

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
JANELLE CORNWELL, AICP
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: July 25, 2019

Application: CZ 1885 36191 DWB, LLC

Applicant/Owner: 36191 DWB, LLC
35089 Lighthouse Rd.
Selbyville, DE 19975

Site Location: 36191 Lighthouse Rd., north side of Lighthouse Rd., approximately 850 feet west of Zion Church Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Zoning: C-3 (Heavy Commercial District)

Comprehensive Land Use Plan Reference: Coastal Area

Councilmatic District: Mr. Rieley

School District: Indian River School District

Fire District: Roxana Fire District

Sewer: Sussex County

Water: Private, On-Site

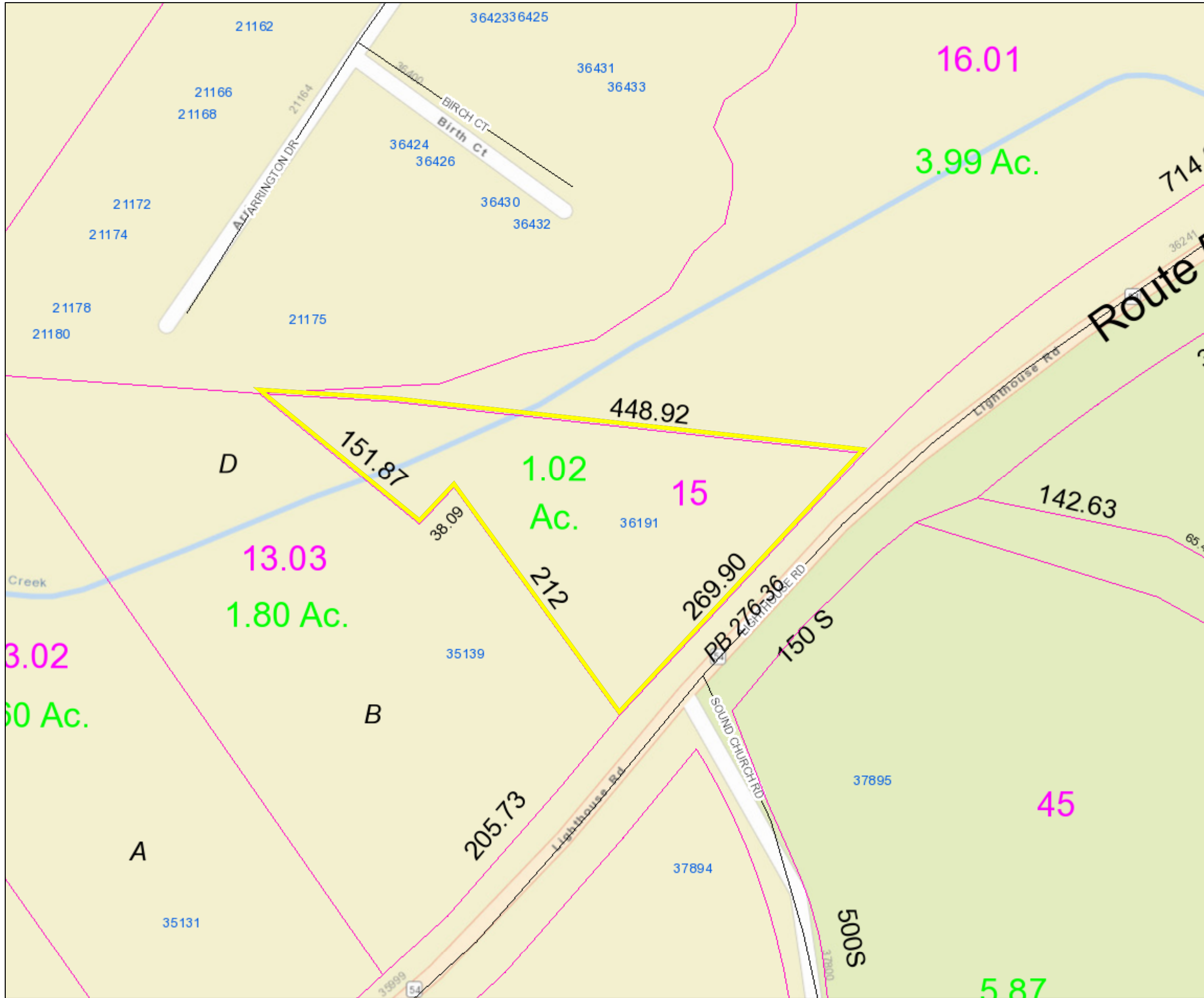
Site Area: 1.015 acres +/-

Tax Map ID.: 533-19.00-15.00



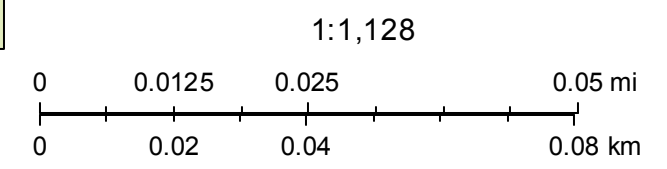


Sussex County



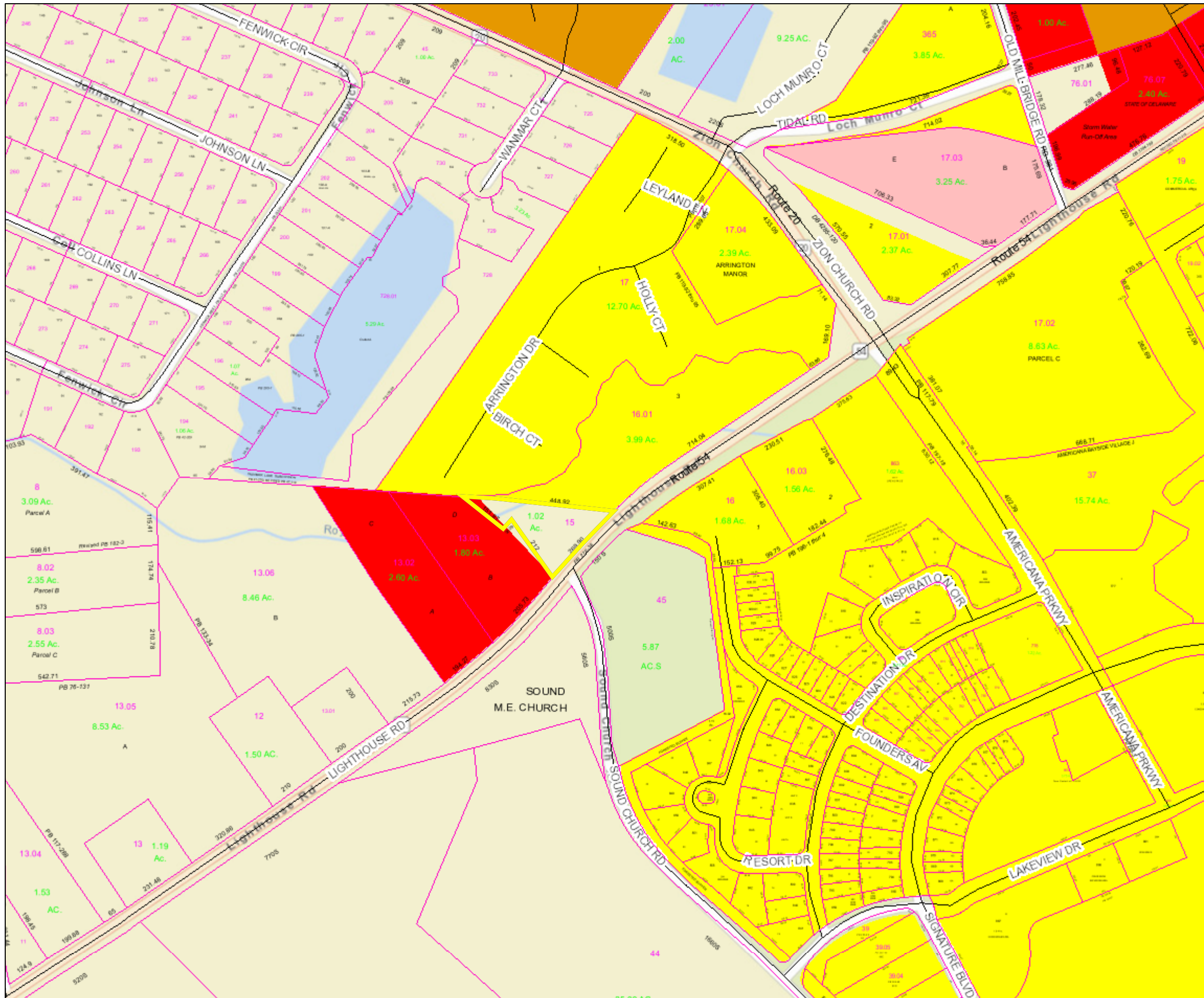
PIN:	533-19.00-15.00
Owner Name	BRASURE DARRYL W
Book	3697
Mailing Address	35089 LIGHTHOUSE RD
City	SELBYVILLE
State	DE
Description	NW/LIGHTHOUSE RD &
Description 2	SOUND CHURCH RD
Description 3	1.02 AC
Land Code	

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





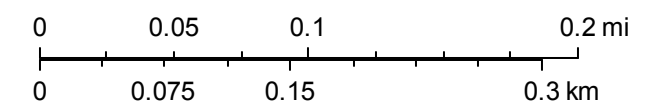
Sussex County



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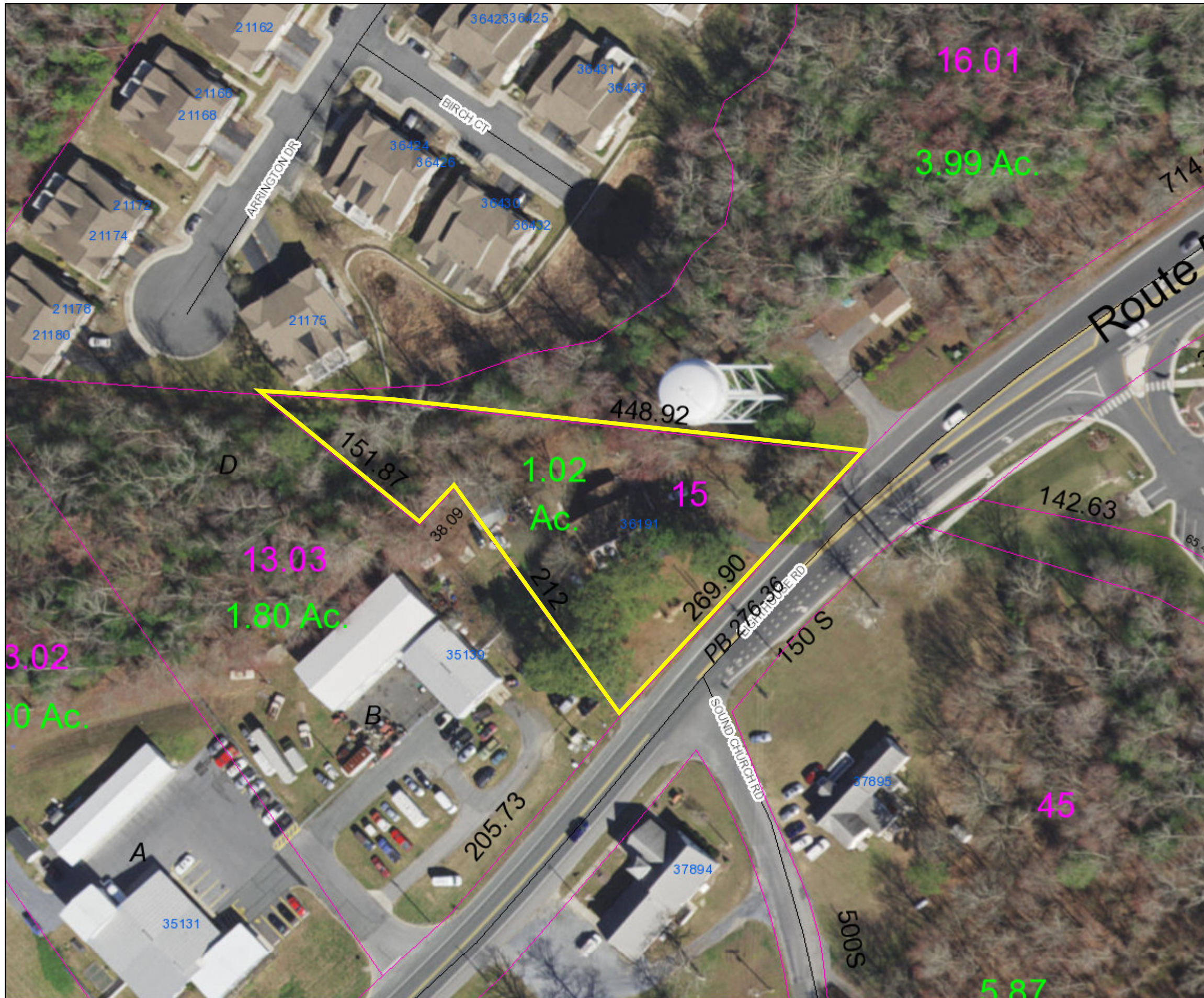
- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
 - Tax Parcels
 - Streets
- Zoning**
- Agricultural Residential - AR-1
 - Agricultural Residential - AR-2
 - Medium Residential - MR
 - General Residential - GR
 - High Density Residential - HR-1
 - High Density Residential - HR-2
 - Vacation, Retire, Resident - VRP
 - Neighborhood Business - B-1
 - General Commercial - C-1
 - Commercial Residential - CR-1
 - Marine - M
 - Limited Industrial - LI-1
 - Limited Industrial - LI-2
 - Heavy Industrial - HI-1

1:4,514



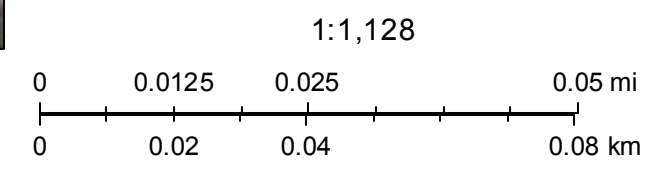


Sussex County



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PLANNING & ZONING

JANELLE M. CORNWELL, AICP
DIRECTOR

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



Sussex County

DELAWARE
sussexcountype.gov

Memorandum

To: Sussex County Planning Commission Members
From: Janelle Cornwell, AICP, Planning & Zoning Director
CC: Vince Robertson, Assistant County Attorney and applicant
Date: July 18, 2019
RE: Staff Analysis for CZ 1885 36191 DWB, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1885 36191 DWB, LLC to be reviewed during the July 25, 2019 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 parcel 533-19.00-15.00 to allow for a change from AR-1 (Agricultural Residential District) to C-3 (Heavy Commercial District) to be located at 36191 Lighthouse Rd. The size of the property is 1.015 ac. +/-.

The 2018/2019 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 indicates that the properties have the land use designation Coastal Area.

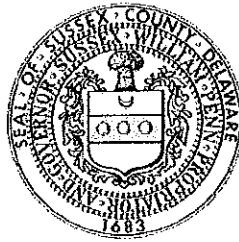
The surrounding land use to the north, south, east and west is Coastal Area. The Coastal Areas land use designation recognizes that "a range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas." C-3 is a zoning district that may be considered in the Coastal Area land use.

The property is zoned AR-1 (Agricultural Residential District). The properties to the north and south are zoned MR (Medium-Density Residential District - Residential Planned Community) and AR-1 (Agricultural Residential District). The properties to the east are zoned C-1 General Commercial District). The properties to the west are MR-RPC (Medium-Density Residential District - Residential Planned Community). There are no known Conditional Use in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Change of Zone to allow a change from AR-1 (Agricultural Residential District) to C-3 (Heavy Commercial District) would be considered consistent with the land use, area zoning and uses.



PLANNING & ZONING
JANELLE M. CORNWELL, AICP
DIRECTOR
(302) 855-7878 T
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Sussex County
DELAWARE
sussexcountycorv.com

FEB 26 2019

Service Level Evaluation Request Form

SUSSEX COUNTY
PLANNING & ZONING

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: 2-26-19

Site Information:

Site Address/Location: 38079 Bayard Road Frankford, DE
19945

Tax Parcel Number: 533-19.00-15.00

Current Zoning: AR

Proposed Zoning: C3

Land Use Classification: ESDD

Proposed Use(s):

Auto Repair or Office

Square footage of any proposed buildings or number of units: see attached
survey & deed

Applicant Information:

Applicant's Name: DWB LLC

Applicant's Address: 66 Tim Willard 26 The Circle
City: Georgetown, State: DE Zip Code: 19947

Applicant's Phone Number: 302-850-7777

Applicant's e-mail address: tim@fusslaw.com

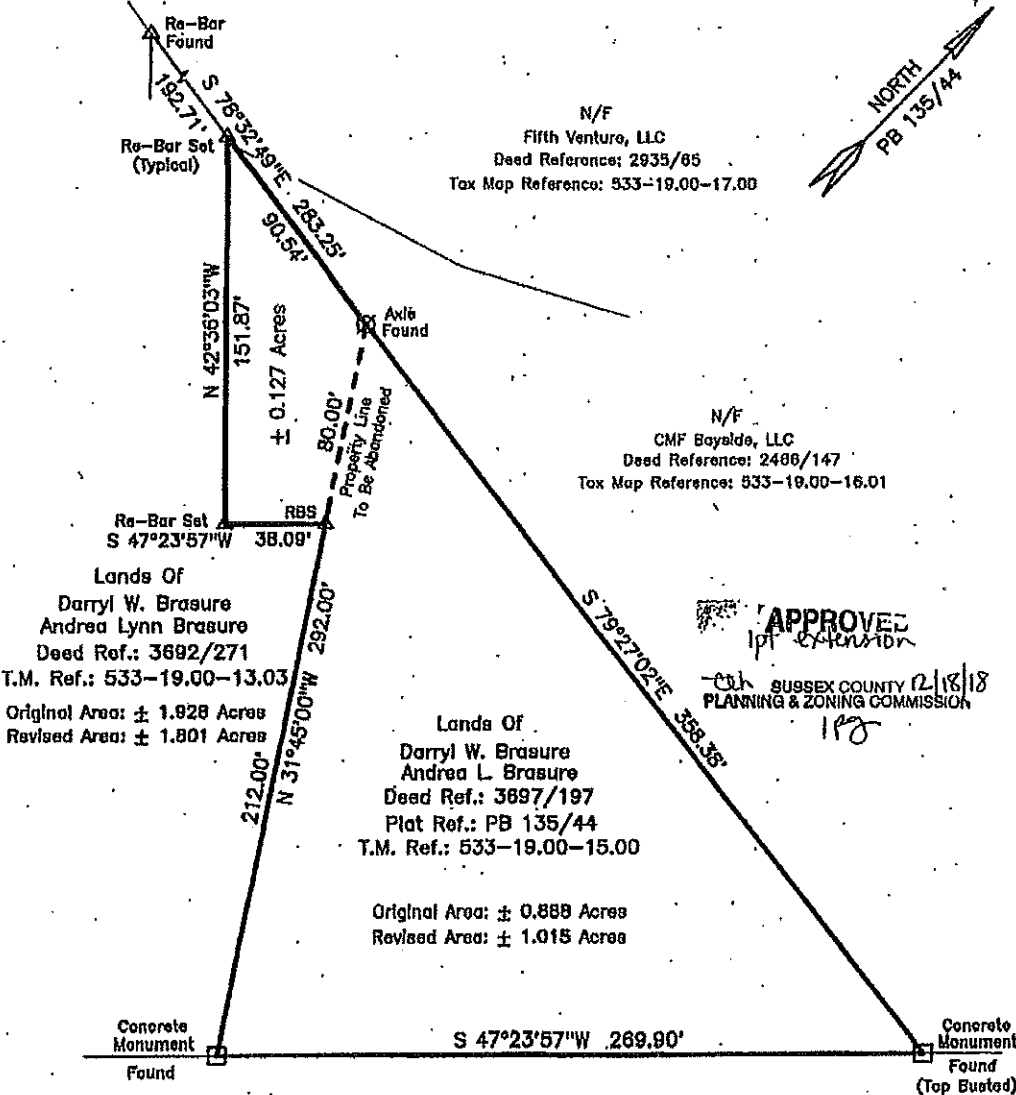


COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 417
GEORGETOWN, DELAWARE 19947

Last updated 7-27-18
MADE CONTACT
3/25/2019 11:33 AM

533 19.00 15.00

Survey For Lot Extension: A Portion Of The Lands Of — [SURVEY BOUNDARY PLAN]
Darryl W. Brasure & Andrea Lynn Brasure To Be Conveyed To And Made A Part Of
The Lands Of Darryl W. Brasure & Andrea L. Brasure
 Baltimore Hundred Sussex County Delaware

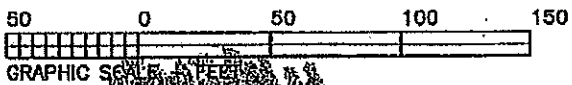


Lands Of
 Darryl W. Brasure
 Andrea Lynn Brasure
 Deed Ref.: 3692/271
 T.M. Ref.: 533-19.00-13.03
 Original Area: ± 1.928 Acres
 Revised Area: ± 1.801 Acres

Lands Of
 Darryl W. Brasure
 Andrea L. Brasure
 Deed Ref.: 3697/197
 Plat Ref.: PB 135/44
 T.M. Ref.: 533-19.00-15.00
 Original Area: ± 0.888 Acres
 Revised Area: ± 1.015 Acres

APPROVED
 1/18/18
 SUSSEX COUNTY
 PLANNING & ZONING COMMISSION
 1/18

ROUTE 54 Lighthouse Road 60' R/W



Lawrence R. Long
 LAWRENCE R. LONG
 Professional Land Surveyor, L.L.C.
 DELAWARE 10961

Class B Survey
 December 3, 2018

I, Lawrence R. Long, a Professional Land Surveyor in the State of Delaware, hereby state that the information shown on this plan was obtained by me or under my supervision and meets the standards of practice as established by the Board of Professional Land Surveyors. Any changes to the property conditions, improvements, or other data shown hereon, shall necessitate a new review and certification of this plan.

THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT-OF-WAYS, OR EASEMENTS IN REFERENCE TO THIS PROPERTY.
 NO TITLE SEARCH PROVIDED OR STIPULATED.

LAWRENCE R. LONG
 Professional Land Surveyor, L.L.C.
 38079 Bayard Road
 Frankford, DE 19948
 PHONE: 302-436-8215
 Land Surveying Services
 DELAWARE / MARYLAND

Document# 201800046294 BK: 4993 PG: 267
Recorder of Deeds, Scott Dailey On 12/18/2018 at 10:56:29 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 and Parcel #: 533-19.00-15.00 &
p/o 533-19.00-13.03

PREPARED BY:
TOMASETTI LAW LLC
1100 Coastal Hwy., Unit 3
Fenwick Island, DE 19944
File No. 518-362/DS

RETURN TO:
36191 DWB, LLC,
35089 Lighthouse Road
Selbyville, DE 19975

THIS DEED, made this 12th day of December, 2018,

- BETWEEN -

DARRYL W. BRASURE and ANDREA L. BRASURE, husband and wife, of 35089
Lighthouse Road, Selbyville, DE 19975, parties of the first part,

- AND -

36191 DWB, LLC, A DELAWARE LIMITED LIABILITY COMPANY, of 35089
Lighthouse Road, Selbyville, DE 19975, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00), 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 its heirs and assigns, in fee simple, the following described lands, situate, lying and being in Sussex County, State of Delaware, :

PARCEL #1- TAX MAP: P/O 533-19.00-13.03

All that certain lot, piece or parcel of land, situate, lying and being northerly of the northerly right-of-way of State Route 54, Baltimore Hundred, Sussex County, State of Delaware, and being more particularly described in a survey prepared by Lawrence R. Long, P.L.S. dated



Document# 201800046294 BK: 4993 PG: 268
Recorder of Deeds, Scott Dailey On 12/18/2018 at 10:56:29 AM Sussex County, DE
Doc Surcharge Paid

December 3, 2018, as follows to wit:

Commencing at a concrete monument situate on the northerly right-of-way of State Route 54 (known locally as Lighthouse Road – having a width of 60'), said point of commencement being a corner for the lands of Darryl W. Brasure & Andrea Lynn Brasure (Deed Reference: 3692/271) and also being a corner for the lands of Darryl W. Brasure and Andrea L. Brasure (Deed Reference: 3697/197); thence with the common property line of Brasure, N 31° 45' 00" W, 212.00 feet to a re-bar set, said re-bar being the Point Of Beginning for this lot, piece or parcel of land.

Beginning at a re-bar set on the common property line of Brasure, thence with two new lines into the Lands of Darryl W. Brasure & Andrea Lynn Brasure (Deed Reference: 3692/271) the following: 1) S 47° 23' 57" W, 38.09 feet to a re-bar set; 2) N 42° 36' 03" W, 151.87 feet to a re-bar set on the property line of the lands of Brasure and being a point on the line of the lands of Fifth Venture, LLC; thence with the lands of Brasure, the lands of Fifth Venture, LLC part of the way and with the lands of CMF Bayside, LLC, S 78° 32' 49" E, 90.54 feet to an axle found, said found axle being a corner for the lands of CMF Bayside, LLC, a corner for the lands of Darryl W. Brasure & Andrea Lynn Brasure (Deed Reference: 3692/271) and a corner for the lands of Darryl W. Brasure & Andrea L. Brasure (Deed Reference: 3697/197); thence with the common property line of Brasure, S 31° 45' 00" E, 80.00 feet home to the Point Of Beginning, said to contain 0.127 acres more or less.

BEING a part of the same lands conveyed to Darryl W. Brasure and Andrea Lynn Brasure, husband and wife, by deed of Darryl W. Brasure, dated July 14, 2009 and recorded in the office of the Recorder of Deeds, in and for Sussex County, Georgetown, Delaware in Deed Book 3692 page 271.

PARCEL #2 – TAX MAP: 533-19.00-15.00

ALL THAT CERTAIN LOT, piece of land or parcel of land lying and being situated in Baltimore Hundred, Sussex County, Delaware, and being more particularly bounded and described according to a survey made by C. Kenneth Carter & Associates, in August, 1978, and being further described in a more recent survey made by Lawrence R. Long, dated July 3, 2009 recorded in Plot Book 135, Page 44 as follows, to wit:

BEGINNING at a concrete monument set in the Westerly right-of-way line of State Road No. 54, marking a corner of the parcel herein conveyed and lands now or formerly of CMF Bayside, L.L.C.; thence by the aforesaid right-of-way line, South 47° 23' 59" West 269.90 feet to another concrete monument marking a corner of the parcel herein conveyed and lands now or formerly of Darryl W. Brasure; thence by the division line between the parcel herein conveyed and the aforesaid lands now or formerly of Darryl W. Brasure, North 31° 45' 00" West 292.00 feet to a concrete monument set (being at a corner previously marked by an iron pipe found); thence by the division line between the parcel herein conveyed and the aforesaid lands now or formerly of CMF Bayside, L.L.C, South 79° 27' 02" East 358.38 feet to the point and place of beginning, containing by computation 0.888 acres more or less.



Document# 201800046294 BK: 4993 PG: 269

Recorder of Deeds, Scott Dailey On 12/18/2018 at 10:56:29 AM Sussex County, DE

Doc Surcharge Paid

BEING the same land conveyed unto Darryl W. Brasure and Andrea L. Brasure, husband and wife, by deed of Matthew Chiasson, Dale Baker, Mannde A. Dugan, Bradford D. Chiasson, Heirs of the Estate of Edward J. Chiasson, dated July 20, 2009, and filed for record in the Office of the Recorder of Deeds, in and for Sussex County, State of Delaware, in Book 3697, Page 197.

Parcel #1 and Parcel #2 are being combined to create the new Parcel as set forth below in the metes and bounds description for Parcel #3, with Parcel #1 being a lot extension and addition to Parcel #2 and to be known only as Tax Map 533-19.00-15.00, as reflected in a Survey for Lot Extension prepared by Lawrence R. Long, dated December 3, 2018 and recorded in Plot Book 276, Page 36 and being described below as Parcel #3, being a combination of Parcel #1 and Parcel #2:

PARCEL #3- Being new TAX MAP 533-19.00-15.00 after the addition of Parcel #1 to Parcel #2

All that certain lot, piece or parcel of land, situate, lying and being on the northerly right-of-way of State Route 54, Baltimore Hundred, Sussex County, State of Delaware, and being more particularly described in a survey prepared by Lawrence R. Long, P.L.S. dated December 3, 2018, as recorded in the Office of the Recorder of Deeds in Plot Book 276, Page 36 as follows to wit:


Beginning at a concrete monument situate on the northerly right-of-way of State Route 54 (known locally as Lighthouse Road – having a width of 60'), said point of beginning being a corner for the lands of Darryl W. Brasure & Andrea Lynn Brasure (Deed Reference: 3692/271) and also being a corner for the lands herein described; thence with the property lines of Darryl W. Brasure and Andrea Lynn Brasure the following three courses and distances: 1) N 31° 45' 00" W, 212.00 feet to a re-bar set; 2) S 47° 23' 57" W, 38.09 feet to a re-bar set; 3) N 42° 36' 03" W, 151.87' to a re-bar set at the corner of Brasure and being a point on the line of the lands of Fifth Venture, LLC; thence with the lands of Fifth Venture, LLC part of the way and with the lands of CMF Bayside, LLC, S 78° 32' 49" E, a total of 90.54 feet to an axle found; thence continuing with the lands of CMF Bayside, LLC, S 79° 27' 02" E, 358.38 feet to a concrete monument found (top busted), said concrete monument being a corner for the lands herein described, a corner for the lands of CMF Bayside, LLC and being a point on the northerly right-of-way of the aforementioned State Route 54; thence with the northerly right-of-way of State Route 54, S 47° 23' 57" W, 269.90 feet, home to the Point Of Beginning, said to contain 1.015 acres more or less.

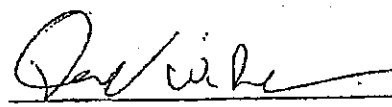
SUBJECT to any and all restrictions, reservations, conditions, easements and agreements of record in the Office of the Recorder of Deeds in and for Sussex County, Delaware.

Document# 201800046294 BK: 4993 PG: 270
Recorder of Deeds, Scott Dailey On 12/18/2018 at 10:56:29 AM Sussex County, DE
Doc Surcharge Paid

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:


AS TO BRAS

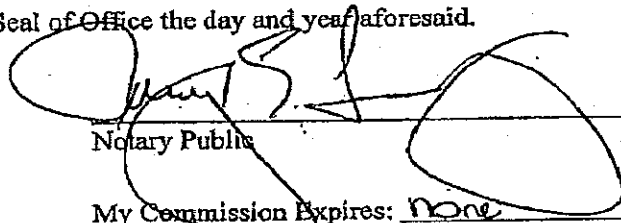
 (SEAL)
DARRYL W. BRASURE

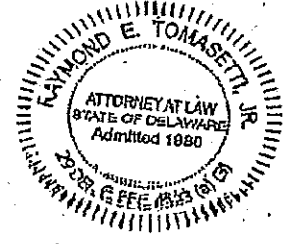
 (SEAL)
ANDREA L. BRASURE

STATE OF DELAWARE, COUNTY OF SUSSEX: to-wit

BE IT REMEMBERED, that on December 12, 2018, personally came before me, the subscriber, DARRYL W. BRASURE and ANDREA L. BRASURE, husband and wife, parties of the first part 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.


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

March 22, 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 **DWB, LLC** rezoning application, which we received on February 26, 2019. This application is for a 1.02-acre parcel (Tax Parcel: 533-19.00-15.00). The subject land is located on the northwest side of Lighthouse Road (Sussex Road 58), opposite Sound Church Road (Sussex Road 394A). The subject land is currently zoned as AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to C-3 (Heavy Commercial) to use the facility for auto repair or as office space.

Per the 2017 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Lighthouse Road where the subject land is located, which is from West Line Road (Sussex Road 396) to Delaware Route 1, are 7,384 and 9,503 vehicles per day, respectively.

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.



Ms. Janelle M. Cornwell
Page 2 of 2
March 22, 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
DWB, LLC, 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
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination



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

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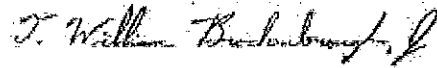
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Ms. Janelle M. Cornwell
Page 2 of 2
March 22, 2019

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County Coordinator
Development Coordination

TWB:cjm

cc: Constance C. Holland, Coordinator, Cabinet Committee on State Planning Issues
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Derek Sapp, 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

SUSSEX COUNTY ENGINEERING DEPARTMENT
UTILITY PLANNING DIVISION
C/U & C/Z COMMENTS

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **6/20/2019**

APPLICATION: **CZ 1885 36191 DWB, LLC**

APPLICANT: **36191 DWB, LLC**

FILE NO: **OM-4.05**

TAX MAP &
PARCEL(S): **533-19.00-15.00**

LOCATION: **36191 Lighthouse Road, north side of Lighthouse Road,
approximately 850 feet west of Zion Church Road.**

NO. OF UNITS: **Upzone from AR-1 to C-3**

GROSS
ACREAGE: **1.015**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **4**

SEWER:

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?
Yes No
 - a. If yes, see question (2).
 - b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 1**
- (3). Is wastewater capacity available for the project? **Yes, As Proposed** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **If the current single-family home is disconnected from the sanitary sewer and demolished that would result in a credit of 1.0 EDU. If the final commercial development on this parcel exceeds 4.0 EDU's a lateral upgrade to 8" shall be necessary**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

UTILITY PLANNING APPROVAL:



John J. Ashman
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.
Jayne Dickerson
Noell Warren



RECEIVED

JUL 17 2019

SUSSEX COUNTY
PLANNING & ZONING

MEMORANDUM

TO: Janelle M. Cornwell

FROM: Debbie Absher, Director of Ag Programs

SUBJECT: LUPA

DATE: July 17, 2019

Attached you will find the comments for the following proposed zoning changes:

- 2018-34 – Keastone Bay
- 2019-10 – Lands of Timmons
- CZ 1885 – 36191 DWB, LLC

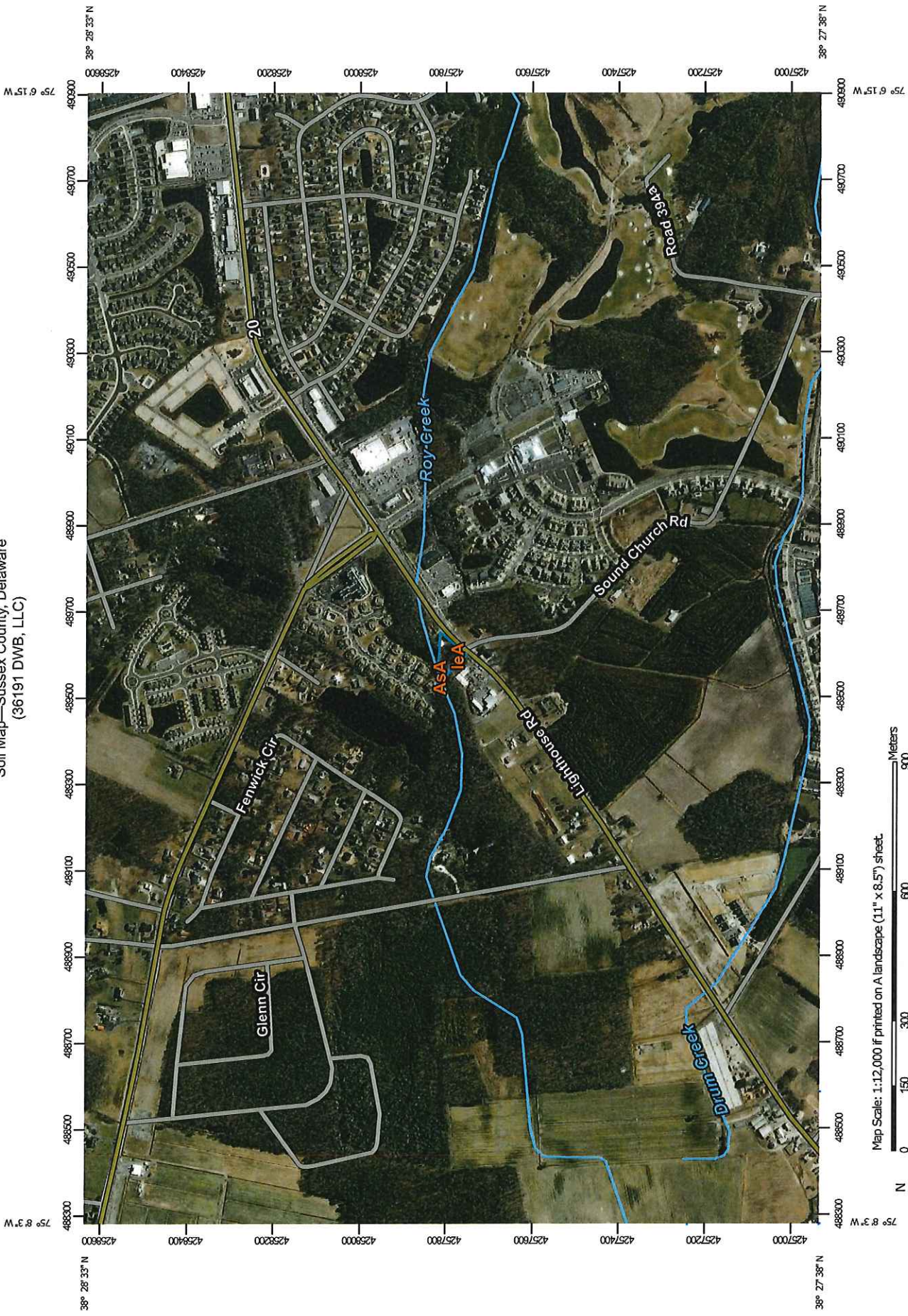
If you have any questions, I can be reached at 856-3990, ext. 3.

BJH
Enclosures



CZ 1885
TM #533-19.00-15.00
36191 DWB, LLC

Soil Map—Sussex County, Delaware
(36191 DWB, LLC)












































Map Scale: 1:12,000 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Soils	 Stony Spot
 Soil Map Unit Polygons	 Very Stony Spot
 Soil Map Unit Lines	 Wet Spot
 Soil Map Unit Points	 Other
 Special Point Features	 Special Line Features
 Blowout	 Water Features
 Borrow Pit	 Streams and Canals
 Clay Spot	 Transportation
 Closed Depression	 Rails
 Gravel Pit	 Interstate Highways
 Gravelly Spot	 US Routes
 Landfill	 Major Roads
 Lava Flow	 Local Roads
 Marsh or swamp	 Background
 Mine or Quarry	 Aerial Photography
 Miscellaneous Water	
 Perennial Water	
 Rock Outcrop	
 Saline Spot	
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodic Spot	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Sussex County, Delaware
Survey Area Data: Version 19, Sep 14, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 21, 2018—Mar 12, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AsA	Askecksy loamy sand, 0 to 2 percent slopes	0.0	4.0%
leA	Ingleside loamy sand, 0 to 2 percent slopes	0.9	96.0%
Totals for Area of Interest		1.0	100.0%

Selected Soil Interpretations

This report allows the customer to produce a report showing the results of the soil interpretation(s) of his or her choice. It is useful when a standard report that displays the results of the selected interpretation(s) is not available.

When customers select this report, they are presented with a list of interpretations with results for the selected map units. The customer may select up to three interpretations to be presented in table format.

For a description of the particular interpretations and their criteria, use the "Selected Survey Area Interpretation Descriptions" report.

Report—Selected Soil Interpretations

Selected Soil Interpretations—Sussex County, Delaware							
Map symbol and soil name	Pct. of map unit	ENG - Dwellings W/O Basements		ENG - Dwellings With Basements		ENG - Septic Tank Absorption Fields (DE)	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
AsA—Askecksy loamy sand, 0 to 2 percent slopes							
Askecksy, undrained	45	Very limited		Very limited		Very limited	
		Ponding	1.00	Ponding	1.00	Depth to saturated zone	1.00
		Depth to saturated zone	1.00	Depth to saturated zone	1.00	Filtering capacity	1.00
						Ponding	1.00
Askecksy, drained	30	Very limited		Very limited		Very limited	
		Depth to saturated zone	1.00	Depth to saturated zone	1.00	Depth to saturated zone	1.00
						Filtering capacity	1.00
leA—Ingleside loamy sand, 0 to 2 percent slopes							
Ingleside	75	Not limited		Somewhat limited		Very limited	
				Depth to saturated zone	0.73	Depth to saturated zone	1.00
						Restricted permeability	1.00

Data Source Information

Soil Survey Area: Sussex County, Delaware
 Survey Area Data: Version 19, Sep 14, 2018

Prime and other Important Farmlands

This table lists the map units in the survey area that are considered important farmlands. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. This list does not constitute a recommendation for a particular land use.

In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

Prime farmland is of major importance in meeting the Nation's short- and long-range needs for food and fiber. Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

For some of the soils identified in the table as prime farmland, measures that overcome a hazard or limitation, such as flooding, wetness, and droughtiness, are needed. Onsite evaluation is needed to determine whether or not the hazard or limitation has been overcome by corrective measures.

A recent trend in land use in some areas has been the loss of some prime farmland to industrial and urban uses. The loss of prime farmland to other uses puts pressure on marginal lands, which generally are more erodible, droughty, and less productive and cannot be easily cultivated.

Unique farmland is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation, and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate, such as the wine country in California.

In some areas, land that does not meet the criteria for prime or unique farmland is considered to be *farmland of statewide importance* for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

In some areas that are not identified as having national or statewide importance, land is considered to be *farmland of local importance* for the production of food, feed, fiber, forage, and oilseed crops. This farmland is identified by the appropriate local agencies. Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance.

Report—Prime and other Important Farmlands

Prime and other Important Farmlands--Sussex County, Delaware		
Map Symbol	Map Unit Name	Farmland Classification
AsA	Askecksy loamy sand, 0 to 2 percent slopes	Not prime farmland
leA	Ingleside loamy sand, 0 to 2 percent slopes	All areas are prime farmland

Data Source Information

Soil Survey Area: Sussex County, Delaware
 Survey Area Data: Version 19, Sep 14, 2018

SOILS

ADD ANY ADDITIONAL INFORMATION THAT MAY BE CONSIDERED PERTINENT:

SOILS:

AsA Askecksy loamy sand, 0 to 2 percent slopes
IeA Ingleside loamy sand, 0 to 2 percent slopes

- A. SUITABILITY OF SOILS INTENDED USE:
See attached table for suitability.

- B. EVALUATE THE SOILS INCLUDED IN THIS PROJECT WITH RESPECT TO EROSION AND SEDIMENTATION CONTROL:
 - 1. DURING CONSTRUCTION:
Follow recommended erosion and sediment control practices.

 - 2. AFTER CONSTRUCTION:
Maintain vegetation.

- C. FARMLAND RATING (PRIME, UNIQUE, STATEWIDE IMPORTANCE, ETC.):
See attached table(s) for ratings.

- D. ADDITIONAL COMMENTS (IF APPLICABLE):

DRAINAGE AND FLOODING

Add any additional information that may be considered pertinent:

DRAINAGE:

- A. Any Storm flood hazard area affected? Yes No

N/A - ZONING CHANGE

- B. Would the proposed project necessitate any off-site drainage improvements?

N/A - ZONING CHANGE

- C. Would the proposed project necessitate any on-site drainage improvements?

N/A - ZONING CHANGE

- D. Any Tax Ditch affected? Yes No

Additional Comments (if applicable)

All landowners, developers, and site designers are strongly encouraged to thoroughly investigate the presence of easements or right-of-ways along tax ditches. These documents are located in the Prothonotary's Office and/or with the Recorder of Deeds. If a stormwater management facility is proposed along a stream or ditch, the Sussex Conservation District will require verification of any easements. Before you start any project design, please look into this matter by calling the Division of Soil and Water Conservation-Drainage Program at (302) 855-1930 or the Sussex Conservation District Sediment and Stormwater Program at (302) 856-7219 for more information.

Sound Church Camp Meeting Association

38555 Peppers Landing Lane

Selbyville, DE 19975

July 23, 2019

To Whom It May Concern:

In regard to the zoning change request by 36191 DWB LLC from AR1 to C3, we the Trustees of Sound Church Camp Meeting Association directly adjacent to the property do not oppose the request. The Camp Meeting Association property consists of the community house of Sound United Methodist Church and the common area surrounding it.

Should you have any questions, please feel free to contact Treasurer, Phillip Thompson at (410)251-3324.



Taylor Dickerson, Chairman



Phillip Thompson, Treasurer

FILE COPY

Applicant
Exhibit

C2/1885

CZ # 1885

36191 DWB, LLC

PROPOSED FINDINGS

1. The Applicant is proposing rezoning from an AR to a C3 district on 1.03 acres on Lighthouse Road just west of the Zion Road and Americana Parkway intersection.
2. The property is adjacent to a C1 property (auto repair) on the west, and adjacent to another C1 property (carpet cleaning). Medium Residential (MR) is to the rear on the property.
3. A McDonalds and CVS are nearby on the other side of Lighthouse Road which is part of an RPC business use. More substantial commercial activity is located at the Lighthouse Road, Zion Road and Americana Parkway.
4. Under the County's 2019 Comprehensive Plan the site is located in the Coastal Area District which is a "Growth" area with mixed residential and commercial uses.
5. The property is served by County Sewer and the County Engineering Department has indicated that adequate wastewater capacity is available for upgraded capacity if necessary.
6. The property is currently serviced by well water but Tidewater has a water tower on the adjacent property and it may be available in the future.
7. The change of zone is simply an extension of the adjacent property which is already zoned as commercial and which is owned by the same owners.
8. This change of zone is consistent with the Comprehensive Plan and surrounding zoning and uses.

FILE COPY
Applicant
Exhibit

CZ1885

FUQUA, WILLARD, STEVENS & SCHAB, P.A.

PAYNTER HOUSE
26 THE CIRCLE OR P.O. BOX 250
GEORGETOWN, DELAWARE 19947
PHONE 302-856-7777
FAX 302-856-2128
onthecircle@fwsslaw.com

JAMES A. FUQUA, JR.
WILLIAM SCHAB
TIMOTHY G. WILLARD
TASHA MARIE STEVENS
MELISSA S. LOFLAND
NORMAN C. BARNETT
www.fwsslaw.com

HART HOUSE
9 CHESTNUT STREET
GEORGETOWN, DELAWARE 19947
PHONE 302-856-9024
FAX 302-856-6360
realestate@fwsslaw.com

REHOBOTH OFFICE
20245 BAY VISTA ROAD, UNIT 203
REHOBOTH BEACH, DE 19971
PHONE 302-227-7727
FAX 302-227-2226
HAND DELIVERED

July 15, 2019

LEWES REAL ESTATE OFFICE
16698 KINGS HIGHWAY, SUITE B
LEWES, DELAWARE 19958
PHONE 302-645-6626
FAX 302-645-6620
realestate@fwsslaw.com

Robert C. Wheatley, Chairman
Sussex County Planning & Zoning Commission
2 The Circle
Georgetown, Delaware 19947

RECEIVED

JUL 15 2019

SUSSEX COUNTY
PLANNING & ZONING

**Re: Change of Zone #1885 36191 DWB, LLC
Hearing Scheduled for 7/25/19**

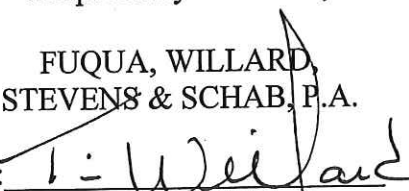
Dear Chairman Wheatley:

I represent the Applicant who is asking for a change of zone from AR-1 to C-3 for 1.03 acres on Lighthouse Road. Please find information in support of that application.

1. Aerial Tax Map;
2. Survey;
3. Zoning Map;
4. Photographs;
5. DelDot Letter – No TIS;
6. County Engineer – Sewer Available; and
7. Proposed Findings – to be provided;

Respectfully submitted,

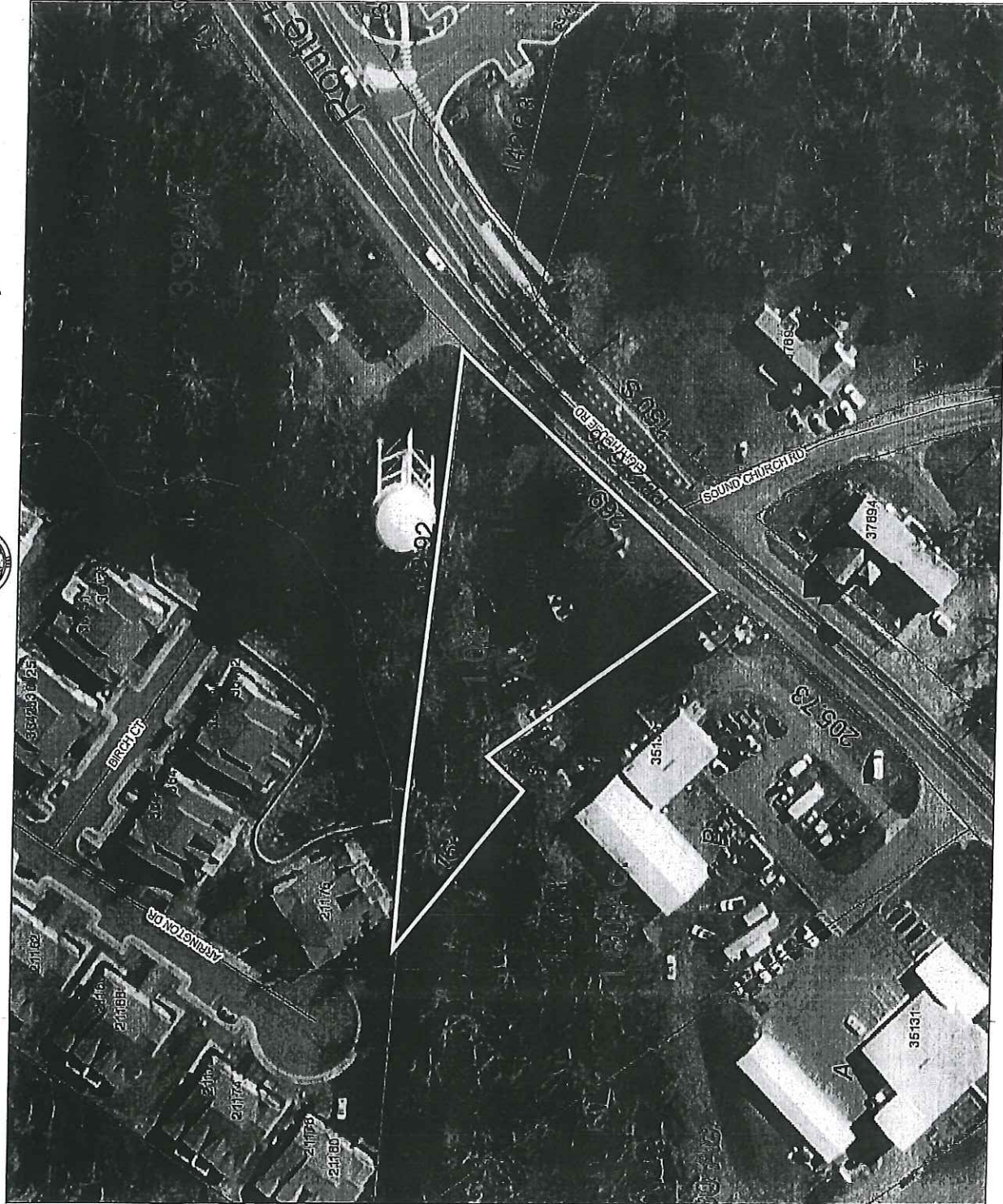
FUQUA, WILLARD,
STEVENS & SCHAB, P.A.

By: 
Timothy G. Willard

TGW/jel
Enclosures
Pc: Mr. Darryl Brasure

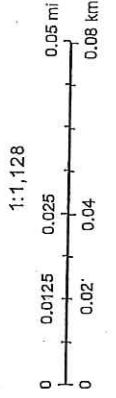


Sussex County



PIN:	533-19,00-15,00
Owner Name	BRASURE DARRYL W
Book	3697
Mailing Address	35089 LIGHTHOUSE RD
City	SELBYVILLE
State	DE
Description	NW/LIGHTHOUSE RD &
Description 2	SOUND CHURCH RD
Description 3	1.02 AC
Land Code	

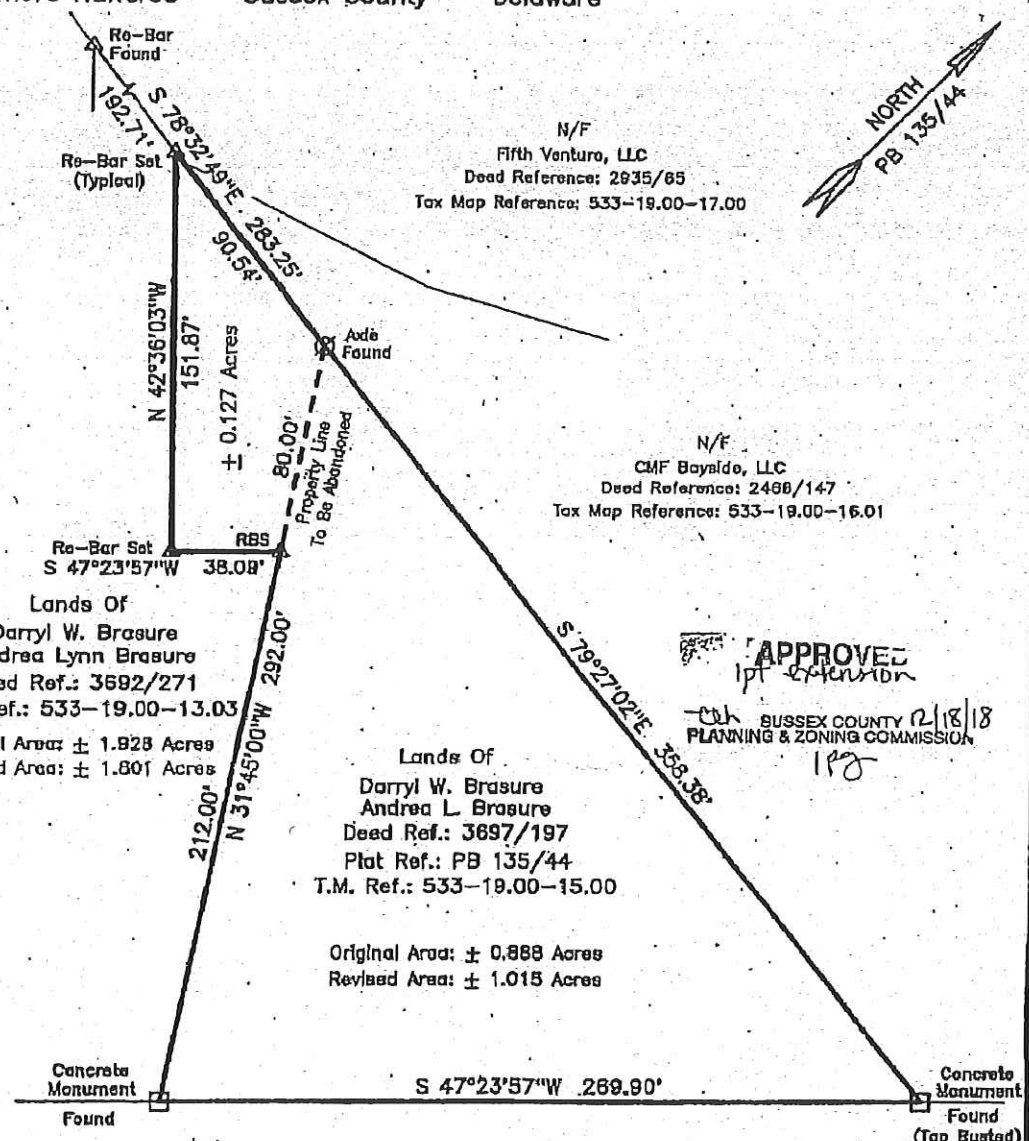
- polygonLayer
Override 1
- polygonLayer
Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries



Document# 20180046291 BK: 276 PG: 36
Recorder of Deeds, Scott Dalley On 12/18/2018 at 10:49:40 AM Sussex County, DE
Doc Surcharge Paid

533 19.00 15.00

Survey For Lot Extension: A Portion Of The Lands Of — [SURVEY BOUNDARY PLAN]
Darryl W. Brasure & Andrea Lynn Brasure To Be Conveyed To And Made A Part Of
The Lands Of Darryl W. Brasure & Andrea L. Brasure
Baltimore Hundred Sussex County Delaware

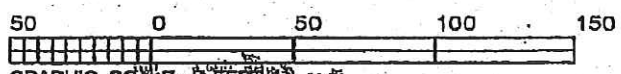


Lands Of
Darryl W. Brasure
Andrea Lynn Brasure
Deed Ref.: 3692/271
T.M. Ref.: 533-19.00-13.03
Original Area: ± 1.928 Acres
Revised Area: ± 1.801 Acres

Lands Of
Darryl W. Brasure
Andrea L. Brasure
Deed Ref.: 3697/197
Plat Ref.: PB 135/44
T.M. Ref.: 533-19.00-15.00
Original Area: ± 0.888 Acres
Revised Area: ± 1.015 Acres

APPROVED
1st extension
SUSSEX COUNTY 12/18/18
PLANNING & ZONING COMMISSION
180

ROUTE 54 Lighthouse Road 60' R/W



LAWRENCE R. LONG
Professional Land Surveyor
DELAWARE 15433 MAR 10 1961

Class B Survey
December 3, 2018

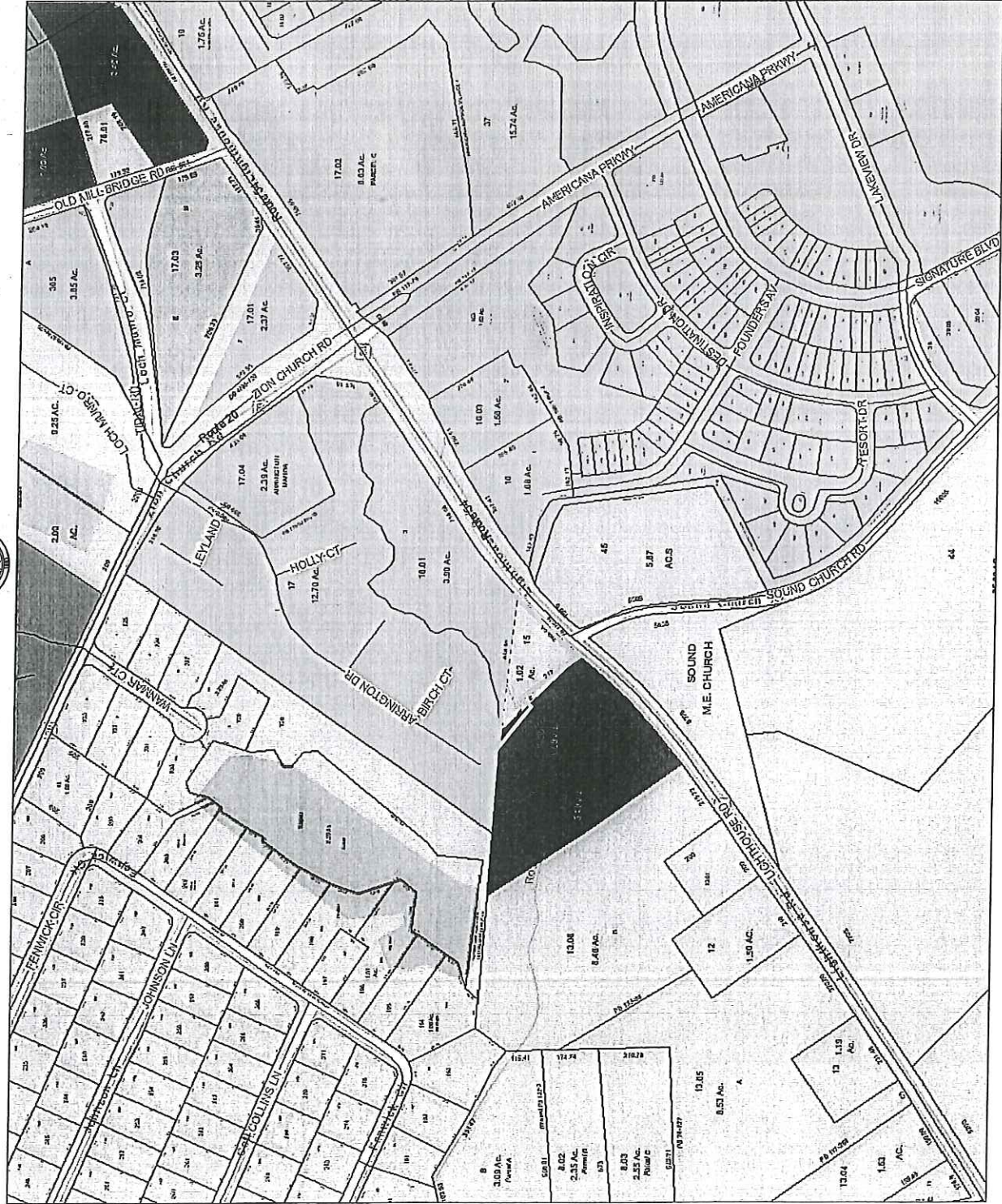
I, Lawrence R. Long, Professional Land Surveyor in the State of Delaware, hereby state that the information shown on this plan was obtained by my supervision and meets the standards of practice as established by the Professional Land Surveyors. Any changes to the property conditions, improvements, or other features shown hereon after the date shown hereon, shall necessitate a new review and certification of any portion of this plan.

THIS DRAWING DOES NOT VERIFY THE EXISTENCE OR NON-EXISTENCE OF RIGHT-OF-WAYS, OR EASEMENTS IN REFERENCE TO THIS PROPERTY.
NO TITLE SEARCH PROVIDED OR STIPULATED.

LAWRENCE R. LONG
Professional Land Surveyor, LLC
3607B Boyard Road
Frankford, DE 19943
PHONE: 302-438-8215
Land Surveying Services
DELAWARE / MARYLAND



Sussex County



PIN:	563-19.00-15.00
Owner Name	BRASURE DARRYL W
Book	3697
Mailing Address	35089 LIGHTHOUSE RD
City	SELBYVILLE
State	DE
Description	NW/LIGHTHOUSE RD &
Description 2	SOUND CHURCH RD
Description 3	1.02 AC
Land Code	

Google Maps lighthouse road and zion selbyville de



Imagery ©2019 Google, Map data ©2019 200 ft

Google Maps Lighthouse Rd



Image capture: May 2018 © 2019 Google

Selbyville, Delaware



Street View - May 2018



Google Maps Lighthouse Rd



Image capture: May 2018 © 2019 Google

Selbyville, Delaware



Street View - May 2018

Google Maps 36191 Lighthouse Rd



Image capture: May 2018 © 2019 Google

Selbyville, Delaware



Street View - May 2018



Google Maps 36218 DE-54

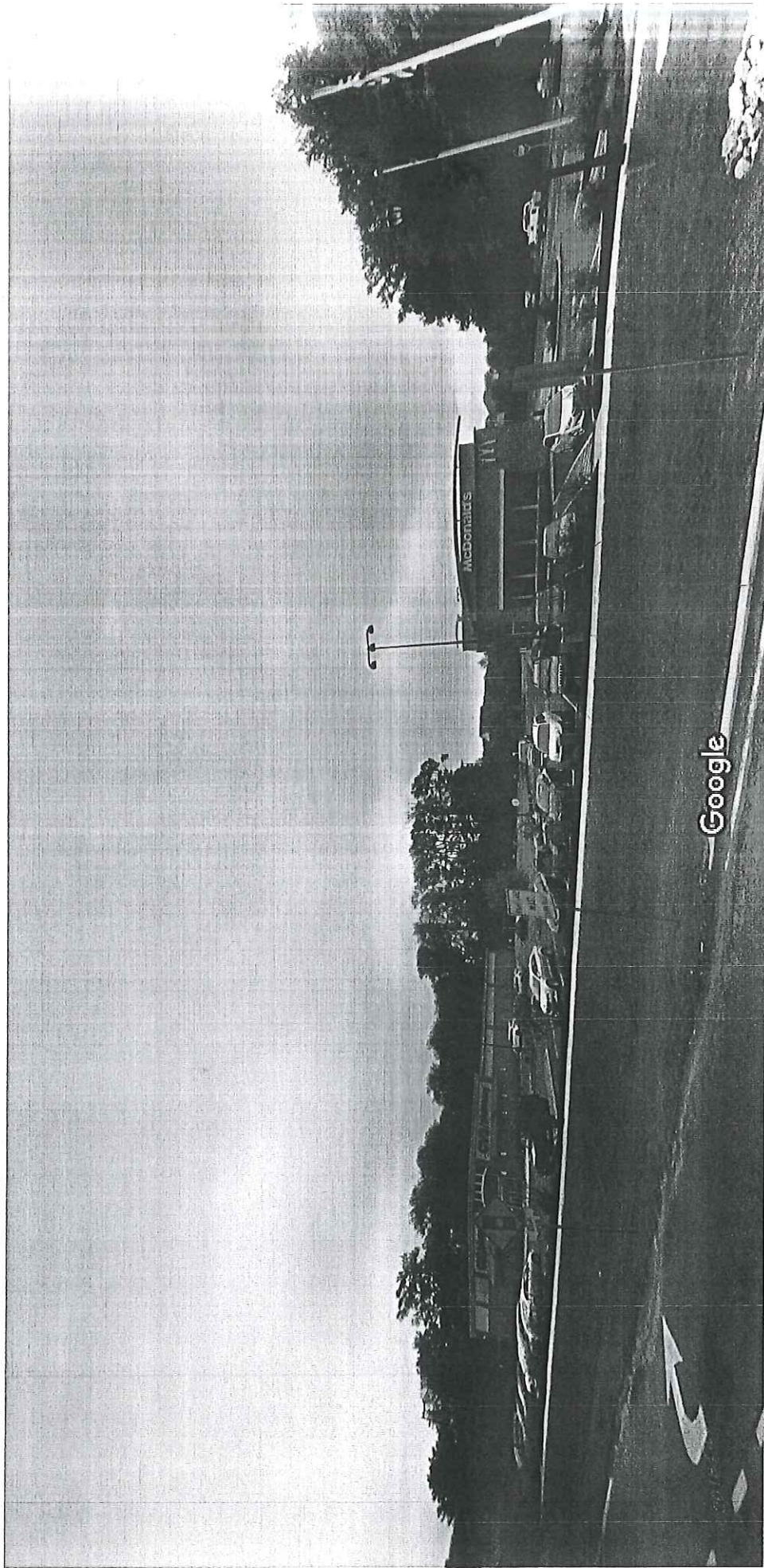


Image capture: May 2018 © 2019 Google

Selbyville, Delaware



Street View - May 2018



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

JENNIFER COHAN
SECRETARY

March 22, 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 **DWB, LLC** rezoning application, which we received on February 26, 2019. This application is for a 1.02-acre parcel (Tax Parcel: 533-19.00-15.00). The subject land is located on the northwest side of Lighthouse Road (Sussex Road 58), opposite Sound Church Road (Sussex Road 394A). The subject land is currently zoned as AR-1 (Agricultural Residential), and the applicant is seeking to rezone the land to C-3 (Heavy Commercial) to use the facility for auto repair or as office space.

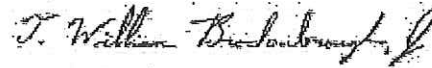
Per the 2017 Delaware Vehicle Volume Summary, the annual average and summer average daily traffic volumes along the segment of Lighthouse Road where the subject land is located, which is from West Line Road (Sussex Road 396) to Delaware Route 1, are 7,384 and 9,503 vehicles per day, respectively.

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.

Ms. Janelle M. Cornwell
Page 2 of 2
March 22, 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
DWB, LLC, 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
Brian Yates, Subdivision Manager, Development Coordination
John Andrescavage, Subdivision Manager, Development Coordination
Troy Brestel, Project Engineer, Development Coordination
Claudy Joinville, Project Engineer, Development Coordination

SUSSEX COUNTY ENGINEERING DEPARTMENT
UTILITY PLANNING DIVISION
C/U & C/Z COMMENTS

TO: **Janelle Cornwell**

REVIEWER: **Chris Calio**

DATE: **6/20/2019**

APPLICATION: **CZ 1885 36191 DWB, LLC**

APPLICANT: **36191 DWB, LLC**

FILE NO: **OM-4.05**

TAX MAP &
PARCEL(S): **533-19.00-15.00**

LOCATION: **36191 Lighthouse Road, north side of Lighthouse Road,
approximately 850 feet west of Zion Church Road.**

NO. OF UNITS: **Upzone from AR-1 to C-3**

GROSS
ACREAGE: **1.015**

SYSTEM DESIGN ASSUMPTION, MAXIMUM NO. OF UNITS/ACRE: **4**

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SUSSEX COUNTY
PLANNING & ZONING

SEWER:

- (1). Is the project in a County operated and maintained sanitary sewer and/or water district?
Yes No
- a. If yes, see question (2).
b. If no, see question (7).
- (2). Which County Tier Area is project in? **Tier 1**
- (3). Is wastewater capacity available for the project? **Yes, As Proposed** If not, what capacity is available? **N/A.**
- (4). Is a Construction Agreement required? **Yes** If yes, contact Utility Engineering at (302) 855-7717.
- (5). Are there any System Connection Charge (SCC) credits for the project? **No** If yes, how many? **N/A.** Is it likely that additional SCCs will be required? **Yes** If yes, the current System Connection Charge Rate is **Unified \$6,360.00** per EDU. Please contact **Noell Warren** at **302-855-7719** for additional information on charges.

- (6). Is the project capable of being annexed into a Sussex County sanitary sewer district? **N/A**
- Attached is a copy of the Policy for Extending District Boundaries in a Sussex County Water and/or Sanitary Sewer District.
- (7). Is project adjacent to the Unified Sewer District? **No**
- (8). Comments: **If the current single-family home is disconnected from the sanitary sewer and demolished that would result in a credit of 1.0 EDU. If the final commercial development on this parcel exceeds 4.0 EDU's a lateral upgrade to 8" shall be necessary**
- (9). Is a Sewer System Concept Evaluation required? **No**
- (10). Is a Use of Existing Infrastructure Agreement Required? **Yes**

UTILITY PLANNING APPROVAL:



John J. Ashman
Director of Utility Planning

Xc: Hans M. Medlarz, P.E.
Jayne Dickerson
Noell Warren