PENNONI ASSOCIATES, INC.
18072 DAVIDSON DRIVE
MILTON, DE 19968

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

LANDS OF KENNETH DOMINIC ALTON DRUMMOND
SUSSEX COUNTY TWP# 234-5.00-46.04
LEWES & REHOBOTH HUNDRED
LEWES, DELAWARE 19958

CONDITIONAL USE SITE PLAN

KENNETH DOMINIC ALTON DRUMMOND
20366 HOPKINS ROAD
LEWES, DELAWARE 19958

NO.	DATE	REVISIONS	BY
1	12/17/2019	UPDATED LAYOUT PER CLIENT SPECIFICATION	

ALL DOCUMENTS PREPARED BY PENNONI ASSOCIATES ARE INSTRUMENTS OF SERVICE IN RESPECT OF THE PROJECT. THEY ARE NOT INTENDED OR REPRESENTED TO BE SUITABLE FOR REUSE BY OWNER OR OTHERS ON THE EXTENSION OF THE PROJECT OR ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION OR ADAPTATION BY PENNONI ASSOCIATES FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT OWNERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO PENNONI ASSOCIATES AND OWNER SHALL INDEMNIFY AND HOLD HARMLESS PENNONI ASSOCIATES FROM ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES ARISING OUT OF OR RESULTING THEREFROM.

PROJECT	DDRUM19001
DATE	2019-07-16
DRAWING SCALE	1" = 60'
DRAWN BY	MW
APPROVED BY	AMD

EX1001

OWNER'S AND DEVELOPER'S CERTIFICATION:
IT IS HEREBY CERTIFIED THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT. IT IS MY DESIRE TO HAVE THE PLAN RECORDED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

KENNETH DOMINIC ALTON DRUMMOND
18460 CANTER AVENUE
LEWES, DELAWARE 19958
(302)-313-4773

ENGINEER CERTIFICATION:
IT IS HEREBY CERTIFIED THAT I AM A PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

ALAN M. DECKTOR, PE (DE PE #17771)
PENNONI ASSOCIATES, INC.
18072 DAVIDSON DRIVE MILTON, DE 19968

U:\Account\DDRUM19001\19001_2019\19001_19001.dwg PLOTTED: 12/17/2019 10:02 AM BY: Logan Stibbard - PLOTTITLE: Pennoni NCS.dwg PROJECT SITE NO.:

QUALITY CARE HOMES

KENNETH DOMINIC ALTON DRUMMOND

CASE NO. CU 2216

ZONING MAP AMENDMENT FROM AR-1 TO AR-1 CU

OWNER:

KENNETH DOMINIC ALTON DRUMMOND
 20366 HOPKINS ROAD
 LEWES, DE 19958

DEVELOPER:

QUALITY CARE HOMES
 KENNETH DOMINIC ALTON DRUMMOND
 20366 HOPKINS ROAD
 LEWES, DE 19958

PLANNER/ENGINEER/SURVEYOR:

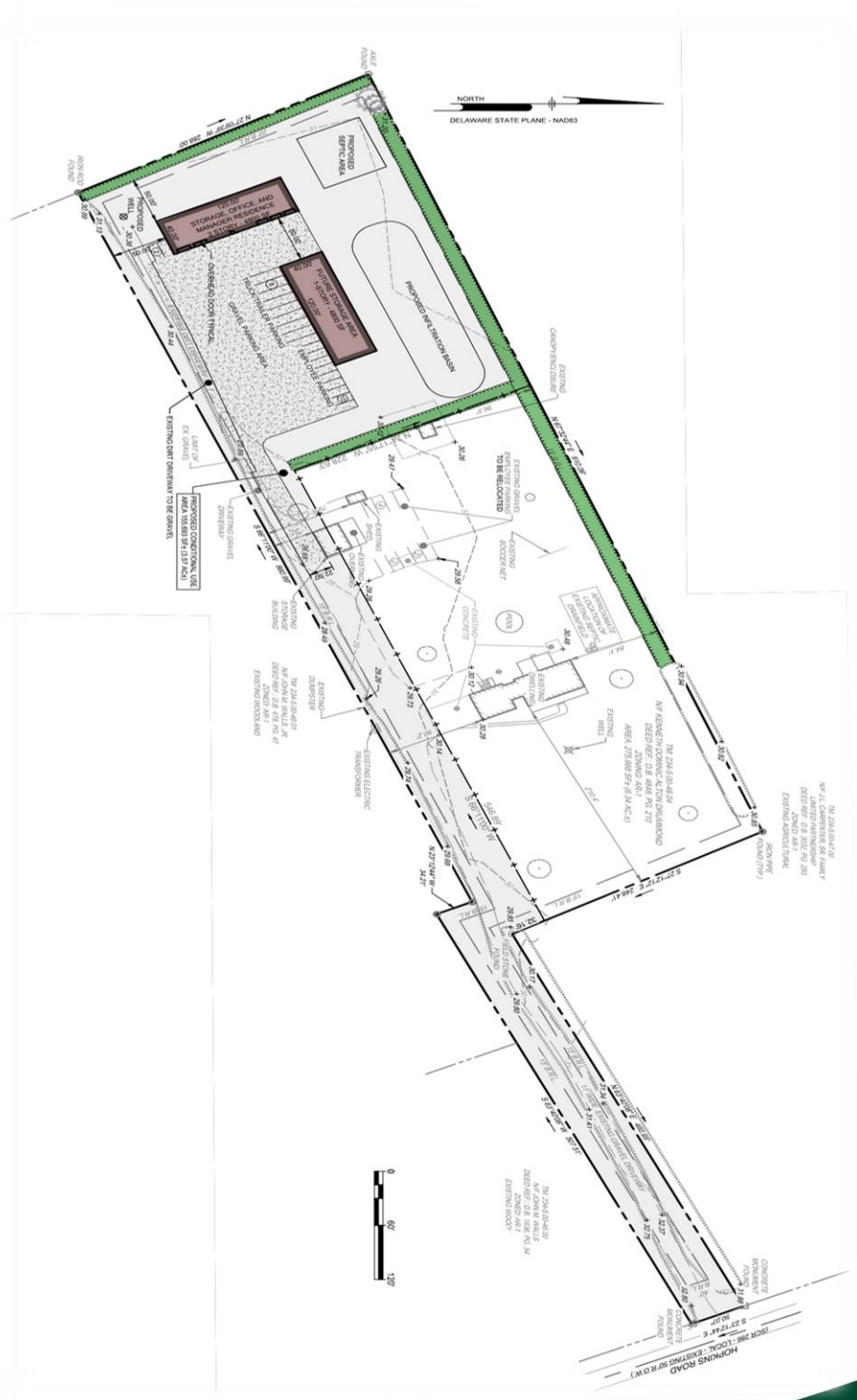
PENNONI
 18072 DAVIDSON DRIVE
 MILTON, DE 19968
 MARK H. DAVIDSON, PRINCIPAL LAND PLANNER
 ALAN DECKTOR, PE., ENV SP
 JOHN W. HAUPT, PLS

ENVIRONMENTAL:

PENNONI & ACCENT ENVIRONMENTAL
 WILLIAM J. GANGLOFF, Ph.D. PROFESSIONAL SOIL
 SCIENTIST

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	c. CONDITIONAL USE SITE PLAN
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	b. AREA LAND USE APPLICATION
	c. SERVICE LEVEL EVALUATION REQUEST
	d. SFR RESPONSE
	e. CONDITIONAL USE SITE PLAN
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	a. FINDINGS OF FACT
	b. CONDITIONS OF APPROVAL



**QUALITY CARE HOMES
KENNETH DOMINIC ALTON DRUMMOND**

CASE NO. CU 2204

ZONING MAP AMENDMENT FROM AR-1 TO AR-1 CU

PERSPECTIVE OF YARD



Mark H. Davidson / Vice President

Principal Land Planner/Office Director

EDUCATION

University of Delaware; Civil Engineering, (1986-1990)

Land Surveying, Delaware Technical & Community College (1984-1986) and Wastewater Microbiology Diploma (1997)

Land Planning, Institute for Public Administration (2006)

CERTIFICATIONS

DNREC Class A Percolation Tester & Class B Septic Designer, (DE #2418)

Sediment & Stormwater Management, Responsible Personnel, DE (#8760) and MD (#4914)

DNREC Certified Construction Reviewer: DE (#1270)

Delaware Notary

TRAININGS

Hydrology, Delaware TR-20 (1993)

Reducing Flood Hazard in Coastal Development (1996)

Law for Managers/Supervisors (1999)

State and Federal Laws (2000)

Advanced Real Estate Law in Delaware (2002)

Land Conservation and Historic Preservation (2003)

Land Surveying Business Diploma (1998)

Project Manager Training I, Pennoni (2015)

PROFESSIONAL AFFILIATIONS

National Onsite Wastewater Recycling Association

Delaware Onsite Wastewater Recycling Association

American Planning Association

American Institute of Certified Planners

HONORS/AWARDS

Association of Professionals Philanthropy, Brandywine Chapter Fundraising Nominee (2014)

Notable Networker Award, BNI (2013)

EXPERIENCE SUMMARY

Mark H. Davidson serves as Vice President of Pennoni and Office Director for our Southern Delaware, Milton Office. Mark also serves as the Principal Land Planner for Pennoni. He has over 33-years of past experience in Surveying, Engineering, Consulting, Construction and Land Planning. For 12-years he owned a professional engineering, surveying, land planning, environmental and consulting firm that provided professional consulting and design in land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware and Maryland. Mr. Davidson's project experience includes land development planning, surveying, engineering, environmental design and permitting; construction and project consulting, management and inspection; water resource consulting, management and inspection and municipal consulting, planning and inspection for residential, industrial, institutional, municipal and commercial applications.

Mark is a past director of the Delaware Onsite Wastewater Recycling Association as well as a member of the American Planning Association, American Institute of Certified Planners and has served in the past as a committee member of Delaware Low Impact Development Roundtable Committee, Delaware Pollution Control Strategy Committee, Delaware Sediment & Stormwater Regulatory Advisory Committee, and the Delaware Technical & Community College A/E Curriculum Committee. He was also nominated for the Brandywine Chapter Association of Fundraising Professionals Philanthropy Award and has won the BNI Notable Networker Award.

Along with all the experience and education stated and with many years of combined experience in Surveying, Engineering, Consulting and Land Planning, he has been responsible for providing consulting, layout and design in surveying, engineering and land planning for residential, industrial, institutional, municipal and commercial applications to a wide range of clients in Delaware, Maryland, Virginia and West Virginia. He has project managed, studied, planned, surveyed, designed and engineered sustainable, master-planned communities, commercial and urban redevelopment projects, and the public infrastructure that supports them.

Mark has provided nationwide land planning consulting services to a variety of clientele to help coordinate project startups as well as final construction consulting services when it came to commercial, residential, industrial, municipal, educational and community land planning. Provided additional consulting in civil/site engineering, stormwater management, erosion and sediment control, wastewater collection and disposal, transportation, and environmental. Market areas practiced; Delaware, Maryland, West Virginia, Virginia, North Carolina, South Carolina, North Dakota, Puerto Rico, Canada and Panama.

Additional Project experience includes cutting edge design and technology as well as value engineering to help clients through the ever-changing market including but not limited to solar voltaic and wind generation projects.

He was currently appointed by the Secretary of DNREC to serve 3-years on the On Site Septic Advisory Board for the State of Delaware.



**Planning & Zoning Commission Application
Sussex County, Delaware**

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

Type of Application: (please check applicable)

- Conditional Use
- Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

Type of Conditional Use Requested:

Tax Map #: _____ **Size of Parcel(s):** _____

Current Zoning: _____ **Proposed Zoning:** AR-1 CU **Size of Building:** _____

Land Use Classification:

Water Provider: _____ **Sewer Provider:** _____

Applicant Information

Applicant Name: _____
Applicant Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Owner Information

Owner Name: _____
Owner Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: _____
Agent/Attorney/Engineer Address: _____
City: _____ State: _____ Zip Code: _____
Phone #: _____ E-mail: _____

Project: DDRUM19001



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application

Completed Application

Provide eight (8) copies of the Site Plan or Survey of the property

- Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
- Provide a PDF of Plans (may be e-mailed to a staff member)
- Deed or Legal description

Provide Fee \$500.00

Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.

DeIDOT Service Level Evaluation Request Response

PLUS Response Letter (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney



Date: 8/29/19

Signature of Owner

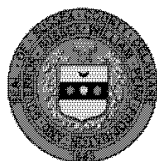


Date: 8/29/19

For office use only:

Date Submitted: _____ Fee: \$500.00 Check #: _____
Staff accepting application: _____ Application & Case #: _____
Location of property: _____

Subdivision: _____
Date of PC Hearing: _____ Recommendation of PC Commission: _____
Date of CC Hearing: _____ Decision of CC: _____



Sussex County

Scott Dailey
Recorder of Deeds
Georgetown, DE 19947

Instrument Number: 2018-7657

Parties:

Recorded As: EREC-DEED

Direct- WALLS JOHN M JR

Recorded On: March 02, 2018

Indirect- DRUMMOND KENNETH DOMINIC ALTON

Recorded At: 11:31:46 am

Receipt Number: 836573

Number of Pages: 5

Processed By: Sue D

Book-VI/Pg: **Bk-D VI-4848 Pg-210**

Total Rec Fee(s): \$19,867.00

** Examined and Charged as Follows **

RECEIVED ASSESSMENT DIVISION OF SUSSEX COUNTY

Erec-D \$ 67.00

	Tax Amount	Consid Amt	RS#/CS#	
STATE AND COUNTY OF SUSSEX	\$ 19800.00	\$ 495000.00		
			State of Delaware	\$ 12375.00
			Sussex County	\$ 7425.00
Tax Charge:	\$ 19800.00			

I hereby certify that the within and foregoing was recorded in the Recorder's Office in Sussex County

DO NOT REMOVE - THIS PAGE IS PART OF THE RECORDED DOCUMENT

TAX MAP AND PARCEL #:

2-34-5.00-46.04

PREPARED BY & RETURN TO:

Bonnie M. Benson, P. A.
33718B Wescoats Road
Lewes, DE 19958
File No. 18-1098/BMB

THIS DEED, made this 26th day of February, 2018,

- BETWEEN -

JOHN M. WALLS, JR., of 16198 Diamond Farm Road, Milton, DE 19968 and **MELISSA D. WALLS**, of 26109 Kits Burrow Court, Georgetown, DE 19947, parties of the first part,

- AND -

KENNETH DOMINIC ALTON DRUMMOND, of 20366 Hopkins Road, Lewes, DE 19958, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of **Four Hundred Ninety-Five Thousand and 00/100 Dollars (\$495,000.00)**, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the party of the second part, and his heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware:

ALL that certain lot, piece or parcel of land situate, lying and being in Indian River Hundred, Sussex County, Delaware on the Westerly side of County Route 286 as shown on a plot of Coast Survey, Inc., dated November 4, 1999 entitled "6.336 Acre Parcel prepared for John M. Walls, Jr." as recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Plot Book 66, Page 215, and more particularly described as follows:

BEGINNING at a point located 0.6 feet South of a found concrete monument on the Westerly right of way line of County Road 286 located 0.59 miles North of County Road #285; thence running with lands of John M. Walls South 73 degrees, 22 minutes, 31 seconds West 507.51 feet to a point; thence North 13 degrees, 30 minutes, 21 seconds West 34.21 feet to a point; thence South 75 degrees, 53 minutes, 23 seconds West 860.99 feet to a point in the edge of lands now or formerly of James Lee Carpenter, Sr., Trustee; thence North 17 degrees, 17 minutes, 16 seconds West 288.00 feet to a found axle; thence North 77 degrees, 15 minutes, 07 seconds East 910.06 feet to a found iron pipe; thence South 17 degrees, 29 minutes, 49 seconds East 248.41 feet to a found stone; thence North 73 degrees, 22 minutes, 31 seconds East 460.95 feet to a found monument located in the right of way of County Road #286; thence with said right of way South 13 degrees, 30 minutes, 21 seconds East 50.07 feet home to the point and place of Beginning, said to contain 6.336 acres of land, more or less.

BEING the same lands conveyed to John M. Walls, Jr. and Melissa D. Walls from John M. Walls, Jr. by Deed dated March 18, 2003 and recorded in the Office of the Recorder of Deeds, in and for Sussex County, Delaware in Deed Book 2815, Page 175.

SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

REST OF PAGE LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

Bonnie M. Benson

John M. Walls, Jr. (SEAL)

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on February 26, 2018, personally came before me, the subscriber, John M. Walls, Jr., party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.

Bonnie M. Benson
Notary Public

My Commission Expires: NA

**BONNIE M. BENSON
ATTORNEY AT LAW WITH
POWER TO ACT AS NOTARY PUBLIC
PER 29 DEL. C § 4323 (A) (3)**

IN WITNESS WHEREOF, the party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the presence of:

Anne L. Barnett

Melissa D. Walls (SEAL)
Melissa D. Walls

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on February 27, 2018, personally came before me, the subscriber, Melissa D. Walls, party of the first part to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.

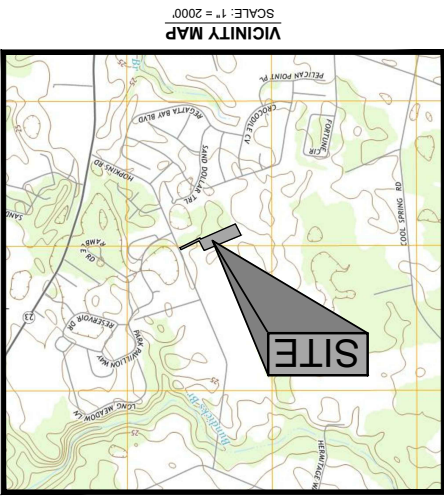
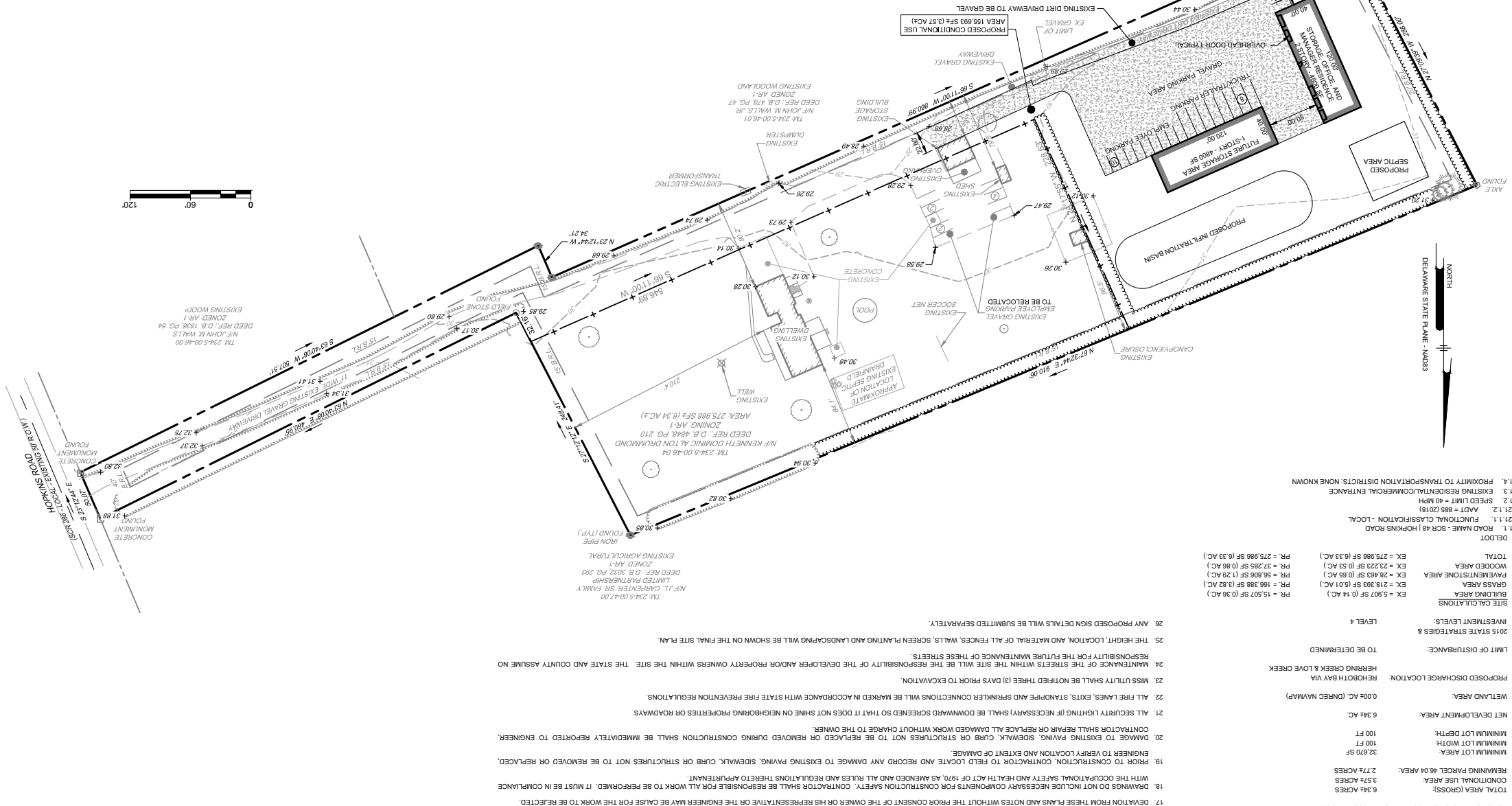
ANNE L. BARNETT
ATTORNEY AT LAW WITH
POWER TO ACT AS NOTARY PUBLIC
PER 29 DEL. C. § 4323 (A) (3)

Anne L. Barnett
Notary Public

My Commission Expires: N/A

SITE DATA:

1.	TAX MAP NUMBER:	234.5-00-14.04
2.	DEVELOPER NAME:	KENNETH DOMINIC ALTON DRUMMOND
3.	DEVELOPER ADDRESS:	20366 HOPKINS ROAD LEWES, DE 19958
4.	SITE ADDRESS:	20366 HOPKINS ROAD LEWES, DE 19958
5.	CURRENT ZONING:	AR-1 (AGRICULTURAL-RESIDENTIAL)
6.	DEED REFERENCE:	DEED BOOK 4848, PAGE 210
7.	PROPOSED ZONING:	AR-1 (CONDITIONAL USE)
8.	PROPOSED USE:	HOME REPAIR & IMPROVEMENTS
9.	REQUIRED SETBACKS:	FRONT - 40 FEET SIDE - 15 FEET REAR - 20 FEET
10.	BUILDING HEIGHT:	4Z ALLOWED
11.	PARKING (ARTICLE XXII, OFF-STREET PARKING, CODE SECTION 115-102):	1 FOR EVERY 2 EMPLOYEES ON THE MAJOR SHIFT 2 FOR EVERY 2 EMPLOYEES ON THE MINOR SHIFT
12.	EXISTING PRIVATE ON-SITE WELL:	EXISTING PRIVATE ON-SITE SEPTIC
13.	EXISTING PRIVATE ON-SITE WELL:	WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH AND THE DELAWARE DIVISION OF PUBLIC HEALTH
14.	NO UNDERGROUND UTILITY MARKING WAS PERFORMED FOR THIS SURVEY.	
15.	UNLESS PREVIOUSLY OBTAINED BY OWNER	
16.	THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.	
17.	DRAWING FROM THESE PLANS AND NOTES WITHOUT THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.	
18.	DEVIATION FROM THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THERE TO APPLICABLE.	
19.	ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.	
20.	DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REPAIRED DURING CONSTRUCTION UNLESS IMMEDIATELY REPORTED TO ENGINEER.	
21.	ALL SECURITY LIGHTING (IF NECESSARY) SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.	
22.	ALL FIRE LANES, EXITS, STANDPIPE AND SPRINKLER CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.	
23.	MISS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.	
24.	MAINTENANCE OF THE STREETS WITHIN THE SITE WILL BE THE RESPONSIBILITY OF THE DEVELOPER AND/OR PROPERTY OWNERS WITHIN THE SITE. THE STATE AND COUNTY ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.	
25.	THE HEIGHT, LOCATION, AND MATERIAL OF ALL FENCES, WALLS, SCREEN PLANTING AND LANDSCAPING WILL BE SHOWN ON THE FINAL SITE PLAN.	
26.	ANY PROPOSED SIGN DETAILS WILL BE SUBMITTED SEPARATELY.	



SITE INFORMATION:

ENGINEER:
PENNONI ASSOCIATES, INC.
LEWES, DE 19958

OWNER/DEVELOPER:
KENNETH DOMINIC ALTON DRUMMOND
20366 HOPKINS ROAD
LEWES, DE 19958

SITE ADDRESS:
20366 HOPKINS ROAD
LEWES, DE 19958

LEGEND

CONCRETE MONUMENT FOUND	IRON PIPE FOUND	AXLE FOUND	EXISTING SPOT ELEVATION	PROPOSED EDGE OF TREELINE/WOODS	EXISTING FENCE LINE	EXISTING EDGE OF CONCRETE	EXISTING EDGE OF GRAVEL	EXISTING CONTOUR LINE	PROPOSED BUILDING	EXISTING BUILDING	CONDITIONAL USE BOUNDARY LINE	BUILDING RESTRICTION LINE	ADJACENT PROPERTY LINE	PROPERTY LINE
-------------------------	-----------------	------------	-------------------------	---------------------------------	---------------------	---------------------------	-------------------------	-----------------------	-------------------	-------------------	-------------------------------	---------------------------	------------------------	---------------

IT IS HEREBY CERTIFIED THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY DESCRIBED AND I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND THAT THE INFORMATION SHOWN HEREON REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

ENGINEER CERTIFICATION

PROJECT: DDDRWUM19001
DATE: 2019-07-16
DRAWING SCALE: 1" = 60'
DRAWN BY: MMW
APPROVED BY: AMD
SHEET 1 OF 1
EX1001

DATE: _____
SIGNATURE: _____
KENNETH DOMINIC ALTON DRUMMOND
18460 CENTER AVENUE
LEWES, DELAWARE 19958
(302) 314-4773

DATE: _____
SIGNATURE: _____
ALAN M. DECKTOR, PE (DE PE #17771)
PENNONI ASSOCIATES, INC.
18072 DAVIDSON DRIVE MILTON, DE 19968
(302) 684-8030

LANDS OF KENNETH DOMINIC ALTON DRUMMOND
SUSSEX COUNTY TWP 234.5-00-14.04
LEWES & REHOBOTH HUNDREDED
LEWES, DELAWARE 19958

CONDITIONAL USE SITE PLAN
KENNETH DOMINIC ALTON DRUMMOND
20366 HOPKINS ROAD
LEWES, DELAWARE 19958

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR AND OWNER MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

PENNONI ASSOCIATES, INC.
18072 Davidson Drive
Milton, DE 19968
T 302.684.8030 F 302.684.8054

PARTICULAR DESCRIPTION
(CONDITIONAL USE)
LANDS OF KENNETH DOMINIC ALTON DRUMMOND
TAX MAP 234-5.00-46.04

All that certain piece, parcel and tract lying in the Lewes-Rehoboth Hundred of Sussex County, Delaware and being more particularly described as follows:

BEGINNING at a concrete monument, said concrete monument lying on the southwesterly right-of-way of Hopkins Road (50' ROW) and being a common corner for this Parcel and Lands now or formerly of John M. Walls; thence by and with this Parcel and Lands now or formerly of John M. Walls, **South 63 degrees, 40 minutes, 08 seconds West, 507.51 feet** to an iron pipe found, said iron pipe being a common corner for this Parcel and Lands now or formerly of John M. Walls, Jr.; thence by and with this Parcel and Lands now or formerly of John M. Walls, Jr., the following (2) courses and distances:

- 1) **North 23 degrees, 12 minutes, 44 seconds West, 34.21 feet to an iron pipe found,**
- 2) **South 66 degrees, 11 minutes, 00 seconds West, 860.99 feet to an iron rod found,**

Said iron rod being a corner for this Parcel and Lands now or formerly of J. L. Carpenter, Sr. Family Partnership; thence by and with this Parcel and Lands now or formerly of J. L. Carpenter, Sr. Family Partnership the following (2) courses:

- 1) **North 27 degrees, 09 minutes, 39 seconds West, 288.00 feet to an axle found,**

- 2) **North 67 degrees, 32 minutes, 44 seconds East, 373.87 feet to a point,**

Said point lying on the boundary line of J. L. Carpenter, Sr. Family Partnership and this Parcel; thence by and with this Parcel the following (2) courses and distances:

- 1) **South 24 degrees, 17 minutes, 55 seconds East, 228.63 feet to a point,**
- 2) **North 66 degrees, 11 minutes, 00 seconds East, 546.89 feet to a point,**

Said point lying on the boundary line for this Parcel and Lands now or formerly of J. L. Carpenter, Sr. Family Limited Partnership; thence by and with this Parcel and Lands now or formerly of J. L. Carpenter, Sr. Family Limited Partnership the following (2) courses and distances:

- 1) **South 27 degrees, 12 minutes, 12 seconds East, 32.16 feet to a field stone found,**
- 2) **North 63 degrees, 40 minutes, 08 seconds East, 460.95 feet to a concrete monument found,**

Said monument lying on the southwesterly right-of-way of Hopkins Road; thence by and with the southwesterly right-of-way of Hopkins Road, **South 23 degrees, 12 minutes, 44 seconds East, 50.07 feet** to a concrete monument found, said concrete monument being the **Place of Beginning** for this description.

This Conditional Use description contains 3.57 acres, more or less.



Figure 1 of 21.

1

2019 Aerial Image

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information

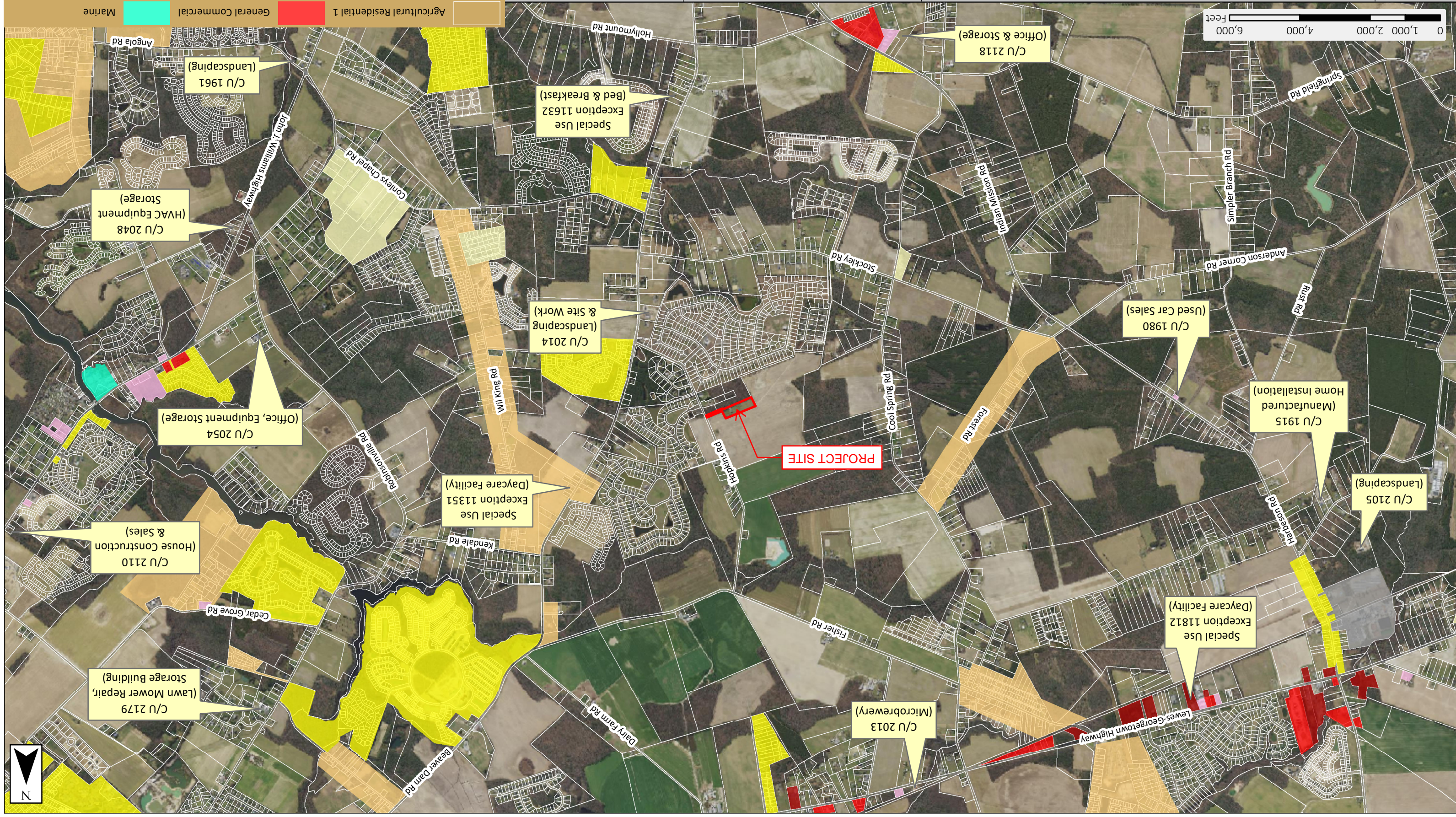
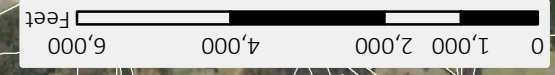
Area Approved Land Use Applications & County Zoning

DDRM19001

Lands of Kenneth Dominic Drummond



Neighborhood Business	Heavy Industrial	Commercial Residential	Agricultural Residential 1
Medium Residential	General Residential	Agricultural Residential 2	General Commercial
Marine	General Residential	Agricultural Residential 1	General Commercial



PLANNING & ZONING

JANELLE M. CORNWELL, AICP
DIRECTOR

(302) 855-7878 T
(302) 854-5079 F



Sussex County
DELAWARE
sussexcountyde.gov

Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DelDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 7/29/19

Site Information:

Site Address/Location: 20366 Hopkins Road Lewes DE 19958

Tax Parcel Number: 234-5.00-46.04

Current Zoning: AR-1

Proposed Zoning: AR-1/CONDITIONAL USE

Land Use Classification: LOW DENSITY AREA | LEVEL 4

Proposed Use(s): HOME REMODELING & REPAIR SERVICES; STORAGE REPAIR AND MAINTENANCE; LIGHT BUILDING MATERIAL AND STORAGE AND GENERAL OFFICE FOR QUALITY CARE HOMES.

Square footage of any proposed buildings or number of units: N/A

Applicant Information:

Applicant's Name: Kenneth Dominic Alton Drummond - Quality Cate Homes

Applicant's Address: 20366 Hopkins Road

City: Lewes State: DE Zip Code: 19958

Applicant's Phone Number: (302) 313-4773

Applicant's e-mail address: qualitycarehomesde@gmail.com

**PREPARED BY: ALAN DECKTOR
- PENNONI
18072 DAVIDSON DRIVE
MILTON DE 19968
302-684-8030
ADECKTOR@PENNONI.COM**





STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. Box 778
DOVER, DELAWARE 19903

JENNIFER COHAN
SECRETARY

August 21, 2019

Ms. Janelle Cornwell, Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Ms. Cornwell:

The Department has completed its review of a Service Level Evaluation Request (SLER) for the **Kenneth Dominic / Alton Drummond – Quality Care Homes** conditional application, which we received on July 30, 2019. This application is for an approximately 6.34-acre parcel (Tax Parcel: 234-5.00-46.04). The subject land is located on the west side of Hopkins Road (Sussex Road 286), approximately 3,000 feet northwest of the intersection of Beaver Dam Road (Sussex Road 285). The subject land is currently zoned as AR-1 (Agricultural Residential) and the applicant is seeking a conditional use approval to operate a variety of uses including home remodeling and repair services, storage repair and maintenance, light building material and storage, and general office.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of Hopkins Road where the subject land is located, which is from Fisher Road (Sussex Road 262) to Beaver Dam Road, is 885 vehicles per day.

Our volume-based criteria for requiring a traffic impact study (TIS), addressed in Section 2.2.2.1 of the Development Coordination Manual, are that a development generates more than 500 trips per day or 50 trips during a weekly peak hour. While it seems that the above criteria could be met, we presently cannot predict the site's trip generation with enough accuracy to make a TIS useful. Thus, we recommend that this rezoning application be considered without a TIS and that the need for a TIS be evaluated when a subdivision or land development plan is proposed.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Ms. Janelle M. Cornwell

Page 2 of 2

August 21, 2019

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



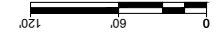
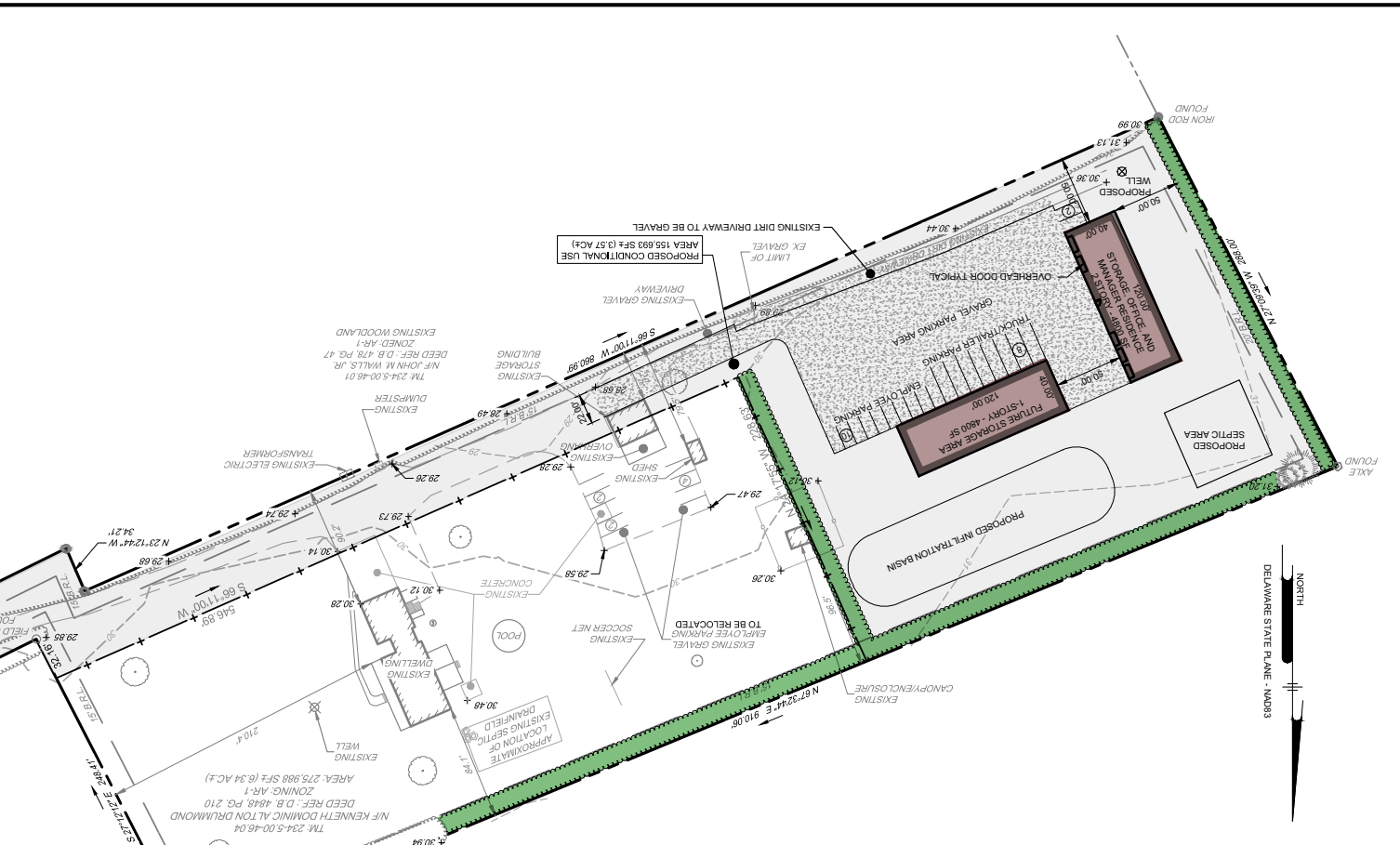
T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Kenneth Dominic / Alton Drummond – Quality Care Homes, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance & Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

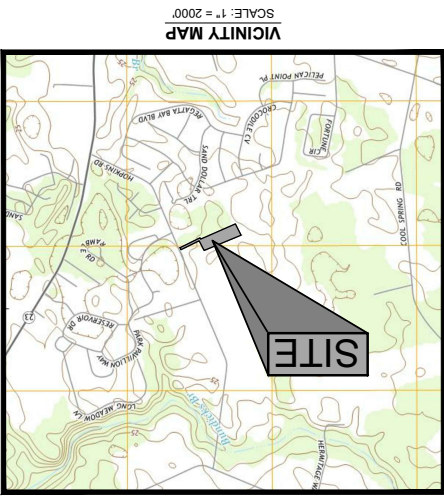
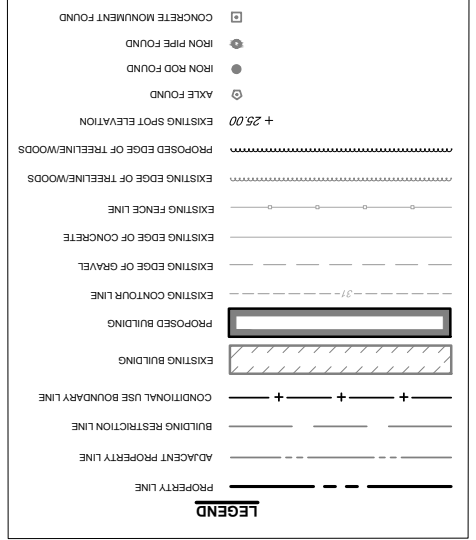
SITE DATA:

1.	TAX MAP NUMBER:	234-5-00-14-04															
2.	DEVELOPER NAME:	KENNETH DOMINIC ALTON DRUMMOND															
3.	DEVELOPER ADDRESS:	20366 HOPKINS ROAD LEWES, DE 19958															
4.	SITE ADDRESS:	20366 HOPKINS ROAD LEWES, DE 19958															
5.	CURRENT ZONING:	AR-1 (AGRICULTURAL-RESIDENTIAL)															
6.	PROPOSED ZONING:	AR-1 (CONDITIONAL USE)															
7.	PRESENT USE:	RESIDENTIAL HOME REPAIR & IMPROVEMENTS															
8.	PROPOSED USE:	RESIDENTIAL HOME REPAIR & IMPROVEMENTS															
9.	REQUIRED SETBACKS:	FRONT - 40 FEET SIDE - 15 FEET REAR - 20 FEET															
10.	BUILDING HEIGHT:	42' ALLOWED															
11.	PARKING (ARTICLE XXII, OFF-STREET PARKING, CODE SECTION 115-102):	1 FOR EVERY 2 EMPLOYEES ON THE MAJOR SHIFT 2 FOR EVERY 2 EMPLOYEES ON THE MINOR SHIFT															
12.	SEWER SUPPLY:	EXISTING PRIVATE ON-SITE SEPTIC AND THE DELAWARE DIVISION OF PUBLIC HEALTH															
13.	WATER SUPPLY:	EXISTING PRIVATE ON-SITE WELL															
14.	MANAGER RESOURCES:	2 SPACES REQUIRED 2 + 4 SPACES (1 PER EVERY 2 EMPLOYEES MAX 8 EMPLOYEES)															
15.	PROPOSED EMPLOYEE PARKING:	12 - ALLOWING FOR FUTURE GROWTH															
16.	EXISTING PRIVATE ON-SITE WELL:	WATER IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL															
17.	PROPOSED DISCHARGE LOCATION:	HERBOTH BAY CREEK															
18.	NET DEVELOPMENT AREA:	6.34 AC (DNRCC MAP#P)															
19.	2015 STATE STRATEGIES & INVESTMENT LEVELS:	LEVEL 4															
20.	SITE CALCULATIONS:	<table border="0"> <tr> <td>GRASS AREA</td> <td>EX = 218,262 SF (9.01 AC.)</td> <td>PR = 166,398 SF (7.82 AC.)</td> </tr> <tr> <td>BUILDING AREA</td> <td>EX = 56,806 SF (2.56 AC.)</td> <td>PR = 15,507 SF (0.70 AC.)</td> </tr> <tr> <td>PAVEMENT/STONE AREA</td> <td>EX = 28,463 SF (1.29 AC.)</td> <td>PR = 56,806 SF (2.56 AC.)</td> </tr> <tr> <td>WOODED AREA</td> <td>EX = 23,223 SF (1.03 AC.)</td> <td>PR = 37,285 SF (1.68 AC.)</td> </tr> <tr> <td>TOTAL</td> <td>EX = 275,986 SF (12.33 AC.)</td> <td>PR = 275,986 SF (12.33 AC.)</td> </tr> </table>	GRASS AREA	EX = 218,262 SF (9.01 AC.)	PR = 166,398 SF (7.82 AC.)	BUILDING AREA	EX = 56,806 SF (2.56 AC.)	PR = 15,507 SF (0.70 AC.)	PAVEMENT/STONE AREA	EX = 28,463 SF (1.29 AC.)	PR = 56,806 SF (2.56 AC.)	WOODED AREA	EX = 23,223 SF (1.03 AC.)	PR = 37,285 SF (1.68 AC.)	TOTAL	EX = 275,986 SF (12.33 AC.)	PR = 275,986 SF (12.33 AC.)
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WOODED AREA	EX = 23,223 SF (1.03 AC.)	PR = 37,285 SF (1.68 AC.)															
TOTAL	EX = 275,986 SF (12.33 AC.)	PR = 275,986 SF (12.33 AC.)															
21.	DEDOT:	21.1. ROAD NAME - SCR 48 HOPKINS ROAD 21.1.1. FUNCTIONAL CLASSIFICATION - LOCAL 21.1.2. AADT = 885 (2018) 21.2. SPEED LIMIT = 40 MPH 21.3. EXISTING RESIDENTIAL/COMMERCIAL ENTRANCE 21.4. PROXIMITY TO TRANSPORTATION DISTRICTS - NONE KNOWN															



OWNERS AND DEVELOPERS CERTIFICATION
 IT IS HEREBY CERTIFIED THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY DESCRIBED AND I AM HEREBY CERTIFIED THAT I AM A PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE. THIS PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT. IT IS MY DESIRE TO HAVE THE PLAN RECORDED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.
 KENNETH DOMINIC ALTON DRUMMOND
 18460 CENTER AVENUE
 LEWES, DELAWARE 19958
 (302) 914-4773

ENGINEER CERTIFICATION
 I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE. I HAVE REVIEWED THE PLAN AND BELIEVE IT REPRESENTS THE TRUE AND CORRECT INTENT OF THE OWNER/DEVELOPER. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE ACCURACY OF THE INFORMATION SHOWN HEREON. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE ACCURACY OF THE INFORMATION SHOWN HEREON. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THE ACCURACY OF THE INFORMATION SHOWN HEREON.
 ALAN M. DECKTOR, PE (DE PE #1777)
 PENNONI ASSOCIATES, INC.
 18072 DAVIDSON DRIVE MILTON, DE 19968
 (302) 684-8030



SITE INFORMATION:

ENGINEER
 PENNONI ASSOCIATES, INC.
 LEWES, DE 19958
 18072 DAVIDSON DRIVE
 MILTON, DE 19968

OWNER/DEVELOPER:
 KENNETH DOMINIC ALTON DRUMMOND
 LEWES, DE 19958
 20366 HOPKINS ROAD

SITE ADDRESS:
 20366 HOPKINS ROAD
 LEWES, DE 19958

LANDS OF KENNETH DOMINIC ALTON DRUMMOND
 SUSSEX COUNTY TRM 234-5-00-14-04
 LEWES & REHOBOTH HUNDREDED
 LEWES, DELAWARE 19958

CONDITIONAL USE SITE PLAN
 KENNETH DOMINIC ALTON DRUMMOND
 20366 HOPKINS ROAD
 LEWES, DELAWARE 19958

REVISIONS

NO.	DATE	BY	REVISIONS
1	12/17/2010	US	UPDATED LAYOUT PER CLIENT SPECIFICATION

DATE 2019-07-16
DRAWING SCALE 1" = 60'
DRAWN BY MMW
APPROVED BY AMD

PROJECT DDDRW19001

SHEET 1 OF 1
EX1001

PENNONI ASSOCIATES, INC.
 18072 Davidson Drive
 Milton, DE 19968
 T 302.684.8030 F 302.684.8054



Figure 1 of 21.

1

2019 Aerial Image

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information



Figure 2 of 21.

2

2017 Orthophoto

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information



Figure 3 of 21.

3

2012 Orthophoto

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information



Figure 4 of 21.

4

2007 Orthophoto

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information



Figure 5 of 21.

5

2002 Orthophoto

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information



Figure 6 of 21.

6

1997 Orthophoto

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information



Figure 7 of 21.

7

1992 Orthophoto

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information



Figure 8 of 21.

8

1968 Orthophoto

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information



USDA Agricultural Stabilization and Conservation Service

Figure 9 of 21.

9

1961 Orthophoto

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information



Figure 10 of 21.

10

1954 Orthophoto

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information



Figure 11 of 21.

11

1937 Orthophoto

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Legend Information







Figure 12 of 21.	1926 Orthophoto		Legend Information
12	Lands of Kenneth Dominic Alton Drummond		
	DDRUM19001		



Figure 13 of 21.
13

2015 State Strategies & Investment Levels
Lands of Kenneth Dominic Alton Drummond
DDRUM19001



	Subject Parcel		Investment Level Level 4 (Unshaded)
	Other Tax Parcels		Out Of Play

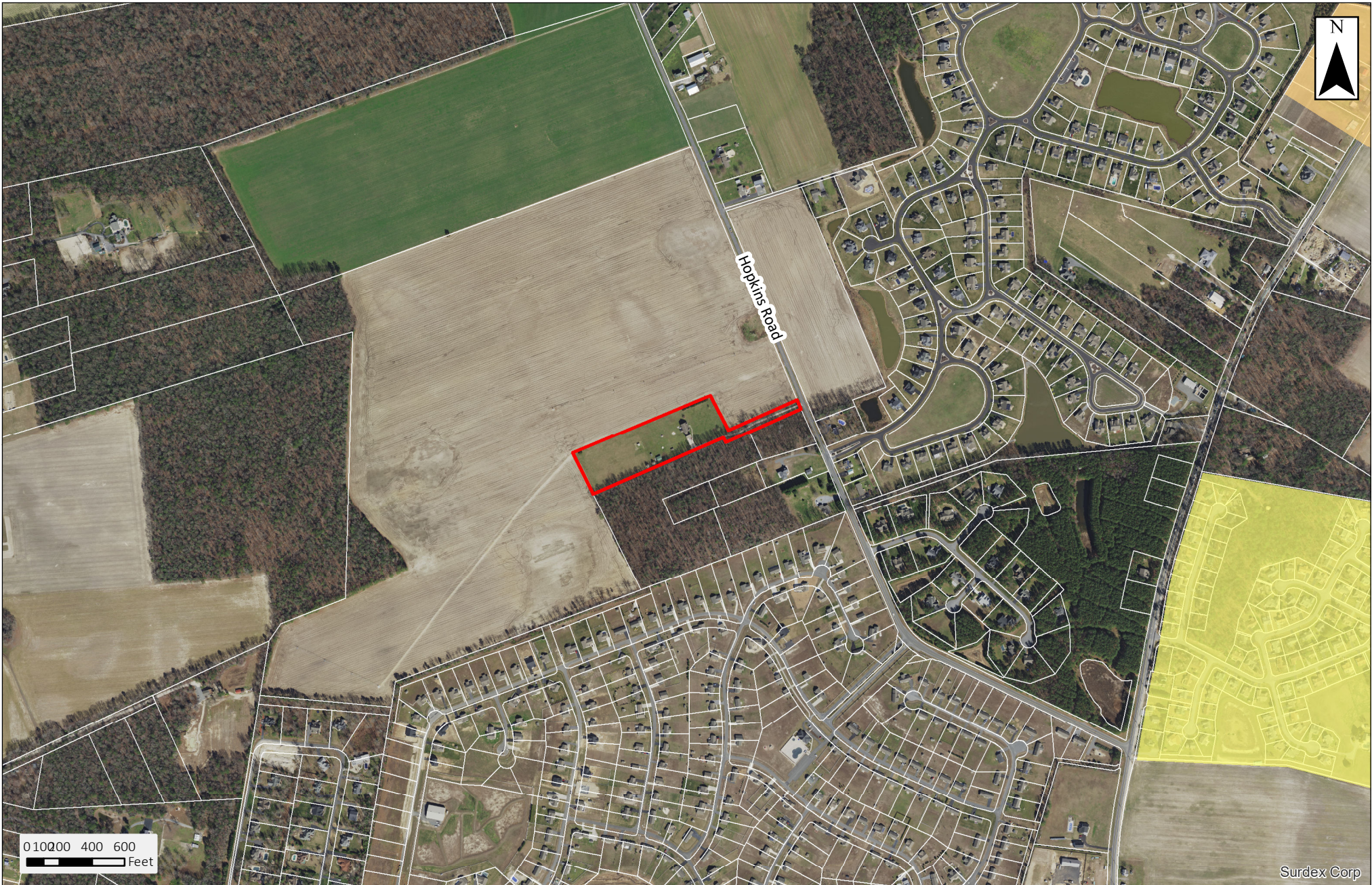


Figure 14 of 21.
14

County Zoning Map
Lands of Kenneth Dominic Alton Drummond
DDRUM19001



	Agricultural Residential 1		Medium Residential
	General Residential		

Surdex Corp

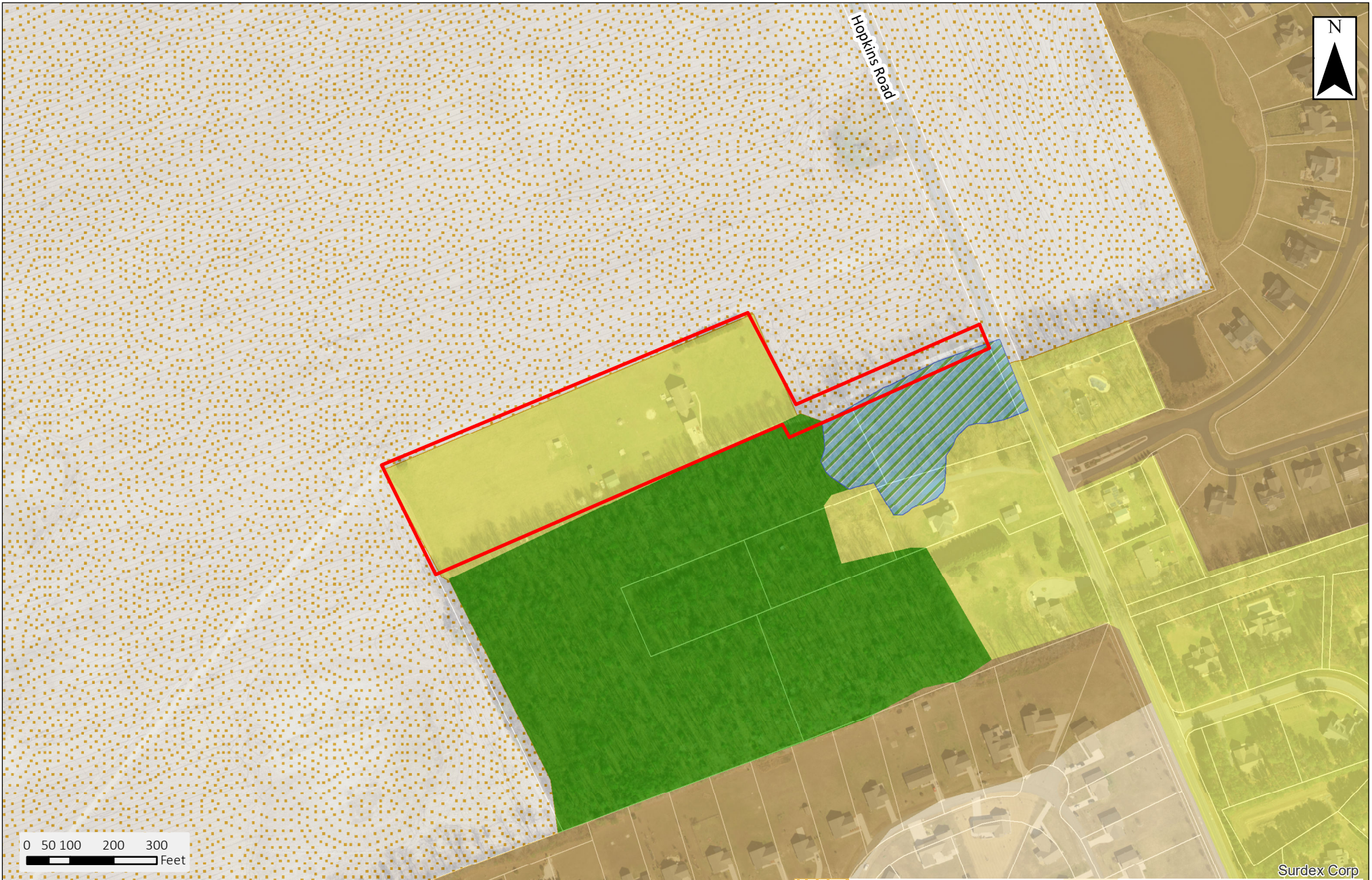


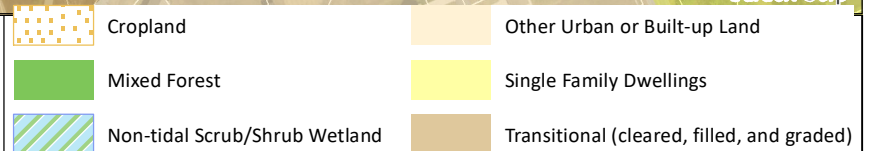
Figure 15 of 21.

15

2012 Land Use Land Cover

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



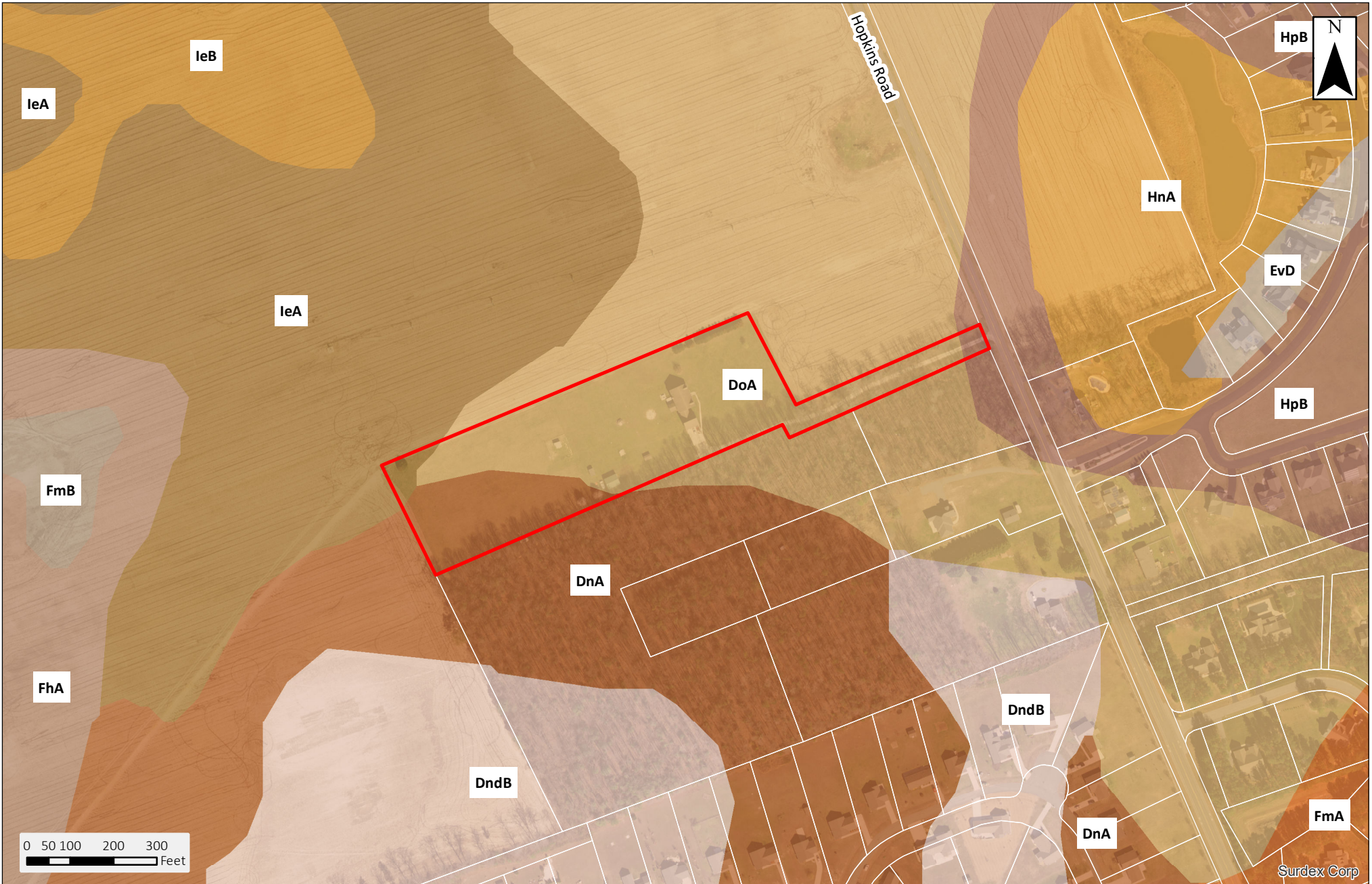


Figure 16 of 21.

16

NRCS Soils Map

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Soil Types:

DnA - Downer loamy sand, 0-2% slopes

DoA - Downer sandy loam, 0-2% slopes

leA - Ingleside loamy sand, 0-2% slopes



Figure 17 of 21.

17

State Wetlands Mapping

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



 DNREC Wetlands



Figure 18 of 21.

18

FEMA Floodplain Mapping

Lands of Kenneth Dominic Alton Drummond

DDRUM19001



Zone X

FEMA Flood Map #10005C0330J (1/5/2005)



Figure 19 of 21. 19	Groundwater Recharge Potential		Recharge Potential	
	Lands of Kenneth Dominic Alton Drummond		 Poor	 Fair
	DDRUM19001			

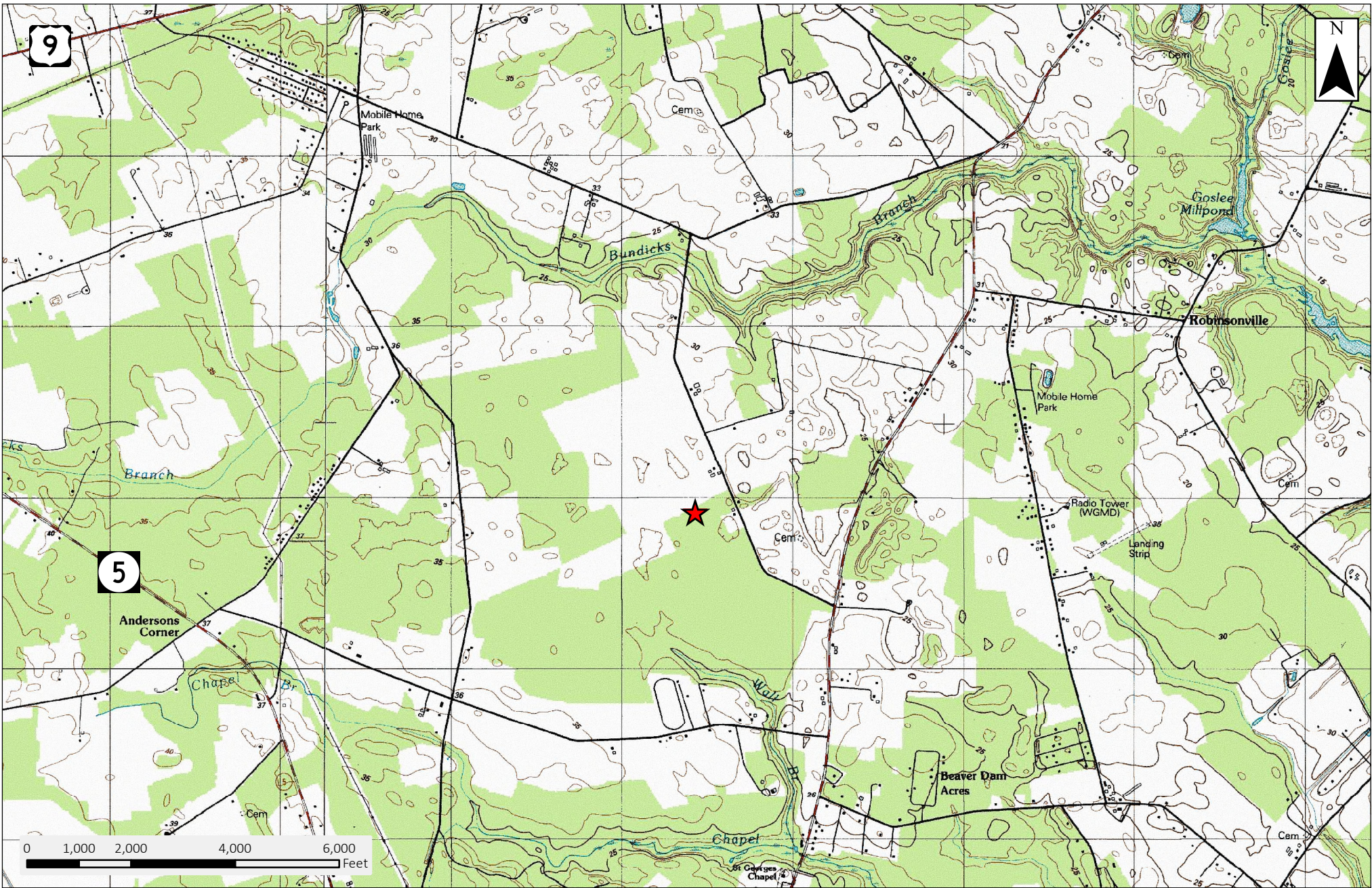


Figure 20 of 21.

USGS Topographic Map

20

Lands of Kenneth Dominic Alton Drummond

DDRUM19001

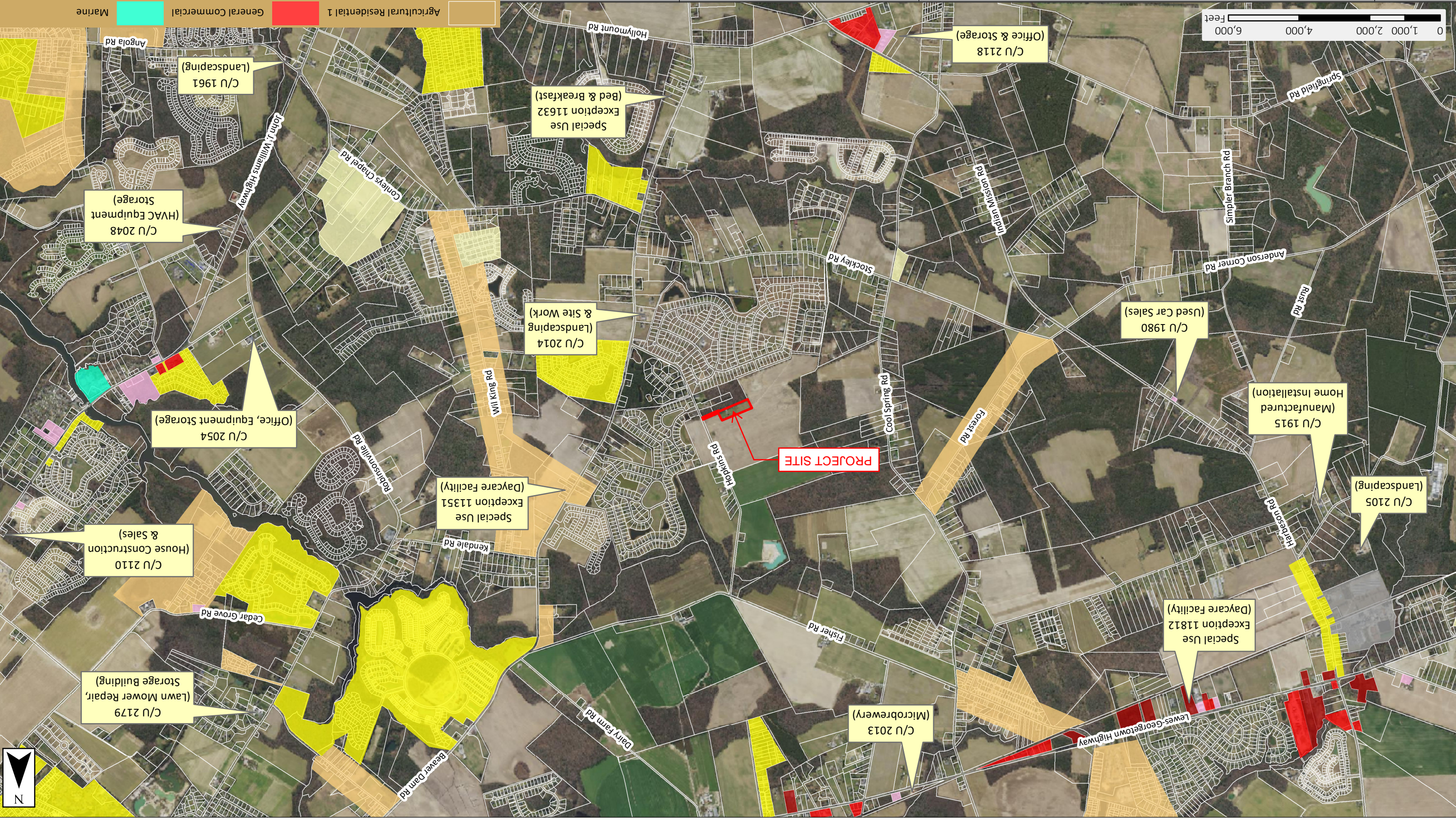


Area Approved Land Use Applications & County Zoning

Lands of Kenneth Dominic Drummond
DDRM19001

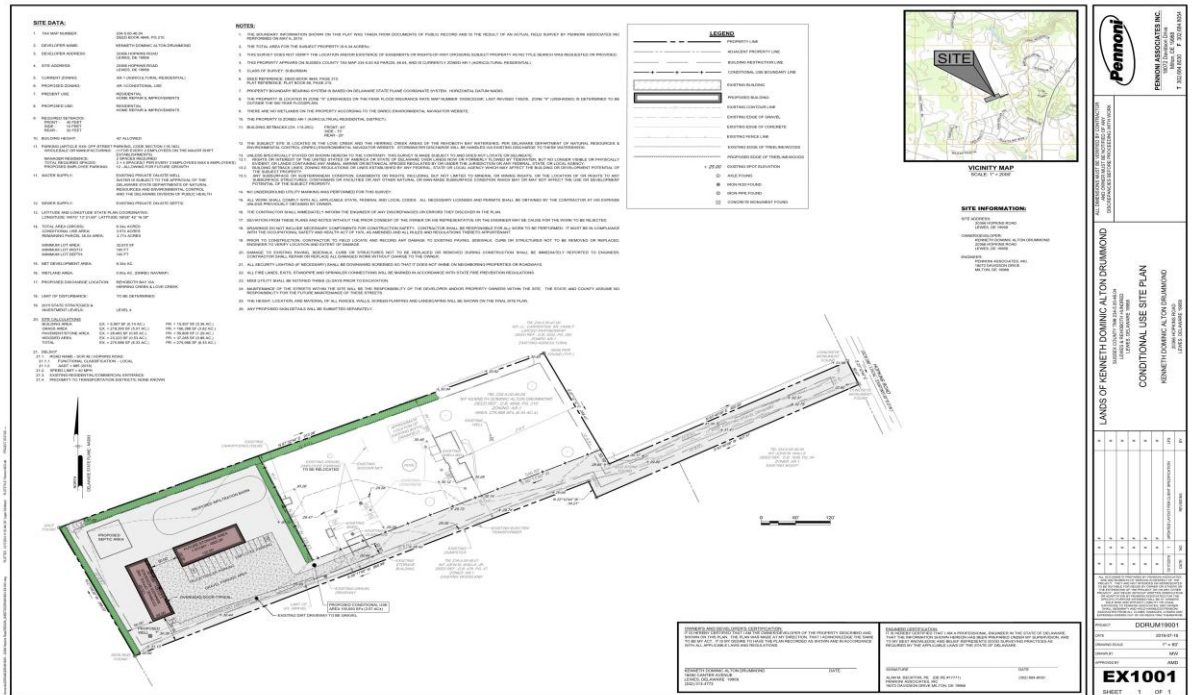


Neighborhood Business	Heavy Industrial	Commercial Residential	Agricultural Residential 1
Medium Residential	General Residential	Agricultural Residential 2	General Commercial
			Marine



KENNETH DOMINIC ALTON DRUMMOND
QUALITY CARE HOMES
CONDITIONAL USE #2216
PROPOSED FINDINGS OF FACT

1. This is an application to grant a conditional use of lands in a AR-1 Agricultural Residential District located on 3.57 acres of the 6.34 acres property, more or less, in the Lewes and Rehoboth Hundred located on the west side of Hopkins Road Sussex County Road 286.



2. The applicant is Kenneth Dominic Alton Drummond owner of Quality Care Homes The subject property has been owned by Mr. Drummond since February 2018.
3. The property is identified on the tax maps of the Sussex County Department of Finance as Tax Map No. 234-5.00 Parcel 46.04.

4. The properties are bordered on:
 - a. North and West by Agricultural Fields currently being farmed – these lands are not in Ag Preservation.
 - b. South by wooded lands that was once part of the total tract from which the subject property was part of.
 - c. East by Hopkins road which is a local road with connections to Fisher Road and Beaverdam Road which will provide easy and safe access to Georgetown, Lewes, Rehoboth Beach, Millsboro and the Long Neck Area.



5. The proposed Conditional Use is for Home remodeling & Repair Services; Storage Repair and Maintenance; Light Building Material and Storage and General Office for Quality Care Homes and Managers Residence for Quality Care Homes.
6. The purpose of the Conditional Use is to provide for certain uses which cannot be well adjusted to their environment in particular locations with full protection offered to surrounding properties by rigid application of the district regulations. These uses are generally of a public or semipublic character and are essential and desirable for the

general convenience and welfare but, because of the nature of the use, the importance of the relationship to the Comprehensive Plan and possible impact not only on neighboring properties but on a large section of the county, require the exercise of planning judgment on location and site plan. The Conditional Use Site Plan Submitted shows how the applicant plans to develop the property for his business. He and his family live on the property and are a part of the neighborhood and therefore has proposed a plan that will not alter the essential character of the neighborhood or create a public nuisance. The applicant has planted in excess of 80 new trees along the open borders of his property. The buildings, parking, storage, etc begins approximately 1000-feet back from Hopkins Road and is not adjacent to any single-family residences. The conditional use area will be surrounded by a vegetative buffer that will provide for proper screening from adjacent neighbors and roadways. Stormwater will be within the conditional use area of the property and will provide for 100% infiltration and groundwater recharge and will meet all SCD/DNREC State Regulations. There will be a new Onsite Wastewater Disposal System and Onsite Domestic Well meeting all the requirements of the DNREC for the uses proposed under the Conditional Use Application. The entrance for the application will share the same entrance as the single-family home on the property and any upgrades to the entrance as required by DelDOT will be provided by the applicant. Two (2) additional buildings are being proposed to provide a means for storage of materials, repairs to vehicles and the day-to-day office and business operation for Quality Care Homes. The second story of one of the buildings will be for general office operations as well as living space for the Businesses General Manager or quality employee. In general, with the objective of ensuring a durable, harmonious and appropriate use of the land in accordance with the objectives of the Comprehensive Plan, the Conditional Use Site Plan presented with the application, assures a good arrangement and appearance and ensuring harmony with the neighborhood.

7. Since 2015 Quality Care Homes has been a local Delaware company that believes in delivering home improvement and general contractor services to the homeowners of Coastal Sussex County. Quality Care Homes provides Home Remodeling, Kitchen and

Bath upgrades, Decks and Porches and General Contracting and Repairs. Quality Care Homes has 2-full time employees, 8 “1099” sub-contractor employees and plans to grow to 20 full-time employees in the future.

8. In the 2019 Sussex County Comprehensive Plan – the area for the proposed Conditional Use is identified to be in a Low-Density. The focus of business uses in Low Density Areas should be providing services to nearby residents. Commercial uses in these residential areas should be limited in their location, size and hours of operation. The Sussex Plan suggests that each application should be reviewed on its own merit and does not have a negative impact on the surrounding area or the county in general.
9. The 2015 Strategies for State Policies and Spending Map identifies the area as Investment 4.
10. The project will be subject to the “Conditions of Approval” which have been submitted as a part of this application.
11. The Conditional Use will be subject to Preliminary and Final Site Plan review and approval by the Planning & Zoning Commission.
12. The proposed conditional use meets the general purpose of the Zoning Ordinance being located in an appropriate location meeting the purpose of this district and the comprehensive plan by providing sufficient space in appropriate locations for certain uses which cannot be well adjusted to their environment in particular locations with full protection offered to surrounding properties by rigid application of the district regulations, which is essential and desirable for the general convenience, orderly growth, prosperity and welfare of the County.

**KENNETH DOMINIC ALTON DRUMMOND
QUALITY CARE HOMES
CONDITIONAL USE #2216
CONDITIONS OF APPROVAL**

Conditional Use approval is subject to the following conditions:

- A. This use shall be limited to home remodeling and home construction services with light material storage, along with maintenance and repairs to the equipment associated with the business and office space for the business and a residence for the manager/employee associated with business. No other businesses shall be conducted from the site and no vehicles associated with any other businesses shall be parked on the site. No retail sales shall be conducted from the site.
- B. To enhance the general character of the district and its compatibility with its residential and agricultural surroundings, one indirectly illuminated on-premises sign, not to exceed 32 square feet of sign area per side shall be permitted for the business.
- C. The hours of operation shall be limited to 6:00 am through 6:00 pm, Monday through Friday and 7:00 am through 2:00pm on Saturday. There shall not be any Sunday hours of operation.
- D. Any security lighting shall be screened so that it does not shine on neighboring properties or roadways.
- E. The applicant shall comply with all DeIDOT requirements, including any entrance or roadway improvements.
- F. All stormwater management facilities shall be subject to the review and approval of the Sussex Conservation District. The final Site Plan shall include the approval of the Sussex Conservation District for the design and location of the stormwater management areas.
- G. There shall not be any dumping on the site and all dumpsters permitted on the site shall be screened from the view of neighboring properties and roadways.
- H. The Final Site Plan shall clearly show all areas for vehicle and equipment storage and parking, and these areas shall be clearly marked on the site itself.
- I. All equipment, trailer and vehicle maintenance and repair shall occur indoors.
- J. All loading areas, storage areas and trash container areas shall be screened and be located at least 50-feet from all property lines. This buffer area shall be shown on the Final Site Plan.
- K. Failure to comply with any of these conditions shall be grounds for termination of the Conditional Use Approval.
- L. The Final site Plan shall be subject to the review and approval of the Planning and Zoning Commission.



Figure 1 of 21.	2019 Aerial Image		Legend Information
1	Lands of Kenneth Dominic Alton Drummond		
	DDRUM19001		

Date: 6/30/2020 Document Path: C:\Users\MWalls\Documents\GIS Projects\DDRUM19001\01 2019 Aerial Image.mxd

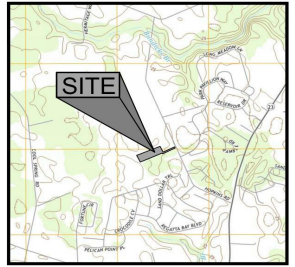
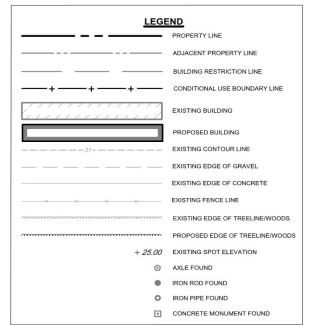


SITE DATA:

- TAX MAP NUMBER: 234-5-00-46-04 DEED BOOK 444, PG. 210
- DEVELOPER NAME: KENNETH DOMINIC ALTON DRUMMOND
- DEVELOPER ADDRESS: 2036H HOPKINS ROAD LEWES, DE 19958
- SITE ADDRESS: 2036H HOPKINS ROAD LEWES, DE 19958
- CURRENT ZONING: AR-1 (AGRICULTURAL/RESIDENTIAL)
- PROPOSED ZONING: AR-1 (CONDITIONAL USE)
- PRESENT USE: RESIDENTIAL HOME REPAIR & IMPROVEMENTS
- PROPOSED USE: RESIDENTIAL HOME REPAIR & IMPROVEMENTS
- REQUIRED SETBACKS: FRONT - 40 FEET SIDE - 15 FEET REAR - 20 FEET
- BUILDING HEIGHT: 4' ALLOWED
- PARKING ARTICLE XXII OFF-STREET PARKING CODE SECTION 115-182) WHOLESALE OR MANUFACTURING: (1) FOR EVERY 2 EMPLOYEES ON THE MAJOR SHIFT ESTABLISHMENTS 2 SPACES REQUIRED TOTAL REQUIRED SPACES 2 + 4 SPACES FOR EVERY 2 EMPLOYEES MAX 8 EMPLOYEES PROPOSED EMPLOYEE PARKING: 12 - ALLOWING FOR FUTURE GROWTH
- WATER SUPPLY: EXISTING PRIVATE ON-SITE WELL WATER IS SUBJECT TO THE APPROVAL OF THE DE WARE STATE DEPARTMENTS OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH
- SEWER SUPPLY: EXISTING PRIVATE ON-SITE SEPTIC
- LATITUDE AND LONGITUDE STATE PLAIN COORDINATES: LONGITUDE: W079° 17' 21.60" LATITUDE: N038° 42' 18.30"
- TOTAL AREA (GROSS): 6.34 ACRES CONDITIONAL USE AREA: 5.93 ACRES REMAINING PARCEL 46.04 AREA: 2.774 ACRES MINIMUM LOT AREA: 32,870 SF MINIMUM LOT WIDTH: 100 FT MINIMUM LOT DEPTH: 100 FT
- NET DEVELOPMENT AREA: 6.34 AC.
- WETLAND AREA: 0.00 AC. (DNREC NAVMAP)
- PROPOSED DISCHARGE LOCATION: HERHOOTH BAY VIA HERRING CREEK & LOVE CREEK
- LIMIT OF DISTURBANCE: TO BE DETERMINED
- 2015 STATE STRATEGIES & INVESTMENT LEVELS: LEVEL 4
- 20 SITE CALCULATIONS: BUILDING AREA: EX = 1,907 SF (0.14 AC.) PR = 15,307 SF (0.86 AC.) GRADES AREA: EX = 216,393 SF (0.51 AC.) PR = 198,388 SF (0.82 AC.) PAVEMENT TO ONE AREA: EX = 23,483 SF (0.06 AC.) PR = 186,885 SF (0.82 AC.) WOODED AREA: EX = 23,223 SF (0.05 AC.) PR = 37,285 SF (0.08 AC.) TOTAL: EX = 278,996 SF (0.33 AC.) PR = 278,986 SF (0.33 AC.)
21. SELECT: 21.1. ROAD NAME - SCR 48 | HOPKINS ROAD 21.1.1. FUNCTIONAL CLASSIFICATION - LOCAL 21.1.2. ADOT # 468 (2016) 21.2. SPEED LIMIT - 40 MPH 21.3. EXISTING RESIDENTIAL/COMMERCIAL ENTRANCE 21.4. PROXIMITY TO TRANSPORTATION DISTRICTS: NONE KNOWN

NOTES:

- THE BOUNDARY INFORMATION SHOWN ON THIS PLAN WAS TAKEN FROM DOCUMENTS OF PUBLIC RECORD AND IS THE RESULT OF AN ACTUAL FIELD SURVEY BY PENNONI ASSOCIATES INC PERFORMED ON MAY 6, 2019.
- THE TOTAL AREA FOR THE SUBJECT PROPERTY IS 6.34 ACRES.
- THIS SURVEY DOES NOT VERIFY THE LOCATION AND/OR EXISTENCE OF EASEMENTS OR RIGHTS-OF-WAY CROSSING SUBJECT PROPERTY AS NO TITLE SEARCH WAS REQUESTED OR PROVIDED.
- THIS PROPERTY APPEARS ON SUSSEX COUNTY TAX MAP 234-5-00 AS PARCEL 46.04, AND IS CURRENTLY ZONED AR-1 (AGRICULTURAL/RESIDENTIAL).
- CLASS OF SURVEY: SUBURBAN.
- DEED REFERENCE: DEED BOOK 444, PAGE 210. PLAT REFERENCE: PLAT BOOK 68, PAGE 210.
- PROPERTY BOUNDARY BEARING SYSTEM IS BASED ON DELAWARE STATE PLANE COORDINATE SYSTEM: HORIZONTAL DATUM NAD83.
- THE PROPERTY IS LOCATED IN ZONE "C" (UNSHADED) ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 180505. ZONE "C" (UNSHADED) IS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN.
- THERE ARE NO WETLANDS ON THE PROPERTY ACCORDING TO THE DNREC ENVIRONMENTAL NAVIGATOR WEBSITE.
- THE PROPERTY IS ZONED AR-1 (AGRICULTURAL/RESIDENTIAL DISTRICT).
- BUILDING SETBACKS (ON 115-292): FRONT - 40' SIDE - 15' REAR - 20'
- THE SUBJECT SITE IS LOCATED IN THE LOVE CREEK AND THE HERRING CREEK AREAS OF THE HERHOOTH BAY WATERSHED. PER DELAWARE DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL (DNREC) ENVIRONMENTAL NAVIGATOR WEBSITE, STORMWATER DISCHARGE WILL BE HANDLED VIA EXISTING DISCHARGE TO THESE WATERSHEDS.
- UNLESS SPECIFICALLY STATED OR SHOWN HERETOIN TO THE CONTRARY, THIS SURVEY IS MADE SUBJECT TO AND DOES NOT LOCATE OR DELINEATE: 11. RIGHTS OR INTEREST OF THE UNITED STATES OF AMERICA OR STATE OF DELAWARE OVER LANDS NOW OR FORMERLY FLOWED BY TIDEWATER, BUT NO LONGER VISIBLE OR PHYSICALLY EVIDENT, OR LANDS CONTAINING ANY ANIMAL, MARINE OR BOTANICAL SPECIES REGULATED BY OR UNDER THE JURISDICTION OF ANY FEDERAL, STATE, OR LOCAL AGENCY. 12. BUILDING SETBACK LINES, ZONING REGULATIONS OR LINES ESTABLISHED BY ANY FEDERAL, STATE OR LOCAL AGENCY WHICH MAY AFFECT THE BUILDING OR DEVELOPMENT POTENTIAL OF THE SUBJECT PROPERTY. 13. SUBSURFACE OR SUBSTANDARD CONDITION, EASEMENTS OR RIGHTS, INCLUDING, BUT NOT LIMITED TO MINERS OR MINING RIGHTS, OR THE LOCATION OF OR RIGHTS TO ANY SUBSURFACE STRUCTURES, CONTAINERS OR FACILITIES OR ANY OTHER NATURAL OR MAN-MADE SUBSURFACE CONDITION WHICH MAY OR MAY NOT AFFECT THE USE OR DEVELOPMENT POTENTIAL OF THE SUBJECT PROPERTY.
- NO UNDERGROUND UTILITY MARKING WAS PERFORMED FOR THIS SURVEY.
- ALL WORK SHALL COMPLY WITH ALL APPLICABLE STATE, FEDERAL AND LOCAL CODES. ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY THE CONTRACTOR AT HIS EXPENSE UNLESS PREVIOUSLY OBTAINED BY OWNER.
- THE CONTRACTOR SHALL IMMEDIATELY INFORM THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THEY DISCOVER IN THE PLAN.
- DEVIATION FROM THESE PLANS AND NOTES WITHOUT THE PRIOR CONSENT OF THE OWNER OR HIS REPRESENTATIVE OR THE ENGINEER MAY BE CAUSE FOR THE WORK TO BE REJECTED.
- DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WORK TO BE PERFORMED. IT MUST BE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AS AMENDED AND ALL RULES AND REGULATIONS THEREO APPURTINANT.
- PRIOR TO CONSTRUCTION, CONTRACTOR TO FIELD LOCATE AND RECORD ANY DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REMOVED OR REPLACED. ENGINEER TO VERIFY LOCATION AND EXTENT OF DAMAGE.
- DAMAGE TO EXISTING PAVING, SIDEWALK, CURB OR STRUCTURES NOT TO BE REPLACED OR REMOVED DURING CONSTRUCTION SHALL BE IMMEDIATELY REPORTED TO ENGINEER. CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED WORK WITHOUT CHARGE TO THE OWNER.
- ALL SECURITY LIGHTING (IF NECESSARY) SHALL BE DOWNWARD SCREENED SO THAT IT DOES NOT SHINE ON NEIGHBORING PROPERTIES OR ROADWAYS.
- ALL FIRE LINES, EXITS, STANDPIPE AND SPRINKLER CONNECTIONS WILL BE MARKED IN ACCORDANCE WITH STATE FIRE PREVENTION REGULATIONS.
- MESS UTILITY SHALL BE NOTIFIED THREE (3) DAYS PRIOR TO EXCAVATION.
- MAINTENANCE OF THE STREETS WITHIN THE SITE WILL BE THE RESPONSIBILITY OF THE DEVELOPER AND/OR PROPERTY OWNERS WITHIN THE SITE. THE STATE AND COUNTY ASSUME NO RESPONSIBILITY FOR THE FUTURE MAINTENANCE OF THESE STREETS.
- THE HEIGHT, LOCATION AND MATERIAL OF ALL FENCES, WALLS, SCREEN PLANTING AND LANDSCAPING WILL BE SHOWN ON THE FINAL SITE PLAN.
- ANY PROPOSED SIGN DETAILS WILL BE SUBMITTED SEPARATELY.



VICINITY MAP SCALE: 1" = 200'

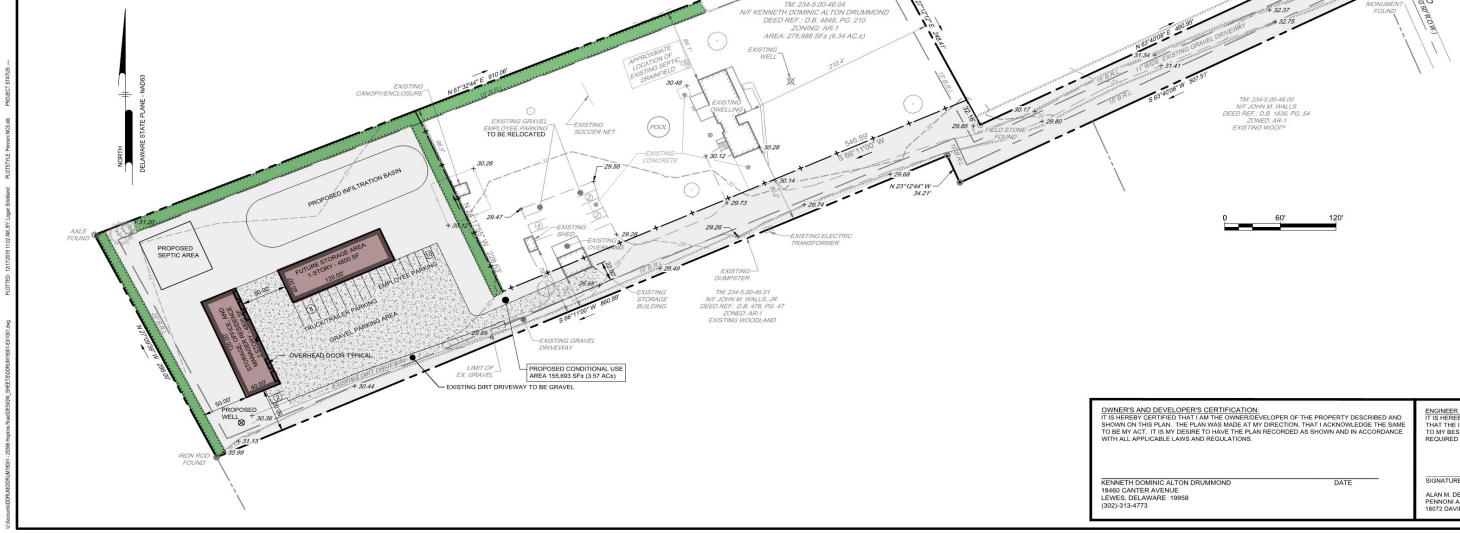
SITE INFORMATION:

SITE ADDRESS: 2036H HOPKINS ROAD LEWES, DE 19958
 OWNER/DEVELOPER: KENNETH DOMINIC ALTON DRUMMOND 2036H HOPKINS ROAD LEWES, DE 19958
 ENGINEER: PENNONI ASSOCIATES, INC. 18072 DAVIDSON DRIVE MILTON, DE 19966



ALL DIMENSIONS SHOWN ARE UNLESS OTHERWISE SPECIFIED BY CONTRACTOR AND OWNER MUST BE NOTED BY ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK

**LANDS OF KENNETH DOMINIC ALTON DRUMMOND
 SUSSEX COUNTY TAX MAP 234-5-00-46-04
 LEWES A HERHOOTH-HUNDRED
 LEWES, DELAWARE 19958
 CONDITIONAL USE SITE PLAN
 KENNETH DOMINIC ALTON DRUMMOND
 2036H HOPKINS ROAD
 LEWES, DELAWARE 19958**



OWNER'S AND DEVELOPER'S CERTIFICATION: IT IS HEREBY CERTIFIED THAT I AM THE OWNER/DEVELOPER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THE PLAN WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT. IT IS MY DESIRE TO HAVE THE PLAN RECORDED AS SHOWN AND IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

KENNETH DOMINIC ALTON DRUMMOND DATE
 1800 DAVIDSON AVENUE LEWES, DELAWARE 19958 (302) 313-4773

ENGINEER'S CERTIFICATION: IT IS HEREBY CERTIFIED THAT I AM A PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE. THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION, AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

SIGNATURE: ALAN M. DECKTOR, P.E. (DE PE #17771) DATE: (302) 884-8030
 PENNONI ASSOCIATES, INC. 18072 DAVIDSON DRIVE MILTON, DE 19966

NO.	DATE	DESCRIPTION	BY
1	1/15/2019	LIMITED LAYOUT PER CLIENT SPECIFICATION	US
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ALL DIMENSIONS PREPARED BY PENNONI ASSOCIATES AND APPROVED BY REGISTERED PROFESSIONAL ENGINEER. THIS PLAN IS NOT INTENDED TO BE CONSIDERED AS A CONTRACT DOCUMENT. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF PENNONI ASSOCIATES. PENNONI ASSOCIATES SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THIS PLAN. PENNONI ASSOCIATES SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THIS PLAN. PENNONI ASSOCIATES SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY CAUSED BY THE USE OF THIS PLAN.

PROJECT: DDRUM19001
 DATE: 2019-07-16
 DRAWING SCALE: 1" = 60'
 DRAWN BY: MW
 APPROVED BY: AMD
EX1001
 SHEET 1 OF 1



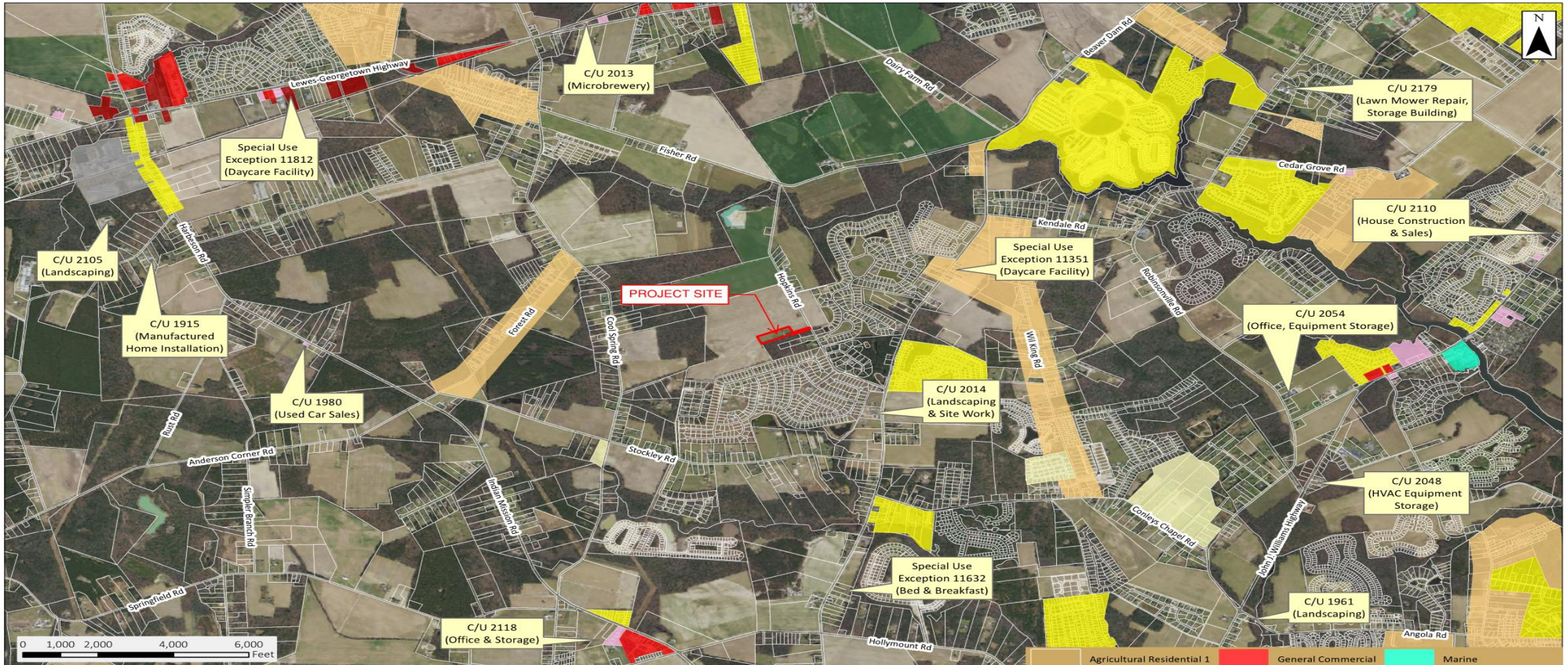


Figure 21 of 21. **Area Approved Land Use Applications & County Zoning**
 Lands of Kenneth Dominic Alton Drummond
 DDRUM19001



	Agricultural Residential 1		General Commercial		Marine
	Agricultural Residential 2		General Residential		Medium Residential
	Commercial Residential		Heavy Industrial		Neighborhood Business



PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date July 23, 2020.

Application: (CU 2233) Brothers Landscaping, LLC

Applicant: Brothers Landscaping, LLC
24516 German Road
Seaford, DE 19973

Owner: Ualfred and Ismar Chun
24516 German Road
Seaford, DE 19973

Site Location: 24516 German Road
Seaford, DE 19973

Current Zoning: Agricultural Residential (AR-1)

Type of Conditional
Use Requested: Landscaping Business

Comprehensive Land
Use Plan Reference: Low Density

Councilmanic
District: Mr. Wilson

School District: Seaford School District

Fire District: Seaford Fire District

Sewer: Tier 4- System Optional Area

Water: Private

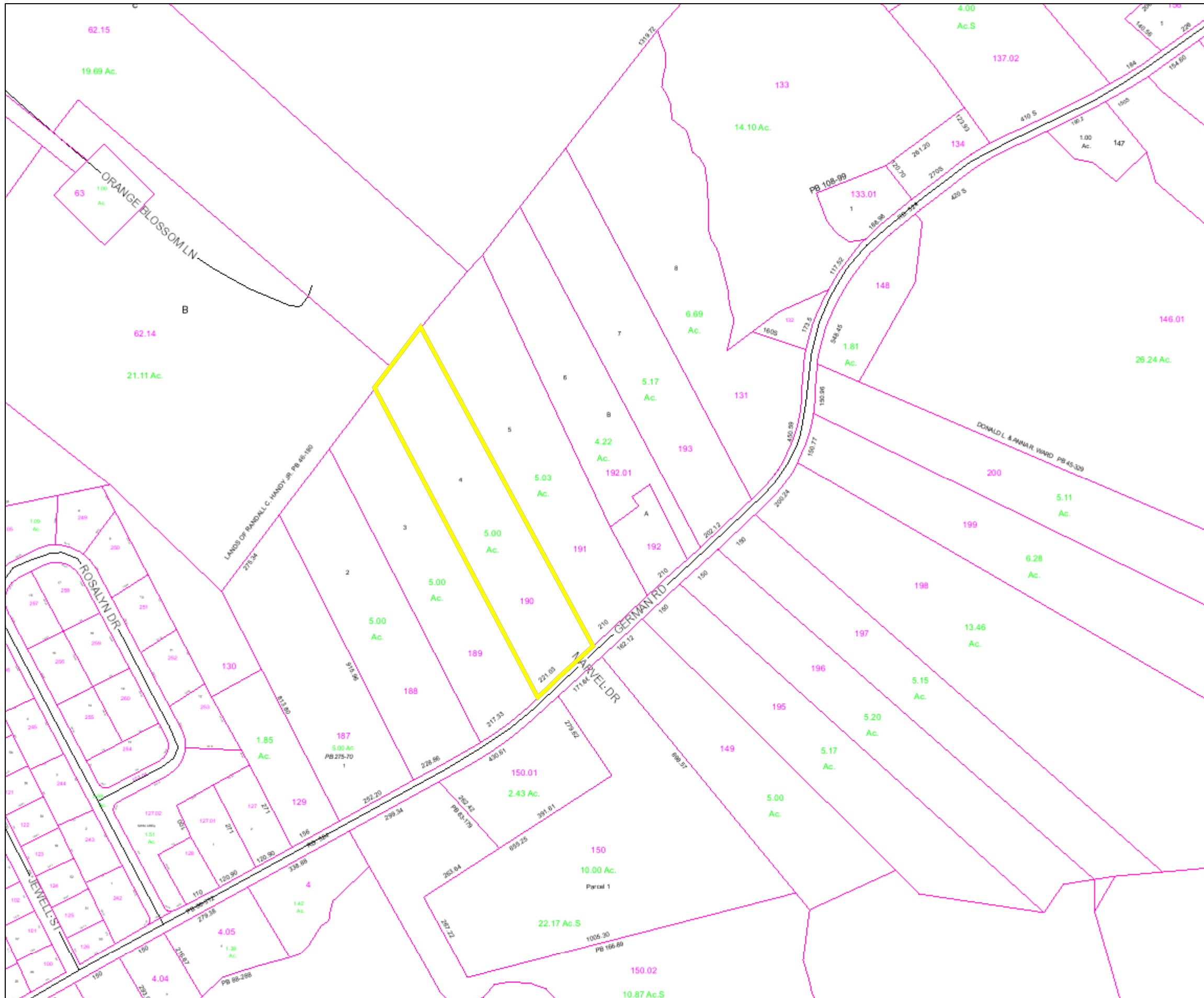
Site Area: 5.00 acres +/-

Tax Map ID.: 231-13.00-190.00





Sussex County



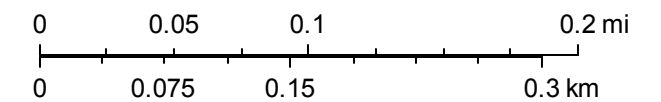
PIN:	231-13.00-190.00	
Owner Name	CHUN	CASTRO
	UALFRED E	
Book	5121	
Mailing Address	24516 GERMAN RD	
City	SEAFORD	
State	DE	
Description	LANDS OF RANDALL C	
Description 2	HANDY JR LOT 4	
Description 3	NW/RT 524 CT#43155	
Land Code		

- polygonLayer**

Override 1
- polygonLayer**

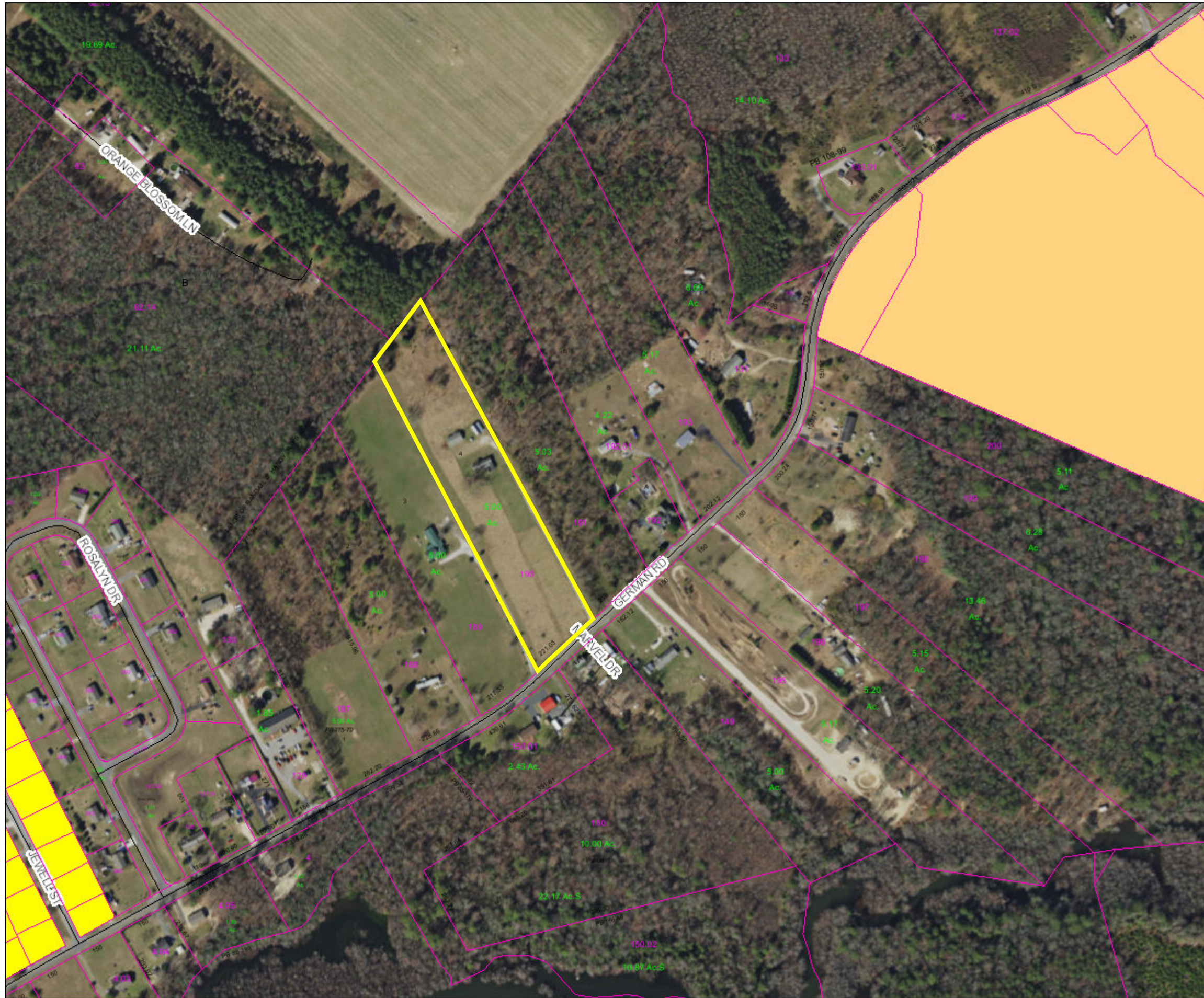
Override 1
- Tax Parcels
- Streets
- County Boundaries
- DOE School Districts

1:4,514





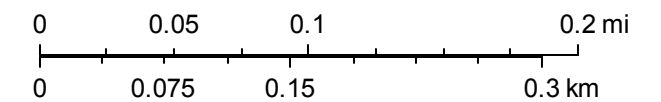
Sussex County



PIN:	231-13.00-190.00	
Owner Name	CHUN	CASTRO
	UALFRED E	
Book	5121	
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State	DE	
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- polygonLayer**
Override 1
- polygonLayer**
Override 1
- Tax Parcels
- Streets

1:4,514





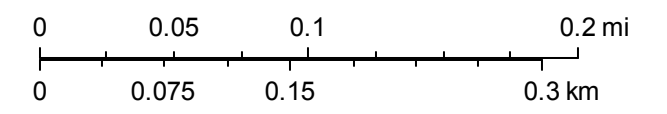
Sussex County



PIN:	231-13.00-190.00	
Owner Name	CHUN	CASTRO
	UALFRED E	
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City	SEAFORD	
State	DE	
Description	LANDS OF RANDALL C	
Description 2	HANDY JR LOT 4	
Description 3	NW/RT 524 CT#43155	
Land Code		

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- Streets
- County Boundaries
- DOE School Districts

1:4,514



File #: CU 2233
Application # 202005023

Planning & Zoning Commission Application Sussex County, Delaware

Sussex County Planning & Zoning Department
2 The Circle (P.O. Box 417) Georgetown, DE 19947
302-855-7878 ph. 302-854-5079 fax

RECEIVED

JUN 06 2020

SUSSEX COUNTY
PLANNING & ZONING

Type of Application: (please check applicable)

Conditional Use

Zoning Map Amendment

Site Address of Conditional Use/Zoning Map Amendment

24516 German Rd, Seaford

Type of Conditional Use Requested:

Tax Map #: 231-13.00-190.00

Size of Parcel(s): 5.00 Acres

Current Zoning: AR-1

Proposed Zoning: CU

Size of Building: _____

Land Use Classification: Residential

Water Provider: Well

Sewer Provider: septic

Applicant Information

Applicant Name: Brothers Landscaping, LLC

Applicant Address: 24516 German Rd

City: Seaford

State: DE

Zip Code: 19973

Phone #: 302-528-7673

E-mail: brothersgrading73@gmail.com

Owner Information

Owner Name: Ualfred Chun / Ismar Chun

Owner Address: 24516 German Rd

City: Seaford

State: DE

Zip Code: 19973

Phone #: 302-528-7673

E-mail: brothergrading73@gmail.com

Agent/Attorney/Engineer Information

Agent/Attorney/Engineer Name: Barry Hall - Solutions IPem

Agent/Attorney/Engineer Address: 3003 Merritt Mill Road

City: Salisbury

State: MD

Zip Code: 21804

Phone #: 410-572-8833

E-mail: _____



Check List for Sussex County Planning & Zoning Applications

The following shall be submitted with the application



Completed Application

- ___ Provide eight (8) copies of the Site Plan or Survey of the property
 - o Survey shall show the location of existing or proposed building(s), building setbacks, parking area, proposed entrance location, etc.
 - o Provide a PDF of Plans (may be e-mailed to a staff member)
 - o Deed or Legal description

- ___ Provide Fee \$500.00

- ___ Optional - Additional information for the Commission/Council to consider (ex. architectural elevations, photos, exhibit books, etc.) If provided submit 8 copies and they shall be submitted a minimum of ten (10) days prior to the Planning Commission meeting.

- ___ Please be aware that Public Notice will be sent to property owners within 200 feet of the subject site and County staff will come out to the subject site, take photos and place a sign on the site stating the date and time of the Public Hearings for the application.

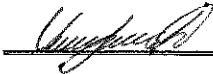
- ___ DeIDOT Service Level Evaluation Request Response

- ___ PLUS Response Letter (if required)

The undersigned hereby certifies that the forms, exhibits, and statements contained in any papers or plans submitted as a part of this application are true and correct.

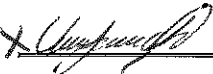
I also certify that I or an agent on my behalf shall attend all public hearing before the Planning and Zoning Commission and the Sussex County Council and any other hearing necessary for this application and that I will answer any questions to the best of my ability to respond to the present and future needs, the health, safety, morals, convenience, order, prosperity, and general welfare of the inhabitants of Sussex County, Delaware.

Signature of Applicant/Agent/Attorney

X  _____

Date: 03-19-2020

Signature of Owner

X  _____

Date: 03-19-2020

For office use only:

Date Submitted: _____ Fee: \$500.00 Check #: _____
Staff accepting application: _____ Application & Case #: _____
Location of property: _____

Subdivision: _____
Date of PC Hearing: _____ Recommendation of PC Commission: _____
Date of CC Hearing: _____ Decision of CC: _____

Mailing List Application Form

For Applications requiring a Public Hearing in Sussex County

Please fill out this form and return it with your application. As a part of your application a Public Hearing is required. The property owners within 200' of the site of the application will be notified. Staff will notify the property owners.

Application Information:

Site Address: 24516 German Rd
Seaford DE 19973

Parcel #: 231-1300-190.00

Site Address: 24516 German Rd
Seaford DE 19973

Parcel #: 231-13.00-190.00

Applicant Name: Brother's Landscaping, LLC

Owner Name: Walfred Chun / Ismar Chun

Type of Application:

Conditional Use: _____

Change of Zone: _____

Subdivision: _____

Board of Adjustment: _____

Date Submitted: _____

For office use only:

Date of Public Hearing: _____

File #: _____

Date list created: _____

List created by: _____

Date letters mailed: _____

Letters sent by: _____

Planning & Zoning Project Contact List

Applicant Information

Applicant Name: Brother's Landscaping, LLC
 Applicant Address: 24516 German Rd
 City: Seaford State: DE Zip: 19973
 Phone #: 302-528-7673 E-mail: brothersgrading73@gmail.com

Owner Information

Owner Name: Wolfred Chun / Ismar Chun
 Owner Address: 24516 German Rd
 City: Seaford State: DE Zip: 19973
 Phone #: 302-528-7673 E-mail: brothersgrading73@gmail.com

Engineer/Surveyor Information

Engineer/Surveyor Name: Barry Hall - Solutions IPem
 Engineer/Surveyor Address: 3003 Merritt Mill ~~and~~ Road
 City: Salisbury State: MD Zip: 21804
 Phone #: 410-572-8833 E-mail: _____

Agent/Attorney Information

Agent/Attorney/Name: _____
 Agent/Attorney/Address: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ E-mail: _____

Other

Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ E-mail: _____





STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

JENNIFER COHAN
SECRETARY

January 31, 2020

Mr. Jamie Whitehouse, Acting Director
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

Dear Mr. Whitehouse:

The Department has completed its review of a Service Level Evaluation Request for the **Ismar Chun / Ualfred Chun** conditional use application, which we received on January 15, 2020. This application is for an approximately 5.00-acre parcel (Tax Parcel: 231-13.00-190.00). The subject land is located on the northwest side of German Road (Sussex Road 524), approximately 4,490 feet northeast of the intersection of German Road and Concord Pond Road (Sussex Road 516), east of Seaford. The subject land is currently zoned AR-1 (Agricultural Residential), and the applicant is seeking a conditional use approval to operate a landscaping business.

Per the 2018 Delaware Vehicle Volume Summary, the annual average daily traffic volume along the segment of German Road where the subject land is located is 815 vehicles per day.

Based on our review, we estimate that the above land use will generate fewer than 50 vehicle trips in any hour and fewer than 500 vehicle trips per day. These numbers of trips are DelDOT's minimum warrants for determining that a Traffic Impact Study (TIS) should be required for a particular development. Because the proposed land use would not meet these warrants, we consider the development's traffic impact to be negligible in the context of our agreement with the County regarding land development coordination and we do not recommend that the applicant be required to perform a TIS for the subject application. DelDOT's description of this application as negligible with regard to warranting a TIS does not mean that it is negligible in other respects. We recommend that the applicant not be required to perform a TIS for the subject application.

If the County approves this application, the applicant should be reminded that DelDOT requires compliance with State regulations regarding plan approvals and entrance permits, whether or not a TIS is required.



Mr. Jamie Whitehouse
Page 2 of 2
January 31, 2020

Please contact Mr. Claudy Joinville, at (302) 760-2124, if you have questions concerning this correspondence.

Sincerely,



T. William Brockenbrough, Jr.
County Coordinator
Development Coordination

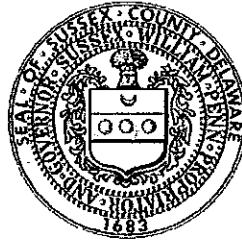
TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
Ismar Chun and Ualfred Chun, Applicant
J. Marc Coté, Assistant Director, Development Coordination
Gemez Norwood, South District Public Works Manager, Maintenance and Operations
Susanne Laws, Sussex County Subdivision Coordinator, Development Coordination
Derek Sapp, Subdivision Manager, Development Coordination
Kevin Hickman, Subdivision Manager, Development Coordination
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
James Argo, South District Project Reviewer, Maintenance & Operations
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

PLANNING & ZONING

JANELLE M. CORNWELL, AICP
DIRECTOR

(302) 855-7878 T
(302) 854-5079 F



Sussex County

DELAWARE
sussexcountyde.gov

Service Level Evaluation Request Form

This form **shall** be submitted to the Planning and Zoning Office and a response **shall** be received back from DeDOT prior to the applicant being able to submit an application to the Planning and Zoning Office.

Date: 1/16/20

Site Information:

Site Address/Location: 24516 German Rd Seaford, DE 19973

Tax Parcel Number: 231-13.00 - 190.00

Current Zoning: AR-1

Proposed Zoning: Cu

Land Use Classification: Residential

Proposed Use(s): Back of property, parking, employee cars and our business vehicles and equipment. No customers.

Square footage of any proposed buildings or number of units: 1 shed

Applicant Information:

Applicant's Name: Brothers Landscaping, LLC

Applicant's Address: 24516 German Rd

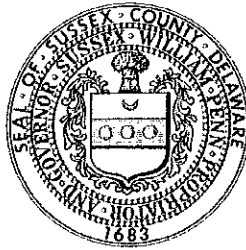
City: Seaford State: DE Zip Code: 19973

Applicant's Phone Number: 302-528-7673

Applicant's e-mail address: Brothersgrading73@gmail.com



CONSTABLE
LESTER R. SHAFFER
CHIEF COUNTY CONSTABLE
(302) 855-7819 T
(302) 855-7798 F



Sussex County
DELAWARE
sussexcountyde.gov

NOTICE OF VIOLATION

January 15, 2020

ZUNUN AMILCAR BONI ORTIZ
17573 DAVIS RD
GEORGETOWN, DE 19947

REFERENCE NUMBER: 3261
PARCEL: 231-13.00-190.00
PARCEL DESCRIPTION: LANDS OF RANDALL C HANDY JR LOT 4 NW/RT 524
CT#43155
LOCATION: 24516 GERMAN ROAD SEAFORD

Violations: §115-22. Illegal Business in AR District.

The County Code requires a Conditional Use application that may be submitted to the Sussex County Planning & Zoning Department for consideration by the Planning & Zoning Commission. Based on the site visit, the property is in violation of County Code as described:
Landscaping business

On 01/15/20 a site visit was conducted by the Sussex County Constable's Office. Based on observations made at that time, there is reason to believe a violation of the County Code exists on the parcel described above.

Within fifteen (15) calendar days, the owner or occupant is required to obtain a permit for the above described structure. Failure to comply will result in a summons issued for you to appear in the Justice of the Peace Court or other court of competent jurisdiction as may be determined by Sussex County. Violations are subject to the remedies in the Sussex County Code outlined below, and such other remedies as may be available to Sussex County in law or in equity.

§ 115-229 Violations and penalties.

Any person or corporation who shall violate any of the provisions of this chapter or who shall fail to comply therewith or with any of the requirements thereof or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be liable to a fine of not more than \$100, and each day such violation shall be permitted to exist shall constitute a separate offense. The owner or owners of any building or premises or part thereof where anything in violation of this

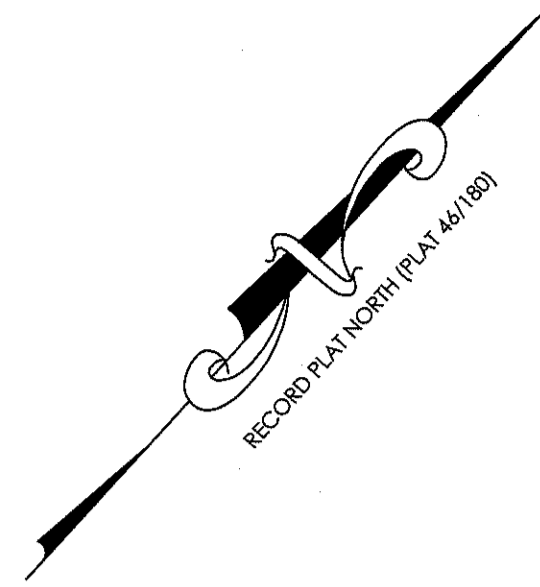
chapter shall be placed or shall exist and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who has assisted in the commission of any such violation shall be guilty of a separate offense and, upon conviction thereof, shall be fined as hereinbefore provided.

If you have questions regarding this violation, please contact the office to discuss. If you have any documentation that disputes the preliminary findings, please provide copies to the Planning & Zoning Department for their review. **Please include this notice with any documentation you present.**

The office is in the County Administration Building, 2 The Circle, Georgetown, Delaware. The office hours are 8:30AM – 4:30PM, Monday through Friday.

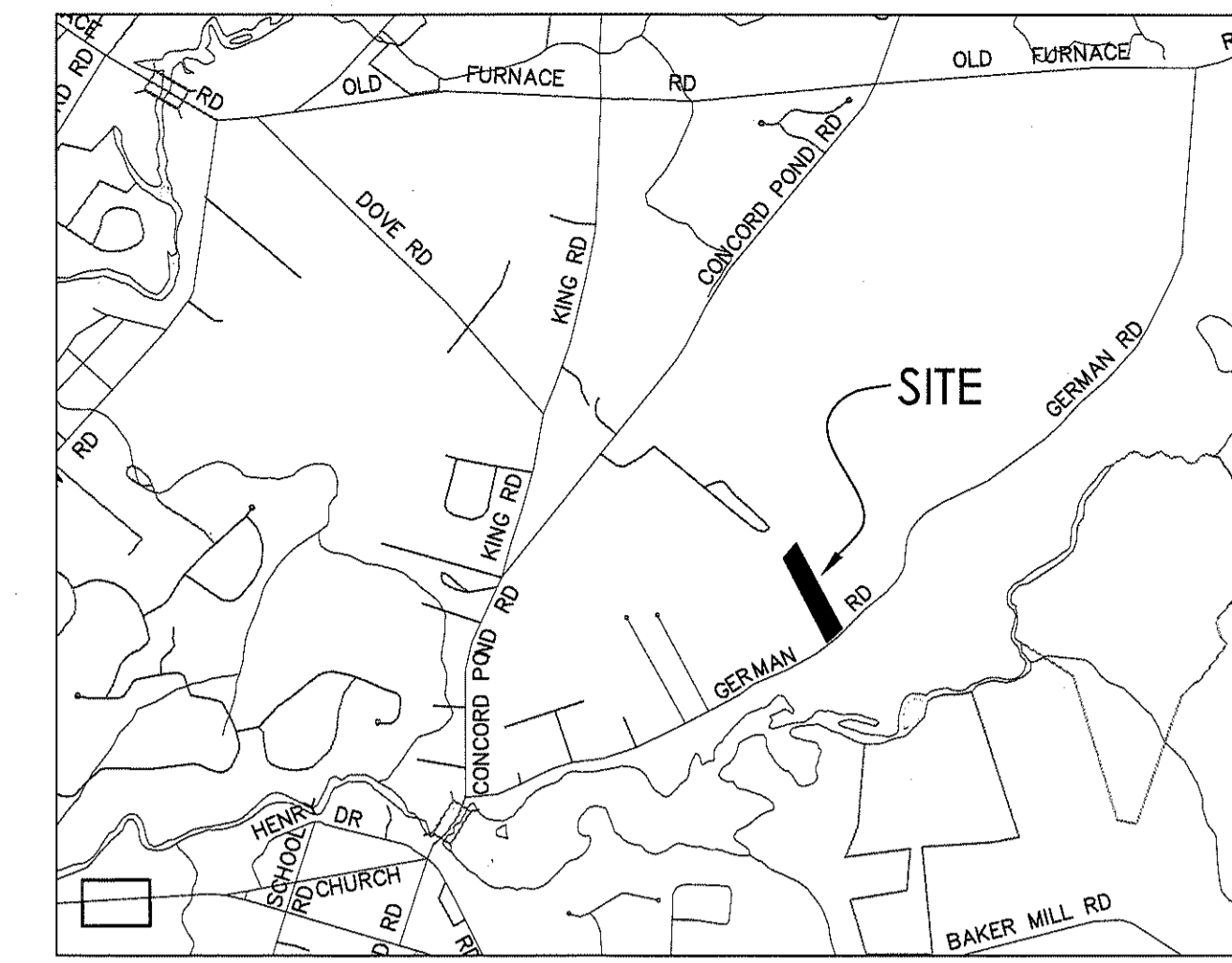
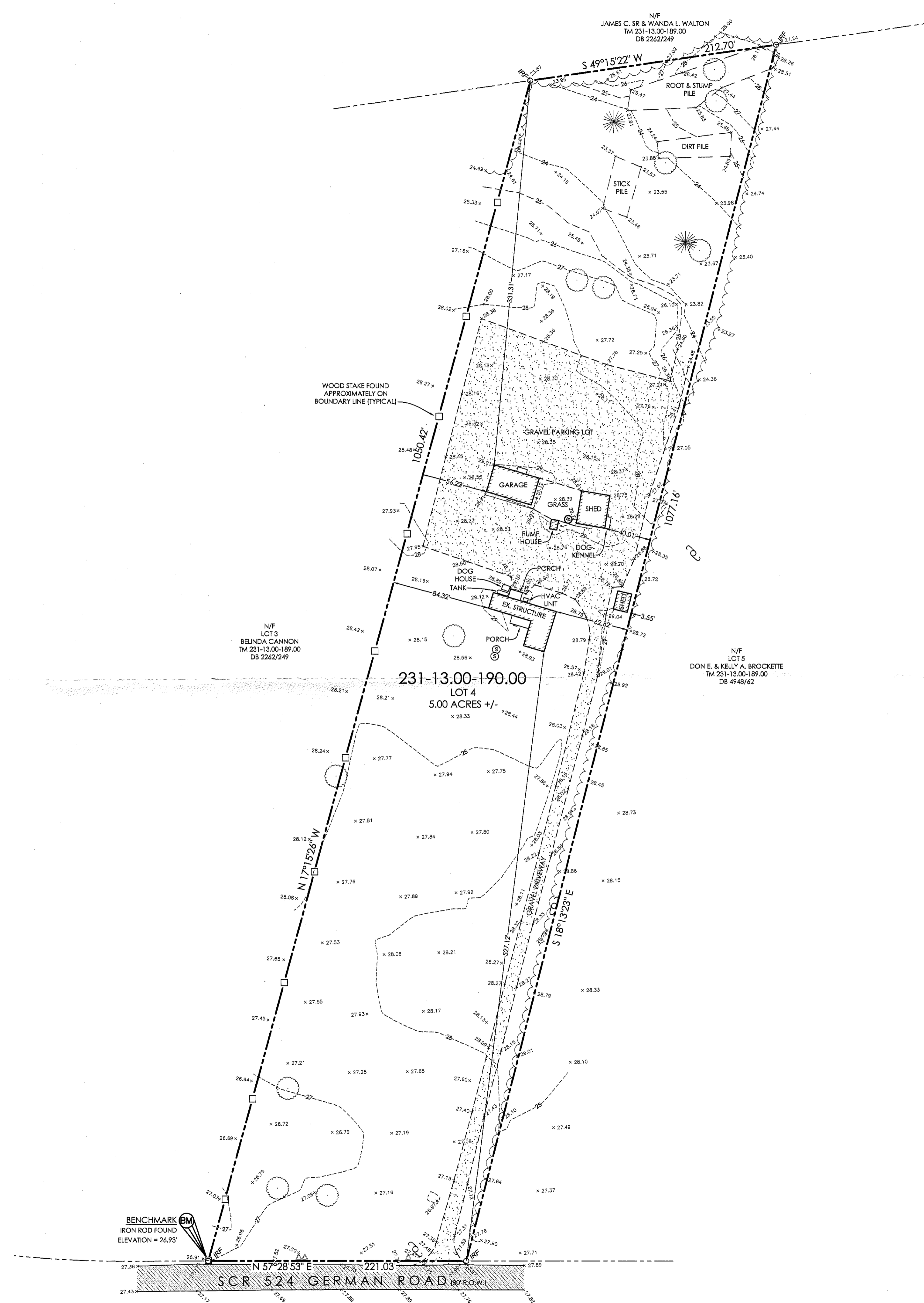
This Notice of Violation is being issued under the authority of the Sussex County Planning and Zoning Director.

KELLY PASSWATERS
Sussex County Constable



LEGEND

PROPERTY LINE	---
DJOINING PROPERTY LINE	- - - -
IRON ROD FOUND	IRFO
BENCH MARK	BM
SPOT ELEV. LABEL	x 19.25
MAJOR CONTOUR	---
MINOR CONTOUR	- - - -
EDGE OF CONCRETE	---
EDGE OF PAVEMENT	---
EDGE OF GRAVEL	---
PAVEMENT HATCH	▨
CONCRETE HATCH	▨
GRAVEL HATCH	▨
BUILDING OUTLINE	▨
BUILDING HATCH	▨
MAILBOX	△
SANITARY MANHOLE	⊙
WELL	⊙
UTILITY POLE	⊙
TREE LINE	~
DECIDUOUS TREE	⊙
CONIFEROUS TREE	⊙



VICINITY MAP
SCALE: 1" = 2000' +/-

GENERAL NOTES

- CURRENT OWNER: UALFRED E. & ISMAR HERBERT CHUN CASTRO
24516 GERMAN ROAD
SEAFORD, DELAWARE 19973
- TAX REFERENCE: 231-13.00-190.00
- DEED REFERENCE: 5121/122
- PLAT REFERENCE: 46/180
- BASED UPON F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER 10005C0268L, PANEL 288 OF 640, WITH AN EFFECTIVE DATE OF JUNE 20, 2018, THIS SITE IS LOCATED WITHIN FLOOD ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- SETBACKS PER ZONING CODE:
FRONT = 40'
SIDE = 15'
REAR = 20'
- ZONED: AR-1, AGRICULTURAL RESIDENTIAL
- ELEVATION DATUM SHOWN HEREON IS REFERENCED TO NAVD 1988 DATUM.



solutions
Integrated Planning
Engineering & Management, LLC

303 North Bedford Street
Georgetown, DE 19147
T. 302.297.9215
3003 Merritt Hill Road
Salisbury, MD 21804
T. 410.572.8833
www.solutionsipem.com Copyright © 2020

Seal
Date

REVISIONS	
NO.	DESCRIPTION

BOUNDARY SURVEY PLAN WITH EXISTING CONDITIONS
OF THE LANDS OF
**UALFRED E. CHUN CASTRO &
ISMAR HERBERT CHUN CASTRO**
NANTICOKE HUNDRED
SUSSEX COUNTY, DELAWARE

SURVEYOR'S CERTIFICATION

I, BARRY M. HALL, CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF DELAWARE AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, INFORMATION, AND BELIEF, THE BOUNDARY SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY THE ACCEPTED SURVEYING STANDARDS FOR A SUBURBAN CLASS SURVEY.

SOLUTIONS I.P.E.M., LLC.
by BARRY M. HALL, AGENT

Barry M. Hall
BARRY M. HALL
PROFESSIONAL LAND SURVEYOR DE NO. 618
3003 MERRITT HILL ROAD,
SALISBURY, MD 21804
410-572-8833



Date:	02-25-2020	MRB	BMH
Job Number:	S20009	1"=50'	
Scale:			
Drawn By:			
Designed By:			
Approved By:			

Sheet No.: 1
File Name: S20009-TOPO.DWG